

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

William H. Wesselman and
I, or we, Selma L. Wesselman, 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,
herby petition (1) that the zoning status of the herein described property be re-classified, pursuant
to the Zoning Law of Baltimore County, from an... zone to an
... zone; for the following reasons:

Error in original zoning (see attached brief).

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.

Contract purchaser
Address
BY
DATE

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.

ORDERED By The Zoning Commissioner of Baltimore County, this... 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 through-
out 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... day of... September, 1972, at 2:00 o'clock

BY
DATE

(over)

JOSEPH D. THOMPSON, P.E., S.L.S.

CIVIL ENGINEERS & LAND SURVEYORS

DESCRIPTION OF A PARCEL OF LAND TO BE RECLASSIFIED FROM DR-5 TO DR-16
1470 HANCOCK AVENUE, 1ST DISTRICT, BALTIMORE COUNTY, MARYLAND.

Beginning for the same at the corner formed by the intersection of the South
side of Pullen Avenue, of irregular width, and the East side of Newburg Avenue, 50 feet
wide, and running thence and binding on the South side of Pullen Avenue North 75 Degrees
17 Minutes 50 Seconds East 255.00 feet thence leaving the South side of Pullen Avenue
and running South 15 Degrees 21 Minutes 50 Seconds East 509.99 feet and North 40 Degrees
09 Minutes 50 Seconds West 500.00 feet to the Southwest side of Newburg Avenue herein
referred to, and running thence and binding thereon North 40 Degrees 12 Minutes 40 Sec-
onds East 47.00 feet and North 10 Degrees 40 Minutes 10 Seconds West 8.00 feet to the
place of beginning.

Containing 1.82 acres of land, more or less.



RE: PETITION FOR RECLASSIFICATION
SE/corner of Newburg and
Pullen Avenues -
1st District
William H. Wesselman, et al -
Petitioners
NO. 73-42-R (Item No. 23)

BEFORE THE
ZONING COMMISSIONER
AND
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

The Petitioners request a Reclassification from a D, R, 5, 5 Zone to a
B, M, Zone for a parcel of land located on the southeast corner of Newburg
and Pullen Avenues, in the First District of Baltimore County, and containing
1.82 acres of land, more or less.

For the purposes of the public hearing, the Zoning Commissioner and the
Deputy Zoning Commissioner of Baltimore County jointly presided to make a
determination, pertaining to the subject Petition.

Evidence on behalf of the Petitioners indicated that they have resided on
the subject property for approximately thirty-two (32) years and have attempted
to sell said property since 1971. It was claimed that since this property
adjoins a National Guard Armory, they have been unsuccessful in their attempt
to do so. It was further indicated that an electrical contractor proposes to
utilize the subject property for his operation which would include the storage
of trucks able to load equipment and products at the site. They would leave
for their deliveries every morning and return in the evening. There would be
approximately six (6) employees working in the complex itself with an
additional forty (40) working on jobs outside of the office.

Residents of the area, in protest of the subject Petition, felt that the
granting of the requested zoning would constitute spot zoning in that basically
this area is residential in nature with very little commercialism within several

blocks of the subject property. The residents were further skeptical with
reference to possible traffic, noise, etcetera.

Without reviewing the evidence further in detail but based on all the
evidence presented at the hearing, in the judgment of the Zoning Commissioner
and Deputy Zoning Commissioner, the Comprehensive Zoning Map as adopted
on March 24, 1971, was not in error in classifying the subject property
D, R, 5, 5 zoning. The zoning map is presumed to be correct and the burden
of proving error is borne by the Petitioners. This burden has not been met.

Therefore, IT IS ORDERED by the Zoning Commissioner and Deputy
Zoning Commissioner of Baltimore County, this 30th day of March, 1973,
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 D, R, 5, 5 Zone.

BY
DATE

Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
DATE
BY

FRANK E. CICONE
Attorney At Law
TOWSON, MARYLAND 21204
Suite 411 Jefferson Building
April 3, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Property of
RE: William and Selma Wesselman

Dear Mr. DiNenna:

I am filing a petition in the above-subject case
and wish to cite as a basis the following reasons which
constitute error in the zoning map signed March 24, 1971.

1. Error committed by new zoning map for failure
to consider proximity of site to railroad.
2. Residential zoning is in error because proximity
of the subject property to the armory.
3. Existing RM is located within 1000 feet of the
site.
4. And for other and further sufficient reasons to
be shown at the hearing hereof, which will show the error
in the adoption of the maps and change in the character
of the neighborhood.

Very truly yours,

Frank E. Cicone

FEC:kn

LAW OFFICES
RICHARD D. PAYNE
LOYOLA FEDERAL BUILDING
22 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

July 5, 1972

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

Re: Application for Re-Zoning DR-5
TO B.M.; William H. & Selma L.
Wesselman, South Side Pullen Avenue
opposite Newburg

Dear Mr. DiNenna:

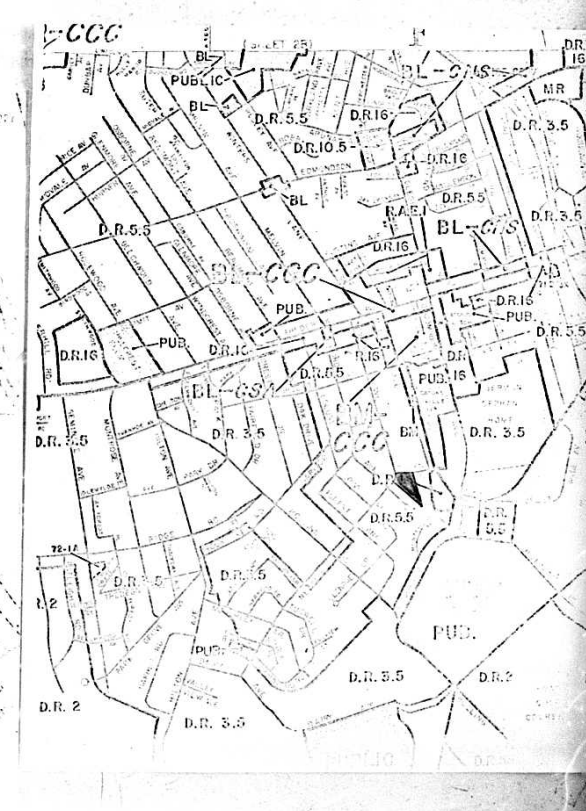
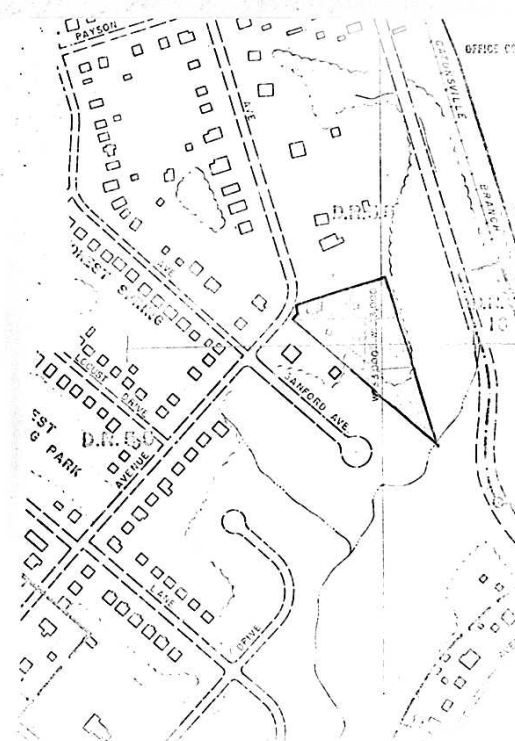
Please enter my appearance as attorney for the
protestants in connection with the Petition for Re-zoning
of the above described property.

I would appreciate receiving information and
comments from Planning and Zoning relative to this request
and also notification of date of hearing as soon as same
is established.

Very truly yours,

Richard D. Payne

/s/



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 8, 1972

William H. and Selma L. Wesselman
135 Newburg Avenue
Baltimore, Maryland

Re: Reclassification Petition
Mrs. Zoning Cycle
Item # 23
William H. and Selma L. Wesselman -
Petitioner

Dear Sir:

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 attached comments are a result of this review and inspection.

The subject property is located on the S/S of Pullen Avenue opposite Newburg Avenue in the First Election District of Baltimore County. The subject property is currently improved with a 2 story dwelling in good condition and a detached 1 1/2 story frame garage. The property to the south are developed with well constructed single family dwellings. The property to the north of Pullen Avenue is Public land and is improved with the Catonsville Armory. There is a large parking lot on the east side of this site which is used by the Armory. Curbing exists along the North side of Pullen Avenue.

The Petitioners plan does not seem to indicate all the structures within 200 feet of the property lines of this property and should be revised to so indicate them. Also, the location of any existing fire hydrants or proposed fire hydrants must be indicated on the revised plan.

Very truly yours,

Oliver L. Myers
Oliver L. Myers, Chairman

John J. Sullivan
John J. Sullivan, J. A. Zoning Tech. II

RECEIVED

cc: State Office Building
Annapolis, Maryland 21401
Attention: Department of Water Resources

Baltimore County, Maryland Department Of Public Works COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Bureau of Engineering
ELLENWORTH H. DYER, P.E. CHIEF

April 19, 1972

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

Re: Item #23 (Cycle April - October 1972)
Property Owner: William H. & Selma L. Wesselman
S/S Pullen Ave., opposite Newburg Ave.
Present Zoning: D.R. 5.5
Proposed Zoning: Reclassification to B.M.
District: 1st No. Acres: 1.82 acres

Dear Mr. Myers:

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 Newburg Avenue and Pullen Avenue.

Pullen Avenue is an existing County Road, which shall ultimately be improved to local collector standards. (See Baltimore County Drawing #53-2759-5)

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 36-foot cleared 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.

Provisions for accommodating storm drainage have not been indicated on the submitted plan.

Onsite 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.

Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee
Page 2
April 19, 1972

Re: Item #23 (Cycle April - October 1972)

Storm Drains: (Cont'd)

There is an existing public storm drainage channel adjacent to the property to be developed. Since supplementary storm drain facilities are not necessary, the Petitioner is required to make application for a storm drain connection permit from the Department of Permits and Licenses. The permit allows the Petitioner to make a connection to the existing County storm drain system. (Ref. Drawing #53-0591-4)

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings near this property. Sediment control is required by State law. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Water:

Public water facilities are available to benefit this property.

Supplementary fire hydrants and improvements to the public system may be required for adequate protection.

Service within the site from the public system must be in accordance with the Baltimore County 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,

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

ENCLOSURES:

H-SE Key Sheet
SW 3 & 4 F Topo Sheets
12 SW 22 - 12 SW 23
12 SW 22 - 12 SW 23 Position Sheets
101 Tax Map

BALTIMORE COUNTY, MARYLAND

JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. WM. T. MILLER
DIRECTOR 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 23 - ZAC - 4-4-72
Property Owner: William H. & Selma L. Wesselman
Pullen Avenue opposite Newburg Avenue
Reclassification to BM - District I

Dear Mr. Myers:

The subject petition is requesting a change from D.R. 5.5 to BM of 1.8 acres. This should increase the trip density from 100 to 800 trips per day.

Should the property be used for a warehouse, however, trip density would be less than 800. Access to the property is via Newburg and Pullen Avenues, which are designed as residential streets and could have some difficulty handling commercial traffic.

Very truly yours,

E. J. Clifford
E. J. Clifford
Assistant Traffic Engineer

CRN:mr

Baltimore County Fire Department



Towson, Maryland 21204

822-7310

J. Austin Deitz
Chief

April 17, 1972

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

RE: Property Owner: William H. and Selma L. Wesselman
Locations: S/S Pullen Avenue, Opposite Newburg Avenue
Item No. 23 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 300 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 "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: *H. J. Sullivan* Noted and Approved: *Paul H. Rausche*
J. Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

mb 4/17/72

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DIRECTOR STATE AND COUNTY HEALTH SERVICES

April 12, 1972

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 23, Zoning Advisory Committee Meeting, April 4, 1972, are as follows:

Property Owner: William H. and Selma L. Wesselman
Location: S/S Pullen Avenue, opposite Newburg Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Reclassification to B.M.
District: 1
No. Acres: 1.82

Provisions must be made for adequate toilet facilities for the proposed offices.

Metropolitan water and sewer must be extended 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. Scrawhorn
J. Scrawhorn
Sanitarian II
Water and Sewer Section
Division of Sanitary Engineering
BUREAU OF ENVIRONMENTAL SERVICES

BOARD OF EDUCATION OF BALTIMORE COUNTY

ITEM #23

TOWSON, MARYLAND - 21204

Property Owner: William H. & Selma L. Wesselman
District 1
Present Zoning: DR 5.5
Proposed Zoning: BM
No. Acres: 1.82 Ac.

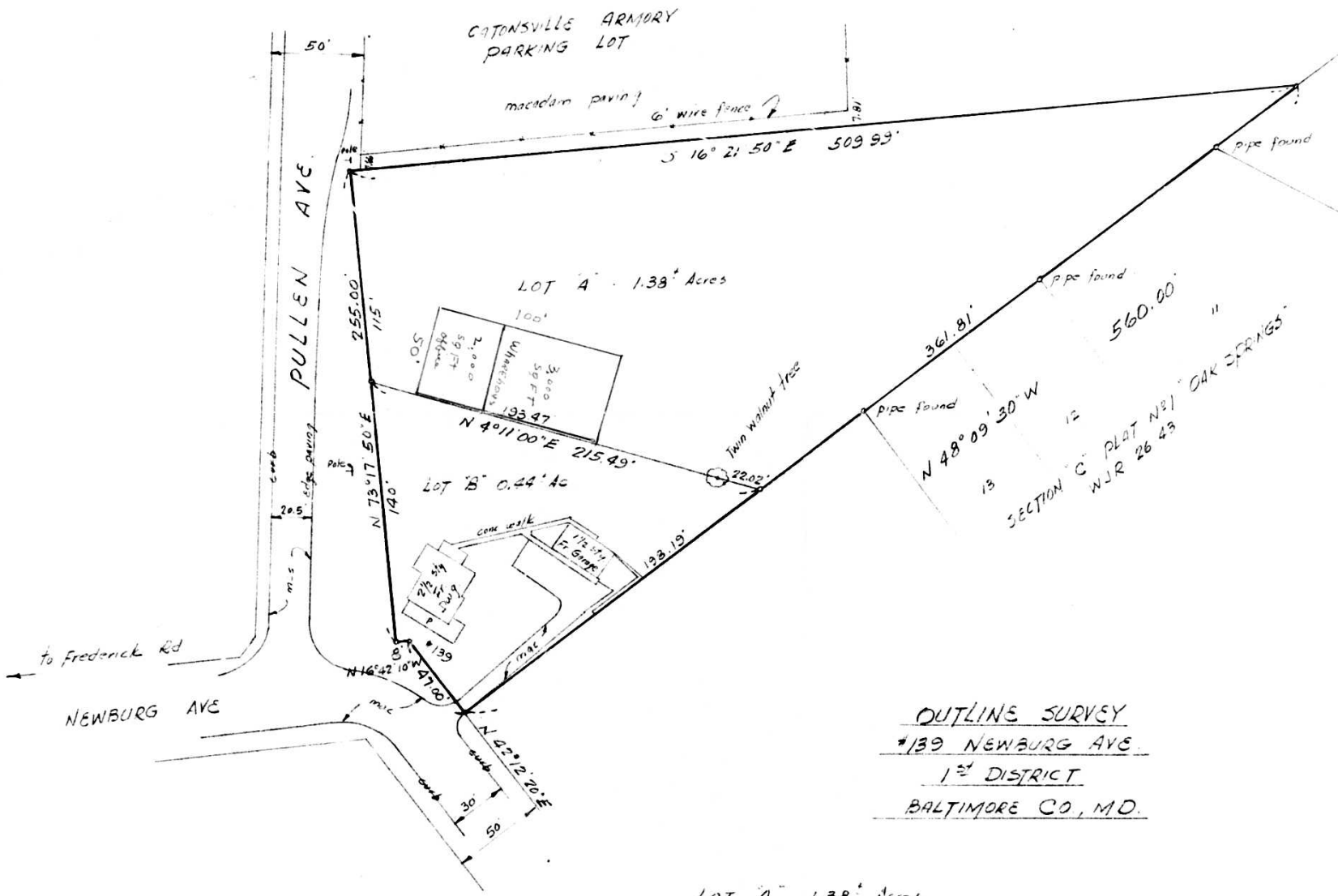
No effect on student population

W. EMILIE PARKER, PRESIDENT
EUGENE C. HENRICH, VICE-PRESIDENT
MRS. ROBERT L. BENTLEY

MRS. JOHN W. CROCKER
JOSEPH N. MEDWAN
ALVIN LORICK

T. BALTIMORE WILLIAMS, JR.
RICHARD W. YADEN, VICE-PRES.
MRS. RICHARD S. WARD

Plat
Ex # 1

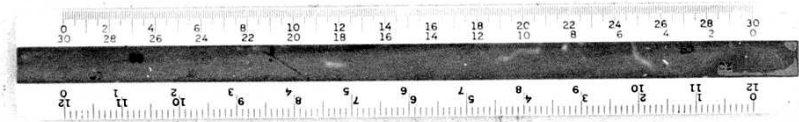


OUTLINE SURVEY
#139 NEWBURG AVE.
1ST DISTRICT
BALTIMORE CO., MD.

LOT A - 1.38⁺ Acres
 LOT B - 0.44⁺ Acres
 TOTAL = 1.82⁺ Acres



JOHN M. SARAGUIS
 REGISTERED LAND SURVEYOR
 1501 E. BALTIMORE AVE.
 BALTIMORE, MD. 21202
 SCALE 1" = 50' DATE 1/20/1972



OFFICE 200801 WAREHOUSE 3
PARKING SPACES REQ - 13
PARKING PROPOSED - 22

NEWBURG AVE
PULLEY AVE
N 73° 17' 50" E 255.0
DR 5.5
RESIDENTIAL USE
MILITARY USE
RIDGEWAY ELECTRIC CO, INC
22 BLOOMSBURY AVE

PLAT FOR REZONING
#139 NEWBURG AVE
1ST DISTRICT
BALTIMORE CO, MD

RIDGEWAY ELECTRIC CO, INC
22 BLOOMSBURY AVE

PLAT FOR REZONING
#139 NEWBURG AVE.
1ST DISTRICT
BALTIMORE CO, MD

RIDGEWAY ELECTRIC CO, INC
22 BLOOMSBURY AVE.
BALTIMORE, MD
21228

MILITARY USE:



Robert E. Spellman

JOSEPH D THOMPSON
ENGINEERS AND SURVEYORS
101 SHELL BLDG. 200 E JOHANN
TOWSON, MD. MARCH 29, 1971
SCALE: 1"=50'

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