PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we Broadyiew Realty, Inc., legal owner 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, pursua NE -II-A to the Zoning Law of Baltimore County, from an......R-10 ... zone to an RA-X

R-A rone; for the following :easons: 1. Since the adoption the woning Map for the Ninth Election District of Baltimore County, of the koning Map for the Minth Election District of Baltimore County).

the character and conditions of the area have so changed that a reclassification of Petitioner's premises to an R-A Zone is justified, appropriate and in fact required under proper zoning standards and principles.

There was error an adoption of the Zoning Map for the Minth Election District of Baltimore County by virtue of its failure to make adequate provisions thereon for spartners uses in the neighborhood of the subject premises and reclassification of Petitioner's property will remeady such error and serve to provide healing domanded and required by the public generally, with ne adverse affect on neighboring properties.

See attached descrption and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for ___elevator apartment buildings

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, a ree 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

BROADVIEW REALTY, INC. By Many Cuff Princ Legal Corner Mary Ruff'Brush Legal Own. President Address. 116 W. University Zarkway Baltimore, Ma. vland 21210 M. Juella Adely
Petitioner's Attorney
1035 Maryland National Bank Bldg Protestant's Attorney Address Baltimore Maryland 21202 PL 2-66

ORDERED By The Zoning Commissioner of Baltimore County, this 28th 1960, that the subject matter of this petition be advertised, as required by the Zoning Law of Battimore County, in two newspapers of general circulation through-Commissioner of Italianore County in Room 106, County Office Building in Towson, Baltimore County in Room 106, County Office Building in Towson, Baltimore County in the State of Italianore County in the State of Italianore County on the State of Italianore County in the State o out Baltimore County, that property be posted, and that the public hearing be had before the Zoning

30th day of November 19870 par 1:00 o'clock

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PIND

ORO

ACREST A. WHITEFORD, P.E.

Consulting Ergineers - Land Surveyor Land Planners JEFFERSON BUILDING

HITEFORD, FALK, AND MASK

Description to Accompany Petition for Reclassification of Zoning from R-10 Zone to R-A Zone Will Special Exception for Elevator

SEC.3-Beginning for the same at a point on the northwesternmost side of Logustvale Road as laid out 50 feet wide at a distance NE-11-1of 751.79 feet measured along Locustvale Road from Dulaney Valley Road as shown on Plat No. 1 of Dulaney Manor and recorded among the Land Records of Baltimore County in Plat Book G.L.B. 17, folio 16; thence still binding on the northwester -most side of Locustvale Road the two following courses: (1) South 50° 38' 26" West. 43.03 feet; and (2) South 57° 40' 07" West, 289.89 feet to intersect the northeasternmost side of a storm drain reservation of irregular width; thence binding on the east side of said storm drain reservation the two following courses: (1) North 34° 02' 13" West, 280.41 feet; and (2) North 41° 27' 29" West, 79.50 feet; thence leaving said storm drain reservation and binding on the outline of that portion of Broadview Realty Property previously zoned R-A with special exception for elevator apartments the three following courses: (1) North 55° 40'/44" East, 253.77 feet: (2) South

34° 19' 16" East, 285.61 feet; and (3) by a curve to the left

ATTACHED TO AND MADE & DART OF PETITION FOR ZONING RECLASSIFICATION BY BROADVIEW REALTY, INC.

REASONS FOR REQUEST FOR RECLASSIFICATION

#71-179 RX

Since the adoption of the Zoning Map for the Ninth Election District of Baltimure County the character and conditions of the area have so changed that a reclassification of Petitioner's premises to an RM zone with special exception as requested is justified, appropriate and in fact required under proper zoning standards and principles.

2. That there was an error in adoption of the Zoning Map for the 2. That there was an error in adoption of the Zoning Map for the Ninth Election District of Baltimore County by virtue of its failure to make adequate provisions thereon for apartment uses in the neigh-borhood of the subject premises and reclassification of Petitioner's propercy herein with its other property already zoned will remedy such error and serve to provide housing demanded and required by the public generally, with no adverse effect on neighboring properties.

That the property to the Northwest and Southwest thereof is now zoned RA with special exceptions for elevator apartments.

That this property on the North is bounded by the Baltimore County Beltway and a ramp off of said Beltway leading to Dulaney Valley Road and is enclosed along said Beltway ramp by a high wire fence with no

5. That all homes bounding on this property back up to the property covered by this zoning application.

6. Under Petition 70-107RX there was granted a reclassification from R6 and R10 to RA with special exception for offices and office buildings.

Under Petition 70-106RX there was granted a reclassification from R6 to RA with a special exception for offices.

8. Under Petition 69-277RX there was granted a reclassification from R6 to RA with a special exception for offices.

Under Petition 69-176X there was granted a special exception for offices and office buildings.

10. Under Petition 69-86X there was granted a special exception for wireless transmitting and receiving structure at the Investment

11. Under Petition 68-255RXA there was granted a reclassification from R6 to RA with a special exception for offices and office buildings and variance

12. Under Petition 68-242R there was granted a reclassification from R6 and R10 to RA.

with a radius of 80.27 feet a distance of 133.17 feet, said arc

being subtended by a chord bearing South 81° 50' 25" East,

Containing 2.0072 acres of land, more or less.

118.40 feet to the place of beginning.

13. Under Petition 68-163XA there was granted a variance and special

14. Under Petition 68-162RX there was granted a reclassification from R6 to RA with special exception for offices and office building.

15. Under Petition 68-104R there was granted a reclassification

Under Petition 68-60X there was granted a special exception

17. Under Petition 67-252XA there was granted a variance and special exception for offices and office buildings.

18. Under Petition 67-74RXA there was granted a reclassification from R6 to RA with a special exception for offices and variance.

Under Petiticn 66-263% there was granted a reclassification for service station on the east side of Dulaney Valley Road in the Towson Plaza Shopping Center.

20. Under Petition 66-110R there was granted a reclassification from RA to BM at the northwest corner of Joppa Road and Pairmount Avenue being the present location for a new high rise apartment and office

Under Petition 66-63X there was granted a special exception for filling "tation on the east side of York Road 255 feet south of Fairmount Avenue.

Under Petition 65-173X there was granted a special exception for office building at the northeast corner of Joppa Road and Fairmount

Under Petition 63-118X there was granted a special exception for offices on the south side of Joppa Road.

24. Under Petition 5868X there was grantel a special exception for medical office building on the west side of Fairmount Avenue, being the present location of the new high rise building for offices and apartments.

Under Petition 5655XV there was granted a special exception for offices and variance on the sorth side of Joppa Road west of Pairmount Avenue opposite Hampton House Ap-rtments.

Under Petition 5580XV there was granted a special exception in variance for elevator apartments, being the present Hampton House.

Under Petition 5272X there was granted a special exception for office building at 305 East Joppa Road.

28. Under Petition 4993X there was granted a special exception for cffices on the north side of Joppa Road 90 feet east of Pairmount

Under Petition 4705XA there was granted a special exception for service station on the east side of York Road 350 feet north of Pairmount Avenue, which size is close to the subject property.

30. Under Petition 4522X there was granted a special exception for service station on the west side of Dulaney Valle Rhad 500 feet south of Towson Irane Beltway (Fairmount Avenue).

31. The Petitions cited in Paragraphs 6 through 30 hereof are indicative of the change in the neighborhood of the subject property and indicate error on the original zoning map which would justify the requested reclassification of the subject property.

32. There will be noted that in many of the changes cited many special exceptions were granted for office buildings in RA zones and it is the opinion of the Petitioner that the increase in offices generates an increase in a massity for apartment incilities for those employed in the offices which would justify the request declassification of the subject property.

33. And for such other reasons as will be presented at the time of the Hearing on this Petition.

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO Mr. Edward D. Hardesty, DateNovember 27, 1970 FROM Mr. George E. Gavrella, Director of Planning

SUBJECT Petition 171-179-23. North side of Swarthmore Road 135 feet west of Dulaney Valley Road Petition for Reclassification from R-10 to R.A. Petition for Special Exception for Elevator Apartment Buildings Broadview Realty, Inc. - Petitionars

9th District

HEARING: Monday, November 30, 1970 (1:00 p.m.)

The Staff of the Office of Planning and Zoning has reviewed the subject perition for reclassification from R-10 to R.A. zoning, together with special exception for ator apartment buildings.

Boxed on the action of the Planning Board in renommending comprehensive zoning maps for this area to the County Council, the planning staff valces its objections to this petition. After reviewing this request, the Planning Board chose to recommend that all of this hact remain in its present. P. L. cregary. The Board made this recommendation leeling that sufficient apportunities for higher dentity development existed or were recommended for Julier portions of the total property and the the property which is the subject of this learning should be indicated on the map as D.R. 3.5. The Board was concerned with the problems of access to the total tract and the magnitude of crossover movements on Dulaney Valley Road at both Locustiend of the Staff of Council and Staff of Council an

GEG:msh

\$69.25721

MPP

#9 SE(13-6

NE-II-A

RA



TELEPHONE BALT MORE COUNTY, AR AND No. 75383 OFFICE OF FINANCE COURT HOUSE BILLED and Special Exception for Broadeless Buston PARTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO OFFICE OF FINANCE, REVENUE DIVISION

4 Syris	CERTIFICATE OF POSTING NING DEPARTMENT OF BALTIMORE COUNTY Townen, Maryland	H71-179-RX
District 9 Hearing	Menday In 30, 1920 S	Nev - 12 - 20
Location of property: N/S.	Date of Poort Menday No. 36, 1920 & in Really Co X Sworthmer Rd 135!	W & Lulary Val
Location of Signs D . S.	Postal Next 1 Woods and such such	ath But
Posted by Weel 18	Hear Dete of return.	10-19-20

Pursuant to the advertisement, posting of property and public hearing on the above Petition, and it appearing that by reason of faithers to show across in the artiginal spaning map or substantial changes in the obstactor of the neighborhood, and faithers to meet. the reduirements of Section 502.1 of the Battimore County Zoning Regulations,

the above Re-classification should NOT BE HAD, and max the Special Exception should NOT BE GRESTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore Comaty, this. 23 day

of 2 Jups 198.71, that the above Re-classification be and the same is bereby

RECEIVED FOR
PROCESSING
BY
DATE 4-7-70
OFFICE OF
PLANNING & ZONING

CEIVED FOR FIT INC

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 11, 1970

OLIVER L INVERS

Charman Charman

BUREAU OF ENGINEERING DEPARTMENT OF TRAFFIC ENGINEERING

TATE ROADS CONDISSION
PUREAU OF
FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING

DULIDING DEPARTMENT COARD OF EDUCATION CONING ADMINISTRATION INDUSTRIAL DEVELOPMENT M. William Adelson, Esq. 1035 Maryland National Bank Suilding Baltimore, Naryland 21202

RE: Type of Hoering: Reclassification from on R-10 zone to an RA zone, and for Special Exception for Elevator Apartment Buildings Location/US Dulangy Valley Rd., Int. with Swettharce Road Potitioner: Broadview Realty State of the Potition of April 21, 1970 Sth District Item 261

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The Zoning Advisory Committee has reviewed the plans submitted with the above referenced position and has made as on a site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is presently unisproved. The property to the north bounded by the Baltimore County Beltwey. The property to the west consists of additional land soned R8 and is owned by the same patitioner. The additional westerly tract of land is existing R10 chellings. The property to the east is improved with several dwallings. These dwallings are in the 5 to 15 year bracket, in excellent repeir. Dulancy Walley Road in this location is not curbed with concrete curb and gutter.

BUREAU OF ENGINEERING:

Hi ohways

Swarthmore Road is a 50-foot right-of-way established on the recorded plat #1 of Bulaney Manor, G.L.S. 17, Folio 16 and not dedicated to Bultimore County.

The present ownership of this right-of-way is unknown at this time; however, since this is the only means of access to the subject site, the patitioner will be required to acquire M. William Adelson, Esq. 1035 Maryland National Bank Building Bartimore, Maryland 21202 Item 243 - 2 -

une 11, 1970

Highways: (Continued)

th necessary rights-of-way and provide the necessary improvements for adoquate access. Since there is not need for Swerthney- Road to be constructed as a public road, the partitioner should investigate the ownership of the Suf-four right-of-way and the right of access of the adjacent property ownership.

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

Storm Drains

The Baltimore County Baltway is a State road. Therefore, drainage requirements as they affect the road or existing drainage appurtenances come under the jurisdiction of the Maryland State Roads

The peti-ioner must provide necessary drainage facilities (temporary or permanet) to prevent creating any nutsances or drapes to adjacent properties, specially 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.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment failution problem, dramping private and public holdings 'wmstream 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 jarmits.

Waters

Public water is available to serve this site by the construction of a service connection to the existing 10-inch water main in Pulaney Valley Road.

Dulancy Walley Road is a State road; therefore, any construction within the State road right-of-way will be subject to the standards, edifications, and approval of the State Roads Commission of Maryland, in addition to those of Saltimore County.

M. William Adelson, Esq. 1035 Maryland Mation: I Bank Building Baltimore, Maryland :1202 Itom 223

June 11. 1070

nitary Savare

Due to insufficient information, it cannot be determined if the proposed building can be served by a service connection through the private drive to the existing 8-inch sanitary sewer in Dulancy Valley Read.

Public sanitary sewarage can be made available by the construction of a private service connection from the existing 8-inch public sewar in Locustvale Road through the adjacent property of the same ownership.

PROJECT PLANNING DIVISION.

The Office of Planning has reviewed the subject site Plan and offers

Me are withholding comment pending the submission of an overall plan for the entire property.

Prior to revising the plans it is requested that the patitioner's engineer contact Kr. Williams or Kr. Quimby for details concerning this

DEPT. OF TRAFFIC ENGINEERING:

The subject petition is requesting a hange from RIO to RA of 5.5 acres. This proposal, if granted, should increase the trip density from 200 trips to 660 trips per days. Some sight distance problem exists the intersection of Swerthmore Road and Dulaney Volley Road. (These are April 25An, 1970 community.)

April 2Ane, 1970 crements)

An April 22, 1970, we commented briefly concerning the above proposed reclassification. It has now been brought to my extention that an adjacent rect of land has proviously been recorded for spartners, and the same that a notion small tract is pending before the Zening Commissioner. Since all three of those proposities are contiguous and since they are all of the same three of these proposities are contiguous and since they are all of the same Advisory Committee hand this caparitant and other members of the Zening Advisory Committee hand this caparitant and other members of the Zening Advisory Committee hand the same are all as a certain that an own the owner's proposed deep many labeling the comment to be made.

BUILDING ENGINEER'S OFF CE:

Petitioner to mee. all applicable recuirements of Baltimore County Building Code and Regulations when plans are submitted. Also, see Section 409,10H on pa.%ing lots.

M. William Adelson, Esq. 1035 Maryland National Bank Building Baltimore, Maryland 21202 atem 243 - 4 -

_ 4 - June 11, 1970

BOARD OF EDUCATION:

The Tow.on Elementary School with a capacity of 775 and an enrollment of 540 services this area. If the area were rezoned to spartments the student increase would only be 9 or 10 pupils.

FIRE DEPARTMENT

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

Fire hydrants for the proposed site are required and must be i

A second means of arcess is required for the site.

DEPT. OF HEALTH:

Public water and sewers are available.

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

STATE READS COMMISSION:

The subject plan indirates access to Duleney Velley Road by way of a public street; "Suarchhore Road." An inspection of the size revealed no time size treets as a treet is constructed the interaction with Doulaney Velley Road must be paved and curbed with the curbs returning into the State highway on a 30' radius.

There is poor stopping sight distance at the proposed intersection due to trees, utility poles and mail boxes along Dulancy Valley Read to the North. As such time as the proposed read sight be entertuced it will be the developer's analyst country's responsibility to remove or relocate the obstructions. This action could be extremely difficult to accempish the

The plan must be revised to indicate proposed curbing of the intersection prior to a hearing data being resigned.

Access to Oblancy Volley Road will be subject to State Roads Commission approval and permit.

H. William Adelson, Esq. 1035 Maryland National Bank Building Baltimore, Maryland 21202 Item 243

- 5 - June 11, 1970

ZONING ADMINISTRATION DIVISION:

This office is withholding a hearing date until such time as the comments by the State Roads Commission, Project Planning Division, and Fire Provention are compiled with and revised plans submitted to this office accordingly.

Very truly yours,

OLIVER L. HYERS, Chairman

OLh:

THE TOWSON LINE S

724 YORK ROAD
TOWSON, NO 21400

November 16, 1070

THIS IS TO CERTIFY, that the annexed advertisement of Edward D. Kardesty, Zoning Commissioner of Bultimore County of Bultimore County COUNTY OF THE CONSTRUCTION OF TH

in Baltimere County, Maryland, once a week for One Management weeks before the 16th day of Now., 1970, that is to say, the same was inserted in the issues of Now. 12, 1970.

STROMBERG PUBLICATIONS, Inc

By Ruth Margan

or the second se

CERTIFICATE OF PUBLICATION

TOWSON, MD. Sovember 12 19.7

THIS IS TO CERTIFY, that the animized advertisement was published in THE LEFFERSONIAN, a weekly ne-appaper printed and published in Towson, Baltimore County, Md. once in each of one time **XSACCESSES** Sectors the ... 30th day of ... Yourcher ... 10.79. the first publication appearing on the ... 12th ... day of ... November

B. Lienk Strifes

On a of Advantagement •

NOV 29 1971

TELEPHONE 494-2413

INVOICE

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

No. 75425

DATE Nov. 30, 1970

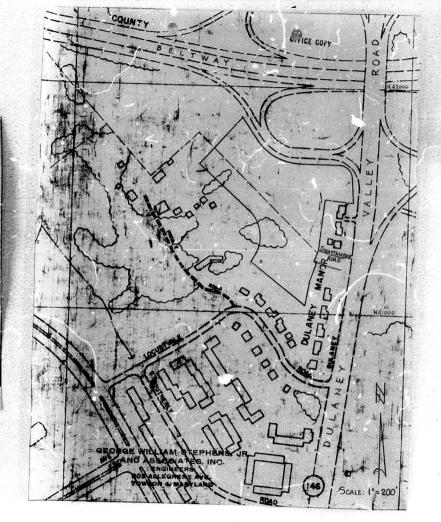
Revenue Division COURT HOUSE TOWSON, MARYLAND 21204

Zoning Dept. of Baltimore County

DEFOSIT TO	ACCOUNT NO. 01-522 RETURN THIS PORTION WITH YOUR REMITTANCE	\$96.00
QUANTITY	DETACH ALON: PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	COST
- io	Advertising and posting of property for Broadview Realty #71-179-2%	96.00
64		
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v		
00.00		

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE, REVENUE DIVISION COURTHOUSE, TOWSON, MARYLAND 21204



A. William Adelson, Esq.
1035 Maryland Matienal Bank to ding
Baltimore, Md. 21202
BALTIMORE COUNTY OFFICE OF FLANNING AND ZONING

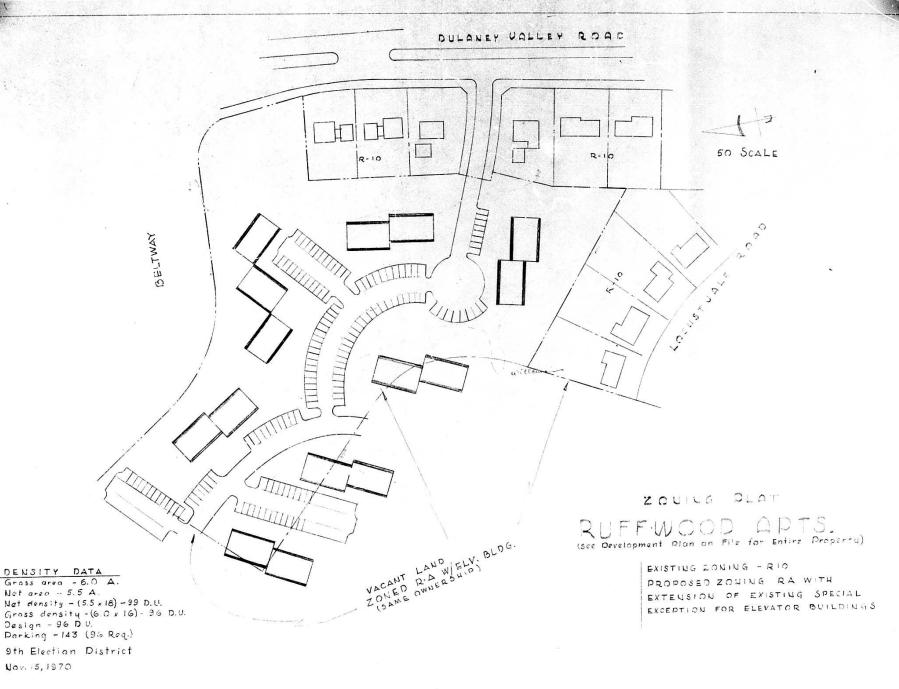
County Office Building 111 W. Cherapeake Avenue Towson, Marylan 21204

Your Petition has been received and accepted for filing this

28th	day of	
	42 20 1/	
	Edward D. Hardesty	
	EDWARD D. HARDEST, Zoning Commissioner	
Petitioner Breadules Bases		

Petitioner's Attorney N. William Adelses

Advisory Committee



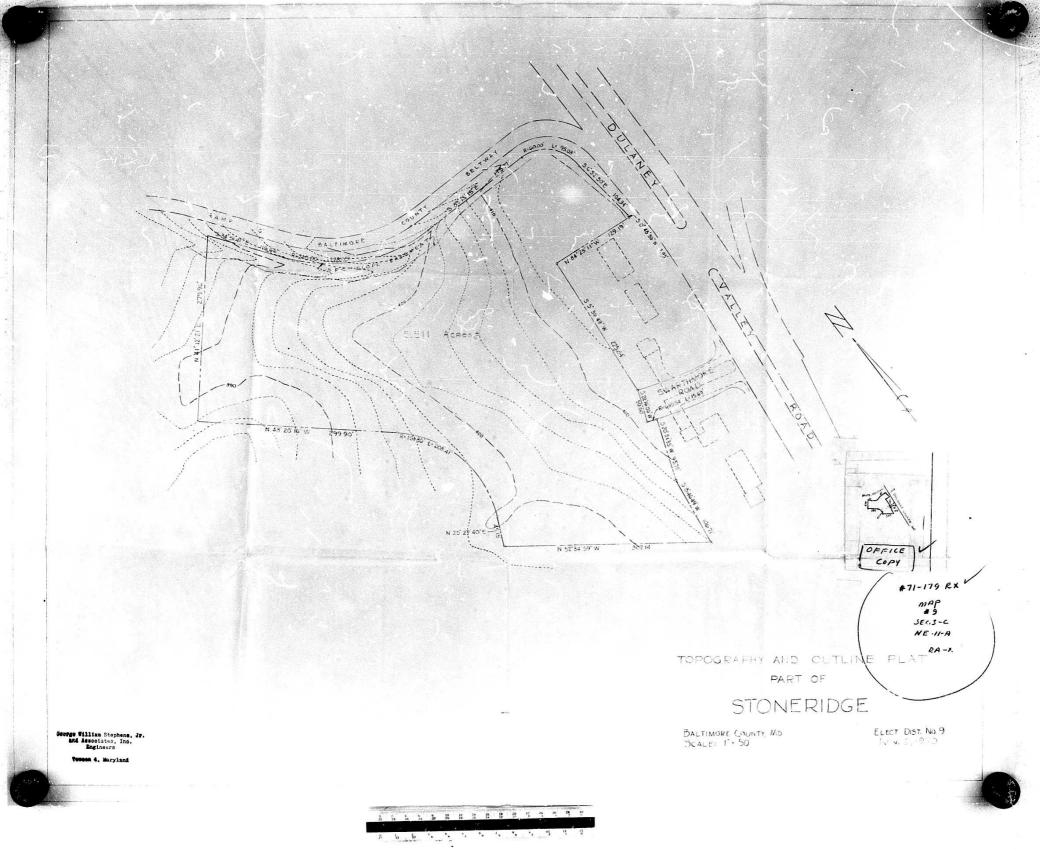
PLANUER: WILLEMAIN & ASSOC.

Nov. 15, 1970

EUGIUEER - STEPHENS & ASSOC.

OWNER - BROADU EN REALTY CO





MOV



DEVELOPMENT PLAN

APARTMENTS **KUFFWOOD**

ELECT PIST Nº.9 SCALE :1" 50'

BALTO CO, MD. NOVEMBER 15,1970

FINGINE BY SECOND TO SECON OWNER COMPENDED ON COMPANY COM

National Actions of the Control of Control o

W. A. Fenon

Propose

PLANKER PERMAN WILLEMAN (ABBOO Coloral Willer Roaf Prograf Mondjand 2012)



VALLEY ROAD DULANEY BELTWAY DESIGN DATA Proposed Parking (6,5x16)____ (523)