

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Margaret E. Disharoon, Clifton E. Disharoon
I, or we, and/or Walter Disharoon, 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an D.R. 5.5 (R-6) zone to an D.R. 16 (R.A.) zone; for the following reasons:

1. Error in the existing comprehensive zoning map for this area in that the Petitioners' property is divided arbitrarily between R.R. 5.5 and D.R. 16 and should be re-zoned to the property's highest potential.
2. An increased need for D.R. 16 property in the Woodlawn area.
3. Sufficient change in the neighborhood to warrant reclassification, as to the alternative request for reclassification from R-6 to R.A. has occurred since the property was last erroneously zoned R-6 by the County Council.
4. And for further error by the Council as set out in the attached exhibit, which is incorporated by reference herein.

And for other and further reasons as may be presented at a subsequent hearing.

County, to cause the herein described property to be

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.

Margaret E. Disharoon, Clifton E. Disharoon
Legal Owner Contact person

Address: 6915 Richards Avenue, Baltimore, Md. 21207

Address: 6915 Richards Avenue, Baltimore, Md. 21207

Larry L. Lockhart, Petitioner's Attorney
6660 Security Blvd., Baltimore, Md. 21207

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of February, 1972, 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 the public hearing be held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of March, 1972, at 10:00 o'clock.

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POINTS OF ERROR COMMITTED

BY THE COUNTY COUNCIL IN CLASSIFYING

THE SUBJECT TRACT D.R. 5.5

The Petitioners state that the County Council committed at least the following errors in classifying the subject parcel of 4.35 acres D.R. 5.5:

1. This petition represents the requested correction of an error of omission made by the County Council in classifying certain adjoining properties in a common ownership D.R. 16, and erroneously omitting to bring the subject adjoining parcel under the same ownership into a similar D.R. 16 status, thereby leaving it an isolated peninsula of D.R. 5.5 property adjoining D.R. 16 zoned property owned by the Petitioners and contract purchaser (with nearby impinging B.M. and M.L.R. zoning as well, further indicating that a higher density, such as D.R. 16, is in order).

2. All public utilities are fully and adequately available to the subject tract to allow development at a density of D.R. 16 or greater, and it was erroneous for the Council to fail to fully consider the adequacy of these utilities.

3. The entire character of this area bounded on the east by the Beltway, on the north by Dogwood Road, on the south by Interstate 70N, and on the west by North Rolling Road, has been completely altered by the closing of Belmont Avenue, by the extension of Security Boulevard from its former terminus west of the Beltway through and across North Rolling Road, by the present construction of the new, vast Security Shopping Center, by the construction of Martin's West, by the construction and continued expansion of the Security Industrial Park, not to mention the continued, rapid expansion of the Social Security Complex and the intensive activity at the Meadows Industrial Park; and all of these, and other factors, render D.R. 5.5 zoning

clearly erroneous, as well as pointing out the area need for D.R. 16 zoning.

4. The tract is completely unusable in a D.R. 5.5 status, as it can only be effectively used by use in conjunction with the larger parcel placed in a D.R. 16 zone; and it, thus, was error to place this smaller parcel in a D.R. 5.5 status.

5. That the remaining "peninsula" of D.R. 5.5 of which the subject parcel is a part is completely erroneous in view of the radically changed nature of the area, particularly the nearby industrial and commercial areas, and it was error by the Council to create and/or to continue this incongruous D.R. 5.5 area.

6. That the Council's error in placing this subject tract in a D.R. 5.5 zone is readily understood when viewed against the background under which the Council labored during 1970-1971; including, but not only, a hostile press, an emotional and misinformed public, improper pressures, including even physical threats from every quarter, not to mention the magnitude of the task versus the time and resources available to the Council.

7. That the Council, in addition to its other handicaps, did not have the benefit of an adequate, adopted Master Plan as required by Section 22.12 et seq. of the Baltimore County Code (1968 edition); and, thus, the Council was like a ship without a rudder trying to navigate in a typhoon.

8. That the Council hearing of March 24, 1971, was not a proper, legally conducted legislative hearing, and this subject property and many other properties were not adequately or properly considered at that meeting, constituting further error by the Council.

-2-

Respectfully submitted,

Larry L. Lockhart
Attorney for Property Owners

-3-

RE: PETITION FOR RECLASSIFICATION
N/S Glen Spring Road, 105.03'
NE of Kalb Manor Road - 1st
District, Walter Disharoon,
et al - Petitioners
NO. 72-211-R (Item No. 31)
BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

The Petitioners request a Reclassification from a D.R. 5.5 Zone to a D.R. 16 Zone for a parcel of property located on the north side of Glen Spring Road, 105.03 feet northeast of Kalb Manor Road in the First District of Baltimore County, containing 4.35 acres of land, more or less.

Without reviewing the evidence in detail but based on all the evidence presented at the hearing, in the judgement of the Zoning Commissioner, the Comprehensive Zoning Map as adopted on March 24, 1971, was not in error in classifying this property D.R. 5.5. It is obvious from both the testimony at the hearing and from the recommendations of the Planning Board under Item No. 31, that this property was intended to be a buffer between the high density anticipated development to the east and single family housing to the west. Further, Glen Spring Road would not be capable of handling the traffic that can possibly emanate from this full development.

The Department of Traffic Engineering's representative on the Zoning Advisory Committee, indicated in the comments of the Planning Board that the trip density would increase from approximately two hundred (200) to five hundred (500) trips per day if the said Petition was granted, citing the inadequacy of the current road system in the area to handle same.

Therefore, it is ORDERED by the Zoning Commissioner of Baltimore County, this 6th day of July, 1972, that the above Reclassification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a D.R. 5.5 Zone.

Robert C. Morris, Jr.
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 8, 1971

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

RE: Property Owner: Margaret A. Disharoon, et al
Location: S/E, S Glenn Spring Rd., 900' N/E of Rolling Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Reclus. to D.R. 16
1st District Section: Northwestern
No. Acres: 1.04
Item No.: 31

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.

The subject property is located at the northernmost end of Glen Spring Road just northeast of its intersection with Rolling Road. The property is currently improved with a dwelling, barn and other outbuildings. The property to the southwest is a combination of residential and farm use. The homes in this development are 5 to 10 years of age and in excellent condition.

The plot as submitted does not indicate the existing buildings on the subject site and does not indicate the other buildings that are on adjacent properties in relation to this property. We also recommend that this petition be considered in conjunction with Item 29 as it lies directly to the southwest of that property.

Very truly yours,
Oliver L. Myers
OLIVER L. MYERS, Chairman

JUDJr:scn

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well Map		Original		Duplicate		Tracing		GDS Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Created by 20, 2A, CC, C										
Reviewed by: <i>MLC</i>			Revised Plans: Change in outline or description							
Previous case:										

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG
111 W. Chesapeake Ave.
Towson, Maryland 21204OLIVER L. MYERS
Chairman

MEMBERS

BUREAU OF
ENGINEERINGDEPARTMENT OF
TRAFFIC ENGINEERING

STATE ROAD COMMISSION

BUREAU OF
FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING
BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL
DEVELOPMENTLarry L. Lockhart
6660 Security Boulevard
Baltimore, Md. 21207Re: Type of hearing: Reclass to D.R. 16
Location: S.E. of Glenn Spring Rd.
N/E of Rolling Rd.
Petitioner: Margaret A. Dishroon, et al
at District
Item 31

Dear Sir:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition 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 at the northernmost end of Glenn Spring Road just northeast of its intersection with Rolling Road. The property is currently improved with a dwelling, barn and other outbuildings. The property to the southwest is a combination of residential and farm use. The homes in this development are 5 to 10 years of age and in excellent condition.

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:

Access can be obtained from Glenn Spring Road an existing 36-foot curbed street on a 50-foot right-of-way.

Lord Baltimore Drive is proposed to extend through this site as a 50-foot curbed street on a 70-foot right-of-way.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties.

Larry L. Lockhart
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Item 31

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.

This property falls within a sizeable drainage area and will require studies to determine the correct size of the structures and drainage reservations required.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Drainage studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

Water and Sanitary Sewer:

Public water and sewer are available to serve this site.

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a reclassification from D.R. 5-5 to D.R. 16 of 4.35 acres. This should increase the trip density from 200 to 500 trips a day. At the present time, with the existing road system, this site does not have adequate access.

Glenn Spring Road is designed as a residential street and is not sufficient to handle high density development.

OFFICE OF THE BUILDINGS ENGINEER:

Petitioner to comply with all applicable requirements of Baltimore County Building Code and regulations, when plans are submitted.

BOARD OF EDUCATION:

The following schools serve this area:

School	Capacity	Enrollment	Over/Under
Chadwick Elem.	385	394	+ 9
Woodlawn J. H.	1250	1228	- 22
Woodlawn Sr. H.	2050	1937	- 113

Larry L. Lockhart
Page 3
Item 31

The area, as currently zoned, could yield approximately 16 elementary students while a change to D.R. 16 could result in a yield of approximately 8 elementary pupils.

HEALTH DEPARTMENT:

Metropolitan water and sewer are available to the site.

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 DEPARTMENT:

Fire hydrants for the proposed site (are required and) shall be in accordance with Baltimore County Standards.

A second means of access is required for the site.

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

ZONING ADMINISTRATION DIVISION:

The plat as submitted does not indicate the existing buildings on the subject site and does not indicate the other buildings that are on adjacent properties in relation to this property. We also recommend that this petition be considered in conjunction with Item 29 as it lies directly to the southwest of that property.

Very truly yours,

OLIVER L. MYERS, Chairman

JJDrw
Enc.CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 156 Date of Posting: FEB 24 1972

Posted for: RECLASSIFICATION

Petitioner: WALTER DISHROON

Location of property: N.E. of Glenn Spring Rd. S.E. of Rolling Rd.

Location of Sign: DEAD END OF GLENN SPRING ROAD

Remarks:

Posted by: Charles J. Myers Signature Date of return: MARCH 1, 1972

BALTIMORE COUNTY, MARYLAND No. 303
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Nov. 19, 1971 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Larry Lockhart
6660 Security Blvd.
Baltimore, Md. 21207
Petition for Reclassification for Walter Dishroon

BALTIMORE COUNTY, MARYLAND No. 1585
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE March 17, 1972 ACCOUNT 01-662

AMOUNT \$33.35 63.63

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Clifton E. Dishroon
6915 Richards Ave.
Baltimore, Md. 21207
Advertising and posting of property 363.63

BALTIMORE COUNTY, MARYLAND No. 1586
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE March 17, 1972 ACCOUNT 01-662

AMOUNT \$63.62

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Walter H. Dishroon
2234 Van Nuren Street, Ap. 2
Hollywood, Florida 33020
Advertising and posting of property 636.62

ORIGINAL
OFFICE OF
THE TIMES
CATONSVILLE, MD. 21228 February 28 - 19 72

THIS IS TO CERTIFY, that the annexed advertisement of
S. Eric Dishroon
Zoning Commissioner of Baltimore County
was inserted in THE CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one
XXXXXX week before the 28 day of February 1972 that is to say,
the same was inserted in the issue of February 24, 1972.

STROMBERG PUBLICATIONS, Inc.

By: Ruth Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 24, 1972.

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 for one week before the 28 day of February 1972, the first publication appearing on the 24th day of February 1972.

THE JEFFERSONIAN,
L. L. Lockhart
Manager.

Cost of Advertisement, \$.....

Larry L. Lockhart
6660 Security Blvd.
Baltimore, Md. 21207

Item 31

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing

this 24th day of February 1972

Margaret A. Dishroon, Clifton E. Dishroon
Mildred & Walter Dishroon
Zoning Commissioners

Petitioner: Larry L. Lockhart

Petitioner's Attorney: Larry L. Lockhart

Reviewed by: Charles J. Myers
Chairman of
Advisory Committee

PETITION FOR
RECLASSIFICATION
-ADVERTISING
-FORMING FROM D.R. 5-5 to D.R.
16
LOCATION: North side of Glenn
Spring Road, 1/4 mile North of
Rolling Road, 1/4 mile East of
Glenn Spring Road.
DATE & TIME: FRIDAY,
MARCH 1, 1972, 10:00 A.M.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.
The Zoning Commissioner of
Baltimore County, by authority of
the Zoning Act and Regulations of
Baltimore County, will hold a
public hearing on the
Petition for Reclassification of
D.R. 5-5
From D.R. 5-5 to D.R. 16
on the 28th day of February 1972
beginning at the same of a
public hearing on the 28th day of
February 1972 at 10:00 A.M. at
the County Office Building, 111 W.
Chesapeake Avenue, Towson, Md.
The subject property is located
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Road, 1/4 mile North of Rolling
Road, 1/4 mile East of Glenn
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100' 0"



DR 16

DISPARSON PROPERTY
TOTAL 8.254 ACRES
DR 16

LAND ZONED
DR 16 (4.83 ACRES)

SCALE: 1" = 200'

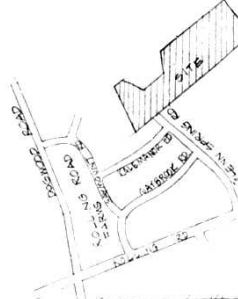
APARTMENT TYPE	NO. OF UNITS	EQUIVALENT DUS
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1 BR	48	36
2 BR	60	60
3 BR	24	36
	132 APTS.	132 DUS.

REQ'D PARKING = 132 x 1.53 SPACES = 202

ACTUAL PARKING = 202

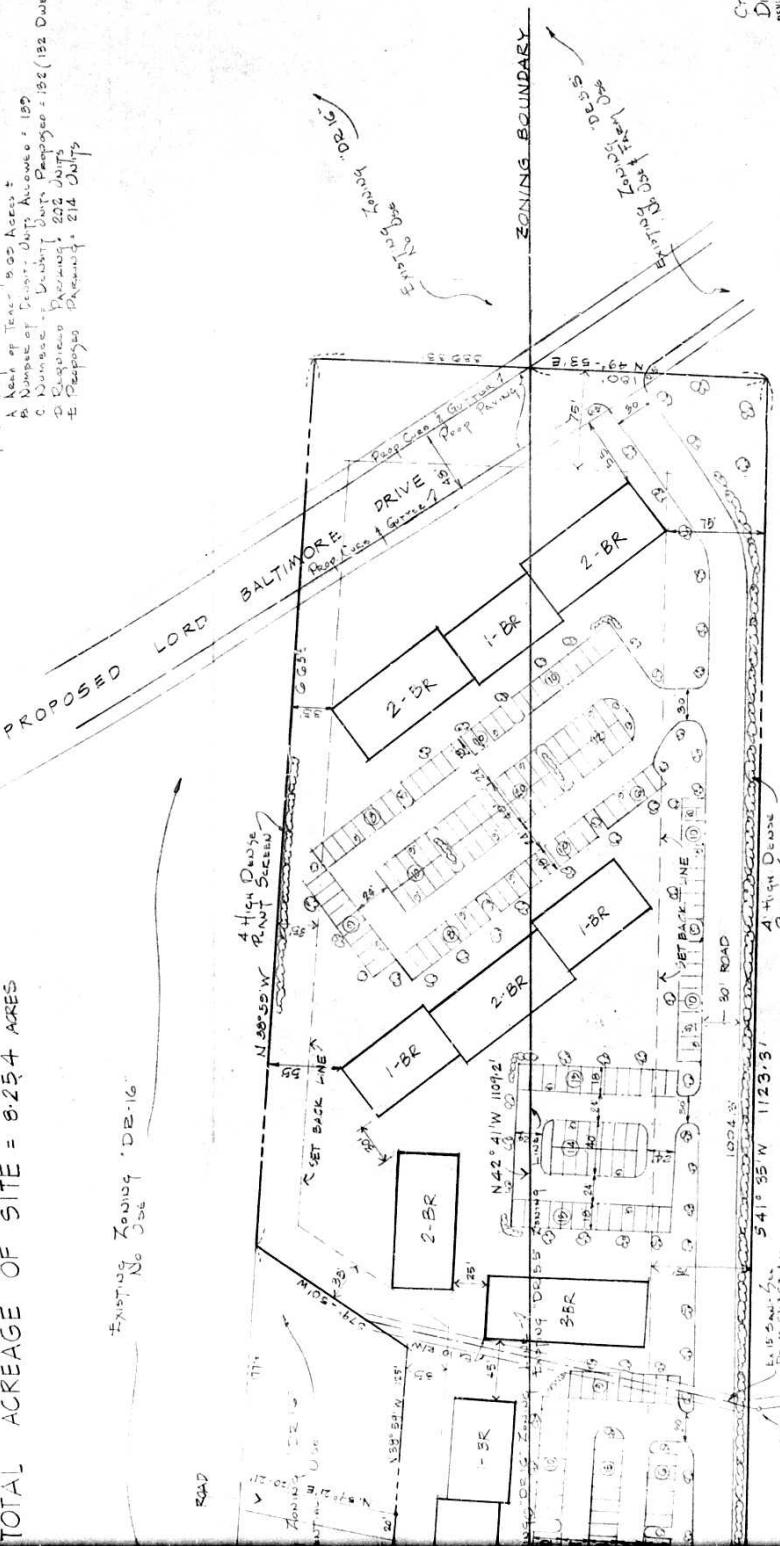
TOTAL ACREAGE OF SITE = 8.254 ACRES



LOCATION PLAN
SCALE: 1" = 200'

- GENERAL NOTES
1. Total Area of Tenet Tracts 8.25 Acres
 2. Area of Tenet Requesting Reclassification Equals 4.86 Acre
 3. Existing Zoning of Tenet: DR 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100
 4. Existing Use of Tenet: "No Use"
 5. Proposed Zoning of Tenet: DR 16
 6. Proposed Use of Tenet: "Garden Apartments"
 7. Density: One Unit per 100 sq. ft.
 8. Number of Tenet: 132 Units
 9. Number of Units: 132 Units
 10. Required Parking: 202 Units
 11. Required Parking: 214 Units

EXISTING Zoning: DR 16
No Use

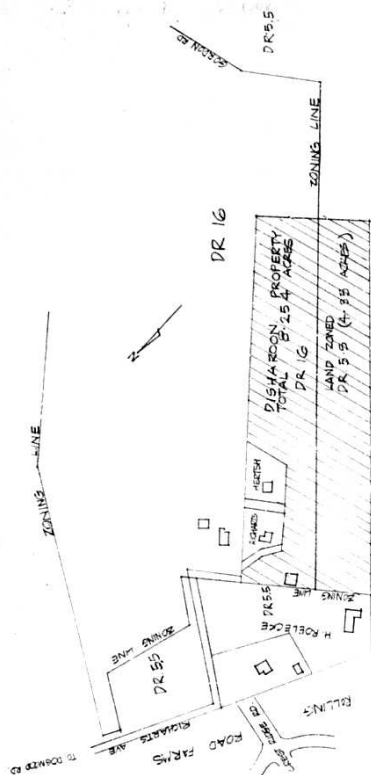


CIRCLE 31
DISPARSON
REVISION



PLAN TO ACCOMPANY PETITION
FOR
RECLASSIFICATION OF PROPERTY
GLEN SPRING & KALD MANOR ROADS
DISTRICT 1
Baltimore Co., Md.
Oct. 15, 1971
Scale 1" = 50'





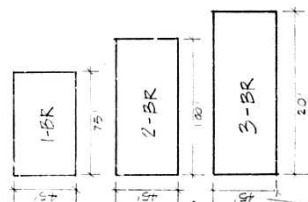
SCALE: 1" = 200'

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2-BR	60	60
3-BR	24	36
	132 APTS.	132 DUS

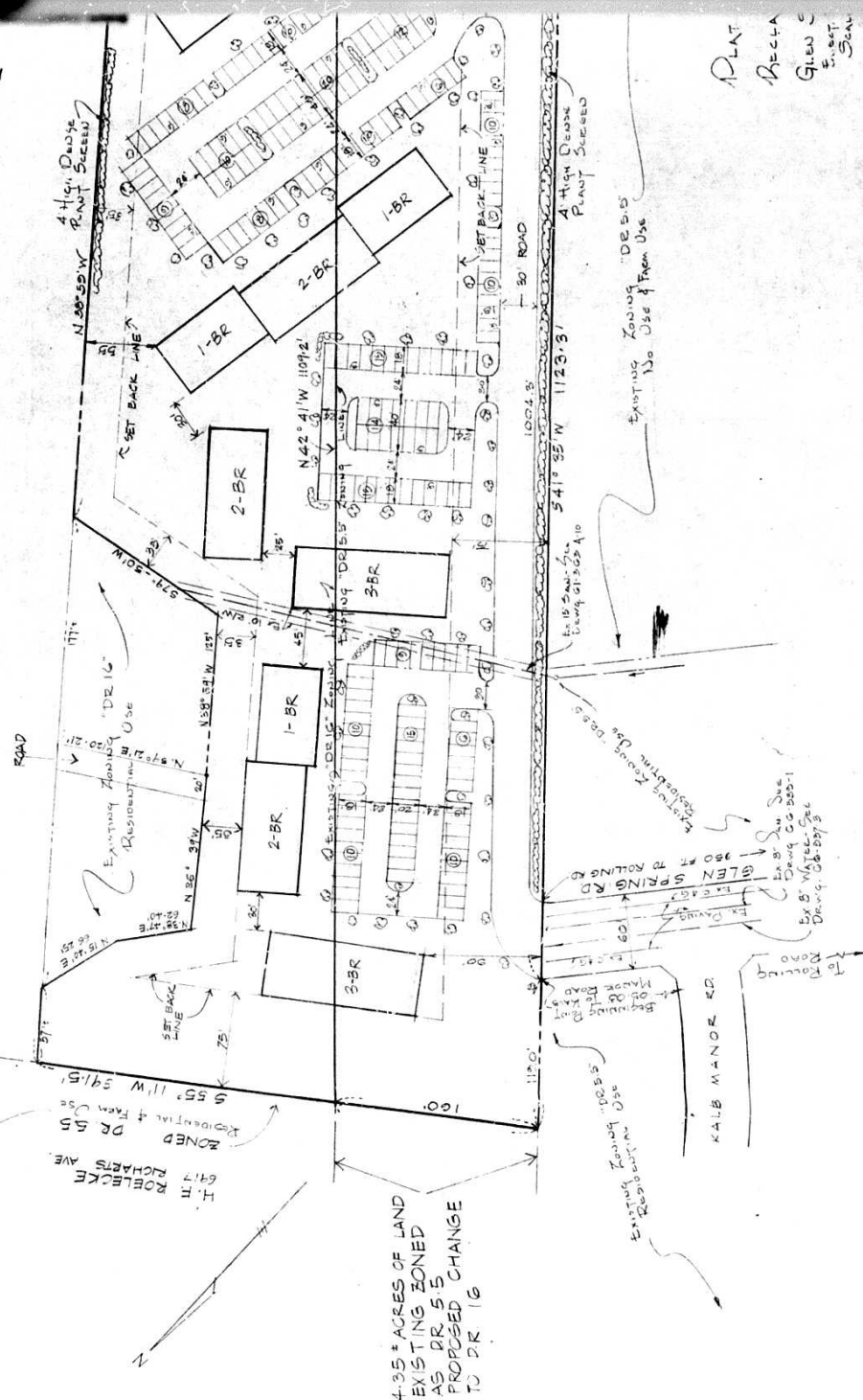
REQ'D PARKING = 132 x 1.53 SPACES = 202

ACTUAL PARKING = 202

TOTAL ACREAGE OF SITE = 8.254 ACRES



Existing Zoning 'DR-16'
No Use



4.35 ACRES OF LAND
EXISTING ZONED
AS DR 55
PROPOSED CHANGE
TO DR 16

KALB MANOR RD

PLAT
RECLA
GLEN
EAST
SUN