

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

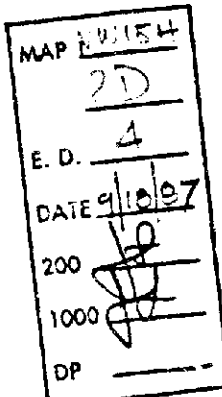
TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

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 _____ BC. 5 _____ zone to an _____ DR. 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.

or _____
See attached

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:



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 County.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	Bonita Venture
Signature	(Type or Print Name)
Address	Hannah Tabor
City and State	(Type or Print Name)
Signature	
Attorney for Petitioner:	
(Type or Print Name)	3655 A Old Court Road 484-2111
Address	Phone No.
City and State	Baltimore, Maryland 21208
Signature	City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted	
Name	
Address	
City and State	
Attorney's Telephone No.	Address Phone No.

RAB- Form 1



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

STEPHEN E. COLLINS
DIRECTOR

December 11, 1986

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

Item No. 11 Cycle IV
Property Owner: Bonita Venture
Location: Bonita Avenue

Dear Mr. Hackett:

It is recommended that all access for the area to be rezoned be off of Tabor Road and not Bonita Avenue.

The projected trip generation for the existing zoning is 37 trips/day, and the projected trip generation for the proposed zoning is 123 trips/day.

Very truly yours,

For C. Richard Moore
Deputy Director

CRM:GMJ:lt

RECEIVED
COUNTY BOARD OF APPEALS
125 CC 15 P 251



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

August 5, 1987

Robert F. Smith, Esquire
CABLE, McDANIEL, BOWIE & BOND
1 North Charles Street, 9th Floor
Baltimore, MD 21201-3793

RE: Case No. R-87-260
Bonita Venture

Dear Mr. Smith:

Enclosed is a copy of the final Opinion and Order passed today by the County Board of Appeals regarding the subject matter.

Sincerely,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Secretary

Encl.

cc: Bonita Venture /Hannah Tabor
James Earl Kraft
Phyllis Cole Friedman, Esquire
Norman E. Gerber
James G. Hoswell
J. Robert Haines
Jean M. H. Jung
James E. Dyer
Margaret E. du Bois

IN THE MATTER OF : BEFORE
THE APPLICATION OF : COUNTY BOARD OF APPEALS
BONITA VENTURE : OF
FOR ZONING RECLASSIFICATION : BALTIMORE COUNTY
FROM R.C. 5 to D.R. 2 ON :
PROPERTY LOCATED ON THE WEST :
SIDE OF BONITA AVENUE, 709.31' : CASE NO. R-87-260
SOUTH OF THE CENTERLINE OF :
THOROUGHbred LANE :
4th ELECTION DISTRICT :

OPINION

This matter comes before the Board on a Petition to reclassify 4.9 +/- acres presently zoned R.C. 5 to D.R. 2.

The Petitioners presented testimony by Mr. Jay Weiss who testified that he was the contract purchaser of the lots in the subdivision known as Velvet Hills and that the present average lot size is one-half to one-quarter acre, and he believes that the present zoning of R.C. 5 is erroneous. He further testified that the area to the north is being developed by Baltimore Federal with three-quarter acre lots and that the present property cannot hook up to the sewerage on Bonita Avenue since it is R.C. zoning and must be D.R. zoning to make the connection.

Mr. Malcolm Hudkins testified as an expert surveyor that the surrounding area of the property is 90 percent completed in D.R. 2 fashion. He stated that the sewer is in place along Bonita Avenue which abuts this site and public water comes from Worthington.

Mr. Frank Green, a local homeowner, testified that he wants the property to be rezoned D.R. 2. Mr. Harry Bellman, a realtor, testified that he is the original developer of the property and paid his portion of the cost for the original installation of water and sewerage.

People's Counsel presented James G. Hoswell who testified as expert planner for Baltimore County that he believes the D.R. 2 would be a good zone

BRIEF TO ACCOMPANY APPLICATION FOR ZONING RECLASSIFICATION, WEST SIDE OF BONITA AVENUE 700 FEET SOUTH OF THOROUGHbred LANE:

Bonita Venture, the owner of the referenced property is requesting that the property be reclassified from RC-5 to DR 2 for the following reasons:

1. The Owner has developed the property south of the referenced tract with single family lots averaging one-half acre in size.
2. As a result of the development to the south, public water and sewer facilities have been constructed to provide those services to the referenced property.
3. The zoning line should be placed along the division line between the referenced property and Worthington Subdivision, it being the natural division line between those tracts being provided adequate services for DR classified development.

Case No. R-87-260
Bonita Venture

for this property although the Master Plan does not suggest same. He further testified that in his opinion the present zoning is in error.

In view of the testimony presented and the exhibits introduced, the Board has considered: the population change of the area, the availability of the public facilities, the transportation patterns, the compatibility with existing and proposed development for the area, the recommendation of the Planning Commission and the Master Plan; and after considering all these factors finds that the Petition for reclassification of this property to D.R. 2 should be granted.

ORDER

It is therefore this 5th day of August, 1987, by the County Board of Appeals of Baltimore County ORDERED that the Petition to reclassify the above property to D.R. 2 is hereby GRANTED.

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

COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY

Thomas J. Bollinger
Thomas J. Bollinger, Acting Chairman

Lawrence E. Schmidt
Lawrence E. Schmidt

LeRoy E. Spurrier
LeRoy E. Spurrier

BONITA VENTURE

#R- 87-260

W/S Bonita Avenue, 709.31 S c/1
Thoroughbred Lane

Item #11, Cycle IV, 1986-87

4th District

R.C.5 to D.R.2

4.971 acres

August 29, 1986 Petition Filed

Bonita Venture /Hannah Tabor
3655 A Old Court Road
Baltimore, MD 21208

Petitioner

James Earl Kraft
Baltimore County Board of Education
940 York Road 21204

Phyllis Cole Friedman, Esquire

People's Counsel

Norman E. Gerber
James G. Hoswell
Arnold Mahlon J. Robert Haines c/f 8/3/87
Jean M. H. Jung
James E. Dyer
Margaret E. du Bois

Robert K. Smith, Esq.
Cable, McDaniel, Bowie & Bond
1 N. Charles St. (21201-3793)
9th fl.

2-11-87

Ms. Hannah Tabor
3655 A Old Court Road
Baltimore, Maryland 21208

March 17, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING RECLASSIFICATION
W/S Bonita Ave., 709.31' S of the c/l
of Thoroughbred Lane
4th Election District
Bonita Venture - Petitioner
Case No. R-87-260

TIME: 10:00 a.m.

DATE: Tuesday, April 21, 1987

PLACE: Room 218, Courthouse, Towson, Maryland

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

No. 85133

W

DATE: Oct. 7, 1983 ACCOUNT: 01.712

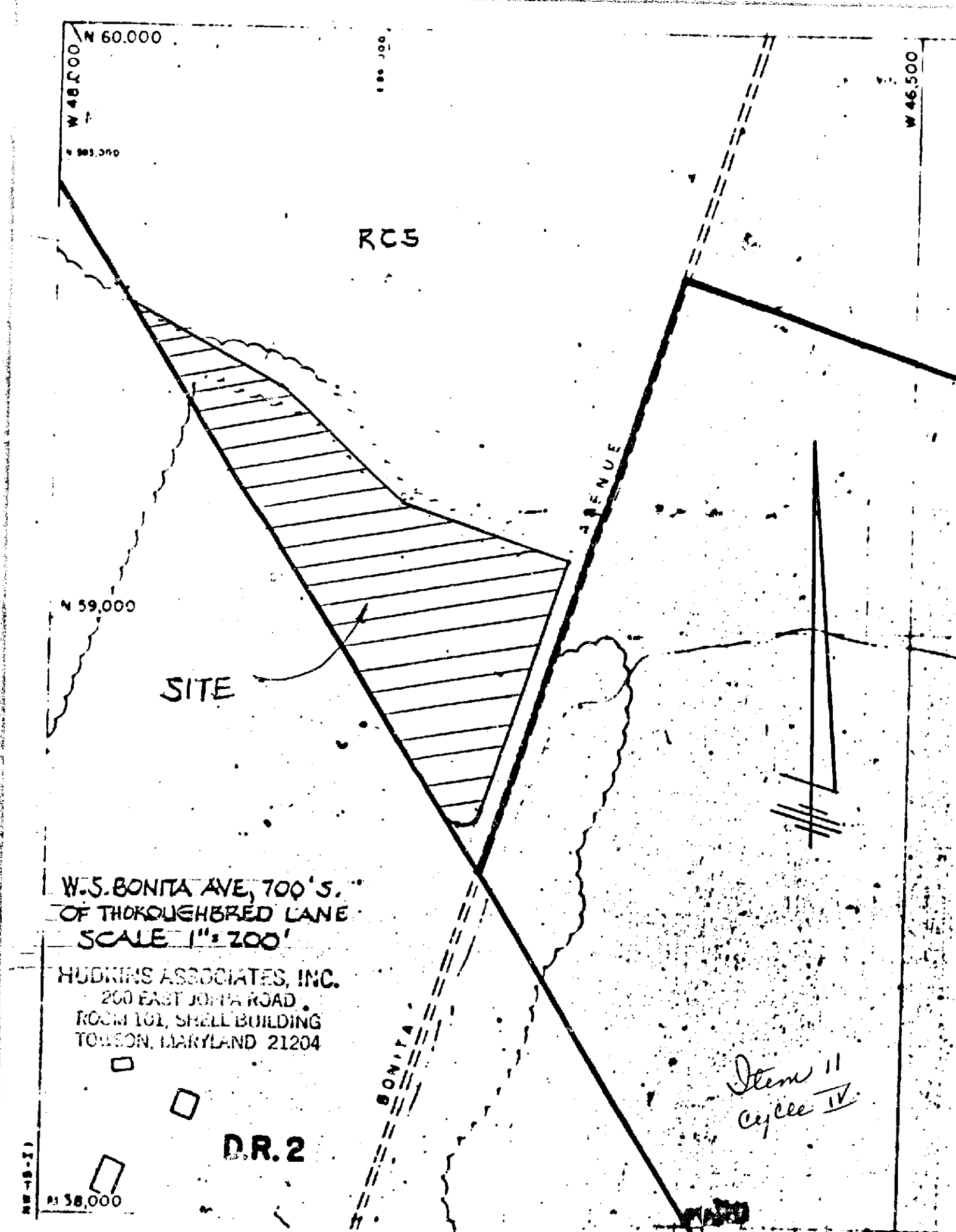
AMOUNT: \$8.00

RECEIVED FROM: Dennis J. Poros, Esq., 608 Balto. Ave., Towson, Md.
FOR: copies of documents

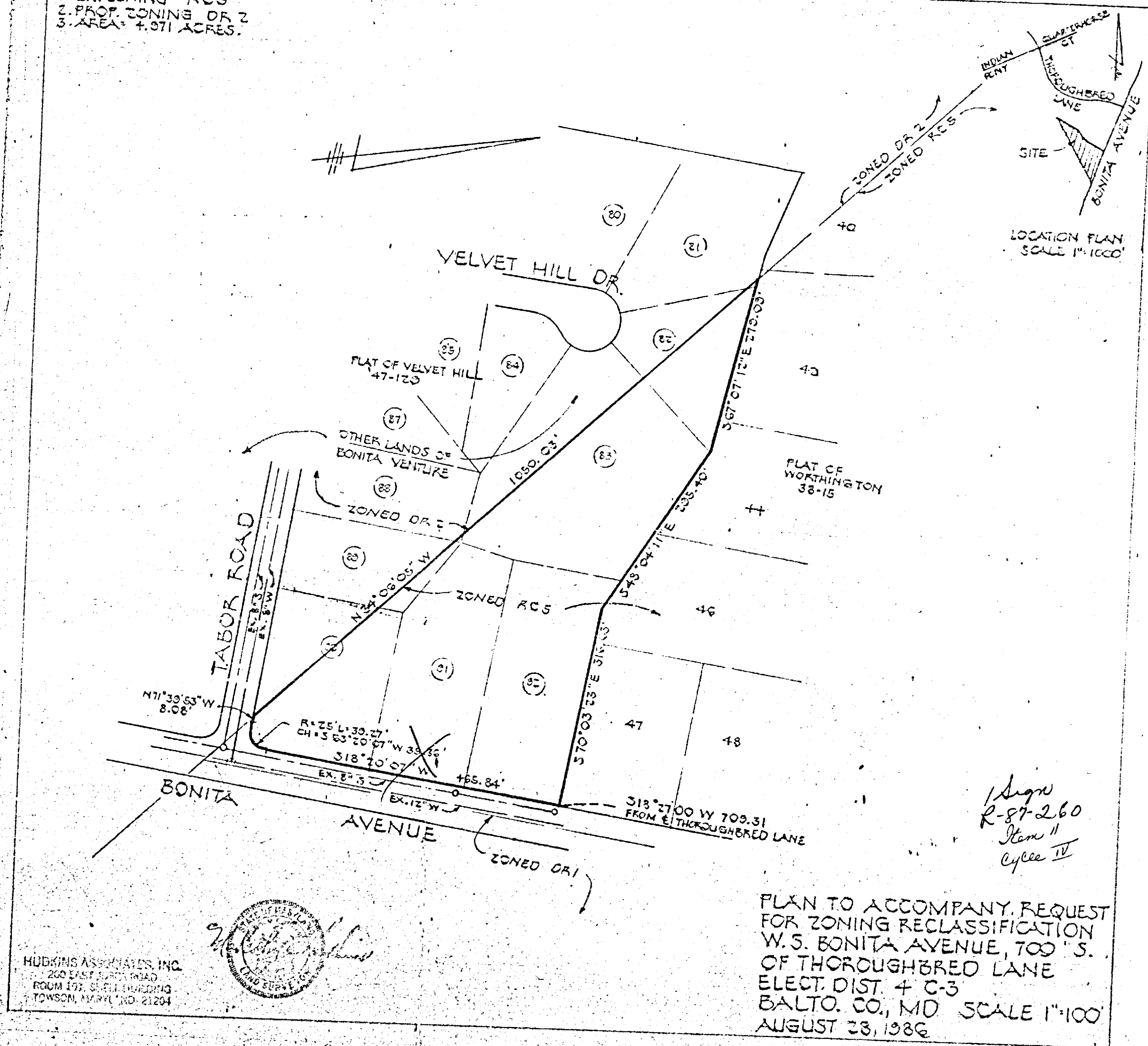
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VALIDATION OR SIGNATURE OF CASHIER

T. J. Hackett
T. Hackett, Chairman
Board of Appeals

ZONING OFFICE FOR ADVERTISING AND
Y A WEEK BEFORE THE HEARING. THIS
HE ZONING OFFICE ON THE DAY OF THE



NOTES:
1. EX. ZONING RC5
2. PROP. ZONING DR.2
3. AREA: 4.971 ACRES.



NOTES:
 1. EX. ZONING R-2.5
 2. EX. ZONING R-2.5
 3. EX. ZONING R-2.5
 4. EX. ZONING R-2.5



PLAN TO ACCOMPANY REQUEST
 FOR ZONING RECLASSIFICATION
 W.S. BONITA AVENUE, 700' S.
 OF THOROUGHbred LANE
 ELECT. DIST. + C-3
 BALTO. CO., MD SCALE 1"=100'
 AUGUST 23, 1986

*Put
 No 2*