

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Michael J. & Alvina M. Goeb, legal owner(s) 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 R-6 zone to an BL zone; for the following reasons:

That for many years long before zoning rules and regulations were in effect, the said property was used and is still being used as a retail florist and nursery shop.

That at the present time there is a non-conforming use in an R-6 zone.

That in order to effectively serve the public, the owners request the zoning Commissioner to change the zoning from a non-conforming use to a BL zone. The present zoning of this property precludes the owner from using this property for the proper benefit of the public and himself. In order to improve the property the zoning required would have to be "BL".

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 a retail nursery and florist shop.

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.

Contract purchaser
Michael J. Goeb
Alvina M. Goeb Legal Owner
Address: 7821 Oakleigh Road
Baltimore, Maryland 21234

M. Michael Haslan Petitioner's Attorney
Protestant's Attorney

Address: 2137 Dundalk Avenue
Baltimore, Maryland 21222

ORDERED BY THE Zoning Commissioner of Baltimore County, this 10th day of March, 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 9th day of June, 1970, at 1:00 o'clock

Edward D. Hardesty
Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING

DATE 4/26/70 FILED 4/26/70



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

March 10, 1970

M. Michael Haslan, Esq.
2137 Dundalk Avenue
Baltimore, Maryland 21222

RE: Type of Hearing: Reclassification from an R-6 zone to an BL zone and for special exception for retail nursery and garden shop located: 1/3 Oakleigh Road, 420' S. of Taylor Avenue
Petitioners: Michael J. Goeb
Committee Meeting of March 10, 1970
9th District
Item 104

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 nursery which appears to be nonconforming to the property's to the north, south, east and west. Improvements with dwellings, 10 to 20 years of age, in good repair. Oakleigh Road in this location is not improved as far as concrete curb and gutter are concerned.

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject site is requesting a change from R-6 to BL. Oakleigh Rd. is in its present condition, is not adequate for commercial traffic.

BUILDING ENGINEER'S OFFICE:

Petitioner to comply with Business and Mercantile Structures of Baltimore County Building Code, see Section 409.5.

PROJECT PLANNING DIVISION:

The plan must be revised to show the road widening on Oakleigh Road along with the future curb and gutter.

M. Michael Haslan, Esq.
2137 Dundalk Avenue
Baltimore, Maryland 21222
Item 104

- 2 - March 10, 1970

BOARD OF EDUCATION:

No bearing on student population.

FIRE DEPARTMENT:

This office has no comment for the proposed site.

ZONING ADMINISTRATION DIVISION:

The petitioner will be required to submit revised plans to this office indicating the following:

1. Means of providing water and sewer to the property.
2. The petitioner indicates a cemetery directly across from the proposed retail store. This is incorrect, as homes exist along the majority of the frontage of the property, with an intersecting street to the north. These homes and this street must be shown.
3. Screening around the proposed parking area to the north and west.
4. The proposed widening for Oakleigh Road and readjustment of the parking area.

This revised plan must be submitted to this office prior to the hearing.

This petition is accepted for filing on the date of the enclosed filing certificate to. Note of the hearing date and time, which will be held not less than 70, 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

CC: BLDG
ENR.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Zoning Commissioner Date: June 5, 1970

FROM: Mr. George E. Gavellis, Director of Planning

SUBJECT: Petition #70-234-R, East side of Oakleigh Road 420 feet South of Taylor Avenue. Petition for Reclassification from R-6 to B.L. Zone.
Michael J. Goeb - Petitioner

9th District

HEARING: Monday, June 8, 1970 (1:00 p.m.)

The Staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 to B.L. zoning. We note that the subject property deliberately was left in a non-conforming status and we feel that that decision of the County Council absolutely was correct. We see no changes which have occurred in the manner of land use or the character of the neighborhood which would justify any change in that decision. Further, the zoning issue is not one of providing relief for non-conforming use; the issue is whether or not the subject property, in the context of its surroundings, is appropriate for any and all of the uses permitted as a matter of right in the B.L. zone. We think not.

GEG:msh



J. Paul Hogan

TELEPHONE 823-3000 EXT. 587		INVOICE		No. 71273	
BALTIMORE COUNTY, MARYLAND					
OFFICE OF FINANCE					
Division of Collection and Receipts					
COURT HOUSE					
TOWSON, MARYLAND 21204					
Billing Dept. of Baltimore County					
TO: Michael J. Goeb 7821 Oakleigh Road Baltimore, Md. 21234					
DATE: June 8, 1970					
BILLED BY:					
RETURN THIS PORTION WITH YOUR REMITTANCE					
DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORD					
TOTAL AMOUNT DUE \$0.00					
CITY					
COUNTY					
STATE					
ZIP					
ADVERTISING AND POSTING OF PROPERTY \$0.00					
TOTAL \$0.00					
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND					
MAIL TO: DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204					

TELEPHONE 823-3000 EXT. 587		INVOICE		No. 69300	
BALTIMORE COUNTY, MARYLAND					
OFFICE OF FINANCE					
Division of Collection and Receipts					
COURT HOUSE					
TOWSON, MARYLAND 21204					
Billing Dept. of Baltimore County					
TO: Michael J. Goeb 7821 Oakleigh Road Baltimore, Md. 21234					
DATE: 2/26/70					
BILLED BY:					
RETURN THIS PORTION WITH YOUR REMITTANCE					
DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORD					
TOTAL AMOUNT DUE \$0.00					
CITY					
COUNTY					
STATE					
ZIP					
Petition for Reclassification for Michael J. Goeb On Per \$15.00 Cash \$15.00					
TOTAL \$15.00					
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND					
MAIL TO: DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204					

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th Date of Posting: May 26, 70
Posted for: Reclassification from R-6 to B.L. Zone
Petitioner: Michael J. Goeb
Location of property: East side of Oakleigh Rd 420' S. of Taylor Ave
Location of Sign: 1 sign posted on front of existing flower shop
Remarks: NAI Oakleigh Ave
Posted by: David H. Hardesty Date of return: May 28 - 70



THE TOWSON TIMES May 26, 1970. TOWSON, MD 21204 821-7900

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 WEEKEND week before the 25th day of May 1970, that is to say, the same was inserted in the issue of May 21, 1970.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

M. Michael Haslan, Esq.
2137 Dundalk Avenue
Baltimore, Maryland 21222

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 26th day of May, 1970

Edward D. Hardesty
Edward D. Hardesty, Zoning Commissioner

Petitioner: Michael J. Goeb
Petitioner's Attorney: Michael Haslan, Esq. Reviewed by: Oliver L. Myers
Chairman of Advisory Committee

11-13-70

70-234-2
#184

MICHAEL J. GOEB
E/S Oakleigh Rd. 420' S of Taylor
Ave.
70-234-R
9th

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of error in the original zoning map

the above Reclassification should be had; ~~and in the appearing that by reason of~~

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 26 day of June, 1980, that the herein described property or area should be and the same is hereby reclassified; from an R-6 zone to a BL zone, ~~and no Special Exception or~~

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. Gaudin
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 _____, 196., 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 ad to remain a _____ zone; and or the Special Exception for _____ be and the same is hereby DENIED.

RECEIVED FOR PROCESSING
BY <u>O.E.M.</u>
DATE <u>2-25-78</u>
OFFICE OF PLANNING & ZONING

Zoning Commissioner of Baltimore County

MICROFILMED

ORDER RECEIVED FOR FILING

DATE 6/24/80

BY

HILYARD

ROAD

ROAD

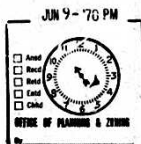
OAKLEIGH



CENTURY

GOING
OFFICE COPY
#184
REVISED PLANS

#70-234R



120' TO TAYLOR AVE.

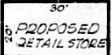
FUTURE WIDENING LINE



ZONED R-G
USE RESIDENTIAL



EXIST. PARKING
(TO BE ELIMINATED)



LOT 296

PROP. SCREENING (4' HIGH)

PROP. SCREENING (4' HIGH)

PROPOSED PARKING (7 SPACES)

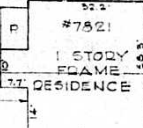
LOT 297

GREENHOUSE

EXISTING DRIVEWAY

LOT 298

GREENHOUSE



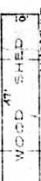
ZONED R-G

LOT 299

GREENHOUSE

GREENHOUSE

LOT 300



WOOD SHED

LOTS 296 - 302
PLAT OF

"WEST MORELAND FRUIT FARM"

LOT 301

LOT 302



ZONED R-G
USE RESIDENTIAL

NOTES:
ELECTION DISTRICT #2 BALTO. COUNTY, MD.
ZONED: (EXISTING) R-G
PRESENT USE: DETAIL FLORIST
PROPOSED ZONING: BL
PROPOSED USE: DETAIL FLORIST & GARDEN SHOP
AREA: 0.74 Ac.±
AREA PROPOSED RETAIL STORE: 600 SQ. FT.
NUMBER PARKING SPACES REQ'D. 1/200 SQ. FT. = 3
NUMBER PROP. PARKING SPACES - 7

ZONING PLAT
#7821 OAKLEIGH ROAD

FOR
MR. & MRS. MICHAEL GOED
7821 OAKLEIGH ROAD
BALTIMORE, MD. 21234

#70-234R

Revised: June 8, 1970
Revised: June 5, 1970



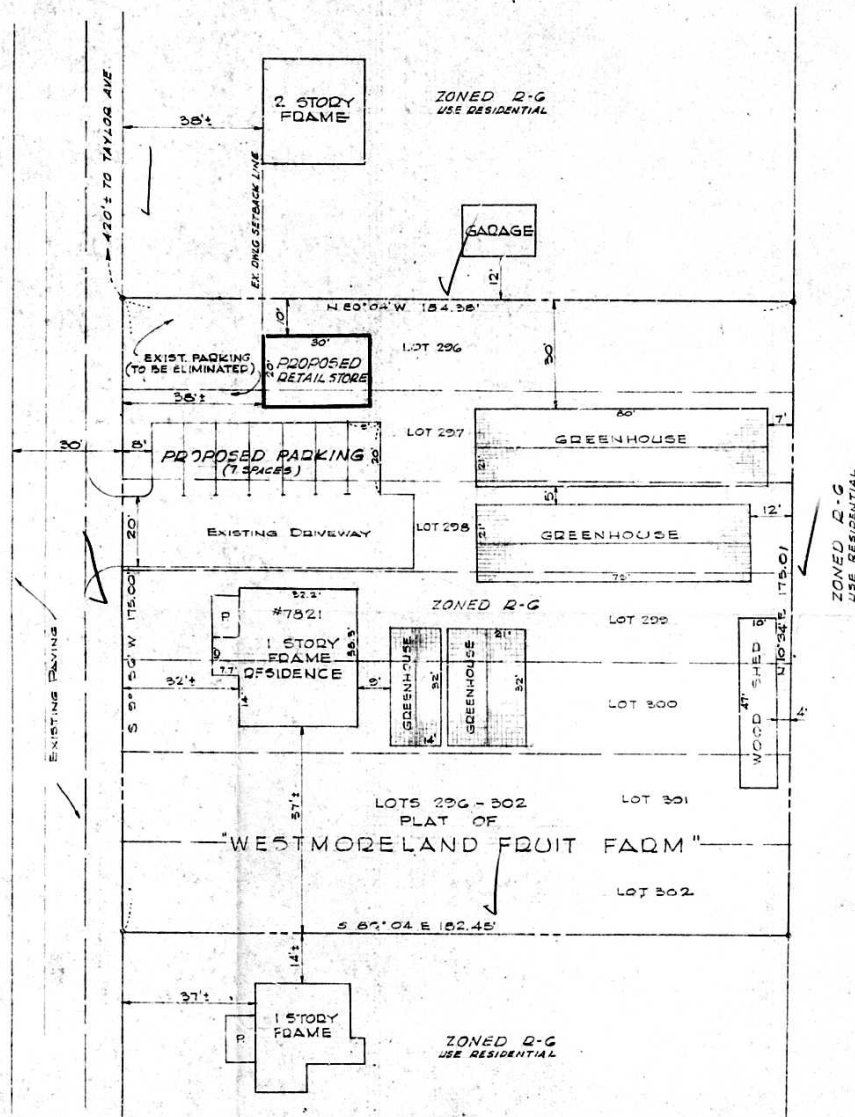
EVANS, HAGAN & HOLDEFER
SURVEYORS AND CIVIL ENGINEERS
4200 ELSHOD AVENUE / BALTIMORE, MD. 21214
(301) 436-2144

DATE: 7-11-70 SCALE: 1" = 20'



CAVLEIGH

CEMENTED



#70-234R

ELECTION DISTRICT #9 BALTO. COUNTY, MD.
ZONED: (EXISTING) Q-G
PRESENT USE: DETAIL FLOQUIST
PROPOSED ZONING: BL
PROPOSED USE: DETAIL FLOQUIST & GARDEN SHOP
AREA: 0.74 Ac. ±
AREA PROPOSED RETAIL STORE: 600 SQ. FT.
NUMBER PARKING SPACES REQ'D: 1/200 SQ. FT. = 3
NUMBER PROP. PARKING SPACES - 7

ZONING PLAT
#7821 OAKLEIGH ROAD
EQR

MR. & MRS. MICHAEL GOED
7821 OAKLEIGH ROAD
BALTIMORE, MD. 21234

#70-234R

OFFICE
COPY

NORTH-EASTERN
AREA
SEC.3-C
NE-8-C
BL-



EVANS, HAGAN & HOLDEFER
SURVEYORS AND CIVIL ENGINEERS
4200 ELSRODE AVENUE / BALTIMORE, MD. 21214
(301) 426-2144

DATE 7-11-69 SCALE 1"=20'

DATE 7-11-69 SCALE 1" = 20'