

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, M. Fred Cooper, et al 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 reclassified, pursuant to the Zoning Law of Baltimore County, from an R-10 zone to an NW-14-J zone, for the following reasons:

Change in character of neighborhood
Error in 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 _____

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.

Contract purchaser: McLure, Cooper
Legal Owner: McLure, Cooper
Address: 121 W. Susquehanna Ave., Towson, Md. 21204
Petitioner's Attorney: John E. Gorman
Protestant's Attorney: _____

ORDERED by The Zoning Commissioner of Baltimore County, this _____ day of _____, 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 through out Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 308, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1965, at 11:00 o'clock A. M.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: June 30, 1965
FROM: George E. Gavelis, Director

SUBJECT: Petition #66-14-R, "R-10 Zone to B-L Zone, Southeast corner of Reisterstown Road and Chestnut Hill Lane. Being the property of M. Fred Cooper, and E. Ruth Cooper."

4th District
HEARING: Monday, July 12, 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:

- The corner lot just across Chestnut Hill Lane from the subject property was reclassified by petition in 1960. The petition (#4732 RX) requested not only the reclassification but a special exception for a filling station as well; it was denied by the Zoning Commissioner, but approved by the Board of Appeals and the County Council. The filling station was never constructed, however, and the time limit on the special exception and a subsequent extension having long since run out - the property remains vacant. This office opposed the petition as an unwarranted increase in the already ample supply of commercially zoned property in this vicinity, and as a departure from the Comprehensive Rezoning Map for the 4th District.
- Property across Reisterstown Road from the subject parcel and generally to the northwest was reclassified from R-10 to B-L, under petition #5785. The planning staff opposed this reclassification also, stating, among other things, that it "would introduce additional undesirable strip commercial (zoning and development) on Reisterstown Road, which...is presently a very heavily travelled route."
- Certainly the 4th District Comprehensive Rezoning Map provided adequate commercial zoning for this vicinity; the granting of reclassification petitions has resulted in a plan-titude of land - even a glut, since much of it remains undeveloped. And, in particular, it was most assuredly not the intent of the 4th District map that Reisterstown Road in this area should be developed with strip-commercial land uses. We feel strongly that there should be called a halt to any such trend.
- As a further substantiation of our position, we call attention to the comments of the County Traffic Engineer, dated June 15, 1965. He states that "Reisterstown Road is above the practical capacity several hours each day and it is rapidly approaching the possible capacity because of increased development in the area." Earlier he states that "the proposed stores can be expected to generate 1800 trips per day."
- In view of the above considerations, we strongly recommend that subject petition 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 _____

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 _____, subject to approval of the site plan by the _____ from and after the date of this order, subject to approval of the site plan by the _____ State Roads Commission, Bureau of Public Services and the Office of Planning and Zoning, _____ Deputy 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 _____

the above reclassification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 1965, that the above reclassification 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 _____ zone, and/or the Special Exception for _____, and the same is hereby DENIED.

MICROFILMED

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 _____ day of _____, 1964.

Owns Name: J. Cooper
Reviewed by: John G. Rose
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

TO: Frank E. Cicone, Esq.
121 W. Susquehanna Ave.
Towson, Md. 21204

REPORT TO ACCOUNT NO. 01-522	QUANTITY	TOTAL AMOUNT
Advertising and posting of property for M. Fred Cooper	1	\$67.50
		67.50

C. A. Myers • EMORY ROAD • UPPERCO, MARYLAND • G. Field 9-5079 #4
State Registered Surveyor No. 2783

ALL that lot or parcel of land situate, lying and being in Reisterstown in the Fourth Election District of Baltimore County State of Maryland, and described as follows, that is to say:

BEGINNING for the same at a point 33 feet Northeast of the centerline of Reisterstown Road and on the Southwest side of Chestnut Hill Lane as shown on Baltimore County Bureau of Land Acquisition Drawing No. 12356-993, said beginning point also being at the end of the North 43 degrees 39 minutes 35 seconds West 232.06 foot line as described in the first parcel of a Deed from M. Fred Cooper and wife to Mary Agatha Keurer, dated February 13, 1962, recorded among the Land Records of Baltimore County in Liber M.J.H. No. 3995 folio 620 etc., thence binding on that Deed and along the Southwest side of Chestnut Hill Lane the two following lines, the first being a curve to the right with a radius of 25 feet, an arc of 40.12 feet and a chord of North 02 degrees 19 minutes East 35.95 feet, thence North 48 degrees 17 minutes 35 seconds East 299.13 feet, thence by a line of division, South 41 degrees 42 minutes 25 seconds East 338.30 feet, thence by another line of division, South 48 degrees 34 minutes West 19.47 feet and to the end of the South 35 degrees 34 minutes East 67.74 feet line in the first parcel of a Deed from M. Fred Cooper and wife to William H. E. Glade, dated January 16, 1950, recorded in Liber T.B.S. No. 1811 folio 201 etc., thence binding on that Deed, South 48 degrees 36 minutes West 130.15 feet and to intersect the Northeasternmost line of lot 28, 4 as shown on the plat of J. M. Michael Bairs Subdivision, dated December 15, 1937, thence along the Northeasternmost line of lots 28, 4 and 3, South 43 degrees 39 minutes 35 seconds East 59.30 feet, thence binding on the division line between lots 28, 3 and 4, South 48 degrees 23 minutes 13 seconds West 213.23 feet to a point 33 feet Northeast of the centerline of Reisterstown Road, thence running along the Northeast side of that road, North 43 degrees 39 minutes 35 seconds West 423.02 feet to the place of beginning, containing two acres and nine hundred forty-nine one thousandths of an acre (2.246) of land more or less.

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

TO: Frank E. Cicone, Esq.
121 W. Susquehanna Ave.
Towson, Md. 21204

REPORT TO ACCOUNT NO. 01-522	QUANTITY	TOTAL AMOUNT
Petition for Reclassification for M. Fred Cooper, et al	1	\$50.00
		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.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th
Office of Planning and Zoning
Board of Education
Industrial Development Commission
Buildings Department
Date of Posting: 6/24/65
Posted for: Petition for Reclassification from R-10 to B-L
Petitioner: M. Fred Cooper, et al
Location of property: SE corner of Reisterstown Rd. & Chestnut Hill Lane
Location of Signs: 30' x 60' at SE corner of Reisterstown Rd. & Chestnut Hill Lane
Remarks: 2 signs
Posted by: J. Myers
Date of return: 7/1/65

INTER-OFFICE CORRESPONDENCE BUREAU OF TRAFFIC ENGINEERING Baltimore County, Maryland Towson, Maryland, 21204

TO: Mr. James E. Dyer
FROM: Eugene J. Clifford
SUBJECT: Item #4 - ZAC - June 8, 1965
Reisterstown Road at Chestnut Hill Lane

Review of the plat dated April 1, 1965 results in the following comments.

The proposed stores can be expected to generate 1800 trips per day. If present zoning remains the site can expect to generate 100 trips per day.

Reisterstown Road is above the practical capacity several hours each day and it is rapidly approaching the possible capacity because of increased development in the area.

Eugene J. Clifford
County Traffic Engineer

EJC:CRN:rr

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Frank E. Cicone, Esquire
121 W. Susquehanna Avenue
Towson, Maryland 21204

Dear Sir:

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

BUREAU OF TRAFFIC ENGINEERING: This Bureau will submit comments at a later date.

STATE ROAD COMMISSION: Access should be subject to the approval of this Commission.

HEALTH DEPARTMENT: The petitioner's engineer should indicate the method of providing water and sewer facilities to the site. The revised plan should be submitted prior to the hearing.

BUREAU OF RECREATION: The petitioner's engineer should indicate the method of providing water and sewer facilities to the site. The revised plan should be submitted prior to the hearing.

UTILITIES: Sewer - Sanitary sewer will be available to serve this property when sewers are constructed in the subdivision located on the opposite side of Reisterstown Road and known as Hathaway, Section 1. A public works agreement is currently being processed by Baltimore County in connection with Hathaway, Section 1.

Water - Existing 8" and 16" water in Reisterstown Road. Existing 8" water in Chestnut Hill Lane. Adequacy of existing utilities to be determined by developer or his engineer.

Road - Chestnut Hill Lane to be developed as a minimum 30' curb and gutter road on a 50' right of way.

PLANNING DEPARTMENT: See attached comments.

The following matters had no comment to offer:

Office of Planning and Zoning
Board of Education
Industrial Development Commission
Buildings Department
Towson very truly,
James E. Dyer, Chief
Petitioner and Permit

cc: Mr. Moore, Dir. of Traf. Eng.
Mr. Dyer, State Roads Comm.
Mr. Greenleaf, Health Dept.
Mr. Brown, Dir. of Eng.
Mr. Morris, Fire Bureau

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Md. 21204
Tel. 344-6600

GEORGE E. GAVELIN
Director

JOHN G. ROSE
Zoning Commissioner

Date: June 22, 1965

Subject: Approved Site Plan
Zoning file # 66-11-3
Blgd. # 215-67

Frank R. Cioema, Esq.,
181 W. Chesapeake Avenue
Towson, Maryland 21204

Gentlemen:

The Office of Planning and Zoning has approved the above referenced site plan, as conditioned in the Zoning Commissioner's Order # 66-11-3.

This plan has been insured in our Zoning file # 66-11-3.

If you are desirous of obtaining a signed plan for your file, please forward a copy of the site plan to this office.

Very truly yours,

James E. Dyer
JAMES E. DYER, Esq.
Petition and Permit Processing

JED/h

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. June 24, 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 successive weeks before the day of July 1965, the first publication

appearing on the 24th day of June 1965.

THE TIMES
John H. Martin
Manager
John H. Martin

Cost of Advertisement \$ 79.00

Purchase Order #172
Registration No. 75920

PETITION FOR RECLASSIFICATION 4th DISTRICT

ZONING: From R-10 Zone to B-1 Zone.
LOCATION: Southeast corner of Reisterstown Road and Chestnut Hill Lane.
DATE & TIME: MONDAY, JULY 12, 1965 at 11:00 A.M.
PUBLIC HEARING: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Present Zoning: R-10.
Proposed Zoning: B-1.
All that parcel of land in the Fourth District of Baltimore County:

Beginning for the same at a point 33 feet southeast of the centerline of Reisterstown Road and on the Southeast side of Chestnut Hill Lane as shown on Baltimore County Bureau of Land Acquisition Drawing No. HW56-093, and beginning point also being at the end of the North 13 degrees 38 minutes 31 seconds West 232.90 foot line as described in the first parcel of a Deed from M. Fred Cooper and wife to Mary Agatha Meyer, dated February 13, 1962, recorded among the Land Records of Baltimore County in Liber A-11, No. 385, folio 629 etc., thence bounding on that Deed and along the Southeast side of Chestnut Hill Lane the following lines, the first being a curve to the right with a radius of 25 feet, an arc of 40.12 feet and a chord of North 02 degrees 18 minutes East 39.30 feet, thence North 15 degrees 17 minutes 23 seconds East 299.13 feet, thence by a line of division, South 41 degrees 42 minutes 25 seconds East 238.30 feet, thence by another line of division, South 45 degrees 06 minutes West 10.47 feet and to the end of the South 35 degrees 14 minutes East 67.71 foot line in the first parcel of a Deed from M. Fred Cooper and wife to William H. H. Shale, dated January 18, 1950, recorded in Liber T-14, No. 1811 folio 291 etc., thence bounding on that Deed, South 45 degrees 06 minutes West 100.15 feet and to intersect the Northeast corner line of Lot No. 1 as shown on the plat of C.H. Mackay, Berra Subdivision, dated December 15, 1937, thence along the Northeast corner line of Lot No. 4 and N. South 85 degrees 30 minutes 35 seconds East 30.00 feet, thence bounding on the division line between lots No. 3 and 2, South 02 degrees 23 minutes 13 seconds East 282.30 feet to a point 33 feet Northeast of the centerline of Reisterstown Road, thence running along the Northeast side of that road North 02 degrees 38 minutes 31 seconds West 232.92 feet to the place of beginning, containing two acres and nine hundred forty-nine one thousandths of an acre (2.949) of land more or less.

Being the property of M. Fred Cooper, and to M. Fred Cooper.

Meeting Date: Monday, July 12, 1965 at 11:00 A.M.
Public Hearing: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 25, 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 successive weeks before the day of July 1965, the first publication appearing on the 25th day of June 1965.

THE JEFFERSONIAN
L. Seane Smith
Manager

Cost of Advertisement, \$.....

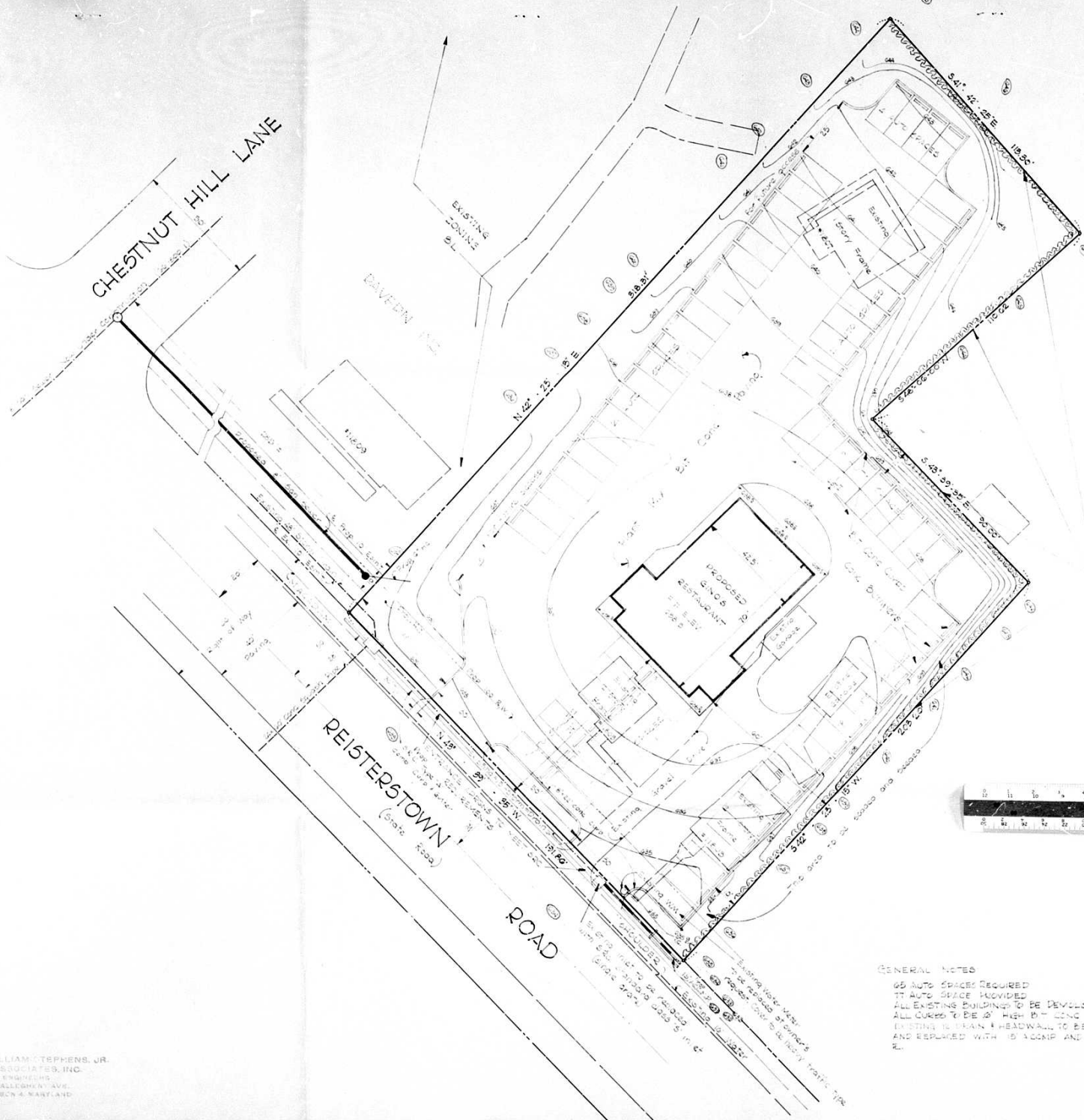
PETITION FOR RECLASSIFICATION THIRD-DISTRICT

ZONING: From R-10 Zone to B-1 Zone.
LOCATION: Southeast corner of Reisterstown Road and Chestnut Hill Lane.
DATE & TIME: Monday, July 12, 1965 at 11:00 A.M.
PUBLIC HEARING: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Present Zoning: R-10.
Proposed Zoning: B-1.

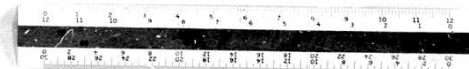
All that parcel of land in the 4th District in Baltimore County: Beginning for the same at a point 33 feet Southeast of the centerline of Reisterstown Road and on the Southeast side of Chestnut Hill Lane as shown on Baltimore County Bureau of Land Acquisition Drawing No. HW56-093, and beginning point also being at the end of the North 13 degrees 38 minutes 31 seconds West 232.90 foot line as described in the first parcel of a Deed from M. Fred Cooper and wife to Mary Agatha Meyer, dated February 13, 1962, recorded among the Land Records of Baltimore County in Liber A-11, No. 385, folio 629 etc., thence bounding on that Deed and along the Southeast side of Chestnut Hill Lane the following lines, the first being a curve to the right with a radius of 25 feet, an arc of 40.12 feet and a chord of North 02 degrees 18 minutes East 39.30 feet, thence North 15 degrees 17 minutes 23 seconds East 299.13 feet, thence by a line of division, South 41 degrees 42 minutes 25 seconds East 238.30 feet, thence by another line of division, South 45 degrees 06 minutes West 10.47 feet and to the end of the South 35 degrees 14 minutes East 67.71 foot line in the first parcel of a Deed from M. Fred Cooper and wife to William H. H. Shale, dated January 18, 1950, recorded in Liber T-14, No. 1811 folio 291 etc., thence bounding on that Deed, South 45 degrees 06 minutes West 100.15 feet and to intersect the Northeast corner line of Lot No. 1 as shown on the plat of C.H. Mackay, Berra Subdivision, dated December 15, 1937, thence along the Northeast corner line of Lot No. 4 and N. South 85 degrees 30 minutes 35 seconds East 30.00 feet, thence bounding on the division line between lots No. 3 and 2, South 02 degrees 23 minutes 13 seconds East 282.30 feet to a point 33 feet Northeast of the centerline of Reisterstown Road, thence running along the Northeast side of that road North 02 degrees 38 minutes 31 seconds West 232.92 feet to the place of beginning, containing two acres and nine hundred forty-nine one thousandths of an acre (2.949) of land more or less.

Being the property of M. Fred Cooper, and to M. Fred Cooper.

Meeting Date: Monday, July 12, 1965 at 11:00 A.M.
Public Hearing: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.



4 ft. high curb, 6 ft. high, 10 ft. high



PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: W. J. Smith
DATE: 4/24/67

GENERAL NOTES
60 AUTO SPACES REQUIRED
IF AUTO SPACE PROVIDED
ALL EXISTING BUILDINGS TO BE DEMOLISHED
ALL CURBS TO BE 6" HIGH 18" LONG ON SITE
EXISTING 18" DRAIN & HEADWALL TO BE REMOVED
AND REPLACED WITH 18" CONCR. AND EXTENDED TO
R.

SITE PLAN
FOR
A&G FOODS

11803 11805 & 11807 REISTERSTOWN ROAD
BALTIMORE COUNTY, MD. ELECTION DISTRICT #4
SCALE: 1"=20' DATE: MAY 22, 1967
REVISED: 6/12/67

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
300 ALLEGANY AVE.
TOWSON 4, MARYLAND