

RE: PETITION FOR RECLASSIFICATION
from R-A and R-6 zones to B.R.
and B.M. zones, and
SPECIAL EXCEPTION for
Used Motor Vehicle Sales
SE/5 East Avenue 146' East of
Harford Road,
11th District
Harford Warehouse Corporation,
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 68-177-RX

ORDER OF DISMISSAL

Petition of Harford Warehouse Corporation for reclassification from R-A and R-6 zones to B.R. and B.M. zones, and a special exception for Used Motor Vehicle Sales on property located on the southeast side of East Avenue 146 feet east of Harford Road, in the Eleventh Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of an Order of Dismissal of Appeal filed November 20, 1968 (a copy of which is attached hereto and made a part hereof) from the attorney representing the protestants-appellants in the above entitled matter.

WHEREAS, the said attorney for the said protestants-appellants requests that the appeal filed on behalf of said protestants-appellants be dismissed and withdrawn as of November 20, 1968.

It is hereby ORDERED this 27th day of November, 1968 that said appeal be and the same is dismissed.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

John A. Miller

Walter A. Keller, Jr.

DOLLENBERG BROTHERS

Registered Professional Engineers & Land Surveyors
208 WASHINGTON AVENUE AT YORK ROAD
TOWSON, MD. 21204

October 16, 1967

Zoning Description

All those two pieces or parcels of land situate, lying and being in the Eleventh Election District of Baltimore County, State of Maryland and described as follows to wit:
Parcel 1 - R. A. to B. R. and Special Exception for used motor vehicle sales.
Beginning for the first thereof on the southwest side of the relocation of East Avenue as shown on State Roads Commission of Maryland Plat No. 2077U at the distance of 116 feet measured southeasterly along the southwest side of said avenue from the southeast side of the Harford Road and running thence and binding on the southwest and northwest sides of the relocation of East Avenue as shown on said plat the following lines viz: South 56 degrees 45 minutes 40 seconds East 214.76 feet, South 33 degrees 14 minutes 20 seconds West 5 feet, South 57 degrees 00 minutes 30 seconds East 314.02 feet, southerly by a line curving toward the right having a radius of 30 feet and a distance of 29.93 feet (the chord of said arc bearing South 5 degrees 00 minutes 28 seconds West 26.71 feet), South 33 degrees 35 minutes 15 seconds West 152.83 feet and South 75 degrees 35 minutes 35 seconds West 263.33 feet to the northeast side of East Avenue as originally laid out, thence binding on the northeast side of said East Avenue North 56 degrees 45 minutes 40 seconds West 263.57 feet, thence leaving said avenue and binding on the outline of the land of the petitioner herein, North 33 degrees 45 minutes East 201.92 feet to the place of beginning.

Containing 1.27 Acres of land more or less.

Parcel 2 - R. 6 to B. M.
Beginning for the second thereof at a point on the east side of the relocation of East Avenue as shown on State Roads Commission of Maryland Plat No. 2077U at the distance 146 feet measured southeasterly along the northeast side of said avenue from the southeast side of Harford Road and running thence and binding on the east and southeast sides of the relocation of East Avenue as shown on said plat the three following lines viz: Southerly by a line curving toward the right having a radius of 80 feet for a distance of 55.90 feet the chord of said arc bearing South 11 degrees 34 minutes 33 seconds East 51.77 feet, South 33 degrees 35 minutes 35 seconds West 152.83 feet and South 11 degrees 34 minutes 33 seconds East 25.78 feet to the northeast side of East Avenue as originally laid out, thence binding on the northeast side of said avenue South 56 degrees 45 minutes East 110.59 feet and thence leaving said avenue and binding on the outline of the land of the petitioner herein the three following courses and distances viz: North 33 degrees 45 minutes 40 seconds East 287.50 feet, North 56 degrees 38 minutes West 246.20 feet and South 32 degrees 22 minutes West 64.85 feet to the place of beginning.

Containing 0.88 of an Acre of land more or less.

Being the land of the petitioners herein as shown on a plat filed in the Zoning Department.

PETITION FOR RECLASSIFICATION
AND SPECIAL EXCEPTION
SE/5 East Ave. 146' E. of
Harford Road - 11th District
Harford Warehouse Corporation,
Petitioner
NO. 68-177-RX

BEFORE THE COUNTY BOARD OF
APPEALS OF BALTIMORE COUNTY

DISMISSAL OF APPEAL

TO THE HONORABLE MEMBERS OF SAID COMMISSION:

Please enter the Appeal to the County Board of Appeals of Baltimore County in the above entitled matter:

"Dismissed without prejudice".

George Barrett Johns
Smith, Bottom & Smith
104 Jefferson Building
Towson, Maryland 21204
823-6200
Attorney for Protestants

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

January 1968

Richard C. Murray, Esq.,
22 W. Pennsylvania Avenue
Towson, Maryland 21204

SUBJECT: Reclassification from R-A to R-6 to B.R. and B.M., for the Harford Warehouse Corp., located SE/5 of East Avenue, West of Harford Road (Item 59, January 2, 1968)

Dear Sirs:

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

BUREAU OF ENGINEERING:

1. Existing 8' water in East Avenue
2. Existing 8' sanitary sewer in East Avenue
Adequacy of existing utilities to be determined by developer or his engineer.
3. East Avenue is to be developed as a minimum 30' road on a 50' R/W.

HEALTH DEPARTMENT:

Since public water and sewer are available to the subject site, this office has no comment.

BUREAU OF TRAFFIC ENGINEERING:

Since the site plan as shown does not show proposed development of the two sites, this office cannot comment at this time.

PLANNING AND ZONING DIVISION:

Since East Avenue has been relocated by the State Roads Commission, the old East Avenue is presently a dead end street and dead end at the rear of the service station property. The display of the used motor vehicles must be indicated on revised plans prior to the hearing.

If the petition is granted, no company 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 submitted to facilitate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or conditions 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.

Very truly yours,

Richard C. Murray
Principal Zoning Technician

cc: City Engineer, Mr. E. G. Gorman; Health Dept.; E. Richard Moore, Esq., of Traffic Eng.

The following members had no comment to offer:

Project Planning Division Bureau of
Fire Prevention; State Roads Comm.;
Building Engineering Board of Education
Industrial Development

LAW OFFICES
SMITH, BOTTOM & SMITH



April 11, 1968

Edward D. Hardisty, Esq.,
Deputy Zoning Commissioner
Baltimore County Office Building
Towson, Maryland, 21204

Re: No. 68-177-RX
Petition for Reclassification and Special
Exception - SE/5 East Ave. 146' E of Harford
Road - Harford Warehouse Company, Petitioner

Dear Mr. Commissioner,

Please note an appeal to the County Board of Appeals of Baltimore County from your decision and order passed in the above-referenced matter on March 14, 1968, by the following named approved protestants:

Mrs. Frank Chlusky, 1032 East Avenue, Baltimore County, Md., 21204

Mrs. Joseph Rummig, 9174 Spaul Avenue, Baltimore County, Md., 21204

Mrs. Francis J. Fry, 1028 East Avenue, Baltimore County, Md., 21204

Mr. and Mrs. Glenn W. Lockrell, 3017 East Avenue, Baltimore, Md., 21204

Mrs. Margaret Myers, 3018 East Avenue, Baltimore County, Md., 21204

Mrs. Susan Dismann, 3117 Spaul Avenue, Baltimore County, Md., 21204

Mrs. Delma A. Schulte, 3034 East Avenue, Baltimore County, Md., 21204

South Carney Improvement Assn.

Respectfully yours,

Richard C. Murray, Esq.
Attorney for Protestants

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Ross, Zoning Commissioner Date: January 25, 1968

FROM: George E. Gervelli, Director of Planning

SUBJECT: Petition #68-177-RX. Southeast side of East Avenue 146 feet East of Harford Road. Petition for Reclassification from R-A, R-6 to B.R. and B.M. Zones. Petition for Special Exception for Used Motor Vehicle Sales. Harford Warehouse Corporation - Petitioners

11th District

HEARING: Monday, February 5, 1968. (2:00 P.M.)

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

- The petition lists "Change in conditions" as a reason for reclassification. The comprehensive zoning map for the Northeastern Planning Area was adopted on September 1, 1966, however, and this reason, therefore, does not constitute proper grounds for reclassification.
- In its initial recommendation to the Planning Board with respect to the Northeastern Area Map, the planning staff proposed the current R.A. Zoning as a means to provide for transitional development between commercial use and cottage residential zoning and development to the southeast. This zoning pattern was affirmed by the Planning Board and adopted by the County Council.
- An earlier petition for reclassification of the subject tract as B.L. was denied by the Zoning Commissioner on April 24, 1963 (Petition #5807).

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Harford Warehouse Corp., 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 reclassified, pursuant to the Zoning Law of Baltimore County, from an R. A. and R. 6 zone to B. R. and B. M. zone, for the following reasons:

- Error in the adoption of the zoning map,
- Change in conditions.

See attached description

(2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for Used Motor Vehicle Sales

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

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

HARFORD WAREHOUSE CORPORATION

BY: Paul Miller Legal Owner

Address: P. O. Box 8615, Baltimore 21204

Protestant's Attorney

Richard C. Murray
22 W. Pennsylvania Avenue
Towson, Maryland 21204

ORDERED BY The Zoning Commissioner of Baltimore County, this 2nd day

of January, 1968, 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 11th day of February, 1968, at 2:00 o'clock

Zoning Commissioner of Baltimore County

Appeal
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 114
Date of Posting: May 21, 1968
Posted for: Harford Warehouse Corp.
Petitioner: Harford Warehouse Corp.
Location of property: S.E. 1/4 of East 146' S. of Harford Rd.
Location of Sign: S. E. 1/4 of East 146' S. of Harford Rd.
Remarks: M. H. H. H.
Posted by: M. H. H. H.
Date of return: May 16, 1968

4 days
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 114
Date of Posting: June 19, 1968
Posted for: Harford Warehouse Corp.
Petitioner: Harford Warehouse Corp.
Location of property: S.E. 1/4 of East 146' S. of Harford Rd.
Location of Sign: S. E. 1/4 of East 146' S. of Harford Rd.
Remarks: M. H. H. H.
Posted by: M. H. H. H.
Date of return: June 26, 1968

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
To: George Barrett Johns, Esq.,
Jefferson Bldg.,
Towson, Md. 21204
No. 54303
DATE: 4/26/68
Cost of appeal - property of Harford Warehouse Co. \$70.00
No. 68-177RX 2 signs 10.00 \$80.00
TOTAL AMOUNT \$80.00
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
To: Harford Warehouse Corp.,
20 N. Pennsylvania Ave.,
Towson, Md. 21204
No. 51759
DATE: Feb. 2, 1968
Advertising and posting of property \$8.38
No. 68-177RX
TOTAL AMOUNT \$8.38
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

RE: PETITION FOR RECLASSIFICATION
from R-4 and R-6 zones to B.R.
and B.M. zones, and
SPECIAL EXCEPTION for
Used Motor Vehicle Sales
56/5 East Avenue 146' East of
Harford Road,
11th District
Harford Warehouse Corporation,
Petitioner
BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 68-177-RX

ORDER OF DISMISSAL

Petition of Harford Warehouse Corporation for reclassification from R-4 and R-6 zones to B.R. and B.M. zones, and a special exception for Used Motor Vehicle Sales on property located on the southeast side of East Avenue 146 feet east of Harford Road, in the Eleventh Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of an Order of Dismissal of Appeal filed November 20, 1968 (a copy of which is attached hereto and made a part hereof) from the attorney representing the protestants-appellants in the above entitled matter.

WHEREAS, the said attorney for the said protestants-appellants requests that the appeal filed on behalf of said protestants-appellants be dismissed and withdrawn as of November 20, 1968.

It is hereby ORDERED this 27th day of November, 1968 that said appeal be and the same is dismissed.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William J. Baldwin, Chairman

John A. Miller

Walter A. Seiter, Jr.

PETITION FOR RECLASSIFICATION
AND SPECIAL EXCEPTION
SE/5 East Ave. 146' E. of
Harford Road - 11th District
Harford Warehouse Corporation,
Petitioner
NO. 68-177-RX
BEFORE THE COUNTY BOARD OF
APPEALS OF BALTIMORE COUNTY

DISMISSAL OF APPEAL

TO THE HONORABLE MEMBERS OF SAID COMMISSION:
Please enter the Appeal to the County Board of Appeals of Baltimore County in the above entitled matter:
"Dismissed without prejudice".

George Barrett Johns
Smith, Bottom and Smith
104 Jefferson Building
Towson, Maryland 21204
823-6200
Attorney for Protestants

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
To: Richard C. Herring, Esq.,
20 N. Pennsylvania Ave.,
Towson, Md. 21204
No. 51720
DATE: Jan. 15, 1968
Petition for Reclassification & Special Exception for Harford Warehouse Corp.
No. 68-177-RX
TOTAL AMOUNT \$8.38
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

PETITION FOR RECLASSIFICATION
AND SPECIAL EXCEPTION
11th DISTRICT
ZONING: From R-4 and R-6 to B.R.
and B.M. zones, and
SPECIAL EXCEPTION for
Used Motor Vehicle Sales
56/5 East Avenue 146' East of
Harford Road,
11th District
Harford Warehouse Corporation,
Petitioner
NO. 68-177-RX
The Board of Appeals of Baltimore County is in receipt of an Order of Dismissal of Appeal filed November 20, 1968 (a copy of which is attached hereto and made a part hereof) from the attorney representing the protestants-appellants in the above entitled matter.

CERTIFICATE OF PUBLICATION

TOWSON, MD. JAN. 18, 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 5th day of February, 1968, the first publication appearing on the 5th day of February, 1968.

THE JEFFERSONIAN

Manager

Cost of Advertisement \$.....

PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION
11th DISTRICT
ZONING: From R-4 and R-6 to B.R. and B.M. zones, and
SPECIAL EXCEPTION for
Used Motor Vehicle Sales
56/5 East Avenue 146' East of Harford Road,
11th District
Harford Warehouse Corporation,
Petitioner
NO. 68-177-RX
The Board of Appeals of Baltimore County is in receipt of an Order of Dismissal of Appeal filed November 20, 1968 (a copy of which is attached hereto and made a part hereof) from the attorney representing the protestants-appellants in the above entitled matter.

OFFICE OF THE
THE BALTIMORE COUNTIAN
THE COMMUNITY NEWS
Baltimore, Md.
No. 1 Newburg Avenue
CATONSVILLE, MD.
January 22, 1968
THIS IS TO CERTIFY, that the annexed advertisement of John O. Rose, Zoning Commissioner of Baltimore County, was inserted in THE BALTIMORE COUNTIAN, a group of weekly newspapers published in Baltimore County, Maryland, once a week for One week before the 27th day of Jan., 1968, that is to say the same was inserted in the issues of January 18, 1968.

THE BALTIMORE COUNTIAN

By: Paul J. Morgan

Editor and Manager

