

ORDER RECEIVED FOR FILING

✓
#68-38R
NORTH
EASTERN
AREA
APP
SER.3-C
BL

RE: PETITION FOR RECLASSIFICATION :
SE/corner of Perring Parkway and
Waltham Woods Road - 9th District
Leonard Stulman, Petitioner
NO. 68-38-R

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

The Petitioners are requesting to have their property re-zoned from an RA zone to a BL zone. They are trying to recover commercial zoning which they obtained by Petition NO. 5837 on April 21, 1964, when the Baltimore County Board of Appeals granted a reclassification to Business Local.

The Planning Staff or Board, which is not clear, evidently authorized the preparation of a map dated August 30, 1965. On the map was imprinted "Adopted by the Planning Board". This map indicated that the subject property was to remain BL. The Petitioners believing they had no reason to check further, relied on their former zoning and the August 30, 1965, unofficial map and the general policy of the Planning Board and the County Council not to disturb existing commercial or industrial zoning.

On September 28, 1965, the Planning Board adopted a map zoning the subject property RA, although the minutes of the meeting show no specific mention of changing this map from BL to RA. The Baltimore County Council also adopted a map zoning the property RA.

Of particular interest of the Planning Board's minutes dated August 30, 1965, known as Annex "B" on page 3 thereof is the "Planning Board's views and are stated as follows:

"Commercial zoning issues--There are no major changes in commercial zoning recommended. In a few cases, recognition is given to existing non-conforming commercial usage. In several instances where commercial zoning was proposed to be withdrawn, comments elicited indicated the Board should recommend retention of such zoning. Finally, in a number of cases commercial zoning borders have been shifted to better relate to topography, proposed roads, or property ownerships."

For the above reasons, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 17th day of August, 1967, that the herein described property or area should be and the same is hereby reclassified from an RA zone to a BL zone, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

[Signature]
Zoning Commissioner

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

68-38

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
I, or we, Leonard Stulman and Helen R. Stulman, legal owners 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 RA zone to an BL zone; for the following reasons:
Error in original zoning and a genuine change in conditions.

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 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 _____
Address _____
W. Lee Harrison, Petitioner's Attorney _____
Protestant's Attorney _____

Address 407 Loyola Federal Building
Towson, Maryland 21204
ORDERED By the Zoning Commissioner of Baltimore County, this 17th day of July, 1967, 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 the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 15th day of August, 1967, at 10:00 o'clock.

(over)

of beginning.
Containing 1.84 acres of land, more or less.
HGW:jmp J.O.#59178-C 6/5/67



Leader Matz, P.E.
John C. Childs, L.S.
Associates
Harold W. Boyles, L.S.
George W. Bushnell, L.S.
Robert W. Cragg, P.E.
Lemuel M. Goff, P.E.
Norman F. Johnson, L.S.
Paul Lee, P.E.
Paul W. Johnson, L.S.

DESCRIPTION

1.84 ACRE PARCEL

SOUTH CORNER PERRING PARKWAY AND WALTHAM WOODS ROAD,
NINTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

Present Zoning R-A
Proposed Zoning B-L

Beginning for the same at a point in the center line of Waltham Woods Road, at the distance of 310 feet, as measured in a southeasterly direction along said center line of Waltham Woods Road from its intersection with the southeast side of Perring Parkway, as laid out 200 feet wide and as shown on the plat entitled "Kenilworth at Perring Park" and recorded among the Land Records of Baltimore County in Plat Book O.T.G. 31, Page 30, said beginning point being at the beginning of the fifteenth line of the Baltimore County Zoning Description 9-RA-42, and running thence, binding on the fifteenth through eighteenth lines of said description the four following courses and distances: (1) S 62°08'58"W - .95 feet, (2) parallel with said center line of Waltham Woods Road, in a northwesterly direction, 410 feet to a point in the center line of Perring Parkway hereinafter referred to, (3) binding on said center line of Perring Parkway, N 52°08'55"E - 155 feet to a point in said center line of Waltham Woods Road, and (4) binding on said center line of Waltham Woods Road, in a southeasterly direction, 410 feet to the place

Water Supply ■ Sewerage ■ Drainage ■ Highways ■ Structures ■ Developments ■ Planning ■ Reports

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

July 14, 1967

W. Lee Harrison, Esq.,
407 Loyola Federal Building
Towson, Maryland 21204

SUBJECT: Reclassification from R-A to B-L, for Leonard Stulman, located S. Cor. Perring Parkway and Waltham Woods Road 9th District (Item 1 July 12th, 1967)

Dear Sir:

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

BUREAU OF ENGINEERING:
Water - Existing 12" water in Waltham Woods Road
Sewer - Existing 12" sanitary sewer in Waltham Woods Road, as indicated on the submitted plan.
Road - Waltham Woods Rd. is to be developed as a minimum 60' road on an 80' R/W. Proposals have been made to have the intersection of Perring Parkway and Joppa Rd. along with that of Perring Parkway and Waltham Woods Rd. constructed as grade separations.

BUREAU OF TRAFFIC ENGINEERING: This office has no adverse comment provided no access to the 1.84 parcel be allowed.

PROJECT PLANNING: This office concurs with the above comment of the Bureau of Traffic Engineering.

STATE ROAD COMMISSION: It is requested that the area within the proposed State Road Commission R/W that is proposed for resubmit be dedicated to the State Road Commission.

ZONING ADMINISTRATION DIVISION: If the petition is granted, no occupancy may be made until such time as plans have been submitted and approved and the property inspected for compliance to the approved plan.

The above 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 that may have a bearing on this case. The Director and/or the Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commissioner's hearing.

The following members had no comment to offer:

Health Department
Bureau of Fire Prevention
Building Engineer
Board of Education
Industrial Development

Very truly yours,

[Signature]
JAMES R. BYRN, Principal
Zoning Technician

1. Carlyle Brown-Bureau of Engg.,
2. Richard Moore-Bureau of Traffic Engg.,
Albert V. Quisby-Office of Planning
John Meyers-State Roads

TELEPHONE
823-3000
EXT. 387

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

No. 44279

DATE: July 24, 1967

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

TO: W. Lee Harrison, Esq.,
407 Loyola Building
Towson, Md. 21204

Billed
Zoning Dept. of Balto. Co.

REPORT TO ACCOUNT NO. 09-622
QUANTITY
RETURN THIS PORTION WITH YOUR REMITTANCE
DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

Petition for Reclassification for Leonard Stulman
68-38-R

TOTAL AMOUNT
\$50.00
COST

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

No. 48427

DATE: Aug. 22, 1967

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

Billed
Zoning Dept. of Balto. Co.

TO: W. Lee Harrison, Esq.,
Loyola Building
Towson, Md. 21204

REPORT TO ACCOUNT NO. 01-622
QUANTITY
RETURN THIS PORTION WITH YOUR REMITTANCE
DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

Advertising and posting of property for Leonard Stulman
68-38-R

TOTAL AMOUNT
\$57.25
COST

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner
FROM: George E. Gavrilis, Director of Planning
SUBJECT: Petition #68-38-R, Southeast corner of Perring Parkway & Waltham Woods Road. Petition for Reclassification from R.A. to B.L. Leonard Stulman - Petitioner
9th District
Hearing: Wednesday, August 16, 1967. (10:00 A.M.)

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

- The intent of the Comprehensive Zoning Map for the Northeast Planning Area was to close off, or contain, commercial zoning by the use of transitional apartment zoning. As expressed by the County Council, "the use of R.A. zoning to accommodate transitional land uses between commercial and non-apartment residential zoning has been consistently applied except in those few cases where this technique was unnecessary because of intervening topographic differences, wide street rights-of-way, etc." (County Council Report on the Comprehensive Zoning Map for the Northeast Planning Area, p. 4). Since the reason for exception to this principle - intervening topographic differences, wide street rights-of-way, etc. - are not applicable here, it is clear that this was the specific intent with regard to the subject property.
- From a site-planning viewpoint, the R.A. zoning clearly allows a reasonable use of the subject tract.
- In view of the above considerations, we believe that the map was absolutely correct in designating the subject parcel as R.A.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th
Date of Posting: 7/24/67
Posted for: Hearing of Aug. 16, 1967, at 10:00 A.M.
Petitioner: Leonard Stulman
Location of property: SE corner of Perring Parkway & Waltham Woods Rd.
Location of Signs: 1. At the NW corner of Waltham Woods Rd. & Perring Parkway. 2. At the SE corner of Waltham Woods Rd. & Perring Parkway.
Remarks: [Blank]
Posted by: Robert L. Smith
Signature: [Signature]
Date of return: 8/3/67

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 27th, 1967.
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one successive weeks before the 14th day of August, 1967, the first publication appearing on the 7th day of July 1967.
THE JEFFERSONIAN
L. Frank Smith
Manager
Cost of Advertisement, \$

**PETITION FOR
RECLASSIFICATION
9th DISTRICT**

ZONING: From R.A. to R.L.

LOCATION: Southeast corner of Perring Parkway and Waltham Woods Road.

DATE & TIME: WEDNESDAY, AUGUST 16, 1967 at 10:00 A.M.

PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Present Zoning: R.A.

Proposed Zoning: R.L.

All that parcel of land in the Ninth District of Baltimore County.

Beginning for the same at a point in the center line of Waltham Woods Road, at the distance of 310 feet, as measured in a southeasterly direction along said center line of Waltham Woods Road from its intersection with the southeast side of Perring Parkway, as laid out 200 feet wide and as shown on the plat entitled "Knullworth at Perring Park" and recorded among the Land Records of Baltimore County in Plat Book O.T.G. 31, Page 30, said beginning point being at the beginning of the fifteenth line of the Baltimore County Zoning Description 9-RA-42, and running thence, binding on the fifteenth through eighteenth lines of said description the four following courses and distances: (1) S 62 degrees 08' 58" W - 195 feet, (2) parallel with said center line of Waltham Woods Road, in a northwesterly direction, 410 feet to a point in the center line of Perring Parkway herein referred to, (3) binding on said center line of Perring Parkway, N 62 degrees 08' 58" E - 195 feet to a point in said center line of Waltham Woods Road, and (4) binding on said center line of Waltham Woods Road, in a southeasterly direction, 410 feet to the place of beginning.

Containing 1.84 acres of land, more or less.

Being the property of Leonard Stelman and Helen R. Stelman, as shown on plat filed with the Zoning Department.

Hearing Date: Wednesday, Aug. 16, 1967 at 10:00 A.M.

Public Hearing: Room 108 County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

**BY ORDER OF
JOHN G. ROSE,
ZONING COMMISSIONER
OF BALTIMORE COUNTY**

July 27.

**OFFICE OF
THE BALTIMORE COUNTIAN**

THE COMMUNITY NEWS
Ridgelytown, Md

THE HERALD - ARGUS
Catonsville, Md.

No. 1 Newburg Avenue

CATONSVILLE, MD.

July 31, 1967

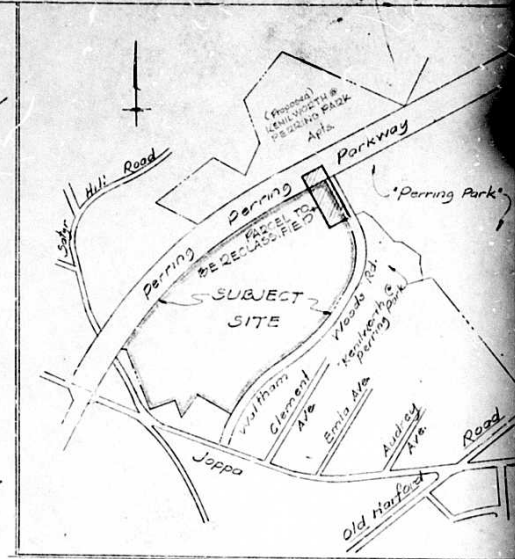
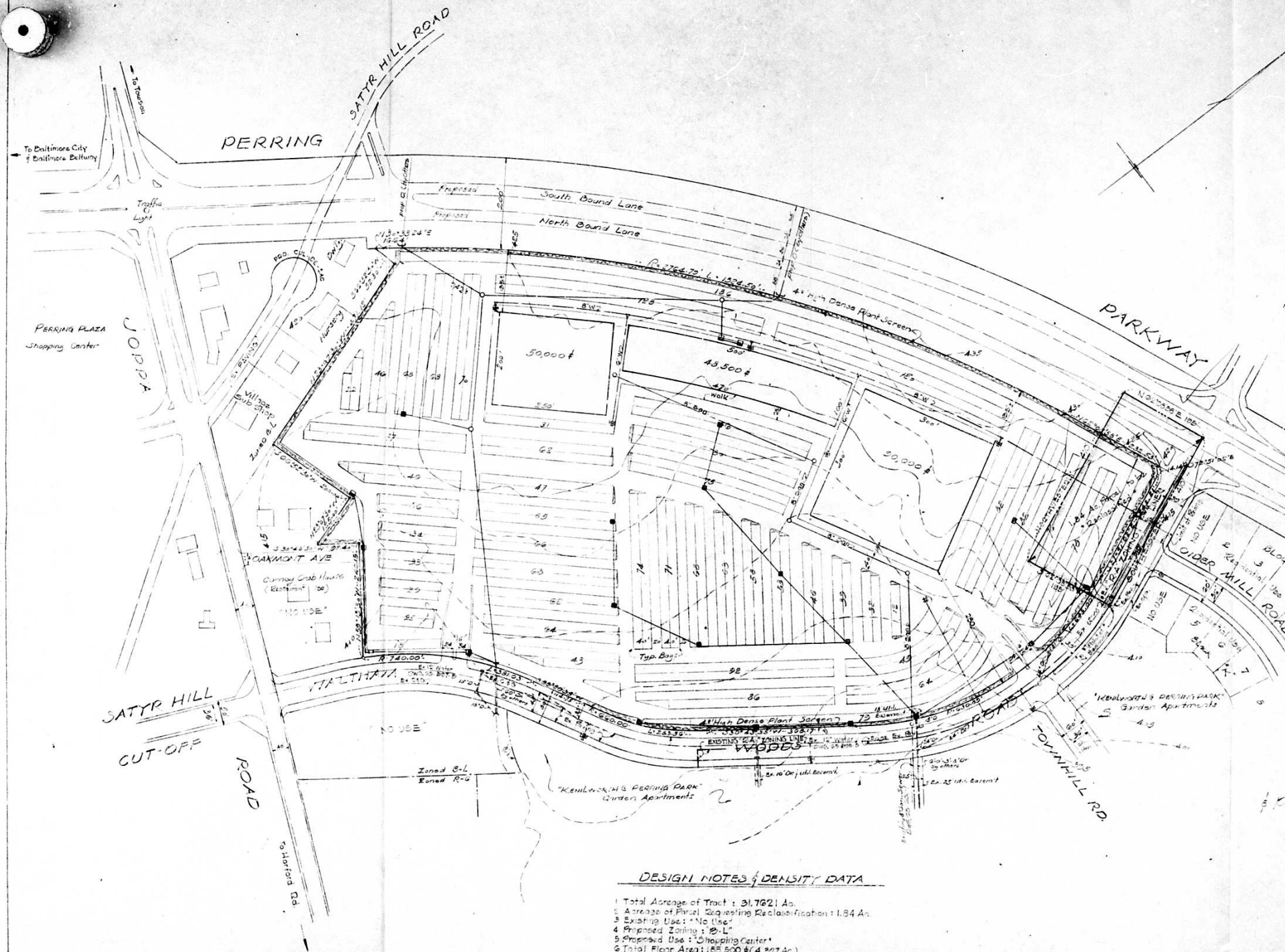
THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County

was inserted in THE BALTIMORE COUNTIAN, a group of ~~three~~ weekly newspapers published in Baltimore County, Maryland, once a week for One ~~week~~ weekly before the 31st day of July, 1967, that is to say the same was inserted in the issues of

July 27, 1967.

THE BALTIMORE COUNTIAN

By *Paul J. Morgan*
Editor and Manager. R.M.



LOCATION PLAN
1"=500'

68-38 R
OFFICE
COPY

NORTHEASTERN
AREA
MAP
SEC. 3-C
BL

Plot To Accompany Petition
for
Reclassification of Property
WALTHAM WOODS ROAD
& PROPOSED PERRING PARKWAY

9th Election District
Scale: 1"=100'
Baltimore Co., Md.
June 5, 1967



DESIGN NOTES & DENSITY DATA

- 1 Total Acreage of Tract: 31.7621 Ac.
- 2 Acreage of Final Suggested Reclassification: 1.84 Ac.
- 3 Existing Use: "No Use"
- 4 Proposed Zoning: "B-L"
- 5 Proposed Use: "Shopping Center"
- 6 Total Floor Area: 155,500 sq. ft. (4.227 Ac.)
- 7 Parking Requirement: 242
- 8 Parking Proposed: 263 @ 35' x 20'