

-4-

RE: PETITION FOR RECLASSIFICATION
N/8 of Joppa Road, 71.50' W of
Drumwood Road - 9th Election District
Leroy Merritt - Petitioner
NO. 78-34-R (Item No. 16)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This matter comes before the Deputy Zoning Commissioner as a result of a Petition for a Reclassification from a D.R.5.5 Zone to a B.L. Zone for a parcel of land comprising 0.52 acres, located on the north side of Joppa Road, 71.50 feet west of Drumwood Road, in the Ninth Election District of Baltimore County.

The current zoning was assigned to this property prior to the adoption of the 1976 Comprehensive Zoning Map.

Testimony on behalf of the Petitioner indicated that he plans to construct a drive-in bank on the site. Two houses, formally located on the subject property, were razed following their purchase. The Petitioner averred that only a bank or an office building would be appropriate for his use and that he knows of no commercial buildings available for this purpose in the area.

An expert witness, Mr. Bryant D. Jones, architect, testified for the Petitioner stating that four houses could be built on the tract and that their sewage output would be substantially greater than that which would emanate from the proposed single level, 3,000 square foot commercial building.

Mr. Hugh Gelstein, a real estate broker and appraiser, testified that it was his opinion that the site is not satisfactory for home construction.

Further testimony in behalf of the Petitioner stated that the property is ideally suited for a bank or business building, that it bears a close relationship to nearby industrial and commercial neighbors, and that residential use would

be "wasteful of valuable commercial land." Map error was claimed by reason of the translation of the tract's former R-6 zoning to D.R.5.5, the changing nature of the neighborhood, changes in Joppa Road, traffic increases, and related factors.

Without reviewing the evidence further in detail but based upon all of the evidence presented at the hearing, it is the opinion of the Deputy Zoning Commissioner that the Petitioner has not proven error in the Comprehensive Zoning Map. The application of B.L. zoning to this tract would open the door to a large number of commercial uses, in addition to the proposed bank, with resultant high impact upon the existing heavy traffic on Joppa Road. Moreover, the Petitioner's contention that his proposal does not fall within the definition of "spot zoning" appears tenuous in view of the residential uses east and south of the site.

While there is some validity to the suggestion that the site is affected by nearby commercial and industrial development, that situation does not sufficiently support a change in zoning which would tend to compound a commercial strip situation. The Deputy Zoning Commissioner minimizes the testimony of the impact of sewage from a commercial building as compared to residential use of the site as being of little significance; there was no testimony indicating excessive burdening of sewer lines at the subject location, and the presumption of fact must be that such facilities are adequate for residential use.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 21st day of October, 1977, that the requested Reclassification from a D.R.5.5 Zone to a B.L. Zone should be and the same is hereby DENIED.

[Signature]
Deputy Zoning Commissioner of
Baltimore County

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RE: PETITION FOR RECLASSIFICATION
from D.R.5.5 to B.L.
N/8 Joppa Road 71.50'
W. of Drumwood Road
9th District
Leroy Merritt, Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 78-34-R

ORDER OF DISMISSAL

Petition of Leroy Merritt for reclassification from D.R. 5.5 to B.L. on property located on the north side of Joppa Road, 71.50 feet west of Drumwood Road, in the Ninth Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of an Order of Dismissal of Appeal filed February 23, 1979 (a copy of which is attached hereto and made a part hereof) from the attorney representing the Petitioner - Appellant in the above entitled matter.

WHEREAS, the said attorney for the said Petitioner - Appellant requests that the appeal filed on behalf of said Petitioner - Appellant be dismissed and withdrawn as of February 23, 1979.

It is hereby ORDERED this 27th day of February, 1979, that said appeal be and the same is DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

[Signature]
[Signature]
William T. Hatcher

LEROY MERRITT
For Reclassification from
D.R.5.5 to B.L. Zone
N/8 Joppa Road 71.5' W. of
Drumwood Road
9th District
Case No. 78-34-R

BEFORE THE
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

DISMISSAL OF APPEAL

Leroy Merritt, Petitioner and Owner, by James D. Nolan and Nolan, Plumhoff and Williams, his attorneys, hereby dismisses his appeal from the Opinion and Order of the Deputy Zoning Commissioner dated October 21, 1977, in these proceedings.

[Signature]
Leroy Merritt, Petitioner
and Owner

[Signature]
James D. Nolan

[Signature]
Nolan, Plumhoff & Williams
204 W. Pennsylvania Ave.
Towson, Maryland 21204
(301) 823-7800

I HEREBY CERTIFY that on this 27th day of February, 1979, a copy of the foregoing Dismissal of Appeal is mailed postage prepaid to John W. Hession, III, Esquire, Peoples Counsel, County Office Building, Towson, Maryland 21204.

[Signature]
James D. Nolan

*Rec'd 2-28-79
10:45 AM*

LET APPEAL TO
Baltimore County
Zoning Board

February 27, 1979

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

Re: Case No. 78-34-R
Leroy Merritt

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,

William T. Hatcher, Atty. General

and:

cc: Mr. Leroy Merritt
John W. Hession, III, Esquire
Mr. J. E. Day
Mr. G. E. Johnson
Mr. L. H. Green
Mr. J. Hession
Board of Education

APPROPRIATE ZONING FOR THE NORTHEAST CORNER OF JOPPA ROAD AND WYLANDER LANE

1. The subject tract's industrial and commercial neighbors include the former Bendix Plant to the northwest, now partially utilized by the Merry Go Round complex, the Bendix Parking lot, the new Maryland Executive Park and the Eudowood Shopping Plaza to the southwest, and the warehouse and commercial complex developed by the Merritt organization to the north.

2. Thousand scale zoning map Towson 3C classifies the eastern end of the Towsondale development on the north side of Joppa Road in a B.R. zone and a D.R.16 zone proceeding in a westerly direction; and equality of treatment indicates B.L. and D.R.16 zoning for the western end of the north side of Joppa Road is also appropriate.

3. In addition to the nearby industrial and commercial activity this corner property is subject to heavy traffic on Joppa Road as well as traffic entering and leaving Wylander Lane and the entrance to the industrial, office and commercial areas to the north and northeast, all to a much greater extent than the D.R.5.5 zone and homes to the east.

4. The subject tract is formed by four lots and the bed of a paper street laid out in 1940 as a part of "Towsondale" and as such, the houses built

NEARBY
COMMERCIAL
AND
INDUSTRIAL
USES

EAST END OF
TOWSONDALE
CLASSIFIED
B.R. AND
D.R.16, AND
WESTERN END
DESERVES
SIMILAR
TREATMENT

WYLANDER LANE
AND JOPPA ROAD
TRAFFIC

SHALLOW LOTS
AND SETBACKS

along the north side (unlike the semi-detached homes on the south side of Joppa Road) were planned for a two-lane Joppa Road, rather than the four-lane, major arterial roadway it has now become.

5. This property, due to all of the aforementioned factors, is not now, and was not in 1975 or 1976, an appropriate site for individual D.R.5.5 homes.

6. Maintaining the site in a D.R.5.5 zone will be wasteful of valuable commercial land and it will deprive the property owner, the County and the neighborhood of any useful activity on this property.

7. This property is ideally suited for use by a small bank or savings and loan association or for a small office or business building.

8. Four-lane Joppa Road, the traffic signal at Wylander Lane and Joppa Road, and the new uses of Wylander Lane, all render the site readily accessible for bank or small business use, but undesirable for residential use.

9. A small bank or office and business building at this corner will serve as an asset to the area as well as serving a transitional zoning and land use function by anchoring the west end of the Towsondale homes along the north side of Joppa Road.

THIS CORNER NO
LONGER APPRO-
PRIATE FOR D.R.
5.5 INDIVIDUAL
HOMES.

D.R.5.5 ZONING
WASTEFUL OF
LAND

EXCELLENT BANK
OR SMALL
BUSINESS SITE

GOOD ACCESS

BANK OR SMALL
BUSINESS AND
OFFICE BUILDING
AN ASSET TO AREA

LEASE
RESTRICTIONS ON
USE OF PROPERTY

10. By reason of lease provisions applicable to the adjoining warehouse complex owned by the Petitioner, the owner is limited in the development of this property to its use for a bank, savings and loan or office purposes.

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-3-

RE: PETITION FOR RECLASSIFICATION
N/S of Joppa Rd., 71.50' W of
Drummond Rd., Wn District
LEROY MERRITT, Petitioner
: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY
: Case No. 78-34-R (Item 16)

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 534.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kountz, Jr.
Charles E. Kountz, Jr.
Deputy People's Counsel
John W. Hession, III
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2186

I HEREBY CERTIFY that on this 22nd day of August, 1977, a copy of the foregoing Order was mailed to James D. Nolan, Esquire and Newton A. Williams, Esquire, 204 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorneys for Petitioner.

John W. Hession, III
John W. Hession, III



Page two - Chairman Reiter - February 21, 1979

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

Mr. Leroy Merritt
1940 Ruxton Road
Towson, Md. 21204

Mr. Brian Jones
Petricia & Associates
469 Jefferson Building
Towson, Md. 21204

Hugh E. Gelston
202 W. Pennsylvania Avenue
Towson, Md. 21204

Mr. Morton Hoffman
Morton Hoffman & Co., Inc.
Sun Life Building
Charles Center
Baltimore, Md. 21201

Robert Plavnick, A.I.P.
Raymond, Parish, Pine,
Weiner & Plavnick
1010 Vermont Avenue N.W., Suite 800
Washington D.C. 20005

LAW OFFICES OF
NOLAN, PATRICKOFF & WILLIAMS
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
October 31, 1977
JAMES D. NOLAN
NOLAN, PATRICKOFF & WILLIAMS
WILLIAM W. WILLIAMS
KEVIN W. HESSON, JR.
KEVIN W. HESSON
THOMAS J. HESSON
AREA CODE 410
TELEPHONE
882-1800

The Honorable George J. Martinak
Deputy Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Petition for Reclassification
N/S of Joppa Road, 71.50' W
of Drummond Road
9th Election District
Leroy Merritt - Petitioner
No. 78-34-R (Item No. 16)

Dear Commissioner Martinak:

Please accept this letter as a Notice of Appeal in the above entitled matter from your Opinion and Order of October 21, 1977, and we are enclosing also our check in the amount of \$75.00 to cover the cost of entering this appeal.

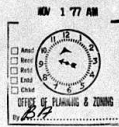
Thanking you and your Staff for your attention to this important appeal, I am, for Nolan, Patrickoff & Williams,

Respectfully,

Newton A. Williams
Newton A. Williams

NAM/hl
Enclosure
cc: Mr. Leroy Merritt
Mr. William Hallmark
Brian Jones
James Petricia & Associates
Hugh E. Gelston

MICROFILMED



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
78-34-R - Leroy Merritt

Dear Mr. Nolan:

Enclosed please find a copy of the recently enacted Bill 122-78 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 M. Reiter, Jr.
Walter M. Reiter, Jr., Chairman

WARa

Enclosure: Bill 122-78
cc: Mr. Leroy Merritt
John W. Hession, III, Esq.
Mr. S. E. DiMenna
Mr. George Martinak
Mr. James Dyer
Mr. Leslie Croft
Mr. Gary Bud
Board of Education
Mrs. Carol Beresh

LAW OFFICES OF
NOLAN, PATRICKOFF & WILLIAMS
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
February 21, 1979
JAMES D. NOLAN
NOLAN, PATRICKOFF & WILLIAMS
WILLIAM W. WILLIAMS
KEVIN W. HESSON, JR.
KEVIN W. HESSON
THOMAS J. HESSON
STEPHEN J. NOLAN
AREA CODE 410
TELEPHONE
882-1800

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

Re: Merritt Washington Boulevard Case No. 78-21-R
and Merritt Joppa Road Case No. 78-34-R.

Dear Chairman Reiter:

On behalf of our client Mr. Leroy Merritt, please find enclosed orders of Dismissal in both of the above matters.

Both of these files will show that appeals were noted by the Petitioner from adverse Decisions by the Zoning Commissioner or his Deputy.

The combination of the requirements of Bill 122-78, including the delay in meeting this new legislation, as well as the approach of the impending new comprehensive zoning maps to be adopted by October of 1980 have led to this decision to dismiss these cases. We will greatly appreciate your noting your records to the effect that no hearing on the merits was held by the Board, but rather the Petitioner merely dismissed his appeal in both of these cases.

Thanking you and your Staff for your attention to these dismissals, I am

Sincerely,

James D. Nolan
James D. Nolan

JDM/hl
Enclosures
cc: See next page

BJS 3-27-77
3/27/77

PETITIONER'S
EXHIBIT 5

Baltimore County Zoning Commissioner's Office
111 W. Chesapeake Avenue
Baltimore, Maryland 21204

Attn: Mr. S. Eric DiMenna (Commissioner)

Dear Mr. DiMenna,

I have seen and experienced the advantages of modern growth in our neighborhood. There was a time when there were no houses. An industry was brought in and all the workers needed housing. When the housing needs were met, service needs began to develop. Today, with the increase in productive facilities, such as the beautiful Merritt Warehouse, etc., more people have been brought to this area and a vital need for more service facilities has evolved.

If we are to conserve on our vital energy resources, such as gasoline oil etc., we must build our service facilities within walking distance of our places of work and living so that people will have easy access before and after work or on lunch hours.

Bankers, doctors, dentists, insurance sales people and the hundreds of other business people that can service the employees and businesses of the industrial parks in the neighborhood must have facilities in which to operate.

This kind of organized growth is what has made the United States free enterprise system the most successful system in the world.

In my twenty some years of living in this neighborhood I have and so have all my neighbors gained many benefits from the growth that has taken place all around us. It has increased the value of our properties because it has been done in good taste and has most effectively utilized the ground so that there is not an over abundance of any specific type of business. The community is one of the most desirable to live in anywhere in Metropolitan Baltimore.

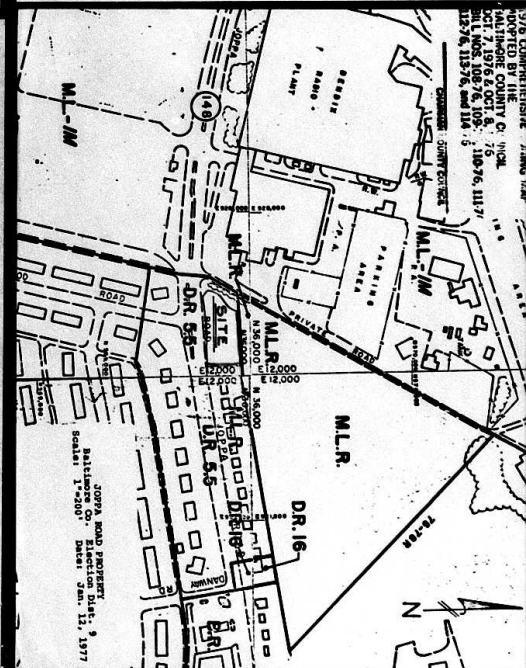
Continued organized growth is an absolute necessity. The best example is the manner in which Bendix Radio's buildings were modernized when their usefulness had run out as a manufacturing facility. The building is now more beautiful than ever and houses several very successful modern businesses. We, the people of the neighborhood, have also gained other advantages such as jobs, more dollars in our tax systems, a more attractive neighborhood, modern needs close by, etc.

I am, and so is my family, one hundred percent in favor of an organization like the Merritt Company properly developing the property on the corner of Joppa Road and Mylander Lane. I think I also speak for many of my very close friends in the neighborhood with whom I have discussed these things many times in the past.

Thanking you in advance for a favorable decision which will perpetuate growth, I am sorry I could not be here in person to give this testimony. But, we have to help relatives take a number of the family to a special clinic in Boston for evaluation of a problem that has baffled doctors for many years. His condition has deteriorated to a point where he can hardly walk and the cause cannot be found.

John R. Roll, Jr.
John R. Roll, Jr. and Family

1800 E. Joppa Road
Baltimore, Maryland 21204



LEASE

THIS INSTRUMENT OF LEASE made the 22 day of August 1978
by and between Leroy Merritt
with offices at 1840 Ruxton Road, Baltimore, Maryland (hereinafter called the "Landlord")
and Automatic Data Processing of Maryland, Inc.
with offices at Loch Raven Boulevard & Northern Parkway (hereinafter called the "Tenant")
Baltimore, Maryland

WITNESSETH

In consideration of the mutual covenants, promises and agreements herein contained, the Landlord and Tenant do hereby covenant, promise and agree to and with each other as follows:

ARTICLE I

PREMISES

The Landlord hereby leases, demises and lets to the Tenant, and the Tenant hereby hires and takes from the Landlord, the premises being the first outlined in red on Exhibit A attached hereto and incorporated herein being the site as known as the Towson Building Center, 8701 to 8717 Mylander Avenue, Towson, Maryland, comprising 32,400 square feet of ground level space.

PETITIONER'S EXHIBIT #6

ARTICLE II

TERM OF LEASE

The Tenant shall have the right to occupy the premises for a term of years, commencing on the day of the month of 1978, and shall commence its occupancy on the day of the month of 1978. The Tenant's obligation to pay rent shall continue for a year period from the day of the month of 1978.

ARTICLE III

Z.C. Pet. Ch. 6.

LEASE

Numbered 1 to 14
To Lease dated August 20, 1978

Leroy Merritt

Between

("Landlord")

and

Automatic Data Processing of Maryland, Inc.

("Tenant")

The printed portion of the lease is hereby modified and supplemented by these Riders. However any inconsistency appears between the printed portion of the lease and any Rider, the provisions of the Rider shall prevail.

1. Term of Lease; Commencement; Termination.

a) The term of this lease shall be for a period of 20 years from the Commencement Date as defined below.

b) When the Landlord has completed construction in the area of the land on or before January 1, 1979, then the Tenant may occupy the premises on such date. In such event, the Tenant shall commence its occupancy on the day of the month of 1978. If the premises are not complete by January 1, 1979, then the Tenant shall commence its occupancy on the first day of the month following completion of construction. If the construction is not complete within eight months from the date the Tenant obtains its building permit, the Tenant may terminate this lease without penalty. The parties shall, following the commencement of the term hereof, confirm the Commencement Date and expiration dates of this lease in writing.

c) If the Landlord completes construction as set forth in Rider C.1 or before January 1, 1979, then the Tenant may occupy the premises on such date. In such event, the Tenant shall commence its occupancy on the day of the month of 1978. If the premises are not complete by January 1, 1979, then the Tenant shall commence its occupancy on the first day of the month following completion of construction. If the construction is not complete within eight months from the date the Tenant obtains its building permit, the Tenant may terminate this lease without penalty. The parties shall, following the commencement of the term hereof, confirm the Commencement Date and expiration dates of this lease in writing.

d) The Tenant may terminate this lease without penalty at any time after three years from the Commencement Date upon 90 days prior written notice to the Landlord.

2. Rent. At the end of the fifth, tenth and fifteenth years from the date provided for in Article III hereof, the rent shall be increased in each instance as follows: (i) the rent of the 20th year then being paid; or (ii) the

Landlord will deliver to Tenant all warranties relating to any construction or equipment installed in the building.

10. Fuel Tank. Tenant may, at its expense, install an 8,000 gallon gas tank on the land in the vicinity of the Building provided that such installation is permitted by law. Tenant will obtain any required permits at its own expense.

11. Signs; Landscaping.

a) The Tenant is hereby given the right to place appropriate signs advertising its name on the exterior walls and roof of the Building and near the entrance to the Towson Business Center adjacent to Joppa Road. Landlord will landscape the area previously occupied by the buildings known as 1316 and 1320 Joppa Road, Towson, Maryland so that the Tenant's sign can be seen from Joppa Road. Landlord shall also landscape the land adjacent to the Building. Landlord may only construct an office or bank (drive-in or regular) type building of not more than one story on the side facing Joppa Road on the land where the buildings known as 1316 and 1320 Joppa Road were to be torn down; provided, however the Landlord may construct a two or more story building on such land with the prior written consent of Tenant.

b) In addition, Tenant shall be permitted to place a sign on the rear of the building known as Orchard Tree or on the grass plot behind such building so that the sign will be visible from the Baltimore Beltway if such a sign is permitted by Baltimore County.

12. Landlord will not commence any construction of improvements as set forth in Rider 9 of this Lease until Landlord shall have provided Tenant with a valid building permit indicating that the demised premises will be used as an electronic data processing service center and printing plant. Prior to Tenant's occupancy of the entire premises as set forth in Rider 1 of this Lease, Landlord shall provide Tenant with a valid use and occupancy permit relating to the demised premises stating that the use of such premises will be as an electronic data processing service center and printing plant. If the Landlord cannot provide such use and occupancy permits, the Tenant shall be permitted to terminate all of the obligations hereunder and remove itself from all portions of the premises which it then occupies. Upon such happening, all of the obligations between the parties shall cease and Landlord shall reimburse Tenant for one half of the costs of all improvements and alterations to the demised premises paid for by Tenant. In addition, the Landlord acknowledges that if the Tenant is for any reason prevented by law from operating on the basis described within this paragraph, the Tenant will be permitted to terminate all of its obligations hereunder and remove itself from the premises. Upon such happening, all of the obligations between the

-5-

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 2, 1977

COUNTY OFFICE BUILDING
111 W. CHURCH STREET
TOWSON, MARYLAND 21204
COMMODORE
Acting Chairman

MEMBERS
BUREAU OF ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

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

RE: Reclassification
Item No. 16 - 1st Cycle
Petitioner - Leroy Merritt

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, zoned D.R. 5.5 and proposed to be improved with a drive-thru bank, is located on the northeast corner of Joppa Road and Mylander Lane in the 9th Election District. Adjacent properties are improved with a warehouse/office complex, also owned by the petitioner and subject of a previous zoning hearing (1975-249-A), to the northeast, individual dwellings to the east and south along Joppa Road and the Bendix Corporation to the west across Mylander Lane.

In light of our recent meeting, the submitted plan seems to be satisfactory with the one exception that the projection of the proposed building into the required setback along Joppa Road should be clarified in order to determine whether a Variance should be included.

James D. Nolan, Esquire
Newton A. Williams, Esquire
204 W. Pennsylvania Avenue
Page 2
Item No. 16
May 2, 1977

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 maps, 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 of the date and time.

Very truly yours,

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

ENCIRF

cc: James Patricia & Associates, Inc.
409 Jefferson Building
Towson, Maryland 21204

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
"NICHOLAS M. HOLDING, P.E.
DIRECTOR

April 29, 1977

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

Re: Item #16 (Cycle 1 April-October 1977)
Property Owner: Leroy Merritt
W/S of Joppa Rd. 71.50' W. of Drummond Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: B.L.
District: 9th No. of Acres: 0.524

Dear Mr. DiMenna:

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:

Comments were supplied in connection with the Zoning Advisory Committee review of this site for Item #2 (1976-1977). Those comments are referred to for your consideration.

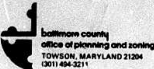
Very truly yours,

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

DMT:RAN/PWR:ISS

cc: R. Covahay (Joppa Rd. Warehousing - Project 4090)

8-WAY Key Sheet
36 x 37 INCHES & 9 Pos. Sheets
NE 10 C Type
70 TON Key



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 16, Zoning Cycle I, April, 1977, are as follows:

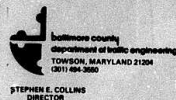
Property Owner: Leroy Merritt
Location: N/S of Joppa Road 71.50 ft. W. of Drumwood Road
Present Zoning: D.R. 5.5
Proposed Zoning: B.L.
District: 9th
No. Acres: 0.524

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.

If there is going to be free standing light standards, it should be limited to 8 feet in height.

Very truly yours,

John L. Winkley
John L. Winkley
Planner III
Project and Development Planning



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

Re: Cycle Zoning Item No. 16 - ZAC - April 1977
Property Owner: Leroy Merritt
Location: N/S of Joppa Rd. 71.50 ft. W. of Drumwood Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: B.L.
District: 9th
No. Acres: 0.524

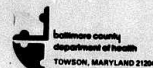
Dear Mr. DiNenna:

As presently zoned this site will generate approximately 26 trips per day; the proposed BL zoning will generate approximately 260 trips per day.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF/ljo



Donald J. Roof, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

April 19, 1977

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

Dear Mr. DiNenna:

Comments on Item #16, Zoning Cycle I Meeting,
April 5, 1977, are as follows:

Property Owner: Leroy Merritt
Location: N/S of Joppa Rd. 71.50 ft. W. of Drumwood Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: B.L.
District: 9th
Acres: 0.524

Since metropolitan water and sewer are available, no health hazards are anticipated.

Very truly yours,

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

KS:mah



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

Attention: Nicholas B. Comodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Leroy Merritt

Location: N/S of Joppa Rd. 71.50 ft. W. of Drumwood Road

Item No. 16

Zoning Agenda Zoning Cycle I

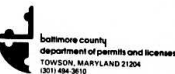
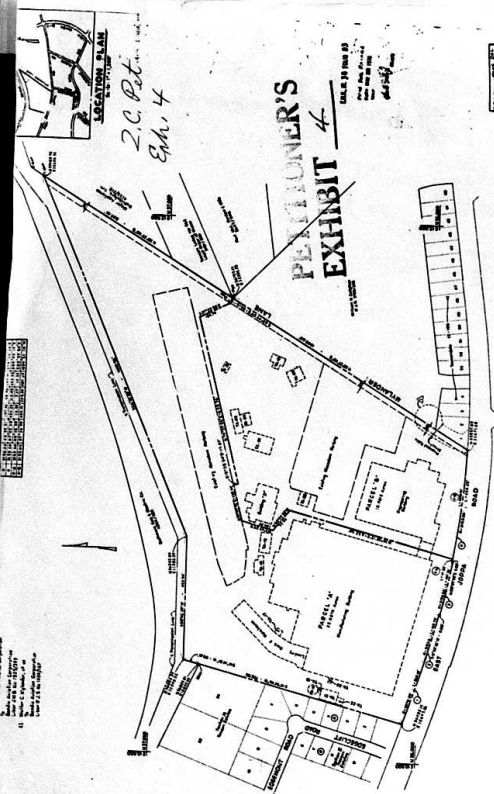
Gentlemen:

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 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- (2) A second means of vehicle access is required for the site.
- (3) The vehicle dead end condition shown at XXXXXX 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.
- (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) Site plans are approved as drawn.
- (7) The Fire Prevention Bureau has no comments, at this time.

REVIEWED: *[Signature]*
Planning Group
Special Inspection Division

Noted and Approved: *[Signature]*
Station Chief
Fire Prevention Bureau



JOHN D. SEVREY
DIRECTOR

April 18, 1977

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

Dear Mr. DiNenna:

Zoning Cycle #1

Comments on Item # 16 Zoning Advisory Committee Meeting,
are as follows:

Property Owner: Leroy Merritt
Location: N/S Joppa Road 71.50 ft. V of Drumwood Road
Existing Zoning: D.R. 5.5
Proposed Zoning: B.L.

Acres: 0.524
District: 9th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ 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.
- ☒ 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.
- ☐ 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.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section .

Very truly yours,

Charles E. Burdham
Charles E. Burdham
Plans Review Chief
CDB:rvj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 12, 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: 16
Property Owner: Leroy Merritt
Location: N/S of Joppa Rd. 71.50 ft. W. of Drumwood Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: B.L.

District: 9th
No. Acres: 0.524

Dear Mr. DiNenna:

No adverse effect on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich
Field Representative

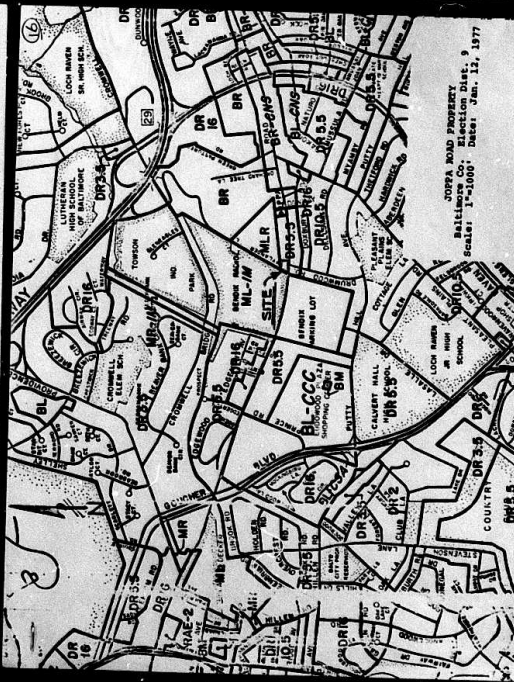
WNP/tp

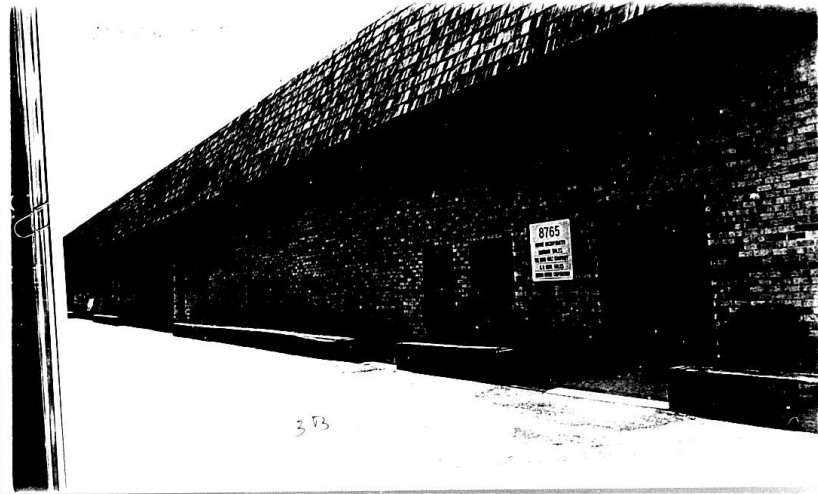
JOSEPH N. HODGMAN, PRESIDENT
T. RAYARD WILLIAMS, JR., VICEPRESIDENT
MARKUS W. BOYDARS

THOMAS H. BOYD
MRS. LORRAINE F. CHURCH
ROGER S. HAYDEN

ROBERT V. DUBEL, SUPERINTENDENT

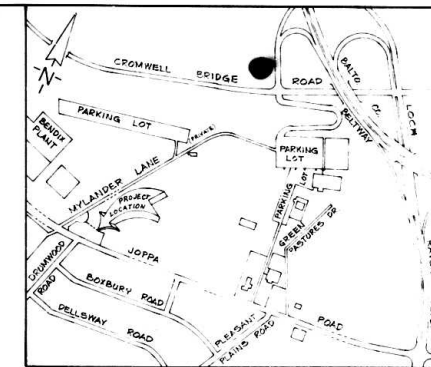
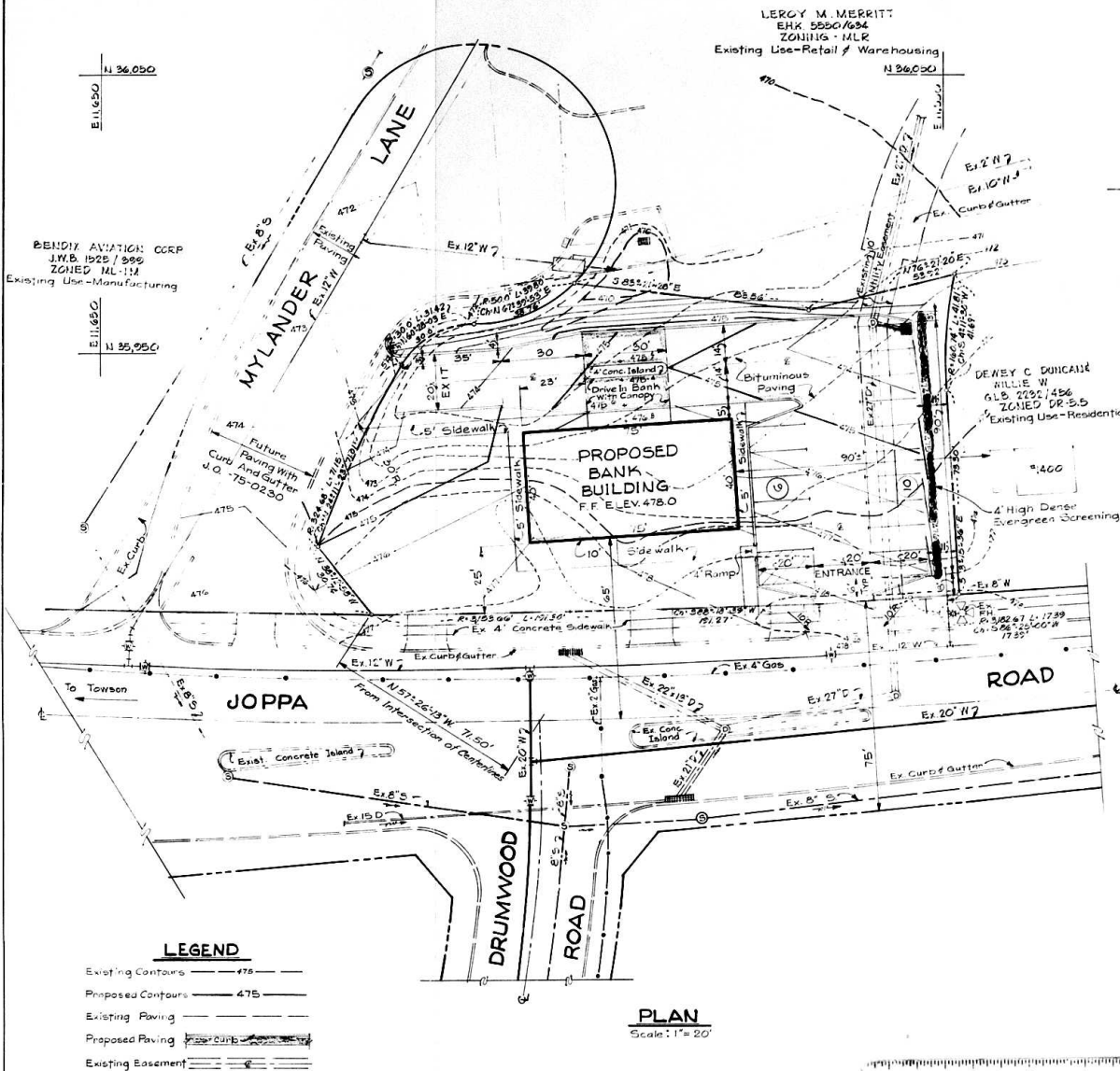
ALVIN LOBECK
JES. HENRY W. SMITH, JR.
RICHARD W. TRACEY, D.V.M.





Exhibition building
Office of planning and planning





GENERAL NOTES

- All Parking Spaces shall have a minimum dimension of 9' x 20' and Handicapped Parking Space shall be 12' x 20'.
- Remove existing concrete driveways (Three Places) as shown.
- Construct standard 4' wide concrete sidewalk and curb along Joppa Road (Three Places) as shown.
- Curbs shall be Baltimore County Standard Type 'A' Curb.

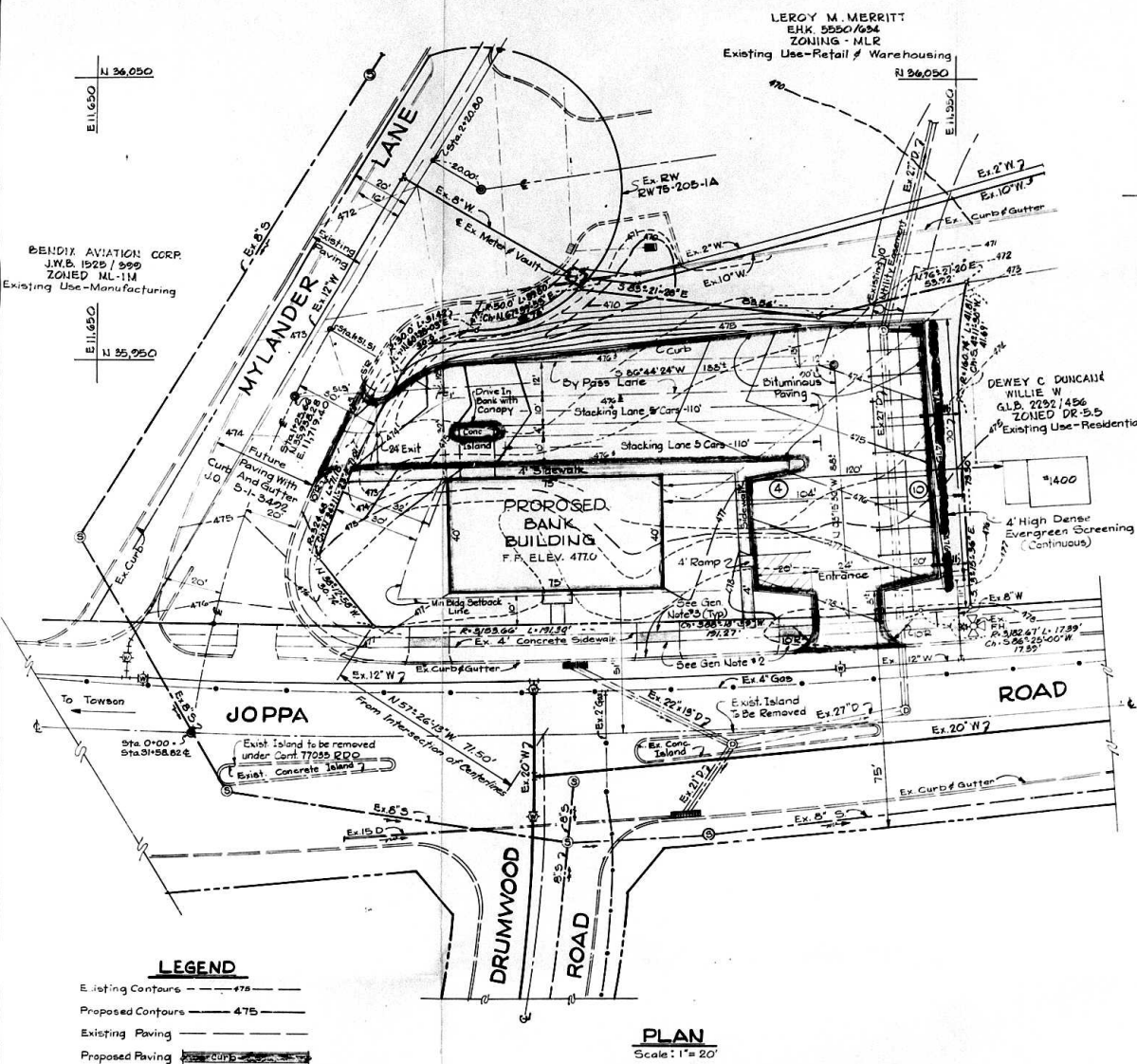
SUMMARY INFORMATION

GROSS AREA OF PROPERTY	0.524 Ac.
EXISTING ZONING	D.R. S.S.
PROPOSED ZONING	B.L.
EXISTING USE OF PROPERTY	VACANT
PROPOSED USE OF PROPERTY	DRIVE IN BANK

OFF STREET PARKING DATA.

No. OF SPACES REQUIRED	3,000/300 =	10 SPACES
No. OF SPACES PROVIDED		16 SPACES
ONE STORY OFFICE BUILDING		
TOTAL FLOOR AREA		3,000 S.F.





LEROY M. MERRITT
 E.H.K. 5550/634
 ZONING - MLR
 Existing Use - Retail & Warehousing

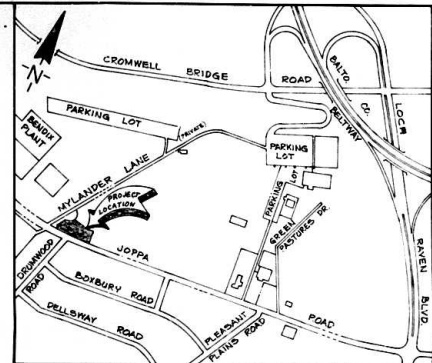
BENDIX AVIATION CORP.
 J.W.B. 1920/999
 ZONED ML-114
 Existing Use - Manufacturing

DEWEY C. DUNCAN &
 WILLIE W.
 G.L.B. 2292/456
 ZONED DR-5.5
 Existing Use - Residential

LEGEND

- Existing Contours - - - - - 475
- Proposed Contours - - - - - 475
- Existing Paving - - - - -
- Proposed Paving - - - - -
- Existing Easement - - - - -

PLAN
 Scale: 1" = 20'



VICINITY MAP
 Scale: 1" = 500'

GENERAL NOTES

1. All Parking Spaces shall have a minimum dimension of 9'x20' and Handicapped Parking Space shall be 12'x20'.
2. Remove existing concrete drive ways (Three Places) as shown.
3. Construct standard 4' wide concrete sidewalk and curb along Joppa Road (Three Places) as shown.
4. Curbs shall be Baltimore County Standard Type "A" Curb.
5. Present Property Owner: LEROY M. MERRITT
 Deeds - (Date - 7/25/75 - E.H.K.Jr. 5550/634
 (Date - 4/28/76 - E.H.K.Jr. 5627/832

SUMMARY INFORMATION

GROSS AREA OF PROPERTY	0.524 Ac ±
EXISTING ZONING	D.R. 5.5
PROPOSED ZONING	B.L.
EXISTING USE OF PROPERTY	VACANT
PROPOSED USE OF PROPERTY	DRIVE IN BANK

OFF STREET PARKING DATA:

No. OF SPACES REQUIRED	3,000/300 =	10 SPACES
No. OF SPACES PROVIDED		14 SPACES
ONE STORY OFFICE BUILDING		
TOTAL FLOOR AREA		3,000 S.F.



REVISED PLANS

MAR 28 77 PM



JAMES PETRICA & ASSOCIATES, INC.
 CONSULTING ENGINEERS
 409 JEFFERSON BUILDING
 TOWSON, MARYLAND

**PLAT TO ACCOMPANY PETITION FOR ZONING
 RECLASSIFICATION FROM D.R.5.5 TO B.L.**

OWNER: LEROY M. MERRITT
 1940 RUXTON ROAD
 TOWSON, MARYLAND 21204

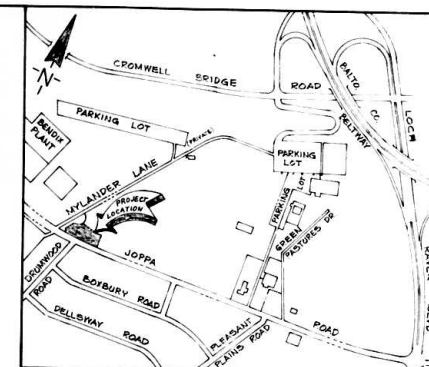
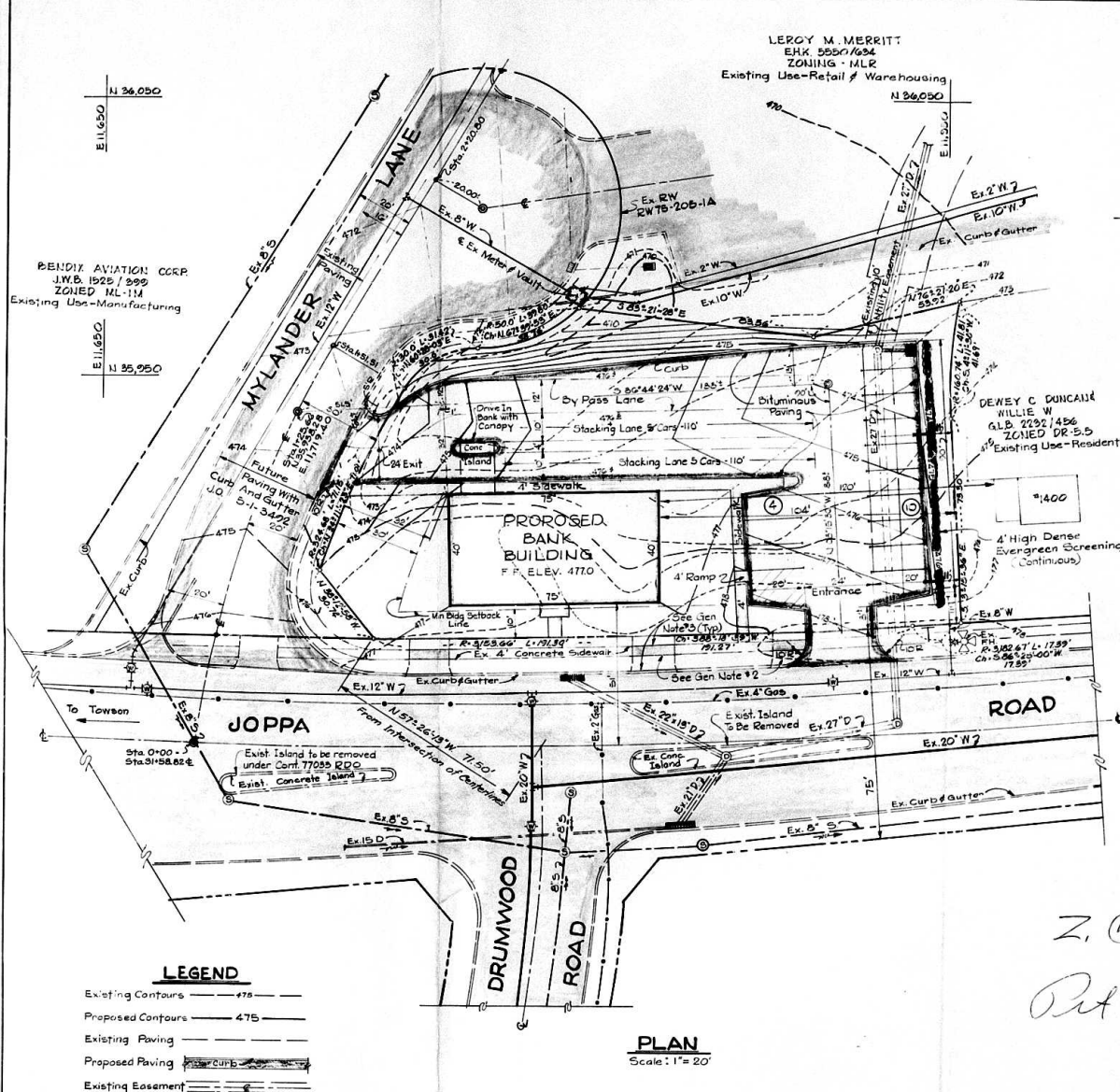
JOPPA ROAD PROPERTY
 BALTIMORE COUNTY MARYLAND
 DATE: JAN. 12, 1977
 ELECTION DISTRICT NO. 9

SCALE
 AS SHOWN

DRAWING
 NO. 1
 OF 1

R.R.S.
 K.O.P.
 B.D.J.

Rev: MAR 23 1977



GENERAL NOTES

- All Parking Spaces shall have a minimum dimension of 9' x 20' and Handicapped Parking Space shall be 12' x 20'.
- Remove existing concrete driveways (Three Places) as shown.
- Construct standard 4' wide concrete sidewalk and curb along Joppa Road (Three Places) as shown.
- Curbs shall be Baltimore County Standard Type 'A' Curb.
- Present Property Owner: LEROY M. MERRITT
Deeds - [Date - 7/25/75 - E.H.K. 5550/534]
[Date - 4/28/76 - E.H.K. 5627/532]

SUMMARY INFORMATION

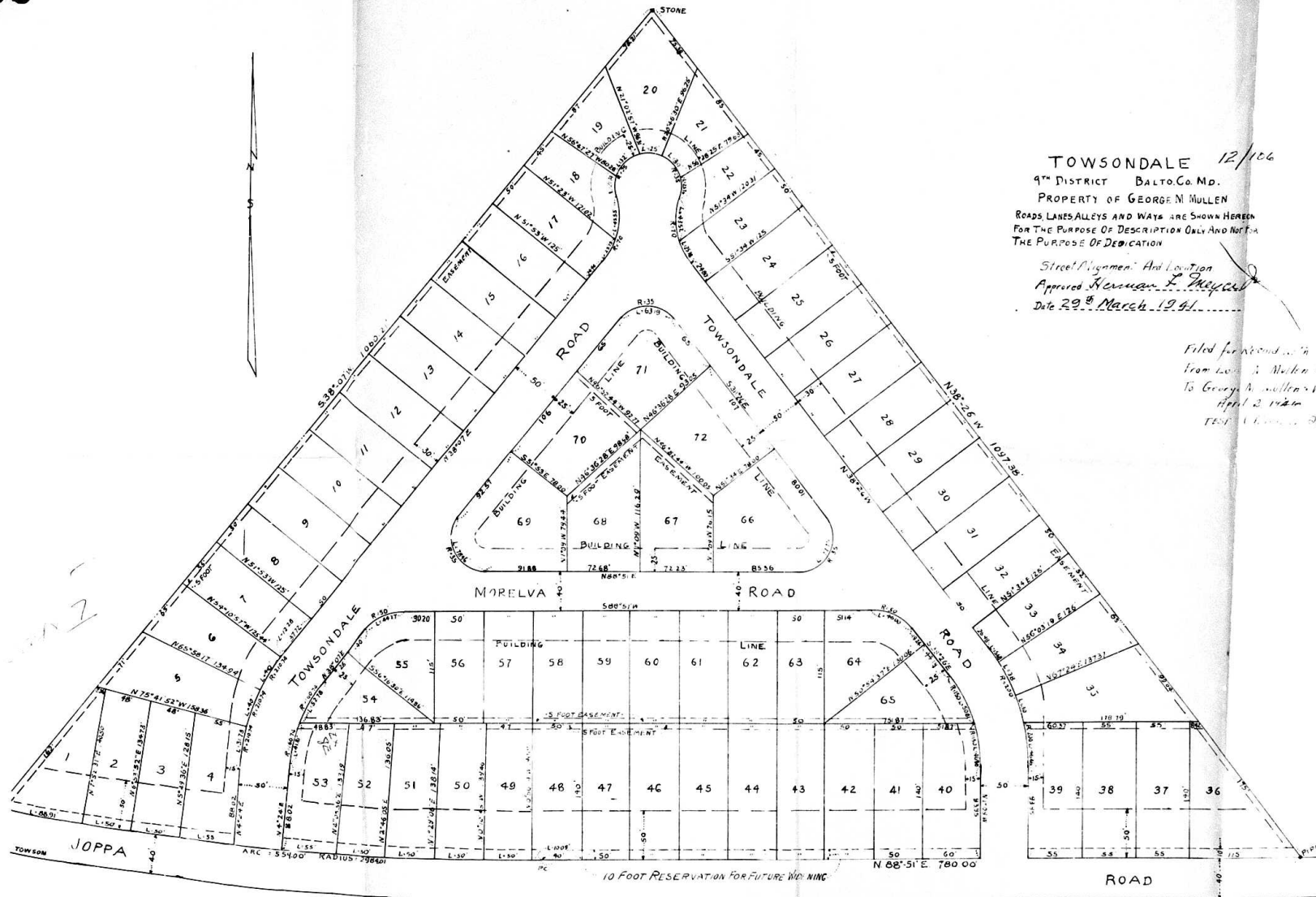
GROSS AREA OF PROPERTY	0.524 Ac.
EXISTING ZONING	D.R. 5.5
PROPOSED ZONING	B.L.
EXISTING USE OF PROPERTY	VACANT
PROPOSED USE OF PROPERTY	DRIVE IN BANK

OFF STREET PARKING DATA:

No. OF SPACES REQUIRED	3,000/300 =	10 SPACES
No. OF SPACES PROVIDED		14 SPACES
ONE STORY OFFICE BUILDING		
TOTAL FLOOR AREA		3,000 S.F.

Z.C.

Plot X 1



TOWSONDALE 12/106
 9TH DISTRICT BALTO. CO. MD.
 PROPERTY OF GEORGE M. MULLEN
 ROADS, LINES, ALLEYS AND WAYS ARE SHOWN HEREON
 FOR THE PURPOSE OF DESCRIPTION ONLY AND NOT FOR
 THE PURPOSE OF DEDICATION

Street Alignment And Location
 Approved *Kenneth L. Shepard*
 Date 29th March 1941

Filed for record in the Deed
 from George M. Mullen & wife
 to George M. Mullen & wife
 April 2, 1941
 TOWSON, MARYLAND

SCALE = 50 FEET TO ONE INCH
 FRED H. DOLLENDER & BRO.
 SURVEYORS & CIVIL ENGINEERS
 DUNCAN BLDG - TOWSON, MD.
 MARCH 1, 1941

LEGEND

Existing Contours ----- 462 -----
 Proposed Contours ----- 463 -----
 Existing Paving -----
 Proposed Paving -----
 Proposed Easement -----

Lighting

Proposed Street Light
 (20' x 1 Head Luminaire)
 400W - 14V, 30' Pole
 Spaced @ 100' (One Side)

REVISIONS

Rev 6-26-75 Residential Detach. Variance
 Rev 10-27-75 Occupancy Added
 Rev 11-17-75 Occupancy Added
 Rev 12-17-75 Retaining Wall Added (10' to 3-6" High)
 Rev 12-22-75 Occupancy Added
 Rev 1-14-76 Occupancy Added
 Rev 1-15-76 Occupancy Added
 Rev 3-10-76 Additional Parking & Retaining Wall Added
 Rev 3-30-76 Occupancy Added
 Rev 4-8-76 Occupancy Added
 Rev 4-12-76 Occupancy Added
 Rev 5-14-76 Occupancy Added
 Rev 5-21-76 Occupancy Added
 Rev 6-23-76 Occupancy Added
 Rev 7-14-76 Occupancy Added
 Rev 7-22-76 Occupancy Added
 Rev 8-9-76 Occupancy Added
 Rev 10-11-76 Occupancy Added
 Rev 10-25-76 Occupancy Added
 Rev 12-1-76 Occupancy Added
 Rev 1-4-77 Occupancy Added
 Rev 1-20-77 Occupancy Added
 Rev 3-17-77 Occupancy Added
 Rev 4-04-77 Occupancy Added
 Rev 5-3-77 Occupancy Added

NOTES

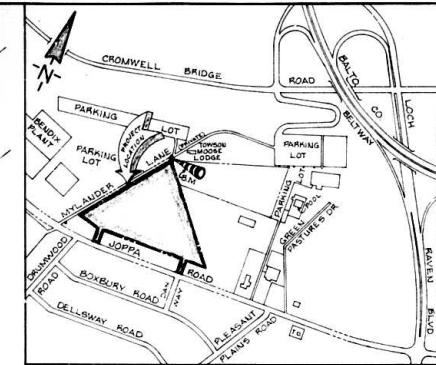
1. Section on or stone at site entrance shall be placed adjacent to existing paving if proposed road has not been completed.
 2. Water Service connection and meter shall be in place prior to road construction.

ESTIMATED SEWAGE FLOWS

25,020 S.F. Office Use @ 0.160 gpd/S.F. 4,003
 141,780 S.F. Warehouse Use @ 1 employee per 1,000 S.F. 3,550
 142 employees @ 25 gpd
 Total estimated sewage flow to Minebank Run System: 7,553 gpd

BENDIX AVIATION CORP
 1424-1467 & 4502-512
 ZONED ML-1M

SOUTHEASTERN INSURANCE
 AGENTS, INC.
 5503/466
 ZONED BR



VICINITY MAP

Scale: 1"=500'

GENERAL NOTES

1. Bench Mark for Construction M.E.G. 1/2" Pipe in Macadam Elev. 494.45
2. Existing Zoning - M.L.R.
3. Bituminous Paving shall consist of:
 a. Bituminous Concrete Surface Course "ST"
 b. Bituminous Concrete Base Course "ST"
 c. Stone Sub Base Course "CG" or "CG-1"
 (Course Designations refer to Maryland State Highway Administration Specifications)
4. Curb shall be Baltimore County Standard Type "A" Curb See Standard Detail R-22.
5. Perpendicular Parking Spaces shall have a minimum dimension of 9' x 20'. Parallel Parking Spaces shall have a minimum dimension of 7' x 25'.
6. All Existing Utility Manhole Frames and Covers shall be adjusted to meet the proposed finished grade.
7. Present Property Owner: William H. Callahan and Deed Ref. W.R. 5755/532 Dated Dec. 2, 1960
8. For Storm Drain Structures See Sheet 2 of 2.
9. For Sedimentation Control Details & Certifications, See Sheet 2 of 2.
10. Outside lighting attached to building walls shall have a mounting height of 14 ft. while lighting standards shall not exceed a height of 20 ft. All lighting shall be reflected away from the adjacent residential areas.
11. Proposed evergreen screening shall have a initial height of 5 ft. and shall be planted in two rows in staggered 5 ft. centers.
12. No parking, loading or unloading is permitted within the designated 10 ft. fire lane.
13. No storage of products or materials of any kind is permitted in the front yard, nor in side or rear yards unless effectively screened from adjacent residential land.

SUMMARY INFORMATION

GROSS AREA OF TRACT 7,735 AC.
 NET AREA OF TRACT 7,524 AC.
 TOTAL PROPOSED BUILDING AREA 163,800 SQ. FT.
 PERCENT OF LAND COVERED BY BLDG. 38%
 FLOOR AREA RATIO ALLOWED 0.60
 FLOOR AREA RATIO PROPOSED 0.38
 LOADING SPACES REQUIRED 5
 LOADING SPACES PROVIDED 30
 TOTAL PARKING SPACES REQUIRED (See Schedule)
 TOTAL PARKING SPACES PROVIDED (See Schedule)
 PARKING SPACES REQUIRED
 (55%) 14,780 S.F. Warehouse @ 1 Space/3,000 S.F. 49
 (15%) 25,020 S.F. Office @ 1 Space/300 S.F. 84
 TOTAL 100% 149,800 S.F. 132

PLAN

Scale: 1"=50'

SITE PLAN

OWNER: LEROY M. MERRITT
 1740 RUTON ROAD
 TOWSON, MARYLAND 21204

JOPPA ROAD WAREHOUSING
 BALTIMORE COUNTY MARYLAND
 DATE: JANUARY 25, 1975
 ELECTION DISTRICT #19

SCALE: AS SHOWN
 DRAWING NO. 1 OF 2
 B.D.J. K.R.S. R.J.H.

JAMES PETRICA & ASSOCIATES, INC.
 CONSULTING ENGINEERS
 409 JEFFERSON BUILDING
 TOWSON, MARYLAND