



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 6, 1998

Ms. Patricia A. Malone
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Post Office Box 5517
Towson, MD 21285-5517

Dear Ms. Malone:

RE: Zoning Verification, 1500 Railroad Avenue, Zoning Case Number 72-138-ASHP
and 72-250-ASPH, 8th Election District

Your letter dated July 27, 1998 has been referred to me for reply. Based on the information provided by you and our research, the following information has been determined.

The property, as shown on the approved site plan, is currently zoned B.L. This determination was made by plotting the zone line on the plan using the county grid coordinates. The zone line was relocated during the comprehensive map process and it appears that all of the property is now zoned B.L.

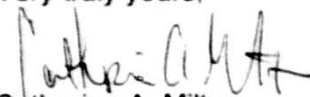
The previous zoning hearings include zoning case numbers 72-250-ASPH and 72-138-ASPH. Case number 72-138-ASPH granted a special hearing to permit 30 commercial parking spaces in a residential zone and a reduction of the required parking from 60 spaces to 30 spaces. Zoning case number 72-250-ASPH was an amended request to allow a variance to permit 30 parking spaces in lieu of the required 84 spaces and to permit these spaces to remain in the previously approved area zoned residential. This request was denied.

Zoning case number 72-138-ASPH is still in effect, although the commercial parking in a residential zone portion is moot because the property is now all B.L.

This property may change to any use currently listed in the B.L. zone under Section 230 through 230.12, as long as the current parking requirement does not exceed 5 parking spaces for every 1,000 square feet of gross floor area.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,


Catherine A. Milton
Planner II, Zoning Review



PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
J. Donald Leary

I, Mr. Charles J. Shura, legal owner 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 for a Variance from Section 40928 (c) to permit 36 parking spaces instead of the required 24 parking spaces.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. Usage study and experience reveals that a minimum of sixteen thousand square feet is required for efficient furniture store operations, this requiring 0' side yard.
2. Surveys show that furniture stores require very little parking. In peak shopping time in stores twice our size - no more than fifteen cars could be found on any parking lot.
3. Design impossibility of providing all parking.
4. Type of business does not require the prescribed number of parking spaces.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition and further agree to and to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser Charles J. Shura Address 1661 Mussel Road, Baltimore, Md. 21204
Petitioner's Attorney Eric DiNenno Address 1661 Mussel Road, Baltimore, Md. 21204
Protestant's Attorney _____ Address _____

ORDERED By the Zoning Commissioner of Baltimore County, this 14th day of March, 1972, 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 April, 1972, at 2:00 o'clock.

Eric DiNenno
Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenno, Zoning Commissioner Date: April 21, 1972
FROM: Leslie H. Graef, Deputy Director of Planning
SUBJECT: Petition #72-250-ASPH, Northwest corner of Seminary Avenue and Ridewood-Lutherville Drives.
Petition for Variance for Off-Street Parking.
Petition for Special Hearing for Off-Street Parking in a residential zone.
J. Donald Leary and Clemens H. Leary, 3d - Petitioners
8th District
HEARING: Monday, April 24, 1972 (2:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comments to offer:

Variance for off-street parking on this site should be limited to a furniture store only. This should be done because most every other use which is allowed in the B.1. Zone could be expected to create parking problems at this location. The screening should be extended to include all of the property for which the parking permit is being requested. If there are to be light standards on the property for which the parking permit is being requested they should be limited to 8 feet in height. Any development of this property should be conditioned to conformance to an approved site plan.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

March 22, 1972

COUNTY OFFICE AND DC
311 W. Chesapeake Ave.
Towson, Maryland 21204

OLIVER L. MYERS
Chairman

MEMBERS

BUREAU OF
E-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

Mr. Charles J. Shura,
Secretary Treasurer
Lutherville, Maryland Congregation of
Jehovah's Witnesses
1661 Mussel Road
Baltimore, Maryland 21204

Re: Type of Hearing: Special Hearing
Location: SE/S Ridewood-Lutherville Drive
and NE/S Seminary Avenue
Petitioners: J. Donald Leary, et al
Committee Meeting of January 25, 1972
8th District
Item 121

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 located on the northwest side of Seminary Avenue and the Ridewood-Lutherville Drive. It is currently improved with two large frame buildings that are in need of repair. There is no curb and gutter existing either along Seminary Avenue or Ridewood Drive at this location. To the west of the subject site there is a service station. On the east of the site is a section of the old B&O Railroad line and the Maryland College Convalescent Home.

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.

General:

A preliminary plan for the Leary Furniture Store was reviewed by this office and found comments, dated January 25, 1972 were forwarded to the Bureau of Public Services. A copy of those comments is attached for your consideration.

STATE HIGHWAY ADMINISTRATION

The proposed improvements to Seminary Avenue as indicated on the subject plan are in accordance with current criteria.

(over)



Eric DiNenno
Zoning Commissioner of Baltimore County

MALCOLM E. HUDKINS ASSOCIATES
SURVEYING AND LAND DEVELOPMENT
808 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
BBB-9080

January 10, 1972

Total Area - Description for Parking Variance

Beginning for the same at the intersection of the centerline of Seminary Avenue with the extension of the north side of the existing Ridewood-Lutherville Drive (30 feet wide) thence binding on the centerline of the said Seminary Avenue S 72°20'10" W 123.80 feet thence leaving said centerline of Seminary Avenue N 48°09'44" E 246 feet more or less thence N 71°36'05" W 125.16 feet thence N 64°09' E 54.0 feet thence N 23°54' E 53.0 feet thence N 43°09' E 35 feet more or less thence S 71°06' E 141 feet more or less thence S 48°45'30" W 28 feet more or less thence S 41°50'16" E 106.67 feet to the north side of the aforementioned Ridewood-Lutherville Drive thence binding thereon S 48°09'44" W 300.00 feet to the point of beginning.

Containing 1.162 acres of land more or less.



Malcolm E. Hudkins
Malcolm E. Hudkins Reg. L.S. 5505

MALCOLM E. HUDKINS ASSOCIATES
SURVEYING AND LAND DEVELOPMENT
808 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
BBB-9080

DESCRIPTION for PARKING in RESIDENTIAL ZONE

Beginning for the same at a point distant the two following courses and distances from the intersection formed by the centerline of Seminary with the centerline of the Northern Central Railroad: (1) N 48°09'44" E 220.00 feet (2) N 41°50'16" W 171 feet more or less thence continuing the same course N 41°50'16" W 84 feet more or less thence parallel to the said Northern Central Railroad S 48°09'44" W 111 feet more or less to intersect the lands of "Jehovah's Witnesses" D.T.G. 5055-271 thence binding on said last mentioned lands the six following courses and distances: (1) N 71°36'05" W 50 feet more or less (2) N 64°09' E 54.0 feet (3) N 23°54' E 53.0 feet (4) N 43°09' E 35 feet more or less (5) S 71°06' E 141 feet more or less (6) S 48°45'30" W 22 feet more or less to the place of beginning.

Containing 0.29 acres of land more or less.



Malcolm E. Hudkins

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Hamilton Ray Date: April 10, 1972
FROM: Ellsworth H. Dyer
SUBJECT: Donald Leary Property
N/E Corner - Seminary Avenue and
Ridewood - Lutherville Drive

We have reviewed the subject property with particular attention being given the existing stream along the westernmost property line.

It is our recommendation that if approval is granted for this application, it would be subject to the following conditions. The bottom of any fill slope should not extend into the existing flood plain shown on the attached print. The slope of the fill should not exceed two (2) feet horizontal to one (1) foot vertical where it is adjacent to the existing flood plain. This office recommends that the site plan be revised to indicate the limit of improvement based upon the above filling requirements.

Ellsworth H. Dyer
ELLSWORTH H. DYER, P.E.
Chief, Bureau of Engineering

Enclosure

cc: J. Macfield

Attachment

Mr. Charles J. Shura,
Secretary - Treasurer
Res. Item 121
Page 2

March 22, 1972

Any improvements to be done to said highway in conjunction with the subject development must be done under permit from the State Highway Administration.

BOARD OF EDUCATION

No bearing on student population.

HEALTH DEPARTMENT

Since metropolitan water and sewer are available to the site, no health hazards are anticipated.

FIRE DEPARTMENT

The owner shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101, "The Life Safety Code", 1957 Edition, and the Fire Prevention Code when construction plans are submitted for approval.

DEPT. OF TRAFFIC ENGINEERING

Parking is not expected to create any problem if this site is used for a furniture store. Problems can be expected with any other use. There is a sight distance problem on Ridewood-Lutherville Drive to the northeast of this site.

ZONING ADMINISTRATION DIVISION

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, 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

JBB:JO

Enclosure

LHG:NEG:cm

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts:

the above Variance should be had; and it further appearing that by reason of:

a Variance should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 1972, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order.

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 following finding of facts:

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 1972, that the above Variance be and the same is hereby DENIED.

Deputy 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 following finding of facts:

the above Special Hearing for by reason of:

should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 1962, that the herein Petition for Special Hearing should be and the same is granted, from and after the date of this order.

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 following finding of facts:

the above Special Hearing should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 1972, that the above Special Hearing be and the same is hereby DENIED.

Deputy Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: George Mueller, Deputy Director of Bldg's, Engr. Date: April 5, 1972
FROM: John J. Dillon, Jr.
SUBJECT: Donald Leary property, N/E Cor. of Seminary Avenue and Ridewood-Lutherville Drive, 8th District, Item 121

Attached is a copy of site plans submitted with petition for off street parking in a residential zone. We understand there is a small stream to the rear of this property. Could you please have your Sediment Control Division give us an Advisory Comment as to possible flooding of the properties to the west of the subject site.

John J. Dillon, Jr.
Zoning Technician 11

JJD:JD

Enc.

RECEIVED

DEPT. OF PERMITS & LICENSES

OFFICE OF BUILDINGS ENGINEER

APR 6 1972

7:50 AM



TOWSON, MD. 21204 April 10 - 1972

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric Dineen, Zoning Commissioner of Baltimore County

was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 10 day of April 1972 that is to say, the same was inserted in the issue of April 6, 1972.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD. April 6, 1972

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 10 day of April 1972, that is to say, the same was inserted in the issue of April 6, 1972.

THE JEFFERSONIAN

Cost of Advertisement, \$

BALTIMORE COUNTY, MARYLAND No. 2150

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

DATE April 19 1972 ACCOUNT 01-622

AMOUNT \$78.25

WHITE CARRIER DISTRIBUTION YELLOW - CUSTOMER

C. H. Leary, Inc.

117 N. Howard St.

Baltimore, Md. 21201

Advertiser and posting of property

772-250-ASPH

BALTIMORE COUNTY, MARYLAND No. 2121

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

DATE April 3, 1972 ACCOUNT 01-622

AMOUNT \$25.00

WHITE CARRIER DISTRIBUTION YELLOW - CUSTOMER

C. H. Leary, Inc.

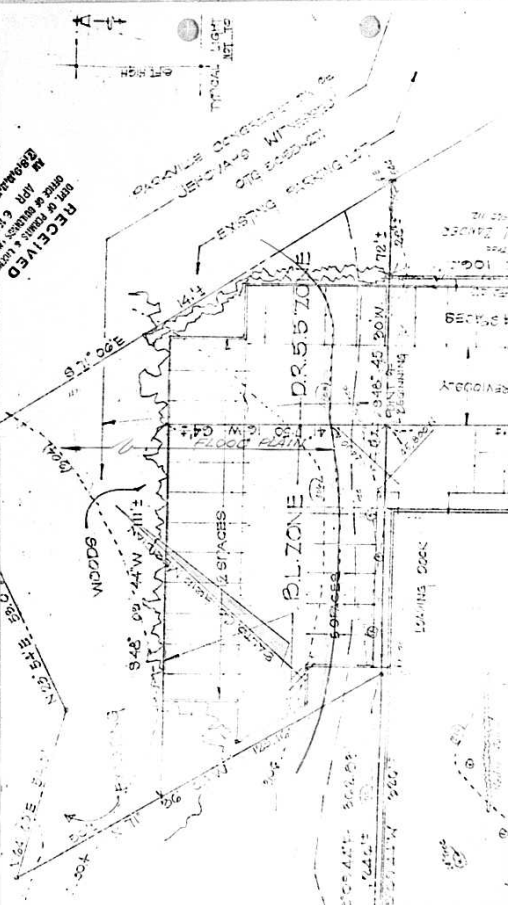
417 N. Howard St.

Baltimore, Md. 21201

Petition for Variance and Special Hearing

772-250-ASPH

PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet
	date	by	date	by	date	by	date	by	
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by									
Reviewed by									
Previous case:									



SEMINARY
MD STATE
ROUTE 201
PROPOSED

EXISTING C-165 SERVICE GAS STATION
EXISTING 80' R/W OF WAY

VICINITY MAP
SCALE 1" = 800'

EXISTING MACADAM PARKING LOT

ROBERT VOGEL
5050/24

STREAM
N45°09'E 54.0'
N25°54'E 58.6'
N45°09'E 55.1'

EXISTING

WOODS

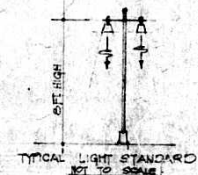
12 SPACES

6 SPACES

B.L. ZONE

DR.55 ZONE

JEHOVAH'S WITNESSES
DR. 5025-27
EXISTING PARKING LOT



PARKING TABULATIONS

EXISTING AREA OF PROPERTY 1.102 AC
ZONED B.L. 0.203 AC
ZONED DR-55 0.203 AC
PROPOSED AREA OF BUILDING 10,463 SQFT
RETAIL AREA 10,463 SQFT
PARKING SPACES REQUIRED 24
PARKING SPACES PROVIDED 20
SEC 400.2 b (4)
REQUESTING VARIANCE FOR REQUIRED PARKING, 20 PARKING SPACES IN LIEU OF 24 PARKING SPACES

ARTICLE 400.4

PARKING FOR PASSENGER VEHICLES ONLY
LOADING FROM NORTH SIDE OF BUILDING ONLY IN B.L. ZONE
STRESSING PROPOSED AS SHOWN
DURABLE DUSTLESS SURFACE PROVIDED (MACADAM)
PARKING AND ACCESS AS SHOWN
PROPOSED RETAIL SALES OPERATION 9AM-2PM
5 WALL MOUNTED FLOOD LIGHTS 2 POLE MOUNTED FLOOD LIGHTS DIRECTED DOWNWARD & AWAY FROM ADJOINING RESIDENTIAL PROPERTIES TO BE OPERATED BETWEEN DUSK & 10PM. MAINTAINED BY THE OWNER

OWNERS
C. H. LEARS
411 HOWARD STREET
BALTIMORE, MARYLAND

JEHOVAH'S WITNESSES
RIDERWOOD LUTHERVILLE DRIVE
LUTHERVILLE, MARYLAND 21050

PREPARED BY:
MALCOLM E. HUDKINS & ASSOCIATES
305 WICHESAPEAKE AVE
TOWSON, MARYLAND 21204
528-9060

Note:
Trees that are not indicated for size are less than 10" in dbh.

MALCOLM E. HUDKINS
REG. NO. 8036 DATE 1/6/72



PLAT TO ACCOMPANY SPECIAL HEARING
FOR PARKING IN RESIDENTIAL ZONE
FOR FURNITURE STORE

6TH ELECTION DIST. WASHINGTON COUNTY, MARYLAND
SCALE 1" = 10'
REVISED DECEMBER 9, 1971
OCTOBER 14, 1971
REV. JAN 2, 1972 & JAN. 6, 1972

