

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, EMMANUEL DIAKOULAS, 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from D.R. 16 zone to an B.L. zone; for the following reasons:

For attached copy.

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 Dry Cleaners & Tailor Shop

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

I, or we, agree to pay expenses of above re-classification 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 Emmanuel Diakoulas
Address 2405 Hartfall Road
Petitioner's Attorney Timonium, Md.
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of October, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of March, 1974, at 11:00 o'clock A.M.

Zoning Commissioner of Baltimore County

(over)

PHONE: HAMILTON 6-0322

KELLER & KELLER State Registered Land Surveyors

3014 WOOLEA AVENUE
BALTIMORE, MARYLAND 21206

Municipal Engineering
Construction Supervision
Road Location, Reports
Plans and Specifications

DESCRIPTION Sept. 27th, 1973.

BEGINNING for the same at an iron pipe heretofore driven in the ground on the Northwest side of Belair Road, 66' wide, distant 557' more or less, Northeastly, measured along the said Northwest side of said Belair Road, from the Northeast side of India Avenue, said place of beginning being also at a point in the 2nd line of the whole tract of land of which the parcel now being described is a part and which said whole tract of land is described in a Deed dated September 23rd, 1956 and recorded among the Land Records of Baltimore County in Liber #5037 folio 339 from Myrl M. Smith, et al to Eastmont, Inc., distant 34.70' Northwesterly, measured along said 2nd line, from the beginning of said 2nd line; and running thence from said place of beginning, binding on part of said 2nd line North 65°39'06" West, with all bearings referred to the True Meridian, 228.50'; thence for a line of division North 42°25'03" East 63.50' to intersect the 3rd line of said whole tract of land; thence binding on part of said 3rd line and running South 81°22'06" East 261.50' to intersect the said Northwest side of said Belair Road; thence binding on the said Northwest side of said Belair Road and running South 42°25'03" West 138.70' more or less, to the place of beginning. CONTAINING 0.504 ACRES of land, more or less. BEING improved by a two story and attic frame dwelling and frame garage all known as #120 Belair Road. SUBJECT to the use in common of a driveway to 9124 Belair Road.

RE: PETITION FOR RECLASSIFICATION
NW/S of Belair Road, 557' NE
of India Avenue - 11th Election
District
Emmanuel Diakoulas - Petitioner
NO. 74-206-R (Item No. 11)
BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

This matter comes before the Zoning Commissioner of Baltimore County upon a Petition filed, by Emanuel Diakoulas, for a request for a reclassification from a D.R. 16 Zone to a B. L. Zone, for a parcel of property containing 0.504 of an acre of land, more or less, located on the northwest side of Belair Road, 557 feet northeast of India Avenue, in the Eleventh Election District of Baltimore County.

Testimony, on behalf of the Petitioner, indicated that he wished to construct a building for his dry cleaning establishment. He is presently located downtown and, because of his age, wishes to relocate in the Perry Hall area.

It was indicated that the traffic along Belair Road was not conducive for residential living and that the property should be zoned commercial.

Without reviewing the evidence further in detail but based on all the evidence presented at the hearing, in the judgment of the Zoning Commissioner, the Comprehensive Zoning Map, as adopted on March 24, 1971, was not in error in classifying the subject property D.R. 16. The Comprehensive Zoning Map, as adopted, is presumed to be correct. The burden of proving error or substantial changes in the character of the neighborhood is borne by the Petitioner. In the instant case, this burden has not been met.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of July, 1974, that the Reclassification be and the same is hereby DENIED and that the subject property be and the same is hereby continued as and to remain a D.R. 16 Zone.

Zoning Commissioner of
Baltimore County

It is our contention that there has been a substantial change in the character of the neighborhood. This is evidenced by the predominance of both old and new commercial businesses both north and south of where we are located. The road itself has become a major artery for commercial vehicles and the intersection of Joppa and Belair Rds., which is approximately 600' from our property, has become one of the major intersection in our part of the county. It is also evident that there is tremendous amount of growth in the home building, also and even greater amount of building in the development of apartments. It is for these reasons that we believe that the neighborhood has changed radically and will continue to grow in its commercial needs. It is for these reasons also that the change of our present zoning D.R. 16 be changed to B. L. zoning.

Emmanuel Diakoulas
Sincerely,

July 26, 1974

Mr. Emmanuel Diakoulas
2405 Hartfall Road
Timonium, Maryland 21093

RE: Petition for Reclassification
NW/S of Belair Road, 557' NE
of India Avenue - 11th Election
District
Emmanuel Diakoulas - Petitioner
NO. 74-206-R (Item No. 11)

Dear Mr. Diakoulas:

I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED/sw

Attachments

cc: Mr. Kenneth L. Crooks, President:
Perry Hall Improvement Association,
Incorporated
P. O. Box 63
Perry Hall, Maryland 21128

Mrs. Richard Phillips
9125 Belair Road
Baltimore, Maryland 21236

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

MICROFILMED

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING Item 11
Mr. Emmanuel Diakoulas 6th Zoning Cycle
2405 Hartfall Road County Office Building
Timonium, Maryland 21093 111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 15th day of October, 1973.

S. Eric Di Nenna
Zoning Commissioner

Petitioner Emmanuel Diakoulas

Petitioner's Attorney

Reviewed by S. Eric Di Nenna

cc: Keller & Keller
3014 Woodlea Avenue
Baltimore, Maryland 21214

MICROFILMED

T. BAYARD WILLIAMS, JR.
 RICHARD W. TRACY, V.M.D.
 MRS. RICHARD K. WIERCECH

PETITION FOR RECLASSIFICATION
11th DISTRICT
ZONING: From D.R. 16 to R.L. Zone
LOCATION: Northwest side of Belair Road 561 feet, more or less, Northeast of India Avenue
DATE & TIME: THURSDAY, MARCH 21, 1974 at 11:00 A.M.
PUBLIC HEARING: Room 105 County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
 Present Zoning D.R. 16 Proposed Zoning R.L.
 All that parcel of land in the Eleventh District of Baltimore County
 BEGINNING for the same at an iron pipe benchmark; drives in the ground on the Northwest side of Belair Road, 68' wide, distant 207' more or less, then easterly, measured along the said Northwest side of said Belair Road, from the Northeast side of India Avenue, said place of beginning being also at a point in the 2nd line of the whole tract of land of which the parcel now being described is a part and which said whole tract of land is described in a Deed dated September 23rd, 1968 and recorded among the Land Records of Baltimore County in other 60007 folio 128 from Myer M. Smith, et al to Rockmont, Inc., etc. as 18.70' Northwesterly, measured along said 2nd line from the beginning of said 2nd line; and running thence from said place of beginning, bounding on part of said 2nd line North 65°39'08" West, with all bearings referred to in the True Meridian 125.55'; thence for 1 line of division North 65°25'00" East 65.25' to intersect the 3rd line of said whole tract of land; thence bounding on part of said 2nd line and running South 81°23'08" East 261.84' to intersect the said Northwest side of said Belair Road; thence bounding on the said Northwest side of said Belair Road and running South 65°00'00" West 184.79' more or less, to the line of beginning; CONTAINING 0.888 ACRES of land, more or less, BEING improved by a two story and attic frame dwelling and frame garage all known as 65129 Belair Road, SUBJECT to the use in connection of a driveway to 9124 Belair Road.
 Being the property of Samuel Diskoulas, as shown on the plat filed with the Zoning Department.
 Hearing Date: Thursday, March 21, 1974 at 11:00 A.M.
 Public Hearing: Room 105 County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
 BY ORDER OF
 S. GREG PANDOLFA
 ZONING COMMISSIONER OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

ROSEDALE, MD. March 1, 1974

THIS IS TO CERTIFY, that the annexed advertisement was published in THE OBSERVER, a weekly newspaper published in Rosedale, Baltimore County, Md., three before the 21st day of March, 1974, the publication appearing on the 28th day of February, 1974.

THE OBSERVER,
Robert J. Gumbel
 Advertising Mgr.

Cost of Advertisement \$38.00

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 BY ORDER OF
 S. GREG PANDOLFA
 ZONING COMMISSIONER OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 28, 1974

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., three before the 21st day of March, 1974, the first publication appearing on the 20th day of February, 1974.

THE JEFFERSONIAN,
Robert J. Gumbel
 Manager

Cost of Advertisement, \$

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition has been received this 3rd day of

Oct 1973. Item #

R. D. 76
 S. G. D. Nemo
 Zoning Commissioner

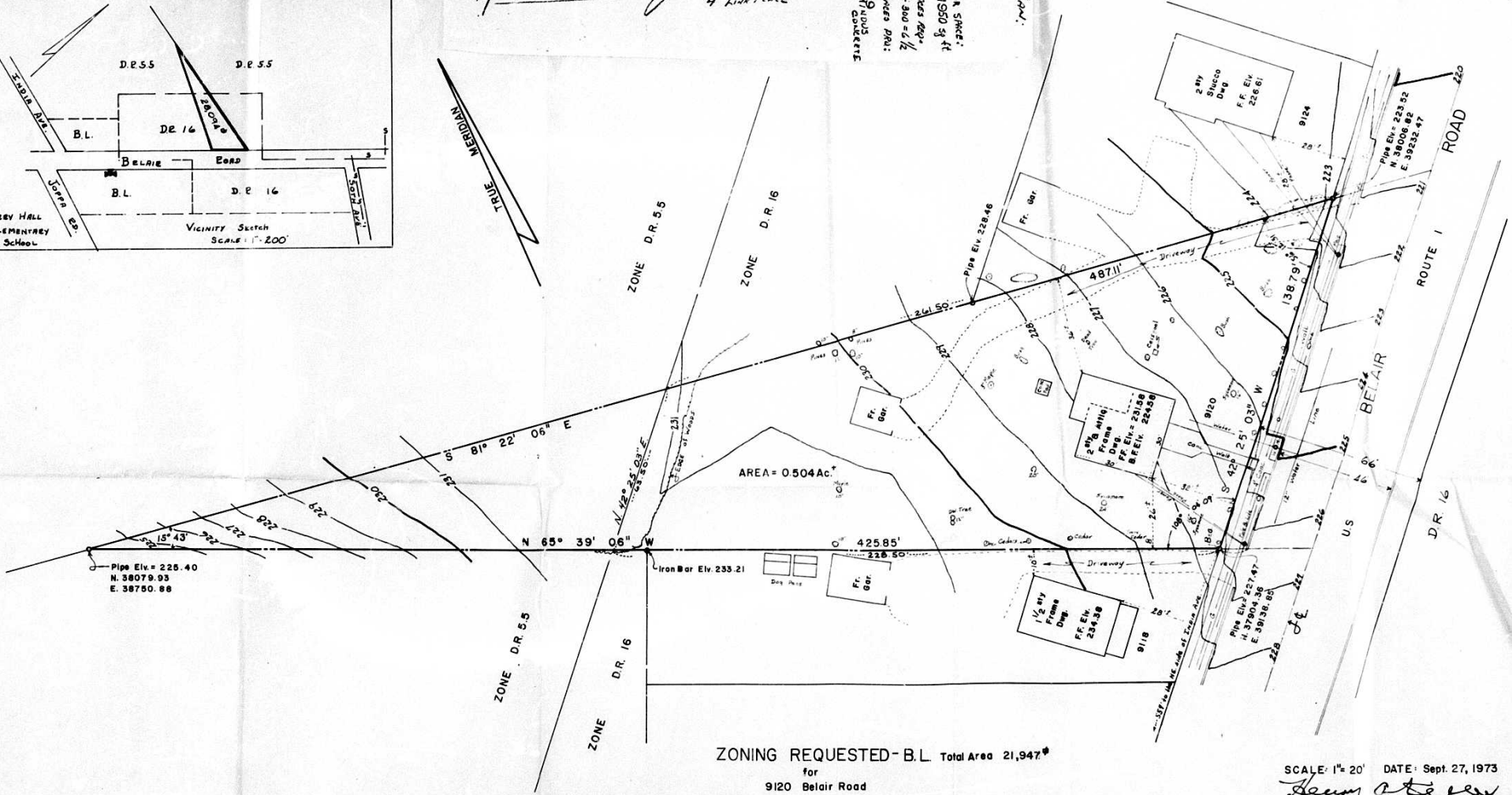
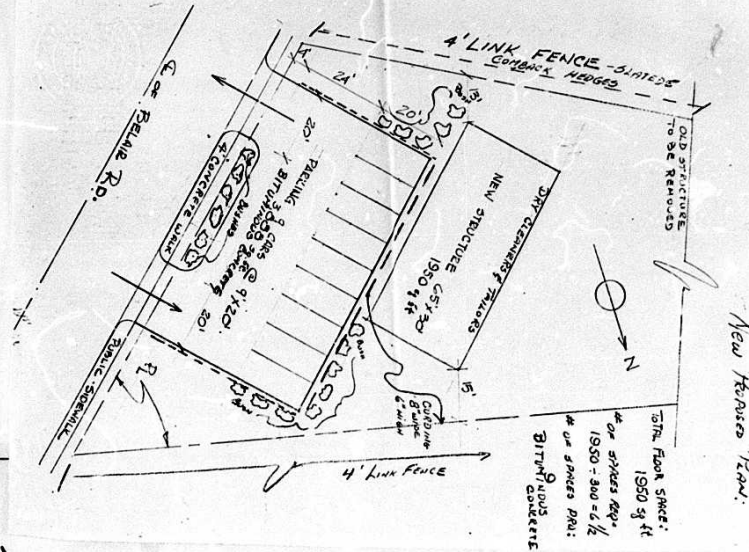
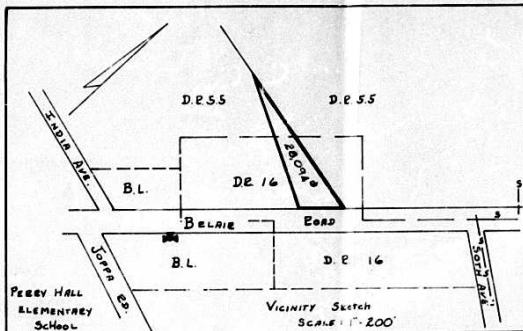
Petitioner Diskoulas Submitted by Same

Petitioner's Attorney Reviewed by ETH

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE, REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. 12458
 DATE Oct. 3, 1973 ACCOUNT 01-662
 AMOUNT \$50.00
 DISTRIBUTION
 WHITE - CASHIER
 PINK - AGENCY
 YELLOW - CUSTOMER
 Cash
 Petition for Reclassification for
 Samuel Diskoulas
 202 2 61 3 5000 HER

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE, REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. 13142
 DATE March 13, 1974 ACCOUNT 01-662
 AMOUNT \$127.71
 DISTRIBUTION
 WHITE - CASHIER
 PINK - AGENCY
 YELLOW - CUSTOMER
 Samuel Diskoulas
 2405 Hartfell Road
 Timonium, Md. 21090
 Advertising and posting of property - \$74-206-3
 127.71 HER



NOTE:
COORDINATES and BEARING shown on this plat
are based on the Metropolitan District of Baltimore
County Coordinates System.
Hub No. 10648 N. 37668.95 E. 39006.25
Hub No. 10649 N. 38225.50 E. 39515.31

SCALE: 1" = 20' DATE: Sept. 27, 1973

KELLER & KELLER
LAND SURVEYOR

3914 WOODLEA AVE.
BALTIMORE, MARYLAND
483-5150