PETITION FOR ZONING RE-CLASSIFICATION 73-41R AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

L or we Edward J. Warren legal owner of the property situate in Baltimor 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. 3w4D

. zone: for the following reasons

See attached description (See attached brief)

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 Regulati I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, etc., upon filing of this petition, and further agree to and are to be bound by the zoning e County adopted pursuant to the Zoning Law for Baltin

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Frest & Cecone 411 Jefferson Buldery Baltimore, Md. 21227

of July ... 1972... that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circultion through inty, that property oe posted, and that the pub Baltimore County in Room 166, County Office Building in Towson, Baltimore 8th day of September

1972 at 1:00 o'clock

The property that reamins between the improved parking area and the ost property line is approximately ninety (90) feet in width. Since this portion of the property is part of an overall tract, and cannot be expected

to support or defray the cost of improvements to Herbert Run, it does not residential buffer strip of a lesser width should be retained be

tween the subject property and the residential property

the center line of Herbert Run.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 22 day of December, 1972, that the herein described property or area should be and the same is hereby Reclassified from a D. R. 3.5 Zone to a B. L. Zone, saving and excepting therefrom the that area between the center line of Herbert Run and the north zero I degree-43 minute - 40 second east 242, 62 foot property line; a thirty (30) foot wide buffer strip being located adjacent to and binding on the south side of the south 66 degree 43 minute 30 second east 209.57 foot property line, between the westernmost right of way of Leeds Avenue as laid out 49 feet wide, and

Further, the Reclassification and all future improvements shall be bject to a plan approved by the Department of Public Works, Department f Traffic Engineering, and the Office of Planning and Zoning

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RE: PETITION FOR RECLASSIFIA

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W/S of Leeds Avenue, 92,5' N of Maiden Choice Lane - 13th District Edward J. Warren - Petitioner NO. 73-41-R (Item No. 26)

DEPUTY ZONING

COMMISSIONER

OF

: BALTIMORE COUNTY

69

AMENDED ORDER

It is hereby ORDERED by the Deputy Zoning Commissioner of Baltimore 320 day of January, 1973, that the Order, dated December 22, 1972, passed in this matter, should be and the same is hereby AMENDED on Page 3 by deleting all reference to D. R. 3.5 and in lieu thereof, inserting

Baltimore County

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April 3, 1972

I am filing a petition in the above-subject case and wish to cite as a basis the following reasons which constitute error in the zoning maps signed March 24, 1971.

Properties directly adjacent to existing site opposite Ler's Avenue are both zoned and used commercially.

3. Zoning lines do not conform to property lines. And for such other and further sufficient reasons shown at the hearing hereof, which will show the in the adoption of the maps, and change in the character e neighborhood.

Frank E. Cicone

Existing use has become non-conforming because of Council action in zoning the subject site.

RE: Property of Edward J. Warren

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

Dear Mr. DiNenna:

RE: PETITION FOR RECLASSIFI-

W/S of Leeds Avenue, 92.5' N of Maiden Choice Lane - 13th District Edward J. Warren - Petitioner NO. 73-41-R (Item No. 26)

BEFORE THE DEPUTY ZONING

OF

...

: BALTIMORE COUNTY 111 111 111

This Petition represents a request for a Reclassification from a D. R. 5.5 Zone to a B. L. Zone. The tract in question is located on the west side of Leeds Avenue approximately ninety-three (93) feet north of Maiden Choice Lane, in the Thirteenth District of Baltimore County and consists of .7 of an

The Petitioner's attorney described the property as having one hundred and eighty-three (183) feet of frontage on Leeds Avenue with a depth of 209.57 feet along the north property line, and a depth of 120.94 along the south property line. The rear or westernmost third of the property is traversed and/or bisected by Herbert Run Stream and accompanying flood plain The front portion of the property is improved with an existing one (1) story block office building with a depth of seventeen (17) feet and a length of cighty (80) feet. The present zoning map establishes B. L. zoning on approx the other seventy-five (75) percent. The B. L. - 5.5 zoning line, as presently plished, bisects the existang office building approximately in the center. The following reasons were given as basis for error in the present zoning map:

- The present zoning designation does not permit the highest, best or most logical use of the property and has depreciated the land, improvements and use by placing it in a non-conforming category.
- Properties directly adjacent to existing site opposite Leeds Avenue are zoned and used commercially.

-1-

Zoning lines, as presently mappen, do not conform to

Mr. Edward J. Warren testifted in his own behalf. His testimony was, in effect, as follows:

Mr. Warren explained that he has on several occasions, observed the zoning maps during the past several years both before and after the present maps were adopted. However, because properly lines are not indicated on the map, he had misinterpress the amount of zoning in the area of his property, and as a result thereof, he does under the impression that his property was discovered while processing a request to relocate a neighborhood bardware a torse on the undeveloped; rition of the subject property.

Mr. Warren also pointed out that, under the present classi-fication (D. R. 5. 3), the undevel-red portion of the property falls within the recidential transial area and, as cash only be developed with a one (1) one-family detached dwelling unit that could not be expected to defray the cost of the required improve-ments to the Herbert Run flood plain area.

The only area recidents present at the hearing were Mr. and Mr. John Forgacs, who reside on the adjoining property at 4606 Leeds Avenue. They indicated that they had been informed that their home was located within the alignment of the proposed Lansdowne Boulevard Extended, and that their attendance at the hearing was for the purpose of observing and perhaps gaining additional information, with regard to this alignment

OPINION

Based on the above testimony and the recommendations of the Baltimore ounty Planning Board, it is the opinion of the Deputy Zoning Commissioner, Anat an error does exist, insofar as the zoning designation on the subject pro-

The last paragraph of the Planning Board recommendation under Item

"The Planning Board therefore recommends that B. L. some for that portion of the property en compassing the existing office building and parking area and that said soming extends to the center line of Herbert Run; D. R. 5.1 and should be retained for the remainder of the property. as a to buffer this commercial operation from the adjacent residences."

- 2 -

MARYLAND SURVEYING AND ENGINEERING CO., INC.

Subsidiary of LYON ASSOCIATES, INC.

Beginning for the same at a point on the West Side of Leeds Avenue, 40 feet with a said point being situated N 23° 08° 30° E, 92.5 feet more or less from the intersection forme. by the Sorth Side of Madden Choice Lone 40 feet wide and the West Side of Leeds Avenue 40 feet wide; thence leaving said Point of Beginning to the Sorth Side of Leeds Avenue 40 feet wide; thence leaving said Point of Beginning and binding on said soming line Sorthwesterly 70 feet more or less chose remarks the said of the Sorthwesterly 70 feet more of leaving the aforesaid soming line software they for the said of the Sorthwesterly 70 feet more of less; thence N 01° 3' 40° E, 242.62 feet; thence S 66° 33' 30° E, 209.57 feet to intersect with the Knerthwesterly Side of Leeds Avenue; thence running and binding on said Leeds Avenue 5 23° 08' 30° N, 183 feet more or less to the place of beginning.

Containing 0.708 acres more or less

Signed This 24 day March 1972

SCALE___ft. - 1 inch File No.

BALTIMORE COUNTY CONING ADVISORY COMMITTEE

FOR FILIVS

0

Edward J. Varmer 1016 Flower Drive Baltimore, Maryland 21227 LIVER L. MYER

Dear Sir:

Re: Reclassification retition 3rd Zoning Oycle Iter # 25 dward J. Warron - Petitioner The Zoning Advisory Cornittee has re, and the plans submitted with the above referenced Petition and has rade an on site inspection of the property. The attached Cornents are a result of this review and imprection.

The subject protecty is located on the Mest side of Lends Avenus, 92 feet Lorth of the intersection of Nations Choice land in the 13th Indexton District of Paltiers County. This property is approved with a one story used office building, that is used to be a county of the story of the story of the story of the locate of the course of Nations Choice and beauty shows on the course of Nations Choice and leads where that is use as a resistone and busty shows that is use as a resistone and busty shows the locate of the story of the lend of the property investigation. The property investigation of the property of the lend to deep development to the story of the lend of the property.

The subject Potition is accepted for filing, however revised plans and decriptions must be subsitted that the full statement of the subsitted that the file of the subsituation of the sub and decriptions must be submitted that indicate the correct roming lines and the requires storm drain reservation prior to the Rearing being advertised.

> Very truly yours, Alm & Willow J

SEASON JOSEPH

FOR FILITS RECEIVED F

FEB. 14. 1973

Bultis ar Comay, Margland Beuartment Of Bublic Borks

COUNTY OFFICE BUILDING ON MARYLAND 21204

April 27, 1972

Re: Item #26 (Cycle April - October 1972)
Property Owner: Edward J. Warren
h(16 Leeds Avenue
Prezent Zoning: D.R. 5.5
Proposed Zoning: Reclassification to B.L.
Distric : 13th No. Acres: 0.708 acres

Dear Mr. Myers:

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:

Leeds Avenue, an existing County read, is proposed to be improved in the future as a No-foot classed-type roadway cross-section on a 50-foot right-of-way. Highway improvements, including highway right-of-way videning will be required in connection with any grading or beliefung permit application. The plan should be revised: in indicate the proposed highway right-of-way videning.

The entrance locations are subject to approval by the Department of Traits Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through stripping, grading and stabilisation 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.

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Mr. Oliver L. Hyers, Chairman Zoning Advisory Committee Page 2 April 27, 1972

Re: Item #26 (Cycle April - October 1972)

Storm Drains: (Cont'd)

This property is traversed by a stream (Herbert Run) which constitutes waters of the State. No change can be authorized for the course or cross-section of the stream without permit from the State Department of Water Resources.

The Petitioner is responsible for an engineering tudy to determine the area of thi, site which would be inundated by a 50-year storm and to provide all justification of public benefit necessary to, and to obtain the required State permit for any change in course or cross-section proposed. Public rights-of-way will be required for the 50-year (minimary flood plain inclinding 1 foot of free board. Freliatinary investigation indicates that a 60-foot right-of-way, based upon the enterline of Briefer Rose at the 40-foot this flood plain. The Petitioner's segment when the width of this sameont in this drainage atomy, as approved, furnishes data justifying a lesser

The plan must be revised to indicate the required flood plain easement.

The Petitioner must provide necessary drainage facilities (temporary or peranent) to prevent orsating any muisences or danages t. adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grating or improper installation of drainage facilities, would be the full reponsibility of the Petitioner.

In accordance with the drainage policy for this type development, the Petitioner is responsible for the total estual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a smitable outfall.

Water and Samitary Sewer:

Public water supply and sanitary sewerage are evailable and serving this

ELISMORTH N. DIVER, P.E. Chief, Bureau of Engineering

END: RAM: FWR: 88 cc: J. Trenner D. Grise

SW h D Topo Sheet

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH-

April 18 1972

Mr. Oliver L. Myers, Chairman Zoning Advisory Committee Office of Planning & Zoning Baltimore County Office Bldg. Towson, Maryland 21204

Comments on Item 26, Zoning advisory Committee Meeting, April 4, 1972, are as follows:

Property Owner: Edward J. Warren Location: 4616 Leeds Avenue Present Zoning: D.R. 5.5 Propoxed Zoning: Reclassification to B.L. District: 13 No.Acres: 0.708

Metropolitan water and sewer are available to the site.

The stream which flows at rear of this property should be kept open for adequate drainage of the area.

Very traly yours,

J. Strawhorn Sanitarian II Water and Sower Section
Division of Sanitary Engineering
BUREAU OF ENVIRONMENTAL SERVICES GEORGE E. GAVRELIS



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

May 1, 1972

Mr. Oliver L. Myers, Chairman Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Comments on Item 26, Zoning Advisory Committee Meeting, April 4, 1972, are as follows:

Property Owner: Edward J. Warren Location: 4616 Leeds Avenue Present Zoning: D.R.5.5 Proposed Zoning: Reclassification to B.L. District: 13 No. Acres: 0.708 acres

At the time of the site inspection, there were cars and a truck narked on the grass area to the north of paved parking crea; therefore, it is suggested that the compact screening be put adjacent to the parking areas to eleviate the problem of the vehicles parking on the grass great and to better screen the parking from the adjoining residential properties.

John L Wimbley. John L. Wimbley Plunning Specialist II Project Planning Division Office of Planning and Zoning

JLW:rh

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING FUGENE J. CLIFFORD. P.E.

April 28, 1972

Mr. Oliver L. Hyers Chairman Zoning Advisory Committee ounty Office Building owson, Maryland 21204

Re: Cycle Zoning III Iten 26 - ZAC - 4-4-72 Property Owner: Edward J, Warren 4616 Leeds Avenue Reclassification to BL - District 13

The subject petition is requesting a change from DR 5.5 to BL of 0.7 acres. This should increase the trip density from 30 to 300 trips a day.

C. Richard Moore Assistant Traffic Engineer

Baltimore County Fire Department

Towson, Maryland 21204 825-7310

April 17, 1972

J. Austin Deitz

Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204 ATT: Mr. Oliver L. Myers. Chairman Zoning 'dwisory Committee

RE: Property Owner: Edward J. Warren

Location: 4616 Leeds Avenue

Item No. 26 Zoning Agenda April 4, 1972

Gentleman

Pursuant to your request, the referenced promotely have then curveyed by this Bureau and the comments below marked with an "x" are sonlicable and remained to be corrected or incorporated into the final plans for the property.

() 2. A second means of vehicle access is required for the site.
() 3. The vehicle dead-end condition shown at

EXCEEDS the maximum allowed by the Fire Department.
The site shall be made to comply with all applicable narts of the Fire Prevention Code prior to occupancy or beginning of operations.

of operations.

() 5. The buildings and structures existing or promosed on the site shall comply with all applicable requirements of the National Fire Protection Association Stendard (%).

"The Life Safety Code", 1970 Edition prior to occupancy.

(3) 6. Site plans are sporcowed as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

Reviewer: # JA Security Noted and Annual Planning Group Special Inspection Division Fire Trevention Dureau

mh 4/17/72

BOARD OF EDUCATION OF BALTIMORE COUNTY

TTEM #26

TOWSON, MARYLAND - 21204

Property Owner Edward J. Werren

District 13

Proposed Zening BL

No. Acres 0.708

No adverse effect on student population

D.R.5.5 CFF'CE COLY .5 DRIG U D.R.16 D.R. 5.5 PUB. D.R.10.5 -BL 71.273X DR 16 BL-CNS ML-/M D.R.IG 13" ELECTION DISTER MAD 2.4 ML BR. ML-CS-1 DR.16 D.R.5.5 D.R. 5.5 PUB DR15-(PUB.

M FMELT PARKS PARKET



CERTIFICATE OF PUBLICATION

BALTMORE COUNTY, MD. August 2/8, 119 7g
THIS IS TO CERTIFY. That the emerced advertisement was
published in 1HE TMES, a weekly newspore printed and published
in Baltimere County, Nut. ence in each of one
successive weeks before the 8th
day of Gaptambars, 1972, the first publication
appearing on the 17th day of August 1972.

THE TIMES.

John M. Martin

Cost of Advertisement, SE1.00 PO K 3332 Req. No. C 2297

	PETITION PO	RECLASSI C DISTRICT	PICATIO
	DATE & TIM	Foot side of leet North E: Friday, Se P.M.	de Maide
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The second secon	County Beginning is on the West 40 feet wide: ed N 22' 08' or less from thy the North Lane to feet Side of Leeds themee leaving and y Northwesterly along the BL as	or the same lide of Leed and point be liff h, 52.1 he intersections of Mand	at a point at Avenue ing situat feet more on formed on Choice
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on the second second	Leeda Avenue feet more or ' ginning. Containing tes. Being the pe Warren, as sho with the Zentes Hearing Date ', 1972 at 1:96	Tot acres operty of E operty of E operty of E operty of E	W, 183 se of he- more or franci J. dan Elled

CERTIFICATE OF PUBLICATION

H. Lank Struct

Cost of Advertisement, \$.....

2 516×5

73-41-12

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

District 13 TH	Date of Posting HUL. 19-1972
Posted for RECHSSIFIE ATION	
FDWARD (WADREN)	
Location of property: W/S OF LEEDS AVE.	92.5 NOI HANKE Cher
LANE	
LOCATION OF SIGNS OF LEEDS AVE. 20	E 100 FT N OF MAINER CHORL
LANE & WIS OF LEEDS AUE. 20	OFT NOT THIRE CHOICE MAKE
Remarks:	
Posted by Charles M. Mal	Date of return. AL. 6. 24-1975

Edward J. Warren	BALTIM		OF PLANNING AND	.G Item # 26
1016 Plover Drive		County Office	Buf 1ding	
Baltimore, Maryland	21227	Towson, Haryla	ake Avenue and 21204	
	Your Pet	ition has been r	eceived and accepta	d for filing
this	3rd	day of July	1972	
			S. ERIC DINENN Zoning Commiss	l'iner
Petitioner:_	Edward J. Warr	rem		
Petitioner's	Attorney		Reviewed by	Mire & Miner
				dvisory Committee

Me. 5016

1 1 7.5 CHSC

Me. 3621

\$50.00

FANK AGENCY
Frank R. Gloone, Edg.
hill defference Building
Fownon, Ed. 21200,
Petition for Beelsspitication forEdward J. Maryen

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

Sopt. 18, 1972 account.03-662

Edwar J. Varren 1016 Plover Drive Baltimore, Md. 21227 Advertising and posting of property

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE CHVISION
MISCELLANEOUS CASH RECEIPT

DATE May 10, 1972 ACCOUNT 01-662

#73-41-R

PETITION	M	MAPPING		PROGRESS		SHEET					
FUNCTION				Original Du		licate	Tro	Tracing		200 Sheet	
TORCTION	date	by	date	by	date	by	date	by	date	Ь	
Descriptions checked and outline plotted on map											
Petition number added to outline											
Dented											
Granted by ZC, BA, CC, CA											
Reviewed by: BOT		_			d Pla		or desc	riptio	on	Yes	
Previous case:				ton #						No	

