

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, N. B. S., INC., 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 R.G. zone to an R.A. zone; for the following reasons:

1. Error in the original zoning
2. Change in the character of the neighborhood
3. And for other reasons set forth in the Memorandum attached hereto in compliance with Bill 72

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 for Baltimore County.

Contract purchaser: Edward D. Hardesty
Legal Owner: Stanley Kalka

Address: 202 Loyola Federal Building, Towson, Md. 828-5688
Petitioner's Attorney: Edward D. Hardesty
Protestant's Attorney: Anna M. Quatman

ORDERED by The Zoning Commissioner of Baltimore County, this 11th day of September, 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 17th day of September, 1970, at 11:00 o'clock.

Edward D. Hardesty
Zoning Commissioner of Baltimore County.

PETITION FOR RECLASSIFICATION : BEFORE THE #71-103-R
From R. G. to R. A. : ZONING COMMISSIONER
Wilker Avenue, 270' from intersection : OF
of Wilker Avenue and Hoerner Avenue : BALTIMORE COUNTY
9th Election District of Baltimore County :
N. B. S., INC. :

Petitioners

MEMORANDUM

Petitioners, N. B. S., INC., by their attorney, FRED E. WALDROP, pursuant to the requirements of Bill 72 (1969) of the County Council of Baltimore County, Maryland assign the following reasons in support of their petition for zoning reclassification:

1. Error in original zoning -- original plan did not take into effect the future growth of the Parkville area of Baltimore County and the need for apartments.
2. Genuine change in the character of the neighborhood. The following changes have occurred:
 - (a) 69-23-R SE and SW corner of Joppa and Goetz
S. L. and B. R. to S. M.
Granted Deputy Zoning Commissioner July 31, 1968
 - (b) 67-108-X NW corner of Foster and Ellen Avenue
Special Exception for Offices and Office Building
Granted by Deputy Zoning Commissioner Nov. 23, 1966
 - (c) 67-245-RA W/S Kings Ridge Avenue 165' South of Pitney Rd. and E/S of Kings Ridge
R-6 to R. G. and R. A. with Variances
Granted by Deputy Zoning Commissioner July 21, 1967
3. The granting of Petitioner's request will benefit the community by providing needed apartment units in the area.
4. For such other and further reasons to be submitted at the time of hearing.

Fred E. Waldrop
FRED E. WALDROP

RE: Petition for Reclassification : BEFORE THE
N/S of Wilker Avenue, 270' W of : ZONING COMMISSIONER
Hoerner Avenue - 9th District :
N. B. S., Incorporated - : OF
Petitioner : BALTIMORE COUNTY
NO. 71-103-R (Item No. 261) :

The Petitioner having withdrawn his Petition, the same is hereby DISMISSED without prejudice.

Edward D. Hardesty
Zoning Commissioner of
Baltimore County

Date: December 11, 1970

ORDER RECEIVED FOR FILING
DATE 12/11/70
BY [Signature]



October 26, 1970

Edward D. Hardesty, Esq.
Zoning Commissioner of Baltimore County
County Office Building
111 W. Chesapeake Avenue
Baltimore, Maryland 21204

Re: Petition for Reclassification for N.B.S., Inc.
71-103-R N/S Wilker Avenue 270' W of Hoerner Avenue
Our client: Warren Klawans

Dear Mr. Hardesty:

Please dismiss the Petition for the above captioned reclassification without prejudice.

Very truly yours,

Fred E. Waldrop
Fred E. Waldrop

FEW:em

CC: John J. Bishop, Esq.
Loyola Federal Building, 6th Floor
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Zoning Commissioner, September 16, 1970

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

SUBJECT: Petition #71-103-R. North side of Wilker Avenue 270 feet west of Hoerner Ave. Petition for Reclassification from R.G. to R.A. N.B.S., Inc. - Petitioners

9th District

HEARING: Thursday, September 17, 1970 (11:00 a.m.)

The Staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R.G. to R.A. zoning and offers the following advisory comments:

Under Bill 100, more than half of this property will be in a Residential Transition Zone. This would qualify that portion of the property for Group house apartments without a zoning change.

This proposal will increase vehicular traffic on Hoerner Avenue, which is presently a dead-end street. In order to provide better vehicular circulation, Wilker Avenue must be connected to that portion of the same street which presently parallels Perring Parkway.

The comprehensive zoning map approved by the Planning Board on September 10, 1970, for public hearing, did not recommend R.A. zoning for the subject tract.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 11, 1970

COUNTY OFFICE Bldg.
111 W. Chesapeake Ave.
Towson, Maryland 21204

TO:

OLIVER L. MYERS
Chairman

MEMBERS:

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROADS COMMISSION

BUREAU OF FIRE PREVENTION

HEALTH DEPT. - MENT

PROJECT PLANNING

INDUSTRIAL DEVELOPMENT

Fred E. Waldrop, Esquire
202 Loyola Federal Building
Towson, Maryland 21204

RE: Type of Hearing: Reclassification
Location: N/S Wilker Avenue, 270' W of Hoerner Avenue
Petitioner: N. B. S., Inc.
Committee Meeting of April 28, 1970
9th District
Item 261

Dear Mr. Waldrop:

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 an unimproved tract of land with the property to the north and west bordered by the Baltimore County Beltway and Perring Parkway. The property to the south is improved with dwellings ten to thirty years of age in fair repair. The property to the east is vacant and is zoned for group homes. Wilker Avenue in this location is not improved with concrete curb and gutter.

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:

Wilker Avenue is an existing dead-end meander road along the frontage of this property and is proposed to be realigned so as to coincide with that portion of Wilker Avenue previously constructed in the subdivision of Highland, which is situated to the rear of the property opposite this site. Wilker Avenue is proposed to be improved as a 30-foot closed roadway section within a 60-foot right-of-way and highway right-of-way and improvements will be required in connection with the proposed development of this property. For details in regard to the realignment of Wilker Avenue, see Baltimore County Bureau of Engineering Drawings #65-418 (S) and G-1506, sheet 2 of 5, which are on file in this office. The subject plan should be revised to indicate the proposed highway improvements.

The 30-foot drive will be a private road.

Fred E. Waldrop, Esquire
Item 261

June 11, 1970

Storm Drainage:

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.

Perring Parkway and the Baltimore Beltway are State Roads. Therefore, drainage requirements as they affect these roads come under the jurisdiction of the Maryland State Roads Commission.

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:

Public water is available to serve this property.

Sanitary Sewers:

Public sanitary sewers can be made available to serve this property by constructing an extension of the 6-inch sanitary sewer which presently terminates at the end of Wilker Avenue in the subdivision of Highland. (See Baltimore County Bureau of Engineering Drawing #65-418, A-10) Any such extension would be contingent on the acquisition of off-site rights-of-way for the above mentioned realignment of Wilker Avenue.

PROJECT PLANNING DIVISION:

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

Wilker is proposed to curve to the south to connect to the other portion of Wilker Avenue.

STATE ROADS COMMISSION:

It appears that the subject proposed development would have no adverse effects on the State highway.

Fred E. Waldrop, Esquire
Item 261

June 11, 1970

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a change of 2.6 acres from RD to RT. This increased trip density should have no major effect on traffic in the area, provided Wilker Avenue is improved to Hoerner Avenue to meet County standards.

BUILDING ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements of Baltimore County Building Code and regulations when plans are submitted.

HEALTH DEPARTMENT:

Public water and sewer are available.

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

FIRE DEPARTMENT:

Owner shall be required to comply to all applicable requirements of the 201 Life Safety Code, 1967 edition, and the Fire Prevention Code when construction plans are submitted for approval.

Fire hydrants for proposed site are required and be in accordance with Baltimore County Standards.

BOARD OF EDUCATION:

The Oakleigh Elementary School with a capacity of 720 and an enrollment of 703 (as of September, 1970) services this school district.

The current zoning could yield as much as 16 pupils while an apartment zoning could yield approximately 3 pupils.

ZONING ADMINISTRATION DIVISION:

This office is withholding a hearing date until such time as improved plans are received indicating the alignment of Wilker in conjunction with this site.

Very truly yours,

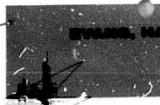
Oliver L. Myers
OLIVER L. MYERS
Chairman

OLM:mc
Enclosures

GEG:ash



NOV 29 1971



EVANS, MAGAN & HOLDEFER, INC.

SURVEYORS AND CIVIL ENGINEERS
4200 ELSWODE AVENUE / BALTIMORE, MD. 21214 (301) 426-2144
529 POPULAR STREET / CAMBRIDGE, MD 21613 (301) 228-3380
115 N. MAIN STREET / WESTMINSTER, MD 21157 (301) 848-1780
15 N. WASHINGTON STREET / EASTON, MD 21821 (301) 822-9433

#71-103R

April 9 1970.

Description of Charles Scherr Property on Wilker Avenue,
9th Election District, Baltimore County, Md., for Zoning
Reclassification from R.G. Zone to R.A. Zone

DESIGNATING for the same in the center of Wilker Avenue, distant 270 feet, more or less, measured westerly from the intersection of said center line of Wilker Avenue with the center line of Hoerner Avenue, thence leaving said place of beginning and running and ending in the center line of Wilker Avenue (1) South 86 degrees 30 minutes West 303.67 feet, thence leaving Wilker Avenue and running (2) North 17 degrees 30 minutes East 404 feet, more or less, to the southeast side of the Perring Parkway Ramp leading to the Baltimore County Beltway eastbound lane, thence running and ending on said side of said ramp the 2 following courses and distances, viz: (3) by a curve to the right in a northeasterly direction with a radius of 630 feet for a distance of 90 feet, more or less, to the end of said curve and (4) Southwesterly 212 feet, more or less, thence leaving the southeast side of said ramp and running (5) South 06 degrees 45 minutes West 500 feet, more or less, to the place of beginning.

Containing 2.681 acres of land, more or less.

Note: This description has been prepared for zoning purposes only and is not intended to be used for conveyance.



L. Alan Evans

APPROVED BY: [Signature]
SURVEYOR AND CIVIL ENGINEER
STATE OF MARYLAND



PETITION FOR
RECLASSIFICATION
OF ZONING
ZONING DISTRICT NO. 9
LOCATION: North side of Wilker Avenue 270 feet, more or less, West of Hoerner Avenue.
DATE: 8:15 AM THURSDAY, SEPTEMBER 11, 1970 at 11:00 A.M.
PLACE: HEARING: Room 106, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by a majority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.
Present Zoning: R.G.
Proposed Zoning: R.A.
All that parcel of land in the Ninth Election District of Baltimore County, Maryland, for the same in the center of Wilker Avenue, distant 270 feet, more or less, measured westerly from the intersection of said center line of Wilker Avenue with the center line of Hoerner Avenue, thence leaving said place of beginning and running and ending in the center line of Wilker Avenue (1) South 86 degrees 30 minutes West 303.67 feet, thence leaving Wilker Avenue and running (2) North 17 degrees 30 minutes East 404 feet, more or less, to the southeast side of the Perring Parkway Ramp leading to the Baltimore County Beltway eastbound lane, thence running and ending on said side of said ramp the 2 following courses and distances, viz: (3) by a curve to the right in a northeasterly direction with a radius of 630 feet for a distance of 90 feet, more or less, to the end of said curve and (4) Southwesterly 212 feet, more or less, thence leaving the southeast side of said ramp and running (5) South 06 degrees 45 minutes West 500 feet, more or less, to the place of beginning.
Containing 2.681 acres of land, more or less.
Note: This description has been prepared for zoning purposes only and is not intended to be used for conveyance.
Being the property of N.B.S. Inc., as shown on plat filed with the Zoning Department.
Hearing Date: Thursday, September 11, 1970 at 11:00 A.M.
Place: Hearing: Room 106, County Public Building, 111 W. Chesapeake Avenue, Towson, Md.
EDWARD D. HEARST
ZONING COMMISSIONER OF BALTIMORE COUNTY

THE TOWSON TIMES

724 YORK ROAD
TOWSON, MD 21204

August 31 - 1970

THIS IS TO CERTIFY, that the annexed advertisement of
Edward D. Hearst
Zoning Commissioner of Baltimore County
was inserted in THE TOWSON TIMES, a weekly newspaper published
in Baltimore County, Maryland, once a week for one week before the 31st day of August 1970 that is to say, the same
was inserted in the issue of August 27, 1970.

STROMBERG PUBLICATIONS, Inc.

By: *Robert D. Stroman*

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY TOWSON, Maryland

#71-103-R

District: 9th
Posted for: *Thursday, Sept. 12, 1970 @ 11:00 AM* Date of Posting: *Sept. 27, 1970*
Petitioner: *Mr. S. J. Scherr*
Location of property: *N.B. of Wilker Ave. 270' West Hoerner Ave.*
Location of Sign: *Signs posted at each 270 ft. West of Hoerner Ave. on one side of Wilker Ave.*
Remarks:
Posted by: *Thomas H. Noss* Signature Date of return: *Sept. 3, 1970*

TELEPHONE
494-2413

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

No. 73794

DATE: *Aug. 10, 1970*

Warren Klamm
COURT HOUSE
TOWSON, MARYLAND 21204

Zoning Dept. of Baltimore County

To: Warren Klamm
2 Harrow Court
Pikesville, Md. 21095

REPORT TO ACCOUNT NO.	01-622	RETURN THIS PORTION WITH YOUR REMITTANCE	TOTAL AMOUNT
QUANTITY		DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	
1	Petition for Reclassification for N.B.S., Inc. #71-103-R		\$2.50

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MAIL TO COURTHOUSE, TOWSON, MARYLAND 21204

TELEPHONE
494-2413

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

No. 75438

DATE: *Aug. 10, 1970*

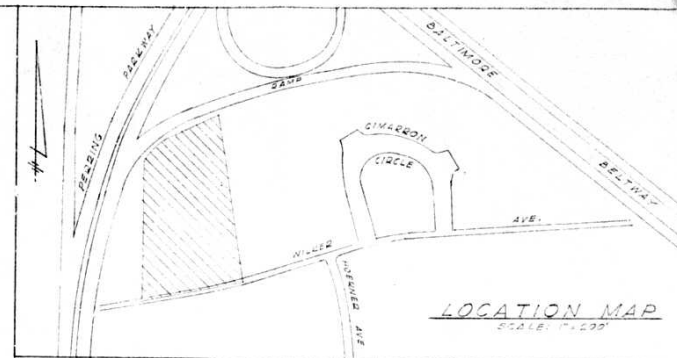
Warren Klamm
COURT HOUSE
TOWSON, MARYLAND 21204

Zoning Dept. of Baltimore County

To: Warren Klamm
2 Harrow Court
Pikesville, Md. 21095

REPORT TO ACCOUNT NO.	01-622	RETURN THIS PORTION WITH YOUR REMITTANCE	TOTAL AMOUNT
QUANTITY		DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	
1	Advertising and posting of property for N.B.S., Inc. #71-103-R		\$3.50

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MAIL TO COURTHOUSE, TOWSON, MARYLAND 21204



LOCATION: ELECTION DISTRICT NO. 3 BALTIMORE CO., MD.
EXISTING ZONING: R6
EXISTING USE: VACANT
PROPOSED ZONING: R-4
PROPOSED USE: GARDEN APARTMENTS

GROSS AREA 2.081 AC.
WILKER AVE. WIDENING: 33' x 10'
NET AREA 1.340 AC.
ALLOWABLE GROSS DENSITY: 140.83
ALLOWABLE NET DENSITY: 140.82
PERMITTED NO. OF UNITS: 41
PROPOSED NO. OF UNITS: 42
ACTUAL GROSS DENSITY: 157
ACTUAL NET DENSITY: 170
PROPOSED NO. OF PARKING SPACES: 68 @ 180'
PROPOSED SIZE OF PARKING SPACES: 20' x 20' @ 180' x 20'

OFFICE
COPY

MAP
3-C
NORTH-
EASTERN
AREA
RA

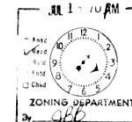
RA
NE-9-I

FD-423

CHARLES SCHERZ
4905 LIBERTY HIGTS AVE.
BALTIMORE, MD 21207

REVISED PLANS

N.B.S. Inc. #261



REVISED: 7/9/70 As per County Comments

EVANS, HAGAN & HOLDEFER
SURVEYORS AND CIVIL ENGINEERS
4200 ELSROD AVENUE / BALTIMORE, MD. 21214
(301) 426-2441

DATE 4-8-73 SCALE

