

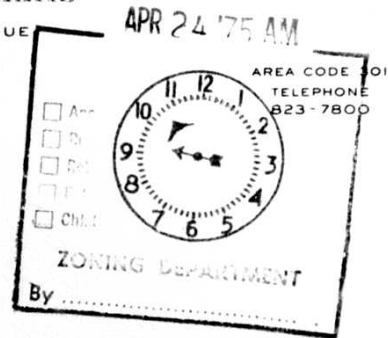
File

LAW OFFICES OF
NOLAN, PLUMHOFF & WILLIAMS

204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

JAMES D. NOLAN
J. EARLE PLUMHOFF
NEWTON A. WILLIAMS
WILLIAM M. HESSON, JR.
KENNETH H. MASTERS

April 23, 1975



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

Re: Petition for Reclassification, northeast
side of Reisterstown Road, 751.68 feet
north of Straw Hat Road - 4th Election
District. Carl and Edward Julio-Petitioners.
No. 74-56-R (Item No. 9).

Dear Commissioner DiNenna:

A review of the Order signed by you dated April 9, 1975 in this matter has revealed that the metes and bounds description included as a part of the Order concerning that portion which you reclassified from D.R.16 to B.L. contains some discrepancies and incorrect calls. We believe that we see exactly what you intended to do, namely, to zone the parcel B.L. to the same depth as the neighboring parcel, and Mr. Elliott E. Russell of Whitman Requardt & Associates is developing a corrected metes and bounds description which we will be forwarding to you shortly and would respectfully request that you include in an Amended Order..

As soon as the data is completely available, we will be in touch with your office. Thanking you for your attention to this matter, I am

Sincerely,

James D. Nolan

JDN/h1

cc: Mr. Carl T. Julio
Mr. Elliot Russell, Whitman Requardt
John W. Hessian, III, People's Counsel
Charles E. Kountz, Jr.
Deputy People's Counsel

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Carl and Edward Julio, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from D.R. 16 zone to an

B.M. zone; for the following reasons:

- 1.) In classifying the subject 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 Carl Julio
Legal Owner Edward Julio
Address 10, Park Avenue
Cockeysville, Maryland 21030

James D. Nolan Petitioner's Attorney
Address 204 W. Pennsylvania Avenue
Towson, Maryland 21204

ORDERED BY The Zoning Commissioner of Baltimore County, this 13th day of April, 1973, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of September, 1973, at 1:00 o'clock

John J. Dillon, Jr.
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY

ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

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

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing
this 13th day of April, 1973

S. Eric DiNenna
Zoning Commissioner

Petitioner Carl and Edward Julio

Petitioner's Attorney James D. Nolan
204 W. Pennsylvania Avenue, Engineers
1304 St. Paul (21202)

Reviewed by John J. Dillon, Jr.
Chairman
Zoning Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 13, 1973

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

JOHN J. DILLON, JR.
Chairman

MEMBERS

BUREAU OF
ENGINEERING

DEPARTMENT OF
TRAFFIC ENGINEERING

STATE ROADS COMMISSION

BUREAU OF
FORESTATION

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: Reclassification Petition
Item 9
Carl and Edward Julio - Petitioners

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the northeast side of Reisterstown Road, 751 feet northwest of Straw Hat Road, in the 4th District of Baltimore County. The subject property is requesting a reclassification from D.R. 16 to Business Major for 14 acres of land.

This property is currently improved with a two to three story dwelling and garage or barn area that sits high on a hill quite a bit back from Reisterstown Road. There is a private drive that services this property that enters on a sharp angle from Reisterstown Road and leads up to the front of this property. Immediately to the right of this private drive there is an existing pond that is quite picturesque and has been located in this area for many years. The surrounding properties are improved with various apartment projects, such as Morningglades Heights and Enchanted Hills. There are individual properties along Reisterstown Road that are improved with old residential dwellings. There is a large tract of Business Local that sits immediately to the east of this property that is currently undeveloped and was placed on the zoning map as a convenience to these apartment projects.

James D. Nolan, Esq.
Page 2 - Item 9
April 12, 1973

The petitioner proposes to develop this triangular shaped property, which has its base along the frontage of Reisterstown Road, as a shopping center, although this is not clearly noted on the site plan. He also proposes to develop the rear portion as a warehouse. This request for B.M. zoning is immediately adjacent to B.L. and D.R. 16. The B.L. area has its frontage along Pleasant Ridge Drive and is presently undeveloped. The proposed use of a warehouse, which is the only use specifically indicated, should have its own drive as the movement of large trucks could cause serious traffic problems. As the B.M. zone also could produce some uses that are not in keeping with a high density area, the petitioner should revise his site plan to indicate the types of uses he proposes to locate in this center. Also, the size, height and type of lighting should be indicated.

We also recommend that should this petition be granted, the existing pond be retained, as this could provide the center with an interesting cosmetic effect.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to Friday, June 1, 1973 in order to allow time for final Committee review and 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 September 1, 1973 and October 15, 1973 will be forwarded to you well in advance of the date and time.

Very truly yours,

John J. Dillon, Jr.
JOHN J. DILLON, JR.,
Chairman,
Zoning Advisory Committee

JJD:jd

(Enclosure)

cc: Whitman, Reardon and Associates, Engineers
1304 St. Paul
Baltimore, Maryland 21202

Baltimore County, Maryland Department of Public Works

COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

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

April 26, 1973

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

Re: Item #9 (April to October 1973 - Cycle V)
Property Owner: Carl and Edward Julio
751 W. of Reisterstown Rd., 751' W/W of Straw Hat Rd.
Present Zoning: D.R. 16
Proposed Zoning: Reclass. to B.M.
District: 4th No. Acres: 14

Dear Mr. DiNenna:

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

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

Pleasant Ridge Drive from Reisterstown Road along the frontage of the southern outline of this tract shall be a 40-foot curbed paving section on a 60-foot right-of-way. The plat shall be revised to indicate this road with a 30-foot right-of-way on this tract.

Sediment Control

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.

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

Storm Drains

In accordance with the drainage policy for this type development, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Item #9 (April to October 1973 - Cycle V)
Property Owner: Carl and Edward Julio
Page 2
April 26, 1973

Storm Drains (Cont'd)

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.

Reisterstown Road is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the State Highway Administration.

Water

Public water is available in Reisterstown Road to serve this property.

Sanitary Sewer

Public sewer can be made available to serve this property by an extension from the existing public sewer at the intersection of Reisterstown Road and Straw Hat Road.

Very truly yours,

Lawrence H. Dyer
LAWRENCE H. DYER, P.E.
Chief, Bureau of Engineering

END:RAN:CLM:ms

T-SW Key Sheet
17 NW 33 Pos. Sheets
16 NW 33 " "
19 NW 33 " "
NW 12 1 and 13 1 Topo Sheets
SB Tax Map

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

LUIGI J. CLIFFORD, P.E. Wm. T. NELSON
DIRECTOR DEPUTY TRAFFIC ENGINEER

April 26, 1973

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

Re: Item 9 - Cycle Zoning V - April to Oct. 1973
Property Owner: Carl & Edward Julio
Reisterstown Road NW of Straw Hat Road
Reclass. to B.M. - District 4

Dear Mr. DiNenna:

The subject petition is requesting a change of 14 acres from DR 16 to BM. This reclassification should increase the trip density from 1700 to 7,000 trips a day.

At the present time, there is no excess capacity existing or proposed for Reisterstown Road to handle this increased density.

Very truly yours,

Richard Moore
Richard Moore
Assistant Traffic Engineer

CRM:nc

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

the above Reclassification should be had; and it further appearing that by reason of _____

a Special Exception for a _____ should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of _____, 197____, that the herein described property or area should be and the same is hereby reclassified; from a _____ zone to a _____ zone, and/or a Special Exception for a _____ should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

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

the 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 _____ day of _____, 197____, 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 _____ zone; and/or the Special Exception for _____ be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



Harry H. Hughes
Secretary
James J. O'Donnell
Acting Administrator

April 13, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Attn: Mr. John J. Dillon

Re: Reclassification April 1973
Property Owner: Carl & Edward Julio
Location: N/E/S of Reisterstown Road (Route 140) 751' N. of Straw Hat Road
Present Zoning: D.R. 16
Proposed Zoning: Reclass to B.M. District: 4
No. Acres: 14

Dear Sir:

The subject plan indicates proposed access from Reisterstown Road by way of a monumental entrance at the midpoint of the frontage and by way of a proposed drive along a right of way at the South property line.

There is poor stopping sight distance along the frontage due to the over vertical curve (hill) on the highway and the steep grade of the highway. The point that provides the best sight distance is at the south property line.

There is a high steep bank at the location of the proposed monumental entrance, which would make it difficult, if not impossible, to provide a situation, it may be desirable to eliminate the monumental entrance, thereby restricting access to the site from the drive at the south property line and from Enchanted Hills Road, as proposed on the plan.

The proposed screen planting along Reisterstown Road must be kept far enough from any entrances in order not to restrict sight distance.

The frontage of the site must be improved with paving and curb and gutter. The curb is to be 20' from the centerline of Reisterstown Road. Any entrances will be subject to approval and permit from the State Highway Administration. The plan should be revised prior to the hearing.

The 1972 average daily traffic count on this section of Reisterstown Road is ... 22,200 vehicles.

Very truly yours,

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

CLJ:EFH/bk

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

Baltimore County Fire Department



Towson, Maryland 21204

878-7310

J. Austin Deitz
Chief

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

Attention: Mr. ~~Eric DiNenna~~, Chairman
Zoning Advisory Committee

Re: Property Owner: Carl and Edward Julio

Location: N/E/S of Reisterstown Road, 751' N. of Straw Hat Road

Item No. Reclassification Zoning Agenda Tuesday, April 10, 1973
9

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 deau-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.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *John E. Meyers* Noted and Approved: *Paul H. Prineas*
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

ms
4/25/72

BALTIMORE COUNTY, MARYLAND



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

April 9, 1973

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, April 4, 1973, are as follows:

Property Owner: Carl and Edward Julio
Location: N/E/S Reisterstown Rd., 751' N of Straw Hat Road
Present Zoning: D.R. 16
Proposed Zoning: Reclass to B.M.
District: 4
No. Acres: 14

Metropolitan water and sewer must be extended to the site prior to issuance of building permit.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mms

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 26, 1973

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

Z.A.C. Meeting of:

Re: Item 7
Property Owner: Carl and Edward Julio
Location: N/E/S of Reisterstown Road, 751' N of Straw Hat Road
Present Zoning: D.R. 16
Proposed Zoning: Reclass to B.M.

District: 4
No. Acres: 14 acres

Dear Mr. DiNenna:

Existing zoning could yield from 7 to 185 elementary pupils, 1 to 32 Jr. high pupils, and 1 to 39 sr. high pupils while a rezoning to B.M. would not yield any pupils. However, because of the property's proximity to Orings Mills Elementary School, the principal of the school has been notified.

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich
Field Representative

WNP/ml

WILLIAM D. FROMM
Director
S. ERIC DINENNA
Zoning Commissioner



May 17, 1973

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 #9, V Zoning Cycle, April to October 1973, are as follows:

Property Owner: Carl and Edward Julio
Location: NE/S of Reisterstown Road, 751' NW of Straw Hat Road
Present Zoning: D.R.16
Proposed Zoning: Reclassification to B.M.
District: 4
No. Acres: 14

The site plan must be revised to show the proposed 40 foot curbed paving section on a 60 foot right of way, Pleasant Ridge Drive.

It is suggested that the site engineer contact this office to arrange a joint meeting with the Traffic Department and State Highways Administration in order to select a safe location for the site from Reisterstown Road, since there appears to be traffic problems along this section.

All loading areas for the shopping center must be shown on the revised site plan - all proposed uses of the shopping center should be shown on the revised site plan.

The light standards for the parking area must comply with Section 409 of the Zoning Regulations.

The areas indicated for a warehouse and parking should show extent of paving for the parking area and the loading areas.

The truck traffic to the warehouse area should, if at all possible use a different point of access to the site to as not to create a traffic problem with large trucks and customers of the shopping center.

Very truly yours,

John L. Wimbley
John L. Wimbley, Planning Specialist II
Project Planning Division

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 484-3211 ZONING 484-3281

Irvin M. Sussman
Attorney at Law

James R. Arnold

HAND DELIVER

Suite 506 Tower Building
Baltimore Street & Bedford Avenue
Baltimore, Maryland 21202
(410) 685-2800

September 7, 1973

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

RE: Hearing No. 74-56-R/Petition of Carl and Edward Julio/Property Northeast side Reisterstown Road North of Straw Hat Road

Dear Mr. Commissioner:

Kindly enter my appearance as attorney on behalf of three (3) Protestants to the requested re-classification in the above-captioned matter, namely, Morning-side Six Partnership, Morningside Heights Apartment Company, and Morningside North Partnership.

We respectfully request the right to be heard and to cross-examine witnesses at this hearing.

Very truly yours,

Irvin M. Sussman
Irvin M. Sussman

IMS:ln
cc: James Nolan, Esquire



494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

December 22, 1976

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

Re: Case No. 74-56-R
Carl and Edward Julio

Dear Mr. Nolan:

As the Petitioner, or representative thereof, in the above referenced case, you are hereby advised that said case now pending before the Board of Appeals is considered moot. This decision is based on an opinion of the Baltimore County Solicitor's office concluding that any re-classification case pending before this Board on the date of the adoption of new comprehensive zoning maps (i.e. 10/15/76) is moot.

Therefore, unless you present written objection and/or an amended appeal, where applicable, to the Board within thirty (30) days from the date hereof, an Order of Dismissal shall be executed by this Board.

Very truly yours,

Walter A. Reiter, Jr.
Walter A. Reiter, Jr., Chairman

cc: John W. Hession, III, Esq.
Mr. E. Early Childs

RE: PETITION FOR RECLASSIFICATION : BEFORE
from D.R. 16 zone to B.M. zone : COUNTY BOARD OF APPEALS
NE/S of Reisterstown Road 751.68 :
feet North of Straw Hat Road : OF
4th District :
Carl and Edward Julio : BALTIMORE COUNTY
Petitioners : No. 74 - 56 - R

ORDER OF DISMISSAL

Petition of Carl and Edward Julio for reclassification from D.R. 16 zone to B.M. zone, on property located on the northeast side of Reisterstown Road 751.68 feet north of Straw Hat Road, in the 4th Election District of Baltimore County.

WHEREAS, the Board of Appeals notified all parties of record in the above entitled matter that this Board considers said case to be moot (copy of said letter is attached hereto).

THEREFORE, this Board, on its own Motion, will dismiss the within named appeal.

IT IS HEREBY ORDERED, this 24th day of January, 1977, that said petition be and the same is declared moot and the petition dismissed.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman

Robert L. Gilland

Herbert A. Davis

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
CATION : ZONING COMMISSIONER
NE/S of Reisterstown Road, 751.68' :
N of Straw Hat Road - 4th Election :
District : OF
Carl and Edward Julio - Petitioners :
NO. 74-56-R (Item No. 9) : BALTIMORE COUNTY

The Petitioners request a Reclassification from a D.R. 16 Zone to a B.M. Zone on a parcel of property containing 14 acres of land, more or less, located on the northeast side of Reisterstown Road, 751.68 feet north of Straw Hat Road, in the Fourth Election District of Baltimore County.

Evidence on behalf of the Petitioner indicated that the subject property is to be developed into a shopping center, containing 63,000 square feet for retail use. It was indicated that the property, as presently zoned, would have more of an impact upon the utilities of the area than if it were zoned commercial. Testimony further indicated that the Comprehensive Zoning Map, as adopted on March 24, 1971, erroneously classified the subject property D.R. 16. The subject property's close proximity to Reisterstown Road, its having a common boundary line with a parcel zoned B.L. immediately to the east of the subject property, and the continued development of the Morningside Heights Apartments, necessitates the subject property being reclassified.

Expert testimony on behalf of the Petitioner with reference to traffic, i.e., traffic conditions along Reisterstown Road and the possible impact the proposed use would have upon Reisterstown Road, was offered by Mr. John Erdman, a qualified traffic engineer. He testified that the request would not have a detrimental affect upon the general welfare of the locality with reference to traffic.

Mr. Herbert Siegel, representing the Morningside Heights Apartments, appeared stating that he was opposed to the triangular section of the subject property being reclassified to a commercial zone. There was some discussion between Mr. Siegel and Mr. Julio at the hearing with reference to combining the two properties into one shopping center for the convenience of the Morningside Heights Apartment development and other apartment developments in the area.

Without reviewing the evidence further in detail but based on all the evidence presented at the hearing, in the judgment of the Zoning Commissioner, a portion of the subject property, as presently classified, is in error, but the request for B.M. zoning exceeds the needs of the area.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of April, 1975, that the herein below described property, as shown on the attached plat, being Zoning Commissioner's Exhibit 1 and made a part hereof, be and the same is hereby reclassified from a D.R. 16 Zone to a B.L. Zone.

"Beginning for the same at a point on the northeast side of Reisterstown Road, said point being 751.86 feet northerly from the intersection of Straw Hat Road as measured along said northeast side of Reisterstown Road, thence leaving said Reisterstown Road and running the following courses and distances

North 58 East, 250.14 feet
North 87 East, 103.95 feet
North 03 West, 775 feet
North 45 West, 540 feet 750 parallel with Reisterstown Road
South 17 West, 465 feet
South 38 East, 132 feet
South 17 West, 430.95 feet to the northeast side of Reisterstown Road, thence binding of said road South 38 East, 495.30 feet to the point of beginning."

- 2 -

Said granting is 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.

It is further ORDERED that the Reclassification for the rest and residue be and the same is hereby DENIED and that said property be and the same is hereby continued as and to remain a D.R. 16 Zone.

It is further ORDERED that the requested B.M. zoning be DENIED.

Alfred H. Siegel
Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE April 9, 1975
BY John R. Siegel

ORDER RECEIVED FOR FILING

DATE April 9, 1975
BY John R. Siegel

- 3 -

POINTS OF ERROR COMMITTED BY
THE COUNTY COUNCIL IN CLASSIFYING
THE SUBJECT PROPERTY D.F. 16

The Petitioner states that the Baltimore County Council committed at the very least the following errors, and very probably additional errors in classifying the subject property D.R. 16:

- 1.) The subject property enjoys excellent access to Reisterstown Road as well as being situated between two very large, high density residential zones, and as such, is ideally suited to serve commercial needs in this area, and it was error for the Council to fail to recognize these facts.
- 2.) That the subject property, while being suited to high density residential development is best suited to serve the commercial needs of the neighborhood and area, and it was error for the Council to fail to recognize this fact and zone the property B.M.
- 3.) That the Council has not provided adequate commercial zoning in the Owings Mills area, particularly B.M. zoning, and the subject property is ideally suited for such zoning, and it was error for the Council to fail to recognize this and so classify the property.
- 4.) For such other and further errors as shall be disclosed during the course of the preparation of this case, which errors shall be brought out at the time of the Hearing hereon.

CHANGES IN THE NEIGHBORHOOD

The Petitioner states that since the property was classified by the Baltimore County Council, the following changes have occurred in the neighborhood:

- 1.) That in addition to the large number of units added to the neighboring apartment developments since the County Council considered the property, a large adjoining tract has been reclassified to D.R. 10, 5 in case number 72-73-R.
- 2.) That the Northwest Expressway has been accorded first priority by the State Highway Administration for construction in Baltimore County, and this increase in priority, coupled with additional funds, could not have been known to the County Council and represents a major change in the area.
- 3.) That the construction of the Northwest Expressway will make Reisterstown Road available for local shopping trips, and hence the character of traffic in front of the subject site will decrease in quantity and change from commuter trips to work to local trips for goods and services.
- 4.) For such other and further changes as shall be disclosed by a minute study of this area, which changes shall be brought out at the time of the hearing hereon.

Respectfully submitted,

James D. Nolan
Attorney for the Petitioners

JDN:ak

WHITMAN, BEQUITH AND ASSOCIATES, ENGINEERS

BALTIMORE, MARYLAND

ENGINEERING DESCRIPTION

of the

William D. Denny Property

March 26, 1973

Lying and being the parcel of land in the 4th Election District of Baltimore County, Maryland.

Beginning for the same at a point on the northeast side of Reisterstown Road, said point being 751.86 feet northerly from the intersection of Straw Hat Road as measured along said northeast side of Reisterstown Road, thence leaving said Reisterstown Road and running for lines of division the following true courses and distances,

North 58° 00' 00" East, 250.14 feet
North 87° 30' 00" East, 103.95 feet
North 03° 30' 00" West, 1315.35 feet
North 03° 25' 00" West, 216.76 feet
North 17° 45' 00" West, 87.45 feet
North 50° 30' 00" West, 61.05 feet
South 17° 52' 30" West, 163.60 feet
South 38° 30' 00" East, 132.00 feet
South 17° 22' 30" West, 400.95 feet to the northeast side of aforementioned Reisterstown Road, thence binding of said road South 38° 45' 00" East, 495.00 feet to the point of beginning.

Containing 14.0 acres of land, more or less.



Kenneth A. McCord
Md. Reg. No. 1974

Beginning for the same at a point on the northeast side of Reisterstown Road, said point being 751.86 feet northerly from the intersection of Straw Hat Road as measured along said northeast side of Reisterstown Road, thence leaving said Reisterstown Road and running the following courses and distances
North 58 East, 250.14 feet
North 87 East, 103.95 feet
North 03 West, 775 feet
North 45 West, 540 feet 750 parallel with Reisterstown Road
South 17 West, 465 feet
South 38 East, 132 feet
South 17 West, 400.95 feet to the northeast side of Reisterstown Road, thence binding of said road South 38 East, 495.00 feet to the point of beginning.

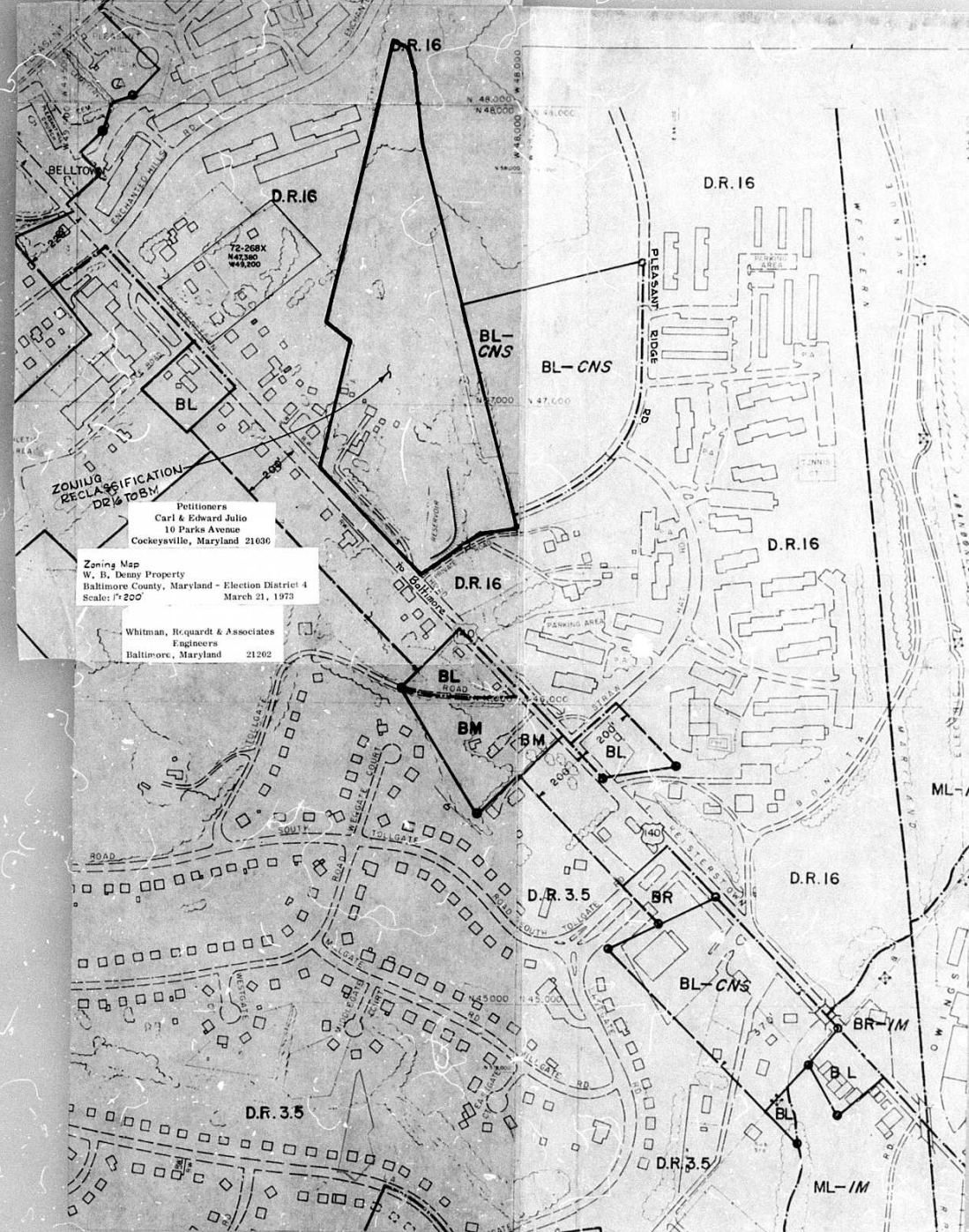
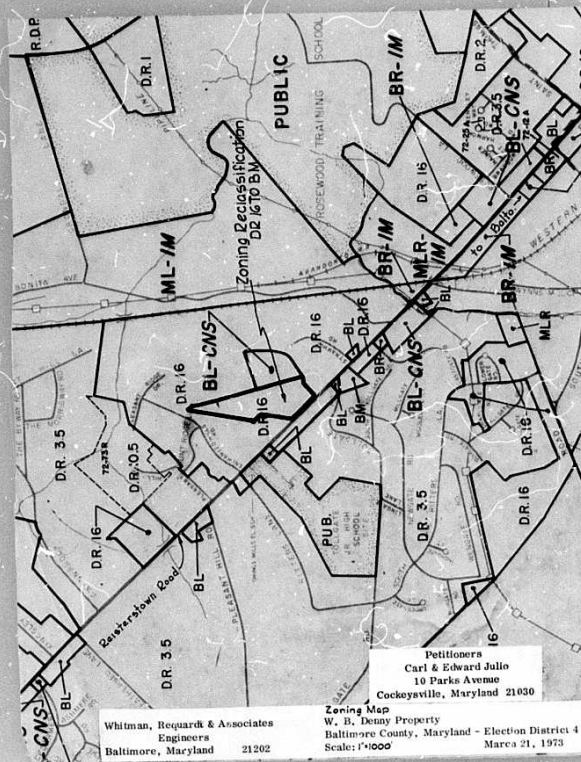
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

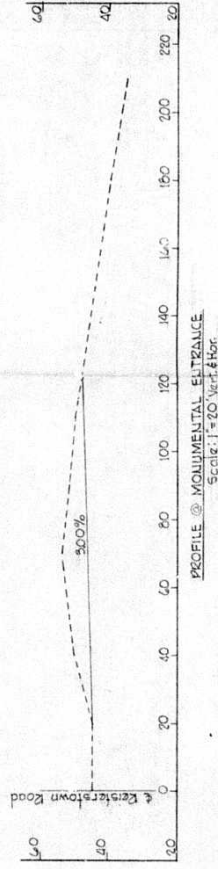
No. 20251

DATE May 2, 1975 ACCOUNT 01-662

AMOUNT \$75.00

WHITE CARRIAGE DISPOSITION
John W. Herman, III, Esquire PAID
Gest of Filing of an Appeal and Posting of Property on
Case No. 74-56-R (Item No. 3)
N/5 of Reisterstown Road, 751.68' N of Straw Hat Road -
4th Election District 177419-2
Carl and Edward Julio - Petitioners 75.00 CASH





NO.	NAME	SIZE (FT)	AREA (SQ. FT.)
1.	Dry Cleaner	20' x 100'	2000
2.	Fabric Shop	20' x 100'	2000
3.	Paint	45' x 100'	4500
4.	Dress Shop	50' x 100'	5000
5.	Variety Store	25' x 100'	2500
6.	Polish	20' x 100'	2000
7.	Car Wash	20' x 100'	2000
8.	Super Market	140' x 180'	25200
9.	Security Salon	20' x 80'	1600
10.	Perfumery Shop	20' x 80'	1600
11.	Department Store	60' x 140'	8400
12.	TV-Apppliance	60' x 90'	5400
TOTAL			63,000 SQ. FT.
13.	Restaurant	50' x 100'	5000 SQ. FT.
14.	Warehouse	100' x 100'	10,000 SQ. FT.

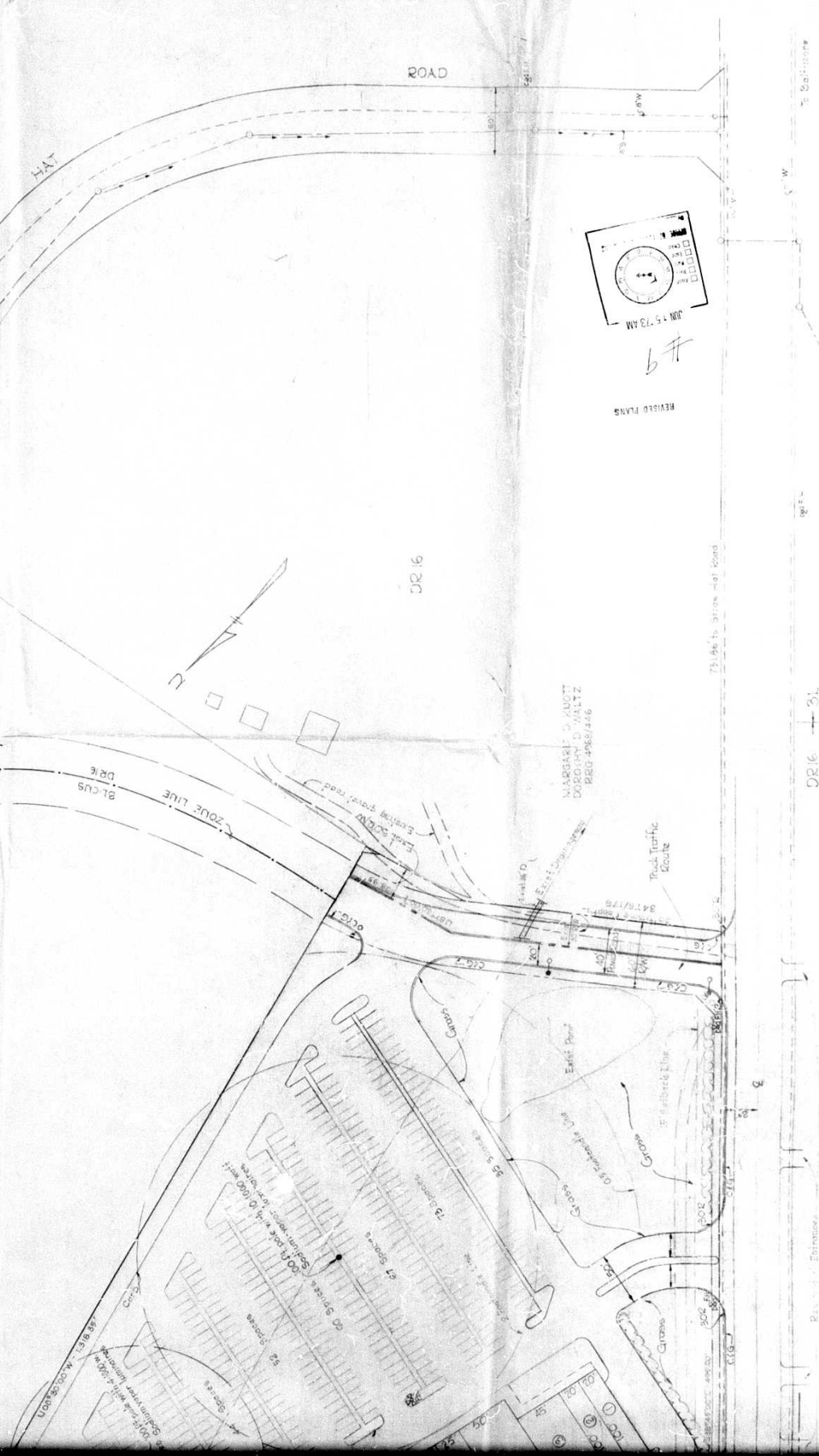
VICINITY MAP
Scale: 1" = 80'

DATA:
 Existing Zoning: DR-16
 Proposed Zoning: B.M.
 Gross Area: 14 Acres
 Site Area: 13.5 Acres
 Off Street Parking Required: 16,500 SF @ 100 SF/Car = 165 Cars
 Total Warehouse Area: 10,000 SF
 Off Street Parking Required: 100 Spaces @ 100 SF/Car = 100 Cars
 Restaurant Area: 5,000 SF
 Off Street Parking Required: 50 Spaces @ 100 SF/Car = 50 Cars
 Off Street Parking Required: 100 Spaces @ 100 SF/Car = 100 Cars
LIGHTING LEGEND
 Total: 425
 • 100 foot pole with 1000 watt sodium vapor luminaires
 • 30 foot pole with 6 ft. arm and 6 ft. 200 watt mercury vapor roadway luminaire. Roadway lighting will conform with Baltimore County standards.

LEGEND
 S&P - Fire Hydrant
 - Existing Buildings
 CFG - Curb and Gutter
 Shading - Bituminous Concrete

BL-CUS

MORNINGSIDES BY PARTNERSHIP
 REG. 4539/207
 (Unimproved)

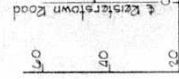


PLUG RECLASSIFICATION
 DR-16 to B.M.

Partners
 Carl & Edward
 10 Park Ave
 Cockeysville, Maryland 21030

APR 01 1977

Revisions per Baltimore County Zoning	
Date	
Description	
Revisions	
W.S. DEJUNY PROPERTY	
Revised by	W.S. Dejuny
Date	March 21, 1977



PROFILE @ MONUMENTAL ENTRANCE
Scale: 1" = 20' Vert. & Hor.

PARTNERSHIP

MORNINGSIDE HEIGHTS APARTMENTS
OTG 34/7/13

NO.	STORE NAME
1.	Dry Cleaner
2.	Fabric Shop
3.	Bank
4.	Dress Shop
5.	Variety Store
6.	Polka
7.	Carry Out
8.	Super Market
9.	Beauty Salon
10.	Flower Shop
11.	Department Store
12.	TV Appliance
TOTAL	
13.	Restaurant
14.	Warehouse

BL-CUS

MORNINGSIDE SIX PARTNERSHIP
R2G 4539/207
(Unimproved)

ZONING RECLASSIFICATION
DR 16 to RV

APR 01 1977

PLEASANT

MORRINGSIDE HEIGHTS AP
OTG 34/113

MORRINGSIDE 2X PARTNERSHIP
ERG 45/99/207

DR 16

SECTION TWO
ENCHANTED HILLS APARTMENTS
20/69
KEUT WASHINGTON INC. OWNER

ROAD

SECTION ONE
ENCHANTED HILLS APARTMENTS
29/72
KEUT WASHINGTON INC. OWNER

SECTION ONE
ENCHANTED HILLS APARTMENTS
1/29/72
KEUT WASHINGTON INC. OWNER

HILLS

DR 16

DR 16

ENCHANTED

EDWIN E. CHILDS
RDS 1080/89

VIRGINIA C. ZEPP
GLB 3449/34

ERNEST B. MURRAY
GLB 3328/121

LOUIS H. DORSON
793 1736/199

GEORGIA G. WALFORD
GLB 2948/399

MOORE & RICHARDSON
OWB 1638/237

REISTERSTOWN

Reisterstown

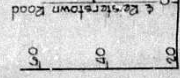
DR 16

Michael
MORRIS, A. McCarty
1/29/74

PRAM, REEDS & ASSOC.
ENGINEERS
35-201 ST. BALTO. MD 21202

APR 01 1977

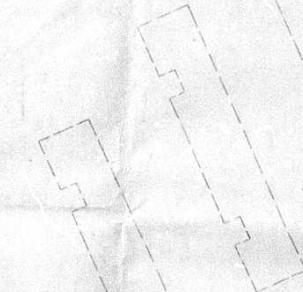
PLEASANT



MORNINGSIDE HEIGHTS APARTMENTS
DTG 34/113

MORNINGSIDE SIX PARTNERSHIP
REG 4539/207

DR 16



BL-CUS

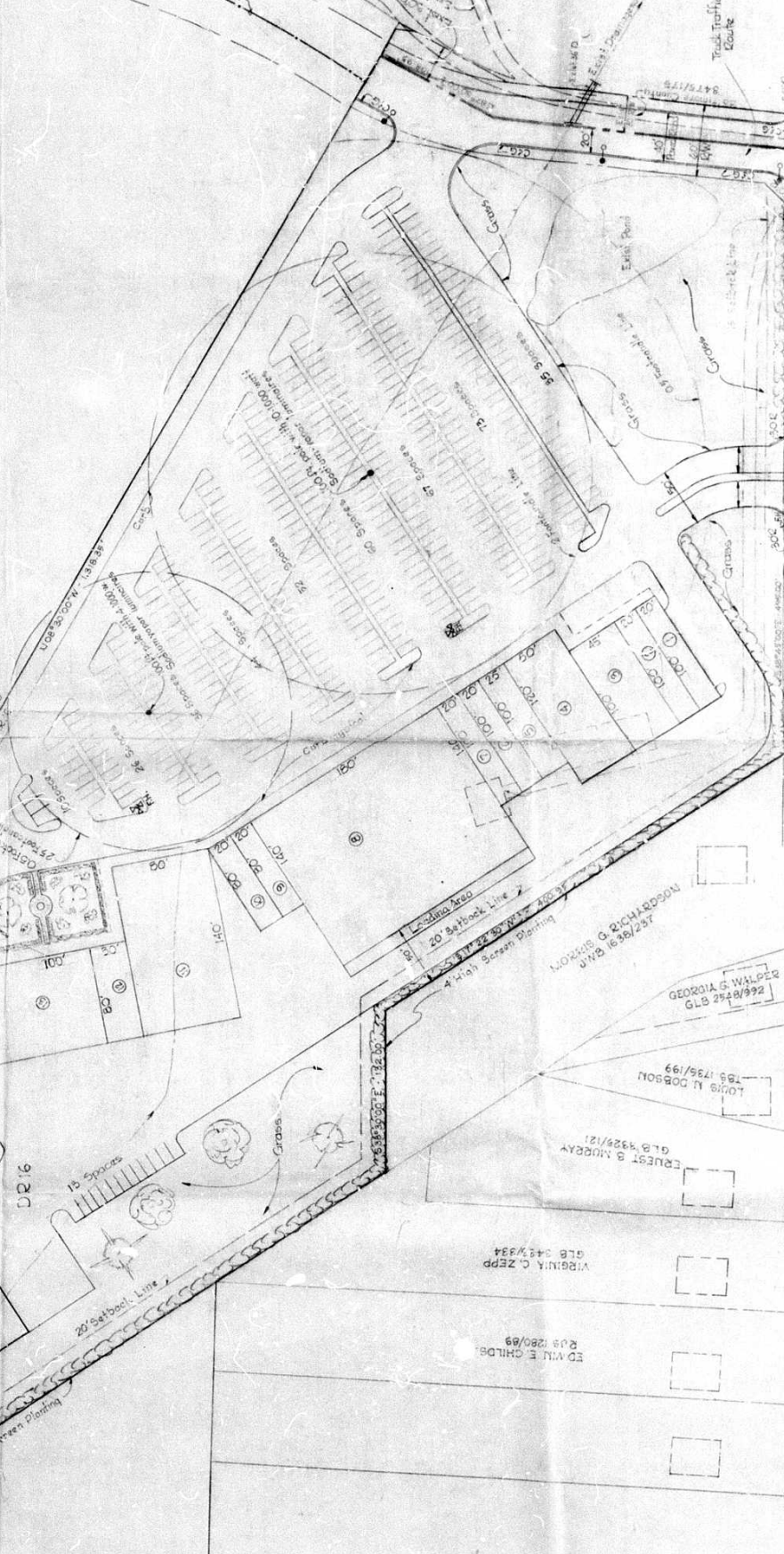
MORNINGSIDE SIX PARTNERSHIP
REG 4539/207
(Unimproved)

BL-CUS

RTVETS
WATER

DR 16

BL-CUS
DR 16
ZOLE LINE



EDWIN E. CHILDS
RUE 1280/89

VIRGINIA C. ZEPF
GLB 341/934

LEQUEST & MUGGER
GLB 3929/121

LOUIS N. DOBSON
GLB 1796/199

GEORGIA G. WILDER
GLB 2948/992

LOUIS G. RICHARDSON
JWS 1638/231

REISTERSTOWN

BL-CUS

ZONING RECLASSIFICATION
DR 16 to BM.

Petitioners:
Carl & Edwara J. J. J.
10 Doris Ave.
Cockeysville, Maryland 21020

APR 01 1977

