

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, The Edmondale Building Co., legal owner, of the property situated 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-G or DR-10.5 zone to an B-1 zone, for the following reasons:

Error in original zoning.

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 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.

The Edmondale Building Co.

By Leonard Skulman Legal Owner

Address 1147 Donnington Circle
Baltimore, Maryland 21204

W. Lee Harrison Petitioner's Attorney
Address 306 W. Joppa Road
Towson, Maryland 21204 (823-1200)

ORDERED By The Zoning Commissioner of Baltimore County, this 17th 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 held before the Zoning Commission of Baltimore County in Room 104, County Office Building in Towson, Baltimore County, on the 29th day of September, 1971, at 10:00 o'clock

W. Lee Harrison Zoning Commissioner of Baltimore County

RE: PETITION FOR RECLASSIFICATION :
NE/Corner of the Baltimore
National Pike and St. Agnes
Lane - 1st District
The Edmondale Building Com-
pany - Petitioner
NO. 72-88-R (Item No. 46) :
BALTIMORE COUNTY

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

The Petitioner requests a Reclassification from a D.R.10.5 Zone to a B-1 Zone for a parcel of property containing 0.33 of an acre of land, more or less, located on the northeast corner of the Baltimore National Pike and St. Agnes Lane, in the First District of Baltimore County.

Witnesses for the Petitioner indicated that this small parcel of land is the residue of a development north of Addington Road. The Petitioner stated that it would provide sixteen thousand (16,000) square feet of retail space.

The property is bounded on the north by Addington Road, on the west by St. Agnes Lane, and on the south by the Baltimore National Pike. The subject property has been utilized as a small Veterans Memorial Park by the community and is maintained by Baltimore County.

The reason for the Petitioner claiming error is that the size and shape of the property would prohibit development in its present classification because of the setback requirements.

Residents of the area, in protest to the subject Petition, indicated that the property has acted as a buffer zone from the commercialized uses along the Baltimore National Pike and the West Edmondale development. Furthermore, St. Agnes Parochial School, being located directly across the Baltimore National Pike from the subject property, would cause children to cross at this intersection. It is the opinion of the residents that the granting of this Petition would create more traffic and hinder the safety of these children.

They further testified that when the property north of Addington Road was developed, the residents of the area were given

the impression that the subject property would remain as it exists today.

Without reviewing the evidence further in detail but based on all the evidence presented at the hearing, in the judgment of the Zoning Commissioner, the request is not supported by the evidence. Furthermore, the granting of this Petition would crowd the land which, because of its size, should not be developed in a commercial classification; therefore, the granting of this Petition would be detrimental to the health, safety, and general welfare of the children crossing at this intersection as well as the community as a whole.

The Comprehensive Zoning Map, as adopted by the Baltimore County Council on March 24, 1971, is presumed to be correct, and the burden of showing error is borne by the Petitioner. This burden has not been met.

For the foregoing reasons, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 22nd day of December, 1971, 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 D.R.10.5 Zone.

W. Lee Harrison
Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE 12/24/71
BY W. Lee Harrison

Re: Petition for reclassification :
R-G or DR-10.5 to B-1
Addington Road and St. Agnes
Lane, Edmondale Building Co.,
Petitioner :
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

MEMORANDUM

Now comes Edmondale Building Co., legal owner of the above captioned property, by W. Lee Harrison, its attorney, and in accordance with Bill 72, Section 22, 22(b) states that reclassification requested should be granted and for reasons says:

The County Council in this particular case was obviously in error by adopting DR-10.5 for the subject parcel of land. The land is bordered on all sides by streets and is too small to meet the area requirements as set forth in the Baltimore County Zoning Regulations for DR-10.5 zoning.

The property fronts on Baltimore National Pike and St. Agnes Lane immediately adjacent to the E. J. Korvettes Shopping Center. To leave this parcel of land DR-10.5 would be confiscatory in preventing the owner from any reasonable utilization of his property. Therefore, we request that this property be reclassified B-1 and the error committed by the County Council be corrected.

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

MCA
MAY, CHILDS & ASSOCIATES, INC.
CONSULTING
ENGINEERS
1020 Crumrine Bridge Rd., Baltimore, Md. 21204, Tel. 301/823-0900

Lester Malt
John C. Childs
Associate:
Ronald A. Brayley
George W. Bunney
Robert W. Cullen
Leonard M. Davis
Edmund F. Hise
Norman F. Hermann
Paul Lee
Frank F. Mierow
Wilson P. O'Brien
Paul S. Smaton

DESCRIPTION

0.33 ACRE PARCEL, NORTH SIDE OF BALTIMORE NATIONAL PIKE, EAST SIDE OF ST. AGNES LANE, SOUTHWEST SIDE OF ADDINGTON ROAD, PLAT THREE, "WEST EDMONDALE", FIRST ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for "B-1" Zoning

Beginning for the same at the intersection of the north side of Baltimore National Pike and the east side of St. Agnes Lane, as shown on Plat Three, "West Edmondale" recorded among the Land Records of Baltimore County in Plat Book G.L.B. 18, page 31, running thence binding on said north side of Baltimore National Pike two courses: (1) S 48° 04' 00" E 98.44 feet, and (2) northeasterly, by a curve to the right with the radius of 14,398.95 feet, the distance of 390.68 feet, thence (3) N 11° 00' 44" W 10.00 feet, thence binding on the south and southwest side of Addington Road, as shown on said plat, four courses: (4) southwesterly, by a curve to the left with the radius of 14,408.95 feet, the distance of 205.04 feet, (5) northwesterly, by a curve to the right with the radius of 193.07 feet, the distance of 128.61 feet, (6) N 63° 39' 43" W 87.38 feet, and (7) northwesterly, by a curve to the left with the radius of 70.09 feet, the distance of 40.73 feet, thence along the line

curve connecting said south side of Addington Road with the east side of St. Agnes Lane, (8) southwesterly, by a curve to the left with the radius of 15.00 feet, the distance of 23.56 feet, thence binding on said east side of St. Agnes Lane, (9) S 07° 00' 00" E 28.19 feet to the place of beginning.

Containing 0.33 of an acre of land, more or less.

HGW:mp

J.O. #63040

April 13, 1971

MCA
MAY, CHILDS & ASSOCIATES, INC.



OFFICE OF
THE CATONSVILLE TIMES
CATONSVILLE, MD 21228 September 13- 1971

THIS IS TO CERTIFY, that the annexed advertisement of The Zoning Commissioner of Baltimore County was inserted in THE CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 13 day of Sept., 1971; that is to say, the same was inserted in the issue of September 9, 1971.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 9, 1971

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 a week for one week before the 29th day of September, 1971; that is to say, the same was inserted in the issue of September 9, 1971.

THE JEFFERSONIAN
L. L. Morgan Manager

Cost of Advertisement, \$ _____

FEB 04 1972

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 18, 1971

COUNTY OFFICE (H.C.)
111 W. Chesapeake Ave.
Towson, Maryland 21204MEMBERS
OLIVER L. MYERS
ChairmanMEMBERS
BUREAU OF
ENGINEERINGDEPARTMENT OF
TRAFFIC ENGINEERING

STATE ROADS COMMISSION

BUREAU OF
FIRE PREVENTION

HEALTH DEPARTMENT

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL
DEVELOPMENTMr. George E. Gavrells, Director
Office of Planning & Zoning
301 Jefferson Building
Towson, Maryland 21204RE: Item #46 (April - October Cycle 1971)
Property Owner: The Edmonds Building Co.
Location: W/S Baltimore Nat. Pike,
E/S St. Agnes Lane
Present Zoning: D.P. 10.5
Proposed Zoning: B.L.
District 1C1 Sector: Southwestern
No. Acres: 0.33

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above reference: 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, being used over a number of years as a park area and the location of the flagpole of the adjoining park home subdivision to the north. The property is bounded on all sides by roads - Baltimore National Pike, Addington Road and St. Agnes Lane. All of these subject roads are improved as concrete curb and gutter are concerned.

BUREAU OF ENGINEERING:

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

Highways:

This site has frontage on Baltimore National Pike, St. Agnes Lane and Addington Road.

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

St. Agnes Lane is an existing County road, which shall ultimately be improved to major collector standards.

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Highway improvements to this site, including sidewalks and entrances will be required for any grading or building permit application.

Storm Drains:

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.

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.

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

Sediment Control:

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings below this property. Sediment Control is required by State law. 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 issuance of any grading and building permits.

Sanitary Sewer and Water:

Public water and sanitary sewer facilities are available to benefit this property.

Service within the site from the public system must be in accordance with the Baltimore County Building, Plumbing and Fire Prevention Codes. The service connection to the meter shall be in accordance with the standards of the Baltimore County Department of Public Works.

The Petitioner is entirely responsible for the construction of his on site private sanitary sewerage, which must conform with the Baltimore County Plumbing Code.

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BUILDINGS ENGINEER'S OFFICE:

No comment from this office at this time.

BOARD OF EDUCATION:

Acreage too small to have an effect on student population.

HEALTH DEPARTMENT:

Public water and sewers are available to the site.

Food Control Comments: If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Control, 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.

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.

DEPARTMENT OF TRAFFIC ENGINEERING:

Although the subject site is small and the traffic generated is low, traffic problems can be expected due to the site's close proximity to the intersection.

STATE ROADS COMMISSION:

The subject plan indicates no access to the State Highway, therefore, there will be no requirements from the State Roads Commission.

ZONING ADMINISTRATION DIVISION:

The site is isolated due to the fact of the bounding street and is too small for any residential development at the present time.

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The day our field investigation was conducted a large number of children from the school directly to the south were in the process of going home and a large number of the children had to cross Baltimore National Pike and the subject property. If this property is developed commercially some traffic hazard can be anticipated at the times the children were coming and going from school.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

OLK:JD

cc: Edward D. Hardesty

W. Lee Harrison, Esq.
306 W. Joppa Road
Towson, Maryland 21204W. Lee Harrison, Esq.
306 W. Joppa Road
Towson, Md. 21204Petition #46
Item 46

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 17th day of August 1971

Eric Dymally
Zoning Commissioner

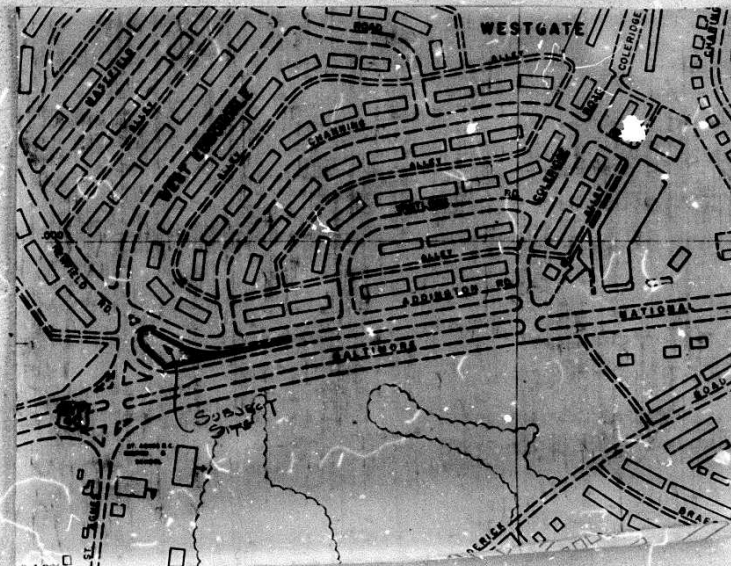
Petitioner: The Edmonds Building Co.

Petitioner's Attorney: W. Lee Harrison

Reviewed by: Oliver L. Myers
Chairman of
Advisory Committee

2 SIGNS

72-88-R

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, MarylandDistrict: 1E Date of Posting: SEPT. 11-1971
Posted for: REZONIFICATION
Petitioner: THE EDMONDS BUILDING CO.
Location of property: B.E./O.B. OF BALTIMORE NATIONAL PIKE AND ST. AGNES LANE
Location of Signs: 1. 1/4 C.E. ADDINGTON AVE. 35 FT. E. OF ST. AGNES LANE
2. E.N. OF ST. AGNES LANE 35 FT. N. OF BALTIMORE NATIONAL PIKE
Remarks: See plan for details
Posted by: Eric Dymally Date of return: SEPT. 24-1971

PETITION MAPPING PROGRESS SHEET

FUNCTION	Visit 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: <i>EDM</i>	Revised Plans: Change in outline or description Yes ___ No ___				
Previous case:	Map # <i>W-22</i>				

TELEPHONE: 438-8888

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Revenue Division
COUNTY HOUSE
TOWSON, MARYLAND 21204
Being Dept. of Baltimore County

TO: W. Lee Harrison, Esq.
306 W. Joppa Road
Towson, Md. 21204

DATE: April 21, 1971

ACCOUNT NO. 01-622

QUANTITY: 1

UNIT PRICE: \$50.00

TOTAL AMOUNT: \$50.00

Payable to: Baltimore County, Maryland
Office of Finance, Revenue Division
Court House, Towson, Maryland 21204

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

BALTIMORE COUNTY, MARYLAND No. 232

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: Oct. 26, 1971 ACCOUNT: 01-622

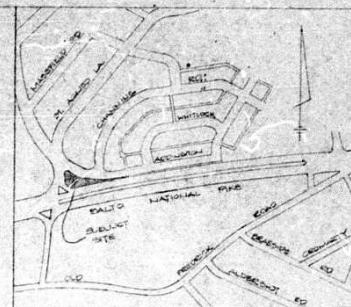
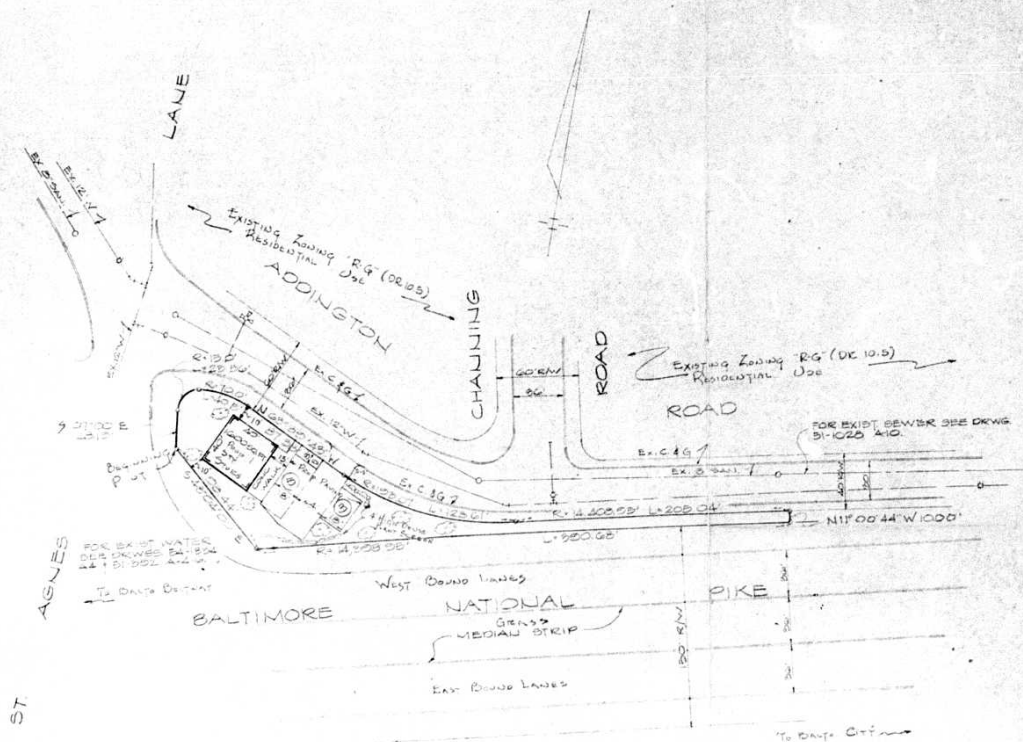
AMOUNT: \$115.50

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

Leonard Stulman Enterprises
1147 Dominguez Circle
Towson, Md. 21204

Advertising and posting of property #72-88-R

115.50 RECEIVED



LOCATION PLAN
SCALE: 1"=500'

GENERAL NOTES

1. TOTAL AREA OF PARCEL EQUALLY 0.33 AC.
2. EXISTING ZONING OF PARCEL RQ (OR 10.5)
3. EXISTING USE "NO USE"
4. PROPOSED ZONING "RQ"
5. PROPOSED USE "RETAIL STORE"
6. OFF-STREET PARKING
 - A. TOTAL PARKING AREA: 1000 SQ. FT.
 - B. REQUIRED SPACES = 8
 - C. PROPOSED SPACES = 8

MAP 28
SW 1-E
4/8/71

PLAT TO ACCOMPANY PETITION FOR RECLASSIFICATION OF PROPERTY VICINITY

ADDINGTON ROAD & SAINT AGNES LANE

Election District 1
Scale: 1"=20'

Baltimore County, Maryland
April 14, 1971

MATC, CHILDS & ASSOCIATES
1000 GRIMMELL HUNTER ROAD
BALTIMORE, MARYLAND 21204
DATE: 4/8/71
5040 RQ

