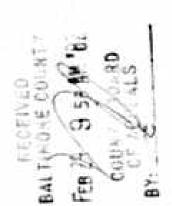
PETITION FOR ZONING RE-CLASSIFICATION SPECIAL EXCEPTION AND/OR VARIANCE

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 an D.R. 16 zone to an B.L. OF R.Q. 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, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:



9

661-5400

252-9076

Property is to be posted and advertised as prescribed by The Baltimore 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

Contract Purchaser (Type or Print Name) ------A idress City and State Attorney for Petitioner Norman Sheer (Type or Print Name)

roman Philes Signature 8829 Satyr Hill Road

Baltimore, Maryland 21234 City and State 661-5320 Attorney's Telephone No.:

BALTIMORE COUNTY

ARTMENT OF PUBLIC WORKS

WSON, MARYLAND 21204

BABC-Form 1

Legal Owner(s):

William F. Wilke, Inc. (Type or Print Name) A MANNEY

A.C. Seeman, Jr. President Signature William, F/ Wilke

8831 Satyr Hill Road

Baltimore, Maryland 21234 City and State Name, address and phone number of legal owner, con-

tractingurchases or representative to be confacted A.C. Seeman, Jr., President 8831 Satyr Hill Road

Baltimore, Maryland 21234 661-5400 William F. & Mary N. Wilke

2209 Eastlake Road Timonium, MD 21093

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 3, 1982

111 W. Chesapeake Ave. Towson, Maryland 21204

Chairman.

MEMBERS

Nicholas B. Commodari

Bureau of Engineering Department of Traffic Engineering State Roads Commission Bureau of

Fire Provention Health Department Project Planning Building Department Board of Education Ioning Administration Industrial Development

Norman Sheer, Esquire 8829 Satyr Hill Road Baltimore, Maryland 21234

> RE: Item No. 6 - Cycle No. III Petitioner - William F. Wilke, Inc. Reclassification Petition

Dear Mr. Sheer:

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 appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the 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.

Located on the east side of Satyr Hill Road south of Lowell Ridge Road, the subject property is presently improved with two office buildings that are existing as a result of Case #69-252-X and #79-49-XA and an accessory parking area. Individual dwellings and apartments exist to the east and north, while commercial uses exist to the south.

At the present time, there is a petition that will be heard by the zoning office to raze the current structures and construct a new office building. In the event that the petition is not granted, this reclassification has been requested.

When the petition was filed, you were uncertain whether you wanted it to be advertised as a request for a change from D.R.16 to a B.L. or R.O. zone. However, in a subsequent conversation, you indicated that you did, in fact, want the advertising to proceed as originally submitted.

Item No. 6 - Cycle No. III Petitioner - William P. Wilke, Inc. Reclassification Petition

In view of the fact that the submitted site plan does not irdicate a proposed development of the subject property, the enclosed 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. In addition, if the R.O. zoning is granted, a public hearing and Planning Poard review and approval will be required prior to development.

If you have any questions concerning the enclosed comments, please feel free to contact me at 494-3391. Notice of the specific hearing date, which will be between September 1 and December 31, 1982, will be forwarded to you in the future.

Very truly yours.

NICHOLAS B. COMMODARY Chairman Zoning Plans Advisory Committee

NBC: bac

Enclosures

cc: A. L. Snyder 1911 Hanover Pike Hampstead, Maryland 2107L

William F. Wilke, Inc. A.C. Seeman, Jr. President 8831 Satyr Hill Road Baltimore, Maryland 21234

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204 494-3550

TEPHEN E. COLLINS

March 29, 1982

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

District: 9th

Cycle III - 1982, Meeting of March 16, 1982 Item No. 6 Property Owner: William F. Wilke, Inc. Location: E/S Satyr Hill Road 180' S. from centerline of Lowell Ridge Road Existing Zoning: D.R. 16 Proposed Zoning: B.L. or R-0 Acres: 0.7769

Dear Mr. Hackett:

The existing zoning can be expected to generate about 95 trips per day, and B.L. zoning can be expected to generate 400 trips per day and R-O zoning about 200 trips per day.

Sincerely,

Engineering Associate II

MSF/rlj

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

April 7, 1982

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

follows:

Comments on Item #6, Cycle III Meeting, March 16, 1982, are as

Very truly yours,

William F. Wilke, Inc. Property Owner: E/S Satyr Hill Road 180' S. from centerline of Lowell Ridge Road

Existing Zoning: D.R. 16 Proposed Zoning: B.L. or R-0 0.7769 Acres: 9th District:

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

10 min

Isn J. Forrest, Director BUREAU/OF ENVIRONMENTAL SERVICES

IJF/als

BALTIMORE COULTY TOWSON, MARYLAND 21204 825-7310

PAUL H REINCKE CHIEF

April 6, 1982

Mr. William Hammond cc: William Nackett Chairman of Board of Appeals Coming Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: William F. Wilke, Inc.

Location: E/S Satyr Hill Road 180' S. from centerline of Lowell Ridge Road

Zoning Agenda: Meeting of March 16, 1982 Item No.:

Gentlemen:

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

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals 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 allowed by the Fire Department.

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

(x) 5. The buildings and structures existing or proposed on the site s. il

comply with all applicable requirements of the Wational 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 Division

Jk/mb/cm

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.

HAMM. I PISTEL P. E.

Board of Appeals

Towson, Maryland 21204

Court House

Mr. William T. Hackett, Chairman

General: The comments which were supplied in conjunction with the Zoning Advisory Committee review of this property for Item 102 (1981-1982) are valid and referred to for your consideration.

April 6, 1982

Lowell Ridge Rd.

Acres: 0.7769

District: 9th

Existing Zoning: DR 16

Proposed Zoning: BL or R-O

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 6 Zoning Cycle III (April-October 1982).

Very truly yours,

Bureau of Public Services

Re: Item #6 Zoning Cycle III (April-October 1982)

E/S Sacyr Hill Rd. 180' S. from centerline of

Property Owner: William F. Wilke, Inc.

RAM: EAN: PWR: SS

John Trenner N-NE Key Sheet 38 NE 14 Pos. Sheet

NE 10 D Topo 71 Tax Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. William Hackett, Chairman Date April 6, 1982

Board of Appeals

FROM Ted Burnham, Plans Review

Department of Permits & Licenses

Department of Permits & Licenses

SUBJECT Reclassification Cycle III Zoning 1982

Comments "6"

Property Owner: William F. Wilke, Inc.

There are two existing structures. If they are to be converted to a new use, they shall comply with the 1981 Building Code. Special attention shall be given to Table 505 for height and area limitations of the proposed use.

Should the existing buildings to razed, a separate razing permit shall be obtained and the new structures shall comply to the 1981 Baltimore County Building Code which became effective on March 26, 1982.

TB:es

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: 3/22/82

Capacity

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

Zoning Cycle #111

RE: Item No: 6
Property Owner: William F. Wilke, Inc.
Location: E/S Satyr Hill Road 180' S. from centerline of Lowell Ridge Rd.
Present Zoning: D.R. 16
Proposed Zoning: B.L. or R-0
Acres: 0.7769

School Situation School

Enrollment

Over/Under

Acreage too small to have an effect on student population.

Student Yield With:

Existing Zoning

Proposed Zoning

Elementary Junior High

Senior High

Very truly yours,

Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

William F. Wilke, Inc. - #R-83-61

ORDER

of October , 1982, by the County Board of Appeals, ORDERED that the reclassification petitioned for from D.R. 16 to R-O be and the same is hereby GRANTED.

Any appeal from this decision must be in accordance with Rules B-1 thru

B-12 of the Maryland Rules of tracedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William T. Hackett

LeRoy B. Sporrier

Joanne L. Suder

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS from D.R. 16 to R.O. or B.L. Zone :
E/S of Satyr Hill Rd., 180' S of

Lowell Ridge Rd., 9th District : OF BALTIMORE COUNTY

WILLIAM F. WILKE, INC., Petitioner : Case No. R-83-61 (Item 6, Cycle III)

.....

ORDER TO ENTER APPEARANCE

To the Honorable, Members of Said Board:

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 therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

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

I HEREBY CERTIFY that on this <u>6th</u> day of <u>August</u>, 1982, a copy of the aforegoing Order was mailed to Norman Sheer, Esquire, 8829 Satyr Hill Road, Bal timore, Maryland 21234, Attorney for Petitioner.

BALTIPORE COUNTY
AUG S 2 25 PW BZ
COUNTY SCARO
COUNTY SCARO

John W. Hessian, III

IN THE MATTER
OF THE APPLICATION OF
WILLIAM F. WILKE, INC.
FOR REZONING OF PROPERTY
E/S Satyr Hill Road 180' S. from
center line of Lowell Ridge Road
9th District
From D.R. 16 to B.L. or R-0

COUNTY BOARD OF APPEALS

BALTIMORE COUNTY

No. R-83-61

OPINION

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This case comes to the Board of Appeals on direct petition for a reclassification of property from D.R. 16 zoning to B.L. or R-0 zoning. The subject property is located on the east side of Satyr Hill Road 180 feet from the center line of Lowell Ridge Road, in the Ninth Election District of Baltimore County. Prior to the hearing, Petitioner abandoned his request for a reclassification to B.L. and elected to proceed solely on a petition for reclassification from D.R. 16 to R-0. This case was heard in its entirety on September 30, 1982.

The evidence presented to this Board consisted of the testimon y of Jerome Schulman, P.E., and James Hoswell, Planner for Baltimore County, and photographs of the subject property, a transcript of a portion of the hearing during the comprehensive map process in 1980 concerning the subject property, a written recommendation from the Planning Board, and an affidavit from the property owners adjacent to the subject property.

Mr. Jerome Schulman, P.E., testified that the subject property consists of three contiguous lots of which the middle lot is unimproved and currently used for parking, and the adjacent lots each contain a structure which has been used for offices for the past thirteen years, and that the center parcel enjoys no reasonable or rational use by virtue of its D.R. 16 zoning.

Mr. Hoswell testified that it was the position of Baltimore County and the Planning Board that the petition for reclassification to R-0 be granted. In support of this position, he testified that the current status of the zoning on the subject property constituted error and for reasons testified as follows:

That an Issue was created regarding the subject property during the 1980 comprehensive zoning process concerning the rezoning of this property from D.R. 16 to R-O.

MEMORANDUM IN SUPPORT OF PETITION

FOR ZONING RECLASSIFICATION REQUEST

FOR 8829 5 8831 SATYR HILL ROAD

The Petitioner respectfully submits for review and consideration the following instances of error committed by the Baltimore County Council in adoption of the 1980 Official Comprehensive Zoning Maps, inclusive of the subject properties as Density, Residential (D.R. 16) and contends that the appropriate classification should be Residential, Office (R.O.) or Business Local (B.L.).

- 1. The County Council failed to recognize and consider that these properties lie immediately across Satyr Hill Road from the existing back parking lots of the business known as Jerry's Chevrolet.
- The County Council failed to recognize and consider that the subject properties lie a jacent to Perring Parkway, immediately south whereof exists the North Plaza Mall Shopping Center.
- 3. The County Council failed to recognize and consider that the subject properties lie adjacent to Perring Parkway, immediately south whereof exists the Gino's Restaurant.
- 4. The County Council failed to recognize and consider that the subject properties are in extremely close proximity to Joppa Road, specifically the intersection of Joppa Road and Perring Parkway, immediately north and outh whereof and continuing for several blocks in either direction there are no residential properties and only business locations exist.
- 5. The County Council failed to recognize and consider that Perring Parkway has been proposed to be widened further.
- 6. The County Council failed to recognize and consider, when they adopted the 1980 Map, and did not take into account fully the fact that the subject properties are surrounded by apartments and commercial development.
- 7. The County Council tailed to recognize and consider that the subject properties are not now suitable for residential use, coupled with the fact that two office buildings now exist thereon.

William F. Wilke, Inc. - R-83-61

- That the R-O zoning was a newly created classification introduced in 1979 which was not finally adopted until 1980.
- That at the time of the hearing before the County Council on June 19, 1980, the R-O zoning had only been in existence for three months.
- That all testimony presented at the hearing before the County Council on June 19, 1980, was in favor of the R-0 zone.
- That there was a dearth of understanding of the full parameters of this newly created zone in June of 1980.
- That as a result of the confusion surrounding this newly created zone, the Issue concerning the subject property was not given full attention.
- That if the same Issue were before the County Council
 at the next comprehensive rezoning process, the Planning
 Board would recommend R-O zoning.
- That the existing D.R. 16 zoning does not provide a reasonable use for the subject property since two office buildings are presently located on the tracts of land on apposite sides of the subject property (center parcel), and the center parcel is without improvements.

The recommendation of the Planning Board in pertinent part states the following:

"The Planning Board believes that the petitioner's reque t for R.O. zoning should be granted. The three lots contain two office buildings constructed in the D.R. 16 zone by the utilization of validly granted special exceptions and a parking area between them. It is the Planning Board's opinion that R.O. zoning would recognize the existing use while at the same time providing for transitional type usage between the residential areas to the north and the commercial areas to the south.

It is therefore recommended that the petitioner's request for R.O. zoning be granted."

Based on the testimony and exhibits presented at the hearing, the Board is of the opinion that the standard stated in Section 2-58.1 of the Baltimore County Code has been met by Petitioner, and that the present zoning is in error.

- 8. The County Council failed to recognize and consider that the subject properties fall well within the criteria of the Declaration of Findings and the Statement of Legislative Intent of Sections 203.1 and 203.2, respectively, of the Baltimore County Zening Regulations.
- 9. The subject properties and improvements, as well as intended changes meet the use requirements, sign and display requirements, and bulk requirements of Sections 203.3 and 203.4 of the aforementioned Regulations.
- 10. The Petitioner, upon favorable consideration and disposition of the instant request, fully intends to fulfill all of the requirements and anditions of the Development Plan, as called for under Section 203.5 of the aforementioned Regulations, inclusive of all requisite building and occupancy permits.
- 11. The County Council failed to recognize and consider that the properties' present classification of Density, Residential (D.R. 16) would be condusive to high density residential development rather than requested classification of Residential, Office (R.O.), or further Business Local (B.L.), which would lend itself to maintaining the character of the neighborhood, rather than deter from same.
- 12. The subject properties and improvements, as well as intended changes, neet all of the requirements of Sections 230.6, 230.12, 231 and 232, respectively, of the aforementioned regulations.
- 13. And for such further reasons which will be presented at the actual hearing.



WILLIAM E HAMMOND ZONING COMMISSIONER

September 24, 1982

Norman Sheer, Esquire 8829 Satyr Hill Road Baltimore, Maryland 21234

> Re: Petition for Reclassification E/S Satyr Hill Rd., 180' S of the c/l of Lowell Ridge Road William F. Wilke, Inc. - Petitioner Case #R-83-61

Dear Mr. Sheer:

This is to advise you that \$195.23 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 Zoning Commissioner

WEH:aj

1911 HANOVER PIKE

Decription for

Zoning Reclassification for 8829 and 8831

Satyr Hill Road

9th Election District, Baltimore County, Maryland

Beginning for the same on the east side of Satyr Hill Hoad 180 feet more or less southerly from the centerline of Lowell Ridge Road and running thences

- 1.) N 64° 53' 54" E 190.55 feet, thence
- 2.) S 25° 06' 06" E 168.75 feet, thence
- 3.) S 640 53' 54" W 198.82 feet, to the east

side of Satyr Hill Hoad and running with it the following two courses and distances

- .) N 30° 12° 56" " W 85.06 feet and thence
- 5.) N 14" 25' 06" W 85.51 feet to the place

of beginning.

Containing 0.7769 acres of land more or lear.



MEMBER: Md. Soc. of Surveyors ◆ W. Va. Assoc. of Land Surveyors ◆ A.C.S.M. ◆ C.C.A.S.E.

494-3180

County Board of Apprels Room 219, Court House Towen, Maryland 21204 October 19, 1982

Norman Sheer, Esquire 8829 Satyr Hill Road Baltimore, Md. 21234

> Re: Cose No. R-83-61 William F. Wilke, Inc.

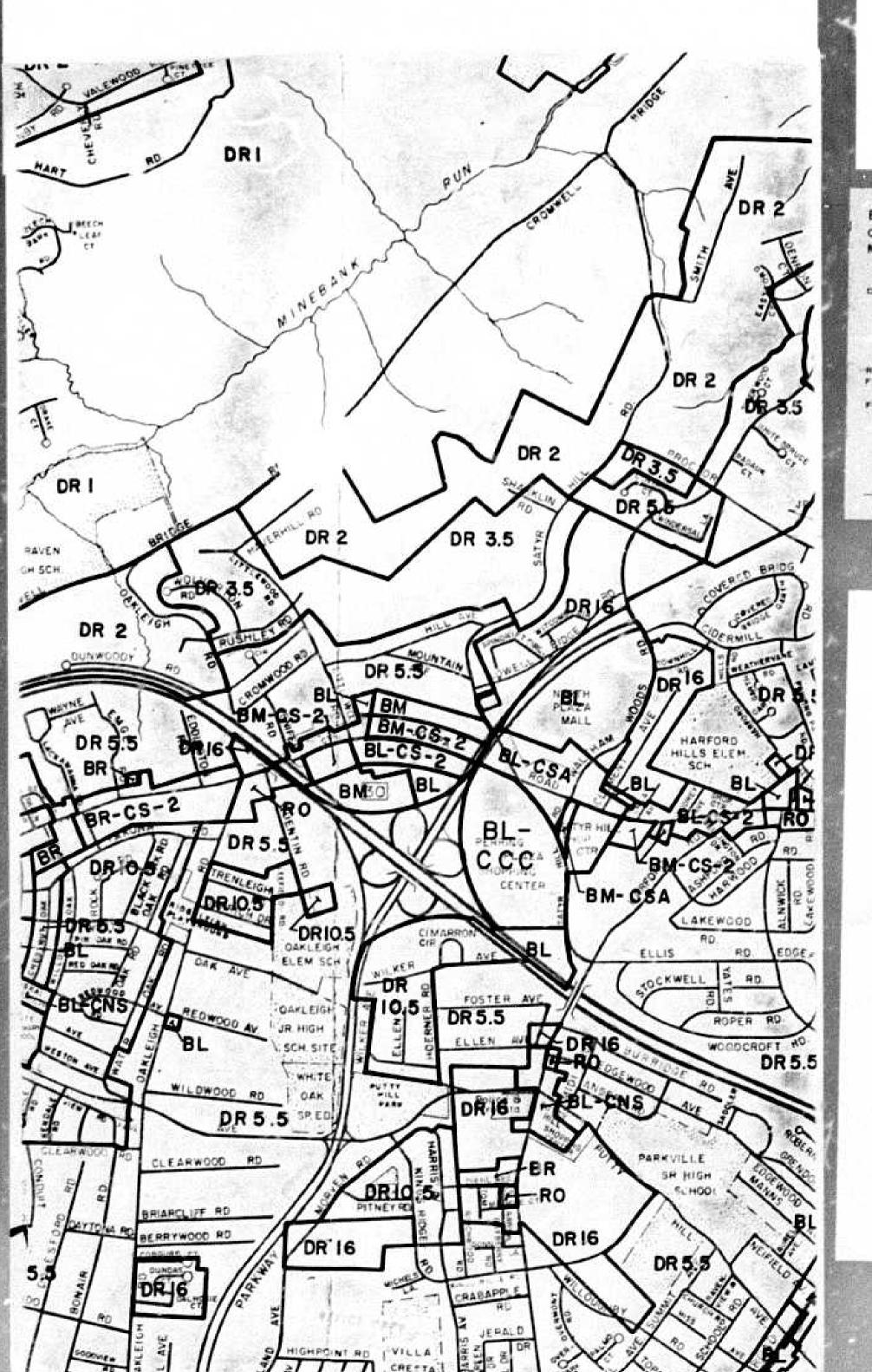
Dear Mr. Sheer:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled

Very truly yours,

Encl.

cc: Mr. A. C. Seeman, Jr. William F. & Mary N. Wilke John W. Hessian, III, Esquire Mr. W. E. Hammond Mr. J. E. Dyer Mr. N. E. Gerber Mr. J. G. Hoswell Soard of Education



PETITION FOR RECLASSIFICATION

9th Election District

ZONING: Petition for Reclassification

East side of Satyr Hill Road, 180 ft. South of the centerline

of Lowell Ridge Road

DATE & TIME: Thursday, September 30, 1982 at 10:00 A.M.

Zoning Department.

LOCATION:

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:

> Present Zoning: D.R. 16 Proposed Zoning: B. L. or R.O.

Being the property of William F. Wilke, Inc., as shown on plat plan filed with the

BY ORDER OF

WILLIAM T. HACKETT, CHAIRMAN

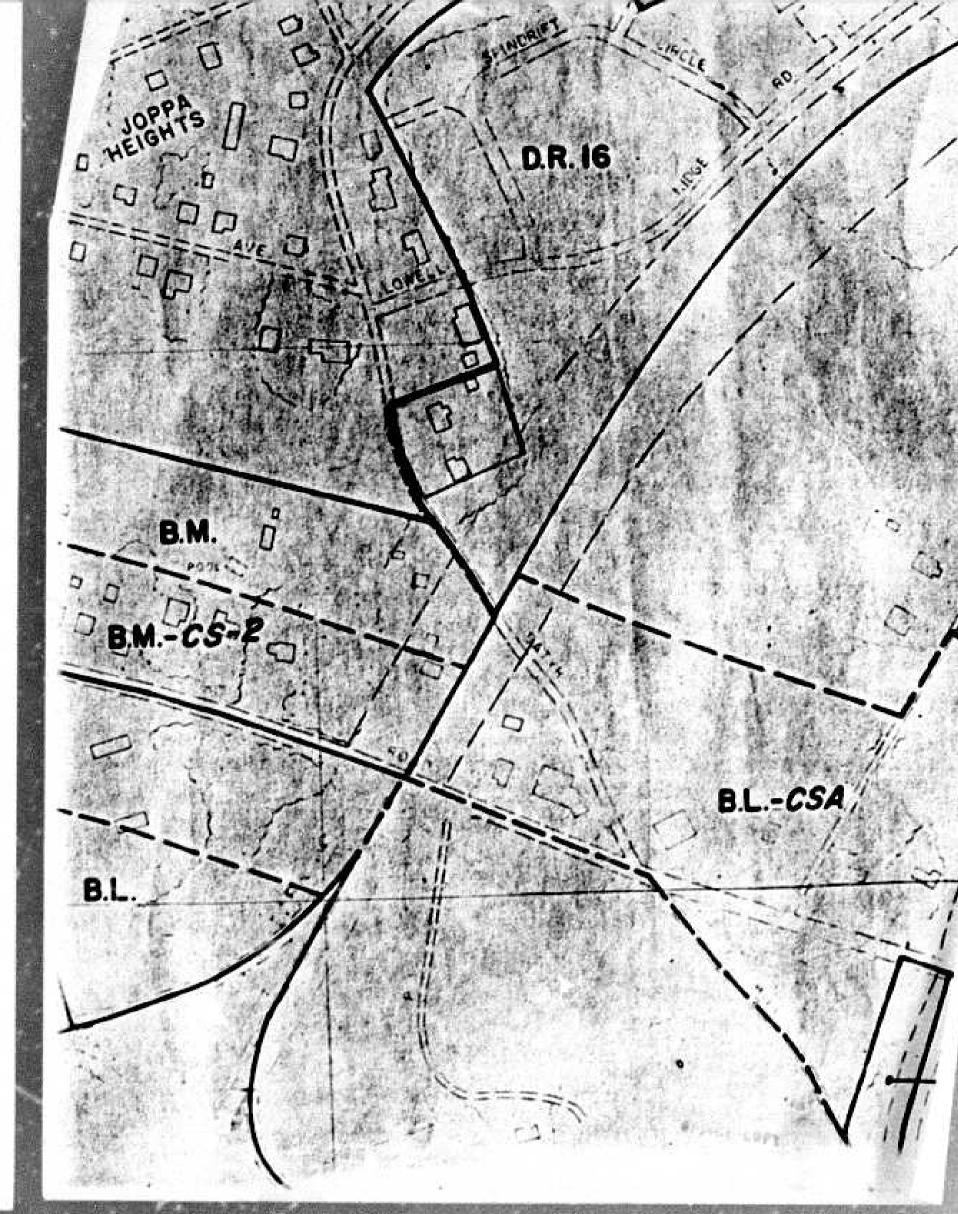
COUNTY BOARD OF APPEALS

OF BALTIMORE COUNTY

Hearing Date: Thursday, September 30, 1982 at 10:00 A.M.

Public Hearing: Room 218, Courthouse, Towson, Maryland

All that parcel of land in the Ninth District of Baltimore Cou ity



BALTIMORE COUNTY, MARYLAND BALTIMORE COUNTY, MARYLAND OFFICE OF FAMILE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT No. 108990 **10 3**05776 MISCELLANEOUS CASH RECEIPT DATE 9-30-82 ACCOUNT R-01-615-000 AMOUNT # 195, 23 PROM. Horman Sheer, Loquine (William 2. Wilke Inc.) ron Filery (2) for bules effector Patetion C 010*****19523:0 830WA 50,00 mic VALIDATION OR SIGNATURE OF CASHIER VALIDATION OR SIGNATURE OF CASHIER

> CERTIFICATE OF PUBLICATION TOWSON, MD., September 9 ..., 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., concects one time Shecessive weeks before the _30th___ day of _____ September __, 19_82_, the first publication appearing on the 9th ____ day of ____ September__ 19. 82

Cost of Advertisement, \$_____

R-8361

	1000	un, Maryland		
District. 1		Date of	Posting 9/12	182
Posted for . Leteten	for lea	aniferation.	,	/
Petitioner: N. Illin	1 Fm	the me.		
Location of property: E_1	2 Gely	2 Nill A	d; 2 190'	6
Location of Signs: Fred	175 p	exerty (H	8329-883	/
Remarks:				
Posted bySignatu	Later?	Date of return	4/17/82	
Number of Signes/				



