

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Nottingham Properties, Inc., 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...

Error in original zoning and genuine change in condition

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 storage of inflammable liquids and gases above ground

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, printing, 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 of Baltimore County...

By: R. McLean Campbell, Executive Vice President, Legal Owner

Address: 102 W. Pennsylvania Ave., Baltimore, Md. 21204

W. Lee Harrison, Petitioner's Attorney

Address: 306 W. Joppa Road, Towson, 21204

ORDERED BY THE Zoning Commissioner of Baltimore County, this 24th day of October, 1969, that the subject matter of this petition be advertised as required by the Zoning Law of Baltimore County...

Stamp: OCT 24 1969 PM, DEPUTY Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING DATE 10/24/69 - 9:45 AM

70-112-RX

ROBERT A. HITEFORD, P.E. JAMES B. HARK, L.S.

WHITEFORD, FALK, AND MASK Consulting Engineers - Land Surveyors

Description to Accompany Petition for Reclassification of Zoning from R-10 Zone & M-1 Zone to B-R Zone with Special Exception for Above-ground Storage of Gasoline.

Beginning for the same at a point at the center line of a private right-of-way, 20 feet wide, near the northeasternmost side of Beaver Dam Road paving at a distance of 660 feet, more or less, measured northwesterly from the center line of the existing paving of Cockeysville Road...

Containing 2.47617 Acres of land, more or less.

70-112-RX RIAP #8 SEP 23-D NW-17-B BR

OFFICE COPY REVISED PLANS

RE-CLASSIFICATION FROM R-10 ZONE TO AN BR ZONE, AND FOR SPECIAL EXCEPTION FOR STORAGE OF INFLAMMABLE LIQUIDS AND GASES ABOVE GROUND...

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

MEMORANDUM

Now comes Nottingham Properties, Inc., Legal Owner and Southern States Cooperative, Contract Purchaser, of the above captioned property, by W. Lee Harrison, their attorney and in accordance with Bill 72, Section 22, 22 (b) states that the reclassification requested should be granted and for reasons say:

- 1. Numerous reclassifications have taken place in the immediate neighborhood: a. 64-107-R from R-17 to ML. b. 65-19-R from R-20 to ML. c. 65-180-R from R-20 to ML. d. 64-108 from R-20 to ML. e. 67-246 from R-10 to ML. 2. That the failure to grant the requested reclassification would result in the property being wholly unusable in that the property to the rear is zoned R-19 and as a result thereof the use restrictions of section 255.1 deny reasonable use of the Petitioner's property. 3. The immediate neighborhood has changed from a residential character to a commercial-industrial character.

W. Lee Harrison, Esq. 306 W. Joppa Road Towson, Maryland 21204 823-1200 Attorney for Petitioner

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Deputy Zoning Commissioner Date: December 9, 1969

FROM: George E. Goversells, Director of Planning

SUBJECT: Petition 70-112-RX, Reclassification and Special Exception. Northeast side of Beaver Dam Road 660 feet northwest of Cockeysville Road, Nottingham Properties, Inc.

HEARING: Monday, December 15, 1969 (1:00 P.M.)

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

1. The subject request is not in accordance with the preliminary Baltimore County comprehensive zoning map approved for hearing by the Planning Board...

It should be pointed out that any decision rendered pursuant to the subject petition for any other zoning reclassification petition will be, in effect, subject to rejection or confirmation upon adoption of the new comprehensive zoning map, required under the County Code by June 30, 1970.

2. We question that the subject petition has been validly filed, in that the petition or at least one copy of it does not include a detailed explanation of the reasons why, in the petitioner's opinion, the reclassification sought should be made...

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty Date: December 9, 1969

FROM: George E. Goversells

SUBJECT: Petition 70-112-RX

3. We are quite puzzled by the reclassification request as it relates to the request for a special exception. It is our understanding that above-ground storage of inflammable liquids is not permitted in B.R. zoning according to our edition of the regulations, only underground storage of such liquids is permitted on the other hand, the regulations do list above-ground inflammable-liquid storage as a permitted use within zoning under the R-10 classification...

4. The essential nature of the use proposed is not clearly revealed to us by the plans submitted. Among other things, we note that a "retail pump island" and a "future pump island" are indicated on the plans. Do these constitute structures or a portion of a site used primarily for the retail sale to the public of automotive fuels and other automotive energy or power sources - viz., an automotive service station?

Stamp: OCT 24 1969 PM

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 4, 1969

CLARENCE BERRY, JR., 111 W. CHESAPEAKE AVE., TOWSON, MARYLAND 21286 OLIVER E. AVES, Chairman

W. Lee Harrison, Esq., 306 W. Joppa Road, Towson, Maryland 21204

RE: Type of Hearings Reclassification from an R-10 Zone to an BR Zone, and for Special Exception for storage of inflammable liquids and gases above ground locations: W/S of Beaver Dam Rd., 660' N.E. of center line Cockeysville Road, Petitioner: Nottingham Properties, Inc. Committee Meeting of October 28, 1969 8th District Item 79

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 two dwellings with a great portion of the property vacant. The property to the north is improved with the Maryland Pigment Company to the west with the Greater Baltimore Industrial Park to the east with vacant land and some industrial uses to the south with a Beaver Dam Swim Club property. Beaver Dam Road in this location is not improved as far as concrete curb and gutter are concerned.

Beaver Dam Road is an existing road which is proposed to be abandoned in part and relocated horizontally to an alignment as indicated on the subject plan. The proposed highway improvements through this site will consist of the construction of a 40-foot wide closed roadway section with flexible type pavement with a 70-foot right-of-way with any portion of land occurring on the south side of the proposed highway being included in the highway right-of-way. The plan is in general accordance with the proposed highway improvements for Beaver Dam Road and McCormick Road.

W. Lee Harrison, Esq., 306 W. Joppa Road, Towson, Maryland 21204 Item 79 Page 2

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Highways: (Continued) adjacent to this site and are available to the property owner for specific details concerning the vertical and horizontal alignment of the proposed highway improvements. Highway widening and/or right-of-way will be required through this property in connection with any subsequent grading or building permit applications. Therefore, this office recommends that any zoning reclassification be defined or described in a manner so limit the use thereof to that portion of the subject property situated on the north side of Beaver Dam Road, (McCormick Road) as proposed to be relocated.

The grading and improvements of the subject property should be designed so that the finished elevation along the frontage of the proposed highway right-of-way are compatible with the proposed roadway curb grades. Until such time that the proposed highway improvements are completed, this property would have access by temporary entrances onto the existing roadway paving of Beaver Dam Road.

All entrance locations are subject to approval by the Bureau of Traffic Engineering.

Sewer Drainage: The Applicant must provide necessary drainage facilities (temporary or otherwise) to prevent creating any nuisances or dumps 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.

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

Water: Public water supply is available to serve this property.

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the petition, a sufficient change in the area of the subject property is warranted.

The above reclassification should be had, and it further appearing that by reason of the petition, the requirements of Section 702.1 of the Baltimore County Zoning Regulations

Special Exception for a Storage of Inflammable Liquids & Gases above ground

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 31 day of December, 1969, that the herein described property or area should be and

the same is hereby reclassified, from R-10 & M-L Zones to a B-R Zone, and as a Special Exception for a Storage of Inflammable Liquids & Gases above ground, from and after the date of this order, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning & Zoning.

Edward D. Hardesty, Deputy 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

The above reclassification should NOT BE HAD, and or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of of 1969, that the above reclassification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a Zone, and or the Special Exception for

Zoning Commissioner of Baltimore County

W. Lee Harrison, Esq. 306 W. Joppa Road Towson, Maryland 21284 Item 79 Page 3

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Sanitary Sewers

Public sanitary sewerage is not available to serve this property at this time; however, public sewerage could be made available to serve this site when the proposed 30-inch sanitary sewer (Oregon Branch Interceptor Sewer) is constructed in the future. The construction schedule for this sewer is indefinite at this date and would also require the construction of an 8-inch lateral sanitary sewer in Beaver Dam Road from a point approximately 200 feet easterly of this site.

PROJECT PLANNING DIVISION

Complete parking calculations must be shown on the site plan. If the 20' road is to be used by the petitioner, the road must have a durable and dustless surface properly drained.

FIRE DEPARTMENT

Owner shall be required to comply with all Fire Department requirements in accordance with Life Safety Code, 1967 edition; and, Article 16, Fire Prevention Code, 1959 edition, when plans are submitted for approval.

BUILDING ENGINEERS' OFFICE

Petitioner shall conform to Baltimore County Building Codes - Rules and Regulations - No other comments until plans are submitted.

BOARD OF EDUCATION

The present zoning would yield approximately two (2) students while a reclassification would yield none.

HEALTH DEPARTMENT

Public water is available and sewer is proposed. Provisions should be made to prevent any gasoline seeping into the soil or entering the nearby water courses in the event of spillage or accidental rupture of the storage tanks.

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, Baltimore County Department of Health.

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BUREAU OF TRAFFIC ENGINEERING

The subject petition is a reclassification from R10 to BR zoning. As R10, the subject site could generate 70 trips per day, while as BR, the subject site could generate 1200 trips per day. It should be pointed out, however, that should the subject site be zoned BR, the trip density would only be 120 trips per day.

ZONING ADMINISTRATION DIVISION

The petitioner indicates a dike to be constructed around the tank area. This dike, if it is to be a permanent structure, must be located at least 30 ft. from the property line and a building permit will be required.

The petitioner does not indicate a parking breakdown on his site plan. This must be indicated on the site plan prior to the hearing along with a clarification of the area located in the southeasternmost corner of the property.

The site plan shows an entrance from a 20 ft. right-of-way with a truck loading rack in this entrance. If this area is used it would have to be surfaced with a durable, dustless material.

The petitioner has not complied with Bill No. 72 as to an explanation as to the alleged changes and error in the original zoning.

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. Mills, Chairman

OLM:JD Enc.

INVOICE BALTIMORE COUNTY, MARYLAND No. 67066 OFFICE OF FINANCE DATE: Nov. 27, 1969

To: W. Lee Harrison, Esq. 306 W. Joppa Road Towson, Md. 21284

Table with columns: COUNTY, DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS, TOTAL AMOUNT \$0.00, Description: Petition for Reclassification for Washington Properties, Inc. 490-112-02

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

INVOICE BALTIMORE COUNTY, MARYLAND No. 67098 OFFICE OF FINANCE DATE: Nov. 16, 1969

To: Harry Order 490-112-02

Table with columns: COUNTY, DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS, TOTAL AMOUNT \$0.00, Description: Advertising and posting of property for Washington Properties, Inc. 490-112-02

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 Dec 5, 19 69

THIS IS TO CERTIFY, that the annexed advertisement of Edward D. Hardesty, Deputy Zoning Commissioner of Baltimore County was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for One week before the 5th day of Dec., 1969, that is to say, the same was inserted in the issue of November 27, 1969.

STROMBERG PUBLICATIONS, Inc.

By: Ruth Morgan

REVISION FOR RECLASSIFICATION AND SPECIAL EXCEPTIONS... PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTIONS...

PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTIONS... The Zoning Commissioner of Baltimore County, by authority of the Board of Public Safety and Zoning Commission...

CERTIFICATE OF PUBLICATION

TOWSON, MD., NOV 27 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 one time before the 15th day of December, 1969, the first publication appearing on the 27th day of November 1969.

THE JEFFERSONIAN, L. Leach, Publisher, Manager.

Cost of Advertisement \$

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 822 Date of Posting: NOV 27, 1969 Posted for: RECLASSIFICATION FROM R10 to M-L to B-R. Petitioner: WASHINGTON PROPERTIES, INC. Location of property: N.E. CORNER DAN RD. 660 FT. NW. of C. C. BERRYVILLE ROAD. Location of Signs: @ EAST SIDE of BEAVER DAM RD. 714 FT. N.E. of C. C. BERRYVILLE RD. @ EAST SIDE of BEAVER DAM RD. 100 FEET SOUTH OF WASHINGTON RD. Remarks: Posted by: Charles W. Stal Signature Date of return: DEC 17, 1969 # 70-112-RX

