

PETITION FOR ZONING REDISTRICTING AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **GEORGE & HELEN WINTER**, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-districted, pursuant to the Zoning Law of Baltimore County, from **undistricted** to a

IM district, for the following reason:

SEE ATTACHED MEMORANDUM

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for **service garage**

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-districting 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.

Contract purchaser **Helen Winter** Legal Owner
Address **710 Eastern Blvd., Balto. MD 21221**

Professional's Attorney
Address **RONALD W. PARKER, ESQ.
11444 Pulaski Highway
White Marsh, MD 21162**

ORDERED BY The Zoning Commissioner of Baltimore County, this **25th** day

of **April**, 1977, that the subject matter of this petition be advertised, as

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

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

Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore

County, on the **21st** day of **September**, 1977, at **10:00 o'clock**

A. M.

Eric D. Nienha
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **GEORGE & HELEN WINTER**, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from **MLR** to an

ML zone, for the following reason:

SEE ATTACHED MEMORANDUM

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 **service garage**

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser **Helen Winter** Legal Owner
Address **710 Eastern Blvd., Balto. MD 21221**

Professional's Attorney
Address **RONALD W. PARKER, ESQ.
11444 Pulaski Highway
White Marsh, MD 21162**

ORDERED BY The Zoning Commissioner of Baltimore County, this **25th** day

of **April**, 1977, that the subject matter of this petition be advertised, as

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

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

Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore

County, on the **21st** day of **September**, 1977, at **10:00 o'clock**

A. M.

Eric D. Nienha
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **GEORGE & HELEN WINTER**, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

herby petition for a Variance from Section **253.2 B.3** to permit access to Arterial

Street other than commercial motorway. **§255.1 (238.2)** to permit side

yard set back of 20' in lieu of the required 30'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reason: (Indicate hardship or practical difficulty)

By reason of required setbacks of 100' from any residential zone boundary, a right of way and the triangular design of the subject property the 30' side line requirement cannot be met.

Property is to be posted and advertised as prescribed by Zoning Regulations.

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

Contract purchaser **Helen Winter** Legal Owner
Address **710 Eastern Blvd., Balto. MD 21221**

Professional's Attorney
Address **RONALD W. PARKER, ESQ.
11444 Pulaski Highway
White Marsh, MD 21162**

ORDERED BY The Zoning Commissioner of Baltimore County, this **25th** day

of **April**, 1977, that the subject matter of this petition be advertised, as

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

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

Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore

County, on the **21st** day of **September**, 1977, at **10:00 o'clock**

A. M.

Eric D. Nienha
Zoning Commissioner of Baltimore County.

(over)



January 31, 1978

Ronald W. Parker, Esquire
11444 Pulaski Highway
White Marsh, Maryland 21162

RE: Petitions for Reclassification, Districting, Special Exception, and Variance
N/S of Stemmers Run Road, 895' W of Middlesex Road - 15th Election District
Helen Winter - Petitioner
NO. 78-42-RCA (Item No. 25)

Dear Mr. Parker:

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

Very truly yours,

Eric D. Nienha
Zoning Commissioner

SED/mc

Attachments

cc: Mrs. Alber & Pugh
843 Middlesex Road
Baltimore, Maryland 21221

John W. Heslian, III, Esquire
People's Counsel

PETITION FOR RECLASSIFICATION
N/S of Stemmers Run Road, 895' more or less West of Middlesex Road
15th District, Baltimore County, Maryland, Property of George and Helen Winter

MEMORANDUM IN SUPPORT OF PETITION

Your Petitioners, George and Helen Winter, by Ronald W. Parker, their attorney, respectfully submit the following memorandum in support of their claim that the zoning requested should be granted because of the error in the map.

1. The Petitioners request a reclassification from a MLR zone to a ML-IM zone with a special exception for a service garage and redistricting from undistricted to I.M. Said property being located on the north side of Stemmers Run Road approximately 895' (feet) west of Middlesex Road, 15th District, Baltimore County, Maryland.

2. Error in the map on the property in question is located in a prime area in Essex, area of Baltimore County. It is serviced by major industrial roads and a railroad. Adjoining the property is ML-IM property on one side and adjoining the property on the other side is ML zone which is used by the Baltimore Gas & Electric Company in their manufacturing and servicing of electricity. Directly across the street and up the street from the property at 617 Stemmers Run Road has recently been changed from DR5.5 to DR16 with a special exception for an office building. Therefore because of the only appropriate zoning for the property is ML and because the Planning Commission failed to change the zoning when the latest comprehensive zoning map was approved, the Commission was in error.

3. The Zoning Commission performed a mechanical and judgment error in the failure to zone the property from MLR to ML as the present zoning substantially restricts the use of the property and that the uses permitted under ML would be more beneficial to the community and neighborhood. Over the last several years the area surrounding the property has changed to more commercialism and Stemmers Run Road has been widened as have substantial changes in Race Road. The Planning Commission has foreseen changes in the area of the property and anticipated an increase rate in traffic and that the speed limit in front of the property is 25 m.p.h. and the road in front of the property is in existing 40' curb in gutter street with a 60' right-a-way. Furthermore the subject property has City water and sewage and said property is conducive to ML zoning. Rezoning of the property for ML will be beneficial and not detrimental to the surrounding property and community as a service garage for the repair of automobiles is necessary is this day of stop and go gas stations. That for the County to permit ML use would be compatible with predicted plans of Baltimore County.

4. The Zoning Commission erred in not changing the zoning to ML as this has caused a financial hardship to the Petitioners and that it substantially unwarrantedly restricts the use of the property when the neighbors are in agreement with the proposed business of the Petitioners as the present use of the property is used as a dwelling for residential purposes which is not compatible or the present zoning of the property.

5. A change in the property from MLR to ML-IM with

a special exception for a service garage would not be detrimental to the community as it would not increase the volume of traffic at the property site or would it change the existing roads or road patterns in the vicinity and that the present dwelling which sets approximately 25' from the road would be replaced by a modern attractive garage type building, meeting other requirements of Baltimore County Planning and Zoning Departments. The Petitioners argue that the Commission erred on the map for such other and further reasons as will be disclosed at a hearing on this Petition.

Ronald W. Parker
RONALD W. PARKER
11444 Pulaski Highway
White Marsh, MD 21162
331-7236
Attorney for Petitioners

FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. - BALTIMORE, MD 21237

March 28, 1977

North side of Stemmers Run Road 895 feet more or less west of Middlesex Road.
15th District Baltimore County, Maryland.

Beginning for the same on the north side of Stemmers Run Road at the distance of 895 feet more or less measured along the north side of Stemmers Run Road from the center of Middlesex Road, and thence running and binding on the north side of Stemmers Run Road by a line curving to the right with a radius of 1115.32 feet for a distance of 156.94 feet, thence leaving Stemmers Run Road for three lines of division as follows:- North 20 degrees 49 minutes 13 seconds East 424 feet, South 83 degrees 51 minutes 37 seconds East 70 feet and South 9 degrees 23 minutes 50 seconds West 449.82 feet to the place of beginning.

Containing 1.13 acres of land more or less.



AUG 28 1979

PETITION FOR RECLASSIFICATION
PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
North Side of Stemmers Run Road
895' West of Middlesex Road
15th District
BALTIMORE COUNTY
HELEN WINTER, Petitioner
78-42-RXA

SUMMARY OF PETITIONER'S REQUEST FOR
RECLASSIFICATION AND SPECIAL EXCEPTION

NOW COMES the Petitioner, HELEN WINTER, by and through her attorney, Ronald W. Parker, and in summary of her position, says as follows:

1. That Petitioner's property is located in a prime manufacturing and industrial area of Baltimore County.
2. That the property is served by major industrial roads and railways.
3. That property west of Petitioner's property is zoned ML-1M, to the east is ML, and across the street is commercial.
4. That numerous zoning changes have been granted in the surrounding area because of error and change in the zoning maps.
5. That there has been an increase in industrial and manufacturing development in the area.
6. That rezoning the Petitioner's property back to its prior zoning of ML would not be detrimental to the surrounding property and community.
7. That Baltimore County wants new businesses in the Essex area, and the Petitioner's request for a service garage would create jobs and revenue for Essex.
8. That the County Council erred when it downshifted the property from ML to MLR.
9. That the improvements on the property are a detriment to the neighborhood and community, and they have to be razed.

10. That Petitioner's marketing survey showed a need for a service garage.

11. That a service garage would improve the neighborhood and not be detrimental to the safety and welfare of the community.

Respectfully submitted,

Ronald W. Parker
RONALD W. PARKER
11444 Pulaski Highway
White Marsh, Maryland 21162
335-7236
ATTORNEY FOR PETITIONER

RE: PETITIONS FOR RECLASSIFICATION,
DISTRICTING, SPECIAL EXCEPTION,
AND VARIANCES
N/S of Stemmers Run Road, 895' W of
Middlesex Road - 15th Election District
Helen Winter - Petitioner
NO. 78-42-RXA (Item No. 25)
BALTIMORE COUNTY

This matter comes before the Zoning Commissioner as a result of Petitions for a Reclassification from a M.L.R. Zone to a M.L. Zone, Districting from Undistricted to an L.M. District, a Special Exception for a service garage, and Variances to permit an access to an arterial street other than a commercial motorway, and a side yard setback of 20 feet in lieu of the required 30 feet.

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 Comprehensive Zoning Map is presumed to be correct. The burden of proving error is borne by the Petitioner, and, in the instant case, this burden has not been met.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 31st day of January, 1978, that the herein requested Reclassification be and the same is hereby DENIED. Further, by necessity, the herein requested Districting, Special Exception, and Variances should also be DENIED.

R. D. H.
Zoning Commissioner of
Baltimore County

RE: PETITION FOR RECLASSIFICATION
PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
N/S of Stemmers Run Rd. 895' W of
Middlesex Rd., 15th District
HELEN WINTER, Petitioner
BALTIMORE COUNTY
Case No. 78-42-RXA

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 date 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
694-2188

I HEREBY CERTIFY that on this 31st day of August, 1977, a copy of the foregoing Order was mailed to Ronald W. Parker, Esquire, 11444 Pulaski Highway, White Marsh, Maryland 21162, Attorney for Petitioner.

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



May 17, 1978

Ronald W. Parker, Esq.
11444 Pulaski Highway
White Marsh, MD 21162

Re: Case No. 78-42-RXA
Helen Winter

Dear Mr. Parker:

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

Very truly yours,

Edith J. Evershett
Edith J. Evershett, Admin. Secretary

Enclosures

cc: Mrs. Alberto Pugh
Ms. Helen Winter
John W. Hession, III, Esq.
Mr. J. E. Dyer, Zoning
Mr. L. Groat, Planning
Mr. J. Harnall, Planning
Board of Education

Office
255-7929
255-7545

Revised
970-2923

RONALD W. PARKER
ATTORNEY AT LAW
11444 PULASKI HIGHWAY
WHITE MARSH, MD. 21162

February 3, 1978

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

Re: Petitioner - Helen Winter
No. 78-42-RXA (Item No. 25)
N/S of Stemmers Run Road, 895'
W of Middlesex Road - 15th
Election District

Dear Mr. DiNenna:

On February 1, 1978, I received a letter from you denying our zoning request for the above mentioned property. I am, on this date, requesting an appeal of the decision to the Baltimore County Board of Zoning Appeals.

Enclosed please find a check in the amount of \$70.00 to cover the cost of this appeal.

Very truly yours,
Ronald W. Parker
Ronald W. Parker

STEP:lmw
Enclosure



ITEM NO. 25 78-42-RXA
PROPERTY OWNER: Helen Winter
LOCATION: N/S of Stemmers Run Road, 895' W of Middlesex Road
ELECTION DISTRICT: 15
COUNCILMANIC DISTRICT: 5
ACREAGE: 1.13
RECOMMENDED DATE OF HEARING: Week of September 19, 1977
GEOGRAPHICAL GROUP: VII
FUNCTIONAL CATEGORY: None

ZONING PRIOR TO ADOPTION OF 1976 COMPREHENSIVE ZONING MAP, M.L.R.
EXISTING ZONING: M.L.R.
REQUESTED ZONING: M.L.-1M.

PLANNING BOARD RECOMMENDATION: Retain Existing Zoning (M.L.R.)

This 1.13-acre property, containing a home dwelling and garage, is located on the north side of Stemmers Run Road, 895 feet west of Middlesex Road. To the west is a single-family dwelling on M.L.R. zoned land; to the east, a Baltimore Gas and Electric Company center on land zoned M.L.R.; to the north, a railroad right-of-way to the south, on the opposite side of Stemmers Run Road, single-family dwellings on D.R. 5.5 zoned land. The petitioner is requesting a change from M.L.R. to M.L.-1M., proposing to raise the existing buildings and construct a service garage.

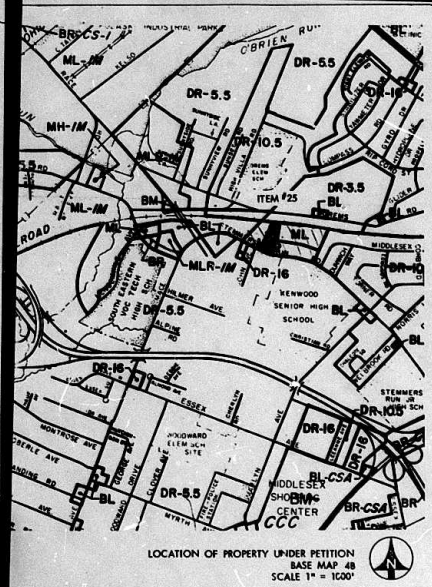
Prior to the adoption of the 1976 Comprehensive Zoning Map, the subject property was zoned M.L.R. The preparation and adoption of this map involved a period of more than two years, the proceeding was widely publicized, and included numerous public hearings by both the Planning Board and County Council. M.L.-1M. zoning was not requested nor was the aforementioned zoning proposed for the subject property during the entire process.

The petitioner is requesting an L.M. District. Section 237.21 of the Baltimore County Zoning Regulations states, in part, that the L.M. District may be applied only to certain uses individually containing 100 acres or more of land zoned for industrial or semi-industrial use. Hence, the Planning Board is of the opinion that the petitioner's request for an L.M. District cannot be granted.

Section 232.2.3 of the Baltimore County Zoning Regulations states, in part, that a service garage is permitted in an M.L. zone by special exception as an auxiliary service use, provided that it is located in a planned industrial park or on land 25 acres or more in an L.M. District. The subject property is not located in a planned industrial park nor on the L.M. District. Therefore, it is the opinion of the Planning Board that the petitioner's request for a special exception to permit a service garage cannot be granted.

As to the petitioner's request for M.L. zoning, the Planning Board believes that M.L. zoning is appropriate here, and that the zoning map is correct. The application of M.L. zoning of this location would permit uses that are not compatible with the adjacent residential uses; further, the controls available in the M.L. zone can be utilized to assure any future development that such development might have on the adjacent lands.

It is therefore recommended that the existing zoning, M.L.R., be retained.



LOCATION OF PROPERTY UNDER PETITION
BASE MAP '48
SCALE 1" = 1000'

RE: PETITION FOR RECLASSIFICATION :
from M.L.R. to M.L.,
from Undistricted to I.M. District,
for a SPECIAL EXCEPTION for a
Service Garage, and VARIANCES
from Section 253.2, 253.3 and
Section 255.1 (238.2) of the
Baltimore County Zoning Regulations
N/S of Stemmers Run Road 895'
W. of Middlesex Road
15th District
Helen Winter, Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 78-42-RXA

OPINION

This case comes before the Board on an appeal by the Petitioner on a decision of the Zoning Commissioner of January 31, 1978, wherein the petition for reclassification, special exception, redistricting and variances was denied.

The subject property is located on the north side of Stemmers Run Road approximately 895 feet west of Middlesex Road in the Fifteenth Election District of Baltimore County. The subject property previously was improved by a private residence which had burned down prior to the petition for reclassification.

The present zoning on the subject property is M.L.R., and the request is for reclassification to M.L., and to impose on I.M. District on the property which is presently undistricted. Also, there is a request for a special exception for a Service Garage and a variance from Section 253.2, 253.3 and Section 255.1 of the Baltimore County Zoning Regulations.

The Petitioner testified that she had purchased the subject property in 1976 and believed at the time of the purchase that the existing zoning permitted a service garage, stating her intent was to construct a service garage which would be complementary to her existing business; namely, selling used vans and cars, and that there is a need for such an operation in the area. She further stated that she had personally made a survey and there was no such garage operation within two and one-half miles of the property in question. Additionally, her testimony was to the effect that she wished to offer employment opportunities to students from nearby Eastern Vocational Technical High School.

An additional party from a nearby tag and title service testified and stated that he felt there was a need for additional repair shops in the area. However, this is

Helen Winter - #78-42-RXA

2.

contradicted by a witness for the opposition; namely, Alberto Pugh, who appeared as an individual protestant, living slightly over a block from the subject property, and also as a representative of the Middlesex Civic and Improvement Association. Mrs. Pugh categorically denied any need for such an operation in this area and, in fact, located twelve similar type operations that are well within the two and one-half mile area indicated by the Petitioner. Furthermore, James Haswell, of the Planning staff, testified in opposition and stated that the present zoning is appropriate, and there was no error by the County Council in the adoption of the present zoning on the subject property.

Without reviewing the evidence further in detail, but based upon all the testimony and evidence produced in this case, the Board can find no error sufficient to overturn the existing zoning and grant the petition for rezoning. The need, in order to be a basis for zoning, must be to such an extent as to practically demand rezoning, as has been stated numerous times before. The burden of proof of error is upon the Petitioner and it is an onerous one. The Board certainly feels that this burden has not been met in this case. Furthermore, there was no indication whatsoever of any substantial change in the character of the neighborhood which would warrant the granting of the requested reclassification on that basis. Consequently, the Board will pass an Order denying the requested reclassification; therefore, the requested special exception, redistricting and variances would become moot questions.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 17th day of May, 1979, by the County Board of Appeals, ORDERED that the reclassification, redistricting, special exception and variances petitioned for, be and the same are hereby DENIED, and the Order of the Zoning Commissioner, dated January 31, 1978, be and the same is hereby affirmed.

Helen Winter - #78-42-RXA

3.

Any appeal from this decision must be in accordance with Rules 8-1 thru 8-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Robert L. Gilland, Acting Chairman

William T. Mackett
William T. Mackett

John A. Miller

RONALD W. PARKER
ATTORNEY AT LAW
11444 PULASKI HIGHWAY
WHITE MARSH, MD 21162
366-7256

January 8, 1979

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

Re: Reclassification Petitions
78-42-RXA - Helen Winter

Dear Mr. Reiter:

I acknowledge receipt of your letter dated January 5, 1979 and am under the impression that my appeal meets the requirements of all 122-78, and I expressly set forth the reasons for the appeal and for reclassification.

I would appreciate you reviewing my appeal papers and if they are in order, you scheduling another hearing date for reclassification.

Appreciation your cooperation.

Very truly yours,

Ronald W. Parker

RWP:bw

For a service Garage at 610 Stemmers Run Rd.

- 1 James Sala 608 Middlesex Rd.
- 2 Grace Boyer 624 Middlesex Rd.
- 3 Marcia M. Brown 632 Middlesex Rd.
- 4 Ray M. Brown 640 Middlesex Rd.
- 5 Mark E. Brown 646 Middlesex Rd.
- 6 Mark E. Brown 646 Middlesex Rd.
- 7 Mark E. Brown 646 Middlesex Rd.
- 8 Mark E. Brown 646 Middlesex Rd.
- 9 Mark E. Brown 646 Middlesex Rd.
- 10 Mark E. Brown 646 Middlesex Rd.
- 11 Mark E. Brown 646 Middlesex Rd.
- 12 Mark E. Brown 646 Middlesex Rd.
- 13 Mark E. Brown 646 Middlesex Rd.
- 14 Mark E. Brown 646 Middlesex Rd.
- 15 Mark E. Brown 646 Middlesex Rd.
- 16 Mark E. Brown 646 Middlesex Rd.
- 17 Mark E. Brown 646 Middlesex Rd.
- 18 Mark E. Brown 646 Middlesex Rd.
- 19 Mark E. Brown 646 Middlesex Rd.
- 20 Mark E. Brown 646 Middlesex Rd.
- 21 Mark E. Brown 646 Middlesex Rd.
- 22 Mark E. Brown 646 Middlesex Rd.
- 23 Mark E. Brown 646 Middlesex Rd.
- 24 Mark E. Brown 646 Middlesex Rd.
- 25 Mark E. Brown 646 Middlesex Rd.
- 26 Mark E. Brown 646 Middlesex Rd.
- 27 Mark E. Brown 646 Middlesex Rd.
- 28 Mark E. Brown 646 Middlesex Rd.
- 29 Mark E. Brown 646 Middlesex Rd.
- 30 Mark E. Brown 646 Middlesex Rd.
- 31 Mark E. Brown 646 Middlesex Rd.
- 32 Mark E. Brown 646 Middlesex Rd.
- 33 Mark E. Brown 646 Middlesex Rd.
- 34 Mark E. Brown 646 Middlesex Rd.

610 Stemmers Run Rd. for a service garage

- 35 Jimmy Maciejowski 607 Dunwich Way
- 36 John H. Brown 601 Dunwich Way
- 37 John H. Brown 601 Dunwich Way
- 38 John H. Brown 601 Dunwich Way
- 39 John H. Brown 601 Dunwich Way
- 40 John H. Brown 601 Dunwich Way
- 41 John H. Brown 601 Dunwich Way
- 42 John H. Brown 601 Dunwich Way
- 43 John H. Brown 601 Dunwich Way
- 44 John H. Brown 601 Dunwich Way
- 45 John H. Brown 601 Dunwich Way
- 46 John H. Brown 601 Dunwich Way
- 47 John H. Brown 601 Dunwich Way
- 48 John H. Brown 601 Dunwich Way
- 49 John H. Brown 601 Dunwich Way
- 50 John H. Brown 601 Dunwich Way
- 51 John H. Brown 601 Dunwich Way
- 52 John H. Brown 601 Dunwich Way
- 53 John H. Brown 601 Dunwich Way
- 54 John H. Brown 601 Dunwich Way
- 55 John H. Brown 601 Dunwich Way
- 56 John H. Brown 601 Dunwich Way
- 57 John H. Brown 601 Dunwich Way
- 58 John H. Brown 601 Dunwich Way
- 59 John H. Brown 601 Dunwich Way
- 60 John H. Brown 601 Dunwich Way
- 61 John H. Brown 601 Dunwich Way
- 62 John H. Brown 601 Dunwich Way
- 63 John H. Brown 601 Dunwich Way
- 64 John H. Brown 601 Dunwich Way
- 65 John H. Brown 601 Dunwich Way
- 66 John H. Brown 601 Dunwich Way
- 67 John H. Brown 601 Dunwich Way
- 68 John H. Brown 601 Dunwich Way
- 69 John H. Brown 601 Dunwich Way

Service Garage at 610 Stemmers Run Rd.

- 70 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 71 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 72 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 73 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 74 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 75 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 76 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 77 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 78 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 79 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 80 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 81 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 82 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 83 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 84 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 85 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 86 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 87 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 88 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 89 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 90 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 91 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 92 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 93 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 94 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 95 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 96 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 97 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 98 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 99 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 100 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 101 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 102 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 103 Mrs. J. Rogers 622 Middlesex Rd. 21221
- 104 Mrs. J. Rogers 622 Middlesex Rd. 21221

610 Stemmers Run Rd.

- 105 Paula M. Hadgin 1003 Middlesex Rd. #21
- 106 Edith Hensel 1012 Middlesex Rd. #21
- 107 Louise Coleman 1008 Middlesex Rd.
- 108 Deborah Brown 1004 Middlesex Rd.
- 109

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

James W. Parker, Esquire
11444 Pulaski Highway
White Marsh, Maryland 21162

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing
this 2nd day of April, 1977

S. Eric DiNenna
Zoning Commissioner

Petitioner: Helen Winter

Petitioner's Attorney: Donald W. Parker, Esquire, Reviewed by: *Michael S. Conodari*
c/o Frank S. Lee
1277 Neighbors Ave.
Baltimore, MD 21207
Planning & Zoning Associate III

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204
Nicholas B. Conodari
Commandari
Acting Chairman

MEMBERS

BUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROADS COMMISSION
FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL
DEVELOPMENT

May 2, 1977

Ronald W. Parker, Esquire
11444 Pulaski Highway
White Marsh, Maryland 21162

RE: Reclassification,
Redistricting, Special
Exception & Variance
Item No. 25 - 1st Cycle
Petitioner - Helen Winter

Dear Mr. Parker:

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.

Located on the north side of Stemmers Run Road approximately 895' west of Middlesex Road in the 15th Election District, this M.L.R. zoned site is improved with a 1 1/2 story frame dwelling and garage in the rear, both of which are to be razed. Adjacent properties to the east and west of this site are similarly zoned and improved with a single family dwelling and a Baltimore Gas and Electric Service Center, respectively, while individual dwellings, zoned D.R. 5.5, exist on the south side of Stemmers Run Rd.

This Reclassification, Redistricting and Special Exception are necessitated as a result of your client's proposal to locate a service garage operation on this site. In addition Variance for the side yard setback of the proposed building and access to this site are required.

Ronald W. Parker, Esq.
Page 2
Item No. 25
May 2, 1977

As indicated in our previous conversation and coupled with Section 253.4 of the zoning regulations, no part of this use, except passenger-automobile accessory parking, is permitted within 100' of the right-of-way of Stemmers Run Road.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to 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 B. Conodari
NICHOLAS B. CONODARI,
Acting Chairman
Zoning Plans Advisory Committee

NBC:f

cc: Frank S. Lee
1277 Neighbors Ave.
Baltimore, MD. 21207

baltimore county
department of public works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.

May 2, 1977

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

No. Item #25 (Cycle 1 April-October 1977)
Property Owner: Helen Winter
N/S Stemmers Run Rd. 895' W. of Middlesex Rd.
Existing Zoning: M.L.R.
Proposed Zoning: M.L.R. with Special Exception for
Garage, Service and Variance from Section 253.28.3
for access to Arterial St. and Section 255.1 (238.2)
side yard.
Existing District: Undistricted
Proposed District: I.M.
District: 15th No. of Acres: 1.13

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General

This site is a portion of an overall larger property, indicated as Parcel 1073 on Tax Map 90. Development of this property is subject to Baltimore County Sub-division regulations and requirements.

Highways

Stemmers Run Road is an existing 40-foot closed section roadway on a 60-foot right-of-way in this vicinity, with no further improvements required.

Sediment Control

Development of this property through strippling, 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 strippling of top soil.

Storm Drains

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Item #25 (Cycle 1 April-October 1977)
Property Owner: Helen Winter
Page 2
May 2, 1977

Storm Drains: (Cont'd)

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

Baltimore County drainage and utility easements exist within this property. The Petitioner is cautioned that no encroachment by construction of any structure, including footings will be permitted within County rights-of-way or utility easements.

Water and Sanitary Sewer

Public water supply and sanitary sewerage connections were provided for the former residence on this site (610 Stemmers Run Road).

Additional fire hydrant protection is required in the vicinity.

Very truly yours,

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

DWT:EDM:FWB:SS

cc: J. Wimbley
W. Munchel

I-M Key Sheet
11 & 12 NE 29 Pos. Sheets
NE 3 H Type
90 Tax Map

baltimore county
industrial development commission
TOWSON, MARYLAND 21204
(410) 494-3648

GARVE BURL

DIRECTOR

April 15, 1977

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

Dear Mr. DiNenna:

Re: Zoning Cycle I: 9/1/77 to 10/15/77

Item 25
Property Owner: Helen Winter
Location: N/S Stemmers Run Rd., 895 ft.
West of Middlesex Road
Present Zoning: M.L.R.
Proposed Zoning: M.L.R. with special exception for
Garage, Service and Variance
Present District: Undistricted
Proposed District: I.M.
District: 15th
No. of Acres: 1.13

The Industrial Development Commission has no comments to offer.

Sincerely,

Gary B. Burl
GARY B. BURL
Director

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(410) 494-3111

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

Property Owner: Helen Winter
Location: N/S Stemmers Run Road 895 ft. W. of Middlesex Road
Present Zoning: M.L.R.
Proposed Zoning: M.L.R. with special exception for garage, service and variance from
Section 253.28.3 for access to Arterial St. and Section 255.1 (238.2) side yard
Present District: Undistricted
Proposed District: I.M.
Dist. #: 15th
No. Acres: 1.13

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 area where the existing building to be razed is located should be landscaped.

Very truly yours,

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

AUG 23 1979

April 22, 1977

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

Re: Cycle Zoning Item No. 25 - ZAC - April, 1977

Property Owner: Helen Winter
Location: N/S Stemmers Run Rd. 895 ft. W of Middlesex Rd.
Present Zoning: M.L.R.
Proposed Zoning: M.L. with special exception for Garage, Service and
variance from Section 253.2B.3 for access to Arterial
St. and Section 255.1 (238.2) side yard.
Present District: Undistricted
Proposed District: I.M.
District: 15th
No. Acres: 1.13

Dear Mr. DiNenna:

No increase in traffic generation is anticipated by the proposed ML-IM
zone with a special exception for a service garage.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

HSF/110

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 #25, Zoning Cycle 1 Meeting,
April 5, 1977, are as follows:

Property Owner: Helen Winter
Location: N/S Stemmers Run Rd. 895 ft. W
of Middlesex Rd.
Present Zoning: M.L.R.
Proposed Zoning: M.L. with special exception for
Garage, Service and variance from
Section 253.2B.3 for access to
Arterial St. and Section 255.1
(238.2) side yard.
Present District: Undistricted
Proposed District: I.M.
District: 15th
Acres: 1.13

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

Very truly yours,

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

KS:mah

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: Nicholas B. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Helen Winter

Location: N/S Stemmers Run Rd. 895 ft. W of Middlesex Rd.
Item No. 25 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.

- (x) 1. Fire hydrants for the referenced property are required and shall be
located at intervals of 200 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 Pro-
tection 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: *Paul H. Reinke* Chief and *Nicholas B. Commodari*
Planning Group Battalion Chief
Special Inspection Division Fire Prevention Bureau

April 18, 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 # 25 Zoning Advisory Committee Meeting,
are as follows:

Property Owner: Helen Winter
Location: N/S Stemmers Run Road 895 ft. W of Middlesex Road
Existing Zoning: M.L.R.
Proposed Zoning: M.L. with special exception for Garage, Service and variance from
Section 253.2B.3 for access to Arterial St. and Section 255.1 (238.2) side yard.
Present District: Undistricted
Proposed District: I.M.
District: 15th
Acres: 1.13

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (3.01.01.1)
1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ B. A building permit shall be required before construction can begin.
A raising permit shall be required.
- ☒ 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. Burham
Charles E. Burham
Plans Review Chief
(301) 434-3610

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 19, 1977

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

Z.A.C. Meeting of: April 19, 1977

RE: Item No: 25
Property Owner: Helen Winter
Location: N/S Stemmers Run Rd. 895 ft. W of Middlesex Rd.
Present Zoning: M.L.R.
Proposed Zoning: M.L. with special exception for Garage, Service and
variance from Section 253.2B.3 for access to Arterial St.
and Section 255.1 (238.2) side yard.
Present District: Undistricted
Proposed District: I.M.

District: 15th
No. Acres: 1.13

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WSP/tp

JOSEPH H. MCCORMAN, PRESIDENT
T. BARBARA WILLIAMS, JR., VICE-PRESIDENT
MARION H. MCCORMAN

THOMAS H. BOYER
MRS. LORENAE F. CHURCH
ROGER B. HAYDEN
ROBERT T. DUBEL, REPRESENTATIVE

ALVIN LORECK
MRS. MILTON R. SMITH, JR.
ROBERT W. TRACY, D.M.

PETITIONER'S EXHIBIT #3

Mr. Charles Heist
625 Middlesex Road
Baltimore, Md. 21221

September 17, 1977

Mr. Eric DiNenna
Zoning Commissioner
Room 109
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

I live at 625 Middlesex Road and I am familiar with
the location of the Heist's property and their request
for reclassification for an auto repair shop.

With the recent trend toward "gas and go" stations,
having no service facilities, there is a definite need for
a service garage in our area. A station of this type would
be of particular benefit to the visitor who has many
people need car starting and other emergency service.

The people in the neighborhood are in favor of the
proposed rezoning.

Sincerely,

Charles H. Heist
Charles Heist

Office
305-7226
305-7245

RONALD W. PARKER
ATTORNEY AT LAW
11614 POLARIS / TOWSON
WHITE MARSH, MD. 21166

June 24, 1977

Mr. Alberta Pugh
443 Middlesex Road
Baltimore, Maryland 21220

Dear Alberta:

As you are in charge of numerous improvement associations
in the Essex-Middlesex area, I would like to advise you that I
am applying for a change in zoning for 610 Stemmers Run Road,
which is approximately 900 feet West of Middlesex Road, located
next to the B. C. & L. transformer station.

I would like to discuss this reclassification with you, and
your improvement association, and would like to ask your support
for this change of zoning.

My clients desire to raze the existing house and garage at
that location and construct an auto repair garage which should
complement the areas growing need for automotive repairs.

Appreciating a response from you, and a date when we can
discuss this transaction with you.

Appreciating your cooperation.

Very truly yours,

Ronald W. Parker

RWP:cs

cc: Helen Winter

April 22, 1977

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

Re: Cycle Zoning Item No. 25 - ZAC - April, 1977

Property Owner: Helen Winter
Location: N/S Stemmers Run Rd. 895 ft. W of Middlesex Rd.
Present Zoning: M.L.R.
Proposed Zoning: M.L. with special exception for Garage, Service and
variance from Section 253.2B.3 for access to Arterial
St. and Section 255.1 (238.2) side yard.
Present District: Undistricted
Proposed District: I.M.
District: 15th
No. Acres: 1.13

Dear Mr. DiNenna:

No increase in traffic generation is anticipated by the proposed ML-IM
zone with a special exception for a service garage.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

HSF/110

Petition for Zoning Re-Classification

To The Board of Commissioners of Baltimore County
 At the Office of the Board of Commissioners, Baltimore County, Maryland
 At the Office of the Board of Commissioners, Baltimore County, Maryland

PETITIONER'S EXHIBIT #1

The following is a true and correct copy of the petition for zoning reclassification of the property located at the intersection of Stemmers Run Road and Mace Avenue, Baltimore County, Maryland, as shown on the attached plan.

For a copy of the petition, please contact the Petitioner at the address listed below.

Richard E. Walsh, President
 Walsh & Company, Inc.
 148.50' Stemmers Run Road, 148.50' Mace Avenue, 15th District, Baltimore County, Maryland

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
 S/S of Stemmers Run Road, 148.50' : DEPUTY ZONING
 SW of Mace Avenue - 15th District : COMMISSIONER
 Walsh & Company, Inc. - Petitioner : OF
 NO. 74-222-R (Item No. 3B) : BALTIMORE COUNTY

This Petition represents a request for a Reclassification from a M. L. R. L.M. Zone and District to a B. R. Zone. The property in question has frontage on the south side of Stemmers Run Road as well as Golden Ring Road and is situated 148 feet southwest of the intersection of Mace Avenue and Stemmers Run Road, in the Fifteenth Election District of Baltimore County. The 1.437 acre parcel of ground is improved with a hardware building materials store and lumberyard.

The Petitioner, Mr. Richard E. Walsh, President of Walsh & Company, Incorporated, presented testimony and evidence that the business and lumberyard has existed on the site for the past 45 years. Mr. Walsh felt that the Comprehensive Zoning Map adopted March 24, 1971, was in error in not granting a more appropriate classification that would permit his business to legally exist and expand with the growth potential of the area.

Planning Board comments relative to land use and the Comprehensive Zoning Map include the following:

"The Planning Board believes that commercial zoning would be appropriate and would provide a proper zoning classification for the building supply business that has existed here for many years. Further, in view of the adjacent commercial use to the north (P. V. Vieck Co.) on B. L. zoned land and the fact that the northernmost portion of this parcel is currently zoned B. L., the Board believes that granting the petitioner's request would have no adverse effects on the surrounding area."

County and State agencies, who reviewed the Petitioner's site plans, had no adverse comments with regard to the existing use and improvements on the property.

MICROFILMED

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
 S/S of Stemmers Run Road, 148.50' : DEPUTY ZONING
 SW of Mace Avenue - 15th District : COMMISSIONER
 Walsh & Company, Inc. - Petitioner : OF
 NO. 74-222-R (Item No. 3B) : BALTIMORE COUNTY

This Petition represents a request for a Reclassification from a M. L. R. L.M. Zone and District to a B. R. Zone. The property in question has frontage on the south side of Stemmers Run Road as well as Golden Ring Road and is situated 148 feet southwest of the intersection of Mace Avenue and Stemmers Run Road, in the Fifteenth Election District of Baltimore County. The 1.437 acre parcel of ground is improved with a hardware building materials store and lumberyard.

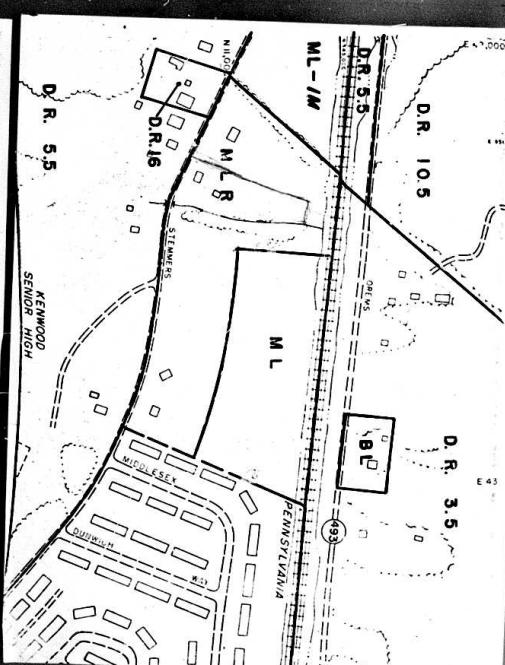
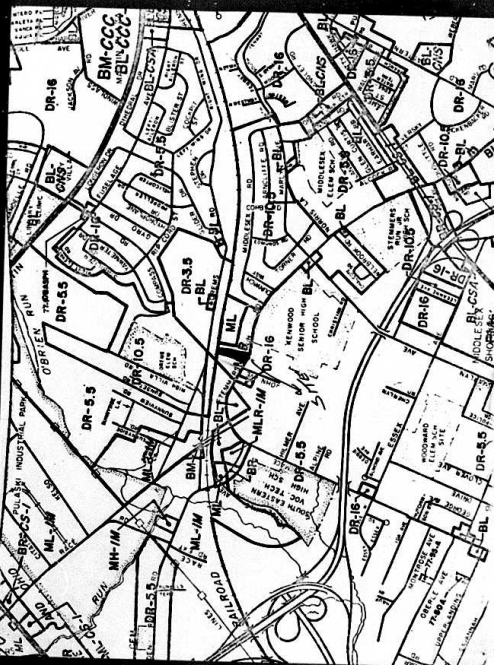
The Petitioner, Mr. Richard E. Walsh, President of Walsh & Company, Incorporated, presented testimony and evidence that the business and lumberyard has existed on the site for the past 45 years. Mr. Walsh felt that the Comprehensive Zoning Map adopted March 24, 1971, was in error in not granting a more appropriate classification that would permit his business to legally exist and expand with the growth potential of the area.

Planning Board comments relative to land use and the Comprehensive Zoning Map include the following:

"The Planning Board believes that commercial zoning would be appropriate and would provide a proper zoning classification for the building supply business that has existed here for many years. Further, in view of the adjacent commercial use to the north (P. V. Vieck Co.) on B. L. zoned land and the fact that the northernmost portion of this parcel is currently zoned B. L., the Board believes that granting the petitioner's request would have no adverse effects on the surrounding area."

County and State agencies, who reviewed the Petitioner's site plans, had no adverse comments with regard to the existing use and improvements on the property.

MICROFILMED



baltimore county
 department of health
 TOWSON, MARYLAND 21204
 DONALD J. BOOP, M.D., M.P.H.
 CITY STATE AND COUNTY HEALTH OFFICER

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

Dear Mr. DiNenna:

Comments on Item #25, Zoning Cycle I Meeting, April 5, 1977, are as follows:

Property Owner: Helen Winter
 Location: N/S Stemmers Run Rd. 895 ft. W of Middlebrook Rd.
 Present Zoning: M.L.R.
 Proposed Zoning: B.L., with special exception for Garage, Driveway and variance from Section 251.2b.3 for access to Arterial St. and Section 255.1 (23b.2) side yard.

Present District: Undistricted
 Proposed District: 1.71
 District: 15th
 Acres: 1.15

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

Very truly yours,
 Thomas H. Devlin, Director
 BUREAU OF ENVIRONMENTAL SERVICES

KS:mah

RE: PETITION FOR RECLASSIFICATION
S/S of Stemmers Run Road, 148.50'
SW of Mace Avenue - 15th District
Walsh & Company, Inc. - Petitioner
NO. 74-222-R (Item No. 3B)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This Petition represents a request for a Reclassification from a M.L.R. 1-M. Zone and District to a D.R. Zone. The property in question has frontage on the south side of Stemmers Run Road as well as Golden Ring Road and is situated 148 feet southwest of the intersection of Mace Avenue and Stemmers Run Road, in the Fifteenth Election District of Baltimore County. The 1.437 acre parcel of ground is improved with a hardware building materials store and lumberyard.

The Petitioner, Mr. Richard E. Walsh, President of Walsh & Company, Incorporated, presented testimony and evidence that the business and lumber yard has existed on the site for the past 45 years. Mr. Walsh felt that the Comprehensive Zoning Map adopted March 24, 1971, was in error in not granting a more appropriate classification that would permit his business to lawfully exist and expand with the growth potential of the area.

Planning Board comments relative to land use and the Comprehensive Zoning Map include the following:

"The Planning Board believes that commercial zoning would be appropriate and would provide a proper zoning classification for the building supply business that has existed here for many years. Further, in view of the adjacent commercial use to the north (R. 7, Velec Co.) on B.L. zoned land and the fact that the north parcel portion of this parcel is currently zoned B.L., the Board believes that granting the petitioner's request would have no adverse effects on the surrounding area."

County and State agencies, who reviewed the Petitioner's site plans, had no adverse comments with regard to the existing use and improvements on the property.

Lloyd Realty, Inc. - #75-222-4X

The home, in its present condition, is definitely a detriment to any neighborhood. The Board is well aware that granting the D.R. 16 zoning is one way an office type use for this site can be achieved, and feels that granting this use for this stated small parcel through a special exception would not, in fact, create the feared "domino effect". It further appears that all the requirements of Section 502.1 of the Baltimore County Zoning Regulations have been met and, therefore, this special exception should be granted.

ORDER

For the reasons set forth in the foregoing Opinion, the Board affirms the Order of the Zoning Commissioner dated March 26, 1975, and ORDERS this 15th day of June, 1976, that the reclassification petitioned for from D.R. 5.5 to D.R. 16 be and the same is hereby GRANTED; and it is

FURTHER ORDERED, that the special exception for offices petitioned for be and the same is hereby GRANTED, subject to the following restrictions:

1. The outside structural shape of the existing home is to remain as it now is. This will allow the existing porch to be replaced only in its present size, but to be enclosed to facilitate an office use.
2. No commercial vehicles are to be stored on this property.
3. Issuance of all necessary and proper County approvals and permits.

Any appeal from this decision must be in accordance with Rules 8-1 thru 8-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
Robert J. Gillispie, Vice Chairman
William J. Hackett

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY
I, or my Lloyd Realty, Inc., do hereby petition the Zoning Commissioner of Baltimore County and which is deemed to be a commercial use and is hereby made a part hereof, hereby petition (1) that the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from M.L.R. 5.5 to D.R. 16, and (2) for the following reasons:

Surrounding land use has become increasingly commercial. The subject property is abutted by M.L.R. and M.L.R. and M.L.R. property.

The major streets and highways which pass through the area have been widened or completely redesigned to handle the change in character of the neighborhood. To wit: Roseville Boulevard and Stemmers Run Road.

The subject property of approximately one acre has presently thereon a vacant gravel pit of approximately thirty years of age in a rundown condition which your Petitioner will remodel and update for office use only, and (2) the betterment of the neighborhood.

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 office use.

Property is to be posted and advertised as prescribed by 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 be and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser
Lloyd Realty, Inc.
Address 1014 North Avenue
Baltimore, MD 21201
Petitioner's Attorney
Suite 200 15 Charles Plaza
Baltimore, MD 21201

ORDERED BY THE Zoning Commissioner of Baltimore County, this 25th day of October, 1976, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 186, County Office Building in Towson, Baltimore County, on the 24th day of March, 1977, at 1:00 o'clock.

MICROFILMED

OFFICE OF
THE TIMES
NEWSPAPERS
TOWSON, MD. 21204 September 1 1977

THIS IS TO CERTIFY that the annexed advertisement of PETITION FOR RECLASSIFICATION - REDIST. - SPEC. was inserted in the following:

- | | |
|--|--|
| ☐ Catonsville Times | ☐ Towson Times |
| ☐ Dundalk Times | ☐ Art-Less Times |
| ☐ Essex Times | ☐ Community Times |
| ☐ Suburban Times East | ☐ Suburban Times West |

weekly newspapers published in Baltimore County, Maryland, once a week for one successive week before the 2nd day of September 1977, that is to say, the same was inserted in the issues of September 1, 1977

STROMBERG PUBLICATIONS, INC.
BY *Edith Barga*

Lloyd Realty, Inc. - #75-222-4X

existence of M.L.R. and M.L.R. zoning directly across the street, and B.L. zoning directly to the west. All of these, he stated, indicate a change in this neighborhood from strictly residential to a more commercial use.

Mr. James Havelly, Baltimore County Planning Department, then presented the People's Counsel's case. He noted no changes in this neighborhood since the adoption of the 1971 maps, and presented photographs of all nearby and abutting homes to this property. He also noted that no public sewer was available to this site. He stated the Office of Planning fears that a density change to D.R. 16 may well open up the rest of the area to this same type zoning. He also noted that there were ample areas already zoned to accommodate office use, that were presently available, and felt that there was no need for office use on this particular site.

In considering this appeal, the Board evaluated several factors. It is without question that over the years commercial type zoning has encroached upon this small group of established homes until it now just about surrounds the subject site. To substantiate this, an inspection of the County zoning maps shows that all land north, east and west of this area and abutting it are all of some commercial and/or industrial type zoning. To the Board of Appeals this indicates at least some error in the designated zoning, some evidence of change in this area, or more likely a compilation of both.

The reclassification petitioned before the Board, as mentioned above, is for the residential zone D.R. 16, and while the Board recognizes and wishes to maintain the overall residential character of the south side of Stemmers Run Road, after carefully reviewing all the testimony and evidence presented in this case, it is the judgment of this Board that there is sufficient basis of error and/or change to reclassify the subject property to the residential D.R. 16 zone. This reclassification is recognition of error and/or change in the immediate environs of the subject property and also recognition of the general overall residential character of the south side of Stemmers Run Road. The Board feels that a D.R. 16 classification here also buffers the nearby commercial and industrial zoning, and prevents the encroachment of such commercial and industrial zoning south of Stemmers Run Road between the Kenwood Senior High School and the east side of Mace Avenue.

MICROFILMED

CERTIFICATE OF PUBLICATION

TOWSON, MD. September 1, 1977
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. commencing on the 1st day of September, 1977, and continuing for one week before the 21st day of September, 1977, the time publication appearing on the 1st day of September, 1977.

THE JEFFERSONIAN
L. L. Lusk, Publisher

Cost of Advertisement, \$.....

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of substantial changes in the character of the neighborhood and the health, safety, and general welfare of the community not being adversely affected,

the above Reclassification should be had, and it further appearing that by reason of the amendments of Section 502.1 of the Baltimore County Zoning Regulations having been met,

Special Exception for Offices should be granted. IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 26th day of March, 1975, that the herein described property or area should be and the same is hereby reclassified from a D.R. 5.5 Zone to a D.R. 16 Zone and a Special Exception for Offices should be and the same is granted, from and after the date of this Order, subject to the approval of the plan by the Department of Public Works and the Office of Planning and Zoning.

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

the above reclassification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 26th day of March, 1975, that the above reclassification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued in and to remain a D.R. 5.5 Zone, and/or the Special Exception for Offices should be and the same is hereby DENIED.

MICROFILMED



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#78-42-RYA

District: 154 Date of Posting: Feb. 27
Posted for: Alvin H. H. H. 214 1977 @ 10:00 A.M.
Petitioner: Helen Winter
Location of property: 119 of Stearns Run Rd. 895 ft. West of Middlebrook Rd.
Location of Sign: 3 signs posted in front yard of house to be taken down
Remarks:
Posted by: Paul A. New Date of return: 2-8-77
Signature

Appeal
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY #78-42-RYA
Towson, Maryland

District: 154 Date of Posting: 2-16-77
Posted for: H
Petitioner: Helen Winter
Location of property: 119 of Stearns Run Rd. 895 ft. West of Middlebrook Rd.
Location of Sign: 3 signs posted in front yard of house to be taken down
Remarks:
Posted by: Paul A. New Date of return: 2-16-77
Signature

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 1 day of Apr. 1977. Filing Fee \$ 50 Received Check
Cash
Other

H. D. Parker
S. Eric Dinkins,
Zoning Commissioner

Petitioner: WINTER Submitted by R. PARKER
Petitioner's Attorney: R. PARKER Reviewed by WZ
* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

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

No. 51705

DATE: Nov. 3, 1977 ACCOUNT: 03-662
AMOUNT: \$50.00
RECEIVED FROM: George Winter, 710 Eastern Ave., Balto., Md. 21201
FOR: Petition for Reclassification and Special Exception

8810712 3 50.00NC

VALIDATION OR SIGNATURE OF CASHIER

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

No. 65445

DATE: Feb. 10, 1978 ACCOUNT: 03-662
AMOUNT: \$5.00
RECEIVED FROM: Ronald W. Parker, Reg. 11144 Pulaski Hwy., White Marsh, Md. 21162
FOR: Cost of an Appeal sign for Helen Winter - 78-42-RY

8871212 10 5.00NC

VALIDATION OR SIGNATURE OF CASHIER

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

No. 65442

DATE: Feb. 9, 1978 ACCOUNT: 03-662
AMOUNT: \$70.00
RECEIVED FROM: Helen Winter, 610 Stearns Run Road, Baltimore Md. 21206
FOR: Cost of Appeal 78-42-RYA

8810712 9 70.00NC

VALIDATION OR SIGNATURE OF CASHIER

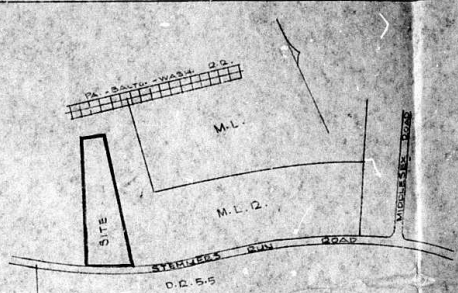
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 57305

DATE: Nov. 14, 1977 ACCOUNT: 03-662
AMOUNT: \$159.75
RECEIVED FROM: Helen W. Winter 710 Eastern Blvd., Balto. Md. 21201
FOR: Administrative and posting of property 78-42-RYA

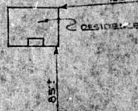
8814012 14 159.75NC

VALIDATION OR SIGNATURE OF CASHIER



LOCATION MAP
SCALE: 1" = 120'

PAUL A. TYSZKO
Q.J.S. 1920-1922



STEMMERS RUN

MAP NO. 34

EXIST. USE - RESIDENCE
PROP. USE - SERVICE GARAGE
EXIST. ZONING - M.L.2.
PROP. ZONING - M.L.2., WITH A SPECIAL EXCEPTION FOR A SERVICE GARAGE
REDISTRICTING FROM UNRESTRICTED TO I.M.
VARIANCE: SECTION 255.1 C, TO PERMIT ACCESS TO ARTERIAL ST. OTHER THAN CLASS 1 COMMERCIAL MOTORWAY
AREA OF LOT - 1.13 AC.
AREA OF PROPOSED BLDG. - 3043 SQ. FT.
VARIANCE - 255.2 TO PERMIT A SIDEYARD SETBACK OF 20' INSTEAD OF THE REQUIRED 30'

PARKING DATA

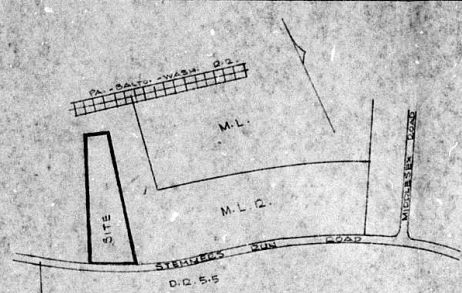
NO. OF SPACES REQ. (1/300 SQ. FT. OF PROP. BLDG.) = 10 SPACES
NO. OF SPACES PROVIDED (24 OUTSIDE) (INSIDE) = 25 SPACES
THE ENTIRE DRIVEWAY AND SCREENED IN AREA WILL BE BITUMINOUS PAVING AND PROPERLY DRAINED.

PROPOSED SERVICE GARAGE FOR
GEORGE WINTER
15TH DISTRICT BALTIMORE CO., MARYLAND
SCALE: 1" = 50' DATE: 5-28-77

BOARD OF APPEALS
PETITIONER'S
EXHIBIT



FRANK R. LEE
1277 NECHORS AVE.
BALTIMORE, MD. 21227



LOCATION MAP
SCALE: 1" = 120'

PAUL A. TYSZKO
Q.J.S. 1920-1922



STEMMERS RUN

MAP NO. 34

EXIST. USE - RESIDENCE
PROP. USE - SERVICE GARAGE
EXIST. ZONING - M.L.2.
PROP. ZONING - M.L.2., WITH A SPECIAL EXCEPTION FOR A SERVICE GARAGE
REDISTRICTING FROM UNRESTRICTED TO I.M.
VARIANCE: SECTION 255.1 C, TO PERMIT ACCESS TO ARTERIAL ST. OTHER THAN CLASS 1 COMMERCIAL MOTORWAY
AREA OF LOT - 1.13 AC.
AREA OF PROPOSED BLDG. - 3043 SQ. FT.
VARIANCE - 255.2 TO PERMIT A SIDEYARD SETBACK OF 20' INSTEAD OF THE REQUIRED 30'

PARKING DATA

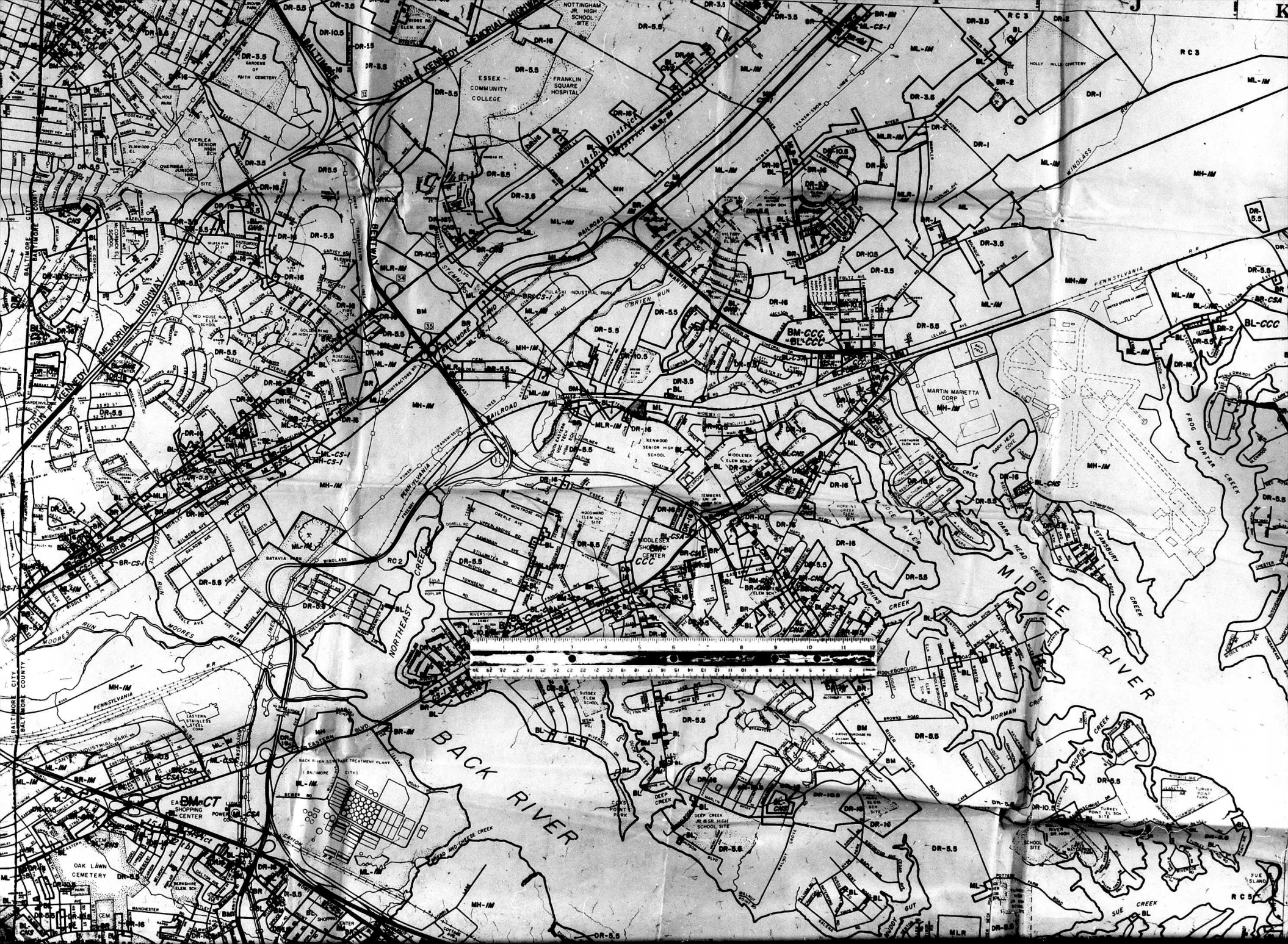
NO. OF SPACES REQ. (1/300 SQ. FT. OF PROP. BLDG.) = 10 SPACES
NO. OF SPACES PROVIDED (24 OUTSIDE) (INSIDE) = 25 SPACES
THE ENTIRE DRIVEWAY AND SCREENED IN AREA WILL BE BITUMINOUS PAVING AND PROPERLY DRAINED.

PROPOSED SERVICE GARAGE FOR
GEORGE WINTER
15TH DISTRICT BALTIMORE CO., MARYLAND
SCALE: 1" = 50' DATE: 5-28-77



FRANK R. LEE
1277 NECHORS AVE.
BALTIMORE, MD. 21227





C MAP OF
TROPOLITAN AREA
NING MAP

VISIONS	REVISIONS	LOCATION	SHEET
1-1	1-1	1-1	1-1
1-2	1-2	1-2	1-2
1-3	1-3	1-3	1-3
1-4	1-4	1-4	1-4
1-5	1-5	1-5	1-5
1-6	1-6	1-6	1-6
1-7	1-7	1-7	1-7
1-8	1-8	1-8	1-8
1-9	1-9	1-9	1-9
1-10	1-10	1-10	1-10
1-11	1-11	1-11	1-11
1-12	1-12	1-12	1-12
1-13	1-13	1-13	1-13
1-14	1-14	1-14	1-14
1-15	1-15	1-15	1-15
1-16	1-16	1-16	1-16
1-17	1-17	1-17	1-17
1-18	1-18	1-18	1-18
1-19	1-19	1-19	1-19
1-20	1-20	1-20	1-20
1-21	1-21	1-21	1-21
1-22	1-22	1-22	1-22
1-23	1-23	1-23	1-23
1-24	1-24	1-24	1-24
1-25	1-25	1-25	1-25
1-26	1-26	1-26	1-26
1-27	1-27	1-27	1-27
1-28	1-28	1-28	1-28
1-29	1-29	1-29	1-29
1-30	1-30	1-30	1-30
1-31	1-31	1-31	1-31
1-32	1-32	1-32	1-32
1-33	1-33	1-33	1-33
1-34	1-34	1-34	1-34
1-35	1-35	1-35	1-35
1-36	1-36	1-36	1-36
1-37	1-37	1-37	1-37
1-38	1-38	1-38	1-38
1-39	1-39	1-39	1-39
1-40	1-40	1-40	1-40
1-41	1-41	1-41	1-41
1-42	1-42	1-42	1-42
1-43	1-43	1-43	1-43
1-44	1-44	1-44	1-44
1-45	1-45	1-45	1-45
1-46	1-46	1-46	1-46
1-47	1-47	1-47	1-47
1-48	1-48	1-48	1-48
1-49	1-49	1-49	1-49
1-50	1-50	1-50	1-50
1-51	1-51	1-51	1-51
1-52	1-52	1-52	1-52
1-53	1-53	1-53	1-53
1-54	1-54	1-54	1-54
1-55	1-55	1-55	1-55
1-56	1-56	1-56	1-56
1-57	1-57	1-57	1-57
1-58	1-58	1-58	1-58
1-59	1-59	1-59	1-59
1-60	1-60	1-60	1-60
1-61	1-61	1-61	1-61
1-62	1-62	1-62	1-62
1-63	1-63	1-63	1-63
1-64	1-64	1-64	1-64
1-65	1-65	1-65	1-65
1-66	1-66	1-66	1-66
1-67	1-67	1-67	1-67
1-68	1-68	1-68	1-68
1-69	1-69	1-69	1-69
1-70	1-70	1-70	1-70
1-71	1-71	1-71	1-71
1-72	1-72	1-72	1-72
1-73	1-73	1-73	1-73
1-74	1-74	1-74	1-74
1-75	1-75	1-75	1-75
1-76	1-76	1-76	1-76
1-77	1-77	1-77	1-77
1-78	1-78	1-78	1-78
1-79	1-79	1-79	1-79
1-80	1-80	1-80	1-80
1-81	1-81	1-81	1-81
1-82	1-82	1-82	1-82
1-83	1-83	1-83	1-83
1-84	1-84	1-84	1-84
1-85	1-85	1-85	1-85
1-86	1-86	1-86	1-86
1-87	1-87	1-87	1-87
1-88	1-88	1-88	1-88
1-89	1-89	1-89	1-89
1-90	1-90	1-90	1-90
1-91	1-91	1-91	1-91
1-92	1-92	1-92	1-92
1-93	1-93	1-93	1-93
1-94	1-94	1-94	1-94
1-95	1-95	1-95	1-95
1-96	1-96	1-96	1-96
1-97	1-97	1-97	1-97
1-98	1-98	1-98	1-98
1-99	1-99	1-99	1-99
1-100	1-100	1-100	1-100

1-SW 1-SE
1-W 1-NE

1976 COMPREHENSIVE ZONING MAP
APPROVED BY THE
BALTIMORE COUNTY COUNCIL
JULY 1, 1976 & OCT. 8, 1978
B.L. NOS. 100-76, 109-76, 110-76, 111-76,
112-76, 113-76, and 114-76

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA
OFFICIAL ZONING MAP

REVISIONS	BY	DATE
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36		
37		
38		
39		
40		
41		
42		
43		
44		
45		
46		
47		
48		
49		
50		
51		
52		
53		
54		
55		
56		
57		
58		
59		
60		
61		
62		
63		
64		
65		
66		
67		
68		
69		
70		
71		
72		
73		
74		
75		
76		
77		
78		
79		
80		
81		
82		
83		
84		
85		
86		
87		
88		
89		
90		
91		
92		
93		
94		
95		
96		
97		
98		
99		
100		

Photography Compiled By Photogrammetric
BURNS AERIAL SURVEY CORP. LANSING