IN THE MATTER OF BEFORE THE THE APPLICATION OF GENSTAR STONE PRODUCT COMPANY COUNTY BOARD OF APPEALS FOR ZONING RECLASSIFICATION FROM M.L.-I.M. & M.H.-I.M. TO B.R.-I.M. ON OF PROPERTY LOCATED ON NW/S PULASKI HIGHWAY, COR SW/S WHITE MARSH BLVD: * BALTIMORE COUNTY ALSO SE/S PHILADELPHIA ROAD $11^{TH} \& 15^{TH}$ ELECTION DISTRICTS Case No. R-94-337 5TH 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 Genstar Stone Product Company, Petitioner, for zoning reclassification from M.L.-I.M. and M.H.-I.M. to B.R.-I.M. on property located on the northwest side Pulaski Highway, corner southwest side White Marsh Boulevard; also southeast side Philadelphia Road in the Eleventh and Fifteenth Election Districts 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 27, 1994;

IT IS, THEREFORE, this 25 m day of Julian, 2002, by the County Board of Appeals of Baltimore County

ORDERED that said Petition filed in Case No. R-94-337 be and the same is declared moot, and the Petition **DISMISSED**.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

" La la Commela

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-94-337

NW/S Pulaski Highway, corner SW/S White Marsh Boulevard; also

SE/S Philadlephia Road

11th and 15th Electrict Districts - 5th Councilmanic

Legal Owner(s): Genstar Stone Products Company

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

HEARING:

Thursday, October 27, 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: Genstar Stone Products Company

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

32:5 1/9 TS YAH 40

Page 2

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

310 S.F. x .146 = 45
311 T.H. x .090 =
$$\frac{28}{73}$$
 High Students

A total yield of 297 students

Item 13 - Case No. R-94-341

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

Proposed Zoning - D.R.-3.5

Zoning would allow 180.8 single family homes.

181 S.F. x .236 = 43 Elementary Students
181 S.F. x .071 = 13 Middle Students
181 S.F. x .107 = 19 High Students
75 Total Yield

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

Sincerely,

Barbara Pickelsimer, Field Representative

Office of Pupil Assignments

bp

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

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

FROM: Robert W. Bowling, Chief Developers Engineering Section

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

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

Item 1 - This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Rd., Md. Rte. 140.

Item 2 - This site, if rezoned, is subject the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development, and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Road, Md. Rte. 140. Also, update existing road and right-of-way width of Pleasant Ridge Dr.

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

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

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

Item 6 - This site is subject to Maryland State Highway Administration Standards for all improvements fronting on York Road, Md. Rte. 45, along with Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development. Access to Warren Road may be a limited access.

Zoning Reclassification Cycle III April 1994 - October 1994 Page 2

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

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

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

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

RWB:sw

Baltimore County Government Fire Department



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

(301) 887-4500

DATE: 04/27/94

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

RE: Property Owner:

LOCATION:

Item No.:

Zoning Agenda:

Gentlemen:

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

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



ZADM

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, M3-1102F

co: File

BALTIMOR'E COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

May 3, 1994

: 01

Mr. Arnold Jablon, Director Zoning Administration and Development Management

FROM:

J. Lawrence Pilson

Development Coordinator, DEPRM

SUBJECT:

Zoning Item #R-94-337 - Genstar White Marsh

Pulaski Highway

Zoning Advisory Committee Meeting of April 25, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains apply to the site.

Additional information is needed from the applicant before the Department can complete the review of this zoning item. The applicant may contact the Environmental Impact Review Section of this Department of 887-3980 for details.

JLP:GS:sp

GENSTAR/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

May 3, 1994

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Mr. Arnold Jablon, Director Zoning Administration and Development Management

FROM:

J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT:

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JLP:GS:sp

GENSTAR/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

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

FROM: Robert W. Bowling, Chief Pevelopers Engineering Section

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

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- 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.
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- 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.

, |

GENSTAR STONE PRODUCT COMPANY NW/s Pulaski Highway, corner SW/s White Marsh Boulevard; also SE/s Philadelphia Road #R-94-337 Item #9, Cycle III, 1994

11th & 15 Election Districts 5th Councilmanic District

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

38.371 acres (5 parcels)

March 1, 1994

Petition for Reclassification filed by Robert A. Hoffman, Esquire, and John B. Howard, Esquire, on behalf of Genstar Stone Product Company, Petitioner.

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

Counsel for Petitioner

John H. Gease, Director of Technical Services Genstar Stone Products Company Executive Plaza, 6th Floor Hunt Valley, MD 21030

Petitioner

Greenhorne & O'Mara, Inc. 113 West Road, Suite 208 Towson, MD 21204 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

Pouge Wingert - 15g

- R-94-337 /Genstar Stone Products Company (Whitemarsh Plant)
- 8/30/94 -Letter from R. Hoffman, Esquire, on behalf of Petitioner /intention to request continuance on record to complete Documented site Plan on scheduled hearing date of Thursday, October 27, 1994 at 10:00 a.m.
- 8/31/94 -Letter to R. Hoffman --file and docket have been noted that matter will be opened and continued on 10/27/94 for purpose of amended to documented site plan, to be submitted in open hearing at later date. Copy to all interested parties.
- 10/27/94 -Opened and continued by Paige Wingert, Esquire, Counsel for Petitioner.

 To be reset for brief open hearing for purpose of submittal of Amended/

 Documented Plan; to be requested by Petitioner.



County Board of Appeals of Baltimore County

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

August 31, 1994

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

RE: Case No. R-94-337

Genstar Stone Products Company

(Whitemarsh Plant)

Dear Mr. Hoffman:

Pursuant to your letter of August 26th regarding the subject matter, the Board has noted both its file and docket that, on October 27, 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 27th, but rather the matter opened and continued, to be scheduled for an early morning hearing at a later date for submittal of a Documented Site Plan.

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

Very truly yours,

Kathleen C. Weidenhammer Administrative Assistant

cc: John H. Gease
Greenhorne & O'Mara, Inc.
James Earl Kraft

People's Counsel for Baltimore County

Pat Keller Jeffrey Long Lawrence E. S

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

(410) 494-6262

ROBERT A. HOFFMAN

August 26, 1994

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

- Cycle Zoning Reclassification No. R-94-337
- Legal Owner Genstar Stone Products Company
- Property known as the Genstar Whitemarsh Plant
- SW/C Intersection of White Marsh Boulevard and
 - Pulaski Highway

Dear Mr. Hackett:

On behalf of our client, Genstar Stone Products Company, the Petitioner in the above-referenced zoning reclassification request, we are writing to request a continuance for the hearing scheduled for Thursday, October 27, 1994 at 10:00 a.m. before the Board of Appeals.

The purpose of this request is to provide our client with some additional time to complete a Documented Site Plan which we had anticipated filing at the October 27th 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,

GPW\dok

John H. Gease cc: Gwen Stephens

Peter Max Zimmerman, Esq.

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

February 28, 1994

(410) 494-6262

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

Re:

- Cycle Zoning Reclassification Request
- Legal Owner Genstar Stone Products Company
- Property known as the Genstar Whitemarsh Plant
- SW/C Intersection of White Marsh Boulevard and Pulaski Highway

Dear Mr. Hackett:

This firm represents Genstar Stone Products Company ("Genstar"), the Petitioner in the above-referenced zoning reclassification request for property located on the southwest corner of the intersection of White Marsh Boulevard (Rt. 43) and Pulaski Highway in White Marsh, Maryland. The subject property, which comprises approximately 205.85 acres, is presently zoned MH-IM and ML-IM. The Petitioner is 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.

Simply stated, the Petitioner believes the subject site should no longer be zoned heavy manufacturing given its relationship to the surrounding commercial and residential uses. Although the site is located in an area which has long consisted of industrial uses, rapid growth and changes have taken place in recent years. To the north of the site lies White Marsh Boulevard, the major east-west route in the area, which connects I-95, Pulaski Highway and the White Marsh Town Center. To the east and west, Pulaski Highway and

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

William T. Hackett, Chairman February 28, 1994 Page 2

Philadelphia Road serve as the approximate boundaries of the property. Thus, the subject site is situated in direct proximity to one of the fastest growing commercial and residential areas in Baltimore County. As this Board is no doubt aware, the White Marsh area has seen strong growth in recent years, not only in terms of commercial uses such as the nearby White Marsh Mall and Ikea store, but also residential developments such as Nottingham and Quail Ridge Apartments.

An additional factor which clearly demonstrates the anticipated growth at this location and the appropriateness of commercial zoning is the planned construction of interchange ramps at Philadelphia Road (Rt. 7) and White Marsh Boulevard (Rt. 43) which is the northwestern corner of the property.

Based upon its proximity to the White Marsh business and residential growth area as well as the planned interchange at Philadelphia Road and White Marsh Boulevard, the retention of industrial zoning at the subject site is inconsistent with the character of the surrounding area and constituted an error on the part of the County Council during the 1992 Comprehensive Rezoning Process. To maintain zoning in this area which would allow inappropriate redevelopment of heavy industrial uses is a mistake.

Please note also that the Petitioner anticipates filing a documented site plan for the subject site prior to a hearing on the merits of this case. The compatibility and consistency of the BR-IM classification will be made all the more clear with the submission of such a plan which will demonstrate the high quality use(s) the Petitioner envisions at this site.

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

Sincerely,

Lob Hoffman, BY: GPW Robert A. Hoffman

DOK\gpw enclosures

cc: Mr. John H. Gease

HACKETT9.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

March 1, 1994

(410) 494-6262

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

Re:

- Cycle Zoning Reclassification Request
- Legal Owner Genstar Stone Products Company
- Property known as the Genstar Whitemarsh Plant
- SW/C Intersection of White Marsh Boulevard and Pulaski Highway

Dear Mr. Hackett:

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Simply stated, the Petitioner believes the subject site should no longer be zoned heavy manufacturing given its relationship to the surrounding commercial and residential uses. Although mining and the processing of sand and gravel have historically been the primary use of the property, both the sand and gravel resources were depleted in 1993 and no further processing of sand and gravel is expected to occur.

In addition, it is important to note that the site is located in an area which has long consisted of industrial uses, rapid growth



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: Genstar Stone Product Company*Case No. R-94-337 / 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,

Kathleen C. Bianco
Administrator

Enclosure

c: John H. Gease, Director of
Technical Services /Genstar
Greenhorne & O'Mara, 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

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

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Please note also that the Petitioner anticipates filing a documented site plan for the subject site prior to a hearing on the merits of this case. The compatibility and consistency of the BR-IM classification will be made all the more clear with the submission of such a plan which will demonstrate the high quality use(s) the Petitioner envisions at this site.

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

Sincerely,

Robert A. Hoffman

DOK\gpw enclosures

cc: Mr. John H. Gease

HACKETT9.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

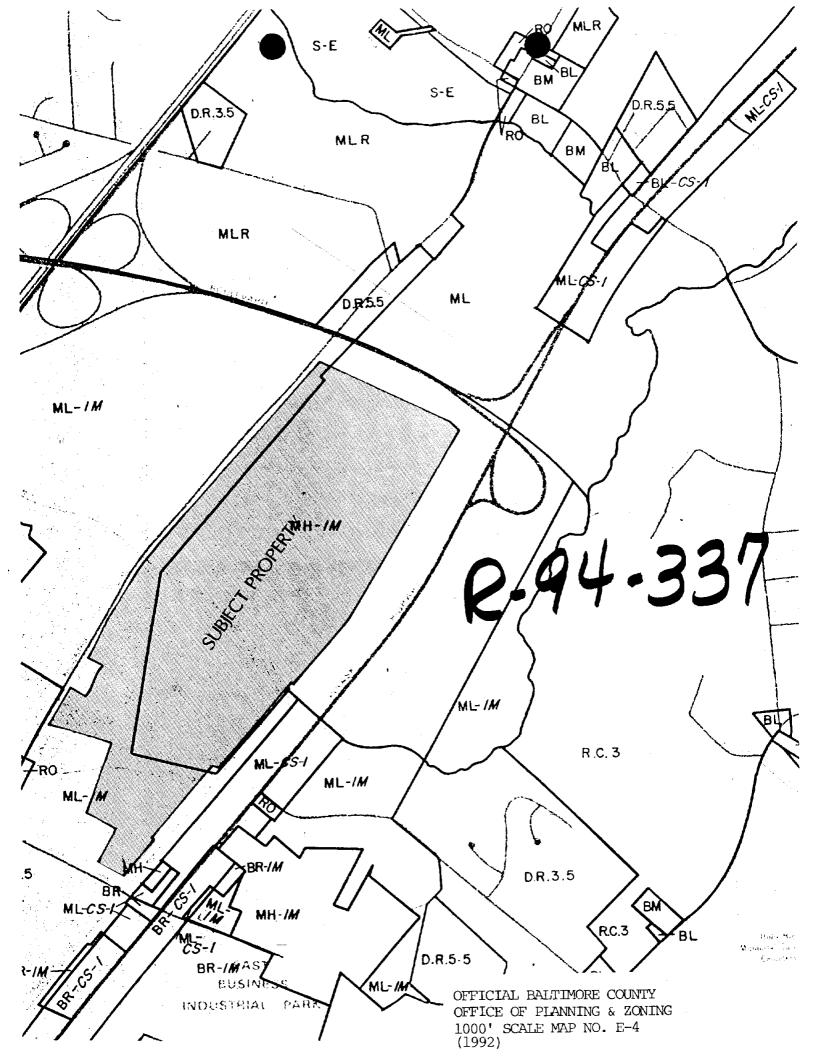
SUBJECT:

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.

BOARD OF APPEALS CASE NUMBER	<u>PDM FILE NUMBER</u>	<u>NAME</u>	<u>LOCATION</u>
R-94-337	R-94-337	GENSTAR STONE PRODUCT COMPANY	PULASKI HIGHWAY AND WHITE MARSH BLVD.

Attachment: SUBJECT FILE(S) ATTACHED



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John B. Howard, Esquire Towson, MD 21204 Towson, MD 21204

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TOWSON, MARYLAND 21204

John H. Gease, Director of Technical Services Genstar Stone Products Company Executive Plaza, 6th Floor Hunt Valley, MD 21030

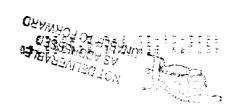
aunty Laurd of Appeals of Ealtimore County prouse soom 49 old courthouse towson, maryland 21204

Greenhorne & O'Mara, Inc. 113 West Road, Suite 208 Towson, MD 21204

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LOWSON, MARYLAND 21204

Return Service Requested



JOHN H GEASE DIRECTOR OF TECHNICAL SERVICES GENSTAR STONE PRODUCTS CO EXECUTIVE PLAZA GTH FLOOR HUNT VALLE 02 MM2 -0 E

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ROOM 49 OLD COURTHOUSE TOWSON, MARYLAND 21204

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Return Service Requested

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GREEUHORNE & O'MARA INC 113 WEST ROAD SUITE 208 TOWSON MD 21204 02 M 3 - 4 FI 12: 12

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

ZONING RECLASSIFICATION PETITIONS

Cycle III, 1994

July 31,1994





Petition for Reclassification

This Petition shall be filed with the Office of Zoning Ad	ministration & Development Management. n Baltimore County and which is described in the description and plat attached
nereto and made a part hereof, hereby petition (1) that the	zoning status of the herein described property be reclassified, pursuant to the
Zoning Law of Baltimore County, from an $^{ m MH-IM}$	zone to an BR-IM zone, for the reasons given in the attached statement; ons of Baltimore County, to use the herein described property for:
	9
	variance from the following sections of the Zoning Regulations of Baltimore
County:	
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	<u>ក</u> ូ
Property is to be posted and advertised as p	
	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):
contract Purchaser/Lessee:	Genstar Stone Product Co
	Genstar Stone Product Co.
Type or Print Name)	Genstar Stone Product Co. (Type or Print Name)
Type or Print Name) ignalure	Genstar Stone Product Co. (Type of Print Name) By: Signature John H. Gease, Director of
Type or Print Name) Signature Address City State Zipcoc	Genstar Stone Product Co. (Type or Print Name) By: Signature John H. Gease, Director of Technical Service (Type or Print Name)
Type or Print Name) Signature Address	Genstar Stone Product Co. (Type or Print Name) By: Signature John H. Gease, Director of Technical Service (Type or Print Name)
ignature Address State Zipcod	Genstar Stone Product Co. (Type or Print Name) By: Signature John H. Gease, Director of Technical Service (Type or Print Name) Executive Plaza, 6th Fl. 527-4477 Address Phone No.
ignature Address State Zipcod	Genstar Stone Product Co. (Type or Print Name) By: Signature John H. Gease, Director of Technical Service (Type or Print Name) Executive Plaza, 6th Fl. 527-4477
Type or Print Name) Signature Address City State Zipcoc	Genstar Stone Product Co. (Type or Print Name) By: Signature John H. Gease, Director of Technical Service (Type or Print Name) Executive Plaza, 6th Fl. 527-4477 Address Phone No.
ignature iddress ity State Zipcod ity Petitioney John B. Howard	Genstar Stone Product Co. (Type or Print Name) By: Signature John H. Gease, Director of Technical Service (Type or Print Name) Executive Plaza, 6th Fl. 527-4477 Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.
Signature Address City State Zipcoo Attorney for Petitioney John B. Howard Robert A Hoffman	Genstar Stone Product Co. (Type or Print Name) By: Signature John H. Gease, Director of Technical Service (Type or Print Name) Executive Plaza, 6th Fl. 527-4477 Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative
Signalure Address Attorney for Petitioner Actorney for Petitioner A	Genstar Stone Product Co. (Type or Print Name) By: John H. Gease, Director of Technical Service (Type or Print Name) Executive Plaza, 6th Fl. 527-4477 Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted. Robert A. Hoffman Name 210 Allegheny Avenue Towson, Maryland 21204 494-6200
ignalure Address Attorney for Petitioness John B. Howard Robert A Hoffman Jenable, Baetjer & Howard	Genstar Stone Product Co. (Type or Print Name) By: John H. Gease, Director of Technical Service (Type or Print Name) Executive Plaza, 6th F1. 527-4477 Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted. Robert A. Hoffman Name 210 Allegheny Avenue Towson, Maryland 21204 494-6200 Address Phone No.
Signature Address Attorney for Petitiones John B. Howard Robert A Hoffman Venable, Baetjer & Howard	Genstar Stone Product Co. (Type or Print Name) By: John H. Gease, Director of Technical Service (Type or Print Name) Executive Plaza, 6th Fl. 527-4477 Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted. Robert A. Hoffman Name 210 Allegheny Avenue Towson, Maryland 21204 494-6200 Address Phone No. OFFICE USE ONLY



Baltimore County Government Planning Board



401 Bosley Avenue Towson, MD 21204 (410) 887-3211 Fax (410) 887-5**8**62

87-580 UNITY BOARD

July 22, 1994

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

Dear Mr. Hackett:

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

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

Sincerely,

Pat Keller

Secretary to the Planning Board

PK/TD/mjm LTRS/PZONE/TXTMJM

Enclosure

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

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

The thirteen petitions in the current cycle have been reviewed by the planning staff, and the following pages report the Office of Planning and Zoning staff's analyses and recommendations. The process of formulating these recommendations included: staff inspections of each site; a review of the policies and statements in the current <u>Baltimore County Master Plan</u>; 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 #9, Case No. R-94-337
Genstar Stone Product Company
Thursday, October 27, 1994 @ 10:00 a.m.

Week of October 31, 1994

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	В.М.	D.R. 16
Item No. 3 Morningside Six Limited Partnership	Northwest side of Pleasant Ridge Drive, 360' northeast of Reisterstown Road	6.4	D.R. 16	B.L.	D.R. 16
Item No. 4 Baltimore Gas & Electric Company, Inc. and Baltimore County, MD & CSX Transportation, Inc.	West side of Owings Mills Boulevard, north and south of Bonita Avenue	26.83	D.R. 1	M.LI.M.	D.R. 1
Item No. 5 Hico Park M Limited Partnership	West side York Road, 97' south of the centerline of Ridgebrook Road	113.0	M.L. M.L.R.	D.R. 5.5	M.L. M.L.R.
Item No. 6 Baltimore Gas & Electric Company, Inc.	Southwest corner of York and Warren Roads	1.76	M.LA.S. M.LI.M. B.RA.S.	B.RA.S. B.RI.M.	M.LA.S. M.LI.M. B.RA.S.

Item No. and Petitioner	Location	Acreage	Existing Zoning	Requested Zoning	OPZ/P8 Recommendation
Item No. 7 Genstar Stone Products Company	South side of Galloway Avenue, 670' west of York Road, north side of Padonia Road, and eas and west of proposed Beaver Dam Road	38.3 t	M.LI.M.	B.MI.M.	M.LI.M.
Item No. 8 Stebbins-Anderson Company, Inc.	Southwest corner of Timonium and Aylesbury Roads (21 West Timonium Roa	14.6 nd)	M.LI.M.	B.RI.M.	M.LI.M.
Item No. 9 Genstar Stone Products Company	Northwest corner of Pulaski Highway and White Marsh Boulevard, and southeast side of Philadelphia Road	205.8	M.LI.M. M.HI.M.	B.RI.M.	M.LI.M. M.HI.M.
Item No. 10 Janet Terry	Southeast side of Pulaski Highway, 1915' southwest of the centerline of Mohrs Lane	11.85	M.LI.M. M.LA.S.	B.RI.M.	M.LI.M. M.LA.S.
Item No. 11 The Giles Building and Development Company	North side of Race Road, 95' west of the centerline of Yellow Brick Road	. 94	M.LI.M,	B.L.	M.LI.M.
Item No. 12 Savino Bollino & Rose Bollino	Southeast side of Pulaski Highway, 300' southwest of the centerline of Rossville Bouleva	4.3 rd	B.R. M.LA.S. M.LI.M.	B.RI.M. B.RA.S.	B.R. M.LA.S. M.LI.M.
Item No. 13 Gerald D. Sherman & Roger A. Spero	Northeast and southwest side of Gladway Road, 1150' north of Bengies Road and 2390' southeast of Bird River Road	51.6	D.R1 M.LI.M. M.HI.M.	D.R. 3.5	D.R. 1 M.LI.M. M.HI.M.

LOCATIONS OF PROPERTIES UNDER PETITION YORK COUNTY, PA. **EXISTING ZONING CLASSIFICATIONS** RESOURCE CONSERVATION - AGRICULTURE RESOURCE CONSERVATION - DEFERRAL OF PLANNING AND DEVELOPMENT RESOURCE CONSERVATION - WATERSHED PROTECTION RESOURCE CONSERVATION - RURAL RESIDENTIAL RC4 RCS R.C.20 RESOURCE CONSERVATION - CRITICAL AREA R.C.50 RESOURCE CONSERVATION - CRITICAL AREA AGRICULTURAL RCC RESOURCE CONSERVATION - COMMERCIAL OR 1 DENSITY RESIDENTIAL, (I DWELLING UNIT PER ACRE) OR 2 DENSITY RESIDENTIAL, (2.5 OWELLING UNITS PER ARCE) OR 3.5 DENSITY RESIDENTIAL, (3.5 OWELLING UNITS PER ARCE) 0.R.1 D.R.2 D.R.S.S. DENSITY RESIDENTIAL, (S.S. OWELLING UNITS PER ACRE) D.R. 10.5 DENSITY RESIDENTIAL, (10.5 OWELLING UNITS PER ACRE) COUNTY OR 15 DENSITY RESIDENTIAL, (16 DENSITY UNITS PER ACAB) RAE 1 RESIDENTIAL, (40 DENSITY UNITS PER ACAB) RAEZ RESIDENTIAL, 180 DENSITY UNITS PER ACRES R-O RESIDENTIAL - OFFICE, (S.S. OWELLING UNITS PER ACRE) RESIDENTIAL - OFFICE, CLASS "A" OFFICE BUILDING R-O-A O-1 OFFICE BUILDING 0.Z OFFICE PARK OFFICE AND TECHNOLOGY SERVICE EMPLOYMENT **NORTHERN SECTOR** 8.M.M. 8.M.B. BUSINESS MARITIME MARINA BUSINESS MARITIME BOATYARD 8.L BUSINESS, LOCAL BUSINESS, MAJOR BUSINESS, ROADSIDE B.M. В.Я. MЯ MANUFACTURING, RESTRICTED MANUFACTURING, LIGHT, RESTRICTED MANUFACTURING, LIGHT MILR ĸн MANUFACTURING, HEAVY 6 ** PROPO CENTRAL SECTOR WESTERN SECTOR SECURITY BLYO BALTIMORE CITY **EASTERN SECTOR** YTHUOS LEGHURA SHIP

R.94.337

GREENHORNE & O'MARA, INC.

Zoning Description of Genstar Plant
Whitemarsh, Maryland
205.85 Acres
Reclassification Petition
5th Election District
Baltimore County, Maryland

Beginning at a point 377.33' southwest of the intersection of Philadelphia Road (S.R. 7) and Whitemarsh Boulevard (S.R. 43) S 65^-09'-25" E, 1,474.31 feet to a point, thence S44^-51'-25" E, 131.83' to a point, thence S 30^-50'-26" W, 2,270.10' to a point, thence S 40^{-47'-10"} W, 875.22' to point, thence N 46^{-12'-39"} W, 25.87' to a point, thence S 40^-49'-27" W, 1,156.96' to a point, thence $\sqrt{74^-41'-29}$ W, 66.21' to a point, thence S 40^{-12} -28" W, 916.57' to a point, thence S 50^{-54} -45" E, 38.09' to a point, thence S 41^-23'-33" W, 553.11' to a point, thence N $63^{-35'-05"}$ W, 288.48' to a point, thence N $28^{-15'-45"}$ E, 408.09' to a point, thence $N^{-}61^{-}-17'-41"$ W, 341.86' to a point, thence N $20^{-07'}-02"$ E, 773.90' to a point, thence N $73^{-53'}-16"$ W, 665.00' to a point, thence N $30^{\circ}-30'-36''$ E, 435.64' to a point, thence S 59^-14'-42" E, 183.85' to a point, thence N $\bar{3}0^{-46'-03"}$ E, 60.23' to a point, thence N $2\bar{3}^{-36'-53"}$ E, 187.82' to a point, thence N 33^-00'-53" E, 63.76' to a point, thence N 42^{-51} '-53" E, 49.55' to a point, thence N 62^{-45} '-00" W, 174.08' to a point, thence N 27^-14'-60" E, 430.21' to a point, thence N 31^{-43} '-16" E, 521.08' to a point, thence N 32^{-15} '-17" E, 61.85' to a point, thence N 34^{-43} '-14" E, 53.82' to a point, thence N $40^{-33'-57"}$ E, 79.22' to a point, thence S $41^{-27'-06"}$ W, 2,211.41' to the point of beginning, encompassing 205.85 acres.

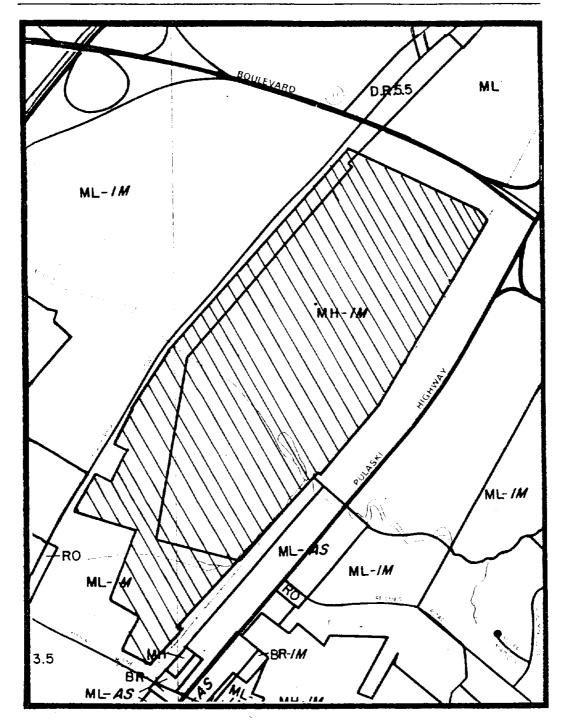


SOURCE MATERIAL

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

CYCLEA/PZONE/CYCLE



ITEM NUMBER 9
Location of Property Under Petition

Scale: 1"= 1000'

CYCLE III, ITEM 9

CASE NO. R-94-337

PETITIONER:

Genstar Stone Products Company

REQUESTED ACTION:

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

EXISTING ZONING:

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

LOCATION:

Northwest side Pulaski Highway at the southwest corner of White Marsh Boulevard and Pulaski Highway and the southeast side of Philadelphia Road

AREA OF SITE:

205.85 acres ±

ZONING OF ADJACENT PROPERTY/USE:

Northeast: M.H.-I.M. & M.L.-I.M. - power line and White Marsh

Boulevard

Southeast: M.H.-I.M. & M.L.-I.M. - CSX Railroad

Southwest: M.L.-I.M. - vacant land

Northwest: M.L.-I.M. & M.L. - vacant land, residential

SITE DESCRIPTION:

The site is a former sand and gravel quarry and contains related processing facilities which are no longer in use. Existing features are predominately manmade. Whitemarsh Run, the south fork of Whitemarsh Run, and an unnamed stream traverse the site. Most of the site appears to be flood-prone land. Most, if not all, of the buildable land is located to the north of Whitemarsh Run and to the south of the south fork of Whitemarsh Run.

PROPERTIES IN THE VICINITY:

The surrounding land is zoned for industrial purposes. A power line and White Marsh Boulevard lie to the northeast and the CSX

Railroad lies to the southeast. Except for a few dwellings on Philadelphia Road and a dwelling on Mohrs Lane, land to the northwest and southwest is vacant.

WATER AND SEWERAGE:

The parcel lies in an area designated as W-3, S-3 (Capital Facilities Area) according to the <u>Master Water and Sewer Plan</u>.

TRAFFIC AND ROADS:

The site is bounded generally by White Marsh Boulevard on the northeast, the CSX Railroad on the southeast, Philadelphia Road on the northwest, and Mohrs Lane on the southwest. The site is accessible from Philadelphia Road and from Mohrs Lane. Philadelphia Road is a two-lane minor arterial and Mohrs Lane is a narrow local road. The site has potential for rail service from the CSX Railroad, which functions strictly as a freight line.

The 1989-2000 Baltimore County Master Plan identifies an interchange at Maryland Route 7 and Maryland Route 43 as a programmed transportation project. There is funding for this transportation improvement in the Baltimore County Capital Improvement Program (CIP) under project 05.409. This project is being accelerated for economic development reasons. The construction funding in the FY 94 CIP budget was programmed in FY 98. The proposed FY 95 CIP budget has construction funding programmed in FY 95. Construction is expected to begin during the summer of 1995, with the project to be completed in the Fall of 1996.

ZONING HISTORY:

The existing zoning has been in place since 1976.

MASTER PLAN/COMMUNITY PLANS:

The Philadelphia Road Corridor (PRC) Study, adopted January 21, 1992, designates the buildable areas of the site for General Industrial use and the flood-prone areas for Open Space use. The Philadelphia Road Corridor Study describes General Industrial areas as follows (see page 23):

General industrial areas are locations ideally suited for a wide range of industrial activities. These areas are well separated from existing and planned residential areas and other concentrations of population either by distance or physical buffers.

The PRC Study proposes an interchange at Philadelphia Road and White Marsh Boulevard. Part of the interchange would be located on the petitioner's property.

The PRC Study proposes an extension of Campbell Boulevard through the southern portion of the petitioner's property. This road would function as a minor arterial and would provide a connection between Philadelphia Road to the west and Pulaski Highway to the east.

PROPOSED VS. EXISTING ZONING:

Regulations for the M.H. zone may be found in Section 256.1 of the B.C.Z.R. The M.H. zone permits a number of heavy manufacturing uses by right. It also permits several uses by Special Exception.

Building height is unlimited, except on lots abutting a residence or business. In these cases, the maximum permitted height is 40 feet or three stories if any part of the building lies within 100 feet of the boundary line of a residence or business zone.

Regulations guiding 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.

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.

OFFICE OF PLANNING AND ZONING SUMMARY AND RECOMMENDATIONS:

The request for B.R.-I.M. zoning should be denied for the following reasons:

-Rezoning to B.R.-I.M. is not consistent with the recently adopted Master Plan amendment for the Philadelphia Road Corridor. This plan designates the buildable land on the site and in the surrounding area as industrial.

-The proposed commercial zoning of this site does not appear to be necessary. There are two major commercial areas lying to the west and to the east of this site (i.e., Whitemarsh Mall and Price Club Plaza). There are 40 acres of undeveloped B.M. zoned land lying to the south of this site at Campbell Boulevard and I-95.

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.

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 = $\underline{60}$ 159 Elementary Students

Page 2

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

310 S.F. x .146 = 45
311 T.H. x .090 =
$$\frac{28}{73}$$
 High Students

A total yield of 297 students

Item 13 - Case No. R-94-341

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

Proposed Zoning - D.R.-3.5

Zoning would allow 180.8 single family homes.

181 S.F. x .236 = 43 Elementary Students
181 S.F. x .071 = 13 Middle Students
181 S.F. x .107 = 19 High Students
75 Total Yield

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

Sincerely,

Barbara Pickelsimer, Field Representative

Office of Pupil Assignments

bp

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

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

FROM: Robert W. Bowling, Chief Developers Engineering Section

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

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

Item 1 - This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Rd., Md. Rte. 140.

Item 2 - This site, if rezoned, is subject the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development, and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Road, Md. Rte. 140. Also, update existing road and right-of-way width of Pleasant Ridge Dr.

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

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

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

Item 6 - This site is subject to Maryland State Highway Administration Standards for all improvements fronting on York Road, Md. Rte. 45, along with Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development. Access to Warren Road may be a limited access.

BALTIMORE COUNTY, MARYLAND

INC. 126

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Zoning Reclassification Cycle III April 1994 - October 1994 Page 2

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

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

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

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

RWB:sw

Baltimore County Government Fire Department



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

(301) 887-4500

DATE: 04/27/94

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

RE: Property Owner:

LOCATION:

Item No.:

Zoning Agenda:

Gentlemen:

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

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



ZADM

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, M3-1102F

co: File

BALTIMOR'E COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

May 3, 1994

TO:

Mr. Arnold Jablon, Director Zoning Administration and Development Management

FROM:

J. Lawrence Pilson

Development Coordinator, DEPRM

SUBJECT:

Zoning Item #R-94-337 - Genstar White Marsh

Pulaski Highway

Zoning Advisory Committee Meeting of April 25, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains apply to the site.

Additional information is needed from the applicant before the Department can complete the review of this zoning item. The applicant may contact the Environmental Impact Review Section of this Department of 887-3980 for details.

JLP:GS:sp

GENSTAR/DEPRM/TXTSBP

IN THE MATTER OF BEFORE THE THE APPLICATION OF GENSTAR STONE PRODUCT COMPANY COUNTY BOARD OF APPEALS FOR ZONING RECLASSIFICATION FROM M.L.-I.M. & M.H.-I.M. TO B.R.-I.M. ON OF PROPERTY LOCATED ON NW/S PULASKI HIGHWAY, COR SW/S WHITE MARSH BLVD: * **BALTIMORE COUNTY** ALSO SE/S PHILADELPHIA ROAD $11^{TH} \& 15^{TH}$ ELECTION DISTRICTS Case No. R-94-337 5TH 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 Genstar Stone Product Company, Petitioner, for zoning reclassification from M.L.-I.M. and M.H.-I.M. to B.R.-I.M. on property located on the northwest side Pulaski Highway, corner southwest side White Marsh Boulevard; also southeast side Philadelphia Road in the Eleventh and Fifteenth Election Districts 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 27, 1994;

IT IS, THEREFORE, this 25 m day of Julian, 2002, by the County Board of Appeals of Baltimore County

ORDERED that said Petition filed in Case No. R-94-337 be and the same is declared moot, and the Petition **DISMISSED**.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

" La la Commela

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: Genstar Stone Product Company*Case No. R-94-337 / 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,

Kathleen C. Bianco
Administrator

Enclosure

c: John H. Gease, Director of
Technical Services /Genstar
Greenhorne & O'Mara, 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



Petition for Reclassification

This Petition shall be filed with the Office of Zoning Ad	ministration & Development Management. n Baltimore County and which is described in the description and plat attached
nereto and made a part hereof, hereby petition (1) that the	zoning status of the herein described property be reclassified, pursuant to the
Zoning Law of Baltimore County, from an $^{ m MH-IM}$	zone to an BR-IM zone, for the reasons given in the attached statement; ons of Baltimore County, to use the herein described property for:
	9
	variance from the following sections of the Zoning Regulations of Baltimore
County:	
	<u>.</u> : [26]
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Property is to be posted and advertised as pi	
	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):
contract Purchaser/Lessee:	Genstar Stone Product Co
	Genstar Stone Product Co.
Type or Print Name)	Genstar Stone Product Co. (Type or Print Name)
Type or Print Name) ignalure	Genstar Stone Product Co. (Type of Print Name) By: Signature John H. Gease, Director of
Type or Print Name) Signature Address City State Zipcoc	Genstar Stone Product Co. (Type or Print Name) By: Signature John H. Gease, Director of Technical Service (Type or Print Name)
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ignature iddress ity State Zipcod ity Petitioney John B. Howard	Genstar Stone Product Co. (Type or Print Name) By: Signature John H. Gease, Director of Technical Service (Type or Print Name) Executive Plaza, 6th Fl. 527-4477 Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.
Signature Address City State Zipcoo Attorney for Petitioney John B. Howard Robert A Hoffman	Genstar Stone Product Co. (Type or Print Name) By: Signature John H. Gease, Director of Technical Service (Type or Print Name) Executive Plaza, 6th Fl. 527-4477 Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative
Signalure Address Attorney for Petitioner Actorney for Petitioner A	Genstar Stone Product Co. (Type or Print Name) By: John H. Gease, Director of Technical Service (Type or Print Name) Executive Plaza, 6th Fl. 527-4477 Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted. Robert A. Hoffman Name 210 Allegheny Avenue Towson, Maryland 21204 494-6200
ignalure Address Attorney for Petitioness John B. Howard Robert A Hoffman Jenable, Baetjer & Howard	Genstar Stone Product Co. (Type or Print Name) By: John H. Gease, Director of Technical Service (Type or Print Name) Executive Plaza, 6th F1. 527-4477 Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted. Robert A. Hoffman Name 210 Allegheny Avenue Towson, Maryland 21204 494-6200 Address Phone No.
Signature Address Attorney for Petitiones John B. Howard Robert A Hoffman Venable, Baetjer & Howard	Genstar Stone Product Co. (Type or Print Name) By: John H. Gease, Director of Technical Service (Type or Print Name) Executive Plaza, 6th Fl. 527-4477 Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted. Robert A. Hoffman Name 210 Allegheny Avenue Towson, Maryland 21204 494-6200 Address Phone No. OFFICE USE ONLY



R.94.337

GREENHORNE & O'MARA, INC.

Zoning Description of Genstar Plant
Whitemarsh, Maryland
205.85 Acres
Reclassification Petition
5th Election District
Baltimore County, Maryland

Beginning at a point 377.33' southwest of the intersection of Philadelphia Road (S.R. 7) and Whitemarsh Boulevard (S.R. 43) S 65^-09'-25" E, 1,474.31 feet to a point, thence S44^-51'-25" E, 131.83' to a point, thence S 30^-50'-26" W, 2,270.10' to a point, thence S 40^{-47'-10"} W, 875.22' to point, thence N 46^{-12'-39"} W, 25.87' to a point, thence S 40^-49'-27" W, 1,156.96' to a point, thence $\sqrt{74^-41'-29}$ W, 66.21' to a point, thence S 40^{-12} -28" W, 916.57' to a point, thence S 50^{-54} -45" E, 38.09' to a point, thence S 41^-23'-33" W, 553.11' to a point, thence N $63^{-35'-05"}$ W, 288.48' to a point, thence N $28^{-15'-45"}$ E, 408.09' to a point, thence $N^{-}61^{-}-17'-41"$ W, 341.86' to a point, thence N $20^{-07'}-02"$ E, 773.90' to a point, thence N $73^{-53'}-16"$ W, 665.00' to a point, thence N $30^{\circ}-30'-36''$ E, 435.64' to a point, thence S 59^-14'-42" E, 183.85' to a point, thence N $\bar{3}0^{-46'-03"}$ E, 60.23' to a point, thence N $2\bar{3}^{-36'-53"}$ E, 187.82' to a point, thence N 33^-00'-53" E, 63.76' to a point, thence N 42^{-51} '-53" E, 49.55' to a point, thence N 62^{-45} '-00" W, 174.08' to a point, thence N 27^-14'-60" E, 430.21' to a point, thence N 31^{-43} '-16" E, 521.08' to a point, thence N 32^{-15} '-17" E, 61.85' to a point, thence N 34^{-43} '-14" E, 53.82' to a point, thence N $40^{-33'-57"}$ E, 79.22' to a point, thence S $41^{-27'-06"}$ W, 2,211.41' to the point of beginning, encompassing 205.85 acres.



BALTIMORE COUNTY, MARYLAND

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Baltimore County Government.
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

JULY 26, 1994

Genstar Stone Products Company c/o Robert A. Hoffman, Esq. 210 Allegheny Avenue Towson, Maryland 21204

Re: Case Number: R-94-337

NW/S Pulaski Highway, corner SW/S White Marsh Boulevard

SE/S Philadelphia Road

11th and 15th Election Districts - 5th 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,

ARNOLD JABLON DIRECTOR

DIKECIOK

AJ:ggs

Per Gwen Stepehsn - ZADM

ALL ADVERTISING PAID FOR

CYCLE III RECLASS PETITIONS



Printed with Soybean Ink on Recycled Paper

MEMORANDUM

TO: RECLASSIFICATION PETITIONERS, ATTORNEY, AND/OR REPRESENTATIVES

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

RE:: PAYMENT OF POSTING AND ADVERTISING FEES - RECLASSIFICATIONS

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

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

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

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

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

Briefly, your payments will be as follows:

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

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



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-94-337

NW/S Pulaski Highway, corner SW/S White Marsh Boulevard; also

SE/S Philadlephia Road

11th and 15th Electrict Districts - 5th Councilmanic

Legal Owner(s): Genstar Stone Products Company

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

HEARING:

Thursday, October 27, 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: Genstar Stone Products Company

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

32:5 1/9 TS YAH 40

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

May 3, 1994

T0:

Mr. Arnold Jablon, Director Zoning Administration and Development Management

FROM:

J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT:

Zoning Item #R-94-337 - Genstar White Marsh

Pulaski Highway

Zoning Advisory Committee Meeting of April 25, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains apply to the site.

Additional information is needed from the applicant before the Department can complete the review of this zoning item. The applicant may contact the Environmental Impact Review Section of this Department of 887-3980 for details.

JLP:GS:sp

GENSTAR/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

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

FROM: Robert W. Bowling, Chief Pevelopers Engineering Section

RE: 4 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.

GENSTAR STONE PRODUCT COMPANY NW/s Pulaski Highway, corner SW/s White Marsh Boulevard; also SE/s Philadelphia Road #R-94-337 Item #9, Cycle III, 1994

11th & 15 Election Districts 5th Councilmanic District

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

38.371 acres (5 parcels)

March 1, 1994

Petition for Reclassification filed by Robert A. Hoffman, Esquire, and John B. Howard, Esquire, on behalf of Genstar Stone Product Company, Petitioner.

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

Counsel for Petitioner

John H. Gease, Director of Technical Services Genstar Stone Products Company Executive Plaza, 6th Floor Hunt Valley, MD 21030

Petitioner

Greenhorne & O'Mara, Inc. 113 West Road, Suite 208 Towson, MD 21204 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

Pouge Wingert - 15g

- R-94-337 /Genstar Stone Products Company (Whitemarsh Plant)
- 8/30/94 -Letter from R. Hoffman, Esquire, on behalf of Petitioner /intention to request continuance on record to complete Documented site Plan on scheduled hearing date of Thursday, October 27, 1994 at 10:00 a.m.
- 8/31/94 -Letter to R. Hoffman --file and docket have been noted that matter will be opened and continued on 10/27/94 for purpose of amended to documented site plan, to be submitted in open hearing at later date. Copy to all interested parties.
- 10/27/94 -Opened and continued by Paige Wingert, Esquire, Counsel for Petitioner.

 To be reset for brief open hearing for purpose of submittal of Amended/

 Documented Plan; to be requested by Petitioner.



County Board of Appeals of Baltimore County

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

August 31, 1994

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

RE: Case No. R-94-337

Genstar Stone Products Company

(Whitemarsh Plant)

Dear Mr. Hoffman:

Pursuant to your letter of August 26th regarding the subject matter, the Board has noted both its file and docket that, on October 27, 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 27th, but rather the matter opened and continued, to be scheduled for an early morning hearing at a later date for submittal of a Documented Site Plan.

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

Very truly yours,

Kathleen C. Weidenhammer Administrative Assistant

cc: John H. Gease
Greenhorne & O'Mara, Inc.
James Earl Kraft

People's Counsel for Baltimore County

Pat Keller Jeffrey Long Lawrence E. S

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

(410) 494-6262

ROBERT A. HOFFMAN

August 26, 1994

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

- Cycle Zoning Reclassification No. R-94-337
- Legal Owner Genstar Stone Products Company
- Property known as the Genstar Whitemarsh Plant
- SW/C Intersection of White Marsh Boulevard and
 - Pulaski Highway

Dear Mr. Hackett:

On behalf of our client, Genstar Stone Products Company, the Petitioner in the above-referenced zoning reclassification request, we are writing to request a continuance for the hearing scheduled for Thursday, October 27, 1994 at 10:00 a.m. before the Board of Appeals.

The purpose of this request is to provide our client with some additional time to complete a Documented Site Plan which we had anticipated filing at the October 27th 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,

GPW\dok

John H. Gease cc: Gwen Stephens

Peter Max Zimmerman, Esq.

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

February 28, 1994

(410) 494-6262

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

Re:

- Cycle Zoning Reclassification Request
- Legal Owner Genstar Stone Products Company
- Property known as the Genstar Whitemarsh Plant
- SW/C Intersection of White Marsh Boulevard and Pulaski Highway

Dear Mr. Hackett:

This firm represents Genstar Stone Products Company ("Genstar"), the Petitioner in the above-referenced zoning reclassification request for property located on the southwest corner of the intersection of White Marsh Boulevard (Rt. 43) and Pulaski Highway in White Marsh, Maryland. The subject property, which comprises approximately 205.85 acres, is presently zoned MH-IM and ML-IM. The Petitioner is 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.

Simply stated, the Petitioner believes the subject site should no longer be zoned heavy manufacturing given its relationship to the surrounding commercial and residential uses. Although the site is located in an area which has long consisted of industrial uses, rapid growth and changes have taken place in recent years. To the north of the site lies White Marsh Boulevard, the major east-west route in the area, which connects I-95, Pulaski Highway and the White Marsh Town Center. To the east and west, Pulaski Highway and

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

ACTERICAL PROPERTY OF THE PROP VENABLE, BAETJER AND HOWARD A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS ATTORNEY'S ACCOUNT 520 A231588 1800 MERCANTILE BANK & TRUST BUILDING BALTIMORE, MARYLAND 21201 08/04/94 MERCANTILE-SAFE DEPOSIT & TRUST COMPANY MERCANTILE ******One Thousand Six Hundred Fifty-Nine & 00/10 ϕ 702 \$********1659.00**** R-94-333 PAY TO THE VOID AFTER 180 DAYS R-94 334 ORDER OF Patuxent Publishing Company 10750 Little Patuxent Parkway Columbia, MD 21044 R-94-335 R-94-336 R-94-337 1\$331.80 ROCA 3 <u>RANGER STRANGER S</u>

#231588# #052000618#

#020B90 G#

William T. Hackett, Chairman February 28, 1994 Page 2

Philadelphia Road serve as the approximate boundaries of the property. Thus, the subject site is situated in direct proximity to one of the fastest growing commercial and residential areas in Baltimore County. As this Board is no doubt aware, the White Marsh area has seen strong growth in recent years, not only in terms of commercial uses such as the nearby White Marsh Mall and Ikea store, but also residential developments such as Nottingham and Quail Ridge Apartments.

An additional factor which clearly demonstrates the anticipated growth at this location and the appropriateness of commercial zoning is the planned construction of interchange ramps at Philadelphia Road (Rt. 7) and White Marsh Boulevard (Rt. 43) which is the northwestern corner of the property.

Based upon its proximity to the White Marsh business and residential growth area as well as the planned interchange at Philadelphia Road and White Marsh Boulevard, the retention of industrial zoning at the subject site is inconsistent with the character of the surrounding area and constituted an error on the part of the County Council during the 1992 Comprehensive Rezoning Process. To maintain zoning in this area which would allow inappropriate redevelopment of heavy industrial uses is a mistake.

Please note also that the Petitioner anticipates filing a documented site plan for the subject site prior to a hearing on the merits of this case. The compatibility and consistency of the BR-IM classification will be made all the more clear with the submission of such a plan which will demonstrate the high quality use(s) the Petitioner envisions at this site.

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

Sincerely,

Lob Hoffman, BY: GPW Robert A. Hoffman

DOK\gpw enclosures

cc: Mr. John H. Gease

HACKETT9.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

March 1, 1994

(410) 494-6262

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

Re:

- Cycle Zoning Reclassification Request
- Legal Owner Genstar Stone Products Company
- Property known as the Genstar Whitemarsh Plant
- SW/C Intersection of White Marsh Boulevard and Pulaski Highway

Dear Mr. Hackett:

This firm represents Genstar Stone Products Company ("Genstar"), the Petitioner in the above-referenced zoning reclassification request for property located on the southwest corner of the intersection of White Marsh Boulevard (Rt. 43) and Pulaski Highway in White Marsh, Maryland. The subject property, which comprises approximately 205.85 acres, is presently zoned MH-IM and ML-IM. The Petitioner is 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.

Simply stated, the Petitioner believes the subject site should no longer be zoned heavy manufacturing given its relationship to the surrounding commercial and residential uses. Although mining and the processing of sand and gravel have historically been the primary use of the property, both the sand and gravel resources were depleted in 1993 and no further processing of sand and gravel is expected to occur.

In addition, it is important to note that the site is located in an area which has long consisted of industrial uses, rapid growth

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

and changes have taken place in recent years. To the north of the site lies White Marsh Boulevard, the major east-west route in the area, which connects I-95, Pulaski Highway and the White Marsh Town Center. To the east and west, Pulaski Highway and Philadelphia Road serve as the approximate boundaries of the property. Thus, the subject site is situated in direct proximity to one of the fastest growing commercial and residential areas in Baltimore County. As this Board is no doubt aware, the White Marsh area has seen strong growth in recent years, not only in terms of commercial uses such as the nearby White Marsh Mall and Ikea store, but also residential developments such as Nottingham and Quail Ridge Apartments.

An additional factor which clearly demonstrates the anticipated growth at this location and the appropriateness of commercial zoning is the planned construction of interchange ramps at Philadelphia Road (Rt. 7) and White Marsh Boulevard (Rt. 43) which is the northwestern corner of the property.

Based upon its proximity to the White Marsh business and residential growth area as well as the planned interchange at Philadelphia Road and White Marsh Boulevard, the retention of industrial zoning at the subject site is inconsistent with the character of the surrounding area and constituted an error on the part of the County Council during the 1992 Comprehensive Rezoning Process. To maintain zoning in this area which would allow inappropriate redevelopment of heavy industrial uses is a mistake.

Please note also that the Petitioner anticipates filing a documented site plan for the subject site prior to a hearing on the merits of this case. The compatibility and consistency of the BR-IM classification will be made all the more clear with the submission of such a plan which will demonstrate the high quality use(s) the Petitioner envisions at this site.

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

Sincerely,

Robert A. Hoffman

DOK\gpw enclosures

cc: Mr. John H. Gease

HACKETT9.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

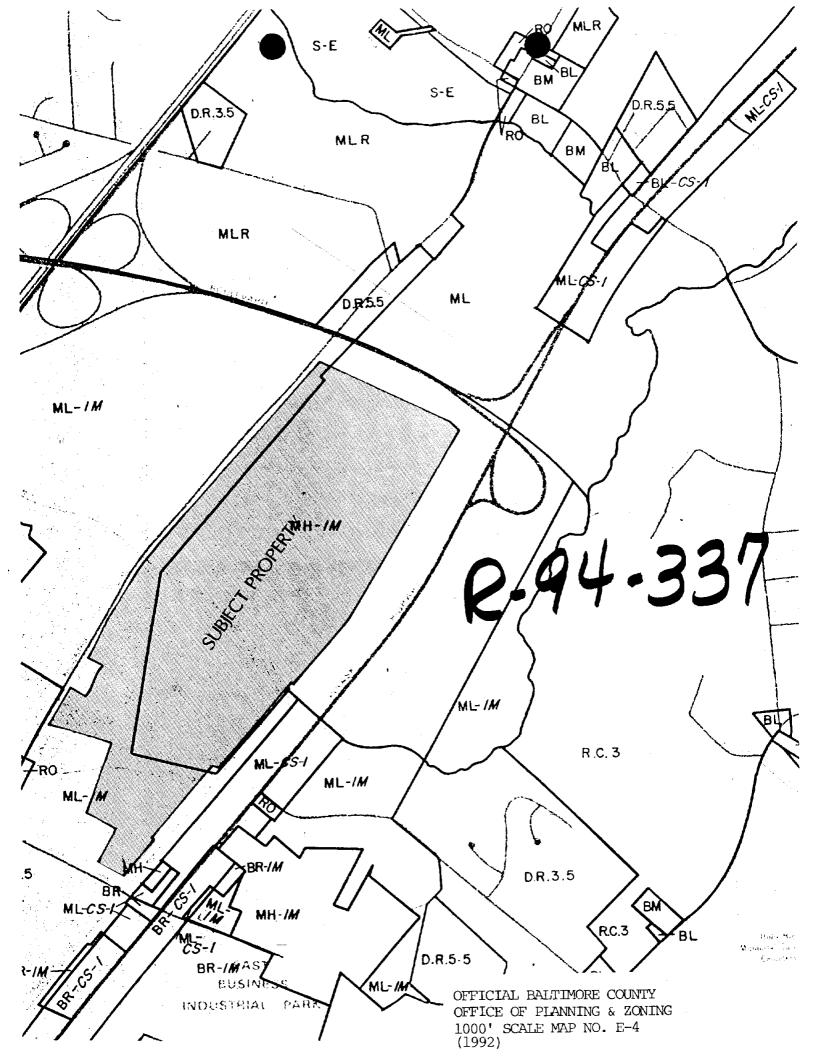
SUBJECT:

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.

BOARD OF APPEALS CASE NUMBER	<u>PDM FILE NUMBER</u>	<u>NAME</u>	<u>LOCATION</u>
R-94-337	R-94-337	GENSTAR STONE PRODUCT COMPANY	PULASKI HIGHWAY AND WHITE MARSH BLVD.

Attachment: SUBJECT FILE(S) ATTACHED



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John B. Howard, Esquire Towson, MD 21204 Towson, MD 21204

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Robert A. Hoffman, Esquire Towson, MD 21204 Towson, MD 21204

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TOWSON, MARYLAND 21204

John H. Gease, Director of Technical Services Genstar Stone Products Company Executive Plaza, 6th Floor Hunt Valley, MD 21030

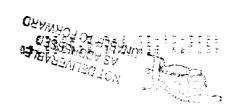
aunty Laurd of Appeals of Ealtimore County prouse soom 49 old courthouse towson, maryland 21204

Greenhorne & O'Mara, Inc. 113 West Road, Suite 208 Towson, MD 21204

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LOWSON, MARYLAND 21204

Return Service Requested



JOHN H GEASE DIRECTOR OF TECHNICAL SERVICES GENSTAR STONE PRODUCTS CO EXECUTIVE PLAZA, GTH FLOOR HUNT VALLE

02 MM2 -0 8

Baltimore County Government.
Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

JULY 26, 1994

Genstar Stone Products Company c/o Robert A. Hoffman, Esq. 210 Allegheny Avenue Towson, Maryland 21204

Re: Case Number: R-94-337

NW/S Pulaski Highway, corner SW/S White Marsh Boulevard

SE/S Philadelphia Road

11th and 15th Election Districts - 5th 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,

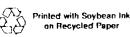
ARNOLD JABLON DIRECTOR

AJ:ggs

Per Gwen Stepehsn - ZADM

ALL ADVERTISING PAID FOR

CYCLE III RECLASS PETITIONS



ginnol mamitikk to alkaquk to breok ginnol

ROOM 49 OLD COURTHOUSE TOWSON, MARYLAND 21204

411948 4 1148 20-82-4219

Return Service Requested

TRANSPORT OF BLANKE

GREEUHORNE & O'MARA INC 113 WEST ROAD SUITE 208 TOWSON MD 21204 02 M 3 - 4 FI 12: 12

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) 887-5**8**62

87-580 UNITY BOARD

July 22, 1994

an

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

Dear Mr. Hackett:

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

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

Sincerely,

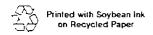
Pat Keller

Secretary to the Planning Board

PK/TD/mjm LTRS/PZONE/TXTMJM

Enclosure

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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Item No. 10
Item No. 12
Inter-agency Comments
Appendix A: Excerpt from Baltimore County Code. 198880

INTRODUCTION

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

- 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 <u>Baltimore County Master Plan</u>; 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 #9, Case No. R-94-337
Genstar Stone Product Company
Thursday, October 27, 1994 @ 10:00 a.m.

Week of October 31, 1994

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	В.М.	D.R. 16
Item No. 3 Morningside Six Limited Partnership	Northwest side of Pleasant Ridge Drive, 360' northeast of Reisterstown Road	6.4	D.R. 16	B.L.	D.R. 16
Item No. 4 Baltimore Gas & Electric Company, Inc. and Baltimore County, MD & CSX Transportation, Inc.	West side of Owings Mills Boulevard, north and south of Bonita Avenue	26.83	D.R. 1	M.LI.M.	D.R. 1
Item No. 5 Hico Park M Limited Partnership	West side York Road, 97' south of the centerline of Ridgebrook Road	113.0	M.L. M.L.R.	D.R. 5.5	M.L. M.L.R.
Item No. 6 Baltimore Gas & Electric Company, Inc.	Southwest corner of York and Warren Roads	1.76	M.LA.S. M.LI.M. B.RA.S.	B.RA.S. B.RI.M.	M.LA.S. M.LI.M. B.RA.S.

MEMORANDUM

TO: RECLASSIFICATION PETITIONERS, ATTORNEY, AND/OR REPRESENTATIVES

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

RE:: PAYMENT OF POSTING AND ADVERTISING FEES - RECLASSIFICATIONS

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

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

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

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

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

Briefly, your payments will be as follows:

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

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

Item No. and Petitioner	Location	Acreage	Existing Zoning	Requested Zoning	OPZ/P8 Recommendation
Item No. 7 Genstar Stone Products Company	South side of Galloway Avenue, 670' west of York Road, north side of Padonia Road, and eas and west of proposed Beaver Dam Road	38.3 t	M.LI.M.	B.MI.M.	M.LI.M.
Item No. 8 Stebbins-Anderson Company, Inc.	Southwest corner of Timonium and Aylesbury Roads (21 West Timonium Roa	14.6 nd)	M.LI.M.	B.RI.M.	M.LI.M.
Item No. 9 Genstar Stone Products Company	Northwest corner of Pulaski Highway and White Marsh Boulevard, and southeast side of Philadelphia Road	205.8	M.LI.M. M.HI.M.	B.RI.M.	M.LI.M. M.HI.M.
Item No. 10 Janet Terry	Southeast side of Pulaski Highway, 1915' southwest of the centerline of Mohrs Lane	11.85	M.LI.M. M.LA.S.	B.RI.M.	M.LI.M. M.LA.S.
Item No. 11 The Giles Building and Development Company	North side of Race Road, 95' west of the centerline of Yellow Brick Road	. 94	M.LI.M,	B.L.	M.LI.M.
Item No. 12 Savino Bollino & Rose Bollino	Southeast side of Pulaski Highway, 300' southwest of the centerline of Rossville Bouleva	4.3 rd	B.R. M.LA.S. M.LI.M.	B.RI.M. B.RA.S.	B.R. M.LA.S. M.LI.M.
Item No. 13 Gerald D. Sherman & Roger A. Spero	Northeast and southwest side of Gladway Road, 1150' north of Bengies Road and 2390' southeast of Bird River Road	51.6	D.R1 M.LI.M. M.HI.M.	D.R. 3.5	D.R. 1 M.LI.M. M.HI.M.

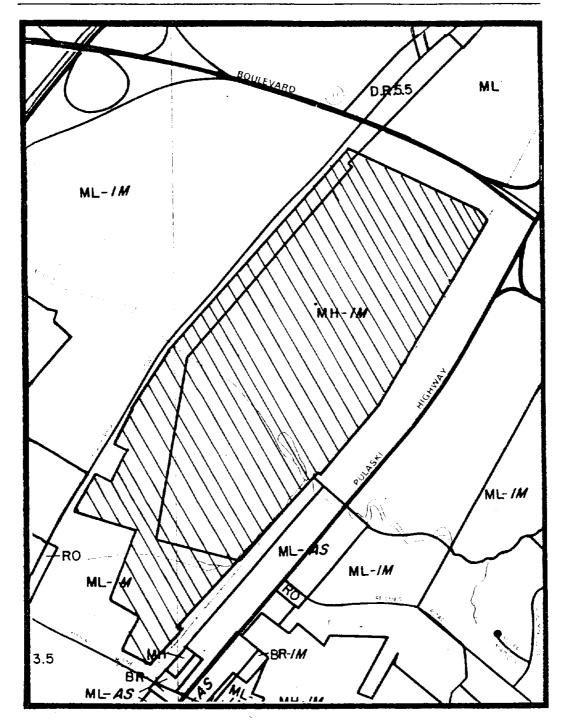
LOCATIONS OF PROPERTIES UNDER PETITION YORK COUNTY, PA. **EXISTING ZONING CLASSIFICATIONS** RESOURCE CONSERVATION - AGRICULTURE RESOURCE CONSERVATION - DEFERRAL OF PLANNING AND DEVELOPMENT RESOURCE CONSERVATION - WATERSHED PROTECTION RESOURCE CONSERVATION - RURAL RESIDENTIAL RC4 RCS R.C.20 RESOURCE CONSERVATION - CRITICAL AREA R.C.50 RESOURCE CONSERVATION - CRITICAL AREA AGRICULTURAL RCC RESOURCE CONSERVATION - COMMERCIAL OR 1 DENSITY RESIDENTIAL, (I DWELLING UNIT PER ACRE) OR 2 DENSITY RESIDENTIAL, (2.5 OWELLING UNITS PER ARCE) OR 3.5 DENSITY RESIDENTIAL, (3.5 OWELLING UNITS PER ARCE) 0.R.1 D.R.2 D.R.S.S. DENSITY RESIDENTIAL, (S.S. OWELLING UNITS PER ACRE) D.R. 10.5 DENSITY RESIDENTIAL, (10.5 OWELLING UNITS PER ACRE) COUNTY OR 15 DENSITY RESIDENTIAL, (16 DENSITY UNITS PER ACAB) RAE 1 RESIDENTIAL, (40 DENSITY UNITS PER ACAB) RAEZ RESIDENTIAL, 180 DENSITY UNITS PER ACRES R-O RESIDENTIAL - OFFICE, (S.S. OWELLING UNITS PER ACRE) RESIDENTIAL - OFFICE, CLASS "A" OFFICE BUILDING R-O-A O-1 OFFICE BUILDING 0.Z OFFICE PARK OFFICE AND TECHNOLOGY SERVICE EMPLOYMENT **NORTHERN SECTOR** 8.M.M. 8.M.B. BUSINESS MARITIME MARINA BUSINESS MARITIME BOATYARD 8.L BUSINESS, LOCAL BUSINESS, MAJOR BUSINESS, ROADSIDE B.M. В.Я. MЯ MANUFACTURING, RESTRICTED MANUFACTURING, LIGHT, RESTRICTED MANUFACTURING, LIGHT MILR ĸн MANUFACTURING, HEAVY 6 ** PROPO CENTRAL SECTOR WESTERN SECTOR SECURITY BLYO BALTIMORE CITY **EASTERN SECTOR** YTHUOS LEGHURA SHIP

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

CYCLEA/PZONE/CYCLE



ITEM NUMBER 9 Location of Property Under Petition

Scale: 1"= 1000'

CYCLE III, ITEM 9

CASE NO. R-94-337

PETITIONER:

Genstar Stone Products Company

REQUESTED ACTION:

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

EXISTING ZONING:

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

LOCATION:

Northwest side Pulaski Highway at the southwest corner of White Marsh Boulevard and Pulaski Highway and the southeast side of Philadelphia Road

AREA OF SITE:

205.85 acres ±

ZONING OF ADJACENT PROPERTY/USE:

Northeast: M.H.-I.M. & M.L.-I.M. - power line and White Marsh

Boulevard

Southeast: M.H.-I.M. & M.L.-I.M. - CSX Railroad

Southwest: M.L.-I.M. - vacant land

Northwest: M.L.-I.M. & M.L. - vacant land, residential

SITE DESCRIPTION:

The site is a former sand and gravel quarry and contains related processing facilities which are no longer in use. Existing features are predominately manmade. Whitemarsh Run, the south fork of Whitemarsh Run, and an unnamed stream traverse the site. Most of the site appears to be flood-prone land. Most, if not all, of the buildable land is located to the north of Whitemarsh Run and to the south of the south fork of Whitemarsh Run.

PROPERTIES IN THE VICINITY:

The surrounding land is zoned for industrial purposes. A power line and White Marsh Boulevard lie to the northeast and the CSX

Railroad lies to the southeast. Except for a few dwellings on Philadelphia Road and a dwelling on Mohrs Lane, land to the northwest and southwest is vacant.

WATER AND SEWERAGE:

The parcel lies in an area designated as W-3, S-3 (Capital Facilities Area) according to the <u>Master Water and Sewer Plan</u>.

TRAFFIC AND ROADS:

The site is bounded generally by White Marsh Boulevard on the northeast, the CSX Railroad on the southeast, Philadelphia Road on the northwest, and Mohrs Lane on the southwest. The site is accessible from Philadelphia Road and from Mohrs Lane. Philadelphia Road is a two-lane minor arterial and Mohrs Lane is a narrow local road. The site has potential for rail service from the CSX Railroad, which functions strictly as a freight line.

The 1989-2000 Baltimore County Master Plan identifies an interchange at Maryland Route 7 and Maryland Route 43 as a programmed transportation project. There is funding for this transportation improvement in the Baltimore County Capital Improvement Program (CIP) under project 05.409. This project is being accelerated for economic development reasons. The construction funding in the FY 94 CIP budget was programmed in FY 98. The proposed FY 95 CIP budget has construction funding programmed in FY 95. Construction is expected to begin during the summer of 1995, with the project to be completed in the Fall of 1996.

ZONING HISTORY:

The existing zoning has been in place since 1976.

MASTER PLAN/COMMUNITY PLANS:

The Philadelphia Road Corridor (PRC) Study, adopted January 21, 1992, designates the buildable areas of the site for General Industrial use and the flood-prone areas for Open Space use. The Philadelphia Road Corridor Study describes General Industrial areas as follows (see page 23):

General industrial areas are locations ideally suited for a wide range of industrial activities. These areas are well separated from existing and planned residential areas and other concentrations of population either by distance or physical buffers.

The PRC Study proposes an interchange at Philadelphia Road and White Marsh Boulevard. Part of the interchange would be located on the petitioner's property.

The PRC Study proposes an extension of Campbell Boulevard through the southern portion of the petitioner's property. This road would function as a minor arterial and would provide a connection between Philadelphia Road to the west and Pulaski Highway to the east.

PROPOSED VS. EXISTING ZONING:

Regulations for the M.H. zone may be found in Section 256.1 of the B.C.Z.R. The M.H. zone permits a number of heavy manufacturing uses by right. It also permits several uses by Special Exception.

Building height is unlimited, except on lots abutting a residence or business. In these cases, the maximum permitted height is 40 feet or three stories if any part of the building lies within 100 feet of the boundary line of a residence or business zone.

Regulations guiding 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.

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.

OFFICE OF PLANNING AND ZONING SUMMARY AND RECOMMENDATIONS:

The request for B.R.-I.M. zoning should be denied for the following reasons:

-Rezoning to B.R.-I.M. is not consistent with the recently adopted Master Plan amendment for the Philadelphia Road Corridor. This plan designates the buildable land on the site and in the surrounding area as industrial.

-The proposed commercial zoning of this site does not appear to be necessary. There are two major commercial areas lying to the west and to the east of this site (i.e., Whitemarsh Mall and Price Club Plaza). There are 40 acres of undeveloped B.M. zoned land lying to the south of this site at Campbell Boulevard and I-95.

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.

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 = $\underline{60}$ 159 Elementary Students THE APPLICATION OF

GENSTAR STONE PRODUCT COMPANY

FOR ZONING RECLASSIFICATION FROM

M.L.-I.M. & M.H.-I.M. TO B.R.-I.M. ON

PROPERTY LOCATED ON NW/S PULASKI

HIGHWAY, COR SW/S WHITE MARSH BLVD;

*
ALSO SE/S PHILADELPHIA ROAD

11TH & 15TH ELECTION DISTRICTS

*
5TH COUNCILMANIC DISTRICT

BEFORE THE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

Case No. R-94-337 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 Genstar Stone Product Company, Petitioner, for zoning reclassification from M.L.-I.M. and M.H.-I.M. to B.R.-I.M. on property located on the northwest side Pulaski Highway, corner southwest side White Marsh Boulevard; also southeast side Philadelphia Road in the Eleventh and Fifteenth Election Districts 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 27, 1994;

IT IS, THEREFORE, this 25 m day of Full of Appeals of Baltimore County

ORDERED that said Petition filed in Case No. R-94-337 be and the same is declared moot, and the Petition **DISMISSED**.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Charles L. Marks, Chairman

Jhanda Com



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: Genstar Stone Product Company
Case No. R-94-337 / 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,

Kathleen C. Bianco

Administrator

Enclosure

c: John H. Gease, Director of
Technical Services /Genstar
Greenhorne & O'Mara, 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



Petition for Reclassification

to the Board of Appeals of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached

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

for the property located at Pulaski Highway, White Marsh, Maryland

	ons of Baltimore County, to use the herein described property for:
and (3) for the reasons given in the attached statement, a v	variance from the following sections of the Zoning Regulations of Baltimon
County:	
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	i de la companya de l
	CU 3 T- 1
Property is to be posted and advertised as pre-	escribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Exception	on advertising, posting, etc., upon filing of this petition, and further agree of Baltimore County adopted pursuant to the Zoning Law for Baltimore C
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we a
	legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
	Genstar Stone Product Co.
Type or Print Name)	(Type or Print Name)
•	By: The Alban
Signature	John H. Gease, Director o
• ·	John H. Gease, Director o Technical
Address	(Type or Print Name)
•	•
City State Ziocode	Signature
City State Zipcode	e Signature
City State Zipcode	•
City State Zipcode Attorney for Petitiones	
	Executive Plaza, 6th Fl. 527- Address Phone No.
Attorney for Petitiones	Executive Plaza, 6th Fl. 527- Address Phone No.
Attorney for Petitiones	Executive Plaza, 6th Fl. 527- Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representations.
Attorney for Petitiones	Executive Plaza, 6th Fl. 527— Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or repres to be contacted.
John B. Howard	Executive Plaza, 6th Fl. 527— Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or repres to be contacted. Robert A. Hoffman
John B. Howard Robert A Hoffman	Executive Plaza, 6th Fl. 527— Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or repres to be contacted. Robert A. Hoffman Name 210 Allegheny Avenue
John B. Howard Robert A Hoffman Venable, Baetjer & Howard	Executive Plaza, 6th Fl. 527- Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or repres to be contacted. Robert A. Hoffman Name 210 Allegheny Avenue
John B. Howard Robert A Hoffman Venable, Baetjer & Howard	Executive Plaza, 6th F1. 527- Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or repres to be contacted. Robert A. Hoffman Name 210 Allegheny Avenue Towson, Maryland 21204 494-6 Address Phone No.
John B. Howard Robert A. Hoffman Venable, Baetjer & Howard Address Phone No.	Executive Plaza, 6th Fl. 527- Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or repres to be contacted. Robert A. Hoffman Name 210 Allegheny Avenue Towson, Maryland 21204 494-6 Address Phone No.
John B. Howard Robert A Hoffman Venable, Baetjer & Howard Middress Phone No. 210 Allegheny Avenue City State Zipcode Flowson, MD 2120	Executive Plaza, 6th F1. 527— Address Phone No. Hunt Valley, Maryland 21031 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or repres to be contacted. Robert A. Hoffman Name 210 Allegheny Avenue Towson, Maryland 21204 494—6 Address Phone No. OFFICE USE ONLY

R.94.337

GREENHORNE & O'MARA, INC.

4. Miles

Zoning Description of Genstar Plant
Whitemarsh, Maryland
205.85 Acres
Reclassification Petition
5th Election District
Baltimore County, Maryland

Beginning at a point 377.33' southwest of the intersection of Philadelphia Road (S.R. 7) and Whitemarsh Boulevard (S.R. 43) S 65^-09'-25" E, 1,474.31 feet to a point, thence S44^-51'-25" E, 131.83' to a point, thence S 30^-50'-26" W, 2,270.10' to a point, thence S $40^{-47'-10"}$ W, 875.22' to point, thence N $46^{-12'-39"}$ W, 25.87' to a point, thence S 40^-49'-27" W, 1,156.96' to a point, thence N 74^-41'-29" W, 66.21' to a point, thence S 40^-12'-28" W, 916.57' to a point, thence S 50^-54'-45" E, 38.09' to a point, thence S $41^-23'-33"$ W, 553.11' to a point, thence N 63^-35'-05" W, 288.48' to a point, thence N 28^-15'-45" E, 408.09' to a point, thence N 61^-17'-41" W, 341.86' to a point, thence N 20^-07'-02" E, 773.90' to a point, thence N 73^-53'-16" W, 665.00' to a point, thence N 30^-30'-36" E, 435.64' to a point, thence S 59^-14'-42" E, 183.85' to a point, thence N 30^-46'-03" E, 60.23' to a point, thence N 23^-36'-53" E, 187.82' to a point, thence N 33^-00'-53" E, 63.76' to a point, thence N 42^-51'-53" E, 49.55' to a point, thence N 62^-45'-00" W, 174.08' to a point, thence N 27^-14'-60" E, 430.21' to a point, thence N 31^-43'-16" E, 521.08' to a point, thence N 32^-15'-17" E, 61.85' to a point, thence N $34^-43'-14"$ E, 53.82' to a point, thence N 40^-33'-57" E, 79.22' to a point, thence S 41^-27'-06" W, 2,211.41' to the point of beginning, encompassing 205.85 acres.



68.40.3

VENABLE, BAETJER AND HOWARD A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS ATTORNEY'S ACCOUNT 1800 MERCANTILE BANK & TRUST BUILDING A231588 BALTIMORE, MARYLAND 21201 MERCANTILE-SAFE DEPOSIT 08/04/94 MERCANTILE & TRUST COMPANY DATE **One Thousand Six Hundred Fifty-Nine & 00/10 702 **\$*********1659.00 R-94-333 PAY TO THE ORDER VOID AFTER 180 DAYS R-94.334 OF Patuxent Publishing Company 10750 Little Patuxent Parkway Columbia, MD 21044 R-94-335 R-94-336 R-94-337 1\$331,80 each 3

" 231588" #O52000618:

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

"*020890 E"

DATE_	3/	-9-1/
CACL	EI	#4
R	-94-	337

VALIDATION OR SIGNATURE OF CASHIER

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

3 3

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

OUNTY BOARD OF PHONE PROPERTY BOARD OF

July 22, 1994

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

Dear Mr. Hackett:

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

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

Sincerely,

Pat Keller

Secretary to the Planning Board

PK/TD/mjm LTRS/PZONE/TXTMJM

Enclosure

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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Appendix A: Excerpt from Baltimore County Code, 198880

INTRODUCTION

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

- 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.
- 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.LI.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.R.	D.R. 5.5	M.L. M.L.R.
Item No. 6 Baltimore Gas & Electric Company, Inc.	Southwest corner of York and Warren Roads	1.76	M.LA.S. M.LI.M. B.RA.S.		M.LA.S. M.LI.M. B.RA.S.

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

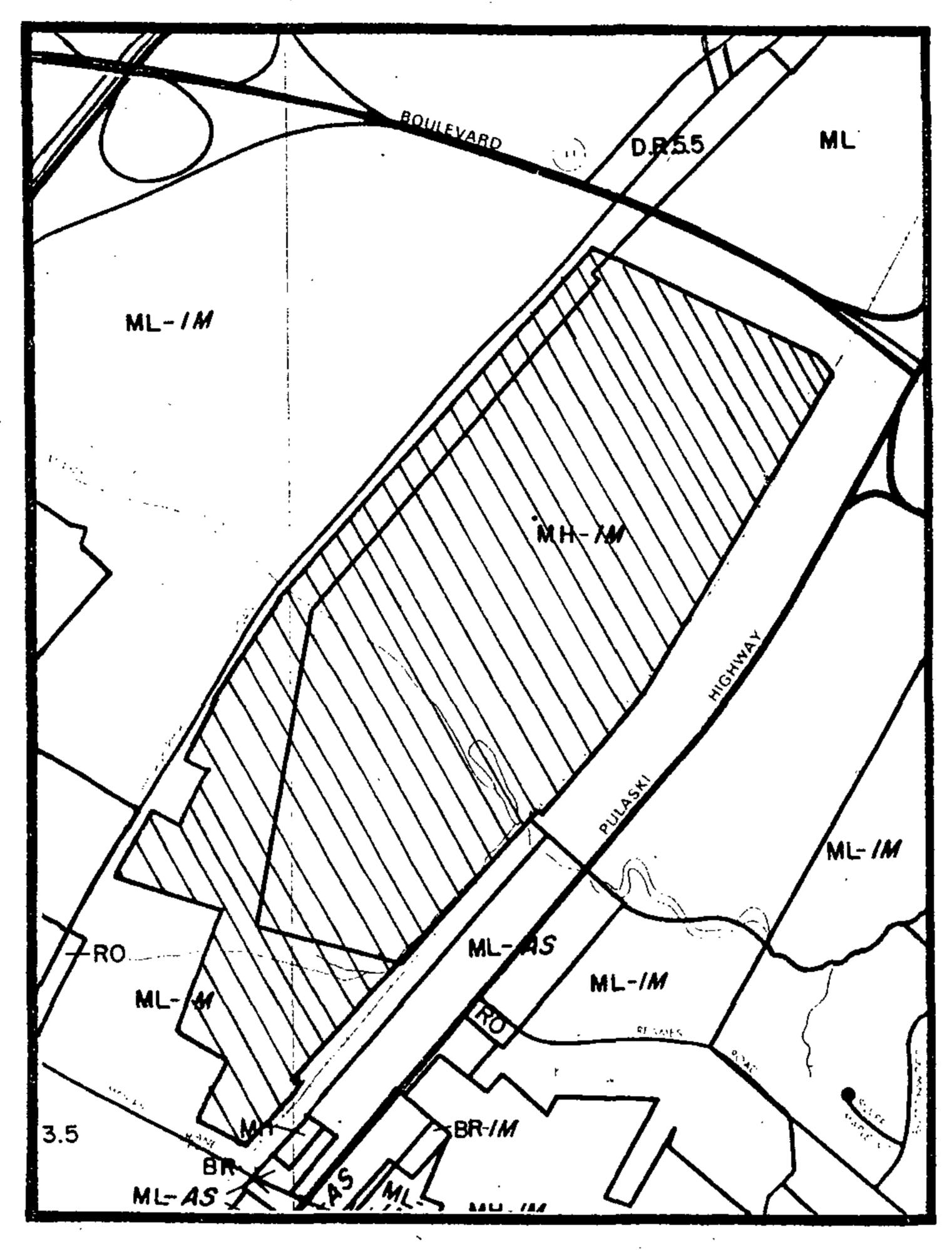
LOCATIONS OF PROPERTIES UNDER PETITION YORK COUNTY, PA. EXISTING ZONING CLASSIFICATIONS RESOURCE CONSERVATION - AGRICULTURE RE2 RC3 RESOURCE CONSERVATION - DEFERRAL OF PLANNING AND DEVELOPMENT R.C.4 RESOURCE CONSERVATION - WATERSHED PROTECTION RESOURCE CONSERVATION - RURAL RESIDENTIAL RC20 RESOURCE CONSERVATION - CRITICAL AREA ARFORD R.C.50 RESOURCE CONSERVATION - CRITICAL AREA AGRICULTURAL R.C.C. RESOURCE CONSERVATION - COMMERCIAL 0.7.1 DENSITY RESIDENTIAL, (I DWELLING UNIT PER ACRE) UR2 DENSITY RESIDENTIAL, (2 OWELLING UNITS PER ACRE) D.R.3.S DENSITY RESIDENTIAL, (3.5 DWELLING UNITS PER ARCE) DR.5.5 DENSITY RESIDENTIAL, (5.5 OWELLING UNITS PER ACRE) DR 10.5 DENSITY RESIDENTIAL, (10.5 OWELLING UNITS PER ACRE) D.R. 16 DENSITY RESIDENTIAL, (16 DENSITY UNITS PER ACRE) RAE I RESIDENTIAL, (40 DENSITY UNITS PER ACRE) RAEZ RESIDENTIAL, 180 DENSITY UNITS PER ACRES R-O . RESIDENTIAL - OFFICE, (5.5 OWELLING UNITS PER ACRE) R-O-A RESIDENTIAL - OFFICE, CLASS "A" OFFICE BUILDING 1-0 OFFICE BUILDING 0-S OFFICE PARK QT. OFFICE AND TECHNOLOGY S.E. **NORTHERN SECTOR** SERVICE EMPLOYHENT B.M.M. BUSINESS MARITIME MARINA 8.M.B. BUSINESS MARITIME BOATYARD BUSINESS, LOCAL BL BUSINESS, MAJOR BUSINESS, ROADSIDE MANUFACTURING, RESTRICTED HLER MANUFACTURING, LIGHT, RESTRICTED MANUFACTURING, LIGHT MANUFACTURING, HEAVY SWEETAIR SHAWAN MINARY CENTRAL SECTOR **WESTERN SECTOR** SECURITY BLYO BALTIMORE CITY EASTERN SECTOR ANNE ARUNDEL COUNTY

SOURCE MATERIAL

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

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

CYCLEA/PZONE/CYCLE



ITEM NUMBER 9
Location of Property Under Petition

Scale: 1"= 1000"

CASE NO. R-94-337

CYCLE III, ITEM 9

PETITIONER:

Genstar Stone Products Company

REQUESTED ACTION:

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

EXISTING ZONING:

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

LOCATION:

Northwest side Pulaski Highway at the southwest corner of White Marsh Boulevard and Pulaski Highway and the southeast side of Philadelphia Road

AREA OF SITE:

205.85 acres ±

ZONING OF ADJACENT PROPERTY/USE:

Northeast: M.H.-I.M. & M.L.-I.M. - power line and White Marsh

Boulevard

Southeast: M.H.-I.M. & M.L.-I.M. - CSX Railroad

Southwest: M.L.-I.M. - vacant land

Northwest: M.L.-I.M. & M.L. - vacant land, residential

SITE DESCRIPTION:

The site is a former sand and gravel quarry and contains related processing facilities which are no longer in use. Existing features are predominately manmade. Whitemarsh Run, the south fork of Whitemarsh Run, and an unnamed stream traverse the site. Most of the site appears to be flood-prone land. Most, if not all, of the buildable land is located to the north of Whitemarsh Run and to the south of the south fork of Whitemarsh Run.

PROPERTIES IN THE VICINITY:

The surrounding land is zoned for industrial purposes. A power line and White Marsh Boulevard lie to the northeast and the CSX

Railroad lies to the southeast. Except for a few dwellings on Philadelphia Road and a dwelling on Mohrs Lane, land to the northwest and southwest is vacant.

WATER AND SEWERAGE:

The parcel lies in an area designated as W-3, S-3 (Capital Facilities Area) according to the <u>Master Water and Sewer Plan</u>.

TRAFFIC AND ROADS:

The site is bounded generally by White Marsh Boulevard on the northeast, the CSX Railroad on the southeast, Philadelphia Road on the northwest, and Mohrs Lane on the southwest. The site is accessible from Philadelphia Road and from Mohrs Lane. Philadelphia Road is a two-lane minor arterial and Mohrs Lane is a narrow local road. The site has potential for rail service from the CSX Railroad, which functions strictly as a freight line.

The 1989-2000 Baltimore County Master Plan identifies an interchange at Maryland Route 7 and Maryland Route 43 as a programmed transportation project. There is funding for this transportation improvement in the Baltimore County Capital Improvement Program (CIP) under project 05.409. This project is being accelerated for economic development reasons. The construction funding in the FY 94 CIP budget was programmed in FY 98. The proposed FY 95 CIP budget has construction funding programmed in FY 95. Construction is expected to begin during the summer of 1995, with the project to be completed in the Fall of 1996.

ZONING HISTORY:

The existing zoning has been in place since 1976.

MASTER PLAN/COMMUNITY PLANS:

The Philadelphia Road Corridor (PRC) Study, adopted January 21, 1992, designates the buildable areas of the site for General Industrial use and the flood-prone areas for Open Space use. The Philadelphia Road Corridor Study describes General Industrial areas as follows (see page 23):

General industrial areas are locations ideally suited for a wide range of industrial activities. These areas are well separated from existing and planned residential areas and other concentrations of population either by distance or physical buffers.

The PRC Study proposes an interchange at Philadelphia Road and White Marsh Boulevard. Part of the interchange would be located on the petitioner's property.

The PRC Study proposes an extension of Campbell Boulevard through the southern portion of the petitioner's property. This road would function as a minor arterial and would provide a connection between Philadelphia Road to the west and Pulaski Highway to the east.

PROPOSED VS. EXISTING ZONING:

Regulations for the M.H. zone may be found in Section 256.1 of the B.C.Z.R. The M.H. zone permits a number of heavy manufacturing uses by right. It also permits several uses by Special Exception.

Building height is unlimited, except on lots abutting a residence or business. In these cases, the maximum permitted height is 40 feet or three stories if any part of the building lies within 100 feet of the boundary line of a residence or business zone.

Regulations guiding 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.

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.

OFFICE OF PLANNING AND ZONING SUMMARY AND RECOMMENDATIONS:

The request for B.R.-I.M. zoning should be denied for the following reasons:

-Rezoning to B.R.-I.M. is not consistent with the recently adopted Master Plan amendment for the Philadelphia Road Corridor. This plan designates the buildable land on the site and in the surrounding area as industrial.

-The proposed commercial zoning of this site does not appear to be necessary. There are two major commercial areas lying to the west and to the east of this site (i.e., Whitemarsh Mall and Price Club Plaza). There are 40 acres of undeveloped B.M. zoned land lying to the south of this site at Campbell Boulevard and I-95.

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.

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 = $\underline{60}$ 159 Elementary Students

Page 2

310 S.F. x .155 = 48
311 T.H. x .055 =
$$\frac{17}{65}$$
 Middle Students

310 S.F. x .146 = 45
311 T.H. x .090 =
$$28$$

73 High Students

A total yield of 297 students

Item 13 - Case No. R-94-341

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

Proposed Zoning - D.R.-3.5

Zoning would allow 180.8 single family homes. .

181 S.F. \times .236 = 43 Elementary Students 181 S.F. \times .071 = 13 Middle Students 181 S.F. \times .107 = 19 High Students 75 Total Yield

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

Sincerely,

Barbara Pickelsimer, Field Representative

Office of Pupil Assignments

bp

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

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

FROM: Robert W. Bowling, Chief

Developers Engineering Section

RE: Zoning Advisory Committee Meeting

for Zoning Reclassification Cycle III

April 1994 - October 1994

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

Item 1 - This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Rd., Md. Rte. 140.

Item 2 - This site, if rezoned, is subject the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development, and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Road, Md. Rte. 140. Also, update existing road and right-of-way width of Pleasant Ridge Dr.

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

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

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

Item 6 - This site is subject to Maryland State Highway Administration Standards for all improvements fronting on York Road, Md. Rte. 45, along with Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development. Access to Warren Road may be a limited access.

Zoning Reclassification Cycle III April 1994 - October 1994 Page 2

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

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

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

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

RWB:sw

Baltimore County Government Fire Department



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

(301) 887-4500

DATE: 04/27/94

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

RE: Property Owner:

LOCATION:

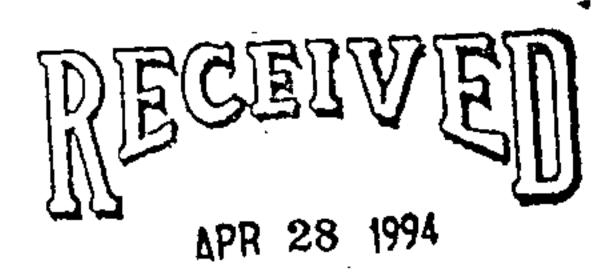
Item No.:

Zoning Agenda:

Gentlemen:

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

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



ZADM

REVIEWER: LT. ROBERT P. SAUERWALD

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

cc: File

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

May 3, 1994

TO: Mr. Arnold Jablon, Director

Mr. Arnold Jablon, Director Zoning Administration and Development Management

FROM:

J. Lawrence Pilson

Development Coordinator, DEPRM

SUBJECT:

Zoning Item #R-94-337 - Genstar White Marsh

Pulaski Highway

Zoning Advisory Committee Meeting of April 25, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

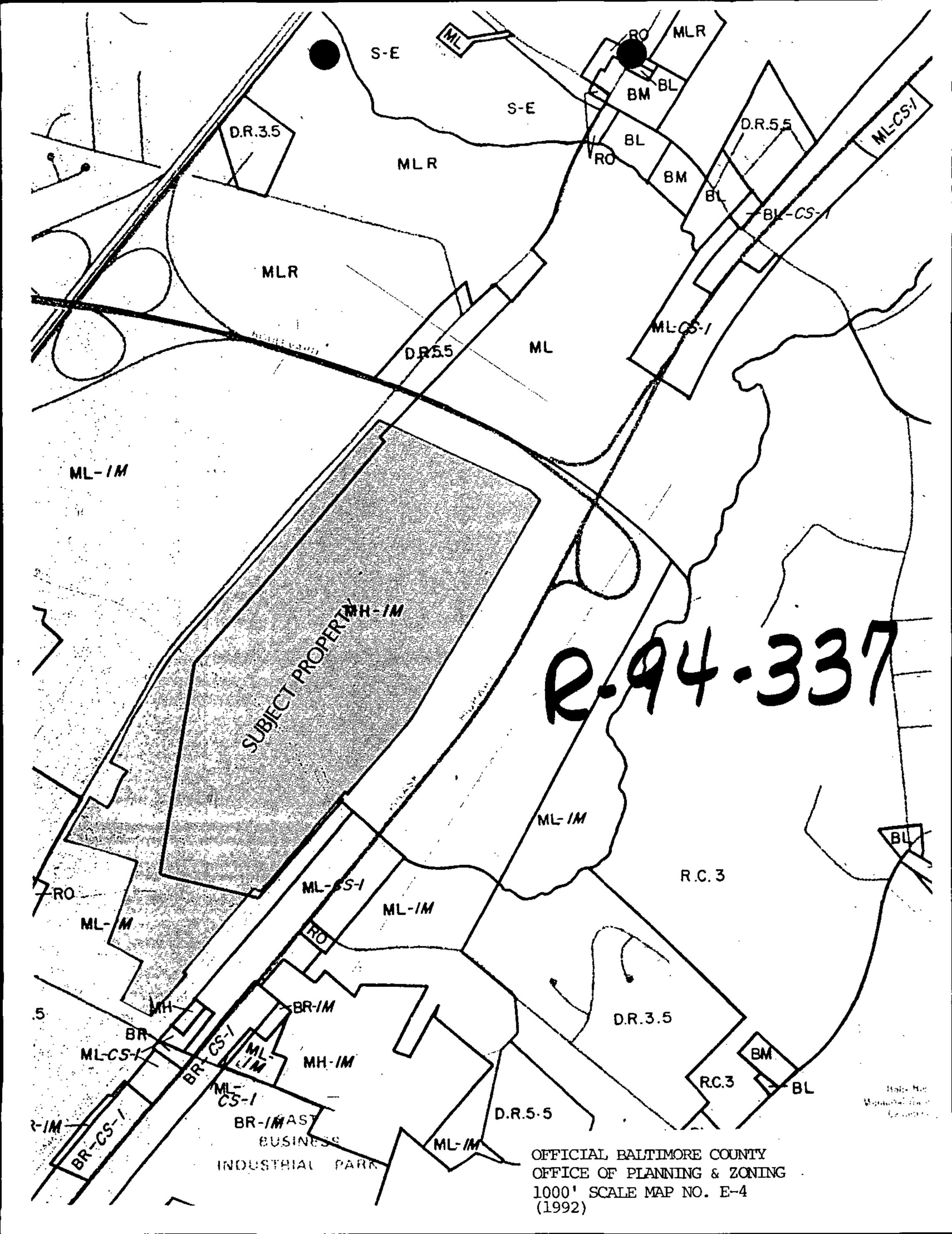
Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains apply to the site.

Additional information is needed from the applicant before the Department can complete the review of this zoning item. The applicant may contact the Environmental Impact Review Section of this Department of 887-3980 for details.

JLP:GS:sp

GENSTAR/DEPRM/TXTSBP



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

JULY 26, 1994

Genstar Stone Products Company c/o Robert A. Hoffman, Esq. 210 Allegheny Avenue Towson, Maryland 21204

Re: Case Number: R-94-337

NW/S Pulaski Highway, corner SW/S White Marsh Boulevard

SE/S Philadelphia Road

11th and 15th Election Districts - 5th 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,

ARNOLD JABLON
DIRECTOR

AJ:ggs

Per Gwen Stepehsn - ZADM

ALL ADVERTISING PAID FOR

CYCLE III RECLASS PETITIONS

BALTIMORE COUNTY, MARYLAND

ICE OF FINANCE · REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

DATE 6/14/94 ACCOUNT R-001-6/50

AMOUNT \$ 35.00

RECEIVED Vennill, Bartjer & Howard

FROM: Posting fee R-94-337

DEAESTORAGETERS #35.00

BA FAREFORAMAS ST. U.

VALIDATION OR SIGNATURE OF CASHIER

YELLOW - CUSTOMER

DISTINOUTION WHITE CASHIER

PINK - AGENCY

MEMORANDUM

TO: RECLASSIFICATION PETITIONERS, ATTORNEY, AND/OR REPRESENTATIVES

FROM: ZONING ADMINISTARTION AND DEVELOPMENT MANAGEMENT

111 W. Chesapeake Avenue, Towson, Maryland 21204

RE:: PAYMENT OF POSTING AND ADVERTISING FEES - RECLASSIFICATIONS

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

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

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

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

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

Briefly, your payments will be as follows:

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

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



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-94-337
NW/S Pulaski Highway, corner SW/S White Marsh Boulevard; also SE/S Philadlephia Road
11th and 15th Electrict Districts - 5th Councilmanic
Legal Owner(s): Genstar Stone Products Company

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

HEARING:

Thursday, October 27, 1994 at 10:00 a.m.

LOCATION:

COUNTY COURTHOUSE, ROOM 48

400 WASHINGTON AVENUE TOWSON, MARYLAND 21204

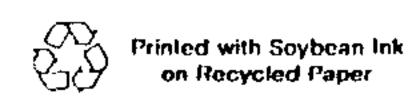
WILLIAM T. HACKETT, CHAIRMAN

COUNTY BOARD OF APPEALS

cc: Genstar Stone Products Company

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

OUNTY BOARD OF APPEALS
RECEIVED APPEALS



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

May 3, 1994

T0:

Mr. Arnold Jablon, Director Zoning Administration and Development Management

FROM:

J. Lawrence Pilson Development Coordinator, DEPRM

SUBJECT:

Zoning Item #R-94-337 - Genstar White Marsh

Pulaski Highway

Zoning Advisory Committee Meeting of April 25, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains apply to the site.

Additional information is needed from the applicant before the Department can complete the review of this zoning item. The applicant may contact the Environmental Impact Review Section of this Department of 887-3980 for details.

GENSTAR/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

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

FROM: Robert W. Bowling, Chief Developers Engineering Section

RE: V 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.
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 - 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.

 C_{i}

GENSTAR STONE PRODUCT COMPANY NW/s Pulaski Highway, corner SW/s White Marsh Boulevard; also SE/s Philadelphia Road

#R-94-337 Item #9, Cycle III, 1994

11th & 15 Election Districts 5th Councilmanic District

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

38.371 acres (5 parcels)

March 1, 1994

Petition for Reclassification filed by Robert Hoffman, Esquire, and John B. Howard, Esquire, on behalf of Genstar Stone Product Company, Petitioner.

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

Counsel for Petitioner

John H. Gease, Director of Technical Services Genstar Stone Products Company Executive Plaza, 6th Floor Hunt Valley, MD 21030

Petitioner

Greenhorne & O'Mara, Inc. 113 West Road, Suite 208 Towson, MD 21204

Pat Keller

Jeffrey Long

Engineer

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

People's Counsel for Baltimore County

Lawrence E. Schmidt Timothy M. Kotroco W. Carl Richards, Jr.

Docket Clerk /ZADM Arnold Jablon, Director /ZADM

Pauge Wingerst - 189

R-94-337 /Genstar Stone Products Company (Whitemarsh Plant)

- 8/30/94 -Letter from R. Hoffman, Esquire, on behalf of Petitioner /intention to request continuance on record to complete Documented site Plan on scheduled hearing date of Thursday, October 27, 1994 at 10:00 a.m.
- 8/31/94 -Letter to R. Hoffman --file and docket have been noted that matter will be opened and continued on 10/27/94 for purpose of amended to documented site plan, to be submitted in open hearing at later date. Copy to all interested parties.

^{10/27/94 -}Opened and continued by Paige Wingert, Esquire, Counsel for Petitioner.

To be reset for brief open hearing for purpose of submittal of Amended/

Documented Plan; to be requested by Petitioner.



County Board of Appeals of Baltimore County

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

August 31, 1994

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

RE: Case No. R-94-337
Genstar Stone Products Company
(Whitemarsh Plant)

Dear Mr. Hoffman:

Pursuant to your letter of August 26th regarding the subject matter, the Board has noted both its file and docket that, on October 27, 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 27th, but rather the matter opened and continued, to be scheduled for an early morning hearing at a later date for submittal of a Documented Site Plan.

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

Very truly yours,

Kathleen C. Weidenhammer Administrative Assistant

cc: John H. Gease
 Greenhorne & O'Mara, 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)

ROBERT A. HOFFMAN

WRITER'S DIRECT NUMBER IS

(410) 494-6262

August 26, 1994

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

Re:

- Cycle Zoning Reclassification No. R-94-337
- Legal Owner Genstar Stone Products Company
- Property known as the Genstar Whitemarsh Plant
- SW/C Intersection of White Marsh Boulevard and
 - Pulaski Highway

Dear Mr. Hackett:

On behalf of our client, Genstar Stone Products Company, the Petitioner in the above-referenced zoning reclassification request, we are writing to request a continuance for the hearing scheduled for Thursday, October 27, 1994 at 10:00 a.m. before the Board of Appeals.

The purpose of this request is to provide our client with some additional time to complete a Documented Site Plan which we had anticipated filing at the October 27th 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./Moffman

GPW\dok

cc: John H. Gease Gwen Stephens

Doton May Zimmorman Fo

Peter Max Zimmerman, Esq.

HACKET15.GPW

COUNTY BOARD OF APPEALS

VENABLE, BAETJER AND HOWARD ATTORNEYS AT LAW A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS BALTIMORE, MD 210 ALLEGHENY AVENUE WASHINGTON, D.C. MCLEAN, VA P.O. BOX 5517 ROCKVILLE, MD 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 February 28, 1994 William T. Hackett, Chairman County Board of Appeals of Baltimore County Old Court House 400 Washington Avenue Towson, Maryland 21204 - Cycle Zoning Reclassification Request Re: - Legal Owner - Genstar Stone Products Company - Property known as the Genstar Whitemarsh Plant - SW/C Intersection of White Marsh Boulevard and <u>Pulaski Highway</u>

Dear Mr. Hackett:

This firm represents Genstar Stone Products Company ("Genstar"), the Petitioner in the above-referenced zoning reclassification request for property located on the southwest corner of the intersection of White Marsh Boulevard (Rt. 43) and Pulaski Highway in White Marsh, Maryland. The subject property, which comprises approximately 205.85 acres, is presently zoned MH-IM and ML-IM. The Petitioner is 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.

Simply stated, the Petitioner believes the subject site should no longer be zoned heavy manufacturing given its relationship to the surrounding commercial and residential uses. Although the site is located in an area which has long consisted of industrial uses, rapid growth and changes have taken place in recent years. To the north of the site lies White Marsh Boulevard, the major east-west route in the area, which connects I-95, Pulaski Highway and the White Marsh Town Center. To the east and west, Pulaski Highway and

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

William T. Hackett, Chairman February 28, 1994 Page 2

Philadelphia Road serve as the approximate boundaries of the property. Thus, the subject site is situated in direct proximity to one of the fastest growing commercial and residential areas in Baltimore County. As this Board is no doubt aware, the White Marsh area has seen strong growth in recent years, not only in terms of commercial uses such as the nearby White Marsh Mall and Ikea store, but also residential developments such as Nottingham and Quail Ridge Apartments.

An additional factor which clearly demonstrates the anticipated growth at this location and the appropriateness of commercial zoning is the planned construction of interchange ramps at Philadelphia Road (Rt. 7) and White Marsh Boulevard (Rt. 43) which is the northwestern corner of the property.

Based upon its proximity to the White Marsh business and residential growth area as well as the planned interchange at Philadelphia Road and White Marsh Boulevard, the retention of industrial zoning at the subject site is inconsistent with the character of the surrounding area and constituted an error on the part of the County Council during the 1992 Comprehensive Rezoning Process. To maintain zoning in this area which would allow inappropriate redevelopment of heavy industrial uses is a mistake.

Please note also that the Petitioner anticipates filing a documented site plan for the subject site prior to a hearing on the merits of this case. The compatibility and consistency of the BR-IM classification will be made all the more clear with the submission of such a plan which will demonstrate the high quality use(s) the Petitioner envisions at this site.

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

Sincerely,

Robert A. Hoffman

DOK\gpw enclosures

Mr. John H. Gease cc:

HACKETT9.GPW

REV. 3-2-94

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

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

210 ALLEGHENY AVENUE

P.O. BOX 5517

TOWSON, MARYLAND 21285-5517

(410) 494-6200

FAX (410) 821-0147

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

WRITER'S DIRECT NUMBER IS

ROBERT A. HOFFMAN

March 1, 1994

(410) 494-6262

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

Re: - Cycle Zoning Reclassification Request

- Legal Owner Genstar Stone Products Company
- Property known as the Genstar Whitemarsh Plant
- SW/C Intersection of White Marsh Boulevard and Pulaski Highway

Dear Mr. Hackett:

This firm represents Genstar Stone Products Company ("Genstar"), the Petitioner in the above-referenced zoning reclassification request for property located on the southwest corner of the intersection of White Marsh Boulevard (Rt. 43) and Pulaski Highway in White Marsh, Maryland. The subject property, which comprises approximately 205.85 acres, is presently zoned MH-IM and ML-IM. The Petitioner is 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.

Simply stated, the Petitioner believes the subject site should no longer be zoned heavy manufacturing given its relationship to the surrounding commercial and residential uses. Although mining and the processing of sand and gravel have historically been the primary use of the property, both the sand and gravel resources were depleted in 1993 and no further processing of sand and gravel is expected to occur.

In addition, it is important to note that the site is located in an area which has long consisted of industrial uses, rapid growth

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

and changes have taken place in recent years. To the north of the site lies White Marsh Boulevard, the major east-west route in the area, which connects I-95, Pulaski Highway and the White Marsh Town Center. To the east and west, Pulaski Highway and Philadelphia Road serve as the approximate boundaries of the property. Thus, the subject site is situated in direct proximity to one of the fastest growing commercial and residential areas in Baltimore County. As this Board is no doubt aware, the White Marsh area has seen strong growth in recent years, not only in terms of commercial uses such as the nearby White Marsh Mall and Ikea store, but also residential developments such as Nottingham and Quail Ridge Apartments.

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Please note also that the Petitioner anticipates filing a documented site plan for the subject site prior to a hearing on the merits of this case. The compatibility and consistency of the BR-IM classification will be made all the more clear with the submission of such a plan which will demonstrate the high quality use(s) the Petitioner envisions at this site.

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

Sincerely,

BY: GPU

Robert A. Hoffman

DOK\gpw enclosures

cc: Mr. John H. Gease

HACKETT9.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.

BOARD OF APPEALS CASE NUMBER	<u>PDM FILE NUMBER</u>	<u>NAME</u>	LOCATION
R-94-337	R-94-337	GENSTAR STONE PRODUCT COMPANY	PULASKI HIGHWAY AND WHITE MARSH BLVD.

Attachment: SUBJECT FILE(S) ATTACHED

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

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

County Board of Appeals of Bultimore County Room 49 old courthouse Towson, Maryland 21204

John H. Gease, Director of Technical Services Genstar Stone Products Company Executive Plaza, 6th Floor Hunt Valley, MD 21030

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

Greenhorne & O'Mara, Inc. 113 West Road, Suite 208 Towson, MD 21204

County Appeals of Baltimore County Board of

OLD COURTHOUSE MARYLAND 21204 ROOM 49 TOWSON,

Service Requested Return.

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Aultimore County

of Appeals of

County Board

Return Service Requested

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COUNTY CO

