



RE: PETITION FOR RECLASSIFICATION : BEFORE THE  
AND VARIANCES : DEPUTY ZONING  
NE/-corner of York Road and Beaver  
Run Lane - 8th District : COMMISSIONER  
Herbert H. Rosen - Petitioner  
NO. 74-200-RA (Item No. 22)  
OF  
BALTIMORE COUNTY

This Petition represents a request for a Reclassification from Unzoned Land, M.L.-I.M. Zone and District, and B.R.-C.N.S. Zone and District to a B.R. Zone. The Petitioner is also requesting Variances to permit parking spaces within two feet of a street property line and a zero rear yard setback. The property in question contains one acre of land, more or less, and is located on the easternmost side of York Road at Beaver Run Lane, in the Eighth Election District of Baltimore County.

Other than one student observer, the Petitioner, Mr. Herbert H. Rosen, was the only person present during the course of the hearing. Testimony and evidence offered by Mr. Rosen included the following facts.

The property is presently improved with an existing warehouse building with dimensions across the front of 80 feet and an average depth of approximately 125 feet. Mr. Rosen operates a furniture warehousing and sales business within the existing warehouse. However, the operation of the business is seriously handicapped by the fact that the M.L.-B.R. Zone line bisects the building creating conflicts of permitted uses within the building. The rear of the property adjoins Baltimore City property, and a portion of the rear area has been inadvertently placed in a public or unzoned category.

The property also lies in close proximity to Beaver Dam Run and is, for the most part, within the 100 year floodplain area of said run. During the flooding caused by Hurricane Agnes, the subject property was under several feet of water, Mr. Rosen was confident, however, that the flooding brought

about by Hurricane Agnes, would not occur again for many years and that certain precautions and improvements had been made along the Beaver Dam Run such as clearing out sumps and debris that hindered the normal flow of water. He felt that this action would lessen the danger of damage from future flooding.

Mr. Rosen's Memorandum with regard to his requested change in zoning set forth the following reasons for establishing error:

- Fort of the property was zoned as public land, when in fact, no governmental agency has ever held title to the land.
- An existing building has been on the property for many years prior to the zoning map. The building has been diagonally divided by the zoning line in such a manner that it is impossible to use the assigned zoning classifications in any reasonable manner.
- The zoning line arbitrarily cuts the Petitioner's land into three non-public zones in such a manner that a proper use cannot be made of any of the three assigned classifications.

Mr. Rosen's Memorandum also lists several changes in the area, however, these changes are not considered pertinent and will not be repeated in this Opinion.

The third paragraph in said Memorandum makes the following statement:

"An extreme natural disaster occurred in the neighborhood by reason of Hurricane Agnes. The flood waters destroyed a large part of the bonded warehouse directly opposite petitioners' property on Beaver Run Lane. Because of the danger of future floods, the use of the land in this immediate vicinity will require radical changes in the economic adaptation of existing and future buildings."

Mr. Rosen feels that in order to properly improve the existing buildings and utilize same for his business, the zoning classifications presently existing on his site must be consolidated into one classification.

His plans also include the construction of an additional store 90 by 28 feet along the northernmost property line. The store would be setback approximately 60 feet from the right-of-way line of York Road. He is requesting a zero foot setback Variance for this building and is basing his hardship on the

narrow width of his property at this location.

Comments by County and State agencies, who reviewed the proposed plans, indicated that because of the flooding conditions that have occurred on the property, any further buildings constructed on the site must take into consideration Baltimore County Building Code requirements pertaining to construction within areas subject to inundation by surface waters. The same comments point out that the subject property was inundated to an elevation of 13 feet aboveground level during Hurricane Agnes. Traffic was also considered somewhat of a problem, and the extension of sewer lines was considered necessary prior to any new construction.

Without reviewing the testimony and evidence in detail but based on all testimony presented at the hearing, it is the opinion of the Deputy Zoning Commissioner that the zoning classification presently existing on the Petitioner's property is in error and should be reclassified to one logical and usable zoning classification such as the requested B.R. Zone.

It is also the opinion of the Deputy Zoning Commissioner that the Petitioner has not met his burden of proving hardship or practical difficulty insofar as the requested Variance is concerned. The property is presently improved with a rather large warehousing type building that is proposed to be used for both retail sales and warehousing. Should this building ever be used in its entirety for retail sales as permitted within the B.R. zoning classification, the site would be lacking in parking. The building would also be constructed within the only logical available parking area and would, in fact, usurp several parking spaces. The site is also subject to flooding which creates serious questions as to whether or not additional buildings should actually be constructed thereon. For these reasons, it is deemed that the Variances be denied.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 2nd day of May, 1974, that the herein described property or area should be and the same is hereby Reclassified from Unzoned Land, M.L.-I.M. Zone and District, and B.R.-C.N.S. Zone and District to a B.R. Zone in its entirety, from and after the date of this Order, subject to the approval of a site plan by the State Highway Administration, Department of Public Works and the Office of Planning and Zoning.

It is further ORDERED that the herein requested Variances to permit a rear yard of zero feet instead of the required 30 feet, and to permit parking spaces to be located within two feet of the street property line instead of the required eight feet are hereby DENIED.

James S. Dillon  
Deputy Zoning Commissioner of  
Baltimore County

- 2 -

- 3 -

- 4 -

## BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



### PETITION AND SITE PLAN EVALUATION COMMENTS

#### BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 29, 1973

Mr. Herbert H. Rosen  
811 Smoke Tree Road  
Baltimore, Maryland 21208

RE: Reclassification Petition  
Item 22 - 6th Zoning Cycle  
Herbert H. Rosen - Petitioner

Dear Mr. Rosen:

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

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

The subject property is located on the northeast corner of York Road and Beaver Run Lane, a private road, in the 8th District of Baltimore County. This property is currently zoned M.L.-I.M., B.R. with a C.N.S. District and Public.

This property is currently improved with an existing warehouse and office building and is proposing to construct a 90x28 foot building along the northern property line, and is requesting a rear yard Variance at this location.

The site plan should be revised to indicate a more realistic on site circulation pattern, as well as a proper entrance along York Road. It should also indicate the existing bridge over Beaver Dam Run and that the property is used industrially.

Mr. Herbert H. Rosen  
Re: Item 22 - 6th Zoning Cycle  
November 27, 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 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 J. Dillon, Jr.  
JOHN J. DILLON, JR., Chairman  
Zoning Advisory Committee

JJDjr.:JD

Enclosure

cc: Dollenberg Brothers  
709 Washington Avenue  
Towson, Maryland 21204

#### BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 27, 1973

Mr. Herbert H. Rosen  
811 Smoke Tree Road  
Baltimore, Maryland 21208

RE: Reclassification Petition  
Item 22 - 6th Zoning Cycle  
Herbert H. Rosen - Petitioner

Dear Mr. Rosen:

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

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

Bureau of Engineering  
ELLSWORTH H. DYER, P.E. Chief

October 10, 1973

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

Re: Item #22 (October 1973-April 1974 - Cycle VI)  
Property Owner: Betty and Herbert Rosen  
E/S York Rd., NW/S Beaver Run Lane  
Existing Zoning: M.L.-I.M., B.R.-C.N.S., Public  
Proposed Zoning: B.R.  
No. of Acres: 1.0  
District: 8th

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.

General:

York Road, Route 45, is a State Road; therefore, all improvements, intersections and entrances on this road will be subject to State Highway Administration requirements.

Highways:

Beaver Run Lane is a private driveway comprising approximately 12 feet of pavement on a 15-foot right-of-way. The potential use of this driveway should be improved to at least a 20-foot cross-section. This would seriously affect the parking arrangement as shown.

Storm Drainage:

This property is subject to excessive flood hazards. The flood of June 22, 1972 is known to have inundated this area to elevation 243 (approximately 13 feet deep on this site).

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance 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 sedimentation problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of topsoil.

Item #22 (October 1973-April 1974 - Cycle VI)  
Property Owner: Betty and Herbert Rosen  
Page 2  
October 10, 1973

Sanitary Sewer:

Sanitary sewerage service will be available to this site when the Western Run Interceptor is constructed in easements in Beaver Run Lane. Service to flood proof construction can be provided from a manhole on the interceptor. (Ref. Baltimore County Drawing #72-0305-1)

Water:

Public water service exists to the subject site. Additional connections for domestic service or fire suppression can be provided from the existing main in York Road. (Ref. Baltimore County Drawing #72-0305-3)

Section 330.0 and Subsection 330.3 of the Baltimore County Building Code pertaining to construction within areas subject to inundation by surface waters are applicable to this site.

Very truly yours,

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

END:RAM:COM:ras

V-35 Key Sheet  
69 NW 6 Pos. Sheet  
42 Tax Map  
NW 18 B Topo

**BALTIMORE COUNTY, MARYLAND**  
JEFFERSON BUILDING TOWSON, MARYLAND 21204



**DEPARTMENT OF TRAFFIC ENGINEERING**

EUGENE J. CLIFFORD, P.E.  
DIRECTOR

WM. T. MILLER  
DEPUTY DIRECTOR

October 25, 1973

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

Re: Item 22 - October 1973 to April 1974 - Cycle Zoning VI  
Property Owner: Herbert H. Rosen  
Northeast corner of York Road and Beaver Run Lane  
B.R., Variance from Section 238.2 rear yard  
District 8

Dear Mr. DiNenna:

Existing studies in the York Road Corridor indicate the existing or proposed roads will not be adequate to handle existing zoning. This proposal can only aggravate that problem.

Very truly yours,

*Richard Moore*  
C. Richard Moore  
Assistant Traffic Engineer



**Maryland Department of Transportation**

State Highway Administration

October 5, 1973

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

Attention: Mr. John J. Dillon

RE: Baltimore County  
Sixth zoning Cycle, Oct. 1973  
Property Owner: Betty & Herbert H. Rosen  
Location: E/S York Road (RT 45)  
N.W./S Beaver Run Lane  
Existing Zoning: M.L.-I.M., B.R.-C.N.S., Public  
Proposed Zoning: B.R.  
No. of acres: 1 acre  
District: 8th

Dear Mr. DiNenna:

The frontage of the subject site must be curbed with concrete. The curb must return into Beaver Run Lane on a minimum radius of 20'. The plan should be revised to clearly indicate concrete curb.

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

The 1972 average daily traffic count on this section of York Road is 1560 vehicles.

Very truly yours,

CLM:AG

Charles Lee, chief  
Bureau of Engineering Access Permits  
*J. Mayers*  
By J. Mayers

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

**Baltimore County Fire Department**

J. Austin Ditz  
Chief



Towson, Maryland 21204

413-7310

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

Attention: Mr. Jack Dillon, Chairman  
Zoning Advisory Committee

Re: Property Owner: Betty & Herbert H. Rosen

Location: E/S York Road, NW/S Beaver Run Lane

Item No. 22 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 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 \_\_\_\_\_ 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.
- (xx) 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: *J. Austin Ditz* Noted and Approved: \_\_\_\_\_  
Planning Group 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 J. NOOP, 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: Betty & Herbert H. Rosen  
Location: E/S York Rd., NW/S Beaver Run Lane  
Present Zoning: M.L.-I.M., B.R.-C.N.S., Public  
Proposed Zoning: B.R.  
No. Acres: 1.0  
District: 8

Metropolitan water is available.

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

Very truly yours,

*John H. Devlin*  
JOHN H. DEVLIN, Director  
BUREAU OF ENVIRONMENTAL SERVICES

HVB:amp

WILLIAM D. FROMM  
DIRECTOR

S. ERIC DINENNA  
ZONING COMMISSIONER



November 16, 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 #22, VI Zoning Cycle, October 1973, to April 1974, are as follows:

Property Owner: Betty and Herbert H. Rosen  
Location: E/S York Road, N.W./S Beaver Run Lane  
Existing Zoning: M.L.-I.M., B.R.-C.N.S. Public  
Proposed Zoning: B.R.  
No. of Acres: 1 acre  
District: 8

Beaver Run Lane is a private Road of 15 feet in width and must be increased to a minimum of 24 feet and paved for commercial usage.

All parking areas and driveways must be paved and curbed.

Very truly yours,

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

**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: Betty & Herbert H. Rosen  
Location: E/S York Road, N.W./S Beaver Run Lane  
Present Zoning: M.L.-I.M., - B.R., - C.N.S., Public  
Proposed Zoning: B.R.

District: 8th  
No. Acres: 1

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,  
*W. Nik Petrovich*  
W. Nik Petrovich  
Field Representative

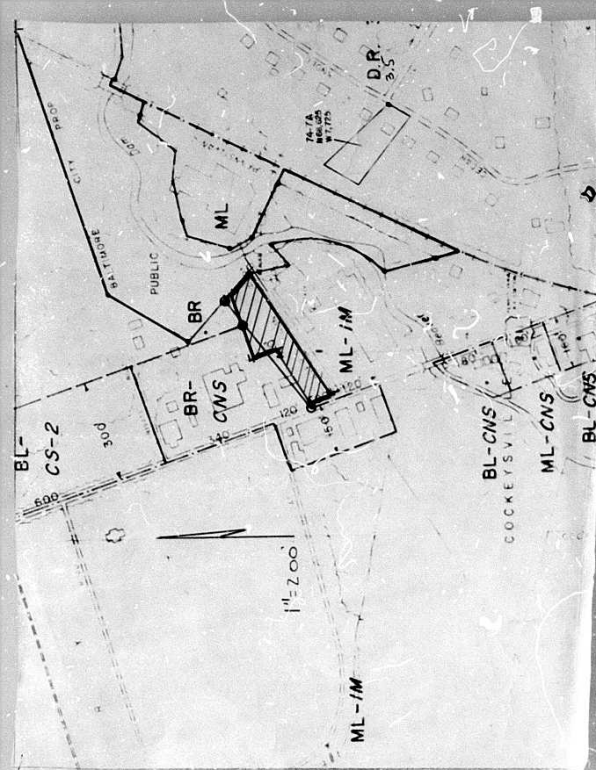
WNP/ml

**BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING**  
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204  
AREA CODE 301 PLANNING 484-3311 ZONING 484-3381

H. ENGLISH PARKS, RECREATION  
EUGENE D. HESS, CHIEF OF BUREAU  
MRS. ROBERT L. BURNETT

MARCUS M. HOFFMAN  
JOSEPH N. MCGRAW  
ALVIN LORECK  
JOSHUA W. WHEELER, CHIEF OF BUREAU

T. WILLIAM WILLIAMS, JR.  
EDWARD M. FRISCH, CHIEF  
MRS. ROBERT A. BULLOFF



PETITION FOR RECLASSIFICATION AND VARIANCE - 11-200

Resolves: From M.L.C. A.R.C.M. and Universal Land & S.S. Corp. to the Board of Commissioners of Baltimore County, Maryland, for the purpose of reclassifying and varying the zoning of the property located at the intersection of Cockeysville Road and the proposed 11-200 Street, from M.L.C. to M.L.-IM, and from C.S. to C.S.-2.

The Board of Commissioners of Baltimore County, Maryland, on the 21st day of February, 1974, at its regular meeting, held at the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland, did receive and consider the petition of the above-named parties, and did find that the same were in compliance with the provisions of the Charter of Baltimore County, Maryland, and did accordingly order that the petition be granted, and that the property be reclassified and the zoning be varied as hereinabove set forth.

Witness my hand and the seal of Baltimore County, Maryland, this 21st day of February, 1974.

S. ERIC DINENNA  
Zoning Commissioner of Baltimore County

Feb. 21.

## CERTIFICATE OF PUBLICATION

TOWSON, MD., February 21, 1974

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 15th day of March, 1974, the first publication appearing on the 21st day of February, 1974.

THE JEFFERSONIAN,  
S. Eric Dinenna  
Manager.

Cost of Advertisement, \$

PETITION FOR RECLASSIFICATION AND VARIANCE

Resolves: From M.L.C. A.R.C.M. and Universal Land & S.S. Corp. to the Board of Commissioners of Baltimore County, Maryland, for the purpose of reclassifying and varying the zoning of the property located at the intersection of Cockeysville Road and the proposed 11-200 Street, from M.L.C. to M.L.-IM, and from C.S. to C.S.-2.

The Board of Commissioners of Baltimore County, Maryland, on the 21st day of February, 1974, at its regular meeting, held at the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland, did receive and consider the petition of the above-named parties, and did find that the same were in compliance with the provisions of the Charter of Baltimore County, Maryland, and did accordingly order that the petition be granted, and that the property be reclassified and the zoning be varied as hereinabove set forth.

Witness my hand and the seal of Baltimore County, Maryland, this 21st day of February, 1974.

S. ERIC DINENNA  
Zoning Commissioner of Baltimore County

Feb. 21.

ORIGINAL

OFFICE OF  
THE TOWSON TIMES

TOWSON, MD. 21204 February 25 - 1974

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric Dinenna, Zoning Commissioner of Baltimore County, was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one month before the 25 day of February 1974 that is to say, the same was inserted in the issue of February 21, 1974.

STROMBERG PUBLICATIONS, Inc.

By: *Reed Morgan*

| 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>M.H.</i>                        |          |    |          |    |           |    |         |    |           |
| Previous case:                                  |          |    |          |    |           |    |         |    |           |
| Revised Plans: Change in outline or description |          |    |          |    |           |    |         |    |           |
| Map #                                           |          |    |          |    |           |    |         |    |           |
| Yes                                             |          |    |          |    |           |    |         |    |           |
| No                                              |          |    |          |    |           |    |         |    |           |

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: *84* Date of Posting: *2-21-74*

Posted for: *Herbert H. Rosen*

Petitioner: *Herbert H. Rosen*

Location of property: *11-200 St. & York Rd. & Buxton Ave. & Lee Ave.*

Location of Sign: *2 Signs at each of York Rd.*

Remarks: *See H. Rosen*

Posted by: *Herbert H. Rosen* Date of return: *2-27-74*

Item 21  
4th Voting Cycle

J. Herbert H. Rosen  
811 Smoke Tree Road  
Baltimore, Maryland 21204

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing  
this 15th day of October 1973

*S. Eric Dinenna*  
S. ERIC DINENNA  
Zoning Commissioner

Petitioner: *Herbert H. Rosen*

Petitioner's Attorney: *William H. Rosen*  
60111 Washington Avenue, Towson, Md. 21204

Reviewed by: *William H. Rosen*  
Zoning Advisory Committee

## BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received\* this 26 day of Sept 1973 Item #

*S. Eric Dinenna*  
S. ERIC DINENNA  
Zoning Commissioner

Petitioner: *William H. Rosen* Submitted by: *William H. Rosen*

Petitioner's Attorney: *William H. Rosen* Reviewed by: *William H. Rosen*

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

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

DATE: Nov. 27, 1973 ACCOUNT: 01-662

AMOUNT: \$50.00

DISTRIBUTION  
FUND - AGENCY  
YELLOW - CUSTOMER

Herbert H. Rosen  
811 Smoke Tree Road  
Baltimore, Md. 21204

Petition for Reclassification & Variance 50.00

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

DATE: March 6, 1974 ACCOUNT: 01-662

AMOUNT: \$131.46

DISTRIBUTION  
FUND - AGENCY  
YELLOW - CUSTOMER

Herbert H. Rosen  
811 Smoke Tree Road  
Baltimore, Md. 21204

Advertising and Posting of property 131.46

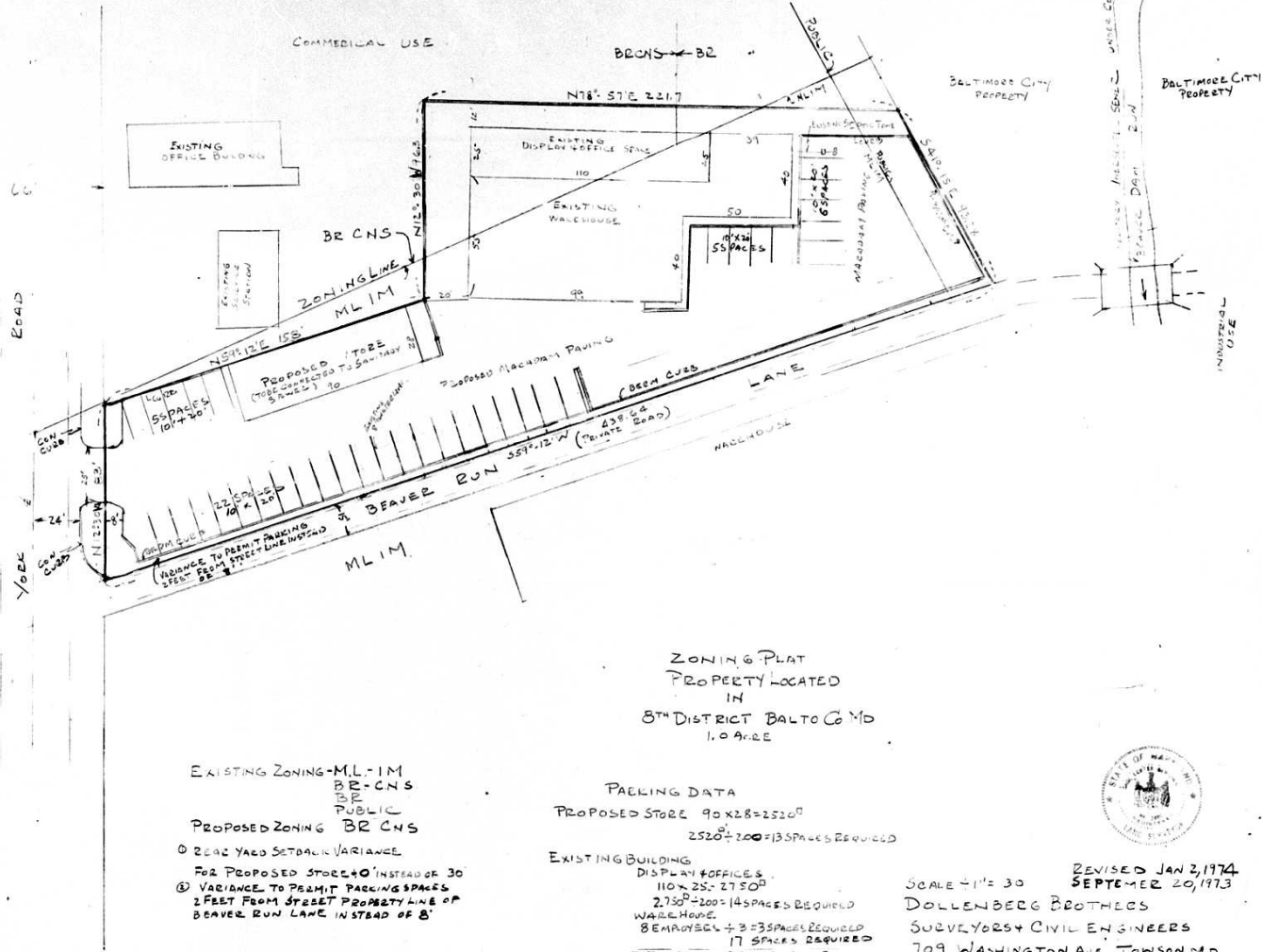


REV. 30  
NW18-13  
R  
2/1/74  
R  
6/3/74  
MR



BR CNS  
COMMERCIAL USE

1/2" WATER (32-44)



ZONING PLAT  
PROPERTY LOCATED  
IN  
8TH DISTRICT BALTO CO MD  
1.0 ACRE

PAVING DATA  
PROPOSED STORE 90x28=2520  
2520 ÷ 200 = 13 SPACES REQUIRED

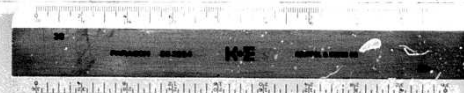
EXISTING BUILDING  
DISPLAY + OFFICES  
110x25=2750  
2750 ÷ 200 = 14 SPACES REQUIRED  
WAREHOUSE  
28x10x5L + 3 = 3 SPACES REQUIRED  
17 SPACES REQUIRED  
TOTAL SPACES REQUIRED = 30  
SPACES PROVIDED = 38

EXISTING ZONING - M.L.-1M  
BR - CNS  
OR  
PUBLIC  
PROPOSED ZONING BR CNS  
① 20' YARD SETBACK VARIANCE  
FOR PROPOSED STORE 40' INSTEAD OF 30'  
② VARIANCE TO PERMIT PARKING SPACES  
2 FEET FROM STREET PROPERTY LINE OF  
BEAVER RUN LANE INSTEAD OF 8'



REVISÉ JAN 3, 1974  
SEPTEMBER 20, 1973  
DOLLENBERG BROTHERS  
SURVEYORS & CIVIL ENGINEERS  
709 WASHINGTON AVE TOWSON, MD

Billy & Herbert A. Brown Rem #22 Cycle #6



**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

Mary C. Hook  
TO: Technician  
James E. Dyer  
FROM: Zoning Supervisor

Date: January 28, 1983

SUBJECT: 1980 Comprehensive Zoning Map  
Padonia Park Limited Partnership Property  
(Padonia Park) - 8th Election District  
Case No. 74-201-R

This memo is your authorization to make the corrections, as outlined in the attached Writ of Mandamus by Consent, signed by Judge Fader on January 7, 1983, with reference to the above-entitled matter. Please sign, date, and return this memo along with the attached papers.

Thank you.

JED:mr

cc: William E. Hammond, Zoning Commissioner  
Jean M. H. Jung, Deputy Zoning Commissioner  
Case File

CORRECTED BY Mary C. Hook  
MARY C. HOOK

This 1 day of FEBRUARY, 1983.

LAW OFFICES  
COOK, HOWARD, DOWNES & TRACY  
210 ALLEGHENY AVENUE  
P.O. BOX 5517  
TOWSON, MARYLAND 21204

January 12, 1983

The Honorable William Hammond  
Zoning Commissioner  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Padonia Park Limited Partnership  
v. Baltimore County, et al.

Dear Mr. Hammond:

Enclosed herewith please find a true-test copy of a Writ of Mandamus by Consent from the above-referenced case, executed by Judge Fader on Friday, January 7, 1983. The aforesaid Writ directs you in your capacity as Zoning Commissioner to correct the 1971, 1976 and 1980 1000' scale and 200' scale zoning maps, and all other official zoning maps and records of Baltimore County in your care, custody and control, to properly designate the zoning line as to the property owned by Padonia Park Limited Partnership, pursuant to the Reclassification Order (74-201-R), granted in 1974.

To assist you in accomplishing the foregoing, I am also enclosing herewith a copy of the Petition for Writ of Mandamus pursuant to which the aforesaid Writ of Mandamus was granted.

If you have any questions regarding this matter, please do not hesitate to give me a call. If I am unavailable, please ask to speak with Herb O'Connor, of this office, who is also familiar with this matter.

I appreciate your cooperation and assistance regarding this matter.

Sincerely,

Laurens MacLure, Jr.

LM:dch  
cc: James G. Beach, III, Esq.  
Norman E. Gerber

correct forthwith the 1971, 1976 and 1980 1000' scale and 200'

PADONIA PARK LIMITED PARTNERSHIP, \* IN THE  
A Maryland Limited Partnership \* CIRCUIT COURT  
Petitioner \* FOR  
v. \* BALTIMORE COUNTY  
\* AT LAW  
BALTIMORE COUNTY, MARYLAND, et al \*  
Respondents \* Misc. Docket:  
\* Misc. Folio:  
\* File No.

**WRIT OF MANDAMUS BY CONSENT**

TO THE HONORABLE WILLIAM HAMMOND, BALTIMORE COUNTY  
ZONING COMMISSIONER AND CUSTODIAN OF THE BALTIMORE COUNTY  
ZONING MAPS, GREETINGS:

WHEREAS, the above-entitled case having come before  
the Circuit Court for Baltimore County on December 7, 1982,  
and counsel for the Petitioner and Respondents having agreed  
and stipulated that the appropriate zoning maps should be  
adjusted to reflect the correct zoning line as to the  
Petitioner's property located in the area west of Broad Avenue,  
south of Old Padonia Road, and north of Padonia Road, in  
Baltimore County, Maryland, as ordered pursuant to the  
Reclassification Proceeding (74-201-R) and that a Writ of  
Mandamus be directed to The Honorable William Hammond in his  
capacity as Baltimore County Zoning Commissioner (the duties of  
which office include, among other duties, the care, custody,  
control and exhibition of the official Baltimore County Zoning  
Maps) should issue for certain relief as hereinafter set out,  
accordingly this Writ of Mandamus is issued this 7th day of  
December, 1982, and

YOU ARE HEREBY COMMANDED upon receipt of this Writ to  
correct forthwith the 1971, 1976 and 1980 1000' scale and 200'  
scale zoning maps, and all other official zoning maps and

records of Baltimore County in the care, custody and control of  
the Zoning Commissioner, to properly designate the zoning line,  
so that it follows the Petitioner's property line, pursuant to  
the Reclassification Order (74-201-R), granted in 1974.

Judge

True Copy Test  
ELMER H. KAMLINE, JR., Clerk  
Per Assistant Clerk

FILED JAN -7 1983

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: Mary C. Hook  
James E. Dyer  
FROM: Zoning Supervisor  
SUBJECT: 1980 Comprehensive Zoning Map  
Padonia Park Limited Partnership Property  
(Padonia Park) - 8th Election District  
Case No. 74-201-R

This memo is your authorization to make the corrections, as outlined in the attached Writ of Mandamus by Consent, signed by Judge Fader on January 7, 1983, with reference to the above-entitled matter. Please sign, date, and return this memo along with the attached papers.

Thank you.

JED:nrr

cc: William E. Hammond, Zoning Commissioner  
Jean M. H. Jung, Deputy Zoning Commissioner  
Case File

CORRECTED BY: Mary C. Hook  
This 1 day of February, 1983.

LAW OFFICES  
COOK, HOWARD, DOWNES & TRACY  
210 ALLEGHENY AVENUE  
P.O. BOX 5517  
TOWSON, MARYLAND 21204

January 12, 1983

The Honorable William Hammond  
Zoning Commissioner  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Padonia Park Limited Partnership  
v. Baltimore County, et al.

Dear Mr. Hammond:

Enclosed herewith please find a true-test copy of a Writ of Mandamus by Consent from the above-referenced case, executed by Judge Fader on Friday, January 7, 1983. The aforesaid Writ directs you in your capacity as Zoning Commissioner to correct the 1971, 1976 and 1980 1000' scale and 200' scale zoning maps, and all other official zoning maps and records of Baltimore County in your care, custody and control, to properly designate the zoning line as to the property owned by Padonia Park Limited Partnership, pursuant to the Reclassification Order (74-201-R), granted in 1974.

To assist you in accomplishing the foregoing, I am also enclosing herewith a copy of the Petition for Writ of Mandamus pursuant to which the aforesaid Writ of Mandamus was granted.

If you have any questions regarding this matter, please do not hesitate to give me a call. If I am unavailable, please ask to speak with Herb O'Connor, of this office, who is also familiar with this matter.

I appreciate your cooperation and assistance regarding this matter.

Sincerely,

Laurens MacLure, Jr.

cc: James G. Beach, III, Esq.  
Norman E. Gerber

correct forthwith the 1971, 1976 and 1980 1000' scale and 200'

PADONIA PARK LIMITED PARTNERSHIP, \* IN THE  
A Maryland Limited Partnership \* CIRCUIT COURT  
Petitioner \* FOR  
v. \* BALTIMORE COUNTY  
\* AT LAW  
BALTIMORE COUNTY, MARYLAND, et al \* Misc. Docket:  
Respondents \* Misc. Folio:  
\* File No.

### WRIT OF MANDAMUS BY CONSENT

TO THE HONORABLE WILLIAM HAMMOND, BALTIMORE COUNTY  
ZONING COMMISSIONER AND CUSTODIAN OF THE BALTIMORE COUNTY  
ZONING MAPS, GREETINGS.

WHEREAS, the above-entitled case having come before the Circuit Court for Baltimore County on December 7, 1982, and counsel for the Petitioner and Respondents having agreed and stipulated that the appropriate zoning maps should be adjusted to reflect the correct zoning line as to the Petitioner's property located in the area west of Broad Avenue, south of Old Padonia Road, and north of Padonia Road, in Baltimore County, Maryland, as ordered pursuant to the Reclassification Proceeding (74-201-R) and that a Writ of Mandamus be directed to The Honorable William Hammond in his capacity as Baltimore County Zoning Commissioner (the duties of which office include, among other duties, the care, custody, control and exhibition of the official Baltimore County Zoning Maps) should issue for certain relief as hereinafter set out, accordingly this Writ of Mandamus is issued this 7th day of December, 1982, and

YOU ARE HEREBY COMMANDED upon receipt of this Writ to correct forthwith the 1971, 1976 and 1980 1000' scale and 200' scale zoning maps, and all other official zoning maps and

records of Baltimore County in the care, custody and control of the Zoning Commissioner, to properly designate the zoning line, so that it follows the Petitioner's property line, pursuant to the Reclassification Order (74-201-R), granted in 1974.

### True Copy Test

ELMER H. KAHLINE, JR., Clerk  
Per: Assistant Clerk

FILED JAN -7 1983