

73-228-R PETITION FOR ZONING RE-CLASSIFICATION

73-228-R

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Philip E. Johnson, Sr., et al. 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. 5.5, 10.5, M.L. zone to an B.L. zone; for the following reasons:

- 1.) In classifying the property D.R. 5.5 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 expense of above re-classification and/or Special Exception advertising, 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.

Address: 3219 Palstaff Road
Baltimore, Maryland, 21215

Address: 204 W. Pennsylvania Ave.
Baltimore, Md. 21204

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Baltimore, Md. 21204

RE: PETITION FOR RECLASSIFICATION : BEFORE
from D.R. 5.5, D.R. 10.5 and M.L. : COUNTY BOARD OF APPEALS
to B.L. zone :
S/S of Hollins Ferry Road 500 feet : OF
NE of Hammonds Ferry Road : BALTIMORE COUNTY
13th District :
Philip E. Johnson, Sr., et al. :
Petitioners :
Harold N. Goldsmith and :
Leonard Weinglass :
Contract Purchasers :
No. 73-228-R

OPINION

This case comes before the Board on an appeal by the Petitioners from a decision of the Deputy Zoning Commissioner dated May 1, 1973 wherein the petition for reclassification from D.R. 5.5, D.R. 10.5 and M.L. to B.L. was denied. The property in question is located on the south side of Hollins Ferry Road approximately 500 feet north-east of Hammonds Ferry Road, in the 13th Election District of Baltimore County.

The Petitioner testified that he has owned the subject property since 1950 and presently resides thereon. He states that drastic changes have occurred since the adoption of the zoning maps in 1971, the most notable being the property to the rear of his (south), which will be hereinafter referred to as that property owned by Weather-Tite Manufacturing Corporation, which was changed from apartment zoning to M.L. by the adoption of the maps and subsequent to that change in zoning classification, a large factory was erected and now is apparently manufacturing aluminum or other metal products. The Petitioner and also his wife testified that the noise resulting from the manufacturing operation emanating from motors, compressors and the sawing of metal goes on both day and night, and as a result the subject property has become unsuitable for residential purposes.

The Petitioner also had testifying on his behalf Richard Smith, a professional engineer, who testified as to the present zoning and to the fact that the subject property is located on Hollins Ferry Road, a 70 foot right of way with a 40 foot paved road, plus curb and gutter. Mr. Smith also indicated that the warehouse located to the south of the subject property has been constructed closer to the property line than permitted under the required setbacks. There was further testimony that there were adequate utilities and the proposed use of the property would not cause any problems in that regard.

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Philip E. Johnson, Sr., et al. - No. 73-228-R

2.

Mrs. Johnson, the Petitioner's wife, further testified that there has been a great increase in traffic along Hollins Ferry Road, and the fact that there is no respite with peace and quiet at any time due to the traffic, but primarily due to the noise referred to above emanating from the factory to the rear of the subject property. It was further testified that as a result of the manufacturing use to the rear there has been a tremendous increase in dust and dirt in the air, and she finds it difficult to keep her house clean and impossible to hang any laundry out because of this situation.

In further support of the Petitioner's case appeared Bernard M. Willemain, a recognized planner and zoning consultant, and he verified the facts essentially as set forth above, and stated that there apparently has been a significant change since the adoption of the zoning maps in 1971. He further went on to state that zoning in this area seemed to be a hedgepodge and not as a result of a comprehensive zoning or planning scheme, which is resulting in a hardship to the Petitioner herein. Mr. Willemain went further and stated that in his opinion it is impossible to build new housing in this market unless on a large scale and with Federal financing, and the subject property would not meet these requirements. Mr. Willemain also stated that there has been a substantial change with regard to the traffic on Hollins Ferry Road in front of the subject property, and stated as a result of his consultation with Baltimore County Traffic Engineer's office there was an almost one hundred percent increase in the volume of traffic from 1969 to 1972, and an additional estimated thirty-three and one-third percent increase estimated for 1974 over the traffic count in 1969. Mr. Willemain further testified that the subject property could not reasonably be used for apartments, as it would only be possible to build thirty-eight units, and these would be sandwiched next to the M.L. zoning classification with its disturbing and aggravating qualities referred to before, and as such would not be conducive to residential occupancy. It was Mr. Willemain's opinion that B.L. would be the first or lowest classification in intensity that would permit a reasonable use of the subject property, and that the subject property would, in fact, be a good location for commercial zoning.

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Philip E. Johnson, Sr., et al. - No. 73-228-R

3.

There were no protestants who appeared in opposition to this petition. The Board is of the opinion that there has been ample evidence produced on behalf of the Petitioner to show that substantial change has occurred since the adoption of the comprehensive zoning map on March 24, 1971, and said change has materially affected his property and the use and enjoyment thereof, and for these reasons the reclassification petitioned for herein will be granted.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 24th day of April, 1974, by the County Board of Appeals ORDERED, that the reclassification petitioned for be and the same is hereby GRANTED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Robert L. Gilland, Chairman
John A. Miller

Note: Two men Board sat on this case.

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RE: PETITION FOR RECLASSIFICATION : BEFORE THE
CATION : DEPUTY ZONING
S/S Hollins Ferry Road, 500' :
NE of Hammonds Ferry Road : COMMISSIONER
13th District :
Philip E. Johnson, Sr. - Petitioner :
NO. 73-228-R (Item No. 40) : OF
BALTIMORE COUNTY

This Petition represents a request by the Petitioner to reclassify his property from a D.R. 5.5 Zone, 10.5 Zone, and M.L. Zone to a B.L. Zone. The subject property consists of 2.438 acres, is improved with an existing dwelling, and is located on the east side of Hollins Ferry Road approximately 500' northeast of Hammonds Ferry Road in the Thirteenth Election District of Baltimore County.

Those who testified, with respect to the Reclassification, were Harold N. Goldsmith, contract purchaser; Richard Smith, associate with the civil engineering firm of Mats, Childs and Associates; Philip E. Johnson, Sr., the Petitioner who resides on the subject premises; and David Horn, real estate expert with 20 years experience in the industrial commercial real estate area.

Testimony indicated that the subject property is located on the east side of Hammonds Ferry Road approximately 500' from an existing commercial complex at the intersection of Hammonds Ferry Road and Hollins Ferry Road. Uses at this intersection were described as follows: southwest corner, a Shell service station; the southeast corner, a vacant Mobil service station; and the northeast corner, an Exxon service station and a Farm Store.

A substantial group home development immediately adjoins the subject property to the north and a large tract of residentially zoned D.R. 5.5 land exists opposite the site on the west side of Hammonds Ferry Road. The property immediately adjacent to, and south of the subject site, is residentially zoned D.R. 5.5 and improved with an individual cottage. The rear of the site is bordered by a rather large tract zoned for M.L. uses and improved with a

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large building that covers approximately three and one-half acres of the site. A vacant commercially zoned (B.L.), six acre tract, is situated on the north side of Hollins Ferry Road within approximately 400 feet east of the subject site.

All witnesses felt that the present Comprehensive Zoning Map was in error in not having classified the Petitioner's property for commercial uses. They felt that the property is no longer suitable for residential purposes in that it fronts on Hollins Ferry Road, a heavily traveled collector road for the area; borders M.L. zoned and improved property at the rear; and is situated in close proximity to other commercial uses at the intersection of Hammonds Ferry Road and Hollins Ferry Road.

Recommendations of the Planning Board, with regard to the requested Reclassification were negative. It was their opinion that there was a sufficient amount of commercially zoned land to accommodate community needs in the Lansdowne area. In support of this contention, they cited the three following tracts: the vacant six acre commercially zoned tract located 400' from the site; the Lansdowne shopping center located approximately one-half mile from the site; and ten acres of commercial property located approximately one-half mile from the site.

The Board also felt that the granting of commercial zoning here would conflict with the policies of the Baltimore County 1980 Guideplan. It was their opinion that the neighborhood shopping center for this area has been provided on the vacant 6.52 acre tract located just east of the subject site, on the north side of Hollins Ferry Road.

Comments from the Department of Traffic Engineering indicate that the requested Reclassification would result in an increase in trip generation from 135 trips per day to approximately 1,200 trips per day.

Generally speaking, there were no adverse comments from other County agencies with regard to the Petitioner's proposed site plan.

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- 2 -

After reviewing the above testimony, recommendations and making an on site field inspection of the subject property and the surrounding area, it is the opinion of the Deputy Zoning Commissioner that the Petitioner's have not met their burden of proving error, and that the Comprehensive Zoning Map as adopted by the County Council on March 21, 1971, is correct insofar as the Petitioner's property is concerned. Hollins Ferry Road is a collector road and is heavily traveled. However, for the most part, this road is a residential collector and should not be burdened with unplanned commercial uses. The creation of individual commercially zoned properties along this road could impede traffic flow and become a detriment to the health, safety and general welfare of the community in general. The existence of the vacant six and one-half commercially zoned tract, four hundred feet north of the subject site on the opposite side of Hollins Ferry Road rises serious doubt as to the need for yet additional commercial zoning in this area.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 1st day of May 1973, 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. 5.5 Zone.

James S. Hays
Deputy Zoning Commissioner of
Baltimore County

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- 3 -

MAY 11, 1971

Mr. EDWARD D. HARDESTY
ZONING COMMISSIONER
BALTIMORE COUNTY OFFICE BLDG.
TOWSON, MD. 21204

RE: 6.52 ACRE TRACT
HAMMONDS FERRY RD.

WE ARE THE OWNERS OF A 6.52 ACRE TRACT ON THE EAST SIDE OF HAMMONDS FERRY RD., 450 FEET SOUTH OF HOLLINS FERRY RD. OUR PROPERTY IS ZONED M.L. IT APPEARS THAT ALL OF THE SURROUNDING PROPERTIES ARE ZONED FOR RESIDENTIAL USE. WE PLAN TO CLOSE OUR PRESENT FACILITIES LOCATED IN BALTO. CITY AND CONSTRUCT A BUILDING ON THE REFERENCED SITE TO HOUSE OUR FACILITIES.

OUR OPERATION CONSISTS OF MACHINING ALUMINUM FRAMES AND ASSEMBLING WINDOWS FROM PREVIOUSLY PREPARED ALUMINUM AND GLASS.

WE HAVE BEEN ADVISED THAT, WITHIN 100 FEET OF RESIDENTIAL LAND, WE ARE RESTRICTED TO THOSE USES WHICH WOULD BE PERMITTED IN AN M.R. ZONE AND THAT, WITHIN THIS 100 FOOT STRIP, SET BACKS WILL BE THOSE REQUIRED IN AN M.R. ZONE.

WE INTEND THE REGULATIONS TO INDICATE THAT OUR PLANT WOULD BE PERMITTED IN AN M.R. ZONE, THAT OUR SIDE AND REAR YARD SETBACKS WOULD BE 30 FEET AND THAT THE FRONT YARD SETBACK (EXCEPT IN THE 100 FOOT STRIP) WOULD BE 20 FEET.

ENCLOSED ARE TWO PRINTS OF A PLAT SHOWING THE OUTLINE OF OUR TRACT, A PRELIMINARY BUILDING LOCATION AND THE SETBACKS. WE WOULD GREATLY APPRECIATE YOUR REVIEWING THE PLAT AND ADVISING US WHETHER OUR INTERPRETATION OF THE ZONING REGULATIONS IS CORRECT.

IF YOU REQUIRE ANY ADDITIONAL INFORMATION PLEASE CONTACT THE WRITER OR OUR ENGINEER, R.C. SMITH, WHOSE ADDRESS AND PHONE NUMBER ARE ON THE PLAT. THANK YOU FOR YOUR ASSISTANCE.

VERY TRULY YOURS,
MR. HARVEY PEARL

CC: Mr. JOHN STANG SMITH

WIT INDUSTRIES INC.
Planning Department

ORDER RECEIVED FOR FILING

DATE May 1, 1973

BY [Signature]

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ORDER RECEIVED FOR FILING

DATE May 1, 1973

BY [Signature]

MICROFILMED

ORDER RECEIVED FOR FILING

DATE May 1, 1973

BY [Signature]

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POINTS OF ERROR COMMITTED
BY THE COUNTY COUNCIL IN CLASSIFYING
THE SUBJECT PROPERTY D.R.5.5

The Petitioner states that the County Council committed the following errors and very possibly additional errors in classifying the subject property D.R.5.5:

1.) This section of Lansdowne, and, most particularly, this section of Hollins Ferry Road, has undergone a tremendous transformation and is no longer residential in character, but rather is commercial in character.

2.) That the presence of the commercial to the west, as well as the large industrial plant immediately to the rear of the subject parcel, renders D.R.5.5 zoning clearly erroneous.

3.) That there is a need for additional commercially zoned property in this area, and the subject tract is ideally suited to fill this need; and it was error for the Council not to take note of this fact and zone the property appropriately.

4.) For such other and further errors as shall be discovered during the course of the preparation of this case which shall be brought out at the time of the hearing hereon.

CHANGES IN THE NEIGHBORHOOD

The Petitioner states that a number of changes have occurred in this neighborhood, including at least the following:

1.) That property but a short distance to the east on the north side of Hollins Ferry Road was reclassified from D.R.5.5 to D.R.16 in the first cycle, Item No. 7, a Petition by Mr. John McCleod.

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2.) That the entire character of this neighborhood is changing almost on a daily basis, including increased industrialization, intensifying commercial activity and other area activities which each day make D.R.5.5 zoning more and more inappropriate and unusable.

3.) Such other and further changes as shall be disclosed by a minute study of this area, and which shall be brought out at the time of the hearing hereon.

Respectfully submitted,

James D. Nolan
James D. Nolan
Attorney for Petitioner

-2-

MCA 
MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING
ENGINEERS

1080 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301/823-0800

Lester Matz
John C. Childs
Associates
Ronald W. Boyles
George W. Bushay
Robert W. Craven
Edmund F. Halls
Norman F. Herrmann
Paul Lee
Fred F. Minniman
Wilson F. Outen
Paul B. Stratton

DESCRIPTION

2.438 ACRE PARCEL, SOUTH SIDE OF HOLLINS FERRY ROAD, EAST OF
HAMMONDS FERRY ROAD, THIRTEENTH ELECTION DISTRICT, BALTIMORE
COUNTY, MARYLAND.

This Description is for "B-L" Zoning.

Beginning for the same at an iron pipe set in the division line between lots number 7 and 8, as shown on the recorded plat of Edna Terrace, recorded among the Land Records of Baltimore County in Plat Book 3, page 24, said beginning being on the south side of Hollins Ferry Road as widened to 60 feet, and being distant 500 feet, more or less, northeasterly from the intersection formed by the east side of Hammonds Ferry Road and the south side of Hollins Ferry Road, thence binding on the division line between lots number 7 and 8 of said plat, (1) S 16° 31' 52" E 216.70 feet to a concrete monument heretofore set, thence binding on the rear line of lots number 8, 9, and 10 of the aforesaid plat, (2) N 86° 55' 57" E 384.12 feet to the westerly line of a 20 foot alley as shown on the Amended Plat of Patapasco Terrace, Section 2, recorded in Plat Book W.J.R. 28, page 104, thence binding on the westerly line of said alley, (3) N 32° 38' 16" E 228.56 feet to an iron pipe, thence leaving said alley and binding on lot 10 of aforesaid Plat of Edna Terrace, (4) N 64° 21'

Water Supply ■ Sewerage ■ Drainage ■ Highways ■ Structures ■ Developments ■ Planning ■ Reports

MCA 
MATZ, CHILDS & ASSOCIATES, INC.

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00' W 20.60 feet to an iron pipe, thence (5) N 49° 21' 00" W 31.39 feet to an iron pipe set in the southerly line of Hollins Ferry Road as now widened, thence (6) binding on said southerly line with a curve to the left having a radius of 5.5 feet, length of arc 143.28 feet, chord N 89° 17' 02" W 143.01 feet to an iron pipe, thence still binding on said southerly line of Hollins Ferry Road, (7) S 84° 32' 38" W 384.91 feet to the place of beginning.

Containing 2.438 acres of land, more or less.

CAE:impl

J.O. #72197

September 26, 1972



BALTIMORE COUNTY
ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE
October 13, 1972

COUNTY OFFICE BLDG.
112 N. CALVERT ST.
TOWSON, MARYLAND 21204

John J. Dillon, Jr.
Chairman

MEMBERS

REAR OF
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

James D. Nolan, Esq.
204 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Reclassification
S/S of Hollins Ferry Road,
500' N/E of Hammonds Ferry
Road - 13th District
Philip and Thelma Johnson -
Petitioners
Item No. 40
Fourth Zoning Cycle

Dear Mr. Nolan:

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 south side of Hollins Ferry Road, five hundred (500) feet northeast of Hammonds Ferry Road, in the Thirteenth District of Baltimore County.

This D.R. 5.5 zoned property is unimproved except for an existing dwelling at the western most portion of the property where it is directly adjacent to another dwelling to the west. There are existing row homes along Ryerson Circle immediately to the east of the property. The area in the rear of the subject site is zoned Manufacturing Light (M.L.) and is developed with a warehouse structure. The property on the north side of Hollins Ferry Road is undeveloped D.R. 5.5 zoned property. Curb and gutter and sidewalks exist along Hollins Ferry Road at this location.

The petitioners propose to develop this property for a retail building which would contain 23,800 square feet and would provide 119 parking spaces.

The site plan, as submitted, is acceptable however, he should indicate on the revised site plan the method of loading and

James D. Nolan, Esquire
Page Two
October 13, 1972

unloading in the rear of the building, size and location of the parking lot lighting, and a minimum of a fifteen (15) foot curb radius as indicated on the Bureau of Engineering comments. The petitioner is also advised to familiarize himself with the comments of the Department of Traffic Engineering, Health Department and the Baltimore County Fire Department.

This petition is accepted for filing on the date of the enclosed filing certificate. However, all corrections to site 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.
John J. Dillon, Jr.
Chairman
Zoning Advisory Committee

JJD:vic

Enclosures

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

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

October 30, 1972

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

Re: Cycle Zoning IV
Item 90 - ZAC - Oct. 72 to Apr. 73
Property Owner: Philip and Thelma Johnson
Hollins Ferry Road NE of Hammonds Ferry Road
Reclass. from DR 5.5, DR 10.5 and ML to BL
District 13

Dear Mr. DiNenna:

The subject petition is requesting a zoning reclassification from DR 5.5, DR 10.5 and ML to BL. As presently zoned, this site would generate approximately 135 trips per day. The reclassification will generate approximately 1,200 trips per day.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF:nc

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

COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Bureau of Engineering
ELLSWORTH N. DYER, P.E. CHIEF

October 13, 1972

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

Re: Item #40 (Cycle Zoning IV Oct. 1972 - April 1973)
Property Owner: Philip & Thelma Johnson
S/S Hollins Ferry Rd., 500' N/E of Hammonds Ferry Rd.
Present Zoning: D.R. 5.5, D.R. 10.5 & M.L.
Proposed Zoning: Reclass. from D.R. 5.5, D.R. 10.5
& M.L. to B.L.
District: 13th No. Acres: 2.438 acres

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.

Highway Comments:

Access to this site is to be from Hollins Ferry Road which is an improved major collector through the frontage of this site.

The entrance locations are subject to approval by the Department of Traffic Engineering.

Entrances shall be a minimum of 24 feet and a maximum of 30 feet wide, shall have 10-foot minimum radii curb returns, shall be located a minimum of 15 feet from any property line, and shall be constructed in accordance with Baltimore County Standards (Details R-33, R-33A and R-33B, 1971 Edition), as the Petitioner's total responsibility.

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.

The Petitioner's proposals for draining this site are not indicated on the plat submitted.

Public storm drains do exist in Hollins Ferry Road. Use of these drains will be dependent on the physical possibilities of the problems involved. This property by nature drains westward into the adjacent residential property.

Item #40 (Cycle Zoning IV Oct. 1972 - April 1973)
Property Owner: Philip & Thelma Johnson
Page 2
October 13, 1972

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.

Water Comments:

Public water is available to serve this property.

Sanitary Sewer Comments:

Public sanitary sewerage is available to serve this property.

Very truly yours,

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

END:HAM:CMK:iss

C-HE Key Sheet
22 SW 2 Position Sheet
109 Tax Map
Sh 6 C Topo

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
828-7310

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

Attention: Mr. Jack Dillon, Acting
Zoning Advisory Committee

Re: Property Owner: Philip and Thelma Johnson

Location: S/S Hollins Ferry Road, 500' N/E of Hammonds Ferry Road

Item No. 40

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.

- (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. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (X) 4. 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.
- () 5. The Fire Prevention Bureau has no comments at this time.

Reviewed: *John A. Schuppert* Noted and Approved:
Planning Group Special Inspection Division Deputy Chief
Fire Prevention Bureau

m15
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: Philip and Thelma Johnson
Location: S/S Hollins Ferry Road, 500' N/E of Hammonds Ferry Road
Present Zoning: D.R. 5.5, D.R. 10.5 and M.L.
Proposed Zoning: Reclassification to B.L.
District: 13
No. Acres: 2.438

Metropolitan water and sewer are available to the site.

Food Service Comments: If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval.

Very truly yours,

John A. Schuppert
John A. Schuppert, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVS:msb

cc: L.A. Schuppert

**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 #40
Property Owner: Philip and Thelma Johnson
Location: S/S Hollins Ferry Road, 500' N/E of Hammonds Ferry Rd.
Present Zoning: D.R. 5.5, D.R. 10.5, and M.L.
Proposed Zoning: Reclass. from D.R. 5.5, D.R. 10.5 and M.L. to B.L.

District: 13
No. Acres: 2.438 acres

Dear Mr. DiNenna:

Since the plat submitted does not breakdown the acreage into the various existing zonings it is impossible to base a comment as to the yield from each. However, a change to B.L. would not yield any students.

Very truly yours,

W. Dick Petrovich
W. Dick Petrovich
Field Representative

WHP:ld

LAW OFFICES OF
NOLAN, PATENHOFF & WILLIAMS
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
TELEPHONE 823-7800

June 6, 1973

The Honorable James E. Dyer
Deputy Zoning Commissioner for
Baltimore County
County Office Building
Towson, Maryland 21204

Re: Petition for Reclassification
S/S Hollins Ferry Road, 500' NE
of Hammonds Ferry Road - 13th Dist.
Philip E. Johnson, Sr., Petitioner
No. 73-228-R Item No. 40

Dear Mr. Dyer:

At the request of a member of your staff we wish to clarify the status of the above case. This office has withdrawn from the case, and Mr. and Mrs. Johnson, the property owners, have engaged the services of Mr. William D. Wells, a member of the Baltimore County Bar.

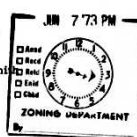
If there is any further information that should be placed in the file, please do not hesitate to contact me.

Sincerely yours,

James D. Nolan
James D. Nolan

JDN:jak
cc:

Mr. Harold N. Goldsmith



WELLS DURKEE & ALBERT
ATTORNEYS AT LAW
PIKESVILLE PROFESSIONAL BUILDING
7 CHURCH LANE
PIKESVILLE, MARYLAND 21208

June 5, 1973

WILLIAM D. WELLS
CARL A. DURKEE
HILDA P. ALBERT

TELEPHONE
484-0300



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

Re: Petition for Re-Zoning
2.4 acres Hollins Ferry Road
Case No. 73-228-R
Philip E. Johnson, Sr. & Thelma,
his wife

Dear Mr. DiNenna:

Please be advised that I represent Mr. and Mrs. Philip E. Johnson, Sr., in the above captioned appeal. I believe I failed to specify why I represent in the above case in my original appeal letter to you dated May 29, 1973.

Very truly yours,

William D. Wells
WILLIAM D. WELLS

WDW/lde
#2841

WELLS DURKEE & ALBERT
ATTORNEYS AT LAW
PIKESVILLE PROFESSIONAL BUILDING
7 CHURCH LANE
PIKESVILLE, MARYLAND 21208

May 29, 1973

TELEPHONE
484-0300

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

Re: Petition for Re-Zoning
2.4 acres Hollins Ferry Road
Case No. 73-228-R
Philip E. Johnson & Thelma, h's wife

Dear Mr. DiNenna:

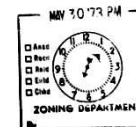
Please note an Appeal to the Board of Appeals of Baltimore County from the decision of the zoning commissioner dated May 1, 1973 in the above case.

Enclosed is check in the amount of \$70.00 made payable to Baltimore County, Maryland to cover the appeal costs.

Very truly yours,

William D. Wells
WILLIAM D. WELLS

WDW/lde
Enclosure



May 1, 1973

James D. Nolan, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Reclassification
S/S Holmes Ferry Road, 500' NE
of Hammond's Ferry Road - 13th
District
Philip E. Johnson, Sr. - Petitioner
NO. 73-228-R (Item No. 40)

Dear Mr. Nolan:

I have this date passed my Order in the above captioned matter
in accordance with the attached.

Very truly yours,

James E. Dyer
JAMES E. DYER
Deputy Zoning Commissioner

JED:mc

Attachment

June 22, 1971

Mr. Manny Pamfili
W. T. Industries, Incorporated
830 DeBolt Avenue
Baltimore, Maryland 21205

RE: 6.5 Acres Tract
Hammonds Ferry Road

Dear Mr. Pamfili:

I have received your letter of May 11, 1971, and the
accompanying plans of the proposed development for the above refer-
enced location.

The plan, as submitted, has been reviewed by my staff
and appears to be in conformance with the Baltimore County
Zoning Ordinance as they pertain to setbacks. However, it has been
brought to my attention that a discrepancy exists between the zoning
on the Official Zoning Map (BL-CNS), as adopted by the Baltimore County
Council on March 24, 1971, and zoning indicated on the submitted
plan.

After review of all aspects of this situation, it is my
opinion that the discrepancy was the result of a mechanical drafting
error and that the Baltimore County Council did, in fact, zone the sub-
ject property Manufacturing, Light (ML-L) in its entirety.

As a result of the above facts, it is my interpretation
that the Manufacturing, Light (ML-L) Zone line on the above mentioned
Official Zoning Map coincides with your property boundaries as indicated
on the submitted plan.

Very truly yours,

Edward D. Hoadley
EDWARD D. HOADLEY
Zoning Commissioner

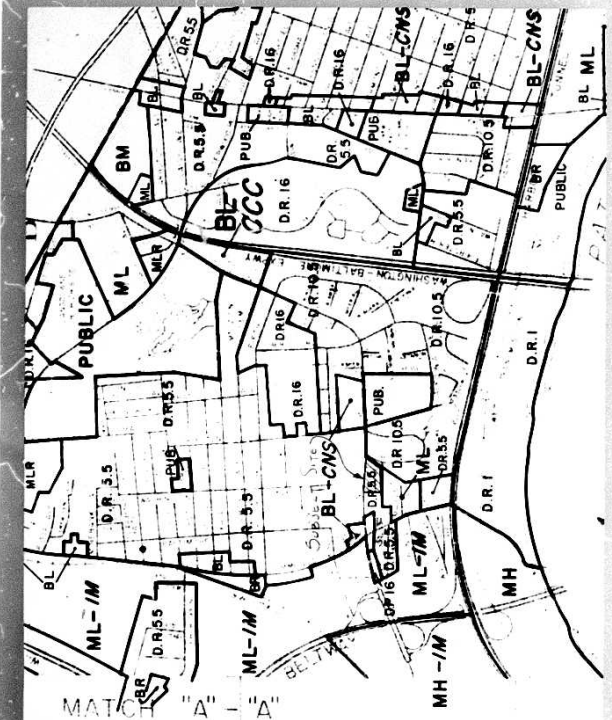
EDH/DBB,III/eri

Mr. Manny Pamfili
June 22, 1971
Page 2

cc: Mr. John Strong Smith
Smith, Trencher and Associates
Music Fair Road
Cwings Mills, Maryland 21117

Mr. James E. Dyer
Zoning Supervisor

Mr. James D. Lyness, III
Planning and Zoning Technician II
Zoning File



CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. March 13, 1973

THIS IS TO CERTIFY, That the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed and published
in Baltimore County, Md. once in each of one
successive weeks before the 25th
day of March, 1973, the first publication
appearing on the 16th day of March, 1973.

THE TIMES.

John M. Martin
Manager.

John M. Martin

Cost of Advertisement, \$ 20.00

31 W. 65th
Hwy. No. 26074

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 8, 1973

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 in each
at one time, successive weeks before the 25th
day of March, 1973, the first publication
appearing on the 8th day of March

1973

THE JEFFERSONIAN,
Richard H. Hoadley
Manager.

Cost of Advertisement, \$

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 13TH Date of Posting: JUNE 23-1973
Posted for: APPEAL
Petitioner: PHILIP E. JOHNSON
Location of property: S/S OF HOLMES FERRY RD. 500' FT. NE
OF HAMMOND'S FERRY RD.
Location of Sign: S/S OF HOLMES FERRY RD. 500' FT. NE
OF HAMMOND'S FERRY RD.
Remarks:
Posted by: *Richard H. Hoadley* Date of return: JUNE 29, 1973
Signature

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 13TH Date of Posting: JUNE 23-1973
Posted for: RECLASSIFICATION
Petitioner: PHILIP E. JOHNSON
Location of property: S/S OF HOLMES FERRY RD. 500' FT. NE
OF HAMMOND'S FERRY RD.
Location of Sign: S/S OF HOLMES FERRY RD. 500' FT. NE
OF HAMMOND'S FERRY RD.
Remarks:
Posted by: *Richard H. Hoadley* Date of return: JUNE 29, 1973
Signature

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: <u>CIC</u>			Revised Plans: Change in outline or description				Yes			
Previous case:			Map #				No			

TELEPHONE 444-3413

INVOICE

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE

Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204

DATE 11/20/72

No. 74071

TO: William D. Wells, Esq.
7 Church Lane
Pikesville, Md. 21208

County Board of Appeals
(Pending)

REMIT TO ACCOUNT No. 01-62

QUANTITY 1

RETURN THIS PORTION WITH YOUR REMITTANCE

DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

Copy of documents from file of Philip E. Johnson, Sr., et ux
S/S of Hollins Ferry Rd. 500'
NE of Hammonds Ferry Rd.
13th District
Case No. 73-228-R

TOTAL AMOUNT \$0.00

4

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MAIL TO COURTHOUSE, 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 this 27th day of Sept 1972. Item #

Petitioner: Philip E. Johnson, Sr. Submitted by: James D. Nolan

Petitioner's Attorney: James D. Nolan Reviewed by: Gerald E. Hines

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

S. Eric DiNenna
Zoning Commissioner

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

James D. Nolan, Esq.
204 V. Penna Avenue
Towson, Maryland 21204

Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Item # 40

Your Petition has been received and accepted for filing this 1st day of October 1972.

Petitioner: Philip and Thelma Johnson

Petitioner's Attorney: James D. Nolan

Reviewed by: S. Eric DiNenna, Zoning Commissioner

Chairman, Advisory Committee

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

No. 5779

DATE Nov. 6, 1972 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

James D. Nolan, Esquire
204 V. Penna Ave.
Towson, Md. 21204
Petition for Replanning for Philip E. Johnson

50.00 REC

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

No. 10826

DATE June 4, 1973 ACCOUNT 01-662

AMOUNT \$70.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

William D. Wells, Esquire
Cost of Appeal on Case No. 73-228-R
S/S of Hollins Ferry Road, 500' NE of Hammonds Ferry Road - 13th District
Philip E. Johnson, Sr., et ux - Petitioners

70.00 REC

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

No. 11229

DATE July 23, 1973 ACCOUNT 01-662

AMOUNT \$5.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

William D. Wells, Esquire
Cost of Posting Property of Philip E. Johnson, Sr., et ux, for an Appeal H-ring
S/S of Hollins Ferry Road, 500' NE of Hammonds Ferry Road - 13th District
Case No. 73-228-R

5.00 REC

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

No. 8241

DATE Oct 29, 1973 ACCOUNT 01-662

AMOUNT \$95.88

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

James D. Nolan, Esq.
204 V. Penna Ave.
Towson, Md. 21204
Advertising and posting of property for Philip E. Johnson

95.88 REC

Proposed Location

Weather Tite
Mph. Roof
Trench M.L.

Kent Site

Mobil Site

Kyan Site

Shell Site

Trench M.L. - 1/11



Hammond Ferry Rd

Hammond Ferry Rd.

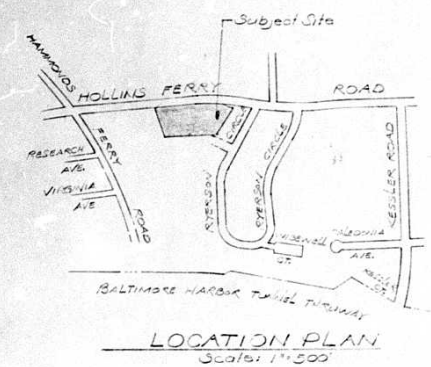
Looking S.E. From N. Side Rd. At Site



3/26/73 4:00 PM.

DZ.C. PETITIONERS EXHIBIT 3

DZ.C. PETITIONER'S
EXHIBIT 5

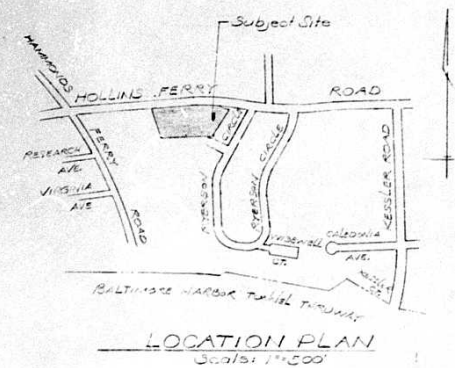
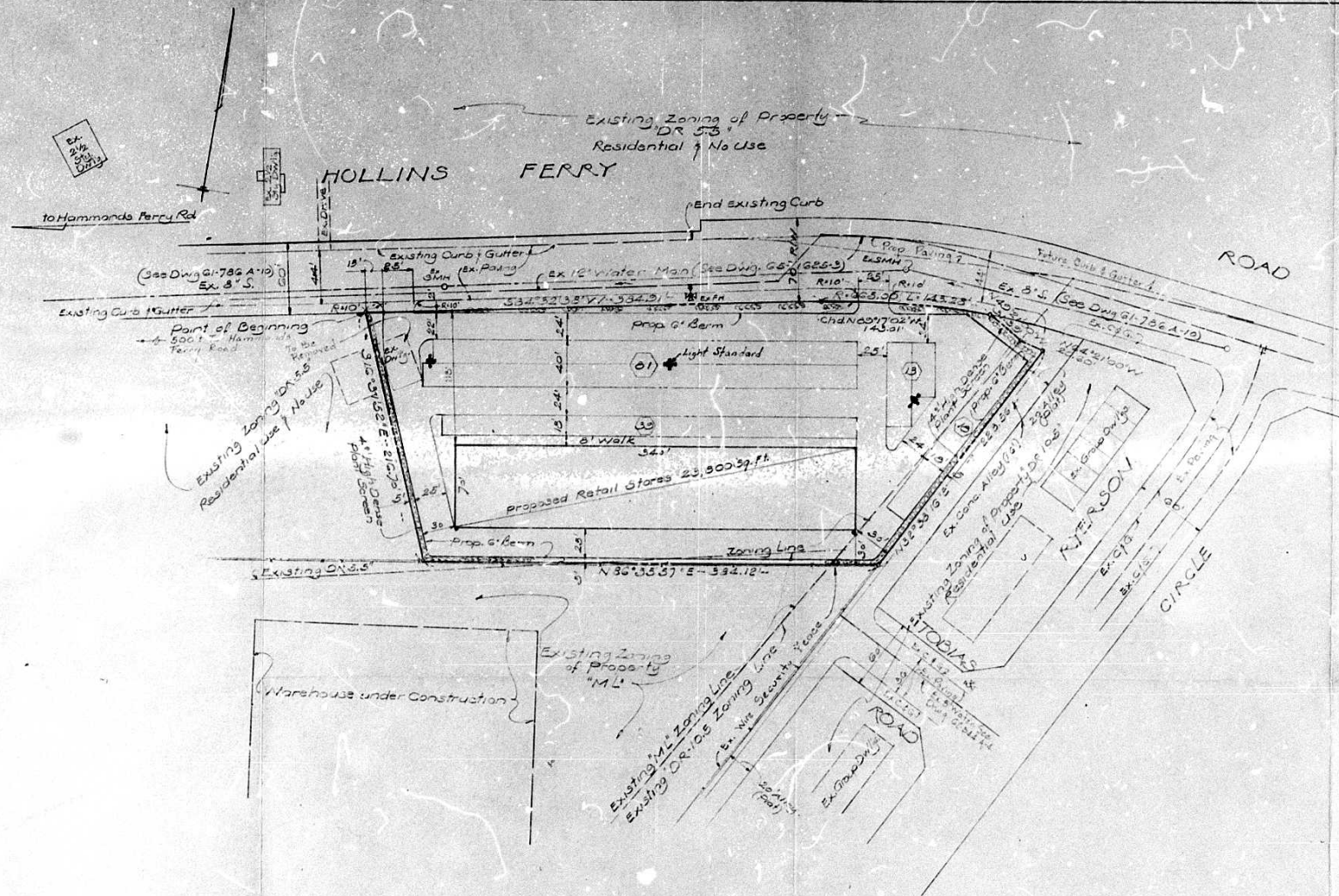


AT
4327 HOLLINS FERRY ROAD
Election District #13 Baltimore County, Md
324/e: 18-50
Sept. 27, 1972
Revised: Jan. 9, 1973

1. Area of property is 1.433 Ac.
2. Existing Zoning of property is "residential" "RM-1"
3. Existing use of property is "residential"
4. Proposed Zoning of property is "BL"
5. Proposed use of property is:
 - a. "Neighborhood Shopping Center"
6. Off-Street Parking Data:
 - a. Total Flow Area is 2,336 sq. ft.
 - b. Required Parking 112 spaces
 - c. Proposed Parking 151 Spaces
7. Parking Lot Lighting will be accomplished utilizing a 30' High T Arm Pole, two Watt Mercury Vapor Lamp. Security Lights will also be mounted along rear wall of the building over rear service entrance.
8. On-grade service entrances will be provided along the rear wall for loading & unloading of vehicles

D. Z. C. PETITIONER'S
EXHIBIT 1

Metz Childs & Associates
1020 Greenwell Bridge Road
Tomball, Md. 21062



GENERAL NOTES

1. Area of property equals 2.453 AC.
2. Existing Zoning of property is DR 5.3, DR 10.8, & M-1.
3. Existing use of property is Residential.
4. Proposed Zoning of property is M-1.
5. Proposed use of property is:
6. Off-Street Parking Data:
 - a. Total Floor Area - 23,900 sq. ft.
 - b. Required Parking - 112 spaces
 - c. Proposed Parking - 121 spaces
7. Parking Lot Lighting will be accomplished at 10' x 30' High 4 Arm 150 Watt Mercury Vapor Lamp. Security Lights will also be mounted along rear wall of the building over rear service entrances.
8. On-grade service entrances will be provided along the rear wall for loading & unloading of vehicles.

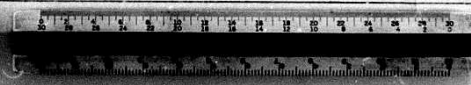
H. C. Johnson
REVISED PLANS

PLAN TO ACCOMPANY PETITION FOR RECLASSIFICATION OF PROPERTY

AT
4367 HOLLINS FERRY ROAD
Election District N-13 Baltimore County, Md
Scale: 1"=50'
Revised: Jan 3, 1973



Matz Childs & Associates
1020 Cromwell Bridge Road
Towson, Md. 21204





4

Scale: 1"=200'

13-3 SW

PERC
 FLETCHER'S
 EXHIBIT 2

Amesbury, Mass. 01923

