

Archive: Comprehensive Zoning 2000

GTCC & Yorkshire/Haverford Community Comprehensive Zoning Issues 2000

3TH DISTRICT – COUNCILMAN BRYAN MCINTIRE

#1 Issue 3-010, 4 Cinder Rd. by Herbert Stevenson, 39 Oakway Rd., Timonium, Md.

A. This is the second request to rezone under Comprehensive Zoning. Year 2000 when the owner of 2085 York Road (Nationwide Auto & Farm Store on Timonium Rd.) and two lots east of Farm Store Zoned DR5.5 and 6 Cinder Rd., Mr. Stevenson requested BL zoning. He was invited to Yorkshire/Haverford Community Association to explain his reason for the request. He did not appear.

Councilman Skinner did not rezone his property.

B. Mr. Stevenson's request is to increase the value of the property so when sold it would provide for finances to help care for his disabled young man son. Mr. Stevenson does not live at 4 Cinder Rd. He lives with his wife at 39 Oakway Rd. Based on Md Dept. of Assessments and Taxation records Mr. Stevenson purchased 4 Cinder Rd for \$1 from Ocie R Byrnes 5/23/1994. (copy attached)

C. GTCC & Yorkshire/Haverford Community desires not to create a "domino" effect into their communities. The property at 2 Cinder Rd was zoned BL since the early 1980's. In 2000 it was vacant, having previously housed a Hair Salon.

D. Nationwide Auto represented by Bill Schaefer, President, negotiated with GTCC & Yorkshire/Haverford Executive Committee members and Councilman Skinner to provide a zoning that would allow a "New Car Dealer" to park used cars on 2 Cinder Rd. His zoning of BL would not allow it.

E. Agreement was made between the parties to recommend a change from BL to BM for 2 Cinder Road with a covenant signed by both parties. This covenant is recorded on his lease for 2 Cinder Rd. The GTCC and Yorkshire/Haverford had legal counsel review his 22 year with 10 year extension lease and the covenants developed (Copy in file with this Issue 3-010) before signing. Legal counsel gave a clear OK to sign. That covenant, under Section D. Itemization of Conditions and Restrictions by Leaseholder and Guarantor, had 10 subjects. Number 10 provided that Nationwide Motor Sales Corp and William Schaefer, Jr. agree NOT TO OPPOSE a down-zoning for 2 Cinder Rd. in the 2004 Comprehensive Zoning Cycle. Nationwide Motor Sales Corp and William Schaefer, Jr. may continue to use the property as a "non-conforming" use thereafter during the remaining time terms of the lease and option if exercised. GTCC & Yorkshire/Haverford Community filed Issue 3-042 to down-zone 2 Cinder Rd to its original zone of DR 5.5 in the 2004 cycle.

#2 Issue 3-013 S side of Evans Rd 300 E of York Rd.

This Staff request is not acceptable to GTCC and Yorkshire/Haverford Community Association. By moving the Zoning line about 34' to the rear of the property does not protect the adjoining eastern properties with any buffering from commercial uses. Each property must petition for any change in zoning through normal channels. A review of Zoning Case 03-292-SPHA and amended Order explains the Issue. Copy of 1909 York Rd Zoning Order is attached for review.

#3 Issue 3-049 10627 York Rd. Joanne Baldanza

Property initially zoned DR 16, by special exception in case No. 80=124xa granted the structure as a medical office. RO was placed on the property in 1980, thus causing a "non-conforming use", therefor limits it use as a medical office only. Dr Alan Baldanza died about 2 years ago. Elsie K Leeson sold the property to Dr. Alan Baldanza 9/04/79. His wife, Joanne, now wants to improve the facility with a new building and asks for BM zoning. She, through Arnold Jablon, claims only through redevelopment of the site for BM uses will it be economic to do so.

The building was used as a medical office and lab (Quest). Two site plans are attached for redevelopment. One for medical uses and one for retail.

It appears to GTCC that the site should retain the RO zoning and be used for medical office purposes. Leasehold improvements can be made by the next user as part of the lease costs. With the growth of the population in the Cockeysville area medical facilities are needed. To convert this to a retail use as a limited business, simply provides for an increased value of the site, not for community improvement.

Recommend no change in zoning.

#4 Issue 3-074 N/E Cor. Roosevelt St & Broad St.

This property was requested for rezoning in the Year 2000 Comprehensive Zoning Cycle from DR 3.5 to BL or BM. Councilman Skinner did not change the zoning and stated he would have the West Timonium Heights Community commercial area restudied by the Planning Depart for any appropriate zoning changes. No plans, site plans, or potential use of that 2.22 acres were presented in that zoning cycle.

The West Timonium Heights Community commercial area was restudied by the Planning Department, Planning Board, and County Council in April, May, and June in 2001. Three advisory committee meetings were held with property owners, Timonium Fair Ground representative, property owners involved, including the Brewers, and GTCC representatives, along with the 3rd and 4th District Planners, and Supervisors.

The West Timonium Community Heights Plan was produced and reviewed by parties participating. In November 2001 Councilman Skinner called a meeting of Planning Department planners and Supervisors and invited GTCC representatives to attend. After thorough discussion, GTCC proposed a change in the zoning from DR 3.5 to OR 2. This would increase the marketability and value of the property. It would also produce a less traffic impact on the Padonia Rd, York Rd. and community roads uses.

This change was incorporated into the West Timonium Heights Community Plan and was passed by the Planning Board and Baltimore County Council May 20, 2002. The West Timonium Community Plan was included in the Timonium/HuntValley Master Plan which was incorporated into the Baltimore County Master Plan 2010.

Subsequent thereto the Brewers petitioned the Planning Department to include the new rezoned land to be included in the PUD-C plan of the County. GTCC opposed that plan. It was approved by the Planning Department, Planning Board but then not acted upon by the Council. Thus, it died. The land is still zoned as OR 2 which would allow some retail on the first floor of an Office building. Such zoning increased the value of the land many times over the DR 3.5 zoning. Please see Issue 3-075 following. Also please see issue 3-121 for potential use of this property if Zoning fails to allow a Kindercare on that land. Attached also is the letter opposing the PUD-C request from GTCC Executive Committee dated March 16, 2003.

We recommend no change in the current zoning of OR 2.

5 Issue 3-085 AAI Corp, 124 Industry Lane

UIC/AAI Corporation is determining this Issue is excess land and does not fit their corporate uses. While we do not take issue for their reason as stated, we take issues to change the zoning from ML IM.

There are very little ML IM properties of this size still available in the corridor. Baltimore County Master Plan 2010 and Timonium/Hunt Valley Master Plan calls for the ML and ML IM zoning to be retained to support such uses in the future. Such use will provide for family supporting wages and preserve the corridor and its adjacent residential area to continue with the high standards of living. To allow these acres to be rezoned to a more commercial zoning would destroy that Planning.

This Corporation is very unsettled and probably the AAI portion will be sold and disbanded from its current location. The newspapers have been filled with the contest going on between one investor and the others.

GTCC does not favor any change in this portion of this land. Why are they asking only the northern portion to be zoned and retain the southern portion to retain the ML IM zoning? If that zoning is good for the south portion it is just a good for the northern portion. This would result in approximately 65 acres for ML IM uses.

Issue 3-032

Who asked: Security Management Inc. for Summit Estates of Hunt Valley.
Robert Schuetz, VP Operations

Issue Existing Zoning: RC 4, 215 acres at Phoenix Rd & York Rd.

RC 4 is resource conservation land water shed protection.

Wants Zoning: DR 1 for 150 single family homes. (DR 1 is 1 house per acre).

GTCCInc. Recommendation: Do not change zoning. No public water and sewer facilities are present. Property is outside the Metropolitan Facilities District area for those facilities. Property owner, with current zoning, can build 43 single family homes with septic and water wells. Details with 14 comments in GTCCInc. Files.

Planning Dept.: No change

Planning Board: No change

Baltimore County Council: No change (***)

Issue 3-049

Who Asked: Dell Crest Realty Co. 10117 York Rd, east side.

Existing Zoning: ML.AS (Mfg Light, auto Service) 6.7 acres.

Wants Zoning: BM.As (Business Major with Auto Service)

GTCCInc. Recommendation: Do not change zoning. Property adjoins residential property directly on the east side. Property would be more appropriately used as a low impact Office building or warehouse. This is the area of the defunct Crest Contracting Company.

Planning Dept.: No change

Planning Board: No change

Baltimore County Council: No change (***)

Issue 3-072

Who asked: Noxell Corporation

Existing Zoning: ML IML, 25.41 acres, west of Ashland Rd. and York Rd. south of Schilling Rd, unimproved in the Hunt Valley Area.

Wants Zoning: Change ML IML to BR (Business Roadside)

GTCCInc. Recommendation: Do not change zoning. Does not comply with Baltimore County 2010 Master Plan for uses in the corridor.

Planning Dept.: No change

Planning Board: No change

Baltimore County Council: No change (***)

Issue 3-077

Who Asked: Parkway Village LP, east of Beaver Dam Rd, west of Sams & Lowes, south of Galloway Ave.

Existing Zoning: ML IM for 13.4 acres of an ML IM 18 acre property.

Wants Zoning: BM IM for purposes of locating a 4000 seat, 20 screen movie theatre. This land is part of the former Genstar Quarry Property. This use would require 1000 parking spaces. The developer has the option to withdraw this request and file a PUD-C request which would take about 15 months to two years to be processed. There is no guarantee this process would be successful. This use would be in violation of the Baltimore County 2010 land use Plan.

GTCCInc. Recommendation: No change in zoning.

See documentation in GTCC files with 13 comments not change zoning for this purpose.

Planning Dept.: No change

Planning Board: No change

Baltimore County Council: No change (***)

This completes GTCCInc comments of those 3rd District request.

4th DISTRICT – COUNCILMAN WAYNE SKINNER

Issue 4-014

Who Asked: Baltimore County Planning Staff

Existing Zoning: BL (Business Local) (Liquor Store, Fish Store, Family home

BL has existed on this property since the 1980's.

Wants Zoning: BLR (Business Local with restrictions) The County Planning staff has asked that the property between Highview and Rose St. be zoned BLR.

GTCCInc Recommendation: Through negotiation with the owners a covenant was signed and recorded with the land deed to retain the BL zone and allow the owner to abide by the BLR restrictions for further development of the property. In addition the south property was allowed by Zoning Commissioner to be a used card lot, thus negating the Staff plan.

Planning Dept.: No change
Planning Board: No change
Baltimore County Council: No change (***)

Issue 4-020

Who Asked: Owner of 4 Roundridge Rd.
Existing Zoning: DR 2 (Residential – 2 houses per lot)
Wants Zoning: DR 2 to ROA (Residential Office etc)

GTCCInc Recommendation: No change. Would create the “domino” effect on the residential community which has exist since the early 1950’s.

Planning Dept: No change
Planning Board: No change
Baltimore County Council: No change (***)

The following Issues affect the West Timonium Heights residential community

Issue 4-023

Who Asked: Owner of 2412-2416 York Rd. Corner of York Rd & Harding Street (Brewers)
Existing Zoning: RO (Residential Office)
Wants Zoning: BM or BL (Business Major of Business Local)

GTCCInc Recommendation: No change. Property is too small for business zoning and abuts residential property.
Planning Dept: No change
Planning Board: No change
Baltimore County Council: No change (***)

Issue 4-024

Who Asked: Owner of residential home at 3 Roosevelt St 120” west of York Rd.
Existing Zoning: DR 3.5 (residential 3.5 homes per acre). This is the home property of the Plumbing family of the Brewers. It is currently be used as a home office for the business.
Wants Zoning: DR 3.5 for .9 acres to RO or OR2 Or BL or BM

GTCCInc Recommendation: The Brewer family has previously in the early 1990’s purchased three residences on York Road adjoining the 3 Roosevelt property. They desire to increase the property zoning to optimize its value as a commercial venture. These properties are apart of and adjoin the West Timonium Heights Community Association of about 80 homes. These changes would create a “domino effect” on that community. No change
Planning Department: No change
Planning Board: No change
Baltimore County Council: No change (***)

Issue 4-030

Who Asked: Owner of residential lot of 2.2 acres, corner of Roosevelt St and Broad Ave.
Existing Zoning: Dr 3.5 residential 3.5 homes per acre.
Wants Zoning: DR 3.5 to BM (Business Major)

GTCCInc Recommendation: This property is owned by the Brewer family on the north side of Roosevelt St. There is a small garage on the west end at Broad Street. The balance is vacant. This property can be developed for Assisted Living Facilities without any change in zoning. Property owners have not presented to the community, GTCCInc or the County for use of the property if zoning is changed. No change
Planning Department: No change
Planning Board: No change
Baltimore County Council: No change (***)

Issue 4-041

Who Asked: Owner of 2418 York Rd. south of Roosevelt St.
Existing Zoning: RO (Residential Office), .1 acre
Wants Zoning: RO to BM or BL (Business Major or Business Local)

GTCCInc Recommendation: Owner does not live in the property. Owner has violated zoning regulations using it as a BL property. The County has cited the owner a major amount to desist in that use. No change and force County to enforce regulations.

Planning Department: No change
Planning Board: No change
Baltimore County Council: No change (***)

Issue 4-055

Who Asked: Owner of 2330 York Rd south of Lincoln Ave.
Existing Zoning: RO, .2 acres
Wants Zoning: RO to BM or BL (Business Major or Business Local)

GTCCInc Recommendation: Property is part of and abuts residential property of West Timonium Heights Community. No change

Planning Department: No change
Planning Board: No change
Baltimore County Council: No change (***)

Issue 4-056

Who Asked: Owner of corner of Estelle St. (Non-operating St.)
Existing Zoning: RO (residential office) .6 acres
Wants Zoning: RO to BL (Business Local) .6 acres

GTCCInc Recommendation: No change. This is the corner of a major intersection of York Rd and Padonia Rd. The intersection is failing and part of the southern west area will be needed to abate some of that failure. The building on the property has been rented continually for RO purposes.

Planning Department: No change
Planning Board: No change
Baltimore County Council: No change (***)

Issue 4-062

Who Asked: Owner of 2334 York Rd, S/W corner of York Rd and Lincoln Ave
Existing Zoning: DR 3.5, .3 acres and RO, .1 acres.
Wants Zoning: Wants DR 3.5 to RO .3 acres and RO .1 acre to BL (Business Local)

GTCC Recommendation: No change. The DR 3.5 .3 acres is west of the RO .1 acre and thus would create the "domino" effect on the community. There is a 10' alley paroling York Rd. 120 west of York Rd. This alley runs from Highwiew Street on the south to Padonia Rd on the north. This DR 3.5 property is west of that alley and would intrude into the community.

Planning Department: No Change
Planning Board: No Change
Baltimore County Council: No Change (***)

Issue 4-015

Who Asked: Owner of 4 Cinder Rd, east of York Rd., represented by ed Covahey, Esq.
Existing Zoning: DR 5.5 (residential 5.5 homes per acre).
Wants Zoning: DR 5.5 to BR (Business Roadside) .2 acres.

GTCC Recommendation: No Change. Owner and his representative were invited to Yorkshire-Haverford Community Association to discuss his reason for change in zoning. They did not attend. The owner and his wife do not live at that location but live elsewhere in the Community. His blind son lives in this location. They want to optimize the value of the property to assist with his expenses in the future. Yorkshire-Haverford Community voted for no change.

Planning Department: No change
Planning Board: No Change
Baltimore County Council: No Change (***)

Issue 4-026

Who Asked: Owner, Gus Stratakis & family represented by Bill Monk, Engineer
Existing Zoning: BL (Business Local) .2 acres zoned from DR 5.5 in the 1980's. Has been occupied under rental by a Hair Salon which has moved. This property is on Cinder Rd and adjoins 2085 York Rd on the West side and the Farm Store (owned by Stratakis family and known as 2085 York Rd. but faces on the north by E. Timonium Rd.) See Issue 4-025 & 4-027 below.

GTCCInc Recommendation: These four properties 4-015, 4-026, 4-025, 4-027 are all owned by the Stratakis family including a property two houses east of 4 Cinder Rd.

Given Nationwide Auto Inc. use of 2085 York Rd for New Auto Dealership, and the Farm Store facing E. Timonium Rd., 4 Cinder Rd abutting the rear of the Farm Store, and a lot east of the Farm Store, abutting residential properties petitioned for zoning change, will create a major commercial block in Yorkshire-Haverford Community of 959 homes on the borders. This will create the "domino effect" to that community. Following are the acres of the item mentioned: 4 Cinder Rd. - .2 acres, 2085 York Rd. Farm Store 1.4 acres, 2 Cinder Rd. .2 acres, SW corner of Hammen Rd & E. Timonium Rd. .2 acres. This results in a total of 2.0 acres requested. No Change.

Planning Department: No Change

Planning Board: No Change

Baltimore County Council: No Change (***)

End of Year 2000 Comprehensive Zoning Cycle of GTCCInc Council and Yorkshire-Haverford Community Association.

One covenant signed to leave zoning as is rather than a more restricted zoning.
All 18 Issues were agreed to in Our favor.

Louis W. Miller, President GTCCInc
Treasurer, Yorkshire-Haverford Community Association
Zoning Chair

Explanation Codes:

Issue #:

Who asks:

Existing zoning:

Zoning wanted:

GTCCInc recommendation

Planning Dept. recommendation

Planning Board recommendation

Baltimore County Council Decision

*** Accepted GTCCInc recommendation

Did not accept GTCCInc recommendation