

#66-165-R  
MAP  
#4  
SEC 1-D  
NW-16-5  
RA

PETITION FOR RECLASSIFICATION  
from R-10 zone to R-A zone  
N/S Bond Avenue 410 feet East of  
Sacred Heart Lane  
4th District  
Henry J. Horner, Jr.  
Petitioner  
BALTIMORE COUNTY  
No. 66-165-R

OPINION

The Petitioner in this case requests the reclassification of a rectangular parcel of ground situated on the northwest corner of Bond Avenue and Glyndon Drive, in the 4th Election District of Baltimore County, from an R-10 zone to an R-A zone. The subject property consists of 4.22 acres (gross), and the Petitioner proposes to construct on the subject property approximately sixty garden type apartment units. The property immediately to the east of the subject property across Glyndon Drive is zoned R-A, and is presently being developed with garden type apartment units, the project being named "Bentley Park at Chartley Town". Portions of this project have been completed and occupied.

An engineer testifying on behalf of the Petitioner stated that the right of way has been acquired for Glyndon Drive along the east side of the property, and that Glyndon Drive will be a 42 foot paved road on a 70 foot right of way, and will eventually be a major collector street from the Glyndon area to the north and the Reisterstown Road to the southwest. He further testified that all utilities are available at the property and adequate to serve the 64 unit apartment project.

An expert realtor testifying on behalf of the Petitioner testified that in his opinion the present R-10 zoning is erroneous, and cited three zoning reclassifications in the immediate area since the adoption of the map in January of 1957: Case No. 65-162-R was a reclassification from M.L. to R.A. of 35-1/2 acres, and M.R. to R-10 of 33 acres, which was granted by the Deputy Zoning Commissioner in 1965. This is the property that is immediately east of the subject property. He also cited case No. 4303 of 15 acres

Henry J. Horner, Jr. - No. 66-165-R  
2.  
from B.M. and R-10 to R.A., granted by the Zoning Commissioner in December of 1957.  
Case No. 65-293-RX, on 8 acre parcel rezoned from B.L., B.R. and R-10 to R.A. by the Deputy Zoning Commissioner in April of 1965. This property is now fully developed with garden apartments. He further testified that the access to the subject property is by way of Glyndon Drive through the Chartley development to the Reisterstown Road.

The Petitioner introduced as Exhibit #2 the comments of George E. Cavelli, Director of Planning for Baltimore County, dated January 11, 1968, which were:  
"In view of the RA zoning granted under petition #65-162, the planning staff will not oppose the subject petition."

Present in the hearing room and represented by counsel was Mr. Ascanio S. Boccuti, who resides at 233 Sacred Heart Lane, approximately 200 feet from the subject property. Mr. Boccuti and his attorney advised the Board that he is no longer opposed to the granting of the reclassification from R-10 to R.A. on the subject property.

From the testimony heard by the Board, more than sufficient changes have occurred in the immediate neighborhood since the adoption of the map in January of 1957 to warrant the requested reclassification, and the Board feels that the granting of this 3-1/2 acre parcel of R.A. zoning is a logical extension of the large R.A. zone which exists immediately across Glyndon Drive to the east.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 23rd day of April, 1970, by the County Board of Appeals ORDERED, that the reclassification petitioned for be and the same is hereby GRANTED.

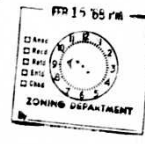
Any appeal from this decision must be in accordance with Chapter 1100, subtitle 3 of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

William S. Baldwin  
William S. Baldwin  
W. Giles Parker  
John A. Slawik

HERBERT MATZ  
ATTORNEY AT LAW  
SUITE 700-710  
303 EAST PAYETTE STREET  
BALTIMORE, MARYLAND 21202  
LEADGTON 8-5808

February 14, 1968



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

Re: Petition for Reclassification  
N/A of Bond Avenue 410' E of  
Sacred Heart Lane - 4th District  
Henry J. Horner, Jr., Petitioner  
No. 66-165-R

Dear Mr. Rose:

I am enclosing herewith Notice of Appeal to be filed in the above captioned matter.

Very truly yours,

Herbert Matz

HM:pk

Enclosure

cc: Mr. Ascanio S. Boccuti  
233 Sacred Heart Lane  
Reisterstown, Maryland 21136

Mr. Leonardo Prencipe  
411 Sacred Heart Lane  
Reisterstown, Maryland 21136

PETITION FOR ZONING RE-CLASSIFICATION  
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Mr. Henry J. Horner, Jr., and legal owners of the property situate in Baltimore County, to use the herein described property, for  
N/S of Bond Avenue 410' E of Sacred Heart Lane - 4th District  
Henry J. Horner, Jr., Petitioner  
No. 66-165-R  
R-A  
zone, for the following reasons:

Error in original zoning and change in the character of the neighborhood

See attached description

and 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. 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: Bond Ave. and Glyndon Dr.  
Baltimore, Maryland 21136  
Protestant's Attorney  
Address: 303 E. Payette Street 21202

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of December, 1968, 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 25th day of January, 1969, at 11:00 o'clock A.M.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: January 11, 1968  
FROM: George E. Cavelli, Director  
SUBJECT: Pet. #66-165-R. North side of Bond Avenue 410 feet East of Sacred Heart Lane. Petition for Reclassification from R-10 to R.A.  
Henry J. Horner, Jr. - Petitioner  
4th District  
HEARING: Wednesday, January 24, 1968. (11:00 A.M.)

In view of the RA zoning granted under petition #65-162, the planning staff will not oppose the subject petition.

RE-PETITION FOR RECLASSIFICATION  
N/S of Bond Avenue 410' E of Sacred Heart Lane - 4th District  
Henry J. Horner, Jr., Petitioner  
No. 66-165-R  
OF  
BALTIMORE COUNTY

The Petitioners have requested a reclassification of property located on the north side of Bond Avenue 410' east of Sacred Heart Lane from R-10 to R.A.

East of the subject property and south of Bond Avenue where it intersects with the Western Maryland Railroad, the County Commissioners zoned large segments of land ML and MR. On November 30, 1964, petition was received to zone 35 1/2 acres from ML to RA and 33 acres from MR to R-A. The Deputy Zoning Commissioner reclassified the 35 1/2 acres to RA and 33 acres to R-10. Final action on this zoning took place on June 11, 1965. Petition No. 65-162-R.

The Deputy Zoning Commissioner felt that it was proper to grant relief in the aforementioned industrially zoned area.

The subject property is not in the former industrially zoned area. At the present time the roads in the vicinity are not such as to handle increased zoning density. There has been sufficient apartment zoning granted in the general Reisterstown Road area in the general vicinity of the subject property to take care of needs for the immediate future.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of January, 1968, that the above reclassification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain an R-10 zone.

Zoning Commissioner

ORDER RECEIVED FOR FILING  
DATE Jan 31 1968  
BY [Signature]



MCA  
MATE, CHLOE & ASSOCIATES, INC.  
CONSULTING ENGINEERS  
1023 Cromwell Bridge Rd., Baltimore, Md. 21204 Tel. 301-923-0800

DESCRIPTION

3.57 MORE OR LESS ACRE PARCEL, NORTH SIDE OF BOND AVENUE, 410 FEET, MORE OR LESS, EASTERLY FROM SACRED HEART LANE, FOURTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

Existing Zoning "R-10"  
Proposed Zoning "R-A"

Beginning for the same at a point on the north side of Bond Avenue, 60 feet wide, as shown on Baltimore County Bureau of Land Acquisition Plat No. RW 65-254-1, at a distance of 410 feet, more or less, as measured easterly along said north side of Bond Avenue, from its intersection with the centerline of Sacred Heart Lane, running thence, binding on said north side of Bond Avenue (1) S 84° 24' 43" E - 233.43 feet, to the southwest end of a gusset line connecting the north side of said Bond Avenue and the west side of Glyndon Drive, 70 feet wide, as shown on said plat, thence binding on said gusset line (2) N 43° 10' 03" E - 22.55 feet, thence binding on the west side of said Glyndon Drive (3) N 01° 55' 23" E - 645.11 feet, thence leaving the west side of said Glyndon Drive (4) S 84° 30' 23" W - 246.59 feet, more or less, and (5) S 01° 44' 15" W - 685.09 feet, more or less to the place of beginning.

Containing 3.57 acres of land, more or less.

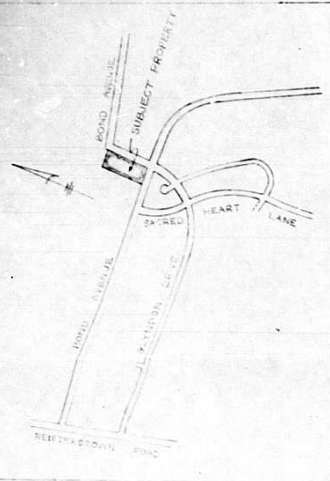
PPK:impl

J.O. #67175

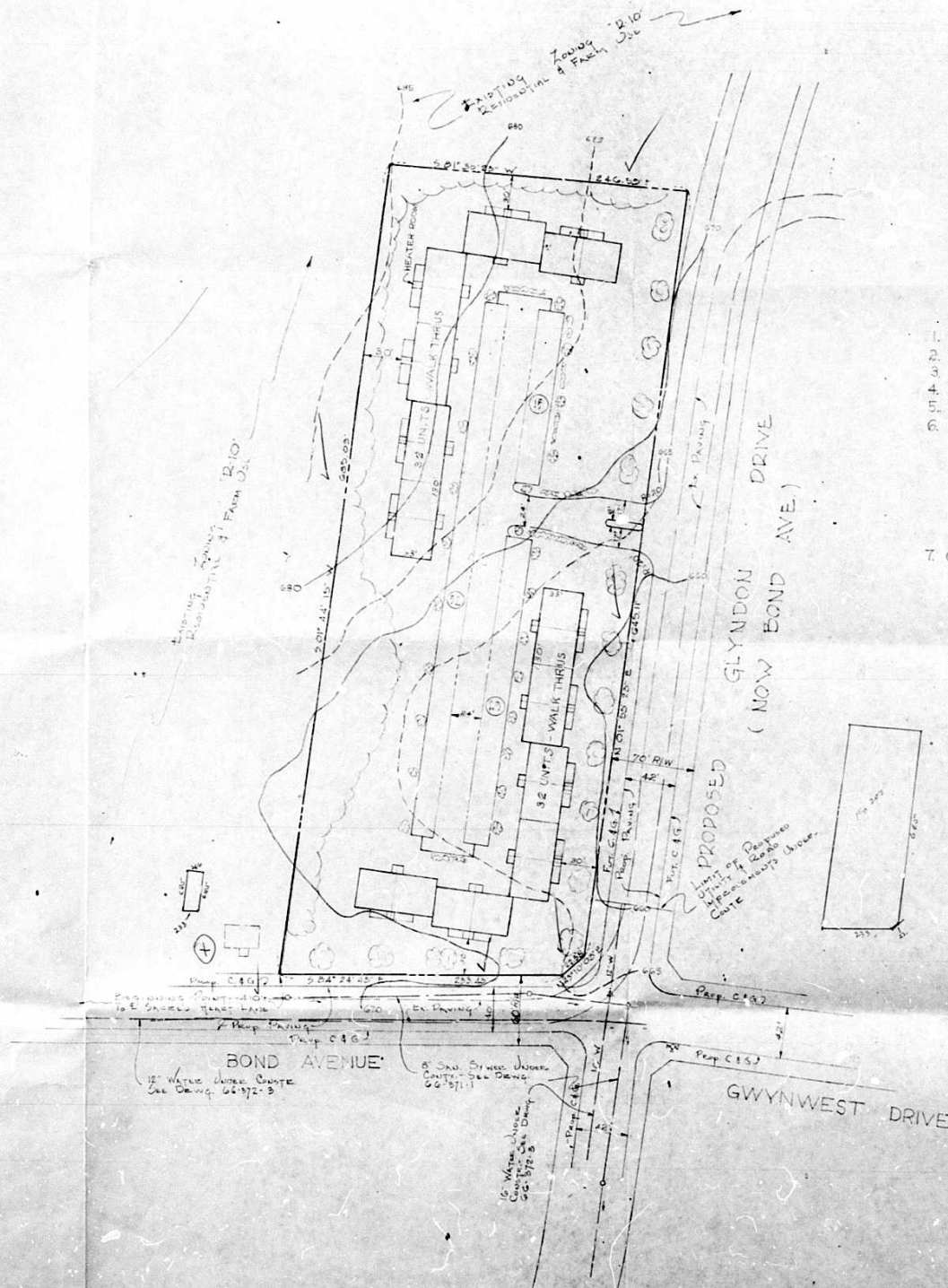
Water Supply • Sewerage • Drainage • Highways • Structures • Developments •







LOCATION PLAN  
SCALE: 1" = 100'



### GENERAL NOTES

1. TOTAL ACRES OF TRACT = 3.37 ACRES
2. EXISTING ZONING = R-10
3. EXISTING USE = RESIDENTIAL - USE
4. PROPOSED ZONING = R-A
5. PROPOSED USE = GARDEN APARTMENTS
6. DENSITY CALCULATIONS:
  - A) GROSS ACREAGE = 4.22 ACRES
  - B) NET ACREAGE = 3.37 ACRES
  - C) TOTAL NO. OF APARTMENTS ALLOWED = 64 UNITS
  - D) NUMBER OF UNITS SHOWN = 64 UNITS
  - E) GROSS DENSITY = 15.16
  - F) NET DENSITY = 17.92
7. OFF STREET PARKING:
  - A) REQUIRED PARKING SPACES = 64 SPACES (R-A)
  - B) PROPOSED PARKING SPACES = 96 SPACES

68-165R

OFFICE  
COPY

MAP  
#4  
SEC. 1-2  
NW-16-J.  
R.A.

PLAT TO ACCOMPANY PETITION FOR  
RECLASSIFICATION OF PROPERTY  
VICINITY  
BOND AVENUE AND GLYNDON DRIVE  
ELECTION DIST. NO. 4 BALTO COUNTY, MD  
SCALE: 1" = 50' OCTOBER 26, 1967

