

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we, **MADELINE B. MYERS**, legal owner, of the property situate in Baltimore County and which is described in the description and plat attached hereto and 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 **EASTERN** zone, for the following reasons:

Change in neighborhood,
Error in original zoning map.

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 ported 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: **Madeline B. Myers Legal Owner**
Address: **9508 Old Harford Road, Baltimore, Maryland 21234**

BY: **Stengel & Askey**, Petitioner's Attorney
Address: **208 West Pennsylvania Avenue, Towson, Maryland 21204**

ORDERED By The Zoning Commissioner of Baltimore County, this **26th** day of **MAY**, 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 **7th** day of **May**, 1969, at **1:00 o'clock** P.M.

Zoning Commissioner of Baltimore County

(over)

Re: Petition for Reclassification from R-6 Zone to R-A Zone 300' N. Ebenezer Road 144' from Kilkeas Ct. 11th Dist., Madeline B. Myers, Petitioner No. 69-241-R

ORDER OF DISMISSAL

The petitioner in the foregoing case has withdrawn her petition and the matter is dismissed without prejudice.

Zoning Commissioner of Baltimore County

Date: May 27, 1969

From the Office of George William Stephens, Jr. & Associates, Inc. Engineers P.O. Box 66828, Towson, Md. 21206

March 11, 1969

Description of Indian Rock Village Apts. 13.05 acres R-6 to RA

Beginning for the same at the end of the two following courses and distances from the intersection formed by the north side of Ebenezer Road and the west side of Kilkeas Court, first westerly along the north side of Ebenezer Road 144 feet more or less and second North 02° 11' 12" West 276 feet more or less and running thence the five following courses and distances, viz: first North 72° 23' 52" West 764.12 feet more or less, second North 18° 22' 28" East 290.07 feet more or less, third North 18° 04' 58" East 598.45 feet more or less, fourth North 87° 24' 48" East 418.7 feet more or less, and fifth South 02° 11' 12" East 1090.18 feet more or less to the place of beginning.

Containing 13.05 acres more or less.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: April 23, 1969
Luisa M. Graw, Deputy
FROM: George W. Stephens, Jr., Director of Planning
SUBJECT: Petition 69-241-R, Reclassification from R-6 to R-A Zone. Beginning 221 feet from the North 144' of Ebenezer Road and 144 feet from the west side of Kilkeas Court. Madeline B. Myers, Petitioner.

11th District

HEARING: Wednesday, May 7, 1969 (1:00 P.M.)

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

Land adjacent to the subject property was classified as R-A under Petition 68-199-R. In commenting on that petition, we stated our belief that the reclassification should not be regarded as a "change" which in itself would justify further rezoning in the future. We noted that the rezoning then requested was a logical but minor consequence of an adjusted alignment for Perry Hall Boulevard.

Nevertheless, the subject petition does not "Change in neighborhood" as a reason for reclassification. We cannot agree with this.

The petition also alleges that there is an "Error in original zoning map." From a planning viewpoint, this is basically not so - the Comprehensive Zoning Map for the Northeastern Planning Area allocates large areas for apartment development, allowing for many apartment units than are actually expected. Further, any significant increase in apartment potentials at this location would unbalance the assumptions, projections, and principles upon which the map was based. If there is to be any further change in residential potentials here, it should be limited to the addition of a small area between the present eastern zoning boundary and the center of the proposed public road shown on running through the petitioner's property - but only if construction of the road is assured.

LMG:am

STENGEL & ASKEY
208 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

May 7, 1969

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

Re: Petition for Reclassification from R-6 to RA 300 feet N of Ebenezer Road 11th District Petition of Madeline B. Myers No. 69-241-R

Dear Mr. Rose:

There is enclosed herewith my check in the amount of \$43.25 due for advertising, and posting on the above property.

Please withdraw the Petition for the above reclassification as of this date.

Very truly yours,

Lewis E. Stengel,
Attorney for Petitioner

LES/cmg

Enclosure

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 14, 1969

COUNTY OFFICE BLDG.
111 E. Chesapeake Ave.
Towson, Maryland 21204

Oliver L. Myers
Chairman

MEMBERS

BUREAU OF ENGINEERING

BUREAU OF TRAFFIC ENGINEERING

STATE BOARD OF COMMISSIONERS

BUREAU OF FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BOARD OF EDUCATION

ZONING ADMINISTRATION

DEPARTMENT OF DEVELOPMENT

John L. Askey, Esq.
Stengel & Askey
208 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Type of Hearing: Reclassification from an R-6 zone to an RA zone. Location: 300' N. of Ebenezer Rd., 150' E. Kilkeas Ct. 11th District. Petitioner: Madeline B. Myers. Committee Meeting of March 26, 1969. Item 224.

Dear Sir:

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 at the present time is vacant but is thickly wooded. The property abuts the Silver Gate Village subdivision on the east side, which are single family dwellings presently under construction. To the south of the subject site lies the Perry Hall Senior High School. The property to the west is presently improved with single family dwellings. Ebenezer Road at the present time is not improved as far as curb and gutter are concerned.

BUREAU OF ENGINEERING:

Highways:

Access to this site shall be provided by a proposed public road which initiates at Ebenezer Road and proceeds northerly through the subject property to this site. The proposed public road shall be improved with a 40 ft. curb and gutter paving section on a 60 ft. right-of-way. The 60 ft. right-of-way shall be established on the record plat and construction will proceed with the development of the site.

Interior private streets are to have a minimum width of 30 ft. and all entrance locations are subject to approval by the Traffic Engineer.

Storm Drains:

No drainage problems are evident in the property proposed for rezoning.

John L. Askey, Esq.
Stengel & Askey
208 West Pennsylvania Avenue
Towson, Maryland 21204
Item 224

April 14, 1969

Storm Drains: (Continued)

A sediment control plan must be furnished for review and approval by the Bureau of Engineering and the Soils Conservation Service before a grading permit will be issued. (See page 3 for continuation of Storm Drains)

There is an existing 8" water main in Ebenezer Road. Public water is therefore available for extension to serve this site; however, all extensions of water service in this area are subject to the approval of the Baltimore City Bureau of Water Supply. There are water pressure problems existing in this area at the present time.

Sewers:

Public sanitary sewerage is available for extension to serve this site. The existing 30" and 36" Gunpowder Force Main Outfall traverses this property along the west property line in the vicinity of the stream. There is also an existing 8" sewer in Ebenezer Road which is available to serve the southeast portion of the property.

PROJECT PLANNING DIVISION:

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

HEALTH DEPARTMENT:

Public water and sewers are available to the site.

Air Pollution Comments: The building or buildings on this site may be subject to regulation 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.

Public Swimming Pool Comments: Prior to approval of a public pool on this site, two complete sets of plans and specifications of the pool and bathhouse must be submitted to the Baltimore County Department of Health for review and approval.

BUREAU OF TRAFFIC ENGINEERING:

The subject site as R-6 will generate 1100 trips per day. As RA, the site will generate 3600 trips per day.

All access to the subject site at the present, is via Joppa & Belair Roads intersection, which is at capacity.

- Page 3 -

John L. Askey, Esq.
Stengel & Askey
208 West Pennsylvania Avenue
Towson, Maryland 21204
Item 224

April 14, 1969

FIRE DEPARTMENT:

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

BOARD OF EDUCATION:

Since this area is an area of high density and the school servicing this area (Perry Hall Elem.) is so severely overcrowded, any increase in student population would only compound the overcrowded condition. Currently 17.0 ± acres in the same vicinity are zoned RA and could possibly yield some 39 pupils (if garden apts.) or 71 pupils (if townhouse apts.). With the present R-6 zoning some 15 students could ultimately be realized while if the zoning change request was granted the yield would be approximately 30 students (if garden apts.) or 55 students (townhouse apts.). The R-6 factor used was taken from a study of the area made on March 26, 1969 while it must be noted that the apartment factors used were taken from a Town area since the Perry Hall area does not have any apartment area to be used as a sample.

BUILDING ENGINEER'S OFFICE:

Must meet all Baltimore County Building Code regulations.

ZONING ADMINISTRATION DIVISION:

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 60 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

OLIVER L. MYERS, Chairman

OLM:JD

Enc.

*Storm Drains: (Continued)

The Applicant must provide necessary drainage facilities (temporary or otherwise) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or other drainage facilities, would be the full responsibility of the Applicant.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

#69-241-R

District 11 Date of Posting Feb. 15, 69
 Posted for Madeline B. Myers
 Petitioner Madeline B. Myers
 Location of property 2711 Fox Hill Rd. & Edmonson Rd. Lot 146
From The W.S. St. John's Book
 Location of Signs 3 Signs Placed on W.S. Edmonson Rd. across
for which Smith's had the rights. Signs 2 & 3
 Remarks W.S.
 Posted by Paul H. Rose Date of return 4/23/69

John L. Achary, Esq.
 Stempel & Achary
 205 West Pennsylvania Avenue
 Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition has been received and accepted for filing this

26th day of March, 1969

Petitioner Madeline B. Myers
 Petitioner's Attorney John L. Achary, Esq. Reviewed by John G. Rose
 Chairman of
 Advisory Committee

PETITION FOR RECLASSIFICATION
 11th DISTRICT
 ZONING From R-4 to R-4A
 LOCATION: Beginning 278 feet
 from the north side of
 Edmonson Road and 146 feet from
 the west side of Fox Hill Road.
 DATE & TIME: WEDNESDAY,
 MAY 7, 1969 at 1:00 P.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.
 Petition Zoning R-4
 Proposed Zoning R-4A
 All that parcel of land in the
 Eastern District of Baltimore
 County, Maryland, containing
 of the two following courses and
 distances: From the intersection
 formed by the north side of
 Edmonson Road and the west side of
 Fox Hill Road, first westerly along
 the north side of Edmonson Road
 146 feet more or less to the
 north 22 degrees 12' 12" West 278
 feet more or less and thence there
 the two following courses and
 distances: 1st North 72 degrees
 18' East 260.97 feet more or less,
 second North 18 degrees 25' East
 198.43 feet more or less, third
 North 87 degrees 14' 48" East 419.7
 feet more or less, or at right angles
 to the last line 170.18 feet
 more or less to the place of
 beginning.
 Containing 13.09 Acres more or
 less.
 Being the property of Madeline B.
 Myers, as shown on plat size
 filed with the Zoning Department.
 Hearing Date: Wednesday, May 7,
 1969 at 1:00 P.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
 April 12, 1969

OFFICE OF
 THE TOWSON TIMES
 TOWSON, MD. 21204 April 15, 1969

THIS IS TO CERTIFY, that the annexed advertisement of
 this property, for reclassification, was
 inserted in THE TOWSON TIMES, a weekly newspaper published in
 Baltimore County, Maryland, once a week for 5 consecutive
 weeks before the date of April 15, 1969 that is to say, the same
 was inserted in the issue of April 11, 1969.

STROMBERG PUBLICATIONS, Inc.

By Paul H. Rose

PETITION FOR RECLASSIFICATION
 CATON--11th DISTRICT
 ZONING: From R-4 to R-4A Zone
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 from the north side of
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 Office Building, 111 W. Chesapeake
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 18' East 260.97 feet more or less,
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 198.43 feet more or less, third
 North 87 degrees 14' 48" East 419.7
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 1969 at 1:00 P.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
 April 12, 1969

CERTIFICATE OF PUBLICATION

TOWSON, MD. 21204 April 15, 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 the 5 consecutive weeks before the date of April 15,
 1969, that is to say, the same
 was published in the issue of April 11, 1969.

THE JEFFERSONIAN

James H. Stempel
 Manager

Cost of Advertisement, \$.....

INVOICE
 BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE
 Division of Collection and Receipts
 COURT HOUSE
 TOWSON, MARYLAND 21204
 No. 62151
 DATE April 15, 1969
 TO: Messrs. Stempel and Achary
 205 W. Penna. Ave.
 Towson, Md. 21204
 Zoning Dept. of Baltimore County
 RETURN THIS PORTION WITH YOUR REMITTANCE
 DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS
 DEBIT TO ACCOUNT NO. 01-622
 QUANTITY 1
 TOTAL AMOUNT \$50.00
 COST 50.00
 Description of Property: Petition for Re-classification for Madeline B. Myers
 #69-241-R

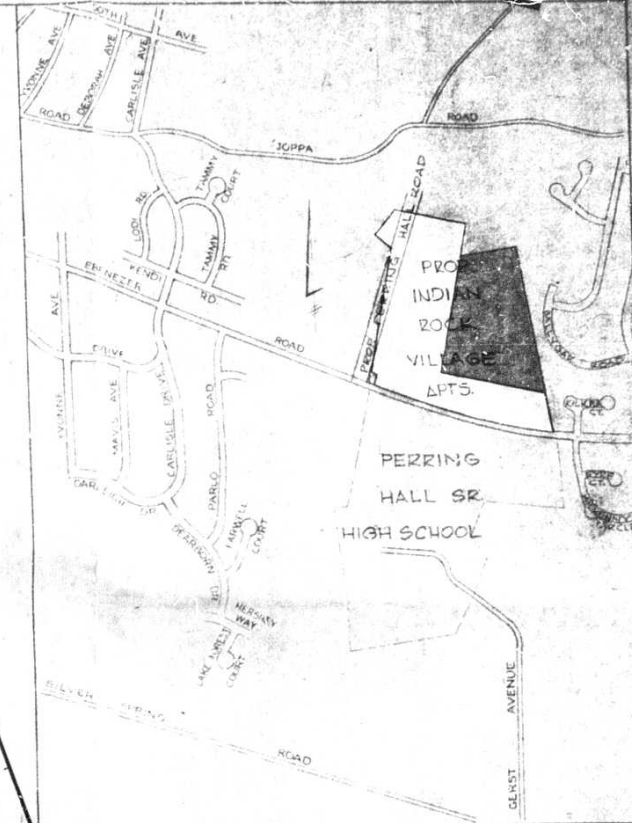
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
 MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

INVOICE
 BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE
 Division of Collection and Receipts
 COURT HOUSE
 TOWSON, MARYLAND 21204
 No. 62206
 DATE May 9, 1969
 TO: Messrs. Stempel and Achary
 205 W. Penna. Ave.
 Towson, Md. 21204
 Zoning Dept. of Baltimore County
 RETURN THIS PORTION WITH YOUR REMITTANCE
 DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS
 DEBIT TO ACCOUNT NO. 01-622
 QUANTITY 1
 TOTAL AMOUNT \$43.25
 COST 43.25
 Description of Property: Advertising and posting of property for Madeline B. Myers
 #69-241-R

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



EX. ZONING
R-G
EX. USE
VACANT



LOCATION MAP
SCALE 1"=500'

TABULATION

Gross Area	32,907.4
Area in Public Road & Parcel A	2,600.4
Net Area	30,307.0
Allowable Units (Gross) 32,907 x 1/2	516.57
Allowable Units (Net) 30,307 x 1/2	505.55
Units Proposed	526
No. Parking Spaces Required	526
No. Parking Spaces Proposed	642
Gross Density 526/32,907	15.98
Net Density 526/30,307	17.32
12 Units (1 Bedroom)	9
12 Units (2 Bedroom)	35
PARKING RATIO 1.61 CARS PER APT.	

SECTION - ONE
SILVER - GATE VILLAGE
EXISTING ZONING
R-G
EXISTING USE
RESIDENTIAL

#69-241R

OFFICE
COPY

MAP
4-C
NORTH-
EASTERN
AREA
NE-3-N
NE-10-N

EXISTING ZONING
R-10
EXISTING USE
RESIDENTIAL

#69-241R

OFFICE
COPY

MAP
4-C
NORTH-
EASTERN
AREA
NE-3-H
NE-10-H
RA

14' TO THE WEST
SL. OF KILKEA
COURT

INDIAN ROCK VILLAGE APTS ZONING PLAT

BALTO CO, MARYLAND ELECT DIST #11
SCALE: 1"=50' MARCH, 1969

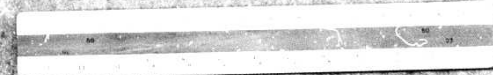
GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
305 ALLEGHENY AVE.
TOWSON, MARYLAND



EBENEZER

Board of Education of Baltimore County
RRG-4149-14

ROAD



Pio Maracca, Jr. Etal
LB 5432-134

PROPOSED

