

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Luther E. Bell, legal owner, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an SE-4-F zone, for the following reasons:

To permit the erection and operation of a restaurant.

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 restaurant purposes.

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

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Luther E. Bell
Contract purchaser
Address: 142 Willow Springs Rd., #21222
Towson, Maryland 21204

Address: 6903 Dummagway
Baltimore, Maryland 21222
Petitioner's Attorney
Address: 111 W. Chesapeake Avenue
Towson, Maryland 21204
Petitioner's Attorney

ORDERED BY THE Zoning Commissioner of Baltimore County, this 10th day of October, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13th day of November, 1967, at 10:00 o'clock A. M.

Zoning Commissioner of Baltimore County

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
NW corner of Merritt Boulevard and : DEPUTY ZONING
Meadow Lane - 12th District : COMMISSIONER
Luther E. Bell, Petitioner : OF
NO. 68-107-R : BALTIMORE COUNTY

The Petitioner seeks a reclassification of his property from an R-6 zone to a BL zone. Plans call for the construction of a restaurant, commonly known as "Burger King". Hours of the operation would be 11 a.m. to 11 p.m., seven days a week; the restaurant would not be a drive-in type.

This tract was the subject of an earlier zoning hearing back in 1962, when both the Zoning Commissioner and the Board of Appeals denied the reclassification. The Director of Planning in this instance testified that in his opinion the granting of the Petition would constitute spot zoning. Numerous other witnesses appeared in protest based on the grounds the proposed restaurant would create a nuisance in the neighborhood and would depreciate surrounding property values.

Without further reviewing the testimony, the Deputy Zoning Commissioner is of the opinion that the Petitioner has failed to show either error in the original zoning map or such substantial changes in the character of the neighborhood to justify the zoning sought.

For the foregoing reasons, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 12 day of December, 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 an R-6 zone.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 12th Date of Posting: 10/26/67
Posted by: George D. Edwards, Esq.
Petitioner: Luther E. Bell
Location of property: 142 Willow Springs Rd. + Meadow Lane
Location of Sign: 142 Willow Springs Rd. + Meadow Lane
Remarks: See Petition
Posted by: George D. Edwards, Esq. Date of return: 11/14/67

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 26th, 1967
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 one time before the first publication appearing on the 26th day of October, 1967.

THE JEFFERSONIAN,
Manager

Cost of Advertisement, \$.

BEGINNING for the same at the point formed by the intersection of the northwest side of Merritt Boulevard (120 feet wide) with the flare joining the northeast side of Meadow Lane (50 feet wide) thence leaving the side of said Merritt Boulevard and binding on said flare south 73 degrees 50 minutes 20 seconds west 72.30 feet to the said northeast side of said Meadow Lane, thence binding on the north-east side of said Meadow Lane north 99 degrees 51 minutes 30 seconds west 104.15 feet to the division line between Lot No. 84 and 87 as shown on the plat of Dundalk Farms as filed among the Land Records of Baltimore County in Plat Book 146M No. 10 folio 53, thence leaving the northeast side of said Meadow Lane and binding on said division line and the division lines between said Lot No. 87 and Lots 85 and 86 as shown on said Plat north 30 degrees 08 minutes 30 seconds east 157.9 feet to the north side of said Lot No. 86 south 99 degrees 51 minutes 30 seconds east 142.87 feet to the northwest side of said Merritt Boulevard, thence binding on the northwest side of said Boulevard southerly by a line curving towards the west with a radius of 11,390.16 feet for a distance of 104.47 feet (the chord of said arc being south 27 degrees 16 minutes 17 seconds west 104.46 feet) to the place of beginning.

CONTAINING 0.38 acres of land more or less.



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

George D. Edwards, Esq.,
6903 Dummagway
Baltimore, Maryland 21222
SUBJECT: Reclassification from R-6 to B-L,
for Luther E. Bell, Located NE Cor.
of Merritt Blvd. and Meadow Lane
12th District
(Item 3), October 10, 1967

Dear Sirs:

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

BUREAU OF ENGINEERING:
Water - Existing 8" water in Meadow Lane
Existing 12" water in Merritt Blvd.
Sewer - Existing 8" sanitary sewer in both Meadow Lane and Merritt Blvd.
Adequacy of existing utilities to be determined by developer or his engineer.

BUREAU OF TRAFFIC ENGINEERING:
The entrance on Merritt Blvd. is undesirable due to its close proximity to the intersection of Merritt Blvd. and Meadow Lane. This undesirable situation is based on the belief that vehicles coming out of the entrance on Merritt Blvd. will attempt to make a U turn in front of a left turning lane on Merritt Blvd. This would be an unsafe traffic movement.

HEALTH DEPARTMENT: Complete plans and specification of kitchen facilities must be submitted to the Health Department before a building permit can be released.

FIRE DEPARTMENT: The petitioner will be required to meet all Fire Dept. regulations as to a restaurant.

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 plans or problem 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.

The following members had no comment to offer:

Project Planning Division
Roads Commission
Building Engineer
Board of Education
Industrial Development

Very truly yours,

George D. Edwards, Esq.
Siding Technician

cc: Carlyle Brown-Bar. of Engr.; C. Richard Moore-Traffic Engr.; Julius Haseman-Health Dept.; Lt. Charles Morris-Fire Prevention

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
No. 19686
DATE: Nov. 13, 1967
George D. Edwards, Esq.,
6903 Dummagway
Baltimore, Md. 21222
Zoning Dept. of Balto. Co.

REPORT TO ACCOUNT NO. 01-622	QUANTITY	REMARKS	TOTAL AMOUNT
Advertising and posting of property for Luther E. Bell	1	68-107-R	\$2.54

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

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
No. 49647
DATE: Oct. 24, 1967
George D. Edwards, Esq.,
6903 Dummagway
Baltimore, Md. 21222
Zoning Dept. of Balto. Co.

REPORT TO ACCOUNT NO. 01-622	QUANTITY	REMARKS	TOTAL AMOUNT
Petition for Reclassification for Luther E. Bell	1	68-107-R	\$0.00

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: November 3, 1967
FROM: George F. Connelly, Director of Planning
SUBJECT: Petition #68-107-R, Northwest corner of Merritt Boulevard and Meadow Lane, Luther E. Bell - Petitioner
12th District
HEARING: Monday, November 13, 1967. (10:00 A.M.)

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

- The reclassification sought under the subject petition was also requested under Petition #5245-RX. That petition was opposed by the planning staff, denied by the Zoning Commissioner (May 10, 1967), and denied by the Board of Appeals (March 15, 1962).
- We continue to oppose reclassification of the subject property as a commercial zone from a planning viewpoint, such a reclassification would represent, in our opinion, a zoning. Further, we do not see any change in circumstances that would alter the decisions already made by the Zoning Commissioner and the Board of Appeals.

George D. Edwards, Esq. COUNTY OFFICE OF PLANNING AND ZONING
6903 Dummagway
Baltimore, Maryland 21222
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

10th October 1967
Your petition has been received and accepted for filing this day of 19

Luther E. Bell
Petitioner
George D. Edwards
Petitioner's Attorney

Reviewed by John G. Rose
Chairman of Advisory Com.

CERTIFICATE OF PUBLICATION

OFFICE OF
The Community Press

DUNDALK, MD. October 25, 1967

THIS IS TO CERTIFY, that the annexed advertisement of "Luther E. Bell" was inserted in THE COMMUNITY PRESS, a weekly newspaper published in Baltimore County, Maryland, once a week for 1 successive week before the 24th day of October 1967; that is to say, the same was inserted in the issues of 10-25-67

Stronberg Publications, Inc.

Publisher.

By Mrs. Palmer Price

NORTH

MEADOW-LANE

1 DAY
FRAMING
&
BRICK
DWG
CONCRETE
DRIVE
ZONED
R-C

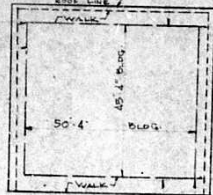
VACANT
LOT 87
DUNDALK FARMS
PLAT BOOK 10-89

N 20° 08' 30" E 57.30'

ZONED R-C

4' HIGH GREEN FENCING

WASTE
CONTAINER



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BEGINNING
OF ZONING
DESCRIPTION

115° 00' 12" R L-104.41'
CHORD 327.56-17 W 106.46'

SOUTH BOUND LANE

NORTH BOUND LANE

MERRITT BOULEVARD
DUAL HIGHWAY

ZONING DATA

- EXISTING ZONING OF TRACT
- PROPOSED ZONING OF TRACT
- PROPOSED USE OF TRACT
- GRASS AREA OF TRACT
- PROPOSED BUILDING
- OUTSIDE AREA 50.59' x 45.39' - 2275 SQ FT
- INSIDE AREA FLOOR 2240 SQ FT
- REQUIRED NO. PARKING SPACES 2240/50 DRIVE/DRIVE - 45 SPACES
- PROPOSED NO. PARKING SPACES 40 SPACES
- ALL UTILITIES AVAILABLE

R-C
D-L
RESTAURANT
0.3181 AC.
2275 SQ FT
2240 SQ FT
45 SPACES
40 SPACES

MOOREGATE

ROAD

ZONED R-C

EXIST GROUP HOMES

ZONING PLAT
PROPERTY OF
LUTHER E. BELL & WIFE
203-155
% GEORGE D. EDWARDS
ATTORNEY
PROFESSIONAL BUILDING
6003 DUNHAMWAY
BALTIMORE, MD 21222
PHONE AT 5-0800

12TH ELECTION DISTRICT
SCALE 1" = 20'

ALISED PLANS
OFFICE COPY



BALTIMORE COUNTY, MD
SEPTEMBER 12, 1967
REV. OCT 4, 1967

David W. Dallas, Jr.
DAVID W. DALLAS, JR.
CIVIL ENGINEER
OFFICE 6003 DUNHAMWAY, BALTIMORE, MD 21222
MD 2172

