

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONERS OF BALTIMORE COUNTY:
DEVELOPMENT CO., INC.,

I, or we, CANARY ISLAND DEVELOPMENT CO., 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 reclassified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an M-L zone; for the following reasons:

1. Because of changes in the area; and
2. Because of error in the Comprehensive Zoning 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 a Sanitary Landfill, pursuant to the provisions of Baltimore County Zoning Regulations Sections 253.5 and 412.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

ROBB TYLER, INC. CANARY ISLAND DEVELOPMENT CO., INC.

By: *Robb Tyler, Inc.* By: *John G. Rose*
Address: Pulaaki Hwy. & 66th Street, Baltimore, Maryland 21206
Address: 3214 Ryerson Circle, Baltimore, Maryland 21227

Kenneth C. Proctor *John G. Rose*
Petitioner's Attorney Protestant's Attorney
Address: Campbell Building, Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 2nd day of February, 1965, 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 100, County Office Building in Towson, Baltimore County, on the 24th day of March, 1965, at 2:00 o'clock P.M.

John G. Rose
Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: March 12, 1965
FROM: George E. Govrells, Director
SUBJECT: #65-256-RX. "R-6 to M.L. with Special Exception for a Sanitary Landfill. Beginning 269.92 feet South of Patapsco Avenue on the South side of the Baltimore City Line. Being the property of Canary Island Development Co., Inc."

13th District
HEARING: Wednesday, March 24, 1965 (2:00 P.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

1. We question the validity of the subject petition in that the property description indicates, in its last paragraph, that part of the property is recorded in Baltimore County's land records (rather than Baltimore County's). Does the portion is only "intended" to be recorded as the petitioner's property? Have all the petitioner own all of the property embraced by the petition? Are the properties described properly? legal owners signed the petition?
2. The request for a special exception is premature. There is no indication on the petitioner's plat and no accompanying data that would show how the proposed landfill would comply with zoning requirements relative to special exceptions, or how drainage, suitable access, screening and other ameliorative measures, etc., would be provided.
3. In view of the above considerations, we recommend that the petition be withdrawn. If it is not withdrawn, we recommend that the requests be denied.

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of...

the above Reclassification should be had; and it further appearing that by reason of...

a Special Exception for a... should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this... day of... 1965, that the herein described property or area should be and the same is hereby reclassified; from a... zone to a... zone, and/or a Special Exception for a... should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of... as the petitioner failed to prove error in the zoning of the subject property or that sufficient change in the area had taken place to warrant the reclassification...

and the Special... the above re-classification should NOT BE HAD, and the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 25th day of August, 1965, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain an R-6 zone; and the Special Exception for Sanitary Land Fill be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

MICROFILMED

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Kenneth C. Proctor, Esq. COUNTY OFFICE BUILDING
Campbell Building, Towson, Maryland 21204

Dear Mr. Proctor:

The Zoning Advisory Committee has reviewed the subject petition and makes the following comments:

The plans as submitted do not begin to meet the requirements for a Sanitary Landfill as set forth in Bill 511, Section 13.5. Two of these requirements read as follows:

"No disposal site shall be established or operated without the approval of, and being subject to the regulations and requirements of, the Baltimore County Office of Planning and Zoning, Department of Public Works, Fire Prevention, Department of Health, and the Maryland State Department of Health."

"Any person prior to initiating any system for disposal of refuse or prior to the alteration or addition to any existing system, shall have a written permit from the Department of Permits and Licenses of Baltimore County. Complete plans drawn to scale showing the location of the area and specifications of the proposed method of operation shall accompany the request for the approval of any new site. The operator of any collection and/or disposal system who wishes to change or extend his operation shall present such information as desired by the approving authority."

It would appear a plan which indicates all the requirements set forth in this Bill should be approved by the Department of Permits and Licenses prior to re-submitting the petition for review by the committee.

The following members had no comments to offer:
Board of Education
Hlg. Department
Health Department
Fire Bureau
Industrial Development Commission
State Roads Commission
Bureau of Engineering

Yours very truly,

James E. Dyer
Chief of Permit and
Petition Processing

WHITMAN, REQUARDT AND ASSOCIATES, ENGINEERS

BALTIMORE, MARYLAND

January 4, 1965

CANARY ISLAND

ENGINEERING DESCRIPTION

PARCEL TO BE REZONED FROM R-6 TO M.L.

Lying and being in the Thirteenth Election District of Baltimore County, #13 Maryland.

BEGINNING for the same at the end of a line drawn South 35° 35' 26" West, 269.92 feet from a point on the southerly side of Patapsco Avenue, 100 feet wide, said point being 3817.65 feet from the westerly side of Potee Street, as measured along said southerly side of Patapsco Avenue; thence binding on the outline of the first parcel described in a Deed dated June 19, 1895, from Joseph W. Ament and wife to Joseph Van Rynbeke and recorded among the Land Records of Baltimore County, Maryland, in Liber L.M. 212 at folio 92, the following ten (10) courses and distances: (1) South 35° 35' 26" West, 91.29 feet; (2) North 70° 24' 34" West, 73.65 feet; (3) North 51° 24' 34" West, 163.68 feet; (4) South 75° 35' 26" West, 98.21 feet; (5) South 46° 35' 26" West, 130.54 feet; (6) South 00° 24' 34" East, 229.15 feet; (7) South 66° 24' 34" East, 81.84 feet; (8) South 14° 24' 34" East, 106.39 feet; (9) South 83° 54' 34" East, 138.23 feet; (10) South 85° 52' 30" East, 488.46 feet to a point on the southerly outline of the first parcel of land described in a Deed and Agreement dated July 18, 1962, between Arthur W. Machen, Jr., et al, Trustees, and Canary Island Development Company, Inc., and recorded among the Land Records of Baltimore City in Liber J.P.C. 1384 at folio 97; thence binding on the southerly and easterly outline of said first parcel the following two (2) courses and distances: (1) South 60° 39' 50" East, 1651.95 feet; (2) North 33° 50' 10" East, 250.77 feet to a point on the boundary line of Baltimore City and Baltimore County as established on December 20, 1918; thence binding on said boundary line, North 60° 39' 50" West, 2126.76 feet to the point of BEGINNING.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 13th Date of Posting: March 4, 1965
Posted for: *Reclass. R-6 to M.L. Spec. Excp. Sanitary Landfill*
Petitioner: *Canary Island Development Co., Inc.*
Location of property: *269.92' S of Patapsco Ave. 3/4 mile S of City Line*
Location of Sign: *275' S of Patapsco Ave. 3/4 mile S of City Line*
Remarks: *2 signs*
Posted by: *John G. Rose* Date of return: *March 11, 1965*

Kenneth C. Proctor, Esq.
Campbell Building
Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson 4, Maryland

Your petition has been received and accepted for filing this

2nd day of February, 1965.

Owners Name: *Canary Island Dev. Co., Inc.*
Reviewed by: *John G. Rose*

JOHN G. ROSE
Zoning Commissioner

Containing 16.8651 acres of land, more or less.

Being a piece or part of the first parcel of land described in a Deed and Agreement dated July 18, 1962, between Arthur W. Machen, Jr., et al, Trustees, and Canary Island Development Company, Inc., and recorded among the Land Records of Baltimore City in Liber J.P.C. 1384 at folio 97; and also a piece or part of the land described in a Patent from the State of Maryland to the Canary Island Development Company, Inc. intended to be recorded, pursuant to a Special Warrant issued on January 28, 1964, by the Commissioner of the Land Office of Maryland to Canary Island Development Company, Inc. of Baltimore City, Maryland.

Kenneth A. McGoff
Kenneth A. McGoff
Registered Engineer and Land Surveyor
No. 1274
Whitman, Requardt & Associates
Baltimore, Maryland



INVOICE		BALTIMORE COUNTY, MARYLAND		OFFICE OF FINANCE		No. 28577	
Division of Collection and Receipts		COURT HOUSE		TOWSON 4, MARYLAND		DATE 3/16/65	
To: Kenneth C. Proctor, Esq. and Paul R. Campbell Building Towson, Md. 21204		BILLED BY: Zoning Department of Baltimore County		PAID - Baltimore County, Md. - Office of Finance		3-16 855 • 28577 TIP- 50.00	
DEPOSIT TO ACCOUNT NO. 01-622		QUANTITY		DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE		TOTAL AMOUNT \$50.00	
Petition for Reclassification & Special Exception for Canary Island Development Co., Inc.		016-256-RX		PAID - Baltimore County, Md. - Office of Finance		3-16 855 • 28577 TIP- 50.00	
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.							

INVOICE		BALTIMORE COUNTY, MARYLAND		OFFICE OF FINANCE		No. 28637	
Division of Collection and Receipts		COURT HOUSE		TOWSON 4, MARYLAND		DATE 3/23/65	
To: Kenneth C. Proctor, Esq. and Paul R. Campbell Building Towson, Md. 21204		BILLED BY: Zoning Department of Baltimore County		PAID - Baltimore County, Md. - Office of Finance		3-23 2265 • 28637 TIP- 85.50	
DEPOSIT TO ACCOUNT NO. 01-622		QUANTITY		DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE		TOTAL AMOUNT \$85.50	
Advertising and posting of property for Canary Island Development Co., Inc.		016-256-RX		PAID - Baltimore County, Md. - Office of Finance		3-23 2265 • 28637 TIP- 85.50	
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.							

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. March 4, 1965

THIS IS TO CERTIFY, That the annexed advertisement was published in THE TIMES, a weekly newspaper printed and published in Baltimore County, Md., once in each of one successive weeks before the 2nd day of March, 1965, the first publication appearing on the 4th day of March 1965.

THE TIMES,

John M. Martin
Manager

Cost of Advertisement \$ 26.00

Purchase Order A7434
Requisition No. F2643

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 5, 1965

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one successive weeks before the 2nd day of March, 1965, the first publication appearing on the 5th day of March 1965.

THE JEFFERSONIAN,

L. Frank Strickland
Manager

Cost of Advertisement, \$.....

Source: From T-6 to R.L. Zone
Petition for Special Exception for a Sanitary Landfill.
LOCATION: Parcel 108, 82 feet South of Patuxent Avenue on the South side of the Baltimore City Line.
DATE & TIME: Wednesday, March 24, 1965 at 2:00 P.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 Regulations of Baltimore County, will hold a public hearing:
Present Zoning: R-6.
Proposed Zoning: M.L.
Petition for Special Exception for a Sanitary Landfill.
All that parcel of land in the Thirteenth District of Baltimore County

Beginning for the same at the end of a line drawn South 85 degrees 35 minutes 30 seconds West, 300.92 feet from a point on the southerly side of Patuxent Avenue, 100 feet wide, said point being 3817.65 feet from the westerly side of Potosi Street, as measured along said southerly side of Patuxent Avenue, thence binding on the outline of the first parcel described in a Deed dated June 19, 1965, from Joseph W. Amest and wife to Joseph Van Ryumbak and recorded among the Land Records of Baltimore County, Maryland, in Liber L.M.B. 212 at folio 92, the following ten (10) courses and distances: (1) South 88 degrees 35 minutes 30 seconds West, 91.26 feet; (2) North 70 degrees 24 minutes 34 seconds West, 72.55 feet; (3) North 51 degrees 34 minutes 34 seconds West, 163.68 feet; (4) South 78 degrees 38 minutes 38 seconds West, 98.21 feet; (5) South 48 degrees 35 minutes 26 seconds West, 150.94 feet; (6) South 00 degrees 24 minutes 34 seconds East, 229.15 feet; (7) South 86 degrees 24 minutes 34 seconds East, 81.84 feet; (8) South 14 degrees 24 minutes 34 seconds East, 100.39 feet; (9) South 53 degrees 54 minutes 34 seconds East, 188.23 feet; (10) South 58 degrees 52 minutes 30 seconds East, 488.48 feet to a point on the southerly outline of the first parcel of land described in a Deed and Agreement dated July 18, 1962, between Arthur W. Machen, Jr., et al, Trustees, and Canary Island Development Company, Inc., and recorded among the Land Records of Baltimore City in Liber J.F.C. 1384 at folio 97; thence binding on the southerly and easterly outline of said first parcel the following two (2) courses and distances: (1) South 60 degrees 33 minutes 50 seconds East, 1651.95 feet; (2) North 33 degrees 50 minutes 10 seconds East, 250.77 feet to a point on the boundary line of Baltimore City and Baltimore County as established on December 20, 1918; thence binding on said boundary line, North 60 degrees 33 minutes 50 seconds West, 2196.76 feet to the point of beginning.

Containing 16.8651 acres of land, more or less.

Being a piece or part of the first parcel of land described in a Deed and Agreement dated July 18, 1962, between Arthur W. Machen, Jr., et al, Trustees, and Canary Island Development Company, Inc., and recorded among the Land Records of Baltimore City in Liber J.F.C. 1384 at folio 97; and also a piece or part of the land described in a Deed from the State of Maryland to the Canary Island Development Company, Inc. intended to be recorded, pursuant to a Special Warrant issued on January 29, 1964, by the Commissioner of the Land Offices of Maryland to Canary Island Development Company, Inc. of Baltimore City, Maryland.

Being the property of Canary Island Development Co., Inc. as shown on plat plan filed with the Zoning Department.

Hearing Date: Wednesday, March 24, 1965 at 2:00 P.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

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

CERTIFICATE OF PUBLICATION

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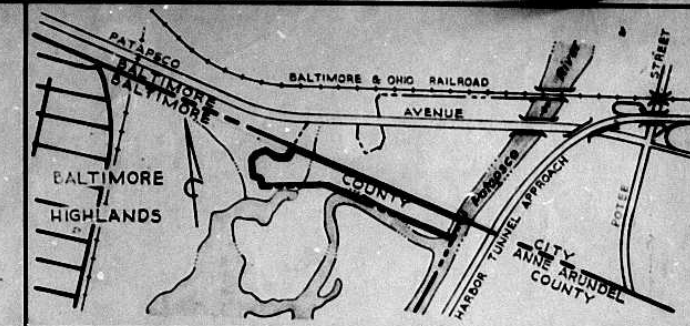
Beginning for the same at the end of a line drawn South 25° 35' 15" West, 100.92 feet from a point on the southerly side of Patuxent Avenue, 100 feet wide, said point being 3817.65 feet from the westerly side of Potosi Street, as measured along said southerly side of Patuxent Avenue, thence binding on the outline of the first parcel described in a Deed dated June 19, 1965, from Joseph W. Amest and wife to Joseph Van Ryumbak and recorded among the Land Records of Baltimore County, Maryland, in Liber L.M.B. 212 at folio 92, the following ten (10) courses and distances: (1) South 88° 35' 30" West, 91.26 feet; (2) North 70° 24' 34" West, 72.55 feet; (3) North 51° 34' 34" West, 163.68 feet; (4) South 78° 38' 38" West, 98.21 feet; (5) South 48° 35' 26" West, 150.94 feet; (6) South 00° 24' 34" East, 229.15 feet; (7) South 86° 24' 34" East, 81.84 feet; (8) South 14° 24' 34" East, 100.39 feet; (9) South 53° 54' 34" East, 188.23 feet; (10) South 58° 52' 30" East, 488.48 feet to a point on the southerly outline of the first parcel of land described in a Deed and Agreement dated July 18, 1962, between Arthur W. Machen, Jr., et al, Trustees, and Canary Island Development Company, Inc., and recorded among the Land Records of Baltimore City in Liber J.F.C. 1384 at folio 97; thence binding on the southerly and easterly outline of said first parcel the following two (2) courses and distances: (1) South 60° 33' 50" East, 1651.95 feet; (2) North 33° 50' 10" East, 250.77 feet to a point on the boundary line of Baltimore City and Baltimore County as established on December 20, 1918; thence binding on said boundary line, North 60° 33' 50" West, 2196.76 feet to the point of beginning.

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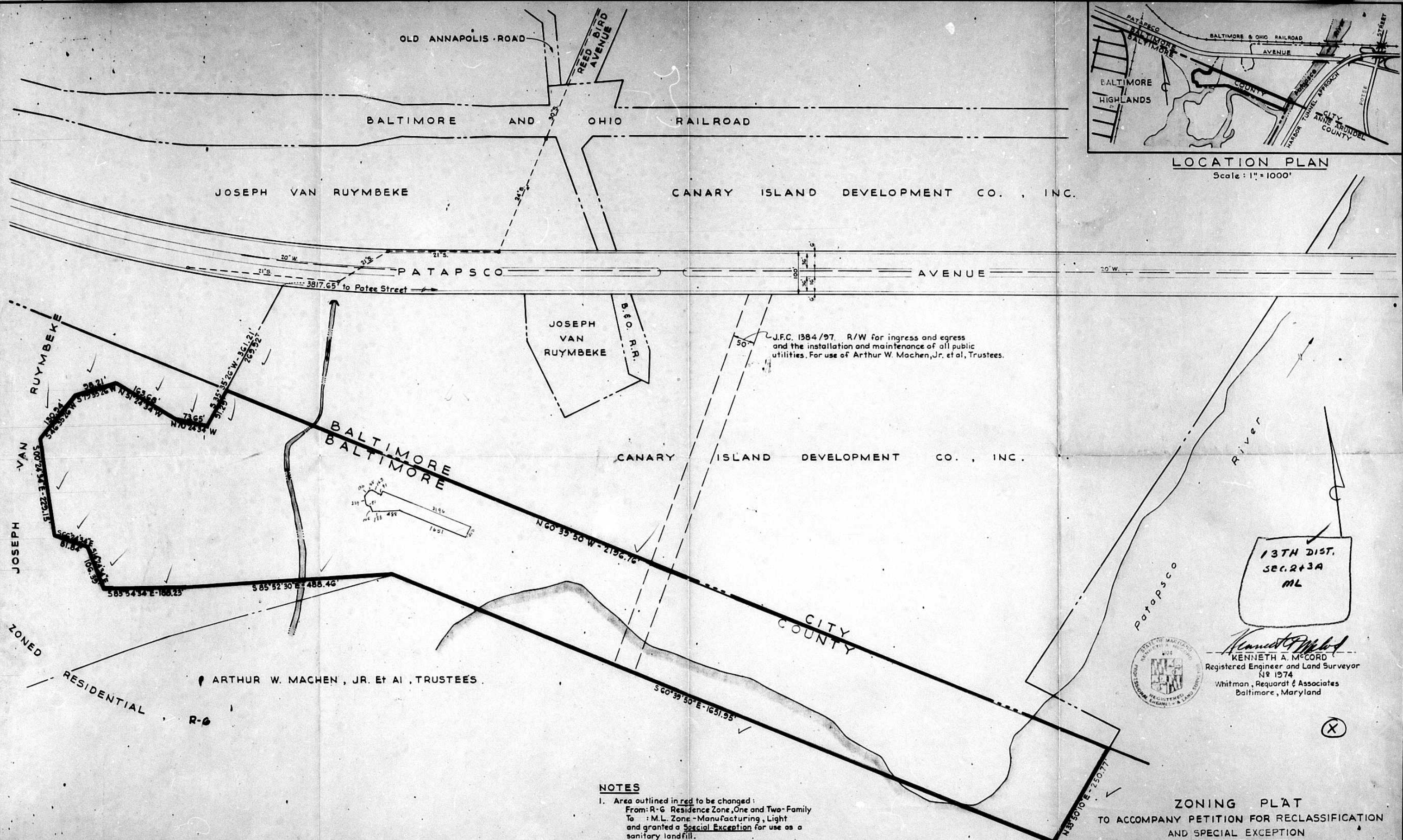
Being a piece or part of the first parcel of land described in a Deed and Agreement dated July 18, 1962, between Arthur W. Machen, Jr., et al, Trustees, and Canary Island Development Company, Inc., and recorded among the Land Records of Baltimore City in Liber J.F.C. 1384 at folio 97; and also a piece or part of the land described in a Deed from the State of Maryland to the Canary Island Development Company, Inc. intended to be recorded, pursuant to a Special Warrant issued on January 29, 1964, by the Commissioner of the Land Offices of Maryland to Canary Island Development Company, Inc. of Baltimore City, Maryland.

Being the property of Canary Island Development Co., Inc. as shown on plat plan filed with the Zoning Department.

Hearing Date: Wednesday, March 24, 1965 at 2:00 P.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
By order of
JOHN G. ROSE
Zoning Commissioner of Baltimore County



LOCATION PLAN
Scale: 1" = 1000'



13TH DIST.
SEC. 2+3A
ML



Kenneth A. McCord
KENNETH A. MCCORD
Registered Engineer and Land Surveyor
No. 1974
Whitman, Requardt & Associates
Baltimore, Maryland

NOTES

1. Area outlined in red to be changed:
From: R-6 Residence Zone, One and Two-Family
To: M.L. Zone - Manufacturing, Light
and granted a Special Exception for use as a
sanitary landfill.
2. Area outlined in red contains 16.87 acres.
3. Portion of property lying in Baltimore City is zoned as follows:
Use District - Industrial
Area District - B
Height District - 1 1/2

OWNER

Canary Island Development Co., Inc.
3214 Ryerson Circle
Baltimore, Maryland 21227

WHITMAN, REQUARDT & ASSOCIATES
Engineers
2 W. Preston St.
Baltimore, Maryland

ZONING PLAT
TO ACCOMPANY PETITION FOR RECLASSIFICATION
AND SPECIAL EXCEPTION
PROPERTY OF
CANARY ISLAND DEVELOPMENT CO., INC.
ELECTION DISTRICT: No. 13 BALTIMORE COUNTY, MARYLAND
Scale: 1" = 100'
Date: January 5, 1965

