

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Kayhouse 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an D.R.5.5 zone to an D.R.16 zone, for the following reasons:

(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 an office building

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 Kayhouse Realty, Inc. Legal Owner
By: Julia Mae Hausenfluck
Address: 2541 Putty Hill Road
Baltimore, Maryland 21234

Protestant's Attorney
Robert A. DiCicco
208 W. Pennsylvania Ave.
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 2nd day of July, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20th day of September, 1974, at 11:00 o'clock A.M.



(over)

Case No. 75-57-RX (Item No. 11) - Kayhouse Realty, Inc.

NW/corner of Westmoreland and
Taylor Avenues - 9th Election District

Petition for Reclassification and Special Exception

Memorandum in Support of Petition for Reclassification from Robert A. DiCicco, Esquire

Description of Property

Plat of Subject Property, dated March 29, 1974

200' Scale Location Plan

1000' Scale Location Plan

50' Scale and 100' Scale Adjacent Property and Vicinity Maps

Zoning Advisory Committee Comments, dated April 30, 1974

Baltimore County Planning Board Recommendations and Accompanying Map

Certificates of Publication

Certificate of Posting (Two (2) Signs)

Letter of Protest from Mrs. Ray Keyes, dated September 24, 1974

Letter from Robert A. DiCicco, Esquire, dated September 30, 1974 and Corresponding Letter from John F. Nimick, C.S.P., dated October 17, 1974

Petitioner's Exhibit 1 - Plat of Subject Property, dated March 29, 1974

Petitioner's Exhibit 2A through 2C - Photographs

Petitioner's Exhibit 3 - Aerial Photograph

Petitioner's Exhibit 4 - Regional Planning Council Standard Building Permit Reporting System

Petitioner's Exhibit 5 - Memorandum in Support of Petition for Reclassification from Robert A. DiCicco, Esquire

Petitioner's Exhibit 6 - Copy of the Official Zoning Map - N.E. 8-C

Protestants' Exhibit A - Letter from Edward W. Stuart, Secretary, The Greater Parkville Community Council, Inc., dated September 12, 1974

December 11, 1974

Case No. 75-57-RX (Item No. 11)
Page 2
December 11, 1974

Order of the Deputy Zoning Commissioner, dated November 13, 1974 - **DENIED**

Letter of Appeal from Robert A. DiCicco, Esquire, on Behalf of the Petitioner, received November 29, 1974

Robert A. DiCicco, Esquire
208 West Pennsylvania Avenue
Towson, Maryland 21204

Counsel for Petitioner

Mr. Edward W. Stuart, Secretary
The Greater Parkville Community
Council, Incorporated
3044 Merland Avenue
Baltimore, Maryland 21234

Protestant

Mr. John F. Nimick
2000 Taylor Avenue
Baltimore, Maryland 21234

Protestant

Mrs. Ray Keyes
7907 Westmoreland Avenue
Baltimore, Maryland 21234

Protestant

Mrs. Thelma Keller
7825 Westmoreland Avenue
Baltimore, Maryland 21234

Protestant

IN RE: PETITION OF KAYHOUSE REALTY, INC.
Northwest Corner Taylor and
Westmoreland Avenues
For Re-Classification and
Special Exception

MEMORANDUM IN SUPPORT OF PETITION

Your Petitioner through its attorney Robert A. DiCicco and Stengel, Askew & Wilson respectfully submits the following Memorandum in support of its claim that the zoning requested should be granted because of an error in the zoning maps and the change in the neighborhood:

1. In support of its argument that there was an error in the original zoning maps, Petitioner contends that the present zoning of the tract, D.R.5.5, which permits only single-family residential dwellings, is completely inconsistent with the character of the neighborhood and that a portion of the tract is directly on Perring Parkway, a four-lane semi-limited access road which with such a tremendous quantity of traffic that the noise level and pollution levels alone render the site unusable as a single-family residential dwelling. In addition, the reasonable prognosis at the time of the adoption of the zoning maps would indicate further increase in traffic on Taylor Avenue as well as rapid development

along Perring Parkway north and south of the subject tract into commercial and strip commercial uses.

For these reasons the Petitioner submits that the present zoning is confiscatory in that the premises cannot be used for residential purposes without a prohibitive expenditure of money and that the only reason for allowing the classification to D.R.5.5 was to protect the residents of those living on the north and west of the tract from the noise and congestion of Perring Parkway. Kracko vs. Weinberg 197 Md. 339 (1951).

2. In support of Petitioner's claim that there has been a change in the character of the neighborhood, Petitioner submits that:

(a) There has been a tremendous increase in the volume of traffic and the congestion at the intersection of Perring Parkway and Taylor Avenue next to the adjacent tract;

(b) The road pattern in the immediate vicinity has been improved contributing to the increase in volume and traffic congestion;

(c) There have been numerous zoning changes in the surrounding area;

(d) There has been an increase in the issuance of building permits and new residential subdivisions in the area;

(e) There has likewise been an increase in population concentration and growth in the area;

(e) There is a need for office land in this immediate area and the availability of unused rezonable land is virtually nil;

(f) There has been a change in the use and trend of the surrounding area;

(g) The re-zoning of the property for offices will be beneficial and non-detrimental to the surrounding property and community;

(h) The re-zoning of the tract to permit office use would be compatible with predicted plans of the county in that it would be an appropriate transition area from Perring Parkway and the commercial developments thereon and the residential area to the north and west of the subject tract;

(i) The appropriate use and value for the tract is for offices and the possibility of development under the existing zoning is nil;

And for such other and further changes as will be disclosed by a minute study of the area and as will be more fully developed at the time of the hearing of this Petition.

Respectfully submitted,

Robert A. DiCicco
Stengel, Askew & Wilson
208 West Pennsylvania Avenue
Towson, Maryland 21204
823-5400

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

OFFICE: 825-3908

March 29, 1974

RESIDENCE: 771-4332

DESCRIPTION TO ACCOMPANY PETITION FOR RECLASSIFICATION FROM DR5.5 TO DR16 ZONE WITH SPECIAL EXCEPTION FOR OFFICES

Beginning for the same at a point formed by the north side of Taylor Avenue and the west side of Westmoreland Avenue as shown on the State Roads Commission of Maryland Plat No. 25135 running thence and binding on the west side of Westmoreland Avenue the four following courses and distances: (1) N79°54'11"E 15.29'; (2) N34°55'35"E 87.00'; (3) S55°04'25"E 4.86'; (4) N34°51'30"E 19.26' to the division line between Lots 95 and 96 as shown on the Plat of Westmoreland Fruit Farm and recorded among the Land Records of Baltimore County in Liber WPC7, folio 102 thence leaving the west side of Westmoreland Avenue and binding on the division line between Lots 95 and 96 as shown on the aforesaid plat and continuing the same course N58°28'30"W 287.98' to intersect the east right of way line of Peach Avenue running thence and binding on the said right of way line S4°23'30"W 31.25' to intersect the right of way line of Perring Parkway running thence and binding there on the three following courses and distances: (1) S22°26'27"E 140.14'; (2) S58°02'06"E 60.82'; (3) S55°03'03"E 76.86' to the place of beginning.

Containing 0.58 Acres of land more or less.

Being the remainder of Lot 104 through 96 inclusive as shown on the Plat of Westmoreland Fruit Farm Liber WPC7, folio 102.



E. F. RAPHEL
Registered Prof. Land Surveyor
No. 2246

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: KAYHOUSE REALTY Date of Posting: 1-9-75
Posted for: KAYHOUSE REALTY
Petitioner: Reported to 2 Sign Westmoreland Ave
Location of property: Taylor Ave
Location of Sign: 1 Sign on Taylor 1 Sign on Westmoreland Ave
Remarks: Met. H. Hase
Posted by: Met. H. Hase Date of return: 1-23-75

OCT 15 1975

RE: PETITION FOR RECLASSIFICATION : BEFORE
from D.R. 5.5 to D.R. 16 zone, and : COUNTY BOARD OF APPEALS
SPECIAL EXCEPTION for an : OF
Office Building :
NW corner of Westmoreland and :
Taylor Avenues : BALTIMORE COUNTY
9th District :
Kayhouse Realty, Inc. : No. 75-57-RX
Petitioner :

OPINION

This case comes before the Board on an appeal from an Order of the Deputy Zoning Commissioner, which denied a requested reclassification and special exception for the subject property. Same is located in the Ninth Election District of Baltimore County, and specifically is situated at the northwest corner of Westmoreland Avenue and Taylor Avenue. The access ramp from Taylor Avenue to Perring Parkway encircles the side and rear of the subject property. This property contains approximately .58 acres and is now improved by a dwelling, garage and shed.

The petition requests a reclassification from the existing D.R. 5.5 to a D.R. 16 classification, with a special exception for offices. The subject property is owned by the Petitioner, Kayhouse Realty, Inc., and this corporation proposes to use the existing dwelling as its real estate office.

Mrs. Julia Hausenfluck, the President of Kayhouse Realty, Inc., told the Board of the proposed use intended by this real estate firm. If the reclassification and special exception would be granted, the Petitioner proposes to completely renovate the existing structures, but to make no major changes to the exterior of same. Mrs. Hausenfluck detailed specifically the use for this property, including the access from the west side of Westmoreland Avenue, and also told the Board of the approximate number of people who would be using this office, along with the hours of same.

Mr. Eugene Raphael, a registered land surveyor and recognized expert witness, told this Board of the engineering aspects of this petition. Mr. Raphael cited the partial denial of access along the Taylor Avenue frontage of the subject property, and he also pointed out to the Board that the existing dwelling is situated less than twenty feet from the right of way line of Taylor Avenue ramp to the Perring Parkway. Mr. Raphael described the existing improvements and exhibited photographs of same to the Board. He also

Kayhouse Realty, Inc. - No. 75-57-RX

2.

detailed for the Board his judgment that all of the requirements of Section 502.1 of the Baltimore County Zoning Regulations would be satisfied if the special exception, with qualified restrictions for the real estate office, would be granted as proposed by the Petitioner in this instance.

Mr. Frederick Klaus, a recognized real estate expert, testified on behalf of the Petitioner, and outlined for the Board his judgment as to the error and also change in the character of the neighborhood that he alleged has taken place since the adoption of the comprehensive zoning maps by the County Council in March of 1971. Mr. Klaus noted traffic increases along both the Perring Parkway and Taylor Avenue, as well as increased population and an increase in building within the area of the subject property.

Two neighbors and Mr. Norman Gerber, of the Baltimore County Planning Staff, testified in opposition to the granting of this reclassification. Mr. Gerber explained to the Board that in his judgment the introduction of office use on this side of Perring Parkway would be a land planning mistake. If this petition were to be granted, Mr. Gerber saw no practical way to deny the granting of a similar petition on the property across Taylor Avenue from the subject parcel. He felt that as far as the buffer argument goes, that Perring Parkway itself serves as a very practical buffer or tieoff strip from the commercial zoning that exists some distance west of Perring Parkway along Taylor Avenue. This Parkway would represent a much better buffer zone than would any small piece, such as the subject property, which lies east of the Perring Parkway. Mr. Gerber felt that it would be tantamount to illegal spot zoning to introduce this non-residential use east of the Perring Parkway. Mr. Gerber acknowledged that office use next to commercial and on the edges of such activities, and particularly at the end of strip-type commercial, offers a very good buffer type use. However, he strongly felt that the subject property did not fit into this category, primarily because of the intervening Perring Parkway right of way.

As a practical matter, considering good land use, this Board sees that the use as proposed by this Petitioner could very well be a compatible one and an asset to this particular location. The utilization of this site for the proposed real estate office

Kayhouse Realty, Inc. - No. 75-57-RX

3.

with proper restrictions, including a possible deed restriction, could very well be the best overall utilization of this particular parcel of land. Its location on the Perring Parkway ramp, and the specific nearness of the existing dwelling to this right of way line, are factors which mitigate against its utilization for a dwelling. These factors tend to discourage necessary efforts to maintain a complementary residential home site. Unfortunately, this Board does not have the adequate powers to practically serve the situation in the subject instance. For some time this Board has favored the adoption of legislation which would provide for an office zone. If such an office zone did exist, this could very well be the site for an in-house office use under such legislation, which is now proposed but not yet adopted by our County Council.

Unfortunately, in the subject instance, the sole questions to be resolved by this Board are twofold, i.e. did in fact the County Council err when they classified the subject property D.R. 5.5 in March of 1971, and/or has there been substantial change in the character of the neighborhood since the adoption of said comprehensive zoning map to warrant the requested reclassification in the subject instance. In the mind of this Board, the simple answer to both of these questions is "No". The Board has carefully reviewed the testimony and evidence presented in this case and can find no error and/or substantial change to warrant the requested reclassification in the subject instance. As to the argument by the Petitioner that the Council treated the subject property differently than others near the Perring Parkway and Taylor Avenue interchange, the Board finds such not to be the case. The Council, with consistency, allowed no D.R. 16 or commercial zoning east of the Perring Parkway in this specific area of Taylor Avenue. The location of the ramp to Perring Parkway and the subject property's denial of access along the north side of Taylor Avenue were facts that existed at the time of the adoption of the comprehensive zoning maps by the County Council in March of 1971. The buffer zone argument has been handled very well by the testimony of Mr. Gerber, and this Board could certainly not say that these foundations were not part of the reasoning of the Council in adopting a D.R. 5.5 classification for the subject property, and all of those lands surrounding it east of the Perring Parkway right of way.

As to change, if the increase in traffic, population and building permits

Kayhouse Realty, Inc. - No. 75-57-RX

4.

were to be considered in and of themselves as substantial change in the character of a neighborhood to warrant a reclassification to D.R. 16, the Board would be hard pressed to deny any petition anywhere in this growing County. In the minds of this Board, the Petitioner has not evidenced sufficient change of a substantial nature that would warrant the granting of the requested reclassification.

There is a strong presumption in the correctness of original zoning. The burden placed upon the Petitioner to prove error and/or change is an onerous one. After carefully reviewing all of the testimony and evidence presented in this case, it is the judgment of this Board that this burden of proof has not been met, and the petition for the reclassification and special exception shall be denied. As previously mentioned above, in the mind of this Board the Petitioner has probably satisfied the provisions of Section 502.1 as far as the proposed specific use of the subject property is concerned. However, in order to grant the requested special exception in accordance with the Zoning Regulations, the underlying zoning classification must be D.R. 16. It is this reclassification portion of the Petitioner's case that has failed; hence, obviously the special exception must also be denied.

ORDER

For the reasons set forth in the foregoing Opinion, the Board affirms the Order of the Deputy Zoning Commissioner dated November 13, 1974, and it is this 14th day of August, 1975, by the County Board of Appeals ORDERED, that the reclassification and special exception petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Rules B-1 to B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Baker, Jr., Chairman

John A. Miller

William T. Hackett

The Greater Parkville Community Council, Inc.

A COMMUNITY WITH UNITY

MR. EDWARD W. STUART, Secretary
3044 WESTMORELAND AVENUE, SUITE 2124
BALTIMORE, MARYLAND 21204

September 12, 1974

AMERICAN LEGION, PARKVILLE POST NO. 103, INC.
AMERICAN LEGION AUXILIARY, PARKVILLE UNIT NO. 103, INC.
CARNEY CIVIC IMPROVEMENT ASSN., INC.
CARNEY ELEMENTARY SCHOOL PTA, INC.
CENTRAL PARKVILLE COMMUNITY ASSN., INC.
CUB HELL COMMUNITY ASSOCIATION, INC.
EAST PARKVILLE COMMUNITY ASSN., INC.
EDGEWOOD PARK IMPROVEMENT ASSN., INC.
GLENN RIDGE CIVIC ASSOCIATION
GREATER CARLETON IMPROVEMENT ASSN., INC.
HARTFORD HILLS ELEMENTARY SCHOOL PTA, INC.
HARTFORD PARK COMMUNITY ASSN., INC.
HIS UNITED METHODIST CHURCH
JOHN MARSHALL CIVIC ASSN., INC.
KNIGHTS OF COLUMBIAN COUNCIL NO. 508
LIONS CLUB OF PARKVILLE
NORTHFIELD IMPROVEMENT ASSN., INC.
NORTHFIELD LION HAVEN MEM. POST 1774, INC.
OPTIMIST CLUB OF PARKVILLE, INC.
PARKVILLE ELEMENTARY SCHOOL PTA
PARKVILLE HOMEOWNERS CLUB
PARKVILLE TONIC HIGH PTA, INC.
PARKVILLE TONIC LIBRARY ASSN.
PARKVILLE REGULATION COUNCIL
PARKVILLE SENIOR HIGH SCHOOL PTA
PARKVILLE SENIOR HIGH SCHOOL PTA
PARKVILLE PARK COMMUNITY ASSOCIATION, INC.
ST. JACOB CATHOLIC CHURCH
ST. JAMES CATHOLIC CHURCH
ST. JAMES EVAN LUTHERAN CHURCH
ST. THOMAS'S ROMAN CATHOLIC CHURCH
SOUTH CARNEY IMPROVEMENT ASSN.
TOWNSHIP PARK CIVIC ASSN., INC.
VILLA CRISTA CIVIC ASSOCIATION, INC.
VILLA CRISTA ELEMENTARY SCHOOL PTA
WOODGROVE CIVIC ASSOCIATION, INC.

The Greater Parkville Community Council is presently composed of thirty seven improvement, civic, service, church and fraternal organizations in an area extending from the city line to Dimpolder Falls and from Oldfield Road to a line extending north and south from the eastern boundary of Parkwood Cemetery. According to the 1970 census, the population is approximately 15,000 people.

We take this opportunity to enter our opposition to the requested zoning reclassification from DRS-5 to DRS-16 on the northeast corner of Perring Parkway and Taylor Avenue and the petition in case 75-57-RX.

Our Council has worked diligently to retain the present zoning within its boundaries. An area composed of only single family dwellings is now being overrun with apartments. We feel that our existing facilities such as schools, churches, roads and sewers are severely overtaxed at the present time. Admittedly, this is a small tract; however, we do not desire any increase in density whatsoever.

Whether this tract will be located on Taylor Avenue or Westmoreland Avenue would not make a difference. The potential of increased traffic along Taylor Avenue is one of the three main carriers of our east-west traffic. This particular section of Taylor Avenue is in close proximity to Perring Parkway which is a main north-south artery. The increased traffic is a residential street, without a doubt, which we feel is forced to carry more traffic than it is intended to do. We consider the danger of both safety and Taylor Avenue to be quite dangerous and do not wish to further traffic congestion.

It was our understanding that a number of variances would be necessary to use this tract for the requested zoning and we found such to be totally unacceptable.

The Greater Parkville Community Council, Inc.

A COMMUNITY WITH UNITY

MR. EDWARD W. STUART, Secretary
3044 WESTMORELAND AVENUE, SUITE 2124
BALTIMORE, MARYLAND 21204

September 12, 1974
Page 2

AMERICAN LEGION, PARKVILLE POST NO. 103, INC.
AMERICAN LEGION AUXILIARY, PARKVILLE UNIT NO. 103, INC.
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VILLA CRISTA ELEMENTARY SCHOOL PTA
WOODGROVE CIVIC ASSOCIATION, INC.

We further feel the granting of this petition would definitely constitute "Spot-zoning" as the surrounding area is completely composed of single family dwellings. We are also aware, once DRS-16 is granted, the special exception for offices would open the door to a "change of neighborhood" plea and result in rampant commercialization on Taylor Avenue east of Perring Parkway.

We request that the petition for DRS-16 and special exception be denied and the existing DRS-5 zoning be retained.

August 14, 1975

Robert A. DiCicco, Esq.
208 W. Pennsylvania Ave.
Towson, Maryland 21204

Re: Kayhouse Realty, Inc.
File No. 75-57-RX

Dear Mr. DiCicco:

Enclosed herewith is a copy of the Opinion and

Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Muriel E. Buddenmier

Encl.

cc: Mr. Edward W. Stuart
Mr. John F. Nimick
Mrs. Ray Kayes
Mrs. Thelma Kallur
Board of Education
Mr. S. E. DiNenna
Mr. James Dyer
Mr. W. D. Fromm
Mr. James Howell
John W. Haines, Esq. - sent 9/15

LAW OFFICES
ASKEW, WILSON & DiCICCO
208 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

TELEPHONE
AREA CODE 410
833-9400

November 26, 1974

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

Re: Kayhouse Realty, Inc.
Petition No. 75-57-RX (Item 11)

Dear Mr. DiNenna:

With respect to the above-captioned matter, notice is hereby given that the Petitioner, Kayhouse Realty, Inc. desires to appeal the Order of the Deputy Zoning Commissioner passed the 13th day of November, 1974 denying the above-captioned Petition. I am enclosing this firm's check in the amount of \$80.00 to cover the total costs of filing the same. The time anticipated for the hearing of this appeal is approximately one-half (1/2) day.

Your attention with regard to the same will be greatly appreciated.

Very truly yours,

Robert A. DiCicco

RAD/elm
Enclosure
cc: Kayhouse Realty, Inc.



RE: PETITION FOR RECLASSIFICATION : BEFORE THE
AND SPECIAL EXCEPTION : DEPUTY ZONING
NW/corner of Westmoreland and : COMMISSIONER
Taylor Avenues - 7th District :
Kayhouse Realty, Inc. - Petitioner :
NO. 75-57-RX (Item No. 11) : OF
: BALTIMORE COUNTY

This Petition represents a request for a reclassification from a D.R.5.5 Zone to a D.R.16 Zone, and a Special Exception for offices. The property contains .58 acres, more or less, is improved with a small dwelling, garage, and shed, and is situated on the north side of Taylor Avenue extending between Westmoreland Avenue and the on ramp of Perring Parkway.

Testimony was presented by the Petitioner, who is a realtor and plans to use the premises for her business office, a surveyor, who prepared the site plans and a realtor-appraiser. Several area residents also appeared and testified in protest to the request.

The property in question was the subject of an earlier Petition request by the original property owner. That Petition, which requested a reclassification from a D.R.5.5 Zone to a D.R.16 Zone for the purpose of constructing apartment units, was denied by the Order of the Zoning Commissioner, dated June 26, 1972.

The premises, which was rented for approximately one year, has been sold to the present owner and is presently in a deteriorated state. The Petitioner and her experts contended that the taking of a portion of the original property to provide for right-of-ways for construction of Perring Parkway left the dwelling approximately twenty feet from the side of the aforementioned on ramp of Perring Parkway and thus destroyed any future potential use of the existing dwelling for residential purposes.

It was the opinion of the real estate expert that an office use, within the existing dwelling, would be compatible with the immediate surroundings and, as such, could act as a buffer between the adjoining residential uses and the nearby heavily traveled roadway. He felt that such a use would justify expenditures for renovation of the existing dwelling. Said renovations would include painting the exterior of the building, landscaping and other such improvements that would have a stabilizing effect on the area.

Area residents protested the request for a variety of reasons, which included fears that if the reclassification necessary to establish an office use is granted, future owners of the property would or could ignore the Special Exception and increase the residential density by construction of an apartment building as proposed in the original Petition. They also feared that the office use would be expanded over and above the parameter of the existing building, as presently proposed. It was their contention, that traffic conditions could not withstand any such expansion of density or office use. Lastly, they were concerned that a change in zoning classification would lead to additional changes in their neighborhood that presently includes a substantial residential area without any commercial intrusions to speak of.

The Deputy Zoning Commissioner agreed to entertain the possibility of deed covenants to be recorded among the land records of Baltimore County between the Petitioner and residents restricting the residential density to 5.5 units to the acre for a period of twenty years and other deed covenants and/or restrictions between the Zoning Commissioner and the Petitioner that would further condition the extent of office use.

Within thirty days of the date of the hearing, the Petitioner and the spokesman for the Protestants submitted separate letters indicating that such covenants would be acceptable under certain conditions.

After carefully reviewing all facts, testimony and evidence including the previously referred to Order denying a similar reclassification, and making

an on-site inspection, it is the opinion of the Deputy Zoning Commissioner that a realistic use compatible with the immediate surroundings would, in fact, be a limited or otherwise restricted office use. Based on said facts and testimony, there would be little difficulty in granting a Special Exception with certain restrictions for an office use on this property.

Unfortunately, such a Special Exception cannot be granted without first changing the property's classification from D.R.3.5 to D.R.16, and the testimony presented in this case was clearly void of any changes in conditions since the denial of the previously requested reclassification. Further, the reasons set forth in the Zoning Commissioner's Opinion and Order denying the reclassification are sound which leaves no apparent legal reason to reverse the previous decision. For these reasons, the Petitioner's request for a Reclassification and a Special Exception for office use must be denied. However, in view of the existing facts presented during the course of this hearing, it is suggested that the zoning status of the subject property be carefully reviewed during the upcoming County-wide comprehensive mapping process.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 13th day of November, 1974, that the above requested Reclassification be and the same is hereby DENIED, and that the above described property or area be and the same is hereby continued as to remain a D.R.5.5 Zone; and the Special Exception for offices should be and the same is hereby DENIED.

James E. Dyer
Deputy Zoning Commissioner of
Baltimore County

November 13, 1974

Robert A. DiCicco, Esquire
200 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Reclassification and
Special Exception
NW/corner of Westmoreland and
Taylor Avenues - 7th District
Kayhouse Realty, Inc. - Petitioner
NO. 75-57-RX (Item No. 11)

Dear Mr. DiCicco:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

James E. Dyer
Deputy Zoning Commissioner

JED/me

attachments

cc: Mr. Edward W. Stuart
Secretary
The Greater Parkville Community Council, Inc.
3044 Moreland Avenue
Parkville, Maryland 21234

Mr. John F. Nimick
2700 Taylor Avenue
Baltimore, Maryland 21234

IN RE: PETITION OF KAYHOUSE REALTY, INC.
Northwest Corner Taylor and
Westmoreland Avenues
For Re-Classification and
Special Exception

MEMORANDUM IN SUPPORT OF PETITION

Your Petitioner through its attorney Robert A. DiCicco and Stengel, Askew & Wilson respectfully submits the following Memorandum in support of its claim that the zoning requested should be granted because of an error in the zoning maps and the change in the neighborhood;

1. In support of its argument that there was an error in the original zoning maps, Petitioner contends that the present zoning of the tract, D.R.5.5, which permits only single-family residential dwellings, is completely inconsistent with the character of the neighborhood and that a portion of the tract is directly on Perring Parkway, a four-lane semi-limited access road which with such a tremendous quantity of traffic that the noise level and pollution levels alone render the site unusable as a single-family residential dwelling. In addition, the reasonable prognosis at the time of the adoption of the zoning maps would indicate further increase in traffic on Taylor Avenue as well as rapid development

along Perring Parkway north and south of the subject tract into commercial and strip commercial uses.

For these reasons the Petitioner submits that the present zoning is confiscatory in that the premises cannot be used for residential purposes without a prohibitive expenditure of money and that the only reason for allowing the classification to D.R.5.5 was to protect the residents of those living on the north and west of the tract from the noise and congestion of Perring Parkway. Kracke vs. Weinberg 197 Md. 339 (1951).

2. In support of Petitioner's claim that there has been a change in the character of the neighborhood, Petitioner submits that:

- (a) There has been a tremendous increase in the volume of traffic and the congestion at the intersection of Perring Parkway and Taylor Avenue next to the adjacent tract;
- (b) The road pattern in the immediate vicinity has been improved contributing to the increase in volume and traffic congestion;
- (c) There have been numerous zoning changes in the surrounding area;
- (d) There has been an increase in the issuance of building permits and new residential subdivisions in the area;
- (e) There has likewise been an increase in population concentration and growth in the area;

(e) There is a need for office land in this immediate area and the availability of unused reasonable land is virtually nil;

(f) There has been a change in the use and trend of the surrounding area;

(g) The re-zoning of the property for offices will be beneficial and non-detrimental to the surrounding property and community;

(h) The re-zoning of the tract to permit office use would be compatible with predicted plans of the county in that it would be an appropriate transition area from Perring Parkway and the commercial developments thereon and the residential area to the north and west of the subject tract;

(i) The appropriate use and value for the tract is for offices and the possibility of development under the existing zoning is nil;

And for such other and further changes as will be disclosed by a minute study of the area and as will be more fully developed at the time of the hearing of this Petition.

Respectfully submitted,

Robert A. DiCicco
Stengel, Askew & Wilson
200 West Pennsylvania Avenue
Towson, Maryland 21204
823-5400

REGIONAL PLANNING COUNCIL STANDARD BUILDING PERMITTING SYSTEM			
REPORT II - DETAILED REPORT			
REPORT OF BUILDING PERMITS ISSUED AND LOCAL PUBLIC CONSTRUCTION DISTRICT 9			
	PERMITS	VALUE	UNITS
I NEW RESIDENTIAL CONSTRUCTION	699		
ONE FAMILY HOUSES			
TWO FAMILY BUILDINGS			
THREE AND FOUR FAMILY			
FIVE OR MORE FAMILY	100		2046
SUB-TOTAL	799	46,537,000	
II OTHER RESIDENTIAL ACTIVITY			
MOVED OR RELOCATED			
MOBILE HOMES			
RESIDENTIAL GARAGES	9		
OTHER SHELTER			
SUB-TOTAL			
III ALL OTHER BUILDINGS & STRUCTURES			
RECREATIONAL BUILDINGS	6		
CHURCHES, RELIGIOUS	2		
INDUSTRIAL BUILDINGS	15		
PARKING GARAGES	6		
HOTELS, HOTELS	16		
SERVICE STATIONS	5		
HOSPITALS, INSTITUTIONS	13		
OFFICE, PROFESSIONAL	2		
UTILITIES BUILDINGS	20		
EDUCATIONAL BUILDINGS	21		
STORES, MERCANTILE	29		
OTHER NONRESIDENTIAL			
OTHER STRUCTURES			
FENCES			
SIGNS			
SWIMMING POOLS			
MISCELLANEOUS			
NOT ELSEWHERE INCLUDED			
SUB-TOTAL			
IV ADDITIONS, ALTERATIONS, CONVERSIONS & RAZING			
HOUSEKEEPING RESIDENTIAL			
ALL OTHER BUILDINGS			
RAZING- RESIDENTIAL			
RAZING- NONRESIDENTIAL			
SUB-TOTAL			
GRAND-TOTAL			

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 31, 1974

Robert A. DiCicco, Esq.
208 W. Pennsylvania Avenue
Towson, Maryland 21204

Reclassification & Special Exception
RE: Item No. 11 - 7th Cycle
Reclassification Cycle VII
Kayhouse Realty, Inc. - Petitioner

Dear Mr. DiCicco:

The above referenced Reclassification request additionally included a request(s) for Special Exception(s) and/or Variance(s).

Section 500.2b of the Baltimore County Zoning Regulations requires that a hearing be scheduled on these types of requests no sooner than thirty (30) and no later than ninety (90) days after its approval for filing by this Committee. The enclosed blue slip indicates the date of approval and is to advise you that the additional request(s) will be considered at the same time as the Reclassification request.

Very truly yours,

James B. Byrnes, III
J. "S. B. BYRNES, III
Chairman,
Zoning Advisory Committee

JBB:JD

cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Maryland 21204

Robert A. DiCicco, Esquire
November 13, 1974
Page 2

cc: Mrs. Ray Keyes
7907 Westmoreland Avenue
Baltimore, Maryland 21234

Mrs. Thelma Keller
7825 Westmoreland Avenue
Baltimore, Maryland 21234

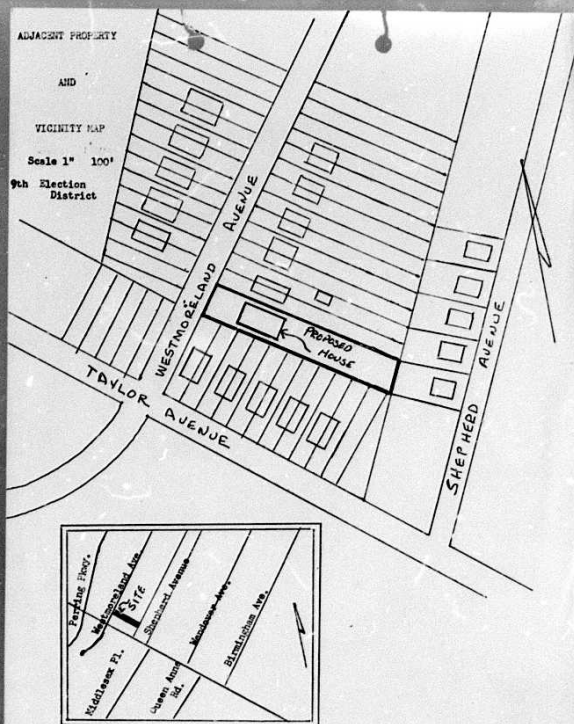
ADJACENT PROPERTY

AND

VICINITY MAP

Scale 1" = 100'

9th Election District



Zoned D. R. 5.5

Existing public water and sewer in Westmoreland Ave.

Property of Victor J. Panico and Bertha S., his wife

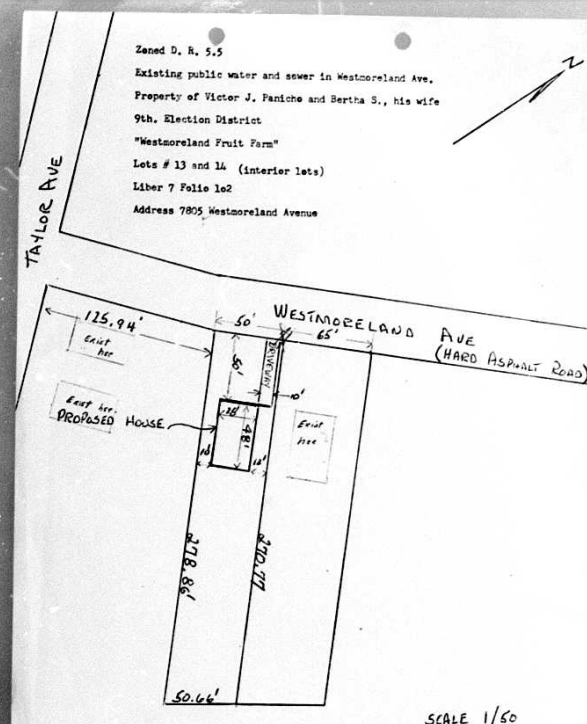
9th. Election District

"Westmoreland Fruit Farm"

Lots # 13 and 14 (interior lots)

Liber 7 Folio 1a2

Address 7805 Westmoreland Avenue



SCALE 1/50

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
Item 11 - 7th Cycle
Robert A. DiCicco, Esq.
208 W. Pennsylvania Avenue
Towson, Md. 21204
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted
for filing this _____ day of _____, 1974.

S. Eric Dinenna
S. ERIC DINENNA,
Zoning Commissioner

Petitioner Kayhouse Realty, Inc.

Petitioner's Attorney Robert A. DiCicco Reviewed by James B. Byrnes, III
cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Md. 21204
Chairman,
Zoning Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 30, 1974

XXXXXXXXXXXXXX

Robert A. DiCicco, Esq.
208 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Reclassification and Special
Exception Petition
Item 11 - 7th Cycle
Kayhouse Realty, Inc.

Dear Mr. DiCicco:

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 northeast corner of Taylor and Westmoreland Avenues, in the 9th Election District of Baltimore County. It is presently improved by a two-story frame residence and an existing garage and shed.

Residences exist to the north along Westmoreland Avenue and to the east along Taylor Avenue. Opposite the site on Taylor Avenue is unimproved public land. Perring Parkway exists directly to the west of the subject site.

The petitioner is requesting a Reclassification to Density, Residential (D.R. 16) zoning with a Special Exception for offices. He proposes to use the existing structure and provide off street parking for 5 cars.

Robert A. DiCicco, Esq.
Item 11 - 7th Cycle
April 30, 1974

Page 2

This property was the subject of an earlier Reclassification request (Case #72-217-RA), which was denied by the Zoning Commissioner on June 28, 1972.

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 plats, as may have been requested by this Committee, shall be submitted to this office prior to Monday, June 3, 1974, in order to allow time for final Committee review and advertising. Failure to comply result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between September 1, 1974 and October 15, 1974, will be forwarded to you well in advance of the date and time.

Very truly yours,

James B. Byrnes, III
JAMES B. BYRNES, III
Chairman,
Zoning Advisory Committee

JBB:JD

Enclosure

cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Maryland 21204

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

Bureau of Engineering
ELLSWORTH N. DIVIN, P.E. CHIEF

April 25, 1974

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

Re: Item #11 (Cycle VII - April to October 1974)
Property Owner: Kayhouse Realty, Inc.
N/S of Taylor Ave. & the W/S of Westmoreland Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: D.R. 16 & Special Exception for an office building
No. of Acres: 0.58 District: 9th

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.

General:

Comments as previously written covering this site under Cycle Zoning II, Item #11 are still valid. We are attaching a copy of the comments, dated November 1, 1973.

Very truly yours,

Ellsworth N. Divin
ELLSWORTH N. DIVIN, P.E.
Chief, Bureau of Engineering

END:RAM:PM:MSA

NR 8 C Topo
N-WE Key Sheet

Attachment

BALTIMORE COUNTY, MARYLAND
NE 6 C Topo
N-WE Key Sheet

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna
FROM: Oliver L. Myers
Date: November 1, 1973
SUBJECT: Item #11 (Cycle October 1973 - April 1974)
Property Owner: John T. and Thyllis R. Snyder
Location: W/E corner Taylor Avenue and Perring Parkway
Present Zoning: D.R. 5.5
Proposed Zoning: Rezone to D.R. 16; Variance from 2802.20
District: 9th District: Northeastern
No. of Acres: 0.53

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.

Highways:

Access to this site shall be from Westmoreland Avenue, an existing public road which shall ultimately be improved as a 36-foot combination curb and gutter cross-section on a 60-foot right-of-way.

Storm Drainage:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent property, 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:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, causing 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 issuance of any grading or building permits.

Water:

Public water is available to serve this property. There is an existing 8-inch water main in Westmoreland Avenue.

Sanitary Sewer:

There is existing public sanitary sewerage in Westmoreland Avenue and traversing the intersection of Perring Parkway and Taylor Avenue to the west property line of this site.

Ellsworth N. Divin
ELLSWORTH N. DIVIN, P.E.
Chief, Bureau of Engineering

END:RAM:PM:MSA

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR
Wm. T. MELZER
DEPUTY TRAFFIC ENGINEER

April 30, 1974

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

Re: Item #11 - Cycle Zoning 7 - April 1974 through October 1974
Property Owner: Kayhouse Realty, Inc.
N/S Taylor Avenue and the W/S Westmoreland Avenue
D.R. 16 and special exception for an office building
District 9

Dear Mr. DiNenna:

The subject petition would increase the trip density from 30 trips to 126 trips per day. This number of trips in itself would create no major traffic problems.

Very truly yours,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRH/pk

Maryland Department of Transportation
State Highway Administration

Mary R. Hughes
Secretary
Bernard M. Evans
Administrator

April 19, 1974

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

Attention: Mr. James Byrnes

Re: Seventh Zoning Cycle,
April 1974
Property Owner: Kayhouse
Realty, Inc.
Location: N/S of Taylor
Ave. and the W/S of
Westmoreland Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: D.R. 16
& Spec. exception for an
Office Bldg.
No. of Acres: 0.58
District: 9th
PERRING PARKWAY

Dear Sir:

The subject proposal should have no adverse effects on the State Highway.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

by: John E. Meyers

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203

Baltimore County Fire Department

J. Austin Dentz
Chief



Towson, Maryland 21204

873-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Kayhouse Realty, Inc.

Location: N/S of Taylor Avenue & the W/S of Westmoreland Avenue

Item No. 11 Zoning Agenda April 3, 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", 1977 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed by: *Paul H. Reincke* Noted and Approved: *Paul H. Reincke*
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

m13
4/16/73

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

April 10, 1974

DONALD J. HOOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

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

Dear Mr. DiNenna:

Comments on the following item, Zoning Advisory Committee Meeting April 3, 1974, are as follows:

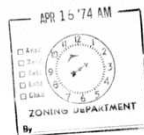
Property Owner: Kayhouse Realty, Inc.
Location: N/S of Taylor Ave. & the W/S of Westmoreland Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: D.R. 16 & Special Exception for an office building
No. of Acres: 0.58
District: 9

Metropolitan water and sewer are available to the site.

Air Pollution Comments: The building or buildings on this site may be subject to a permit to construct and a permit to operate any and all fuel burning and processing equipment. Additional information may be obtained from the Division of Air Pollution and Industrial Hygiene, Baltimore County Department of Health.

Very truly yours,

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



HVB/cas

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: May 2, 1974

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

Re: Item 11 Z.A.C. Meeting of: April 3, 1974
Property Owner: Kayhouse Realty, Inc.
Location: N/S of Taylor Ave. & the W/S of Westmoreland Ave.
Present Zoning: D.R. 5.5
Proposed Zoning: D.R. 16 & Special Exception for an office building

Districts: 9th
No. Acres: 0.58

Dear Mr. DiNenna:

No adverse effect on student population.

Very truly yours,
W. T. Melzer
Wm. T. Melzer
Field Representative

WMP/ml

WILLIAM D. FROMM
DIRECTOR

S. ERIC DINENNA
ZONING COMMISSIONER



May 10, 1974

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 #11, Zoning Cycle VII, April, 1974, to October, 1974, are as follows:

Property Owner: Kayhouse Realty, Inc.
Location: N/S of Taylor Avenue and the W/S of Westmoreland Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: D.R. 16 and Special Exception for an office building
No. of Acres: 0.58
District: 9th

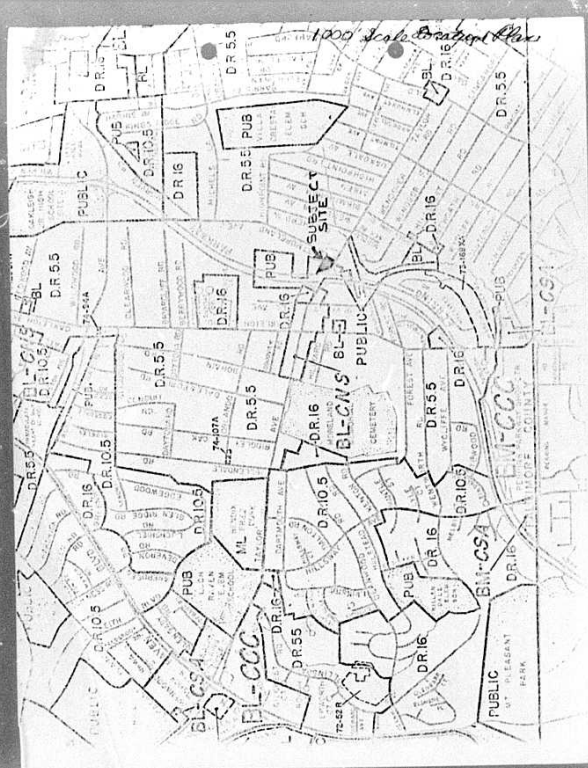
This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

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

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 801 PLANNING 486-3211 ZONING 486-3221

[illegible]

75-57-RK
RAYMOND

ORIGINAL

OFFICE OF

 THE TOWSON TIMES

TOWSON, MD. 21204

Sept. 2 - 1974

THIS IS TO CERTIFY, that the annexed advertisement of
S. Eric Dillemma
Zoning Commissioner of Baltimore County

was inserted in THE TOWSON TIMES, a weekly newspaper published
in Baltimore County, Maryland, once a week for one ~~week~~
week before the 2nd day of Sept. 1974 that is to say, the san-
dow was in the issue of August 30 - 1974.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

[illegible]

TOWSON, MD., August 22, 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., once in each of one (1) consecutive weeks before the 25th day of September, 1974, the first publication appearing on the 25th day of August 1974.

19. 74

THE JEFFERSONIAN,
L. L. Smith, Editor

Cost of Advertisement, \$.....

75-57-R)

District. 954 Date of Posting. 12-12-74
 Posted for _____
 Petitioner: Kapheena Bhaty, Jr.
 Location of property N.W. Cor. of Taylor & Westwoodland
 Location of Signa One Cor. Taylor and 1.00 Westwoodland
 Remarks: _____
 Posted by M. H. Hines Date of return: 12/19/74

ZONING DEPARTMENT OF BALTIMORE COUNTY #75-57-R1
Town, Maryland

District 9th Date of Posting 8/25/74
 Posted for Hewes, Freda, Sub. 2a, 1974 & N. & S. Rd.
 Pitioner: Kephauk Realty, Inc.
 Location of property: N. & S. of Waterland & Taylor Ave
 Location of Signs: 2 Signs, Both on Waterland & 2 Signs on Taylor Ave
 Remarks:
 Posted by: Mrs. H. Hewes Date of return: 8/25/74

Robert A. DiCicco, Esq.
208 W. Pennsylvania Avenue
Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Your Petition has been received and accepted
for filing this 2nd day of July 1974.

Petitioner Rayhouse Realty, Inc.
 Petitioner's Attorney Robert A. DiCicco Reviewed by James R. Byrnes, Jr.
 cc: T. F. Raphael, Associates Chairman,
201 Courtland Avenue Chairing Advisory Committee
Lowell, MA 01204

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE December 2, 1974 ACCOUNT 01-662

AMOUNT \$50.00

WHITE - CASHIER	DISTRIBUTION	PINK - AGENT	YELLOW - CUSTOMER
Robert A. DiCicco, Esquire			
Cost of Filing of an Appeal and Posting of Property			
Case No. 75-57-RX (Item No. 11)			
NW/corner of Westmoreland and Taylor Avenues - 9			
Election District			
Kayhouse Realty, Incorporated - Petitioner			

FUNCTION	Walt		Map		Original		Duplicate		Tracing		200 Sheet
	date	by	date	by	date	by	date	by	date	by	
Descriptions checked and outline plotted on map											
Petition number added to outline											
Denied											
Granted by ZC, BA, CC, CA											
Reviewed by: <u>WES</u>	Revised Plans:					Change in outline or description <u>Yes</u>					
Previous case: <u>70-217-R</u>	Map # <u> </u>					<u>No</u>					

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 1st day of

April 1974 1972. Item 1


S. Eric DiNenno
Zoning Commissioner

Petitioner Frappier Submitted by _____
 Petitioner's Attorney D. Cicco Reviewed by OPB

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

BALTIMORE COUNTY, MARYLAND No 15195

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Oct. 23, 1974 ACCOUNT 01-662

AMOUNT \$157.20

WHITE - CASHIER DISTRIBUTION YES - CUSTOMER
 LINK - AGENCY

Messrs. Stengel, Askeew and Wilson
208 W. Penna. Ave.
Towson, Md. 21204
Advertising and posting of property for Kayhouse
Realty Inc.

BALTIMORE COUNTY, MARYLAND No. 14739

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE April 19, 1974 ACCOUNT 01-662

AMOUNT \$50.00

WHITE - CASHIER DISTRIBUTION
PINK - AGENCY TEL. DR. - CUSTOMER

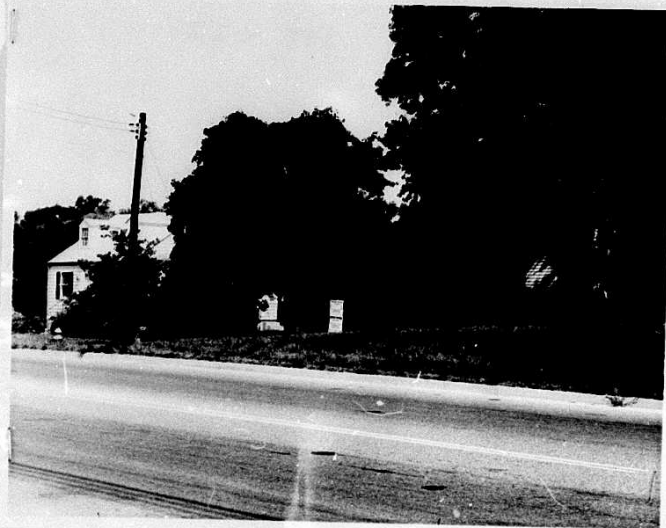
Messrs. Stengel, Askew and Wilson
208 W. Penna. Ave.
Towson, Md. 21204

Petition for Reclassification and Special Exception
for Kynhouse Realty, Inc.

D.L.C. Petitioner's Exhibit 2A



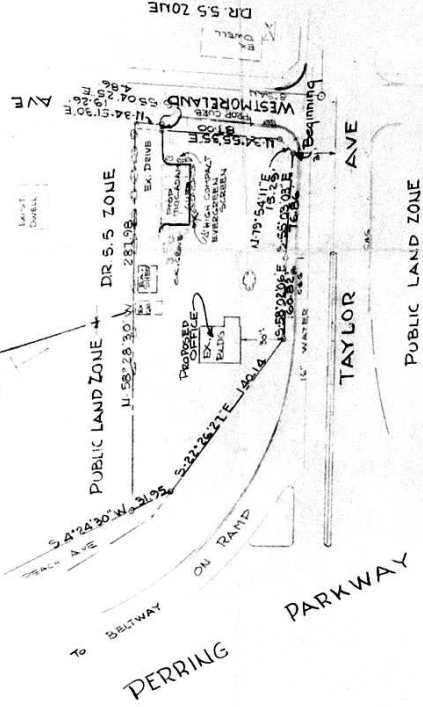
D.L.C. Petitioner's Exhibit 2B



D.L.C. Petitioner's Exhibit 2C



PET EX 1



GENERAL DATA
AREA OF PROPERTY 0.58 AC
EXISTING ZONE DR 5.5
PROPOSED ZONE DR 16
EXISTING USE RESIDENTIAL
PROPOSED USE OFFICES

PARKING DATA

AREA OF BUILDING 1st FL 8344^{sq}
PARKING RATIO 1st FL 11 SPACE/3000^{sq}
REQUIRED 2nd FL 11 SPACE/3000^{sq}
PROVIDED 2nd FL 2 SPACES

GENERAL NOTES

NO EXTERIOR ALTERATIONS TO BE
MADE TO EXISTING BUILDING

PLAT TO ACCOMPANY ZONING PETITION

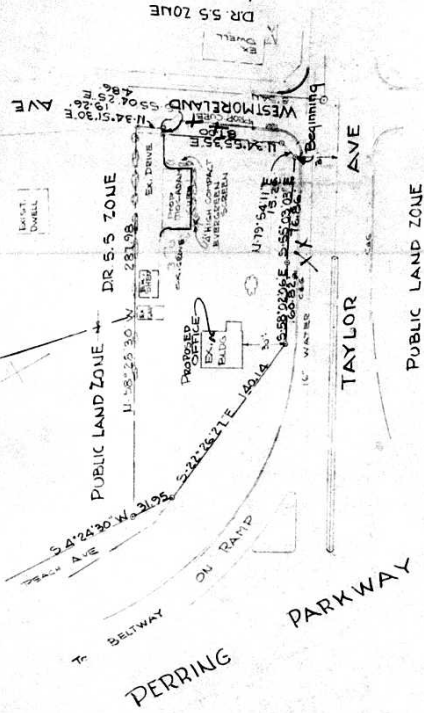
PROPERTY OF
KAYHOUSE REALTY INC.
5th ELECT. DIST. BALTO CO.
SCALE 1"=50'



C. E. RUPPEL & ASSOCIATES
Engineering, Planning and Surveying
201 East Pratt Avenue
Baltimore, Maryland 21202



128



GENERAL DATA
AREA OF PROPERTY 0.58 AC
EXISTING ZONE DR 5.5
PROPOSED ZONE DR 16
EXISTING USE RESIDENTIAL
PROPOSED USE OFFICES

PARKING DATA

AREA OF BUILDING 1st FL 8344^{sq}
PARKING RATIO 1st FL 11 SPACE/3000^{sq}
REQUIRED 2nd FL 11 SPACE/3000^{sq}
PROVIDED 2nd FL 2 SPACES

GENERAL NOTES

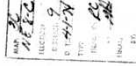
NO EXTERIOR ALTERATIONS TO BE
MADE TO EXISTING BUILDING

PLAT TO ACCOMPANY ZONING PETITION

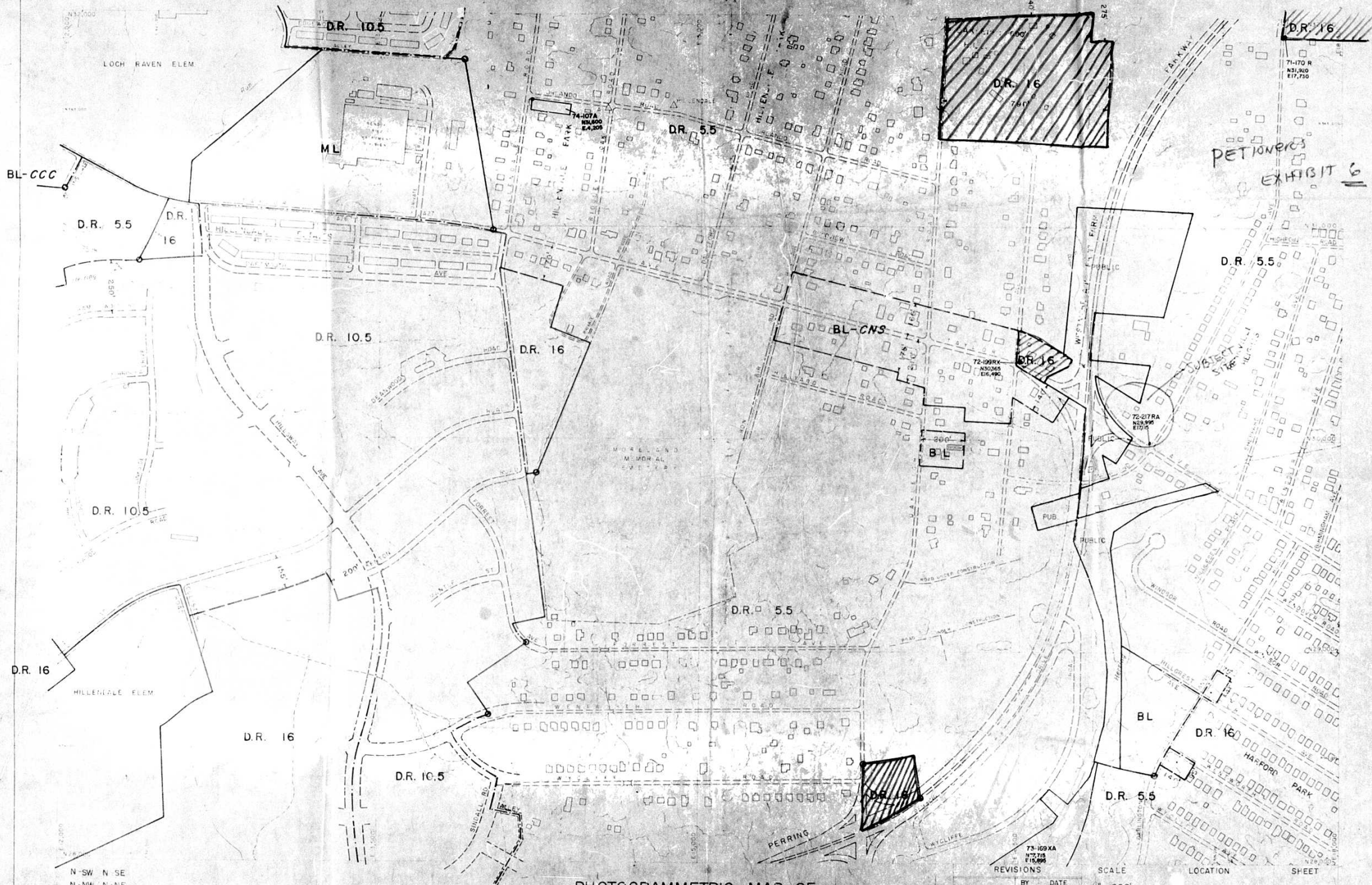
PROPERTY OF
KAYHOUSE REALTY INC.
5th ELECT. DIST. BALTO CO.
SCALE 1"=50'



C. E. RUPPEL & ASSOCIATES
Engineering, Planning and Surveying
201 East Pratt Avenue
Baltimore, Maryland 21202



128



ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
MARCH 24, 1971
BY BILLS NOS. 28, 29, 30, 31, and 32

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA OFFICIAL ZONING MAP

73-109XA
N72,718
E15,000
REVISIONS
BY DATE
SCALE
1" = 200'
DATE OF
PHOTOGRAPHY
APRIL 1953
Compiled by Photogrammetric Methods
AERO SERVICE CORPORATION PHILADELPHIA, PA.

LOCATION
SHEET
N E
B - C
HAI ORD PARK