

72-217 RH PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION & VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

JEROME F. SNYDER and
PHYLLIS R. SNYDER, 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an...DR. 5.5...zone to...DR. 16...zone for the following reasons:

SEE ATTACHED SHEET

Variance from Section 1802.2C to permit a building in a DR 16 Zone with the rear yard of 35 feet, side yard of 40 feet and front yard of 35 feet, in lieu of required 75 feet, respectively.

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 be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser
Power and Mosner
Thomas G. Bodie
Address: 21 W. Susquehanna Avenue
Towson, Md. 21204 - 823-1250

ORDERED By The Zoning Commissioner of Baltimore County, this...13th...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, last 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...22nd...day of...March...1972...at 10:00 o'clock.

(over)

RE: PETITION FOR RECLASSIFICATION AND VARIANCE
NW corner of Taylor and Westmoreland Avenues - 9th District
Jerome Snyder - Petitioner
NO. 72-217-A (Item No. 11)

The Petitioner requests a Reclassification from a D. R. 5.5 Zone to a D. R. 16 Zone for a parcel of property located on the northwest side of Taylor Avenue and Westmoreland Avenue in the Ninth District of Baltimore County, containing 0.53 acres of land, more or less; and a Variance from Section 1802.2C to permit a building in a D. R. 16 Zone with the rear yard of thirty five feet (35'), side yard of forty feet (40') and front yard of thirty-five feet (35') all in lieu of the required seventy-five feet (75').

Testimony on behalf of the Petitioner indicated that he wished to develop the property into eight (8) apartment units. It was his opinion that another individual home could not be constructed on the property. There is presently a house on the subject property very close to Taylor Avenue and the remaining property is undeveloped. Testimony also indicated that the property would be denied access to Taylor Avenue because of the cutoff from Taylor Avenue on to Perring Parkway.

Mr. Francis LeBrun, a qualified realtor, stated that the Baltimore County Council was in error in zoning this property D. R. 5.5, as it is an undesirable property on which to construct a single family dwelling. After cross-examination, it was indicated that traffic at this intersection of Westmoreland Avenue, Taylor Avenue and Perring Parkway is very heavy many times.

Residents of the area, in protest of the subject Petition, indicated a possible increase in children in the school system which they claim is overcrowded at this time. It was further indicated that Westmoreland Avenue does not have any side walks and that the granting of this Petition would create spot zoning.

Mr. Richard Williams, duly summoned and employed by Baltimore County as a Planner in the Office of Planning and Zoning, indicated that the property could be developed into two (2) dwellings necessitating a panhandle entrance of a twelve foot (12') right-of-way from Westmoreland Avenue back to the second dwelling.

Without reviewing the evidence further 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 by the Baltimore County Council on March 24, 1971, was not in error in classifying this property D. R. 5.5. The burden of proving error in the adoption of the map is borne by the Petitioner and this has not been met.

For the foregoing reasons, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this...26th...day of June, 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, and by necessity the request for the Variances are also DENIED.

Richard Williams
Zoning Commissioner of
Baltimore County

BRIEF

The Petitioners' property is located on the corner of Taylor and Westmoreland Avenues. The property originally was purchased as a group of individual lots by the father of Jerome F. Snyder with the intention of selling off individual lots. At the time of purchase, those individual lots which faced Taylor Avenue had access to Taylor Avenue. However, the State of Maryland has acquired a strip of the property bordering on Taylor Avenue, and those lots which face Taylor Avenue do not have access thereto. In fact, said individual lots have no access to any public road. The only access to the property is on Westmoreland. Since Petitioners cannot develop the property as individual lots, they wish to develop the property with a multi-unit dwelling structure. The widening of Taylor Avenue and the opening of Perring Parkway mitigates against a low-density classification for this tract.

- REASONS:
1. Error in the map.
 2. Inability to use property under present classification.

ORDER RECEIVED FOR FILING

DATE *July 24, 1972*
BY *John P. [illegible]*

ORDER RECEIVED FOR FILING

DATE *July 24, 1972*
BY *John P. [illegible]*

E. F. RAPHEL & ASSOCIATES
Regional Professional Land Surveyors
201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

October 15, 1971

DESCRIPTION TO ACCOMPANY PETITION FOR RECLASSIFICATION DR 55 to DR 16 TAYLOR AVENUE AND WESTMORELAND AVENUE

BEGINNING for the same at the intersection formed by the west side of Westmoreland Avenue with the northern Right of Way line of Taylor Avenue as shown on State Road Commission of Maryland Plat 25135 running thence and binding on the northern most Right of Way line of Taylor Avenue as shown on the Plat 25135 State Road Commission of Maryland westerly 80 ft. ± running thence and binding on the outline as shown on the State Road Commission Plat 24929 N58°02'06"W 60 ft. ± and N42°26'27"W 155 ft. ± to intersect the westernmost line of Lot 104 as shown on the Plat of Westmoreland Fruit Farm WPC 7, folio 102, running thence and binding on the eastern side of Peach Avenue N11°22'E 25 ft. ± as shown on said plat, running thence and binding on the rear lot lines of lots 104 to 96 inclusive as shown on said plat 551°31'E 290 ft. ± to the westernmost side of Westmoreland Avenue, running thence and binding on the westernmost side of Westmoreland Avenue S41°49'W 15 ft. ± as shown on said plat, running thence and binding on the westernmost side of Westmoreland Avenue as shown on Plat of State Road Commission 25135 the three following courses and distances 1) westerly 5 ft. ± 2) southerly 95 ft. ± and 3) southwesterly 15 ft. ±

CONTAINING 0.53 acres of land more or less.

BEING the remainder of Lot 104 through 96 inclusive as shown on the Plat of Westmoreland Fruit Farm WPC 7, folio 102.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

Thomas G. Bodie, Esq.,
21 W. Susquehanna Avenue
Towson, Maryland 21204

RE: Type of Hearings Reclass to D.R. 16;
Variance from 1802.2C
Petitioners, Jerome and Phyllis R. Snyder
Locations NE Cor. Taylor Ave. & Perring Pkwy.
9th District
Item 11

Dear Sirs:

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 on the northeast corner of Taylor Avenue and Perring Parkway. The property is currently improved with a two-story dwelling and adjacent outbuildings. It also has a good deal of shrubbery and trees on the subject site.

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 to this site shall be from Westmoreland Avenue, an existing public road which shall ultimately be improved as a 36-foot combination curb and gutter cross section on a 60 foot right-of-way.

Storm Drainage

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or dangers to adjacent property, especially by the concentration of surface waters. Construction of any drainage facilities which may result, due to future grading or drainage installations of drainage facilities, would be the full responsibility of the Petitioner.

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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:

Public water is available to serve this property. There is an existing 8-inch water main in Westmoreland Avenue.

Sanitary Sewer:

There is existing public sanitary sewerage in Westmoreland Avenue and traversing the intersection of Perring Parkway and Taylor Avenue to the west property line of this site.

PROJECT PLANNING DIVISION:

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

This property is too small to conform to the requirements of the DR-16 zoning.

BOARD OF EDUCATION:

Acreage too little to have an effect on student population.

STATE HIGHWAY ADMINISTRATION:

The subject plan indicates that there will be no adverse effects to the State Highway.

DEPT. OF TRAFFIC ENGINEERING:

Although the trip density of this small site is low, some problems can be anticipated due to Westmoreland Avenue's close proximity to Taylor Avenue and Perring Parkway.

FIRE DEPARTMENT:

The owner must 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.

Thomas G. Bodie, Esq.,
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HEALTH DEPARTMENT:

Metropolitan water and sewers 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.

ZONING ADMINISTRATION DIVISION:

The plat does not indicate the type of entrance onto Westmoreland Avenue, and it also appears that the parking on the west side of the parking lot is within the 8 foot setback requirement from the right-of-way line. It appears that the property is too confined for this type of development.

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 forwarded to you in the near future.

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

JJB:JO

Enclosure



E. F. Raphael
Eugene F. Raphael #2246
Registered Professional
Land Surveyors

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 8, 1971

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204OLIVER L. MYERS
Chairman

MEMBERS

BUREAU OF
ENGINEERINGDEPARTMENT OF
TRAFFIC ENGINEERING

STATE ROADS COMMISSION

BUREAU OF
FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL
DEVELOPMENTMr. George E. Cavrellis, Director
Office of Planning & Zoning
Room 301, Jefferson Building
Towson, Maryland 21204RE: Property Owners: Jerome and Phyllis R. Snyder
Locations: N/E Cor. Taylor Ave. & Perring Pkwy.
Present Zoning: D.R. 5-5
Proposed Zoning: Reclassified to D.R. 16; Variance
from 1802.2C
9th District Sector: Northeastern
Item 11The 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 on the northeast corner of
Taylor Avenue and Perring Parkway. The property is currently
improved with a two-story dwelling and adjacent outbuildings. It
also has a good deal of shrubbery and trees on the subject site.The plat does not indicate the type of entrance onto
Westmoreland Avenue, and it also appears that the parking on
the west side of the parking lot is within the 8 foot setback
requirement from the right of way line. It appears that the
property is too confined for this type of development.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

JJQJr:JD

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 2, 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., on the
date time _____ before the _____
day of _____, 1972, the first publication
appearing on the _____ day of _____
1972.THE JEFFERSONIAN
H. Leach Smith
Manager

Cost of Advertisement, \$ _____

ORIGINAL

OFFICE OF

THE TOWSON TIMES

TOWSON, MD. 21204

MARCH 4 - 1972

THIS IS TO CERTIFY, that the annexed advertisement of
S. Eric Dismore
Zoning Commissioner of Baltimore County
was inserted in THE TOWSON TIMES, a weekly newspaper published
in Baltimore County, Maryland, once a week for one _____
week before the 6 day of March 1972 that is to say, the same
was inserted in the issue of March 2, 1972.

STROMBERG PUBLICATIONS, Inc.

By *Ruth Morgan*

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#72-217-KA

District: 9th Date of Posting: 3-1-72
Posted for: *Jerome and Phyllis R. Snyder*
Petitioner: *Jerome and Phyllis R. Snyder*
Location of property: *N/E Cor. of Taylor Ave. & Westmoreland Ave.*
Location of Signs: *2 Signs on Taylor & 2 Signs on Westmoreland Ave.*
Remarks: _____
Posted by: *Paul H. Hays* Date of return: 3-9-72

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		GEO Sheet	
	date	by	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>PLM</i>	Revised Plans: Change in outline or description _____ Yes Map # <i>9-3C</i> _____ No									
Previous case:										

Thomas G. Duffin, Esq.,
21 W. Chesapeake Avenue
Towson, Maryland 21204

Item 11

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204Your Petition has been received and accepted for filing
this _____ day of _____, 1972*Paul H. Hays*
Chairman of
Zoning CommissionPetitioners: *Jerome and Phyllis R. Snyder*Petitioner's Attorney: *Thomas G. Duffin* Reviewed by: *Oliver L. Myers*
Chairman of
Advisory CommitteeBALTIMORE COUNTY, MARYLAND No. 2101
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE March 22, 1972 ACCOUNT 01-442

AMOUNT \$174.25

DISTRIBUTION
WHITE - CASHIER
JEROME F. SNYDER
1303 Charter Oak Ave.
Bal Air, Md. 21014
Advertising and posting of property
#72-217-KA 15425BALTIMORE COUNTY, MARYLAND No. 315
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

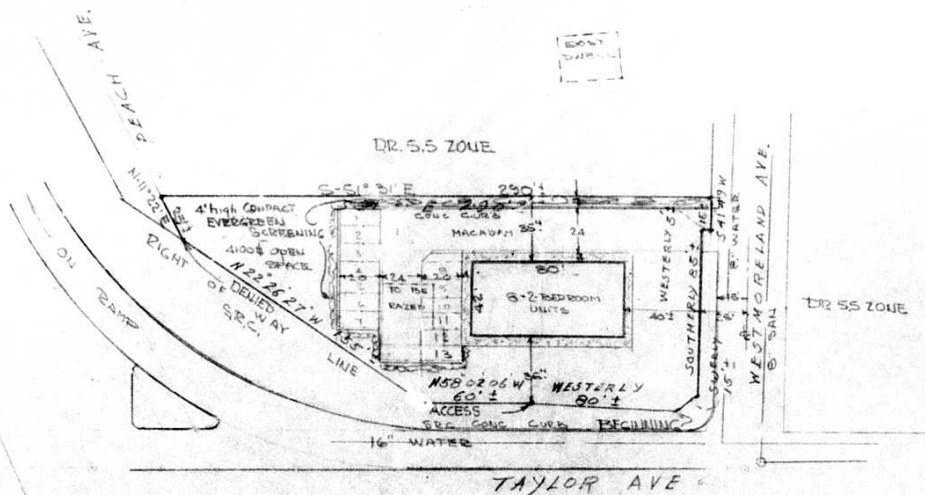
DATE Nov. 19, 1971 ACCOUNT 01-442

AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER
HARRIS, POWER AND HOSMER
21 W. Chesapeake Ave.
Towson, Md. 21204
Petition for Reclassification for Jerome Snyder
#72-217-KA 15425



REAR DRIVEWAY



GENERAL DATA
 EXISTING ZONING DR-SS
 PROPOSED ZONING DR-16
 GROSS AREA 0.53 AC.
 DESIGNED DENSITY
 GROSS AREA = 0.53 AC x 16 UNITS PER AC = 8.48
 2 BED ROOM = 1 UNIT = TOTAL UNITS = 8

PARKING DATA
 NUMBER OF UNITS PROPOSED = 8
 NUMBER OF SPACES REQUIRED @ 1.53 per unit = 12.24
 NUMBER OF SPACES PROVIDED = 13

PLAN TO ACCOMPANY PETITION FOR
 RECLASSIFICATION DR-SS TO DR-16
 TAYLOR AVE. & WESTMORELAND AVE

3RD ELECT. DIST
 SCALE 1"=50'

BALTO. CO. MD
 OCT 14, 1971

MAP	90
NESEC	
ELECTION	
DISTRICT	9
DATE	10/14/71
TYPE	REC V
HEARING	YES
BY	E.F.
FINAL	

E. F. Naphel
 E. F. NAPHEL & ASSOCIATES
 LAND SURVEYORS

E. F. NAPHEL & ASSOCIATES
 Registered Professional Land Surveyors
 201 Courtland Avenue
 Towson, Maryland 21204

