

# PETITION FOR ZONING RE-CLASSIFICATION

AND/OR SPECIAL EXCEPTION FOR OFFICES AND  
FOR VARIANCE FROM SIDE YARD AND SET BACK REGULATIONS.  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

A. W. Brizendine and  
L. W. Elizabeth B. Brizendine, legal owners, 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 NE 16-A

RA zone, for the following reasons:

1. Genuine change in conditions in the surrounding area.
2. Mistake in the original zoning and for front yard variance of 15 feet instead of 30 feet, north side yard variance of 4 feet instead of 25 feet and south side yard variance of 17.5 feet instead of 25 feet.

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 prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertisement  
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

Address

Towson, Maryland 21204

Petitioner's Attorney

Protestant's Attorney

Address

DATE

1/20/70

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## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Deputy Zoning Commissioner 1/22/70  
Attn: Mr. Myers

FROM: Inspector T. E. Kelly  
Fire Department

SUBJECT: Property Owner Austin Brizendine

Location: E/S Bosley Avenue, 220' N. of Alleghany  
District: 9

Item #138 Zoning Agenda January 20, 1970

Owner shall be required to comply with the 101 Life Safety Code, 1967 edition,  
Chapter 13, "Office Occupancies," and all other Fire Department requirements  
when construction plans are submitted for approval.

Inspector T. E. Kelly

cc: Jay Hanna

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: ZONING Date: JANUARY 21, 1970

ATTENTION: MR. A. L. MEYERS  
FROM: EVERETT REED, PLANS REVIEW

SUBJECT: #138 AUSTIN BRIZENDINE  
E/S BOSLEY AVENUE, 220'  
ALLEGHANY  
DISTRICT #9

NO COMMENT UNTIL PLANS ARE SUBMITTED.

EVERETT REED,  
PLANS REVIEW

ER:JC

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Mr. Oliver L. Myers Date: JANUARY 21, 1970

FROM: Ian J. Forrest

SUBJECT: Item 138 - Zoning Advisory Committee Meeting, January 20, 1970

#### Health Department Comments:

138. Property Owner: Austin Brizendine  
Location: E/S Bosley Avenue, 220' N of Alleghany  
District: 9th  
Present Zoning: R-6  
Proposed Zoning: RA Special Exception for Offices  
No. Acres: .50x100

Public water and sewers available to the site.

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

Chief  
Water and Sewer Section  
BUREAU OF ENVIRONMENTAL HEALTH

1/2/ea

## BALTIMORE COUNTY, MARYLAND

### DEPARTMENT OF TRAFFIC ENGINEERING

### JEFFERSON BUILDING

### TOWSON, MARYLAND 21204

### INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty Date: JANUARY 22, 1970  
Attn: Oliver L. Myers

FROM: C. Richard Moore

SUBJECT: Item 138 - ZAC - January 20, 1970  
Property Owner: Austin Brizendine  
Bosley Avenue N. of Alleghany  
RA Special Exception for Offices

The existing 20 foot alley is proposed as access to some of the  
parking. These alleys are satisfactory when used by only small and  
limited number of office buildings. However, as the number and the  
size increase, more problems can be expected from these alleys.

C. Richard Moore  
Assistant Traffic Engineer

CRM:rr

70-166-RXA

Pursuant to the advertisement, posting of property, 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, and it further appearing that by reason of the requirements of Section 592.1 of the Baltimore County Zoning Regulations having been met, a Special Exception for Offices should be granted, and it further appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners and the Variances requested would grant relief without substantial injury to the public health, safety and general welfare of the locality involved, Variances to permit a front yard of 15 feet instead of the required 30 feet; a side yard on the north side of 4 feet instead of the required 25 feet; and a side yard on the south side of 17.5 feet instead of the required 25 feet; and a side yard on the south side of 17.5 feet instead of the required 25 feet, should be granted. It is ORDERED by the Zoning Commissioner of Baltimore County this day of MARCH, 1970, that the herein described property or area should be and the same is hereby reclassified; from an R-6 zone to an R-A zone, and a Special Exception for a Office should be and the same is granted, from and after the date of this order, and Variances to permit a front yard of 15 feet instead of the required 30 feet; a side yard on the north side of 4 feet instead of the required 25 feet; and a side yard on the south side of 17.5 feet instead of the required 25 feet, should be and the same is granted, from and after the date of this Order, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of MARCH, 1970, 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 to remain a R-6 zone; and/or the Special Exception for a Office should be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

PETITION FOR RECLASSIFICATION from R-6 to R-A with special exception for offices, and the front yard and side yard variances, 1/3 of Bosley Avenue, 220 feet north of Alleghany Avenue, 9th District, Austin W. Brizendine and Elizabeth B. Brizendine, Petitioners

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

# MEMORANDUM

Petitioners, Austin W. Brizendine and Elizabeth B.

Brizendine, assign the following reasons for the granting of their Petition:

1. Genuine change of conditions in the immediate area. Since the zoning of the property as R-6 in 1955, the following changes have taken place in the immediate neighborhood:
  - A. Increase in traffic on Bosley Avenue as a result of its being part of the Towson Inner-beltway connecting York Road with Towson Drive.
  - B. Change in classification of use of the property on the west side of Bosley Avenue across from subject property with special exception for offices.
  - C. Completion of plans for the widening of Bosley Avenue including condemnation of part of original parcel of subject property.
  - D. 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. Arbitrary line of demarcation between R-6 and R-A zones immediately south of subject property. R-A zone should have been extended north to Joppa Road, the natural boundary.
3. Need for variances after condemnation of approximately 50 feet by Baltimore County Maryland. There remains approximately 100 feet, in depth, of the property remaining. Extreme

hardship results in use of the property without variances requested in the petition.

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

Austin W. Brizendine  
Petitioner

## BUREAU OF ENGINEERING Zoning Plat - Comments

138. Property Owner: Austin Brizendine  
(1969-1970) Location: 1/3 Bosley Avenue, 220' N. of Alleghany Avenue

District: 9th  
Present Zoning: R-6  
Proposed Zoning: RA Special Exception for Offices  
No. Acres: 50 x 100

## Highways:

Bosley Avenue, an existing County street, will be improved under a County contract as a divided highway 88 feet wide with closed sections and flexible paving, on a 110-foot right-of-way. For highway right-of-way widening and slope easement regarding this property, see Baltimore County Right-of-Way Plat 22-65-193 and Sheet #6 of the construction drawings for Bosley Avenue, Job Order 5-201-1.

No highway improvements are required for Bosley Avenue at this time.

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

Since access to this property will be from the 20-foot alley, the entire 20-foot width will be required to be paved along the frontage of the property in connection with any subsequent building permit applications.

## Sediment Control:

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

The Applicant must provide necessary drainage facilities (temporary or otherwise) to prevent creating any nuisance or damage 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.

## Water:

Public water service is available to serve this property.

## Sanitary Sewers:

Public sanitary sewerage is available to serve this property.

## Other:

N-10 Key Sheet  
22-65-2 Position Sheet  
NE 10A Topo  
70 and 70A Tax

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hendricks, Director, Zoning Date: February 26, 1970

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

SUBJECT: Petition 70-166-RXA, Reclassification from R-6 to R-A. Special Exception for offices. Variances to permit a front yard of 15 feet instead of the required 30 feet; and a side yard on the north side of 4 feet and on the south side 17.5 feet instead of the required 25 feet. East side of Bosley Avenue 220 feet north of Alleghany Avenue. Austin W. Brizendine, Petitioner.

## 9th District

HEARING: Thursday, March 5, 1970 (11:00 A.M.)

The Planning staff and the Planning Board would recommend more intensive potentials for office use in its new maps than are being requested by the petitioner. As we commented for the property at the corner of Bosley and Alleghany Avenues we think that the best potentials for developing all of the property here would lie in getting a combination of coverages established here so as to build bigger buildings within the context of the present R-A zoning or within the context of our proposed new apartment zones.

GEG:ms

## BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

January 30, 1970

Austin Brizendine, Enquire  
115 Range Road  
Towson, Maryland 21204

RE: Type of hearing: Reclassification, Special Exception and Variance  
Location: 1/3 Bosley Avenue, 220' N of Alleghany Avenue  
Petitioner: Austin Brizendine  
Committee Meeting: January 20, 1970  
9th District  
Item 138

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 is presently improved with a dwelling, two story, which will ultimately be changed to provide for two story office building. The property to the north and the south is improved with dwellings as well as the properties to the west. However, the properties to the west, and including whole block on Bosley Avenue is presently zoned R-6, and carry a special exception for offices. The proposed site plan shows the ultimate widening of Bosley Avenue.

## BUREAU OF ENGINEERING:

## Highways:

Bosley Avenue, an existing County Street, will be improved under a County contract as a divided highway 88 feet wide with closed sections and flexible paving, on a 110-foot right-of-way. For highway right-of-way widening and slope easement regarding this property, see Baltimore County Right-of-Way Plat 22-65-193 and Sheet #6 of the construction drawings for Bosley Avenue, Job Order 5-201-1.

No highway improvements are required for Bosley Avenue at this time.

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

Since access to this property will be from the 20 foot alley, the entire 20 foot width will be required to be paved along the frontage of the property in connection with any subsequent building permit application.

Austin Brizendine, Enquire  
115 Range Road  
Towson, Maryland 21204  
Item 138 Page 2

January 30, 1970

## Sediment Control:

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

The Applicant must provide necessary drainage facilities (temporary or otherwise) to prevent creating any nuisance or damage 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.

## Water:

Public water service is available to serve this property.

## Sanitary Sewers:

Public sanitary sewerage is available to serve this property.

## DEPARTMENT OF TRAFFIC ENGINEERING:

The existing 20 foot alley is proposed as access to some of the parking. These alleys are satisfactory when used by only small and limited number of office buildings. However, as the number and the size increase, more problems can be expected from these alleys.

## BUILDING ENGINEERING OFFICE:

No comment until plans are submitted.

## FIRE DEPARTMENT:

Owner shall be required to comply with the 101 Life Safety Code, 1967 edition, Chapter 13, "Office Occupancies," and all other Fire Department requirements when construction plans are submitted for approval.

## PLANNING DIVISION:

This office has reviewed the subject site plan and offers the following comments:

1. The area has been recommended for R-A-2 on the Planning Board's comprehensive rezoning map.

Austin Brizendine, Enquire  
115 Range Road  
Towson, Maryland 21204  
Item 138 Page 3

January 30, 1970

2. The alley to the rear of the property must be paved to a width of 20 feet if it is to be used for any purpose other than dwelling use.
3. The Parking layout should be revised to park perpendicular to the side property lines to give better circulation.

## HEALTH DEPARTMENT:

Public water and sewers available to the site.

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

## BOARD OF EDUCATION:

No hearing on student population.

## ZONING ADMINISTRATION DIVISION:

The petitioner will be required to submit revised plans in accordance with the Project Planning Division's comments prior to the hearing.

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

Very truly yours,

Oliver L. MARS, Chairman

Office

Enclosure

11-2-70

CALLIUM FOR  
SPECIAL EXEMPTION  
AND VARIANCE  
NO DISTRICT  
ZONING: From R-1 to R-2  
For Office, Business and Professional  
Use of the Baltimore County  
Public Hearing: March 1, 1970  
LOCATION: East side of Bosley Ave.  
between 111 W. Chesapeake Ave. and  
111 W. Chesapeake Ave.  
DATE & TIME: THURSDAY,  
MARCH 5, 1970, 10:00 A.M.  
PUBLIC HEARING: March 1, 1970  
COUNTY OFFICE BUILDING, 111 W.  
CHESAPEAKE AVENUE, TOWSON, MARYLAND  
The Planning Commission of  
Baltimore County, Maryland, is hereby  
giving notice of the public hearing  
on the proposed special exemption  
and variance for the above  
described property. The public  
hearing will be held on the  
date and time specified above  
at the County Office Building,  
111 W. Chesapeake Avenue,  
Towson, Maryland. The  
purpose of the public hearing  
is to receive comments from  
the public on the proposed  
special exemption and variance.  
The Planning Commission will  
consider the proposed special  
exemption and variance at its  
meeting on March 1, 1970.  
If you wish to be heard, please  
appear at the public hearing  
on the date and time specified  
above. If you are unable to  
appear, you may submit a  
written statement of your  
comments to the Planning  
Commission by March 1, 1970.  
The Planning Commission will  
consider your comments at its  
meeting on March 1, 1970.  
If you have any questions,  
please contact the Planning  
Commission at (410) 326-1100.  
Feb. 12, 1970

# THE TOWSON TIMES

THIS IS TO CERTIFY, that the annexed advertisement of  
Edward D. Jefferman  
Zoning Commission of Baltimore County  
was inserted in THE TOWSON TIMES, a weekly newspaper published in  
Baltimore County, Maryland, once a week for one successive  
week before the 10th day of Feb. 1970 that is to say, the same  
was inserted in the issue of February 12, 1970.

STROMBERG PUBLICATIONS, Inc.

By *Bill Morgan*

PETITION FOR RECLASSIFICATION,  
SPECIAL EXEMPTION  
AND VARIANCE  
NINTH DISTRICT  
ZONING: From R-1 to R-2  
For Office, Business and Professional  
Use of the Baltimore County  
Public Hearing: March 1, 1970  
LOCATION: East side of Bosley Ave.  
between 111 W. Chesapeake Ave. and  
111 W. Chesapeake Ave.  
DATE & TIME: THURSDAY,  
MARCH 5, 1970, 10:00 A.M.  
PUBLIC HEARING: March 1, 1970  
COUNTY OFFICE BUILDING, 111 W.  
CHESAPEAKE AVENUE, TOWSON, MARYLAND  
The Planning Commission of  
Baltimore County, Maryland, is hereby  
giving notice of the public hearing  
on the proposed special exemption  
and variance for the above  
described property. The public  
hearing will be held on the  
date and time specified above  
at the County Office Building,  
111 W. Chesapeake Avenue,  
Towson, Maryland. The  
purpose of the public hearing  
is to receive comments from  
the public on the proposed  
special exemption and variance.  
The Planning Commission will  
consider the proposed special  
exemption and variance at its  
meeting on March 1, 1970.  
If you wish to be heard, please  
appear at the public hearing  
on the date and time specified  
above. If you are unable to  
appear, you may submit a  
written statement of your  
comments to the Planning  
Commission by March 1, 1970.  
The Planning Commission will  
consider your comments at its  
meeting on March 1, 1970.  
If you have any questions,  
please contact the Planning  
Commission at (410) 326-1100.  
Feb. 12, 1970

## CERTIFICATE OF PUBLICATION

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 successive weeks before the 10th  
day of February, 1970, the first publication  
appearing on the 10th day of February.

THE JEFFERSONIAN,

Manager

Cost of Advertisement, \$

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 974 Date of Posting: Feb. 12, 1970  
Posted to: Austin W. Brimbleton, Esq., 22 W. Kenna, Towson, Md.  
Petitioner: Austin W. Brimbleton, Esq., 22 W. Kenna, Towson, Md.  
Location of property: 111 W. Chesapeake Ave. between Bosley Ave. and 111 W. Chesapeake Ave.  
Location of Signs: 111 W. Chesapeake Ave. between Bosley Ave. and 111 W. Chesapeake Ave.  
Remarks: 70-166 R1A  
Posted by: *Charles D. Dyer* Signature: *Charles D. Dyer* Date of return: Feb. 20, 1970

Austin Brimbleton, Esq.  
22 W. Kenna, Towson, Maryland 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  
10th day of February, 1970

*David R. Dyer*  
Zoning Commissioner

Petitioner: Austin Brimbleton  
Petitioner's Attorney: *David R. Dyer* Reviewed by: *David R. Dyer*  
Chairman of Advisory Committee

TELEPHONE 823-3000 EXT. 307

INVOICE No. 69275  
DATE: Feb. 9, 1970

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

To: Austin W. Brimbleton, Esq.,  
22 W. Kenna, Towson, Md. 21204

REPORT TO ACCOUNT NO. 69-275

QUANTITY: 1  
TOTAL AMOUNT: \$20.00

DESCRIPTION: Petition for Reclassification, Special Exemption and Variance  
770-166 R1A

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

TELEPHONE 823-3000 EXT. 307

INVOICE No. 69330  
DATE: March 9, 1970

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

To: Austin W. Brimbleton, Esq.,  
22 W. Kenna, Towson, Md. 21204

REPORT TO ACCOUNT NO. 69-330

QUANTITY: 1  
TOTAL AMOUNT: \$20.75

DESCRIPTION: Advertising and posting of property  
770-166 R1A

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

