

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Calvin M. Hershner, videoregister, 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 heretofore described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an M-L zone; for the following reasons:

- The character of the area has changed since the existing zoning classification was established;
- There was an error made in establishing the existing zoning classification;
- The proper use of the property, which is the subject of this petition, is not reflected in the present zoning classification; that said proper use are those uses permitted in an M-L zone;

See attached description

for that portion of said land designated as Parcel B on said plat and set forth in the attached descriptions.

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 wireless transmitting and receiving structure under Section No. 253.5 of the Regulations.

Property is to be posted and advertised as provided 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.

GEORGE TRANSFER & RIGGING CO., INC.

By: *Calvin M. Hershner*
Contract purchaser

Calvin M. Hershner
Legal Owner

Address: 2700 Bromington Highway
Baltimore, Maryland 21222

Address: Old York Road
Maryland Line, Maryland

T. Bayard Williams, Jr.
Petitioner's Attorney

Calvin M. Hershner
Protestant's Attorney

Address: 6732 Holabird Avenue
Baltimore, Md. 21222

ORDERED BY The Zoning Commissioner of Baltimore County, this 16th day of March, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 26th day of April, 1965, at 11:00 o'clock

A. M. *Calvin M. Hershner*
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 ~~UNDESIRABLE~~ changes in the character of the neighborhood

the above Re-classification should be had; and it further appearing that by reason of requirements of Section 500.1 of the Baltimore County Zoning Regulations

a Special Exception for a Wireless Transmitting and Receiving Structure should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 16th day of April, 1965, that the herein described property or area should be and the same is hereby reclassified, from an R-6 zone to an M-L zone, and, ~~and~~ a Special Exception for a Wireless Transmitting and Receiving Structure should be and the same is granted, from and after the date of this order, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

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

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

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of March, 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 a R-6 zone; and/or the Special Exception for

Zoning Commissioner of Baltimore County

MICROFILMED

Registration No. 1577



William M. Magnadier
County Surveyor

Professional Engineer and Land Surveyor
Court House
Towson, Md. 21204

For Purpose of Zoning Only Parcel "A" Re-Classification from R-6 to M-L

All that place or parcel of land situate, lying and being in the Seventh Election District of Baltimore County, State of Maryland and described as follows:

BEGINNING for the same at an iron pipe planted on the southwest side of the Old York Road 30 feet wide where said side of said Road is intersected by the southeastermost cutline of the State Roads Commission as laid out on S.R.C. Plat No. 17508 said beginning pipe being distant 707.00 feet more or less measured northwesterly along the Old York Road from the center of the existing paving of Lenz Road running thence leaving the Old York Road and binding on the outlines of the State Roads Commission of Maryland as laid out on S.R.C. Plat Nos. 17508 and 17500 and recorded among the Plat Records of Baltimore County the following seven courses and distances viz: south 27 degrees 53 minutes 21 seconds west 105.00 feet to an iron pipe and north 62 degrees 06 minutes 39 seconds west 564.33 feet to an iron pipe and south 27 degrees 53 minutes 21 seconds west 524.43 feet to an iron pipe and north 78 degrees 15 minutes 50 seconds west 100.64 feet to an iron pipe and north 57 degrees 32 minutes 20 seconds west 30.16 feet to an iron pipe and north 66 degrees 15 minutes 10 seconds west 193.84 feet to an iron pipe and north 66 degrees 52 minutes 30 seconds west 146.47 feet to an iron pipe planted in the third or south 24 degrees west. 03 perches line of the second parcel of land conveyed by William Parker, unmarried, to Calvin M. Hershner and wife by a deed dated June 26th 1940 and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 1108 folio 472 etc., thence leaving the State Roads Commission Right of way and binding on a Part of said third line south 21 degrees 22 minutes 37 seconds west 1186.28 feet to a stone heretofore planted at the end of said line thence binding on a part of the fifth line of the first parcel of

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County Surveyor

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land said deed north 25 degrees 26 minutes west 460.03 feet to a stone heretofore planted at the end of said line thence binding on a part of the sixth line in said first parcel south 70 degrees 40 minutes west 14.12 feet to an iron pipe planted in the easternmost right of way line of the Baltimore-Harrisburg Expressway thence binding on said southeastermost right of way line by a line curving southerly toward the right having a radius of 3015.79 feet and a chord bearing south two degrees 18 minutes 30 seconds east 1088.80 feet a distance of 1094.81 feet to an iron pipe thence leaving the Expressway right of way line and running for the following three lines of division now made viz: north 48 degrees 42 minutes 20 seconds east (passing over a stone heretofore planted at the end of 459.91 feet) in all a distance of 1938.48 feet to an iron pipe and south 41 degrees 17 minutes 40 seconds east 50.00 feet to an iron pipe and north 48 degrees 42 minutes 20 seconds east 300.00 feet to an iron pipe planted on the southwest side of the Old York Road thence binding on the southwest side of Old York Road north 66 degrees 20 minutes 10 seconds west 96.37 feet to the place of beginning.

CONTAINING 24.246 acres of land more or less.



William M. Magnadier

March 15, 1965

T. Bayard Williams, Jr., Esq.
6732 Holabird Ave.
Baltimore, Md. 21222

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

16th day of March, 1965

Owner Name: C. M. Hershner

Reviewed by: *James S. Dyer*

JOHN G. ROSE
Zoning Commissioner

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING

TOWSON 4, MARYLAND

T. Bayard Williams, Jr., Esq.
6732 Holabird Avenue
Baltimore, Maryland 21222

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

OFFICE OF PLANNING AND ZONING AND STATE ZONING COMMISSIONER: The site distance at the entrance to the site appears to be sufficient by minimum standards; however, due to the width of the road and slow moving trucks, the site distance could tend to be hazardous.

HEALTH DEPARTMENT: Subject to Health Department regulations pertaining to the rules and sewer.

The following members had no comment to offer:

Board of Education
Fire Bureau
Industrial Commission
Traffic Engineering
Public Health Department
Bureau of Engineering

cc: Albert W. Wadby-Office of Planning and Zoning
William Brown-Health Department
John Curran-State Roads Commission

Yours very truly,

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: April 13, 1965

FROM: George E. Gavrelis, Director

SUBJECT: Petition # 65-296-RX. "R-6 to M-L and a Special Exception for a Wireless Transmitting and Receiving Station. Southwest side of Old York Road, 707 feet Northwest of Lenz Road. Being the property of Calvin M. Hershner."

7th District

HEARING: Monday, April 26, 1965 (11:00 A.M.)

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

- Sites such as that which is the subject of this petition have been identified by the planning staff as proper for industrial use. The subject site enjoys proximity to an expressway interchange and "easy" topography.
- Because of uncertain growth prospects and the rural character of the area surrounding the subject parcel, we feel that the proper zoning for the subject parcel should be M.L.R., rather than M.L.

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William M. Magnadier
County Surveyor

Professional Engineer and Land Surveyor
Court House
Towson, Md. 21204

For purpose of Zoning Only

Parcel "A" Special exception for wireless transmission and receiving structure

All that place or parcel of land situate lying and being in the Seventh Election District of Baltimore County, State of Maryland and described as follows:

A Parcel of land which the boundary thereof being a circle having a circumference of 235.62 feet more or less and a radius of 37.50 feet and the central point thereof being situate south 68 degrees 37 minutes 30 seconds east 137.50 feet from a point situate south 21 degrees 22 minutes 30 seconds west 186.28 feet measured along the length or south 21 degrees 22 minutes 30 seconds west 186.28 feet line of the description of Parcel "A" submitted with the petition of which this description is a part from the beginning of said eighth line.

CONTAINING 0.101 of an acre of land more or less.



William M. Magnadier

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 7th Date of Posting: 5-8-65

Posted for: Hearing Mon. April 26, 65 at 11:00 A.M.

Petitioner: Calvin M. Hershner

Location of property: 341 S. Old York Rd. 707' NW of Lenz Rd.

Location of Sign: Opposite 30' from the Rd. and 10' from a telephone pole and a second second

Remarks: from Hershner Station which was previously designated

Posted by: Robert W. Dyer

Date of return: 5-15-65

