

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
TOWSON, Maryland 21286

October 31, 1977

Mr. Nicholas B. Commodari
Chairman

Mr. Randolph N. Blair, Esquire
2 North Dundalk Avenue
Baltimore, Maryland 21222

RE: Reclassification, Special
Exception & Variance Petition
Item Number 1 - Cycle II
Petitioner - New North Point Co.

Dear Mr. Blair:

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 northeast corner of Cove Road and North Point Boulevard in the 15th Election District, the parcel of land under consideration is part of an overall tract owned by your client and improved with a liquor store, service garage, roadside stand, metal fabrication shop and an existing junk yard to the rear abutting the entrance ramp to the Patapsco Freeway. It is in this latter use which is the subject of this petition.

This property was the subject of a previous zoning violation hearing (Case 476-355) in which the Deputy Zoning Commissioner ordered that all junk must be re-

Mr. Randolph N. Blair, Esq.
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moved from the subject property and any further use thereof for the storage of junk must cease. Since this order was not satisfied, the case has been scheduled for a hearing in District Court. At this time it is your client's proposal to rezone the rear portion of this site, encompassing the existing junk yard from a B.R. and M.L. zone to an M.H. zone with a Special Exception to "legalize" this operation. In addition, Variances to permit the storage of junk within 0 feet of any other zone in lots of 300 feet as stated in Section 408.2, of the zoning regulations, is included.

A review of Section 256.5 indicates that within 150 feet of...the right-of-way of an existing and/or proposed interstate highway, other freeway, or expressway...there shall be permitted only passenger-automobile parking and those uses permitted in an M.R. zone as limited by the use regulations in Section 241. Since a junk yard is not a permitted use, it appears that no storage of junk would be allowed within 150 feet of the property line abutting the Patapsco Freeway ramp. For this reason, the submitted site plan should be revised to indicate this buffer zone, as well as the means of containing the junk within this area. The driveway and all parking areas should be clearly indicated and clarified (specifically the 30 foot right-of-way from North Point Road to the junk yard).

A fence presently surrounds the operation, however it is not screened and the use is clearly visible from the ramp of the freeway. As indicated in Section 408.3 the Zoning Commissioner shall require adequate screening of the operation. In view of this, the type of screen-

Mr. Randolph N. Blair, Esq.
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ing that will be provided, as well as additional landscaping as required in comments from the Office of Project and Development Planning must be indicated on the revised drawings.

Separate descriptions for both the B.R. and M.L. zones must also be submitted and the petition forms must be signed.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plans, as may have been requested by this Committee shall be submitted to this office prior to November 28, 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 March 1, 1978 and April 15, 1978 will be forwarded to you well in advance.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:rf

cc: Gerhold, Cross & Ettl
412 Delaware Avenue
Towson, Maryland 21284

Mr. Randolph N. Blair, Esquire
2 North Dundalk Avenue
Baltimore, Maryland 21222

Item #1

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Ave.,
Towson, Maryland 21284

Your Petition has been received and accepted for filing this _____ day of _____ 1977.

Eric D. DiNenna
Eric D. DiNenna
Zoning Commissioner

Petitioner: _____
Petitioner's Attorney: _____
Reviewed by: _____
Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

Gerhold, Cross & Ettl
412 Delaware Avenue
Towson, Maryland 21284

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21284

THORNTON M. MOURING, P.E.
DIRECTOR

October 25, 1977

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21284

Re: Item #1 (Cycle II) October 1977 - April 1978
Property Owner: New North Point Co.
8/62 Cove Rd. 172' W/2 North Point Blvd.
Existing Zoning: M.L.-I.M. & B.R.-I.M.
Proposed Zoning: M.H. with a Variance to permit vehicles to be located within a 0' setback in lieu of the required 300' of any other zone.
Acres: 3.23 District: 15th

Dear Mr. DiNenna:

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

Highways:

North Point Boulevard (Md. 151), Old North Point Road (Md. 20) and the Patapsco Freeway (Md. 695) including the Cove Road ramps are State Roads; therefore, all improvements, intersections, entrances and drainage requirements as they affect the roads come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Access for this site is via the property fronting on North Point Boulevard. The status of the indicated 30-foot right-of-way is unknown and assumed to be private. It is the responsibility of the Petitioner to ascertain and clarify his rights therein.

Sediment Control:

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

Storm Drains:

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

Item #1 (Cycle II 1977)
Property Owner: New North Point Co.
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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.

Water:

There are public 8-inch and 36-inch water mains in Old North Point Road and North Point Boulevard, respectively.

Sanitary Sewer:

There is a public 8-inch sanitary sewer in Old North Point Road.

Very truly yours,

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

END:EAM:FW:ss

E-W Key Sheet
7 & 8 SE 27 & 28 Pos. sheets
SS 2 & 3 of Topo
104 Tax Map



Maryland Department of Transportation
State Highway Administration

Thomas E. Johnson
Secretary
Edward M. Evans
Administrator

October 7, 1977

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Md. 21284

Attention: Mr. N. Commodari

Re: Meeting for Cycle II
Item 1
Property Owner: New North Point Co.
Location: SE/S Cove Rd. 172' NE North Point Blvd. (Rte. 151)
Existing Zoning: M.L.-I.M. & B.R.-I.M.
Proposed Zoning: M.H. with a variance to permit vehicles to be located within a 0' setback in lieu of the required 300' of any other zone.
Acres: 3.23
District: 15th

Dear Mr. DiNenna:

Much of the storage area is presently vegetated. At such time as the area becomes heavily used, the vegetation will be killed and storm water will no longer be readily absorbed into the ground, thus substantially increasing storm water runoff. In order to control this situation, storm water management, based on a 100 year frequency storm will be required.

The entrances from North Point Blvd. are satisfactory.

Very truly yours,

CL:JEM:dj

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Nicholas B. Commodari, Chairman
TO: Zoning Plans Advisory Committee Date: December 21, 1977

FROM: Roellen Plant, Industrial Development Commission

SUBJECT: Zoning Advisory Committee Meeting - Cycle II

- Item 3 Property Owner: Ellis A. Rawls
Location: SE/C Philadelphia Road & Rossville Boulevard
Existing Zoning: M.L. - I.M. & D.R. 16
Proposed Zoning: B.L.
Acres: 1.6
District: 15th
- Item 2 Property Owner: Jerome N. Biller
Location: NE/S Mohr's Ln., 354' NW Pulaski Highway
Existing Zoning: M.L.
Proposed Zoning: M.H. with a Special Exception for a junk yard, etc. Acres: 1.53; District: 15
- Item 1 Property Owner: New North Point Company
Location: SE/S Cove Road 172' NE North Point Boulevard
Existing Zoning: M.L.-I.M. & B.R.-I.M.
Proposed Zoning: M.H. with variance, etc.
Acres: 3.23
District: 15

This office has no comments to make on the above petitions.

Roellen Plant
ROELLEN J. PLANT

October 14, 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 #1, Zoning Cycle II, October 1977, are as follows:

Property Owner: New North Point Company
Location: SE/S Cove Road 172' NE North Point Blvd.
Existing Zoning: M.L.-I.M. and B.R.-I.M.
Proposed Zoning: M.H., with a Variance to permit vehicles to be located within a 0' setback in lieu of the required 300' of any other zone
Acres: 3.23
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The site plan should clearly indicate all adjacent owners and the total holdings of the petitioner.

The site plan should be revised to show compliance with Section 408 of the Zoning Regulations. In addition to any fences provided, evergreen trees should be used for adequate screening.

Very truly yours,

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

STEPHEN COLLINS
DIRECTOR

October 24, 1977

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

RE: Item 1 - ZAC - October 13, 1977
Property Owner: New North Point Co.
Location: SE/S Cove Rd. 172' NE North Point Blvd.
Existing Zoning: M.L.-I.M. & B.R.-I.M.
Proposed Zoning: M.H. with a Variance to permit vehicles to be located within a 0' setback in lieu of the required 300' of any other zone.
Acres: 3.23
District: 15th

Dear Mr. DiNenna:

The subject petition is requesting a change from M.L. and B.R. to M.H. with a variance to 3.23 acres. This zoning should not increase the trip density.

Very truly yours,

Charles E. Burnham
Charles E. Burnham
Assistant Traffic Engineer

CRM/da

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

October 18, 1977

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

Dear Mr. DiNenna:

Comments on Item #1, Zoning Advisory Committee Meeting for Cycle II, October 5, 1977, are as follows:

Property Owner: New North Point Co.
Location: SE/S Cove Rd. 172' NE North Point Blvd.
Existing Zoning: M.L.-I.M. & B.R.-I.M.
Proposed Zoning: M.H. with a Variance to permit vehicles to be located within a 0' setback in lieu of the required 300' of any other zone.
Acres: 3.23
District: 15th

Metropolitan water and sewer are available, therefore no health hazards are anticipated.

Very truly yours,

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

TMD/rs/tdc

Paul H. Reinecke
CHIEF

October 26, 1977

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

Attention: H. Comodari, Chairman
Zoning Advisory Committee

Re: Property Owner: New North Point Co.

Location: SE/S Cove Rd. 172' NE North Point Blvd.
Item No. 1 Zoning Agenda Cycle II

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "m" 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 300 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 _____

REQUIRES the maintenance 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: *H. J. Kelly* Planning Chief
Special Inspection Division
Noted and Approved: *James H. Comodari* Deputy Chief
Fire Prevention Bureau

JOHN D. SEYFERT
DIRECTOR

October 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 #1 Zoning Advisory Committee Meeting, Cycle II are as follows:

Property Owner: New North Point Co.
Location: S/R/G Cover Road - 172' N/S North P.
Existing Zoning: M.L. - I.M. & B.R. - I.M.
Proposed Zoning: M.H. with a variance to permit vehicle to be located within a 0' setback in lieu of the required 300' of any other zone.
Acres: 3.23
District: 15th

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. Burnham

Charles E. Burnham
Plans Review Chief
CBE:rvj

JOHN D. SEYFERT
DIRECTOR

December 21, 1977

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

Dear Mr. DiNenna:

Comments on Item #1 Zoning Advisory Committee Meeting, CYCLE II REVISED are as follows:

Property Owner: New North Point Co.
Location: S.E.S. Cove Road - 172' N/S North Point Blvd.
Existing Zoning: M.L. - I.M. & B.R. - I.M.
Proposed Zoning: M.H. with a Variance to permit vehicles to be located within a 0' setback in lieu of the required 300' of any other zone.
Acres: 3.23
District: 15th

The items checked below are applicable:

- A. Any proposed or required construction 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. Burnham

Charles E. Burnham
Plans Review Chief
CBE:rvj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 11, 1977

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

Z.A.C. Meeting of: Cycle II

RE: Item No: 1
Property Owner: New North Point Company
Location: SE/S Cove Rd. 172' NE North Point Blvd.
Present Zoning: M.L.-I.M. & B.R.-I.M.
Proposed Zoning: M.H. with a Variance to permit vehicles to be located within a 0' setback in lieu of the required 300' of any other zone.
District: 15th
No. Acres: 3.23

Dear Mr. DiNenna:

No effect on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

JOSEPH M. MCGOWAN, PRESIDENT
T. BARBARO WILLIAMS, JR., VICE-PRESIDENT
ROBERT M. BOSTRICH

THOMAS H. BOSTEN
WILLIAM L. GARDNER
ROGER W. HATHORN
ROBERT T. DOUGLASS

ALVIN LORECK
DREW WILSON & SMITH, JR.
RICHARD W. TRACEY, D.V.M.

BRIEF

The subject property is located to the rear of No. 3839 North Point Boulevard (an existing liquor store).

The petitioner seeks a change in zoning classification from M-LM and B-R-M to M-H with a special exception for a junk yard and also with a variance to section 408 to permit a zero feet setback in lieu of the required 300 feet.

At the time the property was zoned M-LM and B-R-M, the zoning failed to take in consideration the old existing storage of junked vehicles.

Since the adoption of the present zoning classification, many changes have occurred in the area immediately adjacent to the subject property. Presently under construction is a new warehouse type building immediately adjacent to the southeast of the subject property.

The Patapsco Freeway and Cove Road approaches have been constructed and are denied access routes through the property of the herein petitioner locking it in to access only from North Point Boulevard and North Point Road. The petitioner will leave a buffer of an existing wooded area adjacent to the existing residences on Blister Road. The petitioner shall erect fences or shrubbery as may be reasonable to afford adequate screening of said junk yard as may be required by the Zoning Commissioner.

S. ERIC DINENNA
ZONING COMMISSIONER

April 24, 1978

Randolph N. Blair, Esquire
2 North Dundalk Avenue
Baltimore, Maryland 21222

RE: Petitions for Reclassification,
Special Exception, and
Variances
SE/S of Cove Road, 172nd NE
of North Point Boulevard - 15th
Election District
New North Point Company -
Petitioner
NO. 78-175-0XA (Item No. 1)

Dear Mr. Blair:

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

Very truly yours,
S. Eric Dinenna
S. ERIC DINENNA
Zoning Commissioner

SED/jhm

Attachments

cc: Ms. Mary Ginn
West Towson Neighborhood Association
606 Hoxcrest Road
Towson, Maryland 21204

Randolph N. Blair, Esquire
Page 2
April 24, 1978

cc: Mrs. Marjorie Hill, President
Wells McComas Citizens Improvement
Association, Inc.
8109 Raymond Avenue
Baltimore, Maryland 21222

Mr. Kenneth Munski
North Point Peninsula Community
Coordinating Council
3011 Delmar Avenue
Baltimore, Maryland 21219

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

October 3, 1977

Zoning Description

All that piece or parcel of land situate, lying and being in
the Fifteenth Election District of Baltimore County, State of Maryland
and described as follows to wit:

Beginning for the same on the Southeast Right of Way line of
Cove Road, said beginning point being located North Zero degrees
17 minutes 41 seconds West 36.20 feet and North 37 degrees 30 minutes
17 seconds East 172 feet measured along the Southeast Right of Way line of Cove
Road from the Northeast Right of Way line of North Point Boulevard,
Road by a line curving toward the right having a radius of 13,259.16
feet for a distance of 1/2 feet to the beginning of the southermost
Right of Way line of Ramp D (said Ramp D connects the Southeast Right
of Way line of Cove Road with the Southeast Right of Way line of the
Petapoco Freeway), thence binding on the Southermost Right of Way line of the
line of Ramp D the following five lines viz: North 60 degrees 11 min-
utes 15 seconds East 176.21 feet, Northeasterly by a line curving
toward the right having a radius of 180 feet for a distance of 04.22
feet, North 89 degrees 18 minutes 31 seconds East 121.32 feet, East-
erly by a line curving toward the right having a radius of 365 feet
for a distance of 156.36 feet and South 51 degrees 15 minutes 43 sec-
onds East 195 feet, thence leaving Ramp D and running through the
West 150.51 feet, thence binding on the outlines of the land of the
herein petitioner the two following courses and distances viz: North
74 degrees zero minutes West 280 feet and South 17 degrees 05 minutes
the following three courses and distances viz: North 53 degrees 30 min-
utes West 100 feet, South 36 degrees 30 minutes West 104 feet and
North 53 degrees 30 minutes West 280 feet to the place of beginning.

Containing 3.23 Acres of Land more or less.

Being the property of the petitioners herein as shown on a
plat filed in the office of the Zoning Commission.



William S. Ulrich

Randolph N. Blair, Esq.
2 North Dundalk Avenue
Dundalk, Maryland 21222

Re: Case No. 78-175-0XA
New North Point Company

Dear Mr. Blair:

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,

Walter M. Koller
Walter J. Koller

Enclosures

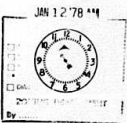
cc: Oscar A. Meyers
Mrs. Marjorie Hill
Mrs. Mary Ginn
Mr. Kenneth Munski
John W. Hession, III, Esq.
Mr. J. E. Dyer
Mr. L. H. Groaf
Mr. J. Howell
Board of Education

Randolph N. Blair

ATTORNEY AT LAW
2 NORTH DUNDALK AVENUE
DUNDALK, MARYLAND 21222

TELEPHONE
285-7444

January 9, 1978



Mr. Nicholas B. Commodari
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Reclassification, Special
Exception & Variance Petition
Item Number 1 - Cycle II
Petitioner - New North Point Co.

Dear Mr. Commodari:

Pursuant to our telephone conversation on January 5,
1978, I hereby request that the hearing on the above
entitled matter be scheduled even though I understand
that it is the Committee's position that Section 256.5
of the Zoning Code prohibits use and therefore, is not
merely a set back requirement subject to a request for
a variance.

After a careful review of that section we are of the
opinion that a variance can be granted since in my opinion,
even though the term "use" is used in the section, it is
in effect a set back requirement. In addition, for many
years prior to construction of the access ramp the property
was in use as a junk yard and I therefore question even
the applicability of Section 256.5.

Very truly yours,
Randolph N. Blair
Randolph N. Blair

RNB/ng

494-3180

79-29

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

January 3, 1979



Randolph N. Blair, Esq.
2 N. Dundalk Avenue
Baltimore, Md. 21222

Re: Reclassification Petitions
78-175-0XA - New North Point Co.

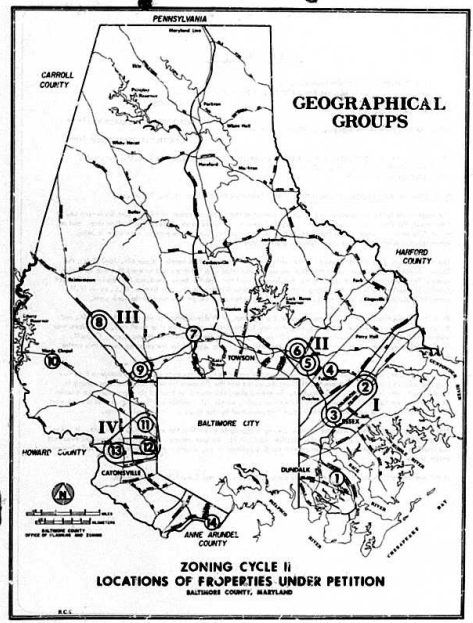
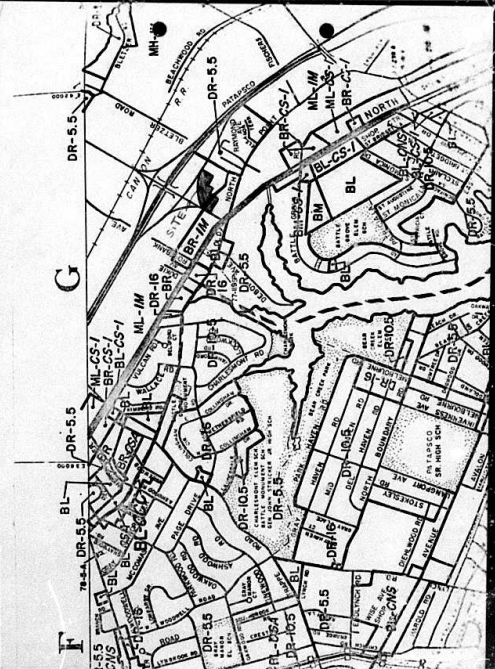
Dear M

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. Koller
Walter M. Koller, Jr.

WAR: Enclosure: Bill 122-78
cc: Mr. Oscar A. Meyers
Mrs. Marjorie Hill, Pres. Wells McComas Citizens Imp. Assn.
Mrs. Mary Ginn, West Towson Neighborhood Assn.
Mr. Kenneth Munski, N. Point Pen. Community Coord. Council
John W. Hession, III, Esq.
Mr. S. E. Dinenna
Mr. James Dyer
Mr. Leslie Groaf
Mr. Gary Burl
Board of Education
Mrs. Carol Beah



ITEM NO. 1

PROPERTY OWNER: New North Point Company
 LOCATION: 1/2 of Cove Road, 172' NE of North Point Boulevard
 ELECTION DISTRICT: 15 ACREAGE: 3.22
 COUNCILMANIC DISTRICT: 7
 RECOMMENDED DATE OF HEARING: Week of March 1, 1978 GEOGRAPHICAL GROUP: None
 FUNCTIONAL CATEGORY: None
 ZONING PRIOR TO ADOPTION OF 1976 COMPREHENSIVE ZONING MAP, M.L.-1.M., B.R.-1.M., M.L.-1.M.
 EXISTING ZONING: M.L.-1.M., B.R.-1.M.
 REQUESTED ZONING: M.L.
 PLANNING BOARD RECOMMENDATION: Retain Existing Zoning (M.L.-1.M., B.R.-1.M.)

The subject site is the rear portion of a property located at the northeast corner of North Point Boulevard and Cove Road, the site borders Block D of the Patuxent Freeway. A liquor store, a metal fabrication shop, and an automobile service garage are on the front portion of the property. Just to the east, a warehouse is being constructed further to the east are residences along Blister Road.

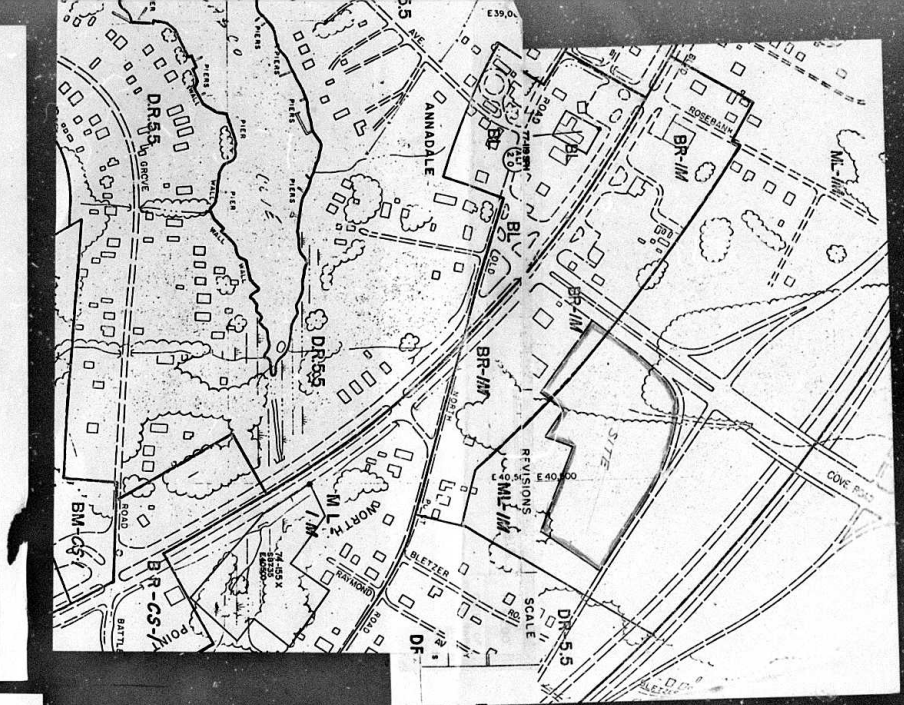
The existing junk yard on this property is the subject of a zoning violation hearing (Case No. 76-335-V); the Deputy Zoning Commissioner found that that use was in violation of regulations and ordered that the operation cease. The petitioner has not satisfied this requirement, and the case has been scheduled for hearing in District Court. The petitioner is now requesting that the zoning classification be changed from an M.L. to an M.L. zone, in anticipation that a special exception will be granted to allow continuation of the junk yard.

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

For the most part, heavy industrial zoning in the area is confined to the opposite side of the Patuxent Freeway from the subject property. Between North Point Boulevard and the Patuxent Freeway the industrial zoning is, for the most part, in the M.L. classification. Scattered along this stretch of North Point Boulevard are a series of residential encroaches. To provide heavy industrial zoning within this corridor would permit uses of a much more offensive nature to the existing residences than that permitted by the M.L. Zoning classification.

The Planning Board believes that the existing zoning is appropriate and that the zoning map is correct. It is the Board's opinion that M.L. Zoning in this location would be fact be spot zoning. Further, the Board believes that the specific use requested by special exception for this petition (i.e., a junk yard) would be particularly inappropriate to the area.

It is therefore recommended that the existing zoning, M.L.-1.M. and B.R.-1.M., be retained.



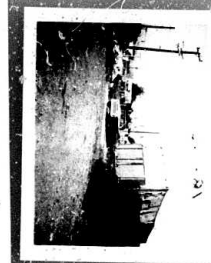
CERTIFICATE OF PUBLICATION

TOWSON, MD. February 9, 1978

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 one (1) successive weeks before the 15 day of March 1978, the 1978 publication appearing on the 959 day of February 1978.

THE JEFFERSONIAN
H. Louis Shuster
 Manager

Cost of Advertisement, \$ _____



CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 154 Date of Posting: 2-9-78
 Posted for: Henry W. March 1st 1978 G. M. Co. P.O.
 Petitioner: New North Point Co.
 Location of property: 1/2 of Cove Rd. 172' NE of North Pt. Blvd.
 Location of Sign: John H. Pugh, Jr. Baltimore on North Pt. Blvd. & Cove Road, just past North Pt. Blvd.
 Remarks: _____
 Posted by: Mich. J. Han Date of return: 2-16-78

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>J.P.</u> Revised Plans: _____ Change in outline or description Yes _____ No _____										
Previous case: <u>NONE</u> Map # <u>SEG 2</u>										

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 154 Date of Posting: 6/23/78
 Posted for: Ed of Agass
 Petitioner: New North Point Co.
 Location of property: 1/2 of Cove Rd. 172' NE of North Pt. Blvd.
 Location of Sign: Ed of Agass July 1978
 Remarks: _____
 Posted by: John H. Pugh, Jr. Date of return: 6/26/78

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

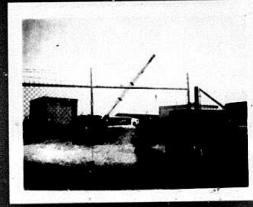
DATE: March 1, 1978 AMOUNT: 0-66
 No. 66473

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

DATE: Oct. 18, 1977 AMOUNT: 0-68
 No. 57330

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

DATE: June 15, 1978 AMOUNT: 0-69
 No. 73324



PETITION FOR SPECIAL EXEMPTION AND ZONING VARIANCE

THE PROPERTY OF NEW NORTH POINT COMPANY, located at the northeast corner of North Point Boulevard and Cove Road, is currently zoned M.L.-1.M. and B.R.-1.M. The petitioner is requesting a zoning variance to allow the continuation of a junk yard on this property. The variance is requested because the property is currently zoned for residential use, and the proposed use is not permitted by the zoning map. The petitioner is requesting that the zoning map be amended to allow the proposed use.

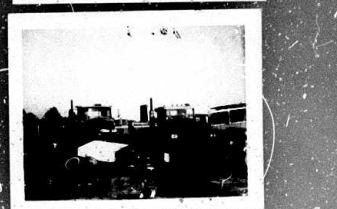
OFFICE OF THE TIMES
 TOWSON, MD. 21204 Feb. 9, 1978

THIS IS TO CERTIFY that the annexed advertisement of Petition For Reclassification-Special Exemption was inserted in the following: & Variance-New Pt. Co.

- Catonsville Times
- Dundalk Times
- Essex Times
- Suburban Times East
- Towson Times
- Arbutus Times
- Community Times
- Suburban Times West

weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 15 day of Feb 1978 that is to say, the same was inserted in the issues of Feb. 9, 1978.

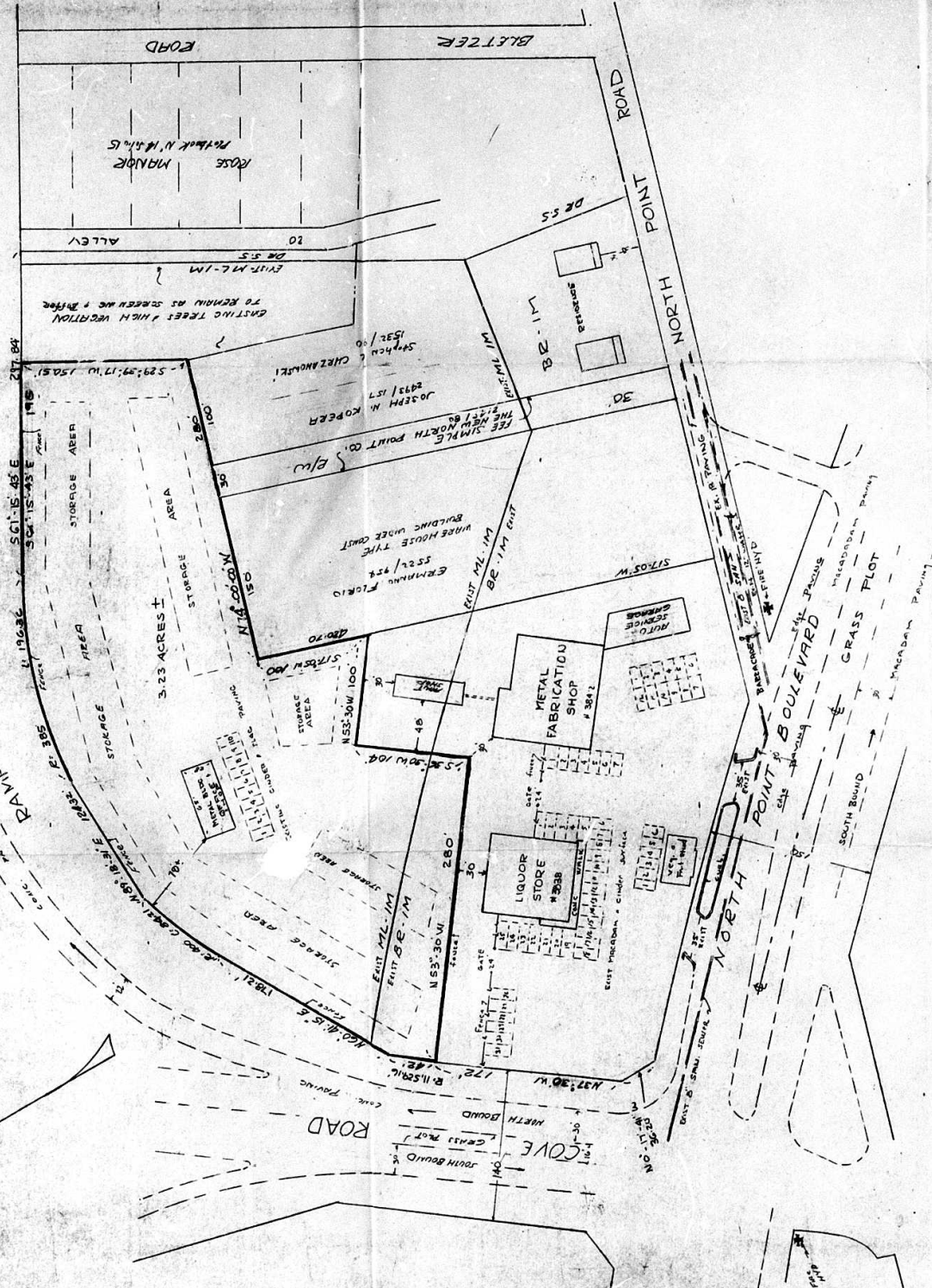
STROMBERG PUBLICATIONS, INC.
 BY: Susan Kowalski



PATAPSCO

FREEWAY

(VARIABLE WIDTH)



PROPERTY OF
THE NEW NORTH POINT COMPANY
 15th DISTRICT OF BALTIMORE COUNTY MARYLAND

PLAT TO ACCOMPANY ZONING PETITION
 REQUESTING WITH ZONE (J-100) WITH A SPECIAL EXCEPTION
 FOR A JUNK YARD (J-100) AND A VARIANCE TO PERMIT
 VEHICLES TO BE LOCATED WITHIN A 2250 FOOT SETBACK
 IN LEU OF THE REQUIRED 300 FEET OF ANY OTHER ZONE (408)

PRESENT ZONES: ML-1M & BE-1M
 PROPOSED USE: JUNK YARD
 AREA OF PARCEL: 3.23 ACRES ±

PARKING DATA:

- JUNK YARD OFFICE - SHOP: 18000 sq ft
- SPACES REQUIRED (11200' x 1800' x 20' SPACES)
- SPACES SHOWN (/ 0 SPACES)
- AFO SERVICE GARAGE: 2200 sq ft
- SPACES REQUIRED (11200' x 20' x 12 SPACES)
- SPACES SHOWN (/ 0 SPACES)
- LIQUOR STORE: 5000 sq ft
- SPACES REQUIRED (11200' x 20' x 28 SPACES)
- SPACES SHOWN (/ 0 SPACES)
- VARIABLE STAND: 115' x 11' FT.
- SPACES REQUIRED (11200' x 115' x 20' x 6 SPACES)
- SPACES SHOWN (/ 0 SPACES)
- FABRICATION SHOP:
- SPACES REQUIRED (14x each 3 employees on largest shift)
- SPACES SHOWN (/ 0 SPACES)

REQUESTING A VARIANCE FROM SECTION 28C.5
 TO PERMIT STORAGE OF UP TO 100 VEHICLES
 APPROXIMATELY 150 FEET FROM THE
 APPROXIMATELY 150 FEET FROM THE

SEPT 30, 1971

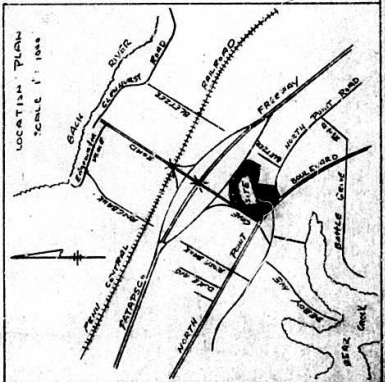


SEPT 30, 1971
 SCALE 1/8" = 1'-0"

PARKING DATA: STORAGE FOR JUNKED
 VEHICLES SHALL BE OF A DURABLE
 & DUTILESS SURFACE & PROPERLY DRAINED
 THE PERIMETER OF THE JUNK YARD AREA SHALL HAVE
 EVERGREEN TREES AS SCREENING IF REQUIRED BY THE
 ZONING COMMISSIONER
 THE DEVELOPER WILL PROVIDE NECESSARY DRAINAGE FACILITIES
 (TEMPORARY OR PERMANENT) TO PREVENT CREEKWAY AND SUBSTANCES
 OR DISBURTS TO ADJACENT PROPERTIES



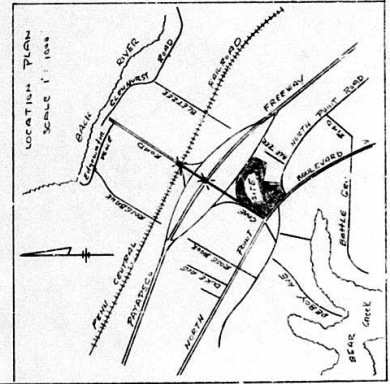
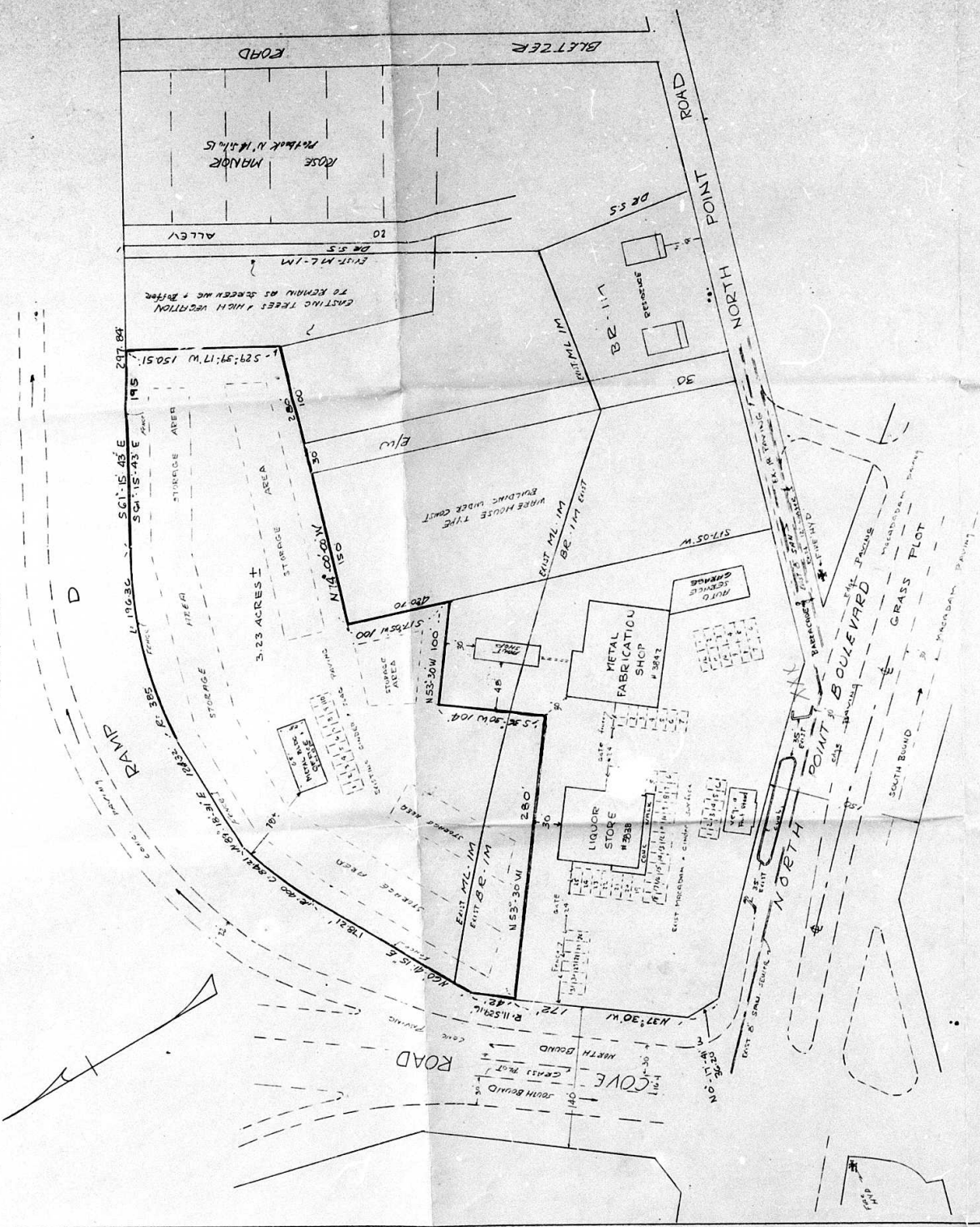
SEPT 30, 1971 SCALE 1/8" = 1'-0"
 GERRIOLD, CRIST & GIZEL
 Registered Land Surveyors
 412 Downe Avenue
 Towson, Maryland 21284



PATAPSCO

FREEWAY

(VARIABLE WIDTH)



SEPT. 30, 1971 SCALE 1:500
 GERRARD, GROSS & EITZEL
 Registered Land Surveyors
 412 Downum Avenue
 Towson, Maryland 21284

PROPERTY OF
THE NEW NORTH POINT COMPANY
 15TH DISTRICT of BALTIMORE COUNTY, MARYLAND

PLAT TO ACCOMPANY ZONING PETITION
 REQUESTING: M.H. ZONE (250) WITH A SPECIAL EXCEPTION
 FOR A JUNK YARD (250.4) AND A VARIANCE TO PERMIT
 VEHICLES TO BE LOCATED WITHIN A 2000 FOOT SETBACK
 IN LIEU OF THE REQUIRED 300 FEET OF ANY OTHER ZONE (40B)

PRESENT ZONES: ML-1M & BR-1M
 PRESENT USE: JUNK YARD
 PROPOSED USE: JUNK YARD
 AREA OF PARCEL: 3.23 ACRES ±
 PARKING DATA:

- JUNK YARD OFFICE + SHOP: 1800 sq ft
- SPACES REQUIRED (1200' x 1000' = 100 x 9 SPACES)
- SPACES SHOWN (70 SPACES)
- AUTO SERVICE GARAGE: 2200 sq ft
- SPACES REQUIRED (11200' x 2200' = 200 x 12 SPACES)
- SPACES SHOWN (12 SPACES)
- LIQUOR STORES: 5600 sq ft
- SPACES REQUIRED (11200' x 5000' = 200 x 38 SPACES)
- SPACES SHOWN (38 SPACES)
- VEGETABLE STAND: 1125 sq ft
- SPACES REQUIRED (11200' x 1125' = 200 x 6 SPACES)
- SPACES SHOWN (6 SPACES)
- FABRICATION SHOP: 14400 sq ft
- SPACES REQUIRED (14400' x 2000' = 15 SPACES)
- SPACES SHOWN (7 SPACES)

