

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, BTR Realty, Inc., 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 ordinance of the Baltimore County be amended to read as follows:

IN THE ZONING LAW OF BALTIMORE COUNTY: BALTIMORE COUNTY

SECTION 10-10-10

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for a service garage in an M.L.-I.M.

zone.

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

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

By John B. Howard, Esquire, Attorney at Law, 210 Allegheny Avenue, Towson, Md. 21204, for the Petitioner.

By John W. Hession, III, Esquire, People's Counsel, 494-2188, for the Zoning Commissioner.

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of December, 1978, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 5th day of March, 1979, at 10:30 o'clock.

A. M.

(over)

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
A PROFESSIONAL ASSOCIATION
210 ALLEGHENY AVENUE
P.O. BOX 8817
TOWSON, MARYLAND 21204

223-4111
AREA CODE 301

February 27, 1979

HAND-DELIVERED
Mr. S. Eric DiNenna,
Zoning Commissioner
Baltimore County Office of
Planning and Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Petition for Special Exception,
SW/S Martin Blvd. 261.7' SE of Kelso Dr.
BTR Realty, Inc. Case No. 79-187-X

Dear Mr. DiNenna:

As counsel for Petitioner, request is hereby made for withdrawal without prejudice of the above-captioned Petition.

Very truly yours,
John B. Howard
John B. Howard

JBH:kh

cc: Roger V. Morrison

FEB 27 1979 AM
ZONING DEPT. 1-210

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE
SW/S of Martin Boulevard, 261.7' SE
of Kelso Drive - 15th Election District : ZONING COMMISSIONER
BTR Realty, Inc. - Petitioner
NO. 79-187-X (Item No. 133) : OF
BALTIMORE COUNTY

The Petitioner has withdrawn this Petition; therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 27th day of April, 1978, that said Petition be and the same is hereby DISMISSED without prejudice.

John W. Hession, III
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
DATE April 27, 1979
BY John B. Howard

79-187-X
#133

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
SW/S of Martin Blvd., 261.7'
SE of Kelso Dr., 15th District : OF BALTIMORE COUNTY
BTR REALTY, INC., Petitioner : Case No. 79-187-X

ORDER TO ENTER APPEARANCE

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

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 27th day of February, 1979, a copy of the foregoing Order was mailed to John B. Howard, Esquire, 210 Allegheny Avenue, Towson, Maryland 21204, Attorney for Petitioner.

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

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-2188
S. ERIC DINENNA
ZONING COMMISSIONER

April 27, 1979

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: Petition for Special Exception
SW/S of Martin Boulevard, 261.7'
SE of Kelso Drive - 15th Election District
BTR Realty, Inc. - Petitioner
NO. 79-187-X (Item No. 133)

Dear Mr. Howard:
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:mr

Attachment

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

7-42
LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
A PROFESSIONAL ASSOCIATION
210 ALLEGHENY AVENUE
P.O. BOX 8817
TOWSON, MARYLAND 21204

223-4111
AREA CODE 301

February 27, 1979

HAND-DELIVERED
Mr. S. Eric DiNenna,
Zoning Commissioner
Baltimore County Office of
Planning and Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Petition for Special Exception,
SW/S Martin Blvd. 261.7' SE of Kelso Dr.
BTR Realty, Inc. Case No. 79-187-X

Dear Mr. DiNenna:

As counsel for Petitioner, request is hereby made for withdrawal without prejudice of the above-captioned Petition.

Very truly yours,
John B. Howard
John B. Howard

JBH:kh

cc: Roger V. Morrison

FEB 27 1979 AM
ZONING DEPT. 1-210

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
805 ALLEGHENY AVENUE, TOWSON, MARYLAND 21204

Description to Accompany Zoning Petition
For Special Exception to Permit a Service
Garage in an Existing M.L.-I.M. Zone
Palaski Industrial Park
8.04 Acres

Revised January 29, 1979
November 27, 1978

Beginning for the same at a point which is South 34° 19' 02" East distant 261.7 feet more or less from the intersection of the center line of Martin Boulevard 150 feet wide and Kelso Drive, 70 feet wide, said point being on the southwesterly side of Martin Boulevard, running thence bearing on the southwesterly side of said Boulevard (1) South 50° 58' 25" East 471.50 feet thence leaving said Boulevard running the three following courses viz: (2) South 19° 44' 00" West 401.51 feet (3) South 64° 12' 14" West 284.76 feet and (4) North 44° 54' 05" West 549.75 feet to the southeasterly side of the Susquehanna Transmission Company Right-of-Way 150 feet wide, thence bearing thereon the two following courses viz: (5) North 45° 05' 55" East 96.99 feet and (6) North 45° 20' 47" East 485.01 feet to the place of beginning.

Containing 8.04 acres of land more or less.

Saving and excepting therefrom that portion of land zoned DE-1.5 located in the south corner of the herein described property and as shown on the accompanying plat.

The herein described 8.04 acre parcel is intended to be the same parcel as shown on a "Revised Preliminary Plan of Palaski Industrial Park" dated September 25, 1978, said plan prepared by others.

STATE OF MARYLAND
COUNTY OF BALTIMORE
JUN 12 1979

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna
Zoning Commissioner

TO: Leslie H. Graef, Director

FROM: Office of Planning and Zoning

SUBJECT: Petition #79-187-X, Item #133

Portion for Special Exception for a service garage

Southwest side of Martin Boulevard, 261.7' Southeast of Kelso Drive

Petitioner - BTR Realty, Inc.

15th District

HEARING: Monday, March 5, 1979 (10:30 A.M.)

The office has insufficient information upon which to form an opinion on the applicability of Section 253.2.3, of the Baltimore County Zoning Regulations. If this petition is granted, it is requested that a landscaping plan be required to be submitted to and approved by the Current Planning and Development Division.

Leslie H. Graef, Director
Leslie H. Graef, Director
Office of Planning and Zoning

LHG:JCH:rw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nicholas R. Commodari

Zoning Advisory Committee

FROM: Rosellen J. Plant, Industrial Development Commission

SUBJECT: Item No. 133 - Property Owner: BTR Realty, Inc.

Location: SW/S Martin Blvd. 261.7' SE Kelso Dr.

Existing Zoning: M.L.-I.M.

Proposed Zoning: Special Exception for a service garage

The Industrial Development Commission is in agreement with the Baltimore County 1976 Comprehensive Zoning Maps, as adopted by the County Council, except in obvious cases of change of neighborhood or technical errors in the maps.

Rosellen J. Plant
ROSELLEN J. PLANT

RJP:pk

JUN 12 1979

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

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
this 12th day of December, 1978

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner: BTR Realty, Inc.
Petitioner's Attorney: John B. Howard
John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

Reviewed by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

cc: George Wm. Stephens, Jr.
and Associates, Inc.
303 Allegheny Avenue
Towson, Maryland 21204

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

February 21, 1979

RE: Item No. 133
Petitioner - BTR Realty, Inc.
Special Exception Petition

Dear Mr. Howard:

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 8.04 acre tract is zoned in its majority, ML-IM, with a small portion zoned D.R. 5.5 and is located for all intents and purposes at the southwest corner of Martin Boulevard and Kelso Drive. Vacant land zoned M.L., exists to the southwest and northwest across Kelso Drive, while vacant residential land and a trailer park exist to the southeast and northeast across Martin Boulevard, respectively.

Because of your client's proposal to construct a large building primarily devoted to the repair of industrial trucks, with access solely from Kelso Drive, this Special Exception is required. Since residential zoning traverses the rear of this site and parking and storage of equipment awaiting repair, is proposed in close proximity to said residential zone, particular attention should be afforded Section 253.4 of the Baltimore County Zoning Regulations concerning uses allowed within 100 feet of residential zones.

Item No. 133
Page 2
February 21, 1979

If this petition is granted and at the time of application for the required building permit, the site plan must be revised to indicate that said storage area will be screened, provisions for accommodating storm water or drainage, landscaping, handicapped parking, and an indication that 94 customer parking spaces will be provided. In addition, particular attention should be afforded the comments of the Health and Fire Departments.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

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

NBC/sf

cc: George Wm. Stephens, Jr.
and Associates, Inc.
303 Allegheny Avenue
Towson, Maryland 21204

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

January 25, 1979

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

Re: Item #133 (1978-1979)
Property Owner: BTR Realty, Inc.
5/75 Martin Blvd. 261.7' S/E Kelso Dr.
Existing Zoning: M.L.-I.M.
Proposed Zoning: Special Exception for a service garage.
Acre: 8.04 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.

General:

A portion of this site was included in the overall tract considered for IDCA Project 77-2, and this site is a portion of an overall larger tract of land shown on Tax Map 90. This property is also indicated on the Preliminary Plan "Goldentree" dated July 22, 1977 and the Preliminary Plan "Sections One and Two Goldentree" dated July 22, 1977, Revised February 22, 1978.

Comments were supplied by the Bureau of Public Services September 27, 1977 in regard to the preliminary plan, and supplemented November 28, 1977 and December 1, 1977. Subsequently, Public Works Agreement 157803 was executed in conjunction with the development of "Goldentree-Section One".

Highways:

Kelso Drive is a County road with a 49-foot closed section roadway on a 70-foot right-of-way. No further highway improvements are proposed at this time. Sidewalks do not exist along Kelso Drive or Martin Boulevard at this location.

Martin Boulevard (Md. 700) is a State Road; therefore, all improvements, inter-sections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Item #133 (1978-1979)
Property Owner: BTR Realty, Inc.
Page 2
January 25, 1979

Highways: (Cont'd)

Windlass Boulevard, a proposed State Highway Administration project is proposed to be constructed in the future in this vicinity. The proposed alignment of Windlass Boulevard should be determined by the Petitioner in regards to this site.

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

It is the responsibility of the Petitioner to ascertain and clarify the rights and responsibilities in regard to his indicated proposed 40-foot private road from Kelso Drive and traversing the Susquehanna Transmission Co. Right-of-Way.

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.

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

The southeastermost portion of this property is subject to 100-year design storm flooding of Brien Run per Stemmers Run Flood Plain Study (Baker-Wibberly and Associates) June 1975.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

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 Sewer:

Public water supply and sanitary sewerage, as indicated, are available to serve this property.

Very truly yours,

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

END:EAM:FWR:SS

1-NW Key Sheet, 15 & 16 NE 29 Pos. Sheets
NE 4 H Topo, 90 Tax Map

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-3211

LESUE H. GRAEF
DIRECTOR

February 16, 1979

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

Dear Mr. DiNenna:

Comments on Item #133, Zoning Advisory Committee Meeting, December 12, 1978, are as follows:

Property Owner: BTR Realty, Inc.
Location: SW/S Martin Blvd 261.7' SE Kelso Drive
Existing Zoning: M.L.-I.M.
Proposed Zoning: Special Exception for a service garage
Acre: 8.04
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.

Landscaping should be provided.

Very truly yours,

John L. Wimbley
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

January 3, 1979

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

Dear Mr. DiNenna:

Comments on Item #133, Zoning Advisory Committee Meeting of December 12, 1978, are as follows:

Property Owner: BTR Realty, Inc.
Location: SW/S Martin Blvd. 261.7' SE Kelso Dr.
Existing Zoning: M.L.-I.M.
Proposed Zoning: Special Exception for a service garage
Acre: 8.04
District: 15th

Metropolitan water and sewer are available.

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.

If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval prior to construction.

Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 194-3775, 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 truly yours,

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

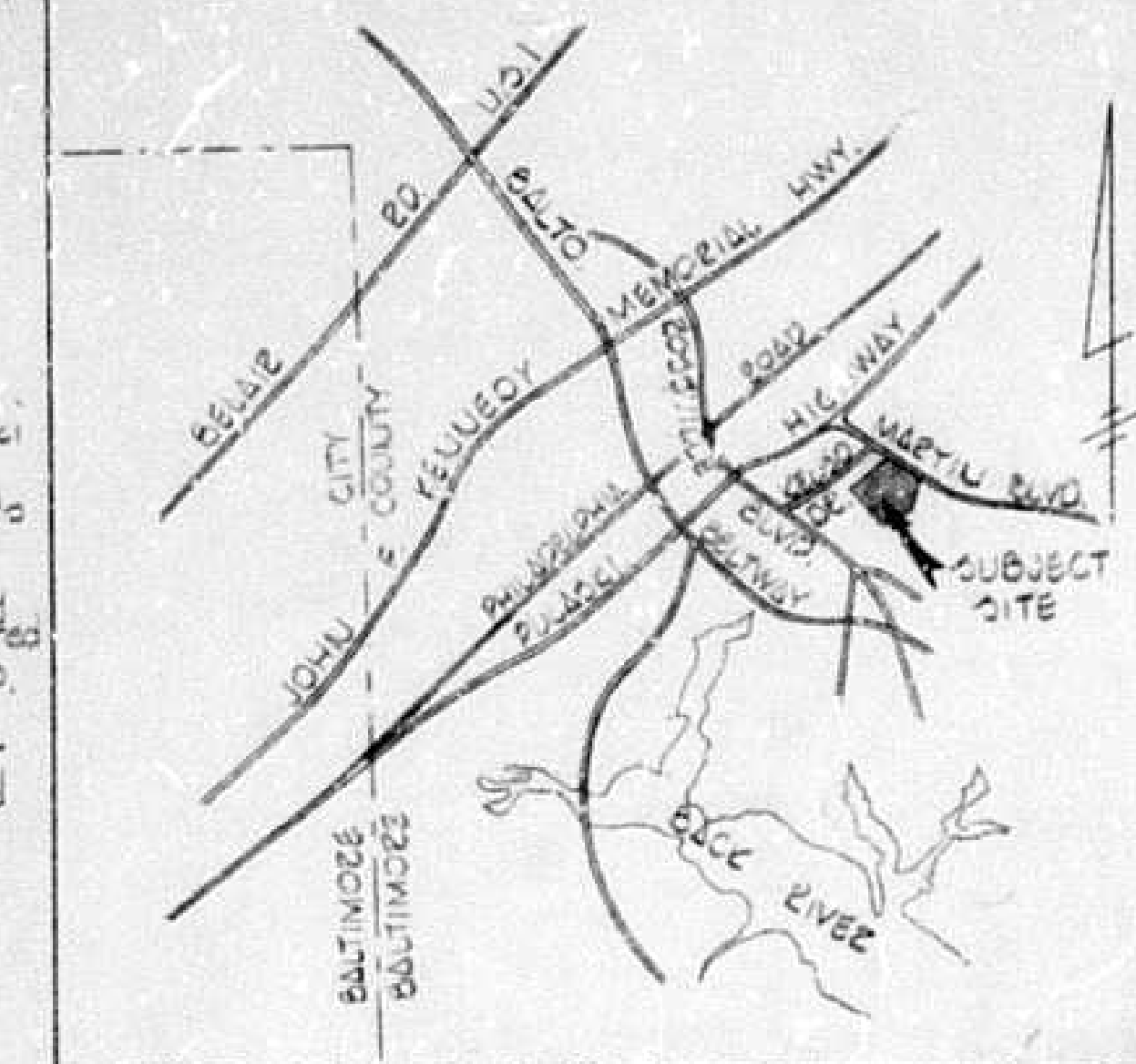
THD/JRP/fth

cc: J. J. Dieter
W. L. Phillips

JUN 12 1979

EXISTING ZONING ML-1M
PRESENT USE - UNIMPROVED LAND

Note: Area of Subject Tract and Metes & Bounds Shown Herein are Based on a Plat Entitled "Section One, PULASKI Industrial Park" Dated 3-16-66 and Recorded Among the Plat Records of Baltimore Co. in Plat Book O.T.G. 32 Folio G, and also a Revised Preliminary Plan Dated Sept 25, 1978 as Prepared by The Office of Ciddie Consultants, Inc. It is to be noted that pending an approved Site Plan & subsequent Record Plat the Area and Metes and Bounds are Subject To Change.



VICINITY MAP
Scale: 1" = 1000'

GENERAL NOTES

1. Area of Tract = 8.04 Ac.
2. Existing Zoning: ML-1M & O.E. 5.5 as shown Herein.
3. Existing Use: Unimproved Land
4. Proposed Use: Storage of Engine & Transmission Parts & Accessories, Diesel Engine Sales & Modifications, Repair Facility, General Office, Engine & Transmission Training Areas.
5. Screening shall consist of Arborvitae and/or Evergreens, Densely Planted, Minimum Height 4'.
6. Landscaping shall consist of assorted trees & shrubs.
7. Paving shall be Bituminous with sufficient Crusher Run base, Properly Drained. Curb shall be Concrete.
8. Utilities (Water & Sewer) Existing in Kelso Drive & Martin Boulevard. Also Sanitary Sewer Available to Rear of Tract as Shown.
9. Lighting shall be so Directed as Not to Reflect Rays into Residential Areas.
10. Estimated Use of Employees: 100 - 120
11. Hours of Operation: 7 A.M. to 2 P.M.

PARKING TABULATION

Service Bays @ 115' x 100' = 10175 Sq. Ft. @ 300	34 Spaces
Engine Building Tear-down Clean-up, Dynamometer, etc.	
40 Employees (Numerically Largest Shift) @ 3	14 Spaces
Parts & Storage Area	
20 Employees (Numerically Largest Shift) @ 3	14 Spaces
Training Room (20 Seats) @ 6	4 Spaces
General Offices (5075 Sq. Ft.) @ 300	17 Spaces
Retail Sales (Shade Area) 10500 Sq. Ft. @ 200	53 Spaces
Total Parking Required	136 Spaces
Parking Provided:	
Employee Parking	121 Spaces
Customer Parking	15 Spaces
Total Parking Provided	136 Spaces

Note: Parking Spaces Typical @ 5' x 10'

PLAT TO ACCOMPANY ZONING PETITION
FOR
SPECIAL EXCEPTION TO PERMIT A SERVICE GARAGE
IN AN
EXISTING ML-1M ZONE
FOR
JOHNSON & TOWERS - BALTIMORE, INC.
PULASKI INDUSTRIAL PARK

BALTIMORE COUNTY, MD.
SCALE: 1" = 50'

ELECTION DISTRICT NO. 13
NOVEMBER 27, 1978

PL 4077

JUN 12 1979

EXISTING ZONING ML-1M
PRESENT USE - UNIMPROVED LAND

B.T.R. Realty, Inc.
2104-240
2103-304

EXISTING ZONING O.E. 5.5
PRESENT USE - UNIMPROVED LAND

B.T.R. Realty, Inc.
2104-240
2103-304

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVE.
TOWSON, MARYLAND



EXISTING ZONING O.E. 5.5
PRESENT USE - UNIMPROVED LAND

Trailer Village Corp.
2103-630

