# PETITION FOR ZONING RE-CLASSIFICATION 72.81-R AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF RALTIMORE COUNTY.

I, or we,Georga & Mahart, Herring legal owner. S of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, ition (1) that the zoning status of the herein described property be re-classif to the Zoning Law of Baltimore County, from an .. D. R. 3.5. (R-10).... D.R-16 (R.A.) for the following reasons

Please see sheet attached.

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of E

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 Spccial Exception advertising sting, etc., upon filing of this petition, and further sures to and are to be bound by the zoning sted pursuant to the Zoning Law for Baltim 9

McHenry Avenue

Pikesville, Maryland 21208

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., 1971... that the subject matter of this petition be advetised, as red by the Zoning Law of Baltimore County, in two newspapers of general circulation through altimore County, that property be posted, and that the public hearing be had before the Zoning Baltimore County in Room 106. County Office Railding in Toward 24th ., 197 1 at 2:00 o'clos

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72-81-6

RE: PETITION FOR RECLASSIFICATION S/S of Henry Lane, 164.58' W of Dwyer Aven" - 3rd District George Herring, et ux -Petitioners NO. 72-81-R (Item No. 25)

... ... ...

OF

BALTIMORE COUNTY ...

The Petitioners having withdrawn this Petition prior to the hearing, it is, therefore, ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_\_\_ day of May, 1972, that the said retition be and the same is hereby DISMISSED without preju-

Item 2: (April-October Cycle 1971)
Froperty Owner: George and Mabert Renring
Logary St., 164 W. of
Dyer Avame
Present Zoning: Rollessification to D.R. 16
District: 3rd Sactor: Morthwestern
Ro. Acres: 7.85

We quote from a copy of a letter written by Mr. Oliver L. Myers to Mr. George E. Gavrelis:

"It appears that this Petition is very premature. As no ourb and gutter, or improvements to Melbenry Street are anticipated in any of the capital programs, sewer and water is very difficult to obtain and no application will be approved until these public facilities are provided to the site. Traffic on Melbenry Street can be anticipated to be very heavy if this proposed development is constructed, and would tend to compound the srieting problem at the intersection of Melbenry Street and Relateratoum Road."

In view of this letter, we have decided to withdraw at this date our application for soning reclassification.

It is difficult for us to understand the reasoning in this letter, because the land adjoining us is already somed for apartments, and all the objections stated in this letter would certainly apply also to that land, in addition to the fact that it cannot be sewered with gravity flow except through our land.

Very truly yours,

George Merring Mabert Herring



## DESCRIPTION

7.83 ACRE PARCEL, MORE OR LESS, SOUTH SIDE OF MCHENRY LANE, 164.58 FEET, WEST OF DWYER AVENUE, THIRD ELECTION DISTRICT. BALTIMORE COUNTY, MARYLAND.

## This Description is for R-A (DR-16) Classification

Beginning for the same at a point on the south side of McHenry Lane. distant 164. 58 feet westerly from the southwest corner of said McHenry Lane and Dwver Avenue, said point being at the beginning of the third line of the land described in the deed to George W. Herring and wife as recorded among the thence binding on the outlines of said land, nine courses: (1) S 01\* 00' 00" W 416. 83 feet, (2) 5 76\* 58' 00" W 190.11 feet, (3) S 86\* 06' 00" W 642, 40 feet, (4) N 03° 14' 00" W 213.60 feet, (5) N 14° 00' 30" W 163.00 feet, (6) N 07° 39' 00" E 40.00 feet, (7) S 82° 18' 00" E 315.00 feet, (8) easterly, by a curve to the left with a radius of 800.00 feet, the distance of 225.03 feet, the chord of said arc being S 89° 39' 00" E 224, 30 feet, and (9) N 15° 38' 00" W 170, 30 feet to the south side of said McHenry Lane, the sce binding thereon two courses: (10) S 77\* 30' 00" E 110. 50 feet, and (11) S 89' '0' 00" E 285. 40 feet on the place of beginning

E 110. 30 leet, and (11) S 99 "0" 00" E 285, 40 leet "a jump of the containing 7. 83 acres of land, more or less,"

8 Severage & Oralinage > Highways & Structures & Consolidation of the containing to the contai

We, George and Mabert Herring, legal owners 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 that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an DR 3.5 (R-10) zone to an DR-16 (R.A.) zone, for the following reasons:

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This parcel of land is adjacent to land already zoned DR-16, and we fee! that the same zoning should be continued into our land. The location seems ideal for apartments, because, being right in the heart of Pikesville, in back of the Pikesville Shopping Center, it is within walking distance of stores, public transportation, banks, churches, etc. It is also close to public utilities. In fact, an adjacent five acres of land already zoned for apartments has no gravity flow for severage except through our land, to a pipe seventern feet below the surface

We have been trying to sell this land for about ten years, but every prospective buyer, without exception, comes up with only one use for the land, and that is for garden-type apartments. Due to the high cost of installing streets, etc., a buyer could have no hope of

We ask that you give this plea your careful consideration.

BALTIMORE COUNTY BOOM OF EDUCATION

No. of Acres: 7. 53

ZONING ADVISORY CONSTRPER MERTING OF Apar -7 125 (CYCLE ZENING)

Petitioner: Geo. 4 Marcer Herrich Incation: sls Methonar La., 164' W. of Dwree Ave. District: 3 Present Zoning: Do 1. Proposed Zoning: Da 14

Coments: FROM THE EXISTING ZOWING WE COULD EXPECT APPRICE. 13 ELEMENTARY PURIS WHILE FROM A CHANGE TO GARDEN LOIS. WE COULD INTICIPATE & FUNCS.

BALTIMORE COUNTY, MARYLAND

PARTMENT OF TRAFFIC ENGINEE JEFFERSON BUILDING TOWSON, MARYLAND 21204

Edward D. Hardesty Attn: Oliver L. Myers TO. C. Richard Moore FROM:

(25)

Date Hay 12, 1971

Item 25 - Cycle Zoning Property Owner: George & McHenry Lane W. of Dwyer A Reclassification to DR 16

The subject petition is requesting a change of 7.8 acres from DR 3.5 to DR 16. This should increase the trip density of the property from 280 to 960 trips per day. Hickenry Lame does not presently exist in a condition to handle the increased density, and at this time, there

MAY 30 1973

INDUSTRIAL DEVALORMENT

RE: Item 25 (April - October Cycle 1971) Property Omne: Ceorge and Mabert Herrins 5/8 Kollenry Street, 16h' W of Dayer Avanue Present Zoning: D.K.3.5 Proposed Zoning: Reclassification to D.R.10 STATE ROADS COMM District: 3rd Sector: Northwestern No. Acres: 7.63

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Dear Mr. Gavrelis:

The Zoning Advisory Cormittee has reviewed the plans submitted with the above referenced pointion and has made an on site field inspection of the property. The following cornents are a result of this review and

The subject property is presently improved with a dwallings with the surrounding represents being singured with deallings to (10) to thirty (30) years of any in good repair. A portion of the surrounding preparty is a heartly tooded area vacant from any type of development, beyor twome is not an existing attent. It is a paper street. Kellemy Street is a very narrow macdularized street.

BUREAU OF ENGINEERING:

Highwyst

This site has frontage on McHenry Street.

Reflerry Street is an existing County Road, which shall ultimately be included curve and unterstituding at the Araba Righmay improvements to this site, including curve and gutter, schemalies and entrances in accordance with the standards of the Palitance County Pepartment of Public Works for a 30-foot closed road section on a 50-foot right-of-ray will be required for any grading or building permit application.

For development as apartments Mellemy Street would need to be increase to a local collector, a 40-foot curb and gutter section on a 60-foot right-of-way as noted on the plat substitued.

Iten 25

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

- 2 -

Storm Drains:

The Petitionur must provide necessary drainage facilities (temporary or personant) to prevent creating any mutanness or damages to adjacent properties, especially by the concentration of surface vaters. Correction of my problem which may result, due to improper grading or improper installation of drainage facilities, would be the Tull responsibility of the Petitioner.

This property is adjacent to a stream which constitutes waters of the State. No change can be authorized for the course or cross-section of the stream without permit from the State Department of Water Resources. The course is responsible for an engineering study to determine the area of this site which would be inundated by a 50 year storm and to provide all justification of public benefit normanary to, and to obtain the required State permit for any change in course or cross-section proposed. Fublic rights-of-any will be required for the 50 year flood plain including 1 foot free board.

Public drainage facilities are required for any off site drainage facilities and any on site facilities serving off site areas, in accordance with the standards of the Baltimore County Department of Public Works.

On site drainage facilities serving only areas within the site do not require contriction under a County contract. Such facilities are considered private and therefore must conform to the County Plumbing and Building Codes.

Development of this property through stripping, grading and stabilization could result in a sedtwont pollution problem, demarging private and public holdings below this property, and sedtent control is required by State law. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Orading 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.

Public water can be made available to serve this property by constructing a public water rain extension, approximately 1500 feet in length, from the existing 8-inch main in St. Albens Road.

Item 25

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

- 3 -

Service within the site from the public system must be in accordance with the Baltimore County Building, Flumbing and Fire Provention Codes. The service Connection to the mater shall be in accordance with the standards of the Baltimore County Department of Public Norks.

Sanitary Sewer:

Public sanitary sewerage can be made available to serve this property by constructing a public sanitary sewer extension, approximately 1500 feet in length, from the existing 6-inch public sanitary sever in Church Lane.

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

The Petitioner is entirely responsible for the construction of his on site private sanitary sewerage, which must conform with the Baltimore County Plumbing Code.

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

The plat submitted does not adequately reflect the existing or required public suprovements to this site for storm drain facilities, flood plain, water facilities and sanitary severage facilities or private improvements on site for storm drain facilities, water system and sanitary severage system.

The plan should be ravised to reflect these items.

PROJECT PLANNING DIVISION:

The off site access is not sufficient to handle the number of trips to be generated by this zoning proposal.

Petitioner to comply with all applicable requirements of the Baltimore County Bullding Code and Regulations, when plans are submitted. Also, see Parking Lots "Section No."10 HT.

This office will not approve this operation until such time as public water and sowers are extended.

Air Pollution Comments The building or buildings on this site may be subject to repistration and compliance with the Naryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Politimore County Department of Health.

Item 25

FIRE PREVENTION BUREAU

Fire hydrants for the proposed site arm required and shall be in accordance with Baltimore County Standards. The hydrants shall be located at intervals of 500 feet.

A second means of access is required for the site.

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

- 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 bu feet.

## DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a change of 7.8 acres from D.R.3.5 to D.R.16. This should increase the trip density of the property from 200 to 960 trips per day, inclemy Street does not pre-cently exist in a condition to hards the increased density, and at this time, there are no plans for improvement.

From the existing zoning we could expect approximately 13 Elementary pupils while from a change to garden apartments we could anticipate 8 pupils.

## ZONING ADMINISTRATION DIVISION:

It appears that this Petition is very prenature. As no curb and gutter, or improvements to McHenry Street are anticipated in any of the capital programs, sever and water is very difficult to obtain and no application will be approved until these public facilities are provided to the site. Fraffic on McHenry Street can be anticipated to be very beavy if this proposed development is constructed, and would tend to compount the existing problem at the intersection of McHenry Street and Besterstown Road.

Very truly yours.

Zoning Commissione

Mr. George Herring McHenry Avenue Pikesville, Maryland 21208

## BALTIMORE COUNTY, MARYLAND

SUBJECT Item 25

Location: S/S McHenry Lane, 16h' W. of Dayer Avenue

70: Mr. Edward D. Hardesty, Zotting Course Lives

George and Mabert Herring

FROM: Planning Divinion Fire Provention Buros

SUBJECT: Property Comer:

Zerrier Acetyla

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.

A second means of access is required for the site.

Minisams width to the roads through site shall be 30 feet to assure passage

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

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

Respectfully substitud:

The owner shall be required to comply with all applicable requirements of the BOI Life Safety Code, 1957 Edition, and theFire Prevention Code when construction plans are submitted for approval.

INTER-OFFICE CORRESPONDENCE

Mr. Oliver Myers

Date ..... May 14, 1971

FROM Ian J. Forrest

25. Property Owner: George and Mahert Herring
Location: 575 Mellenty La., 164' W. of Duyer Ave.
Present Zoning: D.A. 3.5
Proposed Zoning: Reclass to D.R. 16
District: 3rd Sector: Northwestern
No.Acres: 7.84

- This office will not approve this operation until such time as public water and sewers are extended.
- Air Pollution Comment: The building or buildings on this site may be subject to registration and compliance with the Mayyland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Dejartment or Smalth.

Water and Sewer Section BUREAU OF ENVIRONMENTAL HEALTH

IJF/sam

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date April 29, 1971

FROM Jack Dietrich - Plans Review

SUBJECT #25 George & Habert Herring S.S. McHenry Ia. 161 9, of Myer Avenue District: 3

Petitioner to supply with all applicable requirements of the Baltimore County Building Code and regulations, when plans are submitted. Also, see Parking lots "Section MoO.10 H".

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Edward D. Hardesty

FROM Project Planning Division SUBJECT Zoning Advisory Agenda Item \*25

> April 27, 1971 S/S McHenry Lone 164' W. of

Date May 17, 1971

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

The off-site access is not sufficient to handle the number of trips to be generated by this zoning proposal

## BALTIMORE COUNTY, MARYLA, D

### INTER-OFFICE CORRESPONDENCE

TO Edward Hardesty ATTN: Oliver L. Myers	DateMay ." 1971
FROM Ellsworth N. Diver, P.E.	

SURJECT Item #25 (April - October Cycle 1971) Property Owner: George and Mabert Herring Location: S/S McHenry Street, 164, W. of Dwyer Ave. Present Zoning: D.R. 3.5 Proposed Zoning: Bek. 3.5 Proposed Zoning: Reclass, to D.R. 16 District: 302 Sector: Northwestern No. Acres: 7.83

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 McHenry Street.

MoHenry Street is an existing County Road, which shall ultimately be improved to minor residential utandards. Highway improvements to this site including ourse and getter, sidewalks and entrances in accordance with the stendards of the Ballimore County Department of Public Works for a 30-foot closed road section on a 50-foot right-of-way will be required for any grading or building permit application.

For development as apartments McHenry Street would need to be increased to a local collector, a 40-foot curb and gutter section on a 60-foot right-of-way as noted on the plat submitted.

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

### Storm Drains:

FUNCTION

Descriptions checked and outline plotted on map

Petition number added to outline

Denied Granted by ZC. BA. CC. CA

Previous case:

The Petitioner must provide necessary drainage facilities (temporary The retitioner must provide measury mranage facilities (comporary or permanent) to prevent creating any muisances or damages to adjacent properties, especially by the compentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainings facilities, would be the full responsibility of

This property is adjacent to a stream which constitutes waters of the State. No change can be authorized for the course or cross-section of the stream without permit from the State Department of Mater Resources. The sureas without pormit from the State Department of Water Resources. The owner is respondible for an engineering study to determine the area of this site with would be immediated by a 50-par storm and to provide all justices the state of th

MAPPING PROGRESS SHEET

Revised Plans:

Map # 2C.

Change in outline or description\_\_\_\_Yes

Wall Map Original Duplicate Tracing 200 Sheet

date by date by date by date by date by

Item #25 (April - Ortober Cycle 1971) Property Owner: Ge ge and Mabert Herring May 7, 1971

Public drainage facilities are required for any offsite drainage facilities and any onsite facilities serving offsite area, 5; accordance with the standards of the Baltimore County Department of Pholic Works.

Onsite trainage facilities serving only areas within the site do not require construction under a County contract. Such facilities are considered private and therefore must conform to the County Plumbing and Building Codes.

Orading 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 penuits.

a public water can be made available to serve this property by constructing a public water main extension, approximately 1500 feet in length, from the existing 8-inch main in St. Albane Poad.

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

with the Baltimore Courty Building, Flumbing and Fire Prevention Godes. The service connection to the meter full be in accordance with the standards of the Baltimore County Department of Public Works.

### Samitary Sewer:

Offsite rights-of-ways 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-ways.

The Petitioner is entirely responsible for the construction of his onsite private sanitary severage, which must conform with the Baltimore County Plumbing Code.

## Storm Drains: (Cont'd)

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public boldings below this property, and sediment control is required by State law. A grading permit is, therefore, mosesury for all grading, including the

Service within the site from the public system must be in accordance

Public sanitary sewerage can be made available to serve this property by constructing a public sanitary sewer extension, approximately 1500 feet in length, from the existing 8-inch public sanitary sewer in Chrort Lame.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZOWING County Office Building Your Patition has been received and accepted for filing Peritioners George Herring

Reclassification Item 25

Itam #25 (April - ( pher Cycle 1971) Property Cumery Coorge and Maham' Marenton May 7, 1971

### Sanitary Sewer: (Cont'd)

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.

The plst subsisted does not adequately reflect the existing or required public improvements to this site for storm drain facilities, flood plain, water facilities and sanitary sewerage facilities or private improvements onsite for storm drain facilities, water system and sanitary sewerage system.

The plan should be revised to reflect these tiems.

ELLSWORTH N. DIVER, P.E.

### END:EAM:OMX:ss

cc: File (3)

Key Shoet: P-SE Position Sheet: 22 NW 28 and 29 Topo: NW 7 F and 8 F Tax Map: 78

### STATE OF MARYLAND STATE ROADS COMMISSION 300 WEST PRESTON STREET BALTIMORE. MD. 21201

Hay 10, 1971



ReiBaltimore County
(Routo 140)

Baltimora County Mediassification (2 % for the period of 4 %) to October, 1971. Northwestern Sector (Reisterstown Road Area)

Towson, Maryland Dear Hr. Hardesty:

Mr. Edward D. Hardesty Zoning Commissioner County Office 81d2.

In reviewing the subject petitions it was noted that quite a few new develop-ments that would create a considerable increase in traffic generation are proposed in the Relsterstown Road area: Itoms 24, 25, 26, 29, 30, 32, 33, 35, 33 and 44,

It is the opinion of the State Moads Commission that if many of these sites are developed as planned sections of Reisterstown Moad could become virtually impassible.

Very truly yours,

Charles Lee, Chief Development Engineering Section

E. Dury tec by: John E. Heyers Asst. Davelopment Engineer

CL: JEM:bk



