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

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law

of Baitimore County, from an ML-CS-1 and ML-1M zone to an B.R. zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property.

not applicable

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

not applicable

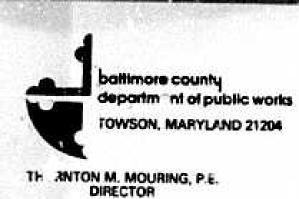


Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, 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

Contract Purchaser: Legal Owner(s): W. Bell & Co. Johnson & Towers of Baltimore, Inc. (Type or Print Name) Justin B. Cillalian 12401 Twinbrook Parkway Street or Box (Type or Print Name) Rockville, Maryland 20852 City and State Attorney for Petitioner 8641 Pulaski Highway Baltimore, Maryland 21237 City and State 210 Allegheny Avenue Name and telephone number of legal owner, con-Street or Box tract purchaser or representative to be contacted Roger W. Morrison Towson, Maryland 21204 City and State 687-0500 823-4111

Telephone No.



BABC-Form 1

Attorney's Telephone No.:

May 2, 1979

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

> Re: Item #11 (Cycle V-April - October 1979) Property Owner: Johnson & Towers of Baltimore, Inc. S/ES Pulaski Hwy. 2031' S/W Rossville Blvd. Existing Zoning: M.L.-C.S. 1 & M.L.-I.M. Proposed Zoning: B.R. Acres: 3.367 District: 15th

I-NW Key Sheet

NE 4 G Topo

90 Tax Map

13 & 14 NW 25 Pos. Sheets

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:

Pulaski Eighway (U.S. 40) and the Baltimore Beltway (I-695) are State Roads; therefore, all improvements, intersections, entrances and drainage requirements as they affect these 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.

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

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:

There is a public 12-inch water main and 8-inch public sanitary severage in Pulaski Highway. There is a fire hydrant located approximately 300 feet northeasterly of this site.

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

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

DUNTY OFFICE BLDG. III W. Chesapeake Ave. Towson, Maryland 2120

Nichéres B. Compoders

Chekeman

MAMBERS bureau of patheering

Department of Traffic Engineering State Foads Commission "" Trayention Inalth Department

> ower Planning die Department of Education III Administratio

evelopment

May 11, 1979

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

> RE: Item No. 11 - Cycle V Petitioner - Johnson & Towers of Baltimore, Inc. Reclassification Petition

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an en-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.

Located on the southeast side of Pulaski Highway at its intersection with the Baltimore Beltway, the subject of this petition is a 3.567 acre tract of land improved with the engine repair facilities of your client. The abutting properties to the northeast are zoned B.R., as a result of Case No. 73-175-RA and Case No. 73-156-RA, and are improved with a building proposed to be converted to a retail store and an existing store, while vacant industrially zoned land exists to the south and southeast.

Because the proposed use of the subject property was not indicated on the submitted site plan, it is impossible for this Committee to make detailed comments concerning this petition. If said petition is granted, it should be emphasized that all applicable Baltimore County requirements must be satisfied. In keeping with this and prior to application for the necessary building permits, your surveyor should submit a preliminary plan of the proposed development to be reviewed by this Committee.

Item No. 11 - Johnson & Towers of Baltimore, Inc. Page Two May 11, 1979

This petition for Reclassification will be accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be between September 1 and December 31, 1979, will be forwarded to you well in advance.

NICHOLAS B. COMMODARI

Zoning Plans Advisory Committee

Very truly yours,

NBC/sf

cc: George W. Stephens & Assoc. 303 Allegheny Avenue Towson, Maryland 21204

baltimore county office of planning and zoning TOWSON, MARYLAND 21204

LE H GRAEF

May 29, 1979

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

Dear Mr. Reiter:

Comments on Item #11, Zoning Cycle V. April 1979, are as follows:

Property Owner: Johnson and Towers of Baltimore, Inc. Location: SE/S Pulaski Highway 2031' SW Rossville Blvd. Existing Zoning: M.L.-C.S. Land M.L.-I.M. Proposed Zoning B.R. Acres: 3.367 District: 15th

This office has reviewed the subject petition and offers the following commants. 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 patition.

If the petition is granted, the access to the site should be in common with the property to the East.

Current Planning and Development

Vary truly yours,

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Archolas i. Commoduri TO FORING Advisory Conmittee

omes L. Lucas, dr., Director FROM Industrial Development Corrission

SUBJECT Property Owner: Johnson & Towers of haltimore, Inc. Location: 38/8 Fulsski Hwy. 2031' 5W Rossville Blvd. Existing Zoning: A.L.-C.E. 1 & E.L.-I.A. Proposed Loning: E.H.

Morrally, the Industrial Development Commission desires that land which has previously been zoned industrial retain that status. this property's proposed roning, however, is in keeping with its surrounding commercial development and the Commission does not object to the charge.

JDL::

Destimore county department at traffic engineering TOWSON, MARYLAND 21204 (301) 494-3550

STEPHEN E. COLLINS

May 3, 1979

Br. Walter A. Reiter, Jr. Chairman, Board of Appeals Court House Exeson, Maryland 21204

Item No. 11 - ZAC - Cycle V

Property Owner: Johnson & Towers of Paltimore, Inc. SE/3 Pulaski Hwy. 2031 SW Rossville Blvd. Location: Existing Zoning: M.L.-C.S. 1 & M.L.-I.M. Proposed Zoning: B.R

31,367 Acres: 15th District:

Dear Mr. Reiter:

As presently zened, this site can be experted to generate approximately 340 trips per day and the proposed zoning can be expected to generate approximately 1700 trips per day.

Access to this site is extremely dangerous due to the nearness of the beltway ramp. This office recommends that no zoning change be made that would increase traffic generation from this site.

> Rechard & Municipal Michael S. "Lanigan

Engineer Associate II

MSF/hmd

END: EAM: FWR: SS cc: W. Munchel James J. O'Dennell Secretary M. S. Caltrider

April 30, 1979

Mr. Walter A. Reiter, Jr. Chairman, Board of Appeals County Office Bldg. Towson, Md. 21204

Re: Zoning Cycle V, April, 1979 ITEM: #11 Property Owner: Johnson & Towers of Baltimore, Inc. Location: SE/S Pulaski Hwy (Route 40) 2031' SW Possville Blvd. Existing Zoning: M.L.-C.S. 1 & M.L.-I.M. Proposed Zoning: B.R. Acres: 3.367 District: 15th

Dear Mr. Reiter:

The plan indicates that the proposed zoning is for W. Bell & Company. We assume that this is the W. Bell catalogue discount store. If this is the case, we can anticipate considerable traffic to be generated by the development. As can be seen from the plan, the property is adjacent to the Baltimore Beltway ramp. With the narrow usable frontage on Pulaski Highway, the entrance must be located close to the ramp. This is an undesirable situation in any event. We are currently experiencing serious traffic problems in this area due to the close proximity of the Beltway to Golden Ring Mall, Hechinger's Building Supply and Rossville Blvd. The location of a large discount store at the subject site can only compound the problem.

Very truly yours,

Charles Lee, Chief Bureau of Engineering Access Permits

CL:JEM:vrd

05.4 A.A

Jan L. myer By: John E. Meyers

My telephone number is (301) 383-4320

P.O. Box 717 / 300 West Presion Street, Baltimore, Maryland 21203

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 30, 1979

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

Z.A.C. Meeting of: Cycle V

RE: Item No: 11 Property Owner: Johnson & Towers of Bal Lore, Inc. Location: SE/S Pulaski Hwy. 2031' SW Rossville Blvd. Present Zoning: M.L.-C.S. 1 & M.L.-I. Proposed Zoning: B.R.

District: 15th No. Acres: 3.367

Dear Mr. DiNenna:

No effect on student population.

Very truly yours, W. Wil Telwed W. Nick Petrovich. Field Representative

MNP/bp

T. PATARO WILLIAMS, JUL. VICE-PRESENT HARCUS M. BOTHAMIN

ROGER B. HATDEN

MRS. MILTON H. EMITH. JQ. DESCHAND W. TRACES. D.V.M.

ROBERT V. DUDEL, AMERICANIES.

ballimora county TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.II.

DEPUTY STATE AND COUNTY HEALTH OFFICER

May 14, 1979

Mr. Walter Reiter, Chairman Board of Appeals Court House Towson, Maryland 21204

Acres:

Districts

Dear Mr. Reiters

Comments on Item #11, Zoning Advisory Committee Meeting for Cycle V, are as follows:

> Property Owner: Johnson & Towers of Baltimore, Inc. .3/S Pulaski Hwy. 2631 SW Rossville Blvd. Location: Existing Zoning: M.L.-C.S. 1 & M.L.-I.M. Proposed Zoning: B.R. 3.367 15th

The Zoning Plan, as sabmitted, does not include enough information to enable the Baltimore County Department to make complete comments.

Metropolitan water and sewer exist.

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.

> Ian J. Poprest, Acting Director BUREAU OF ENVIRONMENTAL SERVICES

Very truly yours

LJF/JRP/ith

cc: W. L. Phillips

MICROFILHED

: BEFORE THE COUNTY BOARD OF APPEALS RE: PETITION FOR RECLASSIFICATION from M.L.-C.S. 1 & M.L.-I.M.

to B.R. Zone SE/S Pulaski Hwy. 2031' SW Rossville Blvd., 15th District

OF BALTIMORE COUNTY

JOHNSON & TOWERS OF BALTIMORE, : Case No. R-80-73 INC., Petitioner

ORDER TO ENTER APPEARANCE

:::::::

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

Peter Max Zimmerman Deputy People's Counsel

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

I HEREBY CERTIFY that on this 2nd day of October, 1979, a copy of the aforegoing Order was mailed to John B. Howard, Esquiso, 210 Allegheny Avenue, Towson, Maryland 21204, Attorney for Petitioner; and Justin B. Callahan, W. Bell and Company, 12401 Twinbrook Parkway, Rockville, Maryland 20852, Contract Purchaser.

494-2188

John W. Dening John W. Hessian, Itl



Paul H. Reincke

May 22, 1979

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

Attention: N. Commodari, Chairman Zoning Advisory Committee

Ro: Property Omer: Johnson & Towers of Baltimore, Inc. Location: SE/ . Pulaski Hwy. 2031' SW Rossville Blvd.

Zorling Agenda Cycle V Itom No. 11

Gentlemen:

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

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Merks.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead and condition shown at _____ ECCEPES the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 5. Site plans are approved as drawn.

from M.L.-C.S. 1 & M.L.-I.M.

SE/S Pulaski Ewy. 2031'SW

JOHNSON & TOWERS OF BALTIMORE.

to B.R. Zone

INC., Petitioner

() 7. The Fire Provention Bureau has no comments, at this time. _ ___

Noted and Alleigh M. M. Commed REWIE TO LOS Kelly 5-32-79 Approved: Planning Group Division Special Inspection Division

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY Case No. R-80-73 Rossville Blvd., 15th District: ZONING LANT

ORDER OF DISMISSAL

Petition of Johnson & Towers of Baltimore, Inc. for reclassification from M.L.-C.S.1 & M.L.-I.M. to a B.R. zone on property located on the southeast side of Pulaski Highway near Rossville Boulevard, in the Fifteenth Election District.

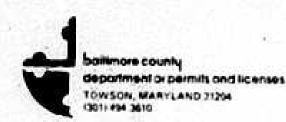
WHEREAS, the Board of Appeals is in receipt of a letter of withdrawal of petition, filed January ,1980 (a copy of which letter is attached hereto and made a part hereof) from the attorney representing the Petitioner in the above entitled matter.

WHEREAS, the said attorney for the said Petitioner requests that the petition filed on behalf of said Petitioner be withdrawn as of January , 1980.

IT IS HEREBY ORDERED this ____ day of January, 1980, that said petition be and the same is DISMISSED.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman



JOHN D. SEYFFERT

April 24, 1979

Mr. S. Eric DiMonna, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21206

Deer Mr. DiNempa:

Comments on Item # 11 Zoning Advisory Committee Meeting. CYCLE V are as follows:

Property Owner: Johnson & Towers of Baltimore, Inc. SES Pulaski Highway 2031' SV Rossville Blvd. Existing Zoning: M.L. - C.S. 1 & M.L. - I.M. Proposed Zoning: B.R.

Acres Districts

The items checked below are applicable:

- XA. Structure shall conform to Beltimore County Puilding Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable nodes.
- A building permit shall be required before construction can begin.
 Change of occupancy & other miscellaneous
 X C. Additional Permits shall be required.
- D : Building shall be upgraded to new use requires alteration permit, or building permit for new construction.
- E. Three sets of construction drawings will be required to file an application for a building permit.
- X P. 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, for any alterations or new construction.
- G. Wood frame walls are not permitted within 3'0" of a property list.
 Contact Building Department if distance is between 3'0" and 6'0"
- of property line. H. Requested setback variance conflicts with the Reltimore County Building Code. See Section _____
- I. No Comment.
- J. Comment:

Charles E. Burnhag Plans Review Chief

MICROFILMED

RE: PETITION FOR RECLASSIFICATION BEFORE THE COUNTY BOARD OF APPEALS from M.L.-C.S. 1 & M.L.-I.M. to B.R. Zone OF BALTIMORE COUNTY

ORDER OF DISMISSAL

JOHNSON & TOWERS OF BALTIMORE

Rossville Blvd., 15th District:

SE/S Pulaski Hwy. 2031'SW

INC., Petitioner

Petition of Johnson & Towers of Baltimore, Inc. for reclassification from M.L.-C.S.1 & M.L.-I.M. to a B.R. zone on property located on the southeast side of Pulaski Highway near Rossville Boulevard, in the Fifteenth Election District.

WHEREAS, the Board of Appeals is in receipt of a letter of withdrawal of petition, filed January ,1980 (a copy of which letter is attached hereto and made a part hereof) from the attorney representing the Petitioner in the above entitled matter.

WHEREAS, the said attorney for the said Petitioner requests that the petition filed on behalf of said Petitioner be withdrawn as of January , 1980.

IT IS HEREBY ORDERED this _____ day of January, 1980, that said petition be and the same is DISMISSED.

UNTY	18, 4	e.	
CENTER OSE CO	1134	10.2	
BALTIM) Ma	97: S	

TERMINA CHARLES

Walter A. Reiter, Jr., Chairman

COUNTY BOARD OF APPEALS

OF BALTIMORE COUNTY

Case No. R-80-73

RE: PETITION FOR RECLASSIFICATION:
from ML-CS I and ML-IM to BR
SE/S of Pulaski Highway at the
intersection of Rossville Boulevard
ISSE District:

intersection of Rossville Boulevard
15th District

Johnson & Towers of Baltimore, Inc. Petitioners REFORE
COUNTY BOARD OF APPEALS

OF

No. R-80-73

ORDER OF DISMISSAL

Petition of Johnson and Towers of Baltimore, Inc. for reclassification from ML-CS 1 and ML-IM to BR on property located on the southeast side of Pulaski Highway at the intersection of Rossville Boulevard, in the Fifteenth Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a letter of withdrawal of petition filed January 4, 1980 (a copy of which letter is attached hereto and made a part hereof) from the attorney representing the Petitioners in the above entitled matter.

WHEREAS, the said attorney for the said Petitioners requests that the petition filed on behalf of said Petitioners be withdrawn as of January 4, 1980.

IT IS HEREBY ORDERED this 15th day of January, 1980, that said petition be and the same is DISMISSED.

OF BALTIMORE COUNTY

Walter A / Reiter, Jr., Chairm

LeRoy B. Spurier

Patricia Millhouser

properties that have occurred since adoption of the 1976 Map in that commercial uses have matured and other changes occurred to alter the character of the immediate area.

Additionally, there is an abundance of undeveloped industrially zoned land in relatively near proximity to the commercial area in which Petitimer's property is located.

Such properties are peculiarly well-suited by virtue of access and other considerations to accommodate industrial growth thus eliminating the rationale for continuation of M.L. zoning on the subject property.

For the above reasons, it is urged that the subject property be reclassified to B.R..

Respectfully submitted,

John B. Howard Attorney for Petitioner LAW OFFICES

COOK, HOWARD, DOWNES & TRACY
A PROFESSIONAL ASSOCIATION
SIO ALLEGHENY AVENUE
P. O. BOX 5517

"DWSON, MARYLAND 21204"

January 3, 1980

JAMES D. C. DOWNES
JAMES H. COOK
JOHN B. HOWARD
DAVID D. DOWNES
CANIEL D'C. THACT, JR.
JOHN H. ZINK, ZZ
JOSEPH G. WICH, JR.
HENRY B. PECK, JB.
HERBERT R. D'CONOR, III
THOMAS W. TARLY
FRANK A. LAFALCE

623 4:11 **** CODE 3C1

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

> Re: Petition for Reclassification Southeast Side of Pulaski Highway Near Possville Boulevard, Johnson & Towers of Baltimere, Inc. Case No. R-80-73

Dear Mr. Reiter:

My client Johnson & Towers of Baltimore, Inc., desires to withdraw the above-referenced Petition for Reclassification.

Attached to this letter is a proposed Order of Dismissal. Please contact me if anything else is required to withdraw the Petition

Very truly yours,

JBH:ecd Enclosure

Enclosure
cc: William E. Hammond, Zoning Commissioner
cc: John W. Hessian, III, People's Counsel
cc: Johnson & Towers of Baltimore, Inc.

(with enclosure)

SALTIMORE JAN (III

FROM THE DIFFEE OF

GEOGRE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.

ENGINEERS

303 ALLEGHENY AVENUE TOWSON, MARYLAND 21204

Description to Accompany Coming Petition For Reclassification From Existing ML-CS-I Zone and ML-IM Zone to BR Zone #8641 Pulaski Highway

#8641 Pulaski Highway
For W. Bell & Company

Beginning for the same at a point which is South 43° 00'

16" West distant 2031 feet more or less from the intersection of t

16" West distant 2031 feet more or less from the intersection of the center line of Pulaski Highway (U.S. Route 40) and Rossville Boulevard, said point being on the southeasterly side of said Pulaski Highway, running thence the four following courses viz: (1) leaving said Highway South 45° 17' 53" East 420.97 feet, (2) South 47° 08' 00" West 13.49 feet, (3) South 68° 38' 30" East 13.53 feet and (4) South 47° 08' 06" West 447.37 feet to the easterly side of the Right-of-Way of the State Highway Administration interchange for 1-695 and Pulaski Highway, running thence binding on said Right-of-Way the three following courses viz: (5) North 13° 03' 00" West 164.14 feet, (6) North 27° 14' 00" West 257.93 feet and (7) North 37° 38' 36" Eas: 241.02 feet to the southeasterly side of said Pulaski Highway, thence binding thereon (8) North 44' 41' 07" East 48.40 feet to the place of beginning.

Containing 3.367 acres of land more or less.

This description is prepared from outline data by others and is intended for zoning purposes only.



March 28, 1979

IN THE MATTER OF THE PETITION
OF JOHNSON & TOWERS BALTIMORE,
INC., LEGAL OWNER, FOR
RECLASSIFICATION FROM AN
ML-CS-1 and MI-IM ZONE TO A
B.R. ZONE OF PROPERTY CONSISTING
OF 3.367 ACRES WITH IMPROVEMENTS,
KNOWN AS 8641 PULASKI HIGHWAY,
15th ELECTION DISTRICT,
BALTIMORE COUNTY, MARYLAND

BEFORE THE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

MEMORANDUM IN SUPPORT OF PETITION FOR RECLASSIFICATION

* * *

The subject property, consisting of 3.367 acres is located to the north of and contiguous to the exit ramp from I-695 (the Baltimore Beltway) for east bound (north bound) Pulaski Highway traffic. The terminus of the ramp coincides with access to the property in question. The properties to the north of the subject are zoned B.R. and improved by Luskins and Hechinger stores as well as other commercial uses. Located on the west side of Pulaski Highway, opposite those commercial uses and the subject property, is the Golden Ring Mall. The Mall property is zoned B.M..

For a number of years Johnson & Towers Baltimore,
Inc. has operated a truck and diesel engine repair facility at
the subject location but, due to the rapid emergence of
commercial uses surrounding its property, has found its continued
use restricted and incompatible with the present character
of the neighboring properties. The nature of Johnson & Towers

operations require the continual ingress and egress of trucktractors and other cumbersome vehicles from Pulaski Highway; and with access only at the terminus of a beltway ramp such vehicular movements are greatly impeded and dangerous. Moreover, in other respects an industrial use such as Petitioner's simply carnot be efficiently continued in a commercial area.

Johnson & Towers has secured a new location at the Chesapeake Industrial Park and has entered in agreements with the Contract Purchaser, W. Bell & Co., operators of retail stores, for the sale of its property.

Council erred by failing to designate the subject property

B.R. at the time of its adoption of the 1976 Comprehensive Land

Use Map. Had the Council carefully studied the area in question,
and the uses then in existence, logic and sound land use planning
would have mandated designation of the subject property as B.R..

Golden Ring Mall was developed under a "grandfather provision"

of M.L. zoning in the early 1970's. The uses of that property
were validated by the Council designating Golden Ring Mall B M.
on the 1976 Map; and the same considerations should have bee:
extended with respect to the subject property even though the
use was one permitted under an industrial zone.

Reclassification of the subject property is further mandated by the changes in the character of the neighboring

- 2

80-48 J.

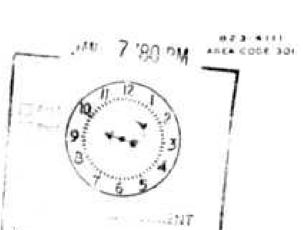
JAMES D. C. DOMNES
JAMES D. C. DOMNES
JAMES D. CODE
JOHN B. HOMMES
DAND D. DOMNES
DANDEL D. C. THALLY, JR.
JOHN C. MICH. JR.
HENTY B. PECT. JR.

THOMAS W CASS

G (P V

COOK, HOWARD, DOWNES & TRACY
A PHOTESTIONAL ASSOCIATION
210 ALLEGHENT AVENUE
P O BOX 5517
TOWSON, MARYLAND 21204

January 3, 1980



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

Re: Petition for Reclassification Southeast Side of Pulaski Highway Near Rossville Boulevard, Johnson & Towers of Baltimore, Inc. Case No. R-80-73

Dear Mr. Reiter:

My client, Johnson & Towers of Baltimore, Inc., desires to withdraw the above-referenced Petition for Reclassification.

Attached to this letter is a proposed Order of Dismissal. Please contact me if anything else is required to withdraw the Petition.

Very truly yours,

John B. Poward

JPH:ecd Enclosure cc: William E. Hammond, Zoning Commissioner cc: John W. Hessian, III, People's Counsel

cc: Johnson & Towers of Baltimore, Inc. (with enclosure)

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
January 15, 1980

John B. Howard, Esquire 210 Allegheny Ave nue Towson, Md. 21204

Re: Case No. R-80-73

Johnson & Towers of Baltimore, Inc.

Dear Mr. Howard:

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,

Edirh T. Eisenhart, Adm. Secretary

Encl.

cc: Johnson & Towers of Baltimore, Inc. W. Bell & Co. John W. Hessian, III, Esquire Mr. W. E. Hammond Mr. J. E. Dyer Mr. J. H. Hosweli

-3-

COUNTY BOARD OF APPRALS

ED:	Petition	a for hos	Localt	testion -	- Johnson	A Tenero of	Balton	Inc.
	23/5 of	Polostd.		1011 W	of Booms	lle Mys.		
	Cano No.	. 2-80-73						
		A HEREN THE STATE OF						

DATE:	Teachy, Beamber I., 1979
PLACE: ROC	M 218, COURTHOUSE, TOWSON, MATTLAND

Dracter a Cotter Or.

BEFORE THE

BALTIMORE COUNTY

COUNTY BOARD OF APPEALS

e/o Justin B. Callahan 12501 Twintrock Parkway Rockville, MD 20852

12/4/79 - POSTPONED IN OPEN HEARING - TO PE CONTINUED UNLESS DISMISSED

IN THE MATTER OF THE PETITION OF JOHNSON & TOWERS BALTIMORE, INC., LEGAL OWNER, FOR RECLASSIFICATION FROM AN ML-CS-1 and ML-IM ZONE TO A B.R. ZONE OF PROPERTY CONSISTING OF 3.367 ACRES WITH IMPROVEMENTS, KNOWN AS 8641 PULASKI HIGHWAY, 15th ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

MEMOPANDUM IN SUPPORT OF PETITION FOR RECLASSIFICATION

The subject property, consisting of 3.367 acres is located to the north of and contiguous to the exit ramp from I-695 (the Baltimore Beltway) for east bound (north bound)
Pulaski Highway traffic. The terminus of the ramp coincides with access to the property in question. The properties to the north of the subject are zoned B.R. and improved by Luskins and Hechinger stores as well as other commercial uses. Located on the west side of Pulaski Highway, opposite those commercial uses and the subject property, is the Golden Ring Mall. The Mall property is zoned B.M..

For a number of years Johnson & Towers Baltimore,
Inc. has operated a truck and diesel engine repair facility at
the subject location but, due to the rapid emergence of
commercial uses surrounding its property, has found its continued
use restricted and incompatible with the present character
of the neighboring properties. The nature of Johnson & Towers

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E HAMMOND ZONING COMMISSIONER

Keesshor 29, 1979

John B. Houned, Require 210 Alleghouy Avenue Townen, Haryland 2120i,

> RE: Potition for Reclassification SE/S Puleski Bay., 2031' SW of Receville Sive. Johnson & Towers of Balto., Inc. Once No. B-80-73

Dear Sir:

This is to advise you that \$31/9.33 is due for adverticing and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sondra Jones, Room 113, County Office Building, Towson, Maryland 2120h, before the hearing.

Very Cruly yours,

VILLIAM E. HAMMOND

Zoning Commissioner

WEH: sj

ce: V. Bell & Co. c/o Justin B. Cellehen 12L01 Twinbrock Parkway Rockville, ND 20852

operations require the continual ingress and egress of trucktractors and other cumbersome vehicles from Polaski Highway;
and with access only at the terminus of a beltway ramp such
vehicular movements are greatly impeded and dangerous. Moreover,
in other respects an industrial use such as Petitioner's
simply cannot be efficiently continued in a commercial area.

Johnson & Towers has secured a new location at the Chesapeake Industrial Park and has entered in agreements with the Contract Purchaser, W. Bell & Co., operators of retail stores, for the sale of its property.

Council erred by failing to designate the subject property

B.R. at the time of its adoption of the 1976 Comprehensive Land

Use Map. Had the Council carefully studied the area in question,
and the uses then in existence, logic and sound land use planning
would have mandated designation of the subject property as B.R..

Golden Ring Mall was developed under a "grandfather provision"
of M.L. zoning in the early 1970's. The uses of that property
were validated by the Council designating Golden Ring Mall B.M.
on the 1976 Map; and the same considerations should have been
extended with respect to the subject property even though the
use was one permitted under an industrial zone.

Reclassification of the subject property is further mandated by the changes in the character of the neighboring

ITEM NO. 11

PROPERTY OWNER: Johnson and Towers of Baltimore, Inc.
LOCATION: 5/E/S of Pulaski Highway, 2,031* 5/W of Rossville Boulevard
ACREAGE: 3.37
COUNCILMANIC DISTRICT: 6

RECOMMENDED DATE OF HEARING: Week of December 3, 1979
FUNCTIONAL CATEGORY: None

ZONING PRIOR TO ADOPTION OF 1976 COMPREHENSIVE ZONING MAP: M.L.-C.S. 1; M.L.-I.M.)
EXISTING ZONING: M.L.-C.S. 1; M.L.-I.M.
REQUESTED ZONING: B.R.

PLANNING BOARD RECOMMENDATION: Retain Existing Zoning (M.L.-C.S. 1; M.L.-I.M.)

The subject property, containing the engine repair facility of Johnson and Towers of Baltimore, is adjacent to the westbound access ramp from the Baltimore Beltway to Pulaski Highway. To the east are commercial establishments along the same side of Pulaski Highway; to the north, on the opposite side of Pulaski Highway, is Galden Ring Matt.

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

The State Highway Administration's representative on the Zoning Advisory Committee expressed concern over the traffic that would be generated by a commercial use in such clase proximity to the Beltway ramp. The Department of Traffic Engineering's representative on the Zoning Advisory Committee expressed the same concern and recommended "that no zoning change be made that would increase traffic generation from this site." The Planning Board agrees.

The petitioner, as provided for by County Council Bill No. 46-79, has chosen not to submit plans showing a specific use for the property; however, the petitioner's "Memorandum In Support Of Petition For Reclassification" states, in part, that "Johnson & Towers has secured a new location at the Chesapeake Industrial Park and has entered in agreements with the Contract Purchaser, W. Bell & Co., operators of retail stores, for the sale of its property." In view of the above, the Flanning Board is uncertain as to whether or not there is a specific use proposed for the subject site.

The Planning Board believes that the existing zoning is appropriate here and that the zoning map is correct. It is the Board's opinion that ample commercial opportunities have been provided for in the area.

It is therefore recommended that the existing zoning, M.L.-C.S.-1 and M.L.-I.M., be retained.

DR-16

DR-16

BL-CNS

BL-CNS

BL-CNS

ML

PML-IM

DR-16

ML-IM

MI-IM

M

LOCATION OF PROPERTY UNDER PETITION

SCALE 1" 1000"

GEORGE WILLIAM STEPHENS JR. & ASSOCIATES INC.
ENGINEERS
303 ALLEGHENY AVENUE TOP JON. MARYLAND 21204

Description to Accompany Joning Petition For Reclassification From Existing ML-CS-I Zone and ML-IM Jone to BR Jone #8641 Pulaski-Highway For W. Bell & Company

March 28, 1979

Beginning for the same at a point which is South 43° 00'

16" West distant 2031 feet more or less from the intersection of the center line of Pulaski Highway (U.S. Route 40) and Rossville Boulevard, said point being on the southeasterly side of said Pulaski nighway, running thence the four following rourses viz: (1) leaving said Highway South 45° 17' 53" East 420.97 feet, (2) South 47° 08' 00"

West 13.49 feet, (3) South 68° 38' 30" East 13.33 feet and (4) South 47° 08' 00" West 447.57 feet to the easterly side of the Right-of-Way of the State Highway Administration interchange for 1-695 and Pulaski Highway, running thence binding on said Right-of-Way the three following courses viz: (5) North 15° 03' 00" West 164.14 feet, (6) North 27° 14' 00" West 257.93 feet and (7) North 37° 38' 36" East 241.02 feet to the southeasterly side of said Pulaski Highway, thence binding thereon (8) North 44° 41' 07" East 48.40 feet to the place of beginning.

Containing 3.367 acres of land more or less.

This description is prepared from outline data by others and is intended for zoning purposes only.



properties that have occurred since adoption of the 1976 Map in that commercial uses have matured and other changes occurred to alter the character of the immediate area.

Additionally, there is an abundance of undeveloped industrially zoned land in relatively near proximity to the commercial area in which Petitioner's property is located.

Such properties are peculiarly well-suited by virtue of access and other considerations to accommedate industrial growth thus eliminating the rationale for continuation of M.L. zoning on the subject property.

For the above reasons, it is urged that the subject property be reclassified to B.R..

Respectfully submitted,

John B. Howard Attorney for Petitioner IN THE MATTER OF THE PETITION OF JOHNSON & TOWERS BALTIMORE, INC., LEGAL OWNER, FOR RECLASSIFICATION FROM AN ML-CS-1 and ML-IM ZONE TO A B.R. ZONE OF PROPERTY CONSISTING OF 3.367 ACRES WITH IMPROVEMENTS, KNOWN AS 8641 PULASKI HIGHWAY, 15th ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

BEFORE THE COUNTY BOARD OF APPEALS BALTIMORE COUNTY

MEMORANDUM IN SUPPORT OF PETITION FOR RECLASSIFICATION

* * * * *

The subject property, consisting of 3.367 acres is located to the north of and contiguous to the exit ramp from I-695 (the Baltimore Beltway) for east bound (north bound) Pulaski Highway traffic. The terminus of the ramp coincides with access to the property in question. The properties to the north of the subject are zoned B.R. and improved by Luskins and Hechinger stores as well as other commercial uses. Located on the west side of Pulaski Highway, opposite those commercial uses and the subject property, is the Golden Ring Mall. The Mall property is zoned B.M..

For a number of years Johnson & Towers Baltimore, Inc. has operated a truck and diesel engine repair facility at the subject location but, due to the rapid emergence of commercial uses surrounding its property, has found its continued use restricted and incompatible with the present character of the neighboring properties. The nature of Johnson & Towers

operations require the continual ingress and egress of trucktractors and other cumbersome vehicles from Pulaski Highway; and with access only at the terminus of a beltway ramp such vehicular movements are greatly impeded and dangerous. Moreover, in other respects an industrial use such as Petitioner's simply cannot be efficiently continued in a commercial area.

Johnson & Towers has secured a new location at the Chesapeake Industrial Park and has entered in agreements with the Contract Purchaser, W. Bell & Co., operators of retail stores, for the sale of its property.

It is respectfully submitted that the Baltimore County Council erred by failing to designate the subject property B.R. at the time of its adoption of the 1976 Comprehensive Land Use Map. Had the Council carefully studied the area in question, and the uses then in existence, logic and sound land use planning would have mandated designation of the subject property as B.R.. Golden Ring Mall was developed under a "grandfather provision" of M.L. zoning in the early 1970's. The uses of that property were validated by the Council designating Golden Ring Mall B.M. on the 1976 Map; and the same considerations should have been extended with respect to the subject property even though the use was one permitted under an industrial zone.

Reclassification of the subject property is further mandated by the changes in the character of the neighboring

properties that have occurred since adoption of the 1976 Map in that commercial uses have matured and other changes occurred to alter the character of the immediate area.

Additionally, there is an abundance of undeveloped industrially zoned land in relatively near proximity to the commercial area in which Petitioner's property is located. Such properties are peculiarly well-suited by virtue of access and other considerations to accommodate industrial growth thus eliminating the rationale for continuation of M.L. zoning on the subject property.

For the above reasons, it is urged that the subject property be reclassified to B.R..

Respectfully submitted,

John B. Howard Attorney for Petitioner

1 Stown

-3-

IN THE MATTER OF THE PETITION OF JOHNSON & TOWERS BALTIMORE, INC., LEGAL OWNER, FOR RECLASSIFICATION FROM AN ML-CS-1 and ML-IM ZONE TO A B.R. ZONE OF PROPERTY CONSISTING OF J. 367 ACRES WITH IMPROVEMENTS KNOWN AS 8641 PULASKI HIGHWAY, 15th ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

BEFORE THE COUNTY BOARD OF APPEALS BALTIMORE COUNTY

MEMORANDUM IN SUPPORT OF PETITION FOR RECLASSIFICATION

* * * * *

The subject property, consisting of 3.367 acres is located to the north of and contiguous to the exit ramp from I-695 (the Baltimore Beltway) for east bound (north bound) Pulaski Highway traffic. The terminus of the ramp coincides with access to the property in question. The properties to the north of the subject are zoned B.R. and improved by Luskins and Hechinger stores as well as other commercial uses. Located on the west side of Pulaski Highway, opposite those commercial uses and the subject property, is the Golden Ring Mall. The Mall property is zoned B.M..

For a number of years Johnson & Towers Baltimore, Inc. has operated a truck and diesel engine repair facility at the subject location but, due to the rapid emergence of commercial uses surrounding its property, has found its continued use restricted and incompatible with the present character of the neighboring properties. The nature of Johnson & Towers

operations require the continual ingress and egress of trucktractors and other cumbersome vehicles from Pulaski Highway; d with access only at the terminus of a beltway ramp such chicular movements are greatly impeded and dangerous. Moreover, in other respects an industrial use such as Petitioner's simply cannot be efficiently continued in a commercial area.

Johnson & Towers has secured a new location at the Chesapeake Industrial Park and has entered in agreements with the Contract Purchaser, W. Bell & Co., operators of retail stores, for the sale of its property.

It is respectfully submitted that the Baltimore County Council erred by failing to designate the subject property B.R. at the time of its adoption of the 1976 Comprehensive Land Use Map. Had the Council carefully studied the area in question, and the uses then in existence, logic and sound land use planning would have mandated designation of the subject property as B.R.. Golden Ring Mall was developed under a "grandfather provision" of M.L. zoning in the early 1970's. The uses of that property were validated by the Council designating Golden Ring Mall B.M. on the 1976 Map; and the same considerations should have been extended with respect to the subject property even though the use was one permitted under an industrial zone.

Reclassification of the subject property is further mandated by the changes in the character of the neighboring

-2-

properties that have occurred since adoption of the 1976 Map in that commercial uses have matured and other changes occurred to alter the character of the immediate area.

Additionally, there is an abundance of undeveloped industrially zoned land in relatively near proximity to the commercial area in which Petitioner's property is located. Such properties are peculiarly well-suited by virtue of access and other considerations to accommodate industrial growth thus eliminating the rationals for continuation of M.L. zoning on the subject property.

For the above reasons, it is urged that the subject property be reclassified to B.R..

Respectfully submitted,

John B. Howard Attorney for Petitioner

PETITION FOR RECLASSIFICATION

15th District

ZOMING: Petition for Reclassification from M.L.-C.S.1 to B.R.

Southeast side of Pulaski Highway, 2031 feet Southwest of

Rossville Boulevard

DATE & TIME: Tuesday, December 4, 1979 at 10:00 A.M. PUBLIC HEARING: Room 218, Courthouse, Towson, Maryland

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a public hearing:

> Present Zoning: M.L.-C.S.1 Proposed Zoning: B.R.

All that parcel of land in the Fifteenth District of Baltimore County

Being the property of Johnson & Towers of Baltimore, Inc., as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, December L. 1979 at 10:00 A.M. Public Hearing: Room 218, Courthouse, Toyson, Maryland

> BY ORDER OF WALTER A. REITER, JR., CHAIRMAN COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY



Maryland Department of Transportation

State Highway Administration

James J. O'Donnell M. S. Caltrider

April 30, 1979

Mr. Walter A. Reiter, Jr. Chairman, Board of Appeals County Office Bldg. Towson, Md. 21204

Ra: Zoning Cycle V, April, 1979 ITEM: #11 Property Owner: Johnson & Towers of Baltimore, Inc. Location: SE/S Pulaski Hwy. (Route 40) 2031' SW Rossville Existing Zoning: M.L.-C.S. 1 & M.L.-I.M. Proposed Zoning: B.R. Acres: 3.367

District: 15th

Dear Mr. Reiter:

GL:JEM:vrd

The plan indicates that the proposed zoning is for W. Bell & Company. We assume that this is the W. Bell catalogue discount store. If this is the case, we can anticipate considerable traffic to be generated by the development. As can be seen from the plan, the property is adjacent to the Baltimore Beltway ramp. With the narrow usable frontage on Pulaski Highway, the entrance must be located close to the ramp. This is an undesirable situation in any event. We are currently experiencing serious traffic problems in this area due to the close proximity of the Beltway to Golden Ring Mall, Hechinger's Building Supply and Rossville Blvd. The location of a large discount store at the subject site can only compound the problem.

Very truly yours,

Charles Lee, Chief Bureau of Engineering Access Permits

Aux L mayer By: John E. Meyers

My telephone number is (301) 383-4320

P.O. Box 717 / 300 Wrst Prestan Street, Baltimore, Maryland 21203

May 14, 1979

Comments on Item #11, Zoning Advisory Committee Meeting for Cycle Y,

Property Cemers Johnson & Yowers of Baltimore, Inc.
Locations SE/S Pulment they. 2031' SV Ros wills Blvd.
Existing Zonings M.L.-C.S. 1 & H.L.-I.M.
Proposed Zonings B.R.

The Zoning Plan, as submitted, does not include enough information to enable the Paltimore County Department to make complete comments.

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.

Very /traily/house/

Ern J. Ferrest, Acting Director BURRAU OF ENVIRONMENTAL SERVICES

IJF/JRP/ftb

ont W. L. Phillips

Bahmad.

DATE & TIME: Tunchy. December 4, 1979 a 1980 AM.
PUBLIC HEARING: Ress 218.
Conthern, Totals Market.

The County Band of Appair for

Pount Zoning ML CS.1
Prepared Zoning RFC.
All the pured of hand in the Filments
District of Billiouse County.
Beginning for the count of a point which is
Such 47° 80° 16° West channe 26.31 for

Such 47' 80' 16" Wat dates 22.31 bet man of his han the interestion of the cover har of Pulsaki Highway (LIS. Rune: 60) and Prescribe Brahmad, avid paint lensing on the anadomnely side of mid Pulsaki Highway, nameng desper the face following course vice (1) having until Highway Sands 45' 17' 53" Eart 420.97 feet. (2) Sands 47' or with War 13.47 feet (3) Sands 47' 98' 30" Eart 13.33 feet and (4) Vinets 47' 98' 50" Wart 447.37 feet in the cannels, which of the Raghed-Way of the Sand-Shakar. Administration interchange to \$65')

Coming 1067 are of had now or

Bring the property of Johann & Towns of Misseum, Inc., or denote up Play plan Bed with the Zenting Department. History Date Turnely, Dic. 4, 1979 or 10 A.M.

Public Housing Room 218. Combon comm. Marriand

CERTIFICATE OF PUBLICATION

OFFICE OF Dundalk Eagle

38 N. Dundalk Ave. Dundalk, Md. 21222 November 30, 19 79

THIS IS TO CERTIFY, that the annexed advertisement of Walter Reiter , Jr. chairman County Board of Appeals of Balto County was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once asweeks 1970; that is to say, 16th day of November.

November 15,1979

the same was inserted in the issuescof

Kimbel Publication, Inc.

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

cc: George W. Stephens & Assoc. 303 Allegheny Avenue Towson, Maryland 21204

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 16th day of May 571979.

S. ERIC DI NENNA Zoning Commissioner

Petitioner Johnson & Towers of Baltimore, Inc. Petitioner's Attorney Howard

Reviewed by Vicke & Commodari Chairman, Zoning Plans

Advisory Committee

Posted for: Letellier for Reclassification

Petitioner: Johnson & General Baltemens Inc.

Location of property: 56 15 Cularhi Lung , 2031 500

Lasswille Blad Location of Signs: front of property Gering Pulashe right

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., occa in each of one time successive weeks before the http

Cost of Advertisement, 2

PRITITION FOR MICE ASSESSATION 15th Photos ZONNG: Poster for Reclamination from ML - CSJ to BR. LOCATION: Statement of Public Highway, 2001 for Statement of Resports Badework. DATE & 1982; Tuesday, December 1989; 1989; A. L.

PUBLIC HEARING: Rose 218 Person Zering N.L.CS.1
Personal Zering N.L.CS.1
Personal Zering RR.
All that pared of lart in the Filterals
Dates of Relicente County.
Beginning for the ware at a point which is
South 43° 00° 16° West chains 2011 foret
one or has fine the interaction of the center
law of Pubula Highway (U.S. Reans 40)
and Remethe Rashward, and prior being on
the contemporal with all and D.L.L.I.

36" 30" Fast 13.33 her and (4) South 47" 36" 00" West 447.37 her to the mately ade of the Righted Way of the South Highway Administration in Jump to 1995 and Polishi Highway, naming theme breaking on and Righted Way for their following names vis. (5) Nigh 13° 0010° Wise 164.14 feet, 66 Nigh 27° 14° 00° Wise 257.93 feet and (7) Nigh 37° 38° 36° East 241.02 for to be authority side of mil. Public Highway, donce hinden forces (9) Note 4P 41' 07" East 48.40 for to be place of leadings Containing 3,367 wors of land rease or Bing to prepare of Johan & Town of Bilineau, Inc., in shown in Plat plan Unit oth the Zoning Department. Housing Date: Turnsby, Dec. 4, 1979 at 10 A.M.

CERTIFICATE OP PUBLICATION

THE JEFFERSONIAN.

OFFICE OF Dundalk Eagle

38 N. Dundalk Ave. Dundalk, Md. 21222 Nov. 26, 19 79

THIS IS TO CERTIFY, that the annexed advertisement of Walter Reiter, Jr. Chairman Balto.County Board of Appeals in matter of petition by Johnson & Towers The Dundalk Eagle a weekly newswas inserted in paper published in Baltimore County, Maryland, once in week 19 79; that is to say, Movember.

the same was inserted in the issums of November 15,1979

Kimbel Publication, Inc.

CHAEA MO

 \Diamond GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC. THE PROPERTY OF THE PERSON NAMED AND POST OFFICE ADDRESS OF THE PERSON NAMED AND PARTY. ENGINEERS & LAND SURVEYORS 303 ALLEGHENY AVE TOWSON, MARYLAND 21804 MH-IM

윤 , 162 , 162 , 181 , 181 , 1 원 , 181 , 181 , 181 , 181 , 181 , 181 , 181 , 181 , 181 , 181 , 181

BALTIMORE COUNTY, MARYLAND No. 83263

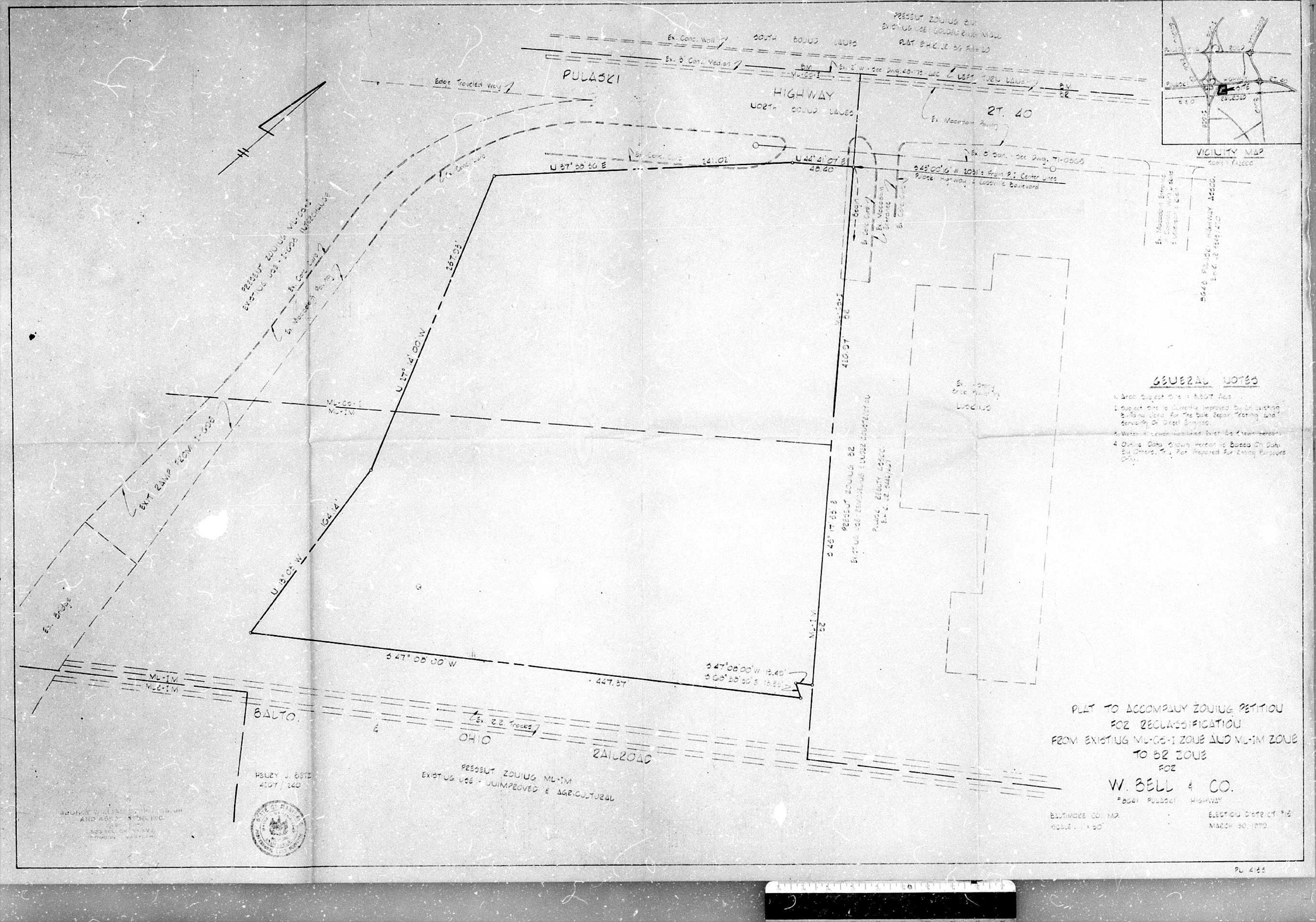
OFFICE OF FINANCE DEVENUE DIVISION MISCELLANEOUS SH RECEIFT

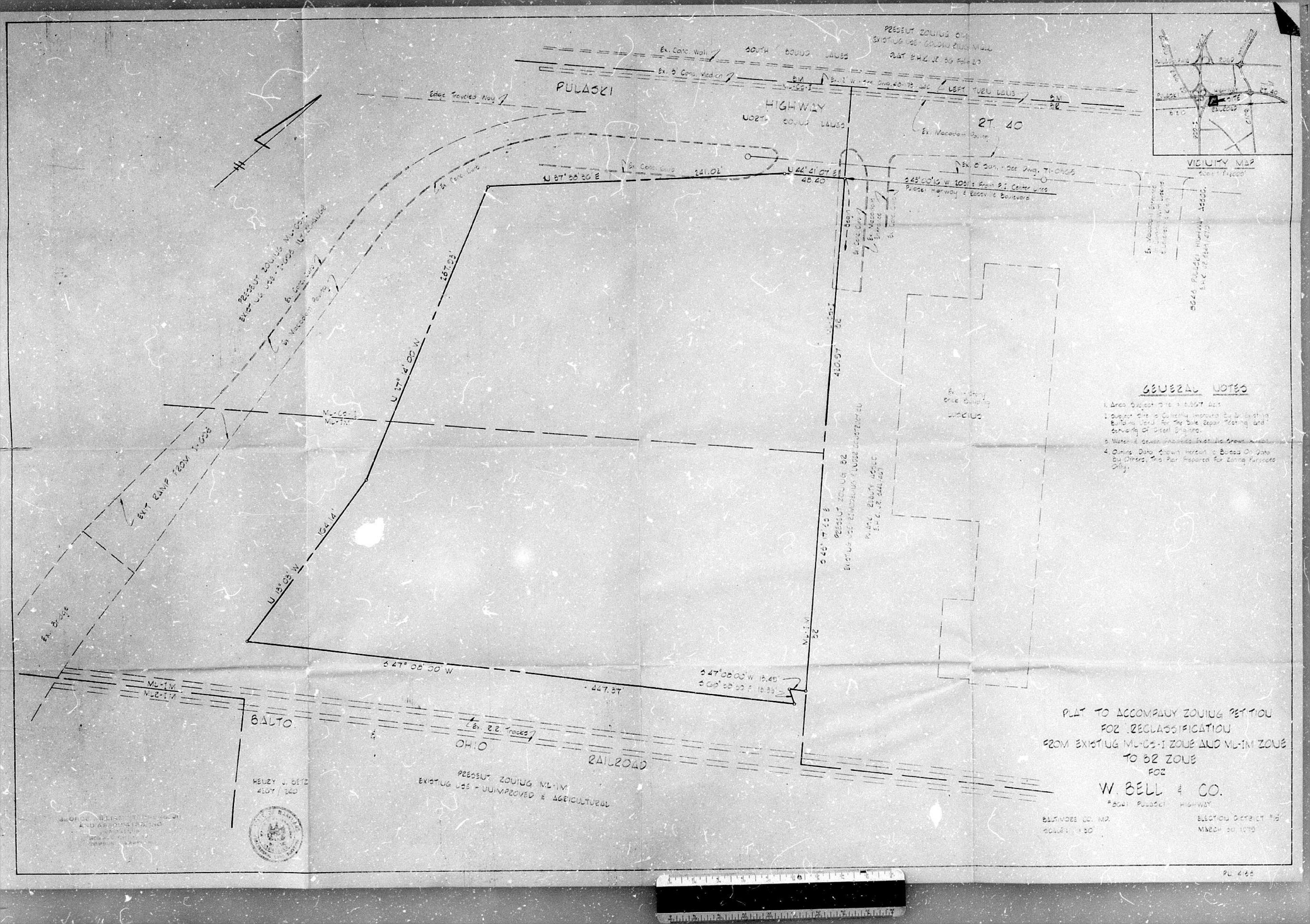
DATE November 5, 1979 ACCOUNT 01-660

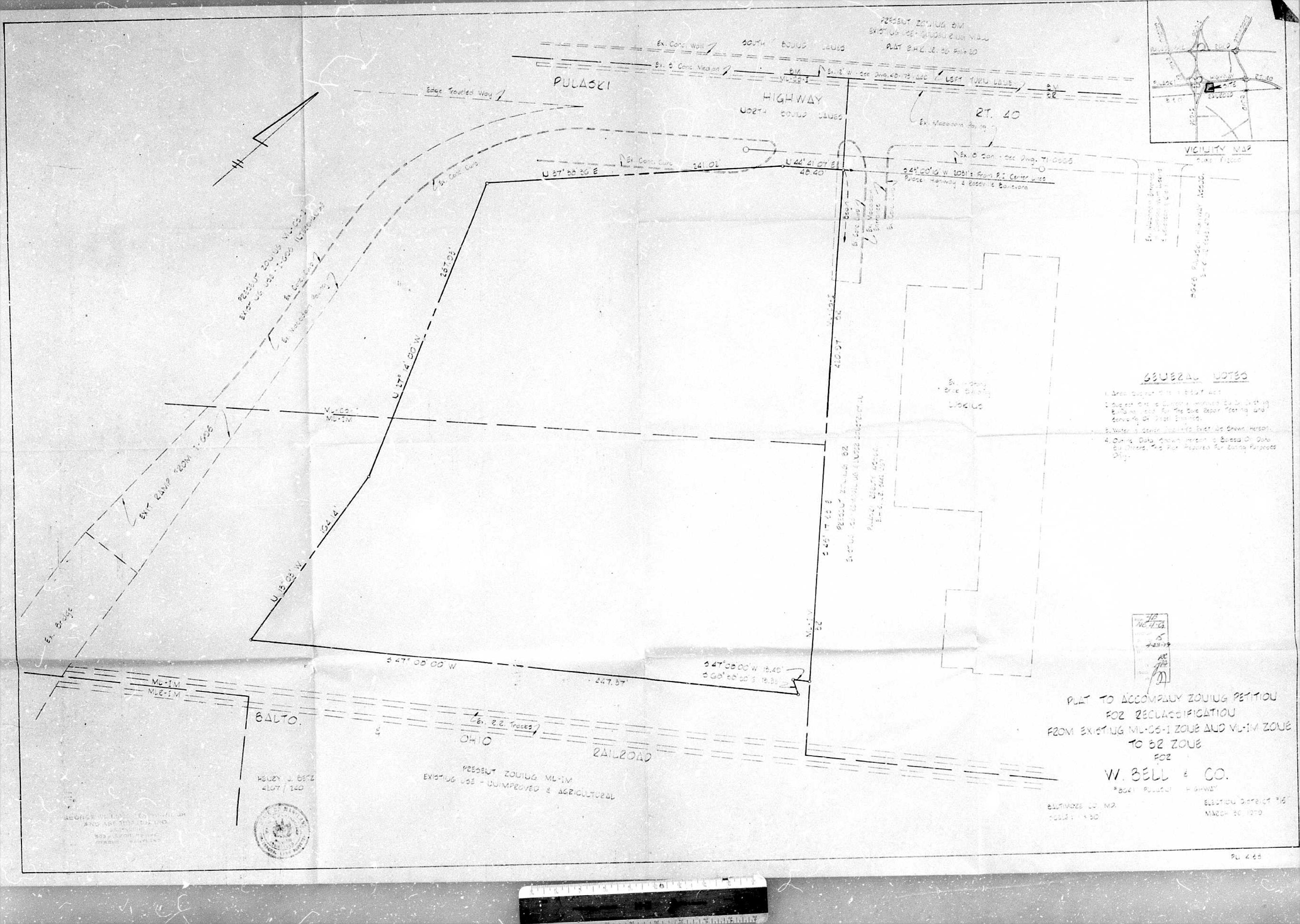
AMJUNT \$50.00 FROM John B. Howard, Esquire-FOR Filing Fee for Case No. B-80-73

182638W 7 VALIDATION OF SIGNATURE OF CASHIER

50,000

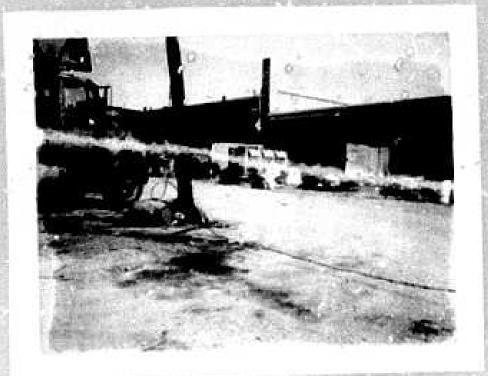


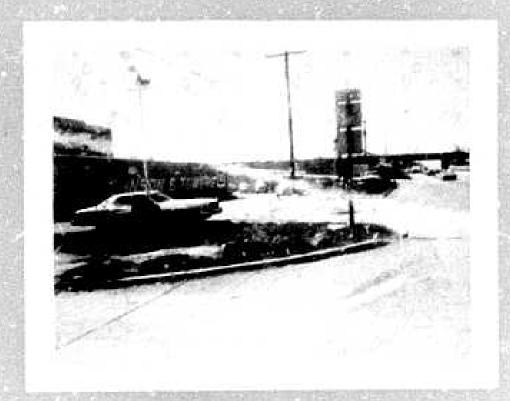












LAW OFFICES OF

NOLAN, PLUMHOFF & WILLIAMS

JAMES D. NOLAN J. EARLE PLUMHOFF NEWTON A. WILLIAMS WILLIAM M. HESSON, JR. THOMAS ... RENNER STEPHEN J. NOLAN WILLIAM P. ENGLEHATT, JR 204 WEST PENNSYLVANIA AVENUE

TOWSON, MARYLAND 21204 ANEA CODE 301 TELEPHONE 008(-059

July 27, 1979

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

> Re: Fifth Cycle, Item No. 9, Mr. and Mrs. Irvin F. Hawkins, Northeast Corner of Pulaski Highway and Middle River Road. WITHDRAWAL OF REDISTRICTING CASE IN FAVOR OF COMPREHENSIVE MAPPING REQUEST FOR B.R. ZONING FOR THE HAWKINS PROPERTY.

Dear Chairman Reiter:

After thoroughly discussing this case with our clients the Hawkins, their engineer, Mr. Paul Lee, and their realtor Mr. Mark Segall, it has been decided to withdraw the pending request for a redistricting from C.S. 1 to I.M., in favor of a comprehensive map request which has been filed for B.R. zoning.

The real need of this long established commercial property, as well as the other three corners at Middle River and Pulaski Highway, is for appropriate B.R. commercial zoning. We were very gratified to see that the Planning Board, in its official comment on Item No. 9 to the Board, recommended that "consideration should be given to the appropriateness of commercial zoning for the subject property and several adjacent properties during the upcoming comprehensive zoning map process."

Preliminary conversations with the Planning Staff indicate that favorable consideration will be given to such a recommendation to the Planning Board.

BALTI MORE COUNTY ZONING PLANS ADVISORY COMMITTEE

CUNTY OFFICE BLAG. 11 W. Chesapeake Ave. Towson, Maryland 21204

000 sicholas P. Commodari Chairman

MEMBERS

bureau of

Inquosering Department of Traffic Engineering State Foats Commission

Buteau of Fire Prevention Health Department Project Planning Building Department board of Education Zoning Administration tedustrial.

Development

Newton A. Williams, Esquire 204 West Pernsylvania Avenue Towson, Maryland 21204

> RE: Item No. 9 - Cycle V Petitioner - Hawkins Special Exception/Redistricting Petition

Dear Mr. Williams:

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.

May 21, 1979

As a result of your client's proposal to convert the existing vacant building on this site to a service garage use, this Redistricting/ Special Exception is required. This petition was originally submitted with this office to be heard by the Zoning Commissioner (Item No. 184, 1978-79), but because of the controversy surrounding this request, it was decided to include it in the current Zoning Cycle.

Because this petition represents a combination hearing, including a Special Exception for a service garage, it is the position of this office that the plans should comply in all respects with Section 2-40.1(1) of the Baltimore County Code. This decision is based on the fact that Subsection (p) of the aforementioned Section indicates that the Board of Appeals shall have original jurisdiction for the purpose of hearing and deciding petitions for Special Exceptions and/or Variances, the granting of which is dependent upon the Reclassification, or in this case, Redistricting, of the property involved in the petition. If you wish to consider these requests separately, the Redistricting would have to be first heard by the Board of Appeals and the Special Exception request would then have to be heard before the Zoning Commissioner or his Deputy. Notwithstanding the above, it was your decision to have the petition processed as submitted.

Page two - Walter A. Reiter, J. - July 27, 1979

Accordingly, without prejudice to the rights of our clients, we wish to withdraw the pending Petition for a redistricting to an I.M. District, in favor of the pending map request, which has been filed and has been identified as property or Item No. 5-8.

Thanking the Board and its Staff as well as other interested Agencies for their attention to this matter, and awaiting an Order of Dismissal Without Prejudice from the Board, and asking that the advertisements placed in the public press be marked "withdrawn", I am

Respectfully,

Newton a. Williams

Newton A. Williams

cc: Jack W. Hessian, III People's Counsel County Office Building Towson, Md. 21204

> James E. Dyer, Zoning Supervisor Office of the Zoning Commissioner County Office Building

David C. Flowers Northeast Area Planner Office of Planning and Zoning Courts Building Towson, Md. 21204

Nicholas Commodari, Chairman Zoning Advisory Committee Office of the Zoning Commissioner

Ms. Sandra Jones Office of the Zoning Commissioner

Mr. and Mrs. Irvin F. Hawkins 930 Middle River Road Baltimore, Maryland 21220

Mark S. Segall, President Trout & Fox Five East Redwood Street Baltimore, Md. 21202

Paul Lee, P.E. Paul Lee Engineering, Inc. 304 W. Pennsylvania Avenue Towson, Md. 21204

> Item No. 9 - Cycle V Page Two May 21, 1979

This petition will be accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be between September I and December 31, 1979 will be forwarded to you well in advance.

Zoning Plans Advis .. y Committee

NBC/sf

cc: Paul Lee Engineering, Inc. 304 W. Pennsylvania Avenue Towson, Maryland 21204

BALTIMORE COUNTY ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENT'S

THORNTON M. MOURING, P.E. DIRECTOR

battimore county department of problic works

TOWSON, MARYLAND 21204

May 2, 1979

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

> Re: Item #9 (Cycle V-April - October 1979) Property Owner: Irvin F. & Dorothy E. Mawkins N/W cor. Pulaski Hwy. & Middle River ad. Existing Zoning: M.L.-C.S. 1 Proposed Zoning: M.L.-I.M. with a Special Exception for a service garage (Sec Item No. 184) Acres: 1.4 District: 15th

Dear Mr. DiNenna:

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

General:

The comments supplied ir conjunction with the Zoning Advisory Committee review of this property for Item 184 (1978-1979) are valid and applicable to this Item 9 of Zoning Cycle V (April - October 1979).

This office has no further comment in regard to the plan submitted in connection with this Item 9 of Zoning Cycle V (April - October 1979).

Very truly yours,

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

END: EAM: FWR: 85

cc: J. Trenner J. Somers

M-SE Key Sheet 21 NE 31 Pos. Sheet NE 6 H Topo 82 Tax Map

204 W. Pennsylvania Avenue Towson, Maryland 21204

Petitioner Hawkins

Newton A. Williams, Esquir

cc: Paul Lee Engineering, Inc. 304 W. Pennsylvania Avenue Towson, Maryland 21204

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

S. ERIC DI NENNA Zoning Commissioner

Petitioner's Attorney N. Williams Reviewed by Nickla & Commelle Nicholas B. Commodari Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Nicholas B. Commodari TO Zoning Advisory Committee Date May 4, 1979 James D. Lucas, Jr., Birector

FROM Industrial Development Commission

SUBJECT Property Owner: Tryin F. & Dorothy E. Hawkins Location: NW/C Pulaski Hwy. & Middle River Rd. Existing Zoning: M.L.-C.S.

Proposed Zoning: M.L.-I.M. with a Special Exception for a service garage (See Item No. 134)

No comment.

JDL: my:

James J. O'Donnell Secretary M. S. Caltrider

Mr. Walter A. Reiter, Chairman Board of Appeals County Office Bldg. Towson, Md. 21204

Re: Zoning Cycle V, April, 1979 ITEM: 39 Property Owner: Irvin F. & Dorothy L. Hawkins Location: NW/C Pulaski Hwy. (Route 40) & Middle River Rd. Existing Zoning: M.L.-C.S. 1 Proposed Zoning: M.L.-I.M. with a Special Exception for a service garage (See Item No. Acres: 1.4 District: 15th

April 30, 1979

Dear Mr. Reiter:

The proposed use will have no adverse effects on the State highway, however, the plan must be revised to indicate curb along the State right of way line between the east entrance and the east property line, as mentioned in our previous comments (Item No. 184).

Very truly yours,

Charles Lee, Chief Bureau of Engineering Access Termits

CL:JEM:vrd

By: John E. Meyers

My telephone number is (301) 383-4320

P.O. Box 717 / 300 West Preston Street, Bartimore, Maryland 21203

battimore country fire department TOWSON, MARYLAND 21204 (501) 825-7310

Paul H. Reincke

May 22, 1979

Office of Planning and Zoning Baltimere County Office Bailding Torson, Maryland 21204

Attention: N. Commodari, Chairman Zoning Advisory Committee

Ro: Property Omor: Irvin F. & Dorothy E. Hawking Location: NW/C Pulas i Hwy. & Middle River RG.

Item No. 9

Zoning Agenda Cycle V

Gentlamen:

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 accordance with Baltimore County Standards as published by the
- () 2. A second means of vahicle access is required for the site.
- () 3. The vehicle dead and condition shown at _____

- () 4. The site shall be made to comply with all applicable parts of the
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protoction Association Standard No. 101 "Life Safety Code", 1976
- () 6. Site plans are approved as drawn.

-22-79 Approved:

battimore county office of planning and zoning TOWSON, MARYLAND 212M

LESLIE H. GRACE

May 29, 1979

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

Dear Mr. Reiter:

Comments on Item #9, Zoning Cycle V, April 1979, are as follows:

Property Owner: Irvin F. and Dorothy E. Hawkins Location NW/C Pulaski Highway and Middle River Road Existing Zoning: M.L.-C.S.1 Proposed Zoning: M. L.-I.M. with a Slecial Exception for a service garage (See Sem #184) Acres: 1.4 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.

If the petition is granted a detailed site pian must be submitted to this office before any building permit applications will be approved.

Very truly yours,

Current Planning and Development

baltimore county office of planning and zoning TOWSON, MARYLAND 21704

LESUIE H. GRAEF

April 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. DiNerma:

District 15th

battimore county

department of health

TOWSON, MARYLAND 21204

Mr. S. Eric DiNenna, Zoning Commissioner

Office of Planning and Zoning

County Office Building

Towson, Maryland 2120b

13. 1979, are as follows:

Location:

Acres:

IJF/JRP/fth#

cc: W. L. Phillips

District:

Property Owner:

Existing Zoning:

Proposed Zoning:

Dear Mr. DiNenna:

DONALD J. RCCP, M.D., M.P.H.

DEPUTY STATE AND COUNTY HEALTH OFFICER

Comments on Item #184, Zoning Advisory Committee Meeting, March 13, 1979, are as follows:

Property Owner: 14vin F. Hawkins Location: NW/C Pulaski Highway and Middle River Road Existing Zoning: M.L.-C.S.1 Proposed Zoning: Redistricting from C.S. 1 to I.M. and Special Exception for a service Acres: 1.4

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.

Screening must be provided for the storage of damaged and disabled vehicles in accordance with Section 405A of the Zoning Regulations. Landscaping should be provided.

The driveway on Middle River Road nearest Pulaski Highway should be closed.

Very truly yours,

Apr: 1 17, 1979

Comments on Item #184, Zoning Advisory Committee Meeting of March

NW/C Pulaski Hwy. & Middle River Rd.

Exception for a service garage.

Metropolitan water and sever exist. An abandoned dug well and septic

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.

Redistricting from C.S. 1 to I.M. and Special

Very truly yours,

Ian J. Forrest, Acting Director

BUREAU OF ENVIRONMENTAL SERVICES

MILLEXIA

Irvin F. Hawkins

M.L.-C.S. 1

15th

system still exist on the property and must be properly backfilled.

Planner III

Current Planning and Development

battimore ucunity department or permits and licenses TOWSON, MARYLAND 21204

JOHN D. SEYFFEAT

April 24, 1979

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

Deer Mr. DiNanna:

Acres:

Districts

Comments on Item # 9 Zoning Advisory Com.ittee Meeting, CYCLE V are as follows:

Property Owner: Irvin F & Dorothy E. Hawkins INC Pulaski Highway & Middle River koad

Existing Zoning: M.L. - C.S. 1
Proposed Zoning: M.L. - I.M. with a Special Exception for a service garage (See Item No. 184)

15th

The items checked below are applicable:

- 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 agrd and other applicable codes.
- 3. A building permit shall be required before construction can begin. X C. Additional _____Permits may be required.
- X 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 maybe required to file an application for a building permit.
- G. Wood frame walls are not permitted within 3'0" of a property line. Contact Bullling 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 Section ______
- XJ. Comment: Existing building is not indicated on drawings and shall be s bjected to future comments.

Charles E. Burnham Plans Review Chief

CEB: rrj



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

May 14, 1979

Mr. Walter Reiter, Chairman Board of Appeals Court House Towson, Maryland 21204

Dear Mr. Reiter:

Comments on Item #9, Zoning Advisory Committee Meeting for Cycle V, are as follows:

> Property Owner: Irvin F. & Dorothy E. Hawkins NW/C Pulacki Hwy. & Middle River Rd. Location:

Existing Zoning: M.L.-C.S. 1 Proposed Zoning: M.L.-I.M. with a Special Exception for a service

garage (See Item No. 184) Acres:

15th District: The Zoning Plan, as submitted, does not include enough information

to enable the Baltimore County Department of Health to make complete comments. Metropolitan water and sewer exist. An abandoned dug well and septic

system still exist on the property and must ce properly backfilled.

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.

Ian J. Forrest, Acting Director BUREAU OF ENVIRONMENTAL SERVICES

IJF/JRP/ith

oc: W. L. Phillips

bottimore county department of traitic engineering TOWSON, MARYLAND 21204 13011494-3560

ly 3, 1979

Mr. Walter A. Roiter, Jr. Chairman, Board of Appeals Court House

Location:

STEPHEN E. COLLINS

DIRECTOR

Towson, Maryland 21204

- ZAC - Cycle V Irvin F. & Dorothy ". Hawkirs Property Owner: NW/C Palaski Swy. & Middle Biver Bd. Existing Zoning: M.L.-C.S.1 Proposed Zoning: M.L.-I.F. with a Special Exception for

a service garage (See Item No. 184)

Acres District:

0.4 15th

Dear Mr. Reiter:

No increase in traffic generation is expected by the requested redistricting to M.L.-I.M. and Special Exception for a service garage.

> Very truly yours, Michael 10 Thomas in Michael S. Flanigan

MSF/hmd

MSF/hm1

Engineer Associate II

() 7. The Fire Provention Burnau has no comments, at/this time.

Department of Public Morks.

EXCERNS the maximum allowed by the Fire Department. Fire Prevention Code prior to occupancy or beginning of operations.

Edition prior to occupancy.

Noted and Alegiac Mil Organish

Fire Provention Bureau

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 30. 1979

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

Z.A.C. Meeting of: Cycle V

RE: Item No: 9 Property Owner: Irvin F. & Dorothy E. Hawkins
Location: NN/C Pulaski Bwy. & Middle River Rd.
Present Zoning: M.L.C.S. 1
Proposed Zoning: M.L.-I.M. with a Special Exception for a service garage (See Item No. 184)

District: 15th No. Acres: 1.4

Dear Mr. DiNenna:

No effect on «tudent population.

Very truly yours,

a hickory W. Nick Petrovich, Field Representative

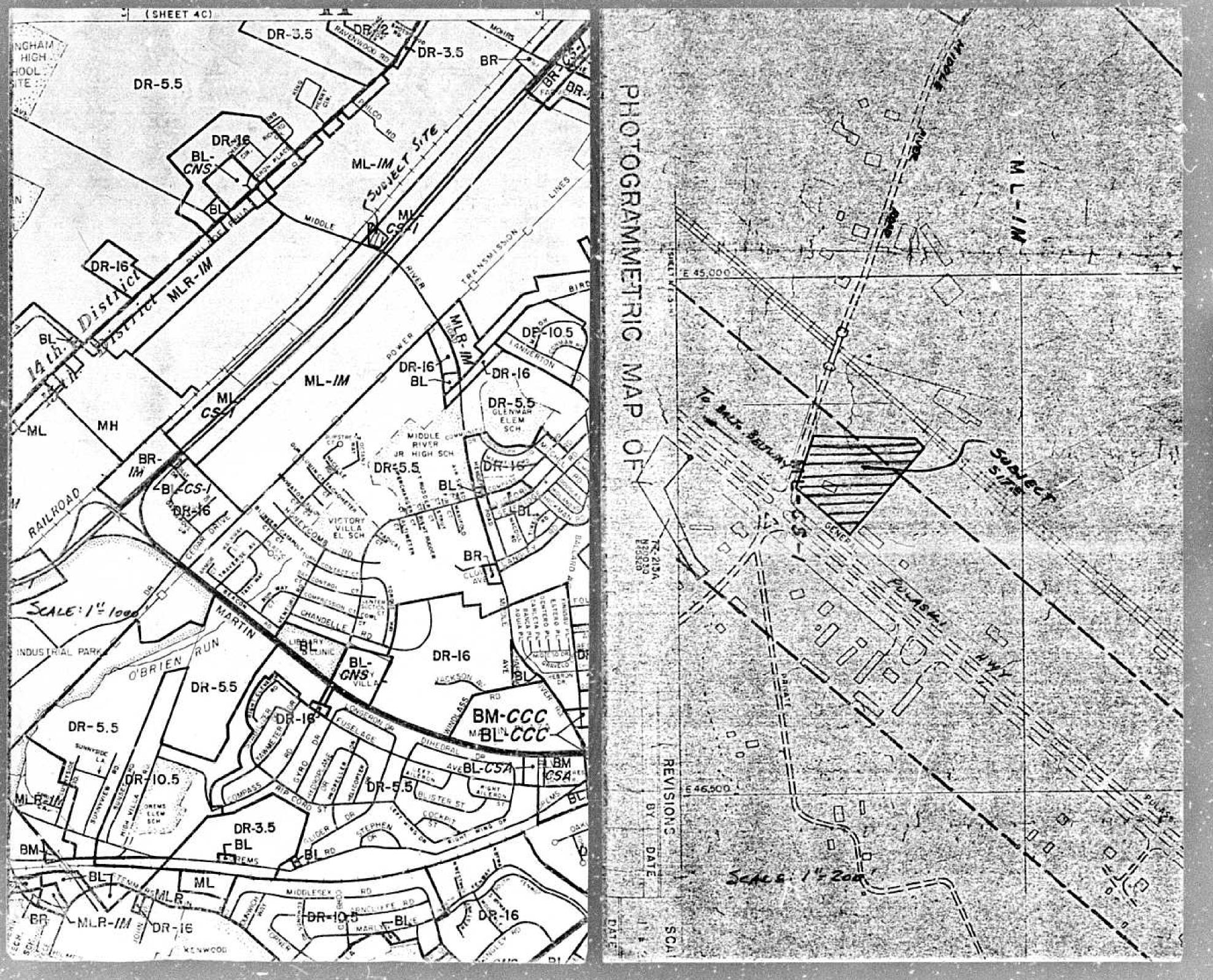
WNP/bp

JOSEPH N. MCGOWAN, PHENDENT T. BAYARD WILLIAMS, JR., VICE-PRESIDENT MANCUS M. MOTESCH

THOM: H. BOYER MRS. LONRAINE F. CHINCUS HOGER E. HAYDEN

ALVIN LORELS MRS. MILTON B. BMITH, JE. MICHARO W. TRACET, D.V.M.

BOBERT Y. DUUEL succentingent



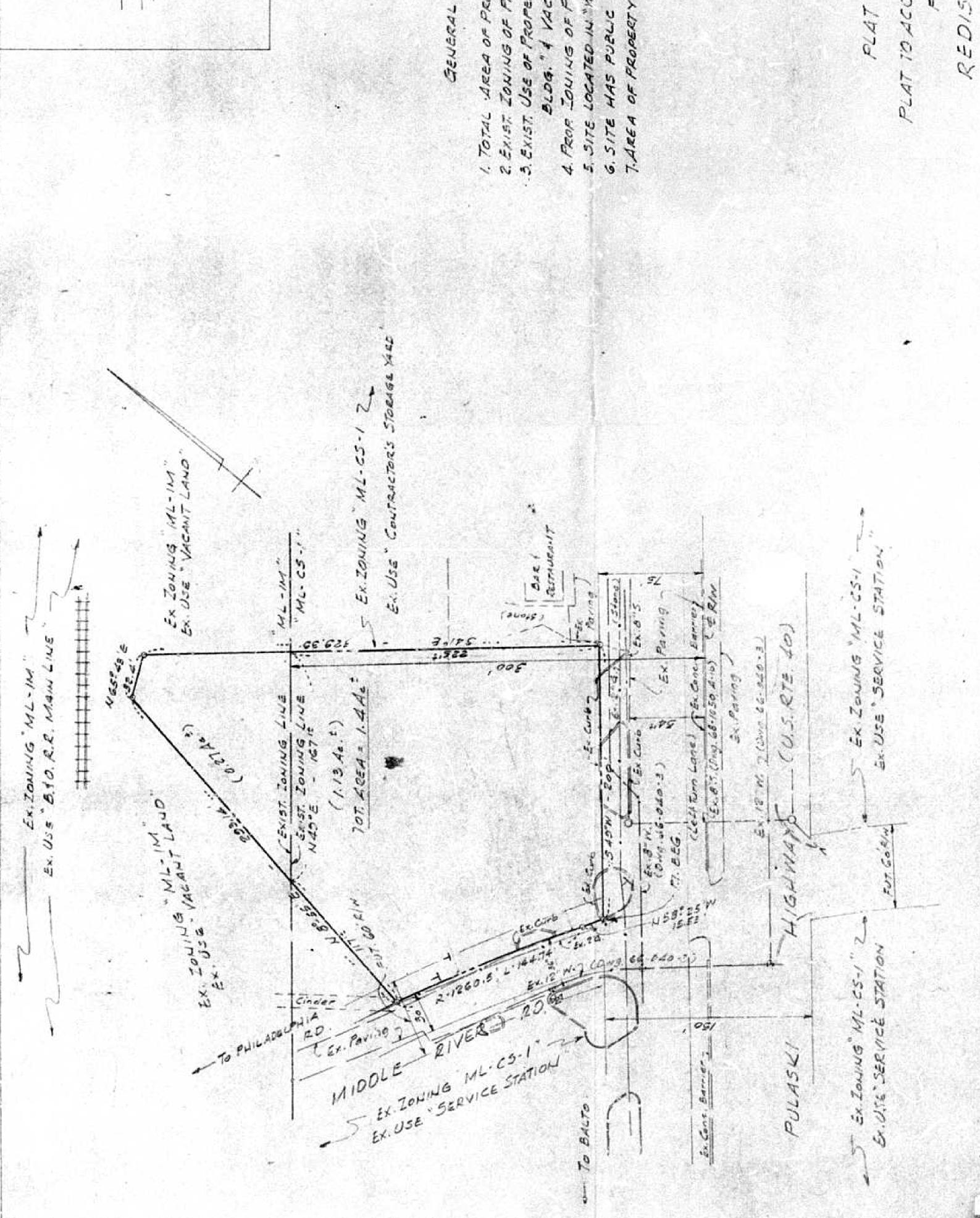
No. 83208 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE September 26, 1979 ACCOUNT 01-662 AMOUNT \$50.00 FROM Newton A. Williams, Decuire

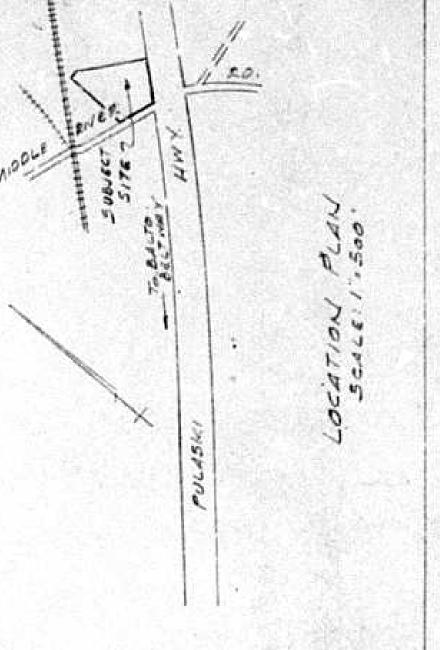
FOR Piling Fee for Case No. E-50-73

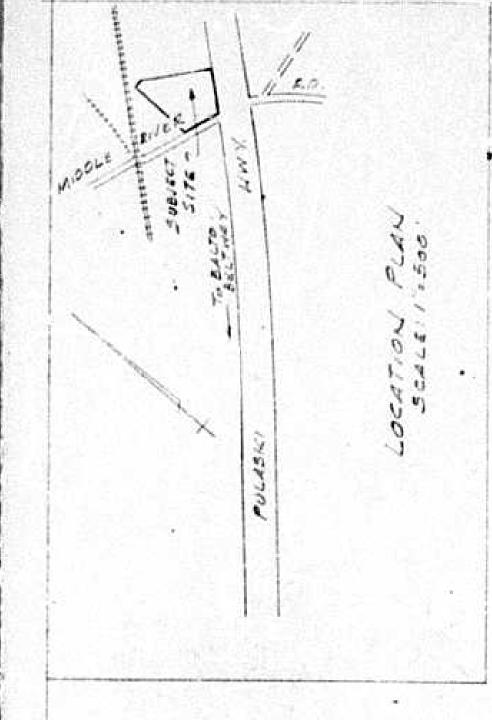
681 7 78 SE 26

50,00 msc

VALIDATION OR SIGNATURE OF CASHIER





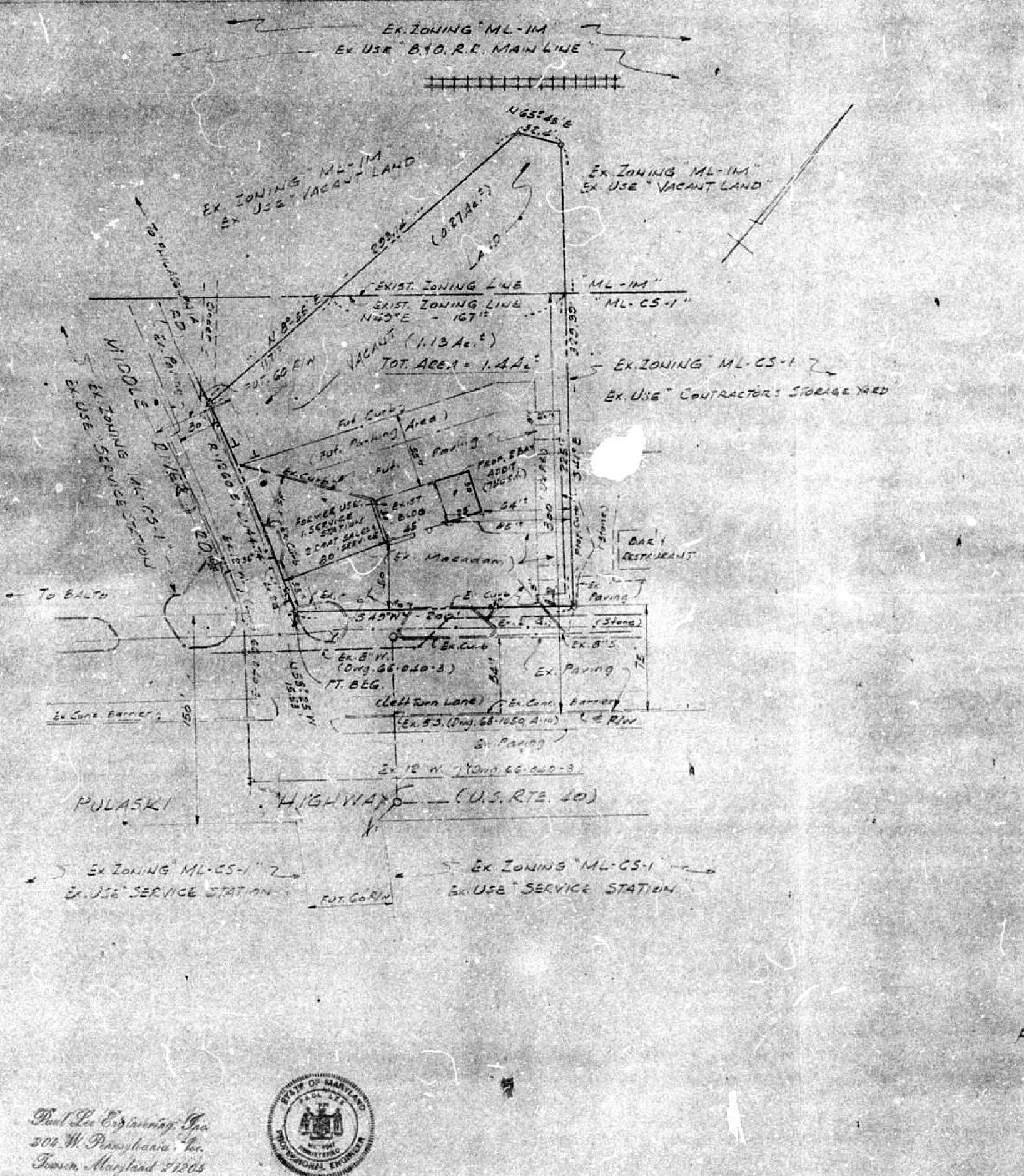


20 26 24 22 20 18 16 14 12 17 6 24 26 29 30

EX. USE SERVICE STA







FULASKI HWY.

LOCATION PLAN

· GENERAL NOTES

1. TOTAL AREA OF PROPERTY . 1.4 ACRES "

2. EXIST. ZONING OF PROPERTY - "ML-CS.1" & ML-IM"

3. EXIST, USE OF PROPERTY! VACAUT BOAT SALES & SERVICE
BLOG. " & VACAUT LAND

4. PROP ZOWING OF PROPERTY: ML-IM WITH SPECIAL EXCEPTION

S. PROP. USE OF PROPERTY . SERVICE GARAGE & ASSOCIATED

G. OFF-STREET PARKING DATA:

A. AREA OF EXIST. BLOG. : 1350 S.F. REQUIRING 4.5 SPACES (1300 SF).

B. AREA OF 2. BAY ADDIT : 750 S.F. REQUIRING 2.5 STACES (1300 S.F.)

C. TOTAL SPACES REQUIRED - 7

D. TOTAL SPACES PROPOSED : 16 (INCL. 4 M SERVICE BA . 5)

E. FUTURE PARKING : 18 SPACES

PLAT 2 OF 2 PLAT TO ACCOMPANY PETITION

SPECIAL EXCEPTIONS
OF PROPERTY AT

PULASKI HIGHWAY & MIDDLE RIVER ROAD

15 TH ELECT DIST. SCALE: 1's 50' BALTIMORE COUNTY, MO. APRIL 23, 1979

APR 24 '79 AN

