

↓ Varroa 74-74 RIA

to the Zoning Law of Baltimore County, from an _____ DR 16 _____ zone to an _____
B.L. _____ zone; for the following reasons:
 that there was error in the original zoning by the Baltimore
 County Council as set forth in full in the attached

and (7) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for ~~the purpose of operating a day care center~~
~~for the purpose of operating a day care center~~
Property is to be posted and advertised as prescribed by Zoning Regulations.

L. V. Evans
L. Robert Evans
L. V. Evans

Name N. Koehler, Peckham's Attorney
906 Mercantile-Townson Bldg.
Address 409 Washington Avenue

Address _____

(Signature)

Commissioner of
County, on the

☐ April
19

11 • 2 Fourth & Main

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
the undersigned Personal Representative of the Estate of
I, or we, Katherine B. Ewing, deceased, legal owners of the property situated in Baltimore
County and which is described in the description and plat attached hereto and made a part hereof,
herely petition (1) that the zoning status of the herein described property be re-districted, pursuant
to the Zoning Law of Baltimore County, from undistricted to _____ to
G.M.B. _____ district for the following reasons:
that there was error by the Baltimore County Council in failing to
reassign a C.M.S. DISTRICT to the property, as set forth in full
in the attached JOINT BYEF; Page 2

Property is to be posted and advertised as prescribed by Zoning Regulations. 2001 January
I, or we, agree to pay expenses of above re-districting 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

ORDERS RECEIVED FOR FILING

Commissioner
County, on 11
A.M.
DEPT. OF PLANNING & DEVELOPMENT
By _____

Shri P. K. K. K.

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

The Petitioner has withdrawn its Petition in excess of ten (10) business days prior to the date of the hearing and it is therefore, ORDERED by the Zoning Commissioner of Baltimore County, this 27th day of September, 1973, that said Petition be and the same is hereby DISMISSED without prejudice.

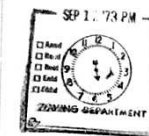

Zoning Commissioner of
Baltimore County

* BEFORE THE ZONING
* COMMISSIONER
* OF
* BALTIMORE COUNTY
* CASE NO. 74-74 RKA,
* ITEM NO. 31

ORDER OF DISMISSAL WITHOUT PREJUDICE

Mr. Commissioner:

Please dismiss the above-captioned on order of the Petitioner,
BERNARD L. EVERING.




Lee N. Kochler
Attorneys for the Petitioner
409 Washington Avenue
Towson, Maryland 21204
296-1636

WILLIAM D. FROMM
DIRECTOR

S. ERIC DINENNA
ZONING COMMISSIONER



May 23, 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 of Item #31, V Zoning Cycle, April to October 1973, are as follows:

Property Owner: Bernard L. Evinger
Location: NW/5 Philadelphia Road, 740' W of Baltimore County Beltway
Present Zoning: D.R.16
Proposed Zoning: Reclassification to B.L.; Redistricting to C.N.S.; Special Exception for use in combination: automotive service station and convenience food store

District: 14
No. Acres: 8.87

The site is affected by the proposed extension of the Patapsco Freeway

Very truly yours,

John L. Wimbley
Planning Specialist II
Project Planning Division
Office of Planning and Zoning

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 25, 1973

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

Z.A.C. Meeting of:

Re: Item 31
Property Owner: Bernard L. Eversing
Location: Philadelphia Road, 7400' W of Baltimore Beltway
Present Zoning: D.R. 16 - 1 1/2 units
Proposed Zoning: Reclass to P.L. and redistrict to C.N.S. (commercial, neighborhood shopping center).

District: 14
No. Acres: 8.87 acres

Dear Mr. DiNenna:

Would only result in a loss of up to 80 elementary, 23 junior high, and 6 senior high students.

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

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

H. ENDLIC PARKS, President
EUGENE C. HESS, Vice-President

MARCUS M. GETSABIS
JOSEPH P. MCGOWAN
ALVIN LORECK
JOSHUA B. WHEELER

T. HARVEY WILLIAMS, JR.
RICHARD W. TRACEY, JR.
AND MICHAEL J. WILKES

JOINT BRIEF OF REASONS AND NEED FOR:

- (1) Reclassification of DR16 to BL and Special Exception for Use in Combination for an Automobile Service Station, Food Convenience Store and Retail Stores, with a Variance of 35' to 5' on a 0.458 Acre Parcel; and
- (2) Redistricting from "Undistricted" to "C.N.S. District" and Special Exception for Use in Combination for an Automobile Service Station, Food Convenience Store and Retail Stores on a 1.044 Acre Parcel.

The Petitioners believe that the Baltimore County Council committed at least the errors set forth below in classifying the rear 0.458 acre of the parcel of land under consideration (the "subject parcel") DR 16, and in failing to district the front 1.044 acres "C.N.S.".

1. The subject parcel is triangular in shape and consists of two contiguous portions (herein separately referred to and described below as the "Rear Portion" and the "Front Portion") located on the northwest side of Philadelphia Road (Md. Route No. 7) at the southwest quadrant of the interchange of Philadelphia Road and the Baltimore County Beltway. The subject parcel is also the first available property exiting off the southbound ramp of the Beltway to Philadelphia Road.

a. The "Rear Portion" consists of 0.458 acres of land, more or less, presently zoned "DR 16"; is located 180' northwest of the center of Philadelphia Road and is bordered on the south by the "Front Portion", on the east by a State Roads Commission equipment and salt storage yard, and on the west by a 116' transmission line right-of-way owned by Baltimore Gas & Electric Company. See enclosed plot plan and legal description titled "RECLASSIFICATION DR 16 TO BL AND VARIANCE".

5. If the Council failed to provide for BL zoning on the Rear Portion and a C.N.S. District on the Front Portion of the subject parcel on the grounds that it would adversely affect the surrounding residential neighborhood population, this was and is error, in that the Council failed to state specifically its reasons for such a conclusion. In the absence of such stated reasons, it can only be assumed that the Council erroneously presupposed: (i) that BL, C.N.S. Districts are necessarily noisy, ill managed, and generally detrimental to the tranquility of all residential neighborhoods; (ii) the absence of a natural and adequate buffer zone between the subject parcel and the adjacent DR 16 zoning which is provided by the 116' transmission line right-of-way, and (iii) that the Rear Portion could be developed as part of the adjacent 6.2 acre (DR 16) portion, when in fact the adjacent power transmission line and storage yard uses, which completely enclose two sides of the subject parcel's triangular shape against the northwest side of Philadelphia Road) are so inconsistent and incompatible with residential development that classification as DR 16 rendered the Rear Portion of Petitioners' land useless.

6. The Council's action is adopting the present zoning map amounted to nothing more than "mass spot zoning", and the Council's procedure in doing so was defective in the following respects:

a. That the Council did not act pursuant to an adequate Master Plan as required by Section 22.12 et seq. of the Baltimore County Code, 1968 Edition;

b. The "Front Portion" consists of 1.044 acres of land, more or less, presently zoned "BL, undistricted"; binds 288.22' on the center of Philadelphia Road and is bordered on the north by the "Rear Portion", on the east by the same State Roads Commission equipment and salt storage yard as the Rear Portion, and on the west by the same 116' transmission line right-of-way as the Rear Portion. See enclosed plot plan and legal description titled "REDISTRICTING AND SPECIAL EXCEPTION FOR USE IN COMBINATION FOR AN AUTOMOBILE SERVICE STATION, FOOD CONVENIENCE STORE AND RETAIL STORES".

The two contiguous portions "the subject parcel" are part of a larger tract owned by the Petitioners, which consists of 8.87 acres of land more or less, subject to the aforesaid 116' transmission line right-of-way, situated on the northwest side of Philadelphia Road, approximately 360' northeast of Golden Ring Road. Approximately 6.2 acres of this larger tract is located on the west of the aforesaid 116' transmission line right-of-way, and is presently zoned DR 16.

As pointed out in paragraph 3 below, due to the building restrictions created by the 116' transmission line right-of-way to the west, the incompatible equipment and salt storage yard use to the east, and the extremely small (0.458 acre) land area involved, the Rear Portion cannot be economically or practically developed under a DR 16 classification. However, due to the rapidly expanding population of the Rosedale-Golden Ring-Rossville area, and an accompanying scarcity in economically priced, individual residential building lots, the aforementioned 6.2 acre (DR 16) portion of the larger tract will undoubtedly be developed for

b. That the Council's public hearings, which purported to be legally conducted, proper legislative assemblies, were, in fact, not legal hearings as they were not conducted with proper precision or deliberation by its members, and no findings of fact were announced as to the greater bulk of properties in question, including the subject tract; and

c. That the Council did not hold the adequate number of public hearings as required by Bill 72.

7. And, for such other and further reasons as may be disclosed by detail study throughout this case (including the hearing hereon,) further error by the Council is hereby assigned and will be noted when and as found.

apartment housing in the near future. Directly adjacent to the northern boundary of this 6.2 acre (DR 16) portion there is an existing residential neighborhood population of less than 10,000 persons, consisting of Golden Arms Apartments (140 units) and approximately 100 single family dwellings.

In light of the existing and imminent residential development in the immediate area, the subject parcel is a natural center for neighborhood shopping and business activity. If the Rear Portion is reclassified and the Front Portion is redistricted as requested by Petitioners, the surrounding residential neighborhood population will have direct access to a planned neighborhood shopping center composed of an automobile service station, at least one local grocery store, and less than fifteen (15) retail stores in total. Instead of representing inconsistent and incompatible adjacent uses, the equipment and salt storage yard to the east and the transmission line right-of-way to the west, will provide ideal buffer zones between the requested reclassification and redistricting for the subject parcel, and the adjacent residential classification. Even the 35' to 5' variance requested on the Rear Portion of the subject parcel will, in addition to being screened, fall within the area of the transmission line right-of-way on which no building can be constructed.

No such commercial neighborhood shopping center presently serves the area; in fact, no other site is available in the area which can provide such service.

The location and circumstances of the subject parcel bring it so clearly within the legislative intent for the application of C.N.S. Districts and the classification of BL zoning, that there can be no doubt the action of the Council in classifying the Rear Portion

DR 16 and failing to assign a C.N.S. District to the Front Portion was, and is now, erroneous.

2. All public utilities (including sewer, water, gas, electricity and telephone) are available to the subject parcel in more than sufficient quantities to support BL zoning on the Rear Portion and a C.N.S. District on the Front Portion. If the Council in any way relied on a lack of such utilities in denying a BL classification for the Rear Portion or a C.N.S. District for the Front Portion, it was in error in doing so.

3. Development of the Rear Portion on a DR 16 basis is economically and physically impossible due to: (i) the aforesaid 116' transmission line right-of-way which prohibits the construction of any buildings, and therefore, cuts off the Rear Portion from the remaining DR 16 land in the larger tract (approximately 6.2 acres), and (ii) the operation on the adjoining property to the east of a State Roads Commission equipment and salt storage yard—a use clearly inconsistent and incompatible with residential development. These two factors alone render DR 16 zoning for the Rear Portion impractical, uneconomical, undesirable and clearly erroneous.

4. It was error for the Council, if it did so, to deny BL zoning on the Rear Portion and a C.N.S. District to the Front Portion of the subject parcel on the grounds of inadequate access, since the property already enjoys direct access to Philadelphia Road, and indirect access to Golden Ring Road and the Baltimore County Beltway via Philadelphia Road; and, furthermore, if petitioners requests are granted, this existing access, as well as direct access to the proposed commercial neighborhood shopping center will be available to the surrounding residential neighborhood population.

RECLASSIFICATION
DR 16 TO BL
AND VARIANCE

BEING for the same the two following courses and distances from the center line intersection of the Baltimore Beltway with the Philadelphia Road south 49 degrees 28 minutes 20 seconds west 700 feet more or less along the center of said Philadelphia Road to the end of the third line of Liber 5215 folio 851 and thence along said line north 53 degrees 11 minutes 26 seconds west 184.49 feet to the division line between BL and DR 16 zoning said point of beginning being distant 180 feet measured at right angles to a northeasterly direction from the center of said Philadelphia Road, thence running with said line north 53 degrees 11 minutes 26 seconds west 222.41 feet to the easterly side of the Baltimore Gas and Electric Co. transmission line right of way, thence binding on said right of way (116 feet wide) south 8 degrees 34 minutes 37 seconds east 235.54 feet to said zoning division line, thence on said zoning line north 48 degrees 28 minutes 37 seconds west 183.72 feet to the place of beginning.

CONTAINING 0.458 acres of land more or less.

BEING part of that tract of land which by deed dated September 1, 1971 and recorded among the Land Records of Baltimore County in Liber 5215 folio 851 etc. was conveyed by Asten, Inc. to Katherine E. Buring, et al.

March 21, 1973

DAVID W. GALLAS, JR.
CIVIL ENGINEER
8713 OLD HANOVER RD.
BALTIMORE, MD. 21234
(301) 665-7422

REDISTRICTING AND SPECIAL EXCEPTION
FOR USE IN COMBINATION FOR
AN AUTOMOBILE SERVICE STATION & FOOD CONVENIENCE STORE
AND RETAIL STORES

BEING for the same the two following courses and distances from the center line intersection of the Baltimore Beltway with the Philadelphia Road south 49 degrees 28 minutes 20 seconds west 700 feet more or less along the center of said Philadelphia Road to the end of the third line of Liber 5215 folio 851 and thence along said line north 53 degrees 11 minutes 26 seconds west 184.49 feet to the division line between BL and DR 16 zoning said point of beginning being distant 180 feet measured at right angles to a northeasterly direction from the center of said Philadelphia Road, thence running with said line north 53 degrees 11 minutes 26 seconds west 222.41 feet to the easterly side of the Baltimore Gas and Electric Co. transmission line right of way, thence binding on said right of way (116 feet wide) south 8 degrees 34 minutes 37 seconds east 235.54 feet to said zoning division line, thence on said zoning line north 48 degrees 28 minutes 37 seconds west 183.72 feet to the place of beginning.

CONTAINING 1.044 acres of land more or less.

BEING part of that tract of land which by deed dated September 1, 1971 and recorded among the Land Records of Baltimore County in Liber 5215 folio 851 etc. was conveyed by Asten, Inc. to Katherine E. Buring, et al.

March 21, 1973

DAVID W. GALLAS, JR.
CIVIL ENGINEER
8713 OLD HANOVER RD.
BALTIMORE, MD. 21234
(301) 665-7422

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

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 ROAD COMMISSIONER

BUREAU OF

FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL

DEVELOPMENT

Lee M. Koehler, Esq.,
906 Mercantile-Town Bldg.
409 Washington Avenue
Towson, Maryland 21204

RE: Reclassification Petition

Item 31

Bernard L. Evering - Petitioner

Dear Mr. Koehler:

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 northwest side of Philadelphia Road, 740 feet west of the Baltimore County Beltway, in the 14th District of Baltimore County. This unimproved property, which is adjacent to State Highway Administration's storage yard on the north, and Baltimore Gas and Electric power lines on the west, is a part of a larger parcel of land and is currently zoned Business Local and D.R. 16. The Business Local portion of this petition is requesting a Variance to permit a 3-bay service station and a Special Exception on 1.044 acres of land. The rear of this property, which is triangular in shape and contains 0.45 acres, is requesting a change from D.R. 16 to Business Local. It will be developed with retail stores and a food store. No curb and gutter exists along Philadelphia Road at this location. There are existing residences on the south side of Philadelphia Road that are not indicated on the submitted site plan.

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

Lee M. Koehler, Esq.,
Item 31
Page 2
April 13, 1973

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

JJDjr:JJD

(Enclosure)

cc: David V. Dallas, Jr.,
8713 Old Harford Road
Baltimore, Maryland 21234

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

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

April 16, 1973

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

Re: Item #31 (April to October 1973 - Cycle V)
Property Owners: Bernard L. Evering
Philadelphia Rd., 740' W. of Baltimore Beltway
Present Zoning: D.R. 16
Proposed Zoning: Reclass. to B.L. and redistrict to C.N.S.
District: 14th No. Acres: 8.67 acres

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:

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

As no County roads are involved, this office has no comment.

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.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damage 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.

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

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.

Baltimore County Fire Department



Towson, Maryland 21204

871-7310

J Austin Deitz
Chief

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

Attention: Mr. ~~Charles Lee~~ *Jack Dillon*, Chairman
Zoning Advisory Committee

Re: Property Owner: Bernard L. Evering

Location: Philadelphia Road, 740' W. of Baltimore Beltway

Item No. Reclassification Zoning Agenda Tuesday, April 10, 1973
31

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

Reviewer: *John J. Dillon, Jr.* and *David V. Dallas, Jr.*
Planning Group Approved: *David V. Dallas, Jr.*
Special Inspection Division Deputy Chief
Fire Prevention Bureau

mls
4/25/72

Property Owner: Bernard L. Evering
Page 2
April 16, 1973

Water:

Public water is available to serve this property.

Sanitary Sewer:

Public sewer can be made available with a public sewer extension approximately 950 feet from the existing 12-inch sewer located to the north of this site. Offsite rights-of-way or easements are necessary for this extension.

Very truly yours,

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

END:SANITARY

NE 1/4 Topo
1-W Key Sheet

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. Wm. T. MELLEN
DIRECTOR DEPUTY TRAFFIC ENGINEER

April 27, 1973

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

Re: Item 31 - Cycle Zoning V - April to Oct. 1973
Property Owner: Bernard L. Evering
Philadelphia Road W. of Baltimore County Beltway
Reclass. to BL - District 14

Dear Mr. DiNenna:

The subject petition is requesting a change from DR 16 to BL of .458 acres. This should increase trip density from 60 to 200 trips per day. This site is of insufficient size to create any major traffic problems.

Very truly yours,

Richard Moore
Richard Moore
Assistant Traffic Engineer

CRM:nc



Maryland Department of Transportation State Highway Administration

Harry R. Hughes
Secretary
David H. Fisher
Administrator

April 25, 1973

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

Re: Reclassification, April 1, 1973
Property Owner: Bernard L. Evering
Location: Philadelphia Road, 740' W. of Baltimore Beltway
Present Zoning: D.R. 16
Proposed Zoning: Reclass to B.L. AND redistrict to C.N.S.
District: 14
No. Acres: 3.67 acres

Dear Mr. DiNenna:

The subject site is very close to the Baltimore Beltway ramp. The proposed easterly entrance is approximately 30' from the end of the taper of the deceleration lane of the ramp. To establish a commercial entrance at that point would be extremely hazardous.

The site is seriously affected by the proposed extension of the Patuxent Freeway. In all probability the entire site will be required for the highway improvement. The property owner, and his engineer has been previously advised of the situation.

The highway project is not included in the current 1973-1977 Improvement Program, however, it is listed in the critical section of the Twenty Year Highway Needs Study.

The 1972 average daily traffic count on this section of Philadelphia Road is 12,500 vehicles.

Very truly yours,

Charles Lee, Chief
Development Engineering Section

By: John E. Meyers
Asst. Development Engineer

CLJ:JRL

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

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: Bernard L. Evering
Location: Philadelphia Rd., 740' W of Baltimore Beltway
Present Zoning: D.R. 16
Proposed Zoning: Reclass to B.L. and redistrict to C.N.S.
District: 14
No. Acres: 6.87

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,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:ma

cc: L. Schuppert

PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet
	date	by	date	by	date	by	date	by	date
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, CC, CA									
Reviewed by: <i>[Signature]</i>									
Previous case:									
Revised Plans: Change in outline or description ☐ Yes Map # ☐ No									

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received* this 30th day of MARCH 1973
WPP: Item # 1

[Signature]
S. ERIC DINENNA
Zoning Commissioner

Petitioner EVERING Submitted by

Petitioner's Attorney EVERING Reviewed by *[Signature]*

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



PETITION FOR RECLASSIFICATION, SPECIAL EXCEPTION AND VARIANCE
74-74-RXA

RECLASSIFICATION: From D.R. 16 to B.L. (see map).
SPECIAL EXCEPTION: For a food service facility.
VARIANCE: For a food service facility.

LOCATION: Northeast side of Philadelphia Rd. 740' W of Baltimore Beltway, near intersection of Philadelphia Rd. and Baltimore Beltway, near intersection of Philadelphia Rd. and Baltimore Beltway, near intersection of Philadelphia Rd. and Baltimore Beltway.

ACRES: 6.87

OWNER: Bernard L. Evering

APPLICANT: Bernard L. Evering

ATTORNEY: Lee H. Koshler, Esq.

DATE: April 9, 1973

RECEIVED: April 9, 1973

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 6, 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 of one successive weeks before the 10th day of SEPTEMBER, 1973, the first publication appearing on this 6th day of SEPTEMBER, 1973.

THE JEFFERSONIAN
[Signature]
Manager

Cost of Advertisement, \$.....

PETITION FOR RECLASSIFICATION, SPECIAL EXCEPTION AND VARIANCE
74-74-RXA

RECLASSIFICATION: From D.R. 16 to B.L. (see map).
SPECIAL EXCEPTION: For a food service facility.
VARIANCE: For a food service facility.

LOCATION: Northeast side of Philadelphia Rd. 740' W of Baltimore Beltway, near intersection of Philadelphia Rd. and Baltimore Beltway, near intersection of Philadelphia Rd. and Baltimore Beltway.

ACRES: 6.87

OWNER: Bernard L. Evering

APPLICANT: Bernard L. Evering

ATTORNEY: Lee H. Koshler, Esq.

DATE: April 9, 1973

RECEIVED: April 9, 1973

74-74-RXA ORIGINAL

OFFICE OF THE
ESSEX TIMES
ESSEX, MD. 21221 September 10 - 1973

THIS IS TO CERTIFY that the annexed advertisement of RECLASSIFICATION was inserted in THE ESSEX TIMES a weekly newspaper published in Baltimore County, Maryland, once in each of one successive week before the 10 day of SEPTEMBER, 1973, the same was inserted in the issue of September 6, 1973.

STROMBERG PUBLICATIONS, Inc.

By *[Signature]*
B. Morgan

BALTIMORE COUNTY, MARYLAND No. 8350
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE May 3, 1973 ACCOUNT 01-662

AMOUNT \$50.00

WHITE - CASHIER
Lee H. Koshler, Esq.
Suite 906 Marcelline Building
109 Washington Ave.
Towson, Md. 21204
Petition for Reclassification for Estate of Katherine E. Evering

BALTIMORE COUNTY, MARYLAND No. 124417
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Sept. 27, 1973 ACCOUNT 01-662

AMOUNT \$101.32

WHITE - CASHIER
Lee H. Koshler, Esq.
Suite 906 Marcelline Building
109 Washington Ave.
Towson, Md. 21204
Advertising and printing of party for Estate of Katherine E. Evering

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Lee H. Koshler, Esq.
906 Marcelline Bldg.
109 Washington Avenue
Towson, Md. 21204

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

Your Petition has been received and accepted for filing

this 19th day of April 1973.

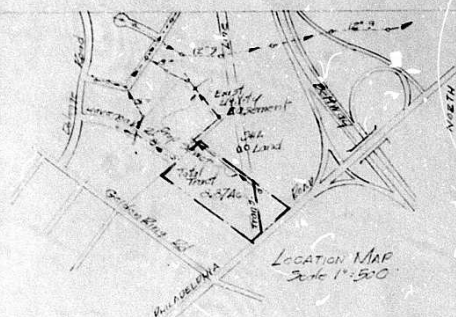
[Signature]
S. ERIC DINENNA
Zoning Commissioner

Petitioner Bernard L. Evering

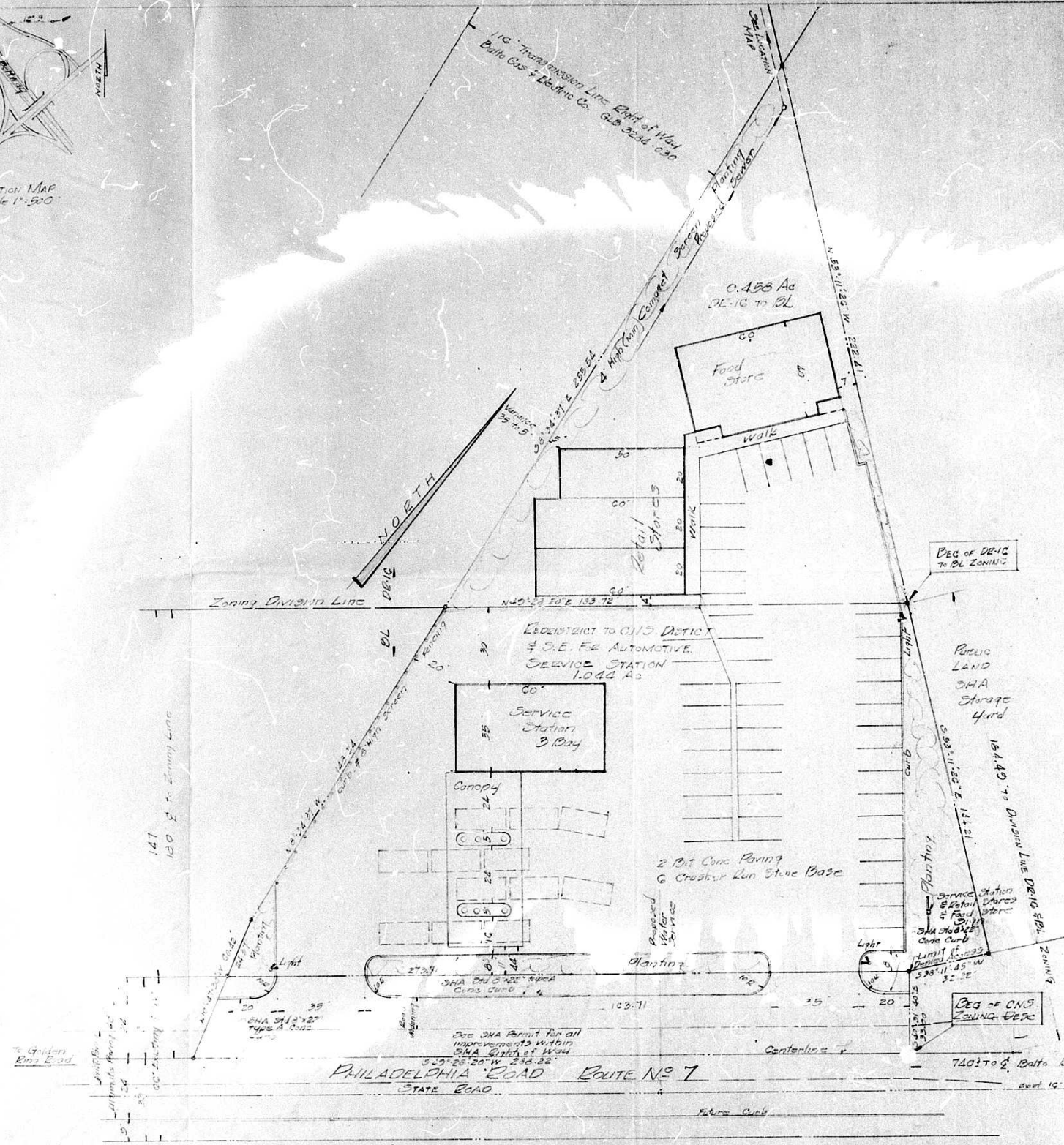
Petitioner's Attorney Lee H. Koshler

Reviewed by *[Signature]*

By *[Signature]*
Zoning Advisory Committee



LOCATION MAP
Scale 1"=500'



- ZONING DATA**
- Existing Zoning of Tract DL & DE-10
 - Proposed Zoning Reclassification of DE-10 Partion to BL Redistrict of Front Partion to C.N.S. District and Special Exception for use in common for Automotive Service Station, Retail Stores & Food Overstore
 - Gross Acreage of Entire Tract 5.575 Acres
 - Gross Acreage of Partion to be Reclassified from DE-10 to BL 0.458 Acres
 - Gross Acreage of Partion to be redistricted to C.N.S. District & S.E. for Automotive Service Station 1.044 Acres
 - Plan Partion Proposed Improvements

Retail Stores	3400 SF
Food Store	2400 SF
	3800 SF

 Required Parking 9800/200 = 50 Spaces
 Proposed Parking 33 Spaces
 - Front Partion Improvements
 - 2 Dispenser Islands with 4 Dispensers, serving 4 cars at one time.
 - Total Servicing Spaces 4
 - Total Servicing Bays 3
 - Total Bays & Spaces 514.7
 - Site Area Required 15,000 SF
 - Area of C.N.S. District 45,425 SF
 - Parking Required 3 bays x 3 = 9 Spaces
 - Parking Proposed 10 Spaces
 - Access Points
 - 2 Driveways 30' Width/Driveway
 - Driveway 30' Width to Stores
 - Required Frontage 30' x 5' = 125 LF
 - Proposed Frontage 273.71 LF
 - Land Scaping

Required Area 5% of Tract = 227.3 SF 5% of 4544 SF
 Proposed Area 1130 SF to consist of Trees, Low Mass Shrubs & Grass
 - Lighting - Mercury Vapor Lights on 14'0" high poles
 - Accessory Uses
 - Vehicle Repair Services
 - Sale of Cigarettes, candy, soft drinks and other items from Vending Machines
 - Tire Sales and Installation
 - Sale of Small auto parts and accessories
 - Lawnmower Sales and repairs
 - Christmas Tree Sales
 - Minor accessory uses

ZONING PLAT
 PROPERTY OF
KATHLEEN E. EVERS ET AL
 Part of 10.70 52.15-851
 12th Electoral District Baltimore County, Md
 March 23, 1973

Attorney Lee Keshler
 300 Marquette Bldg
 Towson, Md 21204
 Phone 296-1036

MAP	DL
SECTION	NE 1/4
S.T.	11
DATE	1-1-73
BY	DL
DATE	1-1-73
BY	DL

DAVID W. DALLAS JR.
 CIVIL ENGINEER
 8715 OLD HARFORD RD.
 BALTIMORE, MD 21234
 (301) 665-7422



1"=200' NE 4-F
 Key Sheet I NW