

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, STUART, ENSOR & SMITH, 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. 3.5... zone to an... B.L.... zone, for the following reasons:

1. Error in original zoning.
2. Substantial change in the character of the neighborhood.

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.

By: Stuart, Ensor and Smith
Contract purchaser: Martin J. Smith, Pres. Legal Owner
Address: 142 Main Street
Reisterstown, Md. 21136

By: George B. Johns, Esquire
Attorney: George B. Johns, Esquire
Address: 104 Jefferson Road, Towson, Md. 21204 823-6200

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of October, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 15th day of March, 1973, at 10:00 A.M.

Need more Plats
10:00A
11/15/73

September 28, 1972

IN THE MATTER OF THE PETITION OF STUART, ENSOR AND SMITH COMPANY for zoning reclassification from D.R. 3.5 to B.L.

MEMORANDUM IN SUPPORT OF APPLICATION

The Petitioner's property comprises approximately 15,000 square feet located to the rear of property zoned B.L. on the East side of Reisterstown Road (U.S. Route 140) in Reisterstown. The present zoning is D.R. 3.5. Your Petitioner submits that the existing zoning classification is in error and that use of the subject parcel for D.R. 3.5 uses is impossible and not economically feasible for the following reasons:

- (a) That the subject parcel lies between property zoned B.L. and property designated as public land and is undeveloped in its present zoning classification.
- (b) That there is no possibility of the property being developed for residential purposes due to its lack of access to any residential street. The only access to the subject property is through property zoned B.L. and presently being commercially utilized in accordance with the B.L. zoning.
- (c) That by reason of the foregoing and other reasons to be stated at the hearing hereon, the D. R. 3.5 zoning was confiscatory and clearly erroneous.

Respectfully submitted,

SMITH, JOHNS & SMITH

George Barrett Johns
104 Jefferson Building
Towson, Maryland 21204 823-6200
Attorney for Petitioner

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 13, 1972

George B. Johns, Esquire
104 Jefferson Building
Towson, Maryland 21204

RE: Petition for Reclassification
E/S of Reisterstown Road,
and Chatsworth Avenue
Fourth District
Stuart, Ensor & Smith, Co.
Petitioners
Item No. 27
Fourth Zoning Cycle

Dear Mr. Johns:

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 east side of Reisterstown Road, 690 feet south of Chatsworth Avenue, in the Fourth District of Baltimore County, and is subsequently located 146 feet east of Reisterstown Road and behind an office building that is currently being constructed at this location. The subject property is currently zoned D.R. 3.5 and is requesting a Reclassification and an extension of B. L. zoning that already exists along Reisterstown Road.

The property immediately to the south is improved with a single family dwelling which is not indicated on the submitted plat. The property to the north and east is unimproved property.

This petition is accepted for filing on the date of the enclosed filing certificate. However, all corrections to the

George B. Johns, Esquire
Page Two
October 13, 1972

plans as requested shall be submitted to this office prior to Thursday, February 1, 1973 in order to allow time for advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between March 1, 1973 and April 15, 1973, will be forwarded to you in the near future.

Very truly yours,
John J. Dillon, Jr.
Chairman
Zoning Advisory Committee

JJD:vtc

Enclosures

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

Division of Engineering
ELLSWORTH H. DYER, P.E. CHIEF

October 12, 1972

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

Re: Item #27 (Cycle Zoning IV Oct. 1972 - April 1973)
Property Owner: Stuart, Ensor & Smith Company
E/S Reisterstown Rd. and Chatsworth Ave.
Present Zoning: D.R. 3.5
Proposed Zoning: Recl. from D.R. 3.5 to B.L.
District: 4th No. Acres: 0.37 acre

Dear Sir:

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 Comments:

The property outlined for rezoning is considered to be the rear portion of a lot fronting on Reisterstown Road. The following comments are relative to the total lot with unsubdivided fee title.

Highway Comments:

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

Storm Drain Comments:

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.

Sediment Control Comments:

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.

Item #27 (Cycle Zoning IV Oct. 1972 - April 1973)
Property Owner: Stuart, Ensor & Smith Company
Page 2
October 12, 1972

Water Comments:

Public water is available to serve this property.

Sanitary Sewer Comments:

Public sanitary sewerage is available to serve this property.

If the parcel outlined for rezoning were severed in title from the original lot it would be without fee frontage for access on a public road, without fee frontage for service on a public water main, and would sever the front portion of the lot from fee frontage on a public sanitary sewer.

Very truly yours,

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

END:HAM:OWK:es

1-SE Key Sheet
62 NW 1/4 Position Sheet
48 Tax Map
NW 1/4 J. Topo

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E. CHIEF
Wm. T. MILLER DEPUTY TRAFFIC ENGINEER

October 30, 1972

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

Re: Cycle Zoning IV
Item 27 - ZAC - Oct. 72 to Apr. 73
Property Owner: Stuart, Ensor & Smith Company
E/S Reisterstown Road & Chatsworth Avenue
Recl. from D.R. 3.5 to B.L.
District 4

Dear Mr. DiMenna:

The subject petition is requesting a zoning reclassification from DR 3.5 to BL. The subject site, as presently zoned, will generate approximately 20 trips per day. With the requested zoning reclassification to BL, this site would generate approximately 185 trips per day.

Very truly yours,

Michael S. Fleming
Traffic Engineer Associate

NSF:nc

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 the community not being adversely affected.

the above Reclassification should be had.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of March, 1972, that the herein described property or area should be and the same hereby reclassified; from a D.R.3.5 zone to a B.L. zone.

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

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of March, 1972, that the above re-classification 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.3.5 zone; and/or the Special Exception for

Zoning Commissioner of Baltimore County



Harry R. Hughes
Secretary
David M. Fisher
Administrator

October 12, 1972

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

Re: Reclassification - Oct. 1972
Property Owner: Stewart, Ensor
5 Smith
Location: E/S Reisterstown Road
and Chatsworth Ave. (Route 140)
Proposed Zoning: Reclass from
D. R. 3.5 to B.L.
District 4
No. Acres: 0.37

Attn: Mr. John J. Dillon

Dear Sir:

The subject plan should be revised to clearly indicate a barrier curb that would preclude the movement of vehicles from the parking lot onto the sidewalk area.
An entrance permit has been issued based on an older plan.
The 1971 average daily traffic in this section of Reisterstown Road is 22,050 vehicles.

Very truly yours,
Charles Lee, Chief
Development Engineering Section
by John L. Meyer
Asst. Development Engineer

CLJ:JBK

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

Baltimore County Fire Department

J. Austin Deitz
Chief

Towson, Maryland 21204
872-7218

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Acting
Zoning Advisory Committee

Re: Property Owner: Stewart, Ensor and Smith Company

Location: E/S Reisterstown Road, and Chatsworth Avenue

Item No. 27 Zoning Agenda IV ZONING CYCLE
October 1972 - April 1973

Gentlemen:
Pursuant to your request, the referenced property has 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.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 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. Site plans are approved as drawn.
- () 6. The Fire Prevention Bureau has no comments at this time.

Reviewed: H. Thomas Deitz, Planning Group
Special Inspection Division
Approved: Deputy Chief
Fire Prevention Bureau

nls
4/25/72

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

October 10, 1972

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

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

Dear Mr. DiNenna:

Comments on Reclassification, Zoning Advisory Committee Meeting, October 4, 1972, are as follows:

Property Owner: Stewart, Ensor and Smith Company
Location: E/S Reisterstown Road, and Chatsworth Avenue
Present Zoning: D.R. 3.5
Proposed Zoning: Reclassification to B.L.
District 4
No. Acres: 0.37

Since metropolitan water and sewer are available, no health hazard is anticipated.

Very truly yours,

Thomas M. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mnc

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

A. V. Quimby
Acting Director

Jefferson Building
Suite 201
Towson, MD 21204
496-2211

October 25, 1972

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #27, IV Zoning Cycle, October 1972-April 1973, are as follows:

Property Owner: Stewart, Ensor and Smith Company
Location: E/S Reisterstown Road, and Chatsworth Avenue
Present Zoning: D.R.3.5
Proposed Zoning: Reclass from D.R.3.5 to B.L.
District: 4
No. Acres: 0.37 acres

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

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner I
Project Planning Division
Office of Planning and Zoning

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 23, 1972

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

Re: Item #27
Property Owner: Stewart, Ensor and Smith Company
Location: E/S Reisterstown Road, and Chatsworth Avenue
Present Zoning: D.R. 3.5
Proposed Zoning: Reclass from D.R. 3.5 to B.L.

District: 4
No. Acres: 0.37 acres

Dear Mr. DiNenna:

The acreage is too small to have any effect on increasing student population. However, because of its proximity to the schools in the area, consideration should be given to the commercial possibilities that the B.L. zoning offers. An antique shop would have no effect on the operation of the schools whereas a facility such as a milk bar or "carry-out or eat-in" shop could become a hang-out for pupils who should ordinarily be in class.

Very truly yours,

W. Rick Putrovich
W. Rick Putrovich
Field Representative

KMP:ld

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
301 COUNTRYLAND AVENUE
TOWSON, MARYLAND 21204

OFFICE: 872-3808

RESIDENCE: 771-4892

September 28, 1972

DESCRIPTION TO ACCOMPANY PETITION FOR ZONING RECLASSIFICATION
143 S. MAIN STREET, REISTERSTOWN
4TH ELECTION DISTRICT
BALTIMORE COUNTY

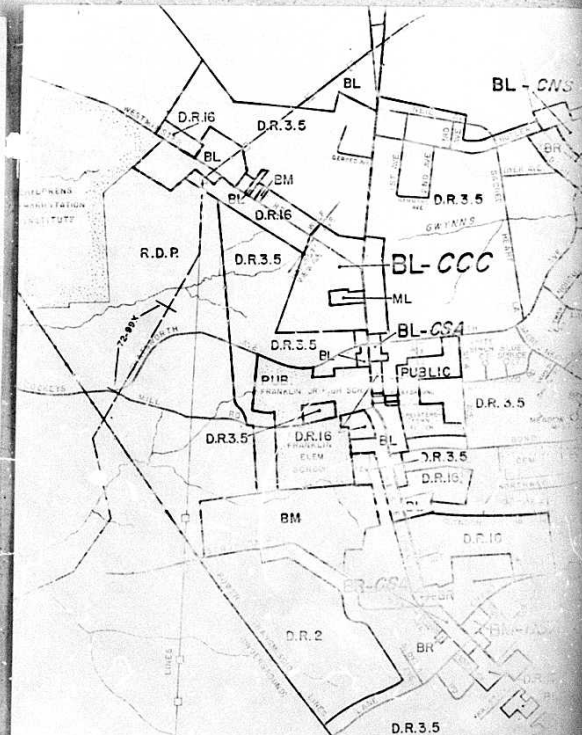
BEGINNING for the same at a point in the first line of the land which by deed dated October 29, 1966, and recorded among the Land Records of Baltimore County, in Liber O.T.G. 4690, Folio 149, was conveyed by Alois A. Trunda and wife to Stewart, Ensor and Smith Company, said point being located the two following courses and distances from the intersection formed by the east side of Reisterstown Road and center line of Chatsworth Avenue: 1) southerly along the east side of Reisterstown Road 690 ft. ± and 2) N86°30'E 146 ft. ± running thence and binding on part of the first, the second, and part of the third lines in aforesaid deed, the three following courses and distances: 1) N86°00'E 184 ft. ± 2) S1°30'W 89.3 ft. and 3) S86°00'W 184 ft. ± running thence for a line of division N1°30'E 89.3 ft. to the place of beginning.

CONTAINING 0.37 acres, more or less.

BEING part of the property of Stewart, Ensor and Smith Company.



E. F. RAPHEL
Eugene F. Raphael
Reg. Professional Land
Surveyor #2246



[illegible]

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., commencing on _____ of _____, _____ weeks before the _____ day of _____, 1973, the _____ publication appearing on the _____ day of _____, 1973.

Cost of Advertisement. \$_____

[illegible]

ORIGINAL

RANDALLSTOWN, MD. 21133 February 26 - 19 73

THIS IS TO CERTIFY, that the annexed advertisement of
3. Eric Dinenna
Zoning Commissioner of Baltimore County
 was inserted in THE COMMUNITY TIMES, a weekly newspaper published
 in Baltimore County, Maryland, once a week for one XXXXXXXXXXXX
 week before the 26 day of February 19 73 that is to say, the same
 was inserted in the issue of February 22, 1973.

STROMBERG PUBLICATIONS, Inc.

By Luth Morgan

73 217-R

District: 470 Date of Posting: 11-22-77
 Posted for: DECLASSIFICATION
 Petitioner: STANLEY MARCO ADELSON
 Location of property: 64 DEVEREAUX DR. CROFT CT
CHATHAM, MA
 Location of Signal: Q-16 of DEVEREAUX DR. 2nd Floor of F. Office
64 DEVEREAUX DR. 2nd Floor of F. Office
 Remarks: (2) Signs and Foot Note 116 E of Devereaux Dr.
 Posted by: W. J. [illegible] Date of return: 11/28/77

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 ☒ No							
Previous case: 			Map # _____							

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 7083

DATE March 9, 1973 ACCOUNT 01-662

AMOUNT \$84.63

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Stewart, Manor and Keith Co.
143 Main Street
Baltimore, Md. 21215
Advertising and printing of property
973-217-2

84.63 REC

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 5769

DATE Nov. 6, 1972 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION

WHITE - CASHIER	PINK - AGENCY	YELLOW - CUSTOMER
Messrs. Smith, Johns and Smith 104 Jefferson Building Towson, Md. 21204 Petition for Reclassification for Stewart, Messrs. and Smith		

George B. Johns, Esquire
104 Jefferson Building
Towson, Maryland 21204

From # 37

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 13th day of October 1972.


E. ERIC DINEEN,
Zoning Commissioner

Petitioners: Clayton, Bruce & Smith Co.
Petitioner's Attorney: George B. Johns Reviewed by: 
Advisory Committee

George B. Johns, Esquire
104 Jefferson Building
Towson, Maryland 21204

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 13th day of October, 1972.


E. ERIC DI NENNA,
Zoning Commissioner

Petitioners - Shaw-Wynn & Smith Co.
Petitioner's Attorney - George B. Johns Reviewed by 
Planning
Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

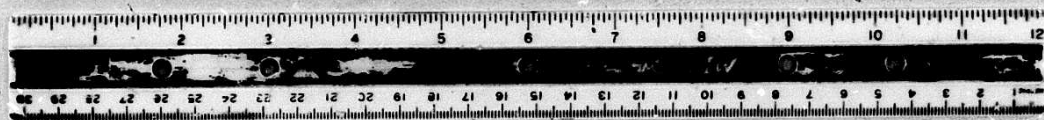
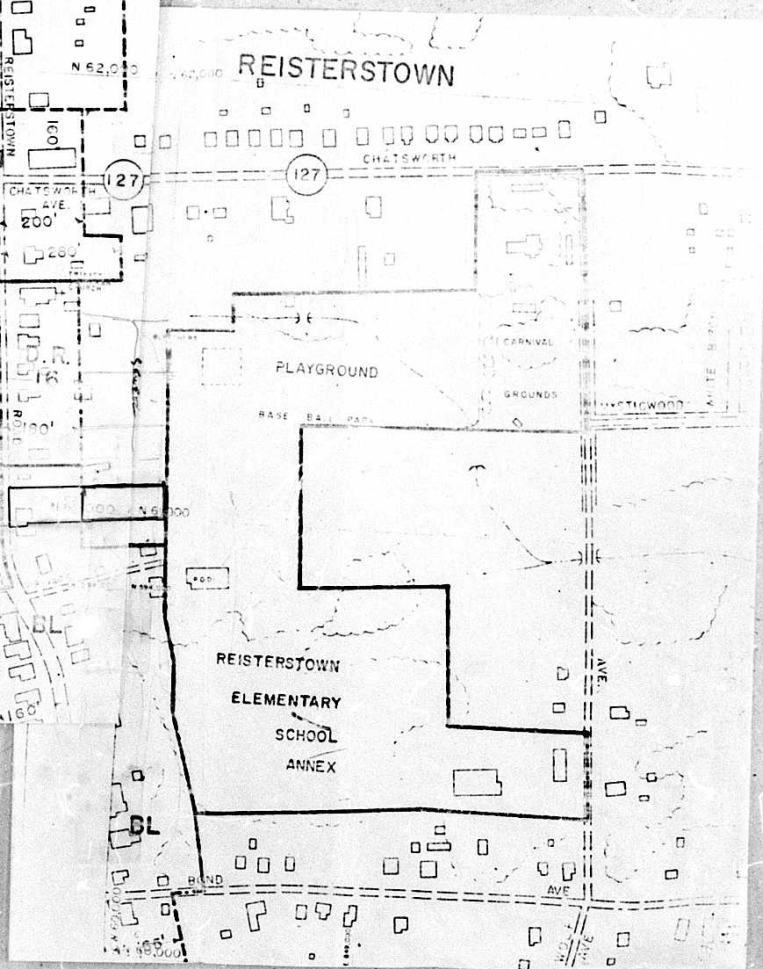
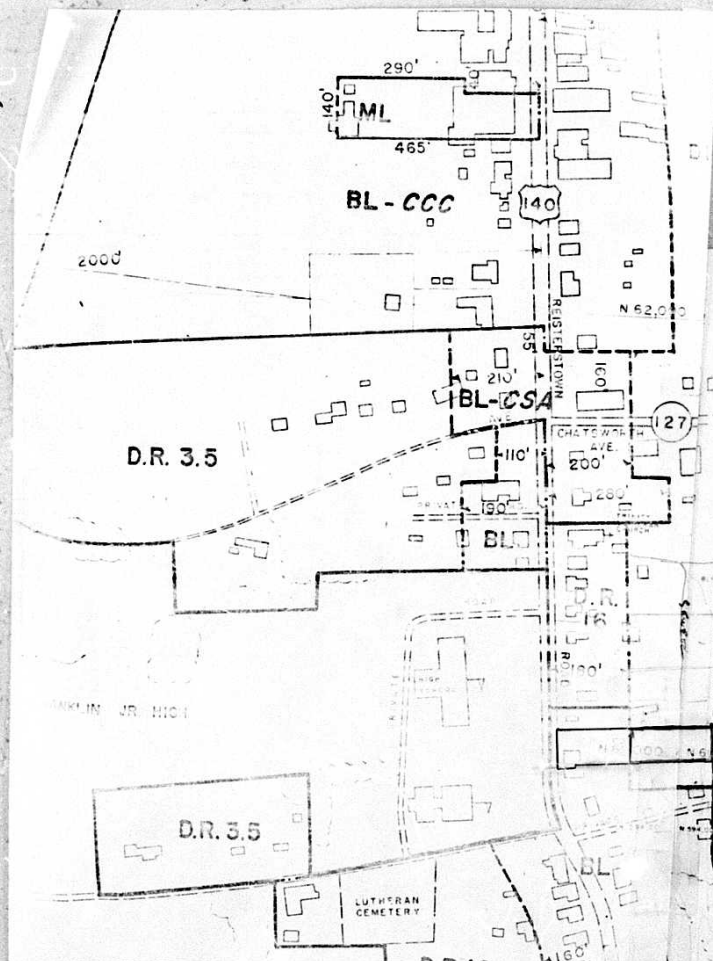
County Office Building
111 W. Chapspoke Avenue
Towson, Maryland 21204

Your Petition has been received" this 29th day of Sept. 1972. Item # _____

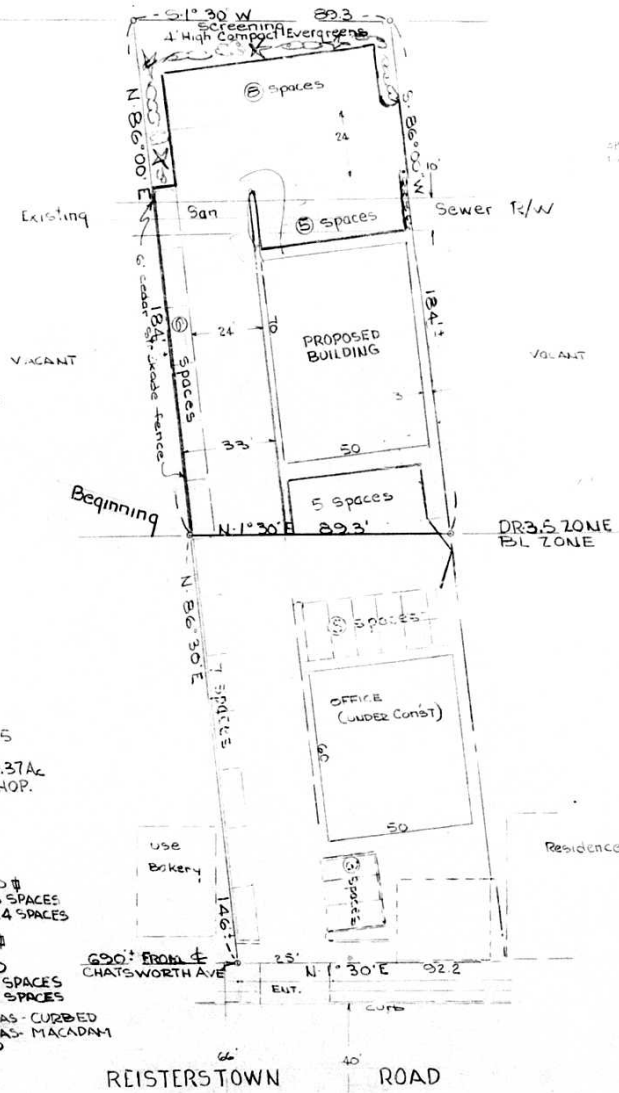
SP. D. 76
S. Eric D'Nanna
Zoning Commissioner

Petitioner's Signature _____ Submitted by VOH/AS
Witness _____
Petitioner's Attorney VOH/AS Reviewed by VOH

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.



PUBLIC LANDS
Use (Playground)



GENERAL DATA

AREA OF PROP. 0.68
USE OF PROP. OFFICE
EXIST. ZONE B.L. & DR 3.5
PROP. ZONE BL
AREA OF DR 3.5 ZONE 0.37A
PROP. USE - ANTIQUE SHOP.

PARKING DATA

AREA PROP. BLDG 3,500 sq ft
PARKING RATIO 1/200 sq ft = 18 SPACES
PROVIDED 24 SPACES
AREA EXIST. BLDGS 3,000 sq ft
AREA PROP. BLDG 3,500 sq ft
TOTAL AREA 1,400 sq ft
PARKING RATIO 1/200 sq ft = 37 SPACES
PROVIDED 30 SPACES
PERIMETER OF PARKING AREAS - CURBED
SURFACE OF PARKING AREAS - MACADAM
PARKING SPACES - 30 X 20

E.F. Raphael

REISTERSTOWN

ROAD

PLAT TO ACCOMPANY PETITION
FOR RECLASSIFICATION
143 SOUTH MAIN ST.
REISTERSTOWN, MD
4th ELEC. DIST. BALTO. CO.
SCALE 1" = 30' OCT. 27-72

SCHOOL (FRANKLIN JR. High)
ZONE: PUBLIC

W. J. BARRY & ASSOCIATES
REGISTERED PROFESSIONAL SURVEYORS
BALTIMORE, MARYLAND
OCT. 27-72