

IN THE MATTER OF
THE APPLICATION OF
LEE VINSON, INC.
FOR ZONING RECLASSIFICATION
FROM R.O. AND D.R. 3.5 TO B.L.
ON PROPERTY LOCATED ON THE
SOUTHWEST SIDE OF REISTERSTOWN
ROAD, 150' NORTHWEST OF CENTERLINE
OF CARAWAY ROAD
4th ELECTION DISTRICT
3rd COUNCILLMANIC DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO. R-87-258

OPINION

This case comes before the Board on petition for zoning reclassification seeking a change from the existing R.O. to B.L. The subject parcel is 1.5 acres on the southwest side of Reisterstown Road in the Fourth Election District, and is approximately one-half of the total property owned by the Petitioner at this location. The other portion is zoned D.R. 3.5 and is not subject to this petition.

In support of the petition, the property owner, Beatrice Levinson, testified as to the thirty years the family has had possession of this site and the B.L. zoning the property carried until 1980, when it was reclassified to R.O. in the County comprehensive zoning process. No effort had been made to develop the property, and objection was not filed when the zoning was changed in 1980. Petitioner testified that a request for B.L. zoning in the 1984 Comprehensive Map Process was denied. In response to questions by People's Counsel, Petitioner stated that she had not considered various possibilities available for this property under its present R.O. zoning.

Mr. Frederick Klaus, real estate developer and appraiser, testified that the change from B.L. to R.O. in 1980 rendered the property unusable. He presented photographs that showed the derelict condition of the single residence situated on the property, and of similar adjacent properties, which bring an unattractive appearance to the location.

Case No. R-87-258
Lee Vinson, Inc.

Mr. James Howell, Planning for Baltimore County, testified that the existing zoning has the potential for reasonable use, and that the comprehensive zoning map and designation for this plot is correct. He further stated that a B.L. designation and the possibility of a strip shopping center along Reisterstown Road would be in violation of the master plan of the County. In reviewing a map of the area showing numerous properties presently subject to rezoning consideration, Mr. Howell emphasized the difficulty of reviewing individual petitions in isolation of the total number of requests in an area. He strongly urged that subject property and those in the proximity be considered in the comprehensive zoning process of 1988.

People's Counsel presented long-time residents of the neighborhood who expressed their satisfaction with the R.O. zoning, but strong objection to the potentialities of the B.L. classification and its penetration into their residential environment.

In consideration of the testimony, it is the judgment of this Board that Petitioner has not presented evidence that there is error in the zoning designation of the subject property. Under the circumstances of R.O. zoning applied in 1980, the Board is satisfied that all of the surrounding properties along this stretch of Reisterstown Road are zoned consistently and in harmony with the master plan for the area. Of particular note is evidence that Petitioner's request for reclassification in the 1984 zoning process was denied. This is indication that the general plan for the area was well understood by the County Council in 1984 and that no additional circumstances had changed the neighborhood surrounding the site. Furthermore, the Petitioner's testimony indicated an unfamiliarity with the potential uses of the property as presently zoned. An abiding concern about the obsolescence of the residence for office

Case No. R-87-258
Lee Vinson, Inc.

conversion in our opinion should not deter the owner from available procedures to obtain recourse for commercial office development of the plot.

Of particular significance to this case is the presence of numerous requests for zoning reclassification in the close proximity of the Petitioner's property, and our conclusion, therefore, that the subject site be a consideration of the zoning deliberations of the 1988 Comprehensive Map Process by the County Council.

This Board is of the opinion that error in the R.O. zoning has not been evidenced nor is there evidence of change in the area; therefore, the petition should be denied and we will so order.

ORDER

It is therefore this 12th day of January, 1988, by the County Board of Appeals of Baltimore County ORDERED that the petition for zoning reclassification of the subject property from R.O. to B.L. be and the same is hereby DENIED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Harry E. Buchheister, Jr.
Harry E. Buchheister, Jr.

Arnold G. Foreman
Arnold G. Foreman

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

January 12, 1988

G. Warren Mix, Esquire
706 Washington Avenue
Towson, MD 21204

RE: Case No. R-87-258
Lee Vinson, Inc.

Dear Mr. Mix:

Enclosed is a copy of the Opinion and Order passed today by the County Board of Appeals regarding the subject case.

Sincerely,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Secretary

Encl.

cc: Lee Vinson, Inc.
(Beatrice Levinson)
Mr. James Earl Kraft
Phyllis Cole Friedman, Esquire
Mr. Joseph P. Manno
Norman E. Gerber
James G. Howell
J. Robert Haines
Ann M. Natarowicz
James E. Dyer
Robyn Clark
Arnold Jackson, County Attorney

G. Warren Mix, Esquire
706 Washington Avenue
Towson, Maryland 21204

April 14, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING RECLASSIFICATION
SW/S of Reisterstown Rd., 150' NW of the c/l
of Caraway Rd.
4th Election District, 3rd Councillmanic District
Lee Vinson, Inc. - Petitioner
Case No. R-87-258

TIME: 10:00 a.m.

DATE: Tuesday, May 19, 1987

PLACE: Room 218, Courthouse, Towson, Maryland

Continued in open hearing amended plan submitted by Counsel for Petitioner forwarded to Planning

Witnessed

THIS IS TO ADVISE YOU THAT YOU WILL BE BILLED BY THE ZONING OFFICE FOR ADVERTISING AND POSTING COSTS WITH RESPECT TO THIS CASE APPROXIMATELY A WEEK BEFORE THE HEARING. THIS FEE MUST BE PAID AND THE SIGN AND POST RETURNED TO THE ZONING OFFICE ON THE DAY OF THE HEARING OR THE ORDER WILL NOT BE ISSUED.

W.T.H.

cc: Ms. Bea Levinson
Lee Vinson, Inc.
6601 Park Heights Avenue Terrace
Baltimore, Maryland 21215

People's Counsel for Baltimore County
Mr. Joseph P. Manno
Westbury Community Association of
Reisterstown, Inc., 25 Caraway Road
Reisterstown, Md. 21136-2521

Baltimore County Office of Planning and Zoning
May 26, 1987

RECEIVED BALTIMORE COUNTY PLANNING BOARD
Thursday, June 4, 1987
MAY 28 P 1:37
Room 106, County Office Building
Towson, Maryland

WORK SESSION
of the
ad hoc Committee on Regulations and Standards
Mr. Disney, Chairman

TIME
*4:00 p.m. Call to Order - Mr. Disney
4:01 p.m. 2. Introduction of Board Members
4:02 p.m. 3. Proposed Amendments to the Baltimore County Zoning Regulations concerning Housing for the Elderly and Life Care Facilities
4:22 p.m. 4. Proposed Amendments to the Baltimore County Zoning Regulations concerning the Comprehensive Manual of Development Policies
4:27 p.m. 5. Proposed Amendments to the Baltimore County Zoning Regulations concerning Definitions of Terms - Contractors
4:37 p.m. 6. Proposed Amendments to the Baltimore County Zoning Regulations concerning Compliance with Development Plans
4:47 p.m. 7. Other Business

WORK SESSION
of the
ad hoc Committee on Master Plan and Zoning Maps
Ms. Thaler, Chairman

TIME
5:00 p.m. 1. Call to Order - Ms. Thaler
5:01 p.m. 2. Introduction of Board Members
5:02 p.m. 3. Zoning Cycle V: Committee Recommendations
5:30 p.m. 4. Water & Sewer Master Plan: Committee Recommendations
5:40 p.m. 5. Chesapeake Bay Critical Area: Briefing
6:00 p.m. 6. Amended Petition: Lee Vinson, Inc., Case No. R-87-258, Cycle IV, Item 1C

6:05
7. Other Business
NOTE: Copies of agenda, with enclosures, if any, will be available for public inspection on Monday, June 1, 1987 at the following Baltimore County Public Libraries: Arbutus, Catonsville, Cockeysville, Essex, Loch Raven, North Point, Parkville, Perry Hall, Pikesville, Randallstown, Reisterstown, Rosedale, Towson and Woodlawn.

*The first Work Session will begin promptly at 4:00 p.m., however, all other times are only approximations.

G. Warren Mix, Esquire
706 Washington Avenue
Towson, Maryland 21204

March 3, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING RECLASSIFICATION
SW/S of Reisterstown Rd., 150' NW of the c/l
of Caraway Rd.
4th Election District - Lee Vinson, Inc. - Petitioner
Case No. R-87-258

TIME: 10:00 a.m.

DATE: Thursday, April 9, 1987

PLACE: Room 218, Courthouse, Towson, Maryland

Witnessed

THIS IS TO ADVISE YOU THAT YOU WILL BE BILLED BY THE ZONING OFFICE FOR ADVERTISING AND POSTING COSTS WITH RESPECT TO THIS CASE APPROXIMATELY A WEEK BEFORE THE HEARING. THIS FEE MUST BE PAID AND THE SIGN AND POST RETURNED TO THE ZONING OFFICE ON THE DAY OF THE HEARING OR THE ORDER WILL NOT BE ISSUED.

cc: Ms. Bea Levinson

Lee Vinson, Inc.
6601 Park Heights Avenue Terrace
Baltimore, Maryland 21215

People's Counsel for Baltimore County

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

July 14, 1987

(CONTINUED FROM 5/19/87)
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 21(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 21(c), COUNTY COUNCIL BILL #59-79.

CASE NO. R-87-258

LEE VINSON, INC.

SW/S Reisterstown Road, 150' NW
centerline Caraway Road
4th Election District
3rd Councillmanic District

Petition for Zoning Reclassification -
from R.O. and D.R. 3.5 to B.L.

ASSIGNED FOR:

WEDNESDAY, October 7, 1987 at 10:00 a.m.

cc: G. Warren Mix, Esquire

Counsel for Petitioner

Lee Vinson, Inc. / Bea Levinson

Petitioner

James Earl Kraft

Phyllis Cole Friedman, Esquire

Joseph P. Manno, President
Westbury Comm. Assoc. of
Reisterstown Md., Inc.

Norman E. Gerber
James G. Howell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. du Bois

Kathleen C. Weidenhammer
Administrative Secretary

G. Warren Mix, Esquire
706 Washington Avenue
Towson, Maryland 21204

NOTICE OF HEARING

RE: PETITION FOR ZONING RECLASSIFICATION
SW/4th Reisterstown Rd., 150' NW of the c/l
of Caraway Rd., 4th Election District - 3rd Councilmanic District
Lee Vinson, Inc. - Petitioner
Case No. R-87-258

TIME: 10:00 a.m.

DATE: Tuesday, May 19, 1987

PLACE: Room 218, Courthouse, Towson, Maryland

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

Witnessed

THIS IS TO ADVISE YOU THAT YOU WILL BE BILLED BY THE ZONING OFFICE FOR ADVERTISING AND POSTING COSTS WITH RESPECT TO THIS CASE APPROXIMATELY A WEEK BEFORE THE HEARING. THIS FEE MUST BE PAID AND THE SIGN AND POST RETURNED TO THE ZONING OFFICE ON THE DAY OF THE HEARING OR THE ORDER WILL NOT BE ISSUED.

W.T.H.

cc: Ms. Bea Levinson
Lee Vinson, Inc.
6601 Park Heights Avenue Terrace
Baltimore, Maryland 21215

People's Counsel for Baltimore County
Mr. Joseph P. Manno
Westbury Community Association of
Reisterstown, Inc., 25 Caraway Road
Reisterstown, Md. 21136-2521



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

ARNOLD JABLON
ZONING COMMISSIONER

May 18, 1987

G. Warren Mix, Esquire
706 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING RECLASSIFICATION
SW/4th Reisterstown Rd., 150' NW of the c/l of
Caraway Rd., 4th Election District - 3rd Councilmanic District
Lee Vinson, Inc. - Petitioner
Case No. R-87-258

Dear Mr. Mix:

This is to advise you that \$308.18 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND POST RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED.

Please make your check payable to "Baltimore County, Maryland" and remit it to Mr. Margaret E. du Bois, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:med

cc: Mr. William T. Hackett, Chairman
Board of Appeals for Baltimore County

494-3180

County Board of Appeals
Room 219 Court House
TOWSON, MARYLAND 21204

September 23, 1987

NOTICE OF POSTPONEMENT and REASSIGNMENT

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-87-258

LEE VINSON, INC.

SW/4th Reisterstown Rd., 150' NW c/l
Caraway Rd.

4th Election District
3rd Councilmanic District

Petition for Zoning Reclassification
from R.O. and D.R. 3.5 to B.L.

Scheduled for hearing on Wednesday, October 7, 1987, at 10 a.m.,
has been POSTPONED at the request of counsel for the petitioner, and

REASSIGNED FOR: THURSDAY, DECEMBER 10, 1987, at 10 a.m.

cc: G. Warren Mix, Esq. Counsel for Petitioner

Lee Vinson, Inc./Bea Levinson Petitioner

James E. Kraft

Phyllis C. Friedman, Esq. People's Counsel

Joseph P. Manno, President
Westbury Comm. Assoc. of
Reisterstown Md., Inc.

Norman E. Gerber

James G. Howell

Frank Fisher

J. Robert Haines

Ann M. Nastarowicz

James E. Dyer

Margaret E. du Bois

June Holmen, Secretary

RECEIVED
SEP 25 1987

ZONING OFFICE

IN THE MATTER OF THE PETITION
FOR RECLASSIFICATION FROM
R.O. & D.R. 3.5 TO B.L. ZONE
SW/4th Reisterstown Rd., 150'
NW of C/L of Caraway Rd., 4th
District

LEE VINSON, INC., Petitioner

BEFORE THE COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Case No. R-87-258 (Item 10, Cycle IV)

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final

RECEIVED
COUNTY BOARD OF APPEALS
FEB 5 4 12 32

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 5th day of February, 1987, a copy of the foregoing Entry of Appearance was mailed to G. Warren Mix, Esquire, 706 Washington Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3333

STEPHEN S. COLLINS
DIRECTOR

December 10, 1986

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

Item No. 10 Cycle IV
Property Owner: Lee Vinson, Inc.
Location: Reisterstown Road

Dear Mr. Hackett:

A left-turn lane into this site will be needed involving widening on the opposite side of Reisterstown Road, as well as offsite widening back to existing paving.

The projected trip generation for the existing zoning is 720 trips/day, and the projected trip generation for the proposed zoning is 1595 trips/day.

Very truly yours,

Stephen S. Collins
Stephen S. Collins
Deputy Director

CRM:GMJ:lt

RECEIVED
COUNTY BOARD OF APPEALS
FEB 16 10 25

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

R-87-258

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 R.O. and D.R. 3.5 zone to an B.L. 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 section of the Zoning Law and Zoning Regulations of Baltimore County:

MAP	11/15/87
DATE	11/15/87
FILED	11/15/87
INDEXED	11/15/87
RECEIVED	11/15/87

RECEIVED
COUNTY BOARD OF APPEALS
SEP 3 4 12 32

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)
G. Warren Mix
Signature

(Type or Print Name)
Lee Vinson, Inc.
Signature

Address

(Type or Print Name)

City and State

Signature

Attorney for Petitioner:

G. Warren Mix

(Type or Print Name)

6601 Park Hts. Ave Terrace

Baltimore, Md. 21215

City and State

Signature

706 Washington Avenue

Towson, Maryland 21204

City and State

Attorney's Telephone No: 825-1517

6601 Park Hts. Ave. Terrace

Address

764-0212

BALCO-Form 1

CKA 1/1/87

apr associates, inc.
surveyors-engineers

DESCRIPTION OF PROPERTY
TO ACCOMPANY PETITION FOR RECLASSIFICATION
REISTERSTOWN ROAD
FOURTH ELECTION DISTRICT, BALTIMORE COUNTY
MARYLAND

BEGINNING FOR THE SAME at a point on the Westerly right-of-way line of Reisterstown Road, 66 feet wide, at the distance of 150 feet, measured in the Northwesterly direction along said right-of-way line from the centerline of Caraway Drive; said point of beginning being also situate on the Northerly outline of Westfield Garden Apartments as shown on the plat recorded among the Land Records of Baltimore County in Plat Book 49, Folio 102; thence leaving Reisterstown Road and binding along the Northerly outline of Westfield Garden Apartments and then along the Northerly outline of "Westbury", recorded in Plat Book 3, folio 79; South 73 degrees 36 minutes West 715.13 feet; thence running North 29 degrees 20 minutes West 163.74 feet to intersect the Southely side of Bosley Lane; then binding thereon North 56 degrees 00 minutes 30 seconds East 332.47 feet; thence leaving Bosley Lane and running South 32 degrees 50 minutes East 132.03 feet and North 55 degrees 00 minutes East 336.83 feet to intersect the Westerly right-of-way line of Reisterstown Road; thence binding thereon South 34 degrees 30 minutes East 247.0 feet to the point of beginning; containing 3.19 acres more or less.



9/3/86
7427 harford road ballimore, md. 21234 tel: 301 444 4312

RECEIVED
COUNTY BOARD OF APPEALS
1987 AUG -2 A 11:22

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

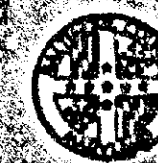
DATE 8/4/87 ACCOUNT R-71-615-090

AMOUNT \$ 308.18
B. Laevinson, c/o G. Warren Mix, Esq.,
706 Washington Ave., Towson, Md. 21204

RECEIVED FROM ADVERTISING & POSTING COSTS RE CASE #R-87-258

FOR 0055*****3031818 8048f

VALIDATION OR SIGNATURE OF CASHIER



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

ARNOLD JABLON
ZONING COMMISSIONER

May 18, 1987

G. Warren Mix, Esquire
706 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING RECLASSIFICATION
S4/S Reisterstown Rd., 150' NW of the c/l of
Caraway Rd.
4th Election District - 3rd Councilmanic District
Lee Vinson, Inc. - Petitioner
Case No. R-87-258

Dear Mr. Mix:

This is to advise you that \$308.18 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND POST RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED.

Please make your check payable to "Baltimore County, Maryland" and remit it to Ms. Margaret E. du Bois, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Almed

cc: Mr. William T. Hackett, Chairman
Board of Appeals for Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD. April 30 1987

THIS IS TO CERTIFY that the accepted advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. appearing on April 30 1987

THE JEFFERSONIAN

Susan Shaded Street
Publisher

45:04

LANDMARK COMMUNITY NEWS

THIS IS TO CERTIFY that the was published for one (1) day of April to the 30th day of April.

- ☐ Carroll County Times
☐ In West
☐ Randallstown News,
☒ Community Times, a

LANDMARK COMMUNITY NEWS

PETITION FOR RECLASSIFICATION
Case No. R-87-258

LOCATION: Southwest Side of Reisterstown Road, 150 feet Northwest of the Centerline of Caraway Road

PUBLIC HEARING: Tuesday, May 19, 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 an R.O. and D.R. 3.5 Zone to a B.L. Zone.

All that parcel of land in the 4th Election District of Baltimore County, to-wit: the Southwest Side of Reisterstown Road, 150 feet Northwest of the Centerline of Caraway Road, 66 feet wide, at the distance of 150 feet, measured in the Northwesterly direction along said right-of-way line from the centerline of Caraway Drive; said point of beginning being also situate on the Northerly outline of Westfield Garden Apartments and then along the Northerly outline of "Westbury", recorded in Plat Book 3, folio 79; South 73 degrees 36 minutes West 715.13 feet; thence running North 29 degrees 20 minutes West 163.74 feet to intersect the Southely side of Bosley Lane; then binding thereon North 56 degrees 00 minutes 30 seconds East 332.47 feet; thence leaving Bosley Lane and running South 32 degrees 50 minutes East 132.03 feet and North 55 degrees 00 minutes East 336.83 feet to intersect the Westerly right-of-way line of Reisterstown Road; thence binding thereon South 34 degrees 30 minutes East 247.0 feet to the point of beginning; containing 3.19 acres more or less.

Being the property of Lee Vinson, 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

apr associates, inc.
surveyors-engineers

DESCRIPTION OF PROPERTY
TO ACCOMPANY PETITION FOR RECLASSIFICATION
REISTERSTOWN ROAD
FOURTH ELECTION DISTRICT, BALTIMORE COUNTY
MARYLAND

BEGINNING FOR THE SAME at a point on the Westerly right-of-way line of Reisterstown Road, 66 feet wide, at the distance of 150 feet, measured in the Northwesterly direction along said right-of-way line from the centerline of Caraway Drive; said point of beginning being also situate on the Northerly outline of Westfield Garden Apartments as shown on the plat recorded among the Land Records of Baltimore County in Plat Book 49, Folio 102; thence leaving Reisterstown Road and binding along the Northerly outline of Westfield Garden Apartments and then along the Northerly outline of "Westbury", recorded in Plat Book 3, folio 79; South 73 degrees 36 minutes West 715.13 feet; thence running North 29 degrees 20 minutes West 163.74 feet to intersect the Southely side of Bosley Lane; then binding thereon North 56 degrees 00 minutes 30 seconds East 332.47 feet; thence leaving Bosley Lane and running South 32 degrees 50 minutes East 132.03 feet and North 55 degrees 00 minutes East 336.83 feet to intersect the Westerly right-of-way line of Reisterstown Road; thence binding thereon South 34 degrees 30 minutes East 247.0 feet to the point of beginning; containing 3.19 acres more or less.

ALEXANDER P. RAYCH, PROF. L.S.
RICHARD J. TRUELOVE, P.E.



9/3/86
7427 harford road ballimore, md. 21234 tel: 301 444 4312

PETITION FOR RECLASSIFICATION

Case No. R-87-258

LOCATION: Southwest Side of Reisterstown Road, 150 feet Northwest of the Centerline of Caraway Road

PUBLIC HEARING: Tuesday, May 19, 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 an R.O. and D.R. 3.5 Zone to a B.L. Zone

All that parcel of land in the 4th Election District of Baltimore County

BEGINNING FOR THE SAME at a point on the Westerly right-of-way line of Reisterstown Road, 66 feet wide, at the distance of 150 feet, measured in the Northwesterly direction along said right-of-way line from the centerline of Caraway Drive; said point of beginning being also situate on the Northerly outline of Westfield Garden Apartments as shown on the plat recorded among the Land Records of Baltimore County in Plat Book 49, Folio 102; thence leaving Reisterstown Road and binding along the Northerly outline of Westfield Garden Apartments and then along the Northerly outline of "Westbury", recorded in Plat Book 3, folio 79; South 73 degrees 36 minutes West 715.13 feet; thence running North 29 degrees 20 minutes West 163.74 feet to intersect

the Southely side of Bosley Lane; then binding thereon North 56 degrees 00 minutes 30 seconds East 332.47 feet; thence leaving Bosley Lane and running South 32 degrees 50 minutes East 132.03 feet and North 55 degrees 00 minutes East 336.83 feet to intersect the Westerly right-of-way line of Reisterstown Road; thence binding thereon South 34 degrees 30 minutes East 247.0 feet to the point of beginning; containing 3.19 acres more or less.

Being the property of Lee Vinson, 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

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

R-87-258

District 4th
Posted for: Reclassification
Petitioner: Lee Vinson, Inc.
Location of property: S4/S of Reisterstown Road, 150' NW of the c/l of Caraway Road
Location of Sign: Signs on S4/S of Reisterstown Road, 150' NW of Caraway Road and on south side of Bosley Lane opposite NW of Caraway Road and on south side of Bosley Lane opposite NW of Caraway Road
Remarks:
Posted by: J.D. Rite
Date of return: May 19 1987
Number of Signs: 2

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

DATE 9/3/86 ACCOUNT 01-615

AMOUNT \$ 100.00

RECEIVED FROM J. D. Rite

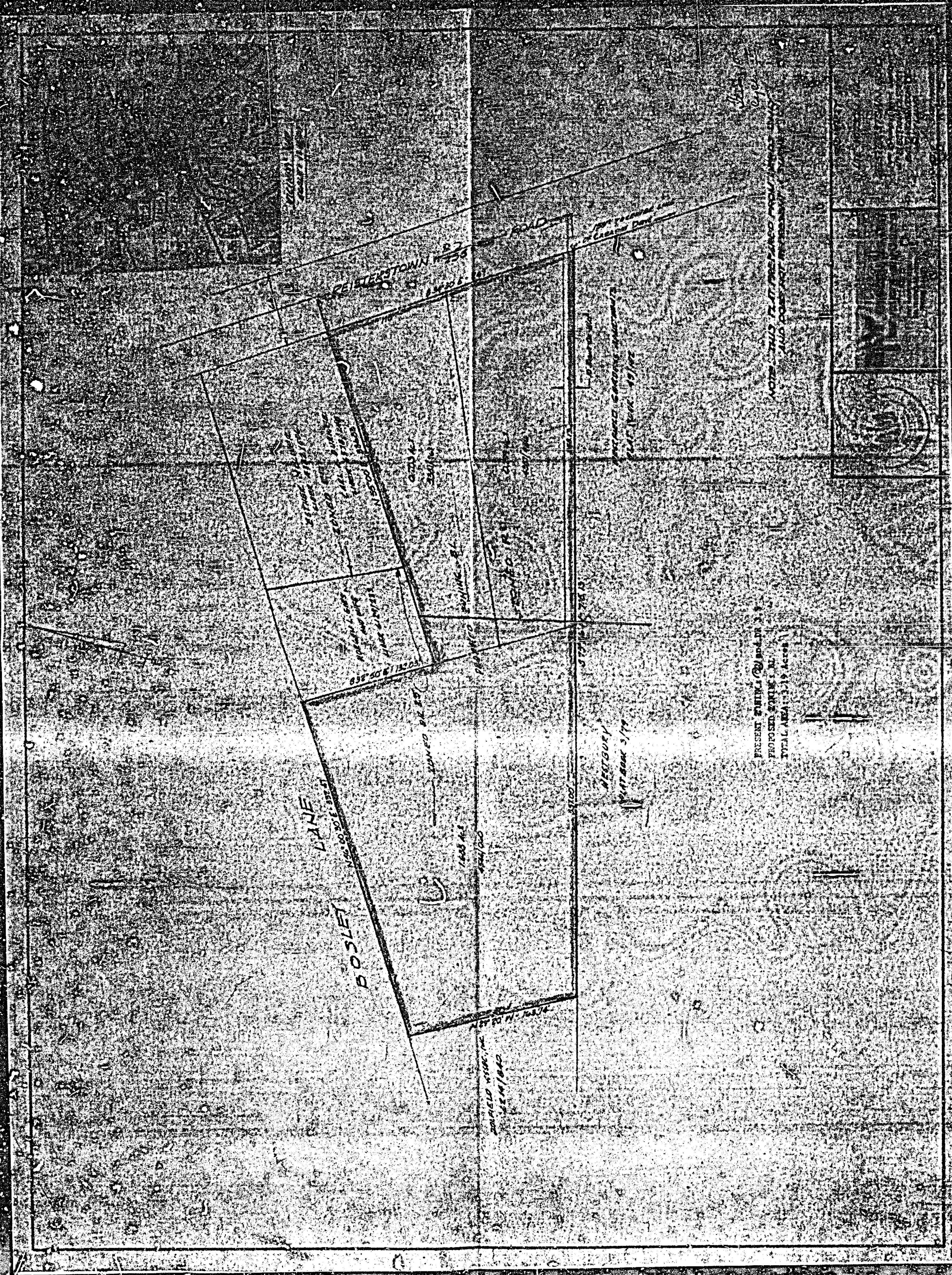
FOR Field Fee For Reclassification

FOR 0055*****3031818 8048f

LEE VINSON INC - PETITIONER

VALIDATION OR SIGNATURE OF CASHIER

cc: APR Associates, Inc.
7427 Harford Road
Baltimore, Maryland 21234



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Norman E. Gerber, Director
Office of Planning & Zoning
Date: May 19, 1987
FROM: Lawrence E. Schmidt, Acting Chairman
County Board of Appeals
Case No. R-87-258
SUBJECT: Lee Vinson, Inc.

Pursuant to the appropriate sections of the Baltimore County Code, we are transmitting to you copies of the amended plans submitted to the County Board of Appeals at a public hearing on May 19, 1987. These are being forwarded to you for processing with the Baltimore County Planning Board.

Lawrence E. Schmidt
Lawrence E. Schmidt, Acting Chairman

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Members: TO: Baltimore County Planning Board
Date: May 27, 1987
FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning
SUBJECT: Amended Petition: Lee Vinson, Inc.
Case No. R-87-258, Cycle IV, Item 10

At the County Board of Appeals hearing on May 19, 1987, the applicant amended his zoning reclassification request, deleting the westernmost 1.688-acre parcel from the petition. Therefore, the request is for a change from R.O. and D.R. 3.5 to the B.L. zoning classification for the easternmost 1.5-acre parcel of land.

After reviewing the amended petition, this office still believes that the subject request should be denied. It is this office's opinion that the comment adopted by the Planning Board on January 29, 1987, should be redopted by the Board with the following changes:

1. Acreage: 1.5
2. Recommended Date of Hearing: Amended Petition to be Rescheduled
3. Delete the last sentence of ¶3.

A copy of the Planning Board comment of January 29, 1987, revised accordingly, as well as a copy of a location map of the 1.5-acre property that is the subject of the amended petition are attached.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:slb
Attachments
cc: William T. Hackett, Chairman
County Board of Appeals
Phyllis Cole Friedman
People's Counsel
G. Warren Mix, Esq.
Attorney for the Petitioner

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William T. Hackett, Chairman
TO: County Board of Appeals
Date: June 19, 1987
FROM: Norman E. Gerber, AICP, Secretary
Baltimore County Planning Board
SUBJECT: Amended Petition: Lee Vinson, Inc.
Case No. R-87-258, Cycle IV, Item 10

At its regular meeting on June 18, 1987, the Baltimore County Planning Board reviewed the subject petition and recommended that that existing zoning, R.O. and D.R. 3.5, be retained. The Board agreed with the amended comments attached to the Office of Planning and Zoning Director's memorandum to the Planning Board dated May 27, 1987.

Norman E. Gerber
Norman E. Gerber, AICP
Secretary to the Planning Board

NEG:slb
cc: Phyllis Cole Friedman
People's Counsel
G. Warren Mix, Esq.
Attorney for the Petitioner

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COUNTY BOARD OF APPEALS
JUN 19 1987

CPS-008

ITEM NO. 10

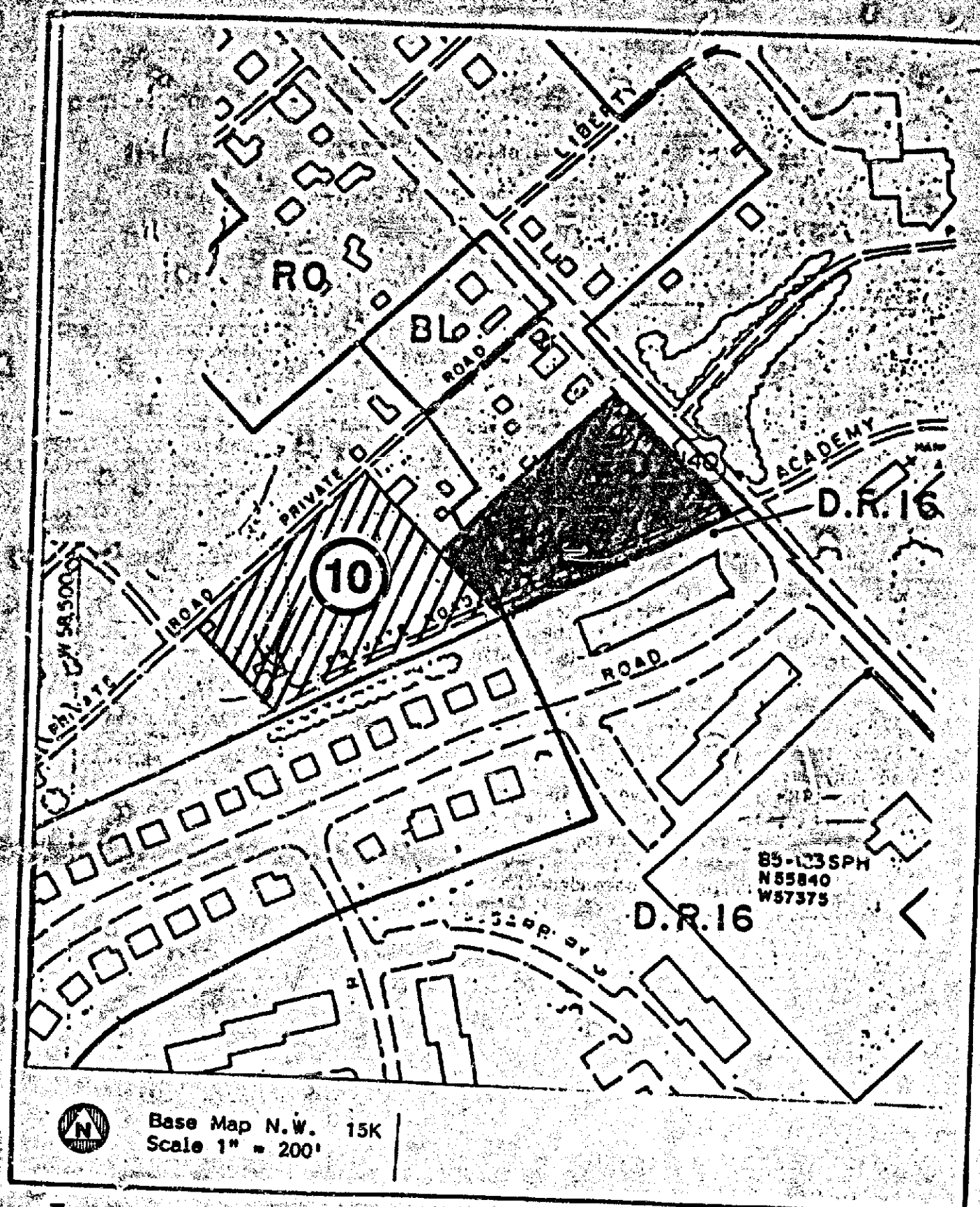
PROPERTY OWNER: Lee Vinson, Inc.
LOCATION: S/W/4 of Reisterstown Road, 150' W/E of Caraway Road
ELECTION DISTRICT: 4
COUNCILMANIC DISTRICT: 3
RECOMMENDED DATE OF HEARING: Amended Petition to be rescheduled.
ZONING PRIOR TO ADOPTION OF 1984 COMPREHENSIVE ZONING MAP: R.O.; D.R. 3.5
EXISTING ZONING: R.O.; D.R. 3.5
REQUESTED ZONING: B.L.
PLANNING BOARD RECOMMENDATION: Retain Existing Zoning (R.O.; D.R. 3.5)

This property is located near the intersection of Reisterstown and Caraway Roads in northwest Baltimore County. All of the surrounding properties are zoned for residential use, with a mixture of R.O., D.R. 18, D.R. 5.5 and D.R. 3.5 zones. The petitioner is requesting a change from R.O. and D.R. 3.5 to the B.L. zoning classification and has chosen to submit plans that do not show a proposed use for the property.

Prior to the adoption of the 1984 Comprehensive Zoning Map, the property was zoned R.O. and D.R. 3.5. During the preparation and processing of the map, the zoning of this site was identified as a specific issue before both the Planning Board and the County Council (3-1977). At the time the request was for a change to D-1 zoning. The planning staff and the Planning Board recommended the retention of the existing zoning. The County Council reaffirmed R.O. and D.R. 3.5 zoning here.

The Planning Board believes that the existing zoning provides for a reasonable use for the land, that ample commercial opportunities have been provided for in the area, and that the zoning map is correct. Further, the Board is of the opinion that the application of strip commercial here would be in contravention of the principles set forth in the Baltimore County Master Plan 1979-1990. Finally, the Board believes that the granting of this request would be an unwarranted intrusion into the residential area to the rear of the property.

It is therefore recommended that the existing zoning, R.O. and D.R. 3.5, be retained.



Location of Property Under Petition

- 20 -

LAW OFFICES
TURNBULL, MIX & FARMER
700 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 555-0700
(410) 555-1817
JOHN GRADON TURNBULL
(1900-1904)

July 13, 1987

Mr. William Hackett
County Board of Appeals
County Courts Building
Towson, MD 21204

RE: Zoning Reclassification
Case #R-87-258

Dear Mr. Hackett:

Please assign the above captioned matter for a hearing on the earliest possible date.

Thank you for your cooperation.

Very truly yours,
TURNBULL, MIX & FARMER
Warren Mix
G. Warren Mix

GWM/kmc
cc: People's Counsel for Baltimore County
Court House
Towson, MD 21204
cc: Lee Vinson, Inc.
6611 Park Heights Avenue
Baltimore, MD 21215

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NOV 13 1987

3/09/87 -- Request for POSTPONEMENT received from Counsel for Petitioner due to Court conflict in schedule. POSTPONEMENT granted per W.H. Bettye du Bois advised 3/09. Will re-post property with new date - rescheduled for hearing on Tuesday, May 19, 1987 at 10 am.

5/19/87 - Continued in open hearing; amended plan submitted by Counsel for Petitioner; forwarded to Planning 5/19/87; to be reset for hearing at later date.

7/14/87 - notice sent to following - bring set for Wednesday, Oct 7 at 10:00 a.m.

G. Warren Mix, Esq.
Lee Vinson / Ben Levinson
James Earl Kraft
Phyllis C. Friedman, Esq.
Joseph P. Manno
Norman E. Gerber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. du Bois

9/24/87 - Above were notified of postponement and reassignment to Thur., Dec. 10, '87, at 10 am.

LAW OFFICES
TURNBULL, MIX & FARMER
700 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 555-0700
(410) 555-1817

JOHN GRADON TURNBULL
(1900-1904)
OCEAN CITY OFFICE
810 N. 10TH STREET
OCEAN CITY, MD 21848
(410) 555-0400

September 16, 1987

Mr. William Hackett
Baltimore County Board of Appeals
County Courts Building
Towson, MD 21204

RE: Zoning Reclassification
Case #R-87-258

Dear Mr. Hackett:

The above captioned matter has been scheduled for a hearing on October 7, 1987 at 10:00 a.m. Unfortunately, I have just learned that my expert witness, Frederick P. Klaus, will be out of the country in Italy on business the first two weeks of October. Therefore, it is necessary that I request a postponement to the next available date.

Thank you for your consideration.

Very truly yours,
TURNBULL, MIX & FARMER
Warren Mix
G. Warren Mix

GWM/kmc
cc: Peoples Counsel for Baltimore County
Court House
Towson, MD 21204
cc: Lee Vinson Inc.
6611 Park Heights Avenue
Baltimore, MD 21215

RECEIVED
COUNTY BOARD OF APPEALS
NOV 11 1987

WESTBURY COMMUNITY ASSOCIATION OF
REISTERSTOWN, MD., INC.
WE CARE OUR SHARE

Joseph P. Manno
PRESIDENT

TELEPHONE
833-2677

25 Caraway Road
Reisterstown, MD 21136-2521
December 9, 1986

Board of Zoning Appeals
Room 200
New Court House
Towson, MD 21204

Gentlemen:

It is my understanding that an appeal to the Zoning Map has been filed by Lee Vinson, Inc. of 6601 Park Heights Terrace, Baltimore, MD 21215 through the corporation's attorney, G. Warren Mix. The property involved is located in Reisterstown, fronting on Reisterstown Road, and is situated between Caraway Road and Bosley Lane.

As the president of the Westbury Community Association of Reisterstown, MD, Inc. I would like the following:

1. a copy of all papers filed by Lee Vinson through its attorney on this appeal.
2. to be notified of any changes in:
 - a. the hearing date, or
 - b. in the location of the hearing, or
 - c. in the appeal, itself.

I understand that the hearing is scheduled for April 9, 1987 at 10:00 a.m. in Room 218, Old Court House Building.

Very truly Yours,

Joseph P. Manno
Joseph P. Manno

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NOV 11 1987



Maryland Department of Transportation
State Highway Administration

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NOV 12 1986
ZONING OFFICE

William K. Hoffmann
Secretary
Hal Kassoff
Administrator

November 5, 1986

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

RE: Baltimore County
Item #10
Property Owner:
Lee Vinson, Inc.
Location: SW/S
Reisterstown Road
(Route 140) 150' NW
centerline Caraway Road
Existing Zoning: R.O.
and D.R. 3.5
Election District: 4th
Acre: 3.19
Proposed zoning: B.L.

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

Dear Mr. Hackett:

On review of the submittal of 9/2/86 and field inspection, the State Highway Administration offers the following comments.

The existing entrances to the site (bituminous channelization) are substandard and the S.H.A. Bureau of Engineering Access Permits will require a new entrance to be constructed to meet existing S.H.A. criteria for commercial development.

The State Highway Administration strongly recommends all access to the site be by way of a standard 35' entrance located 118' from the north property line, with the ultimate right-of-way for Maryland Route 140 be shown as a proposed 80' right-of-way (40' half section).

All work within the S.H.A. right-of-way must be through S.H.A. Permit with the posting of a bond or Letter of Credit to guarantee construction.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

CL-GWies

cc: J. Ogle

My telephone number is 301-333-1350.
Typewriter for Impaired Hearing or Speech
303-7555 Baltimore Metro - 555-0451 D.C. Metro - 1-800-422-5002 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

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NOV 12 1986



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

October 22, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: William Hackett
Chairman, County Board of Appeals

RE: Property Owner: Lee Vinson, Inc.

Location: SW/S Reisterstown Road, 153' NW centerline Caraway Road

Item No.: 10 Zoning Agenda: Cycle IV

Gentlemen:

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

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public 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.

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



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

NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Cycle IV, Oct. to Apr. 1986-87
OCTOBER 15, 1986

Re: Zoning Advisory Meeting of October 4, 1986
Item # CYCLE IV - #10
Property Owner: LEE VINSON, INC.
Location: SW/S REISTERSTOWN RD. 150'
NW & CARAWAY RD.

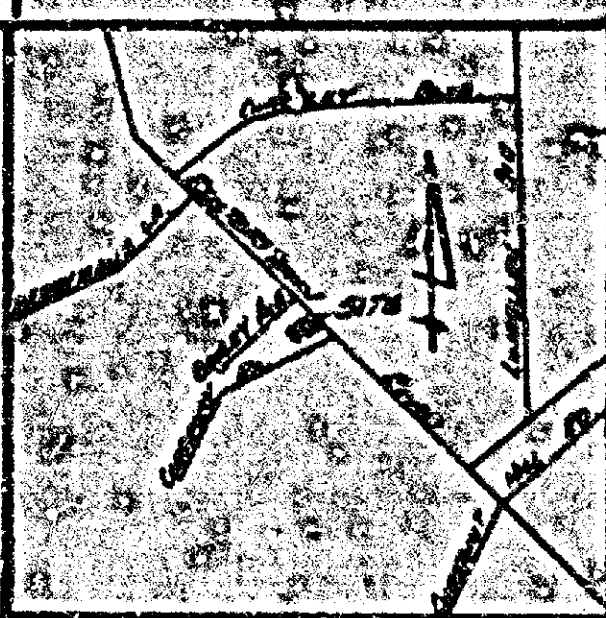
Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment, AT THIS TIME.
- (X) A County Review Group Meeting is required.
- (X) A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- (X) A record plat will be required and must be recorded prior to issuance of a building permit.
- (X) The access is not satisfactory.
- (X) The circulation on this site is not satisfactory.
- (X) The parking arrangement is not satisfactory.
- (X) Parking calculations must be shown on the plan.
- (X) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on
- (X) Landscaping: Must comply with Baltimore County Landscape Manual.
- (X) The property is located in a deficient service area as defined by B111 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is
- (X) The property is located in a traffic area controlled by a "D" level intersection as defined by B111 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- (X) Additional comments:
IF SUBJECT PROPERTY IS REVIEWED ANY FUTURE
RE-EVALUATION OF THE SITE MUST MEET THE
REQUIREMENTS OF B111 178-79 "THE DEVELOPMENT
REGULATIONS"

cc: James Hoswell

David Fields, Acting Chief
Current Planning and Development



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Chairman,
TO: William F. Hackett, Appellate Board Date: December 1, 1986
FROM: Charles E. Forrester, Planning Review Chief, Department of Permits & Licenses
SUBJECT: October, 1986 - April, 1987 Zoning Reclassification - Cycle IV

Item # 10 Property Owners: Lee Vinson, Inc.
Contract Purchaser:
Location: SW/3 Reisterstown Road, 150' NW c/l Caraway Road
Existing Zoning: R.O. and D.R. 3.5
Proposed Zoning: B.L.
Access: 3.19
District: 4th.

As there are no structures illustrated or proposed, there is no comment at this time.

CEB/vv

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

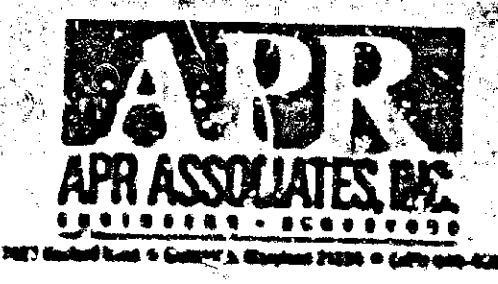
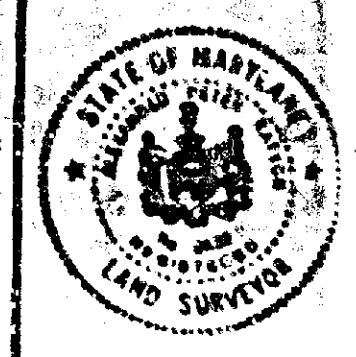
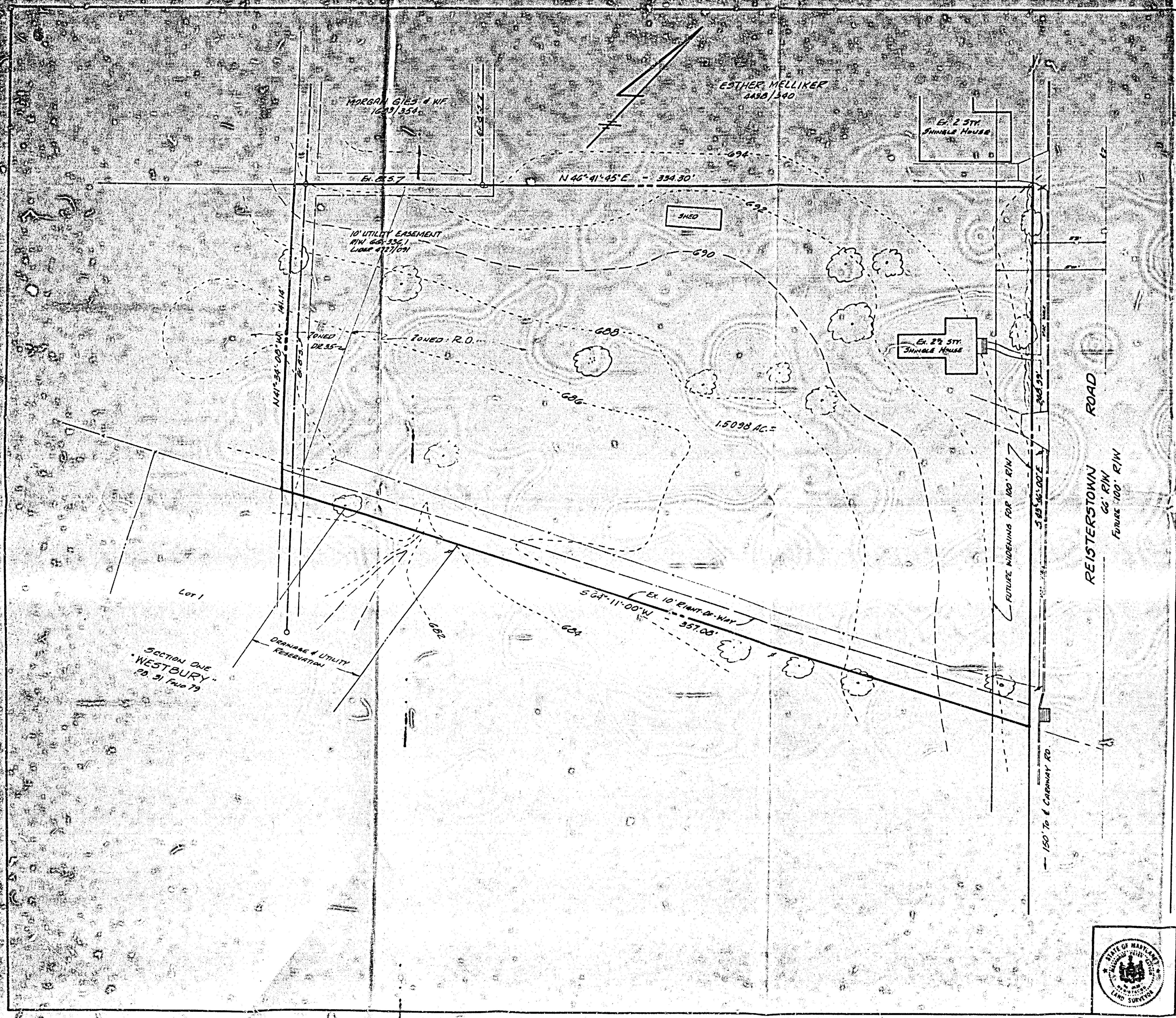
Mr. Walter Hackett, Chairman
TO: Board of Appeals Date: December 2, 1986
Office of Planning and Zoning
FROM: JAN J. FORRESTER
SUBJECT: Reclassification Petitions - Cycle IV

This office is unable at this time to make comments regarding the seventeen properties listed for zoning reclassification without more detailed information on the attached plats.

If you have any questions concerning this matter, you may contact Mr. Gerard A. Zilnik at 494-2762.

Jan J. Forrester
Jan J. Forrester, Director
BUREAU OF ENVIRONMENTAL SERVICES

JJF:pb



PLAT TO ACCOMPANY
PETITION FOR REZONING
734 MAIN STREET
REISTERSTOWN ROAD
3rd COUNCILMATIC DISTRICT
4th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1"=20'
JUL 27 1987