

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Hutzel Brothers Company legal owner... of the property situate in Baltimore, ADAP County and which is described in the description and plat attached hereto and made a part hereof, #9 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 SE-2-C zone to an NE 10-A zone; for the following reasons:

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 WIRELESS TRANSMITTING AND RECEIVING STRUCTURE

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, 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.

Hutzel Brothers Company
Contract purchaser
Address 217 N. Howard Street
Baltimore, Md. 21201
Legal Owner
Petitioner's Attorney
Address 423 N. Howard Street
Baltimore, Md. 21201
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 7th day of April, 1970, 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 25th day of May, 1967 at 10:30 clock.

Edward D. Hardesty
Zoning Commissioner of Baltimore County.

(over)

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

OFFICE 823-9000

November 26, 1969

DESCRIPTION TO ACCOMPANY ZONING APPLICATION
SPECIAL EXCEPTION
WIRELESS TRANSMITTING AND RECEIVING STRUCTURE
HUTZEL TOWSON

BEGINNING for the same at the intersection formed by the south side of Joppa Road with the northwestern side of Delaware Avenue running thence and binding on the northwestern side of Delaware Avenue 524'21"20"W 280' to the northeast side of Shealey Avenue running thence and binding on the northeast side of Shealey Avenue 160'41"00"W 253' to the southeast side of Dulany Valley Road running thence and binding on the southeast side of Dulany Valley Road 112'25"00"E 150' to the south side of the aforesaid Joppa Road running thence and binding on the south side of Joppa Road 186'04"15"E 323' to the place of beginning.



E. F. Raphael
Eugene F. Raphael 82246
Registered Professional
Land Surveyor

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Zoning Commissioner Date: May 15, 1970
FROM: George E. Gavelis, Director of Planning
SUBJECT: Petition # 70-214-X. Northwest corner of Delaware and Shealey Aves. Petition for Special Exception for Wireless Transmitting and Receiving Structure.
Hutzel Bros. Co. - Petitioners

9th District

HEARING: Monday, May 25, 1970 (10:30 A.M.)

The Staff of the Office of Planning and Zoning has reviewed the subject petition for special exception for a radio transmitting facility atop Hutzel's Department Store in Towson.

We offer no comment.

GEG:msh

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 9th Date of Posting May 2, 1970
Posted for Monday, May 25, 1970, 10:30 A.M.
Petitioner: Hutzel Bros. Co.
Location of property: NW Cor. of Delaware & Shealey Aves.
Location of Sign: 1 sign, South Side, between Shealey & Dulany Sts.
Remarks: None
Posted by M. H. Hardesty Signature Date of return: May 14, 1970

NOTICE FOR SPECIAL EXCEPTION
FOR THE SPECIAL EXCEPTION FOR THE WIRELESS TRANSMITTING AND RECEIVING STRUCTURE, THE PETITIONER HAS BEEN ADVISED THAT THE PETITION WILL BE HEARD BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY ON MONDAY, MAY 25, 1970, AT 10:30 A.M. IN ROOM 106, COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, TOWSON, MARYLAND. THE PETITIONER IS ADVISED THAT IF HE DOES NOT APPEAR AT THE HEARING, HIS PETITION WILL BE DENIED. THE PETITIONER IS ADVISED THAT HE MAY APPEAR AT THE HEARING AND STATE HIS CASE. THE PETITIONER IS ADVISED THAT HE MAY APPEAR AT THE HEARING AND STATE HIS CASE. THE PETITIONER IS ADVISED THAT HE MAY APPEAR AT THE HEARING AND STATE HIS CASE.

THE TOWSON TIMES
TOWSON, MD. 21204 May 11 - 1970

THIS IS TO CERTIFY, that the annexed advertisement of Edward D. Hardesty, 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 11th day of May, 1970, that is to say, the same was inserted in the issue of May 7, 1970.

STROMBERG PUBLICATIONS, INC.

By Robert Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD. 21204 May 11 - 1970

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 successive weeks before the day of May 19, 1970, the first publication appearing on the day of May 19, 1970.

THE JEFFERSONIAN

Cost of Advertisement: \$8.00

Manager

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 27, 1970

COUNTY OFFICE BLDG.
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

OLIVER L. MYERS
Chairman

MEMBERS

BOULEVARD ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

ST. LOUIS COMMISSION

FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

A. Adgate Duer, Esq.,
929 No. Howard Street
Baltimore, Maryland 21201

RE: Type of Hearing: Special Exception
Wireless transmitting and receiving structure
Location: S/S Joppa Road, NW/SE Delaware Avenue
Petitioners: Hutzel Brothers Company
Committee Meeting of April 7, 1970
9th District
Item 203

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 the Hutzel Brothers department store. The surrounding properties being improved with existing commercial structures and parking lots. Joppa Road and Delaware Avenue in this location are improved as far as concrete curb and gutter are concerned.

BUREAU OF ENGINEERING

Since no further highway improvements are required and all public utilities exist, this office has no further comment in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

PROJECT PLANNING DIVISION

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

SEPT. TRAFFIC ENGINEERING

The subject Special Exception should have no effect on traffic.

A. Adgate Duer, Esq.,
929 No. Howard Street
Baltimore, Maryland 21201
Item 203

April 27, 1970

BOARD OF EDUCATION

No bearing on student population.

HEALTH DEPARTMENT

Since proposed petition is for a wireless transmitting and receiving structure no health hazards are anticipated.

FIRE DEPARTMENT

Owner shall be required to comply with all applicable requirements of the National Fire Code, Volume 4, No. 78 "Lighting Protection", when construction plans are submitted for approval.

BUILDING ENGINEER'S OFFICE

Petitioner to comply with all applicable requirements of the Baltimore County Building Code and Regulations.

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
OLIVER L. MYERS, Chairman

OLM:JD
Enc.

TELEPHONE
823-9000
EXT. 287

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

No. 71201

DATE: May 1, 1970

To: Honors. Miles, Burton & V...
529 N. Howard Street
Baltimore, Md. 21201

DEBIT TO ACCOUNT NO. 81-622
QUANTITY
Petition for Special Exception for Hutzel Brothers Co.
770-214-X

TOTAL AMOUNT
\$50.00
COST
\$50.00

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

TELEPHONE
823-9000
EXT. 287

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

No. 71243

DATE: May 1, 1970

To: Honors. Miles, Burton & V...
529 N. Howard Street
Baltimore, Md. 21201

DEBIT TO ACCOUNT NO. 81-622
QUANTITY
Advertising and posting of property for Hutzel Bros. Co.
770-214-X

TOTAL AMOUNT
\$39.75
COST
\$39.75

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

70-214-X
#203

MUTZES BROS. CO.
INCORP. of Delaware & Shealey Ave.
#70-214-X

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations

a Special Exception for a Wireless Transmitting and Receiving should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 28

day of May, 197 0, ~~that the herein described property or area should be and~~

~~the same is hereby continued, from~~

~~zone and/or a Special Exception for a Wireless Transmitting and should be and the same is~~

Receiving Structure granted, from and after the date of this order, subject to the approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

Edward D. Hardy
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 re-classification 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 _____, 197 __, that the above re-classification 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 _____ be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

DATE

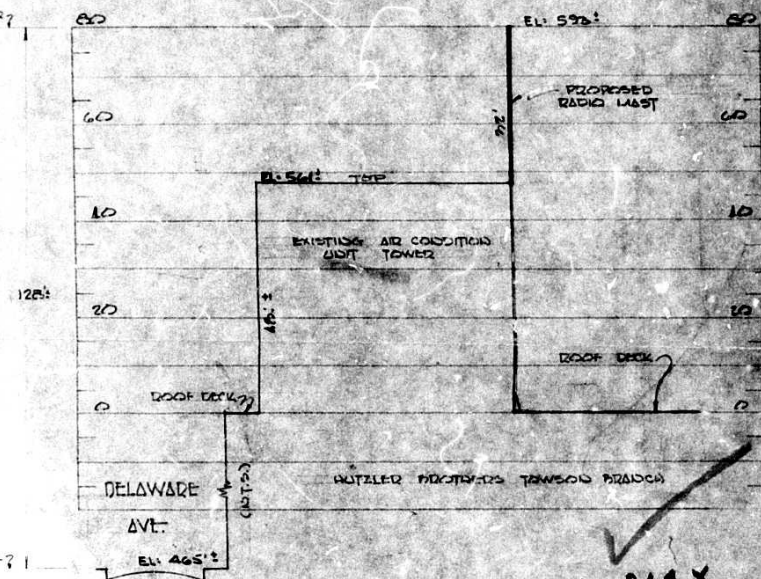
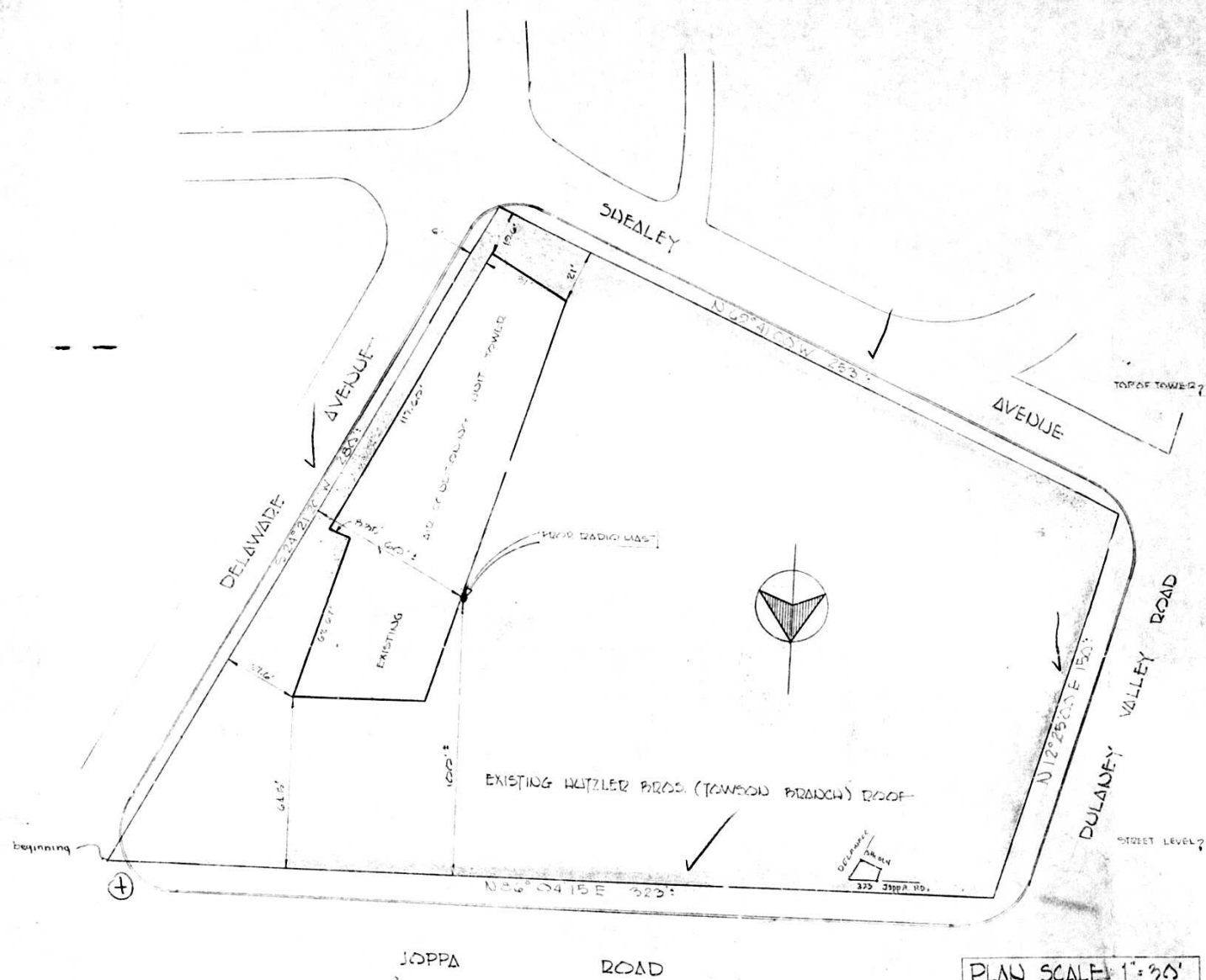
BY

5/28/70
J. C. Hardy
ADMINISTRATIVE ASSISTANT

MICROFILMED

1-70
019

14-X
13



#70-214X

OFFICE COPY

MAP
#9
SEC. 3-C
NE-10-A
"X"

NOTE:

1. SPECIAL EXCEPTION FOR WIRELESS RADIO TOWER
2. EXISTING ZONE - BUSINESS MAJOR

E. F. RAPHEL & ASSOC.
registered professional land surveyors
201 COUNTRYLAND AVE.
TOWNSON, MD. 21204



PLAT TO ACCOMPANY ZONING APPLICATION OF
HUTZLER BROTHERS-TOWNSON BRANCH
ELECTION DISTRICT NO. 9
SCALE: AS NOTED

BALTIMORE COUNTY, MD.
NOVEMBER 23, 1967
REV. MARCH 13, 1970