

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
Reisterstown Limited Partnership

I, we, Reisterstown Limited Partnership, 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 an D.R. 3.5 zone to an B.M. zone, for the following reasons:

1. Error in original zoning and genuine change in condition.

See attached description

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

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

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

Reisterstown Limited Partnership
Sundrel of Maryland, Inc.
Contract purchaser
Address: 245 Park Avenue
New York, New York 10017

Charles E. Brook & Brooks & Turnbull
Attorneys
Address: Suite 205 Equitable Building
Calvert & Fayette Streets
Baltimore, Maryland 21202

ORDERED BY THE Zoning Commissioner of Baltimore County, this 15th day of October, 1974, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 16th day of March, 1974, at 2:00 o'clock P.M.

Zoning Commissioner of Baltimore County.

(over)

RE: REISTERSTOWN ROAD AND
FEATHERBED LANE
(Proposed Metropolitan Boulevard)
BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

PETITION FOR RE-CLASSIFICATION

Now comes Reisterstown Limited Partnership, legal owners of the above property, by Charles E. Brook and Brooks & Turnbull, its Attorneys, and for memorandum in support of Petition for Re-Classification, says:

1. That the above captioned property is located on the Reisterstown Road at its intersection with Featherbed Lane, which intersection is now indicated to be altered by the extension and development of the proposed Metropolitan Boulevard. That the failure of the respective zoning authorities of Baltimore County, Maryland, to recognize the obvious impact of this alteration is tantamount to error in original zoning, and from and as a result thereof, the failure of the appropriate zoning authorities to recognize this impending change does justify the granting of re-classification of the subject property.
2. That numerous alterations and re-classifications within the immediate vicinity of the subject property since the adoption of the maps on March 24, 1971, does indeed constitute a change in condition in the immediate vicinity, which change justifies the re-classification of the subject property, as per your Petitioner's request.
3. And, for such other and further relief as may be stated in any hearing hereon.

Charles E. Brook & Brooks & Turnbull
Attorneys for Petitioners
610 Bosley Avenue
Towson, Maryland 21204
296-2000

RE: PETITION FOR RECLASSIFICATION
SW/S of Reisterstown Road, 140' SE
of Featherbed Lane - 4th District
Reisterstown Limited Partnership
Petitioner
NO. 74-184-R (Item No. 29)
BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This Petition represents a request for a Reclassification of a seven acre tract of land from a D.R. 3.5 Zone to a B.M. Zone. The property in question is situated at the southeast intersection of Featherbed Lane and Reisterstown Road, in the Fourth Election District of Baltimore County.

Testimony was presented by Mr. Leonard Cohen, Contract Purchaser and an experienced builder of medium density shopping centers in New Jersey, Pennsylvania and New York; Mr. John Strong Smith, a registered professional engineer and partner in the firm of Smith, Teacher and Associates; and Mr. David Horn, a real estate expert with many years experience with a major oil company.

In essence, the testimony as presented by the above experts attempted to establish that the site was ideally situated for the proposed use at the intersection of Reisterstown Road and the proposed Metropolitan Boulevard. They felt that this as well as other large farm type homes and properties that exist along Reisterstown Road were no longer suited for residential purposes. In support of this contention, they pointed out that no new residential construction had taken place along Reisterstown Road frontages in the last fifteen years. The existing commercially zoned parcels on this area of Reisterstown Road, were described as either being utilized or scheduled to be developed. This lead to their conclusion that the Comprehensive Zoning Map was in error in not providing additional commercially zoned properties or opportunities to meet the needs of the area.

Reisterstown Limited Partnership - #74-184-R

subject property as soon as funds might become available. He did note that in submitting any plans for the subject property, the owner is required by the County to place the right-of-way line of Metropolitan Boulevard as now proposed on such plot of the subject property, and utilize the property only in such a way so as not to construct upon the proposed right-of-way line for said Metropolitan Boulevard.

Stephen Peterson, a traffic engineer, discussed the present and potential traffic along this portion of the Reisterstown Road. As to the traffic problem that the proposal in the subject instance might create, Mr. Peterson noted that new traffic generation, in his judgment, was the key to the existing situation. He stated that the plan called for a relatively small neighborhood center which, in his professional opinion, would generate little if any new traffic. He indicated that these sort of proposals are tantamount to convenience facilities, and according to his past experiences some are not generators of new traffic but bring in and out at this location traffic already existing upon the given highway. It was his judgment that this proposal would not materially change the traffic conditions along Reisterstown Road.

David Horn, a real estate expert, testified on behalf of the Petitioner and described to the Board several changes which, in his judgment, are substantial and would warrant the granting of the requested reclassification. Amongst these changes, Mr. Horn discussed the reclassification in case #73-44-R (Unger Old) to a B.R. classification in 1973. In case #73-50-R, a reclassification also in 1973 from existing D.R. 16 and D.R. 3.5 to a B.R. classification, Mr. Horn did note that this property still remains vacant and unimproved. Mr. Horn felt that the various widenings which have recently taken place along the Reisterstown Road were also evidence of change. He felt that it was error in 1971 for the Council to zone this subject property D.R. 3.5. He noted that no such housing has been built along the Reisterstown Road frontage for at least the past fifteen years. Three relatively large apartment projects have been developed within approximately six tenths of a mile from the subject property in the last few years, and the census tract for the subject property indicates a population of approximately 30,190 people. In discussing the on and off again plans for Metropolitan Boulevard, Mr. Horn felt that some completely takes the subject property out of any probable use within its existing D.R. 3.5

Without reviewing all the evidence in detail but based on all evidence presented, together with a personal on site inspection of the subject property and the general vicinity, it is the opinion of the Deputy Zoning Commissioner that the Petitioner has not overcome his burden of proving error in the Comprehensive Zoning Map.

Baltimore County has purchased a parcel of land on the opposite side of Featherbed Lane presumably for the purpose of providing a right-of-way for Metropolitan Boulevard. However, testimony could not establish any future completion date, or for that matter, a starting date.

Even though a large apartment complex exists on the opposite side of Reisterstown Road and construction is underway for a rather large automobile agency just north of the subject property, the overall area must be considered semi-rural. The rural nature of the area is emphasized by the fact that Metropolitan sewer lines have not yet been extended to serve the area and, if zoned, the property would be serviced by a private underground sewage disposal system for an unknown period of time.

The fact that there have been no new single family residences constructed on the residentially zoned frontages of Reisterstown Road within the past fifteen years, does raise some questions as to whether or not the property has been placed in its highest and best use. However, one cannot overlook the fact that a ten acre commercially zoned tract, located approximately 1200 feet south of the subject site was reclassified in the Third Zoning Cycle of 1972, and remains vacant to this day. It would appear that if a genuine need for retail shopping existed for the residents of this immediate area, that this site, that has lain vacant since the Fall of 1972, could fulfill those needs.

There was no expert testimony with regard to the serious traffic conditions that apparently exist in this area. The Baltimore County Traffic Engineer's comment regarding the reclassification of this property contained the following statement:

Reisterstown Limited Partnership - #74-184-R

zoning classification.

Two neighborhood witnesses were presented by the People's Counsel. One lived directly across Featherbed Lane from the subject property, and the other lived less than a mile away and was the President of the Country Club Estate Improvement Association, a community located about one mile from the subject property. The Protester who resides at 26 Featherbed Lane was most concerned about the impact upon traffic that this proposal might have. Furthermore, this witness felt that there was absolutely no need for further commercial development in and around this part of the Reisterstown Road. On cross-examination, the witness agreed that there had been no new house construction within a mile north and south along the Reisterstown Road. As to his feelings about the proposed Metropolitan Boulevard, he indicated that he would also strongly oppose this road construction. Petitioner's Exhibit #1 would indicate that a small portion of this Protester's property might be acquired for the right-of-way of the proposed Metropolitan Boulevard. Also, this plat shows that if this roadway would be constructed, the Protester's home would be on the northwest side of said roadway and isolated from the subject property by said boulevard.

Mr. Hall, a community representative, testified in opposition for primarily the same reasons as the neighborhood protestant; i.e., traffic and lack of need. Cross-examination reflected the fact that there were no vacancies in existing shopping centers in the area, and that the stores that had closed apparently had run their economic life and had suffered appreciably from the smallness, both as to the improvement and as to the lot size. This witness substantially agreed with the general lack of desirability for residential construction along this portion of the Reisterstown Road frontages.

The People's Counsel submitted for consideration by this Board the comments of C. Richard Moore, Baltimore County Traffic Engineer, and the Planning Board's recommendations to the Zoning Commissioner concerning this petition. Both of these comments are contained in the subject file. Mr. Moore's comment is similar to those submitted by his office in almost all cases along the major arteries extending from the City Line into the County. Frankly, neither this Board nor the Department of Traffic seems to be able to solve the ever increasing problems along these major arterial spokes leading away from

RE: PETITION FOR RECLASSIFICATION
from D.R. 3.5 to B.M.
SW/S Reisterstown Road, 140'
SE of Featherbed Lane
4th District
Reisterstown Limited Partnership
Petitioner
Sundrel of Maryland, Inc.
Contract Purchaser
BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 74-184-R

OPINION

This case comes before the Board on an appeal by the Petitioner from a decision of the Deputy Zoning Commissioner which denied the requested reclassification for the subject property from existing D.R. 3.5 to a B.M. classification. The subject property contains approximately seven (7) acres and is located in the Fourth Election District of Baltimore County, on the southwest side of Reisterstown Road approximately 140 feet southeast of Featherbed Lane. Petitioner's Exhibit #1 is a plat of the subject property, and outlines the bounds of same at its location southwest of the corner of Featherbed Lane and the Reisterstown Road. A proposed right-of-way line for Metropolitan Boulevard is also indicated on this exhibit. The Petitioner, Mr. Hooper, told the Board of his desire to construct a small neighborhood shopping center upon the subject property if his petition be successful.

J. Strong Smith, a registered professional engineer, presented the physical details of the subject property to this Board. Mr. Smith indicated that the subject property would lose approximately 0.88 acres to the roadbed of Metropolitan Boulevard and hence, the net acreage involved ultimately would be approximately 6.2 acres. Mr. Smith described the Reisterstown Road along the frontage of the subject property as being paved to approximately fifty feet in width with four lanes of traffic, and a planned fifth lane for turning at Richman Avenue. This engineer indicated that public water is now in the Reisterstown Road and would be available to the subject property. Furthermore, he indicated that public sewer was not immediately available to the subject property and, in fact, the subject property was within the Guyana Falls sewer moratorium area and anticipated a lapse of perhaps as many as two and one half years might still remain upon this moratorium. As to the construction of the much discussed Metropolitan Boulevard, it was Mr. Smith's opinion that the County still planned to build this roadway through the

"Due to a study conducted in the Northwest area earlier this year, it was determined that the existing and proposed road system is adequate only for existing Zoning, assuming the entire road system can be built along with the mass transit and any trip density increases, and there also be a downgrading of some other properties to offset this increase. Therefore, the increasing of the density proposed can only continue to aggravate an already serious traffic problem."

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 5th day of August, 1974, that the herein requested Reclassification be and the same is hereby DENIED, and that the above described property or area be and the same is hereby continued as and to remain a D.R. 3.5 Zone.

James S. Hall
Deputy Zoning Commissioner of
Baltimore County

Baltimore City. Whether these problems should be cause or reason to deny all petitioned reclassifications along these roadways is a major point of quandary for this Board. We suppose in an overall view of this crucial situation, the Board will have to very carefully consider each petition in light of its burden upon traffic, and hopefully make a best judgment as to the given impact of each individual petition upon an admittedly serious traffic condition that exists along practically all of these arterial highways in our County. Past history and experience seems to indicate that the traffic situations are handled on a crisis basis; i.e., that when the citizens have reached an intolerable point of annoyance and inconvenience, the Highway Departments seem to eventually take partial measures to minimize the already existing problems. While there seems to be much forethought and planning going into highway problems, frankly, none of these plans seem to be enacted until the situation reaches a crisis.

As to the comment of the Planning Board, frankly, the Board is not impressed with same. In paragraph six of this report the Board notes: "The Planning Board believes that D.R. 3.5 zoning is appropriate here". After carefully reviewing the testimony and evidence presented in this case and viewing the subject property, the Board seriously wonders about this comment by the Planning Board. As to the remaining portions of paragraph six in the Planning Board's comments, the testimony in this case indicates that the northwest corner of Reisterstown Road and Featherbed Lane, referred to in this comment as being "approximately one acre of vacant commercial zoned land," is a parcel of land purchased by Baltimore County for the roadbed of Metropolitan Boulevard. While the zoning maps carry this land as B.M., same in fact has been removed from the rolls of potentially developable commercial lands in Baltimore County and is now in public ownership.

Without further detailing the testimony and evidence presented in this instance, suffice it to say that the Board is impressed with the petition. It is the judgment of this Board that the D.R. 3.5 zoning placed upon the map in March of 1971 is not an appropriate classification for this site. The Board feels that there is sufficient evidence of error and/or change in the subject instance to warrant the requested reclassification. There is uncontradicted testimony concerning the lack of low density residential use in this

general area. There is evidence of zoning changes through the petition process. There are many indications of physical change in the area since March of 1971, and the Board would note that the Deputy Zoning Commissioner, in his Order, described this general area as "semi-rural". Frankly, the Board would disagree with this thought expressed by the Deputy Zoning Commissioner. What weight the Deputy Zoning Commissioner gave to this thought is unknown by this Board, however, this characterization of the general area will not be adopted by this Board. Some measurable degree of urbanization is blatantly omnipresent in this area, and a physical inspection of this general area makes same fully obvious.

In summary, the Board feels that the Petitioner has borne the burden of proving that a reclassification in the subject instance is warranted. However, the Board feels that the local neighborhood character of this proposed commercial location would be better guaranteed if the type of commercial classification was limited to a B.L. classification, and not the B.M. classification as proposed by the Petitioner. The Board strongly feels that the evidence presented in this case points more toward the validity of a B.L. classification than that of the sought after B.M. classification. For this reason, the Board will reclassify the subject property from its existing D.R. 3.5 zone to a B.L. zoning classification.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 31st day of October, 1975, by the County Board of Appeals, ORDERED that the subject property be and the same is hereby reclassified from a D.R. 3.5 zone to a B.L. zone in lieu of the requested B.M. zone.

Any appeal from this decision must be in accordance with Rules 8-1 to 8-12 of Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Walter A. Rejter, Jr., Chairman

John A. Miller

Robert L. Gillond

RE: PETITION FOR RECLASSIFICATION
from D.R. 3.5 to B.M.
34/3 Reisterstown Road, 140'
SE of Featherbed Lane
4th District
Petitioner:
Reisterstown Limited Partnership
Sannarel of Maryland, Inc.
Contract Purchaser
No. 74-184-R

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
MISCELLANEOUS
Docket No.:

ORDER FOR APPEAL

MR. CLERK:

Please note an Appeal to the Circuit Court for Baltimore County from the Opinion and Order of the County Board of Appeals of Baltimore County dated October 31, 1975 on behalf of the Petitioner, Reisterstown Limited Partnership.

CHARLES E. BROOKS
Brooks & Turnbull
610 Bosley Avenue
Towson, Maryland 21204
Phone: 296-2600

I HEREBY CERTIFY That on this 1st day of November, 1975, a copy of the foregoing Order for Appeal was delivered to the County Board of Appeals of Baltimore County, Court House, Towson, Maryland 21204.

Charles E. Brooks

RE: PETITION FOR RECLASSIFICATION : IN THE CIRCUIT COURT
from D.R. 3.5 to B.M. SW/8 :
Reisterstown Road, 1408 SE of :
Featherbed Lane, 4th District : FOR BALTIMORE COUNTY

REISTERSTOWN LIMITED : Misc. No. 5801
PARTNERSHIP, Petitioner - :
SANNREL OF MARYLAND, INC., :
Contract Purchaser : CASE #74-184-R

EDWARD CZAWLYTKO and :
ARLINE E. CZAWLYTKO, his wife :
JOHN E. EURICE and :
RUTH M. EURICE, his wife :
GARY L. HALL and :
MARY ELLEN HALL, his wife :
Appellants

ORDER FOR APPEAL

Mr. Clerk:

Please note an appeal on behalf of Edward Czawlytko; Arline E. Czawlytko, his wife; John E. Eurice; Ruth M. Eurice, his wife; Gary L. Hall; and Mary Ellen Hall, his wife to the Court of Special Appeals of Maryland from the decision of the Circuit Court for Baltimore County under date of June 25, 1976.

Martin J. Smith
143 Main Street
Reisterstown, MD 21136
833-1221
Attorney for Appellants

THIS IS TO CERTIFY that a copy of the foregoing Order for Appeal was mailed on this 23rd day of July, 1976 to Charles E. Brooks, Esquire, 610 Bosley Avenue, Towson, Maryland 21204, Attorney for Petitioner.

Martin J. Smith

RE: PETITION FOR RECLASSIFICATION : IN THE CIRCUIT COURT
from D.R. 3.5 to B.M. SW/8 :
Reisterstown Road, 1408 SE of :
Featherbed Lane, 4th District : FOR BALTIMORE COUNTY

REISTERSTOWN LIMITED PARTNERSHIP : Misc. No: 5801
Petitioner - SANNREL OF MARYLAND, INC. :
Contract Purchaser : CASE #74-184-R

EDWARD CZAWLYTKO and :
ARLINE E. CZAWLYTKO, his wife :
JOHN E. EURICE and :
RUTH M. EURICE, his wife :
GARY L. HALL and :
MARY ELLEN HALL, his wife :
Appellants

MEMORANDUM OPINION AND ORDER

On October 15, 1973, Petition No. 74-184-R was filed with the Zoning Commissioner of Baltimore County. It concerned the reclassification of a seven acre tract of land located at the southeast intersection of Featherbed Lane and Reisterstown Road. The Petitioner seeks a change in the existing zoning from D.R. 3.5 to a B. M. Zone. The Zoning Commissioner weighed the testimony and the facts presented by the Petitioner and denied the reclassification on the grounds that the Petitioner failed to overcome his burden of proving error in the Comprehensive Zoning Map.

The County Board of Appeals reversed the Zoning Commissioner's denial on October 31, 1975, but the Board felt constrained to grant a reclassification only to the extent of a B. L. Zone in lieu of the requested B.M. Zone. The County and the Protestants filed an appeal to this Court on November 28, 1975 alleging that the decision of the Board was in error. The Petitioner also lodged an appeal of the Board's refusal to reclassify their property to a B. M. Zone, but that appeal was dismissed. Therefore, the action of the Board in downshifting the Petitioner's request from a B. L. to a B. M. Zone is not before this Court.

Page 2.

It is well-settled law that the question on judicial review is whether the decision of the County Board of Appeals was arbitrary and discriminatory or fairly debatable. Northampton v. Prince George's County, 273 Md. 93, 101 (1974); Montgomery County v. Pleasant, 266 Md. 462, 465 (1972); and Prince George's County v. Meisinger, 264 Md. 148, 153 (1972). It is also well-established law that to sustain a piecemeal change in zoning, such as the case here suggests, strong evidence of mistake in the Comprehensive Zoning Map or evidence of substantial change in the character of the neighborhood must be produced. Petty v. Board of County Commissioners, 271 Md. 352, 359 (1974); Valenzia v. Zoning Board, 270 Md. 478, 483 (1973); and Trainer v. Upchin, 269 Md. 667, 672 (1973). It is to be noted that the petition for reclassification in this case was filed over two years after the adoption of the Comprehensive Zoning Map in 1971.

Without detailing all of the facts in this case, the Court is of the opinion that the evidence presented before the Board of Appeals is of such a character so as to justify the Board in ruling that the strong presumption of correctness in the 1971 Zoning Map was overcome by error and/or change. The record supports the finding of the Board when it stated:

It is the judgment of this Board that the D. R. 3.5 zoning placed upon the map in March of 1971 is not an appropriate classification for this site. The Board feels that there is sufficient evidence of error and/or change in the subject instance to warrant the requested reclassification. There is uncontradicted testimony concerning the lack of low density residential use in this general area. There is evidence of zoning changes through the petition process. Baltimore County Board of Appeals, Opinion, No. 74-184-R, Transcript, p. 4-5.

Page 3.

It is quite apparent that the Board took into consideration zoning changes occurring within 1000 feet east and west of the subject property. Two reclassification in Petition No. 73-44-R (Unger Oldsmobile) from D. R. 3.5 zoning to a B. R. classification occurred in 1973. In Petition No. 73-50-R, also in 1973, a reclassification from the existing D. R. 16 and D. R. 3.5 to a B. R. Zone was additional evidence of change post-dating the 1971 Map.

The transcript also reveals evidence of physical change (street widening and the addition of turning lanes on Reisterstown Road), the effects of the reclassification on traffic, and the fact that no residential development has taken place on Reisterstown Road for the past fifteen years. The issue before the Board was a fairly debatable one, and its decision must be sustained, in light of the fact that this Court cannot substitute its judgment for that of the Board.

For the reasons stated, it is this 25th day of June, 1976, by the Circuit Court for Baltimore County ORDERED that the Order of the County Board of Appeals passed under date of October 31, 1975, reversing the Zoning Commissioner and granting a reclassification sought in the petition filed on behalf of the Appellee, Reisterstown Limited Partnership, be and the same is hereby AFFIRMED. Appellants to pay the costs in this Court.

June 25, 1976
Date
Judge Frank L. Gibson

PETITION FOR RECLASSIFICATION

4th DISTRICT

From D.R. 3.5 to R.M. Zone.

Southwest side of Reisterstown Road 140 feet
Southwest of Featherbed Lane.

MONDAY, MARCH 4, 1976 at 2:00 P.M.

Room 106, County Office Building, 111 V.
Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and
Regulations of Baltimore County, will hold a public hearing:

Present: Zoning D.R. 3.5
Proposed Zoning: R.M.

All that parcel of land in the Fourth District of Baltimore County

being the property of Reisterstown Limited Partnership, as shown on plat filed
with the Zoning Department.

Hearing Date: Monday, March 4, 1976 at 2:00 P.M.
Public Hearing: Room 106, County Office Building, 111 V. Chesapeake Avenue, Towson, Md.

BY ORDER OF
S. REG. 10000
ZONING COMMISSIONER OF
BALTIMORE COUNTY

DESCRIPTION OF 7.00 ACRES
OF LAND, MORE OR LESS
REISTERSTOWN ROAD AND
FEATHERBED LANE

BEING all of two lots of land which by Deed dated April 10, 1973 and
recorded among the Land Records of Baltimore County in Liber EHK, Jr.
5349 page 894 was conveyed by Carlyle Barton, Jr., personal representa-
tive of the estate of Laura May Ayler, unto Reisterstown Limited
Partnership.

BEGINNING at a point in the Southwest side of Reisterstown Road, 140
feet Southeast of the centerline of Featherbed Lane said point being
also at the beginning of the first line of the first lot of the
aforementioned Deed; thence leaving said point and binding on said
first line, as now surveyed

- (1) South 43° -42'-53" East-269.55 feet; thence binding on all
of the second line of the first lot
- (2) South 45° -56'-30" West-764.28 feet to a point in the last
line of the second lot of the aforementioned Deed, 107.22
feet from the beginning thereof; thence binding reversely
on part of said last line and all of the third and second
lines of the second lot the following three courses and
distances
- (3) South 42° -59'-02" East-107.22 feet
- (4) South 48° -14'-09" West 81.93 feet
- (5) North 43° -03'-13" West-507.79 feet to a point in the
Southeast side of Featherbed Lane; thence binding on
said Southeast side
- (6) North 46° -01'-42" East- 82.50 feet; thence continuing
to bind on said Southeast side
- (7) North 40° -09'-44" East-428.82 feet; thence binding on
all the fifth and the last lines of the first lot the
following two courses and distances
- (8) South 43° -45'-30" East-132.00 feet
- (9) North 40° -01'-24" East-330.20 feet to the point of
beginning

-1-

DESCRIPTION OF 7.00 ACRES
OF LAND, MORE OR LESS
REISTERSTOWN ROAD AND
FEATHERBED LANE

CONTAINING 7.00 Acres of land, more or less

SUBJECT to any and all easements of record

TOGETHER with the use in common of a 16 foot road way (See TK 287/121)

This description is for zoning purposes only and is not intended for
conveyancing of land

September 19, 1973



MANDATE

Court of Special Appeals of Maryland

No. 764, September Term, 1976

Edward Czawlytko et al

vs.

Reisterstown Limited Partnership
et al

Appeal from the Circuit Court for
Baltimore County.

Filed: September 20, 1976.

November 13, 1976 - Order by Court, upon
its own motion, dismissing appeal for
failure of appellants brief to include
appendix or record extract.

December 23, 1976 - Mandate issued.

STATEMENT OF COSTS:

In Circuit Court:

Record 25.00
Stenographer's Costs

In Court of Special Appeals:

Filing Record on Appeal 30.00
Printing Brief for Appellant Not Supplied
Reply Brief
Portion of Record Extract - Appellant
Printing Brief for Cross-Appellee

Printing Brief for Appellee Not Supplied
Portion of Record Extract - Appellee
Printing Brief for Cross-Appellant

STATE OF MARYLAND, Sec:

I do hereby certify that the foregoing is truly taken from the records and proceedings of the said
Court of Special Appeals.

In testimony whereof, I have hereunto set my hand as Clerk and affixed
the seal of the Court of Special Appeals, this twenty-third day
of December A.D. 1976

John F. Dillon, Jr.
Clerk of the Court of Special Appeals of Maryland.

Costs shown on this Mandate are to be settled between counsel and NOT THROUGH THIS OFFICE.

FILED DEC 27 1976

EDWARD CZAWLYTKO ET AL

Appellants

v.

REISTERSTOWN LIMITED PARTNERSHIP
ET AL

Appellees

IN THE

COURT OF SPECIAL APPEALS
OF MARYLAND

No. 764

September Term, 1976

ORDER

It appearing that on 1 November, 1976, a brief was
filed with the office of the Clerk of this Court in behalf of the
appellants which does not contain an appendix and/or printed
record extract as required pursuant to Maryland Rule 1028 a.

It is therefore this 23rd day of November,
1976, by the Court of Special Appeals of Maryland, on its own
motion, ORDERED, that the captioned appeal be, and it is hereby,
dismissed pursuant to Maryland Rule 1028 i. 1.

CHIEF JUDGE

JUDGE

JUDGE

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

December 3, 1973

Charles E. Brooks, Esq.,
Brooks & Turnbull
610 Bosley Avenue
Towson, Maryland 21204

RE: Reclassification Petition
Item 29 - 6th Zoning Cycle
Reisterstown Limited Partnership -
Petitioners

Dear Mr. Brooks:

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 southwest
side of Reisterstown Road, 140 feet southeast of
Featherbed Lane, in the 4th District of Baltimore
County. This property, which is currently zoned
D.R. 3.5 is requesting a Reclassification to
Business Major on 7 acres of land for a proposed
shopping center. The Metropolitan Boulevard lies
on the northwesternmost side of this property. This
property also lies directly south of another
property which is to be heard in this Cycle (Item 30).

Since this property is within the Gwynns Falls
drainage area, I am requiring that the estimated
maximum day and peak hour water use with its
corresponding sewerage conversion factors be indicated
on the revised site plan. The plan should also

Charles E. Brooks, Esq.
Re: Item 29 - 6th Zoning Cycle
December 3, 1973

be revised to indicate Richmar Road on the opposite
side of Reisterstown Road from this property
as well as reflecting the comments of the Bureau
of Engineering, State Highway Administration, and
Project Planning Division.

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 plans,
as may have been requested by this Committee, shall
be submitted to this office prior to Monday,
December 17, 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 March 1, 1974
and April 15, 1974 will be forwarded to you well in
advance of the date and time.

Very truly yours,

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

JJDjr:JD

Enclosure

cc: Smith, Teacher & Associates
10324 S. Polfield Road
Owings Mills, Md. 21117

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 27, 1973

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

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

John J. Dillon, Jr.
Chairman

Charles F. Brooks, Esq.,
Brooks & Turnbull
610 Bowley Avenue
Towson, Maryland 21204

RE: Reclassification Petition
Item 29 - 6th Zoning Cycle
Reisterstown Limited Partnership -
Petitioners

Dear Mr. Brooks:

The attached comments indicate revised site plans are to be filed by December 17, 1973. Since I have been unable to forward comments as early as I would have liked, I am revising this date to January 17, 1974.

Very truly yours,

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

JJDjr:JD

Enclosures

cc: Smith, Teacher & Associates
10324 S. Dolfield Road
Cwings Mills, Md. 21117

Baltimore County, Maryland Department of Public Works C. J. J. OFFICE BUILDING TOWSON, MARYLAND 21204

October 16, 1973

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

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

Re: Item #29 (October 1973-April 1974 - Cycle VI)
Property Owner: Reisterstown Limited Partnership
S.W. of Reisterstown Rd., 140' S.E. of Featherbed Lane
Existing Zoning: D.R. 3.5
Proposed Zoning: B.M.
No. of Acres: 7 Acres District: 4th

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, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

The proposed Metropolitan Boulevard will terminate Featherbed Lane in this area. Access will be denied on Metropolitan Boulevard from Reisterstown Road southeasterly approximately 1,700 feet. Therefore, the means of ingress for this site will come from Reisterstown Road.

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.

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 #29 (October 1973-April 1974 - Cycle VI)
Property Owner: Reisterstown Limited Partnership
Page 2
October 16, 1973

Water

Public water service exists within Reisterstown Road.

Sanitary Sewer

Public sanitary sewer exists to the northeast approximately 2,000 feet and can be made available with the appropriate off-site extension and easements.

Very truly yours,

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

END:RAM:PH:155

NW 131 Type

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E.
WILLIAM T. MELZER
DIRECTOR DEPUTY TRAFFIC ENGINEER

October 25, 1973

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

Re: Item 29 - October 1973 to April 1974 - Cycle Zoning VI
Property Owner: Reisterstown Limited Partnership
Southeast side of Reisterstown Road, 140 feet southeast of Featherbed Lane
B.M.
District 4

Dear Mr. DiNenna:

Due to a study conducted in the Northwest area earlier this year, it was determined that the existing and proposed road system is adequate only for existing zoning, assuming the entire road system can be built along with the mass transit and any trip density increases, and there also be a downgrading of some other properties to offset this increase. Therefore, the increasing of the density proposed can only continue to aggravate an already serious traffic problem.

Very truly yours,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRH/pk

Maryland Department of Transportation State Highway Administration

Harry H. Hughes
Secretary
Bernard M. Evans
Assistant Secretary

October 9, 1973

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

Attention: Mr. John J. Dillon

RE: Baltimore County
Sixth Zoning Cycle, Oct. 1973
Property Owner: Reisterstown Limited Partnership
Location: S.W. of Reisterstown Road, (Reh) 140 ft. S.E. of Featherbed Lane
Existing Zoning: D.R. 3.5
Proposed Zoning: B.M.
No. of Acres: 7 Acres
District: 4th

Dear Mr. Di Nenna:

The proposed exit from the subject site into Reisterstown Road is in an area of poor stopping sight distance due to the vertical alignment of the highway to the south. The situation could be alleviated by moving the exit to the north and combining it with the entrance creating a standard monumental entrance with a median of from 10' to 15' in width. An alternative would be an entrance in common with the adjacent property to the north. The adjacent property is included in the current cycle from D.R. 3.5 to B.L.

The plan must indicate concrete curb along the frontage and along the proposed Right of Way line or parking set-back line. The plan should be revised prior to the hearing.

The entrance will be subject to approval and permit from the State Highway Administration.

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

Very truly yours,

CLJ:EM:AG

Charles Lee, Chief
Bureau of Engineering Access Permits
J. E. Meyers
By: J. E. Meyers

Baltimore County Fire Department



Towson, Maryland 21204
928-7310

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: Reisterstown Limited Partnership
Location: SW/S of Reisterstown Rd., 140 ft. SE of Featherbed Lane
Item no. 29 Zoning Agenda Tuesday, October 2, 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 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. EXCEEDED the maximum allowed by the Fire Department. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy. Site plans are approved as drawn.
- () 6. The Fire Prevention Bureau has no comments at this time.
- () 7.

* Minimum water main size 8" in diameter
Reviewed: [Signature] Noted and
Planning Group Approved: Deputy Chief
Special Inspection Division Fire Prevention Bureau

mls
4/16/73

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

October 23, 1973

DONALD A. ROOF, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

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

Dear Mr. DiNenna:

Comments on Reclassification, Zoning Advisory Committee Meeting, October 2, 1973, are as follows:

Property Owner: Reisterstown Limited Partnership
Location: SW/S Reisterstown Rd., 140' SE of Featherbed La.
Present Zoning: D.R. 3.5
Proposed Zoning: B.M.
No. Acres: 7.0
District: 4

Metropolitan water is available to the site.

Metropolitan sewer must be extended prior to issuance of building permit.

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.

A moratorium was placed on new sewer connections in the Guyana Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health and Mental Hygiene on Sept. 13, 1973; therefore, approval may be withheld for this connection.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVS:mng

cc: L.A. Schuppert

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



November 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 #29, VI Zoning Cycle, October 1973, to April 1974, are as follows:

Property Owner: Reisterstown Limited Partnership
Location: S.W./S of Reisterstown Road, 140 ft. S.E. of Featherbed Lane
Existing Zoning: D.R. 3.5
Proposed Zoning: B.M.
No. of Acres: 7 acres
District: 4

This office concurs with the comments of State Highway Administration and the Baltimore County Bureau of Engineering insofar as the road alignments and driveways.

A minimum of our (4) feet high compact screening must be provided along the entire southeast property line. It is also suggested that where loading areas are proposed to be adjacent to residential premises.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning Specialist II
Project & Development 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

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 18, 1973

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

Z.A.C. Meeting of: "Cycle 6"

Re: Item
Property Owner: Reisterstown Limited Partnership
Location: S.W./S. of Reisterstown Rd, 140 ft. S.E. of Featherbed Lane
Present Zoning: D.R. 3.5
Proposed Zoning: B.M.

District: 4th
No. Acres: 7

Dear Mr. DiNenna:

A change in zoning from D.R. 3.5 to B.M. would result in a loss of approximately 14 elementary pupils, 7 Junior high pupils, and 5 senior high pupils.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich
Field Representative

WNP/ml

H. EMLIE PARKS, President
EUGENE C. HESS, Vice-President
MRS. ROBERT L. BENNEY

MARCUS M. BOTSARIS
JOSEPH N. MCGOWAN
ALVIN LONECK
JOSHUA H. WHEELER, Superintendent

T. RAYARD WILLIAMS, JR.
RICHARD W. TRACY, V.M.D.
MRS. RICHARD K. WUERFEL



State Highway Administration

Harry R. Hughes
Secretary
Bernard M. Evans
Assistant Secretary

January 25, 1974

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

Re: Sixth Zoning Cycle, Oct. 1973
Item #29 - Revised Plan
Owner: Reisterstown Limited Partnership
Location: 4/5 Reisterstown Road
(Route 140) 140' South of Featherbed Lane

Dear Mr. DiNenna:

The subject plan, revised January 16, 1974 is not in full compliance with our comments of October 9, 1973.

The plan must indicate concrete curb along the frontage, 28' from the centerline of the highway. The proposed Right of Way or Parking setback line must also be curbed.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

John E. Meyers
By: John E. Meyers

CLJ/Etlb



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

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

No. 12760

DATE Nov. 27, 1973 ACCOUNT 01-662

AMOUNT \$50.00

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER
Messrs. Brooks & Turnbull
610 Rosley Ave.
Towson, Md. 21204
Petition for Reclassification for Reisterstown Limited Partnership 284 4 7 11 27 50.00 REC

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

No. 15342

DATE 12/28/73 ACCOUNT 01.712

Charles E. Brooks, Esq.
610 Rosley Avenue
Towson, Md. 21204 AMOUNT \$29.00

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER
Certified documents - Case No. 74-184-R
Reisterstown Ltd. Partnership (Samuel)
SW/S of Reisterstown Rd. 140' SE of Featherbed Lane - 4th District 284 4 7 11 27 29.00 REC

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

No. 13125

DATE March 4, 1974 ACCOUNT 01-662

AMOUNT \$144.46

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER
William C. Cohen
285 Park Ave.
New York, N.Y. 10017
Advertising and posting of property for Reisterstown Limited Partnership - 74-184-R 144 4 6 REC

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

No. 15344

DATE Dec. 22, 1973 ACCOUNT 01.712

AMOUNT \$29.00

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER
Martin J. Smith, Esq.
143 Main Street
Reisterstown, Md. 21138

Certified copies - Case No. 74-184-R
Reisterstown Ltd. Partnership (Samuel), c.p.)
SW/S of Reisterstown Rd. 140' SE of Featherbed Lane - 4th District 284 4 7 11 27 29.00 REC

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

No. 15146

DATE August 21, 1974 ACCOUNT 01-662

AMOUNT \$70.00

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER
Charles E. Brooks, Esquire
Cost of Filing of an Appeal on Case No. 74-184-R
SW/S of Reisterstown Road, 140' SE of Featherbed Lane - 4th Election District 284 4 7 11 27 70.00 REC
Reisterstown Limited Partnership - Petitioner

The Zoning Commissioner for Baltimore County
Jefferson Building
Towson, Maryland 21204

Re: Petition for Reclassification from D.R. 3.5 to B.M., 7.0⁺ acres S/W side of Reisterstown Road, 140 feet S/E of Featherbed Lane, Fourth District, Reisterstown Limited Partnership, Petitioner, Appeal from the County Board of Appeals, Circuit Court for Baltimore County at Law, Misc. Docket No. 10, folio 152, File No. 5801

ATTENTION: Mr. Eric Dinenna
Zoning Commissioner

Dear Mr. Dinenna:

With regard to the land described in the above captioned case, in consideration of your approving for issuance to Glent Pool, Inc., the building permit requested in the application of Glent Pool, Inc., prior to the expiration of the time period of the expiration of the Court in the above captioned case dated June 28, 1976 affirming the decision of the County Board of Appeals for Baltimore County, the undersigned agrees to indemnify and hold harmless the political subdivision of Baltimore County, Maryland from any financial responsibility or loss as a result of your approval prior to the expiration of said appeal period and/or in the event an appeal is filed to the Special Board of Appeals of Maryland.

Very truly yours,

REISTERSTOWN LIMITED PARTNERSHIP

By: William I. Weinstein
William I. Weinstein, General
Partner

74-183
74-184

LAW OFFICES
BROOKS & TURNBULL
612 BOSLEY AVENUE
TOWSON, MARYLAND 21204

CHARLES E. BROOKS
JOHN GRASON TURNHULL, JR.
JAMES E. BROWN, JR.

August 12, 1974

S. Eric DiNenna, Zoning
Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Reclassification SW/S of
Reisterstown Road, 140' SE of Featherbed Lane
4th District
Reisterstown Limited Partnership - Petitioner
No. 74 - 184 - R (Item No. 29)

Dear Mr. DiNenna:

Please note an Appeal on behalf of my client, Reisterstown Limited Partnership, from the Order and Decision rendered on the 5th day of August, 1974 in reference to the above captioned matter to the Board of Appeals for Baltimore County. I enclose herewith my draft in the amount of \$70.00 which represents the cost of filing said Appeal.

Should you have any questions as concerning the above or enclosed, please do not hesitate to contact me.

Sincerely yours,

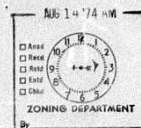
BROOKS & TURNHILL, BY:

Charles E. Crooks

ink

Enclosure

HAND DELIVERED



August 5, 1974

Charles E. Brooks, Esquire
610 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Reclassification
SW/S of Reisterstown Road, 140'
SE of Featherbed Lane - 4th Dis-
trict
Reisterstown Limited Partnership -
Petitioner
NO. 74-184-R (Item No. 29)

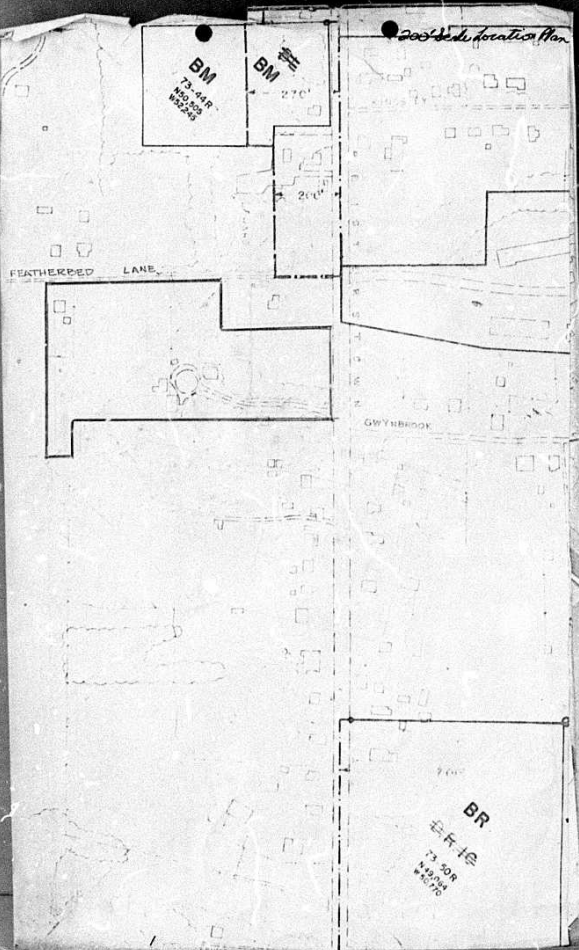
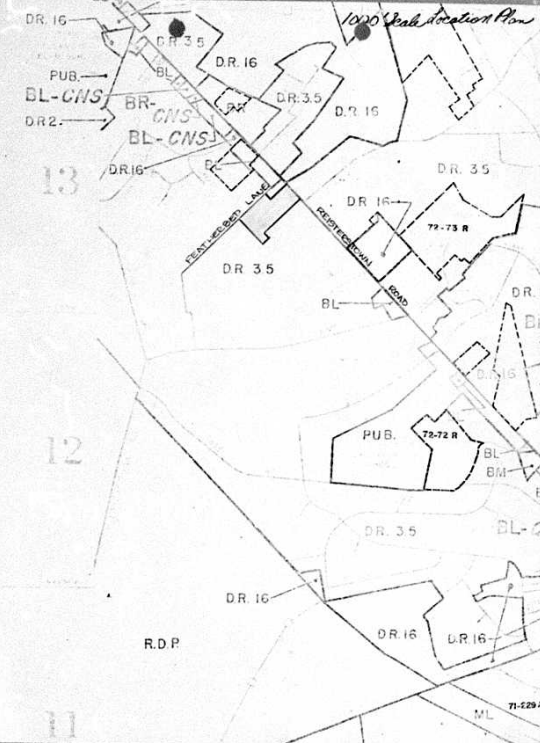
Dear Mr. Brooks:

I have this date passed my Order in the above referenced matter.
Copy of said Order is attached.

Very truly yours,

JAMES E. DYER
Deputy Zoning Commissioner

JED/ms



1-S.G.N

74-184-R

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: AUGUST 31, 1974

Posted for: APPEAL

Petitioner: REISTERSTOWN LIMITED PARTNERSHIP

Location of property: SW/4 S. REISTERSTOWN RD. 140' SE of FEATHERBED
LANE

Location of Signs: SW/4 S. REISTERSTOWN RD. 150' +/- SE of
FEATHERBED LANE

Remarks:

Posted by: Thomas R. Bpland Date of return: SEPT. 6, 1974

Signature

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>JLB</i>					Revised Plans: Change in outline or description _____ Yrs _____ Mo					
Previous case: _____					Map # _____					

1-SIG. 74-184-R

CERTIFICATE OF POSTING
JOHN DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 17th Date of Posting: FEB. 16, 1974

Posted for: PETITION FOR RECLASSIFICATION

Petitioner: REISTERSTOWN HAUNTED PARTNERSHIP

Location of property: S.W/4 OF REISTERSTOWN RL 140 SE OF
FEATHERED LAKE

Location of Sign: S.W/4 OF REISTERSTOWN RL 150 FRI - SE OF
FEATHERED LAKE

Remarks:

Posted by: Thomas A. [Signature] Date of return: FEB. 21, 1974
Signature

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received* this 27th day of Sept 1975 WFO. Item # _____

AB. D. 76
J. Eric DeNunzio
Zoning Commissioner

Petitioner Robert Linn Price Submitted by Parents
Petitioner's Attorney Parents Reviewed by JEBB

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

PETITION FOR RECLASSIFICATION
TY 4

4th DISTRICT
ZONING: From D.R. 1.5 to B.M.
Zone.

LOCATION: Section 2, side of
Baltimore Road 140 feet South-
east of Featherbed Lane.
DATE & TIME: MONDAY,
MARCH 4, 1974 at 2:00 P.M.
PUBLIC HEARING: Room 106, Coun-
ty Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.

The Zoning Commissioner of Bal-
timore County, by authority of
the Zoning Act and Regulations of
Baltimore County, will hold a
public hearing
Pursuant to Zoning D.R. 1.5
Proposed Zoning: B.M.
That parcel of land in the
Fourth District of Baltimore Coun-
ty.

BRING all of two lots of land
which by Deed dated April 10, 1973
recorded among the Land and
Records of Baltimore County, in
Person's, Jr. 5000 page 98 was
conveyed by Carolyn Barton, Jr.,
personal representative of the
estate of Laura May Ayler, unto
Restertown Limited Partnership.

BEGINNING at a point in the
southeast side of Restertown
Road, 140 feet Southeast of the cen-
terline of Featherbed Lane said
point along also at the beginning
of the first line of the first lot of
the aforementioned Deed; thence
leaving said point and heading on
said first line, as now surveyed

(1) South 47° 47' 40" East 208.50
feet; thence heading on all of the
second line of the first lot

(2) " " 47° 40' 00" East 794.30
feet to a point in the last line of the
second lot of the aforementioned
Deed; 107.32 feet from the begin-
ning thereof; thence heading reverse-
ly on part of said last line and all
of the third and second lines of the
second lot the following three cor-
ners and distances

(1) South 47° 40' 00" East 107.32
feet

(2) South 47° 40' 00" West 81.92
feet

(3) North 47° 43' 12" East 112.12
feet

(4) North 47° 43' 12" East 112.12
feet to a point in the Southeast side of
Featherbed Lane; thence heading on said
Southeast side

(5) North 47° 43' 12" East 82.30
feet; thence continuing to head on
said Southeast side

(6) North 47° 43' 12" East 82.30
feet; thence heading on all of the fifth
and the last line of the first lot the
following two corners and dis-
tances

(1) North 47° 43' 12" East 122.80
feet

(2) North 47° 43' 12" East 122.80
feet to the point of beginning

DESCRIPTION OF 7.98 ACRES
OF LAND, MORE OR LESS
RESTERTOWN ROAD AN
FEATHERBED LANE
CONTAINING 7.98 Acres of
land, more or less

SUBJECT to any and all easements
of record

TOGETHER with the use in
common of a 10 foot road way (See
TK 28721)

This description is for zoning
purposes only and is not intended
for conveyancing of land.

Being the property of Restertown
Limited Partnership, as shown on
plan filed with the Zoning Department

Hearing Date: Monday, March
4, 1974 at 2:00 P.M.

Public Hearing: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson, Md.

BY ORDER OF
S. ERIC DINENNA
ZONING COMMISSIONER OF
BALTIMORE COUNTY

Feb. 14

ORIGINAL

OFFICE OF



THE COMMUNITY TIMES

RANDALLSTOWN, MD. 21133 February 18 - 19 74

THIS IS TO CERTIFY, that the annexed advertisement of
S. Eric Dinenna
Zoning Commissioner of Baltimore County
was inserted in THE COMMUNITY TIMES, a weekly newspaper published
in Baltimore County, Maryland, once a week for one XXXXXXXXX
week before the 18th day of Feb. 19 74 that is to say, the same
was inserted in the issue of February 14, 1974.

STROMBERG PUBLICATIONS, Inc.

By: Ruth Morgan

PETITION FOR RECLASSIFICATION
4th DISTRICT

ZONING: From D.R. 1.5 to B.M.
Zone.

LOCATION: Southeast side of Restertown Road 140 feet Southeast
Featherbed Lane.
DATE & TIME: Monday, March 4,
1974 at 2:00 P.M.
PUBLIC HEARING: Room 106, Coun-
ty Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Bal-
timore County, by authority of
the Zoning Act and Regulations of Bal-
timore County, will hold a public hear-
ing
Pursuant to Zoning D.R. 1.5
Proposed Zoning: B.M.
That Parcel of land in the
Fourth District of Baltimore County,
which by Deed dated April 10, 1973
recorded among the Land and
Records of Baltimore County, in
Person's, Jr. 5000 page 98 was
conveyed by Carolyn Barton, Jr.,
personal representative of the
estate of Laura May Ayler, unto
Restertown Limited Partnership.

BEGINNING at a point in the
southeast side of Restertown Road,
140 feet Southeast of the centerline
of Featherbed Lane and point being
also at the beginning of the first
line of the first lot of the aforemen-
tioned Deed; thence heading said
point and heading on said first line,
as now surveyed

(1) South 47° 47' 40" East 208.50
feet; thence heading on all of the
second line of the first lot

(2) South 47° 40' 00" East 794.30
feet to a point in the last line of
the second lot of the aforementioned
Deed; 107.32 feet from the begin-
ning thereof; thence heading reverse-
ly on part of said last line and all
of the third and second lines of the
second lot the following three cor-
ners and distances

(1) South 47° 40' 00" East 107.32
feet

(2) South 47° 40' 00" West 81.92
feet

(3) North 47° 43' 12" East 112.12
feet

(4) North 47° 43' 12" East 112.12
feet to a point in the Southeast side
of Featherbed Lane; thence heading
on said Southeast side

(5) North 47° 43' 12" East 82.30
feet; thence continuing to head on
said Southeast side

(6) North 47° 43' 12" East 82.30
feet; thence heading on all of the fifth
and the last line of the first lot
the following two corners and dis-
tances

(1) North 47° 43' 12" East 122.80
feet

(2) North 47° 43' 12" East 122.80
feet to the point of beginning

DESCRIPTION OF 7.98 ACRES
OF LAND, MORE OR LESS
RESTERTOWN ROAD AN
FEATHERBED LANE
CONTAINING 7.98 Acres of
land, more or less

SUBJECT to any and all easements
of record

TOGETHER with the use in
common of a 10 foot road way (See
TK 28721)

This description is for zoning
purposes only and is not intended
for conveyancing of land.

Being the property of Restertown
Limited Partnership, as shown on
plan filed with the Zoning De-
partment

Hearing Date: Monday, March 4,
1974 at 2:00 P.M.

Public Hearing: Room 106, County
Office Building, 111 W. Chesapeake
Avenue, Towson, Md.

BY ORDER OF
S. ERIC DINENNA
Zoning Commissioner of
Baltimore County.

Feb. 14

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 14, 19 74

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
week on time successive weeks before the 14th
day of March, 19 74, the first publication
appearing on the 14th day of February
19 74.

THE JEFFERSONIAN,

S. L. Smith
Manager.

Cost of Advertisement, \$



GLENN WIDERMAN
4555/25
EXIST. ZONING DR 35
EX. USE RESIDENTIAL

JOHN CUTLER
4555/25
EX. ZON. DR 35
EX. USE RESIDENTIAL

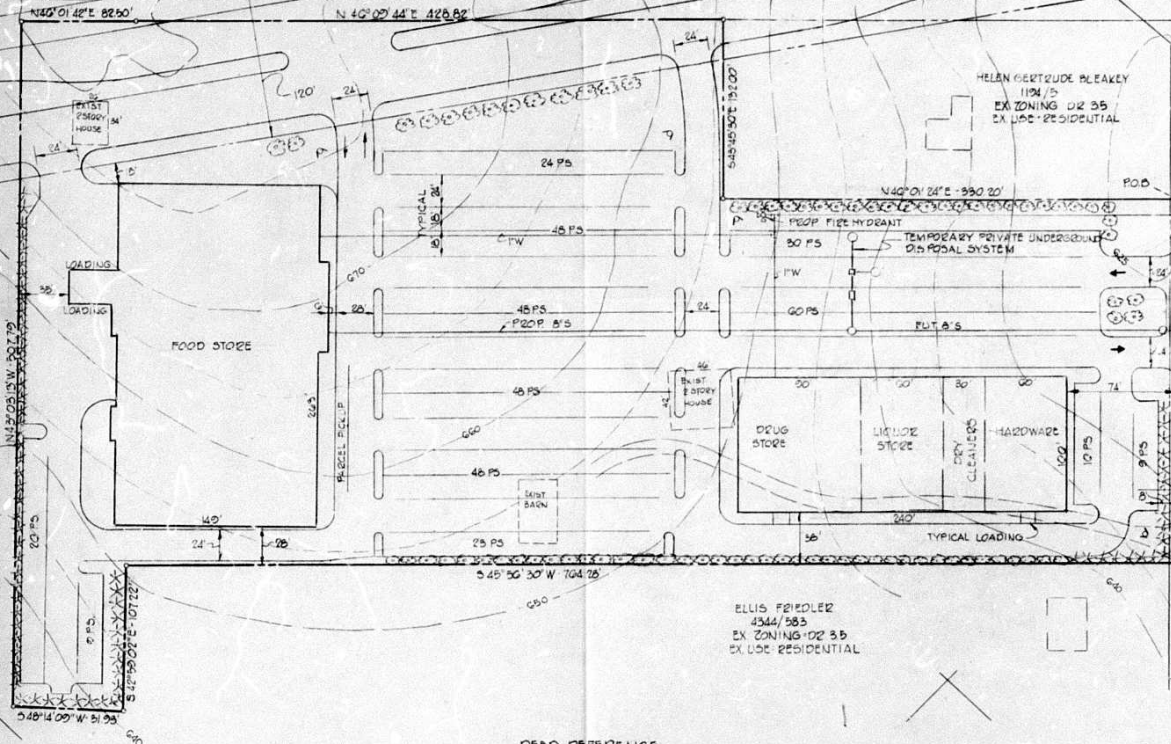
JOHN DUNCE
4555/25
EX. ZON. DR 35
EX. USE RESIDENTIAL

KENNETH NELSON
4555/25
EX. ZON. DR 35
EX. USE NONE

BALTIMORE COUNTY
5147/095
EX. ZONING - RM
EX. USE - NONE

PROPOSED METROPOLITAN BOULEVARD

FEATHERBED LANE



ROAD

REISTERSTOWN

EX. 54'S CULVERT

FUTURE CENTER LANE
FOR LEFT HAND TURN
MOVEMENTS (5 LANES TOTAL)

EXISTING ZONING - DR 35
EXISTING USE - RESIDENTIAL
PROPOSED ZONING - RM
PROPOSED USE - SHOPPING CENTER
AREA OF TRACT - 700 ACRES
PROPOSED BLDG AREA - 64,000 SF
PARKING REQUIRED - 520 SPACES (61,000-1200)
PARKING PROVIDED - 577 SPACES
SCREENING - 4 HIGH CONTRAST EVERGREEN
OR APPROVED EQUAL
PROPOSED PAVEMENT - MACADAM
CONTOURS - FROM BALTO. CO
AERIAL PHOTOGRAPHY
EXIST. HOUSE TO BE REMOVED
OUTLINE OF ENTIRE PAVED AREA TO BE
CURBED WITH 6" HIGH CURB
6" HIGH LIGHTS DIRECTED DOWN TWO
BLDG. WYEWAYER WOODSCAPE 12
LINE LANTERN

ELLIS FRIEDLER
4344/583
EX. ZONING DR 35
EX. USE RESIDENTIAL

DEED REFERENCE
EHL 223349/624

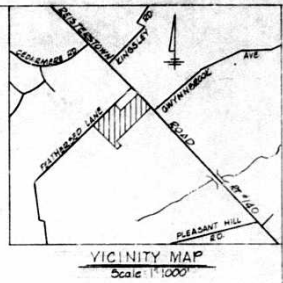
MAP	223349/624
DISTRICT	4TH
TITLE	PLAT TO ACCOMPANY ZONING PETITION
DATE	SEP 22 1973
BY	SMITH, TEACHER & ASSOCIATES

PLAT TO ACCOMPANY
ZONING PETITION
REISTERSTOWN ROAD AT FEATHERBED LANE

4TH ELECTION DISTRICT BALTIMORE COUNTY, MD
PROPERTY OF REISTERSTOWN LIMITED PARTNERSHIP
SCALE: 1"=50' SEPTEMBER 22 1973

old Plat

SMITH, TEACHER & ASSOCIATES
ENGINEERS PLANNERS SURVEYORS
10924 S. DOLFIELD ROAD
OWINGS MILLS, MARYLAND 21117
303-2754 PN 025



CLEBOY WIDERMAN
4505/252
EXIST ZONING DR 35
EX USE RESIDENTIAL

JOHN BUTTER
4505/252
EX ZONING DR 35
EX USE RESIDENTIAL

JOHN EUNICE
4505/252
EX ZONING DR 35
EX USE RESIDENTIAL

KEENER NELSON
4505/252
EX ZONING DR 35
EX USE NONE

BALTIMORE COUNTY
5147/065
EX ZONING - RM
EX USE - NONE

PROPOSED METROPOLITAN BOULEVARD

FEATHERBED LANE

HELEN GERTRUDE BLEAKLY
1104/5
EX ZONING DR 35
EX USE - RESIDENTIAL

RICHMAR ROAD

ROAD

RICHMAR APTS
EXIST ZON - DR 16

EX 5'-5" CULVERT

PROPOSED 10' DRAINAGE
UTILITY BASEMENT

EX 10' DRAINAGE
UTILITY BASEMENT

EX 5'-5"

FUTURE CENTER LANE
FOR LEFT HAND TURN
MOVEMENTS (5 LANES TOTAL)

EXISTING ZONING - DR 35
EXISTING USE - RESIDENTIAL
PROPOSED ZONING - BM
PROPOSED USE - SHOPPING CENTER
AREA OF TRACT - 700 ACRES
PROPOSED BLDG AREA - 64,000 SF
PARKING REQUIRED - 320 SPACES (61,000-1200)
PARKING PROVIDED - 373 SPACES
SCREENING - 4' HIGH COMPACT EVERGREEN
OR APPROVED EQUIV

PROPOSED PAVEMENT - MACADAM
CONTOURS - FROM BALTO CO
AERIAL PHOTOGRAPHY

EXIST HOUSE TO BE REMOVED
OUTLINE OF ENTIRE PAVED AREA TO BE
CURBED WITH 6" HIGH CURB
▲ 10" HIGH LIGHTS DIRECTED DOWN TWO
BLDG WEREZMAVER WOODSCAPE 12"
LINE LANTERN
MAX DAILY WATER & SEWAGE FLOW - 3500 GPD
MAX HOUR WATER & SEWAGE FLOW - 1,000 GPH

REVISED PLANS



PLAT TO ACCOMPANY
ZONING PETITION
REISTERSTOWN ROAD AT FEATHERBED LANE

4TH ELECTION DISTRICT BALTIMORE COUNTY, MD
PROPERTY OF REISTERSTOWN LIMITED PARTNERSHIP
SCALE 1"=50' SEPTEMBER 22, 1975

Cycle #6
Item #29

Reisterstown Limited Partnership

DEED REFERENCE
EHC Jz 5349/034

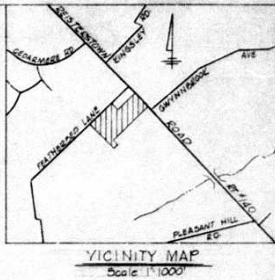
REVISIONS

1. ADD RICHMAR ROAD
2. ADD SEWER BASEMENTS
3. REVISED ENTRANCE TO REISTERSTOWN ROAD
4. ADD SCREENING
5. INDICATED PEAK WATER & SEWER USE



SMITH, TEACHER & ASSOCIATES
ENGINEERS, PLANNERS, SURVEYORS
10324 S. DOLFIELD ROAD
OWINGS MILLS, MARYLAND 21117
303-6754 PN 025





C. LEROY WIDEMAN
4305/252
EXIST. Z. LING DR 35
EX. USE RESIDENTIAL

JOHN BUTTER
4205/093
EX. ZON. DR 35
EX. USE RESIDENTIAL

JOHN BUTTER
4305/093
EX. ZON. DR 35
EX. USE RESIDENTIAL

KEESER NELSON
5702/014
EX. ZON. DR 35
EX. USE NONE

BALTIMORE COUNTY
5147/064
EX. ZONING - DM
EX. USE - NONE

RICHMAR ROAD

FEATHERBED LANE

HELEN GERTRUDE BLEAKLY
1124/5
EX. ZONING DR 35
EX. USE - RESIDENTIAL

ROAD

RICHMAR APTS.
EXIST. ZON. DR 16

EX. 5' 0" EASEMENT

PROPOSED 10' DRAINAGE
UTILITY EASEMENT

EX. 10' DRAINAGE
UTILITY EASEMENT

FUTURE CENTER LANE
FOR LEFT HAND TURN
MOVEMENTS (5 LANES TOTAL)

EXISTING ZONING - DR 35
EXISTING USE - RESIDENTIAL
PROPOSED ZONING - DM
PROPOSED USE - SHOPPING CENTER
AREA OF TRACT - 100 ACRES
PROPOSED BLDG AREA - 64,000 SF
PARKING REQUIRED - 320 SPACES (64,000/200)
PARKING PROVIDED - 373 SPACES
SCREENING - 4' HIGH COMPACT EVERGREEN
OR APPROVED EQUAL

PROPOSED PAVEMENT - MACADAM
CONTOURS - FROM BALTO CO.

EXIST. HOUSE TO BE REMOVED
OUTLINE OF ENTIRE PAVED AREA TO BE
CURBED WITH 6" HIGH CURB
▲ - 10' HIGH LIGHTS DIRECTED DOWN TWO
BLD'g WEYERHAEUSER WOODSCAPE 12-
LIVE LANTERN
MAX DAILY WATER (SEWAGE FLOW) 5000 GPD
MAX HO 2 WATER (SEWAGE FLOW) 1100 GPH

Revised
Jun 29

PA Ex #1
#74-184-R

PLAT TO ACCOMPANY
ZONING PETITION
REISTERSTOWN ROAD at FEATHERBED LANE

4TH ELECTION DISTRICT BALTIMORE COUNTY, MD
PROPERTY OF REISTERSTOWN LIMITED PARTNERSHIP

SCALE 1"=50'

SEPTEMBER 22, 1975

DEED REFERENCE
EHK Jr 5349/834

REVISIONS

1. ADD RICHMAR ROAD
2. ADD SEWER EASEMENTS
3. REVISED ENTRANCE TO REISTERS
TOWN ROAD
4. ADD SCREENING
5. INDICATED PEAK WATER (SEWER USE)
6. ADD CONC CURB ALONG FRONTAGE
7. CHANGE STORE (J.R. DEPARTMENT)



SMITH, TEACHER & ASSOCIATES
ENGINEERS PLANNERS SURVEYORS
10324 S. DOLFIELD ROAD
OWINGS MILLS, MARYLAND 21117
303-9754 PN 025

