

IN RE. PETITION FOR SPECIAL EXCEPTION * BEFORE THE
W/S Halethorpe Farms Road, 747' W *
of the c/l of Washington Blvd. * DEPUTY ZONING COMMISSIONER
(1910 Halethorpe Farms Road) *
13th Election District * OF BALTIMORE COUNTY
1st Councilmanic District * Case No. 97-536-X
Browning-Ferris, Inc. *
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Special Exception filed by the owner of the subject property, Browning-Ferris, Inc., by Robert E. Anderson, Director, Real Estate Liquidation, and the Contract Purchaser, Cowan Systems, Inc., by Joseph Cowan, President, through Stanley S. Fine, Esquire. The Petitioner requests a special exception for a Class II Trucking Facility on the subject property, which is located on the west side of Halethorpe Farms Road, just south of Washington Boulevard in Halethorpe. The relief requested and proposed improvements are more particularly described on the site plan of the property, which was submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Joseph Cowan, President of Cowan Systems, Inc., Ken Green, a representative of STV Group, who prepared the site plan for this property, and Stanley Fine, Esquire, attorney for the Petitioner. Also appearing in support of the Petition were Jamie C. Gilbert, with the Economic Development Commission of Baltimore County, and Donald Hawkins, President of the Halethorpe Civic Association. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of 7.23 acres, more or less, zoned M.L.-I.M., and is improved

ORDER RECEIVED FOR FILING
Date 7/24/97
By [Signature]

with a large, one-story aluminum warehouse building, and a smaller building towards the front of the site. Mr. Cowan testified that he currently operates a Class II trucking facility on the adjoining property; however, his operation has grown over the past three years and he would like to relocate his business to the subject site. Testimony indicated that 75 tractors and as many as 150 trailers will operate from this site on a daily basis. Mr. Cowan testified that the large aluminum building will be razed to provide a parking/storage area for tractor trailers and that the other, smaller building situated towards the front of the site will remain on the property to be utilized as a drivers' meeting room with male/female restroom facilities and telephone service. Testimony indicated that by relocating to the subject site, the trucks will be able to utilize a different roadway to access the property and will no longer need to by-pass residential areas. This is a tremendous benefit to the local community groups who were represented at the hearing and who support the relocation of Cowan Systems to the subject property. In addition, the Petitioner will be rehabilitating an otherwise abandoned site which currently contains empty trash containers and a deteriorated building.

It is clear that the B.C.Z.R. permits the use proposed in a M.L.-I.M. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment

to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein. nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Along with the special exception requirements, the Petitioner is also required to satisfy the requirements of Section 410A of the B.C.Z.R., which specifically addresses Class II trucking facilities. The testimony and evidence offered at the hearing demonstrated that the Petitioner has satisfied all of the requirements imposed upon them by Section 410A of the B.C.Z.R. and that the relief requested should be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24th day of July, 1997 that the Petition for Special Exception seeking a special exception for a Class II Trucking Facility

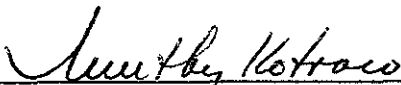
ORDER RECEIVED FOR FILING

Date

By

on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building and use permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

RECEIVED FOR FILING
7/24/07
dy



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

July 24, 1997

Stanley S. Fine, Esquire
20 S. Charles Street
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL EXCEPTION
W/S Halethorpe Farms Road, 747' W of the c/l of Washington Blvd.
(1910 Halethorpe Farms Road)
13th Election District - 1st Councilmanic District
Browning-Ferris, Inc. - Petitioner
Case No. 97-536-X

Dear Mr. Fine:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Robert E. Anderson, Dir., Real Estate Liquid., Browning-Ferris,
1302 Concourse Dr., Suite 400, Linthicum, Md. 21090

Mr. Joseph Cowan, President, Cowan Systems, Inc.
2000 Halethorpe Avenue, Baltimore, Md. 21227

People's Counsel; Case Files

*Donald Hawkins, Halethorpe Civic Assoc.
1919 Woodside Ave, 21227*



RE: PETITION FOR SPECIAL EXCEPTION *
1910 Halethorpe Farms Rd, W/S Halethorpe
Farms Rd, 747'+/- from c/l Washington Blvd*
13th Election District, 1st Councilmanic

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Legal Owner: Browning-Ferris, Inc.
Contract Purchaser: Cowan Systems, Inc. *
Petitioners

CASE NO. 97-536-X

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of July, 1997, a copy of the foregoing Entry of Appearance was mailed to Stanley S. Fine, Esq., 20 S. Charles Street, Baltimore, MD 21201, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 1910 Halethorpe Road ^{FAMS 557}

which is presently zoned ML-IM

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 for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

a Class II Trucking Facility

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.

Contract Purchaser/Lessee:

Cowan Systems, Inc.

(Type or Print Name)

By: Joseph Cowan, President

Signature

2000 Halethorpe Avenue

Address

Baltimore MD 21227

City

State

Zipcode

Attorney for Petitioner:

Stanley S. Fine

(Type or Print Name)

Stanley S. Fine

Signature

20 S. Charles St. 410-539-6967

Address

Phone No.

Baltimore MD 21201

City

State

Zipcode

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.

Legal Owner(s).

Browning-Ferris, Inc.

(Type or Print Name)

Robert E. Anderson

Signature

Robert E. Anderson, DIRECTOR, REAL ESTATE LIQUIDATION

(Type or Print Name)

Signature

1302 Concourse Drive, Ste 400

Address

Phone No.

Linthicum MD 21090

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

ATTORNEY

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL

OTHER

REVIEWED BY: gum

DATE

5-29-97

536

ORDER RECEIVED FOR FILING

Date

By

536



STV Incorporated

21 Governor's Court
Baltimore, Maryland 21244-2722
(410) 944-9112 fax: (410) 298-2794

ZONING DESCRIPTION EASTERN WASTE INDUSTRIES, INC. WEST SIDE OF HALETHORPE FARMS ROAD HALETHORPE, BALTIMORE COUNTY, MARYLAND

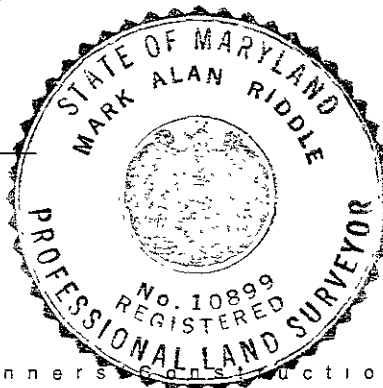
Beginning at a point along the west side of Halethorpe Farms Road, which is 40 feet wide, being distant South 09°31'04" West 747.0 feet from the centerline of Washington Boulevard, U.S. Route No. 1, which is 60 feet wide. Thence running with and binding on said west side of Halethorpe Farms Road as follows:

1. South 09°31'04" East 679.03 feet to a point thence,
2. South 80°28'56" West 10.05 feet to a point on said west side of Halethorpe Farms Road, which is a variable width right of way, thence along same, the two following courses and distances:
3. By a curve to the right having a radius of 351.97 feet, an arc length of 97.54 feet, said curve being subtended by a chord bearing South 01°33'10" East 97.23 feet to a point thence,
4. South 06°10'30" West 41.21 feet to a point, thence leaving said Halethorpe Farms Road and running the three following courses and distances:
5. South 80°28'56" West 325.33 feet to a point thence,
6. North 09°31'04" West 815.00 feet to a point thence,
7. North 80°28'56" East 360.00 feet to the place of beginning as recorded in Deed Liber S.M. No. 7939, Folio 730.

Containing 290,410 square feet or 6.667 acres of land, also known as No. 1910 Halethorpe Farms Road, located in Halethorpe, Thirteenth (13th) Election District.



STV INCORPORATED
Mark A. Riddle
MD Professional Land Surveyor No. 10899



May 20, 1997

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Baltimore County on the property identified herein as follows:

Case #97-536-X
1910 Hahethorpe Farms Road
W/S Hahethorpe Farms Road
747 +/- from ct. Washington
Boulevard
13th Election District
1st Councilmanic
Legal Owner(s):
Browning-Farls, Inc.
Contract Purchaser(s):
Cowan Systems, Inc.
Special Exception for a
Class II trucking facility.
Hearing: Tuesday, July 8,
1997 at 11:00 a.m., Room
407 Courts Bldg., 401 Bosley
Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

Hear
Spe
Pla
(2)
ing
Pla
Case No.
6/2/97

JOHN
V. WILLIAMS
ANGELA MANN

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/19, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/19, 1997

THE JEFFERSONIAN,
A. H. Williams
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 5-29-97

ACCOUNT R001-2

RECEIVED FROM:

Cowan Systems, Inc.

AMOUNT \$ 3000

FOR:

SPX (050)

HALETHORPE FARMS RD.

DISTRIBUTION
E - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JCM

PAID RECEIPT

05/29/97 05 9 BMT R 9800
Dept 5 513 ZONING VERIFICATION
CR NO. 038080
\$300.00 CK P-A-I-D
Baltimore County Maryland
Office Of Budget & Finance

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 7-21-99

ACCOUNT

R-006-61580 DK

AMOUNT

\$40.00

RECEIVED FROM:

STV, Inc.

FOR:

Cowan Trucking - DRG # 080297

For Spirit & Intent

DK

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 11/5/98

ACCOUNT

001-6150

AMOUNT

\$ 40.00 (JRA)

RECEIVED FROM:

STV Inc

#98-4471

VERIFICATION

FOR:

Cowan Trucking
1910 Halethorpe Farms Road

DISTRIBUTION
CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

No. 061008

PAID RECEIPT

PROCESS ACTUAL TIME
11/06/1998 11/05/1998 14:15:57
REG #501 CASHIER CLM CHL DRAWER 1
5 MISCELLANEOUS CASH RECEIPT
Receipt # 076675
CR NO. 061008
40.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Ave.
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 536

Petitioner: COWAN SYSTEMS, INC.

Location: 1910 HALETHORPE FARMS RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: STANLEY Fine, Esq.

ADDRESS: 20 S. CHARLES ST.

BALTO., Md. 21201

PHONE NUMBER: 410-539-6967

AJ:ggs

(Revised 09/24/96)

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-536-SPX

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: *

DATE AND TIME: *

REQUEST: FOR A CLASS II TRUCKING FACILITY

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTTUXENT PUBLISHING COMPANY
June 19, 1997 Issue - Jeffersonian

Please forward billing to:

Stanley Fine, Esq.
20 S. Charles Street
Baltimore, MD 21201
410-539-6967

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-536-X
1910 Halethorpe Farms Road
W/S Halethorpe Farms Road, 747'+/- from c/l Washington Boulevard
13th Election District - 1st Councilmanic
Legal Owner(s): Browing-Ferris, Inc.
Contract Purchaser(s): Cowan Systems, Inc.

Special Exception for a Class II trucking facility.

HEARING: TUESDAY, JULY 8, 1997 at 11:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

NOTICE OF HEARING

JUN. 7 3 1997

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-536-X
1910 Halethorpe Farms Road
W/S Halethorpe Farms Road, 747' +/- from c/l Washington Boulevard
13th Election District - 1st Councilmanic
Legal Owner(s): Browing-Ferris, Inc.
Contract Purchaser(s): Cowan Systems, Inc.

Special Exception for a Class II trucking facility.

HEARING: TUESDAY, JULY 8, 1997 at 11:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

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

Arnold Jablon
Director

cc: Browing-Ferris, Inc./
Cowan Systems, Inc.
Stanley S. Fine, Esq.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 24, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 1, 1997

Stanley S. Fine, Esquire
20 S. Charles Street
Baltimore, MD 21201

RE: Item No.: 536
Case No.: 97-536-X
Petitioner: Browning-Ferris, Inc.

Dear Mr. Fine:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 29, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in black ink that reads "Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



B A L T I M O R E C O U N T Y , M A R Y L A N D

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
 Department of Permits & Development
 Management

Date: June 23, 1997

FROM: Robert W. Bowling, Chief
 Development Plans Review Division **ROBERT W. BOWLING**

SUBJECT: Zoning Advisory Committee Meeting
 for June 23, 1997
 Item No. 536

The Development Plans Review Division has reviewed the subject zoning item. Halethorpe Farms Road is an existing road which shall ultimately be improved as a 40-foot street cross section on a 60-foot right-of-way. Proposed entrance to be built per the Department of Public Works' Std. Plate R-32 Commercial Entrance with Depressed Curb.

Show the existing storm drain pipe that runs through the site and check the future one-story office for clearance.

A Schematic Landscape Plan must be submitted. The streetscape plantings for Halethorpe Farms Road will be the primary focus.

RWB:HJO:jrb

cc: File

ZONE623.536

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

June 16, 97 *kl*
DATE: 10/07/96

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

RE: Property Owner: Browning-Ferris, Inc.
Steven H. Goeller
Gordon M. Roberts, Jr. & Mary A. Roberts
Owings Mills Self Storage, Inc.
Timonium Land Corporation
10,000 York Road LLC

Location: DISTRIBUTION MEETING OF OCT. 07, 1996.

Item No.: (536,) 541, 543, 545, 547, and 548

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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
3. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD

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

cc: File





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 6-17-97
Item No. 536 JCM

Dear Ms. Eubanks:

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 affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,


Ronald Burns, Chief
Engineering Access Permits
Division

LG

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

B A L T I M O R E C O U N T Y, M A R Y L A N D

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
 Department of Permits &
 Development Management

DATE: June 16, 1997

FROM:  Robert W. Bowling, Chief
 Development Plans Review
 Division

SUBJECT: Zoning Advisory Committee Meeting
 for June 16, 1997
 Item Nos. 534, 535, 536

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: June 16, 97

DATE: 6/19/97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

536	545
540	546
542	547
543	548
544	

RBS:sp

BRUCE2/DEPRM/TXTSBP

Jeni
7/8

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: July 2, 1997

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: 1910 Halethorpe Farms Road

INFORMATION

Item Number: 536

Petitioner: Browning-Ferris, Inc.

Zoning: ML-IM

Requested Action: Special Exception

Summary of Recommendations:

Provided that the functional classification of Halethorpe Farms Road is such that a Class II Trucking Facility would be permitted, staff does not oppose the requested special exception. In addition, the applicant should submit a landscape plan in the event that the request is granted.

Prepared by:

Jeffrey W. L...

Division Chief:

Carol L. Kerns

AFK/JL

12/7/98

DO NOT APPROVE
BLDG PERMIT FOR
1910 HALETHORPE FARM
RD BLDG EXPANSION
UNTIL (B)(9) PLAN
IS APPROVED BY
CHRIS.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3353
Fax: (410) 887-5708

September 5, 1997

Ms. Jill R. Robinson
Rosenburg, Proutt, Funk, & Greenberg, LLP
2115 First Maryland Building
25 South Charles Street
Baltimore, MD 21201

Re: Browning-Ferris, Inc.
Case No. 97-536-X

Dear Ms. Robinson:

As of this date, no appeals have been filed in this office for the above-referenced case.

I trust the above is responsive to your request. If you have any questions, please do not hesitate to contact the zoning review office at 410-887-3391.

Sincerely,


Arnold Jablon

AJ:JAW:jaw





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

August 11, 1999

A. Kenneth Green, Project Manager
STV Incorporated
21 Governor's Court
Baltimore, MD 21244-2772

Dear Mr. Green:

RE: Spirit & Intent, Case No. 97-536-X, 1910 Halethrope Farms Road,
13th Election District

Staff has reviewed your proposed building additions and canopy at the above referenced location and determined that the changes are within the spirit and intent of the approved plan and order in case #97-536-X subject to the following condition:

Two (2) plans copies of the spirit and intent plans approved on 11/19/98 must be red lined and submitted to this office with a copy of this letter for inclusion into the files.

Once this is done, please be aware that a new trucking facilities plan (10 copies) must be submitted to this office for distribution to and approval by the required officials. Also be aware that a refinement of the approved development plan must be approved, all prior to building permit application.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "John L. Lewis".

John L. Lewis
Planner II
Zoning Review

JLL:ggs

c: Case No. 97-536-X
Trucking Facility file

Come visit the County's Website at www.co.ba.md.us



STV Incorporated

21 Governor's Court
Baltimore Maryland 21244-2722
(410) 944-9112 fax (410) 298-2794

TO: JLC
7/29/99
u u
8/2

July 19, 1999
1246-1539

Baltimore County
Department of Permits and Development Management
County Office Building, Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Attention: Mr. Arnold Jablon

Reference: Cowan Trucking, Inc.
(Browning-Ferris, Inc. - Petitioner)
1910 Halethorpe Farms Road
Item No. 536, Case No. 97-536-X

Dear Mr. Jablon:

Enclosed please find two copies of a redlined plan and a check in the amount of \$40. Our client has moved his business to this property and is experiencing huge growth. Your office previously approved a change to the approved Zoning Order for a new building and fueling center in October 1997. In order to accommodate additional expansion, we propose the following:

1. Building additions totaling approximately 3,312 square feet. This will house additional staff required to support new clients.
2. Proposed canopy over the existing fueling center. This canopy will provide protection from the elements for the employees using this area.

We feel that these changes to the approved plan are within the spirit and intent of the original zoning decision and do not materially alter the concept of what was originally approved.

Should you have questions or require additional information, please call at your earliest convenience. Thank you for your time and cooperation in this matter.

Very truly yours,

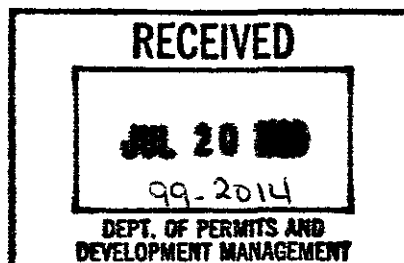
STV INCORPORATED

A. Kenneth Green
Project Manager

AKG/jm

Enclosures as noted

cc: Mr. Joseph Cowan





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

November 19, 1998

Mr. A. Kenneth Green
STV Incorporated
21 Governor's Court
Baltimore, Maryland 21244-2722

Dear Mr. Green:

RE: 1910 Halethorpe Farms Road, Zoning Case No. 97-536-X, 13th Election District

The Staff has approved the revised site plan as being within the spirit and intent of the order and plan in case number 97-536-X.

Please document this response on all future plans. Please be aware that this approval resolves zoning case issues only.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "John R. Alexander".

John R. Alexander
Planner II
Zoning Review

JRA:cjs

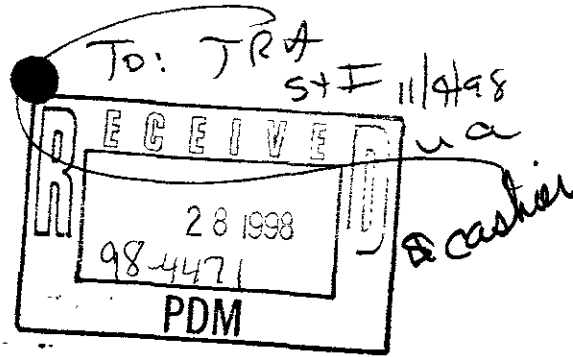
Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

STV Incorporated

21 Governor's Court
Baltimore Maryland 21244-2722
(410) 944-9112 fax (410) 298-2794



October 26, 1998
2389-1539

Baltimore County
Department of Permits and Development Management
County Office Building, Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Attention: Mr. Arnold Jablon

Reference: Cowan Trucking, Inc.
(Browning-Ferris, Inc. - Petitioner)
1910 Halethorpe Farms Road
Item No. 536
Case No. 97-536-X

Dear Mr. Jablon:

Enclosed please find two copies of a red-lined plan and a check in the amount of \$40. Our client moved to this location at the beginning of this year. A Special Exception was granted as referenced above. In addition, a revised plan showing a new building and fuel tank was approved on November 24, 1997 as being within the spirit and intent of the original order. Since that plan was approved, Mr. Cowan has experienced growth in his business and now requires additional space. The plan has been revised as follows:

- Building Size - a building addition of 65' x 36'. There will not be any additional water or sewer requirements, just office space.

There is room on the site to accommodate the additional parking requirements as shown on the plan. We feel that these changes to the approved plan are within the spirit and intent of the original zoning decision and do not materially alter the concept of what was originally approved.



STV Incorporated

Department of Permits and Development Management
Mr. Arnold Jablon

October 26, 1997
Page 2

Should you have questions or require additional information, please call at your earliest convenience. Thank you for your time and cooperation in this matter.

Very truly yours,

STV INCORPORATED


A. Kenneth Green
Project Manager

AKG/jm
Enclosures as noted

cc: Mr. Joseph Cowan

STV Incorporated

RECEIVED

Department of Permits and Development Management STV INCORPORATED October 16, 1997
Mr. Arnold Jablon

Page 2

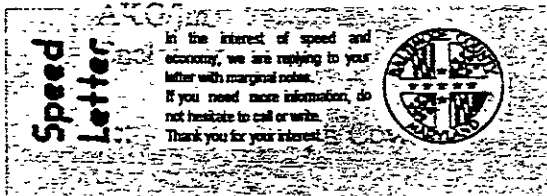
We feel that these changes to the approved plan are within the spirit and intent of the original zoning decision and do not materially alter the concept of what was originally approved.

Should you have questions or require additional information, please call at your earliest convenience. Thank you for your time and cooperation in this matter.

Very truly yours,

STV INCORPORATED


A. Kenneth Green
Project Manager



November 24, 1997

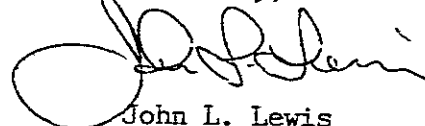
13th Election District

Dear Mr. Green:

The staff has approved (on 11/24/97) the revised site plan as being within the spirit and intent of the order and plan in case #97-536-X.

Please document this response on all future plans. Please be aware that this approval resolves zoning case issues only.

Sincerely,



John L. Lewis
Planner II
Zoning Review

JLL:rye

c: zoning case 97-536-X

STV Incorporated

CORRESPONDENCE DISTRIBUTION

21 Governor's Court
Baltimore, Maryland 21244-2722
(410) 944-9112 fax: (410) 298-2794

Job No. _____

Route: _____

LW ~~B.J. Wise~~

J.A. Morrone/File

October 16, 1997
2269-1539

Baltimore County
Department of Permits and Development Management
County Office Building, Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Attention: Mr. Arnold Jablon

Reference: Cowan Trucking, Inc.
(Browning-Ferris, Inc. - Petitioner)
1910 Halethorpe Farms Road
Item No. 536
Case No. 97-536-X

Dear Mr. Jablon:

Enclosed please find two copies of a red-lined plan and a check in the amount of \$40. Our client is in the process of moving his business to a more industrial location, rather than along a residential area that he now occupies. We have been granted a Special Exception for a Class II Trucking Facility as referenced above. Since that plan was approved, two items that increase the efficiency of his business have come up that change the approved plan as follows:

1. Building Location - The original intent was to leave office operations at the present facility and to use this site for a truck yard only. The existing building was to be utilized for a truckers "lounge" to meet the zoning requirements for this use. The office operations would be moved to this site at a later time. However, he has found that it is better to move the entire operation now, rather than in phases. Therefore, we have shown the proposed office on this plan. We would like to change the office location from where it was originally shown to the area of the existing small building, which will be demolished. The main reason for this change is ease of construction. There is existing water and sewer that can be tapped on-site at this location.
2. Fueling Center - We are proposing a new above-ground fuel tank as shown. Now, Mr. Cowan buys his fuel off-site. If he can install this facility, it will be a huge cost savings and convenience for the business.

STV Incorporated

Department of Permits and Development Management
Mr. Arnold Jablon

October 16, 1997
Page 2

We feel that these changes to the approved plan are within the spirit and intent of the original zoning decision and do not materially alter the concept of what was originally approved.

Should you have questions or require additional information, please call at your earliest convenience. Thank you for your time and cooperation in this matter.

Very truly yours,

STV INCORPORATED



A. Kenneth Green
Project Manager

Speed
Letter

In the interest of speed and economy, we are replying to your letter with marginal notes. If you need more information, do not hesitate to call or write. Thank you for your interest.



November 24, 1997

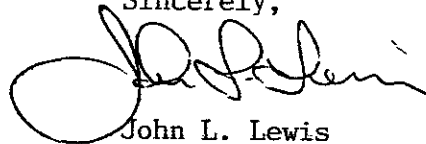
13th Election District

Dear Mr. Green:

The staff has approved (on 11/24/97) the revised site plan as being within the spirit and intent of the order and plan in case #97-536-X.

Please document this response on all future plans. Please be aware that this approval resolves zoning case issues only.

Sincerely,



John L. Lewis
Planner II
Zoning Review

JLL:rye

c: zoning case 97-536-X

99-4642
9/3/97
CS SW
no per million
3

ROSENBERG PROUTT FUNK & GREENBERG, LLP

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

2115 FIRST MARYLAND BUILDING
25 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201

(410) 727-6600

FACSIMILE: (410) 727-1115

JILL R. ROBINSON
(410) 727-6676

September 2, 1997

Arnold Jablon, Director
Planning and Development
Management
111 West Chesapeake Avenue
Towson, MD 21204

**Re: Petition for Special Exception -
Browning-Ferris, Inc., Petitioner -
Case No. 97-536-X**

Dear Director:

This firm represents Cowan Systems, Inc., the purchaser of the parcel of land which was the subject of the above-referenced Petition for Special Exception (the "Petition"). The Petition was granted on July 24, 1997 (the "Order"). On August 26, 1997, I traveled to your office and verbally confirmed that no appeals had been filed within the thirty (30) day period following the Order. The purpose of this letter is to request that your office provide a letter verifying that no appeals were filed with the Baltimore County Board of Appeals within the thirty (30) day period from the date of the Order. Please address the letter to H. Eugene Funk, Jr. at the above address.

If you have any questions or concerns regarding this request, please feel free to contact me. Thank you for your prompt attention to this matter.

Very truly yours,


Jill R. Robinson

JRR:
0090186.01

*Jim's
Case
97-536-X*

KRJK REALTY
4601 WASHINGTON BLVD.
BALTIMORE, MARYLAND 21227

JULY 16, 1997

Zoning Commissioner of Baltimore County
Court House, Suite 112
400 Washington Blvd.
Towson, MD 21204

Re: Petition for Special Exception
1910 Halethorpe Farm Road
Browning Ferris, Inc., Owner
Cowan Systems, Inc., Petitioner

To Whom It May Concern:

Please be advised that KRJK Realty is the owner of 4601 Washington Blvd. Which is located adjacent to 1910 Halethorpe Farm Road. KRJK is in favor of your granting the Special Exception for the above referenced property which requests it to be re-zoned as Class II Trucking. The use for which the Special Exception is requested will not be detrimental to the health, safety or general welfare of the locality involved.

Thank you for your consideration in this matter.

Very truly yours,

KRJK REALTY



John E. Logan, Jr.
General Partner

JEL:al

TOWNSEND PROPERTIES, INC.

210 WEST PENNSYLVANIA AVE. • SUITE 610 • TOWSON, MARYLAND 21204 • (410)321-1900 • FAX (410)321-1901

June 24, 1997

Zoning Commissioner of Baltimore County
Court House, Suite 112
400 Washington Avenue
Towson, MD 21204

Re: Petition for Special Exception
1910 Halethorpe Farms Road
Browning Ferris, Inc., Owner
Cowan Systems, Inc., Petitioner

Dear Sir or Madam:

Please be advised that Townsend Properties, Inc. ("TPI") is the owner of 1919 Halethorpe Farms Road which is located opposite 1910 Halethorpe Farms Road. TPI is in favor of your granting the Special Exception for the above-referenced property which requests it to be re-zoned as Class II Trucking. The use for which the Special Exception is requested will not be detrimental to the health, safety or general welfare of the locality involved.

Thank you for your consideration in this matter.

Sincerely,

TOWNSEND PROPERTIES, INC.

By: 
David B. Townsend, Vice President

DBT/dld

Petitioner's Exhibit

No. 4

RELIABLE TIRE SALES, INC.
4771 Hollins Ferry Road
Baltimore, MD 21227

June 8, 1997

Zoning Commissioner of Baltimore County
Court House, Suite 112
400 Washington Avenue
Towson, MD 21204

RE: Petition for Special Exception
1910 Halethorpe Farms Road
Browning Ferris, Inc., Owner
Cowan Systems, Inc., Petitioner

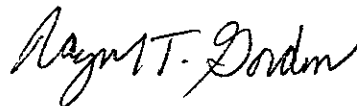
Dear Sir or Madam:

Please be advised that Reliable Tire Sales (RTS) is the owner of 4771 Hollins Ferry Road which is located near 1910 Halethorpe Farms Road. RTS is in favor of your granting the Special Exception for the above-referenced property which requests it to be re-zoned as Class II Trucking. The use for which the Special Exception is requested will not be detrimental to the health, safety or general welfare of the locality involved.

Thank you for your consideration in this matter.

Sincerely,

RELIABLE TIRE SALES, INC.



Raymond T. Gordon, President

Petitioner's Exhibit
No. 5

BALTIMORE COUNTY, MARYLAND

SUBJECT: LIMITED EXEMPTION PLAN COMMENTS

FROM: PDM - ZONING REVIEW

DATE: June 2, 1998

PROJECT NAME: Cowan Systems Trucking

PLAN DATE: 4/14/98

PROJECT NUMBER: 97-104-Z

PDM NUMBER: XII-181

LOCATION: 1910 Halethorpe Farms Road

DISTRICT: 13c1

PROPOSAL: Class II Trucking Facility

ZONING: M.L.-I.M.

1. The plan must agree with the latest approved zoning public hearing plan in case #97-536-X.
2. Revise plan to agree or request a "spirit and intent" approval by submitting two (2) red-lined zoning hearing case plans (as approved by this office on 11/24/97, showing all changes in red, accompanied by a cover letter explaining same for zoning).
3. Be aware that a set of 8 to 10 trucking facility plans must be approved by several agencies once this development plan is approved and well in advance of building permit applications. Staff suggests submitting one (1) set of preliminary plans (less landscaping information) for review once the spirit and intent issue is resolved and the development plan is approved.

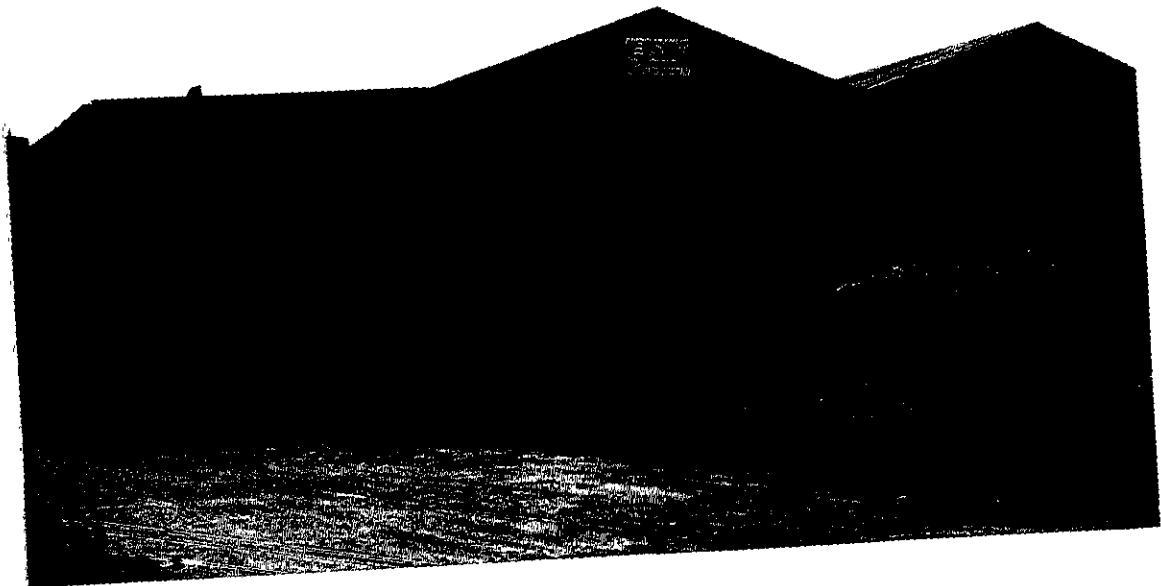


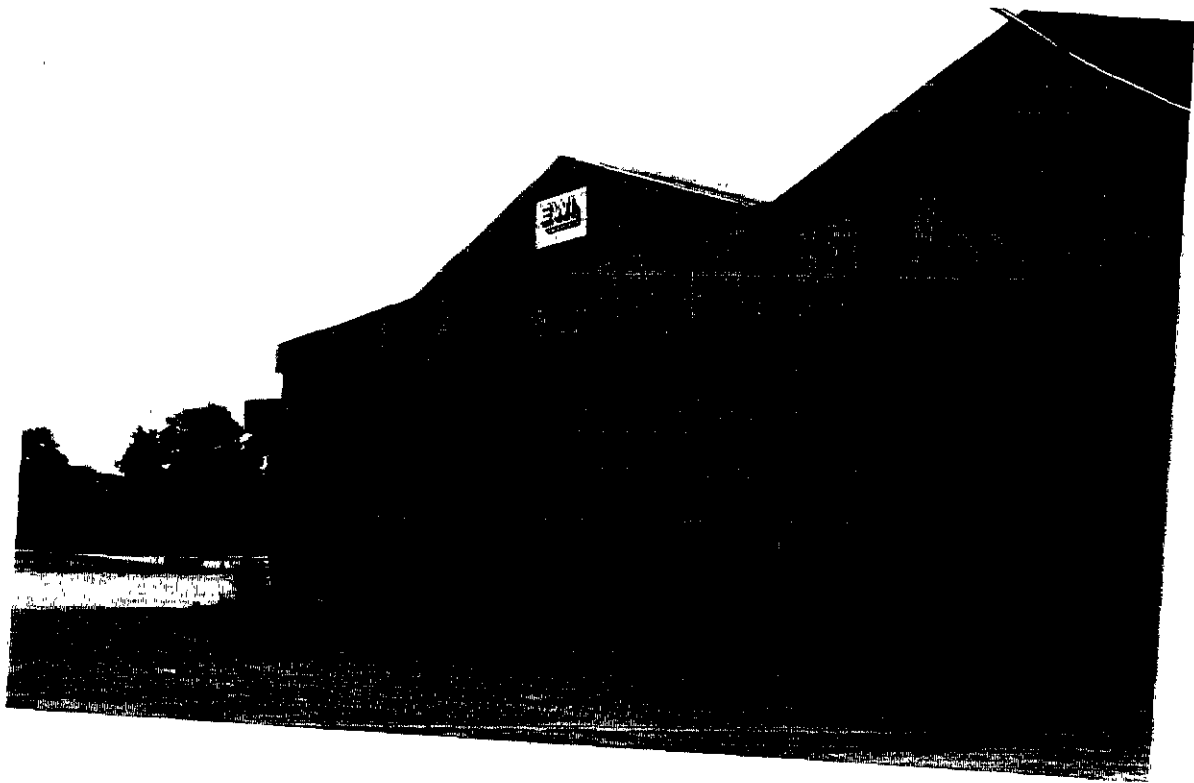
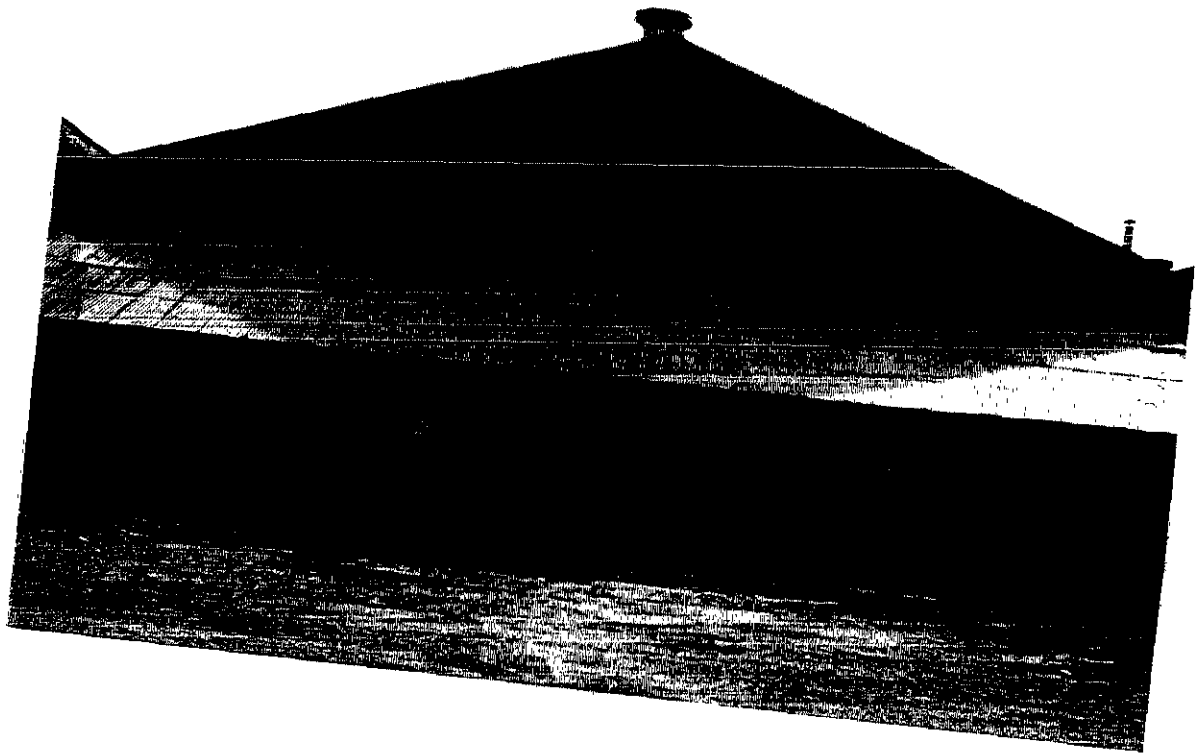
John L. Lewis
Planner II
Zoning Review

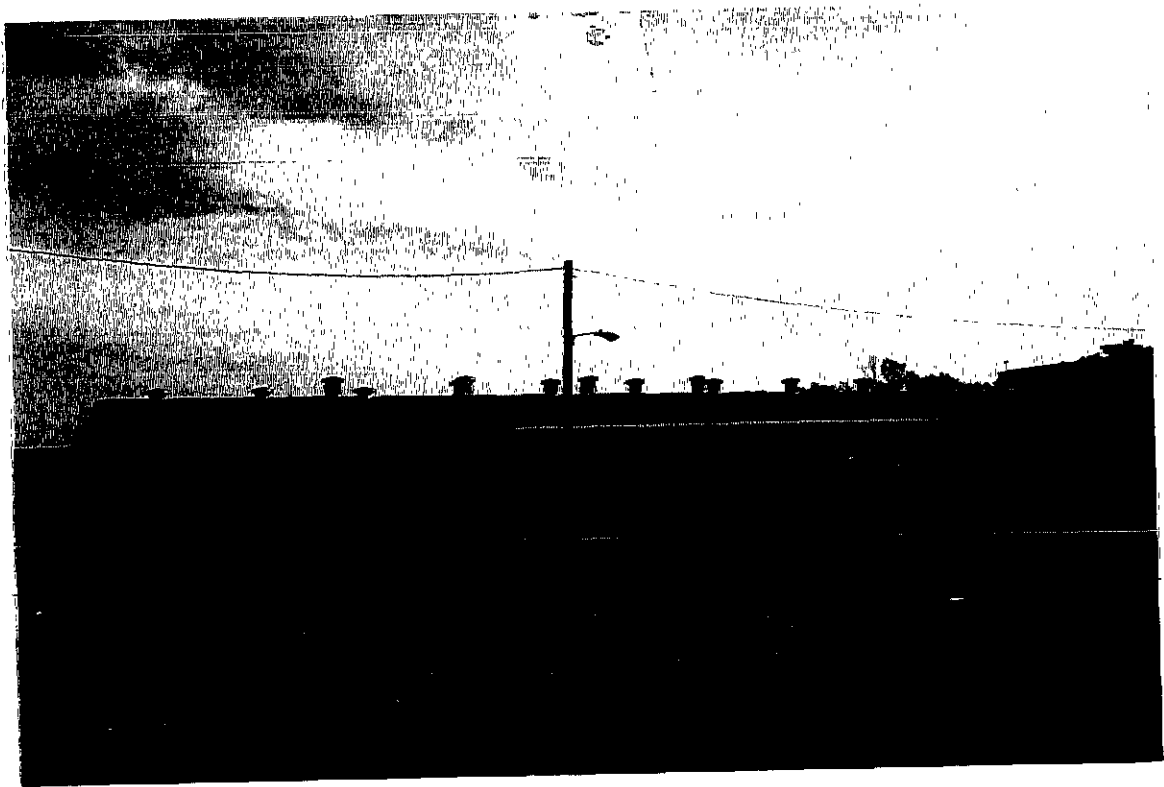
JLL:rye

c: zoning case 97-536-X

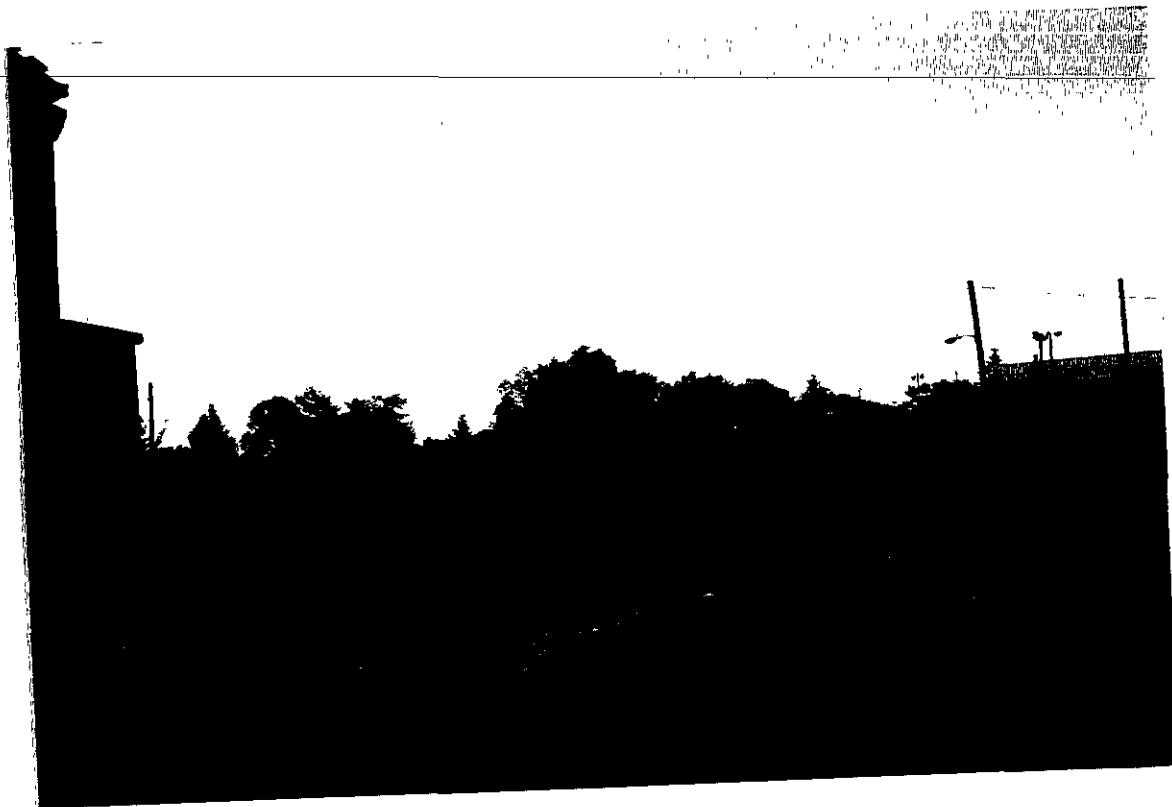






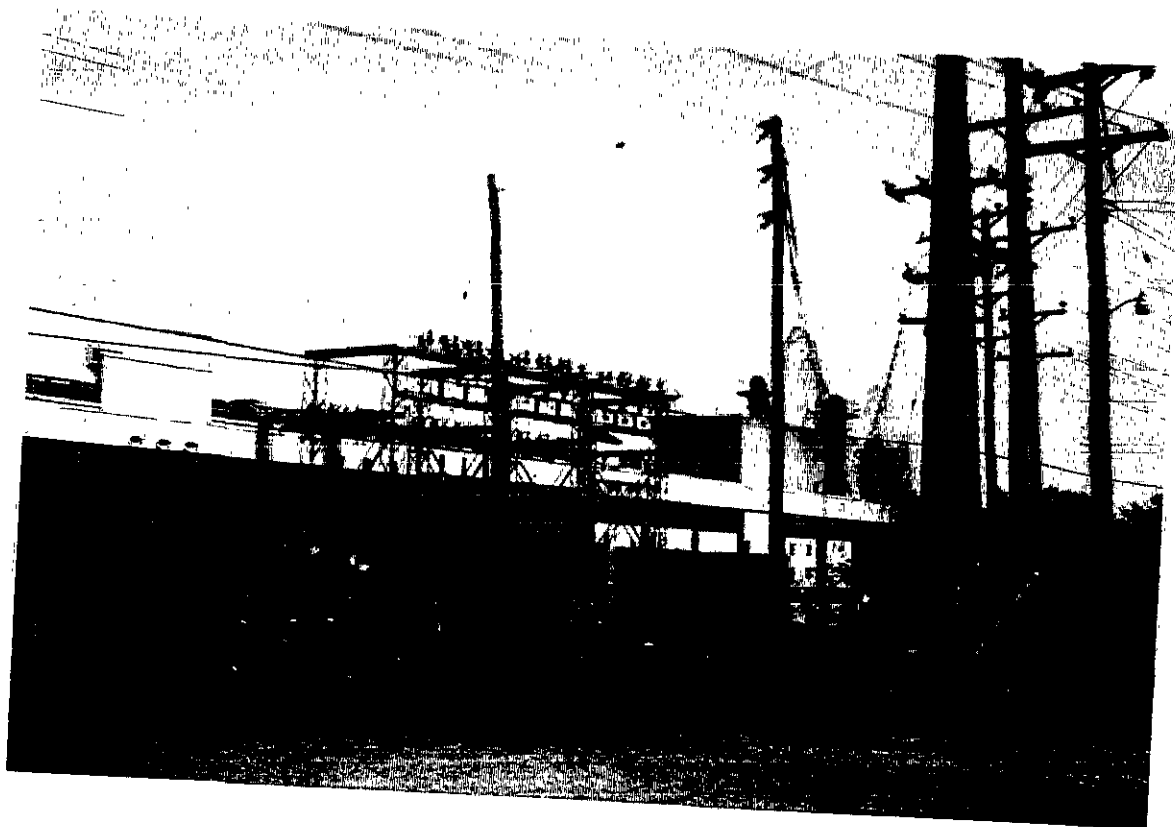




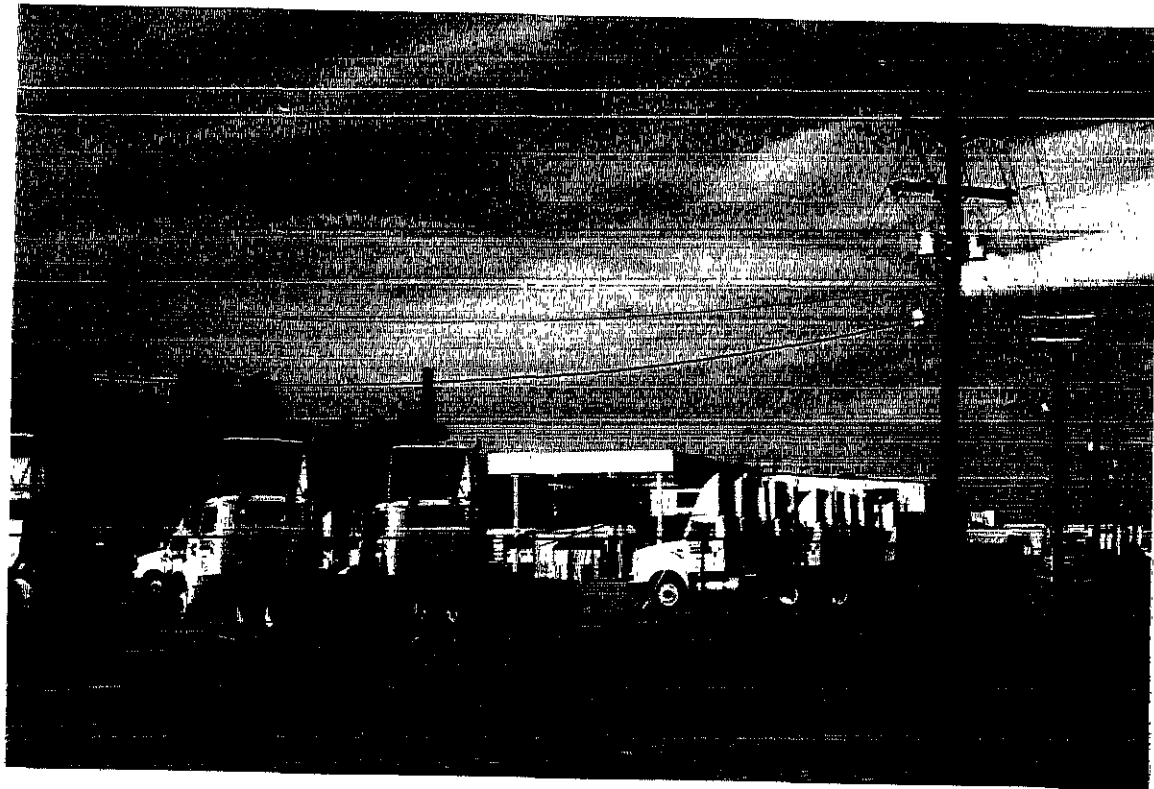
















Pittman's
Photographs

97-536-X

Ex bits
2A -
2L

3-A
thru
3N