

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Suburban Propane Gas Corp., legal owner... 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 RDP (Rural, Deferred, Planning) zone to an ML (Manufacturing, Light) zone; for the following reasons:

1. Error in the original zoning.
2. Change in the neighborhood.

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: Martin J. Smith, Esquire
Address: 143 Main Street, Reisterstown, Md. 21136
Legal Owner: Suburban Propane Gas Corporation
Address: 143 Main Street, Reisterstown, Md. 21136
Protestant's Attorney: Martin J. Smith, Esquire
Address: 143 Main Street, Reisterstown, Md. 21136

ORDERED By The Zoning Commissioner of Baltimore County, this 25th day of October, 1977, that the subject matter of this petition be advertised, as provided by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 5th day of March, 1978, at 2:00 o'clock.

Zoning Commissioner of Baltimore County.

(over)

April 2, 1975

Martin J. Smith, Esquire
143 Main Street
Reisterstown, Maryland 21136

RE: Petition for Reclassification
N/S Old Hanover Road, 1350' SE of
Hanover Pike - 4th District
Suburban Propane Gas Corporation -
Petitioner
NO. 75-191-R (Item No. 10)

Dear Mr. Smith:

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

Very truly yours,
James E. Dyce
JAMES E. DYCE
Deputy Zoning Commissioner

JED/mc

Attachments

IN THE MATTER OF THE PETITION OF
SUBURBAN PROPANE GAS CORPORATION
For Zoning Reclassification From
RDP to ML

September 30, 1974

MEMORANDUM IN SUPPORT OF APPLICATION

The Petitioner's property consists of a total of 3.995 acres of land more or less located on the Northwest side of the Old Hanover Road in the Fourth Election District of Baltimore County. The present zoning of the property is ML and RDP. The Petitioner has operated a LP-Gas distribution facility on approximately two and one-half (2½) acres of the parcel since 1929. Your Petitioner submits that the existing zoning classification is in error and that there are substantial changes in the character of the neighborhood and that the zoning reclassification requested should be granted for the following reasons:

1. That an error was made in the designation of the Petitioner's property in granting only a portion of said property for ML zoning at the time of the adoption of the map.
2. That the population in this rural area has changed considerably and that the additional zoning requested is vital to enable the Petitioner to supply the needs for bottled gas to the residents and, furthermore, that the change with regard to the consumption of energy of public utilities in extending natural gas service in the area has placed additional burdens on the Petitioner which can only be met through an expansion of its facilities.

Respectfully submitted,
SMITH, JOHNS AND SMITH, P.A.
143 Main Street
Reisterstown, Maryland 21136
833-1221
Attorney for Petitioner

requested Reclassification from a R.D.P. Zone to a M.L. Zone should be and the same is hereby GRANTED. Said granting is subject, however, to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

James E. Dyce
Deputy Zoning Commissioner of
Baltimore County

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
N/S Old Hanover Road, 1350' SE of : DEPUTY ZONING
Hanover Pike - 4th District : COMMISSIONER
Suburban Propane Gas Corporation - :
Petitioner :
NO. 75-191-R (Item No. 10) :
: FOR
: BALTIMORE COUNTY

This Petition represents a request for a Reclassification from a R.D.P. Zone to a M.L. Zone. The parcel in question contains 1.4 acres of land and is situated on the north side of Old Hanover Road, 1350' southeast of Hanover Pike, in the Fourth Election District of Baltimore County.

Testimony established that the said 1.4 acres represents a portion of a parcel proposed for needed expansion and includes a portion of the presently existing Suburban Propane Gas Corporation's property, both of which were erroneously placed in a R.D.P. zoning category when the Comprehensive Zoning Map was adopted in 1971.

The existing site is presently improved with a one story office building, garage, parking area, warehouse, dock, several permanent aboveground propane storage tanks, and a spur of the Western Maryland Railroad which borders the subject property at the rear. The improvements and operation, which have existed on a two and one-half acre parcel since 1929, are presently in dire need of expansion due to substantial increases in population and the resulting need for more propane gas services in this rural area. The Suburban Propane Gas Corporation literally serves all residential, industrial and commercial operations in this northern part of Baltimore County.

Recent changes, with regard to consumption of energy of proposed utilities and the extension of natural gas services in the area, have placed additional burdens on the Petitioner which can only be met through an expansion of its facilities. In addition to these problems, which require urgent action,

RE: RECLASSIFICATION PETITION * BEFORE THE
FROM R.D.P. to M.L. * ZONING COMMISSIONER
N/S of Old Hanover Rd., *
E. of Hanover Pike, Fourth *
District * FOR BALTIMORE COUNTY
SUBURBAN PROPANE GAS CORP. * Case No. 75-191-R
*

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Runt
CLARENCE E. RUNT
Deputy People's Counsel

John W. Hession III
JOHN W. HESSIAN, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-3211

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this 4th day of March, 1975 to Martin J. Smith, Esquire, Smith, Johns and Smith, P.A., 143 Main Street, Reisterstown, Maryland 21136, Attorney for Petitioner.

John W. Hession III
JOHN W. HESSIAN, III



the Petitioner pointed out that a drafting error had been made at the time of the adoption of the Comprehensive Zoning Map.

Comments by the Baltimore County Assistant Traffic Engineer, who reviewed the Petitioner's plans and inspected the site, indicated that the site was of insufficient size to create any major traffic problems. He cautioned, however, that should it be the County's intention to develop the area industrially, additional consideration should be given to roads and traffic conditions.

The Director of the Industrial Development Commission, whose staff also reviewed the Petition and visited the site, commented as follows:

"The Suburban Propane Gas Corporation has been located at this site, which is restricted on the front and rear by a highway and railroad respectively, since 1946. The only means of expansion is to the undeveloped area to the northeast.

We feel this petition should be given favorable consideration to allow this existing industry room to expand and provide the necessary service and job opportunities to the citizenry."

Without reviewing all testimony and evidence presented but based on all testimony and evidence, it is the opinion of the Deputy Zoning Commissioner that an error was made in the designation of the zoning classification as it applied to the Petitioner's property. Also, a Reclassification would fulfill a vital need of the citizens who presently reside and work in the northern part of Baltimore County. Further, the subject property and/or use is one of long standing and should be categorized as a distinct, existing area of a typical rural business center which serves the entire northern portion of Baltimore County and, as such, should not be classified as a R.D.P. Zone, i.e.:

"Section IA00.1.2d. - That certain distinct existing areas of compact development, such as certain approved subdivisions or the immediate environs of typical rural business center, are not normally to be classified as R.D.P."

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 24th day of April, 1975, that the herein re-

- 2 -

C. A. Myers
State Registered Surveyor No. 2783

EMORY ROAD - UPPERCO, MARYLAND 21155 - GARFIELD 9-5079

ALL that lot or parcel of land situate, lying and being in the Fourth Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING at a point in the center of Old Hanover Road, said point also being 1350 feet from the intersection of the centerlines of Old Hanover Road and Hanover Road, thence running in Old Hanover Road the two following lines, North 45 degrees 07 minutes 40 seconds East 336.30 feet and North 45 degrees 39 minutes 30 seconds East 196.30 feet, thence leaving that road, North 56 degrees 20 minutes 00 seconds West 308.55 feet to the center of the tracks of the Western Maryland Railway, thence running in the center of the tracks of said railway, South 57 degrees 22 minutes 00 seconds West 467.80 feet, thence leaving that railway, South 42 degrees 50 minutes 53 seconds East 400.00 feet to the place of beginning, containing three acres and nine hundred ninety-five thousandths of an acre (3.995) of land more or less, saving and excepting that portion of the property presently zoned ML.

BEING all of the same land conveyed by the following Deeds:
(1) Phillips Petroleum Company, Inc. to Suburban Propane Gas Corporation, dated December 2, 1945, recorded in Liber R.J.S. No. 1438 folio 245 etc.
(2) Phillips Petroleum Company, Inc. to Suburban Propane Gas Corporation, dated December 22, 1945, recorded in Liber R.J.S. No. 1438 folio 47 etc.
(3) Elizabeth J. Allman to Suburban Propane Gas Corporation, dated July 15, 1974, recorded in Liber E.H.K.Jr. No. 5462 folio 845 etc.

AS prepared September 28, 1974.

C. A. Myers
C. A. Myers, Surveyor



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

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

October 23, 1974

Bureau of Engineering
ELLSWORTH H. GIVER, P.E. CHIEF

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

Re: Item #10 (Cycle VIII - October 1974 - April 1975)
Property Owner: Suburban Propane Gas Corporation
1/4 S of Old Hanover Rd., 1350' N/E of Hanover Pike
Existing Zoning: R.D.P.
Proposed Zoning: M.L.
No. of Acres: 2.550 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

Old Hanover Road is an existing County road which shall ultimately be improved with a 40-foot curbed paving cross-section on a 60-foot right-of-way. Highway improvements and dedication of the necessary highway widening will be required in connection with the development of this site.

Storm Drains

This property drains toward the Western Maryland Railroad; therefore, any drainage requirements will be subject to the Western Maryland Railroad review and/or approval.

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

Sediment control drawings will be necessary for review and approval prior to the issuance of any grading or building permits.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

JAMES B. BYRNES, III
Chairman

MEMBERS

ZONING ADMINISTRATION

HEALTH DEPARTMENT

BUREAU OF FIRE PREVENTION

DEPARTMENT OF TRAFFIC ENGINEERING

STATE HIGHWAY ADMINISTRATION

BUREAU OF ENGINEERING

PROJECT AND DEVELOPMENT PLANNING

INDUSTRIAL DEVELOPMENT CONSULTATION

BOARD OF EDUCATION

OFFICE OF THE BUILDINGS ENGINEER

October 25, 1974

Martin J. Smith, Esq.
143 Main Street
Reisterstown, Maryland 21136

RE: Reclassification Petition
Item 10 - 8th Zoning Cycle
Suburban Propane Gas Corp.

Dear Mr. Smith:

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

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

The subject property is located on the northwest side of Old Hanover Road, approximately 1350 feet northeast of Hanover Pike, in the 4th Election District of Baltimore County. It is presently unimproved and lies directly adjacent to the existing facilities of Suburban Propane Gas Corporation. Large acreage farm land abuts the site to the northeast and northwest, and various residential uses exist both sides of Old Hanover Road to the southwest of the site.

The petitioner is requesting a Reclassification from the existing RDP zone to an ML zone, and proposes to erect a 3200 square foot warehouse. It was indicated to this Committee that the warehouse would be utilized to store various domestic appliances that are presently sold from display in the existing office on the adjacent parcel. Off street parking is indicated for five vehicles.

Martin J. Smith, Esq.
Re: Item 10 - 8th Zoning Cycle
October 25, 1974

Page 2

This petition for Reclassification is acceptable 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 December 1, 1975, 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, 1975, and April 15, 1975, will be forwarded to you well in advance of the date and time.

Very truly yours,

James B. Byrnes III

JAMES B. BYRNES, III
Chairman,
Zoning Plans Advisory Committee

JBB:JD

Enclosure

cc: C. A. Myers, Surveyor
Emory Road
Upperco, Maryland 21155

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR

WM. T. MELZER
DEPUTY TRAFFIC ENGINEER

October 28, 1974

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

Re: Item 10 - Cycle Zoning 8 - October 1974 through April 1975
Property Owner - Suburban Propane Gas Corporation
1/4 S of Old Hanover Road, 1350 ft. NE of Hanover Pike
M.L.
District 4

Dear Mr. DiNenna:

The subject petition is requesting a change from R.D.P. to M.L. of 2.5 acres. This should increase the trip density from 30 to 250 trips per day. This site in itself is of insufficient size to create any major traffic problems. However, should it be the County's intention to develop this area industrially, additional consideration should be given to road and traffic conditions.

Very truly yours,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRH/rmg

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

425-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Suburban Propane Gas Corp.

Location: NW/4 of Old Hanover Rd. 1,350 ft. NE of Hanover Pike

Item No. 10 Zoning Agenda Cycle #8 - October 1, 1974

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. The maximum allowed by the Fire Department.
- () 5. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations. 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.

Reviewed: *H. J. Kelly* Noted and Approved: *Paul H. Reinecke*
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

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

October 10, 1974

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

Dear Mr. DiNenna:

Comments on Item 10. Zoning Reclassification, Cycle #8, are as follows:

Property Owner: Suburban Propane Gas Corp.
Location: NW/4 of Old Hanover Rd. 1,350 ft. NE of Hanover Pike
Existing Zoning: R.D.P.
Proposed Zoning: ML
No. of Acres: 2.55
District: 4th

Comments: Complete soil evaluation needed; existing water well in good physical condition.

Very truly yours,

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

HVB/mc

Item 10 - 8th
Zoning Cycle

BALTIMORE COUNTY OFFICE OF PLANNING
Martin J. Smith, Esq.
143 Main Street
Beltsville, Md. 21136
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted
For filing this 25th day of October 1974.

S. Eric DiNenna
S. ERIC DINENNA,
Zoning Commissioner

Petitioner Suburban Propane Gas Corp.

Petitioner's Attorney Martin J. Smith Reviewed by James L. Byrnes, III
Chairman,
Zoning Advisory Committee
cc: C. A. Myers, Surveyor
Emory Road
Upperco, Maryland 21155

PETITION MAPPING PROGRESS SHEET

FUNCTION	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, B, CC, CA										
Reviewed by: <i>[Signature]</i>	Revised Plans: Change in outline or description <u>Yes</u> Map # <u> </u>									
Previous case: <u> </u>										

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 25th day of
Sept 1974. Item #

S. Eric DiNenna
S. ERIC DINENNA,
Zoning Commissioner

Petitioner Suburban Propane Gas Corp. Submitted by Smith
Petitioner's Attorney Smith Reviewed by [Signature]

* 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
No. 16910

DATE Sept. 30, 1974 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Cash (Martin J. Smith)
Petition for Reclassification for Suburban Propane
Gas Corp.

1407000 1 500000

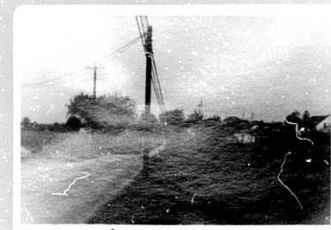
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 17913

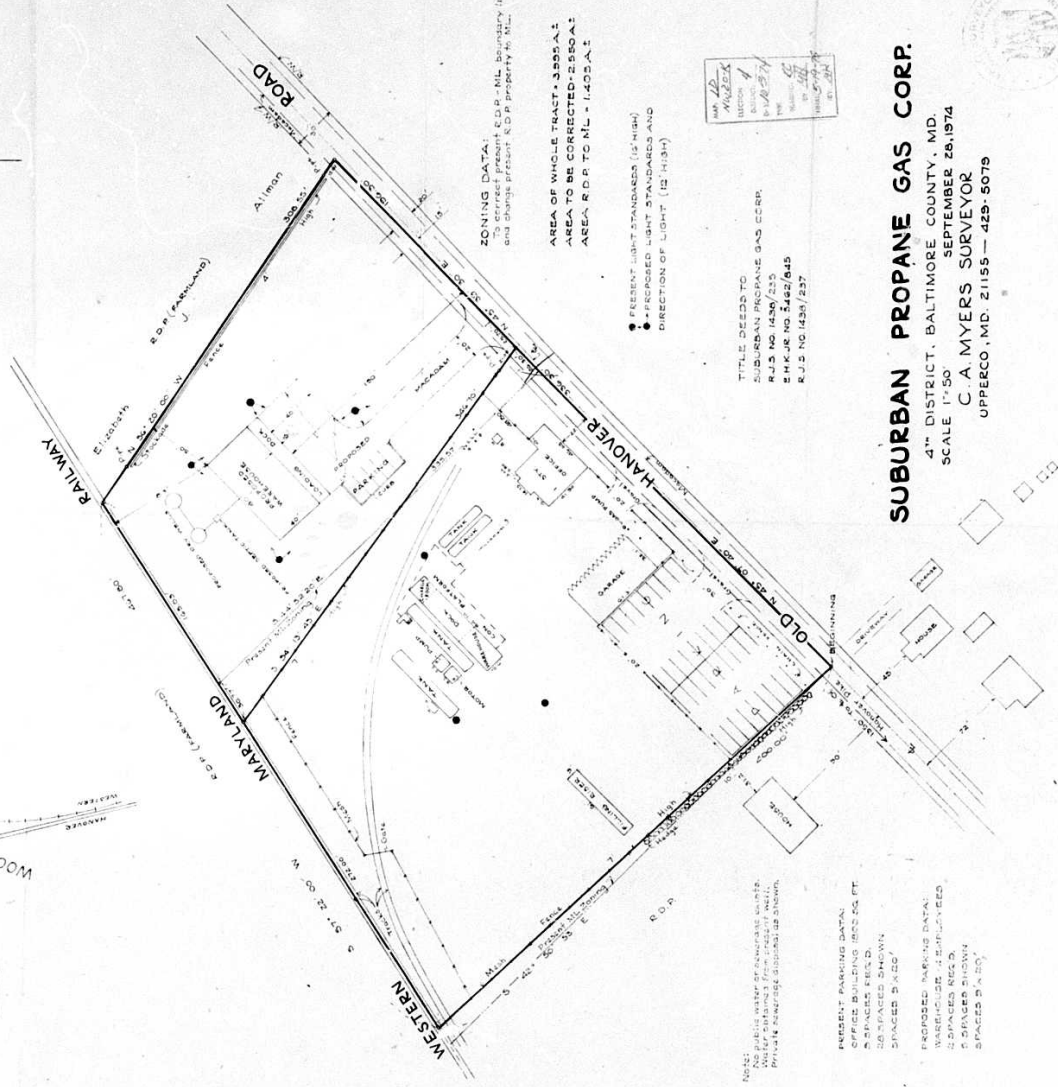
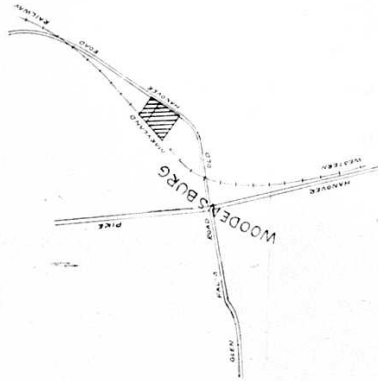
DATE March 5, 1974 ACCOUNT 01-662

AMOUNT \$115.28

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Martin J. Smith, John M. Smith
143 Main Street
Beltsville, Md. 21136
Advertising and posting of property for Suburban Propane
Gas Corp. 1452800 6 1452800





ZONING DATA:
To correct present C.D.R. - M.L. boundary line
and change present R.D.R. property to M.L.

AREA OF WHOLE TRACT - 3.355 A. 1
AREA TO BE CORRECTED - 2.850 A. 1
AREA R.D.R. TO M.L. - 1.455 A. 1

• PRESENT LIGHT STANDARDS (12' HIGH)
• PROPOSED LIGHT STANDARDS AND
DIRECTION OF LIGHT (12' HIGH)

TITLE DEEDS TO
SUBURBAN PROPANE GAS CORP.
R.J.S. NO. 1430/235
S.H.R. NO. 3,482/645
R.J.S. NO. 1439/237

NOTES:
NO PUBLIC WATER OR SEWERAGE LINES
SHOWN
PRIVATE SEWERAGE LINES SHOWN

PRESENT PARKING DATA:
OFFICE BUILDING 85' X 25' FT
2 SPACES FIELD
2 SPACES SHOWN
SPACES 9' X 20'

PROPOSED PARKING DATA:
WAREHOUSE 145' X 100' X 10'
2 SPACES 9' X 20'
2 SPACES 9' X 20'
2 SPACES 9' X 20'

SUBURBAN PROPANE GAS CORP.
4TH DISTRICT, BALTIMORE COUNTY, MD.
SCALE 1"=50'
SEPTEMBER 28, 1974
C. A. MYERS SURVEYOR
UPPERCO, MD. 21155 - 429-5079

