

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
JOHN W. HUBER and GEORGE J. HUBER, Executors of the Estate of
BARBARA KAHN HUBER, 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-A, R-10 and R-20 zone to an
B-R zone; for the following reasons:
This property is situated on Belair Road at the intersection of
Schroeder Avenue in Perry Hall in the 11th Election District. Con-
tiguous property is commercial and in the immediate vicinity are
numerous business places; in fact, the entire area is and has been
used for commercial purposes. The present zoning is not realistic.

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 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
Address

Legal Owner
Address
Protestant's Attorney
Address

ORDERED BY The Zoning Commissioner of Baltimore County, this 28th 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 through-
out Baltimore County, that property be posted, and that the public hearing be held before the Zoning
Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore
County, on 11th day of August, 1970, at 10:00 o'clock.

Edward R. Hardesty
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR RECLASSIFICATION :
12 corner of Belair Road and
Schroeder Avenue - 11th District :
Estate of Barbara K. Huber -
Petitioner :
NO. 71-74-R (Item No. 217) :
BALTIMORE COUNTY

The Petitioner seeks a Reclassification from R-A, R-10 and R-20
Zones to a B-R Zone for a parcel of property located on the northwest corner
of Belair Road and Schroeder Avenue, in the Eleventh District, consisting of
7.84 acres of land, more or less.

Without reviewing the evidence in detail but based on all the
evidence presented at the hearing, it is the Deputy Zoning Commissioner's
opinion that there has been a substantial change in the character of the
neighborhood. It is also the opinion of the Deputy Zoning Commissioner that
the total tract of land petitioned for, should not be reclassified to a B-R
Zone in that a buffer should be established between the B-R Zone granted and
the residential properties to the west.

It is ORDERED by the Deputy Zoning Commissioner of Baltimore County
this 12th day of December, 1970, that the herein described property or
area should be, and the same is hereby reclassified from R-A, R-10 and R-20
Zones to a B-R Zone, for and after the date of this Order for the following
described property:

Beginning for the same at the intersection of the centerline
of Schroeder Avenue with the centerline of Belair Road, running
thence and binding on the centerline of Belair Road, the two (2)
for joining courses and distances viz: North 51 degrees 00 minutes
east 287 feet and by a curve toward the left having a radius of
7991.79 feet an arc distance of 193.20 feet, thence leaving the
centerline of Belair Road and running North 11 degrees 00 minutes
West 350 feet, thence South 15 degrees 00 minutes West 500 feet,
thence South 10 degrees 00 minutes East 85 feet thence South
15 degrees 00 minutes West 200 feet to the centerline of Schroeder
Avenue, thence binding on the centerline of Schroeder Avenue,
South 11 degrees 00 minutes East 250 feet to the centerline of Belair
Road and the place of beginning.

It is further ORDERED that a permit for parking in a residential
zone as per Section 109.4 of the Baltimore County Zoning Regulations having
been complied with, be granted for the following described property:

Beginning for the same at a distance of 780.20 feet
Northwesterly from the centerline of Schroeder Avenue, with
the centerline of Belair Road and Northwesterly 350 feet
from the centerline of Belair Road, thence running North
11 degrees 00 minutes West 155 feet, thence South 10 degrees
00 minutes West 500 feet, thence South 11 degrees East 155
feet, thence running North 10 degrees 00 minutes East 500 feet
to the place of beginning.

The parking permit in a residential zone must be in accordance with the plat
dated March 27, 1970, and approved December 11, 1970, by George E. Gavrellis,
Director of the Office of Planning and Zoning for Baltimore County, said plat
having been filed as Exhibit "A" in this proceeding, and which is incorporated
by reference hereto as a part of this Order, from and after the date of this
Order.

All of the above are 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.

Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE 12/22/70
BY [Signature]

MEMORANDUM IN SUPPORT OF CHANGE OF ZONING

The Estate of Barbara Kahn
Huber, Deceased

This property is subject to the jurisdiction of the
Orphans' Court for Baltimore County and prompt resolution of the
matter is absolutely necessary. The Orphans' Court has granted
several extensions of time within which to file the Administration
account, but the situation is now one of emergency and it is re-
spectfully requested that this matter be sent from the Planning
Board with its certification, to the Baltimore County Council.

The tract contains 7-1/2 acres, more or less, and is
situate on Belair Road at the intersection of Schroeder Avenue
in Perry Hall in the 11th Election District. All of the contiguous
properties are now and have been used for many years for commercial
purposes. The present zoning is not realistic and zoning re-
classification is appropriate.

Wilson B. Kerr
Kerr & Kerr
210 W. Pennsylvania Avenue
Towson, Maryland 21204
VA 3-3414-3415

Attorneys for
John W. Huber and
George J. Huber, Co-Executors
of the Estate of
Barbara Kahn Huber,
Deceased

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 5, 1970

Messrs. Kerr & Kerr
210 W. Pennsylvania Avenue
Towson, Maryland 21204

Type of Hearing: Reclassification
from an RA and/or other zone to an
BR zone
Locations: N/W Cor. Belair Rd. & Schroeder
Avenue
Petitioners: John W. Huber (Exec. estate of
Barbara Huber)
Committee Meeting of April 14, 1970
11th District
Item 217

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 proposed site is presently an unimproved tract
of land. The property to the east is improved with a non-
conforming use service station and service garage with a
dwelling to the rear. The property to the north is presently
vacant land and is zoned residential. The property to the
west is improved with dwellings, 10 to 20 years of age, in
good repair, with an existing fruit stand which fronts on
Belair Road. The property to the south is presently zoned
RA and BL and is improved with a florist and nursery operation.
Belair Road and Schroeder Avenue in this location are not
improved as far as concrete curb and gutter are concerned.

BUREAU OF ENGINEERING:

The following comments are furnished in regard to the
plat 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.

Messrs. Kerr & Kerr
210 W. Pennsylvania Avenue
Towson, Maryland 21204
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Highways: (Continued)

The proposed Gunvier Road (Proctor Lnd.) will intersect Belair Road
within this site. Gunvier Road is proposed as a 50' curbed roadway on
a 80' right-of-way. Channelization is required at the intersection
with Belair Road. This will necessitate a 100' right-of-way from
Belair Road northwesterly approximately 300' to a point where the
right-of-way can then taper to an 80' right-of-way.

Schroeder Avenue, an existing road, shall ultimately be improved
as a 30' curbed street on a 50' right-of-way.

Highway rightway and improvements will be required in connection
with the development of this site.

Storm Drains:

The petitioner must provide necessary drainage facilities (temporary
or permanent) 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 improper
installation of drainage facilities, would be the full responsibility of
the petitioner.

A study will be required at the time this site is developed to
determine the drainage easements and structures necessary.

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.

Waters:

A 12" water main exists in Belair Road at Old Forge Road. A 24"
water main is proposed to be constructed northerly beyond this site
within a few years. The 24" water main extension required to serve this
site would be approximately 1300'.

Messrs. Kerr & Kerr
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Item 217

Sanitary Sewer:

Public sanitary sewer facilities are not available at this time.
Private sewer disposal will be required in accordance with the Health
Department standards.

PROJECT PLANNING DIVISION:

The area for storage of damaged and disabled motor vehicles with
proper screen fencing as required by Section 405 A of the Baltimore
County Zoning Regulations is required by this office after reviewing the
plan.

DEPT. OF TRAFFIC ENGINEERING:

Since the acreages of the existing zoning are not shown on the
subject plan, existing trip density cannot be obtained. However, as
BR, the subject site can be expected to generate 5800 trips per day.
The subject plan also does not show correctly proposed improvements
to Belair road or Proctor Road. The number and location of the entrances
shown are questionable can be expected to require change, should a
building permit be issued.

BOARD OF EDUCATION:

Rezoning would not increase student population.

BUILDING ENGINEER'S OFFICE:

Petitioner to meet all applicable requirements of Baltimore County
Building Code and Regulations when plans are submitted.

FIRE DEPARTMENT:

Owner shall be required to comply with all applicable requirements
of the 101 Life Safety Code, 1957 edition, and the Fire Prevention
Code when construction plans are submitted for approval.

Fire hydrants on the proposed site are required and must be in
accordance with Baltimore County Standards.

HEALTH DEPARTMENT:

This office will not approve this operation at this location until such
time as public utilities are made available.

Messrs. Kerr & Kerr
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STATE ROADS COMMISSION:

The proposed entrances into the subject site must consist of
depressed curb type. The plan indicates a width of 30' for the
northerly entrance. A width of 30' would be sufficient to serve
the type of business proposed.

The radius returns into existing Schroeder Avenue and proposed
Proctor Road must be established on a 30' radius.

The plan should be revised in accordance with the foregoing
comments.

Entrances will be subject to State Roads Commission approval and
permit.

ZONING ADMINISTRATION:

This office is withholding a hearing date until such time as
revised plans are submitted indicating the following:

1. Revised plans in conformance with State Roads
Commission comments in the foregoing.
2. Revised plans in accordance with Bureau of
Engineering comments in the foregoing.

Some thought should be given by the petitioner with regard to subject
petition, since the comments by the Health Department indicate that no
use would be approved on this site until public water and sewer are
made available.

Very truly yours,

Oliver L. Myers, Chairman

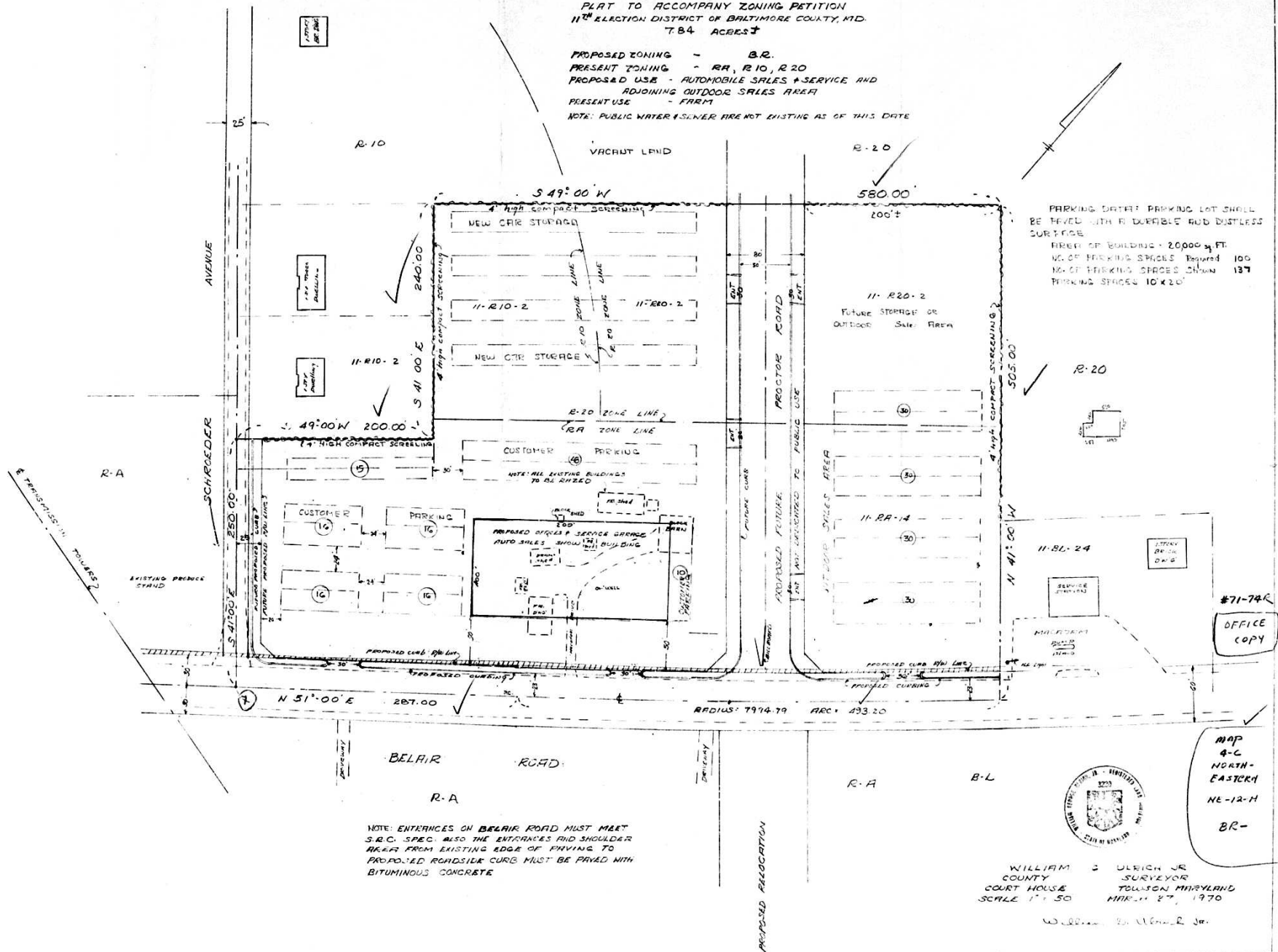
OLM:JD

Enc.

FOR THE PURPOSE OF ZONING ONLY
 PLAT TO ACCOMPANY ZONING PETITION
 11TH ELECTION DISTRICT OF BALTIMORE COUNTY, MD.
 7.84 ACRES

PROPOSED ZONING - B.R.
 PRESENT ZONING - RA, R10, R20
 PROPOSED USE - AUTOMOBILE SALES + SERVICE AND
 ADJOINING OUTDOOR SALES AREA
 PRESENT USE - FARM

NOTE: PUBLIC WATER + SEWER ARE NOT EXISTING AS OF THIS DATE



PARKING DATA: PARKING LOT SHALL BE PAVED WITH A DURABLE AND DUSTLESS SURFACE

AREA OF BUILDING - 20,000 sq. FT.
 NO. OF PARKING SPACES Required 100
 NO. OF PARKING SPACES Shown 137
 PARKING SPACES 10' x 20'

#71-74R
 OFFICE
 COPY

MAP
 4-C
 NORTH-
 EASTERN
 NE-12-H
 BR-



WILLIAM J. DUBOIS JR.
 COUNTY SURVEYOR
 COURT HOUSE
 SCALE 1" = 50'
 MAR 11 27, 1970

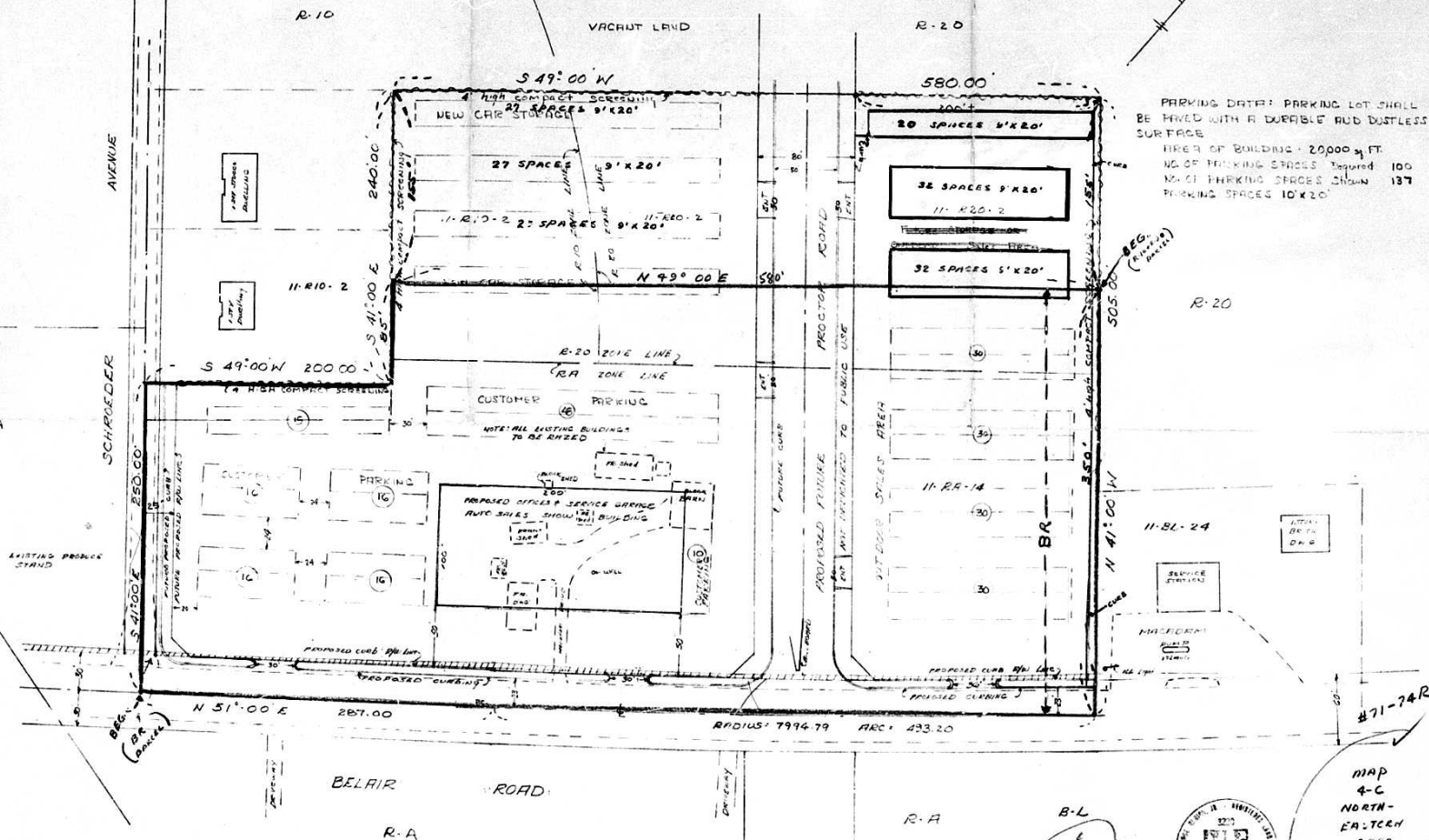
WILLIAM J. DUBOIS JR.



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NOTE: ENTRANCES ON BELAIR ROAD MUST MEET
 S.R.C. SPEC. ALSO THE ENTRANCES AND SHOULDER
 AREA FROM EXISTING EDGE OF PAVING TO
 PROPOSED ROADSIDE CURB MUST BE PAVED WITH
 BITUMINOUS CONCRETE

OFFICE
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WILLIAM B. UHLER JR.
 COUNTY SURVEYOR
 COURT HOUSE
 SCALE 1" = 50'
 TOLSON MARYLAND
 MARCH 27, 1970

William B. Uhler Jr.

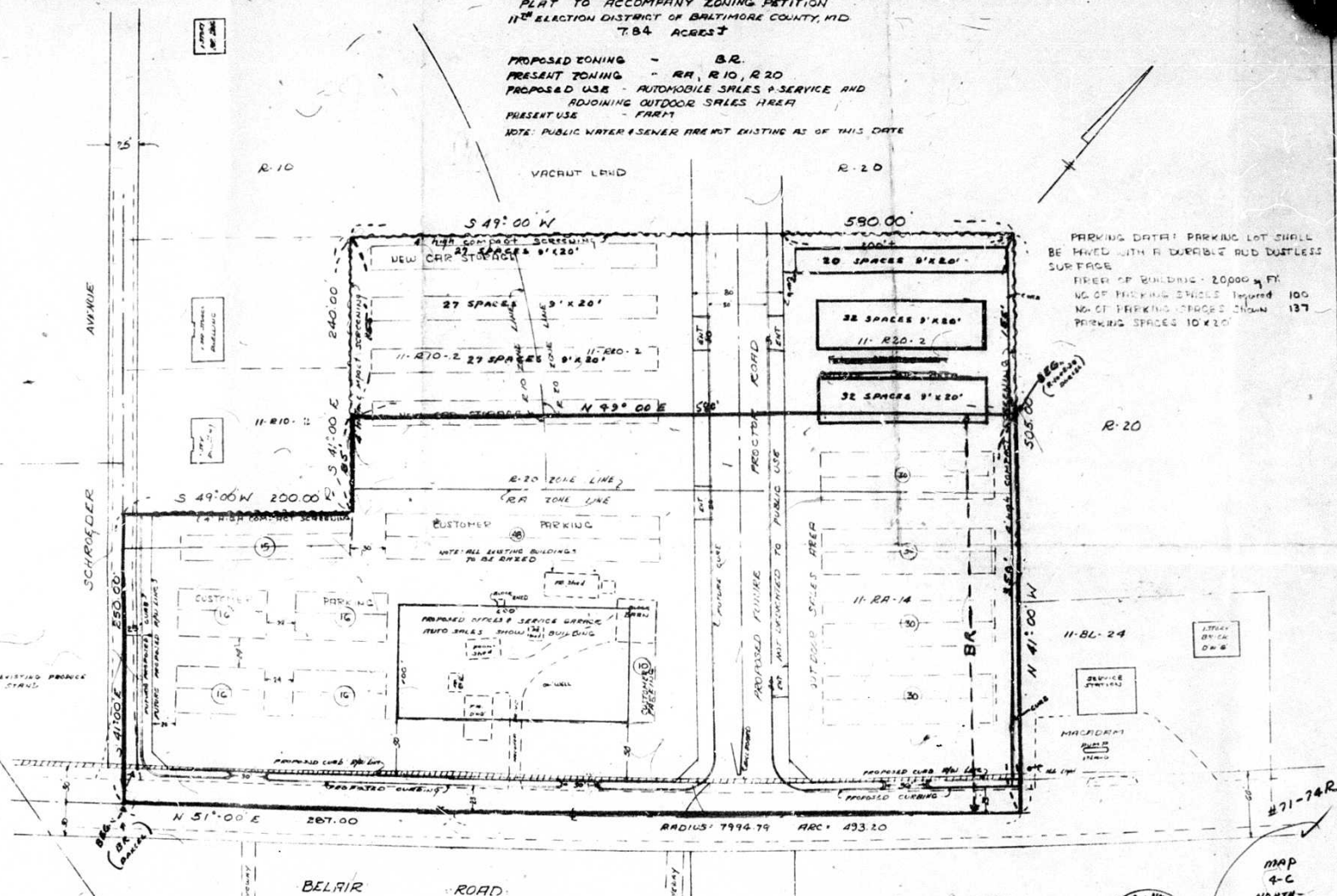
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PLANS APPROVED
 OFFICE OF PLANNING & ZONING
 BY: *[Signature]*
 DATE: 12/16/70

NOTE: This approval is for Planning Office.
 A new site plan must be submitted
 for approval by Balto. Co. State Court House
 Roads Commission relative to
 number of points of access, proper
 street lighting & general layout.

OFFICE
 COPY



WILLIAM J. SURVEYOR
 TOWSON MARYLAND
 MARCH 27, 1970

William J. Welch Jr.

MAP
 4-C
 NORTH-
 EASTERN
 AREA
 NE-12-N
 BR

