

PETITION FOR ZONING RE-CLASSIFICATION AND VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, the 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-10 zone to an R-10 zone; for the following reasons:

Section 409.2b (3) To permit 48 parking spaces instead of the required 157 parking spaces

- (a) Change in neighborhood
- (b) Error in original zoning map

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.

See attached sheet made a part of this Petition

Contract purchase: Legal Owner

Address: 100 S. Mount St. Address: 100 S. Mount St.

Reisterstown, Md. Reisterstown, Md.

Paul E. Lager, President Paul E. Lager, President

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Reisterstown, Md. Reisterstown, Md.

Re: Petition for Reclassification from R-10 Zone to B-L Zone Variance to Zoning Regulations - S/W Cor. Reisterstown Road and Chatsworth Ave., 4th District - M. Valerie Wheeler, Reisterstown Vol. Fire Dept., Melvin J. Burnham, Petitioners

Before Zoning Commissioner of Baltimore County No. 70-60-RA

The petitioners requested reclassification of property in the Fourth District of Baltimore County, at the southwest corner of Reisterstown Road and Chatsworth Avenue, from an R-10 Zone to a B-L Zone and a variance to Section 409.2 b (3) of the Baltimore County Zoning Regulations to permit 48 parking spaces instead of the required 157 parking spaces.

The petitioners proved sufficient change in the character of the neighborhood to warrant the rezoning, therefore, the reclassification should be HAD

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

It is this 17th day of September, 1969, by the Zoning Commissioner of Baltimore County, ORDERED that Parcel No. 1, described as follows is hereby reclassified from an R-10 Zone to a B-L Zone.

BEGINNING for the first parcel in the centerline of Reisterstown Road at a point 15.13 feet south from the extended south right of way line of Chatsworth Avenue, said beginning also being at the end of the North 04 degrees 44 minutes 00 seconds West 49.15 foot line in a deed from Baltimore County, Maryland, to Reisterstown Volunteer Fire Company, Inc., dated July 21, 1966, recorded in Liber O. T. G. No. 4669 folio 259 etc., thence binding on that deed the three following lines, South 77 degrees 53 minutes West 115.78 feet, South 04 degrees 44 minutes 00 seconds East 65.61 feet and South 85 degrees 16 minutes West 67.94 feet, thence still binding partly on the deed above mentioned, partly on a deed from County Commissioners of Baltimore County to Reisterstown Volunteer Fire Company, Inc., dated July 24, 1966, recorded in Liber R. J. S. No. 1507 folio 74 etc., and partly on a deed from Joshua G. Harvey and wife to Melvin J. Burnham, dated October 17, 1933, recorded in Liber L. McL. M. No. 914 folio 217, etc., South 04 degrees 44 minutes East 112.48 feet to the north side of an old open road used in common with others, thence binding on the north side of that road and still binding on the last mentioned deed, North 83 degrees 23 minutes East 150.05 feet to the west side of the right of way of Reisterstown Road, thence along the west side of that road, North 04 degrees 44 minutes West 138.91 feet, thence North 85 degrees 16 minutes East 33.00 feet to a point in the center of Reisterstown

Road, thence running in the center thereof, North 04 degrees 44 minutes West 49.15 feet to the place of beginning, containing five hundred forty-eight thousandths of an acre (0.548) of land, more or less.

Parcel No. 2, described as follows, is hereby granted, IN PART as outlined in red on plat attached and made a part hereof, from R-10 Zone to a B-L Zone:

BEGINNING for the second parcel at a point 30 feet west of the center of Reisterstown Road and 216.47 feet south of the south right of way line of Chatsworth Avenue, said beginning point also being at the end of the South 87 degrees 23 minutes East 304.3 foot line in a deed from Charles C. Wheeler, Jr., et al. to M. Valerie Wheeler, dated November 3, 1965, recorded in Liber O. T. G. No. 4544 folio 199 etc., thence binding on that deed and along the west side of Reisterstown Road, South 04 degrees 44 minutes East 76.94 feet, thence still binding on that deed the three following lines: South 84 degrees 16 minutes West 150 feet, North 04 degrees 44 minutes West 76.94 feet to the south side of an old open road used in common, thence running along the south side of that road, North 84 degrees 16 minutes East 150 feet to the place of beginning.

BEING part of the above mentioned deed from Charles C. Wheeler, Jr., et al. to Valerie Wheeler, November 3, 1965, recorded in Liber O. T. G. No. 4544 folio 199 etc.

It is further ORDERED that a variance to Section 409.2 b (3) to permit 48 parking spaces instead of the required 157 parking spaces should be and the same is hereby granted.

The plat 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

ORDER RECEIVED FOR FILING

DATE 9/19/69 BY J. E. Myers, Jr.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: September 5, 1969

FROM: Mr. George F. Cavellis, Director of Planning

SUBJECT: Petition 70-60-RA, Reclassification from R-10 to B-L. Variance to permit 48 parking spaces instead of the required 157 parking spaces. Southwest corner of Reisterstown Road and Chatsworth Ave., M. Valerie Wheeler, et al., Petitioners.

4th District

HEARING: Wednesday, September 17, 1969 (11:00 A.M.)

At this point in time planning studies aimed at new comprehensive zoning maps for this area do not recommend extension of commercial zoning here. Rather, zoning affirmation can be secured by means of Special Exception.

We question the desirability of a variance here.

GFG:bm

Mr. John G. Rose, Zoning Commissioner
County Office Building
Towson, Maryland 21204
Att: Mr. O. L. Myers
Re: Zoning Advisory Committee
Meeting, June 17, 1969
Property Owner: M. Valerie Wheeler
(Route 140)
Location: SW Cor. Reisterstown Road
Chatsworth Ave.
4th District
Present Zoning: R-10
Proposed Zoning: B-L & Var. to Sec.
409.2 b (3)

In addition to the entrance to the engine house, there are three entrances from Reisterstown Road to the subject site. From south to north the entrances are 11' in width, 17' and 13' ft. The minimum width for a commercial entrance is 25 ft, therefore, the north and south entrances must be widened and the entrance into the ice house (this is to be relocated) must be eliminated by being closed with a standard curb and gutter section.
A concrete curb must be constructed either along the right of way line of Reisterstown Road or along the buffer strip from the engine house to the relocated ice house.
The plan must be revised prior to a hearing date being assigned.
The entrances will be subject to State Roads Commission approval and permit.

Very truly yours,
Charles Lee, Chief
Development Engineering Section
John E. Myers, Jr.,
Asst. Development Engineer

CLJ:EM:BN



- M. Valerie Wheeler
Legal Owner
Lower Backlissville Road
Hampstead, Maryland, 21074
Address
- Reisterstown Vol Fire Dept
Paul E. Lager, President
Legal Owner
100 S. Mount St.
Address
- Melvin J. Burnham, Jr.
Legal Owner
100 S. Mount St.
Address

84 degrees 16 minutes West 304.30 feet, North 04 degrees 44 minutes West 76.94 feet to the south side of an old open road used in common, thence running along the south side of that road, North 84 degrees 16 minutes East 304.30 feet to the place of beginning, containing five hundred thirty-seven thousandths of an acre (0.537) of land more or less.

BEING all of the above mentioned Deed from Charles C. Wheeler, Jr., et al. to M. Valerie Wheeler, dated November 3, 1965, recorded in Liber O.T.G. No. 4544 folio 199 etc.

AS prepared March 4, 1969 for Reisterstown Volunteer Fire Company, Inc.

C. A. Myers, Jr.
C. A. Myers, Jr.

ORDER RECEIVED FOR FILING

DATE 9/19/69 BY J. E. Myers, Jr.

70-60-RA

70-60-RA
MAP #4
SEC. 1-D
NW-16-K
BL

70-60-RA

C. A. Myers
State Registered Surveyor No. 2183

70-60-RA

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 26, 1969

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

MEMBERS:
BUREAU OF ENGINEERING
BUREAU OF TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

Frank E. Ciccone, Esq.,
First National Bank Building
Towson, Maryland 21204

RE: Reclassification from an R-10
zone to an B1 zone
Location: 34/Cor. Reisterstown Rd. &
Chatsworth Ave.
4th District
Petitioner: M. Valerie Wheeler
Committee Meeting of June 17th, 1969
Item 300

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.

The subject property is presently improved with a two story brick building used for the Reisterstown Volunteer Fire Company. To the northwest of the site is the Reisterstown Register's Court. To the west the properties are improved with residential dwellings, and to the south a one story ice house. The property immediately to the east is improved with several businesses and a church. Reisterstown Road in this location is improved as far as concrete curb and gutter are concerned.

BUREAU OF ENGINEERING:

Highways:

Reisterstown Road is a State Road, therefore, this site will be subject to State Roads Commission review and all street improvements and entrance locations on this road will be subject to State Roads Commission requirements.

Chatsworth Avenue is an existing County road which will be improved in the future as a 20-foot closed section with flexible pavement on a 50-foot right-of-way; however, no improvements are required at this time.

Frank E. Ciccone, Esq.,
First National Bank Building
Towson, Maryland 21204
Item 300 Page 2

June 26, 1969

The entrance locations are subject to approval by the Department of Traffic Engineering.

The property owner should clarify the status of the "Old Open Road" which is not needed as a public road.

Storm Drains:

The Applicant must provide necessary drainage facilities (temporary or otherwise) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or other drainage facilities, would be the full responsibility of the Applicant.

Reisterstown Road is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the Maryland State Roads Commission.

Sediment Control:

Development of this property through stripping, grading, and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

Sanitary Sewers:

Public sanitary sewerage is available to serve this property.

Water:

Public water supply is available to serve this property.

PROJECT PLANNING DIVISION:

This plan has been reviewed and must be revised as per the comments of the Bureau of Traffic Engineering.

BUREAU OF TRAFFIC ENGINEERING:

The plan has been reviewed and should be revised to show the required number of parking spaces, the number of spaces requested for a variance and the number of spaces which can be obtained on the subject site.

It is the opinion of this office that variance to parking is undesirable.

Frank E. Ciccone, Esq.,
First National Bank Building
Towson, Maryland 21204
Item 300 Page 3

June 26, 1969

FIRE PREVENTION BUREAU:

This office has no comments at this time.

BUILDING ENGINEER'S OFFICE:

This office has no comment.

BOARD OF EDUCATION:

Would not affect student population since acreage is too small.

HEALTH DEPARTMENT:

Since the proposed zoning is for parking only, no health problems are anticipated.

STATE ROADS COMMISSION:

In addition to the entrance to the engine house, there are three entrances from Reisterstown Road to the subject site. From south to north the entrances are 11' in width, 17' and 13 ft. The minimum width for a commercial entrance is 25 ft., therefore, the north and south entrances must be widened and the entrance into the ice house (this is to be relocated) must be eliminated by being closed with a standard curb and gutter section.

A concrete curb must be constructed either along the right of way line of Reisterstown Road or along the buffer strip from the engine house to the relocated ice house.

The entrances will be subject to State Roads Commission approval and permit.

ZONING ADMINISTRATION DIVISION:

In view of the comments by the State Roads Commission this office is withholding a hearing date until such time as revised plans are received in accordance with those comments.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

OLM:JD
Enc.

6 51825 70-60-12A
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: MTN Date of Posting: Aug. 30 1969
Filed for: PERMISSIVE FROM R-10 TO B-1 A VARIANCE
TO RECLASSIFY 34/COR. REISTERSTOWN RD. & CHATSWORTH AVE.
Petitioner: M. VALERIE WHEELER
Location of property: S.W. COR. OF REISTERSTOWN RD. & CHATSWORTH AVE.
Location of Sign: N.E. COR. OF REISTERSTOWN RD. & S.E. COR. OF CHATSWORTH AVE. 34.4
N.W. COR. OF REISTERSTOWN RD. & S.E. COR. OF CHATSWORTH AVE. 34.4
REISTERSTOWN RD. 170' - 17' OF CHATSWORTH AVE.
Remarks: Charles H. Myers Date of return: SEPT. 11 1969
Signed by: Charles H. Myers

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

day of August, 1969.

John G. Rose
JOHN G. ROSE,
Zoning Commissioner

Petitioner: M. Valerie Wheeler

Petitioner's Attorney: Frank E. Ciccone

Reviewed by: Charles H. Myers

Chairman of
Advisory Committee

TELEPHONE
823-8000
EXT. 587

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 64677

DATE: Aug. 28 1969

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

BILLED BY:

County Dept. of Baltimore County

To: Frank E. Ciccone, Esq.
for National Bank Building
Towson, Md. 21204

REPORT TO ACCOUNT NO. 69-001

RETURN THIS PORTION WITH YOUR RECEIPTANCE

DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

Quantity: 1 Unit: per month Amount: \$5.00

For: Permit for Reclassification and Variance to M. Valerie Wheeler, et al

DATE: 8-28-69

4

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

EPHONE
823-8000
EXT. 587

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 64711

DATE: Sept. 18 1969

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

BILLED BY:

County Dept. of Baltimore County

To: Reisterstown Vol Fire Co., Inc.
180 Main Street
Reisterstown, Md. 21155

REPORT TO ACCOUNT NO. 69-001

RETURN THIS PORTION WITH YOUR RECEIPTANCE

DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

Quantity: 1 Unit: per month Amount: \$19.00

For: Advertising and posting of property

DATE: 9-18-69

4

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

OFFICIAL
OFFICE OF THE
STREET ENGINEER
RANDALLSTOWN, MD. 21133 September 2, 1969

THIS IS TO CERTIFY, that the annexed advertisement of
John G. Rose, Zoning Commissioner of
Baltimore County
was inserted in THE COMMUNITY TIMES, a weekly newspaper published
in Baltimore County, Maryland, once a week for One
week before the 2nd day of Sept., 1969 that is to say, the same
was inserted in the issue of August 28, 1969.

STROMBERG PUBLICATIONS, Inc.

By: Louis Meyer

CERTIFICATE OF PUBLICATION

TOWSON, MD AUG 28 1969

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 the days of August 19, 1969, the first publication
appearing on the 27th day of August
1969.

THE JEFFERSONIAN

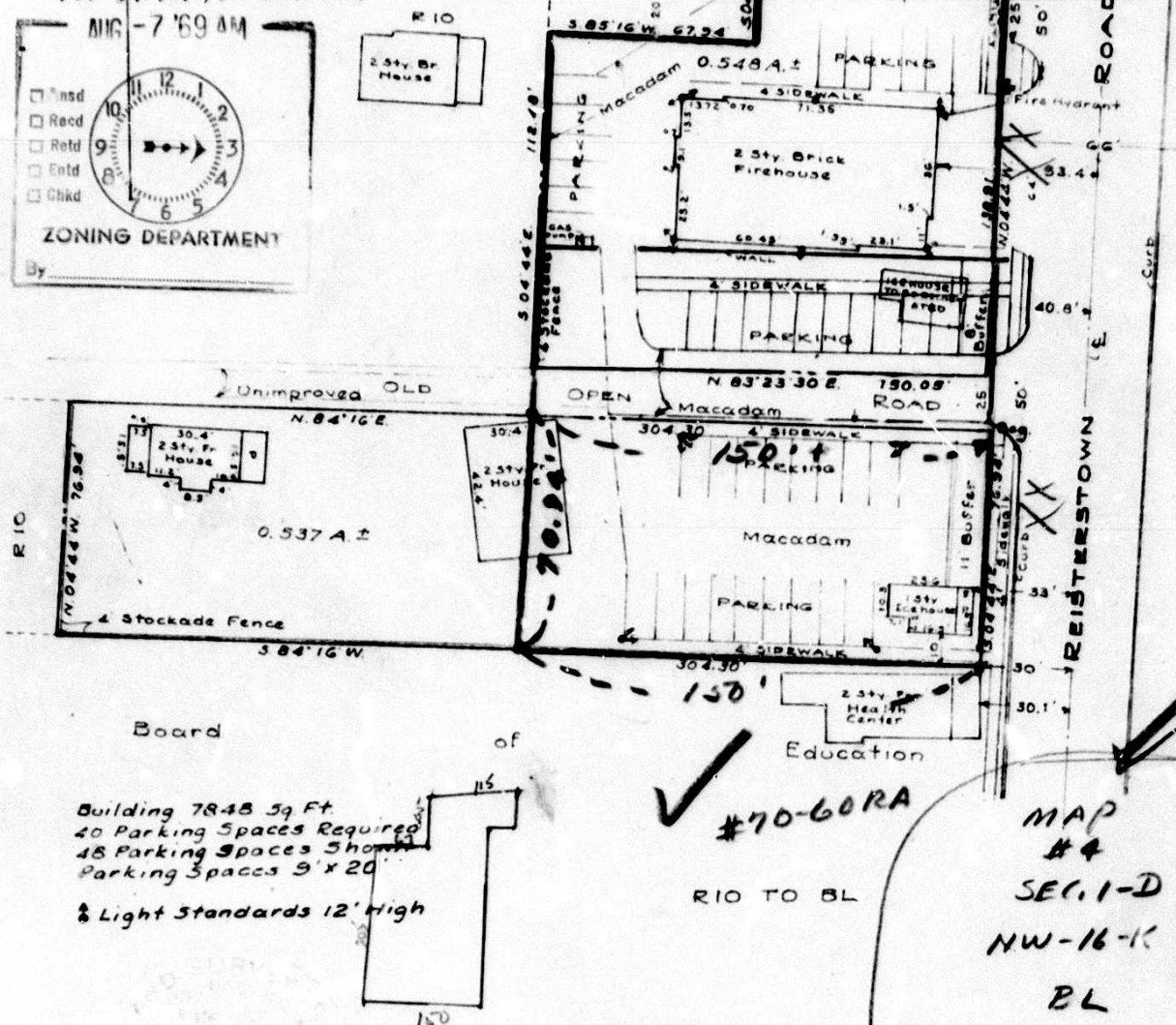
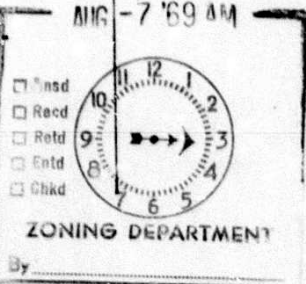
Frank E. Ciccone
Frank E. Ciccone

Cost of Advertisement: \$

RECEIVED FOR
CONTROL FROM R-10 TO B-1
PERMIT FOR RECLASSIFICATION
AND VARIANCE TO M. VALERIE
WHEELER, ET AL
AUG 28 1969
STROMBERG PUBLICATIONS, INC.
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
COUNTY DEPT. OF BALTIMORE COUNTY
OFFICE OF FINANCE
DIVISION OF COLLECTION AND RECEIPTS
COURT HOUSE
TOWSON, MD. 21204
BILLED BY: COUNTY DEPT. OF BALTIMORE COUNTY
DATE: 9-18-69
AMOUNT: \$19.00
QUANTITY: 1 UNIT: per month
FOR: Advertising and posting of property
DATE: 9-18-69

#300

Aug -7 '69 AM



REISTERSTOWN VOLUNTEER FIRE CO., INC.
4TH DISTRICT, BALTIMORE COUNTY, MD.
SCALE 1" = 50' MAR. 4, 1969

C. A. MYERS, SURVEYOR

UPPERCO, MD., 21155 - GARFIELD 3-5079

#70-60RA

RIO TO BL

MAP
#4

SEC. 1-D

NW-16-K

PL