PETITION FOR ZONING RE-CLASSIFICATION 78-179x AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, MCCHM. Mildred Mr. Molker. 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 (I) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an DR-16

4/7/78

x5

Property is t	o be posted and advertised as pro	scribed by Zoning Regulat	ons.
	e to pay expenses of above re-clas		
	n filing of this petition, and furth		
0	estrictions of Baltimore County ad	opted pursuant to the Zon	ng Law for Baltimor
County.			100
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191		. Mr.	12. 21 00
V. C.	Contract purchaser	the Colyel	Legal Owner
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81 77	000		
132/1	po Janace		
John .	P. O'Ferrall		rotestant's Attorney
Address 343 N	. Charles Street		
	more, Maryland 21201		3
OPDEPED I	By The Zoning Commissioner of I	Saltimore County, this	DIAT d

Tous la Mensia

11:00A

3/2/78

County, on the 2nd day of march

BRIEF

The subject property is located at 9516 Harford Road, Baltimore County, Maryland. The petitioner seeks a change in zoning classification from DR-16 to BL.

The property is presently zoned partially BL and partially DR-16.

At the time the property was zoned DR-16, the developers of the zoning map apparently attempted to establish a buffer zone between the subject property and residential property situate on Joppa Road and the northwest. The zoning failed to take into account a natural boundary between the subject property and the property adjoining to the northwest; namely, a 15 foot precipitous hill or rise in terrain. See MacDonald v. County Board, 238 Md. 549, and Pattey v. Board of County Commissioners, 271 Md. 352.

Since the adoption of the present zoning classification, many changes have occurred in the area immediately adjacent to the subject property. South of the subject property, a John Hancock Life Insurance Company office building has been erected. To the north and east of the subject property, numerous new commercial uses have been established. The property is near the intersection of Joppa and Harford Roads, one of the major North-South-East-West intersections in the County

Baltimore County, Maryland and the State of Maryland have existing plans for the widening of Harford Road, which substantially eliminates the BL portion of the subject property.

The Petitioner submits that there have been significant changes in the area centered around the intersection of Joppa and Harford Roads, which would justify the change from DR-16 zoning to BL zoning of the subject property. Clayman v. Prince George's County, 266 Md. 409.

DE. PETITION FOR RECLASSIFICATION Beginning 180' NW of Harford Rd. 440' NE of Fifth Ave., 9th District MILDRED M. WALKER, Petitione

: BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

......

: Case No. 78-179-R

ORDER TO ENTER APPEARANCE

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kountz, Jr. Deputy People's Counsel

John W. Hersian To John W. Hessian, III People's Counsel County Office Building Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 10th day of February, 1978, a copy of the aforegoing Order was mailed to John P. O'Ferrall, Esquire, 343 North Charles Street, Baltimore, Maryland 21201, Attorney for Petitioner,





PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

(1) Continued

AM

00 31 77 AM

OFFICE OF PLANNES & ZONOS

parking to service the office building. On the east and the northeast, commercial development has been evidenced by the erection of an office building and a new gasoline statior. The State of Maryland and Baltimore County, Maryland, have summitted plans for the widening of Harford Road in front of the subject property, which would eliminate from the subject property a very large portion of the BL zoning use area.

March 8, 1978

John P. O'Ferrall, Esquire 343 North Charles Street Galtimore, Maryland 21201

> RE: Petition for Reclassification Beginning 180' NW of Harford Road, 440' NE of Fifth Avenue -9th Election District Mildred M. Walker - Petitioner NO. 78-179-R (Item No. 5)

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

GTM/me

ce: Mr. Thomas Polk 9719 Harford Road Baltimore, Maryland 21234

John W. Hessian, III, Esquire People's Counsel

GERHOLD, CROSS & ETZEL Registered Professional Land Survey
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204

September 29, 1977

Zoning Description

All that siece or parcel of land situate, lying and being in the Einth Election District of Saltimore County, State of Maryland and described as follows to wit:

and described as follows to wit:

Beginning for the same at a point in the Bouth 25 degrees 17 minutes East 190.7 Foot line of the first parcel of land which by a deed dated April 18, 1961 and recorded among the Land Ascords of Baltimore County in Liber 4.1.4. No. 1800 folio 6 was conveyed by Clayton County in Liber 4.1.4. No. 1800 folio 6 was conveyed by Clayton the State of the County in Liber 4.1.4. No. 1800 folio 6 was conveyed by Clayton the State 1800 folio 1 which is the scaling maps of Baltimore County, said point of beginning being distant North 25 degrees 17 minutes was 180 feet from the center of the County of the State 1800 folio 1 which was conveyed to the County of the County of

Containing 0.08 of an Acre of land more or less.

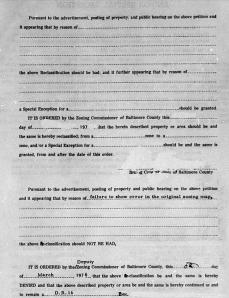
Being the property of the petitioners herein as shown as parcel B on a plat filed in the office of the Zoning Commissioner.



William & ulruch J?

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE PETITION AND SITE PLAN **EVALUATION COMMENTS**

BALTI MORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 31, 1977

COUNTY OFFICE BLDG. 111 W. Chesapeaks Ave. Towson, Maryland 2120

Dopartment of Traffic Engineering

Bureau of Fire Prevention

Project Planning

Bu. Iding Departmen

Board of Education

Bureau of Engineering

John P. O'Perrall, Esquire 343 North Charles Street Baltimore, Maryland 21201

RE: Reclassification Petition Item Number 5 - Cycle II Petitioner - Mildred M. Walker

Dear Mr. O'Ferrall:

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 opportunities of the zoning action requested, but the second of the zoning action requested, but the second of the zoning are made warre of plans are problement of the zero problement of zero

This .08 acre parcel of land, zoned D.R. 16, is located to the rear of an existing lawn mower/storm wisdow repair shop known an 9516 latrod Road. Property to the rear of the rear of the latrod Road. Property of the rear of

The proposal is to rezone this parcel to commercial (B.L.). However, no proposed use is indicated. Before this committee can comment on this request, the proposed use must be indicated as well as the existing parking and entrances for the repair shop. In addition, this

John P. O'Perrall, Esq. Page 2 Item No. 5 Oct. 31, 1977

plat is the same plat that was filed with the petition for the adjoining property, therefore, the notes pertaining to that petition must be removed and the applicable notes included.

This petition for Reclassification in 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 November 28, 1977 in order to this office prior to November 28, 1977 in order to this office prior to November 28, 1977 in order to this office prior to November 28, 1977 in order to this office prior to November 28, 1977 in order to this office prior to November 28, 1978 in comply as and advertising. Positive to comply as one prior to the comply as the complex of the complex o

Very truly yours.

Mills & Connobar Zoning Plans Advisory Committee

cc: Gerhold, Cross & Etzel Registered Land Surveyors 412 Delaware Avenue Towson, Maryland 21204



Maryland Department of Transportation

Hermann K, Inter Secretary Bernard H, Evans

October 7, 1977

Mr. S. Eric DiNenna Zoning Commissioner County Office Bldg. Towson, Md. 21204

Attention: Mr. N. Commodari

Re: Meeting for Cycle II Re: neeting Item: 5 Property Owner: Mildred M. Walker Location: 180' NW Harford Rd. (Rte.147) 440' NE Harford Road 440' NE Harford Existing Zoning: D.R. 16 Proposed Zoning: B.L. Acres: 0.08 District: 9th

Dear Mr. Di Nenna: The means of access must be clearly defined on the plan. The proposed use of the property must be indicated.

The proposed right of way for Harford Road is basically correct as best as can be determined at this time.

Very truly yours, Charles Lee, Chief Bureau of Engineering Access Permits Jeh 5 me By John E. Meyers

October 14, 1977

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

Dear Mr. DiNenna

Comments on Item \$5, Zoning Cycle II, Cctober 1977, are as follows:

Property Owner: Mildred M. Walker Location: 180' NW Harford Road 440' NE Fifth Road Existing Zoning: D. R. 16 Proposed Zoning: B. L. Acres: 0.08 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 zoing in question, but are to assure that oll 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 existing and proposed uses. The plan should also indicate all adjacent owners.

Very truly yours,

John Zevenbly John L. Wimbley Planner III

Project and Development Planning

October 24, 1977

Mr. Eric S. DiNenna Zoning Commissioner 2nd Floor, Courthouse Towson, Maryland 21204

RE: Item 5 - ZAC - October 13, 1977 Property Owner: Mildred N. Walker Location: 180 'N Marford Md. 440' NE Fifth Rd. Existing Zoning: D. R. 16 Proposed Zoning: B. L. Acres: 0.08 District: 9th

The subject petition is requesting a change from D. R. 16 to B. L. of 0.08 acres. Due to the size of this petition, there is no appreciable change in trip density.

The intersection of Harford Road and Jopya Roads is operating at Level of Service E.

C. Virtue Mon C. Richard Moore Assistant Traffic Enginee

Very truly yours,

CRM/has

Very truly yours, ELISWORTH N. DIVER, P.P. Chief, Bureau of Engineering

October 25, 1977

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

Baltimore County highway and utility improvements are not directly involved 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.

The Petitioner must provide necessary drainage facilities (temporary or permanent to prevent creating any muisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any probles which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item \$5 of Zoning Cycle II (Octobe: 1977 - April 1978).

Re: Item #5 (Cycle II) October 1977 - April 1978 Property Owner: Mildred M. Walker 18° VM/ Warford M. 440 ME Harford Rd. Existing Zoning: D.R. 16 Proposed Zoning: B.L. Acres: 0.08 District; 9th

N-NE Key Sheet 36 NR 18 Pos. Sheet NE 9 E Topo 71 Tax Map

ORDER RECEIVED FOR FILING

TOWSON, MARYLAND 21204

Mr. S. Eric DiNenna Zoning Commissioner County Office Building

Dear Mr. DiNenna

General:

THORNTON M. MOURING, P.E. DIRECTOR

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



October 14, 1977

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

Dear Mr. DiNenna:

Comments on Item #5, Zoning Advisory Committee Neeting for Cycle II, October 5, 1977, are as follows:

Property Owner: Hildred M. Walker Location: Existing Zoning: D.R. 5 Proposed Zoning: B.L. Acres: 0.06

Metropolitan water and sewer are available, therefore no health hazards are anticipated.

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

Very truly yours,

THD/KD/fth

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 11, 1977

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

Z.A.C. Meeting of: Cycle II

RE: Item No: 5
Property Owner: Mildred M. Walker
Location: 1 180' NW Harford Rd. 440' NE Harford Rd.
Present Zoning: D.R. 16
Proposed Zoning: B.L.

District: 9th

Dear Mr. DiNenna:

No effect on student population

Very truly yours W. Ted Kunel W. Nick Petrovich. Field Representative

WNP/bp



October 26, 1977

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

Re: Property Osmer: Mildred M. Walker Location: 180' NW Harford Rd. 440' NE Harford Rd.

Zoning Asenda Cycle II

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comeents below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Pire hydrants for the referenced property are grequired and shall be located at intervals of fort along an approved road in accordance with Baltimore County Standards as published by the Department of Public Nortes.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead-and condition shown at____

EXECUS the maximum allowed by the Fire Department.

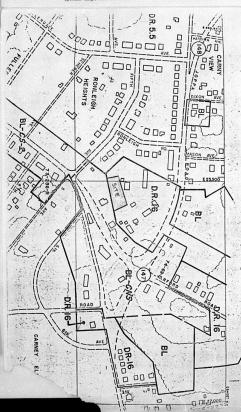
() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations

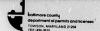
(xx) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the Hational Pire Protection Association Standard No. 101 "Life Safety Code", 1970 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

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

At JO Telly Motod and Leone Milegand Deputy Chief Fire Prevention Duroau Planning Group Special Imspection Division





October 10, 1977

Mr. S. Eric Di'Anna, Zoning Commi Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. DiNenna

Comments on Item # 5 Zoning Advisory Committee Meeting, Cycle II are as follows:

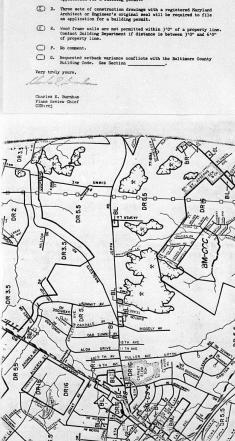
Property Owner: Mildred M. Walker Location: 1800 N/M Harford Road - hh0' M/E Pifth Ave. Existing Zoning: D.E. 16
Proposed Zoning: D.L.

The items checked below are applicable:

(E) A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.

(X) B. A building permit shall be required before construction can begin.

C. Three sets of construction drawings will be required to file an application for a building permit.



SHEET



Mr. 3. Eric DiNenna, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Comments on Item # 5 Zoning Advisory Committee Meeting, CYCLE II REVISED

Property Owner: Mildred M. Walker Location: 185° M/* Harford Road - 440° M/E Pifth Avc. Existing Zoning: B.R. 16 Proposed Zoning: B.L.

The items checked below are applicable:

(X) A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.

∑ B. A building permit shall be required before construction can begin.
 □ C. Three sets of construction drawings will be required to file an application for a building permit.

D. Three sets of construction drawings with a registered Karyland Architect or Engineer's original seal will be required to file an application for a building permit.

E. Wood frame walls are not permitted within 3'0" of a property l'ne. Contact Building Department if distance is between 3'0" and 6'0" of property line. Concrete blocks walls are acceptable.

P. An alteration permit may be required to assure building meets
 Code requirements for proposed use.
 G. Requested setback variance conflicts with the Baltimore County
 Building Code. See Section



Charles E. Burnham Plans Review Chief CEB:rrj

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ty out	the Heat of the Heat of the Heat of Avenue by Order R. ERIO Rosing	rine: Rolling. Townso Of DINES Commiss	mom 106, Ch III W. Ch e, Marylan INA doner of	4

CERTIFICATE OF PUBLICATION

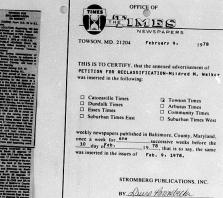
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed day of ______ March______, 1978_, the SEM publication appearing on the 9th day of February 19. 78

G. Leank Shuther

Cost of Advertisement, \$__

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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



	111 W	y Office Bu L. Chesapeak n, Maryland	e Avenue		
	Your Petition	has been r	eceived * t	his 2	day of
SEPT.	_197 7 . Fil				Check
					Cash
		Zon	L. O. / Eric DiNenn ing Commiss	ioner	Other
Petitioner_	WARKET	2 Sub	mitted by	SERNOU)
Petitioner's	Attorney	_	Review	ed by M	82

	CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Townson, Maryland
av	
District9	Date of Posting 2 - 9
Posted for: Harr	of these march 23 1978 a Mice
Petitioner:	dred Walks
Location of property:	By 180 H NIN & North Rd HOS ft.
Location of Signs	how Butil opera 180 N/W. J. Verfol Rd
offer to Mile of	5+ de Belit Chity She She
Remarks	Mess Septing Mess Septim
Posted by Mul A	/ //
Sie	Date of return: 2-16

PETITION			10	FR	JGKI	:22	2HF	ET			
FUNCTION	Wall Map		Original		Duplicate		Trocina		200 Sheet		
	date	by	date	by do	date	date by		date by		date by	
Descriptions checked and outline plotted on map					115	MB					
Petition number added to outline											
Denied											
Granted by ZC, BA, CC, CA											
Reviewed by:		-	C	hange	d Pla in ou	tline o	r desc	riptic	on		

No. 57234







No. 65476 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 02-662 Mar. 2, 1978 RECEIVED George V. Walker row Advertising and posting of property #78-179-R 1879-25NN 3 28650NS VALIDATION OR SIGNATURE OF CAGHIER

BALTIMORE COUNTY, MARYLAND OFFICE OF F. NCE REVENUE DIVISION MISCELLANE JS CASH RECEIPT

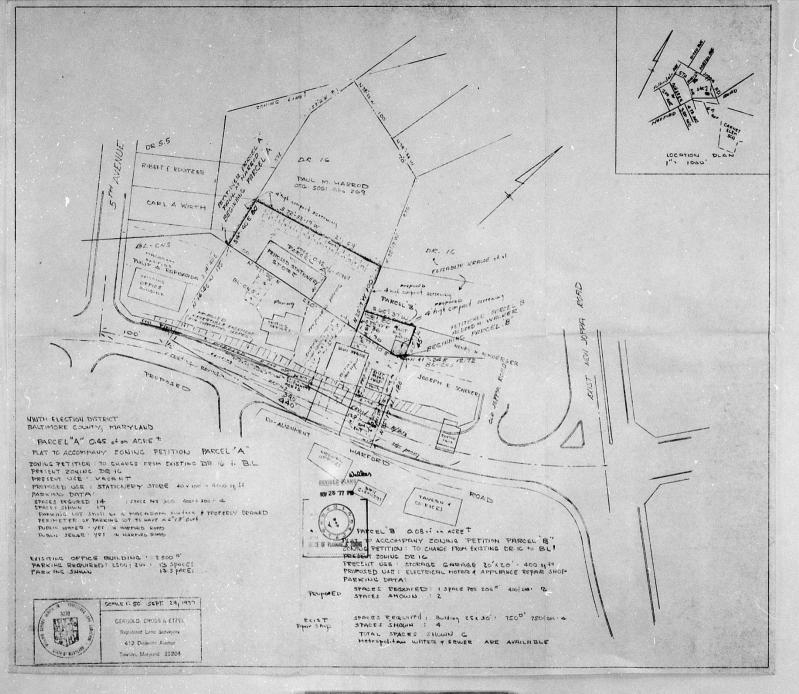
DATE Oct. 18, 1977 ACCOUNT 01-662

Towns, Md. 21204

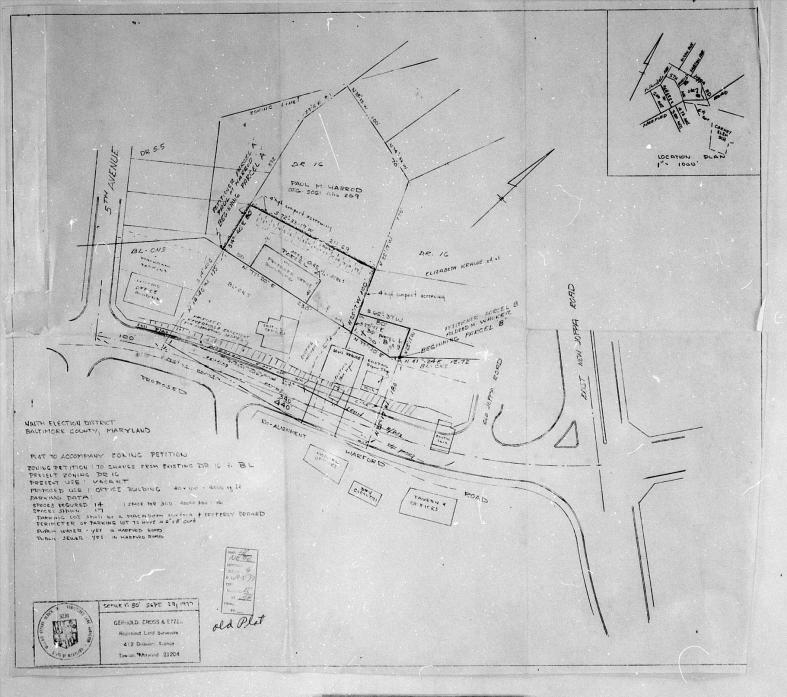
row Petition for Reclassification for Mildred Walker

281 6 00 m) 18 VALIDATION OR SIGNATURE OF CASHIER

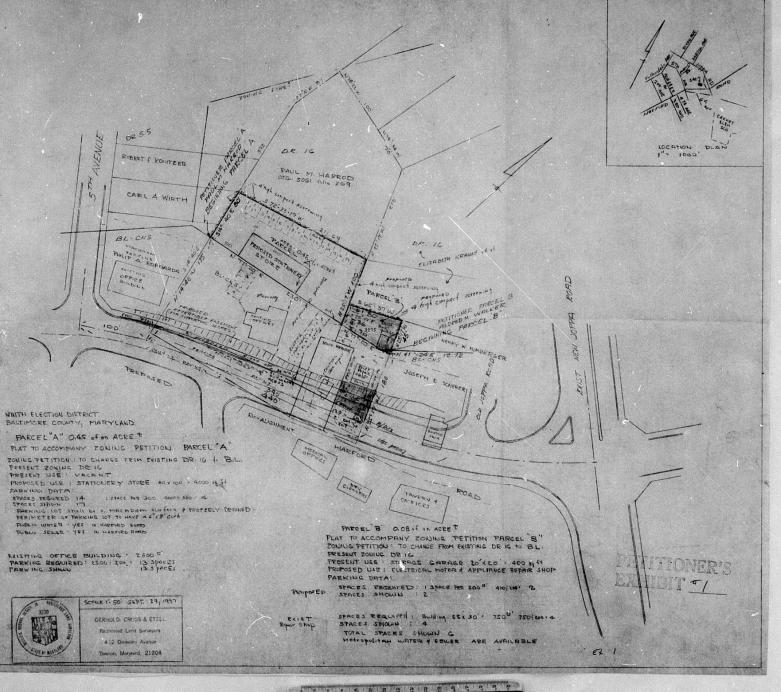
SUPPLINED.



COPLEMEN



WELLMER



NO STATES