

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

WE, the legal owner, of the property situated 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-5 zone to an S-W-1-F zone; for the following reason:

The area has changed substantially since adoption of the original zoning map and the requested reclassification would be of great benefit to the neighborhood, the entire community and Baltimore County, and would satisfy a great need. There was also error in the 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 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.

The Academy of the Visitation
1001 St. DeSales in Baltimore County
Sister Mary Bernard Schiltzer, President
Sister Mary Bernard Schiltzer, Legal Owner
Address: 1001 Reisterstown Road, Baltimore, Maryland 21228

Robert and Harry Meyerhoff Bldg. Co.
1001 Reisterstown Road, Baltimore, Maryland 21228
President: Robert Meyerhoff
Address: 1001 Reisterstown Road, Baltimore, Maryland 21228

Samuel L. Trivas, Petitioner's Attorney
1001 Reisterstown Road, Baltimore, Md. 21228

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day of February, 1970, 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 5th day of February, 1970, at 1:00 o'clock P.M.

Edward D. Hardesty
Deputy Zoning Commissioner of Baltimore County

(over)

ROBERT A. WHITEFORD, P.E.
JAMES S. MARK, L.S.

WHITEFORD, FALK, AND MARK
Consulting Engineers - Land Surveyors
Land Planners
JEFFERSON BUILDING
TOWSON, MARYLAND 21204

Description of 10.0000+ Acres
to be Rezone from R-5 to R-A

Beginning for the same at the intersection of the south side of Old Frederick Road and the west side of Academy Road, 60 feet wide; thence with said west side of Academy Road the following three (3) courses: (1) 342.28 feet by an arc curving to the right with a radius of 709.33 feet, which arc is subtended by a chord bearing South 37° 39' 46" East, 338.96 feet; (2) 330.56 feet by an arc curving to the left with a radius of 780.00 feet, which arc is subtended by a chord bearing South 35° 58' 42" East, 328.10 feet; and (3) South 48° 07' 15" East, 80.00 feet to a point; thence leaving said road and binding on a line of division now established South 69° 04' 03" West, 853.09 feet to the west side of Harlem Lane; thence with said west side North 01° 56' 36" East, 842.62 feet to a point; thence North 46° 36' 13" East, 71.51 feet to the south side of Old Frederick Road; thence with said road North 89° 49' 47" East, 256.83 feet to the point of beginning.

Containing 10.0000 acres of land, more or less.



GEROME L. FALK
VALLEY 17918

BUREAU OF ENGINEERING

Zoning Plat - Comments

131. Property Owner: The Academy of the Visitation BVM
Location: S.W. cor. of Old Frederick Rd. and Academy Road

District: 1st
Present Zoning: R-5
Proposed Zoning: Rec. to RA
No. Acres: 10.00+

Highways:

Old Frederick Road, an existing County road, will be improved in the future as a 44-foot closed section with flexible paving on a 60-foot right-of-way. Highway improvements, including highway right-of-way widening, will be required in connection with any subsequent grading or building permit applications. Improvements for this road are to be designed by Baltimore County.

Harlem Lane, an existing County road, will be improved in the future as a 36-foot closed section with flexible paving on a 60-foot right-of-way. Highway improvements, including highway right-of-way widening, will be required in connection with any subsequent grading or building permit applications. Baltimore County drawing 68-1022, File 5 may be used for the design of the improvements for Harlem Lane.

Academy Road, an existing County road, was recently improved as a 30-foot partial section of the proposed 40-foot closed section with flexible paving on a 60-foot right-of-way. No further highway improvements are required for this road in connection with the subject property.

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

Sediment Control:

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, damage 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.

Storm Drainage:

No provisions for accommodating storm water or drainage have been indicated on the submitted plan; however, a drainage study and plans will be required prior to approval of any subsequent building permit applications.

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.

131. Property Owner: The Academy of the Visitation BVM
(1959-1970)
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Water:

Public water supply is available to serve this property.

Sanitary Sewer:

Public sanitary sewerage will be available to serve this property when the proposed 8-inch public sanitary sewerage (J.C. 1-2-36.) is constructed from Old Frederick Road to Longview Drive. This sewer is shown on Drawings 68-0760, 0761 and 0762, File 1, and is presently under contract (Contract 69-131 - S11).

Plat:

H-W Key Sheet
2 SW 2 - Portion Sheet
SW 1 F Topo
95 Tax

BALTIMORE COUNTY BOARD OF EDUCATION

ZONING ADVISORY COMMITTEE MEETING
OF Jan 9, 1970

Petitioner: The Academy of the Visitation BVM
Location: SW cor. Old Frederick Rd & Academy Rd
District: 1

Present Zoning: R-5

Proposed Zoning: Rec. to RA

No. of Acres: 10.00+

Comments: The following table indicates the possible yield of students with the present zoning & with the proposed zoning:

	Present	Proposed
Present Zoning (R-5)	45	14
Proposed Zoning (RA)	174	17

- * Factors were taken from a 1967 study of the Westview Area BVS
- * This factor applies to 1 & 2 bedroom apartments
- * This factor applies to 1, 2, & 3 bedroom apartments

The Westview Elementary School is across Harlem Avenue from the site & our projections for the next 2 yrs show a slight drop in enrolment. The school, according to the Oct 31, 1969 enrolment figures, has 691 grade students & 155 kindergarten children. The capacity of the school is 830 plus 150 kindergarten. This shows that the school is currently overpopulated by 61 students in grades 1 thru 6 & by 5 in the kindergarten.

The future 3 kindergarten classrooms will be added which will relieve this overcrowding. In the present time 3 regular classrooms are being used for kindergarten purposes.

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING
JEFFERSON BUILDING
TOWSON, MARYLAND 21204
INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty
FROM: Attn: Oliver L. Myers
C. Richard Moore
SUBJECT: Item 131 - ZAC - January 6, 1970
Property Owner: The Academy of the Visitation BVM
SW Corner of Old Frederick Road & Academy Road
Recl. to RA

The subject tract as R-5 will generate approximately 500 trips per day. While as RA 1200 trips per day.

Due to the configuration of the intersection of Academy Road and Old Frederick Road, some difficulty may be encountered due to the sight distance.

One additional access should be provided to provide adequate fire and police protection.

C. Richard Moore
Assistant Traffic Engineer

CRM:mr

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning
Attention: Mr. O. L. Myers
FROM: Everett B. Reed, Plans Review
SUBJECT: #131 The Academy of the Visitation BVM
S.W. Cor. of Old Frederick Road
& Academy Road
District 1

PETITIONER TO MEET ALL REQUIREMENTS OF BALTIMORE COUNTY BUILDING CODE.

Everett B. Reed
Everett Reed, Plans Review

EM:mr

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

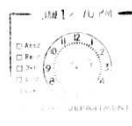
TO: Mr. Oliver Myers
Date: January 9, 1970
FROM: Inspector John J. Lilley
Fire Department
SUBJECT: Property #131 The Academy of the Visitation, B.V.M.
Location: SW corner of Old Frederick Road and Academy Road, Dist. 1
Item #131 Zoning Agenda, January 6, 1970

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

Water: OK.

Inspector John Lilley

cc: Mr. Jay Hanna



#70-147R

RE: RECLASSIFICATION FROM
R-6 TO RA ZONE
LOCATION: 1/2 ACRE PARCEL,
SOUTH SIDE OF OLD FREDERICK ROAD
BINDING ON HARLEM LANE AND ACADEMY ROAD
ELECTION DISTRICT NO. 1, BALTIMORE
COUNTY, MARYLAND

BEFORE THE
ZONING COMMISSIONER
FOR
BALTIMORE COUNTY

MEMORANDUM

Now comes The Academy of The Visitation, N.V.M., at Mt. DeSales, Legal
Owner and Robert and Harry Meyerhoff Building Company, Contract Purchaser, of
the above captioned property, by Samuel M. Trivas, their attorney, and in
accordance with Bill 72, Section 22 - 22 (b) states that the reclassification
requested should be granted for the following reasons:

1. Numerous reclassifications have occurred in the immediate neighborhood
since the adoption of the original zoning map on April 5, 1960. These
reclassifications include but are not limited to the following:

- a). Case No. 5833 S/S Old Frederick Road 495 feet
from W/S of Harlem Lane
Reclassification: BL and R-6 to
SR
Granted: 4/25/63
- b). Case No. 5128 S/S Old Frederick Road 365 feet
W of Harlem Lane
Reclassification: R-6 to BL with
special exception for service
garage.
Granted: 11/16/60
- c). Case No. 5639 S/S Old Frederick Road 355 feet
W of Harlem Lane
Reclassification: R-6 to BL with
special exception for service
garage.
Granted: 10/2/62
- d). Case No. 48-212R E/S of Melvin Avenue 20 feet S
of Baltimore National Pike
Reclassification: RA to BL
Granted: 11/29/68
- e). Case No. 67-200R S/W corner of Old Frederick Road
and Harlem Lane
Reclassification: R-6 to RM
Granted 5/1/67

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2. There was error in the original zoning map because of its failure to
provide sufficient RA Zoning for the entire First District.

3. The requested reclassification is proper and logical zoning and
will not adversely effect the over-all zoning scheme.

4. The garden apartments proposed will be an asset to the neighborhood,
community and Baltimore County and will satisfy a great need.

5. And for such other additional reasons that may be shown at the
hearing hereon.

Samuel M. Trivas
SAMUEL M. TRIVAS
6301 Reisterstown Road
Baltimore, Maryland 21215
Attorney for Petitioners

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Deputy Zoning
Commissioner
FROM: Mr. George E. Gavello, Director of
Planning

Date: February 5, 1970

SUBJECT: Petition #70-147-R. Reclassification from R-6 to R.A. Southwest corner of Old
Frederick Road and Academy Road. The Academy of the Visitation BVM at Mt.
DeSales, Petitioners

1st District

HEARING: Monday, February 9, 1970 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition
for reclassification from R-6 to R.A. zoning. We note that, at the time of this
submission, a committee of the Planning Board has endorsed the reclassification
to R.A. zoning and has included such zoning among its recommendations for
comprehensive remapping of the area. The committee and the staff agreed to
apartment zoning here because of the relationship of the tract to established
commercial zoning at Old Frederick Road and Harlem Lane. It felt also, that
the subject property was well buffered and could and should establish no cor-
relative changes in light of the institutional uses which exist on three sides.

GEG:bms



TELEPHONE
222-5000
EXT. 267

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

No. 67139
DATE Feb 10, 1970

TO: Robert and Harry Meyerhoff
Building Co.
220 International St.
Baltimore, Md. 21202

Being Dept. of Baltimore County

44-228

RECEIVED

4

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

Samuel M. Trivas, Esquire
6301 Reisterstown Road
Baltimore, Maryland 21215

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

day of February, 1970

Edward D. Hardesty
Deputy Zoning Commissioner

Petitioner: The Academy of the Visitation BVM

Petitioner's Attorney: Samuel M. Trivas

Reviewed by: *Oliver L. Myers*
Chairman of
Advisory Committee

