

**PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:  
 I, or we **George F. Flentje, Jr.**, 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 D.R. 16 zone to an R.R. zone; for the following reasons:  
 1. In classifying the property D.R. 16 the Council committed errors as set out on the attached exhibit, which is incorporated by reference herein; and  
 2. Substantial changes have occurred in the neighborhood so as to alter its character since the property was so classified by the Council, as set out on the attached exhibit, which is incorporated by reference herein.

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 N.A.

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.

Contract purchaser George F. Flentje, Jr., Executor of the Estate of Rosa M. Willing, Deceased, Legal Owner  
 Address 401 Equitable Building  
Baltimore, Maryland 21202

James D. Nolan, Petitioner's Attorney  
 Address 204 W. Pennsylvania Avenue  
823-1100 Towson, Maryland 21284

ORDERED By The Zoning Commissioner of Baltimore County, this 3rd day of July, 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 8th day of September, 1972, at 10:00 o'clock

*Oliver L. Myers*  
 Zoning Commissioner of Baltimore County.

(over)

**POINTS OF ERROR COMMITTED BY THE COUNTY COUNCIL IN CLASSIFYING THE SUBJECT PROPERTY D.R. 16, AND CHANGES IN THE NEIGHBORHOOD**

The Petitioner states that the County Council committed at least the following errors in classifying the subject parcel D.R. 16:

1. The subject parcel should have been treated in the same manner as the auto dealership property to the west and other properties to the south lying between Old Frederick Road and Baltimore National Pike, that is, it should have been placed entirely in a B.R. Zone, and it was error not to do so.

2. By failing to place this parcel in a B.R. Zone the Council prevented Monarch Lincoln-Mercury from making the most effective use of this area, and also prevented the dealership from making the most pleasing use of the property from an aesthetic point of view, by maintaining the dealerships crowded position against Route 40.

3. The 1.99 acre parcel of D.R. 16 left to the Petitioner by the Council's action is too small to be properly and economically developed for apartments; and logically from a standpoint of good planning, as well as from a practical viewpoint, the tract should have been placed in a B.R. Zone.

4. In its actions in March of 1971, the Council erroneously and improperly downshifted for no logical reason a part of the existing Monarch Lincoln-Mercury site then

zoned and used for B.R. purposes, and placed it instead in a D.R. 16 zone, thereby creating a non-conforming use, and depriving the existing dealership site of its required rear yard set back.

5. That the Council's error in setting the B.R. boundary on no logical line rather than along the logical divider, namely Old Frederick Road, is understandable in view of the magnitude of its task, the pressure of deadlines, in many cases imposed public pressures, as well as the lack of a properly adopted overall Master Plan, but, nevertheless, it still was and is error.

As to the substantial changes which have altered the character of the neighborhood since the Council studied the subject property, and last classified it, the following are noted:

1. The proposed widening of Old Frederick Road to become 30 feet of paving on a 50 foot right of way.

2. That there continues a trend along this area between Route 40 and Old Frederick Road, as witness this Petition and the vacancy of these two houses, to convert from residential use to commercial uses, which is an ongoing change in the character of the neighborhood.

3. Such other and further neighborhood changes as will be disclosed by a minute study of the area, and which will be developed in full at the time of the hearing hereon.

*James D. Nolan*  
 Attorney for Property Owner

Beginning for the same at the intersection of the center of Johns Creek Road with the center of Old Frederick Road and at the southeast corner of the existing D.R. 16 Zone as shown on Baltimore County Metropolitan Area Official Zoning Map (S.H. 1-27) and running thence binding on the center of Johns Creek Road, (1) North 68° 55' West 102.92 feet to the beginning of the last line of the first parcel of land which by a deed dated August 23, 1934 and recorded among the Land Records of Baltimore County in Liber C. 14, R. 4, No. 913, folio 16 was conveyed by The Royal Realty Corporation to Rose Willing and Rose M. Willing, thence binding on the first and part of the second lines thereof, (2) North 129° 57' East 178.79 feet to the existing B.R. 16 Zone, thence binding thereon and parallel to and 220 feet north of the center of Old Frederick Road, (3) South 89° 50' East 377.32 feet to intersect the tenth line of the aforesaid conveyance thence binding on a part thereof and on the eastern limits of the aforesaid D.R. 16 Zone, (4) South 19° 09' East 220.15 feet to the center of Old Frederick Road thence binding thereon, (5) North 88° 50' East 330 feet to the place of beginning.

Containing 1.99 acres of land more or less and being a part of the first parcel of land conveyed to Oscar and Rose Willing by a deed recorded in Liber C. 14, R. 4, No. 913, folio 16.



RECEIVED FOR FILING

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**BALTIMORE COUNTY ZONING ADVISORY COMMITTEE**

**BALTIMORE COUNTY ZONING ADVISORY COMMITTEE**

May 8, 1972

James D. Nolan, Esquire  
 204 W. Pennsylvania Avenue  
 Towson, Maryland 21284  
 Re: Reclassification Petition  
 3rd Zoning Cycle  
 Item 11  
 George F. Flentje, Jr., Executor  
 Estate of Rosa M. Willing, Deceased  
 Petitioner

Dear Mr. Nolan:  
 The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an onsite field inspection of the property. The attached comments are a result of this review and inspection.

The subject property is located on the north side of Old Frederick Road opposite Academy Lane in the Second Election District of Baltimore County. The property contains 1.99 acres and is adjacent to a property on the east which is zoned B.R. and is improved with a frame dwelling. There is an existing cemetery on the south side of Old Frederick Road. The adjoining property to the north is improved with an existing Ford Motor Company sales agency. There is no curb and gutter existing along Old Frederick Road at this location.

This petition is accepted for filing; however, revised plans must be submitted prior to the hearing that indicate the following comment.

The plan must be revised to show the required 4' high screening along the parking area along Old Frederick Road. The areas that are used for new car storage, used car parking, employee parking and customer car parking should be clearly indicated on the site plan.

Very truly yours,  
*Oliver L. Myers*  
 OLIVER L. MYERS, Chairman  
 JOHN J. DILLON, JR., Zoning Tech. II

OLM:JJD:lbr

**Baltimore County, Maryland Department of Public Works**

Division of Engineering  
 ELLEWORTH N. DIVER, P. E. CHIEF  
 April 19, 1972

Mr. Oliver L. Myers, Chairman  
 Zoning Advisory Committee  
 County Office Building  
 Towson, Maryland 21284

Re: Item #11 (Cycle April - October 1972)  
 Property Owner: Estate of Rosa M. Willing  
 1/2 Old Frederick Rd., opposite Academy Lane  
 Present Zoning: D.R. 16  
 Proposed Zoning: Reclassification to B.R.  
 District: 2nd No. Jurcs: 1.99 acres

Dear Mr. Myers:  
 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:**  
 Old Frederick Road is an existing County Road, which shall ultimately be improved to major collector standards. (Ref. to Baltimore County Job Order 5-2-391)

Highway improvements to this site, including curb and gutter, sidewalks and entrances in accordance with the standards of the Baltimore County Department of Public Works for a 44-foot closed road section on a 50-foot right-of-way will be required for any grading or building permit application. Note the proposed centerline of construction is not coincident with the existing centerline.

Johns Creek Road is an existing County Road, which shall ultimately be improved to minor collector standards. (Ref. Baltimore County Job Order 5-2-391)

Highway improvements to this site, including curb and gutter, sidewalks and entrances in accordance with the standards of the Baltimore County Department of Public Works for a 44-foot closed road section on a 50-foot right-of-way 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.

Public drainage facilities are provided for any offsite drainage facilities and any onsite facilities serving offsite areas, in accordance with the standards of the Baltimore County Department of Public Works.

Mr. Oliver L. Myers, Chairman  
 Zoning Advisory Committee  
 The 2  
 April 16, 1972

Re: Item #11 (Cycle April - October 1972)

**Sediment Control:**  
 Development of this property through striping, grading and stabilization could result in a sediment runoff problem. Existing 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.

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

**Water:**  
 Public water 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 water shall be in accordance with the standards of the Baltimore County Department of Public Works.

**Sanitary Sewer:**  
 Public sanitary sewer facilities are available to benefit this property.

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

Very truly yours,  
*Elleworth N. Diver*  
 ELLEWORTH N. DIVER, P.E.  
 Chief, Bureau of Engineering

END:HAM:CON:ras  
 H-NE Key Sheet  
 SW 1 P Topo Sheet  
 3 SW 21 & L SW 21 Position Sheets  
 SS Tax Map

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of error in the original zoning map and the health, safety, and general welfare of a community not being adversely affected,

the above Reclassification should be had and in further support that by reason of error in the original zoning map and the health, safety, and general welfare of a community not being adversely affected,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 17th day of April, 1972, that the herein described property or area should be and the same is hereby reclassified from a D.R. 16 Zone to a B.R. Zone, from and after the date of this Order, subject to the approval of a site plan by the State Highway Administration, the Department of Public Works 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 error in the original zoning map and the health, safety, and general welfare of a community not being adversely affected,

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 17th day of April, 1972, 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. 16 Zone, and/or the Special Exception for the above described property or area be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING TOWSON, MARYLAND 21204

April 17, 1972

DONALD J. ROOP, M.D., M.P.H. DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. Oliver L. Myers, Chairman Zoning Advisory Committee Office of Planning & Zoning Baltimore County Office Bldg. Towson, Maryland 21204

Dear Mr. Myers:

Comments on Item 11, Zoning Advisory Committee Meeting, April 4, 1972, are as follows:

Property Owner: Estate of Rosa M. Willing Location: N/S Old Frederick Road, opposite Academy Lane Present Zoning: D.R. 16 Proposed Zoning: Reclassification to B.R. District: 2 No. Acres: 1.99

Metropolitan water and sewer are available to the site.

Air Pollution Comments: The building or buildings on this site may be subject to a permit to construct and a permit to operate any and all fuel burning and processing equipment. Additional information may be obtained from the Division of Air Pollution and Industrial Hygiene, Baltimore County Department of Health.

Department of Water Resources Comments: If lubrication work and oil changes are performed at this location, revised plans must be submitted showing method providing for the elimination of waste oil in accordance with the Department of Water Resources requirements.

Very truly yours,

J. Strawhorn Sanitarian II Water and Sewer Section Division of Sanitary Engineering BUREAU OF ENVIRONMENTAL SERVICES

JS:mn

BALTIMORE COUNTY, MARYLAND

JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

W. T. MELLER DEPUTY TRAFFIC ENGINEER

April 28, 1972

Mr. Oliver L. Myers Chairman Zoning Advisory Committee County Office Building Towson, Maryland 21204

Re: Cycle Zoning III Item 11 - 22C - 4-4-72 Property Owner: Estate of Rosa M. Willing Old Frederick Road opposite Academy Lane Reclassification to BR - District 2

Dear Mr. Myers:

The subject petition is requesting a change from DR 16 to BR. This should increase the trip density from 240 to 1,000 trips per day. However, it should be pointed out that should this property be used for automotive sales and service, the trip density is not expected to increase greatly.

Due to the present difficulty at the intersection of Old Frederick and Academy Roads and sight distance problems at the proposed entrance, it is recommended that no access be permitted along Old Frederick Road.

Very truly yours,

C. Richard Moore Assistant Traffic Engineer

CRM:nr



STATE HIGHWAY ADMINISTRATION

300 WEST PRESTON STREET BALTIMORE, MD 21201

April 11, 1972

Mr. S. Eric DiNenna Zoning Commissioner Attn: Mr. O.L. Myers

Re: Z.A.C. meeting, April 4, 1972 Reclassification Item: 11, Estate of Rosa M. Willing N/S Old Frederick Rd. opposite Academy Lane D.R. 16 Reclass. to B.R. Dist. 2 1.99 acres

Dear Mr. DiNenna:

In addition to the standard commercial entrances that serve the subject site from Baltimore National Pike, there exists a 12' wide entrance that was constructed to serve a dwelling on the site. Since the dwelling is to be razed, the residential type entrance will no longer be needed, therefore it must be closed with standard curb sections.

Very truly yours,

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

CL-JM-es

BOARD OF EDUCATION OF BALTIMORE COUNTY

ITEM #11

TOWSON, MARYLAND - 21204

Property Owner Estate of Rosa M. Willing District 2 Present Zoning DR 16 Proposed Zoning BR No. Acres 1.99

Would have very little effect on student population

May 8, 1972

Mr. Oliver L. Myers, Chairman Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Myers:

Comments on Item 11, Zoning Advisory Committee Meeting, April 4, 1972, are as follows:

Property Owner: Estate of Rosa M. Willing Location: N/S Old Frederick Road, Opposite Academy Lane Present Zoning: D.R. 16 Proposed Zoning: Reclassification to B.R. District: 2 No. Acres: 1.99 acres

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

Richard B. Williams Planner II Project Planning Division Office of Planning and Zoning

H. ENGLIS PARKER, ASST. CHIEF OF BUREAU OF TRAFFIC ENGINEERING

M. J. JONES, ASST. CHIEF OF BUREAU OF TRAFFIC ENGINEERING

T. BAYARD WILLIAMS, JR., CHIEF OF BUREAU OF TRAFFIC ENGINEERING

Baltimore County Fire Department



Towson, Maryland 21204

823-7100

J. Austin Deitz Chief

April 17, 1972

Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204 ATTN: Mr. Oliver L. Myers, Chairman Zoning Advisory Committee

RE: Property Owner: Estate of Rosa M. Willing

Location: N/S Old Frederick Road, Opposite Academy Lane

Item No. 11 Zoning Agenda April 4, 1972

Gentlemen:

Pursuant to your request, the referenced property have been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 200 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
( ) 2. A second means of vehicle access is required for the site.
( ) 3. The vehicle dead-end condition shown at EXCEEDS the maximum allowed by the Fire Department.
( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.
( ) 6. Site plans are approved as drawn.
( ) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed by: J. Austin Deitz, Chief of Planning Group, Social Inspection Division, Fire Prevention Bureau, dated 4/17/72

LAW OFFICE OF NOLAN, PLUMHOFF & WILLIAMS 204 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204 September 25, 1973

JAMES D. NOLAN, LEASEhold PROPERTY, NOLAN & WILLIAMS, WILLIAM H. WESSON, JR.

The Honorable S. Eric DiNenna Zoning Commissioner for Baltimore County County Office Building Towson, Maryland 21204

Re: Petition for Reclassification by the Estate of Rosa M. Willing (Ford Leasing Development Co.) Contract Purchaser on behalf of Monarch-Lincoln Mercury No. 73-39-R, The d Cycle

Dear Commissioner DiNenna:

In accordance with our recent conversations, I enclose a copy of an Agreement between Ford Leasing Development Co., Monarch-Lincoln-Mercury, the Estate of Rosa M. Willing, and St. Agnes Roman Catholic Congregation, Inc. This Agreement with regard to maintaining the Old Frederick Road entrance in a closed state until certain conditions are met, has satisfied the safety objections of the protestants and in this regard we enclose a copy of a letter to you from the various protestants indicating their approval of the Agreement and their approval of the granting of BR zoning on the entire parcel, should you be so disposed.

We appreciate your consideration of this Agreement and this letter. As you know, all parties are most anxious for a decision, and it is my understanding that you have been ready to render a decision for quite sometime and have awaited this Agreement and this letter.

Sincerely yours,

James D. Nolan

JDN:ak Enclosures cc: Ford Leasing Development Co. cc: Monarch-Lincoln-Mercury cc: George F. Flentje, Esq.



AGREEMENT

THIS AGREEMENT, made this 31st day of July, 1973, by and between FORD LEASING DEVELOPMENT COMPANY, hereinafter called "Ford", and MONARCH LINCOLN-MERCURY, INC., hereinafter called "Monarch", and ROSA M. WILLING, JR., Personal Representative of the Estate of Rosa M. Willing, hereinafter collectively called the parties of the first part, and SAINT AGNES ROMAN CATHOLIC CONGREGATION, INC., hereinafter called "Saint Agnes", party of the second part, on its own behalf, and on behalf of various parishioners and parents of children attending its schools.

WHEREAS, Ford is the contract purchaser of a 1.99 acre parcel, hereinafter called the "Ford Tract", located on the north side of Old Frederick Road in Baltimore County, which is contiguous with the existent Monarch facilities; and

WHEREAS Ford as contract purchaser has sought to reclassify the said 1.99 acre Ford Tract from its present D.R. 16 zoning classification to a B.R. classification in Case No. 73-39-R, in order to utilize the said Ford Tract for automobile dealership facilities; and

WHEREAS certain concerned parishioners and parents of children attending the Saint Agnes School, while not opposing the basic B.R. classification requested, have expressed concern regarding possible hazards to children posed by a proposed entrance or entrances to the Ford Tract on Old Frederick Road, until such time as certain improvements for pedestrians' safety and convenience are made in the block between Academy Road (also called Johnnycake Road) and Saint Agnes Lane; and

WHEREAS the parties of the first part have agreed to restrict the use of such rear entrance until certain improvements are made along the north, or Ford Tract side of Old Frederick Road in the aforesaid block provided that the full B.R. zoning requested in Case No. 73-39-R shall be finally granted beyond appeal at the Zoning Commissioner level of the zoning process.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants contained herein, it is agreed as follows:

1. Parties of the first part agree that in the course of development of the Ford Tract as a part of the Monarch automobile dealership to retain in a closed condition any rear entrance or entrances from the Ford Tract to Old Frederick Road as may be installed until such time as all properties to the east of the Ford Tract in the block between Academy Road and Saint Agnes Lane on the north side of Old Frederick Road have been improved along these property frontages to such width as Baltimore County may require, as well as the installation of such curb, gutter and sidewalk improvements as Baltimore County may require or install. Ford and Monarch shall keep such entrance or entrances closed by maintaining the security fence across such entrance or entrances; the said entrance or entrances to have a gate or gates installed and used only when these properties along the north side of Old Frederick Road shall be improved as set out hereinabove.

2. Saint Agnes and all parties who appeared by counsel at the hearing before the Zoning Commissioner in Case No. 73-39-R in opposition to the said reclassification agree to notify the Zoning Commissioner, through counsel or otherwise, that such

opposition has been resolved by the execution of this Agreement; and they, each and all of them, further agree not to take any appeal or appeals from any reclassification to B.R. or otherwise as may be granted in the said case, and not to aid or encourage any such appeal or appeals.

3. It is further covenanted and agreed that this Agreement shall be null and void and of no further effect between the parties in the event that either of the following conditions shall not occur: namely, the reclassification of the entire Ford Tract to B.R., as requested, in Case No. 73-39-R and without any appeal or appeals being taken to the Board of Appeals, and the consummation of the purchase of the 1.99 acre tract by Ford, which contract to purchase Ford warrants to be subject only to the aforesaid zoning reclassification to B.R. and good and merchantable title in the selling estate.

4. It is agreed that this Agreement shall bind and inure to the benefit of the parties, their successors and assigns, and may be recorded, and shall encumber the Ford Tract of 1.99 acres and shall run with the land, but only for the period of its ten (10) year life as hereinafter agreed; and, as well, this Agreement and its covenants shall be a contractual obligation of the parties of the first part; and this contractual obligation shall continue so long as the 1.99 acre tract shall be owned by the parties of the first part, its affiliates or subsidiaries, successors or assigns, and/or used by Monarch or any successor as an automobile dealership or any other use, provided, however, that this Agreement, both as a contractual agreement and as a restriction or burden upon the said land,

in any case, shall automatically terminate ten (10) years from the date of the execution hereof or upon the completion of the aforesaid improvements to the north side of Old Frederick Road as aforesaid in Paragraph 1 hereof, whichever shall first occur.

5. It is further agreed that Saint Agnes, its successors, assigns and parishioners shall have the right to enforce this Agreement at law and/or in equity, including, but not only, the right to an injunction and other equitable relief in the event of breach by the parties of the first part, their successors and assigns.

WHEREFORE, the parties have executed this Agreement this 31st day of July, 1973.

Attest: FORD LEASING DEVELOPMENT COMPANY
By: J. A. Lovette (SEAL)
MONARCH LINCOLN-MERCURY, INC.
By: [Signature] (SEAL)
Personal Representative of Estate of Rosa M. Willing
By: [Signature] (SEAL)
SAINT AGNES ROMAN CATHOLIC CONGREGATION, INC.
By: [Signature] (SEAL)

STATE OF Maryland, COUNTY OF Baltimore, to wit:
On this 31st day of July, 1973, before me, the subscriber, personally appeared [Signature]

who acknowledged himself to be the corporate officer of FORD LEASING DEVELOPMENT COMPANY, a corporation, and that as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as a corporate officer.

IN WITNESS THEREOF, I hereunto set my hand and official seal.

[Signature]
Notary Public
Having in and for SHAPE CO., MD.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

On this 6th day of August, 1973, before me, the subscriber, personally appeared Donald Leube who acknowledged himself to be the corporate officer of MONARCH LINCOLN-MERCURY, INC., a corporation, and that as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as a corporate officer.

IN WITNESS THEREOF, I hereunto set my hand and official seal.

[Signature]
Notary public

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

On this 12th day of September, 1973, before me, the subscriber, personally appeared ROSA M. WILLING, JR. who acknowledged himself to be the Personal Representative of the Estate of Rosa M. Willing, and that as such, being authorized

so to do, executed the foregoing instrument for the purposes therein contained, by signing the same as Personal Representative of the Estate of Rosa M. Willing.

IN WITNESS THEREOF, I hereunto set my hand and official seal.

[Signature]
Notary Public (SEAL)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 21st day of September, 1972, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

The Rev. F. W. Fortenbaugh representing Saint Agnes Roman Catholic Congregation, Inc., and he acknowledged the foregoing AGREEMENT to be the Corporate act and deed.

AS WITNESS my hand and Notarial Seal.
[Signature]
Newton A. Williams, Notary Public

September 20, 1973

The Honorable S. Eric DiNenna
Baltimore County Zoning Commissioner
County Office Building
Towson, Maryland 21284

Re: Petition for Reclassification by the Estate of Rosa M. Willing (Ford Leasing Development Co., Contract Purchaser on behalf of Monarch Lincoln Mercury) No. 73-39-R, Third Cycle

Dear Mr. DiNenna:

As you will recall, we appeared on behalf of a number of Catonsville area citizens, primarily members of St. Agnes Parish at the hearings held in this matter on September 8 and November 22, 1972. Our primary concern then, as now, is the safety of school children and other pedestrians using Old Frederick Road in the block between St. Agnes Lane and Academy Lane.

Through the efforts of our Counsel, Samuel J. Dantoni, Esquire, an Agreement has been concluded with the petitioning estate, the corporate contract purchaser and the dealership which will utilize this property not to utilize the rear entrance on Old Frederick Road until such time as certain improvements have been made to this entire block's north side. A copy of that Agreement is enclosed for your file and reference in this matter.

Based upon this Agreement, we wish to hereby indicate that we have no objection to the granting of BR zoning for this property, as requested, in order that it may be incorporated as a part of the Monarch Lincoln Mercury dealership complex.

Thanking you for your consideration of this letter and for your courteous attention to our concerns during the hearing, we are,

Very truly yours,
Edward DuVall
Mrs. Dolores Kisner
The Rev. Milton Hipsley
The Rev. Michael Rounne
John S. Knoll



August 29, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21284

Re: Revised Plan
Cycle Item 11, Estate
of Rosa M. Willing
4/5 Old Frederick Road
opposite Academy Lane,
also fronts on Baltimore
National Pike (Route 40)

Dear Mr. DiNenna:

The subject plan does not reflect our comments to you of April 11, 1972. It is our opinion that the former residential entrance from Baltimore National Pike should be closed since it will no longer serve any purpose.

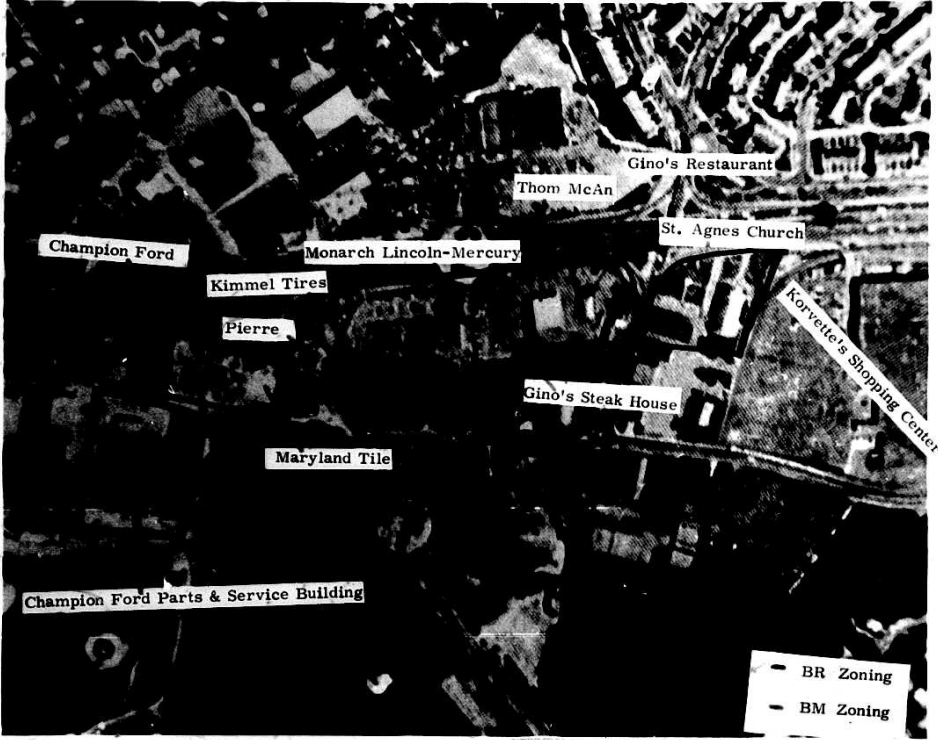
Very truly yours,
Charles Lee, Chief
Development Engineering Section
John E. Meyers
Asst. Development Engineer

CLJ:JMK

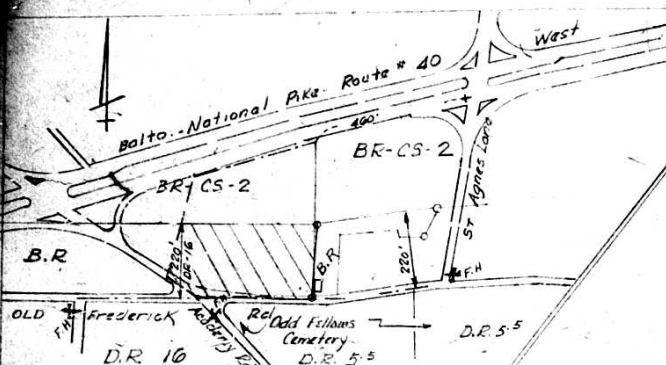


P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203





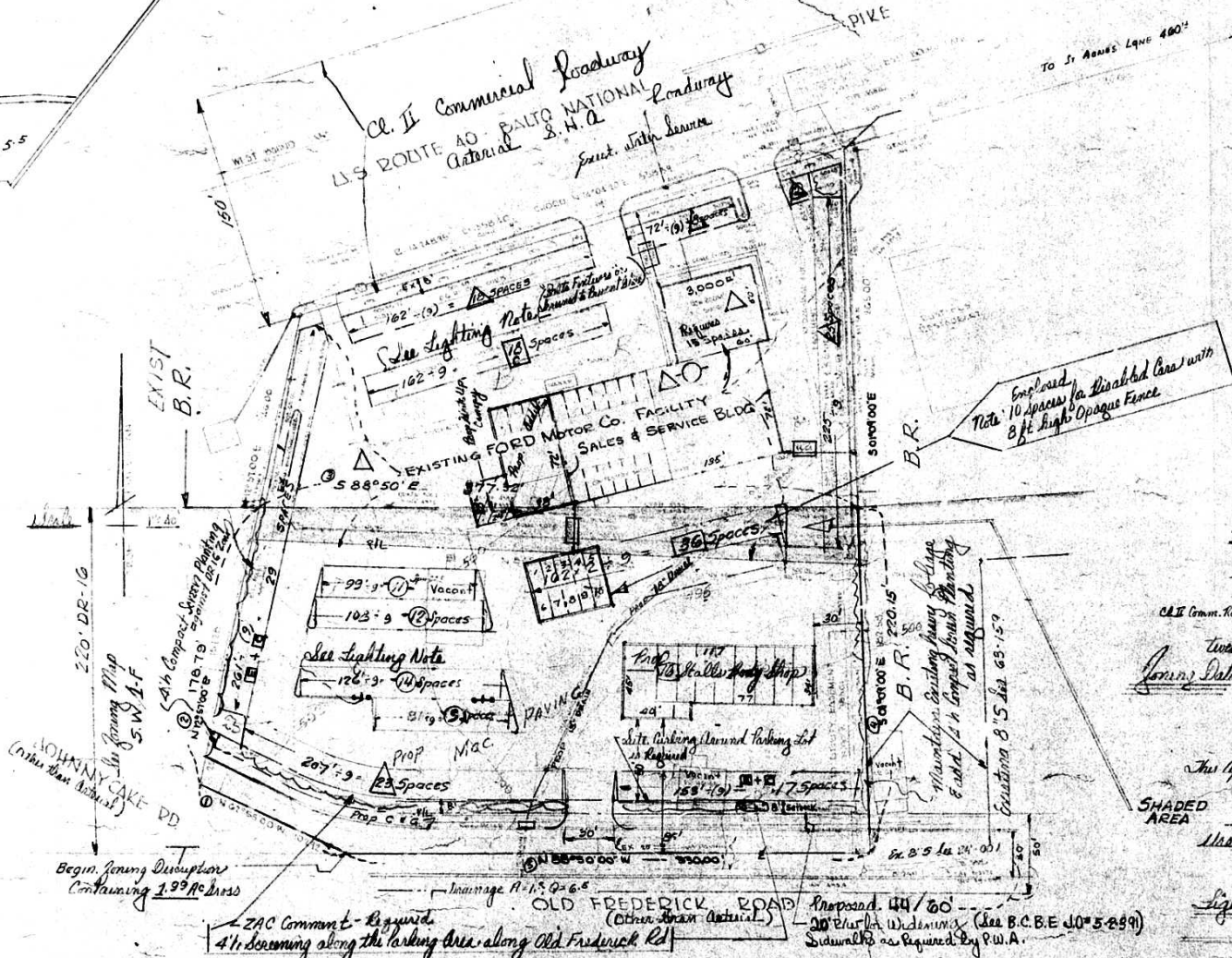




Scale 1" = 200' zoning sheet see S.W. 1-F

**Public Works Data**  
 Sanitary Lines Available  
 Water Mains Available  
 Fire Hydrants Exist as shown  
 Old Frederick Rd to be improved 30/50  
 Storm Drains to be constructed, including inlets.

- SYMBOLS**
- New Car Storage
  - Used Car Storage
  - Employee Parking
  - Customer Parking



REVISED PLANS  
 No. 972 PM  
 TOWNSHIP DEPARTMENT

ST AGNES LANE

Employed, Note: 10 spaces for Disabled Cars with 8 ft high opaque fence

**Notes:**  
 Existing houses shown within lot lines are vacant and will be removed. Existing frame house to the east of lot boundary on Easting B.P. Zone is vacant.  
 Old Comm. Roadway Baltimore National Pike, bridge is fully improved. (S.N.A.)  
 Old Frederick Road, is to be improved to a 40' wide twenty foot widening required on approach with  
 zoning data B.R. Zone requirements  
 238' front yard... not less than 25' from front property line and not less than 50' from side of lot  
 238' side yard  
 238' back yard  
 This Application: Total lot area = 3.48 acres Area zoned B.R. - 1.04 ac Area zoned DE-16 - 99 ac  
 Lot area NOT USED = 11,300 sq ft within or beyond line from B.R. line to north  
 No actual USE Area is 1.44 ac + 0.76 ac = 2.20 ac  
 Use: Ford Motor Co. Sales & Service  
 Existing facility to be expanded. Service Bldg - 30,702 sq ft  
 Canopy - 24' x 28' for auto lift up. Body Shop - 16,000 sq ft  
 Lighting Existing & proposed with lighting to conform to specifications listed as per zoning Manual for regulations now applicable  
 Parking Data: Spaces provided - 222 shown 94 required

**Plot for zoning purposes**  
 Request for Reclassification from a D.R. 16 to B.R.  
**MONARCH LINCOLN MERCURY INC**  
 1ST ELECTION DISTRICT  
 BALTIMORE COUNTY, MARYLAND  
 MARCH 1972  
 SCALE 1" = 40'  
 See ZAC Comments of April 19, 1972

Building Areas:	
Structure (existing)	3,000'
Service Bld (existing)	9,120'
Service Bld (Prop Addition)	2,736'
Canopy - auto lift (Proposed)	672'
Body Shop (Proposed)	4,418'
Parking Requirements:	
Structure - 3,000'	= 15 Car Spaces
Service Buildings - 17,946'	= 59 Car Spaces
Total Car Spaces Required:	74
Provided: 222 (94 shown) on site	
27 Customer Repair inside	
243	

**Plot for zoning purposes** - Monarch Lincoln Mercury Inc

Customer Repair Building - 27' subtract from total  
 Employee - 22  
 New Cars - 22  
 Used Cars - 48  
 Disabled Cars - 10

JAMES S. SPAMER & ASSOCIATES  
 ENGINEERS & SURVEYORS  
 4017 YORK ROAD  
 TOWSON, MD. 21204

1-1222  
 AUG 4 1972

