

PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **JAMES NICHOLS and LILLIAN R. NICHOLS**, legal owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from **an undistricted status** to a **B.L. (Business, Local)** zone; for the following reason:

1. That failing to place all of the Petitioners' property in a B.L. zone constitutes mistake on the 1976 zoning map, the present industrial division into B.L. and D.R. 1 rendering appropriate use of either of little or no utility, and as more fully set out in the attached Memorandum which is incorporated by reference herein.
2. That the industrial division of the property between commercial and residential represents a failure to recognize the numerous changes which have occurred in this Reisterstown Road area, all as more fully set out in the attached Memorandum which is incorporated by reference herein.

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 **an automotive service station and use in combination with a food store**, pursuant to the said Zoning Law and Zoning Regulations.

I, or we, agree to pay expenses of above reclassification 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.

SHELL OIL COMPANY
By **DR. Healy**
Address 5565 Stewart Road, Columbia, Md. 21044
James Nichols, Legal Owner
Address 16 Nicolson Road, Reisterstown, Md. 21136
Protestant's Attorney
Address 204 M. Pennsylvania Avenue, Towson, Md. 21204 (823-7800)

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of March, 1978, 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 29th day of September, 1977, at 10:00 o'clock
-p.m.
By **Eric Di Nenna**
Zoning Commissioner of Baltimore County.

(over)

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(410) 484-2343

James D. Nolan, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Reclassification,
Districting, and Special Exception
NW/Corner of Reisterstown Road and
Woodholme Avenue - 3rd Election
District
James Nichols, et ux - Petitioners
NO. 78-28-RX (Item No. 7)

Dear Mr. Nolan:

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

Very truly yours,
ERIC DI NENNA
Zoning Commissioner

SED/mc
Attachments
cc: Walter Feig, Esquire
10 Painters Mill Professional Building
Owings Mills, Maryland 21117
Jeffrey Hanes, Esquire
Suite 200
15 Charles Plaza
Baltimore, Maryland 21201

PETITION FOR ZONING REDISTRICTING AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **JAMES NICHOLS and LILLIAN R. NICHOLS**, legal owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from **an undistricted status** to a **C.N.S. (Commercial, Neighborhood Shopping)** for the following reason:

1. That it was a mistake on the 1976 zoning map to fail to place the Petitioners' property and other nearby commercially-zoned properties in a C.N.S. District for the reasons set out in the attached Memorandum which is incorporated by reference herein.
2. That a drafting and zoning mistake was made on the 1976 zoning map in that the B.L. and B.R. property directly opposite the subject site on the east side of Reisterstown Road presently developed as a new service station and convenience food store site was placed in a C.N.S. District together with a special exception for service station by the Board of Appeals in Case No. 72-141-900, but the 1976 map mistakenly omitted this C.N.S. Districting on this commercial site to which the subject property is contiguous.

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for **an automotive service station and use in combination with a food store**, pursuant to the said Zoning Law and Zoning Regulations.

I, or we, agree to pay expenses of above reclassification 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.

SHELL OIL COMPANY
By **DR. Healy**
Address 5565 Stewart Road, Columbia, Md. 21044
James Nichols, Legal Owner
Address 16 Nicolson Road, Reisterstown, Md. 21136
Protestant's Attorney
Address 204 M. Pennsylvania Avenue, Towson, Md. 21204 (823-7800)

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of March, 1978, 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 29th day of September, 1977, at 10:00 o'clock
-p.m.
By **Eric Di Nenna**
Zoning Commissioner of Baltimore County.

(over)

W. T. SADLER, INC.
311 Pennsylvania Avenue, Towson, Maryland 21204 301-821-6911
william t. sadler
david c. gribben

DESCRIPTION TO ACCOMPANY PETITION FOR RECLASSIFICATION FROM D.R. 1 ZONING TO B.L. ZONING AND SPECIAL EXCEPTION FOR USE IN COMBINATION
OWNER: JAMES A. NICHOLS AND LILLIAN R. NICHOLS
AFFIDANT: SHELL OIL COMPANY
LOCATION: REISTERSTOWN ROAD, U.S. ROUTE 140, AT WOODHOLME AVENUE
3RD ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND
DATE: MARCH 25, 1977

DESCRIPTION:
Beginning for the same at a point on the division line between B.L. Zoning and D.R. 1 Zoning, said division line being parallel to and 175 feet, more or less, from the centerline of Reisterstown Road, said point of beginning being South 47 degrees 07 minutes 33 seconds West 121.01 feet and South 42 degrees 07 minutes 48 seconds East 25.00 feet from the Northwest corner of the whole parcel of which this is a part and said Northwest corner being on the Southwest side of Reisterstown Road, U.S. Route 140, approximately 214 feet Northwest from the intersection of the Southwest side of Reisterstown Road and the center of Woodholme Avenue and thence running and binding along the said division line between B.L. Zoning and D.R. 1 Zoning South 42 degrees 07 minutes 48 seconds East 117.22 feet to a point thence leaving said division line South 47 degrees 37 minutes 17 seconds West 29.34 feet, South 42 degrees 55 minutes 42 seconds West 37.81 feet, North 45 degrees 20 minutes 18 seconds West 119.83 feet and North 47 degrees 07 minutes 33 seconds East 73.71 feet to the place of beginning. Containing 829 square feet of land, more or less.

Being a portion of that tract of land which by deed dated May 16, 1964 was conveyed by Rowell Title Holding Corporation to James A. Nichols and Lillian R. Nichols, his wife, and recorded among the Land Records of Baltimore County in Liber 3562, folio 136.

By **W. T. Sadler, P.L.S.** 3/25/77



RE: PETITION FOR RECLASSIFICATION,
DISTRICTING, AND SPECIAL EX-
CEPTION
NW/Corner of Reisterstown Road and
Woodholme Avenue - 3rd Election
District
James Nichols, et ux - Petitioners
NO. 78-28-RX (Item No. 7)

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

This matter comes before the Zoning Commissioner as a result of a Petition for Reclassification from a D.R. 1 Zone to a B.L. Zone, from an Undistricted status to a C.N.S. District, and an additional request for a Special Exception for an automotive service station and use in combination food store, with less than 5,000 square feet of retail area. The subject property is located on the northwest corner of Reisterstown Road and Woodholme Avenue, in the Third Election District of Baltimore County.

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 subject property is properly zoned as D.R. 1. The Comprehensive Zoning Map, as adopted on October 7, 1976, is presumed to be correct and the burden is borne by the Petitioner to prove that the present zoning map is in error. In the instant case, this burden has not been met, and the Reclassification must be denied. By necessity, the request for the C.N.S. District and the Special Exception must also be denied.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 23rd day of March, 1978, that the Reclassification 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 D.R. 1 Zone. Further, by necessity, the C.N.S. District and the Special Exception must also be DENIED.

By **Eric Di Nenna**
Zoning Commissioner of Baltimore County

W. T. SADLER, INC.
311 Pennsylvania Avenue, Towson, Maryland 21204 301-821-6911
william t. sadler
david c. gribben

DESCRIPTION TO ACCOMPANY PETITION FOR REDISTRICTING, FROM UNDISTRICTED TO C.N.S.
OWNER: JAMES A. NICHOLS AND LILLIAN R. NICHOLS
AFFIDANT: SHELL OIL COMPANY
LOCATION: REISTERSTOWN ROAD (U.S. ROUTE 140) AT WOODHOLME AVENUE
3RD ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND
DATE: MARCH 25, 1977

DESCRIPTION:
Beginning for the same at a point on the Southwest side of Reisterstown Road, U.S. Route 140, at a point being approximately 214 feet Northwest from the center of Woodholme Avenue and running thence along the said Southwest side of Reisterstown Road South 42 degrees 07 minutes 48 seconds East 157.89 feet to a point at the beginning of a curve at the intersection of Reisterstown Road and Woodholme Avenue, thence 48.11 feet along said curve to the right having a radius of 32.00 feet and a chord bearing and distance of South 00 degrees 55 minutes 36 seconds West 43.71 feet to a point of reverse curve on the Northwest side of Woodholme Avenue thence 4.67 feet along a curve to the left having a radius of 502.46 feet and a chord bearing of South 43 degrees 43 minutes 01 seconds West 4.67 feet to a point and North 67 degrees 47 minutes 07 seconds West 24.07 feet to a point, thence leaving the Northwest side of Woodholme Avenue South 47 degrees 37 minutes 17 seconds West 76.09 feet, North 42 degrees 07 minutes 48 seconds West 25.00 feet, South 47 degrees 37 minutes 17 seconds West 29.34 feet, South 42 degrees 55 minutes 42 seconds West 37.81 feet, North 45 degrees 20 minutes 18 seconds West 119.83 feet, North 47 degrees 07 minutes 33 seconds East 73.71 feet, North 42 degrees 07 minutes 48 seconds West 25.00 feet and North 47 degrees 07 minutes 33 seconds East 121.01 feet to the place of beginning. Containing 29,230 square feet of land, more or less.

Being a portion of that tract of land which by deed dated May 16, 1964 was conveyed by Rowell Title Holding Corporation to James A. Nichols and Lillian R. Nichols, his wife, and recorded among the Land Records of Baltimore County in Liber 3562, folio 136; and also that tract of ground which by deed dated March 15, 1974 was conveyed by the State Highway Administration of the Department of Transportation, et al., to James A. Nichols and Lillian R. Nichols, his wife, recorded among the Land Records of Baltimore County in Liber 5637, folio 866.

By **W. T. Sadler, P.L.S.** 3/25/77

W. T. SADLER, INC.
311 Pennsylvania Avenue, Towson, Maryland 21204 301-821-6911
william t. sadler
david c. gribben

DESCRIPTION TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION FOR SELF-SERVICE GAS STATION
OWNER: JAMES A. NICHOLS AND LILLIAN R. NICHOLS
AFFIDANT: SHELL OIL COMPANY
LOCATION: REISTERSTOWN ROAD (U.S. ROUTE 140) AT WOODHOLME AVENUE
3RD ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND
DATE: MARCH 25, 1977

DESCRIPTION:
Beginning for the same at a point on the Southwest side of Reisterstown Road, U.S. Route 140, at a point being approximately 214 feet Northwest from the center of Woodholme Avenue and running thence along the said Southwest side of Reisterstown Road South 42 degrees 07 minutes 48 seconds East 157.89 feet to a point at the beginning of a curve at the intersection of Reisterstown Road and Woodholme Avenue, thence 48.11 feet along said curve to the right having a radius of 32.00 feet and a chord bearing and distance of South 00 degrees 55 minutes 36 seconds West 43.71 feet to a point of reverse curve on the Northwest side of Woodholme Avenue thence 4.67 feet along a curve to the left having a radius of 502.46 feet and a chord bearing of South 43 degrees 43 minutes 01 seconds West 4.67 feet to a point and North 67 degrees 47 minutes 07 seconds West 24.07 feet to a point, thence leaving the Northwest side of Woodholme Avenue South 47 degrees 37 minutes 17 seconds West 76.09 feet, North 42 degrees 07 minutes 48 seconds West 25.00 feet, South 47 degrees 37 minutes 17 seconds West 29.34 feet, South 42 degrees 55 minutes 42 seconds West 37.81 feet, North 45 degrees 20 minutes 18 seconds West 119.83 feet, North 47 degrees 07 minutes 33 seconds East 73.71 feet, North 42 degrees 07 minutes 48 seconds West 25.00 feet and North 47 degrees 07 minutes 33 seconds East 121.01 feet to the place of beginning. Containing 29,230 square feet of land, more or less.

Being a portion of that tract of land which by deed dated May 16, 1964 was conveyed by Rowell Title Holding Corporation to James A. Nichols and Lillian R. Nichols, his wife, and recorded among the Land Records of Baltimore County in Liber 3562, folio 136; and also that tract of ground which by deed dated March 15, 1974 was conveyed by the State Highway Administration of the Department of Transportation, et al., to James A. Nichols and Lillian R. Nichols, his wife, recorded among the Land Records of Baltimore County in Liber 5637, folio 866.

By **W. T. Sadler, P.L.S.** 3/25/77



RE: PETITION FOR RECLASSIFICATION
from D.R. 1 to B.L.
FOR UNDISTRICTED TO C.N.S. District
FOR SPECIAL EXCEPTION for Automotive
Service Station
Northwest corner Reisterstown Road and
Woodholme Avenue
3rd District
James Nichols, Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 78-28-RX

ORDER OF DISMISSAL

Petition of James Nichols for Reclassification from D.R. 1 to B.L. Zone,
for Undistricted to C.N.S. District, and for Special Exception for Automotive Service
Station on property located on the northwest corner of Reisterstown Road and Woodholme
Avenue, in the Third Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a Letter of Dismissal
of Appeal filed December 10, 1979, (a copy of which is attached hereto and made a part
hereof) from the attorney representing the Petitioner in the above entitled matter.

WHEREAS, the said attorney for the said Petitioner requests that the
appeal filed on behalf of said Petitioner be dismissed and withdrawn as of December 10, 1979.

IT IS HEREBY ORDERED this 11th day of December, 1979, that said
appeal be and the same is DISMISSED.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Esquire
People's Counsel
Patricia Millhouser
John A. Miller

RECEIVED COUNTY
BALTIMORE COUNTY
12:27 PM
DEC 11 1979

LAW OFFICES OF
NOLAN, PLUMHOFF & WILLIAMS
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

December 7, 1979

Walter A. Reiter, Jr., Esquire
Chairman, County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

Re: The Nichols Case, No. 78-28-RX.

Dear Chairman Reiter:

In view of the numerous difficulties encountered
in this matter our client Shell Oil Company has decided to
dismiss its appeal in the matter.

Accordingly, please find enclosed a Dismissal of
Appeal for your records.

We appreciate the attention of the Board and the
Staff in this matter.

With best regards to the Season to the Board and
the Staff, I am

Sincerely,

James D. Nolan
James D. Nolan

Jack W. Hession III, Esq.
People's Counsel
Mr. James Howell
Office of Planning
Walter I. Seif, Jr., Esq.
Jeffrey P. Hanes, Esq.
Sanford A. Harris, Esq.
Richard B. Talkin, Esq.
Emanuel H. Horn, Esq.

William D. Wells, Esq.
Mr. James A. Nichols
Robert J. Philburn, Dist. Repres.
Shell Oil Company
Mr. Morton K. Sugar
W. T. Sadler, Inc.

LAW OFFICES OF
NOLAN, PLUMHOFF & WILLIAMS
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

March 20, 1978



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

Re: Notice of Appeal to the Board of Appeals:
Case No. 78-28-RX, the Nichols Property
in the Northwest Corner of Reisterstown
Road and Woodholme Avenue.
Contract Lessee - Shell Oil Company.

Dear Commissioner DiNenna:

Please note an appeal to the County Board of
Appeals from each and every part of your Order of March 7,
1978, whereby the moderate reclassification of a portion
of the Nichols Property and the imposition of a C.N.S. District
and a special exception for service station and use
in combination food store was denied. This office's check
in the amount of \$75.00, representing the appeal filing fee,
is enclosed herewith.

As you will recall from this office's letter of
January 9, 1978, in the event that you decide that the 7-
Eleven convenience store on the Exxon site on the opposite
side of Reisterstown Road satisfied the C.N.S. District
requirements, then it would not be necessary to reclassify
the small B.L. area sought in this case for convenience
store use in order to grant a redistricting of the exist-
ing B.L. area together with a special exception for service
station alone within the existing, districted B.L. area.

We are unclear as to the meaning of the sentence
"By necessity, the request for the C.N.S. District and the
Special Exception must also be denied." If you agree that the
food store on the Exxon site satisfies the C.N.S. requirement,
then a redistricting to C.N.S. and special exception for service
station on the existent B.L. zoning is all that is re-
quired, and the small additional area sought for the Shell

Page two

convenience store is not needed. Shell is primarily inter-
ested in the service station and only desires the conven-
ience store B.L. reclassification if you or the Board see
it as a requirement for the necessary C.N.S. District.

Your decision of March 6 is unclear to us on this
point, and we were wondering if you had decided this point
or do you agree with our interpretation of the Regulations,
that the 7-Eleven on the east side of the road satisfies the
area C.N.S. requirement?

We will greatly appreciate your noting this
appeal, and we will also appreciate your thoughts with re-
gard to the questions raised in this letter.

Thanking you and your Staff for your attention
to this Notice of Appeal, I am

Respectfully,

James D. Nolan
James D. Nolan

JDN/b1
Check enclosed
cc: The Hon. Walter A. Reiter, Jr.
Chairman and Members of the
County Board of Appeals
Court House, Room 219
Towson, Md. 21204

John W. Hession III
People's Counsel
County Office Building
Towson, Md. 21204

Walter Seif, Esq.
10 Painters Mill Prof. Bldg.
Owings Mills, Md. 21117

Jeffrey Hanes, Esq.
Suite 209, 15 Charles Plaza
Baltimore, Md. 21201

Emanuel H. Horn, Esq.
Dickerson, Rice, Sokol & Horn
200 Court Square Building
Baltimore, Md. 21202

Richard B. Talkin, Esq.
Clark Building, Suite 105
Columbia, Md. 21044

Robert J. Philburn
Dist. Real Estate Repres.
Shell Oil Company
5565 Starrett Place
Columbia, Md. 21044

R. M. Tambascio, Civil Engr.
Shell Oil Company

William Wells, Esq.
Durkee, Albert & Hahn
7 Church Lane
Pikesville, Md. 21208

Mr. & Mrs. James A. Nichols
16 Nicodemus Road
Reisterstown, Md. 21208

W. T. Sadler, Inc.
105 W. Chesapeake Ave.
Towson, Md. 21204

Henry F. Lebrun
111 Susquehanna Avenue
Towson, Md. 21204

Norton K. Sugar Realty Co., Inc.
6623 Reisterstown Rd. 21215

JAMES NICHOLS
(Shell Oil Co., Contr. Lessee)
for Reclassification from D.R. 1
to B.L., for Undistricted to C.N.S.
District, for Special Exception for
Automotive Service Station
NW corner Reisterstown Road and
Woodholme Avenue
Third District
CASE NO. 78-28-RX

BEFORE THE
BALTIMORE COUNTY
BOARD OF APPEALS
JAMES NICHOLS, Petitioner
Case No. 78-28-RX

DISMISSAL OF APPEAL

MR. CLERK:

On behalf of the Contract Purchaser, Shell Oil Company,
and the local owners, Mr. and Mrs. James Nichols, please
dismiss the appeal in the above entitled matter.

James D. Nolan
James D. Nolan
Nolan, Plumhoff & Williams
204 W. Pennsylvania Avenue
Towson, Maryland 21204
823-7800

I HEREBY CERTIFY THAT on this 7th day of December, 1979,
a copy of the foregoing Dismissal of Appeal was mailed, postage
prepaid to the following: JACK W. HESSIAN III, ESQUIRE, People's
Counsel, County Office Building, Towson, Maryland 21204; WALTER I.
SEIF, JR., ESQUIRE, 110 Painters Mill Road, Suite 10, Owings
Mills, Maryland 21117; JEFFREY P. HANES, ESQUIRE, 15 Charles
Plaza, Suite 209, Baltimore, Maryland 21201; SANFORD A. HARRIS,
ESQUIRE, 440 Tower Building, Baltimore, Maryland 21202; RICHARD
B. TALKIN, ESQUIRE, Clark Building, Suite 105, Columbia, Maryland
21044; EMANUEL H. HORN, ESQUIRE, 200 Court Square Building,
Baltimore, Maryland 21202 and WILLIAM D. WELLS, ESQUIRE, 22 Penny
Lane, Baltimore, Maryland 21209.

James D. Nolan
James D. Nolan

RECEIVED COUNTY
BALTIMORE COUNTY
12:27 PM
DEC 11 1979

494-3180

County Board of Appeals Room 219, Court House Towson, Maryland 21204

December 11, 1979

James D. Nolan, Esq.
204 W. Pennsylvania Avenue
Towson, Md. 21204

Dear Mr. Nolan:

Enclosed herewith is a copy of the Order of Dismissal passed today
by the County Board of Appeals in the above entitled case.

Very truly yours,

James D. Nolan
John Holmen, Secretary

Encl.

cc: Mr. James Nichols
Mr. D. R. Healy
Walter Seif, Esq.
Jeffrey Hanes, Esq.
Sanford Harris, Esq.
Richard B. Talkin, Esq.
Mrs. Alice LaGrand
Emanuel H. Horn, Esq.
John W. Hession III, Esq.
Mr. James E. Dyer
Mr. William Hammond
Mr. J. Howell
Mr. Gary Bull
Board of Education
Villiam Hahn, Esq.
Mrs. Alan Bernstein
Dee Fried

494-3180

County Board of Appeals Room 219, Court House Towson, Maryland 21204

January 5, 1979

James D. Nolan, Esq.
204 W. Pennsylvania Ave.
Towson, Maryland 21204

Re: Reclassification Petitions
Case 78-28-RX - James Nichols

Dear Mr. Nolan:

Enclosed please find a copy of the recently enacted
Bill 122-76 which affects your petition. No further hearings on
reclassification petitions will be held until the petitioners advise the
Board as to their intentions within the purview of this act.

Your prompt reply is necessary.

Very truly yours,

Walter A. Reiter, Jr., Chairman

WARC

Enclosure: Bill 122-76
cc: Mr. James Nichols
Mr. D.R. Healy, Shell Oil Co.
Mr. James Dyer
Walter Seif, Esq.
Jeffrey Hanes, Esq.
Sanford Harris, Esq.
Richard B. Talkin, Esq.
Emanuel H. Horn, Esq.
William Hahn, Esq.
John W. Hession III, Esq.
Mrs. Alan Bernstein

cc: Mr. S. E. DiNenna
Mr. James Dyer
Mr. Leslie Gruef
Mr. Gary Bull
Board of Education
Mrs. Carol Beresh

RE: PETITION FOR RECLASSIFICATION
PETITION FOR REDISTRICTING
PETITION FOR SPECIAL EXCEPTION
NW corner of Reisterstown Rd. and
Woodholme Ave., 3rd District
JAMES NICHOLS, Petitioner
Case No. 78-28-RX

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

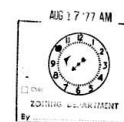
Pursuant to the authority contained in Section 524.1 of the Baltimore County
Charter, I hereby enter my appearance in this proceeding. You are requested to notify
me of any hearing date or dates which may be now or hereafter designated therefore,
and of the passage of any preliminary or final Order in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

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

John W. Hession III
John W. Hession III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 16th day of August, 1977, a copy of the
aforegoing Order was mailed to James D. Nolan, Esquire, 204 W. Pennsylvania Avenue,
Towson, Maryland 21204, Attorney for Petitioner.

John W. Hession III
John W. Hession III



MEMORANDUM IN SUPPORT OF REQUEST
FOR RESTORATION AND DECLASSIFICATION OF AN EXISTING B.L. ZONE,
ACCOMMODATED BY PLACEMENT IN A C.N.S. DISTRICT
GRANTING OF A SPECIAL EXCEPTION FOR AUTOMOTIVE SERVICE STATION
AND USE IN CONSTRUCTION FOOD STORE WITH LESS THAN
5000 SQUARE FEET OF RETAIL SALES AREA
THE NORTHWEST CORNER OF REISTERSTOWN ROAD AND WOODHOLME AVENUE
JUST TO THE NORTHWEST OF THE BALTIMORE COUNTY BELTWAY
REISTERSTOWN ROAD INTERCHANGE

the Erroneous Aspects of the 1976 Zoning Map Treatment
of the Entitled Parcel:

The Petitioners state that the 1976 Zoning Maps as applied to the subject parcel contain at least the following errors, probably additional errors, in arbitrarily dividing the property between a diminished B.L. zone and a D.R. 1 zone, as:

1. An examination of the 1000 scale Pikesville zoning reveals that although the northeast quadrant of the Town Road and Beltway Interchange received extensive and deep B.L. and B.R. zoning, the northwest quadrant, which the subject property, was completely neglected and over- In fact, the 1976 Maps mistakenly placed less commercial on the subject property and the adjoining two commercial to the northwest, since the Council failed to take into the acquisition of commercially-zoned frontage from all properties by the Maryland State Highway Administration improvements to Reisterstown Road in front of the site to serve the nearby Beltway-Reisterstown Road Interchange to the south. It appears that the 1976 Maps conferred B.L. zoning than the 1971 depth, which was even then, in shallow and outdated.

2. That the 1976 Zoning Maps arbitrarily and erroneously the property between two diametrically opposed zones, diminished, more obsolete and unusable B.L. zone on the and D.R. 1, the least dense D.R. zone, on the rear, in

8. For such other and further zoning errors and mis- shall be disclosed by the continuing inquiry herein, zoning errors and mistakes shall be brought out at the the hearing herein.

Respectfully submitted,

James D. Nolan
James D. Nolan and
Nolan, Plumhoff & Williams
Nolan, Plumhoff & Williams

such a manner as to render both of the parcels of little use and utility. In fact, 21 feet of valuable and usable B.L. zoning was taken by the State Highway Administration along the frontage of the property; and the 1976 Maps did not even replace this frontage by deepening the B.L. zoning to the extent of the State Highway taking, thus further rendering the B.L. zoning on the property of an obsolete and shallow nature, unusable for modern and attractive commercial uses.

3. That it is quite evident that the 1976 mapping process did not closely study the commercial uses on the subject property and on the adjoining property to the northwest, since the final maps adopted the depth of the obsolete and unattractive commercial uses which have been converted from older dwellings immediately to the northwest, in arriving at the depth of the B.L. zone on the subject property. By uncritically adopting the earlier, obsolete and diminished commercial zoning, the 1976 Maps have fostered and continued very unattractive, shallow and almost unusable B.L. zoning for the subject property and its neighbors, rather than allowing an appropriate depth of B.L. zoning, which would permit modern and attractive uses which would upgrade this long commercially-used area.

4. That the 1976 Zoning Maps for the B.L. area of which the subject property is a part, erroneously omitted and completely overlooked the C.N.S. District which was placed on a portion of the B.L. and B.R. zoning directly across Reisterstown Road in Case No. 72-141-RXA. Had this C.N.S. Districting not been overlooked by the 1976 Maps, in all probability these maps would have, and indeed should have, extended the C.N.S. District to the B.L. zoning on the opposite side of Reisterstown Road, which would include the subject property. Furthermore, the site directly opposite the subject property is presently being upgraded and improved by the construction of a modern automotive service station as well as by the construction of a convenience food store on a joint site, which at the present time is continuing under construction.

-2-

The Honorable S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
TOWSON, Maryland 21204

Re: Petition for Reclassification and Special
Exception for James Nichols and Wife (Shell
Oil Company Contract Lessees), Case No.
78-28-RX.

Dear Commissioner DiNenna:

As your file will reveal, this case which was initially heard on September 9 of last year was continued and concluded on October 19. Since that time all advertising and posting fees have been properly paid.

As was disclosed by the testimony during the case, and as your file notes will reveal, Shell Oil Company is primarily interested in constructing a first class, modern gas and go station at this location. Of secondary importance and interest to Shell and to the owners of the property is the proposal to construct the small convenience store within the area sought to be reclassified to the rear of the present B.L. zone.

As was also fully brought out, we believe that the requirement for a food store within the C.N.S. zone is already met by the existing 7-Eleven store constructed in combination with the Exxon on the opposite side of Reisterstown Road.

According to our recollection and our hearing notes, the primary complaint of the various protestants in this matter is with the traffic, particularly at the intersection of Woodholme and Reisterstown Road, rather than the station itself. It would be our suggestion that a joint approach by all parties involved to the Maryland State Highway Administration, particularly to Mr. Lee and Mr. Meyers in the Bureau of Entrance Permits, might be fruitful in perhaps producing a traffic signal at this location. However, as Mr. Philburn testified, this station would not add new trips to

tion. It was erroneous for the 1976 Maps to overlook this C.N.S. Districting, and it was also erroneous for these maps not to extend the same treatment, that is, a C.N.S. District, to the subject property directly opposite the automotive service station which is open and the convenience food store soon to open. The subject property should be given at least the same depth of B.L. as its counterpart directly across the street, and similarly, it should be extended a C.N.S. District; and it was erroneous for the 1976 Maps not to so deepen the B.L. zone to a modern, usable depth, and not to apply the overlooked C.N.S. District to the commercial zones on both sides of Reisterstown Road at this point.

5. That the 1976 Zoning Maps completely overlooked the northwestern quadrant, which evidently is the poor stepchild to the northeastern quadrant; and, it is submitted that the northwestern quadrant should be extended at least a usable depth of commercial zoning, namely B.L., and it should also be extended a C.N.S. District comparable to that erroneously omitted directly across Reisterstown Road. By so doing, the Zoning Maps will allow this area to be upgraded as proposed in the subject petition for an automotive service station and convenience food store, which will both be modern uses, completely neat in appearance and a credit to the area, and uses which will upgrade this northwestern quadrant.

6. That it was error for the 1976 Maps not to recognize the numerous changes which have occurred in the area, and to instead continue the outmoded 1971 zoning of the subject property, made further obsolete as a result of being diminished by the State Highway taking of 21 feet of valuable commercial frontage. Among those changes to the area overlooked on the 1976 Zoning Maps are the following: the State Highway Administration taking of a significant part of the commercial frontage on the subject property and properties on the north; the numerous improvements to Reisterstown Road in front of and immediately to the south of the property, which include extensive improvements to the Reisterstown Road Beltway Interchange; the placement of the B.L. and B.R.-zoned property

-3-

Page two

those already on Reisterstown Road, but rather would offer a convenience to the motoring public in the area.

As the property owners, Mr. and Mrs. Nichols are naturally both anxious to place this property once again into an income-productive status. Needless to say, a modern facility constructed at this location would be of benefit to the motoring public, would put the property into a productive status, and would improve its appearance, and would also add to the local tax base.

Shell Oil Company and the Nichols and this office will all be glad to cooperate with any and all interested persons in petitioning the Maryland State Highway Administration for a traffic light at the intersection of Woodholme Avenue and Reisterstown Road, which light would be of benefit to all concerned and which light would be synchronized with the existing light a short distance away at the Beltway interchange.

In summary, we remain ready, willing and able to cooperate with any and all parties to put this property into a productive status and to help solve any traffic difficulties being experienced in the area.

With best regards of the New Year, both to you and your Staff, I am

Respectfully,

James D. Nolan
James D. Nolan

JDN/hl

See next page for cc's

directly across Reisterstown Road, which is to share its site with a convenience food store; the deepening of B.L. zoning at the northeast corner of Hook's Lane and Reisterstown Road, diagonally across Reisterstown Road, which property has been converted to a modern and attractive construction office, a gourmet food store, and other offices; the conversion of the adjoining older houses to the northwest directly on the Reisterstown Road frontage to commercial uses; as well as other numerous changes in this area surrounding Reisterstown Road and the Beltway, including, but not only, the great increase in densities which have been placed in the southwest quadrant of Reisterstown Road and the Beltway directly across the Beltway from the subject property, which area will be developed at the rear of the Hilton Inn as a planned community of townhouses, garden apartments and mid-rise and high-rise apartments. All of these changes dictate that the obsolescent, shallow commercial zoning on the subject property should be upgraded and deepened as well as the placement of a C.N.S. District on the property as requested.

7. That it would appear that the Council was not well informed as to changes on the subject property, which have included the razing of a former restaurant which occupied it, as well as other changes on both sides of Reisterstown Road immediately to the northwest of the Beltway, as well as numerous improvements which have been made by the State Highway Administration to that interchange, which have in large measure cured the traffic problems which had previously been encountered at this location. Had the Council been aware of these area changes and road improvements, then a usable depth of B.L. zoning would have been accorded to the property, together with the C.N.S. District erroneously omitted from this area.

-4-

Page three

cc: Jeffrey Perrin Hanes, Esquire
Representing Greater Washington-Maryland
Service Station Association
3217 Calvert Street
Baltimore, Maryland 21218

Sanford A. Harris, Esquire
Attorney for Woodholme Country Club
440 Tower Building
227 East Baltimore Street
Baltimore, Maryland 21202

Richard B. Talkin, Esquire
Attorney for Mr. & Mrs. Himmelreich
and others
117 Teachers Building
Columbia, Maryland 21043

Walter I. Self, Jr., Esquire
Attorney for Self and other Protestants
110 East Lexington Street, #401
Baltimore, Maryland 21202

Mr. and Mrs. James A. Nichols
16 Nicodemus Road
Reisterstown, Maryland 21236

Robert J. Philburn
District Real Estate Representative
Shell Oil Company
5565 Sterrett Place
Columbia, Maryland 21044

Richard M. Tambascio, Field Engineer
Shell Oil Company

William T. Sadler
W. T. Sadler, Inc.
11 W. Pennsylvania Avenue
Towson, Maryland 21204

Henry F. LeBrun
111 W. Susquehanna Avenue
Towson, Maryland 21204

10

MEMO FROM: (901) 323-3400

IMPERIAL

RESIDENTIAL & COMMERCIAL
BUSINESS OPPORTUNITIES

VILLAGE OF CROSS KEYS BALTIMORE, MARYLAND 21202

TO WHOM IT MAY CONCERN:

Please notify me when case # *James Nichols* 7828RX is going to be heard before the appeals board.

Thank you,
Herb Fried
HER FRIED

DP/td

IMPERIAL REAL ESTATE, INC.
SUITE 272 QUADRANGLE
VILLAGE OF CROSS KEYS
BALTIMORE, MD. 21202

WE MULTIPLE LIST



We Set The Earth And Anything Build On It

Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
James
Samuel M. Evans

April 19, 1977

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

Re: Zoning Cycle I
Reisterstown Road area
(Route 140)

Attention: Mr. N. Commodari
Dear Mr. DiNenna:

In reviewing petitions for the current cycle, we find quite a few proposals on or near Reisterstown Road. Of special note are items 7, 8 & 9. Reisterstown Road is heavily traveled. The 1976 average daily traffic count varies from 38,000 vehicles at the Beltway to 15,300 vehicles in Reisterstown. The only appreciable relief anticipated for the highway is the construction of the mass transit facility and the Northwest Expressway, which is not programmed for construction until after 1982. If large traffic generators continue to be developed in the Reisterstown Road corridor, Reisterstown Road will become virtually impassable.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: John E. Meyers

CL:JEM:vrd

GAMES 11/20/77

Mr. Leland A. Graham
16 Woodholme Ave.
Pikesville, Maryland 21208

October 15, 1977

Mr. S. Eric DiNenna, Zoning Commissioner
County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204

Dear Mr. DiNenna: Re: Continued Hearing #78-28-RX
Item #7

Although I attended the first part of this hearing in September, I am unable to attend the continuation to be held October 19. My husband and I live at 16 Woodholme Avenue, the second house on the right from Reisterstown Road. We have lived there 28 years.

When we first moved there, my husband taught at McDonough School, necessitating a left-hand turn at Reisterstown Road each morning. I taught at Park School, making a right-hand turn at Reisterstown Road and heading to get into the left lane in order to get on the eastbound Beltway. Other cars also need to exit and enter Woodholme Avenue around 8 a.m.

With increasing numbers of smaller cars and especially with the recent widening of Reisterstown Road from Woodholme Avenue to the Beltway ramp to the west, it is harder and harder to turn from Woodholme Avenue into Reisterstown Road at times of heavy traffic. These times are constantly increasing due to continuing industrial, business, and residential growth to the north of the Beltway. Also, people stopping for the Beltway light often block the intersection despite the sign forbidding it.

Fortunately for us, my husband and I are both now re-

Handwritten note:
Please consider this a letter of protest concerning the rezoning attempt at the corner of Reisterstown Rd. & Woodholme Ave. North of the Beltway.
As a working member of the community, I am unable to attend this hearing set for 1:00-1:15, Sept 9th. So I must be content to be omitted & heard by mail.
My feelings are negative regarding the proposed gas station "food store." I don't need one in my front yard. There is adequate shopping very near by. I don't need another gas station. There are many gas stations. I don't want one a mile. I believe the proposed addition will create greater traffic tie-ups. They are already nearly impossible.

MRS. ALAN BENNETT • 30 WOODHOLME AVENUE • PINEVILLE, MARYLAND 21208

November 16, 1978

Baltimore County Board of Appeals
Room 214, Court House
Towson
Maryland 21204

Dear Sirs,

Please include my name on the list of people to be notified for continuation of the hearing on August 28th in your letter as 78-28-RX, owned by James Nichols. Send the notice to the address shown above.

Yours truly,

Margaret K. Bennett

Rec'd 11/20/78
10.17.78

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
Nicholas, B.
Commodari
James Nichols
Acting Chairman

May 2, 1977

James D. Nolan, Esquire
Newton A. Williams, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Reclassification, Redistricting and Special Exceptions
Item No. 7 - 1st Cycle
Petitioner - James Nichols

Gentlemen:

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.

This currently vacant site, presently zoned B.L. and D.R. 1, is located on the northwest corner of Reisterstown Road and Woodholme Avenue in the 3rd Election District. Adjacent properties are improved with a retail operation, a residence on a large tract of land and the Beltway interchange to the northwest, southwest, and southeast of this site, respectively, while a service station and vacant wooded land exist to the northeast across Reisterstown Road.

This involved hearing is necessitated by your client's proposal to develop this site with a combination grocery store/gas station. As indicated in the comments of the Office of Project and Development Planning, the submitted site plan appears to satisfy the requirements of Section 405 of the zoning regulations. However, if granted and

James D. Nolan, Esquire
Newton A. Williams, Esquire
Page 2
Item No. 7
May 2, 1977

at the time of permit applications, the site plan must comply with the aforementioned section as well as any of the enclosed comments from this Committee.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plans, as may have been requested by this Committee, shall be submitted to this office prior to May 27, 1977 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, 1977 and October 15, 1977 will be forwarded to you well in advance.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI,
Acting Chairman
Zoning Plans Advisory Committee

NBC:rf

cc: W. T. Sadler, Inc.
11 W. Pennsylvania Ave.
Towson, Maryland 21204

tired, but getting out of Woodholme Avenue continues to be more and more difficult. The Shell Station's proposal to exit its customers via Woodholme Avenue will complicate even more a bad situation.

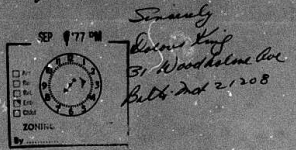
There are five gas stations just to the south of the Beltway now, including a Shell station, in addition to the recently-built Exxon station across the street from Woodholme Avenue. Please don't inflict this part of Reisterstown Road with another filling station.

Sincerely yours,

Dorothy Graham
(Mrs. Leland A. Graham)



I feel the addition will be detrimental to the safety of my children who must see that clearly huge tanker to meet and demand their school bus.
There is nothing I can think of that will, in my opinion, improve the living conditions of my family.
I say no to the proposal of rezoning that corner.



baltimore county
department of public works
TOWSON, MARYLAND 21204
THORNTON M. MOURING, P.E.
DIRECTOR
April 29, 1977

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

Re: Item #7 (Cycle I April-October 1977)
Property Owner: James Nichols
N/W cor. of Reisterstown Rd. & Woodholme Ave.
Existing Zoning: D.R. 1
Proposed Zoning: B.L.
Existing Zoning: Undistricted
Proposed Zoning: C.N.S., with special exception for automotive service station.
District: 3rd No. of Acres: 8,294 sq. ft.

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

Reisterstown Road (U.S. 140) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State 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.

Woodholme Avenue, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Highway right-of-way widening and reversible easements for slopes will be required in connection with any grading or building permit application.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

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 #7 (Cycle I April-October 1977)
Property Owner: James Nichols
Page 2
April 29, 1977

Storm Drains

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the generation 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.

Water and Sanitary Sewer

Public water mains exist in Reisterstown Road and Woodholme Avenue. Public sanitary sewerage is not available to serve this property; therefore, private sewage systems must be provided. Public sanitary sewerage has been designed for construction to a location north of the Beltway (I-695) at Woodholme Avenue, approximately 2,000' southwesterly of this property (Mt. Wilson Lane Sanitary Sewers, Job Order 1-2-518). The time of construction of this sewerage is very indefinite.

The Developer is cautioned as to the disposal of industrial wastes. Wastes detrimental to the public sewer system, or to the functioning of the sewage pumping stations and/or treatment plants, shall be treated or disposed of as found necessary and directed by the Administrative Authority or other authority having jurisdiction.

Further, it shall be unlawful for any person to deposit by any means into the building drainage system or sewer, any ashes, cinders or rags - (flammable, poisonous, or explosive liquids - gases, oils, grease, or any other material which would or could obstruct, damage or overload such system or sewer.

The Developer is responsible for the preparation and submittal of such analyses of his industrial wastes as may be required to determine either the method of disposal, or the pretreatment to be employed by him if the industrial wastes are to be discharged into the public sanitary sewer system, prior to issuance of a building permit.

The Developer must submit a plan indicating satisfactory means for the disposal of the wash-rack effluent or industrial waste, storm drainage and sanitary sewers, before an application for a building permit can be approved.

Discharge of effluents containing untreated detergents, Alkyl Benzene Sulfonate (ABS), into septic tanks and underground disposal fields will not be permitted. The Developer may obtain permission to discharge effluent containing ABS into open water courses and/or storm drainage system by providing water treatment of such nature as to reduce the ABS concentration to 3.5 parts per million. Such treatment facilities require concurrent approval by the Board of Health and the Department of Public Works, Planning Division of Baltimore County; and where necessary, the Water Pollution Control Commission of the State of Maryland.

This property is tributary to the Owynns Falls Sanitary Sewer System, subject to State Health Department regulations.

Very truly yours,

Donald W. Tucker, P.E.
DONALD W. TUCKER, P.E.
Acting Chief
Bureau of Engineering

DWT:EMK:ms
CC: S. Belletti

Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
Secretary
Bernard M. Evans
Assistant Secretary

April 18, 1977

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204
Attention: Mr. N. Commodari

Re: Z.A.C. Meeting, Zoning Cycle I
Item: #7
Property Owner: James Nichols
Location: NW/Cor. of Reisterstown Rd. (Rte. 140) & Woodholme Ave.
Present Zoning: D.R. 1
Proposed Zoning: B.L.
Present District: Undistricted
Proposed District: C.N.S., with special exception for Automotive Service Station.
District: 3rd
No. Acres: 8,294 square feet.

Dear Mr. DiNenna:

The plan indicates entrance channelization that is basically acceptable, however the close proximity of the proposed service station to the Beltway interchange will compound the existing traffic congestion in this area. The 1976 average daily traffic count for this section of Reisterstown Road is 38,000 vehicles. At present, vehicles back up past the subject site during the peak hours. During these periods, it will be virtually impossible to leave the site or to enter from northbound Reisterstown Road.

Very truly yours,
Charles Lee, Chief
Bureau of Engineering
Access Permits
By: John E. Meyers

CL:JEM:dj

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
3011 494 3211

April 20, 1977

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

Dear Mr. DiNenna:

Comments on Item 7, Zoning Cycle I, April, 1977, are as follows:

Property Owner: James Nichols
Location: NW/Cor. of Reisterstown Road and Woodholme Ave.
Present Zoning: D.R. 1
Proposed Zoning: B.L.
Present District: Undistricted
Proposed District: C.N.S., with special exception for automotive service station
District: 3rd
No. Acres: 8,294 square feet

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 appears to meet the requirements of Section 405 of the Zoning Regulations.

Very truly yours,

John L. Wimbley
Planner III
Project and Development Planning

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
301 434 3500

STEPHEN E. COLLINS
DIRECTOR

April 19, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

Re: Cycle Zoning No. 7 - ZAC - April 1977
Property Owner: James Nichols
Location: NW/Cor. of Reisterstown Rd. and Woodholme Ave.
Present Zoning: D.R. 1
Proposed Zoning: B.L.
Present District: Undistricted
Proposed District: C.N.S., with special exception for Automotive service station.
District: 3rd
No. Acres: 8,294 square feet.

Dear Mr. DiNenna:

The proposed B.L. & C.N.S. district can be expected to generate approximately 100 additional trips per day.

Any development of this site can be expected to add to the traffic congestion on 1695 and Reisterstown Road.

Very truly yours,

Michael A. Flanagan
Michael A. Flanagan
Traffic Engineer Associate

MSF/ljo

baltimore county
department of health
TOWSON, MARYLAND 21204

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

April 18, 1977

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

Dear Mr. DiNenna:

Comments on Item #7, Zoning Cycle I Meeting, April 5, 1977, are as follows:

Property Owner: James Nichols
Location: NW/Cor. of Reisterstown Rd. and Woodholme Ave.
Present Zoning: D.R. 1
Proposed Zoning: B.L.
Present District: Undistricted
Proposed District: C.N.S., with special exception for Automotive service station.
District: 3rd
Acres: 8,294 square feet

This property must pass satisfactory percolation tests prior to the issuance of building permits.

Very truly yours,

Thomas H. Hevlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

KS:mah

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

Attention: Mr. Nicholas B. Cammerlari, Chairman
Zoning Advisory Committee

Re: Property Owner: James Nichols

Location: NW/Cor. of Reisterstown Rd. and Woodholme Ave.

Item No. 7 Zoning Agenda Zoning Cycle I

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 _____ 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 "Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Sit' plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

NOTED: *James Nichols* and *James Nichols*
Special Inspection Division Fire Prevention Bureau

April 19, 1977

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

Zoning Cycle #1

Dear Mr. DiNenna:

Comments on Item # 7 Zoning Advisory Committee Meeting, are as follows:

Property Owner: James Nichols
Location: NW/Cor. of Reisterstown Road and Woodholme Ave.
Existing Zoning: D.R. 1 Present District: Undistricted
Proposed Zoning: D.R. 1
Proposed District: C.N.S. 1st special exception for Automotive service station
Acres: 8.294 square feet
District: 3rd

The items checked below are applicable:

- (x) A. Structure shall conform to Baltimore County Building Code (B.O.C.B.) 1970 Edition and the 1971 Supplement and other applicable codes.
- (x) B. A building permit shall be required before construction can begin.
- () C. Three sets of construction drawings will be required to file an application for a building permit.
- (x) D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- (x) E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- () F. No comment.
- (x) G. Requested setback variance/conflicts with the Baltimore County Building Code. See Table 5 (a) (1) and hourly rating required

Very truly yours,

Mark E. Lankham CSB

Charles E. Burnham
Plans Review Chief
CSB:rcj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 7, 1977

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

Z.A.C. Meeting of: Zoning Cycle I

RE: Item No. 7
Property Owner: James Nichols
Location: NW/Cor. of Reisterstown Rd. and Woodholme Ave.
Present Zoning: D.R. 1
Proposed Zoning: B.L.
Proposed District: C.N.S. with Special Exception for Automotive Service Station

District: undistricted 3rd
No. Acres: 8.294 square feet

Dear Mr. DiNenna:

No effect on student population.

Very truly yours,

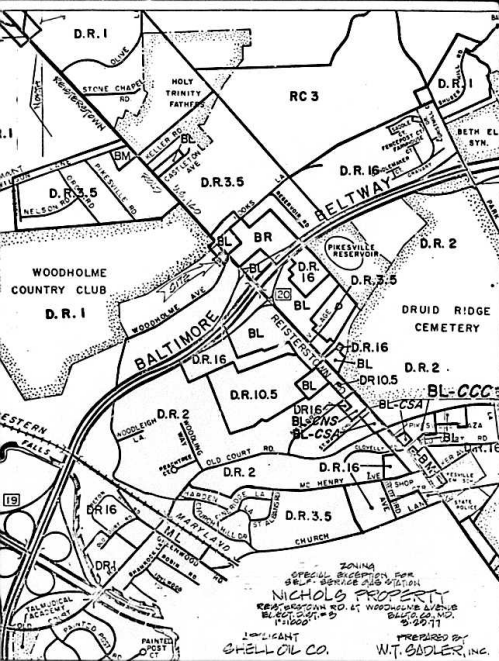
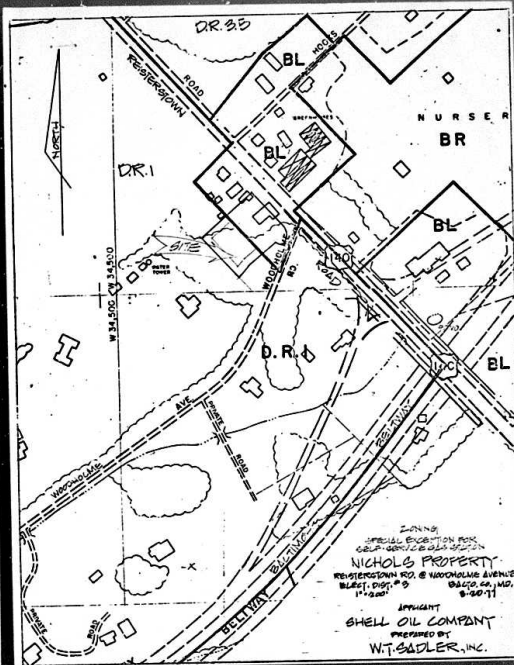
W. Nick Petrovich
W. Nick Petrovich,
Field Representative

JOSEPH W. MILLER, ALLENDALE
E. BARBARA WILLIAMS, JR., ALLENDALE
MARION M. ALLENDALE

THOMAS W. BOKER
MRS. LORRAINE F. ENGLISH
ROGER W. HAYDEN

ROBERT V. DUNN, ALLENDALE

ALVIN LORECK
MRS. WILTON A. SMITH, JR.
EDWARD W. TAYLOR, D.M.



6-SIGNS 78-28-RX

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: AUGUST 22, 1977

Posted for: NOTATION FOR RECLASSIFICATION OF REISTERSTOWN RD. SPECIAL EXCEPTION

Petitioner: JAMES NICHOLS

Location of property: NW/Cor. of REISTERSTOWN RD. AND WOODHOLME AVE.

Location of Signs: NW/Cor. of REISTERSTOWN RD. AND WOODHOLME AVE.
N.E. of WOODHOLME AVE. 60' W. of REISTERSTOWN RD.

Remarks: Thomas B. Boland

Posted by: Thomas B. Boland Date of return: AUGUST 26, 1977

1-SIGW 78-28-R

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: APRIL 1, 1978

Posted for: APPEAL

Petitioner: JAMES NICHOLS

Location of property: NW/Cor. of REISTERSTOWN RD. AND WOODHOLME AVE.

Location of Signs: NW/Cor. of REISTERSTOWN RD. AND WOODHOLME AVE.

Remarks: Thomas B. Boland

Posted by: Thomas B. Boland Date of return: APRIL 7, 1978

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

No. 85520

DATE: Mar. 22, 1978 ACCOUNT: 01-662

AMOUNT: \$75.00

RECEIVED FROM: James, Nolan, Plumbhoff & Williams 204 V. Penna.
For: Town, Md. 21204
for: Court of Appeal for James Nichols
78-28-RX

75.00 DOLLARS

VALIDATION OR SIGNATURE OF CASHIER

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

No. 51690

DATE: May 3, 1977 ACCOUNT: 01-662

AMOUNT: \$50.00

RECEIVED FROM: James, Nolan, Plumbhoff & Williams, 204 V.
for: Town, Md. 21204
for: Petition for Reclassification, Reisterstown Rd.
Special Exception for James Nichols

50.00 DOLLARS

VALIDATION OR SIGNATURE OF CASHIER

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

No. 57398

DATE: January 11, 1978 ACCOUNT: 01-662

AMOUNT: \$311.00

RECEIVED FROM: Shell Oil Co., Houston, Texas
for: Abandoning and posting of property for James
Nichols
78-28-RX

311.00 DOLLARS

VALIDATION OR SIGNATURE OF CASHIER



1977

☐ Catonsville Times
☐ Dundalk Times
☐ Essex Times
☐ Suburban Times East
☐ Towson Times
☐ Arbutus Times
☒ Community Times
☐ Suburban Times West

weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 10th day of August, 1977, that is to say, the same was inserted in the issues of August 18, 1977

STROMBERG PUBLICATIONS, INC.

BY Ethan Berger

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 19....., 19.27

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 14th day of September, 1977, at one time consecutively before the day of September, 1977, the last publication appearing on the 14th day of August, 1977.

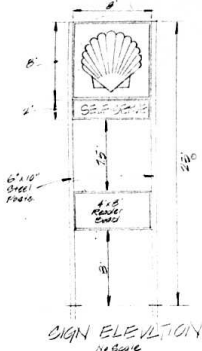
THE JEFFERSONIAN,
S. Land Street
Manager

Cost of Advertisement, \$.

Number	Distance to Nearest Hill Climbing	Maximum Height	Remarks
1	47'	8'	Marked on Building
2	8'	8'	Marked on Building
3	1'	8'	
4	1'	8'	
5	30'	8'	
6	116'	14'	Max height observed
7	118'	14'	Max. height observed
8	77'	8'	
9	37'	8'	

Number	Distance to Nearest Hill Climbing	Maximum Height	Remarks
1	47'	8'	Marked on Building
2	8'	8'	Marked on Building
3	1'	8'	
4	1'	8'	
5	30'	8'	
6	116'	14'	Max height observed
7	118'	14'	Max. height observed
8	77'	8'	
9	37'	8'	

* One Eighth (1/8) Distance To Nearest Fractional
Zoning Line Or Eight (8) Feet, Whichever Is
Greater. See Baltimore County Council Bill #40,
Section 16, Subsection 405.4 B.E.



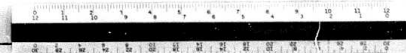
WILLIAMS, INC.
SAVED
114 KENNEDY BLVD
JACKSON, MISSISSIPPI



NOT PLACED TO ACCOUNTANT RETURNING FOR
SPECIAL EXCEPTION FOR SERVICE STATION, FOR
DISTRICTING AND FOR RECLASSIFICATION AND
SPECIAL EXCEPTION FOR USE IN COMBINATION
FOR PROPERTY, LOGSBUEN
REGISTERSTOWN ROAD (US 140)
AT WOODHOLME AVENUE
ELECTION DISTRICT #5
SCALE 1" = 20' BAYMOUNT COUNTY, MO
MARCH 25, 1977

APPLICANT
SHELL OIL COMPANY
5566 STERRET PLACE
COLUMBIA, MARYLAND 21044

OWNER
JAMES A. NICHOLS
LILLIAN R NICHOLS





7F-78RX

CURVE DATA

CURVE #1
R= 52.00'
L= 40.11'
T= 20.01'
Δ= 66° 06' 40"
Ch= S 75° 56' W
40.71'

CURVE #2
R= 502.46'
L= 4.67'
T= 2.34'
Δ= 0° 31' 55"
Ch= S 43° 43' 01" N
4.67'

*POINT OF BEGINNING OF DESCRIPTION
TO ACCOMPANY PETITION FOR PROPOSED
CNS DISTRICTING AND SPECIAL EXCEPTION
FOR SELF-SERVICE GAS STATION.

*** POINT OF BEGINNING OF DESCRIPTION
TO ACCOMPANY PETITION FOR RECLASS-
SIFICATION FROM D.R.1 TO BL ZONING
AND SPECIAL EXCEPTION FOR USE IN
COMBINATION.

PLS. FLY TO ACCOMPANY PETITIONS FOR
SPECIAL RECESSION FOR SERVICE STATION, FOR
DISTRICTING AND FOR RECLASSIFICATION AND
SPECIAL RECESSION FOR USE IN COMBINATION
FOR PROTECT. LOCATED ON
REISTERSTOWN ROAD (U.S. 140)
AT WOODHOLME AVENUE
ELECTION DISTRICT #8
SCALE: 1" = 20'
BALTIMORE COUNTY, MD.
MARCH 25, 1977

APPLICANT

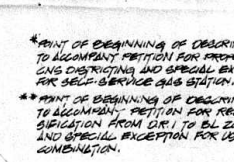
SHELL OIL COMPANY
5565 STERRET PLACE
COLUMBIA, MARYLAND 21044

OWNER
E. A. NICHOLS
D. R. NICHOLS

Robert L. Egan
RLE 82 7780

W.T. SAULER, INC.
SURVEYORS
114 PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204





Architectural drawing of the 'OIGN ELEVATION'. The drawing shows a vertical structure with a central emblem of a scallop shell. Above the shell is a small rectangular area with the text 'SEASIDE'. Below the shell is a larger rectangular area with the text '11' RANGER'. The drawing includes several dimensions: a total height of '10' 6"', a width of '6' 1/2"', and a section cut 'A-A' indicated by arrows. The text 'OIGN ELEVATION' and 'NO SCALE' are written at the bottom.

