PETITION FOR ZONING RE-CLASS FICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALLIMORE COUNTY:
Natcella D. Swain Philip Deardorff
I, or we, dana E. Grau __John Burtonlegal owner... of the property situate in Baltimore mty and which is described in the description and plat attached hereto and made a part hereof, ition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County from an R.A.E 1 and B.R.(C.S.-1) zone to an

. R.A.E. 2 which lies ____zone; for the following reasons:

1. To bring the zoning within the concept of Bill 100.

To permit larger office complexes.
To develop land to its highest and best use.
To satisfy the needs of more office space and apartment space in the area.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations etc., upon filing of this petition, and further agree to and are to be bound by the zoning

....... 1972., that the subject matter of this petition be advertised, as

equired by the Zoning Lew of Baltimore County, in two newspapers of general circulation the more County, that property be posted, and that the public hearing be had before the Zon'ng of Baltimore County in Room 106, County Office Building in Towson, Bal 197 2 at 10: 30 o'clock

Acui de Kenna

Mascella D. Swaln

408 Jefferson Building

Towson, Md. 21204

MEMORANDUM IN SUPPORT OF RECLASSIFICATION

FROM: R A E 1 and BR-CS-1

TO: RAE 2

Burke Ave. 130

£25

1 All 1

Bill 100 as enacted by the County Council of Baltimore County, Maryland, provides at Section 202.1A as a statement of legislative policy

"R A E 2 zones provide for 'evelopment of elevator - apartment buildings at relatively high density, in industrial settings close to the major commercial and cultural centers of the county, where amply utilities or other public facilities are available."

Sub-Section B states:

"Establishment of zones limited to town's centers, and any R A E 2 zone must be located within a town center as defined in Section 101."

Section 101 defines TOWN as "a coherent urban area generally comprising: 3 to 5 communities (up to approximately 25 neighborhoods. 100,000 to 150,000 persons); a central concentration of public facilities, population of the area as a whole, including a high school and one or more major department stores; an industrial or similar major-employment uses."

"Water-Supply System, Public: A water-supply system which is operated by the county or a public agency of metropolitan or regional jurisdiction, and which is owned by or meets design and performance standards whereby it is eligible for ownership by the county or such agency, whether or not it is part of or connected with the physical facilities with metropolitan or regional water-supply system."

The tracts of land in question are directly behind Hollinshade's Texaco Service Station at York and Burke Avenue which then places these tracts within direct proximity to residential settings close to the major commercial and cultural centers of the county, such as the library and department stores which are just up York Road. There are ample utilities, facilties such as sewage, water and transportation immediately available.

By being directly across the street from Towson State College, it is in excellent juxtaposition with one of the finest cultural centers of the area. The town center should have as its natural boundry the circumferential loop of Burke Avenue as to be extended; said loop embedying not only the cal agencies but the major department stores, schools, cultural centers and service areas. This property then would lie on the inside of the major loop and therefore be placed within the town center as defined by Bill 100.

The town center is being developed as the need for the growing business interests that are attracted to Towson. These sites, with a R % E 2 zone would definitely meet the need for apartment dwelling within a commercial cultural town concept and the obvious facilities necessary to serve a hourgeoning Towson.

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
P.O. BOX 6828, TOWSON, MD. 21204

Description to Accompany Zoning Petition for Reclassification from Existing R.A.E. 1 Zone to R.A.E. 2 Zone

March 30, 1972

Beginning for the same at the intersection of the northeasterly side of West Burke Avenue with the division !line between RAE-1 zoning and BR-CS-1 zoning said division line being parallel to and 130 feet west of the center line of York Rose thence binding on said northeasterly side of West Burke Avenue the two following courses, viz: first along a curve to the right with a radius of 402, 74 feet for a distance of 124.05 feet, said curve being subtended by a chord bearing North 59 40' 38" West 123.56 feet and second along a curve to the right with a radius of 3773.72 feet for a distance of 344.52 feet, said curve being subtended by a chord bearing North 48 °14' 34" West 344.40 feet; thence for lines of division the eight following courses, viz: first North 6 %15' 39 " East 71.42 feet, second North 45.0 03' 25" East 58.70 feet, third North 86 924' 56" East 66.81 feet, fourth South 6 " 36' 49" West 66.57 feet, fifth South 82°22' 41" East 149.00 feet, sixth South 13" 41' 11" East 33.50 feet, seventh South 36 *14' 48" East 44.91 feet and eighth South 68°58' 36" East 124.56 feet; thence binding on the above described division line between RAE-1 zoning and BR-CS-1 zoning South 11 *40' 54" West 213.50 feet

Containing 1.751 acres of land, more or less.



FROM THE OFFICE OF GEORGE LILIAM STEPHENS, JR. & ASSOCIATES, INC. ENGINEERS P.O. BOX 6828, TOWSON, MD. 21204

Description to Accompany Zoning Petition for Reclassification from Existing BR-CS-1 Zone to R.A.E. 2 Zon

March 30, 1972

1 prgr

Beginning for the same at the intersection of the northeasterly side of West Burke Avenue with the division line between RAE-1 zoning and Bk-CS-1 zoning. on line being parallel to and 130 feet west of the center line of York Road ning thence binding on said division line North 11° 40' 54" Fast 213 50 feet: thence for a line of division South 69° 58' 36" East 13.44 feet; thence South 11° 40' 54" West 215.38 feet to the northeasterly side of West Burke Avenue; thence binding on said northeasterly side of West Burke Avenue along a curve to the right with a radius of 402.74 feet for a distance of 13.42 feet, said curve being subtended by a chord bearing North 69° 27' 22" West 13.42 feet to the place of beginning.

Containing 0 065 acres of land, more or ass.

KIMMEL & POKORNY

September 22, 1972

Mr. Eric Dinenna Zoning Commissioner Baltimore County County Office Building Towson, Maryland 21204

SAMUEL KIMMEL JOSEPH K. POKORI

RE: Reclassification Petition 3rd Zoning Cycle Item #33 Swain and Grau Petitioners

Dear Mr. Dinenna:

Very truly yours. Joseph Rokany JOSEPH K. POKORNY

cc: Dr. Phillip Deardorff Lee Harrison, Esquire





- 2 -

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 publishe

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan



CERTIFICATE OF PUBLICATION

....... 19_72., the first publication appearing on the 11th day of September

THE JEFFERSONIAN

Cost of Advertise

19.72.

MAR 28 1973

Per Item #33 (Cycle April - October 1972)

Sedimen' Control:

Development of this property through stripping, grading and stabilization could result in a sectment pollution problem, demaring private and public noblings boundream of the property. A grading print is, therefore, necessary for all grading, including the stripping of top soil.

Zoning Commissioner of Baltimore County

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

Water:

IVED FOR

ORDER RECE

A 20-inch water main exists in West Burke Avenue and is available to serve Account where main exists in ever the area whence and is available to see this property. However, supplementary pumping will be required to provide adequate water pressure to the upper floors of the proposed structure. Fire pretection requirements, including additional public fire hydrants, will be determined by the Fire Department.

Prior to the approval of any grading or building permits, the Patitioner's engineer will be required to furnish this office with complete data in regard to water demands, including fire protection requirements, so that the adequacy of the existing water system can be determined.

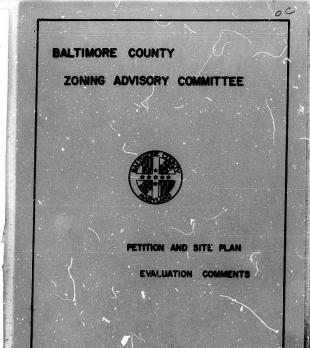
The subject plan does not indicate the method or means of connection to public sandtary sowerace. Rublic sandtary sowers exist in several locations beyond the limits of this property however, it appear that an extension of the mubble sowerace system, along west further keems from the west, is forecast the source of the source for the source system and the source relationship in forest or the source system and the source relation in regard to location and elevation is found on the Baltimore County Burwas of Engineering position sheets 35 and 37 N.S. 2 and 3. However, the Pattitioner's engineer is responsible for determining to so own satisfaction, the location and elevations of the ordating sever.

The Subject plan does not indicate anticipated sewage flows, however, a senitary sewrage study will be required prior to approval of any grading or building pormits to determine the adequacy of the existing sewerage system to accommodate sewage flower anticipated from the projected development of this sed development of this site is also subject to the approval property. The proposed development of this of the Maryland State Department of Health.



END: EAM: RMD: SS

N-NW 500! Key Sheet 36 NE 2 & 3 Position Sheets NE 9 & 10 A 200' Scale Topo



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

OLIVER L. MYZ RS

DESIGNATION OF THE COLUMN TWO INCIDENTS AND T ATE BOXES COMM

DUREAU OF CALCIO DEPARTMENT PROTECT PLANNING DOLARD OF RECEATION OS ING ADMISISTRATE

May 8, 1972

Joseph K. Pokorny, Esquire 408 Jefferson Building Towson, Maryland 21204

> Re: Reclassification Petition 3rd Zoning Cycle Item 33 Swain & Grau-Petitioners

Dear Mr. Pokorny:

OLM-LID-bbr

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an onsite field inspection of the property. The attached comments are a result of this review and inspection

The subject property is located on the north side of W. Burke ue, 136 west of York Road in the Ninth District of Baltimore Avenue, 13th west of york foat in the Ninth District of Baltimore County. The property is currently improved with a two and one-half story frame dwelling and detached garage and is being used as a dog nursery. The property to the south is the Towson State College and the property to the north and west is existing "commercial land. The property on the east is an existing service station. This property contains 1.86 acres and curb and gutter exist along Burke Avenue at this location.

This petition, having met the requirements of the Zoning Commissioner's Rules of Practice and Procedure, is accepted for filing; however, revised plans should be submitted prior to the Hearing indicating all structures within 200' of the subject property. This Committee is in agreement that the requested change will increase the traffic burden already anticipated from the existing zoning classification.

> Very truly yours, lenin & Merse Chairman JOHN J. DILLON, JR., Zoning Tech. II

The entrance locations are subject to the approval of the Department of Traffic Engineering and shall be constructed in accordance with Ealtimore County Standards.

Highways:

Bureau of Engineering

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

No provisions for accommodating sterm water or drainage have been indicated on the subject plan; however, a drainage study and sterm drainage facilities will be required prior to approval of any grading or building penul application for the proposed development of this property. The plat should be ravised to indicate all actuating and proposed drainage racilities and the location of Towson Branch in respect to this property.

The following come was are furnished in regard to the plat ubmitted to this office for review by the doning Advisory Committee in connection with the subject tion.

West Burke Avenue is an existing arterial street which has been previously improved as shown on the subject plat. No further highesy improvements are required at this time; however, additional highesy improvements are proposed for construction in the future at the intersection at York Road and will artend wasterly to the proposed easternoots entermed to this cite. No additional right-of-way is anticipated to be required from this property.

Baltimorr County, Margland Bepartment Of Public Works

COUNTY OFFICE BUILDING

TOWSON, MARYLAND 21204

He: Item #33 (Cycle April - Cetober 1972)
Frojerty Cwner: Marcella I. Swain, et al.
M/S Burba Avenum, 1904 W. of York Rd.
Present Zening: R.A.F. 1 and Ag.
Froomed Coning: Realestication to R.A.E. 2
District: 9th No. Acres: 0.065

The Fetitioner must provide necessary drainage facilities (temporary or parament) to prevent creating any muisances or desages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may woulk, due to improper grading or improper installation of drainage facilities, woulk be the All responsibility of the Fetitioner.

BALTIMORE COUNTY, MARYLAND



DEPARTMENT OF TRAFFIC ENGINEERING EUGENE J. CLIFFORD. P.E. WM. T. MELZER

April 28, 1972

Mr. Oliver L. Myers Zoning Advisory Committee County Office Building Towson, Maryland 21204

Re: Cycle Zoning III
Item 33 - ZAC - 4-4-72
Property Owner: Marcella D. Swain, et al
Burke Avenue W. of York Road
Reclassification to R.A.E. 2

The subject petition is requesting a change, basically, from R.A.E. I 2. This should increase the trip density from 360 to 720 trips per

Capacity problems presently exist at York Road and Burke Avenue and this increased density can be expected to only compound this problem.

Very truly, yours, fel Mon Bichard Hoors Assistant Traffic Engineer

CRM: nr

STATE HIGHWAY ADMINISTRATION

300 WEST PRESTON STREET BALTIMORE, MD 21201

April 11, 1972

Mr. S. Eric DiNenna Zoning Commissioner County "ffice Building Maryland 21204

Re: Item 33
Z. A. C. Meeting, April 14, 1972
Owner: Marcel la D. Swein, et al
Location: N/S Burek Ave., 130'
West of York Poad (Route 45)
Proposed Zoning: Reclass. to
R.A.E. 2
Bistrict 9 No. Acrest 0.065

Both the State Highway Administration and Baltimore County are experienc-ing severe traffic problems at the intersection of York Road and Burke Ave.

The construction of a 17th floor office and apartment building near the intersection can only add to the problems.

Very truly yours, Charles Lee, Chief Development Engineering Section July C Muyes

by: John E. Meyers Asst. Development Engineer

CL:JEH:bl

Baltimore County Fire Department

J. Austin Deit



Towson. Maryland 21204

873-7310

April 17, 1972

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

RE: Property Owner: Marcella D. Swain, et al

Location: N/S Burke Avenue, 130' W of York Frad

Zoning Agenda April 4, 1972

Dursuant to your request, the referenced property have been surveyed by this Bureau and the comments below marked with an "x" are sonlicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of __feet alons an approved road in accordance with Baltimore County Standards as published by the Department of Public Morks.

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

() 3. The vehicle dead-end condition shown at

EXCEDDS the maximum allowed by the Fire Department.

(4. The site shall be made to comply with all applicable rarts
of the Fire Trevention Code prior to occupancy or beginning
of operations.

(5. The buildings of structures existing or promoted on the
site man structure existing or promoted on the
site man structure existing or promoted on the
site man structure existing or promoted on the
site of the structure existing or promoted on the
"The Life Safety Code" 1970 Edition prior to occurancy.

() 6. Site plans are soorwed as draw.

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



-BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH-

April 18, 1972

DONALD J. ROOP, M.D., M.P.K.

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

JS:mn

Comments on Item 33, Zoning Advisory Committee Meeting, April 4, 1972, are as follows:

Property Owner: Marcella D. Swain, et al Location: N/S Burke Avenue, 130' W of York Road Present Zoning: R.A.E.1 and B.R. Proposed Zoning: "Seclassification to R.A.E.2 District: 9 No. Acres: 0.065

Metropolitan water and sewer are available to the sitz.

Air Pollution Comments: The building or building: on this site may be subject to a permit to construct and a permit to operate any and all fuel burning and processing equippent. Additional information may be obtained from the Tivision of Air Follution and Industrial Hygir c, Baltimore County Department of Health.

Shopping Center and Apartment House Comments: Approval for a shopping center or apartment house is based upon owner responsibility for the collection, storage and disposal of refuse in accordance with Health Department requirements.

Very truly yours,

J. Strawhorn, Sanitarian II Water and Sever Section Division of Sanitary Engineering BUREAU OF ENVIRONMENTAL SERVICES

GEORGE E. GAYRELIS Director Jefferson Building Suite 301 Torroon, Md. 21284



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

May 9, 1972

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

Dear Mr. Myers:

ments on Item 33, Zoning Advisory Committee Meeting, April 4, 1972, are as follows:

Property Owner: Marcella D. Swain, et al Location: N/S Burke Avenue, 130' W of York Road Present Zoning: R.A.E. 1 and B.R. Proposed Zoning: Reclassification to R.A.E.2 Districts 9 No. Acres 0.065

Height "Tent" drawings must be submitted to determine compliance with Sec. 201.3, Bulk Regulations in R.A.E.2 zones, of the Baltimore County Zoning Regulations.

tichard B. Williams Project Planning Division
Office of Planning and Zoning BOARD OF EDUCATION OF BALTIMORE COUNTY

ITEM #33

TOWSON, MARYLAND - 21204

Property Owner Marcella D. Swein

District 9

Present Zoning RAE 1 + BR

Proposed Zoning RAE 2

No. Acres 0.065

No effect on student population

H. EMELIE PARKS AND THE MP'S HOBERT L. BERNEY

MRS. JOHN M. CROCKER JOSEPH N. M.GOWAN ALVIN LORECK UA R. WHEELER, MATERIAL

T. BAYARD WILLIAMS, JR. RICHARD W. TRACEY, V.M.S. MRB. RICHARD K. WUCRFFS.

ESTIFICATE OF POSTING #73-62.R MENT OF BALTIMORS COUNTY Date of Posting Sept : 14- 72 mondy Ost. 2. 1972 C 10:30 B.M. Mure It Hear Date of roturn Sept - 21 - 72

		0		,	New / 33
k. Pakony			• //		· (
offenen Bylid n, Manyland		RE COUNTY OFFICE	OF PLANNING	AND ZONENG	
		111 W. Ches	ce Building speake Awaru ylanr 21204	•	
	Your Pet	Ition has been r	ocal ved and	accepted for fi	ling
this	360	doy of	July	1972.	
) 	11	11.21	શું.
The Part of the State of the St			46	Hilling, C	

PETITION	M	APPI	NG	PRO	GRE	SS	SHE	T		
FUNCTION	Well Map		Orig	jinal	Duplicate		Tracing		200 Shee	
FUNCTION	dc'e	by	date	by	date	by	date	Ly	date	ion
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA	1									
Reviewed by:		-	(Chang	d Pla e in ou	tline	or des	ripti	on	

BALTIMORE COUNTY OFFICE OF FMANCE - NEVE MISCELLANEOUS CAS	NUE DIVISION	6 "	3601
DATE No. 1972	Accou t	60	-,
	AMOUNT_	850.00	`
Dr. P.C. Beardorff 7100 York Rose Baltimore, Ms. 212		YELLO	W - CUSTOMEN
Petition for Bools	en Cloudou	5	0.0 O MSc

BALTIMORE COUNT OFFICE OF FINANCE - BI MISCELLANEOUS C	EVENUE DIVISION	№ 5046
DATE Oct	. 2, 1972 OT	-662
	AMOUNT_	\$71.12
Dr. John Burton 506 St. Francis	Road	VELLOW - CUSTOMER
Baltimore Md. 2 Advertising and Swain, et al #73-62-R	posting of prope	rty for Marcella 71.12 kg

BALTIMORE COUNTY, OFFICE OF PHANCE : NEVER MISCELLANEOUS CASE	NOBINION	5045
DATE Oct. 2, 1972	ACCOUNT 02	-(()
	THUCHA	872-33
WHITE - CASHIER		YELLOW - CUSTOMER
Br. Philip C. 7100 York Road Baltimore, Md.		
Advertising of D. Swain, ot a 773-62-R	d posting of	roperty for Marculla 71.13

