

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY
DAVID EPSTEIN & SONS OF MD., INC. AND ROBERT E. SHOCK
Legal owner of the property situate in Baltimore
County and is described in the description and plat attached hereto and made a part hereof.
herby 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 R-6A zone and
R-6A zone, for the following reasons:

Parcel #1, Reclass from R-6 to R-6A
Parcel #2, Reclass from R-6 to R-6A & Special Ex. for Office Bldg.
Parcel #3, Special Exception for Office Bldg.

Variance to Section 212.7 to permit a sideyard of 5 feet
instead of the required 15 feet. Permit a front yard of 15 feet
instead of the required 30 feet and to permit 40 feet from the centerline of
the street instead of the required 60 feet.

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 office buildings.

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

ROBERT E. SHOCK Legal Owner

Address

EDNA M. SHOCK

THOMAS L. HENNESSY

408 Bosley Avenue

Towson, Maryland 21204

ORDERED BY The Zoning Commissioner of Baltimore County, this 29th day

of October, 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 through-
out 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 9th day of December, 1968, at 11:00 o'clock

Zoning Commissioner of Baltimore County

(over)

RE: PETITION FOR RECLASSIFICATION, SPECIAL EXCEPTIONS
AND VARIANCES
N/S of Melancton Avenue, 150' W
of York Road and SE/S of Bellona
Avenue, 150' and 200' W of York
Road - 8th District
David Epstein & Sons of Maryland,
Incorporated - Petitioner
NO. 69-122-RXA

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

The Petitioner has requested certain Reclassifications, Special
Exceptions, and certain Variances. For the purpose of the hearing, the
property has been divided into three parcels - Parcel #1 for which a Reclass-
sification from a R-6 zone to a R-6A zone is requested; Parcel #2 for which a
Reclassification from a R-6 zone to a R-6A zone and a Special Exception for an
office building is requested; and Parcel #3 for which a Special Exception for
an office building is requested.

The office building to be constructed on Parcel #2 would be in
effect a conversion of an existing home whereas the office building to be con-
structed on Parcel #3 would be a new building.

It would be appropriate at this time to quote the comments of
the Office of Planning which are as follows:

"1. With respect to parcels 1 and 2, the planning
staff would have no objection to the reclassifications re-
quested. This comment is made with the admonition that
commercial zoning should not be extended unless a suita-
ble barrier - the apartment zoning with offices - also is
created.

"2. In accordance with earlier comments on parcel
3, made in connection with Case 64-10, the planning
staff is in accord with the concept of apartment zoning
here as a transitional measure between the drive-in res-
taurant and residential potentials to the west. We are
not in accord with the setback variances being requested.
The property could be developed without the variances."

It would also be appropriate at this time to point out that the
Petitioner has withdrawn his request for the Variances.

Without further review of the evidence presented, it is the
opinion of the Deputy Zoning Commissioner that the Petitioner is entitled
to relief so far as the Reclassifications and Special Exceptions are concerned.
For the foregoing reasons, IT IS ORDERED by the Deputy
Zoning Commissioner of Baltimore County, this 18 day of February,
1969, that Parcel #1 should be and the same is hereby reclassified from a
R-6 zone to a R-6A zone, Parcel #2 should be and the same is hereby reclassified
from a R-6 zone to a R-6A zone and a Special Exception for an office build-
ing should be and the same is hereby GRANTED, and a Special Exception for
an office building on Parcel #3 should be and the same is hereby GRANTED,
from and after the date of this Order, all subject to approval of the site plan
by the Bureau of Public Services and the Office of Planning and Zoning. The
requested Variances are hereby DENIED.

Deputy Zoning Commissioner
of Baltimore County

CROCKETT ASSOCIATES
ENGINEERS - SURVEYORS

2616 MARYLAND AVENUE
BALTIMORE, MARYLAND 21218

PARCEL NO. 1

DESCRIPTION OF PROPERTY FOR RECLASSIFICATION FROM R-6 TO R-6A ZONE
OF BELLONA AVENUE AND 150 FEET FROM SOUTHWEST SIDE OF YORK ROAD,
ELECTION DISTRICT NO. 8, BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point located the following three
courses from the intersection of the southwest side of York
Road, 66 feet wide, and the southeast side of Bellona Avenue
where it meets Melancton (Cent) Avenue, variable width (1)
and (2) running with and binding on the southwest side of York
Road South 19 degrees 19 minutes East 123.15 feet and South 12
degrees 07 minutes East 141.10, thence (3) South 72 degrees West
150.00 feet; thence running with the third course abovementioned
South 72 degrees West 28 feet plus or minus; thence North 25
degrees 17 minutes West 140 feet plus or minus to intersect th
Southeast side of Bellona Avenue, variable width; thence running
with and binding on the southeast side of said Bellona Avenue
North 34 degrees 13 minutes 30 seconds East 57 feet plus or minus
to a point 150.00 feet from the southwest side of York Road;
thence southeasterly 207 feet plus or minus parallel with York
Road to the point of beginning; containing 0.13 acres more or
less.

Note: This description is for zoning purposes only
and is not to be used for the conveyance of property.

JEC:JLB:f
9/26/68
2261-A

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 8th Date of Posting 11-26-68
Posted for David Epstein & Sons, Inc. 21204
Petitioner David Epstein & Sons, Inc.
Location of property N/S of Melancton Ave. 150' W of York Rd. 256' of Bellona Ave.
150' W of York Rd. 315' of Bellona Ave. 200' W of York Rd.
Location of Signs @ 150' W of York Rd. on N/S of Bellona Ave. @ 256' W of York Rd.
on S/S of Bellona Ave. @ 200' W of York Rd. on N/S of Melancton Ave.
Remarks
Posted by JLB Date of return 11-29-68

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: November 27, 1968

FROM: George E. Gavrelis, Director of Planning

SUBJECT: Petition 69-122-RXA, Reclassification from R-6 to R-6A and R-6A Zone.
Special Exception for Offices and Office Buildings. Variance to setbacks.
North side of Melancton Avenue 150 feet west of York Road, southeast
side of Bellona Avenue 150 feet west of York Road and the south side of
Bellona Avenue 200 feet West of York Road. David Epstein and Sons of Md., Inc.
Petitioners.

8th District

HEARING: Monday, December 9, 1968 (11:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition
for reclassification from R-6 to R-6A and R-6A zoning together with Special
Exception for offices and office buildings, also variances to setbacks. It has
the following advisory comments to make with respect to pertinent planning
factors:

- With respect to parcels 1 and 2, the planning staff would have no
objection to the reclassifications requested. This comment is made
with the admonition that commercial zoning should not be extended
unless a suitable barrier - the apartment zoning with offices - also is
created.
- In accordance with earlier comments on parcel 3, made in connection
with Case 64-10, the planning staff is in accord with the concept of
apartment zoning here as a transitional measure between the drive-in
restaurant and residential potentials to the west. We are not in accord
with the setback variances being requested. The property could be
developed without the variances.

EC:bm

CROCKETT ASSOCIATES
ENGINEERS - SURVEYORS
2616 MARYLAND AVENUE
BALTIMORE, MARYLAND 21218

PARCEL NO. 2
DESCRIPTION OF PROPERTY FOR RECLASSIFICATION FROM R-6 TO R-6A
ZONE WITH SPECIAL EXCEPTION FOR OFFICE USE ADJACENT TO SOUTH
SIDE BELLONA AVENUE AND 200 FEET FROM WEST SIDE OF YORK ROAD,
ELECTION DISTRICT NO. 8, BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point located the following three
courses from the intersection of the west side of York Road,
66 feet wide, and the south side of Bellona Avenue (variable
width) where it meets Melancton (Cent) Avenue, variable width,
(1) running with and binding on the west side of York Road South
19 degrees 19 minutes East 123.15 feet, and (2) South 12 degrees
07 minutes East 141.10 feet, thence leaving west side of York
Road and running (3) South 72 degrees West 178 feet plus or
minus; thence running with the third course abovementioned South
72 degrees 21 feet plus or minus; thence running the following
three courses to intersect the south side of Bellona Avenue
variable width (1) North 14 degrees 07 minutes West 50 feet;
(2) South 72 degrees West 9 feet plus or minus; (3) North 41
degrees 58 minutes West 121.50 feet to the south side of Bellona
Avenue; thence running with and binding on said Bellona Avenue
North 34 degrees 13 minutes East 57 feet plus or minus to a point
200 feet from the west side of York Road; thence South 25 degrees
17 minutes East 157 feet plus or minus to the point of beginning;
containing 0.13 acres more or less.

Note: This description is for zoning purposes
only and is not used for the conveyance of
property.

JEC:JLB:f
9/26/68
2261-A

CROCKETT ASSOCIATES
ENGINEERS - SURVEYORS
2616 MARYLAND AVENUE
BALTIMORE, MARYLAND 21218

PARCEL NO. 3
DESCRIPTION OF PROPERTY FOR SPECIAL EXCEPTION
FOR OFFICE USE IN R-6A ZONE ADJACENT TO NORTH SIDE OF
MELANCTON (CENT) AVENUE 150 FEET FROM SOUTHWEST SIDE OF
YORK ROAD, ELECTION DISTRICT NO. 8, BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point approximately 150 feet west
of the westernmost side of York Road, 66 feet wide, and on
the north side of Melancton Avenue (Cent) and running thence
and binding on the north side of Melancton Avenue South 74
degrees 13 minutes West 143 feet plus or minus; thence leaving
the north side of Melancton Avenue and running North 20 degrees
52 minutes West 143 feet plus or minus; thence North 29 degrees
54 minutes East 127.77 feet, thence South 15 degrees 54 minutes
East 32.55 feet; thence South 23 degrees 19 minutes East 122
feet plus or minus to the point of beginning; containing 0.3
acres plus or minus.

Note: This description is for zoning purposes only and is not
to be used for the conveyance of property.

JEC:JLB:f
9/26/68
2261-A

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Thomas L. Hennessey, Esq.
444 Bayley Avenue
Towson, Maryland 21204

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

Your Petition has been received and accepted for filing this
29th day of October, 1968.

JOHN G. ROSE,
Zoning Commissioner

Petitioner: David Epstein & Sons, Inc., et al

Petitioner's Attorney: Thomas L. Hennessey, Esq. Reviewed by

Chairman of
Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 13, 1968

Thomas L. Hennessy, Esq.,
408 Bayley Avenue
Towson, Maryland 21204

RE: Type of Hearings Reclassification
From R5 zone to a D1 & R4 zone
Location: SE/3 Bellona Ave., 150'
S of York Road
District: Bth
Petitioners: David Epstein & Sons, Inc., et al
Committee Meeting of Oct. 29th, 1968
Item 102

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 Bellona Avenue
Existing 12" water in York Road
Sewer - Existing 6" sanitary sewer in Bellona Ave.
Utility extensions appear necessary to serve the property fronting on Balfunction Avenue.
Road - Bellona Ave. is to be developed as a minor A/R road on a 50' R/W. Extension is to be developed as a minor 30' road on a 50' R/W.

BUREAU OF TRAFFIC ENGINEERING:

Since there are no access points proposed the entrance arrangements are satisfactory. However, the plan must be revised to show the grading of the driveway restaurant, as well as the grading for the office building on Parcel #3. This is due to the Use Permit which presently exists on Parcel #3. The petitioner should indicate his ability to provide the necessary grading for the driveway restaurant. The existing driveway to Parcel #2 is only 6' wide and must be closed. An indication of this should be shown on the revised plans.

PROJECT PLANNING DIVISION:

This plan indicates adequate space on Parcel #3 to meet all zoning setback and parking requirements, and suggest no reason as to why variances would be required.

Baltimore County, Maryland
BUREAU OF TRAFFIC ENGINEERING
JEFFERSON BUILDING
TOWSON, MARYLAND 21204

December 5, 1968

To: Mr. John G. Rose

From: C. Richard Moore

Subject: Revised Comments
Plan dated December 2, 1968
Zoning Petition #69-122-RXA

The revised plan appears to conform to comments submitted November 13, 1968 to the Zoning Advisory Committee.

C. Richard Moore
Engineer

Page 2

Thomas L. Hennessy, Esq.,
408 Bayley Avenue
Towson, Maryland 21204
RE: David Epstein & Sons, Inc., et al

November 13, 1968

FILE PREVENTION:
Site plan must be revised to indicate the size water main and location of fire hydrants.

HEALTH DEPARTMENT:
The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

ZONING ADMINISTRATION:
The plans must be revised to comply with the above comments prior to the hearing date.

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 50 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

JAMES E. DYER, Chairman

JED:JD
Enc.

INVOICE		No. 60726	
BALTIMORE COUNTY, MARYLAND		DATE: Dec. 9, 1968	
OFFICE OF FINANCE		BILLED	
Division of Collection and Receipts		COURT HOUSE	
TOWSON, MARYLAND 21204		Zoning Dept. of Baltimore County	
TO:	Thomas L. Hennessy, Esq., 408 Bayley Ave., Towson, Md. 21204		
DEPOSIT TO ACCOUNT NO. 01-622	RETURN THIS PORTION WITH YOUR REMITTANCE	TOTAL AMOUNT	
QUANTITY	DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	COST	
Advertising and posting of property for David Epstein & Sons of Md.	#69-122-RXA	124.00	
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND		MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204	

INVOICE		No. 56394	
BALTIMORE COUNTY, MARYLAND		DATE: Dec. 18, 1968	
OFFICE OF FINANCE		BILLED	
Division of Collection and Receipts		COURT HOUSE	
TOWSON, MARYLAND 21204		Zoning Dept. of Baltimore County	
TO:	Thomas L. Hennessy, Esq., 408 Bayley Ave., Baltimore, Md. 21204		
DEPOSIT TO ACCOUNT NO. 01-622	RETURN THIS PORTION WITH YOUR REMITTANCE	TOTAL AMOUNT	
QUANTITY	DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	COST	
Petition for Reclassification, Special Exception & Variance for David Epstein and Sons of Md., Inc.	#69-122-RXA	50.00	
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND		MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204	

THE TOWSON TIMES

TOWSON, MD. 21204

November 13, 1968

THIS IS TO CERTIFY, that the annexed advertisement of
David Epstein & Sons, Inc., et al, was published in
the TOWSON TIMES, a weekly newspaper published in
Baltimore County, Maryland, once a week for one
week before the date of the hearing, that is to say, the same
was inserted in the issue of November 13, 1968.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD. November 22, 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 the successive weeks before the date of the hearing, that is to say, the same
was inserted in the issue of November 13, 1968, the first publication
appearing on the 21st day of November, 1968.

THE JEFFERSONIAN,

Cost of Advertisement, \$

EXISTING ZONING - R.O.
EXISTING USE - RES.

4' HIGH COMPACT PLANTING FOR SCREENING

PARCEL #5
EXISTING ZONING - RA
PROPOSED ZONING - SPECIAL EXCEPTION

PROPOSED ONE STOP
ONE-STOP SERVICE - 4000

2. Park 1000 people - 4,000 + 500 = 4,500

EXISTING ZONING - B-1
EXISTING USE - DAYCARE CENTER

#69-1228X

OFFICE COPY

M₂p^{#9}
Sec 30
NW 12 A
BL
RA
X

64-132 RWA

EXISTING ZONING - R-2
EXISTING USE - CHURCH

CODE: EX. 72 REVAY.

PARKING LOT
JEHOIAH S WITNESS
KINGDOM HALL

4 HIGH COMPACT PLAN
FOR SCREENING

PARCEL = 2.
EXISTING ZONING- R-0
PROPOSED ZONING- R-1 SPEC. EAO

REQUIRED PARKING 1600 ÷ 3
PARKING PROVIDED - 0

572000 IV

30.10

525:17 20E

PARCEL = 1

EX 511NG 20A NG 2-2-6
02001557 20A NG 2-2-6

MEB-0.1340.2 ✓

EX STING Z/NING - 20
EX STING USE - RES.

EX ST.
TZE STORE

EX ST.
FOLD SURF

Ex 5.
-4-125

EX STING ZALIG-SPECIAL
EXCEPT. FVZ
SER/CE ST.

EXISTING ZONING - B.U.
EXISTING USE - RET. STORES

EX ST. 2^d WATER

EDGE OF ROAD

YORK

MD. 27.45

ROAD

MAGADAM PAVEMENT MARGATE RD.

EXIST. SAN. SERV. ---

EXISTING ZONING-B-2
EXISTING USE - SERVICE STA.

EX ST NG ZONE - 20
EX ST NG USE - RES.

CROCKETT ASSOCIATES
ENGINEERS • SURVEYORS
2010 MARYLAND AVENUE
BALTIMORE • MARYLAND • 21201
HOPKINS 7-2261 W62261

PLAT PLAN FOR ZONING PETITIONS
SHOCK & EPSTEIN PROPERTIES
MELANCTON AVE & BELLINA AVE AT YORK RD.
EIGHT EIGHTION FIFTEEN
BALTIMORE COUNTY • MARYLAND
SCALE: 1" = 20' JULY 8, 1998

PRINT DATE: 12-2-68

LAW OFFICES

*Thomas L. Hennessey*407 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

File No. 68 194

MICHAEL J. DAUSCH, III
KENNETH J. MACFADYEN

December 16, 1971

Mr. Edward D. Hardesty
Zoning Commissioner
Baltimore County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204Re: Petition for Reclassifications, Special
Exceptions and Variances N/S of Melanchton
Avenue, 150' W of York Road and SE/S of
Bellona Avenue, 150' and 200' W of York
Road - 8th District
David Epstein & Sons of Maryland, Incorporated -
Petitioner
NO. 69-122-RXA

Dear Mr. Hardesty:

On February 18, 1969, you passed your order in the above-
entitled matter as follows:

"...It is ordered by the Deputy Zoning
Commissioner of Baltimore County, this
18 day of February, 1969, that Parcel
#1 should be and the same is hereby re-
classified from a R-6 zone to a BL zone,
Parcel #2 should be and the same is hereby
reclassified from a R-6 zone to a RA zone
and a Special Exception for an office
building should be and the same is hereby
GRANTED, and a Special Exception for an
office building on Parcel #3 should be and
the same is hereby GRANTED, from and after
the date of this Order, all subject to
approval of the site plan by the Bureau of
Public Services and the Office of Planning
and Zoning. The requested Variances are
hereby DENIED."

- continued -

- page two -

December 16, 1970

To: Mr. Edward D. Hardesty

At the present time, the zoning granted has not been applied
to the total property due to the necessity of some planning
and financing arrangements and the use contemplated will be
placed upon the property in the future. It is possible that
this will not be achieved immediately and it is necessary that
the petitioner, David Epstein and Sons of Maryland, Inc.,
request that they be granted an extension of time to make
use of the special exception in the re-zoned property.

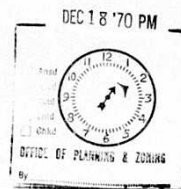
Would you please advise us concerning the extension of the
special exceptions and consider this letter to be a request
that the special exceptions be extended for a period of
three (3) years from February 17, 1971.

Thank you for your help in this matter.

Yours very truly,

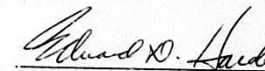

Thomas L. Hennessey

TLH/bc

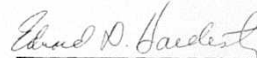
CC - Mr. Louis W. Epstein
David Epstein & Sons
923 Hamilton Street
Allentown, Pennsylvania 18101

Without further review of the evidence presented, it is the
opinion of the Deputy Zoning Commissioner that the Petitioner is entitled
to relief so far as the Reclassifications and Special Exceptions are concerned.

For the foregoing reasons, IT IS ORDERED by the Deputy
Zoning Commissioner of Baltimore County, this 18 day of February,
1969, that Parcel #1 should be and the same is hereby reclassified from a
R-6 zone to a BL zone, Parcel #2 should be and the same is hereby reclassi-
fied from a R-6 zone to a RA zone and a Special Exception for an office build-
ing should be and the same is hereby GRANTED, and a Special Exception for
an office building on Parcel #3 should be and the same is hereby GRANTED,
from and after the date of this Order, all subject to approval of the site plan
by the Bureau of Public Services and the Office of Planning and Zoning. The
requested Variances are hereby DENIED.


Deputy Zoning Commissioner of
Baltimore County

IT IS ORDERED by the Zoning Commissioner of Baltimore
County this 29 day of December, 1970, that the foregoing Special
Exceptions GRANTED February 18, 1969, be and the same is extended to
February 17, 1974.


Zoning Commissioner of
Baltimore County

MICROFILMED