

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO File Date January 20, 1984

FROM Arlene January - Legal Secretary II

SUBJECT Mary Rosalie Smith
Case No. R-79-18-A
(R-79-264-A)

Due to the fact that we have surpassed the statute of limitations on collecting the outstanding funds of \$234.63, the Office of Law has informed us that there is nothing further than we can do on this file.

Arlene January
Legal Secretary II

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO File Date January 20, 1984

FROM Arlene January - Legal Secretary II

SUBJECT Hillman Properties of Md., Inc.
Case No. R-79-200 (R-79-11)

Due to the fact that we have surpassed the statute of limitations on collecting the outstanding funds of \$245.35, the Office of Law has informed us that there is nothing further that we can do on this file.

Arlene January
Legal Secretary II

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO File Date January 20, 1984

FROM Arlene January - Legal Secretary II

SUBJECT Galway, Inc. - Case No. R-79-201
(R-79-12)

Due to the fact that we have surpassed the statute of limitations on collecting the outstanding funds of \$253.22, the Office of Law has informed us that there is nothing further that we can do on this file.

Arlene January
Legal Secretary II

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Mary Rosalie Smith, 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. 16 zone to an B.L. zone, for the following reasons:

MAP: 27
SECTION: 13
S. 1/4
T. 47
E. 11
DATE: 10/17/78
BY: [Signature]

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for _____

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above 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: _____ Legal Owner: _____
Address: _____ Address: 402 Bloomsbury Ave
Baltimore, Md. 21228
Petitioner's Attorney: _____ Protestants' Attorney: _____
Address: _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1978, 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 _____ day of _____, 1978, at _____ o'clock _____ M.

Zoning Commissioner of Baltimore County.

(over)

MARY ROSALIE SMITH R-79-18-A
N/E/S North Ave., 125' SE
13th District
19 (R-79-18-A)

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Philip L. Jahninen and Mary Rosalie Smith, 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 for a Variance from Section 232.2 to permit a side setback of 12' in lieu of the required 25' (residential zone which abuts site in DR 16)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Intend to use basement of existing building as a retail outlet.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance 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: _____ Legal Owner: _____
Address: _____ Address: 402 Bloomsbury Ave
Baltimore, Md. 21228
Petitioner's Attorney: _____ Protestants' Attorney: _____
Address: _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1978, 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 _____ day of _____, 1978, at _____ o'clock _____ M.

Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR RECLASSIFICATION : BEFORE
AND VARIANCE : COUNTY BOARD OF APPEALS
NE/S of North Avenue 125' : OF
SE of Leeds Avenue :
13th District :
Mary Rosalie Smith, : BALTIMORE COUNTY
Petitioner : No. R-79-18-A

OPINION

This case comes before this Board from a request of the property owner to have the subject parcel reclassified from DR 16 to BL Zoning with a request for a Variance on the side yard set backs to allow the existing structure to remain. The subject property is located on North Avenue approximately 125' South of Leeds Avenue and contains 0.25+ acres.

A study of the zoning maps shows this parcel to be part of an area zoned DR 16 that has BL-CCC Zoning on its Southeast and Southwest quadrants. The entire parcel zoned DR 16 has DR 5.5 zoning on the other two quadrants. Much testimony was presented as to the undesirability of the subject parcel as a residence because of the existence of an 11 acre shopping center directly abutting the property on one side and various businesses on the BL zoned property across the street.

It is, however, the burden of the Petitioners to prove error in the comprehensive zoning maps in order to warrant the requested change. It is the opinion of this Board that this error has not been demonstrated. Surrounding the entire BL-CCC zoning the predominant zoning is DR 5.5, a very residential type zoning. This parcel of DR 16 zoning, as a unit, seems to provide a natural transition zone along North Avenue between the BL-CCC zoning and the DR 5.5 zoning. To reclassify this one small parcel, 0.25+ acres, BL out of the large parcel zoned DR 16 would in this Board's opinion be "Spot Zoning" and would tend to break down the transition zone now in existence. The Board realizes that owning property zoned residential directly abutting a shopping center may not be desirable, but reclassifying one small parcel would only transfer the problem to other residential owners and thus destroy this already existing transitional zone.

For the above reasons, the Board feels that the Petitioner has not evidenced error in the subject parcel's existing zoning warranting reclassification and will therefore deny same. The requested variances thereby become moot and are also denied.

ORDER

For the reasons set forth in the aforagoing Opinion, it is this 27th day of August, 1979, by the County Board of Appeals, ORDERED that the reclassification from D.R. 16 to B.L. and the variance from Section 232.2 petitioned for, be and the same is hereby DENIED.

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

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William T. Hockett
William T. Hockett, Acting Chairman
LeRoy B. Spurrier
LeRoy B. Spurrier
John A. Miller
John A. Miller

- 2 -



SPELLMAN, LARSON & ASSOCIATES, INC.

SUITE 110 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-5535

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
LOUIS J. PIASECKI, P. E.

DESCRIPTION FOR ZONING, NO. 1300 NORTH AVENUE, 1ST DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the northeast side of North Avenue at the distance of 125.00 feet more or less measured southeasterly along the northeast side of North Avenue from the southwest side of Leeds Avenue and running thence and binding on the northeast side of North Avenue South 46 Degrees 47 Minutes 30 Seconds East 111.50 feet to the northwest right of way line of the Baltimore Halthorpe and Elkridge Railroad and to the zoning line dividing that land zoned BL and that land zoned DR16 thence leaving the northeast side of North Avenue and binding on said zoning line and said right of way line North 16 Degrees 27 Minutes 00 Seconds East 136.40 feet thence leaving said right of way line and said zoning line and running North 61 Degrees 00 Minutes 00 Seconds West 78.51 feet and South 29 Degrees 00 Minutes 00 Seconds West 105.89 feet to the place of beginning.

Containing 0.25 acres of land, more or less.

10-2-78



October 2, 1978.

Office of Planning and Zoning
Baltimore County
Towson, Maryland 21204

Gentlemen :

An error was made on the existing zoning map concerning the property located at 1300 North Ave., 13th Election District, Baltimore County, Md. 21227 belonging to Mary Rosalie Smith.

This property was known as parcel # 1-17 when petitioned for BL zoning on the last comprehensive zoning maps.

The petitioner claims an error on the existing map because of the following:

1. The subject property is located adjacent to a shopping center, where the A&P food store is open 24 hours a day. The noise from trucks unloading, customers cars coming and going, shopping carts being collected is constant all night. The residential use of the property has been destroyed.
2. Every lot in this block of North Ave. has been zoned BL, with the exception of this property.
3. In granting BL zoning for the subject property, the existing DR-16 buffer zone would not have to be extended because the adjoining properties are zoned DR-16, therefore maintaining the same existing buffer zone.

Mary Rosalie Smith

Mary Rosalie Smith
402 Bloomsbury Ave.
Balt., Md. 21228

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204
August 29, 1979

W. Lee Harrison, Esq.
Suite 503, 401 Washington Avenue
Towson, Maryland 21204

Re: Case No. R-79-18-A
Mary Rosalie Smith

Dear Mr. Harrison:

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,

June Holman
June Holman, Secretary

Encl.

cc: Philip L. Jahninen & Mary Rosalie Smith
Helen Lambert
Howard E. Bartholomee
Truman Wright
John W. Hession, III, Esq.
Mr. J. Jyer
Mr. William Hammond
Mr. John Seyffert
Mr. James Howell
Board of Education

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS
 PETITION FOR VARIANCE
 NE/S North Ave. 125' SE Leeds Ave. : OF BALTIMORE COUNTY
 13th District
 MARY ROSALIE SMITH, et al,
 Petitioners : Case No. R-79-18-A (Item 19)

ORDER TO ENTER APPEARANCE

To the Honorable, Members of Said Board:

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.

Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel

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

I HEREBY CERTIFY that on this 12th day of June, 1979, a copy of the foregoing Order was mailed to Ms. Mary Rosalie Smith and Mr. Philip L. Jahnigan, 402 Bloomsbury Avenue, Catonsville, Maryland 21228, Petitioners.

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

RECEIVED
 BALTIMORE COUNTY
 JUN 17 10 03 AM '79
 COUNTY BOARD
 OF APPEALS
 BY:

494-3180

County Board of Appeals
 Room 219, Court House
 Towson, Maryland 21204

May 4, 1979

CASE NO. R-79-18-A MARY ROSALIE SMITH

NE/S of North Avenue 125'
 SE of Leeds Avenue
 13th District

for reclassification from D.R. 16 to B.L.
 " variance from Section 232.2

ASSIGNED FOR: TUESDAY, JULY 31, 1979 at 10 a.m.

W. Lee Harrison, Esq. Council for Petitioners

cc: Mr. J. Dyer, Zoning
 Philip L. Jahnigan & Mary Rosalie Smith Petitioners
 John W. Hession, III, Esq. People's Counsel

Mrs. Carol Beresh
Helen Lambert Protestant
 1303 North Ave. (27)

Howard E. Bartholomae
 5204 Leeds Ave. (21227)
 Truman Wright
 1003 Leeds Avenue (21229)

H S M

*County of Appeals
 7/1/79*

MARY ROSALIE SMITH

5204 Leeds Avenue
 Baltimore, Maryland 21227
 August 3, 1979

R-79-18-A
 MARY ROSALIE SMITH

Baltimore County, Maryland
 111 W. Chesapeake Ave.
 Towson, Md. 21204
 At: Mr. Wm. E. Hammond
 Zoning Commissioner

Dear Mr. Hammond:

In reference to our telephone conversation, Tuesday, July 31, 1979 concerning zoning change # R 7918-A located on North Avenue, Arbutus, Maryland, property of Roslyn Smith:

I am concerned that that one block of North Avenue of which the property in question is located is only approximately 20 feet wide without sidewalks on either side. This is a very heavily traveled access to the East Drive Shopping Center to and from Leeds Avenue. A number of older pedestrians use this route to do their shopping at the center, A & P, Drug Fair, High'n, Dr's offices, etc. There has been numerous accidents some with personal injury and I feel nothing more should be approved until adequate sidewalks are provided on both sides of the street.

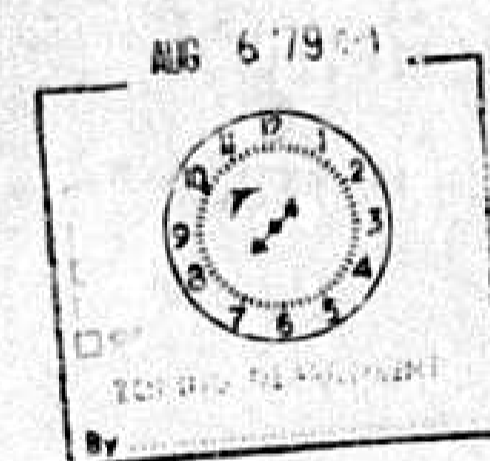
We own property on the north west corner of Leeds and North Avenues and we desired to the County a large portion of the property to widen that section of North Avenue and also provide room for sidewalks. Thank you for taking in to consideration the above.

Yours truly,

Howard E. Bartholomae

Howard E. Bartholomae

RECEIVED
 BALTIMORE COUNTY
 AUG 10 11 01 AM '79
 COUNTY BOARD
 OF APPEALS
 BY:



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing
 this 14th day of December 1978.

S. Eric Dinenna
 S. ERIC DINENNA
 Zoning Commissioner

Petitioner: Mary Rosalie Smith
 Petitioner's Attorney

Reviewed by *Nicholas B. Commodari*
 Nicholas B. Commodari
 Chairman, Zoning Plans
 Advisory Committee

Ms. Mary Rosalie Smith
 402 Bloomsbury Avenue
 Baltimore, Maryland 21228

cc: Spellman, Larson & Associates
 105 W. Chesapeake Avenue
 Towson, Maryland 21204

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21204

ofo
 Nicholas B. Commodari
 Chairman

MEMBER
 Bureau of Engineering
 Department of Traffic Engineering
 State Roads Commission
 Bureau of Fire Prevention
 Health Department
 Project Planning
 Building Department
 Board of Education
 Zoning Administration
 Industrial Development

Ms. Mary Rosalie Smith
 402 Bloomsbury Avenue
 Baltimore, Maryland 21228

December 18, 1978

RE: Item No. 18
 Petitioner - Smith
 Reclassification and Variance
 Petition

Dear Ms. Smith:

Please be advised that the acceptance certificate for the above petition, dated January 30, 1979, was incorrect. Enclosed is verification that the correct date of acceptance was December 14, 1978. This should replace the previous certificate.

Very truly yours,

Nicholas B. Commodari
 NICHOLAS B. COMMODARI
 Chairman
 Zoning Plans Advisory Committee

NBC/sf

enclosure

cc: Spellman, Larson & Associates
 105 W. Chesapeake Avenue
 Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

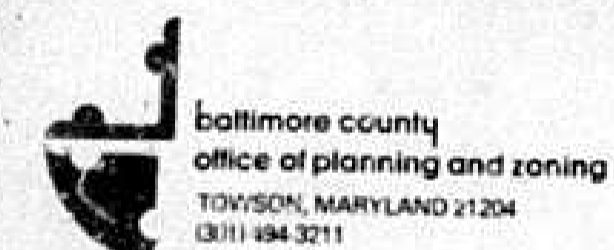
Your Petition has been received and accepted for filing as of the
 30th day of January 1979.

S. Eric Dinenna
 S. ERIC DINENNA
 Zoning Commissioner

Petitioner: Mary Rosalie Smith
 Petitioner's Attorney

Reviewed by *Nicholas B. Commodari*
 Nicholas B. Commodari
 Chairman, Zoning Plans
 Advisory Committee

Ms. Mary Rosalie Smith
 402 Bloomsbury Avenue
 Baltimore, Maryland 21228
 cc: Spellman, Larson & Associates
 105 W. Chesapeake Avenue
 Towson, Maryland 21204



LESLIE H. GRAEF
 DIRECTOR

October 31, 1978

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

Dear Mr. DiNanna:

Comments on Item # 19, Zoning Cycle IV, October 1978, are as follows:

Property Owner: Mary Rosalie Smith
 Location: NE/S North Avenue 125' SE Leeds Avenue
 Existing Zoning: D.R. 16
 Acres: 0.25
 Proposed Zoning: B.L.
 District: 13th

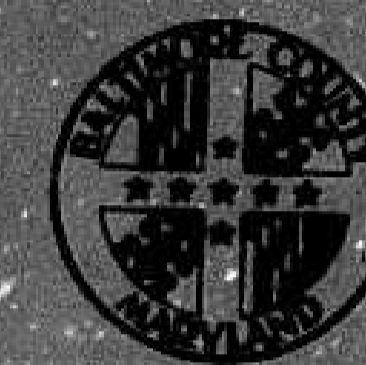
This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on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

The driveway to the site and parking layout are unacceptable. The site plan must be revised to show a workable driveway and parking layout.

Very truly yours,

John L. Wimbley
 John L. Wimbley
 Planner III
 Current Planning and Development

BALTIMORE COUNTY
 ZONING PLANS
 ADVISORY COMMITTEE



PETITION AND SITE PLAN
 EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 N. Chesapeake Ave.
Towson, Maryland 21204

cc
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

October 31, 1978

Ms. Mary Rosalie Smith
402 Bloomsbury Avenue
Baltimore, Maryland 21228

RE: Item No. 18
Petitioner - Smith
Reclassification and Variance
Petitions

Dear Ms. Smith:

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 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 suitability of the requested zoning.

Located on the northwest corner of North Avenue and East Drive in the 13th Election District and not the 1st as indicated on the submitted site plan, the subject property is presently improved with a detached frame dwelling. Adjacent properties to the east and west are zoned B.L. and D.R.16, and are improved with a shopping center and individual dwellings, respectively.

Because of your proposal to convert the basement of this building to retail use, this Reclassification is required. The site plan must be revised to indicate the comments from the Office of Current Planning and Development and the Department of Traffic Engineering, concerning the entrance, and also, the distance of the westerly property line from Leeds Avenue and not North Avenue, as indicated on the site plan. In addition, Variance forms to allow the existing building to be located 12' from the side property line in lieu of the required 25' must be submitted with this petition.

Mary Rosalie Smith
Page 2
October 31, 1978

These petitions will be 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, 1978 in order to allow time for final Committee review and advertising. All changes must be accompanied by a cover letter indicating these corrections. Failure to comply may result in these petitions not being scheduled for a hearing. Notice of the hearing date and time, which will be between March 1, 1979 and April 15, 1979, will be forwarded to you well in advance.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/sf

cc: Spellman Larson & Associates
105 W. Chesapeake Avenue
Towson, Maryland 21204

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

November 14, 1978

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

Re: Item #19 Cycle IV (Oct. '78-April 1979)
Property Owner: Mary Rosalie Smith
N/ES North Ave. 125' S/E Leeds Ave.
Existing Zoning: D.R. 16
Proposed Zoning: B.L.
Acres: 0.25 District: 13th

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:

North Avenue, an existing public road, is proposed to be improved in the future in this vicinity as a 30-foot closed section roadway on a 50-foot right-of-way. Highway right-of-way widening along the northerly side of North Avenue, including any necessary revertible easements for slopes, will be required in connection with any grading or building permit application.

The ultimate extension of East Drive northerly to Leeds Avenue at Circle Drive (see the recorded plat "Sperry Shopping Center", O.T.C. 32, Folio 148), is subject to consideration and decision by the Baltimore County Office of Planning and Zoning, and the Department of Traffic Engineering. Highway rights-of-way, including a filled area for sight distance at the northwest corner of East Drive and North Avenue and any necessary revertible easements for slopes, will be required in connection with such construction.

The construction of concrete sidewalk, curb and gutter, entrance, apron, etc. will be the full responsibility of the Petitioner.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

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.

Item #19 Cycle IV (Oct. 1978-April 1979)
Property Owner: Mary Rosalie Smith
Page 2
November 14, 1978

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

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.

Water and Sanitary Sewer:

There is a public 6-inch water main and 8-inch sanitary sewerage in North Avenue.

Very truly yours,

Elisworth N. Diver, P.E.
ELISWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:SS

cc: J. Trenner
C. R. Moore
J. Wimbley
J. Somers

G-SW Key Sheet
17 SW 15 Pos. Sheet
SW 5 D Topo
101 Tax Map

Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 484-3520

STEPHENE COLLINS
DIRECTOR

October 16, 1978

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

Item No. 19 - ZAC - Meeting for Cycle IV
Property Owner: Mary Rosalie Smith
Location: NE/S North Ave. 125' SE Leeds Ave.
Existing Zoning: D.R. 16
Proposed Zoning: B.L.

Acres: 0.25
District: 13th

Dear Mr. DiNenna:

The requested rezoning of this site is not expected to cause any major increase in traffic.

The driveway and parking lot must be redesigned to meet County standards.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Engineer Associate II

MSF/hms

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.E., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

October 18, 1978

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

Dear Mr. DiNenna:

Comments on Item #19, Zoning Advisory Committee Meeting for Cycle IV, are as follows:

Property Owner: Mary Rosalie Smith
Location: NE/S North Ave. 125' SE Leeds Ave.
Existing Zoning: D.R. 16
Proposed Zoning: B.L.
Acres: 0.25
District: 13th

Metropolitan water and sewer exist. Therefore, no health hazards are anticipated.

The parking area/s should be surfaced with a dustless, bonding material.

Very truly yours,

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

THD/RJP/fth

cc: M. L. Phillips

Baltimore County
Fire Department
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Reincke
CHIEF

October 16, 1978

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Mary Rosalie Smith

Location: NE/S North Ave. 125' SE Leeds Ave.

Item No. 19 Zoning Agenda Cycle IV

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 or _____ 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.
- (X) 4. 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 "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: *George M. Haganoff* Noted and Approved: *George M. Haganoff*
Planning Group Special Inspection Division Fire Prevention Bureau

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
(301) 484-3019

JOHN D. SEVEFFERT
DIRECTOR

October 6, 1978

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

Dear Mr. DiNenna:

Comments on Item #19 Zoning Advisory Committee Meeting, CYCLE IV are as follows:

Property Owner: Mary Rosalie Smith
Location: NE/S North Ave 125' SE Leeds Ave.
Existing Zoning: D.R. 16
Proposed Zoning: B.L. - Comply with Section 905.63

Acres: 0.25
District: 13th

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.
- X B. A building permit shall be required before construction can begin.
- X C. Additional _____ Permits shall be required, to change structure to mixed used Mercantile "C" and Residential R-3.
- D D. Building shall be upgraded to new use _____ requires alteration permit.
- E. Three sets of construction drawings will be required to file an application for a building permit.
- X F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
- I. No Comment.
- X J. Comment: Building shall be made to comply with Section 905.63, EXITS Section 501.1 Ceiling height 7'-6" Section 501.0 and other applicable code sections.

Very truly yours,

Charles E. Burbanck
Charles E. Burbanck
Plans Review Chief

CEB:rrj

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 24, 1978

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

Z.A.C. Meeting of: Cycle IV

RE: Item No:
Property Owner: Mary Rosalie Smith
Location: NE/S North Ave. 125' SE Leeds Ave.
Present Zoning: D.R. 16
Proposed Zoning: B.L.

District: 13th
No. Acres: 0.25

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich,
Field Representative

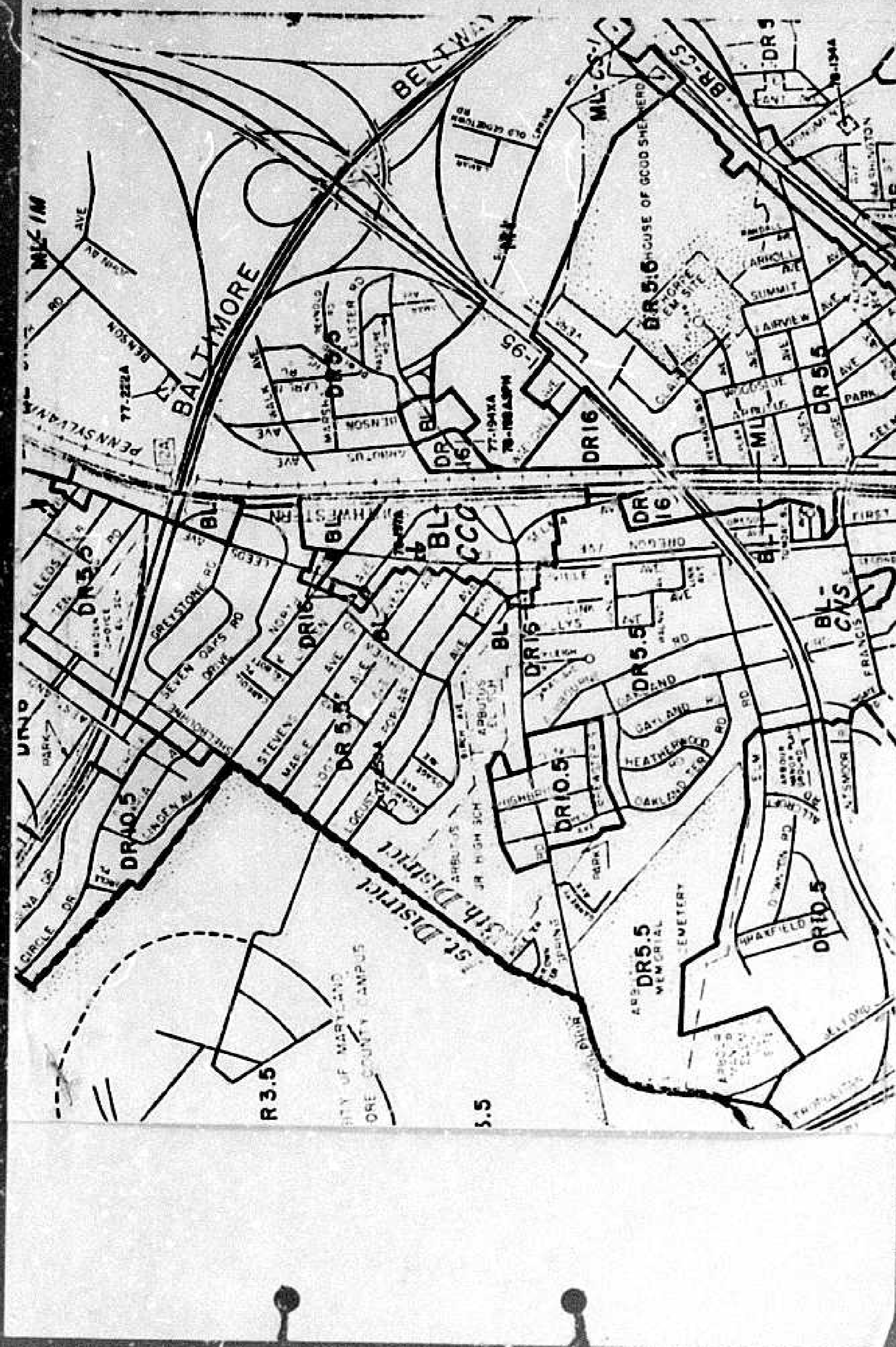
NNP/bp

JOSEPH N. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. BOTZARIIS

THOMAS N. BOYER
MRS. LORRAINE F. CHIRCUS
ROGER E. HAYDEN

ALVIN LORECK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

ROBERT Y. DUBEL, SUPERINTENDENT



PETITION FOR RECLASSIFICATION AND VARIANCE
The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter, will hold a public hearing on the following:
Proposed Zoning: B.L. and Variance to permit a side yard setback of 15 feet instead of the required 25 feet.
All that parcel of land in the Thirteenth District of Baltimore County
Beginning for the same at a point on the northeast side of North Avenue at the distance of 128.00 feet more or less measured westerly along the northeast side of North Avenue from the southeast corner of Leeds Avenue and running thence north 89 degrees 27 minutes 00 seconds East 174.00 feet thence north 89 degrees 27 minutes 00 seconds East 174.00 feet thence leaving said right of way line and said zoning line and running North 81 degrees 00 minutes 00 seconds West 78.51 feet and South 29 degrees 00 minutes 00 seconds West 108.00 feet to the place of beginning.
Containing 0.25 acres of land, more or less.
Being the property of Mary Rosalie Smith, as shown on plat plan filed with the Zoning Department Hearing Date: Tuesday, July 31, 1979 at 10:00 A.M.
Public Hearing: Room 218, Courthouse, Towson, Md. 21284.
By Order of
WALTER A. REITER, JR.,
County Board of Appeals of Baltimore County
July 12

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 12, 1979

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one time, successive weeks before the 31st day of July, 1979, the 12th day of July, 1979.

THE JEFFERSONIAN,
S. Leank Strickland
Manager.

Cost of Advertisement, \$

PETITION FOR RECLASSIFICATION AND VARIANCE
The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter, will hold a public hearing on the following:
Proposed Zoning: B.L. and Variance to permit a side yard setback of 15 feet instead of the required 25 feet.
All that parcel of land in the Thirteenth District of Baltimore County
Beginning for the same at a point on the northeast side of North Avenue at the distance of 128.00 feet more or less measured westerly along the northeast side of North Avenue from the southeast corner of Leeds Avenue and running thence north 89 degrees 27 minutes 00 seconds East 174.00 feet thence north 89 degrees 27 minutes 00 seconds East 174.00 feet thence leaving said right of way line and said zoning line and running North 81 degrees 00 minutes 00 seconds West 78.51 feet and South 29 degrees 00 minutes 00 seconds West 108.00 feet to the place of beginning.
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By Order of
WALTER A. REITER, JR.,
County Board of Appeals of Baltimore County
July 12



OFFICE OF THE TIMES NEWSPAPERS
TOWSON, MD. 21204 July 12, 1979

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR RECLASS. & VARIANCE - Mary Rosalie Smith was inserted in the following:

- Catonsville Times
- Dundalk Times
- Essex Times
- Suburban Times East
- Towson Times
- Arbutus Times
- Community Times
- Suburban Times West

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 31st day of July 1979, that is to say, the same was inserted in the issues of July 12, 1979.

STROMBERG PUBLICATIONS, INC.

BY *Etha Burge*

R-79-18-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 13th Date of Posting: July 17, 1979
Posted for: PETITION FOR RECLASSIFICATION & VARIANCE
Petitioner: MARY ROSALIE SMITH
Location of property: NE/S NORTH AVE. 125' SE LEADS AVE
Location of Signs: FRONT 1300 NORTH AVE.
Remarks:
Posted by: *Thomas L. Toland* Date of return: July 20, 1979
Signature

2 - SIGNS

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 2 day of Oct 1978. Filing Fee \$ 50.00 Received Check Cash Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner: *Mary Rosalie Smith* Submitted by _____
Petitioner's Attorney _____ Reviewed by _____

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

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 78764

DATE: July 5, 1979 ACCOUNT: #01-642

AMOUNT: \$50.00

RECEIVED FROM: Philip L. Jahnigan

FOR: Filing Fee for Case #R-79-18-A

45 JUL 5 50.00 PNC

VALIDATION OR SIGNATURE OF CASHIER

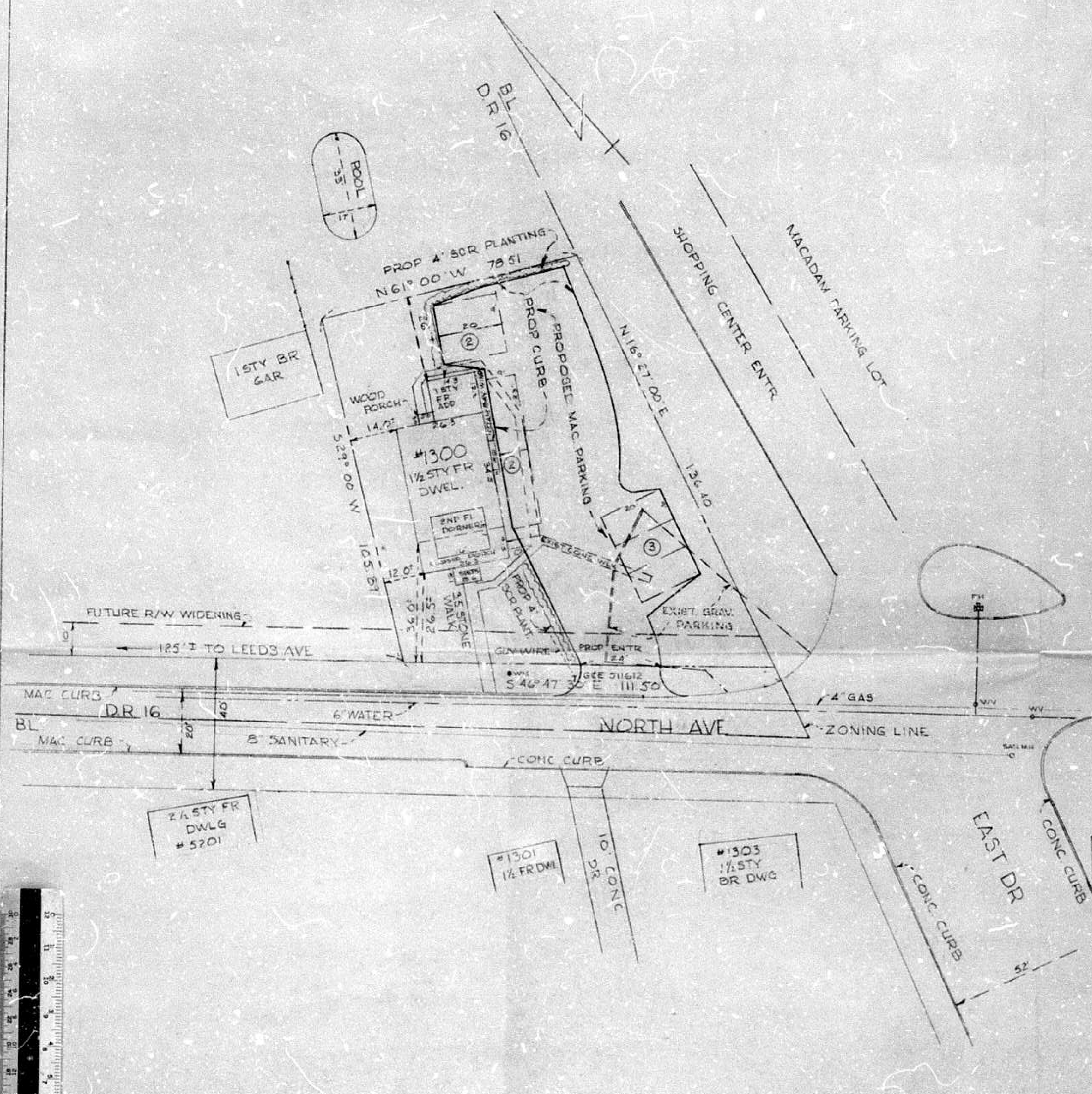


GENERAL NOTES
 EXISTING ZONING: DR 16
 PROPOSED ZONING: BL (SEE NOTE BELOW)
 EXISTING USE: DWELLING
 PROPOSED USE: 1ST & 2ND FLOOR, DWELLING
 BASEMENT, RETAIL OUTLET

AREA OF EXISTING BLDG:	1 ST FLOOR	1081.81 ^{sq} FT
	2 ND FLOOR	267.20 ^{sq} FT
	BASEMENT	907.35 ^{sq} FT
	TOTAL:	2256.36 ^{sq} FT

PARKING REQUIRED:
 1ST FLOOR: 1 PARKING SPACE FOR EACH DWELLING UNIT
 2ND FLOOR: 1 PARKING SPACE FOR EACH DWELLING UNIT
 BASEMENT: 1 PARKING SPACE FOR EVERY 200 SQ FT
 $907.35/200 = 5$ SPACES
 TOTAL PARKING SPACES REQUIRED = 7
 PARKING PROPOSED: 7
 AREA OF TRACT 10945.26 SQ FT = 0.25 AC
 NOTE: WITH VARIANCE TO PERMIT A 12' SIDE YARD INSTEAD OF THE REQUIRED 25'

PLAT FOR REZONING
 1300 NORTH AVE
 1ST ELECTION DIST.
 BALTIMORE CO, MARYLAND
 SCALE 1"=20' OCTOBER 2, 1978



OFFICE COPY
 See 4, Item 19
 JAN 19 79 AM
 REVISED PLANS



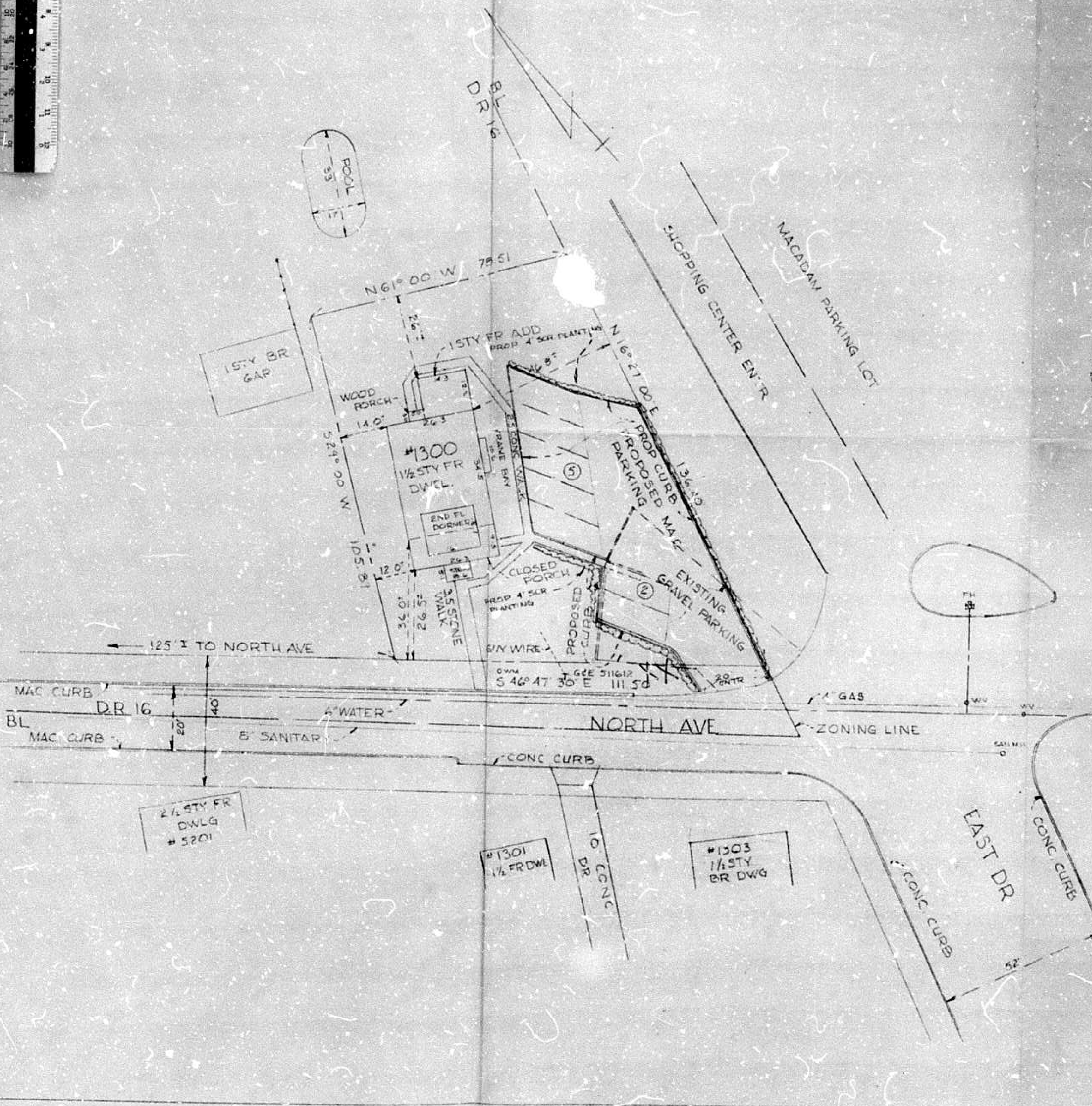
1-19-79 NOTES
 REVISED 12-13-78 PARKING
 SPELTMAN LARSON & ASSOCIATES INC.
 Timon, Maryland 21284
 823-3333

GENERAL NOTES
 EXISTING ZONING: DR 16
 PROPOSED ZONING: BL
 EXISTING USE: DWELLING
 PROPOSED USE: 1ST & 2ND FLOOR, DWELLING
 BASEMENT, RETAIL OUTLET

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PLAT FOR REZONING
 1300 NORTH AVE
 1ST ELECTION DIST.
 BALTIMORE CO, MARYLAND
 SCALE 1"=20' OCTOBER 2, 1978



Map 2B
 See 5-D
 DEC 16
 10-4-78
 BY
 JLB



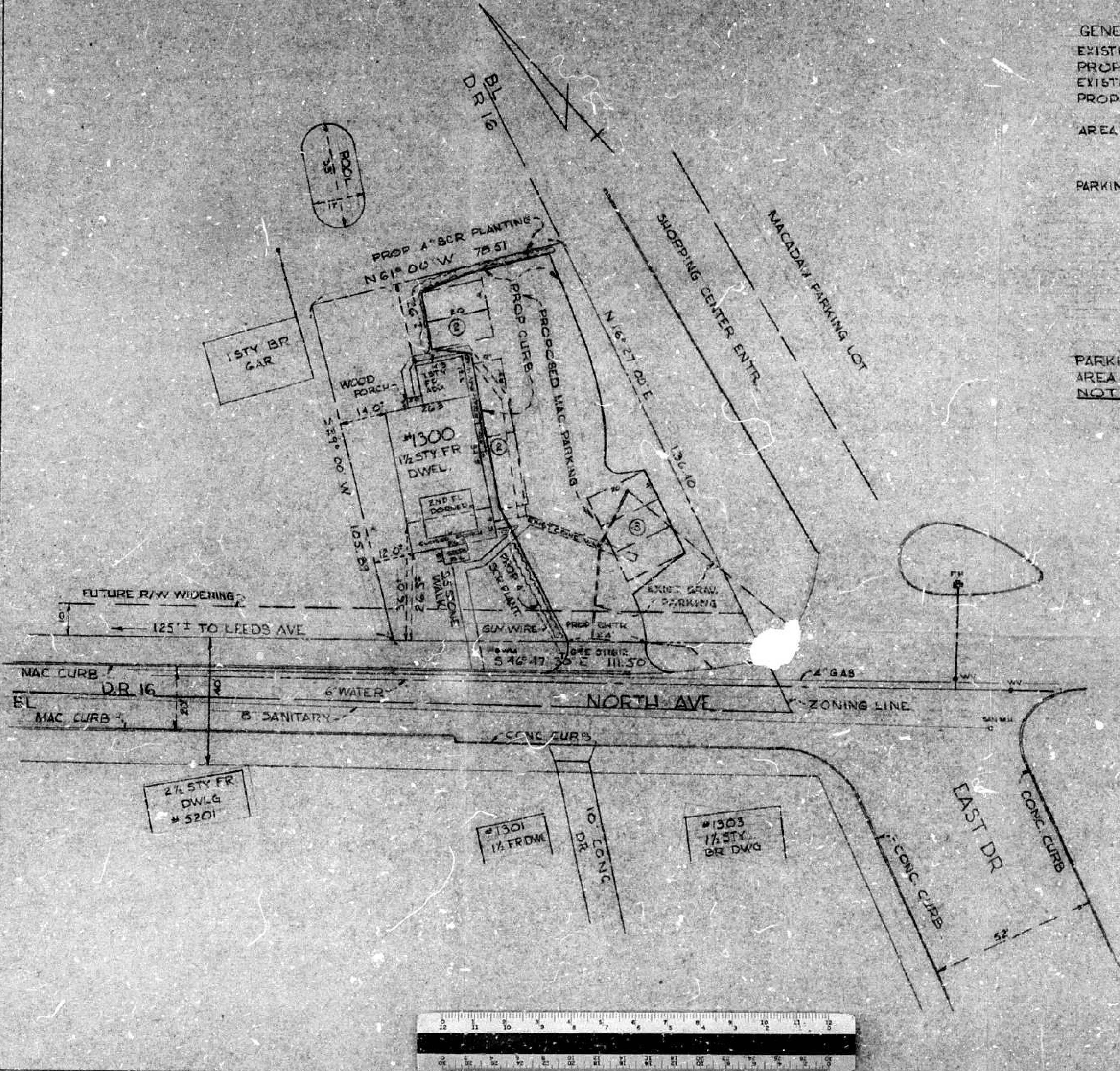
SPELTMAN LARSON & ASSOCIATES INC.
 Timon, Maryland 21284
 823-3333

GENERAL NOTES
 EXISTING ZONING: DR. 16
 PROPOSED ZONING: BL (SEE NOTE BELOW)
 EXISTING USE: DWELLING
 PROPOSED USE: 1ST & 2ND FLOOR, DWELLING
 BASEMENT, RETAIL OUTLET
 AREA OF EXISTING BLDG: 1ST FLOOR 1081.81^{sq} FT
 2ND FLOOR 267.20^{sq} FT
 BASEMENT 907.35^{sq} FT
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 BASEMENT: 1 PARKING SPACE FOR EVERY 200 SQ. FT.
 $907.35 / 200 = 5$ SPACES
 TOTAL PARKING SPACES REQUIRED = 7

PARKING PROPOSED: 7
 AREA OF TRACT: 10945.26 SQ. FT. = 0.25 AC.
 NOTE: WITH A VARIANCE TO A 12' SIDE YARD INSTEAD OF THE REQUIRED 15' AND A REAR YARD VARIANCE OF 26' INSTEAD OF THE REQUIRED 30' FEET

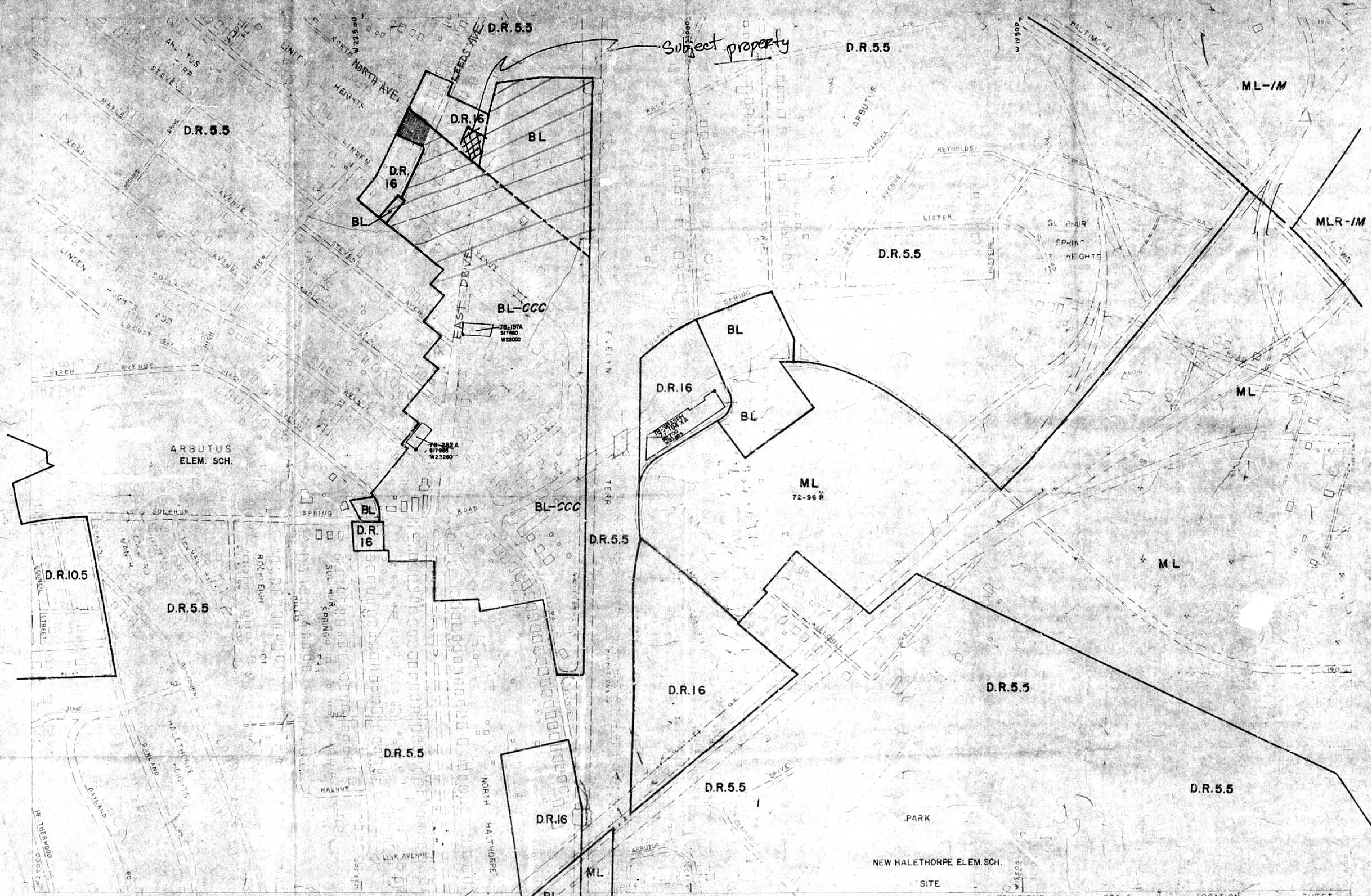
PLAT FOR REZONING
 1300 NORTH AVE
 13TH ELECTION DIST.
 BALTIMORE CO., MARYLAND
 SCALE 1" = 20' OCTOBER 2, 1978



REVISED 12-13-78 PARKING
 SPELLMAN LARSON & ASSOCIATES INC.
 Towson, Maryland 21284
 824-3535

Ref. exhibit 4

Subject property



1976 COMPREHENSIVE ZONING MAP
 ADOPTED BY THE
 BALTIMORE COUNTY COUNCIL
 OCT. 7, 1976 & OCT. 8, 1976
 BILL NOS. 108-76, 109-76, 110-76, 111-76,
 112-76, 113-76, and 114-76

PHOTOGRAMMETRIC MAP OF
 BALTIMORE COUNTY METROPOLITAN AREA
 OFFICIAL ZONING MAP

REVISIONS	DATE	SCALE	LOCATION	SHEET
		1" = 200'	HALETHORPE	SW
				5-D

DATE OF PHOTOGRAPHY

Compiled By Photogrammetric Methods
 AERO SERVICE CORPORATION - PHILADELPHIA, PA

