

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Northfield-Loch Raven Mem'l.
I, or we, Post 9083, V.F.W., Inc., legal owner, 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 _____ zone to an "X" zone, for the following reasons:

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 _____ Community Building and Post Home.

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

I, or we, agree to pay expenses of above reclassification 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 County.

Northfield-Loch Raven Mem'l.
Post 9083, V.F.W., Inc.

Contract purchaser By _____
Address _____ Post Commander Legal Owner
Address _____

W. Lee Harrison, Petitioner's Attorney

Protestant's Attorney

Address 697 Loyola Federal Building
Towson, Md. 21204 - 823 1200

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1965, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building at Towson, Baltimore County on the _____ day of _____, 1965, at _____ o'clock _____ A.M.



Zoning Commissioner of Baltimore County.

LAW OFFICES
W. LEE HARRISON
697 LOYOLA FEDERAL BUILDING
202 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

May 18, 1965

John G. Rose, Esq.
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Petition for Special Exception for Community Building and Post Home
E/S of Fowler Avenue 895' South of Putty Hill Road - 14th District
Northfield-Loch Raven Mem'l Post, 65-299-X

Dear Mr. Rose:

Please note an appeal to the County Board of Appeals for Baltimore County from your Decision and Order dated May 7, 1965 denying the Special Exception requested in connection with the above captioned matter, on behalf of the Petitioner, Northfield-Loch Raven Mem'l Post.

I enclose herewith my check in the amount of \$75.00 to cover the costs of the appeal.

Very truly yours,

W. Lee Harrison

b

Enc.

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of _____

the above Reclassification should be had; and it further appearing that by reason of _____

a Special Exception for a _____ should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of _____, 1965, that the herein described property or area should be and the same is hereby reclassified; from a _____ zone to a _____ zone, and/or a Special Exception for a _____ should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of _____ failure to meet the requirements of Section 502.1 of the Baltimore County Zoning Regulations.

therefore no reclassification should be had and the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 1965, that the above reclassification and/or Special Exception be and the same is hereby DENIED.

Deputy Zoning Commissioner of Baltimore County

MICROFILMED

INTER-OFFICE CORRESPONDENCE
DIVISION OF TRAFFIC ENGINEERING
Baltimore County, Maryland
Towson 4, Maryland

Date: March 22, 1965

TO: Mr. James S. Oyar
FROM: Eugene J. Clifford
SUBJECT: Item #2 - ZAC - March 16, 1965 Northfield - Loch Raven Mem'l Post 9083 - East side of Fowler Avenue 895 feet south of Putty Hill Avenue

Review of the subject plat dated February 16, 1965 results in the following comments:

The sight distance at the southernmost entrance is marginal; therefore this entrance should be eliminated.

Fowler Avenue is planned to be continued to Belair Road.

Eugene J. Clifford
County Traffic Engineer

EJC:RMINE

WATZ, CHILDS & ASSOCIATES, INC.
Engineers - Surveyors - Site Planners
1020 Council Ridge Rd. - Towson, Md. 21204
823 0900

DESCRIPTION

7.44 ACRE PARCEL, FOWLER AVENUE, FOURTEENTH
ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

Present Zoning - R-6

Proposed Zoning - R-6 With Special Exception

Beginning from the same at a point on the east side of Fowler Avenue, 40 feet wide, at the distance of 895 feet, more or less, as measured southerly along said east side of Fowler Avenue from its intersection with the centerline of Putty Hill Road, thence leaving said Fowler Avenue S 82° 37' E - 422.11 feet to the west side of Baltimore Beltway, thence binding thereon S 15° 33' 30" E - 142.25 feet, thence leaving said Baltimore Beltway S 96° 22' W - 733.02 feet, S 71° 22' W - 331.84 feet to the southeasternmost end of the right-of-way lines of Fowler Avenue as shown on Plat No. 24462 of the State Roads Commission of Maryland, thence binding on the right-of-way lines of Fowler Avenue as shown on said plat the two following courses and distances (1) N 18° 50' 47" W - 24.50 feet and (2) S 71° 09' 12" W - 10.00 feet, thence continuing to bind on the easternmost lines of Fowler Avenue, 40 feet wide, the two following courses and distances (1) northerly by a line curving to the right with a radius 1253.24 feet the distance of 476.25 feet (said arc being subtended by a chord bearing N 08° 05' 50" W - 467.50 feet)

Water Supply
Sewerage
Drainage
Highways
Structures
Investigations
Reports
#65-299X
MAP
#111-14A
"X"
4/9/65

and (2) N 02° 39' 09" E - 57.67 feet, thence leaving said Fowler Avenue and running the six following courses and distances (1) S 87° 16' 10" E - 288.00 feet, (2) N 13° 29' 10" W - 171.83 feet, (3) N 13° 53' 10" W - 83.50 feet, (4) N 87° 16' 10" W - 49.00 feet, (5) N 02° 43' 50" E - 105.00 feet, and (6) N 77° 05' 10" W - 169.68 feet to the said east side of Fowler Avenue, thence binding thereon N 02° 43' 50" E - _____ feet to the place of beginning.

Containing 7.44 Acres of land.

ES:img
J. O. 65018
2-12-65

RE: PETITION FOR SPECIAL EXCEPTION :
for a Community Building and
Post Home
E/S Fowler Avenue 895' South
of Putty Hill Road,
14th District
Northfield-Loch Raven Memorial
Post 9083 V.F.W.,
Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 65-299-X

OPINION

This case comes before the Board of Appeals on the petition of Northfield-Loch Raven Memorial Post 9083 V.F.W., Inc. for a special exception for the use of their property located on Fowler Avenue south of Putty Hill Road in the Fourteenth Election District of Baltimore County, for a Community Building and Post Home.

The property consists of approximately 7.44 acres along the east side of Fowler Avenue and is presently zoned R-6. The property is surrounded by R-6 zoning and a portion of the eastern boundary of the property borders, for approximately 142 feet, along the Baltimore County Beltway. The R-6 land to the east and south of the subject property is undeveloped. There are, however, homes between the northern boundary of the subject property and Putty Hill Road. It should also be pointed out that the property is shaped somewhat like a "horseshoe" (see petitioners' exhibit #1) and the R-6 land within the gap of the horseshoe is developed by privately owned residence.

Since no reclassification is required, we deal primarily with the requirements contained in Section 502.1 of the Baltimore County Zoning Regulations. The Board finds, as a fact from the testimony offered in this case, that paragraphs c, d, e, and f of Section 502.1 have been satisfied. This brings us to the question of general health, safety, and welfare, and possible traffic congestion. It would be well to quote the comments pertaining to this petition submitted April 13, 1965 by George E. Gavrelis, Director of Planning and Zoning:

"The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

1. In general, the planning staff endorses the principle of encouraging institutional uses, such as that proposed, to locate against the beltway.
2. If the petition is to be granted, we recommend that the petitioner show affirmatively at the hearing that the requirements of Subsection 502.1 of the Zoning Regulations will be met. In particular, is Fowler Avenue adequate to handle traffic generated by the proposed use? How much traffic will be generated? We further recommend that grading be subject to approval of the site plan by this office."

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Northfield-Loch Raven Memorial Post 9083 V.F.W. - 65-299-X

The Board feels that, because of the location of the subject property in close proximity to the Baltimore County Beltway, the property could possibly be used in an institutional capacity as suggested in paragraph one of Mr. Gavrelis' comments. It is, however, the finding of the Board, both from the testimony and from a physical inspection of the subject property and Fowler Avenue, that the granting of the proposed special exception to use the subject property for a Community Building or Post Home at this time would create a severe traffic hazard, and a threat to the general safety and welfare of the neighborhood. This opinion is based on the width of Fowler Avenue at the present time and the fact that parts of Fowler Avenue are so narrow that two motor vehicles cannot pass side by side on the paved portion of the road.

For the foregoing reasons the Board finds that the requirements of subsections a and b of Section 502.1 of the Zoning Regulations have not been satisfied and the special exception is, therefore, denied.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 14th day of July, 1966 by the County Board of Appeals, ORDERED that the special exception petitioned for, 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
OF BALTIMORE COUNTY

R. Bruce Alderman, Acting Chairman

John A. Slawik

Paul T. McHenry, Jr.

