## PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, JOSEPH M. ZIPPER and ANNA/ legal owner & of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof. hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant

to the Zoning Law of Baltimore County, from an M.L.R.-I.M. 200e to an

1. That the M.L.R.-I.M. classification was and is erroreous for the reasons ant out in the attached Points - Error and Change, which is incorporated by

2. That the correct g for the entire property was and is B.R.

and (2) for a Special Exception, unfer the said Zoning Law and Zoning Regulations of 1 County, to use the herein described property, for None

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 osting, etc., upon filing of this petition, and further agree to and are to be bound equiations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore

Nolan, Plumboff & Williams, Petitioner's Attorne 204 W. Pennsylvania Avenue Address Roscop, Md. 21204

ORDEREI By The Zoning Commissioner of Baltimore County, this

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property he posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 166, County Office Building in Towson, Baltimore ...., 197 .... at ...... o'clock

Zoning Commissioner of Bultimore County.

IN PLACING PART OF THE ZIMMER PROPLETY AND OTHER NEARBY PROPERTIES IN AN M.L.R.-I.M. ZONE

By placing the subject Zimmer property in an M.L.R.-I.M. zone, the 1976 zoning maps thereby incorporated and contain at least the following errors, oversights and omissions as to the subject property:

- 1. An examination of the 1976 zoning map reveals that the subject Zimmer property and other properties along the southwest side of Klein Avenue, a short distance southeast of Belair Road, are almost completely surrounded by B.R.-zoned properties, being bordered by large B.R. zones on all or parts of four sides, which was and is erroneous.
- 2. That the 1976 maps created an M.L.R.-I.M. zone along the southwest side and end of klein Avenue that is erroneous and wasteful of land due to its size, its odd configuration and the overwhelming amoust of adjacent commercial zoning.
- 3. That there is a large amount of contiguous M.L.-I.M. zoning a short distance to the south and southwest in the eastern quadrant of Belair Road and the Beltway which is more than adequate to fill the imjustrial needs of this area of Baltimore County; thereby rendering the M.L.R.-I.M. zoning, including the subject property, along Klein Avenue more erroneous, particularly in view of the extensive, surrounding B.R. zoning.
- 4. "hat it was and is erroneous to divide the subject property and/or area between an M.L.R.-I.M. zone and a B.R. zone, and the correct zoning was and is B.R. zoning for the entire Zimmer property and neighboring properties along the southwest side of Klein Avenue.
- 5. For such other and further errors as may be disclosed following a minute examination of the property and area which will be brought out as the matter continues.

Points of Neighborhood Change

There have been a number of changes in this neighborhood and area, and the Petitioners reserve the right to raise such changes at such time as there shall once again be an available ground for the requested reclassification of this property.

Respectfully submitted,

Towson, Maryland 21204 823-7800 Attorneys for the Petitioners and Property Owners

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

July 11, 1979

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

> Re: Case No. R-79-1 Joseph M. Zimmer and Anna M. Zimmer

Dear Mr. Nolan:

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

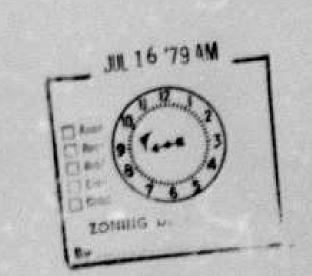
Very truly yours,

Encl.

ca: Mr. Charles F. Schluter John W. Hestian, III, Ernuire Mr. Charles M. Speigel Mr. Raymond Witt Mr. and Mrs. William Fears Mrs. Christopher E. Gomeringer /Mr. W. E. Hammond Nr. J. E. Dyer Mr. L. H. Graet

Mr. J. Hoswell

Board of Education



EVANS, HAGAN & HOLDEFER, INC.



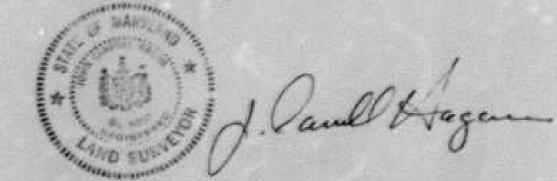
September 25, 1978

DESCRIPTION OF THE JOSEPH H. & ANNA M. ZIPOWER PROPERTY TO ACCOMPANY REZONI'S PETITION

BEGINNING FOR THE SAME at a point in the centerline of Klein Avenue; 20 feet wide; said point being 750 feet, more or less, from the intersection formed by Belair Road and Klein Avenue, thence leaving said point of beginning and running and binding on said centerline, the 2 following courses and distances, viz: (1) South 81 degrees 17 minutes 35 seconds East 48.10 feet, thence (2) South 41 degrees 18 minutes 17 seconds East 214,94 feet, thence leaving said centerline of the aforementioned 20 foot wide road and cunning the 5 following courses and distances, viz: (3) South 47 degrees 33 minutes 12 seconds West 162,00 feet, thence (4) South 39 degrees 41 minutes 47 seconds East 67.25 feet, Thence (5) South 46 degrees 51 minutes 56 seconds West 303.45 feet, thence (6) North 40 degrees 07 minutes 17 seconds West 340.10 feet, thence (7) North 49 degrees 46 minutes 14 seconds East 429.34 feet to the point of beginning.

Containing, in all, 3,23 scree of land, more or less.

This description has been prepared from place and other title sources for zoning purposes only and is not to be used for conveyance.



PETITION FOR RECLASSIFICATION

fith District

Petition for Reclassification from M.L.R.-I.M. to B.R.

LOCATION:

ZONING:

Southwest side of Klein Averse, 750 feet Southeast of Belair Road

Charter will hold a public hearings

Tuesday, May 1, 1979 at 9:30 1.M.

Room 218, Courthouse, Towson, Maryland The County Board of Appeals for Baltimore County, by authority of the Baltimore County

> Present Zoning; M.L.R.-I.M. Proposed Zoning: B.R.

All that percel of land in the Pourteenth District of Beltimore C unty

Being the property of Joseph M. and Ann M. Zinmer, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, May ', 1979 at 9:30 A.M. Public Hearing: Room 218, Courthouse, Towson, Maryland

BY ORDER OF WALTER A. REITER, JR., CHAIRMAN RALTIMORE COUNTY

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing

Zoning Commissioner

ames D. Noten, Esquire 206 W. Par

P. 19655

e: Ilvano, Hagan & Hobbider, Inc. 1013 Beleir Road eltimore, Maryland 21236

Chairman, Zoning Plans

Advisory Committee

Building Department Poers of Education Soning Administration Industrial Development

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Micholas S. Compoderi

State Bo is Commission

Pureau of Fire Prevention

Weslith Department

Project Planning

Chairman James D. Nolan, Esquire

204 West Pennsylvania Avenue Towson, Maryland 21204 Suresu of Department of Traffic Engineering

RE: Item No. 3 Petitioner - Zimmer Reclassification Petition

December 18, 1978

Dear Mr. Nolan,

Please be advised that the acceptance certificate for the above petition, dated January 30, 1 79, was incorrect. Enclosed is verification that the correct date of acceptance was December 14, 1978. This should replace the previous certificate.

Very truly yours,

NICHOLAS B. COMMODARI

Chairman Zoning Plans Advisory Committee

enclosure

NBC/af

cc: Evans, Hagan & Holdefer, Inc. 8015 Belair Road Baltimore, Maryland 21236

RE: PETITION FOR RECLASSIFICATION from M.L.R.-I.M. to B.R. 5 of Klein Avenue 750' COUNTY BOARD OF APPEALS SE of Belair Road 14th District Joseph M. and Anna M. Zimmer **BALTIMORE COUNTY** 

Petitioners

No. R-79-1

#### OPINION

The petition before the Board is for a reclassification of certain lands from an existing M.L.K.-I.M. classification to a B.R. classification. The subject property is located in the Fourteenth Election District of Baltimore County, on the southwest side of Klein Avenue approximately 750 feet southeast of the Belair Road. The subject tract consists of approximately 3.23 arres with frontage on Klein Avenue. The subject property is clearly delineated on a plat which accompanies this requested petition and is in evidence before the Board as Petitioner's Exhibit #4. Alan Evans, a registered prafessional engineer prepared this plut and testified before the Board on behalf of the Petitioner's Exhibit \*4 shows the topography of the subject property which alapse generally in a north/south direction from Klein Averue. The existing public water and sanitary sewer lines that could serve the subject property are indicated on this

The Petitioner introduced the official 1,000 foot scale zoning maps which reflect the existing zoning of the subject property and those properties contiguous with and near to the subject property. The Petitioner, a contract purchaser of the subject property, told the Board of his planned use for this parcel if the land would be reclassified This contract purchaser also described to the Board the need that existed in the area for the services of his body and fender repair shap and heavy duty towing service that his firm provided for the general community.

Ormsby Moore, a well recognized real estate expert, testified on behalf of the Petitioner and told this Soard that, in his judgment, the Council erred when they zaned the subject property M.L.R. in 1976 and, in fact, it was his opinion that the proper zoning for the subject property was the requested B.R. classification. He noted that the Salva

> 4244 Klein avenue Baltemere, Maryland 21236 Telmany 28, 1979

Mr. Walter Keeder Chairman Board of appeals Court House Building Towson, Manyland 21204

Dear Mr. Reider,

2-79-198-F

Recently, the property in the 4200 block of Klein Council of Council movie District has been taken out of cycle for regoning, only is scheduled for heaving, the week of March 19th 1979. your office, a letter stating the exact date, time and place when the hearing will be.

Also, if the hearing will be set dulch

for a later date. Waiting for a favorable reguly. Thanking you for your cooperation.

AV. Charles M., Spingel 4948 Klain Austral Boltimare, MD 28276

Shorte M. Spingel

Zimmer - #R-79-1

property to the south and east of the subject property is zoned B.R and, in his opinion, the subject property and all of those lands existing between the subject property and the Relain Road on the south and southwest sides of Klein Ave se should have been, in fact, placed in a B.R. classification.

The Board heard from a series of residents that live on Klein Avenue. should be noted that all of these residents are in an existing M.L.R. zoning classification These residents that testified before the Board were adamantly opposed to the granting of the reclassification and de cribed to the Board why, in their opinion, they felt that there existed no error in the present zoning classification and, more specifically, why the subject property should not be zoned to a B.R. classification

Michael Flanigan, the Traffic Engineer for Baltimore County, testified in apposition to the granting of this petition, and described to the Board the narrow nature of Klein Avenue and the access that the subject property would have on a curve of this relatively narrow rural residential type road. Mr. Flanigan also noted that the nearest intersection was, in fact, operating at the present time at level F. This is, of course, the nearest arterial intersection to the subject property which is Belair Road at Putty Hill Avenue. Mr. Flanigan's comment on this requested petition, which is dated October 16 1978, also indicates that, in his judgment, if the property is reclassified the possible trip generation from the subject property could increase to approximately 1,600 trips per day from an estimated 325 trips per day in the existing M.L.R. classification.

James Howell of the Baltimore County Office of Planning, testified and told this Board that the Planning staff and the Planning Board of Baltimore County were apposed to the reclar iffication of the subject property. Mr. Hoswell told the Board how the existing M.L.K. zoning classification provides for certain restrictions and controls which, In his judgment, would provide some protection for the existing residences on Klein Avenue

Christopher 5. Gomeringer, of 4248 Klein Avenue, told the Board that he was the owner and resident of a newly constructed home on Klein Avenue across the street This witness estimated the value of his residence at upwards from he subject property. It should be noted that this property owner received his permit to build his Zimme: - 18-79-1

residence in April of 1977. This is significant as at that time the property was zoned M.L.R. which, in fact, prohibits residential construction. How the County allowed this to happen is unexplained. However, the fact remains that this property owner was allowed to construct a substantial residential home in the M.L.R. zone. This witness told the Board that because of the existing nature of Klein Avenue that same was too small and too narrow to support the type of zoning reclassification sought in this instance. was, however, pointed out to the Board that all of the businesses that exist in the general area, for the most part, have access and frontage on Beloir Road and, of course, use this as their dominant mans of commercial ingress and egress. It was noted that despite the existing M.L.R. zone that the predominant utilia lian of Klein Avenue was residential in

Without further detailing the testimony and evidence presents I to the Board in the subject petition, it is the judgment of this Board that the Petitioner has failed to evidence error which would compel the reclassification of the subject property from the existing M.L.R. zoning classification to the patitioned B.R. zoning classification. Board has carefully reviewed the existing zoning in and around the subject property Also we have carefully reviewed and considered all of the testimeny and edidence presented in this case. In conclusion, the Board can find no compelling testimony and evidence that would satisfy the aurden of the Peritioner to evidence error by the Cour-Council when they failed to zone the subject property B.R. and did. in fact, zone same M.L.R. at the time of the comprehensive rezoning of the subject area in 1976. Considering the definition of the Business Roadside classification as so out in our Zoning Regulations and the testimony which described to the Board the existing nature of Klein Avenue, as well as the additional comments of Mr. Hoswell concerning the subject property, the Board cannot say that the Council erred when they, in fact, did not zone the subject property B.R. but classified same M.L.R. It should be noted that the C.R. zoning that exists to the south, southeast and east of the subject property is all in each ownership and, in fact, comprises a relatively large piece of land with considerable frontage along the Belair Road. In the mind of this Board, this particular sarcel is very

Zimmer - #8-79-1

different from the small 3.23 acre parcel that is the subject of this petition. element alone, particularly considering the access to Belair Road, could have well been the reason that the Council would classify this large parcel B.R. while classifying the The subject parcel is located approximately 750 feet from the Belair Road, and the zoning that exists between the subject property and the Belair Road on the south and southwest sides of Klein Avenue is not B.R. This fact strengthens further the fact that there is no particular and compelling evidence that mandates that the subject property should be reclassified to B.R. as per this petition.

In conclusion, after carefully reviewing the testimeny and evidence presented to this Board, it is the judgment of this Board that the Petitioner has failed to evidence error which would be necessary if this Board were to grant the requested reclassification, and hence, this patition shall be denied.

#### ORDER

For the reasons set forth in the aforegoing Opinion, it is the judgment of this Board that the Petitioner has failed to evidence error that would be necessary if the requested per is to be granted and, therefore, it is this 11th day of July, 1979. by the C are sound of Appeals, ORDERED that the reclassification petitioned for, be is hereby DENIED.

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

> OF SALTIMORE COUNTY lalter A. Reiter, Jr., Chairpar street Millhouser

COUNTY BOARD OF APPEALS

CHESAPEAKE VOLKSWAGEN\_

AIR RD BALTIMOFIE, I.J. 21236 (301) 661-5700

April 26, 1979

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

> Re: Case No. S-79 1 Petition for Reclassification From M. R.- I.M. to B. R. SW/S Klein Ave. 750' SE Belair Rd. 14th District

To the Honorable Members of Said Board:

As an adjacent property owner on Klein Avenue, I am aware of the above Petition for zoning reclassification of the Zimmer property for the purpose of relocating Putty Hill Body & Fender Repair business. It is my opinion that this should be given a favorable decision since that business has served the community for severel years.

Respectively submitted,

CRESAPEAKE VOLKSWAGEN, INC. Pearson Sunderland, Jr.

President

PSjr:br

LAW DEFFICIENCY NOLAN, PLUMHOFF & WILLIAMS 204 WEST PENNSTLUANIA JUENUS TOWSON, MARYLAND 21204

March 28, 1979

CAMES IS NOLAN SERVE POURSES WILLIAM OF BUILDING ARE ACCUMENT OF BEHINDING STEPHEN A NOTAR

James E. Dyer

Office of Planning and Joning

Dalt Laure County Office Building

JOHN COME NO.

623 MGG

Coning Supervisor

Towson, Maryland 21204 Se: The Signer Property, Flein Avenue, Contract Purchasers Mr. & Mrs. Charles F. Schluter, Filing of New sed Site Plan In Accordance with Bil s 122-78 and 46-79.

Dear Mr. Dyer:

On behalf of our clients, Mr. and Mrs. Cha.les \*. Schluter, please find enclosed herewith 10 revised site plans dated February 27, 1979, concerning the Limmer Property under contract of sale .. our clients the Schluters.

In accordance with the requirements of 411 122-78 as continued by Sill 46-79, which we understand as soon to be signed by the County Executive, we have deleted all buildings from the site and we are using the so-called 'blank site plan" approach.

Of course, the Schluters wish to relocate their towing service to this property from the leased Putty Will darage property a short distance away on Bels (r Boad, for they may be required to vacate at any time due to real entate development of that property. As my partner explained to you the information required by the Bills is too extensive and thus the "blank site plan" approach has been chosen,

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

Sincerely,

JDH/h1 Enclosures cc: See next page Be 3/39/39

11:30 A ...

Have Das of

Johns D. Jolan

Page two - James E. Dyer - Murch 28, 1979

cc: The Hon. Walter D. Reiter, Jr. Chairman, County Board of Appeals Court House, Moor 219 Towson, Md. 21204

> Nicholas Connodari, Chairman Coming Advisory Committee County Office Building Towson, Md. 21204

bert Joseph Ryan, Faquire 406 Jefferson Building Towson, 15d, 21204

Mr. and Mrs. Charles F. Schluter 7393 Gilbar Road Kingsville, Md. 21087

J. Carroll Bagan, Vice Pres. Evans, Magan & Holdefer 8012 Belair Wood Baltimore, 191. 21236

DEC 1 8 1979

R. 2 3/5/79 17-145 7HL



County Conneil of Baltimore County Couri House, Cowson, fargland 21204 (301) 494-3196

January 17, 1979

Sincerely yours,

Obn No. 5

Gary Huddies

Barbara F. Bachur

Ronald B. Hickernell

James T. Smith, Jr.

Norman W. Lauenstein

Eugene W. Gallagher BATH DISPINCT.

John W. O'Rourke

Thomas Toporovich

BECRETAR

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

Dear Mr. DiNenna:

Attached herewith please find Resolution No. 7-79, exempting from the regular zoning reclassification cycles as being in the public interest, the retition of Mr. and Mrs. Joseph M . Zimmer to reclassify certain real property lying and being in the Fourteenth Election District.

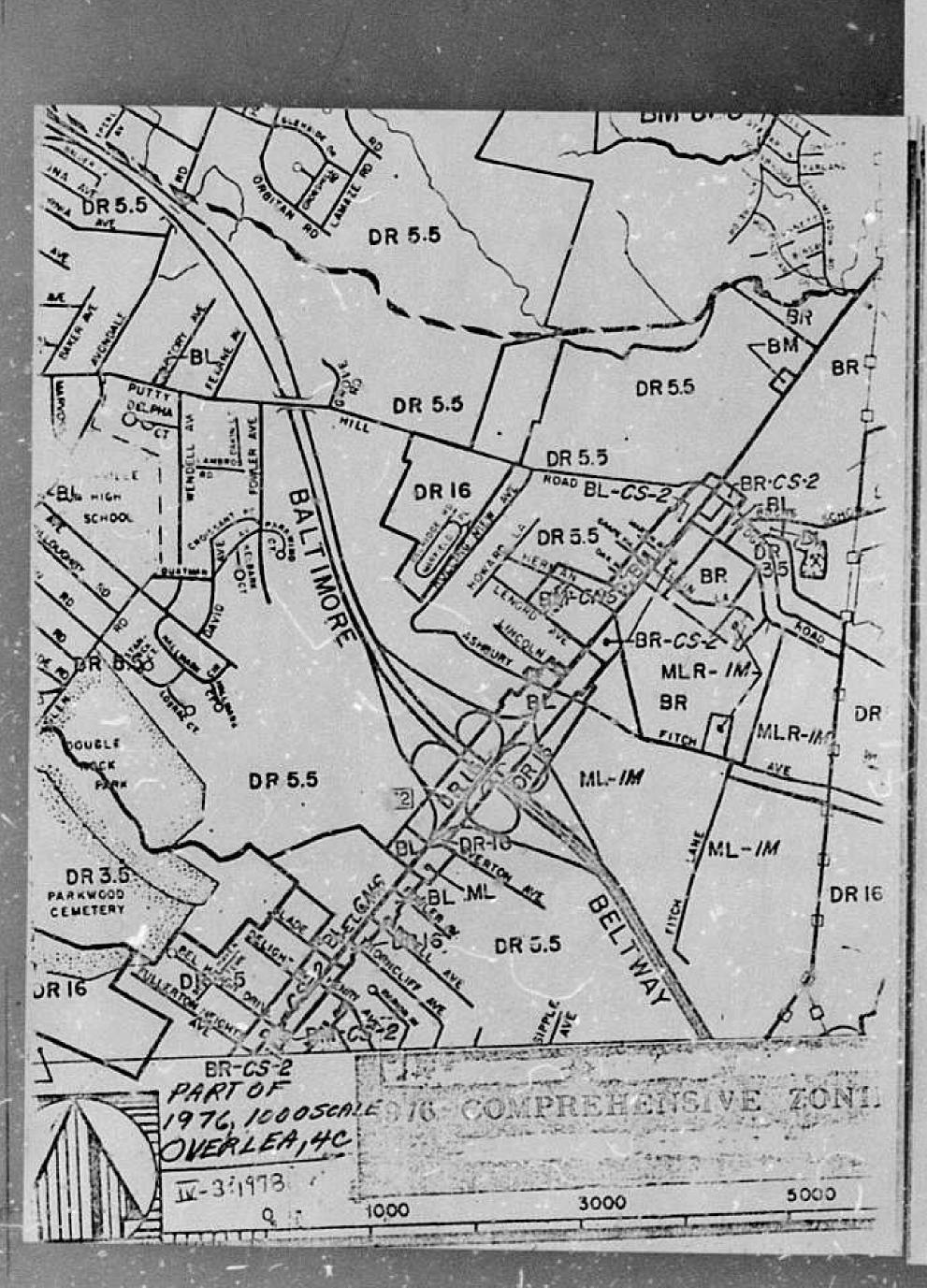
This resolution was read and passed by the County Council at their meeting on Monday, January

TT:bl

Enc: 1

CC: Leslie H. Graef Walter A. Reiter





### COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND Legislative Session 1979, Legislative Day No. 2

RESOLUTION NO. 7-79

Mr. Eugene W. Gallagher , Councilman

By the County Council, \_\_\_ January 15, 1979

A RESOLUTION to exempt from the regular zoning reclassification cycles as being in the public interest, the petition of Mr. and Mrs. Joseph M. Zimmer to reclassify certain real property lying and being in the Fourteenth Election District of Baltimore County, Maryland, from the M. L. R. 1. M. zone to the B. R. zone.

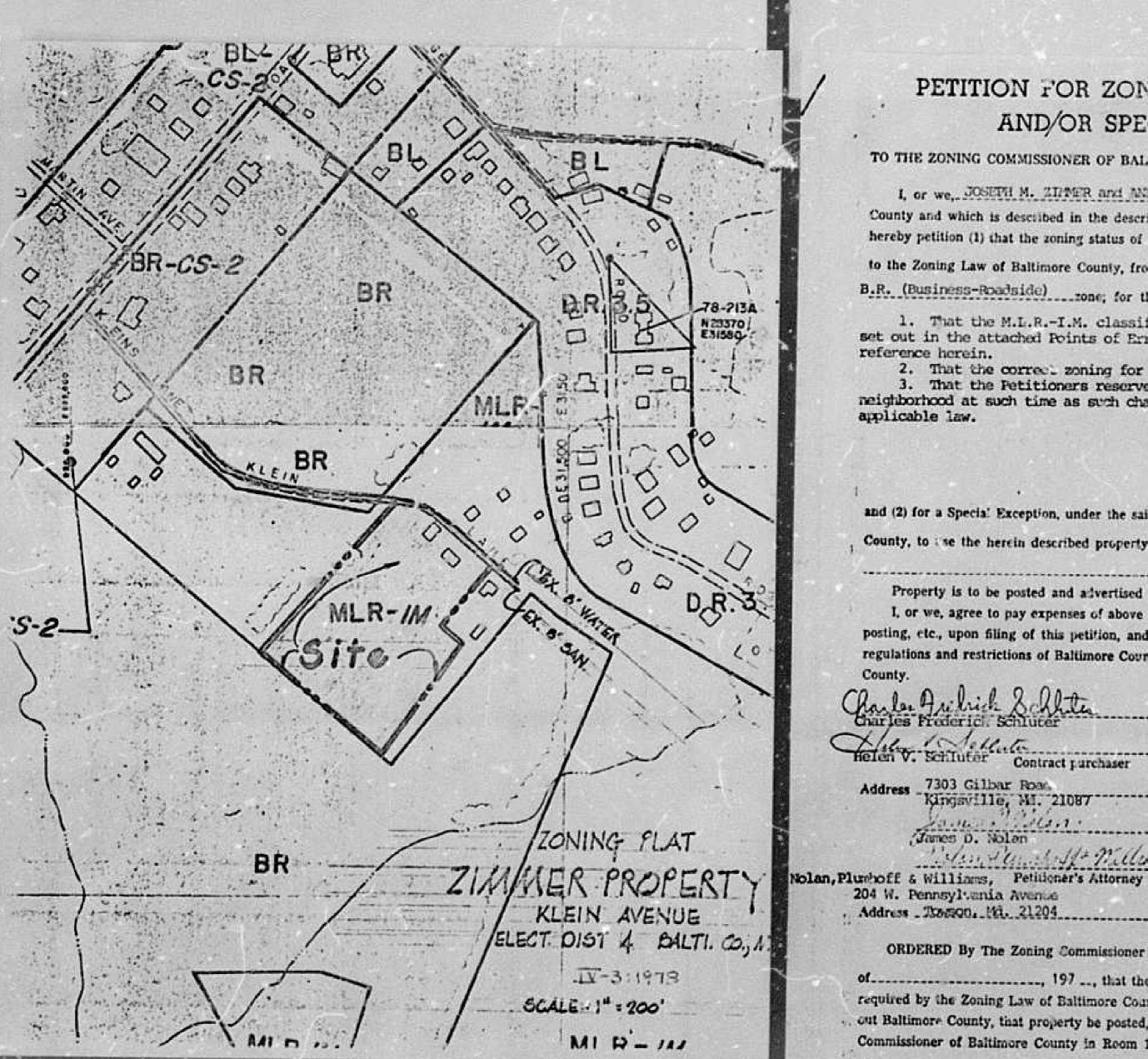
WHEREAS, Section 22-22 (c) of the Baltimore County Code, 1968, as amended, - establishes recurrent zoning reclassification cycles for the purpose of considering contemporaneous zoning reclassification petitions; and

WHEREAS, Section 22-22 (i) of said Code provides certain zoning reclassification petitions may be exempted from the regular zoning reclassification cycles when the planning board certifies to the County Council that early action, upon such a petition, is manifestly required in the public interest, or because of an emergency; and

WHEREAS, as provided in said Section 22-22 (i), the planning board certified to the County Council that early action is manifestly required in the public interest on the petition of Mr. and Mrs. Joseph M. Zimmer to reclassify from the M. L. R. -I. M. zone to the B.R. zone, certain real property lying and being in the Fourteenth Election District of Baltimore County, Maryland, comprised of 3.23 acres, located on the southwest side of Klein Avenue, approximately 750 feet + southeast of Belair Road, as more particularly set forth in the attached let or dated December 26, 1978, with appropriate documents, from the Secretary to the Planning Board; and

WHEREAS, the reclassification petition is made on the basis that the heretofore described property is needed as the situs for the only heavy towing service that serves Interstate 95, the Baltimore County Beltway, Belair Road and other vital highways in the northeastern Baltimore County area; and

WHEREAS, the County Council deems it necessary in the public interest that such reclassification petition be exempted from the regular cyclica' procedures of Section 22-22 of the Baltimore County Code, 1968, as amended, and also from the



suspension of reclassification petition filing required under Section 22-22.1 of the Baltimore County Code, 1968, as amended, now, therefore

BE IT RESOLVED by the County Council of Baltimore County, Maryland, that it hereby approves the said certification of the planning board, as being in the public interest, and exempts the petition of Mr. and Mrs. Joseph M. Zimmer to reclassify from the M. L. R. -I. M. zone to the B. R. zone, certain real property lying and being in the Fourteenth Election District of Baltimore County, Maryland, comprised of 3, 23 acres, located on the southwest side of Klein Avenue, approximately 750 feet + southeast of Belair Road from the regular cyclical procedures established for considering zoning reclassification petitions, and that copies of this resolution be sent to the Zoning Commissioner and the Baltimore County Board of Appeals, so that timely action can be taken in accordance therewith.

buttimore county · office of planning and zoning TOWSON, MARYLAND 21204

December 26, 1978

ZONING DEPARTMENT

DEL 27 78 PM

Court House

The Honorable Eugene W. Gollogher Chairman, Baltimore County Council Towson, Maryland 21204

Dear Mr. Gallagher:

At a special meeting on Thursday, December 21, 1978, the Baltimore County Planning Board, under the provisions of Subsection 22-22(i) of the Paltimore County Code 1968, as amended, approved a motion to certify to the County Council that early action is manifestly required in the public interest on the petition of Mr. and Mrs. Joseph M. Zimmer (contract purchasers) to change the zoning classification of their property on Klein Avenue from M.L.R.-I.M.

The petitioner's attorney made this request, stating that his client ou rently provides the only heavy towing service that "serves Interstate 95, the Baltimore County Beltway, Belair Road and other vital highways in the northeastern Baltimore County area."

Copies of the petition and the appropriate documents are attached. Additional information will be provided upon your request. Notification of the Council's action should be made to the Zoning Commissioner and the County Board of Appeals so that timely actions can be taken in accordance therewith.

LHG:JCH:rw Attachments cy: The Monorable Ronald B. Hickornell The Honorable Gary Huddles The Honorable James T. Smith, Jr. The Honorable Barbara F. Buchur The Honorable Norman W. Louenstein The Honorable Eugene W. Galiagher The Honorable John W. O'Rourke Thomas Toporovich, Secretary, Baltimore County Council Randolph B. Rosencrantz, Administrative Officer Walter A. Reiter, Chairman, County Board of Appeals

S. Eric Di Nenna, Zoning Commissioner

SW/S Klein Ave. 750' SE Belair Rd. :
JOSEPH M. ZIMMER, et ux,

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

: Case No. R-79-1

::::::: ORDER TO ENTER APPEARANCE

fr in M. L.R. - I.M. to B.R.

To the Honorable, Members of Said Board:

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

and of the passage of any preliminary or final Order in connection therewith.

Letter Thay Brownerman Peter Max Zimmerman Deputy People's Counsel

John W. Hassian, It John W. Hessian, III People's Counsel County Office Building Towson, Maryland 21204

I HEREBY CERTIFY THAT ON THIS 13th DAY OF APRIL, 1979, a copy of the aforegoing Order was mailed to James D. Nolan, Esquire, Nolan, Plumhoff & Williams, 204 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioners; and Charles Fredrick and Helen V. Schluter, 7303 Gilbar Road, Kingsville, Maryland 21087, Contract Purchasers.

John W. Hessian, III

D 181979

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 ! aring be had before the Zoning Commissioner of Baltimore County in Room 156, County Office Building in Towson, Baltimore

ORDERED By The Zoning Commissioner of Baltimere County, this.....day

PETITION FOR ZONING RE-CLASSIFICATION

I, or we, JOSEPH M. ZIPPER and ANNY 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 berein described property be re-classified, pursuant

to the Zoning Law of Baltimore County, from an .... E.L.R.-I.M. zone to an

That the correct zoning for the entire property was and is B.R. 3. That the Petitioners reserve the right to raise various changes in the

neighborhood at such time as such changes may become once again available under

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore

County, to use the herein described property, for... None

I, or we, agree to pay expenses of above re-classification and/or Special Exception idvertising.

July month

\*

Pretestant's Attorney

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

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

set out in the attached Points of Error and Change, which is incorporated by

1. That the M.L.R.-I.M. classification was and is erroneous for the reasons

AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMONE COUNTY:

B.R. (Business-Roadside) \_\_\_\_\_\_\_\_ for the following reasons:

Contract purchaser

Kingsville, Mi. 21087

" dan De Sta Miller

James D. Nolen

Address - Toomon, Mt. 21204

applicable law.

Address 7303 Gilbar Road

204 W. Pennsylvania Avenue

DR 5.5

AW OFFICES OF NOLAN, PLUMHOFF & WILLIAMS 204 WEST PENNSYLVANIA WENUE MOV 28 '78 PM TOWSON, MARYLAND 21204

November 28, 1978

Lewis M. Hess, Chairman and Lawrence J. Simpson, Vice Chairman Committee on Land Development and Conservation Baltimore County Planning Board New Courts Building Towson, Maryland 21204

Re: Request for B.R. Zoning and Request to Take The Zimmer (Schluter) Property, Item 3, Out of the October to April, 1978-1979 Cycle, Based Upon the Public Interest to Insure Uninterrupted Service Garage and Emergency Heavy Towing Service by the Schluters Presently Serving the Fullerton, Beltway and JFK (I-95) Areas.

Dear Chairman Hess, Vice Chairman Simpson, Members of the Committee on Land Development and Conservation and Members of the Planning Board:

Our clients, Mr. and Mrs. Charles F. Schluter, are the contract purchasers of the 3.23-acre Zimmer property on the southwest side of Klein Avenue, southeast of Belair Road, and it is our clients' wish to relocate their heavy emergency towing service and service garage on a portion of this property.

As the Board knows, the Zimmer property is located between a large B.R. zone to the west and southwest, and another B.R. zone located to the north, which is the site of Closs (Chesapeake) Volkswagen in the Fullerton Area.

The property's neighbor to the northwest is an existing garden center, with Closs, now Chesapeake Volkswagen, located on the opposite side of Klein Avenue, cater-corner from the property. On the opposite side of Klein Avenue, there is an electrical contractor's headquarters, and several residences.

The property to the west and southwest is owned by a commercial holding company, and the very large B.R. portion of this property to the southwest is proposed for the site of a fairly large neighborhood shopping center to serve this area of Fullerton. The property has both existing public

Page two - November 28, 1978

water and existing sanitary sewer available to it, and according to the Zoning Advisory Committee Comments there are no problems that are anticipated as a result of this proposed towing service and service garage.

We would respectfully request that the Committee and the Planning Board take this case out of the cycle in the public interest, and recommend the requested B.R. zoning for the following reasons:

695 HEAVY

1. Mr. and Mrs. Schluter presently operate one of the few heavy towing services capable of towing large trucks and other large commercial vehicles, such as buses, in the Fullerton, Beltway, and JFK (I-95) Areas. Their present operation is in leased quarters, on a month-to-month basis, and they are about to lose their present location and very badly need to relocate within the community which they are presently serving.

ABOUT TO

2. The present rented Schluter location is in the community and local i at 7923 Belair Road, Baltimore, Maryland 21236, and their landlord months ago informed them that they must find new quarters, and they are only remaining in their present quarters by the landlord's grace, on a monthto-month basis, which could end at any time.

3. The Schluters have searched up and down Belair Road in this Fullerion Area for a suitable piece of vacant, B.M. or B.R.-zoned land with utilities available, upon which FOR VACANT to relocate their service garage and heavy towing service, B.M. OR B.R. all without success until finding the Zimmer parcel, which LAND AND is wedged between B.R. uses, although it is zoned M.L.R. As can be seen on the attached 1000 scale map of the area, it would appear that the rear of the parcel is zoned B.R., but this is an error on the 1000 scale zoning map, Overlea 4-C, as is also the erroneous showing of B.R. zoning on the opposite side of Klein Avenue, since the entire parcel is zoned M.L.R.-I.M. The Schluters submit that the placement of this small peninsula or wedge of M.L.R.-I.M. zoning between the two B.R. zones which now house a Volkswagen Agency on the one side, and which will house a new shopping center on the other side, is erroneous and should be corrected 'y the imposition of B.R. zoning.

WORK WITH AND STATE

4. The Schluters for years have worked closely with both Baltimore County and the State Police in this area, as well as area Fire Departments, in handling emergency heavy towing and repairs in the Fullerton Area, as well as in the FIRE DE- Beltway and JFK areas close to Fullerton. This close cooperation between the Schluters and the Baltimore County, State Page three - November 28, 1978

Police and Baltimore County and area Fire Departments is very much in the public interest, and it should be con-

5. Most towing operations can only handle passenger cars and small trucks, but only the Schluters and a few other County and City towing services are equipped to handle OPERATIONS the large trucks and buses which constantly use the Beltway, the JFK Highway, and other area highways on a 24-hour per day, year round basis.

SERVICE

SCHILITER 6. We respectfully submit on behalf of the Schluters
TOWING AND that this Fullerton Area service garage and towing service which has long served the community is deserving of a new ERVICE AN home within the community, and that this new home should be provided on B.R -zoned land, without the interruption of this vital emergency towing service.

MHICH DESERVES A NEW HOME WITHOUT INTERRUPTION

7. As can be seen on the enclosed 1000 scale zoning map, B.R. zoning is by far the predominant zone in the Klein Avenue area of Fullerton, and it was and is erroneous to KLEIN AVE. / place the property in an M.L.R.-I.M. zone, particularly in BELAIR ROAD view of the two major B.R. uses, which adjoin it, namely the proposed shopping center and the existing automobile agency. We are confident that the Committee and the Board, upon examining the situation, will agree that B.R. zoning is meritorious and should be recommended to the Zoning Commissioner.

PELOCATION

8. We submit that it is very much in the public interest, in view of the precarious nature of the Schluter's present tenancy, to recommend to the County Council that this service garage and heavy towing service location case be taken out of the cycle and heard at the Soning Commissioner's earliest opportunity. The longer th s case is continued, the more likely it is that this vital community service which is now serving the area will be interrupted, to the detriment of the public in Baltimore County, most particularly those motorists who use Belair Road, I-95 and the JFK Highway on a daily basis

In conclusion, we respectfully request that B.R. zoning be recommended for this property and that the recommendation be made to the County Council, that this vital issue be taken out of the cycle, and heard by the Zoning Commissioner as early as possible in 1970.

Page four - November 28, 1978

Thanking the Committee and the Board for their consideration of this matter, and ready to saswer any questions that any party may have, I am

> Bespectfully, // James D. Nolar

Attachment

cc: The Kon. Ar old Fleischman Leslie Graef, Director Chairman, Planning Board Office of Planning and Zoning

Robert P. Arnold, Member Norman F. Gerber Deputy Director

Carolyn O. Bronushas, MemberOffice of Flanning & Zoning David E. Evans, Momber Frank H. Fisher, Chief

Edward A. Griffith, Member

Community Planning Division

David C. Flowers Benjamin H. Griswold IV, Membertheast Area Planner

Ponald B. Hickernell, MemberRobert J. Ryan, Esquire 406 Jefferson Building William F. Kirwin, Member Towson, Md. 21204

Franklin M. Padgett, Member Mr. and Mrs. Charles P. Schluter

7303 Gilbar Road Jesse Webster, Member Kingsville, Md. 21087

The Hon. Eugene W. Gallagher Chairman, County Council

The Hon. S. Eric DiNenna Zoning Commissioner

The Hon. George J. Martinak Deputy Zoning Commissioner

Nicholas Commodari, Chairman Zoning Advisory Committee

Ms. Sandy Cochran Aide to Councilman Gallagher

JAMES D. NOLAN J. EARLE PLUMHOFF

IEADQUARTERS.

PURCHISERS

FULLERTON RESERV

( BALTO, CITY PROPE

DR 3.5

SCAN OTER CONTRACT

ZIMMERS-OWNERS

WILLIAM M. HEBSON, JR.

THOMAS J. RENNED

STEPHEN J. NOLAN

KENNETH H. MASTERS

LAW OFFICES OF NOLAN, PLUMHOFF & WILLIAMS

204 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204 NEWTON A. WILLIAMS

November 6, 1978



The Honorable Arnold Fleischnan Chairman, and Mommers of the Baltimore County Planning Poar! New Courts Building Towson, Maryland 21204

> Re: Petition of Mr. and Mrs. Joseph M. Zimmer, Legal Owners, and Mr. and Mrs. Charles F. Schluter, Contract Purchasers, Requesting a Reclassification from M.L.R.-I.M. to B.R. for a ?.23-Acre Tract on the Southwest Side of Klein Avenue, Southeast of Belair Road, Adjacent to Existing B.R. Property for Badly Weeded Service Garage and Towing Facility.

REQUEST TO TAKE THE CASE OUT OF THE OCTOBER TO APRIL 1978-79 ZONING CYCLE IN THE PUBLIC INTEREST.

Dear Chairman Fleischman and Members of the Board:

Our office has just recently filed with the Zoning Commissioner a reclassification case seeking B.R. zoning to allow Mr. and Mrs. Schluter to move their vital towing service and service garage from inadequately sized, leased property on Belair Road in the Fullerton Area to chis Klein Avenue property, also in the Fullerton Area.

Mr Schluter is the operator of the only heavy towing service which to our knowledge serves Interstate 95, the Baltimore County Beltway, Belair Road and other vital highways in the northeastern Baltimore County area.

The present lease has expired and Mr. and Mrs. Schluter are on a month to month tenancy, subject to the will of the lessor. Mr. Schluter has made a diligent search in the Fullerton Area and can find no suitably zoned quarters that are available. Hence, the subject property which is ideally located in an industrial and commercial area has been chosen.

The Schluters for many years have worked very closely with the Baltimore County Police, the Mary) and State Police and other Agencies of government, in providing heavy towing

Page two

service in this area of northeastern Baltimore County, and it is most important that this towing service not be interrupted. We are sure that everyone concerned will share the concern that this vital public service of heavy emergency towing continue to be available in this a: .a.

Accordingly, we would respectfully request that the Planning Board recommend to the County Council that this case be given as early consideration as possible in the present Cycle in the public interest, pursuant to the provisions of Section 22-22(i) of the Baltimore County Code (1976 Cum. Supp.).

We would respectfully ask that the Planning Board incorporate this matter into its earliest possible agenda, which we would believe to be the Derember Planning Board meeting scheduled for December 21, and for the appropriate Committee meeting which we understand may be scheduled as early as November 20.

Thanking the Board, the Staff and all other interested Baltimore County officials for their interest in this important public interest matter, I am

> Respectfully, James D. Nolan

cc: See next page

Page three

cc: Robert P. Arnold, Member

Carolyn O. Bronushas, Member

David E. Evans, Member

Edward A. Griffith, Member

Lewis M. Hess, Member

Ronald B. Hickernell, Member

William F. Kirwin, Member

Franklin M. Padgett, Member

Lawrence J. Simpson, Member Jesse Webster, Member

The Esn. Eugene W. Gallagher Chairman, Baltimore County Council

The Hon. S. Eric DiNe na

Zoning Commissioner

The Hon. George J. Martinak Deputy Zoning Commissioner

Nicholas Commodari, Chairman Coning Advisory Committee

Ms. Sandy Cochran Aide to Councilman Gallagher Leslie Graef, Director Office of Planning & Zoning

Norman E. Gerber Deputy Director Office of Planning & Zoning

Frank H. Fisher, Chief Benjamin H. Griswold IV, Member Community Planning Division

> David C. Flowers Northeast Area Planner

Robert J. Ryan, Esquire 406 Jefferson Building Towson, Md. 21204

Mr. and Mrs. Charles F. Schluter 7303 Gilbar Road Kingsville, Md. 21087

DEC 1 8 1979

BALTIMORE COUNTY

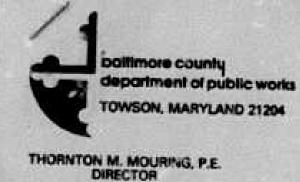
ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS



DIRECTOR

October 26, 1978

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

Re: Item #3 C; ie IV (Oct. 1978 - April 1979)
Property Owner: Joseph M. : Anna M. Zimmer
S/WS Klein Ave. 750° S/E Belair Rd.
Existing Zoning: M.L.R.-I.M.
Proposed Zoning: B.R.
Acres: 3.23 District: 14th

Dear Mr. DiMenna:

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

Highways:

Klein Avenue, an existing public road, is proposed to be improved in the future as a 10-foot closed section roadway on a 60-foot right-r -- way with horizontal realignment of the curve at the northwest corner of this property.

A study is under review for the extension of Rossville Boulevard, a County road, proposed to be constructed in the future on a minimum 70-foot right-of-way in proximity of the rear or southwesterly outline of this property.

Highway rights-of-way widenings, including any necessary revertible easements for slopes, will be required in connection with any grading or building permit application.

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

Sediment Control:

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

Storm Drains:

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

#### BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and/accepted for filing as of the

S. ERIG DINENNA

Zoning Commissioner

Petitioner's Attorney James D. Nolan Reviewed by Likely B. Cons

Nicholas B. Commodari Chairman, Zoning Plans Advisory Committee

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

Advisory Committee

cc: Evans, Hagan & Holdefer, Inc.
8013 Belair Road
Baltimore, Maryland 21236

Item #3 Cycle IV (Oct. 1978 - April 1979)
Property Owner: Joseph M. & Anna M. Zimmer
Page 2
October 26, 1978

Storm Draine: (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 and Sanitary Sower:

A public 9-inch water main and public 8-inch sanitary sewerage exist in Klein Avenue.

Very truly yours,

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

END: EAM: PWR: SS

cc: J. Trenner J. Somers

M-SW Key Sheet 2° NE 21 Pos. Sheet NE 7 F Topo 81 Tax Map

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

James D. Nolan, Esquire 204 West Pennsylvania Avenue

Towson, Maryland 21204

MEMBERS

Burnau of
Engineering

Department of
Traffic E-gineering

State Poads - emission

Butenu of Fire Prevention Bealth Department Project Planning Building Department Board of Education Zoning Administration Industrial Development RE: Item No. 3
Petitioner - Zimmer
Reclassification Petition

October 31, 1978

Dear Mr. Nolan:

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 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 suitability of the requested zoning.

This currently vacant M. L. R. zoned property, consisting of 3.23 acres, is situated on the southwest side of Klein Avenue, approximately 750 feet southeast of Belair Load in the 14th Election District. Surrounding properties along Klein Avenue are similarly zoned and are improved with an existing dwelling to the south and an electrical contractor's office and residences to the west across from this situate to the west and north are vacant tracts of ground zoned B. R. and M. L. R., respectively.

This Reclassification request to B. R. is necessitated by your client's proposal to construct a body and fender shop on this property. At the time of the meeting with this Committee, the question of the future use of the remainder of the property was introduced. This should be indicated or revised plans, as well as the existing driveway directly opposite the proposed entrance into this site, the proposed right-of-way of Klein Avenue and the front setback of the proposed building from said right-of-way. In addition, all adjacent uses surrounding the property on both sides of Klein Avenue, an indication that the proposed wooden fence to surround the storage area for damaged cars will be a minimum of 8 feet in height and the correct

battimore county
office of planning and zoning
TOWSON, MARYLAND 21204
0011-894-3211

October 31, 1978

LESLIE H. GRAEF DIRECTOR

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

Dear Mr. DiNenna:

Comments on Item \*3 , Zoning Cycle IV, October 1978, are as follows:

Property Owner: Joseph M and Anna M. Zimmer Location: SW/S Klein Avenue 750' SE Belair Road Existing Zoning: M.L.R.-1.M. Proposed Zoning: B.R. Acres: 3.23 District: 14th

This affice 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 must be revised to show the following:

- 1. Proposed Road right-of-way and paving section.
- 2. The use of surrounding properties.
- . Landscaping
- An 8 foot high fence to screen the damaged and disabled vehicles, which must screen the area from off-site view.
- 5. The proposed driveway should be located to be opposite the existing driveway across the street.
- 6. The service bays should be indicated on the site plan.

Very truly yours,

John L. Wimbley

Planner III
Current Planning and Development

baltimore county
department of health
TOWSON, MARYLAND 21204

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

Zimmer Page 2

October 31, 1978

with this petition.

NBC/sf

number of parking spaces, which are calculated at the rate of one

present a problem. Variances may then be requested and included

building, must also be reflected on said plans. If the above comments

This petition for Reclassification will be 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

review and advertising. All changes must be accompanied by a cover

letter indicating these corrections. Failure to comply may result in

this petition not being scheduled for a hearing. Notice of the hearing

Very truly yours,

Chairman

NICHOLAS B. COMMODARI

Zoning Plans Advisory Committee

date and time, which will be between March 1, 1979 and April 15,

1979, will be forwarded to you well in advance.

cc: Evans, Hagan & Holdefer, Inc.

Baltimore, Maryland 21236

8013 Belair Road

to December 1, 1978 in order to allow time for final Committee

space for each 300 square feet of total floor area of the proposed

October 17, 1978

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

Dear Mr. DiMenna:

District:

Comments on Item #3, Zoning Advisory Committee Meeting for Cycle IV, are as follows:

Property Oweer: Joseph M. & Anna M. Zimmer
Location: SW/S Klein Ave. 750 SE Belsir Rd.
Existing Zoning: M.L.V.-I.M.
Proposed Zoning: B.R.
Acres: 3.23

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

If lubrication work and oil changes are performed at this location, revised plans must be submitted showing method providing for the elimination of waste oil in accordance with Water Resources Administration requirements.

Prior to new installation/s of fuel burning equipment, the owner should contact the division of Air Follution Control, 191-3775, to obtain requirements for such installation/s before work begins.

A Permit to Construct from the Division of Air Pollution Control is required for such items as paint spray processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

Very cruly yours,

Thomas H. Davlin, Director BURRAU OF ENVIRONMENTAL SERVICES

THD/JRP/fth

co: W. L. Phillips

October 16, 1978

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

> ZAC - Meeting for Cycle IV Joseph M. F Anna M. Zimmer SW/S Klein Ave. 750' SE Belair Rd. M.L.R.-I.M. Proposed Zoning:

3.23 Acres: 14th District:

Dear Mr. DiNenna:

This site at present will generate appro. \_ately 325 trips par day; the proposed rezoning will generate approximately 1600 trips per day.

Klein Avenue is too narrow to support commercial development. Also, note that Belair Road and Putty Hill Avenue is an "F" level intersection.

DR 5.5

DR 5.5

Very truly yours,

Engineer Associate II



Paul H. Reincke October 16, 1978

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

Attention: N. Commodari, Chairman Zoning Adivsory Committee

Re: Property Owner: Joseph M. & Anna M. Zimmer

Location: SW/S Klein Ave. 750' SE Belair Rd

Item No. 3

Zoning Agenda Cycle IV

Gentlemen:

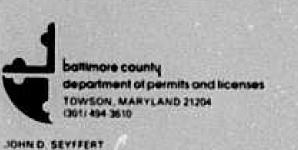
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_\_feet along an approved road in located at intervals or \_\_\_\_\_feet along an approved r 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 "ire Department.
- (x) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations. (or) 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", 1976
- Edition prior to occupancy. Also, Proposed building must comply () 6. Site plane are approved as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REV. EMER Cat Local Kelly 10-17-7 Approved: Leonge M Weigand Special Inspection Division

Fire Prevention Division

Plans Review Chief



October 5, 1978

Mr. S. Eric DiNenna, Zoning Commissioner Office of Planning and Zoning County Office Building Towers, Maryland 21206

Dea Mr. Dillennas

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

Property Owner: Joseph M & Anna M. Zinner
Location: SWS Klein Ave. - 750' SE Belair Road
Existing Zoning: M.L.R. - I.M.
Proposed Zoning: B.R.

Districts

- X A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.
- X B. A building permit shall be required before construction can begin.
- C. Additional \_\_\_\_\_ Permits shall be required.
- D. Building shall be upgraded to new use requires alteration permit.
- E. Three sets of construction drawings will be required to file an application for a building permit.
- X F. 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.
- G. 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.
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Sec'ion \_\_\_\_\_\_.
- X J. Comment: Site plan shall comply to State Handicapped Code.

# BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 24, 1978

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

Z.A.C. Meeting of: Cycle IV

Property Owner: Joseph M. & Anna M. Zimmer Location: SW/S Klein Ave. 750' SE B 'air Rd. Present Zoning: M.L.R.-I.M. Proposed Zoning: B.R.

District: 14th No. Acres: 3.23

Dear Mr. DiNenna:

No adverse effect on student population.

Very truly yours, W. Nick Petrovich, Field Representative

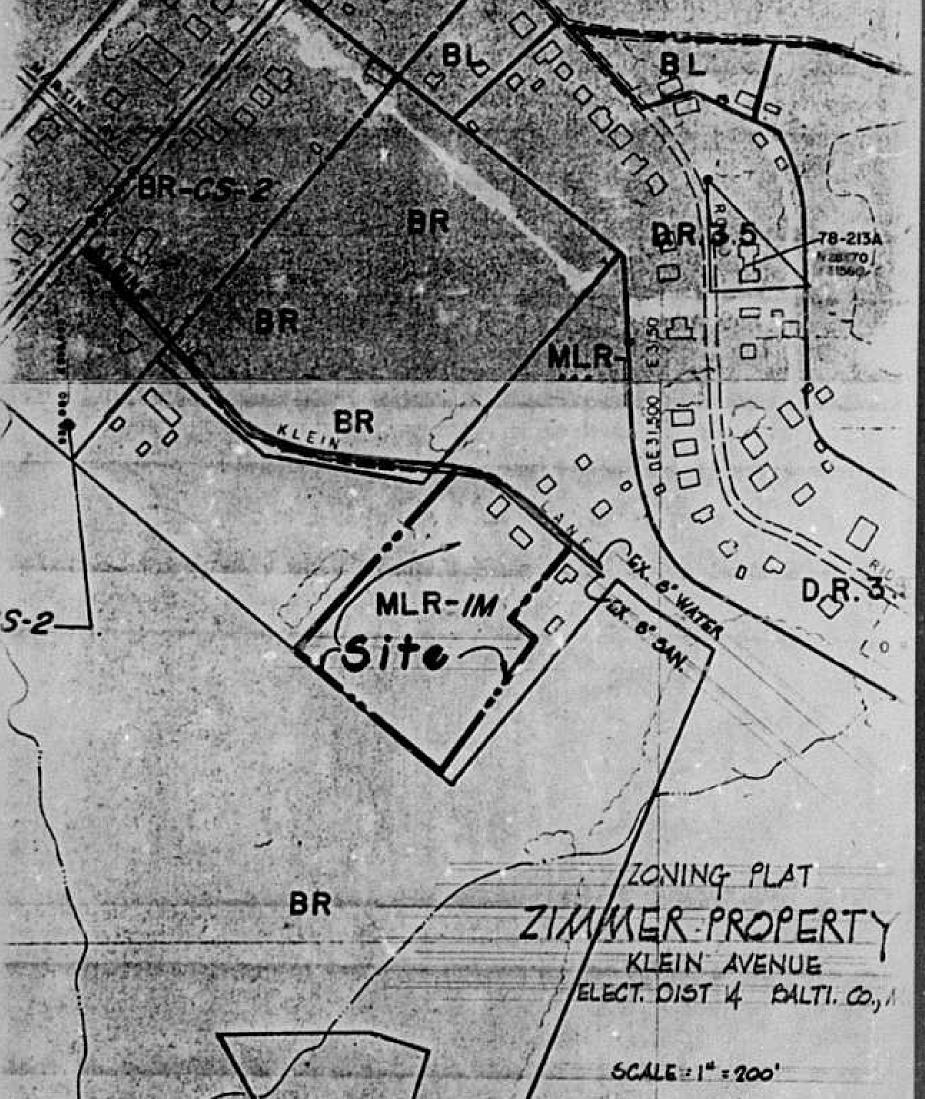
T. BAYARD WILLIAMS, JR., VICE-PRESS MARCUS M. BOTBANIS

THOMAS H. BOYER MRS. LORRAINE 1. CHIRCUS HOGER B. HATDEN

MRS. MILTON R. SMITH. JR. RICHARD W. TRACEY, D.V.M.

HOBERT Y. DUBEL. SUPERINTENDENT

5-2\_

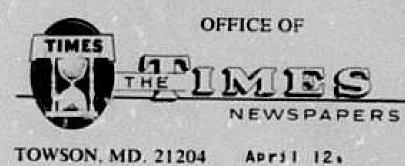


# CERTIFICATE OF PUBLICATION

published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., occerin xesche appearing on the \_\_\_\_\_l2tb \_day of \_\_\_\_ April

Cost of Advertisement, \$\_\_\_\_\_

Figures of nor les 14 seconds est 620.54 feet in the point of



THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR RECLASSIFICATION - Joseph M. Zimmer, et ux was inserted in the following:

- ☐ Catonsville Times
- ☐ Dundalk Times B Essex Times

☐ Arbutus Times ☐ Community Times ☐ Suburban Times East ☐ Suburban Times West

☐ Towson Times

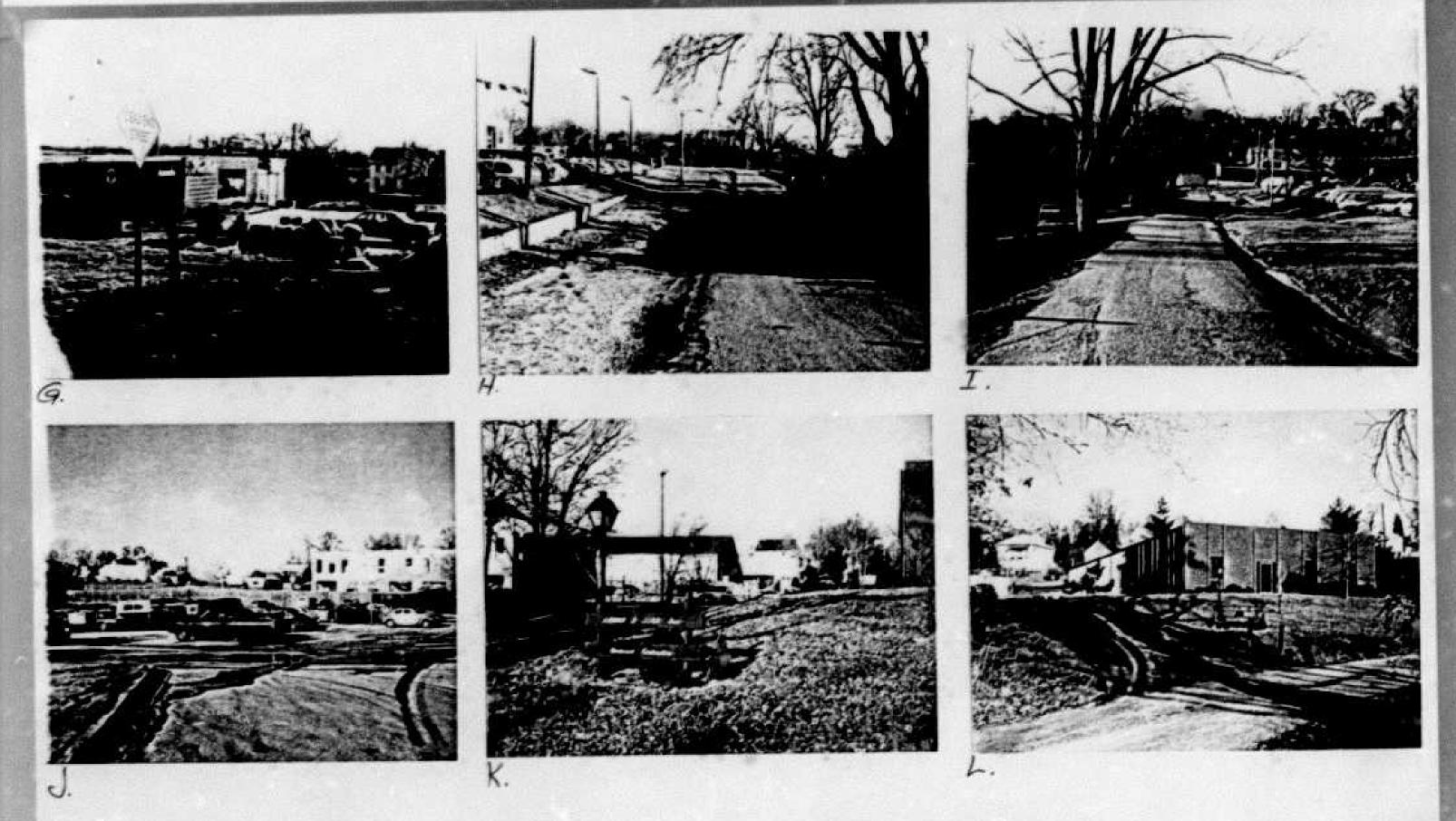
weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the L3th\_day of April 1979, that is to say, the same was inserted in the issues of April 12, 1979

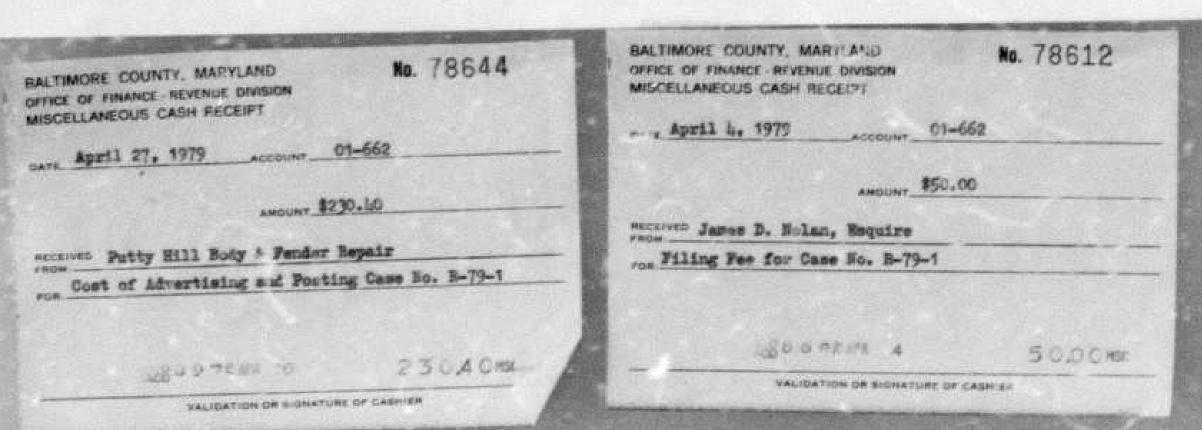
> STROMBERG PUBLICATIONS, INC BY Esiter Burger

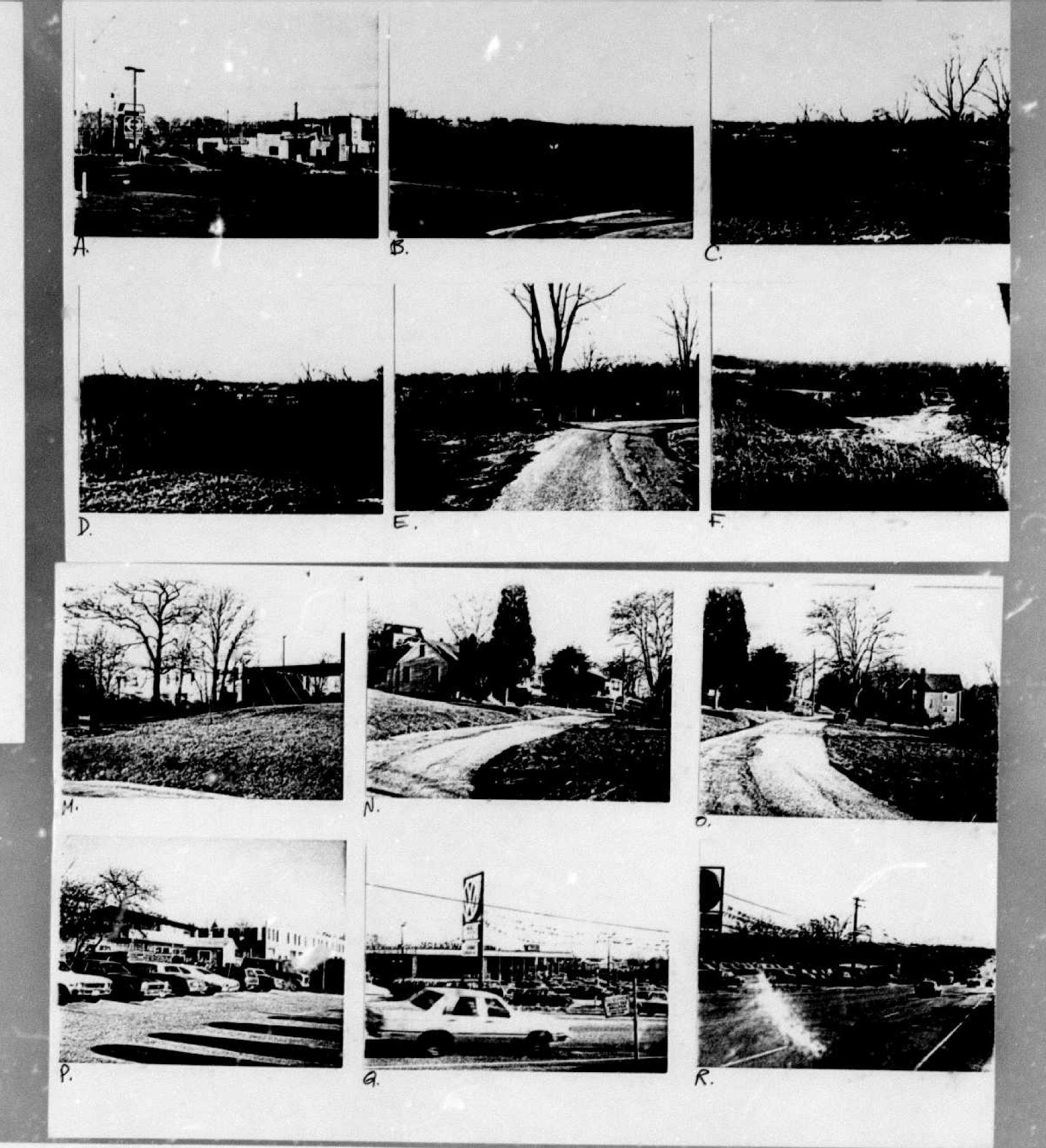
#### KEY TO PHOTOGRAPHS IN SCHLUTER CASE

- A. Present Location Putty Hill Garage, Southeast Side of Belair Road, southwest of Klein Avenue.
- B. Subject Zimmer Tract looking southwest across Klein Avenue.
- C. Subject Tract looking west to Belair Road.
- D. Looking Northwest from subject property at Pielke Nursery Tract.
- E. Looking northwest on Klein Avenue toward Pielke Nursery.
- P. Pielke Nursery operation near northwest side of property.
- G. Pielke Mursery at southwest corner of Klein Avenue & Belair Road.
- H. Klein Avenue looking southeast with VN Agency on the left side of road.
- Looking northwest on Klein Avenue with VW Agency on right and Pielke Nursery on left.
- J. Rear of the VW Service and Parking Area catercorner across Klein Avenue from property.
- K. Electrical Contractor and new warehouse building on northeast side of Klein Avenue opposite site.
- L. Flectrical Contractors Building and lot opposite site.

- M. New warehouse under construction on Northeast side of Klein Avenue.
- N. Looking southeast from site across Klein Avenue.
- O. Property on southwest side of Klein Avenue on side of site.
- P. View of Skating Rink and Warehouse under construction near site to northeast.
- Q. Volkswagen Agency from Belair Road northeast of site.
- R. Looking southwest on Belair Road past VW Agency and Pielke Nursery.



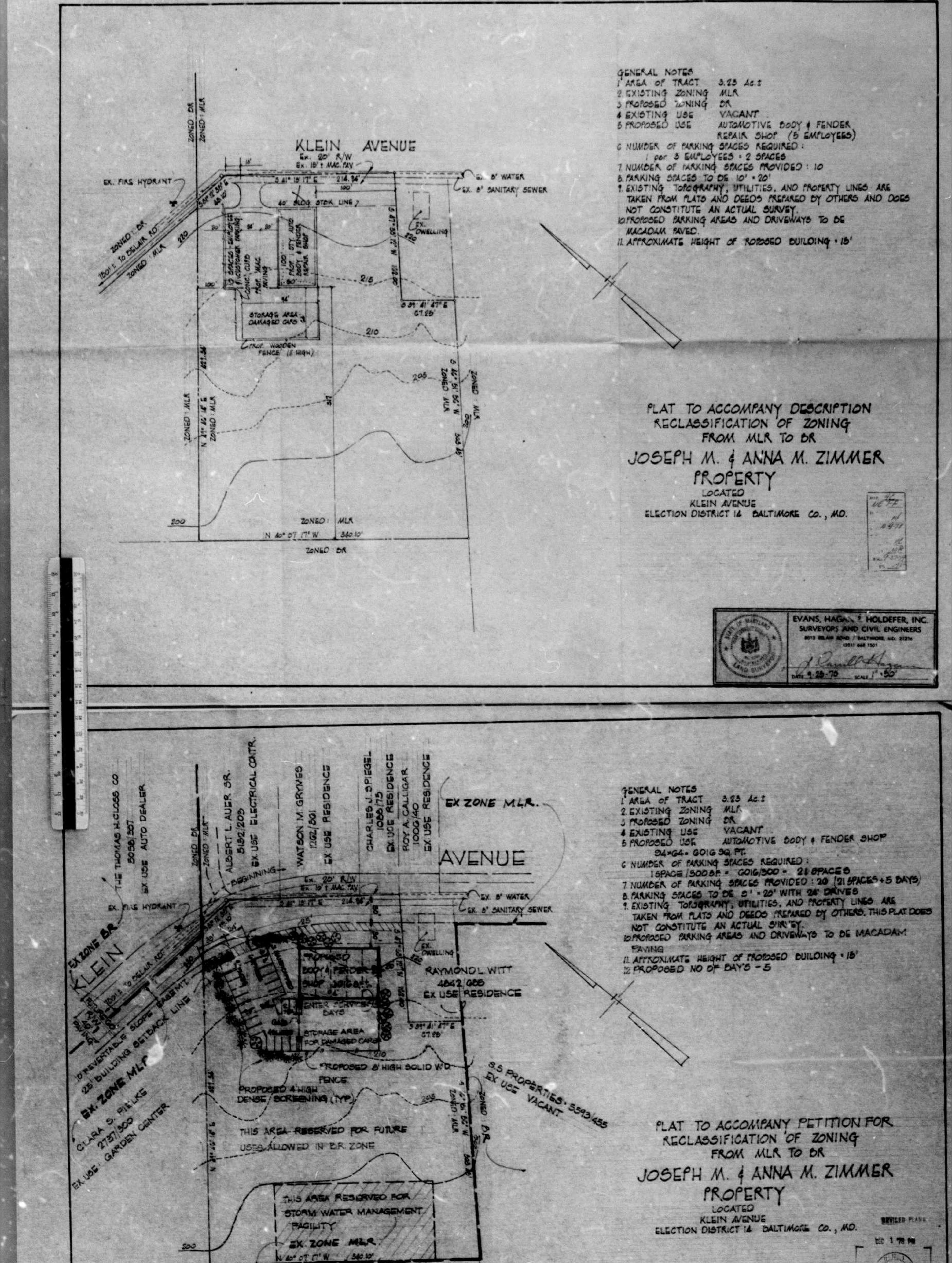




# R-79-1

### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

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District 14	Date of Posting 4/6/79
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Petitioner: Joseph M Bennes	et up
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osted by Lann Signature	Date of return: 4/4
con	



ZONEO : OR -

SES PROPERTIES . 5655 46

EX USE VACANT

DWG # 5366

EVANS, HAGAN & HOLDEFER, INC.

SURVEYORS AND CIVIL ENGINEERS 8013 RELAIR STAD / BALTIMORE MD 31236

REVISED 11-28-78 PER COUNTY COMMENTS

