

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, the 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 R6 zone to an RA zone, for the following reasons:

1. Genuine change in conditions in the surrounding area.
2. Mistake in the original zoning.

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... offices.

Property is to be posted and advertised as provided 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.

Contract purchaser: Towson Veterinary Hospital, Inc., by Harold F. Burton, President
Legal Owner: Austin W. Brizendine
Address: 716 N. York Road, Towson, Maryland 21204
Petitioner's Attorney: 22 W. Pennsylvania Avenue, Towson, Maryland 21204
Protestant's Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of October, 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 October 29, 1969, at 10:00 o'clock.

Edward D. Hardisty
Zoning Commissioner of Baltimore County

PETITION FOR RECLASSIFICATION from R6 to RA with special exception for offices, 1/3 Fairmount Avenue, 414 feet north of Pennsylvania Avenue, 9th District, Towson Veterinary Hospital, Inc., Petitioner

BALTIMORE COUNTY COMMISSIONER OF

MEMORANDUM

Petitioner, Towson Veterinary Hospital, Inc., by its attorney, Austin W. Brizendine, assigns the following reasons for the granting of his Petition:

1. Genuine change of conditions in the immediate area.

Since the zoning of the property as R6 in 1953, the following changes have taken place:

- A. Increased traffic on Fairmount Avenue as a result of its being part of the Towson inner-beltway.
- B. Commercial uses of the property across the street from subject property.
- C. Change in classification of use of the property along Joppa Road to the north of subject property, in both east and west direction, on both sides of the street.
- D. Actual construction for widening of Joppa Road.
- E. The gradual reduction of dwelling areas adjacent to the core of the Towson business area and the increased need for business uses of said property.

2. Error in the original zoning.

A. Commercial uses of the property surrounding the subject property at the time of the original zoning to an extent of subject adjoining property where isolated as a residential island with no thought toward the future needs of the community.

3. For such other good and sufficient reasons to be submitted at the time of Hearing.

Austin W. Brizendine
22 W. Pennsylvania Avenue
Towson, Maryland 21204
Attorney for Petitioner
823-1414

DOLLENBERG BROTHERS

Registered Professional Engineers & Land Surveyors

708 WASHINGTON AVENUE AT YORK ROAD

TOWSON, MD. 21204

September 12, 1969

Zoning Association

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

Beginning for the same on the easternmost side of Fairmount Avenue (to be known as Towson Town Boulevard) at a point distant 111 feet northerly measured along the easternmost side of Fairmount Avenue from the center of Pennsylvania Avenue and running thence and bounding on the easternmost side of Fairmount Avenue, North 21 degrees 01 minute 40 seconds East 52.4 feet, thence leaving said avenue and bounding on the outline of the property of the petitioner herein the following courses and distances: ditto South 38 degrees 03 minutes 30 seconds East 107.50 feet, South 21 degrees 01 minute 40 seconds East 26 feet, South 69 degrees 02 minutes 30 seconds East 60.1 feet, South 21 degrees 01 minute 40 seconds East 101.30 feet, North 66 degrees 53 minutes 40 seconds East 60.7 feet, North 21 degrees 11 minutes 50 seconds East 153.25 feet and North 66 degrees 27 minutes 20 seconds East 101.30 feet to the place of beginning.

Containing 0.38 of an acre of land more or less.



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 29, 1969

Austin W. Brizendine, Esq.,
22 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Type of Hearing: Reclassification from an R6 zone to an RA zone, and for Special Exception for offices located 1/3 of Fairmount Ave., Towson, Md., 414 ft. N. of Penn. Ave. Petitioner: Towson Veterinary Hospital, Inc. Committee Meeting of October 14, 1969 9th District Item 72

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 improved with a two and a half story frame dwelling which is vacant, with an out building to the rear that the petitioner indicates will be removed. The property to the north, south and east are improved with residences to the east are unimproved. The property to the west is improved with a service garage and a service station maintenance shop. Towson Blvd., formerly known as Fairmount Avenue is, at the present time, being reconstructed.

BUREAU OF ENGINEERING:

Highways:

Fairmount Avenue is an existing road presently being improved as a divided highway and renamed Towson Boulevard, a portion of the Towson Beltway. No further highway improvements are required. However, the entrance shall be a minimum of 24 feet and a maximum of 30 feet wide, shall have 3-foot minimum radius curb returns, shall be located a minimum of 75 feet from any property line, and shall be constructed in accordance with Baltimore County Standards for 7 inch concrete entrance. This will necessitate removal and/or reconstruction of the recently constructed entrance.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardisty, Deputy Zoning Commissioner

FROM: Mr. George E. Gavett, Director of Planning

SUBJECT: Petition #70-106-RX, Reclassification from R-6 to R.A.

Petition for Special Exception for offices. East side of Fairmount Avenue 414 feet north of Penn. Ave. Towson Veterinary Hospital, Inc.

9th District

HEARING: Wednesday, December 3, 1969 (10:00 A.M.)

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

1. This petition proposes a reclassification of property that, from a planning viewpoint, will only be appropriate if other properties on the east side of Fairmount Avenue are also reclassified similarly. While the latter is, in fact, the recommendation of the Planning Board and is shown as such on the proposed Baltimore County comprehensive zoning map, the classification of the subject property should not be considered separately at this time.
2. We recommend that the subject petition be withdrawn, and that the petitioner direct his efforts toward the comprehensive map process—particularly in view of the fact that any action on a zoning petition before adoption of the map (as required under the County Code) will be subject, in effect, to confirmation or rejection by action of the County Council.

The plan reveals little information with respect to the proposed use. We note, however, that the petitioner is "Towson Veterinary Hospital, Inc." and that both a veterinarian's office and a veterinarian are prohibited uses in R.A. zones. (We do not assume that these are necessarily the uses proposed.)

Because of the site plan's inadequacy of detail, we cannot comment upon the requested special exception if it should happen that the special exception is granted; however, we request the grant be conditioned upon our approval of the site plan.

OLIVER L. MYERS, CHAIRMAN

Austin W. Brizendine, Esq.,
22 W. Pennsylvania Avenue
Towson, Maryland 21204
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October 29, 1969

Minutes: (Continued)

The entrance locations are subject to approval by the Department of Traffic Engineering.

Prior to removal of any existing curb for entrances, the Developer shall obtain a permit from the Bureau of Public Services, Attention Mr. C. E. Brown, 823-3000, Extension 651.

The Developer shall be responsible for construction stake-out of all highway improvements required in connection with this site and all stake-outs shall be in accordance with Baltimore County Standards.

Storm Drains:

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.

Since this plan indicates there are to be no surface improvements to the areas adjacent to proposed construction, within the limits of the property lines shown, storm drains and/or supplementary storm drains are not required. However, the Developer is advised that future surface improvements resulting in increased storm water run-off (particularly the paving of parking areas, the grading of the area or a portion thereof, or any other surface improvements) across adjacent properties may necessitate the Developer to provide facilities for this drainage. Before these surface improvements are made to the aforementioned areas, drainage provisions must be submitted to Baltimore County Department of Public Works for approval prior to any construction.

Sediment Control:

Development of this property through stripping, grading, and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

Waters:

Public water supply is available to serve this property.

Austin W. Brizendine, Esq.,
22 W. Pennsylvania Avenue
Towson, Maryland 21204
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Sanitary Sewers:

Public sanitary sewerage is available to serve this property.

PROJECT PLANNING DIVISION:

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

FIRE DEPARTMENT:

Owner shall be required to comply with all Fire Department requirements in accordance with Life Safety Code, 1967 edition, Chapter 13, "Office Occupancies", when plans are submitted for approval.

BOARD OF EDUCATION:

The S.E. for offices would have no effect on the student population.

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 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.

BUREAU OF TRAFFIC ENGINEERING:

Re-zoning of the subject parcel from R6 to RA will increase the trip density by 40 trips.

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 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

CELEST
Enc.

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 14th day of October, 1969.

John E. Myers
Zoning Commissioner

Petitioner: Towson Veterinary Hospital, Inc.
Petitioner's Attorney: Austin W. Brizendine Reviewed by: George E. Gavett
Chairman of Advisory Committee

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

2 SIGNS.

District: 9th Date of Posting: Nov. 14, 1969

Posted for: HEARING NOV. 14, 1969, 10:00 A.M.

Petitioner: TOWSON VETERINARY HOSPITAL, INC.

Location of property: 1/3 OF FAIRMOUNT AVE. 414 FT. N. OF PENNA. AVE.

Location of Signs: (2) SIGNS IN CORNER OF YACHT CLUB ON FAIRMOUNT AVE.

Remarks: _____

Posted by: John E. Myers Date of return: Nov. 20, 1969

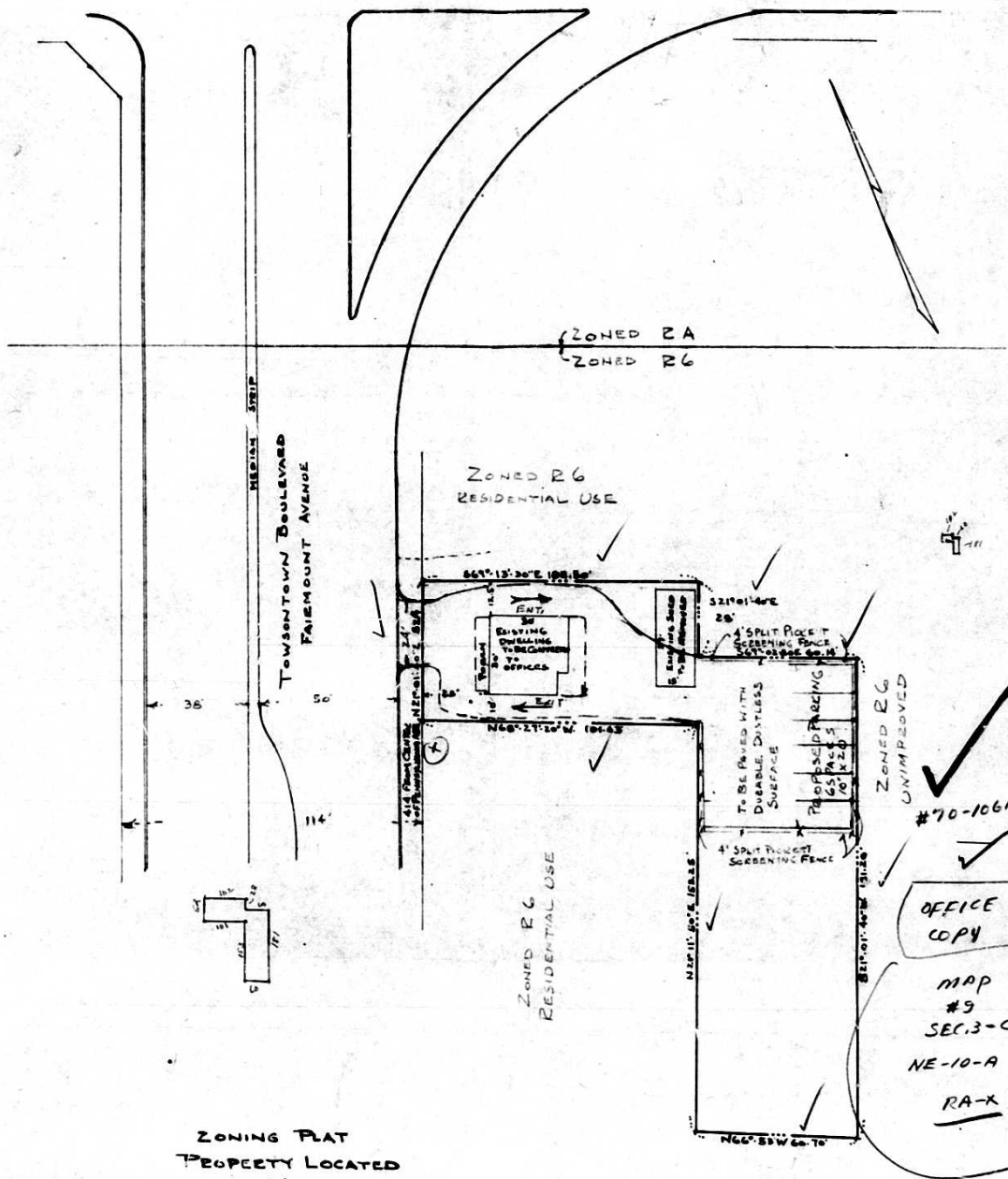
Zoning Commissioner of Baltimore County

TELEPHONE 823-3000 EXT. 347		INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE <i>Division of Collection and Receipts</i> COURT HOUSE TOWSON, MARYLAND 21204		No. 67081
TO: Harold F. Burton 718 N. York Road Wheaton, Md. 20859		Sinking Agent of Baltimore County		DATE <u>Dec. 2, 1969</u>
PAY TO ACCOUNT NO. <u>02-002</u>		RETURN THIS PORTION WITH YOUR REMITTANCE		FILED IN <u>100</u>
DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS		JOB		4
QUANTITY		Description and posting of property		4.00
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By Ruth Morgan

Cost of Advertisement, \$.....

JOPPA ROAD



ZONING PLAT
PROPERTY LOCATED
IN

9TH DISTRICT BALTO CO. MD
0.38 AC ±

EXISTING ZONING R6

PROPOSED ZONING EA WITH SPECIAL EXCEPTION
FOR OFFICES

EXISTING DWELLING TO BE CONVERTED TO OFFICES
WATER & SANITARY SEWER AVAILABLE
FAIRMOUNT AVENUE

FRONT YARD SET BACK VARIANCE OF 25' INSTEAD
OF 30'
SIDE YARD SET BACK VARIANCE OF 10 FEET
INSTEAD OF 25'



PARKING DATA

1ST FLOOR	900 ± 300	= 3 SPACES REQUIRED
2ND FLOOR	900 ± 500	= 2 SPACES REQUIRED
TOTAL		= 5 SPACES REQUIRED
		6 SPACES PROVIDED

SCALE ± 1" = 30' AUGUST 17, 1969

DOLLENBERG BROTHERS
SURVEYORS & CIVIL ENGINEERS
709 WASHINGTON AVE. TOWSON MD

OFFICE
COPY

MAP
#9
SEC. 3-C
NE-10-A

RA-X

#70-106RX

ZONED R6
UNIMPROVED