IN THE MATTER OF
THE APPLICATION OF
BALTIMORE GAS & ELECTRIC CO.
FOR A ZONING RECLASSIFICATION
FROM M.L.-C.S.2, M.L.-I.M.,
AND B.R.-C.N.S. TO B.R.-A.S.
AND B.R.-I.M. ON PROPERTY
LOCATED ON THE SOUTHWEST
CORNER YORK AND WARREN ROADS
8TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

BEFORE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY CASE NO. R-94-334 Item #6, CYCLE III 1994

ORDER OF DISMISSAL

Petition for Reclassification filed by the Baltimore Gas & Electric Company, Inc., by its attorneys, Venable, Baetjer & Howard, LLP; John B. Howard, Esquire; and Robert A. Hoffman, Esquire, for a zoning reclassification from M.L.-C.S.2 and M.L.-I.M. and B.R.-C.N.S. to B.R.-A.S. and B.R.-I.M. for the property located on the southwest corner York and Warren Roads in the Eighth Election District of Baltimore County; and

WHEREAS, the Board of Appeals is in receipt of a letter of withdrawal of Petition filed September 12, 1996 (a copy of which is attached hereto and made a part hereof) from Robert A. Hoffman, Esquire, Counsel for Petitioner; and

WHEREAS, said Counsel, on behalf of Petitioner, requests that the Petition for Reclassification filed herein be withdrawn as of the above date,

IT IS HEREBY ORDERED this 23rd day of 8eptember, 1996, by the County Board of Appeals of Baltimore County that said Petition be and the same is hereby WITHDRAWN AND DISMISSED.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Harry E. Bucklintung

MEMORANDUM

TO: RECLASSIFICATION PETITIONERS, ATTORNEY, AND/OR REPRESENTATIVES

FROM: ZONING ADMINISTARTION AND DEVELOPMENT MANAGEMENT 111 W. Chesapeake Avenue, Towson, Maryland 21204

RE:: PAYMENT OF POSTING AND ADVERTISING FEES - RECLASSIFICATIONS

As you are aware, all government entities should endeavor to cut dollor out-put, misuse of labor and the proliferation of paperwork.

In the past, mandated newspaper advertising of Zoning actions was billed to Baltimore County. The processing of these ads and their subsequent bills touched several county agencies. Although, we will continue to place ads for the petitioner, in the majority of cases, Baltimore County will no longer act as a middle-man with regard to the newspaper billing.

An individual ad for your petition will run approximately one month before the scheduled hearing date. Billing for the indvidual ad, due upon receipt, will come from and should be remitted directly to the newspaper.

Cycle Reclassification Petitions are required to be heavily advertised and are now the only instance when we must again act as middle-man. The initial full-page ads, containing the particulars of all the petitions in this Cycle, will run in the July 7, 1994 and July 14, 1994 issues of the Jeffersonian.

Patuxent Publishing will bill the County an estimated \$4,600.00 for these full-page ads. This cost is charged back to the petitioners, equally divided among them. When you receive this bill from us, we ask that you immediately mail your check back to us. However, the check's payee should read Patuxent Publishing Company. In this manner, you help lower the County's cost by reducing or eliminating the purchasing, budget, and/or finance departments' involvement. Costs are also lowered as no funds will come out of the County budget to pay the advertising costs.

Briefly, your payments will be as follows:

- 1) Posting charges of \$35.00, now due. Please make check payable to "Baltimore County" and mail to Zoning Administration & Development Management.
- 2) Your share of the full page ads. Our office will forward billing to you in late July. Upon receipt, please make your check payable to "Patuxent Publishing" and mail it to Zoning Administration and Development Management.
- 3) Advertising cost for your individual ad, which will run approximately 3 to 4 weeks before your hearing. Billing for this will come directly from Patuxent Publishing and your check should be made payable to and mailed directly to Patuxent.

If you have any questions concerning this matter, please contact Gwendolyn Stephens at 887-3391.

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

MAY 24, 1994

NOTICE OF HEARING

CASE NUMBER: R-94-334 SWC York and Warren Roads

8th Election District - 3rd Councilmanic

Legal Owner(s): Baltimore Gas & Electric Company

Petition to reclassify the property's zoning from M.L.-C.S.-2 and M.L.-I.M. and B.R.-C.N.S. to B.R.-C.N.S.

HEARING:

Wednesday, October 12, 1994 at 10:00 a.m.

LOCATION:

COUNTY COURTHOUSE, ROOM 48

400 WASHINGTON AVENUE TOWSON, MARYLAND 21204

WILLIAM T. HACKETT, CHAIRMAN COUNTY BOARD OF APPEALS

cc: Baltimore Gas & Electric Company

John B. Howard, Esq. and Robert A. Hoffman, Esq.



OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

MAY 24, 1994

JUNE 7, 1994 - CORRECTION

NOTICE OF HEARING

CASE NUMBER: R-94-334 SWC York and Warren Roads

8th Election District - 3rd Councilmanic

Legal Owner(s): Baltimore Gas & Electric Company

Petition to reclassify the property's zoning from M.L.-C.S.-2 and M.L.-I.M. and B.R.-C.N.S. to B.R.-A.S. and B.R.-I.M.

HEARING:

Wednesday, October 12, 1994 at 10:00 a.m.

LOCATION:

COUNTY COURTHOUSE, ROOM 48 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204

WILLIAM T. HACKETT, CHAIRMAN COUNTY BOARD OF APPEALS

cc: Baltimore Gas & Electric Company
John B. Howard, Esq. and Robert A. Hoffman, Esq.

who ent alistate OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204

(410) 887-3180

24, 1994

1994 - CORRECTION JUNE 7,

NOTICE OF HEARING

CASE NUMBER: R-94-334 SWC York and Warre Roads

8th Election District - 3rd Councilmanic

Legal Owner(s): Balt more Gas & Electric Company

Petition to reclassify the property's zoning from M.L.-C.S.-2 and M.L.-I.M. and B.R.-C.N.S. to B.R.-A.S. and B.R.-I.M.

HEARING:

Wednesday, October 12, 1994 at 10:00 a.m.

LOCATION:

COUNTY COURTHOUSE, ROOM 48 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204

WILLIAM T. HACKETT, CHAIRMAN COUNTY BOARD OF APPEALS

cc: Baltimore Gas & Electric Company

John B. Howard, Esq. and Robert A. Hoffman, Esq.

Printed with Soybean Ink on Recycled Paper



OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

August 31, 1994

Robert A. Hoffman, Esquire VENABLE, BAETJER & HOWARD 210 Allegheny Avenue Towson, MD 21204

RE: Case No. R-94-334
Baltimore Gas & Electric Co., Inc.

Dear Mr. Hoffman:

Pursuant to your letter of August 26th regarding the subject matter, the Board has noted both its file and docket that, on October 12, 1994 at 10:00 a.m., it is your intention to appear and request a continuance on the record for the purpose of amending to a documented site plan.

Accordingly, no testimony or evidence will be received on the merits of the Petition for Reclassification on October 12th, but rather the matter opened and continued, to be scheduled for an early morning hearing at a later date for submittal of a Documented Site Plan.

Should you have any questions, please call me at 887-3180.

Very truly yours,

Kathleen C. Weidenhammer Administrative Assistant

cc: Louis F. Tyler, Sr.
G. Dowell Schwartz, Jr. /BG&E
Daft-McCune-Walker, Inc.
James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

BALTIMORE, MD WASHINGTON, D.C. MCLEAN, VA ROCKVILLE, MD A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

210 ALLEGHENY AVENUE

P.O. BOX 5517

TOWSON, MARYLAND 21285-5517

(410) 494-6200

FAX (410) 821-0147

RICHARD M. VENABLE (1839-1910) EDWIN G. BAETJER (1868-1945) CHARLES MCH. HOWARD (1870-1942)

WRITER'S DIRECT NUMBER IS

(410) 494-6262

ROBERT A. HOFFMAN

August 26, 1994

William T. Hackett, Chairman County Board of Appeals of Baltimore County Old Court House 400 Washington Avenue Towson, Maryland 21204

Re: - Cycle Zoning Reclassification No. R-94-334

- Legal Owner - Baltimore Gas & Electric Co., Inc.

- Property known as the Warren Road Site

- SW/C Intersection of York Road and Warren Road

Dear Mr. Hackett:

On behalf of our client, the Baltimore Gas & Electric Company, the Petitioner in the above-referenced zoning reclassification request, we are writing to request a continuance for the hearing scheduled for Wednesday, October 12, 1994 at 10:00 a.m. before the Board of Appeals.

The purpose of this request is to provide our client with some additional time to complete a Documented Site Plan which we had anticipated filing at the October 12th hearing. Accordingly, we respectfully request that a continuance be granted and that a hearing date prior to the end of the year be rescheduled at your convenience.

Sincerely,

Robert A/Hoffman

GPW\dok

cc: Louis F. Tyler, Sr.

Gwen Stephens

Peter Max Zimmerman, Esq.

HACKET19.GPW

9t NOC 30 811 9:

R-94-334

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

BALTIMORE, MD WASHINGTON, D.C. MCLEAN, VA ROCKVILLE, MD

210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21285-5517
(410) 494-6200
FAX (410) 821-0147

RICHARD M. VENABLE (1839-1910) EDWIN G. BAETJER (1868-1945) CHARLES MCH. HOWARD (1870-1942)

WRITER'S DIRECT NUMBER IS

ROBERT A. HOFFMAN

March 1, 1994

(410) 494-6262

William T. Hackett, Chairman County Board of Appeals of Baltimore County Old Court House 400 Washington Avenue Towson, Maryland 21204

Re: - Cycle Zoning Reclassification Request

- Legal Owner - Baltimore Gas & Electric Co., Inc.

- Property known as the Warren Road Site

- SW/C Intersection of York Road and Warren Road

Dear Mr. Hackett:

This firm represents the Baltimore Gas & Electric Co., Inc. ("BG&E"), the Petitioner in the above-referenced zoning reclassification request for property located on the southwest corner of the intersection of York Road and Warren Road in Cockeysville, Maryland. The subject property, which is part of an overall tract of about 17.53 acres, comprises approximately 1.76 acres and is presently zoned ML-CS-2 and ML-IM, with a very small portion of BR-CNS. The Petitioner is requesting a combination of BR-AS (or BR-CS-2) and BR-IM zoning in accordance with the enclosed open site plan.

Pursuant to Section 2-356(b) of the County Code, the purpose of this letter is to set forth the reasons why the requested reclassification should be granted. As can be seen most clearly on the accompanying portion of the 200' Scale Zoning Map, the subject property is situated adjacent to BM zoning on both its eastern and southern boundaries. The Petitioner believes the subject site relates more consistently to these commercial uses than any industrial use, particularly in light of the extension of Warren Road the construction of which has divided this 1.76-acre portion of the site from the remaining 15.77 acres. Due to the construction of

William T. Hackett, Chairman March 1, 1994 Page 2

this four-lane extension between York Road and I-83, this portion of BG&E's property has been clearly severed from the remainder. Enveloped on each of its other sides by either BR-CNS or BR-CS-2, the Council's decision to leave the property zoned ML-CS-2 and ML-IM has created a zoning anamoly.

This belief is substantiated by the Hunt Valley/Timonium Redevelopment Study which clearly designates the property within the potential development/redevelopment area. With regard to the redevelopment area, the study calls for the "support [of] zoning changes... which will foster growth in employment, business and employee services and amenities and/or light rail usage...."

Based upon its separation from the main parcel by the Warren Road extension, the surrounding commercial uses and the existing character of the area as a commercial corridor, it is apparent that the retention of industrial zoning on the subject property was an error. In addition, because the Hunt Valley/Timonium Redevelopment Study was not completed at the time of the 1992 comprehensive rezoning, the County Council was unable to consider its findings and recommendations with regard to the subject area.

For these reasons and for such further justification as may be presented at the hearing, it is respectfully submitted that the subject property should be reclassified from ML-CS-2, ML-IM and BR-CNS to BR-AS (or BR-CS-2) and BR-IM.

Sincerely,

Lal Arffur 3y: Gpw Robert A. Hoffman

DOK\gpw enclosures

cc: Louis F. Tyler, Sr.

HACKET10.GPW

BALTIMORE GAS & ELECTRIC CO., INC. SWC York and Warren Roads

#R-94-334
Item #6, Cycle III, 1994

#th Election District
3rd Councilmanic District

From M.L.-C.S.-2 & M.L.-I.M. & B.R.-C.N.S. to B.R.-A.S. & B.R.-I.M.

1.76 acre

February 25, 1994

Petition for Reclassification filed by Robert A. Hoffman, Esquire, and John B. Howard, Esquire, on behalf of Baltimore Gas & Electric Company, Inc., Petitioner.

John B. Howard, Esquire
Robert A. Hoffman, Esquire
VENABLE, BAETJER & HOWARD
210 Allegheny Avenue
Towson, MD 21204

Counsel for Petitioner

Add: Louis F. Tyler, Sr. c/o Robert A. Hoffman, Esquire

G. Dowell Schwartz, Jr., V.P. General Services Baltimore Gas & Electric Co., Inc. P.O. Box 1475 Baltimore, MD 21203

Petitioner

Daft-McCune-Walker, Inc. 200 E. Pennsylvania Avenue Towson, MD 21286 Engineer

James Earl Kraft /Board of Education Mail Stop #1102-J

People's Counsel for Baltimore County

Pat Keller
Jeffrey Long
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

1 E/

Parge Wingert - esq -

- R-94-334 /Baltimore Gas & Electric Co., Inc. -Petitioner
 York and Warren Roads 8th Election; 3rd Councilmanic
- 8/30/94 -Letter from R. Hoffman, Esquire, on behalf of Petitioner /intention to request continuance on record to complete Documented Site Plan on scheduled hearing date of Wednesday, October 12, 1994 at 10:00 a.m.
- 8/31/94 -Letter to R. Hoffman -- file and docket have been noted that matter will be opened and continued on 10/12/94 for purpose of amendment /Documented Site Plan to be submitted in open hearing at later date. Copy to all interested parties.
- 10/12/94 -Matter opened and continued on the record; Petitioner to submit Documented /Amended Plan at later date; will request hearing date when plan is ready for submittal.
- 9/12/96 -Letter of withdrawal of petition for reclassification filed by Robert A. Hoffman, Esquire, on behalf of Petitioner; to be dismissed by Order of the Board.



210 Allegheny Avenue Post Office Box 5517 Towson, Maryland 21285-5517 (410) 494-6200, Fax (410) 821-0147 OFFICES IN

MARYLAND WASHINGTON, D.C. VIRGINIA

> ROBERT A. HOFFMAN (410) 494-6262



September 18, 1996

County Board of Appeals of Baltimore County c/o Cathy Bianco, Secretary Old Courthouse, Basement 400 Washington Avenue Towson, Maryland 21204 Mr. Gary L. Kerns Office of Planning County Courts Building 401 Bosley Avenue Towson, Maryland 21204

Re:

County Board of Appeals Case No.: R-94-334 and Comprehensive Map Issue No. 3-004 Baltimore Gas & Electric Company, Petitioner

Dear Cathy and Gary:

On behalf of the Baltimore Gas & Electric Company, please withdraw the referenced reclassification case and Comprehensive Map Issue. I would ask that Cathy please send me a copy of an Order of Dismissal of the reclassification case and that Gary revise the latest log of issues (dated on July 12, 1996) to reflect the withdrawal of the Comprehensive Map Issue and notify the County Council.

Thank you for your cooperation.

Yours truly,

Nobert A. Hoffman Par

RAH/pvb

cc: Richard A. Ransom, Esquire

TOIDOCS1/RAH01/0030705.01

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Ar

Arnold Jablon, Director

DATE: April 9, 1997

Permits & Development Management

FROM:

Charlotte E. Radcliffe(\subseteq)

County Board of Appeals

SUBJECT: Closed File: Case No. R-94-334

Baltimore Gas & Electic Co., Inc.

Item #6, Cycle III, 1994

As no further appeal has been taken regarding the subject case, which was dismissed by Order dated September 23, 1996, we are hereby closing the file and returning same to you herewith.

Attachment (Case File No. R-94-334)

Item # 6 R-94-334

Report by the
Baltimore County Planning Board
to the
Baltimore County Board of Appeals

ZONING RECLASSIFICATION PETITIONS

Cycle III, 1994

July 31,1994



Baltimore County Government Planning Board



401 Bosley Avenue Towson, MD 21204

(410) 887-3211 Fax (410) 887-5862

July 22, 1994

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

Dear Mr. Hackett:

Enclosed herewith is the report containing the County Planning Board's recommendations regarding the zoning reclassification petitions in Cycle III, 1994.

After full discussion in the Committee meeting on July 7, 1994, the Report was adopted by the Planning Board in its monthly meeting on July 21, 1994, and is hereby published and submitted in accordance with County Code Section 2-356(f).

Sincerely,

Pat Keller

Secretary to the Planning Board

PK/TD/mjm LTRS/PZONE/TXTMJM

Enclosure

Merreen E. Kelly, Administrative Officer Peter Max Zimmerman, People's Counsel



ZONING RECLASSIFICATION PETITIONS

Cycle III, 1994

Report by the Baltimore County
Planning Board
to the

Baltimore County Board of Appeals

July 31, 1994

Baltimore County
Office of Planning and Zoning
Towson, Maryland

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Inter-agency Comments	
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INTRODUCTION

Under the provisions of Section 2-356(e), <u>Baltimore County Code</u>, <u>1988</u>, (see Appendix A), the Director of Planning and Zoning is required to submit to the Planning Board, during Period 1 of each zoning cycle, a report on the petitions accepted by the County Board of Appeals for filing during the previous zoning cycle. The report is to contain the following information:

- 1. Maps showing properties under petition and the reclassifications sought therefore; such maps may also identify groups of such properties located close to each other and show other indications of the inter-relation of petitions with respect to planning considerations.
- 2. Recommendations on the petitions.
- 3. Supporting data for the recommendations, including any pertinent data and recommendations submitted by other County agencies.
- 4. Recommendations for scheduling of all hearings (to be held during the next Period IV, prepared in consultation with the County Board of Appeals).

The thirteen petitions in the current cycle have been reviewed by the planning staff, and the following pages report the Office of Planning and Zoning staff's analyses and recommendations. The process of formulating these recommendations included: staff inspections of each site; a review of the policies and statements in the current Baltimore County Master Plan; and a review of files from the preparation and adoption of the 1992 Comprehensive Zoning Map. Comments also were requested from other county agencies including the Board of Education, the Department of Environmental Protection and Resource Management, the Fire Department, the Police Department, the Department of Public Works, the Department of Recreation and Parks, and the Bureau of Traffic Engineering.

In reaching its decision on each petition, the Board of Appeals is required to use the standards in Section 2-356(j) of the County Code. During the first cycle following a Comprehensive Zoning Map Process, Section 2-356(k) further limits the Board's authority to granting reclassifications only where the Board finds that the change is warranted upon consideration of the specified factors and also if "the last classification of the property [i.e., by the County Council's vote on October 15, 1992] was established in error." The concept of "error" is not further defined in the Code, and the staff does not presume to make an interpretation.

CYCLEA/PZONE/CYCLE

The concept of "error" is not further defined in the Code, and the staff does not presume to make an interpretation. The staff's review of each petition, however, did take into consideration the manner in which the Comprehensive Zoning Map Process is structured, and was conducted during 1991-92, to minimize the likelihood that relevant properties would inadvertently be omitted from consideration along with the Issues otherwise raised.

Obviously, each property that was raised as an Issue received separate consideration, especially properties that were sequestered from separate voting by the Planning Board and/or the County Council. In addition, after the close of the Open Filing Period, the planning staff reviewed each Issue in relation to neighboring properties to determine whether any other properties should also be raised as Issues for consideration at this time. Wherever, in the staff's judgment, action on an already-filed Issue would require or advise a change in the zoning of a neighboring property or properties, those also were raised as Issues. If, in the opinion of the staff, the current zoning in the vicinity would continue on the Issue, no additional Issues were raised. The County Council and Planning Board had the same opportunity to raise an Issue during their respective filling periods.

PETITIONS FOR RECLASSIFICATION CYCLE III, 1994

Assigned Hearing Dates County Board of Appeals Page 1 of 2

Week of September 12, 1994

Item #1, Case No. R-94-329

Masters-Severe, Inc. /Legal Owner Village Sound Company, Inc. /Contract Purchaser Tuesday, September 13, 1994 @ 10:00 a.m.

Week of September 19, 1994

Item #2, Case No. R-94-330

C&E Realty Company

Wednesday, September 21, 1994 @ 10:00 a.m.

Week of September 26, 1994

Item #3, Case No. R-94-331

Morningside Six Limited Partnership Wednesday, September 28, 1994 @ 10:00 a.m.

Week of October 3, 1994

Item #4, Case No. R-94-332

Baltimore Gas & Electric Company, Inc. AND Baltimore County, Maryland AND CSX Transportation, Inc. /Legal Owners

Nace, Inc. /Contract Purchaser

Tuesday, October 4, 1994 @ 10:00 a.m.

Item #5, Case No. R-94-333

Hico Park M Limited Partnership
Thursday, October 6, 1994 @ 10:00 a.m.

Week of October 10, 1994

Item #6, Case No. R-94-334

Baltimore Gas & Electric Company, Inc.

Wednesday, October 12, 1994 @ 10:00 a.m.

Cycle III, 1994
Assigned Hearing Dates
County Board of Appeals
Page 2 of 2

Week of October 17, 1994

Item #7, Case No. R-94-335
Genstar Stone Products Company
Wednesday, October 19, 1994 @ 10:00 a.m.

Week of October 24, 1994

Item #8, Case No. R-94-336
Stebbins-Andersen Company, Inc.
Tuesday, October 25, 1994 @ 10:00 a.m.

Item #9, Case No. R-94-337
Genstar Stone Product Company
Thursday, October 27, 1994 @ 10:00 a.m.

Week of October 31, 1994

Item #10, Case No. R-94-338
 Janet Terry
Wednesday, November 2, 1994 @ 10:00 a.m.

Week of November 14, 1994

The Giles Building & Development Company Tuesday, November 15, 1994 @ 10:00 a.m.

Week of November 28, 1994

Item #12, Case No. R-94-340
Savino Bollino and Rose Bollino
Wednesday, November 30, 1994 @ 10:00 a.m.

Week of December 5, 1994

Item #13, Case No. R-94-341
Gerald D. Sherman & Roger A. Spero
Tuesday, December 6, 1994 @ 10:00 a.m.

BALTIMORE COUNTY, MARYLAND

Recommendations of the Office of Planning and Zoning July 31, 1994

Item No. and Petitioner	Location	Acreage	Existing Zoning	Requested Zoning	OPZ/PB Recommendation
Item No. 1 Masters-Severe, Inc.	Southwest side of Reisterstown Road, 400' southeast of Sunset Road (#11418 Reisterstown Road)	. 4	R.O.	B.L.	R.O.
Item No. 2 C & E Realty Company	Northeast side of Reisterstown Road	14.54	D.R. 16	В.М.	D.R. 16
Item No. 3 Morningside Six Limited Partnership	Northwest side of Pleasant Ridge Drive, 360' northeast of Reisterstown Road	6.4	D.R. 16	B.L.	D.R. 16
Item No. 4 Baltimore Gas & Electric Company, Inc. and Baltimore County, MD & CSX Transportation, Inc.	West side of Owings Mills Boulevard, north and south of Bonita Avenue	26.83	D.R. 1	M. L I . M.	D.R. 1
Item No. 5 Hico Park M Limited Partnership	West side York Road, 97' south of the centerline of Ridgebrook Road	113.0	M.L. M.L.R.	D.R. 5.5	M.L. M.L.R.
Item No. 6 Baltimore Gas & Electric Company, Inc.	Southwest corner of York and Warren Roads	1.76	M.LA.S. M.LI.M. B.RA.S.	B.RA.S. B.RI.M.	M.LA.S. M.LI.M. B.RA.S.



OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

September 23, 1996

Robert A. Hoffman, Esquire VENABLE, BAETJER & HOWARD, LLP 210 Allegheny Avenue Towson, MD 21204

RE: Case No. R-94-334

Baltimore Gas & Electric Co., Inc.

Dear Mr. Hoffman:

Enclosed please find a copy of the Order of Dismissal issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Charlotte E. Radcliffe for Kathleen C. Bianco

Legal Administrator

encl

cc: John B. Howard, Esquire
Richard A. Ransom, Esquire
G. Dowell Schwartz, Jr., Vice President
General Services, BGE
Louis F. Tyler, Sr.
c/o Robert A. Hoffman, Esquire
Daft-McCune-Walker, Inc.
James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

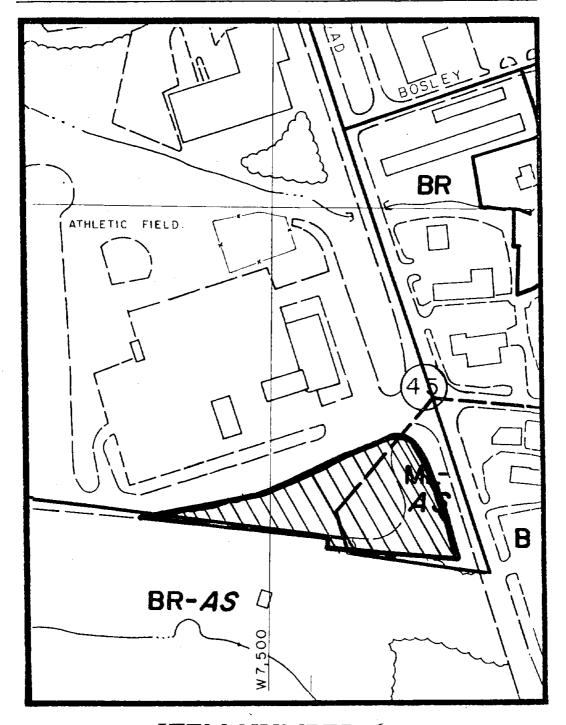
Item No. and Petitioner	Location	Acreage	Existing Zoning	Requested Zoning	OPZ/PB Recommendation
Item No. 7 Genstar Stone Products Company	South side of Galloway Avenue, 670' west of York Road, north side of Padonia Road, and eas and west of proposed Beaver Dam Road	38.3 t	M.LI.M.	B.MI.M.	M.LI.M.
Item No. 8 Stebbins-Anderson Company, Inc.	Southwest corner of Timonium and Aylesbury Roads (21 West Timonium Roa	14.6 d)	M.LI.M.	B.RI.M.	M.LI.M.
Item No. 9 Genstar Stone Products Company	Northwest corner of Pulaski Highway and White Marsh Boulevard, and southeast side of Philadelphia Road	205.8	M.LI.M. M.HI.M.	B.RI.M.	M.LI.M. M.HI.M.
Item No. 10 Janet Terry	Southeast side of Pulaski Highway, 1915' southwest of the centerline of Mohrs Lane	11.85	M.L.~I.M. M.L.~A.S.	B.RI.M.	M.LI.M. M.LA.S.
Item No. 11 The Giles Building and Development Company	North side of Race Road, 95' west of the centerline of Yellow Brick Road	.94	M.LI.M.	B.L.	M.LI.M.
Item No. 12 Savino Bollino & Rose Bollino	Southeast side of Pulaski Highway, 300' southwest of the centerline of Rossville Bouleva	4.3 rd	B.R. M.LA.S. M.LI.M.	B.RI.M. B.RA.S.	B.R. M.LA.S. M.LI.M.
Item No. 13 Gerald D. Sherman & Roger A. Spero	Northeast and southwest side of Gladway Road, 1150' north of Bengies Road and 2390' southeast of Bird River Road	51.6	D.R1 M.LI.M. M.HI.M.	D.R. 3.5	D.R. 1 M.LI.M. M.HI.M.

OF PROPERTIES UNDER PETITION LOCATIONS YORK COUNTY, PA. EXISTING ZONING CLASSIFICATIONS RESOURCE CONSERVATION - AGRICULTURE R.C.2 R.C.3 RESOURCE CONSERVATION - DEFERRAL OF PLANNING AND DEVELOPMENT RC4 RESOURCE CONSERVATION - WATERSKED PROTECTION RESOURCE CONSERVATION - RURAL RESIDENTIAL R.C.S RESOURCE CONSERVATION - CRITICAL AREA RESOURCE CONSERVATION - CRITICAL AREA AGRICULTURAL R.C.SO REC RESOURCE CONSERVATION - COMMERCIAL DENSITY RESIDENTIAL, IT OWELLING UNIT PER ACRES DENSITY RESIDENTIAL, IZ OWELLING UNITS PER ACRES **B.R.2** D.R.3.5 DENSITY RESIDENTIAL, (3.5 DWELLING UNITS PER ARCE) DR.5.5 DENSITY RESIDENTIAL, (5.5 DWELLING UNITS PER ACRE) D.R.10.5 DENSITY RESIDENTIAL, (10.5 DWELLING UNITS PER ACRE) COUNTY O.R.16 DENSITY RESIDENTIAL, (16 DENSITY UNITS PER ACAR). R.A.E.1 RESIDENTIAL, (40 DENSITY UNITS PER ACAR). RAEZ RESIDENTIAL, (80 DENSITY UNITS PER ACRE) R.O RESIDENTIAL - OFFICE, IS 5 OWELLING UNITS RESIDENTIAL - OFFICE, IS 5 OWELLING UNITS PER ACRE, RESIDENTIAL - OFFICE, CLASS "A" OFFICE BUILDING R-O-A CARROLL OFFICE BUILDING 3-0 T.D OFFICE PARK OFFICE AND TECHNOLOGY SERVICE EMPLOYMENT 5.E. NORTHERN SECTOR B.M.M. B.M.B. BUSINESS MARITIME MARINA BUSINESS MARITIME EDATYARD BUSINESS, LOCAL BL B.M. BUSINESS, MAJOR BUSINESS, ROADSTOE BAL MANUFACTURING, RESTRICTED MANUFACTURING, LIGHT, RESTRICTED MLA MANUFACTURING, LIGHT MANUFACTURING, HEAVY SHAWA "ARCORO CENTRAL SECTOR WESTERN SECTOR SECURITY 9LYO SALTIMORE CITY EASTERN SECTOR 404:34 PO ANNE ARUNDEL COUNTY

SOURCE MATERIAL

Recommendations for the thirteen (13) petitions filed are based on the following:

- 1. Information compiled during the processing of the Comprehensive Zoning Maps adopted by the County Council on October 15, 1992.
- 2. Capital Budget and 5-Year Capital Program.
- 3. Zoning Plans Advisory Committee comments.
- 4. Discussions with other governmental agencies.
- 5. Field inspections of subject sites.
- 6. Baltimore County Master Plan



ITEM NUMBER 6 Location of Property Under Petition

Scale: 1"= 200'

CYCLE III, ITEM 6

CASE NO. R-94-334

PETITIONER:

Baltimore Gas & Electric Company

REQUESTED ACTION:

Reclassification to B.R.-A.S. (Business Roadside-Automotive Service) & B.R.-I.M. (Business Roadside-Industrial Major)

EXISTING ZONING:

M.L.-A.S. (Manufacturing Light-Automotive Service), M.L.-I.M. (Manufacturing Light-Industrial Major), B.R.-A.S. (Business Roadside-Automotive Service)

LOCATION:

Southwest corner of York and Warren Road

AREA OF SITE:

1.76 acres ±

ZONING OF ADJACENT PROPERTY/USE:

North: M.L.-I.M. - BG&E & Service Yard

South: B.R.-A.S. - commercial

East: B.R.-A.S. - commercial

West: M.L.-I.M., B.R.-A.S - commercial, vacant land

SITE DESCRIPTION:

The site is located at the southwest corner of York and Warren Roads. It is a triangularly shaped lot created by the extension of Warren Road to I-83, which separated it from the BG&E service yard facility. The site is predominately covered with deteriorating asphalt paving with vegetation at the perimeter.

PROPERTIES IN THE VICINITY:

Properties in the vicinity of York Road are a mix of retail, residence-office, office and industrial uses. Land located west of the site is primarily zoned for industrial purposes, with the exception of the Acura auto dealership storage lot.

WATER AND SEWERAGE:

The area is served by public water and sewer, and is designated as W-1, S-1 (existing service area) according to the <u>Master</u> Water and <u>Sewer Plan</u>.

TRAFFIC AND ROADS:

This property has direct access to Warren Road (minor arterial) and York Road (a principle arterial).

ZONING HISTORY:

With the exception of the creation of the A.S. district, the zoning on this property has not changed since 1976.

MASTER PLAN/COMMUNITY PLANS:

The Hunt Valley/Timonium Redevelopment Study on Page IX-10(b) provides zoning guidelines pertinent to the subject site. It indicates that zoning changes within the employment and/or redevelopment area should be supported if they "will foster growth in employment, business and employee services and amenities and/or light rail usage, providing there will be minimal negative impacts on existing transportation systems and on the surrounding residential areas."

PROPOSED VS. EXISTING ZONING:

Regulations governing the B.R. zone may be found in Section 236.1 of the Baltimore County Zoning Regulations. The B.R. zone allows a wide range of uses in addition to those uses permitted in the B.M. zone. Density is regulated by a floor area ratio of 2.0, however, density is realistically limited by parking requirements and economic constraints. Building height is limited by height tent regulations, and setbacks include front yards not less than 25 feet from the centerline of any street (see Section 303.2 for front yard average). Side and rear yard setbacks for buildings are 30 feet, and all parking must be set back eight (8) feet from residential zones.

Regulations for the M.L. zone are found in Section 253 of the Baltimore County Zoning Regulations. The M.L. zone permits a number of light manufacturing uses by right. The zone also allows auxiliary retail or service uses or semi-industrial uses, provided the use is located in a planned district, however, such uses are not permitted in cases where direct access to an arterial street exists. The M.L. zone also permits several uses by Special Exception. The I.M. and A.S. district regulations are found in Section 259.2H and 405 respectively.

OFFICE OF PLANNING AND ZONING SUMMARY AND RECOMMENDATIONS:

Based upon a review of the information provided and analysis conducted, staff recommends that the applicant's request be denied for the reasons as follows:

-The present zoning is consistent with the zoning in the area, and will permit the site to be developed with a use consistent with the HV/T Redevelopment Study. Because a documented site plan was not submitted, it is not possible to assess whether future development under the proposed zoning would foster the kind of growth described by the HV/T study guidelines without creating negative impacts on the existing transportation system. In general, however, business zoning creates a much higher level of peak hour traffic and turning movements than does manufacturing zoning. It is likely that business zoning will interfere with the movement of traffic through the York and Warren Road intersection.

-It is also important to note that the applicant's site has been delineated as an area which may be suitable for development under the newly approved Commercial Planned Unit Development (PUD) legislation. The Commercial Planned Unit Development law, which was approved by the County Council on May 2, 1994, will provide for redevelopment opportunities by providing additional development flexibility in order to increase employment and revenue opportunities and improve site design while recognizing the need to protect adjacent residential communities. Therefore, in the instant case, the site could be redeveloped without necessitating a zoning change.

INTER-AGENCY COMMENTS

Baltimore County Public Schools

Dr. Stuart Berger, Superintendent

Towson, Maryland

Office of Pupil Assignments
Educational Support Services Building
6901 N. Charles Street
Towson, Maryland 21204

June 1, 1994

Mr. Jeffrey Long Community Planner Office of Planning & Zoning Mail Stop 1108

RE: Zoning Reclassification Cycle III April, 1994 - October, 1994

Dear Jeff:

Thank you for taking time out of your busy schedule to meet with me to discuss the Cyclical Zoning Reclassification Process. The vast majority of these petitions are non-residential and, therefore, will have no impact on Baltimore County Public Schools.

Those petitions involving increases in residential zoning and the subsequent affect on our school system are summarized below:

Item 5 - Case No. R-94-333

Existing Zoning - M.L. & M.L.R. (8th Election District)

Proposed Zoning - D.R.-5.5

Zoning would allow 621.5 mixed housing units. Since I do not have the housing type breakdown, I developed a student yield based on 310 single family units and 311 townhouse units.

This property is located in the Sparks Elementary, Hereford Middle and Hereford High School Districts.

310 S.F. x .319 = 99 311 T.H. x .192 = $\underline{60}$ 159 Elementary Students

Page 2

310 S.F.
$$\times$$
 .155 = 48 311 T.H. \times .055 = 17

65 Middle Students

$$310 \text{ S.F. } \times .146 = 45$$

311 T.H. x .090 = _28

73 High Students

A total yield of 297 students

Item 13 - Case No. R-94-341

Existing Zoning - D.R.-1 & M.L.-I.M. & M.H.-I.M. (15th Election district)

Proposed Zoning - D.R.-3.5

Zoning would allow 180.8 single family homes.

181 S.F. \times .236 = 43 Elementary Students

181 S.F. x .071 = 13 Middle Students

181 S.F. x .107 = 19 High Students

75 Total Yield

If you have any questions, please do not hesitate to contact me at 887-4215.

Sincerely,

Barbara Pickelsimer,

Field Representative

Office of Pupil Assignments

bp



Petition for Reclassification

to the Board of Appeals of Baltimore County

oad

RYLAN	for the property	located at $_{ m S}$	W corner of inters	ection of Yor	ck Road and
		•			Warren F
This Petition	n shall be filed with the Office of	Zoning Administrati	lon & Development Managem	ient.	
The unders hereto and n	igned, legal owner(s) of the prope nade a part hereof, hereby petition $BR\text{-}CNS$, $\ \ M$	(1) that the zoning s	re County and which is described potentials. BR-AS &	ed in the description roperty be reclassified	and plat attached d, pursuant to the
Zoning Law	of Baltimore County, from an ML-			easons given in the a	ttached statement;
and (2) for a	Special Exception under the Zonia	ng Regulations of Ba	timore County, to use the here	in described property	/ for:
and (3) for th	ne reasons given in the attached st	tatement, a variance f	from the following sections of the	ne Zoning Regulation	s of Baltimore
County:					<u>.</u>
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Property	is to be posted and adverti	ised as prescribe	ed by Zoning Regulations	S.	-
I, or we, ag	ree to pay expenses of above Spe	cial Exception adver	tising, posting, etc., upon filing	of this petition, and f	unther agree to and
are to be bo	und by the zoning regulations and	I restrictions of Baltim	nore County adopted pursuant	to the Zoning Law for	Baltimore County.
			I/We do solemnly declare and affi legal owner(s) of the property which		
Contract Purcha	Ser/Lessee:		Legal Owner(s):		
			Baltimore Gas &	Electric Co.	, Inc.
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Attorney for Pet	bioner:		Address		Phone No.
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John B.	Howard		City	State	Zipcode
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BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 9, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting for Zoning Reclassification Cycle III April 1994 - October 1994

The Developers Engineering Section has reviewed the subject zoning items and we have no comments for Items 7, 8, 9, 10, and 14.

- Item 1 This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Rd., Md. Rte. 140.
- Item 2 This site, if rezoned, is subject the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development, and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Road, Md. Rte. 140. Also, update existing road and right-of-way width of Pleasant Ridge Dr.
- Item 3 This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development.
- Item 4 This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for industrial development.
- Item 5 This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for residential development.
- Item 6 This site is subject to Maryland State Highway Administration Standards for all improvements fronting on York Road, Md. Rte. 45, along with Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development. Access to Warren Road may be a limited access.

Zoning Reclassification Cycle III April 1994 - October 1994 Page 2

Item 11 - A portion of this site lies within the limit of the 100-year flood plain and per Bill No. 18-90, Section 26-276 filling within a flood plain is prohibited. Also, see Baltimore County Department of Public Works Standard Storm Drainage Design Plate D-19 for building setback from flood plain.

Item 12 - A portion of this site lies within the limit of the 100-year flood plain and per Bill No. 18-90, Section 26-276 filling within a flood plain is prohibited. Also, see Baltimore County Department of Public Works Standard Storm Drainage Design Plate D-19 for building setback from flood plain.

Item 13 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for residential development.

Item 15 - This site is located adjacent to tidewater. The property owner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor, including basements, of a residential and/or commercial development.

RWB:sw

Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21204-5500

(301) 887-4500

DATE: 04/27/94

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner:

LOCATION:

Item No.:

Zoning Agenda:

Gentlemen:

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

8. The Fire Prevention Bureau has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: R-94-329 THRU R-94-343.



ZADM

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

IN THE MATTER OF
THE APPLICATION OF
BALTIMORE GAS & ELECTRIC CO.
FOR A ZONING RECLASSIFICATION
FROM M.L.-C.S.2, M.L.-I.M.,
AND B.R.-C.N.S. TO B.R.-A.S.
AND B.R.-I.M. ON PROPERTY
LOCATED ON THE SOUTHWEST
CORNER YORK AND WARREN ROADS
8TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

BEFORE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY CASE NO. R-94-334 Item #6, CYCLE III 1994

ORDER OF DISMISSAL

Petition for Reclassification filed by the Baltimore Gas & Electric Company, Inc., by its attorneys, Venable, Baetjer & Howard, LLP; John B. Howard, Esquire; and Robert A. Hoffman, Esquire, for a zoning reclassification from M.L.-C.S.2 and M.L.-I.M. and B.R.-C.N.S. to B.R.-A.S. and B.R.-I.M. for the property located on the southwest corner York and Warren Roads in the Eighth Election District of Baltimore County; and

WHEREAS, the Board of Appeals is in receipt of a letter of withdrawal of Petition filed September 12, 1996 (a copy of which is attached hereto and made a part hereof) from Robert A. Hoffman, Esquire, Counsel for Petitioner; and

WHEREAS, said Counsel, on behalf of Petitioner, requests that the Petition for Reclassification filed herein be withdrawn as of the above date,

IT IS HEREBY ORDERED this 23rd day of 8eptember, 1996, by the County Board of Appeals of Baltimore County that said Petition be and the same is hereby WITHDRAWN AND DISMISSED.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Harry E. Bucklintung



210 Allegheny Avenue Post Office Box 5517 Towson, Maryland 21285-5517 (410) 494-6200, Fax (410) 821-0147 OFFICES IN

MARYLAND WASHINGTON, D.C. VIRGINIA

> ROBERT A. HOFFMAN (410) 494-6262



September 18, 1996

County Board of Appeals of Baltimore County c/o Cathy Bianco, Secretary Old Courthouse, Basement 400 Washington Avenue Towson, Maryland 21204 Mr. Gary L. Kerns Office of Planning County Courts Building 401 Bosley Avenue Towson, Maryland 21204

Re:

County Board of Appeals Case No.: R-94-334 and Comprehensive Map Issue No. 3-004 Baltimore Gas & Electric Company, Petitioner

Dear Cathy and Gary:

On behalf of the Baltimore Gas & Electric Company, please withdraw the referenced reclassification case and Comprehensive Map Issue. I would ask that Cathy please send me a copy of an Order of Dismissal of the reclassification case and that Gary revise the latest log of issues (dated on July 12, 1996) to reflect the withdrawal of the Comprehensive Map Issue and notify the County Council.

Thank you for your cooperation.

Yours truly,

Nobert A. Hoffman Por

RAH/pvb

cc: Richard A. Ransom, Esquire

TOIDOCS1/RAH01/0030705.01



OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

September 23, 1996

Robert A. Hoffman, Esquire VENABLE, BAETJER & HOWARD, LLP 210 Allegheny Avenue Towson, MD 21204

RE: Case No. R-94-334

Baltimore Gas & Electric Co., Inc.

Dear Mr. Hoffman:

Enclosed please find a copy of the Order of Dismissal issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Charlotte E. Radcliffe for Kathleen C. Bianco

Legal Administrator

encl

cc: John B. Howard, Esquire
Richard A. Ransom, Esquire
G. Dowell Schwartz, Jr., Vice President
General Services, BGE
Louis F. Tyler, Sr.
c/o Robert A. Hoffman, Esquire
Daft-McCune-Walker, Inc.
James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney



Petition for Reclassification

to the Board of Appeals of Baltimore County

oad

RYLAN	for the property	located at $_{ m S}$	W corner of inters	ection of Yor	ck Road and
		•			Warren F
This Petition	n shall be filed with the Office of	Zoning Administrati	lon & Development Managem	ient.	
The unders hereto and n	igned, legal owner(s) of the prope nade a part hereof, hereby petition $BR\text{-}CNS$, $\ \ M$	(1) that the zoning s	re County and which is described potentials. BR-AS &	ed in the description roperty be reclassified	and plat attached d, pursuant to the
Zoning Law	of Baltimore County, from an ML-			easons given in the a	ttached statement;
and (2) for a	Special Exception under the Zonia	ng Regulations of Ba	timore County, to use the here	in described property	/ for:
and (3) for th	ne reasons given in the attached st	tatement, a variance f	from the following sections of the	ne Zoning Regulation	s of Baltimore
County:					<u>.</u>
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Property	is to be posted and adverti	ised as prescribe	ed by Zoning Regulations	S.	-
I, or we, ag	ree to pay expenses of above Spe	cial Exception adver	tising, posting, etc., upon filing	of this petition, and f	unther agree to and
are to be bo	und by the zoning regulations and	I restrictions of Baltim	nore County adopted pursuant	to the Zoning Law for	Baltimore County.
			I/We do solemnly declare and affi legal owner(s) of the property which		
Contract Purcha	Ser/Lessee:		Legal Owner(s):		
			Baltimore Gas &	Electric Co.	, Inc.
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			P.O. Box 1475	23	4-7166
Attorney for Pet	bioner:		Address		Phone No.
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John B.	Howard		City	State	Zipcode
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.94.33

Description

To Accompany Petition for Zoning Reclassification 1.76 Acre Parcel

Part of Bankers Trust Company and Baltimore Gas and Electric Company Property

Southwest Side of York Road

South of Warren Road

Eighth Election District, Baltimore County, Maryland



Daft MCune Walker, Inc.

200 East Pennsylvania Avenue Towson, Maryland 21286 410 296 3333 Fax 296 4705

A Team of Land Planners, Engineers, Surveyors &

Beginning for the same on the southwest side of York Road at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of York Road with the centerline of Landscape Architects. Warren Road (1) Southeasterly along the centerline of York Road 332 feet, more or Environmental Professionals less, and thence (2) Southwesterly 43 feet, more or less, to the point of beginning, thence leaving said beginning point and said side of York Road and running the three following courses and distances, viz: (1) North 85 degrees 12 minutes 55 seconds West 281.40 feet, thence (2) North 04 degrees 47 minutes 05 seconds East 30.00 feet, and thence (3) North 85 degrees 12 minutes 55 seconds West 425.05 feet to the southeast side of Warren Road, thence binding thereon the six following courses and distances, viz: (4) Northeasterly by a line curving to the left with a radius of 995.93 feet for a distance of 151.02 feet (the arc of said curve being subtended by a chord bearing North 81 degrees 31 minutes 02 seconds East 150.88 feet), thence (5) North 81 degrees 04 minutes 53 seconds East 101.39 feet, thence (6) Northeasterly by a line curving to the left with a radius of 1007.93 feet for a distance of 108.16 feet (the arc of said curve being subtended by a chord

bearing North 68 degrees 20 minutes 19 seconds East 108.11 feet), thence (7) North 65 degrees 15 minutes 52 seconds East 113.30 feet, thence (8) North 69 degrees 07 minutes 33 seconds East 96.45 feet, and thence (9) Southeasterly by a line curving to the right with a radius of 65.00 feet for a distance of 103.35 feet (the arc of said curve being subtended by a chord bearing South 65 degrees 19 minutes 31 seconds East 92.80 feet to the aforesaid southwest side of York Road, thence binding thereon the four following courses and distances, viz: (10) South 19 degrees 46 minutes 34 seconds East 105.67 feet, thence (11) South 20 degrees 03 minutes 45 seconds East 50.01 feet, thence (12) South 17 degrees 46 minutes 15 seconds East 50.01 feet, and thence (13) South 21 degrees 12 minutes 26 seconds East 16.84 feet to the point of beginning; containing 1.76 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

February 21, 1994

Project No. 94014 (L94014)

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Description

To Accompany Petition for Zoning Reclassification 1.76 Acre Parcel

Part of Bankers Trust Company and Baltimore Gas and Electric Company Property

Southwest Side of York Road

South of Warren Road

Eighth Election District, Baltimore County, Maryland



Daft MCune Walker, Inc.

200 East Pennsylvania Avenue Towson, Maryland 21286 410 296 3333 Fax 296 4705

A Team of Land Planners, Engineers, Surveyors &

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BALTIMORE COUNTY, MARYLAND ICE OF FINANCE REVENUE DIVISION CASH RECEIPT		No.	148812
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Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

JULY 26, 1994

Baltimore Gas & Electric Company c/o Robert A. Hoffman, Esq. 210 Allegheny Avenue Towson, Maryland 21204

Re: Case Number: R-94-334

SWC York and Warren Roads

8th Election District - 3rd Councilmanic

Legal Owner(s): Baltimore Gas & Electric Company

Dear Mr. Hoffman:

Attached you will find a copy of the memorandum originally forwarded to you on May 24, 1994. As noted thereon, payment 2 (your client's share of the \$4,313.40 cost of the full page ads) is now due.

Please immediately forward the following to this office:

A check made payable to Patuxent Publishing in the amount of \$331.80.

Non-payment of fees will hold your case in abeyance. If you have any questions regarding this letter, you may contact Ms. Gwen Stephens at 887-3391.

Very truly yours,

ARNOLD JABLON DIRECTOR

AJ:ggs

PER GWEN STEPHENS - ZADM

ALL ADVERTISING PAID FOR

CYCLE III RECLASS PETITIONS

MEMORANDUM

TO: RECLASSIFICATION PETITIONERS, ATTORNEY, AND/OR REPRESENTATIVES

FROM: ZONING ADMINISTARTION AND DEVELOPMENT MANAGEMENT 111 W. Chesapeake Avenue, Towson, Maryland 21204

RE:: PAYMENT OF POSTING AND ADVERTISING FEES - RECLASSIFICATIONS

As you are aware, all government entities should endeavor to cut dollor out-put, misuse of labor and the proliferation of paperwork.

In the past, mandated newspaper advertising of Zoning actions was billed to Baltimore County. The processing of these ads and their subsequent bills touched several county agencies. Although, we will continue to place ads for the petitioner, in the majority of cases, Baltimore County will no longer act as a middle-man with regard to the newspaper billing.

An individual ad for your petition will run approximately one month before the scheduled hearing date. Billing for the indvidual ad, due upon receipt, will come from and should be remitted directly to the newspaper.

Cycle Reclassification Petitions are required to be heavily advertised and are now the only instance when we must again act as middle-man. The initial full-page ads, containing the particulars of all the petitions in this Cycle, will run in the July 7, 1994 and July 14, 1994 issues of the Jeffersonian.

Patuxent Publishing will bill the County an estimated \$4,600.00 for these full-page ads. This cost is charged back to the petitioners, equally divided among them. When you receive this bill from us, we ask that you immediately mail your check back to us. However, the check's payee should read Patuxent Publishing Company. In this manner, you help lower the County's cost by reducing or eliminating the purchasing, budget, and/or finance departments' involvement. Costs are also lowered as no funds will come out of the County budget to pay the advertising costs.

Briefly, your payments will be as follows:

- 1) Posting charges of \$35.00, now due. Please make check payable to "Baltimore County" and mail to Zoning Administration & Development Management.
- 2) Your share of the full page ads. Our office will forward billing to you in late July. Upon receipt, please make your check payable to "Patuxent Publishing" and mail it to Zoning Administration and Development Management.
- 3) Advertising cost for your individual ad, which will run approximately 3 to 4 weeks before your hearing. Billing for this will come directly from Patuxent Publishing and your check should be made payable to and mailed directly to Patuxent.

If you have any questions concerning this matter, please contact Gwendolyn Stephens at 887-3391.

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

MAY 24, 1994

NOTICE OF HEARING

CASE NUMBER: R-94-334 SWC York and Warren Roads

8th Election District - 3rd Councilmanic

Legal Owner(s): Baltimore Gas & Electric Company

Petition to reclassify the property's zoning from M.L.-C.S.-2 and M.L.-I.M. and B.R.-C.N.S. to B.R.-C.N.S.

HEARING:

Wednesday, October 12, 1994 at 10:00 a.m.

LOCATION:

COUNTY COURTHOUSE, ROOM 48

400 WASHINGTON AVENUE TOWSON, MARYLAND 21204

WILLIAM T. HACKETT, CHAIRMAN COUNTY BOARD OF APPEALS

cc: Baltimore Gas & Electric Company

John B. Howard, Esq. and Robert A. Hoffman, Esq.



OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

MAY 24, 1994

JUNE 7, 1994 - CORRECTION

NOTICE OF HEARING

CASE NUMBER: R-94-334 SWC York and Warren Roads

8th Election District - 3rd Councilmanic

Legal Owner(s): Baltimore Gas & Electric Company

Petition to reclassify the property's zoning from M.L.-C.S.-2 and M.L.-I.M. and B.R.-C.N.S. to B.R.-A.S. and B.R.-I.M.

HEARING:

Wednesday, October 12, 1994 at 10:00 a.m.

LOCATION:

COUNTY COURTHOUSE, ROOM 48 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204

WILLIAM T. HACKETT, CHAIRMAN COUNTY BOARD OF APPEALS

cc: Baltimore Gas & Electric Company
John B. Howard, Esq. and Robert A. Hoffman, Esq.

who ent alistate OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204

(410) 887-3180

24, 1994

1994 - CORRECTION JUNE 7,

NOTICE OF HEARING

CASE NUMBER: R-94-334 SWC York and Warre Roads

8th Election District - 3rd Councilmanic

Legal Owner(s): Balt more Gas & Electric Company

Petition to reclassify the property's zoning from M.L.-C.S.-2 and M.L.-I.M. and B.R.-C.N.S. to B.R.-A.S. and B.R.-I.M.

HEARING:

Wednesday, October 12, 1994 at 10:00 a.m.

LOCATION:

COUNTY COURTHOUSE, ROOM 48 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204

WILLIAM T. HACKETT, CHAIRMAN

COUNTY BOARD OF APPEALS

cc: Baltimore Gas & Electric Company

John B. Howard, Esq. and Robert A. Hoffman, Esq.



OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

August 31, 1994

Robert A. Hoffman, Esquire VENABLE, BAETJER & HOWARD 210 Allegheny Avenue Towson, MD 21204

RE: Case No. R-94-334
Baltimore Gas & Electric Co., Inc.

Dear Mr. Hoffman:

Pursuant to your letter of August 26th regarding the subject matter, the Board has noted both its file and docket that, on October 12, 1994 at 10:00 a.m., it is your intention to appear and request a continuance on the record for the purpose of amending to a documented site plan.

Accordingly, no testimony or evidence will be received on the merits of the Petition for Reclassification on October 12th, but rather the matter opened and continued, to be scheduled for an early morning hearing at a later date for submittal of a Documented Site Plan.

Should you have any questions, please call me at 887-3180.

Very truly yours,

Kathleen C. Weidenhammer Administrative Assistant

cc: Louis F. Tyler, Sr.
G. Dowell Schwartz, Jr. /BG&E
Daft-McCune-Walker, Inc.
James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

BALTIMORE, MD WASHINGTON, D.C. MCLEAN, VA ROCKVILLE, MD A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

210 ALLEGHENY AVENUE

P.O. BOX 5517

TOWSON, MARYLAND 21285-5517

(410) 494-6200

FAX (410) 821-0147

RICHARD M. VENABLE (1839-1910) EDWIN G. BAETJER (1868-1945) CHARLES MCH. HOWARD (1870-1942)

WRITER'S DIRECT NUMBER IS

(410) 494-6262

ROBERT A. HOFFMAN

August 26, 1994

William T. Hackett, Chairman County Board of Appeals of Baltimore County Old Court House 400 Washington Avenue Towson, Maryland 21204

Re: - Cycle Zoning Reclassification No. R-94-334

- Legal Owner - Baltimore Gas & Electric Co., Inc.

- Property known as the Warren Road Site

- SW/C Intersection of York Road and Warren Road

Dear Mr. Hackett:

On behalf of our client, the Baltimore Gas & Electric Company, the Petitioner in the above-referenced zoning reclassification request, we are writing to request a continuance for the hearing scheduled for Wednesday, October 12, 1994 at 10:00 a.m. before the Board of Appeals.

The purpose of this request is to provide our client with some additional time to complete a Documented Site Plan which we had anticipated filing at the October 12th hearing. Accordingly, we respectfully request that a continuance be granted and that a hearing date prior to the end of the year be rescheduled at your convenience.

Sincerely,

Robert A/Hoffman

GPW\dok

cc: Louis F. Tyler, Sr.

Gwen Stephens

Peter Max Zimmerman, Esq.

HACKET19.GPW

9t NOC 30 811 9:

R-94-334

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

BALTIMORE, MD WASHINGTON, D.C. MCLEAN, VA ROCKVILLE, MD

210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21285-5517
(410) 494-6200
FAX (410) 821-0147

RICHARD M. VENABLE (1839-1910) EDWIN G. BAETJER (1868-1945) CHARLES MCH. HOWARD (1870-1942)

WRITER'S DIRECT NUMBER IS

ROBERT A. HOFFMAN

March 1, 1994

(410) 494-6262

William T. Hackett, Chairman County Board of Appeals of Baltimore County Old Court House 400 Washington Avenue Towson, Maryland 21204

Re: - Cycle Zoning Reclassification Request

- Legal Owner - Baltimore Gas & Electric Co., Inc.

- Property known as the Warren Road Site

- SW/C Intersection of York Road and Warren Road

Dear Mr. Hackett:

This firm represents the Baltimore Gas & Electric Co., Inc. ("BG&E"), the Petitioner in the above-referenced zoning reclassification request for property located on the southwest corner of the intersection of York Road and Warren Road in Cockeysville, Maryland. The subject property, which is part of an overall tract of about 17.53 acres, comprises approximately 1.76 acres and is presently zoned ML-CS-2 and ML-IM, with a very small portion of BR-CNS. The Petitioner is requesting a combination of BR-AS (or BR-CS-2) and BR-IM zoning in accordance with the enclosed open site plan.

Pursuant to Section 2-356(b) of the County Code, the purpose of this letter is to set forth the reasons why the requested reclassification should be granted. As can be seen most clearly on the accompanying portion of the 200' Scale Zoning Map, the subject property is situated adjacent to BM zoning on both its eastern and southern boundaries. The Petitioner believes the subject site relates more consistently to these commercial uses than any industrial use, particularly in light of the extension of Warren Road the construction of which has divided this 1.76-acre portion of the site from the remaining 15.77 acres. Due to the construction of

William T. Hackett, Chairman March 1, 1994 Page 2

this four-lane extension between York Road and I-83, this portion of BG&E's property has been clearly severed from the remainder. Enveloped on each of its other sides by either BR-CNS or BR-CS-2, the Council's decision to leave the property zoned ML-CS-2 and ML-IM has created a zoning anamoly.

This belief is substantiated by the Hunt Valley/Timonium Redevelopment Study which clearly designates the property within the potential development/redevelopment area. With regard to the redevelopment area, the study calls for the "support [of] zoning changes... which will foster growth in employment, business and employee services and amenities and/or light rail usage...."

Based upon its separation from the main parcel by the Warren Road extension, the surrounding commercial uses and the existing character of the area as a commercial corridor, it is apparent that the retention of industrial zoning on the subject property was an error. In addition, because the Hunt Valley/Timonium Redevelopment Study was not completed at the time of the 1992 comprehensive rezoning, the County Council was unable to consider its findings and recommendations with regard to the subject area.

For these reasons and for such further justification as may be presented at the hearing, it is respectfully submitted that the subject property should be reclassified from ML-CS-2, ML-IM and BR-CNS to BR-AS (or BR-CS-2) and BR-IM.

Sincerely,

Lal Arffur 3y: Gpw Robert A. Hoffman

DOK\gpw enclosures

cc: Louis F. Tyler, Sr.

HACKET10.GPW

bearing North 68 degrees 20 minutes 19 seconds East 108.11 feet), thence (7) North 65 degrees 15 minutes 52 seconds East 113.30 feet, thence (8) North 69 degrees 07 minutes 33 seconds East 96.45 feet, and thence (9) Southeasterly by a line curving to the right with a radius of 65.00 feet for a distance of 103.35 feet (the arc of said curve being subtended by a chord bearing South 65 degrees 19 minutes 31 seconds East 92.80 feet to the aforesaid southwest side of York Road, thence binding thereon the four following courses and distances, viz: (10) South 19 degrees 46 minutes 34 seconds East 105.67 feet, thence (11) South 20 degrees 03 minutes 45 seconds East 50.01 feet, thence (12) South 17 degrees 46 minutes 15 seconds East 50.01 feet, and thence (13) South 21 degrees 12 minutes 26 seconds East 16.84 feet to the point of beginning; containing 1.76 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

February 21, 1994

Project No. 94014 (L94014)

BALTIMORE GAS & ELECTRIC CO., INC. SWC York and Warren Roads

#R-94-334
Item #6, Cycle III, 1994

#th Election District
3rd Councilmanic District

From M.L.-C.S.-2 & M.L.-I.M. & B.R.-C.N.S. to B.R.-A.S. & B.R.-I.M.

1.76 acre

February 25, 1994

Petition for Reclassification filed by Robert A. Hoffman, Esquire, and John B. Howard, Esquire, on behalf of Baltimore Gas & Electric Company, Inc., Petitioner.

John B. Howard, Esquire
Robert A. Hoffman, Esquire
VENABLE, BAETJER & HOWARD
210 Allegheny Avenue
Towson, MD 21204

Counsel for Petitioner

Add: Louis F. Tyler, Sr. c/o Robert A. Hoffman, Esquire

G. Dowell Schwartz, Jr., V.P. General Services Baltimore Gas & Electric Co., Inc. P.O. Box 1475 Baltimore, MD 21203

Petitioner

Daft-McCune-Walker, Inc. 200 E. Pennsylvania Avenue Towson, MD 21286 Engineer

James Earl Kraft /Board of Education Mail Stop #1102-J

People's Counsel for Baltimore County

Pat Keller
Jeffrey Long
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

1 E/

Parge Wingert - esq -

- R-94-334 /Baltimore Gas & Electric Co., Inc. -Petitioner
 York and Warren Roads 8th Election; 3rd Councilmanic
- 8/30/94 -Letter from R. Hoffman, Esquire, on behalf of Petitioner /intention to request continuance on record to complete Documented Site Plan on scheduled hearing date of Wednesday, October 12, 1994 at 10:00 a.m.
- 8/31/94 -Letter to R. Hoffman -- file and docket have been noted that matter will be opened and continued on 10/12/94 for purpose of amendment /Documented Site Plan to be submitted in open hearing at later date. Copy to all interested parties.
- 10/12/94 -Matter opened and continued on the record; Petitioner to submit Documented /Amended Plan at later date; will request hearing date when plan is ready for submittal.
- 9/12/96 -Letter of withdrawal of petition for reclassification filed by Robert A. Hoffman, Esquire, on behalf of Petitioner; to be dismissed by Order of the Board.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Ar

Arnold Jablon, Director

DATE: April 9, 1997

Permits & Development Management

FROM:

Charlotte E. Radcliffe(\subseteq)

County Board of Appeals

SUBJECT: Closed File: Case No. R-94-334

Baltimore Gas & Electic Co., Inc.

Item #6, Cycle III, 1994

As no further appeal has been taken regarding the subject case, which was dismissed by Order dated September 23, 1996, we are hereby closing the file and returning same to you herewith.

Attachment (Case File No. R-94-334)

Item # 6 R-94-334

Report by the
Baltimore County Planning Board
to the
Baltimore County Board of Appeals

ZONING RECLASSIFICATION PETITIONS

Cycle III, 1994

July 31,1994



Baltimore County Government Planning Board



401 Bosley Avenue Towson, MD 21204

(410) 887-3211 Fax (410) 887-5862

July 22, 1994

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

Dear Mr. Hackett:

Enclosed herewith is the report containing the County Planning Board's recommendations regarding the zoning reclassification petitions in Cycle III, 1994.

After full discussion in the Committee meeting on July 7, 1994, the Report was adopted by the Planning Board in its monthly meeting on July 21, 1994, and is hereby published and submitted in accordance with County Code Section 2-356(f).

Sincerely,

Pat Keller

Secretary to the Planning Board

PK/TD/mjm LTRS/PZONE/TXTMJM

Enclosure

Merreen E. Kelly, Administrative Officer Peter Max Zimmerman, People's Counsel



ZONING RECLASSIFICATION PETITIONS

Cycle III, 1994

Report by the Baltimore County
Planning Board
to the

Baltimore County Board of Appeals

July 31, 1994

Baltimore County
Office of Planning and Zoning
Towson, Maryland

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Inter-agency Comments	
Appendix A: Excerpt from Baltimore County Code, 19888	С

INTRODUCTION

Under the provisions of Section 2-356(e), <u>Baltimore County Code</u>, <u>1988</u>, (see Appendix A), the Director of Planning and Zoning is required to submit to the Planning Board, during Period 1 of each zoning cycle, a report on the petitions accepted by the County Board of Appeals for filing during the previous zoning cycle. The report is to contain the following information:

- 1. Maps showing properties under petition and the reclassifications sought therefore; such maps may also identify groups of such properties located close to each other and show other indications of the inter-relation of petitions with respect to planning considerations.
- 2. Recommendations on the petitions.
- 3. Supporting data for the recommendations, including any pertinent data and recommendations submitted by other County agencies.
- 4. Recommendations for scheduling of all hearings (to be held during the next Period IV, prepared in consultation with the County Board of Appeals).

The thirteen petitions in the current cycle have been reviewed by the planning staff, and the following pages report the Office of Planning and Zoning staff's analyses and recommendations. The process of formulating these recommendations included: staff inspections of each site; a review of the policies and statements in the current Baltimore County Master Plan; and a review of files from the preparation and adoption of the 1992 Comprehensive Zoning Map. Comments also were requested from other county agencies including the Board of Education, the Department of Environmental Protection and Resource Management, the Fire Department, the Police Department, the Department of Public Works, the Department of Recreation and Parks, and the Bureau of Traffic Engineering.

In reaching its decision on each petition, the Board of Appeals is required to use the standards in Section 2-356(j) of the County Code. During the first cycle following a Comprehensive Zoning Map Process, Section 2-356(k) further limits the Board's authority to granting reclassifications only where the Board finds that the change is warranted upon consideration of the specified factors and also if "the last classification of the property [i.e., by the County Council's vote on October 15, 1992] was established in error." The concept of "error" is not further defined in the Code, and the staff does not presume to make an interpretation.

CYCLEA/PZONE/CYCLE

The concept of "error" is not further defined in the Code, and the staff does not presume to make an interpretation. The staff's review of each petition, however, did take into consideration the manner in which the Comprehensive Zoning Map Process is structured, and was conducted during 1991-92, to minimize the likelihood that relevant properties would inadvertently be omitted from consideration along with the Issues otherwise raised.

Obviously, each property that was raised as an Issue received separate consideration, especially properties that were sequestered from separate voting by the Planning Board and/or the County Council. In addition, after the close of the Open Filing Period, the planning staff reviewed each Issue in relation to neighboring properties to determine whether any other properties should also be raised as Issues for consideration at this time. Wherever, in the staff's judgment, action on an already-filed Issue would require or advise a change in the zoning of a neighboring property or properties, those also were raised as Issues. If, in the opinion of the staff, the current zoning in the vicinity would continue on the Issue, no additional Issues were raised. The County Council and Planning Board had the same opportunity to raise an Issue during their respective filling periods.

PETITIONS FOR RECLASSIFICATION CYCLE III, 1994

Assigned Hearing Dates County Board of Appeals Page 1 of 2

Week of September 12, 1994

Item #1, Case No. R-94-329

Masters-Severe, Inc. /Legal Owner Village Sound Company, Inc. /Contract Purchaser Tuesday, September 13, 1994 @ 10:00 a.m.

Week of September 19, 1994

Item #2, Case No. R-94-330

C&E Realty Company

Wednesday, September 21, 1994 @ 10:00 a.m.

Week of September 26, 1994

Item #3, Case No. R-94-331

Morningside Six Limited Partnership Wednesday, September 28, 1994 @ 10:00 a.m.

Week of October 3, 1994

Item #4, Case No. R-94-332

Baltimore Gas & Electric Company, Inc. AND Baltimore County, Maryland AND CSX Transportation, Inc. /Legal Owners

Nace, Inc. /Contract Purchaser

Tuesday, October 4, 1994 @ 10:00 a.m.

Item #5, Case No. R-94-333

Hico Park M Limited Partnership
Thursday, October 6, 1994 @ 10:00 a.m.

Week of October 10, 1994

Item #6, Case No. R-94-334

Baltimore Gas & Electric Company, Inc.

Wednesday, October 12, 1994 @ 10:00 a.m.

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CY	CLE III	# 10				
	R-94-3	334	AMOUNT	\$		
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Cycle III, 1994
Assigned Hearing Dates
County Board of Appeals
Page 2 of 2

Week of October 17, 1994

Item #7, Case No. R-94-335
Genstar Stone Products Company
Wednesday, October 19, 1994 @ 10:00 a.m.

Week of October 24, 1994

Item #8, Case No. R-94-336
Stebbins-Andersen Company, Inc.
Tuesday, October 25, 1994 @ 10:00 a.m.

Item #9, Case No. R-94-337
Genstar Stone Product Company
Thursday, October 27, 1994 @ 10:00 a.m.

Week of October 31, 1994

Item #10, Case No. R-94-338
 Janet Terry
Wednesday, November 2, 1994 @ 10:00 a.m.

Week of November 14, 1994

The Giles Building & Development Company Tuesday, November 15, 1994 @ 10:00 a.m.

Week of November 28, 1994

Item #12, Case No. R-94-340
Savino Bollino and Rose Bollino
Wednesday, November 30, 1994 @ 10:00 a.m.

Week of December 5, 1994

Item #13, Case No. R-94-341
Gerald D. Sherman & Roger A. Spero
Tuesday, December 6, 1994 @ 10:00 a.m.

BALTIMORE COUNTY, MARYLAND

Recommendations of the Office of Planning and Zoning July 31, 1994

Item No. and Petitioner	Location	Acreage	Existing Zoning	Requested Zoning	OPZ/PB Recommendation
Item No. 1 Masters-Severe, Inc.	Southwest side of Reisterstown Road, 400' southeast of Sunset Road (#11418 Reisterstown Road)	. 4	R.O.	B.L.	R.O.
Item No. 2 C & E Realty Company	Northeast side of Reisterstown Road	14.54	D.R. 16	В.М.	D.R. 16
Item No. 3 Morningside Six Limited Partnership	Northwest side of Pleasant Ridge Drive, 360' northeast of Reisterstown Road	6.4	D.R. 16	B.L.	D.R. 16
Item No. 4 Baltimore Gas & Electric Company, Inc. and Baltimore County, MD & CSX Transportation, Inc.	West side of Owings Mills Boulevard, north and south of Bonita Avenue	26.83	D.R. 1	M. L I . M.	D.R. 1
Item No. 5 Hico Park M Limited Partnership	West side York Road, 97' south of the centerline of Ridgebrook Road	113.0	M.L. M.L.R.	D.R. 5.5	M.L. M.L.R.
Item No. 6 Baltimore Gas & Electric Company, Inc.	Southwest corner of York and Warren Roads	1.76	M.LA.S. M.LI.M. B.RA.S.	B.RA.S. B.RI.M.	M.LA.S. M.LI.M. B.RA.S.

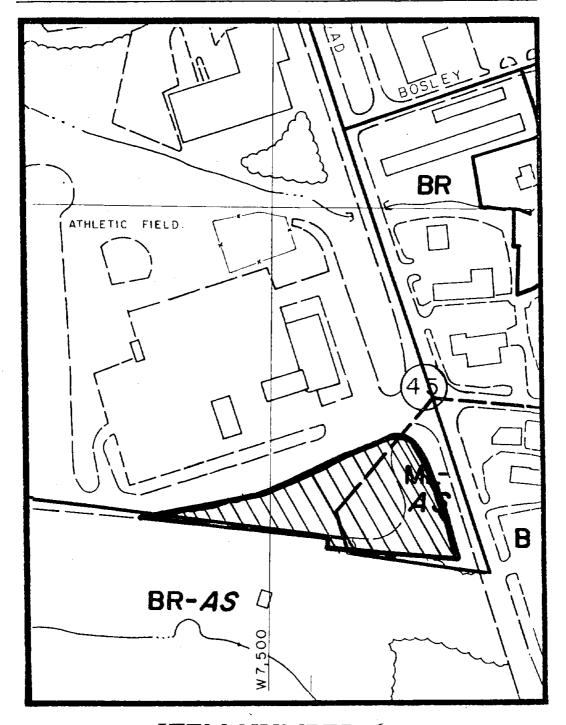
Item No. and Petitioner	Location	Acreage	Existing Zoning	Requested Zoning	OPZ/PB Recommendation
Item No. 7 Genstar Stone Products Company	South side of Galloway Avenue, 670' west of York Road, north side of Padonia Road, and eas and west of proposed Beaver Dam Road	38.3 t	M.LI.M.	B.MI.M.	M.LI.M.
Item No. 8 Stebbins-Anderson Company, Inc.	Southwest corner of Timonium and Aylesbury Roads (21 West Timonium Roa	14.6 d)	M.LI.M.	B.RI.M.	M.LI.M.
Item No. 9 Genstar Stone Products Company	Northwest corner of Pulaski Highway and White Marsh Boulevard, and southeast side of Philadelphia Road	205.8	M.LI.M. M.HI.M.	B.RI.M.	M.LI.M. M.HI.M.
Item No. 10 Janet Terry	Southeast side of Pulaski Highway, 1915' southwest of the centerline of Mohrs Lane	11.85	M.L.~I.M. M.L.~A.S.	B.RI.M.	M.LI.M. M.LA.S.
Item No. 11 The Giles Building and Development Company	North side of Race Road, 95' west of the centerline of Yellow Brick Road	.94	M.LI.M.	B.L.	M.LI.M.
Item No. 12 Savino Bollino & Rose Bollino	Southeast side of Pulaski Highway, 300' southwest of the centerline of Rossville Bouleva	4.3 rd	B.R. M.LA.S. M.LI.M.	B.RI.M. B.RA.S.	B.R. M.LA.S. M.LI.M.
Item No. 13 Gerald D. Sherman & Roger A. Spero	Northeast and southwest side of Gladway Road, 1150' north of Bengies Road and 2390' southeast of Bird River Road	51.6	D.R1 M.LI.M. M.HI.M.	D.R. 3.5	D.R. 1 M.LI.M. M.HI.M.

OF PROPERTIES UNDER PETITION LOCATIONS YORK COUNTY, PA. EXISTING ZONING CLASSIFICATIONS RESOURCE CONSERVATION - AGRICULTURE R.C.2 R.C.3 RESOURCE CONSERVATION - DEFERRAL OF PLANNING AND DEVELOPMENT RC4 RESOURCE CONSERVATION - WATERSKED PROTECTION RESOURCE CONSERVATION - RURAL RESIDENTIAL R.C.S RESOURCE CONSERVATION - CRITICAL AREA RESOURCE CONSERVATION - CRITICAL AREA AGRICULTURAL R.C.SO REC RESOURCE CONSERVATION - COMMERCIAL DENSITY RESIDENTIAL, IT DWELLING UNIT PER ACRES DENSITY RESIDENTIAL, IZ DWELLING UNITS PER ACRES **B.R.2** D.R.3.5 DENSITY RESIDENTIAL, (3.5 DWELLING UNITS PER ARCE) DR.5.5 DENSITY RESIDENTIAL, (5.5 DWELLING UNITS PER ACRE) D.R.10.5 DENSITY RESIDENTIAL, (10.5 DWELLING UNITS PER ACRE) COUNTY O.R.16 DENSITY RESIDENTIAL, (16 DENSITY UNITS PER ACAR). R.A.E.1 RESIDENTIAL, (40 DENSITY UNITS PER ACAR). RAEZ RESIDENTIAL, (80 DENSITY UNITS PER ACRE) R.O RESIDENTIAL - OFFICE, IS 5 OWELLING UNITS RESIDENTIAL - OFFICE, IS 5 OWELLING UNITS PER ACRE, RESIDENTIAL - OFFICE, CLASS "A" OFFICE BUILDING R-O-A CARROLL OFFICE BUILDING 3-0 T.D OFFICE PARK OFFICE AND TECHNOLOGY SERVICE EMPLOYMENT 5.E. NORTHERN SECTOR B.M.M. B.M.B. BUSINESS MARITIME MARINA BUSINESS MARITIME EDATYARD BUSINESS, LOCAL BL B.M. BUSINESS, MAJOR BUSINESS, ROADSTOE BAL MANUFACTURING, RESTRICTED MANUFACTURING, LIGHT, RESTRICTED MLA MANUFACTURING, LIGHT MANUFACTURING, HEAVY SHAWA "ARCORO CENTRAL SECTOR WESTERN SECTOR SECURITY 9LYO SALTIMORE CITY EASTERN SECTOR 404:34 PO ANNE ARUNDEL COUNTY

SOURCE MATERIAL

Recommendations for the thirteen (13) petitions filed are based on the following:

- 1. Information compiled during the processing of the Comprehensive Zoning Maps adopted by the County Council on October 15, 1992.
- 2. Capital Budget and 5-Year Capital Program.
- 3. Zoning Plans Advisory Committee comments.
- 4. Discussions with other governmental agencies.
- 5. Field inspections of subject sites.
- 6. Baltimore County Master Plan



ITEM NUMBER 6 Location of Property Under Petition

Scale: 1"= 200'

CYCLE III, ITEM 6

CASE NO. R-94-334

PETITIONER:

Baltimore Gas & Electric Company

REQUESTED ACTION:

Reclassification to B.R.-A.S. (Business Roadside-Automotive Service) & B.R.-I.M. (Business Roadside-Industrial Major)

EXISTING ZONING:

M.L.-A.S. (Manufacturing Light-Automotive Service), M.L.-I.M. (Manufacturing Light-Industrial Major), B.R.-A.S. (Business Roadside-Automotive Service)

LOCATION:

Southwest corner of York and Warren Road

AREA OF SITE:

1.76 acres ±

ZONING OF ADJACENT PROPERTY/USE:

North: M.L.-I.M. - BG&E & Service Yard

South: B.R.-A.S. - commercial

East: B.R.-A.S. - commercial

West: M.L.-I.M., B.R.-A.S - commercial, vacant land

SITE DESCRIPTION:

The site is located at the southwest corner of York and Warren Roads. It is a triangularly shaped lot created by the extension of Warren Road to I-83, which separated it from the BG&E service yard facility. The site is predominately covered with deteriorating asphalt paving with vegetation at the perimeter.

PROPERTIES IN THE VICINITY:

Properties in the vicinity of York Road are a mix of retail, residence-office, office and industrial uses. Land located west of the site is primarily zoned for industrial purposes, with the exception of the Acura auto dealership storage lot.

WATER AND SEWERAGE:

The area is served by public water and sewer, and is designated as W-1, S-1 (existing service area) according to the <u>Master</u> Water and <u>Sewer Plan</u>.

TRAFFIC AND ROADS:

This property has direct access to Warren Road (minor arterial) and York Road (a principle arterial).

ZONING HISTORY:

With the exception of the creation of the A.S. district, the zoning on this property has not changed since 1976.

MASTER PLAN/COMMUNITY PLANS:

The Hunt Valley/Timonium Redevelopment Study on Page IX-10(b) provides zoning guidelines pertinent to the subject site. It indicates that zoning changes within the employment and/or redevelopment area should be supported if they "will foster growth in employment, business and employee services and amenities and/or light rail usage, providing there will be minimal negative impacts on existing transportation systems and on the surrounding residential areas."

PROPOSED VS. EXISTING ZONING:

Regulations governing the B.R. zone may be found in Section 236.1 of the Baltimore County Zoning Regulations. The B.R. zone allows a wide range of uses in addition to those uses permitted in the B.M. zone. Density is regulated by a floor area ratio of 2.0, however, density is realistically limited by parking requirements and economic constraints. Building height is limited by height tent regulations, and setbacks include front yards not less than 25 feet from the centerline of any street (see Section 303.2 for front yard average). Side and rear yard setbacks for buildings are 30 feet, and all parking must be set back eight (8) feet from residential zones.

Regulations for the M.L. zone are found in Section 253 of the Baltimore County Zoning Regulations. The M.L. zone permits a number of light manufacturing uses by right. The zone also allows auxiliary retail or service uses or semi-industrial uses, provided the use is located in a planned district, however, such uses are not permitted in cases where direct access to an arterial street exists. The M.L. zone also permits several uses by Special Exception. The I.M. and A.S. district regulations are found in Section 259.2H and 405 respectively.

OFFICE OF PLANNING AND ZONING SUMMARY AND RECOMMENDATIONS:

Based upon a review of the information provided and analysis conducted, staff recommends that the applicant's request be denied for the reasons as follows:

-The present zoning is consistent with the zoning in the area, and will permit the site to be developed with a use consistent with the HV/T Redevelopment Study. Because a documented site plan was not submitted, it is not possible to assess whether future development under the proposed zoning would foster the kind of growth described by the HV/T study guidelines without creating negative impacts on the existing transportation system. In general, however, business zoning creates a much higher level of peak hour traffic and turning movements than does manufacturing zoning. It is likely that business zoning will interfere with the movement of traffic through the York and Warren Road intersection.

-It is also important to note that the applicant's site has been delineated as an area which may be suitable for development under the newly approved Commercial Planned Unit Development (PUD) legislation. The Commercial Planned Unit Development law, which was approved by the County Council on May 2, 1994, will provide for redevelopment opportunities by providing additional development flexibility in order to increase employment and revenue opportunities and improve site design while recognizing the need to protect adjacent residential communities. Therefore, in the instant case, the site could be redeveloped without necessitating a zoning change.

INTER-AGENCY COMMENTS

BALTIMORE COUNTY, MARYLAND ICE OF FINANCE REVENUE DIVISION CASH RECEIPT		No.	148812
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Baltimore County Public Schools

Dr. Stuart Berger, Superintendent

Towson, Maryland

Office of Pupil Assignments
Educational Support Services Building
6901 N. Charles Street
Towson, Maryland 21204

June 1, 1994

Mr. Jeffrey Long Community Planner Office of Planning & Zoning Mail Stop 1108

RE: Zoning Reclassification Cycle III April, 1994 - October, 1994

Dear Jeff:

Thank you for taking time out of your busy schedule to meet with me to discuss the Cyclical Zoning Reclassification Process. The vast majority of these petitions are non-residential and, therefore, will have no impact on Baltimore County Public Schools.

Those petitions involving increases in residential zoning and the subsequent affect on our school system are summarized below:

Item 5 - Case No. R-94-333

Existing Zoning - M.L. & M.L.R. (8th Election District)

Proposed Zoning - D.R.-5.5

Zoning would allow 621.5 mixed housing units. Since I do not have the housing type breakdown, I developed a student yield based on 310 single family units and 311 townhouse units.

This property is located in the Sparks Elementary, Hereford Middle and Hereford High School Districts.

310 S.F. x .319 = 99 311 T.H. x .192 = 60 159 Elementary Students

Page 2

310 S.F.
$$\times$$
 .155 = 48
311 T.H. \times .055 = 17

65 Middle Students

$$310 \text{ S.F. } \times .146 = 45$$

311 T.H. x .090 = _28

73 High Students

A total yield of 297 students

Item 13 - Case No. R-94-341

Existing Zoning - D.R.-1 & M.L.-I.M. & M.H.-I.M. (15th Election district)

Proposed Zoning - D.R.-3.5

Zoning would allow 180.8 single family homes.

181 S.F. \times .236 = 43 Elementary Students

181 S.F. x .071 = 13 Middle Students

181 S.F. x .107 = 19 High Students

75 Total Yield

If you have any questions, please do not hesitate to contact me at 887-4215.

Sincerely,

Barbara Pickelsimer,

Field Representative

Office of Pupil Assignments

bp

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 9, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting for Zoning Reclassification Cycle III April 1994 - October 1994

The Developers Engineering Section has reviewed the subject zoning items and we have no comments for Items 7, 8, 9, 10, and 14.

- Item 1 This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Rd., Md. Rte. 140.
- Item 2 This site, if rezoned, is subject the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development, and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Road, Md. Rte. 140. Also, update existing road and right-of-way width of Pleasant Ridge Dr.
- Item 3 This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development.
- Item 4 This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for industrial development.
- Item 5 This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for residential development.
- Item 6 This site is subject to Maryland State Highway Administration Standards for all improvements fronting on York Road, Md. Rte. 45, along with Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development. Access to Warren Road may be a limited access.

Zoning Reclassification Cycle III April 1994 - October 1994 Page 2

Item 11 - A portion of this site lies within the limit of the 100-year flood plain and per Bill No. 18-90, Section 26-276 filling within a flood plain is prohibited. Also, see Baltimore County Department of Public Works Standard Storm Drainage Design Plate D-19 for building setback from flood plain.

Item 12 - A portion of this site lies within the limit of the 100-year flood plain and per Bill No. 18-90, Section 26-276 filling within a flood plain is prohibited. Also, see Baltimore County Department of Public Works Standard Storm Drainage Design Plate D-19 for building setback from flood plain.

Item 13 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for residential development.

Item 15 - This site is located adjacent to tidewater. The property owner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor, including basements, of a residential and/or commercial development.

RWB:sw

Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21204-5500

(301) 887-4500

DATE: 04/27/94

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner:

LOCATION:

Item No.:

Zoning Agenda:

Gentlemen:

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

8. The Fire Prevention Bureau has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: R-94-329 THRU R-94-343.



ZADM

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

co: File

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

JULY 26, 1994

Baltimore Gas & Electric Company c/o Robert A. Hoffman, Esq. 210 Allegheny Avenue Towson, Maryland 21204

Re: Case Number: R-94-334

SWC York and Warren Roads

8th Election District - 3rd Councilmanic

Legal Owner(s): Baltimore Gas & Electric Company

Dear Mr. Hoffman:

Attached you will find a copy of the memorandum originally forwarded to you on May 24, 1994. As noted thereon, payment 2 (your client's share of the \$4,313.40 cost of the full page ads) is now due.

Please immediately forward the following to this office:

A check made payable to Patuxent Publishing in the amount of \$331.80.

Non-payment of fees will hold your case in abeyance. If you have any questions regarding this letter, you may contact Ms. Gwen Stephens at 887-3391.

Very truly yours,


ARNOLD JABLON DIRECTOR


AJ:ggs

PER GWEN STEPHENS - ZADM

ALL ADVERTISING PAID FOR

CYCLE III RECLASS PETITIONS





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