

PETITION FOR ZONING RE-CLASSIFICATION & VARIANCE AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Joseph H. Betz, Jr., 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 RA-6.86 zone to an RA-6.86 zone; for the following reasons:

Variance to Section 235.2 (232.2) to permit a sideyard setback of (0') instead of the required 25'.

Section 235.3 (232.3) to permit a rearward setback of (0') instead of the required 20'.

(See attached sheet)
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 of Baltimore County.

Contract purchaser: *Joseph H. Betz, Jr.*
Address: *1404 Mt. Airy Rd. Suite 27*

Legal Owner: *Joseph H. Betz, Jr.*
Address: *1404 Mt. Airy Rd. Suite 27*

Attorney's Address: *1404 Mt. Airy Rd. Suite 27*

Ordered By The Zoning Commissioner of Baltimore County, this 26th day of March, 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 held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 4th day of May, 1970, at 1:00 o'clock.

Witness my hand and the seal of Baltimore County, this 26th day of March, 1970.

Edward D. Hardesty
Zoning Commissioner of Baltimore County.

(over)

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
301 COURTLAND AVENUE
TOWSON, MARYLAND 21204

OFFICE: 820-2908

DESCRIPTION TO ACCOMPANY ZONING RECLASSIFICATION
PROPERTY OF JOSEPH H. BETZ & WIFE
AND
JOSEPH H. BETZ, JR. & WIFE

BEGINNING for the same at a point on the south side of Philadelphia Road (Route 7) at a distance of 243' from the intersection of the south side of Philadelphia Road and the west side of Golden Ring Road said point being at the end of the 3rd line of the land which by deed dated March 6, 1929 and recorded among the Land Records of Baltimore County in Liber WM 809 folio 100 was conveyed by Annetta Middleton (widow) to Joseph H. Betz and wife thence leaving the south side of Philadelphia Road and binding on the outlines of the land of Joseph H. Betz, Jr. and wife and on the land of Joseph H. Betz, Jr. and wife the five following courses and distances: 1) 158°00'E 135.0' 2) 155°12'W 46.3' 3) 137°28'E 31.0' 4) 152°32'W 150.00' and 5) 137°28'W 164.4' to the south side of Philadelphia Road, running thence and binding on the south side of Philadelphia Road N88°00'E 276.66' to the place of beginning.

CONTAINING 0.814 acres of land more or less.



E. F. Raphael
Registered Professional Land Surveyor

VA 8476

FRANK E. CICONE
Attorney At Law

FIRST NATIONAL BANK BLDG.
TOWSON, MARYLAND 21204

January 5, 1970

Mr. Edward D. Hardesty
Deputy Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Joseph H. Betz

Dear Mr. Hardesty:

I am filing a Petition in the above subject case and I wish to cite as a basis for the following Petition both error and change.

Comprehensive error was committed in the zoning map adopted for this district in that said map failed to take into consideration the fact that a non-conforming use as a garage existed on the subject property for many years prior to the adoption of the map. In addition, the property is bounded by the County park to the east and County school across the street. In short, this property is in the middle of public land with a very peculiar topography.

The following changes are:

1. 70-72-R - RA to BL
2. 69-91-R - R-6 to BL

Very truly yours,

Frank E. Cicone
Frank E. Cicone

FEC:kc

February 17, 1970
Frank E. Cicone, Esq.
First National Bank Building
Towson, Maryland 21204

RE: Type of Hearings Reclassification and Variance
Locations SE/3 Phila. Rd., NE/3 Gettman Avenue
Petitioner: Joseph H. Betz
Committee Meeting of February 3, 1970
15th District
Item 150

Dear Sirs:

The following is addendum to our Zoning Advisory Committee comments of February 11, 1970:

"The subject petition should increase the trip density approximately 200 trips per day. Since the land is presently being used for a garage, the effect on Phila. Rd. is limited. However, if this is the beginning of zoning changes to BL in this area, so as to expand the commercial area, then some traffic problems can be expected."

Very truly yours,

Oliver L. Myers
Oliver L. Myers, Chairman

OLM:JD

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 11, 1970

COUNTY OFFICE BLDG.
1118 CONVENT AVE.
TOWSON, MARYLAND 21204

OLIVER L. MYERS
Chairman

MEMBERS

SECRETARY OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROADS COMMISSION

FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

Frank E. Cicone
First National Bank Building
Towson, Maryland 21204

RE: Type of Hearings: Reclassification and Variance
Location: S/25 Philadelphia Road, N/25 Gettman Avenue
Petitioner: Joseph H. Betz
Committee Meeting: February 3, 1970
15th District
Item 150

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 an existing garage with a dwelling and several out-buildings. The property is presently fenced in with a chain-link fence approximately eight feet in height. The property to the north is improved with the Golden Ring Junior High School and a two story dwelling. The property to the east is improved with a two story frame dwelling, barn, and several out-buildings. The property to the west is improved with a house. The property to the south is improved with a Baltimore County Park area known as the Rosevale Park. Philadelphia Road at this location is not improved as far as concrete curb and gutter are concerned.

BOARD OF EDUCATION:

Philadelphias Road (Rd. 7) is a State Road; therefore, all improvements, intersections, and returns on this road will be subject to State Roads Commission Requirements.

Gettman Avenue, an unimproved street, was established on the plats of Gettman Heights, recorded in Liber M.C. 7 folio 170, and Liber L.R. 10, folio 27. The status of this street is indefinite and no highway improvements are contemplated at this time.

Frank E. Cicone
First National Bank Building
Towson, Maryland 21204
Item 150 Page 2

February 11, 1970

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.

Water:

Public water supply is available to serve this property.

Sanitary Sewer:

Public sanitary sewerage is not available to serve this property, and the Applicant is presently employing approved type sewage incinerators. However, public sanitary sewerage can be made available to serve this property by constructing a sanitary sewer extension, approximately 1200 feet in length from the existing 8 inch sanitary sewer in Kendrick Road, shown on Drawing #SL-1276, A-10.

BUILDING ENGINEERS' OFFICE:

Petitioner shall comply with Baltimore County Building Codes, Rules and Regulations.

FIRE DEPARTMENT:

Owner shall be required to comply with the 101 Life Safety Code, 1967 edition, Chapter 15-2 and all applicable requirements of the Fire Prevention Code.

HEALTH DEPARTMENT:

Public water is available to the site.

The present toilet facilities meet the approval of the Department of Health, however, we would like to be informed whether the proposed improvements will mean additional employees.

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

Frank E. Cicone
First National Bank Building
Towson, Maryland 21204
Item 150 Page 3

February 11, 1970

PROJECT PLANNING DIVISION:

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

1. The plans being formulated by the Planning Board does not indicate commercial use for this area.
2. The site plan must be revised to show the following:
 - a. The proper State Road right-of-way width of 60'.
 - b. What is to happen to the existing structures and gas pumps.
 - c. An 8 foot high compact fence in accordance with Section 405 A of the Zoning Regulations.
 - d. Better interior traffic circulation.
 - e. The entrances to the proposed garages.
 - f. Curbing must be provided for the parking areas.
3. A special exception for living quarters in a commercial structure is also required.

STATE ROADS COMMISSION:

According to the records of the State Roads Commission, the existing Right-of-Way of Philadelphia Road is 60' rather than 40', as indicated on the plan.

The entire frontage of the site must be curbed with combination curb and gutter. The roadside face of curb is to be 20' from and parallel to the centerline of Philadelphia Road.

There must be a minimum of 5' from the east property line to the P.C. of the radius return into the easterly entrance.

The plan must clearly indicate which existing buildings or portions thereof that are to be razed.

The plan must be revised prior to a hearing date being assigned.

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

Frank E. Cicone
First National Bank Building
Towson, Maryland 21204
Item 150 Page 4

February 11, 1970

BOARD OF EDUCATION:

A zoning change would only result in a loss of approximately two or three students.

ZONING ADMINISTRATION DIVISION:

This office is withholding a hearing date until such time as the comments by the State Roads Commission and Project Planning Division are complied with. The petitioner indicates an eight foot high compact screening around the entire perimeter of this site for the proposed service garage. However, this eight foot high compact screening is not sufficient to meet the Baltimore County Zoning Regulations. A eight foot high fence or wall will be required around the entire area of the service garage. The petitioner does not indicate whether the existing dwelling will still be in existence. If the petitioner proposes to retain a this dwelling area, a special exception will be required for living quarters in a commercial building. The petitioner's attorney should contact this office with regard to changing the petition if this is the proposal.

Very truly yours,

Oliver L. Myers
Oliver L. Myers
Chairman

OLM:mc

Enclosure

11-9-70

GOLDEN DUE JUNIOR HIGH SCHOOL

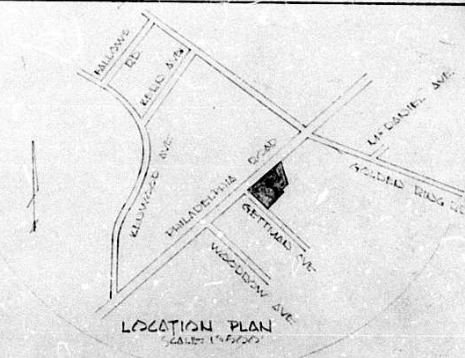
PUBLIC PROPERTY
NOT ZONED
(USE SCHOOL)

CITY OFFICE

ZONE Q-2A
(USE RES)

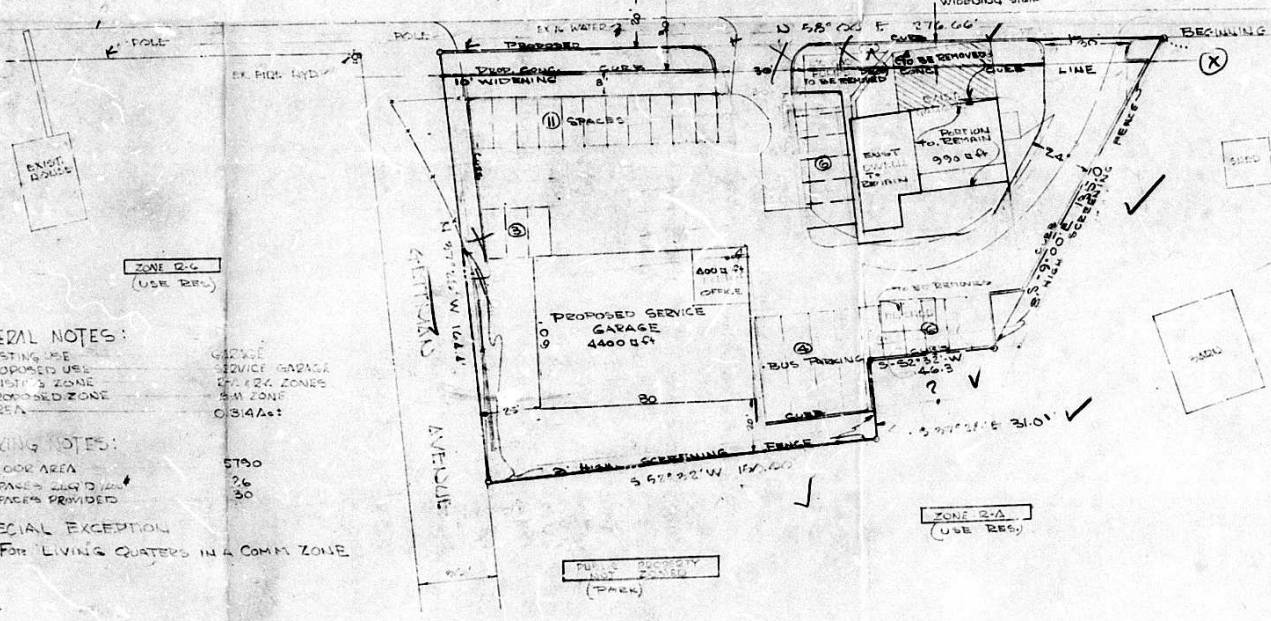
MAXIMUM
PERMIT
SIGN

ZONE B-1



GOLDEN DUE ROAD

EXISTING DRIVE
BUS LANE
EX. WATER
EX. W. WATER
EX. FIRE LANE
PHILADELPHIA ROAD



GENERAL NOTES:
EXISTING USE
PROPOSED USE
EXISTING ZONE
PROPOSED ZONE
AREA

EXISTING
SERVICE GARAGE
EXISTING ZONE
B-1 ZONE
0.344±

PARKING NOTES:
FLOOR AREA
SPACES
SPACES PROVIDED

5790
26
30

SPECIAL EXCEPTION
FOR LIVING QUARTERS IN A COMM ZONE

ZONE Q-2A
(USE RES)

PUBLIC PROPERTY
(PARK)

✓ #70-20512A
OFFICE COPY



REVISED PLANS
#150

MAP
4-B
NORTH -
EASTERN
AREA
NE-4-F
B-1

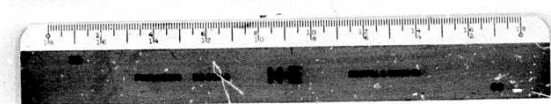
PLAT TO ACCOMPANY ZONING PETITION
3845 PHILADELPHIA ROAD

ELECTION DISTRICT NO 15 BALTIMORE COUNTY MD
SCALE 1"=20' MARCH 3 1970

E. P. RAFFEL & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS
201 GREENFIELD AVE.
BOWEN, MARYLAND 21030

NOTED
BY AGENCY PARTIAL REVIEW
RECOMMENDATION FOR REVIEW

E. P. Raffel
LAND SURVEYOR



GOLDEN RING JUNIOR HIGH SCHOOL

PUBLIC PROPERTY (SCHOOL)

2A ZONE (CARE RES)

MAGADAM PARKING AREA

2B ZONE

ROAD

25% T

ROAD

2B ZONE

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY *[Signature]*
DATE *11/5/79*
ZONING COMMISSIONER
DATE *11/5/79*

REVISED PLAT
PLAT TO ACCOMPANY BUILDING PERMIT APPLICATION
BETZ GARAGE INC.

ELECTION DIST NO. 15
SCALE 1"=30'

SALIS COUNTY, MD
NOVEMBER 3, 1979

NOTE:

NOT A SURVEY PLOTTED FROM DEEDS,
PLATS AND OTHER SOURCE.

GENERAL NOTES:

EXISTING USE
PROPOSED USE
PLANNING ZONE
PROPOSED ZONE
AREA

PARKING NOTES:

FLOOD AREA
SPACE REQUIRED PER CAR
SPACES PROVIDED

SPECIAL EXCEPTIONS:

10% LIVING QUARTERS IN A COMM. ZONE.



E. F. RAPHEL & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS
201 COUNTRYLAND AVE
TOWSON, MARYLAND 21204

