

IN THE MATTER OF	*	BEFORE THE
THE APPLICATION OF	*	COUNTY BOARD OF APPEALS
<u>STEBBIN-ANDERSEN COMPANY, INC.</u>	*	OF
FOR ZONING RECLASSIFICATION FROM	*	BALTIMORE COUNTY
M.L.-I.M. TO B.R.-I.M. ON PROPERTY		
LOCATED ON SWC TIMONIUM AND		
AYLESBURY ROADS (21 W. TIMONOUM RD)		
8 TH ELECTION DISTRICT	*	Case No. R-94-336
4 TH COUNCILMANIC DISTRICT	*	Cycle III, 1994
	*	
	*	
	*	
	*	
	*	
	*	

ORDER OF DISMISSAL OF PETITION

This case comes to the Board on a Petition for Reclassification filed by Robert A. Hoffman, Esquire, on behalf of Stebbins-Andersen Company, Inc., Petitioner, for zoning reclassification from M.L.-I.M. to B.R.-I.M. on property located on the SWC Timonium and Aylesbury Roads (21 West Timonium Road), in the Eighth Election District of Baltimore County.

WHEREAS, Petitions for Reclassification pending on the Board's Continued Docket on the date of adoption of the Comprehensive Zoning Maps are considered to be moot; and

WHEREAS, no further action has been taken in this matter since a continuance was granted on October 25, 1994,

IT IS, THEREFORE, this 25th day of February, 2002, by the County Board of Appeals of Baltimore County

ORDERED that said Petition filed in Case No. R-94-336 be and the same is declared moot, and the Petition **DISMISSED**.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**



Charles L. Marks, Chairman



County Board of Appeals of Baltimore County

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

MAY 24, 1994

NOTICE OF HEARING

CASE NUMBER: R-94-336
21 W. Timonium Road
SWC Timonium and Aylesbury Roads
8th Election District - 4th Councilmanic
Legal Owner(s): Stebbins-Andersen Company, Inc.

Petition to reclassify the property's zoning from M.L.-I.M. to B.R.-I.M..

HEARING: Tuesday, October 25, 1994 at 10:00 a.m.

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

A handwritten signature in cursive script, reading "William T. Hackett". The signature is written in dark ink and is positioned above the printed name of the chairman.

WILLIAM T. HACKETT, CHAIRMAN
COUNTY BOARD OF APPEALS

cc: Stebbins-Andersen Company, Inc.
John B. Howard, Esq. and Robert A. Hoffman, Esq.



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	=	<u>60</u>
			159 Elementary Students

Page 2

310 S.F.	x .155	=	48	
311 T.H.	x .055	=	<u>17</u>	
			65	Middle Students

310 S.F.	x .146	=	45	
311 T.H.	x .090	=	<u>28</u>	
			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.	x .236	=	43	Elementary Students
181 S.F.	x .071	=	13	Middle Students
181 S.F.	x .107	=	<u>19</u>	High Students
			75	Total Yield

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

Sincerely,

Barbara Pickelsimer
Barbara Pickelsimer,
Field Representative
Office of Pupil Assignments

bp

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

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.

RECEIVED

APR 28 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary

Hal Kasson
Administrator

4-26-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
~~CASE~~ Item No.: R-94-336

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for *DAVID N. RAMSEY, ACTING CHIEF*
~~John Contestabile, Chief~~
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2256 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

GENERAL NOTES

1. Property Owner:
Stebbins-Anderson Company, Inc.
502 Kenilworth Drive
Towson, Maryland 21204
Deed Refs. & Tax Act. Nos.:
3796-409 Parcel 2, Acct. No. 08-19-073677, 7.49 Ac±
3923-379, Acct. No. 08-19-073681, 2.05 Ac±
5535-249, Acct. No. 08-16-035313, 4.89 Ac±
Part of 7999-351, Acct. No. 08-14-065376, 0.2 Ac±
2. Total area to be reclassified: 14.6 Ac±
3. Existing Zoning: ML-IM
4. Proposed Zoning: BR-IM
5. The property is not located in the
Chesapeake Bay Critical Area.

EX. ZONING ML-IM

AREA TO BE RECLASSIFIED
EXISTING ZONING ML-IM
PROPOSED ZONING BR-IM
STEBBINS-ANDERSON COMPANY, INC.
3923-379, 3796-409 PARCEL 2,
5535-249, AND PART OF 7999-351
Total Area: 14.6 Ac±

DETAIL

- Ⓐ S 18°53'39"E 6.53'
- Ⓑ N 70°00'24"E 1.10'

S 83°57'41"W 570.01'

EX. ZONING ML-IM
PROP. ZONING BR-IM
EX. ZONING ML-IM
ALEMITE CO.
8506-307
ZONED ML-IM

S 75°03'40"W
6.29'

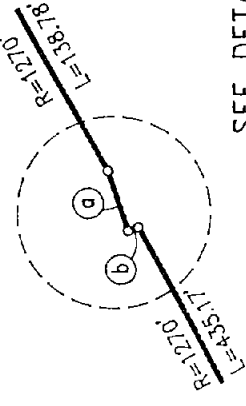
R=2965'
L=141.09'

S 06°15'10"W 262.59'

AYLESBURY RD
(R/W VARIES)

EX. ZONING BR-IM
EX. ZONING ML-IM

SEE DETAIL



Point of Beginning



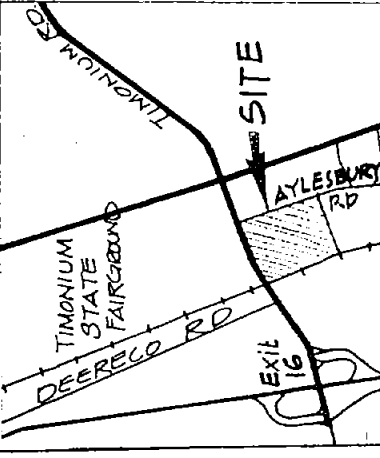
KCW CONSULTANTS, INC.
Civil Engineers & Land Surveyors
3104 Timanus Lane, Suite 101
Baltimore Maryland 21244
(410) 281-0030 / 281-0033

PROPERTY OF
STEBBINS-ANDERSON COMPANY, INC.

8th Election District
4th Councilmanic District
Baltimore County, Maryland

Scale: 1"=100' Date: 2-28-94

R-94-336



LOCATION MAP
SCALE: 1"=2000'

TIMONIUM ROAD
(R/W VARIES)

STEBBINS-ANDERSON CO., INC.
3796-409, PARCEL 1
5129-220
AND PART OF 7999-351

EXISTING ZONING BR

EXISTING ZONING ML-IM
PROPOSED ZONING BR-IM

R=146'
L=120.38'

EX. ZONING BR-IM
EX. ZONING BR

R=130'
L=130'

R=1270'
L=138.78'

R=1270'
L=435.17'

R=2965'
L=141.09'

S 06°15'10"W 262.59'

S 75°03'40"W
6.29'

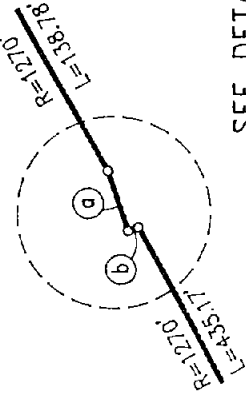
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L=141.09'

S 06°15'10"W 262.59'

AYLESBURY RD
(R/W VARIES)

EX. ZONING BR-IM
EX. ZONING ML-IM

SEE DETAIL



Point of Beginning



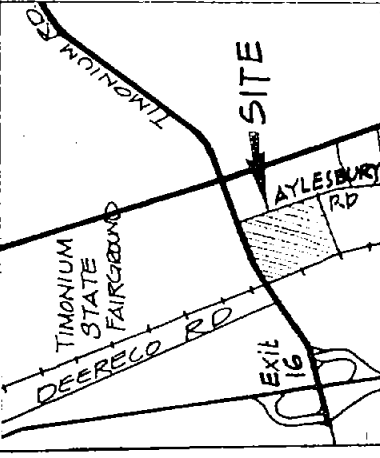
KCW CONSULTANTS, INC.
Civil Engineers & Land Surveyors
3104 Timanus Lane, Suite 101
Baltimore Maryland 21244
(410) 281-0030 / 281-0033

PROPERTY OF
STEBBINS-ANDERSON COMPANY, INC.

8th Election District
4th Councilmanic District
Baltimore County, Maryland

Scale: 1"=100' Date: 2-28-94

R-94-336



LOCATION MAP
SCALE: 1"=2000'

TIMONIUM ROAD
(R/W VARIES)

STEBBINS-ANDERSON CO., INC.
3796-409, PARCEL 1
5129-220
AND PART OF 7999-351

EXISTING ZONING BR

EXISTING ZONING ML-IM
PROPOSED ZONING BR-IM

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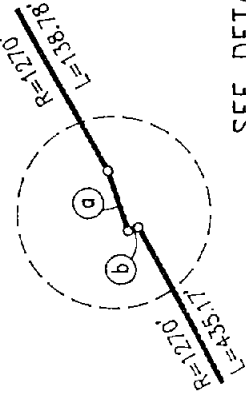
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AYLESBURY RD
(R/W VARIES)

EX. ZONING BR-IM
EX. ZONING ML-IM

SEE DETAIL



Point of Beginning



KCW CONSULTANTS, INC.
Civil Engineers & Land Surveyors
3104 Timanus Lane, Suite 101
Baltimore Maryland 21244
(410) 281-0030 / 281-0033

PROPERTY OF
STEBBINS-ANDERSON COMPANY, INC.

8th Election District
4th Councilmanic District
Baltimore County, Maryland

Scale: 1"=100' Date: 2-28-94

R-94-336

02 MAR 11 AM 5:19

County Board of Appeals of Baltimore County

ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

Return Service Requested



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 10-10-2011 BY 60322 UCBAW

NOT DELIVERABLE
AS ADDRESSEE
UNABLE TO FORWARD

RICHARD J POWERS PRESIDENT
STUBBINS-ANDERSEN CO INC
21 WIMONIUM ROAD
TIMONIUM MD 21093

21093-0000

County Board of Appeals of Baltimore County

ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

Robert A. Hoffman, Esquire
VENABLE, BAETJER & HOWARD
210 ALLEGHENY AVENUE
TOWSON, MD 21204



County Board of Appeals of Baltimore County

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

MAY 24, 1994

NOTICE OF HEARING

CASE NUMBER: R-94-336
21 W. Timonium Road
SWC Timonium and Aylesbury Roads
8th Election District - 4th Councilmanic
Legal Owner(s): Stebbins-Andersen Company, Inc.

Petition to reclassify the property's zoning from M.L.-I.M. to B.R.-I.M..

HEARING: Tuesday, October 25, 1994 at 10:00 a.m.

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

A handwritten signature in cursive script that reads "William T. Hackett".

WILLIAM T. HACKETT, CHAIRMAN
COUNTY BOARD OF APPEALS

cc: Stebbins-Andersen Company, Inc.
John B. Howard, Esq. and Robert A. Hoffman, Esq.

To be continued on the
record 10/25/94.

94 MAY 27 PM 2:56

COUNTY BOARD OF APPEALS
TOWSON, MARYLAND



County Board of Appeals of Baltimore County
ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

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

County Board of Appeals of Baltimore County

ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

Richard J. Powers, President
Stebbin-Andersen Company, Inc.
21 W. Timonium Road
Timonium, MD 21093

County Board of Appeals of Baltimore County
ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

KCW Consultants, Inc.
2104 Timanus Lane, Suite 101
Baltimore, MD 21244

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

(410) 494-6262

September 20, 1994

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

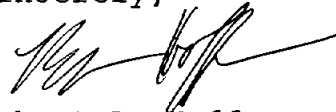
Re: - Cycle Zoning Reclassification No. R-94-336
- Legal Owner - Stebbins-Anderson Co., Inc.
- Property Known as Saco Supply, 21 W. Timonium Road

Dear Mr. Hackett:

On behalf of our client, Stebbins-Anderson Co., Inc., the Petitioner in the above-referenced zoning reclassification request, we are writing to request a continuance for the hearing scheduled for Tuesday, October 25, 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 would be submitted at the rescheduled 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: Richard J. Powers
Gwen Stephens
Peter Max Zimmerman, Esq.
John B. Howard, Esq.

HACKET16.GPW



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-26-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
~~CASE Item~~ No.: R-94-336

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for *DAVID R. RAMSEY, ACTING CHIEF*
~~John Contestabile, Chief~~
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2256 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

SUBJECT: 2ND CONCEPT PLAN COMMENTS
FROM: ZADM - DEVELOPMENT CONTROL

2ND CPC DATE: 2/6/95
9:00 a.m., Room 301

PROJECT NAME: **Price Club
(Stebbins-Anderson Property)**

PLAN DATE: 8/2/94

LOCATION: 25 West Aylesbury Road,
W of York Road

REV.: 1/23/95

DISTRICT: 8c3

PROPOSAL: PUD-C in M.L.-I.M.
and B.R. Zones;
Also Reclassification
Open Plan (Cycle III)
from M.L.-I.M. to
B.R.-I.M. (Case
#R-94-336)

REVISED PLAN KEY:
(X) COMPLIANCE WITH COMMENT CHECKED
(O) NON-COMPLIANCE IS CIRCLED
(BA) BE ADVISED (NOT NECESSARY FOR CONCEPT
PLAN APPROVAL, BUT MUST BE ADDRESSED
PRIOR TO FINAL ZONING APPROVAL)
ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE

The plan has been reviewed by the staff at this level of detail and not enough basic information has been supplied to determine general compliance with the Baltimore County Zoning Regulations (BCZR). The following comments are generalized for the concept plan and they do not identify final compliance with these regulations. The intent of the developer must be clear on the plan, including any previous and proposed zoning hearing requests. The following comments will be up-dated and, if necessary, supplemented when the following information has been supplied to this office and included on the plan:

1. A PUD-C is permitted in M.L. and B.R. zoned areas delineated on the map approved per Section 440.3.B (BCZR), subject to certain design and performance standards per Section 440.4 (BCZR) and the PUD-R approval format under Section 430.11 (BCZR). Document the above referenced zoning case (R-94-336) on the plan.
2. Confirm the date and results of the pre-plan conference meeting. Document that this plan is acceptable by the Office of Planning and Zoning (OPZ) for the proposed single use and layout. Final approval of this use as a PUD is dependent upon the decision of the hearing officer.

(Over)

2ND CONCEPT PLAN COMMENTS

PROJECT NAME: Price Club

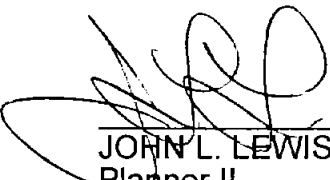
(Stebbins-Anderson Property)

CPC DATE: 2/6/95

PAGE 2

3. Some, but not necessarily all, standards on the plan not referenced or shown for needed BCZR relief:
 - A. Increase the retail parking calculations to support the 12,000 square feet plant sales area and delete the number of parking spaces occupying this area from the parking calculations. Based on this requirement, there will be a substantial parking space shortfall for which an additional zoning variance is required. Add this variance to plan note #27.
 - B. The proposed sign variance as referenced in note #27 will necessitate a sign detail on the plan which must be to an engineer's scale and show height, square footage on each side, illumination, and all dimensions.
 - C. Show, label, and dimension the internal lot lines as referenced in plan variance note #27.

Final zoning approval is contingent first, upon all plan comments being addressed on the development and PUD-C plan; and secondly, upon the final resolution of all comments, the outcome of any requested zoning hearings; and finally, the inclusion of the blue commercial checklist information being included on the building permit site plans.


JOHN L. LEWIS
Planner II

JLL:scj

STEBBIN-ANDERSEN COMPANY, INC.
SWC Timonium and Aylesbury Roads
(21 West Timonium Road)

#R-94-336
Item #8, Cycle III, 1994
8th Election District
4th Councilmanic District

From M.L.-I.M. to B.R.-I.M.

14.6 acres

March 1, 1994

Petition for Reclassification filed by Robert
A. Hoffman, Esquire, and John B. Howard,
Esquire, on behalf of Stebbin-Andersen
Company, Inc., Petitioner.

*

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

Counsel for Petitioner

Richard J. Powers, President
Stebbins-Andersen Company, Inc.
21 W. Timonium Road
Timonium, MD 21093

Petitioner

KCW Consultants, Inc.
3104 Timanus Lane, Suite 101
Baltimore, MD 21244

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

✓ 2

#R-94-336

Stebbin-Andersen Company, Inc.

9/20/94 -Letter from R. Hoffman, Counsel for Petitioner; intent of client to request continuance for purpose of preparing documented site plan; to be submitted at later date.

9/22/94 -Response to R. Hoffman indicating that file and docket have been noted; no evidence or testimony to be received at scheduled hearing of 10/25/94; to be opened and continued on the record.

10/25/94 -Matter opened and continued on the record in open hearing at request of Petitioner through P. Wingert, Esquire; for purpose of preparing and submitting at later date a Documented Site Plan. (S.R.B.)



County Board of Appeals of Baltimore County

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

September 22, 1994

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

RE: Case No. R-94-336
Stebbins-Anderson Co., Inc.

Dear Mr. Hoffman:

Pursuant to your letter of September 20th regarding the subject matter, the Board has noted both its file and docket that, on October 25, 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 25th, 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,

A handwritten signature in cursive script, reading "Kathleen C. Weidenhammer".

Kathleen C. Weidenhammer
Administrative Assistant

cc: John B. Howard, Esquire
Richard J. Powers, President
Stebbins-Anderson Company, Inc.
KCW Consultants, 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

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

(410) 494-6262

September 20, 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-94-336
- Legal Owner - Stebbins-Anderson Co., Inc.
- Property Known as Saco Supply, 21 W. Timonium Road

Dear Mr. Hackett:

On behalf of our client, Stebbins-Anderson Co., Inc., the Petitioner in the above-referenced zoning reclassification request, we are writing to request a continuance for the hearing scheduled for Tuesday, October 25, 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 would be submitted at the rescheduled 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: Richard J. Powers
Gwen Stephens
Peter Max Zimmerman, Esq.
John B. Howard, Esq.

HACKETT16.GPW

94 SEP 20 PM 3:49



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

February 25, 2002

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

RE: *In the Matter of: Stebbin-Andersen Company, Inc.*
Case No. R-94-336 / Order of Dismissal of Petition

Dear Mr. Hoffman:

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

Very truly yours,

A handwritten signature in cursive script, reading "Kathleen C. Bianco".

Kathleen C. Bianco
Administrator

Enclosure

c: Richard J. Powers President
Stebbins-Andersen Company, Inc.
KCW Consultants, Inc.
Robert J. Haines, Esquire
/Board of Ed. /MS 1102-J
People's Counsel for Baltimore County
Pat Keller, Planning Director
Jeffrey Long /Planning
Lawrence E. Schmidt /Zoning Commissioner
W. Carl Richards /PDM
Arnold Jablon, Director /PDM



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

(410) 494-6203

February 25, 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 Request
- Legal Owner - Stebbins-Anderson Co., Inc.
- Property Known as Saco Supply, 21 W. Timonium Road

Dear Mr. Hackett:

This firm represents Stebbins-Anderson, the Petitioner in the above-referenced zoning reclassification request for property located on Timonium and Aylesbury Roads in Timonium, Maryland. The subject property, which consists of the Saco Supply lumber yard, is presently zoned ML-IM and comprises approximately 10 acres. The Petitioners are requesting BR 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 you may be aware, the subject property contains road frontage along both Timonium Road and Aylesbury Road and adjoins the light rail system to the west and the Chi-Chi's restaurant site to the north. Although the subject property is itself a commercial use and is virtually surrounded by other commercial uses, the industrial zoning classification for this property has remained intact. In fact, the predominance of land in this area is zoned ML-IM, notwithstanding the various commercial uses to the contrary.

Based upon the existing use of the subject property as well as the uses of the surrounding properties, the Petitioner believes that

See Revised Letter (Rev. 3/02/94)

William T. Hackett, Chairman
February 25, 1994
Page 2

the adoption of the 1992 zoning map which retained the ML-IM classification is in error. The Petitioner believes that its property relates more consistently with the commercial uses than any industrial use; and the Hunt Valley/Timonium Redevelopment Study substantiates this belief. In fact, the existing land use map (Map No. 3) within the study designates the property as "commercial" and clearly designates the property within the potential development/redevelopment area due to its proximity to the light rail system. 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 the existing uses in the area, 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 County Council erred when it retained the ML-IM zoning on the subject property in 1992 and that it should be reclassified to BR.

Sincerely,

Robert A. Hoffman, BY: GPW
Robert A. Hoffman

GPW\dok
enclosures

cc: Richard J. Powers
John B. Howard, Esq.

HACKETT6.GPW

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

(410) 494-6203

March 1, 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 Request
- Legal Owner - Stebbins-Anderson Co., Inc.
- Property Known as Saco Supply, 21 W. Timonium Road

Dear Mr. Hackett:

This firm represents Stebbins-Anderson, the Petitioner in the above-referenced zoning reclassification request for property located on Timonium and Aylesbury Roads in Timonium, Maryland. The subject property, which consists of the Saco Supply lumber yard, is presently zoned ML-IM and comprises approximately 10 acres. The Petitioners are requesting 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 you may be aware, the subject property contains road frontage along both Timonium Road and Aylesbury Road and adjoins the light rail system to the west and the Chi-Chi's restaurant site to the north. Although the subject property is itself a commercial use and is virtually surrounded by other commercial uses, the industrial zoning classification for this property has remained intact. In fact, the predominance of land in this area is zoned ML-IM, notwithstanding the various commercial uses to the contrary.

Based upon the existing use of the subject property as well as the uses of the surrounding properties, the Petitioner believes that

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

the adoption of the 1992 zoning map which retained the ML-IM classification is in error. The Petitioner believes that its property relates more consistently with the commercial uses than any industrial use; and the Hunt Valley/Timonium Redevelopment Study substantiates this belief. In fact, the existing land use map (Map No. 3) within the study designates the property as "commercial" and clearly designates the property within the potential development/redevelopment area due to its proximity to the light rail system. 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 the existing uses in the area, 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 County Council erred when it retained the ML-IM zoning on the subject property in 1992 and that it should be reclassified to BR-IM.

Sincerely,

 BY: GPW
Robert A. Hoffman

GPW\dok
enclosures

cc: Richard J. Powers
John B. Howard, Esq.

HACKETT6.GPW

BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County
Interoffice Correspondence

DATE: May 3, 2002

TO: Arnold Jablon, Director
Permits & Development Management
Attn.: David Duvall

FROM: Theresa R. Shelton 
Board of Appeals

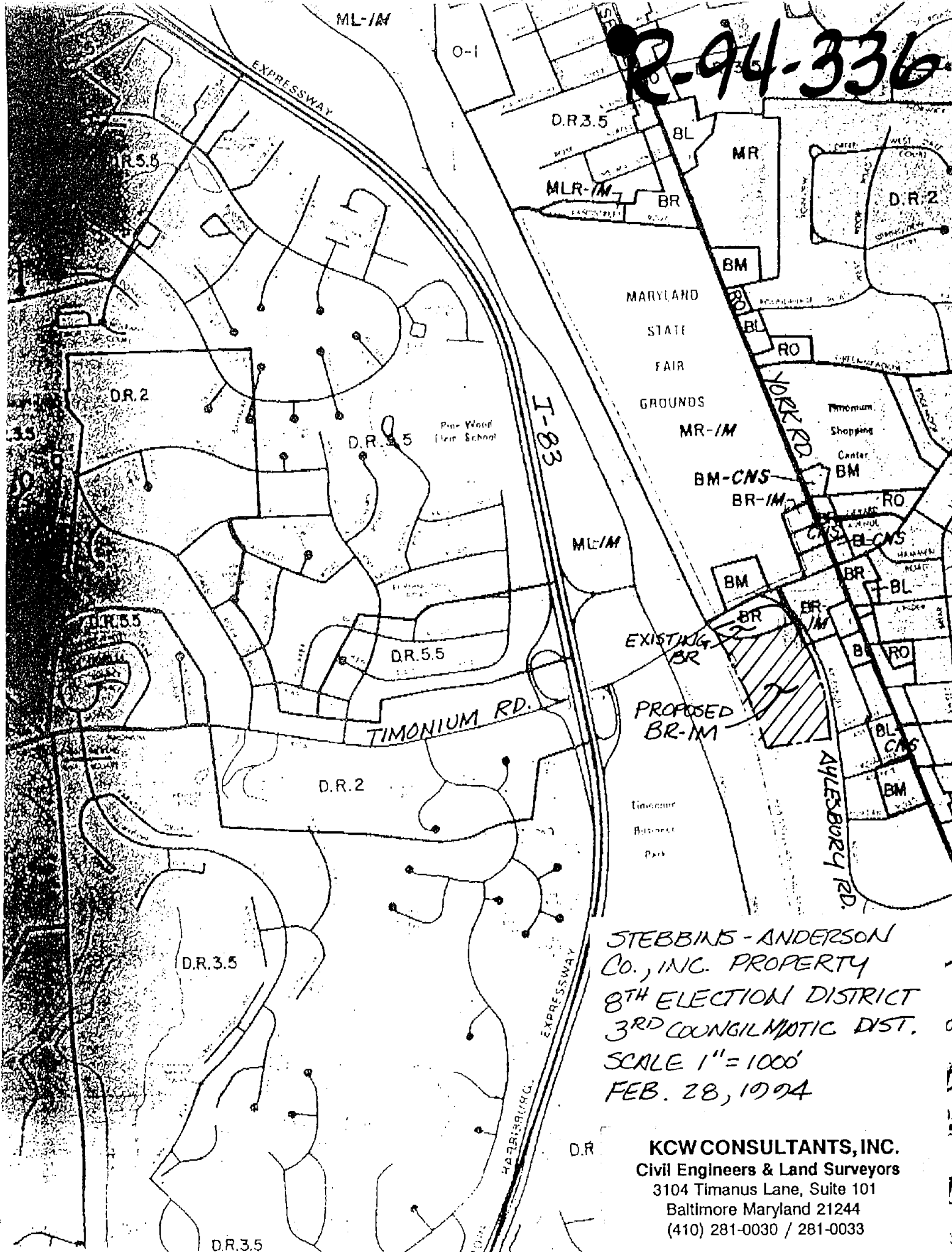
SUBJECT: **CLOSED APPEAL CASE FILE**

The following case has been finalized and the Board of Appeals is closing the copy of the appeal case file and returning the file and exhibits (if applicable) attached herewith.

<u>BOARD OF APPEALS CASE NUMBER</u>	<u>PDM FILE NUMBER</u>	<u>NAME</u>	<u>LOCATION</u>
R-94-336	<i>R-94-336</i>	STEBBIN-ANDERSON COMPANY	21 WEST TIMONIUM ROAD

Attachment: SUBJECT FILE(S) ATTACHED

R-94-336



STEBBINS-ANDERSON
Co., INC. PROPERTY
8TH ELECTION DISTRICT
3RD COUNCILMATIC DIST.
SCALE 1"=1000'
FEB. 28, 1994

KCW CONSULTANTS, INC.
Civil Engineers & Land Surveyors
3104 Timanus Lane, Suite 101
Baltimore Maryland 21244
(410) 281-0030 / 281-0033

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

RECEIVED
COUNTY BOARD OF APPEALS
94 JUL 28 PM 2:18

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,

A handwritten signature in cursive script, reading "Pat Keller".

Pat Keller
Secretary to the Planning Board

PK/TD/mjm
LTRS/PZONE/TXTMJM

Enclosure

cc: 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

B-94.336



Petition for Reclassification to the Board of Appeals of Baltimore County for the property located at 21 W. Timonium Road

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the ML-IM,

Zoning Law of Baltimore County, from an _____ zone to an BR-IM zone, for the reasons given in the attached statement; and (2) for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for:

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

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, 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.

RECEIVED
BALTIMORE COUNTY BOARD OF APPEALS
94 MAR - 1 PM 2:00

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

Stebbins-Andersen Co., Inc.
(Type or Print Name)

Signature

By: Richard J. Powers
Signature Richard J. Powers, President

Address

(Type or Print Name)

City State Zipcode

Signature

21 W. Timonium Ave. 752-6804
Address Phone No.

Timonium MD 21093
City State Zipcode

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

Robert A. Hoffman
Name 210 Allegheny Ave.
Towson, Maryland 21204 494-6262
Address Phone No.

Attorney for Petitioner:

John B. Howard

Robert A. Hoffman

Venable, Baetjer and Howard
Address Phone No.
210 Allegheny Ave.

City State Zipcode
Towson MD 21204

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

3-1-94
OK to file

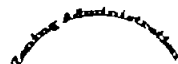


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INTRODUCTION

Under the provisions of Section 2-356(e), Baltimore County Code, 1988, (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 filing 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

Item #11, Case No. R-94-339
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	B.M.	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.L.-A.S. M.L.-I.M. B.R.-A.S.	B.R.-A.S. B.R.-I.M.	M.L.-A.S. M.L.-I.M. B.R.-A.S.

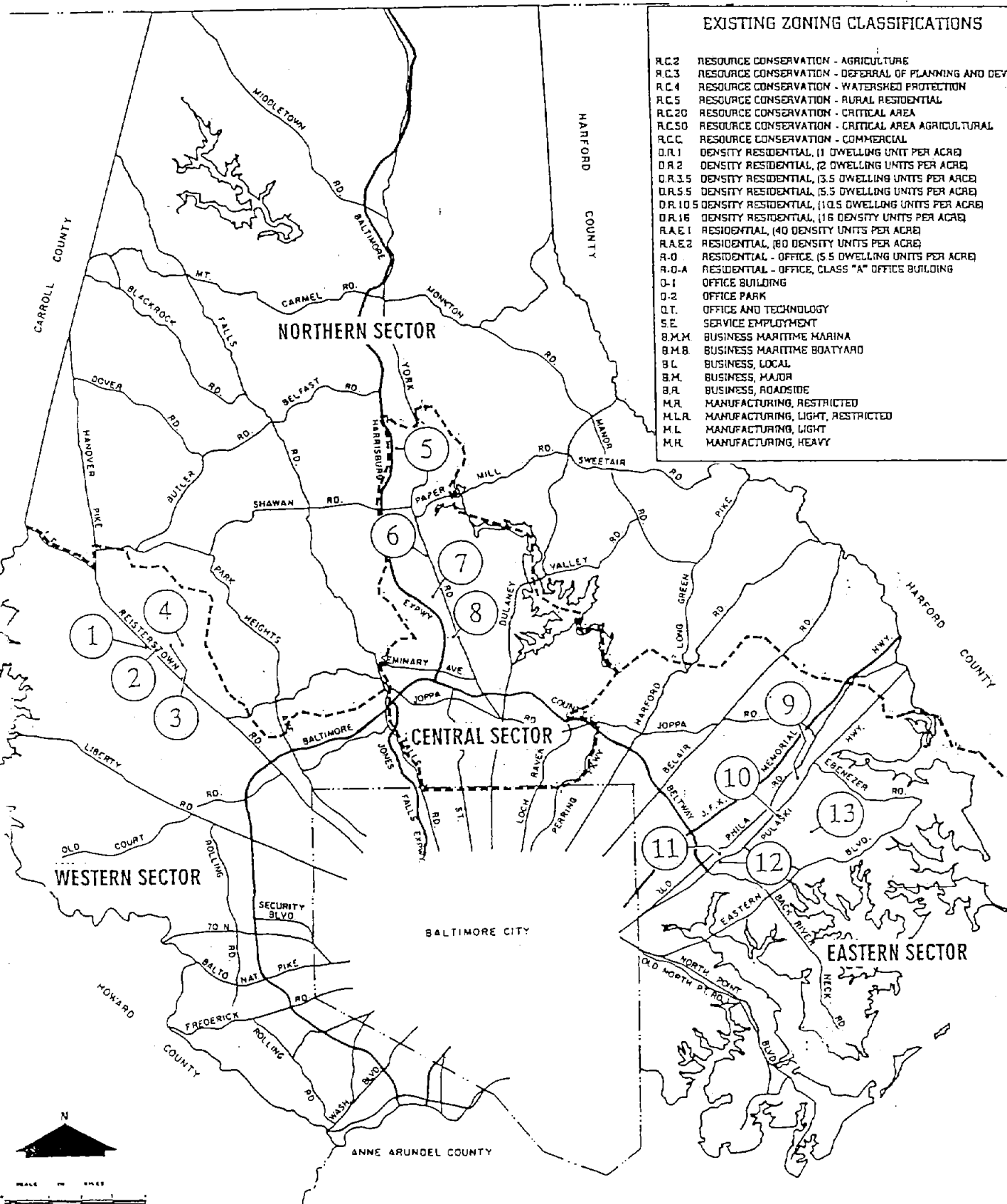
Item No. and Petitioner	Location	Acreage	Existing Zoning	Requested Zoning	OPZ/PB Recommendation
Item No. 7 Genstar Stone Products Company	South side of Galloway Avenue, 670' west of York Road, north side of Padonia Road, and east and west of proposed Beaver Dam Road	38.3	M.L.-I.M.	B.M.-I.M.	M.L.-I.M.
Item No. 8 Stebbins-Anderson Company, Inc.	Southwest corner of Timonium and Aylesbury Roads (21 West Timonium Road)	14.6	M.L.-I.M.	B.R.-I.M.	M.L.-I.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.L.-I.M. M.H.-I.M.	B.R.-I.M.	M.L.-I.M. M.H.-I.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.R.-I.M.	M.L.-I.M. M.L.-A.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.L.-I.M.	B.L.	M.L.-I.M.
Item No. 12 Savino Bollino & Rose Bollino	Southeast side of Pulaski Highway, 300' southwest of the centerline of Rossville Boulevard	4.3	B.R. M.L.-A.S. M.L.-I.M.	B.R.-I.M. B.R.-A.S.	B.R. M.L.-A.S. M.L.-I.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.R.-1 M.L.-I.M. M.H.-I.M.	D.R. 3.5	D.R. 1 M.L.-I.M. M.H.-I.M.

LOCATIONS OF PROPERTIES UNDER PETITION

YORK COUNTY, PA.

EXISTING ZONING CLASSIFICATIONS

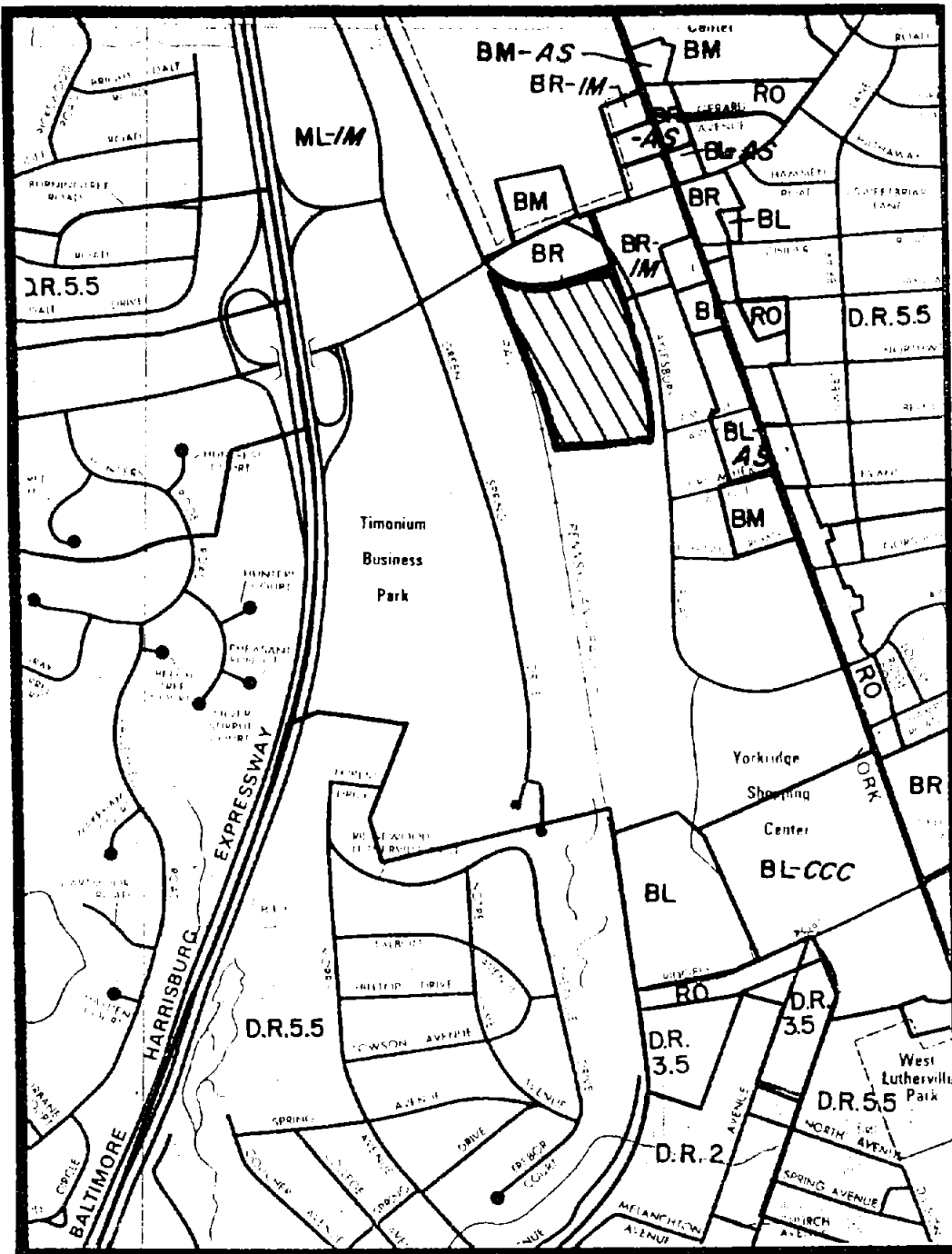
R.C.2	RESOURCE CONSERVATION - AGRICULTURE
R.C.3	RESOURCE CONSERVATION - DEFERRAL OF PLANNING AND DEVELOPMENT
R.C.4	RESOURCE CONSERVATION - WATERSHED PROTECTION
R.C.5	RESOURCE CONSERVATION - RURAL RESIDENTIAL
R.C.20	RESOURCE CONSERVATION - CRITICAL AREA
R.C.50	RESOURCE CONSERVATION - CRITICAL AREA AGRICULTURAL
R.C.C	RESOURCE CONSERVATION - COMMERCIAL
D.R.1	DENSITY RESIDENTIAL, (1 DWELLING UNIT PER ACRE)
D.R.2	DENSITY RESIDENTIAL, (2 DWELLING UNITS PER ACRE)
D.R.3.5	DENSITY RESIDENTIAL, (3.5 DWELLING UNITS PER ACRE)
D.R.5.5	DENSITY RESIDENTIAL, (5.5 DWELLING UNITS PER ACRE)
D.R.10.5	DENSITY RESIDENTIAL, (10.5 DWELLING UNITS PER ACRE)
D.R.16	DENSITY RESIDENTIAL, (16 DWELLING UNITS PER ACRE)
R.A.E.1	RESIDENTIAL, (40 DENSITY UNITS PER ACRE)
R.A.E.2	RESIDENTIAL, (80 DENSITY UNITS PER ACRE)
R.O	RESIDENTIAL - OFFICE, (5.5 DWELLING UNITS PER ACRE)
R.O.A	RESIDENTIAL - OFFICE, CLASS "A" OFFICE BUILDING
O-1	OFFICE BUILDING
O-2	OFFICE PARK
O.T.	OFFICE AND TECHNOLOGY
S.E.	SERVICE EMPLOYMENT
B.M.M	BUSINESS MARITIME MARINA
B.M.B	BUSINESS MARITIME BOATYARD
B.L	BUSINESS, LOCAL
B.M.	BUSINESS, MAJOR
B.R.	BUSINESS, ROADSIDE
M.R.	MANUFACTURING, RESTRICTED
M.L.R.	MANUFACTURING, LIGHT, RESTRICTED
M.L	MANUFACTURING, LIGHT
M.H.	MANUFACTURING, HEAVY



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 8
Location of Property Under Petition

Scale: 1"= 1000'

KCW Consultants, Inc.

Civil Engineers and Land Surveyors
3104 Timanus Lane, Suite 101 / Baltimore, Maryland 21244

(410) 281-0030 / 281-0033 / Fax (410) 298-0604

February 28, 1994

ZONING DESCRIPTION

Property of Stebbins-Anderson Company, Inc.
8th Election District
Baltimore County, Maryland

BEGINNING at a point on the west side of Aylesbury Road, varying in width, at the distance of 320 feet from the centerline of Timonium Road, varies in width; thence the following courses and distances:

1. curve to the left R= 730.00' L=74'
2. curve to the right R=1270.00' L=138.78'
3. S 18°53'39"E 6.53'
4. N 70°00'24"E 1.10'
5. curve to the right R=1270.00' L=435.17'
6. S 75°03'40"W 6.29'
7. curve to the right R=2965.00' L=141.09'
8. S 06°15'10"E 262.59'
9. S 83°57'41"W 570.01'
10. curve to the left R=3033.00' L=668.81'
11. N 22°38'26"W 422'
12. curve to the left R=300.00' L=339'
13. N 71°14'44"E 326'

to the place of beginning as recorded in Deeds 3923-379, 3796-409, Parcel 2, 5535-249, and part of 7999-351, containing 14.6 acres, and located in the eight Election District of Baltimore County, Maryland.



Edwin Howe

PETITIONER:

Stebbins-Andersen Co., Inc.

REQUESTED ACTION:

Reclassification to B.R.-I.M. (Business Roadside-Industrial Major)

EXISTING ZONING:

M.L.-I.M. (Manufacturing Light-Industrial Major)

LOCATION:

West side of Aylesbury Road, approximately 350' south of the centerline of Timonium Road

AREA OF SITE:

14.6 acres ±

ZONING OF ADJACENT PROPERTY/USE:

North: B.R. - restaurant (Chi-Chi's)

South: M.L.-I.M. - office-warehouse

East: B.R.-I.M. & M.L.-I.M. - mixture of retail, office, industrial and residential

West: M.L.-I.M. - MTA light rail, 84 Lumber yard beyond

SITE DESCRIPTION:

The subject site is currently improved with warehouse, service and storage uses. In addition to the primary uses of the site, Saco Supply Company, Michael's power equipment sales and service, Stebbins Anderson retail contract sales and showroom, Priceless carpets and flooring, and Babcock's car service center and tractor trailer storage also occupy the property at the present time.

PROPERTIES IN THE VICINITY:

Chi-Chi's Restaurant lies north of the site, at the southwest corner of Timonium and Aylesbury Roads. At the northwest corner is the Timonium Crossing Shopping Center. South of the shopping center, and east of the site on the opposite side of Aylesbury

Road, are vacant areas and a number of other uses. Properties to the south and west contain a variety of industrial and office uses, and include several warehouse/retail discount and building supply uses.

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 Master Water and Sewer Plan.

TRAFFIC AND ROADS:

The site has direct access to Aylesbury Road which is an industrial and commercial collector with direct access to both Timonium Road to the north and York Road to the southeast. A signalized intersection is located at the intersection of Timonium and Aylesbury Roads.

ZONING HISTORY:

The site has been zoned M.L.-I.M. since 1976. A zoning request for B.R.-I.M. as part of the 1988 Comprehensive Zoning Map Process was denied. (See Issue No. 4-077).

MASTER PLAN/COMMUNITY PLANS:

Addressing the expansion of commercial zoning along corridors, the Master Plan indicates the following:

It has been a consistent policy since the mid 1970s to try to curtail the expansion of "strip" commercial zoning along major highways, and to direct the demand into the older business centers." This keeps new additional commercial uses from draining the vitality of existing areas and redirects private economic resources back into the older establishments and fosters productive redevelopment and revitalization (p. 20).

This and several previous zoning requests in the vicinity suggest an interest on the part of private developers to extend commercial zoning along Aylesbury Road. The mission of the "Hunt Valley/Timonium Redevelopment Study," adopted on April 15, 1994 by the Planning Board," is stated as follows:

... to protect and enhance the Hunt Valley/Timonium area as an important employment area of Baltimore County ... (p. II-6).

The Plan also contains zoning guidelines pertinent to the subject site, stating that zoning changes should be supported when they "will foster growth in employment, business and

employee services and amenities, and/or light rail uses, providing there will be minimal negative impacts on existing transportation systems and on the surrounding residential areas." (p. IX-10). The Baltimore County Growth Management Program Proposed Land Use Map designates the site for Industrial use.

PROPOSED VS. EXISTING ZONING:

Regulation 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. district regulations are found in Section 259.2H.

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.

The present zoning is consistent with the zoning in the area, and will permit the site to be used or redeveloped with a use consistent with the Master Plan and the Hunt Valley/Timonium Redevelopment Study. The M.L.-I.M. zone permits a number of retail, services or semi-industrial uses, and also accessory uses which include incidental sales. Additionally, building materials storage or sales yards are permitted as a matter of right in the M.L.-I.M. zone. It appears that most, if not all, of "commercial uses" described in the petitioners' letter to justify the zoning change, are in fact, permitted under the present zoning classification.

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-C)

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.

The Hunt Valley/Timonium Redevelopment Study alone, cannot be used to justify a zoning change. Without a documented site plan, it is impossible to assess whether the future use of the site will support the area as an employment area, with minimal negative impact on existing transportation systems.

JL:lw

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	=	<u>60</u>
				159 Elementary Students

Page 2

310 S.F.	x	.155	=	48	
311 T.H.	x	.055	=	<u>17</u>	
				65	Middle Students

310 S.F.	x	.146	=	45	
311 T.H.	x	.090	=	<u>28</u>	
				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.	x	.236	=	43	Elementary Students
181 S.F.	x	.071	=	13	Middle Students
181 S.F.	x	.107	=	<u>19</u>	High Students
				75	Total Yield

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

Sincerely,

Barbara Pickelsimer
Barbara Pickelsimer,
Field Representative
Office of Pupil Assignments

bp

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

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.

RECEIVED

APR 28 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

No. 189986

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 3-1-74 ACCOUNT 100-1000

CYCLE III, #8
R-94-336

AMOUNT \$ 100.00

RECEIVED FROM: Overseas National Bank

294 - 100 - 1000

100 - 100 - 1000

FOR: Walt and Ann Smith

100 - 100 - 1000

100 - 100 - 1000

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary

Hal Kasson
Administrator

4-26-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
~~CASE~~ Item No.: R-94-336

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for DAVID N. RAMSEY, ACTING CHIEF
~~John Contestabile, Chief~~
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2256 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

GENERAL NOTES

1. Property Owner:
Stebbins-Anderson Company, Inc.
502 Kenilworth Drive
Towson, Maryland 21204
Deed Refs. & Tax Act. Nos.:
3796-409 Parcel 2, Acct. No. 08-19-073677, 7.49 Ac±
3923-379, Acct. No. 08-19-073681, 2.05 Ac±
5535-249, Acct. No. 08-16-035313, 4.89 Ac±
Part of 7999-351, Acct. No. 08-14-065376, 0.2 Ac±
2. Total area to be reclassified: 14.6 Ac±
3. Existing Zoning: ML-IM
4. Proposed Zoning: BR-IM
5. The property is not located in the
Chesapeake Bay Critical Area.

EX. ZONING ML-IM

AREA TO BE RECLASSIFIED
EXISTING ZONING ML-IM
PROPOSED ZONING BR-IM
STEBBINS-ANDERSON COMPANY, INC.
3923-379, 3796-409 PARCEL 2,
5535-249, AND PART OF 7999-351
Total Area: 14.6 Ac±

DETAIL

- Ⓐ S 18°53'39"E 6.53'
- Ⓑ N 70°00'24"E 1.10'

S 83°57'41"W 570.01'

EX. ZONING ML-IM
PROP. ZONING BR-IM
EX. ZONING ML-IM
ALEMITE CO.
8506-307
ZONED ML-IM

S 75°03'40"W
6.29'

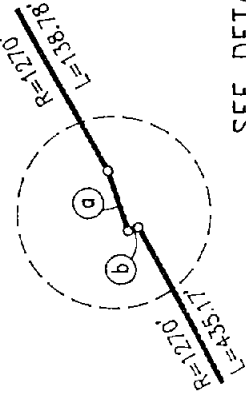
R=2965'
L=141.09'

S 06°15'10"W 262.59'

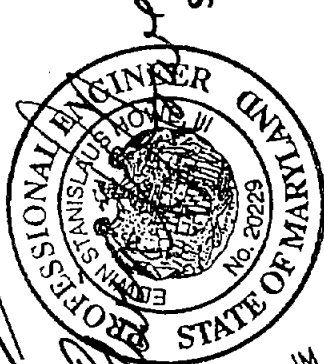
AYLESBURY RD
(R/W VARIES)

EX. ZONING BR-IM
EX. ZONING ML-IM

SEE DETAIL



Point of Beginning



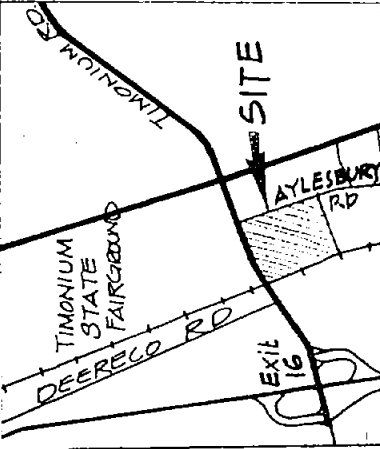
KCW CONSULTANTS, INC.
Civil Engineers & Land Surveyors
3104 Timanus Lane, Suite 101
Baltimore Maryland 21244
(410) 281-0030 / 281-0033

PROPERTY OF
STEBBINS-ANDERSON COMPANY, INC.

8th Election District
4th Councilmanic District
Baltimore County, Maryland

Scale: 1"=100' Date: 2-28-94

R-94-336



LOCATION MAP,
SCALE = 1"=2000'

TIMONIUM ROAD
(R/W VARIES)

CENTRAL RAILWAY

MARYLAND

R=3033.00' L=668.81'

STEBBINS-ANDERSON CO., INC.
3796-409, PARCEL 1
5129-220
AND PART OF 7999-351

EXISTING ZONING BR

EXISTING ZONING ML-IM
PROPOSED ZONING BR-IM

N 71°14'44"E 326'

R=2244.83'
L=63.29'

R=146'
L=120.38'

EX. ZONING BR-IM

EX. ZONING BR-IM

EX. ZONING BR-IM

EX. ZONING BR-IM

EX. ZONING BR-IM

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EX. ZONING BR-IM

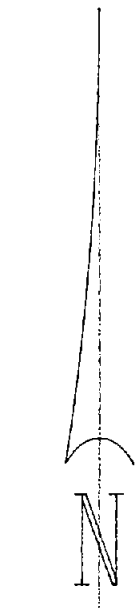
EX. ZONING BR-IM

EX. ZONING BR-IM

EX. ZONING BR-IM

EX. ZONING BR-IM

EX. ZONING BR-IM



02 MAR 11 PM 5:19

County Board of Appeals of Baltimore County

ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

Return Service Requested



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 10-10-2011 BY 60322 UCBAW/STP

NOT DELIVERABLE
AS ADDRESSEE
UNABLE TO FORWARD

RICHARD J POWERS PRESIDENT
STUBBINS-ANDERSEN CO INC
21 WIMONUM ROAD
TIMONIUM MD 21093

County Board of Appeals of Baltimore County

ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

Robert A. Hoffman, Esquire
VENABLE, BAETJER & HOWARD
210 ALLEGHENY AVENUE
TOWSON, MD 21204

County Board of Appeals of Baltimore County
ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

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

County Board of Appeals of Baltimore County

ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

Richard J. Powers, President
Stebbin-Andersen Company, Inc.
21 W. Timonium Road
Timonium, MD 21093

County Board of Appeals of Baltimore County
ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

KCW Consultants, Inc.
2104 Timanus Lane, Suite 101
Baltimore, MD 21244

IN THE MATTER OF	*	BEFORE THE
THE APPLICATION OF	*	COUNTY BOARD OF APPEALS
<u>STEBBIN-ANDERSEN COMPANY, INC.</u>	*	OF
FOR ZONING RECLASSIFICATION FROM	*	BALTIMORE COUNTY
M.L.-I.M. TO B.R.-I.M. ON PROPERTY		
LOCATED ON SWC TIMONIUM AND		
AYLESBURY ROADS (21 W. TIMONOUM RD)		
8 TH ELECTION DISTRICT	*	Case No. R-94-336
4 TH COUNCILMANIC DISTRICT	*	Cycle III, 1994
	*	
	*	
	*	
	*	
	*	

ORDER OF DISMISSAL OF PETITION

This case comes to the Board on a Petition for Reclassification filed by Robert A. Hoffman, Esquire, on behalf of Stebbins-Andersen Company, Inc., Petitioner, for zoning reclassification from M.L.-I.M. to B.R.-I.M. on property located on the SWC Timonium and Aylesbury Roads (21 West Timonium Road), in the Eighth Election District of Baltimore County.

WHEREAS, Petitions for Reclassification pending on the Board's Continued Docket on the date of adoption of the Comprehensive Zoning Maps are considered to be moot; and

WHEREAS, no further action has been taken in this matter since a continuance was granted on October 25, 1994,

IT IS, THEREFORE, this 25th day of February, 2002, by the County Board of Appeals of Baltimore County

ORDERED that said Petition filed in Case No. R-94-336 be and the same is declared moot, and the Petition **DISMISSED**.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**



Charles L. Marks, Chairman



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

February 25, 2002

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

RE: *In the Matter of: Stebbin-Andersen Company, Inc.*
Case No. R-94-336 / Order of Dismissal of Petition

Dear Mr. Hoffman:

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

Very truly yours,

A handwritten signature in cursive script, reading "Kathleen C. Bianco".

Kathleen C. Bianco
Administrator

Enclosure

c: Richard J. Powers President
Stebbins-Andersen Company, Inc.
KCW Consultants, Inc.
Robert J. Haines, Esquire
/Board of Ed. /MS 1102-J
People's Counsel for Baltimore County
Pat Keller, Planning Director
Jeffrey Long /Planning
Lawrence E. Schmidt /Zoning Commissioner
W. Carl Richards /PDM
Arnold Jablon, Director /PDM



B-94.336



Petition for Reclassification to the Board of Appeals of Baltimore County for the property located at 21 W. Timonium Road

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the ML-IM,

Zoning Law of Baltimore County, from an _____ zone to an BR-IM zone, for the reasons given in the attached statement; and (2) for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for:

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

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, 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.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

John B. Howard

Robert A. Hoffman

Venable, Baetjer and Howard

Address Phone No.

210 Allegheny Ave.

City State Zipcode

Towson MD 21204

Legal Owner(s):

Stebbins-Andersen Co., Inc.

(Type or Print Name)

By:

Signature

Richard J. Powers, President

(Type or Print Name)

Signature

21 W. Timonium Ave.

752-6804

Address

Phone No.

Timonium

MD

21093

City

State

Zipcode

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

Robert A. Hoffman

Name 210 Allegheny Ave.

Towson, Maryland 21204

494-6262

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____



RECEIVED
COUNTY BOARD OF APPEALS
94 MAR - 1 PM 2:00

BALTIMORE COUNTY, MARYLAND

No. 148314

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 6/14/94 ACCOUNT 6-12-1013

AMOUNT \$ 25.00

RECEIVED FROM: Variable, Snapshot Service

FOR: Posting fee R-14-20

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

KCW Consultants, Inc.

Civil Engineers and Land Surveyors
3104 Timanus Lane, Suite 101 / Baltimore, Maryland 21244

(410) 281-0030 / 281-0033 / Fax (410) 298-0604

February 28, 1994

ZONING DESCRIPTION

Property of Stebbins-Anderson Company, Inc.
8th Election District
Baltimore County, Maryland

BEGINNING at a point on the west side of Aylesbury Road, varying in width, at the distance of 320 feet from the centerline of Timonium Road, varies in width; thence the following courses and distances:

1. curve to the left R= 730.00' L=74'
2. curve to the right R=1270.00' L=138.78'
3. S 18°53'39"E 6.53'
4. N 70°00'24"E 1.10'
5. curve to the right R=1270.00' L=435.17'
6. S 75°03'40"W 6.29'
7. curve to the right R=2965.00' L=141.09'
8. S 06°15'10"E 262.59'
9. S 83°57'41"W 570.01'
10. curve to the left R=3033.00' L=668.81'
11. N 22°38'26"W 422'
12. curve to the left R=300.00' L=339'
13. N 71°14'44"E 326'

to the place of beginning as recorded in Deeds 3923-379, 3796-409, Parcel 2, 5535-249, and part of 7999-351, containing 14.6 acres, and located in the eight Election District of Baltimore County, Maryland.



Edwin Howe

BALTIMORE COUNTY, MARYLAND

No. 189986

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 3-1-74 ACCOUNT 100-1000

CYCLE III, #8
R-94-336

AMOUNT \$ 100.00

RECEIVED FROM: Overseas National Bank

294 - 1000 - 1000

100 - 1000 - 1000

FOR: Walt and his family

100 - 1000 - 1000

100 - 1000 - 1000

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

BALTIMORE COUNTY, MARYLAND

No. 148314

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 6/14/94 ACCOUNT 6-12-1013

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FOR: Posting fee R-14-20

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER



MERCANTILE

MERCANTILE-SAFE DEPOSIT
& TRUST COMPANY

VENABLE, BAETJER AND HOWARD
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
ATTORNEY'S ACCOUNT
1800 MERCANTILE BANK & TRUST BUILDING
BALTIMORE, MARYLAND 21201

7-61
520

A231588

DATE 08/04/94

*****One Thousand Six Hundred Fifty-Nine & 00/100

For

\$*****1659.00

PAY TO THE
ORDER
OF

Patuxent Publishing Company
10750 Little Patuxent Parkway
Columbia, MD 21044

R-94-333

R-94-334

R-94-335

R-94-336

R-94-337

12331.80 each

VOID AFTER 180 DAYS

BY _____

BY Robert A. M. [Signature]

TWO SIGNATURES REQUIRED OVER \$10,000.00

⑈ 231588 ⑈ ⑆052000618⑆

⑈020890 6⑈

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JULY 26, 1994

Stebbins-Andersen Co., Inc.
c/o Robert A. Hoffman, Esq.
210 Allegheny Avenue
Towson, Maryland 21204

Re: Case Number: R-94-336
21 W. Timonium Road
SWC Timonium and Aylesbury Roads
8th Election District - 4th Councilmanic

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,

A handwritten signature in cursive script, reading "Arnold Jablon".

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 ADMINISTRATION 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 dollar 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 individual 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.



County Board of Appeals of Baltimore County

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

MAY 24, 1994

NOTICE OF HEARING

CASE NUMBER: R-94-336
21 W. Timonium Road
SWC Timonium and Aylesbury Roads
8th Election District - 4th Councilmanic
Legal Owner(s): Stebbins-Andersen Company, Inc.

Petition to reclassify the property's zoning from M.L.-I.M. to B.R.-I.M..

HEARING: Tuesday, October 25, 1994 at 10:00 a.m.

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

A handwritten signature in cursive script, reading "William T. Hackett". The signature is written in dark ink and includes a stylized flourish at the end.

WILLIAM T. HACKETT, CHAIRMAN
COUNTY BOARD OF APPEALS

cc: Stebbins-Andersen Company, Inc.
John B. Howard, Esq. and Robert A. Hoffman, Esq.





County Board of Appeals of Baltimore County

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

MAY 24, 1994

NOTICE OF HEARING

CASE NUMBER: R-94-336
21 W. Timonium Road
SWC Timonium and Aylesbury Roads
8th Election District - 4th Councilmanic
Legal Owner(s): Stebbins-Andersen Company, Inc.

Petition to reclassify the property's zoning from M.L.-I.M. to B.R.-I.M..

HEARING: Tuesday, October 25, 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: Stebbins-Andersen Company, Inc.
John B. Howard, Esq. and Robert A. Hoffman, Esq.

To be continued on the
record 10/25/94.

94 MAY 27 PM 2:56

COUNTY BOARD OF APPEALS
TOWSON, MARYLAND



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

(410) 494-6262

September 20, 1994

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

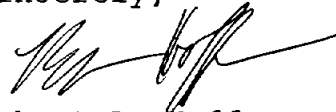
Re: - Cycle Zoning Reclassification No. R-94-336
- Legal Owner - Stebbins-Anderson Co., Inc.
- Property Known as Saco Supply, 21 W. Timonium Road

Dear Mr. Hackett:

On behalf of our client, Stebbins-Anderson Co., Inc., the Petitioner in the above-referenced zoning reclassification request, we are writing to request a continuance for the hearing scheduled for Tuesday, October 25, 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 would be submitted at the rescheduled 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: Richard J. Powers
Gwen Stephens
Peter Max Zimmerman, Esq.
John B. Howard, Esq.

HACKET16.GPW



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-26-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
~~CASE Item~~ No.: R-94-336

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for *DAVID R. RAMSEY, ACTING CHIEF*
~~John Contestabile, Chief~~
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2256 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



MERCANTILE

MERCANTILE-SAFE DEPOSIT
& TRUST COMPANY

VENABLE, BAETJER AND HOWARD
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
ATTORNEY'S ACCOUNT
1800 MERCANTILE BANK & TRUST BUILDING
BALTIMORE, MARYLAND 21201

7-61
520

A231588

DATE 08/04/94

*****One Thousand Six Hundred Fifty-Nine & 00/100

For

\$*****1659.00

PAY TO THE
ORDER
OF

Patuxent Publishing Company
10750 Little Patuxent Parkway
Columbia, MD 21044

R-94-333

R-94-334

R-94-335

R-94-336

R-94-337

12331.80 each

VOID AFTER 180 DAYS

BY _____

BY Richard A. M. [Signature]

TWO SIGNATURES REQUIRED OVER \$10,000.00

⑈ 231588 ⑈ ⑆052000618⑆

⑈020890 6⑈

BALTIMORE COUNTY, MARYLAND

SUBJECT: 2ND CONCEPT PLAN COMMENTS
FROM: ZADM - DEVELOPMENT CONTROL

2ND CPC DATE: 2/6/95
9:00 a.m., Room 301

PROJECT NAME: **Price Club
(Stebbins-Anderson Property)**

PLAN DATE: 8/2/94

LOCATION: 25 West Aylesbury Road,
W of York Road

REV.: 1/23/95

DISTRICT: 8c3

PROPOSAL: PUD-C in M.L.-I.M.
and B.R. Zones;
Also Reclassification
Open Plan (Cycle III)
from M.L.-I.M. to
B.R.-I.M. (Case
#R-94-336)

REVISED PLAN KEY:
(X) COMPLIANCE WITH COMMENT CHECKED
(O) NON-COMPLIANCE IS CIRCLED
(BA) BE ADVISED (NOT NECESSARY FOR CONCEPT
PLAN APPROVAL, BUT MUST BE ADDRESSED
PRIOR TO FINAL ZONING APPROVAL)
ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE

The plan has been reviewed by the staff at this level of detail and not enough basic information has been supplied to determine general compliance with the Baltimore County Zoning Regulations (BCZR). The following comments are generalized for the concept plan and they do not identify final compliance with these regulations. The intent of the developer must be clear on the plan, including any previous and proposed zoning hearing requests. The following comments will be up-dated and, if necessary, supplemented when the following information has been supplied to this office and included on the plan:

1. A PUD-C is permitted in M.L. and B.R. zoned areas delineated on the map approved per Section 440.3.B (BCZR), subject to certain design and performance standards per Section 440.4 (BCZR) and the PUD-R approval format under Section 430.11 (BCZR). Document the above referenced zoning case (R-94-336) on the plan.
2. Confirm the date and results of the pre-plan conference meeting. Document that this plan is acceptable by the Office of Planning and Zoning (OPZ) for the proposed single use and layout. Final approval of this use as a PUD is dependent upon the decision of the hearing officer.

(Over)

2ND CONCEPT PLAN COMMENTS

PROJECT NAME: Price Club

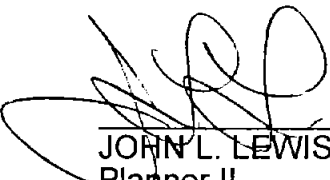
(Stebbins-Anderson Property)

CPC DATE: 2/6/95

PAGE 2

3. Some, but not necessarily all, standards on the plan not referenced or shown for needed BCZR relief:
 - A. Increase the retail parking calculations to support the 12,000 square feet plant sales area and delete the number of parking spaces occupying this area from the parking calculations. Based on this requirement, there will be a substantial parking space shortfall for which an additional zoning variance is required. Add this variance to plan note #27.
 - B. The proposed sign variance as referenced in note #27 will necessitate a sign detail on the plan which must be to an engineer's scale and show height, square footage on each side, illumination, and all dimensions.
 - C. Show, label, and dimension the internal lot lines as referenced in plan variance note #27.

Final zoning approval is contingent first, upon all plan comments being addressed on the development and PUD-C plan; and secondly, upon the final resolution of all comments, the outcome of any requested zoning hearings; and finally, the inclusion of the blue commercial checklist information being included on the building permit site plans.


JOHN L. LEWIS
Planner II

JLL:scj

STEBBIN-ANDERSEN COMPANY, INC.
SWC Timonium and Aylesbury Roads
(21 West Timonium Road)

#R-94-336
Item #8, Cycle III, 1994
8th Election District
4th Councilmanic District

From M.L.-I.M. to B.R.-I.M.

14.6 acres

March 1, 1994

Petition for Reclassification filed by Robert
A. Hoffman, Esquire, and John B. Howard,
Esquire, on behalf of Stebbin-Andersen
Company, Inc., Petitioner.

*

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

Counsel for Petitioner

Richard J. Powers, President
Stebbins-Andersen Company, Inc.
21 W. Timonium Road
Timonium, MD 21093

Petitioner

KCW Consultants, Inc.
3104 Timanus Lane, Suite 101
Baltimore, MD 21244

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

✓ 2

#R-94-336

Stebbin-Andersen Company, Inc.

9/20/94 -Letter from R. Hoffman, Counsel for Petitioner; intent of client to request continuance for purpose of preparing documented site plan; to be submitted at later date.

9/22/94 -Response to R. Hoffman indicating that file and docket have been noted; no evidence or testimony to be received at scheduled hearing of 10/25/94; to be opened and continued on the record.

10/25/94 -Matter opened and continued on the record in open hearing at request of Petitioner through P. Wingert, Esquire; for purpose of preparing and submitting at later date a Documented Site Plan. (S.R.B.)



County Board of Appeals of Baltimore County

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

September 22, 1994

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

RE: Case No. R-94-336
Stebbins-Anderson Co., Inc.

Dear Mr. Hoffman:

Pursuant to your letter of September 20th regarding the subject matter, the Board has noted both its file and docket that, on October 25, 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 25th, 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,

A handwritten signature in cursive script, reading "Kathleen C. Weidenhammer".

Kathleen C. Weidenhammer
Administrative Assistant

cc: John B. Howard, Esquire
Richard J. Powers, President
Stebbins-Anderson Company, Inc.
KCW Consultants, 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

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

(410) 494-6262

September 20, 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-94-336
- Legal Owner - Stebbins-Anderson Co., Inc.
- Property Known as Saco Supply, 21 W. Timonium Road

Dear Mr. Hackett:

On behalf of our client, Stebbins-Anderson Co., Inc., the Petitioner in the above-referenced zoning reclassification request, we are writing to request a continuance for the hearing scheduled for Tuesday, October 25, 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 would be submitted at the rescheduled 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: Richard J. Powers
Gwen Stephens
Peter Max Zimmerman, Esq.
John B. Howard, Esq.

HACKETT16.GPW

94 SEP 20 PM 3:49

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

(410) 494-6203

February 25, 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 Request
- Legal Owner - Stebbins-Anderson Co., Inc.
- Property Known as Saco Supply, 21 W. Timonium Road

Dear Mr. Hackett:

This firm represents Stebbins-Anderson, the Petitioner in the above-referenced zoning reclassification request for property located on Timonium and Aylesbury Roads in Timonium, Maryland. The subject property, which consists of the Saco Supply lumber yard, is presently zoned ML-IM and comprises approximately 10 acres. The Petitioners are requesting BR 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 you may be aware, the subject property contains road frontage along both Timonium Road and Aylesbury Road and adjoins the light rail system to the west and the Chi-Chi's restaurant site to the north. Although the subject property is itself a commercial use and is virtually surrounded by other commercial uses, the industrial zoning classification for this property has remained intact. In fact, the predominance of land in this area is zoned ML-IM, notwithstanding the various commercial uses to the contrary.

Based upon the existing use of the subject property as well as the uses of the surrounding properties, the Petitioner believes that

See Revised Letter (Rev. 3/02/94)

William T. Hackett, Chairman
February 25, 1994
Page 2

the adoption of the 1992 zoning map which retained the ML-IM classification is in error. The Petitioner believes that its property relates more consistently with the commercial uses than any industrial use; and the Hunt Valley/Timonium Redevelopment Study substantiates this belief. In fact, the existing land use map (Map No. 3) within the study designates the property as "commercial" and clearly designates the property within the potential development/redevelopment area due to its proximity to the light rail system. 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 the existing uses in the area, 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 County Council erred when it retained the ML-IM zoning on the subject property in 1992 and that it should be reclassified to BR.

Sincerely,

Robert A. Hoffman, BY: GPW
Robert A. Hoffman

GPW\dok
enclosures

cc: Richard J. Powers
John B. Howard, Esq.

HACKETT6.GPW

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

(410) 494-6203

March 1, 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 Request
- Legal Owner - Stebbins-Anderson Co., Inc.
- Property Known as Saco Supply, 21 W. Timonium Road

Dear Mr. Hackett:

This firm represents Stebbins-Anderson, the Petitioner in the above-referenced zoning reclassification request for property located on Timonium and Aylesbury Roads in Timonium, Maryland. The subject property, which consists of the Saco Supply lumber yard, is presently zoned ML-IM and comprises approximately 10 acres. The Petitioners are requesting BR-IM zoning in accordance with the enclosed open site plan.

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Based upon the existing use of the subject property as well as the uses of the surrounding properties, the Petitioner believes that

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

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Based upon the existing uses in the area, 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 County Council erred when it retained the ML-IM zoning on the subject property in 1992 and that it should be reclassified to BR-IM.

Sincerely,

 BY: GPW
Robert A. Hoffman

GPW\dok
enclosures

cc: Richard J. Powers
John B. Howard, Esq.

HACKETT6.GPW

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JULY 26, 1994

Stebbins-Andersen Co., Inc.
c/o Robert A. Hoffman, Esq.
210 Allegheny Avenue
Towson, Maryland 21204

Re: Case Number: R-94-336
21 W. Timonium Road
SWC Timonium and Aylesbury Roads
8th Election District - 4th Councilmanic

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,

A handwritten signature in cursive script, reading "Arnold Jablon".

ARNOLD JABLON
DIRECTOR

AJ:ggs

Per Gwen Stephens - ZADM

ALL ADVERTISING PAID FOR

CYCLE III RECLASS PETITIONS



BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County
Interoffice Correspondence

DATE: May 3, 2002

TO: Arnold Jablon, Director
Permits & Development Management
Attn.: David Duvall

FROM: Theresa R. Shelton 
Board of Appeals

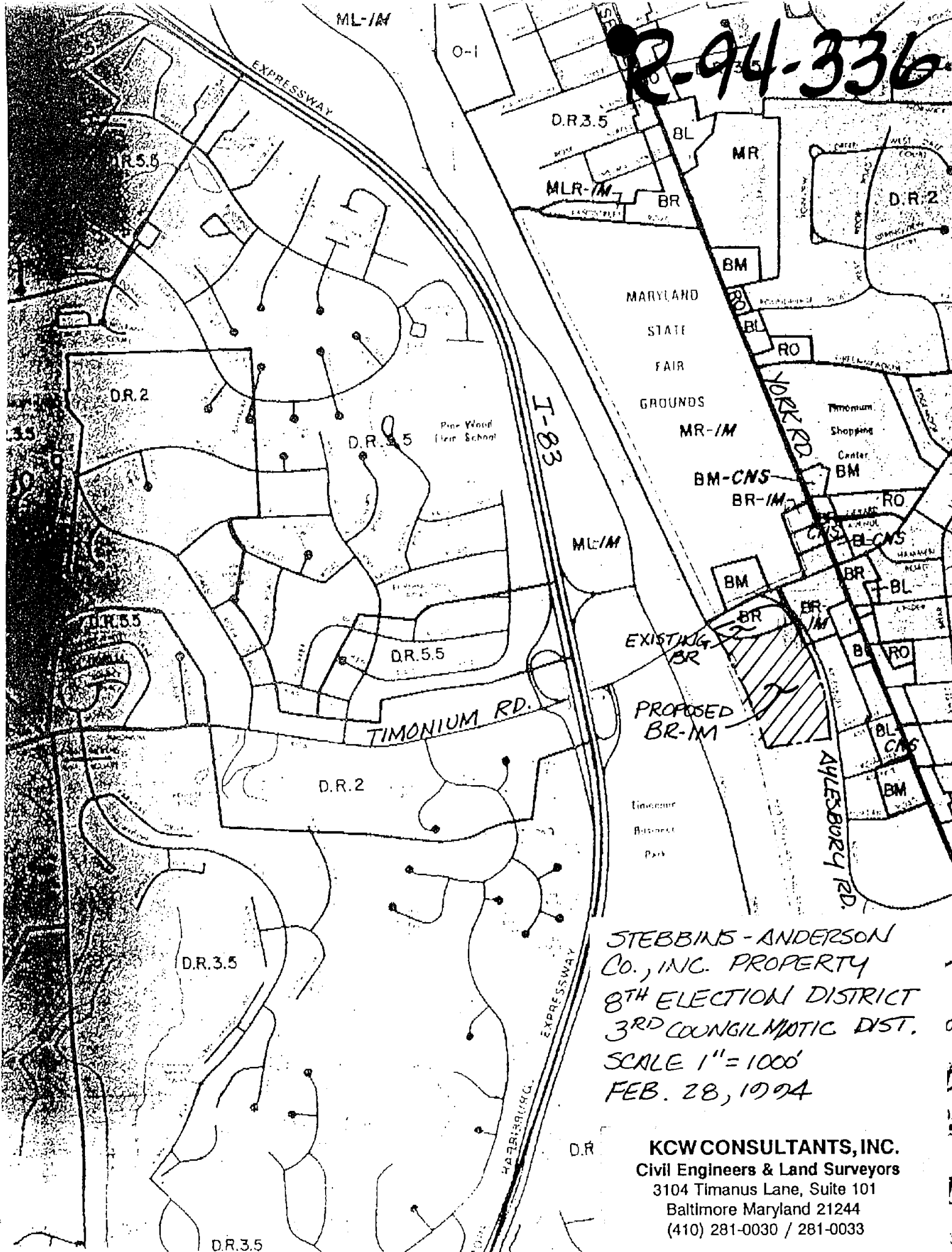
SUBJECT: **CLOSED APPEAL CASE FILE**

The following case has been finalized and the Board of Appeals is closing the copy of the appeal case file and returning the file and exhibits (if applicable) attached herewith.

<u>BOARD OF APPEALS CASE NUMBER</u>	<u>PDM FILE NUMBER</u>	<u>NAME</u>	<u>LOCATION</u>
R-94-336	<i>R-94-336</i>	STEBBIN-ANDERSON COMPANY	21 WEST TIMONIUM ROAD

Attachment: SUBJECT FILE(S) ATTACHED

R-94-336



STEBBINS-ANDERSON
Co., INC. PROPERTY
8TH ELECTION DISTRICT
3RD COUNCILMATIC DIST.
SCALE 1"=1000'
FEB. 28, 1994

KCW CONSULTANTS, INC.
Civil Engineers & Land Surveyors
3104 Timanus Lane, Suite 101
Baltimore Maryland 21244
(410) 281-0030 / 281-0033

Item #8

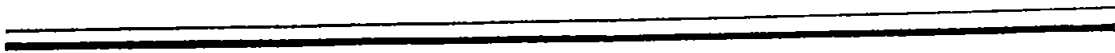
R-94-336

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

RECEIVED
COUNTY BOARD OF APPEALS
94 JUL 28 PM 2:18

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,

A handwritten signature in cursive script that reads "Pat Keller".

Pat Keller
Secretary to the Planning Board

PK/TD/mjm
LTRS/PZONE/TXTMJM

Enclosure

cc: 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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INTRODUCTION

Under the provisions of Section 2-356(e), Baltimore County Code, 1988, (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.

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 filing 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.

MEMORANDUM

TO: RECLASSIFICATION PETITIONERS, ATTORNEY, AND/OR REPRESENTATIVES

FROM: ZONING ADMINISTRATION 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 dollar 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 individual 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.

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

Item #11, Case No. R-94-339
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	B.M.	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.L.-A.S. M.L.-I.M. B.R.-A.S.	B.R.-A.S. B.R.-I.M.	M.L.-A.S. M.L.-I.M. B.R.-A.S.

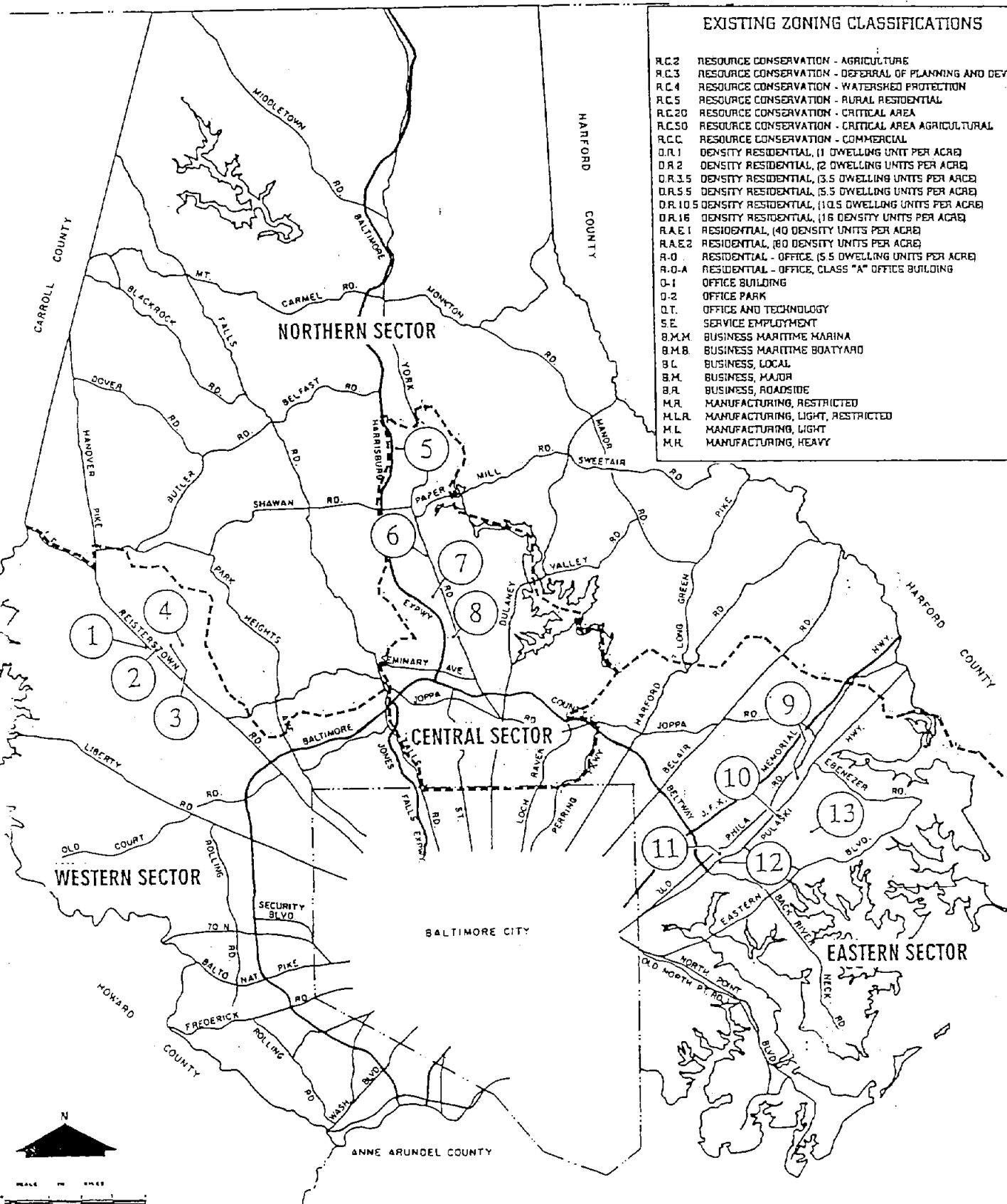
Item No. and Petitioner	Location	Acreage	Existing Zoning	Requested Zoning	OPZ/PB Recommendation
Item No. 7 Genstar Stone Products Company	South side of Galloway Avenue, 670' west of York Road, north side of Padonia Road, and east and west of proposed Beaver Dam Road	38.3	M.L.-I.M.	B.M.-I.M.	M.L.-I.M.
Item No. 8 Stebbins-Anderson Company, Inc.	Southwest corner of Timonium and Aylesbury Roads (21 West Timonium Road)	14.6	M.L.-I.M.	B.R.-I.M.	M.L.-I.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.L.-I.M. M.H.-I.M.	B.R.-I.M.	M.L.-I.M. M.H.-I.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.R.-I.M.	M.L.-I.M. M.L.-A.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.L.-I.M.	B.L.	M.L.-I.M.
Item No. 12 Savino Bollino & Rose Bollino	Southeast side of Pulaski Highway, 300' southwest of the centerline of Rossville Boulevard	4.3	B.R. M.L.-A.S. M.L.-I.M.	B.R.-I.M. B.R.-A.S.	B.R. M.L.-A.S. M.L.-I.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.R.-1 M.L.-I.M. M.H.-I.M.	D.R. 3.5	D.R. 1 M.L.-I.M. M.H.-I.M.

LOCATIONS OF PROPERTIES UNDER PETITION

YORK COUNTY, PA.

EXISTING ZONING CLASSIFICATIONS

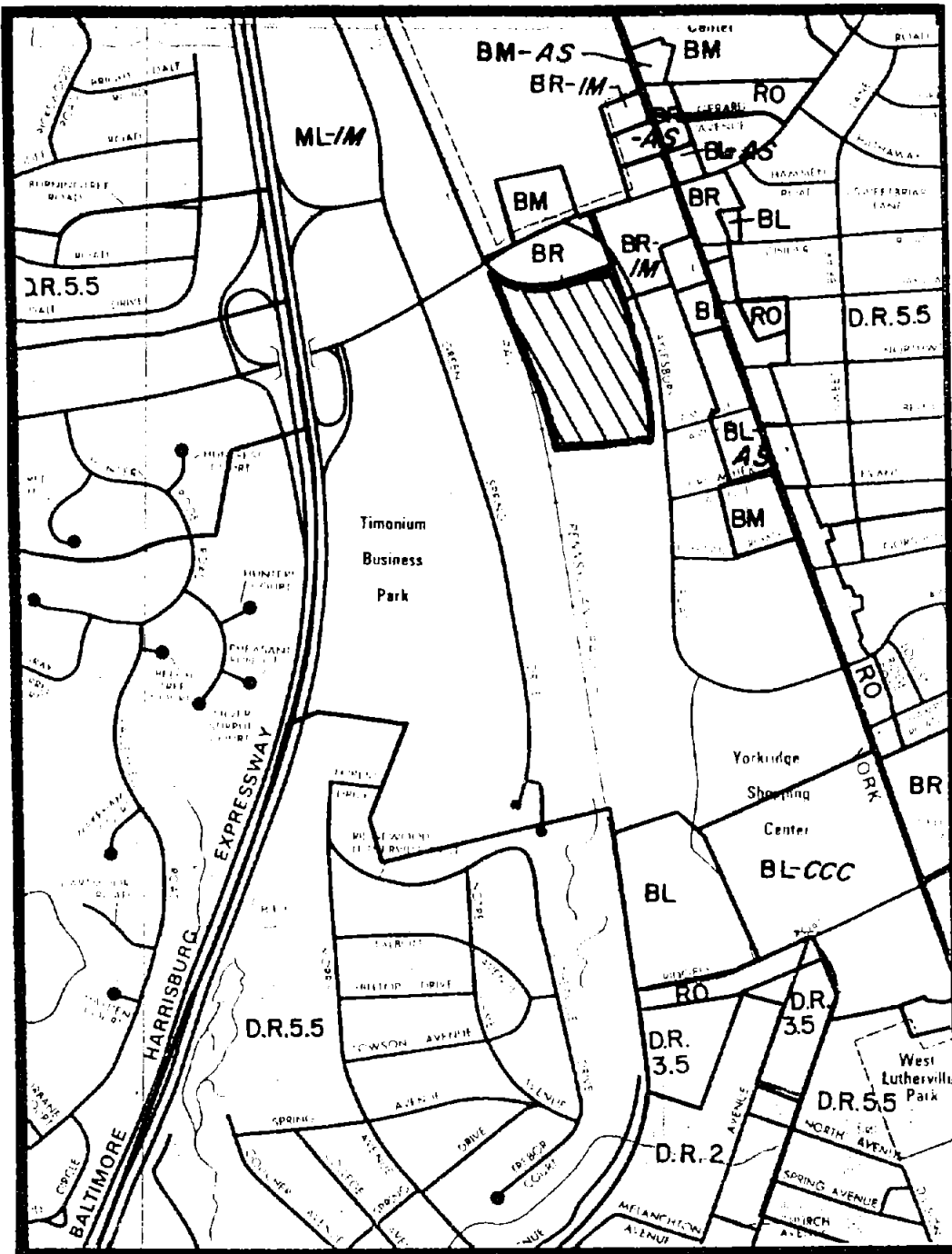
R.C.2	RESOURCE CONSERVATION - AGRICULTURE
R.C.3	RESOURCE CONSERVATION - DEFERRAL OF PLANNING AND DEVELOPMENT
R.C.4	RESOURCE CONSERVATION - WATERSHED PROTECTION
R.C.5	RESOURCE CONSERVATION - RURAL RESIDENTIAL
R.C.20	RESOURCE CONSERVATION - CRITICAL AREA
R.C.50	RESOURCE CONSERVATION - CRITICAL AREA AGRICULTURAL
R.C.C	RESOURCE CONSERVATION - COMMERCIAL
D.R.1	DENSITY RESIDENTIAL, (1 DWELLING UNIT PER ACRE)
D.R.2	DENSITY RESIDENTIAL, (2 DWELLING UNITS PER ACRE)
D.R.3.5	DENSITY RESIDENTIAL, (3.5 DWELLING UNITS PER ACRE)
D.R.5.5	DENSITY RESIDENTIAL, (5.5 DWELLING UNITS PER ACRE)
D.R.10.5	DENSITY RESIDENTIAL, (10.5 DWELLING UNITS PER ACRE)
D.R.16	DENSITY RESIDENTIAL, (16 DWELLING UNITS PER ACRE)
R.A.E.1	RESIDENTIAL, (40 DENSITY UNITS PER ACRE)
R.A.E.2	RESIDENTIAL, (80 DENSITY UNITS PER ACRE)
R.O	RESIDENTIAL - OFFICE, (5.5 DWELLING UNITS PER ACRE)
R.O-A	RESIDENTIAL - OFFICE, CLASS "A" OFFICE BUILDING
O-1	OFFICE BUILDING
O-2	OFFICE PARK
O.T.	OFFICE AND TECHNOLOGY
S.E.	SERVICE EMPLOYMENT
B.M.M	BUSINESS MARITIME MARINA
B.M.B	BUSINESS MARITIME BOATYARD
B.L	BUSINESS, LOCAL
B.M.	BUSINESS, MAJOR
B.R.	BUSINESS, ROADSIDE
M.R.	MANUFACTURING, RESTRICTED
M.L.R.	MANUFACTURING, LIGHT, RESTRICTED
M.L	MANUFACTURING, LIGHT
M.H.	MANUFACTURING, HEAVY



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 8
Location of Property Under Petition

Scale: 1"= 1000'

PETITIONER:

Stebbins-Andersen Co., Inc.

REQUESTED ACTION:

Reclassification to B.R.-I.M. (Business Roadside-Industrial Major)

EXISTING ZONING:

M.L.-I.M. (Manufacturing Light-Industrial Major)

LOCATION:

West side of Aylesbury Road, approximately 350' south of the centerline of Timonium Road

AREA OF SITE:

14.6 acres ±

ZONING OF ADJACENT PROPERTY/USE:

North: B.R. - restaurant (Chi-Chi's)

South: M.L.-I.M. - office-warehouse

East: B.R.-I.M. & M.L.-I.M. - mixture of retail, office, industrial and residential

West: M.L.-I.M. - MTA light rail, 84 Lumber yard beyond

SITE DESCRIPTION:

The subject site is currently improved with warehouse, service and storage uses. In addition to the primary uses of the site, Saco Supply Company, Michael's power equipment sales and service, Stebbins Anderson retail contract sales and showroom, Priceless carpets and flooring, and Babcock's car service center and tractor trailer storage also occupy the property at the present time.

PROPERTIES IN THE VICINITY:

Chi-Chi's Restaurant lies north of the site, at the southwest corner of Timonium and Aylesbury Roads. At the northwest corner is the Timonium Crossing Shopping Center. South of the shopping center, and east of the site on the opposite side of Aylesbury

Road, are vacant areas and a number of other uses. Properties to the south and west contain a variety of industrial and office uses, and include several warehouse/retail discount and building supply uses.

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 Master Water and Sewer Plan.

TRAFFIC AND ROADS:

The site has direct access to Aylesbury Road which is an industrial and commercial collector with direct access to both Timonium Road to the north and York Road to the southeast. A signalized intersection is located at the intersection of Timonium and Aylesbury Roads.

ZONING HISTORY:

The site has been zoned M.L.-I.M. since 1976. A zoning request for B.R.-I.M. as part of the 1988 Comprehensive Zoning Map Process was denied. (See Issue No. 4-077).

MASTER PLAN/COMMUNITY PLANS:

Addressing the expansion of commercial zoning along corridors, the Master Plan indicates the following:

It has been a consistent policy since the mid 1970s to try to curtail the expansion of "strip" commercial zoning along major highways, and to direct the demand into the older business centers." This keeps new additional commercial uses from draining the vitality of existing areas and redirects private economic resources back into the older establishments and fosters productive redevelopment and revitalization (p. 20).

This and several previous zoning requests in the vicinity suggest an interest on the part of private developers to extend commercial zoning along Aylesbury Road. The mission of the "Hunt Valley/Timonium Redevelopment Study," adopted on April 15, 1994 by the Planning Board," is stated as follows:

... to protect and enhance the Hunt Valley/Timonium area as an important employment area of Baltimore County ... (p. II-6).

The Plan also contains zoning guidelines pertinent to the subject site, stating that zoning changes should be supported when they "will foster growth in employment, business and

employee services and amenities, and/or light rail uses, providing there will be minimal negative impacts on existing transportation systems and on the surrounding residential areas." (p. IX-10). The Baltimore County Growth Management Program Proposed Land Use Map designates the site for Industrial use.

PROPOSED VS. EXISTING ZONING:

Regulation 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. district regulations are found in Section 259.2H.

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.

The present zoning is consistent with the zoning in the area, and will permit the site to be used or redeveloped with a use consistent with the Master Plan and the Hunt Valley/Timonium Redevelopment Study. The M.L.-I.M. zone permits a number of retail, services or semi-industrial uses, and also accessory uses which include incidental sales. Additionally, building materials storage or sales yards are permitted as a matter of right in the M.L.-I.M. zone. It appears that most, if not all, of "commercial uses" described in the petitioners' letter to justify the zoning change, are in fact, permitted under the present zoning classification.

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-C)

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.

The Hunt Valley/Timonium Redevelopment Study alone, cannot be used to justify a zoning change. Without a documented site plan, it is impossible to assess whether the future use of the site will support the area as an employment area, with minimal negative impact on existing transportation systems.

JL:lw

Q-94-336

MR

BR

IBM

MARYLAND

STATE

FAIR

GRUNDS

MR-14

BM-CNS

BR-144

MLC/AM

BM

BF

~~EXISTING
BR~~

PROPOSED
BR-M

Figure 1

Agencies

Part

STEBBINS - ANDERSON
CO., INC. PROPERTY
8TH ELECTION DISTRICT
3RD COUNCILMANIC DIST.
SCALE 1" = 1000'
FEB. 28, 1994

KCW CONSULTANTS, INC.
Civil Engineers & Land Surveyors
3104 Timanus Lane, Suite 101
Baltimore Maryland 21244
(410) 281-0030 / 281-0033

GENERAL NOTES

- Property Owner:
Stebbins-Anderson Company, Inc.
502 Kenilworth Drive
Towson, Maryland 21204
Deed Refs. & Tax Act. Nos.:
3796-409 Parcel 2, Acct. No. 08-19-073677, 7.49 Ac±
3923-379, Acct. No. 08-19-073681, 2.05 Ac±
5535-249, Acct. No. 08-16-035313, 4.89 Ac±
Part of 7999-351, Acct. No. 08-14-065376, 0.2 Ac±
- Total area to be reclassified: 14.6 Ac±
- Existing Zoning: ML-IM
- Proposed Zoning: BR-IM
- The property is not located in the Chesapeake Bay Critical Area.

EX. ZONING ML-IM

AREA TO BE RECLASSIFIED
EXISTING ZONING ML-IM
PROPOSED ZONING BR-IM
STEBBINS-ANDERSON COMPANY, INC.
3923-379, 3796-409 PARCEL 2,
5535-249, AND PART OF 7999-351
Total Area: 14.6 Ac±

DETAIL

- Ⓐ S 18°53'39"E 6.53'
- Ⓑ N 70°00'24"E 1.10'

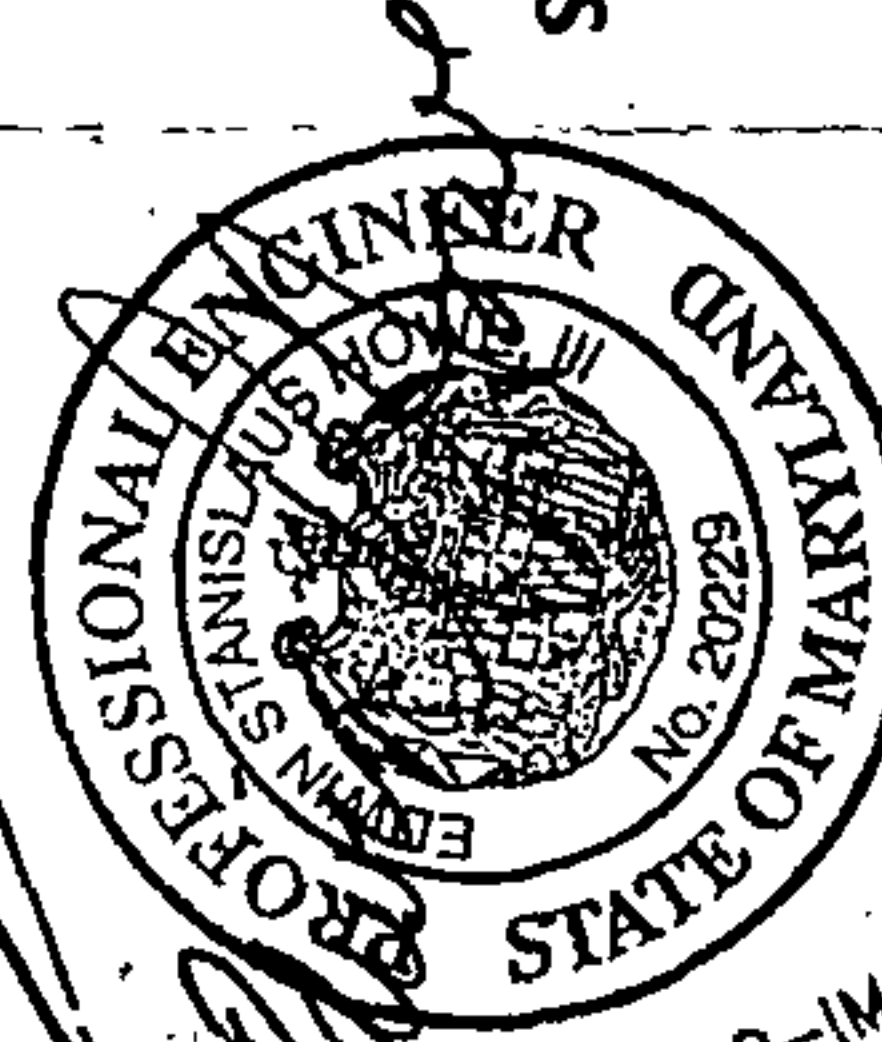
S 83°57'41"W 570.01'

EX. ZONING ML-IM
PROP. ZONING BR-IM
EX. ZONING ML-IM
ALEMITE CO.
8506-307
ZONED ML-IM

S 06°15'10"W 262.59'
R=2965'
L=141.09'

S 75°03'40"W
6.29'

EX. ZONING BR-IM
EX. ZONING ML-IM



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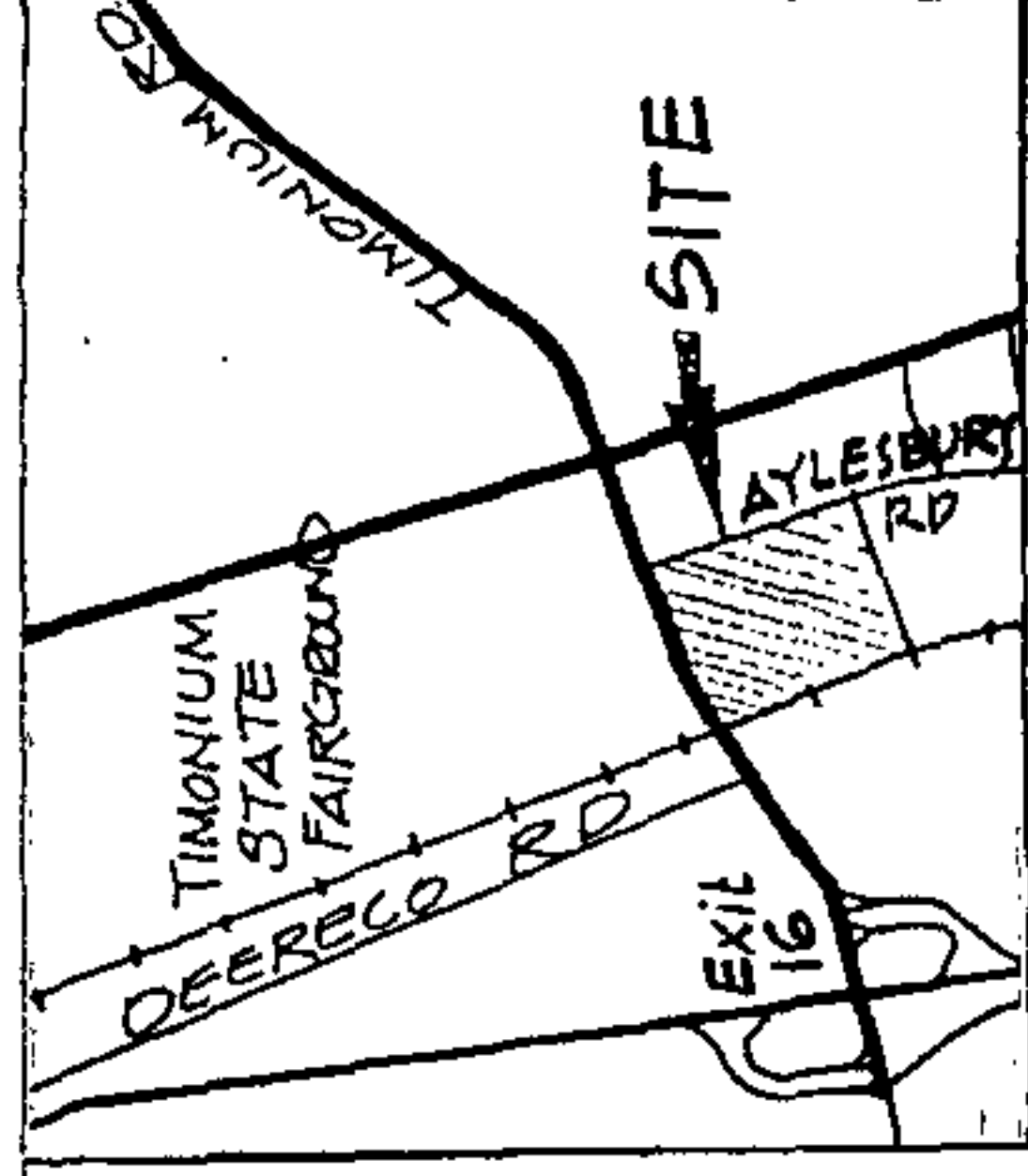
"OPEN" PLAN TO ACCOMPANY
RECLASSIFICATION PETITION

PROPERTY OF
STEBBINS-ANDERSON COMPANY, INC.

8th Election District
4th Councilmanic District
Baltimore County, Maryland

Scale: 1"=100' Date: 2-28-94

R-94-336



LOCATION MAP
SCALE: 1"=2000'

TIMONIUM ROAD
(R/W VARIES)

STEBBINS-ANDERSON CO., INC.
3796-409, PARCEL 1
5129-220
AND PART OF 7999-351

EXISTING ZONING BR

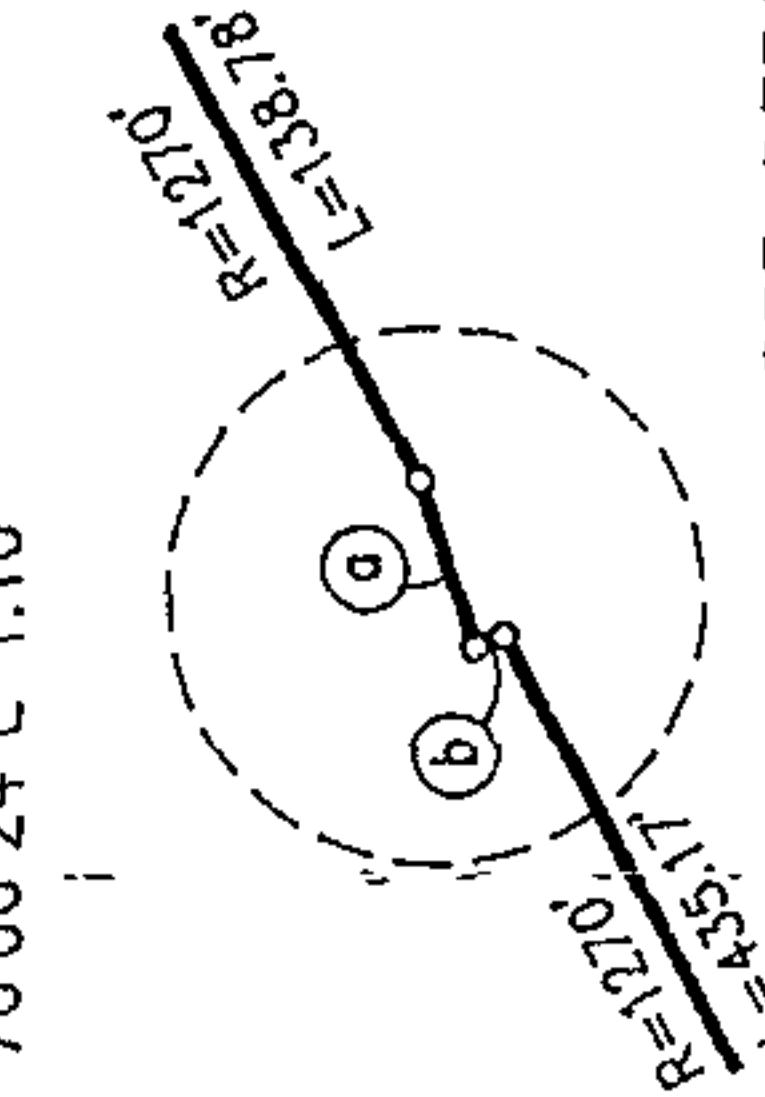
EXISTING ZONING ML-IM
PROPOSED ZONING BR-IM

Point of Beginning

SEE DETAIL

AYLESBURY RD
(R/W VARIES)

EX. ZONING BR-IM
EX. ZONING BR-IM
EX. ZONING BR-IM



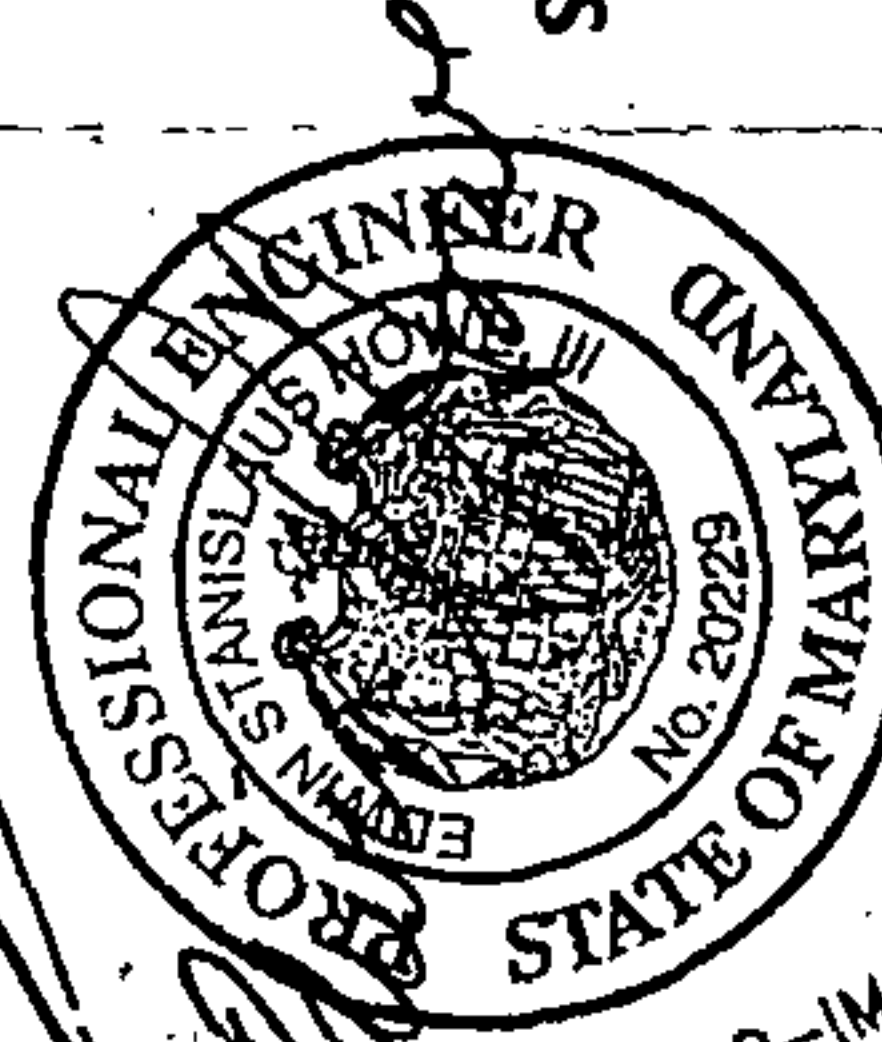
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S 06°15'10"W 262.59'
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EX. ZONING BR-IM
EX. ZONING ML-IM



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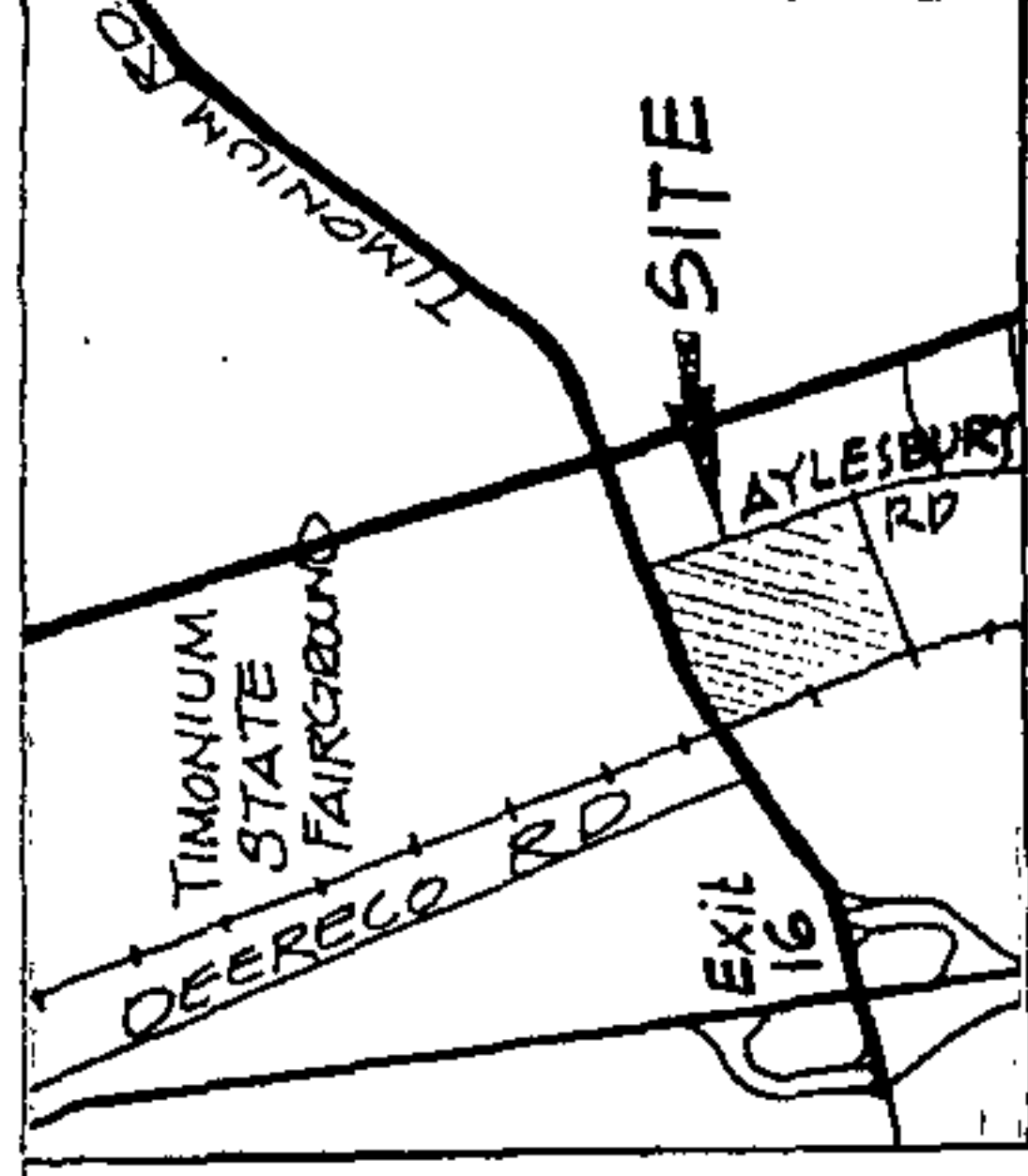
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PROPERTY OF
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8th Election District
4th Councilmanic District
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Scale: 1"=100' Date: 2-28-94

R-94-336



LOCATION MAP
SCALE: 1"=2000'

TIMONIUM ROAD
(R/W VARIES)

STEBBINS-ANDERSON CO., INC.
3796-409, PARCEL 1
5129-220
AND PART OF 7999-351

EXISTING ZONING BR

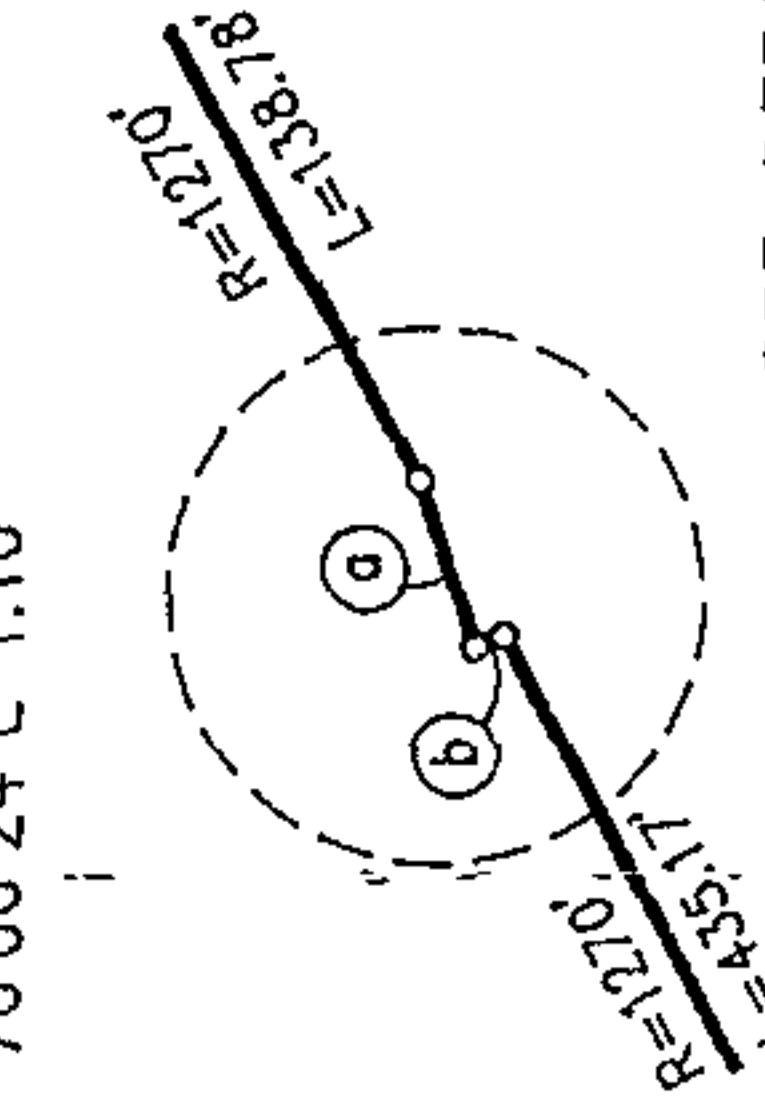
EXISTING ZONING ML-IM
PROPOSED ZONING BR-IM

Point of Beginning

SEE DETAIL

AYLESBURY RD
(R/W VARIES)

EX. ZONING BR-IM
EX. ZONING BR-IM
EX. ZONING BR-IM



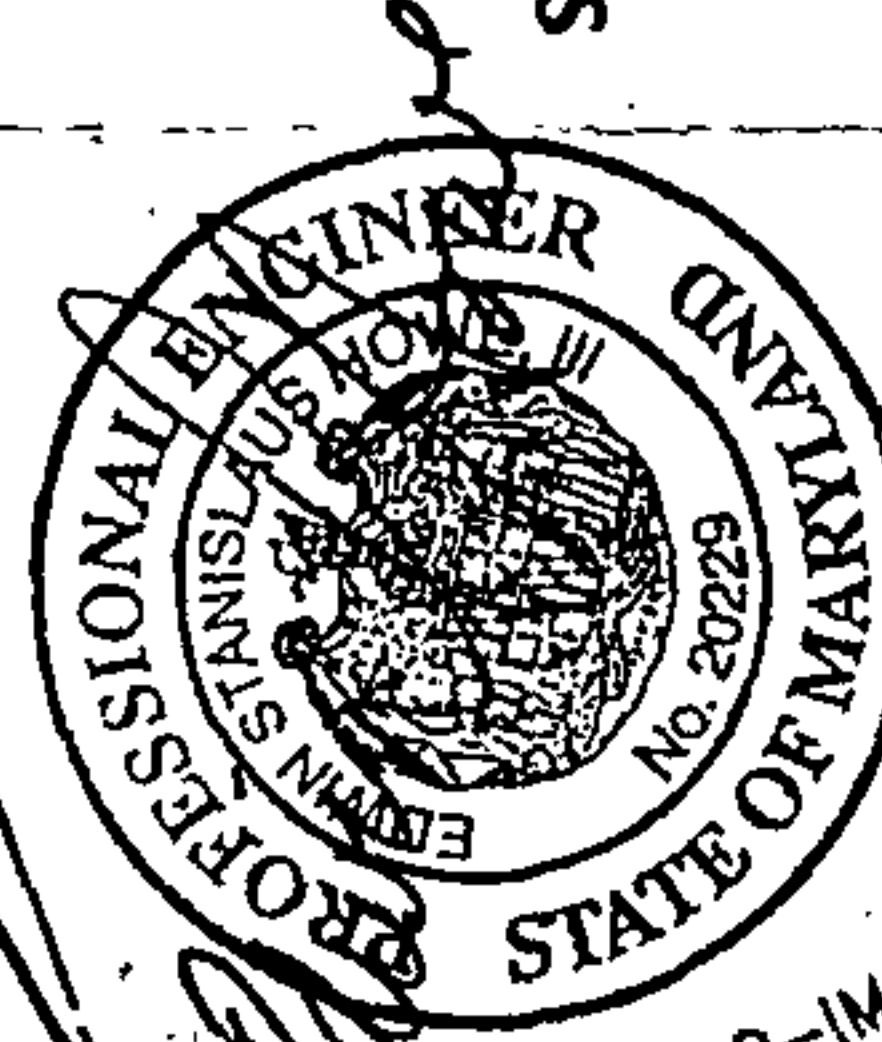
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EX. ZONING ML-IM

S 06°15'10"W 262.59'
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S 75°03'40"W
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EX. ZONING BR-IM
EX. ZONING ML-IM



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PROPERTY OF
STEBBINS-ANDERSON COMPANY, INC.

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Scale: 1"=100' Date: 2-28-94

R-94-336