

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION AND SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Robert Micucci and Katherine J. Micucci, legal owner(s) 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 BL zone to an BM zone; for the following reasons:

See attached

see attached description

Special Hearing to delete that portion of the Special Exception for Gasoline Service Station and Cabin Camp granted under Case No. 2872, that is proposed on accompanying plat to be utilized for Trailer Sales.

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for:

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser
Robert Micucci
Katherine J. Micucci
Katherine J. Micucci, Legal Owner

Address: 12100 Belair Road
Kingsville Camping Center
Kingsville, Maryland 21087

Protestant's Attorney

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 104, County Office Building in Towson, Baltimore County, on the 27th day of September, 1973, at 1:00 o'clock

Robert Micucci
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
AND SPECIAL HEARING : DEPUTY ZONING
NW/4 of Belair Road, 2025' N of : COMMISSIONER
Sunshine Avenue - 11th District
Robert J. Micucci - Petitioner
NO. 74-75-RSPH (Item No. 27)
OF
BALTIMORE COUNTY

This Petition represents a request for a Reclassification from a B. L. (Business, Local) Zone to a B. M. (Business, Major) Zone, and a Special Hearing to delete a portion of the existing Special Exception for a gasoline service station and a cabin camp granted under Case No. 2872. The property contains 1.8 acres, more or less, and is located on the northwest side of Belair Road, 2025 feet north of Sunshine Avenue in the Eleventh Election District of Baltimore County.

Testimony indicated that the Petitioner does not intend to change any of the existing uses, consisting of six motel units, a combination service station and a two apartment building, and trailer sales and maintenance. The reason for the requested Reclassification is to place the uses in their appropriate zoning category. The site was described as being located entirely in a commercial enclave that encompasses properties on both the east and west sides of Belair Road.

Mr. James G. Howell, an employee of the Office of Planning, was duly subpoenaed and testified. His testimony indicated that the Planning Board, after having reviewed slides of land uses and existing zoning designations in the area, recommended that the Petitioner's request be given favorable consideration.

The County and its agencies, who reviewed the property for compliance to their development standards, had no adverse comments with regard to the existing operation or land uses. Insofar as traffic is concerned, the Department of Traffic Engineering stated that the change from B. L. to

B. M. would not create any major change in trip density. Baltimore County Health Department comments indicated that the water supply, which consists of a chlorinated spring, appears to be satisfactory. However, a complete soil evaluation and evaluation of existing disposal system must be conducted and approved prior to approval by the Health Department.

After reviewing the above testimony and evidence submitted in this case, it is the opinion of the Deputy Zoning Commissioner that the present B. L. classification is incorrect and the property should be reclassified to a B. M. Zone. The deletion of the trailer sales area from the Special Exception, originally granted from the overall site, will not appreciably affect the operation insofar as the requirements of Section 502 are concerned, and the Special Hearing should also be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 29th day of October 1973, that the herein described property or area should be and the same is hereby Reclassified from a B. L. Zone to a B. M. Zone.

It is further ORDERED that the request to delete the herein described area (see plat marked Petitioner's Exhibit 1 A) from the Special Exception granted in Case NO. 2872 is also Granted. Said granting is subject to the approval of a site plan by the State Highway Administration, Department of Public Works, Department of Health and the Office of Planning and Zoning.

James E. Dillon, Jr.
Deputy Zoning Commissioner of
Baltimore County

BRIEF OF THE PETITIONERS, ROBERT MICUCCI AND KATHERINE J. MICUCCI, his wife, IN SUPPORT OF THEIR REQUEST FOR RE-CLASSIFICATION

1. That the County Council erred in failing to recognize the need for additional B/M zoning in the immediate area prior to the adoption of the pre-existing map on March 24, 1971.
2. That the County Council in adopting the pre-existing map only provided for existing B/M use and failed to provide for future needs.
3. That the comprehensive plan for the development of the subject property as submitted by the Petitioners herein would bring about orderly development of the subject property within the concepts of good planning practice.
4. That there is a strong demand and, therefore, need for an additional B/M zoning in the immediate area.
5. And for such other and further reasons to be shown at the hearing hereon.

Respectfully submitted,

Lloyd J. Hammond
Lloyd J. Hammond
Attorney for Petitioners
204 Courtland Avenue
Towson, Maryland 21204
828-5554

- 2 -

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 13, 1973

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

JOHN J. DILLON, JR.
Chairman

MEMBERS

BUREAU 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

Lloyd J. Hammond, Esq.
204 Courtland Avenue
Towson, Maryland 21204

Re: Reclassification Petition
Item 27
Robert and Katherine J. Micucci - Petitioners

Dear Mr. Hammond:

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 west side of Belair Road, approximately 2,025 feet north of Sunshine Avenue, in the 11th District of Baltimore County. This property is requesting a reclassification from Business Local to Business Major for a portion of the overall site. The area of the reclassification would be used for new trailer sales.

For several years now this property has not been operating in complete compliance with the Zoning Regulations as a trailer center in the area of Kingsville. There are several uses located on and adjacent to this site. There is an existing service station structure immediately to the south which also has two apartments inside. There is an existing motel unit to the rear of the property. There is another dwelling to the rear of the property that appears to be occupied and is not shown on the submitted site plan. The petitioner is also requesting a Special Hearing to delete certain portions of the Special Exception (Case No. 2872) that granted the gasoline service station and cabin camp as part of this property is to be used for the sale of new camper trailers. The petitioner is advised that he must comply to all comments by the Bureau of Engineering, State Highway Administration, and the Project Planning Office.

Lloyd J. Hammond, Esq.
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April 13, 1973

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

JJDjr:JD
(Enclosure)

cc: Malcolm E. Hudkins & Associates
305 W. Chesapeake Avenue
Towson, Md. 21204

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E.
DIRECTOR

Wm. T. MILLER
DEPUTY TRAFFIC ENGINEER

April 27, 1973

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

Re: Item 27 - Cycle Zoning V - April to Oct. 1973
Property Owners: Robert & Katherine Micucci
Belair Road N. of Sunshine Ave.
Reclass. to BM - District 11

Dear Mr. DiNenna:

The subject petition is requesting a change from BL to BM. This reclassification should not create any major change in trip density.

Very truly yours,
C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRM:nc

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

Branch of Engineering
ELLSWORTH N. DIVER, P.E. CHIEF

April 26, 1973

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

Re: Item #27 (April to October 1973 - Cycle V)
Property Owner: Robert and Katherine Micucci
W/S of Belair Road, 2025' N. of Sunshine Ave.
Present Zoning: B.L.
Proposed Zoning: Reclass. to B.M.; Special Hearing to delete a portion of the Special Exception for gasoline service station and cabin camp granted under Case No. 2872
District: Iln No. Acres: 1.80

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:

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

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

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

This site may be affected by backwater from the existing culvert under Belair Road, 130 feet south of the site.

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.

Item #27 (April to October 1973 - Cycle V)
Property Owner: Robert and Katherine Micucci
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Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property, which is utilizing private onsite facilities.

Very truly yours,

Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:HMS:ss

Q-W-E Key Sheet
59 NE 38 Pos. Sheet
NE 35 J Topo Sheet
55 Tax Map



State Highway Administration

Harry R. Hughes
Secretary
James J. O'Donnell
Acting Secretary

April 12, 1973

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

Attn: Mr. John J. Dillon

Dear Sirs:

At present there is no curbing fronting the trailer sales site. The existing curb fronting the Service Station must be extended for the full frontage of the trailer site.

There is an 80' right of way proposed for Belair Road (40' from center) that should be indicated. An additional concrete curb must be constructed along this line.

There is a storm drain structure fronting the site that must be improved as a standard inlet.

The plan should be revised prior to the hearing.

The highway improvements must be done under permit from the State Highway Administration.

The 1972 average daily traffic count on this section of Belair Road is ... 13,900 vehicles.

Very truly yours,

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

CL:JEM:bk

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

Baltimore County Fire Department



Towson, Maryland 21204

832-7310

J. Austin Deitz
Chief

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Robert and Katherine Micucci

Location: W/S of Belair Road, 2025' N of Sunshine Avenue

Item No. RECLASSIFICATION Zoning Agenda Tuesday, April 17, 1973

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at _____
- () 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", 1973 Edition prior to occupancy. Site plans are approved as drawn.
- () 6. The Fire Prevention Bureau has no comments at this time.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *John L. Wimbley* Noted and Approved: *Paul H. Reinke*
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

nl
4/16/73

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

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

April 17, 1973

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 10, 1973, are as follows:

Property Owner: Robert and Katherine Micucci
Location: W/S of Belair Road, 2025' N of Sunshine Ave.
Present Zoning: B.L.
Proposed Zoning: Reclass to B.M. and a Special Hearing to delete that portion of the Special Exception for Gasoline Service Station and Cabin Camp granted under Case No. 2872
District: Iln
No. Acres: 1.80

Water supply which is a chlorinated spring, appears to be satisfactory.

Complete soil evaluation and evaluation of existing disposal system must be conducted and approved prior to approval by Health Department.

Air Pollution Comments: The building or buildings on this site may be subject to a permit to construct and a permit to operate any and all fuel burning and processing equipment. Additional information may be obtained from the Division of Air Pollution and Industrial Hygiene, Baltimore County Department of Health.

Very truly yours,

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

HVB:mms

cc: W.L. Phillips

MALCOLM E. HUDKINS ASSOCIATES
SURVEYORS AND LAND DEVELOPERS
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TELEPHONE: 301-828-0060

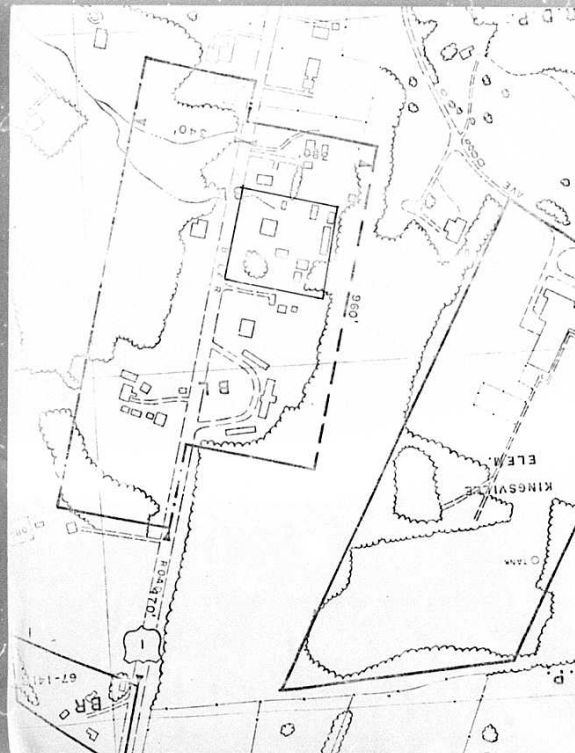
April 3, 1973

DESCRIPTION TO ACCOMPANY APPLICATION FOR ZONING RECLASSIFICATION:

Beginning for the same at a point distant 1085 1/2 feet northerly measured along the west right-of-way line of Belair Road from the intersection formed by the west right-of-way line of Belair Road with the centerline of Sunshine Avenue, thence binding along said west right-of-way line of Belair Road North 22° 53' East 230 feet thence North 63° 55' East 213.45 feet thence South 21° 05' West 279.9 feet thence South 63° 55' East 275.35 feet to the place of beginning.

Containing 1.80 Acreon of land more or less.

Malcolm E. Hudkins
Malcolm E. Hudkins
Surveyor and Land Developer
No. 305 W. Chesapeake Avenue
Towson, Maryland 21204



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:

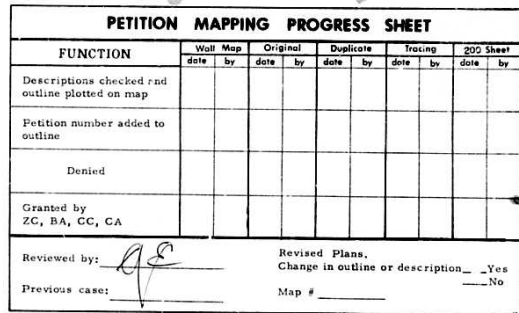
Comments on Item #27, V Zoning Cycle, April to October 1973, are as follows:

Property Owner: Robert and Katherine Micucci
Location: W/S of Belair Road, 2025' N of Sunshine Avenue
Present Zoning: B.L.
Proposed Zoning: Reclassification to B.M.; Special Hearing to delete a portion of the Special Exception for gasoline service station and cabin camp granted under Case No. 2872
District: Iln
No. Acres: 1.80

The site plan should be revised to show the proposed widening of Belair Road and a paved area for the storage and sales area of the trailers.

Very truly yours,

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



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

Reviewed by John J. Williams
Chairman,
Zoning Advisory Committee

Kingsville Camping Center
12100 Belair Rd.
Kingsville, Md. 21087
Petition for ²Reclassification for Robert Micucci

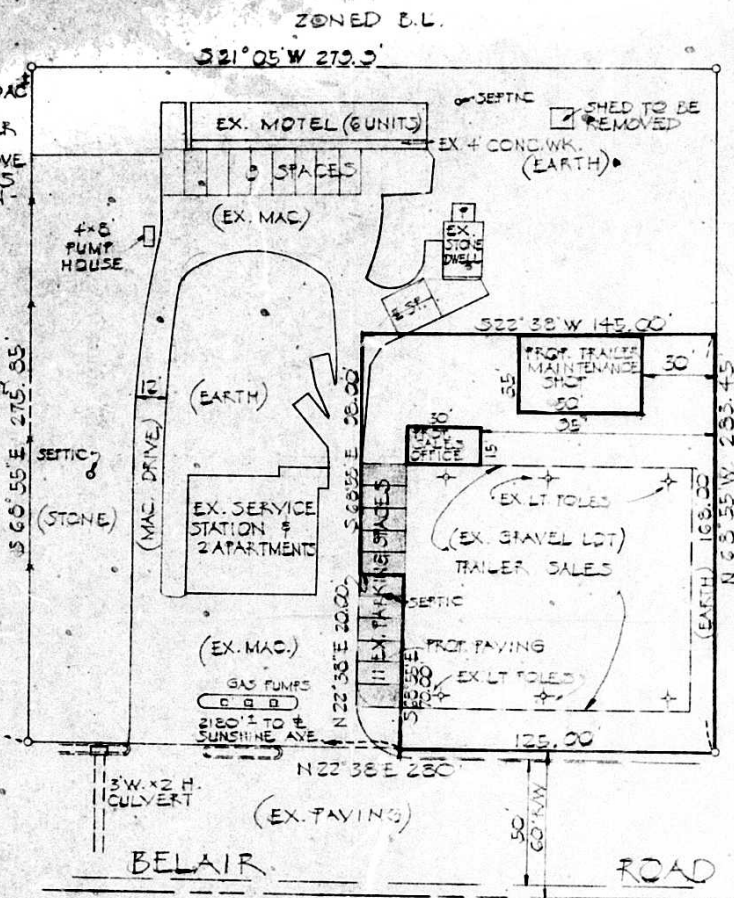


GENERAL NOTES:

1. EXIST. ZONING - B.L.
2. PROP. ZONING - B.M.
3. TOTAL ACRES OF TRACT - 1.80 AC
4. PRESENT USE: RESIDENTIAL SERVICE STATION, MOTEL, TRAILER SALES
5. PROPOSED USE: SAME AS ABOVE IN ADDITION TO TRAILER SALES OFFICE AND TRAILER MAINTENANCE SHOP
6. OFF-STREET PARKING REQUIRED
 - A. SERVICE STATION - 2 BAYS
3 ST/DAY - 6
 - B. MOTEL - 6 UNITS
1 ST/UNIT - 6
 - C. APARTMENT - 2 UNITS
1.5 ST/UNIT - 3
 - D. TRAILER SALES 450 SQ. FT.
1 ST/200 SQ. FT. - 3
 - E. TRAILER MAINTENANCE 6 EMPLOY
1 ST/3 EMPLOY - 2
 - F. HOUSE - 2
- TOTAL NO SPACES REQUIRED 22
- TOTAL NO SPACES PROVIDED 22

ZONED B.L.

2025' TO E
SUNSHINE AVE.



NOTE: SPECIAL PERMIT FOR SERVICE STATION & CABIN. PERMIT UNDER CASE # 2872 PREVIOUSLY GRANTED. OWNER WISHES REMOVAL OF A PORTION OF THE SPECIAL PERMIT TO ALLOW FOR TRAILER SALES. BOLD OUTLINE DENOTES AREA.

ZONED B.L.

MAP:	40
ELECTION:	NE75-3
DISTRICT:	11
D. DATE:	4-9-73
TYPE:	
BY:	RL
DATE:	4/9/73
BY:	

PLAT TO ACCOMPANY APPLICATION FOR
ZONING RECLASSIFICATION
PROPERTY OF
ROBERT & KATHERINE J. MICUCCI
BELAIR ROAD
ELECTION DISTRICT NO. 11
BALTIMORE COUNTY, MD
SCALE 1"=40'
APRIL 2, 1973



Malcolm E. Hookins
MALCOLM E. HOOKINS REG. L.S. 5005

old Plat



GENERAL NOTES:

1. EXIST. ZONING - B.L.
2. PROP. ZONING - B.M.
3. TOTAL ACREAGE OF TRACT - 1.80 AC.
4. PRESENT USE: RESIDENTIAL
SERVICE STATION, MOTEL, TRAILER SALES
5. PROPOSED USE: SAME AS ABOVE
IN ADDITION TO TRAILER SALES
OFFICE AND TRAILER MAINTENANCE SHOP.
6. OFF-STREET PARKING REQUIRED
 - A. SERVICE STATION - 2 BAYS
3 ST/DAY - 6
 - B. MOTEL - 6 UNITS
1 ST/UNIT - 6
 - C. APARTMENT - 2 UNITS
1.5 ST/UNIT - 3
 - D. TRAILER SALES - 450 SQ. FT.
1 ST/200 SQ. FT. - 3
 - E. TRAILER MAINTENANCE - 6 EMPLOY.
1 ST/3 EMPLOY - 2
 - F. HOUSE
- TOTAL NO. SPACES REQUIRED - 22
- TOTAL NO. SPACES PROVIDED - 22

ZONED B.L.

2025' TO S
SUNSHINE AVE

PROP. 30' CURB

3' W X 2' H
CULVERT

BELAIR

N 22° 38' E 230'

(EX. FAYING)

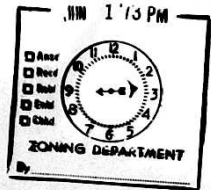
ROAD

PROP. 10' WIDENING LINE

ZONED B.L.

NOTE: SPECIAL PERMIT FOR
SERVICE STATION & CABIN
DRAFT UNDER CASE # 2372
PREVIOUSLY GRANTED.
OWNER WISHED REMOVAL
OF A PORTION OF THE SPECIAL
PERMIT TO ALLOW FOR
TRAILER SALES.
BOLD OUTLINE DENOTES
AREA.

Item 27
II Cycle
M. M. M. M.
REVISED PLANS



PLAT TO ACCOMPANY APPLICATION FOR
ZONING RECLASSIFICATION
PROPERTY OF
ROBERT & KATHERINE J. MIOUCCI
BELAIR ROAD
ELECTION DISTRICT NO. 11
BALTIMORE COUNTY, MD.
SCALE 1"=40'
APRIL 2, 1973
REVISED MAY 31, 1973
PET EX. #1-A

MALCOLM E. HUDKINS REG. L.S. 5005



