

**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 R0 zone to an RR zone, (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: (Type or Print Name) Signature Address City and State	Legal Owner(s): <u>Chang Soo Song</u> (Type or Print Name) <i>Chang Soo Song</i> Signature <u>Yoo Sung Song</u> (Type or Print Name) Signature Address City and State
Attorney for Petitioner: <u>Henry W. Stewart</u> (Type or Print Name) Signature Address City and State	<u>3300 Hollins Ferry Road</u> 247-9574 <u>Baltimore, Maryland 21229</u> City and State
Address <u>203 Courtland Ave.</u> <u>Towson, Maryland 21204</u> City and State	Name, address and phone number of legal owner, contact purchaser or representative to be contacted <u>Henry W. Stewart</u> Name <u>203 Courtland Ave.</u> 321-8818 Address Phone No. <u>Towson, Maryland #21204</u>
Attorney's Telephone No. <u>321-8818</u>	

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS  
from R.O. to B.R. Zone  
W. S. Hollins Ferry Rd. at Baltimore : OF BALTIMORE COUNTY  
City/County Line 31' S. from center-  
line of Gebb Ave., 13th District :  
CHANG SOO SONG, et ux, : Case No. R-83-186 (Item 1, Cycle IV, 1982)  
Petitioners

**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.

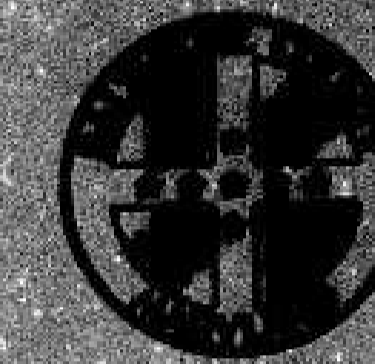
Peter Max Zimmerman John W. Hession, III  
Deputy People's Counsel People's Counsel for Baltimore County  
Rm. 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 28 day of September, 1982,

a copy of the foregoing Order was mailed to Henry W. Stewart, Esquire, 203 Courtland Avenue, Towson, Maryland 21204, Attorney for Petitioners.

John W. Hession, III

**BALTIMORE COUNTY  
ZONING PLANS  
ADVISORY COMMITTEE**



**PETITION AND SITE PLAN  
EVALUATION COMMENTS**

**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**

November 4, 1982

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

Henry W. Stewart, Esquire  
203 Courtland Avenue  
Towson, Maryland 21204

cc: Nicholas B. Commodari  
Chairman

RE: Item No. 1 - Cycle No. IV  
Petitioner - Chang Soo Song, et ux  
Reclassification Petition

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

Dear Mr. Stewart:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the October-April reclassification cycle (Cycle IV). 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/or commenting agencies' standards and policies, you are requested to review these comments, make your own judgement as to their accuracy and submit the necessary amendments to this office before Monday, November 29, 1982. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

The subject property, located at the southwest corner of the Baltimore City/County line and Hollins Ferry Road, is zoned R.O. and is improved with a large dwelling and two car garage. This latter structure was the subject of a previous zoning violation hearing (C-81-269-V) in which the operation of a service garage was ordered to cease. The property is part of a larger tract of land that was granted a reclassification from D.R.5.5. to a D.R.16 zone with a special exception for an office building (Case 73-227-R). However, the time for utilization of that special exception has since expired. Surrounding properties are improved with dwelling, an industrial park, and a commercial operation to the west, east, and south, respectively. To the north in the City are dwellings and a shopping center.

Item No. 1 - Cycle No. IV  
Petitioner - Chang Soo Song, et ux  
Reclassification Petition  
Page 2

Immediately adjacent to your clients' southerly property line and between the commercial establishment is a strip of land zoned D.A. 5.5.

By copy of this letter, I am forwarding your request to Al Barry, Chief of Current Planning in Baltimore City for his review and comments. I am requesting that any comments that he may have be submitted to this office by November 29, and they will then be forwarded to you.

It should be noted that the petition has been advertised correctly; i.e., proposed B. R. zone. However, when it was sent to the Committee, the proposed zoning was listed as "B.L." due to a typographical error. This does not affect the status of the enclosed comments.

In view of the fact that the submitted site plan does not indicate a proposed development, the enclosed comments from this Committee are general in nature. If the requested reclassification is granted, more detailed comments from County agencies and the Committee will be written when a proposed development is indicated. If the garage is to be used for commercial purposes, it must be setback at least 30 feet from the side and rear property lines and 40 feet from the dwelling or a variance will be required.

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 March 1 and June 30, 1983, will be forwarded to you in the future.

Very truly yours,  
*Nicholas B. Commodari*  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: E. F. Raphael & Associates  
201 Courtland Avenue  
Towson, Maryland 21204

Mr. Al Barry, Chief Current Planning  
Baltimore City Dept. of Planning  
8th Floor  
222 E. Saratoga Street  
Baltimore, Maryland 21202

CITY OF BALTIMORE



PLANNING COMMISSION  
DEPARTMENT OF PLANNING  
LARRY REICH, Director  
100 E. Pratt Street, Baltimore, Maryland 21202

December 1, 1982

Mr. Nicholas Commodari  
Chairman, Zoning Advisory Committee  
Baltimore County Office Building  
Baltimore, MD 21204

Dear Mr. Commodari:

This is in response to your request for our Department to review the zoning reclassification petition for the property located at the Southwest corner of the Baltimore City/County line and Hollins Ferry Road.

The property, improved by a garage and large dwelling, is located in a mixed use area. Along Hollins Ferry Road in the City there are several commercial uses. However, south of and west along Gebb Avenue the uses are primarily residential. This area, adjacent to the property in question, is zoned residential. Please consider this in evaluating the proposed change.

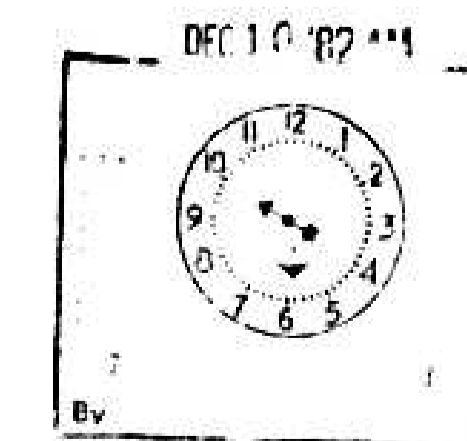
Sincerely,

*Larry Reich*

Larry Reich  
Director

cc:

Mr. J. Hoswell, Baltimore County Planning



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

September 27, 1982

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

Re: Item #1 Zoning Cycle IV (Oct. 1982-Apr. 1983)  
Property Owner: Chang Soo Song, et ux  
W/S of Hollins Ferry Rd. at Baltimore City/County Line 31' S. from centerline of Gebb Avenue  
Existing Zoning: R-O  
Proposed Zoning: B.L.  
Acres: 0.467  
District: 13th

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.

**General:**

Comments were supplied in conjunction with the Zoning Advisory Committee review of an overall larger site, of which this property is a part, in connection with Item #1 of Zoning Cycle IV (October 1972-April 1973).

**Highways:**

Hollins Ferry Road and Gebb Avenue, existing public roads, are proposed to be improved in the future as 40 and 30-foot closed section roadways or 60 and 30-foot rights-of-way, respectively, with fillet areas for sight distance at their intersection.

**Sediment Control:**

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

**Storm Drains:**

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 problems which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #1 Zoning Cycle IV (Oct. 1982-Apr. 1983)

Property Owner: Chang Soo Song, et ux

Page 2

September 27, 1982

**Water and Sanitary Sewer:**

There are public 6 and 12-inch water mains in Gebb Avenue and Hollins Ferry Road, respectively, and 8-inch public sanitary sewerage exists in each.

Very truly yours,

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

PAH:EAM:FW:RIS

cc: Jack Wimbley  
John Trenner

G-SE Key Sheet  
18 SW 6 & 7 Pos. Sheets  
SW 5 B Topo  
109 Tax Map

Attachment

Baltimore County, Maryland  
 Department of Public Works  
 COUNTY OFFICE BUILDING  
 TOWSON, MARYLAND 21204  
 October 13, 1972

Bureau of Engineering  
 ELLENWORTH W. DYER, P.E., CHIEF

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

Re: Item #11 (Cycle Zoning IV Oct. 1972 - April 1973)  
 Property Owner: Doris North, Leo J. Henn, Jr. and  
 Marcel Henn  
 S/S Gehb Ave., W/S of Hollins Ferry Rd.  
 Present Zoning: D.R. 5.5  
 Proposed Zoning: Reclass. from D.R. 5.5 to B.R.  
 District: 13th No. Acres: 0.271 sq. ft.

Dear Sir:

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.

Highway Comments:

Hollins Ferry Road is an existing public road proposed for improvement as a collector with a 40-foot curb to curb cross-section on a 60-foot right-of-way. Improvements have been designed through the frontage of this site, Ref: Job Order 5-179-50 and right-of-way plat 67-222-1, but are not correctly shown on the Petitioner's plat.

Gehb Avenue is an existing road used for local residential access which is to be improved as a 30-foot curb to curb cross-section on a 50-foot right-of-way. Gehb Avenue is called to be an existing 30-foot right-of-way and platted to be a 40-foot right-of-way on the Petitioner's plat. This should be clarified by the Petitioner's engineer. The 12-foot highway widening for the Gehb Avenue frontage as platted on the Petitioner's plat will be adequate for the improvement necessary if located properly. A 15-foot widening would be necessary if the 30-foot existing right-of-way called is correct.

Note: The "4-foot high Dense Screening" called and shown on the frontage of Gehb Avenue and Hollins Ferry Road is platted in the proposed highway widening and slope easement area instead of within the resulting fee lot.

Storm Drain Comments:

The subject property lies within the Patapsco Watershed.

Item #11 (Cycle Zoning IV Oct. 1972 - April 1973)  
 Property Owner: Doris North, Leo J. Henn, Jr. and Marcel Henn  
 Page 7  
 October 13, 1972

Storm Drain Comments: (Cont'd)

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damage 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.

Proposals for draining the improvement proposed have not been indicated on the Petitioner's plat.

Sediment Control Comments:

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.

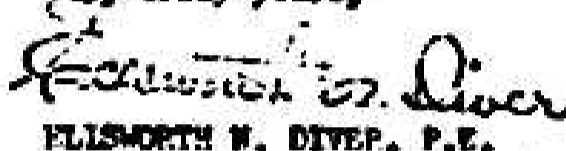
Water Comments:

Public water is available to serve this property.

Sanitary Sewer Comments:

Public sanitary sewerage is available to serve this property.

This property is served by sanitary sewers from the Heidon Choice Run Drainage Area.

Very truly yours,  
  
 ELLENWORTH W. DYER, P.E.  
 Chief, Bureau of Engineering

ENCLOSURES:

24 5 B Tone  
 0-06 Key Sheet  
 15 24 7 Position Sheet  
 109 Tax Map

BALTIMORE COUNTY  
 OFFICE OF PLANNING AND ZONING  
 TOWSON, MARYLAND 21204  
 494-3211  
 NORMAN E. GERDER  
 DIRECTOR

December 3, 1982

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

Dear Mr. Hackett:

Comments on Item #1, Zoning Advisory Committee Meeting, Zoning Cycle IV - 1982, September 14, 1982, are as follows:

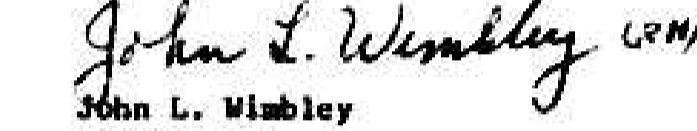
Property Owner: Chang Soo Song, et ux  
 Location: W/S Hollins Ferry Road at the Baltimore City/County Line 31' S. from centerline of Gehb Avenue  
 Acres: 0.467  
 District: 13th

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 property is located in the Patapsco Sewer Area and must meet the requirements of Section 4A of the Zoning Regulations.

The site plan does not have sufficient information to make site plan comments at this time.

Very truly yours,

  
 John L. Wimbley  
 Planner III  
 Current Planning & Development

JLK:rh

BALTIMORE COUNTY  
 DEPARTMENT OF TRAFFIC ENGINEERING  
 TOWSON, MARYLAND 21204  
 494-3550  
 STEPHEN E. COLLINS  
 DIRECTOR

October 29, 1982

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

Cycle IV - Meeting of September 14, 1982

Item No. - 1  
 Property Owner: Chang Soo Song, et ux  
 Location: W/S Hollins Ferry Road at the Baltimore City/County Line 31' S. from centerline of Gehb Avenue.  
 Existing Zoning: R-0  
 Proposed Zoning: B-1  
 Acres: 0.467  
 District: 13th

Dear Mr. Hackett:

The existing R.O. zoning for this site can be expected to generate approximately 110 trips per day and the proposed B.L. zoning can be expected to generate approximately 225 trips per day.

  
 Michael S. Flanigan  
 Traffic Engineer II

NEF/cca

September 07, 1982

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

Dear Mr. Hackett:

Comments on Item #1, Cycle IV Meeting, September 14, 1982, are as follows:

Property Owner: Chang Soo Song, et ux  
 Location: W/S Hollins Ferry Road at the Baltimore City/County Line 31' S. from centerline of Gehb Avenue.  
 Existing Zoning: R-0  
 Proposed Zoning: B-1  
 Acres: 0.467  
 District: 13th

Interpretation under and cover presently serve the property.

If interpretation work and all changes are performed on this location, the method providing for the elimination of cuts all must be in accordance with Water Resources Administration requirements.

Very truly yours,  
  
 Dan J. Pagan, Director  
 Bureau of Environmental Services

EW/ab/cw

BALTIMORE COUNTY  
 FIRE DEPARTMENT  
 TOWSON, MARYLAND 21204  
 825-7310

PAUL H. RENCKE  
 CHIEF

September 29, 1982

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

Attention: Nick Commodari, Chairman  
 Zoning Plans Advisory Committee


RE: Property Owner: Chang Soo Song, et ux

Location: W/S Hollins Ferry Road at the Baltimore City/County Line 31' S. from centerline of Gehb Avenue  
 Item No.: 1 Zoning Agenda: Meeting of September 14, 1982

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with a "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 load and 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.

Noted and Approved:   
 Planning Group Fire Prevention Bureau  
 Special Inspection Division

JK /mb/cm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

C/O Nicholas Commodari

TO: Chairman Balto. Co. Bd. of Appeals  
 WILLIAM T. HACKETT

Date: September 23, 1982

FROM: Charles E. Burnham, Plans R. SW Chief

SUBJECT: Cycle Zoning IV, 1982

Item 1, Chang Soo Song, et ux

A y new structures, alterations, additions or changes of use shall require permits from the Baltimore County Department of Permits and License before proceeding. The applicable codes are the 1981 B.O.C.A. Basic Building Code as amended by Bill #4-82 1981 B.O.C.A. Basic Mechanical Code, The Baltimore County Plumbing and Gas Fitting Code 1973, the current edition of the National Electric Code and the Maryland State Code for the Handing: 1 (Code of Maryland Regulations 05.01.07.)

It shall be the owners responsibility to verify if an existing structure can in fact comply or be made to comply with the required height, area, use and type of construction, etc. thru a required permits.

No other comments can be made from this office until sufficient architectural plans are provided illustrating any changes or new construction.



BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dvorn, Superintendent

Towson, Maryland - 21204

Date: September 17, 1982

Mr. William E. Hammond  
 Zoning Commissioner  
 Baltimore County Office Building  
 1111 West Chesapeake Avenue  
 Towson, Maryland 21204


Z.A.C. Meeting of: September 14, 1982

RE: Item No: 1  
 Property Owner: Chang Soo Song, et ux  
 Location: W/S Hollins Ferry Rd. at the Balto. City/Cty. Line 31' S. from centerline of Gehb Avenue.  
 Present Zoning: R-0  
 Proposed Zoning: B.L.

District: 13th  
 No. Acres: 0.467

Dear Mr. Hammond:

Acres too small to have effect on student population.

Very truly yours,  
  
 Wm. Nick Petrowich, Assistant  
 Department of Planning

WV/tp

This Deed, Made this 25th day of October in the year one thousand nine hundred and seventy-seven, by and between JUANITA NORTH GUARD, MARDEL HENN, DORIS NORTH, ERNEST NORTH and GEORGE NORTH

Grantors of Baltimore County in the State of Maryland, of the first part and CHANG SOO SONG and YOO SUNG SONG, his wife of the second part.

Witnesseth, That in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said JUANITA NORTH GUARD, MARDEL HENN, DORIS NORTH, ERNEST NORTH and GEORGE NORTH, as Tenants in Common, do grant and convey unto the said CHANG SOO SONG and YOO SUNG SONG, his wife, as Tenants by the Entireties, their assigns, the survivor of them, the survivor's personal representatives, successors

them and assigns, in fee simple, all that lot of ground, situate, lying and being in Baltimore County, State of Maryland, situated and described as follows, that is to wit:

Beginning for the same at the beginning of the fourth line described in a deed dated July 30, 1974 and recorded among the land records of Baltimore County in Liber 5467 folio 50 was conveyed by Leo Henn, Jr. and Mardel Henn to Walter S. Steiner and Edna Steiner, thence binding thereon as now surveyed North 17 degrees 57 minutes 42 seconds East 137.00 feet to intersect the south side of Gehb Avenue as laid out (30 feet wide) thence binding on the said south side of Gehb Avenue South 72 degrees 02 minutes 00 seconds East 29.78 feet to intersect the division line between Baltimore County and Baltimore City as shown on a plat numbered M.A. 25-56 and recorded among the land records of Baltimore City in Liber 2488 folio 200 thence binding on said division line and on said plat South 60 degrees 40 minutes 52 seconds East 80.52 feet to intersect the west side of Hollins Ferry Road as proposed to be laid out sixty feet wide said point also being shown on a plat entitled "Highway Widening in Part" number E/M 67-221-A and recorded among the land records of Baltimore County in Liber 13511, folio 1, thence binding thereon the two following courses and distances viz: (1) by a curve to the left having a radius of 550.87 feet for an arc length of 34.97 feet said arc being subtended by a chord bearing South 02 degrees 31 minutes 06 seconds East 54.95 feet (2) South 03 degrees 22 minutes 38 seconds East 97.67 feet to intersect the fourth line of the first parcel of land described in a deed dated August 16, 1972 and recorded among the land records of Baltimore County in Liber 5294 folio 802 was conveyed by Lee Penner and Erna Prager to David Haeftel and Kathryn Houtof thence leaving the west side of said Hollins Ferry Road and binding reversely on the said fourth line for a part of its distance North 72 degrees 02 minutes 00 seconds West 166.64 feet to the place of beginning.

Containing 0.467 Acres of land more or less. Subject to a reversible slope easement along the west side of Hollins Ferry Road.

(continued on back) 57200

Being a portion of property which by deed dated November 23, 1937 and recorded among the land records of Baltimore County in Liber R.N.B. 2488 folio 197 was conveyed by the Board of Education of Baltimore County, a body politic and incorporate in the State of Maryland to George C. North and Matilda A. North, as tenants by the entireties, the Matilda A. North having survived the said George C. North.

Together with the buildings and improvements thereon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said CHANG SOO SONG and YOO SUNG SONG, his wife, as Tenants by the Entireties, their assigns, the survivor of them, the survivor's personal representatives, successors heirs and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed, that they will warrant specially the property granted and that they will execute such further assurances of the same as may be requisite.

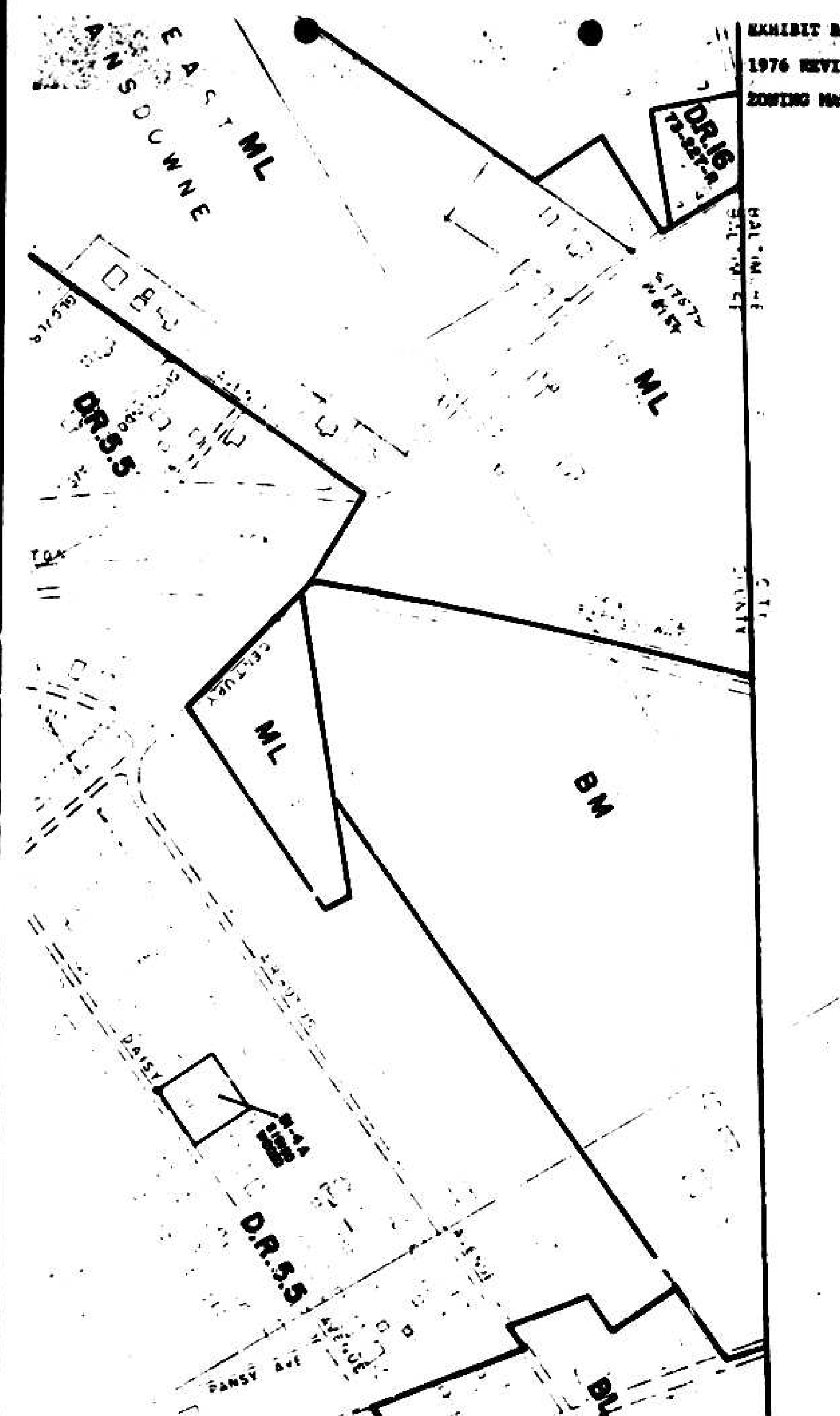
Witness the hands and seals of said grantors

TEST: Juanita North Guard (SEAL), Mardel Henn (SEAL), Doris North (SEAL), Ernest North (SEAL), George North (SEAL)

STATE OF MARYLAND, City of Baltimore I HEREBY CERTIFY, That on this 25th day of October in the year one thousand nine hundred and seventy-seven before me, the undersigned, a Notary Public of the State of Maryland, in and for the City of Baltimore, personally appeared JUANITA NORTH GUARD, MARDEL HENN, DORIS NORTH, ERNEST NORTH and GEORGE NORTH

the above named grantors and they acknowledged the foregoing deed to be their act.

At Witness my hand and Notarial Seal. Rec'd for record OCT 27 1977 at 9:20 AM Per Elmer H. Kahlins, Jr., Clerk Mail to John H. David Receipt No. 97600



MEMORANDUM IN SUPPORT OF PETITION FOR ZONING RECLASSIFICATION FROM THAT OF RO DESIGNATION TO THAT OF BR

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY, MARYLAND:

The Petitioners, CHANG SOO SONG and YOO SUNG SONG, his wife, by their attorney, Henry W. Stewart, do file this Petition for Zoning Reclassification and submit this Memorandum, in support of such Zoning Reclassification, and as such do represent the following matters:

The Petitioners hereto are the legal owners of 3300 Hollins Ferry Road located in Baltimore County, Maryland 21227. This property was purchased by the Petitioners on October 25, 1977 and is recorded with the Land Records of Baltimore County, Maryland Liber 5818 Folio 506; a copy of said Deed of Ownership is attached hereto as Exhibit A on behalf of the Petitioners.

That prior to the Petitioners' purchase of the above listed property, the Baltimore County Council on the recommendation of the Zoning Board of Baltimore County, Maryland, reclassified the above property of the Petitioners to that of a DR 16 designation. During the review process of the 1976 Zoning maps, the property immediately adjacent to the Petitioners' property (south of same) was classified ML as this property was also adjacent to a BR classified zone; a copy of the 1976 Zoning map pertaining to the above mentioned properties is attached hereto as Exhibit B on behalf of the Petitioners.

Because of the commercial nature of the properties located both south and east of the Petitioners' property, the 1980 Baltimore County Zoning map revisions resulted in the reclassification of the Petitioners' property from that of DR 16 to that of RO. The adjacent property, formerly classified as ML under the 1976 map revisions was again reclassified to that of BR which was consistent with its most immediate property, also classified BR as mentioned above.

A review of the classification of the Petitioners' property would indicate considerable increase in commercial activity both to the commercial establishments adjacent south of its property and the shopping center directly east which although located in Baltimore City but to the Baltimore City, Baltimore County line where the property of the Petitioners is located.

The Petitioners contend that the commercial establishments adjacent to and across from their property has substantially justified the need for further reclassification of their property because of the continuously higher degree of commercial activity and as such their property now classified RO should be reclassified to that BR to bring same in conformity with the commercial zoning classification on the adjacent properties.

That it would appear that an error does exist in the present zoning map as revised in 1980 and that as such the Petitioners are being deprived of the use and enjoyment of said property which should be classified BR and not the presently designated RO classification.

That such a reclassification would be consistent with and in conformity to the commercial growth of the area and would not affect in the least the safety, health and well-being of the residential community, and that it would not cause to affect further congestion on any of the roads, alley ways, etc. of the locality in which it is located, nor would it tend to overcrowd the land or cause undue concentration of population in the particular area and as such would not interfere unnecessarily with adequate provisions with schools, parks, waters, sewage, and transportation and all other requirements, conveniences and/or improvements in the general locality to which the property does exist, and that the reclassification would not interfere with adequate light, air, etc. as provided for in the present Baltimore County Zoning Regulations, but all of the above would be in keeping with the already existing changes in the immediate

neighborhood and commercial establishments and related commercial activity which has been allowed to do business in the immediate area of the Petitioners' property.

HENRY W. STEWART, 207 Courtland Avenue, Towson, Maryland 21204, 321-8813, Attorney for Petitioners

IN THE MATTER OF THE APPLICATION OF CHANG SOO SONG, ET UX FOR RECLASSIFICATION FROM R-O TO B. L. OF BALTIMORE COUNTY No. R-83-186

OPINION

This case comes before this Board on petition for a reclassification from R.O. to B.L. This requested B.L. arises from an amendment to the original request which was for B.M. The property contains some .467 acres and is improved with an old school-house built about 1900, now converted to residential use and two garages, one for two cars and one for one car, in rather run-down condition. Case was heard this day in its entirety.

Petitioner presented two witnesses on his behalf. Mr. Eugene Raphael, Registered Land Surveyor, testified as to the plat of the property, the adequacy of all utilities present, the uses of property adjacent to or nearby the subject site and the general area. Mr. Howard E. Schick, a Real Estate Expert and Appraiser, also described all nearby properties and their present uses. He also described in detail, the condition of the existing improvements on the property and testified that it would be impractical to renovate these structures for any office use, as it would cost more to renovate than could be obtained through normal rental fees. The building, as now exists, could in no way be brought into compliance with code requirements for an R.O. use. In addition, his testimony indicated no demand whatsoever for office use in this area. He testified that over the last four (4) years there have been only three (3) sales in this area and that all three of these were commercial properties. Along with minimal testimony from the property owner, Mr. Chang Soo Song, who spoke no English, this concluded Petitioners' case.

Mr. James Howell, Planner for Baltimore County, testified in opposition to the B.L. zoning request. He characterized the neighborhood as one of mixed use with commercial use all along Hollins Ferry Road and residential use along Gehb Avenue.

He noted that R.O. use in this situation fits all the purposes of this classification. He also noted that the Baltimore County Council considered this property as Issue 1-15 during the 1980 map process and thereupon designated it as R.O., and in his opinion, this is a practical use for this site. This concluded the County's portion of this case.

A careful review of all the exhibits and testimony presented the Board this day evidences the following. All of the land across Hollins Ferry Road, both in the city and county, is commercially used. To the north across Gubb Avenue, there are three older residences facing Hollins Ferry Road within the city limits. All the rest of the homes on Gubb Avenue are orientated to Gubb Avenue and have to their west Lansdowne Jr. High site. Directly abutting the site to the south, there is a parcel of long unused DR 5.5 zoning and abutting that, a large area of B.M. zoning. It is the opinion of this Board that the general character of this immediate area is commercial and not residential. In the Summary of Issues before the County Council in its original consideration of this site, R.O. was not listed as a possible classification but was added later, on October 14, 1980. The Board also notes that a prior case, #73-227-2 granted a special exception for office use on this site, but this was never consummated, which seems to indicate no demand for office use on this site. The testimony of Mr. Howard E. Schick also indicates no demand whatsoever for office use in this area. It is the opinion of this Board that the R.O. classification is indeed in error. This is a property containing improvements over 80 years old, orientated toward Hollins Ferry Road, which is almost completely commercial, in an area in which there has been no evidence of demand for office use, but in fact, evidence showing that such does not exist. After consideration of all the testimony and evidence presented this day, the Board is of the opinion that the B.L. classification is a much more reasonable and proper one and that the R.O. classification is in error on this parcel and will so Order.

**ORDER**

For the reasons set forth in the foregoing Opinion, it is this 7th day of September, 1983, by the County Board of Appeals, ORDERED that the petition requesting reclassification from R.O. to B.L. on the subject site be and the same is GRANTED.

Any appeal from this decision must be in accordance with Rules 8-1 thru 8-13 of the Maryland Rules of Procedure.

**COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY**

*William T. Hackett*  
William T. Hackett, Chairman

*Patricia Phipps*  
Patricia Phipps

*Diana K. Vincent*  
Diana K. Vincent

**HENRY W. STEWART**  
ATTORNEY AT LAW  
203 COURTLAND AVENUE  
TOWSON, MARYLAND 21284

REC-002 30  
3-1-83

February 14, 1983

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

Re: Petition for  
Reclassification  
Chang Soo Song, et ux  
Case No. R-83-186

Dear Mr. Hackett:

The above-captioned matter is scheduled for a Hearing before the County Board of Appeals on Tuesday, March 1, 1983 at 10:00 a. m.. A review of the Petition for reclassification as filed on behalf of the Petitioners, Mr. and Mrs. Chang Soo Song, reveals that this request for reclassification should have been for a BL classification and not the BR classification as presently filed.

Mindful of the scheduled Hearing date of March 1, 1983, I am respectfully advising the County Board of Appeals that at the time of this Hearing, a motion for an Amendment of the present Petition will be made and a continuance requested. I am hopeful that by providing the Board of sufficient notice of this request for an amendment that we will avoid any unnecessary inconvenience to the Board on the date of this Hearing.

Very truly yours,

*Henry W. Stewart*  
Henry W. Stewart

HWS/ems

cc: John W. Hessian, III, Esquire  
Peoples Counsel for Baltimore County

**HENRY W. STEWART**  
ATTORNEY AT LAW  
203 COURTLAND AVENUE  
TOWSON, MARYLAND 21204

AREA CODE 410  
321-8888

March 4, 1983

County Board of Appeals  
Attention: Secretary  
Room 219  
Court House  
Towson, Maryland 21204

HAND DELIVERED

Re: Petition for Re-  
classification  
Chang Soo Song, et ux  
Case No. R-83-186

Dear Mr. Secretary:

At the request of the Chairman, William T. Hackett, and per agreement of counsel, please find enclosed required Descriptions, Plats and related documentation relative to the amended Petition as requested by the Petitioners from that of BR to BL. With the permission of the Chairman and approval of counsel, an amendment was made on the record relative to the original petition as filed on behalf of the above Petitioners and their present request for a BL classification.

Very truly yours,

*Henry W. Stewart*  
Henry W. Stewart

HWS/ems  
Enclosures

cc: John W. Hessian III, Esquire  
Peoples Counsel for Baltimore County

RECEIVED  
BALTIMORE COUNTY  
MAY 12 11 07 AM '83  
OFFICE OF THE  
CLERK OF THE BOARD

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

TO: Mr. Norman E. Gerber, Director  
Office of Planning and Zoning  
Date: March 8, 1983

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

SUBJECT: Case No. R-83-186 - Item #1, Cycle IV - Chang Soo Song, et ux

The hearing on the above entitled case was held as advertised on Tuesday, March 1, 1983 at 10 a.m., at which time the attorney for the Petitioner requested that the case be generally continued as the Petitioner wished to amend his original petition. Therefore, in open hearing on March 1, 1983, the case was continued to Thursday, May 12, 1983. In compliance with the provisions of Bill #46-79, we are forwarding the amended material to you for appropriate action.

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

494-3180

**County Board of Appeals**

Room 219, Court House  
Towson, Maryland 21204  
March 4, 1983

**NOTICE OF ASSIGNMENT**

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. R-83-186  
Item #1, Cycle IV

CHANG SOO SONG, ET UX

For reclassification from R-0 to B.L.

W/S Hollins Ferry Rd. at Baltimore City/County  
Line 31' S. from c/1 of Gubb Avenue

13th District

ASSIGNED FOR: THURSDAY, MAY 12, 1983 at 10 a.m.

- cc: Henry W. Stewart, Esq. Counsel for Petitioners
- Chang Soo Song, et ux Petitioners
- John W. Hessian, III, Esq. Peoples Counsel
- Mr. W. E. Hammond
- Mr. J. E. Dyer
- Mr. N. E. Gerber
- Mr. J. G. Maxwell Board of Education

Edith T. Eisenhart, Adm. Secretary

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

TO: William T. Hackett, Chairman  
County Board of Appeals  
Date: March 18, 1983

FROM: Norman E. Gerber, Secretary  
Baltimore County Planning Board

SUBJECT: Amended Zoning Reclassification  
Petition No. R-83-186  
Cycle IV, Item 1  
Property of Chang Soo Song, et ux

At its regular meeting on March 17, 1983, the Planning Board reviewed the amended request. It is the Board's recommendation that the petitioner's request be denied; the Planning Board reaffirmed its initial comment.

*Norman E. Gerber*  
Norman E. Gerber, Secretary  
Baltimore County Planning Board

NEG:JGH:dme

cc: John W. Hessian, III, Peoples Counsel  
J. G. Maxwell, Community Planning Division

RECEIVED  
BALTIMORE COUNTY  
MAY 21 11 07 AM '83  
OFFICE OF THE  
CLERK OF THE BOARD

Amended petition due Friday 4/1/83 from BR to BL  
3/1/83  
Let for Steve for at 12:00  
February 2, 1983

Henry W. Stewart, Esquire  
203 Courtland Avenue  
Towson, Maryland 21204

**NOTICE OF HEARING**  
Re: Petition for Reclassification  
W/S of Hollins Ferry Rd. at Baltimore County/City  
Line, 31' S from the centerline of Gubb Avenue  
Chang Soo Song, et ux - Petitioners  
Case No. R-83-186

TIME: 10:00 A.M.  
DATE: Tuesday, March 1, 1983  
PLACE: Room 219, Courthouse, Towson, Maryland

cc: Peoples Counsel

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

3/4/83 - Above notified of CONTINUED HEARING scheduled for THURSDAY, MAY 12, 1983 at 10 a.m.

PETITION FOR RECLASSIFICATION

13th Election District

ZONING: Petition for Reclassification
LOCATION: West side of Hollins Ferry Road at Baltimore County/City Line, 31 ft. South from the centerline of Gehb Avenue
DATE & TIME: Tuesday, March 1, 1983 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: R-O
Proposed Zoning: B.R.

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

Being the property of Chang Soo Song, et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, March 1, 1983 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

OFFICE: 622-9000

Description to Accompany Petition

RESIDENCE: 771-4800

for

August 30, 1982

Reclassification

Beginning for the same at a point on the west R/W line of Hollins Ferry Road at the Baltimore City and Baltimore County Line, said point being located southerly, 31' from the intersection formed by the west side of Hollins Ferry Road and the centerline of Gehb Avenue, running thence on the west side of Hollins Ferry Road, 1) by a curve to the left with a radius of 550.87' for a distance of 54.97', 2) S 5° 22' 38" E 97.67', thence leaving Hollins Ferry Road, N 72° 02' 00" W 166.64', N 17° 57' 42" E 157.00' to the southside of Gehb Avenue, running thence on the south side of Gehb Avenue, S 72° 02' 00" E 29.78' to the Baltimore City and Baltimore County division line, thence on aforesaid division line S 60° 40' 52" E 30.52' to the place of beginning.

Containing 0.467 acres ±.

Being the property of Chang Soo Song and Yoo Sang Song.



Eugene F. Raphael
Registered Professional Land Surveyor
No. #2246

E. F. RAPHEL & ASSOCIATES

Registered Professional Land Surveyors

201 COURTLAND AVENUE

TOWSON, MARYLAND 21204

OFFICE: 622-9000

Description to Accompany Petition

RESIDENCE: 771-4800

for

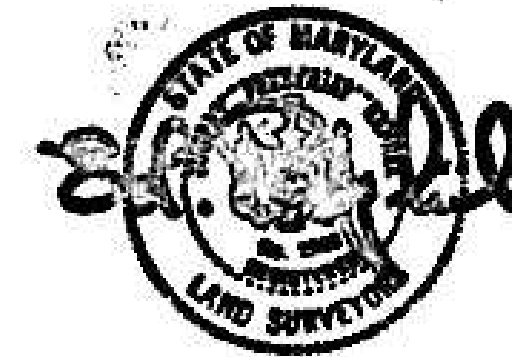
March 1, 1983

Reclassification

Beginning for the same at a point on the west R/W line of Hollins Ferry Road at the Baltimore City and Baltimore County Line, said point being located southerly, 31' from the intersection formed by the west side of Hollins Ferry Road and the centerline of Gehb Avenue, running thence on the west side of Hollins Ferry Road, 1) by a curve to the left with a radius of 550.87' for a distance of 54.97', 2) S 5° 22' 38" E 97.67', thence leaving Hollins Ferry Road, N 72° 02' 00" W 166.64', N 17° 57' 42" E 157.00' to the southside of Gehb Avenue, running thence on the south side of Gehb Avenue, S 72° 02' 00" E 29.78' to the Baltimore City and Baltimore County division line, thence on aforesaid division line S 60° 40' 52" E 30.52' to the place of beginning.

Containing 0.467 acres ±.

Being the property of Chang Soo Song and Yoo Sang Song.



Eugene F. Raphael
Registered Professional Land Surveyor
No. #2246

404-3100

County Board of Appeals

Room 219, Court House

Towson, Maryland 21204

September 7, 1983

Henry W. Stewart, Esq.
203 Courtland Ave.
Towson, Md. 21204

Re: Case No. R-83-186
Chang Soo Song, et ux

Dear Mr. Stewart:

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,

Jane Holman, Secretary

Encl.
cc: Chang Soo Song, et ux
J. W. Messian, Esq.
A. Jablon
J. Dyer
N. Garber
J. Howell
Board of Education

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 10, 1983

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 10th day of February, 1983, the first publication appearing on the 10th day of February, 1983.

THE JEFFERSONIAN

Manager

Cost of Advertisement, \$

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

WILLIAM E. HAMMOND
ZONING COMMISSIONER

February 22, 1983

Henry W. Stewart, Esquire
203 Courtland Avenue
Towson, Maryland 21204

Re: Petition for Reclassification
W/S of Hollins Ferry Rd. at Balto. County/City
line, 31' S from c/l of Gehb Avenue
Chang Soo Song, et ux - Petitioners
Case No. R-83-186 Cycle IV - Item No. 1

Dear Mr. Stewart:

This is to advise you that \$334.26 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,

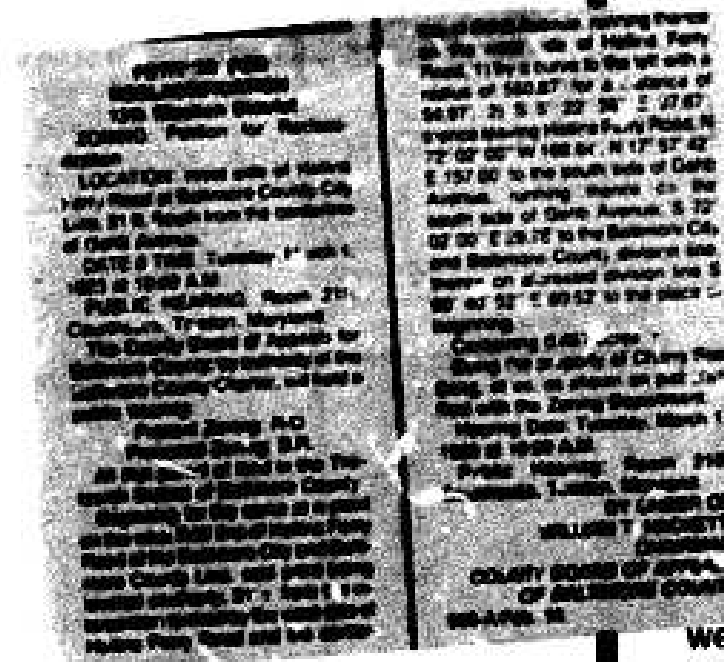
William E. Hammond
Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 115028
DATE: 3/1/83 ACCOUNT: R-01-615-000
AMOUNT: \$334.26
RECEIVED FROM: Chang Soo Song
FOR: Advertising & Posting Reclassification
No. R-83-186

Office of PATUXENT

10750 Little Patuxent Pkwy
Columbia, MD 21044

February 10 19 83



THIS IS TO CERTIFY that the annexed advertisement of

Petition Reclass P O 41377
Chang Soo Song

inserted in the following:

Catonsville Times
Arbutus Times
weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the 12th day of February 1983, that is to say, the same was inserted in the issue of

February 10, 1983

PATUXENT PUBLISHING CORP.
By [Signature]

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY
Plaintiff
vs.
Defendant
CERTIFICATE OF PUBLICATION OF

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

R-83-186

District: 13th Date of Posting: 2-18-83
Posted for: Reclassification
Petitioner: Chang Soo Song, et ux
Location of property: W/S of Hollins Ferry Road at Baltimore County
City line, 31' S from Centerline of Gehb Ave.
Location of Sign: West side of Hollins Ferry Road approx. 40' south of Gehb Avenue
Remarks:
Posted by: A.J. [Signature] Date of return: 2-18-83
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 107994
DATE: 2-21-83 ACCOUNT: 01-662
AMOUNT: 100.00
RECEIVED FROM: [Signature]
FOR: [Signature]
Chang Soo Song 5700 Hollins Ferry Rd
Towson, Md. 21287

DUPLICATE
CERTIFICATE OF PUBLICATION

TOWSON, MD., February 10, 1983

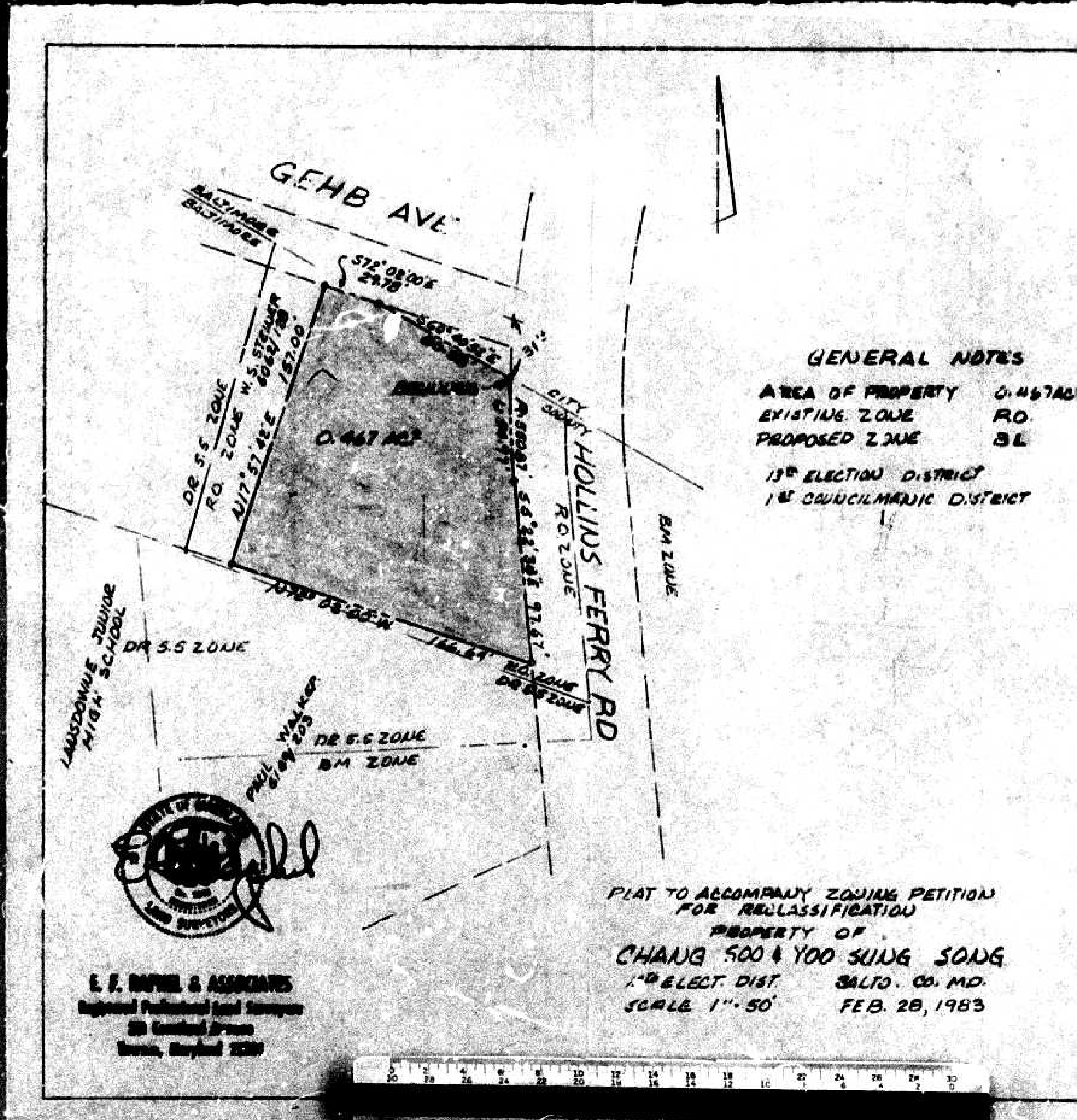
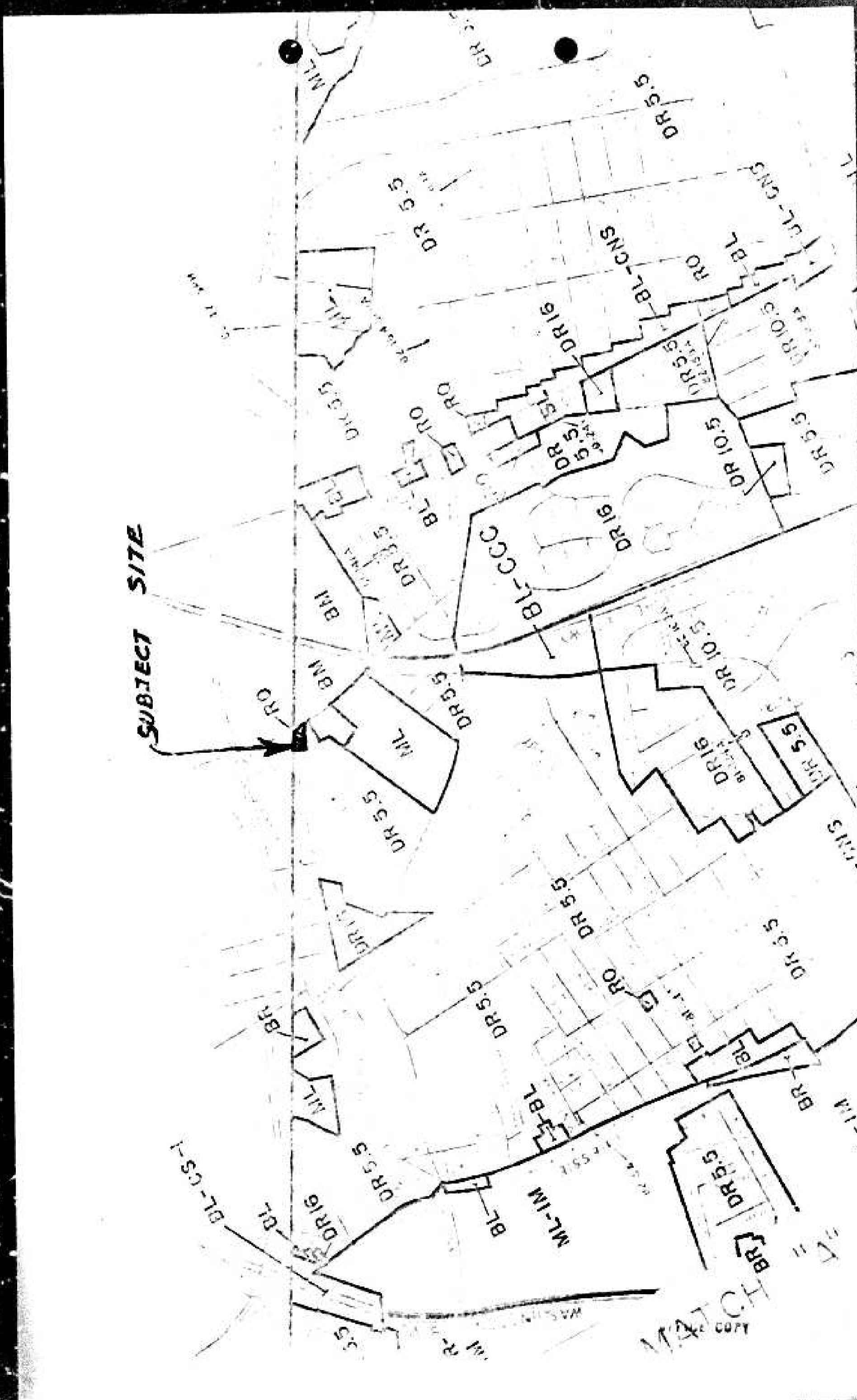
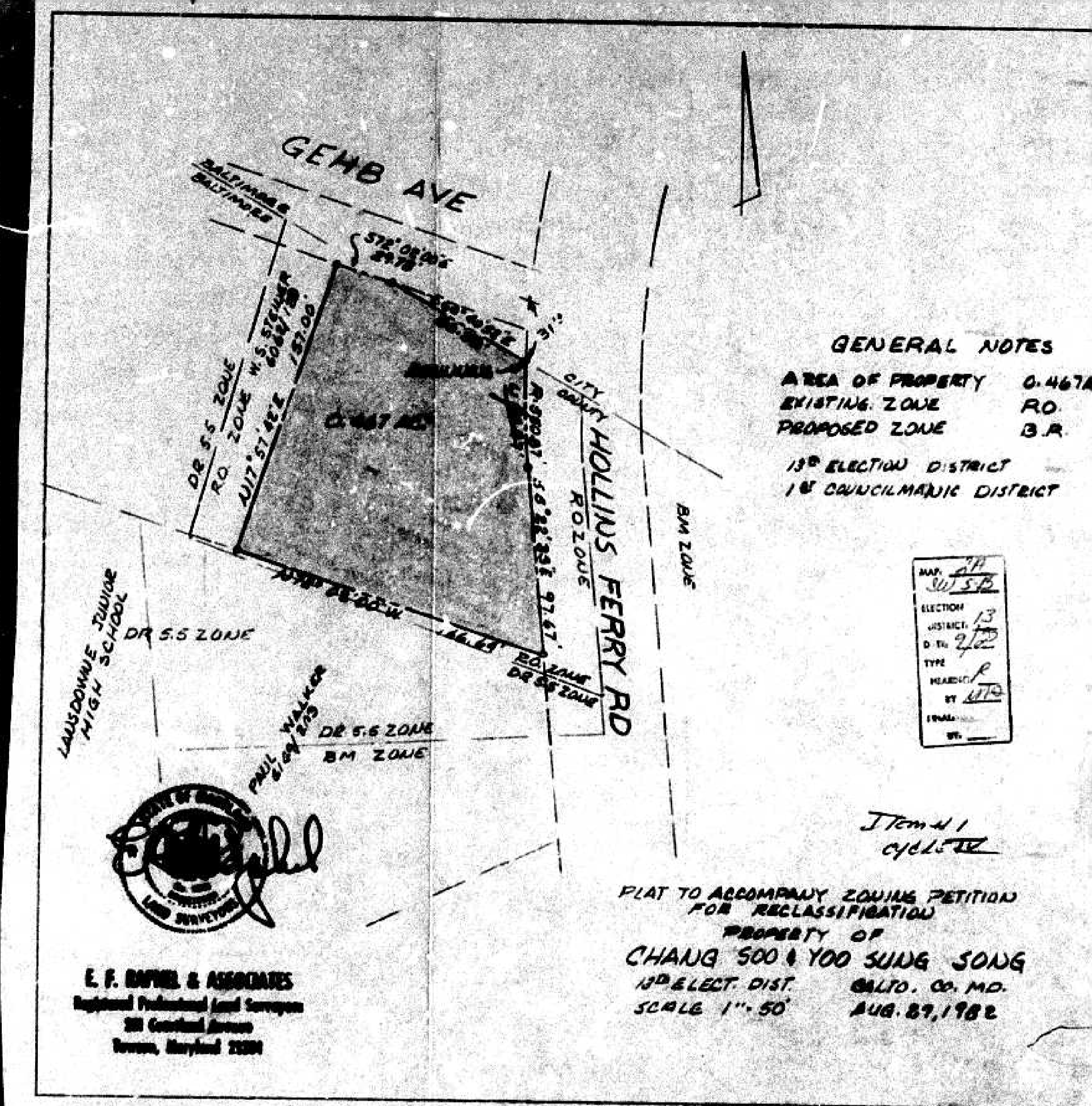
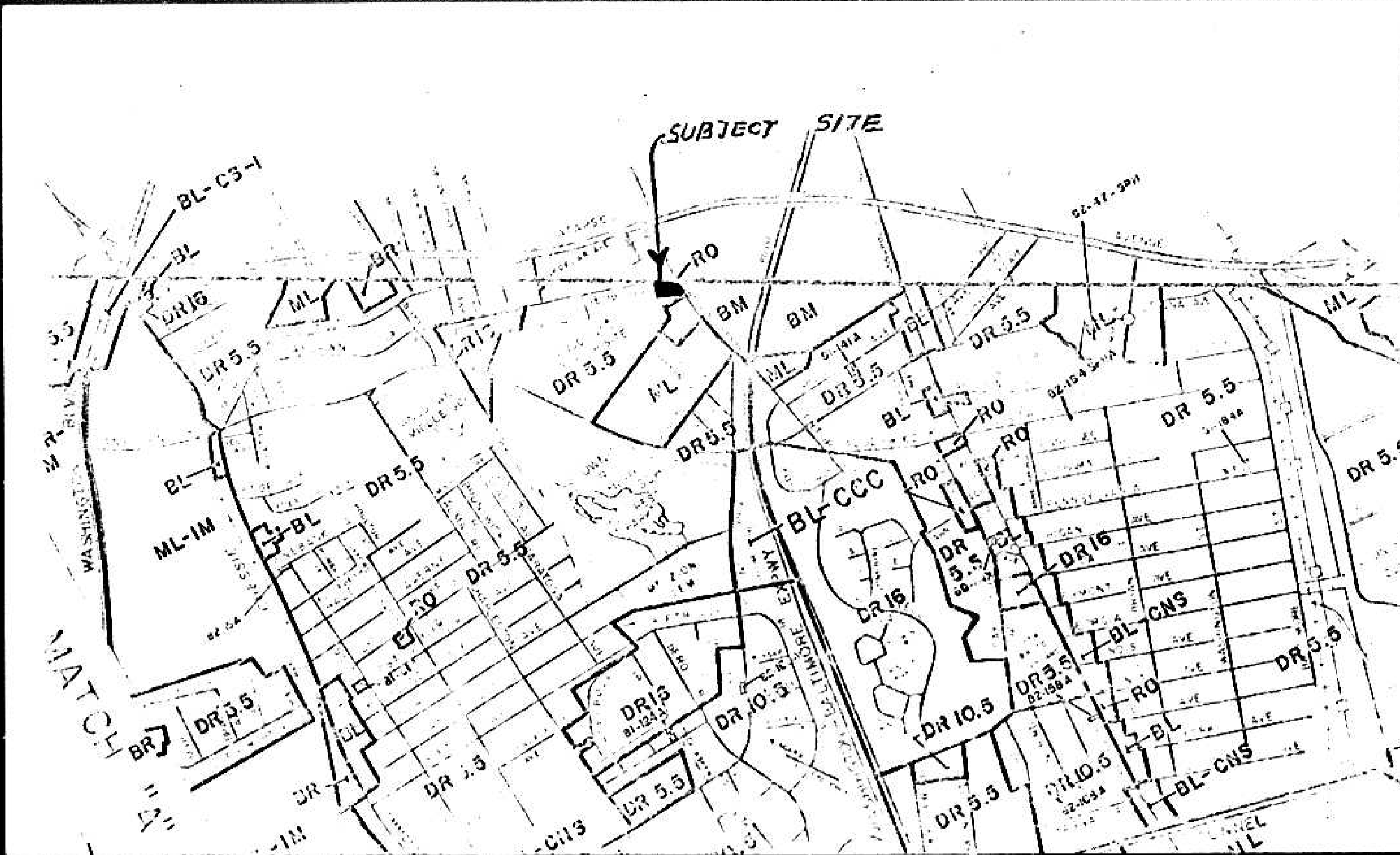
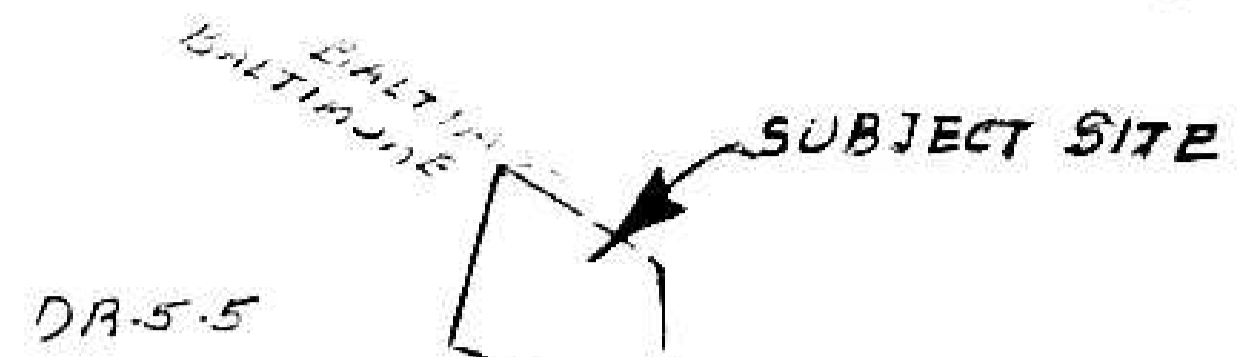
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 10th day of February, 1983, the first publication appearing on the 10th day of February, 1983.

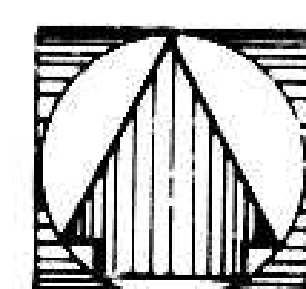
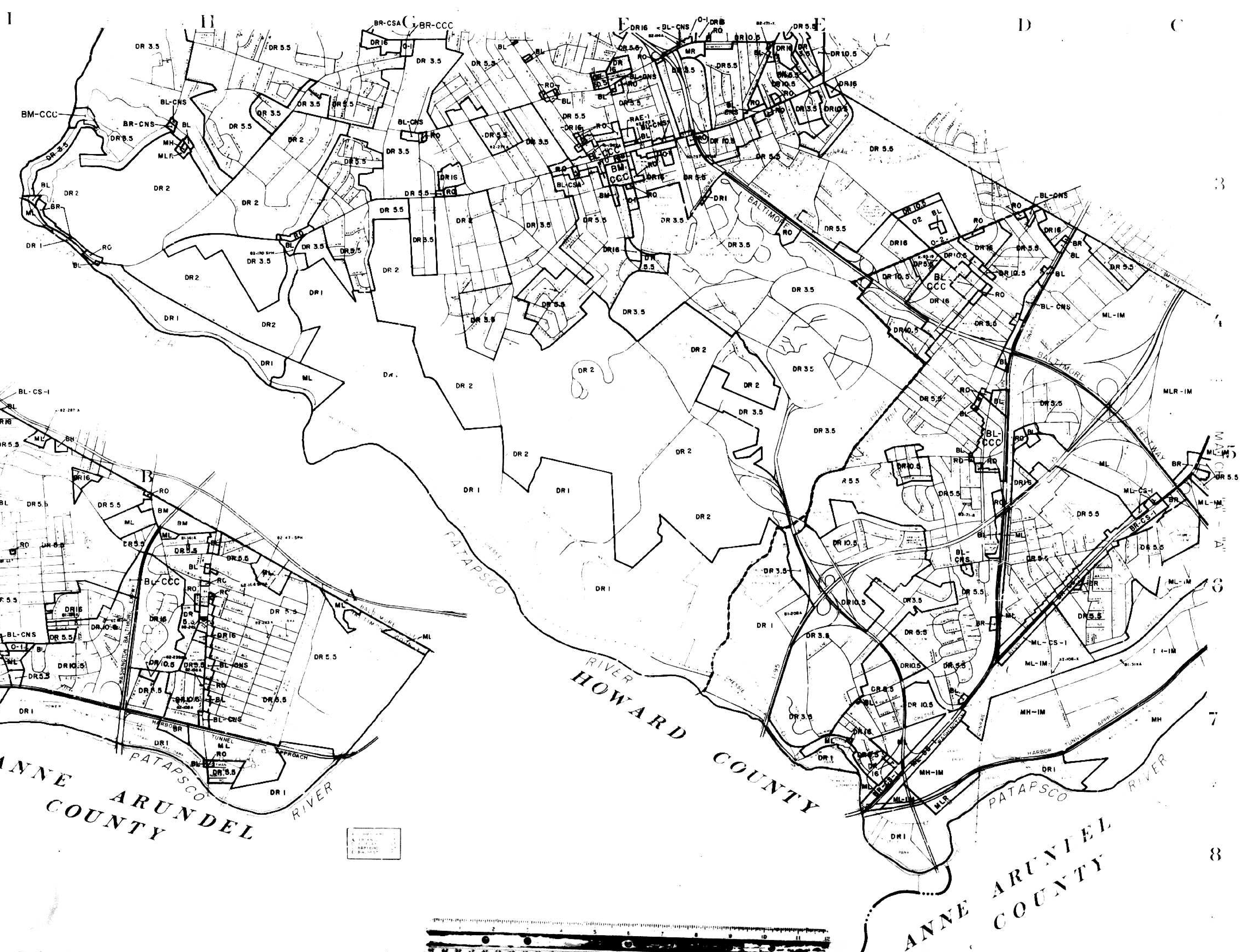
THE JEFFERSONIAN

Manager

Cost of Advertisement, \$







**LANSDOWNE -  
BALTIMORE HIGHLANDS**

CORRECTED AS PER RESOLUTION 781

RONALD R. HICKERNELL  
CHAIRMAN, COUNTY COUNCIL

1980 COMPREHENSIVE ZONING MAP  
ADOPTED BY THE  
BALTIMORE COUNTY COUNCIL  
OCT. 14, 1980  
BILL NOS. 184-80, 185-80, 186-80,  
187-80, 188-80, 189-80 A1-D 190-80  
*John V. Blanton*  
CHAIRMAN, COUNTY COUNCIL

**BALTIMORE COUNTY OFFICE  
OF PLANNING AND ZONING**

**CATONSVILLE -  
ARBUTUS**

BALTIMORE COUNTY BASE MAP SERIES -

FEB 63	SEP 74
MAY 64	JUN 75
DEC 67	MAY 76
SEP 68	
MAY 70	
AUG 72	
FEB 75	
JAN 74	

2A

