

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Rosalyn M. Shecter, Mark Shecter, et al, owners 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.S.C. zone to an B.M. zone, for the following reasons:

1. Error by the Baltimore County Council on the new zoning maps in downshifting zoning that had been previously granted by the Board of Zoning Appeals through proper County procedures as set forth by law.
2. Error by the Baltimore County Council in failing to provide for a large regional Business Major site in the Liberty Road area on the new zoning maps adopted.

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 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.

Contract purchaser: Rosalyn M. Shecter, Mark Shecter, et al
Address: 1800 N. Charles St., Baltimore, Maryland 21201
Petitioner's Attorney: _____
Protestant's Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of August, 1971, 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 24th day of September, 1971, at 11:00 o'clock A.M.

Alan Shecter
Zoning Commissioner of Baltimore County

(over)

Rosalyn M. Shecter
1800 N. Charles Street
Baltimore, Maryland 21201

April 17, 1974

Baltimore County Board of Appeals
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Case No. 72-74-R
Assigned for May 7
and May 9, 1974

Gentlemen:

Please withdraw our appeal of the Zoning Commissioner's decision in the above case. It is impossible for us to appear because of the medical problems of two of the owners.

Sincerely yours,

Rosalyn M. Shecter
Rosalyn M. Shecter

RMS:ma

RE: PETITION FOR RECLASSIFICATION : BEFORE
from R.S.C. to B.M. : COUNTY BOARD OF APPEALS
NE/S of Liberty Road 1425' :
N. of Wards Chapel Road :
2nd District : OF
Rosalyn M. Shecter, et al : BALTIMORE COUNTY
Petitioners :
No. 72-79-R

ORDER OF DISMISSAL

Petition of Rosalyn M. Shecter, et al, for reclassification from R.S.C. to B.M. on property located on the northeast side of Liberty Road, 1425 feet north of Wards Chapel Road, in the Second Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a letter of dismissal of appeal filed April 19, 1974 (a copy of which letter is attached hereto and made a part hereof) from the Petitioner-Appellant in the above entitled matter.

WHEREAS, the said Petitioner-Appellant requests that the appeal filed on behalf of said Petitioner be dismissed and withdrawn as of April 19, 1974.

IT IS HEREBY ORDERED this 23rd day of April, 1974, that said appeal be and the same is DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Miller, Jr., Chairman

W. Giles Parker

Robert L. Gilland

PROPERTY OF
ROSALYN M. SPECTER ET AL
PROPOSED BUSINESS MAJOR ZONING

BEGINNING for the same in the bed of the Liberty Road at a point distant 1425 feet more or less measured westerly along the Liberty Road from the corner of Wards Chapel Road, said point of beginning being at the end of the eighth line of that tract of land which by deed dated September 21, 1965 and recorded among the Land Records of Baltimore County in Liber O.T.O. No. 4523 folio 101 etc was conveyed by Brooks Investment Corporation to Kerbolt, Inc., thence running reversely with and binding on said eighth and the seventh lines of said deed and in the bed of the Liberty Road and the Baltimore and Liberty Turnpike Road the two following courses and distances north 82 degrees 08 minutes west 779.55 feet and north 75 degrees 56 minutes west 200.00 feet to the beginning of said seventh line, thence leaving said Turnpike Road and running reversely with and binding on the sixth, fifth & fourth lines of said deed the three following courses and distances north 12 degrees 53 minutes east 182.4 feet north 77 degrees 07 minutes west 247.5 feet and south 16 degrees 35 minutes west 158.0 feet to the bed of said Turnpike Road, thence running reversely with and binding on a part of the third line of said deed and in the bed of said Turnpike Road north 67 degrees 26 minutes west 430.00 feet, thence running for a line of division north 46 degrees 42 minutes 35 seconds east 2256.95 feet to intersect the tenth line of said deed at a point distant 660 feet from the beginning thereof, thence running reversely on a part of said tenth and the ninth line of said deed the two following courses and distances south 61 degrees 15 minutes 20 seconds east 680.00 feet and south 21 degrees 13 minutes 30 seconds west 1740.10 feet to the place of beginning.

CONTAINING 50.51 acres of land more or less.

SAYING AND EXCEPTING that portion lying in the bed of the future taking of the State House Commission for through highway comprising approximately 5.95 acres of land more or less.

BEING part of that tract of land which by deed dated September 21, 1965 and recorded among the Land Records of Baltimore County in Liber O.T.O. No. 4523 folio 101 etc was conveyed by Brooks Investment Corporation to Kerbolt, Inc.

November 22, 1968



RE: PETITION FOR RECLASSIFICATION : BEFORE THE
NE/S of Liberty Road, 1425' : ZONING COMMISSIONER
N. of Wards Chapel Road : OF
2nd District :
Alan Shecter, et al -
Petitioners : BALTIMORE COUNTY
NO. 72-79-R (Item No. 36) :

The Petitioners request a Reclassification from a R.S.C. Zone to a B.M. Zone for a piece of property on the northeast side of Liberty Road, fourteen hundred and twenty-five (1425) feet north of Wards Chapel Road, in the Second District of Baltimore County, consisting of 50.51 acres of land, more or less.

Without reviewing the evidence in detail but based on all the evidence presented at the hearing, the Comprehensive Zoning Map adopted by the Baltimore County Council in March of 1971, is presumed to be correct, and the burden of establishing error thereon is borne by the Petitioners.

In the judgment of the Zoning Commissioner, this burden was not met.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 2nd day of October, 1971, that the 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 R.S.C. Zone.

Alan Shecter
Zoning Commissioner of Baltimore County

April 23, 1974

Rosalyn M. Shecter
1800 N. Charles Street
Baltimore, Md. 21201

Re: Zoning File No. 72-79-R
Rosalyn M. Shecter, et al, Petitioners

Dear Mr. Shecter:

Enclosed herewith is a copy of the Order of Dismissal passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Edith T. Elsenhart, Adm. Secretary

Encl.

cc: James F. Offutt, Jr., Esquire
Arthur Alperstein, Esquire
Mr. Wayne I. Reisberg
Mr. Joseph P. Manno
Mrs. Myron K. Miller
Mr. Eleanor Hunt
Rev. Richard L. Leebetter
Mr. Joseph F. Lombard
Mr. Wesley Hallinan
Miss Miriam O. Otterbein
Mr. David B. Harrison
Mr. Morris Stein
Mr. Jack Groves
Mr. S. E. DiNunzio
Mr. W. D. Freeman
Mr. R. Wornath
Board of Education

ALAN
SHECTER

April 14, 1971

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The petitioners requesting B.M. zoning for 50.5 acres on the east side of Liberty Road per the attached petitions and plans hereby state the reasons for the request as follows:

1. Error by the Baltimore County Council on the new zoning maps in downshifting zoning that had been previously granted by the Board of Zoning Appeals through proper County procedures as set forth by law.
2. Error by the Baltimore County Council in failing to provide for a large regional Business Major site in the Liberty Road area on the new zoning maps adopted.

November 2, 1971

Mr. Wayne I. Reisberg
Box 77, Reisberg Line
Marriottsville, Md. 21104

Re: Petition for Reclassification
NE/S Liberty Road N. Wards
Chapel Road, 2nd District -
Rosalyn M. Shecter et al
Petitioners - No. 72-79-R

Dear Mr. Reisberg:

Please be advised that an appeal has been filed from the decision of the Zoning Commissioner rendered in the above matter.

You will be duly notified of the date and time of appeal hearing when scheduled by the Baltimore County Board of Appeals.

Very truly yours

Zoning Commissioner

cc: Mr. Joe P. Manno, Pres., James F. Offutt Jr., Esq.,
United Reisterstown Residents
25 Caraway Road,
Reisterstown, Md. 21136
Towson, Md. 21204

Mr. Wendolyn Miller,
League of Women Voters
286 Inwood Road,
Millersville, Md. 21107

Mr. Eleanor Hunt,
Citizens Planning & Housing,
Ass'n., 9933 Hilltop Road,
Baltimore, Md. 21234

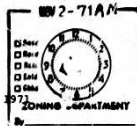
Rev. Richard L. Leebetter,
Colonial Baptist Church
4619 Old Court Road,
Pikesville, Md. 21208

Mr. Isabell Silk,
Ruderville Com. Ass'n.,
3729 Eastman Road,
Randallstown, Md. 21133

Mr. Wesley Hallinan,
Greater Randallstown Community Council
9432 Hoyt Circle
Randallstown, Md. 21133

JUN 13 1974

ROSALYN M. SHECTER
1800 N. Charles Street
Baltimore, Maryland 21201



October 29, 1971

Zoning Commissioner
Baltimore County Maryland
County Office Building
Towson, Maryland 21204

RE: Petition for Reclassification
NE/S Liberty Road
1.425' N of Wards Chapel Road
2nd District
Case # 72-79-R

Dear Sir:

Please enter an appeal from the order of the
Zoning Commissioner, dated October 7, 1971, in Case
72-79-R in behalf of the petitioners, who are the
owners of the petitioned property.

A check for \$70.00 is enclosed and I understand
that you will send a bill for \$5.00 or \$10.00 for
posting.

The undersigned is one of the owners and is
authorized by all of the owners to enter this Appeal.

Yours truly,

Rosalyn M. Spector
Rosalyn M. Spector

RMS:ma
encl. (1)

October 7, 1971

Mr. Alan Spector
1800 North Charles Street
Baltimore, Maryland 21201

RE: Petition for Reclassification
NE/S of Liberty Road, 1425'
N of Wards Chapel Road -
2nd District
Alan Spector, et al -
Petitioners
NO. 72-79-R (Item No. 36)

Dear Mr. Spector:

I have this date passed my Order in the above cap-
tioned matter. Copy of said Order is attached.

Very truly yours,

E. Eric De Nenna
E. ERIC DE NENNA
Zoning Commissioner

SED/eri

Attachments

cc: Mr. Wayne I. Reiberg
Box 77, Reiberg Lane
Marriottsville, Maryland 21104

Mr. Joseph P. Manne
President
United Reisterstown Residents
45 Caraway Road
Reisterstown, Maryland 21136

Ms. Gwendolyn Miller
League of Women Voters
225 Inwood Road
Millers, Maryland 21107

Mr. Alan Spector
October 7, 1971
Page 2

cc: Mrs. Eleanor Hunt
Citizens Planning and Housing
Association
9933 Hilling Drive
Baltimore, Maryland 21254

Reverend Richard L. Leebetter
Colonial Baptist Church
4619 Old Court Road
Pineville, Maryland 21208

Ms. Isbell Silk
Rudleridge Community Association
3729 Eastman Road
Randallstown, Maryland 21133

Mr. Wesley Hallman
Greater Randallstown Community
Council
9932 Hoyt Circle
Randallstown, Maryland 21133

James F. Offutt, Jr., Esquire
Jefferson Building
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Oliver Myers Date: May 14, 1971
FROM: Ian J. Forrest
SUBJECT: Item 36

36. Property Owner: Rosalyn M. Spector, et al
Location: N/S Liberty Rd., 1425' W. of Wards Chapel
Present Zoning: R.S.C.
Proposed Zoning: Reclass. B.M.
District: 2nd; Sector: Northwestern
No. Acres: 50.51

The State Department of Health will not approve this
proposed sewage treatment plant at this location since
it is beyond the limits of the Baltimore County
Comprehensive Water and Sewerage Plan.

L. J. Forrest
Chief
Water and Sewer Section
BUREAU OF ENVIRONMENTAL HEALTH

IJF/san

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 20, 1971

COUNTY OFFICE BUILDING
111 N. E. Avenue
Towson, Maryland 21204

OLIVER L. MYERS
Chairman

MEMBERS

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

Mr. George E. Gavrilis
Director
Office of Planning and Zoning
301 Jefferson Building
Towson, Maryland 21204

RE: Item #36 (April - October Cycle 1971)
Property Owner: Rosalyn M. Spector, et al
Location: N/S Liberty Rd., 1425' W. of
Wards Chapel
Present Zoning: R.S.C.
Proposed Zoning: Reclass. B.M.
District: 2C2 Sector: Northwestern
No. Acres: 50.51

Dear Mr. Gavrilis:

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 a vacant tract of land with surrounding
property. To the north, east and south are vacant farm land residential uses. The
property to the south is bordered by the Liberty Reservoir owned by the City of
Baltimore. Liberty Road in this location is not improved as far as concrete curb
and gutter are concerned.

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:

Liberty Road is a State Road; therefore, all improvements, intersections
and entrances on this road will be subject to State Roads Commission requirements.

Item #36

Storm Drains:

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

Public drainage facilities are required for any offsite drainage facilities, and any
on-site facilities serving offsite areas, in accordance with the standards of the Baltimore
County Department of Public Works.

On-site drainage facilities serving only areas within the site do not require
construction under a County contract. Such facilities are considered private and
therefore must conform to the County Plumbing and Building Codes.

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. Correcting any problem which may result, due to
improper grading or improper installation of drainage facilities, would be the full
responsibility of the Petitioner.

Sanitary Sewer and Water:

The subject site is outside the Urban Rural Demarcation Line and public sanitary
sewerage facilities and public water supply have not been master planned.

The subject property is tributary to Liberty Lake, a public water supply reservoir
and within 1,000 feet thereof.

DEPARTMENT OF HEALTH:

The State Department of Health will not approve this proposed sewage treatment
plant at this location since it is beyond the limits of the Baltimore County Comprehensive
Water and Sewerage Plan.

FIRE PREVENTION BUREAU:

Fire hydrants for the proposed site are required and shall be in accordance with
Baltimore County Standards. The hydrants shall be located at intervals of 300 feet along
an approved road.

The owner shall be required to comply with all applicable requirements of the
101 Life Safety Code, 1967 Edition, and the Fire Prevention Code when construction
plans are submitted for approval.

Item #36

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a change from RSC to BM. This should increase
the trip density of the site from 500 trips to 25,000 trips a day.

Liberty Road, which provides the only access to the subject site, presently has a
traffic volume of 10,400 with a capacity in the range of 14,000 vehicles a day. At the
present time, neither the County nor the State have plans to widen Liberty Road and should
this zoning be granted, serious capacity problems and high accident potential will exist
along Liberty Road.

STATE ROADS COMMISSION:

The stopping sight distance to the West, at the subject property is poor. Good
sight distance in both directions can be provided by locating the entrance 200' to the
West of the proposed location. The entire frontage of the property along Liberty Road
must be curbed with concrete. The entrance will be subject to State Roads Commission
approval and permit.

The foregoing comments were made when the petition was previously submitted
in the Spring of 1967. The current plan is unacceptable and should be revised prior to
the hearing.

ZONING ADMINISTRATION DIVISION:

In view of the comments by the Health Department and Bureau of Traffic Engineering
it would seem that this petition is quite premature as no public facilities can be provided to
the site and the amount of traffic generated by a project of this magnitude would create
serious traffic problems on Liberty Road.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS
Chairman

OLM:cm

cc: Mr. Edward D. Hardesty
Zoning Commissioner

Rosalyn M. Spector, et al
1800 N. Charles Street
Baltimore, Maryland 21201

TO: Mr. Edward D. Hardesty, Zoning Commissioner DATE: 5/11/71
FROM: Mr. Myers

FROM: Planning Division
Fire Prevention Bureau

SUBJECT: Property Owners

Rosalyn M. Spector, et al

Location: N/S Liberty Road, 1425' W. of Wards Chapel

Item #36 Zoning Appeal

Fire hydrants for the proposed site are required and shall be in accordance
with Baltimore County Standards. The hydrants shall be located at intervals
of 300 feet along an approved road.

The owner shall be required to comply with all applicable requirements of
the 101 Life Safety Code, 1967 Edition, and the Fire Prevention Code when
construction plans are submitted for approval.

Rosalyn M. Spector, et al

Ed. D. Hardesty
EDWARD D. HARDESTY
Zoning Commissioner

251645 72-79-R

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: Aug 5-1971
Posted for: APPEAL
Petitioner: ROSALYN M. SHEETER
Location of property: N/E 1/4 LIBERTY RD. 1435 FT. N. OF
MARK CHAPEL RD.
Location of Signs: ① N/E 1/4 OF LIBERTY RD. 1766 FT. - N. OF WARD'S
CHapel Rd. ② 1/4 OF LIBERTY RD. 1766 FT. - N. OF WARD'S CHAPEL Rd.
Remarks: _____
Posted by: Charles M. Sheeter Date of return: Aug 18-1971
Signature

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>Dillon</u>	Revised Plans:				Change in outline or description <u>Yes</u> No					
Previous case: <u>68-7</u>	Map #									

Mrs. Rosalyn M. Sheeter
1800 N. Charles Street
Baltimore, Md. 21201

Reclassification
Item 36

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 18th day of August 1971

Eric Dymna
S. ERIC DYMANA,
Zoning Commissioner

Petitioner: Rosalyn M. Sheeter, et al

Petitioner's Attorney

Reviewed by

Chairman of
Advisory Committee

TELEPHONE
494-2413

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204
DATE April 14, 1971
TO: Alan Sheeter
1800 N. Charles Street
Baltimore, Md. 21201
Zoning Dept. of Baltimore County

QUANTITY	DESCRIPTION	TOTAL AMOUNT
1	Petition for Reclassification - Liberty Road	\$50.00
4		

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO OFFICE OF FINANCE, REVENUE DIVISION
COURTHOUSE, TOWSON, MARYLAND 21204

TELEPHONE
464-2413

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204
DATE Sept. 27, 1971
TO: Rosalyn M. Sheeter
1800 N. Charles Street
Baltimore, Md. 21201
Zoning Dept. of Baltimore County

QUANTITY	DESCRIPTION	TOTAL AMOUNT
1	Advertising and posting of property 72-79-R	\$36.42
4		

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO OFFICE OF FINANCE, REVENUE DIVISION
COURTHOUSE, TOWSON, MARYLAND 21204

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 287

DATE Nov. 10, 1971 ACCOUNT 01-12-02 - 01-662

AMOUNT 10.00

WHITE - CASHIER
DISTRIBUTION
PINK - AGENCY
YELLOW - CUSTOMER

Cost of posting Sheeter property
for appeal hearing - Liberty Road
N. Wards Chapel Road #72-79 R

10.00 CASH

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 287

DATE 11/1/71 ACCOUNT 01-662

AMOUNT 70.00

WHITE - CASHIER
DISTRIBUTION
PINK - AGENCY
YELLOW - CUSTOMER

Cost of appeal - property of
Rosalyn M. Sheeter - N/E Side
Liberty Road N. Wards Chapel
No. 72-79-R

70.00 CASH

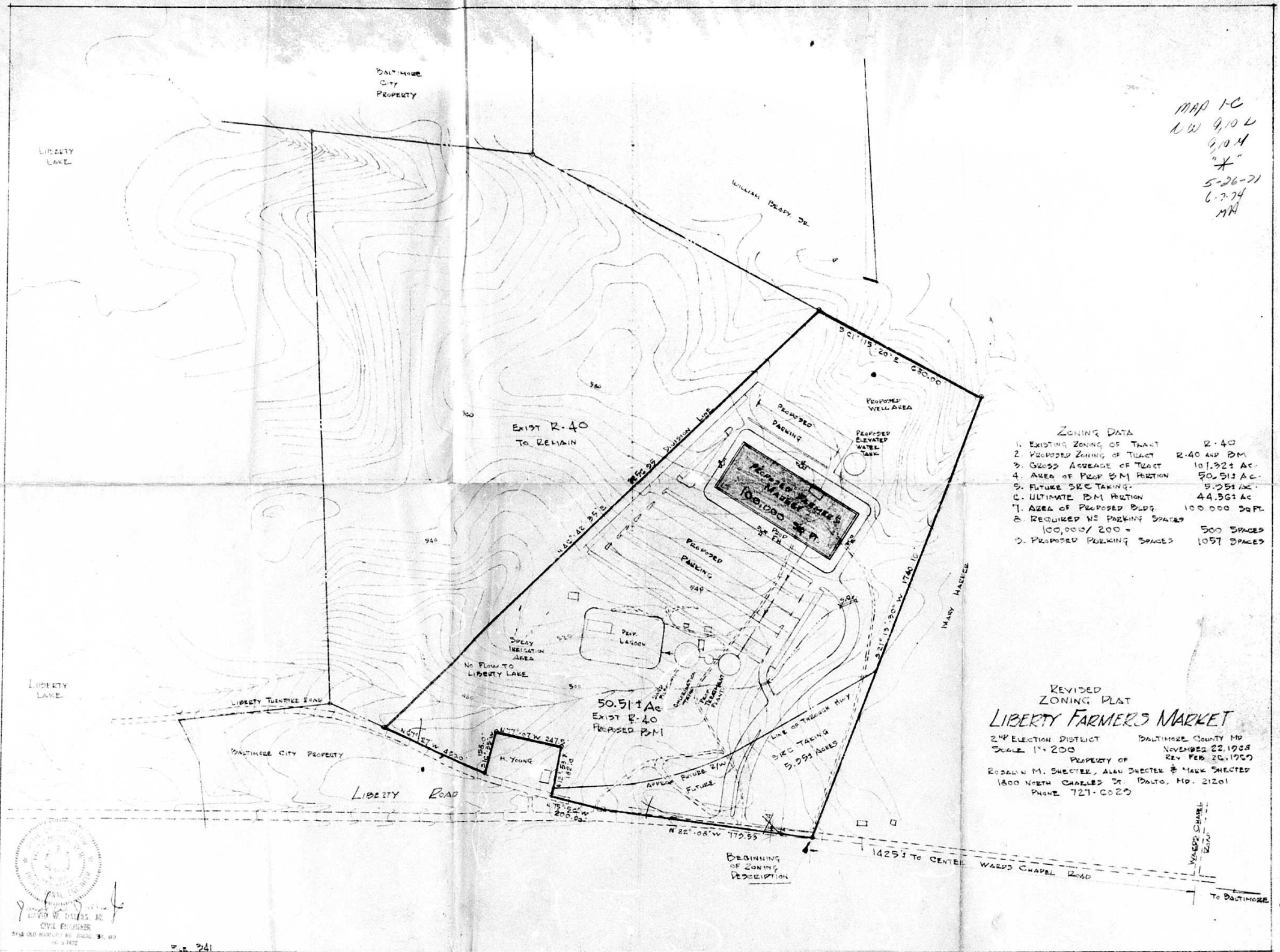
MAP 1-C
NW 9, 10 L
9, 10 H
"X"
5-26-71
6-7-74
MH

ZONING DATA

1. EXISTING ZONING OF TRACT	R-40
2. PROPOSED ZONING OF TRACT	R-40 AND DM
3. GROSS ACRES OF TRACT	101.92 AC.
4. AREA OF PROP DM PORTION	50.51 AC.
5. FUTURE SRC TAKING	5.99 AC.
6. ULTIMATE DM PORTION	44.56 AC.
7. AREA OF PROPOSED BLDG.	100,000 SQ. FT.
8. REQUIRED NO. PARKING SPACES	500 SPACES
9. PROPOSED PARKING SPACES	1097 SPACES

REVISED
ZONING PLAT
LIBERTY FARMERS MARKET

2ND ELECTION DISTRICT BALTIMORE COUNTY MD
SCALE 1" = 200' NOVEMBER 22, 1968
PROPERTY OF REV. FEB. 20, 1969
RODOLPH M. SNEYDER, ALAN SNEYDER & MARK SNEYDER
1800 NORTH CHARLES ST. BALTO. MD. 21201
PHONE 727-0020



Seal of the City of Baltimore
LARRY W. DALLAS, JR.
CITY ENGINEER
518 OLD MARKET RD. BALTO. MD. 21202

