PETITION FOR ZONING RE-CLASSIFICATION SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 man D.R. 5.5 & M.L&C.S-zone to anM L. -C.S.-2 zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property,

and (3) for the reasons given in the attached statement, and the reasons given in the attached statement, and the attached statement attached statement and the attached statement and the attached statement and the attached statement attached statement and the attached statement and the attached statement attached stat the Zamar Law eng Zening Begwindence Batteres Country

Property is to be posted and advertised as prescribed by The Baltimere County Code:

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, 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

Legal Owner(s): Central Surphesent Object Realty Company, a.... (Type or Print Name) General Partnership (Type or Print Name) Samuel M. Dell, Jr. (Type or Print Name) Address City and State Attorney for Petitioner: Herbert R. O'Conor, III Phone No. (Type or Print Name) Harbert 18 O Conor TIT Signature Name, address and phone number of legal owner, contract purchaser or representative to be contacted Address Herbert R. O'Conor, III Cook, Howard, Downes & Tracy City and State 210 Allegheny Avenue, Towson, Md. 21204 Attorney's Telephone No.: 823-4111 Phone No.

Item No. 7 - Cycle No. III Petitioner - Dellcrest Realty Company Reclassification Fetition

If you have any questions concerning the enclosed comments, please feel free to contact me at 494-3321. Nowice of the specific hearing date, which will be between September 1 and December 31, will be forwarded to you in the

Very truly yours.

Zoning Plans Advisory Committee

NBC bsc

BABC-Form 1

Enclosures

cc: Leo W. Rader 38 Belfast Road Timonium, Maryland 21093 RE: PETITION FOR RECLASSIFICATION from D.R. 5.5 & M.L.-C.S.-2 to

: BEFORE THE COUNTY BOARD OF APPEALS

M.L. Zone OF BALTIMORE COUNTY

: (Item *7)

E/S York Rd. 219, 38' N from centerline of Halesworth Rd.. 8th District

DELLCREST REALTY CO., Petitioner

1111111

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.

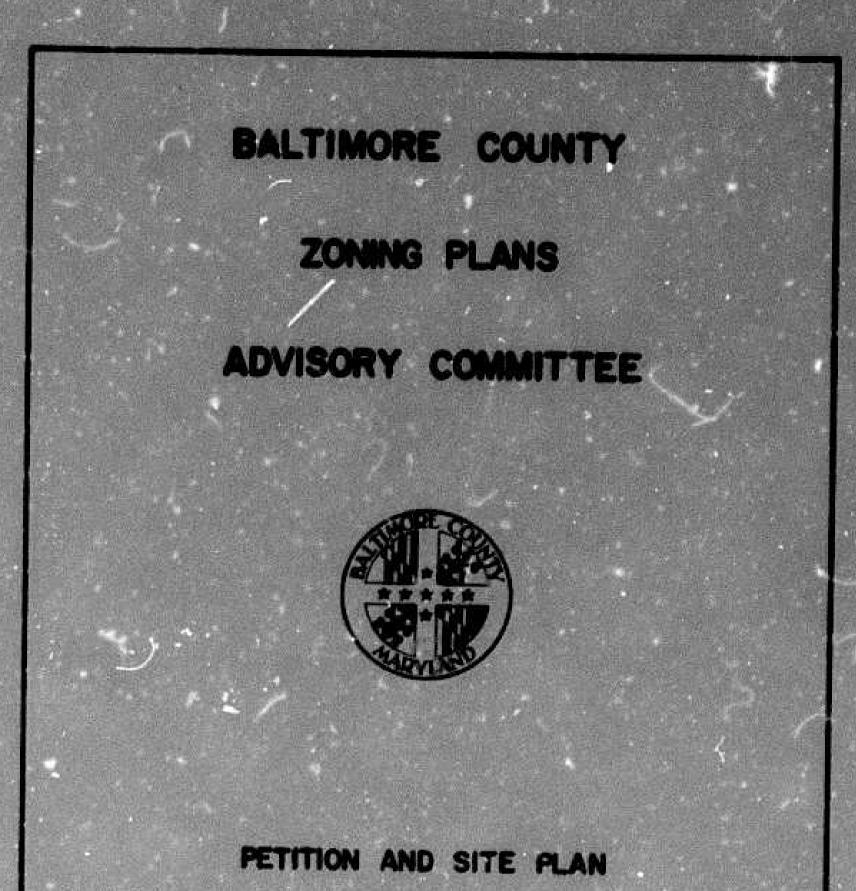
Leter Max Temmeron Peter Max Zimmerman Deputy People's Counsel

John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 15th day of June, 1932, a copy of the foregoing Order was mailed to Herbert R. O'Conor, III, Esquire, Cook, Howard, Downes & Tracy, 210 Allegheny Avenue, P. O. Box 5517, Towson, Maryland 21204, Attorney for Petitioner.

Mu W. Herrian, Ti John W. Hessian, III

EVALUATION COMMENTS



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 3, 1982

COUNTY OFFICE BLDG. III W. Chesapeake Ave. Towace, Maryland 31704

Nicholas B. Commodari

REMINDRA

Chairman.

Dear Mr. O'Conor:

210 Allegheny Avenue

Towson, Maryland 21204

Herbert R. O'Conor, III, Esquire

priateness of the zoning action requested.

fingineering Department of Traffic Engineering State Roads Commission Bureau of F. we Prevention

Health Department Project Planning building Department Board of Education Zoning Administration

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the April - October '82 reclassification cycle (Cycle III). It has been reviewed by the zoning office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appro-

RE: Item No. 7 - Cycle No. III

Reclassification Petition

Petitioner - Dellcrest Realty Company

If it has been suggested that the petition forms, descriptions, briefs, and/or he site plans be amended so as to reflect better compliance with the zoning regulations and commenting agencies' standards and policies, you are requested to review these comments, make your own judgement as to their accuracy and submit the necessary amendments to this office before May 31. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

The subjects of this petition consist of two separate parcels of land located on the east side of York Road north of Halesworth Road in the 8th Election District. Originally, this request was submitted as a result of your client's proposal to reclassify parts of these two parcels from a D.R.5.5 to an M.L. zone. These areas are located to the rear of the subject properties and abut the individual dwellings along Daventry Drive. However, in order to avoid any confusion in the future, you have decided to include the entire properties in this request. In keeping with this, you should change the petition forms to include the existing M.L. - C.S-1

In view of the fact that the submitted site plan does not indicate a proposed development of the subject property, the anclosed comments from the Committee are general in nature. If the requested reclassification is granted, more detailed comments from County agencies and/or the Committee will be submitted when a proposed development is shown.

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WOR
TOWSON, MARYLAND 21204

HARRY I PISTEL P. E. DIRECTOR

April 7, 1982

Mr. William T. Hackett, Chairman Board of Appeals Court House Towson, Maryland 21204

Re: Item #7 Zoning Cycle III (April-October 1962) Property Owner: Dellcrest Realty Company E/. York Rd., 219.38' N. from centerline of Halesworth Rd. Existing Zoning: DR 5.5 and ML-CS-2 Proposed Zoning: ML Acres: Parcel "1" - 7.119, Parcel "2" - 5.767

Dear Mr. Hackett:

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.

District: 8th

Highways:

York Road (Md. 45) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

The entrance locations and specifications are also subject to approval by the Department of Traffic Engineering.

Sediment Control:

Development of this property through stripping, grading and stabilizatio, 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.

Storm Drains:

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

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Item #7 Zoning Cycle III (April-October 1982) Property Owner: Dellcrest Realty Company Page 2 April 7, 1982

Stor. Drains: (Cont'd)

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 are public 12 and 30-inch water mains in York Road. The present and proposed means of sewering this property have not been indicated on the submitted

There is 8-inch public sanitary sewerage in Industry Lane, approximately 400 feet westerly of the indicated southernmost "Parcel One", 8-inch public sanitary sewerage exists along the west side of York Road, app: wimately 650 feet northerly of the indicated "Parcel Two", and, 8-inch public sanitary sewerage exists in Daventry Drive.

Additional fire hydrant protection will be required in the vicinity.

Bureau of Public Services

RAM: EAM: PWR: SS

cc: Jack Wimbley William Munchel

V-SE Key Sheet 62 £ 63 NW 4 £ 5 Pos. Sheets NW 16 A & B Topo 51 Tax Map



Maryland Department of Transportation

Lowell K. Bridwell M. S. Caltrider

Merch 22, 1982

Mr. William Hackett, Chairman Board of Appeals County Office Building Towson, Maryland 21204

Attention: Mr. Nicholas Commodari

Re: RE-Classification Petitions Cycle III - 1982 Meeting of March 16, 1982 ITEM: #7 Property Owner: Dellcrest Realty Company Location: E/S York Road (Route 45) 219.38' N. from centerline of Halesworth Rd.

Existing Zoning: D.R. 5.5 and M.L.-CS-2 Pro osed Zoning: M.L. Acres: Parcel "1" - 7.119, Parcel "2" - 5.767 District: 8th

Dear Mr. Hackett:

Due to the absence of any detail on the plan, we are unable to comment except to advise that the existing 80' right of way fronting parcel one, is proposed to be extended across the frontage of parcel two. This should be indicated on the plan.

> Very truly yours, Charles Lee, Chief Bureau of Engineering Access Permits

CL:JM:mew

By: John Meyers

cc: Mr. J. Wimbley Mr. G. Witcman

My telephone number is (301) 659-1350 Teletypewriter for Impaired Hearing or Speech

383-7555 Baltin ore Metro - 565-0451 D.C. Metro - 1-800-402-5062 Statewide Toll P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

March 29, 1982

Mr. William Hackett Chairman, Board of Appeals Office of Law, Courthouse Towson, Maryland 21204

> Cycle III - 1982, Meeting of March 16, 1982 Item No. 7 Property Owner: Dellcrest Realty Company Location: E/S York Road 219.38' N. from centerline of Halesworth Road Existing Zoning: D.R. 5.5 and M.L.-CS-2 Proposed Zoning: M.L. Acr s: Parcle "1" - 7.119, Parcle "2" - 5.767 District: 8th

Dea: Mr. Hackett:

The proposed zoning change from D.R. 5.5 and M.I.-CS-2 to M.L. is not expected to cause a major increase in traffic generation.

Sincerely.

Engineering Associate II

MSF/rlj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: 3/22/82

Mr. Walter Reiter Chairman, Board of Appeals Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Mary and 21204

Zoning Cycle #111

RE: Item No: 7 Property Owner: Dellcrest Realty Company Location: E/S York Road 219.38' N. from centerline of Halesworth Road Present Zoning: D.R. 5.5 and M.L.-CS-2 Proposed Zoning: M.L.

School Situation

School 1

Enrollment

Capacity

Would only result in the loss of a few pupils.

Student Yield With:

Existing Zoning

Proposed Zoning

Over/Under

Elementary

Junior High

Senior High

Very truly yours, Wm. Nick Petrovich, Assistant Department of Planning

BALTIMORE COUNTY DEPARTMENT OF HEALTH TOWSON, MARYLAND 21204 DONALD I ROOP, M.D. M.P.H. DEPUTY STATE & COUNTY HEALTH OFFICER

April 7, 1982

Mr. William Hackett, Chairman Board of Appeals Court House Towson, Maryland 21204

Dear Mr. Hackett:

Comments on Item #7, Cycle III Meeting, March 16, 1982, are as

follows:

Dellcrest Realty Company Property Owner:

E/S York Road 219.38' N. from centerline of Halesworth Road D.R. 5.5 and M.L.-CS-2

sxisting Zoning: Proposed Zoning:

Parcel "1" - 7.119, Parcel "2" - 5.767

Acres: District:

The buildings on both par els are served by metropolitan water and separate sewage disposal systems, both of which appear to be functioning properly.

Further development of either site including building additions or alterations that will involve significant increases in the potential sewage flow will necessitate the extension of public sewer to serve the sites.

The Zoning Plan, as submitted, does not contain sufficient information; therefore the Baltimore County Department of Health cannot make complete comments.

Very truly yours,

IJF/als

HYDROGRAPHY

TOPOGRAPHY

GEODESY

N mu 2 AB, Hd

LEO W. RADER

Page No. 1 of 2

CL 2-2920 OR

252-2920

SUBDIVISION ENGINEERING TITLE SURVEYS LAND PLANNING

38 Belfast Road - Timonium, Maryland 21093 April 1, 1982

REGISTERED SURVEYOR

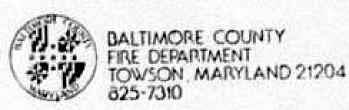
DESCRIPTION FOR RECLASSIFICATION PETITION

DELLCREST REALTY COMPANY ing, and being in the All those two pieces or parcels of land situate Eighth Election District of Baltimore Count; a of Maryland, and described as follows, to wit:

BEGINNING for the first parcel thereof on the easterly side of the York Road as widened and shown on State Road Right of Way Plats No. 42208 and No. 42209, said place of beginning being distant 219.38 feet measured northerly along the said easterly side of the York Road from the center of Halesworth Road, thence binding on the said easterly side of the York Road No. h 18 degrees 44 minutes 56 seconds West 271.11 feet and North 18 degrees 32 minutes 56 seconds West 264.09 feet; thence leaving the York Road and binding on the northerly outline of the property of Dellcrest Realty Company, North 71 degrees 09 minutes 30 seconds East 579.49 feet; thence binding on the westerly outline of the subdivision known as "Monterey" South 18 degrees 50 minutes 30 seconds East 422.00 feet and South 13 degrees 05 minutes 30 seconds East 113.77 feet; thence leaving the westerly outline of "Monterey" and binding on the southerly outline of the property of Dellcrest Realty Company, South 71 degrees 09 minutes 30 seconds West 569.87 feet to the place of beginning, as shown on the attached plat which is hereby made a part hereof. CONTAINING 7.119 acres of land more or less.

BEGINNING for the second parcel thereof on the easterly side of the York Road as widened and shown on State Road Right of Way Plats No. 42208 and No. 42209, said place of beginning being distant 1013.34 feet measured northerly along the said easterly side of the York Road from the center of Halesworth Road, thence leaving the York Road and binding on the

CYCLE IN



PAUL H REINCKE

April 6, 1982

Nr. William Hammond cc: William Hackett Chairman of Board of Appeals **Commissioner** Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Delicrest Realty Company

Location: E/S York Road 219.38' N. from centerline of Halesworth Road Zoning Agenda: Meeting of March 16, 1982

Gentlemen:

Item No.: 7

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 or 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 llowed 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 operation.

(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", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

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

Planning Group Special Inspection Divi-ton

JK /mb/ Cu

HYDROGRAPHY

Page No. 2 of 2

LEO W. RADER

REGISTERED SURVEYOR

SUBDIVISION ENGINEERING TITLE SURVEYS LAND PLANNING

TOPOGRAPHY GEODESY

CL 2-2920 OH 38 Belfast Road - Timonium, Maryland 21093 252-2920

DESCRIPTION FOR RECLASSIFICATION PETITION DELLCREST REALTY COMPANY/Pg. 2/Apr. 1, 1982 (cont'd.)

southerly outline of the property of Lellcrest Realty Company, North 71 degrees 09 minutes 30 seconds East 408.17 feet, North 18 degrees 50 minutes 30 seconds West 31.65 feet and North 71 degrees 09 minutes 30 seconds East 150.00 feet to the westerly outline of the subdivision known as "Monterey"; thence binding on the westerly outline of "Monterey" North 18 decrees 50 minutes 30 seconds West 295.84 feet, thence binding on the northerly outline of the property of Dellcrest Realty Company, North 84 degrees 44 minutes 19 seconds West 614.52 feet; thence binding on the original easterly side of the York Road as formerly 66 feet wide South 18 degrees 12 minutes 30 seconds East 578.48 feet; thence binding on the southerly outline of the property of Dellcrest Realty Company North 71 degrees 09 minutes 30 seconds East 9.17 feet to the place of beginning, as shown on the attached plat, which is hereby made a part hereof.

CONTAINING 5.767 acres of land more or less.

DEPARTMENT OF PERMITS & LICENSES TOWSON MARYLAND 21204

> TED ZALESKI, JR. DIRECTOR

April 19, 1982

Mr. William Hackett Board of Appeals

RE: Reclassification Petitions Cycle III - 1982 Meeting of March 16, 1982

Dear Mr. Hackett:

I have no comment at this time for the following Item numbers.

> Item No. Item No. /Item No. Item No. Item No. 10 Item No. 11 Item No. 12 Item No. 14 Item No. 16 Item No. 17 Item No. 18 Item No. 19

> > Plans Review Chief

CEB:es

494-3180

County Board of Apprels Room 219, Court House Tower, Maryland 21204 February 24, 1983

Herbert R. O'Connor, III, Esq. 210 Allegheny Ave. Towson, Md. 21204

Dear Mr. O'Connor:

Re: Case No. R-83-30 Dellarest Realty Co.

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,

cc: Delicrest Realty Co. J. W. Hessian, Esq. Board of Education N. Gerber J. Hoswell W. Hammand J. Dyer

WNP/bp

LAW OFFICES

COOK HOWARD DOWNES & TRACY 210 ALLEGHENY AVENUE P. O. BOX 5517

TOWSON, MARYLAND 21204

JAMES D. C. DOWNES 11906 19761

023:4/0

AREA CODE 301

May 19, 1982

JAMES H. CODE JOHN B HOWARD DIVID D. DOWNES DANIEL O'C THACT, JR JOHN H. ZINK III JOSEPH C WICH, JR HENRY B PEEK UP MERBERT M. O CONOR 22 THOMAS - MUDSON

P. O. BC 4 5517 TOWSON, MARYLAND 21204

JAMES D. C. DOWNES 11906-19791

673-695 AREA CODE 301

Administrative Secretary Baltimore County Board of Appeals Court House Towson, Maryland 21204

Re: Dellcrest Realty Company Petition for Reclassification Item No. 7-Cycle No. III Our File No. 1801/12324

Dear Mrs. Eisenhart

Mrs. Edith T. Eisenhart

JAMES H. COOK

JOHN B. HOWARD.

DAVID D. DOWNES

JOHN H. ZINK, III

JOSEPH C. WICH, JR

HENRY B. PECK, JR.

THOMAS L HUDBON

C. CAREY DEELEY, JR.

IN KING HILL III

FRANK A LAFALCE, JR

LAURENS MACLURE, JR

HERBERT # G'CONOR, III

DANIEL O'C. TRACT, JR.

The County Council, at the May 17, 1982 session, approved the May 6, 1982, Resolution of the Baltimore County Planning Board relating to the Dellcrest Realty Company Petition for Reclassification. The Resolution certifies that early action on this Petition would be in the public's interest.

This action was taken pursuant to Section 2-58.1(i) of the baltimore County Code (1980 cumulative supplement). I therefore respectfully request that you schedule this matter for a hearing on the earliest available date. By copy of this letter, Nicholas V. Commodari is notified of this request. I intend to meet with him shortly so that the public notices can be advertised.

Thank you for your attention to this matter

Very truly yours, Harlast R. O Connett

Herbert R. O'Conor, III

cc. Mr. Nicholas V. Commodari Mr. Samuel M. Dell

8 P. .

IN THE MATTER OF THE APPLICATION OF DELLCREST REALTY COMPANY FOR REZONING FROM DR 5.5 and ML-CS-2 to ML-CS-2 ON PROPERTY LOCATED ON THE EAST SIDE OF YORK ROAD, 219.38' NORTH FROM THE CENTER LINE OF HALESWORTH ROAD 8th DISTRICT

BEFORE

COUNTY BOARD OF APPEALS OF

BALTIMORE COUNTY

No. R-83-30

OPINION

This case comes before this Board on Petition for a Reclassification of a narrow portion of the Petitioner's holdings from DR 5.5 classification to ML classification so that his entire holdings will be classified ML and ML-CS-2. Petitioner's exhibit #3 clearly designates the areas in question.

Testimony and evidence presented this day produced the following history of the subject site. In 1955, the subject property was zoned ML in its entirety. Sometime in the very early 1960's, Baltimore County produced an unofficial color coded map to clarify and reflect the zoning applied in 1955. This unofficial map did not agree with the 1955 written zoning description of the subject site and did not completely identify the ML zone. In 1964, Petitionar filed for a reclassification of the area in question and this case was accorded Case No. 44-71. The then Zoning Commissioner passed on Order granting the requested zoning and according the property the requested ML zoning. In 1971, 1976 and 1980, Baltimore County drafted official zaning maps. On each of these maps the de narcation line between DR 5.5 and ML did not follow the property line but instead followed the old unofficial color coded map line even though in 1964 the Zoning Commissioner officially corrected this. This discrepancy on this demarcation line was apparently never noted by Petitioner and was never an issue on any of the three comprehensive maps adopted by Baltimore County to date. The above history is, however, well documented by Petitioner by way of exhibits presented this hearing.

LAW OFFICES COOK. HOWARD, DOWNES & TRACY PID ALLEGHENT AVENUE

FRANK & LAFA CE JA C CAREY DEELEY JR.

CAURENS MACLURE, JR.

M PNS HILL III

April 21, 1982

Mr. William F. Kirwin, Jr., Cheirman Baltimore County Planning Board C/o Office of Planning and Zoning County Courts Building Towson, Md 21204

RE: Dellcrest Realty Company Petition for Reclassification

Dear Mr. Kirwin:

A Petition for Reclassification was filed on behalf of Dellcrest Realty Company in February with the Office of Planning and Zoning. Prior and subsequent to the filing. I have requested that this Petition be exempt from the time-consuming Cycle Schedule and I have just been advised that you are the proper person to review this request.

I enclose a copy of my Memorandum in Support of Reclassification to acquaint you fully with this matter. In short, Zoning Commissioner Rose passed an Order in 1964 which restored the balance of my client's property to ML. I believe a drafting error occurred in 1971 when the Planning staff failed to accurately relate Commissioner Rose's Order to the Comprehensive Zoning Map.

Please call or write, at your earliest convenience, to indicate your position on this matter.

13/

Very truly yours,

Herbert R. O'Conor, III

cc:Samuel M. Dell cc:Joseph Maranto

Delicrest Realty Company Cose No. R-83-30

At the conclusion of the comprehensive mapping process conducted every four (4) years by the Baltimore County Council, the official zoning maps are adopted by same Council. There are several public hearings conducted so that property owners may question the zoning assigned their property. This affords the Council opportunity to closely consider individual properties. At the conclusion of this process, the maps are adopted and presumed to be correct. The Board has only two options available by which It is authorized to change these maps, i.e., evidence of error or change in the area. It is unrealistic to charge the Council with minute comparisons between each property line and each zoning line on every property in Baltimore County. It should be the burden of the individual property owner to compare these maps during this process and if not in agreement, make the same an issue during the mapping process. In this case this was not done, but all the evidence indicates that a drafting error as to the location of the zoning line exists on this property and has existed since 1971. Two adjacent property owners testified in opposition to the ML zoning abutting their property, but neither denied the possibility that a drafting error did exist. For all the reasons noted heretofore, the Board is of the opinion that the 1971 comprehensive maps incorrectly located this zoning demarcation line, that this error was unintentionally repeated in 1976 and 1980, and will order the zoning demarcation line relocated to the easternmost property line of Petitioner's property as petitioned to this Board.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 24th day , 1983, by the County Board of Appeals, ORDERED that the requested reclassification from DR 5.5 to ML as petitioned, be and the same is GRANTED. Any appeal from this decision must be in accordance with Rules B-1 thru

B-13 of the Maryland Rules of Procedure.

BALTIMORE COUNTY PLANNING BOARD RESOLUTION

May 6, 1982

WHEREAS, Pursuant to Subsection 2-40.1 (i) of the Baltimore County Code 1978 as amended, the Boltimore County Planning Board has

reviewed the request by Delicrest Realty Company to excempt from the zoning cycle the subject reclassification petition; and

WHEREAS, The Planning Board believes that early action is required on this petition to provide for the prompt correction of an apparent drafting error now, therefore, be it

RESOLVED. That the Baltimore County Planning hereby certifies to the County Council of Baltimore County that early action on the

subject Zoning Reclassification Petition would be in the public interest.

I HEREBY CERTIFY that this resolution was duly adopted by the Baltimore County Planning Board at its meeting in Towson, Maryland, on May 6, 1982.

5/7/82

Baltimore County Planning Board

Dellerest Realty Company Case No. R-83-30

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

My Repullian

JAMES H. COOK

JOHN B. HOWARD

DAVID D. DOWNES

JOHN H. ZINK, III

JOSEPH C. WICH, JR.

THOMAS L HUDSON

PRANK A LAFALCE, JR

E. CANET DEELET, JR.

LAURENS MACLURE, JA ROBERT A. HOFFHAN

M. RING MILL TIE

HERBERT A. O'CONOR, ITT

HENRY B. MECH, JR.

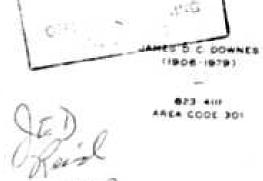
DANIEL O'C. TRACY, JR

LAW OFFICES COOK, HOWARD, DOWNES & TRACY

210 ALLEGHENY AVENUE P O BOX 5517 TOWSON, MARYLAND 21204

To I Jung Blease take appropriate actual

March 1, 1983



Mr. Norman Gerber, Director Office of Planning and Zoning County Courts Building Towson, Md. 21204

Case No. R-83-30 Dellcrest Realty Co.

Dear Mr. Gerber:

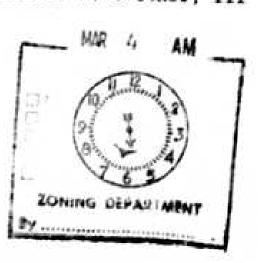
HRO/mr

Please find enclosed a copy of the February 24, 1983, Order of the County Board of Appeals which grants the Petition for Reclassification of Dellcrest Realty

I request that you direct your staff to make appropriate changes in conformance with this Order on the proposed 1984 Zoning Map. Thank you for your attention to this matter.

Very truly yours,

Herbert R. O'Conor, III



IN THE MATTER OF THE APPLICATION OF DELLCREST REALTY COMPANY FOR REZONING FROM DR 5.5 and ML-CS-2 to ML-CS-2 ON PROPERTY LOCATED ON THE EAST SIDE OF YORK ROAD, 219.38' NORTH

FROM THE CENTER LINE OF

HALESWORTH ROAD

8th DISTRICT

COUNTY BOARD OF APPEALS

BEFORE

OF BALTIMORE COUNTY

No. R-83-30

OPINION

This case comes before this Board on Petition for a Reclassification of a narrow portion of the Petitioner's holdings from DR 5.5 classification to ML classification so that his entire holdings will be classified ML and ML-CS-2. Petitioner's exhibit #3 clearly designates the areas in question.

Testimony and evidence presented this day produced the following history of the subject sits. In 1955, the subject property was zoned ML in its entirety. Sometime in the very early 1960's, Boltimore County produced an unofficial color coded map to clarify and reflect the zoning applied in 1955. This unofficial map did not agree with the 1955 written zoning description of the subject site and did not completely identify the ML zone. In 1964, Petitioner filed for a reclassification of the area in question and this case was accorded Case No. 64-71. The then Zoning Commissioner passed an Order granting the requested zoning and according the property the requested ML zoning. In 1971, 1976 and 1980, Baltimore County drafted official zoning maps. On each of these maps the demarcation line between DR 5.5 and ML did not follow the property line but instead followed the old unofficial color coded map line even though in 1964 the Zoning Commissioner officially corrected this. This discrepancy on this demorcation line was apparently never noted by Petitioner and was never an issue on any of the three comprehensive maps adopted by Baltimore County to date. The above history is, however, well documented by Petitioner by way of exhibits presented this hearing.

At the conclusion of the comprehensive mapping process conducted every four (4) years by the Baltimore County Council, the official zoning maps are adopted by same Council. There are several public hearings conducted so that property owners may question the zoning assigned their property. This affords the Council opportunity to closely consider individual properties. At the conclusion of this process, the maps are adopted and presumed to be correct. The Board has only two options available by which it is authorized to change these maps, i.e., evidence of error or change in the area. It is unrealistic to charge the Council with r inute comparisons between each property line and each zoning line on every property in Baltimore County. It should be the burden of the individual property owner to compare these maps during this process and if not in agreement, make the same on issue during the mapping process. In this case this was not done, but all the evidence indicates that a drafting error as to the location of the zoning line exists on this property and has existed since 1971. Two adjacent property owners testified in opposition to the ML zoning abutting their property, but neither denied the possibility that a drafting error did exist. For all the reasons noted heretofore, the Board is of the opinion that the 1971 comprehensive maps incorrectly located this zoning demarcation line, that this error was unintentionally repeated in 1976 and 1980, and will order the zoning demarcation line relocated to the easternmost property line of Petitioner's property as petitioned to this Board.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 24th day , 1983, by the County Board of Appeals, ORDERED that the requested reclassification from DR 5.5 to ML as petitioned, be and the same is GRANTED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

May 19, 1982

Reference is made to the Zoning Reclassi-

pany and to Planning Board Resolution dated May 6, 1982.

Please be advised that the County Council

"Pursuant to Subsection 2-58.1 of the Baltimore

This information is forwarded for your appro-

Sincerely yours,

fication Petition requested by Dellcrest Realty Com-

approved the following resolution at their meeting

County Code 1978, as amended, the Baltimore County

Council hereby approves the Planning Board recommen-

dation that the matter now pending before it be given

early consideration and exempted from the cycle pro-

on May 17, 1982 in connection with this petition:

County Council of Baltimore County Court House, Towson, Margland 21204 [301] 494-3196

Mr. William T. Hackett, Chairman

Board of Appeals

Dear Mr. Hackett:

Towson, Maryland 21204

Court House

COUNCIL

Ronald B. Hickernell FIRST DISTRICT

Gery Huddles BECOME DISTRICT

James T. Smith, Jr.

THIRD DISTRICT, CHARMAN Barbara F. backur POLITTH DISTRICT

Norman W. Lavenstein FIFTH DISTRICT Engene W. Gallagher

SOUTH DISTRICT John W. O'Rourke SEVENTH DISTRICT

Thomas Toporovich SECRETARY.

IT:b1

Enclosures

priate action.

CC: Norman E. Gerber, Secretary Planning Board

Case No. R-83-30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Per Mr. Dyer's instructions, I am attaching hereto a copy

Piease be advised that we have set Tuesday, July 13, 1982

Therefore, please arrange

Edith I Essenhant

Edith T. Eisenhart, Adm. Secretary

of the County Council resolution exempting the above entitled case from

May 20, 1982

Mr. N. Commodari

the cycle procedure.

Encl.

cc: Arlene January

mich around

June 11

FROM COUNTY

Office of Planning and Zoning

SUBJECT Item 77 - Cycle III - Delicrest Realty Co.

at 10 a.m. for the hearing of this case.

for posting and advertising accordingly.

Adm. Secretary

appenis

William T. Hackett, Chairman Monum

Dellcrest Realty Company

OF BALTIMORE COUNTY

COUNTY BOARD OF APPEALS

MEMORANDUM IN SUPPORT OF RECLASSIFICATION

BEFORE THE

APPEALS FOR

COUNTY BOARD OF

BALTIMORE COUNTY

Petitioner requests a Reclassification from DR 5.5 and ML zones to an ML zone. The great majority of the subject property is presently zoned ML, but with uncertainties and conflicts existing within the official County Zoning Maps, the Petitioner now seeks to resolve finally any doubt about the zoning of its property.

There is a long history of ML zoning for the subject property and the Petitioner respectfully submits that any doubt about this zoning results from errors in drafting the zoning maps. In 1955, the subject property was zoned as ML. At that time, zone boun !aries were established by description, not map. In the early 1960's, an unofficial, color-coded zoning map was prepared which purported to reflect the 1955 zoning. A close comparison of the 1955 coning description and this unofficial zoning map results in the conclusion that the map did not completely identify the ML

In an effort to resolve this drafting error, Petitioner filed a Petition for Reclassification in 1964. This case was accorded Case No. 64-71. On March 16, 1964, Zoning Commissioner John G. Rose passed an Order granting the Reclassification. Baltimore County adopted Comprehensive Zoning Maps in 1971. These maps as well as the 1976 and 1980 Comprehensive Zoning Maps failed to incorporate the full extent of the ML zone of the Petitioner's property as ordered by Zoning Commissioner Rose

LAW OFFICES

P.O. BOX 5517

TOWSON, MARYLAND 21204

COOK, HOWARD, DOWNES & TRACY ZIO ALLEGHENT AVENUE

JAMES H. COOK JOHN B. HOWARD DAVID D. DOWNES DANIEL D'C. T. CY, JR. JOHN H. ZINK, III. JOSEPH C. WICH, JW. HENRY B. PECK, JR HERBERT N. O'CONDW. III THOMAS L. HUDSON FRANK A. LAFALCE, JR.

C. CAREY DEELEY, JR.

LAURENS MACLURE, JR.

M. MINS HILL, III

IN THE MATTER OF

PETITION FOR RECLASSIFICATION

Petitioner

DELLCREST REALTY COMPANY

JAMES D. C. DOWNES 11906-19791

August 5, 1982

023-488 AREA CODE 301

Miss Arlene January Baltimore County Zoning Office County Office Building - Room 113 Towson, Maryland 21204

> Re: Dellcrest Realty Company Petition for Reclassification Case #R-83-30 - Item 7 Our File No. 1801-12324

Dear Miss January

Mr. Hammond's letter of July 28, advises that the advertising and posting cost is \$193.25. This is about twice the usual fee and, since the newspaper incorrectly printed the first ad, I question whether this amount encompasses that ad. Please telephone me to discuss this.

> Very truly yours, Herbert R. O'Conor, III

HRO/jm

cc: Mr. Samuel M. Dell

Neither the subject property nor that which is immediately adjacent to it has been identified as an issue for Reclassification on the 1971, 1976 or 1980 Comprehensive Zoning Maps.

Petitioner and his representatives have sought an explanation from the Office of Planning and Zoning on the failure of the Comprehensive Zoning Maps to reflect accurately the Order of Zoning Commissioner Rose. No one has been able to explain or justify this failure. After a thorough review of this matter, the Office of Planning and Zoning has advised the Petitioner that it supports this Petition for Reclassification.

Article 5, Section 2-40.1(j) provides that the Board of Appeals must find, before granting a Reclassification, that the last classification of the property was established in error and that the prospective Reclassification is warranted by that error Petitioner respectfully submits that the failure of the 1980 Comprehensive Zoning Map to incorporate correctly the Order of Zoning Commissioner Rose and the inability of the Office of Planning and Zoning to explain the minor shift of the ML zoning line necessitates a conclusion that the property was last classified in error and that this Reclassification is warranted by that error.

> Cook, Howard, Downes & Tracy 210 Allegheny Avenue P. O. Box 5517 Towson, Maryland 21204 Phone: 823-4111 Attorney for Petitioner

-2-

LAW OFFICES COOK. HOWARD, DOWNES & TRACY 210 ALLEGHENT AVENUE P. O. BOX 5517

JOHN B HOWARD DAVID D. DOWNES DANIEL O'C. TRACY, JW. JOHN M. ZINE, TIT JOSEPH C. WICH, JR. HENRY B. PECK. JR. HERBERT R. O'CONOR. III. THOMAS L. HUDSON FRANK A. LAFALCE, JR. C. CAREY DEELCY, JR. M. KING HILL, III

JAMES H. COOK

LAURENS MACLURE, JR.

TOWSON, MARYLAND 21204 August 12, 1982

AREA COLE SOL

JAMES D. C. DOWNES

11906-19791

0731400

Miss Arlene January Baltimore County Zoning Office County Office Building - Room 113 Towson, Maryland 21204

> Re: Dellcrest Realty Company Petition for Reclassification Case #R-83-30 - Item 7 Our File 1801/12324

Dear Miss January:

In reviewing the County's file before the Board of Appeals hearing, I observed bills from the Towson Times for \$61.92, and The Jeffersonian for \$38.50 and \$40.25.

I will ask my client to pay these costs and the cost for the signs, but I question our obligation to pay \$82.83 as our contribution for the cycle zoning full page ad. This zoning petition was exempt from the cycle process and we should not be required to pay for ads related to it. The law only requires that our petition be advertised in two newspapers and we are willing to pay those expenses. Please bring this inquiry to Mr. Hammond's attention at an appropri-

Thank you.

Very truly yours, Habat RO Com III

Herbert R. O'Conor, III

HRO:ks1

cc: Mr. Samuel M. Dell, Jr.

called 12

LAW OFFICES

COOK, HOWARD, DOWNES & TRACY 210 ALLEGHENY AVENUE

F. O. BOX 5517 TOWSON, MARYLAND 21204

JAMES D. C. L. WHET U.9.040 (1979)

> 823:4/11 AREA CODE 301

October 20, 1982

Mrs. Arlene January Baltimore County Zoning Office County Office Building - Room 113 Towson, Md. 21204

RE: Dellcrest Realty Company Petition for Reclassification Case #R-83-30 - Item 7 Our File 1801/12324

Dear Mrs. January:

In accordance with our phone converation of yesterday, I am enclosing this law firm's draft in the amount of \$193.25 to cover the advertising costs in the above matter.

Very truly yours,

Herbert R. O'Conor, III

HRO/mr

JAMES H. COOK

CRAWOH B MOVARD

DAVID D. DOWNES

JOHN H. ZINK, III.

DANIEL O'C. TRACY, JR.

JOSEPH C. WICH, JR HENRY B. PECK, JR.

THOMAS L. HUDSON

PRANK A LATALGE, JR.

LAURENS MACCURE IN

C. CAMEY DECLEY, JR.

M. KING HILL III

HERBERT R. O'CONOR, III

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William T. Hackett, Chairman TO County Board of Appeals __July_7_ 1982_____

Norman E. Gerber, Director FROM __Office of Planning and Zoning

SUBJECT Zoning Reclassification Petition No. R-83-30 Dellcrest Realty Co. Property

The subject parcels of land are the easternmost portions of non-residential uses oriented to York Road. To the east of this property are single-family dwellings on D.R. 5.5 zoned land. The petitioner is requesting a change from D.R. 5.5 to the M.L. zoning classification.

In 1964, in an effort to clarify what was perceived as a drafting error, the petitioner requested a change to M.L. zoning for the subject property; the Zoning Commissioner granted this request (Zoning Reclassification Petition No. 64-71). With the adoption of the 1971 Comprehensive Zoning Map, the zoning of the subject parcels of land was changed to D.R. 5.5. It should be noted that the zoning of the subject percels was not indentified as a specific issue before either the Planning Board or the County Council; hence, it would appear the change was unintentional. In both 1976 and 1980, the adopted comprehensive zoning map merely reaffirmed the zoning shown here on the 1971 map.

In view of the apparent drafting error cited above, 't is recommended that the petitioner's request for M.L. zoning be granted.

Director of Planning and Zoning

NEG:JGH:slc

cc: John W. Hessian, III People's Counsel

> Herbert R. O'Conor, III Cook, Howard, Downes & Tracy

J.G. Hoswell

HOON B GENE ORE O

PETITION FOR RECLASSIFICATION AND RE-DISTRICTING

8th Election District

Petition for Reclassification and Re-Districting

LOCATION:

ZONING:

East side of York Road, 219.38 ft. North from the centerline

of Halesworth Road

Wednesday, August 11, 1982 at 11:00 A.M. DATE & TIME:

PUBLIC HEARING:

Room 218, Courthouse, Towson, Maryland

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a public hearing:

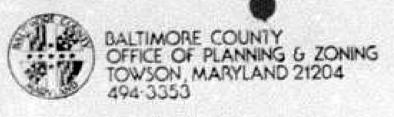
> Fresent Zoning: D.R. 5.5 and M.L.-C.S-2 Proposed Zoning: M. L. -C. S-2

All that parcel of land in the Eighth District of Baltimore County

Being the property of Delicrest Realty Company, as shown on plat plan filed with the Zoning Department.

Hearing Date: Wednesday, August 11, 1982 at 11:00 A.M. Public Hearing: Room 218, Courthouse, Towson, Maryland

> BY ORDER OF WILLIAM T. HACKETT, CHAIRMAN COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY



WILLIAM E HAMMOND ZONING COMMISSIONER

Jaly 28, 1982

'Conor, III, Esquire y Avanue aryland 21204

> Re: Petition for Reclassification E/S of York Rd., 219.38 ft. N from the centerline of Halesworth Rd. Delicrest Realty Company - Petitioner Case #R-83-30 Item No. 7

Dear Mr. O'Conor:

This is to advise you that \$193.25 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

WILLIAM E. HAMMOND Commissioner

SALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	No. 112320
	R-01-615-000
AMOUNT_	\$193.25
Herbert R. O'Conor, I	III, Esquire se #R-83-30 y)
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VALIDATION OR SIGNATURE OF CASHIER

Fage No. 1 of 2 LEO W. RADER

REGISTERED SURVEYOR

SUBDIVISION ENGINEERING TITLE SURVEYS LAND PLANNING

HYDROGRAPHY

TOPOGRAPHY

GEODESY

CL 2-2920 OR 252-2920

February 23, 1982

DELLCREST REALTY COMPANY All those two pieces or parcels of land situate, lying, and being in the

Eighth Election District of Baltimore County, State of Maryland, and

described as follows, to wit: BEGINNING for the first parcel thereof on the easterly side of the York Road as widened and shown on State Road Right of Way Plats No. 42208 and No. 42209, said place of beginning being distant 219.38 feet measured northerly along the said easterly side of the York Road from the center of Halesworth Road, thence binding on the said easterly side of the York Road North 18 degrees 44 minutes 56 seconds West 271.11 feet and North 18 degrees 32 minutes 56 seconds West 264.09 feet; thence leaving the York Road and binding on the northerly outline of the property of Dellcrest Realty Company, North 71 degrees 09 minutes 30 seconds East 579.49 feet; thence binding on the westerly outline of the subdivision known as "Monterey" South 18 degrees 50 minutes 30 seconds East 422.00 feet and South 13 degrees 05 minutes 30 seconds East 113.77 feet; thence leaving the westerly outline of "Monterey" and binding on the southerly outline of the property of Dellcrest Realty Company, South 71 degrees 09 minutes 30 seconds West 569.87 feet to the place of beginning, as shown on the

CONTAINING 7.119 acres of land more or less.

attached plat which is hereby made a part hereof.

HYDROGRAPHY

38 Belfast Road - Timonium, Maryland 21093

DESCRIPTION FOR RECLASSIFICATION PETITION

TOPOGRAPHY

GEODESY

BEGINNING for the second parcel thereof on the easterly side of the York Road as widened and shown on State Road Right of Way Plats No. 42208 and No. 42209, said place of beginning being distant 742.23 feet measured northerly along the said ersterly side of the York Road from the center of Halesworth Road, thence leaving the York Road and binding on the

R-82.30

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Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: Off				243 t May		MARKET THE TAXABLE	or des	cripti	on	

LEO W. RADER REGISTERED SURVEYOR

SUBDIVISION ENGINEERING TITLE SURVEYS LAND PLANNING

No. 104578

Page No. 2 of 2

CL 2-2920 OR 38 Belfast Road - Timonium, Maryland 21093

252-2920

DESCRIPTION FOR RECLASSIFICATION PETITION DELLCREST REALTY COMPANY/Pg. 2/Feb. 23, 1982 (cont'd.)

southerly outline of the property of Dellcrest Realty Company, North 71 degrees 09 minutes 30 seconds East 408.17 feet, North 18 degrees 50 minutes 30 seconds West 31.65 feet and North 71 degrees 09 minutes 30 seconds East 150.00 feet to the westerly outline of the subdivision known as "Monterey"; thence binding on the westerly outline of "Monterey" North 18 degrees 50 minutes 30 seconds West 295.84 feet; thence binding on the northerly outline of the property of Dellcrest Realty Company, North 84 degrees 44 minutes 19 seconds West 614.52 feet; thence binding on the original easterly side of the York Road as formerly 66 feet wide South 18 degrees 12 minutes 30 seconds East 578.48 feet; thence binding on the southerly outline of the property of Dellcrest Realty Company North 71 degrees 09 minutes 30 seconds East 9.17 feet to the place of beginning, as shown on the attached plat, which is hereby made a part hereof.

BALTIMORE COUNTY, MARYLAND

MISCELLANEOUS CASH RECEIPT

OFFICE OF FINANCE - REVENUE DIVISION

CONTAINING 5.767 acres of land more or less.

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RECLASSIFICATION AND RE-DISTRICTING MA ELECTION DISTR SCHUNG Publics for Reclassification and Re-Districting LOCATION: East side of Tork Road, 218.38 ft North from the contriline of Halesworth Road DATE & TIME: Tuesday, August 3, 1982 at 10:00 A.M. PUBLIC HEARING: Room 21

Courthouse, Towson, Maryland The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a jubic hearing: Promis Coning: D.R. 55 and M.L. C. S-3 Proposed Honing: ML -C.S-2 All that parest of land in the Eighth District of Baltimore County Beginning for the first parcel thereof on the centerly side of the York Road as widened and shown on State Road Right of Way Plats No. 42396 and No. 42396, said place of beginning being distant 228-38 foot measured northerly along the said easterly side of York Road from the center of Halagworth Road, thence binding on the said

Road, thence binding on the said easterly side of the York Road North 18 degrees 44 minutes 56 sec-onds West 371.11 feet and North 18 degrees 32 minutes 55 seconds West 268.09 feet; thence leaving the York Boad and binding un the northerly cutline of the property of Delicrest Realty Company, North 71 degrees 09 evinutes 30 seconds East 579-69 ed thence binding on the westeras "Monterey" South 28 degrees 50 minutes 30 seconds East 422.00 feet and South 13 degrees 05 minutes 30 menutes Bust 112.77 feet; thence saving the westerly outline Monterey and hinding on D poutherly outline of the property Delicrest Realty Company, South legrene 08 minutes 10 ecomis West 50' 87 feet to the place of heginning, as shown on the uttached plat which is hereby made a part here-

more or bush. Beginning for the second parcel herwof on the easterly side of th York Road as widened and shown on State Road Right of Way Plate 42208 and No. 42209, said place f beginning being distant 1012.1 feet measured northerty along the said easterly side of the York Road from the center of Halesworth Road, thence leaving the York Road and binding or the southerty out-line of the property of Delicrest Sealty Company, North 71 degrees 09 minutes 26 seconds Rast 408.17 feet, North 18 degrees 50 minutes 10 seconds West 31.65 feet and North Ti degrees 09 minutes 30 socly mutition of the subdivision knows as "Monterey"; themes bloding at the westerly outline of "Monterey" North 18 degrees 50 minutes 30 sec-onds West 295.84 fest; thence hinding on the northerly outline of the property of Delicrest Realty Company, North 84 degrees 44 minutes is second: West 614.53 feet; thence binding on the original easterly side of the York Boad as formerly 66 thet wide South 16 degrees 13 min-utes 3) seconds East 578.48 feet; thence binding on the southerty outline of the property of Delicrent Realty Company North 71 degrees OF minutes 30 suconds East 9.17 feet to the place of beginning, as shown on the attached plot, which is here-Being the property of Dellurest Ready Company, as shown on play plan filed with the Zoning Department.
Hearing Date: Tuesday, August
1, 1962 at 10:00 A.M.
Public Hearing: Room 212, Courtlance. Towson, Maryland
By Order Of

WILLIAM T. HACKETT, Chairman County Board of

Appeals of Haltimore County

RECLASSIFICATION AND RE-DISTRICTING 8th Election District SONING: Petition for Reclassifica-tion and Re-Districting LOCATION: East side of York Roset 215.38 ft. North from the centerline of Raissworth Road DATE & TIME: Wednesday, August II, 1860 at 11:00 A M. UBLE: MEARING: Room 218, Consthours, Towson, Maryland The County Board of Appenia for flattimore County, by authority of the Baltimore County Charter will hold a public bearing: Present Zoning: D.R. 5.5 and M.L.-C.S-3 Proposed Energy M.L.-C.S.-2
All that parent of land in the Eighth District of Baltimure County Beginning for the first parent thereof on the easterty side of the York Road as widered and shown on State Road Right of Way Pints No. 42209 and No. 42209, said nines

of hegitining being distant first for the treet measured northerly along the said easterly side of the York blood cide of the York Road North 18 de-grace 44 minutes 56 accounts West 117.11 feet and North 18 degrees 22 minutes 56 seconds West 264.00 line of the property of Deligrent Scally Company, North 71 degrees 19 minutes 26 seconds East 573 st-fact; thence binding on the westerly outline of the subdivision known as "Montarey" South 18 degrees 50 and South 13 degrees " minutes 25 seconds East 112.77 feet; thence "Monterey" and hinding on the Delicrest Realty Company, South ! degrees 69 minutes 20 seconds Wer MEAN feet to the place of he ... ming

feet measured northerty along the said easterty side of the York Rose thence leaving the York Road and building on the moutherly sutline of the property of Delicrest Realty ompany, North 71 degrees of minutes 30 suppords East 400.7 feet, North 18 degrees 50 minutes 30 sec-ands West 31.65 feet and North 73 degrees 09 entrotes 50 seconds East of the subdivision known as "Monterey", thence hinding on the west-erly outline of "Montucey" North 18 degrees 50 minutes 30 seconds West 295.54 Let theme binding on the northerty outline of the proper-North 54 degrees 44 minutes 19 sec-onds West 414.52 feet; thence binding on the original campriy side of the York Road as formerly 65 feet wide South 18 degrees 12 minutes 30 seconds East 578 48 feet, thouse binds g on the noutherty outline of the property of Delicrest Realty Company North 71 degrees 09 min-utes 30 seconds East 8.17 feet to the attacked plat, which is hereby made a sast hickest. Containing 5.767 acres of James more or Jean Being the property of Dellerent Realty Company, as shown un post plan filed with the Zening Depart-Hearing Date Wednesday, August 11, 1982 at 11/th A.M. Table Hearing: Room 218, Courtsouse, Towner, Maryland By Order Or WILLIAM T HACKETT, Chairman County Beard of Appeals of Bullmore County July 22.

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 15 19.82 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN a weekly newspaper printed and published in Towson, Baltimore County, Md., and reserves ar one time sacrosse weeks before the 3rd day of August 19.82 7 the SAN publication appearing on the 15th day of July

Cost of Advertisement \$

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 22 19.82 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., There are Vices day of _____ August ____ 19.32 ___, the \$500 publication appearing on the 22nd day of July

Cost of Advertisement, \$-----

CERTIFICATE OF PUBLICATION

PETITION FOR SPECIAL HEARING 18th Election District

ZOPING, Patition for Special Huartry

DATE & TREE: Triuriday August 18: 1962 a

PUBLIC HEARING: Peem 104 Co.

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BY ORDER OF WILLIAM E. HAMMOND

DHING DOMMANSIONER OF BALTIMOR

HOSTH

1912-107

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Lautine Pearling

Office Borrown

High. Townson, fela-

LOCATION: Northwest aids of Peter

THIS IS TO CERTIFY, that the annexed advertisement was published in THE TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore Courty, Md., once a week for _ _ successive weeks, _ the first publication appearing on the 28th 104 of July 1980 THE TOWSON TIMES

Recque 10m# L-38075

Cost of Advertisement, 1 61.92

Commo and & Besidential, Free esti- government \$50 per day guaranteed Free estimates 485-2181. G87-2732, and 687-4279 (after 5) ARTISTIC SLIP COVERS State LIGHT MOVING & boundy, Base-Gelin Upholstery sup covers your ments yards attics etc. Painting carfabric or minn (655-6600) 8-1 pentry. Call Bill 254-5552. 418 PETITION FOR RECLASSIFICATION

AND RE-DISTRICT IS 8th Election Printed 204996 Partition for Reclassifications and Re-Districtions LOCATION: East side of York Road 219 38 ft. North from the humanish and DATE & TIME: Wednesday August 51, 1982 of 11 50 d.az the County Scard of Appeals for Bottomore County to authority of the Dalomore County summ Zoning D.R. 5.5 and M.L. C.S.

Propessed Zonovg M.L.-C.S-S At that planet of land in the Eight - District of Baltimore County BEOMANICO for the first partie thereof on the easier's tode of the York Point at a identificant shown on State Hoad Right of King Plats No. 42206 and No. 42200, said place of larger tosering distant 211 38 feet inconcent northerny along the said eastern side of the York Hond from the senter of Husepecoth Road, thence binding on the said eaclerty side of the Tight Road Spirit 16 degree a 48 minutes 56 security West 271. Lest and footh 16 degrees 32 minutes 56 security West 264 00 feet, themps feating the York Point and tending no the northerly outline of the property of Denorsel Realty Consumy North 11 degrees 00 minutes. 30 seconds East 579 fit feet, thence burising on the sectory author of the subdivision. Locket at "Montkley" Bouth 18 degrees 50 minutes 30 securos East 427,00 less and South depress 66 invasion 30 seconds East 113 77 feet. Shenck facility life western surface of Mineralism, and honding on the entitle of the organization of Description (in pany. South 71 degrees 09 Honoles, 35 seconds. West hit? 97 feet to the place of segminary as snown on the attached plac which is hereby made a part heleof. CONTAINING FITTH acres of land more of tent BEGINNATIO for the second parcel thereof on the ruspirty sale of the Kork Flood as victimed er a shown on State Road Hight III Way Plats, No. 42000 and No. 42001 aud plant to beginning being distant 1013 34 feet measured contracts along the said easters, such of the

pany. North 11 degrees 30 monutes 30 accords Ear 1 408 17 feet North 18 degrees 10 moutes 30 seconds West 31.85 feet and North 71 degrees 05 monutes 30 seconds East 150 00 feet to the weatherly outline of the subdivision known as: Monteyer the de binding to his weater's sulface of Machiney North Of September 13 minutes 30 september 200 S. exercise alone of the Yurk Road as britishing by four side Bourt 16 degrees 12 minutes 30 seconds East 576 lift feet, thence binding on the equificant out he of Detroised fronts. as shown on the attached plat, which is hareby made a part heroof. CONTAINING 5 FET acres of land score or less. Being the property of Describst Realty Company, as shown on plat start fred with the Zurung

Hearing Gate: Wednesday, August 11, 1982 of 1 of A.M. Public Hearing: Room 218, Courthwese, Toleron, Mary and BY CHOSH OF WILLIAM T. HACKETT, CHARBAN COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY 36029-036076

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STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION NOTICE TO CONTRACTORS Secretary's Office - Bid Proposal

SEALED PROPOSALS for projects listed below will be received by the State Highway Administration at its offices. 707 N. Calvert Street. Baltimore, Maryland 21201 until 12 Noon on the dates listed below, 1982, at which time and place they will be publicly opened and read. The Maryland Department of Transportation (MDOT) hereby notifies all bidders that in regard to any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this notice and will not be subjected to discrimination on the basis of race, color, sex or national origin in consideration for un award.

On Federally assisted projects, the bidder a attention is called to the Standard Faderal Equal Employment Opportunity Construction Contract Specifications (Executive Order 11246) which is a part of the contract proposal. All of these artivities shall be done in accordance with Title VI of the 1964 Civil Rights Act, is amended FEDERAL AID PROJECTS

it is the goal of MDOT that minority business enterprises participate in all Federal-Aid contracts. Each contract will contain specific participation goals for women and minority business enterprises. BALTIMORE COUNTY - CONTRACT NO B 696-509-472 FAPW 1-795-1(10)(C):R-7(RS-1(11)()

Bids to he Opened - September 9, 1982 COST OF PLANS - \$100:00 PRIMECT CLASSIC CATION - G Grading, draining & paving a portion of the Northwest Expressional (I. 795) Baltimore Beltway (I-695) interchange. Included is the widening & resurfacing of a portion of the Baltimore Beltway from Millard Mill Rd. to the structure. Work includes

Construction of four (4) bridges of 5 spans each for the Northwest Expressway (1-795) over the Gwynns Falls in Std. 29+ Bridges 1 & 2 are continuous composite steel girder bridges with approximate total lengths of 523 ft. & 574 ft. respectively. Endges No. 3 & 4 simple span. composite steel girder bridges with approximate total lengths of 524 ft. 5 526 ft. respectively. Construction of a two-span continuous afeel beam briche carrying

Ramp Blover the Gwynns Falls, with an approximate total length of 130 Construction of a two-span continuous steel beam bridge carrying Ramp E over the Gwynns Falls, with an approximate total length of 129

Widening & deck reptacement for dual bridges No. 1143. Battemore Bettway over proposed Mass Transit prossing. Widening & deck replacement for bridges No. 3144. Baltimore Beltway over the Gwynns Falls. Extension of existing 12 ft. by 9 ft. concrete box culvert on Baltimore Beltway. Constructing a total of four (4) retaining walls on Baltimore Belt say & ramp G plus the construction of a noise berner along ramp D. A sanitary sewer adjustment will also be required. A "Pre-tridding Information Contenence" will be conducted on Au-

gust 12, 1982 at 10:00 A.M. at the Mu SHA Dist. Office, Falls Rd. near Joppa Rd.: Brooklandville: MD. Minimum wage rates for this project have been predetermined as required by law and are set forth in the bid proposal.

specifications and plans, will be furnished by the Administration upon application and cash payment noted NO REFLIND FOR RETURN OF SPECIFICATIONS AND PLANS

music (20 N/07 gasprines 30 minutes 8 mil In accordance with Article 21 Section 3-504 of the Annotaty " Code of et. thence (ID.S. 62 steprant 35 minutes Maryland, no bid, performance or payment bonds are required for pids - 100 feet to the wey, side of Central Au less than \$25,000 no. However, bids \$25,000.00 and above will not be nue, thereos breding on the word side of minel Assessment (4) Gill' despress 10 minus considered unless accompanied by a Certified Check, a Cashier's - 100 teet to the grace of Legisting Check or a Treasurer's Che. drawn upon a bank, or ... Bid Bond payable prowining 15,000 square, lest of land mo to the State of Maryland, or Cash, or Trust Account, or pledge of United States backed Securities or State of Maryland Bonds. Special procedures for submitting cash are outlined in Comar 21.06.07 (Maryland

r lesk and known as 400 West Poplot. In Assenue: Mattinione County, Mr. leng the property of William F. Getities Register dated May 1, 1981 and June 26, 1961). Bid Security shall equal at least 5 purcent (5%) of the total amount bid. Also, the successful bidder will be required to supply Payment and Performance Bonds for f N. as stiden on plut given filed with the Hearing Dote: Thursday, August 19, 1962 of 10:30 A.M Public Hearing: Room 106, County Office nll Contracts in excess of \$25,000.00 The Administration reserves the right to reject any and all bids. Building, 151 W. Cherapeaks Avenu Tawoon Maryland

M.S. CALTRIDER State Highway Administration Date: July 30, 1982 OHOER NO. E-7130

MONTEREY " SUBDIVISION

ZONE R-6

LAND CONVEYED TO DELLCREST REALTY CO. INC. 2.287 ACRES ±

ZONE R-6

ZONE M.L

3 80 LINE OF 0 L. 6 2126 - 210

DELLCREST REALTY CO. INC

G.L. B 2126-210

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G.L.B. 2303-249

PELLEREST

MEALTY

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1785 ± TO NORTH SIDE OF BALTO COUNTY HOME RD ----

YORK

CENTENLINE . - I ROAD

BOARD OF APPEALS

DELLCREST REALTY CO., INC.

BIM DIST

SSALE: 1': 50'

BALTO, CO. 40

LEO WARADER REG SURVEYOR 38 BELFAST HD TIMEINIES ME

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