

IN THE MATTER OF	*	BEFORE THE
THE APPLICATION OF		
<u>THE GILES BUILDING AND DEVELOPMENT</u>	*	COUNTY BOARD OF APPEALS
<u>CO FOR ZONING RECLASSIFICATION FROM</u>		
M.L.-I.M. TO B.L ON PROPERTY LOCATED ON*		OF
THE N/S RACE ROAD, 95' W OF C/L YELLOW		
BRICK ROAD (1224 & 1226 & 1228 RACE RD)	*	BALTIMORE COUNTY
15 TH ELECTION DISTRICTS	*	Case No. R-94-339
7 TH COUNCILMANIC DISTRICT		Cycle III, 1994
* * * * *		* * * * *

ORDER OF DISMISSAL OF PETITION

This case comes to the Board on a Petition for Reclassification filed by Michael Marino, Esquire, on behalf of The Giles Building and Development Co., Petitioner, for zoning reclassification from M.L.-I.M. to B.L. on property located on the north side Race Road, 95' west of centerline Yellow Brick Road (1224 & 1226 & 1228 Race Road) in the Fifteenth Election District of Baltimore County.

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

WHEREAS, no further action has been taken in this matter since a postponement was granted to Petitioner on March 24, 1995;

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

ORDERED that said Petition filed in Case No. R-94-339 be and the same is declared moot, and the Petition **DISMISSED**.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**



Charles L. Marks, Chairman

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JULY 26, 1994

The Giles Building and Development Company
c/o Michael E. Marino, Esq.
609 Bosley Avenue
Towson, Maryland 21204

Re: Case Number: R-94-339
1224 and 1226 and 1228 Race Road
N/S Race Road, 95' W of c/l Yellow Brick Road
15th Election District - 7th Councilmanic

Dear Mr. Marino:

Attached you will find a copy of the memorandum originally forwarded to you on May 24, 1994. As noted thereon, payment 1 (posting charge), is now overdue. 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:

- 1) A check made payable to Baltimore County, Maryland in the amount of \$35.00.
- 2) A check made payable to Patuxent Publishing in the amount of \$331.80.

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

Very truly yours,

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

ARNOLD JABLON
DIRECTOR

AJ:ggs

Per Gwen Stephens - ZADM

ALL ADVERTISING PAID FOR

CYCLE III RECLASS PETITIONS



Zoning Reclassification Cycle III
April 1994 - October 1994
Page 2

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

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

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

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

RWB:sw

Baltimore County Government
Fire Department



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

(301) 887-4500

DATE: 04/27/94

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

RE: Property Owner:

LOCATION:

Item No.: Zoning Agenda:

Gentlemen:

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

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

RECEIVED

APR 28 1994

ZADM

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

cc: File



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary

Hal Kassoff
Administrator

4-26-94

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

Re: Baltimore County
~~CASE~~ Item No.: R-94-339

Dear Ms. Minton:

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

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

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

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

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box
Street Address: 707 North Cal

Baltimore, MD 21203-0717
Baltimore, Maryland 21202

MEMORANDUM

TO: RECLASSIFICATION PETITIONERS, ATTORNEY, AND/OR REPRESENTATIVES

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

RE: PAYMENT OF POSTING AND ADVERTISING FEES - RECLASSIFICATIONS

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

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

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

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

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

Briefly, your payments will be as follows:

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

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



County Board of Appeals of Baltimore County

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

MAY 24, 1994

NOTICE OF HEARING

CASE NUMBER: R-94-339
1224 and 1224 and 1226 and 1228 Race Road
N/S Race Road, 95' W of c/l Yellow Brick Road
15th Election District - 7th Councilmanic
Legal Owner(s): The Giles Building and Development Company

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

HEARING: Tuesday, November 15, 1994 at 10:00 a.m.

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

William T. Hackett

WILLIAM T. HACKETT, CHAIRMAN
COUNTY BOARD OF APPEALS

cc: The Giles Building and Development Company
Michael E. Marino, Esq.
D.S. Thaler & Associates

*Done'd on record,
property was not
posted. No the
next for hearing.*

94 MAY 27 PM 2:56

RECEIVED
COUNTY BOARD OF APPEALS



County Board of Appeals of Baltimore County

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

January 27, 1995

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. R-94-339

THE GILES BUILDING & DEVELOPMENT COMPANY
N/s Race Road, 95' W of c/l Yellow Brick
Road (1224 & 1226 & 1228 Race Road)
15th E; 7th C

~~2/28/94 -Petition for Reclassification
filed by Petitioner; to reclassify
property's zoning from M.L.-I.M. to B.L.
(.94 acre)~~

ASSIGNED FOR:

TUESDAY, MARCH 28, 1995 at 10:00 a.m.

cc: Michael Marino, Esquire
Gil P. Stern, President
The Giles Bldg. & Development Co.

Counsel for Petitioner

Petitioner

D. S. Thaler & Assoc., Inc.

Engineer

James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards, Jr.
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Kathleen C. Weidenhammer
Administrative Assistant





County Board of Appeals of Baltimore County

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

March 24, 1995

NOTICE OF POSTPONEMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. R-94-339

THE GILES BUILDING & DEVELOPMENT COMPANY
N/s Race Road, 95' W of c/l Yellow Brick
Road (1224 & 1226 & 1228 Race Road)
15th E; 7th C

2/28/94 -Petition for Reclassification
filed by Petitioner; to reclassify
property's zoning from M.L.-I.M. to B.L.
(.94 acre)

which was scheduled to be heard on Tuesday, March 28, 1995, has been POSTPONED at the request of Counsel for Petitioner. Upon rescheduling by the Board, Notice of Assignment will be sent to interested parties.

cc: Michael Marino, Esquire Counsel for Petitioner
Gil P. Stern, President
The Giles Bldg. & Development Co. Petitioner

D. S. Thaler & Assoc., Inc. Engineer

James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards, Jr.
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Kathleen C. Weid nhammer
Administrative Assistant





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary

Hal Kassoff
Administrator

4-26-94

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

Re: Baltimore County
~~CASE~~ Item No.: R-94-339

Dear Ms. Minton:

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

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

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

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

BS/

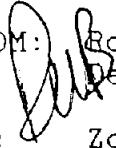
My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

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

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

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

FROM:  Robert W. Bowling, Chief
Developers Engineering Section

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

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

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

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

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

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

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

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

Zoning Reclassification Cycle III

April 1994 - October 1994

Page 2

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

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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, 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 *trs*
Board of Appeals

SUBJECT: **CLOSED APPEAL CASE FILE**

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

<u>BOARD OF APPEALS CASE NUMBER</u>	<u>PDM FILE NUMBER</u>	<u>NAME</u>	<u>LOCATION</u>
R-94-339	<i>R-94-339</i>	THE GILES BUILDING AND DEVELOPMENT	RACE ROAD AND YELLOW BRICK ROAD

Attachment: SUBJECT FILE(S) ATTACHED

THE GILES BUILDING AND DEVELOPMENT CO. #R-94-339
N/s Race Road, 95' W of centerline Item #11, Cycle III, 1994
Yellow Brick Road (1224 & 1226 & 1228
Race Road) 15th Election District
7th Councilmanic District

From M.L.-I.M. to B.L. .94 acre

February 28, 1994 Petition for Reclassification filed by Michael
Marino, Esquire, on behalf of The Giles
Building and Development Co., Petitioner.

* Michael Marino, Esquire Counsel for Petitioner
LEVY & MARINO, P.A.
609 Bosley Avenue
Towson, MD 21204

Gil P. Stern, President
The Giles Building & Development Co. Petitioner
P.O. Box 511
Brooklandville, MD 21022

D.S. Thaler & Assoc., Inc. Engineer
c/o Alan Scoll
7115 Ambassador Road
Baltimore, MD 21207

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

10



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

Michael Marino, Esquire
LEVY & MARINO P.A.
609 Bosley Avenue
Towson, MD 21204

RE: *In the Matter of: The Giles Building and Development Co.*
Case No. R-94-339 / Order of Dismissal of Petition

Dear Mr. Marino:

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

Very truly yours,

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

Kathleen C. Bianco
Administrator

Enclosure

c: Gil P. Stern, President
The Giles Building & Development Co.
D.S. Thaler & Assoc., 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

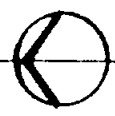
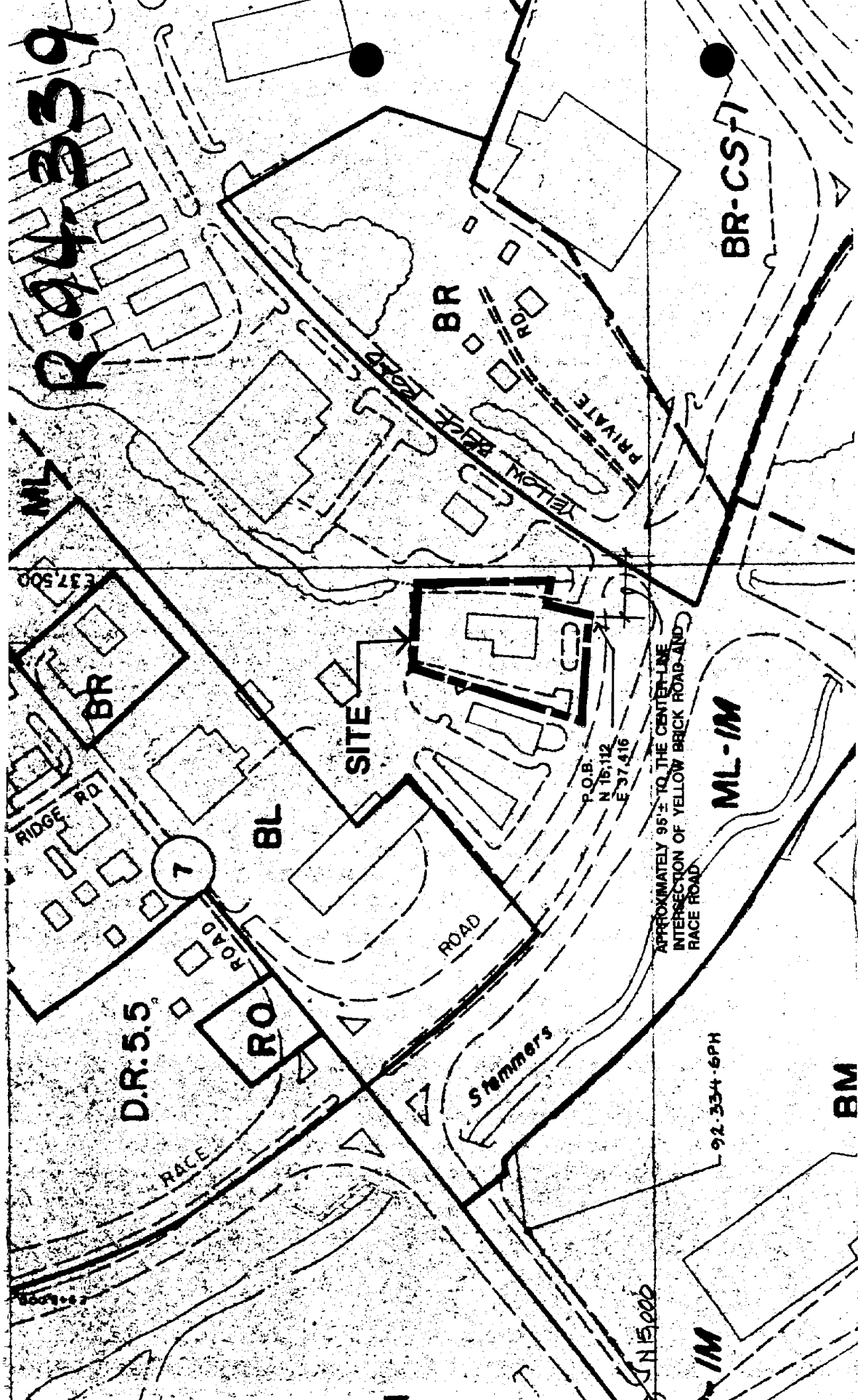
1/27/95 -Following parties notified of hearing on merits scheduled
for Tuesday, March 28, 1995 at 10:00 a.m:

Michael Marino, Esquire
Gil P. Stern, President
The Giles Bldg. & Development Co.
D. S. Thaler & Assoc., Inc.
James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards, Jr.
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

3/24/95 -M. Marino stopped in to Board's offices; property of subject reclass petition
has not been posted; requested postponement; has spoken with People's Counsel,
who is in agreement with request.

- Notice of Postponement sent to parties; case to be rescheduled at next
available date and upon confirmation by Counsel for Petitioner.
Notice of Assignment to be sent to interested parties upon reset.

11/15/94 -Case continued on the record; property was not posted as required by County Code. Counsel for Petitioner and People's Counsel appeared to request that continuance be granted to allow for proper posting of property. Request granted. Case to be rescheduled for hearing.



NORTH

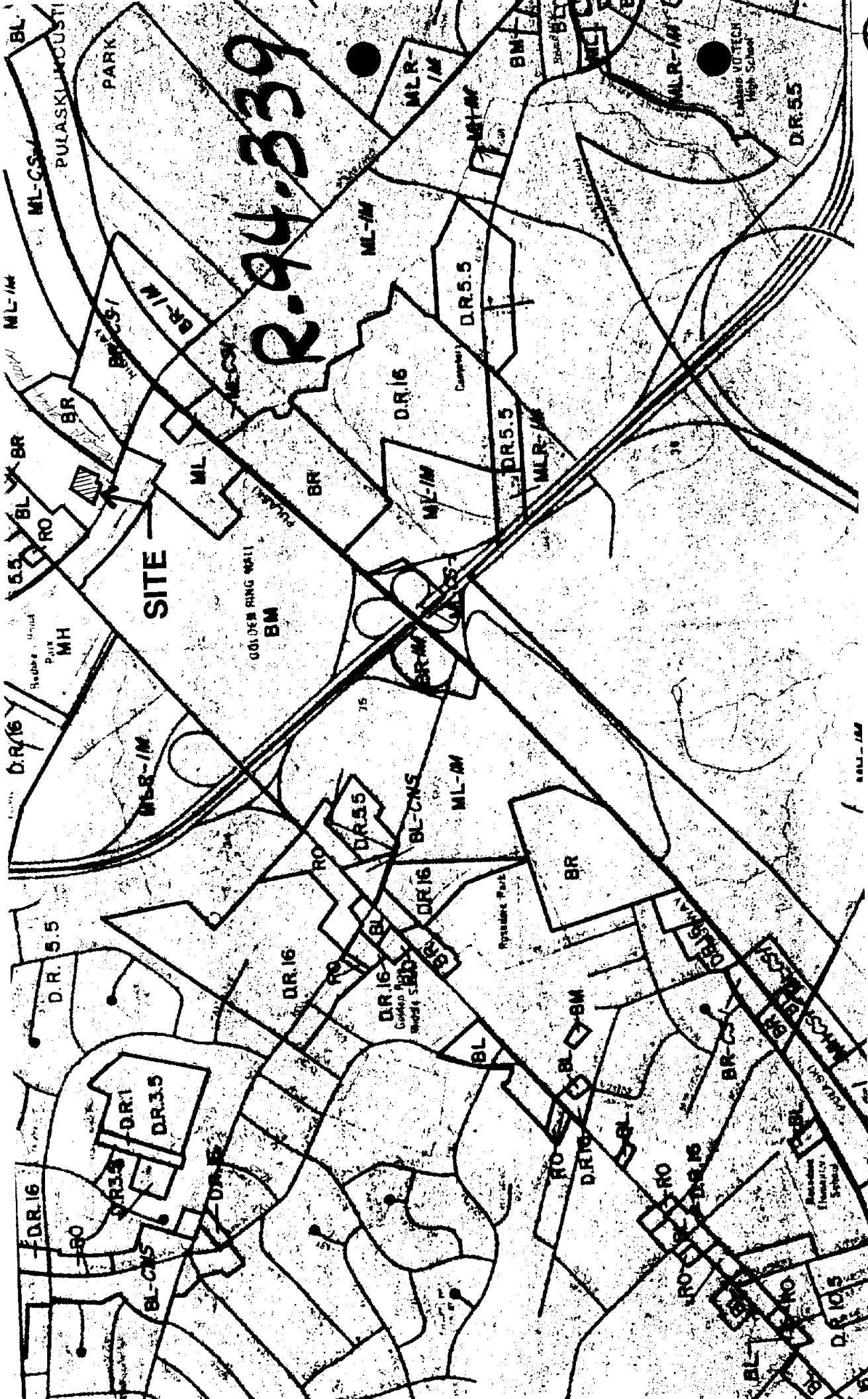
200 SCALE ZONING MAP TO ACCOMPANY
RECLASSIFICATION PETITION

1224, 1226 & 1228 RACE ROAD

NE 4 G

D.S. THALER & ASSOC., INC.

CIVIL ENGINEERS • LAND PLANNERS • SURVEYORS • LANDSCAPE ARCHITECTS
7115 AMBASSADOR ROAD, BALTIMORE, MD 21244
(410) 944-ENGR, (410) 944-3647
MAP:NE-4G 2-22-94



1000 SCALE ZONING MAP TO ACCOMPANY
RECLASSIFICATION PETITION

1224, 1226 & 1228 RACE ROAD

D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS • LAND PLANNERS • SURVEYORS • LANDSCAPE ARCHITECTS
7115 AMBASSADOR ROAD, BALTIMORE, MD 21244
(410) 944-ENGR, (410) 944-3647
MAP: F-2 2-22-94

LOT#13 PLAT 17-10
ROLANDO DELA CRUZ
1230 RACE ROAD

P. 208 6/29/97
ROUTE 100A - GOLDEN KING TRAVEL
TRANSFERRITION
8800 YELLOW BRICK RD.
ROUTE 100A - INTERSTATE UNIFORM
SERVICES CORP.
WILMINGTON, DESS.

E 37,500
H 15,250

ML-IM

LOTS #10, #11 & #12
PLAT 17-10
6495/081
0.91 AC±

LOTS #819 PLAT 17-10
WESTERN FEDERAL SAVINGS
LOAN ASSOC.

ML-IM

P.O.B.
N 15,112
E 37,416

EX. UTILITY EARTH
STUD END
N 16°51'33" W 32.60
N 10°10'10" W 70.4
S 13°08'01" W 10.63

YELLOW
BRICK ROAD
EX. 70' E/W

RACE ROAD

ML-IM

ROSSVILLE BLVD



NORTH

AREA OF ML-IM TO BE RECLASSIFIED
TO BL: 0.94 AC±
ELECTION DISTRICT: 15
COUNCILMANIC DISTRICT: 7
CBCA: NA



1224, 1226 & 1228 RACE ROAD
OPEN PLAT TO ACCOMPANY
PETITION FOR RECLASSIFICATION

CIVIL ENGINEERS • SITE PLANNERS
SURVEYORS

DST & A haler ssoc.
Inc.

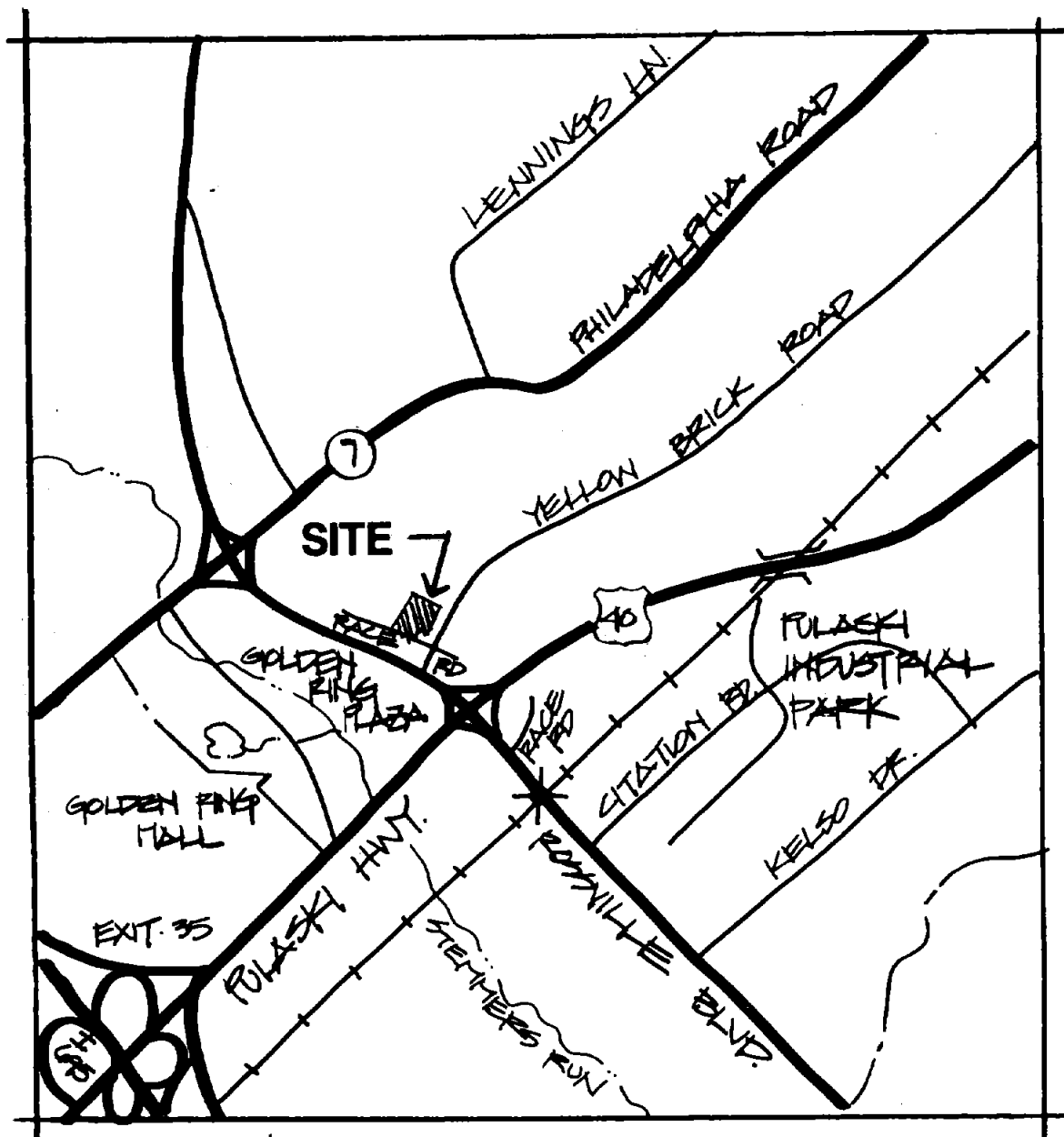
7115 AMBASSADOR ROAD BALTIMORE, MARYLAND 21207 (301) 944-3847
(301) 944-ENGR

SCALE :
1"=50'

DATE :
2-22-94

JOB NO.:

DRAWN BY: CHECKED BY:



NORTH

1224, 1226 & 1228 RACE ROAD

VICINITY MAP TO ACCOMPANY
PETITION FOR RECLASSIFICATION

CIVIL ENGINEERS • SITE PLANNERS
SURVEYORS

DST & A haler ssoc.
Inc.

7115 AMBASSADOR ROAD BALTIMORE, MARYLAND 21207 (301) 944-3847 (301) 944-ENG

SCALE :

1"=1000'

DATE :

2-22-94

JOB NO.:

DRAWN BY: CHECKED BY:

County Board of Appeals of Baltimore County

ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

Michael Marino, Esquire
LEVY & MARINO, P.A.
609 Bosley Avenue
Towson, MD 21204

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

Gil P. Stern, President
The Giles Building & Development Co.
P.O. Box 511
Brooklandville, MD 21022

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

D. S. Thaler & Associates, Inc.
c/o Alan Scoll
7115 Ambassador Road
Baltimore, MD 21207

Item #11

R-94-339

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

ZONING RECLASSIFICATION PETITIONS

Cycle III, 1994

July 31, 1994



● R-94-339



Petition for Reclassification to the Board of Appeals of Baltimore County for the property located at

1224-1228 Race Road

15th Election District, Baltimore County,
Maryland 21237

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

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

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

N/A

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

N/A

RECEIVED
FEB 23 PM 1:30

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

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Michael E. Marino

(Type or Print Name)

Signature

609 Bosley Avenue (410) 821-6633

Address

Phone No.

Towson, MD 21204

City

State

Zipcode

Legal Owner(s):

The Giles Building and Development Company

(Type or Print Name)

By: Gil P. Stern

Signature

Gil P. Stern, President

(Type or Print Name)

Signature

P.O. Box 511

(410) 653-3597

Address

Phone No.

Brooklandville, MD 21022

City

State

Zipcode

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

D.S. Thaler & Associates c/o Alan Scoll

Name

7115 Ambassador Road (21244) (410) 944-3647

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____



Baltimore County Government
Planning Board



401 Bosley Avenue
Towson, MD 21204

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

July 22, 1994

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

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

Dear Mr. Hackett:

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

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

Sincerely,

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

Pat Keller
Secretary to the Planning Board

PK/TD/mjm
LTRS/PZONE/TXTMJM

Enclosure

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





ZONING RECLASSIFICATION PETITIONS

Cycle III, 1994

Report by the Baltimore County
Planning Board
to the

Baltimore County Board of Appeals

July 31, 1994

Baltimore County
Office of Planning and Zoning
Towson, Maryland

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INTRODUCTION

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

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

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

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

CYCLEA/PZONE/CYCLE

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

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

PETITIONS FOR RECLASSIFICATION
CYCLE III, 1994

Assigned Hearing Dates
County Board of Appeals
Page 1 of 2

Week of September 12, 1994

Item #1, Case No. R-94-329
Masters-Severe, Inc. /Legal Owner
Village Sound Company, Inc. /Contract Purchaser
Tuesday, September 13, 1994 @ 10:00 a.m.

Week of September 19, 1994

Item #2, Case No. R-94-330
C&E Realty Company
Wednesday, September 21, 1994 @ 10:00 a.m.

Week of September 26, 1994

Item #3, Case No. R-94-331
Morningside Six Limited Partnership
Wednesday, September 28, 1994 @ 10:00 a.m.

Week of October 3, 1994

Item #4, Case No. R-94-332
Baltimore Gas & Electric Company, Inc. AND
Baltimore County, Maryland AND CSX Transportation,
Inc. /Legal Owners
Nace, Inc. /Contract Purchaser
Tuesday, October 4, 1994 @ 10:00 a.m.

Item #5, Case No. R-94-333
Hico Park M Limited Partnership
Thursday, October 6, 1994 @ 10:00 a.m.

Week of October 10, 1994

Item #6, Case No. R-94-334
Baltimore Gas & Electric Company, Inc.
Wednesday, October 12, 1994 @ 10:00 a.m.

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

Week of October 17, 1994

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

Week of October 24, 1994

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

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

Week of October 31, 1994

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

Week of November 14, 1994

Item #11, Case No. R-94-339
The Giles Building & Development Company
Tuesday, November 15, 1994 @ 10:00 a.m.

Week of November 28, 1994

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

Week of December 5, 1994

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

BALTIMORE COUNTY, MARYLAND

Recommendations of the Office of Planning and Zoning

July 31, 1994

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

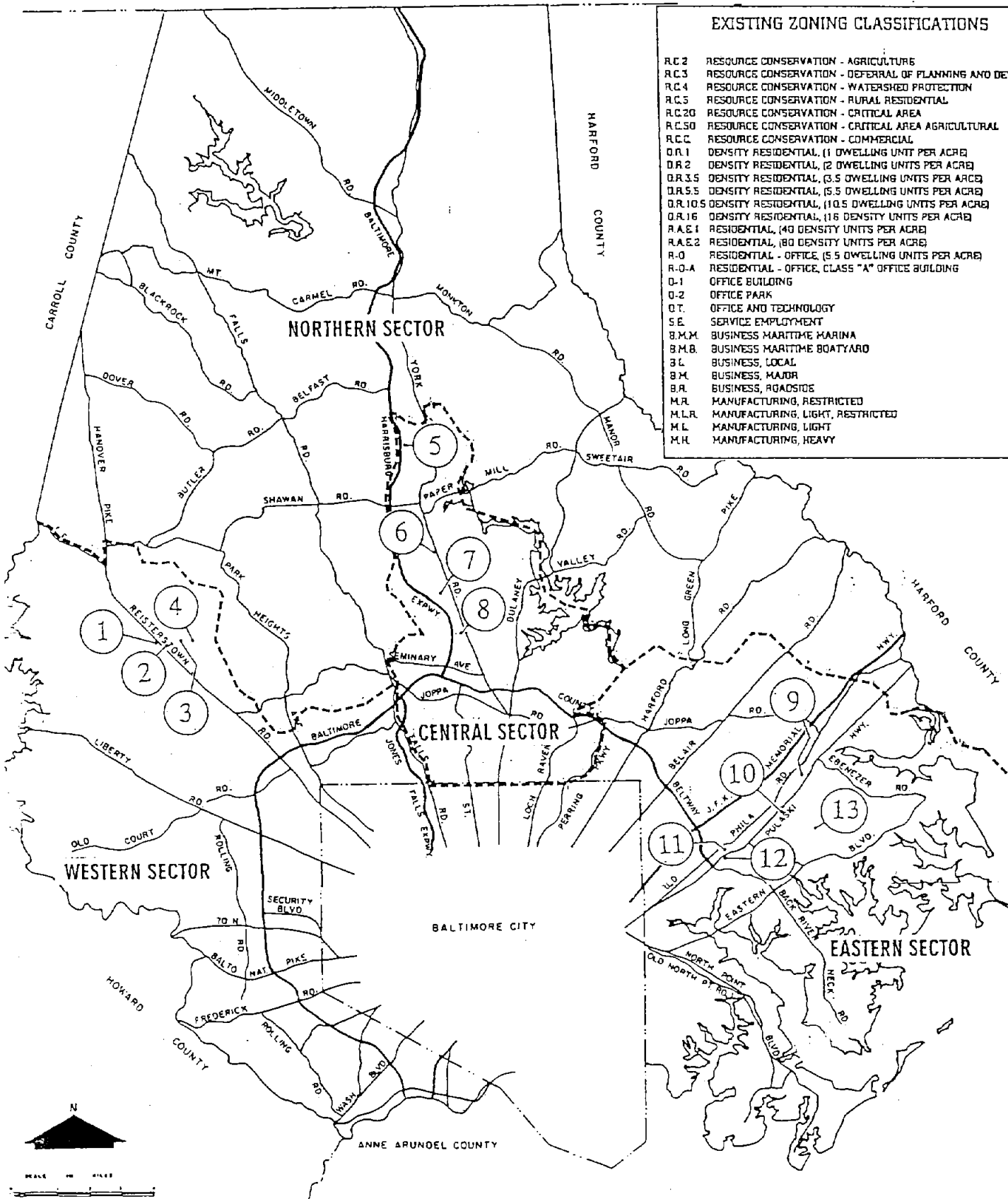
Item No. and Petitioner	Location	Acreage	Existing Zoning	Requested Zoning	OPZ/PB Recommendation
Item No. 7 Genstar Stone Products Company	South side of Galloway Avenue, 670' west of York Road, north side of Padonia Road, and east and west of proposed Beaver Dam Road	38.3	M.L.-I.M.	B.M.-I.M.	M.L.-I.M.
Item No. 8 Stebbins-Anderson Company, Inc.	Southwest corner of Timonium and Aylesbury Roads (21 West Timonium Road)	14.6	M.L.-I.M.	B.R.-I.M.	M.L.-I.M.
Item No. 9 Genstar Stone Products Company	Northwest corner of Pulaski Highway and White Marsh Boulevard, and southeast side of Philadelphia Road	205.8	M.L.-I.M. M.H.-I.M.	B.R.-I.M.	M.L.-I.M. M.H.-I.M.
Item No. 10 Janet Terry	Southeast side of Pulaski Highway, 1915' southwest of the centerline of Mohrs Lane	11.85	M.L.-I.M. M.L.-A.S.	B.R.-I.M.	M.L.-I.M. M.L.-A.S.
Item No. 11 The Giles Building and Development Company	North side of Race Road, 95' west of the centerline of Yellow Brick Road	.94	M.L.-I.M.	B.L.	M.L.-I.M.
Item No. 12 Savino Bollino & Rose Bollino	Southeast side of Pulaski Highway, 300' southwest of the centerline of Rossville Boulevard	4.3	B.R. M.L.-A.S. M.L.-I.M.	B.R.-I.M. B.R.-A.S.	B.R. M.L.-A.S. M.L.-I.M.
Item No. 13 Gerald D. Sherman & Roger A. Spero	Northeast and southwest side of Gladway Road, 1150' north of Bengies Road and 2390' southeast of Bird River Road	51.6	D.R.-1 M.L.-I.M. M.H.-I.M.	D.R. 3.5	D.R. 1 M.L.-I.M. M.H.-I.M.

LOCATIONS OF PROPERTIES UNDER PETITION

YORK COUNTY, PA.

EXISTING ZONING CLASSIFICATIONS

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



R-94-339

**ATTACHMENT TO PETITION FOR RECLASSIFICATION
1224, 1226, 1228 RACE ROAD**

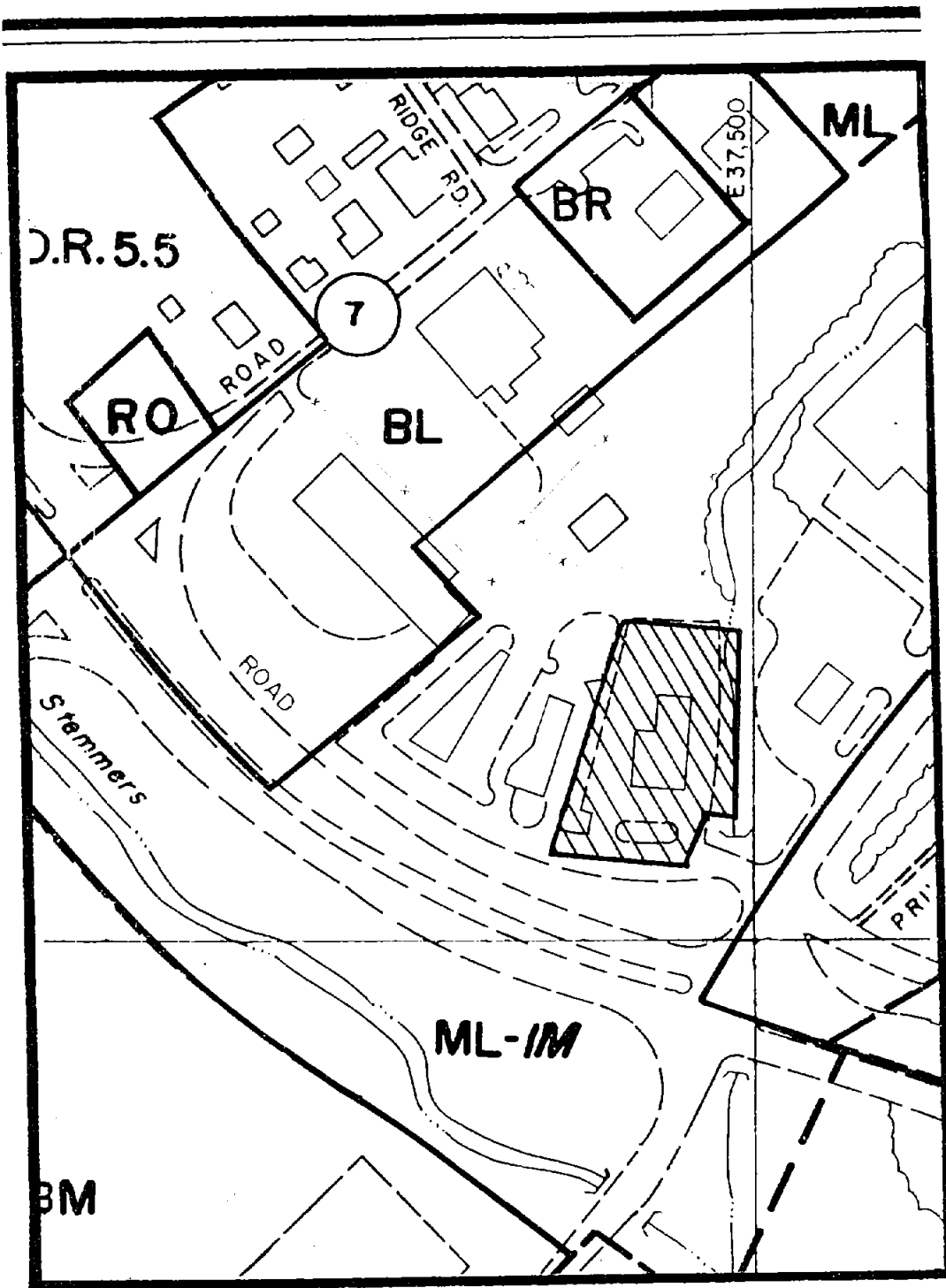
Reasons for reclassification as follows:

The latest classification of the property was established in error; the ML-IM zoning presently associated with the property is not conducive to the site or the future needs of the community. The property faces the Golden Ring Mall and is surrounded by various "Business Zones".

SOURCE MATERIAL

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

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



ITEM NUMBER 11
Location of Property Under Petition

Scale: 1" = 200'

PETITIONER:

The Giles Building and Development Company

REQUESTED ACTION:

Reclassification to B.L. (Business, Local)

EXISTING ZONING:

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

LOCATION:

North side Race Road, 95 feet west of the centerline of Yellow Brick Road

AREA OF SITE:

.94 acres ±

ZONING OF ADJACENT PROPERTY/USE:

North: M.L.-I.M. - industrial (Bay City Construction)

South: M.L.-I.M. - Rossville Boulevard

East: M.L.-I.M. - Bus Station

West: M.L.-I.M. - Commercial (Bank)

SITE DESCRIPTION:

The site is improved with a one and two-story office building.

PROPERTIES IN THE VICINITY:

The surrounding land is zoned M.L.-I.M. Adjacent land to the north is used for industrial purposes. The property to the east is used for a bus station and property to the west is occupied by a bank. Rossville Boulevard lies to the south of the site on the other side of Race Road.

WATER AND SEWERAGE:

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

TRAFFIC AND ROADS:

The site is directly accessible from Race Road. The property is indirectly accessible from Rossville Boulevard and Yellow Brick Road. Rossville Boulevard is a minor arterial road located adjacent and parallel to Race Road. Yellow Brick Road is an industrial service road.

The intersection of Race Road and Yellow Brick Road and the adjacent intersection of Yellow Brick Road and Rossville Boulevard are located within 200 feet of the site.

ZONING HISTORY:

The property's zoning has been in place since 1976.

MASTER PLAN/COMMUNITY PLANS:

The Philadelphia Road Corridor Study Land Use Map (adopted January 21, 1992) designates this site for General Industrial use.

PROPOSED VS. EXISTING ZONING:

Regulations governing the B.L. zone may be found in Section 230 of the Baltimore County Zoning Regulations (B.C.Z.R.). The B.L. zone allows a wide range of uses in addition to those permitted in the residential zone immediately adjoining the property. Density is regulated by a floor area ratio of 3.0. However, density is generally limited by parking requirements and economic constraints. Building height is limited by the height tent regulations; setbacks include front yards not less than 10 feet and not less than 40 feet from the centerline of the street, except as specified in Section 302.2. No setback is required for side yards, except for lots abutting a residential zone or on a corner lot on the street side; in these cases a 10 foot setback is required.

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

OFFICE OF PLANNING AND ZONING SUMMARY AND RECOMMENDATIONS:

Based upon the information provided and analysis conducted, staff recommends the applicant's request be denied for the following reasons:

-Rezoning to B.L. is not consistent with the recently adopted Master Plan amendment for the Philadelphia Road Corridor. This plan designates the site and surrounding properties for General Industrial use.

-The nearby intersections of Race Road-Yellow Brick Road and Yellow Brick Road-Rossville Boulevard are hazardous locations. Rezoning the site for commercial rather than office uses could result in an increased number of vehicular trips to and from the site which would exacerbate an already bad traffic situation.

JL:lw

INTER-AGENCY COMMENTS

Baltimore County Public Schools

Dr. Stuart Berger, Superintendent

Towson, Maryland

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

June 1, 1994

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

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

Dear Jeff:

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

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

Item 5 - Case No. R-94-333

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

Proposed Zoning - D.R.-5.5

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

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

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

Page 2

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

310 S.F.	x .146	=	45	
311 T.H.	x .090	=	<u>28</u>	
				73 High Students

A total yield of 297 students

Item 13 - Case No. R-94-341

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

Proposed Zoning - D.R.-3.5

Zoning would allow 180.8 single family homes.

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

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

Sincerely,

Barbara Pickelsimer
Barbara Pickelsimer,
Field Representative
Office of Pupil Assignments

bp

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

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

FROM: Robert W. Bowling, Chief
 Developers Engineering Section

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

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

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

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

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

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

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

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

Zoning Reclassification Cycle III
April 1994 - October 1994
Page 2

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

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

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

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

RWB:sw

R-94.339

1224, 1226 & 1228 RACE ROAD

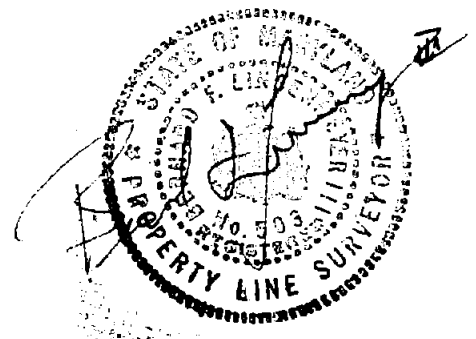
DESCRIPTION (FOR ZONING PURPOSES ONLY)

Beginning at a point along the northern 60' right of way line of Race Road approximately 95'± west of the intersecting centerlines of Race Road and Yellow Brick Road the following seven (7) courses and distances:

1. 48.04 feet curving to the left, having a radius of 410.38 feet, more or less, to a point; thence,
2. North 86°16'28" West 115.80 feet, more or less, to a point; thence leaving the said right of way,
3. North 17°19'07" East, 260.98 feet, more or less, to a point; thence,
4. South 85°48'53" East 130.38 feet, more or less, to a point; thence,
5. South 0°58'28" East 191.86 feet, more or less, to a point; thence,
6. North 76°51'33" West 32.60 feet, more or less, to a point; thence,
7. South 13°09'01" West 70.49 feet, more or less, to the point of beginning.

Containing 0.94 acres of land, more or less.

As known as 1224, 1226 and 1228 Race Road located in the 15th Election District.



Baltimore County Government
Fire Department



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

(301) 887-4500

DATE: 04/27/94

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

RE: Property Owner:

LOCATION:

Item No.: Zoning Agenda:

Gentlemen:

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

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

RECEIVED

APR 28 1994

ZADM

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

cc: File



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary

Hal Kassoff
Administrator

4-26-94

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

Re: Baltimore County
~~CASE~~ Item No.: R-94-339

Dear Ms. Minton:

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

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

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

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

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box
Street Address: 707 North Cal

Baltimore, MD 21203-0717
Baltimore, Maryland 21202

IN THE MATTER OF	*	BEFORE THE
THE APPLICATION OF		
<u>THE GILES BUILDING AND DEVELOPMENT</u>	*	COUNTY BOARD OF APPEALS
<u>CO FOR ZONING RECLASSIFICATION FROM</u>		
M.L.-I.M. TO B.L ON PROPERTY LOCATED ON*		OF
THE N/S RACE ROAD, 95' W OF C/L YELLOW		
BRICK ROAD (1224 & 1226 & 1228 RACE RD)	*	BALTIMORE COUNTY
15 TH ELECTION DISTRICTS	*	Case No. R-94-339
7 TH COUNCILMANIC DISTRICT		Cycle III, 1994
	*	
	*	
	*	
	*	
	*	
	*	
	*	

ORDER OF DISMISSAL OF PETITION

This case comes to the Board on a Petition for Reclassification filed by Michael Marino, Esquire, on behalf of The Giles Building and Development Co., Petitioner, for zoning reclassification from M.L.-I.M. to B.L. on property located on the north side Race Road, 95' west of centerline Yellow Brick Road (1224 & 1226 & 1228 Race Road) in the Fifteenth Election District of Baltimore County.

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

WHEREAS, no further action has been taken in this matter since a postponement was granted to Petitioner on March 24, 1995;

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

ORDERED that said Petition filed in Case No. R-94-339 be and the same is declared moot, and the Petition **DISMISSED**.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**



Charles L. Marks, Chairman



County Board of Appeals of Baltimore County

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

FAX: 410-887-3182

February 25, 2002

Michael Marino, Esquire
LEVY & MARINO P.A.
609 Bosley Avenue
Towson, MD 21204

RE: *In the Matter of: The Giles Building and Development Co.*
Case No. R-94-339 / Order of Dismissal of Petition

Dear Mr. Marino:

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

Very truly yours,

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

Kathleen C. Bianco
Administrator

Enclosure

c: Gil P. Stern, President
The Giles Building & Development Co.
D.S. Thaler & Assoc., 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

● R-94-339



Petition for Reclassification to the Board of Appeals of Baltimore County for the property located at

1224-1228 Race Road

15th Election District, Baltimore County,
Maryland 21237

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

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

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

N/A

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

N/A

RECEIVED
FEB 23 PM 1:30

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

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Michael E. Marino

(Type or Print Name)

Signature

609 Bosley Avenue (410) 821-6633

Address

Phone No.

Towson, MD 21204

City

State

Zipcode

Legal Owner(s):

The Giles Building and Development Company

(Type or Print Name)

By: Gil P. Stern

Signature

Gil P. Stern, President

(Type or Print Name)

Signature

P.O. Box 511

(410) 653-3597

Address

Phone No.

Brooklandville, MD 21022

City

State

Zipcode

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

D.S. Thaler & Associates c/o Alan Scoll

Name

7115 Ambassador Road (21244) (410) 944-3647

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____



R-94-339

**ATTACHMENT TO PETITION FOR RECLASSIFICATION
1224, 1226, 1228 RACE ROAD**

Reasons for reclassification as follows:

The latest classification of the property was established in error; the ML-IM zoning presently associated with the property is not conducive to the site or the future needs of the community. The property faces the Golden Ring Mall and is surrounded by various "Business Zones".

R-94.339

1224, 1226 & 1228 RACE ROAD

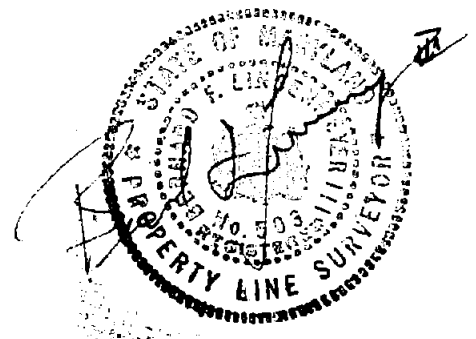
DESCRIPTION (FOR ZONING PURPOSES ONLY)

Beginning at a point along the northern 60' right of way line of Race Road approximately 95'± west of the intersecting centerlines of Race Road and Yellow Brick Road the following seven (7) courses and distances:

1. 48.04 feet curving to the left, having a radius of 410.38 feet, more or less, to a point; thence,
2. North 86°16'28" West 115.80 feet, more or less, to a point; thence leaving the said right of way,
3. North 17°19'07" East, 260.98 feet, more or less, to a point; thence,
4. South 85°48'53" East 130.38 feet, more or less, to a point; thence,
5. South 0°58'28" East 191.86 feet, more or less, to a point; thence,
6. North 76°51'33" West 32.60 feet, more or less, to a point; thence,
7. South 13°09'01" West 70.49 feet, more or less, to the point of beginning.

Containing 0.94 acres of land, more or less.

As known as 1224, 1226 and 1228 Race Road located in the 15th Election District.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

R-94-339

District 15th Date of Posting 2/19/95

Posted for: Reclassification

Petitioner: Giles Bld. Development Co.

Location of property: 1224, 1226 & 1228 Rose Rd., 11/2

Location of Signs: Facing road way, on property being rezoned

Remarks: _____

Posted by M. H. Hester Date of return: 2/24/95
Signature

Number of Signs: 1



BALTIMORE COUNTY, MARYLAND

No. 87

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 9/13/94 ACCOUNT 6001-2000

AMOUNT \$ 25.00

RECEIVED FROM: The Baltimore Bank

FOR: Posting R 94-530

VALIDATION OR SIGNATURE OF CASHIER

DISCUSSION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

No. 16672

DATE 7-20-68 ACCOUNT

AMOUNT \$

RECEIVED
FROM: Deputy

FOR: _____

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

R-94-339

District 15th Date of Posting 2/19/95

Posted for: Reclassification

Petitioner: Giles Bld. Development Co.

Location of property: 1224, 1226 & 1228 Rose Rd., 11/2

Location of Signs: Facing road way, on property being rezoned

Remarks: _____

Posted by M. H. Hester Date of return: 2/24/95
Signature

Number of Signs: 1



THE COLUMBIA BANK
GLENMORE OFFICE
TOWSON, MARYLAND
65-233-550

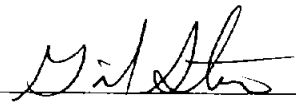
41038
041038

Aug 07, 1994
DATE

\$331.80
AMOUNT

***** Three Hundred Thirty-One and 80/100 *****

Y
THE
DER
PATUXENT PUBLISHING



94-339

⑈041038⑈ ⑆055002338⑆ ⑈02 500272 01⑈

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JULY 26, 1994

The Giles Building and Development Company
c/o Michael E. Marino, Esq.
609 Bosley Avenue
Towson, Maryland 21204

Re: Case Number: R-94-339
1224 and 1226 and 1228 Race Road
N/S Race Road, 95' W of c/l Yellow Brick Road
15th Election District - 7th Councilmanic

Dear Mr. Marino:

Attached you will find a copy of the memorandum originally forwarded to you on May 24, 1994. As noted thereon, payment 1 (posting charge), is now overdue. 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:

- 1) A check made payable to Baltimore County, Maryland in the amount of \$35.00.
- 2) A check made payable to Patuxent Publishing in the amount of \$331.80.

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

Very truly yours,

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

ARNOLD JABLON
DIRECTOR

AJ:ggs

Per Gwen Stephens - ZADM

ALL ADVERTISING PAID FOR

CYCLE III RECLASS PETITIONS



MEMORANDUM

TO: RECLASSIFICATION PETITIONERS, ATTORNEY, AND/OR REPRESENTATIVES

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

RE: PAYMENT OF POSTING AND ADVERTISING FEES - RECLASSIFICATIONS

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

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

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

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

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

Briefly, your payments will be as follows:

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

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



County Board of Appeals of Baltimore County

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

MAY 24, 1994

NOTICE OF HEARING

CASE NUMBER: R-94-339
1224 and 1224 and 1226 and 1228 Race Road
N/S Race Road, 95' W of c/l Yellow Brick Road
15th Election District - 7th Councilmanic
Legal Owner(s): The Giles Building and Development Company

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

HEARING: Tuesday, November 15, 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: The Giles Building and Development Company
Michael E. Marino, Esq.
D.S. Thaler & Associates

*Done'd on record,
property was not
posted. No the
next for hearing.*

94 MAY 27 PM 2:56

RECEIVED
COUNTY BOARD OF APPEALS



County Board of Appeals of Baltimore County

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

January 27, 1995

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. R-94-339

THE GILES BUILDING & DEVELOPMENT COMPANY
N/s Race Road, 95' W of c/l Yellow Brick
Road (1224 & 1226 & 1228 Race Road)
15th E; 7th C

2/28/94 -Petition for Reclassification
filed by Petitioner; to reclassify
property's zoning from M.L.-I.M. to B.L.
(.94 acre)

*PP'd 3/24/95
request of a
downside for
Petitioner;
to reclass*
ASSIGNED FOR:

TUESDAY, MARCH 28, 1995 at 10:00 a.m.

cc: Michael Marino, Esquire
Gil P. Stern, President
The Giles Bldg. & Development Co.

Counsel for Petitioner

Petitioner

D. S. Thaler & Assoc., Inc.

Engineer

James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards, Jr.
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Kathleen C. Weidenhammer
Administrative Assistant





County Board of Appeals of Baltimore County

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

March 24, 1995

NOTICE OF POSTPONEMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. R-94-339

THE GILES BUILDING & DEVELOPMENT COMPANY
N/s Race Road, 95' W of c/l Yellow Brick
Road (1224 & 1226 & 1228 Race Road)
15th E; 7th C

2/28/94 -Petition for Reclassification
filed by Petitioner; to reclassify
property's zoning from M.L.-I.M. to B.L.
(.94 acre)

which was scheduled to be heard on Tuesday, March 28, 1995, has been POSTPONED at the request of Counsel for Petitioner. Upon rescheduling by the Board, Notice of Assignment will be sent to interested parties.

cc: Michael Marino, Esquire Counsel for Petitioner
Gil P. Stern, President
The Giles Bldg. & Development Co. Petitioner

D. S. Thaler & Assoc., Inc. Engineer

James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards, Jr.
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Kathleen C. Weid nhammer
Administrative Assistant





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-26-94

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

Re: Baltimore County
~~CASE~~ Item No.: R-94-339

Dear Ms. Minton:

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

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

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

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

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

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

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

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

FROM: Robert W. Bowling, Chief
Developers Engineering Section

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

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

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

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

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

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

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

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

Zoning Reclassification Cycle III

April 1994 - October 1994

Page 2

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

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

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

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

RWB:sw

BALTIMORE COUNTY, 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 *trs*
Board of Appeals

SUBJECT: **CLOSED APPEAL CASE FILE**

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

<u>BOARD OF APPEALS CASE NUMBER</u>	<u>PDM FILE NUMBER</u>	<u>NAME</u>	<u>LOCATION</u>
R-94-339	<i>R-94-339</i>	THE GILES BUILDING AND DEVELOPMENT	RACE ROAD AND YELLOW BRICK ROAD

Attachment: SUBJECT FILE(S) ATTACHED

BALTIMORE COUNTY, MARYLAND

No. 87

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 9/13/94 ACCOUNT 6001-2000

AMOUNT \$ 25.00

RECEIVED FROM: The Baltimore Bank

FOR: Posting R 94-530

VALIDATION OR SIGNATURE OF CASHIER

DISCUSSION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

THE GILES BUILDING AND DEVELOPMENT CO. #R-94-339
N/s Race Road, 95' W of centerline Item #11, Cycle III, 1994
Yellow Brick Road (1224 & 1226 & 1228
Race Road) 15th Election District
7th Councilmanic District

From M.L.-I.M. to B.L. .94 acre

February 28, 1994 Petition for Reclassification filed by Michael
Marino, Esquire, on behalf of The Giles
Building and Development Co., Petitioner.

* Michael Marino, Esquire Counsel for Petitioner
LEVY & MARINO, P.A.
609 Bosley Avenue
Towson, MD 21204

Gil P. Stern, President
The Giles Building & Development Co. Petitioner
P.O. Box 511
Brooklandville, MD 21022

D.S. Thaler & Assoc., Inc. Engineer
c/o Alan Scoll
7115 Ambassador Road
Baltimore, MD 21207

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

10

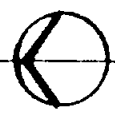
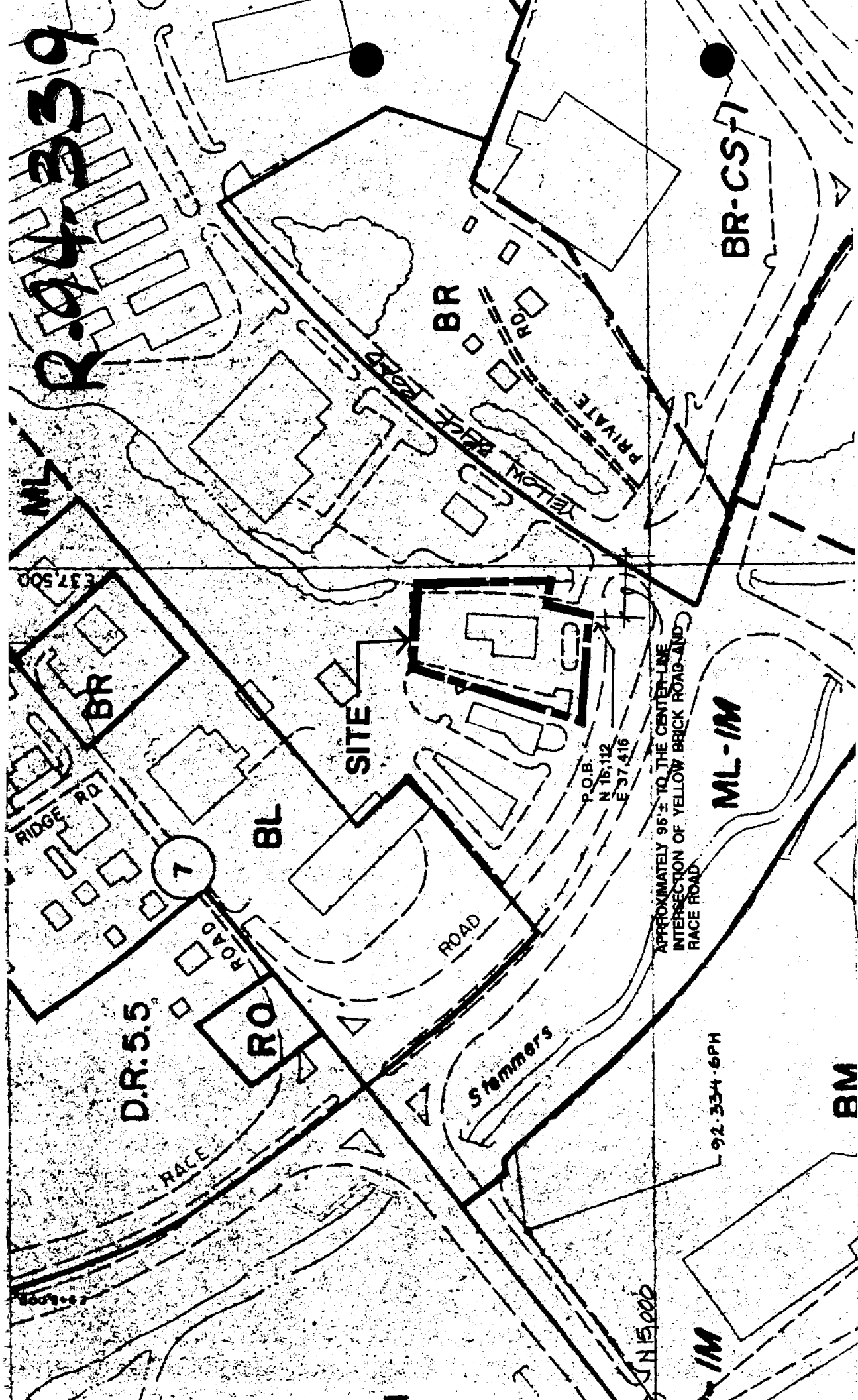
1/27/95 -Following parties notified of hearing on merits scheduled
for Tuesday, March 28, 1995 at 10:00 a.m:

Michael Marino, Esquire
Gil P. Stern, President
The Giles Bldg. & Development Co.
D. S. Thaler & Assoc., Inc.
James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards, Jr.
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

3/24/95 -M. Marino stopped in to Board's offices; property of subject reclass petition
has not been posted; requested postponement; has spoken with People's Counsel,
who is in agreement with request.

- Notice of Postponement sent to parties; case to be rescheduled at next
available date and upon confirmation by Counsel for Petitioner.
Notice of Assignment to be sent to interested parties upon reset.

11/15/94 -Case continued on the record; property was not posted as required by County Code. Counsel for Petitioner and People's Counsel appeared to request that continuance be granted to allow for proper posting of property. Request granted. Case to be rescheduled for hearing.



NORTH

200 SCALE ZONING MAP TO ACCOMPANY
RECLASSIFICATION PETITION

1224, 1226 & 1228 RACE ROAD

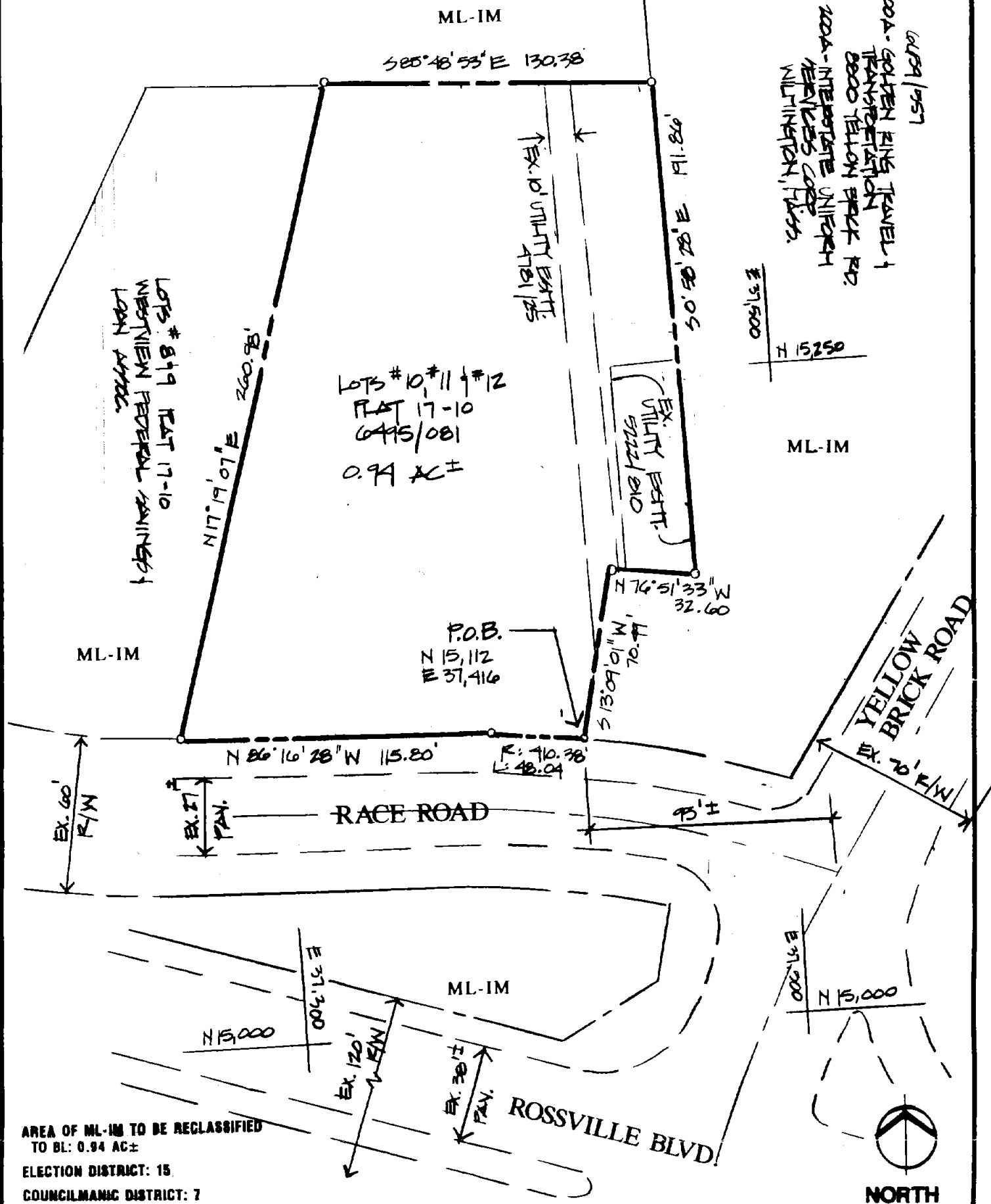
NE 4 G

D.S. THALER & ASSOC., INC.

CIVIL ENGINEERS • LAND PLANNERS • SURVEYORS • LANDSCAPE ARCHITECTS
7115 AMBASSADOR ROAD, BALTIMORE, MD 21244
(410) 944-ENGR, (410) 944-3647
MAP:NE-4G 2-22-94

LOT#13 PLAT 17-10
ROLANDO DELA CRUZ
1230 RACE ROAD

P. 208 6/29/97
ROUTE 100A - GOLDEN KING TRAVEL
TRANSFERRITION
8800 YELLOW BRICK RD.
ROUTE 100A - INTERSTATE UNIFORM
SERVICES CORP.
WILMINGTON, MASS.



AREA OF ML-IM TO BE RECLASSIFIED
TO BL: 0.94 AC±
ELECTION DISTRICT: 15
COUNCILMANIC DISTRICT: 7
CBCA: NA



1224, 1226 & 1228 RACE ROAD OPEN PLAT TO ACCOMPANY PETITION FOR RECLASSIFICATION

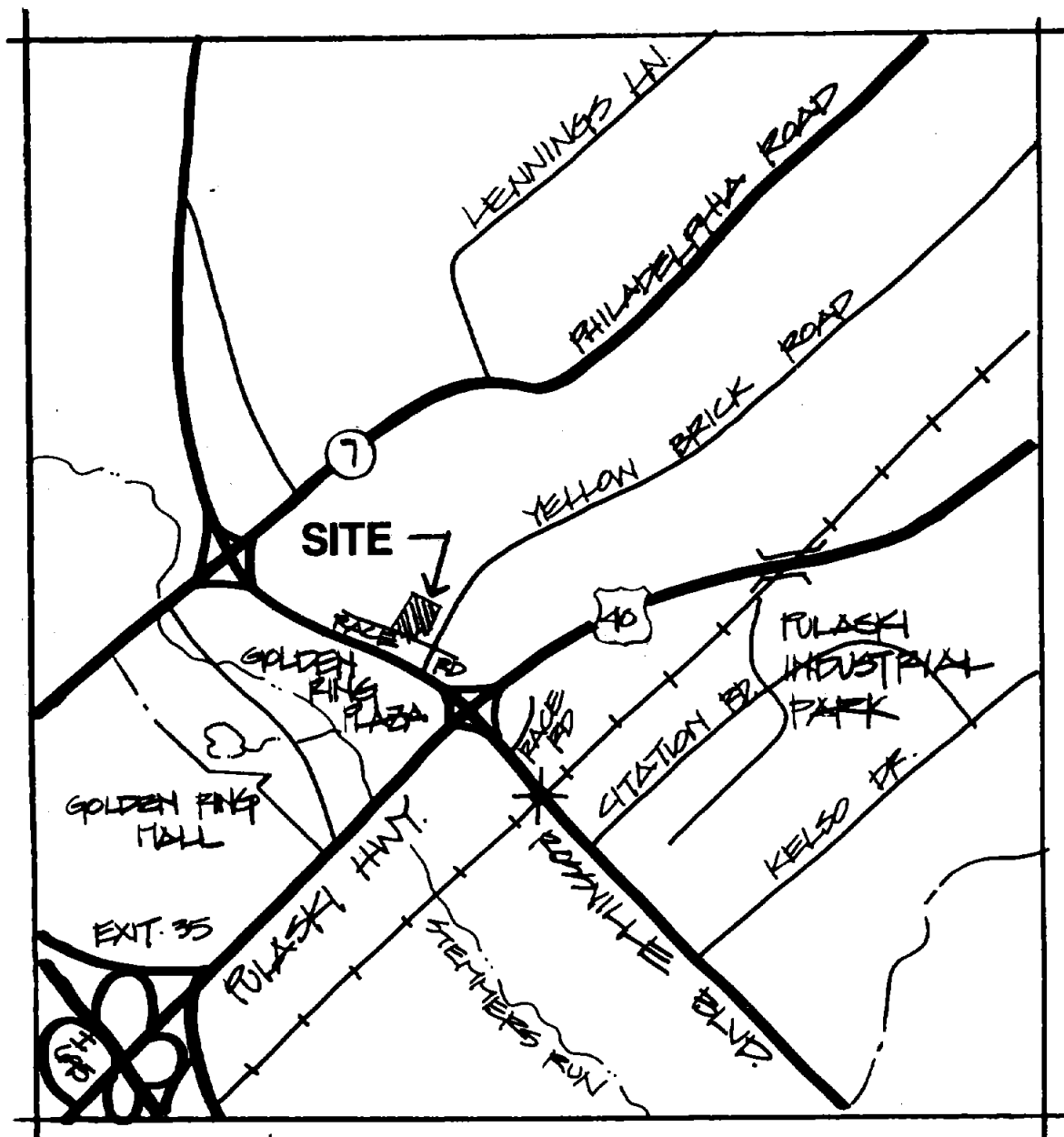
CIVIL ENGINEERS • SITE PLANNERS
SURVEYORS

DST & A haler ssoc.
Inc.

7115 AMBASSADOR ROAD BALTIMORE, MARYLAND 21207 (301) 944-3847 (301) 944-ENGR

SCALE :
1"=50'
DATE :
2-22-94
JOB NO.:

DRAWN BY: CHECKED BY:



NORTH

1224, 1226 & 1228 RACE ROAD

VICINITY MAP TO ACCOMPANY
PETITION FOR RECLASSIFICATION

CIVIL ENGINEERS • SITE PLANNERS
SURVEYORS

DST & A haler ssoc.
Inc.

7115 AMBASSADOR ROAD BALTIMORE, MARYLAND 21207 (301) 944-3847 (301) 944-ENG

SCALE :

1"=1000'

DATE :

2-22-94

JOB NO.:

DRAWN BY: CHECKED BY:

County Board of Appeals of Baltimore County

ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

Michael Marino, Esquire
LEVY & MARINO, P.A.
609 Bosley Avenue
Towson, MD 21204

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

Gil P. Stern, President
The Giles Building & Development Co.
P.O. Box 511
Brooklandville, MD 21022

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

D. S. Thaler & Associates, Inc.
c/o Alan Scoll
7115 Ambassador Road
Baltimore, MD 21207

No. 16672

DATE _____ ACCOUNT _____

AMOUNT \$

RECEIVED
FROM: Deputy

FOR: _____

DISTRIBUTION		VALIDATION
WHITE - CASHIER	PINK - AGENCY	YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

Item #11

R-94-339

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

ZONING RECLASSIFICATION PETITIONS

Cycle III, 1994

July 31, 1994



Baltimore County Government
Planning Board



401 Bosley Avenue
Towson, MD 21204

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

July 22, 1994

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

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

Dear Mr. Hackett:

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

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

Sincerely,

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

Pat Keller
Secretary to the Planning Board

PK/TD/mjm
LTRS/PZONE/TXTMJM

Enclosure

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





ZONING RECLASSIFICATION PETITIONS

Cycle III, 1994

Report by the Baltimore County
Planning Board
to the

Baltimore County Board of Appeals

July 31, 1994

Baltimore County
Office of Planning and Zoning
Towson, Maryland

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INTRODUCTION

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

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

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

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

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

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

PETITIONS FOR RECLASSIFICATION
CYCLE III, 1994

Assigned Hearing Dates
County Board of Appeals
Page 1 of 2

Week of September 12, 1994

Item #1, Case No. R-94-329
Masters-Severe, Inc. /Legal Owner
Village Sound Company, Inc. /Contract Purchaser
Tuesday, September 13, 1994 @ 10:00 a.m.

Week of September 19, 1994

Item #2, Case No. R-94-330
C&E Realty Company
Wednesday, September 21, 1994 @ 10:00 a.m.

Week of September 26, 1994

Item #3, Case No. R-94-331
Morningside Six Limited Partnership
Wednesday, September 28, 1994 @ 10:00 a.m.

Week of October 3, 1994

Item #4, Case No. R-94-332
Baltimore Gas & Electric Company, Inc. AND
Baltimore County, Maryland AND CSX Transportation,
Inc. /Legal Owners
Nace, Inc. /Contract Purchaser
Tuesday, October 4, 1994 @ 10:00 a.m.

Item #5, Case No. R-94-333
Hico Park M Limited Partnership
Thursday, October 6, 1994 @ 10:00 a.m.

Week of October 10, 1994

Item #6, Case No. R-94-334
Baltimore Gas & Electric Company, Inc.
Wednesday, October 12, 1994 @ 10:00 a.m.

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

Week of October 17, 1994

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

Week of October 24, 1994

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

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

Week of October 31, 1994

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

Week of November 14, 1994

Item #11, Case No. R-94-339
The Giles Building & Development Company
Tuesday, November 15, 1994 @ 10:00 a.m.

Week of November 28, 1994

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

Week of December 5, 1994

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

BALTIMORE COUNTY, MARYLAND

Recommendations of the Office of Planning and Zoning

July 31, 1994

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

Item No. and Petitioner	Location	Acreage	Existing Zoning	Requested Zoning	OPZ/PB Recommendation
Item No. 7 Genstar Stone Products Company	South side of Galloway Avenue, 670' west of York Road, north side of Padonia Road, and east and west of proposed Beaver Dam Road	38.3	M.L.-I.M.	B.M.-I.M.	M.L.-I.M.
Item No. 8 Stebbins-Anderson Company, Inc.	Southwest corner of Timonium and Aylesbury Roads (21 West Timonium Road)	14.6	M.L.-I.M.	B.R.-I.M.	M.L.-I.M.
Item No. 9 Genstar Stone Products Company	Northwest corner of Pulaski Highway and White Marsh Boulevard, and southeast side of Philadelphia Road	205.8	M.L.-I.M. M.H.-I.M.	B.R.-I.M.	M.L.-I.M. M.H.-I.M.
Item No. 10 Janet Terry	Southeast side of Pulaski Highway, 1915' southwest of the centerline of Mohrs Lane	11.85	M.L.-I.M. M.L.-A.S.	B.R.-I.M.	M.L.-I.M. M.L.-A.S.
Item No. 11 The Giles Building and Development Company	North side of Race Road, 95' west of the centerline of Yellow Brick Road	.94	M.L.-I.M.	B.L.	M.L.-I.M.
Item No. 12 Savino Bollino & Rose Bollino	Southeast side of Pulaski Highway, 300' southwest of the centerline of Rossville Boulevard	4.3	B.R. M.L.-A.S. M.L.-I.M.	B.R.-I.M. B.R.-A.S.	B.R. M.L.-A.S. M.L.-I.M.
Item No. 13 Gerald D. Sherman & Roger A. Spero	Northeast and southwest side of Gladway Road, 1150' north of Bengies Road and 2390' southeast of Bird River Road	51.6	D.R.-1 M.L.-I.M. M.H.-I.M.	D.R. 3.5	D.R. 1 M.L.-I.M. M.H.-I.M.

THE COLUMBIA BANK
GLENMORE OFFICE
TOWSON, MARYLAND
65-233-550

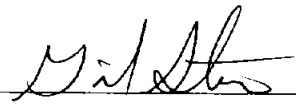
41038
041038

Aug 07, 1994
DATE

\$331.80
AMOUNT

***** Three Hundred Thirty-One and 80/100 *****

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PATUXENT PUBLISHING



94-339

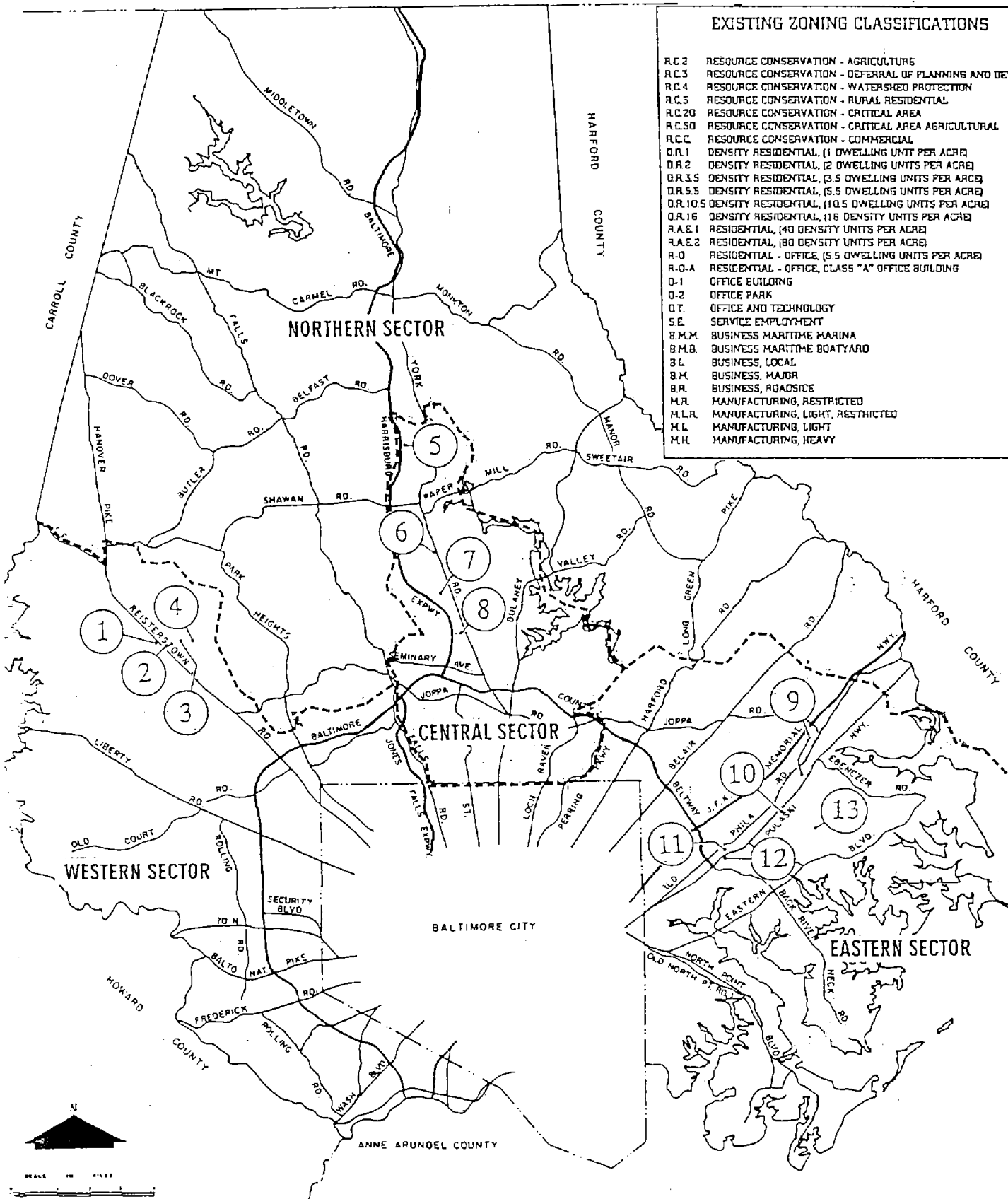
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LOCATIONS OF PROPERTIES UNDER PETITION

YORK COUNTY, PA.

EXISTING ZONING CLASSIFICATIONS

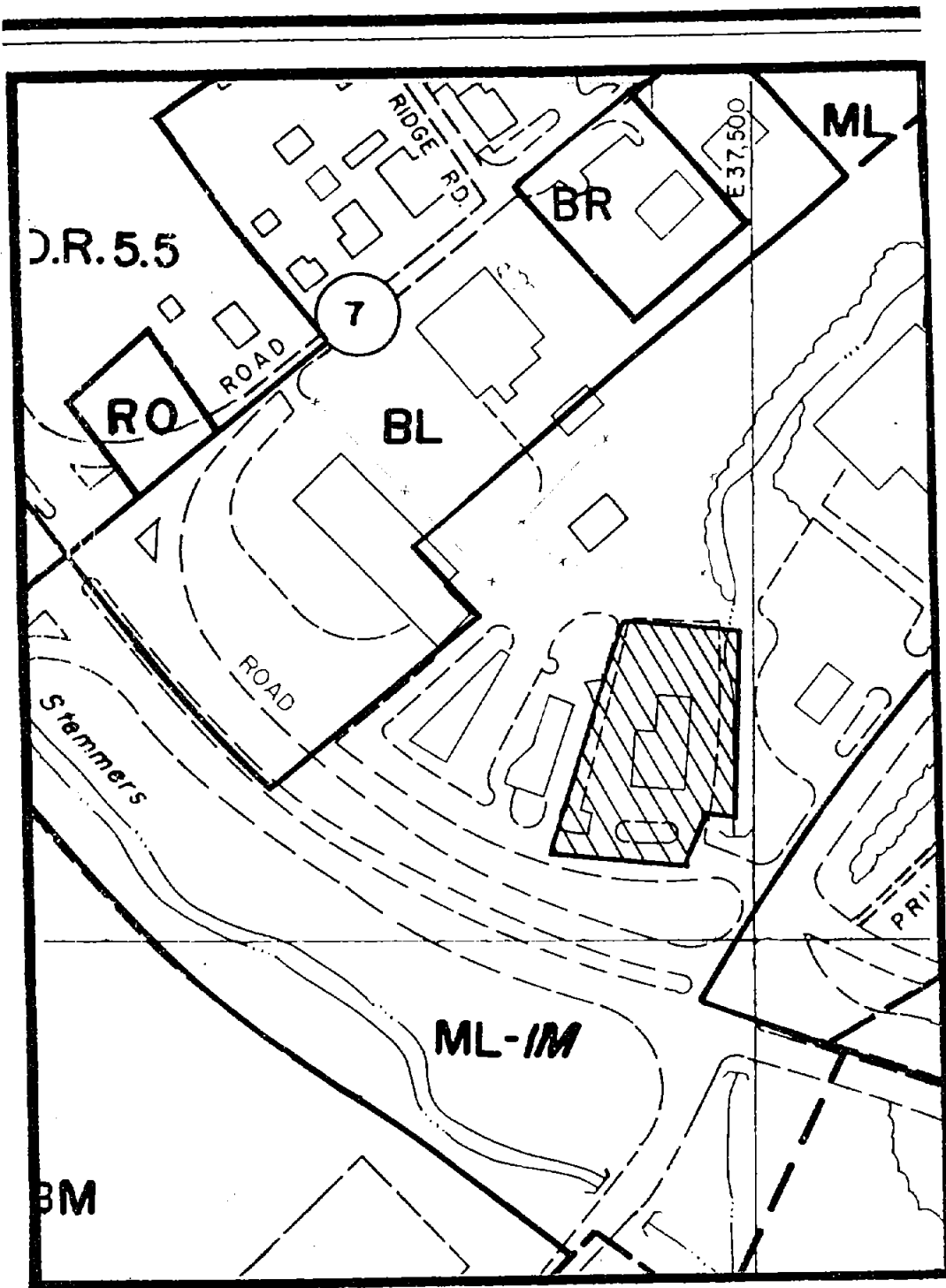
R.C.2	RESOURCE CONSERVATION - AGRICULTURE
R.C.3	RESOURCE CONSERVATION - DEFERRAL OF PLANNING AND DEVELOPMENT
R.C.4	RESOURCE CONSERVATION - WATERSHED PROTECTION
R.C.5	RESOURCE CONSERVATION - RURAL RESIDENTIAL
R.C.20	RESOURCE CONSERVATION - CRITICAL AREA
R.C.50	RESOURCE CONSERVATION - CRITICAL AREA AGRICULTURAL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



SOURCE MATERIAL

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

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



ITEM NUMBER 11
Location of Property Under Petition

Scale: 1" = 200'

PETITIONER:

The Giles Building and Development Company

REQUESTED ACTION:

Reclassification to B.L. (Business, Local)

EXISTING ZONING:

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

LOCATION:

North side Race Road, 95 feet west of the centerline of Yellow Brick Road

AREA OF SITE:

.94 acres ±

ZONING OF ADJACENT PROPERTY/USE:

North: M.L.-I.M. - industrial (Bay City Construction)

South: M.L.-I.M. - Rossville Boulevard

East: M.L.-I.M. - Bus Station

West: M.L.-I.M. - Commercial (Bank)

SITE DESCRIPTION:

The site is improved with a one and two-story office building.

PROPERTIES IN THE VICINITY:

The surrounding land is zoned M.L.-I.M. Adjacent land to the north is used for industrial purposes. The property to the east is used for a bus station and property to the west is occupied by a bank. Rossville Boulevard lies to the south of the site on the other side of Race Road.

WATER AND SEWERAGE:

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

TRAFFIC AND ROADS:

The site is directly accessible from Race Road. The property is indirectly accessible from Rossville Boulevard and Yellow Brick Road. Rossville Boulevard is a minor arterial road located adjacent and parallel to Race Road. Yellow Brick Road is an industrial service road.

The intersection of Race Road and Yellow Brick Road and the adjacent intersection of Yellow Brick Road and Rossville Boulevard are located within 200 feet of the site.

ZONING HISTORY:

The property's zoning has been in place since 1976.

MASTER PLAN/COMMUNITY PLANS:

The Philadelphia Road Corridor Study Land Use Map (adopted January 21, 1992) designates this site for General Industrial use.

PROPOSED VS. EXISTING ZONING:

Regulations governing the B.L. zone may be found in Section 230 of the Baltimore County Zoning Regulations (B.C.Z.R.). The B.L. zone allows a wide range of uses in addition to those permitted in the residential zone immediately adjoining the property. Density is regulated by a floor area ratio of 3.0. However, density is generally limited by parking requirements and economic constraints. Building height is limited by the height tent regulations; setbacks include front yards not less than 10 feet and not less than 40 feet from the centerline of the street, except as specified in Section 302.2. No setback is required for side yards, except for lots abutting a residential zone or on a corner lot on the street side; in these cases a 10 foot setback is required.

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

OFFICE OF PLANNING AND ZONING SUMMARY AND RECOMMENDATIONS:

Based upon the information provided and analysis conducted, staff recommends the applicant's request be denied for the following reasons:

-Rezoning to B.L. is not consistent with the recently adopted Master Plan amendment for the Philadelphia Road Corridor. This plan designates the site and surrounding properties for General Industrial use.

-The nearby intersections of Race Road-Yellow Brick Road and Yellow Brick Road-Rossville Boulevard are hazardous locations. Rezoning the site for commercial rather than office uses could result in an increased number of vehicular trips to and from the site which would exacerbate an already bad traffic situation.

JL:lw

INTER-AGENCY COMMENTS

Baltimore County Public Schools

Dr. Stuart Berger, Superintendent

Towson, Maryland

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

June 1, 1994

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

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

Dear Jeff:

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

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

Item 5 - Case No. R-94-333

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

Proposed Zoning - D.R.-5.5

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

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

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

Page 2

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

310 S.F.	x .146	=	45	
311 T.H.	x .090	=	<u>28</u>	
				73 High Students

A total yield of 297 students

Item 13 - Case No. R-94-341

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

Proposed Zoning - D.R.-3.5

Zoning would allow 180.8 single family homes.

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

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

Sincerely,

Barbara Pickelsimer
Barbara Pickelsimer,
Field Representative
Office of Pupil Assignments

bp

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

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

FROM: Robert W. Bowling, Chief
 Developers Engineering Section

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

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

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

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

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

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

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

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



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

Michael Marino, Esquire
LEVY & MARINO P.A.
609 Bosley Avenue
Towson, MD 21204

RE: *In the Matter of: The Giles Building and Development Co.*
Case No. R-94-339 / Order of Dismissal of Petition

Dear Mr. Marino:

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

Very truly yours,

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

Kathleen C. Bianco
Administrator

Enclosure

c: Gil P. Stern, President
The Giles Building & Development Co.
D.S. Thaler & Assoc., 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

IN THE MATTER OF
THE APPLICATION OF
THE GILES BUILDING AND DEVELOPMENT
CO FOR ZONING RECLASSIFICATION FROM
M.L.-I.M. TO B.L ON PROPERTY LOCATED ON*
THE N/S RACE ROAD, 95' W OF C/L YELLOW
BRICK ROAD (1224 & 1226 & 1228 RACE RD) *

BEFORE THE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY

15TH ELECTION DISTRICTS
7TH COUNCILMANIC DISTRICT

Case No. R-94-339
Cycle III, 1994

* * * * *

ORDER OF DISMISSAL OF PETITION

This case comes to the Board on a Petition for Reclassification filed by Michael Marino, Esquire, on behalf of The Giles Building and Development Co., Petitioner, for zoning reclassification from M.L.-I.M. to B.L. on property located on the north side Race Road, 95' west of centerline Yellow Brick Road (1224 & 1226 & 1228 Race Road) in the Fifteenth Election District of Baltimore County.

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

WHEREAS, no further action has been taken in this matter since a postponement was granted to Petitioner on March 24, 1995;

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

ORDERED that said Petition filed in Case No. R-94-339 be and the same is declared moot, and the Petition **DISMISSED**.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**



Charles L. Marks, Chairman

R-94-339



Petition for Reclassification to the Board of Appeals of Baltimore County for the property located at 1224-1228 Race Road

15th Election District, Baltimore County, Maryland 21237

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the

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

N/A

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

N/A

RECEIVED
COUNTY BOARD OF APPEALS
FEB 28 PM 4:30

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

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Legal Owner(s):

The Giles Building and Development Company

(Type or Print Name)

By: Gil P. Stern

Signature

Gil P. Stern, President

(Type or Print Name)

Signature

P.O. Box 511

(410) 653-3597

Address

Phone No.

Brooklandville, MD 21022

City

State

Zipcode

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

D.S. Thaler & Associates c/o Alan Scoll

Name

7115 Ambassador Road (21244)

(410) 944-3647

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

2-28-94
OK To file
P.D.

Attorney for Petitioner:

Michael E. Marino

(Type or Print Name)

Signature

609 Bosley Avenue

(410) 821-6633

Address

Phone No.

Towson, MD 21204

City

State

Zipcode



ATTACHMENT TO PETITION FOR RECLASSIFICATION
1224, 1226, 1228 RACE ROAD

Reasons for reclassification as follows:

The latest classification of the property was established in error; the ML-IM zoning presently associated with the property is not conducive to the site or the future needs of the community. The property faces the Golden Ring Mall and is surrounded by various "Business Zones".

1224, 1226 & 1228 RACE ROAD

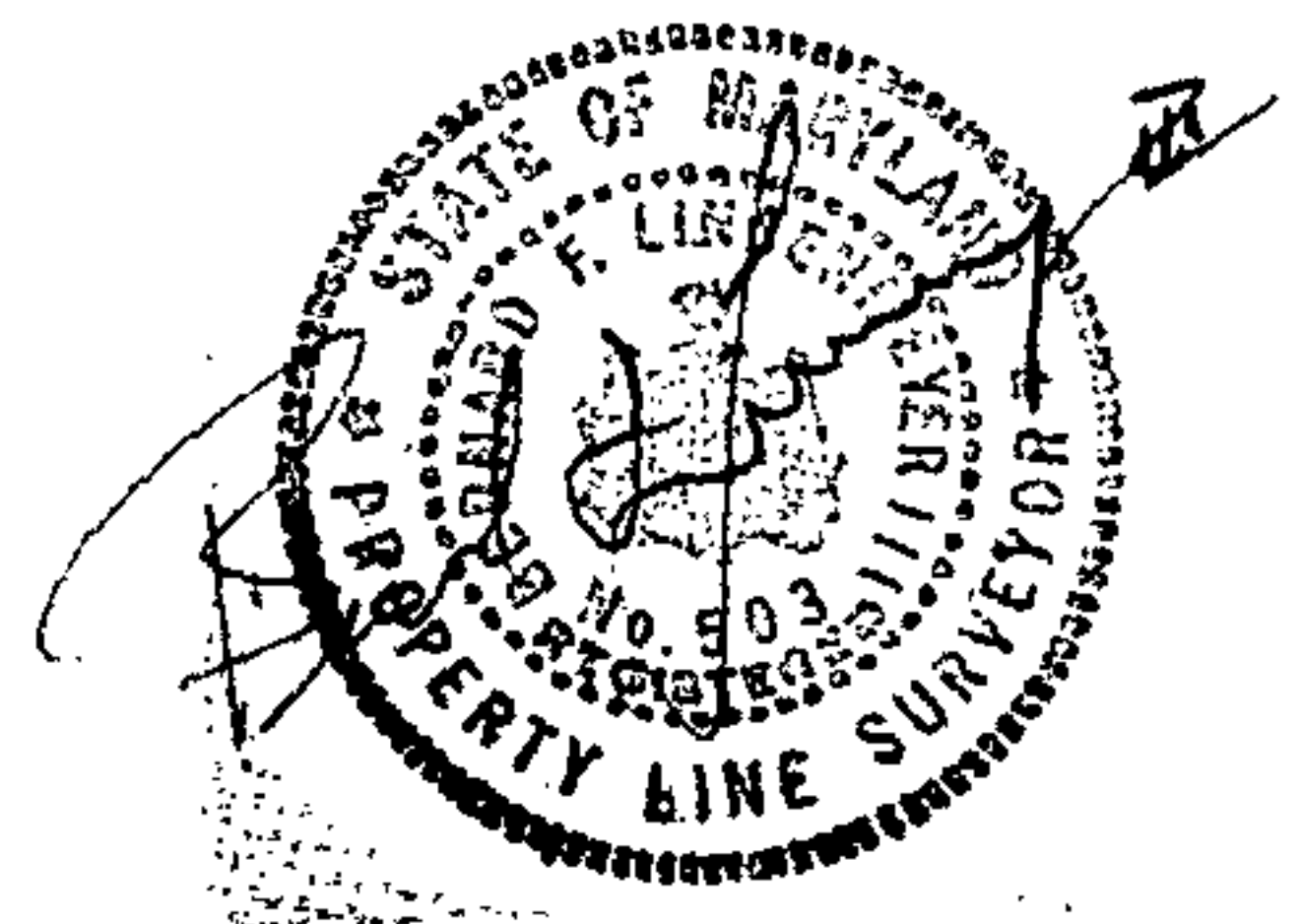
DESCRIPTION (FOR ZONING PURPOSES ONLY)

Beginning at a point along the northern 60' right of way line of Race Road approximately 95'± west of the intersecting centerlines of Race Road and Yellow Brick Road the following seven (7) courses and distances:

1. 48.04 feet curving to the left, having a radius of 410.38 feet, more or less, to a point; thence,
2. North 86°16'28" West 115.80 feet, more or less, to a point; thence leaving the said right of way,
3. North 17°19'07" East, 260.98 feet, more or less, to a point; thence,
4. South 85°48'53" East 130.38 feet, more or less, to a point; thence,
5. South 0°58'28" East 191.86 feet, more or less, to a point; thence,
6. North 76°51'33" West 32.60 feet, more or less, to a point; thence,
7. South 13°09'01" West 70.49 feet, more or less, to the point of beginning.

Containing 0.94 acres of land, more or less.

As known as 1224, 1226 and 1228 Race Road located in the 15th Election District.



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

R-94-339

Towson, Maryland

District 15th

Date of Posting

7/19/95

Posted for: Reclassification

Petitioner: Giles Bld. Development

Location of property: 1724, 1726 & 1728 Race Rd. N/S

Location of Signs: Facing road way, on property being rezoned

Remarks:

Posted by M. H. H. H.
Signature

Date of return:

7/24/95

Number of Signs: 1



BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 949404

DATE 9/13/94 ACCOUNT R001-6150

AMOUNT \$ 35.⁰⁰

RECEIVED
FROM: The Columbia Bank

FOR: Posting R 94-339

03A03#0123MICHR

\$35.00

DISPATCHED BY TELETYPE UNIT 74
VALIDATION OR SIGNATURE OF CASHIER

DISPATCHED BY TELETYPE UNIT 74
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

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

No. 139930

DATE

ACCOUNT

CYCLE III, #11
R-94-339

AMOUNT \$

RECEIVED

FROM:

FOR:

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

THE COLUMBIA BANK
GLENMORE OFFICE
TOWSON, MARYLAND
85-233-550

41038

041038

Aug 07, 1994
DATE

\$331.80
AMOUNT

***** Three Hundred Thirty-One and 80/100 *****

PAY
TO THE
ORDER
OF
PATUXENT PUBLISHING

W. J. Alth

[R-94-339]

"041038" "055002338" "02 500272 01"

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JULY 26, 1994

The Giles Building and Development Company
c/o Michael E. Marino, Esq.
609 Bosley Avenue
Towson, Maryland 21204

Re: Case Number: R-94-339
1224 and 1226 and 1228 Race Road
N/S Race Road, 95' W of c/l Yellow Brick Road
15th Election District - 7th Councilmanic

Dear Mr. Marino:

Attached you will find a copy of the memorandum originally forwarded to you on May 24, 1994. As noted thereon, payment 1 (posting charge), is now overdue. 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:

- 1) A check made payable to Baltimore County, Maryland in the amount of \$35.00.
- 2) A check made payable to Patuxent Publishing in the amount of \$331.80.

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

Very truly yours,

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

ARNOLD JABLON
DIRECTOR

AJ:ggs

Per Gwen Stephens - ZADM

ALL ADVERTISING PAID FOR

CYCLE III RECLASS PETITIONS



MEMORANDUM

TO: RECLASSIFICATION PETITIONERS, ATTORNEY, AND/OR REPRESENTATIVES

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

RE: PAYMENT OF POSTING AND ADVERTISING FEES - RECLASSIFICATIONS

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

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

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

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

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

Briefly, your payments will be as follows:

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

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

5th Election District

R-94-339

37-B/4

1224

1224, 1226, and 1228 Race Road

1/3 Race Road, 95' W of c/l Yellow Brick Road

5th Election District - 7th Councilmanic

15 2

HEARING: TUE NOV 15 1994 at 10 a.m. Rm. 48 Old Courthouse,

100 Washington Avenue, Towson Md before the County Board of Appeals

Petition to reclass the property from M.L.-I.M. to B.L.

Post by



County Board of Appeals of Baltimore County

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

March 24, 1995

NOTICE OF POSTPONEMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. R-94-339

THE GILES BUILDING & DEVELOPMENT COMPANY
N/s Race Road, 95' W of c/l Yellow Brick
Road (1224 & 1226 & 1228 Race Road)
15th E; 7th C

2/28/94 -Petition for Reclassification
filed by Petitioner; to reclassify
property's zoning from M.L.-I.M. to B.L.
(.94 acre)

which was scheduled to be heard on Tuesday, March 28, 1995, has been POSTPONED at the request of Counsel for Petitioner. Upon rescheduling by the Board, Notice of Assignment will be sent to interested parties.

cc: Michael Marino, Esquire	Counsel for Petitioner
Gil P. Stern, President	
The Giles Bldg. & Development Co.	Petitioner

D. S. Thaler & Assoc., Inc.	Engineer
-----------------------------	----------

James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards, Jr.
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Kathleen C. Weidenhammer
Administrative Assistant





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary

Hal Kassoff
Administrator

4-26-94

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

Re: Baltimore County
~~CASE~~ Item No.: R-94-339

Dear Ms. Minton:

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

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

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

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

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

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

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

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

FROM:  Robert W. Bowling, Chief
Developers Engineering Section

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

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

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

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

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

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

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

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

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

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

FROM: Robert W. Bowling, Chief
Developers Engineering Section

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

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

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Item 2 - 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 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.

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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.

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 *trs*
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

PDM FILE NUMBER

NAME

LOCATION

R-94-339

R-94-339

THE GILES BUILDING
AND DEVELOPMENT

RACE ROAD AND
YELLOW BRICK ROAD

Attachment: SUBJECT FILE(S) ATTACHED

THE GILES BUILDING AND DEVELOPMENT CO.
N/s Race Road, 95' W of centerline
Yellow Brick Road (1224 & 1226 & 1228
Race Road)

#R-94-339
Item #11, Cycle III, 1994
15th Election District
7th Councilmanic District

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

.94 acre

February 28, 1994 Petition for Reclassification filed by Michael
Marino, Esquire, on behalf of The Giles
Building and Development Co., Petitioner.

* Michael Marino, Esquire
LEVY & MARINO, P.A.
609 Bosley Avenue
Towson, MD 21204

Counsel for Petitioner

Gil P. Stern, President
The Giles Building & Development Co.
P.O. Box 511
Brooklandville, MD 21022

Petitioner

D.S. Thaler & Assoc., Inc.
c/o Alan Scoll
7115 Ambassador Road
Baltimore, MD 21207

Engineer

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

People's Counsel for Baltimore County

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

✓

1/27/95 -Following parties notified of hearing on merits scheduled
for Tuesday, March 28, 1995 at 10:00 a.m:

Michael Marino, Esquire
Gil P. Stern, President
The Giles Bldg. & Development Co.
D. S. Thaler & Assoc., Inc.
James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards, Jr.
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

3/24/95 -M. Marino stopped in to Board's offices; property of subject reclass petition
has not been posted; requested postponement; has spoken with People's Counsel,
who is in agreement with request.

- Notice of Postponement sent to parties; case to be rescheduled at next
available date and upon confirmation by Counsel for Petitioner.
Notice of Assignment to be sent to interested parties upon reset.

11/15/94 -Case continued on the record; property was not posted as required by County Code. Counsel for Petitioner and People's Counsel appeared to request that continuance be granted to allow for proper posting of property. Request granted. Case to be rescheduled for hearing.

Item #11

R-94-339

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

ZONING RECLASSIFICATION PETITIONS

Cycle III, 1994

July 31, 1994



Baltimore County Government
Planning Board



401 Bosley Avenue
Towson, MD 21204

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

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

July 22, 1994

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

Dear Mr. Hackett:

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

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

Sincerely,

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

Pat Keller
Secretary to the Planning Board

PK/TD/mjm
LTRS/PZONE/TXTMJM

Enclosure

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





ZONING RECLASSIFICATION PETITIONS

Cycle III, 1994

Report by the Baltimore County
Planning Board
to the

Baltimore County Board of Appeals

July 31, 1994

Baltimore County
Office of Planning and Zoning
Towson, Maryland

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INTRODUCTION

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

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

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

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

CYCLEA/PZONE/CYCLE

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

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

PETITIONS FOR RECLASSIFICATION
CYCLE III, 1994

Assigned Hearing Dates
County Board of Appeals
Page 1 of 2

Week of September 12, 1994

Item #1, Case No. R-94-329
Masters-Severe, Inc. /Legal Owner
Village Sound Company, Inc. /Contract Purchaser
Tuesday, September 13, 1994 @ 10:00 a.m.

Week of September 19, 1994

Item #2, Case No. R-94-330
C&E Realty Company
Wednesday, September 21, 1994 @ 10:00 a.m.

Week of September 26, 1994

Item #3, Case No. R-94-331
Morningside Six Limited Partnership
Wednesday, September 28, 1994 @ 10:00 a.m.

Week of October 3, 1994

Item #4, Case No. R-94-332
Baltimore Gas & Electric Company, Inc. AND
Baltimore County, Maryland AND CSX Transportation,
Inc. /Legal Owners
Nace, Inc. /Contract Purchaser
Tuesday, October 4, 1994 @ 10:00 a.m.

Item #5, Case No. R-94-333
Hico Park M Limited Partnership
Thursday, October 6, 1994 @ 10:00 a.m.

Week of October 10, 1994

Item #6, Case No. R-94-334
Baltimore Gas & Electric Company, Inc.
Wednesday, October 12, 1994 @ 10:00 a.m.

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

Week of October 17, 1994

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

Week of October 24, 1994

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

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

Week of October 31, 1994

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

Week of November 14, 1994

Item #11, Case No. R-94-339
The Giles Building & Development Company
Tuesday, November 15, 1994 @ 10:00 a.m.

Week of November 28, 1994

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

Week of December 5, 1994

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

BALTIMORE COUNTY, MARYLAND

Recommendations of the Office of Planning and Zoning

July 31, 1994

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

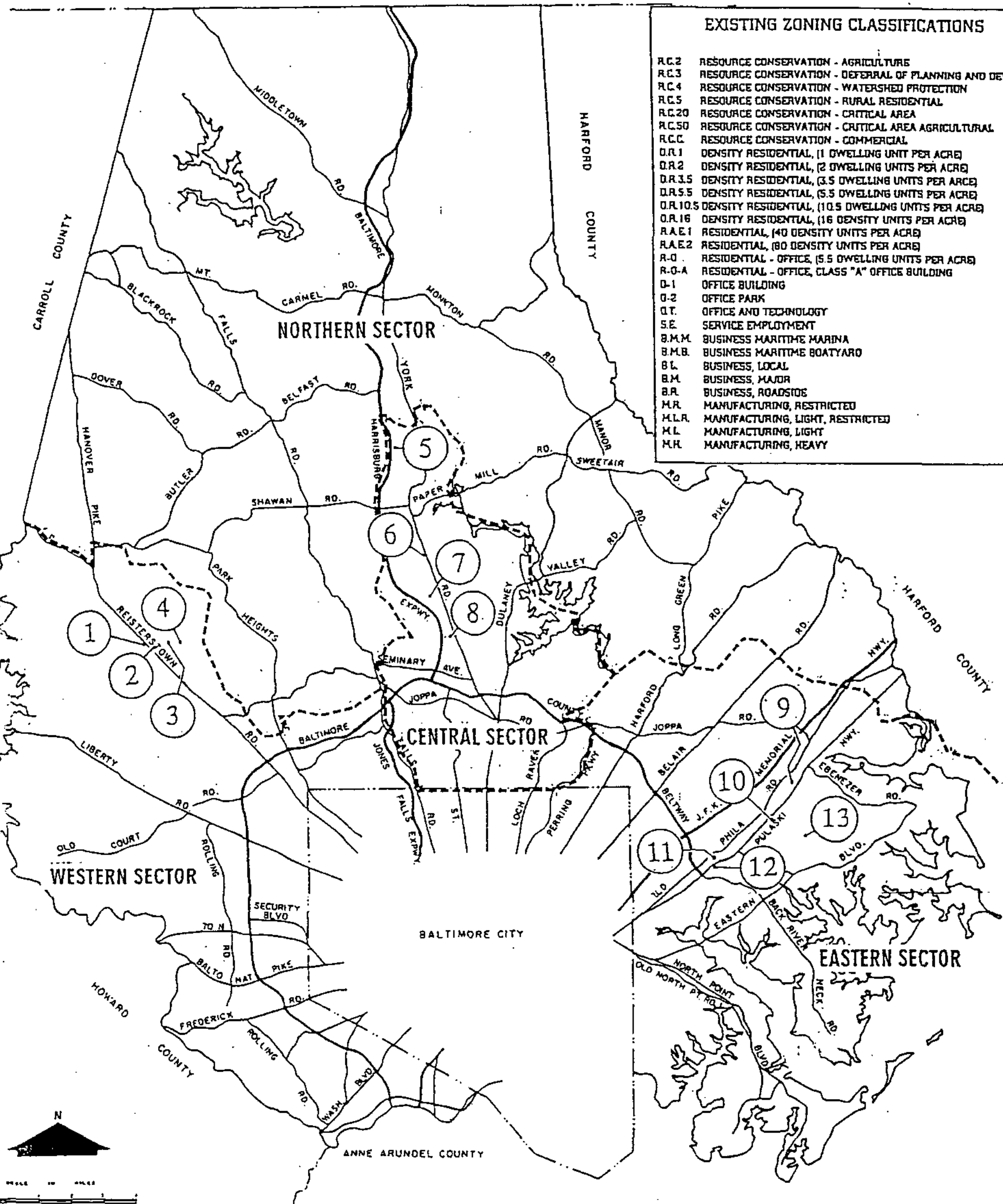
Item No. and Petitioner	Location	Acreage	Existing Zoning	Requested Zoning	OPZ/PB Recommendation
Item No. 7 Genstar Stone Products Company	South side of Galloway Avenue, 670' west of York Road, north side of Padonia Road, and east and west of proposed Beaver Dam Road	38.3	M.L.-I.M.	B.M.-I.M.	M.L.-I.M.
Item No. 8 Stebbins-Anderson Company, Inc.	Southwest corner of Timonium and Aylesbury Roads (21 West Timonium Road)	14.6	M.L.-I.M.	B.R.-I.M.	M.L.-I.M.
Item No. 9 Genstar Stone Products Company	Northwest corner of Pulaski Highway and White Marsh Boulevard, and southeast side of Philadelphia Road	205.8	M.L.-I.M. M.H.-I.M.	B.R.-I.M.	M.L.-I.M. M.H.-I.M.
Item No. 10 Janet Terry	Southeast side of Pulaski Highway, 1915' southwest of the centerline of Mohrs Lane	11.85	M.L.-I.M. M.L.-A.S.	B.R.-I.M.	M.L.-I.M. M.L.-A.S.
Item No. 11 The Giles Building and Development Company	North side of Race Road, 95' west of the centerline of Yellow Brick Road	.94	M.L.-I.M.	B.L.	M.L.-I.M.
Item No. 12 Savino Bollino & Rose Bollino	Southeast side of Pulaski Highway, 300' southwest of the centerline of Rossville Boulevard	4.3	B.R. M.L.-A.S. M.L.-I.M.	B.R.-I.M. B.R.-A.S.	B.R. M.L.-A.S. M.L.-I.M.
Item No. 13 Gerald D. Sherman & Roger A. Spero	Northeast and southwest side of Gladway Road, 1150' north of Bengies Road and 2390' southeast of Bird River Road	51.6	D.R.-1 M.L.-I.M. M.H.-I.M.	D.R. 3.5	D.R. 1 M.L.-I.M. M.H.-I.M.

LOCATIONS OF PROPERTIES UNDER PETITION

YORK COUNTY, PA.

EXISTING ZONING CLASSIFICATIONS

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

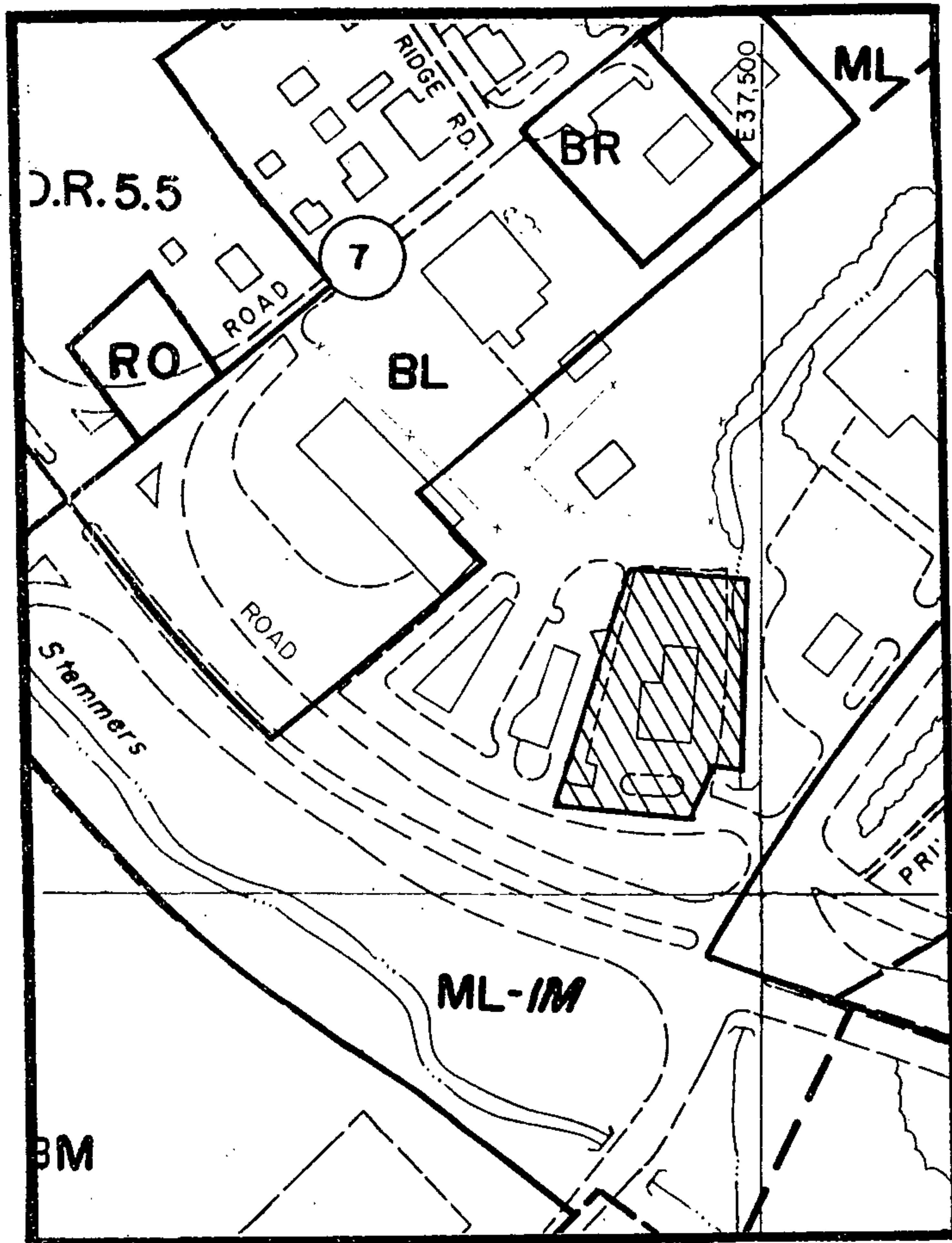


SOURCE MATERIAL

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

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

CYCLEA/PZONE/CYCLE



ITEM NUMBER 11
Location of Property Under Petition

Scale: 1" = 200'

PETITIONER:

The Giles Building and Development Company

REQUESTED ACTION:

Reclassification to B.L. (Business, Local)

EXISTING ZONING:

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

LOCATION:

North side Race Road, 95 feet west of the centerline of Yellow Brick Road

AREA OF SITE:

.94 acres ±

ZONING OF ADJACENT PROPERTY/USE:

North: M.L.-I.M. - industrial (Bay City Construction)

South: M.L.-I.M. - Rossville Boulevard

East: M.L.-I.M. - Bus Station

West: M.L.-I.M. - Commercial (Bank)

SITE DESCRIPTION:

The site is improved with a one and two-story office building.

PROPERTIES IN THE VICINITY:

The surrounding land is zoned M.L.-I.M. Adjacent land to the north is used for industrial purposes. The property to the east is used for a bus station and property to the west is occupied by a bank. Rossville Boulevard lies to the south of the site on the other side of Race Road.

WATER AND SEWERAGE:

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

TRAFFIC AND ROADS:

The site is directly accessible from Race Road. The property is indirectly accessible from Rossville Boulevard and Yellow Brick Road. Rossville Boulevard is a minor arterial road located adjacent and parallel to Race Road. Yellow Brick Road is an industrial service road.

The intersection of Race Road and Yellow Brick Road and the adjacent intersection of Yellow Brick Road and Rossville Boulevard are located within 200 feet of the site.

ZONING HISTORY:

The property's zoning has been in place since 1976.

MASTER PLAN/COMMUNITY PLANS:

The Philadelphia Road Corridor Study Land Use Map (adopted January 21, 1992) designates this site for General Industrial use.

PROPOSED VS. EXISTING ZONING:

Regulations governing the B.L. zone may be found in Section 230 of the Baltimore County Zoning Regulations (B.C.Z.R.). The B.L. zone allows a wide range of uses in addition to those permitted in the residential zone immediately adjoining the property. Density is regulated by a floor area ratio of 3.0. However, density is generally limited by parking requirements and economic constraints. Building height is limited by the height tent regulations; setbacks include front yards not less than 10 feet and not less than 40 feet from the centerline of the street, except as specified in Section 302.2. No setback is required for side yards, except for lots abutting a residential zone or on a corner lot on the street side; in these cases a 10 foot setback is required.

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

OFFICE OF PLANNING AND ZONING SUMMARY AND RECOMMENDATIONS:

Based upon the information provided and analysis conducted, staff recommends the applicant's request be denied for the following reasons:

-Rezoning to B.L. is not consistent with the recently adopted Master Plan amendment for the Philadelphia Road Corridor. This plan designates the site and surrounding properties for General Industrial use.

-The nearby intersections of Race Road-Yellow Brick Road and Yellow Brick Road-Rossville Boulevard are hazardous locations. Rezoning the site for commercial rather than office uses could result in an increased number of vehicular trips to and from the site which would exacerbate an already bad traffic situation.

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 = 60

159 Elementary Students

Page 2

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

310 S.F.	x	.146	=	45
311 T.H.	x	.090	=	<u>28</u>
				73 High Students

A total yield of 297 students

Item 13 - Case No. R-94-341

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

Proposed Zoning - D.R.-3.5

Zoning would allow 180.8 single family homes.

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

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

Sincerely,

Barbara Pickelsimer

Barbara Pickelsimer,
Field Representative
Office of Pupil Assignments

bp

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

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

FROM: Robert W. Bowling, Chief
Developers Engineering Section

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

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

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

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

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

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

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

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

Zoning Reclassification Cycle III
April 1994 - October 1994
Page 2

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

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

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

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

RWB:sw

Baltimore County Government
Fire Department



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

(301) 887-4500

DATE: 04/27/94

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

RE: Property Owner:

LOCATION:

Item No.: Zoning Agenda:

Gentlemen:

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

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

RECEIVED

APR 28 1994

ZADM

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

cc: File



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary

Hal Kassoff
Administrator

4-26-94

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

Re: Baltimore County
CASE Item No.: *R-94-339*

Dear Ms. Minton:

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

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

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

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

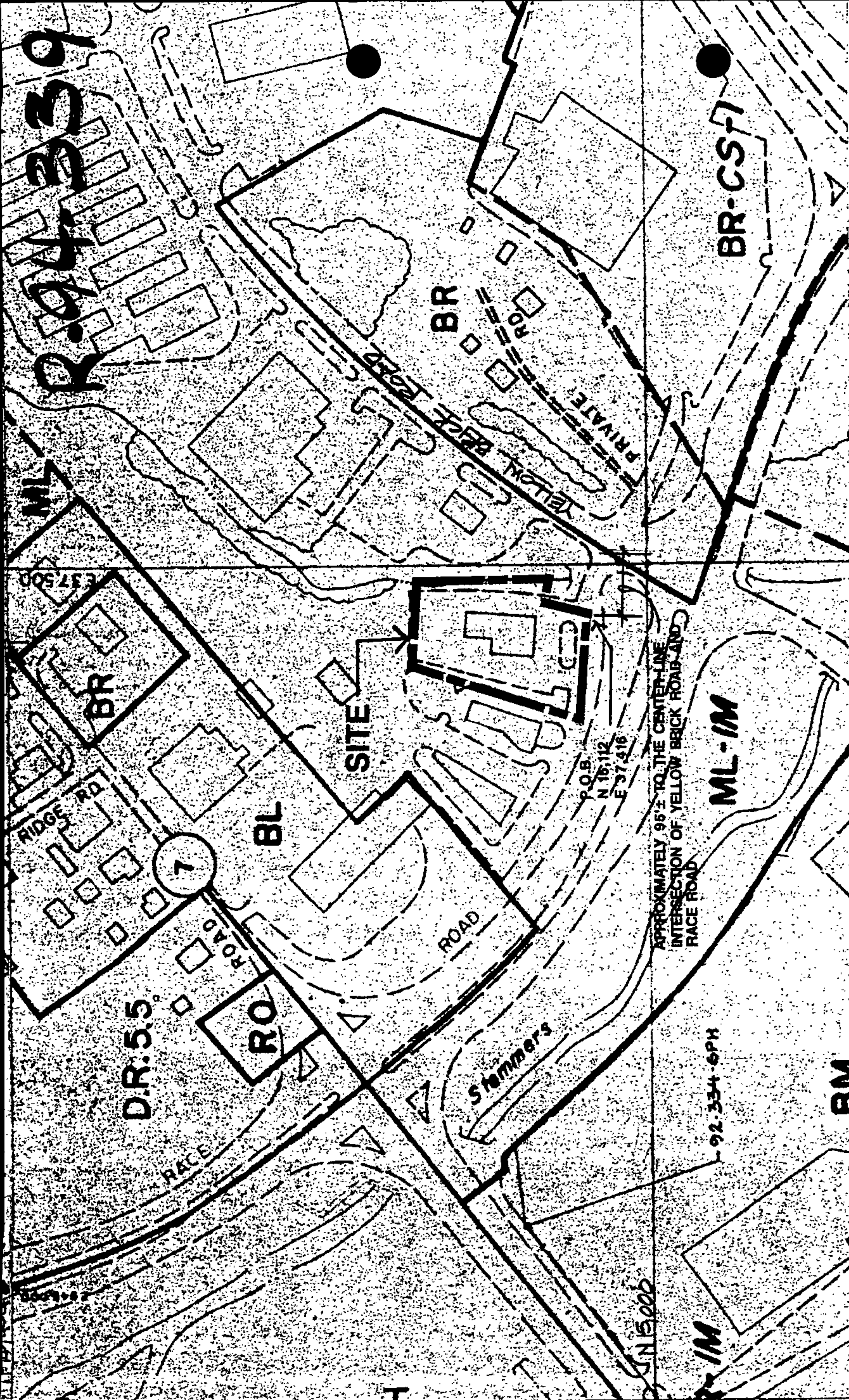
BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box
Street Address: 707 North Cal

Baltimore, MD 21203-0717
Baltimore, Maryland 21202



NE 4 G

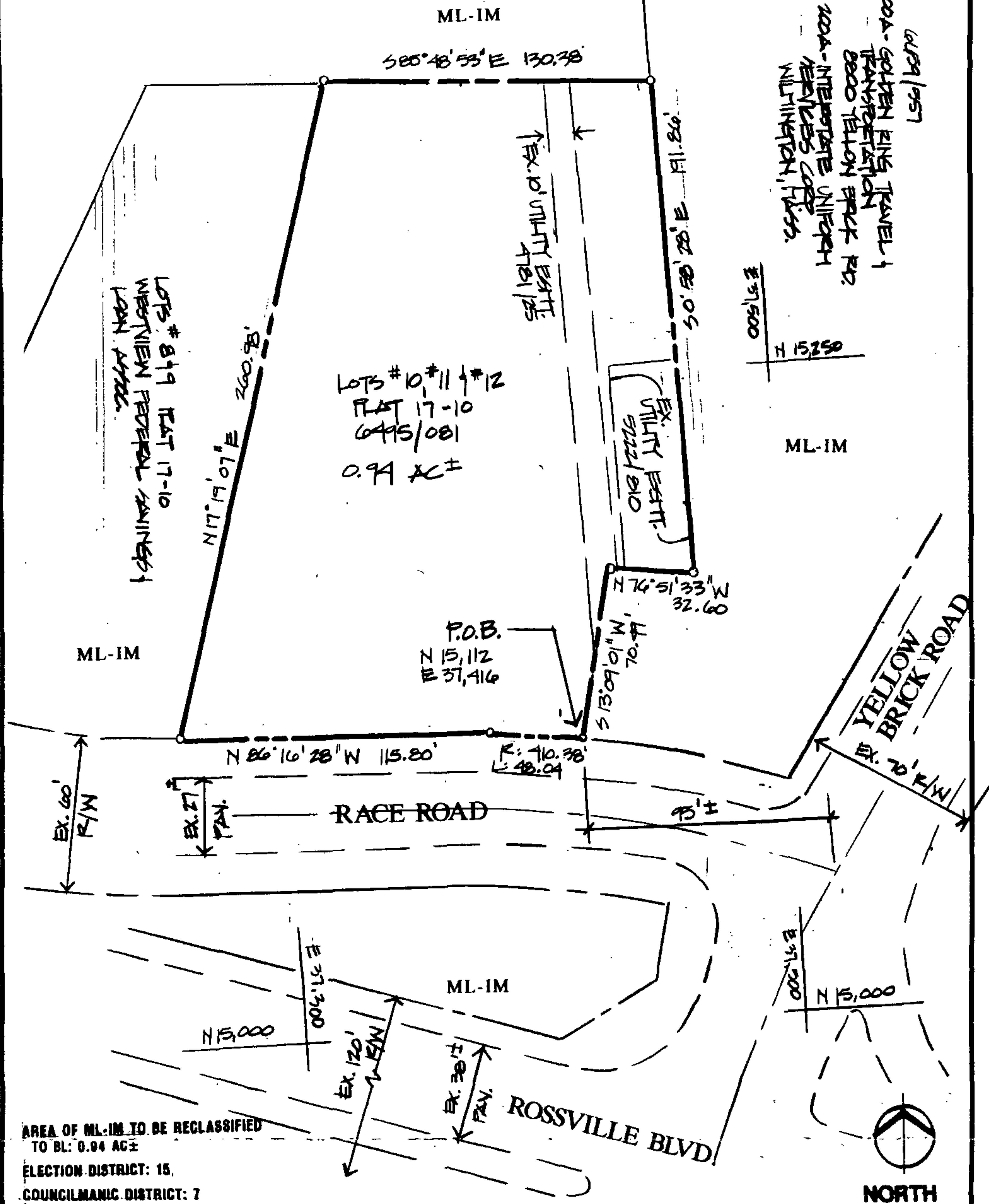
200 SCALE ZONING MAP TO ACCOMPANY
RECLASSIFICATION PETITION

D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS • LAND PLANNERS • SURVEYORS • LANDSCAPE ARCHITECTS
7115 AMBASSADOR ROAD, BALTIMORE, MD 21244
(410) 944-ENGR, (410) 944-3647
MAP:NE-4G 2-22-94

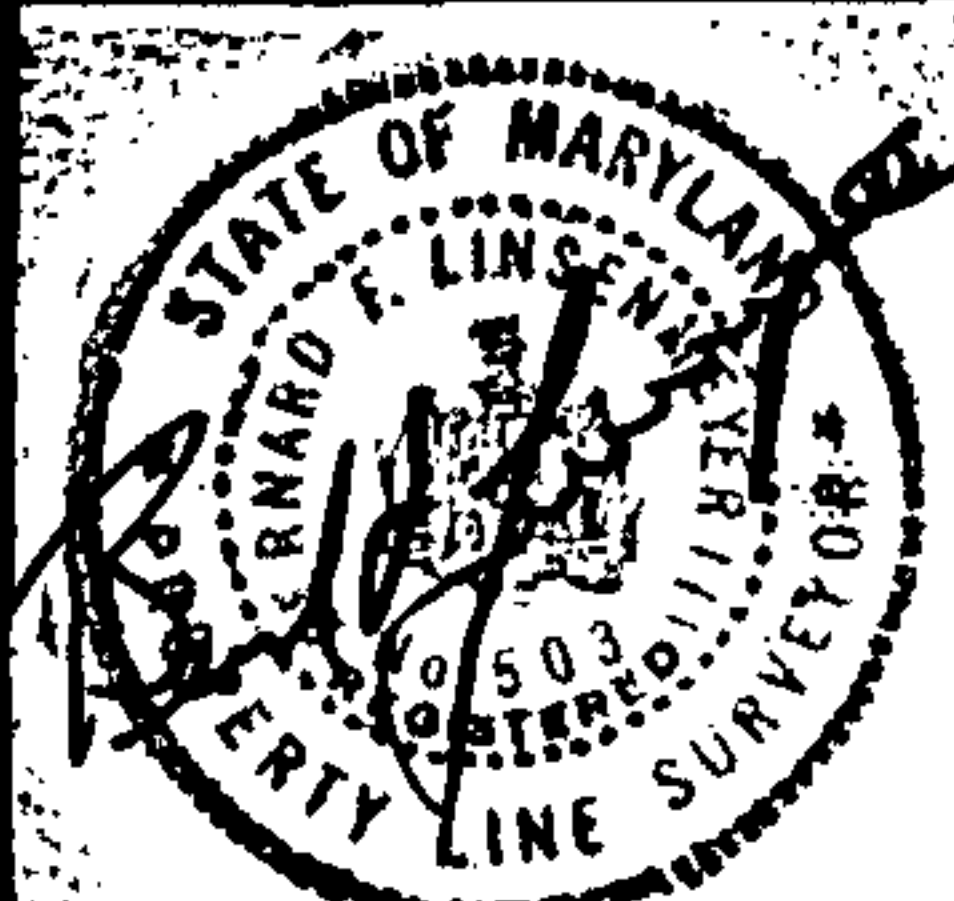
**1224, 1226 & 1228
RACE ROAD**

LOT #13 PLAT 17-10
ROLANDO DELA CRUZ
1230 RACE ROAD

P. 208 6/29/97
ROUTE 100A - GOLDEN KING TRAVEL &
TRANSFORMATION
2800 YELLOW BRICK RD.
WILMINGTON, DESS.
ROUTE 100A - INTERSTATE UNIFORM
SERVICES CORP.
WILMINGTON, DESS.



AREA OF ML-IM TO BE RECLASSIFIED
TO BL: 0.94 AC±
ELECTION DISTRICT: 15,
COUNCILMANIC DISTRICT: 7
CBCA:NA



1224, 1226 & 1228 RACE ROAD OPEN PLAT TO ACCOMPANY PETITION FOR RECLASSIFICATION

CIVIL ENGINEERS • SITE PLANNERS
SURVEYORS

DST & A ssoc.
Inc.

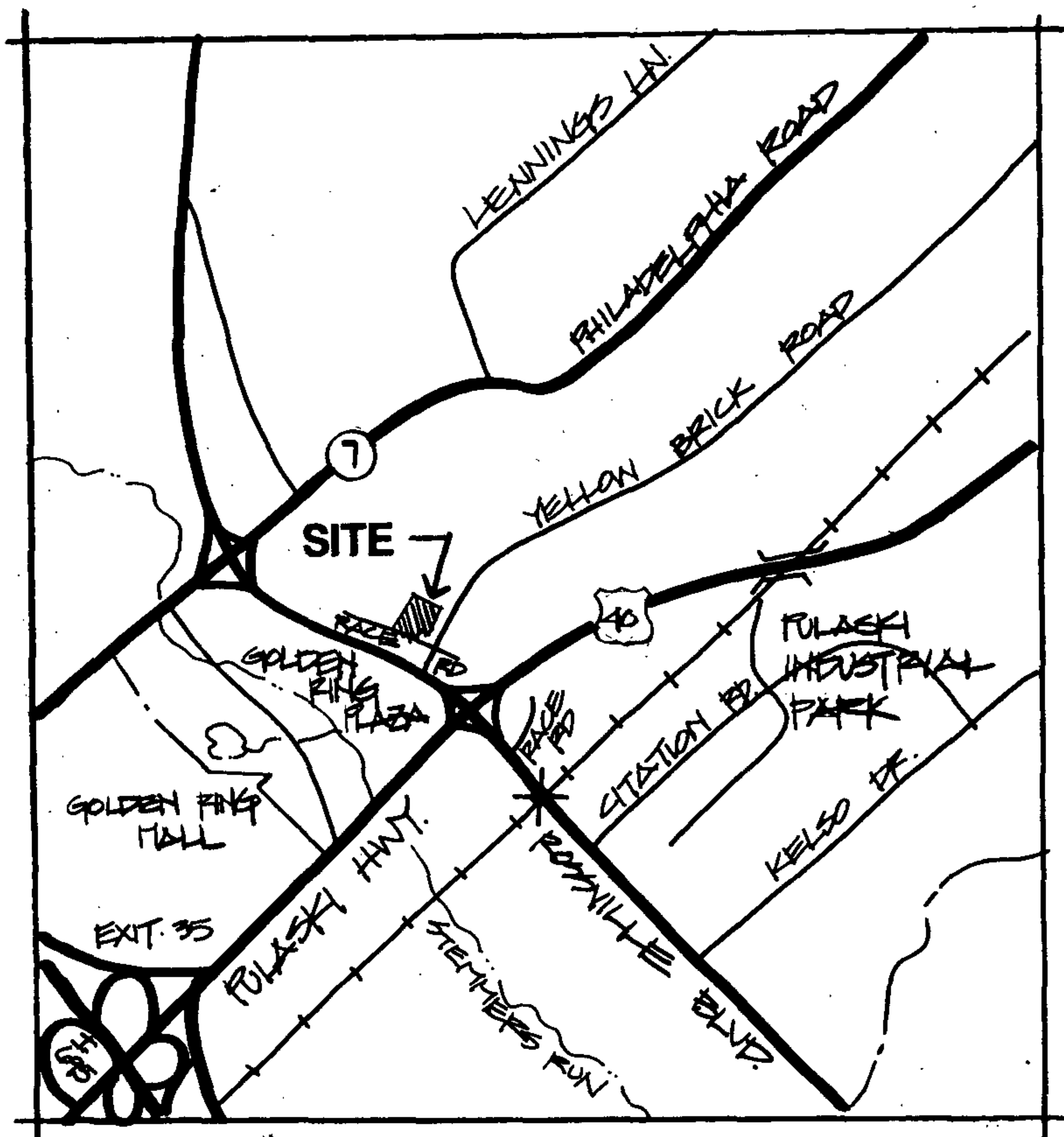
7115 AMBASSADOR ROAD BALTIMORE, MARYLAND 21207 (301) 944-3647 (301) 944-ENGR

SCALE :
1"=50'

DATE :
2-22-94

JOB NO.:

DRAWN BY: CHECKED BY:



NORTH

1224, 1226 & 1228 RACE ROAD

VICINITY MAP TO ACCOMPANY
PETITION FOR RECLASSIFICATION

CIVIL ENGINEERS • SITE PLANNERS
SURVEYORS

DST & A haler ssoc.
Inc.

7118 AMBASSADOR ROAD BALTIMORE, MARYLAND 21207 (301) 944-3647 (301) 944-ENGR

SCALE :

1"=1000'

DATE :

2-22-94

JOB NO.:

DRAWN BY: CHECKED BY:

County Board of Appeals of Baltimore County

ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

Michael Marino, Esquire
LEVY & MARINO, P.A.
609 Bosley Avenue
Towson, MD 21204

County Board of Appeals of Baltimore County

ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

Gil P. Stern, President
The Giles Building & Development Co.
P.O. Box 511
Brooklandville, MD 21022

County Board of Appeals of Baltimore County

ROOM 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

D. S. Thaler & Associates, Inc.
c/o Alan Scoll
7115 Ambassador Road
Baltimore, MD 21207