

67-187R PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, MAR-BEN, 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 R-10, R-20 zone to an BL zone, for the following reasons:

1. Error in original zoning.
2. Change in character of neighborhood.

See attached description

add to 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.

MAR-BEN, INC.
By: Marshall A. Marshall, President
Address: 200 Padonia Road, East Cockeysville, Maryland - 21030

A. Owen Hennegan, Petitioner's Attorney

Address: 406 Jefferson Building - 21204 Valley 5-7500

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of February, 1967, 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, 1967, at 1:00 o'clock P.M.

John A. Miller, Zoning Commissioner of Baltimore County.



Zoning Commissioner of Baltimore County
County Office Building
Towson, Maryland 21204

RE: Petition for reclassification from R 10 and R 20 to BL-NES Westminster Road and NWS Frederick Road Case #67-187R

Dear Sir:

Please enter an appeal for me in the above entitled matter.

Very truly yours,

William F. Chew
Protestant
10011 Reisterstown Road
Owings Mills, Maryland

WFC/rnf/bq
cc: Board of Zoning Appeals

Pursuant to the advertisement, posting of property, and public hearing on the above petition regarding that property, as the petitioner has proven change in the character of the neighborhood,

the above Reclassification should be had and the following reasons are stated:

Special Exception for use of property for the following purposes:

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 28th day of March, 1967, that the herein described property or area should be and the same is hereby reclassified; from R-10 & R-20 zone to a BL zone, and for a Special Exception for use of property for the following purposes: as shown on the attached map, from and after the date of this order, subject to approval of the site plan for the development of said property by the State Roads Commission, Bureau of Public Services and the Office of Planning and Zoning, Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and 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 28th day of February, 1967, 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 R-10, R-20 zone, and/or the Special Exception for... be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



DESCRIPTION

1.047 ACRES MORE OR LESS LOCATED ON THE NORTHEAST SIDE OF WESTMINSTER ROAD AND NORTHWEST OF REISTERSTOWN ROAD.

Present Zoning R-10
Proposed Zoning B-L

Beginning for the same at a point on the northeast side of Westminster Road 66 feet wide and 2401 feet more or less northwesterly from the intersection of the northeast side of Westminster Road and the west side of Reisterstown Road 66 feet wide, said point of beginning also being at the intersection of the northeast side of Westminster Road and the northwest side of the Susquehanna Transmission Company Right-of-Way, 150 feet wide, thence binding thereon N 53°29'50"E - 212 feet more or less to a point, to intersect the second line of zoning description 4 R-20-2 thence binding on said line and northeasterly 200 feet and parallel to Westminster Road, N 56°04'20"W - 290 feet more or less, thence S 34°59'00"W - 200.00 feet to the northeast side of Westminster Road, thence binding on the northeast side of Westminster Road S 56°04'20"E - 224.60 feet to the place of beginning.

Lester Matz, P.E.
John C. Childs, L.S.
Associates
Ronald W. Stripes, L.S.
George W. Dunbar, L.S.
Robert W. Calkins, P.E.
Leonard M. Glaser, P.E.
Norman F. Hermann, L.S.
Paul Lee, P.E.
Paul S. Smith

MAP #4
SEC. 1-D
NW-17K
BL

RE: PETITION FOR RECLASSIFICATION from R-10 and R-20 zones to B-L zone NE/S Westminster Road 2401' NW of Reisterstown Road 4th District Mar-Ben, Inc., Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 67-187-R

ORDER OF DISMISSAL

Petition of Mar-Ben, Inc. for reclassification from R-10 and R-20 zones to B-L zone on property located on the northeast side of Westminster Road 2401' northwest of Reisterstown Road, in the 4th District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of an Order of Dismissal of appeal filed October 3, 1967 from the attorney representing the protestant-appellant in the above entitled matter.

WHEREAS, the said attorney for the said protestant-appellant requests that the appeal filed on behalf of said protestant be dismissed and withdrawn as of October 3, 1967.

It is hereby ORDERED this 4th day of October, 1967 that said appeal be and the same is dismissed.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman
Walter A. Reiter
John A. Miller

PETITION OF MAR-BEN, INC. for Reclassification from R-10 and R-20 Zones to BL zone, N.E. side Westminster Road 2401 feet Northwest of Reisterstown Road, 4th District

BEFORE THE
BOARD OF
ZONING APPEALS
OF BALTIMORE COUNTY
No. 67-187-R

ORDER OF DISMISSAL

MR. CLERK:

Please dismiss the Appeal entered on behalf of William F. Chew, et al., in the above entitled matter.

John Warfield Armiger
200 Padonia Road, East
Cockeysville, Maryland - 21030
666-0440
Attorney for Appellants

I HEREBY CERTIFY, that on this 3rd day of October, 1967, a copy of this Order to Dismiss Appeal was mailed to A. Owen Hennegan, Esq., 406 Jefferson Building, Towson, Maryland - 21204, Attorney for Petitioners.

John Warfield Armiger

Rec'd 10-3-67
11:30 AM

Containing 1.047 acres more or less of land.

EG:jc

J. C. #66120

12/8/66



DESCRIPTION

3.048 ACRES MORE OR LESS LOCATED ON THE NORTHEAST SIDE OF WESTMINSTER ROAD AND NORTHWEST OF REISTERSTOWN ROAD.

Present Zoning R-2J
Proposed Zoning B-L

Beginning for the same at a point located N 53°29'50"E - 12 feet more or less along the northwest side of the Susquehanna Transmission Company Right-of-Way, 150 feet wide from the northeast side of Westminster Road 66 feet wide and 2401 feet northwesterly from the intersection of the northeast side of Westminster Road and the west side of Reisterstown Road 66 feet wide, thence binding on the first mentioned line N 53°29'50"E - 318 feet more or less to a point, thence binding on a line 500 feet northeasterly and parallel to the northeast side of Westminster Road, N 56°04'20"W - 493 feet more or less, thence S 34°59'00"E - 300 feet more or less, to intersect the second line of zoning description 4 R-20-2, thence binding on said line and 200 feet northeasterly and parallel to the northeast side of Westminster Road S 56°04'20"E - 390 feet more or less to the place of beginning.

Containing 3.048 acres more or less of land.

EG:jc

J. C. #66120

12/8/66



Water Supply ■ Sewerage ■ Drainage ■ Highways ■ Structures ■ Developments ■ Planning ■ Reports

DESCRIPTION

0.5911 ACRES OF LAND LOCATED ON THE NORTHEAST SIDE OF
WESTMINSTER ROAD AND NORTH VEST OF REISTERSTOWN ROAD

Present Zoning R-10
Proposed Zoning B-L

Beginning for the same at a point on the northeast side of West-
minster Road 66 feet wide, 2120 feet more or less northwest from the
intersection of the northeast side of Westminster Road and the west side
of Reisterstown Road 66 feet wide, thence leaving said northeast side of
Westminster Road for the five following courses and distances: (1) N 34°
20'40"E - 225.00 feet, (2) S 56°04'20"E - 60.00 feet, (3) N 10°11'20"E -
83.00 feet, (4) N 19°25'00"E - 72.74 feet to the south-east side of the
Susquehanna Transmission Company Right-of-Way, 150 feet wide, thence
binding thereon, (5) S 53°29'50"W - 394.17 feet to the northeast side of
Westminster Road thence binding on the northeast side of Westminster
Road (6) S 56°04'20"E - 122.04 feet to the place of beginning.

Containing 0.5911 of an Acre of Land.

EG:jmp

J.O. 666120

12/7/66

Water Supply ■ Sewerage ■ Drainage ■ Highways ■ Structures ■ Developments ■ Planning ■ Reports

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. James A. Dyer, Chairman
Zoning Advisory Committee
Date: January 17, 1967
FROM: Lieutenant Charles F. Morris, Sr.
Baltimore County Fire Bureau
SUBJECT: Property owner: Mar-Ben, Inc.
Location: 182/3 Westminster Road, 2nd 1/2 W of Reisterstown Road
District: 4th
Present Zoning: R-10, R-20
Proposed Zoning: B-L

1. Water is located within 100 feet of this site. Hydrant is located on N.W. side of Westminster Road.
2. Any additional comments will be made by this Bureau after construction plans are submitted.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rice, Zoning Commissioner
Date: March 17, 1967
FROM: George E. Geyers
SUBJECT: Petition 67-187-R. Reclassification from R-10 and R-20 to B.L. Zone.
Northeast side of Westminster Road 2401 feet Northwest of Reisterstown Road. Being the property of Mar-Ben, Inc.

4th District

HEARING: Wednesday, March 29, 1967 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-10 and R-20 to B.L. zoning. It has the following advisory comments to make with respect to pertinent planning factors:

1. The staff now would have no objection to extending commercial zoning westerly from its present terminus to the easterly side of the power line. Such reclassification simply would close commercialization at a rational boundary line.
2. The planning staff is opposed to the remainder of the request for commercial zoning. We note that extensive commercial zoning has been created adjacent to Reisterstown center. If we are to maintain the identity and function of that commercial complex, additional, diluting commercialization should not occur elsewhere. Commercial zoning here past the power line on the north side of Westminster Pike inevitably would result in strip zoning with its inherent evils and ineffectiveness. Further, commercial zoning here on the front would adversely affect the residential potentials to the rear within the same ownership and would have an adverse effect also on adjoining residential properties. We believe that the present residential zoning westerly from the power line is correct.

GEG:dms

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

A. Owen Hennegan, Esquire
406 Jefferson Building
Towson, Maryland 21204

SUBJECT: Reclassification from R-10 and R-20 to B.L. For Mar-Ben, Inc. Located N/E/S of Westminster Rd. N/W of Reisterstown Rd. 4th District (Item 2 - January 17, 1967)

Dear Sir:

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

HEALTH DEPARTMENT:

The means of sewer and water disposal must be indicated on revised plans. The future use of the proposed site should be indicated. City water is available so that the necessary connection must be made. A percolation test must be made prior to a hearing date being assigned.

BUREAU OF FIRE PREVENTION:

This office will review and make any necessary comments at a later date.

BUREAU OF TRAFFIC ENGINEERING:

The sight distance on the Easternmost entrance is approximately 430'. The Standard For Street Facilities and Services recommends for a design speed of 10 miles per hour at a sight distance of 625'.

The proposed site, if fully developed, within the limits of the Baltimore County Zoning Regulations, could be expected to generate 4700 trips per day. Westminster Road has a traffic volume of 950 average daily traffic for 1965.

The design capacity of a two-way major street with two parking lanes, and two moving lanes has a capacity of 5000 to 7000 average daily traffic, based on the Policy of Arterial Highways in Urban Areas, by the American Association of State Highway Officials. If this parcel should be zoned, some access should be provided for the rear parcel owned by the petitioner.

BUREAU OF ENGINEERING:

Water - Existing 12" water in Westminster Road.

Sewer - Not available.

Adequacy of existing utilities to be determined by developer or his engineer.

STATE ROADS COMMISSION:

The frontage must be curbed with 6" x 24" concrete curb. The outside face of curb to be 12" from a parallel to the edge of Westminster Road. The curb must return along the right-of-way line for the parking set-back line.

Construction of entrance and outflow to be done under permit from the State Roads Commission. There is insufficient stopping sight distance to the East of the proposed easterly entrance, which will constitute a traffic hazard, therefore, the easterly entrance should be eliminated.

PROJECT PLANNING:

This office attempts to maintain a 100' distance from all power lines right-of-way and subdivisions for interest of safety.

If the proposed zoning is granted, there would be allowing a more intensive use (both structures and parking) well inside the limitations.

ZONING ADMINISTRATION DIVISION:

The above comments must be complied with prior to re-submitting the petition.

**BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MD. 21204**

A. Owen Hennegan, Esquire
406 Jefferson Building
Towson, Maryland 21204

Subject: Reclassification from R-10 and R-20 to B.L. for Mar-Ben, Inc. located NE/S Westminster Road NW of Reisterstown Road - 4th District (Item 3 February 28, 1967)

March 1, 1967

Dear Sir:

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

TRAFFIC ENGINEERING - Comments dated January 17, 1967 are still valid for the revised plans.

ZONING ADMINISTRATION DIVISION - All previous and present comments must be complied with at the building permit stage.

The above comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems that may have a bearing on this case. The Director and/or the Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commissioner's hearing.

Very truly yours,

JAMES F. DYER, Principal
Zoning Technician

JED/jcr

cc: C. Richard Moore, Traffic Engineering

**CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland**

District: 4th
Date of Posting: March 14, 1967
Posted for: Petitioner's signature
Petitioner: Mar-Ben, Inc.
Location of property: NE/S Westminster Rd. 2401 NW of Reisterstown Rd.
Location of Signs: NE/S Westminster Rd. 2401 NW of Reisterstown Rd.
Remarks: J. G. Rice
Posted by: J. G. Rice
Date of return: March 16, 1967

A. Owen Hennegan, Esquire
406 Jefferson Building
Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this

28th day of February, 1967.

Petitioner: Mar-Ben, Inc.

Petitioner's Attorney: A. Owen Hennegan, Esq. Reviewed by: James F. Dyer, Chairman of Advisory Committee

TELEPHONE 301-280-387 EXT. 387		INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COUNTY HOUSE TOWSON, MARYLAND 21204		No. 44357 DATE: MAR 27, 1967 FILED Zoning Dept. of Balto. Co.	
TO: Mar-Ben, Inc. 2401 NW of Reisterstown Rd. Towson, Md. 21204		RECEIVED MAR 27 1967		TOTAL AMOUNT \$76.25	
REPORT TO ACCOUNT NO. 01-622		DETAILS: ALONG PERMANENT AND KEEP THIS PORTION FOR YOUR RECORDS		COST	
QUANTITY		Advertising and posting of property		76.25	
67-187-R					
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204					

Editorial Manager R. W.

ROAD

(U.S. 140)

WESTMINSTER

25' Wide Driveway

to Reisterstown

to Westminster

Existing Zoning R-10

Proposed Zoning R-10

Area To Be Retained For Septic System

Septic Tank (4000 Gallons)

Access To Rear Area Shall Be Provided By Means Of Extension Of Driveway

4" High Drive Plant Screen

Access To Rear Area

4" High Drive Plant Screen

Access To Rear Area

4" High Drive Plant Screen

Access To Rear Area

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EXISTING ZONING R-10

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GENERAL NOTES

1. The Acreage of Tenants Equals 10.000 Acres (Including Rounded U.S. 140)
2. Acreage of Parcels Requesting Reclassification Equals 8.000 Acres
3. Existing Zoning of Tenants "R-10" & "R-20"
4. Existing Use of Tenants "Farm Use & No Use"
5. Proposed Zoning of Tenants "R-10"
6. Proposed Use of Tenants "Retail Stores"

A 2048 Ac Parcel "Household Appliances Store"

A 2048 Ac Parcel "Gift Shop"

Area Requesting Reclassification

LOCATION PLAN
Scale 1"=500'

OFF-STREET PARKING REQUIREMENTS			
Area	Area	Area	Area
0.0011 Ac	5200	10 Units	10 Units
1.017 Ac	20,000	100 Units	228 Units
2.045 Ac			
Total	33,200	100 Units	241 Units

#67-187R

MAP

#4

SEC. 2

NW-17-K

BL

PLAT TO ACCOMPANY PETITION
FOR
RECLASSIFICATION OF PROPERTY
VICINITY

WESTMINSTER RD. 1430 WEST OF WOLF AVE.
ELECTION DISTRICT 4
BALTIMORE CO., MD.
JULY 2, 1966

MATZ, CHILLY & ASSOCIATES
1020 CROFTWOOD DRIVE ROAD
LUTHER, MARYLAND 21094
C0120 EAS PL

1. Revised Plat Draft Co. Comments
2. Final Plat Draft Co. Comments

