

74-348 PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, THOMAS C. HILL, ET UX, legal owner... of the property situated 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 R.D.P. 10-5 zone to an R.D.P. 10-5 zone; for the following reasons:

Please see attached brief.

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.

BY Thomas C. Hill Contract purchaser

BY Bessie K. Hill Legal Owner

BY John A. Miller Protestant's Attorney

Address: 2200 Mayfield Ave., Baltimore, Md. 21215

ORDERED BY The Zoning Commissioner of Baltimore County, this 15th day of April, 1976, 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County on the 1st day of April, 1976, at 10:00 o'clock

(over)

Zoning Commissioner of Baltimore County.

10:00A
4/1/76

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August 20, 1973
Baltimore, Maryland

Mr. S. Eric D. Nenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

In Re: Property of Thomas C. Hill et al.

Dear Mr. Dinnema,
Please be advised that I am herewith filing a petition for reclassification of the subject property owned by Mr. and Mrs. Thomas C. Hill; and under an option agreement the contract purchasers are Mr. Charles Fiege et al.

In support of the Petition, I wish to cite the following changes and reasons which constitute error in the zoning map adopted on March 24, 1971.

1. The Map as adopted designated the property as "RURAL DEVELOPED PLANNING".

We respectfully submit that the property consists of 3771.79 feet of water front on the Seneca Creek near its confluence with the Chesapeake Bay. The use of the property as "Rural" is economically unfeasible. The land's topography, location, attributes, amenities, and good planning indicate that the classification of "R.D.P." is not the correct one.

2. The peninsula or Parcel # 2, as shown on the attached Plate has a new topography and the fill and dike work result in land unsuitable for agriculture. It must be pointed out that before fill and dike work was done, the land was unfit for any agriculture use.

The map failed to recognize that the surrounding area is residential both for permanent and summer homes and the area is suitable for this only. The land is ideal for its requested use.

The map did not take into consideration that the land has but one use and that use it can fulfill ideally, and with maximum efficiency.

3. The map did not take into consideration the size, shape, topography and location of the property.

4. Use of the property under its present zoning is impossible.

5. The non-development of the property is not to the best interest to the County, the area in which it lies, to the environment, and most importantly to the residents of the area. The general and specific advantages for development is desirable and obvious.

Page 2 of 2.

- The change in classification of the subject property will supplement and increase the economic value and viability of the surrounding areas.
- The proposed development of the subject property as indicated by the attached Plate would clear up a void and a gap in the otherwise representative surroundings.
- As all required factors have been met or anticipated we respectfully request that the classification be changed to "D.R. 10.5". And for other and sufficient reasons to be shown at the hearing hereof relating both to error and change.

Respectfully submitted

George Rokes
agt.
for
Thomas C. Hill et al.

GN: JL

LAW OFFICES
JOHN J. BISHOP, JR.
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
AREA CODE 410
828-2451

June 4, 1974

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

Re: Thomas C. Hill, et al.
File No. 74-224-R
My File #2987

Gentlemen:

This will confirm that this office represents Mr. Nicholas J. Libertini, Mr. Paul Fortier, Mr. Gabriel Juris, Mr. John Stricklin and Mrs. Lorraine Whitney, et al., protestants in the above captioned case.

Sincerely yours,

JOHN J. BISHOP, JR.
JJB/ah

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of

the above Reclassification should be had; and it further appearing that by reason of

a Special Exception for a should be granted

IT IS ORDERED by the Zoning Commissioner of Baltimore County this

day of 197 that the herein described property or area should be and

the same is hereby reclassified; from a zone to a

zone, and/or a Special Exception for a should be and the same is

granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above Petition and it appearing that by reason of failure to show error in the original zoning map or substantial changes in the character of the neighborhood,

Reclassification should NOT BE MADE

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 25 day

of April 1974 that the above Reclassification be and the same is hereby

ORDERED and that the above described property or area be and the same is hereby continued as and

to remain a R.D.P. Zone.

H. R. Nenna
Zoning Commissioner of Baltimore County

APRIL 11, 1974
BALTIMORE, MD.

MR. S. ERIC DINNEMA
ZONING COMMISSIONER
BALTIMORE COUNTY
TOWSON, MD.

IN RE: APPEAL ON ORDER OF COMMISSIONER

Dear Mr. Dinnema:

Please enter an appeal on Behalf of Petitioners from the order of the ZONING COMMISSIONER, order dated April 9, 1974, denying the reclassification from R.D.P. to D.R. 10.5. Please enter this APPEAL to the Baltimore County BOARD OF APPEALS.

The subject property is:
NE corner of New Section and Seneca Roads, -
15th District, Thomas C. Hill et ux - Petitioners,
NO. 74-224-R (Item No. 5)

Very Truly Yours

George W. Rokes
Agent.

Chief
attachments - check

cc: C. Fiege
T.C. Hill et al.

April 9, 1974

Mr. George W. Rokes
2203 Mayfield Avenue
Baltimore, Maryland 21213

RE: Petition for Reclassification
NE/corner of New Section and
Seneca Roads - 15th District
Thomas C. Hill, et ux -
Petitioners
NO. 74-224-R (Item No. 5)

Dear Mr. Rokes:

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

Very truly yours,

S. ERIC DINNEMA
Zoning Commissioner

SED/ert

Attachments

cc: Mr. Nicholas J. Libertini
659 New Section Road
Baltimore, Maryland 21220

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING Item 5
6th Zoning Cycle

Mr. George Rokes, Agent
2203 Mayfield Avenue
Baltimore, Maryland 21213

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

Your Petition has been received and accepted for filing

this 15th day of October 1973.

S. ERIC DINNEMA
Zoning Commissioner

Petitioner Thomas C. Hill, et al.

Petitioner's Attorney Reviewed by
cc: H. Nenna & Associates, Inc. Chairman
8815 Meadow Heights Road, Randallstown, Md. 21133 Zoning Advisory Committee

ORDER RECEIVED FOR FILING

DATE April 9, 1974

BALTIMORE COUNTY, MARYLAND No. 14729
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE April 18, 1974 ACCOUNT 01-262

AMOUNT \$85.00

DISTRIBUTION WHITE - FASHER YELLOW - CUSTOMER

Mr. George W. Rokes
Cost of Filing of an Appeal and Posting of Property on
Case No. 74-224-R
NE/corner of New Section and Seneca Roads - 15th
District
Thomas C. Hill, et ux - Petitioners



AUG 13 1976

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 19, 1973

Mr. George Rokos, Agent
2203 Mayfield Avenue
Baltimore, Maryland 21213

RE: Reclassification Petition
Item 5 - 6th Zoning Cycle
Thomas C. Hill, et al

Dear Mr. Rokos:

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 respect 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 east side of New Section Road, on the north side of Seneca Road, in the 15th District of Baltimore County.

This petition for Reclassification from RDP to DR 10.5 is contained in two (2) parcels. The first parcel contains 12.63 acres of land and is proposed to be developed with 34 individual lots typically laid out, 80 feet wide by 130 feet deep, complete with an open space area.

This proposed development is directly adjacent to existing dwellings that are in excellent condition that front on Seneca Road

- 2 -

Mr. George Rokos, Agent
Re: Item 5 - 6th Zoning Cycle
November 19, 1973

and New Section Road.

Curb and gutters do not currently exist in this vicinity.

Parcel No. 2 contains 29.45 acres of land and is proposed to be developed with a combination of individual lots in the transition area, and townhouses and garden apartments on the remaining area. The overall density will consist of 343 dwelling units, as compared with a permitted density of 441 dwelling units.

The petitioner is also proposing to have pier areas, presumably for the convenience of the tenants of this area. Should this not be the case, a Special Exception for a marina will be required.

The petitioner is advised that pursuant to Section 1A00.2, a Reclassification from an RDP zone to any other zone must comply with the provisions of this subsection.

The petitioner is advised that pursuant to Section 1A00.2, a Reclassification from an RDP zone to any other zone must comply with the provisions of this subsection.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plans, as may have been requested by this Committee, shall be submitted to this office prior to Monday, December 17, 1973 in order to allow time for final Committee review and advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the

Mr. George Rokos, Agent
Re: Item 5 - 6th Zoning Cycle
November 19, 1973

hearing date and time, which will be between March 1, 1974 and April 15, 1974 will be forwarded to you well in advance of the date and time.

Very truly yours,

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

JJDjr.:JD

Enclosure

cc: H. Malmud & Associates, Inc.
8815 Meadow Heights Road
Randallstown, Md. 21133

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

ROBERT J. CLIFFORD, P.E.
DIRECTOR

Wm. T. MILLER
DEPUTY TRAFFIC ENGINEER

October 24, 1973

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

Re: Item 5 - October 1973 to April 1974 - Cycle Zoning VI
Property Owner: Thomas C. and Bessie R. Hill
Northeast corner of New Section and Seneca Roads
D.R. 10.5
District 15

Dear Mr. DiNenna:

The subject petition can be expected to increase the trip density from 420 trips to 4200 trips per day. Neither the local road system near the tract nor Bowleys Quarters and Carroll Island Roads can handle this density.

Very truly yours,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRM/pk

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

October 31, 1973

Item #5 (October 1973-April 1974 - Cycle VI)
Property Owner: Thomas C. Hill et al
Page 2
October 31, 1973

Storm Drains:

The majority of this site lies in a flood prone area. All land areas below elevation 10, Baltimore County Datum, have been determined to be subject to excessive flood hazard and all private improvements restricted therefrom or complete in accordance with Section 120.2 of the Baltimore Building Code.

Public or private roads and parking should be at or above elevation 8.7 feet with land below this elevation reserved for tide water management.

Extensive filling would be required.

A large portion of the area proposed for development is shown to lie below mean high tide on the Baltimore County Area Photogrammetric Map NE 1-1. Private title to much area as claimed will have to be substantiated under State Law. In addition, permits or licenses would be required from the State Department of Natural Resources to fill and reclaim the wetland areas of the site presented.

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.

Sanitary Sewers

Public facilities are not available to this site. A public system has been planned for the area. Design is being instituted which should provide sewers in Bowleys Quarters Road at New Section Road in a 6 to 10 year time frame.

This site and its vicinity will require an additional pumping station to lift sewage to the sewer proposed in Bowleys Quarters Road. The system being designed has been developed for a population density of 20 persons per acre (DR 5.5). The distribution of this population at higher and lower densities within each of the sewer service areas is a function of Planning and Zoning.

A sewage treatment plant is proposed on the plan submitted with discharge to Seneca Creek. This proposal would require approval by the Chief Sanitary Engineer of the Metropolitan District, the State Health Department, the Baltimore County Health Department and the Baltimore County Council. Any treatment plant designed for an area such as this must be flood proofed to elevation 10 to be free from acute flood hazards. Due to the low elevations of the site extensive filling would be necessary as well as a sewage lift station between the development and the treatment plant. The location proposed for the treatment plant is not necessarily the best available within the proposed development, being located within an estuary of Seneca Creek which would be expected to have a poorer exchange of fresh and tidal water than Seneca Creek itself.

Item #5 (October 1973-April 1974 - Cycle VI)
Property Owner: Thomas C. Hill et al
Page 3
October 31, 1973

Water:

Public water is available in New Section Road and Seneca Road. While adequate water for domestic service should be available to this area, concern with the dependability of this service, especially in connection with fire hazards does exist. The Bowleys Quarters area, due to the state of existing development, is served by a single arterial main without circulation or alternate routing possibilities. With continued development from the mainland out a water net will develop increasing the dependability of the public system for both domestic supply and fire protection. At present, development proposals should include adequate locations for the drafting of tide water by the Fire Department for fire protection.

Very truly yours,

William D. Fromm
WILLIAM D. FROMM, P.E.
Chief, Bureau of Engineering

END/RAH/CMK:ms

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



November 2, 1973

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

Dear Mr. DiNenna:

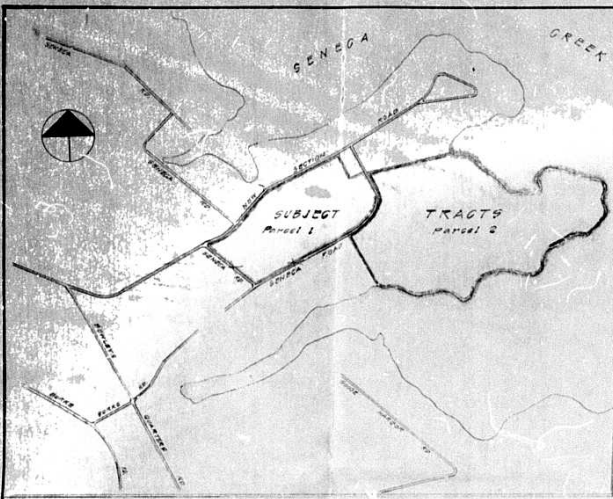
Comments on Item #5, VI Zoning Cycle, October 1973, to April 1974, are as follows:

Property Owner: Thomas C. and Bessie R. Hill
Location: Northeast corner of New Section and Seneca Roads
Present Zoning: R.D.P.
Proposed Zoning: D.R.10.5
District: 15
No. Acres: 42.08

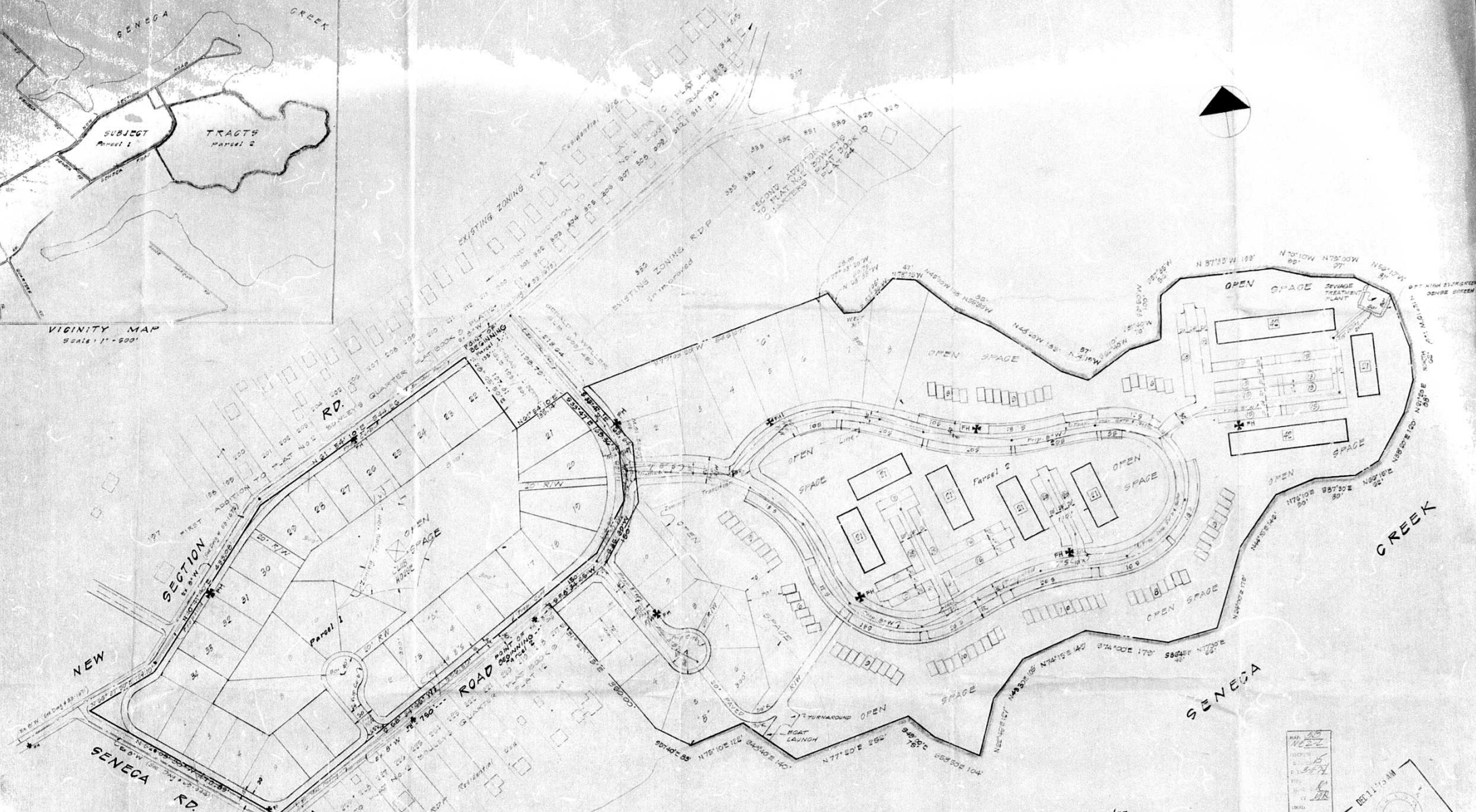
If the reclassification of the property is granted, the developer will be required to comply with Section 304 of the Zoning Regulations (Comprehensive Manual of Development Policies).

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning Specialist II
Project & Development Planning Division



VICINITY MAP
Scale: 1" = 200'

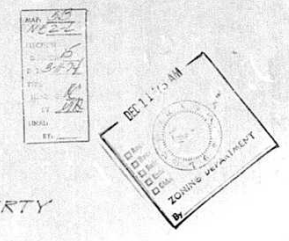


GENERAL NOTES

1. Area: Parcel 1 = 12.28 Ac.
Parcel 2 = 50.48 Ac.
Total Area of Tract = 62.76 Ac.
2. Existing Zoning of Tract: R.D.P.
3. Proposed Zoning of Tract: DR 10.5
4. Proposed Use of Tract: Condominium Townhouses & Garden Apartments
5. Density Calculations:
 - A. Gross acreage of tract = 62.76
 - B. Existing Zoning of tract: R.D.P. Maximum Units Allowed: 42
 - C. Proposed Zoning of tract: DR 10.5, Maximum Units Allowed: 10.5 x 62.76 = 659.03
 - D. Total Units Proposed:
 - 1) Individual Lots: 50
 - 2) Condominium Townhouses: 81
 - 3) Condominium Garden Apts: 210
 - 4) Total Dwelling Units: 341
 - E. Required Parking: 341 x 1.5 = 511.5 Spaces
 - F. Proposed Parking: 104 Individual Lots, 104 Townhouses, 367 Garden Apts. 575
 - G. Open Space Required: 62.76 x 12% = 7.53 Ac.
 - H. Open Space Shown: 8 Ac.

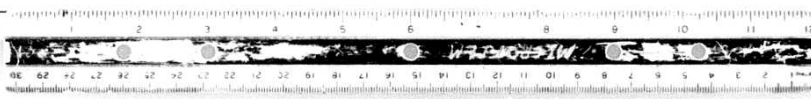
REVISED 12-10-73
PLAT TO ACCOMPANY PETITION
FOR
RECLASSIFICATION OF PROPERTY
AT
SENECA CREEK

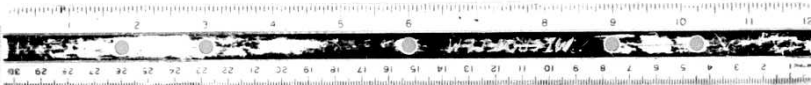
Section District 15 B. Imaging County, Md.
Scale: 1" = 100' April 18, 1974
Prepared by: H. MALMUD & ASSOCIATES, INC.
2015 Green Heights Road
Baltimore, Md. 21229
Telephone: 333-5435

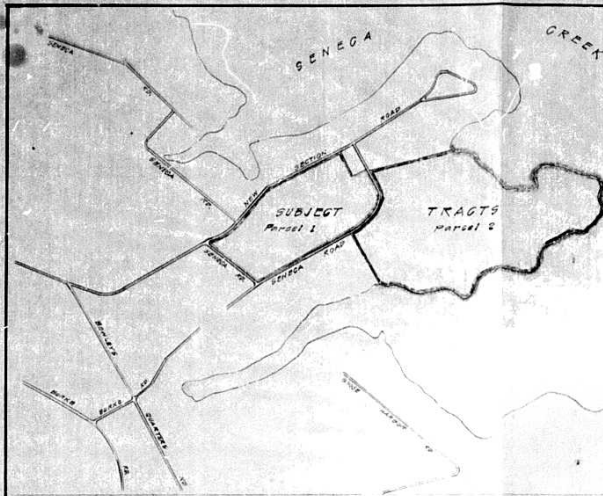


Thomas C. Hall Cycle 6

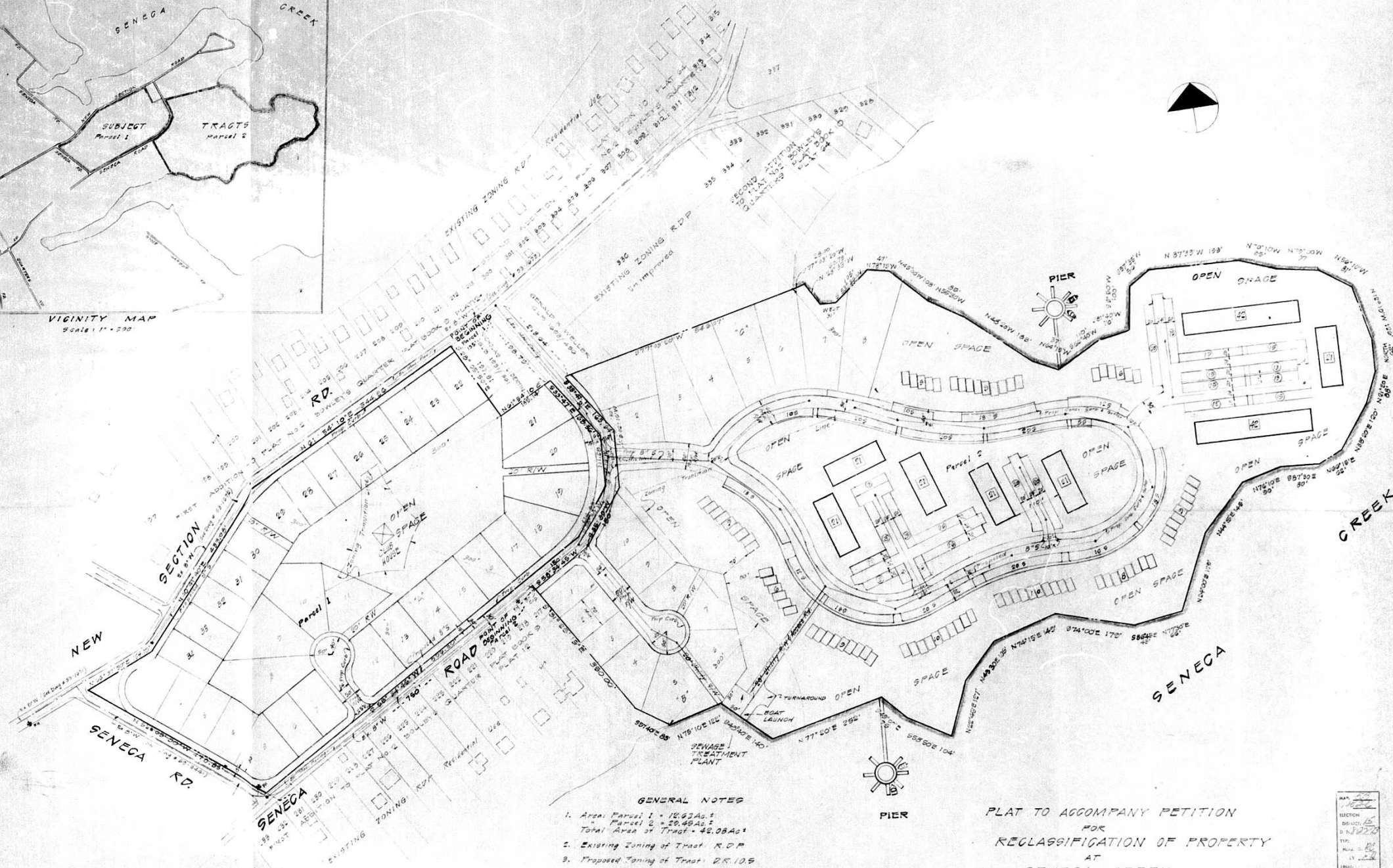








VICINITY MAP
Scale: 1" = 500'



GENERAL NOTES

1. Area: Parcel 1 = 12.63 Ac.
Parcel 2 = 20.49 Ac.
Total Area of Tract = 42.08 Ac.
2. Existing Zoning of Tract: R.D.P.
3. Proposed Zoning of Tract: DR-10B
4. Proposed Use of Tract: Condominium Townhouses & Garden Apartments
5. Density Calculations:
 - a. Gross acreage of tract = 42.08
 - b. Existing Zoning = R.D.P. Maximum Units Allowed: 42
 - c. Proposed Zoning of tract: DR-10B, Maximum Units Allowed: 100 x 42.08 = 4218 Dwellings
 - d. Total Units Proposed:
 - i. Individual Lots: 52
 - ii. Condominium Townhouses: 81
 - iii. Condominium Garden Apts: 210
 - e. Total Dwelling Units: 343
 - f. Required Parking: 343 x 1.75 = 601 Spaces
 - g. Proposed Parking: 1) Individual Lots 104, Townhouses 102, 2) Garden Apts. 367.
 - h. Open Space Required 42.08 x 12% = 5.05 Ac.
 - i. Open Space Shown 8 Ac.

PLAT TO ACCOMPANY PETITION FOR RECLASSIFICATION OF PROPERTY AT SENEGA CREEK

Election District 15 Baltimore County, Md.
Scale: 1" = 100' April 18, 1978

Prepared by
H. MALMUD & ASSOCIATES, INC.
5015 Arden Heights Road
Rundell, Md. 21139
Telephone: 335-5425



3/28/78





20
 PHOTOGRAPHIC
 EXHIBIT # 3

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