

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 DR-16 & DR-10.5 zone to an R-O 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 a Class B Office Building.

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

See attached.

RECEIVED
COUNTY BOARD OF APPEALS
R-87-257
P-3-31
R-87-257
P-3-31
DATE 7/19/87
200
1000
DP
N 49,210
W 51,015

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): Roadside Realty, Inc.

(Type or Print Name) By: Melvin Berger

Signature Signature Melvin Berger

Address (Type or Print Name)

City and State Signature

Attorney for Petitioner: P.O. Box 15018, Baltimore, MD 21208

Benjamin Bronstein (Type or Print Name) Address Phone No.

Signature City and State

Site 200, 102 W. Pennsylvania Avenue

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

Towson, MD 21204 D.S. Thaler & Associates 484-4100

City and State Name

Attorney's Telephone No.: 828-4442 11 Warren Road, Baltimore, MD 21208

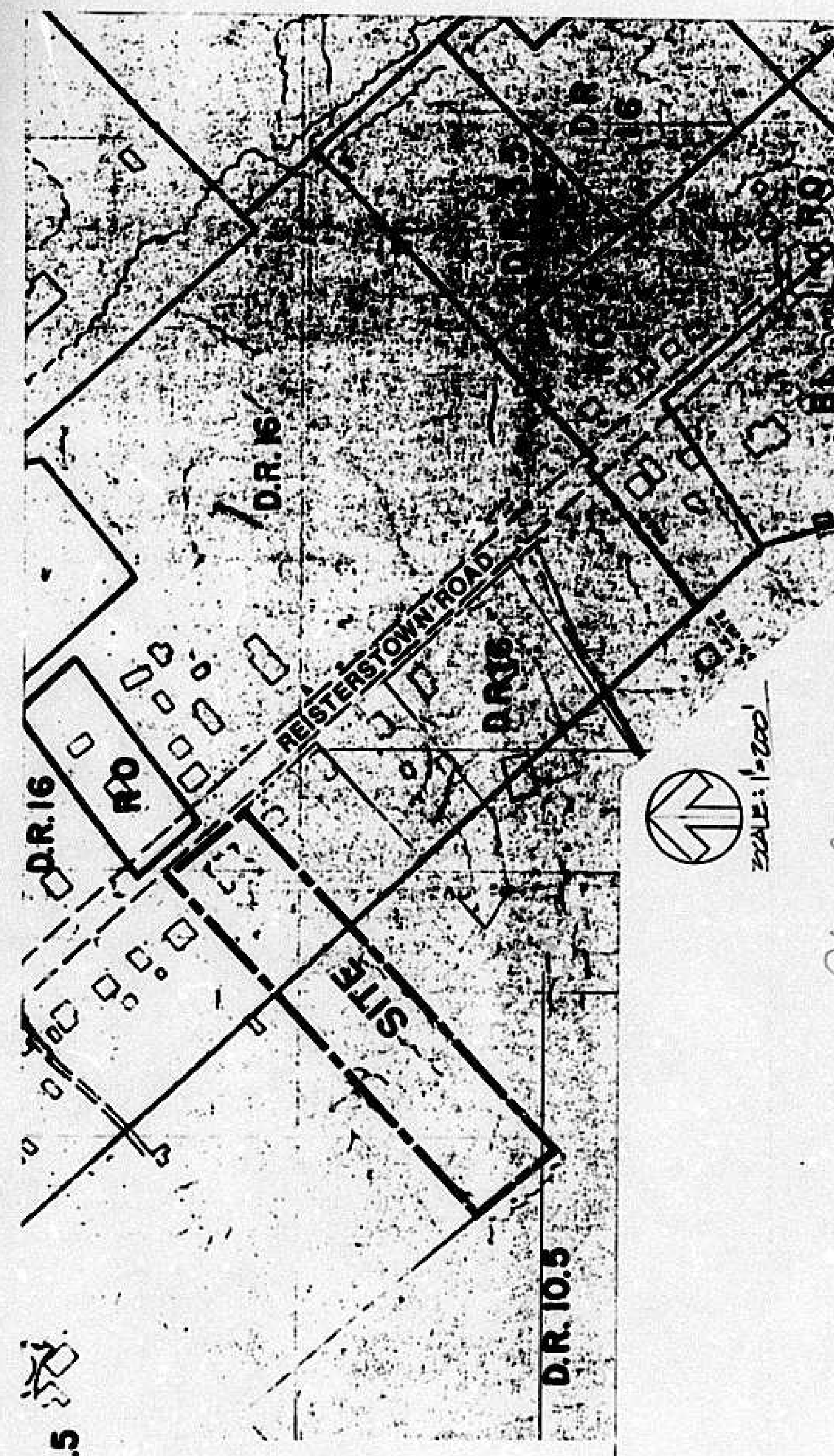
Address Phone No.

HARC-Form 1

CNR 4/4/86

R-87-257
#9
Cycle II

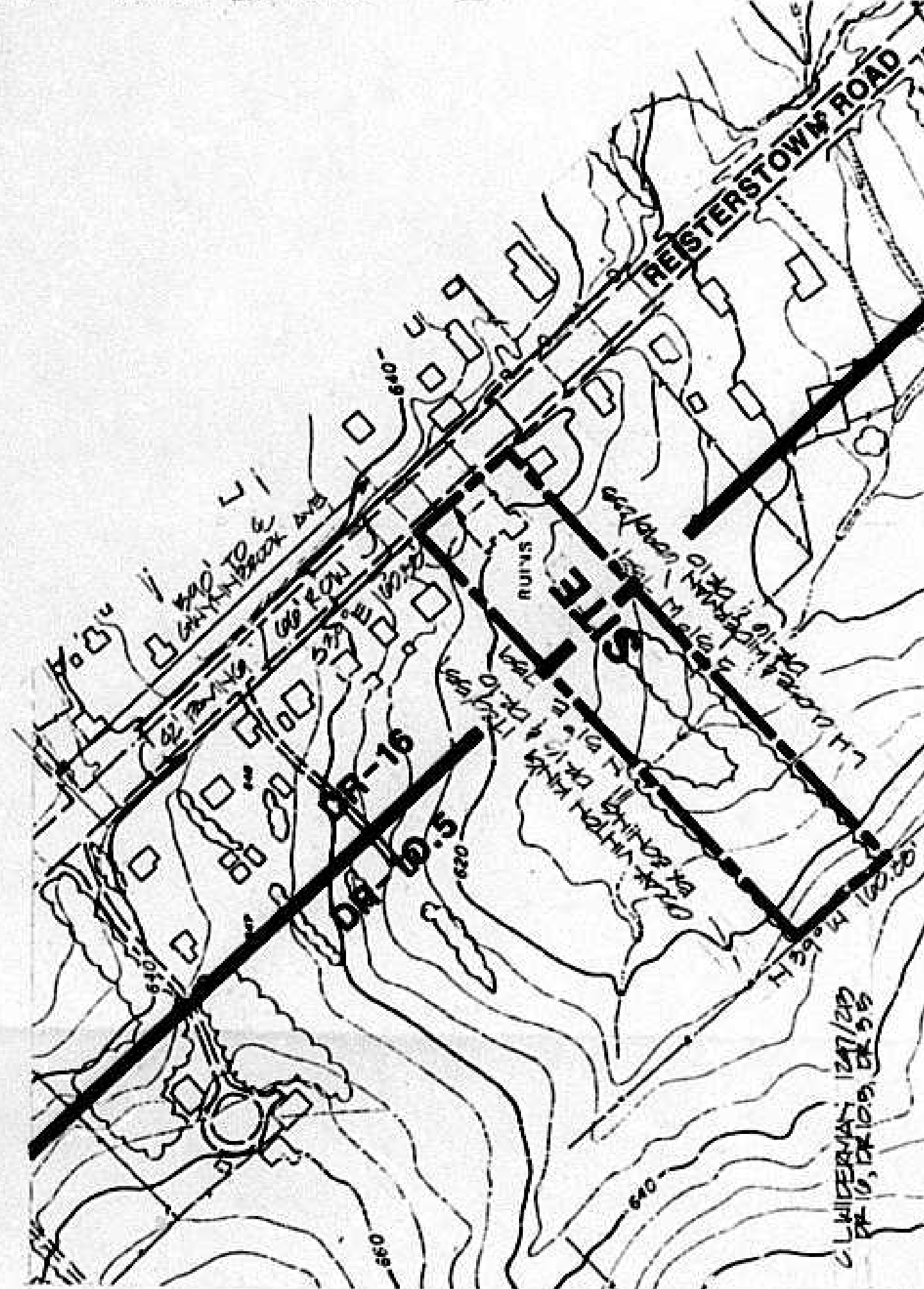
Roadside Realty, Inc.
590 S. Reisterstown Rd., 500 SE
c/o of Gwynbrook Ave.
Ann Elec. Dist.



D. S. THALER & ASSOC., INC.
11 WARREN AVE. BALTO., MD. 21208
484-4100

NOTES

PROPERTY OF
ROADSIDE REALTY, INC.
BALTO. MD. 21208
UNDER 484-1100
ELECTION DISTRICT 4
CO. 200 SCALE ZONING MAP
2.012 AC. 3
PRESENT ZONING
1.02 AC. DR-16
1.02 AC. DR-10.5
PROPOSED ZONING
2.012 AC. R-O



D. S. THALER & ASSOC., INC.
11 WARREN AVE. BALTO., MD. 21208
484-4100

ROADSIDE REALTY PROPERTY

POINTS OF ERROR AND CHANGE

CONCERNING PROPLTY OF ROADSIDE REALTY, INC., Owner
WEST SIDE REISTERSTOWN ROAD 590 FEET SOUTHEAST CENTERLINE OF
GWYNBROOK AVENUE, 2.812 acres ± -- FOURTH ELECTION DISTRICT

THE PETITIONER, Roadside Realty, Inc. (Owner) states that the County Council committed an error in classifying the subject property DR 16 & DR 10.5 and there are changes in the neighborhood supporting reclassification of the property to R-O in that:

1. The property is zoned DR 16 and DR 10.5 and should have been classified in the R-O zone.
2. There is insufficient R-O zoning for offices in the area to adequately serve the community.
3. The DR 16 and DR 10.5 zoning placed on the property is not usable and is confiscatory in its application.
4. Due to the size, configuration, location and topography of the property, the DR 16 and DR 10.5 zones are confiscatory and do not recognize the potentials which the R-O Zone allows to serve the community.
5. There are changes in the area which have created a demand for property zoned in the R-O zoning classification which cannot be addressed by the current zoning DR 16 and DR 10.5.
6. The R-O zone recognizes Master Plan objectives and the attendant opportunities presented by the growing and now developing commercial and other business uses and has available and adequate transportation, water supply and other public facilities compatible with the R-O zone and character of the surrounding area.
7. The present zoning does not take into effect the relocation of Pleasant Hill Road and the opening of the Northwest Expressway I-75.

BENJAMIN BRONSTEIN
ATTORNEY AT LAW
SUITE 200
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 828-4442

March 20, 1987

William Hackett, Chairman
County Board of Appeals
Room 719 Court House
Towson, MD 21204

RE: Roadside Realty Property
Case No. R-87-257

Dear Mr. Hackett:

Enclosed please Order of Dismissal to be filed in the above entitled matter.
Thank you for your kind attention.

Very truly yours,

Benjamin Bronstein
Benjamin Bronstein

BB/jaa
Encl.



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 491-3180

June 2, 1987

Benjamin Bronstein, Esq.
Suite 200, 102 W. Pennsylvania Ave.
Towson, Maryland 21204

Dear Mr. Bronstein:

Re: Case No. R-87-257
Roadside Realty, Inc.

Enclosed herewith is a copy of the Order of Dismissal passed today by the County Board of Appeals in the above entitled matter.

Very truly yours,

Jane Holmen
Jane Holmen, Secretary

Encl.
cc: Roadside Realty, Inc.
D. S. Thaler & Associates
James Earl Kraft
Phyllis C. Friedman
Norman E. Gerber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. du Bois

8. For such further and other reasons as may be disclosed upon more detailed review during the pendency of this Petition assigning error by the Council and change in the neighborhood.

Respectfully submitted,

BENJAMIN BRONSTEIN

ROADSIDE REALTY, INC.	#R-87-257
590 S. Reisterstown Road, 500' SE c/o of Gwynbrook Avenue	Item #9, Cycle IV, 1986-87 4th District
D.R.16 and D.R.10.5 to R.O.	2.812 acres
August 28, 1986	Petition Filed
Benjamin Bronstein, Esquire Suite 200, 102 W. Pennsylvania Ave. Towson, MD 21204	Counsel for Petitioner
Roadside Realty, Inc. Melvin Berger P.O. Box 15018 Baltimore, MD 21208	Petitioner
D.S. Thaler & Associates 11 Warren Road Baltimore, MD 21208	Civil Engineers
James Earl Kraft Baltimore County Board of Education 940 York Road 21204	
Phyllis Cole Friedman, Esquire	People's Counsel
Norman E. Gerber James G. Hoswell Arnold Jablon Jean M. H. Jung James E. Dyer Margaret E. du Bois	

IN THE MATTER OF THE PETITION FOR RECLASSIFICATION FROM D.R. 16 & D.R. 10.5 TO R.O. ZONE SW/S Reisterstown Rd., 590' SE of C/L of Gwynnbrook Avenue 4th District

ROADSIDE REALTY, INC., Petitioner

ORDER OF DISMISSAL

Please dismiss the petition for Zoning Reclassification filed in the above entitled proceeding.

[Signature]
BENJAMIN BRONSTEIN
Suite 200
102 W. Pennsylvania Avenue
Towson, Maryland 21204
(301) 828-4442
ATTORNEY FOR PETITIONER

I HEREBY CERTIFY that on this 26 day of March, 1987, a copy of the foregoing Order of Dismissal to Phyllis Cole Friedman, People's Counsel for Baltimore County and Peter Max Zimmerman, Deputy People's Counsel for Baltimore County, at Room 223, Court House, Towson, MD 21204 and D.S. Thaler & Associates, 11 Warren Road, Baltimore, Maryland, 21208.

[Signature]
BENJAMIN BRONSTEIN
1987 APR 24 PM 5:10
Date of Appeal

IN THE MATTER OF THE APPLICATION OF ROADSIDE REALTY, INC. SW/S REISTERSTOWN ROAD, 590' SE OF THE CENTER LINE OF GWYNNBROOK AVENUE FOR RECLASSIFICATION FROM D.R. 16 and D.R. 10.5 to R.O. 4th DISTRICT

BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

No. R-87-257

ORDER OF DISMISSAL

Petition of Roadside Realty, Inc., for Reclassification from D.R. 16 and D.R. 10.5 to R.O. zone on property located on the southwest side of Reisterstown Road, 590' southeast of the center line of Gwynnbrook Avenue, in the Fourth Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of an Order of Dismissal of Appeal filed March 24, 1987 (a copy of which is attached hereto and made a part hereof) from the attorney representing the Petitioner in the above entitled matter.

WHEREAS, the said attorney for the said Petitioner requests that the appeal filed on behalf of the said Petitioner be dismissed and withdrawn as of March 24, 1987.

IT IS HEREBY ORDERED this 2nd day of June, 1987, that said appeal be and the same is DISMISSED.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

[Signature]
Lawrence E. Schmidt, Acting Chairman

[Signature]
Roy B. Spurrier

[Signature]
Patricia Phipps

PETITION FOR RECLASSIFICATION Case No. R-87-257

LOCATION: Southwest Side of Reisterstown Road, 590 feet Southeast of the Centerline of Gwynnbrook Avenue

PUBLIC HEARING: Tuesday, April 7, 1987, at 10:00 a.m.

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter, will hold a public hearing to reclassify the property from a D.R. 16 and D.R. 10.5 zone to an R.O. Zone.

All that parcel of land in the 4th Election District of Baltimore County Beginning at point on the Southwest side of Reisterstown Road, said point located 590 feet southeast of the centerline of Gwynnbrook Avenue and then continuing the following four courses and distances:

1. South 70° East 160.00 feet
2. South 51° West 739.00 feet
3. North 30° West 140.00 feet
4. North 51° East 739.00 feet to the place of beginning.

Being the property of Roadside Realty, Inc. as shown on the plat plan filed with the Zoning Department.

By Order of WILLIAM T. HACKETT Chairman County Board of Appeals Baltimore County

3175 Mar. 19

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 19, 1987.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 19, 1987.

THE JEFFERSONIAN,

[Signature]
Susan Linder O'Brien
Publisher

2896



Maryland Department of Transportation

State Highway Administration

William K. Hellmann
Secretary
Hal Kassoff
Administrator

November 5, 1986

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

Re: Baltimore County Item #9
Property Owner: Roadside Realty, Inc.
Location: SW/S Reisterstown Road (Route 140) 590' SE centerline of Gwynnbrook Avenue
Existing Zoning: D.R. 16 and D.R. 10.5
Election District: 4th
Acres: 2.812
Proposed Zoning: R.O.

ATT: James Dyer
October, 1986-April 1987
Zoning Reclassification
Cycle IV

Dear Mr. Hackett:

On review of the submittal and field investigation, the State Highway Administration offers the following comments for a proposed zoning change.

All commercial access to the site must be reviewed and approved by the S.H.A. - Bureau of Engineering Access Permits through S.H.A. Permit.

In addition, the developer must show a proposed 80' right-of-way (40' half section) for Reisterstown Road, Maryland Route 140.

It is requested the site plan be revised prior to a hearing date being set.

Very truly yours,

[Signature]
Charles Lee, Chief
Bureau of Engr. Access Permits

by: George Wittman

CL-GW:ea

cc: J. Ogilvie

My telephone number is 301-333-8350.
Teletypewriter for Impaired Hearing of Speech
36, 7th Baltimore Metro - 565 0451 D.C. Metro - 1-800-492-1962 Statewide Toll-free
P.O. Box 717 / 707 North Calvert St. Baltimore, Maryland 21203 - 0717

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 19, 1987.

THIS IS TO CERTIFY, that the annexed advertisement was published in the OWINGS MILLS TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 19, 1987.

OWINGS MILLS TIMES,

[Signature]
Susan Linder O'Brien
Publisher

25.74



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
404-3550

STEPHEN E. COLLINS
DIRECTOR

December 10, 1986

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

Item No. 9 Cycle IV
Property Owner: Roadside Realty
Location: Reisterstown Road

Dear Mr. Hackett:

It is recommended that all access to this site be by way of the future 24 ft. access road proposed as part of the Pleasant Hills Development. Several offsite properties are involved in this road extension so that it may not be extended to this site in the near future. A representative of the State Highway Administration's Bureau of Engineering Access Permits has indicated to this department that there is limited sight distance along the Reisterstown Road frontage because of a crest just north of this site. It is, therefore, recommended that no access be permitted to Reisterstown Road as a condition of any R.O. zoning granted to the property.

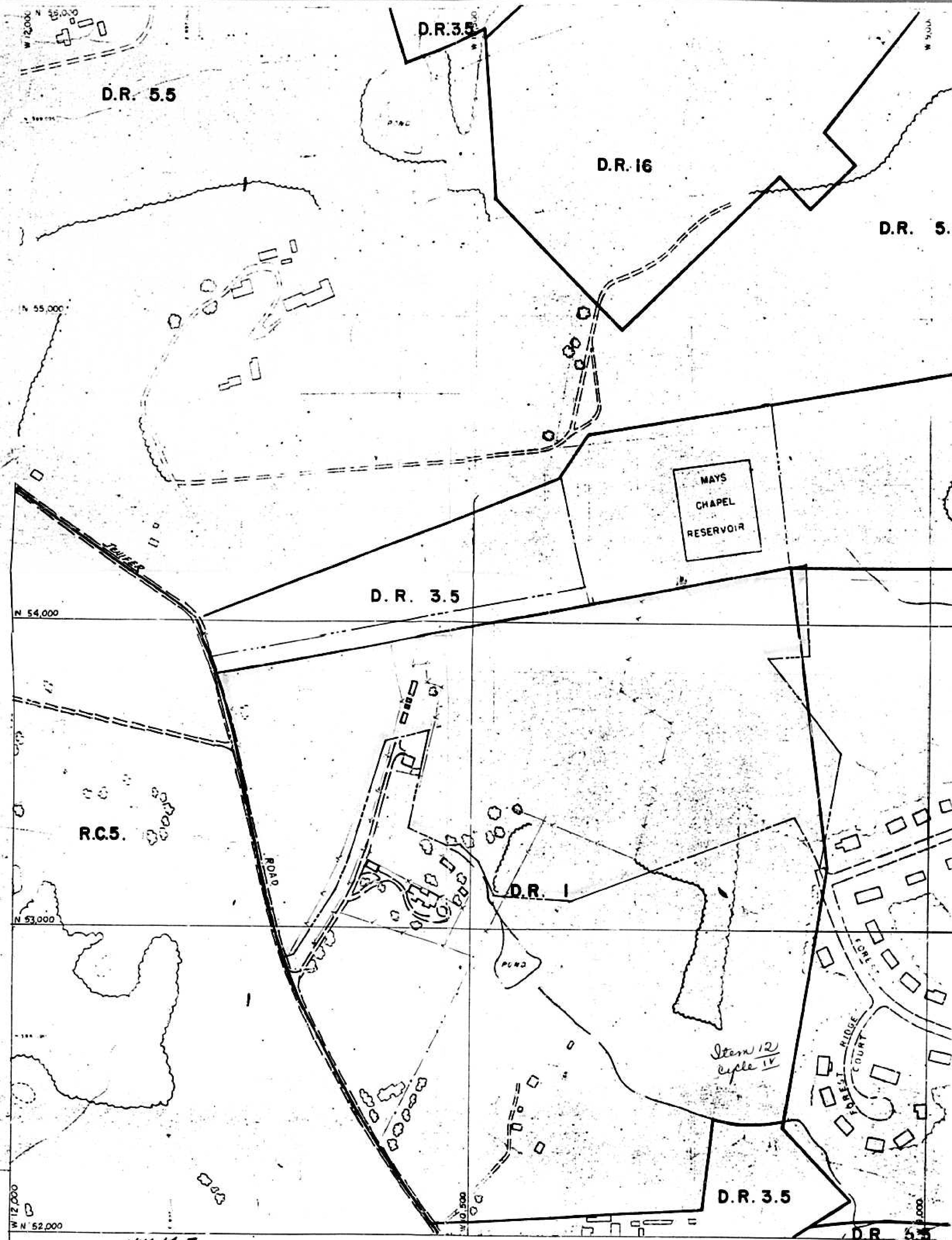
The projected trip generation for the existing zoning is 285 trips/day, and the projected trip generation for the proposed zoning is 1210 trips/day.

Very truly yours,

[Signature]
For C. Richard Moore
Deputy Director

CRM:GMJ:lt

RECEIVED
COUNTY BOARD OF APPEALS
FEB DEC 16 PM 5:51



The County Board of Appeals
of Baltimore County
Re: Petition for Reclassification
Jane I. Purinton, Petitioner
August 27, 1986
Page 2

For the foregoing reasons it is submitted that the County Council erred in not reclassifying this property to D.R.5.5 on the 1984 Comprehensive Map and it is respectfully requested that the Petition for Reclassification be granted.

Yours truly,
John B. Howard
John B. Howard

JBH/jhr

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

August 27, 1986

The County Board of Appeals of Baltimore County
Room 200
Old Court House
Towson, Maryland 21204

Re: Petition for Reclassification
Property located 310 ft. southeast of the corner
of Jenifer and Chatterton Road
Existing Zoning D.R.1 and D.R.2
Requested Zoning: D.R.5.5
Jane I. Purinton, Petitioner

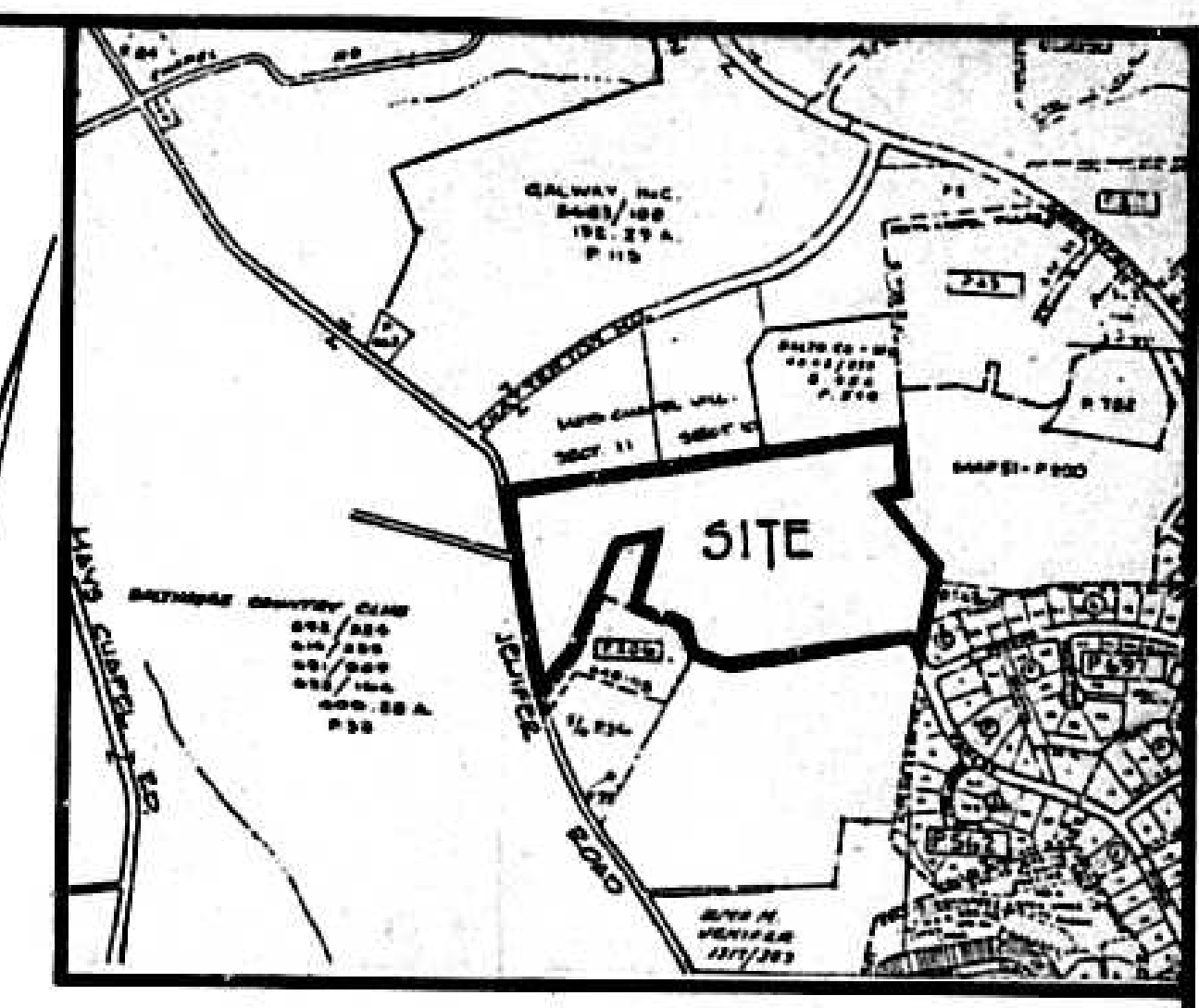
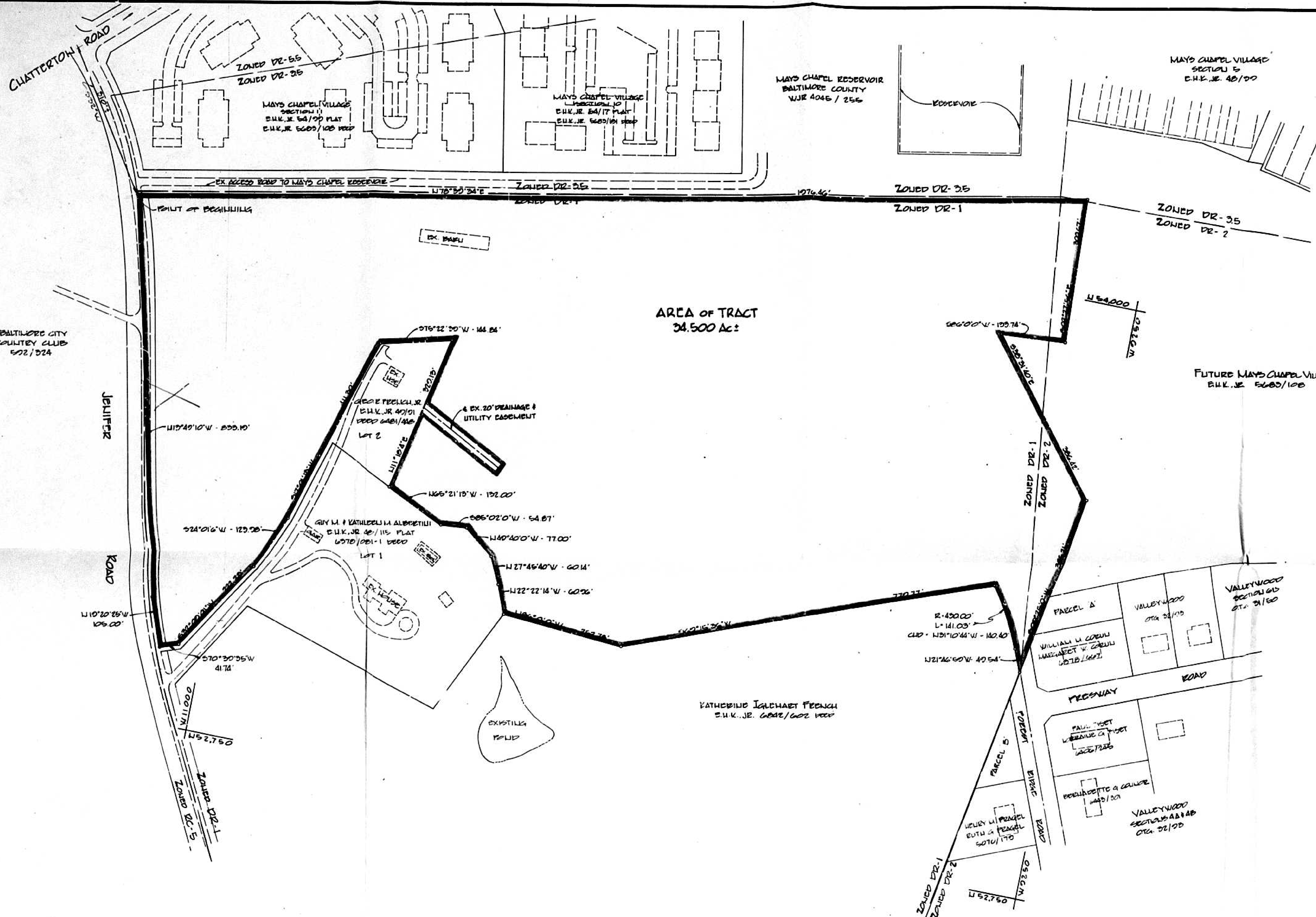
Dear Board Members:

This firm represents Jane Purinton in her request to reclassify approximately 34 1/2 acres of property from D.R.1 (and a small portion of D.R.2) to D.R.5.5 located on the east side of Jenifer Road just south of the intersection of Chatterton and Jenifer Roads.

A review of the 200 and 1,000 scale zoning maps shows that the Purinton property is located approximately in the middle of development at higher densities along Jenifer Road from Timonium Road on the south and northerly to Padonia Road.

To leave the present D.R.1 and D.R.2 zoning classifications on this property while allowing for much higher density development along almost all of the remaining property on the west side of Jenifer Road was, it is submitted, error on the part of the County Council. No planning objective could possibly be served as the property clearly cannot be utilized for D.R.1 development.

Petitioner further submits that had the subject of this reclassification petition been raised on the 1984 Comprehensive Map, Council surely would have realized that sound planning principles dictated that this property be rezoned from D.R.1 and D.R.2 to D.R.5.5.



LOCATION MAP
SCALE: 1" = 1000'

SITE DATA

EXISTING ZONING: DR-1 & DR-2
 PROPOSED ZONING: DR-5.5
 AREA OF TRACT: 34.500 AC±
 PUBLIC WATER & SEWER IS AVAILABLE

EXISTING ZONING:
 DR-1 = 24.416 AC±
 DR-2 = .084 AC±
 TOTAL:

PROPOSED ZONING:
 DR-5.5 = 34.500 AC±

Sign
 2-87-259
 Item 12
 Cycle IV

**GEORGE WILLIAM STEPHENS, JR.
 AND ASSOCIATES, INC.**
 CIVIL ENGINEERS & LAND SURVEYORS
 303 ALLEGHENY AVENUE
 TOWSON, MARYLAND 21204
 (301) 825-8120



OWNER
JANIE I. PURINTON
 1501 W. JOPPA RD.
 TOWSON, MARYLAND 21204
 823-5106

PLAT TO ACCOMPANY PETITION FOR
 RECLASSIFICATION FROM DR-1 & DR-2 TO DR-5.5
 PROPERTY OF
JANIE I. PURINTON
 8TH ELECTION DISTRICT - BALTIMORE CO., MARYLAND
 SCALE: 1" = 100' DATE: JULY, 1986