

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, HARRY A. DUNDORE, 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.-1 and M.L.R. zone to an D.R.-16 zone; for the following reasons:

Error in original zoning due to drafting error wherein it was intended to establish D.R.-16 zoning on 58 acres, more or less, of the subject property and only 53 acres, more or less, were placed in the D.R.-16 zone due to non-conformance of the property boundaries.

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

County, Harvey A. Dundore
Contract purchaser, Harry A. Dundore Legal Owner
Address, York Road, Sparks, Maryland
W. Lee Harrison, Petitioner's Attorney
Protestant's Attorney

Address, 306 W. Joppa Road
Towson, Maryland 21204 (823-1200)

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of June, 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 through Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 6th day of July, 1972, at 1:00 o'clock.

W. Lee Harrison
Zoning Commissioner of Baltimore County.

(over)

HARRY DUNDORE

Request: D.R. 1 & M.L.R. Zone to D.R. 16

Description: Beginning for the same at a point on the East side of York

Road, 2,000 feet more or less, north of Shawan Road. Parcel of land

lying to the north, east, and southwest, within ownership of Harry A. Dundore.

County Council of Baltimore County

County Office Building, Towson, Maryland 21204

June 7, 1972

COUNCILMEN

First District

FRANCIS C. BARRETT

Second District

DANN HUGGLES

Third District

G. WALTER THOMAS, JR.

Fourth District

WEBSTER C. DOVE

Fifth District

HARRY J. BARTENFELDER

Sixth District

FRANCIS C. BARRETT

Seventh District

WALLACE A. WILLIAMS

Secretary

HERBERT E. HOENBERGER

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Eric:

Attached are copies of the Planning Board Resolutions which were approved by the County Council at their meeting on June 5, 1972.

Very truly yours,

Herbert E. Hoenberger
Secretary

HEH:dw

cc: Mr. George E. Cuvellis

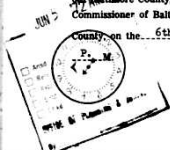
TO: Mr. S. Eric DiNenna, Zoning Commissioner
FROM: Baltimore County Planning Board
SUBJECT: Zoning Petition No. 73-5-R

Property Owner: Harry A. Dundore
Location: E/S of York Road, 2,000' N. of Shawan Road
Existing Zoning: D.R.1 and M.L.R.
Requested Zoning: D.R.16
Date of Hearing: July 6, 1972

In preparing the recently adopted comprehensive zoning map, it was intended that 58.6 acres of this 60.6 acre tract be included in the D.R.16 zoning classification. Inadvertently, several slivers of this 58.6 acre parcel were excluded by a drafting error.

The Planning Board agrees with the petitioner and recommends that D.R.16 zoning be granted here.

ORD. R. RECEIVED FOR FILING



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

May 30, 1972

The Honorable Francis C. Barrett
Chairman
Baltimore County Council
Towson, Maryland 21204

Dear Sir:

At its regular meeting on Thursday, May 18, 1972, The Baltimore County Planning Board, under the provisions of Section 22-22(i), Baltimore County Code 1968, as amended, unanimously approved the following resolution:

WHEREAS, the Baltimore County Planning Board has favorably received the report of the Comprehensive Planning Committee with respect to certain zoning reclassification petitions; and

WHEREAS, the Comprehensive Planning Committee recommends that those petitions be exempted from the regular, cyclical procedures of subsections 22-22 (i) through (h), Baltimore County Code, 1968, as amended, being convinced that it is in the public interest to rectify, as speedily as possible, what the committee considers to be errors of commission and omission by the Planning staff in drafting the comprehensive zoning map; now, therefore, be it

RESOLVED, that the Baltimore County Planning Board certifies to the Baltimore County Council that early action is manifestly required because of emergency and in the public interest on the below listed zoning reclassification petitions, copies of which are attached:

- (1) Petition of Harry Giardina, et al, east and west sides of Kings Ridge Road;
- (2) Petition of David Brown, et al, east side of Beltspring Road, north of Crowsick's Lane;
- (3) Petition of Harry A. Dundore, east side of York Road, north of Western Run; and
- (4) Petition of H. Denton Smith, et al, east side of York Road, north of Ridgeland Road.

May 30, 1972

To: The Honorable Francis C. Barrett

Mr. Giardina's properties were zoned B.C. and R.A. by Petition 67-2-15 R.A., and apartments and townhouses were subsequently constructed. The Planning staff, in preparing the maps, erroneously placed the properties in the D.R.5.5 classification. Mr. Giardina has sold many of the townhouses; therefore, the home-owners are being allowed to come in under Mr. Giardina's petition by merely signing an extra petition.

Mr. Brown's property was zoned B.L. prior to adoption of the 1971 maps. The Planning Board's Map recommended B.L. - C.N.S. to cover existing development and the downshift of the remaining existing B.L. zone - thought to be in a different ownership - to D.R.16. Mr. Brown, the property owner was not notified by certified letter as was the owner of the adjacent property to the north. The staff also overlooked an approved development plan for additional retail stores, to the rear of the existing stores.

The Board felt that if all the circumstances were known at the time, it would have recommended leaving enough additional B.L. zoning to cover the proposed expansion.

In accordance with a preliminary development plan, the Planning Board recommended 58.6 acres of D.R.16 zoning for portions of Mr. Dundore's property. When translating from a larger scale map, the Planning staff plotted a D.R.16 area of only slightly more than 54 acres which did not match Mr. Dundore's property boundaries.

During the 1971 Comprehensive Zoning Map processing, D.R.16 zoning was created on a portion of Mr. Smith's property, as well as on the properties adjoining to the north. The Board's intent had been to cover each of the properties north of the stream and north of Ridgeland Road and fronting on the east side of York Road with D.R.16 zoning for a depth of 350' from the centerline of York Road.

As the maps were drawn, only a portion of the frontage of the Smith property along York Road was so zoned; the balance of the frontage south of the stream was zoned D.R.5.5. It was the intent of the Board that all of the frontage be zoned D.R.16.

The Planning Board agreed that these petitions should be exempted from the regular, cyclical procedures of subsections 22-22(c) through (h), Baltimore County Code 1968, as amended, for the reasons stated above.

If further information is needed, please contact us.

Sincerely yours,
Herbert E. Hoenberger
Secretary

Approved by the County Council June 5, 1972

Herbert E. Hoenberger
Secretary

GE:dw
Enclosures

LAW OFFICES
W. LEE HARRISON
306 WEST JOPPA ROAD
TOWSON, MARYLAND 21204

AREA CODE 303
823-1200

May 18, 1972

Charles B. Heyman, Esq.
Chairman, Baltimore County Planning Board
County Office Building
Towson, Maryland 21204

Re: Corrections of technical and/or drafting errors made by Staff in preparation of Zoning Maps - Property of Harry A. Dundore

Dear Mr. Heyman:

I have today filed a Petition on behalf of Mr. Harry A. Dundore, requesting that a technical drafting error made by the Planning Staff in its submission to the Baltimore County Council be corrected. The property of Mr. Dundore consists of approximately 58.6 acres. Prior to the Board's recommendation to the Council and the Council's action thereon, a piecemeal Petition had been filed with the Zoning Commissioner of Baltimore County and the entire 58.6 acres had been reclassified from R-6, R-20 and R-40 zones to an R-A zone. An appeal was pending to the County Board of Appeals at the time the Planning Board and the Council acted.

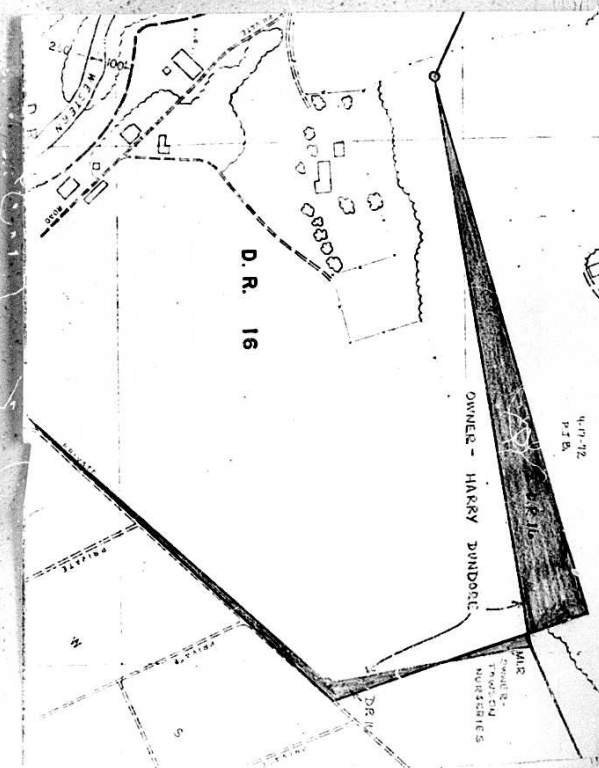
It was intended that 58.6 acres of the property be submitted to the Council for D.R.-16 zoning and the balance of the property be established as D.R.-1 zoning. A one inch equals one hundred foot scale plat contained the delineation of the 58.6 acres in red and was approved by the Director of Planning. However, in the Staff's submission to the County Council, the draftsman erroneously failed to follow property lines leaving several slivers of the property in the D.R.-1 zone rather than including them in the D.R.-16 zone as intended.

Accordingly, it is respectfully requested that this Petition be heard outside of the "cycle" procedure as we feel that this is an emergency matter wherein the property owner was in no way responsible for the error and its in the best interest of the County to hear this Petition outside of the "cycle" procedure as requested.

Sincerely yours,

W. Lee Harrison

WLH:b



SEP 28 1972

the above Reclassification should be had; and it further appearing that by reason of XXXXXXXXXX

~~A Special Exception for a~~ Special Exception for a YOUNG
 IT IS ORDERED by the Zoning Commissioner of Baltimore County this 28th
 day of July, 1972, that the herein described property or area should be and
 the same is hereby reclassified, from a D.B.I. and M.L.R. zone to a D.B. 13
 zone, ~~under a Special Exception for a~~ under a Special Exception for a YOUNG
 granted, from and after the date of this Order, subject to the approval of a site plan by the
 State Highway Administration, Bureau of Public Safety and the Office of Planning
 and Zoning.
 Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of _____

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day
of _____, 197____, 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 _____ zone; and or the Special Exception for _____
_____ be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

TOWSON, MD., June 15, 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~~ one time ~~successive weeks~~ before the 6th day of July, 1972, the first publication appearing on the 15th day of June 1972.

THE JEFFERSONIAN

Cost of Advertisement, \$.....

**PETERSON FOR CONTRACT
AND LEASE**

BIDDING: From D.R. and M.L.R. 14, D.R. 16 State.

LOCATION: East side of York Road, south of Chesapeake Bay.

DATE & TIME: Thursday, July 6, 1952 at 1:00 P.M.

PUBLIC BUILDING: Room 146, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The **Sealing Commission** of Baltimore County, Maryland, in connection with the **Sealing Act and Regulations of Baltimore County**, will hold a public **Sealing** of:

Present Sealing: D.R. 1 and M.L.F. 16, Sealing D.R. 14, D.R. 16, and M.L.F. 16, of the **Seventh District of Baltimore County**, on the east side of York Road between, more or less, N. 6th of Shattuck Avenue, and N. 7th of Shattuck Avenue, north, east and southwest, within the territory of Harry A. Drundett.

Barred the property of Harry A. Drundett, as shown on plat placed on file for record in the **Sealing District**.

Sealing Date: Thursday, July 4, 1952 at 1:00 P.M.

PUBLIC BUILDING: Room 146 County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

In order of

S. ERIC DINKOWA
Sealing Commissioner of
Baltimore County

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

3dys

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

#73-5-K

District: *8A*

Date of Posting: *Jan. 15, 72*

Posted for: *Harry A. Hauran, Jr.*

Petitioner: *Harry A. Hauran, Jr.*

Location of property: *615 York Rd. 2000' No. of Hauran Rd.*

Location of Signs: *3 signs. One on York Rd.*

Remarks:

Posted by: *Paul H. Hauran*

Date of return: *6-20-72*

ORIGINAL

OFFICE OF

 THE TOWSON TIMES

TOWSON, MD. 21204 June 19 - 1972

THIS IS TO CERTIFY, that the annexed advertisement of
S. Eric Dinenna
Zoning Commissioner of Baltimore County

was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for ~~one~~ one week before the 19 day of June 1972 that is to say, the same was inserted in the issue of June 15, 1972.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

PETITION FOR

[illegible]

BALTIMORE COUNTY, MARYLAND
OFFICE OF TOLLS - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

3691

DATE June 13, 1972 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

V. Lee Harrison, Esq.
306 W. Joppa Road
Towson, Md. 21204
Petition for Reclassification for Harry A. Dundore
#73-5-R 83 MAR 13 5 00 PM '83

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 3740

DATE July 7, 1972 ACCOUNT 01-662

AMOUNT \$10.00

WHITE - CASHIER
W. Lee Harrison, Esq.
306 W. Joppa Road
Towson, Md. 21204
Painting of property for Harry Dundore
873-5-R

DISTRIBUTION
PINK - AGENCY
YELLOW - CUSTOMER

100

19.2 Cmsc

EXISTING USE OF TRACT: FARM USE
 PROPOSED USE OF TRACT: GARDEN APTS.

EXISTING ZONING R-6 (Revised) 48.7 AC.
 R-20 (Revised) 7.9 AC.
 R-40 (Revised) 29.7 AC.

PROPOSED ZONING: R-A
 GROSS AREA: 86.6 AC±
 NET AREA: 81.6 AC±

DESIGNED DENSITY:
 Gross: 11.6
 Net: 12.2
 Total Units Designed: 999

PERMITTED DENSITY:
 Gross: 16 Units/Ac.
 Net: 18 Units/Ac.
 Total Units Permitted: 1380

PARKING SPACES REQUIRED: 999
 PARKING SPACES PROVIDED: 1570

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