#68-164R PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

18.33	
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:	
Lt. Peter Zouck Post No. 521	
I, or we. Yeleranslef Fereign legal owner of the property situate County and which is described in the description and plat statched hereto and made	in Baltimore MAP
County and which is described in the description and plat attached hereto and made	a part hereof, # .2
to the Zoning Law of Baltimore County, from an Re 20	zone to an
to the zoning Law of Baltimore County, from an	
Malazone; for the following reasons:	NW-12-1
	ML

Change in the Character of the Neighborhood

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

S. S.

Rt.

CK POST #521 #68

164 FOR

FILING

Property is to be posted and advertised is 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 Lt. Peter Zouck Post No. 521, Veterans of Foreign Warr of the United States, Incorporated

Contract purchaser Charles H. Bochtol, Legal OwnerCon udden Pool Roop, Shoppy willer, Nd. Address Pleasant Hill Camp Road
of Con Mark 13 Million and Colors Willis, Naryland 21117

Leg-6841 Pelibore's Marney's and Walter J. Ballesteros United & Bellotte.

S A Sess. 26 Main Street, Reisterstown, Nd. 833-138 Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day . 196. Z, that the subject matter of this petition be advertised, as required by the Zoning Law of 'Saltimore County, in two newspapers of general circulation through-out Baltimore County, that preperty be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Cowson, Baltimore

County on the day of January 1963 , at 10:00 clock

Zoning Commissioner of Baltimore County.

. TTR 2 TER PM . Direc | 1 € . -

ZONING DEPARTMENT

oning Commissioner Baltimore County Office of

•. 7

Re: Petition for Reclassification from R-20 to M-L Zone NES Tollgate Md, 4465 SW of U.S. Route 140, Fourth District Lt. Peter Zouck Post No. 521 VFW of United States, Incurporated, Petitioner- No. 06-164-R

NOTICE OF APPEAL

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Please enter an appeal to the Board of Zoning Appeals for Baltimore County on behalf of the Petitioners in the

> 111 24 Walter J. Ballistins

> > Petitioner's Attorneys

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the above Reclassification should be had; and it further appearing that by reason of..... cial Exception for a TIT IS ORDERED by the Zoning Commissioner of Baltimore County this....., 196..., that the herein described property or area should be and and/or a Special Exception for a..... manted, from and after the date of this order. Zouing Commissioner of Baltimore County DATE 35 Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that bysessometry, the rezoning of the subject property would be.... spot zoning, therefore. the above re-classification should NOT BE HAD, and constitute Specials Secretion Should NOT with GRANTED IT IS ORDERED by the Zoning Commissioner of Baltimore County, this. of January 1968, that the above re-classification be and the same is hereby EENIED and that the above described property or area be and the same is hereby continued as and to remain a.n. R-20 zone; under the finacial fineration for xxxxxxxx

Zoning Commissioner of Baitimore County

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

MICROFILMED

James D. Laudeman, Jr.Esq. Baltimore Federal Building Baltimore, Maryland 21201

Waiter J. Ballesteros, Esq., 6 Main Street deisterstown, Maryland

SUBJECT: ReclassificaTIOn from 9-20 to M.L., for Lt. Pater Zouck, Post No. 521 Waterans of Foreign Wars of the United States, Inc., located HLFs of Tollgate Ave., NV of Relatorations Av. United States of the Machine States of the (time 45, December 12th, 1967)

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

SUREAU OF DECIMICATING.
Value - Existing 12" mater in Tollgate Road
Face - Not available - Adequacy of existing utilities to be determined by developer
Apad - Tollgate Road is to be developed as a minimum 36" road on a 60" R/W.

TRAPTIC ENGINEERING.
Presently Tollage Road is too small in width to handle traffic from a werehouse use,

MEATH DIPARTMENT:
Prior to the approval of a building application for the subject property a complete
soil avaluation test must be made to determine the suitability of the soil for
underground sampe dispeal.

ZONING ADMINISTRATION DIVISION:
If the patition 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 plans.

The above comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made sware of plans or problems that may have a bearing on this case. The Director ender the Deputy and the parties are not problems and the propriate about Primary and Zening will substit recommendations on the appropriateness of the requested saming 10 days before the Lening Guest abover's hearing.

The following members had so comment to offers

Project Planning Division Bureau of Fire Prevention State Roads Commission

Very truly yours.

JAMES E. DYER, Principal Zening Technician

Carlyle Brown-Bur. of Engr.; C. Richard Hoers-Truff. Engr.; Win. St

Trojan Cries Skin

SUREY & CIVIL ENGINEERING #68-164R

EVANS. HAGAN & ASSOCIATES E * BALTIMORE, MD. 21214 * PHONE 426-2144

November 7 1967.

DESCRIPTION OF TOLLGATE ROAD PROPERTY FOR

ZONING RECLASSIFICATION FROM R-20 TO H.L.

BEGINNING FOR the same at a point on the northeast side of Tollgate road at the distance of 4465 feet measured northwesterly along said northeast side of Tollgate Road from the southwest side of U.S. Route #140, thence leaving said place of beginning and running and binding on said north east side of Tollgate Road the two following courses and distances, viz: by a curve to the right in a northwesterly direction with the radius of 800 feet more or less for a distance of 490 feet more or less to the end of said curve, thence northwesterly 528 feet more or less to a point 1195 feet more or less measured southeasturly along the northeast side of Tollgate Road from the southeast side of Fleasant Hill Road, thence leaving said northeast side of Tellgate Road the five following courses and distances, viz: Northerly 15 feet more or less, thence North 89 degrees 42 minutes East 934.15 feet, thance South 02 degrees 50 minutes West 125.00 feet, thence South 18 degrees 39 minutes West 257 1/2 feet and thence South 13 degrees 45 minutes West 268.00 feet to the place of beginning. Containing 8.702 acres of land more or less.

> Note: This description has been , repared for zoning purposes only and is not intended to be used for conveyance.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TdMr. John G. Rose, Zoning Commissioner Date. January 11, 1968

FROM George E. Gayrelis, Director

SUBJECT. Pet. *68-164-R. Northeast side of Tollgate Road 4465 feet Southwest of U.S. Route *140. Petition for Reclassification from R-20 to M.-L. Lt. Peter Zouck Post No. 521 Veterans of Foreign Wars of the U.S., Inc. -

4th District

HEARING: Wednesday, January 24, 1968. (10:00 A.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition

- From a planning view point, access to the subject property is not sufficient to serve industrial development.
- 2. Topegraphically and otherwise, the property is best suited for large-lot
- There has been no change in this visinity that would warrant the rezoning proposed; inparticular the Special Exception granted under Petition 67-194-X for property east of the subject tract does not, from a planning view point constitute such a change.
- 4. From a planning view point, reclassification as proposed would be spot zoning; the subject property would have use potentials greatly exceeding - - and incompatible with - - the potentials of surrounding properties.
- 5. It is our firm opinion that residential zoning is absolutely correct for the



CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNTY

1-31-16

	, maryana
District 4. The Posted for: Approach	Date of Posting 3-2-68
Petitioner: Lte Bler Lever to	A # 501 UHW
Location of property: NE/S of Zell	GATE RA -4465' SW of U.S. #140
Location of Signs: AE/5 of Tell	gate 16d - 4425' Sw of U.S. 140
Remarks:	
Posted by Signature	Date of return. 3/7/45

RE: PETITION FOR RECLASSIFICATION from an R-20 zone to an M.L. zone NE/S Tollgate Road 4465' SW of U. S. Route 140

Lt. Peter Zouck Post \$521 VFW

Mary Kliem, Contract Purchase

SEFORE COUNTY BOARD OF APPEALS

> OF BALTIMORE COUNTY No. 68-164-R

OPINION

The petitioner in this case seeks a reclassification from an R-20 zone to an M.L. zone (Manufacturing Light) of an 8.7 acre parcel of property, tr'angular in shape, situated on the north side of Tollgate Road approximately 4465 feet west of U.S. Route 140 (Reisterstown Road), in the Fourth Einstein District of Baltimore County.

The property owner in this case is the Lt. Peter Zouck Part #521 VEW Testimony indicated that the VFW bought the property in either 1953 or 1956, and the original purchase consisted of an eighteen acre tract. Since the original purchase the VFW sold off seven acres, in three different sales, for residential use along the frontage of VFW Post facilities. The VFW sought and obtained a special exception for the use of this property from the Zoning Commissioner in August, 1967. The Post has contracted to sell the remaining 8.7 acres of its property to one, Mary Kliem, the Contract Purchaser in this case.
If the reclassification is granted, the Contract Purchaser proposes to construct a two-story warehouse building on the subject site.

The zoning and land uses around the property are as follows: Immediately to the east of the subject property is the VFW Post, which is a club house type facility used for meetings, social events, etc. The land to the north of the subject property is zoned R-20 and is used for agricultural purposes.
The land to the northwest of the property is also zored R-20 and is occupied by the Silver Birch Swimming Club, a sizeable installation consisting of a large pool, club house, and tennis courts, with attendant parking facilities. The land to the south of the subject property, across Tollante Road, is zoned R-40, and is occupied by scattered older residences.

The primary access to the property from Reisterstown Road is through either Ritters Lane or Tollgate Road. Both Ritters Lane and Tollgate Road are extremely narrow at the subject property, Tollgate Road being eighteen feet wide at this point. Certainly, in the Board's aginion, neither one of these road, are adequate to serve a nine acre industrial complex. In addition, any traffic approaching the proposed M.L. site would have to travel through the residential development of Tallgate.

- 2 -

Lt. Peter Zouck Post #521 VFW - #68-164-R

Without going into detail as to the testimony of each witness but after reviewing the entire testimony, the petitioner did not produce sufficient, if any, evidence convincing to the Board of either error in the original zoning, or a change in the character of the neighborhood that would warrant the reclassification here. This property is almost one mile from the nearest non-residentially zoned land, and without public water The Board finds as a fact that if it were to reclassify this property as requested by the petitioner, it would undeniably constitute the most inappropriate type of spot zoning by placing an industrial complex in the center of a large agricultural and residential community, without adequate roads or public facilities to serve it. Nor do we find that there have been any reclassifications or changes in the character of the anichborhood that affect the subject property.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 15th day of January, 1969 by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby DENIEL.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

> COUNTY BOARD OF APPEALS BALTIMORE COUNTY

William S. Baldwin, Chairma

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Portioner Levation of property Maria Service			Towson, Marylan	4	
Location of Signs (1475C-34 - 150 - 160 -		Posted for Account Lowde	1400 1 1		
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Coet of append proper of LL. Poter Zeach No. 521 Poet No. 68-164- IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Distinct of Cellisies and Resigns COURT HOUSE TOWNON, MARYLAND 21204 Zoning Eggs. of Baltin. So. 25 Role Street Tollesson, ris. 21155 Mat 10 account No. 88-522 CELLIS TRIANGE TRIPETORISM WITH NOR MARKET MARKE	DOIT TO A	CCOUNT NO. 01-622	RETURN THIS	POSTION WITH YOUR REMITTAN	\$75. 00 ts cost
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IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND L TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 200 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collections and Review COURT HOUSE TOWSON, MARYLAND 21294 TOWSON, MARYLAND 21294 Service True Profitor will have been been provided with house the been provided with house the been provided with house the been provided with house market house the been provided by the been provided with house th	0	rs. ss-in-			
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20 Ann J. Schwarte & Co. 25 Annie Europe Relicterateum, No. 21135 CETAL ALLOW FRATMATION AND DEEP THE ROW ONLY TO WARM SECOND CO. Advertising and pasting of property for Lb. Poter Bunch. Peet No. 211 Advertising of Francing turns of the ball of School, Time. 25 Annie 10-10-10 Advertising of Francing turns of the ball of School, Time.	DHE BO	BALTIMORE CO OFFICE O	VOICE UNTY, MARY OF FINANC Olicition and Receipts BY MOUSE	LAND E DATE	1744
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IMPORTANTI MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND		4		2045 P. S.	1 1 1 1 1

CERTIFICATE OF POSTING

Location of Some Mist Tollante Ret 4550 5W fus Route # 140

SECOND POSTING

823-3000 F.XT. 367	BALTIN RE COUNTY, MARYLAND	0611
	OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWNON, MARYLAND 21204	57. 1987
To:		
D COUNTY	ACCOUNT HE GA-GOS STACH ALOW, I TOPOGRATION AND REFT THE POSTION WITH YOUR RESITTANCE.	TOTAL AMOUNT
- 15	CONTROL OF THE SECOND CO.	3
30000		
	4	
B. 00°	4 IMPRITANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLANI	

68-164-R

68-164-R

Date of Posting 10-17-68

Date of return: 10 - 24-68

Standard Contract of Sale

This Agreement of Sale, made this 27th day of February ningteen hundred and sixty-seven , between _____ LT. PETER 8, ZOUCK POST NO, 521

Bifures that the said Seller does hereby bargain and sell unto the said Buyer, and the latter

does hereby purchase from the former the following described property, situate and typing in . THE FAURENT Election Electric of Beltimore County, State of Newyland and constating of an unisproved percel of ground constaining 8-702 eres Nf. Jying on the Borth side of Tollgate Road, approximately 500° from the interesction of Tollgate Road and Ritters Lane, Cwings Hills in its simple.

at and for the price of one thousand aight bundred dollars per acre of which one thousand ----- Pollars (\$1000.00) have been paid prior to the signing hereof, and the talance to be paid as follows: in cash at the time of settlement .

This contract is contingout upon the ability of the Buyer to have the subject property re-cooled from its present residential classification to Hardfacturing Light, as defined by the Zonkap Laws of Baltimore County.

The Sellers hereby agree to cooperate by signing any necessary documents to obtain

The Buyer is heraby grunted right to enter onto the property for the purpose of doing such necessary field engineering as is required to obtain the aforementioned zoning.

Settlement to take place within sixty days of the final radification mifthe proper authorities of the aforesentioned roung reclassification.

In the event that the allorsmantiqued louis, reclassification cannot be obtained this contract shall became null and void and all deposit montes submitted hereunder shall be returned to the Euger.

AND upon payment as above provided of the unpid purchase most, a deed for the property containing corenants of special warranty and further sources about he executed at the largest expense by the Selfer, which shall contry the same of the selfer of the self-of the s

the natural performance of this agreement.

The herrist described poperty is to be held at the risk of the Solier except as to damages arising from accidental five or other insurable causaily and find it this has possed to presented agreement; it is also understood and agreed that the Solier hand may appear, and continue and homomorphic five dark property and continue and homomorphic five darks to the of this Outstrond Continues and homomorphic force during the life of this Outstrond Continues and homomorphic darks at their interests are appeared to the continues and homomorphic force during the life of this Outstrond.

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WITNESS AS TO SUYER'S SIGNATURE	BUYER'S SIGNATURE

THE BALTIMORE COUNTIAN

No. I Newburg Avenue

ZONNGF Prom R-20 to M, L ZONNGF Prom R-20 to M, L ZONGG PROM R-20 to

the Fourth District of Built-Built

CATONSVILLE MD

Jamery 8. 19 68

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimose County

was inserted in THE BALTIMORE COUNTIAN, a group of throw weekly newspapers published in Baltimore County, Mary-ENERGEINE weeks/before land, once a week for Ozo the 8th day of Jamuary, 1988, that is to say the same was inserted in the issues of

January 4, 1968.

THE BALTIMORE COUNTIAN

By Paul J. Morgan Editor and Manager

PETITION FOR RECLASSIFICATION

CERTIFICATE OF PUBLICATION

TOWSON, MD._____JAN 4 1968 19____

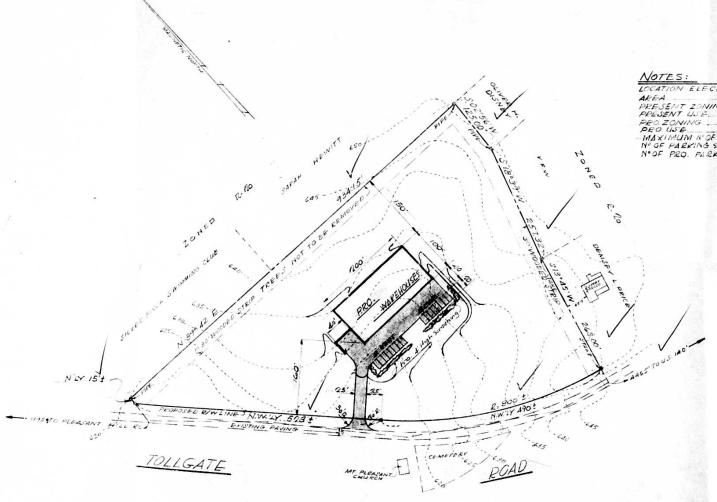
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one time storesbravessks before the 24th day of _____ appearing on the lath day of January

THE JEFFERSONIAN,

Cost of Advertisement, \$



pot 1



NOTES:

LOCATION ELECTION DISTA, BALTO C. MO
AREA
PRESENT ZONING R. 20
PRESENT USE VACANT
PRO USE
MAL.
PEO USE
MAXIMUM NOF EMPLOYEES 30
N° OF PARKING SPACES PEGOL 10
N° OF PRO, PARKING SPACES 160 (9'x20'Each)

#68-164R

COPY

MAP #4 SEC. 2-C NW-12-I

ML

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EVANS, HAGAN & ASSOCIATES

SUPVEYED BY

COMPUTED BY

DEANNO BY

CHECKED BY

AND

Drwg. No.

SURVEYING & CIVIL ENGINEERING

-Main Office-4200 ELSRODE AVE. - PHONE 426-2144 BALTIMORE, MARYLAND 21214

-Brandso-539 POPLAR STREET - CAMBRIDGE, MARYLAND PHONE 220-330 115 E. MAIN STREET - WESTMINISTER, MARYLAN

DATE 11/4/47 SCAR /1-100'

OWNER'S CERTIFICATE
WE MAROLD 6. TRUMPOWER, ownersof the property show hereon, and described in the Engineers Certificate, hereby adop-this plan of Subdivision and establish the building lines as shown this plan of culoriston and reasons it will be shown hereon, & The streets, roads, open spaces, and public sites shown hereon, & the mention thereof in Deeds, are for the purpose of description only and the same are not intended to be dedicated to public use; the Fee Simple Title to the land so showr is expressly reserved in the present Owners shown on this Plat, their Successors, Heir & Assigns, No more than one Principal Building shall be permit ted on any Residential Lot, and no such lot may ever be resubdi-vided so as to produce a building site of less area or width than the minimum required by applicable Health, Zoning or other

Date	(Seal)
Witness	(Seal)

OWNER'S CERTIFICATE

The requirements of Sections 72A to 72D of Article 17 of the Annotated Code of Maryland, 1939 Edition, Chapter 1016 of the Acts of 1945, as amended by Chapters 84 and 788 of the Acts of 1947, and subsequent Acts if any, amendatory thereto, so far as they concern the making of the plat and setting of the markers have been complied with.

HAROLD G. TRUMPOWER & AUDREY G. TRUMPOWER Owner of Land Shown Hereon

CARROLL COUNTY SANITARY

COMMISSION APPROVAL

CARROLL COUNTY PLANNING AND

ZONING COMMISSION APPROVAL

	COORDINATES					
N 6	EAST	HORTH	Nº	EAST	NORTH	
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17	10 381 23	11389.60	35	3912.78	11024.33	
18	10450.25	11379.74	36	10276.87	10376.79	

NOTE: Coordinate values as shown hereon are assumed.

SECTION TWO

CARROLL COUNTY TRAILS

4 ELECTION DISTRICT, CARROLL COUNTY, MD.

FOR SCHUSTER ENTERPRISES, INC.

26 MAIN STREET

REISTERSTOWN, MD. 21136

CURVE DATA						
ИВ	DELTA	RAD.	ARC	TAN.	CHO	Bearing
Δ.	29.06.34"	966.96	491.26	251.06	466.01	577 11 27 5-
B	11.50.50.	1016.98	201.26	8977	700.95	486"50"47" W
c	13-45' 53"	1016.96	244.32	121.75	243.73	46951065W
D	41- 24 35"	50.00	36.14	18.90	3535	49*19',91.5" W
E-	41 24 35"	50.00	36 14'	18.90	35.55	N 3 2 0 4 51 5 E
F	262.49.10.	50.00	229.35	-	15.00	578"31"20"E

EVANS,

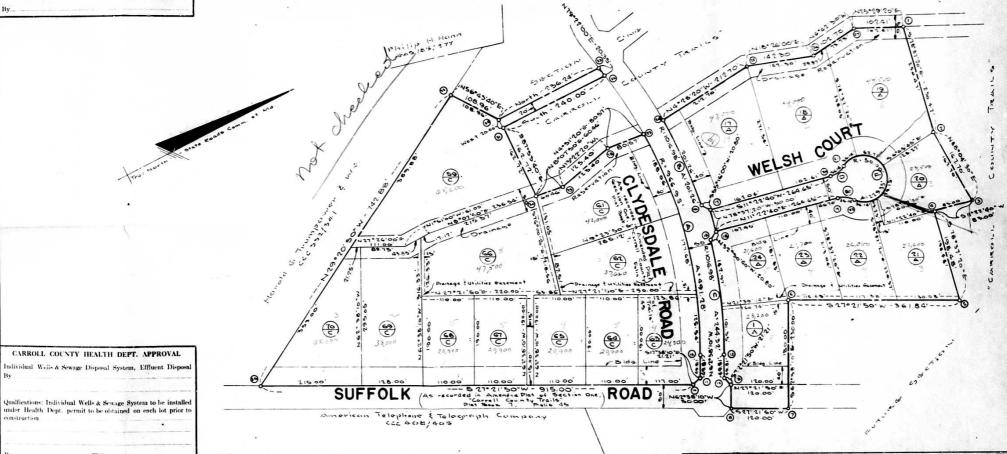
HAGAN & HOLDEFER

SURVEYORS AND CIVIL ENGINEERS

DATE MAR. 5, 1960 SCALE PE IO



VICINITY MAP SCALE: I"= I MILE



SURVEYOR'S CERTIFICATE

I, Leon A. Podolak a Registered Land Surveyor of the State of Maryland, do hereby certify that the land shown hereon has been haid out and the plat thereof prepared in compliance with Sections 72A to 72E, inclusive, of Article 17 of the Amoutated Code of Maryland, 1939 Edition as enacted or amended by the

