

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION & VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Successor Trustee, Jeanette Brooks, widow,
Allen M. Brooks, and legal owners 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 Industrial zone to an M-L-K zone, for the following reasons:

see attached description

There was a mistake in the original zoning and/or the character of the neighborhood has changed to such an extent that the reclassification requested is proper.

Petition for Variance from Section 255.1 (238.1) to permit a front yard setback of 14 feet from the front lot line and 47 feet from the center line of the street instead of the 25 feet and 50 feet respectively. To permit a side yard setback from the north 39 degrees 30 minutes west 457 feet line of 1.5 and a side yard setback of 2 feet from the north 85 degrees 30 minutes East 138 foot line instead of the required 30 feet.

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for None.

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.

Contract purchaser
Jeanette Brooks, Legal Owner
Address 1513 Reisterstown Road, Baltimore, Md. 21215

Protestant's Attorney
Address 204 W. Potters Ave., Towson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day of November, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 4th day of December, 1968, at 1:00 o'clock P.M.

Zoning Commissioner of Baltimore County.

Re: Petition for Reclassification from B-L to M-L. Variances to Zoning Regulations - W/S Reisterstown Road 330' S, Westminster Road, 4th Dist., Allen M. Brooks and Jeanette Brooks, Petitioner

Before
Zoning Commissioner
of
Baltimore County
No. 69-118-RA

The petitioners have applied for a reclassification from B-L Zone to M-L Zone. The property is located in Reisterstown. This town like other towns and villages in Baltimore County has had the problem of vacant retail stores. Some stores are vacant for one or two years.

This property consists of 1.4 acres. It is improved with an existing building which consists of 13,713 sq. ft., with a large paved parking area to the rear. The access to this paved parking area is by way of a 16 ft. driveway off of Reisterstown Road. This driveway is used in common with other properties in the area. The properties on either side of the subject property are improved with commercial buildings.

On July 29, 1968, the Director of the Industrial Development Commission wrote to the Director of Planning and the Zoning Commissioner as follows:

"Periodically this office has received requests from various light manufacturing firms wishing to locate in vacant food markets such as the Acme, Food Fair, etc. Generally, they are not permitted because the number of employees exceeds the allowable limit or they exceed the horse power limitations as prescribed by the Zoning Code.

The Industrial Development Commission requests consideration of a change in the Zoning Regulations to permit these locations to be utilized by light manufacturers as a special exception or some other means.

The use of these buildings for the requested purposes would provide employment for the area and prevent the blight that usually accompanies a long vacancy of store locations. These buildings are generally in areas with public transportation facilities, good access roads and large parking lots available.

The Industrial Development Commission believes these uses would prove beneficial to the County by providing employment and preventing the deterioration of the neighborhoods where these buildings are allowed to remain idle."

On November 22, 1968, the Director of Planning, commented as follows:

"At first glance, the subject petition would appear to be spot zoning. However, closer examination of this petition indicates that its proposed use for electronic component manufacturing is indeed in harmony with the basic objectives of the 4th District plan - strengthening Reisterstown center. This use could well add a needed ingredient for making Reisterstown center a viable place."

The Court of Appeals of Maryland has supported zoning decisions in Baltimore County because of errors made in the original zoning or because of change.

The subject petition is an example of the change and error rule being practicable thus forestalling the necessity of a delay that would result because of the present cumbersome system of revising the existing Baltimore County Zoning Code.

It is quite obvious that the present map is now in error since the town of Reisterstown has been unable to support a retail use for a store 110' x 140'.

It is equally apparent that a definite change has come about in the use of property in the town of Reisterstown.

-2-

For the purpose of promoting health, safety and general welfare of the community, it is incumbent upon the Zoning Commissioner to aid and support the petition aforesaid based on actual change in the community and error on the existing map.

For the above reasons the above reclassification should be had.

It is this 6th day of December, 1968, by the Zoning Commissioner of Baltimore County ORDERED that the herein described property or area should be and the same is hereby reclassified from B-L Zone to M-L Zone.

The petitioners also requested variances to Section 255.1 (238.1) to permit a front yard setback of 14 feet from the front lot line and 47 feet from the center line of the street instead of the required 25 feet and 50 feet respectively; Section 238.2 to permit a side yard setback from the North 89° 00' West 457 feet line of 1.5 and a side yard setback of 2 feet from the North 89° 00' East 138 feet line instead of the required 30 feet.

As strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the petitioner and the requested variances would give relief without substantial injury to the public health, safety or general welfare of the locality involved, the variances should be granted.

It is further ORDERED this 6th day of December, 1968 that the afore going variances should be and the same are granted.

-3-

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.

Zoning Commissioner of Baltimore County

MCA
MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING ENGINEERS
1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301-823-0900

DESCRIPTION

1.40 ACRE PARCEL, WEST SIDE OF REISTERSTOWN ROAD, 330 FEET, MORE OR LESS, SOUTH OF WESTMINSTER ROAD, FOURTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

THIS DESCRIPTION IS FOR "M-L" ZONING WITH YARD VARIANCES

Beginning for the same at a point on the west side of Reisterstown Road, at the distance of 330 feet, more or less, as measured southerly along the west side of said Reisterstown Road from its intersection with the center of Westminster Road, running thence bying on the west side of said Reisterstown Road, (1) S 91° 00' W - 114 feet, more or less, thence running for five courses: (2) N 89° 00' W - 457 feet, more or less, (3) N 07° 30' W - 147 feet, more or less, (4) N 89° 00' E - 294 feet, more or less, (5) S 02° 00' W - 34 feet, more or less, and (6) N 89° 00' E - 138 feet, more or less, to the place of beginning.

Containing 1.40 acres of land, more or less.

PPE:mp

J.O. 868158

October 2, 1968



Water Supply ■ Sewerage ■ Highways ■ Structures ■ Development ■ Planning ■ Reports

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commission Date: November 22, 1968

FROM: George E. Gavrelis, Director of Planning

SUBJECT: Petition #69-118-RA. Reclassification from B-L to M-L Zone. Variance to front and side yard setbacks. West side - Reisterstown Road 33 feet south of Westminster Road. Allen M. Brooks, Petitioner

4th District

HEARING: Wednesday, December 4, 1968 (1:00 P.M.)

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

1. At first glance, the subject petition would appear to be spot zoning. However, closer examination of this petition indicates that its proposed use for electronic component manufacturing is indeed in harmony with the basic objectives of the 4th District plan - strengthening Reisterstown center. This use could well add a needed ingredient for making Reisterstown center a viable place.

GEG:ms

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commission Date: October 30, 1968

FROM: H. B. Staab - Industrial Development

SUBJECT: Item 28 - Zoning Advisory Agenda of 10/22/68
Owner: Allen M. Brooks, et al
Reisterstown Road, south of Westminster Road - 4th Election District

Enclosed is copy of our letter of July 29, 1968 to you and Mr. Gavrelis in which we stated the position of this office regarding petitioners such as the above mentioned one.

We believe the comments in this letter are applicable to this petition.



H. B. STAAB
Director

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

60722

DATE: Nov. 5, 1968

TO: James S. Brooks
James S. Brooks, Esq.
304 W. Penna. Ave.
Towson, Md. 21204

Being Dept. of Balto. Co.

REPORT TO ACCOUNT NO. 01-432

QUANTITY	DETAILS ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	TOTAL AMOUNT COST
1	Advertising and posting of property 609-118-04	61.00

4

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

2 Signs 69-118-04

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: 11-14-68

Posted for: Reclassification & Variance

Petitioner: A. M. Brooks

Location of property: 430 S. of Reisterstown Rd. - 330 S. of Westminster Rd.

Location of Signs: 34-36 Main St. - Reisterstown - in Store Window

Remarks: [Signature]

Posted by: [Signature] Date of return: 11-21-68

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
James D. Nolan, Esq.,
204 W. Penna. Ave.,
Towson, Maryland 21204

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

Your Petition has been received and accepted for filing this
day of November, 1968.

JOHN G. ROSE,
Zoning Commissioner

Petitioner: Allen H. Brooks, et al

Petitioner's Attorney: James D. Nolan, Esq. Reviewed by: [Signature]
Chairman of Advisory Committee

PETITION FOR RECLASSIFICATION AND VARIANCE
JAMES D. NOLAN, Esq.,
204 W. Penna. Ave.,
Towson, Maryland 21204

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

DATE: Nov. 14, 1968

THE COMMUNITY TIMES

RANDALLSTOWN, MD. 21133 Nov. 18, 1968.

THIS IS TO CERTIFY, that the annexed advertisement of John V. Dyer, Zoning Commissioner of Baltimore County, was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for 609 days, beginning one week before the 18th day of Nov., 1968, that is to say, the same was inserted in the issue of Nov. 14, 1968.

STROMBERG PUBLICATIONS, Inc.

By: [Signature]

PETITION FOR RECLASSIFICATION AND VARIANCE - THE DISTRICT
JAMES D. NOLAN, Esq.,
204 W. Penna. Ave.,
Towson, Maryland 21204

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

DATE: Nov. 14, 1968

CERTIFICATE OF PUBLICATION

TOWSON, MD. 14, 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 11 days, beginning one week before the 14th day of December, 1968, the last publication appearing on the 14th day of November, 1968.

THE JEFFERSONIAN,
[Signature]
Manager.

Cost of Advertisement, \$

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

56387

DATE: Nov. 12, 1968

TO: James S. Brooks
James S. Brooks, Esq.
304 W. Penna. Ave.
Towson, Md. 21204

Being Dept. of Balto. Co.

REPORT TO ACCOUNT NO. 01-432

QUANTITY	DETAILS ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	TOTAL AMOUNT COST
1	Petition for Reclassification and Variance for Allen H. Brooks 609-118-04	50.00

4

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

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 4, 1968

James D. Nolan, Esq.,
204 W. Penna. Ave.,
Towson, Maryland 21204

RE: Type of Hearings: Reclassification form an BL zone to an ML zone
Locations: W/S Reisterstown Rd., 330' So. of Westminster Rd.
District: 4th
Petitioner: Allen H. Brooks, et al
Committee Meeting of Oct. 22, 1968
Item 9B

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

This property consists of 1.4 acres. It is improved with an existing building which consists of 15,713 sq. ft., with a large paved parking area to the rear. The access to this paved parking area is by way of a 16 ft. driveway off of Reisterstown Road. This driveway is used in common with other properties in the area. The properties on either side of the subject property are improved with commercial buildings.

Since the subject building and improvements are existing the Committee will make no comment with regard to traffic conditions.

Public Services: 16" and 18" water lines exist in Reisterstown Road. An existing 8" sanitary sewer line traverses the site to the rear of the existing building and indicated on the plan.

Site Plan: The existing entrance to Reisterstown Road is less than the 25 ft. minimum width that is required for a commercial entrance. However, the existing buildings on both sides of the entrance preclude any widening of this entrance; therefore, there will be no further improvements required.

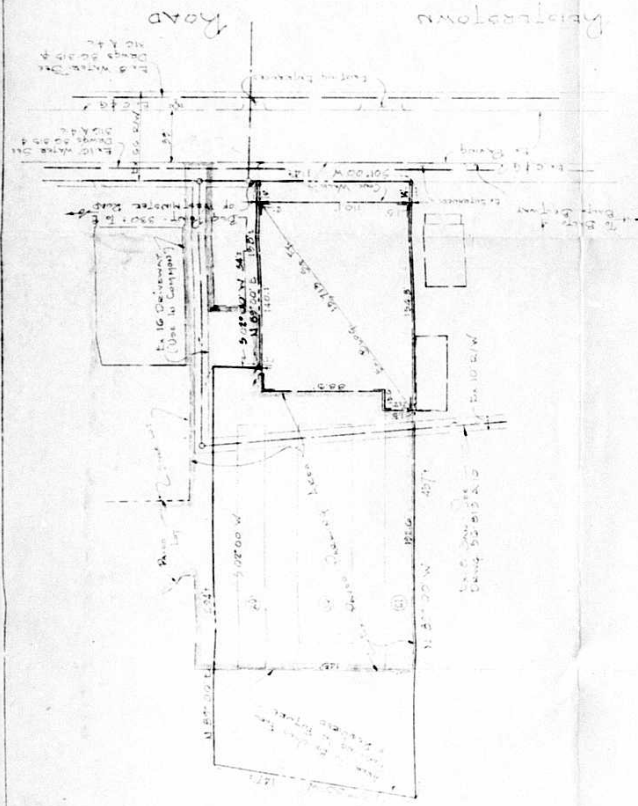
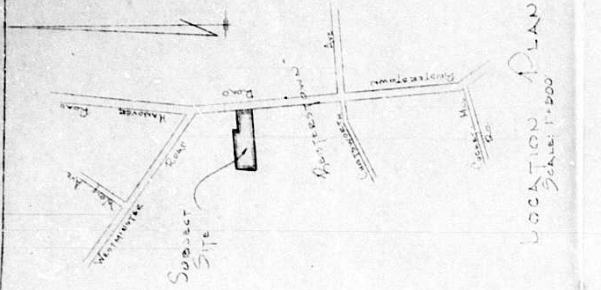
James D. Nolan, Esq.,
204 W. Penna. Ave.,
Towson, Maryland 21204
RE: Allen H. Brooks, et al

November 4, 1968

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the next future.

Very truly yours,
[Signature]
JAMES D. NOLAN, Chairman

JED:JD
Enc.



Comments Notes

1. Area of Parcel is 1.20 Acres.
2. Existing Building is 10,000 sq. ft. with 1000 sq. ft. addition.
3. Proposed Addition is 10,000 sq. ft. with 1000 sq. ft. addition.
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10. Proposed Addition is 10,000 sq. ft. with 1000 sq. ft. addition.

SITE PLAN

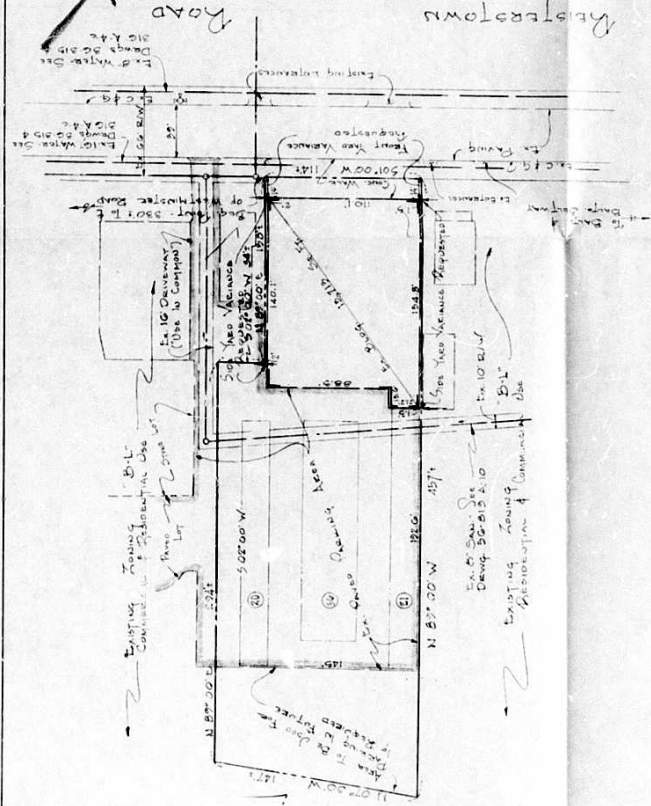
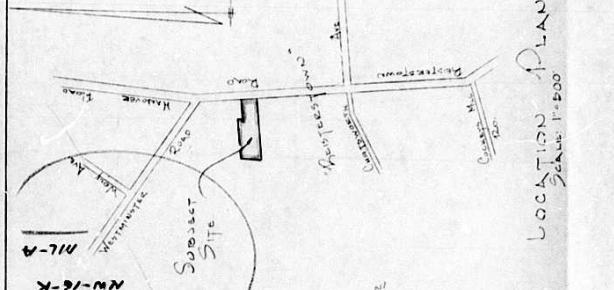
24.50 MAIN STREET, BRISTOLSTOWN
 Location Report of
 JAN 8, 1955
 Scale 1:500

MICROFILMED



PLANS APPROVED
 OFFICE OF PLANNING & ZONING
 BY *[Signature]*
 DATE 1/23/55
[Signature] 1/23/55

MATZ, CHILDS & ASSOCIATES	1010 CHERRY ST.	PHILADELPHIA 15, PA.
DATE	1/23/55	BY
1/23/55	12:45	12:45



Comments Notes

1. Area of Parcel is 1.20 Acres.
2. Existing Building is 10,000 sq. ft. with 1000 sq. ft. addition.
3. Proposed Addition is 10,000 sq. ft. with 1000 sq. ft. addition.
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9. Proposed Addition is 10,000 sq. ft. with 1000 sq. ft. addition.
10. Proposed Addition is 10,000 sq. ft. with 1000 sq. ft. addition.

PLAT TO ACCOMPANY PETITION
 RECLASSIFICATION & VARIANCE
 24.50 MAIN STREET, BRISTOLSTOWN
 Location Report of
 JAN 8, 1955
 Scale 1:500



MATZ, CHILDS & ASSOCIATES	1010 CHERRY ST.	PHILADELPHIA 15, PA.
DATE	1/23/55	BY
1/23/55	12:45	12:45