

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Penn Pontiac, Inc., 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 M.L. zone to an B.R. zone; for the following reasons:

Subject property is part of a 3.221 acre parcel owned by Petitioner on the Southwest side of North Point Road and the Southeast side of Bayview Ave., of which 1.282 acres is in Baltimore City and is zoned for use as a full range automobile dealership. The eastern part of the 1.939 acres in Baltimore County is zoned B.R., which permits this use, but the subject property, in the center of this parcel, is M.L. and does not. It was an error on the map not to also zone this center portion B.R., so that the same use could be made of the whole of this small parcel, instead of dividing it into three separate use areas. Also for changes in the area.

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.

PENN PONTIAC, INC.

None
Contract purchaser

By: George W. McManus, Jr.
(Vice) President Legal Owner

Address: 2033 Eastern Avenue
Baltimore, Maryland 21231

Protestant's Attorney

Address: Suite 2650 - 10 Light Street
Balto., Md. 21202 727-3645

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of _____, 1975, that the subject matter of this petition be advertised, as

provided by the Zoning Law of Baltimore County, in two newspapers of general circulation through-

out Baltimore County, that property be posted, and that the public hearing be had before the Zoning

Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the _____ day of _____, 1975, at _____ o'clock

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

OFFICE OF ZONING COMMISSIONER

S. ERIC DINENNA
Zoning Commissioner
JAMES E. DYCE
Deputy Zoning Commissioner

September 9, 1975

George W. McManus, Jr., Esquire
Suite 2650
10 Light Street
Baltimore, Maryland 21202

RE: Petition for Reclassification
SE/corner of North Point Boulevard
and Kane Street - 12th Election
District
Penn Pontiac, Inc. - Petitioner
NO. 76-37-R (Item No. 5)

Dear Mr. McManus:

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

Very truly yours,

S. Eric Dinenna
S. ERIC DINENNA
Zoning Commissioner

SED/mc

Attachment

cc: Mr. Larry Reich, Director
City of Baltimore
Planning Commission
Department of Planning
8th Floor
222 East Saratoga Street
Baltimore, Maryland 21202

John W. Hessian, III
People's Counsel

111 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204

PETITION FOR
ZONING RE-CLASSIFICATION
OF
PENN PONTIAC, INC.
S/W SIDE NORTHPOINT BOULEVARD
and
S/E SIDE OF BAYVIEW AVENUE
BALTIMORE COUNTY

PETITIONER'S MEMORANDUM

STATEMENT OF FACTS

1. The Petitioner is the owner of 1.939 acres of land in Baltimore County, in the shape of a triangle formed by the southwest side of North Point Boulevard, the northern side of the Canton Railroad and boundary line between Baltimore County and Baltimore City. The Petitioner also owns 1.262 acres adjacent to this property in Baltimore City at the corner formed by said southwest side of North Point Boulevard and the south-east side of Bayview Avenue. Both comprise a single lot of 3.221 acres.

2. The eastern portion of said triangle, including some but not all of the frontage on the southwest side of North Point Boulevard, is zoned B.R. and the remaining portion of the triangle is zoned M.L. The Petitioner seeks to have this M.L. zoned portion re-classified to B.R. so that the entire 1.939 acres will have the same zoning, that is, B.R.

PETITIONER'S REASONS

Some of the Petitioner's reasons for this request are as follows:

1. It was error on the map not to zone the entire 1.939 acres B.R.
2. The parcel is too small to be properly utilized under two separate zoning classifications.
3. The Petitioner desires to use its entire parcel of 3.221 acres for a full range automobile dealership. This use is permitted on the western portion of the Petitioner's land lying in Baltimore City and also on the eastern portion of its land in Baltimore County, but it would not be permitted in the center portion of this land which is now zoned M.L. This puts the Petitioner in the illogical position of being able to use its property for its desired use on the eastern and western portions of it, but not in the center.
4. The property adjoining Petitioner's property on the southeasterly side, along the southeast side of North Point Boulevard, is zoned B.R. for a depth equal to or more than the depth desired by the Petitioner, and to keep the Petitioner's land compatible with the classification of the land adjoining it along North Point Boulevard, the entire 1.939 acres belonging to the Petitioner should have been zoned B.R., rather than part B.R. and part M.L.
5. Changes in the area have made the subject property more suitable for use under a B.R. classification than an M.L. classification.

George W. McManus, Jr.
Attorney for Petitioner
2650 - 10 Light Street
Baltimore, Maryland 21202
727-3645

- 2 -

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
Southeast corner of North Point : ZONING COMMISSIONER OF
Boulevard and Kane Street : BALTIMORE COUNTY
12th District

PENN PONTIAC, INC., : Case No. 76-37-R
Petitioner :

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.
Deputy People's Counsel

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 29th day of August, 1975 to George W. McManus, Esquire, 10 Light Street, Baltimore, Maryland, 21202



HOWARD D. TUSTIN, JR. REGISTERED
RICHARD P. TUSTIN

ESTABLISHED 1849



S. J. MARTENET & CO.

LAND SURVEYORS
9 E. LEXINGTON STREET
BALTIMORE, MD. 21202
PHONE: 539-4263

SIMON J. STENET	1849-1884
HARRY B. JAYNE	1871-1884
SEPTIMUS P. TUSTIN	1870-1881
J. HOWARD BUTTON	1884-1884
WILLIAM G. ATWOOD	1887-1891
SAMUEL A. THOMPSON	1898-1894
GEORGE E. WIMMER	1897-1893
HOWARD D. TUSTIN	1897-1880
HOWARD G. BUTTON	1884-1889

ZONING DESCRIPTION

Property located in Twelfth District of Baltimore County, Maryland. BEGINNING for the same at the south corner of Kane Street, 80' wide and North Point Boulevard, 150' wide, then on said Boulevard southeasterly by a line curving to the left with a radius of 2839.75' the distance of 166.45' to the center of Old North Point Road, now closed, then on said center S-51 deg. 22 min. E 150.32' and southeasterly by a line curving to the left with a radius of 3674.69' the distance of 84.63' to the north side of the Canton Railroad, then on said railroad S-61 deg. 44 min. 30 sec. W 398.50' to the eastern boundary line of Baltimore City, then on said boundary line Due North 392.04' to Kane Street and then on Kane Street N-51 deg. 18 min. 30 sec. E 20.41' to the beginning.

CONTAINING 1.730 acres, more or less.

March 26, 1975

Richard P. Tustin
Richard P. Tustin,
Reg. # 3460



BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 4, 1975

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204
Franklin T. Hogans, Jr.
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
COMMISSION
BOARD OF EDUCATION
OFFICE OF THE
BUILDINGS ENGINEER

George W. McManus, Jr., Esq.
Suite 2650 - 10 Light Street
Baltimore, Maryland 21202

RE: Reclassification Petition
Item 5 - Zoning Cycle 9
Penn Pontiac, Inc. - Petitioner

Dear Mr. McManus:

Enclosed please find a copy of the comments of the Baltimore City Planning and Public Works Department concerning the above referenced item. These agencies were requested by this Committee to forward comments concerning all zoning Reclassification petitions located in close proximity to the Baltimore City boundary line.

These comments shall be made a part of the subject petition in its further processing and review, and public hearing.

Very truly yours,

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

PTH:JD
Enclosure

NOV 1 8 1975

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of substantial changes in the character of the neighborhood

the above Reclassification should be had, and it further appearing that by reason of

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 9th day of September, 1975, that the herein described property or area should be and the same is hereby reclassified; from a M.L. zone to a B.R. zone.

from and after the date of this order, subject to the approval of a site plan by the Department of Public Works, State Highway Administration and the Office of Planning and Zoning.

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

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of September, 1975, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a M.L. zone; and/or the Special Exception for

Zoning Commissioner of Baltimore County

Fourth, the applicant does not provide for stormwater retention on site. Stormwater will flow directly both into the Herring Run and into Perring Parkway. Inasmuch as the property is virtually 100% impervious, the flooding experience downstream in the City should intensify and would cause a measurable increase in costs for stormwater damage.

Fifth, there is no median break along Perring Parkway, in the City, and none will be allowed. In fact, it would be preferable for there to be no access for this development into Perring Parkway. Only the access back to Hillway Avenue, as suggested in the letter of April 16, 1975, from the State Highway Administration should be allowed.

Sixth, the bridge to provide traffic access back to Hillway Avenue should be designed so as to allow the free flow of water in Herring Run. Any crossing which impedes the flow of water through Herring Run will tend to cause flooding of the intersection of Hillway Avenue and Perring Parkway.

Seventh, in conjunction with this kind of development, which could conceivably be built as a shopping center without the "apartments for the elderly", there would be a need to enact an open area for parking ordinance for the portion of the property within the City to allow for parking. If the site was developed as a shopping center, it will additionally be necessary to rezone this property to a commercial use. Inasmuch as the city neighborhood is residential, it is unlikely that there would be approval of the ordinances required for the city portion

CITY OF BALTIMORE

WILLIAM DONALD SCHACHTER, Mayor



PLANNING COMMISSION
DEPARTMENT OF PLANNING
LARRY REICH, Director
8th Floor, 222 East Saratoga Street, Baltimore, Maryland 21202

June 23, 1975

Mr. Frank Hogans
Office of Planning and Zoning
301 Jefferson Building
Towson, Maryland 21204

ZONING CYCLE #9 RECLASSIFICATION PETITIONS

- Attached for your information are copies of individual Baltimore City Planning Department staff reports on the three reclassification petitions sent to Mr. Frank Kuchta, Director of the Baltimore City Department of Public Works. The Planning Department staff recommends approval of the petition of Penn Pontiac, Inc. to allow for the storage and display of motor vehicles at the southeast corner of Kane Street and North Point Boulevard.

The Baltimore City Planning Department staff recommends disapproval of the petitions of the Severn River Construction Company and of Betty F. Louison.

In the instance of Penn Pontiac, the proposed development is completely compatible with the overall environment, as presently zoned and developed. Granting of the reclassification would add to the regional economic base by maintaining and improving job opportunities. Again, the environment is appropriate for this proposed use.

In the instance of the proposal to construct 252 apartments for the elderly at Perring Parkway and Hillway Avenue, the development is basically incompatible with the overall development of the neighborhood. In addition, the developer could proceed with construction of a shopping center once the reclassification is approved. The overall development, whether of apartments or a shopping center, is incompatible with the needs of the neighborhood. Finally, the developer will be gaining additional density benefits by subdividing his land and creating further density non-conformity on the portion of his land already developed.

The City's Department of Transit and Traffic and Department of Public Works concur with the statement in the attached report that not only should there be no median break along Perring Parkway, in the City,

of the property. Thus, the overall development would have a parking deficiency of almost 100 parking spaces.

Generally, the juxtaposition of a building of this size in a relatively low-density neighborhood cannot be justified on any grounds. In addition, details of site development are lacking. City development standards would require extensive landscaping adjacent to the parking areas; this landscaping should be extended up along Perring Parkway in the county.

Eighth, the total property has already been developed at a density either equal to or exceeding the allowable classification. Allowing a developer to subdivide an undeveloped portion of the property, while creating density non-conformity for the remainder of the property, certainly is contrary to all zoning principles. Any alleged hardship is due solely to the action of the developer.

The Baltimore City Planning Department staff strongly urges this application be disapproved.

However, if it is compatible with the allowable floor area ratio or ground coverage requirement of the Zoning Ordinance, the Planning Department staff would probably not object to a special exception for a small medical and dental office building, as long as all access was from Hillway Avenue and proper consideration was given to development of the site including landscaping and adequate stormwater run-off control measures.

Mr. Frank Hogans
Page 2
June 23, 1975

and that none would be allowed, but also that no curb cuts should be allowed into Perring Parkway.

In the instance of the proposal to construct townhouses at the intersection of Park Heights Avenue and Slade Avenue, the form of development is incompatible with existing development in the neighborhood. In addition, there are severe flooding problems downstream from this proposed development. It is likely that the development itself would be adversely affected by flooding.

We greatly appreciate the effort of the County Zoning Commissioner to refer requests for zoning reclassification adjacent to or near the City boundary, to the Baltimore City Planning Department for study and an advisory report. We hope that this effort will continue.

LARRY REICH
DIRECTOR

bb

Attachments

Mr. Frank Kuchta
Mr. Norman Gerber

PARKSIDE HEIGHTS SENIOR CITIZENS RESIDENCE

This is a proposal of the Severn River Construction Company to construct a 22-story apartment building, containing 252 apartment units for elderly persons and medical and dental offices on the ground floor. Three hundred fifteen parking places are required to serve the apartments. However, sufficient of the required apartment parking spaces may be allocated to the ground floor use of medical and dental offices, thus eliminating the need for additional spaces.

The Planning Department staff has a number of grave concerns about the proposed development.

First, there is no assurance that the apartment building will in fact be dedicated to use by elderly persons. Zoning, per se, does not obligate the petitioner to conform to any representations he may make when he requests a zone change.

Second, commercial, community core (CCC) classification is intended to provide shopping opportunities for service areas containing between 30 and 50,000 persons. There is already one such shopping center, approximately a quarter mile away, which serves this area. Thus, there is no justification or need for the CCC designation for this property.

Third, the plan submitted with this petition request is unrealistic. Even if this plan was binding on the developer, architectural aspects of high-rise building design require a building which is wider than the 37' the applicant shows. Immediately, the applicant would be required to further modify setbacks and parking layout on the property.

7501 PARK HEIGHTS AVENUE

This is the proposal of Betty F. Louison to rezone the property at 7501 Park Heights Avenue to allow for construction of 27 dwelling units. The property is located at the intersection of Slade Avenue and Park Heights Avenue, just north of the City line. The predominant development in the area is of large, expensive, single family detached homes.

The Baltimore City Planning Department staff has a number of reservations about this proposed reclassification.

First, the indicated high water limit is probably unrealistic based on studies undertaken by the Planning Department staff. We are aware of complaints and flood damage downstream from this area. This development would tend to increase those complaints and the quantity of damage. Additionally, this development is likely to also be damaged, itself, as there is further development upstream.

Second, the access shown from Park Heights Avenue to the development is located in an area where traffic is often hindered by the bus turn-around almost directly across the street.

The site design is extremely awkward and the quality of development suggested by this proposal is grossly incompatible with the high quality development found in the neighborhood. There is no substantial landscape proposal. Buildings and parking spaces are squeezed on to the site without regard for residential amenity, in an area of the City and of the county where there otherwise is high quality development. The Planning Department staff recommends this zoning reclassification not be granted.

PENN PONTIAC, INC.

This is a proposal of Penn Pontiac, Inc., to use a parcel of approximately 1-3/4 acres at the corner of the intersection of Kane Street and North Point Boulevard for an outdoor storage and display area for their dealership. Penn Pontiac is acquiring additional land within the City as a new location for its dealership, now located in the 2000 block of Eastern Avenue.

In planning for the Interstate highway system, consideration was given to the use of land under the structure for development which would enhance the economic base of the region. The area, in which Penn Pontiac is locating, is known as the Quad Avenue Industrial Park. It lies within an area which is generally zoned for industrial development. Properties which enhance the economic base of the region are found all around the Penn Pontiac property.

The proposal of Penn Pontiac is compatible with the overall plan for the Quad Avenue Industrial Park. There will be no access into North Point Boulevard in the county. All access to the property will be from Kane Street, in the City.

The Baltimore City Planning Department staff recommends approval of the request of Penn Pontiac to allow for storage and display of motor vehicles on the subject property.

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
878-7318

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Penn Pontiac, Inc.

Location: SE/C of Kane St. & North Point Blvd.

Item No. 5 Zoning Agenda CYCLE #9
April 1975- October 1975

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

- (xx) 7. The Fire Prevention Bureau has no comments at this time.

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

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
878-7318

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Penn Pontiac, Inc.

Location: SE/C of Kane St. & North Point Blvd.

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- () 6. Site plans are approved as drawn.

- (xx) 7. The Fire Prevention Bureau has no comments at this time.

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

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this _____ day of _____ 1975

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner: Penn Pontiac, Inc.

Petitioner's Attorney: *George W. McManus* Reviewed by: *Franklin T. Hogans*
cc: S. J. Martenet & Co. Chairman,
9 E. Lexington St., Zoning Plans
Baltimore, Md. 21202 Advisory Committee

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

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

April 28, 1975

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

Re: Item #5 - Cycle #9 (April - October 1975)
Property Owner: Penn Pontiac, Inc.
S/C cor. of Kane St. & North Point Blvd.
Existing Zoning: M.L.
Proposed Zoning: Re-class to B.R.
No. of Acres: 1.730 District: 12th

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:

The submitted plan must be revised, or supplemented, so as to present the entire site of the Petitioner's proposed automobile dealership, and indicate more accurately the existing public utilities in relation thereto; and the proposed means for providing public water, sanitary sewer and drainage facilities therefor, particularly for the building/buildings which apparently are to be constructed within Baltimore City limits.

The comments supplied in connection with the Zoning Advisory Committee review of this site in 1973, No. 73-75-B (Item #2, Cycle III) the Canton Company of Baltimore, Petitioner, are referred to for your consideration.

Very truly yours,

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

END:PAH:FWR:SS

F-HE Key Sheet
1 NE 17 Pgs. Sheet
SE 1 E Topo
96 Tax Map

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 30, 1975

George W. McManus, Jr., Esq.
Suite 2650 - 10 Light Street
Baltimore, Maryland 21202

RE: Reclassification Petition
Item 5 - Zoning Cycle 9
Penn Pontiac, Inc. - Petitioner

Dear Mr. McManus:

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 corner of Kane Street and North Point Blvd., and is currently in a vacant, graded state. The parcel under petition is a part of a larger tract located within the Baltimore City limits, on which is proposed an automobile dealership. That portion within Baltimore County is indicated on the submitted plan to contain only parking, storage, and display of automobiles, with no direct access to either Kane Street or North Point Blvd.

Existing development in the immediate environs of this site consists of a "mixed-bag" of commercial and industrial uses. The long-standing commercial character of this area has resisted substantial change; the on-going construction of an elevated segment of the proposed Interstate 95 to the west of this site notwithstanding.

George W. McManus, Jr., Esq.
Item 5 - Zoning Cycle 9
April 30, 1975
Page 2

This Committee feels that necessary and sufficient consideration of this proposal prior to public hearing may be afforded this request only with the submittal of additional information indicating the overall site development plan, including those portions under the jurisdiction of the City of Baltimore Agencies of the City government shall be notified of and requested to comment on the subject petition.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to Monday, June 2, 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 September 1, 1975 and October 15, 1975, will be forwarded to you well in advance of the date and time.

Very truly yours,

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

FTH:JD

Enclosure

cc: S. J. Martenet & Co.
9 E. Lexington Street
Baltimore, Maryland 21202



Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
Secretary
Bernard M. Evans
Administrator

June 10, 1975

Mr. S. Eric DiNenna
Zoning Commissioner
Attn: Mr. Franklin Hogans
County Office Bldg.
Towson, Md. 21204

Re: Zoning Cycle #9,
Item #5 Penn Pontiac
North Point Blvd.
(Rte 151) at Kane St.
Revised Plan 6-5-75

Dear Mr. DiNenna,

The subject revised plan indicates a temporary entrance from North Point Blvd., therefore, it is assumed that upon completion of development of the site, there will be no access from North Point Blvd. If this is the case, there will be no further requirements from the State Highway Administration, however the situation should be clearly noted on the plan.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering Access Permits

cc: Mr. John L. Wimbley

CL-JEM:es

by: John E. Meyers

John E. Meyers



Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
Secretary
Bernard M. Evans
Administrator

April 4, 1975

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204
Attn: Mr. Franklin Hogans

Re: Zoning Re-Classification Cycle
#9 April, 1975
Property Owner: Penn Pontiac, Inc.
Locations SE/Cor. of Kane St.
and North Point Blvd. (Rte 151)
Existing Zoning: M.L.
Proposed Zoning: Re-Class to B.R.
No. of Acres: 1.730
District: 12th

Dear Mr. DiNenna,

The subject plan indicates no access from North Point Blvd., however, the State Highway Administration has recently issued an entrance permit for a vehicle storage yard. The matter of access should be resolved prior to the hearing.

The 1973 average daily traffic count on this section of North Point Blvd. is 32,000 vehicles.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering Access Permits

CL-JEM-es

by: John E. Meyers

John E. Meyers



DEPARTMENT OF TRAFFIC ENGINEERING

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

April 28, 1975

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

Re: Circle Zoning 9 -
Item 5 - ZAC - April, 1975 - October, 1975
Property Owner: Penn Pontiac, Inc.
Location: SE/C of Kane St. & North Point Blvd.
Existing Zoning: M.L.
Proposed Zoning: Re-class to B.R.
No. of Acres: 1.730
District: 12th

Dear Mr. DiNenna:

The subject petition is requesting a change from M.L. to B.R.

This should increase the trip density from 175 to 800 trips per day. Should the property be developed as part of an automobile dealership with access to Kane Street, little, if any, traffic problem is anticipated. However, should access be provided to North Point Boulevard and/or the property developed commercially, access problems can be anticipated on North Point Boulevard.

Very truly yours,

C. Richard Moore
Assistant Traffic Engineer

CRM/bza

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



May 2, 1975

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

Dear Mr. DiNenna:

Comments on Item # 5, Zoning Cycle IX, April, 1975, are as follows:

Property Owner: Penn Pontiac, Inc.
Location: SE/cor of Kane Street and North Point Blvd
Existing Zoning: M.L.
Proposed Zoning: Re-class to B.R.
No. of Acres: 1.730
District: 12th

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.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

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

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 001 PLANNING 484-3311 ZONING 484-3311

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 18, 1975

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

Z.A.C. Meeting of: April 1975-October 1975-Cycle #9

Re: Item 5
Property Owner: Penn Pontiac, Inc.
Location: SE/C of Kane Street & North Point Blvd.
Present Zoning: M.L.
Proposed Zoning: Re-class to B.R.

District: 12th
No. Acres: 1.730

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich,
Field Representative.

WNP/ml

H. EMBLE PARKS, PRESIDENT
EUGENE C. HESS, VICE-PRESIDENT
MRS. ROBERT L. BENEY

MARCUS H. BOTSWAN
JOSEPH N. MCGOWAN
ALVIN LORICK
JOSHUA R. WHEELER, SUPERINTENDENT

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACEY, V.M.D.
MRS. RICHARD E. WUEFEL



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., F.R.C.P.
DEPUTY STATE AND COUNTY HEALTH OFFICER

April 3, 1975

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

Dear Mr. DiNenna:

Comments on Item # 5, Zoning Re-Classification Cycle #9, are as follows:

Property Owner: Penn Pontiac, Inc.
Location: SE/Cor. of Kane St. & North Point Blvd.
Existing Zoning: M.L.
Proposed Zoning: Re-class to B.R.
No. of Acres: 1.730
District: 12th

Metropolitan water and sewer are available.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

SHVB:ncs

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

April 30, 1975

XXXXXXXXXXXXXXXXXXXX
Chairman

George W. McManus, Jr., Esq.
Suite 2650 - 10 Light Street
Baltimore, Maryland 21202

RE: Reclassification Petition
Item 5 - Zoning Cycle 9
Penn Pontiac, Inc. - Petitioner

Dear Mr. McManus:

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 corner of Kane Street and North Point Blvd., and is currently in a vacant, graded state. The parcel under petition is a part of a larger tract located within the Baltimore City limits, on which is proposed an automobile dealership. That portion within Baltimore County is indicated on the submitted plan to contain only parking, storage, and display of automobiles, with no direct access to either Kane Street or North Point Blvd.

Existing development in the immediate environs of this site consists of a "mixed-bag" of commercial and industrial uses. The long-standing commercial character of this area has resisted substantial change, the on-going construction of an elevated segment of the proposed Interstate 95 to the west of this site notwithstanding.

George W. McManus, Jr., Esq.
Item 5 - Zoning Cycle 9
April 30, 1975
Page 2

This Committee feels that necessary and sufficient consideration of this proposal prior to public hearing may be afforded this request only with the submittal of additional information indicating the overall site development plan, including those portions under the jurisdiction of the City of Baltimore Agencies of the City government shall be notified of and requested to comment on the subject petition.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to Monday, June 2, 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 September 1, 1975 and October 15, 1975, will be forwarded to you well in advance of the date and time.

Very truly yours,

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

PTH:JD

Enclosure

cc: S. J. Martenet & Co.
9 E. Lexington Street
Baltimore, Maryland 21202

Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
Secretary
Bernard M. Evans
Administrator

April 4, 1975

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204
Attn: Mr. Franklin Hoggans

Re: Zoning Re-Classification Cycle #9 April, 1975
Property Owner: Penn Pontiac, Inc.
Location: SE/Cor. of Kane St. and North Point Blvd. (Rte 151)
Existing Zoning: M.L.
Proposed Zoning: Re-Class to B.R.
No. of Acres: 1.730
District: 12th

Dear Mr. DiNenna,

The subject plan indicates no access from North Point Blvd., however, the State Highway Administration has recently issued an entrance permit for a vehicle storage yard. The matter of access should be resolved prior to the hearing.

The 1973 average daily traffic count on this section of North Point Blvd. is 32,000 vehicles.

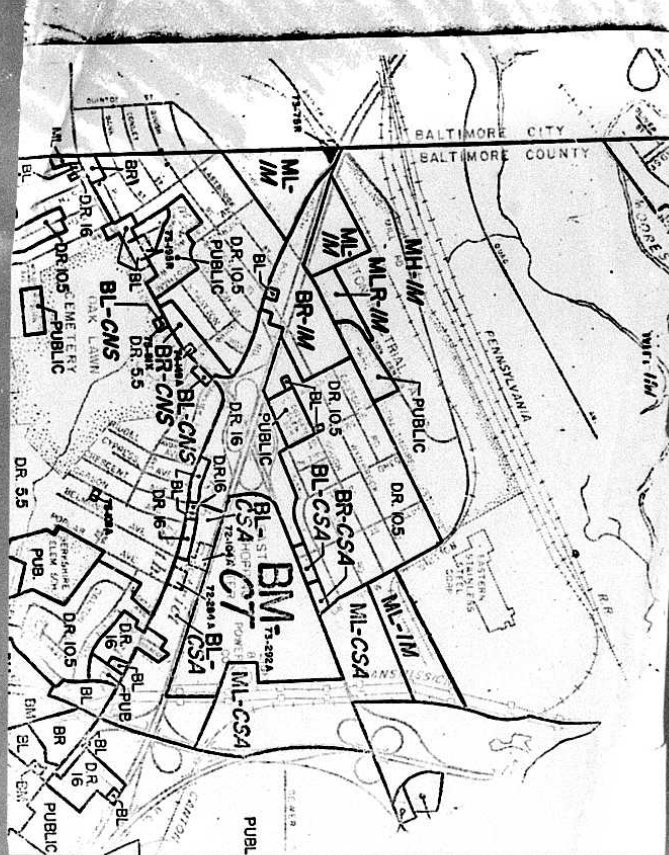
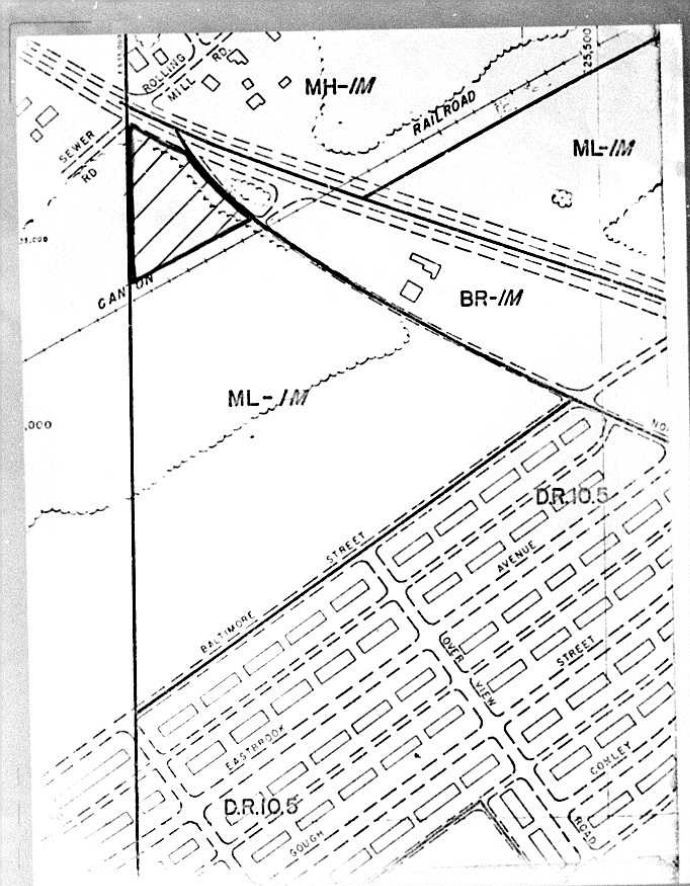
Very truly yours,

Charles Lee, Chief
Bureau of Engineering Access Permits

by: John E. Meyers

CL-JEM-es

[illegible]



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>T.B.C.</u>			Revised Plans: Change in outline or description ☐ Yes ☐ No							
Previous case:			Map # <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 26 day of MAR 1976. Item #

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Penn Pontiac Submitted by J. Penn

Petitioner's Attorney McManus Reviewed by NBC

* 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

#76-37-R

District 12A Date of Posting 8-14-75

Posted for: Planning Unit, Sept. 3, 1975, 9:11 a.m. P.M.

Petitioner: Penn Pontiac, Inc.

Location of property: SE corner of North Pt. Blvd. & Kane St.

Location of Signs: 1 sign posted on North Pt. Blvd. 1 sign posted on Kane St.

Remarks:

Posted by: Paul H. Hsu Date of return: 8/21-75

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

George W. McManus, Jr., Esq. County Office Building
Suite 2650 - 18 Light Street 111 W. Chesapeake Avenue
Baltimore, Maryland 21202 Towson, Maryland 21204

Your Petition has been received and accepted for filing this 30 day of April 1975

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Penn Pontiac, Inc.

Petitioner's Attorney George W. McManus Reviewed by Franklin T. Hoggan Jr.

cc: S. J. Martens & Co.
9 E. Lexington St.,
Baltimore, Md. 21202

Chairman,
Zoning Plans
Advisory Committee

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

No. 23358

DATE Sept. 15, 1975 ACCOUNT 01-662

AMOUNT \$217.35

RECEIVED Penn Pontiac, Inc., 2033 Eastern Ave., Balto, Md.

FOR Advertising and posting of property #76-37-R

231725015 2173546

VALIDATION OR SIGNATURE OF CASHIER

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

No. 20228

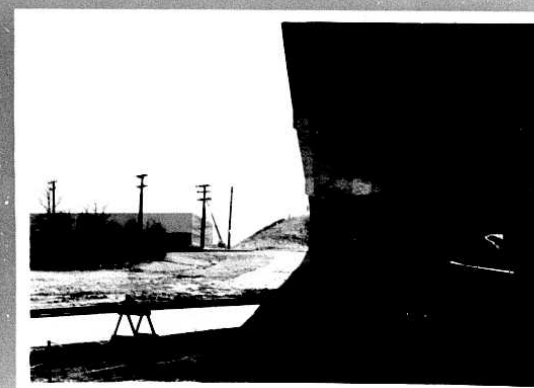
DATE April 22, 1975 ACCOUNT 01-662

AMOUNT \$50.00

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER

Penn Pontiac, Inc.
2033 Eastern Ave.
Baltimore, Md. 21231
Petition for Reclassification

50.0000



PORTER BROS. INC.

General Contractors

140 BACK RIVER NECK ROAD
BALTIMORE, MARYLAND 21221
TELEPHONE: AREA CODE 301
686-5440
606-1808

COMMERCIAL & INDUSTRIAL BUILDERS

March 11, 1976

Baltimore County
Department of Public Works
County Office Building
Towson, Maryland 21204

ATTN: Mr. Gilbert S. Benson, P.E.
Assistant Chief

RE: Comm. Bldg. Appl. #205-76
Penn Pontiac grading
Application #77835 C-GR
District: 12P5
Location: S/S North Pt. Blvd.

Gentlemen:

As per your letter dated March 9, 1976, Porter Bros., Inc. has revised our site plan dated 1/14/76; revised 3/11/76 in the following way:

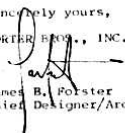
1. Note 12 - any parking spaces within 35' of right of way must be for customer parking only.
2. The existing note pro 8" concrete curb (SHA spec.) has been amended to state std. pro 8" concrete curb (SHA spec.).
3. The existing inlet at Bayview Avenue is to be replaced with a type "S" combination inlet with bicycle safe grate.
4. The improvements to North Point Blvd. have been shown and noted as described in your comments from the State Highway Administration.
5. The radii at the entrance have been revised to 20'0".

Porter Bros., Inc. presently carries a blanket access permit with the State of Maryland sufficient to cover your request for a \$20,000.00 bond; bond #400DB 7069. The required entrance permit has been filed for with the State Highway Administration.

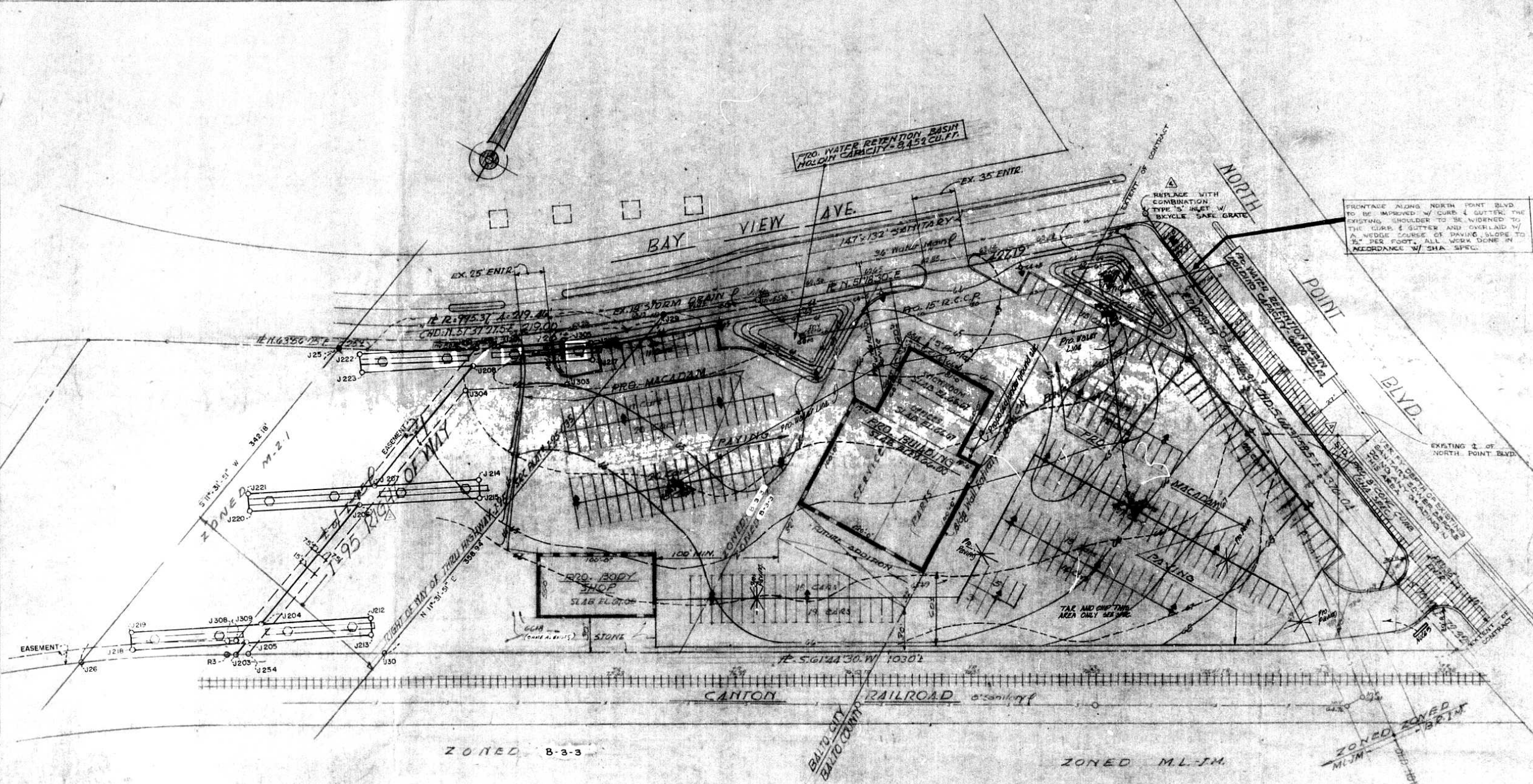
I hope that the above meets with your approval. If there are any areas of concern, please feel free to call upon me at your convenience.

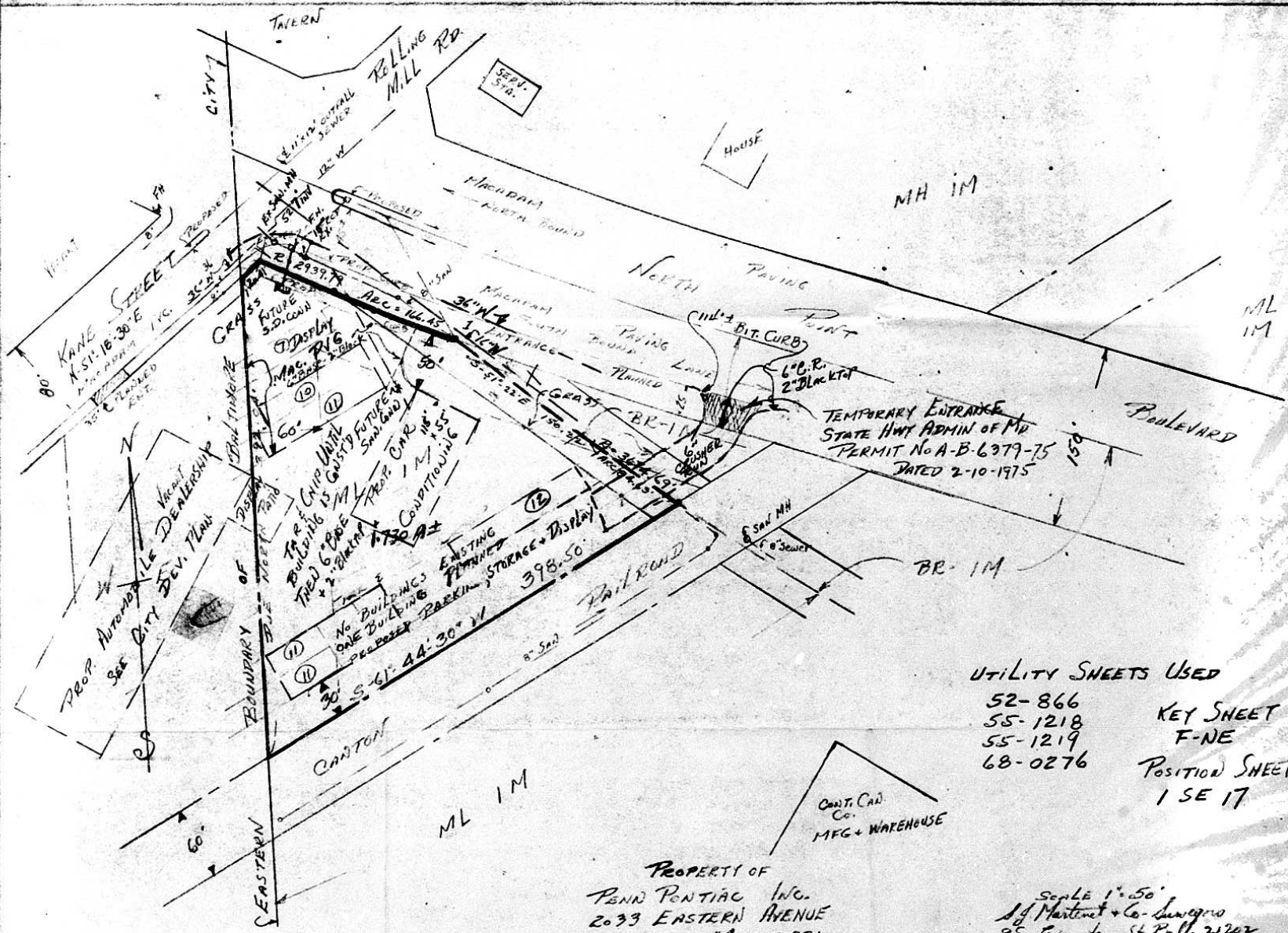
Sincerely yours,

PORTER BROS., INC.


James B. Forster
Chief Designer/Architect

JBF/cm
cc: Penn Pontiac





UTILITY SHEETS USED
 52-866
 55-1218
 55-1219
 68-0276
 KEY SHEET
 F-NE
 POSITION SHEET
 1 SE 17

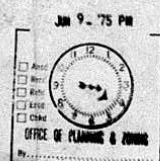
PROPERTY OF
 PENN PONTIAC INC.
 2033 EASTERN AVENUE
 BALTIMORE MD. 21231
 PROPERTY IS IN 12TH DISTRICT OF Balto. Co.

SCALE 1"=50'
 Sd Martini & Co. Surveyors
 9E Lexington St Ball 21202
 March 22-1975

REVISED PLANS
 Richard P. Thurston Reg #3460
 ADDITIONS 5/9/75

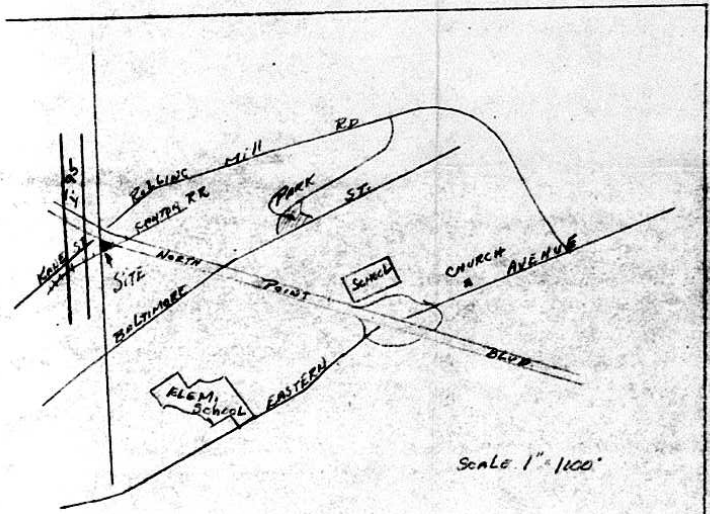
REVISED 6/5/75
 6/9/75

Penn Pontiac
 Cycle & 9 items #5



PARKING CALCULATIONS
 PROP. BUILDING SHOWN 115' x 55' = 6325 sq'
 REQUIRED @ 150 sq'/300 sq' = 22 SPACES
 PROVIDED 55 SPACES

48
 SET 6
 12
 7-29-75
 RC
 110



SCALE 1"=100'

