

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, James Nelson S. Kiser, Secretary of the Estate of Fletcher C. Cloman, of the County of Baltimore, Maryland, do 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-6 zone to an R-6 zone; for the following reasons: for the creation of retail stores.

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 my agent, agree to pay expenses of above re-classification 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: James Nelson S. Kiser Legal Owner
Address: 200 W. Pennsylvania Avenue, Towson, Maryland 21204
Petitioner's Attorney: John D. Brennan Protester's Attorney: John D. Brennan
Address: 200 W. Pennsylvania Avenue, Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of July, 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 Commission of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 20th day of August, 1970, at 11:00 a.m.

Edward W. Harder
Zoning Commissioner of Baltimore County.

(over)

MEMORANDUM IN SUPPORT OF CHANGE IN ZONING

The Estate of J. Fletcher Cloman,
Deceased

This Estate is the subject of the Probate of the Last Will and Testament of J. Fletcher Cloman who died on July 27, 1968.

The Real Property Inventory was filed in November of 1969. By letter dated December 9, 1969 the Register of Wills of Baltimore County advised that the payment of the inheritance tax was overdue. Such tax cannot be paid, however, as the Estate does not have sufficient funds available.

In view of the expiration of time it is mandatory under Maryland law that the tax be paid and the Estate be closed of record. Therefore, this is an emergency situation and it is respectfully requested that the Planning Board make prompt Certification to the Baltimore County Council for approval of such emergency status and for speedy determination.

James Nelson S. Kiser
KISR & KISR
200 W. Pennsylvania Avenue
Towson, Maryland 21204
VA 3-3414/3415

PETITION FOR RECLASSIFICATION
N&S of Belair Road, 2400' N of
Sunshine Avenue - 11th District
Estate of Fletcher Cloman -
Petitioner
NO. 71-53-R (Item No. 335)

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF

BALTIMORE COUNTY

AMENDED ORDER

It is hereby ORDERED by the Deputy Zoning Commissioner of Baltimore County this 15th day of December, 1970, that the Order dated September, 1970, passed in this matter is hereby AMENDED to reclassify the following described property from an R-6 Zone to an R-6 Zone, from and after the date of this Order:

Beginning for the same at a point in the centerline of Belair Road Northeastly 2400 Feet, more or less, from the intersection formed by the centerline of Belair Road and the centerline of Sunshine Avenue, said point being also at the end of the second line of land which died dated November 28, 1942 and recorded among the Land Records of Baltimore County in Liber R.J.S. 1269, folio 95 was conveyed by Helena Lebo and Husband to Ernestina Cloman and husband, thence leaving the centerline of Belair Road and running on the outline of the aforesaid deed, the four (4) following courses and distances viz, (1) South 5 Degrees 30 Minutes 00 Seconds East 335 Feet, more or less, (2) North 19 Degrees 00 Seconds East 760 Feet, more or less, (3) North 6 Degrees 10 Minutes 00 Seconds West 95 Feet, more or less, (4) North 74 Degrees 30 Minutes 00 Seconds West 290.10 Feet to the centerline of Belair Road, running thence and binding, on the centerline of Belair Road the two (2) following courses and distances viz, (1) South 20 Degrees 30 Minutes 00 Seconds West 217.60 Feet and (2) South 19 Degrees 00 Minutes 00 Seconds West 508.20 Feet to the places of beginning.

Being part of the land which by deed dated November 28, 1942 and recorded among the Land Records of Baltimore County in Liber R.J.S. 1269 folio 95, was conveyed by Helena Lebo and Husband to Ernestina Cloman and Husband.

Said descriptions as set forth on the plat attached hereto, and marked in red as Exhibit A.

The same is subject to the approval of the site plan by the State Roads Commission, the Bureau of Public Services and the Office of Planning and Zoning.

John D. Brennan
Deputy Zoning Commissioner of
Baltimore County

RE: PETITION FOR RECLASSIFICATION
N&S of Belair Road, 2400' N of Sun-
shine Avenue - 11th District
Estate of Fletcher Cloman - Petitioner
NO. 71-53-R (Item No. 335)

BEFORE THE

DEPUTY ZONING

COMMISSIONER

OF

BALTIMORE COUNTY

The Petitioner requests a Reclassification of a parcel of property consisting of 9.3 acres, more or less, from an R-6 zone to a BL zone.

Without reviewing the evidence in detail, but based on all the evidence presented at the hearing, the Petitioner proved to the Deputy Zoning Commissioner that there is sufficient changes in the area to warrant this change in classification. The Office of Planning and Zoning recommended a depth of 300 feet parallel to Belair Road. The Deputy Zoning Commissioner concurs in this recommendation.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 15th day of September, 1970, that that portion of the subject property parallel to and 300 feet from, measured at right angles from the east side of Belair Road as widened, should be and the same is hereby reclassified from an R-6 zone to a BL zone, from and after the date of this Order, subject to the approval of the site plan by the State Roads Commission, the Bureau of Public Services and the Office of Planning and Zoning.

John D. Brennan
Deputy Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Harder, Zoning Commissioner
FROM: Mr. George E. Gavelis, Director of Planning

SUBJECT: Petitioner #71-53-R. Northeast side of Belair Road 2400 feet north of Sunshine Avenue. Petition for reclassification from R-6 to B.L. Estate of Fletcher Cloman - Petitioner

11th District

HEARING: Thursday, August 20, 1970 (11:00 a.m.)

The Staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 to B.L.

In making its recommendations for comprehensively rezoning this portion of the County, the Planning Board is recommending an expansion of commercial zoning which would embrace portions of the subject property as well as property on the other side of Belair Road which is developed as a non-conforming motel. The Planning Board has recommended a rectangular expansion of commercial zoning embracing an area roughly 300 feet square on this property adjacent to the existing business, local zoning.

We feel that this is sufficient to accommodate the reasonable needs of the area. Such zoning would allow office. Additional parking could be permitted, if required, by use permit on the remaining residentially zoned portions of the tract.

GEG:msh

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
201 COUNTRYLAND AVENUE
TOWSON, MARYLAND 21204

REFERENCE 771-410
April 30, 1970

DESCRIPTION TO ACCOMPANY ZONING RECLASSIFICATION
R - 6 to BL
CLOMAN PROPERTY
11th ELECTION DISTRICT
BALTIMORE COUNTY

BEGINNING for the same at a point in the centerline of Belair Road northeasterly 2400' from the intersection formed by the centerline of Belair Road and the centerline of Sunshine Avenue, said point being also at the end of the second line of the land which by deed dated November 28, 1942 and recorded among the Land Records of Baltimore County in Liber RJS 1269, folio 95, was conveyed by Helena Lebo and husband to Ernestina Cloman and husband, thence leaving the centerline of Belair Road and running on the outline of the aforesaid deed, the three following courses and distances: 1) 558°30'00" 752.40' 2) 74°40'00" 1009.80' 3) 74°30'00" 290.40' to the centerline of Belair Road running thence and binding on the centerline of Belair Road the two following courses and distances: 1) 520°30'00" 217.60' and 2) 19°00'00" 508.20' to the place of beginning.

CONTAINING 9.3 acres of land more or less.

BEING all of the land which by deed dated November 28, 1942 and recorded among the Land Records of Baltimore County in Liber RJS 1269, folio 95, was conveyed by Helena Lebo and husband to Ernestina Cloman and husband.



E. F. Raphael
Eugene F. Raphael
Reg. Professional Land
Surveyor

TELEPHONE 484-2413		INVOICE		No. 73710	
BALTIMORE COUNTY, MARYLAND		BALTIMORE COUNTY, MARYLAND		DATE July 27, 1970	
OFFICE OF FINANCE		OFFICE OF FINANCE			
Revenue Division		Revenue Division			
COUNT HOUSE		COUNT HOUSE			
TOWSON, MARYLAND 21204		TOWSON, MARYLAND 21204			
To: Mr. George E. Gavelis, Director of Planning		To: Mr. George E. Gavelis, Director of Planning			
From: Mr. Edward D. Harder, Zoning Commissioner		From: Mr. Edward D. Harder, Zoning Commissioner			
Subject: Petitioner #71-53-R. Northeast side of Belair Road 2400 feet north of Sunshine Avenue. Petition for reclassification from R-6 to B.L. Estate of Fletcher Cloman - Petitioner		Subject: Petitioner #71-53-R. Northeast side of Belair Road 2400 feet north of Sunshine Avenue. Petition for reclassification from R-6 to B.L. Estate of Fletcher Cloman - Petitioner			
11th District		11th District			
HEARING: Thursday, August 20, 1970 (11:00 a.m.)		HEARING: Thursday, August 20, 1970 (11:00 a.m.)			
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In making its recommendations for comprehensively rezoning this portion of the County, the Planning Board is recommending an expansion of commercial zoning which would embrace portions of the subject property as well as property on the other side of Belair Road which is developed as a non-conforming motel. The Planning Board has recommended a rectangular expansion of commercial zoning embracing an area roughly 300 feet square on this property adjacent to the existing business, local zoning.		In making its recommendations for comprehensively rezoning this portion of the County, the Planning Board is recommending an expansion of commercial zoning which would embrace portions of the subject property as well as property on the other side of Belair Road which is developed as a non-conforming motel. The Planning Board has recommended a rectangular expansion of commercial zoning embracing an area roughly 300 feet square on this property adjacent to the existing business, local zoning.			
We feel that this is sufficient to accommodate the reasonable needs of the area. Such zoning would allow office. Additional parking could be permitted, if required, by use permit on the remaining residentially zoned portions of the tract.		We feel that this is sufficient to accommodate the reasonable needs of the area. Such zoning would allow office. Additional parking could be permitted, if required, by use permit on the remaining residentially zoned portions of the tract.			
GEG:msh		GEG:msh			

TELEPHONE 484-2413		INVOICE		No. 73793	
BALTIMORE COUNTY, MARYLAND		BALTIMORE COUNTY, MARYLAND		DATE July 27, 1970	
OFFICE OF FINANCE		OFFICE OF FINANCE			
Revenue Division		Revenue Division			
COUNT HOUSE		COUNT HOUSE			
TOWSON, MARYLAND 21204		TOWSON, MARYLAND 21204			
To: Mr. George E. Gavelis, Director of Planning		To: Mr. George E. Gavelis, Director of Planning			
From: Mr. Edward D. Harder, Zoning Commissioner		From: Mr. Edward D. Harder, Zoning Commissioner			
Subject: Petitioner #71-53-R. Northeast side of Belair Road 2400 feet north of Sunshine Avenue. Petition for reclassification from R-6 to B.L. Estate of Fletcher Cloman - Petitioner		Subject: Petitioner #71-53-R. Northeast side of Belair Road 2400 feet north of Sunshine Avenue. Petition for reclassification from R-6 to B.L. Estate of Fletcher Cloman - Petitioner			
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GEG:msh		GEG:msh			

02-26-71

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

July 29, 1970

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204OLIVER L. MYERS
Chairman

MEMBERS

BUREAU OF ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROADS COMMISSIONBUREAU OF
THE ENVIRONMENT
HEALTH DEPARTMENT
PROJECT PLANNINGBUREAU OF EDUCATION
ZONING ADMINISTRATION
SCHOOL DEVELOPMENTJohn J. Brennan, Esq.
Loyola Federal Building
Towson, Maryland 21204RE: Type of Hearing: Reclassification
from an R6 zone to an R1 zone
Location: E5 Belair Road, 2400' No.
of Sunshine Avenue
Petitioners: Nelson R. Kerr (Exec.
for Fletcher Clonar
11th District
Item 335

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 properties to the east, north, and a portion of the property to the south are improved with dwellings, as well as the property to the west. The portion of the property to the south that fronts on Belair Road is zoned Business Local and is improved with offices. Belair Road in this location is not improved as far as concrete curb and gutter are concerned.

BUREAU OF ENGINEERING

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Belair Road is a State road; therefore, all improvements, intersections, and entrances on this road will be subject to State Roads Commission requirements.

Storm Drains:

The petitioner must provide necessary drainage facilities (temporarily or permanently) to prevent creating any nuisances or damages to adjacent properties, especially

John J. Brennan, Esq.
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July 29, 1970

Storm Drains: (Continued)

by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

Belair Road is a State Road; therefore, drainage requirements as they affect the road come under the jurisdiction of the Maryland State Roads Commission.

Sediment Control:

Development of this property through striping, 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 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.

Water:

Public water is not available to serve this property. Therefore, a private well system must be provided in conformance with Health Department requirements.

Sewer:

Public sewers are not available to serve this property; therefore, a private sewage system must be provided. Soil tests must be conducted on the site prior to approval of any subsequent building permit or grading applications in accordance with Department of Health requirements.

DEPARTMENT OF TRAFFIC ENGINEERING

The subject petition is requesting a change from R6 to R1 of 9.3 acres. This should increase the trip density from 475 to 4600 trips per day.

Due to the relatively low volume of Belair Road this far out, this site should not exceed the capacity of Belair Road. However,

John J. Brennan, Esq.
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July 29, 1970

DEPARTMENT OF TRAFFIC ENGINEERING (Continued)

based on the entrance configuration shown, some problems may be created with turning movements into and out of the subject site. With the addition of additional commercial development in Kingsville proper in the future, some capacity problems may occur.

BOARD OF EDUCATION:

Would result in a loss of students and, therefore, would not increase the student population.

BUILDING ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements of the Baltimore County Building Code and regulations when plans are submitted. Also, see parking lots "Section 409.10H".

DEPARTMENT OF HEALTH:

1. A geological study should be conducted to determine if an adequate water supply can be obtained.

2. Soil percolation tests must be conducted to determine the suitability of the soil for underground sewage disposal.

Items 1 and 2 must be completed prior to a hearing date being assigned.

STATE ROADS COMMISSION:

There is poor stopping sight distance at the proposed southerly entrance at the subject property due to an over-vertical curve (hill) to the north; therefore, the entrance must be located at the south property line to provide better sight distance.

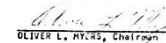
The plan must be revised prior to a hearing date being assigned.

Access to Bel Air Road will be subject to State Roads Commission approval and permit.

ZONING ADMINISTRATION DIVISION:

This office strongly recommends that the above comments by the different agencies be complied with on revised plans prior to the hearing.

Very truly yours,


OLIVER L. MYERS, Chairman
OLM:JD
EncCERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#71-532

District: 11th
Post d for: Nelson R. Kerr (Exec. for Fletcher Clonar)
Attorney: Edward D. Hardisty
Location of property: NE 1/4 of Belair Rd. at 2400' No. of Sunshine Ave.
Remarks: Final 11th Year
Posted by: [Signature]
Date of return: Aug. 6, 70

PETITION FOR
RECLASSIFICATION
11th DISTRICT
FROM R6 TO R1
LOCATION: E5 Belair Road, 2400' No. of Sunshine Avenue
Petitioners: Nelson R. Kerr (Exec. for Fletcher Clonar)
11th District
Item 335

THE TOWSON TIMES

724 YORK ROAD
TOWSON, MD. 21204

August 3 - 1970

THIS IS TO CERTIFY, that the annexed advertisement of

Edward D. Hardisty
Zoning Commissioner of Baltimore County
TOWSON
was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 3rd day of August 1970 that is to say, the same was inserted in the issue of July 30, 1970.

STROMBERG PUBLICATIONS, Inc.

By: [Signature]

PETITION FOR RECLASSIFICATION
11th DISTRICT

ROOMING: From R6 to R1
LOCATION: E5 Belair Road, 2400' No. of Sunshine Avenue
Petitioners: Nelson R. Kerr (Exec. for Fletcher Clonar)
11th District
Item 335

The Zoning Commissioner of Baltimore County, by authority of the Board of Commissioners of Baltimore County, do hereby certify that the petition of Nelson R. Kerr (Exec. for Fletcher Clonar) for the reclassification of the property located at E5 Belair Road, 2400' No. of Sunshine Avenue, from R6 to R1, was received by the Zoning Department of Baltimore County on July 29, 1970, and that the same was published in the TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 3rd day of August 1970 that is to say, the same was inserted in the issue of July 30, 1970.

Edward D. Hardisty
Zoning Commissioner of Baltimore County
July 29, 1970

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 30, 1970

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 One (1) issue before the 20th day of August 1970, the first publication appearing on the 30th day of July 1970.

THE JEFFERSONIAN.

Manager.

Cost of Advertisement, \$

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
John J. Brennan, Esq.
Loyola Federal Building
Towson, Maryland 21204
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this

14th day of July 1970

Edward D. Hardisty
Zoning Commissioner

Petitioner: Nelson R. Kerr (Exec. for Fletcher Clonar)
Petitioner's Attorney: John J. Brennan, Esq.
Reviewed by: [Signature]
Chairman of the Advisory Committee

GENERAL NOTES:

AREA OF PROPERTY
BARRING LINE
PROPOSED LINE
EXISTING ZONE
PROPOSED ZONE

8.761
RESIDENCE
DETAIL BUILDING
D-2 ZONE
P-1 ZONE

PARKING NOTES:

TOTAL AREA OF PLOTS
CROSS
DETAIL 1.6 PER 200

60,280.4
REQ'D 302
PROVIDED 409

LOCATION PLAN
SCALE 1"=200'

RESIDENCE
RESIDENCE

RESIDENCE
RESIDENCE

#71-53R

OFFICE
COPY

MAP
11-C
BL

EXHIBIT
"A"

DO NOT DESTROY

PLAT TO ACCOMPANY ZONING PETITION

CLOMAN PROPERTY

ELECTION DIST.
SCALE 1"=50'

EXHIBIT A

BALTO. CO. MD.
APRIL 30, 1970

E.F. RAPHAEL & ASSOCIATES

REGISTERED PROFESSIONAL LAND SURVEYOR
220 CONSTITUTION AVENUE
BETHESDA, MARYLAND 20814

NOTE:
NOT A SURVEY, PLOTTED FROM
DEEDS, PLATS, & OTHER SOURCES.

