IN THE MATTER OF THE APPLICATION OF BP AMOCO CORPORATION -C.P. (BALTIMORE COUNTY, PAUL GOURLEY, ETHEL B. SMITH, AND BP AMOCO CORP - \* OF LEGAL OWNERS FOR A ZONING RECLASSIFICATION ON PROPERTY LOCATED AT 520 REISTERSTOWN ROAD (REAR); S/S SLADE AVENUE AND N/S LINDEN TERRACE; ALSO 175' SW OF C/L REISTERSTOWN ROAD 3rd Election District 2<sup>nd</sup> Councilmanic District

- \* BEFORE THE
- \* COUNTY BOARD OF APPEALS
- \* BALTIMORE COUNTY
- \* CASE NO. R-01-434 Cycle I, 2001 /Item #2

### ORDER OF DISMISSALOF PETITION

This matter comes before this Board on a Petition for Reclassification filed by BP Amocd Corporation, et al, by its attorneys VENABLE, BAETJER & HOWARD, LLP, and Robert A. Hoffman, Esquire, for a zoning reclassification from R-O to B.L.-A.S. for the property located at 520 Reisterstown Road in the Third Election District of Baltimore County; and

WHEREAS, the Board of Appeals is in receipt of a letter of withdrawal of Petition filed August 15, 2002 (a copy of which is attached hereto and made a part hereof) from Robert A. Hoffman, Esquire, VENABLE, BAETJER & HOWARD, LLP, Counsel for Petitioner; and

WHEREAS, said Counsel, on behalf of Petitioner, requests that the Petition for

Reclassification filed herein be withdrawn as of the above date,

IT IS HEREBY ORDERED this 5th day of Will), 2002, by the County Board of Appeals of Baltimore County that said Petition be and the same is hereby WITHDRAWN AND DISMISSED.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Charles L. Marks, Chairman

Lawrence S. Wescott

Margaret Worrall



OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182 10 ch

Robert A. Hoffman, Esquire VENABLE, BAETJER & HOWARD, LLP 210 Allegheny Avenue Towson, MD 21204 September 5, 2002

RE: In the Matter of: BP Amoco Corporation, et al - Petitioner Case No. R-01-434

Dear Mr. Hoffman:

Enclosed please find a copy of the Order of Dismissal of Petition issued this date by the County Board of Appeals of Baltimore County in the subject matter in which the subject Petition for Reclassification has been withdrawn and dismissed.

Very truly yours,

Hathleen C. Bianco Distallo

Administrator

### Enclosure

c:

David H. Karceski, Esquire
BP Amoco /Jeffrey S. Bainbridge
Paul C. Gourley Ethel B. Smith
Baltimore County Revenue Authority
Morris & Ritchie Associates, Inc.
J Carroll Holzer, Esquire
Melvin Berger & Jeanne Berger
B.D.B. Partnership

Melvin Berger & Jeanne Berger B.D.B. Partnership Charles Dubman Robert J. Haines, Esquire /Board of Ed. /MS 1102-J People's Counsel for Baltimore Count

People's Counsel for Baltimore County Pat Keller, Planning Director William McConnell
Judith Berger
Lawrence E. Schmidt /Zoning Commissioner
W. Carl Richards /PDM
Arnold Jablon, Director /PDM

Including professional corporations

210 Allegheny Avenue Post Office Box 5517 Towson, Maryland 21285-5517 (410) 494-6200, Fax (410) 821-0147 www.venable.com

OFFICES IN

MARYLAND WASHINGTON, D.C. VIRGINIA

Robert A. Hoffman (410) 494-6262

rahoffman@venable.com

August 15, 2002

### HAND-DELIVERED

ATTORNEYS AT LAW

Kathleen C. Bianco, Administrator County Board of Appeals for Baltimore County Old Courthouse, Room 49 400 Washington Avenue Towson, MD 21204

Re:

Case No. R-01-438

In the Matter of BP Amoco-CP/520 Reisterstown Road

3<sup>rd</sup> Election District, 2<sup>nd</sup> Councilmanic District

Dear Mrs. Bianco:

I am writing this letter on behalf of my client, BP Amoco Corporation, to withdraw its Petition for Reclassification filed in the above-referenced case. BP Amoco has decided not to pursue the requested zoning relief at this time.

Very truly yours,

Robert A. Hoffman

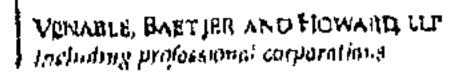
RAH/dhk

TOIDOCSI/DHK01/#143082 v1

cc:

Mr. Peter M. Zimmerman

Mr. John R. Lombardo



210 Alleghony Averus
Townen, Maryland 21204 (410) 494-6200, Pax (410) 821-0147 MARYLAND ( WASHINGTON, D.C. - VIRGINIA



Robert A Hoffman

**FAX NUMBER** 410-887-3182

> SENDER'S FAX NUMBER (410) 821-0147

> SENDER'S ASSISTANT Mary Ann Regulski

CLIENTIMATTER NUMBER 37785.167321

PHONE NUMBER

SENDER'S PHONE NUMBER (410) 494-6262

ASSISTANT'S PHONE NUMBER (410) 494-6263

PAGES, EXCLUDING COVER.

8/23/2002

DATE.

TO.

Theresa

SENDER

MESSAGE

if you require assistance with this transmission, please contact the sender

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U.S. postal service. Thank you.



# Petition for Reclassification

to the Board of Appeals of Baltimore County

	1/2 Linden Terrace, 2 Linden	Coun
for the property locat	ted at Terrace, and Parcel No. 0078-09-	00428
•	_	•
This Datition of the second	sently zoned/districted RO RO 1-4	35
This Petition shall be filed with the Department of Permit owner(s) of the property situate in Baltimore County and which made a part hereof, hereby petition: (1) that the zoning/dist pursuant to the zoning law of Baltimore County from a position.	rict status of the herein description and plat attached	hereto an
reasons given in the attached and (2) for a Special Exception herein described property for Special exception to periodividual site and a convenience store and car with the proposed fuel service station pursuant 405.4.E.10 of the Baltimore County Zoning Regul	zone/district to a <u>BL-AS</u> zone/district to a <u>BL-AS</u> zone/district the zoning regulations of Baltimore County armit a fuel service station on an ery-out restaurant as uses in combinate to Sections 405.2.B.1, 405.4.E.1, at ions	rict, for the to use the tion and
and (3) for the reasons given in the attached statement, a Variable Baltimore County:	ance from the following sections of the zoning re	gulations (
Variance from Section 405.4.A.3.c.2 of the Balt to permit fewer stacking spaces than required,	imara Countre Barin no a co	
Property is to be posted and advertised as prescribed by the zo I, or we, agree to pay expenses of above petition(s), advertising, prescribing regulations and restrictions of Baltimore County adopted pursuance.	ning regulations. osting, etc. and further agree to and are to be boundard to the zoning law for Baltimore County.	ded by the
Contract Purchaser/Lessee:	I/We do solemnly declare and affirm, under the penaperjury, that I/we are the legal owner(s) of the propers the subject of this Petition.	alties of ty which
	Legal Owner(s);	
BP Amoco Corporation Name Type or Print	(SEE ATTACHED)	
By:	Name - Type or Print	
Signature Jeffrey S. Bainbridge, Real Estate  1 West Pennsylvania Avenue 210-294-3737  Address	Signature	<u> </u>
Towson . MD	Name - Type or Print	<del></del>
State 21204  Zip Code	Signature	
Attorney For Petitioner:	olanerate.	
Pohant A II.cc	Address	

Oity	State	Zip Code
Attorney For Petitioner:		
Robert A. Hoffman		
Name - Type or Print		<del></del>
Signature		<del></del>
Venable, Baetjer and	Howard, IJ.	Þ
Company		r &
210 Allegheny Avenue Address	410-4	94-6200
		Telephone No.
Towson, MD	212	04
City	State	Zip Code

REV 9/18/98

Address Telephone No. City State Zip Code Representative to be Contacted: Robert A. Hoffman Name

410-494-6200

21204

State

Telephone No.

Zip Code

Address

City

Towson,

210 Allegheny Avenue

MD



# Petition for Reclassification

to the Board of Appeals of Baltimore County

I/We do solemnly declare and affirm, under the penalties of

is the subject of this Petition.

perjury, that I/we are the legal owner(s) of the property which

1/2 Linden Terrace, 2 Linden for the property located at Terrace, and Parcel No. 0078-09-00428 which is presently zoned/districted RO

This Petition shall be filed with the Department of Permits and 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/district status of the herein described property be reclassified.

pursuant to the zoning law of Baltimore County from a RO zone/district to a BL-AS zone/district, for the reasons given in the attached and (2) for a Special Exception under the zoning regulations of Baltimore County, to use the herein described property for Special exception to permit a fuel service station on an individual site and a convenience store and carry-out restaurant as uses in combination with the proposed fuel service station pursuant to Sections 405.2.B.1, 405.4.E.1, and 405.4.E.10 of the Baltimore County Zoning Regulations and (3) for the reasons given in the attached statement, a Variance from the following sections of the zoning regulations of

Baltimore County:

Variance from Section 405.4.A.3.c.2 of the Baltimore County Zoning Regulations to permit fewer stacking spaces than required, if needed.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Contract Purchaser/Lessee: Legal Owner(s): BP Amoco Corporation (SEE ATTACHED) Name Type or Print Name - Type or Print By ( Signature/Jeffrey S. Bainbridge Real Estate 1 West Pennsylvania Avenue 410-494-3737 Signature Address Telephone No. Name - Type or Print Towson, MD 21204 City State Zip Code Signature Attorney For Petitioner: **Address** Telephone No. Robert A. Hoffman Name - Type or Print City State Zip Code Representative to be Contacted: Signature Venable, Baetjer and Howard, LLP Robert A. Hoffman Company Name 210 Allegheny Avenue 410-494-6200 210 Allegheny Avenue 410-494-6200 Address Telephone No. Address Telephone No. Towson, MD 21204 Towson, MD 21204 City

City

Zip Code

State

State

Zip Code

# SIGNATURE PAGE

(1 of 3)

Legal Owner - Parcel Number 0078-09-00578

1/2 Linden Terrace

Baltimore, Maryland 21208

Paul C. Gourley

3312 Kenjac Road

Baltimore, Maryland 21244 (410) 655-3338

## SIGNATURE PAGE

(2 of 3)

Legal Owner – Parcel Number 0078-09-00719-000-00005 2 Linden Terrace Baltimore, Maryland 21208

Ethel B. Smith

2 Linden Terrace

Pikesville, Maryland 21208

(410) 833-5400

# SIGNATURE PAGE (3of 3)

Legal Owner - Parcel Number 0078-09-00428

Baltimore County Revenue Authority 115 Towsontown Boulevard Towson, Maryland 21204

By:\_\_\_

George E. Hale, Executive Director

(41.0) 887-3127

TO1DOCS1/erl01/#112835 v1

## SIGNATURE PAGE (3of 4)

Legal Owner -- Parcel Number 0078-09-00428

**Baltimore County Revenue Authority** 115 Towsontown Boulevard Towson, Maryland 21204

By:

George E. Hale, Executive Director

TO1DOCS1/erl01/#112835 v1

### SIGNATURE PAGE

(4 OF 4)

Legal Owner: BP Amoco Corporation

520 Reisterstown Road Baltimore, MD 21208

Rv.

Jeffrey S. Bainbridge,

Real Estate Development Manager

1 West Pennsylvania Avenue

**Towson, MD 21204** 

# MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS



## ZONING DESCRIPTION

BEGINNING at a point on the southwest side of Reisterstown Road at the Southeast end of a fillet located at the Southernmost corner of Slade Avenue and Reisterstown Road. Thence the following courses and distances, viz:

Along the Southwest side of Reisterstown Road, South 37°12'23" East 183.89 feet, thence along the Northwest side of Linden Terrace, South 52°27'59" West 145.96 feet and South 52°29'07" West 95.09 feet, thence North 37°31'23' West 205.79 feet to Slade Avenue, thence along the Southeast side of Slade Avenue, Northeasterly by a non-tangential curve to the right with a radius of 1320.95 feet, an arc length of 26.92 feet, the chord of said arc bearing North 49°32'17" East 26.92 feet, North 49°31'48" East 183.10 feet, and Southeasterly by a nontangential curve to the right with a radius of 32.50 feet, an arc length of 51.05 feet, the chord of said are bearing South 82°12'23" East 45.96 feet to the place of beginning.

CONTAINING 1.17 Acres of land more or less

George T. Keller

Professional Redperty Line Surveyor No. 67

■ 410-792-9792 ■ FAX 410-792-7395

# MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,



### Zoning Description

COMMENCING at a point distant 143 feet more or less measured southwesterly along the south side of Slade Avenue, 66 foot paving width, from the intersection of the south side of Slade Avenue and the northwesterly side of Reisterstown Road, 66 feet wide. Thence the following courses and distances, viz:

South 37° 17' 39" East, 210.88 feet, South 52° 29' 07" West, 98.51 feet, North 37° 31' 23" West, 205.75 feet, Northwesterly by a non-tangential curve to the right having a radius of 1320.95 feet, an arc length of 26.92 feet, the chord of said arc bearing North 49°32'17" East 26.92 feet, North 49° 31' 48" East, 72.56 feet to the point and place of beginning,

CONTAINING 0.47 Acres of Land, more or less.

Being known as the following:

AND LANDSCAPE ARCHITECTS

- 1) #2 Linden Terrace and located in the Third Election District of Baltimore County, Maryland, also being recorded in Deed Liber 6006, folio 148.
- 2) #1/2 Linden Terrace and located in the Third Election District of Baltimore County, Maryland, also being recorded in Deed Liber 6199, folio 180.
- Being a portion of Lands of Baltimore County Revenue Authority located along Slade Avenue and located in the Third Election District of Baltimore County, Maryland, also being recorded in Deed Liber 7466, folio 581.
  - Being a portion of #520 Reisterstown Road and located in the Third Election District of Baltimore County, Maryland, also being recorded in Deed Liber 5054, folio 500.



4)

Michael 2. R 2/20/0

Michael L. Ray, Prof. L.S.

R.01-434

MLR.mak\s\11751\0.47acre\022701

#### NOTICE OF ZONING RECLASSIFICATION HEARING

The County Board of Appeals of Baltimore County, by authority of the County Charter, Section 602.(e) and Section 603 and the County Code, Section 2-356(d), will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case. #R-01-434

520 Reisterstown Road (rear)
S/S Slade Avenue and N/S Linden Terrace; also
175' SW of centerline Reisterstown Road 3rd Election District -- 2nd Councilmanic District
Legal Owner(s): Baltimore County Revenue Authority
(Lot A); Paul C. Gourley (Lot B); Ethel B Smith (Lot C);
BP Amoco Corporation (Parcel 246)
Contract Purchaser: BP Amoco Corporation
Reclassification: of the property from R-O to B.L.-A.S.
Hearing: Wednesday, October 3, 2001 at 10:00 a.m. in
Room 48 of the Old Courthouse, 400 Washington Avenue.

LAWRENCE S. WESCOTT

Chairman

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 410-887-3180.
(2) For information concerning the File and/or Hearing, Contact this office at 410-887-3180

OMT/JEFF/9/120 Sept. 13 C493435

# CERTIFICATE OF PUBLICATION

9/13,2001	
THIS IS TO CERTIFY, that the annexed advertisement was pub	lishec
n the following weekly newspaper published in Baltimore County,	Md.,
once in each of $1$ _successive weeks, the first publication appeon $9/3$ _,2001.	aring
on <u>9//3</u> ,20 <u>0/</u> .	
The Jeffersonian	
☐ Arbutus Times	
☐ Catonsville Times	
☐ Towson Times	
Owings Mills Times	
☐ NE Booster/Reporter	
☐ North County News	
S. Wilkingra	
LEGAL ADVERTISING	



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

Hearing Room - Room 48 Old Courthouse, 400 Washington Avenue

October 3, 2001

NOTICE OF ASSIGNMENT

**CASE #:** R-01-434 (Cycle I, Item #2, 2001)

to skitched IN THE MATTER OF: BP Amoco –CP /Owner; Revenue Authority et al –Legal Owners /Petitioners 520 Reisterstown Road 3rd Election District; 2nd Councilmanic

Reclassification: From R.O. to B.L.-A.S. as shown on Plan to Accompany **Reclassification Petition** 

NOTE: This matter was opened and continued on the record on 10/0301; amendment to be submitted in open hearing on 10/11/01; no testimony or evidence will be received by the Board on 10/11/01. A hearing on the merits of the reclassification request will then be held on 12/05/01.

**ASSIGNED FOR:** 

THURSDAY, OCTOBER 11, 2001 at 9:30 a.m. /to submit amendment only WEDNESDAY, DECEMBER 5, 2001 @ 10:00 a.m. /Hearing on Merits

**NOTICE:** 

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code. IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco /Administrator

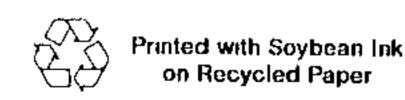
c:

Counsel for Petitioners Petitioners

: Robert A. Hoffman, Esquire : BP Amoco /Jeffrey S. Bainbridge Paul C. Gourley Ethel B. Smith **Baltimore County Revenue Authority** 

Morris & Ritchie Associates, Inc.

Robert J. Haines, Esquire /Board of Ed. /MS 1102-J (changed 8/14/01) People's Counsel for Baltimore County Pat Keller, Planning Director Lawrence E. Schmidt /Zoning Commissioner W. Carl Richards /PDM Arnold Jablon, Director /PDM



# TIMORE COUNTY, MARYLAND Board of Appeals of Baltimore County Interoffice Correspondence

TO

Arnold Jablon, Director

**DATE:** October 11, 2001

Department of Permits

& Development Management

Attn: Carl Richards

**FROM** 

Kathleen C. Bianco

County Board of Appeals

SUBJECT: Amendment to Petition for Reclassification / Case No. CR-01-434 / BP Amoco Corporation - CP; Baltimore County Revenue Authority, et al - Legal Owners

Pursuant to the appropriate sections of the *Baltimore County Code*, the Amended Petition for Reclassification and accompanying Documented Site Plan in the subject matter were submitted to the County Board of Appeals on the record and at a public hearing this date. This amended petition, and accompanying documentation, was submitted to your office for processing.

This case will be heard before the Board on the merits of the request on December 5, 2001 at 10:00 a.m. A copy of the Notice of Assignment is attached reflecting this hearing date. Should you require any additional information regarding this matter, please contact this office.

#### Attachment

cc:

David Karceski, Esquire Robert A. Hoffman, Esquire People's Counsel for Baltimore County Pat Keller, Planning Director Jeffrey Long /Planning





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

FAX: 410-887-3182

**Hearing Room -** Room 48 Old Courthouse, 400 Washington Avenue

Draw of illo, solo July 10, 2001

### NOTICE OF ASSIGNMENT

**CASE #:** R-01-434 (Cycle I, Item #2, 2001) IN THE MATTER OF: BP Amoco –CP /Owner; Authority, et al –Legal Owners Revenue Authority et al -Legal Owners /Petitioners 520 Reisterstown Road 3<sup>rd</sup> Election District; 2<sup>rd</sup> Councilmanic

Reclassification: From R.O. to B.L.-A.S. as shown on Plan to Accompany **Reclassification Petition** 

There will be no testimony or evidence received by the Board on 10/03/01. The case will be **NOTE:** 

opened on the record for the purpose of submitting an Amended Plan and Petition and

continued. A hearing on the merits of the reclassification request will then be held on 12/05/01.

WEDNESDAY, OCTOBER 3, 2001 @ 10 a.m. /Open & Continue **ASSIGNED FOR:** 

WEDNESDAY, DECEMBER 5, 2001 @ 10:00 a.m. /Hearing on Merits

This appeal is an evidentiary hearing; therefore, parties should consider the **NOTICE:** 

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco /Administrator

Counsel for Petitioners c:

Petitioners

: Robert A. Hoffman, Esquire : BP Amoco /Jeffrey S. Bainbridge Paul C. Gourley Ethel B. Smith Baltimore County Revenue Authority

Morris & Ritchie Associates, Inc.

Donald Krempel /Div of Physical Facilities /Board of Ed. /MS 1102-J (changed 7/09/01) People's Counsel for Baltimore County Pat Keller, Planning Director Lawrence E. Schmidt/Zoning Commissioner W. Carl Richards /PDM Arnold Jablon, Director /PDM



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

FAX: 410-887-3182

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

November 19, 2001

NOTICE OF ASSIGNMENT /Additional Hearing Day

CASE #: R-01-434 (Cycle I, Item #2, 2001)

IN THE MATTER OF: BP Amoco -CP /Owner;

Revenue Authority et al -Legal Owners /Petitioners

520 Reisterstown Road 3rd Election District; 2nd Councilmanic

Reclassification: From R.O. to B.L.-A.S. as shown on Plan to Accompany
Reclassification Petition

NOTE: An additional day for hearing (day #2) has been assigned at the request of Counsel for Petitioner; the following dates are now assigned for hearing on the merits (including 12/05/01 as originally assigned for day #1):

**ASSIGNED FOR:** 

WEDNESDAY, DECEMBER 5, 2001 at 10:00 a.m. /Day #1; and WEDNESDAY, MARCH 6, 2002 at 10:00 a.m. / Day #2

**NOTICE:** 

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco/Administrator

c:

Counsel for Petitioners

: Robert A. Hoffman, Esquire David H. Karceski, Esquire

Petitioners

: BP Amoco /Jeffrey S. Bainbridge
Paul C. Gourley Ethel B. Smith
Baltimore County Revenue Authority

Morris & Ritchie Associates, Inc.

Robert J. Haines, Esquire

/Board of Ed. /MS 1102-J (changed 8/14/01)

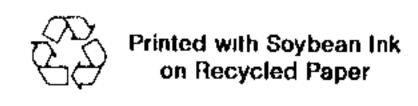
People's Counsel for Baltimore County

Pat Keller, Planning Director

Lawrence E. Schmidt /Zoning Commissioner

W. Carl Richards /PDM

Arnold Jablon, Director /PDM



CHARLES DUBMAN 3 LINDEN TEXPACE PIKESVILLE, MO 21208 410-653-1651

Melvin Berger & Seanne Berger 8007 Melody LN BAKTI MORE - MID 21208

B.D.B POSTNESHIP.

Owings Mill M.D 2/117

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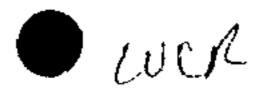
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OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180

FAX: 410-887-3182

\*\*\* HEARING ROOM - Room 48 \*\*\*

Basement –Old Courthouse 400 Washington Avenue

APPEAL HEARINGS SCHEDULED FOR THE WEEK OF MARCH 4, 2002

**TUESDAY** 

3/05

10:00 am

Case No.: 01-313-A

/HEARING

In the Matter of:

Daniel H. Dupont - Legal Owner 11304 Beach Rd, N/s Beach Rd

115' E c/l Opie Road

11th Election; 5th Councilmanic

VAR - To permit setback of 48' to c/l of street ilo rrq'd 75'; side property line setback of 7' and 14' ilo req'd 35'; undersized lot

WEDNESDAY

3/06

10:00 am

Case No.: R-01-434

/HEARING

Cycle I, Item #2

In the Matter of:

Balto Co Revenue Authority

Paul Gourley, Ethel Smith; BP Amoco Corp

520 Reisterstown Road

3rd Election; 2<sup>nd</sup> Councilmanic

Reclassification: From R-O to B.L. -A.S.

**THURSDAY** 

3/07

9:30 am

Case No.: CBA-01-114

/HEARING

*In the Matter of:* 

Beth Israel Congregation 3706 Crondall Lane Owings Mills, MD 21117

RE: False Alarm Fees /Registration C9791827

11:00 am

Case No.: CBA-01-120

/HEARING

*In the Matter of:* 

Property of Gillian D. LeBrun 212 Washington Building Towson, MD 21204

RE: Fire Inspection Report w/directives

C:

Executive Office

Law Office

Director /PDM

People's Counsel Planning Office

Court Info. Desk

County Council Board Members Court Reporter



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

FAX: 410-887-3182

Hearing Room - Room 48 Old Courthouse, 400 Washington Avenue

February 25, 2002

### THIRD NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: R-01-434 (Cycle I, Item #2, 2001)

IN THE MATTER OF: BP Amoco -CP /Owner; Revenue Authority et al -Legal Owners /Petitioners 520 Reisterstown Road 3rd Election District; 2nd Councilmanic

Reclassification: From R.O. to B.L.-A.S. as shown on Plan to Accompany Reclassification Petition

which was reassigned for two days of hearing in March 2002 has been POSTPONED at the request of Counsel for Petitioner due to witness unavailability; and has been

REASSIGNED FOR:

THURSDAY, SEPTEMBER 5, 2002 at 10:00 a.m. / Day #1; and TUESDAY, SEPTEMBER 10, 2002 at 10:00 a.m. / Day #2

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code. IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

#### Kathleen C. Bianco /Administrator

c:

Counsel for Petitioners

: Robert A. Hoffman, Esquire David H. Karceski, Esquire

Petitioners

: BP Amoco /Jeffrey S. Bainbridge Paul C. Gourley Ethel B. Smith Baltimore County Revenue Authority

Morris & Ritchie Associates, Inc.

Counsel for Protestants

**Protestants** 

: J. Carroll Holzer, Esquire

: Melvin Berger & Jeanne Berger

1 " 1

B.D.B. Partnership

Charles Dubman

Robert J. Haines, Esquire /Board of Ed. /MS 1102-J

People's Counsel for Baltimore County

Pat Keller, Planning Director

William McConnell Judith Berger

Lawrence E. Schmidt/Zoning Commissioner

W. Carl Richards /PDM

Arnold Jablon, Director /PDM



WCA

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

November 21, 2001

### NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: R-01-434 (Cycle I, Item #2, 2001)

IN THE MATTER OF: BP Amoco -CP /Owner;
Revenue Authority et al -Legal Owners /Petitioners
520 Reisterstown Road 3rd Election District; 2rd Councilmanic

Reclassification: From R.O. to B.L.-A.S. as shown on Plan to Accompany Reclassification Petition

which was assigned for two days of hearing beginning 12/05/01 and continuing to 3/06/02 has been POSTPONED at the request of Counsel for Protestants; and has been

**REASSIGNED FOR:** 

WEDNESDAY, MARCH 6, 2002 at 10:00 a.m. / Day #1; and WEDNESDAY, MARCH 13, 2002 at 10:00 a.m. / Day #2

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

### Kathleen C. Bianco /Administrator

c:

Counsel for Petitioners

Petitioners

Morris & Ritchie Associates, Inc.

Counsel for Protestants
Protestants

Charles Dubman
Robert J. Haines, Esquire
/Board of Ed. /MS 1102-J
People's Counsel for Baltimore County
Pat Keller, Planning Director

: Robert A. Hoffman, Esquire
David H. Karceski, Esquire
: BP Amoco /Jeffrey S. Bainbridge
Paul C. Gourley Ethel B. Smith

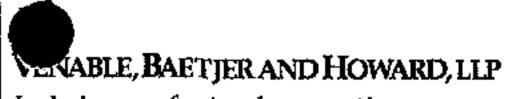
Paul C. Gourley Ethel B. Smith Baltimore County Revenue Authority

: J. Carroll Holzer, Esquire

: Melvin Berger & Jeanne Berger

B.D.B. Partnership

Lawrence E. Schmidt /Zoning Commissioner POV 2 - Mill W. Carl Richards /PDM
Arnold Jablon, Director /PDM



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Writer's Direct Number: (410) 494-6285

dhkarceski@venable.com

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November 13, 2001

#### HAND-DELIVERED

Kathleen C. Bianco, Administrator County Board of Appeals for **Baltimore County** Old Courthouse, Room 49 400 Washington Avenue Towson, Maryland 21204

Re:

In the Matter of BP Amoco Corporation

520 Reisterstown Road Case No. R-01-434

Dear Ms. Bianco:

On October 11, 2001, we amended the Petition for Reclassification filed with the Board of Appeals in the above-referenced case to include Petitions for Variance and Special Exception. Because we are now seeking additional zoning relief, we would request that a second hearing date be scheduled before the Board in addition to the December 5, 2001, hearing date.

If you have any questions, please let me know.

Very truly yours,

David H. Karceski

DHK

TOIDOCS1/DHK01/#126509 v1



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

Hearing Room - Room 48 Old Courthouse, 400 Washington Avenue

November 20, 2001

### AMENDED NOTICE OF ASSIGNMENT /Additional Hearing Day (To include additional parties)

CASE #: R-01-434 (Cycle I, Item #2, 2001) IN THE MATTER OF: BP Amoco -CP /Owner; Revenue Authority et al -Legal Owners /Petitioners 520 Reisterstown Road 3<sup>rd</sup> Election District; 2<sup>nd</sup> Councilmanic

Reclassification: From R.O. to B.L.-A.S. as shown on Plan to Accompany **Reclassification Petition** 

An additional day for hearing (day #2) has been assigned at the request of Counsel for Petitioner; NOTE: the following dates are now assigned for hearing on the merits (including 12/05/01 as originally assigned for day #1):

**ASSIGNED FOR:** 

WEDNESDAY, MARCH 6, 2002 at 10:00 a.m. /Day #1; and P 2 1 2 1 0 1

WEDNESDAY, MARCH 6, 2002 at 10:00 a.m. / Day #2' /

3 1 3 0 2 = Day #2 2

**NOTICE:** 

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code. IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco /Administrator

C:

Counsel for Petitioners

Petitioners

: Robert A. Hoffman, Esquire David H. Karceski, Esquire BP Amoco /Jeffrey S. Bainbridge Paul C. Gourley Ethel B. Smith Baltimore County Revenue Authority

Morris & Ritchie Associates, Inc.

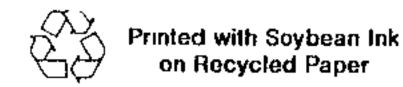
Counsel for Protestants

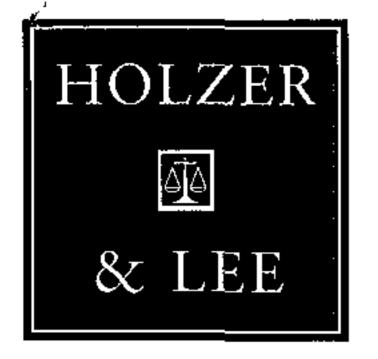
: J. Carroll Holzer, Esquire : Melvin Berger & Jeanne Berger **Protestants** 

B.D.B. Partnership

Charles Dubman Robert J. Haines, Esquire /Board of Ed. /MS 1102-J People's Counsel for Baltimore County Pat Keller, Planning Director

Lawrence E. Schmidt /Zoning Commissioner W. Carl Richards /PDM Arnold Jablon, Director /PDM





LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER 1907-1989

THOMAS J. LEE

THE 508 BUILDING

508 Fairmount Ave. Towson, MD 21286 (410) 825-6961

FAX: (410) 825-4923

E-Mail: jcholzer@bcpl.net

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November 20, 2001 #7313

HAND DELIVERED

Lawrence Wescott, Chair Baltimore County Board of Appeals Old Courthouse, Room 49 Towson, MD 21204

> Re: Petition for Reclassification Case No. R-01-434, Cycle I, Item #2, 2001, 520 Reisterstown Road

Dear Mr. Wescott:

Please enter my appearance on behalf of Melvin and Jeanne Berger and the B.D.B. Partnership in the above captioned case.

I was retained yesterday, November 19, 2001, to represent the interests of my clients before the CBA in the Reclassification case set for December 5, 2001. I have had the opportunity to review the Board's file in this case and as of today, there is no Planning Board Report in regard to the Amended Documented Site Plan. In addition, the Amended Plan requests a Special Exception and Variance which were not contained in the original Reclassification Request.

I would, therefore, request a postponement of the hearing date scheduled for Wednesday, December 5, 2001. I also note that a second date has been set for March 6, 2002. This request for postponement is made 15 days prior to the first scheduled hearing date and is the first such request for the Protestants. I am available to work with the Board and counsel to select additional dates if required.

Very truly yours,

J. Convold Holzen S.

J. Carroll Holzer

JCH:clh

cc: People's Counsel for Baltimore County Robert Hoffman, Esq. TO: PATUXENT PUBLISHING COMPANY

Thursday, September 13, 2001 Issue - Owings Mills Times

Please forward billing to:

Robert A. Hoffman (Amy Dontell) 210 Allegheny Avenue Towson, MD 21204

410-494-6200

### NOTICE OF ZONING RECLASSIFICATION HEARING

The County Board of Appeals of Baltimore County, by authority of the County Charter, Section 602.(e) and Section 603 and the County Code, Section 2-356(d), will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: R-01-434 520 Reisterstown Road (rear)

S/S Slade Avenue and N/S Linden Terrace; also 175' SW of centerline Reisterstown Road

3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owner: Baltimore County Revenue Authority (Lot A); Paul C. Gourley (Lot B);

Ethel B. Smith (Lot C); BP Amoco Corporation (Parcel 246)

Contract Purchaser: BP Amoco Corporation

Reclassification of the property from R-O to B.L.-A.S.

HEARING: Wednesday, October 3, 2001 at 10:00 a.m. in Room 48 of the Old

Courthouse, 400 Washington Avenue

Lawrence S. Wescott

Chairman

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3180.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3180.



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

FAX: 410-887-3182

Hearing Room - Room 48\
Old Courthouse, 400 Washington Avenue

November 26, 2001

### SECOND NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: R-01-434 (Cycle I, Item #2, 2001) IN THE MATTER OF: BP Amoco – CP / Owner;

Revenue Authority et al – Legal Owners / Petitioners

520 Reisterstown Road 3<sup>rd</sup> Election District; 2<sup>nd</sup> Councilmanic

Reclassification: From R.O. to B.L.-A.S. as shown on Plan to Accompany
Reclassification Petition

which was reassigned for two days of hearing has been POSTPONED at the request of Counsel for Petitioner AS TO DAY #2 ONLY (3/13/02) due to schedule conflict; and has been

**REASSIGNED FOR:** 

WEDNESDAY, MARCH 6, 2002 at 10:00 a.m. / Day #1; and WEDNESDAY, MARCH 27, 2002 at 10:00 a.m. / Day #2

**NOTICE:** 

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco / Administrator

c:

Counsel for Petitioners

Petitioners

: Robert A. Hoffman, Esquire David H. Karceski, Esquire : BP Amoco /Jeffrey S. Bainbridge

Paul C. Gourley Ethel B. Smith
Baltimore County Revenue Authority

Morris & Ritchie Associates, Inc.

Counsel for Protestants

**Protestants** 

: J. Carroll Holzer Esquire

: Melvin Berger & Jeanne Berger

B.D.B. Partnership

Charles Dubman

Robert J. Haines, Esquire /Board of Ed. /MS 1102-J

People's Counsel for Baltimore County

Pat Keller, Planning Director

Lawrence E. Schmidt /Zoning Commissioner

W. Carl Richards /PDM Arnold Jablon, Director /PDM



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Writer's Direct Number: (410) 494-6285

dhkarceski@venable.com

February 20, 2002

### **HAND-DELIVERED**

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Kathleen C. Bianco, Administrator County Board of Appeals for Baltimore County Old Courthouse, Room 49 400 Washington Avenue Towson, Maryland 21204

Re:

Case No. R-01-434

Property: .5788 acres of land located at 520 Reisterstown Road Legal Owner/Contract Purchaser: BP Amoco Corporation

Dear Mrs. Bianco:

I am writing on behalf of Robert Hoffman to request a postponement of the above-captioned hearing scheduled for Wednesday, March 6, and Wednesday, March 27, 2002. Jeffrey Long, a witness for the petitioner, will be unable to testify on the first date. Therefore, it is respectfully requested that the hearing be postponed and two new days be reserved for this matter as scheduled originally.

Thank you for your consideration of this request.

Very truty yours,

David H. Karceski

DHK:eaf

cc:

People's Counsel for Baltimore County

J. Carroll Holzer, Esquire Mr. John R. Lombardo Mr. Jeffrey S. Bainbridge Mr. Jeffrey W. Long

Robert A. Hoffman, Esquire

TO1DOCS1/DHK01/#131524 v1

401 Bosley Avenue Towson, Maryland 21204 (410) 887-3495

Fax: (410) 887-5862

November 21, 2001

Lawrence S. Wescott, Chairman County Board of Appeals Court House Towson, MD 21204

Dear Mr. Wescott:

Enclosed herewith is the November 1, 2001 report by the Office of Planning regarding the amendment (documented site plan) to the zoning reclassification petition in case number CR-01-434 (BP Amoco Corp. and Baltimore County Revenue Authority).

After discussion in the County Planning Board's meeting on November 1, 2001, the report was unanimously adopted in the meeting on November 15, 2001 to constitute the Board's report and recommendations to the County Board of Appeals.

Sincerely,

Ort Killer

Arnold F. 'Pat' Keller, III

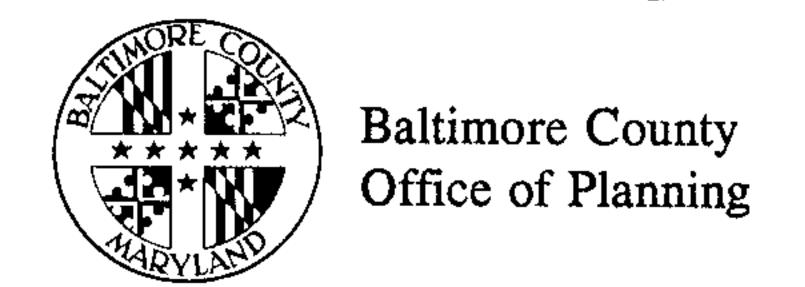
Secretary

AFK:TD:rlh

Enclosure

c: Peter Max Zimmerman, People's Counsel Robert A. Hoffman, Petitioner's Counsel

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401 Bosley Avenue - Ste 406 Towson, Maryland 21204 410-887-3211

Fax: 410-887-5862

E-mail: planning@co.ba.md.us

November 1, 2001

To: The Baltimore County Planning Board

Re: Amendment to Petition for Reclassification/Case No CR-01-434/BP Amoco Corporation, Contract Purchaser; Baltimore County Revenue Authority, et al, Legal Owners ½ Linden Terrace, 2 Linden Terrace and 520 Reisterstown Road

Pursuant to the appropriate sections of the Baltimore County Code, the Petition for Reclassification and accompanying Documented Site Plan in the subject matter were submitted to the County Board of Appeals on the record at a public hearing.

This case will be heard before the Board of Appeals on the merits of the request on December 5, 2001 at 10:00 a.m.

Based upon a review of the documented site plan and the information provided as part of the filing of the subject request, staff supports the applicant's requested Petitions for Reclassification, Special Exception and Variance to permit a fuel service station, convenience store and carry-out restaurant; and to permit fewer stacking spaces than needed. Office of Planning support, however, is conditioned upon the below listed design comments being addressed at the development stage of this project:

#### **DESIGN**

- 1. Provide sidewalks along Slade Avenue, Linden Terrace and Reisterstown Road.
- 2. Provide an accessible pathway from the building entrance to the public sidewalk.
- 3. A Schematic Landscape Plan should be submitted. A Class "C" screen shall be used adjacent to the residential property and shall include a privacy fence or masonry wall.
- 4. Place the following note on the plan: A plan will be submitted, with the locations and details of the proposed lighting and a computerized lighting design with point-by-point calculations that conforms with the *Illuminating Engineering Society of North America* (IESNA) standards, for review and approval by The Office of Planning in conjunction with the Final Landscape Plan.

Baltimore County Planning Board Case No. CR-01-434/BP Amoco Corp. November 1, 2001 Page 2

The IESNA recommends (IESNA RP-33-99, Section 18.2) average illuminance levels (see table below) for fuel service stations and recommends flat lenses be used for the canopy lights and low glare luminaires that do not cause light pollution or deliver nuisance glare to adjacent properties.

### Service Station or Gas Pump Area Average Illuminance Levels

Area Description	Average Illuminance on Described Area
	(foot-candles)
Approach with Dark Surroundings	1.5
Driveway with Dark Surroundings	1.5
Pump Island Area with Dark Surroundings	5
Building Facades with Dark Surroundings	2
Service Areas with Dark Surroundings	2
Landscape Highlights with Dark Surroundings	1
Approach with Light Surroundings	2
Driveway with Light Surroundings	2
Pump Island Area with Light Surroundings	10
Building Facades with Light Surroundings	3
Service Areas with Light Surroundings	3
Landscape Highlights with Light Surroundings	2

Baltimore County Planning Board Case No. CR-01-434/BP Anoco Corp. November 1, 2001 Page 3

Light trespass limitations at the residential property line shall not exceed 0.30 foot-candles before 11 PM; 0.10 foot-candles 11 PM to 7 AM.

Light trespass limitations at the public street right-of- way shall not exceed 0.80 foot-candles.

Sincerely,

Arnold F. 'Pat' Keller, III

Director

AFK:JWL:kma



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

FAX: 410-887-3182

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

Detroise 2002

March 18, 2002

### FOURTH NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: R-01-434 (Cycle I, Item #2, 2001) IN THE MATTER OF: BP Amoco –CP /Owner;
Revenue Authority et al –Legal Owners /Petitioners
520 Reisterstown Road 3<sup>rd</sup> Election District; 2<sup>nd</sup> Councilmanic

Reclassification: From R.O. to B.L.-A.S. as shown on Plan to Accompany Reclassification Petition

which had been reassigned from March 2002 to two days of hearing in September 2002 has been POSTPONED at the request of Counsel for Petitioner due to witness unavailability; and has been

**REASSIGNED FOR:** 

WEDNESDAY, SEPTEMBER 18, 2002 at 10:00 a.m. / Day #1; and TUESDAY, SEPTEMBER 24, 2002 at 10:00 a.m. / Day #2

**NOTICE:** 

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco /Administrator

c:

Counsel for Petitioners

Petitioners

: Robert A. Hoffman, Esquire David H. Karceski, Esquire : BP Amoco /Jeffrey S. Bainbridge

Paul C. Gourley Ethel B. Smith
Baltimore County Revenue Authority

Morris & Ritchie Associates, Inc.

Counsel for Protestants

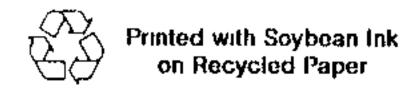
**Protestants** 

: J. Carroll Holzer, Esquire : Melvin Berger & Jeanne Berger

B.D.B. Partnership

Charles Dubman
Robert J. Haines, Esquire
/Board of Ed. /MS 1102-J
People's Counsel for Baltimore County
Pat Keller, Planning Director

William McConnell
Judith Berger
Lawrence E. Schmidt /Zoning Commissioner
W. Carl Richards /PDM
Arnold Jablon, Director /PDM





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

FAX: 410-887-3182

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

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November 21, 2001

November 21, 2001

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: R-01-434 (Cycle I, Item #2, 2001)

IN THE MATTER OF: BP Amoco – CP /Owner;
Revenue Authority et al – Legal Owners / Petitioners
520 Reisterstown Road 3<sup>rd</sup> Election District; 2<sup>nd</sup> Councilmanic

Reclassification: From R.O. to B.L.-A.S. as shown on Plan to Accompany
Reclassification Petition

which was assigned for two days of hearing beginning 12/05/01 and continuing to 3/06/02 has been POSTPONED at the request of Counsel for Protestants; and has been

**REASSIGNED FOR:** 

WEDNESDAY, MARCH\6, 2002 at 10:00 a.m. / Day #1; and WEDNESDAY, MARCH\13, 2002 at 10:00 a.m. / Day #2

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco /Administrator

c:

Counsel for Petitioners

: Robert A. Hoffman, Esquire David H. Karceski, Esquire

Petitioners

: BP Amoco /Jeffrey S. Bainbridge Paul C. Gourley Ethel B. Smith Baltimore County Revenue Authority

Morris & Ritchie Associates, Inc.

Counsel for Protestants

: J. Carroll Holzer, Esquire

Protestants

: Melvin Berger & Jeanne Berger

B.D.B. Partnership

Charles Dubman

Robert J. Haines, Esquire /Board of Ed. /MS 1102-J

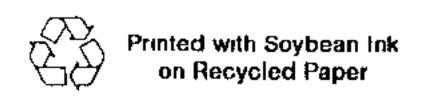
People's Counsel for Baltimore County

Pat Keller, Planning Director

Lawrence E. Schmidt /Zoning Commissioner

W. Carl Richards /PDM

Arnold Jablon, Director /PDM





OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204

PPd @ reg of

410-887-3180 (FAX: 410-887-3182

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

February 25, 2002

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### THIRD NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: R-01-434 (Cycle I, Item #2, 2001) IN THE MATTER OF: BP Amoco – CP / Owner;

Revenue Authority et al – Legal Owners / Petitioners

\$20 Reisterstown Road 3<sup>rd</sup> Election District; 2<sup>nd</sup> Councilmanic

Reclassification: From R.O. to B.L.-A.S. as shown on Plan to Accompany
Reclassification Petition

which was reassigned for two days of hearing in March 2002 has been POSTPONED at the request of Counsel for Petitioner due to witness unavailability; and has been

**REASSIGNED FOR:** 

THURSDAY, SEPTEMBER 5, 2002 at 10:00 a.m. / Day #1; and TUESDAY, SEPTEMBER 10, 2002 at 10:00 a.m. / Day #2

**NOTICE:** 

This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons: said reque

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco /Administrator

c:

Counsel for Petitioners

Petitioners

: Robert A. Hoffman, Esquire
David H. Karceski, Esquire

: BP Amoco /Jeffrey S. Bainbridge
Paul C. Gourley Ethel B. Smith
Baltimore County Revenue Authority

Morris & Ritchie Associates, Inc.

Counsel for Protestants

**Protestants** 

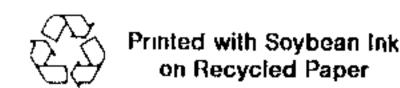
: J. Carroll Holzer, Esquire

: Melvin Berger & Jeanne Berger

B.D.B. Partnership

Charles Dubman
Robert J. Haines, Esquire
/Board of Ed. /MS 1102-J
People's Counsel for Baltimore County
Pat Keller, Planning Director

William McConnell
Judith Berger
Lawrence E. Schmidt /Zoning Commissioner
W. Carl Richards /PDM
Arnold Jablon, Director /PDM



TRANSMISSION VERIFICATION REPORT

TIME: 02/25/2002 16:20 NAME: BOARD OF APPEALS FAX: 4108873182 TEL: 4108873180

DATE,TIME FAX NO./NAME DURATION PAGE(S) RESULT MODE

02/25 16:19 94108254923 00:00:37 01 OK STANDARD ECM

Jan 2/25/02

TRANSMISSION VERIFICATION REPORT

02/25/2002 15:18 BOARD OF APPEAUS 4108873182 4108873180 TIME: NAME:

FAX :

DATE, TIME FAX NO./NAME DURATION PAGE(S) RESULT MODE

02/25 15:17 94108210147 00:00:38 01 OK STANDARD ECM

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MARYLAND WASHINGTON, D.C. VIRGINIA

Writer's Direct Number: (410) 494-6285

dhkarceski@venable.com



March 14, 2002

#### HAND-DELIVERED

Kathleen C. Bianco, Administrator County Board of Appeals for Baltimore County Old Courthouse, Room 49 400 Washington Avenue Towson, Maryland 21204

Re:

Case No. R-01-434

Property: .5788 acres of land located at 520 Reisterstown Road Legal Owner/Contract Purchaser: BP Amoco Corporation

Dear Mrs. Bianco:

I am writing on behalf of Robert Hoffman to request a postponement of the above-captioned hearing scheduled for Thursday, September 5, and Tuesday, September 10, 2002. William P. Monk, the engineer responsible for preparing the site plan for the above-referenced property will be unable to testify on both dates. Therefore, it is respectfully requested that the hearing be postponed and two new days be reserved for this matter as scheduled originally.

Thank you for your consideration of this request.

Very truly yours,

David H. Karceski

DHK/bl

cc: People's Counsel for Baltimore County

J. Carroll Holzer, Esquire Mr. John R. Lombardo Mr. Jeffrey S. Bainbridge

Mr. Jeffrey W. Long

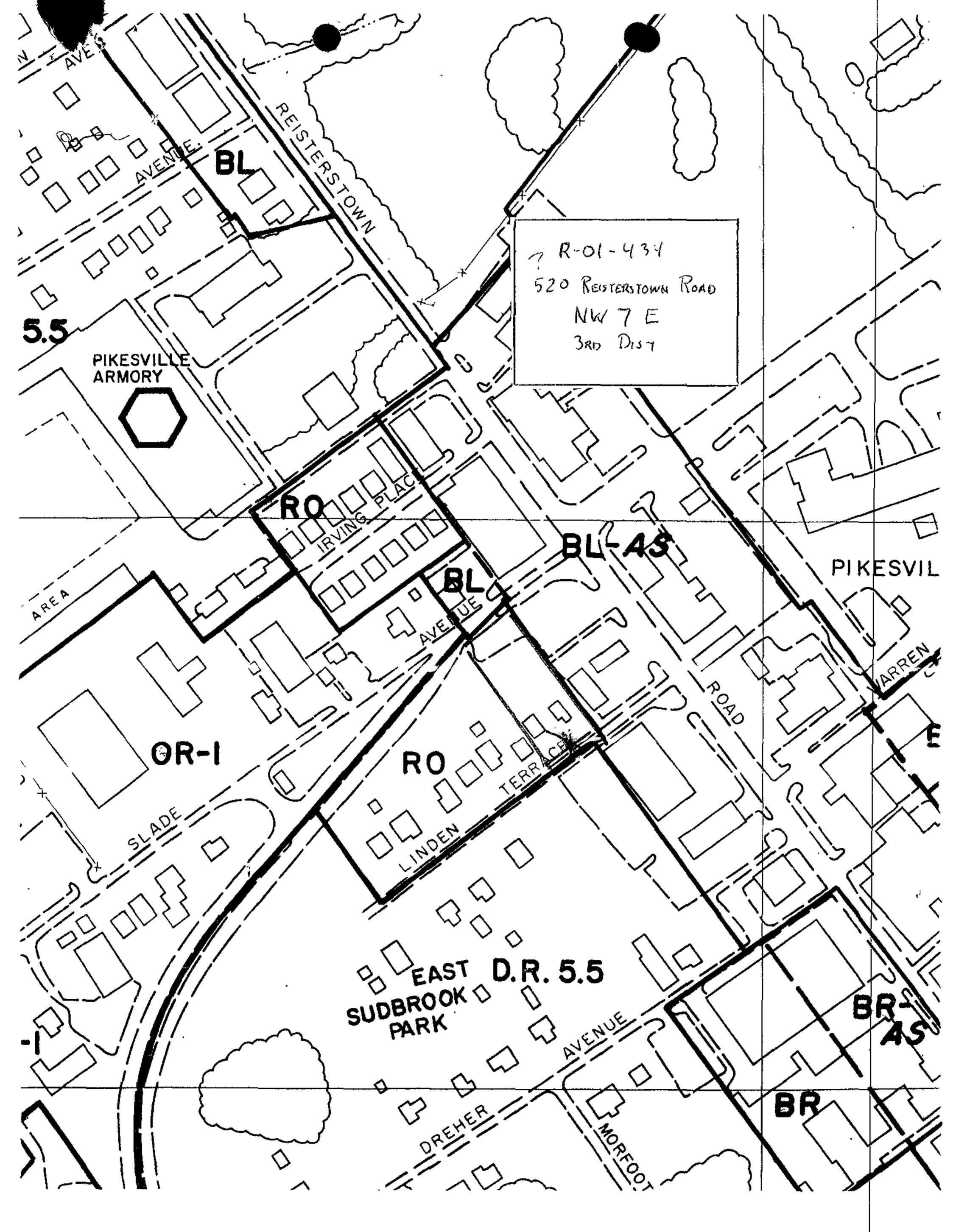
Robert A. Hoffman, Esquire

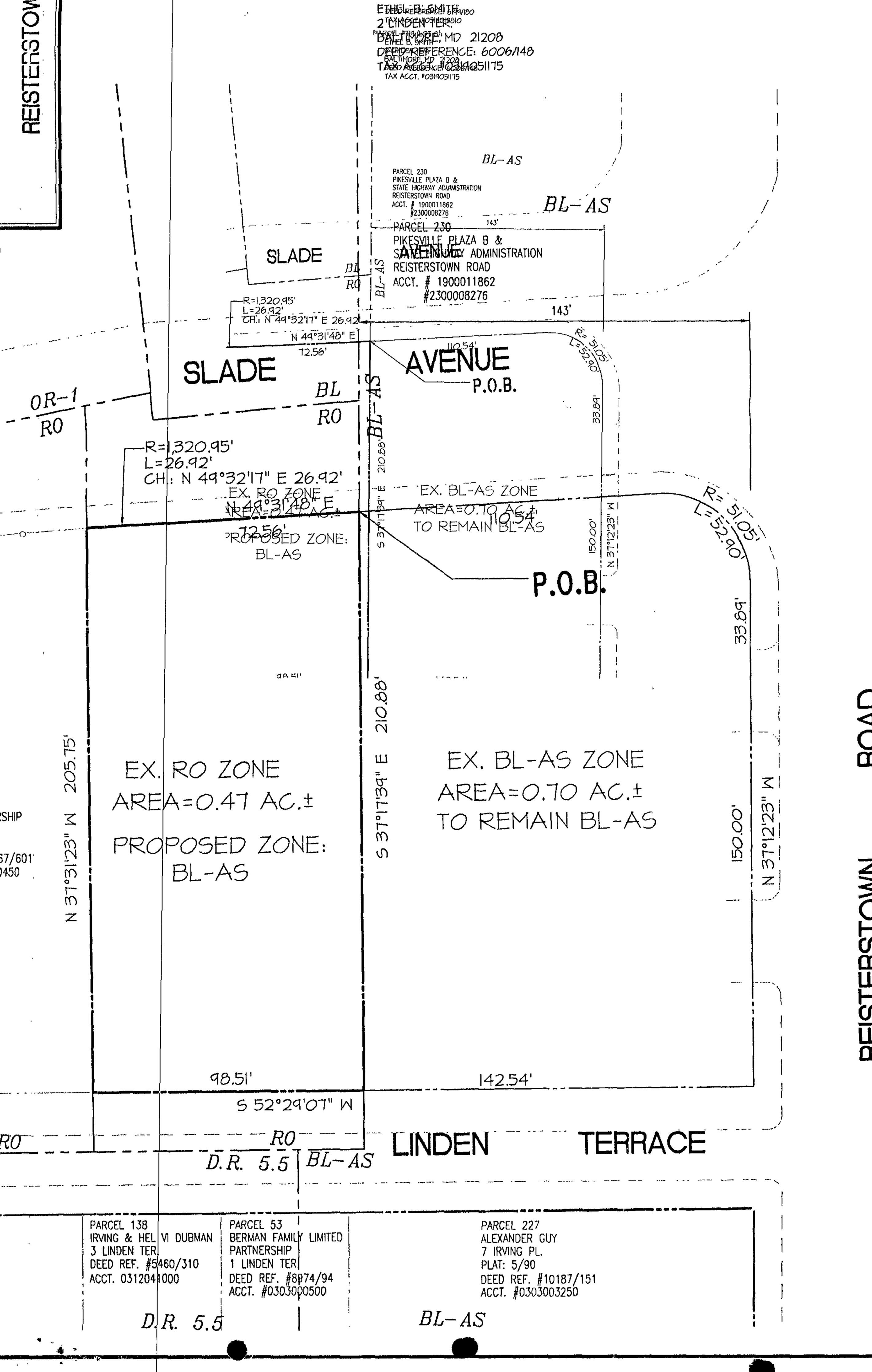
TO1DOCS1/DHK01/#133492 v1

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#### **CERTIFICATE OF POSTING**

	Date: 9/18/0/
RE: Case Number Petitioner/Developer: Date of Hearing/Closing:	- 434
This is to certify under the perwere posted conspicuously on the p	nalties of perjury that the necessary sign(s) required by law roperty located at
The sign(s) were posted on _	(Wionth, Day, Year)  (Signature of Sign Poster)
ATTACH PHOTOGRAPH OF SIGN POSTED ON PROPERTY HERE	(Printed Name of Sign Poster)  (Street Address of Sign Poster)  (City, State, Zip Code of Sign Poster)
	(Telephone Number of Sign Poster)





RE: PETITION FOR RECLASSIFICATION
520 Reisterstown Road (rear), S/S Slade Ave and N/S
Linden Terrace; also 175' SW of c/l Reisterstown Rd
3rd Election District, 2nd Councilmanic

Legal Owner: Baltimore County Revenue Authority
(Lot A), Paul Gorley (Lot B), Ethel Smith
(Lot C); BP/Amoco Corp. (Parcel 246)

\*

Contract Purchaser: BP/Amoco Corp.

Petitioner(s)

\*

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BALTIMORE COUNTY

COUNTY BOARD OF APPEALS

Case No. R-01-434

BEFORE THE

**FOR** 

01 #US 28 PH

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S

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. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

arole 5, Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 28th day of August, 2001 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner(s).

PETER MAX ZIMMERMAN

R-01-434 (Cycle I, Item #2, 2001)

BP Amoco Corporation - CP; Balto Co et al -Owners /Petitioners

HEARING DATE: Wednesday, October 3, 2001 /Open and Continue on the record /submission of amendment.

Wednesday, December 5, 2001 /On the Merits

7/10/01 – Notice of Assignment sent to following; case to be opened and continued on the record Wednesday, October 3, 2001 at 10:00 a.m. for submission of amendment; and heard on the merits on Wednesday, December 5 2001 at 10:00 a.m.:

Robert A. Hoffman, Esquire
BP Amoco /Jeffrey S. Bainbridge
Paul C. Gourley
Ethel B. Smith
Baltimore County Revenue Authority
Morris & Ritchie Associates, Inc.
Donald Krempel /Div of Physical Facilities
/Board of Ed. /MS 1102-J (changed 7/09/01)
People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt /Zoning Commissioner
W. Carl Richards /PDM
Arnold Jablon, Director /PDM

8/14/01 - Contact person at Board of Education - now Robert J. Haines, Esquire - per t/c from Mr. Krempel's office 8/13/01.

10/02/01 − T/C from R. Hoffman − case will be opened on the record 10/03; amendment to be submitted within one week in open hearing.

10/03/01 - Case opened and continued on the record. Notice of Assignment sent to parties; amendment to be submitted in open hearing on Thursday, October 11, 2001 at 9:30 a.m.; hearing on the merits still set for 12/05/01.

10/11/01 – Amended Petition and Documented Site Plan submitted to the Board in open hearing by David Karceski, Esquire (previously submitted to Carl Richard /PDM – confirmed by telephone with Carl this date). Copy also provided to People's Counsel by Mr. Karceski. Memo to PDM – confirming that the amendment had been filed this date in open hearing and previously submitted, enclosing copy of Notice of Assignment indicating that this case would be heard on the merits on 12/05/01.

11/13/01 – Letter from David Karceski, Esquire – requesting additional hearing day to be assigned due to additional zoning relief sought in this matter.

11/19/01 - Notice of Assignment /Additional Day sent to parties; now assigned for two days of hearing: Wednesday, December 5, 2001 and Wednesday, March 6, 2002 both starting at 10 a.m.

11/20/01 - Amended Notice sent to parties - to add J. Carroll Holzer, Esquire, Counsel for Protestants and Protestants Berger and BDB Partnership; and to add interested party - Dubman.

11/20/01 - Letter from J. Carroll Holzer, Esquire - requesting postponement of 12/05/01 hearing for reasons as stated.

11/21/01 – Notice of Postponement and Reassignment sent to parties; case reassigned so that both dates are now in March 2002; namely, Day #1 scheduled for Wednesday, March 6, 2002 at 10:00 a.m. and Day #2 scheduled for Wednesday, March 13, 2002 at 10:00 a.m.

(Cycle I, Item #2, 2001) HEARING DATE: Wednesday, October 3, 2001 /Open and Continue on the record /submission of amendment. Wednesday, March 6, 2002 on the Merits Page 2 11/26/01 – Second Notice of Postponement and Reassignment sent to parties; postponement requested via telephone by R. Hoffman (t/c from Amy Dontelle); schedule conflict with 3/13/02. Reassigned day #2. Contacted C. Holzer by telephone to advise of two days now assigned -- Wednesday, March 6, 2002 and Wednesday, March 27, 2002 at 10 a.m. 11/28/01 – Received Planning Board's Report adopted at meeting of November 15, 2001. 2/20/02 - Letter from David H. Karceski, Esquire - requesting postponement of days assigned; unavailability of Jeffrey Long, a witness for Petitioner; requests that both days be postponed to assign hearing dates close together. 2/25/02 - Third Notice of PP and Reassignment sent to parties; cases reassigned to Thursday, September 5, 2002 at 10:00 a.m. (Day #1); and Tuesday, September 10, 2002 at 10:00 a.m. (Day #2). (Request from Counsel for Petitioner via A. Dontelle – requests that hearing dates be assigned after summer to avoid vacation conflicts with counsel and/or witnesses.) 3/14/02 - Letter requesting postponement filed by David H. Karceski, Esquire, Counsel for Petitioner, due to unavailability of William Monk, engineer responsible for site plan, on the September dates of 9/05 and 9/10. To be reassigned. 3/18/02 - Fourth Notice of PP and Reassignment sent to parties; case reassigned to Wednesday, September 18, 2002 and Tuesday, September 24, 2002 at 10:00 a.m. 8/15/02 – Letter of withdrawal of petition filed by Robert A. Hoffman, Esquire, on behalf of Petitioners; Order of Dismissal to

R-01-434

be issued.

BP Amoco Corporation – CP; Balto Co et al –Owners /Petitioners

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

## ZONING RECLASSIFICATION PETITIONS

Cycle I, 2001

July 19, 2001





### ZONING RECLASSIFICATION PETITIONS

Cycle I, 2001

#### Report by the Baltimore County Planning Board

to the

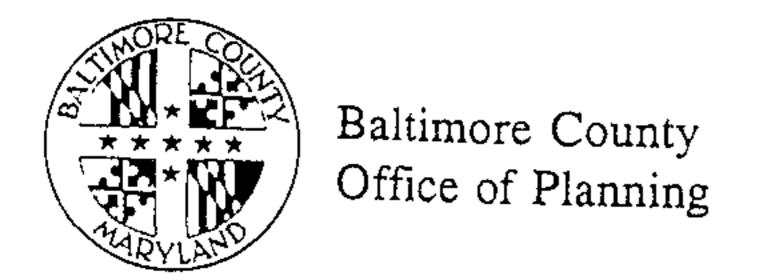
Baltimore County Board of Appeals

July 19, 2001

Baltimore County Office of Planning Towson, Maryland

#### TABLE OF CONTENTS

Letter to the Baltimore County Planning Board	1
Introduction	
Recommended Schedule of Hearings	
Location of Properties Under Petition/Map	
Source Material	
Case No.CR-01-433 X	
Case No. R-01-434	
Case No. R-01-435	
Case No. CR-01-436	
Case No. R-01-439	



401 Bosley Avenue - Ste 406 Towson, Maryland 21204 410-887-3211

Fax: 410-887-5862

E-mail: planning@co.ba.md.us

TO:

Members

DATE: May 31, 2001

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

Baltimore County Planning Board

In the current cycle, the Baltimore County Board of Appeals accepted seven reclassification petitions. Please note, however, that two of the petitions-Case Numbers R-01-437 and R-01-438-have been exempted from the regular cyclical procedure of Section 2-356(c) through (h), inclusive, of the Baltimore County Code. In compliance with the Baltimore County Code, recommendations on the remaining petitions are submitted in the attached report.

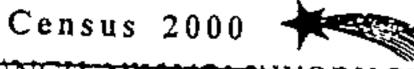
The Planning Board is scheduled to review the petitions on June 7, 2001, and to make final recommendations on July 19, 2001. The Planning Board's report must be submitted to the Baltimore County Board of Appeals no later than July 31, 2001.

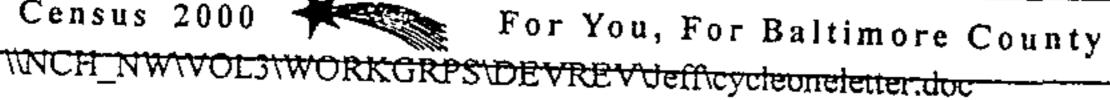
The Board of Appeals has tentatively scheduled hearing dates on these petitions and will advertise these hearing as required. Hearings are set to take place during the period from September 26, 2001 through November 14, 2001.

Arnold F. 'Pat' Keller, III

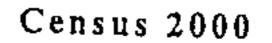
AFK: Л Attachment













on Recycled Paper

#### Introduction

Under the provisions of Section 2-356(e) of the Baltimore County Code, the Director of Planning 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 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 five petitions remaining in the current cycle have been reviewed by the planning staff, and the following pages report the Office of Planning's analysis and recommendations. The process of formulating these recommendations included staff inspections of each site; a review of the policies and statements in the current <u>Baltimore County Master Plan</u>, and a review of the 2000 Comprehensive Zoning Map Process. 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 and Transportation Planning.

In reaching its decision on each petition, the Board of Appeals is required to use the standards in Section 2-356(j) of the Baltimore County Code. During the first cycle following the 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 10, 2000] was established in error."

# PETITIONS FOR RECLASSIFICATION CYCLE I, 2001

Assigned Hearing Dates County Board of Appeals

#### Case No. R-01-435

Painters Mill Venture, LLP NWC Owings Mills Blvd. & Lyons Mill Rd. Wednesday, September 26, 2001 at 10:00 a.m.

#### Case No. R-01-434

Balto. Co. Revenue Auth.; Paul Gourley, Ethel Smith; BP Amoco Corp (legal owner), and BP Amoco (contract purchaser)
520 Reisterstown Road, ½ Linden Terrace and 2 Linden Terrace
Wednesday, October 3, 2001 at 10:00 a.m.

#### Case No. R-01-439

7-Eleven, Inc.
204 Bowleys Quarters Road
Wednesday, October 17, 2001 at 10:00 a.m.

#### Case No. CR-01-436

Highway Realty, Inc., Eastrel, LLC, David Pisanic, Patricia Francy; Marie and Donald Haga
9913-9921 Reisterstown Rd.

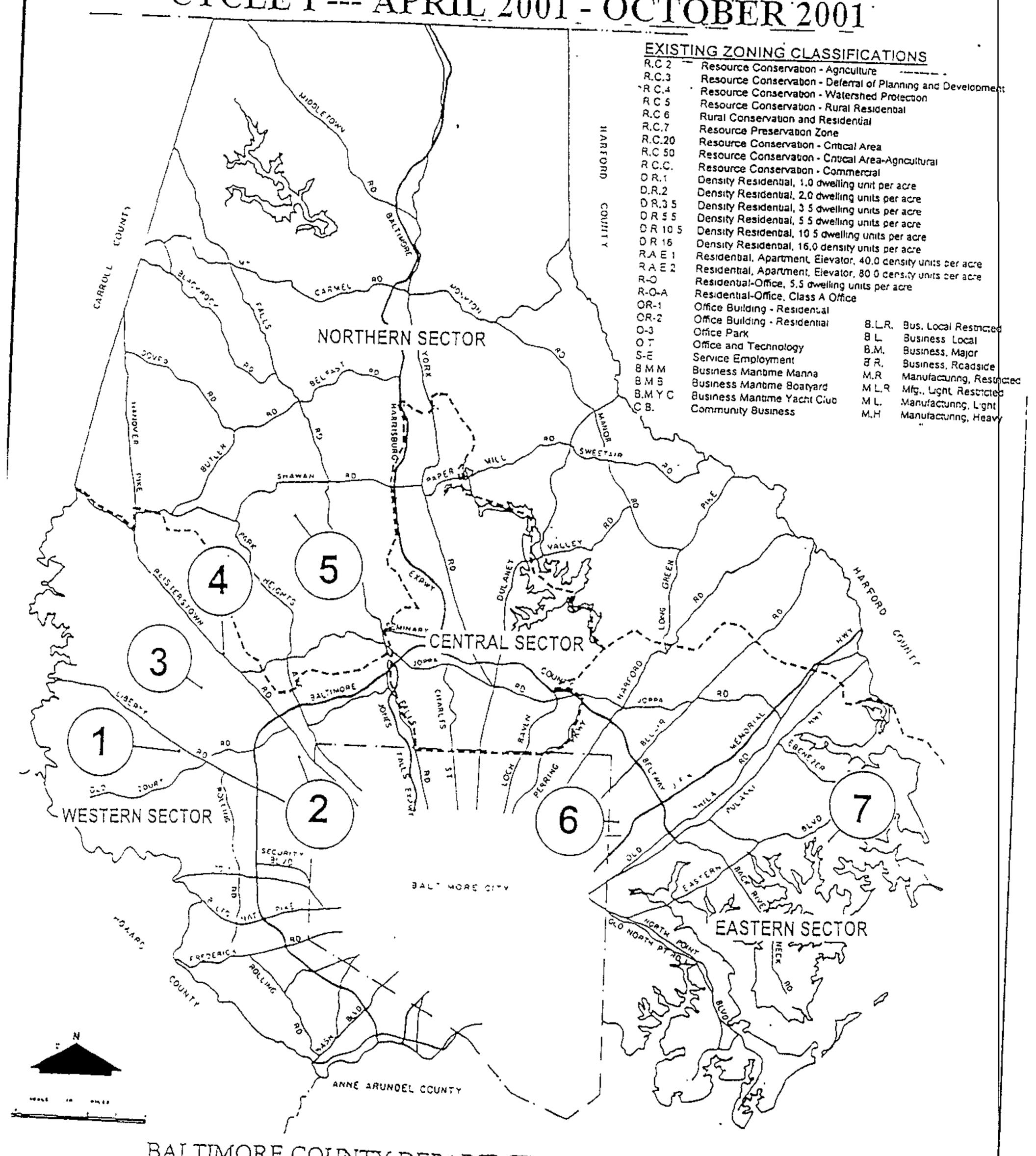
Wednesday, October 24, 2001 at 10:00 a.m.

#### Case No. CR-01-433-X

Sohan L. Sambhi & Joginder Kaur 9217 Liberty Rd.

Wednesday, November 14, 2001 at 10:00 a.m.

# LOCATIONS OF PROPERTIES UNDER PETITION CYCLE I --- APRIL 2001 - OCTOBER 2001

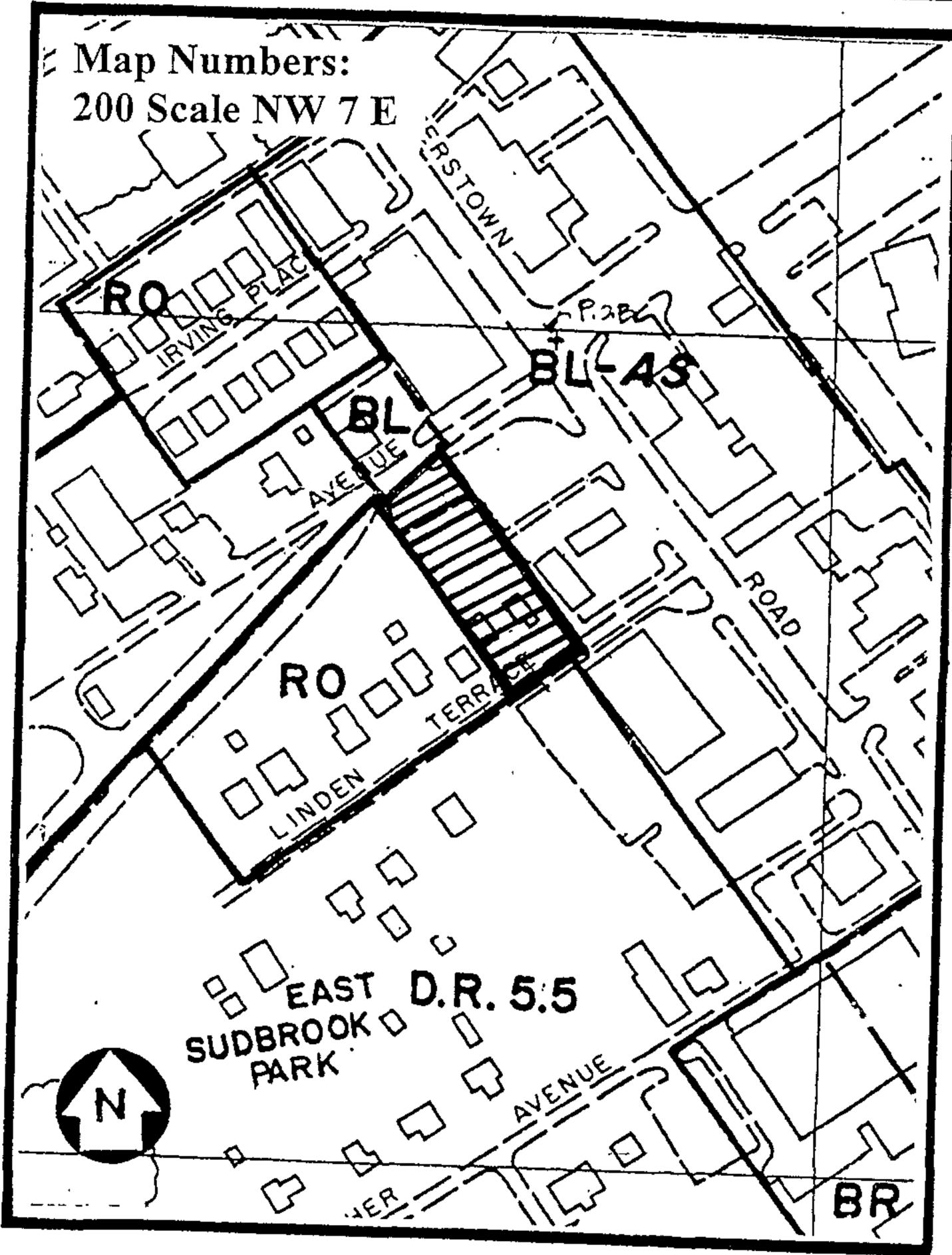


BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW

#### SOURCE MATERIAL

Recommendations for the two petitions filed are based on the following:

- 1. Information compiled during the processing of the Comprehensive Zoning Map adopted by the County Council on October 10, 2000;
- 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; and
- 6. Baltimore County Master Plan.



Case Number CR-01-434
Location of Property Under Petition

Scale: 1" = 200

#### CASE NO:

R-01-434

#### PETITIONERS:

Baltimore County Revenue Authority, Paul Gourlay, Ethel Smith, BP Amoco Corporation (legal owner), and BP Amoco (contract purchaser).

#### REQUESTED ACTION:

Reclassification to BL-AS (Business Local, Automotive Service)

#### **EXISTING ZONING:**

RO (Residence Office)

#### **LOCATION:**

520 Reisterstown Road, ½ Linden Terrace and 2 Linden Terrace

#### AREA OF SITE:

.57 acres

#### ZONING OF ADJACENT PROPERTY/USE:

North:

BL and OR-1

Commercial and Office

South:

DR 5.5

Residential and Commercial (parking)

East:

BL-AS

Commercial

West:

RO

Residential and Office

#### SITE DESCRIPTION:

The property consists of three parcels comprising approximately .57 acres of land. ½ Linden Terrace and 2 Linden Terrace are improved with buildings originally constructed for residential purposes. ½ Linden Terrace currently appears to be used as an office. 2 Linden Terrace appears to be unoccupied. The portion of the property known as 520 Reisterstown is used as a parking lot.

#### WATER AND SEWERAGE:

The site 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 Linden Terrace properties have direct access to that road, and the existing Revenue Authority parking lot is accessed off of Slade Avenue. Linden Terrace and Slade Avenue are designated as local roads.

#### ZONING HISTORY:

Zoning issues were filed on the subject property as part of the 1980 and 2000 Comprehensive Zoning Map Processes. The County Council changed the zoning from DR 16 and DR 5.5 to RO in 1980. In the 2000 process, an issue was filed to

change the zoning of the subject property from RO to BL. The County Council voted to retain the existing RO zoning.

#### MASTER PLAN:

The proposed land use map, adopted by the County Council on February 22, 2000, indicates the site is designated for commercial use. The property is located within the boundaries of the Pikesville Revitalization Plan, which was adopted by the Baltimore County Council in 1991.

#### PROPOSED vs. EXISTING ZONING:

The use regulations for the RO and BL zones and AS district may be found in Sections 204, 230, and 405 of the Baltimore County Zoning Regulations, respectively.

The RO zone was created to accommodate houses converted to office buildings (Class A) and small office buildings in predominately residential areas on sites adjacent to commercial activity, heavy traffic, or other similar factors which can no longer be restricted solely to residential uses. Buildings and uses in the RO zone should be compatible with nearby residential properties.

The BL 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 realistically limited by parking requirements and economic constraints. The AS district, at this location, would enable the applicant to improve the property with a fuel service station in combination with a convenience store.

#### OFFICE OF PLANNING RECOMMENDATION:

As indicated above, the property was the subject of a map issue as part of the 2000 Comprehensive Zoning Map Process, and at that time, the Office of Planning expressed concerns regarding the impact of any subsequent development of the property. In the absence of a documented site plan that could potentially address specific development details and impacts, the Office of Planning recommends the existing zoning be retained.

#### BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County Interoffice Correspondence

DATE:

November 25, 2002

TO:

Arnold Jablon, Director

Permits & Development Management

Attn.: David Duvall

FROM:

Theresa R. Shelton

Board of Appeals

SUBJECT:

**CLOSED APPEAL CASE FILES** 

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

BOARD OF APPEALS CASE NUMBER	PDM FILE NUMBER	NAME	LOCATION
R-02-455	R-02-455 Cycle III 2002	Lyons Mills Associates	Lakeside Blvd/Owings Mills Blvd Reclass from D.R. 16 to B.L.
R-01-434	R-01-434 Cycle I 2001, Tem #2	BP Amoco Corporation	520 Reisterstown Road Reclass: R-O to B.L. – A. (Open Plan)
01-307-SPH	01-307-SPH	Victoria L and Jean- Andre Rougeot	14921 Tanyard Road

Attachment: SUBJECT FILE(S) ATTACHED

#### 204 Bowley's Quarters Road Metes and Bounds Description Zoning Petition

Beginning at a point, said point lying on the Northwest corner of Parcel 246 as described in Liber 7082 Folio 335

Then running S 03° 18' 00" E, 44.52' to a point

Then running N 89° 44' 20" E, 35.09' to a point

Then running N 89° 44' 20" E, 127.48' to a point

Then running N 53° 14' 30" W, 120.12' to a point

Then running S 20° 18' 00" W, 35.00' to a point

Then running N 20° 18' 00" £, 165.00' to a point

Then running S 20° 18' 00" W, 50.00' to a point

Then running S 69° 42' 00" E, 42.10' to a point

Then running S 20° 18' 00" W, 35.00' to a point

Then running S 37° 10' 29" E, 151.91' to a point

Then running S 89° 44' 20" E, 50.00' to a point

Then S 89° 44' 20" E, 35.07' to the point of beginning, encompassing a total of 0.33 acres more or less.



R-01-439 Pew 4/26/01



210 Allegheny Avenue Post Office Box 5517

Towson, Maryland 21285-5517

(410) 494-6200, Fax (410) 821-0147 www.venable.com

OFFICES IN

MARYLAND WASHINGTON, D.C. VIRGINIA

Robert A. Hoffman (410) 494-6262



March 1, 2001

#### HAND-DELIVERED

Lawrence S. Wescott, Chairman County Board of Appeals for **Baltimore County** Old Courthouse, Room 49 400 Washington Avenue Towson, Maryland 21204

Re:

Petition for Reclassification

Property: .5788 acres of land known as ½ Linden Terrace,

2 Linden Terrace, 520 Reisterstown Road,

and Parcel Number 0078-09-00428

Contract Purchaser: BP Amoco Corporation

Dear Mr. Wescott:

I am representing BP Amoco Corporation, the contract purchaser with respect to the above-referenced zoning reclassification request for property known as ½ Linden Terrace, 2 Linden Terrace, 520 Reisterstown Road, and Parcel Number 0078-09-00428, as identified on the attached site plan entitled, "Undocumented Plan to Accompany Reclassification Petition," consisting of approximately .5788 acres of land, currently zoned RO (the "RO Land"). It is requested that the property be rezoned to BL-AS.

The purpose of this letter is to set forth the reasons why the requested reclassification should be granted. The AS district on the property adjacent to the RO Land is too small to permit the automotive service uses permitted by the AS district, therefore, not having the RO Land zoned "AS" is a mistake. This mistake impedes redevelopment of this corner where AS district uses are appropriate.

At the hearing before the County Board of Appeals, the Petitioner will present evidence demonstrating its entitlement to the requested reclassification and will present evidence regarding each of the factors outlined in Section 2-356(j)(2) of the Baltimore County Code to prove error.

R.01.434



March 1, 2001 Page 2

For the reasons stated in this letter and for other reasons as may be presented at the hearing before the County Board of Appeals, it is respectfully submitted that the present zoning of RO for the RO Land is in error and the RO Land should be zoned BL-AS.

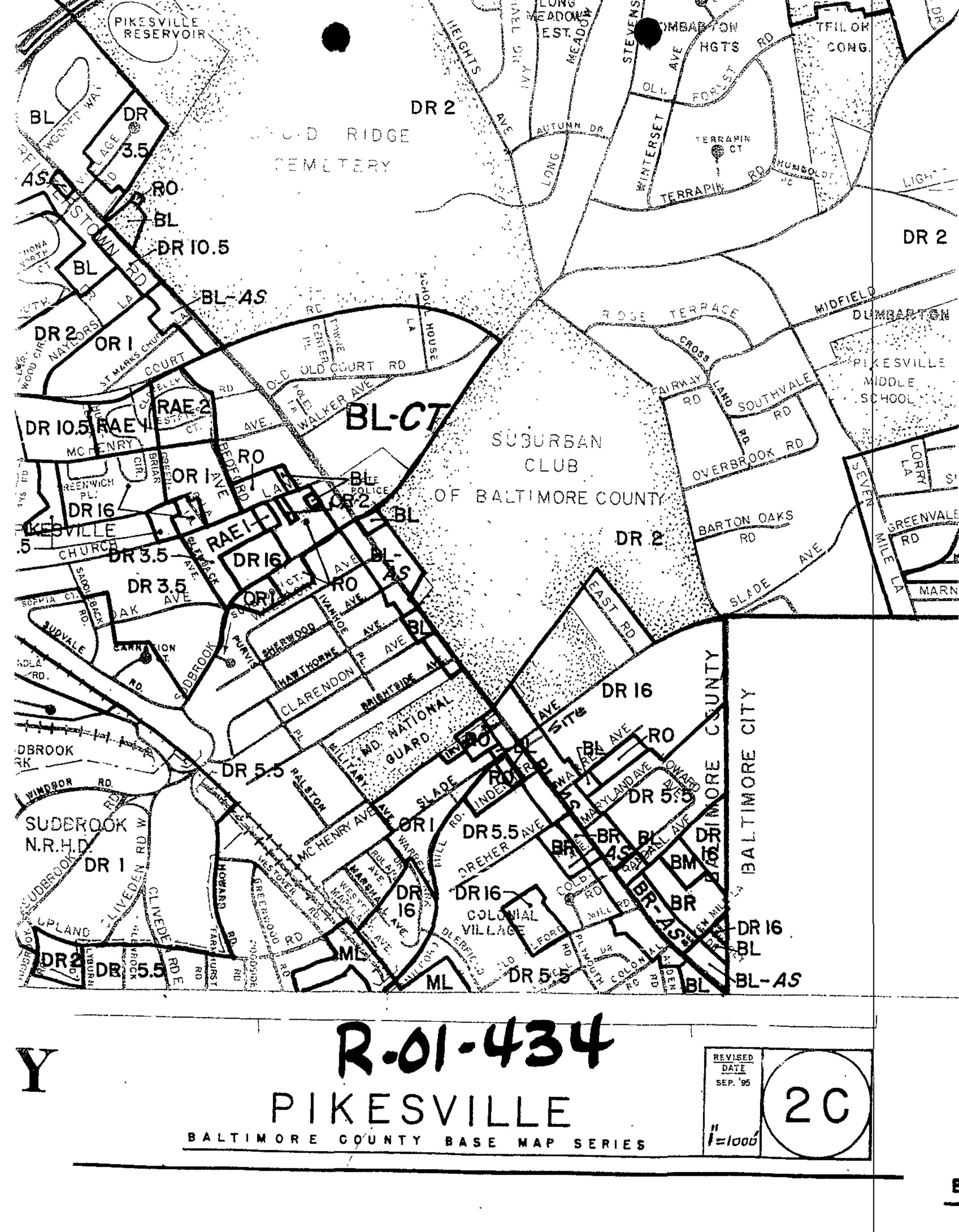
Yours truly,

Robert A. Hoffman

Robert A. Hoffman 14

RAH/sm Enclosure

TOIDOCS1/PAM01/#112935 v1



3801 LOCHEARN DRIVE BALTIMORE, MD 21207-6363 FEBRUARY 25,2002

Baltimore County Board of Appeals
Old Courthouse Room 49
400 Washington Avenue
Towson, MD 21204

Attn: Ms. Kathy Bianco, Administrator

Re: Case R - Ol - 434 BP AMOCO, Reisterstown Road & Linden Terrace Pikesville, MD 21208

Dear Ms. Bianco,

My understanding is that the abovementioned case has been postponed, from March 6 and 27th to a later date, or dates.

I would appreciate being put on a mailing list to be notified of that new date, or dates.

Thankyou very much, in advance.

Sincerely yours,


JUDITH BERGER


3801 LOCHEARN DRIVE


BALTIMORE, MD 21207-6363

(410) 944-0808

Conterior al 25/03.







1 inch = 30 ft.

BL-ASD.R. 5.5

