PETITION FOR ZONING REDISTRICTING AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

RECEIVED FOR FILING

ORDER

County and which is described in the description and plat attached hereto and made a part hereof that the zoning status of the herein described property be re-districted, pursuant to the Zoning Law of Baltimore County, from A. C.C.C. District to s

Simultaneously herewith, the Petitioner, Perry Hall Center, Inc., has requested re-classification of the property from a B.L. Zone to a D.R. 18 Zone. Upon granting of such 7:0-classification, the C.C.C. District applied to the shopping center must be removed from the subject property since such District cannot be applied to any residence zone.

Property is to be posted and advertised as prescribed by Zoning Regulation etc., upon filing of this petition, and further agree to and are to be bound by the soming: c/o M. William Adelson 1035 Md. National Bank Bldg. Reitings: Maryland -21202 h. With Bellion Melliam Adelson Publisher's Attorney 1935 Maryland National Bank Building Address Beltimore, Maryland 21202 752-6682 196 that the subject matter of this retition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circ ee County, that property be posted, and that the pr more County in Room 106, County .A.M. Tive be fleres

Containing 2,738 acres of land more or less

PETITION OR ZONING RE-CLASIFICATION 73.340R AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

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our County and which is described in the description and plat attached hereto and made a part hereof,

Because of its character and location, the subject property cannot be developed for any business use permitted in the B.L. zone. There was error in adoption of the Zeming Map applicable to the subject property because of: (i) classification of eaid property for business use, although its shape, size and locale render; it uselss for business. rise, atmough its shape, size and locale render it uselses for business purposes; and (i) failure to make any provision for an appropriate transition between the business zone on the west side of fyvone Avenue and the D.R. 5.5 zone on the east side of said Avenue, which error may be corrected by granting the subject application. Additionally, changes in conditions in the area since adoption of the Zoning Map subflokersheets Recommended Constitutions and Cons

Bropton and the anti-congress of the state subject property from the B.L. Zone to the D.R. 16 Zone. operty is to be posted and advertised as prescribed by Zoning Regulations. r we, agree to pay expenses of above re-classification and/or Special Exception adver nore County adopted pursuant to the Zoning Law for Baltimore By CLUMP Owner Condent 1035 Md. National Bank Building Baltimore, Maryland 21202 iam Adelson Petitioner's Attorney
Maryland National Bank Building Baltimore, Maryland 21202 752-6682

October 197 2. that the subject matter of this petition be adv ed by the Zoning Law of Baltimore County, in two newspapers of general circulation through 197 3 at _2100_o'clock

3/3/73

B.L. Zone to the D.R. 16 Zone. The principal change involved are: the demand in the neighborhood for garden or town rtments, although no density residential district was provided for such use; installation of sewer and water facilities. iously available to service an apartment project on the premises; expansion of nearby business and industrial quiring apartment dwellings; installation and improvements of the area, adequately to service the proposed increased density; and other zoning changes heretofore or hereafter grantes in the instant zoning cycle, affecting the neighborhood of the

5. Upon any reclassification of the subject premises to the D.R. 16 Zone, the C.C.C. District applied to the shopping must be removed from said premises because such District cannot be applied to any residential zone.

For all of which reasons the Potitioner respectfully requests that its Petition for Zoning Reclassification and Petition for Zoning Redistricting be granted

M. William Adelson, Attorney for Petitioner 1035 Maryland National Bank Building Baltimore, Maryland 21202 PLaza 2-6682

IN THE MATTER OF THE PETITIONS OF PERRY HALL CENTER, INC., FOR ZONING RECLASSIFICATION AND ZONING REDISTRICTING OF 2.738 ACRES OF LAND ON THE WEST SIDE OF YVONNE AVENUE, 510.28 FEET SOUTH OF EBENEZER ROAD, IN THE ELEVENTH ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND

BEFORE THE ZONING COMMISSIONER OF

BALTIMORE COUNTY

STATEMENT IN SUPPORT OF PETITIONS FOR ZONING RECLASSIFICATION AND ZONING REDISTRICTING

Perry Hall Center, Inc. (Petitioner), a Maryland body corporate, for its Statement in Support of its Petitions for Zoning Reclassification and Zoning Redistricting filed herein,

1. The Petitioner seeks to change the zoning classification of 2.738 acres of its land (subject premises), located in the easternmost sector of the Perry Hall Shopping Center, along Yvonne in the Eleventh Election District of Baltimore County, Maryland, from a B.L. Zone to a D.R. Zone, and to remove the said 2.738 acres of land from the C.C.C. District so that same will be Undistricted for the purpose of clarifying and establishing its right to erect on the subject premises an apartment project, containing approximately 32 density units and providing approximately 69 off-street parking spaces, a use presently authorized under the Zoning Laws and Regulations of Baltimore County, as follows:

> (a) Under Section 231.1 of the Baltimore County Zoning Regulations, there is permitted in the B.L. Zone. all those uses permitted in the residential zone immediately adjoining. The south line of the subject premises adjoins R.A.E. 1 and D.R. 5.5 Zones, so that apartment use is

clearly permitted on said premises. The allowable density in the R.A.E. 1 Zone is 40 density units per acre, and in the P.R. 5.5 Zone, is 5.5 dwelling units per acre. A proper allocation of the foregoing allowable density would permit on the subject premises, more than the 32 density units presently proposed to be constructed on the subject premises.

(b) Under Section 232A of the Baltimore County Zoning Regulations, there is permitted in the C.C.C. District imposed upon the B.L. Zone, above the first story of a building, multiple family dwellings or apartments, with no particular limit on density, so that apartment use is clearly permitted on the subject premises. Thus the Petitioner may erect on the subject premises an apartment project containing more units than the 32 density units presently proposed

2. Three separate, radically different zones converge at the subject premises, with no provision for any appropriate transition between the business zone on the west side of Yvonne Avenue, the high density zone south of the subject premises, and the existing business zone on the east side of Yvonne Avenue. This is a planning and zoning error which may be corrected by granting the Petitions filed in this case.

3. The subject premises were erroneously classified for business use because their shape, size and locale render same useless for business purposes

4. Changes in conditions in the area since adoption of the zoning maps justify reclassification of the subject premises

PERRY HALL IMPROVEMENT ASSOCIATION, INC.

Mr. S. Eric DiNenna Zoning Commissioner of County Office Building 111 W. Chesapeake Avenu Towson, Maryland, 21204 of Baltimore County

Zoning Case# 73-200-R Perry Hall Center Reclassification from BL-CCC to DR 16

CCD 23 773 64 -

The Perry Hall Improvement Association has roted in opposition to the subject Reclassification Petition from SL-CCC to IR 16 at our regular Nembershy meeting of Pebruary 6, 1973. All members of the Association were duly sierted to the Perruary meeting date and the meeting agend to consider various Planning Board Proposals involving growth of the Perry Hall area. Some 12 Association members of our total membershy for approximately 200 people along with 22 interested citisens attended the meeting to discuss several Zoning hearings scheduled for the Perry Hall area and including:

Case # 73-200-R
Vitition for Zoning Reclassification
Perry Hall Conter
W/S of Yvonne Avenue
510' S. of Ebenezer Rd.
From SL-COU to DR 16

The Association members voted in the majority to oppose the subject Zoning Reclassification and directed that a letter stating car position be directed to you as a request that you deny the: lassification petition.

You will recall that the Perry Hall Improvement Association consists of Haltimore County citizens within the area bounded by the Hig Gunpowder Falls on the north, Philadesphia Road on the east, White Marsh Run on the south, and the Consolidated Gass and Silveric Company over line at Simms Avenue on the west. There are two hundred (200) members of the Association within this area. Our purpose is to beautify, safeguers, encourage and improve the physical and moral living conditions of the people who resided in or are influenced by the community.

PERRY HALL IMPROVEMENT ASSOCIATION, INC. P.O. BOX #63 PERRY HALL MARYLAND 21128

Mr. S. Eric DiNenna

Zoning Case # 73-200-R

The citizens voiced the following arguments in regard to the subject change:

- 1. The SH-CCC zoning has been a long established and currently accepted high density zoning for the community; similar in concept to a town center but on a smaller scale. If you decide to reduce the zoning density at this location, the citizens are concerned that you may allow future SH zoning in other areas that are currently low density and do not want a course of the contract of the course of the cours
- 2. The citizens are further concerned about 'limpact on schools that apartments at this location wou'd have in view of the R&E looming investigation. With all due west of the proposed reclassification. With all due west of the proposed reclassification. With all due to the proposed reclassification with all due to the proposed reclassification with all due to the proposed reclaim that it is apply more than it pupils into the elementary school system. Also, even though Perry Hall Elementary in reported at 76 students under capacity, the Planning Committee has not apparently adjusted estimate to account for the 90 spartment units planned for the southwest corner of the Healer Read-dopps Hood intersection.

Por these main reasons, the citizens do not support rezoning in this particular instance and respect that you don't be petition. The Association voted that this letter will repeate that you don't be petition. The Association voted that this letter will respessent the extent of the authorized Association protest of the supject reclassification, and we will not appear at your hearing of Faceth 2.

Very truly yours,

Yoursel L. Chools

cc/ Mr. Richard Roth President, South Perry Hell Community Association 13 Farwell Court baltimore, Md., 21236

Pursuant to the	advertisement, posting of property, and public hearing on the above/petition and
It appearing that by	wason of a C.C.C. District not being allowed in a D.R.16
Zone, the above	Districting should be removed.
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day of March	, 195.73, that the harmhochemilindeproperty/survivous/survivous/
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Market Sand Harris Street	int dismoltes dans aver excess excess excess excess excess dismolt be employed a serie de-
16	milional this sales C.C.C. Discrict hereinbefore design
nated on the su	bject property be and after the date
of this Order.	- Van August Julius -
≽	Zoning Commissioner of Baltimore County
the state of the s	dvertisement, posting of property and public hearing on the above petition
Committee of the commit	[문항자][발발화 문항에 하루스 시작으로 보다 그는 그리는 그리는 경우를 받았다면 하게 다 하게 되었다. 특히 구매하는
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the above Re-distriction	g should NOT BE HAD, and/or the Special Exception should NOT BE
GRANTED.	4
CHOUVIED.	
IT IS ORDERED by	the Zoning Commissioner of Baltimore County, thisday
	, 196, that the shove re-districting be and the same is hereby
	bove described property or area be and the same is hereby continued as and
	and/or the Special Exception for
	be and the same is hereby DENIED.

RECEIVED FOR FILING

ORDER

BALTIMORE COUNTY
ZONING ADVISORY COMMITTEE

FETITION AND SITE PLAN
EVALUATION: COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE
October 13, 1972

M. William Adelson, Esquire 1035 Maryland National Bank Building Baltimore, Maryland 21202

> RE: Petition for Reclassification W/S of Yvonne Avenue, 510. 28' S of Ebenezer Road, 11th District Perry Hall Center, Inc. -Petitioner Item No. 5 Fourth Zoning Cycle

Dear Mr. Adel on:

oc

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 west side of Yvonne Avenue, 510, 28 feet south of Ebenezer Road in the Eleventh District of Baltimore County.

This B. L., C. C. C. zoned property is currently an unimproved tract of land that lies directly east of the Perry Hall Shopping Center and directly south of another large undeveloped commercial property, which is also zoned B. L., C. C. C. The property immediately to the south, is unimproved and is zoned D. R. S. S, along Yvonne Avenue and R. A. E. I, 200 feet west of Yvonne Avenue. The east side of Yvonne Avenue is improved with attractive residential dwellings, which are in good to excellent condition. Curb and gutter exists along Yvonne Avenue at this location

The site plan, as submitted, proposes to develop this 2,738 acres with four (4) groups of two (2) story, two (2) bedroom townhouses, with a total of 32 units, which is ill units under the maximum permitted. Aside from comments as indicated in the Bureau of Engineering comments and the comments of the Project Planning Office, no other additions to the site plan are anticipated at this time.

M. William Adelson, Esquire Page Two October 13, 1972

Enclosed filing certificate. However, all corrections to site plans as requested shall be submitted to his 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.

John Dillon Jr John Dillon Jr Chairman Zonine Advisory Committee

* (1) 1 (4) (4)

JJD:vtc

Enclosures

Beltimore County, Maryland Bepartment Of Public Works COUNTY OFFICE EVILDING

Miles September 1

Bareau of Engineering

October 17, 1972

Mr. S. Eric DiMenna Zoning Commissioner County Office Building Towson, Maryland 2120b

Re: Item #5 (Cycle Zoning IV - Oct. 1972 - April 1973) Property Cumer: Perry Hall Center Property Company (Language Property Content of Cycle Property Content (Language Property Content of Cycle Property Content (Language Property Content of Cycle Property Content (Language Property Cycle Property Content of Cycle Property Content of Cycle Property Content of Cycle Property Cycle Property Content of Cycle Property Cycle Pr

Dear Mr. DiMenna:

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.

lighway Comments:

Yvonne Avenue is an existing improved minor residential road as shown.

The entrance locations are subject to approval by the Department of Traffic Engineering.

Entrances shall be a minimum of 2h feet and a maximum of 30 feet wide, shall have 10-foot minimum radii ourb roturns, shall be located a winimum of 15 feet from any property line, and shall be constructed in accordance with Balticore County Standards (Details R-33, R-33A and R-33B, 1971 Editi', as the Petitionor's total responsibility.

Storm Drain Comments:

A public storm drain traverses the property as shown.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any unisance or demanges 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 hill responsibility of the Petitions.

Sediment Control Comments:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, demaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Item #5 (Cycle Zoning IV - Oct. 1972 - April 1973) Property Owner: Perry Hall Center Page 2 October 17, 1972

Water Comments:

Public water is available to serve this property.

Sanitary Sew r Comments:

Public sanitary sowerage is available to serve this property.

Very truly yours

ELISWORTH M. DIVER, P.S. Chief, Bureau of Engineering

END: EAM: OMK: SS

M-NW Key Sheet 36 NE 27 Position Sheet NE 9 G Topo 72 Tax Map BALTIMORE COUNTY, MARYLAND
JEIFERSON BUILDING TOWSON, MARYLANL 21204



DEPARTMENT OF TRAFFIC ENGINEERING
FUGENE J. CLIPPORD. P.E. WN. T. MELZER

October 26, 1972

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

: Cycle Zoning IV Item 5 - ZAC - Dct, 72 to Apr, 73 Property Owner: Perry H*11 Center WS Yvonne Avenue S. of Lenuzer Road Roclass from B.L. to D.R. 16 District 11

Dear Mr. 31Menna:

The subject petition is requesting a zoning change from BL-CCC

Under the present zoning, the trip density is expected to be approximately 1370 trips per day. The proposed zoning will have an approximate trip density of 328 trips per day.

Very truly yours,

Michael S. Flanigan Traffic Engineer Associate

MSF:nc



023-7310

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

Re: Property Owner: Perry Hall Center

Location: W/S Yonne Avenue, 510' S of Phenezer Road

Item No. 5

Zoning Agenda IV ZONING CYCLE October 1972 - April 1973

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

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

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

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

of the Fire Prevention Goue Paus to descript of operations.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the Microsoft Fire Association Standard No. 101

The Fire Prevention Bureau has no comments at this time.

() 6. Site plans are approved as drawn.

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

Reviewer: A Dance Tolk Approved:
Planning Group
Special Inspection Division
Pire Preventi

Pire Prevention Bureau

mls 4/25/72

ITEM #5

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

	Capacity	Errollment	<u>·/-</u>
Perry Hall Elementary	740	664	-76
Perry Hall Junior	1035	1389	+354
Perry Hall Senior	1615	1904	+289

-BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH-



JEFFERSON BUILDING TO WSON, MARYLAND 21204

October 10, 1972

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

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

Comments on Reclassification, Zoning Advisory Committee Meeting, October 4, 1972, are as follows:

> Property Owner: Perry Hall Center Location: W/S Yvonne Avenue, 510'S of Ebenezer Road Present Zoning: B.L. Proposed Zoning: Reclassification to D.R. 16 District: 11 No. Acres: 2.738

Since metropolitan water and sewer are available, no health hazard is anticipated.

Very truly yours,

THOMAS H. Devlin, Director BURZAU OF ENVIRONMENTAL SERVICES

HVB: mn@

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Acting Director SHOWER STANFF

. FRIC DINEMN

October 24, 1972

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

S. ERIC DI NEMMA Zontes Commissioner County Office Juilding 111 W. Chesapoohs Av Towson, Md. 21204 494-2351 Dear Mr. Di Nenna

Comments on Item #5, IV Zoning Cycle, October 1972-April 1973, are as follows:

Property Owner: Perry Hall Center Locations W/S Yvonne Avenue, 510' S of Ebenezer Road Present Zonings B.L. Proposed Zoning: Reclass from B.L. to D.R.16 District: 11 No. Acres: 2.738 acres

The site plan should be revised to show the ownership of the adjacent properties. If the petitioner owns adjacent property, an overall plan of his property must be submitted for processing as a subdivision.

> John & Wemplus John L. Wimbley Project Planning Division Office of Planning and Zoning

Very truly yours,

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON MARYLAND - 21204

Date: October 19, 1972

Mr. S. Eric DiNenna Zoning Corrissioner County Office Building Towson, Maryland 2120h

Re: Item #5
Property Omer: Perry all Center
Location: W/S Twonne Avenue, 510' S of Ebeneser Road
Present Zoning: B.L.
Proposed Zoning: Reclass from B.L. to D.R. 16

District: 11 No. Acres: 2.738 acres

Tran Mr. Dillarman

The existing B.L. - CCC toning would not yield any students while a change to 2 Bedroom Tounhouse Apartments could only yield approximately h Elementary jupils and no Secondary students. A change to 3 Bedroom Tounhouse Apartments would increase the yield.

Please see attached sheet.

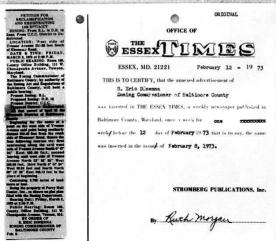
Very truly yours, W. Trich tetrorich

WNP:1d

W. Nick Petrovich Field Representative

M. RUSSELL KNUST ALVMI CEREEK

#73-200K





CERTIFICATE OF PUBLICATION

TOWSON, MD. February 6 1973 ----, 1973..., the first publication

appearing on the 8th day of February 19.73

THE JEFFERSONIAN.

Cost of Advertis

CERTIFICATE OF POSTIMO ARTMENT OF BALTIMORE COUNTY

w. Harry Inday mas 2, 1973 . 2 " La CU ion of property. W/S of yourself on J10,21 So & Elenigor A

PETITION	M	APPI	NG	PRO	GRE	SS	SHE	ET		
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	BAI	TEMORE COUNTY OFFICE OF	PLANNING	AND ZONING		
		County Office 111 W. Chesape Towson, Haryla	ake Avenue			
	Your	Petition has been rece	ved and s	ccepted for fill	na	
this_	1345	dey of Octo		1972.		
		1 3,16	Line b	MEHINA, Commissioner		

Petitioner's Attorney M. William Adelson Reviewed by M. Peller Adelson Reviewed by Andrew Adelson Reviewed by Marigany's County tree

BALTIMORE COUNTY, MARYLAND
OFFICE OF PRANCE - ARYSING OVERSOR
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