

RE: Petition for Reclassification from R-6 Zone to R-A Zone Special Hearing for Off-street Parking - N/S Darlington Drive 527.81' E, Oakleigh Road, 9th Dist., Nicholas B. Mangione, Petitioner - No. 69-205-R-SPH

ORDER OF DISMISSAL

The foregoing case has been dismissed by the petitioner in the above matter, without prejudice to the petitioner.

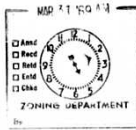
Edward P. Hendry Deputy Zoning Commissioner

Date: Dec 5, 1969

ORDER RECEIVED FOR FILING

DATE 12/5/69 BY J. H. Harris, clk. ADMINISTRATIVE ASSISTANT

FRANK E. CICONE Attorney At Law FIRST NATIONAL BANK BLDG. TOWSON, MARYLAND 21204 March 31, 1969



Mr. John G. Rose Zoning Commissioner of Baltimore County County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Re: Petition No. 69-205-RSPH Reclassification from R-6 to R.A. Special hearing to permit Off-Street Parking in a residential zone. North side of Darlington Drive 527.81 feet east of Oakleigh Road - Nicholas B. Mangione, Petitioner

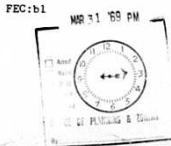
Dear Mr. Rose:

The above subject case is set for a hearing on Wednesday, April 2, 1969, at 1:00 P.M. I, on behalf of my client, Nicholas B. Mangione, hereby withdraw the above subject petition without prejudice.

This withdrawal has been occasioned by witnesses being out of town.

The petition will be refiled at a later date.

Very truly yours, Frank E. Cicone Attorney for Petitioner Nicholas B. Mangione



PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Nicholas B. Mangione, 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 for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve Off-Street Parking in a Residential Zone (R-A).

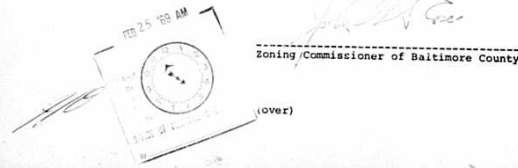
See attached description

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

I, or we, agree to pay expenses of above Special Hearing 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: Nicholas B. Mangione, Legal Owner, 3902 White Ave, Balto 6 Md. Petitioner's Attorney: Joseph P. Adams, 3501 Continental Bldg, Balto 6, Md.

ORDERED By the Zoning Commissioner of Baltimore County, this 25th day of February, 1969, 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, 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 20th day of April, 1969, at 1:00 o'clock P.M.



PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Nicholas B. Mangione, 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 R-6 zone to an R-A zone; for the following reasons:

- (1) Error in original Zoning Map (2) Change in neighborhood

See attached description

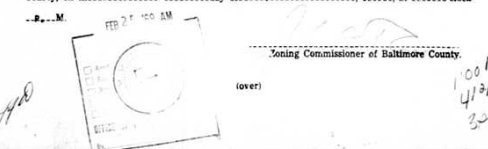
and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for:

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

I, or we, agree to pay expenses of above re-classification 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: Nicholas B. Mangione, Legal Owner, 3902 White Ave, Balto 6 Md. Petitioner's Attorney: Joseph P. Adams, 3501 Continental Bldg, Balto 6, Md.

ORDERED By the Zoning Commissioner of Baltimore County, this 25th day of February, 1969, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20th day of April, 1969, at 1:00 o'clock P.M.



BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: March 21, 1969 FROM: George E. Gavrelis, Director of Planning

SUBJECT: Petition #69-205-RSPH. Reclassification from R-6 to R.A. Special Hearing to permit Off-Street Parking in a residential zone. North side of Darlington Drive 527.81 feet east of Oakleigh Road. Nicholas B. Mangione, Petitioner.

9th District HEARING: Wednesday, April 2, 1969 (1:00 P.M.)

The Planning staff is opposed to the creation of apartment zoning on the subject tract. The issues relative to the merits of apartment zoning here were discussed completely by the County Council in connection with its adoption of the Northeastern Area Zoning Map. We do not believe that the map as adopted by the Council was in error or that changes have occurred to justify yet additional apartment zoning here. The Planning staff is not opposed to the concept of additional parking for the shopping center. This, if approved, could be accommodated by use permit within the context of the present R-6 Zone.

GFG:bms



#69-205-RSPH

PARCEL "A" Beginning at a point, such point being 527.81 feet from the intersection of Darlington Drive and Oakleigh Rd. and also the south-east corner of Parcel 1 of the Plat of the Oakleigh Shopping Center recorded among the Land Records of Baltimore County in R. R. G. 30, folio 72 and thence blinding on the North-west side of said Darlington Drive, recorded among the Land Records of Baltimore County as Plat 1 Section "C", and thence blinding of Section "A" Harford Park W. J. R. 27, folio 58, and Resubdivision of part feet to a point; and thence N. 30 15' 11" W. 168.35 feet away from said Darlington Drive to a point on the South-East side of a proposed Storm Drain easement; and thence along said easement S. 62 43' 00" W. 213.04 feet to a point on the aforementioned plat of the Oakleigh Shopping Center and thence S. 14 00' 30" E. 149.02 feet back to the place of beginning.

WHOLE PARCEL

Beginning at a point, such point being 527.81 feet from the intersection of Darlington Drive and Oakleigh Road and also the South-East corner of Parcel 1 of the Plat of the Oakleigh Shopping Center recorded among the Land Records of Baltimore County in R. R. G. 30, folio 72 and thence blinding on the North-west side of said Darlington Ave., recorded among the Land Records of Baltimore County as Plat 1 Sec. "C" and Resubdivision of Part of Sec. "A" Harford Park W. J. R. 27, folio 58; and thence blinding in a radius of 999.57 feet to a point; and thence N145°00'E 180.08 feet to a point; and thence still blinding on said Darlington Ave. in a radius of 380.77 feet, 265.16 feet to a point; and thence N15°00'W 169.38 feet to a point; and thence in a radius of 479.12 feet, 130.50 feet to a point on the amended Plat 1 Subdivision Plan Portions of Plats 1 & 2 Sec. "C" & Sec. "A" Harford Park; and thence away from Darlington Ave along said Plat of Harford Park N. 75 02' 00" W., 248.27 feet to a point on the West side of a proposed Storm Drain easement; and thence running approximately parallel to aforementioned Darlington Ave. along said Storm Drain easement in the following courses and distances: S. 10 43' 00" W. 299.02 feet, in a radius of 560.57 feet 291.51 feet, S. 10 43' 00" W. 121.26 feet, in a radius of 277.19 feet 106.55 feet, S. 02 43' 00" W. 710.12 feet to a point; and thence S. 14 00' 30" E. 251.77 feet back to the place of beginning. Containing 5.3 acres plus or minus.



INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE No. 64735 DATE: Sept. 26, 1969. Description: Advertising and posting of property - #69-205-RSPH. Amount: \$84.75.

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE No. 60836 DATE: 2/11/69. Description: Petition for Reclassification & Special Hearing for Nicholas B. Mangione. Amount: \$8.00.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Ave.
Towson, Maryland 21286

Oliver L. Myers
CHAIRMAN

MEMBERS
OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
111 W. Chesapeake Ave.
Towson, Maryland 21286

March 6, 1969

Mr. Nicholas B. Mangione
3902 White Avenue
Baltimore, Maryland 21206

RE: Type of Hearing: Reclassification
from an R-2 zone to an R-3 zone
Location: 8075 Darlington Drive,
527' x 61' of E/S Oakleigh Road
9th District
Petitioner: Nicholas B. Mangione
Committee Meeting of Feb. 25, 1969
Item 193

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is presently unimproved with a drainage and utility easement approximately 100 ft. wide to the extreme west of the property. The properties to the east are improved with one and half story frame cottages; to the north a swim club with a masonry bathhouse; to the southeast a shopping center and filling station complex, and to the west one story ranch type homes, 10 to 15 years of age. Darlington Drive from a point at Glenoco Road to Mycliff Road is presently unimproved.

BUREAU OF ENGINEERING:

Highways:

Darlington Drive to be improved as a 40' curb and gutter and macadam paving section within a 60' right-of-way. The Developer is responsible for curb and gutter and paving for the frontage of the site.

Storm Drains:

A major stream courses through this site. Previous studies have been made of this stream which may be utilized and widened, if required, to establish the 10 year storm flood plain. Channel improvements will be required in accordance with County policy.

Mr. Nicholas B. Mangione
3902 White Avenue
Baltimore, Maryland 21206
Item 193

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BUREAU OF ENGINEERING: (Continued)
Storm Drains: (Continued)

The Developer is responsible for the total cost of drain improvements required to serve this site.

A sediment control plan is required.

Water:

A water extension (6") is required in Darlington Drive from Creighton Road (Clarendon Road) to the eastern limits of this property, approximately 1050 ft.

Sewer:

There is an existing 12" sanitary sewer in Darlington Drive and a 21" interceptor sewer along the stream.

PROJECT PLANNING DIVISION:

This plan has been reviewed and there are no site-planning factors requiring comment.

BUREAU OF TRAFFIC ENGINEERING:

As presently zoned, the subject property will generate approximately 300 trips per day. However, as R-3, the subject site will generate approximately 840 trips per day.

Although parking meets minimum Baltimore County standards, the parking layout is not satisfactory and would create parking on the street and, therefore, should be revised. As to the special exception for parking in a residential zone, the closest one is 500 feet from the farthest parking space. It is questionable whether a portion of this parking will be used by the shopping center.

BOARD OF EDUCATION:

Present zoning ultimate yield would be approximately 12 students while approximately 33 students could be anticipated with a zoning change. The two schools (Hillendale Elementary and Villa Cresta Elementary) servicing this area are currently experiencing overcrowded conditions with no relief seen in the immediate future.

BUILDING ENGINEER'S OFFICE:

Must meet all specifications of Baltimore County Building Code.

Mr. Nicholas B. Mangione
3902 White Avenue
Baltimore, Maryland 21206
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March 6, 1969

FIRE DEPARTMENT:

Property owner shall be required to comply to all Fire Department regulations when construction plans are submitted for approval.

HEALTH DEPARTMENT:

Public water and sewers are available to the site.

Air Pollution Comments: The buildings or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

ZONING ADMINISTRATION DIVISION:

Revised plans must be submitted to this office indicating the 40 ft. roadway on a 60' R/W prior to the hearing.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

CLM:SD
Enc.

Mr. Nicholas B. Mangione
3902 White Avenue
Baltimore, Maryland 21206

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21286

Your Petition has been received and accepted for filing this

29th day of March, 1969

John T. Rose
John T. Rose,
Zoning Commissioner

Petitioner: Nicholas B. Mangione

Petitioner's Attorney: _____
Reviewed by: *Oliver L. Myers*
Chairman of Advisory Committee

INVOICE No. 62258 DATE June 9, 1966
BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE TOWSON, MARYLAND 21286
TO: Nicholas B. Mangione, 3902 White Ave., Baltimore, Md. 21206
QUANTITY: 1
ADVERTISING AND POSTING OF PROPERTY: \$6.75
TOTAL AMOUNT: \$6.75
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

PETITION FOR RECLASSIFICATION OF AN UNIMPROVED LOT IN DISTRICT

RECLASSIFICATION FROM R-2 TO R-3
LOCATION: North side of Darlington Drive, 8075 Darlington Drive, 527' x 61' lot, more or less, from the South side of Oakleigh Road, 9th District, Baltimore County, Maryland.

The Board of Commissioners of Baltimore County, in conformity of the zoning laws and regulations of Baltimore County, do hereby certify that the following is a true and correct copy of the petition for reclassification of an unimproved lot in District 9, Baltimore County, Maryland, as filed in the Office of the Zoning Administrator, Baltimore County, Maryland, on the 6th day of March, 1969.

That the subject property is situated on the North side of Darlington Drive, 8075 Darlington Drive, 527' x 61' lot, more or less, from the South side of Oakleigh Road, 9th District, Baltimore County, Maryland, and is presently zoned R-2.

That the subject property is situated on the North side of Darlington Drive, 8075 Darlington Drive, 527' x 61' lot, more or less, from the South side of Oakleigh Road, 9th District, Baltimore County, Maryland, and is presently zoned R-2.

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 13, 1969.
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 (1) issue immediately before the 2nd day of April, 1969, the 1969 publication appearing on the 13th day of March, 1969.

THE JEFFERSONIAN
Frank Strickland
Manager

Cost of Advertisement, \$.....

OFFICE OF THE TOWSON TIMES
TOWSON, MD. 21204 March 19, 1969
THIS IS TO CERTIFY that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 19th day of March, 1969, that is to say, the same was inserted in the issue of March 13, 1969.
STROMBERG PUBLICATIONS, Inc.
Richard Meyer

CERTIFICATE OF POSTING #69-205
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 9th Date of Posting: March 12, 1969
Posted for: Hearing, Vol. 2, 1967, G. 11a, 1st
Petitioner: Nicholas B. Mangione
Location of property: N.S. of Darlington Drive, 527' x 61' E/S Oakleigh Rd.
Location of Sign: 1. South side of Mycliff Rd. 110' North of E.S. of Darlington Dr. 2. West of Baltimore Avenue south of Mycliff Rd.
Remarks: Clearing Rd.
Posted by: *Mark A. Howe* Date of return: March 19, 1969