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

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we Affred Larsen and Margaret E. Larsen legal owner as of the property situate in Baltimore MDP.

County and which is described in the description and plast attached hereto and made a part hereof, hereby petition (1) that the roning status of the herein described property be re-classified, pursuant, one-family for a constant of the Zoning Law of Baltimore County, from an R-10. Res. dence. Zone County and State of the Zoning Law of Baltimore County, from an R-10. Res. dence. Zone County and State of the Zoning Law of Baltimore County, from an R-10. Res. dence. Zone County and State of the Zoning Law of Baltimore County, from an R-10.

B.L. Zone, Business/Local for the following reasons

Error in the Comprehensive Zoning Map Change in the Character of the Neighborhood

ORDER BY

.....M.

See altached 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

rty is to be posted and advertised as prescribed by Zoning Regulations. we, agree to pay expenses of above re-classification and or Special Exception advertising , upon filing of this petition, and further agree to and are to be boun i by the roning restrictions of Baltimore County adopted pursuant to the Zoning, Law for Baltimor Alfred Larsen Margaret E. Larsenegal Owners Contract purchaser Address 2325 York Road 8 Edward C. Covahey, Jr. 2322 York Road Timonium, Maryland 21093 252-4332 Petitioner's Attorney Timonium, Maryland 21093 Protestant's Attorney ORDERED By The Zoning Commissioner of Saltimore County, this. 2nd day ..., 19870., that the subject matter of this petition be naivertised, as of January required by the Zoning Law of Baltimore County, in two newspapers of general disculation 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, Baltimor County, on the 2nd - lay of February , 19879., at 2:20.o'clock

D. Hardest

Alfred Larsen and Margaret E. Larsen, legal owners, by Edward C. Covahey, Jr., their Attorney, in support of this petition that the zoning status of their property be classified from R. 10 Residence Zone, Onc-Pamily to a B. L. Zone, Business,

- That Petitioners deny that the provisions of Bill No. 72 enacted by the County Council of Baltimore County are her applicable and Petitioners further assert that same is patently unconstitutional and invalid on its face.
- That there has been a substantial change in conditions and the character of the neighborhood since the Comprehensive Zoning Map for this District was adopted on December 20, 1955 as evidenced by the following:
- a. Zoning file 68-63-R-2 rezoned from R. 20 to B.L by the Zoning Commissioner of Baltimore County on September 26, 196°, containing 1.804 acres of land, situate immediately to the south of subject tract, now improved by offices and other commercial uses.
- b. Zoning file No. 3889 special exception granted for gasoline service station by the Zoning Commissioner of Baltimore County on November 11, 1956, located approximately one block south of site on the opposite side of York Road, improved by Flying A Service Station.

# ZONING DESCRIPTION

### R-10 To a-L

## ALFRED LARSEN AND MARCARET LARSEN

BEDINING for the same on the exsternment tide of York koad at a type beretofore planted at a point distant 335 feet more or less measured southerly from the center line of Talbott Avenue (as constructed) and point of beginning being at the end of the fourth or croth'il derives a Kovenber 19, 1951 and recorded among the Land Racords of Battuder County in Liber CL, 18, No. 2002 folio 218 etc. vas, conveyed by Yurczyff D. Waring and wife to Alfred Larsen and wife, thence running with and tinding reversity on said last line and on the eastfarmost side of said York Road south 11 degrees 33 unintes/east 235 feet, thence leaving said road and running with and binding aversity on said the third, second and first lines of said deed the three following courses and distances much 77 degrees 35 county are at 284.5 feet, one that degrees 29 singles werk 217.97 feet and south 35 degrees 31 minutes west 28.7.9 feet to the place of beginning

CONTAINING 1.37 acres of land more or less.

BEJNG all of that tract of land which by deed dated November 19,1951 and recorded among the Land Records of Baltimore County in Liber G.L.S. No. 2047 folio 218 etc. was conveyed by Everett D. Waring and wife to Alfred Larges and wife.

November 20, 1969

0

REN

335

Bth Bott

NW-15-A

BL



c. Zoning File No. 67-17-RA rezoned from R-10 to B.L by the Zoning Commissioner of Baltimore County on July 27, 1966, situate at the northwest corner of York Road and Washington Street approximately one block distant from the site, improved by an antique suop.

d. Zoning File 4426 rezoned from x-10 to R-20 for use as a tea room by the Zoning Commissioner of Baltimore County on January 4, 1958, this property is immediately adjacent to the site and is the same land as mentioned in paragraph a. above, which was subsequently rezoned.

- e. Zoning File No. 68-290 R-1 rezoned from R-10 to MR by the Zoning Commissioner of Baltimore County on August 28, 1968 containing 2.494 acres of land approximately one-quarter mile south of the site on the same side of York Road, improved by a plastics manufacturing plant.
- f. Zoning File 5651 RKA rezoned from R-10 to BL with special exception for gasoline service station by the Zoning Cummissioner of Baltimore County on October 4, 1962, one property removed from the subject site south of the site on the same side of York Road, improved by Sunoco Gasoline Service
- g. Numerous zoning applications granted within one-half mile of the site at the intersection of York and Padonia Roads.

h. New Padonia Road as cut through and extended along with the new Padonia Shopping Center have substantially altered the road and traffic patterns in the immediate neighborhood of the site.

# BALTIMORE COUNTY, MARYLAND

# HATER-OFFICE CORRESPONDENCE

To Mr., Edward D., Hardesty, Deputy Zoning Date. January 23, 1970.

FROM Mr. George E. Gavrelis, Director of Planning

SUBJECT Petition \*70-144-R. Reclassification from R-10 to B.L. East side of York Road 335 feet south of Talbott Ave. Alfred Larsen, Petitioner

# 3th District

HEARING: Monday, February 2, 1970 (2:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-10 to B.L. zoning. We voice our objection to reclassification from R-10 to B.L. zoning. We voice our objection to reclassification of the subject tract for commercial purposes. In doing so, we recognize that certain changes have occurred relative to lead use in the area but, we point out that commercial zoning on the west side of York Road does not match the frontage of the subject property. We note also, that the use on the adjacent, commercially-zoned tract at the moment is limited and planty of landscaping and buffering exists. Extablishing commercial conting here would have an adverse effect on the residential potentials of adjoining properties, would cause a chain reaction relative to the zoning of other tracts, and is permature relative to traffic and other considerations on York Road. The Planning Board has not consimplated the creation of additional commercial zoning here in connection with its recommendations with comprehensive rezoning.

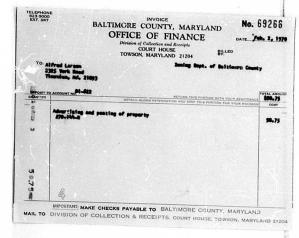
GEG:bms



 Sewerage which was heretofore unavailable to the property is scheduled to be installed in the bed of York Road in approximately one year.

j. Since adoption of the Comprehensive Map, the physical character of York Road now classified as a Class II Commercial motorway has become almost totally commercial, which has altered the entire character of the neighborhood and of York Road.

- That the County Commissioners in not zoning subject property for commercial use on December 20, 1955 committed mistake and error for the following cogent reasons:
- a. The County Commissioners erred in not considering the projected availability of severage to the site.
- b. R. 10 Zoning fails to properly reflect, other than for a single family dwelling, because of the fact that a stream bisects the southern portion of the property, the topographical characteristics of the site which preclude its use for residential purposes. c. The County Commissioners further erred in not taking into consideration the population explosion in the immediate vicinity of the site which has created a tremendous need and demand for facilities such as are envisioned on this bate.
- d. The County Commissioners erred in not taking into consideration the increased traffic on York Road and the tremendous increase in commercial and industrial uses in the immediate vicinity of the property.
- the County Commissioners erred in not taking into consideration the relocation of Padonia Poad and the exters ion thereof.



 That the Petitioners have other and further r cons to support their application all of which will be shown at the hearing on same.

> Edward C. Covahey, Jr. Attorney for Petitioners 2322 York Road Timonium, Maryland 21693 252-433.

Alfred Larsen

Margaret E. Larsen, Legal Owners

10-29-70

Pursuant to the advertisement, posting of preperty, and public hearing on the above petition and it appearing that by reason of substantial changes in the character of the neighborhood the above Reclassification should be had; xndxxx/forthexxappearing/sbetx/bgx the same is hereby reclassified from all R-10 zone to a EL & from and after the date of this order, subject to approval of the site plan by the state Roads Commission, the Bureau of Public Services and the Office of Thurst D. Hardesty Planning and Zoning. Pursuant to the advertisement, posting of property and public bearing on the above petition and it appearing that by reason of ... 35 the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE CRANTED IT IS ORDERED by the Zoning Commissioner of Baltimore County, this. ...... 196.... that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and zone; and or the Special Exception for... be and the same is nereby DENIED Zoning Commissioner of Ballimore Counts MICROFILMED

MALTIMORE COUNTY OFFICE OF PLANNING AND ZONING County Office Suilding 111 W. Chesapeake Avenue Towson, Maryland 21204 four Patition has been received and accepted for filing this BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

JOHN G. ROSE

TITION FOR RECLASSI 2-NING: From 8-10 to B.L. Zoon.
(O. YT'N) East side of York Road
131 Jes South of Talbett Avenue.
DATE & TREE Monday, Padwary
FURLIC MEARING, Room 161, County Office Building, 111 W. Cheespeaks & case, Towers, Maryland.

Eighth District of Baltimers on the casternment side of Vott Enes 4 and Editional Conference of the casternment side of Vott Enes 4 and Editional Conference of the Conference

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York Rd.

#/0-144-R . 335' S of Talbott 8th

GEORGE E. GAVNE

Edward C. Covahey, Jr., Esq. 2322 York Road Timonium, Maryland 21093

RE: Type of Hearing: Reclassifice.ton from an R-10 Residence zone, one family zone, to an bl. zone, Business Location: E/S of York Rd., 335' So. of Taibott Avenue Petitionar: Alfred Larsen, et ux Committee Meeting of December 9, 1969 8th District

The enclosed departmental comments have been compiled at the direction of the County Administrative Officer. Their purpose is to make the Zoning Commissioner aware of any development problems or conflicts resulting from the partitioner's proposed development plain.

These comments represent facts and data assembled by qualified County employees and subsequently approved by their department heads. These are materials for consideration by the Zoning Commissioner and can be appected to have a great bearing on his decisions.

Sincerely yours.

JAMES E. DYER, Zoning Supervisor

CERTIFICATE OF PUBLICATION

of \_\_\_\_\_\_\_gog\_time\_specessive weeks before the \_\_2nd \_\_\_\_\_ \_\_ Fenguary\_\_\_\_\_ 19\_70\_, the first publication

appearing on the\_\_\_155b.\_\_day of.\_\_\_Januaryz.\_

19.70...

Cost of Advertisement, \$ ...

TOWSON, MD. January 15 ...... 19.70.

THE JEFFERSONIAN,

JED:JD

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

December 16, 1969

COUNTY OFFICE BLDG. 111 W. Chrisprake Ave. Towson, Maryland 21704

OLIVER L. MYERS

MEMBERS BURLAU OF ENGINEERING DEPARTMENT OF TRAFFIC ENGINEERIN STATE ROADS COMMIS

BUREAU OF FIRE PREVENTION HEALTH DEPARTMENT PROJECT PLANNING BUILDING DEPARTMEN BOARD OF EDUCATION

ZONING ADMINISTRAT DEVELOPMENT

PETITION
FOR
RECLASSIFICATION
BIN DISTRICT
NING: From R-10 to B.L.

LOCATION: East side of York Road 33" feet South of Talbott

Road 33" feet South of Talbott
Avenue.

DATE & TIME: MONDAY,
FEBRUARY 2, 1970 of 2:00 P.M.
PUBLIC HEARIN\*\*. Room 103,
County Office Builds. \ 111 W.
Chesspeak Avenue, Towson,
Maryland.
The Zoning Commissione. of

Edward C. Covahey, Jr., Esq. 2322 York Road Timonium, Maryland 21093

RE: Type of Hearing: Reclassification from an R-10 Residence Zone, one family zone, to an al., zone, Business Local Location: E/S of York Rds, 335' So. of Talbott Avenue Potitioner: Aifred Larsen, et ux Committee Hesting of December 9, 1969 8th District

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

The subject property is presently improved with a The subject procesty is presently improved with a dealling, with the property to the south ingroved with an office building. The properties to the cast and north with deallings; the property to the test is a small shopping center. You're load at this location is not improved as far as concrete curb and gutter are concerned.

# DEPARTMENT OF TRAFFIC ENGINEERING:

As R-10 the subject site could generate approximately 50 trips per day. However, as 81 the subject site could generate 650 trips per day. This increase to undesirable since York Road is at capacity many times throughout the day.

# BOARD OF EUCATION:

No comment until plans are submitted.

The entrances are to be of a depressed curb type with 36" transitions. The plan must be revised prior to the hearing date being

Edward C. Covahey, Jr., Esq. 2322 York Road Timoniuc, Haryland 21093 Item 111 Page 2

PROJECT PLANNING DIVISION:

FIRE DEPARTMENT:

HEALTH DEPARTMENT:

STATE ROADS COMMISSION:

ZONING ADMINISTRATION DIVISION:

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

Owner shall be required to comply with all fire Department requirements in accordance with Life Safety Code, 1967 addition, Chapter 12 "Mercantile Occupancies" when construction plans are submitted for approval.

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 abtained from the Division of Air Pollution, Baltimure County Uppartment of Health.

There is an 80' right of way proposed for York Road (40' from center) that must be indicated on the plan.

The entrances will be subject to State Roads Commission approval and permit.

With regard to the comments by the State Roads Commission, this office is withholding a hearing date until such time as those comments are complied with and revised plans submitted in accordance with them.

Very truly yours,

OLIVER L. HYERS, Chairman

Public water is available to the site. Public sewer is presently

# BUILDING ENGINEERS! OFFICE:

OF CE OF TOWSON IMES

TOWSON, MD. 21204 January 19 -THIS IS TO CERTIFY, that the annexed advertisement of

Edward D. Hardesty Deputy 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 Jan. 1970, that is to say, the same

was inserted in the issued of January 15, 1970.

STROMBERG PUBLICATIONS, Inc.

By Little Morgan

CERTIFICATE OF POSTING

ZOHING DEPARTMENT OF BALTIMORE COUNTY #70-144-R

Sign Date of Posting Jan - 15- 1970 Date of Posting Jan. 19. 1.

Poster for History Mew July 2, 1926 & Lice PM.

Petitioner Chall Torsand Box 335 Se & Tallast also teration of Signe I day an Douted land Sel Jack Bel in fresh to Gesting Property Joing Jak Kil.

Posted by Mark N ) Herz

Date of return Jan - 22 1970

B23-3070 No. 67131 BALT MORE COUNTY, MARY AND OFFICE OF FINANCE DATE Jes. 13, 1976 Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204 ...

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

