*70-101R PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

Howard E. Caltridor and
Lor we, Katherine S. Calculder legal owners of the property situate in Baltimore (7) (7) County and which is described in the description and plat attached hereto and made a part hereof, #4 hereby petition (1) that the zoning status of the herein described property be re-classi "SECIL-D

to the Zoning Law of Baltimore County, from an R40 NW-17-Kzone; for the following reasons

The subject property is not suited to residential development. The subject property is not suited to residential development. The subject property is enimently suited for use as business purposes. It lies near or adjacent to the proposed cait for the planned Northwest Expressava and would afford the public a convenient and desirable location for business. The proposed caning would be in conformance with the general character of the melaphorhood. It would not detract from property values, would not coracte hazards of traffic, noise, sabke, etc. and would be in the best interests of the public health, safety and

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 Regul.tions I, or "e, agree to pay expenses of above re-classification and/or Special Exception ading, etc., upon filing of this petition, and further agree to and are to be bound by the zoning of Baltimore County adopted pursuant to the Zoning Law for Baltim

Realty Corporation Cha 1154 Md. Nat'l. Bk. Bldg. Baltimore, Md. 21202

* Howard & Callinder Lacherine & College

Petitioner's Attorney

Edward Azrael

Addres 1154 Md. stat'l. Bk. Bldg.
Baltimore, Md. 21202 ORDERED By The Zoning Commissioner of Baltimore County, this 3rd

..... 196__9 that the subject matter of this petition be advertised, as of October uired by the Zoning Law of Baltimore Cou sty, in two newspapers of general circ out Baltingrand up, that property be posted, and that the public hearing be had before the Zoning Baltimore County in Room 16d, County Office Building in Towson

ORD 3

Hardest,

REFORE

RE: PETITION FOR RECLASSIFICATION from an R-40 zone to a 8.M. zone NE/S of Westminster Road 2580' F. of Nob Hill Park Drive, Howard E. Caltrider

COUNTY BOARD OF APPEALS OF

BALTIMORE COUNTY

14o. 70-101-R

OPINION

The petitioner in this case requests a reclassification of a twenty acre tract of land from an R-40 zone to a B. M. (Business Major) zone, situated on the north side of the Road approximately 2600 feet east of Nob Hill Park Drive and approximately 4000 feet west of the Hanc. or kard, in the Fourth Election District of Baltimore County.

The properties to the east and west of the subject tract are zoned R-40, as rell as the properties to the south of the Westminster Road across from the subject tract. There is a large tract of M. L. land to the north which abuts the subject property for a distance of approximately 700 feet. This tract is prescritly undeveloped, and the testimony did not indicate that its development is imminent. The subject property is irregular in shape having 300 feet of frontage on the north side of the Westminster Road, and an irregular depth varying from 720 feet to 605 feet in a northerly direction from Westminster Road. There is public water available to the property in the Westminster Road, but no public sewer is presently available nor contemplated within the near future. fication is granted, the petitioner proposes to construct on the property a retail

An engineer who had prepared the site plan, testifying on behalf of the , stated that the utility demand for stores and warehouses is very light compared ntial uses, and that it was not practical to develop the subject property R-40 of the odd shape of the tract. He also stated that a proposed road along the west side of the subject tract would leave the property approximately 400 feet in width, which would make it impractical to develop R-40 in that the resulting lots would have too He also testified to a number of zoning change one and not enough depth. that have occurred since the adoption of the zoning map in January of 1957. The only

PETITION FOR RECLASSIFICATION IN THE from an R-40 zone to a B.M. zone NE/S of Westminster Road 2580 B. of Nob Hill Park Drive CTRCTIT'S COTTON 4th District FOR ard E. Caltrider. BAUTIMORE COUNTY Petition

ORDER FOR APPEAL

Mr. Clerks

C. CALTRIDE

No. 70-101-R

Please enter an Appeal to the Circuit Court for Baltimore County from the Decision and Order of the County Board of Appeals for Baltimore County dated July 29, 1970, denying to the appellants, Howard E. Celtrider and Katherine S. Catlrider the requested reclassification from an 2-40 zone to a 3.M. (Busines Major) zone

> Edward C. Covaby, Or. 405 Heaver Placa 1301 York Road Lutherville, Md. 21093 B28-9441 y for Appellant

I HERESY CERTIFY that on this 26 day of At 0

1970, a copy of the foregoing Order for Appeal was sent to the

2.

PETITION FOR RECLASSIFICATION IN THE from an R-40 sone to a B. M. sone CIRCUIT COURT NE/s of Westminster Rose E. of Nob Hill Park Drive th District Howard E. Caltrider and PALTIMORE COUNTY herine S. Caltrider, his wife Petitioners No. 70-101-R

MOTION TO EXTEND TIME FOR TRANSMITTING

Howard E. Caltrider and Katherine S. Caltrider, his wife, Appellants by Edward C. Covahey, their attorney, moves pursuant to Maryland Rule B-7. hat the time for the transmittal of the record in this action to this Court be ded up to and including December 1, 1970. The grounds of the motion

- 1. Promptly upon the taking of this Appeal, Movants ordered a transcript of the testimony and directed the stepperapher to make up the
- 2. That the stenographer thereupon advised Movants that because of the press of other work on other appeals, he cannot deliver the transcript for at least forty-five days.

Edward C. Covahey, Jr. Edward C. Covahey, Jr. Atterney for Egitte Suite 305 Heaver Plana 1301 York Road Latherville, Md. 21093 828-9441

I HEREBY CERTIFY that on this 3th day of October 1970, a copy of the foregoing Motion was sent to the Secretary of the County Board of Appeals for Baltimore County, County Office Builing, Towson, Maryland 21204.

Upon the Moregoing Motion, it is this

0, by the Casuit Court for Baltimore County

in this action to this Court is extended up to and including

PETITION FOR RECLASSIFICATION

from a R-40 sone to a B. M. son

E. of Nob Hill Park Drive eth District Howard E. Caltrider and Katherine S. Caltrider, his wife Petitioners No. 70-101-R

NE/s of Westminster Ros

ORDER

ORDERED, that the time for transmitting the record on Appeal

CIRCUIT COURT

BALTIMORE COUNTY

Howard E. Caltrider - \$70-101-R

change, in the Board's mind, which directly affects this property is zoning case #69-145, the reclassification of a large tract of land to M. L. to the north and north east of the subject property, however, as stated earlier in this Opinion, this land is not yet developed.

The petitioner, Howard E. Caltrider, lives immediately east of the subject and owns an additional pineteen and one-half acros of land contiguous to the since 1957, however, the majority of the changes he referred to had taken place imm along the Reisterstown Road and the Hanover Road, or a short distance therefrom. ms a retail furniture store on the Westminster Road some distance east of the In addition, he and his wife are in the real estate business which they conduct from a small building immediately next to his residence. The furniture store presently rated by Mr. Caltridar was the subject of a zoning petition, case \$66-153, when Mr. and his business from the Reisterstown Road to its present location on the south Westminster Road, some 1600 feet east of the subject property. This property was sold to the Gas and Electric Company under threat of condemnation in March of 1970, and the property F was rented from the Gas and Electric Company on a month to month

The protestants were mostly residents of the nearby community know s "Nob Hill", who generally stated that the reclassification would depreciate their properties would not be harmonious with the primarily rural residential characteristics of the area, and might lead to other requests for zoning changes in the immediate area.

George E. Gavrelis, Director of Planning for Baltimore County, commenting on the subject petition stated that the Planning staff is opposed to the raclassification, pointing out that the subject tract is not within the Metropolitan District and is not med for utility extensions through the year 1980. Also, in the staff's opinion ial zoning here is not in accordance with the comprehensive plan, and that if any commercial zoning is needed in the area it should be done by the adoption of a comprehensive plan rother than by the individual petition process.

0 Howard E. Caltrider - #70-101-R

The Board, after examining all the exhibits and hearing the testimony of the feels that the reclassification of the subject property, which is now nearly comded by residential zoning, would be premature and unwarranted at this time

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 29th day of July, 1970, by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS OF SALTIMORE COUNTY

REPORE THE

PETITION FOR

ZONING COMMISSIONER OF BALTIMORE COUNTY

Nob Hill Park Drive 4 4th District Howard E. Caltrider, et us - Petitioners No. 70-101-R (Item No. 49)

RECLASSIFICATION

NE/S of Westminster Road, 2580 F of

Nob Hill Park Drive

Please enter an Appeal from the Order of the Zoning Commissioner of Baltimore County dated February 10, 1970, denying the reclassification in the above captioned matter.

Edward C. Coveney, Jr. Attorney for Appellants 2322 York Road Timonium, Maryland 21093 252-4332

Katherine S. Caltrider

Pursuant to the advertisement, posting of property, and public hearing on the above poticion and
it appearing that by reason of.
the above Reclassification should be had; and it further appearing that by reason of
bullet a state
a Special Exception for a
IT IS ORDERED by the Zoning Commissioner of Baltimore County this.
day of
the same is hereby reclassified; from azone to a
zone, and/or a Special Exception for a
granted, from and after the date of this order.
Zoning Commissioner of Baltimore County
Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of failure to shaw error in the original zoning map or substantial changes in 'he character of the neighborh had.
the above re-classification should NOT BE HAD, suckesscales algorists: Chromptions already and a contract of the contract of t
the above re-classification should and the little, and the state of th
T is ORDERED by the Zoning Commissioner of Ballimore County, this
EXECUTE OF THE PARTY OF T
ORDER RECEIVED FOR FT ING Claud O Harden
DATE 2/0/70 Zoning Commissioner of Baltiniore Count
BY Je Horris Cile Auministative Assistant

Rebert C.Nerris, Reg. Surveyer,

#70-101R Aug. 15 10

Description for a parcel of land on the Westminster Read, Fourth District, Balto.Co.Md. Beginning for the same at a pipe set on the Northwast side of the Westminster Read, at the distance measured Southeasterly of 2580 it. more or less from the center of Neb Hill Park Drive, said pipe being at the beginning point of the land described in a deed from John S.Spence to Haward E.Caltrider and wife, deted April 18,1947 and recorded among the Land Records of Salte-Co., in Liber 10.1558 felie 169 etc., Thence running and binding on the fourth and rifth lines of says deed North Ol degree 31 minutes West 1665.7 ft. and North 31 degrees 34 minutes East 374.8 ft. Thence running and binding on a part of the third line South 35 degrees Ol minute Boar 765.0 ft.; Tence running for a line of division South 12 degrees 41 minutes West/1566.6 ft. to the Northeast side of the Westminster Read; Thence running and biging on the Northeast side of said read, North 55 degrees 25 minutes West 300.00 ft. to the paint of beginning.

The courses used in the above description are based on the True Meridian, as established by the Bureau of Engineering of Balto.Co., Md.

Idente Monds

IN THE ROUT COURT FOR BALTIMORE CINTY

PETITUTION FOR RESLISSIFICATION FROM AN R-\$0 Zeme TO A B.M. ZONE NR/S OF WESTMINSTER ROAD 2580' B. OF HOB HILL PARK DRIVE 4FE DISERTED HOWARD E. CALTRIDER.	Docket No. 146
PETITIONER Plaintiff NO 70-101-R	LAW-FOURTE
STATE OF MARYLAND BALTIEURE COUNTY	FICE OF LAW
	File No. 4537

NOTIFICATION TO PARTIES OF CONTEMPLATED DISMISSAL

"No proceedings of record in the above-styled action having been taken within a period of eightcen months, all parties and their counsel of record are hereby notified, as provided by Maryland Rule 530, that an Order of Dismissal and Judgment for Costs for lack of prosecution will be entered after the expiration of thirty (30) days from the date of receipt of said Notice unless prior to the expiration of said thirty (30) days a motion for suspension is filed pursuant to section c of Maryland Rule 530."

Defendant

Tewson, Nazyland 21204

and Rule 530. Conv of notice mailed to: Direct all inquiries to Mr. Allen R. BRUCE ALDERMAN, Esq. 494-2622 315 County Office Bldg.

Petition #70-101-R. Northeast side of Westminster Road 2580 feet East of Nob Hill Park Drive. Petition for Reclassification from #-40 to 8.M 4th Districi

FROM Mr. George E. Gavrelis, Director of Planning

HEARING: Monday, November 17, 1969 (2:00 P.M.)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. Edward D. Hardesty, Deputy Zoning Date November 17, 1969

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-40 to B.M. zoning and has the following advisory comments to make with respect to pertinent planning factors:

1. The planning staff is opposed to reclassification of this property for non-residential purposes. Our own plans for comprehensively updating the zoning mop do not envision such use here. We point to the problems identified by our traffic and utility agencies relative to the difficulties inherent in providing proper access to this tract for non-residential use without distalfully overloading the existing street system. Similarily, the tract is in an area which is not within the Metropoliton District and is not programmed for utility extensions through 1980.

Creation of commercial zoning here would not be in accordance with the comprehensive plan, as now cast resolution of the issues here should be accomplished in any case by the mapping route rather than by individual patition.



L9. Property Owner: ard E. Caltrider, et ux (1569-1970)

Sediment Control:

Development of this property through stripping, grading, and stabilization could result in a radiamnt pollution problem, damaging private and unblid 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 Sewer:

Public sanitary sewerage is not available to serve this property at this time; therefore, private sewage discosal systems must be provided in accordance with the rules and regulations of the Department of Health. It is possible that this property could be served by public sewerage if and when the adjacent Springlake Industrial Park is developed. The patitioner's engineer should investigate this possibility further by contacting the Odder of Assistance Sanitary Sewer Design Group of the Baltimore County Eureau of Engineering.

Public water supply presently terminates in Westminster Road at the limits of the Metropolitan District which is in alone proximity to this property. If the subject property is annexed to the Metropolitan District, public water supply can be made available to serve this site.

RMD: SW

"%" S.E. Key Sheet 65 N.E. 43 rosition Sheet N.W. 17 K 200' Scale Topo

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. John G. Rose TG. Zoning Commissione Date Sept. 15, 1969 FROM Project Planting Division

SUBJECT. Zoning Advisory Agenda (tum #49

September 2, 1969 Howard E. Caltrider, et al NE/S of Westminster Rd., 7,580' So. of Nob Hill Park Dr.

NOTICE SEAT JAN 1 1 19/3

We request that the petitioner's engineer contact this office so that a suitable Public Roarl net work could be worked out to serve the adjaining

INTER-OFFICE CORRESPONDENCE BUREAU OF TRAFFIC ENGINEERIN Baltimore County, Maryland Towson, Maryland, 21204

FROM: C. Richard Hoore

SUBJECT: Item 49 - ZAC - September 2, 1969 Property Owner: Howard E, Caltrider, et ux Westminster Road S, of Nob Hill Park Drive R-40 to BM

The subject tract as presently zoned, should generate 200 trips per day. However, as proposed BM, the site could generate 10,000 trips per day.

The alignment of driveways and internal circulation, plus existing Westminster Road can not be expected to handle this type of increase in trip density.

A 70-foot minimum right-of-way is required along and immediately adjacent to the H 310-312 374,60 line of the subject property to allow traverse the sighcent Spring-for industrial Park and Will connect with Wastemister Road at a point w.sterly of this property. Therefore, the subject lands along the sales of the alignment of the proposed

Westminster Road is a State R. 1; 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.

The subject property is located outside of the present Metropolitan District boundary and no extension of existing water mains or proposed severage for full size can be considered until this property is formally annexed to the Metropolitan District. It is suggested that the petitioner contact the Buream of Public Services in regard to this natur.

C RUREAU OF ENGINEERING Zonine Plat - Commert

hg. Property Owner: Howard E. Caltrider, at ux (1969-1970) Location: N/ES of Westminster Rd., 2,580° S. of Nob Hill Park Dr.

District: 4th
Present Zoning: R-40
Proposed Zoning: Ph
No. Acres: 20+

Storm Drains:

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

No provisions for accommodating storm water or drainage have been indicated on the subject plan; however, storm drainage facilities will be required in connection with any subsequent grading or building permits.

The Applicant must provide necessary drainage facilities (temporary or otherdse to prevent creating any misances or desages 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.

September 11, 1969

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John Rose,

FROM Ted Burnham, Engineer

SUBJECT #h9 Howard 3, Caltrider, er ux N/E/S c? Westminster Road Lth Diririet

Petitioner to conform to Saltimore County Building Code Rules and Regulations. No other comment until plans are submitted.

STATE ROADS COMMISSION

BALTIMORE MD 21201

......

September 3, 1969

Hr. John f. Rose Zoning Commissioner County Office Building Towson, Maryland, 21294

REI Zoning Advisory Committee Meeting September 2, 1959 Item No. 49 rider Location: Wortheast side of Westmisster Road Route No. 7,580 feet South of Nob Hill Park Drive Present Joning: R-40 Proposed Zoning: SN 4th District There is poor stopping sight distance along the front of the site due over vertical curve (hill) to the east.

There is an 80 foot right of way proposed for Westminster Road that must be indicated on the plan. It is requested that the parking lot be established clear of the proposed right of way.

The entrances will be subject to State Roads Commission approval and

Very truly yours,

Charles Lee, Chief Development Engineering Section John & Tillyus

BY: John E. Heyers Asst. Development E.gineer



- SEE E - COAR.

BALTIMORE COUNTY BOARD EDUCATION

ZONING ADVISORY COMMITTEE MEETING OF Jen 2, 1969

Petitioner: Heward & CALTRIDER, er UN location: N/6/s Nestannesea Ro. 7,580'S OF NOO HILL P. D.

District: 4

Present Zoning: R40

Proposed Zoning: B. 1

Comments: THERE IS A POSSIBLE RINGE OF FROM O Publis (IE PARSOSED SENING IS CAINTED) 10 8 PUBLES (AS PRESENTLY ZONED). RAD FACTOR

15 A COUNTY - NIDE FICIDE.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John O. Rose, Zoning Commissioner Date 9/3/69 Attn: Mr. Myers FROM Inspector John Lilley SUBJECT Property Owner Howard E. Caltrider, et ux Zoning agenda Sentember 2, 1969

Location: NE/S of Westminster Road, 7,580 feet South of Nob Hill Park Drive

Owner shall be required to comply with all fire department requirements in accordance with Life Safety Code, 1967 edition, Chapter 15, "Storage Occupancies," when construction plans "es submitted for approval. Inspector Town Lilies

cc: Mr. Jay Hanna Fire Protection Engineer

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. Oliver L. Myers Date September 3, 1969

FROM ... William M. Greenwalt SI AJECT Item 49 - Zoning Advisory Committee Meeting, September 2, 1969

Health Department Comments:

49. Property Owner: Howard S. Caltrider, et av Location: ME/S of Westainster Rd., 7,580' So. of District. 6th

Present Zuning: R-40 Proposed Zuning: BM No. Acr., 20 +

Public water can be made available to this site, but not sewer. Therefore, prior to approval of a building application, soil percolation tests must be conducted to determine the suitability of the soil for underground sewage disposal.

Air Pollution Comments: 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, Saltiance County Department of Health.

WMG/ca



CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was ublisted in THE JEFFERSONIAN, a week'v newspaper printed one time second scools before the 17th day of November , 19.69, the first publication appearing on the 30th day of October 19 69

THE IFFFERSONIAN



O COMMUNITY LIMITE S RANDALLSTOWN, MD. 21133 November 3, 1969

THIS IS TO CERTIFY, that the nanexed advertisement of

Edward D. Hardesty Deputy 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 3rd day of Nov. 19 69 that is to say, the same was inserted in the issue of October 30, 1969.

STROMBERG PUBLICATIONS, Inc.

By Ruth Thorgan

1516N CERTIFICATE OF POSTING

DEPARTMENT OF BALTIMORE COUNTY

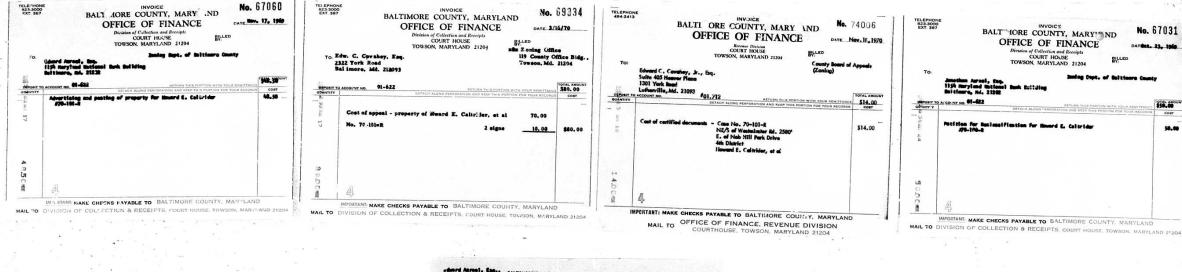
	-
District 4.TH	Date of Posting Nov. 1,1965
Posted for RECLASSIFICATIO	N FROM R. 40 TO B.M.
Petitioner HOWARD F. CAL	TAINER
Location of property: NELS OF	WESTMINISTER RU 2580 FT. F OF
NOB HILL PARK DRIVE	<u> </u>
Location of Signs E 15 OF N	ESTHINSTER RY 2600 FF F OF
NOB HILL PARK DRIVE	
Remarks:	
Posted by Charle 27 Ment	Date of return NW 14- 1969
Signature	N

251605

CERTIFICATE OF POSTING ARTMENT OF BALTIMORE CO

District. 4.7A	Date of Posting HAREH 21- 19
Posted for: APDE1L	*
Petitioner: HOWARD E. CALTRE	Ver.
Location of property: NE/S OF WESS	MUSTER Rd 2508 FT. F. OF NOB HILL
Same of Stand Alls of WASTAN	STER 2d. 2600 FT. F. E OF DAR MULTARY TONING

N/S OF WEST MINITER RI 1850 FT. +- E OF NOR HILL TANK DRIVE Date of return HARCH 26 1970



OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204 \$50.00 50.00 IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

No. 67031

BALTIMORE OUNTY OFFICE OF PLANNING AND Z MG County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your Patition has been received and accepted for filing this Zoning Commissioner Petitioner Hound &. Caltrider, et un Petitioner's Attorney Edward Asranl, Esc.

