

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Michael W. Paal, 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 reclassified, pursuant to the zoning L.W. of Baltimore County, from an R-6 zone to a BR zone; for the following reasons:

There was a mistake in the original zoning and/or the character of the neighborhood has changed to such an extent that the reclassification requested is proper.

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 none

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.

Helen Beard Paal
Helen Beard Paal
Michael W. Paal Legal Owner
Address: 5639 Baltimore National Pike
Baltimore, Md. 21228

James D. Nolan, Esq.
James D. Nolan, Esq.
Nolan, Plumbhoff & Williams
Address: 204 W. Pennsylvania Avenue
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of October, 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 15th day of October, 1970, at 10:00 o'clock.

Edward D. Lind
Zoning Commissioner of Baltimore County

10/15/70
211-5770

PRINTED BY JAMES & JUNE

PROPERTY OF

HELEN BEARD PAAL AND MICHAEL W. PAAL

FIRST ELECTION DISTRICT OF BALTIMORE COUNTY

I. LOCATION OF THE PROPERTY

The subject property of approximately 4.342 acres lies immediately to the south of a parcel of ground owned by the petitioners, which is zoned BR, and which has been used for many years for a nursery and floral business by the petitioners and Mr. Rutland Beard, the father of Helen Beard Paal, in the 5600 block of Route 40 West, Baltimore National Pike. The existing BR tract on the south side of Route 40 enjoys some 397 feet of frontage on Route 40 with a short exposure to Old Frederick Road where it comes into Route 40. The subject tract lies immediately to the south of the existing BR tract and is oriented to, and only usable in connection with this Route 40 frontage. The subject tract is almost completely surrounded by commercial and public uses, as can be seen on the zoning plat: that is, it is bordered by the petitioners' BR tract to the north; on the east, the border is about equally divided between a BR bordering tract to the northeast and Board of Education property to the southeast; while, the entire southern border is Board of Education land, which, like that on the southeast, is used in connection with the Westown Elementary School; and, finally, on the west the property is bordered almost entirely by developed BL land, with a very short border on the southwest of an R-6 zone. The property is essentially unused at present, and it has no road frontage whatever of its own, as it can only be reached by crossing the petitioners' BR tract along Route 40. That is, this tract is oriented to, and usable only in connection with the commercial activity along Route 40.

II. PRESENT ZONING

The property is presently zoned R-6, but is essentially undeveloped and, in fact, is undevelopable for any residential use.

III. REQUESTED ZONING

The petitioners submit that the property is only usable in connection with the existing BR land on the south side of Route 40, and accordingly they request that this property be reclassified to BR, in order that the entire tract may be effectively developed for use by the petitioners or a new retail floral outlet integrated into a motel and restaurant facility to serve the growing needs for high grade motel and meeting space arising from the intense commercial development centering around Westview, as well as the industrial and governmental needs of an expanding nearby Social Security complex and industrial activity centering about the nearby Meadows and Security Industrial Parks, as well as the needs of travelers brought into the area by the Beltway and the newly opened Interstate 70-N.

IV. REASONS FOR REQUESTED RECLASSIFICATION

This area along Route 40 has undergone a complete metamorphosis since the early 1950's. It has been designated by the Planners of Baltimore County as the western center of commercial activity in the Catonsville-Woodlawn area, namely, the Westview Sector Center. The subject property is far too strategically located in the Westview Sector Center area to continue to use it for nursery purposes. Due to the fact that it is almost completely surrounded, as previously outlined, by public and commercial uses, it has no utility for residential uses of any sort, but properly should be used for commercial purposes complementing the extensive retail facilities existent at Westview, the governmental and

Industrial activities at the Meadows, and the Interstate and intrastate travel needs created by Route 40 and Interstate 70N.

Furthermore, the requested reclassification is granted, it will represent an evening of the depth of commercial uses along the south side of Route 40 in this area, and will be beneficial to this area in general. For these and other reasons to be brought out at the time of the hearing hereon, the petitioners respectfully request that the property be reclassified BR.

Respectfully submitted,

James D. Nolan, Esq.
James D. Nolan, Esq.
Nolan, Plumbhoff & Williams
Petitioners

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty,
Zoning Commissioner

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

SUBJECT: Petition #71-125-R. South side of Baltimore National Pike 800 feet east of Ingleside Avenue. Petition for Reclassification from R-6 to B.R. Zone. Michael W. Paal - Petitioner

1st District

HEARING: Thursday, October 15, 1970 (10:00 a.m.)

The Staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 to B.R. zoning and has the following advisory comments to make relative to pertinent planning factors.

The Planning Board is recommending extension of commercial zoning southerly to the center line of a proposed road running alongside the northerly edge of the Westown Elementary School site. The alignment of such road is not finally determined, therefore action on this zoning case should await such determination.

The portion of the property between the road and the school site is recommended for D.R. 16 zoning. We feel very strongly that any extension of commercial zoning to a point south of the proposed road would adversely affect the neighborhood and would constitute spot zoning since it would not be in accordance with a comprehensive plan.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 11, 1970

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

OLIVER L. MYERS
Chairman

MEMBERS

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

James D. Nolan, Esq.
Nolan, Plumbhoff & Williams
204 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Type of Hearing: Reclassification from an R-6 zone to an BR zone. Location: 5/5 Baltimore National Pike, 830' E. of Ingleside Ave. Petitioners: Helen B. and Michael W. Paal. Committee Meeting of May 5, 1970 1st District Item 291

Dear Sir:

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 greenhouse, nursery business, and several dwellings. The property to the west is improved with a bowling alley, service station complex. The property to the east, a school and some commercial businesses. The property to the south is bordered by the Board of Education. The property to the north is bordered by the Baltimore National Pike, Route 40. Route 40 in this location is not improved with concrete curb and gutter.

BUREAU OF ENGINEERING:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

A proposed public road (Longview Drive), planned to extend westerly from Marion Lane and thence southeasterly through this property, is to be designed and constructed in the future as a 40-foot closed section within a 60-foot right-of-way. A revised plat is required indicating a 60-foot right-of-way together with reversible easement areas for supporting slopes for this public road.

James D. Nolan, Esq.
Nolan, Plumbhoff & Williams
204 W. Pennsylvania Avenue
Towson, Maryland 21204
Item 291

- 2 - June 11, 1970

Highways: (Continued)

The petitioner is advised to contact the Baltimore County Office of Planning and Zoning, and the Developers Design and Approval Section of the Baltimore County Bureau of Engineering for location, alignment and design requirements for this road.

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

Baltimore National Pike (U.S. 40 West) is a State road; therefore, all improvements, intersections, and entrances on this road will be subject to State Roads Commission requirements.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan. However, a drainage study, storm drain facilities and/or easements will be required in conjunction with development of this property.

The petitioner must provide necessary drainage facilities (temporary or permanent) 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 improper installation of drainage facilities, would be the full responsibility of the petitioner.

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. A grading permit is, therefore, necessary for all grading, including the striping of top soil.

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

Water:

Public water supply is available to serve this property.

James D. Nolan, Esq.
Nolan, Plumbhoff & Williams
204 W. Pennsylvania Avenue
Towson, Maryland 21204
Item 291

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Sanitary Sewer:

Public sanitary sewerage will be available to serve this property upon completion of the sanitary sewerage (Job Order 1-2-363) presently under construction (See Baltimore County Bureau of Engineering Drawing #66-0700 (1))

ZONING ADMINISTRATION DIVISION:

This office is withholding a hearing date until such time as the petitioner indicates on revised plans the proposed road known as Longview Drive and its right-of-way width.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

OLM:JD
Enc.

DATE 12/29/70 - 10/10/71

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that the petitioners proved error in zoning the subject property R-6 on the Land Use Map

the above reclassification should be had, and the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 30 day of December, 1970, that the herein described property or area should be and the same hereby reclassified, from a R-6 zone to a U-B zone, and from and after the date of this order, subject to approval of the site plan by the State Roads Commission, Bureau of Public Services and the Office of Planning and Zoning.

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 , 196, 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 be and the same is hereby DENIED

Zoning Commissioner of Baltimore County

MICROFILMED

MICROFILMED

71-125-2
MICROFILMED
#71-125-2
#291

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
200 N. W. 2nd St., TOWSON, MD. 21204

Description to Accompany Pending Petition
For Reclassification From Existing R-6 Zone
To BR Zone Part of Property south side
Baltimore National Pike 630' East of Ingleside Ave.

Beginning for the same at a point on the southerly right-of-way line of the Baltimore National Pike 150 feet wide, said point being distant 200 feet as measured easterly along said southerly right-of-way, from the easterly line of Ingleside Avenue, running thence continuing along the southerly right-of-way of said Baltimore National Pike North 77° 14' 12" East 306.81 feet, thence leaving said southerly right-of-way line and running the five following courses, viz: first South 04° 53' 33" West 302.92 feet, second South 04° 30' 33" East 296.13 feet, third South 03° 32' 33" East 319.81 feet, fourth South 02° 33' 33" West 333.64 feet, and fifth North 04° 21' 21" West 746.33 feet to the place of beginning.

Containing 6.488 acres of land more or less.

Saving and excepting that portion of land herein (2.146 acres more or less) presently zoned BR.



MICROFILMED

STATE OF MARYLAND
STATE ROADS COMMISSION
300 WEST PEERSON STREET
BALTIMORE, MD. 21201

May 6, 1970

Mr. Edward D. Hardesty
Zoning Commissioner
County Office Bldg.
Towson, Maryland 21204

Attn: Mr. D. L. Myers

Gentlemen:

The subject plan must be revised to indicate the proposed roadside curb returning into Old Frederick Road on a 30' radius.

The width of the entrances must be indicated.

There is a high steep bank fronting the site that may make it difficult to construct entrances on the maximum permitted grade of 3%.

The plan must be revised prior to the hearing.

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

Very truly yours,

Charles Lee, Chief
Development Engineering
Section
by John E. Meyers
Asst. Development Engineer

CL:JEM:bk

ITEM 291

Re: Zoning Advisory Committee
Meeting 5/5/70
Property Owners: Helen B. & Michael W. Paul
Location: S/S Baltimore National Pike
(Route 40) 830' East of Ingleside Ave.
Present Zoning: R6
Proposed Zoning: Reclass. to B.R.
1st District
No. Acres: 6.488

Mr. Edward D. Hardesty
Zoning Commissioner
County Office Bldg.
Towson, Maryland

Attn: Mr. D. L. Myers

Dear Mr. Hardesty:

We are in receipt of a revised plan of the subject site. However, the plan does not reflect our comments of May 6, 1970.

The plan must indicate the proposed roadside curb returning to Old Frederick Road on a 30' radius. The width of the entrance must be indicated.

It is requested that the plan be revised in accordance with our comments prior to the hearing.

Very truly yours,

Charles Lee, Chief
Development Engineering Section
by John E. Meyers
Asst. Development Engineer

CL:JEM:bk

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Date: May 6, 1970
FROM: Stewart Reed, Plans Review
SUBJECT: #291 Helen B. & Michael W. Paul
S/S Baltimore National Pike
830' E. of Ingleside Avenue
District 1

Petitioner to comply with all applicable requirements of Baltimore County Building Code and regulations, when plans are submitted. Also see Section 100.128 on parking lots.

Stewart Reed
Stewart Reed, Plans Review

MICROFILMED

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING
JEFFERSON BUILDING
TOWSON, MARYLAND 21204
INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty Date: May 7, 1970
Attn: Oliver L. Myers
FROM: C. Richard Moore
SUBJECT: Item 291 - ZAC - May 5, 1970
Property Owners: Helen B. & Michael W. Paul
Baltimore National Pike E. of Ingleside Avenue
Reclass. to BR

The subject petition is requesting a change from R6 to BR of 6.5 acres. This should increase the trip density from 320 to 4800 trips per day. This increased density can only compound the problems now existing at the intersection of Ingleside Avenue and Baltimore National Pike, and Baltimore National Pike and the Beltway.

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRM:mr

MICROFILMED

TO: Mr. Edward D. Hardesty, Zoning Commissioner Date: May 11, 1970
Attn: Mr. Myers
FROM: Lieutenant Thomas E. Kelly
Fire Department
SUBJECT: Property Owners: Helen B. and Michael W. Paul

Location: S/S Baltimore National Pike, 830' E. of Ingleside Avenue

Item # 291 Zoning Agenda May 5, 1970

Owner shall be required to comply with all applicable requirements of the 1971 Life Safety Code, 1967 edition, and the Fire Prevention Code when construction plans are submitted for approval.

Fire hydrants for the proposed site are required and be in accordance with the Baltimore County Standard.

Lt. T. E. Kelly

MICROFILMED

BALTIMORE COUNTY BOARD OF EDUCATION
ZONING ADVISORY COMMITTEE MEETING
OF May 5, 1970

Petitioner: Helen B. & Michael W. Paul
Location: S/S Baltimore National Pike, 830' E. of Ingleside Ave.
District: 1
Present Zoning: R6
Proposed Zoning: R6
No. of Acres: 6.488

Comments: Would not increase student population

MICROFILMED

03-08-71

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Oliver Myers Date: May 4, 1970
 FROM: Ian J. Forrest
 SUBJECT: Item 291 - Zoning Advisory Committee Meeting, May 5, 1970

291. Property Owner: Helen B. and Michael W. Paul
 Location: S/S Balt. Natl. Pike, 830' ± E. of
 Ingleside Ave.
 Present Zoning: R6
 Proposed Zoning: Reclass. to B.R.
 District: 1st
 No. Acres: 6.488

Public water and sewers are available.

Food Service Comments: Prior to construction, renovation and/or installation of equipment for this food service facility, complete plans and specifications must be submitted to the Division of Food Control, Baltimore County Department of Health, for review and approval.

Swimming Pool Comments: Prior to approval of a public pool on this site, two complete sets of plans and specifications of the pool and bathhouse must be submitted to the Baltimore County Department of Health for review and approval.

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.

[Signature]
 Chief
 Water and Sewer Section
 BUREAU OF ENVIRONMENTAL HEALTH

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Edward D. Hardesty
 TO: Zoning Commissioner
 FROM: Richard B. Williams
 Project Planning Division
 SUBJECT: Zoning Advisory Agenda Item #291

May 5, 1970
 Helen B. & Michael W. Paul
 S/S Balt. National Pike,
 830' ± E. of Ingleside Ave.

This office has reviewed the subject site plan and offers the following comments:

This project will be affected by the proposed relocation of Old Frederick Road. Studies are currently being made and comments will be sent out at a later date.

TELEPHONE 464-3415		INVOICE		No. 73869	
BALTIMORE COUNTY, MARYLAND		OFFICE OF FINANCE		DATE: Sep. 24, 1970	
Revenue Division COURT HOUSE TOWSON, MARYLAND 21204		PAID		Zoning Dept. of Baltimore County	
TO: Mr. & Mrs. Hardesty and William 200 N. Pennsylvania Towson, Md. 21204		REMARKS: See Item #291		TOTAL AMOUNT \$24.75	
REPORT TO ACCOUNT NO. 01-000		REMARKS: See Item #291		TOTAL AMOUNT \$24.75	
CITY		71-125R		TOTAL AMOUNT \$24.75	
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EXISTING MACADAM PAVING
 EXISTING 42" WATER SEE Dwg No 50-029-A-4 158-830-A-4
 EXISTING GRASS MEDIAN
 EXISTING 12" WATER (BALLOON CURB) SEE Dwg No 50-029-A-4 158-830-A-4
 EXISTING GRASS MEDIAN
 EXISTING MACADAM PAVING

[illegible]

PRESENT ZONING B.M.
PRESENT USE SERVICE STATION

20 S P A C E T S

OLD FRI

[illegible][illegible][illegible]

PRESENT ZONING BM
PRESENT USE UNIMPROVED

NORTH WING

ING AREA

[illegible]

PROPOSED
MOTEL UNITS (200)
(200' x 100' x 100')

RESTAURANT

PARKING

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S. 2nd St.

S. 3rd St.

S. 4th St.

W. 1st St.

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TOTAL PARKING PROVIDED
 MINIMUM PARKING REQUIRED SINCE 1 SPACE PER UNIT
 TOTAL PARKING PROVIDED
 PARKING SPACES TO BE MINIMUM SIZE 9'x20'

PROPOSED POOL

W. 132nd ST

PROPOSED POOL TO BE BITUMINOUS SURFACE WITH SUFFICIENT CURBING SURF. CASE.

LIGHTING

PROPOSED LIGHTS SHOWN HEREIN TO BE MAXIMUM HEIGHT OF 20 FEET.

PROPOSED

SCREENING

Required Maximum 4 Foot High Dense Screening Where Required.

All Existing Buildings (As Shown On Dashed Lines) On Site

UTILITIES

EXISTING, WHERE AVAILABLE, AS FOUND ON SUBJECT PROPERTY
 OF EXISTING 12" OR 42" MAINS SHOWN HEREIN
 PERFORMED BY SANITARY SEWER UNDER CONSTRUCTION, AVAILABLE ALONG E

L A SOUTHWEST

SOUTH PROPERTY LINES OF SUBJECT PROPERTY

STORY PER DECK
UNIT TOTAL

APPROXIMATE LOCATION OF CENTERLINE OF FUTURE LONGVIEW DRIVE

OFFICE OF THE COUNTY ENGINEER

10 FT
20 FT
CONCRETE
WALKWAY
PRESENT
0 10 20 30 40 50
JUN 30 70 PM

Aerial map showing a property with a survey overlay. The survey is a rectangle with vertices labeled A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z. The property is labeled "PROPOSED" and "EXISTING USE FLDRIST SHOP". The map includes a scale bar (0 to 100 feet) and a north arrow. The map is titled "AERIAL PHOTOGRAPH" and "SURVEY".

PLAT TO ACCOMPANY ZONING PETITION
FOR
RECLASSIFICATION FROM EXISTING R-6 ZONE TO DR

BOARD OF EDUCATION OF BALTIMORE COUNTY
LAND
COTTONVILLE
PART OF PROPERTY SOUTH SIDE BALTIMORE NATION.
800 FEET EAST OF INGLESIDE AVENUE
COTTONVILLE

WESTON SCHOOL BALTO. CO. MD. ELECT. DIST. N91
SCALE: 1"=50' APRIL 23, 1970
REV. JUNE 25, 1970 (Landing)

**GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVE.
TOWSON 4, MARYLAND**

PLAT TO ACCOMPANY ZONING PETITION

RECLASSIFICATION FROM EXISTING R-G ZONE TO BR ZONE
PART OF PROPERTY SOUTH SIDE BALTIMORE NATIONAL PIKE
800 FEET EAST OF INGLESIDE AVENUE

BALTO. CO., MD.
SCALE: 1" = 50'

ELECT. DIST N#1
APRIL 20, 1970
JUNE 26, 1970 (L)

REV JUNE 26, 1970 (Longview Drive)

1982-2006