0

72-192.R PETITION FOR ZONING RE-CLASS.FICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

1. or we furtise in factorized wheeler of the property strate 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 nerein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an DE 16

BL......tone; for the following reasons

(See attacked sheet)

See attached description

DATE 2

cial Exception, under the sa i Zoning Law and Zoning Regulations of Baltin County, to use the herein described property, for.....

Property is to be posted and advertised as prescribed by Zoning Regulations posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning Quant be Stockman

Petitioner's Att rney

..., 197 2., 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

day of March 2nd 197 2 at 10:00 o'clock

Legal Owner TS 18 Colmont are

Bello hed -21224

RE: PETITION FOR A RECLASSI-BEFORE THE N/S of Old North Point Road DEPUTY ZONING opposite Belmont Avenue 12th District August J. Stockman - Petitioner NO. 72-192-R (Item No. 23) OF

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BALTIMORE COUNTY

This Petition represents a request for a Reclassification from a D. R. 16 Zone to a B. L. Zone. The property consists of 0.41 of an acre, more or less, and is located on the north side of Old North Point Road opposite Belmont Avenue. The property to the north and exet of the site is cone

Testimony by Mr. August J. Stockman, owner of the subject percy, indicated that the Baltimore County Council had erred in not zoning gs property Business, Local because of its location adjacent to Business, ocal zoning on the north and east. They contend that the County Council should have zoned the entire frontage along the northeast side of Old North

Several area residents were present and testified in protest of the reclassification. Their protests were based on the fact that the general character of the area along this section of Old North Point Road is one of a residential nature. The commercial area on the north and east of the subjecproperty is eriented to North Point Boulevard and has access from that

Mr. Iran West, owner of the dwelling and property that lies adjacent to and binds on the west side of the subject property, indicated that even though he no longer lives there, and presently rents the property, he strongly feels that the zoning line should stop at its present location. It was

his opinion that if the zoning line could be held in its present location, the residential character of the neighborhood would be preserved.

Without reviewing the evidence in detail but based on all the evidence presented at the hearing, it is the opinion of the Deputy Zoning Commissioner that the Petitioners have not met their burden of proving that the Comprehensive Zoning Map as adopted by the Baltimore County Council

Therefore, it is ORDERED by the Deputy Zoning Commissioner of Baltimore County this 97 day of May 1972, that the abov reclassification be and the same is hereby DENIED and that the above described property or area is to be and the same is hereby continued and to remain a D. R. 16 Zone

41/22- Je Harry CO. ORDER RECEIVED FOR FILING

DATE

Deputy Zoning Commit Baltimore County

Baltimore County Office of Planning and Zoning County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Re: Reclassification from D.R. 16 to B.L.

As per requirement under Rule IV Item five (5), I am hereby filling sold brief for the above capitioned request, baseJ on error, by both the Baltimore County Planning Board and County Council, in the zoning maps adopted March 24, 1971.

ntend that the Planning Board erred in zoning this property D.R. 16 for

The subject property is immediately adjoined by B.L. zoning on the southeast and northwest saving and excepting for two small areas, the frontage of the northeast side of North Point Road is zoned B.L.

We contend that the County Council should have made the entire frontage along the northeast side of North Point Road B.L.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

Mr. August Stockman 7518 Belmont Avenue Baltimore, Maryland 21224

RE: Type of Hearings Reclass, to B.L. Locations W/S Old North Pt. Blvd., op Belmont Avenue Patitioner: August Stockman, et al 12th District Item 23

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced potition 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 located on the north side of Old North Point Road directly across from the Intersection of Balmont Avenue, It is currently on undeschoped lot that backs up to the Ginois Restaurant on Horth Point Sive, To the wast of the subject site there is an existing in-actory dealling. To the south of the life there are also existing residencial properties. There is no curb and gutter existing at this time.

BUREAU OF ENGINEERING:

The following comments are furnished in regard to the plat submitted to this office for review by the Zening Advisory Committee in connection with the subject item.

Site (spreverent in accordance with the plan submitted is important to the plan submitted in the plan submitte

Old North Point Road is a State road; therefore, all improvements, intersections and entrances on this read will be subject to State Highway Administration requirements.

Mr. August Page 2 Item 23

AC Harringe

5/1/12

Storm Drains:

The Petitioner must provide necessary dreinage facilities (temporary or permanent) to privent creating any nuisances or damages to adjacent proporties, sepecially by the concentration of surface waters. Correction from the control of the proper present of the proper proper fast liation of drivings facilities, would be the full responsibility of the

Provisions for accommodating storm drainage have not been indicated submitted plan.

Off site rights-of-ways appear to be necessary for the provision of public drainage facilities to this site. If so, grading or building permits cannot be approved prior to acquisition of such right-of-ways.

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.

Drafnage studies and sediment control drawings will be necessary to be reviewed and approved prior to the issurance of any grading and building paraits. Waters

Public water facilities are available to benefit this property.

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

Public sanitary score exists through the frontage of this property. Service from this cain depends on the building elevation on the site after a solution is made to the topographic problems.

Public sanitary sever exist to the north of this property within the private improved holding backing on this site, which sever is below the entire site. Off site rights-of-ways would be required however to obtain a connection from that sever.

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

BOARD OF EDUCATION:

No effect on student population.

DEPT. OF TRAFFIC ENGINEERING:

The subject site would increase in trip density from 50 trips to 200 trips a day, should the request. Joning be granted. One entrance would be more than adequate to serve the subject property.

This office has reviewed the subject site plan and there are no site uning factors requiring comment.

FIPP PREVENTION:

The owner shall comply with all applicable requirements of the Mational Fire Protection Association Standard No. 101, "The Life Safety Code", 1967 Edition, and the Fire Prevention Code when construction plans are submitted for approval.

STATE HIGHWAY ADMINISTRATION:

The proposed curb fronting the subject site is to be 20 ft. from the center of Old North Point Road rather than 15' as indicated on the plan.

It is assumed from the narrow width of the proposed entrances (201) that they are to be one-way. The plan must be revised accordingly.

There must be a minimum of 8° from the property lines to the entrances: 5° tangent plus 3° depression transition. This total distance scales 5° on the plan.

It is our opinion that the plan should be revised prior to a hearing date being assigned.

The entrances will be subject to State Highway Administration approval

HEALTH DEPARTMENT:

Food Service Comments: If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and

ZONING ADMINISTRATION DIVISION:

The patitioner's plat dows now show an entrance to the property that s on North Point Blvd, which lies adja cent to the site. However, it does the Zoning Commissioner's rules and procedure in all other respects.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be formarded to you in the near future.

Very truly yours,

Oliver & My OLIVER L. MYERS, Chairman

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Enc.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 8, 1971

COUNTY OFFICE BANG 111 V Chesapeshy Ave. Toward Maryland 2020

STATE ROADS COMMES BUREAU OF FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BOARD OF CDUCATION ZONING ADMINISTRATIO

Mr. George E. Gavrelis, Director Office of Planning & Zoning Room 301, Jefferson Building Towson, Maryland 21204

RE: Property Owner: August Stockman, et al Location: MS Old Morth Pt. Blvd., opp. Present Zoning: D.R. 16 Proposed Zoning: Reclass, to B.L. Ussrict: 12th Sector: Eastern No. Acres: 0,41 Item 23

The following comments were compiled after a field investigation and an in-office review which will provide the Planning Board and/or the petitioner with pertinent information of possible development problems.

Old North Point Road directly across from the intersection of Belmont Aneume. It is currently an underloped lot that backs up to the Circles Restaurent on North Point Blvd. To the west of the subject site there is a mexisting two-story dealling. To the south of the site there are also existing residential properties. There is no out on any gutre relating at this time.

The petitioner's plat does not show an entrance to the property that fronts on North Point Blvd, which lies adjacent to the site. However, it does meet the Zoning Commissioner's rules and procedure in all other respects.

Miver & Myor OLIVER L. MYERS, Chairman

JJDJr.:JD

of Old No Sit Rd.

CERTIFICATE OF PUBLICATION

OFFICE OF **Dundalk Eagle**

36 N. Dundalk Ave. Dundalk, Md. 21222

Feb. 17, 1972

THIS IS TO CERTIFY, that the annexed advertisement of MONING COMMISSIONER OF BALTIMORE COUNTY

The Dundalk Sugle a weekly newspaper published in Baltimore County, Maryland, once a succession

11th day of February, 19 72; that is to say, the same was inserted in the issues of February 10,1972

Kimbel Publication, Inc.

CERTIFICATE OF PUBLICATION

TOWSON, MP February 10, 19 .. 72 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly a wapaper printed and published in Towson, Baltimore County, Md., Garacia

appearing on the 10th day of February

P THE JEFFERSONIAN

Cost of Advertisement

19.72

BALTIMORE COUNTY, MARYLAND No. 1559 OFFICE OF FINANCE . VENUE DIVISION MISCELLANECUS CASH RECEIPT DATE_Feb. 28, 1972 01-662 \$118,55 DISTRIBUTION WHITE - CATHIER August J. Stockmen 7518 Belmont Ave. Baltimore, Hd. 21224 Advertising and nosting of property 118,55 MSC #72-192-R

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE Oct. 15, 1971 DISTRIBUTION August Stockmon (Cash)
7518 Selmont Ave.
Baltimore, Md. 21224
Patition for Recisessfication 5 0.00 ASC

CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNTY #72-192.R. Date of Posting 2-10-72 Heaving How March 2 4 1972 0 10:00 AM august J. Statman Location of property N/S & old De. Poul Kd off, Belmost Hess Date of return 2-17-72

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING Petitioners August Steelman, et al

Contract deliner language



