

✓ #66-91R
MAP
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PL

Petition for Reclassification
No. Corner of Boston and Delvale
Avenues - 12th District
Harris et al. Petitioners

REPORT TO:
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY
NO. 66-91R

This is a Petition to re-zone two parcels of land from the present R-3 zoning to R-4 and R-1, respectively. For the purpose of this zoning, the property will be divided into two parcels: Parcel A, consisting of 1.6 acres, from R-3 to R-4; and Parcel B, consisting of 2.4 acres, from R-3 to R-1. At the request of the petitioners, the Petitioner withdrew his request for R-4 zoning for Parcel B. Therefore, this action deals solely with the matter of re-zoning Parcel A.

Parcel A is part of an overall tract consisting of approximately 9.1 acres, which is located between Graceland Avenue and German Hill Road. Part of the tract was originally zoned R-1 by the County Council.

The property, which is bounded by a street, was described as being bounded on the S by homes and Graceland Avenue. That to the S is "R-1" zoned property, previously referred to, (owned by the Petitioner) and German Hill Road. Just across German Hill Road are more homes and a cemetery. To the W is another tract consisting of 2.4 acres, also owned by the Petitioner. To the E are more homes.

Plans call for the construction of a neighborhood shopping center with off-street parking facilities for 37 vehicles. Sewer and water are available and adequate. To accommodate anticipated traffic, Delvale Avenue will be constructed through the Petitioner's property from German Hill Road to Graceland Avenue.

A real estate expert testified that development costs for an R-3 project would be prohibited if not satisfactory because of the aforementioned street. He was of the opinion that the zoning was in error with respect to Parcel A. He further stated that due to the proximity of the commercial tract to the S that the most logical and appropriate zoning of Parcel A would be R-4.

Comments from the office of planning point out a need for a shopping center in this area, and the overall plan was submitted with the petition with the approval of the Planning Staff.

For the foregoing reasons, it is ORDERED by the Deputy Zoning Commissioner of Baltimore County this 13th day of December, 1965, that the herein described Parcel A be and the same is hereby Reclassified from an R-3 zone to a R-4 zone, subject to approval of the site plan by the Office of Planning and the Bureau of Public Services. IT IS FURTHER ORDERED by the Deputy Zoning Commissioner that the described Parcel B be and the same is hereby DENIED and that the above described Parcel B be and the same is hereby continued as and to remain an R-3 zone.

Edward D. Hulse
EDWARD D. HULSE
Deputy Zoning Commissioner

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

1. HERBERT J. HERMAN, 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 reclassified, pursuant to the Zoning Law of Baltimore County, from R-3 zone to R-4 zone and R-1 zone for the following reasons:

1. Error in original zoning.
2. That there has been a sufficient change in the immediate area to justify the requested reclassifications.

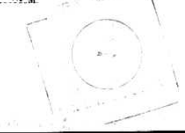
See attached description

APPLICANT 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 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.

Contract purchaser	Legal Owner
<u>Herbert J. Herman</u>	<u>Herbert J. Herman</u>
Address: <u>1002 Fidelity Building</u>	Address: <u>1002 Fidelity Building</u>
<u>Baltimore, Maryland 21201</u>	<u>Baltimore, Maryland 21201</u>
<u>Herbert J. Herman</u>	<u>Herbert J. Herman</u>
Petitioner's Attorney	Protestant's Attorney

ORDERED By the Zoning Commissioner of Baltimore County, this 13th day of December, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of October, 1965, at 11:00 o'clock A.M.



Zoning Commissioner of Baltimore County

State Registered
Member ASCE
NSPE
MSS

DAVID W. POMMER
Consulting Engineering
Land Surveying - Site Planning
111 W. 25th Street
Baltimore, MD 21201

PROFESSIONAL ENGINEER & LAND SURVEYOR
DAVID W. POMMER
No. 2600
STATE OF MARYLAND

Office:
299-3122

August 13, 1965.

DESCRIPTION OF A PARCEL OF LAND TO BE REZONED FROM R-3 TO R-4, BOSTON AVENUE AND DELVALE AVENUE, 12TH DISTRICT, BALTIMORE COUNTY, MARYLAND.

Beginning for the same at the Northernmost corner of the land presently zoned R-4 North of Boston Avenue-German Hill Road and running thence and binding on the dividing line between the existing R-4 zone and the existing R-3 zone South 49 Degrees 11 Minutes 40 Seconds West 465 feet to the centerline of proposed Delvale Avenue 70 feet wide and running thence and binding on said centerline Northwesterly by a curve to the right with a radius of 1000 feet more or less the distance of 180 feet and Northwesterly by a curve to the left with a radius of 1000 feet the distance of 243 feet to the dividing line between Baltimore County and Baltimore City and running thence and binding on said line due North 115 feet to the rear lot lines of the lots fronting on Graceland Avenue and running thence and binding on the rear lines of said lots North 52 Degrees 49 Minutes 10 Seconds East 339 feet to the rear lot lines of the lots fronting on Wilson Avenue and running thence and binding on the rear lines of said lots South 40 Degrees 48 Minutes 20 Seconds East 459 feet to the place of beginning. Containing a gross area of 4.8 acres and a net area of 4.4 acres.

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DESCRIPTION OF A PARCEL OF LAND TO BE REZONED FROM R-3 TO R-4, BOSTON AVENUE AND DELVALE AVENUE, 12TH DISTRICT, BALTIMORE COUNTY, MARYLAND.

Beginning for the same at the corner formed by the intersection of the Northeast side of Delbert Avenue 60 feet wide and the Southeast side of the 16 foot alley Northwest of Boston Avenue and running thence and binding on the Southeast and Northeast side of said alley North 47 Degrees 02 Minutes 50 Seconds East 116 feet and North 36 Degrees 04 Minutes 50 Seconds West 400 feet to the dividing line between Baltimore County and Baltimore City and running thence and binding on said line due North 270 feet to the centerline of proposed Delvale Avenue 70 feet wide and running thence and binding on said centerline by a curve to the right with a radius of 1000 feet more or less the distance of 243 feet and by a curve to the left with a radius of 1000 feet more or less the distance of 180 feet to intersect the dividing line between the existing R-3 zone and the existing R-4 zone and running thence and binding on said line South 49 Degrees 11 Minutes 40 Seconds West 35 feet and South 40 Degrees 48 Minutes 20 Seconds East 300 feet and running thence South 27 Degrees 40 Minutes 00 Seconds West 45 feet to the Northwest side of Boston Avenue 60 feet wide and running thence and binding on the Northwest side of Boston Avenue South 47 Degrees 02 Minutes 50 Seconds West 180 feet Westwesterly by a curve to the right with a radius of 15 feet a distance of 24 feet to the Northeast side of Delbert Avenue herein referred to and running thence and binding on the Northeast side of Delbert Avenue North 42 Degrees 57 Minutes 10 Seconds East

DESCRIPTION OF A PARCEL OF LAND TO BE REZONED FROM R-3 TO R-4, BOSTON AVENUE AND DELVALE AVENUE, 12TH DISTRICT, BALTIMORE COUNTY, MARYLAND.

(Continued)

16 feet and Northwesterly by a curve to the right with a radius of 970 feet the distance of 74 feet to the place of beginning. Containing a gross area of 2.4 acres and a net area of 1.7 acres.



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Office:
299-3122

October 7, 1965.

DESCRIPTION OF PARCEL OF LAND TO BE DELETED FROM THIS APPLICATION FOR RE-ZONING AT BOSTON AVENUE AND DELVALE AVENUE, 12TH DISTRICT, BALTIMORE COUNTY, MARYLAND.

Beginning for the same at the corner formed by the intersection of the Northeast side of Delbert Avenue 60 feet wide and the Southeast side of the 16-foot alley Northwest of Boston Avenue and running thence and binding on the Southeast and Northeast side of said alley North 47 Degrees 02 Minutes 50 Seconds East 116 feet and North 36 Degrees 04 Minutes 50 Seconds West 400 feet to the dividing line between Baltimore County and Baltimore City and running thence and binding on said line due North 270 feet to the centerline of proposed Delvale Avenue 70 feet wide and running thence and binding on said centerline by a curve to the right with a radius of 1000 feet more or less the distance of 243 feet and by a curve to the left with a radius of 1000 feet more or less the distance of 180 feet to intersect the dividing line between the existing R-3 Zone and the existing R-4 Zone and running thence and binding on said line South 49 Degrees 11 Minutes 40 Seconds West 35 feet and South 40 Degrees 48 Minutes 20 Seconds East 300 feet and running thence South 27 Degrees 40



Page 2.

October 7, 1965.

DESCRIPTION OF PARCEL OF LAND TO BE DELETED FROM THE APPLICATION FOR RE-ZONING AT BOSTON AVENUE AND DELVALE AVENUE, 12TH DISTRICT, BALTIMORE COUNTY, MARYLAND.

(Continued)

Minutes 00 Seconds West 45 feet to the Northwest side of Boston Avenue 60 feet wide and running thence and binding on the Northwest side of Boston Avenue South 47 Degrees 02 Minutes 50 Seconds West 180 feet Westwesterly by a curve to the right with a radius of 15 feet a distance of 24 feet to the Northeast side of Delbert Avenue herein referred to and running thence and binding on the Northeast side of Delbert Avenue North 42 Degrees 57 Minutes 10 Seconds East 16 feet and Northwesterly by a curve to the right with a radius of 970 feet the distance of 74 feet to the place of beginning. Containing a gross area of 2.4 acres and a net area of 1.7 acres.



