

72-223-L
(Q 10 to 26)

I, or we, Country Homes, Ltd. legal owner 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 zone to an MLR zone; for the following reasons:

See attached description

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.

Address.....
.....
.....
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of FEBRUARY, 1987, that the subject matter of the 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, Maryland, on the 27th day of March, 1987, at 1:00 o'clock.

Eric R. Kenna
County Commissioner of Baltimore County.

lover

County. 1.00P
3/27/72
2.00P

DATE October 15 1972

ORDER RECEIVED FOR FILING

D.O.B. October 15, 1942
 SSN 66-01-2894

ORDER OF DISMISSAL

It is hereby ORDERED: this 21 day of March, 1974 that said appeal be
and the same is Dismissed.

Walter A. Reger, S., Chairman
W. Giles Parker
Robert L. Gilland

October 8, 1971

IN THE MATTER OF THE PETITION
OF COUNTRY HOMES, LTD., for
zoning reclassification from
D.R 5.5

practical or economically feasible for the following reasons:

(e) Zoning should be M-L (restricted) thereby enabling public authority to provide adequate protection to the presently developed D.R. 5.5 residential area adjoining on the westerly line.

DISMISSAL


GEORGE BARRETT JOHNS
414 Jefferson Building
Towson, Maryland 21204
823-6200
Attorney for Country Homes, Ltd.,
Petitioner - Appellant

I HEREBY CERTIFY that on this 19th day of March, 1974, a copy of the foregoing was mailed to Richard D. Payne, Esq., 22 West Pennsylvania Avenue, Towson, Maryland 21204.

George Barrett Jones
GEORGE BARRETT JONES

Rec'd 9/20/11
9.45.11

Mr. Frederick P. Klaus, a qualified realtor, appraiser, and consultant in zoning, testified that residential homes could not be built on the subject property as they would not lend themselves to the Washington Boulevard area. It was further stated that the subject property is on a thirteen (13) percent grade from Ruby Avenue to the west, and from Southwestern Boulevard to the east.

It was testified to by the Petitioner that the entrance to the subject property would be by Southwestern Boulevard. It was further stated that there was a very poor sight distance along Southwestern Boulevard for an entrance. The Petitioner indicated that he would not provide an entrance on Ruby Avenue. This was not agreeable with several of the residents in protest to the subject Petition.

These residents indicated that they were fearful of the access to the residential development. Further, the extensive traffic along Southwestern Boulevard created a danger in providing an entrance to this heavily traveled

LAW OFFICES
SMITH, JOHNS & SMITH

September 27, 1972

S. Eric DiNenna, Esq.
Zoning Commissioner for Balto. Co.
County Office Building
Towson, Md. 21204 Re: Petition

Re: Petition for Reclassification
nw/s Southwestern Boulevard
875 feet N of Clark Blvd.
13th District
Country Homes, Ltd, Petitioner
No. 72-223-R (Item No. 26)

Dear Sir:

Please note an appeal from your decision and Order of September 15th in the above case to the County Board of Appeals.

I enclose our client's check for \$70.00 costs.

Very truly yours,

George B. Johns

gbi/d

MAY 15 1974

Description to Accompany Zoning Petition
for Reclassification (DR 5.5 to MLR)
Property Northwest side of
Southwestern Blvd. at Baltimore-Washington Blvd.

October 6, 1971

Beginning for the same at a point on the northwest side of Southwestern Boulevard, formerly Baltimore-Washington Boulevard, as shown on State Roads Commission of Maryland Plat No. 2957, said beginning point being at a distance of 875 feet, more or less, as measured northeasterly along the northwest side of said Southwestern Boulevard from its intersection with the north side of Clark Boulevard and running thence binding on the northwest side of said Southwestern Boulevard the thirteen following courses and distances, viz:

- (1) North 33° 47' 40" East 437.60 feet.
- (2) North 30° 08' 30" East 24.58 feet.
- (3) North 28° 51' 40" East 22.30 feet.
- (4) North 27° 26' 50" East 25.17 feet.
- (5) North 25° 44' 10" East 29.01 feet.
- (6) North 24° 21' 30" East 20.27 feet.
- (7) North 22° 36' 10" East 38.57 feet.
- (8) North 21° 02' 10" East 14.44 feet.
- (9) North 20° 09' 40" East 14.42 feet.
- (10) North 19° 09' 40" East 19.24 feet.
- (11) North 17° 44' 10" East 28.79 feet.
- (12) North 15° 59' 50" East 28.76 feet.
- (13) North 14° 24' 10" East 13.82 feet.



Description to Accompany Zoning Petition
for Reclassification (DR 5.5 to MLR)
Property Northwest side of
Southwestern Blvd. at Baltimore-Washington Blvd.

October 6, 1971
-2-

thence leaving said Southwestern Boulevard and running the five following courses and distances, viz:

- (1) North 7° 33' 51" West 64.20 feet.
- (2) North 12° 58' 43" West 100.00 feet.
- (3) North 23° 53' 43" West 200.00 feet.
- (4) South 49° 19' 17" West 535.17 feet.
- (5) South 15° 12' 00" East 638.07 feet.

to the point of beginning.

Containing 6.125 Acres of land, more or less.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 8, 1971

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

RE: Property Owner: Country Homes, Ltd.
Location: N/W/S Southwestern Blvd.,
875' to Clark Blvd.
Present Zoning: D.R. 5.5
Proposed Zoning: Reclass. to M.L.R.
13th District Sector: Southwestern
No. Acres: 6.125
Item No. 26

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 on the west side of Southwestern Boulevard at the intersection of Washington Boulevard. There is a large wooded tract that is improved with a two (2) story frame dwelling that is well-concealed from the roadway. There is residential property both to the west and north of this site. These homes are from five (5) to ten (10) years of age in excellent condition. This same parcel was the subject of a petition in July 1970, Case No. 71-47-R.

The petitioner's plot does not indicate the existing dwelling that is located on this site nor does it indicate existing dwellings on the properties adjoining to the north and west of this site.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

JJDjr:msh

SMITH, JOHNS & SMITH

October 13, 1971

S. Eric Dinenna, Esq.
Zoning Commissioner of Balto. Co.
County Office Building
Towson, Md. 21204

Re: Petition of Country Homes, Ltd.
for reclassification from DR 5.5
to M.L.R., Southwestern Blvd.
Fourteenth Election District

Dear Mr. Dinenna:

The petitioner in this case does not contemplate utilizing more than 15% of the floor area for sales.

Very truly yours,

George Barrett Johns
George Barrett Johns

gbj:d

BALTIMORE COUNTY BOARD OF ZONATION

ZONING ADVISORY COMMITTEE MEETING

OF PERIOD OF OCT. 71 - APRIL 72

Petitioner: Country Homes, Ltd.

Location: N/W/S Southwestern Blvd., 875' to Clark Blvd.

District: 13

Present Zoning: DR 5.5

Proposed Zoning: MLR (20% OFFICE BUILDING & UNDESIRABLE FORM & SCALE DISPLAY COURTESY)

No. of Acres: 6.125

Comments: WOULD RESULT IN A LOSS OF APPROXIMATELY 20
POTENTIAL ELEMENTARY SCHOOL PUPILS.

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING

JEFFERSON BUILDING

TOWSON, MARYLAND 21204

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinenna
Attn: Oliver L. Myers

Date: November 4, 1971

FROM: C. Richard Moore
SUBJECT: Item 26 - Cycle Zoning II
Property Owner: Country Homes, Ltd.
Southwestern Blvd., 875' to Clark Blvd.
Reclass. to M.L.R.

The subject petition is requesting a change from DR 5.5 to MLR, which should not increase the trip density greatly. Sight distance problems do exist along the frontage of this property and special care will be required in development of access.

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRM:mr



STATE HIGHWAY ADMINISTRATION

300 WEST PRESTON STREET
BALTIMORE, MD. 21201

November 3, 1971

Mr. S. Eric Dinenna
Zoning Commissioner
County Office Bldg.
Towson, Maryland 21204

Attn: Mr. O. L. Myers

ITEM 26
Re: Baltimore County Reclassification cycle for the period of October 1971 to April 1972
Southwestern Section
Property Owner: Country Homes, Ltd.
Location: N/W/S Southwestern Boulevard (Route 11) 875' to Clark Blvd.
Present Zoning: D.R. 5.5
Proposed Zoning: Reclass. to M.L.R.
District: 13th Sector: S/W
No. Acres: 6.125

Dear Mr. Dinenna:

The subject plan indicates a proposed entrance from Southwestern Boulevard opposite an existing median crossover. This is the best location for an entrance along the Boulevard frontage; however, the situation of the proposed entrance and existing road intersecting with the Boulevard at the same location is undesirable, could cause a conflict of traffic and could be a hazard.

The Developer should provide a means for establishing a better intersection.

Access to Southwestern Boulevard will be subject to State Highway Administration approval and permit.

Very truly yours,

Charles Lee, Chief
Development Engineering Section

by: John L. Meyers
Asst. Development Engineer

CLJ:ENB

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric Dinenna, Zoning Comm. Date November 3, 1971

FROM: H. B. Staab - Industrial Development Commission

SUBJECT: Reclassification Cycle for Period October '71 to April '72

Item No. 26 Property Owner: Country Homes, Ltd.
Location: N/W/S Southwestern Blvd., 875' to Clark Blvd.
Present Zoning: D.R. 5.5
Proposed Zoning: Reclass. to M.L.R.
District: 13th Sector: Southwestern
No. Acres: 6.125

The Industrial Development Commission has reviewed the subject petition and offers the following comment.

As stated in our previous comments on the site, we are of the opinion that this property can only be developed by a single user. Therefore, the Industrial Development Commission recommends that the request for reclassification be granted.

H. B. Staab
H. B. STAAB
Director

TO: S. Eric DiMenna, Zoning Commissioner
Attention: Mr. Myers
DATE: October 27, 1971

FROM: Fire Prevention Bureau
Fire Department

SUBJECT: Property Owner: Country Homes, Ltd.

LOCATION: N/W/S Southwestern Blvd., 875' to Clark Blvd.

ITEM # 26 zoning Agenda: Cycle for October '71

1. 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 _____ feet along an approved road.
2. A second means of access is required for the site.
3. The dead-end condition shown at _____ exceeds the maximum allowed by the Fire Department.
4. The site shall be made to 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 prior to occupancy or commencement of operations.
5. 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.
6. The Fire Department has no comment on the proposed site.

H.V.B.
Planning Division
Fire Prevention Bureau

Note: Above comments indicated with a check apply.

nb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Oliver Myers
Date: October 22, 1971

FROM: Hoyt V. Bonner

SUBJECT: Item 26 - Zoning Advisory Committee Meeting, October 21, 1971

26. Property Owner: Country Homes, Ltd.
Location: N/W/S Southwestern Blvd., 875' to Clark Boulevard
Present Zoning: D.R. 5.5
Proposed Zoning: Reclass. to M.L.R.
District: 13
Sector: Southwestern
No. Acres: 6.125

There is a private sewage disposal system which is overflowing; this condition must be corrected. Metropolitan water and sewer must be extended to building site prior to building permit approval.

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.

Hoyt V. Bonner
Sanitarian II
Water and Sewer Section
BUREAU OF ENVIRONMENTAL HEALTH

HVB/kir

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiMenna
Date: October 21, 1971

FROM: Ellsworth E. Diver, P.E.

SUBJECT: Item 23 (Cycle October 1971 - April 1972)
Property Owner: Country Homes, Ltd.
Location: N/W/S Southwestern Blvd., 875' to Clark Blvd.
Present Zoning: D.R. 5.5
Proposed Zoning: Reclass. to M.L.R.
District: 13th Sector: Southwestern
No. Acres: 6.125

The subject property constitutes the same property previously reviewed by the Zoning Advisory Committee and known as Item #23 (1969-1970) Zoning Order #71-47-4. The comments furnished by this office in connection with Item #23 remain valid and in effect. We are enclosing herewith a xerox copy of those comments which are applicable to the current petition.

Ellsworth E. Diver
Ellsworth E. Diver, P.E.
Chief, Bureau of Engineering

END:EMH:OP:ms

Enclosure

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Edward Harpury
Date: April 27, 1972

FROM: Ellsworth E. Diver, P.E.

SUBJECT: Item 23 (1969-1970)
Property Owner: Country Homes, Ltd.
N/W/S side of Southwestern Boulevard
Present Zoning: D.R. 5.5
Proposed Zoning: M.L.R.
District: 13th
No. Acres: 6.125 acres

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

Highways

Southwestern Boulevard is a State Road; therefore, all improvements, future widening, and entrance on this road will be subject to State Road Commission requirements.

Entrance and access to not deducible from Easement existing 30-foot wide residential street.

The status of the 30-foot right-of-way must be determined, however, the County does not propose any road improvements at this time.

Storm Drainage

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damage to adjacent properties, especially by the accumulation of surface waters. Correction of any condition which may result, due to temporary grading or temporary installation of drainage facilities, would be the full responsibility of the petitioner.

Southwestern Boulevard is a State Road. Therefore, drainage requirements as they affect the road are under the jurisdiction of the Maryland State Road Commission.

Other Comments

Landscaping of this property through striping, grading and stabilization could result in a road and other public use. Therefore, the petitioner is advised to provide for the proper maintenance of the property, and to provide for the proper maintenance of the property, and to provide for the proper maintenance of the property.

Item 23 (1969-1970)
Property Owner: Country Homes, Ltd.
Page 2
April 27, 1972

Setback Controls (Cont'd)

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

Water and Sanitary Sewers

Public water and sanitary sewer are available to serve this site with the appropriate right-of-way easements and private extensions.

Ellsworth E. Diver
Ellsworth E. Diver, P.E.
Chief, Bureau of Engineering

END:EMH:OP:ms

C-24 New Street
25-24 15 Position Street
Sd 6 & 7 D Topo

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. March 9, 1972

THIS IS TO CERTIFY, That the annexed advertisement was published in THE TIMES, a weekly newspaper printed and published in Baltimore County, Md. once in each of one successive weeks before the 27th day of March, 1972 the first publication appearing on the 9th day of March, 1972.

THE TIMES.

John N. Martin
Manager
John N. Martin

Cost of Advertisement \$ 34.50

PO J RERS
Req. No. B1686

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 9, 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 in each of one successive weeks before the 27th day of March, 1972 the first publication appearing on the 9th day of March, 1972.

THE JEFFERSONIAN
Harold A. Smith
Manager

Cost of Advertisement, \$

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 13th
Posted for: APPEAL
Petitioner: COUNTRY HOMES, LTD.
Location of property: N.W.S. OF SOUTHWESTERN BOULEVARD, 875 FT. N. OF CLARK BOULEVARD
Location of Sign: D.W.S. SOUTHWESTERN A. BOULEVARD, 900 FT. N. OF CLARK BLVD. @ W.S. RUBY AVE. OFF. OAKLAND ROAD.
Remarks: *John N. Martin*
Posted by: *John N. Martin*
Date of return: Nov. 6 - 1972

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 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: <u>OSM</u>			Revised Plans:							
Previous case:			Change in outline or description		Yes		No			
			Map #		13-1A					

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 13th Date of Posting: MARCH 11-1972
 Posted for: RECLASSIFICATION
 Petitioner: COUNTRY HOMES, LTD.
 Location of property: NW 1/4 SOUTHWESTERN BLVD. 875' N. OF CLARK BLVD.
 Location of Sign: (1) NW 1/4 SOUTHWESTERN BLVD. 900' E. - N. OF CLARK BLVD. (2) E. 1/2 OF RUBY AVE. 75' - N. OF PAUL CIRCLE
 Remarks: _____
 Posted by: Charles H. Plunk Date of return: MARCH 27-1972
 Signature _____

BALTIMORE COUNTY, MARYLAND No. 248
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Oct. 27, 1971 ACCOUNT 01-662
 AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
 Messrs. Smith, Johns and Smith
 104 Jefferson Building
 Towson, Md. 21204
 Petition for Reclassification for Country Homes, Ltd.
 1001 7th St. 500 CMC

Item 26

George B. Johns, Esq.
104 Jefferson Building
Towson, Maryland 21204

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 22nd day of February 1972

Eric O'Brien
Zoning Commissioner

Petitioner: Country Homes, Ltd.
 Petitioner's Attorney: George B. Johns Reviewed by: Charles H. Plunk
 Chairman of Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 5091
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE October 24, 1972 ACCOUNT 01-662
 AMOUNT \$10.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
 Mr. Robert E. Kanode
 Posting of an Appeal for Country Homes, Limited,
 Case No. 72-223-R
 NW 1/4 of Southwestern Boulevard, 875' N of Clark
 Boulevard - 13th District
 1001 7th St. 500 CMC

BALTIMORE COUNTY, MARYLAND No. 5089
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

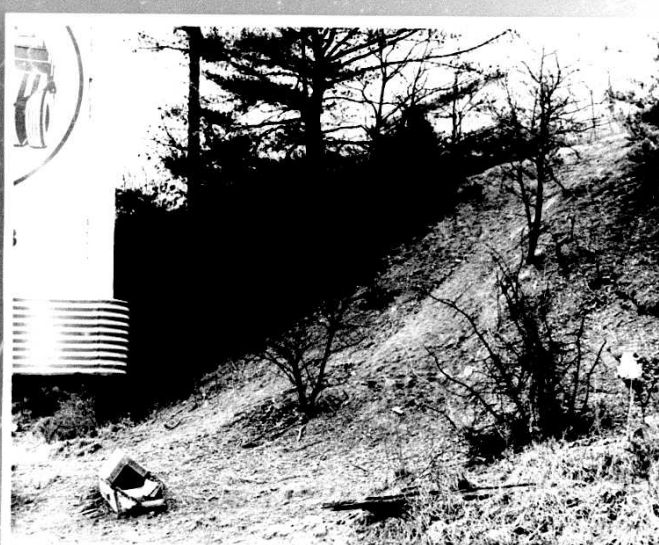
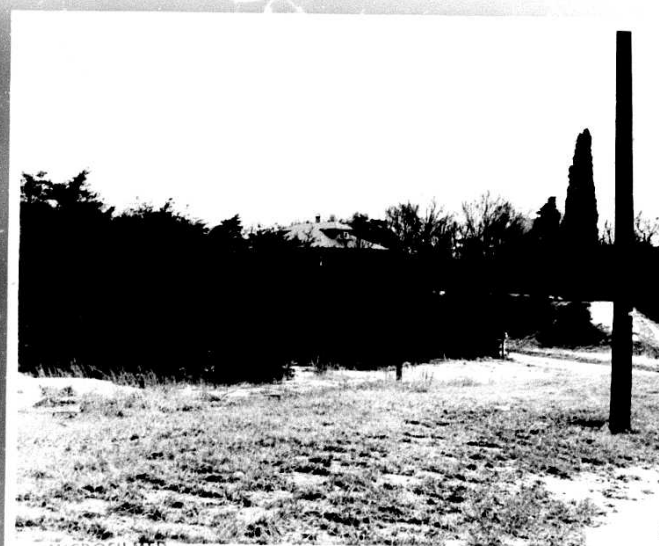
DATE October 17, 1972 ACCOUNT 01-662
 AMOUNT \$70.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
 George B. Johns, Esquire
 Cost of Appeal on Case No. 72-223-R
 NW 1/4 of Southwestern Boulevard, 875' N of Clark
 Boulevard - 13th District
 Country Homes, Limited - Petitioner 700 CMC

BALTIMORE COUNTY, MARYLAND No. 2110
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE March 27, 1972 ACCOUNT 01-662
 AMOUNT \$142.00

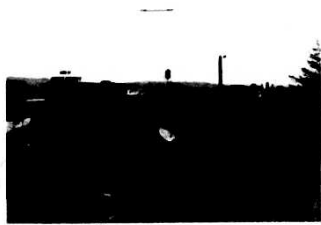
DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
 Country Homes, Ltd.
 606 Edmondson Ave.
 Baltimore, Md. 21228
 Advertising and posting of property
 672-223-R 1420 CMC



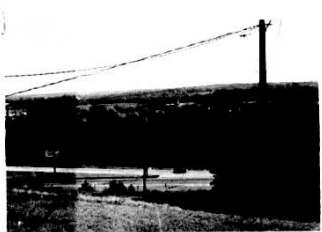
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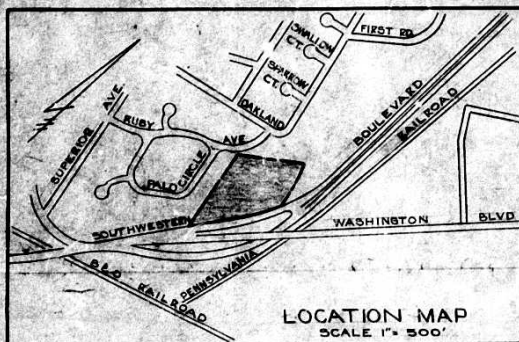


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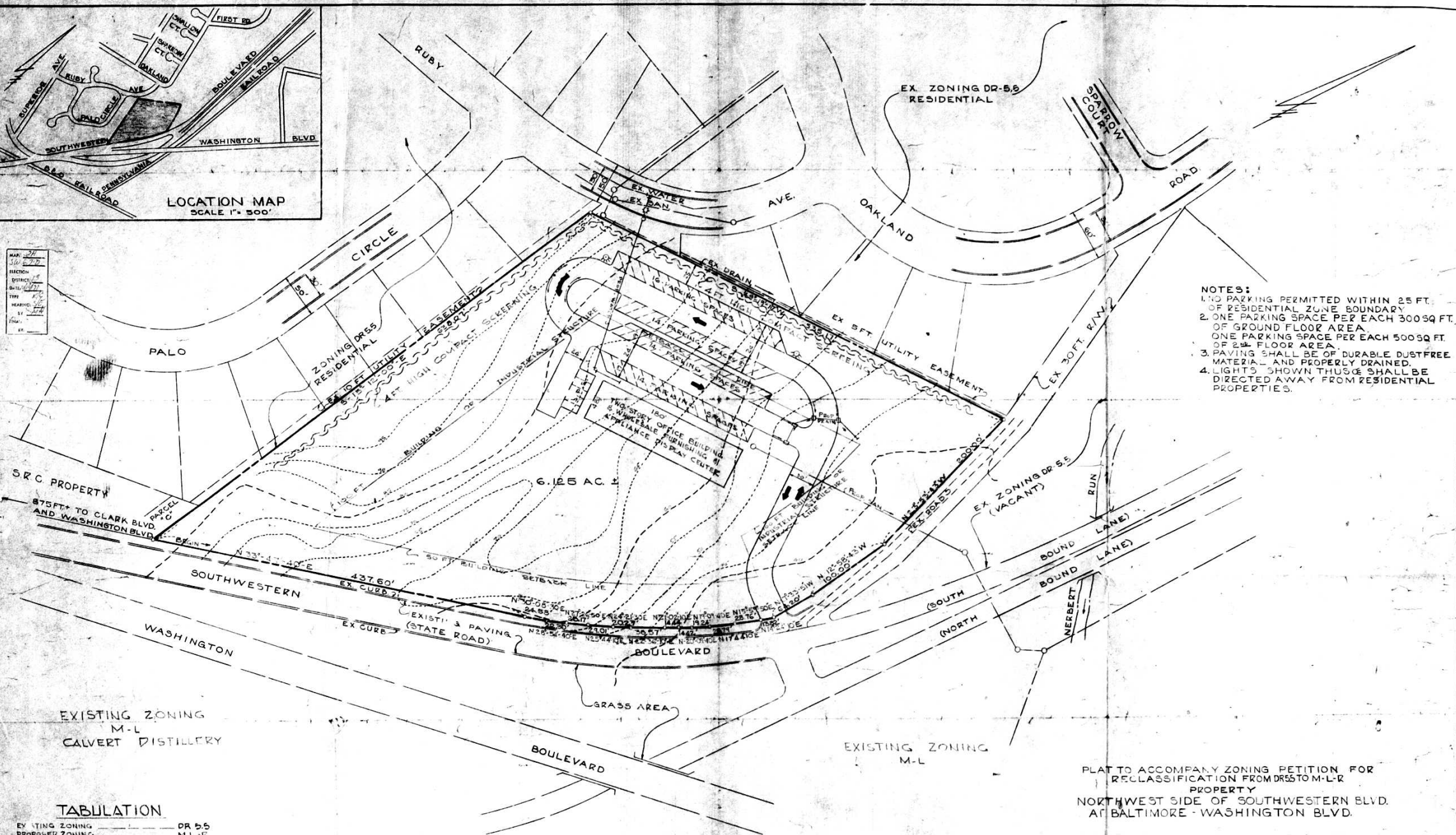


Photostatic print of





MAP NO. 100
DATE: 1/15/70
BY: [Signature]
FOR: [Signature]



- NOTES:
1. NO PARKING PERMITTED WITHIN 25 FT. OF RESIDENTIAL ZONE BOUNDARY.
 2. ONE PARKING SPACE PER EACH 300 SQ. FT. OF GROUND FLOOR AREA. ONE PARKING SPACE PER EACH 500 SQ. FT. OF 2ND FLOOR AREA.
 3. PAVING SHALL BE OF DURABLE DUST-FREE MATERIAL AND PROPERLY DRAINED.
 4. LIGHTS SHOWN THUS SHALL BE DIRECTED AWAY FROM RESIDENTIAL PROPERTIES.

TABULATION

EXISTING ZONING	DR-55
PROPOSED ZONING	M-L
EXISTING USE	VACANT
PROPOSED USE	OFFICE & WHOLESALE FURNISHING & APPLANCE DISPLAY CENTER
GROSS AREA	6.682
NET AREA	6.125 AC.
AREA IN PUBLIC ROADS (EX. MAIN & WASH.)	0.557 AC.
PROPOSED BUILDING SIZE	2-STY 180' x 100' (172,800 S.F.)
PROPOSED NO. PARKING SPACES REQUIRED	47 (1ST FL. 27, 2ND FL. 18)
PROPOSED NO. PARKING SPACES PROVIDED	63
FLOOR AREA RATIO	0.06

NOTE:
WATER MAIN IS TO BE EXTENDED IN SOUTHWESTERN BLVD. FROM END OF EX. MAIN TO WASHINGTON BLVD. BY BALTO. CO. (NOW IN SERVICE)

PLAT TO ACCOMPANY ZONING PETITION FOR RECLASSIFICATION FROM DR-55 TO M-L-R
PROPERTY
NORTHWEST SIDE OF SOUTHWESTERN BLVD.
AT BALTIMORE - WASHINGTON BLVD.

BALTO. CO. MD.
SCALE 1" = 50'

ELECT. DIST. NO. 13
MARCH 5, 1970
REV. 10-5-71

WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
303 ALLEGANY AVE.
TOWSON & HARTLAND

