

CR-88-79 PETITION FOR ZONING RE-CLASSIFICATION SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an DR16 + DR2 zone to an R.O. zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for _____

and (3), for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

MAP NW 100
2C
E.D. 3rd
DATE 12/22/87
200 BF
1000 BF
DP
W 37,480
N 37,860

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser:
DOUGLAS G. CARROLL, III
(Type or Print Name)
Douglas G. Carroll, III
Signature
P.O. Box 713
Address
BROOKLANDVILLE, MD 21022
City and State

Legal Owner(s):
DeChiario Limited Partnership
(Type or Print Name)
[Signature]
Signature
(Type or Print Name)

Attorney for Petitioner:
700 Fairmount Ave. 823-0637
Address
Towson, Md. 21204
City and State
Signature
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
DOUGLAS CARROLL
Name

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
CR-88-79
Date of Posting 9-14-87

District 3rd
Posted for: Reclassification
Petitioner: DeChiario Limited Partnership
Location of property: S/S of Village Queen Drive, 158' W of Craddock Lane
Location of Sign: S.W. Corner of Craddock Lane and Village Queen Drive
Remarks: 9-17-87

CERTIFICATE OF PUBLICATION

TOWSON, MD. Sept 19, 1987

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Sept 22, 1987

THE JEFFERSONIAN,

Susan Lindsey Obrecht
Publisher

855.41

PETITION FOR RECLASSIFICATION
Case No. CR-88-79 - 3rd Councilmanic District

LOCATION: South Side of Village Queen Drive, 158 feet West of Craddock Lane

PUBLIC HEARING: Wednesday, September 30, 1987, at 10:00 a.m.

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter, will hold a public hearing:

To reclassify the property from a D.R. 16 and D.R. 2 Zone to an R.O. Zone

All that parcel of land in the 3rd Election District of Baltimore County

Beginning for the same at a point on the Southern right-of-way of a proposed road (53 feet wide) 158 feet from the west right-of-way of Craddock Lane. Thence leaving said point of beginning for 9 lines of division (1) south 10 degrees 01 minutes 25 seconds west 54 feet more or less thence (2) south 68 degrees 54 minutes 02 seconds west 56 feet more or less thence (3) north 77 degrees 06 minutes 26 seconds west 59 feet more or less thence (4) south 12 degrees 53 minutes 34 seconds west 21 degrees more or less thence (5) north 75 degrees 11 minutes 13 seconds west 41 feet more or less thence (6) north 78 degrees 12 minutes 29 seconds west 35 feet more or less thence (7) south 11 degrees 40 minutes 19 seconds west 65 feet more or less thence (8) north 78 degrees 05 minutes 18 seconds west 49 feet more or less thence (9) north 19 degrees 27 minutes 43 seconds west 232 feet more or less to intersect said southern right-of-way of a proposed road thence

binding on said right-of-way the four following courses. (10) south 56 degrees 47 minutes 30 seconds east 75 feet more or less thence (11) south 33 degrees 12 minutes 30 seconds west 3 feet more or less thence (12) by a curve curving to the right with a radius of 128 feet 52 feet more or less thence (13) south 79 degrees 58 minutes 33 seconds east 231 feet more or less to the place of beginning.

Containing 0.74 Acres of land more or less.

Being the property of DeChiario Limited Partnership as shown on the plat plan filed with the Zoning Department.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
MISCELLANEOUS RECEIPT
No. 37625
DATE 6/12/87 ACCOUNT 01-615-000
AMOUNT \$ 100.00
RECEIVED FROM Douglas G. Carroll, III
FOR Reclass. out of Cycle
Trentman Mansion House and Village
VALIDATION OR SIGNATURE OF CASHIER

BY ORDER OF
WILLIAM T. HACKETT, CHAIRMAN
COUNTY BOARD OF APPEALS
BALTIMORE COUNTY

IN THE MATTER OF
THE APPLICATION OF
DECHIARIO LIMITED PARTNERSHIP
FOR ZONING RECLASSIFICATION
FROM D.R. 16 AND D.R. 2 TO R.O.
OF PROPERTY LOCATED ON THE
SOUTH SIDE OF VILLAGE QUEEN DRIVE,
158' WEST OF CRADDOCK LANE
(TRENTHAM MANSION PROPERTY)
3rd ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO. CR-88-79

OPINION

This case comes before this Board on petition for a zoning reclassification from D.R. 16 and D.R. 2 to R.O., out of cycle approved by the County Council.

Douglas Carroll, the contract purchaser of the site, testified of his desire to restore the exterior of this historic building and convert the interior to offices for his own medical use. He submitted as exhibits many photographs, articles concerning the historic background of the building, and the recommendation from the Director of the Office of Planning & Zoning to grant the reclassification. He testified as to the urgency of obtaining the rezoning because of the deteriorating condition of the building and the ever-prevalent danger of vandalism to an unoccupied building. He also testified as to the impracticability of its use as a residence because of the small lot and the nearness of all the surrounding apartment buildings. He also noted that the granting of the R.O. zoning would create considerable less density than could be developed on the property under the present D.R. 16 classification, and it was his opinion that the County Council erred in the last comprehensive maps in not so granting the R.O. zoning.

John McGrain testified that this is an historic building added to the Landmarks List in 1978, that it was not suitable for residential use, and that

Case No. CR-88-79
DeChiario Limited Partnership
The Landmarks Commission is in favor of maintaining the exterior as it originally existed.

Paul McKean, an engineer specializing in restoration work and a member of the Landmarks Commission, testified that the cost of the restoration would far exceed its residential value and that a practical use was the one proposed.

James G. Hoswell, planner for Baltimore County, testified that he has reviewed the petition and viewed the property and recommended that the R.O. designation be granted.

It is the opinion of this Board that the testimony and evidence produced indicate that it was in fact an error not to designate the property R.O. and that in practical measures the proposed petition represents the only viable alternative to destroying the building and will therefore grant the requested reclassification.

ORDER

It is therefore this 13th day of October, 1987 by the County Board of Appeals of Baltimore County ORDERED that the Petition for Zoning Reclassification from D.R. 16 and D.R. 2 to R.O. be and the same is hereby GRANTED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman
Thomas J. Bolinger
Thomas J. Bolinger
Harry E. Buchteister, Jr.
Harry E. Buchteister, Jr.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

September 29, 1987

Mr. Douglas G. Carroll, III
P.O. Box 713
Brooklandville, Maryland 21022

RE: PETITION FOR ZONING RECLASSIFICATION
S/S Village Queen Drive, 158' W of Craddock La.
3rd Election District - 3rd Councilmanic District
DeChiario Limited Partnership (Owner)
Douglas G. Carroll, III - Contract Purchaser
Case No. CR-88-79
(Out of Cycle Reclassification)

Dear Mr. Carroll:

This is to advise you that \$120.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND POST RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED.

Please make your check payable to "Baltimore County, Maryland" and remit it to Ms. Margaret E. du Bois, Zoning Office, Room 113, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204, before the hearing.

Sincerely,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:med

cc: Mr. William T. Hackett, Chairman, Board of Appeals



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

October 13, 1987

Douglas G. Carroll, III, M.D.
P.O. Box 713
Brooklandville, MD 21022

RE: Case No. CR-88-79
DeChiario Ltd. Partnership

Dear Dr. Carroll:

Enclosed is a copy of the final Opinion and Order passed today by the County Board of Appeals in the subject matter.

Sincerely,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Secretary

Encl.

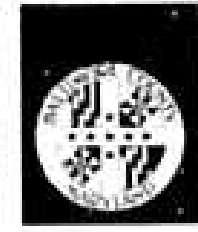
cc: DeChiario Limited Partnership
Newton A. Williams, Esquire
Mr. James Earl Kraft
Phyllis Cole Friedman, Esquire
Norman E. Gerber
James G. Hoswell
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Margaret E. du Bois
Hon. C. A. Dutch Ruppertsberger
Baltimore County Council

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reineke
Chief

August 5, 1987

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204
CR 88-79



Dennis F. Rasmussen
County Executive

Re: Property Owner: DeChiaro Ltd. Partnership

Location: S/S Village Queen Drive, 158' W. of Craddock Lane

Item No.: CR88-79

Zoning Agenda: Meeting of 7/28/87

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill*
Planning Group
Special Inspection Division

Noted and
Approved:

John F. O'Neill
Fire Prevention Bureau

/31

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 17, 1987

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

MEMBERS

Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

DeChiaro Limited Partnership
700 Fairmount Avenue
Towson, Maryland 21204

RE: Out of Cycle Reclassification
Case No. CR-88-79
Petitioner: Douglas C. Carroll, III
Reclassification Petition

Gentlemen:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing Out of Cycle reclassification. It has been reviewed by the zoning office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and/or commenting agencies' standards and policies, you are requested to review these comments, make your own judgment as to their accuracy and submit the necessary amendments to this office on or before September 29, 1987. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

In view of the fact that the submitted site plan does not indicate a proposed use at this time, the comments from this Committee are general in nature. If the request is granted and an additional hearing is required at a later date, more detailed comments will be submitted at that time.

Page Two
Out of Cycle Reclassification
September 17, 1987

If you have any questions concerning the enclosed comments, please feel free to contact the Zoning Office at 494-3391 or the commenting agency.

Very truly yours,

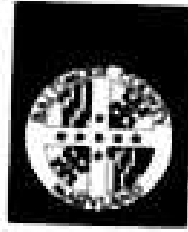
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb (MS018)

Enclosures

cc: Development Engineering Consultants, Inc.
6603 York Road
Baltimore, Maryland 21212

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3334



Dennis F. Rasmussen
County Executive

July 31, 1987

Mr. William Hackett
Chairman, Board of Appeals
Office of Law, Courthouse
Towson, Maryland 21204

Item No. CR 88-79
Property Owner: DeChiaro Limited Partnership
Location: S/S Village Queen Drive, 158 feet
W of Craddock Lane
Existing Zoning: D.R. 16 and D.R. 2
Proposed Zoning: R.O.
Area: .74 acres
District: 3rd Election District

Dear Mr. Hackett:

The proposed general office building can be expected to generate approximately 110 trips per day.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

Douglas G. Carroll
P.O. Box 713
Brooklandville, MD 21022
301/823-2640

June 10, 1987

Office of Planning & Zoning
Baltimore County
County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

Gentlemen:

I am requesting an emergency change in zoning for the Trentham Mansion as outlined in the copy of the letter to the Planning Board enclosed herein.

To be more specific on the issue of error and change, please allow me to point out the following:

- 1. The impact of the surrounding apartments and pool within 35 feet of the building made it unusable as a single family dwelling.
- 2. The sad deterioration over the last two decades, plus recent gutting of the interior makes renovation extremely costly, and office use is the only means to those funds.
- 3. DR-16 formerly permitted the office use option and when this was changed, Trentham should have gone to R.O. The DR-16 zoning on an historic site encourages demolition of the site in order to increase density.

The changes in the area and building itself are remarkable in the last few years. The grounds are covered with townhouses and the building is very near condemnation. This is one of the oldest houses in Baltimore County and a zoning change of the footprint of this historic site will assure its complete renovation.

Sincerely,

Douglas Carroll
Douglas Carroll

Mr. Joshua R. Wheeler, Chairman
and Mr. Norman E. Gerber, Director
Members of the Baltimore County Planning Board,
Office of Planning and Office of Planning and Zoning
4th Floor, Courts Building
Towson, Maryland 21204

RE: Requested Out-of-Cycle Processing For The
Historic Trentham Mansion, Village Queen Drive,
West of Craddock Lane, Requested RO Zoning For
Preservation, Douglas G. Carroll, III,
Contract Purchaser, DeChiaro Limited Partnership,
Legal Owner

Dear Chairman Wheeler, Mr. Gerber and Board Members:

The historic Trentham Mansion dating in part to the eighteenth century is surrounded by the Queen Anne Village Apartments, and as zoned D.R.16 and D.R.2.0, it cannot be economically restored and used for residential purposes.

My plan as the purchaser, is to maintain and restore the exterior and grounds, while converting the interior to office space.

In order to convert this historic building to offices, the outdated D.R.16 and D.R.2.0 classification must be converted to RO.

The contract of sale was not signed until after the closing of the final petition, reclassification cycle, and, hence, this request to take this historic preservation RO request out-of-cycle both in the public interest and due to emergency.

The mansion is suffering significant deterioration and it will suffer considerable further damage from weather and the elements if required to wait through the 1987 and 1988 comprehensive zoning map process.

Messrs. Wheeler and Gerber
and Board Members
June 11, 1987
Page 2

In summary, I ask for out-of-cycle consideration due to the following elements all related to the public interest and the emergency nature of the need to stabilize this deteriorating historic building, namely:

- 1. The Trentham Mansion has considerable historic significance, and it is worthy of preservation.
- 2. The property is on the Baltimore County Historic Landmarks list.
- 3. The requested RO zoning will allow office use, the only economic use which can justify the cost of stabilization, restoration and preservation.
- 4. The requested RO zoning would be in harmony, and the mansion used for offices would be highly compatible, with its surrounding apartment and townhouse community.
- 5. This historic building will suffer further damage and deterioration, perhaps irreparable, if required to wait through the 1987 and 1988 map process for its correct RO zoning.
- 6. I will be requesting zoning changes only for the footprint of the present building and outbuildings. I will be placing easements on all external features and will be restoring under the guidelines of the Landmarks Commission. The Valley's Planning Council has reviewed my plan and voices no objection to the change. I have the support of The Landmarks Commission, and Baltimore County Historic Trust.

For all of these reasons in the public interest and due to the public emergency nature of this historic property in danger of being lost, I respectfully ask that the Planning Board and Planning Staff make a favorable recommendation to the County Council to take this matter out-of-cycle during the present process.

Messrs. Wheeler and Gerber
and Board Members
June 11, 1987
Page 3

I and all connected with the project will be glad to respond to any questions or comments of the various agencies involved.

Respectfully submitted,

Douglas Carroll
Douglas G. Carroll, III

DGC:III/jmg

cc: Baltimore County Planning Board Members
Honorable Charles E. Rupposberger, Esquire, 3rd District
Baltimore County Landmarks Commission
Baltimore County Board of Appeals
Mr. John McGrain, Office of Planning & Zoning
DeChiaro Limited Partnership
Thomas D. Washburne, Esquire
Baltimore County Zoning Commissioner's Office

June 18, 1987

Mr. Joshua R. Wheeler, Chairman
and Mr. Norman E. Gerber, Director
Members of the Baltimore County Planning Board,
Office of Planning and Office of Planning and Zoning
4th Floor, Courts Building
Towson, Maryland 21204

RE: Requested Out-of-Cycle Processing For The
Historic Trentham Mansion, Village Queen Drive,
West of Craddock Lane, Requested RO Zoning For
Preservation, Douglas G. Carroll, III,
Contract Purchaser, DeChiario Limited Partnership,
Legal Owner

Dear Chairman Wheeler, Mr. Gerber and Board Members:

The historic Trentham Mansion dating in part to the
eighteenth century is surrounded by the Queen Anne Village
Apartments, and as zoned D.R.16 and D.R.2, it cannot be
economically restored and used for residential purposes.

My plan as the purchaser, is to maintain and restore the
exterior and grounds, while converting the interior to office
space.

In order to convert this historic building to offices, the
outdated D.R.16 and D.R.2 classification must be converted to
RO.

The contract of sale was not signed until after the closing
of the final petition, reclassification cycle, and, hence, this
request to take this historic preservation RO request
out-of-cycle both in the public interest and due to emergency.

The mansion is suffering significant deterioration and it
will suffer considerable further damage from weather and the
elements if required to wait through the 1987 and 1988
comprehensive zoning map process.

Messrs. Wheeler and Gerber
and Board Members
June 18, 1987
Page 2

In summary, I ask for out-of-cycle consideration due to the
following elements all related to the public interest and the
emergency nature of the need to stabilize this deteriorating
historic building, namely:

1. The Trentham Mansion has considerable historic
significance, and it is worthy of preservation.

2. The property is on the Baltimore County Historic
Landmarks List.

3. The requested RO zoning will allow office use, the only
economic use which can justify the cost of stabilization,
restoration and preservation.

4. The requested RO zoning would be in harmony, and the
mansion used for offices would be highly compatible, with its
surrounding apartment and townhouse community.

5. This historic building will suffer further damage and
deterioration, perhaps irreparable, if required to wait
through the 1987 and 1988 map process for its correct RO zoning.

6. The proposed office zoning will be used only for the
present buildings and no other buildings will be built. I will
be placing easements on all external features and will be
restoring under the guidelines of the Landmarks Commission.
The Valley's Planning Council has reviewed my plan and voices
no objection to the change. I have the support of The
Landmarks Commission, and Baltimore County Historic Trust.

For all of these reasons in the public interest and due to
the public emergency nature of this historic property in danger
of being lost, I respectfully ask that the Planning Board and
Planning Staff make a favorable recommendation to the County
Council to take this matter out-of-cycle during the present
process.

Messrs. Wheeler and Gerber
and Board Members
June 18, 1987
Page 3

I and all connected with the project will be glad to
respond to any questions or comments of the various agencies
involved.

Respectfully submitted,

Douglas G. Carroll
Douglas G. Carroll, III

DGC, III/jmg

cc: Baltimore County Planning Board Members
Honorable Charles E. Ruppessberger, Esquire, 3rd District
Baltimore County Landmarks Commissions
Baltimore County Board of Appeals
Mr. John McGrain, Office of Planning & Zoning
DeChiario Limited Partnership
Thomas D. Washburne, Esquire
Baltimore County Zoning Commissioner's Office

BALTIMORE COUNTY PLANNING BOARD
RESOLUTION

June 18, 1987

WHEREAS, Pursuant to Subsection 2-58.1(i) of the Baltimore County Code
1978 as amended, the Baltimore County Planning Board has
reviewed the request by Douglas G. Carroll, III to exempt
from the zoning cycle the subject reclassification petition;
and

WHEREAS, The Planning Board believes that early action is required on
this petition to assist in the efforts to preserve this historic
structure; now, therefore, be it

RESOLVED, That the Baltimore County Planning Board hereby certifies to
the County Council of Baltimore County that early action on
the subject Zoning Reclassification Petition would be in the
public interest and is needed because of the emergency nature
of the request.

I HEREBY CERTIFY that this resolution was duly adopted by the Baltimore
County Planning Board at its meeting in Towson, Maryland, on June 18,
1987.

June 19, 1987
Date

Norman E. Gerber
Norman E. Gerber, AICP, Secretary
Baltimore County Planning Board

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Norman E. Gerber, Director
Office of Planning and Zoning
FROM: Mr. Paul J. Solomon, Head
Environmental Planning Section
SUBJECT: Trentham Mansion Property
Environmental Impact Assessment of
Proposed Use as Office Space

Date: June 19, 1987

There is no apparent basis for opposing out of cycle pro-
cessing request on environmental grounds. Maintaining the
extension in an acceptable historic, architectural state is
really all that can be extracted at this point.

PJS/jat

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Malcolm F. Spicer, Jr.
TO: County Attorney

Date: June 19, 1987

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

Trentham Mansion Property: Zoning Reclassification Petition
SUBJECT: Request for exemption from cyclical procedures

Attached please find the subject resolution adopted by the Planning
Board at its meeting on June 18, 1987. Please prepare the necessary
material for the County Council's consideration.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:sib

Attachment

cc: The Hon. Dennis F. Rasmussen
County Executive
B. Melvin Cole
County Administrative Officer
The Hon. Norman W. Lauenstein, Chairman
Baltimore County Council
Members, Baltimore County Council
Thomas Toporovich
County Council Secretary - Administrator
William T. Hackett, Chairman
County Board of Appeals
Phyllis Cole Friedman
People's Counsel
James E. Dyer
Zoning Supervisor
J.C. Hoswell
Carl Richards



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

October 16, 1987

Mr. Gary D. Raffel
16 Spectator Lane
Owings Mills, MD 21117

RE: Case No. CR-88-79
DeChiario Limited Partnership
(Trentham Mansion Property)

Dear Mr. Raffel:

In response to your letter of October 14, 1987, the case
involving the Trentham Mansion property was heard before this Board
on September 30, 1987, and testimony and evidence was received.

Enclosed please find a copy of the Board's Opinion and
Order dated October 13, 1987 concerning the subject matter.

Sincerely,

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

Encl.

cc: Hon. Melvin G. Mintz
Baltimore County Council
Hon. C. A. Dutch Ruppessberger
Baltimore County Council

Newton A. Williams, Esquire
Nolan, Plumhoff & Williams, Chartered
204 West Pennsylvania Avenue
Towson, Maryland 21204

July 9, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING RECLASSIFICATION
S/S Village Queen Drive, 158' W of Craddock Lane
3rd Election District - 3rd Councilmanic District
DeChiario Limited Partnership (Owner)
Douglas G. Carroll, III - Contract Purchaser
Case No. CR-88-79
(Out of Cycle Reclassification)

TIME: 10:00 a.m.

DATE: Wednesday, September 30, 1987

PLACE: Room 218, Courthouse, Towson, Maryland

With:med

cc: DeChiario Limited Partnership
700 Fairmount Avenue
Towson, Maryland 21204

Mr. Douglas G. Carroll, III
P.O. Box 713
Brooklandville, Maryland 21022

People's Counsel for Balto. Co.

THIS IS TO ADVISE THAT YOU WILL BE BILLED BY THE ZONING OFFICE FOR ADVERTISING & POSTING
COSTS RE THIS CASE APPROXIMATELY A WEEK BEFORE THE HEARING. THIS FEE MUST BE PAID
& THE SIGN AND POST RETURNED TO THE ZONING OFFICE, ROOM 113, COUNTY OFFICE
BUILDING, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND ON THE DAY OF THE HEARING OR THE
ORDER WILL NOT BE ISSUED. W.T.H.

Dr. Douglas G. Carroll, III

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Members
TO: Baltimore County Planning Board
 Date: August 25, 1987
 Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
 Zoning Petition No. CR-87-255; Amended Plans
SUBJECT: Greenspring Associates Limited Partnership; Cycle IV, Item 7

The petitioner has amended the subject petition, reducing the request for B.R.-I.M. zoning to a 6.16-acre site and has submitted documentation proposing a 10-unit motion picture theater. After reviewing the amended plans, this office recommends that the existing zoning classification, M.L.-I.M., be retained. This 6.16-acre parcel of land is part of a larger property having only one access point to Reisterstown Road; a shopping center is under construction on the front portion of the property. Consequently, this office does not believe that additional commercial zoning should be granted here. Finally, it is this office's opinion that the existing zoning is appropriate and that the zoning map is correct. Any number of uses are permitted on the existing industrially-zoned property, both as of right and by special exception.

A draft comment has been prepared for your consideration.

Norman E. Gerber
 Norman E. Gerber, AICP
 Director

NEG:sib

Enclosure

cc: William T. Hackett, Chairman
 Board of Appeals

John B. Howard
 Phyllis Cole Friedman, People's Counsel
 Carl Richards, Zoning Administrator

RECEIVED
 AUG 27 1987
 ZONING OFFICE

CPS-008

DRAFT

CYCLE IV, ITEM 3
 CR-87-255

PROPERTY OWNER: Greenspring Associates Limited Partnership ACREAGE: 6.16
 LOCATION: N/S of Tobin Lane, N/E of I-795, S/W of Reisterstown Road
 ELECTION DISTRICT: 3 COUNCILMANIC DISTRICT: 3

RECOMMENDED DATE OF HEARING: Week of March 30, 1987

ZONING PRIOR TO ADOPTION OF 1984 COMPREHENSIVE ZONING MAP: M.L.-I.M. EXISTING
 ZONING: M.L.-I.M.
 REQUESTED ZONING: B.R.-I.M.

PLANNING BOARD RECOMMENDATION: Retain Existing Zoning (M.L.-I.M.)

This property is located near Reisterstown and Greenspring Valley Roads in northwest Baltimore County. To the south, is a residential development on D.R. 16 zoned land; to the west, the Northwest Expressway; to the north, industrial development on property zoned M.L.-I.M.; to the east, the remainder of the subject property overall holding where a shopping center is under construction on commercially-zoned property. The petitioner is requesting a change from M.L.-I.M. to the B.R.-I.M. zoning classification and has chosen to submit documentation proposing a 10-unit motion picture theater.

Prior to the adoption of the 1984 Comprehensive Zoning Map, the property was zoned M.L.-I.M. During the preparation and processing of the map, the zoning of this site was not identified as a specific issue before either the Planning Board or the County Council. The County Council reaffirmed M.L.-I.M. zoning here.

The Planning Board is of the opinion that the existing zoning provides for a reasonable use for the land, that ample commercial opportunities have been provided for in the area and that the zoning map is correct. Finally, the Board believes that it would be unwarranted to increase the size of this center when it is restricted to one access point to Reisterstown Road.

It is therefore recommended that the existing zoning, M.L.-I.M., be retained.

RECEIVED
 AUG 27 1987
 ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Members
TO: Baltimore County Planning Board
 Date: August 25, 1987
 Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
 Zoning Petition No. CR-87-255; Amended Plans
SUBJECT: Denols Grainner Limited Partnership; Cycle IV, Item 3

After reviewing the subject plans, this office believes the petitioner's request for O-1 zoning should be granted if the developer provides access to the site from Brenbrook Road through the intervening properties; otherwise, D.R. 5.5 zoning should be retained. A draft comment has been prepared for your consideration.

Norman E. Gerber
 Norman E. Gerber, AICP
 Director

NEG:sib

Enclosure

cc: William T. Hackett, Chairman
 Baltimore County Board of Appeals

Zell Margolis, Esq.

Phyllis Cole Friedman

Carl Richards, Jr., Zoning Coordinator

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 AUG 27 1987
 ZONING OFFICE

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William T. Hackett, Chairman
TO: County Board of Appeals
 Date: September 17, 1987
 Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
 Zoning Petition No. CR-87-251; Amended Plan
SUBJECT: Denols Grainner Limited Partnership; Cycle IV, Item 3

At its regular meeting today, the Baltimore County Planning Board adopted the following comment for the subject petition.

This property is located near the intersection of Liberty and Brenbrook Roads in western Baltimore County. To the east is the site of the proposed Liberty Road Multi-Government Center on D.R. 5.5 zoned land; to the south and west, single-family dwellings on properties zoned D.R. 3.5 and D.R. 5.5; to the north, on the opposite side of Liberty Road, single-family and multi-family residences and an R.O. zoned parcel of land. The petitioner is requesting a change from D.R. 5.5 to the O-1 zoning classification and has submitted documented plans proposing to construct 132,056 square feet of floor area housed in one structure.

Prior to the adoption of the 1984 Comprehensive Zoning Map, the property was zoned D.R. 5.5. During the preparation and processing of the map, the zoning of this property was identified as a specific issue before both the Planning Board and the County Council (part of 2-11). At that time the request was for a change from B.R. zoning. The planning staff recommended D.R. 5.5 zoning; the Planning Board recommended D.R. 10.5 zoning. The County Council reaffirmed the existing D.R. 5.5 zoning here.

The Planning Board believes that O-1 zoning would be appropriate here if access is provided to Brenbrook Road through the intervening properties. If the access is not provided by the petitioner, the Board believes that D.R. 5.5 zoning should be retained.

It is therefore recommended that the petitioner's request for O-1 zoning be granted subject to the provision of access to Brenbrook Road.

Norman E. Gerber
 Norman E. Gerber, AICP
 Director

NEG:sib

RECEIVED
 AUG 27 1987
 ZONING OFFICE

CPS-008

CR-88-79

10:00 a.m.
 Wednesday,
 September 30, 1987
 Out of Cycle
 Case
 Filed 6/12/87

S/S Village Queen Drive, 158'
 W of Craddock Lane
 3rd Election District
 3rd Councilmanic District
 Existing Zoning - D.R. 16 and D.R. 2
 Proposed Zoning - R.O.

74 Acres
 Petitioner: DeChiario Limited Partnership (Owner)
 Contract Purchaser: Douglas G. Carroll, III

6/18/87

Per telephone conversation with Newton Williams, Esq - 6/18

He is no longer representing the Petitioner in the out-of-cycle reclassification petition for Historic Trentham Mansion, Village Queen Drive which was filed June 12, 1987.

The Petitioner is representing himself re the above reclass.

k

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE, REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 37941

DATE 10/6/87 ACCOUNT R-01-615-000

SIGN & POST
 RETURNED

AMOUNT \$ 120.46
 Mr. Douglas G. Carroll, III, III
 Valley Rd., Brooklandville, Md. 21022

RECEIVED FROM: ADVERTISING & POSTING COSTS RE CASE #CR-88-79

FOR: 8 8035*****1204613 2062F

VALIDATION OR SIGNATURE OF CARRIER

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 494-3333

J. Robert Haines
 Zoning Commissioner

RECEIVED
 COUNTY BOARD OF APPEALS
 1987 SEP 29 P 2 26

September 29, 1987

Mr. Douglas G. Carroll, III
 P.O. Box 713
 Brooklandville, Maryland 21022

RE: PETITION FOR ZONING RECLASSIFICATION
 S/S Village Queen Drive, 158' W of Craddock La.
 3rd Election District - 3rd Councilmanic District
 DeChiario Limited Partnership (Owner)
 Douglas G. Carroll, III - Contract Purchaser
 Case No. CR-88-79
 (Out of Cycle Reclassification)

Dear Mr. Carroll:

This is to advise you that \$120.46 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND POST RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED.

Please make your check payable to "Baltimore County, Maryland" and remit it to Ms. Margaret E. du Bois, Zoning Office, Room 113, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204, before the hearing.

Sincerely,

J. Robert Haines
 J. ROBERT HAINES
 Zoning Commissioner

JRH:med

cc: Mr. William T. Hackett, Chairman, Board of Appeals

DeChiario LTD. PARTNERSHIP
 S/S Village Queen Drive, 158'
 W of Craddock Lane

#CR-88-79

(Out of cycle)

3rd Election District
 3rd Councilmanic District

D.R. 16 and D.R. 2 to R.O.
 (Documented)
 (Trentham Mansion Property)

June 12, 1987 Petition filed

Douglas G. Carroll III
 P.O. Box 713
 Brooklandville, MD 21022

Contract Purchaser/Petitioner

DeChiario Limited Partnership
 700 Fairmount Avenue
 Towson, MD 21204

Owner/Petitioner

Newton A. Williams, Esq.
 NOLAN, PLUMHOFF & WILLIAMS
 204 W. Pennsylvania
 Towson, MD 21204

(Interested party only)

Mr. James Earl Kraft
 Baltimore Co Board of Education
 940 York Road 21204

Hon. C. A. Dutch Ruppersberger
 Baltimore County Council

Phyllis Cole Friedman

People's Counsel

Norman E. Gerber
 James G. Hoswell
 Arnold Jablon
 Jean M. H. Jung
 James E. Dyer
 Margaret E. du Bois

IN THE MATTER OF THE : BEFORE THE COUNTY BOARD OF APPEALS
 PETITION FOR RECLASSIFICATION : OF BALTIMORE COUNTY
 FROM D.R. 16 & D.R. 2 TO R.O. ZONE :
 S/S Village Queen Dr., 158' W of
 Craddock La., 3rd Election District, :
 3rd Councilmanic District :
 DE CHIARO LTD. PARTNERSHIP, Petitioner : Case No. CR-88-79 (out of cycle)

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

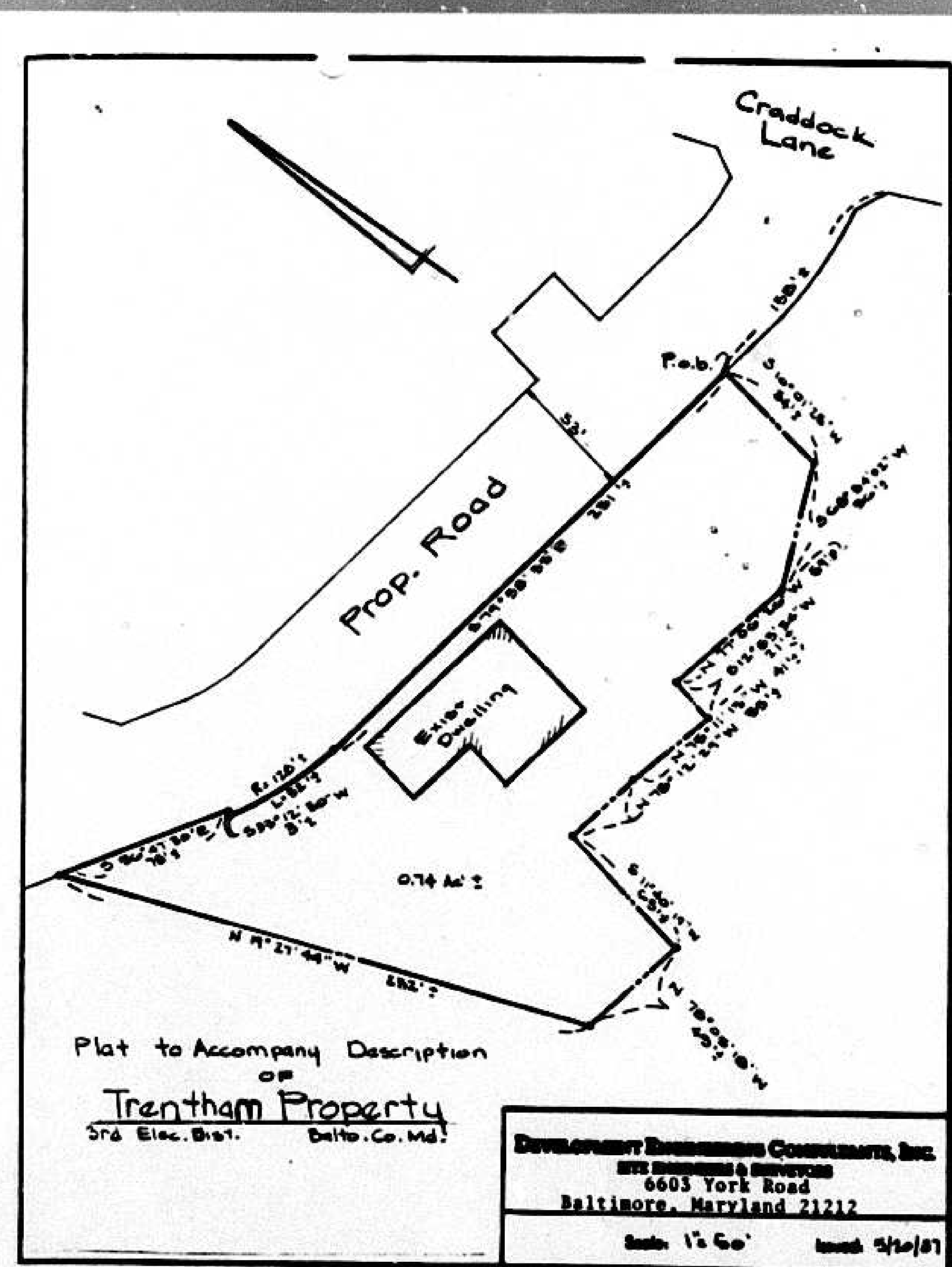
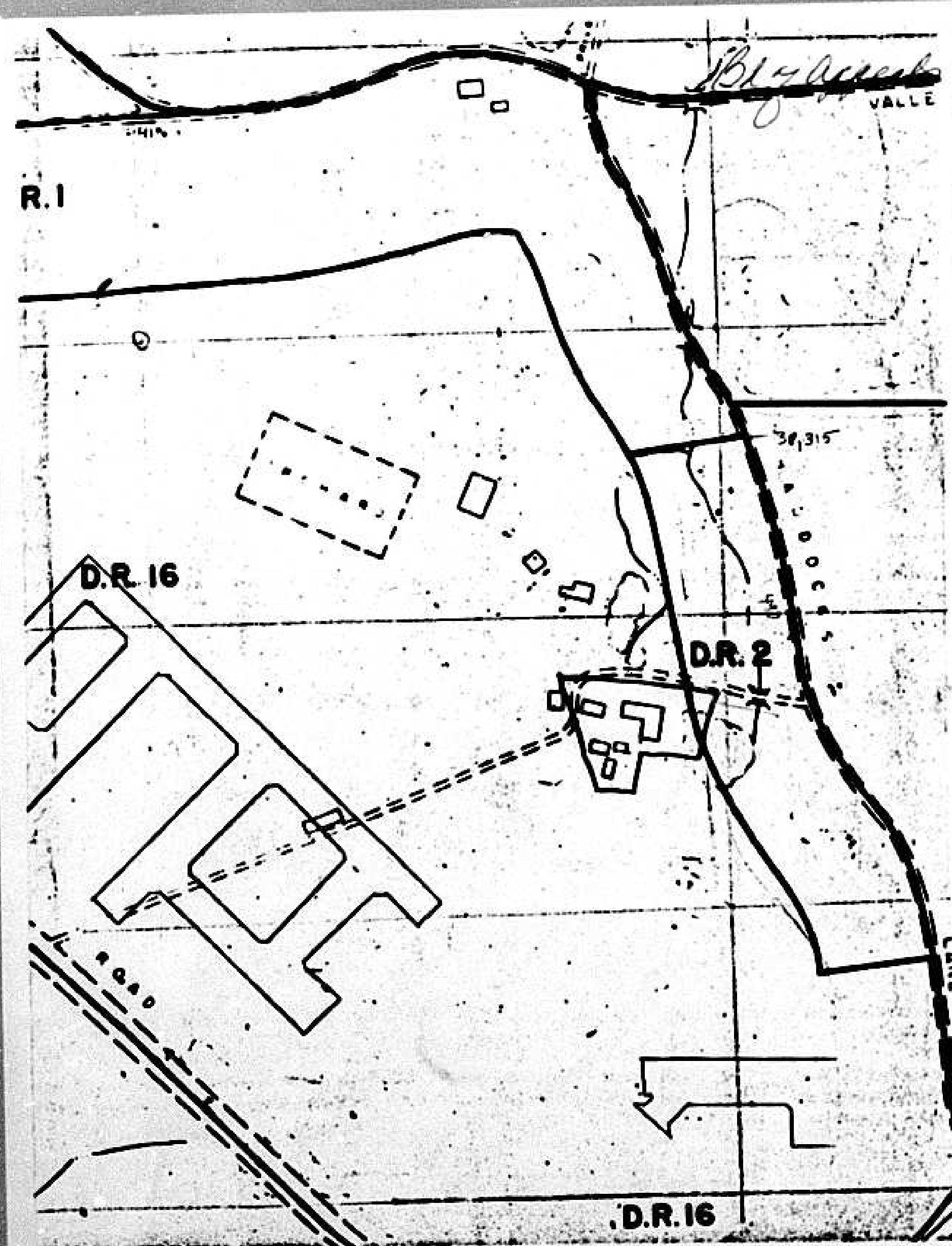
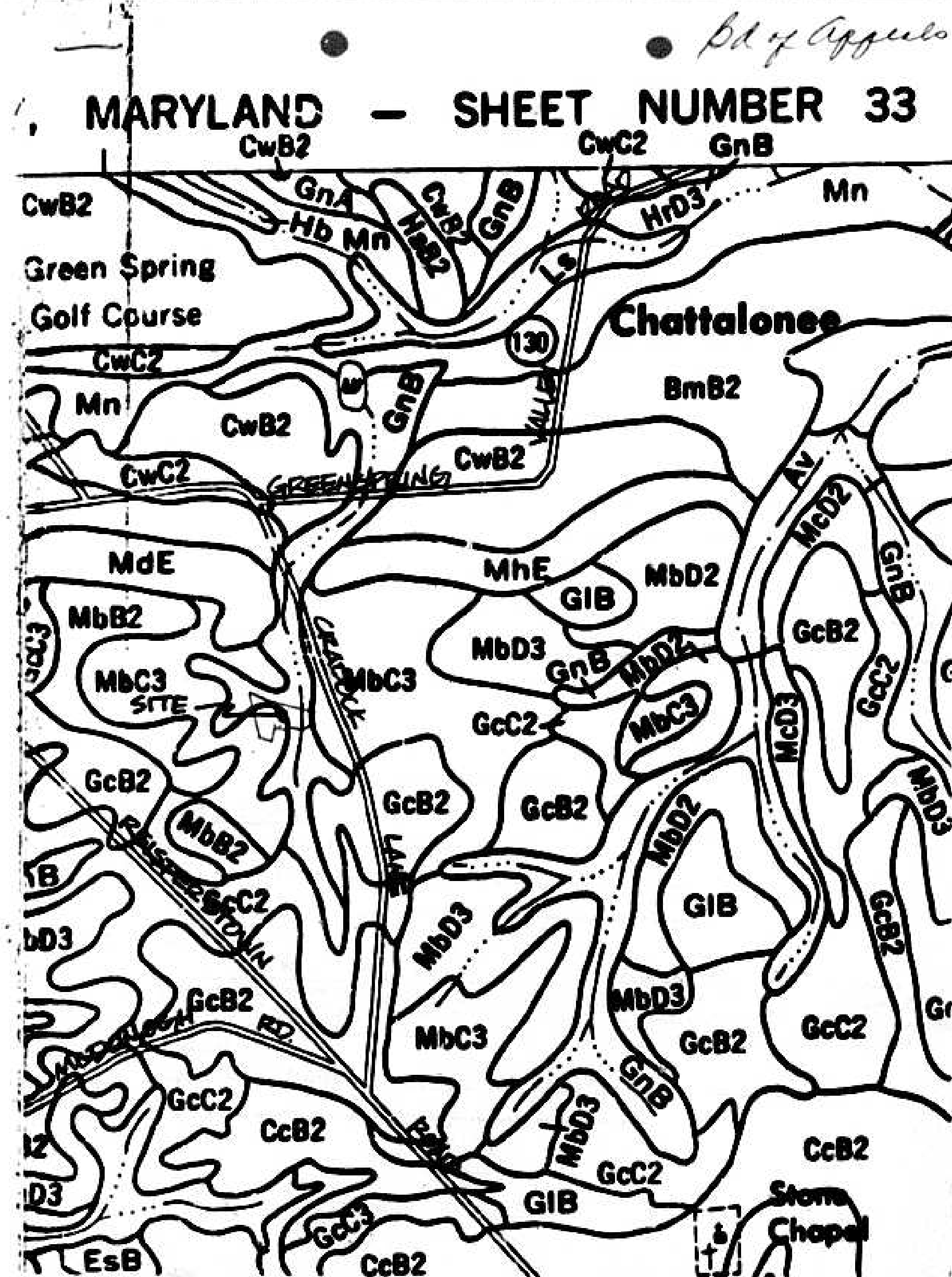
Phyllis Cole Friedman
 Phyllis Cole Friedman
 People's Counsel for Baltimore County

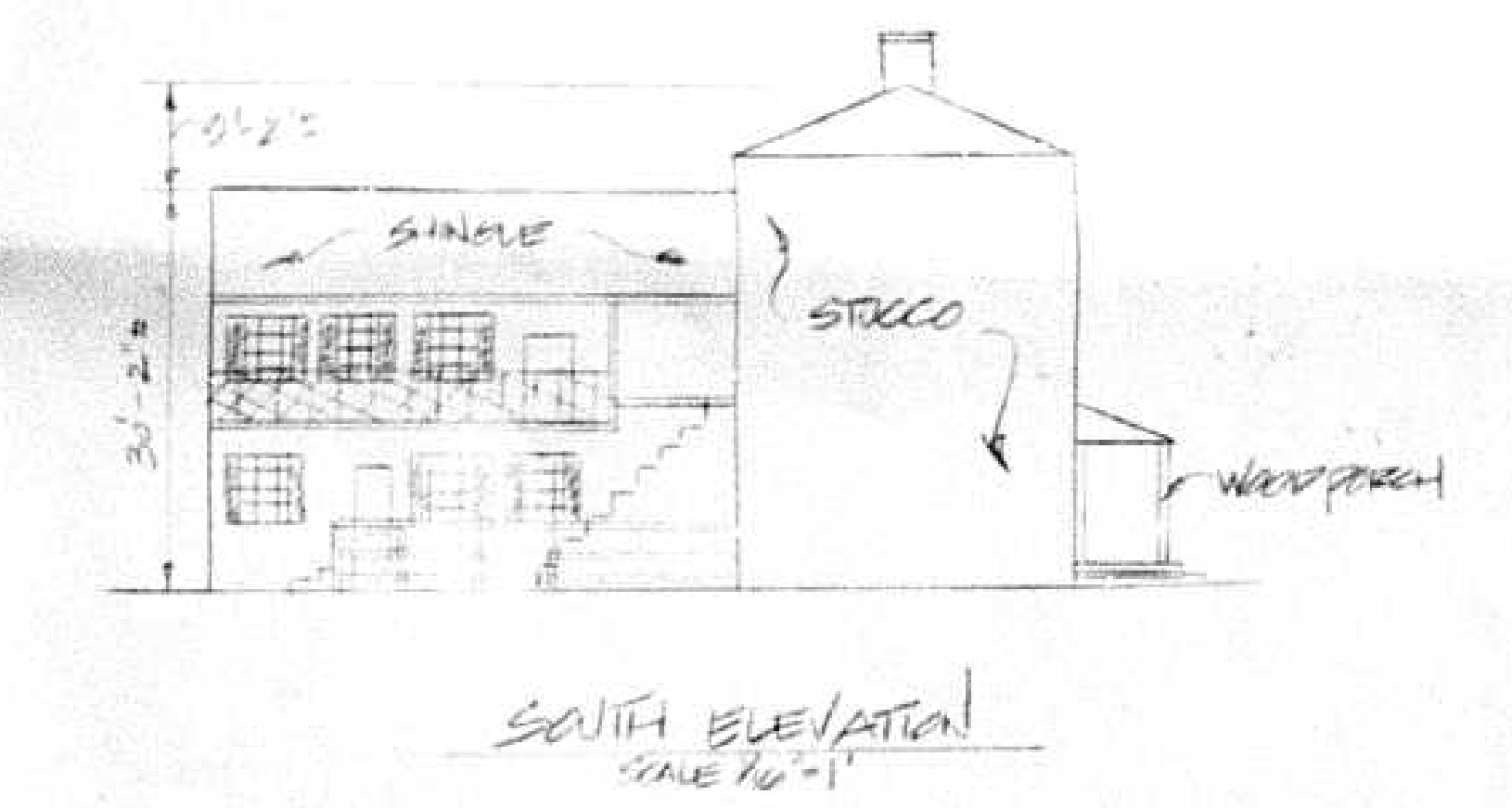
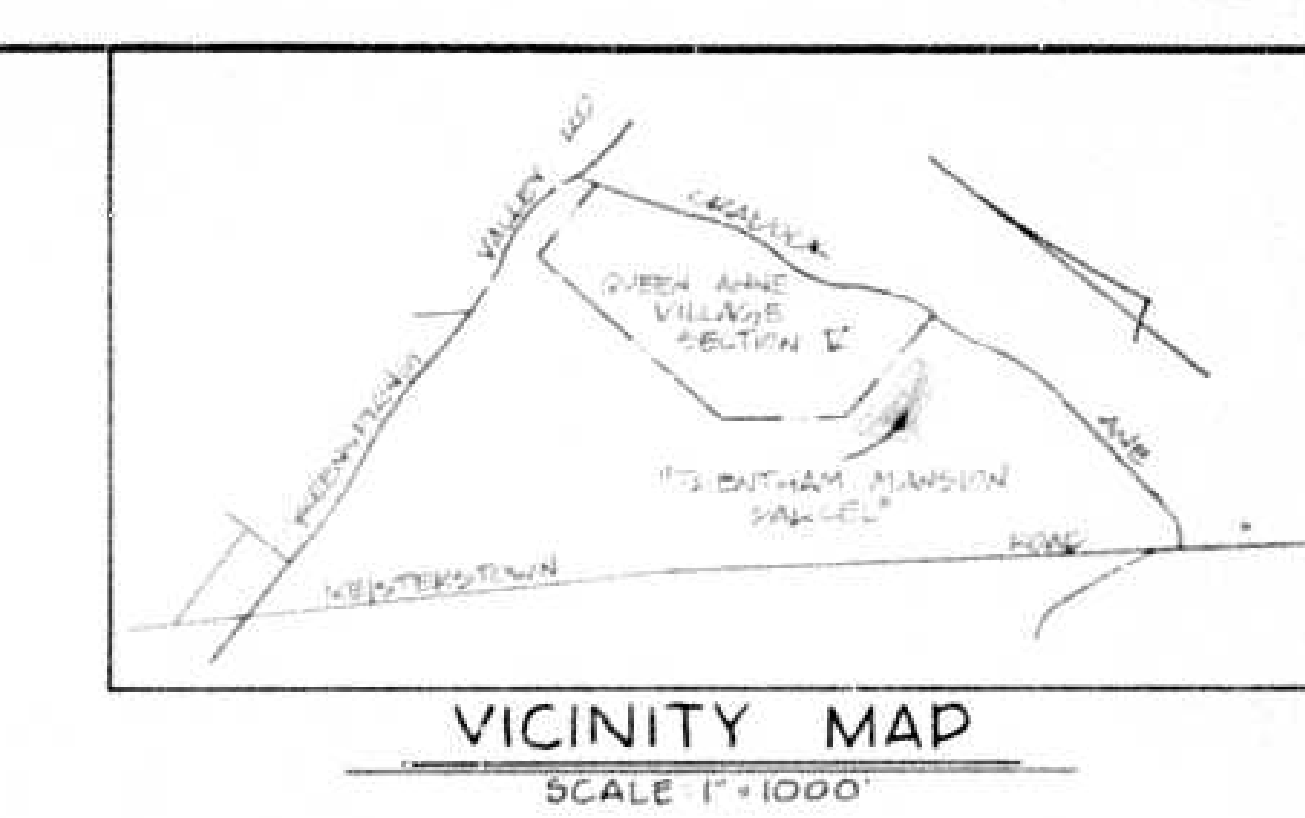
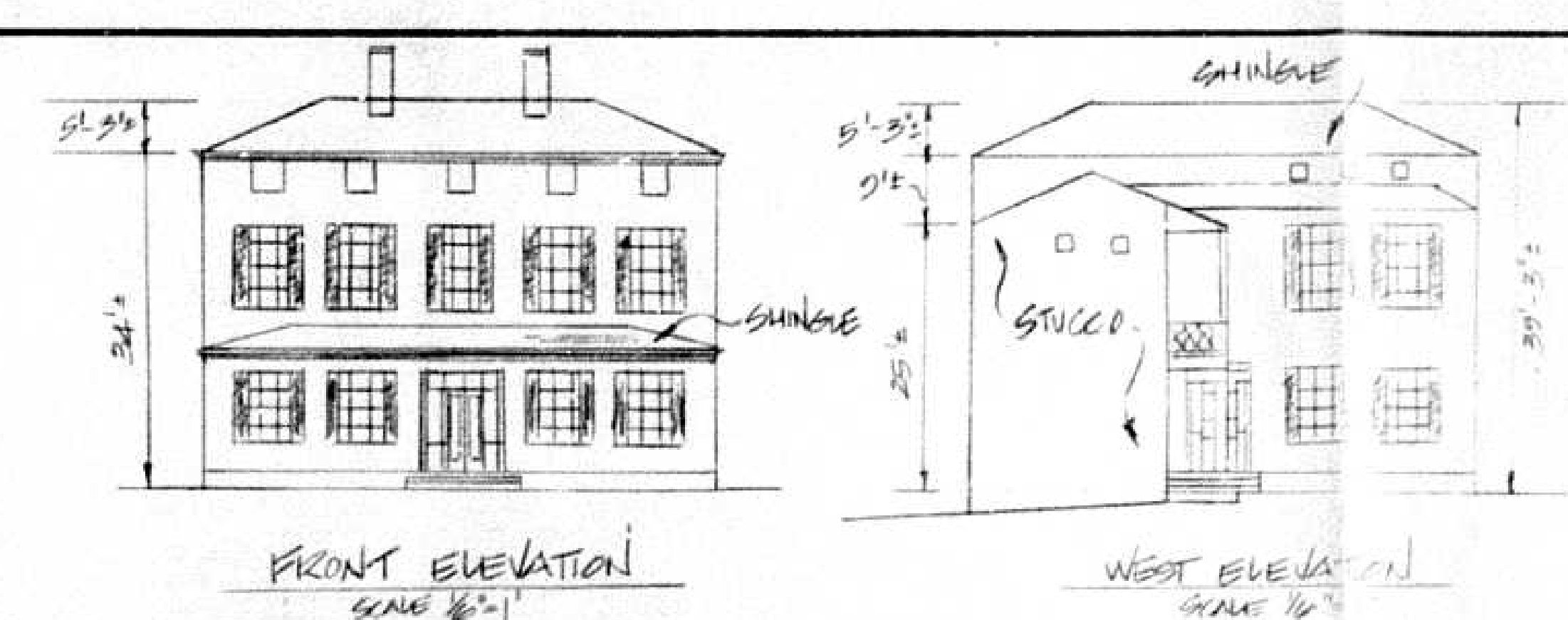
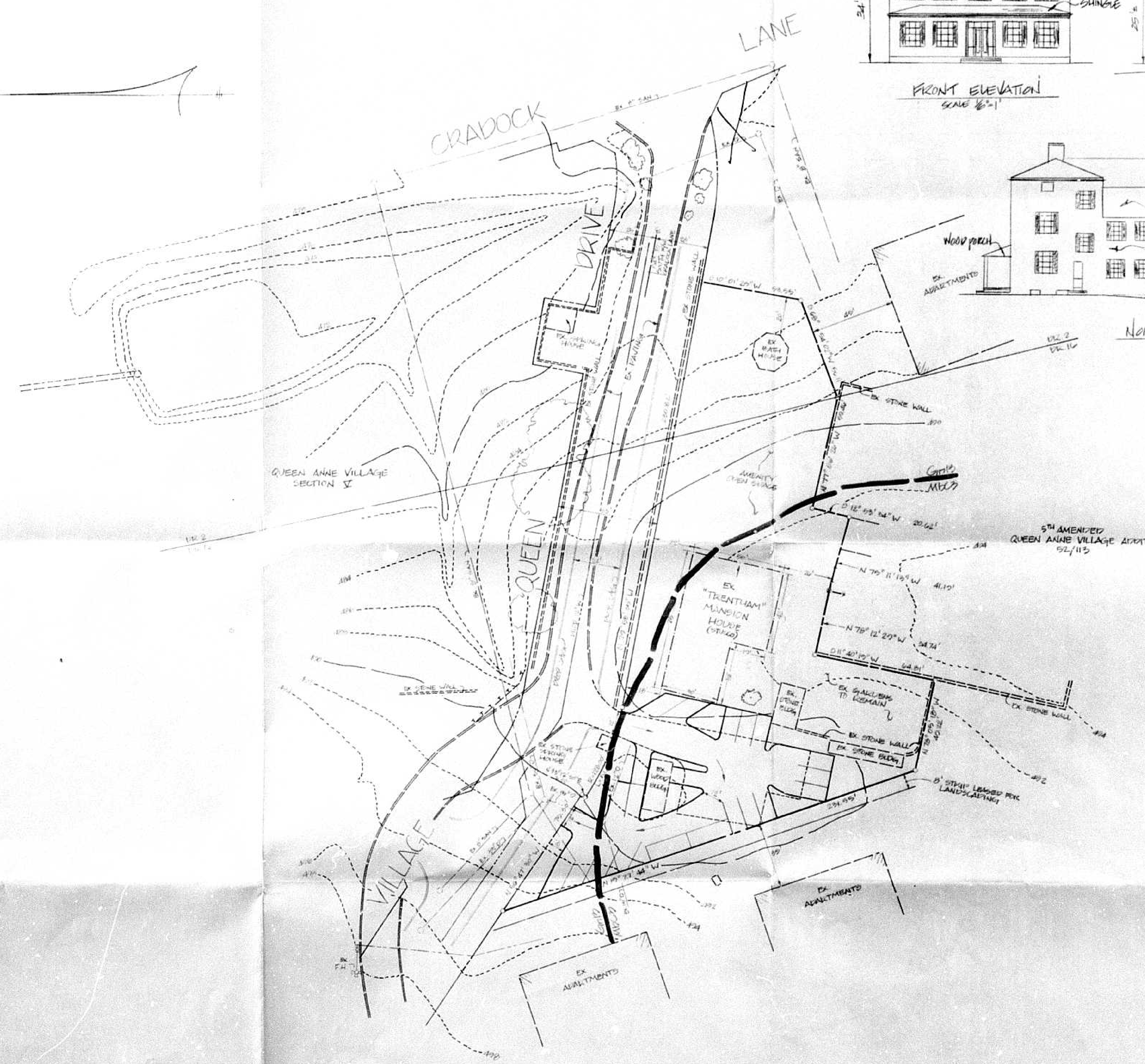
Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel
 Room 223, Court House
 Towson, Maryland 21204
 494-2188

I HEREBY CERTIFY that on this 17th day of August, 1987, a copy of the foregoing Entry of Appearance was mailed to De Chiaro Ltd. Partnership, 700 Fairmount Ave., Towson, MD 21204, Petitioner; and Douglas G. Carroll, III, P. O. Box 713, Brooklandville, MD 21022, Contract Purchaser.

Peter Max Zimmerman
 Peter Max Zimmerman

RECEIVED
 COUNTY BOARD OF APPEALS
 1987 AUG 17 A 10 46





GENERAL NOTES

1. SITE AREA = .74 ACRES (32,234 sq ft)
2. ALL EXISTING STRUCTURES TO REMAIN
3. PROPOSED ZONING TO "R-1" FROM "R-1.5" (.44 AC) AND "R-2" (.10 AC)
4. LANDSCAPING AS PER BALTIMORE COUNTY LANDSCAPE MANUAL
5. SHALL COMPLY WITH BALTIMORE COUNTY SECTION 205.3.6 OF BALTIMORE COUNTY ZONING REGULATIONS AND LOCATED AS SHOWN
6. HOURS OF OPERATION - 7AM TO 11PM
7. NUMBER OF EMPLOYEES - 30
8. PARKING REQUIRED:
BASEMENT 1000 sq ft (1/500 sq ft = 2 SPACES)
1ST FLOOR 1725 sq ft (1/300 sq ft = 5.75 SPACES)
2ND FLOOR 1725 sq ft (1/300 sq ft = 5.75 SPACES)
3RD FLOOR 1000 sq ft (1/500 sq ft = 2.00 SPACES)
TOTAL REQUIRED = 14.29 SPACES
TOTAL PROVIDED = 21 SPACES
9. SECTION DISTRICT NO. 3
10. DISTRICT NO. 3
11. AVENUE OPEN SPACE:
REQUIRED - 10% OF GROSS SITE AREA = 20 * .74 AC = 14.8 AC
PROVIDED - 20 AC
12. PARKING RATIO:
MAXIMUM FOR CLASS "A" PARKING IS .5
 $\frac{GROSS FLOOR AREA}{GROSS SITE AREA} = \frac{20}{.74} = 27.03$

*1 sign
OR 88-79 p/cycle
Out of 6/12/87*