

68-228-R PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Sidney I. Fradkin, 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 re-classified, pursuant to the Zoning Law of Baltimore County, from an RG zone to an SE-2-F zone, for the following reasons:

Error in the original map.
Change in character of the neighborhood.

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.

H. Lee Brill

Sidney I. Fradkin Legal Owner

Address: 406 Jefferson Building

Towson, Maryland - 21204

A. Owen Hennegan, Petitioner's Attorney

Protestant's Attorney

Address: 406 Jefferson Building - 21204

425-7400

ORDERED BY The Zoning Commission of Baltimore County, this 27th day of February, 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 13th day of April, 1968, at 3:00 o'clock P.M.

H. Lee Brill
Zoning Commissioner of Baltimore County.

68-228-R

DOLLENBERG BROTHERS

Registered Professional Engineers & Land Surveyors

709 WASHINGTON AVENUE AT YORK ROAD

TOWSON, MD. 21204

Zoning Description

All that piece or parcel of land situate, lying and being in the Twelfth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point on the west side of Merritt Boulevard at the distance of 160 feet measured northerly along the west side of said boulevard from the center of Raybon Avenue and running thence and binding on the west side of Merritt Boulevard northerly by a line curving toward the right having a radius of 1969.66 feet for a distance of 154.56 feet, thence leaving said boulevard and running the three following courses and distances viz: North 73 degrees 17 minutes 35 seconds West 556 feet to the east side of an Alley there situate, South 16 degrees 34 minutes 35 seconds East 593.71 feet to the northwest side of another Alley there situate and North 55 degrees 50 minutes 25 seconds East 54.80 feet to the place of beginning.

Containing 3.87 Acres of land more or less.

Being the land of the petitioners herein as shown on a plat filed with the zoning department.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

68-228-R

District: 12th Date of Posting: March 15, 1968

Posted for: Neavins, Md. April 3, 1968, to 11:00 A.M.

Petitioner: H. Lee Brill, Esq.

Location of property: W. 13th & Dunwoody Blvd. N. 1st & 2nd St. & S. 1st St.

Location of Sign: 311 Central Ave. March 15, 1968, 1st Bldg. from Alley

Remarks: See 1st Bldg. from Alley in 1st & 2nd St. & S. 1st St.

Posted by: Shirley A. Wynn Date of return: March 22, 1968

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of changes in the area

the above Re-classification should be had, and it further appearing that by reason of changes in the area

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 16th day of May, 1968, that the herein described property or area should be and the same is hereby re-classified, from a RG zone to a SE-2-F zone, and from and after the date of this order, subject to approval of the site plan by the Bureau of Public Service and the Office of Planning and Zoning.

David D. Hickey
DEPUTY Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of changes in the area

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 16th day of May, 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 a RG zone, and/or the Special Exception for changes in the area be and the same is hereby DENIED

Zoning Commissioner of Baltimore County

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

Division of Collection and Receipts

COURT HOUSE

TOWSON, MARYLAND 21204

No. 53081

DATE: April 4, 1968

TO: H. Lee Brill
406 Jefferson Building
Baltimore, Md. 21207

Zoning Dept. of Balto. Co.

QUANTITY: 1 UNIT: 1 AMOUNT: \$49.00

Advertising and posting of property

68-228-R

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

SUBJECT: Re-classification from RG to SE for H. Lee Brill, located W/S Merritt Blvd., 160' lot of Raybon Avenue 12th District (12th 109, February 27, 1968)

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

BUREAU OF ENGINEERING:
Water - Existing water in Raybon Avenue.
Adequacy of existing utilities to be determined by developer or his engineer.
Sewer - Existing 15" sanitary sewer crossing the property.
Storm Drain - The developer is responsible for determining the limits of the flood plain during a 50 year storm for the Broad and Chesapeake Creek. The proposed bridge over the creek must be designed in accordance with County standards and specifications. Road - The right turn lane on Merritt Blvd. must be extended to a point at least 100' south of the intersection of the proposed entrance and must be curved.

BUREAU OF TRAFFIC ENGINEERING:
There will be no access to the paved alley, Dunwoody Rd., or Kirtley Road.

FIRE PREVENTION:
It will be required for the petitioner to meet all Fire Dept. requirements for a new car agency.

ZONING ADMINISTRATION DIVISION:
It might be well for the petitioner to give some thought as to amending his petition for that portion of the property that lies south of the storm drain reservation. In keeping with the general character of the neighborhood, it is suggested that the petitioner request a Special Hearing for off-street parking in a residential zone instead of the reclassification to Business Major. Please advise the writer as to the possibility of doing this.

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 plans.

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.

Very truly yours,

James E. Dyer
James E. Dyer, Zoning Supervisor

JED:djd
cc: Carolyn Brown-Dur. of Engr.; C. Richard Moore-Dur. of Traffic Engr.; Capt. Charles Marr - Fire Prevention

The following members had no comment to offer: Project Planning Division, Health Dept., State Roads Comm., Building Engineer, Board of Education and Industrial Development.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: March 22, 1968

FROM: Leslie H. Grief, Deputy Director of Planning

SUBJECT: Petition 68-228-R, Re-classification from R-G to B.M. Zone, West Side of Merritt Boulevard 160 feet North of Raybon Ave. Being the property of H. Lee Brill, et al.

12th District

HEARING: Wednesday, April 3, 1968 (1:00 P.M.)

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

Commercial zoning of the subject property was considered under Petition No. 5146, more than seven years ago. With respect to that petition, we commented as follows:

(1) Examination of the 12th District Zoning Map indicates to us two factors which have a bearing on this case.

(a) A platitude of presently zoned commercial land

alongside Merritt Boulevard.

(b) The fact that no reclassifications or changes have occurred on Merritt Boulevard between Old North-point Road and German Hill Road.

(2) We believe that it would be difficult to demonstrate the need for more commercial land here. The street pattern in adjoining residential developments was considered and built for residential development of this tract. Creation of commercial zoning here would introduce a commercial tract into an otherwise residential area.

(3) The shape of the tract together with a major storm drainage channel - Broad and Chesapeake Creek - flowing through it; precluded residential development of this tract. If the zoning map is found to be in error for having zoned it R-G, we believe that the error would be that the property was not zoned for more intense residential use rather than for commercial purposes.

CERTIFICATE OF PUBLICATION

OFFICE OF
The Community Press

DUNDALK, MD., March 13, 1968

THIS IS TO CERTIFY, that the annexed advertisement

"H. Lee Brill"

was inserted in THE COMMUNITY PRESS, a weekly newspaper published in Baltimore County, Maryland, once a week for

1 successive weeks before

12th day of March 1968; that is to say

the same was inserted in the issues of 3-15-68

Stromberg Publications, Inc.

Publisher.

By: Mr. Palmer Price

Miss Palmer Price

CERTIFICATE OF PUBLICATION

TOWSON, MD., MAR 14 1968

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 time, before the 1st

day of April, 1968, the first publication

appearing on the 14th day of March

1968.

THE JEFFERSONIAN

L. Frank Smith

Manager.

Cost of Advertisement, \$.....

PETITION FOR RECLASSIFICATION

12th DISTRICT

ZONING: From R-G to B.M.

LOCATION: West side of Merritt Boulevard 160 feet North of Raybon Avenue

DATE & TIME: Wednesday, April 3, 1968 at 1:00 P.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

Proposed Zoning: B.M.

All that parcel of land in the Twelfth District of Baltimore County, beginning for the same at a point on the west side of Merritt Boulevard at the distance of 160 feet measured northerly along the west side of said boulevard from the center of Raybon Avenue and running thence and binding on the west side of Merritt Boulevard northerly by a line curving toward the right having a radius of 1969.66 feet for a distance of 154.56 feet, thence leaving said boulevard and running the three following courses and distances viz: North 73 degrees 17 minutes 35 seconds West 556 feet to the east side of an Alley there situate, South 16 degrees 34 minutes 35 seconds East 593.71 feet to the northwest side of another Alley there situate and North 55 degrees 50 minutes 25 seconds East 54.80 feet to the place of beginning.

Containing 3.87 Acres of land more or less.

Being the property of H. Lee Brill and Sidney I. Fradkin, as shown on a plat filed with the Zoning Department.

Heard and considered by the Zoning Department, on Wednesday, April 3, 1968 at 1:00 P.M.

Public Hearing Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF

JOHN G. ROSE

ZONING COMMISSIONER OF BALTIMORE COUNTY

Mar 14, 1968

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

Division of Collection and Receipts

COURT HOUSE

TOWSON, MARYLAND 21204

No. 53037

DATE: March 19, 1968

TO: H. Lee Brill, Esq.
406 Jefferson Building
Towson, Md. 21204

Zoning Dept. of Balto. Co.

QUANTITY: 1 UNIT: 1 AMOUNT: \$20.00

Publication for Re-classification for H. Lee Brill and Sidney I. Fradkin

68-228-R

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ZONED RG
RESIDENTIAL USE

ZONED BM
VACANT

ZONED BM
AUTO SALES

ZONED BL
SERVICE STATION

8" WATER
1-66-610 FILE 3

#68-228R

OFFICE
COPY

MAP #12
SEC. 4-B
SEC. 4-A
SE-2-F

BM

EXISTING ZONING RG.
PROPOSED ZONING BM.
3.87 ACRES ±

ZONING PLAT
PROPERTY LOCATED
IN
12TH DISTRICT BALTO. CO. MD.

PARKING DATA
17150' + 200 = 86 SPACES REQUIRED
93 SPACES PROVIDED
AREA TO BE PAVED WITH DURABLE
DUSTLESS SURFACE



SCALE 1" = 50' JANUARY 23, 1968
DOLLENBERG BROTHERS
SURVEYORS & CIVIL ENGINEERS
709 WASHINGTON AVE - TOWSON MD.

ALL OUTDOOR LIGHTING SHALL BE
DIRECTED AWAY FROM RESIDENTIAL AREAS

