

RE: PETITION FOR RECLASSIFICATION
FROM "B-2" ZONE TO "B-1" ZONE
S. E. Cor. Baltimore National
Pike and Kent Ave., 1st Dist.,
Butler & Neale, Inc.,
Petitioner

RECEIVED
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 5717

Butler & Neale, Inc., have petitioned for reclassification from "B-2" Zone to a "B-1" Zone of property on the southeast corner of the Baltimore National Pike and Kent Avenue, in the First District of Baltimore County.

This request for reclassification is in the same area as Petition No. 5666, said petition having been granted this date.

Accordingly the petition of Butler & Neale, Inc., is granted for the same reasons, and subject to the same requirements as set forth in petition #5666, which shall be attached to and made a part hereof.

It is this 15th day of March, 1963, by the Zoning Commissioner of Baltimore County, ORDERED that the herein described property or area should be and the same is hereby reclassified; from a "B-2" Zone to a "B-1" Zone.

John G. Rose
Zoning Commissioner of
Baltimore County

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, *Butler & Neale, Inc.*, legal owner... of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an *B-2* zone to an *B-1* zone; for the following reasons:

Error in Map

See Attached Description

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

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above reclassification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Butler & Neale, Inc.
Robert A. Neale, Jr.

Contract purchaser

Address

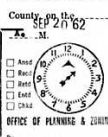
Legal Owner
Address
1031 Ingleside Ave.
CATONSVILLE 28 MD

Petitioner's Attorney

Address

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of September, 1962, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 107 County Office Building in Towson, Baltimore County, on the 19th day of December, 1962, at 11:00 o'clock A.M.



(over)

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF PUBLIC SERVICES Inter-Office Correspondence

From George R. Lewis

To John G. Rose

Subject: Petition 5717 - S.E.C., Baltimore National Pike & Kent Ave.
Petition 5666 - N.E. of Baltimore County Beltway & N.W.S. Lafayette Ave.
Petition 5654 - W.S. York Rd. at Baltimore City Line
Petition 5524 - S.S. Joppa Rd., East Perring Ave.

Reference is made to your letter to Mr. Albert B. Kaltenbach on the requirement in the above Petitions that the owner comply with Section 500.9 of the Baltimore County Zoning Regulations.

This office has spent considerable time in attempting to coordinate with the Office of Planning, Traffic Department, Bureau of Engineering and the State Road and State Agencies to discuss the site plan to comply with your requirement. Numerous meetings have been held with the Petitioners and with the above mentioned Agencies in order to expedite these approvals.

It appears in several instances a complete accord is difficult to reach, therefore, under date January 11th, this office held a meeting with the various County and State Agencies to discuss the above referenced Petitions with the following conclusions:

Petition 5666 - The Office of Planning has been discussing this property with the Petitioner, however, have reached no conclusions with respect to the requirements necessary on the site plan for compliance with 500.9. This office has had several conferences with the property owner, prior to the Zoning Hearing, with respect to the engineering requirements necessary. The Owner has agreed to provide the necessary widening to this property as affected by the intersection of Perring Parkway and Joppa Road. These proposed improvements, however, would eliminate turning movement from this site to the westbound traffic line by virtue of a proposed median in Joppa Road from Perring Avenue to Perring Parkway. The median in Joppa Road has been discussed and generally agreed upon provision of utilities has been discussed and generally agreed upon by the property owner. Indications from the property owner are such that he cannot at present submit a plan showing location of proposed buildings, etc.

It is suggested that your office request the submission of the necessary plans.

RE: PETITION FOR RECLASSIFICATION
FROM "B-2" TO A "B-1" ZONE
N.E. RIGHTWAY OF BALTIMORE
COUNTY BELTWAY AND N.W. SIDE
OF LAFAYETTE AVENUE, 1st Dist.,
Salvatore Iacola and Alice H.
Iacola, Petitioners
Park Forty Corp., Cont. Pur.
BALTIMORE COUNTY
No. 5666

The Park Forty Corporation has petitioned for a reclassification of property bordering the Baltimore County Beltway and other property owned by the petitioner facing the Baltimore National Pike and presently zoned Business Roadside.

It appears from testimony that the requested zoning is logical and the original zoning of April 5, 1960 was in error in not zoning the subject property Business Roadside.

Examination of the land on the south side of Baltimore National Pike from the Beltway to Ingleside Avenue presently zoned Business Roadside or Business Major clearly indicates that such zoning should not have been placed on the zoning map of April 5, 1960 unless said zoning was in conjunction with a comprehensive plan which would provide a street to serve such a commercial zone in an adequate manner.

Important factors to resolve are traffic safety on Baltimore National Pike and Ingleside Avenue. In addition the required access road must protect residents living in the Calverton Road area from an unsafe traffic condition as a result of the proposed commercial uses of the properties presently zoned commercial.

On December 20, 1962, the Zoning Commissioner involved Sec. 500.9 of the Baltimore County Zoning Regulations by writing letters to Mr. Albert B. Kaltenbach, Director of the Department of Public Works and Mr. Malcolm H. Dill, Director of the Office of Planning and Zoning.

Section 500.9 of the Baltimore County Zoning Regulations reads as follows:

Petition 5717 - The proposed office building on the southeast corner of Kent Avenue and Baltimore National Pike can be approved based on the plan dated November 19, 1962 presented for zoning. This plan is workable, however, would require the owner to submit a Public Works Agreement for improvements on Kent Avenue and the provision of sanitary sewer.

Petition 5666 - The approval of this site plan depends on several items. The present access for this hotel would afford no access to the westbound lane of Route 10. A study by the Office of Planning and Bureau of Engineering suggests an extension of Chrysler Place from Ingleside Avenue west to Kent Avenue to provide this westbound movement for this site as well as the other frontage on Route 10 between Kent and Ingleside. Access to this site directly from Route 10 should be denied, requiring all access by way of Kent Avenue. Kent Avenue is proposed to be widened to a 161' street on a 60' right of way. The site plan for this proposed site can be revised to accomplish the approvals of the Office of Planning and Bureau of Engineering and the Traffic Director, however, the site cannot function properly, according to these offices, until such time as Chrysler Place has been extended from Ingleside to Kent Avenue. No anticipated date of construction on Chrysler Place can be given.

Petition 5654 - This office has had several meetings with representatives of Kroger and the various County Agencies. To date Kroger has not complied with the requirement set forth in these meetings. This office shall, under date of January 18th, submit suggested plans to Kroger requesting that they conform thereto in order to obtain an approved site plan. Any comment on this plan must await Kroger's receipt and consideration of the above suggested plans.

Based on the above, it would appear that the office building on Petition 5717 has met with your requirement, however, the other Petitioners are still required to submit revised plans prior to approval.

It would appear that no actual procedure has been set for obtaining the approvals as set forth as necessary under 500.9. Since the Zoning Hearing this office has received no request for review from the Park Forty Motel Site, the office building Site or the Joppa Road Site. The only property that has been submitted to this office for preliminary review is the Kroger Site. It would appear that when you desire to comply with Section 500.9, that the Owner be requested to submit six (6) copies of his site plan to the Bureau of Public Services for preliminary review.

At present this office is reviewing plans for the Kroger Site only. Any further review of the Park Forty Motel and the Joppa Road - Perring Avenue Petition would require resubmission of plot plans.

CR:rb

cc: Mr. Dill

George R. Lewis
Chief, Bureau of Public Services

"500.9 - The Zoning Commission shall have the power to require the production of plans of developments or subdivisions of land, or of any land in connection with which application for building or use permits or petitions for a Special Exception, a Reclassification, or a temporary use shall be made, and of buildings or other structures proposed to be erected, repaired, altered, or added to. All such plans shall be drawn to scale and shall clearly indicate the proposed location, size, front, side and rear setbacks from property lines and elevation plans of proposed buildings and other structures. Such details shall conform in all respects with the Zoning Regulations. No such plans or plans, showing the opening or laying out of roads or streets, shall be approved by the Zoning Commissioner unless proved by the Office of Planning and the Department of Public Works of Baltimore County."

Since that time many meetings have been held and field inspections made.

It is the Zoning Commissioner's understanding that a solution will be reached in the immediate future.

For the above reasons the reclassification should be granted.

It is this 15th day of March, 1963, by the Zoning Commissioner of Baltimore County, ORDERED that the herein described property or area should be and the same is hereby reclassified; from an "B-2" Zone to a "B-1" Zone, subject, however, to the following:

That no building permit shall be approved until the Director of Planning and Zoning and the Director of the Department of Public Works shall have approved a satisfactory solution for the creation of an access road to serve the commercial properties on Baltimore National Pike between the Baltimore County Beltway and Ingleside Avenue. This solution must include an approved site plan and provisions for the financing and construction of said access road.

The site plan and other allied papers shall be signed by an authorized representative of each of the aforesaid departments and be attached to and made a part of this Order.

It is further ORDERED that the site plan for the development of said property shall be subject to approval of the State Roads Commission and the Division of Traffic Engineering.

John G. Rose
Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: December 7, 1962

FROM: George E. Gavrellis, Deputy Director

SUBJECT: #5717 - Petition for Zoning Reclassification from B-2 Zone to B-1 Zone, Southeast corner of Baltimore National Pike and Kent Avenue

1st DISTRICT

HEARING: Wednesday, December 19, 1962 at 11:00 A.M.

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from B-2 to B-1 zoning and has the following advisory comments to make with respect to pertinent planning factors:

- The Master Plan embracing this portion of the 1st District recommended a band of B-2 zoning along the south side of Route 40. As a result, statement of land use, the B-2 zoning was correct. As applied specifically to the subject property and its unique boundary, B-2 zoning and its setbacks present problems of development which may be satisfactory.

GE:gh



COMMISSION MEMBERS
JOHN B. FUNK,
CHAIRMAN OF COMMISSION
AND DIRECTOR OF HIGHWAYS
PAUL J. BAILEY
HARLEY P. BRINSFIELD
LANE S. CLARKE
THOMAS N. KAY
JOHN J. MCGILL
WILLIAM B. OWINGS

STATE OF MARYLAND
STATE ROADS COMMISSION
300 WEST PRESTON STREET
BALTIMORE 1, MD.

(MAILING ADDRESS - P. O. BOX 717, BALTIMORE 1, MD.)
December 18, 1962

Mr. John G. Rose
Zoning Commission
County Office Building
Towson 4, Maryland

RE: Zoning Petition # 5717
From BR Zone to a BL Zone
Southeast corner of Baltimore
National Pike (Sta 40) and
Tent Avenue

Dear Mr. Rose:

This office reviewed the subject petition and the following comments are with respect thereto:

The plan indicates no access to Route 40, to which we have no objections. The petitioner does not have sufficient frontage along Route 40 to provide safe or adequate access according to State Roads Commission standards and specifications.

Thank you for your cooperation.

Very truly yours,

Charles Lee, Chief
Development Engineering Section

BY: John L. Daerr
Asst. Development Engineer

JLD/ntb



TELEPHONE
VALLEY 3-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 15372

DATE 12/12/62

TO: Butler & Neale, Inc.
1031 Ingleside Ave.
Balto. 28, Md.

BILLED BY: Zoning Department of
Baltimore County

DEPOSIT TO ACCOUNT NO. 01622		TOTAL AMOUNT
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
	Advertising and posting of your property	39.35
		39.35

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

TELEPHONE
VALLEY 3-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 14163

DATE 9/20/62

TO: W. H. Primrose & Associates
21 W. Penna. Ave.
Towson 4, Md.

BILLED BY: Zoning Department of
Baltimore County

DEPOSIT TO ACCOUNT NO. 01622		TOTAL AMOUNT
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
	Petition for Reclassification for Butler & Neale	50.00
		50.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#5717

Date of Posting 11-28-62

District 1st
Posted for: Ans. B-R to Ans. B-L Zone
Petitioner: Butler & Neale, Inc.
Location of property: S.E. Corner of Balto. Nat. Pike & Kent Ave. etc.
Location of Signs: Southeast Corner of Balto. Nat. Pike & Kent Ave. etc.
Remarks: George R. Daerr
Posted by: George R. Daerr
Date of return: 11-29-62

PETITION FOR ZONING
RECLASSIFICATION

1st District

ZONING: From B.R. Zone to
B.L. Zone.

LOCATION: Southeast corner
of Baltimore National Pike
and Kent Avenue.

DATE & TIME: WEDNESDAY,
DECEMBER 19, 1962 at
11:00 A.M.

PUBLIC HEARING: Room
108, County Office Building,
111 W. Chesapeake Avenue,
Towson, Maryland.

The Zoning Commission of
Baltimore County, by authority
of the Zoning Act and Regu-
lations of Baltimore County,
will hold a public hearing:
Concerning all that parcel of
land in the First District of
Baltimore County

BEGINNING for the same at
the intersection formed by
the south side of the Bal-
timore National Pike (U.S.
Route #40) and the east side
of Kent Avenue and follow-
ing Kent Avenue southerly by
a curve to the right with a
radius of 218.36 feet for a
distance of 63.51 feet, thence
still binding on the east side
of Kent Avenue south 17 de-
grees 02' West 20.02 feet,
thence south 72 degrees 55'
East 120.00 feet to an iron
pin; thence North 17 de-
grees 02' East 33.45 feet of
the Baltimore National Pike
and thence binding thereon
South 79 degrees 15' West 30
feet more or less to the place
of beginning.

CONTAINING 0.135 acres
of land more or less.

BEING Lots #1 and #2 in
Block 2 on the Plat of Ca-
tonsville Heights recorded
in Plat Book W.P.C. #6 folio
178.

Being the property of Butler
and Neale, Inc., as shown on
plat plan filed with the Zon-
ing Department.

By Order Of
John G. Rose
Zoning Commissioner Of
Baltimore County

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. November 29, 1962

THIS IS TO CERTIFY. That the annexed advertisement was
published in THE TIMES, a weekly newspaper printed and pub-
lished in Baltimore County, Md. once in each of 010
successive weeks before the 19th
day of December 1962, the first publication
appearing on the 29 day of November
19 62

THE TIMES.

John M. Martin,
Manager.

Cost of Advertisement \$17.00
Purchase No. S1670
Requisition No. M5164

