

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Greentree Realty, Inc., legal owner, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a special hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a use permit for parking in a residential zone (D.R.16) adjoining a B.L. zone pursuant to Section 609.4 of the Baltimore County Zoning Regulations.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing 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.

GREENTREE REALTY, INC.

By: Clark F. MacKenzie, Vice President

Contract Purchaser

Legal Owner

Address: 608 Baltimore Avenue

Towson, Maryland 21204

John B. Howard, Petitioner's Attorney

Protestant's Attorney

Address: 409 Washington Avenue

Towson, Maryland 21204

ORDERED By the Zoning Commissioner of Baltimore County, this 22nd day of January, 1974, 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 25th day of January, 1974, at 10:00 o'clock A.M.

John B. Howard
Zoning Commissioner of Baltimore County

(over)

RE: PETITION FOR SPECIAL HEARING : BEFORE THE
N/S of Scott Adam Road, 650' E of : DEPUTY ZONING
York Road - 8th District :
Greentree Realty, Inc. - Petitioner : COMMISSIONER
NO. 74-173-SPH (Item No. 128) :
: OF
: BALTIMORE COUNTY

This Petition represents a request to permit a parking area in a residentially zoned D.R.16 area, adjoining a B.L. Zone pursuant to Section 409.4 of the Baltimore County Zoning Regulations.

The property in question is part and parcel of an overall tract owned by the Petitioner and at one time zoned for industrial and commercial purposes in its entirety. The adoption of the Comprehensive Zoning Map in 1971, resulted in an apparent drafting error that left a strip of land approximately 60 feet wide in a D.R.16 zoning category. The Petitioner does not desire at this time to Petition for rezoning on the basis of error. He does feel, however, that proper utilization of the residentially zoned area would be to provide off-street parking for a proposed two story office and commercial building to be constructed on the commercially zoned portion of this tract.

After reviewing the testimony and evidence submitted in this case, it is the opinion of the Deputy Zoning Commissioner that utilization of the D.R.16 portion of the Petitioner's property for parking would not be detrimental to the health, safety and general welfare of the community and should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 28th day of February 1974, that the herein described D.R.16 zoned area as further indicated on plans submitted with the

subject Petition should be and the same is hereby GRANTED. Said granting is subject, however, to approval of a site plan by the Office of Planning and Zoning.

James E. Hays
Deputy Zoning Commissioner of Baltimore County

DAFT-MCCUNE-WALKER, INC.

Hampton Pla
300 East Joppa Road
Suite 1102, Towson, Md. 21204
Telephone 301-296-3333
Land Planning Consultants
Landscape Architects
Engineers

DESCRIPTION

0.63 Acre Parcel For Special Hearing For Off-Street Parking in A Residential Zone

Beginning for the same at a point on the North side of Scott Adam Road, sixty (60) feet wide, at a distance of 650 feet more or less Easterly from the centerline of York Road, and running thence binding along said North side of Scott Adam Road (1) twenty (20) feet in an Easterly direction along an arc of a curve to the left having a radius of 520.00 feet to the Southeast corner of the whole tract of land of which the parcel now being described is a part, thence leaving Scott Adam Road and binding along the outline of the whole tract (2) North 18° 34' 20" West 154.98 feet and (3) North 84° 56' 20" West 421.43 feet, thence leaving said outline and running (4) South 18° 26' 40" East 67.17 feet (5) South 85° 44' 00" East 394.02 feet and (6) South 20° 03' 00" East 139.46 feet to the place of beginning, containing 0.63 acres of land more or less.

DAFT-MCCUNE-WALKER, INC.

Wilson F. Outen
Wilson F. Outen, Reg. L.S. #2493

J.O. B-7261



Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
672-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Greentree Realty, Inc.

Location: N/S of Scott Adam Road, 650 feet E of York Rd.

Item No. 128 Zoning Agenda Jan. 29, 1974

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.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 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 _____

- (X) 4. 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 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", 1973 Edition prior to occupancy.

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

Reviewed by: Ins. Wm. Brady Planning Group
Paul H. Brach Special Inspection Division
Noted and Approved: Paul H. Brach Deputy Chief
Fire Prevention Bureau

mls
4/16/73

John B. Howard, Esq.,
Re: Item 128
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February 20, 1974

The site is opposite and north of the Scotts Corner Shopping Center and is adjoined by an automatic service station to the west. The remaining sides lie adjacent to existing apartments.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,
James B. Byrnes, III
Chairman,
Zoning Advisory Committee

JBB:JD

Enclosure

cc: Daft-McCune-Walker, Inc.
300 E. Joppa Road
Baltimore, Md. 21204

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 20, 1974

John B. Howard, Esq.,
409 Washington Avenue
Towson, Maryland 21204

RE: Special Hearing Petition
Item 128
Greentree Realty, Inc.

Dear Mr. Howard:

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.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the north side of Scott Adam Road, approximately six hundred and fifty (650) feet east of York Road and is presently unimproved.

The Petitioner proposes to erect a two-story office and commercial structure with off street parking for ninety-five (95) cars. It is contended by the Petitioner that a drafting error was committed on the most recent comprehensive zoning map which placed a substantial portion of the site, previously zoned Business, Roadside (B.R.) into a residential, Residential (D.R.16) zone. The proposed office building, is to be located on the commercially zoned portion with the predominant portion of the parking to be in the residential zone.

SITE DATA

Total acreage 2.8000 Ac ±
 Subject area 0.63 Ac ±
 Floor Areas
 Retail 2752 ±
 Professional Office 11,400 ±
 Parking Required
 Retail (1/2004) 43
 Office (1/2004) 38
 Total Required 81
 Total Shown 35

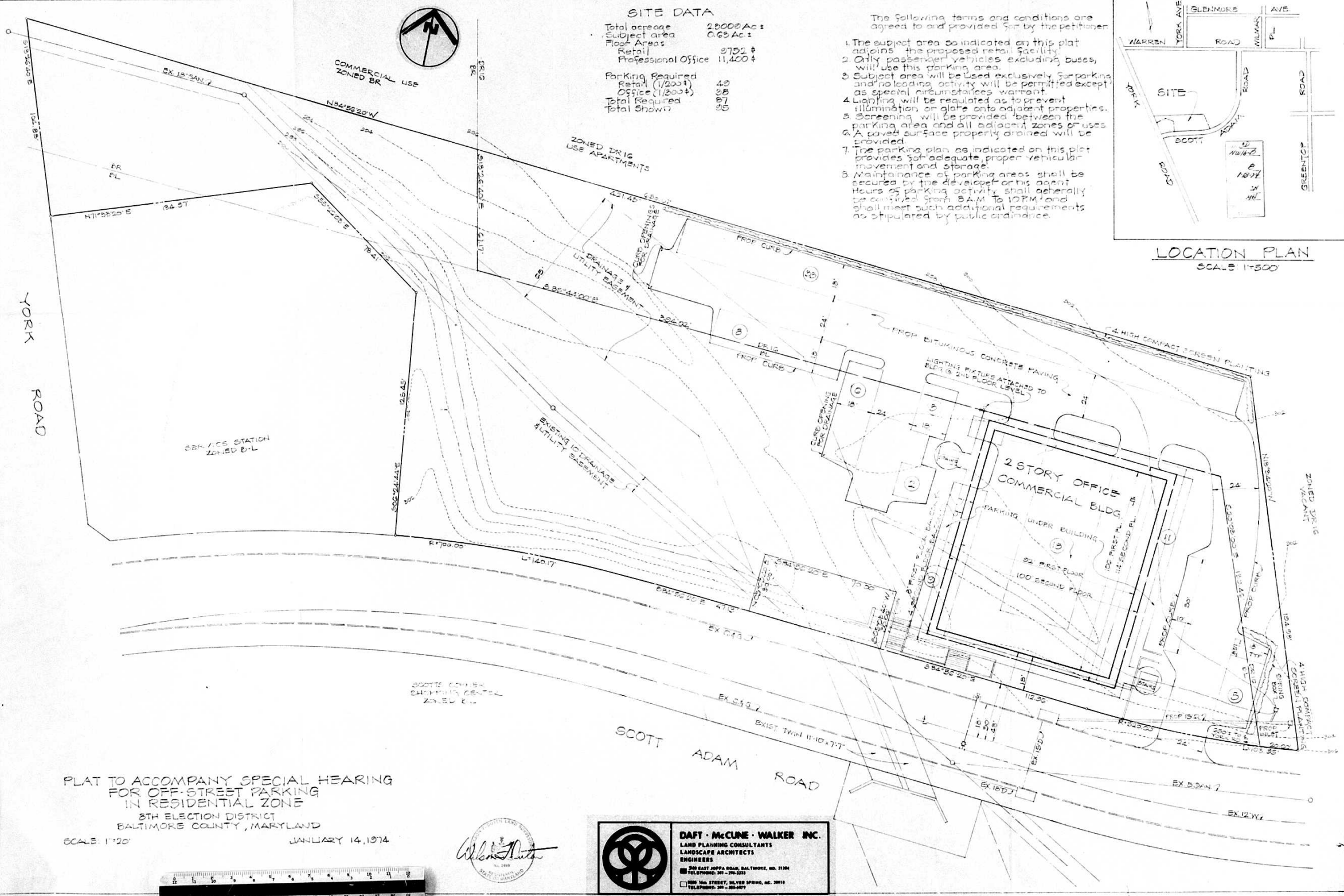
The following terms and conditions are agreed to and provided for by the petitioner:

1. The subject area so indicated on this plat adjoins the proposed retail facility.
2. Only passenger vehicles excluding buses, will use this parking area.
3. Subject area will be used exclusively for parking and loading activity will be permitted except as special circumstances warrant.
4. Lighting will be regulated as to prevent illumination or glare onto adjacent properties.
5. Screening will be provided between the parking area and all adjacent zones or uses.
6. A paved surface properly drained will be provided.
7. The parking plan as indicated on this plat provides for adequate, proper vehicular movement and storage.
8. Maintenance of parking areas shall be secured by the developer or his agent. Hours of parking activity shall generally be confined from 8 A.M. to 10 P.M. and shall meet such additional requirements as stipulated by public ordinance.



LOCATION PLAN
 SCALE 1"=500'

YORK ROAD



PLAT TO ACCOMPANY SPECIAL HEARING
 FOR OFF-STREET PARKING
 IN RESIDENTIAL ZONE
 8TH ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND

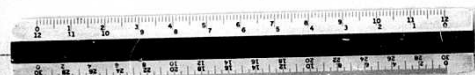
SCALE 1"=20'

JANUARY 14, 1974

Wilson & Smith
 LAND PLANNING CONSULTANTS
 BALTIMORE, MARYLAND



DAFT · McCUNE · WALKER · INC.
 LAND PLANNING CONSULTANTS
 LANDSCAPE ARCHITECTS
 ENGINEERS
 300 EAST JOPPA ROAD, BALTIMORE, MD. 21204
 TELEPHONE: 361-290-3333
 1000 166 STREET, SILVER SPRING, MD. 20910
 TELEPHONE: 301-354-5077





SITE DATA

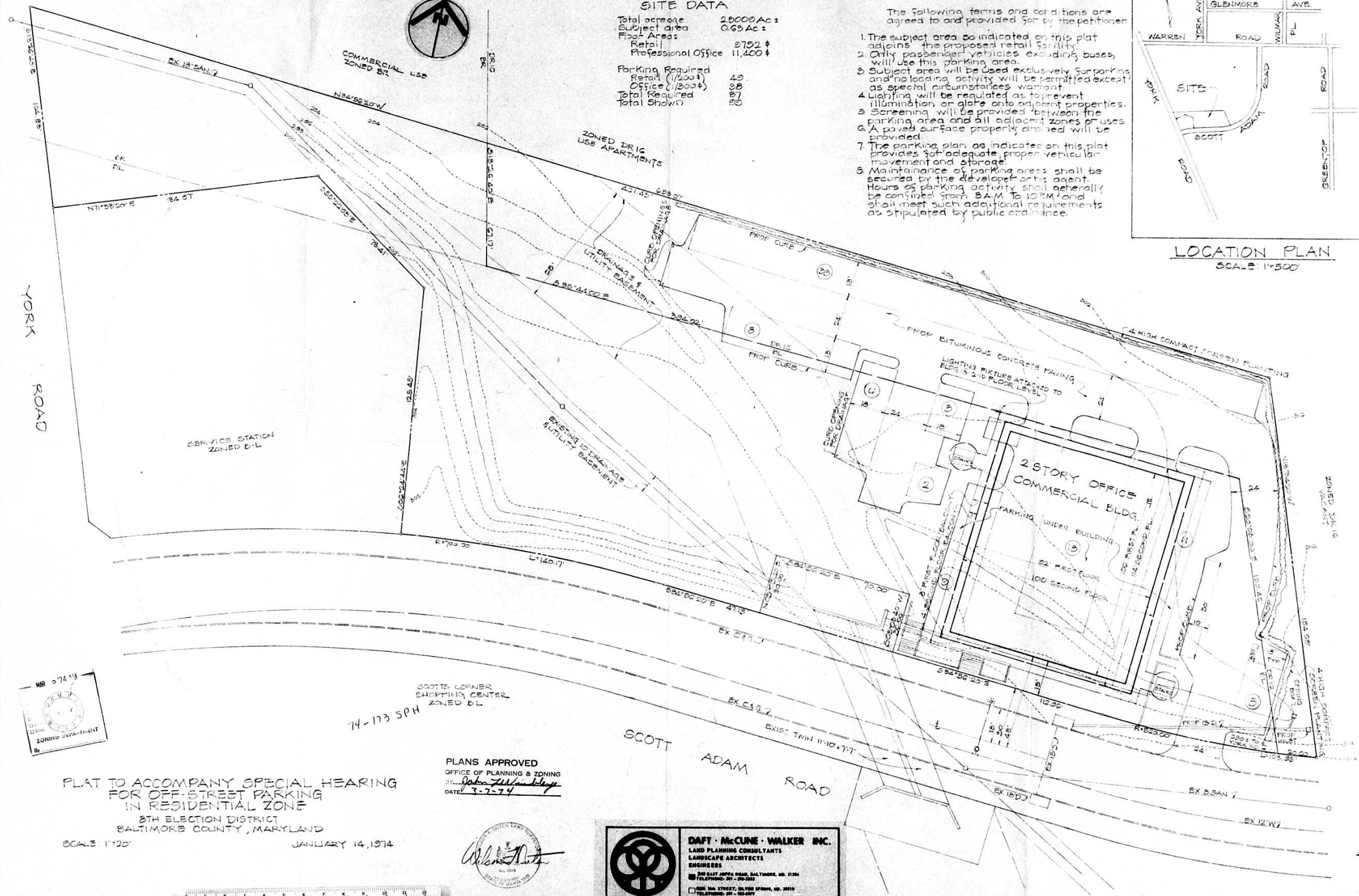
Total acreage 2.0000 Ac ±
Subject area 0.63 Ac ±
Floor Areas
Retail 2752 ±
Professional Office 11,400 ±
Parking Required
Retail (1/2000) 43
Office (1/2000) 28
Total Required 87
Total Shown 85

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LOCATION PLAN
SCALE: 1"=500'



PLAT TO ACCOMPANY SPECIAL HEARING
FOR OFF-STREET PARKING
IN RESIDENTIAL ZONE
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1"=20'
JANUARY 14, 1974

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *John J. H. [Signature]*
DATE: 3-7-74



DAFT · McCUNE · WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS
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