#68-165 PETITION FOR RECLASSIFICATION : from R-10 zone to R-A zone N/S 3and Avenue 410 feet East of Sacred Heard Lane 4th District

Henry J. Horner, Jr.

SEC. 1-D

NW-IL-J

RA

COUNTY BOARD OF APPEALS OF

RALTIMORE COUNTY

No. 68-165-R

. OPINION

The Peritioner 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 narden type apartment units, the project being named "Bentley Park at Chartley Town". Portions of this project have been completed and

An engineer testifying on behalf of the Petitioner stated that the right of way has been acquired for Glyndon Drivy 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 Roma 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-i 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. 68-165-1

from B.M. and R-10 to R.A., granted by the Zoning Commissioner in December of 1957. Case No. 65-293-RX, an 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 sow fully developed with gorden apariments. 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 a. Exhibit #2 the comments of George E. Gavrelis, Director of Planning for Boltimore County, dated January 11, 1948, which were:

"In view of the RA zoning granted under petition \$65-152, the planning staff will not oppose 'he 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 aforegoing 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 8 of the Maryland Rules of Procedure, 1961 edition.

> COUNTY BOARD OF APPEALS OF CALTIMORE COUNTY

BALTIMORE COUNTY, MARYLANI

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date. January 11, 1968

Pet. f-68-165-R. North side of Bond Avenue 410 feet East of Sacred Heart Lane. Petition for Reclassification from R-10 to R.A. Henry J. Homer, Jr. - Petitioner

4th District

FROM George E. Gavrelis, Director

HEARING. Wednesday, January 24, 1968. (11:00 A.M.)

In view of the RA zoning granted under petition \$65-162, the planning staff will no oppose the subject petition

RE:PETITION FOR RECLASSI-FIGATION N/S of Bond Avenue 410' F of Sacred Heart Lane - 4th District BEFORE THE

BALTIMORE COUNTY

**** **** **** **** 1111 1111

The Petitioners have requested a reclassification of property the north side of Bond Avenue 410' east of Sacred Heart Lane

East of the subject property and south of Bond Avenue where East of the subject property and south of Bond Avenue where it intersects with the "stern Maryland Railroad, the County Commissioner zoned large segments of land ML and MR. On November 30, 1964, petition was roceived to zone 35 1/2 Averes from ML to RA and 33 acres from MR to R-5. The Deputy Zomag Commissioner reclassified the 35 1/2 acres to AA 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 aforement oned industrially zoned are

The subject property is not in the former industrially zoned

At the present time the roads in the vicinity are not such as to Lindle 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

IT IS ORDERED by the Zoising Commissioner of Baltimore County, this Lord day of January, 1988, 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 zon

8 ORDER

B

HERBERT MATZ

303 EAST FAVETTE STREET

February 14, 1968



Re: Petition for Reclassification N/A of Bond Avenue 410' E of Sacred Heart Lane - 4th District Henry J. Horner, Jr., Petitioner No. 68-165-R

Dear Mr. Rose:

Mr. John G. Rose Zoning Commissioner 119 County Office Building

Towson, Maryland 21204

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

Herbert Matz

HM:pk

Enclosure

cc: .ir. Asceanio S. Boceuti 233 Sacred Heart Lane Reisterstown, Maryland 21136

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

PETITION FOR ZONING RE-CLASSIFICATION #18-165P AND/OR SPECIAL EXCEPTION

__zone; for the following reasons

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

THE ZONING COMMISSIONER OF BALIMANDS COURSE.

I 68 we_Benry_J. Horner_Jr, and / legal owner.5 of the property situate in Baytimore MAP County and which is described in the description and plat attached hereto and made a part/hereof, # 4 County and which is described in the description and pina anature notice by reclassified pureaut hareby petition (1) that the roning status of the herein described property be reclassified pureaut SEC. 1-D. to the Zoning Law of Baltimore County, from an..... R-10 NW-16-5

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

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Bal Course, to use the herein described property, for. erty is to be posted and advertised as prescribed by Zoning Regulations. ear we, agree to pay expenses of above re-classification and/or Special Exception advertising etc., upon filing of this petition, and further agree to and are to be bound by the soning

ons and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltim Temy Come Cara S Zernes Legal Owner Address Bond Ave. and Glyndon Dr. Baltimore, Maryland 21136 303 E. Fayette Street 21202

ORDERED By The Zoning Co. oner of Baltimore County, this 12th , 196_7, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through nore County, that property be posted, and that the public hearing be had before the Zoning oner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 1 24th day of January 196.8 at 11:00 o'clock

1:001 1124/68 RE: PETITION FOR RECLASSI-N/S of Bond Avenue 410' E of Sacred Heart Lane - 4th District *
Henry J. Horner, Jr., Petitioner
NO. 68-165-R

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

NOTICE OF APPEAL

Please enter an appeal on behalf of the petitioners, Henry J. Horner, Jr. and Cora B. Horner, his wife, to the County Board of Appeals from the Order of the Zoning Commissioner of B-Itimore County dated January 31, 1968

Henry J. Horner, Ir.

Harvey J. Slegel 303 East Payette Street Esitimore, Maryland 21202 539-5805 Attorneys for Petitioners





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 alone said north side of Bond Avenue, from its intereaction with the centerline of Sacred Heart Lane, running thency, binding on said north side of Bond Avenue (1) S 84° 24' 43" E - 233, 43 feet, to the southwest ind 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 5et, thence leaving the west side of said Glyndon Drive (4) S 52* 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:mpl J.O. #67175



acasa •	December 7, 1967.
BALTIMORE COUNTY COUNTY TOUSOM	OFFICE OF PLANNING AND ZONING OFFICE BUILDING , MARTHAND 21204
Herbert Matz, Esq., 303 E. Fayatte Street Baltimore, Maryland 21202	SUBJET: Reclassification from R-10 to R-A for Henry J. Narmer, Jr., located NS of Bond Avenue, East of Secret Heart Lane with District (Item 50, Procember 12th, 1967)
Secr Sire	
The Zoning Edvisory Committee following comments to offers	has reviewed the subject petition and hen the
BUREAU OF INGINEERING: Mater & Tower - The design of utili construction has only recent will be alseed under contrac	it's chose on the submitted plan as being under ly been completed. It is expected that this work tin the near future. be determined by developer or his engineer.
Adequacy of existing utilities to	be determined by developer or his engineer.
Road - Glyndon Drive is to be deve Bond Avenue is to be develo	lipped as a minimum 48' road on a 70' R/V. sped as a minimum 40' road on a 60' R/V.
STATE BOADS COMMISSION: Since there are no State roads inv	olved, this office has no comment.
approved plan.	supancy may be made until such time as class have se property inspected for compliance to the
The above comments are not in zoning action requested, but to as problems that may have a bearing Director of the Office of Clanning appropriateness of the requested z	tended to indicate the appropriateness of the sure that all parties are made aware of plans or on this case. The Birector and/or the deputy and Joulny will shoult recommended as only 10 days before the Joning Commissioner's hearing.
The following members had no comme	
Project Flanning Division Bureau of Traffic Engineering Health Department Bureau of Fire Prevention Burleting Engineer Board of Education Industrial Davelopment	
	Very truly yours,
	James & Non
	Principal Ioning Technician
JEDsjd cc: Carlyla Brown-Bur, of Engr.;	John Meyers-State Roads Commission
HONE	INVOICE No. 50687
BANTIN RE OFFIC	E COUNTY, MAYIAND E OF FINANCE ion of Colliction and Recipits COURT HOUSE RULED
TO	COURT HOUSE WSON, MARYIAND 21204 Zoning Capt. of Salts. Co.
303 E. Fayette Street	

123-3000 EXT. 387	BA O FII Ol	PRE COUNTY, MAYLAND FFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON, MARY/AND 21204 Zoning Dapts of Initia	, 2, 1968 . Co.
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DEPOSIT TO A	ACCOUNT NO 01-622	RETURN THIS PORTION WITH YOUR REMITTANCE DETACH ALDRIS PERFORATION AND RELP . HIS PORTION FOR YOUR RECORDS	\$50.00
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20000			
	4	TO THE POLICE WARM A	ND
1	MPORTANT: MAKE CHI	ECKS PAYABLE TO BALTIMORE COUNTY, MARYLA ECTION & RECEIPTS, COURT HOUSE, TOWSON, MAR	YLAND 21

Towner, Maryland Date of Posting 2-24-68 Henry J. Horner Jr. Location of property M/S of Bound Ave 410 F of Seaced Heart LE. Location of Signe Q 80 W of Bond Are on M/s of Bond Are @ 150 Not Bond Ave on Ws of Bond Are Posted by Stateoth Date of return: 2-29-68

CERTIFICATE OF POSTING

ZONING From B-16 to R.A. Zone LOCATION: North side of Bond Avenue 105 feet East of Secred Brart Lane. DATE & TIME: Wednesday, January 11, 1055 at 11:06 AM PUBLIC HEARING, Room 104, Coun-ty Office Sudding, 111 W. Ches-prake Avenue, Towns. Md. CERTIFICATE OF PUBLICATION So office designed at 1 of Comton and the common of the compart of the common of the common of the compart of the common of the common of the compart of the common of the common of the compart of the common of the common of the com
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ton of the common of the co THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towsoa, Baltimore County, Md., once in each of one time *** tell before the 24th day ofJanuary appearing on the hth day of January H. Leanh Struft W-m41.20 free, more rism to the place of beginning.
Coxioling 137 serve of land.
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Secul they no plat plan filed with the Zaning Department.
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Public Hersting Room 168, County Office Public Mercing Room 168, County Office By order of M.R.
By order of M.R.

P'TIT'ON FOR RECLASSIFICATION

		ORE COUNTY, MAR' FICE OF FINAN Diction of Collection and Receipts COURT HOUSE		1/6R
To:	Herbert Matz, Esq. 303 East Fayette St., Baltimore, Md. 21202	TCWSON, MARYLAND 21204	Office of Planning b 119 County Office Bui Towson, bid, 21204	Zoning
	01-622			\$80.00
DEPOSIT TO	ACCOUNT NO. UL-022	DETACH ALONG PENCHATION AND REEP T	NIE PORTION FOR YOUR RECORDS	CONT
90.E 19	Cost of appeal - pr No. 68-165-R	operty of Henry J. Horner poeling - Z signs	\$70. 00 10. 00	\$80,00
80000	4			

	UNITY OFFICE OF PLANNING AND ZONING County Office Building
Morbert July, Eng., 303 E. Fayette Street Beltimore, Maryland 21202	III W. Chesapeake Avenue Towson, Maryland 21204
Your petition h	as been received and accepted for filling this the day of December 17 67
	John G. Rose, Zoting Commissioner
Petitioner _	ry J. Hymnr, Jr.,
Petitioner's Att	orney Herbert Hetz, Esq. Reviewed by 3 4

	68-165-R
CERTIFICATE OF PO	
Towsen, Maryland	
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strict 4th		Date of Posting 1/9/68
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BALTIMORE COUNTY, MARYLAND Ne. 51742 OFFICE OF FINANCE DATE Jan. 24, 1968 Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21206 RETURN THIS PORTION WITH YOUR RENT DETACH ALONG PERFORATION AND KEEP THIS FOR ION FOR YOUR RE distributes and posting of property for Heavy & Harner, Jr. 52.00 IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 2120

	2 819N5
	0.7 X.4.
	/ P. D.
	CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY
	ZONING DEPARTMENT OF BALTIMORE COUNTY Townson, Maryland
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District. 415	Dete of Poeting 4-4-68
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Petitioner Hz.oc.r.	- 11 - T
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Petitioner	Horner de
Location of property	DIS of Band Ace 410' to of Sneved Heart Lane
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Posted by Supature Date of return 3-28-68

PETITION FOR
RECLASSIFICATION
4th District
ZONING: From R-10 to R, A,

LOSATION, North side of the Action of the Control o

OFFICE F THE BALTIMORE COUNTIAN

THE HERALD - ARGUS

No. I Newburg Avenue

CATONSVILLE, MD.

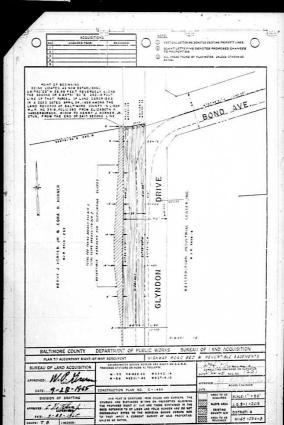
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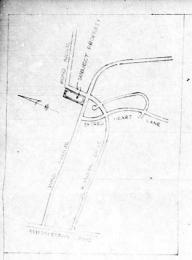
THIS IS TO CERTIFY, that the annexed advertisement of John C. Rose, Zosing Commissioner of Baltimore County

was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for One successing weeky before the Stb day of January, 1968, that is to say the same was inserted in the issues of January 4, 1968.

THE BALTIMORE COUNTIAN

By Paul J. Moyen Editor and Manager & M.





LOCATION PLAN

5.10.

BOND

12" WATER CLOSE COUSTE

AVENUE.

-GENERAL NOTES-

- 1. TOTAL ACRES OF TRACT = 157 ACRES :
- 2. Existing Zoning = R-10 3. Existing Use = Residential Use
- 4. PROPOSED ZONING = R-A
- 5. PROPOSED USE GARDEN APARTMENTS
- 6. DENSITY CALCULATIONS:

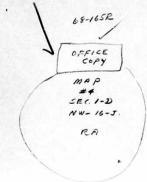
DRIVE

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GWYNWEST DRIVE

- A) GROSS ACREAGE = 4.22 = ACRES
- B) NET ACREAGE : 3.57: ACRES
- C) TOTAL NO. OF APARTMENTS ALLOWED 64 UNITS
 D) NUMBER OF UNITS SHOWED 64 UNITS
- E) GROSS DENSITY 15.16
- F) NET DENSITY 17.92
- 7. OFF STREET PARKING:
 - A) REQUIRED PARKING SPACES 64 SPACES (8.19)
 - B) PROPOSED PARKING SPACES . 96 SPACES



RECLASSIFICATION OF PROPERTY VICIDITY

BOND AVENUE AND GLA JOON DRIVE BALTO COUNTY, MD. ELECTION DIST. No. 4 SCALE: 1 = 50

OCTOBER 26, 1967



MATZ, CHILDS & ASSOCIATES
1026 GROWWELL BRIDGE R AD
BALTIMORE, MAPYLAND 20004
LO NO. DRAWN ST. IRAGE ST. DRAFT ST.