

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 situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an _____ D15.5 _____ zone to an _____ SM _____ 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, for _____

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:

SEE ATTACHED SCHEDULE

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 County.

Contract Purchaser:

C. MICHAEL LONGO
(Type or Print Name)

C. Michael Longo
Signature

7808 HARFORD ROAD
Address

BALTIMORE, MARYLAND, 21234
City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Address

City and State

Phone No.

Address

City and State

Phone No.

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City and State

Legal Owner(s):

ANNA H. SUTTON
(Type or Print Name)

Anna H. Sutton
Signature

ANNA H. SUTTON
(Type or Print Name)

Signature

Address

City and State

Phone No.

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BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 30, 1981

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

000
Nicholas B. Conzolari
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

Mrs. Anna H. Sutton
1507 E. Fort Avenue
Baltimore, Maryland 21230

RE: Item No. 18 - Cycle No. II
Petitioner - Anna H. Sutton
Reclassification of Lot 18

Dear Mrs. Sutton:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the October 1981 - April 1982 reclassification cycle (Cycle II). It has been reviewed by the zoning office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee. The review and comments from the Committee are intended to provide you and the Board with an insight as to possible conflicts or problems that could arise from the requested reclassification or use and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and existing ordinances' standards and policies, you are requested to review these comments, make your own judgment as to their accuracy and submit the necessary amendments to this office before November 30. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

In view of your proposal to have the subject property, located at the northwest corner of Joppa and Oakdale Avenues, reclassified from a D15.5 zone to a SM zone, this hearing is required.

In view of the fact that the submitted site plan does not indicate a proposed development of the subject property, the submitted comments from the Committee are general in nature. If the requested reclassification is granted, more detailed comments from County agencies and/or this Committee will be submitted when a proposed development is shown.

If you have any questions concerning the enclosed comments, please feel free to contact me at 434-1371. Notice of the specific hearing date which will be between March 1 and June 30, 1982, will be forwarded to you in the future.

Very truly yours,

Nicholas B. Conzolari
Chairman
Zoning Plans Advisory Committee

Enclosure

cc: Will & Assoc., Inc. 7222 Kersawbank Pk., Baltimore, Md. 21207

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

October 20, 1981

Mr. William T. Hackett, Chairman
Board of Appeals
Towson, Maryland 21204

Dear Mr. Hackett:

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.

This property comprises Lots 18 thru 23 of the recorded plat "Oak Summit", M.D. 7, Folio 8.

Joppa Road, an existing public road, is proposed to be improved in the future as a 50-foot closed section roadway on a 70-foot right-of-way.

Oakdale Avenue, a 50-foot right-of-way shown on the recorded plat "Oak Summit", M.D. 7, Folio 8, if improved in the future as a County road, would be as a 50-foot closed section roadway on a 50-foot right-of-way with realignment in this vicinity of the Joppa Road-Oakdale Road intersection. Further information may be obtained from the Baltimore County Bureau of Engineering Highway Design and Approval Section.

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

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

Item #18 Zoning Cycle II (Oct. 1981-Apr. 1982)
Property Owner: Anna H. Sutton
Page 2
October 20, 1981

Storm Drainage

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

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 12-inch public water main and 8-inch public sanitary sewerage in Joppa Road.

Additional fire hydrant protection is required in this vicinity.

Very truly yours,

Robert A. Morton, P.E., Chief
Bureau of Public Services

REMARKS:

cc: Jack Winkley
William Winkley

M-N-E Key Sheet
36 NE 19 & 20 For. Sheets
NE 9 E Topo
71 Tax Map

Very respectfully yours
C. Michael Longo
C. Michael Longo

District: 11 Date of Posting: 5/16/82
 Posted for: Petition for Declassification
 Petitioner: Anna W. Button
 Location of property: W/S of Jppr Rd. E. Cabell Co.
 Location of Signs: along Jppr Rd.
 Remarks: _____
 Posted by: Gar. A. Coleman Date of return: 5/21/82
 Number of Signs: _____ Signature

[illegible]

TOWSON, MD., ----- May 13 -----, 1982.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~starting with~~ one time ~~successive weeks~~ before the 3rd day of June, 1982, the first publication appearing on the 13th day of May, 1982.

THE JEFFERSONIAN
L. Frank Smith
Manager.
Cost of Advertisement, \$ 24.75
True Copy Test:
William T. Hackett
William T. Hackett, Chairman, Bd. of Appeals

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

No. 107665

DATE 6/3/82 ACCOUNT 01-662

AMOUNT \$65.22

RECEIVED
 FROM C. M. L. Auto Service
 FOR Advertising & Posting Case #R-82-195

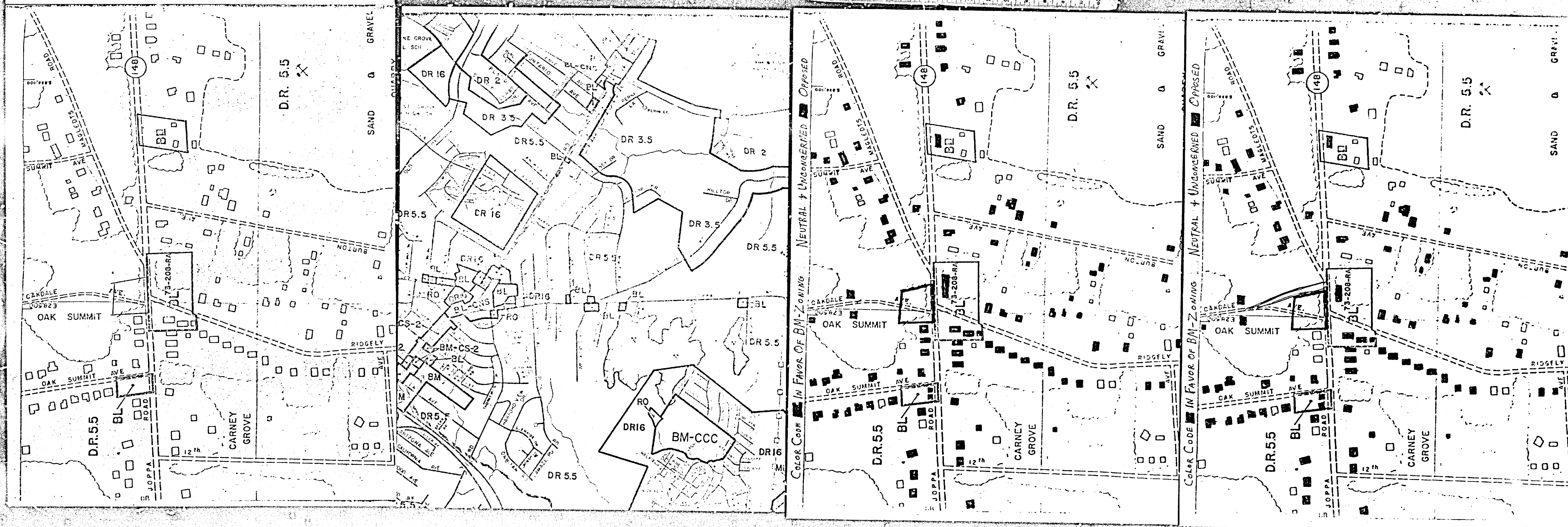
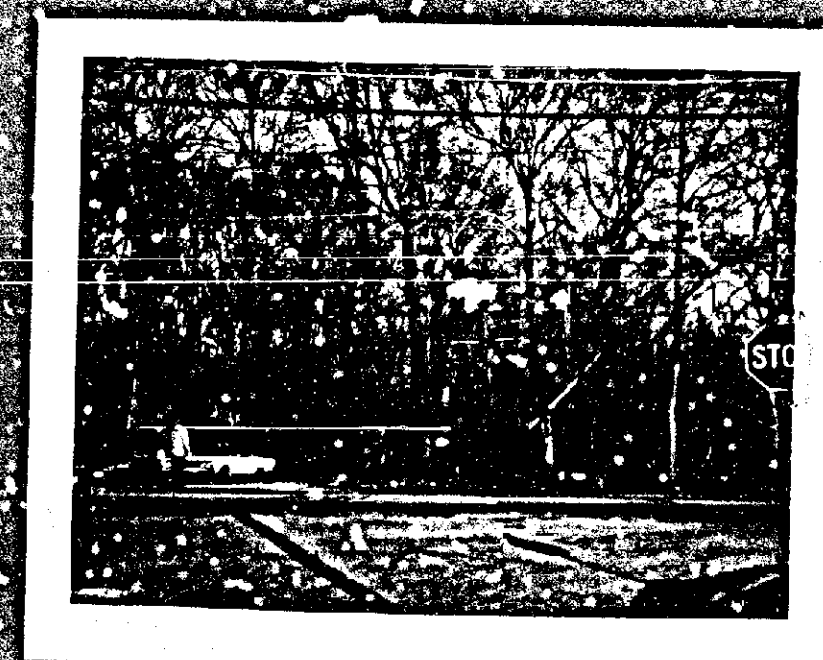
0000052210 1032A

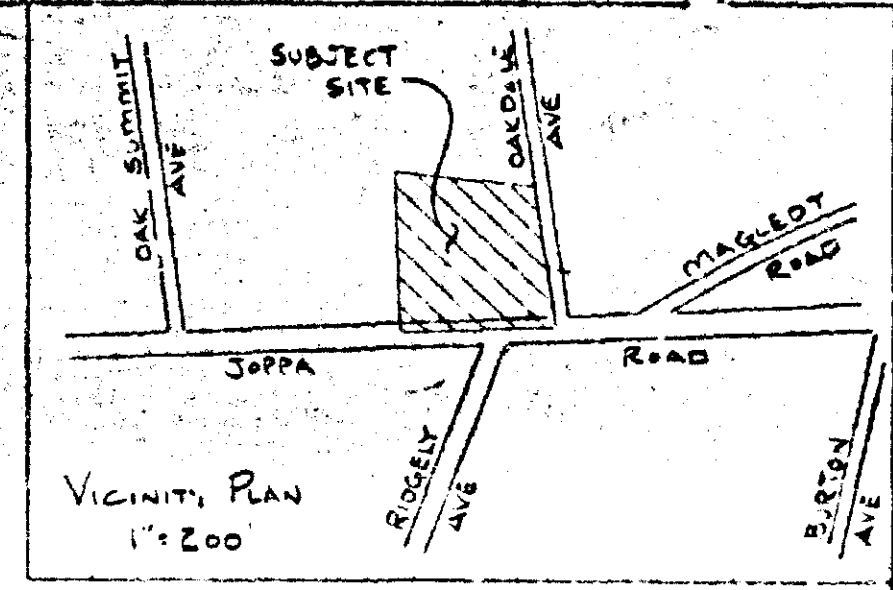
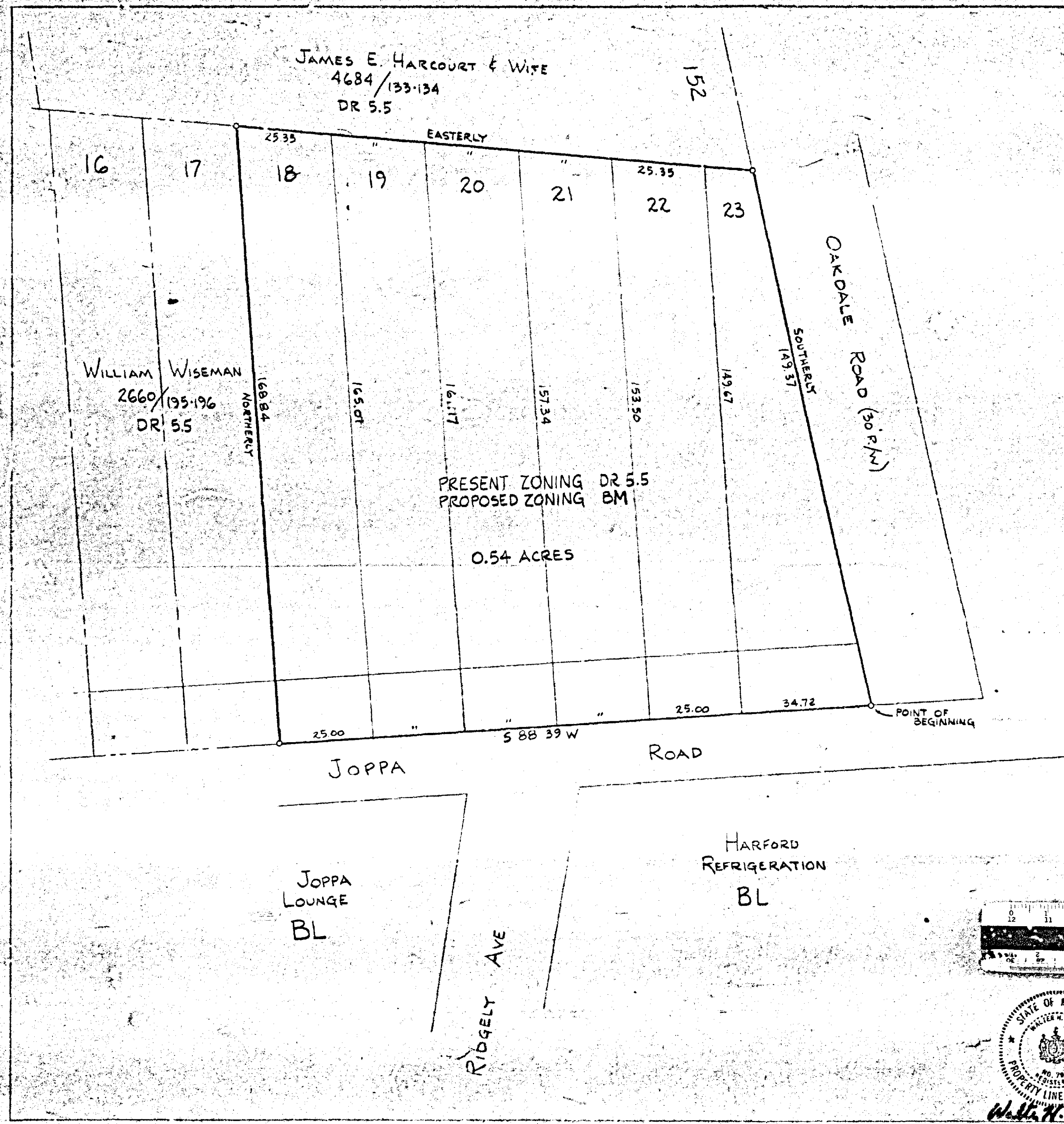
This property
is now paid
in full.

Arline

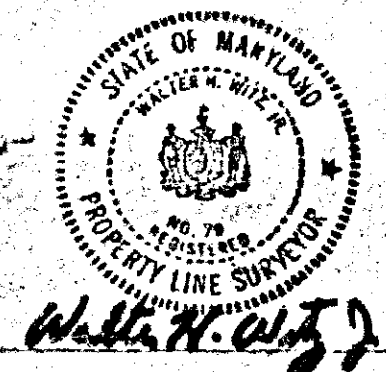
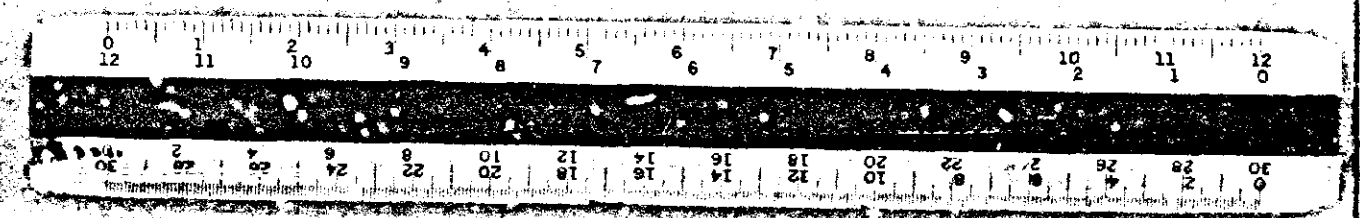
0652210 8334A

DATE	5/9/82	ACCOUNT	01-662
RECEIVED		AMOUNT	\$50.00
FROM			
C. M. L. Auto Service			
Filing fee for R-42-193 (Ann. H. Fullon)			
BALTIMORE COUNTY, MARYLAND			
OFFICE OF TAX & REVENUE DIVISION			
MISCELLANEOUS CASH RECEIPT			
No. 07628			





PLAT TO ACCOMPANY
 PETITION FOR REZONING
 LOTS 18-23, OAK SUMMIT
 OWNER: ANNA H. SUTTON
 5416/174-175
 PRESENT ZONING - DR 5.5
 11TH ELECTION DISTRICT
 6TH COUNCILMANIC DISTRICT
 AUGUST 25, 1981 1" = 20'



WITZ & ASSOCIATES, INC
 7222 KENNEBUNK ROAD
 BALTIMORE, MARYLAND 21207

October 29, 1981

Mr. William Hackett - Chairman
Board of Appeals
Room 219 - Court House
Towson, Maryland 21204

Dear Mr. Hackett:

Comments on Item #18, Zoning Cycle II, - 1981, are as follows:

Property Owner: Anna H. Sutton
Location: N/S Joppa Road 159.72' E. of Oakdale Avenue
Acre: 0.54
District: 11th

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

The subject property is located in a Traffic Level of Service Area controlled by a "F" intersection. Any subdivision of the property will require compliance with Title 22 of the Baltimore County Code.

There may be a possible realignment of Oakdale Road with Joppa Road.

Very truly yours,

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

JLW:rh

October 8, 1981

Mr. William Hackett
Chairman, Board of Appeals
Office of Law, Courthouse
Towson, Maryland 21204

Cycle II - Meeting of September 14, 1981
Item No. - 18
Property Owner: Anna H. Sutton
Location: N/S Joppa Road 159.72' E. of Oakdale Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: B-M
Acre: 0.54
District: 11th.

Dear Mr. Hackett:

The existing D.R. 5.5 for this site can be expected to generate approximately 30 trips per day and the proposed B-M zoning can be expected to generate approximately 270 trips per day.

The intersection of Harford Road and Joppa Road is at F level of service.

MSF/r1j

Michael S. Flehgan
Michael S. Flehgan
Traffic Engineering Associate II

September 30, 1981

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

Dear Mr. Reiter:

Comments on Item #18, Zoning Advisory Committee Meeting for Cycle II, are as follows:

Property Owner: Anna H. Sutton
Location: N/S Joppa Road 159.72' E. of Oakdale Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: B-M
Acre: 0.54
District: 11th

Metropolitan water and sewer are available.

The Zoning Plan, as submitted, does not include enough information to enable the Baltimore County Department of Health to make a complete review.

Very truly yours,

Don J. Nichols
Don J. Nichols, Director
BUREAU OF ENVIRONMENTAL SERVICES

12/1/81/MSF

October 9, 1981

Mr. William Hackett - Chairman
Board of Appeals
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Fire Commissioner, Chairman
Zoning Plan Advisory Committee

Mr. Frederick D. Smith - Anna H. Sutton

Location: N/S Joppa Road 159.72' E. of Oakdale Avenue

Item No. 18

Zoning Advisory Committee Meeting of September 14, 1981

Comments:

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

R 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

R 2. A second means of vehicle access is required for the site.

R 3. The vehicle dead end condition shown at _____

shall be the maximum allowed by the Fire Department.

R 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

R 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.

R 6. Site plans are approved, as drawn.

R 7. The Fire Prevention Bureau has no comments, at this time.

Approved: *William Hackett* Noted and Approved: *William Hackett*
Fire Commissioner Fire Prevention Bureau
Special Inspection Division

W.H.

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: 9/22/81

Mr. Walter Reiter
Chairman, Board of Appeals
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Zoning Cycle #11 - 1981
Meeting of 9/14/81

RE: Item No: 18
Property Owner: Anna H. Sutton
Location: N/S Joppa Rd. 159.72' E. of Oakdale Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: B.M.
Acreage: 0.54

School Situation

School	Enrollment	Capacity	Over/Under
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Comments: Would only result in a loss of what few pupils could be yielded by existing zoning.

Student Yield With:	Existing Zoning	And	Proposed Zoning
---------------------	-----------------	-----	-----------------

Elementary

Junior High

Senior High

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

CIRCUIT COURT FOR BALTIMORE COUNTY

DOCKET 14 PAGE 209 CASE NO. 82-11-204 CATEGORY APPEAL

ADVANCE COSTS	ANNA H. SUTTON C. MICHAEL LONGO Petitioners	P.P. 7600 Harford Rd. (rear) (34) 669-1075
Pliffs Atty Clerk 60.00	RE: ZONING RECLASSIFICATION ITEM #18 ZONING CYCLE II OCT. 1981-Apr. 1982 PROPERTY OWNER: ANNA H. SUTTON, N/A JOPPA RD. 159.72' E. of OAKDALE AVENUE, EXISTING ZONING: DR 5.5 PROPOSED ZONING: B-M ACRES: 0.54 DISTRICT 11TH	
Sheriff		
Paid 10.00 Per 11		
Receipt No. 11-11-204		
ADDITIONAL COSTS	COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY	
Dad's Atty		
Clerk	THE PEOPLE'S COUNSEL FOR BALTIMORE COUNTY Protestants	John W. Hession, III Peter Max Zimmerman Rm. 225, Courthouse (34) 494-2188
Sheriff		

- (1) July 9, 1982 Petitioners' Appeal from decision of the County Board of Appeals of Baltimore County fd.
- (2) July 12, 1982 Certificate of Notice fd.
- (3) July 16, 1982 - App. of John W. Hession, III and Peter Max Zimmerman as atty for The People's Counsel for Baltimore County and Same Day Answer to Petition fd.
- (4) Nov. 24, 1982 Protestant's (PEOPLE'S COUNSEL FOR BALTIMORE COUNTY) Motion to Dismiss fd.
- (5) Dec 16, 1982 Order of Court that Motion to Dismiss it is this 15th Day of December 1982 by the Circuit Court of Baltimore County Ordered that the Appeal Filed by the Petitioners in the Above-entitled matter be and it is hereby DISMISSED. (EAD)

BALTIMORE COUNTY
DEC 17 11 06 AM '82
COURT CLERK
BY: _____

IN THE MATTER OF
THE APPLICATION OF
ANNA H. SUTTON
(C. Michael Longo, Contract Purchaser
FOR REZONING OF PROPERTY
FROM D.R. 5.5 TO B.M. ZONE
N/S Joppa Road 159.72' E. of
Oakdale Avenue, 11th District

Zoning File No. R-82-195

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY

ATTORNEY

File No. 82-11-204

ORDER

Upon consideration of the foregoing Motion to Dismiss, it is this 15th day of December, 1982, by the Circuit Court for Baltimore County,

CREDITED that the appeal filed by the Petitioners in the above-entitled matter be and it is hereby DISMISSED.

John W. Hession, III
JUDGE

RE: PETITION FOR RECLASSIFICATION BEFORE THE COUNTY BOARD OF APPEALS
from D.R. 5.5 to B.M. Zone
N/S Joppa Rd. 159.72' E. of
Oakdale Avenue, 11th District

ANNA H. SUTTON, Petitioner Case No. R-82-195 (Item 18, Cycle II)

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 hereafter, and of the progress of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
County People's Counsel

John W. Hession, III
People's Counsel for Baltimore County
Rm. 225, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on the 2nd day of April, 1982, a copy of the foregoing Order was mailed to Mrs. Anna H. Sutton, 1507 E. Fort Avenue, Baltimore, MD 21203; and Mr. C. Michael Longo, 7600 Harford Road, Baltimore, MD 21234, Contract Purchaser.

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

IN THE MATTER OF
THE APPLICATION OF
ANNA H. SUTTON
(C. Michael Longo, Contract Purchaser):
FOR REZONING OF PROPERTY
FROM D.R. 5.5 TO B.M. ZONE
N/S Joppa Road 159.72' E. of
Oakdale Avenue, 11th District
Zoning File No. R-82-195
Misc. File No. 82-M-204

ANSWER TO PETITION TO APPEAL AND PETITION TO CHANGE
PROPOSED ZONING

The People's Counsel for Baltimore County, Protestant below and Appellee herein,
answers the Petition to Appeal heretofore filed by the Appellant, viz:

That the Appellee denies the allegations made and contained in the first through
sixth paragraphs of said Petition and states affirmatively that the decision of the Board
herein was proper and justified by the evidence before it and that the decision of the
Board should therefore be sustained as being properly and legally made.

In further answering, Appellee states that the Petition to Change Proposed Zoning
should be dismissed for lack of jurisdiction, the Petitioner having failed to request
B.L. zoning before the County Board of Appeals.

AND AS IN DUTY BOUND, etc.,

John W. Hessian, III
John W. Hessian, III
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, Maryland 21204
494-2188

RECEIVED
BALTIMORE COUNTY
COUNTY BOARD
OF APPEALS
JUL 16 11 21 AM '82
BY: [Signature]

- 2 -

I HEREBY CERTIFY that on this 16th day of July, 1982, a copy of the
foregoing Answer to Petition to Appeal and Petition to Change Proposed Zoning was
delivered to the Administrative Secretary, County Board of Appeals, Room 200,
Court House, Towson, Maryland 21204; and a copy was mailed to C. Michael Longo,
7808 Harford Road, Baltimore, Maryland 21234, Contract Purchaser; Anna H. Sutton,
1507 E. Fort Avenue, Baltimore, Maryland 21230, Petitioner; and Paul J. Zilka, 9527
12th Avenue, Baltimore, Maryland 21234, Protestant.

Peter Max Zimmerman
Peter Max Zimmerman

IN THE MATTER OF
THE APPLICATION OF
ANNA H. SUTTON
(C. Michael Longo, Contract Purchaser):
FOR REZONING OF PROPERTY
N/S Joppa Road 159.72' E. of
Oakdale Avenue
11th District
Zoning File No. R-82-195
Misc. File No. 82-M-204
File No. 82-M-204

CERTIFICATE OF NOTICE

Mr. Clerk:
Pursuant to the provisions of Rule 8-2(d) of the Maryland Rules of
Procedure, William T. Mackett, Keith S. Frame, and William B. Frame, constituting
the County Board of Appeals of Baltimore County, have given notice by mail of the filing
of the appeal to the representative of every party to the proceeding before it; namely,
Anna H. Sutton, 1507 E. Fort Ave., Baltimore, Md. 21230, Petitioner; C. Michael
Longo, 7808 Harford Rd., Baltimore, Md. 21234, Contract Purchaser; Paul J. Zilka,
9527 12th Ave., Baltimore, Md. 21234, Protestant; and John W. Hessian, Esq., Court
House, Towson, Md. 21204, People's Counsel for Baltimore County, a copy of which notice
is attached hereto and prayed that it may be made a part thereof.

John W. Hessian, III
John W. Hessian, III
County Board of Appeals of Baltimore County
Rm. 200, Court House, Towson, Md. 21204
Telephone, 494-2180

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice
has been mailed to Anna H. Sutton, 1507 E. Fort Ave., Baltimore, Md. 21230, Petitioner;
C. Michael Longo, 7808 Harford Rd., Baltimore, Md. 21234, Contract Purchaser;
Paul J. Zilka, 9527 12th Ave., Baltimore, Md. 21234, Protestant; and John W. Hessian, Esq.,

IN THE MATTER OF
ANNA H. SUTTON
RE: ZONING RECLASSIFICATION
ITEM #18 ZONING CYCLE II
OCT. 1981 - APR. 1982
PROPERTY OWNER: ANNA H. SUTTON
N/S JOPPA RD. 159.72'
E. OF OAKDALE AVENUE
EXISTING ZONING: DR 5.5
PROPOSED ZONING: B-M
ACRES: 0.54 DISTRICT: 11TH

ORDER FOR APPEAL

Anna H. Sutton by C. Michael Longo, her
petitioner, hereby appeals from an Opinion and Order of
the County Board of Appeals of Baltimore County decided
June 11, 1982.

C. Michael Longo
C. Michael Longo, 665-1073
Rear 7808 Harford Road
Baltimore, Maryland 21234

I HEREBY CERTIFY that on this 9th day of July,
1982, a copy of the foregoing Order for Appeal was
personally delivered to John W. Hessian, III, Peoples
Counsel for Baltimore County, Court House, Baltimore
County, Towson, Maryland, 21204 and a copy to the Baltimore
County Board of Appeals, County Office Building, Towson,
Maryland, 21204.

C. Michael Longo
C. Michael Longo, Petitioner
Anna H. Sutton
Anna H. Sutton, Property Owner

RECEIVED
BALTIMORE COUNTY
COUNTY BOARD
OF APPEALS
JUL 17 9 00 AM '82
BY: [Signature]

RECEIVED
BALTIMORE COUNTY
COUNTY BOARD
OF APPEALS
JUL 17 9 00 AM '82
BY: [Signature]

IN THE MATTER OF
ANNA H. SUTTON
RE: ZONING RECLASSIFICATION
ITEM #18 ZONING CYCLE II
OCT. 1981 - APR. 1982
PROPERTY OWNER: ANNA H. SUTTON
N/S JOPPA RD. 159.72'
E. OF OAKDALE AVENUE
EXISTING ZONING: DR 5.5
PROPOSED ZONING: B-M
ACRES: 0.54 DISTRICT: 11TH

Anna H. Sutton by C. Michael Longo petitions the
Circuit Court of Baltimore County to reverse the Order of
County Board of Appeals, dated June 11, 1982, and for reasons
says:

1. That I was denied my legal right to read my
prepared opening statement at the Baltimore County Board of
Appeals Zoning Hearing on June 3, 1982 in the County Court
House, Towson, Maryland.
2. That the County Board of Appeals did not judge
this case as a singular body.
3. That the County Board of Appeals misinterpreted
certain evidence that was presented at the hearing.
4. That the action of the County Board of Appeals
was based on erroneous conclusion of law.
5. That the County Board of Appeals failed to take
into consideration evidence that was properly presented before
it.
6. And for other reasons that shall be set forth
more fully at the time of the hearing of the Appeal.

C. Michael Longo
C. Michael Longo, Petitioner
Rear 7808 Harford Road
Baltimore, Maryland 21234
665-1073

IN THE MATTER OF
THE APPLICATION OF
ANNA H. SUTTON
(C. Michael Longo, Contract Purchaser):
FOR REZONING OF PROPERTY
N/S Joppa Road 159.72'
E. of Oakdale Avenue
11th District
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. R-82-195

OPINION

The above captioned matter comes before this Board on a petition for
reclassification of an unimproved tract of land from D.R. 5.5 to a B.M. zone. The
subject site is located on the north side of Joppa Road east of Oakdale Avenue, in the
Eleventh Election District of Baltimore County.

The Petitioner presented testimony concerning her reasons for selling the
subject property and the prospective purchaser, Michael Longo, testified as to his intentions
with respect to the subject site, (to erect a six bay full service family car auto repair
garage). Additionally, through Mr. Longo, various exhibits were introduced, includ-
ing letters of Mr. Longo, photos of the site and surrounding area, a color coded map
indicating the approval of the vast majority of the surrounding residents, a petition executed
by approximately 160 of the surrounding residents indicating approval of the reclassification
and, perhaps most importantly, a plat containing no documentation relating to the proposed
use of the property.

The Protestants, several of whom had executed the petition presented to them
by Mr. Longo, testified that the area surrounding the subject site is now, and has been for
many years, predominately residential, that traffic on Joppa Road is presently excessive,
and that, in the opinion of the Protestants, a reclassification of the subject site would
result in an increased traffic flow and, therefore, constitute a detriment to the health,
safety and general welfare of the community. The Protestants further indicated that the
character of the neighborhood has not changed substantially. Some of the Protestants
that signed Mr. Longo's petition indicated that, although they signed same, they were
nevertheless unaware, at that time, of the various uses to which a B.M. zone could be
utilized.

People's Counsel introduced evidence consisting of additional photos of the subject site and the Planning Board's recommendations.

The Board believes, as a matter of fact, that the petitioner and Mr. Longo were and continue to be, at all times, candid and sincere in their presentation, as well as their representations to the residents of the community. However, the law is clear.

The applicable law is contained in Section 2-58.1 of the Baltimore County Code. Specifically, sub-section (i) - (1) and (2) provides that before any property is reclassified, the Board of Appeals must find:

- (1) That there has occurred a substantial change in the character of the neighborhood in which the property is located since the property was last classified, or that the last classification of the property was established in error; and
- (2) That the prospective reclassification of the property is warranted by that change or error.

The burden of proof lies with the Petitioner and this Board does not believe that burden has been sustained. The Board determines, as a matter of fact, that there has not been a substantial change in the neighborhood or an error in the last classification of the property.

The Board notes further that the reclassification sought, though purporting to be for the purpose of erecting a full service auto repair garage, is undocumented. The plat submitted is without documentation of the proposed use. Consequently, the Board deems the provisions contained in Section 2-58.1 (n) as inapplicable to the subject petition.

Finally, the Board recognizes and adopts the comments of the Planning Board in determining that the D.R. 5.5 zoning is appropriate, that ample commercial opportunities already exist in the area, and that to grant the petition for reclassification would create strip commercial zoning.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 11th day of June, 1982, by the County Board of Appeals, ORDERED that the subject petition for

reclassification from D.R. 5.5 to a B.M. zone be and the same is hereby DENIED.

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

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Keith S. Frost
Keith S. Frost

William R. Evans
William R. Evans

494-3180

County Board of Appeals Room 219, Court House Towson, Maryland 21204 July 12, 1982

John W. Hession, Esq.
People's Counsel
Court House
Towson, Md. 21204

Dear Mr. Hession:

Re: Case No. R-82-195
Anna H. Sutton

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

John Holmen
John Holmen, Secretary

Encl.
cc: Paul J. Zillio
W. Hammond
J. Dyer
N. Garber
J. Howell
Ed. of Education

July 12, 1982

BILLED TO: C. Michael Longo
Rear 7808 Harford Rd.
Baltimore, Md. 21234

Cost of certified documents filed
in Case No. R-82-195 \$16.00

Anna H. Sutton
N/1 Joppa Rd., 159.72' E. of
Oakdale Ave.
11th District

MAKE CHECKS PAYABLE TO: Baltimore County, Md.

PERMIT TO: County Board of Appeals
Rm. 203, Court House
Towson, Md. 21204

494-3180

County Board of Appeals Room 219, Court House Towson, Maryland 21204 July 12, 1982

Mr. C. Michael Longo
Rear 7808 Harford Rd.
Baltimore, Md. 21234

Dear Mr. Longo:

Re: Case No. R-82-195
Anna H. Sutton

In accordance with Rule B-7 (a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the zoning appeal which you have taken to the Circuit Court for Baltimore County in the above matter within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of any other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than thirty days from the date of any petition you might file in court, in accordance with Rule B-7 (a).

Enclosed is a copy of the Certificate of Notice; also invoice covering the cost of certified copies of necessary documents.

Very truly yours,

John Holmen
John Holmen, Secretary

Encl.
cc: Anna H. Sutton

944-6809

WITZ & ASSOCIATES, INC. Engineers & Surveyors

7222 Kennebunk Road
Baltimore, Maryland 21207

DESCRIPTION OF LAND OWNED BY ANNA H. SUTTON

Beginning for the same at a point of intersection formed by the westerly line of Oakdale Avenue being 30 feet wide and the northerly line of Joppa Road, said point also being the southeasterly most corner of lot 23 as shown on a plat of Oak Summit which plat is recorded among the land records of Baltimore County in Plat Book 7 folio 84; thence running with and binding on said northerly line of Joppa Road South 86° 35' 00" West 159.72 feet to a point, said point being the south-westerly most corner of lot 18 as shown on the above mentioned plat; thence leaving said northerly line of Joppa Road and running in a northerly direction on the line of division between lots 17 and 18, a distance of 168.84 feet to a point; thence running in an easterly direction on a line of division formed by the southerly most line of lot 152 and the northerly most line formed by lots 18, 19, 20, 21, 22, and 23 as shown on the above mentioned plat, a distance of 140.72 feet to intersect the westerly most line of Oakdale Avenue; thence running with and binding on said westerly side of Oakdale Avenue in a southerly direction, a distance of 149.37 feet to the point of beginning. Said parcel also being known as lots 18, 19, 20, 21, 22, and 23 as shown on the above mentioned plat; said parcel also being recorded in deed dated December 5, 1973 Liber 5416 folio 174.

Containing 23,948 square feet or 0.54 acres more or less.



944-3302

PETITION FOR RECLASSIFICATION 11th Election District

ZONING: Petition for Reclassification

LOCATION: North Side of Joppa Road and Oakdale Avenue

DATE OF FILING: July 12, 1982

PUBLIC HEARING: Room 219, Court House, Towson, Maryland

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

Present Zoning: D.R. 5.5
Proposed Zoning: B.M.

All that parcel of land in the 11th Election District of Baltimore County

Being the property of Anna H. Sutton as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, June 3, 1982 at 10:00 A.M.
Public Hearing: Room 218, Court House, Towson, Maryland

BY ORDER OF
WILLIAM T. HACKETT, CHAIRMAN
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

494-3180

County Board of Appeals Room 219, Court House Towson, Maryland 21204 June 11, 1982

Anna H. Sutton
1507 E. Fort Avenue
Baltimore, Md. 21230

Re: Case No. R-82-195
Anna H. Sutton

Dear Mr. Sutton:

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

Very truly yours,

John Holmen
John Holmen, Secretary

Encl.

cc: C. Michael Longo
Paul J. Zillio
Mr. W. E. Hammond
Mr. J. E. Dyer
Mr. N. E. Garber
Mr. J. G. Maxwell
Board of Education
John W. Hession, Esq.



Please note:

Import vehicle applications are included in the basic Federal-Mogul price lists and catalogs.



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERDER
DIRECTOR

Draft

January 21, 1982

Mr. William T. Hackett, Chairman
County Board of Appeals
Baltimore County, Maryland

Dear Mr. Hackett:

I am pleased to forward to you the recommendations on the 22 petitions for zoning reclassifications, filed during the period March 3, 1981, to September 1, 1981, and processed during Period II of Zoning cycle II, 1981-1982.

The requests for changes in zoning classifications have been reviewed in depth; the Planning Board's recommendations in each case are contained in this report.

The members of the Planning Board and the Planning staff offer whatever additional assistance you may require in your consideration of these requests.

Sincerely,

William F. Kirwin, Chairman
Baltimore County Planning Board

WFK:JGH:dne

494-3190

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
February 26, 1982

Anna H. Sutton
1507 E. Fort Avenue
Baltimore, Md. 21230

Re: Item #18, Case #R-82-195
Cycle II, Anna H. Sutton

Dear Ms. Sutton:

Your case has been assigned for hearing before the Board during the normal cycle period for reclassification petitions. Written and public notice of the date of the hearing has either been given or is in the process of publication.

The Board has been informed that there are presently pending in the Circuit Court for Baltimore County three separate suits, all of which directly question the validity of the adoption of the 1980 comprehensive zoning map by the County Council of Baltimore County. The suits to which we refer are:

Home Builders Assn. of Md., Inc., et al. v. Baltimore County, Md., et al - Circuit Court Equity #107047

Isaac A. Jones v. Baltimore County, Md., et al - Circuit Court Equity #108029

Shoppo Reisterstown Associates, et al v. Baltimore County, Md., et al - Circuit Court Equity #107318.

The Board, of course, is not involved in those suits and consequently will not be asked to express any opinion on the enactment question. However, we are concerned that the parties to the pending reclassification cases be made aware that there will probably be a judicial decision on the question sometime in the future, and if the Circuit Court should find that the maps were, in fact, improperly enacted, and that decision is affirmed by an appellate court, the various parties to reclassification cases might then be placed in the position of having expended time and money in the preparation and trial of their cases based on the comprehensive map which legally might not exist. The Board has, therefore, determined that it will afford each of the petitioners in the pending reclassification cases the opportunity to review the pending Circuit Court cases and make their individual determination as to whether they wish to proceed at this time to fully try their reclassification case or whether they would prefer not to take that risk and ask the Board for a continuance of their case without hearing until such time as there has been a definitive ruling by the courts on the question of the validity of the 1980 maps.

Page Two

Since there must be some limit to the period of time within which a decision should be made and communicated to the Board, it has been decided that all requests for postponements made pursuant hereto must be delivered in writing to the Board on or before March 15, 1981.

The Board has attached one very important provision in its willingness to co-operate in the granting of postponements for the purpose outlined above, which is that it will not countenance the use of the reasons given above for a postponement for other reasons and, therefore, if a case is postponed for the reason given above it must remain inactive until there is a definitive action from the courts. Therefore, parties are cautioned that if they do, in fact, seek a postponement because of the doubt surrounding the validity of the enactment of the 1980 comprehensive maps, they will be required to wait until there is a decision from the courts on the question before the Board will again assign their case no matter how long the case is suspended.

The purpose of this communication is to alert all parties of record involved of the Board's intention if a request is timely submitted.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman

WTH:e

cc: C. Michael Longo

ITEM NO. 18

PROPERTY OWNER: Anna H. Sutton
LOCATION: N/S of Joppa Road, opposite Ridgely Avenue
ELECTION DISTRICT: 11
COUNCILMANIC DISTRICT: 6

APPEAL: N/A

GEOGRAPHICAL GROUP: N/A

FUNCTIONAL CATEGORY: N/A

RECOMMENDED DATE OF HEARING: Week of May 31, 1982

ZONING PRIOR TO ADOPTION OF 1980 COMPREHENSIVE ZONING MAP: D.R. 5.5
EXISTING ZONING: D.R. 5.5
REQUESTED ZONING: B.M.

PLANNING BOARD RECOMMENDATION: Retain Existing Zoning (D.R. 5.5)

This wooded property is located on the north side of Joppa Road, west of Woodlawn Road. To the south, on the opposite of Joppa Road, are B.L. zoned properties containing the Joppa Lounge and Harford Refrigeration. The remainder of the surrounding properties are zoned D.R. 5.5 and are either vacant or in residential use. The petitioner is requesting a change from D.R. 5.5 to B.M. zoning and has chosen to submit plans that do not show a proposed use for the property.

Prior to the adoption of the 1980 Comprehensive Zoning Map, the property was zoned D.R. 5.5. The zoning of this site was not identified as a specific issue for consideration by the Planning Board or the County Council during the preparation and processing of the map; the County Council reaffirmed D.R. 5.5 zoning here.

The Department of Traffic Engineering's representative on the Zoning Advisory Committee states that development of this property as presently zoned would generate approximately 30 trips per day; if the petitioner's request were granted, development would generate approximately 270 trips per day. Further, he noted that the intersection of Harford and Joppa Roads is currently operating at a "F" level of service.

The Planning Board believes that D.R. 5.5 zoning is appropriate and that the zoning map is correct. The Board is of the opinion that ample commercial opportunities have been provided for in the general area. Further, the granting of the petitioner's request would create strip-commercial zoning and, as such, would be contrary to the policies of the adopted Baltimore County Master Plan 1979-1990.

It is therefore recommended that the existing zoning, D.R. 5.5, be retained.

May 3, 1982

Mr. C. Michael Longo
Rear 7808 Harford Road
Baltimore, Maryland 21234

Re: Petition for Reclassification
N/S of Joppa Road & Oakdale Avenue
Anna H. Sutton, Petitioner
Case #R-82-195 Item 18 - Cycle II

TIME: 10:00 A.M.

DATE: Thursday, June 3, 1982

PLACE: Room 218, Courthouse, Towson, Maryland

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

cc: John W. Hoesman, III
People's Counsel

Anna H. Sutton
1507 E. Fort Avenue
Baltimore, Maryland 21230

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William T. Hackett, Chairman
Board of Appeals
Date: February 26, 1982
FROM: Charles E. Burman
Cycle II - 1981
SUBJECT: Item #18 - Petition for Reclassification Meeting - 5/31/82

Property Owner: Anna H. Sutton
Location: N/S Joppa Road & Oakdale Avenue
Existing Zoning: D.R. 5.5
Requested Zoning: B.M.

Case #R-82-195
Item 18 - Cycle II

All future correspondence shall be in accordance with the Baltimore County Building Code, the Building Code of the State of Maryland and other applicable rules, regulations and codes.

No correspondence shall be sent until the applicable permits have been obtained.

Charles E. Burman
Charles E. Burman
Planning Board Chief

Clerk:

BALTIMORE COUNTY, MARYLAND
OFFICE OF RECORDS & COMMUNICATIONS
WILLIAMSBURG CASH RECEIPT

No. 106801

DATE: 2/26/82

AMOUNT: \$6.44

Amount: \$12.79

By: C. M. L. Auto Service

1st full page add for Case #R-82-195 (Sutton)

APR 12 1982

Mr. C. Michael Longo
Rear 7808 Harford Road
Baltimore, Maryland 21234

RE: Petition for reclassification
N/S Joppa Road, 179' E of Oakdale Avenue
Anna H. Sutton - Petitioner
Item #18 - Cycle II
Case #R-82-195

Dear Mr. Longo:

This is to advise that \$12.79 is due for the 2nd full page add of the 1st full page add. You have already been billed for the 1st full page add. A third bill for the individual advertising and posting of the above property will be forthcoming. All bills must be paid before an order is issued.

Please make check payable to Baltimore County, Maryland, and remit to Aaron Biegel, Room 113, County Office Building, Towson, Maryland, 21204, as soon as possible.

William E. Hoesman
William E. Hoesman
Zoning Commissioner

C. MICHAEL LONGO
JOSEPH C. LONGO

C.M.L. AUTO SERVICE
GENERAL AUTO SERVICE
AUTOMATIC TRANSMISSION SERVICE
EXPERT MECHANICS - ALL WORK GUARANTEED
OFFICIAL INSPECTION STATION 713

REAR 700 HARFORD ROAD
BALTIMORE, MARYLAND 21234
665-1073

December 7, 1981

Mr. William Hackett, Chairman
Board of Appeals
Room 219 Court House
Towson, Maryland 21204

Re: Item #18 Zoning Cycle II (Oct. 1981-Apr. 1982)
Property Owner: Anna H. Sutton
N/S Joppa Rd. 159.72' W. of Oakdale Avenue
Existing Zoning: DR 5.5
Proposed Zoning: B-M
Acres: 0.54 District: 11th

Dear Mr. Hackett:

Enclosed find copy of commentary read by Michael Longo concerning the Anna H. Sutton property, which is proposing a zoning change from DR 5.5 to B-M, at the last meeting of the Planning & Zoning Board on December 3, 1981.

Very respectfully yours,

C. Michael Longo
C. Michael Longo

RECEIVED
BALTIMORE COUNTY
Dec 16 11 01 AM '81
COUNTY BOARD
OF APPEALS
BY

C.M.L. AUTO SERVICE

C. MICHAEL LONGO
JOSEPH C. LONGO

GENERAL AUTO SERVICE
AUTOMATIC TRANSMISSION SERVICE
EXPERT MECHANICS - ALL WORK GUARANTEED
OFFICIAL INSPECTION STATION 713

REAR 700 HARFORD ROAD
BALTIMORE, MARYLAND 21234
665-1073

December 3, 1981

My name is Michael Longo. I reside at 7814 Westmoreland Avenue, Parkville, Maryland.

Ladies and Gentlemen, I represent Anna H. Sutton.

I would like to comment on Zoning Item #18 Cycle II.

My son and I operate C.M.L. Auto Service at 7808 Harford Road, Parkville, Maryland.

We have an option to buy the property at the intersection of Joppa and Oakdale Roads from Mrs. Anna Sutton, and we have filed for a Zoning Reclassification under Item #18 Cycle II. If granted we would erect and operate a six bay family car service garage on this property and move our auto repair business to this new location.

This property was not a specific issue on the 1980 Councilmatic Comprehensive Zoning Map, and with no request, it was continued like most of its neighbors in a DR 5.5 zone. Using a quote from the Final Report of the Baltimore County Planning Board adopted July 30, 1981, it states and I quote, "A new zoning map for Baltimore County is adopted every four years. Since this entails dealing with over 600 square miles of land in perhaps 200,000 separate parcels, it is almost inevitable that some properties will be misclassified", end of quote.

We think this property is one of them, and it is not suitable for residential housing for the following reasons.

- (1) Proximity to 3 intersecting roads, namely Oakdale, Magdlett and Ridgely Avenue.
- (2) Proximity to a major thoroughfare which carries heavy traffic, trucks and trailers 24 hours a day.
- (3) Proximity to commercial business, namely Harford Refrigeration Co. that employs forty people and has eighteen service vehicles, directly across the street and business to the east and west along Joppa Road.
- (4) Due to the contour of this land and adjoining properties, it would require extensive and expensive clearing and grading to control storm drainage necessary before building.
- (5) With this property situated on a busy thoroughfare such as Joppa Road, it carries a high inflated purchase price plus a high cost of preparing it for building purposes which could not be absorbed by residential use.
- (6) With the scarcity of building lots in the Parkville and Carney areas and the fact that this property was never built on seems to prove this property is not suited for residential use.

C.M.L. AUTO SERVICE

C. MICHAEL LONGO
JOSEPH C. LONGO

GENERAL AUTO SERVICE
AUTOMATIC TRANSMISSION SERVICE
EXPERT MECHANICS - ALL WORK GUARANTEED
OFFICIAL INSPECTION STATION 713

REAR 7008 HARFORD ROAD
BALTIMORE, MARYLAND 21234
665-1073

January 26, 1982

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
111 Chesapeake Avenue
Towson, Maryland 21204

Re: Item #18 Zoning Cycle II (Oct. 1981-Apr. 1982)
Property Owner: Anna H. Sutton
N/S Joppa Rd. 159.72' W. of Oakdale Avenue
Existing Zoning: DR 5.5
Proposed Zoning: B-M
Acres: 0.54 District: 11th

Dear Mr. Hammond:

Enclosed find copy of commentary read by Michael Longo concerning the Anna H. Sutton property, which is proposing a zoning change from DR 5.5 to B-M, at the last meeting of the Planning & Zoning Board on January 21, 1982.

\$30,000.00 and it is estimated that it will cost \$8,000.00 to \$10,000.00 to remove the trees and grade at level the property for a building. It would be feasible impractical to assume that anybody would spend \$40,000.00 for a residential building lot on a busy commercial road such as Joppa Road if, when a person can buy the same size lot on a nice quiet residential street close by for approximately \$12,000.00 to \$15,000.00.

This property generates \$270.00 a year in property taxes for Baltimore County. If a full service garage is erected on this property, it would generate approximately \$5,000.00 a year in property, equipment and inventory taxes for Baltimore County. \$5,000.00 a year in sales tax for the State of Maryland, and a \$10,000.00 a year in State and Federal Income and employment taxes, plus many other benefits to local and state governments.

With the unemployment rate hovering around the 8% mark, we would be able to employ 6 to 9 people. We would also be giving the sagging building and construction trades a boost in employment by giving them a building project that would amount to approximately \$75,000.00.

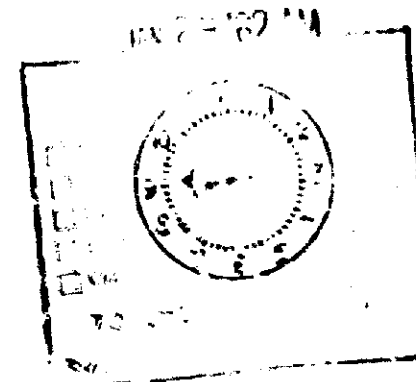
I am here today asking for the Planning Board members to recommend a reclassification of Item 18 and to plan ahead for the good of Baltimore County, the State of Maryland, 2,000 satisfied customers of C.M.L. Auto Service and 130 neighbors who have signed a zoning petition in favor of a zoning change which would permit a service garage to be built on this property.

With the closing of many independent service stations, the people say we would be bringing a much needed service to the area and that a family car service garage would be an acceptable business in the neighborhood.

In view of all the above facts, again, I am asking the Planning Board members to recommend a change in the zoning classification on Item 18 from a DR 5.5 to a B-M classification which would allow our business to continue operating and allow our employees a chance to continue earning a living in Baltimore County.

Thank you for your attention,

C. Michael Longo
C. Michael Longo



My name is Michael Longo. I reside at 7814 Westmoreland Avenue, Parkville, Maryland. Ladies and Gentlemen, I represent Anna H. Sutton. I would like to comment on Zoning Item #18 Cycle II. My son and I operate C.M.L. Auto Service at 7808 Harford Road, Parkville, Maryland. We have an option to buy the property at the intersection of Joppa and Oakdale Roads from Mrs. Anna Sutton, and we have filed for a Zoning Reclassification under Item #18 Cycle II. If granted we would erect and operate a six bay family car service garage on this property and move our auto repair business to this new location. This property was not a specific issue on the 1980 Councilmatic Comprehensive Zoning Map, and with no request, it was continued like most of its neighbors in a DR 5.5 zone. Using a quote from the Final Report of the Baltimore County Planning Board adopted July 30, 1981, it states and I quote, "A new zoning map for Baltimore County is adopted every four years. Since this entails dealing with over 600 square miles of land in perhaps 200,000 separate parcels, it is almost inevitable that some properties will be misclassified", end of quote.

We think this property is one of them, and it is not suitable for residential housing for the following reasons. (1) Proximity to 3 intersecting roads, namely Oakdale, Magdlett and Ridgely Avenue. (2) Proximity to a major thoroughfare which carries heavy traffic, trucks and trailers 24 hours a day. (3) Proximity to commercial business, namely Harford Refrigeration Co. that employs forty people and has eighteen service vehicles, directly across the street and business to the east and west along Joppa Road. (4) Due to the contour of this land and adjoining properties, it would require extensive and expensive clearing and grading to control storm drainage necessary before building. (5) With this property situated on a busy thoroughfare such as Joppa Road, it carries a high inflated purchase price plus a high cost of preparing it for building purposes which could not be absorbed by residential use. (6) With the scarcity of building lots in the Parkville and Carney areas and the fact that this property was never built on seems to prove this property is not suited for residential use.

With the closing of many independent service stations, the people say we would be bringing a much needed service to the area and that a family car service garage would be an acceptable business in the neighborhood. In view of all the above facts, again, I am asking the Planning Board members to recommend a change in the zoning classification on Item 18 from a DR 5.5 to a B-M classification which would allow our business to continue operating and allow our employees a chance to continue earning a living in Baltimore County.

Thank you for your attention,

C. Michael Longo
C. Michael Longo

I am writing this letter to you because I am spelled and stunned at the procedure in deciding the Baltimore County Planning Board has taken on Item 18 Zoning Cycle II.

From the very first time I started this zoning reclassification in the Baltimore County Office, I was told I was wasting my time because their job was to uphold the integrity of the 1980 Councilmatic Comprehensive Zoning Map and that's what they would do.

I feel that the zoning department has not needed enough property for this type of small business.

In view of the above facts, I hope you will find it within your means to reclassify this property so that we may continue to make a living in this business in Baltimore County.

Thank you for your attention,

C.M.L. AUTO SERVICE

C. MICHAEL LONGO
JOSEPH C. LONGO

GENERAL AUTO SERVICE
AUTOMATIC TRANSMISSION SERVICE
EXPERT MECHANICS - ALL WORK GUARANTEED
OFFICIAL INSPECTION STATION 713

REAR 7008 HARFORD ROAD
BALTIMORE, MARYLAND 21234
665-1073

Mr. William Hackett
Chairman, Board of Appeals
Room 219 Court House
Towson, Maryland 21204

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I attended and spoke at the January 21, 1982 meeting of the Baltimore County Planning Board of which at least 11 board members were present. I was allowed 3 to 5 minutes to speak and comment on Item 18 of which I did and afterwards showed photographs of Item 18 which I have enclosed in this letter. The board members had a short discussion on Item 18 and voted to go along with the decision of the Planning Board staff. It was useless for me to appear and comment on Item 18 because the decision and recommendation dated January 21, 1982, which I have enclosed a copy, was already printed and copies made available to your office.

C.M.L. AUTO SERVICE

C. MICHAEL LONGO
JOSEPH C. LONGO

GENERAL AUTO SERVICE
AUTOMATIC TRANSMISSION SERVICE
EXPERT MECHANICS - ALL WORK GUARANTEED
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REAR 7008 HARFORD ROAD
BALTIMORE, MARYLAND 21234
665-1073

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Thank you for your attention,

C. Michael Longo
C. Michael Longo

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I attended and spoke at the January 21, 1982 meeting of the Baltimore County Planning Board of which at least 11 board members were present. I was allowed 3 to 5 minutes to speak and comment on Item 18 of which I did and afterwards showed photographs of Item 18 which I have enclosed in this letter. The board members had a short discussion on Item 18 and voted to go along with the decision of the Planning Board staff. It was useless for me to appear and comment on Item 18 because the decision and recommendation dated January 21, 1982, which I have enclosed a copy, was already printed and copies made available to your office.

Thank you for your attention,

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