

PETITION FOR ZONING REDISTRICTING AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, BERG'S FARM DAIRY, 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-districted, pursuant to the Zoning Law of Baltimore County, from... to a... district; for the following reasons:

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-districting 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.

BERG'S FARM DAIRY, INC.
By: *James D. Nolan* Vice-President Legal Owner
Address: 4126 Joppa Road
Baltimore, Md. 21236
James D. Nolan, Petitioner's Attorney
Nolan, Plunhoff & Williams
Address: 204 W. Pennsylvania Ave.
Baltimore, Maryland 21204
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of October, 1967, 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 Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20th day of December, 1967, at 10:00 o'clock.

Zoning Commissioner of Baltimore County.

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Berg's Farm Dairy, 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, pursuant to the Zoning Law of Baltimore County, from an... BL and R-6... zone to an... E-1... zone, for the following reasons:

Error in original zoning and/or character of the neighborhood has changed to warrant re-classification.

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.

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Zoning Commissioner of Baltimore County.

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
AND REDISTRICTING : DEPUTY ZONING
N/S of Joppa Road, 620' NW of Belair : COMMISSIONER
Road - 11th District :
Berg's Farm Dairy, Incorporated :
Petitioner :
NO. 71-180-R (Item No. 259) :
OF
BALTIMORE COUNTY

The Petitioner having withdrawn his Petition, the same is hereby DISMISSED without prejudice.

Date: December 14, 1970

DATE FILED 14, 1970
BY: *James D. Nolan*
ADMINISTRATIVE ASSISTANT

DOLLENBERG BROTHERS
Registered Professional Engineers & Land Surveyors
700 WASHINGTON AVENUE AT YORK ROAD
TOWSON, MD. 21204

December 6, 1968

Zoning Description

All that place or parcel of land situate, lying and being in the Eleventh Election District of Baltimore County, to wit of Mary and and described as follows to wit:

Beginning for the same on the north side of Joppa Road (40 feet wide) at the distance of 620 feet westerly measured along the north side of Joppa Road from the corner formed by the intersection of the north side of Joppa Road with the westerly side of Belair Road and running thence and binding on the north side of Joppa Road south 60 degrees 00 minutes west 508.50 feet, thence leaving said road and binding on the outlines of the land of Berg's Farm Dairy, Inc., the petitioners hereby the five following courses and distances viz: North 5 degrees 15 minutes east 540.95 feet, North 5 degrees 35 minutes east 775 feet, South 50 degrees 50 minutes east 491 feet, South 70 degrees 30 minutes east 137.70 feet and so on 15 degrees 15 minutes east 632.70 feet to the place of beginning.

Containing 16.46 Acres of land more or less.



The extension of Ebenezer Road and the relocation of Joppa Road when built will also have a very great impact on the second and third parcels and will work a complete transformation upon their present rural, agricultural character. These tracts will then enjoy excellent access to the major area roads, and these two tracts will lie generally to the north of Ebenezer Road as extended and Joppa Road as relocated, and the property owner submits that RA zoning of these two tracts will help to meet the demands for apartments in this area, which apartment market continues to grow, and it will also logically serve as a transitional zoning area from the commercial center developing around the Joppa Road, Belair Road, Ebenezer Road hub.

It should be noted that the Planning staff is recommending BL with a CCC District on that part of the subject tract to lie to the south of Ebenezer Road as proposed to be extended, and the property owner's request represents merely a logical extension of this proposed commercial and districting. It seems appropriate to the property owner to treat both sides of Ebenezer Road in the same manner and to allow the requested RA zoning to serve as a buffer and transitional zone from this commercial.

The utility situation as to public water is adequate as existent in the area; and there is presently in the process of easement acquisition by Baltimore County a sanitary sewer project for this area which will cross the 16.46 acre tract from north to south along the eastern border of this parcel, then crossing the proposed extension of Ebenezer Road. Needless to say, this sewer will be very important to all three of the subject parcels and further reinforces the property owner's requests as herein set out. This sewer project, as previously stated, is fairly well along since the corporate property owner is presently in the process of

working out the acquisition of a 13 foot utility easement across the first parcel with the Baltimore County Department of Public Works, Bureau of Land Acquisition.
For all these reasons, the property owner respectfully requests that the first parcel be designated BR, and that the second and third parcels be placed in the RA classification.

Respectfully submitted,

James D. Nolan
Attorney for Berg's Farm Dairy, Inc.

PROPERTY OF BERG'S FARM DAIRY, INC. 11TH ELECTION DISTRICT OF BALTIMORE COUNTY

I. Description of Property

The Berg Farm Dairy property is located on the north side of Joppa Road approximately 600 feet distant and west of Belair Road in the 11th Election District of the County. The property is in three parcels as follows:

1. The first parcel is composed of some 16.73 acres with approximately 581 feet of frontage on Joppa Road, and this property is presently improved by a dairy store, a dairy, a dwelling house, a storage building, a garage, and a barn, and this tract is presently zoned BL to an approximate depth of feet, with the balance being zoned R-6;
2. The second parcel is an irregularly shaped parcel north of the first parcel and connected to the first parcel by a 30 foot roadway and contains some 6.52 acres approximately, and it lies generally west of India Avenue, and is presently zoned residential for individual homes; and
3. The third parcel of some 40.00 acres more or less lies further north of the second parcel and is contiguous to it in part and is presently zoned for individual homes.

The first parcel mentioned along Joppa Road has RA, BR, and BL zones close by, since this area along Joppa and Belair Roads is rapidly evolving as a growing commercial area.

II. Present Zoning

As noted above the present zoning is as follows:

1. The first 16.73 acre parcel is zoned BL and R-6;
2. The second 6.52 acre parcel is zoned R-10; and

3. The third parcel of some 40.00 acres is presently zoned R-10.

III. Requested Zoning

The property owner respectfully requests that the first parcel be zoned BR with a CCC District, and that the second and third parcels be zoned RA.

IV. Reasons for Request

As to the first parcel which is requested to be zoned in its entirety BR with a CCC District, this request is based upon several factors, including: that the tract is presently in part zoned BL and is in fact in commercial usage; the fact that this area surrounding the intersection of Belair Road and Joppa Road is rapidly assuming a very concentrated and intensive commercial character in response to the growing population in this Perry Hall area; the fact that the property is bordered on the west by RA and R-6 zoning, on the east by R-6 and BR zoning, and across Joppa Road to the south is confronted with BR and BL zoning. Thus, the request for BR zoning is in harmony with the existing character of the neighborhood, and in reality represents a mere extension of the already existent commercial nature of this 16.46 acre tract.

Also, the extension of Ebenezer Road and the relocation of Joppa Road, as presently proposed to be aligned, will bisect this 16.46 acre parcel into some three parcels and vastly improve the already good access which the property now enjoys. Such an extension of Ebenezer Road and relocation of Joppa Road as well as the intersection between the two roads will also serve to convert the rear of the present 16.46 acre parcel into a situation similar to the present Joppa Road frontage, and the requested BR zoning and CCC Districting will logically place this completely changed property in an appropriate commercial category and district.

AREA OF EXISTING STORE $2200' \div 200 = 11 \text{ SPACES}$

AREA OF EXISTING DAIRY $3528^{\text{sq}} - 15 \text{ EMP} \div 3 = 5 \text{ SPACES}$

AREA OF PROPOSED STORES 5/250 + 200 = 2575 ACRES

AREA OF MEDICAL OFFICE BLDG 10500+300 = 35 SQR

AREA OF RESTUARANT $7000:50 = 1405 \text{ m}^2$

SPACES REQUIRED = 448

SPACES PROVIDED = 468

SPACE 9'x20'

PARKING SPACES WILL BE PROVIDED

AS REQUIRED BY BALTIMORE COUNTY

ZONING REGULATIONS (DIST 40)

ZONE 210
UNIMPROVED

Z-NEO EG

UNIVERSITY

576° 30' E... 537.90

ZONED E6
UNIMPROVED

71-180R
OFFICE
COPY

MAP
4-C
NORTH-
EASTERLY
AREA
NE-10-G

BR-
CCC-DIST.

ZONAD BR & BL
COMMERCIAL USE

REVISED PLAN
ULI 19 '70 PM

ULI 19'70 PM

☐ Adult
☒ Youth
☐ Kid
☐ Infant
☐ Child

OFFICE OF PLANNING & ZONING
 10/1/01

REVISED 10/22/1970

SCALE $\div 1" = 100'$ OCTOBER 31, 1968

DOLLENBERG BROTHERS
SURVEYORS & CIVIL ENGINEERS
709 WASHINGTON AVE TOWSON, MD

EXISTING ZONING: BLAND RG

PROPOSED ZONING-BE WITH C.C. DISTRICT

PUBLIC SEWER PLANNED IN JOPPA ROAD

12" WATER MAIN IN JOFFA ROAD
EXISTING BURN GARAGE, STORAGE Bldg

ALL PROPOSED BUILDINGS TO CONFORM WITH HEIGHT AND AREA
REGULATIONS PER BUILDING ZONING REGULATIONS

ALL ENTRANCES WILL CONFORM WITH BALTO. CO. ENGINEERING

DESIGN STANDARDS

4. 1948-1949 1949

ZONING PLAT
PROPERTY OF
BERG'S FARM DAIRY INC.
LOCATED IN
11TH DISTRICT-BALTIMORE CO. M.
AREA 16.46 ACRES

