

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Bernard M. Rome, 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. 3.5... zone to an...
D.R. 16... zone; for the following reasons:
(1) Error in classification at the time of adoption of the 1971 comprehensive zoning maps.
(2) Substantial change in the character of the neighborhood of the subject property.

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.

BURGIN-KREH ASSOCIATES, INC.
By Joe C. Burgin, Jr. Contract purchaser
Vice President
Address 1012 Ingleside Avenue
Baltimore, Maryland 21228
Ellicott City, Maryland 21043

John B. Howard, Esq.
Cook, Mudd, Murray & Howard
Attorneys
Address 409 Washington Avenue
Towson, Maryland 21204

BY ORDERED By The Zoning Commissioner of Baltimore County, this... 25th... day of October, 1974.

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 6th day of March, 1975, at 11:00 o'clock P.M.

(over)

John B. Howard, Esq.
Re: Item 3 - 8th Zoning Cycle
October 25, 1974

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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 December 1, 1974, 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 hearing date and time, which will be between March 1, 1975 and April 15, 1975, 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 Plans Advisory Committee

JBB:JD

Enclosure

cc: Maryland Surveying and Engr., Co., Inc.
6707 Whitestone Road
Baltimore, Md. 21207

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

John B. Howard, Esq.
Cook, Mudd, Murray & Howard
409 Washington Avenue
Towson, Maryland 21204
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Item 3 - 8th Zoning Cycle

Your Petition has been received and accepted for filing this 25th day of October, 1974.

S. Eric DiNenna
S. ERIC DINENNA,
Zoning Commissioner

Petitioner Bernard M. Rome

Petitioner's Attorney John B. Howard
cc: Maryland Surveying and Engr., Co., Inc.
6707 Whitestone Road
Baltimore, Md. 21207

Reviewed by James B. Byrnes, III
Chairman,
Zoning Advisory
Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 25, 1974

John B. Howard, Esq.
Cook, Mudd, Murray & Howard
409 Washington Avenue
Towson, Maryland 21204

RE: Reclassification and Special
Exception Petition
Item 3 - 8th Zoning Cycle
Bernard M. Rome - Petitioner

Dear Mr. Howard:

The Zoning Plans 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 at the intersection of the northeast side of Grove Avenue and the northwest side of Hill Drive, in the First Election District of Baltimore County. The property is presently unimproved with the exception of an existing vacant one-story wood garage. Residential uses abut the property to the northeast and to the southeast across Hill Drive. A one and one-half story frame dwelling exists opposite the site on Grove Avenue.

The petitioner is requesting a Reclassification from the existing DR 5.5 zone to a DR 16 zone, with a Special Exception for an office building. A five-story structure comprising a total of 48,000 square feet is proposed with vehicular access from Hill Drive. Off street parking is indicated for 174 vehicles.

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



November 6, 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 #3, Zoning Cycle VIII, October, 1974, are as follows:

Property Owner: Bernard M. Rome
Locations: N/E/c of Hill Drive and Grove Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: D.R. 16
No. of Acres: 2.4089
District: 1

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.

The site plan must be revised to show all proposed road widening, all building and parking setbacks must be from the proposed widening lines.

The property is in an area that has very poor road access and it would appear that this site would contribute more traffic congestion to the area since there are no road improvements to the property in the near future.

Very truly yours,

John L. Winkley
John L. Winkley, Planning Specialist II
Project and Development Planning

Item #3 (Cycle VIII - October 1974 - April 1975)
Property Owner: Bernard M. Rome
Page 2
October 26, 1974

Water:

Public water exists within Gordon Road.

Sanitary Sewer:

Public sanitary sewer exists adjacent to Hill Drive and Gordon Road; however, the site falls within the Gwynns Falls Drainage Area. The Maryland State Health Department has placed a moratorium on this drainage area, therefore, this site is subject to their approval for any additional connections.

Very truly yours,

S. Eric DiNenna
S. ERIC DINENNA, P.E.
Chief, Bureau of Engineering

END:PAW:HW:ISS

L-SE Key Sheet
7 MW 26 Pos. Sheet
VM 2 c. Tops
87 & 94 Tax Maps

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

October 26, 1974

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

Re: Item #3 (Cycle VIII - October 1974 - April 1975)
Property Owner: Bernard M. Rome
N/E corner of Hill Dr., & Grove Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: D.R. 16 w/Special Exception for office building
No. of Acres: 2.4089 District: 1st

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.

Highways:

Hill Drive is an existing road which shall ultimately be improved as a 40-foot curb and gutter street cross-section on a 60-foot right-of-way.

Gordon Road and Grove Avenue are recorded roadways only, but will ultimately be improved as 30-foot curb and gutter streets on 50-foot rights-of-way.

Storm Drains:

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.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

Sediment Control:

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

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.....

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this.....day of....., 197..., that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a.....zone, and/or the Special Exception for.....be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Baltimore County Fire Department



J. Austin Deitz
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: Bernard M. Rome

Location: NE/C of Hill Drive & Grove Lane

Item No. 3 Zoning Agenda Cycle #8 - October 1, 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.

(x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 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.....

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

() 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", 1970 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

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

Reviewer: HJ Kelly
Planning Group
Special Inspection Division

Noted and
Approved:

Paul H. Quisenberry
Deputy Chief
Fire Prevention Bureau

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 8, 1974

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

Z.A.C. Meeting of: October 1, 1974 (Cycle #8)

Re: Item 3

Property Owner: Bernard M. Rome
Location: NE/C of Hill Drive & Grove Lane
Present Zoning: D.R. 5.5
Proposed Zoning: D.R. 16

District: 1st
No. Acres: 2.4089

Dear Mr. DiNenna:

No adverse effect on student population.

Very truly yours,

W. Nick Petrovich,
Field Representative.

WNP/ml

H. EMERIE PARKS, Treasurer
EUGENE C. HESS, Vice-President
MRS. ROBERT L. BENEY

MARQUE W. GUTSARIS
JOSEPH M. MCGOWAN
ALVIN LORICK
JOHN A. R. WHEELER, Superintendent

T. SAYARD WILLIAMS, JR.
RICHARD W. TRACY, M.D.
MRS. RICHARD K. WUERTHEL

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

October 16, 1974

DONALD J. ROOP, 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 Item 3, Zoning Reclassification,
Cycle #8, are as follows:

Property Owner: Bernard M. Rome
Location: NE/C of Hill Drive & Grove Lane
Existing Zoning: DR 5.5
Proposed Zoning: DR 16
No. of Acres: 2.4089
District: 1st

Metropolitan water and sewer must be extended to site.

Food Protection Comments: If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval.

Air Pollution Comments: The building or buildings on this site may be subject to a permit to construct and a permit to operate 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.

Cynans Falls Moratorium: A moratorium was placed on new sewer connections in the Cynans Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health and Mental Hygiene, on May 14, 1974; therefore approval may be withheld for this connection.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB/mco

CC--L.A. Schuppert
W.L. Phillips

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 75-194-RX

ORDER OF DISMISSAL

Petition of Bernard M. Rome (Burgin-Krah Associates, Inc., Contract Purchaser) for reclassification from D.R. 5.5 to D.R. 16 and a special exception for an Office Building on property located on the northeast corner of Grove Avenue and Hill Drive, in the First Election District of Baltimore County.

WHEREAS, the Board of Appeals notified all parties of record in the above entitled matter that this Board considers said case to be moot (copy of said letter is attached hereto).

THEREFORE, this Board, on its own Motion, will dismiss the within named appeal.

IT IS HEREBY ORDERED, this 21st day of January, 1977, that said petition be and the same is declared moot and the petition DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Kather, Jr., Chairman

Robert L. Gifford

Herbert A. Davis

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204
December 20, 1976

John B. Howard, Esquire
409 Washington Avenue
Baltimore, Md. 21204

Re: Case No. 75-194-RX
Bernard M. Rome, Petitioner

Dear Mr. Howard:

As the Petitioner, or representative thereof, in the above referenced case, you are hereby advised that said case now pending before the Board of Appeals is considered moot. This decision is based on an opinion of the Baltimore County Solicitor's office concluding that any reclassification case pending before this Board on the date of the adoption of new comprehensive zoning maps (i.e. 10/15/76) is moot.

Therefore, unless you present written objection and/or an amended appeal, where applicable, to the Board within thirty (30) days from the date hereof, an Order of Dismissal shall be executed by this Board.

Very truly yours,

Walter A. Reiter, Jr., Chairman

cc: Col. Bernard M. Rome
John W. Hession, III, Esquire
Mr. Lee A. Wilson

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR

WM. T. MILLER
DEPUTY TRAFFIC ENGINEER

October 28, 1974

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

Re: Item 3 - Cycle Zoning 8 - October 1974 through April 1975
Property Owner - Bernard M. Rome
NE corner of Hill Drive & Grove Lane
D.R. 16 with special exception for office building
District 1

Dear Mr. DiNenna:

The subject petition is requesting a change from D.R. 5.5 to D.R. 16 with a special exception for offices. The D.R. 5.5 will generate 125 trips per day while the D.R. 16 will generate 300 trips per day. A special exception for offices can be expected to generate 500 trips per day. At the present time, capacity problems exist throughout this area and this increased density can only compound this problem since generally there are no road improvements proposed for this area in the near future.

Very truly yours,

C. Richard Moore
Assistant Traffic Engineer

CRM/rmg

MARYLAND SURVEYING AND ENGINEERING CO., INC.

Affiliated With LYON ASSOCIATES, INC.
6707 WHITESTONE ROAD * BALTIMORE, MARYLAND 21207 * TELEPHONE: 301-944-9291
ENGINEERING * SURVEYING * PLANNING

SURVEYORS DESCRIPTION
H.E. CUNNING HILL DRIVE AND GROVE LANE
"BELMONT HEIGHTS"

Beginning for the same at a point formed by the intersection of the Northwesterly side of Hill Drive, 30 feet wide, and the Northwesterly side of Grove Avenue, 30' wide, as shown on the Subdivision plat of "BELMONT HEIGHTS" recorded among the Land Records of BALTIMORE COUNTY in M.F.C. 7733 said point also being the Southwest corner of Lot 58 as shown on said plat; thence leaving the point of beginning and bi-ling on the Northwesterly side of Grove Avenue, as now surveyed, bearings based on Baltimore County Grid System, S 41° 29' 24" W, 454.07 feet to intersect the Southeastery Right-of-Way Line of Gordon Road 30 feet wide; at the Northwest corner of Lot 84; thence running and binding on the aforesaid Southeastery Line of Gordon Road S 47° 43' 15" E, 133.67 feet; thence still running and binding on said side of said road N 31° 11' 43" E, 160.53 feet to the Northwesterly Corner of Lot 78; thence running and binding on the Division Line between Lots 77 & 78, S 41° 29' 24" E, 188.70 feet to the Northwesterly Corner of Lot 63; thence running and binding on the Division Line between Lots 78 & 63 and between Lots 78 & 62, S 37° 02' 42" W, 100.00 feet to the Northwesterly corner of Lot 61; thence running and binding on the Division Line between Lots 62 & 61, S 41° 29' 24" E, 700.00 feet to intersect the hereinafore mentioned Northwesterly Right-of-Way Line of Hill Drive; thence running and binding on the aforesaid Northwesterly Right-of-Way Line, S 37° 02' 42" W, 200.00 feet to the place of beginning.

Containing 2.4089 Acres of land more or less (104933.512 sq. ft.)

The above described includes a 20 feet wide, undeveloped, Right-of-Way running Northwesterly from Grove Avenue to Grove Road said Right-of-Way is contiguous with the Southeastery outline of Lot 84 and with the Northwesterly outline of Lots 79 thru 83.



SCALE _____ ft. - 1 inch
File No. _____

Signed This 28th day of October 1974
Robert A. Davis

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
AND SPECIAL EXCEPTION : DEPUTY ZONING
NE/corner of Grove Avenue and Hill :
Drive - 1st District : COMMISSIONER
Bernard M. Rome - Petitioner :
NO. 75-194-RX (Item No. 3) : FOR
: BALTIMORE COUNTY

This Petition represents a request for a Reclassification from a D.R. 5.5 Zone to a D.R. 16 Zone, together with an additional request for a Special Exception to construct a five story office building. The property in question contains 2.408 acres, more or less, and is situated on the northeast corner of Grove Avenue and Hill Drive, in the First Election District of Baltimore County.

Testimony and evidence was presented by the Contract Purchaser, the legal owner of the property, and experts in the fields of traffic and real estate development.

The People's Counsel entered his appearance and requested to be notified of any further hearing dates and of the passage of any preliminary final Order in connection with this Petition, however, he did not appear at the hearing.

The Baltimore County Planning Board recommendations stated that the D.R. 5.5 zoning be retained, making reference to the Zoning Plans Advisory Committee comments with regard to possible traffic problems and deficiencies in area road widths and improvements, as they related to the Petitioner's proposed five story office building. It was their opinion that any consideration of a change of zoning of the subject property should be made comprehensively, with consideration being given to other surrounding properties. They pointed out that the Planning Board is currently processing revised Comprehensive Zoning Maps and that the Baltimore County Council would, as required by law, adopt said revised maps on or before October 15, 1976.

At the outset of the hearing, the Petitioner reduced his request from a five story office building to that of a three story office building and indicated a willingness or desire, on his part, to assume the responsibility for improvements necessary to construct Gordon Avenue to County standards, from a point at its intersection with relocated Belmont Avenue to the subject property. This improvement would have the effect of eliminating the need to utilize other residential or sub-standard area roads.

The Petitioner's Memorandum, filed in support of his request, describes the Planning Board's concept of a "Town Center" and the larger "Sector Centers". A Town Center consists of three to five communities oriented towards a central complex of major public and private facilities, with populations ranging from 100,000 to 150,000 people. In addition to large and highly specialized stores and major education institutions, a Town Center is proposed for a library, police and fire station, post office and "a host of professional and governmental offices and service facilities."

A Sector Center is a larger area of urban development. Five such centers are designated on the Planning Board's 1980 Guideplan. The Planning Board defines a Sector Center as "a Town Center that includes facilities providing a significant degree of service for residents of other towns.... and the area embracing the towns served as the sector. A sector may include a fourth to a third of Baltimore County's present urban area."

The Memorandum additionally states that one of five Sector Centers designated by the Planning Board has its approximate focal point as the Baltimore Beltway and Security Boulevard interchange, with the subject parcel being situated almost in the center. The Petitioner felt that the Comprehensive Zoning Map, as adopted in March of 1971, provided large tracts of manufacturing zoning in the immediate neighborhood of the subject parcel, but erroneously failed to designate the proper diversity or mix of zoning

- 2 -

classifications in this "neighborhood" to accommodate the various uses proposed for a Sector Center. The Comprehensive Zoning Map was also felt to be in error in that it established a narrow strip or tributary of D.R. 5.5 zoned land between two substantial tracts of D.R. 16 and manufacturing zoned land. The Petitioner contends that this D.R. 5.5 Zone, within which his property is situated, defies logic in terms of sound planning concepts and should have been omitted. The D.R. 16 and M.L. Zone line should, in his opinion, coincide. Residential uses contemplated under such zones and/or narrow strip could not be economically or feasibly developed.

The Petitioner's real estate expert testified to several changes that have, in his opinion, taken place in the area since the adoption of the Zoning Map in 1971. These changes include the Reclassification to B.M. Business, Major, and the construction of an eight story motor hotel complex on a large parcel of land located less than 350 feet southwest of the subject property; the fact that the Security Boulevard frontage, with the exception of one lot, has been completely developed on a commercial basis from its intersection with Woodlawn Drive at the main Social Security Administration complex to that point which is nearest the subject parcel; the Social Security Administration's demand for acquisition of office space in the neighborhood has increased the need for small office buildings such as is contemplated in the development of the subject parcel; public improvements such as roads and highway, e.g., relocated Belmont Avenue and the extension of Security Boulevard; and the extension of the utilities having had the effect of completely changing the character of the subject neighborhood.

The Petitioner's traffic expert felt that the construction of Gordon Road from relocated Burmont Avenue to the subject property, together with the reduction in the floor area of the proposed building, would alleviate any traffic problems that might result from the proposed improvements. He was also of the opinion that the type of use proposed, i.e., offices of an electronic

- 3 -

sales firm, would not generate the number of trips projected by the Department of Traffic Engineering. It was his further opinion that, if the property could be developed under its present classification, Gordon Road, as presently proposed, would not be improved. The traffic resulting from such a development would utilize and burden existing sub-standard residential roads in the area.

Without reviewing all testimony and evidence in detail but based on the foregoing testimony and evidence, it is the opinion of the Deputy Zoning Commissioner, that the Petitioner has met his burden of proving error. The Petitioner's property, along with other D.R. 5.5 zoned properties that lie within the narrow strip between land zoned primarily for apartments and industrial uses, cannot and should not be expected to be logically developed within that zone. Many changes have occurred in the area that include the extension of utilities, the relocation and construction of Belmont Avenue from which the subject property will gain access via Gordon Road, the Reclassification of a large nearby tract and the subsequent construction of an eight story motor hotel thereon, and the expansion of the Social Security complexes, which have placed a demand on office facilities in the area, justify the Petitioner's case of change in the character of the neighborhood along with error in the map.

Insofar as the Special Exception is concerned, the proposed use would be most compatible with surrounding zoning uses and, with certain restrictions, will meet the requirements of Section 502.1 of the Baltimore County Zoning Regulations and should also be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 7th day of April, 1975, that the herein described property or area should be and the same is hereby reclassified from a D.R. 5.5 Zone to a D.R. 16 Zone, and a Special Exception for an office building should be and the same is granted, from and after the date of this Order. Said granting shall be subject to the following restrictions:

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1. Prior to the issuance of a building permit for the proposed office structure, the present Contract Purchaser or the then legal owner of the subject property shall enter into a Public Works agreement to construct Gordon Road, as required by the Department of Public Works, from its intersection with the relocated Burmont Avenue in a northwesterly direction to the subject property.
2. Any office building constructed on the subject property shall not exceed the height of three stories.
3. Approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

James S. [Signature]
Deputy Zoning Commissioner for
Baltimore County

IN THE MATTER OF THE PETITION OF *
BURGIN-KREH ASSOCIATES, INC., *
CONTRACT PURCHASER, FOR RECLASSI- *
FICATION FROM A D.R. 5.5 ZONE TO *
A D.R. 16 ZONE AND FOR A SPECIAL *
EXCEPTION TO PERMIT AN OFFICE *
BUILDING ON PROPERTY LOCATED IN *
THE VICINITY OF HILL DRIVE, GROVE *
AVENUE AND GORDON ROAD, FIRST *
ELECTION DISTRICT, BALTIMORE *
COUNTY, MARYLAND. *

BEFORE THE ZONING COMMISSIONER *
OF BALTIMORE COUNTY *

MEMORANDUM IN SUPPORT OF PETITION FOR
RECLASSIFICATION AND SPECIAL EXCEPTION

Burgin-Kreh Associates, Inc. is the contract purchaser of a 2.408 acre parcel of land situated to the northwest of and in proximity to the interchange of the Baltimore Beltway and Security Boulevard. The subject parcel is bounded on the east by Hill Drive, on the south by Grove Avenue and on the west by Gordon Road, and is presently undeveloped with the exception of an old outbuilding.

The Baltimore County Planning Board adopted on June 15, 1972, the "1980 Guideplan for Baltimore County." In doing so it took into recognition the need for orderly urban development patterns and designated certain areas of the County as "Town Centers" and "Sector Centers." The Town Center concept envisions three to five communities oriented toward a central complex of many major public and private facilities with populations ranging from 100,000 to 150,000 people and intended as "the prime cultural and social focus within a given large area of the metropolitan region." In addition to large and highly specialized stores and major educational institutions, the Town Center is proposed for a library, a police and fire station, post office and "a host of professional and governmental offices and service facilities."

A larger area of urban development is the Sector Center, five of which are designated on the 1980 Guideplan. The Planning Board defines the Sector Center as "a Town Center that includes facilities providing a significant degree of service for residents of other towns.... and the area embracing the towns served is a sector. A sector may include a fourth to a third of Baltimore County's present urban area."

One of the five sector centers designated by the Planning Board has as its approximate focal point the Baltimore Beltway --Security Boulevard interchange and extends westerly considerably beyond Rolling Road. The subject parcel is situated almost in the center of this sector.

With obvious recognition of this sector planning concept the Baltimore County Council at the time of its adoption of the comprehensive land use maps in March, 1971, provided large tracts of M.L. and M.L.R. zoning in the immediate neighborhood of the subject parcel, i.e. the area between the Baltimore Beltway and Rolling Road. It is submitted, however, that the Council failed to designate a proper diversity or mix of zoning classifications in this "neighborhood" to accommodate the various uses proposed for a Sector Center. Zoning for small general purpose office development, not of the restrictive and limited nature permitted within in a M.L.R. zone, was not provided. The subject parcel is situated within a strip or narrow tributary between a D.R. 16 zone at its northern boundary and an M.L.R. zone at its southern boundary, and thus defies logic in terms of sound planning concepts. To allow small general office building development by way of special

exception it is submitted that the D.R. 16 line and the M.L.R. line should coincide. Furthermore, the subject parcel is clearly not adaptable for development under D.R. 5.5 in that residential uses contemplated under such zone could not be economically nor feasibly developed in this narrow strip between the industrial zone and the most dense category of residential zoning. It is submitted, therefore, that the Baltimore County Council committed clear and unequivocal error in subjecting the subject parcel to a D.R. 5.5 classification at the time of adoption of the 1971 comprehensive land use maps.

It is further contended that there has been a very substantial change in the character of the neighborhood in which the subject parcel is located:

1. A large parcel of land located approximately 300 feet southeast of the subject property on the southeast side of the intersection of Grove Avenue and relocated Belmont Avenue has been reclassified to B.M. and an eight story motor hotel complex has been constructed.
2. On a large parcel, 900 feet plus minus due south of the subject property, a large shopping center complex has been constructed (Security Square Mall).
3. Except for one lot, Security Boulevard has completely developed on a commercial basis from its intersection with Woodlawn Drive and the main Social Security Administration complex to that point which is nearest the subject parcel.
4. The Social Security Administration's demand for an acquisition of office space within the neighborhood has increased the need for small office buildings such as is contemplated in the development of the subject parcel.

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John B. Howard

John W. Hession, III
John W. Hession, III

Very truly yours,

 JAMES E. DYER
 Deputy Zoning Commissioner

JED/me
Attachment

John W. Hession, III
JOHN W. HESSIAN, III
People's Counsel
County Office Building
Towson, Maryland 21204
410--3211

I HEREBY CERTIFY that a copy of the foregoing Order was mailed this 5th day of March, 1975 to John B. Howard, Esquire, Cook, Mudd, Murray & Howard, 407 Washington Avenue, Towson, Maryland 21204, attorney for Petitioner.

MAR 5 '75 PM



200000 DEPARTMENT

By _____

John W. Housen III
JOHN W. HOUSEN - III

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

By Order of
ERIC DINENNO
 Zoning Commissioner of
 Baltimore County
 Feb. 13.

Cost of Advertisement. \$

BY ORDER OF
S. ERIC DINENNA
JUNIOR COMMISSIONER OF
BALTIMORE COUNTY

By C. Curran

District: 1st
Posted for: APPEAL
Date of Posting: MAY 16, 1975
Postitioner: BERNARD M. BEALE
Location of property: NE CORNER OF GROVE AVE AND HILL DRIVE
Location of Signs: #1 NE CORNER OF GROVE AVE & HILL DRIVE
#2 E SIDE GROVE AVE. 50' +/- N. of HILL DRIVE
Remarks:
Posted by: Thomas L. Boland
Date of return: MAY 23, 1975

District 1st Date of Posting FEB. 15 1975
 Posted for PETITIONS FOR DECLASSIFICATION OF SPECIAL EXCEPTION
 Petitioner: BERNARD M. PERIS
 Location of property: NE 1/4 OF GROVE AVE AND HILL DRIVE
 Location of Signs: ONE COR. OF GROVE AVE. AND HILL DRIVE
(2) SE. SIDE GARDEN RD. 60' W. OF GROVE AVE.
 Remarks:
 Posted by JR. and E. Poland Date of return FEB. 21 1975

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

No. 17123

DATE Nov. 20, 1975 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION
 WHITE - CASHIER
 YELLOW - CUSTOMER

Meers, Cook, M&D, Murray & Howard
 109 Washington Ave.
 Towson, Md. 21204
 Petition for Reclassification and Special Exception for
 Bernard M. Rome

500 CHS

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

No. 17918

DATE March 6, 1975 ACCOUNT 01-662

AMOUNT \$172.28

DISTRIBUTION
 WHITE - CASHIER
 YELLOW - CUSTOMER

John B. Howard, Esq.
 109 Washington Ave.
 Towson, Md. 21204
 Advertising and posting of property for
 Bernard M. Rome #75-191-RX

722 CHS

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

No. 20361

DATE May 7, 1975 ACCOUNT 01-662

AMOUNT \$30.00

DISTRIBUTION
 WHITE - CASHIER
 YELLOW - CUSTOMER

John W. Hassian, III, Esquire
 Cost of Filing of an Appeal and Posting of Property on
 Case No. 75-194-RX (Item No. 3)
 NE/corner of Grove Avenue and 1st Drive - 1st Election
 District
 Bernard M. Rome - Petitioner

300 CHS



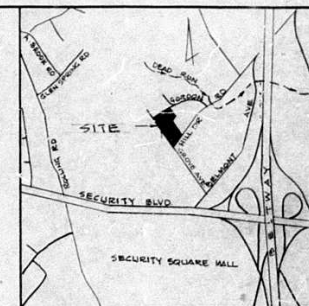


1
X3 12/12



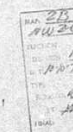
8-11 SE

4



<u>PARKING DATA</u>		
<u>1ST FLOOR:</u>	FLOOR AREA: 9600 SF	
	REQ'D PARKING: 1 SPACE FOR 300 SF FLOOR SPACE	32
<u>2ND THRU 5TH FLOORS:</u>	FLOOR AREA: 38400 SF	
	REQ'D PARKING: 1 SPACE FOR 300 SF FLOOR SPACE	77
	TOTAL REQ'D PARKING	109
	TOTAL PARKING SHOWN	174
TYP. PARKING SPACE SIZE 9'11" X 20'6"		

EXISTING ZONING DR-55
GROSS AREA 2.4080 AC.
PLAT WRC. 7/95
LOTS 58-61, 78-83, 84
ELECTION DISTRICT 1
BLDG HEIGHT NOT TO EXCEED 60 FT.



old Plot

APPLICATION FOR REZONING
DR-16 WITH SPECIAL EXCEPTION

BURGIN AND KREH ASSOCIATES
OFFICE BUILDING

ALTAN KEMAHLI, CONSULTING ENGINEER.
29 ALLEGHENY AVE. TOWSON, MARYLAND
206-8770

DRAWING TITLE
SITE PLAN

SCALE: 1"=10'

DATE: 9-16-74



