

IN RE: PETITION FOR SPECIAL HEARING
S/S Frederick Road, 139' E of
Beaumont Avenue
(1009 Frederick Road)
1st Election District
1st Councilmanic District
F. Grant Hill, D.D.S.
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 89-307-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve a front porch enclosure and the expansion of business parking into the D.R. 5.5 zoned portion of the subject property, in accordance with Petitioner's Exhibit 1.

The Petitioner, Dr. F. Grant Hill, appeared, testified and was represented by C. Victor McFarland, Esquire. Also appearing on behalf of the Petitioner were Paul Lee, Engineer, and Bruce C. McGhee. Appearing as Protestants in the matter were: Mary L. McKew, Mr. & Mrs. B. T. Harrison, Mr. T. Anderson, Mr. & Mrs. Donald S. Fries, Mr. & Mrs. John R. Hall, Mary Bocoury, Francis M. Whittle, and David P. Warshaw.

Testimony indicated that the subject property, known as 1009 Frederick Road, consists of 1.33 acres split zoned R.O. and D.R. 5.5, and is improved with a two story brick and frame office building on the R.O. zoned portion of the property which was purchased by Petitioner in 1971. The rear of the property, which is zoned D.R. 5.5, is presently unimproved. Testimony indicated the first floor of the subject building has been used for medical office space since the 1950s and currently provides space for one physician and five dentists. Petitioners are desirous of enclosing an existing covered front porch to provide more office space for a secretary and files. Testimony indicated that as a result of the proposed expansion,

additional parking is required to meet zoning regulations. Petitioners, therefore, propose utilizing a portion of the D.R. 5.5 zoned land to increase the number of parking spaces currently provided.

Paul Lee, Registered Professional Engineer, briefly addressed the requirements of Sections 409.88 and 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and indicated that in his opinion, the existing and proposed uses meet the requirements thereof and will not result in any detriment to the health, safety or general welfare of the surrounding community.

The Protestants testified as to their general opposition to the relief requested. They are mainly concerned about storm water runoff from the proposed improvements and indicated they currently experience a water runoff problem in the area. In support of their position, the Protestants introduced a signed Petition from numerous residents of the area indicating their opposition to the requested relief.

After the hearing, the Petitioners were given an opportunity to address, in writing, how they intend to limit the proposed use to meet the criteria set forth in Section 409.88 of the B.C.Z.R. and resolve the concerns raised by the Protestants. By letter dated February 12, 1990, Petitioners' Counsel set forth the following restrictions, pursuant to Section 409.882, which will be imposed on the parking area in the D.R. 5.5 zone:

- Only passenger vehicles, excluding buses, may use the proposed parking facility in the D.R. 5.5 zone;
- No loading, service, or any use other than parking shall be permitted in said parking area;
- Lighting shall be regulated as to location, direction, hours of illumination, glare, and intensity as required. After discussion with the Protestants, Petitioners agreed, by letter, to install motion detectors (by solar lighting) aimed at the parking area to discourage use of the lot after hours;

- 2 -

- The method and area of operation, provision for maintenance, and permitted hours of use of the subject parking area shall be specified, and regulated as requested. Petitioner indicated the Petitioner and tenants use of the offices will be from 9:00 AM to 5:00 PM, and occasionally until 9:00 PM, Monday through Friday, part of the day on Saturday, and on Sundays for emergencies only.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare, if limited as hereinafter restricted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of June, 1990 that the Petition for Special Hearing to approve a front porch enclosure and the expansion of business parking into the D.R. 5.5 zoned portion of the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- The Petitioners may apply for their permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

- 3 -

- Compliance with all Zoning Plans Advisory Committee comments submitted hereto and made a part of the record.

- Only passenger vehicles, excluding buses, may use the parking area in the D.R. 5.5 zone as depicted on Petitioner's Exhibit 1.

- Lighting for the subject parking area shall be directed away from all residences, shielded to prevent glare onto the residences, and the location and hours of illumination shall be limited to 8:30 AM to 8:00 PM. Petitioner shall install motion detectors aimed at the parking lot by solar lights. Said lighting shall be shielded to prevent glare onto adjoining residential properties.

- Use of the parking area in the D.R. 5.5 zone shall be limited to the hours of 8:30 AM to 7:00 PM Monday through Friday, 9:00 AM to 6:00 PM on Saturday, and no hours on Sunday.

- Petitioners shall submit a landscaping and fencing plan for approval by the Deputy Director of Planning and the Baltimore County Landscape Planner prior to the issuance of any permits. A copy of the approved plan shall be submitted to the Zoning Commissioner's Office for inclusion in the case file. Said plan shall include screening of the proposed parking area in the D.R. 5.5 zone and the front of the subject building from all adjoining residential properties, and a gate from the rear of the parking lot to the back yard to insure access for maintenance. The landscaping and fencing set forth in the approved plan shall be maintained by Petitioners at all times.

- Prior to the issuance of any permits, Petitioners shall submit a storm water management plan for the subject site. If the property is in an area determined by the County to need additional management, Petitioners shall comply with all County-imposed storm water management requirements. Said plan must be approved by all the required Baltimore County agencies prior to the issuance of any permits.

- The existing medical office building shall be limited to use by no more than four (4) physicians and/or dentists at any one time.

- The conversion of the covered porch area is limited to use as a secretarial and filing area and shall not be used as an additional treatment area.

- 4 -

- Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

- When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ANN:hjs

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
(301) 887-3353
J. Robert Haines
County Executive

June 26, 1990

C. Victor McFarland, Esquire
1002 Frederick Road
Catonsville, Maryland 21228

RE: PETITION FOR SPECIAL HEARING
S/S Frederick Road, 139' E of Beaumont Avenue
(1009 Frederick Road)
1st Election District - 1st Councilmanic District
F. Grant Hill, et ux - Petitioners
Case No. 89-307-SPH

Dear Mr. McFarland:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:hjs

cc: Ms. Mary L. McKew
7 S. Beaumont Avenue
Catonsville, Md. 21228

Mr. & Mrs. B. T. Harrison
14 Locust Drive
Catonsville, Md. 21228

Mr. T. Anderson
10 Locust Drive
Catonsville, Md. 21228

Mr. David P. Warshaw
13 S. Beaumont Avenue
Catonsville, Maryland 21228

Mr. & Mrs. Donald S. Fries
5 S. Beaumont Avenue
Catonsville, Md. 21228

Mr. & Mrs. John R. Hall
9 S. Beaumont Avenue
Catonsville, Md. 21228

Ms. Francis M. Whittle
11 S. Beaumont Avenue
Catonsville, Md. 21228

People's Counsel

File

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-307-SPH

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 for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

enclose front porch and increase parking spaces reserved for patients and staff, in A DE 5.5 zone

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, 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.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

None
(Type or Print Name)

Signature

Address

City and State

Engineer

Attorney for Petitioner:

Paul Lee
(Type or Print Name)

Signature

304 W. Pennsylvania Ave.
Address

Towson, MD 21204
City and State

Engineer's
Address Telephone No.: 821-5941

Legal Owner(s):

F. Grant Hill
(Type or Print Name)

Signature

Address

City and State

1009 Frederick Road
Address

Catonsville, MD 21228
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

None
Name

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of NOV 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, Maryland, on the 1st day of Dec, 1989, at 11 o'clock

C. VICTOR MCFARLAND
ATTORNEY AT LAW

McFARLAND, WEINAM, O'CONNELL & MASTERS
1002 FREEDERICK ROAD CATONSVILLE, MARYLAND 21228-3028

(over)

J. Robert Haines
Zoning Commissioner of Baltimore County.

Paul Lee P.E.

Paul Leo Engineering Inc.
301 W. Pennsylvania Ave.
Towson, Maryland 21204
301-821-5341

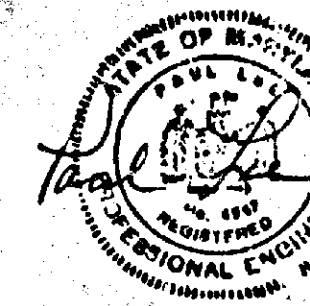
DESCRIPTION

1009 FREDERICK ROAD
FIRST ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the south side of Frederick Road, said point being located 139 feet ± easterly from the center of Beaumont Avenue; thence leaving said south side of Frederick Road (1) S 13° E 613.8 feet, (2) N 77° E 95 feet ±, (3) N 15° W 605.55 feet to the south side of Frederick Road, thence binding on the south side of Frederick Road (4) West 95 feet ± to the point of beginning. Containing 1.33 acres of land, more or less.

PARCEL "A"

Beginning for the same at a point located easterly 139 feet ± from the center of Beaumont Avenue and S 13° E 147 feet ± from the south side of Frederick Road; thence continuing along the same line (1) S 13° E 50 feet ±, (2) East 95 feet ±, (3) N 15° W 50 feet ±, and (4) West 95 feet ± to the point of beginning. Containing 0.109 acre of land, more or less.



Engineers — Lawyers — Site Planners
J.O. 88003

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

July 24, 1991

C. Victor McFarland, Esq.
McFarland, Weinkam & Masters
1002 Frederick Road
Baltimore, Maryland 21228-5029

RE: Zoning Hearing #89-307-SPH
1009 Frederick Road
1st Election District

Dear Mr. McFarland:

Your letter, dated June 5, 1991, as well as Mr. Paul Lee's letter, dated June 17, 1991, and accompanying landscape plan to Ann M. Nastarowicz, Deputy Zoning Commissioner, have been referred to me for reply.

In the absence of Ms. Nastarowicz, who has written the Order and who is gone from the position, it is assumed that the screening and fencing be required at the rear of the property. However, the Order is somewhat unclear as to whether or not the fence must extend across the entire rear width of the property. The Order does refer to a gate, but this could be making reference to the existing fence shown on the submitted site plan.

In any case, since the residents on the east side of the property do not want a fence, this office will accept the plan as submitted; i.e., with the fence extending across a portion of the rear of the property.

If you have any questions, please do not hesitate to call me at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "James E. Dyer".

JAMES E. DYER
Zoning Supervisor

A handwritten signature in black ink, appearing to read "John J. Sullivan, Jr.".

By: John J. Sullivan, Jr.
Planner II

JJS:jat
cc: File

February 6, 1989

WE, the undersigned, are opposed to the petition that calls for building on to the parking lot and the enclosing of front porch in the rear of 1009 Orchard Road, owned by Grant Hill. This is a residential area of Cantonville and consists of private homes owned mostly by senior citizens. Changing of the zoning in this area and the building of a parking lot would devalue our homes and our property. The present occupants of this property are six dentists: one doctor, and a tenant on the second floor. If this action is approved and zoning changed, future changes and additions to the property are anticipated.

NAME	ADDRESS	CITY	PHONE
Joseph C. Dunbar	26 Locust Dr.	21228	747-5281
Maryd. McKie	7 South Beaumont Ave.	21228	744-3161
Virginia R. Rms	45 Locust Dr.	21228	744-0844
Shirley Kelly	25 Locust Dr.	21228	744-0842
B.T. Harrison	14 Locust Dr.	21228	747-4091
Carol Harrison	14 " "		
John F. Mackaway	19 Locust Dr.	21228	747-4628
R. H. Doray	23 Locust Dr.	21228	747-4588
Gene P. Lorch	444 Chelton Drive	21228	744-2579
Lucie E. Sadon	444 Chelton Drive	21228	744-2579
Terry Whit	1002 Magnolia	21228	788-0867
Thomas C. Steths	1114 Magnolia	21228	747-7553
Johnnie M. Lewis	1150 Magnolia	21228	788-6940
Mary Resum	1150 Magnolia	21228	744-3428
Renee Lee Day	29 Locust Dr.	21228	747-5281
Ruth L. Hall	98 Beaumont Ave.	21228	788-5460
John R. Hall	98 Beaumont Ave.	21228	788-5460
Edward V. Hall	56 H. Iron Ave.	21228	744-6152
Stephanie McKie	516 Ketter Ave.	21228	744-6152

Bessie C. Whit	1002 HAVENDER AVE.	21229	711-0167
Small N. Harris	5 South Beaumont Ave.	21228	744-4579
Mary C. Bruce	5 South Beaumont Ave.	21228	744-4589
Frances M. Whittle	11 South Beaumont Ave.	21228	744-5792
Tom Andersen	10 Locust Dr.	21228	750-6166
David Washburn	13 S. Beaumont Ave.	21229	744-9997

February 5, 1989

Dear Sirs;

It has come to our attention that a rezoning request has been filed by Dr. Grant Hill at 1009 Frederick Rd. By reading the notice posted on this property we understand that it is proposed to extend the parking lot to an unspecified degree in the back of the above property.

We object to this proposal on the following grounds:

1. It extends the "commercial" nature of the development on Frederick Rd into parking our back yard (and the back yards of numerous other houses). How large will the parking lot extension be? If the lot is rezoned commercial what is to stop the construction of a medical center or large group of physician's offices in what is at present a totally residential area? If increased noise, traffic, and fire risk from numerous cars (using the proposed lot. This is not to mention the after-hours use of the lot for a variety of purposes that parking lots are typically used for after-hours?
2. Due to the natural slope of the land, much of the drainage for the area in question eventually ends up in our back yard and from there to the storm drain that courses through our yard. If the area in question is paved the drainage problem will only worsen. The prospect of yet a water main and back yard after each rain storm and every spring is not one that I relish. Perhaps the zoning board will provide us with surf boards!
3. The empty lot in question is surrounded by residential houses. Building a parking lot on this piece of land will significantly impact many residents of the area. Though I can certainly not speak for other residents of the area, the proposal would significantly lessen the value of our property in our estimations.
4. Finally, we moved to Catonsville because of its residential nature, it was a town that reminded us of all the good attributes of the small town in New England in which we grew up. If the commercial areas of the town are allowed to grow too much and infringe on the residential areas, the very things about Catonsville that make it Catonsville will be lost. It will not necessarily occur in a single conversion of a residential lot into a parking lot, but when this action is repeated many times over- the end result will be that the town will change- and for the worse. I suppose if we had wanted to live in a house with a "parking lot view" we could have moved to "beautiful" downtown Towson or Bethesda- delightful conglomerations of parking lots, concrete jungles and car dealerships! Hopefully, Catonsville will not suffer the same fate!

Thank you for your patience and attention; I am and shall remain,

Sincerely,
Dana C. Hill
Dana C. Hill M.D.
1009 McGruder Avenue
Catonsville, Md. 21228

**PROTESTANT'S
EXHIBIT 3**

[illegible][illegible]

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

February 22, 1990

C. Victor McFarland, Esquire
1002 Frederick Road
Catonsville, Maryland 21228

RE: Petition for Special Hearing
S/S Frederick Road, 139' E of Beaumont Avenue
(1009 Frederick Road)
1st Election District - 1st Councilmanic District
P. Grant Hill - Petitioner
Case No. 89-307-SPH

Dear Mr. McFarland:

With respect to the above-captioned matter, enclosed please find copies of letters I received from Donald S. Fries, a resident of 5 South Beaumont Avenue, and Mary L. McKew, of 7 South Beaumont Avenue. Please keep Mr. Fries and Ms. McKew informed as to the status of this matter.

Thank you for your attention in this matter.

Very truly yours,
A. N. Mastarowicz
ANN W. MASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bja
cc: Case File

February 15, 1990

Anna M. Nastarowicz, Esq.
Deputy Zoning Commissioner for
Baltimore County
Office of Planning & Zoning

Re: Petition for variance
and increased parking
F. Grant Hill - Petitioner
Case No. 89-307-SPH

RECEIVED
FEB 20 1990
ZONING OFFICE

Dear Ms. Nastarowicz:

In reference to attorney C. Victor McFarland's letter to you, dated February 12, 1990, with copies to Paul Lee Engineering, Mary McKew, myself, Bert Harrison, Tom Anderson and F. Grant Hill, you are advised that he has only heard from two of the interested parties, has not heard from any of the other interested parties, lists "a through g" of Section 409.8.5.2 of Baltimore County Zoning Regulations with brief explanation for each item, and concludes with request that the petition for variance and increased parking be granted.

All in the above paragraph may be so, but if I recall correctly, at the initial hearing, February 7, 1989, your instructions to attorney McFarland and Dr. Hill were to review the concerns voiced at this hearing, come up with suitable solutions and meet with the interested individuals.

I do not feel that the attorney writing a letter to me on December 12, 1989 with copy to three other interested parties, two of which had no objections or concerns at the initial hearing, complies with your instructions. The last sentence of this letter suggests that he would like to meet with me and my neighbors to review this matter as soon as a meeting can be arranged. No mention of, or advice as to how this meeting is to be arranged. No further contact was made until his letter of February 12, 1990.

I strongly object to being placed in the inferred position of Chairman of Interested Parties or Chief Objector in this matter,

when other neighbors who attended the initial hearing and signed the log or register were more concerned than I regarding this petition, particularly the drainage, even though I reside closest to the proposed parking increase.

In conclusion, I would like to assure you that I am interested only in compliance with the County Zoning Regulations that effect our community and that any information or engineering required for a variance be furnished in a sincere and professional manner.

Respectfully yours,

Donald S. Fries
Donald S. Fries
5 South Beaumont Ave.
Catonsville, MD 21228 5024

Honorable Ann M. Nastarowicz Esq.
Deputy Zoning Commissioner
Baltimore County
Office of Planning & Zoning
Towson, Maryland 21204

Dear Ms. Nastarowicz:

In regard to the petition for Special Hearing, F. Grant Hill petitioner, case No. 89-307-SPH, I would like to make the following statement on my behalf:

I have received one letter dated Dec. 21, 1989 from C.V. McFarland Law Office, saying he would like to meet with the neighbors. He has never called or written since that time to set up a date. There were also neighbors who didn't receive the letter or a copy of the proposed plans. I took my plans and passed them around to the people who attended the hearing. They all have questions regarding the parking lot expansion, the fence, lighting, and especially the drainage problem. I contacted Mr. McFarland after receiving the letter sent to you, Feb. 12, 1990. I now have a meeting set up as of March 6th at 7:30pm in his office at 1002 Fredrick Road, Catonsville.

Our goal is to have our neighborhood, and back yards, to remain a residential area, and not damage the value of our property.

Very Truly Yours

Mary M. McKew
Mary M. McKew
7 South Beaumont Ave.
Catonsville, Md 21228

RECEIVED
FEB 21 1990
ZONING OFFICE

March 9, 1990

Ann M. Nastarowicz
Deputy Zoning Commissioner
Baltimore County
Office of Planning and Zoning
Towson, Maryland 21204

Ref. Petition for Special Hearing
8/6 Fredrick Rd. 139' E. of Beaumont Ave.
1009 Fredrick Road
Case No. 89-307-SPH, F. Grant Hill-Petitioner
1st Election Distr., 1st Councilman's Distr.

Dear Ms. Nastarowicz:

A meeting was held Tuesday, March 6, 1990, 7:30pm at C. Victor McFarland's Office. Those who attended were:
Mr. & Mrs. Donald Fries 5 South Beaumont Ave.
Mrs. Mary McKew 7 South Beaumont Ave.
Russell Hall 9 South Beaumont Ave.
Frank Whittle 11 South Beaumont Ave.
Mr. & Mrs. Dave (Whittle) 13 South Beaumont Ave.

Below I have identified the areas discussed, and possible solutions that were brought to the table.

Drainage: We suggested he get in touch with the County, as it is currently a very big problem. Our yards are often wet due to the poor drainage and freestanding water that lays in the properties drainage ditch from heavy rains. The proposed parking lot would make it worse by cutting off the little absorption that does take place, and replacing it with asphalt that will create complete runoff to a dirt drainage area. We feel there is a definite need for a storm drain, because at times the water is over your ankles.

The County installed a storm drain between 1002 & 1004 Magruder Avenue. As I told Mr. McFarland, the County ran this primary line between the homes at no cost to either family (one was my old home). This drain is also adjoining the rear of in question property. Approximately 2 1/2 years ago a man asked to place some measuring instruments in my yard to "site up" properties. I was told by this environmental man who was surveying Dr. Hill's or Dr. Beason's property that a storm drain would have to be put in for the run off. As it is now we have mosquitoes from the drainage laying wet.

Containment: We were all in agreement for a wooden fence completely around the parking lot with a gate for his access to cutting the grass behind. We asked for it to be high enough so that we don't see the cars, and close enough to the ground to catch all the trash that comes down on all our properties. The concept is that this parking lot and fence are out of his sight and a couple of hundred feet away from traffic's view, we in turn will be forced to look at it daily, hourly.

Lighting: We suggested he look into motion sensor lights that would come on when ever a car drives into his parking lot. Hopefully these

would be mounted on the fence and subsequently would not affect any of our rear bedrooms. Mr. McFarland did tell us the solar lighting was to be small ground lamps. We feel we need more lighting back there as night parkers are there after hours when the facility is unattended.

I feel we are fair in all our requests and suggestions, and hope we can come to term. If met I see no problems. Please keep in mind our objective is not to road block this man's business options, but to ensure that projects such as this do not degrade the environment (conditions/living conditions) that we are forced to live and look at. If actions (renovations) are taken they should be taken responsibly or not at all.

Very truly yours,

Mary M. McKew
Mary M. McKew

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

March 2, 1990

C. Victor McFarland, Esquire
8/6 Fredrick Road, 139' E of Beaumont Avenue
Catonsville, Maryland 21228

RE: Petition for Special Hearing
8/6 Fredrick Road, 139' E of Beaumont Avenue
1st Election District - 1st Councilmanic District
F. Grant Hill - Petitioner
Case No. 89-307-SPH

Dear Mr. McFarland:

Pursuant to the undated letter received February 21, 1990 from Mary L. McKew regarding the above-captioned matter, it is my understanding that she has scheduled a meeting with you on Tuesday, March 6, 1990 at 7:30 PM.

Please be advised that I will hold this case in abeyance until March 20, 1990 in the event anyone desires to provide written comments in response to your letter dated February 12, 1990 or wishes to provide additional information regarding this matter after the meeting in your office. Thereafter, it is my intention to review the testimony presented at the hearing and all correspondence received and render a decision in this matter.

Thank you for your attention in this matter.

Very truly yours,

Ann M. Nastarowicz
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:bjs

cc: Mrs. Mary L. McKew
7 S. Beaumont Avenue, Catonsville, Md. 21228

Mr. Donald S. Fries
5 S. Beaumont Avenue, Catonsville, Md. 21228

All Protestants
Case File

would be mounted on the fence and subsequently would not affect any of our rear bedrooms. Mr. McFarland did tell us the solar lighting was to be small ground lamps. We feel we need more lighting back there as night parkers are there after hours when the facility is unattended.

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Very truly yours,

Mary M. McKew
Mary M. McKew

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

March 2, 1990

C. Victor McFarland, Esquire
8/6 Fredrick Road, 139' E of Beaumont Avenue
Catonsville, Maryland 21228

RE: Petition for Special Hearing
8/6 Fredrick Road, 139' E of Beaumont Avenue
1st Election District - 1st Councilmanic District
F. Grant Hill - Petitioner
Case No. 89-307-SPH

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Thank you for your attention in this matter.

Very truly yours,

Ann M. Nastarowicz
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:bjs

cc: Mrs. Mary L. McKew
7 S. Beaumont Avenue, Catonsville, Md. 21228

Mr. Donald S. Fries
5 S. Beaumont Avenue, Catonsville, Md. 21228

All Protestants
Case File

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Very truly yours,

Mary M. McKew
Mary M. McKew

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

March 2, 1990

C. Victor McFarland, Esquire
8/6 Fredrick Road, 139' E of Beaumont Avenue
Catonsville, Maryland 21228

RE: Petition for Special Hearing
8/6 Fredrick Road, 139' E of Beaumont Avenue
1st Election District - 1st Councilmanic District
F. Grant Hill - Petitioner
Case No. 89-307-SPH

Dear Mr. McFarland:

Pursuant to the undated letter received February 21, 1990 from Mary L. McKew regarding the above-captioned matter, it is my understanding that she has scheduled a meeting with you on Tuesday, March 6, 1990 at 7:30 PM.

Please be advised that I will hold this case in abeyance until March 20, 1990 in the event anyone desires to provide written comments in response to your letter dated February 12, 1990 or wishes to provide additional information regarding this matter after the meeting in your office. Thereafter, it is my intention to review the testimony presented at the hearing and all correspondence received and render a decision in this matter.

Thank you for your attention in this matter.

Very truly yours,

Ann M. Nastarowicz
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:bjs

cc: Mrs. Mary L. McKew
7 S. Beaumont Avenue, Catonsville, Md. 21228

Mr. Donald S. Fries
5 S. Beaumont Avenue, Catonsville, Md. 21228

All Protestants
Case File

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Towson, Maryland 21204
(301) 887-3353

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Towson, Maryland 21204
(301) 887-3353

March 2, 1990

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F. Grant Hill - Petitioner
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Mary M. McKew
Mary M. McKew

Baltimore County

A high-contrast, black and white photograph of a person's face, heavily shadowed and grainy, with a dark, textured background. The image is oriented horizontally.





BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
 COUNTY OFFICE BUILDING
 1111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your petition has been received and accepted for filing this
 10th day of November 1988

J. Robert Haines
 ZONING COMMISSIONER

Received by: **James E. Dyer**
 Chairman, Zoning Plans
 Advisory Committee

Petitioner: **F. Grant Hill**
 Attorney: _____

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 31, 1989

Mr. Paul Lee
 304 W. Pennsylvania Ave
 Towson, MD 21204

RE: Item No. 193, Case No. 89-307-SPH
 Petitioner: F. Grant Hill
 Petition for Special Hearing

Dear Mr. Lee:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
 Chairman
 Zoning Plans Advisory Committee

JED:dt
 Enclosures

Maryland Department of Transportation
 State Highway Administration

December 14, 1988

Re: Baltimore County
 F. Grant Hill Property
 Zoning Meeting 11/29/88
 9/8 Frederick Road
 MD 144
 139' east of
 Beaumont Avenue
 Item #193

Dear Mr. Haines:

After reviewing the plan for 1009 Frederick Road, we have the following comments:

The plan must be revised to show a proposed 80' right-of-way (40' half section), measured from the centerline of Frederick Road.

It is requested this revision be made prior to a hearing date being set. If you have any questions, contact Larry Brocato (333-1350).

Very truly yours,
Creston J. Mills, Jr.
 Chief Bureau of Engineering
 Access Permits

LB/es
 cc: Paul Lee Engineering Incorporated
 Mr. J. Ogile

My telephone number is (301) 333-1350

383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-482-5042 Statewide Toll Free
 707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND
 INTER-OFFICE CORRESPONDENCE

J. Robert Haines
 TO: Zoning Commissioner Date: February 2, 1989

Pat Keller, Deputy Director
 FROM: Office of Planning and Zoning

Zoning Petition No. 89-307-SPH
 SUBJECT: F. Grant Hill

The applicant is requesting a special hearing to 1) enclose a front porch for an office building in an R.O. zone; and 2) the expansion of a parking lot into a D.R.5.5 zone. In reference to this request, staff provides the following information:

- The need to provide adequate parking for medical office uses is of critical concern, especially at this location. The petitioner will be intruding into the D.R.5.5 area and an additional 10 feet (approximate) over current conditions. The level of intrusion is minimal and if adequate buffers were to be provided, the lot would be required to extend even deeper into the parcel. Intrusion of parking areas into residential zones should be discouraged. To some extent the intrusion can be mitigated through more intensive landscaping or fencing.

Based upon the information provided and analysis conducted, staff recommends that if the proposed project is granted, the following conditions shall apply:

- A landscape plan emphasizing buffer yards and fencing shall be reviewed and approved by the County Landscaper Planner prior to the issuance of building permits.

PK/af

RECEIVED
 FEB 6 1989
 ZONING OFFICE

Baltimore County
 Department of Public Works
 Bureau of Traffic Engineering
 Courts Building, Suite 406
 Towson, Maryland 21204
 (301) 887-3554

January 17, 1989

Mr. J. Robert Haines
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers 88, 186, 170, 193, 195, 197, 198, 201, and 203.

Michael S. Flanagan
 Traffic Engineer Associate II

MSF/lvw

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

December 29, 1988

J. Robert Haines, Zoning Commissioner
 Office of Planning & Zoning
 Baltimore County Office Building
 Towson, Maryland 21204

Re: Property Owner: F. Grant Hill

Location: SS Frederick Rd., 139' E. of Beaumont Avenue
 1009 Frederick Road

Item No.: 193 Zoning Agenda: Meeting of 11/29/88

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.

1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ 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.
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 E. O'Neill**
 Planning Group
 Special Inspection Division

NOTED & APPROVED: **John E. O'Neill**
 Fire Prevention Bureau

/s/

BALTIMORE COUNTY, MARYLAND
 INTER-OFFICE CORRESPONDENCE

J. Robert Haines
 TO: Zoning Commissioner Date: February 2, 1989

Pat Keller, Deputy Director
 FROM: Office of Planning and Zoning

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 SUBJECT: F. Grant Hill

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RECEIVED
 FEB 6 1989
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BALTIMORE COUNTY, MARYLAND
 INTER-OFFICE CORRESPONDENCE

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Pat Keller, Deputy Director
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 SUBJECT: F. Grant Hill

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PK/af

RECEIVED
 OCT 3 1990
 ZONING OFFICE

LAW OFFICES
McFARLAND, WEINKAM & MASTERS
 1002 FREDERICK ROAD
 CATONSVILLE, MARYLAND 21228 - 5029

TELEPHONE
 AREA CODE 301
 744 - 2300
 744 - 3244

July 10, 1990

Ms. Ann M. Nastarowicz
 Deputy Zoning Commissioner
 for Baltimore County
 County Office Building
 111 W. Chesapeake Ave.
 Towson, MD 21204

Re: Case No. 89-307-SPH
 Petition for Special Hearing
 S/S Frederick Rd., 139' E. of
 Beaumont Avenue
 (1009 Frederick Road)
 1st Election District
 1st Councilmanic District
 F. Grant Hill, D.D.S., Petitioner

Dear Ms. Nastarowicz:

Thank you for your Findings of Fact and Conclusions of Law and Order dated June 26, 1990. I was out of the Continental United States and have just returned. My client has brought to my attention that on page 4, paragraph 4) (third paragraph from the top), the hours of illumination are limited to 8:30 A.M. to 8:00 P.M. I am assuming that it should be 8:30 P.M. to 8:00 A.M.

Also, in paragraph 8) the property is used by one physician and five dentists now and we assume that you meant that the use was to be the same as the current use which would be six physicians and/or dentists at any one time.

Very truly yours,
Victor McFarland

CVMcF/ir
 Enc.
 cc: F. Grant Hill, D.D.S.
 Mr. and Mrs. David Warshaw
 Mrs. Mary L. McKew
 Mr. John R. Hall
 Mr. and Mrs. Donald S. Fries
 Mr. Frank M. Whelke
 Mr. Paul Lee, Engineer

7/28/90 *Victor McFarland - No modification*
David

Engineers - Surveyors - Site Planners

LAW OFFICES
MCFARLAND, WEINKAM & MASTERS
1002 FREDERICK ROAD
CATONSVILLE, MARYLAND 21228 - 5029
TELEPHONE
AREA CODE 301
788 - 2200
744 - 3256
G. VICTOR MCFARLAND
LOUIS J. WEINKAM, JR., P.O.
KENNETH H. MASTERS
LOUIS J. WEINKAM, JR.

March 27, 1990

Ann M. Nastarowicz, Esq.
Deputy Zoning Commissioner for
Baltimore County
Office of Planning & Zoning
Towson, MD 21204

Re: Petition for Special Hearing
F. Grant Hill, Petitioner
Case No. 89-307SPH

RECEIVED
MAR 28 1990
ZONING OFFICE

Dear Ms. Nastarowicz:

Mrs. McKew dropped off at my office copies of the pictures she took of the water run-off on Dr. Hill's property. My client does not deny that water runs on his property and except for water freezing, the water is absorbed on his property. Actually the existing swale worked better than I expected, but water did pool as the photographs show.

Dr. Hill has agreed to put up a six-foot privacy fence along the back of Mrs. McKew's property and Mr. Fries' property and remove the existing locust trees. The fence will be similar to those along some of the other rear yards. Both Mrs. McKew and Mr. Fries have agreed to this to shield them from the proposed extension of Dr. Hill's parking lot. This will leave the area open for those wishing it.

My clients will also install motion detector lights on his building and solar lights near the ground on the back of the parking lot. The motion detector lights will be directed so as not to be offensive to his neighbors.

Please advise me when your decision is issued.

Very truly yours,

G. Victor McFarland

CVMcF/r

cc: F. Grant Hill, D.D.S.
Mr. and Mrs. David Warshaw
Mrs. Mary L. McKew
Mr. John R. Hall
Mr. and Mrs. Donald S. Fries
Mr. Frank M. Whittle
Mr. Paul Lee, Engineer

LAW OFFICES
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788 - 2200
744 - 3256
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KENNETH H. MASTERS
LOUIS J. WEINKAM, JR.

March 15, 1990

Ann M. Nastarowicz, Esq.
Deputy Zoning Commissioner for
Baltimore County
Office of Planning & Zoning
Towson, MD 21204

Re: Petition for Special Hearing
F. Grant Hill, Petitioner
Case No. 89-307SPH

RECEIVED
MAR 16 1990
ZONING OFFICE

Dear Ms. Nastarowicz:

Thank you for your letter of March 2, 1990, which was received by my office on March 12, 1990.

A meeting was held on Tuesday, March 6, 1990. Those in attendance were the writer and the following neighbors of the applicant:

1. Dave and Gay Warshaw, 13 S. Beaumont Ave., 21228,
2. Mary L. McKew, 7 S. Beaumont Ave., 21228,
3. John R. Hall, 9 S. Beaumont Ave., 21228,
4. D.S. and Mary C. Fries, 5 S. Beaumont Ave., 21228 and
5. Frank M. Whittle, 11 S. Beaumont Ave., 21228.

The neighbors had the following suggestions or requests:

- A. Wanted to know the exact type fence to be built.
- B. Trash blowing off lot to be picked up.
- C. Put gate in fence and move fence back on Dr. Hill's property to allow for snow removal.
- D. Resolve water problem that exists only after hard rains causing water pools some distance farther in on Dr. Hill's property. One suggestion was to build a dry well.
- E. Use motion lights on fence shield from the back of the existing building.
- F. Dr. Hill has allowed four of his neighbors to use his land for gardens. According to those who attended the meeting, one garden is unsightly.
- G. One of the neighbors questioned the cellar offices with regard to the square footage shown on the plat.
- H. The property ownership shown on the plat is shown as Leonard Schwartz and it should be Dr. Edwin L. Besson.

I advised the neighbors that I would get back to them.

Mrs. Mary L. McKew

- 2 -

March 15, 1990

Dr. Hill had considered ditching or other methods, but did not do so because of the underground springs in the lot that may cause more problems than it would solve.

If the reason for complaints is mosquitoes, they are not produced by the surface water on Dr. Hill's property. The water being absorbed helps the water table and is, therefore, beneficial. The absorption of the water by the soil does not allow enough time for the breeding of mosquitoes. Mosquitoes are born and distributed by the wind for miles.

E. We think the suggestion to put motion detectors aimed at the parking lot is a good one and this will be done also with the solar lights.

F. Dr. Hill has let four neighbors who want to use his lot for gardens because of their own small lots. He will request the offending neighbor to police up his lot better in the future.

G. The cellar office square footage is included in the 3,700 square feet as shown on the drawing.

H. Mr. Fries is correct that Dr. Edwin L. Besson is the owner of the office backing up to his side yard.

Very truly yours,

G. Victor McFarland

CVMcF/r

cc: Ann M. Nastarowicz, Esq.
Deputy Zoning Commissioner
F. Grant Hill, D.D.S.
Mr. and Mrs. David Warshaw
Mrs. Mary L. McKew
Mr. John R. Hall
Mr. and Mrs. Donald S. Fries
Mr. Frank M. Whittle
Mr. Paul Lee, Engineer

LAW OFFICES
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CATONSVILLE, MARYLAND 21228 - 5029
TELEPHONE
AREA CODE 301
788 - 2200
744 - 3256
G. VICTOR MCFARLAND
LOUIS J. WEINKAM, JR., P.O.
KENNETH H. MASTERS
LOUIS J. WEINKAM, JR.

February 12, 1990

Ann M. Nastarowicz, Esq.
Deputy Zoning Commissioner for
Baltimore County
Office of Planning & Zoning
Towson, MD 21204

Re: Petition for Special Hearing
F. Grant Hill - Petitioner
Case No. 89-307SPH

RECEIVED
FEB 13 1990
ZONING OFFICE

Dear Ms. Nastarowicz:

As a result of my letter of December 21, 1989, I have only heard from Tom Anderson who advised me that he and Bert Harrison have no objection to Dr. Hill's plan.

I have not heard from any of the other interested parties.

My client has met the requirements of Section 409.8.B.2 of the Baltimore County Zoning Regulations which states:

"a. The land so used must adjoin or be across an alley or street from the business or industry involved."

The Petitioner is requesting that the existing parking be expanded into his otherwise unused area of his property which is a part of the land upon which his existing offices are located.

"b. Only passenger vehicles, excluding buses, may use the parking facility."

The Petitioner's patients come to his office for dentistry work and use passenger vehicles or vehicles used for passenger transportation. Some patients use pick-up trucks and recreational vans but not many. The Petitioner sometimes uses a pick-up truck and his tenant sometimes parks a recreational vehicle on the existing parking area.

"c. No loading, service, or any use other than parking shall be permitted."

There is no need to use the requested area for loading or unloading--only the existing parking area. No big trucks are used to deliver medical supplies.

"d. Lighting shall be regulated as to location, direction, hours of illumination, glare, and intensity, as required."

The Petitioner's office hours should not create any lighting problem, however, just to make sure, he proposes to use solar light. Solar lights are low-powered and will gradually lose power long before morning.

Ann M. Nastarowicz, Esq.

- 2 -

February 12, 1990

"e. A satisfactory plan showing parking arrangement and vehicular access must be provided."

The Petitioner believes that the proposed parking as shown on the revised plat is a logical and reasonable parking plan to show satisfactory parking and vehicular access to his property.

"f. Method and area of operation, provision for maintenance, and permitted hours of use shall be specified, and regulated as required."

The Petitioner and tenants use the offices from 9:00 to 5:00 and some to 9:00 p.m. Monday through Friday, part of the day on Saturday (very limited use) and rarely on Sunday for emergency only.

"g. Any conditions not listed above which, in the judgment of the Zoning Commissioner, are necessary to ensure that the parking facility will not be detrimental to adjacent properties."

The Petitioner believes that the requested expansion of the office area and parking will be beneficial to the Catonsville community by providing convenient dental care to the residents. The requested additional parking is more than would be required for the use of the parking area to be enclosed into offices. Other than for emergencies, the parking is regulated by the Petitioner and leased offices by the appointments of the patients spreading the use of the parking area throughout the day.

The Petitioner believes that his request should be granted because it is for the public as well as his private interest and will not adversely effect the neighborhood of which his offices are a part. He has provided a tasteful location of fence for those neighbors who require it rather than isolating his parking area by construction of a stockade. The neighbors have an unobstructed view of his property except for the area in which the proposed fence could be erected.

Therefore, my client respectfully requests that his petition for a variance and increased parking space for patients and staff be granted.

Very truly yours,

G. Victor McFarland

CVMcF/r

cc: Paul Lee Engineering
Mary McKew
Donald S. Fries
Bert Harrison
Tom Anderson
Dr. F. Grant Hill

LAW OFFICES
MCFARLAND, WEINKAM & MASTERS
1002 FREDERICK ROAD
CATONSVILLE, MARYLAND 21228 - 5029
TELEPHONE
AREA CODE 301
788 - 2200
744 - 3256
G. VICTOR MCFARLAND
LOUIS J. WEINKAM, JR., P.O.
KENNETH H. MASTERS
LOUIS J. WEINKAM, JR.

March 15, 1990

Mrs. Mary L. McKew
7 S. Beaumont Ave.
Catonville, MD 21228

Re: Petition for Special Hearing
F. Grant Hill, Petitioner
Case No. 89-307SPH

Dear Mrs. McKew:

Enclosed is a letter I have written to Ann M. Nastarowicz, Esq., Deputy Zoning Commissioner for Baltimore County in response to her letter to me.

A. My client will erect a stockade-type fence 6 feet high with the best finished side toward your property. My client is willing, however, to erect the fence as shown on his drawing or along your rear fence line. If erected along yours and the Fries' property line, it will necessitate the removal of three locust trees.

The difficulty is that some neighbors want the fence and some do not. The old fence was removed at the request of the neighbors some years ago.

It is unfortunate that the South Beaumont Avenue side residents have such short backyards. Some of the South Beaumont Avenue side lots have privacy fences that have been in place for years. Other than the garden, the lot is park like.

Leaving the fence as shown on the plat or behind your lot and Mr. Fries would not effect those who like the wide open view of the neighborhood.

B. Trash blowing across the lot perhaps comes from the Knights of Columbus across the street or from the citizens of Catonsville. I know from having an office down the street the disrespect people have towards property owners with regard to paper cups, newspapers, etc. One thing is certain--the volume of trash that is enough to complain about is not generated on the present parking lot of Dr. Hill.

C. The erection of the fence as proposed would not require a gate nor any problem with snow removal as a stockade-type fence around the property would.

D. The most difficult problem is the water problem that may exist after a hard rain when water lays in pools on Dr. Hill's property until absorbed by the soil. I have been on that property during a rain and have not observed a problem that would require extensive expenditures to send the problem elsewhere. The natural swale does not have a grade that will carry the water off that the water lays any appreciable time because there are no bare spots or other evidence of an adverse impact on the grass.

LAW OFFICES
McFARLAND, WEINKAM, O'CONNELL & MASTERS

1002 FREDERICK ROAD
CATONSVILLE, MARYLAND 21228 - 5029

C. VICTOR McFARLAND
LOUIS A. WEINKAM, JR., D.C.
KENNETH H. MASTERS
LOUIS E. WEINKAM, JR.

December 7, 1989

Ms. Ann M. Nastarowicz
Deputy Zoning Commissioner
for Baltimore County
Office of Planning and Zoning
Towson, MD 21204

Re: Petition for Special Hearing
F. Grant Hill - Petitioner
Case No. 89-307-SPH

Dear Ms. Nastarowicz:

Thank you for your letter of November 1, 1989.

I now have the revised plans and am proposing to have a meeting with the Protestants to advise them of the plan and will advise you as soon as I have met with them. I will send you a copy of my letter proposing the meeting.

Very truly yours,

C. Victor McFarland
C. Victor McFarland

CVMCF:fj
cc: F. Grant Hill

RECEIVED
DEC 8 1989
ZONING OFFICE

LAW OFFICES
McFARLAND, WEINKAM, O'CONNELL & MASTERS
1002 FREDERICK ROAD
CATONSVILLE, MARYLAND 21228 - 5029

May 18, 1989

Ms. Ann M. Nastarowicz
Deputy Zoning Commissioner
for Baltimore County
Office of Planning and Zoning
Towson, Maryland 21204

Re: Petition for Special Hearing
S/S Frederick Road, 139' E of Beaumont Avenue
(1009 Frederick Road)
1st Election District - 1st Councilmanic District
F. Grant Hill - Petitioner
Case No. 89-307-SPH

Dear Ms. Nastarowicz:

Thank you for your letter of May 3, 1989. The documentation for the provisions of Section 409.8B2 will be completed with, as will be illustrated in a revised site plan. I have met with Avery Hardin and he has advised us that he will require fencing and some screening along the rear of the property. Paul Lee, my client's engineer, will reflect the requirements of Mr. Hardin and Section 409.8B2 of the B.C.Z.R.

We hope this can be completed and in your hands in the next two weeks.

Very truly yours,

C. Victor McFarland
C. Victor McFarland

CVMCF:fj
Enc.
cc: Avery Hardin
Paul Lee
F. Grant Hill

RECEIVED
MAY 19 1989
ZONING OFFICE

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

May 3, 1989

C. Victor McFarland, Esquire
McFarland, Weinkam, O'Connell and Masters
1002 Frederick Road
Catonville, Maryland 21228-5029

Re: Petition for Special Hearing
S/S Frederick Road, 139' E of Beaumont Avenue
(1009 Frederick Road)
1st Election District - 1st Councilmanic District
F. Grant Hill - Petitioner
Case No. 89-307-SPH

Dear Mr. McFarland:

The purpose of this letter is to follow-up on the hearing held February 7, 1989 on the above-captioned matter. At the close of the hearing, it was determined that the Petitioner would be given an opportunity to submit evidence regarding his intention to show compliance with Section 409.8B2 of the Baltimore County Zoning Regulations (B.C.Z.R.) through written documentation forwarded by you. To date, we have not heard from you or your client.

Further, it was my understanding that the Petitioner and the Protestants would use the additional time to attempt to resolve any differences they had regarding landscaping, lighting, hours of operation and hours of use of the parking spaces in the D.R. 5.5 area.

Please advise me within the next fourteen (14) days as to the status of this matter and whether or not said documentation can be provided. As you know, no decision will be rendered until said documentation has been received and reviewed.

Very truly yours,

Ann M. Nastarowicz
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bja
cc: Case File

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

J. Robert Haines
Zoning Commissioner

January 11, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing
CASE NUMBER: 89-307-SPH
S/S Frederick Road, 139' E Beaumont Avenue
1009 Frederick Road
1st Election District - 1st Councilmanic District
Petitioner(s): F. Grant Hill
HEARING SCHEDULED: TUESDAY, FEBRUARY 7, 1989 at 11:00 a.m.

Special Hearing: Enclose front porch and increase parking spaces reserved for patients and staff, in a DR 5.5 zone.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: F. Grant Hill
Paul Lee
File

Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

January 5, 1989

Mr. Paul Lee
Paul Lee Engineering
304 W. Pennsylvania Avenue
Towson, Maryland 21204

Re: Baltimore County
1009 Frederick Road
Zoning: LDR 112
S/S Frederick Road
MD 144
west of
Locust Drive

Dear Mr. Lee:

After reviewing your revised submittal of December 19, we find the plan acceptable showing a future 80' right-of-way on Frederick Road.

If you have any questions, contact Larry Brocato (333-1350).

Very truly yours,

Creation J. Mills, Jr.
Creation J. Mills, Jr.
Chief Bureau of Engineering
Access Permits

LB/ee

Baltimore County
Department of Environmental Protection
& Resource Management
County Courts Building
401 Eoley Avenue
Towson, Maryland 21204
(301) 887-3733

Robert W. Shandley
Director

September 26, 1990

Mr. George Lambros
Paul Lee Engineering Inc.
304 W. Pennsylvania Avenue
Towson, MD 21204

Re: Medical Office Building,
1009 Frederick Road,
Exemption Request

Dear Mr. Lambros:

This is in response to your letter of September 19, 1990, requesting an exemption from storm water management requirements for the above referenced project.

Since the proposed development will not disturb over 5000 square feet of land area, it is exempt from storm water management requirements under the provisions of Section 2-150.3 (b) (3) of the County's Storm Water Management Policy and Design Manual.

If there are any questions, please contact Mr. Ed Schmaus of my staff at 887-3768.

Very truly yours,

Thomas L. Vidmar, P.E.
Thomas L. Vidmar, P.E.
Bureau Chief
Bureau of Engineering Services

TLV/RAH/ENS/jlm

cc: Mr. Jack Berger
Mr. Alonzo Childress
Mr. Rick Dillia
Mr. Phil Martin

Office of
PATENT
Publishing Company
10750 Little Patuxent Place,
Columbia, MD 21044

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Petition for Special Hearing
Case number: 89-307-SPH
S/S Frederick Road, 139' E Beaumont Avenue
1009 Frederick Road
1st Election District - 1st Councilmanic District
Petitioner(s): F. Grant Hill
HEARING SCHEDULED: TUESDAY, FEBRUARY 7, 1989 at 11:00 a.m.
Special Hearing: Enclose front porch and increase parking spaces reserved for patients and staff, in a DR 5.5 zone.

THIS IS TO CERTIFY, that the annexed advertisement of

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 065856
DATE: 2/7/89 ACCOUNT: 801-615-000
AMOUNT: 78.33
RECEIVED BY: F. Grant Hill
FOR: 2/7/89 hearing
89-307-SPH

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner

November 1, 1989

C. Victor McFarland, Esquire
McFarland, Weinkam, O'Connell & Masters
1002 Frederick Road
Catonville, Maryland 21228-5029

Re: Petition for Special Hearing
S/S Frederick Road, 139' E of Beaumont Avenue
(1009 Frederick Road)
1st Election District - 1st Councilmanic District
F. Grant Hill - Petitioner
Case No. 89-307-SPH

Dear Mr. McFarland:

As you are aware, a hearing was held on the above-referenced matter on February 7, 1989. Subsequent to the hearing, the Petitioner was given additional time to submit documentation regarding his intention to show compliance with Section 409.8B2 of the Baltimore County Zoning Regulations (B.C.Z.R.). Further, the Petitioner and the Protestants were to use the extended time to resolve the differences they had regarding landscaping, lighting, hours of operation and hours of use of the parking area in the D.R. 5.5 zone. The Petitioner has not submitted the required documentation within the time period specified. By letter dated February 7, 1989, the Zoning Commissioner advised the Petitioner that his compliance would be completed, hopefully, within the following two weeks.

To date, this office has not received said documentation. Please advise me in writing at your earliest convenience as to the status of this case.

Thank you for your prompt attention to this matter.

Very truly yours,

Ann M. Nastarowicz
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bja
cc: Case File

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
S/S Frederick Rd., 139' E : OF BALTIMORE COUNTY
Beaumont Ave. (1009 Frederick :
Rd.), 1st Election Dist.: 1st :
Councilmanic Dist. :
F. GRANT HILL, Petitioner : Case No. 89-307-SPH FEB 1 1989

RECEIVED
FEB 1 1989
ZONING OFFICE

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 304, County Office Building
Towson, Maryland 21204
494-2187

I HEREBY CERTIFY that on this 31st day of January, 1989, a copy of the foregoing Entry of Appearance was mailed to F. Grant Hill, 1009 Frederick Rd., Catonsville, MD 21228, Petitioner; and Paul Lee, Engineer, 304 W. Pennsylvania Ave., Towson, MD 21204.

Peter Max Zimmerman
Peter Max Zimmerman

16 South Beaumont Avenue
Catonsville, Maryland 21228

February 5, 1988

RECEIVED
FEB 7 1989
ZONING OFFICE

Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Case No. 89-307-SPH

Hearing Place: 111 W. Chesapeake Ave.
Room 106
Tuesday, February 7, 1989

Dear Sir:

The Case Number above refers to property at:

1009 Frederick Road
Catonsville, Maryland 21228

Owned by: Dr. F. Grant Hill

Special Hearing: To enclose front porch, and increase parking spaces reserved for patients and staff in a DR 5.5 zone.

The neighbors of South Beaumont Avenue strongly object to this proposed parking lot. This is a residential area. The proposed lot is much too close to the properties on the East Side of South Beaumont Avenue.

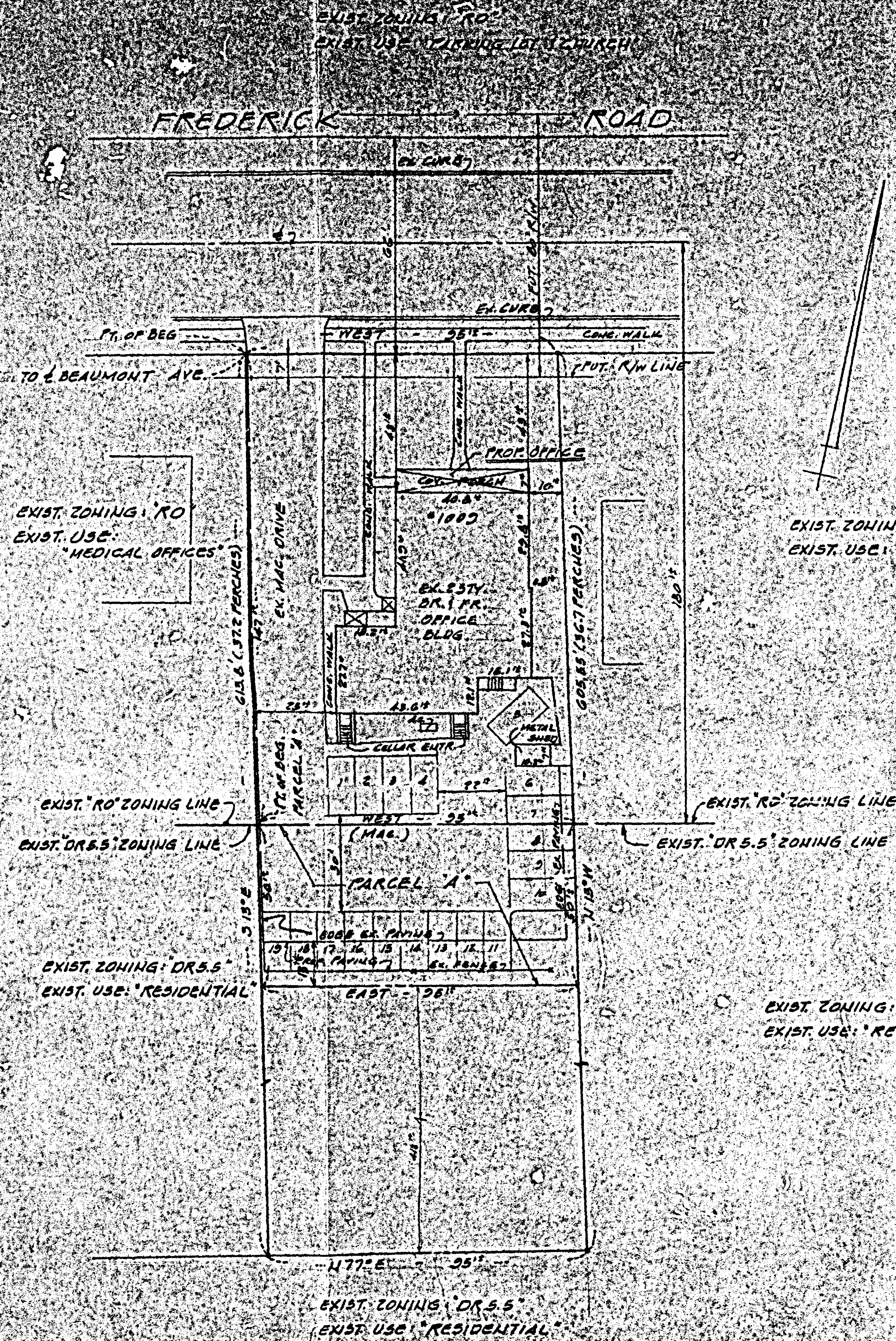
These neighbors have always had their gardens and trees; and the car lights, fumes, noise, inconvenience, and possible property encroachment, are certainly factors against any such proposal. Our street is known as "Beaumont Gardens", and we do not want a parking lot. Incidentally, our street is a cul-de-sac.

We sincerely hope, in view of the above facts, you will see that this proposal should not be granted.

Very truly yours,

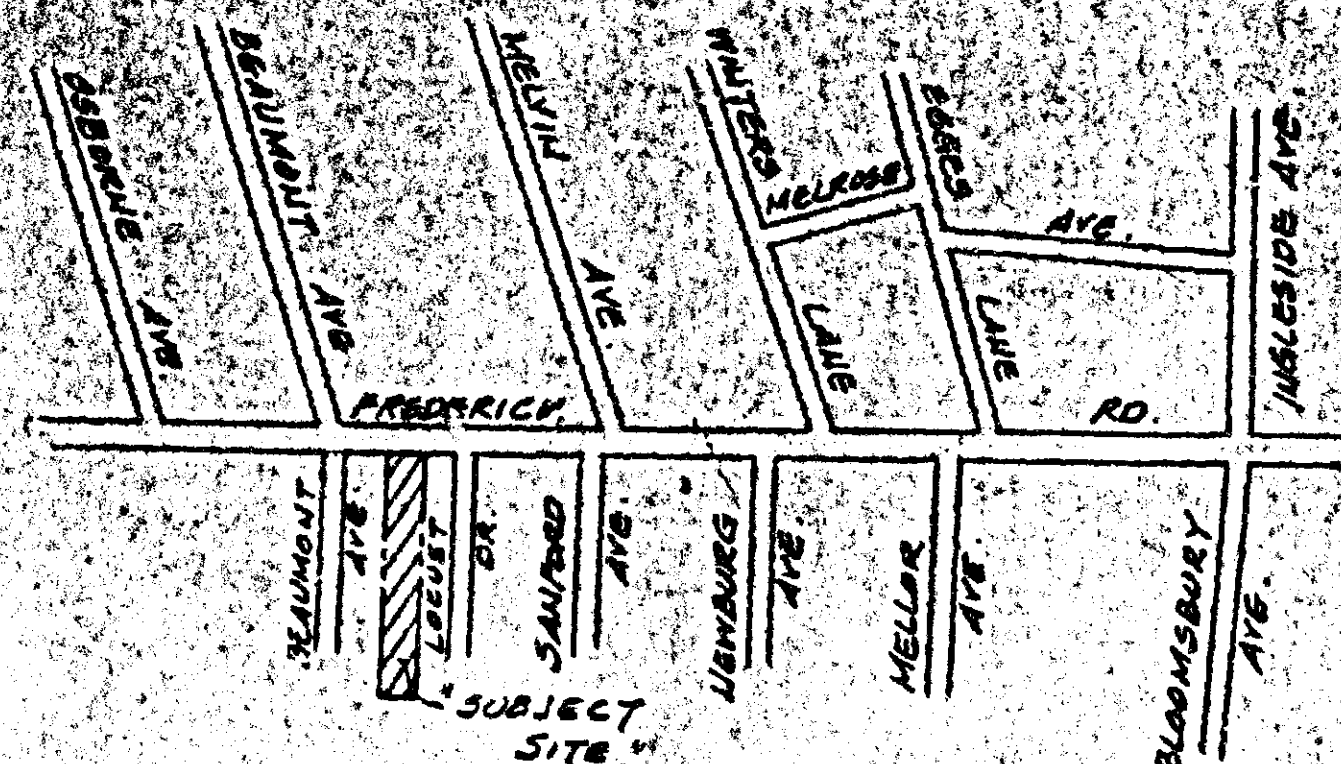
M. Dorothy Morgan
M. Dorothy Morgan
C. M. Morgan (Proprietor)
Agnes Th. Morgan
M. Brundetto Morgan

CC: Hearing Place
111 W. Chesapeake Avenue
Room 106



EXIST. ZONING: "RO"
EXIST. USE: MEDICAL OFFICES

EXIST. ZONING: "DR 5.5"
EXIST. USE: "RESIDENTIAL"



LOCATION PLAN
SCALE: 1"=500'

GENERAL NOTES

1. AREA OF PROPERTY = 57,912.32' (1.33 AC.) - PARCEL A = 0.103 AC.
2. EXIST. ZONING OF PROPERTY = "RO" (0.32 AC.) / "DR 5.5" (1.01 AC.)
3. EXIST. USE OF PROPERTY = MEDICAL OFFICES
4. PROP. ZONING OF PROPERTY = "RO" & "DR 5.5"
5. PROP. USE OF PROPERTY = MEDICAL OFFICES
6. REQUIRED OFF-STREET PARKING:

A. EX. BLDG. BUILDING: 191 PL. 3700 SF. (MEDICAL)	0.43/1000 SF. = 16.65 RS.
B. 2ND FLOOR - 1 BR. APT.	1.0 RS.
C. PROP. OFFICE (COY. PORCH): 285.6 SF @ 4.5/1000	1.29 RS.
	18.94 RS. = 19 RS.
7. NUMBER OF PARKING SPACES SHOWN = 19 RS.
8. PROPERTY SERVED BY PUBLIC UTILITIES.
9. PETITIONER REQUESTING A SPECIAL HEARING TO PERMIT PARKING IN A "DR 5.5" ZONE FOR EXISTING MEDICAL OFFICES PARCEL A (4750 SF. (0.103 AC.))

PLAT TO ACCOMPANY PETITION
FOR
SPECIAL HEARING
#1009 FREDERICK ROAD

IN ELECT DIST
SCALE: 1"=20'

BALTIMORE COUNTY, MD.

AUG. 9, 1988
DEC. 19, 1988

PETITIONER'S
EXHIBIT 1

PETITIONER'S
EXHIBIT

PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

