

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, JIMMIE M. BINKERT, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an B.L. 16 zone to an B.L. 16 zone, for the following reasons:

See attached brief

See attached description

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

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.

Egon Binkert
Contract purchaser
Jimmie M. Binkert
Jimmie M. Binkert, Legal Owner
Address 1400 S. DUNDAS ST. BALTIMORE, MD. 21204
Petitioner's Attorney
Address 200 E. LAND AVENUE BALTIMORE, MD. 21201
Protestant's Attorney
Address 100 E. LAND AVENUE BALTIMORE, MD. 21201

ORDERED BY The Zoning Commissioner of Baltimore County, this 25th day of October, 1976, 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 19th day of March, 1976 at 10:00 o'clock A.M.

John A. Miller
Zoning Commissioner of Baltimore County

(over)

Egon Binkert - #75-216-R

4.

petition as to this five (5) foot strip shall be DENIED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman

Robt L. Gilland

John A. Miller

RE: PETITION FOR RECLASSIFICATION : BEFORE
from D.R. 16 to B.L.
SE/S of Philadelphia Road, 200' : COUNTY BOARD OF APPEALS
NE of Ridge Road : OF
15th District :
Egon Binkert, et ux : BALTIMORE COUNTY
Petitioners : No. 75-216-R

OPINION

This matter comes before the County Board of Appeals as a result of an appeal by the People's Counsel from the Zoning Commissioner's Order, dated April 28, 1975, granting a petition for reclassification. It was noted that no one appeared in protest to this petition at the hearing before the Zoning Commissioner.

The petition in question is for a reclassification from D.R. 16 to a B.L. zone, and is a parcel containing approximately one half acre of land, located on the southeast side of Philadelphia Road, 200 feet northeast of Ridge Road in the Fifteenth Election District of Baltimore County. The proposed use of the subject property is to be only for the Petitioner's business which consists of the making and selling of sausage and lunch meats, this being the occupation in which the Petitioner has been engaged for some thirty years.

Mr. Binkert, the Petitioner herein, is presently operating his business in a different location in Baltimore County in a building which is of considerable age and requires constant maintenance and improvements, etc. He indicated that he is subjected to continual rigid inspections because of the nature of his business; these inspections being on a daily basis by the U.S. Health inspectors, as well as inspections from time to time by the State of Maryland and Baltimore County agencies.

Additionally, Mr. Binkert testified that he had previously owned a parcel of property, approximately one acre in size, on the northwest corner of Maryland Route 7 and what is now Rossville Boulevard which enjoyed the appropriate zoning for his business purposes. This parcel is within the perimeter of U.S. Route 40, Rossville Boulevard, Maryland Route 7 (Philadelphia Road) and the Baltimore County Beltway, being the area presently containing the Golden Ring Mall Shopping Center. Mr. Binkert testified that

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
SE/S of Philadelphia Road, 200' : ZONING COMMISSIONER
NE of Ridge Road - 15th Election : OF
District :
Egon Binkert, et ux - Petitioners : BALTIMORE COUNTY
NO. 75-216-R (Item No. 27) :
::: :::

This matter comes before the Zoning Commissioner as a result of a Petition filed by Egon and Jimmie M. Binkert, for a Reclassification from a D.R. 16 Zone to a B.L. Zone, for a parcel of property containing 0.5 of an acre of land, more or less, located on the southeast side of Philadelphia Road, 200 feet northeast of Ridge Road, in the Fifteenth Election District of Baltimore County.

Testimony on behalf of the Petitioners indicated that the proposed use of the subject property is for a meat market, specializing in the sale of sausage. The Petitioner has been engaged in such a business for at least 30 years.

Mr. Binkert is presently leasing property, at a different location, in which he operates his business. It is inspected daily by the United States Meat Inspection Division of the Department of Agriculture, and there are continuous County and State inspections of this facility. He feels that the present location of his business is not suitable for this type of operation and that the building is in need of continuous repair, etc.

He further testified that he had previously purchased property at the intersection of Route 7 (Philadelphia Road) and the proposed Rossville Boulevard. Prior to April 1, 1971, this property was classified M.L., and the proposed use was permitted, but, at the time of said purchase, he was unaware of the proposed extension and widening of Rossville Boulevard. Said widening necessitated the taking of a portion of this property by Baltimore County, therefore, negating any possibility of construction of a meat market.

Egon Binkert - #75-216-R

2.

he lost half of his property as a result of a condemnation for the use in the widening and construction of Rossville Boulevard. Furthermore, he indicated that the remaining portion is still of sufficient size for his purposes. However, Baltimore County in a second "taking" condemned the balance of his property, compelling him to pursue his plan at some other location which in the instant case is some several hundred feet to the northeast on Philadelphia Road (Maryland Route 7). It is curious that, subsequent to these "takings," Baltimore County sold to another party as "surplus land" approximately .8 acre of Mr. Binkert's condemned land. This same lot is a portion of the land described in a petition for reclassification in another case presently before this Board.

Experts testified on behalf of the Petitioner and indicated that all utilities are available to the site and further as to the propriety of the D.R. 16 zoning on the subject property, which seems to constitute an island on the southeast side of Philadelphia Road. The frontage along Philadelphia Road in the immediate proximity of the subject property consists of a mixture of zoning classifications, quite a few of which are commercial and, as previously implied, a short distance to the south is the Golden Ring Mall, which is perhaps one of the largest shopping complexes in the County. Furthermore, a short distance to the north is the proposed location of Nottingham Village, here again a tremendous undertaking which will amount to the creation of a new town similar in concept to that of Columbia, Maryland. Additionally, the rear of the subject property is bounded by a manufacturing zoning classification and contains an extremely large industrial park.

The County's position was that the present zoning is appropriate and that the classification of D.R. 16 was to accommodate anticipated demand for office uses subject, of course, to the required special exception being obtained. We, however, do not feel that this is a valid contention in view of the fact of the present existence of Golden Ring Mall, as aforesaid, as well as the tremendous amount of office space that will be available at Nottingham Village when it is constructed.

It is, therefore, the opinion of the Board that the present zoning was placed on the subject in error, and further, the Board finds that there has been substantial change in the character of the neighborhood since the adoption of the 1971 zoning maps consisting of the actual construction of Golden Ring Mall, which at the present time is a nonconforming

Mr. Eugene Raphael, a qualified surveyor and engineer, indicated that public water and sewer are available and sufficient to the subject property and that there are no drainage problems thereon.

Mr. Hugh Gelaton, a qualified expert in the field of zoning, land use, and real estate, indicated that the present classification of the subject property is in error. He testified that the size of the property, 100 feet wide by 225 feet deep, prohibited reasonable use of the property in its present D.R. 16 classification. He described the surrounding area indicating that the property immediately to the southeast, having a common boundary with the subject property, is zoned B.R., with a C.N.S. District; the property immediately to the northeast is zoned D.R. 16; the large tract of land immediately to the rear of the subject property is zoned M.L., with an I.M. District; and the property situated across Route 7, from the subject property, is zoned B.R. In essence, Mr. Gelaton indicated that the subject property is surrounded by commercial or industrial uses.

He further indicated that there have been substantial changes in the character of the neighborhood since March 24, 1971, namely, the construction of Rossville Boulevard; the continuous expansion of the Essex Community College and the Franklin Square Hospital to the west; the construction of the Golden Ring Mall at the intersection of Philadelphia Road (Route 7) and the Baltimore Beltway to the southwest; the widening of Route 7 in this general area; and the intense residential development to the northwest.

Also submitted herewith was a letter from the Veterans of Foreign Wars, located immediately to the southeast, indicating that they were not opposed to the Reclassification and that the request "shall be in conformity with the business establishments that now exist in Rossville, Maryland."

Egon Binkert - #75-216-R

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use, being constructed under "grandfathering" provided for in the adoption of the 1971 zoning maps and the accompanying Bill #100, as well as the granting of the zoning for Nottingham Village. Both of these items will have a profound effect upon the character of this area of Philadelphia Road (Maryland Route 7), and the requested petition for reclassification will, therefore, be granted.

In reviewing the testimony and evidence offered in this case and its application to the subject area, the Board would note that it seems proper to limit the extension of the B.L. zoning along Maryland Route 7 (Philadelphia Road) in this location at the subject property. The Board finds that while the testimony and evidence presented satisfy the Petitioner's burden of evidencing error and substantial change in the character of the neighborhood, the Board sees distinguishing elements as these arguments might subsequently be applied to the area northeast of the subject lot along the Maryland Route 7 and across the street from the subject lot. As these properties are not before us, the Board feels it is unnecessary to detail these distinctions. However, to emphasize the Board's finding that the extension of the B.L. zoning should be limited to the subject lot, the Board will grant B.L. zoning for the subject property with the exception of a five (5) foot strip, which will remain D.R. 16, along the northeast boundary of the subject property running perpendicular to Maryland Route 7 (Philadelphia Road). It is the intention of the Board that this strip will act as a buffer between the B.L. zoning granted herein and the existing residential zoning to the northeast.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 11th day of February, 1976, by the County Board of Appeals, ORDERED that the reclassification to B.L. zoning petitioned for, be and the same is hereby GRANTED with the exception of the five (5) foot strip described in the above Opinion; and it is

FURTHER ORDERED that the five (5) foot strip described in the above Opinion shall be retained in the existing D.R. 16 classification, and that the subject

Without reviewing the evidence further in detail but based on all the evidence presented at the hearing, in the judgment of the Zoning Commissioner, the requested Reclassification should be granted. No one appeared in protest to the subject Petition; but, in any event, the burden of proof is still borne by the Petitioner to show that there has either been a substantial change in the character of the neighborhood and/or that the subject property was classified in error. In the instant case, this burden has been met.

The many changes that have occurred in this general vicinity, the adjacent B.R. and M.L. uses, and the size of the property, which prohibits reasonable use thereof, all indicate that the subject property should be reclassified to a B.L. Zone and, more specifically, for the proposed use as a specialized meat market.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 25th day of April, 1976, that the herein described property or area should be and the same is hereby reclassified from a D.R. 16 Zone to a B.L. Zone from and after the date of this Order, subject to the approval of a site plan by the State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning.

John A. Miller
Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE

BY

ORDER RECEIVED FOR FILING

DATE

BY

ORDER RECEIVED FOR FILING

DATE

BY

MEMORANDUM

The Petitioners' property comprises approximately .5 of an acre of land, more or less, located on the south side of Philadelphia Road, approximately 200 ft. northeast from the intersection formed by the center line of Philadelphia Road (Route 7) and the center line of Ridge Road. Located in the 15th Election District of Baltimore County, Maryland. The property is presently zoned DR 16.

Your Petitioners submit that the existing zoning classification is in error and that use of the subject parcel under the uses permitted by the present zoning is impossible and not economically feasible for the following reasons:

- That the property is too small for economic development under the present zoning classification of DR 16.
- That the property contiguous to the Petitioners' property is zoned BR and properties on the north side of Philadelphia Road is zoned BL and that the property to the rear of the Petitioners' property is zoned ML-IM.
- That by reason of the foregoing and other reasons to be stated at the hearing hereon, the DR 16 zoning was confiscatory and clearly erroneous.

Lloyd J. Hammond
Lloyd J. Hammond
204 Courtland Avenue
Towson, Maryland 21204
828-5004
Attorney for Petitioners

RE: PETITION FOR RECLASSIFICATION * BEFORE THE
FROM D.R. 16 ZONE TO A B.L.
ZONE.
SE/S of Philadelphia Road, 2000' NE
of Ridge Road. 15th District.
* ZONING COMMISSIONER
* OF
* BALTIMORE COUNTY
* Case No. 75-216-R
Item No. 27

ORDER TO ENTER AN APPEAL

Mr. Commissioner:

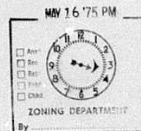
Please note an Appeal from your decision in the case of

Egon Binkert, et ux, to the County Board of Appeals and forward all papers in connection therewith to said Board for hearing.

John W. Hessian, III
John W. Hessian, III
People's Counsel

Charles E. Kountz, Jr.
Charles E. Kountz, Jr.
Deputy People's Counsel
County Office Building
Towson, Maryland 21204
494-3212

I HEREBY CERTIFY That a copy of the foregoing Order for Appeal was mailed this 16th day of May, 1975 to Lloyd J. Hammond, Esquire, 204 Courtland Avenue, Towson, Maryland 21204, Attorney for Petitioner.



John W. Hessian, III
John W. Hessian, III

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
FROM D.R. 16 to B.L.
Southeast side of Philadelphia : ZONING COMMISSIONER OF
Road 200 feet Northeast of : BALTIMORE COUNTY
Ridge Road, 15th District.
EGOR AND JRMARD BINKERT : Case No. 75-216-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.

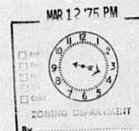
Charles E. Kountz, Jr.
Charles E. Kountz, Jr.
Deputy People's Counsel

John W. Hessian, 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 12th day of March, 1975 to Lloyd J. Hammond, Esquire, 204 Courtland Avenue, Towson, Maryland 21204, Attorney for Petitioner.

John W. Hessian, III
JOHN W. HESSIAN, III

I WILL NOT ATTEND.



E. F. RAPHEL & ASSOCIATES
Regional Professional Land Surveyors
201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

OFFICE: 825-3904

September 26, 1974

RESIDENCE: 771-4392

DESCRIPTION TO ACCOMPANY PETITION FOR RECLASSIFICATION PROPERTY OF EGON BINKERT AND WIFE

Beginning for the same at a point in the center of Philadelphia Road (Route 7) at a distance of 200'± northeast from the intersection formed by the center line of Philadelphia Road (Route 7) and the center line of Ridge Road said point being at the end of the first line of the land which by deed dated December 3, 1971 and recorded among the Land Records of Baltimore County in Liber CTG 5235, folio 839 was conveyed by Elizabeth K. Walbeck and husband to Egon Binkert and wife running thence on the center of Philadelphia Road and binding reversely on the first line in aforesaid deed N58°22'E 100'± thence leaving the center of Philadelphia Road and binding reversely on the fourth, third and second lines in aforesaid deed the three following courses and distances: (1) S32°29'E 220'; (2) S58°22'W 100'; (3) N32°29'W 220' to the place of beginning.

Containing 0.50 Acres of land more or less.

Being all of the land which by deed dated December 3, 1971 and recorded among the Land Records of Baltimore County in Liber CTG 5235, folio 835 by Elizabeth K. Walbeck and husband to Egon Binkert and wife.



E. F. Raphael
E. F. RAPHEL
Reg. Prof. Land Surveyor
No. 2246

April 28, 1975

Lloyd J. Hammond, Esquire
204 Courtland Avenue
Towson, Maryland 21204

RE: Petition for Reclassification
SE/S of Philadelphia Road, 2000'
NE of Ridge Road - 15th Election
District
Egon Binkert, et ux - Petitioners
NO. 75-216-R (Item No. 27)

Dear Mr. Hammond:

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

Very truly yours,

S. Eric Di Nenna
S. ERIC DI NENNA
Zoning Commissioner

SED/scw

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

Mr. Clyde L. Lew
Field Engineer
C & P Telephone Company
305 West Chesapeake Avenue
Towson, Maryland 21204

C&P Telephone

February 21, 1975

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

Re: Item 27-75-216-R

In order to anticipate future changes in service requirements, I would appreciate the result of the scheduled zoning Reclassification Hearing for the October, 1974 - April, 1975 zoning Reclassification Cycle. Please forward the decision when it becomes available to Mr. Clyde L. Lew, Field Engineer, 305 W. Chesapeake Avenue, Towson, Maryland, 21204.

Very truly yours,
Clyde L. Lew
Clyde L. Lew
Field Engineer

CLL/hk

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

October 25, 1974

Lloyd J. Hammond, Esq.
204 Courtland Avenue
Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petitor has been received and accepted for filing this 25th day of October 1974.

S. Eric Di Nenna
S. ERIC DI NENNA
Zoning Commissioner

Petitioner Egon Binkert and Jrmgard M. Binkert

Petitioner's Attorney Lloyd J. Hammond
201 Courtland Avenue
Towson, Md. 21204

Reviewed by James B. Zingales
Zoning Advisory
Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 14, 1974

COUNTY OFFICE BUILDING
111 M. Chesapeake Avenue
Towson, Maryland 21204James B. Byrnes, III
ChairmanLloyd J. Hammond, Esq.
204 Courtland Avenue
Towson, Maryland 21204RE: Zoning Plans Advisory
Committee Comments
Item 27 - 8th Zoning Cycle

Dear Mr. Hammonds:

The recent comments sent to you by this Committee incorrectly stated the date for revised plans to be submitted to this office as being December 1, 1975.

Please be advised that the correct date should be December 1, 1974. If revised plans have been requested by any of the participating agencies, they must be submitted no later than this date.

Very truly yours,

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

JBB:JD

cc: S. Eric DiNenna, Zoning Commissioner
James E. Dyer, Deputy Zoning Commissioner
E. F. Raphael & Associates

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 25, 1974

COUNTY OFFICE BUILDING
111 M. Chesapeake Avenue
Towson, Maryland 21204James B. Byrnes, III
ChairmanLloyd J. Hammond, Esq.
204 Courtland Avenue
Towson, Maryland 21204RE: Reclassification and Special
Exception Petition
Item 27 - 8th Zoning Cycle
Egon Binkert and Jmgard M.
Binkert - Petitioners

Dear Mr. Hammond:

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 southeast side of Philadelphia Road, approximately 200 feet northeast of Ridge Road, in the 15th Election District of Baltimore County, and is presently unimproved. Various residential uses exist both to the northeast and northwest across Philadelphia Road. An existing retail building presently used for upholstery purposes exists to the southwest.

The petitioner is requesting a Reclassification from the existing DR 16 zone to a Business Local zone, and proposes to erect an 1800 square foot building for retail purposes. Off street parking is indicated for 15 vehicles.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections

Lloyd J. Hammond, Esq.
Re: Item 27 - 8th Zoning Cycle
October 25, 1974

Page 2

to petitions, descriptions, or plat, as may have been requested by this Committee, shall be submitted to this office prior to December 1, 1974, 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: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Maryland 21204

Baltimore County Fire Department

J. Austin Deitz
Chief

Towson, Maryland 21204

877-7310

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Egon & Jmgard M. Binkert

Location: S/S of Philadelphia Rd. 200 ft. NE of Ridge Rd.

Item No. 27 Zoning Agenda Cycle #8 - October 1, 1974

Gentlemen:

Pursuant to your request, the referenced property was 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) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.
() 3. The vehicle dead-end condition shown at

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

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

Maryland Department of Transportation

State Highway Administration

Harry R. Hughes
Deputy
Bernard M. Evans
Administrator

October 4, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204Re: 8th Zoning Cycle
October, 1974
Property Owner: Egon & Jmgard M. Binkert
Location: S/S of Philadelphia
Road (Route 7) 200 ft. NE of
Ridge Road. Existing Zoning: DR 16
Proposed Zoning: B.L.
No. of Acres: 0.50
District: 15th

Dear Sirs:

There is a 70' right of way (35' from center) proposed for this section of Philadelphia Road. The plan must indicate said Right of Way.

The proposed roadside curb is to be 24' from the centerline of highway and not 20' as indicated on the plan.

There must be a minimum of 5' tangent from the property line to the radius into the entrance. The plan must be revised accordingly.

The 1974 average daily traffic count on this section of Philadelphia Road is ... 9,000 vehicles.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

John E. Meyers
By: John E. Meyers

CL:JEM:sk

Baltimore County, Maryland
Department Of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204Bureau of Engineering
ELLSWORTH H. DYER, P. E. CHIEF

October 23, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204Re: Item #27 (Cycle VIII - October 1974 - April 1975)
Property Owner: Egon & Jmgard M. Binkert
S/S of Philadelphia Rd., 200' N/E of Ridge Rd.
Existing Zoning: D.R. 16
Proposed Zoning: B.L.
No. of Acres: 0.505 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.

Highways

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

As no County roads are involved, this office has no comments.

Storm Drains

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any ...ances or damages to adjacent properties, especially by the concentrating of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Sediment Control

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Item #27 (Cycle VIII - October 1974 - April 1975)
Property Owner: Egon & Jmgard M. Binkert
Page 2
October 23, 1974Water

Public water exists within Philadelphia Road.

Sanitary Sewers

Existing public sanitary sewer traverses Philadelphia Road approximately 500 feet north of the Ridge Road intersection.

Very truly yours,

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

ENCLOSURE(S)

1-M Key Sheet
16 NE 25 Pos. Sheet
NE 1/4 & S 1/4 Topo
90 Tax MapWILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER

November 6, 1974

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 #27 - Zoning Cycle VIII, October, 1974, are as follows:

Property Owner: Egon and Jmgard M. Binkert
Location: S/S of Philadelphia Road 200 ft NE of Ridge Road
Existing Zoning: D.R. 16
Proposed Zoning: B.L.
No. of Acres: 0.50
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 should be revised to show the proposed road widening and the parking buffer of 8 feet.

Very truly yours,

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

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

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

October 11, 1974

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

Dear Mr. DiNenna:

Comments on Item 27, Zoning Reclassification,
Cycle #8, are as follows:

Property Owner: Egon & Jmgard M. Binkert
Location: S/S of Philadelphia Rd. 200 ft. NE/
of Ridge Rd.
Existing Zoning: D.R. 16
Proposed Zoning: BL
No. of Acres: 0.50
District: 15th

Metropolitan water and sewer are available.

Air Pollution Comments: The building or buildings on
this site may be subject to a permit to construct and 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.

Food Protection 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.

Very truly yours,

Thomas H. Devlin

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB/ncf

CC--W.L. Phillips
L.A. Schuppert

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. Wm. T. MELLEN
DIRECTOR DEPUTY TRAFFIC ENGINEER

October 28, 1974

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

Re: Item 27 - Cycle Zoning B - October 1974 through April 1975
Property Owner: Egon & Jmgard M. Binkert
S/S of Philadelphia Rd., 200 ft. NE of Ridge Road
B.L.
District 15

Dea: Mr. DiNenna:

The subject petition is requesting a change from D.R. 16 to B.L.
of .5 acres. This should increase the trip density from 50 to 250 trips
per day. This commercial zoning can only compound the problem which has
been created by the construction of the Golden Ring Mall.

Very truly yours,

C. Richard Moore

C. Richard Moore
Assistant Traffic Engineer

CRM/rvg

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 9, 1974

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

Z.A.C. Meeting of: October 1, 1974 (Cycle #8)

Re: Item 27

Property Owner: Egon & Jmgard M. Binkert
Location: S/S of Philadelphia Rd., 200 ft. N.E. of Ridge Road
Present Zoning: D.R. 16
Proposed Zoning: B.L.

District: 15th
No. Acres: 0.50

Dear Mr. DiNenna:

Acresage too small to have an effect on student
population.

Very truly yours,

W. Nick Petrovich

W. Nick Petrovich,
Field Representative.

WNP/ml

H. EMILY PARKS, President
EUGENE C. NESS, Vice-President
MRS. ROBERT L. BERRY

MARCUS H. BOTHAUS
JOSEPH N. MCDONALD
ALVIN LORECK
JOSHUA R. WHEELER, Superintendent

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACY, V.M.D.
MRS. RICHARD K. WUCITEL

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



Maryland Department of Transportation

State Highway Administration

January 30, 1975

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

Attn: F. Hogans

Dear Mr. DiNenna,

The subject plan revised 12/23/74, indicates dimensions not in
conformance with the scale of the plan. It appears that the only
changes that were made were the dimensions. It is our opinion that
the scale and the dimensions notes should agree.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering Access Permits

by: John E. Meyers

John E. Meyers

CL-JEM-es

