

PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Maurice Sandler, Mary Sandler, I, et al., Reuben Rice and Sara Rice, 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-districted, pursuant to the Zoning Law of Baltimore County, from C.C.C. District to a C.S.A. District, for the following reasons:

1. Error in original districting.
2. Proposed district meets all the requirements for said district.
3. And for other reasons to be assigned at the time of hearing hereon.

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, et al., agree to pay expenses of above re-districting 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.

DATE: 11/18/71 BY: [Signature] Contract purchaser: [Signature] Address: [Signature] Address: 300 Liberty Road, Baltimore, Maryland

Charles E. Brooks, Petitioner's Attorney, Brooks and Turnbull, 305 W. Allegheny Avenue, Towson, Maryland 21204. ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of October, 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 1, Towson, Baltimore County, on the 7th day of November, 1971, at 11:00 o'clock.

Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR REDISTRICTING FROM C.C.C. to C.S.A. SE/S Kershaw Road 300' NE of Liberty Road 2nd District Maurice Sandler, et al Petitioners

BEFORE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

No. 72-123-R

ORDER OF DISMISSAL

Petition of Maurice Sandler, et al, for Redistricting from a C.C.C. District to a C.S.A. District on property located on the southeast side of Kershaw Road 300 feet northeast of Liberty Road, in the Second Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a Dismissal of Appeal filed January 31, 1972 (a copy of which is attached hereto and made a part hereof), from the attorney representing the Protestor-Appellant in the above entitled matter.

WHEREAS, the said attorney for the said Protestor-Appellant requests that the appeal filed on behalf of said Protestor be dismissed and withdrawn as of January 31, 1972.

IT IS HEREBY ORDERED, this 3rd day of February, 1972, that said appeal be and the same is DISMISSED.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

John A. Slowik, Chairman

W. Giles Parker

Walter A. Reiter, Jr.

DEPOSITION TO PERPETUATE TESTIMONY

RE: MAURICE SANDLER, MARY SANDLER, REUBEN RICE, AND SARA RICE 3120 Liberty Road Baltimore, Maryland 21208

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY MISCELLANEOUS

NOTICE TO TAKE DEPOSITION

TAKE NOTICE: That the said Maurice Sandler, Mary Sandler, Reuben Rice and Sara Rice will take the deposition of the following person at 3:00 p.m. on Thursday, January 27, 1972, in the offices of Charles E. Brooks and Brooks & Turnbull, 305 W. Allegheny Avenue, Towson, Maryland 21204, pursuant to Rule 402 of the Maryland Rules of Procedure, upon oral examination, before Paul G. Griffin, a Notary Public, or some other qualified Notary Public:

LEE LEBOWITZ 3500 Trainor Avenue Baltimore, Maryland 21207

CHARLES E. BROOKS Brooks & Turnbull 305 W. Allegheny Avenue Towson, Maryland 21204 296-2600 Attorneys for Sandler, Rice

I HEREBY CERTIFY that on this 17th day of January, 1972, a copy of the foregoing Notice was mailed to Clerk, Circuit Court for Baltimore County, Towson, Maryland 21204; Mr. and Mrs. Maurice Sandler; Mr. and Mrs. Reuben Rice; Board of Appeals for Baltimore County, County Office Building, Towson, Maryland 21204; and to S. Eric DiNenna, Zoning Commissioner, County Office Building, Towson, Maryland 21204.



CHARLES E. BROOKS Brooks & Turnbull Attorneys for Sandler, Rice

LAW OFFICES BROOKS & TURNBULL 305 WEST ALLEGHENY AVENUE TOWSON, MARYLAND 21204

December 28, 1971

John A. Slowik, Chairman County Board of Appeals 111 W. Susquehanna Avenue Towson, Maryland 21204

Re: Case No: 72-123-R Maurice Sandler, et al. Petitioners Lee Lebowitz, Appellant Redistricting from C.C.C. District to C.S.A. District SE/S Kershaw Road

Dear Mr. Slowik:

Please dismiss the Appeal noted by me, Lee Lebowitz, on December 20, 1971 from the Decision and Order of the Zoning Commissioner granting unto the herein Petitioners, Maurice Sandler, et al, the redistricting from a C.C.C. District to a C.S.A. District, said dismissal being without prejudice.

Very truly yours,

Lee Lebowitz

William D. Bloom, Esquire Attorney for Lee Lebowitz

B/jk

Plaid 11/17/72 3:45 PM

MCA □ □ □

MATZ, CHILDS & ASSOCIATES, INC. CONSULTING ENGINEERS 1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301-823-0900

DESCRIPTION

0.9477 ACRE PARCEL, SOUTHEAST SIDE OF KERSHAW ROAD, NORTHEAST OF LIBERTY ROAD, SECOND ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for a C.S.A. District

Beginning for the same at a point on the southeast side of Kershaw Road, as shown on Baltimore County Bureau of Land Acquisition Plan HRW 62-116 attached to the deed to Baltimore County, Maryland, recorded among the Land Records of Baltimore County in Liber W.J.R. 4036, page 234, at the distance of 300.00 feet, as measured N 24° 36' 55" E along said southeast side of Kershaw Road from its intersection with the northeast side of Liberty Road, said beginning point being at the end of the ninth line of the right-of-way described in the deed to Harry Kullen recorded among said Land Records in Liber O.T.G. 5056, page 82, running thence along the tenth line of said right-of-way, (1) S 65° 23' 05" E 1.32 feet, thence binding reversely on the second and first lines of the 0.8314 acre parcel described in said last mentioned deed two courses: (2) S 65° 23' 05" E 263.72 feet, and (3) N 17° 58' 25" E 161.08 feet, thence S 75° 23' 05" W to intersect the east side of the aforementioned right of way line, thence crossing said right of way, (4) N 65° 23'

Water Supply • Sewerage • Drainage • Highways • Structures • Developments • Planning • Mapping

MCA □ □ □ MATZ, CHILDS & ASSOCIATES, INC.

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05° W 31.79 feet to intersect the west side of said right of way, thence binding on said right of way (5) S 43° 56' 15" W 168.11 feet, and thence (6) S 62° 49' 15" E 30.03 feet to the place of beginning.

Containing 0.9477 acres of land.

HGW:mp1

J.O. # 67039

10/7/71

LAW OFFICES BROOKS & TURNBULL 305 WEST ALLEGHENY AVENUE TOWSON, MARYLAND 21204

December 22, 1971

S. Eric DiNenna, Zoning Commissioner Baltimore County Office of Planning and Zoning County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Re: Case No: 72-123-R (Item No. 31) Maurice Sandler, et al

Dear Mr. DiNenna:

I have been advised by a member of your staff that Section 500.10 of the Baltimore County Zoning Regulations has been interpreted by your office to mean that re-identification in Baltimore County is not a pre-requisite to noting an appeal from your Order to the County Board of Appeals. I specifically direct your attention to the above captioned case and your Order dated the 18th day of November, 1971 granting the redistricting from C.C.C. to C.S.A. and the Appeal from said Order filed by Mr. Lee Lebowitz, 3500 Trainor Avenue.

Sincerely yours,

BROOKS & TURNBULL, BY:

[Signature] Charles E. Brooks

CEB/jk

LEE LEBOWITZ, 3500 TRAINOR AVE. BALTO., MARYLAND.

PETITIONER

MAURICE SANDLER, MARY SANDLER, REUBEN RICE AND SARA RICE

ZONING FILE NUMBER 72-123-R

DATE OF HEARING NOVEMBER 4, 1971

DATE OF DECISION NOVEMBER 16, 1971

THE ZONING COMMISSIONER OF BALTIMORE COUNTY, ROOM 119 BALTIMORE COUNTY OFFICE BUILDING, TOWSON, MARYLAND.

DEAR SIR:

PLEASE ENTER MY OBJECTION AND APPEAL OF YOUR DECISION IN THE ABOVE. PLEASE ADDRESS ALL COMMUNICATIONS TO: MR. LEE LEBOWITZ, 3500 TRAINOR AVE., BALTIMORE, MARYLAND.

ENCLOSED IS MY CHECK TO COVER THE COSTS OF APPEAL AND POSTING.

THANK YOU,

[Signature]



APR 20 1972

Pursuant to the advertisement, posting of property, and public hearing on the above petition and appearing that by reason of the requirements of Section 259.2.C. of the Baltimore County Zoning Regulations having been met...

the above Redistricting should be had, and it further appearing that by reason of the requirements of Section 259.2.C. of the Baltimore County Zoning Regulations having been met...

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 18th day of November, 1971, that the herein described property or area should be and the same is hereby Redistricted, from a C.C.C. District to a C.S.A. District and the Special Exception for the same should be and the same is hereby DENIED.

and it further appearing that by reason of the requirements of Section 259.2.C. of the Baltimore County Zoning Regulations having been met...

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 18th day of November, 1971, that the herein described property or area should be and the same is hereby Redistricted, from a C.C.C. District to a C.S.A. District and the Special Exception for the same should be and the same is hereby DENIED.

and it further appearing that by reason of the requirements of Section 259.2.C. of the Baltimore County Zoning Regulations having been met...

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 18th day of November, 1971, that the herein described property or area should be and the same is hereby Redistricted, from a C.C.C. District to a C.S.A. District and the Special Exception for the same should be and the same is hereby DENIED.

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BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 7, 1971

COUNTY OFFICE, BALTIMORE
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

OLIVER L. MYERS
Chairman

VICE CHAIRMAN

BUREAU OF ENGINEERING

DEPARTMENT OF PUBLIC WORKS

STATE HIGHWAY ADMINISTRATION

BUREAU OF FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

DEVELOPMENT

Messrs. Brooks and Turnbull
305 W. Allegheny Avenue
Towson, Maryland 21204

RE: Type of Hearings: Redistricting
from C.C.C. District to C.S.A.
Location: 10/5 Liberty Rd., 250' S/E
of Ettenhiller Rd.
Petitioner: Maurice Sandler, et al
Committee Meeting of August 10, 1971
2nd District
Item 31

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 an automatic carwash facility, with the properties to the northwest improved with dwellings. The property to the east, south and southwest improved with commercial operations. Liberty Road in this location is improved insofar as concrete curb and gutter is 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:

Liberty Road (Md. 26) is a State road; therefore, all improvements, intersections, and entrances on this road will be subject to State Highway Administration requirements.

It shall be the responsibility of the petitioner's engineer to clarify all rights of way within the property and to initiate such action that may be necessary to abandon, widen or extend said rights of way. The petitioner shall be responsible for the submission of all necessary plans and for all costs of acquisition and/or abandonment of these rights of way.

CERTIFICATE OF PUBLICATION

Pikesville, Md., October 21, 1971

THIS IS TO CERTIFY, that the annexed advertisement was published in THE NORTHWEST STAR, a weekly newspaper printed and published in Pikesville, Baltimore County, Maryland, once in each of 1 one time before the 8th day of November, 1971, the first publication appearing on the 21 day of October, 1971.

THE NORTHWEST STAR

Quentin Bales
Manager

Cost of Advertisement, \$ 21.56

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:			Revised Plans:		Change in outline or description	Yes				
Previous case:			Map #			No				

Messrs. Brooks and Turnbull
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September 7, 1971

Sediment Control:

Development of this property through stripping, 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 stripping of top soil.

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

Storm Drain:

Provisions for accommodating storm water or drainage have not been fully indicated on the submitted plans. Additional storm drain construction will be required in connection with proposed 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.

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

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are available and serving this property. Additional fire hydrant protection appears to be required.

DEPT. OF TRAFFIC ENGINEERING:

The plans, as shown, does not provide for stacking or for circulation to and between the sites. Because of this, is insufficient information with which to comment.

HEALTH DEPARTMENT:

Public water and sewer is 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.

Messrs. Brooks and Turnbull
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September 7, 1971

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.

Lubrication work and all changes are performed at this location, then revised plans must be submitted showing revised providing for elimination of waste oil in accordance with the Department of Water Resources Requirements.

BOARD OF EDUCATION:

No bearing on student population.

FIRE DEPARTMENT:

Fire hydrants for the proposed site (are required and) shall be in accordance with Baltimore County Standards.

The owner shall comply with all applicable requirements of the national Fire Protection Association Standard No. 171, "The Life Safety Code", 1967 Edition, and the Fire Prevention Code when construction plans are submitted for approval.

STATE HIGHWAY ADMINISTRATION:

The existing entrance to the subject site is acceptable to the State Highway Administration, therefore, there will be no further improvements required.

ZONING ADMINISTRATION DIVISION:

This office is withholding a hearing date until such time as revised plans are submitted indicating the following:

1. The stacking lines for the carwash.
2. A through lot for customers only.
3. Access to the existing shopping center to the east.
4. Adequate access to the proposed retail stores at the northern end of the site.

Yours very truly,

Oliver L. Myers
Chairman

OLM:JD
Enc.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 7
Date of Posting Oct. 23-1971
Posted for: REDISTRICTING
Petitioner: MAURICE SANDLER
Location of property: SE 1/4 OF KERSHAW RD. 300 FT. NE OF LIBERTY RD.
Location of Signs: E 1/2 OF LIBERTY RD. AT KERSHAW RD.
Remarks: FOR RE-REDS. PROP. TO BE REDISTRICTING 300 FT. EAST
Posted by: Charles H. Reed Date of return: Oct. 22-1971

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 7
Date of Posting Dec. 24-1971
Posted for: APPEAL
Petitioner: MAURICE SANDLER
Location of property: SE 1/4 KERSHAW ROAD NE OF LIBERTY ROAD
Location of Signs: E 1/2 OF LIBERTY RD. JUST A LITTLE SOUTH OF ALLEN RD. 35 FT. S. OF SHOPPING CENTER
Remarks:
Posted by: Charles H. Reed Date of return: Dec. 30-1971

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Oct. 18, 1971 ACCOUNT 01-662

AMOUNT \$20.00

WHITE - CASHIER
Messrs. Brooks & Turnbull
305 W. Allegheny Ave.
Towson, Md. 21204

Yellow - CUSTOMER

Petition for Redistricting for Maurice Sandler, et al
#72-123-R

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Nov. 5, 1971 ACCOUNT 01-662

AMOUNT \$9.06

WHITE - CASHIER
Messrs. Brooks & Turnbull
305 W. Allegheny Ave.
Towson, Md. 21204

Yellow - CUSTOMER

Advertising and posting of property for Maurice Sandler, et al
#72-123-R

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

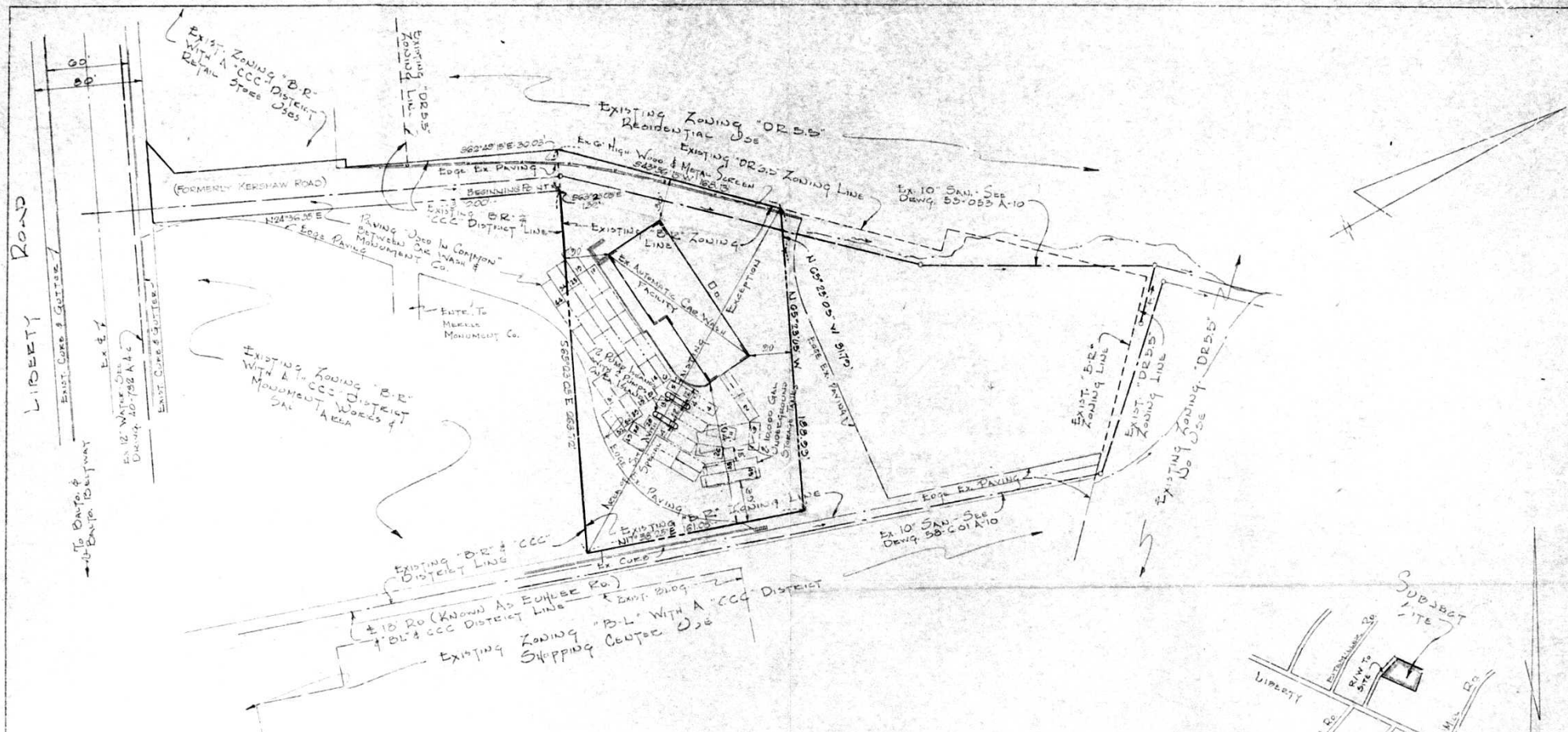
DATE Dec. 21, 1971 ACCOUNT 01-662

AMOUNT \$75.00

WHITE - CASHIER
Messrs. Brooks & Turnbull
305 W. Allegheny Ave.
Towson, Md. 21204

Yellow - CUSTOMER

Advertising and posting of property for Maurice Sandler, et al
#72-123-R



GENERAL NOTES

1. Total Area of Property Equals 0.571 Acres
2. Existing Zoning of Property "B-R With A 'CCC' District" & "B-R" & "B-R With A Special Exception" (See Petition No. 67-241 R-X)
3. Existing Use of Property "Automotive Care Wash"
4. Proposed Zoning of Site "B-R With A 'CCC' District" & "B-R With A 'CSA' District & A Special Exception"
5. Petitioner is Requesting A "CSA" District in Order To Provide Gasoline Sales As A Convenience To Patrons of The Care Wash (12.76 Acres)



PLAT TO ACCOMPANY PETITION
FOR
A "CSA" DISTRICT
AT
8120 LIBERTY ROAD
BALTIMORE COUNTY, MD.
ELECTION DISTRICT 2
JULY 7, 1971
SCALE: 1"=50'
REVISED: OCT 6, 1971

MATZ, CHILDS & ASSOCIATES
1000 CHAMBERS LANE, SUITE 200
BALTIMORE, MARYLAND 21201
P.L. 10/71

