

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 Baltimore County, from an MLR-11 zone to an ML-11 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:

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:

Legal Owner(s):

(Type or Print Name)

Owings Mills Realty Company

Signature

By: Signature ISADORE KOSTINSKY

Address

(Type or Print Name)

City and State

Signature

Attorney for Petitioner:

S. Eric DiNenna and

S. Eric DiNenna, P. A.

(Type or Print Name)

Signature

406 W. Pennsylvania Avenue

Address

Towson, MD 21204

City and State

Attorney's Telephone No.: 825-1630

201 N. Charles Street 685-6681

Address Phone No.

Baltimore, Maryland 21201

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

S. Eric DiNenna

Name

406 W. Pennsylvania Avenue 825-1630

Address Phone No.

BANC Form 1

IN THE MATTER OF : BEFORE
THE APPLICATION OF :
OWINGS MILLS REALTY CO. : COUNTY BOARD OF APPEALS
FOR REZONING OF PROPERTY :
FROM M.L.R. TO M.L. : OF
NE/S Reisterstown Road, 1040 Ft. :
N. from c/1 of Rosewood Lane : BALTIMORE COUNTY
4th District :
No. R-83-58

OPINION

This case comes before this Board on petition for a reclassification of a parcel of land from M.L.R. to M.L. The parcel is located on the northeast side of Reisterstown Road, 1040+ north of Rosewood Lane and contains some 19.8+ acres. At the opening of this case, Petitioner withdrew 7.96 acres on the north and east side of the property from the request, leaving only 12 acres + for the Board's consideration. Case was heard this day in its entirety.

Mr. Isadore Kostinsky, property owner and realtor and developer, testified as to his reasons for the requested change. He has owned this parcel since November, 1967, and has made many efforts to market it as M.L.R. land without any success. He noted some potential buyers that were interested but declined to purchase because of the M.L.R. restrictions, especially the restriction denying any outside storage of materials. Mr. Kostinsky noted that the property is served by a railroad siding and that he did not wish to subdivide into small parcels but wanted to sell the tract as a whole. This basically concluded his testimony.

Mr. Paul Lee, a professional engineer, testified that he drew the subject plat delineating the above mentioned amendment to the petition. This plat shows the new controlled access highway that will bisect the property along this line of proposed demarcation. He also testified that all public utilities were available, described the topography of the land and described the surrounding land uses.

Mr. Ned Griffiths, a real estate broker, next testified supporting the requested change. He described the property itself and all the general area near the subject site, especially the three large industrial parks nearby, zoned M.L. and fully developed.

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS
from M.L.R.-I.M. to M.L.-I.M. :
Zone, NE/S of Reisterstown Rd., : OF BALTIMORE COUNTY
1,040' N. of Rosewood Lane, :
4th District :
Owings Mills Realty Company, : Case No. R-83-58 (Item 14, Cycle III)
Petitioner :
: : : : : 8

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

Peter Max Zimmerman
Deputy People's Counsel

John W. Hessian, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 6th day of August, 1982,
a copy of the foregoing Order was mailed to S. Eric DiNenna, Esquire and S. Eric DiNenna,
P.A., 406 W. Pennsylvania Avenue, Towson, Maryland 21204.

John W. Hessian, III
John W. Hessian, III

Owings Mills Realty Co.
Case No. R-83-58

2.

He also noted three other parcels of M.L.R. land in the general area also undeveloped. He testified that he was a member of the planning committee for the first comprehensive maps for Baltimore County. At that time the M.L.R. zone was intended to attract small, completely contained businesses into the area. He testified this concept was in error, as it just hasn't proved successful. He testified that an industrial park permitted under the M.L. classification would produce no detrimental effect on this area and that the Board can now correct the planning committee's mistake of 1970. This concluded Petitioner's case.

Mr. James Hoswell, Planner for Baltimore County, testified in opposition to the requested change. He noted that even though only a small percentage of M.L.R. land has been so developed, only a small portion of land in Baltimore County is so zoned. The concept of the M.L.R. zone is to provide a buffer zone of small self-contained businesses to protect residential areas from some allowed objectionable uses under the M.L. zoning. He also testified that it was his understanding that the Owings Mills Parkway shown on Petitioner's Exhibit #1, was in fact to be constructed in 1983 and was to be in support of the subway now scheduled for completion in 1986. He also testified that the 7.96 acres of remaining M.L.R. land together with the proposed new highway would in fact provide some buffer area for the residentially zoned land nearby. He noted that this parcel was not an issue in either the 1976 or the 1980 Comprehensive Map processes and that in his opinion, the M.L.R. zone was an appropriate use for this parcel.

In reviewing all the testimony presented this day, the Board takes note of the following items:

1. Testimony from Petitioner's witnesses indicated the subject site at some time contained a large distillery and a large lumber yard, both heavy industrial uses.
2. The property is served by an existing railroad siding which would foster M.L. use but not be especially advantageous to M.L.R. use, which prohibits the outside storage of materials usually associated with railway delivery or shipment.
3. Testimony from witnesses as to the total development of the large areas of M.L. zoned land in the vicinity and lack of development of the M.L.R. land also nearby.

IN THE MATTER OF : IN THE
OF THE APPLICATION OF :
OWINGS MILLS REALTY CO. : CIRCUIT COURT
FOR REZONING OF PROPERTY :
FROM M.L.R. TO M.L. ZONE, : FOR
NE/S Reisterstown Rd., 1040' N. : BALTIMORE COUNTY
from the centerline of Rosewood :
Lane, 4th District :
AT LAW
John W. Hessian, III, Esq., : Misc. Doc. No. 15
People's Counsel for Baltimore :
County, Protestant : Folio No. 22
Zoning Case No. R-83-58 : File No. 82-M-417

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, William T. Hockett, Joanne L. Suder, and Leroy B. Spurrier, 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, Mr. Isadore Kostinsky, Owings Mills Realty Company, 201 N. Charles St., Baltimore, Maryland 21201, Petitioner; S. Eric DiNenna, Esq., 406 W. Pennsylvania Ave., Towson, Md. 21204, Counsel for Petitioner; and John W. Hessian, III, 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.

Joanne L. Suder
County Board of Appeals of Baltimore County
Rm. 200, Court House, Towson, Md. 21204
494-3180

Owings Mills Realty Co.
Case No. R-83-58

3.

4. The retention of the 7.96 acres of M.L.R. land all along the eastern property line, providing a buffer area for the D.R. 16 zoned land abutting some of this property line.
5. The proposed construction of the Owings Mills Boulevard which provides an ideal demarcation line between the two requested zonings.

For all of the above reasons, the Board is of the opinion that the requested petition should be granted and that to retain the existing M.L.R. classification on the entire site is in fact in error and will so order.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 16th day of November, 1982, by the County Board of Appeals, ORDERED that the requested reclassification from M.L.R. to M.L. on the 12 acres + shown on Petitioner's Exhibit #1 west of the proposed Owings Mills Boulevard, be and the same is GRANTED and that the remaining 7.96 acres be retained in its existing M.L.R. classification.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hockett
William T. Hockett, Chairman

Joanne L. Suder
Leroy B. Spurrier

Owings Mills Realty Co.
Case No. R-83-58

2.

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Mr. Isadore Kostinsky, Owings Mills Realty Company, 201 N. Charles St., Baltimore, Md. 21201, Petitioner; S. Eric DiNenna, Esq., 406 W. Pennsylvania Ave., Towson, Md. 21204, Counsel for Petitioner; and John W. Hessian, III, Esq., Court House, Towson, Md. 21204, People's Counsel for Baltimore County, on this 16th day of December, 1982.

Joanne L. Suder
County Board of Appeals of Baltimore County

RECEIVED
BALTIMORE COUNTY
AUG 6 2 25 PM '82
COUNTY BOARD
OF APPEALS
BY:

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 3, 1982

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

ofo

Nicholas B. Commodari
Chairman

MEMBERS

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

S. Eric DiNenna, Esquire
406 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 14 - Cycle No. III
Petitioner - Owings Mill Realty Company
Reclassification Petition

Dear Mr. DiNenna:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the April - October '82 reclassification cycle (Cycle III). 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 enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses 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 commenting agencies' 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 May 31. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

Located on the northeast side of Reisterstown Road north of Rosewood Lane in the 4th Election District, the subject property is currently zoned M.L.R.-I.M. and is proposed to be rezoned to an M.L.-I.M. zone. Surrounding properties are improved with a fire department, shopping center and apartment complex to the southeast, while the Rosewood Training School and an industrial use exist to the north and northwest, respectively.

Since the I.M. district was added to the petition forms after your request was submitted, you may want to file an amended brief in support of the request. In addition, I have spoken to your engineer, Mr. Paul Lee, concerning the description of this property, and he indicated that he will revise it and submit new ones in the near future.

Item No. 14 - Cycle No. III
Petitioner - Owings Mill Realty Company
Reclassification Petition

In view of the fact that the submitted site plan does not indicate a proposed development of the subject property, the enclosed comments from the Committee are general in nature. If the requested reclassification is granted, more detailed comments from County agencies and/or the 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 494-3391. Notice of the specific hearing date, which will be between September 1 and December 31, 1982, will be forwarded to you in the future.

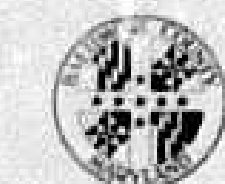
Very truly yours,

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

NEC:bac

Enclosures

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



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

April 13, 1982

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

Re: Item #14 Zoning Cycle III (April-October 1982)
Property Owner: Owings Mill Realty Co.
N/ES Reisterstown Rd. 1040' N. from centerline
of Rosewood Lane
Existing Zoning: MLR
Proposed Zoning: ML
Acres: 19.828
District: 4th

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.

Highways:

Reisterstown Road (Md. 140) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

This site is impacted by proposed major highway improvements for Owings Mills Boulevard connector road "B", from Painters Mill Road Extension, and the Reisterstown Road-Owings Mills Boulevard interchange, a combination of Maryland State Highway Administration and Baltimore County projects. Various highway rights-of-way will be required. Further information may be obtained from the Maryland State Highway Administration and the Baltimore County Bureau of Engineering, Highway Design and Approval Section.

The entrance locations and specifications are also subject to approval by the Department of Traffic Engineering.

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.

Item #14 Zoning Cycle III (April-October 1982)
Property Owner: Owings Mill Realty Co.
Page 2
April 13, 1982

Sediment Control: (Cont'd)

Drainage studies, storm water management drawings and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

Storm Drains:

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

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

Gwynns Falls traverses the northerly portion of this site.

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

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

There are public 8 and 16-inch water mains in Reisterstown Road.

The Gwynns Falls Sanitary Interceptor Sewer and Interceptor Relief Sewer exist offsite of this property, as shown on the submitted plan, (See Drawings 77-0045 - 0048, File 1).

Very truly yours,

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

RAM:EAM:FWR:es

cc: Jack Wimbley
John Trenner (E. Helinski)
George Wittman
Samuel Bellestri

T-SW Key Sheet
45 & 46 NW 31 Pos. Sheets
NW 12 H Tupo
58 Tax Map



Maryland Department of Transportation

State Highway Administration

Lowell K. Bridwell
Secretary
W. S. Caltrider
Administrator

March 19, 1982

Mr. William Hackett, Chairman
Board of Appeals
County Office Building
Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: RE-Classification Petitions
Cycle III - 1982
Meeting of March 16, 1982
ITEM: #14
Property Owner: Owings Mill
Realty Company
Location: NE/S Reisterstown
Road (Route 140) 1040' N.
from centerline of Rosewood
Lane
Existing Zoning: M.L.R.
Proposed Zoning: M.L.
Acres: 19.828
District: 4th

Dear Mr. Hackett:

There is an 80' right of way proposed for Reisterstown Road that should be indicated. With no detail, either existing or proposed, we are unable to comment further except to say that any change in access is subject to the approval of the State Highway Administration.

Very truly yours,
Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

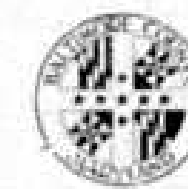
CL:JM:maw

cc: Mr. J. Wimbley
Mr. G. Wittman

By: John Meyers

My telephone number is (301) 659-1350

Teletypewriter for Impaired Hearing or Speech
363-7555 Baltimore Metro - 585-0451 D.C. Metro - 1-800-492-5282 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

March 29, 1982

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

Cycle III - 1982, Meeting of March 16, 1982
Item No. 14
Property Owner: Owings Mill Realty Company
Location: NE/S Reisterstown Road 1040' N. from centerline
of Rosewood Lane
Existing Zoning: M.L.R.
Proposed Zoning: M.L.
Acres: 19.828
District: 4th

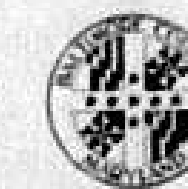
Dear Mr. Hackett:

No change in trip generation is expected by the requested zoning change from M.L.R. to M.L.

Sincerely,

Michael S. Flanigan
Michael S. Flanigan
Engineering Associate II

MSF/r1j



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

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

April 7, 1982

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

Dear Mr. Hackett:

Comments on Item #14, Cycle III Meeting, March 16, 1982, are as follows:

Property Owner: Owings Mill Realty Company
Location: NE/S Reisterstown Road 1040' N. from centerline of Rosewood Lane
Existing Zoning: M.L.R.
Proposed Zoning: M.L.
Acres: 19.828
District: 4th

The entire site must be developed utilizing metropolitan water and sewer. Connection to metropolitan sewer is subject to the allocation schedule for the Gwynns Falls Sewer System through the Office of Planning.

All existing septic systems must be properly backfilled when the site is developed.

The Zoning Plan, as submitted, does not contain sufficient information; therefore the Baltimore County Department of Health cannot make complete comments.

Very truly yours,

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/els

RECEIVED
BALTIMORE COUNTY
APR 13 2 21 PM '82
COUNTY BOARD
OF APPEALS



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

April 6, 1982

Mr. William Hammond cc: William Hackett
Zoning Commissioner Chairman of Board of Appeals
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Owings Mill Realty Company

Location: NE/S Reisterstown Road 1040' N. from centerline of Rosewood Lane

Item No.: 14 Zoning Agenda: Meeting of March 16, 1982

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 of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

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

() 3. The vehicle dead end condition shown at _____

EXCEEDS 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 operation.

(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.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: *Edith Eisenhart* Noted and Approved: *George M. Hagan*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK /mb /cm

- 2 -

I HEREBY CERTIFY that on this 15th day of December, 1982, a copy of the foregoing Petition on Appeal was delivered to the Administrative Secretary, County Board of Appeals, Rm. 200, Court House, Towson, Maryland 21204; and a copy was mailed to S. Eric DiNenna, Esquire, and S. Eric DiNenna, P.A., 406 W. Pennsylvania Avenue, Towson, Maryland 21204.

Peter Max Zimmerman
Peter Max Zimmerman

Received: *Edith Eisenhart* Date: 12-15-82
Edith Eisenhart
Administrative Secretary
County Board of Appeals of Baltimore County



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

April 19, 1982

Mr. William Hackett
Board of Appeals

RE: Reclassification Petitions
Cycle III - 1982
Meeting of March 16, 1982

Dear Mr. Hackett:

I have no comment at this time for the following item numbers.

Item No. 3
Item No. 5
Item No. 7
Item No. 8
Item No. 10
Item No. 11
Item No. 12
Item No. 14
Item No. 16
Item No. 17
Item No. 18
Item No. 19

Charles E. Burnham
Charles E. Burnham
Plans Review Chief

CEB:es

IN THE MATTER OF THE APPLICATION : IN THE CIRCUIT COURT
OF OWINGS MILLS REALTY CO. FOR :
REZONING OF PROPERTY FROM M.L.R. : FOR BALTIMORE COUNTY
TO M.L. ZONE, NE/S Reisterstown Rd., :
1040' N from centerline of Rosewood Lane, : AT LAW
4th District

Zoning Case No. R-83-58 : Misc. Docket No. 15
 : Folio No. 22
 : File No. 82-17-417

ORDER FOR APPEAL

MR. CLERK:

Please note an appeal to the Circuit Court for Baltimore County from the Opinion and Order of the County Board of Appeals of Baltimore County, under date of November 16, 1982, granting a zoning reclassification from M.L.R. to M.L. on the 12 acres ± shown on Petitioner's Exhibit #1 in the above-entitled case.

John W. Hession, III
John W. Hession, 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

I HEREBY CERTIFY that on this 15th day of December, 1982, a copy of the foregoing Order for Appeal was delivered to the Administrative Secretary of the County Board of Appeals, Rm. 200, Court House, Towson, Maryland 21204; and a copy was mailed to S. Eric DiNenna, Esquire, and S. Eric DiNenna, P.A., 406 W. Pennsylvania Avenue, Towson, Maryland 21204.

Received: *Edith Eisenhart* *Peter Max Zimmerman*
Edith T. Eisenhart
Administrative Secretary,
Board of Appeals of Baltimore County

Date: 12-15-82

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dubel, Superintendent

Towson, Maryland - 21204

Date: 3/22/82

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

Zoning Cycle #111

RE: Item No: 14
Property Owner: Owings Mill Realty Company
Location: NE/S Reisterstown Road 1040' N from centerline of Rosewood Lane
Present Zoning: M.L.R.
Proposed Zoning: M.L.

School Situation

School	Enrollment	Capacity	Over/Under
--------	------------	----------	------------

No effect on student population.

Student Yield With:	Existing Zoning	And	Proposed Zoning
Elementary			
Junior High			
Senior High			

Very truly yours,
Walter Reiter
Walter Reiter, Assistant
Department of Planning

WNP/bp

SED:wjt
2-26-82
82-13

IN THE MATTER OF * BEFORE THE
RECLASSIFICATION OF * BALTIMORE COUNTY
REISTERSTOWN ROAD * BOARD OF APPEALS
1040 Feet Northerly of *
the Centerline of *
Rosewood Lane, *
19.28 acres *
OWINGS MILLS REALTY CO. *
Petitioner *

MEMORANDUM

The Petitioner requests a reclassification from an MLR Zone to an ML Zone, containing 19.28 acres of land, more or less, and presently unimproved except for an old residential house and out buildings. The property is located on Reisterstown Road 1040 feet ± northerly from the centerline of Rosewood Lane.

A description of the area finds that the Owings Mills Volunteer Fire Company and Shopping Center lies to the South, The Western Maryland Railroad to the North and other industrial uses.

The Petitioner claims error in the present classification in that the property is not usable in the very restrictive MLR Zone. The marketability of the property has been nil because of the restrictions of set back and proposed roads.

Anticipated are use that conforms to ML Classification. Also, there has been a substantial change in the character of the neighborhood with the anticipated widening of Reisterstown Road, construction of a new road that will bisect the property and the construction of a new road from NW Expressway to Reisterstown

IN THE MATTER OF THE APPLICATION : IN THE CIRCUIT COURT
OF OWINGS MILLS REALTY CO. FOR :
REZONING OF PROPERTY FROM M.L.R. : FOR BALTIMORE COUNTY
TO M.L. ZONE, NE/S Reisterstown Rd., :
1040' N from centerline of Rosewood Lane, : AT LAW
4th District

Zoning Case No. R-83-58 : Misc. Docket No. _____
 : Folio No. _____
 : File No. _____

PETITION ON APPEAL

The People's Counsel for Baltimore County, Protestant below and Appellant herein, having heretofore filed an Order for Appeal from that portion of the Order of the County Board of Appeals of Baltimore County, under date of November 16, 1982, granting a zoning reclassification from M.L.R. to M.L. on the 12 ± acres shown on Petitioner's Exhibit #1 in the above-entitled case, in compliance with Maryland Rule B-2(e), files this Petition on Appeal setting forth the grounds upon which this Appeal is taken, viz:

That the County Board of Appeals had no legally sufficient evidence upon which to base its conclusion that the present zoning on the parcel which is the subject of this appeal is an erroneous classification and therefore their Order passed herein is illegal, arbitrary, and capricious.

WHEREFORE, Appellant prays that the Order of the Board of Appeals of Baltimore County under date of November 16, 1982 be reversed, and the action of the County Council of Baltimore County in zoning the subject property M.L.R. be affirmed and reinstated.

John W. Hession, III
John W. Hession, 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
TOWSON COUNTY
CLERK OF APPEALS
15 3 12 PM '82

Road just across Reisterstown Road from the subject property.

The proposed zoning would not increase traffic, and would not be otherwise detrimental to the health, safety or general welfare. Public Utilities are available to the property.

The reclassification to the ML Zone would make the property more usable, create tax revenue and through its usage, create jobs for Baltimore County citizens.

For these reasons, your Petitioner prays that a reclassification be granted from the MLR Zone to the ML Zone.

S. Eric DiNenna, P.A.
S. ERIC DINENNA
406 W. Pennsylvania Avenue
Towson, Maryland 21204
825-1630
Attorneys for Petitioner

-2-

IN THE MATTER OF APPLICATION OF OWINGS MILLS REALTY CO. FOR REZONING OF PROPERTY FROM M.L.R. TO H.L. ZONE, NE/S Reisterstown Road, 1040' N from centerline of Rosewood Lane, 4th District

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY AT LAW

22/15/82-M-417

Zoning Case No. R-83-58

OPINION

This is an appeal by People's Counsel from a decision of the County Board of Appeals of Baltimore County concerning rezoning of property from M.L.R. to M.L. The parcel of land is located on the northeast side of Reisterstown Road, north of Rosewood Lane, and contains some 19+ acres. At the time of the hearing, the property owner withdrew 7.96 acres on the north and east side of the property from his request, leaving only 12 acres more or less for the Board's consideration.

On May 3, 1983, counsel for the parties were heard in open court, and after reading the transcript and reviewing all exhibits, and in examining the conclusion reached by the Board upon the facts in this case, the Court cannot find the Board was erroneous in the interpretation and finding of fact and conclusion from the facts, nor in the application of the law to the facts, as it had before it evidence legally sufficient to support its decision. The Court finds sufficient to make the issue fairly debatable. This is not a case involving a change from one use contradictory to another, but merely from one commercial zone to another.

FILED MAY 9 1983

IN THE MATTER OF THE APPLICATION OF OWINGS MILLS REALTY CO. FOR REZONING OF PROPERTY FROM M.L.R. TO M.L. ZONE, NE/S Reisterstown Rd., 1040' N from centerline of Rosewood Lane, 4th District

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY AT LAW

Misc. Docket No. 15

Folio No. 22

File No. 82-M-417

PETITION FOR EXTENSION OF TIME TO FILE TRANSCRIPT OF PROCEEDINGS

The People's Counsel for Baltimore County, Appellant herein, petitions this Court, pursuant to Maryland Rule 87(b), for an extension of time within which to file the transcript of proceedings before the Baltimore County Board of Appeals and in support of this Petition states:

Carol Ann Beresh, Court Reporter for the County Board of Appeals at the time of the hearing before said Board in the above-entitled case, has advised Appellant that because of a backlog of cases, she will need a thirty-day extension of time to prepare the transcript of proceedings.

WHEREFORE, Appellant prays this Honorable Court to extend the time for filing the transcript until February 14, 1983, 60 days after the first Petition on Appeal was filed.

Received: Edith T. Eisenhart Date John W. Hession, III
Administrative Secretary People's Counsel for Baltimore County

Received & Approved: Carol Ann Beresh Date Peter Max Zimmerman
Court Reporter Deputy People's Counsel
County Board of Appeals Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 6th day of January, 1983, a copy of the foregoing Petition for Extension of Time to File Transcript of Proceedings was served on the Administrative Secretary, Board of Appeals, Room 200, Court House, Towson, MD 21204; and a copy thereof was mailed to S. Eric DiNenna, P.A., 406 W. Pennsylvania Ave., Towson, MD 21204.

Peter Max Zimmerman

Therefore, the decision of the County Board of Appeals of Baltimore County is AFFIRMED.

William R. Buchanan, Sr.
JUDGE

May 6, 1983

IN THE MATTER OF THE APPLICATION OF OWINGS MILLS REALTY CO. FOR REZONING OF PROPERTY FROM M.L.R. TO M.L. ZONE, NE/S Reisterstown Rd., 1040' N from centerline of Rosewood Lane, 4th District

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY AT LAW

Misc. Docket No. 15

Folio No. 22

File No. 82-M-417

ORDER

Upon the foregoing Petition for Extension of Time to File Transcript of Proceedings, It is hereby ORDERED this _____ day of January, 1983, that the time for filing in Court the transcript of proceedings before the Board of Appeals is hereby extended until February 14, 1983.

JUDGE

RECEIVED
BALTIMORE COUNTY
JAN 6 9 15 AM '83
COUNTY CLERK
OF APPEALS
BY: E

IN THE MATTER OF THE APPLICATION OF OWINGS MILLS REALTY CO. FOR REZONING OF PROPERTY FROM M.L.R. TO M.L. ZONE, NE/S Reisterstown Rd., 1040' N from the centerline of Rosewood Lane, 4th District

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY AT LAW

John W. Hession, III, Esq., People's Counsel for Baltimore County, Protestant-Appellant

Misc. Doc. No. 15

Folio No. 22

Zoning Case No. R-83-58

File No. 82-M-417

CERTIFIED COPIES OF PROCEEDINGS BEFORE THE BOARD OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William T. Hackett, Joanne L. Suder and Leroy B. Spurrier, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Board of Appeals of Baltimore County:

ENTRIES FROM DOCKET OF BOARD OF APPEALS OF BALTIMORE COUNTY

No. R-83-58

February 26, 1982 Petition of Owings Mills Realty Company for special exception from an MLR zone to an ML zone, on property located on the northeast side of Reisterstown Rd., 1041' north from the centerline of Rosewood Lane, 4th District - filed

Order of William T. Hackett, Chairman, County Board of Appeals, directing advertisement and posting of property - date of hearing set for Sept. 14, 1982, at 10:00 A.M.

May 3, 1982 Comments of Baltimore County Zoning Advisory Committee - filed

August 26, 1982 Certificate of Publication in newspaper - filed

August 27, " Certificate of Posting of property - filed

September 14, " At 10:00 A.M. hearing held on petition

November 16, " Order of the County Board of Appeals ordering that the reclassification from MLR to ML on the 12 acres + shown on Petitioner's Exhibit #1 west of the proposed Owings Mills Blvd., be GRANTED and the remaining 7.96 acres be retained in its existing MLR classification

Paul Lee P.E.

Paul Lee Engineering Inc.
304 W. Pennsylvania Ave.
Towson, Maryland 21204
226-5281

DESCRIPTION

19.828 ACRE PARCEL - EAST SIDE OF REISTERSTOWN ROAD - NORTH OF ROSEWOOD LANE

FOURTH ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND

This Description is for a Reclassification from "MLR-1M" to "ML-1M".

Beginning for the same at a point, said point being located in the centerline of Reisterstown Road and a distance of 1040 feet - northerly from the intersection with the centerline of Rosewood Lane, thence binding on the centerline of Reisterstown Road

(1) N 46°14'40" W 347.61 feet thence leaving said centerline of Reisterstown Road in a northerly direction

(2) N 06°17'25" E 231.35 feet

(3) N 06°48'30" E 100.00 feet

(4) N 11°32'30" E 79.40 feet

(5) N 16°29'30" E 64.30 feet

(6) N 20°31'30" E 58.56 feet

(7) N 24°08'30" E 100.00 feet

(8) N 25°57'30" E 71.00 feet, thence easterly

(9) S 66°38'30" E 50.00 feet, thence northerly

(10) N 23°21'30" E 74.56 feet

(11) N 17°29'30" E 105.82 feet

(12) N 10°01'30" E 106.42 feet

(13) N 02°48'30" E 106.36 feet

(14) N 04°31'30" W 106.61 feet

(15) N 12°18'30" W 103.40 feet

31101 COT

REVISED PLANS

MAY 6 1983

JOHN W. HESSON
CYCLE III

2/26/82

Owings Mills Realty Co.
Case No. R-83-58

December 15, 1982 Order for Appeal filed in the Circuit Ct. for Baltimore County by John W. Hession, III, Esq., People's Counsel for Balto. County

December 15, " Petition to accompany Order for Appeal filed in Circuit Ct. for Baltimore County

December 16, " Certificate of Notice sent to all interested parties

January 31, 1983 Transcript of testimony - filed

Petitioner's Exhibit No. 1 - Plat prepared by Paul Lee, 19.82 acres

" " " 2 - Plat colored in red and purple taken from 1000 scale zoning map

People's Counsel Exhibit No. 1A - Photo of railroad spur and hardware store on Reisterstown Road

January 31, 1983 Record of proceedings filed in the Circuit Ct. for Baltimore County

Record of proceedings pursuant to which said Order was entered

and said Board acted are permanent records of the Board of Appeals of Baltimore County, and your respondents respectively suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your respondents will produce any and all such rules and regulations whenever directed to do so by this Court.

Respectfully submitted,

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

cc: J. W. Hession, Esq.
S. Eric DiNenna, Esq.

DESCRIPTION - 19.828 ACRE PARCEL - EAST SIDE OF REISTERSTOWN ROAD

thence westerly

(16) S 77°41'30" W 50.00 feet, thence northerly

(17) N 18°49'15" W 100.36 feet to intersect the "ML-1M" Zoning Line as shown on Baltimore County Zoning Map NW12H, thence binding on said zoning line

(18) N 37°08'40" E 195.70 feet

(19) N 86°29'00" E 75.61 feet

(20) S 50°09'40" E 92.72 feet

(21) S 40°48'10" E 184.00 feet

(22) S 76°30'20" E 90.16 feet

(23) S 68°03'50" E 160.18 feet

(24) S 68°13'50" E 95.73 feet

(25) S 56°20'10" E 105.58 feet

(26) S 50°37'40" E 127.11 feet to intersect the "DR-16" Zoning Line as shown on Baltimore County Zoning Map NW12H, thence binding on said zoning line

(27) S 49°00'05" W 292.60 feet and thence

(28) S 32°08'05" W 1225.34 feet to the point of beginning.

Said description containing 19.828 acres ± of ground.



The People's Counsel for Balto. Co.
In the matter of the Application of
Owings Mills Realty Co.

Vs.
County Board of Appeals of Balto. Co.

IN THE CIRCUIT COURT

FOR

BALTIMORE COUNTY

Docket 15 Folio 22

Case No. 82-417

NOTICE OF FILING OF RECORD

TO: John V. Hession, III-Peter Max Zimmerman
Rm. 223, Court House
Towson, Md. 21204

In accordance with Maryland Rule of Procedure B12, you are notified that
the record in the above entitled case was filed on January 31, 1983.

c.c. S. Eric DiNenna
406 W. Penna. Ave.
Towson, Md. 21204
June Holmen
County Bd. of Appeals
Mail Stop 2203

FILED JAN 31 1983

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
November 16, 1982

S. Eric DiNenna, Esq.
406 W. Penna. Ave.
Towson, Md. 21204

Re: Case No. R-83-58
Owings Mills Realty Co.

Dear Mr. DiNenna:

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,

June Holmen
June Holmen, Secretary

Encl.
cc: Mr. Isadore Kostinsky
J. W. Hession, Esq.
W. E. Hammond
J. E. Dyer
N. E. Garber
J. G. Maxwell
Board of Education

URON RECEIPT OF THIS NOTICE: Counsel shall contact each other immediately to confirm, schedule, a chain of not receiving notice will not constitute
reason for postponement.
POSTPONEMENTS: If the above date is not agreeable to any counsel, a request for a postponement, MUST BE MADE IN WRITING to the Assignment
Office AS SOON AS POSSIBLE, with a copy to all counsel involved. **POSTPONEMENTS WITHIN 15 DAYS OF TRIAL** must be made to the attention of the
Director of Central Assignments - Joyce Grimm - 494-3987.
SETTLEMENT CONFERENCES: All counsel must secure the attendance of all parties necessary to effect a binding settlement, including clients and
insurance representatives. **THERE WILL BE NO EXCEPTIONS PER ORDER OF JUDGE FRANK E. CRONE.** Please direct all inquiries to the attention
of John Adams.
SETTLEMENT: If a settlement is reached prior to the hearing date, the Assignment Office must be notified immediately. All settlements must be put on
the record if no order of satisfaction is filed prior to trial.

RE: 82-417 - THE PEOPLE'S COUNSEL FOR BALTO. COUNTY VS. OWINGS MILLS REALTY CO., ET AL.
HEARING DATE: Tuesday, May 3, 1983, @ 9:30 A.M.
ON THE FOLLOWING: Appeals 1 hour

John V. Hession, III, Esq.
Peter Max Zimmerman, Esq.
S. Eric DiNenna, Esq.
County Bd. of Appeals of Balto. County

John Adams - 494-3987
Chief Assignment Commissioner
Assignment Office
County Court
401 South Avenue
P.O. Box 8754
Towson, Maryland 21204-0754
February 2, 1983.

CIRCUIT COURT FOR BALTIMORE COUNTY
ASSIGNMENT OFFICE
COUNTY COURTS BUILDING
401 South Avenue
P.O. Box 8754
Towson, Maryland 21204-0754
February 2, 1983.

RECEIVED
BALTIMORE COUNTY
JAN 27 11 21 AM '83
BY: J. ADAMS

RECEIVED
BALTIMORE COUNTY
JAN 27 11 21 AM '83
BY: J. ADAMS

August 18, 1982

S. Eric DiNenna, Esquire
406 W. Pennsylvania Avenue
Towson, Maryland 21204

NOTICE OF HEARING

Re: Petition for Reclassification
NE/S Reisterstown Rd., 1,040' N from
the centerline of Rosewood Lane
Owings Mills Realty Co. - Petitioner
Case #R-83-58 Cycle III-Item #14

TIME: 10:00 A.M.

DATE: Tuesday, September 14, 1982

PLACE: Room 218, Courthouse, Towson, Maryland

cc: People's Counsel

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

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
December 16, 1982

Mr. J. W. Hession
People's Counsel for Balto. County
Court House
Towson, Md. 21204

Dear Mr. Hession: Re: Case No. R-83-58
Owings Mills Realty Co.

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,

June Holmen
June Holmen, Secy.

Encl.

PETITION FOR RECLASSIFICATION

4th. Election District

ZONING: Petition for Reclassification
LOCATION: Northeast side of Reisterstown Road, 1,040 ft. North
from the centerline of Rosewood Lane
DATE & TIME: Tuesday, September 14, 1982 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.R. - L.M.
Proposed Zoning: M.L. - L.M.

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

Being the property of Owings Mills Realty Company, as shown on plat plan filed with
the Zoning Department.

Hearing Date: Tuesday, September 14, 1982 at 10:00 A.M.
Public Hearing: Room 218, Courthouse, 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
December 16, 1982

S. Eric DiNenna, Esq.
406 W. Pennsylvania Ave.
Towson, Md. 21204

Dear Mr. DiNenna: Re: Case No. R-83-58
Owings Mills Realty Co.

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,

June Holmen
June Holmen, Secy.

Encl.
cc: Isadore Kostinsky
W. E. Hammond
J. E. Dyer
N. E. Garber
J. G. Maxwell
Board of Education

S. Eric DiNenna, P.A.
Attorney at Law

406 W. Pennsylvania Avenue
Towson, Maryland 21204

301-825-1630
301-296-6820

July 21, 1982

County Board of Appeals
Room 219 Courthouse
Towson, Maryland 21204

RE: Owings Mills Realty Company
1,040' N from intersection of
Rosewood Lane
Reclassification Petition
Item No. 14
My File No.: 82-13

Dear Mr. Chairman:

Please be advised that my clients in the above captioned
matter are under pressure of a pending contract of sale of
a portion of the subject property subject to this Petition.

Accordingly, I would respectfully request that the hearing
before the Board be held as soon as possible in the early
portion of the upcoming cycle.

Very truly yours,

S. Eric DiNenna
S. ERIC DINENNA

SED:wjt

cc: Mr. Isadore Kostinsky

RECEIVED
BALTIMORE COUNTY
JUL 23 9 35 AM '82
COUNTY BOARD
OF APPEALS
BY: J. ADAMS

*Trans 7/14 - is any
of by Hession?*
*Presently scheduled to meet 7/14/82
Has not yet been a decision by "week of"*

S. Eric DiNenna, P.A.
Attorney at Law

406 W. Pennsylvania Avenue
Towson, Maryland 21204

301-421-1430
301-296-6824

August 19, 1982

County Board of Appeals
Room 219 Courthouse
Towson, Maryland 21204

RE: Reclassification Petition
Item 14, Cycle 3
Owings Mills Realty, Inc.
Petitioner

Dear Mr. Chairman:

This is to confirm my conversation with your
Office wherein they advised me that the hearing 10:00
on the above captioned matter will take place at 11:00
A. M. on September 14, 1982.

Thank you for your cooperation in this matter.

Very truly yours,

S. ERIC DINENNA

SED:wjt

cc: Owings Mills Realty, Inc.

Called Mr. DiNenna's attention to
10 am. instead of 11 am as he stated.

April 7, 1982

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

Dear Mr. Hackett:

Comments on Item #14, Cycle III Meeting, March 16, 1982, are as
follows:

Property Owner: Owings Mills Realty Company
Location: NE/S Reisterstown Road 1040' E. from center-
line of Rosewood Lane
Existing Zoning: M.L.R.
Proposed Zoning: M.L.
Acre: 19.828
District: 4th

The entire site must be developed utilizing metropolitan water and
sewer. Connection to metropolitan sewer is subject to the allocation schedule
for the Cynnas Falls Sewer System through the Office of Planning.

All existing septic systems must be properly backfilled when the
site is developed.

The Zoning Plan, as submitted, does not contain sufficient infor-
mation; therefore the Baltimore County Department of Health cannot make com-
plete comments.

Very truly yours,

Jan J. Forjast, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/als/JSP

Maryland Department of Transportation
State Highway Administration

Lowell K. Brink
Secretary
S. S. Calhoun
Assistant

March 19, 1982

Mr. William Hackett, Chairman
Board of Appeals
County Office Building
Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: RE-Classification Petitions
Cycle III - 1982
Meeting of March 16, 1982
ITEM: #14
Property Owner: Owings Mills
Realty Company
Location: NE/S Reisterstown
Road (Route 140) 1040' N.
from centerline of Rosewood
Lane
Existing Zoning: M.L.R.
Proposed Zoning: M.L.
Acre: 19.828
District: 4th

Dear Mr. Hackett:

There is an 80' right of way proposed for Reisterstown Road
that should be indicated. With no detail, either existing or
proposed, we are unable to comment further except to say that
any change in access is subject to the approval of the State
Highway Administration.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: John Meyers

CL:JM:maw

cc: Mr. J. Wimbley
Mr. G. Wittman

File Number is (301) 650-1350

DESCRIPTION - 19.828 ACRE PARCEL - EAST SIDE OF REISTERSTOWN ROAD

thence westerly

- (16) S 77°41'30" W 50.00 feet, thence northerly
(17) N 18°49'45" W 100.36 feet to intersect the "DR-1" Zoning Line as
shown on Baltimore County Zoning Map NW12H, thence binding on said zoning
line
(18) N 57°08'40" E 195.70 feet
(19) N 85°29'00" E 75.61 feet
(20) S 50°09'40" E 92.72 feet
(21) S 40°45'10" E 184.00 feet
(22) S 76°50'20" E 90.16 feet
(23) S 68°03'50" E 166.18 feet
(24) S 68°13'50" E 95.73 feet
(25) S 56°20'10" E 105.58 feet
(26) S 50°37'40" E 127.11 feet to intersect the "DR-16" Zoning Line as
shown on Baltimore County Zoning Map NW12H, thence binding on said zoning
line
(27) S 49°00'05" W 292.60 feet and thence
(28) S 32°08'05" W 1225.14 feet to the point of beginning.

Said description containing 19.828 acres ± of ground.

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

WILLIAM E. HAMMOND
ZONING COMMISSIONER

September 7, 1982

S. Eric DiNenna, Esquire
406 W. Pennsylvania Avenue
Towson, Maryland 21204

Re: Petition for Reclassification
NE/S Reisterstown Rd., 1,040' N from
the centerline of Rosewood Lane
Owings Mills Realty Co. - Petitioner
Case #R-83-58 Cycle III - Item #14

Dear Mr. DiNenna:

This is to advise you that \$224.33 is due for advertising and posting
of the above property.

Please make the check payable to Baltimore County, Maryland, and remit
to Arlene January, Zoning Office, Room 113, County Office Building, Towson,
Maryland 21204, before the hearing.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

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

No. 112315

DATE 10/18/82 ACCOUNT R-01-615-000

AMOUNT \$224.33

RECEIVED FROM S. Eric DiNenna, Esquire
FOR Advertising & Posting Case #R-83-58
(Owings Mills Realty Co.)

6 078*****2243315 #155A

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

R-83-58

District 4th Date of Posting August 27, 1982
Posted for: Reclassification
Petitioner: Owings Mills Realty Company
Location of property: NE/S Reisterstown Road 1,040' N from
Centerline of Rosewood Lane
Location of Signs: North east side of Reisterstown Road approx.
1200' north of Rosewood Lane
Remarks: S.D. DiNenna
Posted by: S.D. DiNenna Date of return September 3, 1982
Number of Signs: 1

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

No. 104576

DATE 2/24 ACCOUNT 01-662

AMOUNT \$200

RECEIVED FROM Owings Mills Realty Co.

FOR Advertising & Posting Case #R-83-58

50.00

VALIDATION OR SIGNATURE OF CASHIER

Paul Lee P.E.

Paul Lee Engineering Inc.
304 W. Pennsylvania Ave.
Towson, Maryland 21204
824-5914

DESCRIPTION

19.828 ACRE PARCEL - EAST SIDE OF REISTERSTOWN ROAD - NORTH OF ROSEWOOD LANE

FOURTH ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND

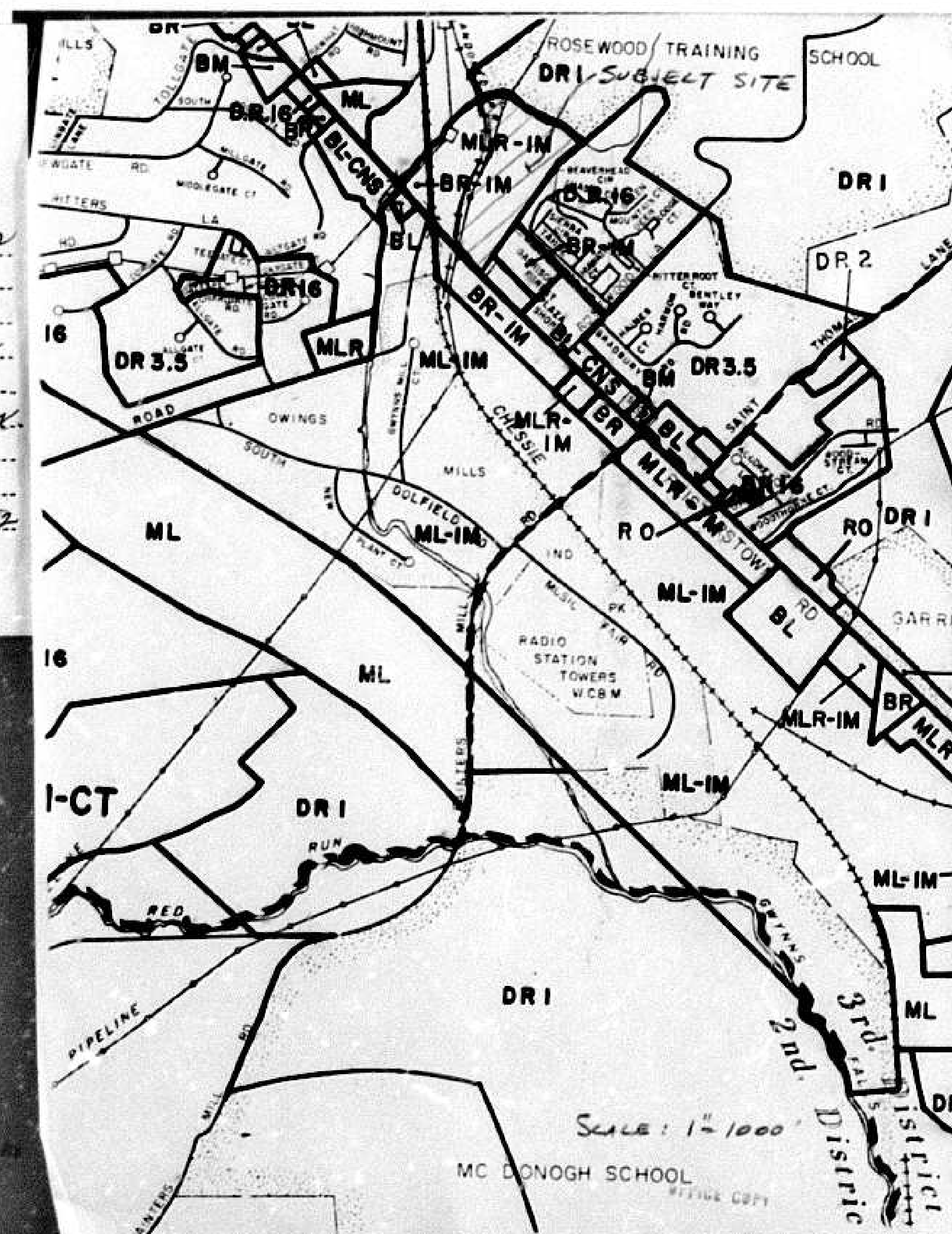
This Description is for a Reclassification from "MLR-IM" to "ML".

Beginning for the same at a point, said point being located in the
centerline of Reisterstown Road and a distance of 1040 feet ± northerly
from the intersection with the centerline of Rosewood Lane, thence binding
on the centerline of Reisterstown Road

- (1) N 46°14'40" W 347.61 feet thence leaving said centerline of Reisterstown
Road in a northerly direction
(2) N 06°17'25" E 231.35 feet
(3) N 06°48'30" E 100.00 feet
(4) N 11°21'30" E 79.40 feet
(5) N 16°29'30" E 64.50 feet
(6) N 20°31'30" E 58.56 feet
(7) N 24°08'30" E 100.00 feet
(8) N 23°57'30" E 71.00 feet, thence easterly
(9) S 66°38'30" E 50.00 feet, thence northerly
(10) N 23°21'30" E 74.56 feet
(11) N 17°29'30" E 105.82 feet
(12) N 10°01'30" E 106.42 feet
(13) N 02°48'30" E 106.36 feet
(14) N 04°31'30" W 106.61 feet
(15) N 12°18'30" W 103.40 feet thence leaving said centerline of Reisterstown
Road in a northerly direction

-1-

2/26/82



PETITION FOR RECLASSIFICATION
4th Election District

ZONING: Petition for Reclamation

LOCATION: Northeast side of Reisterstown Road, 1.040 ft. North from the centerline of Rosewood Lane

DATE & TIME: Tuesday, September 14, 1982 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.R.-1M
Proposed Zoning: M.L.-1M

All that parcel of land in the Fourth District of Baltimore County.

Beginning for the same at a point, said point being located in the centerline of Reisterstown Road and a distance of 1040 feet ± northerly from the intersection with the centerline of Rosewood Lane, thence binding on the centerline of Reisterstown Road:

(1) N 40° 14' 40" W 347.61 feet thence leaving said centerline of Reisterstown Road in a northerly direction

(2) N 06° 17' 25" E 231.35 feet

(3) N 09° 48' 30" E 100.00 feet

(4) N 11° 02' 30" E 79.40 feet

(5) N 16° 29' 30" E 64.50 feet

(6) N 20° 31' 30" E 58.88 feet

(7) N 24° 08' 30" E 100.00 feet

(8) N 23° 57' 30" E 71.00 feet, thence easterly

(9) S 06° 38' 30" E 50.00 feet, thence northerly

(10) N 23° 21' 30" E 74.56 feet

(11) N 17° 29' 30" E 105.82 feet

(12) N 10° 11' 30" E 108.42 feet

(13) N 02° 48' 30" E 105.36 feet

(14) N 04° 31' 30" W 108.61 feet

(15) S 04° 29' 10" E 105.56 feet

(16) S 77° 41' 30" W 50.00 feet, thence northerly

(17) N 18° 48' 45" W 100.36 feet to intersect the "ML-1M" Zoning Line as shown on Baltimore County Zoning Map NW12H, thence binding on said zoning line

(18) N 57° 08' 40" E 185.70 feet

(19) N 89° 29' 00" E 75.61 feet

(20) S 50° 09' 40" E 92.72 feet

(21) S 40° 48' 10" E 184.00 feet

(22) S 78° 50' 20" E 90.16 feet

(23) S 68° 03' 50" E 160.16 feet

(24) S 68° 13' 50" E 95.73 feet

(25) S 54° 20' 10" E 105.56 feet

(26) S 80° 37' 40" E 127.11 feet to intersect the "DR-16" Zoning Line as shown on Baltimore County Zoning Map NW12H, thence binding on said zoning line

(27) S 48° 02' 05" W 792.60 feet and thence

(28) S 32° 38' 05" W 1225.34 feet to the point of beginning.

Said description containing 19.828 acres ± of ground.

Being the property of Owings Mills Realty Company, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, September 14, 1982 at 10:00 A.M.

Public Hearing: Room 218, Courthouse, Towson, Maryland

By Order Of
WILLIAM T. HACKETT,
Chairman, County Board of Appeals of Baltimore County
Aug. 26

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 26, 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., ~~one time~~ before the 14th day of September, 1982, the 26th publication appearing on the 26th day of August, 1982.

THE JEFFERSONIAN

H. L. Smith
Manager.

Cost of Advertisement, \$

Office of The Carroll County Times

REISTERSTOWN COMMUNITY TIMES

Westminster, Md., August 26, 1982

THIS IS TO CERTIFY that the annexed advertisement was published for one successive weeks previous to the 26th day of August, 1982, in The Carroll County Times a daily newspaper published in Westminster, Carroll County, Maryland.

REISTERSTOWN COMMUNITY TIMES
THE CARROLL COUNTY TIMES
Per *Arline Clark*
BOOKKEEPER

(98) Public Notices (98) Public Notice

PETITION FOR RECLASSIFICATION
4th Election District

ZONING: Petition for Reclamation

LOCATION: Northeast side of Reisterstown Road, 1.040 ft. North from the centerline of Rosewood Lane

DATE & TIME: Tuesday, September 14, 1982 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.R.-1M
Proposed Zoning: M.L.-1M

All that parcel of land in the Fourth District of Baltimore County.

Beginning for the same at a point, said point being located in the centerline of Reisterstown Road and a distance of 1040 feet ± northerly from the intersection with the centerline of Rosewood Lane, thence binding on the centerline of Reisterstown Road:

(1) N 40° 14' 40" W 347.61 feet thence leaving said centerline of Reisterstown Road in a northerly direction

(2) N 06° 17' 25" E 231.35 feet

(3) N 09° 48' 30" E 100.00 feet

(4) N 11° 02' 30" E 79.40 feet

(5) N 16° 29' 30" E 64.50 feet

(6) N 20° 31' 30" E 58.88 feet

(7) N 24° 08' 30" E 100.00 feet

(8) N 23° 57' 30" E 71.00 feet, thence easterly

(9) S 06° 38' 30" E 50.00 feet, thence northerly

(10) N 23° 21' 30" E 74.56 feet

(11) N 17° 29' 30" E 105.82 feet

(12) N 10° 11' 30" E 108.42 feet

(13) N 02° 48' 30" E 105.36 feet

(14) N 04° 31' 30" W 108.61 feet

(15) N 12° 18' 30" W 103.40 feet thence westerly

(16) S 77° 41' 30" W 50.00 feet, thence northerly

(17) N 18° 48' 45" W 100.36 feet to intersect the "ML-1M" Zoning Line as shown on Baltimore County Zoning Map NW12H, thence binding on said zoning line

(18) N 57° 08' 40" E 185.70 feet

(19) N 89° 29' 00" E 75.61 feet

(20) S 50° 09' 40" E 92.72 feet

(21) S 40° 48' 10" E 184.00 feet

(22) S 78° 50' 20" E 90.16 feet

(23) S 68° 03' 50" E 160.16 feet

(24) S 68° 13' 50" E 95.73 feet

(25) S 54° 20' 10" E 105.56 feet

(26) S 80° 37' 40" E 127.11 feet to intersect the "DR-16" Zoning Line as shown on Baltimore County Zoning Map NW12H, thence binding on said zoning line

(27) S 48° 02' 05" W 792.60 feet and thence

(28) S 32° 38' 05" W 1225.34 feet to the point of beginning.

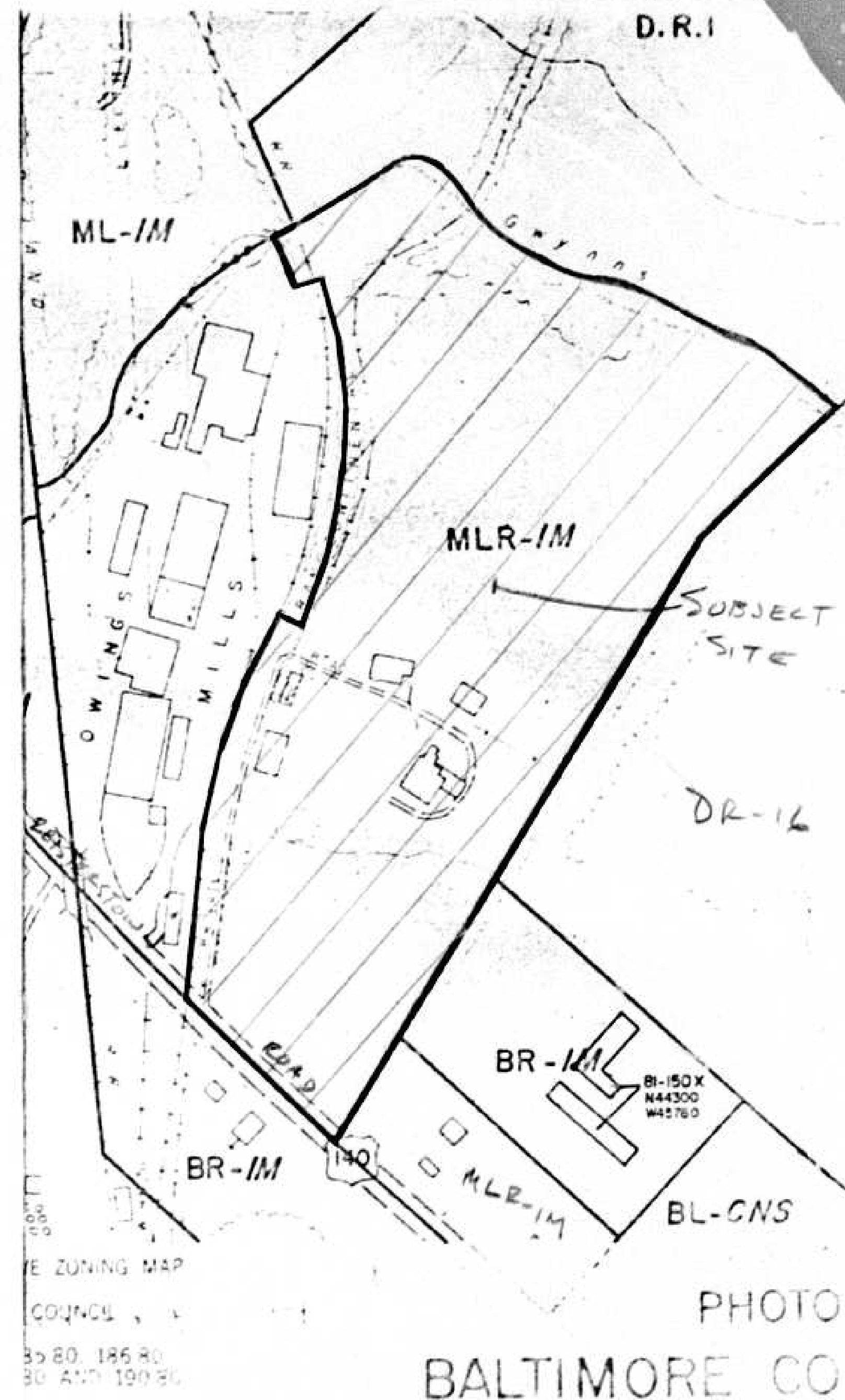
Said description containing 19.828 acres ± of ground.

Being the property of Owings Mills Realty Company, as shown on the plat plan filed with the Zoning Department.

Hearing Date: Tuesday, September 14, 1982 at 10:00 A.M.

Public Hearing: Room 218, Courthouse, Towson, Maryland

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



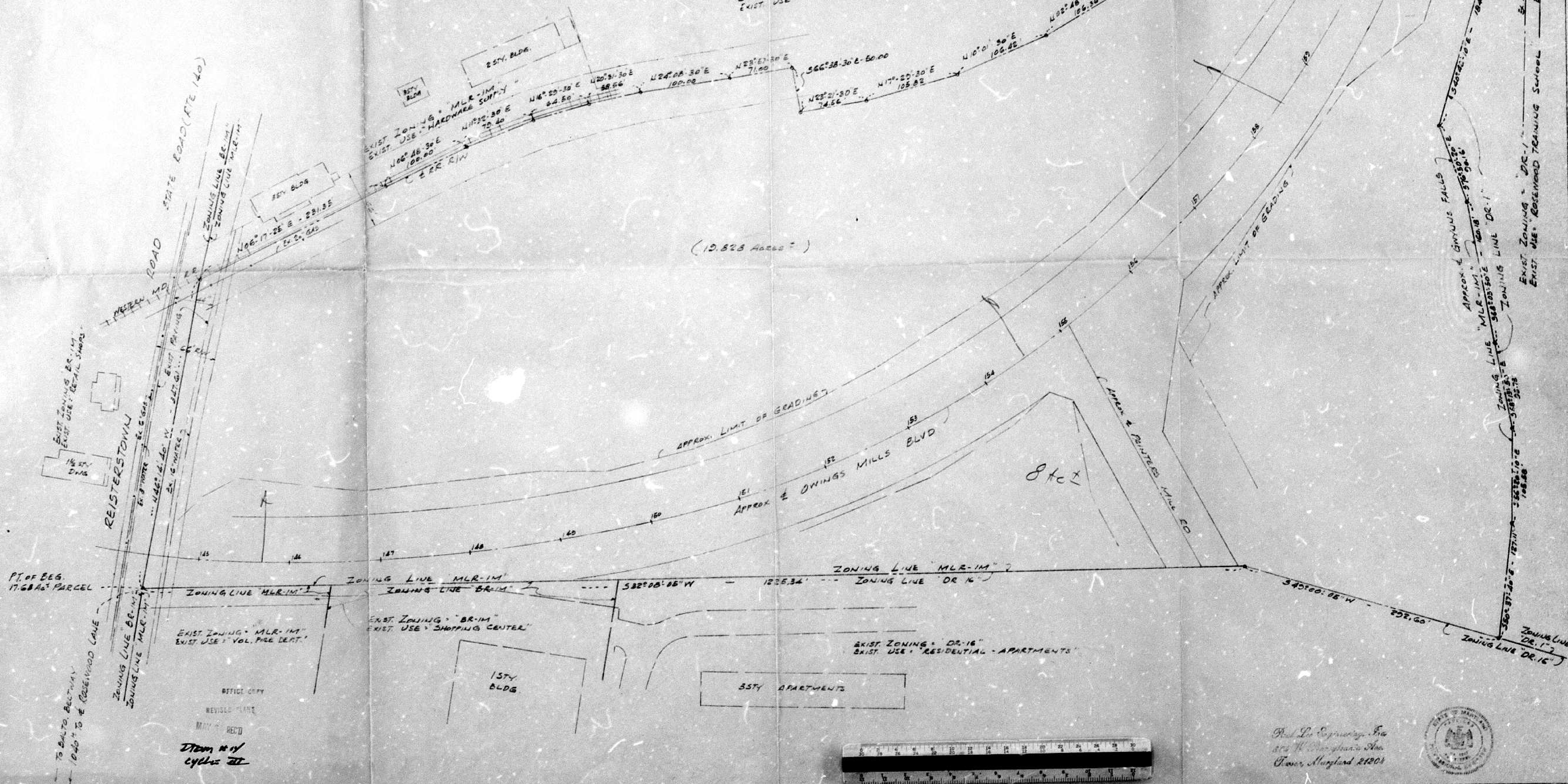
19.828 ACRE PARCEL

FEB 24, 1982
REV. APRIL 29 1982

1. AREA OF SITE = 13,828 A.C.
2. EXISTING ZONING OF SITE = "MLR-1M"
3. EXISTING USE OF SITE = VACANT EX. DWG. TO BE RAZED
4. PROPOSED ZONING OF SITE = "ML-1M"
5. PROPERTY LOCATED IN GWINNS FALL WATERSHED
6. PUBLIC UTILITIES AVAILABLE TO SITE



EXIST. IONING = "MLR-IM"
EXIST. USE = "HARDWARE SUPPLY"



Paul L. Engineering, Inc.
505 W. Washington Ave.
Towson, Maryland 21204

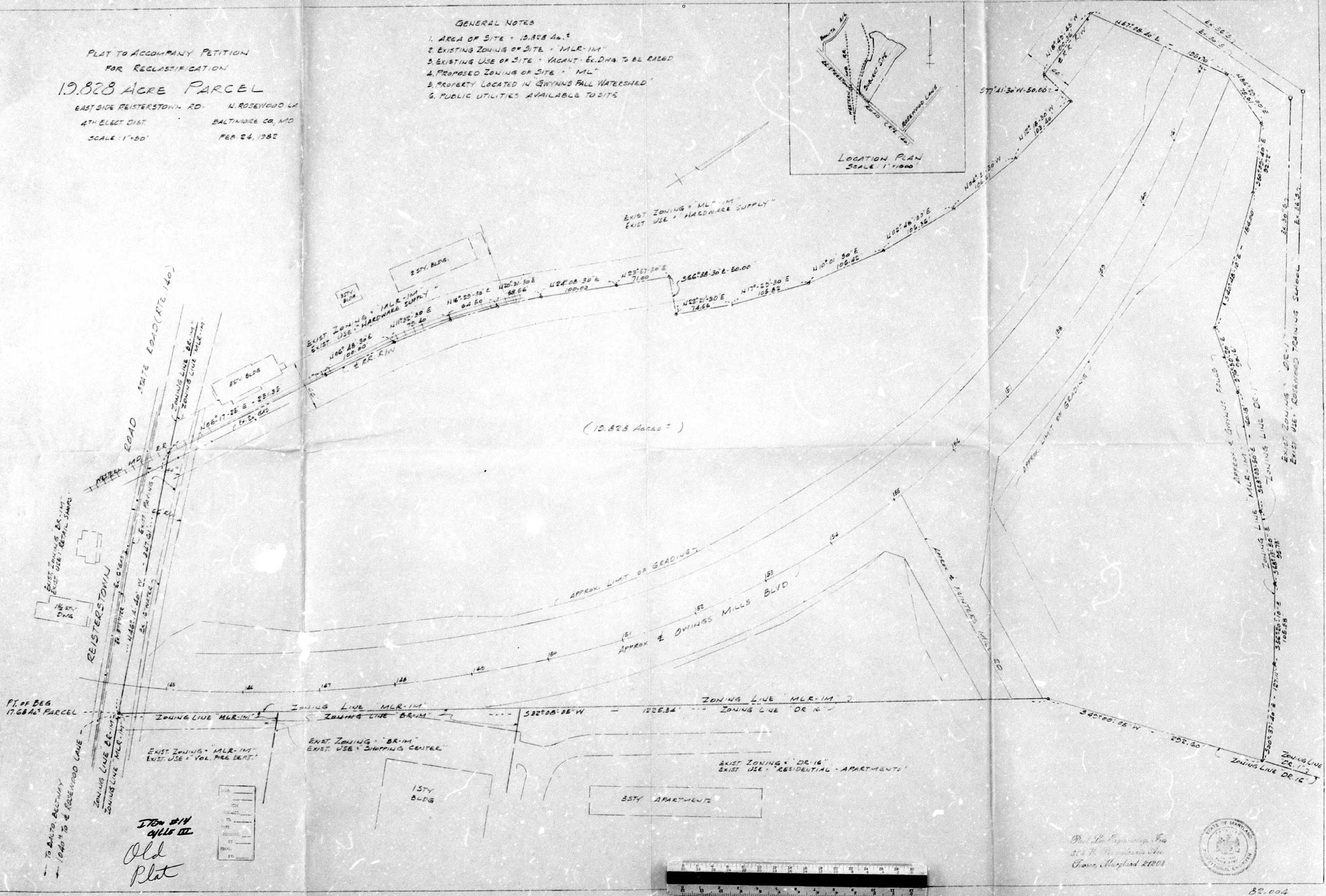
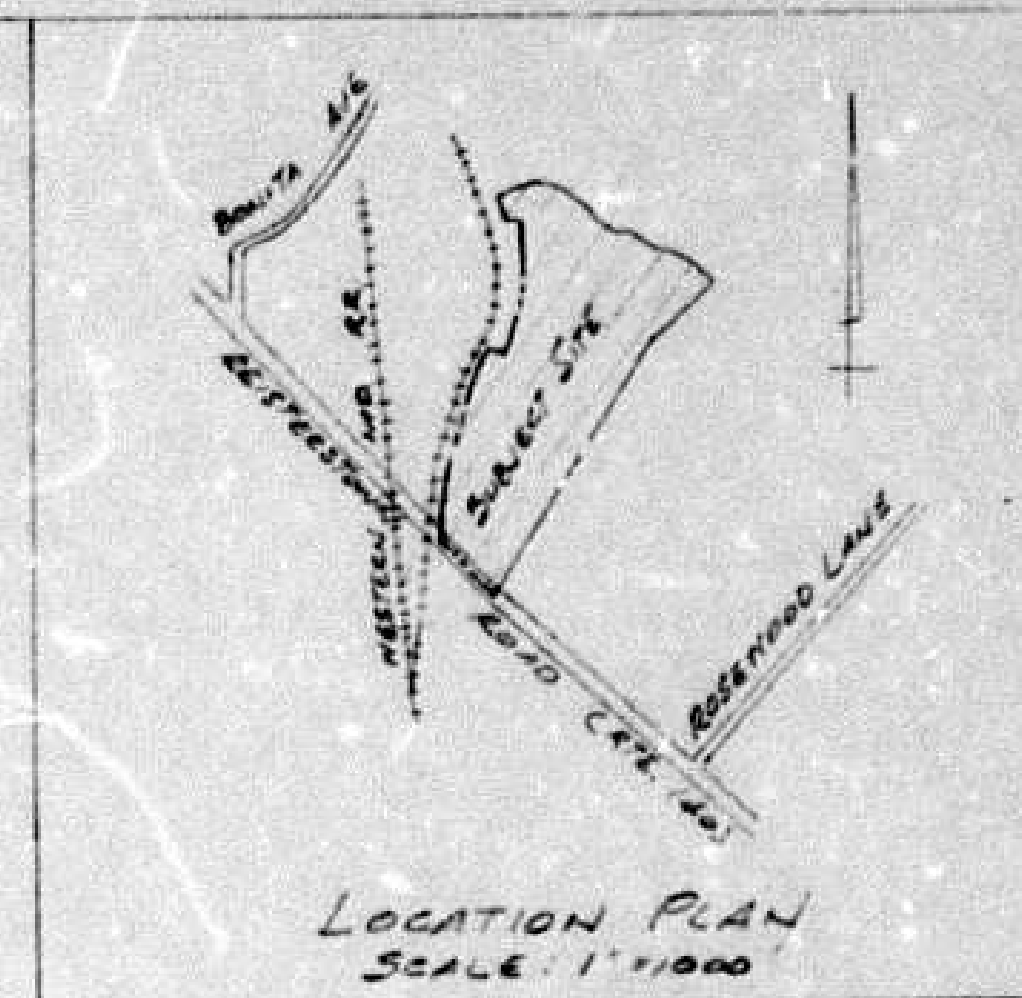


19.828 ACRE PARCEL

EAST SIDE REISTERSTOWN RD. N. ROSEHOO LA
4TH ELECT. DIST. BALTIMORE CO, MD
SCALE: 1"=50' FEB. 24, 1982

GENERAL NOTES

1. AREA OF SITE = 13,858 A.C.
2. EXISTING ZONING OF SITE = "MLR-INT"
3. EXISTING USE OF SITE = VACANT - EX. DRG. TO BE RAZED
4. PROPOSED ZONING OF SITE = "ML"
5. PROPERTY LOCATED IN GWYNNS FALL WATERSHED
6. PUBLIC UTILITIES AVAILABLE TO SITE



Paul Lee Cunningham, Esq.
514 N. Washington Ave.
Ft. Worth, Maryland 21204

