PETITION FOR ZONING RE-CLASSIFICATION #5608 AND/OR SPECIAL EXCEPTION

X I, or we. Office the legal owner. of the property situate in Baylimore of the property situate in the p L, or we. Selfrest Kennesses legal owners, of the property situate in Bajtunore procounty 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 reclassified, pursuant of the property of the second property of the second part of the second property of the second property of the second part of the second property of the second property of the second part of the second property of the second part of the second property of the second p hereby pelition (1) that the zoning status of the herein described property, to the Zoning Law of Baltimore County, from an Research County, from an Research 7/6/62 one; for the following reasons: RIA

See Attached Description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for

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

I, or we, agree to pay expenses of above re-classification and/or Special Exception 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

x alberten X

Contract purchaser

Sharita H Steenling

Address 300 h Jay Street - @

29th day

....., 196_2, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-out Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the WM 29 62 4th day of July 196 2 at 3:00 o'clock

KAddress 1318 W North One

Balto. 17, md

3700 Uilde Me -7

Kany S. Swall)

Legal Owner

BEFCRE

ZONING COMMISSIONER

OF

BALTINGRE COUNT

No. 5608

Re: Petition #5608 for Reclassification for Albert Kermisch

Will you please enter an appeal in the matter of the above

Yours very truly,

alberte 1318 W. Koth Que

#5608 5EC. 2-B WESTERH AREA

MAP

W of Southereen

Robert C. Norris, Surveyor Old Court Road, Balto. 7, Md

Description for a tract of land on the Old Court Road, Randallstown, Md.

Nay 26 , 1962

5608

3E(.2-B

WESTERN

AREA

map

RA

RA BEGINNING for the same at a point on the north side of Old Court Road 200 feet southerly from the prolongation of the west side of Southgreen Road, at the end of the eighth line of the land described in a deed from Edwin B. Russell to Albert Kermisch, et al, dated Sept. 30, 1960, thrace running and binding on the outlines of said deed North23 degress 12 minutes East 1131.80 feet, thence running South 59 degrees 25 minutes east 363.0 fc, to the end of the for th line of the above mentioned deed; thence running and binding on the outlines of said deed. South 23 degrees 42 minutes west 963.50 ft. to the north side of the Old Court Road; thence running along the Old Court Road, South 60 degrees 33 minutes west 17.0 feet, North 84 degrees 47 minutes west 297.0 ft. and North

Containing 9.3 acres, more or less, and being a part of the land conveyed in the above mentioned deed.

Saving ami excepting all that portion of the above described land herstofore speed "R-A".

57 degrees 2h minutes west 51.0 feet to the point of beginning.

Robert C. Norris Reg. Surveyor

May 26,1962 4510 8 Robert C. Horris, Reg. Surveyer Old Court Road, Balto, 7 7,84. becarintion for a treat of land on the Old Court Road Randalistons, Ed.

SEC. 2-1 Cogninging for the same at a point on the Southermost side of the Old Court Re et the distance measured along the side of Old Court Road, of 606 feet from the Southwest side of the Liberty Road, said point being at the end of the third line of the land described in a deed from Edie Lakuscell, Jr. to Jucob Erokm, dated Dec.5.1952 and recorded to the Land Proords of BalCosCo.in Liber DalaBare.2225 folio 4. thence running along the Southernmost side of the Old Court Road, South 62 degrees 40 ninutes west 235-0 ft-; Thence running and binding on the or lines of the afore nentienca deed South 52 degrees 25 minutes 30 seconds least 947.44 ft., South 51 degrees 35 minutes 27 seconds Hast 539.71 ft., North 44 degrees 35 minutes Bast 428.0 ft., Earth 52 decrees 22 minutes Hest 542.79 ft. South 37 degrees 38 minutes Hest 252.63 ft.s and North 49 degrees 11 minutes 35 seconds West 934.57 ft. to the point of beginnings Containing 9-D seres nore or less and being all of the land described in the deck Route Ton

nantianed above-se

REFORE

RE: PETITION FOR RECLASSIFICATION from a "B-L" Zone and "R-6" Zone to on "R-4" Zone Proceed No. 1; and from an "R-6" Zone to on "R-A" Zone - Percel No. 2. Percel No. 1 - 5% Old Court Road, 60% 5.W of Liberty Road, Parcel No. 2 - N/S Old Court Road, 200' west of Southgreen Road 2nd District Albert Kermisch - Petitioner

COUNTY BOARD OF APPEALS

BALTIMORE COUNTY No. 5608

. : NW-6-H

OPINION

The petitioner herein seeks to reclassify to "R-A" Zone, two separat tracts of land which we shall refer to as Parcel No. 1 and Parcel No. 2.

Parcel No. 1 is located on the south side of Old Court Road approxi mately 600 feet southwest of Liberty Road. It is presently zoned "B-L" and "B-R" with a small strip of "R-6". It has a frontage of 235 feet on Old Court Road, a depth of 1400 feet and a rear width of 323 feet. It is 9.3 acres in area. A large convalescent home adjoins the subject tract on the southwest side and commercial frontage along Liberty Road is contiguous on the northeast side. A farmers market is to the roor of the property.

The protestants stated that they had no objection to the reclassification of Parcel No. 1. Mr. George E. Gavrelis, Deputy Director of Planning, testified that the Planning Staff would favor "R-A" zoning on Parcel No. 1 and would have so classified it on the land use map if anyone would have asked for it at the time the map was adopted. It is the opinion of the members of the Board of Appeals that this admission on the part of the Deputy Director of Planning, indicates insufficient consideration of the subject traci at the time the map was adopted and tends to support the contention of the petitioner that there was an error in original zoning.

Parcel No. 2 is located on the opposite side of Old Court Road, 200 feet west of Southgreen Road. This property is presently zoned "R-6" and is directly across from Liberty Manor, a development of approximately 250 homes.

The protestants objected to the reclassification of Parcel No. 2 on the grounds that it would increase traffic on Old Court Road at this point. They stated that there was a curve in the highway where the subject property fronts with a resultant short sight distance along Old Court Road.

The petitioner was unable to present any testimony to contravene the present map or to show any zoning changes in the neighborhood.

It is the unanimous opinion of the Board of Appeals that there has been sufficient error in original zoning on Parcel No. 1 so as to justify reclassification but that regarding Parcel No. 2, there have been no changes which warrant a reclassification and there was no proof of error in original zoning.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 1916 day of February, 1963, by the County Board of Appeals ordered that the reclassification petitioned for for Parcel No. 1, be and the same is hereby granted and the reclassification petitioned for for Parcel No. 2, be and the same is hereby denied.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS

ACTING CHAIRMAN Aust.

Note: Mr. Kaufman did not sit at this hearing.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

\$5608 Wester H ARE

TO Mr. John G. Rose, Zoning Commissioner Date July 6, 1962 FROM Mr. George E. Gavrelis, Deputy Director

SUBJECT #5608. B-t, R-c, R-A to R-A. Northside of Old Court Road 200 feet Mest of Southgreen Road and Southside of Old Court Road 600 feet from that Southwest side of Liberty Road. Being property of Albert Armisch.

Honday, July 16, 1962 (3:00 P.M.) HEARING:

The staff of the Office of Flanning and Zoning has reviewed the subject petition for reclassification of two (2) parcels of apartment zoning. It has the following advisory comments to make with respect to pertinent planning factors:

- ing advisory comments to make with respect to pertinent planning factors:

 1. The first tract, on the easterly side of Gld four Head now is zoned partly
 B-1. and partly R-5. The commercial confine was created by pertition after
 speal proceedings and was affirmed on the recently-adopted partly
 Area Zoning Hay. The Fluanting staff and proposed using apartment coming
 comprehensive recoming at most commercial complex at the intersection of
 Gld Court and Liberty Reads. It was request to compare the sensing
 statum of the subject property in light of its soning patition history.
 If the petitioner had indicated his desire for spartment, to change the sensing
 statum of the subject property in light of its soning patition history.
 If the petitioner had indicated his desire for spartment, to change the sensing
 that the statum of the subject property in light of its soning patition history.
 If the petitioner had indicated his desire for spartment patient of a request would have been velocated within the new would tend to complete the
 translation of the subject property in the subject property in the subject patients and to complete the
 translated complex. If anything, the Planning staff feels that the potitioner
 has not complete money apartment zoning und that such zoning should be extended closer if not to Liberty Read.
- 2. The second treet, on the westerly side of Gid Court most is partly somed for apartment purposes and partly samed R-6. The apartment purposes and partly samed R-6. The apartment are the part of the apartment ones which addings the consertion complex at Gid Court and Liberty Rosais. The goals of the Meetern Planning Area Exp as related to the subject property were them.
 - A. To recognize the appropriateness of apartment noning and uses adjacent to a major business center i.e., the large commercial complex at Old Court and Liberty Roads.
 - B. To provide a transitional some between the intensive commercial poten-tials at Liberty Road and the single family residences on Gld Court Road,
 - C. To retain the R-6 character which new exists on both sides of Old Court Road. The Flanning staff does not believe that the Western Flanning Area Zoning Nap ar applied to this tract was in error by not extending the spartment seming to GMZ Court Head.

George E. Cavrelis Deputy Director of Planning

SEC. 2. Western PREA MAP

#5208

RE: PETITION FOR REPLASSIFICATION :
FROM A "B-L" ZOME AND "F 5" ZOME
TO AN "B-L" ZOME AND "F 5" ZOME
TO AN "B-L" ZOME - N.S. Old Court
Road 200" N. of Southgreen Road :
and the S.S. Old Court Road 500'
S. W. Liberty Road, Zond District :
Albort Kennisch, Fottlorer

Upon hearing on the above petition for reclassification of parcel No. 1 from a "B-L" Zone and "R-6" Zone to an "R-A" Zone and the reclassification of Percel No. 2 from an "R-6" Zone to an "R-A" Zone, both parcels being described in the within petition, of property

on the north side of Old Court Road 200 feet west of Southgreen Road and 606 feet from the southwest side of Liberty Road, in the Second District of Baltimore County, the testimony produced at he hearing did not indicate that the Land Use Map was in error when a dopted by the County Council.

.

For the above reason the reclassification should be

It is this 21st day of August, 1962, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid reclassification should be and the same is hereby denied from and after the date of this Order.

August 31, 1962

	•		
/	ARYLAND STATE ROADS COM	ISSION DEVELOPMENT	INGINZERING SECTION
64	county zoning	MAP AMENDMENT PETT	TON
etition No. 5608	Map No.	Date:	
pplicant: albert	Kumisch		
upplicant's Address:_			
mer: Dame			
emer's Address:			10
Requested Change: Fro	B-J& C6 30n	I TO OC-	4 sone
ublic Hearing: Date:	July 16, 1962	Time: 3	Reply.
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of Sibe	ty Od.		
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larviand State Roads C	Commission's comments are	as indicated:	Date:
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Commission b	ighway improvement plans	·	
Property aff	ected by pres. tentati	ve proposed Maryland	State Roads Commission
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CERTIFICATE OF POSTING ONING DEPARTMENT OF BALTIMORE COUNTY

Towner, Maryland

Petitioner (fillert. Kernsesch)
Location of property. He of bild live Miles. I ve fl. Week of South Green
191. E. S. S. Held Court land for from Miles Week of John Miles.
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Gild Barried, Any reprised for market 25 of Week of Amelinguery. Mondon Missing Willed March 191.

tor ans p-++ B-6 to R-A+ A-A+ Q-6 to R-A 3000

albert Remerch

#5608

Date of return: 6-28-62

County Bepartment Of Public

TOWSON 4, MARYLAND

Bureau of Public Se

March 2, 1962

5608

R. G. S., Inc. 611 St. Paul Street

Ros Comm. Hig. App. #62-52 Drive-In, Carry-Out S.S. Liberty Rd. 651 S. Old Court Road District 2

Dear Sirs:

The captioned app' lation has been reviewed and approval is being withheld for the folluting reasons:

Since the Owner has indicated a subdivision of the tract he will be required to prepare and record a subdivision plat for the over-

There is evidence of a serious drainage condition bisecting this property and the necessary studies will be required to support the methods in which the drainage is to be treated.

The captioned application indicates that Metropolitan sewer is available. In our research of the site we have deter-ined that existing sanitary in relationship to the site is terminated in the richity of Old Court Read relative to Liberty Read and assumed a Courtleigh Read and Liberty Read; therefore, it will be necessary, due to the existing topography, to prepare construction plans for a sanitary system to the south and to the existing system in the south and to the existing system in the most of the desired system in the south and to the existing system in the south and to the existing system in the south and to the existing system to the south and to the existing system to the south and to the existing system in the south and to the existing system in the south and to the existing system in the south and the system of the south and the system of the syst

This office recommends that you prepare an overall plat of the sixteen acre tract showing topography and all relative detail to surrounding utilities and their availability, and submit to Alatimore County as a preliminary for review and comments.

Upon completion of the aforementioned details and the execution upon complation of the arcommentuoms details and the execution of a Public Works Agreement, the Permit may be finalized. The milding Application will remain valid, Nowwer, should an unreasonable time elapse (90 days) without evidence of progress shown resolving the problems involve the application will be recommended for cancellation.

Very truly yours

OAR: eb

Ceorge A. Reier Assistant Chief Bureau of Public Services

cc: Mr. Benson

5608 BALTHORE COUNTY, MAR AND No. 12934 OFFICE OF FINANCE DATE 7/16/62

Division of Collection and Receipts
COURT HOUSE TOWSON 4, MARYLAND

Mermisch's 1318 W. North Ave. Baltimore 17, Nd.

01622 165.00 COST 65.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BALTIMORE COUNTY, MARYIND

TOWSON 4, MARYLAND

No. 14120 OFFICE OF FINANCE Division of Collection and Receipts
COURT HOUSE

DATE 8/31/62

1318 W. North Ave.

BILLED Zoning Department of Baltimore County

\$70.00 Appeal cost for Albert Mermisch for Reclassification 70.00 #5508 9-902 9525 e a . ITE-000 IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND

BALTIM RE COUNTY, MARY ND OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE TOWSON 4, MARYLAND

1318 W. North Ave. Baltimore 17, Md.

BILLED Zoning Department of Beltimore County

No. 11698

DATE 5/29/62

QUANTITY		50.00
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MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

TION—NN DISTRICT

SOUNDS: Fine BL. J. Fe R. A. & R. G. Zores
to R.A. Zone.

10 R.A. Zone.

100 Inc. Wash.

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PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

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CERTIFICATE OF PUBLICATION

published in THE JEFFERSONIAN, a weekly newspaper printed appearing on the 29th day of

THE JEFFERSONIAN,

Cost of Advertisement, \$_____

19.62

