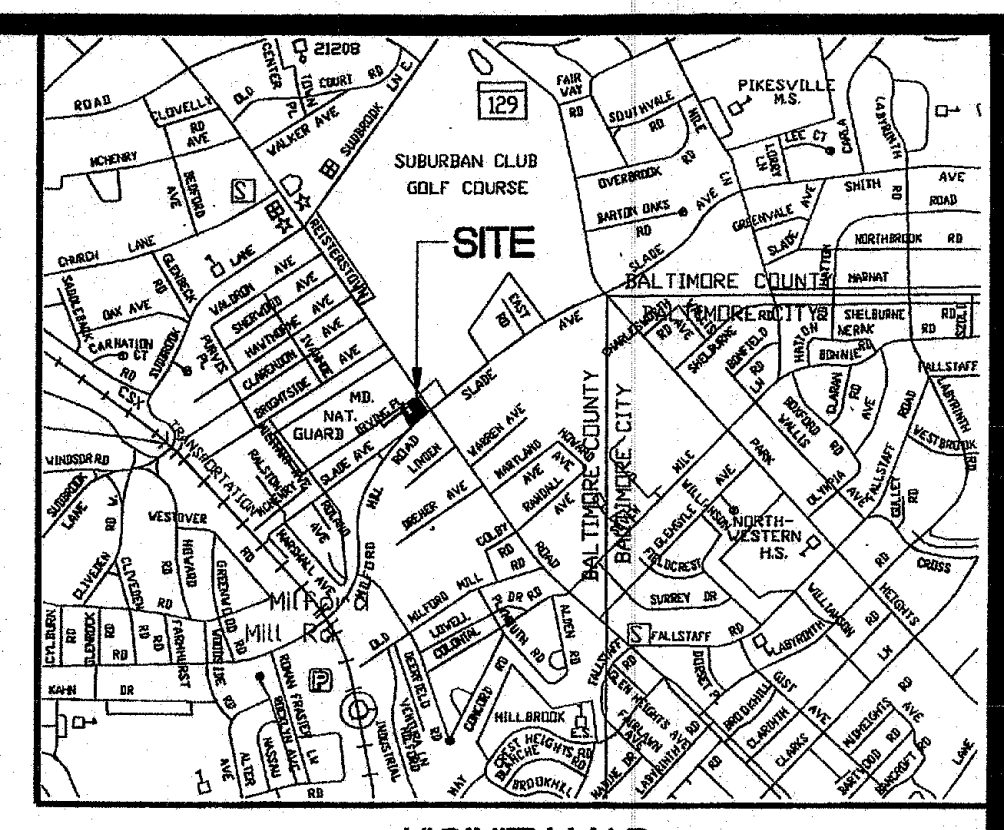
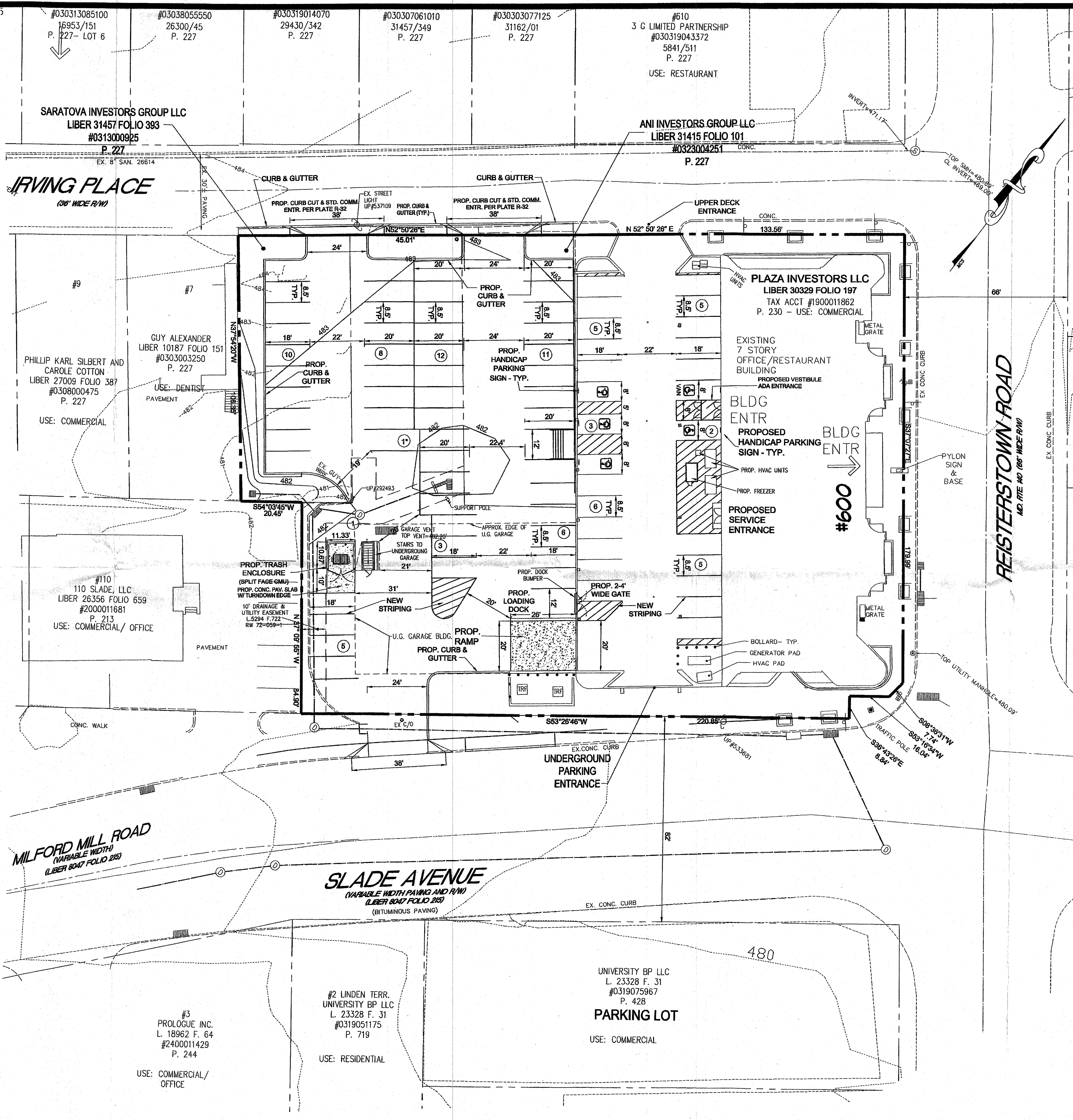


CONSTRUCTION NOTES

- CONTRACTOR SHALL MEET ALL EXISTING IMPROVEMENTS SMOOTHLY FOR LINE, GRADE AND FINISH.
- ALL WORK SHOWN ON THESE PLANS SHALL BE COMPLETED IN ACCORDANCE WITH THE LATEST STANDARDS AND SPECIFICATIONS OF THE BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS AND OF THE MARYLAND STATE HIGHWAY ADMINISTRATION AND THE BALTIMORE COUNTY PLUMBING CODE, UNLESS OTHERWISE NOTED.
- IT SHALL BE DISTINCTLY UNDERSTOOD THAT FAILURE TO MENTION SPECIFICALLY ANY WORK WHICH WOULD NORMALLY BE REQUIRED TO COMPLETE THIS PROJECT SHALL NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY TO PERFORM SUCH WORK. THE COST OF SUCH WORK SHALL BE INCLUDED IN THE BASE BID.
- CONTRACTOR SHALL MAINTAIN TRAFFIC IN REGISTERSTOWN ROAD, IRVING PLACE, SLADE AVENUE AND MILFORD MILL ROAD AT ALL TIMES DURING CONSTRUCTION.
- THE CONTRACTOR SHALL NOTE THAT IN CASE OF DISCREPANCY BETWEEN ANY SCALED DIMENSIONS AND THE FIGURED DIMENSIONS SHOWN ON THESE PLANS, THE FIGURED DIMENSIONS SHALL GOVERN. ALL QUANTITIES SHOWN ARE FOR THE CONVENIENCE OF THE CONTRACTOR ONLY AND MUST BE VERIFIED BEFORE FINALIZING BIDS OR ORDERING ANY MATERIALS.
- THE LOCATIONS OF EXISTING AND PROPOSED UNDERGROUND UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE AND ARE PROVIDED FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. THE LOCATIONS ARE TAKEN FROM EXISTING RECORDS OR SITE PLANS AND DO NOT REPRESENT FIELD-VERIFIED LOCATIONS. THE CONTRACTOR SHALL NOTIFY MISS UTILITY AT 1-800-257-7777 A MINIMUM OF 5 WORKING DAYS PRIOR TO DIGGING. THE CONTRACTOR SHALL CONFIRM TO HIS OWN SATISFACTION THE LOCATION OF ALL UTILITIES PRIOR TO PLACEMENT OF ANY MATERIALS. IF ANY CONFLICT IS FOUND BETWEEN UNDERGROUND UTILITIES AND THE PROPOSED LOCATION OF ANY CONSTRUCTION, THE CONTRACTOR SHALL CONTACT COLBERT MATZ ROSENFELT, INC., THE OWNER/DEVELOPER AND THE OWNER OF THE UTILITY IMMEDIATELY. ANY DAMAGE OR DISRUPTION OF SERVICE SHALL BE AT THE EXPENSE OF THE CONTRACTOR. RELOCATION OF ANY SUCH DISCOVERED EXISTING UTILITIES, IF NECESSARY, SHALL BE AT THE EXPENSE OF THE OWNER. THE CONTRACTOR SHALL COORDINATE RELOCATION OF THESE FACILITIES, IF NECESSARY.
- CONTRACTOR SHALL PROTECT ALL EXISTING TREES OUTSIDE THE LIMIT OF DISTURBANCE AREA DURING CONSTRUCTION. WHERE NOTED, TREE PROTECTION FENCE SHALL BE ERRECTED AS SHOWN AROUND EACH TREE DESIGNATED FOR PROTECTION PRIOR TO BEGINNING ANY CONSTRUCTION.
- THE CONTRACTOR SHALL INSPECT THE SITE TO DETERMINE IF ANY TREES, PAVING, ETC. ARE TO BE REMOVED AS PART OF THIS PROJECT. SAID REMOVAL SHALL BE INCLUDED IN THE BASE BID. CONTRACTOR SHALL PROTECT ALL EXISTING IMPROVEMENTS NOT SCHEDULED FOR REMOVAL OR DEMOLITION. COST OF REPAIR TO ANY DAMAGED EXISTING IMPROVEMENTS SHALL BE INCLUDED IN THE BASE BID. THE CONTRACTOR SHALL CLEAR THE PROJECT SITE OF ALL EXISTING TREES, PAVING, ETC. WITHIN THE CONSTRUCTION AREA UNLESS OTHERWISE NOTED ON THE PLAN. ALL DEMOLITION/REMOVED MATERIALS SHALL BE DISPOSED OF AT AN APPROVED LOCATION. ANY DAMAGE TO OFFICE ROADS, RIGHTS OF WAY, OR ADJACENT PROPERTY SHALL BE REPAIRED IMMEDIATELY AT THE EXPENSE OF THE CONTRACTOR.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY COLBERT MATZ ROSENFELT, INC. OF ANY DEVIATION FROM THIS PLAN PRIOR TO ANY CHANGE BEING MADE. ANY DEVIATION FROM THIS PLAN WITHOUT WRITTEN AUTHORIZATION FROM COLBERT MATZ ROSENFELT, INC. WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FOR THE COMPLETION OF THIS PROJECT, UNLESS DIRECTED OTHERWISE. LIGHTING SHALL BE IN ACCORDANCE WITH THE LATEST LIGHTING PLAN.
- PREFORMED ELASTOMERIC COMPRESSION JOINT MATERIAL SHALL BE INSTALLED AT ALL MEETINGS OF EXISTING AND/OR PROPOSED CONCRETE CONSTRUCTION, INCLUDING CURBS, PAVING AND SIDEWALKS, AND AS NOTED HEREON.
- CONTRACTOR SHALL PROVIDE ALL PAVEMENT MARKINGS AND SIGNAGE FOR HANDICAP PARKING SPACES INDICATED ON THESE PLANS IN ACCORDANCE WITH ALL APPLICABLE CODES AND THE DETAILS SHOWN ON THESE PLANS. PAVEMENT MARKINGS TO MEET SHA STANDARD FOR TRAFFIC PAINT. ALL PAINTED HANDICAPPED SYMBOLS SHALL BE BLUE. ALL OTHER PAVEMENT MARKINGS TO BE TRAFFIC WHITE AND SHALL BE APPLIED IN TWO COATS. PAVEMENT MARKINGS TO MEET SHA STANDARD FOR TRAFFIC PAINT.
- CONTRACTOR SHALL PLACE MINIMUM 4 INCHES TOPSOIL IN ALL LANDSCAPE AREAS. TOPSOIL SHALL MEET MDSHA STD. 9200 R101 AND SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO PLACEMENT.
- EARTHWORK: ALL EARTHWORK SHALL BE AS DIRECTED BY GEOTECHNICAL ENGINEER OR AS OUTLINED IN THE GEOTECHNICAL REPORT. IF NO GEOTECHNICAL REPORT IS AVAILABLE AND NO GEOTECHNICAL ENGINEER IS ENGAGED FOR THIS PROJECT, ALL EXCAVATED AREAS SHALL BE BACKFILLED AND COMPACTED TO 90 PERCENT DENSITY AS DETERMINED BY ASTM D-1557 (MODIFIED PROCTOR). ANY AREAS TO BE PAVED WHICH EXHIBIT UNSTABLE SUBGRADE CONDITIONS SHALL BE EXCAVATED TO BEARING SOIL, REFILLED AND COMPACTED. ONLY SUITABLE MATERIAL SHALL BE USED AS FILL AND PLACEMENT OF ALL FILL MATERIAL SHALL BE IN 8 IN THICK LOOSE COURSES AND COMPACTED TO BEARING SOIL. PAVEMENT SURFACE SHALL BE TO A MINIMUM OF 95 PERCENT DENSITY AS DETERMINED BY ASTM D-1557. COMPACTION WITHIN BUILDING AREAS AND UNDER ALL UTILITY STRUCTURES SHALL BE TO A MINIMUM OF 95 PERCENT DENSITY AS DETERMINED BY ASTM D-1557.
- CONTRACTOR SHALL PLACE SURFACE COURSE OVERLAY 5 FEET BEYOND LIMITS OF REPLACEMENT PAVING, UNLESS DIRECTED OTHERWISE BY THE ENGINEER IN THE FIELD. ALL OVERLAYS SHALL HAVE SMOOTH, STRAIGHT EDGES. STRIP, MILL AS NEEDED AND RESURFACE EXISTING PAVING AS NEEDED TO PROVIDE SMOOTH TRANSITION.
- THE TOPS OF ALL VALVE BOXES, VAULTS, INLETS, MANHOLES AND OTHER PROPOSED UTILITY STRUCTURES SHALL BE SET TO FINISH GRADE.
- CONTRACTOR SHALL PROVIDE A MINIMUM OF 1 FOOT OF PROTECTIVE FILL OVER ALL STORM DRAIN PIPES DURING CONSTRUCTION.
- THE CONTRACTOR SHALL GRADE ALL AREAS WITHIN THE LIMITS OF CONSTRUCTION AND SHALL WARP ALL PAVING AS NECESSARY TO ENSURE POSITIVE DRAINAGE IN THE DIRECTION INDICATED ON THE PLAN. CONTRACTOR SHALL PROVIDE SMOOTH TRANSITIONS BETWEEN CONVENTIONAL AND REVERSE SLOPE CURB SO AS TO CREATE POSITIVE DRAINAGE AT ALL TIMES.
- CONTRACTOR SHALL COORDINATE ANY ADJUSTMENT AND/OR RELOCATION OF SIGNAL, UTILITY AND/OR LIGHT POLES AND/OR STRUCTURES WITH PROPER UTILITY COMPANY. BRACING OF POLES TO BE PROVIDED DURING CONSTRUCTION AS NEEDED. SAID RELOCATION AND/OR POLE BRACING TO BE COORDINATED WITH OWNER OF UTILITY, OWNER'S ENGINEER AND COLBERT MATZ ROSENFELT, INC. ALL SUCH RELOCATION, ADJUSTMENT AND/OR POLE BRACING SHALL BE INCLUDED IN BASE BID.
- CONTRACTOR SHALL PROVIDE FULL TRENCH COMPACTION FOR ALL SITE UTILITIES, UNLESS OTHERWISE NOTED.
- THE TOP ELEVATION OF ALL EXISTING WATER METERS, VALVES, FIRE HYDRANTS, HANDBOXES, MANHOLES AND OTHER UTILITIES WITHIN THE WORK AREA WHICH ARE INTENDED TO REMAIN SHALL BE ADJUSTED AS NECESSARY TO MATCH RELOCATION, ADJUSTMENT AND/OR FLUSH WITH SURFACE SO AS TO NOT CREATE ANY TRIPPING HAZARD OR OTHER IMPEDIMENT TO PEDESTRIAN PASSAGE. CONTRACTOR SHALL COORDINATE ADJUSTMENTS WITH THE OWNER OF EACH EXISTING UTILITY PRIOR TO MAKING ANY ADJUSTMENTS TO THE UTILITY.
- FILTER CLOTH SHALL BE MIRAFI 140S OR APPROVED EQUAL.
- RIPRAP SHALL MEET ALL REQUIREMENTS OF THE MARYLAND SOIL CONSERVATION SERVICE AND THE MARYLAND STATE HIGHWAY ADMINISTRATION.
- CONCRETE WHEEL STOPS SHALL BE TYPE I, IN ACCORDANCE WITH MD SHA STD MD 634.04.
- TOPOGRAPHY WITHIN LIMITS OF FIELD RUN TOPO AND PROPERTY BOUNDARY SHOWN ON THESE PLANS IS BASED ON SURVEY PREPARED BY COLBERT MATZ ROSENFELT. TOPOGRAPHY (OUTSIDE TOPO LIMITS) IS TAKEN FROM GIS, PUBLIC RECORDS AND SITE PLANS AND DOES NOT REPRESENT A FIELD SURVEY. ALL PROPERTY BOUNDARY INFORMATION IS TAKEN FROM RECORDED DEEDS AND PLATS AND DOES NOT REPRESENT A FIELD SURVEYED BOUNDARY.



BENCHMARK DATA

COORDINATE AND BEARINGS SHOWN ON THIS PLAN ARE REFERRED TO THE MARYLAND COORDINATE SYSTEM NAD83/91 DATUM AND ARE BASED ON THE FOLLOWING

STATION	NORTHING	EASTING	ELEVATION
BALT. CO. GIS - 517	619584.88	1391533.13	489.54'
BALT. CO. GIS - 518	619837.27	1390712.57	467.71'

- GENERAL NOTES**
- OWNER/DEVELOPER: PLAZA INVESTORS LLC
104 CHURCH LANE SUITE 100
BALTIMORE, MARYLAND 21208
 - SITE DATA:
MAP 0078, PARCEL 0230
TAX ACCOUNT NO. 190001862
DEED REFERENCE 30329 / 197
SITE AREA: 39,818 SQ. FT. (0.91 ACRES)
EXISTING USE: PLAZA
PROPOSED USE:
 - ZONING AND DEVELOPMENT HISTORY:
-SEE GRD-3 FOR ZONING LETTER DATED FEB. 3, 2000.
 - OFF STREET PARKING CALCULATIONS:
-SEE PARKING TABULATION CHART ON GRD-3
-ALL PARKING SPACES ARE DURABLE, DUST-FREE AND PERMANENTLY STRIPED.
 - ZONING, RO, RI AND BL
ZONING MAP NO.: 78-B2
 - F.A.R. CALCULATION - BUILDING: 59,180 SQ. FT.
SITE AREA: 39,818 SQ. FT.
PROPOSED FAR- 0.67
MAX. PERMITTED FAR- 3.0
 - SITE IS NOT IN THE CRITICAL AREA, HAS NO HISTORIC BUILDINGS AND IS NOT IN A 100-YEAR FLOOD PLAIN.
 - PREVIOUS COMMERCIAL PERMITS: B728619, B732894, B750873, B769270, E730833, E743142, E752109, P729776
 - ALL SIGNS WILL MEET THE REQUIREMENTS OF SEC. 450, BCZR.
 - UPPER DECK TO BE RESTRIPTED AT A LATER DATE.

STORMWATER MANAGEMENT NOTE

THE SUBJECT SITE IS EXEMPT FROM THE REQUIREMENTS OF STORMWATER MANAGEMENT IN ACCORDANCE WITH SECTION 1.2 (2.) OF THE 2000 STORMWATER DESIGN MANUAL, VOLUME 1 & 2.

DRAWING LIST

GRD-1	SITE GRADING PLAN
GRD-2	SITE DETAILS
GRD-3	SITE NOTES
S-1	RAMP DETAILS

SITE PLAN

600 REISTERSTOWN ROAD

TAX MAP 78 - GRID 09 - PARCEL 230
3RD ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

Professional Certification

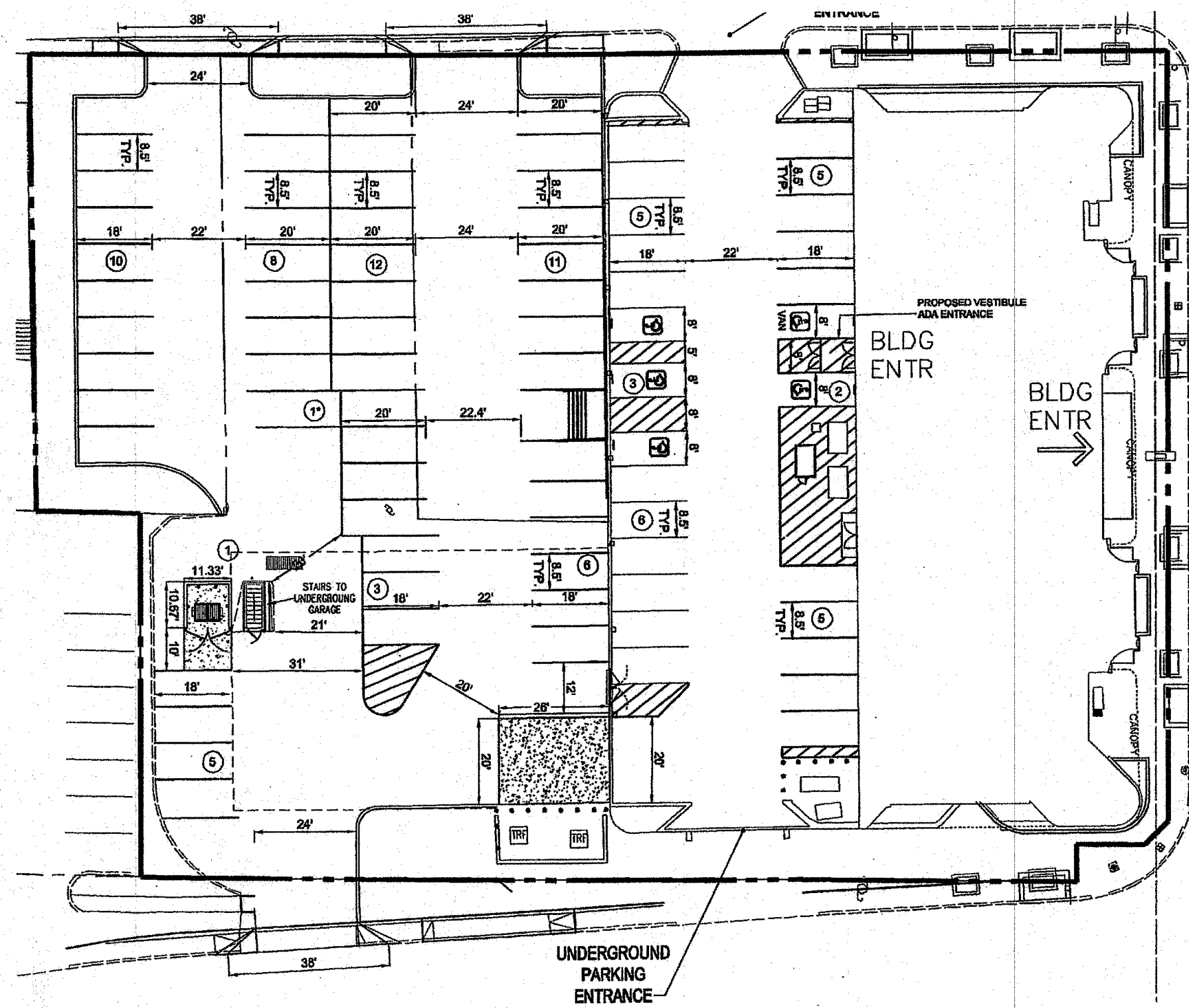
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No. 13203 Expiration Date: 11-2-14

DATE: 11/02/11
JOB NO.: 2010-285.1
DESIGNED: [Signature]
DRAWN: AKC/ASH
CHECKED: KML/REM
FILE: 2010285.1 BASE.dwg

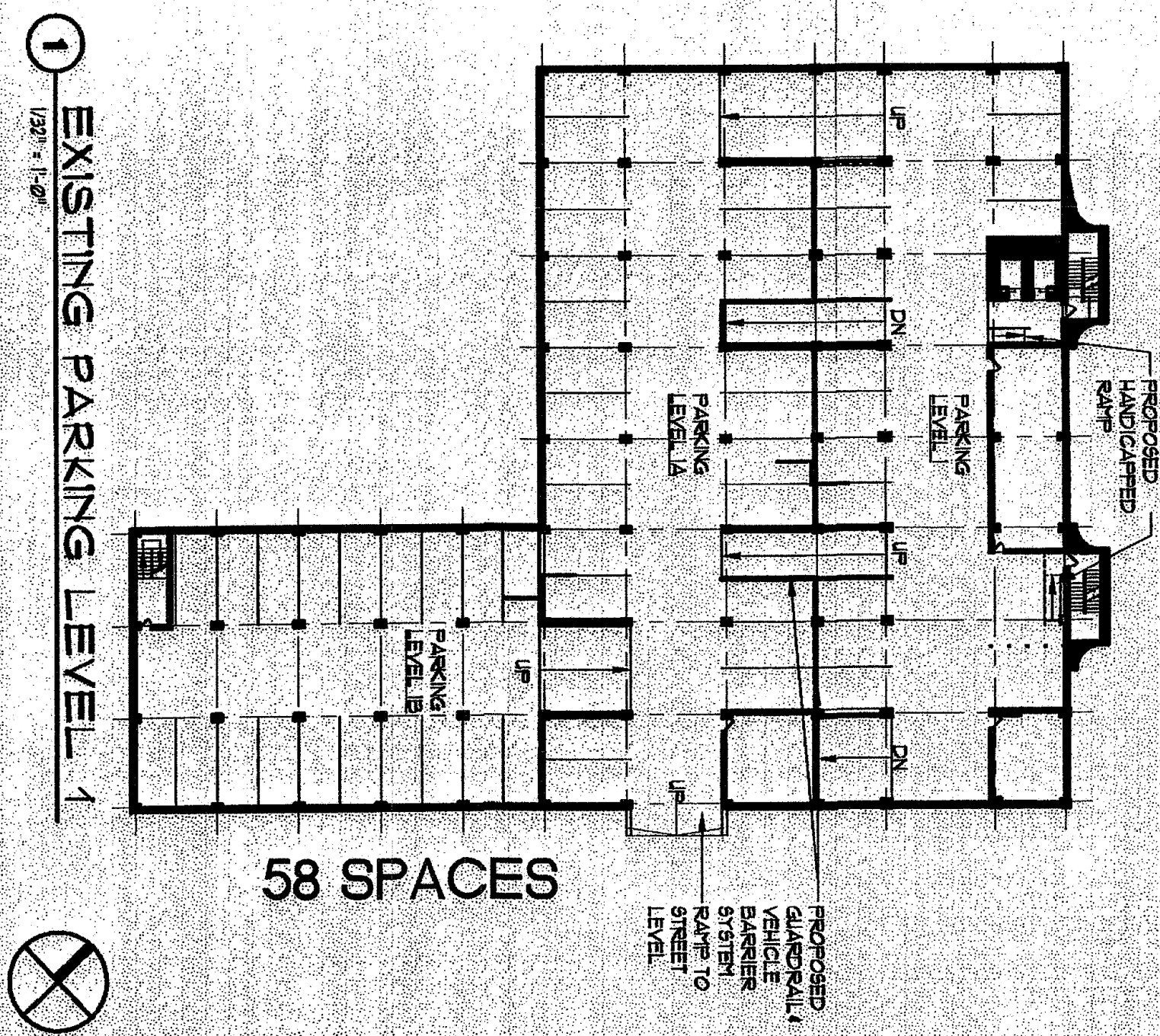
5	9/03/14	ISSUE FOR PERMIT & CONSTRUCTION	KML	FILE: 2010285.1 BASE.dwg
4	8/27/14	REV STEPS & PARKING PER CLIENT DIR.	KML	DRAWING NUMBER: GRD-1
3	5/12	REV GRD, ADD NOTES, DUMPSTER, ADJ RAMP		
2	3/12	REV PER DRP		

NO. DATE REVISIONS: BY SHEET 1 OF 4

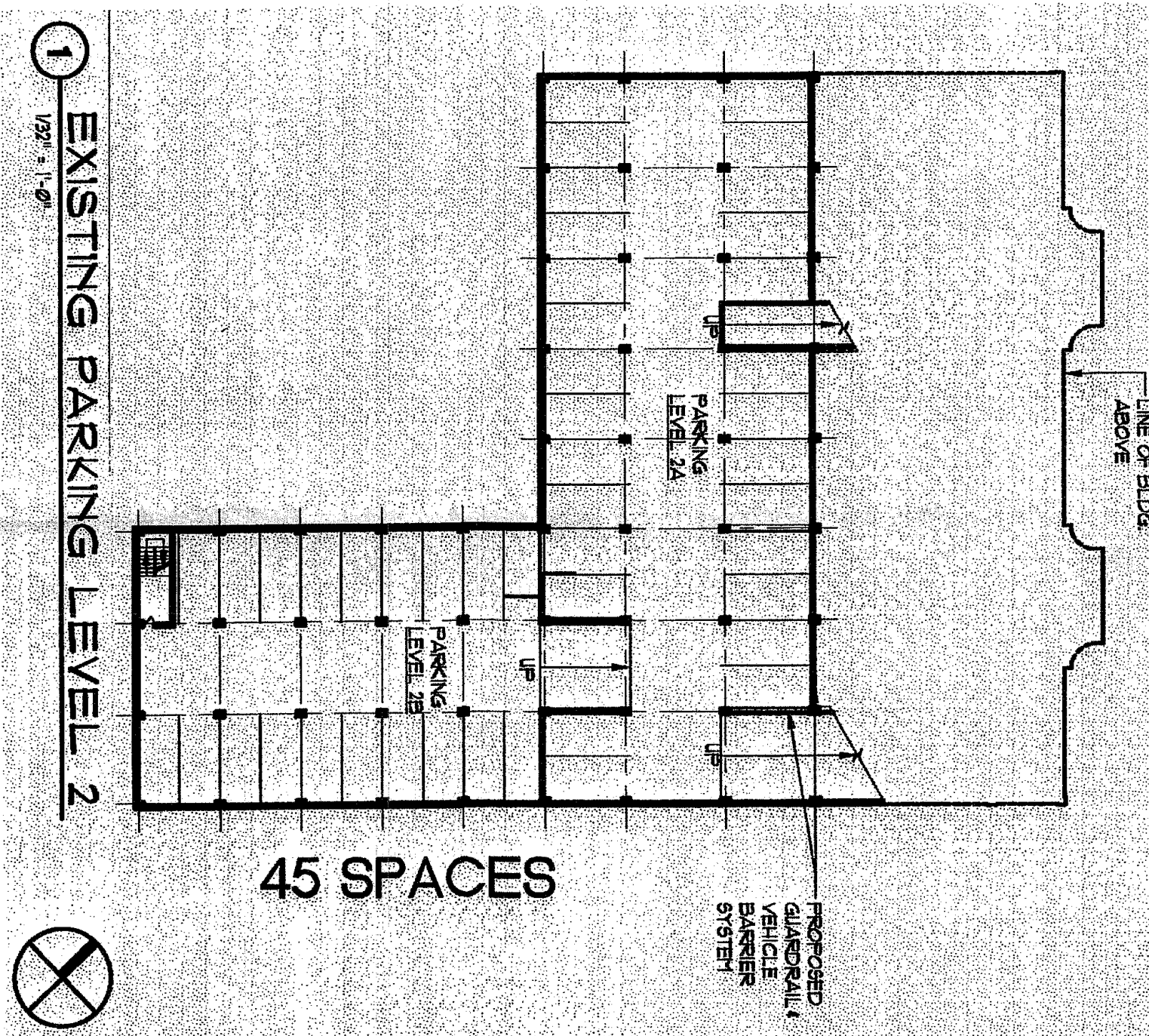


**SURFACE PARKING PLAN
83 SPACES**

Pikesville Plaza - Parking Tabulation:			
USE	AREA (Sq Ft)	PARKING REQUIREMENT	REQUIREMENT
Office (floors 2-7)	51,160	3.3 x 1,300 sq ft of gross floor area	168.56 parking spaces
Restaurant * (1st floor)	8,000	5 x 8 sq ft of gross floor area	40 parking spaces
* for the restaurant use this calculation is based on parking requirement for standard restaurants in the Pikesville Revitalization Area. To apply this requirement, the project must have an investment of \$100,000 and the work must be done within 6 months.			
TOTAL PARKING SPACES REQUIRED (#s are rounded up):			209 parking spaces
NUMBER OF SPACES GRANTED (PER VARIANCE 74-232-A IN LIEU OF 218 REQ'D):			**172 parking spaces
TOTAL PROVIDED:			188 SPACES



58 SPACES



45 SPACES

UNDER BUILDING PARKING PLANS



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 3, 2000

Column Financial, Inc., its successors and/or assigns
c/o Donaldson, Lufkin & Jenrette
277 Park Avenue, 10th Floor
New York, NY 10172
Attn: Susana Iannicelli

Dear Ms. Iannicelli:

RE: Pikesville Plaza Building Co., Norwest Corner Reisterstown Rd. and Slade Ave.,
600 Reisterstown Rd., 3rd Election District

Your letter to Arnold Jablon, Director of Permits and Development Management has been referred to me for reply. The zoning of this site per the 1'-200' scale zoning map #N1V, 7-E (high-lighted copy enclosed) is Business Local-Automotive Service (BL-A) along Reisterstown Road with a depth of approximately 130 feet +/- with the rear portion split Business Local (BL) and Residential Office (RO). The use of this 7 story professional office building is permitted as of right in the business zones.

This site has been the subject of numerous zoning hearings, which are listed as follows:

- #68-50-RXA Special Exception for an automotive service station and a variance from Section 405.2.B, paragraph 5 granted by the Board of Appeals
- #74-113-SPH A Special Hearing to approve a use permit for commercial parking in a residential zone granted by the Zoning Commissioner on December 12, 1973
- #74-232-A A Variance to allow 172 parking spaces in lieu of the required 218 spaces for a professional building granted by the Deputy ZC May 7, 1974.
- #95-296-A A Variance to permit a setback of 95 feet from the RO zone for a roof mounted wireless transmitting and receiving facility in lieu of required 200 feet granted by Zoning Commissioner on March 30, 1995.
- #96-319-SPH A Special Hearing to allow massage services as accessory to an existing beauty salon granted by the Deputy Zoning Commissioner May 20, 1996.
- #96-320-SPH A Special Hearing to approve an amendment to the site plan to allow 161 parking spaces in lieu of the 172 spaces granted in case #74-232-A and to permit 12 of those spaces to be utilized for the storage and parking of ambulances and limousines and a Special Exception to permit a Service Garage use on the subject property granted by the Deputy Zoning Commissioner on April 10, 1996
- #97-59-A A Variance to permit a setback of 71 feet from an RO zone in lieu of the required 200 feet for a roof mounted wireless transmitting and receiving facility and to amend the previously approved site plan in case #95-296-A to reflect this proposed improvements granted by the Deputy Zoning Commissioner on September 17, 1996.

Original occupancy certificates are no longer available. A review of files in the Code Enforcement Office found no current violations.

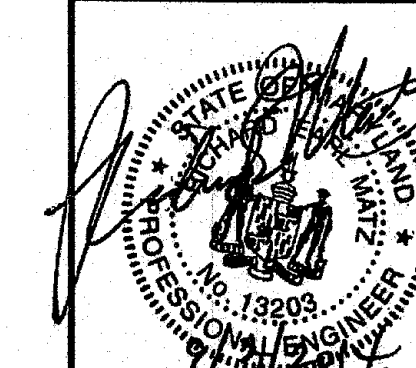
I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

John J. Sullivan, Jr.
Planner II
Zoning Review

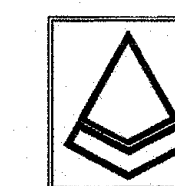
**SITE NOTES
600 REISTERSTOWN ROAD**

TAX MAP 78 - GRID 09 - PARCEL 230
3RD ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND



Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



Professional Certification		SCALE: AS NOTED	
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.		DATE: 5/18/12	
License No. 9203 Expiration Date: Nov 2, 2014		JOB NO.: 2010-285.1	
		DESIGNED: REM/KL	
		DRAWN: AKC/KL	
		CHECKED:	
		FILE: 2010285.1 BASE.dwg	
		DRAWING NUMBER: GRD-3	
NO.	DATE	ISSUE FOR PERMIT & CONSTRUCTION	BY
1	9/03/14		KML
REVISIONS:		SHEET 3 OF 4	



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

Ms. Susana Iannicelli
February 3, 2000
Page 2

February 3, 2000

Column Financial, Inc., its successors and/or assigns
c/o Donaldson, Lufkin & Jenrette
277 Park Avenue, 10th Floor
New York, NY 10172
Attn: Susana Iannicelli

Dear Ms. Iannicelli:

RE: Pikesville Plaza Building Co., Norwest Corner Reisterstown Rd. and Slade Ave.,
600 Reisterstown Rd., 3rd Election District

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. The zoning of this site per the 1"=200' scale zoning map #NW, 7-E (high-lighted copy enclosed) is Business Local-Automotive Service (BL-As) along Reisterstown Road with a depth of approximately 130 feet +/- with the rear portion split Business Local (BL) and Residential Office (RO). The use of this 7 story professional office building is permitted as of right in the business zones.

This site has been the subject of numerous zoning hearings, which are listed as follows:

- #68-50-RXA Special Exception for an automotive service station and a variance from Section 405.2.B, paragraph 5 granted by the Board of Appeals
- #74-113-SPH A Special Hearing to approve a use permit for commercial parking in a residential zone granted by the Zoning Commissioner on December 12, 1973
- #74-232-A A Variance to allow 172 parking spaces in lieu of the required 218 spaces for a professional building granted by the Deputy ZC May 7, 1974.
- #95-296-A A Variance to permit a setback of 95 feet from the RO zone for a roof mounted wireless transmitting and receiving facility in lieu of required 200 feet granted by Zoning Commissioner on March 30, 1995.
- #96-319-SPH A Special Hearing to allow massage services as accessory to an

existing beauty salon granted by the Deputy Zoning Commissioner May 20, 1996

- #96 320-SPH A Special Hearing to approve an amendment to the site plan to allow 161 parking spaces in lieu of the 172 spaces granted in case #74-232-A and to permit 12 of those spaces to be utilized for the storage and parking of ambulances and limousines and a Special Exception to permit a Service Garage use on the subject property granted by the Deputy Zoning Commissioner on April 10, 1996
- #97-59-A A Variance to permit a setback of 71 feet from an RO zone in lieu of the required 200 feet for a roof mounted wireless transmitting and receiving facility and to amend the previously approved sit plan in case #95-296-A to reflect this proposed improvements granted by the Deputy Zoning Commissioner on September 17, 1996.

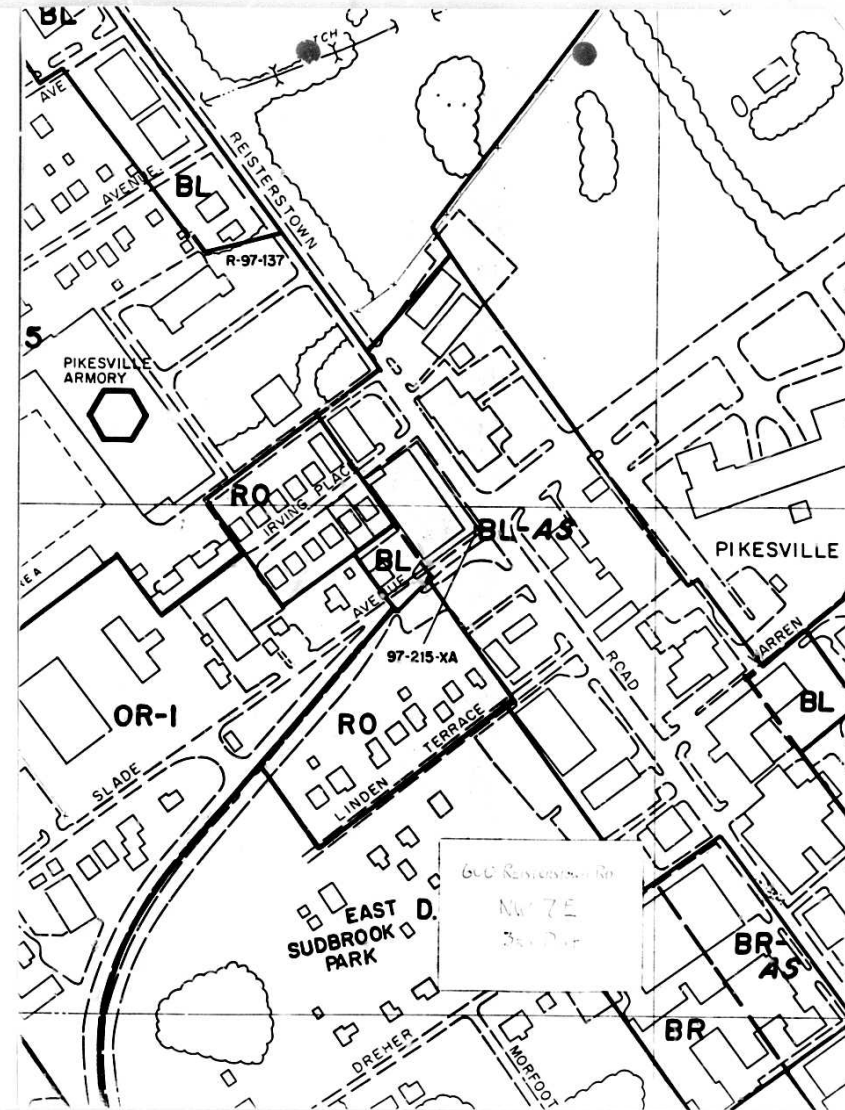
Original occupancy certificates are no longer available. A review of files in the Code Enforcement Office found no current violations.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:kew



PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: John Tamburo and Anna Tamburo legal owner...

Also Petition for a CS-1 District See attached description

and (2) for a Special Exception under the said Zoning Law and Zoning Regulations of Baltimore County...

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition...

ORDERED By The Zoning Commissioner of Baltimore County, this 25th day of July, 1969...



Board's actions. Mack testified concerning traffic congestion; Collector expressed an opinion as to the lack of a need for another service station in the area...

An appropriate order dismissing the appeal will be signed when presented.

B. BAINE JUDGE

June 24, 1969

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: JOHN TAMBURO I or we, JOHN TAMBURO and ANNA Tamburo legal owner...

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

The Petitioner has been delayed over one year due to the moratorium, the enactment of County Council Bill No. 40, and the County Council's delay in designating the roads in Baltimore County into classes.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition...

ORDERED By The Zoning Commissioner of Baltimore County, this 3rd day of January, 1969...

ISAAC MACK, et al. IN THE CIRCUIT COURT FOR BALTIMORE COUNTY VS. WILLIAM S. BALDWIN, et al., constituting the COUNTY BOARD OF APPEALS FOR BALTIMORE COUNTY

MEMORANDUM IN SUPPORT OF PETITIONER'S MOTION TO DISMISS APPEAL AND DENY REHEAR

1. Mrs. Trostle is not an "aggrieved party." Mrs. Trostle took an Appeal from the Zoning Commissioner's Order granting Mr. Tamburo's Petition for Re-classification to the Board of Appeals...

ROBERT MUELLEN THOMAS & McLEAN ATTORNEYS

ISAAC MACK, et al. IN THE CIRCUIT COURT Protestants-Appellants FOR BALTIMORE COUNTY VS. WILLIAM S. BALDWIN et al., constituting the COUNTY BOARD OF APPEALS FOR BALTIMORE COUNTY

MEMORANDUM OPINION

The property that is the subject of this zoning appeal consists of approximately .625 acres at the northwest corner of Reisterstown Road and Slade Avenue. On February 25, 1969 the County Board of Appeals passed an order affirming the action of the Zoning Commissioner allowing a reclassification from R-6 to B-L...

The Record indicates that all five of the individual appellants appeared in person and by counsel at the hearing

Regulations, \$500.10 (which refers to any "person" rather than a "party," and also which uses the phrase "feeling aggrieved" rather than "who is aggrieved").

2. The gas station employees.

Mrs. Trostle, the only appellant, called certain witnesses on her behalf. These were Mr. Mack and Mr. Collector. Mrs. Trostle's attorney has included these two men and a couple of others as "appellants" along with her in the appeal from the Board to this Court...

Also, there is no showing that these individuals are aggrieved parties.

3. Conclusion.

Accordingly, the appeal should be dismissed. Respectfully submitted,

R. Taylor McLean 600 Alex. Brown & Sons Building Towson, Maryland 21284

I HEREBY CERTIFY that on this 22nd day of May, 1969, a copy of the foregoing Memorandum was mailed to Harry S. Swartz-welder, Jr., Esq., 341 St. Paul Place, Baltimore, Maryland 21202, Attorney for the persons filing the Petition for Appeal...

ROBERT MUELLEN THOMAS & McLEAN ATTORNEYS

before the Board. Three of the appellants actually testified in opposition to the petition. There is no question that an individual who appears in person before the Board, who testifies and who makes a protest a matter of record before the Board is a "party," but whether the appellants in this case are "aggrieved" is a "horse of another color"...

The three appellants who testified before the Board did not specifically state any reasons for their objections to

ISAAC MACK, et al. IN THE CIRCUIT COURT FOR BALTIMORE COUNTY VS. WILLIAM S. BALDWIN, et al., constituting the COUNTY BOARD OF APPEALS FOR BALTIMORE COUNTY

MEMORANDUM ON THE MERITS IN SUPPORT OF THE DECISION OF THE BOARD OF APPEALS GRANTING THE PETITION FOR RECLASSIFICATION OF THE PROPERTY OWNER, MR. TAMBURO

The Decision of the Board of Appeals was supported by substantial evidence. In their Petition for Appeal the protestants suggest that the evidence failed to demonstrate a genuine change in condition since the time of the original zoning...

As a matter of fact, there was ample evidence of change. See for instance the testimony of Mr. Willenain found at pages 93 through 97 concerning some nine zoning changes in the immediate area of the subject property since the zoning map was adopted...

Also, at pages 92-93 there is evidence of error in the zoning map. This is a point which the protestants' Petition for Appeal apparently concedes.

On the subject of traffic, Dr. Swell testified at page 6 that the requested reclassification would not affect the traffic to any

ROBERT MUELLEN THOMAS & McLEAN ATTORNEYS

John Tamburo, et al - No. 68-50-RX

THEREFORE ORDERED, that the Special Exception for an automotive service station and the requested Variance from Section 405.2B, paragraph 3, be and the same are hereby granted. Furthermore, the Board finds as a fact that to deny the petition for the sought variance from Section 405.2B, paragraph 5, would result in practical difficulty and unreasonable hardship to the petitioners, and that granting such relief will not cause substantial injury to public health, safety, and general welfare. Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
William S. Baldwin, Chairman
W. Glen Parker
John A. Siewik

RE: Petition for Reclassification from R-6 Zone to B-L Zone; Undistricting to a C. S. -1 District; a special exception for Automotive Service Station and Variance to Sec. 405.2, Par. 3 of Zoning Regulations - N/W Cor. of Reisterstown Road and Slade Ave., 3rd Dist. John Tamburo and Anna Tamburo, Petitioners

ORDER RECEIVED FOR FILING
DATE 2/27/68
BY [Signature]

The petitioners have requested reclassification of the subject property from an R-6 Zone to a B-L Zone; Undistricted to a C. S. -1 District; a special exception for an automotive service station and variance to Sec. 405.2-B, Par. 3 of the Baltimore County Zoning Regulations. Sufficient change in the character of the neighborhood warrants the reclassification from an R-6 Zone to a B-L Zone. The petition complies with the definition set forth in Section 259.2-F - C.S.1 District (commercial strip) and also complies with Section 405.2-B-5, with the exception of the required access to Class I Commercial Motorway. The petitioner has also requested a special exception for automotive service station. The petitioner has met requirements of Section 405.3 of said regulations pertaining to special exception. The petitioner requested a variance from Section 405.2-B, Par. 5 to permit an automotive service station to be located on an individual site in a C. S. -1 District without access to a Class I Motorway. There are no Class I Motorways in existence in Baltimore County. Section 405.10-A of said Regulations gives the Zoning Commissioner discretionary power. If this power is not used in connection with Class I Motorways the result would be that Bill 40, approved and enacted May 8, 1967, would be inoperative in many cases and this case in particular. This would result in practical difficulty and unreasonable hardship and would give relief without substantial injury to the public health, safety and general welfare of the locality involved.

For the above reasons, it is this 27th day of February 1968 by the Zoning Commissioner of Baltimore County, ORDERED that the herein described property or area should be and the same is reclassified from an R-6 Zone to a B-L Zone; Redistricted to a C. S. -1 District; a special exception for an automotive service station and the above variance should be and the same are granted from and after the date of this Order.

The site plan for the development of said property is subject to approval of the State Roads Commission, Bureau of Public Services and the Office of Planning and Zoning.
[Signature]
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
DATE 2/27/68
BY [Signature]

#68-50RX
Description of Tamburo Property, Third District, Baltimore County, Md., in accordance with Edwin J. Kirby Survey dated Dec. 7, 1945.

BEGINNING for the same at a P.K. nail set at the intersection of the southwesternmost side of Reisterstown Road as laid out as laid out forty feet wide said point being the beginning of that same land which by deed dated September 22, 1917 and recorded among the Land Records of Baltimore County in Liber WPC No. 487 folio 322 was conveyed by Edward L. Ward and wife to Raymond Tamburo and running thence as now surveyed and with courses corrected for variation and binding on the first line of Avenue South 62 degrees 30 minutes West 245.00 feet to a P.K. nail set in a concrete block wall and to the end of the third line of that same land which by deed dated March 14, 1949 and T.B.S. No. 1723 folio 316 was conveyed by Raymond Tamburo and wife to Antonio M. Brescia and wife and running thence and binding reversely on said third line North 29 degrees 00 minutes West 84.70 feet to a pipe now set and to intersect the third line of the abovementioned conveyance from Ward to Tamburo and running thence and binding thereon in part North 62 degrees 13 minutes 00 seconds East 110.19 feet to a pipe, thence North 29 degrees 00 minutes West 111.00 feet to a cross cut on a concrete walk and to the southeasternmost side of Irving Place as laid out 39 feet wide and running thence and binding thereon North 61 degrees 45 minutes East 134.75 feet to a P.K. nail and to the abovementioned side of Reisterstown Road and running thence and binding thereon South 29 degrees 00 minutes East 196.00 feet to the place of beginning...containing 0.825 acres of land more or less.

The foregoing description is the description for the Petition for C.S.-1 District and Special Exception for automotive service station. The description for Petition for Reclassification from R-6 zone to B-L zone is the above description. Saving and excepting all that portion of land which is zoned B-L.

[Signature]

HARRY S. SWARTZWELDER JR.
ATTORNEY AT LAW
141 ST. PAUL PLACE
BALTIMORE, MARYLAND 21204
127-4329



March 6, 1968

John G. Rose, Zoning Commissioner
County Office Building
Towson, Maryland 21284

Re: Petition for Reclassification from R-6 Zone to B-L Zone; Undistricted to a C.S.-1 District; Special exception for automotive service station and variance to Section 405.2, par. 3 of zoning regulations N/W cor. Reisterstown Road and Slade Avenue Third District John Tamburo, Petitioner Case No. 68-50-RX

Dear Mr. Rose:

Please enter an Appeal from the Order of the Zoning Commissioner entered in the above case on February 8, 1968, to the Board of Appeals on behalf of Mildred Trebble and the Harry S. Swartzwelder, Jr. Association of Petroleum Retailers, protestantly herein.

Very truly yours,
[Signature]
Harry S. Swartzwelder, Jr.

HSS/by

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: January 19, 1968
FROM: George E. Gavrelis, Director of Planning
SUBJECT: Petition #68-50-A. Northwest corner of Reisterstown Road and Slade Avenue. Petition for Variance to permit an Automotive Service Station to be located on an individual site in a C.S.-1 District without access to a Class I Motorway. John Tamburo - Petitioners.
3rd District
HEARING: Wednesday, January 31, 1968 (10:00 A.M.)

The Planning staff of the Office of Planning and Zoning will offer no further comment regarding Pet. #68-50-A; earlier comments were submitted on August 18, 1967. It still remains, however, that a C.S.-1 District can be created in the absence of a Class I Commercial Motorway; therefore we question the validity of the subject petition.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: August 18, 1967
FROM: George E. Gavrelis, Director
SUBJECT: Petition #68-50-RX. Northwest corner of Reisterstown Road and Slade Ave. Petition for Reclassification from R-6 to B.L. Petition from Undistricted to a C.S. 1 District. Petition for Special Exception for Automotive Service Station. Being the property of John Tamburo.
3rd District
HEARING: Wednesday, August 30, 1967 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 to B.L. zoning together with a petition for C.S. 1 District and Special Exception for an automotive service station. It has the following advisory comments to make with respect to pertinent planning factors:

- In connection with its follow-up actions on the service station legislation, the Planning Board has made recommendations regarding designation of Reisterstown Road from the city line to the Beltway as a Class I Commercial Motorway. This recommendation as yet has not been acted on by the Council. The Planning Board also has held public hearings on its proposals for establishing Districts throughout the County. That portion of the subject property now included in commercial zoning is being recommended for C.S.-1 Districting. If adopted, the C.S. District would allow service stations as a matter of Special Exception. However, can a C.S. 1 District be granted before the Class I Commercial Motorway is designated officially?
- The planning staff will not offer comment as to whether or not additional automotive service station facilities are needed in the area. It notes that the petitioner must show a probability of reasonable public need for the proposed automotive service station.
- The planning staff questions whether or not commercial zoning should be extended westerly along Slade Avenue as requested in this petition. We would much prefer that the parking area remain in residential zoning and operate under a use permit. This would establish a clear stopping point for commercial zoning here and would serve as a buffer.
- The planning staff reserves final judgement on the site plan. We note, however, that the plan as presented represents a sincere and complete effort to comply with the standards of the Zoning Regulations. After consultation with State and County agencies, the planning staff may require provision of widening along Slade Avenue now in accordance with State and County plan. If this is done, we have no objections to the additional entrance on Slade Avenue.

C. J. Sims

February 8, 1968

Elmer L. Reese, Esq.,
Nottingham Building
Towson, Maryland 21204

Re: Petition of John Tamburo and Anna Tamburo, N.W. Cor. Reisterstown Road and Slade Ave., 3rd District - No. 68-50-RX

Dear Mr. Reese:

I have today passed my Order in the above matter in accordance with the attached copy of Order.

Very truly yours

[Signature]
Zoning Commissioner

cc: Mrs. Mildred T. Reese
8714 Jansifer Road
Baltimore, Maryland
21234

appreciable extent. In this connection he made a careful study of a nearby gasoline station similar in many respects to the proposed operation of the subject property. (See pages 7-10.) Dr. Ewell also explained that a filling station does not generate traffic but takes from the existing traffic. (Page 11) He explained that since the subject property was already zoned B-L except for a strip along Slade Avenue, it might well contribute much more to traffic congestion as it was zoned by the map than if it were used for a gasoline station (pages 11-12).

Moreover, there was substantial evidence of the probability of a reasonable public need for the proposed service station. (Pages 47, 48, 65, 116, 136-137, 138-139, 140, 155-6, 163) Respectfully submitted,

R. Taylor McLean
600 Alex. Brown & Sons Building
Towson, Maryland 21204
423-1800
Attorney for John Tamburo

I HEREBY CERTIFY that on this 22nd day of May, 1969, a copy of the foregoing Memorandum on the Merits was mailed to Harry S. Swartzwelder, Jr., Esq., 341 St. Paul Place, Baltimore, Maryland 21202, Attorney for the persons filing the Petition for Appeal; and to the County Board of Appeals of Baltimore County, County Office Building, Towson, Maryland 21204.

R. Taylor McLean

ROYSTON, MUELLER
THOMAS & MCLEAN
SUITE 800
116 W. PENNA. AVE.
TOWSON, MD. 21204
823-1800

ROYSTON, MUELLER
THOMAS & MCLEAN
SUITE 800
116 W. PENNA. AVE.
TOWSON, MD. 21204
823-1800

RTMCL/md
4/22/69

ISAAC MACK, et al. : IN THE CIRCUIT COURT
: FOR BALTIMORE COUNTY
vs. :
WILLIAM S. BALWIN, et al., : Misc. Docket No. 8
constituting the : Folio 424
COUNTY BOARD OF APPEALS : Case No. 4190
OF BALTIMORE COUNTY : : : : :
: : : : :
: : : : :

MEMORANDUM OF AUTHORITIES IN SUPPORT OF
JOHN TAMBURO'S MOTION TO DISMISS
AND DEMURRER AND ANSWER

In support of his Motion to Dismiss and Demurrer and Answer, the Petitioner for reclassification, John Tamburo, refers the Court, among other authorities, to section 501.4 of the Baltimore County Zoning Regulations; section 604 of the Baltimore County Charter; and Shore Acres Improvement Association v. Anne Arundel County Board of Appeals, 251 Md. 310, 313-318 (and cases cited therein).

Elmer L. Reese, Jr.

R. Taylor McLean
102 West Pennsylvania Avenue
Towson, Maryland 21204
823-1800

I HEREBY CERTIFY that on this 22nd day of April, 1969, a copy of the foregoing Memorandum was mailed to Harry S. Swartzwelder, Jr., Esq., 341 St. Paul Place, Baltimore, Maryland 21202, attorney for the persons filing the Petition for Appeal; and to the County Board of Appeals of Baltimore County, County Office Building, Towson, Maryland 21204.

R. Taylor McLean

Rec'd 4/23/69
9:30 a.m.

RTMCL/md
4/21/69

ISAAC MACK, et al. : IN THE CIRCUIT COURT
: FOR BALTIMORE COUNTY
vs. :
WILLIAM S. BALWIN, et al., : Misc. Docket No. 8
constituting the : Folio 424
COUNTY BOARD OF APPEALS : Case No. 4190
OF BALTIMORE COUNTY : : : : :
: : : : :

REQUEST FOR HEARING ON MOTION TO DISMISS
AND DEMURRER AND ANSWER

The Petitioner for reclassification, John Tamburo, by Elmer L. Reese, Jr., and R. Taylor McLean, requests that a hearing be scheduled before the Court on his Motion to Dismiss and Demurrer and Answer filed in the above referred to proceeding.

Elmer L. Reese, Jr.

R. Taylor McLean
102 West Pennsylvania Avenue
Towson, Maryland 21204
823-1800

I HEREBY CERTIFY that on this 21st day of April, 1969, a copy of the foregoing Request was mailed to Harry S. Swartzwelder, Jr., Esq., 341 St. Paul Place, Baltimore, Maryland 21202, attorney for the persons filing the Petition for Appeal; and to the County Board of Appeals of Baltimore County, County Office Building, Towson, Maryland 21204.

R. Taylor McLean

ROYSTON, MUELLER
THOMAS & MCLEAN
SUITE 800
116 W. PENNA. AVE.
TOWSON, MD. 21204
823-1800

Rec'd 4/23/69
9:30 a.m.

ISAAC MACK, et al. * IN THE COURT OF APPEALS
* OF MARYLAND
vs. *
JOHN TAMBURO, et al. * NO. 225 September Term, 1969

ORDER TO DISMISS APPEAL

MR. CLEEK:

Please dismiss the Appeal previously entered on behalf of Isaac Mack, et al., Protestants-Appellants, in the above matter.

Harry S. Swartzwelder, Jr.
341 St. Paul Place
Baltimore, Maryland 21202
727-4929
Attorney for Protestants-Appellants

I HEREBY CERTIFY that on this 21st day of May, 1969, a copy of the foregoing Order to Dismiss Appeal was mailed to R. Taylor McLean, Esquire, 600 Alex. Brown & Sons Building, Towson, Maryland 21204, attorney for John Tamburo, and to the County Board of Appeals of Baltimore County, County Office Building, Towson, Maryland 21204.

Harry S. Swartzwelder, Jr.
Harry S. Swartzwelder, Jr.

Rec'd 12/1/69
9:30 a.m.

RE: PETITION FOR RECLASSIFICATION
from R-6 zone to B-L zone;
C.S.-1 DISTRICT;
SPECIAL EXCEPTION FOR AUTOMOTIVE
SERVICE STATION;
VARIANCE from Sec. 405.28, Par. 5
Northwest Corner of Reisterstown Road
and Slade Avenue
3rd District
John Tamburo, et al.,
Petitioners
Phillips Petroleum Company
Contract Purchaser

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 68-50-RX

OPINION

The property at issue in this case is on the northwest corner of Reisterstown Road and Slade Avenue, in the 3rd Election District of Baltimore County. It has been owned by Mr. John Tamburo and his sister since 1923, who since that time have operated a drug and patent medicine store and subsequently a package liquor store up until the present time.

The property fronts 198 feet on Reisterstown Road and 245 feet westerly on the north side of Slade Avenue. At the time of the adoption of the zoning map on January 16, 1957 this property was zoned B-L to a depth of 150 feet on Slade Avenue, the remaining 95 feet being zoned R-6. In back of the property is a real estate office in a converted residence, and the property directly west of Tamburo's has been zoned R-4, with a special exception for an office building. Reisterstown Road has been designated as a Class I Commercial Motorway from the City Line to the Beltway, and the portion of the Tamburo property now zoned B-L is in a C.S.-1 District, all of which appears on Petitioners' Exhibits 2 and 3 in the case.

No protestants appeared who were residents of the neighborhood, or whose property could possibly be affected by the proposed use.

The petition asks for a reclassification of the balance of the Tamburo property from R-6 to B-L; an extension of the C.S.-1 District to cover all of the Tamburo property rather than part of it; a special exception for an automotive service station; and a variance from Section 405.28, paragraph 5 of the Zoning Regulations of Baltimore County to allow non-access to the Class I Motorway.

- 2 -

John Tamburo, et al - No. 68-50-RX

Dr. Walter Worthington Ewell, a recognized expert in traffic engineering, made a study of this area beginning in 1967, including traffic counts and diagrams, the details of which appear in Petitioners' Exhibit 1. There is no question but that traffic is practically at its capacity on Reisterstown Road in this area. Dr. Ewell testified that an Esso station on Reisterstown Road somewhat north of the subject property, is not interfering with the traffic and is very analogous to the subject petition as to its location. He stated that a filling station does not generate traffic but lives on the existing flow, whereas other possible commercial uses do generate traffic; for example, banks, food drive-ins, retail stores, supermarkets, etc. In Dr. Ewell's opinion, the present use of the subject property as a drug store and a liquor store, with no off-street parking provided, is a very bad use from the point of view of traffic conditions. In his opinion the proposed use would not create any congestion in the Slade Avenue and Reisterstown Road intersection. He felt that the designation of Reisterstown Road as a Class I Commercial Motorway was correct, and that the classification as a C.S.-1 District was correct but should have included all of the Tamburo property.

Two construction engineers and real estate representatives for the Phillips Petroleum Company, the contract purchaser, produced the site plan showing the zoning, which site plan had been approved by all of the necessary County departments, and shows a proposed use of the rear portion of the lot for parking of motor vehicles and the location of storage tanks underground. Motor access will only be to Slade Avenue, which makes for a safer traffic pattern than if access were required to Reisterstown Road, which is a Class I Motorway.

It was testified that a survey had been made of the Tamburo property from an economic point of view, and that there was a definite need for a service station in this area, and especially for Phillips Petroleum Company customers. Competitive stations in the area were checked and there are no abandoned gas stations within a one mile radius. The nearest Phillips Petroleum station is in Baltimore City, and because of the growth of population in the market area there is a definite public need for this station at this location.

- 3 -

John Tamburo, et al - No. 68-50-RX

Mr. Bernard Willemain, an expert in the planning field, described the neighborhood, the dimensions of the property and the proposed site plan, and ventured his opinion that the petition should be granted because the reclassification will provide the necessary depth for its proposed use, and that the small piece of R-6 zoning between the office building and the present B-L zoning would have no reasonable use in that classification. He pointed out that the zone line splits Tamburo's property. He further testified that the request for the special exception meets all of the requirements of Section 502.1 of the Zoning Regulations and all requirements of Bill No. 40 as to special exceptions in connection with gasoline service stations. In his opinion this is a most suitable place for automotive use. He felt that the strip zoning as delineated in the zoning map adopted in 1957 reflects older uses even prior to 1945 and is not correct under conditions existing today, and that a basic error was committed because the commercial zone should have had greater depth. He listed further changes in the neighborhood since January, 1957, including specifically such zoning changes in the immediate area, which included provision for apartment houses, office buildings, gasoline stations, a convalescent home, beauty shops, etc., a large number of which are on Slade Avenue west of Reisterstown Road. Slade Avenue has changed west of Reisterstown Road from a dead-end to an active street, with the uses stated above, plus a County equipment yard. The Slade Roads Commission is now acquiring the property to hook up Slade Avenue to the west with the proposed Northwestern Expressway, whereas Slade Avenue east of Reisterstown Road is under construction all the way to Smith Avenue and will eventually be a major traffic artery. In his opinion the C.S.-1 zone should also be extended to include all of the Tamburo property, and he feels that the extension of the B-L zone and the C.S.-1 District is not actually creating anything new, but is only an expansion of a present use and a present district for the reasonable and best use of the property. The variance should be granted because under Section 405.28 gasoline service stations in C.S.-1 zones are referred to as having access only to Class I motorways, whereas the site plan in this case is a much better

- 4 -

John Tamburo, et al - No. 68-50-RX

proposition from the standpoint of traffic accessibility and safety by having the access from Slade Avenue rather than from Reisterstown Road alone.

On the basis of what has been mentioned above and the other evidence in the case, the Board feels that the petition should be granted. The evidence produced by the protestants consisted of testimony by Mrs. Mildred Trentle, Vice President of the Maryland Petroleum Retailers, Inc., a corporation formed to promote the business interests of its members, and it was her theory that there are sufficient gasoline service stations on Reisterstown Road at present to take care of the need of the public, and that therefore there is no public need for this new station. Apparently all of the existing stations are doing well and none have been abandoned.

The other witnesses for the protestants were operators of competing gasoline stations on Reisterstown Road who are opposed to the granting of this petition for obvious reasons. All of them stated under cross-examination that while they felt there was no public need for another gasoline station, there was definitely public need for the stations they were operating. They all agreed that it was difficult for customers to get in and out of their gas stations because of traffic conditions, which may be true, but upon which condition the present application would have little or no effect in the opinion of the Board.

The Order of the Zoning Commissioner will therefore be affirmed and an Order will be passed allowing reclassification from R-6 to B-L, extension of the C.S.-1 District, Special Exception for an automotive service station, and the requested Variance from Section 405.28, paragraph 5.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 21st day of February, 1969, by the County Board of Appeals ORDERED, that the property described in the subject petition be and the same is hereby reclassified from an R-6 zone to B-L zone; and it is

FURTHER ORDERED, that extension of the C.S.-1 District is hereby granted; and it is

ISAAC MACG, et al.
 IN THE CIRCUIT COURT
 FOR BALTIMORE COUNTY
 Misc. No. 4190
 WILLIAM S. BALLEWIN, et al.
 Appellees
 ORDER FOR APPEAL BY
 ISAAC MACG, ET AL., PROTESTANTS-APPELLANTS

MR. CLERK:
 Please enter an Appeal to the Court of Appeals on behalf of Isaac Mack,
 et al., Protestants-Appellants, from the Order Dismissing Appeal entered
 in this action on July 3, 1967.

/s/ Harry S. Swartzwelder, Jr.
 Harry S. Swartzwelder, Jr.
 141 St. Paul Place
 Baltimore, Maryland 21202
 727-4929
 Attorney for Protestants-Appellants

I HEREBY CERTIFY that on this 14th day of Aug., 1967, a copy of the
 foregoing Order for Appeal by Isaac Mack, et al., Protestants-Appellants, was
 mailed to R. Taylor McLean, Esquire, 600 Alex. Brown Building,
 Towson, Maryland 21284, Attorney for John Tamburo, and to the County Board
 of Appeals of Baltimore County, County Office, Building, Towson, Maryland 21284.

/s/ Harry S. Swartzwelder, Jr.
 Harry S. Swartzwelder, Jr.

*zoning file 48-50-1
 John Tamburo et al*

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
 COUNTY OFFICE BUILDING
 TOWSON, MARYLAND 21284

Blair L. Neese, Jr., Esq.,
 Campbell Building
 Towson, Maryland 21204
 SUBJECT: Reclassification from R-6
 to C-1, zoning and petition for
 a C-1 District, and Special
 Exceptions for Automotive
 Service Station, for John
 Tamburo, located on the S/4/S
 Westertown Rd. S. N/4/S
 Blake Avenue
 3rd District
 (Item 6 July 25th, 1967)

Dear Sir:
 The Zoning Advisory Committee has reviewed the subject petition and makes
 the following advisory:
 BUREAU OF ZONING REGULATION
 Water - Existing 8" water in Slade Avenue
 Sewer - Existing 8" sanitary sewer in Slade Avenue
 Road - Slade Avenue is to be improved by the State Roads Commission. Irving Place
 is to be developed as a minimum 30' road on the existing 1/4".

STATE ROADS COMMISSION: The entrances conform to State Roads Commission standards. A
 permit has been issued for these entrances.
 ZONING ADMINISTRATION DIVISION:
 If the petition is granted, no occupancy may be made until such time as
 plans have been submitted and approved and the property inspected for compliance to
 the approved plan.

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 plus or
 minus 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 Commission's
 hearing.

The following members had no comment to offer:
 Project Planning Division
 Bureau of Traffic Engineering
 Health Department
 Bureau of Fire Prevention
 Building Engineer
 Board of Education
 Industrial Development

Very truly yours,
 JAMES E. DYER, Principal
 Zoning Technician

cc: Carlyle Brown-Bureau of Eng.
 John Meyers-State Roads Commission

RECORDED

CERTIFICATE OF PUBLICATION

TOWSON, MD., JAN 11 1968

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... 1967... before the... 31st
 day of... 1967... the first publication
 appearing on the... day of... 1968.

THE JEFFERSONIAN,
 L. J. ...
 Manager

Cost of Advertisement, \$.....

OFFICE OF BALTIMORE COUNTY
 COMMUNITY NEWS
 CATONSVILLE, MD.

No. 1 Newburg Avenue CATONSVILLE, MD.

January 16, 1968
 THIS IS TO CERTIFY that the annexed advertisement of
 John G. Rose, Zoning Commissioner of
 Baltimore County

was inserted in THE BALTIMORE COUNTIAN, a group of
 weekly newspapers published in Baltimore County, Mary-
 land, once a week for one week before
 the 16th day of January, 1968, that is to say
 the same was inserted in the issue of

THE BALTIMORE COUNTIAN

By Paul J. Mayers
 Editor and Manager

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21284
 Your petition has been received and accepted for filing this
 25th day of July 1967
 John G. Rose,
 Zoning Commissioner
 Petitioner: John Tamburo
 Petitioner's Attorney: Blair L. Neese, Jr.
 Reviewed by: James E. Dyer, Chairman of Advisory Com.

INVOICE No. 51703
 BALTIMORE COUNTY, MARY AND
 OFFICE OF FINANCE
 DATE: Feb. 8, 1968
 Division of Collection and Receipts
 COURT HOUSE
 TOWSON, MARYLAND 21284
 TO: Messrs. Royston, Mueller, Thomas & McLean
 Campbell Building
 Towson, Md. 21284
 TOTAL AMOUNT \$25.00
 DEPOSIT TO ACCOUNT NO. 01-622
 Petition for Variance for John Tamburo
 668-50-1

INVOICE No. 57811
 BALTIMORE COUNTY, MARY AND
 OFFICE OF FINANCE
 DATE: 4/24/68
 Division of Collection and Receipts
 COURT HOUSE
 TOWSON, MARYLAND 21284
 TO: Harry S. Swartzwelder, Jr., Esq.
 141 St. Paul Place
 Baltimore, Md. 21202
 TOTAL AMOUNT \$15.00
 DEPOSIT TO ACCOUNT NO. 01-712
 Cost of certified documents - Case No. 68-50-1
 John Tamburo, et al (Phillips Petroleum Co., c.p.)
 NW cor. Westertown Road and Slade Ave.
 3rd District

INVOICE No. 51762
 BALTIMORE COUNTY, MARY AND
 OFFICE OF FINANCE
 DATE: Feb. 5, 1968
 Division of Collection and Receipts
 COURT HOUSE
 TOWSON, MARYLAND 21284
 TO: Messrs. Royston, Mueller, Thomas & McLean
 600 Testington Building
 Towson, Md. 21284
 TOTAL AMOUNT \$85.25
 DEPOSIT TO ACCOUNT NO. 01-622
 Advertising and posting of property for John Tamburo
 668-50-1

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
 MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21284

PETITION FOR RECLASSIFICATION, SPECIAL EXCEPTION AND RE-DISTRICTING

300 TRUSTBILT, ZONING, FROM R-4 TO R, L.

Zone, Petition for Re-Districting, Petition for Special Exception for Automotive Service Station.

LOCATION: Southwest corner of Reisterstown Road and Slade Avenue.

DATE & TIME: WEDNESDAY, AUGUST 14, 1967 at 1:00 P.M.

PUBLIC HEARING: Room 108, 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:

From 8-4 to 8-11, 1967. Petition for Special Exception for Automotive Service Station.

All that parcel of land in County, Maryland, known as the Third District of Baltimore County.

BEING for the same at a P. N. Nail set at the intersection of the southwestern side of Reisterstown Road as laid out sixty feet wide and the northeastern side of Slade Avenue as laid out forty feet wide said point being the beginning of that same land which by deed dated September 22, 1917 and recorded among the Land Records of Baltimore County in Liber REC No. 487 folio 222 was conveyed to Edward L. Wertz and running thence as now surveyed and with covers corrected for variation and landing on the first line of said conveyance in part and on the above-mentioned side of Slade Avenue South 62 degrees 30 minutes West 243.00 feet to a P. N. Nail set at a concrete block wall and to the end of the third line of that same land which by deed dated March 14, 1949 and recorded among the Land Records of Baltimore County in Liber T. B. S. No. 1723 folio 218 was conveyed by Raymond Tamburo and wife to Antonio M. Brevedia and wife and running thence and binding reversely to said third line North 29 degrees 00 minutes West 84.70 feet to a pipe post and to intersect the third line of the above-mentioned conveyance from Ward to Tamburo and running thence and binding thenceon in part North 62 degrees 13 minutes 20 seconds East 110.19 feet to a pipe, thence North 29 degrees 00 minutes West 111.00 feet to a cross cut on a concrete wall and to the southeasternmost side of Irving Place as laid out 39 feet wide and running thence and binding thenceon North 41 degrees 45 minutes East 134.75 feet to a P. N. Nail and to the above-mentioned side of Reisterstown Road and running thence and binding thenceon South 29 degrees 00 minutes East 189.00 feet to the place of beginning, containing 0.225 acres of land more or less.

The above-described description is the description by the Petition for C-1 District and Special Exception for automotive service station. The description for Petition for Reclassification from R-4 zone to R-L zone is the above description Spring and Encroachment all that portion of land which is zoned R-L.

Being the property of John Tamburo and Anna Tamburo, as shown on plat plan filed with the Zoning Department, Hearing Date Wednesday, August 30, 1967 at 1:00 P.M., Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF JOHN C. BOZEL, ZONING COMMISSIONER OF BALTIMORE COUNTY August 16, 1967

OFFICE OF BALTIMORE COUNTY

THE HEALD - ARCHUS

CATONSVILLE, MD.

No. 1 Newburg Avenue

August 14, 1967

THIS IS TO CERTIFY that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County, a group of weekly newspapers published in Baltimore County, Maryland, once a week for One week before the 14th day of AUG. 1967, that is to say the same was inserted in the issues of August 10, 1967.

THE BALTIMORE COUNTY

By Paul J. Morgan, Editor/Manager

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

68-50-A

District: 3rd Date of Posting: 1-13-68
 Posted for: ZAVANAC
 Petitioner: John Tamburo
 Location of property: NW/4th Reisterstown Rd & Slade Ave
 Location of Signs: @ W/4th of Reisterstown Rd 75' W of Slade Ave
 Remarks: [Signature]
 Posted by: [Signature] Date of return: 1-19-68

1 Sign

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

68-50-RX

District: 3rd Date of Posting: Aug. 16, 1967
 Posted for: Reclassification - Re-districting - Special Exception
 Petitioner: John Tamburo
 Location of property: NW/4th of Reisterstown Rd & Slade Ave
 Location of Signs: 3 signs each: NW/4th of Reisterstown Rd 75' W of Slade Ave
 Remarks: [Signature]
 Posted by: [Signature] Date of return: Aug 16, 1967

3 signs

INVOICE No. 53044 DATE 3/14/68

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE
 Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204

TO: Harry S. Swartzwelder, Jr., Esq., 341 St. Paul Place, Baltimore, Md. 21202

QUANTITY	DESCRIPTION	TOTAL AMOUNT
	Cost of appeal - property of John Tamburo	\$70.00
	No. 68-50-RXA a sign	10.00
		\$80.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

INVOICE No. 48467 DATE Sept. 16, 1967

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE
 Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204

TO: Messrs. Bryston, Mueller, Thomas & McLean, Campbell Building, Towson, Md. 21204

QUANTITY	DESCRIPTION	TOTAL AMOUNT
	Advertising and posting of property for John Tamburo	\$6.75

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

68-50-RX

District: 3rd Date of Posting: 3/31/68
 Posted for: Appeal
 Petitioner: John Tamburo
 Location of property: NW/4th Reisterstown Rd & Slade Ave
 Location of Signs: @ SW/4th of Reisterstown Rd & Irving Place @ W/4th of Slade Ave 160' W of Reisterstown Rd
 Remarks: [Signature]
 Posted by: [Signature] Date of return: 3/25/68

2 Signs

- ZONING NOTES SEE 405.4, A & B
1. CS-1 DISTRICT
 2. SITE DIA. (P&I 2-D, A-1) = 39,937' (ACTUAL)
15' TO 4' BAYS (36' MAX) = 24,000' (REQD)
 3. ACCESS (P&I A-3) - 20' HOisting, 10' SLIDE W/ REQUEST 2ND DRIVE ON SLIDE FOR SALES & BETTER VEHICULAR FLOW FROM BOTH ROADS & ON SITE.
 4. PARKING (P&I A-5) REQD 44' x 12' = 12 ACTUAL = 21
 5. LANDSLIPPING - REQD 5% (39,937') = 1757' ACTUAL:
 - 1. 10' x 10' = 100
 - 2. 8' x 8' = 64
 - 3. 6' x 6' = 36
 - 4. 4' x 4' = 16
 - 5. 2' x 2' = 4
 TOTAL = 220
 6. SCREENING (P&I A-5) AS REQD
 7. LIGHTING (P&I A-5) HEIGHT LIMITS NOTED BY EACH LIGHT POLE. ALL LIGHTING TO BE ARRANGED AS NOTED.
 8. DISPENSER NOTATIONS
 - 6" - REG. GAS FF - PREM. GAS
 - 6" - FF DUEL (2 PRODUCTS OR NOZZLES)
 - 6" - SINGLE (1 PRODUCT OR NOZZLE)
 - TOTALS = 0 DISP
 - 12 NOZZLES
- PROPERTY PARCEL ON SLIDE AND BLENDING T-AC APPLIED FOR.

BL ZONING #6P-SDRX

OFFICE COPY

MAP #3

SEC. 2-C

NW-7-E

BL

- NOTES
- 1) SCREENING REQUIRED ALONG INSIDE OF STREET
 - 2) EXCEPTION FOR SERVICE STATION REQD
 - 3) SITE BOUNDARIES FROM SURVEY BY PHILIP PERKINS & ASSOCIATES, INC. 1988
 - 4) ALL EXIST. BLDGS TO BE REMOVED
 - 5) YARD LIGHTS & FLUORESCENT ON WALKING AT CURB
 - 6) STATION TO CONFORM TO MARYLAND STATE VEHICLE INSPECTION STANDARDS
 - 7) GAS HEAT

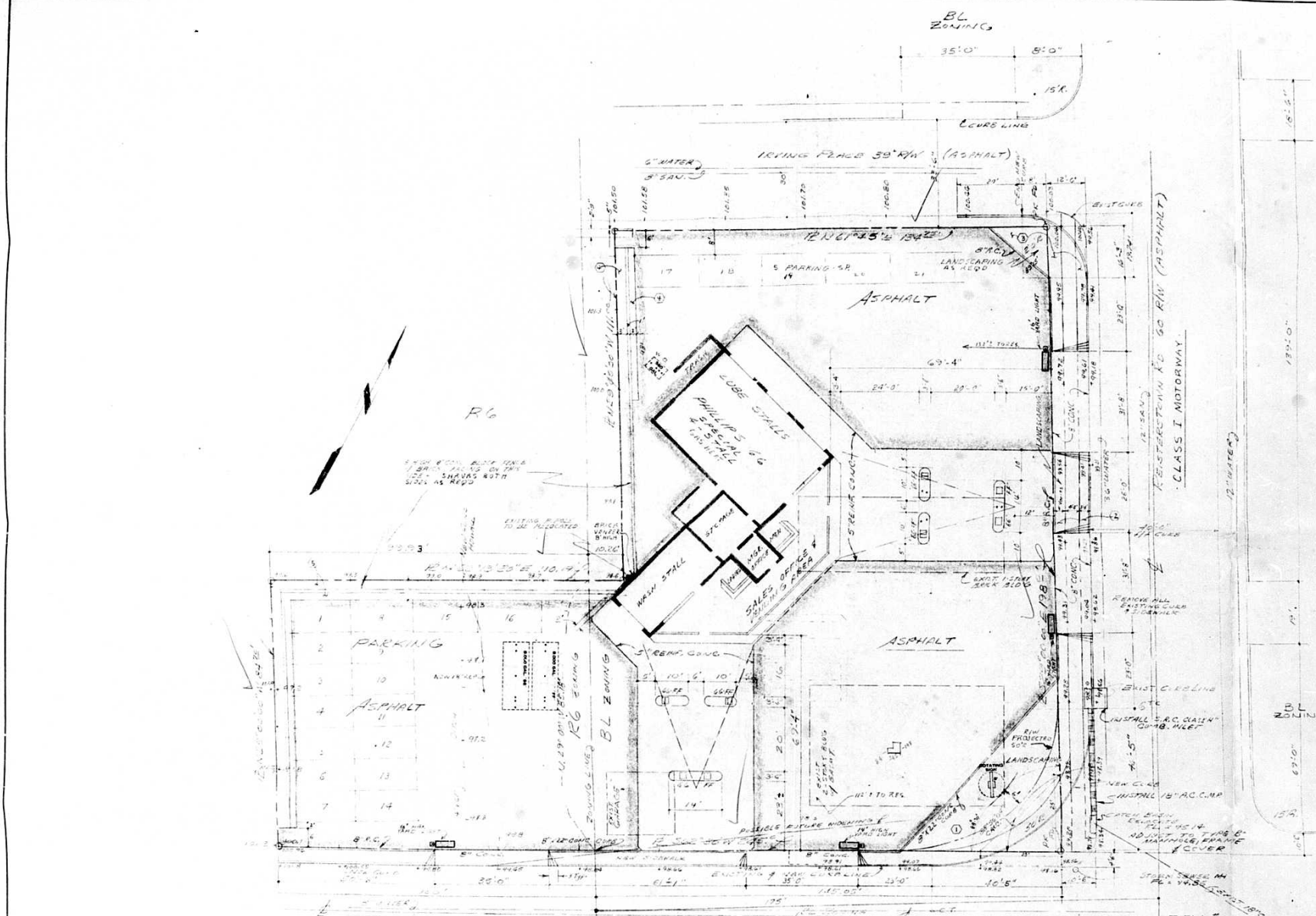
TRAC DISTRICT BALTIMORE CO. MD. 21201

21201 100' FROM E. OF 21201 TOWN 100'

21201 100' FROM E. OF 21201 TOWN 100'

21201 100' FROM E. OF 21201 TOWN 100'

21201 100' FROM E. OF 21201 TOWN 100'



NO.	REVISION	BY	CHKD.	DATE	APPD.
1	CHANGED PER DATE REV.
2
3
4
5
6

REV #6	REV #3
DIVISION APPROVALS	DIVISION APPROVALS
DATE	DATE
DESIGN	DESIGN
DRAWN	DRAWN
CHECKED	CHECKED
APPD.	APPD.

DIVISION APPROVALS	DATE	DATE
DIV. INCH
ASST. MGR.
DIV. SUPT.

FOR BIDS	FOR APPR.	FOR CONST.
DATE	DATE	DATE
DESIGN	DESIGN	DESIGN
DRAWN	DRAWN	DRAWN
CHECKED	CHECKED	CHECKED
APPD.	APPD.	APPD.

PHILIP PERKINS & ASSOCIATES, INC.

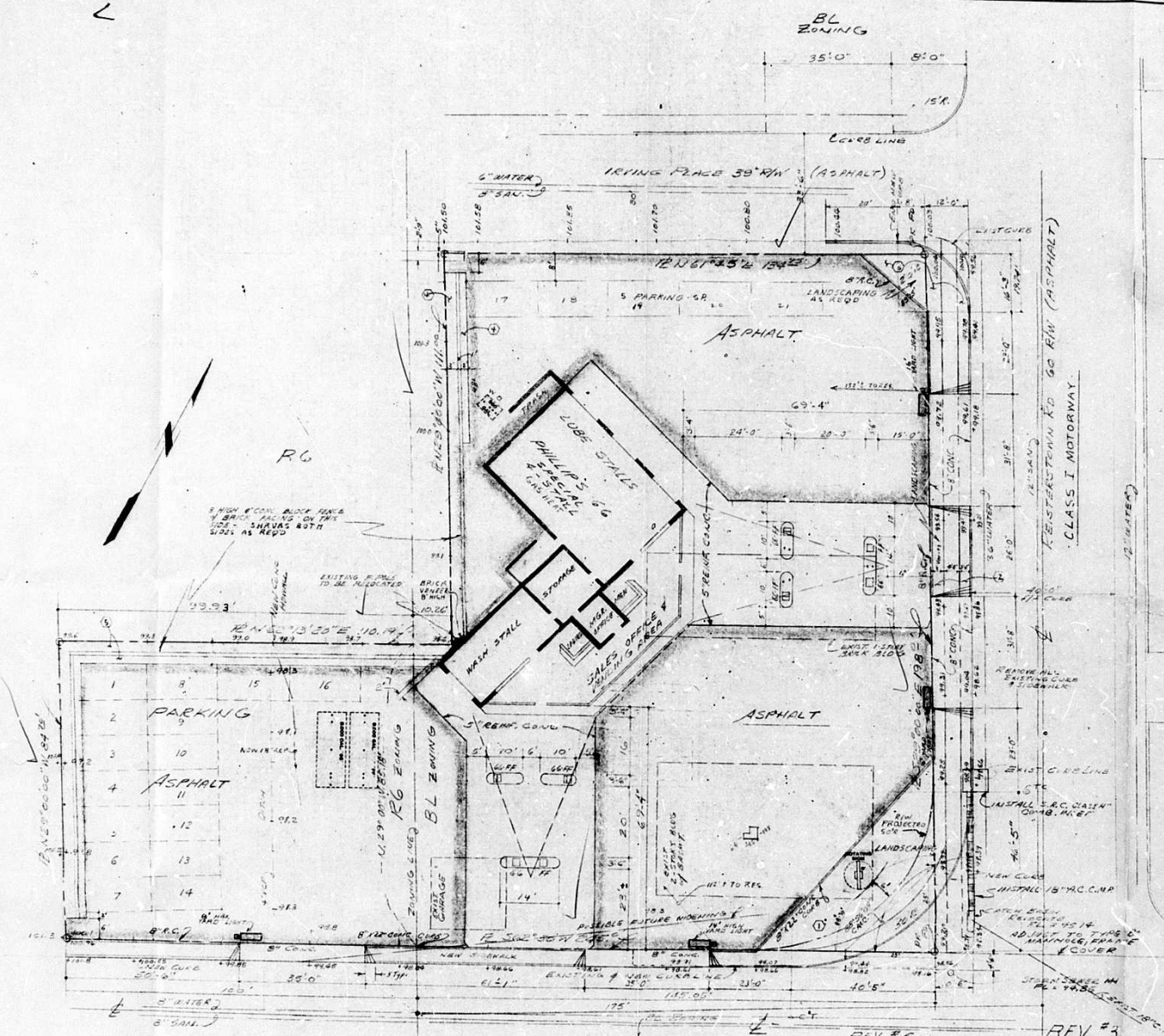
BARTLESVILLE, OKLAHOMA

PROJECT PLAN

RESTRICTION #24807

RESTRICTION #119.9.13.14.15.16.17.18.19.20.21.22.23.24.25.26.27.28.29.30.31.32.33.34.35.36.37.38.39.40.41.42.43.44.45.46.47.48.49.50.51.52.53.54.55.56.57.58.59.60.61.62.63.64.65.66.67.68.69.70.71.72.73.74.75.76.77.78.79.80.81.82.83.84.85.86.87.88.89.90.91.92.93.94.95.96.97.98.99.100

BL ZONING



- ZONING NOTES - SEC 405, A & B**
1. CS-1 DISTRICT
 2. 51' DIM. (PG. 20, A-1) = 39.937' (ACTUAL)
500' x 4 BAYS = 2000' (KROD)
 3. ACCESS (PG. 21, A-3) - 2.0N MD RT #10, 10N SLADE AVE - REQUEST 2ND DRIVE ON SLADE FOR SAFER & BETTER VEHICULAR FLOW FROM BOTH ROADS & ON SITE.
 4. PARKING (PG. 22, A-5) REDD 4 BAYS = 12 ACTUAL = 11
LANDSCAPING - REQ'D 5% 13157' = 1757' ACTUAL: (1) 10' x 50' = 500' (2) 8' x 3' = 24' (3) 20' x 12' = 240' (4) 8' x 2' = 16' (5) 170' x 5' = 850' 1570' ±
 5. SCREENING (PG. 23, A-3) AS REQ'D FOR THIS SECTION, NO REAR OR SIDE YARD REQ'D
 6. LIGHTING (PG. 25, A-5) HEIGHT LIMITS NOTED BY EACH LIGHT POLE. ALL LIGHTING TO BE ARRANGED AS NOTED.
 7. DISPENSER NOTATIONS
60 - REG GAS FF - PREM. GAS
55 - FF DUEL (2 PRODUCTS, OR NOZZLES)
6 - SINGLE (1 PRODUCT OR NOZZLE)
TOTALS = 9 DISP.
12 NOZZLES
 8. PROPERTY PARCEL ON SLADE AVE - BL ZONING - THIS APPLIES FOR -

#6P-10RX

OFFICE COPY
MAP #3
SEC. 2-C
NW-7-E
BL

- NOTES**
- 1) SCREENING REQUIRED ALONG INSIDE
 - 2) EXCEPTION TO ZONING STATION 8600.
 - 3) SEE FOUNDATION PLAN'S FROM SURVEY BY PHILLIP'S PETROLEUM CO. FOR 2' SETBACKS ON LOT LINE TO IRVING PLACE AND REISTERMAN RD. LOCAL AUTHORITY'S CONCERNING DESIGN OF SLADE FRONTAGE TO BE TYPICAL DESIGN FOR FULL PERMITS. NO 10' WIDE ASPHALT CURBING ALONG INSIDE YARDLINE CONSIDERED.
 - 4) ALL EXIST. BLDGS TO BE REMOVED
 - 5) YARD LIGHTS & EMBROIDER ON W/IRVING PLACE.
 - 6) STATION TO CONFORM TO HAZARDOUS WASTE VEHICLE INSPECTION STANDARDS.
 - 7) 2" x 3" HEAVY
- THREE DISTRICT BARTLESVILLE, MO. ZONED R-175 (RURAL E. OR ZEL) DISTRICT. 1.5 AC. AREA. 1.5 AC. AREA. 2 BAY HERDS 1/4.
- E.N.E. TOP OF ANCHOR OIL CO. 1952. 2 IN. BRASS PLATE ASSUMED 1952. 1950.

NO.	REVISION	BY	DATE
1	ADD Bldg Dim. 2' 10"	LEC	2/16/60
2	CHANGED PAR STATE NO.	GTH	1/15/60
3	MOD'D 'EN BLDG PER 5' HILLS 2/20'	GTH	2/20/60

NO.	REVISION	BY	DATE
4	2- SURVEYAL PCS WERE 5- 6500 / 2.3000	GTH	5/26/60
5	CHANGED FROM 10' 10' BLD'S TO 16' 10' COLLUM. PER	GTH	6/26/60
6	CHANGED TO 10' 10' HILL ZONING	GTH	6/26/60

REV #6

DIVISION APPROVALS

DIV. MGR. [Signature] DATE 11/1/60

ASST. MGR. [Signature]

DIV. SUPT. [Signature]

REV #3

DIVISION APPROVALS

DIV. MGR. [Signature] DATE 3-1-60

ASST. MGR. [Signature]

DIV. SUPT. [Signature]

DIVISION APPROVALS	DATE	DATE
DIV. MGR. [Signature]	3-1-60	
ASST. MGR. [Signature]	3-1-60	
DIV. SUPT. [Signature]	3-1-60	

PHILLIP'S PETROLEUM CO.
BARTLESVILLE, OKLAHOMA

PLOT PLAN
FEE SERVICE STATION #24907
REISTERMAN RD & SLADE AVE
BARTLESVILLE COUNTY, MO.

FOR BIDS FOR APPL. FOR CONBY

SCALE 1/4" = 1'-0"

UNLESS NOTED OTHERWISE

DWG. NO. 1101-430

BY NO. 1-5