IN THE MATTER OF THE APPLICATION OF MERRITT PROPERTIES, LLC-PETITIONER \* COUNTY BOARD OF APPEALS FOR A ZONING RECLASSIFICATION FROM BL-AS /D.R. 3.5 TO ML-AS ON PROPERTY LOCATED ON THE NE/S HAZELWOOD AVENUE 4932 HAZELWOOD AVENUE (HAZELWOOD PLAZA) 14<sup>TH</sup> ELECTION DISTRICT

6th COUNCILMANIC DISTRICT

\* BEFORE THE

\* OF

\* BALTIMORE COUNTY

\* CASE NO. R-01-438 Out-of-Cycle 2001

(former Cycle I, 2001, Item #6)

#### ORDER OF DISMISSALOF PETITION

This matter comes before this Board on a Petition for Reclassification filed by the Merritt Properties, LLC, by its attorneys VENABLE, BAETJER & HOWARD, LLP, and Robert A. Hoffman, Esquire, for a zoning reclassification from BL-AS /D.R. 3.5 to ML-AS for the property located on the northeast side Hazelwood Avenue in the Fourteenth Election District of Baltimore County; property known as 4932 Hazelwood Avenue (Hazelwood Plaza), and

WHEREAS, the Board of Appeals is in receipt of a letter of withdrawal of Petition filed May 24, 2001 (a copy of which is attached hereto and made a part hereof) from David H. Karceski, 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WHEREAS, said Counsel, on behalf of Petitioner, requests that the Petition for Reclassification filed herein be withdrawn as of the above date,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 8th day of June, 2001, by the County Board of Appeals of Baltimore County that said Petition be and the same is hereby WITHDRAWN AND DISMISSED.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

Lawrenge S. Wescott, Chairman

Margaret Worrall



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

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

dhkarceski@venable.com

May 24, 2001

#### HAND-DELIVERED

ATTORNEYS AT LAW

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

Re: Petition for Reclassification

Property: 4932 Hazelwood Avenue

Case No. R-01-438

Dear Ms. Bianco:

The purpose of this letter is to confirm that our client, Merritt Properties, LLC, has withdrawn its Petition for Reclassification for the above-referenced property.

Very truly yours,

David H. Karceski

DHK Enclosure

TO1DOC\$1/DHK01/#117467 v1



#### County Board of Appeals of Baltimore County

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

June 8, 2001

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

RE: In the Matter of: Merritt Properties, LLC - Petitioner Case No. R-01-438

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,

Charles E Cololyfe for Kathleen C. Bianco
Administrator

#### Enclosure

cc: David H. Karceski, Esquire
Robb L. Merritt, Vice President
/ Merritt Properties, LLC
James Markle, Jr. /GWS & Associates, Inc.
James Earl Kraft /Bd of Education /MS 1102-J
People's Counsel for Baltimore County
Pat Keller, Director /Planning
Jeffrey Long /Planning
Lawrence E. Schmidt /Z.C.
W. Carl Richards /PDM
Docket Clerk /PDM
Arnold Jablon, Director /PDM

#### NABLE, BAETJER AND HOWARD, LLP 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



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

dhkarceski@venable.com

May 24, 2001

#### HAND-DELIVERED

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

Re:

Petition for Reclassification

Property: 4932 Hazelwood Avenue

Case No. R-01-438

Dear Ms. Bianco:

The purpose of this letter is to confirm that our client, Merritt Properties, LLC, has withdrawn its Petition for Reclassification for the above-referenced property.

Very truly yours,

David H. Karceski

DHK Enclosure

TO1DOCS1/DHK01/#117467 v1

RECEIVED

JUN 1 2 2001

DEPT. OF PERMITS AND DEVELOPMENT LUCAGEMENT



# Petition for Reclassification

to the Board of Appeals of Baltimore County

for the property located at Hazelwood Avenue, East of Westwood Avenue which is presently zoned/districted BL-AS / DR3.5

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  $\underline{BL-AS/DR3.5}$  zone/district to a  $\underline{ML-AS}$  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

and (3) for the reasons given in the attached statement, a Variance from the following sections of the zonj	ng	regulations	of
D-W	-		
	X	<del>i</del>	

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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

#### Attorney For Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer and Howard, LLP Company

210 Allegheny Avenue 410-494-6200
Address Telephone No.

Address Telephone No.

Towson, MD 21204

City State Zip Code

REV 9/18/98

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):

Merritt Properties, LLC

Name - Type or Print

By:

Signature

Robb L. Merritt, Vice-President

Name - Type or Print

Signature

2066 Lord Baltimore Drive 410-298-2600
Address Telephone No.

Baltimore, MD 21244

City State Zip Code

#### Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue

410-494-6200

Address

Towson,

MD

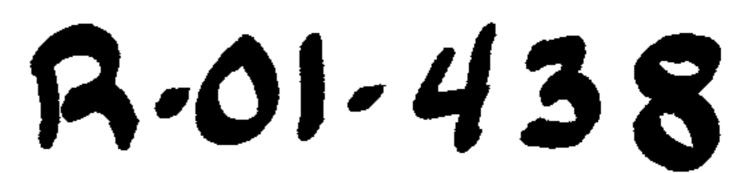
21204

Telephone No.

City

State

Zip Code



#### FROM THE OFFICE OF

#### GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.

CONSULTING ENGINEERS • LAND PLANNERS • LAND SURVEYORS 1020 CROMWELL BRIDGE ROAD • TOWSON, MARYLAND 21286-3396

Description to Accompany a Zoning Reclassification Petition for Hazelwood Plaza

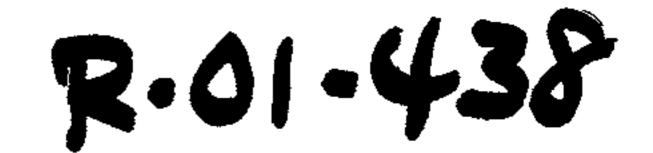
February 26, 2001, Page -1-

Beginning for the same at a point distant South 74 degrees 38 minutes 51 seconds East 417.29 feet +/- from the intersection of Hazelwood Avenue and Emelia Avenue. Running thence the twelve following courses:

- North 24 degrees 12 minutes 44 seconds East 270.00 feet
- 2. North 65 degrees 47 minutes 16 seconds West 172.99 feet
- 3. North 11 degrees 57 minutes 44 seconds East 26.32 feet
- 4. North 80 degrees 16 minutes 00 seconds East 212.25 feet
- 5. South 34 degrees 45 minutes 49 seconds East 301.60 feet
- 6. South 71 degrees 03 minutes 47 seconds East 245.46 feet
- South 38 degrees 11 minutes 48 seconds West 111.00 feet 8.
- South 33 degrees 58 minutes 07 seconds West 146.07 feet 9.
- North 74 degrees 30 minutes 04 seconds West 175.20 feet
- 10. North 66 degrees 21 minutes 01 seconds West 68.00 feet
- South 34 degrees 49 minutes 06 seconds West 1.50 feet 11.
- North 65 degrees 47 minutes 16 seconds West 207.50 feet 12.

To the place of beginning containing 3.57 Acres +/-





### DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

#### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

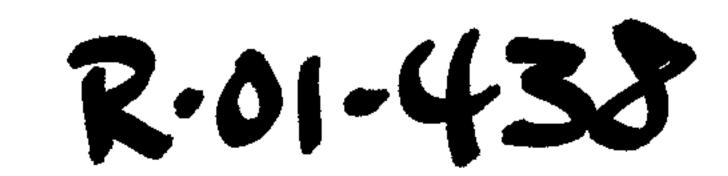
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

or Newspaper Advertising:
em Number or Case Number:
etitioner: Merritt Propenties, LLC 2066 Lord Baltimon
etitioner: <u>Merritt Propenties, LLC 2066 Lord Baltinom</u> Reciass Address or Location: <u>Hazelwood Rd</u> .
LEASE FORWARD ADVERTISING BILL TO:
ame: Robert A. Haffman
ddress: 210 Allegheny Ave
Towson, nd. 21204
<u>Towson</u> , md. 21204 elephone Number: (410) 494-6200

Revised 2/20/98 - SCJ





#### BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County Interoffice Correspondence

DATE: December 21, 2001

Arnold Jablon, Director TO:

Permits & Development Management

Theresa R. Shelton
Board of Appeals FROM:

SUBJECT: **CLOSED APPEAL CASE FILE(S)** 

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 that is attached herewith.

MERRITT PROPERTIES, LLP R-01-438 4932 HAZELWOOD AVENUE

Attachments: SUBJECT FILE(S) ATTACHED

MERRITT PROPERTIES, LLC. -- PETITIONER
4932 HAZELWOOD AVENUE (HAZELWOOD PLAZA)
--NE/S HAZELWOOD AVENUE

R-01-438
Out of Cycle
(former Cycle I, 2001, Item #6)

14<sup>th</sup> Election District 6<sup>th</sup> Councilmanic District

From: BL-AS /D.R. 3.5 to ML-AS

3.57 acres +/-

February 27, 2001

Petition for Reclassification filed by Robert A. Hoffman, Esquire, on behalf of Merritt Properties, LLC

VE

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

Merritt Properties, LLC Robb L. Merritt, Vice-President 2066 Lord Baltimore Drive Baltimore, MD 21244

James Markle, Jr. GWS and Associates, Inc. 1020 Cromwell Bridge Road Towson, MD 21286-3396

James Ea Division of Physical Facilities
Baltimore Baltimore County Board of Education
Mail Stop Mail Stop #1102-J

People's Counsel for Baltimore County

Pat Keller, Director /Planning
Jeffrey Long /Planning
Lawrence E. Schmidt /Zoning Commissioner
W. Carl Richards /PDM
Docket Clerk /PDM
Arnold Jablon /PDM
County Attorney

Petitioner

R-01-438 Merritt Properties, LLC 4932 Hazelwood Avenue (Hazelwood Plaza)

5/16/01 - T/C from David Karceski, VENABLE - this petition will be withdrawn; date will not be needed; Petitioner will not be proceeding with this reclassification request.

5/24/01 -Letter of withdrawal of petition filed by David Karceski, Esquire, VENABLE, BAETJER & HOWARD. Order of Dismissal of Petition to be issued.

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

9/13/01 WCR

**DATE:** April 11, 2001

**TO** 

Arnold Jablon, Director

Department of Permits

& Development Management

FROM

Kathleen C. Bianco County Board of App

**SUBJECT:** 

Out-of-Cycle Exemption / Request for Reclassification –

Property located at Hazelwood Avenue, E of Westwood Avenue

6<sup>th</sup> Councilmanic District

Petition filed by: Leroy Merritt, LLC, Owner

Approval by County Council: Resolution #40-01 on 4/02/01 Date for Hearing before the Board – June 26, 2001 @ 10 a.m.

Pursuant to Section 2-356(i), Baltimore County Code, the Board has scheduled the subject out-of-cycle reclassification petition for hearing on Tuesday, June 26, 2001 at 10:00 a.m. in Room 48, Old Courthouse.

This petition for reclassification was approved for hearing out of cycle by the County Council at its April 2, 2001 meeting (a copy of Resolution #40-01 is attached for your information and file).

I have copied Carl Richards on this memorandum so that the necessary advertising and posting can be accomplished by the Petitioner as required and notice sent by your office (as done in Cycle I through Cycle V reclassification requests) to the appropriate parties reflecting the hearing date of June 26, 2001.

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

#### Attachment

cc:

ì

Carl Richards, Jr. /PDM George Zahner /PDM Jeffrey Long /Planning Office of People's Counsel The Honorable Joseph Bartenfelder

Baltimore County Council /6<sup>th</sup> District

R-01-438

#### DALTIMORE COUNTY, MARYLAND

#### Board of Appeals of Baltimore County Interoffice Correspondence

TO

Arnold Jablon, Director

**DATE:** April 11, 2001

Department of Permits

& Development Management

FROM

Kathleen C. Bianco

County Board of Appeals

SUBJECT:

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#### Attachment

cc:

Carl Richards, Jr. /PDM
George Zahner /PDM
Jeffrey Long /Planning
Office of People's Counsel
The Honorable Joseph Bart

The Honorable Joseph Bartenfelder

Baltimore County Council /6th District

Carl: Per our prior discussions, please call me with the case number as soon as one has been assigned, and also forward a copy of the Notice of Hearing for our file and information.

Thanks / 📞



#### **County Council of Baltimore County**

Court House, Towson, Maryland 21204 410-887-3196 Fax 410-887-5791

April 3, 2001

S. G. Samuel Moxley FIRST DISTRICT

Kevin Kamenetz SECOND DISTRICT

T. Bryan McIntire
THIRD DISTRICT

Wayne M. Skinner FOURTH DISTRICT Vincent J. Gardina

Joseph Bartenfelder SIXTH DISTRICT

John Olszewski, Sr. SEVENTH DISTRICT

Thomas J. Peddicord, Jr.
LEGISLATIVE COUNSEL
SECRETARY

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

Dear Mr. Wescott:

Attached please find a copy of Resolution 40-01 approving the Planning Board's certification that the zoning reclassification petition filed by Leroy Merritt, for the property located on Hazelwood Avenue and situated in the Sixth Councilmanic District, should be exempted from the regular cyclical procedure of Section 2-356(c) through (h), inclusive, of the Baltimore County Code, 1988, as amended.

This Resolution was unanimously approved by the County Council at its April 2, 2001 meeting and is being forwarded to you for appropriate action.

Sincerely,

Thomas J. Peddicord, Jr.

Legislative Counsel/Secretary

TJP:dp Enclosure

r04001.wpd

CC:01 MA 0-89A FO.

#### COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND Legislative Session 2001, Legislative Day No. 7

#### Resolution No. 40-01

#### Mr. Joseph Bartenfelder, Councilman

#### By the County Council, April 2, 2001

A RESOLUTION of the Baltimore County Council to approve the Planning Board's certification that the zoning reclassification petition filed by Leroy Merritt, for the property located on Hazelwood Avenue and situated in the Sixth Councilmanic District, should be exempted from the regular cyclical procedure of Section 2-356(c) through (h), inclusive, of the Baltimore County Code, 1988, as amended.

WHEREAS, the Planning Board, by Resolution dated March 1, 2001, has certified that early action on the Petition for Zoning Reclassification filed by Leroy Merritt, requesting a reclassification of the above described property is manifestly required in the public interest; and

WHEREAS, the County Council of Baltimore County, in accordance with the provisions of Section 2-356(i), may approve said certification and exempt the Petition for Zoning Reclassification from the regular procedures of Section 2-356.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the certification by the Planning Board that early action on the zoning reclassification petition filed by Leroy Merritt, be and the same is hereby approved; and

BE IT FURTHER RESOLVED, that the Board of Appeals shall schedule a public hearing on said Petition in accordance with Section 2-356(i) of the Baltimore County Code.

READ AND PASSED this And day of Operal, 2001.

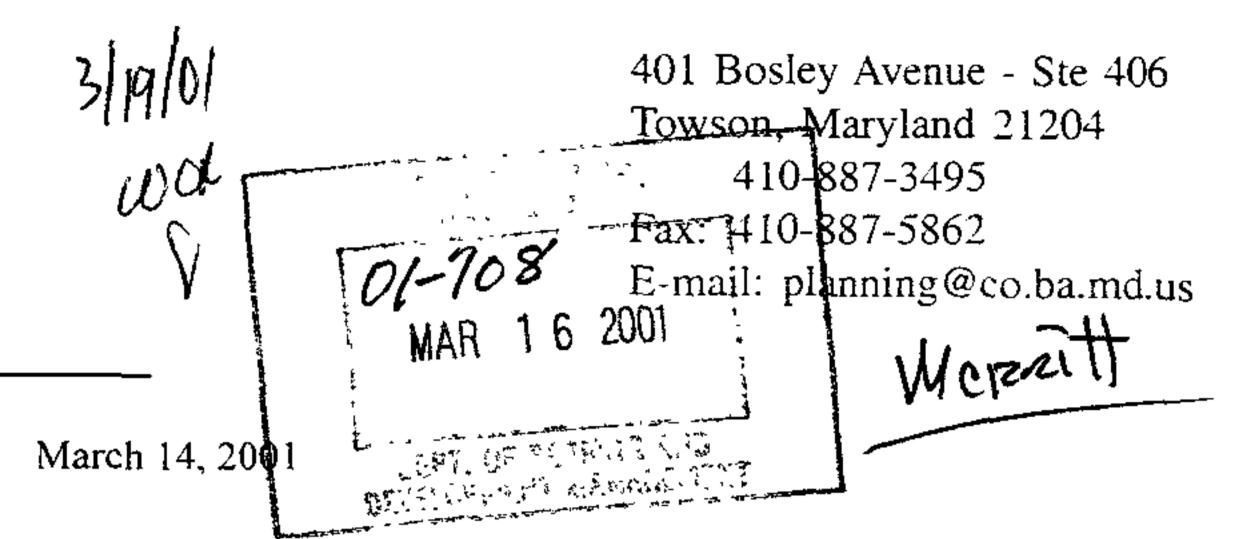
BY ORDER

Thomas J. Peddicord, Jr.

Secretary

ITEM: Res.40-01





The Hon. S. G. Samuel Moxley · Chairman, Baltimore County Council County Courthouse Towson, MD 21204

> Re: Certification on Reclassification Petition -Property on Hazelwood Avenue (Leroy Merritt)

#### Dear Councilman Moxley:

At a regularly scheduled meeting on March 1, 2001, the Baltimore County Planning Board voted, in accordance with Section 2-356(i) of the County Code, to certify to the County Council that early action upon the petition by Leroy Merritt for zoning reclassification of the property on Hazelwood Avenue, east of Westwood Avenue, is manifestly required in the public interest.

Enclosed is the report on this matter by the Office of Planning, as accepted by the Planning Board. The Planning staff will be pleased to assist the Council in the consideration of this matter.

Sincerely,

Arnold F. 'Pat' Keller, III Secretary

AFK:TD:rlh

Enclosure

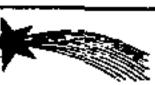
Members, Baltimore County Council Thomas Peddicord, Legislative Counsel/Secretary Brian Rowe, County Auditor John Wasilisin, Administrative Officer Virginia Barnhart, County Attorney Lawrence S. Wescott, Chairman, Board of Appeals Peter M. Zimmerman, People's Counsel Arnold Jablon, Director, Permits & Development Management Robert A. Hoffman, Petitioner's Representative

7-01-438













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

Fax: 410-887-5862

**Date:** February 20, 2001

To: Baltimore County Planning Board

From: Arnold F. 'Pat' Keller, III

Re: Exemption from Cyclical Procedure - Property of Leroy Merritt (Hazelwood Avenue, east of Westwood Avenue)

The attached letter requests certification by the Planning Board for out-of-cycle action on a zoning petition for reclassification of the subject property.

Section 2-356(i) of the Baltimore County Code authorizes the Planning Board to certify to the County Council that expedited scheduling of a reclassification hearing by the Board of Appeals "is manifestly required in the public interest or because of an emergency." Neither the certification by the Planning Board nor a concurrence by the County Council would constitute an opinion on the merits of the petition; the effect is simply to take the petition out of the normal cycle zoning schedule for an earlier hearing.

The subject request for certification has been reviewed by planning staff and without taking a position on the merits of the case, the Office of Planning recommends to the Planning Board that certification for early action upon this zoning reclassification petition is required.

C My Documents hazelwood De visit the County's Website at www.co.ba.md.us

Sincerely,

Pat Keller

Arnold F. 'Pat' Keller, III

Director

AFK/JL Attachment



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

Fax: 410-887-5862

Date: February 20, 2001

To: Baltimore County Planning Board

From: Arnold F. 'Pat' Keller, III

Re: Exemption from Cyclical Procedure – Property of Leroy Merritt (Hazelwood Avenue, east of Westwood Avenue)

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The subject request for certification has been reviewed by planning staff and without taking a position on the merits of the case, the Office of Planning recommends to the Planning Board that certification for early action upon this zoning reclassification petition is required.

C:\My Documents\hazelwoodbe visit the County's Website at www.co.ba.md.us

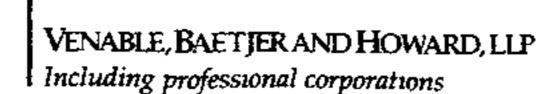
Sincerely,

Dat Keller

Arnold F. 'Pat' Keller, III

Director

AFK/JL Attachment



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

VENABLE AT LAW

February 20, 2001

HAND-DELIVERED

Mr. Jeffrey Long
Baltimore County
Office of Planning
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: Property of Leroy Merritt – Located on Hazelwood

Avenue, East of Westwood Avenue

Dear Mr. Long:

Our client, Leroy Merritt ("Merritt"), owns an approximately 3½ acre parcel, zoned BL-AS, on Hazelwood Avenue, east of Westwood Avenue. Merritt has discussed with TruGreen-ChemLawn, who is currently leasing a Merritt property on Kelso Drive, the possibility of relocating its Kelso Drive distribution facility to the Hazelwood piece. TruGreen-ChemLawn has outgrown its current facility and is looking for an alternate location in this market area, which includes Harford County. At the distribution facility, TruGreen-ChemLawn would store the chemicals to be used on its customers' lawns. Every morning, approximately forty (40) trucks would be loaded up with chemicals and then dispatched to serve customers throughout northeast Baltimore County and Southern Harford County. When they have finished their routes, the trucks would then be returned to the facility.

According to the Zoning Office, the Hazelwood property's BL-AS zoning would not permit the proposed use. Merritt, therefore, proposes that the property be rezoned to ML-AS, which would permit the above-described use, defined by the Zoning Office as a Class II Trucking Facility, by special exception. On behalf of Merritt, we wish to file a Petition for Reclassification requesting that the property be rezoned to ML-AS as an out-of-cycle zoning request under Section 2-356(i).



Mr. Jeffrey Long February 20, 2001 Page 2

A prompt hearing on the merits before the County Board of Appeals for Baltimore County is manifestly in the public interest. As discussed above, TruGreen-ChemLawn needs a larger facility within this market area, which includes Harford County. The Hazelwood Avenue site is available, would meet the needs of this company, and would keep this existing business in Baltimore County. We are, therefore, requesting that you present this issue to the Baltimore County Planning Board on March 1, 2001, for certification to the Baltimore County Council that early action on this out-of-cycle rezoning request is manifestly required in the public interest. I will be in attendance to answer any questions either you or the Planning Board may have concerning the project.

In the meantime, if I can provide any additional information on the project, please feel free to give me a call.

Very truly yours,

Robert A. Hoffman

RAH/pam

TO1DOCS1/112596 v1



Robert A. Hoffman (410) 494-6262

#### February 27, 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: 4932 Hazelwood Avenue

Owner: Leroy Merritt

Dear Mr. Wescott:

I am representing Leroy Merritt, the owner, with respect to the above-referenced zoning reclassification request for property located at 4932 Hazelwood Avenue. The subject property is presently zoned as BL-AS (approximately 3.5 acres) and DR 3.5 (approximately 0.77 acres). Merritt is requesting that the zoning be changed to ML-AS.

The purpose of this letter is to set forth the reasons why the requested reclassification should be granted. Although zoning of the BL-AS portion of the referenced property would permit a fuel service station and a myriad of retail uses with its attendant traffic and other concerns, BL-AS zoning would not permit the broader array of business uses permitted in ML-AS, which uses are as consistent with the surrounding areas as BL-AS.

Merritt, therefore, proposes that the property be rezoned to ML-AS, which would permit greater flexibility for redevelopment of an employment use on the site.

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

01FEB 28 ///////////

2.01.438



February 27, 2001 Page 2

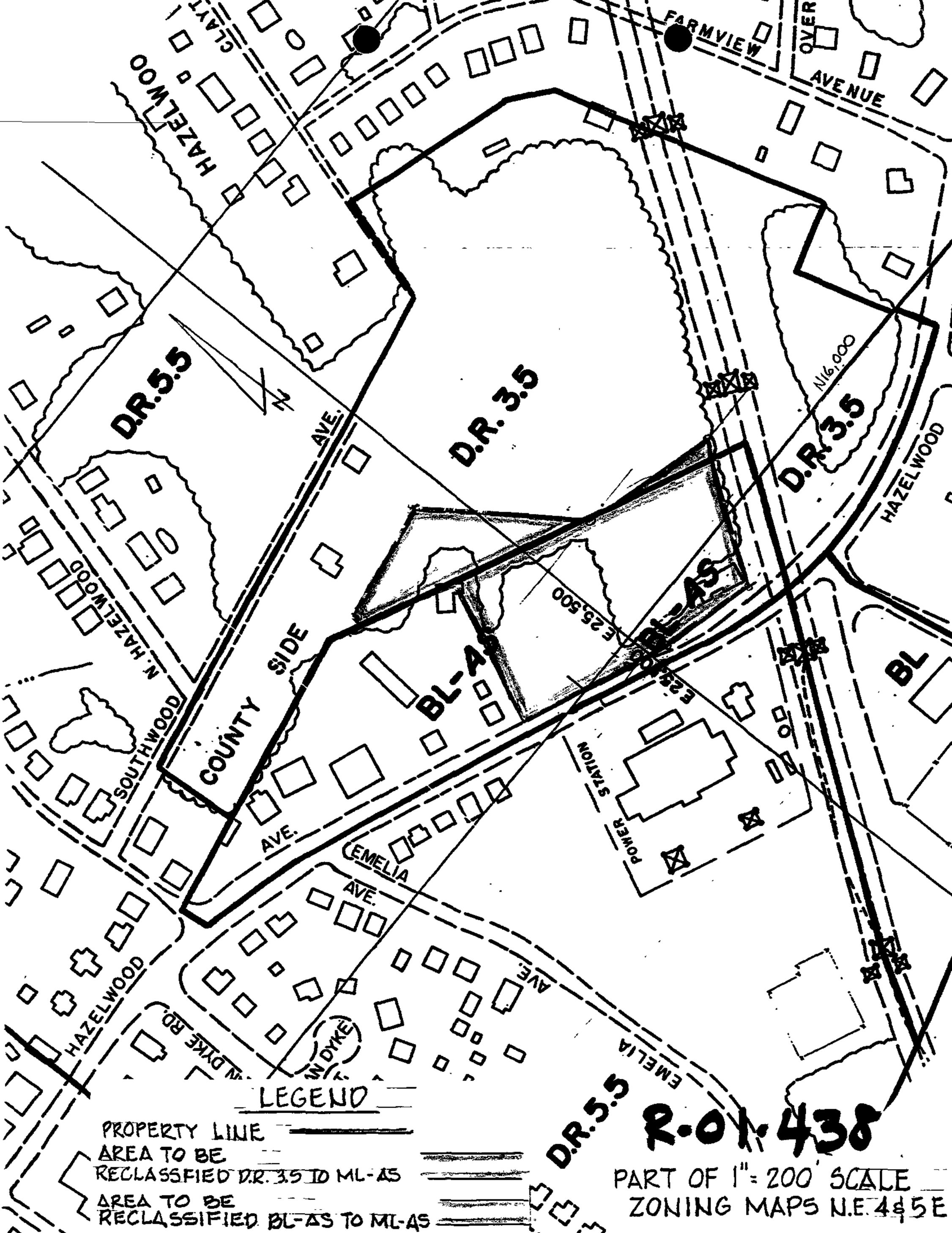
County Code to prove error. For the reasons stated in this letter and for other reasons as may be presented at the hearing before the County Board of Appeals, it is respectfully submitted that the present zoning of BL-AS and DR 3.5 is in error and the subject property should be reclassified to ML-AS.

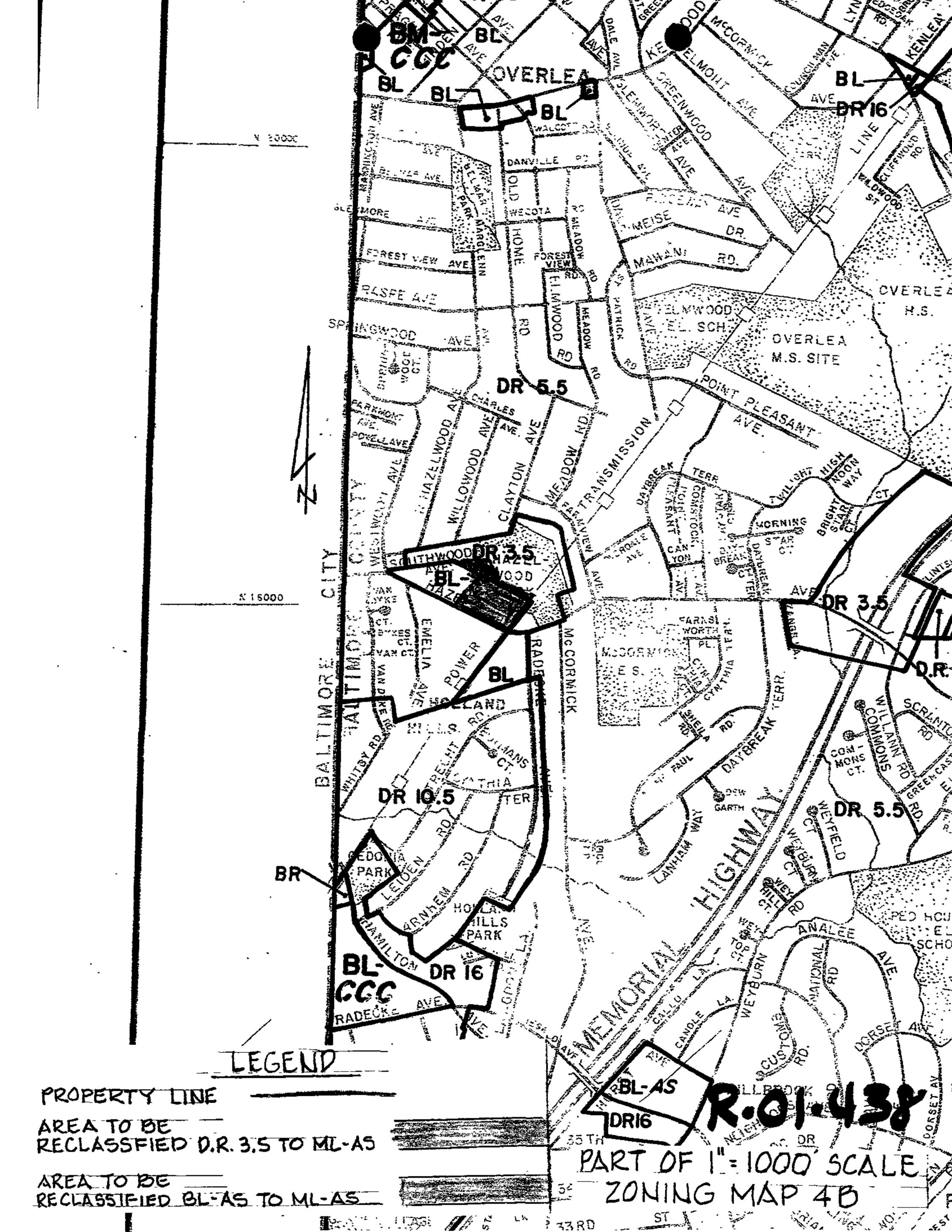
Yours truly,

Robert A. Hoffman

RAH/pam

TO1DOCS1/PAM01/#61108 v2





TO: PATUXENT PUBLISHING COMPANY
Thursday, May 3, 2001 & Thursday, May 10, 2001 Issues – Owings Mills Times
Full-Page Ad

Advertising costs should be divided between the following petitioners. Please forward billing to:

CR-01-433-X	Sohan L. Sambhi 9 Upman Court Baltimore, MD 21228	410-719-1624
R-01-434	Robert A. Hoffman (Amy Dontell) 210 Allegheny Avenue Towson, MD 21204	410-494-6200
R-01-435	Amy Dontell 210 Allegheny Avenue Towson, MD 21204	410-494-6201
CR-01-436	Stuart D. Kaplow, P.A. 15 East Chesapeake Avenue Towson, MD 21286	410-339-3910
R-01-439	Amy Dontell 210 Allegheny Avenue Towson, MD 21204	410-494-6201

#### NEWSPAPER AD MUST BE FULL-PAGE AD.

SEE ATTACHED SAMPLE FOR PROPER SET-UP OF AD SEE ATTACHED PAPERS FOR CORRECT WORDING FOR ZONING RECLASSIFICATION CYCLE I (APRIL – OCTOBER 2001) AND CORRECT MAP.

PLEASE FORWARD TO ZONING REVIEW, PERMITS & DEVELOPMENT MANAGEMENT (ATTENTION CARL RICHARDS), A CONTACT POSITIVE PRINT.

ANY QUESTIONS CONCERNING THIS AD, PLEASE CONTACT EITHER CARL RICHARDS AT 410-887-3391 OR SOPHIA JENNINGS AT 410-887-8091.

R.01-438

RECLASSIFICATION & REDISTRICTING PETITIONS ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE APRIL – OCTOBER 2001 ZONING RECLASSIFICATION CYCLE I

BY ORDER OF
LAWRENCE S. WESCOTT, CHAIRMAN, BALTIMORE COUNTY BOARD
OF APPEALS
ARNOLD F. KELLER, III, DIRECTOR, OFFICE OF PLANNING AND
COMMUNITY CONSERVATION

#### ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE ZONING RECLASSIFICATION CYCLE I APRIL 2001 – OCTOBER 2001

#### WESTERN SECTOR

ITEM #1

Property Owner: Sohan L. Sambhi & Joginder Kaur

Case No./Hearing Date: CR-01-433-X -- Wednesday, November 14, 2001 at 10:00 a.m.

Contract Purchaser:

N/A

Location:

9217 Liberty Road - SW/S Liberty Road, corner SE/S Chapman Road

Existing Zoning: R-0 Election District: 2nd Councilmanic District: 2nd Acres: .2783

Proposed Zoning:

B.L. Special Exception for a service garage.

Miscellaneous:

Documented Plan

<u>ITEM #2</u>

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

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

Case No./Hearing Date:

R-01-434 -- Wednesday, October 3, 2001 at 10:00 a.m.

Contract Purchaser:

**BP** Amoco Corporation

Location:

520 Reisterstown Road (rear) - S/S Slade Avenue and N/S Linden

Terrace, also 175' SW of centerline Reisterstown Road

Existing Zoning: R-O Election District: 3rd Councilmanic District: 2nd .47 Acres:

Proposed Zoning: B.L.-A.S. Miscellaneous: Open Plan ITEM #3

Property Owner: Painters Mill Venture, LLP

Case No./Hearing Date: R-01-435 -- Wednesday, September 26, 2001 at 10:00 a.m.

Contract Purchaser:

N/A

Location:

NWC Owings Mills Boulevard and Lyons Mill Road

Existing Zoning:

D.R.5.5

Election District:

2nd

Councilmanic District:

3rd

Acres:

18.3

Proposed Zoning:

D.R.16

Miscellaneous:

Open Plan

ITEM #4

Property Owner: Highway Realty, Inc. (9913); Eastrel, LLC (9915); David A. Pisanic

(9917); Patricia E. Franey (9919); Marie P. & Donald G. Haga (9921)

Case No./Hearing Date:

CR-01-436 - Wednesday, October 24, 2001 at 10:00 a m.

Contract Purchaser:

N/A

Location:

9913, 9915, 9917, 9919, & 9921 Reisterstown Road - NE/S Reisterstown

Road, approximately 200' SE of Olive Lane

Existing Zoning:

R-O

**Election District:** 

3rd

Councilmanic District:

3rd

Acres:

1.95 +/-

Proposed Zoning:

B.L.

Miscellaneous:

Documented Plan (originally filed as open plan, was revised and filed as

documented plan)

#### NORTHERN SECTOR

ITEM #5

Property Owner:

Jarvis Steel & Lumber Co., Inc.

Case No.:

R-01-437

Location:

SW/S Dover Road, approximately 600' N of Baublitz Road

**Election District:** 

4th

Councilmanic District: 3rd

Miscellaneous:

FILED FOR CYCLE I, BUT IS NOW OUT-OF-CYCLE

RECLASSIFICATION. SEE COUNTY COUNCIL RESOLTUION

NUMBER 42-01.

#### **CENTRAL SECTOR**

No Petitions Were Filed in the Central Sector for Cycle I

#### **EASTERN SECTOR**

<u>ITEM #6</u>

Property Owner: Merritt Properties, LLC

Case No.: R-01-438

Location: 4932 Hazelwood Avenue (Hazelwood Plaza) – NE/S Hazelwood Ave.

Election District: 14th Councilmanic District: 6th

Miscellaneous: FILED FOR CYCLE I, BUT IS NOW OUT-OF-CYCLE

RECLASSIFICATION. SEE COUNTY COUNCIL RESOLUTION

NUMBER 40-01.

ITEM #7

Property Owner: 7-Eleven Inc.

Case No./Hearing Date: R-01-439 -- Wednesday, October 17, 2001 at 10:00 a.m.

Contract Purchaser: N/A

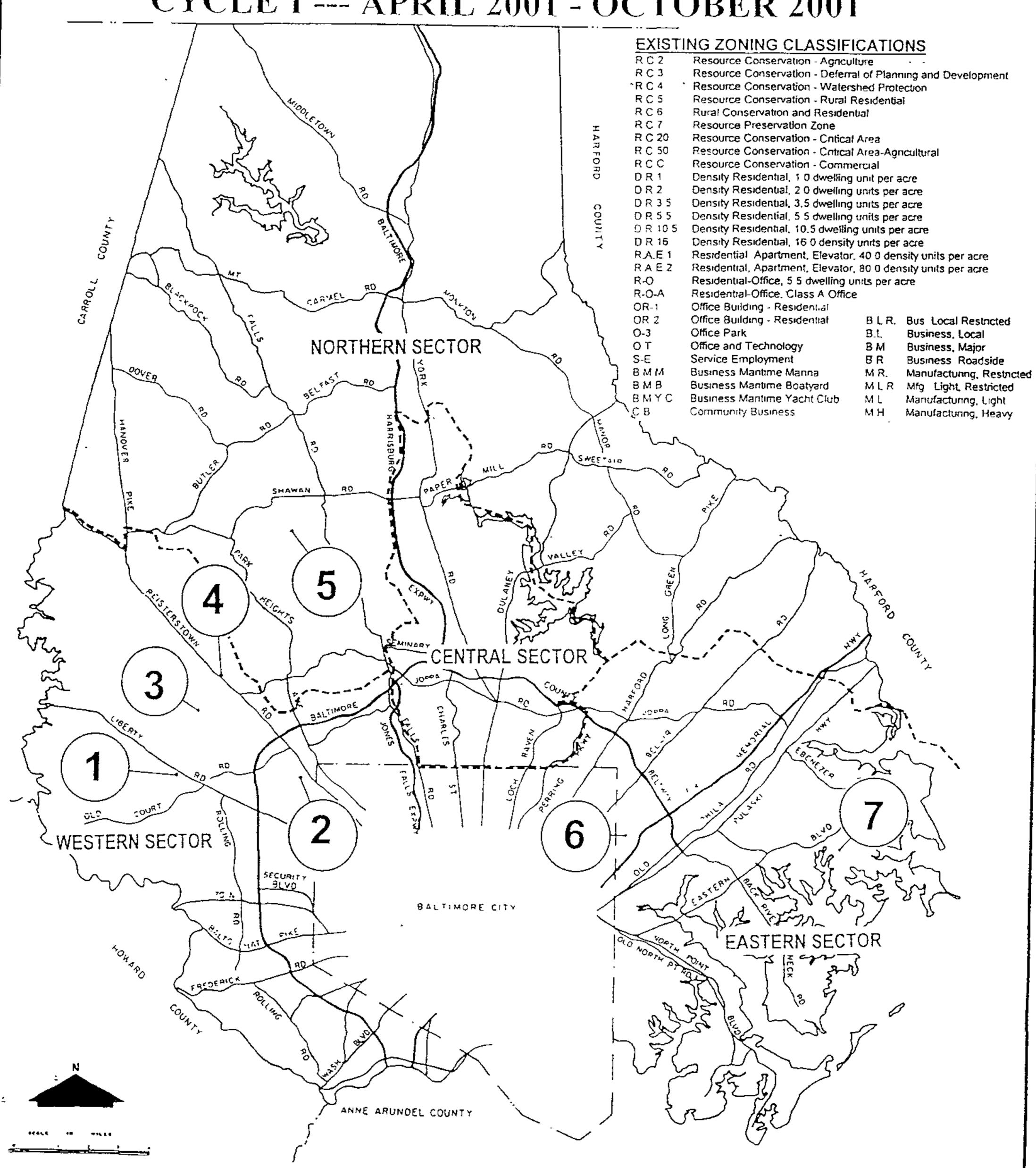
Location: 204 Bowley's Quarters Road – SW/S Bowleys Quarters Road and SW/S

Carroll Island Road

Existing Zoning: B.L. Election District: 15th Councilmanic District: 5th Acres: .33

Proposed Zoning: B.L.-A.S. Miscellaneous: Open Plan

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



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW

BALTIMORE COUNTY, MARYLAND

# RECLA

остовек, FILING 1993 BY BALTIMORE COUNTY BOARD **IFICATION** APRIL, 1994 ZONING RECLASSIFICATION CYCLE Çο REDISTRICTING PETITIONS 9 APPEALS FOR ACCEPTED THE FOR

# WESTERN SECTOR

Owings Grinnings Property Owner. J.F.O. Holding Corporation & Josephine

Case No./Hearing Date: A-94-141; 3/9/94

Contract Purchaser: J. Patrick Gill

Reisterslown Road) Wilson Lane, opposite Castleton Avenue Location: SW/S Reisterstown Road, 540' SE of centerline Mt. (#1838-1850

Existing Zoning: R.O. Election District: 3rd

Acres: 5.81 +/- or 5.25 +/-Councilmanic District: 3rd

Proposed Zoning: B.L.

# NORTHERN SECTOR

Property Owner: Harford Joint Venture

Case No./Hearing Date: R-94-142; 3/23/94

Contract Purchaser; N/A

Location: N/S Everett Road, W/S York Road (Monkton Centre)

Existing Zoning, R.C.-5 Election District: 7th

Councilmanic District: 3rd Acres: .90 +/-

Proposed Zoning: B.M.-C.R.

3. Property Owner: The Prosser Company, Inc.

Contract Purchaser, N/A
Libertion: SE/S Contribution Pike and NW/S Glen Arm Road (12107 & 12109

Long Green Pike and 5328 Glen Arm Road)

Election District: 11th

Existing Zaning: R.O. & R C.-5

LOCATIONS 읶 BALTIMORY PROPERTIES LIMINO TOTALLO NOULL 34

Proposed Zoning: Acres: 5.2 +/-Councilmanic District: 6th M.

## CENTRAL SEC TOR

ö Petitions in Ite Central Sector

## EASTERN SEC TOR

Boulevard (8204 Location; Contract Purchaser. Case No./Hearing Date: R-94-144; 4/20/94 4. Property Owner: S/MN Betair Road, corner NE/S : White Marsh Dinner Theatre, Inc. State Highway Administration White

Belair Road)

Existing Zoning: D.A ₹.**-**5.5

Acres: .61 Councilmanic Distric Election District: 14th #: 6th

Proposed Zoning: B Z

Cignal Development Property Owner Beachwood II Limited Partnership

Corporation

Case No./Hearing Date: R-94-145; 5/4/94

Contract Purchaser: N/A Location: E/S Morse Lane

Roads (Beachwood) between Lynhurst and Sho

Existing Zoning: D.A.

Election District: 15th

Councilmanic District: 7th

Acres: 27,309

PLANNING

Proposed Zoning: D.A.-3.5 or D.A.-5.5 or D.A.-10.5

## ISTINGS 9 PETITIO ZS Numbers 3 the listings are keyed ö the map Ø bove.

WILLIAM HACKETT, CHAIRMAN BALTIMORE COUNTY BOARD OF APPEALS ELDS, DIRECTOR BALTIMORIE COUNTY PLANNING AND ZONING BY ORDER OF

BALTIMORE COUNTY, MARY

OCTOBER RECLAS FILING SIFICATION BY BALTIMORE COUNTY BOARD 1993 APRIL, 1994 ZONING RECLASSIFICATION CYCLE χo REDISTRICTING PETITIONS ç APPEALS ACCEPTED FOR THE FOR

# **WESTERN SECTOR**

Owings Grinnings 1. Property Owner: J.F.O. Holding Corporation & Josephine

Case No./Hearing Date: R-94-141; 3/9/94

Contract Purchaser: J. Patrick Gill

Wilson Lane, Reisterstown Road) Location: SW/S Reisterstown Road, 540' SE of centerline Mt. opposite Castleton Avenue (#1838-1850

Existing Zoning: A.O. Election District: 3rd

Acres: 5.81 +/- or 5.25 +/-Councitmanic District: 3rd

Proposed Zoning: B.L.

# NORTHERN SECTOR

2. Property Owner: Harford Joint Venture Case No./Hearing Date: R-94-142; 3/23/94

Contract Purchaser: N/A Location: N/S Everett Road, W/S York Road (Monkton Centre)

Existing Zoning: A.C.-5
Election District: 7th

Councilmanic District: 3rd

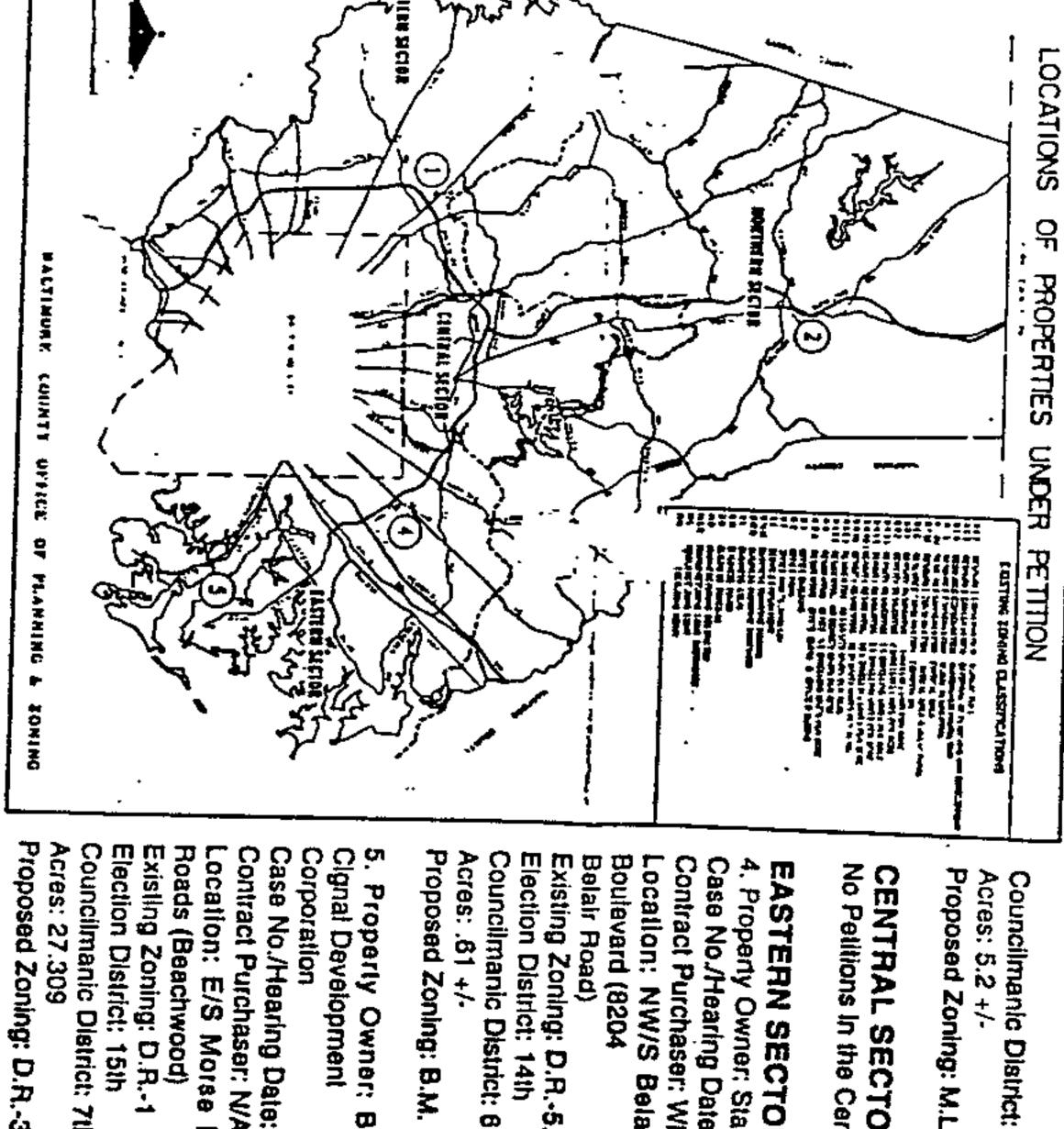
Proposed Zoning: B.M.-C.A. Acres: .90 +/-

3. Property Owner: The Prosser Company, Inc.

Existing Zoning: R.O. & R.C.-5

Election District: 11th

Contract Purchaser N/A
Reduition: BE/S Long Green Pike and NW/S Glen Arm Road Long Green Pike and 5328 Glen Arm Road) (12107 & 12109 Case No./Hearing Date: CR-94-143; 4/6/94



Proposed Zoning: M.L. Acres: 5.2 Councilmanic District: 욢

### No Petitions CENTRAL In the Central Sector SECTOR

Boulevard (8204 Location: NW/S Contract Purchaser: White Marsh Dinner Theatre, Inc. Property Owner: State Highway Administration Case No./Hearing Date: R-94-144; 4/20/94 **EASTERN SECTOR** Belair Road, corner NE/S White Marsh

Belair Road)

Existing Zoning: I Election District: Zoning: D.R.-5 Ċŋ-

Acres: .61 Councilmanic District: 5

Proposed Zoning: B.M.

**\*** 

Cignal Development Property Owner: Ø eachwood II Limited Partnership &

Corporation

Case No./Hearing Date: R-94-145; 5/4/94

Location: E/S Morse Contract Purchaser; N//

Existing Zoning: D.R.-Councilmanic District: Election District: 15th Roads (Beachwood) ane between Lynhurst and Shore

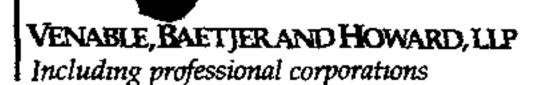
Acres: 27.

309

).5 or D.R.-5.5 or D.A.-10.5

STINGS OF PETITIO Numbers 3 the listings are keyed to the map 8 ove.

WILLIAM HACKETT, CHAIRMAN BALTIMORE COUNTY BOARD OF APPEALS DAVID FIE LDS, DIRECTOR BALTIMORE COUNTY PLANNING AND ZONING BY ORDER OF



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

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

dhkarceski@venable.com

May 24, 2001

#### HAND-DELIVERED

ATTORNEYS AT LAW

Mr. W. Carl Richards, Jr.
Zoning Supervisor
County Office Building, 1st Floor
111 W. Chesapeake Avenue
Towson, Maryland 21204

Petition for Reclassification

Property: 4932 Hazelwood Avenue

Case No. R-01-438

Dear Mr. Richards:

Re:

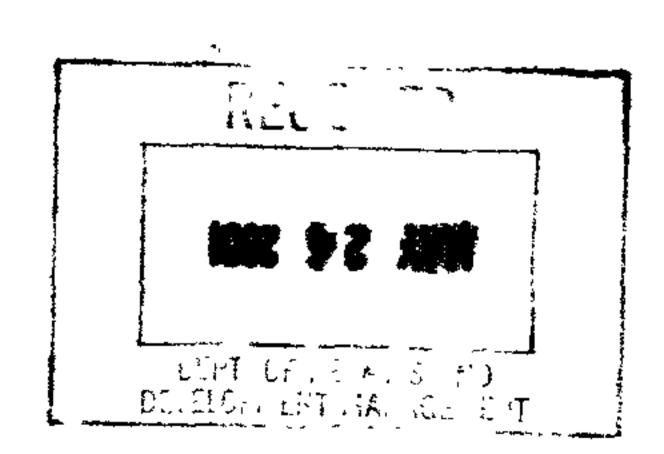
The purpose of this letter is to inform you that our client, Merritt Properties, LLC, has withdrawn its Petition for Reclassification for the above-referenced property.

Very truly yours,

David H. Karceski

DHK Enclosure

TO1DOCS1/DHK01/#117463 v1





TO: PATUXENT PUBLISHING COMPANY
Thursday, May 3, 2001 & Thursday, May 10, 2001 Issues - Jeffersonian
Full-Page Ad

Advertising costs should be divided between the following petitioners. Please forward billing to:

CR-01-433-X	Sohan L. Sambhi 9 Upman Court Baltimore, MD 21228	410-719-1624
R-01-434	Robert A. Hoffman (Amy Dontell) 210 Allegheny Avenue Towson, MD 21204	410-494-6200
R-01-435	Amy Dontell 210 Allegheny Avenue Towson, MD 21204	410-494-6201
CR-01-436	Stuart D. Kaplow, P.A. 15 East Chesapeake Avenue Towson, MD 21286	410-339-3910
R-01-439	Amy Dontell 210 Allegheny Avenue Towson, MD 21204	410-494-6201

#### NEWSPAPER AD MUST BE FULL-PAGE AD.

SEE ATTACHED SAMPLE FOR PROPER SET-UP OF AD. SEE ATTACHED PAPERS FOR CORRECT WORDING FOR ZONING RECLASSIFICATION CYCLE I (APRIL – OCTOBER 2001) AND CORRECT MAP.

PLEASE FORWARD TO ZONING REVIEW, PERMITS & DEVELOPMENT MANAGEMENT (ATTENTION CARL RICHARDS), A CONTACT POSITIVE PRINT.

ANY QUESTIONS CONCERNING THIS AD, PLEASE CONTACT EITHER CARL RICHARDS AT 410-887-3391 OR SOPHIA JENNINGS AT 410-887-8091.

## RECLASSIFICATION & REDISTRICTING PETITIONS ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE APRIL – OCTOBER 2001 ZONING RECLASSIFICATION CYCLE I

BY ORDER OF
LAWRENCE S. WESCOTT, CHAIRMAN, BALTIMORE COUNTY BOARD
OF APPEALS
ARNOLD F. KELLER, III, DIRECTOR, OFFICE OF PLANNING AND
COMMUNITY CONSERVATION

#### ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE ZONING RECLASSIFICATION CYCLE I **APRIL 2001 – OCTOBER 2001**

#### WESTERN SECTOR

**ITEM #1** 

Property Owner: Sohan L. Sambhi & Joginder Kaur

Case No./Hearing Date: CR-01-433-X -- Wednesday, November 14, 2001 at 10:00 a.m.

Contract Purchaser:

N/A

Location:

9217 Liberty Road - SW/S Liberty Road, corner SE/S Chapman Road

Existing Zoning: R-0 Election District: 2nd Councilmanic District: 2nd Acres: .2783

Proposed Zoning:

B.L. Special Exception for a service garage.

Miscellaneous:

Documented Plan

ITEM #2

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

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

Case No./Hearing Date:

R-01-434 -- Wednesday, October 3, 2001 at 10:00 a.m.

Contract Purchaser:

**BP** Amoco Corporation

Location:

520 Reisterstown Road (rear) - S/S Slade Avenue and N/S Linden

Terrace, also 175' SW of centerline Reisterstown Road

Existing Zoning: R-O Election District: 3rd Councilmanic District: 2nd

Acres:

.47

Proposed Zoning: Miscellaneous:

B.L.-A.S.

Open Plan

**ITEM #3** 

Property Owner: Painters Mill Venture, LLP

Case No./Hearing Date: R-01-435 -- Wednesday, September 26, 2001 at 10:00 a.m.

Contract Purchaser:

N/A

Location:

NWC Owings Mills Boulevard and Lyons Mill Road

Existing Zoning:

D.R 5.5

**Election District:** 

2nd

Councilmanic District:

3rd

Acres: Proposed Zoning: 18.3

Miscellaneous:

D.R.16 Open Plan

ITEM #4

Property Owner: Highway Realty, Inc. (9913); Eastrel, LLC (9915); David A. Pisanic

(9917); Patricia E. Franey (9919); Marie P. & Donald G. Haga (9921)

Case No./Hearing Date:

CR-01-436 - Wednesday, October 24, 2001 at 10.00 a.m.

Contract Purchaser:

N/A

Location:

9913, 9915, 9917, 9919, & 9921 Reisterstown Road - NE/S Reisterstown

Road, approximately 200' SE of Olive Lane

Existing Zoning:

R-O

Election District:

3rd

Councilmanic District:

3rd

Acres:

1.95 + / -

Proposed Zoning:

B.L.

Miscellaneous:

Documented Plan (originally filed as open plan, was revised and filed as

documented plan)

#### NORTHERN SECTOR

ITEM #5

Property Owner:

Jarvis Steel & Lumber Co., Inc.

Case No.:

R-01-437

Location:

SW/S Dover Road, approximately 600' N of Baublitz Road

Election District:

4th

Councilmanic District:

3rd

Miscellaneous:

FILED FOR CYCLE I, BUT IS NOW OUT-OF-CYCLE

RECLASSIFICATION. SEE COUNTY COUNCIL RESOLTUION

NUMBER 42-01.

#### CENTRAL SECTOR

No Petitions Were Filed in the Central Sector for Cycle I

#### **EASTERN SECTOR**

ITEM #6

Property Owner:

Merritt Properties, LLC

Case No.:

R-01-438

Location:

4932 Hazelwood Avenue (Hazelwood Plaza) - NE/S Hazelwood Ave.

Election District:

14th

Councilmanic District: 6th

Miscellaneous:

FILED FOR CYCLE I, BUT IS NOW OUT-OF-CYCLE

RECLASSIFICATION. SEE COUNTY COUNCIL RESOLUTION

NUMBER 40-01.

ITEM #7

Property Owner:

7-Eleven Inc.

Case No./Hearing Date:

R-01-439 -- Wednesday, October 17, 2001 at 10:00 a.m.

Contract Purchaser:

N/A

Location:

204 Bowley's Quarters Road – SW/S Bowleys Quarters Road and SW/S

Carroll Island Road

Existing Zoning:

B.L.

**Election District:** 

15th

Councilmanic District:

5th

Acres:

.33

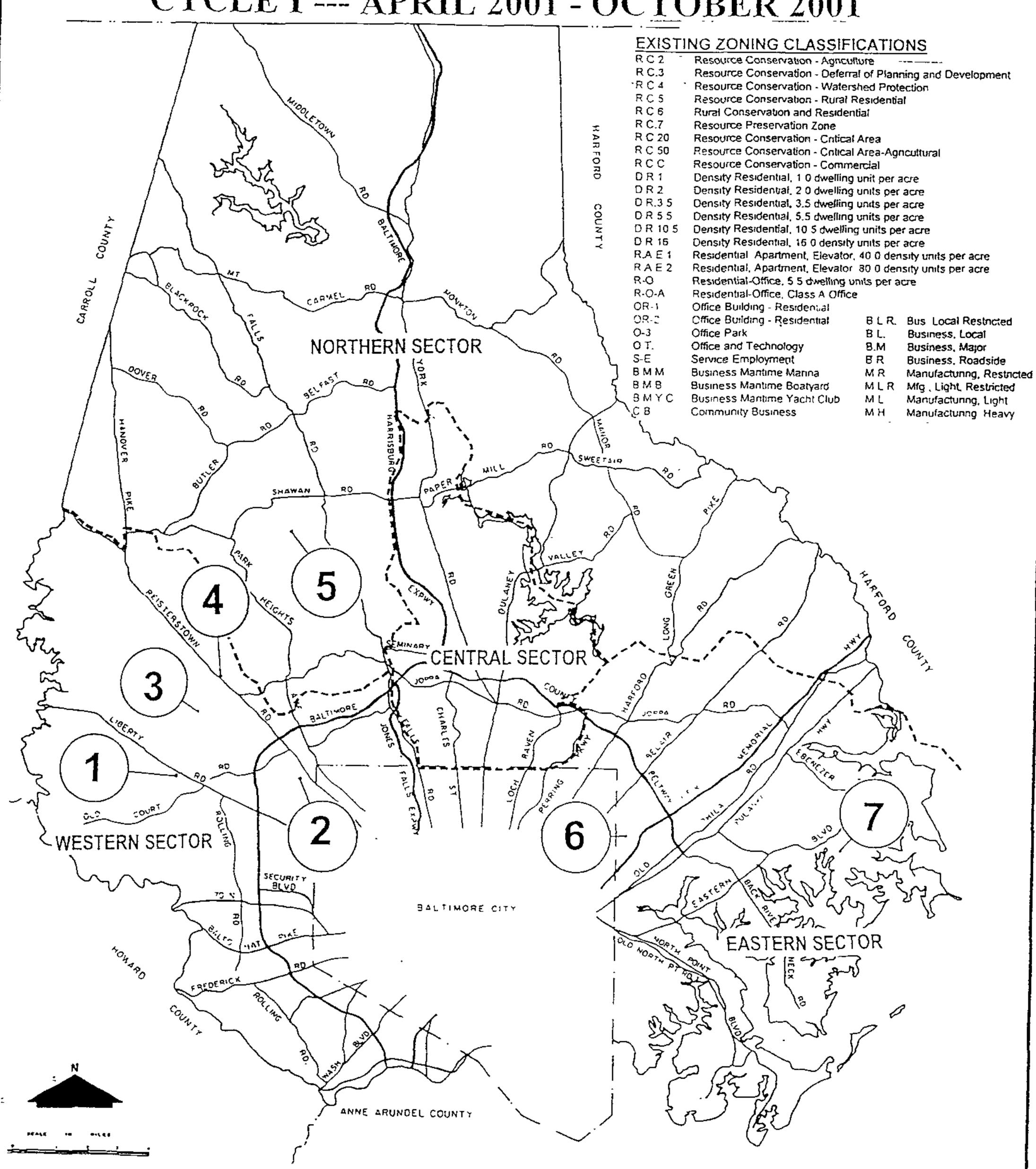
Proposed Zoning:

B.L.-A.S.

Miscellaneous:

Open Plan

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



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW

BALTIMORE COUNTY, MARYL

# RECLA

OCTOBE FILIN SSIFICATION & REDISTRICTING D 1993 BY BALTIMORE COUNTY BOARD OF APRIL, 1994 ZONING RECLASSIFICATION CYCLE II PETITIONS APPEALS ACCEPTED FOR THE FOR

# WESTERN SECTOR

Owings Grinnings Case No./Hearing Date: R-94-141; 3/9/94 1. Property Owner J.F.O. Holding Corporation & Josephine

LOCATIONS

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Contract Purchaser: J. Patrick Gill

Reisterstown Road) Wilson Lane, Location: SW/S Relsterstown Road, 540' SE of centerline Mt. opposite Castleton Avenue (#1838-1850

Existing Zoning: R.O. Election District: 3rd

Councilmanic District: 3rd Acres: 5.81 +/- or 5.25 +/-

Proposed Zoning: B.L.

# NORTHERN SECTOR

2. Property Owner: Harlord Joint Venture

Case No./Hearing Date: R-94-142; 3/23/94

Contract Purchaser: N/A

Location: N/S Everett Road, W/S York Road (Monkton Centre)

Existing Zoning: R.C.-5
Election District: 7th

Acres: .90 +/-Councilmanic District: 3rd

Proposed Zoning: B.M.-C.R.

3. Property Owner: The Prosser Company, Inc. Property Owner:

Contract Purchaser N/A
Location: SE/S Long: Green Pike and NW/S Glen Arm Road
(12107 & 12109

Existing Zoning, R.O. & R.C.5 Long Green Pike and 5328 Glen Arm Road)

Election District: 11th

ROLLIN III • BALTIMORK PROPERTIES £44003 STATE 9 NOULLE 34 PHINNAL

> Proposed Zoning: M.L. Councilmanic Acres: 5,2 +/-Distri ict: 6H

# CENTRAL SECTOR

No Petitions in the Central Sector

## EASTERN SECT FOH HOH

Belair Road) Boulevard (8204 Location: Contract Purchaser: Case No./Hearing D Property Owner: NW/S Ħ State Highway Administration Pate: R-94-144; 4/20/94 While Marsh Dinner Theatre, Inc. elair Road, corner NE/S White White Mare

Proposed Zoning: B. Councilmanic District: 6th Election District: 14th Existing Zoning: D.A ÷ Ċī Cr. Σ

Corporation Cignal Development Property Owner: Beachwood II Limited Partnership

Case No./Hearing Date: R-94-145; 5/4/94

Contract Purchaser; } Ś

Location: E/S

Mors

e Lane

between Lynhurst

and

Shor

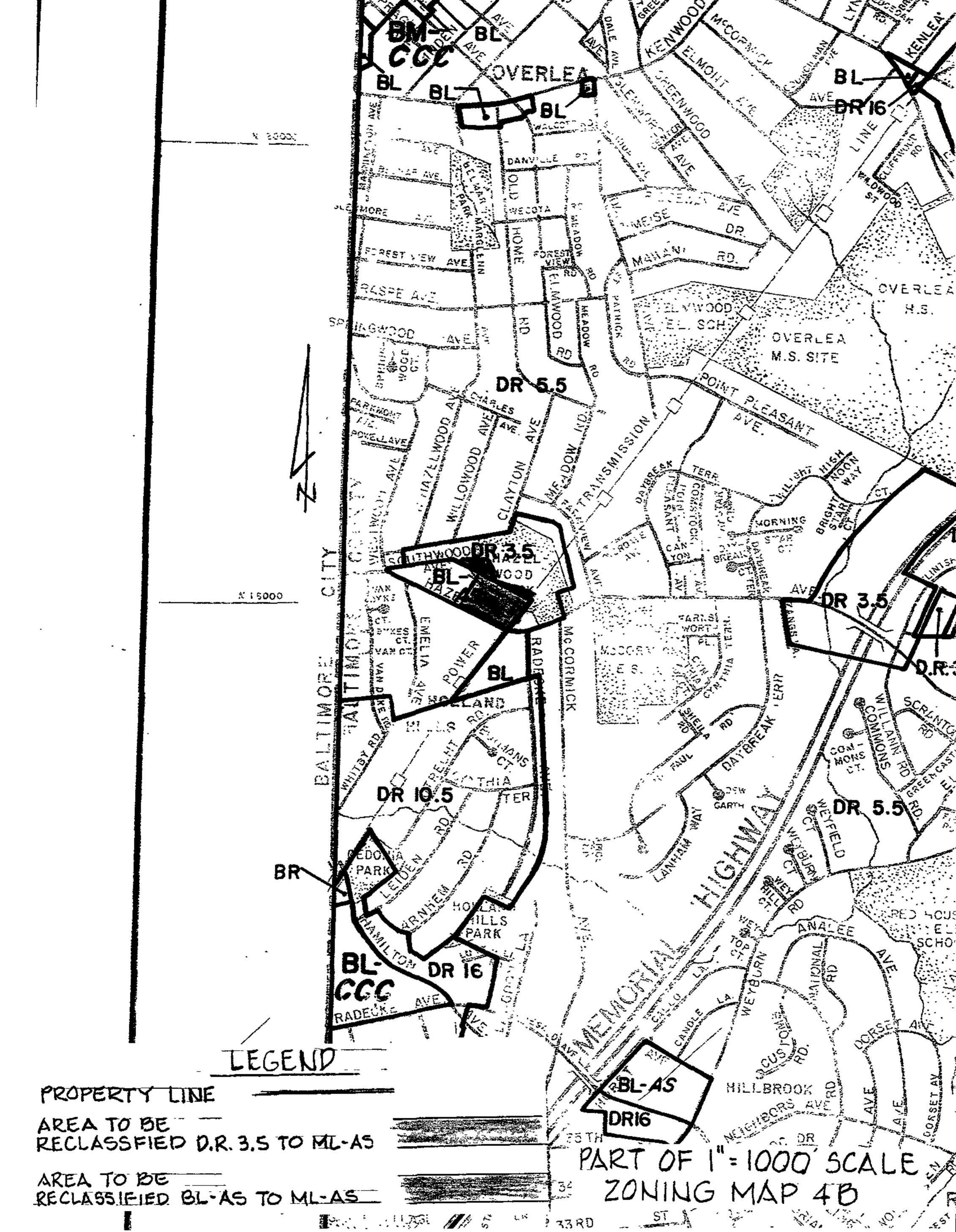
Existing : Election District: 15th Roads (Beachwood) Zoning: D.R.-1


Acres: 27 Councilmanic District: 309 7#

Proposed Zoning: D.A i.-3.5 or D.A.-5.5 or D.A.-10.5

ISTINGS OF PETITIO NS: Numbers 3. the listings are keyed ö the map bove.

WILLIAM HACKETT, CHAIRMAN BALTIMORE COUNTY BOARD OF APPEALS DAVIO FIELDS, DIRECTOR BALTIMORE COUNTY PLANNING BY ORDER OF **UNINOZ GNV** 





il\micro\6196zuningplan ici Feb 26 2001 1∃ 35 il