

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

WE, the undersigned, legal owner(s) 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 reclassified, pursuant to the Zoning Law of Baltimore County, from an D.R.5.5 zone to an B.L. zone; for the following reasons:

1. The County Council erred when it adopted D.R.5.5 for the subject tract.
2. There have been and will be sufficient changes in the character of the neighborhood to dictate a reclassification from D.R.5.5 to B.L. zoning.

See Addendum

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 reclassification 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.

Contract purchaser _____
Address _____
Legal Owner _____
Address _____
Petitioner's Attorney _____
Protestant's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1973, 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, 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 _____ day of _____, 1973, at _____ o'clock.

John D. Thompson
Zoning Commissioner of Baltimore County.

(over)

JOSEPH D. THOMPSON, P.E., L.S.
CIVIL ENGINEERS & LAND SURVEYORS

101 SHELL BUILDING - 200 EAST JOPPA ROAD
TOWSON, MARYLAND 21204 - Valley 3-8820

DESCRIPTION OF A PARCEL OF LAND TO BE RECLASSIFIED FROM D.R.5.5 TO B.L. ZONING, EASTERN AVENUE AND SIMMONS AVENUE, 12TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the North side of Eastern Avenue, as widened and on the centerline of Simmons Avenue, 50 feet wide, said point being on the dividing line between that land zoned D.R.5.5 and that land zoned B.L. and running thence and binding on the North side of Eastern Avenue North 72 Degrees 18 Minutes East 369.45 feet thence leaving the North side of Eastern Avenue and running North 10 Degrees 00 Minutes West 128.50 feet to the dividing line between that land zoned D.R.5.5 and that land zoned PUBLIC thence binding on said dividing line South 72 Degrees 18 Minutes East 140.00 feet, North 10 Degrees 00 Minutes West 119.00 feet and North 50 Degrees 31 Minutes West 286.95 feet to the centerline of Simmons Avenue herein referred to and running thence and binding on said centerline South 17 Degrees 02 Minutes East 157.56 feet thence leaving said centerline and running North 72 Degrees 18 Minutes East 89.56 feet, South 10 Degrees 00 Minutes East 80.00 feet, and South 72 Degrees 18 Minutes West 111.00 feet to the centerline of Simmons Avenue herein referred to and running thence and binding on said centerline and running to and along the dividing line between that land zoned D.R.5.5 and that land zoned B.L. herein referred to South 17 Degrees 02 Minutes East 124.93 feet to the place of beginning.

Containing 1.84 acres of land, more or less.

4-14-73



PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

WE, the undersigned, legal owner(s) 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 reclassified, pursuant to the Zoning Law of Baltimore County, from an D.R.5.5 zone to an B.L. zone; for the following reasons:

1. The County Council erred when it adopted D.R.5.5 for the subject tract.
2. There have been and will be sufficient changes in the character of the neighborhood to dictate a reclassification from D.R.5.5 to B.L. zoning.

See Addendum

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 reclassification 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.

Contract purchaser _____
Address _____
Legal Owner _____
Address _____
Petitioner's Attorney _____
Protestant's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1973, 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, 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 _____ day of _____, 1973, at _____ o'clock.

John D. Thompson
Zoning Commissioner of Baltimore County.

(over)

ADDENDUM

The subject tract should be reclassified from the existing D.R.5.5 to B.L. zoning for the following reasons:

1. The County Council of Baltimore County erred when it adopted D.R.5.5 for the subject tract in 1971 by failing to note the following reasons:
 - a. Residential use is no longer feasible or desirable for the subject tract since the property abuts a heavily travelled major artery, Eastern Avenue. The volume of traffic, noise, and other pollutants generated by the arterial make the subject tract unfit for residential use.
 - b. Completion of a nearby expressway interchange will cause an increasingly greater volume of traffic to the subject tract.
 - c. Properties adjacent to and in the immediate vicinity of the subject tract are zoned B.L. and B.R., making it consistent with good planning principles to recognize the B.L. use as the highest and best for the subject tract.
2. The changes in the character of the neighborhood which will come about upon completion of the expressway ramp, will, in addition to the reasons stated, also create an additional need for the B.L. zoning.
 - a. Increasing numbers of persons will be coming into the area for goods and services provided by commercial facilities.
 - b. Only commercial use of the subject tract is consistent with the changes outlined above and the character of the community in the immediate vicinity of the subject tract.

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
NE corner of Eastern and Simmons Aves. : ZONING COMMISSIONER
12th District : OF
William D. Harmon, Sr., et al - : BALTIMORE COUNTY
Petitioners :
NO. 73-195-R (Item No. 1) :

The Petitioners request a Reclassification from a D.R.5.5 Zone to a B.L. Zone for a parcel of property located on the northeast corner of Eastern and Simmons Avenue, in the Twelfth Election District of Baltimore County. Said property contains 1.84 acres of land, more or less.

Testimony presented at the hearing indicated that the subject property is presently improved with three (3) buildings, all of which are in a bad state of repair. Testimony further indicated that the property immediately to the west of the subject property is zoned B.L. The Oak Lawn Cemetery is located directly across Eastern Avenue from this tract. To the rear of the property is the Eastwood Elementary School. These two properties are separated by a fence which is owned and maintained by the Board of Education. The Eastwood Elementary School is not oriented to the property. To the east are other properties, both residentially and commercially zoned, the residential having nonconforming commercial uses.

Several changes cited by the Petitioners include the overpass of a major highway across Eastern Boulevard several blocks to the west of the subject property, an increase of traffic, and a lack of permissive parking along Eastern Avenue at this location. The Petitioners went on to state that this is one of the few properties not zoned commercially along this strip further claiming that this was an error in zoning.

The intended use of the subject property was for retail use, and there was some discussion with reference to the storage of ice cream trucks on the subject property. The Zoning Commissioner ruled, at the time of the hearing, that this would not be permitted in this requested zone. At this point, the Petitioners requested to amend their Petition, requesting that the rear portion of the subject property be denied the Reclassification and that a use permit for parking in a residential zone be granted to part of the rear portion. As reference, see Zoning Commissioner's Exhibit I, which is an approved plan by the Office of Planning and Zoning, dated September 21, 1973.

Without reviewing the evidence further in detail but based on the evidence presented at the hearing, it is the judgement of the Zoning Commissioner that there has been a substantial change in the character of the neighborhood and an error had been committed in the adoption of the Comprehensive Zoning Map. For purposes of this Order, refer to Zoning Commissioner's Exhibit I wherein said subject property has been divided into three parcels: Parcel A; being that portion of the subject property fronting on Eastern Avenue in an approximate depth of 133.87 feet; Parcel B; being the portion of the subject property which the Zoning Commissioner feels for the benefit of the health, safety, and general welfare of the community should be granted a use permit for parking in a residential zone; Parcel C; being that portion of the rear property that in the Zoning Commissioner's opinion, was not in error in classifying the property D.R.5.5 and, therefore, should not be reclassified to a B.L. Zone.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 31st day of October, 1973, that Parcel A, as described in Zoning Commissioner's Exhibit I, should be and the same is hereby reclassified from a D.R.5.5 Zone to a B.L. Zone, and that Parcel B be denied the right to the B.L. Zone and be granted a use permit for parking in a residential zone according to Zoning Commissioner's Exhibit I, said plan having been approved by the Office of Planning and Zoning on September 21, 1973, from and after the date of this Order, subject to the approval of a site plan by the State Highway Administration, Department of Public Works, and the Office of Planning and Zoning. It is further ORDERED that Parcel C be and the same is hereby DENIED and is to remain a D.R.5.5 Zone.

John D. Thompson
Zoning Commissioner of Baltimore County

- 2 -

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 730-9060

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
300 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE 828-9000

August 16, 1973

BEL AIR
L. GERALD WOLFE
Landscape Architect
PHONE 838-0888

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 730-9060

TOWSON OFFICE
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300 EAST JOPPA ROAD
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TOWSON, MARYLAND 21204
PHONE 828-9000

August 16, 1973

BEL AIR
L. GERALD WOLFE
Landscape Architect
PHONE 838-0888

DESCRIPTION D.R. 5.5 TO B.L.:

Beginning for the same at the intersection formed by the centerline of Simmons Avenue (30 feet wide) with the north side of Eastern Avenue thence binding on the said north side of Eastern Avenue North 72° 18' East 369.45 feet thence leaving the said north side of Eastern Avenue North 17° 02' East 128.93 feet thence parallel with the said north side of Eastern Avenue South 72° 18' East 358.29 feet to the centerline of said Simmons Avenue thence binding on said centerline South 17° 02' East 128.93 feet to the place of beginning.

Containing 1.073 Acres of land more or less.

Malcolm E. Hudkins
Malcolm E. Hudkins
Registered Surveyor #5095



DESCRIPTION SPECIAL HEARING FOR PARKING IN A RESIDENTIAL ZONE:

Beginning for the same at a point distant 128.93 feet northerly measured along the centerline of Simmons Avenue from its intersection with the north side of Eastern Avenue thence binding on the said centerline of Simmons Avenue North 17° 02' East 95.30 feet thence parallel to the said north side of Eastern Avenue North 72° 18' East 211.00 feet thence South 17° 00' East 95.00 feet thence parallel to Eastern Avenue South 72° 18' East 218.29 feet to the place of beginning.

Containing 0.468 Acres of land more or less.

Malcolm E. Hudkins
Malcolm E. Hudkins
Registered Surveyor #5095

JAN 23 1974

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 20, 1972

Anne Kay Kramer, Esq.,
Tower Building - 222 E. Baltimore Street
Baltimore, Maryland 21202

RE: Reclassification Petition
Item 1

Mr. P. & Sylvia J. Harmon, et al

Dear Mrs. Kramer:

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 Eastern Avenue and Simmons Avenue, in the 12th Election District of Baltimore County. This property is currently zoned BL and Eastern Avenue with two dwellings that are separated by a third structure which appears to be a store with a second story apartment. These structures are on the easternmost side of the site; the remainder of the tract is unimproved. There is another dwelling that fronts on Simmons Avenue which is not part of this tract, although the subject property borders this property on three sides. The property on the west side of Simmons Avenue is zoned BL and is improved with a florist business. There are also other residential properties that front on the west side of Simmons Avenue. The east side of this site is zoned DR 5.5 and is improved with other residential properties. The property to the north and the rear of this site is public land and the location of the Eastwood Elementary School. The property on the south side of Eastern Blvd. is zoned DR 5.5 and is the location of the Oaklawn Cemetery. Curb and gutter exist along Eastern Avenue at this location, however, Simmons Avenue is not so improved.

This petition is accepted for filing, however, this Committee feels that a more suitable plan could be developed that would offer a more realistic utilization of the property. We are also requiring that revised plans be submitted that indicate all utilities in the area, including fire hydrants, storm drain inlets. Show all structures within 200 feet of the property; also, any existing entrances onto Simmons Avenue. The revised plan should indicate the contours of the property, especially with reference to the elementary school property.

Anne Kay Kramer, Esq.,
Page 2
October 20, 1972

The petitioner is advised to pay particular attention to the attached comments by the Bureau of Engineering, State Highway Administration, Project Planning and the Health Department.

This petition is accepted for filing on the date of the enclosed filing certificate. However, all corrections to site plans as requested shall be submitted to this office prior to Thursday, February 1, 1973 in order to allow time for advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between March 1, 1973 and April 15, 1973, will be forwarded to you in the near future.

Very truly yours,

John J. Dillon, Jr.
JOHN J. DILLON, JR.,
Chairman,
Zoning Advisory Committee

JJJ:ju

Enclosure

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

October 17, 1972

Office of Engineering
ELLSWORTH H. DIVER, P.E., Chief

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

Re: Item #1 (Cycle Zoning IV - Oct. 1972 - April 1973)
Property Owner: William P. & Sylvia J. Harmon, et al
Eastern Avenue and Simmons Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Reclass. from D.R. 5.5 to B.L.
District 12th No. Acres: 1.84 acres

Dear Mr. DiNenna:

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.

Highway Comments:

Eastern Avenue is a State Road; therefore, all improvements, intersections and entrances on this road will be subject to State Highway Administration requirements.

Simmons Avenue is an existing County street which has been improved with a macadam roadway (open season) within the existing 30-foot right-of-way and is proposed to be further improved as a 30-foot closed roadway section within a 50-foot right-of-way. A 10-foot wide highway right-of-way widening and highway improvements will be required along the frontage of this property in conjunction with the anticipated development of this site.

The subject plan does not indicate the existence of a 10-foot right-of-way or easement along the northernmost outline of this parcel. This right-of-way would provide a more desirable means of access to this property, and adjacent properties, instead of the 20-foot drive shown on this plan.

It shall be the responsibility of the petitioner's engineer to clarify all rights-of-way within the property and to initiate such action that may be necessary to abandon, widen or extend said rights-of-way.

All entrances onto County streets are subject to the approval of the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Storm Drain Comments:

Eastern Avenue is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the State Highway Administration.

Item #1 (Cycle Zoning IV - Oct. 1972 - April 1973)
Property Owner: William P. & Sylvia J. Harmon, et al
Page 2
October 17, 1972

Storm Drain Comments: (Cont'd)

No provisions for accommodating storm water or drainage have been indicated on the plan; however, a storm drainage study and facilities with an adequate outfall will be required in conjunction with the anticipated development of this property.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Sediment Control Comments:

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 recording of any record plat or the issuance of any grading or building permits.

Water Comments:

Public water supply is available to serve this property. Fire protection requirements will be determined by the Fire Department.

Sanitary Sewer Comments:

This property is not served by public sanitary sewerage at this time; however, contract drawing 72-0937 (1) has been prepared by this office to provide public sewerage for this property. Construction of this sewer is contingent upon acquisition of easements through this property and appropriation of funds.

The subject plan must be revised to indicate the proposed highway improvements, storm drainage facilities, existing water mains, and proposed sanitary sewers that are required as noted above.

Very truly yours,

Ellsworth H. Diver
ELLSWORTH H. DIVER, P.E.,
Chief, Bureau of Engineering

EHD:RAM:RDS

cc: S. Mellestree

P-MS Key Sheet
SE 1 E 200' Topo
3 SE 17 & 18 Position Sheet
96 Oak Tap

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR
WILLIAM T. MELSEN
DEPUTY TRAFFIC ENGINEER

October 26, 1972

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

Re: Cycle Zoning IV
Item 1 - ZAC - Oct. 72 to Apr. 73
Property Owner: William P. & Sylvia J. Harmon, et al
Eastern Avenue and Simmons Avenue
Reclass. from D.R. 5.5 to B.L.
District 12

Dear Mr. DiNenna:

The subject petition is requesting a reclassification from DR 5.5 to B.L. At the present zoning, the trip density will be approximately 105 vehicles. Under the proposed zoning, the trip density would be approximately 520 vehicles per day.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF:nc



Maryland Department of Transportation

State Highway Administration

Harry H. Harbo
Secretary
David H. Fisher
Administrator

September 26, 1972

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

Attention: Mr. John J. Dillon

Dear Sir:

The subject plan indicates proposed entrance from Eastern Avenue of 20' and 24' widths. All commercial entrances to the site must have a minimum width of 25 ft. The easterly entrance must be located as near as possible directly opposite the existing entrance on the south side of Eastern Avenue. The northeast corner of Simmons Avenue must be improved with concrete curb on a 30' radius.

The entrance from Eastern Avenue will be subject to approval and permit from the State Highway Administration.

Very truly yours,

Charles Lee, Chief
Development Engineering Section
Charles Lee
Charles Lee
Asst. Development Engineer

C.LJ:EMH

Baltimore County Fire Department



Towson, Maryland 21204

822-7510

J. Austin Deitz
Chief

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Acting
Zoning Advisory Committee

Re: Property Owner: William P. & Sylvia J. Harmon, et al

Location: Eastern Avenue and Simmons Avenue

Item No. 1. Zoning Agenda IV ZONING CYCLE
October 1972-April 1973

Gentlemen:

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

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 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.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.

- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewer: *St. Thomas Kelly* Noted and Approved:
Planning Section Deputy Chief
Special Inspection Division Fire Prevention Bureau

mls
4/25/72

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

September 14, 1972

DONALD J. ROOP, M.D., M.P.H.
COUNTY HEALTH AND ENVIRONMENTAL SERVICES

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

Dear Mr. DiNenna:

Comments on Item 1 - Reclassification, Zoning Advisory Committee Meeting, September 12, 1972, are as follows:

Property Owner: William P. & Sylvia J. Harmon, et al
Location: Eastern Avenue and Simmons Avenue
Present Zoning: P.R. 5.5
Proposed Zoning: Reclassification to B.L.
District: 12
No. Acres: 1.84

The building at 7220 Eastern Avenue is served by metropolitan water and a private septic system which is failing.

Metropolitan sewer must be extended prior to issuance of building permit.

Very truly yours,

Thomas H. Deitz
Thomas H. Deitz, Director
BUREAU OF ENVIRONMENTAL SERVICES

EVS:ms

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: October 19, 1972

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

Re: Item #1
Property Owner: William P. and Sylvia J. Harmon, et al
Location: Eastern Avenue and Simmons Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Rezone from D.R. 5.5 to B.L.

District: 12
No. Acres: 1.84 acres

Dear Mr. Dilman:

The existing DR 5.5 zoning could yield approximately 3 Elementary, 2 Junior High, and 2 Senior High schools while a change to B.L. would not yield any students. However, the Principal of the Eastwood Elementary school has expressed some concern because the school playground adjoining this property. Outside activity has been disrupted in the past by the petitioner selling ice cream through the fence to school children engaged in outdoor physical education and free play sessions.

Please see attached sheet.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich
Field Representative

WNP:ld

ITEM #1

Schools servicing this area (based on September 20, 1972 enrollment):

	Capacity	Enrollment	+/-
Eastwood El.	385	342	-43
Holabird Jr.	1245	1403	+158
Patapasco Sr.	1780	1981	+201

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 20, 1972

Anne Ray Kramer, Esq.,
Tower Building - 222 E. Baltimore Street
Baltimore, Maryland 21202

Re: Reclassification Petition
Item 1
Mr. P. & Sylvia J. Harmon, et al

Dear Mrs. Kramer:

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 Eastern Avenue and Simmons Avenue, in the 12th Election District of Baltimore County. This property is currently zoned along Eastern Avenue with two dwellings that are separated by a third structure which appears to be a store with a second story apartment. These structures are on the easternmost side of the site; the remainder of the tract is unimproved. There is another dwelling that fronts on Simmons Avenue which is not part of this tract, although the subject property borders this property on three sides. The property on the west side of Simmons Avenue is zoned B.L. and is improved with a florist business. There are also other residential properties that front on the west side of Simmons Avenue. The east side of this site is zoned DR 5.5 and is improved with other residential properties. The property to the north and the rear of this site is public land and the location of the Eastwood Elementary School. The property on the south side of Eastern Blvd. is zoned DR 5.5 and is the location of the Oaklawn Cemetery. Curb and gutter exist along Eastern Avenue at this location, however, Simmons Avenue is not so improved.

This petition is accepted for filing, however, this Committee feels that a more suitable plan could be developed that would offer a more realistic utilization of the property. We are also requiring that revised plans be submitted that indicate all utilities in the area, including fire hydrants and storm drain inlets. Show all structures within 200 feet of the property; also, any existing entrances onto Simmons Avenue. The revised plat should indicate the contours of the property, especially with reference to the elementary school property.

Anne Ray Kramer, Esq.
Page 2
October 20, 1972

The petitioner is advised to pay particular attention to the attached comments by the Bureau of Engineering, State Highway Administration, Project Planning and the Health Department.

This petition is accepted for filing on the date of the enclosed filing certificate. However, all corrections to site plans as requested shall be submitted to this office prior to Thursday, February 1, 1973 in order to allow time for advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between March 1, 1973 and April 15, 1973, will be forwarded to you in the near future.

Very truly yours,

John J. Dillon, Jr.
JOHN J. DILLON, JR.,
Chairman,
Zoning Advisory Committee

JJD:ju
Enclosure

Anne Ray Kramer, Esq.,
Tower Building - 222 E. Baltimore Street
Baltimore, Md. 21202

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 19th day of October 1972.

S. Eric Dilman
S. ERIC DILMAN,
Zoning Commissioner

Petitioner Mr. P. & Sylvia J. Harmon, et al

Petitioner's Attorney Anne Ray Kramer

Reviewed by *John J. Dillon, Jr.*
Chairman,
Zoning Advisory Committee

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

36 N. Dundalk Ave.
Dundalk, Md. 21222 February 9, 1973

THIS IS TO CERTIFY that the annexed advertisement of S. ERIC DILMAN, ZONING COMMISSIONER OF BALTIMORE COUNTY IN MATTER OF PETITION BY WILLIAM D. HARMON, SR.

was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week before the 9th day of February 1973; that is to say, the same was inserted in the issue of February 8, 1973

Kimbel Publication, Inc.

Publisher.

Kimbel Q. Oakes

PETITION FOR RECLASSIFICATION

12TH DISTRICT

RECLASSIFICATION FROM D.R. 5.5 TO B.L.
LOCATION: Northeast corner of Eastern Avenue and Simmons Avenue.
DATE: 8, 1973, THURSDAY, MARCH 1, 1973 IN 1968 A.C. PUBLIC HEARING, Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Board of Commissioners of Baltimore County, will hold a public hearing on the above described property for the purpose of reclassifying the same from D.R. 5.5 to B.L.

Proposed Zoning: B.L.
The subject property is located on the northeast corner of Eastern Avenue and Simmons Avenue, in the 12th Election District of Baltimore County. This property is currently zoned along Eastern Avenue with two dwellings that are separated by a third structure which appears to be a store with a second story apartment. These structures are on the easternmost side of the site; the remainder of the tract is unimproved. There is another dwelling that fronts on Simmons Avenue which is not part of this tract, although the subject property borders this property on three sides. The property on the west side of Simmons Avenue is zoned B.L. and is improved with a florist business. There are also other residential properties that front on the west side of Simmons Avenue. The east side of this site is zoned DR 5.5 and is improved with other residential properties. The property to the north and the rear of this site is public land and the location of the Eastwood Elementary School. The property on the south side of Eastern Blvd. is zoned DR 5.5 and is the location of the Oaklawn Cemetery. Curb and gutter exist along Eastern Avenue at this location, however, Simmons Avenue is not so improved.

This petition is accepted for filing, however, this Committee feels that a more suitable plan could be developed that would offer a more realistic utilization of the property. We are also requiring that revised plans be submitted that indicate all utilities in the area, including fire hydrants and storm drain inlets. Show all structures within 200 feet of the property; also, any existing entrances onto Simmons Avenue. The revised plat should indicate the contours of the property, especially with reference to the elementary school property.

The Dundalk Eagle, a weekly newspaper published in Baltimore County, Maryland, once a week before the 9th day of February 1973; that is to say, the same was inserted in the issue of February 8, 1973

Kimbel Publication, Inc.
Publisher.

Kimbel Q. Oakes

CERTIFICATE OF PUBLICATION

TOWSON, MD. FEBRUARY 8, 1973.

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 a week before the 1st day of March 1973, that is to say, the same was inserted in the issue of February 8, 1973

THE JEFFERSONIAN
John J. Dillon, Jr.
Manager.

Cost of Advertisement, \$.

BALTIMORE COUNTY, MARYLAND No. 3776

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: Feb. 2, 1973 ACCOUNT: 01-662

AMOUNT: \$50.00

WHITE - CASHIER YELLOW - CUSTOMER

William D. Harmon
7216 Hartman Ave.
Baltimore, Md. 21204
Petitioner for Reclassification for Wa. D. Harmon and Thomas Young

BALTIMORE COUNTY, MARYLAND No. 7070

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: Mar. 2, 1973 ACCOUNT: 01-662

AMOUNT: \$10.44

WHITE - CASHIER YELLOW - CUSTOMER

William D. Harmon
7216 Hartman Ave.
Baltimore, Md. 21204
Advertising and posting of property #73-195-R

BALTIMORE COUNTY, MARYLAND No. 7069

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: Mar. 2, 1973 ACCOUNT: 01-662

AMOUNT: \$10.44

WHITE - CASHIER YELLOW - CUSTOMER

William D. Harmon
7216 Hartman Ave.
Baltimore, Md. 21204
Advertising and posting of property #73-195-R

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

73-195-R

District: 12th Date of Posting: 2-8-73
Posted to: *Home, Home, Good Luck* 1973, 2:15 P.M.
Petitioner: *William D. Harmon*
Location of property: *NE corner of Eastern Ave. & Simmons Ave.*
Location of Sign: *2 signs, One on Eastern Ave. One on Simmons Ave.*
Remarks: *Marked by Har*
Posted by: *Marked by Har* Date of return: 2-15-73

Anne Ray Kramer, Esq.,
Tower Building - 222 E. Baltimore Street
Baltimore, Md. 21202

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 19th day of October 1972.

S. Eric Dilman
S. ERIC DILMAN,
Zoning Commissioner

Petitioner Mr. P. & Sylvia J. Harmon, et al

Petitioner's Attorney Anne Ray Kramer

Reviewed by *John J. Dillon, Jr.*
Chairman,
Zoning Advisory Committee

