

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

We, the 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 R-6 zone to an R-6A zone.

Reasons for the following reasons: The property described in the attached description and Plat, at the time of its acquisition by this Petitioner, was duly zoned R-6, and this Petitioner prepared the necessary Plans for the issuance of a building permit, which was issued to your Petitioner authorizing the construction of the BL stores and project more particularly referred to in such Permit. Pending certain developments, having no connection with the then-existing Zoning classification, and without notice to or knowledge on the part of the Petitioner, it is now alleged that the property described herein is still Zoned as a BL zone, and without prejudice to this contention, but in order to conserve on time, the Petitioner has been advised to nonetheless file this Petition for such re-classification to such BL zone. Subject to the foregoing, the Petitioner alleges that such attempted previous, though ineffective, change of zoning from BL to R-6, was illegal, confiscatory, and erroneous, and that such action constituted grievous error, and that additionally there have been changed conditions in the area. In connection with the foregoing, the Petitioner respectfully requests the granting of a variance in the width of the rear yards and from 20' to 10' along the northwest boundary of Martin Drive, agreeably to Section 232.B. of the Baltimore County Zoning Regulations, and on all the grounds on which variances are granted.

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

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. See Attached Description

and available; such variances under the circumstances would not be material or harmful.

ENFIELD REALTY, INC. Legal Owner
By: *Ralph C. Kemp* Vice President
Address: 2200 North Monroe Street
Baltimore 17, Maryland

Petitioner's Attorney
2110 Maryland National Bank Building
Baltimore, Maryland 21202
MULberry 5-6666

ORDERED By The Zoning Commissioner of Baltimore County, this 16th 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 106, County Office Building in Towson, Baltimore County, on the 29th day of March, 1965, at 1:30 o'clock P.M.



Zoning Commissioner of Baltimore County.

JOSEPH D. THOMPSON, P.E. & L.S.
CIVIL ENGINEERS & LAND SURVEYORS
1150
101 SHELL BUILDING - 200 EAST JOPPA ROAD
TOWSON - 4 - MARYLAND - VAlley 3-8820

ZONING DESCRIPTION
ENFIELD REALTY, INC.

BEGINNING for the same on the southeast side of Forest Park Avenue (St. Agnes Lane) as now laid out, and widened, at a point distant 210 feet more or less South 51 degrees 49 minutes 21 seconds West from the Westernmost curb line of Security Boulevard (Cooks Lane) thence binding on the southeast side of said Forest Park Avenue, as widened, South 51 degrees 49 minutes 21 seconds West 204.33 feet to intersect the fourth or South 73 degrees 52 minutes 30 seconds East 283.60 foot line of that tract of land which by deed dated June 15, 1956 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2953 folio 145 etc. was conveyed by Edward L. Martin, et al to The Atlantic Refining Company thence leaving the southeast side of said Forest Park Avenue and binding on parts of the fourth and fifth lines of said deed, the two following courses and distances South 73 degrees 52 minutes 30 seconds East 266.45 feet to the end of said fourth line and to the center of Martin Drive (40 feet wide) thence in the center of said Drive North 47 degrees 33 minutes 00 seconds East 112.88 feet thence leaving said fifth line and the center of said Drive and running North 42 degrees 27 minutes 00 seconds West 97.45 feet and North 65 degrees 10 minutes 39 seconds West 124.36 feet to the place of beginning.

CONTAINING 0.8361 acres of land more or less.

BEING the same tract of land which by deed dated December 1, 1959 and recorded among the Land Records of Baltimore County in Liber W .J.R. No. 3655 folio 317 etc. was conveyed by The Atlantic Refining Company to Enfield Realty, Inc.

Dec. 17, 1964

JOSEPH D. THOMPSON, P.E. & L.S. NO. 1150

RE: PETITION FOR RECLASSIFICATION FROM AN R-6 ZONE TO A B.L. ZONE, AND A USE PERMIT FOR PARKING AREAS IN RESIDENTIAL ZONE - SOUTHEAST SIDE OF FOREST PARK AVENUE (FORMERLY ST. AGNES LANE) WEST OF SECURITY BOULEVARD (COOKS LANE) - FIRST ELECTION DISTRICT - ENFIELD REALTY, INC., PETITIONER

The Petitioner originally requested the reclassification of its entire tract consisting of .840 acres of land more or less from R-6 to B.L.; however, the testimony presented disclosed that a portion of the tract was already zoned B.L. at the time of the adoption of the Zoning Map for the western area. Because of this fact, Petitioner amended his request for zoning reclassification, and requested the Zoning Commissioner to issue a ruling determining precisely that portion of its land which was already classified B.L. and requesting the issuance of a use permit for the use of that portion of the Petitioner's land which lies in a residential zone, for a parking area subject to the conditions set forth in Section 409.4 of the Zoning Regulations.

The property adjoins an existing filling station which has been operated for years at the intersection of Forest Park Avenue and Security Boulevard. The testimony showed that all of the property was classified B.L. prior to the adoption of the Western Area Zoning Map; the testimony further established that the following-described portion of Petitioner's property remained zoned B.L. at the time of the adoption of that (the present) Map. The following-described portion of the Petitioner's property hereinafter called "Parcel A" is therefore declared to be zoned B.L.:

BEGINNING for the same on the southeast side of FOREST PARK AVENUE (formerly St. Agnes Lane) as now widened and constructed, at a point distant 204.33 feet, North 51 degrees 49 minutes 21 seconds East from the point formed by the intersection of the southeast side of said Avenue, as now widened, with the fourth or South 73 degrees 52 minutes 30 seconds East 283.60 foot line of that tract of land which by deed dated June 15, 1956, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2953, folio 145, etc. was conveyed by Edward L. Martin, et al. to the

Atlantic Refining Company, said point of beginning being also distant 210 feet more or less, South 51 degrees 49 minutes 21 seconds West from the westernmost curb line of Security Boulevard (Cooks Lane) and running thence from said beginning and binding on the southeast side of said Forest Park Avenue, as now widened, South 51 degrees 49 minutes 21 seconds West 96.50 feet thence leaving the southeast side of said Avenue and running South 38 degrees 10 minutes 39 seconds East 17.00 feet, South 71 degrees 27 minutes 00 seconds East 118.00 feet, North 63 degrees 11 minutes 31 seconds East 91.73 feet, North 42 degrees 27 minutes 00 seconds West 23.00 feet, and North 65 degrees 10 minutes 39 seconds West 124.36 feet to the place of beginning.

By an amendment to its petition, the Petitioner seeks a use permit for the use of its remaining residentially-classified land hereinafter called "Parcel B", as a parking area, the remaining portion being described as follows:

BEGINNING for the same on the southeast side of Forest Park Avenue (formerly St. Agnes Lane) as now widened and constructed, at a point distant 107.83 feet, North 51 degrees 49 minutes 21 seconds East from the point formed by the intersection of the southeast side of said Avenue, as now widened, with the fourth or South 73 degrees 52 minutes 30 seconds East 283.60 foot line of that tract of land which by deed dated June 15, 1956, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2953, folio 145, etc., was conveyed by Edward L. Martin, et al. to The Atlantic Refining Company, said point of beginning being also distant 306.50 feet, more or less, South 51 degrees 49 minutes 21 seconds West from the westernmost curb line of Security Boulevard (Cooks Lane) and running thence from said beginning and binding on the southeast side of Forest Park Avenue, as now widened, South 51 degrees 49 minutes 21 seconds West 107.83 feet to intersect said fourth line of said deed thence leaving the southeast side of said Avenue and binding on a part of said fourth line South 73 degrees 52 minutes 30 seconds East 266.45 feet to the end thereof and to the center of Martin Drive (40 feet wide) thence binding on a part of the fifth line of said deed and in the center of said Drive North 47 degrees 33 minutes 00 seconds East 112.88 feet, thence leaving the said fifth line and the center of said Martin Drive and running North 42 degrees 27 minutes 00 seconds West 74.45 feet, South 63 degrees 11 minutes 31 seconds West 91.73 feet, North 71 degrees 27 minutes 00 seconds West 118.00 feet and North 38 degrees 10 minutes 39 seconds West 17.00 feet to the place of beginning.

Since this land adjoins the B.L. land owned by the Petitioner, and its use as a parking area is compatible with the permitted uses of the immediately

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BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: March 9, 1965

FROM: George E. Gavrellis, Director

SUBJECT: Petition 65-260-RA - R-6 to B.L. and Variance to permit rear yard of 12 feet instead of the required 20 feet along the South 73 degrees 52 minutes 30 seconds East 266.45 line and to permit 10 feet instead of the required 20 feet along the northwest boundary Martin Drive. Being the property of Enfield Realty, Inc.

1st District

HEARING: Monday, March 29, 1965 (1:30 P.M.)

- Both the Western Planning Area Master Plan and the Composite Guideplan at this stage recommend R-6 type development for the subject property. However, consideration is being given to recommending R.A. zoning instead. The latter could provide a proper transition from the filling station use at the corner of Forest Park Avenue and Security Boulevard and the present R-6 development.
- Current thinking in the offices of the State Roads Commission indicates that there may be a conflict with the access as presently proposed for the subject parcel and a ramp connecting with Interstate 70N. For this reason, the subject proposal - or any proposal for the site - should not be approved without prior approval of the State Roads Commission.
- The site under consideration is not well suited to shopping center development. The fact that it is too small is indicated by the petitioner's request for yard variances. From a planning viewpoint, any request for reclassification accompanied by a request for variances is suspect: It is a strong indication of the inappropriateness of the zoning proposed.

INVOICE		BALTIMORE COUNTY, MARYLAND		No. 28656	
OFFICE OF FINANCE		Division of Collection and Receipts		DATE 3/30/65	
COURT HOUSE		TOWSON 4, MARYLAND		BILL TO: Zoning Department of Baltimore Co.	
TO: Enfield Realty, Inc. 2200 N. Monroe Street Baltimore, Md. 21217		DEPOSIT TO ACCOUNT NO. 01-422		QUANTITY	
ADVERTISING AND POSTING OF PROPERTY		28656-RA		80.00	
PAID - Baltimore County, Md. - Official Receipt		3-3065 2580 • 28656 TIP-		80.00	
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.					

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1ST Date of Posting: March 13, 1965
Posted for: Re-class from R-6 to B.L. & Variance
Petitioner: Enfield Realty, Inc.
Location of property: SE 1/4 Forest Park Ave. 210' W of Security Blvd.
Location of Signs: 1 sign NW 1/4 and 1 sign SE 1/4 Forest Park Ave. 240' W of Security Blvd.
Remarks: J. Gavrellis
Posted by: J. Gavrellis Date of return: March 18, 1965

adjoining B.L. area, and the inability to use such land for parking would result in practical difficulty and unreasonable hardship upon the Petitioner, the use permit requested would give relief without substantial injury to the public health, safety and general welfare of the locality involved, and the use permit for parking in the above area should be granted.

It is, this 13 day of June, 1966, by the Zoning Commissioner of Baltimore County, ORDERED, that Parcel A, as above described, is hereby found to be zoned B.L.

AND IT IS FURTHER ORDERED, that a use permit be and the same is hereby issued, for the use of the land described herein as Parcel B, as a parking area, subject to the conditions set forth in Section 409.4 (a through g) of the Zoning Regulations.

The site plan for the development of said property is subject to approval of the Bureau of Public Services and Office of Planning and Zoning.

The requested Variances are hereby DENIED.

Edward D. Harty
Deputy Zoning Commissioner
Baltimore County, Maryland

Nathan Pats, Esq.
2110 Maryland National Bank Building
Baltimore, Md. 21202
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 10th day of February, 1964.

Owners Name:

Reviewed by: *James E. Rose*

JOHN G. ROSE
Zoning Commissioner

INVOICE		BALTIMORE COUNTY, MARYLAND		No. 28580	
OFFICE OF FINANCE		Division of Collection and Receipts		DATE 3/30/65	
COURT HOUSE		TOWSON 4, MARYLAND		BILL TO: Zoning Department of Baltimore Co.	
TO: Enfield Realty, Inc. 2200 N. Monroe Street Baltimore, Md. 21217		DEPOSIT TO ACCOUNT NO. 01-422		QUANTITY	
ADVERTISING AND POSTING OF PROPERTY		28580-RA		80.00	
PAID - Baltimore County, Md. - Official Receipt		3-3065 2580 • 28580 TIP-		80.00	
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.					

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING

TOWSON 4, MARYLAND

Nathan Pate, Esq.
2110 Maryland National Bank Building
Baltimore, Maryland 21202

Reclassification From
R-6 to BL and rear yard
SUBJECT: Variance for Enfield
Realty, Inc. located SE/4 Forest
Park, W Security Boulevard
1st District NW-1E

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

OFFICE OF PLANNING AND ZONING: 1. This office questions the feasibility of the existing area and so far as circulation is concerned.
2. This office strongly questions the desirability of having the rear of a building located within 10' of a residential street on which two dwellings on either side of the proposed building set back 30' from the street.
TRAFFIC ENGINEERING: This bureau will review and submit comments at a later date if it is deemed necessary.

The following members had no comment to offer:

Board of Education
Fire Department
Health Department
Industrial Commission
Buildings Department
State Roads Commission

cc: Albert Quinsky: Office of Planning and Zoning
Richard Moore: Traffic Engineering

Yours very truly,

James S. Dyer
JAMES S. DYER
Chief of Permit and
Petition Processing

PETITION FOR RECLASSIFICATION AND VARIANCE

1st DISTRICT

ZONING: From R-6 to R.L.
Petition for Variance for
Rear Yards.

LOCATION: Southeast side
of Forest Park Avenue 310
feet West of Security Boule-
vard.

DATE & TIME: MONDAY,
MARCH 29, 1965 at 1:30 P.M.
PUBLIC HEARING: Room
106, County Office Building,
111 W. Chesapeake Avenue,
Towson, Maryland.

The Zoning Commission of
Baltimore County, by author-
ity of the Zoning Act and
Regulations of Baltimore
County, will hold a public
hearing.

Present Zoning: R-6.
Proposed Zoning: R.L.
Petition for Variance to the
Zoning Regulations of Bal-
timore County to permit rear
yard of 12 feet instead of
the required 30 feet along the
South 73 degrees 50'
minutes 30 seconds East
286.45 feet line and to permit
10 feet instead of the re-
quired 20 feet along the
northwest boundary of Mar-
tin Drive.

The Zoning Regulation to be
excepted as follows:
Section 222.3 (b) - Rear
Yard - 30 feet.
All that parcel of land in the
First District of Baltimore
County

Beginning for the same on
the southeast side of Forest
Park Avenue (St. Agnes Lane)
as now laid out, and widened,
at a point distant 210 feet
more or less South 51 degrees
49 minutes 21 seconds West
from the Westmenment curb
line of the Westmenment curb
(Cooks Lane) thence binding
on the southeast side of said
Forest Park Avenue, as wid-
ened, South 51 degrees 49
minutes 21 seconds West
204.13 feet to intersect the
fourth or South 73 degrees 52
minutes 30 seconds East
282.60 feet line of that tract
of land which by deed dated
June 15, 1958 and recorded
among the Land Records of
Baltimore County in Liber
G.L.B. No. 2855 folio 145
etc. was conveyed by Ed-
ward L. Martin, et al to The
Atlantic Refining Company
thence leaving the southeast
side of said Forest Park Ave-
nue and binding on parts of
the fourth and fifth lines of
said deed, the two following
courses and distances South
73 degrees 52 minutes 30
seconds East 286.45 feet to
the end of said fourth line
and to the center of Martin
Drive (40 feet wide) thence
in the center of said Drive
North 47 degrees 33 minutes
00 seconds East 112.88 feet
thence leaving said fifth line
and the center of said Drive
and running North 42 degrees
27 minutes 00 seconds West
97.45 feet and North 48 de-
grees 10 minutes 39 seconds
West 124.38 feet to the place
of beginning.
Containing 0.8361 acres of
land more or less.

Being the same tract of
land which by deed dated
December 1, 1958 and re-
corded among the Land Re-
cords of Baltimore County in
Liber W.J.N. No. 3855 folio
317 etc. was conveyed by
The Atlantic Refining Com-
pany to Enfield Realty, Inc.
Being the property of En-
field Realty, Inc., as shown
on plat plan filed with the
Zoning Department.

Hearing Date: Monday, March
29, 1965 at 1:30 P.M.
Public Hearing: Room 106,
County Office Building, 111
W. Chesapeake Avenue, Tow-
son, Maryland.

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

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD., March 11, 1965.

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 one
successive weeks before the 29th

day of March 1965, the first publication
appearing on the 11th day of March

1965.

THE TIMES,

John M. Martin
Manager.
John M. Martin

Cost of Advertisement \$30.00

Purchase Order A7677
Requisition No. F7658

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 12, 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~~
of one time ~~successive weeks~~ before the 29th

day of March 1965, the first publication
appearing on the 12th day of March

1965.

THE JEFFERSONIAN,
St. Frank Striffler
Manager.

Cost of Advertisement, \$.....

LOCATION: Southeast side of For-
est Park Avenue 310 feet West of
Security Boulevard.

DATE & TIME: Monday, March 29,
1965 at 1:30 P.M.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson.

The Zoning Commission of Bal-
timore County, by authority of the
Zoning Act and Regulations of Bal-
timore County, will hold a public
hearing.

Present Zoning: R-6.
Proposed Zoning: R.L.
Petition for Variance to the Zoning
Regulations of Baltimore County
to permit rear yard of 12 feet in-
stead of the required 30 feet along
the South 73 degrees 52 minutes
30 seconds East 286.45 feet line and to
permit 10 feet instead of the re-
quired 20 feet along the north-
west boundary of Martin Drive.

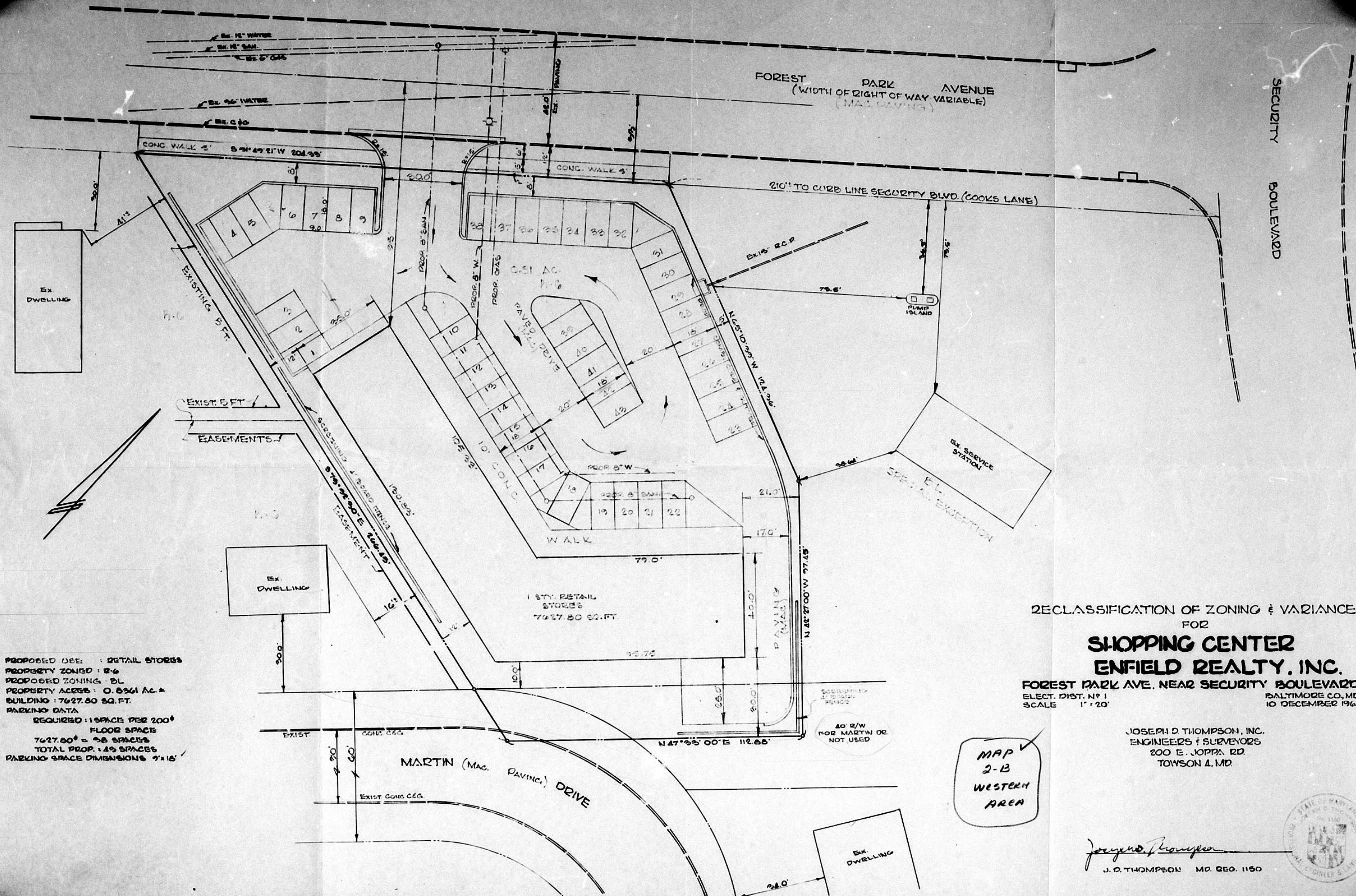
The Zoning Regulation to be ex-
cepted as follows: (b) - Rear Yard - 30
feet.
All that parcel of land in the
First District of Baltimore County,
beginning for the same on the southeast
side of Forest Park Avenue (St. Agnes Lane)
as now laid out, and widened,
at a point distant 210 feet
more or less South 51 degrees
49 minutes 21 seconds West
from the Westmenment curb line of
the Westmenment curb line (Cooks Lane)
thence binding on the southeast side
of said Forest Park Avenue, as wid-
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tersect the fourth or South 73 de-
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282.60 feet line of that tract of land
which by deed dated June 15, 1958
and recorded among the Land Re-
cords of Baltimore County in Liber
G.L.B. No. 2855 folio 145 etc. was
conveyed by Edward L. Martin, et al
to The Atlantic Refining Com-
pany thence leaving the southeast
side of said Forest Park Avenue and
binding on parts of the fourth and
fifth lines of said deed, the two fol-
lowing courses and distances South
73 degrees 52 minutes 30 seconds
East 286.45 feet to the end of said
fourth line and to the center of
Martin Drive (40 feet wide) thence
in the center of said Drive North
47 degrees 33 minutes 00 seconds
East 112.88 feet thence leaving said
fifth line and the center of said
Drive and running North 42 de-
grees 27 minutes 00 seconds West
97.45 feet and North 48 degrees
10 minutes 39 seconds West 124.38
feet to the place of beginning.
Containing 0.8361 acres of land
more or less.

Being the same tract of land
which by deed dated December 1,
1958 and recorded among the Land
Records of Baltimore County in Li-
ber W.J.N. No. 3855 folio 317 etc.
was conveyed by The Atlantic Re-
fining Company to Enfield Realty,
Inc.

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

Hearing Date: Monday, March 29,
1965 at 1:30 P.M.
Public Hearing: Room 106,
County Office Building,
111 W. Chesapeake Avenue, Towson,
Md.

By Order of
John G. Rhee
Zoning Commissioner of
Baltimore County



PROPOSED USE : RETAIL STORES
 PROPERTY ZONED : B-6
 PROPOSED ZONING : BL
 PROPERTY ACRES : 0.8361 AC.
 BUILDING : 7627.80 SQ. FT.
 PARKING DATA
 REQUIRED : 1 SPACE PER 200⁺
 FLOOR SPACE
 7627.80⁺ = 38 SPACES
 TOTAL PROP. : 43 SPACES
 PARKING SPACE DIMENSIONS 9'x15'

RECLASSIFICATION OF ZONING & VARIANCE
 FOR
SHOPPING CENTER
ENFIELD REALTY, INC.
 FOREST PARK AVE. NEAR SECURITY BOULEVARD
 ELECT. DIST. NO. 1
 SCALE 1" = 20'
 BALTIMORE CO., MD.
 10 DECEMBER 1964

JOSEPH D. THOMPSON, INC.
 ENGINEERS & SURVEYORS
 200 E. JOPPA RD.
 TOWSON 4, MD.

MAP
 2-B
 WESTERN
 AREA

Joseph D. Thompson
 J. D. THOMPSON MD. REG. 1150

