

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, James T. McNeal, 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 for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve Section 104 - a non conforming shooting range.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

James T. McNeal
Contract Purchaser
Address: 601 Riverside Ave. West
Baltimore, Maryland 21206
Petitioner's Attorney
Protestant's Attorney

Address: 1701 Belair Road
Baltimore, Maryland 21206
ORDERED By the Zoning Commissioner of Baltimore County, this 14th day of February, 1975, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 18th day of March, 1975, at 11:00 o'clock A. M.

Zoning Commissioner of Baltimore County

(over)

Gerard V. Caldwell, Esquire
7701 Belair Road
Baltimore, Maryland 21236

RE: Petition for Special Hearing
SE/S of Pulaski Highway, 1639.95'
NE of Middle River Road - 15th
Election District
James T. McNeal - Petitioner
NO. 75-215-SPH (Item No. 143)

Dear Mr. Caldwell:

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

Very truly yours,

James E. Dyer
JAMES E. DYER
Deputy Zoning Commissioner

JED/me

Attachments

RE: PETITION FOR SPECIAL HEARING : BEFORE THE
SE/S of Pulaski Highway, 1639.95' : DEPUTY ZONING
NE of Middle River Road - 15th : COMMISSIONER
Election District :
James T. McNeal - Petitioner :
NO. 75-215-SPH (Item No. 143) : OF
: BALTIMORE COUNTY

This Petition represents a request for a Special Hearing to determine whether or not the above referenced property enjoys a nonconforming shooting range, as defined in Section 104 - NONCONFORMING USES of the Baltimore County Zoning Regulations, 1955 Edition.

Uncontested testimony and evidence submitted subsequent to the hearing, in the form of affidavits, established that the subject property has consistently been utilized as a turkey shoot (shooting range) from 1948 to the present.

Without reviewing the evidence in detail but based on all such evidence, including the affidavits designated as Petitioner's Exhibits 1 and 2, it is the opinion of the Deputy Zoning Commissioner that the subject property does enjoy a nonconforming use for turkey shoots. However, the Order granting said use shall, for reasons of safety, include restrictions.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 14th day of May, 1975, that the herein request to approve the nonconforming use of the subject property, for a shooting range (turkey shoot), should be and the same is hereby GRANTED. Said use shall be restricted to an area at the rear of the existing 82' by 45' building and to the west of the 34' by 34' building, as indicated on the Petitioner's plat and designated as Petitioner's Exhibit 3. The operation of the shooting range shall comply, in all respects, with the recommendations of Lieutenant Donald W. Schriver of the Baltimore County Police Department, said recommendations being designated as Exhibit "A".

James E. Dyer
Deputy Zoning Commissioner of
Baltimore County

AFFIDAVIT

I the undersigned James McNeal make oath in due form of law that I have been a resident near 9727 Pulaski Highway for many years and am aware that the premises have been used for a Turkey Shoot prior to and continuously from 1955. I have also spoken to neighbors who will also testify to the same.

Sworn to this 14th day of January 1975

Notary Public

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 18, 1975

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

Gerard V. Caldwell, Esq.
7701 Belair Road
Baltimore, Maryland 21236

RE: Special Hearing Petition
Item 143
James T. McNeal - Petitioner

Dear Mr. Caldwell:

The enclosed comments are to be included with the February 19, 1975, Zoning Plans Advisory Committee comments sent you under the above referenced subject.

Very truly yours,

Franklin T. Hoggans, Jr.
FRANKLIN T. HOGGANS, JR.
Chairman,
Zoning Plans Advisory Committee

FTH:JD

Enclosure

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNO
ZONING COMMISSIONER



February 19, 1975

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 #143, Zoning Advisory Committee Meeting, January 14, 1975, are as follows:

Property Owner, James T. McNeal
Location: SE/S of Pulaski Highway (New Philadelphia Road) 1639.85' E of Middle River Rd.
Existing Zoning: M.L.-C.S.1
Proposed Zoning: Special Hearing to approve Sec. 104 a non conforming shooting range
No. of Acres: 0.91
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The site plan as submitted does not show the parking area as it relates to the shooting range, or what safety precautions are for persons both on the property and off the property.

The site plan must be revised to show the above and the total required parking required.

Very truly yours,

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

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, James T. McNeal, 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 for a special hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve Section 104 - a non-conforming shooting range.

See attached description.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing 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.

James T. McNeal
Contract Purchaser
Franklin T. Hogans, Jr.
Legal Owner

Address: 601 Harpers Run Road
Baltimore, Maryland 21206
Petitioner's Attorney
Protestant's Attorney

Address: 7701 Belair Road
Baltimore, Maryland 21236 628-7142
ORDERED By the Zoning Commissioner of Baltimore County, this 14th day of February, 1975, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 18th day of March, 1975, at 11:00 a.m.

Eric DiNenna
Zoning Commissioner of Baltimore County

(over) MICROFILMED

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

MICROFILMED

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Gerard V. Caldwell, Esq.
7701 Belair Road
Baltimore, Md. 21236

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

Your Petition has been received and accepted for filing this 14th day of February, 1975

Eric DiNenna
Zoning Commissioner

Petitioner James T. McNeal

Petitioner's Attorney Gerard V. Caldwell Reviewed by Franklin T. Hogans, Jr.
Chairman,
Zoning Plans
Advisory Committee

MICROFILMED

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 14, 1975

Gerard V. Caldwell, Esq.
7701 Belair Road
Baltimore, Maryland 21236

RE: Special Hearing Petition
Item 143
James T. McNeal - Petitioner

Dear Mr. Caldwell:

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 petitioner is requesting a Special Hearing to determine if a legal non-conforming use exists for a turkey shoot operation at the Porter's Blue Gables Restaurant, located on the southeast side of Pulaski Highway, 1639.85 feet east of Middle River Road.

Due to the nature of this request, and the debatable necessity for a comprehensive site plan, this Committee has little basis for comment. Although no site plan recommendations may be made in this case, this Committee feels that its findings, as a result of field inspection, should be noted for record.

The apparent location of the shooting range is the southeasternmost area along the perimeter of a paved parking area.

MICROFILMED

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

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

February 19, 1975

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

Re: Item #143 (1974-1975)
Property Owner: James T. McNeal
5725 of Pulaski Hwy. (New Phila. Rd.), 1639.85' E. of Middle River Rd.
Existing Zoning: ML-CS-1
Proposed Zoning: Special Hearing to approve Sec. 104-a non-conforming shooting range.
No. of Acres: 0.91 District: 15th

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:

Baltimore County utilities and highway improvements are not involved. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #143 (1974-1975).

Very truly yours,

Ellenworth N. Diver
ELLENWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:RAM:PMR:es

M-SE Key Sheet
22 NF 32 Pos. Sheet
NS 6 H Topo
82 Tax Map

MICROFILMED

Maryland Department of Transportation State Highway Administration

Harry R. Hughes
Secretary
Bernard M. Evans
Administrator

January 31, 1975

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

Attn: F. Hogans

Re: Z.A.C. Meeting, Jan. 14/75
Property Owner: J.T. McNeal
Location: SE/4 of Pulaski Hwy (New Phila. Rd. Rd. (Rte 40) 1639.85' E. of Middle River Rd. Existing Zoning: ML-CS-1
Proposed Zoning: Special Hearing to approve Sec. 104-a non-conforming shooting range. No. of Acres: 0.91 Dist. 15th

Dear Mr. DiNenna,

The existing entrances into the subject site are acceptable, however the plan should be revised to indicate the entrances and the curbing.

The shooting range should have no adverse effects to the highway, providing the direction of fire is away from the highway. The plan should indicate the firing line, the target line and the back stop.

The 1973 average daily traffic count for this section of Pulaski Highway is 21,300 vehicles.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering Access Permits

by: John E. Meyers

CL-JEM-es

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



February 19, 1975

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 #143, Zoning Advisory Committee Meeting, January 14, 1975, are as follows:

Property Owner, James T. McNeal
Location: SE/4 of Pulaski Highway (New Philadelphia Road) 1639.85' E of Middle River Rd.
Existing Zoning: ML-C.S.1
Proposed Zoning: Special Hearing to approve Sec. 104 a non conforming shooting range
No. of Acres: 0.91
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The site plan as submitted does not show the parking area as it relates to the shooting range, or what safety precautions are for persons both on the property and off the property.

The site plan must be revised to show the above and the total required parking required.

Very truly yours,

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

MICROFILMED

AFFIDAVIT

I the undersigned, **RAYMOND F. PORTER**, was the owner of Porter's Blue Gables on Pulaski Highway from 1948 unto 1970. During that time, part of the property was used consistently for a turkey shoot.

AS WITNESS my hand and seal this 21st day of March, 1975.

TEST: Raymond F. Porter
Raymond F. Porter

SWORN TO on this 21st day of March, 1975, by a Notary Public of the State of Maryland, County of Baltimore.

Raymond F. Porter
Notary Public
My Commission Expires 11/1/78

CERTIFICATE OF PUBLICATION

ROS-DALE, MD., February 27, 1975

THIS IS TO CERTIFY, that the annexed advertisement was published in the OBSERVER, a weekly newspaper published in Rosedale, Baltimore County, Md., one time before the 18th day of March 1975, the publication appearing on the 27th day of February 1975.

THE OBSERVER
Robert L. Smith
Advertising Mgr.

Cost of Advertisement \$29.60

MICROFILMED

ATLANTIC COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 17426
DATE Jan. 7, 1975 ACCOUNT 01-562
AMOUNT \$25.00

MICROFILMED
WHITE CASHIER
Cash
Petition for Special Hearing for James T. McNeal
2536888 8 25.00

RE: PETITION FOR SPECIAL HEARING : BEFORE THE
SE/S of Pulaski Highway, 1639.95' : DEPUTY ZONING
NE of Middle River Road - 15th : COMMISSIONER
Election District : OF
James T. McNeal - P (itioner) : BALTIMORE COUNTY
NO. 75-215-SPH (Item 10. 143) :

This Petition represents a request for a Special Hearing to determine whether or not the above referenced property enjoys a nonconforming shooting range, as defined in Section 104 - NONCONFORMING USES of the Baltimore County Zoning Regulations, 1955 Edition.

Uncontested testimony and evidence submitted subsequent to the hearing, in the form of affidavits, established that the subject property has consistently been utilized as a turkey shoot (shooting range) from 1948 to the present.

Without reviewing the evidence in detail but based on all such evidence, including the affidavits designated as Petitioner's Exhibits 1 and 2, it is the opinion of the Deputy Zoning Commissioner that the subject property does enjoy a nonconforming use for turkey shoots. However, the Order granting said use shall, for reasons of safety, include restrictions.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 14th day of May, 1975, that the herein request to approve the nonconforming use of the subject property, for a shooting range (turkey shoot), should be and the same is hereby GRANTED. Said use shall be restricted to an area at the rear of the existing 82' by 45' building and to the west of the 34' by 34' building, as indicated on the Petitioner's plat and designated as Petitioner's Exhibit 3. The operation of the shooting range shall comply, in all respects, with the recommendations of Lieutenant Donald W. Schriver of the Baltimore County Police Department, said recommendations being designated as Exhibit "A".

James E. Dyer
Deputy Zoning Commissioner of
Baltimore County

MICROFILMED

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 27, 1975

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once-to-appear at one time, some weeks before the 15th day of March 1975, the first publication appearing on the 27th day of February 1975.

THE JEFFERSONIAN
L. L. Smith
Manager

Cost of Advertisement, \$

MICROFILMED

AFFIDAVIT

I the undersigned James McNeal makes oath in due form of law that I have been a resident near 9727 Pulaski Highway for many years and am aware that the premises have been used for a Turkey Shoot prior to and continuously from 1955. I have also spoken to neighbors who will also testify to the same.

James McNeal

Sworn to this 14th day of January 1975

Gerard V. Caldwell
Notary Public

MICROFILMED

Gerard V. Caldwell
ATTORNEY AT LAW
7701 BELAIR ROAD
BALTIMORE, MD. 21206

March 25, 1975



Mr. James E. Dyer
Deputy Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Dyer:

I am enclosing affidavit from Raymond Porter, the former owner of Porter's Blue Gables, and James McNeal, the present owner of Porter's Blue Gables, attesting to the fact that a Turkey Shoot has been used there continuously since at least 1948. I understand that it existed prior thereto.

At the time of the hearing on March 18th, Mr. John Hammond of the Essex Odd Fellows, also testified that his organization continued the Turkey Shoot every year for the past ten (10) years.

As previously advised, we will comply with all Police Department and Zoning Regulations.

Very truly yours,

Gerard V. Caldwell

GVC:trm
Enc.

MICROFILMED

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>[Signature]</u>			Revised Plans: Change in outline or description	Yes						
Previous case:			Map #	No						

MICROFILMED

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 7th day of Jan 1975. Item #

MICROFILMED

Petitioner McNeal Submitted by [Signature]

Petitioner's Attorney Caldwell Reviewed by [Signature]

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

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

75-215-SPH

District: 15th Date of Posting: 2-27-75
Posted for: James T. McNeal
Petitioner: James T. McNeal
Location of property: SE/Side of Pulaski Highway 1639.95' NE of Middle River Rd
Location of Signs: 1 Sign on East of Pulaski Hwy on SE/Side of Pulaski Highway
Remarks:
Posted by: Mark H. Hays Date of return: 3-6-75

MICROFILMED

Beginning for the same on the southeast side of the Pulaski Highway (formerly known as the New Philadelphia Road) at the distance of 1639.95 feet northeasterly, measured along the southeast side of said Highway, from the corner formed by the intersection of the southeast side of said Highway, 150 feet wide, with the northeast side of the Middle River Road, 30 feet wide, as shown on a plat recorded among the Plat Records of Baltimore County in Plat Book L.M.C.M. No. 11, folio 79, and running thence East 116.27 feet to the intersection of said highway with the third line of a parcel of land which by a deed dated October 17, 1935 and recorded among the Land Records of Baltimore County in Liber C.W.J.R. No. 964, folio 213, was conveyed by Mary V. Galloway to Ralph W.E. Schenkel, Jr. and wife, thence running with and binding on a part of the third and fourth lines of said parcel of land the two following courses and distances viz: North 65 degrees 45 minutes East 73.01 feet to the corner of said third line and South 39 degrees 35 minutes East 166.34 feet, thence leaving said outlines and running for lines of division the two following courses and distances, viz: South 45 degrees West, running parallel with the Pulaski Highway, 181.20 feet and North 41 degrees West 217.50 feet to the place of beginning. Containing 0.91 of an Acre of land more or less.

Subject however, to and together with the right and use in common with others entitled thereto of a 15 foot right-of-way, laid out adjacent to and southerly and southwesterly from the second and third lines respectively of the above herein described parcel of land from the second and third lines respectively of the above herein described parcel of land.

MICROFILMED

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts.....

the above Special Hearing for.....
by reason of.....

-----should be granted.
IT IS ORDERED by the Zoning Commissioner of Baltimore County this
-----day of -----, 196--, that the herein Petition for
Special Hearing should be and the same is granted, from and after the
date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of.....
the above Special Hearing should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this
-----day of -----, 196--, that the above Special Hearing be
and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: March 14, 1975
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition #75-215-SPH... Southeast side of Pulaski Highway 1639.85 feet
Northeast of Middle River Road.
Petitioner for a Non Conforming Shooting Range.
Petitioner - James T. McNeal

15th District

HEARING: Tuesday, March 18, 1975 at 11:00 A.M.

There are no Master Plan factors concerning this petition which requires Office of Planning and Zoning staff comment.

William D. Fromm, Director
Office of Planning and Zoning

WDF:NEGnb

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Franklin T. Hoggan, Chairman
TO: Zoning Plans Advisory Committee Date: February 19, 1975
FROM: Police Department
SUBJECT: Special Exceptions for Turkey Shoots

In compliance with your request for this Office to review and make comments on the enclosed Special Exception Applications, the following suggestions are submitted for your information.

Approved applicants should provide for two range officers, approved by the Baltimore County Police Department. These range officers are to be stationed beside the shooter, one to the left and the other to the right. Ammunition should not be issued until the shooter reaches the firing point. Ammunition used should not be larger than three drams powder, 1 1/8 ounce shot, size of shot 7 1/2 (low brass shells only).

Safety would require a distance of 600 feet (200 yards) from firing point to affected area. This would mean a distance of 175 yards beyond target would be affected by shot. If the target area is banked or has a back board constructed to prevent shot from traveling, these distances would not be required.

If a range is near a public highway, it is suggested that booths be constructed so as to deflect shot down range in case of any accidental firing.

It is also recommended that no alcoholic beverages be allowed on or near the shooting range. It is strongly recommended that no person having indulged in any alcoholic beverage be allowed on or near the shooting range.

The possibility of noise complaints must be taken into consideration. Also, the event should be planned to occur within reasonable hours.

Donald W. Schriver
Lieutenant
Adjutant

DWS:lw

MICROFILMED

BALTIMORE COUNTY, MARYLAND

JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR

WM. T. MELZER
DEPUTY TRAFFIC ENGINEER

February 26, 1975

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

Re: Item 143 - ZAC - January 14, 1975
Property Owner: James T. McNeal
Location: SE/S of Pulaski Hwy. (New Phila. Rd.) 1639.85' E of Middle River Road.
Existing Zoning: ML-CS-1
Proposed Zoning: SPECIAL HEARING to approve Sec. 104-a non-conforming shooting range.
No. of Acres: 0.91
District: 15th

Dear Mr. DiNenna:

The submitted plan does not have enough information to comment on.

Very truly yours,

Michael S. Flanigan
Traffic Engineering Assoc.

MSF/bza

AFFIDAVIT

I, the undersigned, James McNeal, do make oath in due form of law that I have been a resident of the Pulaski Highway Middle River area in Baltimore County my entire life. I am aware that there has been a Turkey Shoot at Porter's Blue Gables on Pulaski Highway every year on Saturday and Sunday since 1948.

James McNeal

SWORN to on this 26th day of March 1975 before me, the undersigned, Notary Public of the State of Maryland in and for Baltimore County.

Gerard V. Caldwell
Notary Public

GERARD V. CALDWELL
ATTORNEY-AT-LAW
NO. 8-7742

MICROFILMED

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: January 21, 1975

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

Z.A.C. Meeting of: January 14, 1975

Re: Item 143

Property Owner: James T. McNeal

Location: SE/S of Pulaski Hwy. (New Phila. Rd.) 1639.85' E of Middle River Road

Present Zoning: ML-CS-1

Proposed Zoning: Special Hearing to approve Sec. 104-a nonconforming shooting range.

District: 15th

No. Acres: 0.91

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

W. Nick Petrovich
Field Representative.

MICROFILMED

MSF/ml

M. EMILIE PARKS, President
EUGENE C. HESS, Vice President
WRS. ROBERT L. BERNET

MARCOUS W. BOTSARIS
JOSEPH N. MCGARRAN
ALVIN LORICK
JOSHUA K. WHEELER, Chairman

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACER, V.M.D.
WRS. RICHARD K. WILKES

May 14, 1975

Gerard V. Caldwell, Esquire
7701 Belair Road
Baltimore, Maryland 21236

RE: Petition for Special Hearing
SE/S of Pulaski Highway, 1639.95'
NE of Middle River Road - 15th
Election District
James T. McNeal - Petitioner
NO. 75-215-SPH (Item No. 143)

Dear Mr. Caldwell:

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/me

Attachments

MICROFILMED

*Gerard V. Caldwell*ATTORNEY AT LAW
7701 BELAIR ROAD
BALTIMORE, MD 21204

March 25, 1975



Mr. James E. Dyer
Deputy Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Dyer:

I am enclosing affidavit from Raymond Porter, the former owner of Porter's Blue Gables, and James McNeal, the present owner of Porter's Blue Gables, attesting to the fact that a Turkey Shoot has been used there continuously since at least 1948. I understand that it existed prior to 1948.

At the time of the hearing on March 18th, Mr. John Hammond of the Essex Odd Fellows, also testified that his organization continued the Turkey Shoot every year for the past ten (10) years.

As previously advised, we will comply with all Police Department and Zoning regulations.

Very truly yours,

*Gerard V. Caldwell*GVC:trm
Enc.BALTIMORE COUNTY
ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Item 143
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
Gerard V. Caldwell, Esq.
7701 Belair Road
Baltimore, Md. 21204
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for
filing this 14th day of February 1975

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner: James T. McNeal

Petitioner's Attorney: Gerard V. Caldwell
Reviewed by: *Franklin T. Hogans, Jr.*
Chairman,
Zoning Plans
Advisory Committee

State Highway Administration

January 31, 1975

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

Attn: F. Hogans

Re: Public Meeting, Jan. 14/75
Property owner: J.T. McNeal
Location: SE/S of Pulaski
Hwy (New Phila. Rd.)
1639.85' E of
Middle River Rd. Existing
Zoning: ML-CS-1
Proposed Zoning: Special
Hearing to approve Sec.
104-a non-conforming
shooting range No. of
acres: 0.91
Dist. 15th

Dear Mr. DiNenna,

The existing entrances into the subject site are acceptable, however the plan should be revised to indicate the entrances and the curbing.

The shooting range should have no adverse effects to the highway, providing the direction of fire is away from the highway. The plan should indicate the firing line, the target line and the back stop.

The 1972 average daily traffic count for this section of Pulaski Highway is 21,360 vehicles.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering Access Permits

CL-JER-65

By: John E. Moyers

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21205

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 14, 1975

Gerard V. Caldwell, Esq.
7701 Belair Road
Baltimore, Maryland 21204

RE: Special Hearing Petition
Item 143
James T. McNeal - Petitioner

Dear Mr. Caldwell:

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 hearing 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 petitioner is requesting a Special Hearing to determine if a legal non-conforming use exists for a turkey shoot operation at the Porter's Blue Gables Restaurant, located on the southeast side of Pulaski Highway, 1639.85 feet east of Middle River Road.

Due to the nature of this request, and the debatable necessity for a comprehensive site plan, this Committee has little basis for comment. Although no site plan recommendations may be made in this case, this Committee feels that its findings, as a result of field inspection, should be noted for record.

The apparent location of the shooting range is the southeastermost area along the perimeter of a paved parking area.

Gerard V. Caldwell, Esq.
Re: Item 143
February 14, 1975

Page 2

The line of fire appears to be in a southeasterly direction from the southernmost corner of the restaurant building across the paved area to the aforementioned target line.

In light of the fact that this target line is in close proximity to the property lines, this Committee feels that a potentially unsafe situation exists that may affect adjacent properties. Information should therefore be submitted indicating adjacent ownership.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Franklin T. Hogans, Jr.
FRANKLIN T. HOGANS, JR.
Chairman,
Zoning Plans Advisory Committee

PTH:JD

Enclosure

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTHJEFFERSON BUILDING
TOWSON, MARYLAND 21204DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

January 30, 1975

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

Dear Mr. DiNenna:

Comments on Item 143, Zoning Advisory Committee Meeting, January 14, 1975, are as follows:

Property Owner: James T. McNeal
Location: SE/S of Pulaski Hwy. (New Phila. Rd.)
1639.85' E of Middle River Rd.

Existing Zoning: ML-CS-1
Proposed Zoning: SPECIAL HEARING to approve Sec. 104 - a non-conforming shooting range.

No. of Acres: 0.91
District: 15th

Metropolitan water and sewer are available.

Very truly yours,

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

PTH/vnc

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: January 21, 1975

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

Z.A.C. Meeting of: January 14, 1975

Re: Item 143

Property Owner: James T. McNeal

Location: SE/S of Pulaski Hwy. (New Phila. Rd.) 1639.85' E of
Middle River Road

Present Zoning: ML-CS-1

Proposed Zoning: Special Hearing to approve Sec. 104-a nonconforming
shooting range.

District: 15th

No. Acres: 0.91

Dear Mr. DiNenna:

No hearing on student population

WPH:ml

W. Nick Petrovich
W. Nick Petrovich,
Field Representative.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: March 14, 1975

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition 75-215-SPH, Southeast side of Pulaski Highway 1639.85 feet
Northwest of Middle River Road.
Petition for a Non-Conforming Shooting Range.
Petitioner - James T. McNeal

15th District

HEARING: Tuesday, March 18, 1975 at 11:00 A.M.

There are no Master Plan factors concerning this petition which requires Office of Planning and Zoning staff comment.

William D. Fromm
William D. Fromm, Director
Office of Planning and Zoning

WDF:NEG:ub

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

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

February 19, 1975

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

Re: Item #143 (1974-1975)
Property Owner: James T. McNeal
5/25 of Pulaski Hwy. (New Phila. Rd.), 1639.85' E.
of Middle River Rd.
Existing Zoning: ML-CS-1
Proposed Zoning: Special Hearing to approve Sec. 104-a
non-conforming shooting range.
No. of Acres: 0.91 District: 15th

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:

Baltimore County utilities and highway improvements are not involved. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #143 (1974-1975).

Very truly yours,

Ellenworth N. Diver
ELLENWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:RAM:PM:ms

M-S Key Sheet
22 NW 32 Pos. Sheet
NE 6 H Topo
82 Tax Map

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 20, 1975

Gerard V. Caldwell, Esq.
7701 Belair Road
Baltimore, Maryland 21236

RE: Special Hearing Petition
Item 143
James T. McNeal - Petitioner

Dear Mr. Caldwell:

The enclosed comments are to be included with the Zoning Plans Advisory Committee comments sent you February 14, 1975 under the above referenced subject.

Very truly yours,

Franklin T. Hogans, Jr.
FRANKLIN T. HOGANS, JR.
Chairman,
Zoning Plans Advisory Committee

FTH:JD

Enclosure

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Franklin T. Hogans, Chairman
Zoning Plans Advisory Committee Date: February 19, 1975

TO: Police Department

FROM: Police Department

SUBJECT: Special Exceptions for Turkey Shoots

In compliance with your request for this Office to review and make comments on the enclosed Special Exception Applications, the following suggestions are submitted for your information.

Approved applicants should provide for two range officers, approved by the Baltimore County Police Department. These range officers are to be stationed beside the shooter, one to the left and the other to the right. Ammunition should not be issued until the shooter reaches the firing point. Ammunition used should not be larger than three drams powder, 1 1/8 ounce shot, size of shot 7 1/2 (low brass shells only).

Safety would require a distance of 600 feet (200 yards) from firing point to affected area. This would mean a distance of 175 yards beyond target would be affected by shot. If the target area is banked or has a back board constructed to prevent shot from traveling, these distances would not be required.

If a range is near a public highway, it is suggested that booths be constructed so as to deflect shot down range in case of any accidental firing.

It is also recommended that no alcoholic beverages be allowed on or near the shooting range. It is strongly recommended that no person having indulged in any alcoholic beverage be allowed on or near the shooting range.

The possibility of noise complaints must be taken into consideration. Also, the event should be planned to occur within reasonable hours.

Donald W. Schriver
Donald W. Schriver
Lieutenant
Adjutant

DWS:lw

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. CHIEF
VIN. T. MELLER DEPUTY TRAFFIC ENGINEER

February 26, 1975

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

Re: Item 143 - ZAC - January 14, 1975
Property Owner: James T. McNeal
Location: SE/S of Pulaski Hwy. (New Phila. Rd.) 1639.85' E of Middle River Road.
Existing Zoning: ML-CS-1
Proposed Zoning: SPECIAL HEARING to approve Sec. 104-a non-conforming shooting range.
No. of Acres: 0.91
District: 15th

Dear Mr. DiNenna:

The submitted plan does not have enough information to comment on.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc.

MEF/bza

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 20, 1975

Gerard V. Caldwell, Esq.
7701 Belair Road
Baltimore, Maryland 21236

RE: Special Hearing Petition
Item 143
James T. McNeal - Petitioner

Dear Mr. Caldwell:

The enclosed comments are to be included with the Zoning Plans Advisory Committee comments sent you February 14, 1975 under the above referenced subject.

Very truly yours,

Franklin T. Hogans, Jr.
FRANKLIN T. HOGANS, JR.
Chairman,
Zoning Plans Advisory Committee

FTH:JD

Enclosure

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Franklin T. Hogans, Chairman
Zoning Plans Advisory Committee Date: February 19, 1975

TO: Police Department

FROM: Police Department

SUBJECT: Special Exceptions for Turkey Shoots

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Donald W. Schriver
Donald W. Schriver
Lieutenant
Adjutant

DWS:lw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: March 14, 1975

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition 75-215-SPH, Southeast side of Pulaski Highway 1639.85 feet
Northwest of Middle River Road.
Petition for a Non-Conforming Shooting Range.
Petitioner - James T. McNeal

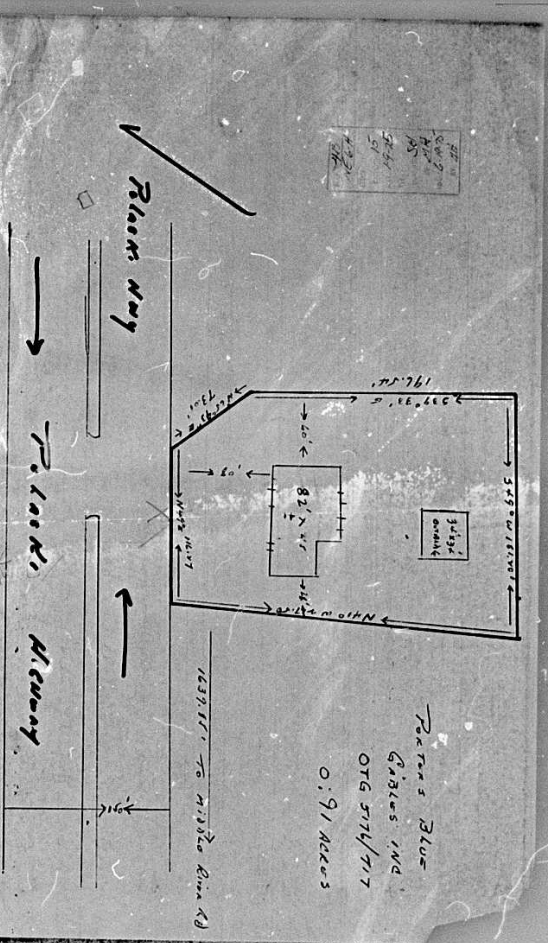
15th District

HEARING: Tuesday, March 18, 1975 at 11:00 A.M.

There are no Master Plan factors concerning this petition which requires Office of Planning and Zoning staff comment.

William D. Fromm
William D. Fromm, Director
Office of Planning and Zoning

WDF:NEG:ub

[illegible]

CERTIFICATE OF PUBLICATION

ROSEDALE, MD., February 27, 1975

THIS IS TO CERTIFY, that the annexed advertisement was published in THE OBSERVER, a weekly newspaper published in Rosedale, Baltimore County, Md., one time before the 18th day of March, 1975, the publication appearing on the 27th day of February, 1975.

THE OBSERVER,
Richard L. Smith
Advertising Mgr.

Cost of Advertisement \$29.60

[illegible]

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 27, 1915

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one time, successive weeks before the 15th day of March, 1915, the last publication appearing on the 27th day of February.

10-75

THE JEFFERSONIAN,
L. L. ...
Manager.

Cost of Advertisement, \$.....

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

No. 17426

DATE JAN. 7, 1975 ACCOUNT 01-662

AMOUNT \$25.00

WHITE - CASHIER
 Cash
 DISTRIBUTION
 PER - AGENCY
 YELLOW - CUSTOMER

Petition for Special Hearing for James W. McNeal

100-36424-8 2500

Beginning for the same on the southeast side of the Patuxent Highway (formerly known as the New Philadelphia Road) at its intersection of 1639/85 feet easterly, measured along the southeast side of said highway from the corner marker located at the intersection of the southeast side of said highway, 150 foot wide, with the north-south line of the Middle River Road, Baltimore County, Book L-McM.N. No. 11, folio 79; and running thence East 116° 27' to the intersection of said Highway North 45 degrees West of land which by a deed dated October 17, 1935 and recorded folio 213, was conveyed by Mary V. Gaility in Liber C.W.S.R.J. No. 964, and thence running south and binding on a part of the third line of said fourth line of land which by a deed dated June 1st, 1914, S.F., viz: North 65 degrees 45 minutes East the following courses and distances:
viz: South 39 degrees 35 minutes East 196.54 feet, thence said third
said outline and running along the line of division the two following courses and distances, viz: South 49 degrees West 179.25 feet, ending at the Pulaski Highway, 181.20 feet and North 41 degrees West 217.50 feet, so to the place of beginning.

Containing 0.91 of an Acre of land more or less.
Subject however, to, and together with the right and use in common with others entitled thereto of a 15 foot right-of-way, laid out adjacent to and southerly and westerly between the second and third lines respectively of the above herein described parcels and parcel of land,
third lines respectively of the above herein described parcel of land,

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: 					Revised Plans: Change in outline or description ____ Yes ____ No					
Previous case: _____					Map # _____					

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#75-215-38H.

Date of Posting: 2-22-75

Area: Parcel 18 of 1888 S. 11 on R.O.V.

To: Mr. Neel

From: J. of Columbia Highway 4439 S.W. of

of Highway

Legal: Parcel 18 of 1888 S. 11 on R.O.V.

of Highway

Signature: H. Neel

Date of return: 3-6-75

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 16th day of June, 1975. Item # _____.

[Signature]
S. Eric DiNenna, C
Zoning Commissioner

Petitioner McNEEL Submitted by _____

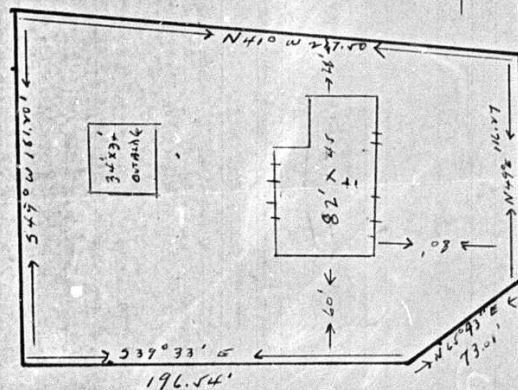
Petitioner's Attorney [Signature] Reviewed by [Signature]

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

PETERS BLUE
 GABLES INC
 OTG 5176/717
 0.91 ACRES

1639.5' TO MIDDLE RIVER RD

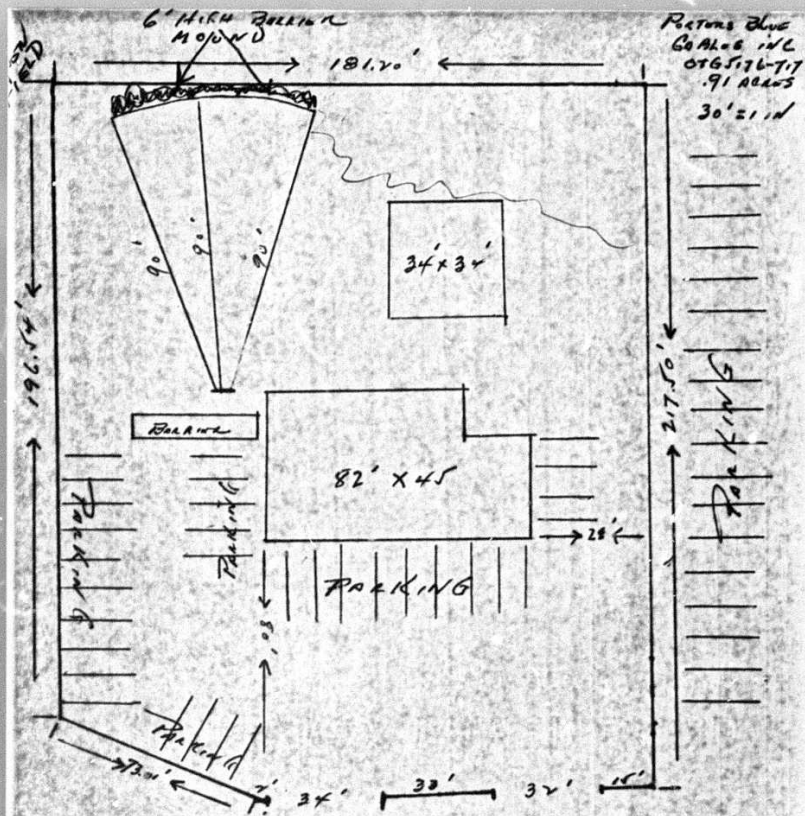
MICROFILMED



Polaski Hwy

Polaski Highway

H-11
 100' x 100'
 100' x 100'
 100' x 100'
 100' x 100'
 100' x 100'
 100' x 100'



Polaski Hwy

→ 1639.5'
 To Middle
 River Rd

PET. EXHIBIT #3

Polaski Hwy

MICROFILMED