

74-2012 21 PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

William C. Franklin, Judith F. Campbell and James A. Franklin
I, or we, legal owners 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 R-1B, M-1C and M-1R, zone to an
R-1B, zone; for the following reasons:

For the reasons set forth in the brief filed herewith.

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 for Baltimore
County.

Contract purchaser
William C. Franklin
913 1/2 Poplar Hill Road
Baltimore, Maryland 21210
Legal Owner
Judith F. Campbell
5508 Roland Avenue
Baltimore, Maryland 21210
John B. Howard
Petitioner's Attorney
409 Washington Avenue
Towson, Maryland 21204
823-4111

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day
of October, 1973, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore
County, on the 15th day of March, 1974, at 11:00 o'clock
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

William C. Franklin, Judith F. Campbell and James A. Franklin
I, or we, legal owners 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 R-1B, M-1C and M-1R, zone to an
R-1B, zone; for the following reasons:

For the reasons set forth in the brief filed herewith.

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 for Baltimore
County.

Contract purchaser
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required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore
County, on the 15th day of March, 1974, at 11:00 o'clock
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING REDISTRICTING AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

William C. Franklin, Judith F. Campbell and James A. Franklin
I, or we, legal owners 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-districted, pursuant
to the Zoning Law of Baltimore County, from Undistricted, to a
C-1, district; for the following reasons:

For the reasons set forth in the brief filed herewith.

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

Contract purchaser
William C. Franklin
913 1/2 Poplar Hill Road
Baltimore, Maryland 21210
Legal Owner
Judith F. Campbell
5508 Roland Avenue
Baltimore, Maryland 21210
John B. Howard
Petitioner's Attorney
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823-4111

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day
of October, 1973, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore
County, on the 15th day of March, 1974, at 11:00 o'clock
Zoning Commissioner of Baltimore County.

(over)

DESCRIPTION

TO ACCOMPANY APPLICATION
FOR ZONING RE-CLASSIFICATION
PROPERTY OF WILLIAM C. FRANKLIN,
JUDITH F. CAMPBELL AND JAMES H. FRANKLIN,
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

PARCEL A

BEGINNING for the same at a point on the north side of Padonia Road (Re-
located), distant 466.47 feet westerly from the corner formed by the intersection
of the north side of Padonia Road (Relocated) and the southwest side of Broad
Avenue (Relocated) 70 feet wide, as shown on State Roads Commission Right of Way
Plat Numbers 24071 and 24906, said point being on the eastern outlines of the
M-1M zoning line as established by the Zoning Commissioner of Baltimore County,
Maryland and running thence binding along the aforesaid north line of Padonia
Road (Relocated) the four following courses and distances, viz.:
(1) 249.74 feet in a westerly direction along the arc of a curve to the right
having a radius of 3767.72 feet and a long chord bearing of North 89° 36' 01"
West and a long chord distance of 249.69 feet,
(2) North 87° 42' 05" West 127.88 feet,
(3) North 41° 12' 05" West 96.00 feet, and
(4) North 87° 42' 05" West 45.26 feet to a point on the northeasternmost right of
way line of the Northern Central Branch of the Pennsylvania Railroad, thence bind-
ing along said northeasternmost right of way line North 26° 43' 05" West 367.72
feet, thence South 83° 35' 14" East parallel to and distant 215 feet southerly,
measured at right angles from the centerline of Padonia Road, 30 feet wide, 689.46
feet, to the eastern outlines of the M-1M zoning line established by the
Zoning Commissioner of Baltimore County, Maryland, thence binding along part of
said zoning line South 05° 49' 23" West 334.09 feet to the place of beginning,
containing 4.619 acres of land more or less.

DESCRIPTION

TO ACCOMPANY APPLICATION
FOR ZONING RE-CLASSIFICATION
PROPERTY OF WILLIAM C. FRANKLIN,
JUDITH F. CAMPBELL AND JAMES H. FRANKLIN,
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

PARCEL B

BEGINNING for the same at a point on the north side of Padonia Road (Relocated)
distant 228.24 feet westerly from the corner formed by the intersection of the north
side of Padonia Road (Relocated) and the southwest side of Broad Avenue (Relocated),
70 feet wide, as shown on State Roads Commission Right of Way plat Numbers 24071 and
24906, said point being on the eastern outlines of the M-1R zoning line as established
by the Zoning Commissioner of Baltimore County, Maryland, and running thence binding
along the aforesaid north side of Padonia Road (Relocated) the two following courses
and distances, viz.:
(1) North 87° 48' 48" West 28.71 feet, and
(2) South 83° 01' 14" West 28.48 feet, thence leaving the aforesaid north side of
Padonia Road (Relocated) the three following courses and distances, viz.:
(1) North 17° 38' 04" West 79.16 feet,
(2) South 72° 21' 56" West 87.24 feet, and
(3) South 05° 49' 23" West 55.33 feet to a point on the aforesaid north side of
Padonia Road (Relocated), thence binding thereon North 87° 32' 20" West 20.03 feet,
thence leaving said north side of Padonia Road (Relocated) and binding along the
M-1R zoning lines as established by the Zoning Commissioner of Baltimore County,
Maryland the four following courses and distances, viz.:
(1) North 05° 49' 23" East 301.38 feet,
(2) South 83° 35' 14" East, parallel to and distant 200 feet southerly, measured
at right angles from the centerline of Padonia Road, 30 feet wide, 41.36 feet,
(3) South 83° 14' 44" East, parallel to and distant 200 feet southerly, measured

DESCRIPTION

TO ACCOMPANY APPLICATION
FOR ZONING RE-CLASSIFICATION
PROPERTY OF WILLIAM C. FRANKLIN,
JUDITH F. CAMPBELL AND JAMES H. FRANKLIN,
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

at right angles from the aforesaid centerline of Padonia Road 27.84 feet, and
(4) South 17° 38' 04" East, parallel to and distant 950 feet westerly from the
centerline of York Road 298.43 feet to the place of beginning, containing 0.718
acres of land more or less.

PARCEL C

BEGINNING for the same at the corner formed by the intersection of the north
side of Padonia Road (Relocated) and the southwest side of Broad Avenue (Relocated)
as shown on State Roads Commission Right of Way plat Numbers 24071 and 24906,
and running thence binding along the north side of Padonia Road (Relocated) the three
following courses and distances, viz.:
(1) South 72° 21' 56" West 150.42 feet,
(2) North 19° 47' 26" West 8.25 feet,
(3) North 87° 48' 48" West 69.57 feet to the western outlines of the DR-16 zoning
line as established by the Zoning Commissioner of Baltimore County, Maryland, thence
binding along part of said zoning line North 17° 38' 04" West, parallel to and
distant 950 feet westerly, measured at right angles from the centerline of York
Road 298.43 feet to the end thereof and to a point distant 200 feet southerly
measured at right angles from the centerline of Padonia Road as laid out 30 feet
wide, thence binding along part of the DR-16 zoning line as established by the
Zoning Commissioner of Baltimore County, Maryland South 83° 14' 44" East 234.49
feet to a point on the aforesaid southwest side of Broad Avenue (Relocated) as
laid out and existing 70 feet wide, thence binding along the southwest side of
Broad Avenue (Relocated) South 18° 16' 37" East 233.43 feet to the place of beginning,

DESCRIPTION

TO ACCOMPANY APPLICATION
FOR ZONING RE-CLASSIFICATION
PROPERTY OF WILLIAM C. FRANKLIN,
JUDITH F. CAMPBELL AND JAMES H. FRANKLIN,
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

containing 1.359 acres of land more or less.

PARCEL D

BEGINNING for the same at a point on the southwest side of Broad Avenue (Re-
located), distant 143.06 feet southerly from the corner formed by the intersection
of the southwest side of Broad Avenue (Relocated), 70 feet wide, as shown on State
Roads Commission Right of Way plat No. 24071 and the south side of Padonia Road as
laid out 30 feet wide, and running thence binding along the aforesaid southwest
side of Broad Avenue (Relocated) South 18° 16' 37" East 65.08 feet to a point thereon,
thence leaving the aforesaid southwest side of Broad Avenue (Relocated) and binding
along part of the DR 3.5 zoning line as established by the Zoning Commissioner of
Baltimore County, Maryland and located 200 feet southerly, measured at right angles
from the centerline of Padonia Road the two following courses and distances, viz.:
(1) North 83° 14' 44" West 262.33 feet, and
(2) North 83° 35' 14" West 41.36 feet to a point thereon, thence leaving said
zoning line North 05° 49' 23" East 185.00 feet to a point on the aforesaid south
side of Padonia Road, thence binding along the south side of Padonia Road the two
following courses and distances, viz.:
(1) South 83° 35' 14" East 43.84 feet and
(2) South 83° 14' 44" East 121.16 feet, thence leaving the aforesaid south side of
Padonia Road the two following courses and distances, viz.:
(1) South 06° 53' 54" West 126.03 feet, and
(2) South 83° 14' 44" East 114.46 feet to the place of beginning, containing
0.867 acres of land more or less.

RE: PETITION FOR RECLASSIFICATION
NW/corner of Padonia Road (Relocated)
and Broad Avenue - 8th District
William C. Franklin, et al - Petitioner
NO. 74-201-R (Item No. 21)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This Petition represents a request for a Reclassification from a D.R. 3.5 Zone, a D.R.16 Zone, a M.L. Zone and a M.L.R. Zone to a Business, Major (B.M.) Zone. The Petitioners are also requesting, by way of this Petition, Redistricting from I.M. and Undistricted to a C.T. District. The property contains 7.8 of an acre, more or less, and is located in the Eighth Election District of Baltimore County.

Testimony was provided by the Petitioners as well as experts in the fields of traffic, land planning, and civil engineering. Other evidence considered include the Petitioners' Memorandum in support of the Reclassification and Redistricting, comments by County and State agencies, who inspected the site and commented on the impact of the proposed use and site layout with regard to regulations and standards of their respective agencies, and recommendations from the Baltimore County Planning Board.

Testimony on behalf of the Petitioners emphasized that the Franklin family are fee simple owners and do not intend to speculate on the sale of the property but would develop the property for a small shopping mall of convenience and specialty stores as a family investment. The location of the property, on the north side of Padonia Road at the intersection of Broad Avenue approximately one block west of York Road, was felt to be ideally suited for the shopping mall.

Testimony of the above experts established that major construction presently underway for widening and improvements to York Road, the recent opening of Greenspring Drive (a collector road paralleling the east side of

York Road from Padonia Road north to Warren Road, together with the major reconstruction of the interchange at Shawan Road and the Harrisburg Expressway would considerably relieve traffic problems in the area. The channelized intersection of York and Padonia Roads was described as being well designed and capable of easily handling the heavy traffic flows that can be expected on major arteries at their conjunction with shopping areas.

Also considered of major importance, was the fact that the general area within which the Petitioners' property is located is projected on the Baltimore County 1980 Guideplan as a Town Center, i.e., a fifty to seventy acre multi-purpose center serving a population of one hundred thousand to one hundred and fifty thousand people.

The service area of the shopping mall, proposed by the Petitioners, was described as having a two mile radius that included portions of the vast residential area on the west side of the Harrisburg Expressway known as the Greenspring - Worthington Valley area. Residents of this area have established the Harrisburg Expressway and its eastern boundary as a logical stopping point for commercialization and have actively opposed all attempts to reclassify properties within this area for commercial use. To date their attempts have been successful, and the vast but sparsely developed valleys remain basically undisturbed by commercial uses.

The land planner testified on behalf of the Petitioners' request emphasized that a six hundred acre residential development about to get underway in this area, would depend to a great extent on commercial shopping opportunities east of the Harrisburg Expressway. He felt that the Comprehensive Zoning Map was in error in that commercial zoning had not been provided for all properties within the boundaries of the projected Town Center at York and Padonia Roads. This area of existing commercial activity was not, in his

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ORDER RECEIVED FOR FILING

DATE August 2, 1974
BY John B. Howard
Deputy Zoning Commissioner

IN THE MATTER OF
THE PETITION OF
WILLIAM C. FRANKLIN,
JUDITH F. CAMPBELL AND
JAMES A. FRANKLIN,
LEGAL OWNERS, FOR RELOCATION
OF PROPERTY LOCATED ON
PADONIA ROAD WEST OF BROAD
AVENUE, EIGHTH ELECTION DISTRICT,
BALTIMORE COUNTY, MARYLAND FROM
DR 3.5, DR16, ML and MLR ZONES
TO A BM ZONE WITH CT DISTRICT

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

MEMORANDUM IN SUPPORT OF PETITIONS FOR RECLASSIFICATION
AND REDISTRICTING

William C. Franklin, Judith F. Campbell and James A. Franklin are the fee simple owners of a parcel of land located approximately one city block west of York Road at the intersection of Padonia Road and Broad Avenue. The property has access onto Broad Avenue and Padonia Road, the latter being a four-lane divided highway.

The Baltimore County Planning Board prior to the adoption of the Comprehensive Land Use Maps by the Baltimore County Council in March of 1971 took into recognition the need for a town center in the vicinity of York and Padonia Roads. The Council, however, in the final adoption of the Maps provided BM-CT zoning for a relatively small area north of Padonia Road with frontage on York Road and thereby failed to provide sufficient zoning for the planned, orderly growth of a town center. The error of such an approach is best exemplified from the standpoint of traffic capabilities of the existing roadways. York Road has for many years been operating at a level greatly in excess of capacity and even with the improvements presently programed it is generally recognized that it will remain essentially incapable of meeting peak demands. Further, existing zoning will only tend to increase the blight of commercial strip development that unfortunately has become so characteristic of the York Road from Towson and

well beyond the area under discussion.

The Council erred in not providing an extension of the BM zone and CT district, which categories permit uses proposed for a town center, west of the York Road along Padonia Road to a point where there would be logical merging with the industrially zoned corridor that extends from Timonium north to Cockeysville between the Harrisburg Expressway and York Road. Such an extension would have permitted utilization of the four lane, divided Padonia Road (which is presently far below capacity) for access; and further would have been far less disruptive of residential use. The "1980 guideplan" adopted by the Baltimore County Planning Board on June 15, 1972 clearly indicates inclusion of the subject property within the Padonia-York Road town center. In fact, although not drawn to scale, the map accompanying the guideplan projects location of a rapid transit system station on the south side of Padonia Road roughly opposite the subject property. The necessity for the quality of vehicular access as provided by Padonia Road for a "town planning area" is inherent in the Planning Board's definition of that concept in that the uses envisioned include, among others, "large and highly specialized comparison-goods stores ... and a host of professional and governmental offices and service facilities".

The error of the County Council in March, 1971 is further compounded with respect to the subject property in that the Comprehensive Land Use Map resulted in dissection of a property owned for a number of years by one family, the Petitioners, into four separate zoning categories: DR 3.5, DR 16, MLR and ML-IM. To carve an eight acre property ownership into four categories defies logic; and when the four categories, as in the instant case, have no sensible relationship to each other any remote semblance of logic is negated. One need only consider the sliver

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of opinion, being fully utilized as proposed by the Guideplan to serve the shopping needs of the area. He also presented testimony to the effect that the Petitioners' property could not be logically or economically developed within the context of the four separate zoning classifications that presently exist on the 7.8 acre tract.

Testimony by the Petitioners' engineer established that metropolitan water and sewer was available to the site and that if it could be completely developed under its present zoning category, the demand on sewer facilities would be greater than that of the proposed mall.

Without reviewing the evidence in detail but based on all evidence received, it is the opinion of the Deputy Zoning Commissioner that the Petitioners have proven error in the Comprehensive Zoning Map insofar as the present classification of his property is concerned. Testimony established that the 1980 Guideplan was correct in projecting a need for additional retail outlets in this area. The site is also ideally situated on a major road in a commercialized section that is not intrusive or objectionable to the residential areas that it is intended to serve.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 2nd day of August 1974, that the herein requested Reclassification from D.R. 3.5, D.R. 16, M.L. and M.L.R. Zones should be and the same are hereby Reclassified to a B.M. Zone, and that the I.M. and Undistricted portions of the Petitioners' property be Redistricted to a C.T. District from and after the date of this Order. Said zoning is subject, however, to the approval of a site plan by the Department of Public Works, State Highway Administration and Office of Planning and Zoning.

John B. Howard
Deputy Zoning Commissioner of
Baltimore County

- 3 -

ORDER RECEIVED FOR FILING

DATE August 2, 1974
BY John B. Howard
Deputy Zoning Commissioner

August 8, 1974

John B. Howard, Esquire
409 Washington Avenue
Towson, Maryland 21204

RE: Petition for Reclassification
NW/corner of Padonia Road (Relocated)
and Broad Avenue - 8th District
William C. Franklin, et al -
Petitioners
NO. 74-201-R (Item No. 21)

Dear Mr. Howard:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

James E. Dyer
Deputy Zoning Commissioner

JED/mc

Attachments

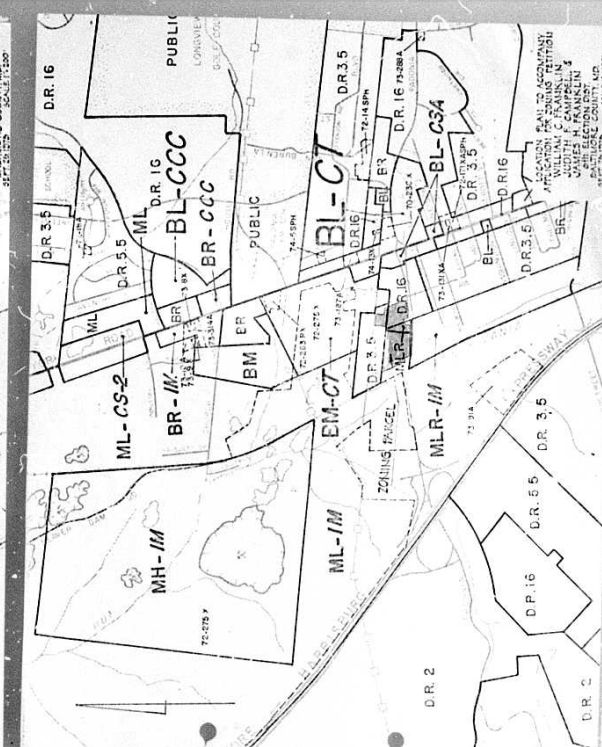
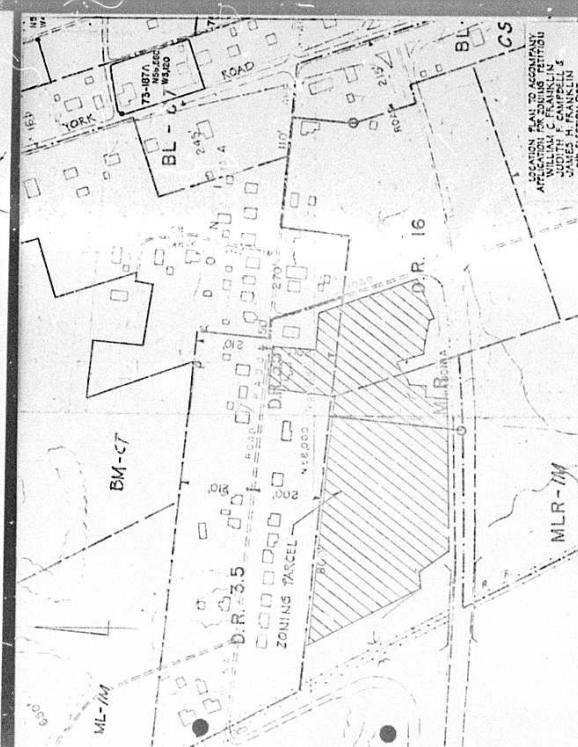
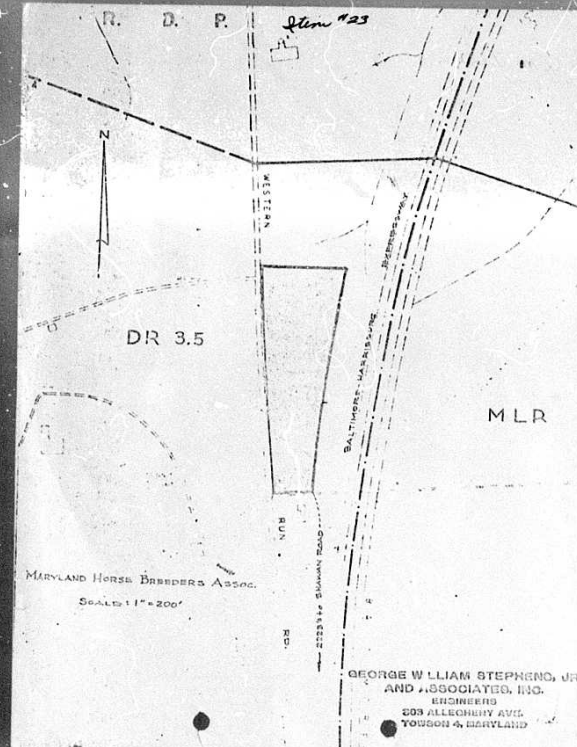
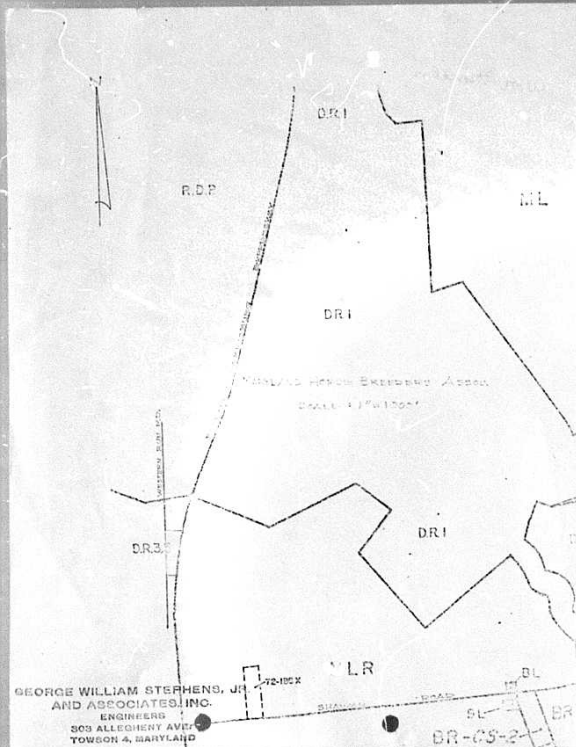
- 4 -

the County Council had been in error in not providing for the logical extension of BM-CT.

In summary, the requested reclassification and redistricting are mandated both by reason of clear error on the part of the Baltimore County Council and the aforementioned changes in the character of the neighborhood.

Respectfully submitted

John B. Howard
Cook, Mudd, Murray and Howard
409 Washington Avenue
Towson, Maryland 21204
823-4111
Attorneys for the Petitioners



BALTIMORE COUNTY

ZONING ADVISORY COMMITTEE

PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 27, 1973

John B. Howard, Esq.,
409 Washington Avenue
Towson, Maryland 21204

RE: Reclassification Petition
Item 21
William C. Franklin, Judith F. Campbell and James A. Franklin - Petitioners

Dear Mr. Howard:

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 ZONING ADVISORY COMMITTEE

November 29, 1973

John B. Howard, Esq.,
409 Washington Avenue
Towson, Maryland 21204

RE: Reclassification Petition
Item 21
William C. Franklin, Judith F. Campbell and James A. Franklin - Petitioners

Dear Mr. Howard:

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

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

The subject property is located on the northwest corner of Padonia Road and Broad Avenue, in the 8th District of Baltimore County. This property, which contains 7.792 acres of land has a significant amount of frontage on Padonia Road, approximately 250 ft. of frontage along Broad Avenue, and 164 ft. along Old Padonia Road immediately to the north.

The petitioner is requesting a Reclassification from an M.L.-I.M., M.L.R., D.R. 16, and D.R. 3.5 zones to a Business Major zone for a proposed shopping center with an enclosed shopping mall.

This property, if developed as indicated, would replace the existing industrial use fronting on Padonia Road and two residential dwellings which

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 29, 1973

John B. Howard, Esq.,
409 Washington Avenue
Towson, Maryland 21204

RE: Reclassification Petition
Item 21 - 6th Zoning Cycle
November 29, 1973

are located on this property.

The petitioner is advised to familiarize himself with the comments contained in this booklet and revise his plans where required. Also, since this property is located in the Jones Falls drainage area, I would require that estimated maximum day and peak hour water use and the corresponding sewerage conversion factors be indicated on a revised site plan.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or 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 J. Dillon, Jr.
John J. Dillon, Jr., Chairman
Zoning Advisory Committee

JJDjr.:jd
Enclosure

cc: Purdum & Jeschke
1023 North Calvert Street
Baltimore, Md. 21202

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

Bureau of Engineering
ELLSWORTH N. DIVER, P.E. CHIEF
October 29, 1973
Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #21 (October 1973-April 1974 - Cycle VI)
Property Owner: Mr. C. Franklin, Judith F. Campbell
and James A. Franklin
N/S of Padonia Rd., 466.47' W. from the intersection
of Padonia Rd. & Broad Ave.
Existing Zoning: M.L.-I.M., M.L.R., D.R. 16, D.R. 3.5
Proposed Zoning: B.M.
No. of Acres: 7.792 Acres District 8th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Padonia Road (relocated) is an existing County street which is to be improved for the frontage of this property to a 36-foot curbed and paved westbound lane.

Broad Avenue is an existing County street which is to be improved to a 40-foot curbed and paved section on a 60-foot right-of-way.

Old Padonia Road is an existing County street which is to be improved to a 40-foot curbed and paved street on a 60-foot right-of-way. The Petitioner is to clarify the status and proceed with action to close and/or abandon any existing rights-of-way within this property.

Storm Drains:

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

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or 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 striping, 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 striping of top soil.

Item #21 (October 1973-April 1974 - Cycle VI)
Property Owner: Mr. C. Franklin, Judith F. Campbell
and James A. Franklin
Page 2
October 29, 1973

Water:

Public water is available to serve this property from existing mains in Padonia Road (relocated) and Old Padonia Road.

Sanitary Sewer:

Public sanitary sewer is available to serve this property from an existing County sanitary sewer in the south side of Padonia Road (relocated). This property falls within the Jones Falls drainage area which is experiencing sanitary sewage problems. Permission must be granted by the State Health Department prior to processing any development plans.

Very truly yours,

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

END:AM:CM:ms

S-WE Key Sheet
50 N/S & P.S. Sheet
NW 1/4 & B Topo
51 Tax Map

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E. Wm. C. MILLER
CHIEF DEPUTY TRAFFIC ENGINEER

October 24, 1973

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

Re: Item 21 - October 1973 to April 1974 - Cycle Zoning VI
Property Owner: William C. Franklin, et al
Northwest corner of Broad Avenue and Padonia Road
B.M.
District 8

Dear Mr. DiNenna:

The subject petition, if granted, can be expected to generate 4000 trips per day. This proposal can only continue to aggravate long delays which now exist in the entire York Road - Harrisburg Expressway Corridor and particularly the intersection of York and Padonia Roads.

Very truly yours,

E. J. Clifford
E. J. CLIFFORD
Assistant Traffic Engineer

CRH/pk



Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
Secretary
Samuel M. Evans
Assistant Secretary

October 10, 1973

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

RE: Baltimore County
Sixth Zoning Cycle, Oct. 1973
Property Owner: William C. Franklin
Judith F. Campbell & James A. Franklin
Location: N/S of Padonia Road,
466.47' W. from intersection of
Padonia Road & Broad Avenue
Existing Zoning: B.M.
No. of Acres: 7.792 Acres
District: 8th

Att: Mr. John J. Dillon

Dear Mr. DiNenna:

The subject plan indicates a proposed crossover in the median of Padonia Road that is approximately 520' from an existing crossover at Broad Ave. Padonia Road was constructed by the State Roads Commission with the use of Federal Aids funds, therefore, the standard minimum distance of 950' between crossovers should be adhered to. The plan should be revised.

Very truly yours,

CLJ:MAJ

Charles Lee, Chief
Bureau of Engineering Access Permits
J. Meyer
By: John Meyer

P.O. Box 717 / 350 West Preston Street, Baltimore, Maryland 21203

Baltimore County Fire Department

J. Austin Oelz
Chief



Towson, Maryland 21204
672-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: William C. Franklin, Judith F. Campbell & James A. Franklin
Location: N/S of Padonia Road, 466.47' W. from the intersection of Padonia Road & Broad Avenue
Item No. 51 Zoning Agenda Wednesday, October 3, 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 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at _____ exceeds the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

On site fire hydrant 300 ft. intervals
Reviewer: *John L. Wimbly* Noted and Approved: Deputy Chief
Planning Group Special Inspection Division Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

October 17, 1973

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

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

Dear Mr. DiNenna:

Comments on Reclassification, Zoning Advisory Committee Meeting, October 3, 1973, are as follows:

Property Owner: William Franklin, Judith Campbell & James Franklin
Location: N/S Padonia Rd., 466.47' W. of Broad Ave.
Present Zoning: M.L.-I.M., M.L.R., D.R. 16, D.R. 3.5
Proposed Zoning: B.M.
No. Acres: 7.792
District: 8

Metropolitan water and sewer must be extended to the site.

Food Service Comments: If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval.

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

Shopping Center Comments: Approval is based upon owner responsibility for the collection, storage and disposal of refuse in accordance with Health Department requirements.

Very truly yours,

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

HVB:mn@
cc: L.A. Schuppert
W.L. Phillips
J.A. Messina

WILLIAM D. FRONM
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 #21, VI Zoning Cycle, October 1973, to April 1974, are as follows:

Property Owner: William C. Franklin, Judith F. Campbell and James A. Franklin
Location: N/S of Padonia Road 466.47' W. from the intersection of Padonia Rd & Broad Ave.
Existing Zoning: M.L.-I.M., M.L.R., D.R. 16, D.R. 3.5
Proposed Zoning: B.M.
No. of Acres: 7.792 acres
District: 8

The subject site plan indicates a proposed crossover in the median of Padonia Road that does not meet the required standards for a crossover, therefore the site plan should be revised to eliminate the crossover.

Very truly yours,

John L. Wimbly
John L. Wimbly
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 484-2211 ZONING 484-2211

**BOARD OF EDUCATION
OF BALTIMORE COUNTY**

TOWSON, MARYLAND 21204

Date: October 24, 1973

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

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

Re: Item
Property Owner: William C. Franklin, Judith F. Campbell & James A. Franklin
Location: N/S of Padonia Rd., 466.47' W. from intersection of Padonia Rd & Broad Avenue
Present Zoning: M.L.-I.M., M.L.R., D.R. 16 - D.R. 3.5
Proposed Zoning: B.M.

District: 8th
No. Acres: 7.792

Dear Mr. DiNenna:

An estimated loss of no more than 5 potential pupils could result if the residential zoning was developed to its full potential while a change to commercial zoning would have no adverse effect.

Very truly yours,

William H. McGowan
William H. McGowan
Field Representative

WHP/ml



October 15, 1973

Dear Sir:

Re: ZAC Agenda October 3, 1973
Prop. Owners: Wm. C. Franklin, Judith F. Campbell & James A. Franklin
Loc: N/S of Padonia Road, 466.47 W from intersection of Padonia Road and Broad Ave.
Existing Zoning: ML-IM, M. L. R., D. R. 16
D. R. 3.5
Proposed Zoning: B.M.
No. of Acres: 7.792 acres
District: 8th

This office has reviewed the above site and feels that this acreage is in an area where industrial land is needed. Therefore, we recommend that the present zoning be retained.

Sincerely,

H. B. STAAB
Director

6-SIGNS

74-201-R

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 5th Date of Posting: FEB. 21 1974
 Posted for: REVIEW FOR RECLASSIFICATION @ REVIEW FOR RESTRUCTURING
 Petitioner: WILLIAM C. FRANKLIN, ET AL.
 Location of property: NU/CR. of PATENT RD. (Relocated) AND BROAD AVE.
 Location of Sign: C. FRONT #113 OLD PATENT RD. @ W. SIDE OF BROAD AVE.
35' E. 1/2 OF PHASE 1 ST. @ NU/CR. of PATENT RD. (Relocated) AND
 Remarks: BROAD AVE.
 Posted by: FRANKLIN, C. Relocated Date of return: MARCH 1, 1974

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		GDS 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: 					Revised Plans: Change in outline or description _____ Yes _____ No					
Previous case: 					Map # _____					

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 18th day of October 1973

[Signature]
S. ERIC DINENNA,
Zoning Commissioner

Petitioner William C. Franklin, Judith F. Campbell and James A. Franklin
 Petitioner's attorney John B. Howard Reviewed by [Signature]
 cc: Purdon & Jacobbe
 1023 North Calvert Street (21202) Chairman,
 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 1st day of

October 1973 1972. Item #


S. Eric DiNenna
Zoning Commissioner

Petitioner Franklin Submitted by ANIL K D
Petitioner's Attorney ANIL K D Reviewed by: RRS

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

CERTIFICATE OF PUBLICATION

TOWSON, MD. FEBRUARY 21, 1976

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published and published in Towson, Baltimore County, Md., on the 21st day of March, 1976, the first publication of said newspaper before the 15th day of March, 1976, the first publication of said newspaper appearing on the 21st day of February, 1976.

L. L. Leland
Manager.

Cost of Advertisement, \$--

BALTIMORE COUNTY, MARYLAND
OFFICE OF FIN. & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 12776

DATE Nov. 27, 1973 ACCOUNT 01-662

AMOUNT \$50.00

WHITE - CASHIER DISTRIBUTION YELLOW - CUSTOMER
PINK - AGENCY

Messrs. Cook, Mudd, Murray & Howard
409 Washington Ave.
Towson, Md. 21204

Petition for Redclassification for Mr. C. Franklin

NOV 30 1973

50.00 MSC

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

No. 14720

DATE April 15, 1974 ACCOUNT 67-662

AMOUNT \$267.71

DISTRIBUTION

WHITE - CASHIER	PINK - AGENCY	YELLOW - CUSTOMER
James H. Franklin 1010 Winding Way Baltimore, Md. 21210 Advertising and posting of property ACD		267.71



OFFICE OF
THE TOWSON TIMES
TOWSON, MD. 21204
February 25 - 19 74

THIS IS TO CERTIFY, that the annexed advertisement of
S. Eric Dinnema
5, Eric Dinnema
Senior Commissioner of Baltimore County
was inserted in THE TOWSON TIMES, a weekly newspaper published
in Baltimore County, Maryland, once a week for one
week/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 Rich Morgan

[illegible]

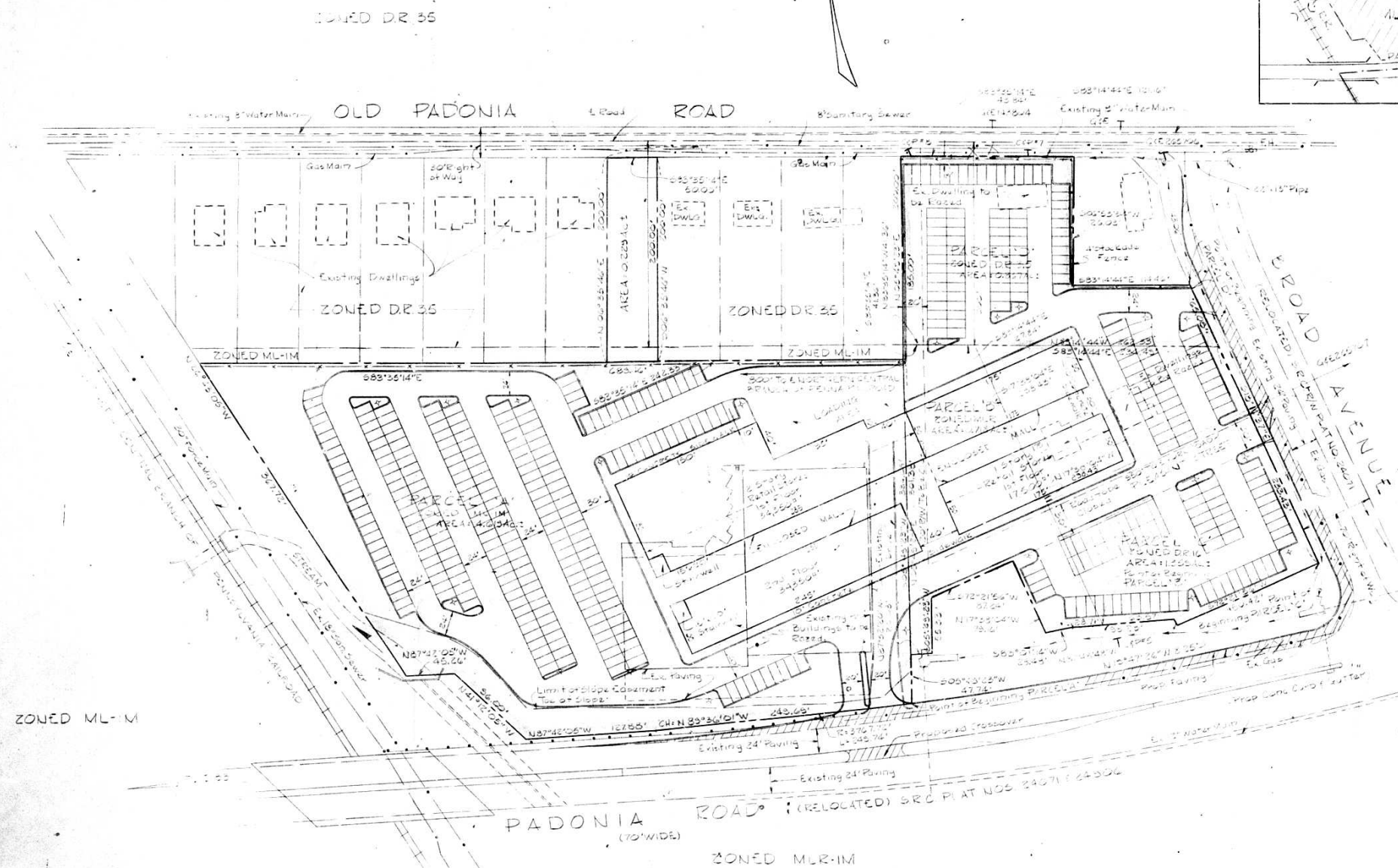
- LEGEND:
1. ———— DENOTES FENCING (4" STOCKPILE)
 2. ———— DENOTES OFFSITE HIGHWAY IMPROVEMENTS
 3. ———— DENOTES LIGHTING STANDARDS
 4. ———— CURBING
 5. ———— EXISTING WATER
 6. ———— EXISTING SANITARY SEWER



LOCATION MAP

SCALE: 1" = 200'

- GENERAL NOTES:
1. TOTAL AREA OF TRACT: 2792 AC.
 2. EXISTING ZONING: ML-IM, MLR, DR-16, DR-35
 3. PROPOSED ZONING: ML-IM
 4. EXISTING USE: INDUSTRIAL
 5. PROPOSED USE: SHOPPING CENTER
 6. AREA OF ZONING PARCELS:
 PARCEL A: ZONED ML-IM, AREA 0.619 AC.
 PARCEL B: ZONED MLR, AREA 0.718 AC.
 PARCEL C: ZONED DR-16, AREA 1.359 AC.
 PARCEL D: ZONED DR-35, AREA 0.847 AC.
 TOTAL AREA OF ZONING PARCELS: 3.543 AC.
 7. PARKING DATA:
 A. USE: RETAIL STORES
 B. TOTAL RETAIL SALES FLOOR AREA: 86,200 SQ. FT.
 C. NUMBER OF SPACES REQUIRED: 431
 D. NUMBER OF SPACES PROVIDED: 435
 E. ALL PARKING SPACES TO BE 9'x18'
 8. SCREENING: 4" HIGH STOCKPILE FENCING
 9. PARKING AREAS AND ACCESS ROADS TO BE PAVED WITH BITUMINOUS CONCRETE PAVEMENT
 10. LIGHTING: LOW INTENSITY SHIELDED FLOODLIGHTS OPERATING HOURS: 10:00 P.M. TO 1:00 A.M.
 11. HIGHWAY AND STORM DRAIN IMPROVEMENTS WILL BE PROVIDED IN ACCORDANCE WITH MARYLAND STATE HIGHWAY ADMINISTRATION AND BALTIMORE COUNTY REQUIREMENTS



PURDUM & JESCHKE
ENGINEERS & LAND SURVEYORS
1023 NORTH CALVERT STREET
BALTIMORE, MARYLAND 21202



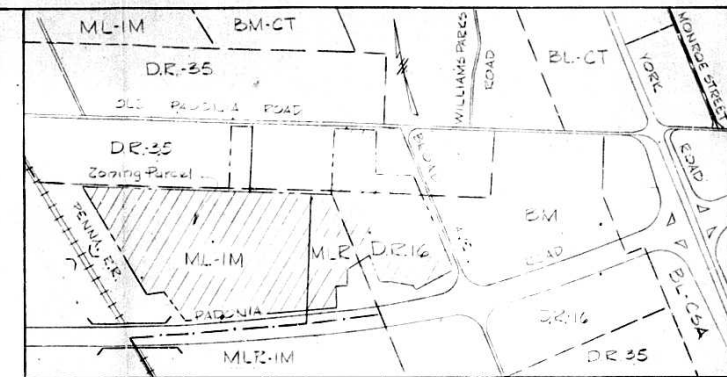
William R. Purdum Sept. 25, 1973

PLAT NO. 111111 APPLICATION
FOR RECORDATION
OF
WILLIAM C. FRANKLIN
LUCY H. CAMPBELL &
JAMES H. FRANKLIN
SHEPHERD DISTRICT
BALTIMORE COUNTY, MARYLAND
SEPTEMBER 28, 1973



Old Plat

- LEGEND:
1. --- DENOTES FENCING (4" STOCKPILE)
 2. --- DENOTES OFFSITE HIGHWAY IMPROVEMENTS
 3. --- DENOTES LIGHTING STANDARDS
 4. --- CURBING
 5. --- EXISTING WATER
 6. --- EXISTING SANITARY SEWER

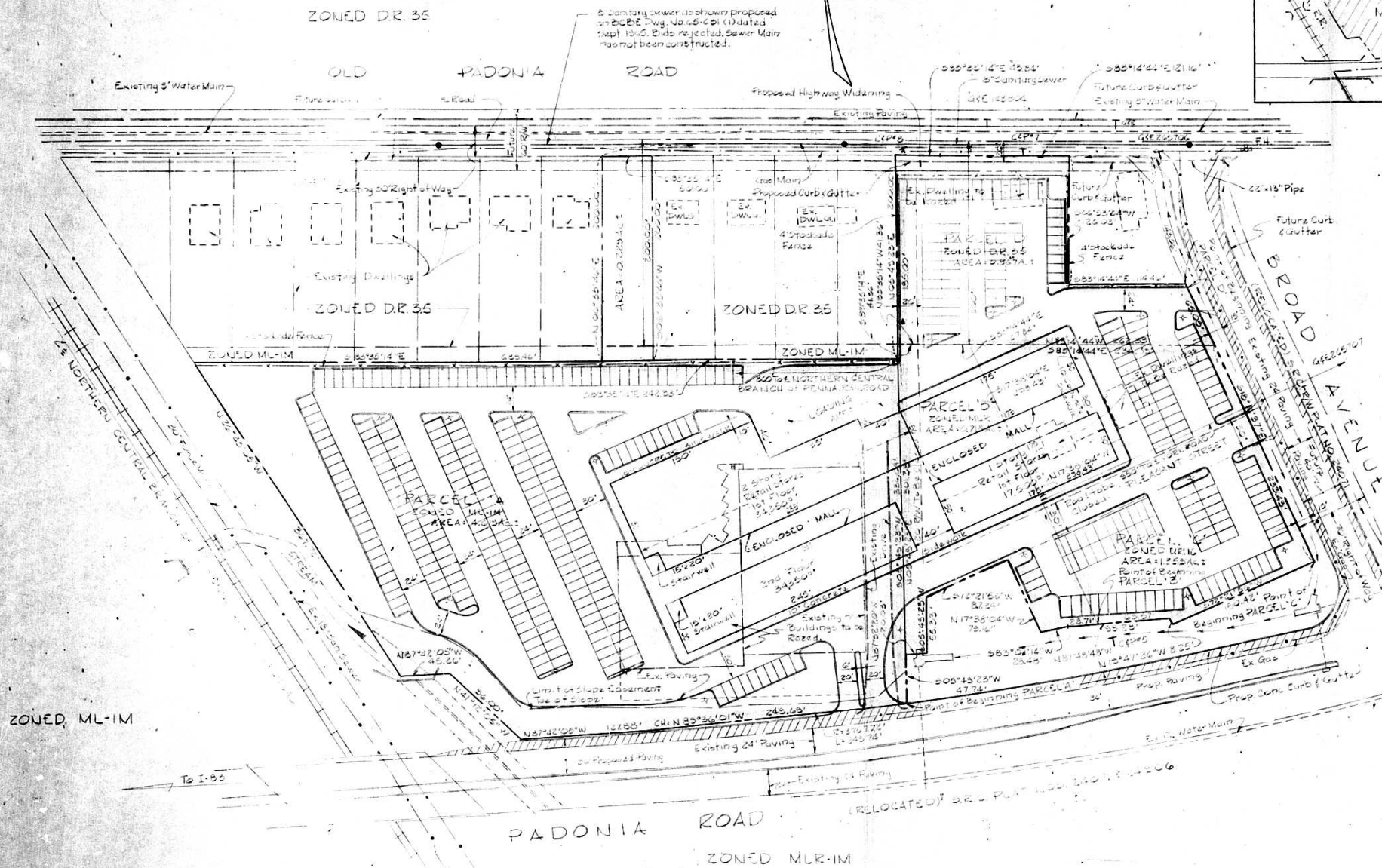


LOCATION MAP

SCALE 1"=200'

GENERAL NOTES

1. TOTAL AREA OF TRACT... 2792 AC.
2. EXISTING ZONING... ML-IM, MLR, DR-16, DR-35
3. PROPOSED ZONING... ML-CT
4. EXISTING USE... INDUSTRIAL
5. PROPOSED USE... SHOPPING CENTER
6. AREA OF ZONING PARCELS
 - PARCEL A... ZONED ML-IM, AREA 4.619 AC.
 - PARCEL B... ZONED ML-IM, AREA 0.718 AC.
 - PARCEL C... ZONED DR-16, AREA 1.357 AC.
 - PARCEL D... ZONED DR-35, AREA 0.867 AC.
 - TOTAL AREA OF ZONING PARCELS... 7.563 AC.
7. PARKING DATA
 - A. USE... RETAIL STORES
 - B. TOTAL RETAIL SALES FLOOR AREA... 86,200 SQ. FT.
 - C. NUMBER OF SPACES REQUIRED... 431
 - D. NUMBER OF SPACES PROVIDED... 431
 - E. ALL PARKING SPACES TO BE 9'x18'
8. SCREENING... 4' HIGH STOCKPILE FENCING
9. PARKING AREAS AND ACCESS ROADS TO BE PAVED WITH BITUMINOUS CONCRETE PAVEMENT
10. LIGHTING... LOW INTENSITY SHIELDED FLOODLIGHTS OPERATING HOURS 5:00 A.M. TO 10:00 P.M.
11. HIGHWAY AND STORM DRAIN IMPROVEMENTS WILL BE PROVIDED IN ACCORDANCE WITH MARYLAND STATE HIGHWAY ADMINISTRATION AND BALTIMORE COUNTY REQUIREMENTS



PURDUM & JESCHKE
ENGINEERS & LAND SURVEYORS
1023 NORTH CALVERT STREET
BALTIMORE, MARYLAND 21202

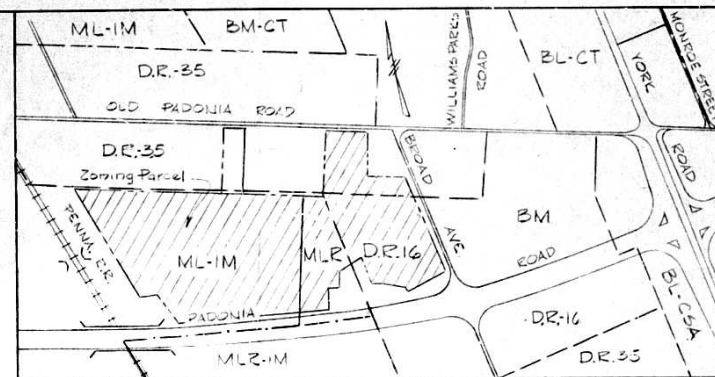


William D. Purdum Sept. 25, 1973

RECEIVED APPLICATION
FOR ZONING RECLASSIFICATION
PROPERTY OF
WILLIAM D. FRANKLIN
JUDITH CAMPBELL &
JAMES H. FRANKLIN
3 SHELTON DISTRICT
BALTIMORE COUNTY, MARYLAND
DATE: 10-1-73 SEPTEMBER 28, 1973
BY: DEPT. 10-1-73

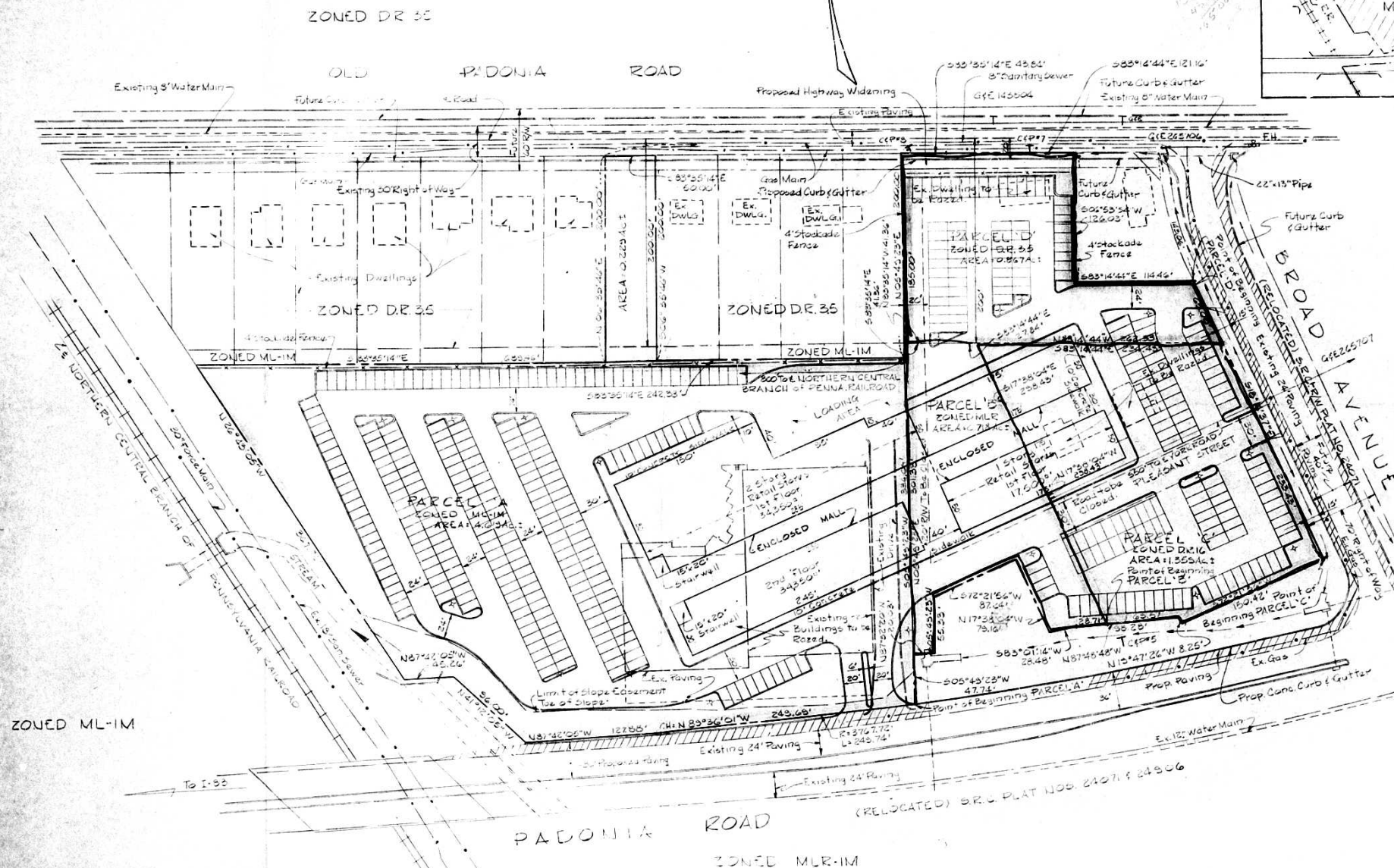


- LEGEND:
1. ———— DENOTES FENCING (4' STOCKADE)
 2. ———— DENOTES OFFSITE HIGHWAY IMPROVEMENTS
 3. ———— DENOTES LIGHTING STANDARDS
 4. ———— CURBING
 5. ———— EXISTING WATER
 6. ———— EXISTING SANITARY SEWER



LOCATION MAP SCALE: 1"=200'

- GENERAL NOTES
1. TOTAL AREA OF TRACT... 2792 AC.±
 2. EXISTING ZONING... ML-IM, MLR, DR-16, DR-3.5
 3. PROPOSED ZONING... BM-CT
 4. EXISTING USE... INDUSTRIAL
 5. PROPOSED USE... SHOPPING CENTER
 6. AREA OF ZONING PARCELS
 PARCEL A... ZONED ML-IM... AREA=4.619 AC.±
 PARCEL B... ZONED MLR... AREA=0.718 AC.±
 PARCEL C... ZONED DR-16... AREA=1.359 AC.±
 PARCEL D... ZONED DR-3.5... AREA=0.867 AC.±
 TOTAL AREA OF ZONING PARCELS... 7.563 AC.±
 7. PARKING DATA
 A. USE... RETAIL STORES
 B. TOTAL RETAIL SALES FLOOR AREA... 86,200 SQ. FT.
 C. NUMBER OF SPACES REQUIRED... 431
 D. NUMBER OF SPACES PROVIDED... 431
 E. ALL PARKING SPACES TO BE 9'x18'
 8. SCREENING... 4' HIGH STOCKADE FENCING
 9. PARKING AREAS AND ACCESS ROADS TO BE PAVED WITH BITUMINOUS CONCRETE PAVEMENT
 10. LIGHTING... 10' INTENSITY SHIELDED FLOODLIGHTS OPERATING HOURS: 10:00 P.M.
 11. HIGHWAY AND STREET IMPROVEMENTS WILL BE PROVIDED IN ACCORDANCE WITH MARYLAND STATE HIGHWAY ADMINISTRATION AND BALTIMORE COUNTY REQUIREMENTS



PURDUM & JESCHKE
ENGINEERS & LAND SURVEYORS
1023 NORTH CALVERT STREET
BALTIMORE, MARYLAND 21202



William R. Purdum Sept. 25, 1973

PLAN TO ACCOMPANY APPLICATION
FOR ZONING RECLASSIFICATION
PROPERTY OF
WILLIAM C. FRANKLIN
JUDITH F. CAMPBELL &
JAMES H. FRANKLIN
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1"=50' SEPTEMBER 25, 1973
REVISED: JAN. 3, 1974



Item #21 Cycle #6