PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we Pitt and Belores Pecora legal owners of the property situate in Baltimore mily and which is described to the describ County and which is described in the description and plat attached hereto and unde a part hereof, bereby petition (1) that the zoning status of the herein described property be re-classified, pursuant & c B-L zone; for the following reasons: To permit the erection and operation of a delicatessen and PL confectionary store.

See attached description

for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimor Company, to use the herein described property, for Living quarters - in a commercial Building

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

Let we, agree to pay expenses of above re-classification and or Special Exception advertising, posting, etc., upon fifting 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 Rultimore

Contract purchaser

DATE

Pet Pecoro Dolored Pecara Owner Address 7926 Wise Ave., Balto., Ml. 21222

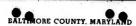
Gray D Election S Attorney

John S. amit Protestant's Attorney

6903 Dunmanway, Balto., Md. 21222

196. 6, that the subject matter of this petition be advertised as required by the Zoning Law of Billimore County, in two newspapers of general circulation throughout Billimore County, the December of Billimore County, that property be possed, and that the public hearing be had before the Astonia our saturatore county, man property or posters, and that the public nearing or had observe the commissioner of Baltimore County in Room 106, County Office Building in Torsen. Baltimore ... 196 5 - 11:09 clock County, on the 23ceCl 1 8 '66 PM _______ay at hoveraber /

Win IN En



TO Mr. John G. Rose, Zoning Commissioner Date. November 9, 1966

FROM George E. Gavresis, Director of Planning

Petition *67-110-RX. North side of Wise Avenue 200 feet West of Stokeslev Rd.
Felilion for Reclassification from R-6 to B.L. Zone. Petition for Special Exception
for Living Quarters in a commercial building. Pitt Pecora - Petitioner.

12th District

HEARING: Wednesday, November 23, 1966. (11:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 to B.L. zoning logather with Special Exception for Iliving quarters in a commercial building. It has the following advisory comments to make with respect to pertinent planning factors:

- The planning staff notes that the subject property is entirely surrounded by properties with residential zoning potentials. No commercial uses occur in close proximity to the subject property.
- 2. It was the intent of the 12th District Master Plan and subsequent zoning map to affirm and ratain the residential potentials which exist in the area vicinal to the subject property. In the opinion of the planning staff, creation of commercial zoning here would not be in accordance with the comprehensive plan affecting her area. Further, commercial zoning would establish land use potentials for this property which are not in homony with those of adjacent properties. It also is to be noted that commercial zoning does exist in the general area.
- From a planning viewpoint, creation of commercial zoning here would con-stitute invalid spot zoning.

GEG:bm

and Special Exception N/S Wise Avenue 200 feet West of Stokesley Road 12th District Pitt Pecora, Petitioner

BEFORE THE ZONING COMMISSIONER

OF BATTIMORE COUNTY

NO. 67-110-RX

The Petitioners request a reclassification from an R=6 zone to a B. L. zone and a Special Exception for living quarters in a commercial building.

The matter is best summed up in a memorandum from the Office of Planning a i Zoning which reads as follows;

- "l. The planning staff notes that the subject property is entirely surrounded by properties with residential zoning potentials. No commercial uses occur in close proximity to the subject property.
- 2. It was the intent of the 12th District Master Plan and subsequent zoning map to affirm and retain the residential potentials which exist in the the residential potentials which exist in the area vicinal to the subject property. In the opinion of the planning staff, creation of commercial zoning here would not be in accordance with the comprehensive plan affecting the area. Further, commacgial zoning would establish land use potentials for this property which are not in harmony with those of adjacent properties. It also is to be noted that commercial zoning does exist in the general area."

3. From a planning viewpoint, creation of commercial zoning here would constitute invalid spot zoning.

The requested zoning would amount to spot zoning.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this Last any of December, 1966, that the above reclassification be and the same is hereby DENIED and that the above described property for area be and the same is hereby continued as and to remain an R-6 zone and the Special Exception for living quarters in a commercial building be and the same is hereby DENIED.

RE. PETITION FOR RECLASSIFICATION from an R-6 zone to a B-L zone, and a SPECIAL EXCEPTION for living quarters in a commercia N/S Wise Avenue, 200 Stokesley Road, 12th District Pitt Pecora, et al.

BEECODI COUNTY BOARD OF APPEALS OF

> PALTIMORE COUNTY No. 67-110-X

OPINION

This case comes before the Board on an appeal by the petitioners from an Order by the Zoning Commissioner denying the petitioners' request for reclassification from an R-6 zone to a B-L zone and a special exception for living quarters in a commercial building. The subject tract is located on the north side of Wise Avenue 200 feet west of Stakesley Road, east of Lynch Road, (known as 7926 Wise Avenue) in the Twelfth Election District of Baltimore County, and consists of approximately .986 acres with a frontage of approximately '68.49 feet on Wise Avenue and a depth of more than 200 feet. The subject property is entirely surrounded by residentially zoned property including the residences on the north side of Diehlwood Road. However, the rear of the subject property does not bound on Diehlwood Road but is separated from same by a small slice of unimproved land.

The Board was impressed by the testimony of George E. Gavrelis, Director of Planning for Baltimore County, who testified that it was the intent of the Twelfth District Master Plan and subsequent zoning map to affirm and retain the residential potentials which exist in the area vicinal to the subject property, and creation of commercial zoning here would not be in accordance with the comprehensive plan affecting the area. In addition Mr. Gavrelis stated that if some unique need not supplied or possibly to be supplied elsewhere existed, then, in a given situation, it might not be spot zoning; however such is not the case here. In his opinion, creation of commercial zoning at the subject property would constitute invalid spot zoning. The Board concurs with this conclusion, there having been no evidence of any unique need that this sought after reclassification might provide which would not be readily available within the general area.

Wilsie H. Adams, well-known real estate and zoning consultant, testified for the petitioners, and presented a long and well-prepared list of alleged changes within this area since the adoption of the zoning map. While reviewing each change from this lengthy list the Board was impressed by the fact that not ove reclassification has been granted on Wise Avenue, east of Lynch Road, in the vicinity of the subject property. Mr. Adoms also testified that, in his judgment, there was no error in the map as originally adapted. No other testimony concerned itself with this subject. The Board agrees wish Mr Adams: there was no such error.

ZONING DESCRIPTION 7926 HISE AVEIRUE

BESTERIOR for the same on the north side of Mine Avenue (65 feet side) as shown on Baltimore County Bureau of Rights-of-may Plat Bill 52-090 Righmays Liber No 15A folio 185 at a point distant 200 feet westerly from the center of Stokesley Road, said point of beginning being at station 91+20.59 as shown on said Plat, thence binding on the north side of said, disc Avenue as shown on said Plat north 65 degrees 22 minutes 28 seconds west 168.49 feet to intersect the second or north 27 degrees 13 minutes east 254.70 foot line of that tract of land which by deer dated September 14, 1950 and recorded among the Land Records of Baltimore County in Liber T. D. Ho. 1889 folio 11 etc. was conveyed by Missbeth Anna Diehl et al to Pitt Percent and wife at a point distant 31.02 feet from the beginning of said line themse leaving said road and running with and binding on a part of said second line and on the east side of Lot 1 as shown on the Plat of Section 1 Dichlaged as filed among the Land Records of Baltimore County in Plat Book 3.1.8. No. 23 folio 10 and the east side of Lot 1 Block "B" as shown on the Flat of Section 3 Dichlwood as filed among the Lami Records of Baltimore County in Fiat Book G.L.J. No. 25 folio 25 north 20 degrees 06 minutes 30 seconds east 223.63 feet to the south side of Parcel "A" as shown on said lastly described Flat, thence binding on the south side of said parcel and running with and binding on the third line of said deed south 71 degrees 06 mirates 30 seconds east 177.75 feet to the end of said line and to the northwest side of a 20 foot road as laid out in deed dated September 14, 1932 and recorded among the

DAVID W. DASEAS, JR.

Re: Pitt Pecora, et al - #67-110-RX

Considering the above, the Board finds that the evidence offered does not prove sufficient change in the area surrounding the subject property to warrant this reclassification. Further, considering the fact that the subject property is entirely surrounded by residentially zoned property, the Board garees that a commercial reclassification in this case would be an example of invalid spot zoning.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 13th day of July, 1967 by the County Board of Appeals, OR DERED that the reclassification and special exception petitioned for, be and the same are hereby DENIED.

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

COUNTY BOARD OF APPEALS

Land Records of Baltimore County in Liber L. No. 906 folio 8 etc. themerunning with and binding on a part of the fourth line of said firstly described deed and on the northwest side of said 20 foot road south 18 degrees 51 minutes 00 seconds west 2h1,95 feet to the north side of said line Average, thence binding on the north side of said wise Avenue westerly by a line curving to the north with a radius of 559h.53 feet for a distance of 15.07 feet to the place of beginning.

COMPAININ 0.986 agree of land more or less

corded among the Land Records of Baltimore County in Liber 785 No. 1889 folio 11 etc. was conveyed by Elizabeth Anna Diehl, et al to Pitt Pecera and wife.

CIVIL ENGINEER

GEORGE D. EDWARDS ATTORRET AT LAW PROFESSIONAL BUILDING 4903 DUNMANWAY BALTIMORE, MARYLAND STREET

December 4, 1966



RE: Petition for Reclassification and Special Exception N/S Wise Avanue 200 feet, Best of Stokely Road, 12th District Pitt Pecors, Petitioner - No. 67-110-8X

Please enter an Appeal from your decision of December 1, 1986, in the captioned matter to the County Board of Appeals.

I am enclosing herewith my check in the amount of \$70.00 representing the filing fee.

Tank you for your cooperation.

Very truly yours. By OCa George D. Edwards

SEINO part of that tract of land which by deed dated September 14, 1950 and re-

--- 21222

SUBJECT: Reclassification from R-6 to Bi, and Special Exception for living quarters and commercial buildings of Park Peccurs. December 1970 Miss Ave. 200 W. of Stokesley Rd. 12th District (Tem 3 - October 15, 1956)

The Zoning Asvisory Committee has reviewed the subject petition and makes the following comments:

RURAU OF ENGINEERING:

Under - Existing 12° and 30° water in whose Avenue.

Sever - Existing 10° and 0° sever as indicated on the submitted plan (Section '5)

Adequacy of existing utilizes to be determined by developer or his engineer.

Fload - Roads exist as indicated on the submitted plan

The proposed use will generate approximately 80 trips per day, however, if the entire treet is seen a business local, and used to the fullest extent, the state could generate 400 trips per day.

ZONING ADMINISTRATION: It is requested that the petitionar indicate how he intends to utilize that portion of the trach that is not utilized on the plans. It will also be necessary to revise the plans to indicate compact screen planting adjacent to the parking area prior to the hearing date being assigned.

The bowe comments are not intended to indicate the appropriateness of the soning action requested, but to assure that all parties are made salare of plans or problems that may have absuring on this case. The Director and/or the perty Director of the Office of Planning and Scning will sudmit recommendations on the appropriateness of the requested soning 10 days before the Zoning Commissioner's hearing.

The following members had no comment to offer:

Fire Department Health Department Industrial Development State Roads Commission Project of Planning Division

JAMES E. IFER, Principal Zoning Technician

cc: Carlyle Brown - Bureau of Engineering C. Hickerd Moore-Dureau of Fraffic Engin James E. Dyer - Principal Zoning Technic

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Date of Posting 12.28-64 front laws of Bull to Date of return 1-4 6

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALLIMORE COUNTY Towson, Maryland Date of Posting / 3-60 Posted for sparing Jeh 1100 23.60 At 1100 4.70 Petitioner P.H. Becara. Location of property 1/5 was Come 200 W/ Stakes by KA Levation of Signs ? on the front boron of 7826 hines and Protect by Tacket Assa Beell 4. Date of return 11---66

BALTIMORE COUNTY, MARYLOND DATE 12/26/66 OFFICE OF FINANCE Dundalk, Haryland 21222 No. 67-110-RX 12-3066 4 6 9 3 * 42909 11P-5.00 IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND BALTIMORE COUNTY, MARY AND OFFICE OF FINANCE No.42262 Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204 DATE 11/23/66 To: George D. Edwards, Esq. 6703 Dumanusy Baltimore, Nd. 21222 11 (300 chis + 4(262 UP-IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND LEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE. BALTIMORE COUNTY, MARYLAND No.42282 OFFICE OF FINANCE Division of Collection and Receipt COURT HOUSE TOWSON, MARYLAND 21204 DATE 12/9/66 George D. Edwards, Esq., 6903 Dunmannay, Dundalk, Maryland 21222 BILLED BY: Office of Planning & Zoning 119 County Office Bidg, Torson, Md. 2120k COST Cost of appeal - Pitt Pecore, petition 570.00 No. 67-110-PY 16-900 1010 t 07707 WE IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECE'PTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE. BALTIMORE COUNTY, MAR AND No.42223 OFFICE OF FINANCE DATE 10/29/66 BILLED Zoning Dept. of Balto. Co. To: George D. Edwards, Esq. 6903 Dummanusy Baltimore, Nd. 21222

> IMPORTANT! JAKE CHECKS PAYABLE TO BALTIMOR . COUNTY, MARYLAND VALL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOW ON 4, MARYLAND LEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

10-31-66 1 457 . 42223 HP--5000

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building 111 W. Chesapeake Avenu Towson, Maryland 2120h

Your petition has been received and accepted for filing this 18 day of 06T.

MAN G. ROSE

Petitioner Bit Ferrer P. Reviewed by House Reviewed by Chalman of Advisory Committee

PETITION FOR
RECLASSIF.CATION AND
SPECIAL EXCEPTION
12th DISTRICT
ZONING: From R-5 to B, L.

fone, Petition for Special Exception for Living Quarters in a com-

mercial building. LOCATION: North side of Wise Avenue 200 feet West of Stokesley

DATE & TIMS: WEDNESDAY, SOVEMBER 23, 1966 at 11:00 P" dLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson,

P d.B.C HEARING Boom 108, County Office Building, 111 W. County Office Building, 111 W. County Office Building, 111 W. County Office Building, 110 W. County Office Building, 110 W. County On the Zondrog Actand Regulations of Buildings of Building In County Office Building In County Office Building In County Office Building In County Office Building, 110 W. County Office

Twelth District of Baltimore MEGATING for the same on the north side of Whee Avenue MEGATING for the same on the north side of Whee Avenue MEGATING for the side of Whee Avenue A

CONTAINING 6,986 acres of

BEING part of that tract of

• CERTIFICATE OF PUBLICATION

OFFICE OF

The Community Press

DUNDALK, MD., November 2:

THIS IS TO CERTIFY, that the annexed advertisement of

was inserted in THE COMMUNITY PRESS, a weekly newspaper published in Baltimore County Maryland once a week successive weeks before the

1st. day of Movember 19 66; that is to say, the same was inserted in the issues of 11-2-66

> Stromberg Publications, Inc. Publisher.

By Mrs. Palmer Price

CERTIFICATE OF PUBLICATION

rue 100 feet West of Stokesley Road. DATE & TIME: Wedcradey, Novem-ber 23, 1564 at 1100 AM PUBLIC HEARING: Re in 168, Coun-ty Office Cuiding, '11 W. Chesa-peake Avenue, Tuwan, Maryland. The Zoning Commissioner of Baltimare County, by authority of the Zoning Act and Regar' Sons of Baltimare County, will noid a public beautiful and the County, will noid a public beautiful and the Present Zoning Baltimare County, will noid a public beautiful and the Present Zoning Baltimare County of the County TOWSON, MD., Nevember 3. 19-16.

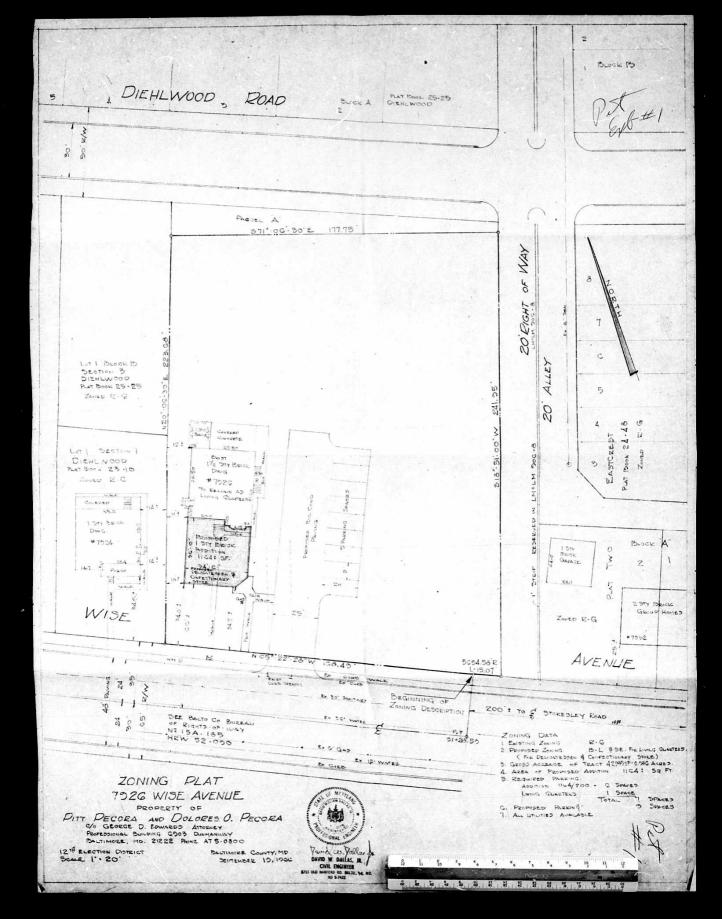
THIS IS TO CERTIFY, that the annexed advertisement was and published in Towson, Baltimore County, Md., once in each day of ______ Nowember _____, 19.66, the first publication appearing on the 3rd day of Villester

> THE JEFFERSONIAN, D. June Structur

PETITION FOR RECLASSIFICA-TION AND SPECIAL EXCEPTION

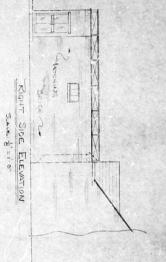
ZONING: Prem: R-6 ty B.L. Zene. Petition for Special Exceptic., for Living quarters in a commercial building. LOCATION: N'ath side of Wise Ave. Nic 100 feet West of Stokesky.

filed with the Z



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THE PARTY OF THE PARTY PRELIMINARY SH. Lorg

FRONT ELEVATION

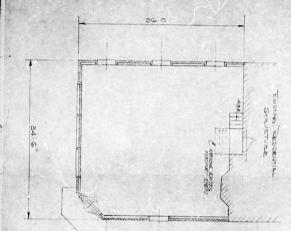


PA.

SH. 2 0+2

PRELIMINARY

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