

PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Albert Kermisch, 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-8 or DR-5.5 zone to an R-A or DR-16 zone; for the following reasons:

Error in original zoning.

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: Albert Kermisch, Legal Owner
Address: 8517 Glen Michael Lane, Randallstown, Maryland

W. Lee Harrison, Petitioner's Attorney

Address: 306 W. Joppa Road, Towson, Maryland 21204 (823-1200)

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of August, 1971, 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 106, County Office Building in Towson, Baltimore County, on the 24th day of September, 1971, at 1:00 o'clock.

W. Lee Harrison, Zoning Commissioner of Baltimore County

(over)

RE: PETITION FOR RECLASSIFICATION
W/S of Winans Road, opposite
Scotts Level Road - 2nd District
Albert Kermisch - Petitioner
NO. 72-80-B (Item No. 16)

The Petitioner has withdrawn his Petition, and it is, therefore, ORDERED by the Deputy Zoning Commissioner of Baltimore County this 15th day of October, 1971, that the said Petition be and the same is hereby DISMISSED without prejudice.

Deputy Zoning Commissioner of Baltimore County

Re. Petitioner for Reclassification
from R-8 or DR-5.5 to R-A or DR-16
W/S Winans Road, opp Scotts Level
Road, Albert Kermisch, Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

MEMORANDUM

Now comes Albert Kermisch, legal owner of the property, by W. Lee Harrison, his attorney, and in accordance with Bill 72, Section 22, 22(b) states that the reclassification requested should be granted and for reasons says:

The subject parcel of land lies on the west side of Winans Road immediately opposite the intersection of Scotts Level Road and Winans Road. It is bounded on the north by the WBAL Broadcasting Co. and residential vacant land and on the east, south and west by dwellings. Under the new zoning concept apartments, townhouses, and semi-detached dwellings can be built, however the County Council did not take into consideration the cost of developing the property and hardship imposed on the developer by restriction placed on him in the adoption of Bill No. 100 with regard to setbacks. DR-16 would permit the developer to provide compatible development with regard to the adjoining developed areas. Therefore, we respectfully request that the error committed by the County Council be corrected and the property reclassified to DR-16.

W. Lee Harrison
306 W. Joppa Road
Towson, Maryland 21204
823-12 00
Attorney for Petitioner

W. LEE HARRISON
306 W. JOPPA ROAD
TOWSON, MARYLAND 21204

October 8, 1971

S. Eric DiNenna
Zoning Commissioner of
Baltimore County
County Office Building
Towson, Maryland 21204

Re: Albert Kermisch
No. 72-80-B

Dear Mr. DiNenna:

This letter will formalize my oral motion to dismiss the above entitled case without prejudice.

Very truly yours,

W. Lee Harrison

WLH:jw

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 18, 1971

COUNTY OFFICE BUILDING
111 W. Cheltenham Ave.
Towson, Md. 21204

OLIVER L. MYERS
Chairman

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROAD COMMISSION

BUREAU OF FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARDS OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

Mr. George E. Gavrallis
Director
Office of Planning and Zoning
301 Jefferson Building
Towson, Maryland 21204

RE: Item #44 (April - October Cycle 1971)
Property Owner: Albert Kermisch
Location: W/S Winans Rd., opp.
Scotts Level Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Reclass. to D.R. 16
District: 2C2 Section: Northwestern
No. Acres: 13.6

Dear Mr. Gavrallis:

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.

The subject property is presently an unimproved tract of land with the properties improved with dwellings from 10 to 30 years of age in excellent repair. The property does border the WBAL Broadcasting Company radio towers northwest from the property line. Winans Road is not improved as far as concrete curb and gutter is 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:

This site has frontage on Winans Road.

Winans Road is an existing County Road, which shall ultimately be improved to major collector standards. Highway improvements to this site, including curb and gutter, sidewalks and entrances in accordance with the standards of the Baltimore County Department of Public Works for a 40-foot closed road section on a 65-foot right-of-way will be required for any grading or building permit application.

Item #44
Highways: (Cont'd)

Scotts Level Road as proposed would be ultimately improved to local collector standards. Highway improvements to this site, including curb and gutter, sidewalks and entrances in accordance with the standards of the Baltimore County Department of Public Works for a 40-foot closed road section on a 60-foot right-of-way will be required for any grading or building permit application. Offsite rights-of-way will be necessary to the connection of Scotts Level Road to Leverage Road.

Streets required within this property must be improved in accordance with the standards of the Department of Public Works.

Storm Drains:

This property is subject to offsite drainage.

Public drainage facilities are required for any offsite drainage facilities and any onsite facilities serving offsite areas, in accordance with the standards of the Baltimore County Department of Public Works. Two systems appear necessary.

Offsite rights-of-way appear to be necessary for the provision of public drainage facilities to this site. If so, a record plat, grading or building permits cannot be approved prior to acquisition of such rights-of-way.

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.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings below this property. Sediment control is required by State law. 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 recording of any record plat or the issuance of any grading and building permits.

Water:

Public water facilities can be made available to benefit this property.

Supplementary fire hydrants and improvements to the public system may be required for adequate protection.

The proposed private improvement must be reviewed by the Baltimore City, Water Division for adequacy of water supply.

Service within the site from the public system must be in accordance with the Baltimore County Building, Plumbing and Fire Prevention Codes. The service connection to the meter shall be in accordance with the standards of the Baltimore County Department of Public Works.

Item #44

Sanitary Sewer:

Public sanitary sewer facilities can be made available to benefit this property.

Offsite rights-of-way appear to be necessary for the provision of public sewerage facilities to this site. If so, a record plat, grading or building permits cannot be approved prior to acquisition of such rights-of-way.

The Petitioner is entirely responsible for the construction of all additional sewerage required to serve the proposed development. Such additional sewerage is to be constructed onsite, that is, not within any public road, right-of-way, or easement, except for connection to public sanitary sewerage located therein. All private and/or onsite sewerage must conform with the Baltimore County Plumbing Code and/or the Joint Interim Policy of the Baltimore County Department of Public Works and the Baltimore County Plumbing Code, as applicable.

The plan for development of this property is subject to approval of the State Department of Health prior to acceptance of a preliminary or final plat for recordation.

DEPARTMENT OF HEALTH:

Public water and sewerage proposed.

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 PREVENTION BUREAU:

The fire hydrants for the proposed site are required and shall be in accordance with Baltimore County Standards. The hydrants shall be located at intervals of 500 feet along an approved road.

A second means of access is required for the site.

Minimum width to the roads through site shall be 30 feet to ensure passage of Fire Department equipment.

A. When pull-in parking is designed for both sides of a roadway, the minimum distance from curb to curb of the parking area shall be 64 feet.

B. Pull-in parking on one side only, the distance from curb to curb shall be 44 feet.

The owner shall be required to comply with all applicable requirements of the 101 Life Safety Code, 1967 edition, and the Fire Prevention Code when construction plans are submitted for approval.

Item #44

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a change from DR 5.5 to DR 16. This should increase the trip density from 670 trips to 1600 trips per day.

With access to both Scotts Level Road and Winans Road, there should be no major capacity problems. However, should the land surrounding this parcel be changed also to DR 16, the capacity problems can be expected on the local road system.

ZONING ADMINISTRATION DIVISION:

The proposed plan by the Petitioner will not have very much effect on the roads as traffic capacity is concerned. However, there are large acreages of land that possibly could be developed as apartments. If the general area is developed as apartments some serious traffic problems can be anticipated as to capacity.

Very truly yours,

OLIVER L. MYERS
Chairman

OLM:cm

cc: Mr. Edward D. Hardesty
Zoning Commissioner

W. Lee Harrison, Esq.
306 W. Joppa Road
Towson, Maryland 21204

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
ENGINEERS
P.O. BOX 6825, TOWSON, MD. 21204

Description to Accompany Zoning Petition
Reclassification from DR 5.9(R-4) to DR 16(R-A) Zone
Winands Road and Scotts Level Road

April 13, 1971

Beginning for the same at the intersection formed by the west side of Winands Road 50 feet wide and the north side of Scotts Level Road 60 feet wide and running thence binding on the west side of Winands Road 50 feet wide, (1) South 8° 30' West 515 feet, thence leaving said Winands Road and binding on the north line of a plat of "Valley Forge, Section A" recorded in Baltimore County in Plat Book W.P.C. 8 folio 90, (2) North 81° 30' West 1165 feet, thence binding on part of the easterly outline of "Plat 2, Stoneybrook North" recorded in Baltimore County in Plat Book O.T.G. 32 folio 81, (3) North 7° 30' West 250 feet, thence binding on part of the southeasterly outline of the property of W.B.A.L. Broadcasting Company, (4) North 47° 30' East 359.5 feet, thence South 81° 30' East 969 feet to the place of beginning.

Containing 13.6 acres of land more or less.



PETITION FOR RECLASSIFICATION
BALTIMORE COUNTY
SUBJECT: RECLASSIFICATION
FROM DR 5.9(R-4) TO DR 16(R-A) ZONE
LOCATION: West side of Winands Road opposite Scotts Level Road
DATE: April 13, 1971 at 1:00 P.M.
The undersigned, George William Stephens, Jr. and Associates, Inc., Engineers, 300 Allegany Avenue, Towson, Maryland, being duly sworn, depose and say that the foregoing is a true and correct copy of the petition for reclassification of the above described property from DR 5.9(R-4) to DR 16(R-A) Zone, as shown on the attached plat, and that the same was filed for record in the Office of the Clerk of the Baltimore County Court on the date and at the place above stated.

ORIGINAL
OFFICE OF
THE COMMUNITY TIMES
RANDALLSTOWN, MD. 21133 Sept. 6, 1971

THIS IS TO CERTIFY, that the annexed advertisement of The Zoning Commissioner of Baltimore County was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for One WEEKEND week before the 6th day of Sept., 1971 that is to say, the same was inserted in the issue of September 2, 1971.

STROMBERG PUBLICATIONS, Inc.

By: Ruth Morgan

PETITION FOR RECLASSIFICATION
BALTIMORE COUNTY
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CERTIFICATE OF PUBLICATION

TOWSON, MD., September 2, 1971.
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 a week at one time, to-wit: on September 2, 1971, the first publication appearing on the 2nd day of September 1971.

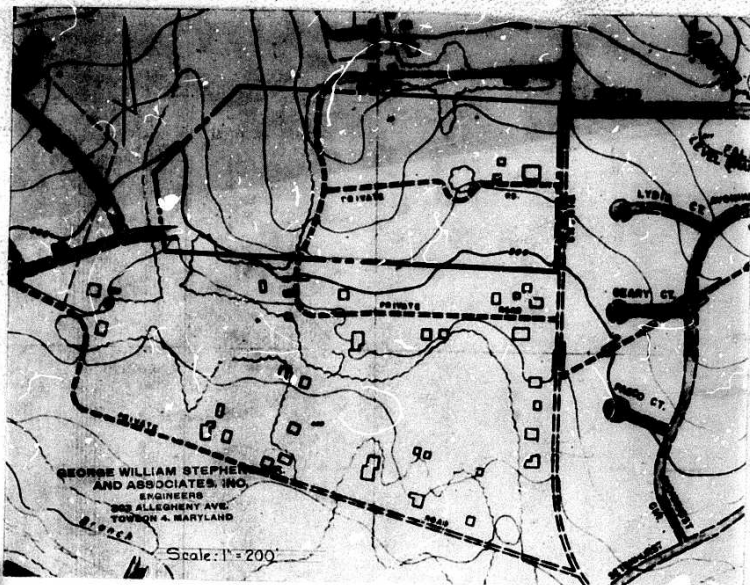
THE JEFFERSONIAN
L. Frank Struthers
Manager

Cost of Advertisement, \$

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 34
Posted for: RECLASSIFICATION
Petitioner: ALBERT KERNISCH
Location of property: W.B.A.L. BROADCASTING CO. STONEYBROOK NORTH
Location of Sign: 300 ALLEGANY AVE. TOWSON, MD. 21204
Remarks: 13.6 ACRES OF LAND MORE OR LESS
Posted by: Albert Kernisch
Date of return: 9/13/71

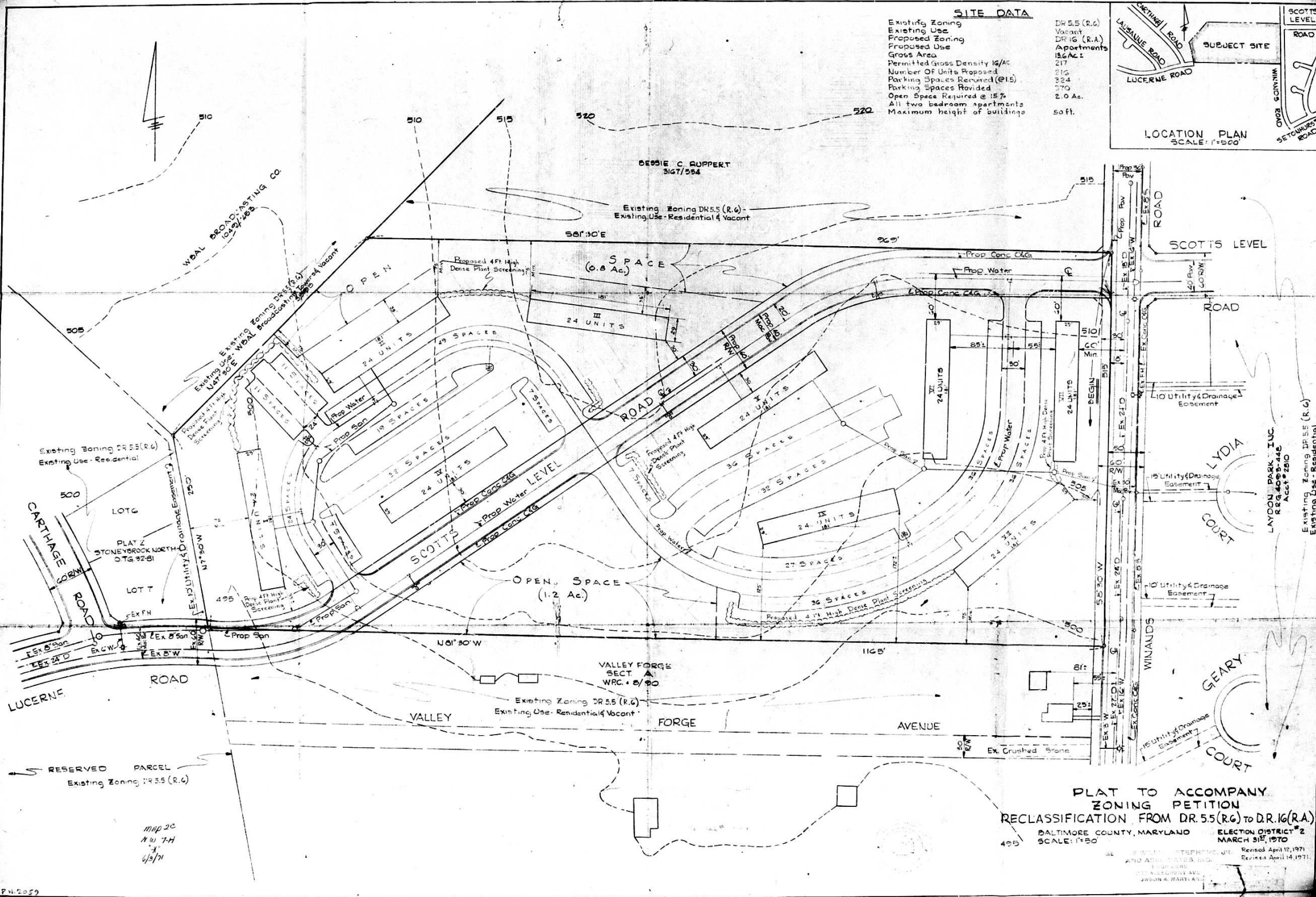
PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet
	date	by	date	by	date	by	date	by	
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, CC, CA									
Reviewed by: <i>W.M.</i>									
Previous case: <i>71-158-R</i>									



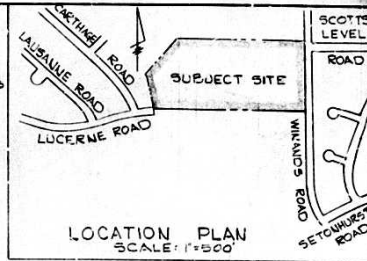
TELEPHONE: 484-5413
INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204
DATE: Sept. 21, 1971
No. 79677
To: M. Lee Harrison, Esq., 305 N. Joppa Road, Towson, Md. 21204
Re: Zoning Dept. of Baltimore County
Petition for Reclassification for Albert Kernisch
Scotts Level
TOTAL AMOUNT \$50.00
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MAIL TO COURT HOUSE, TOWSON, MARYLAND 21204

TELEPHONE: 484-5413
INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204
DATE: Sept. 24, 1971
No. 84974
To: Albert Kernisch, Esq., 305 N. Joppa Road, Towson, Md. 21204
Re: Zoning Dept. of Baltimore County
Advisory and posting of property
TOTAL AMOUNT \$50.00
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MAIL TO COURT HOUSE, TOWSON, MARYLAND 21204

M. Lee Harrison, Esq., 305 N. Joppa Road, Towson, Md. 21204
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 N. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received and accepted for filing
this 10th day of August 1971
S. Eric O'Hara, Zoning Commissioner
Petitioners: Albert Kernisch
Petitioner's Attorney: M. Lee Harrison
Reviewed by: M. Lee Harrison, Chairman of Advisory Committee



SITE DATA	
Existing Zoning	DR 5.5 (R.G)
Existing Use	Vacant
Proposed Zoning	DR 16 (R.A)
Proposed Use	Apartment
Gross Area	13.6 Ac.
Permitted Gross Density 16/AC	217
Number Of Units Proposed	216
Parking Spaces Required (215)	224
Parking Spaces Provided	270
Open Space Required @ 15%	2.0 Ac.
All two bedroom apartments	
Maximum height of buildings	50 ft.



PLAT TO ACCOMPANY
ZONING PETITION
RECLASSIFICATION FROM DR 5.5 (R.G) TO DR 16 (R.A)
BALTIMORE COUNTY, MARYLAND ELECTION DISTRICT 2
SCALE: 1"=50' MARCH 31ST 1970