

RE: PETITION FOR RECLASSIFICATION :
SW/5 of Liberty Road, 1878' NW of
Old Court Road - 2nd District
Burningwood Realty, Incorporated -
Petitioner
NO. 69-208-R (Item No. 203)

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY AREA

The Petitioner seeks a Reclassification of his property from a RA zone to a BL zone. Plans call for the construction of a Luskens Store, consisting of 16,500 square feet, with 136 parking spaces to be provided.

The overall tract consist of 3.95 acres. The subject of this Petition consist of 1.41 acres. The subject tract is bordered on the north by BL zoning and on the east by BL zoning. Brenbrook Drive will be constructed by the Petitioner on the east in a northerly direction to intersect with Liberty Road.

Water and sewer facilities are available and adequate.

The Petitioner stated that he could not develop the 1.41 acres for apartments. It is obvious to the Deputy Zoning Commissioner, after reviewing the zoning map and the testimony, that the subject parcel is erroneously zoned RA, and the Petitioner is entitled to relief. The granting of BL zoning in this instance will square off what is now an irregular piece of commercial property. It would be appropriate at this time to quote the comments of the Planning Staff:

"We do not see the requested reclassification as a departure from the basic principles and purposes of the Comprehensive Zoning Map for the Western Planning Area. On the other hand, however, granting of commercial zoning here should not be viewed as the establishment of a pattern of strip-commercial zoning along proposed Brenbrook Drive; rather, in our view, it should be considered only an extension in depth from Liberty Road."

For the foregoing reasons, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 13 day of May, 1969, that the herein described property or area should be and the same is

ORDER RECEIVED FOR FILING

DATE 5/13/69

BY J. H. Myers

ADMINISTRATIVE ASSISTANT

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

March 14, 1969

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Oliver L. Myers
CHAIRMAN

MEMBERS

BUREAU OF ENGINEERING

BUREAU OF TRAFFIC ENGINEERING

STATE ROADS COMMISSION

BUREAU OF FIRE PREVENTION

PROJECT PLANNING

HEALTH DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

DEVELOPMENT

RE: Type of Hearing: Reclassification
from an RA zone to a BL zone
Location: SW/5 Liberty Road, 1878' ± NW of Old Ct. Rd.
2nd District
Petitioner: Burningwood Realty, Inc.
Committee Meeting of March 4, 1969
Item 203

Dear Sir:

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.

The subject property is presently improved with a two-story frame shingle dwelling with a garage and other out buildings to the rear of the site. The property to the northwest is presently improved with vacant farm land; to the northeast by a service garage and to the southeast and south by apartments and a farm which is presently zoned BL. The property to the northeast is also improved with a Sinclair Oil Company and across the street an Atlantic Service Station and funeral home. Liberty Road in this area is presently improved with concrete curb and gutter.

BUREAU OF ENGINEERING:

Highways:

Liberty Road is a State road.

Brenbrook Drive will be extended southeasterly from Liberty Road as a 50' curb and gutter road on a 75' right-of-way.

Storm Drains:

The Applicant must provide necessary drainage facilities (temporary or otherwise) to prevent creating any nuisances or damage to adjacent property, especially by the concentration of surface waters. Correction

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Burningwood Realty, Inc.

I, or we, G/O. BURNINGWOOD REALTY, 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 RA zone to an BL zone; for the following reasons:

- 1) Error in original zoning map.
- 2) Change in conditions of neighborhood.

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...

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.

Burningwood Realty, Inc.

By: Donald L. Schreiber, Legal Owner

Contract purchaser

Address: 10 Light St.

Richard F. Cadigan, Attorney

Protestant's Attorney

Address: 22 W. Pennsylvania Avenue
Towson, Maryland 21204

ORDERED BY The Zoning Commissioner of Baltimore County, this 5th day of March, 1969, 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 7th day of April, 1969, at 11:00 o'clock A.M.

Zoning Commissioner of Baltimore County.



(over)

11:00 A
4/17/69
10am

MCA
MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING
ENGINEERS

1020 Cromwell Bridge Rd., Baltimore, Md. 21204. Tel. 301/893-9900

DESCRIPTION

1.41 ACRE PARCEL, SOUTHWEST SIDE OF LIBERTY ROAD, 1878 FEET, MORE

OR LESS, NORTHWEST OF OLD COURT ROAD, SECOND ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

THIS DESCRIPTION IS FOR "B-L" ZONING

Beginning for the same at the beginning of the second line of the Baltimore County Zoning Description, 2-BL-46, said beginning point being distant 190 feet, more or less, as measured southeasterly at right angles to Liberty Road, 80 feet wide, from a point on the southwest side of said Liberty Road, said last mentioned point being at the distance of 1878 feet, more or less, as measured northwesterly along the southwest side of said Liberty Road from its intersection with the northwest side of Old Court Road running thence binding on a part of said second line (1) Southwesterly - 386 feet, more or less, thence two courses: (2) N 57° 09' 27" W - 192 feet, more or less, and (3) N 32° 11' 30" E - 364 feet, more or less, thence binding on a part of the third line of the Baltimore County Zoning Description 2-BL-25, (4) Southeasterly - 148 feet, more or less, to the place of beginning.

Containing 1.41 acres of land, more or less.

PPK:impl J.O. #68236 January 13, 1969



Water Supply • Sewerage • Drainage • Highways • Structures • Developments • Planning • Reports

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rowe, Zoning Commissioner Date: March 28, 1969

FROM: George E. Gossally, Director of Planning

SUBJECT: Petition 69-208-R. Reclassification from RA to B-L.
Southwest side of Liberty Road 1878 feet North of Old Court Road.
Burningwood Realty, Inc., Petitioner.

2nd District

HEARING: Monday, April 7, 1969 (11:00 A.M.)

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

We do not see the requested reclassification as a departure from the basic principles and purposes of the Comprehensive Zoning Map for the Western Planning Area. On the other hand, however, granting of commercial zoning here should not be viewed as the establishment of a pattern of strip-commercial zoning along proposed Brenbrook Drive; rather, in our view, it should be considered only an extension in depth from Liberty Road.

Richard F. Cadigan, Esq.
22 W. Pennsylvania Avenue
Towson, Maryland 21204
Item 203

March 14, 1969

BUREAU OF ENGINEERING (Continued)

Storm Drains: (Continued)

of any problem which may result, due to improper grading or other drainage facilities, would be the full responsibility of the Applicant.

Water:

There is an existing 12" water main in Liberty Road.

Sewer:

There is an existing 10" sanitary sewer in Liberty Road.

PROJECT PLANNING DIVISION:

This plan has been reviewed and there are no site planning factors requiring comment.

BUREAU OF TRAFFIC ENGINEERING:

The subject site as RA, BR & BL will generate 1400 trips a day. By changing the RA to BL & BR, this site will generate 2,000 trips a day.

FIRE DEPARTMENT:

Any use that petitioner would propose for this site shall meet all Fire Department regulations.

BUILDING ENGINEER'S OFFICE:

Must meet all requirements of the Baltimore County Building Code.

BOARD OF EDUCATION:

Would result in a slight loss of students too small for concern.

HEALTH DEPARTMENT:

Public water and sewers are available to the site.

Air Pollution: Comments: The building or buildings on this site may be subject to restriction 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.

Richard F. Cadigan, Esq.
22 W. Pennsylvania Avenue
Towson, Maryland 21204
Item 203

March 14, 1969

STATE ROADS COMMISSION:

There is a storm drain inlet in the vicinity of the proposed entrance from Liberty Road. The inlet and any necessary relocation of the inlet must be indicated on the plan. A concrete curb must be constructed along either the Right of Way line of Liberty Road or along the perimeter of the parking lot.

The radius returns into the proposed extension of Brenbrook Drive must have a radius of 30 ft.

The plan must be revised prior to the hearing.

ZONING ADMINISTRATION DIVISION:

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 near future.

Very truly yours,

OLIVER L. MYERS, Chairman

OLM:JD
Enc.

TELEPHONE 122-3000 EXT. 567

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

No. 62138
DATE April 7, 1969

To: Richard F. Collins, Esq.
25 W. Pennsylvania Ave.
Towson, Md. 21204

Re: Advertisement and posting of property for Burroughs Realty, Inc.

QUANTITY 1
TOTAL AMOUNT \$15.00

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

SECTION FOR RECLASSIFICATION
NO. 62138

LOCATION: Burroughs Realty, Inc. 1000
1000 Road 1000, near or at the
intersection of Old Court Road
DATE: 1000, Monday, April 7,
1969

PUBLIC: Burroughs Realty, Inc.
1000 Road 1000, near or at the
intersection of Old Court Road
Towson, Maryland

The Board of Commissioners of Baltimore County, Maryland, has received and considered the application of Burroughs Realty, Inc. for the right to use the public highway for the purpose of advertising and posting of property for Burroughs Realty, Inc. on the 1000 Road 1000, near or at the intersection of Old Court Road, Towson, Maryland, on Monday, April 7, 1969.

It is the order of the Board of Commissioners that the application of Burroughs Realty, Inc. for the right to use the public highway for the purpose of advertising and posting of property for Burroughs Realty, Inc. on the 1000 Road 1000, near or at the intersection of Old Court Road, Towson, Maryland, on Monday, April 7, 1969, be and the same is hereby granted.

It is further ordered that the applicant pay to the County of Baltimore the sum of \$15.00 for the use of the public highway for the purpose of advertising and posting of property for Burroughs Realty, Inc. on the 1000 Road 1000, near or at the intersection of Old Court Road, Towson, Maryland, on Monday, April 7, 1969.

Witness my hand and the seal of the County of Baltimore this 10th day of April, 1969.

JOHN C. ROSE
Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD. MAR 20 1969

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, seven weeks before the 7th day of April, 1969, the first publication appearing on the 20th day of March 1969.

THE JEFFERSONIAN
J. L. Lankford
Manager

Cost of Advertisement, \$

TELEPHONE 122-3000 EXT. 567

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

No. 63894
DATE March 17, 1969

To: Rensselaer, Inc., 1000
1000 Road 1000, near or at the
intersection of Old Court Road
Towson, Md. 21204

Re: Advertisement and posting of property for Burroughs Realty, Inc.

QUANTITY 1
TOTAL AMOUNT \$15.00

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

SECTION FOR RECLASSIFICATION
NO. 63894

LOCATION: Burroughs Realty, Inc. 1000
1000 Road 1000, near or at the
intersection of Old Court Road
DATE: 1000, Monday, April 7,
1969

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1000 Road 1000, near or at the
intersection of Old Court Road
Towson, Maryland

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Witness my hand and the seal of the County of Baltimore this 10th day of April, 1969.

JOHN C. ROSE
Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION

Pikesville, Md. March 20, 1969

THIS IS TO CERTIFY, that the annexed advertisement was published in THE NORTHWEST STAR, a weekly newspaper printed and published in Pikesville, Baltimore County, Maryland, once in each of one time, before the 7th day of April, 1969, the first publication appearing on the 20th day of March, 1969.

THE NORTHWEST STAR
Rensselaer, Inc.
Manager

Cost of Advertisement, \$ 11.34

Richard F. Collins, Esq.
25 W. Pennsylvania Ave.
Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 10th day of March, 1969

Petitioner: Burroughs Realty, Inc.
Petitioner's Attorney: Richard F. Collins, Esq.
Chairman of Advisory Committee

SECTION FOR RECLASSIFICATION
NO. 63894

LOCATION: Burroughs Realty, Inc. 1000
1000 Road 1000, near or at the
intersection of Old Court Road
DATE: 1000, Monday, April 7,
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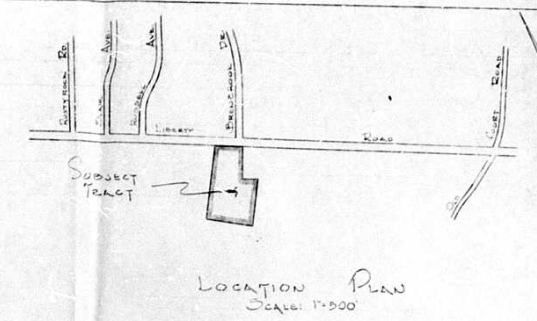
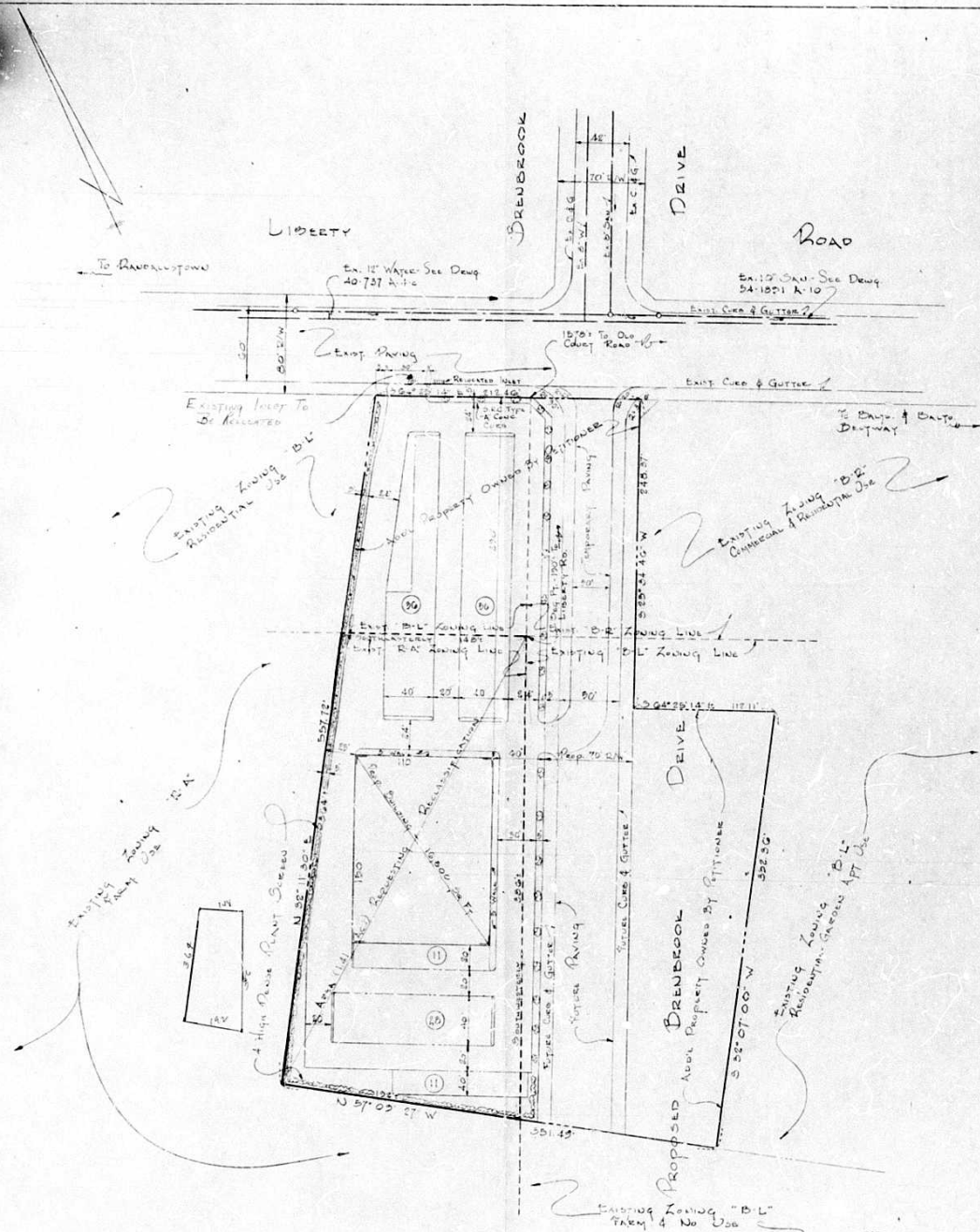
Witness my hand and the seal of the County of Baltimore this 10th day of April, 1969.

JOHN C. ROSE
Zoning Commissioner of Baltimore County

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd
Posted for: Rensselaer, Inc.
Petitioner: Rensselaer, Inc.
Location of Signs: 1890' W. of Old Court Rd. S. of Liberty Rd.
Remarks: Willard
Posted by: Willard
Date of Posting: 3-22-69
Date of return: 3-22-69

1 Sign 69-208-R



- GENERAL NOTES
1. Total Area of Property Equals 3.0546 Acres
 2. Area of Property Requesting Reclassification Equals 1.41 Acres
 3. Existing Zoning of Property is "BL", "B2" & "R2"
 4. Existing Use of Property is "Farm Use"
 5. Proposed Zoning of Property is "BL" & "B2"
 6. Proposed Use of Property is "Retail Store"
 7. Off-Site Parking Requirements:
 - a. Proposed Floor Area Equals 18,200 Sq. Ft.
 - b. Required Parking Equals 89 Cuts
 - c. Proposed Parking Equals 136 Cuts

#69-208R
MAPS
2-C
2-B
WESTERN
ARCH
NW-6-I
NW-6-H
BL
#203

PLAT TO ACCOMPANY PETITION
FOR
RECLASSIFICATION OF PROPERTY
VICINITY
LIBERTY ROAD & BREDBROOK DRIVE
ELECTION DISTRICT 2
SCALE: 1"=50'
JAN. 27, 1963
Revised March 27, 1963



MATZ, CHILDS & ASSOCIATES
1020 ORCHARD LANE, SUITE 100
BALTIMORE, MARYLAND 21206
DATE: 1-27-63
BY: [Signature]