

PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Security Mortgage Corporation, the owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an RA and RG zone to an BL zone, for the following reason:

There was a mistake or error in the original zoning and/or the character of the neighborhood has changed to such an extent that the reclassification requested is proper.

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County to use the herein described property, for none

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

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

SECURITY MORTGAGE CORPORATION,
a body corporate

Contract purchaser

by James D. Nolan
Vice-President Legal Owner
Address: 805 Lanner Road
Baltimore, Maryland 21221

James D. Nolan
James D. Nolan, Petitioner's Attorney
Nolan, Plumbhoff & Williams
Address: 204 West Pennsylvania Ave.
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of August, 1970, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 12th day of August, 1970, at 11:00 o'clock.

Edward D. Hordesty
Zoning Commissioner of Baltimore County

(over)

RE: PETITION FOR RECLASSIFICATION
from R.A. and R.G. zones to B.L. zone
NE corner of Marilyn Avenue and
Sandalwood Road
15th District
Security Mortgage Corporation
Petitioner
BALTIMORE COUNTY
No. 71-38-R

ORDER OF DISMISSAL

Petition of Security Mortgage Corporation for reclassification from R.A. zone and R.G. zone to B.L. zone, on property located on the northeast corner of Marilyn Avenue and Sandalwood Road, in the 15th District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of an Order of Dismissal of appeal filed August 4, 1972 (a copy of which is attached hereto and made a part hereof), from the attorney representing the Petitioner-Appellant in the above entitled matter.

WHEREAS, the said attorney for the said Petitioner-Appellant requests that the appeal filed on behalf of said Petitioner be dismissed and withdrawn as of August 4, 1972.

IT IS HEREBY ORDERED, this 1st day of September, 1972, that said appeal be and the same is DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Slowik, Chairman
W. Giles Parker
Robert L. Cillard

RE: PETITION FOR RECLASSIFICATION
N/E Corner of Marilyn Avenue
and Sandalwood Road - 15th District
SECURITY MORTGAGE CORPORATION
Petitioner
BALTIMORE COUNTY
BOARD OF APPEALS
No. 71-38-R (Item No. 235)
No. 71-32-R
(ITEM NO. 235)

ORDER OF DISMISSAL WITHOUT PREJUDICE

MR. CLERK:

Please enter the above entitled matter "DISMISSED WITHOUT PREJUDICE" on behalf of the Petitioner, Security Mortgage Corporation.

James D. Nolan
James D. Nolan

Nolan, Plumbhoff & Williams
Nolan, Plumbhoff & Williams
204 West Pennsylvania Avenue
Towson, Maryland 21204
Telephone: 823-7800
Attorney for Petitioner

I HEREBY CERTIFY that on this 1st day of August, 1972, a copy of the foregoing ORDER OF DISMISSAL WITHOUT PREJUDICE was mailed to James Kardash, Esquire, 1760 Eastern Boulevard, Baltimore, Maryland, 21221, and to Lee Stuart Thomson, Esquire, 414 Jefferson Building, Towson, Maryland 21204.

James D. Nolan
James D. Nolan

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1/4c
3/23/71

RE: PETITION FOR RECLASSIFICATION
N/E corner of Marilyn Avenue
and Sandalwood Road - 15th District
SECURITY MORTGAGE CORPORATION
Petitioner
BALTIMORE COUNTY
NO. 71-38-R (ITEM No. 235)
NO. 71-38-R
(ITEM NO. 235)

ORDER FOR APPEAL

Mr. Deputy Zoning Commissioner:

Please enter an Appeal to the County Board of Appeals from Your Order of February 26, 1971, and each and every part thereof, denying the requested reclassification on behalf of the Petitioner herein, Security Mortgage Corporation, the party thereby aggrieved.



James D. Nolan
James D. Nolan
Nolan, Plumbhoff & Williams
Nolan, Plumbhoff & Williams
204 West Pennsylvania Avenue
Towson, Maryland 21204
Telephone: 823-7800

I hereby certify that on this 25th day of March, 1971, a copy of the foregoing Order for Appeal was mailed to James Kardash, Esquire, 1760 Eastern Boulevard, Baltimore, Maryland 21221, and to Lee Stuart Thomson, Esquire, 414 Jefferson Building, Towson, Maryland 21204.

James D. Nolan
James D. Nolan

LAW OFFICE
NOLAN, PLUMHOFF
& WILLIAMS
TOWSON, MD.

PROPERTY OF SECURITY MORTGAGE CORPORATION 15TH ELECTION DISTRICT OF BALTIMORE COUNTY

I. DESCRIPTION OF PROPERTY

This property consists of 5 acres, more or less, on the north side of Marilyn Avenue, just east of Deep Creek.

II. PRESENT ZONING

The subject property is presently zoned RA, and RG.

III. REQUESTED ZONING

The property owner respectfully requests that this property be zoned BL.

IV. REASONS FOR REQUEST

The subject tract of land is surrounded by 880 town house apartments which are owned by the Petitioner herein. In the immediate neighborhood there are several hundred group homes.

Road access is excellent as Marilyn Avenue has just been improved.

Between the subject site and Eastern Avenue there are several small BL zones, but these are only of sufficient size to accommodate individual stores. A view and inspection of this neighborhood will reveal that there is need for a neighborhood shopping center.

This reclassification will act to serve the daily retail needs of the residents of the 880 surrounding town house apartments, as well as the other residents of the neighborhood, and we believe that it will actually tend to reduce traffic on Marilyn Avenue, as it will no longer be necessary for the residents in this neighborhood to drive all the way to Eastern Avenue for their daily convenience needs. Furthermore, the developer believes that this request is in accordance with the concept

of neighborhood locality centers which are designed to serve the convenience shopping needs of an immediate neighborhood.

All utilities, sewer and water are present and adequate.

For these and other reasons, the property owner respectfully requests that this property be zoned BL.

Respectfully submitted,

James D. Nolan
Attorney for Security Mortgage Corporation

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hordesty, Zoning Commissioner (date August 11, 1970)

FROM: Mr. George E. Gavelis, Director of Planning

SUBJECT: Petition #71-38-R, Northeast corner of Marilyn Avenue and Sandalwood Road
Petition for Reclassification from R.A. & R.G. to B.L. Zone,
Security Mortgage Corporation - Petitioners

15th District

HEARING: Wednesday, August 12, 1970 (11:00 a.m.)

The Staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R.A. and R.G. to B.L. zoning. We voice our opposition to the reclassification on the grounds that it is not in accordance with the comprehensive plan for this area and that the creation of commercial zoning here would create land use potentials which are not in accord with those of adjacent residential properties.

We note that the comprehensive plan did, and does, provide for neighborhood shopping nearby and that development of that center has not occurred.

GEG:mh



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of

the above Reclassification should be had, and it further appearing that by reason of

a Special Exception for a should be granted

IT IS ORDERED by the Zoning Commissioner of Baltimore County this

day of 196 that the herein described property or area should be and

the same is hereby reclassified; from a zone to a zone

zone, and/or a Special Exception for a should be and the same is

granted from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition, and it appearing that by reason of failure to show error in the original zoning map or substantial changes in the character of the neighborhood,

the above Reclassification should NOT BE HAD, and no Special Exception should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this day

of FEBRUARY, 1967, that the above Reclassification be and the same is hereby

DENIED and that the above described property or area be and the same is hereby continued as and

to remain R.A. and R.G. Zones and no Special Exception be granted.

COUNTY OFFICE BLDG.
119 W. PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204

DATE

OLIVER L. MYERS
Chairman

MEMBERS

BUREAU OF
ENGINEERING

DEPARTMENT OF
TRAFFIC ENGINEERING

STATE ROADS COMMISSION

BUREAU OF
FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL
DEVELOPMENT

James D. Nolan, Esq.
Nolan, Plunhoff & Williams
204 W. Pennsylvania Avenue
Towson, Maryland 21204

Item 235
Type of Hearing: Reclassification
from an RA and RG zone to an BL zone
Location: N/E Cor. of Marilyn Ave. &
Sandalwood Rd.
Petitioner: Security Management Corp.
Committee Meeting of April 21, 1970
15th District
Item 235

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is presently vacant, as is the property to the north. The property to the east is improved with group homes. The property to the west is improved with townhouse type apartments. The property to the south is improved with a school and some 26 vacant land. Marilyn Avenue, Foxwood Lane and Sandalwood Road are existing County roads with curb and gutter. No further improvement will be required. Bayner Road is a proposed road which will connect Sandalwood Road with Foxwood Lane.

BUREAU OF ENGINEERING:

Highways:

The prime means of access to this site shall be from Marilyn Avenue which has been improved as a 42-foot curbed cross-section on a 70-foot right-of-way. No further improvements or highway widening will be required other than the construction of the entrance and sidewalks.

Sandalwood Road is an existing road which has been improved as a 36-foot curbed road section on a 60-foot right-of-way.

Bayner Road is a proposed road which shall be improved as

James D. Nolan, Esq.
Nolan, Plunhoff & Williams
204 W. Pennsylvania Avenue
Towson, Maryland 21204
Item 235

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June 11, 1970

Highways: (Continued)

a 36-foot curbed cross-section on a 60-foot right-of-way. Highway improvements will be required in connection with the development of this site.

Access by use of the existing 16-foot alley from Foxwood Road to the east property line is prohibited.

The entrance locations are subject to approval by the Department of Traffic Engineering.

The construction of sidewalks will be required along all public roads adjacent to the subject site.

Storm Drains:

Provisions for the removal of surface drainage created through the development of this site have not been shown on the subject plan. It would appear that drainage will be directed to either the existing system in Sandalwood Road or the proposed system in Bayner Road, which connects to the existing system in Sandalwood Road. A drainage study and storm drainage facilities will be required in connection with the development of this property.

In the event that existing storm drainage systems are determined to be inadequate due to the increase of run-off, the petitioner will be fully responsible for the cost of additional drains required by the reinforcement or replacement of the existing drainage systems to a suitable outfall.

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

Sediment Control:

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping of top soil.

James D. Nolan, Esq.
Nolan, Plunhoff & Williams
204 W. Pennsylvania Avenue
Towson, Maryland 21204

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June 11, 1970

Sediment Control: (Continued)

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

Water and Sanitary Sewers:

Public water and public sanitary sewerage is available to serve this site from the existing mains in Marilyn Avenue and Sandalwood Road or the proposed mains in Bayner Road.

PROJECT PLANNING DIVISION:

This office has reviewed the subject site plan and offers the following comments:

The plan must be revised to show:

- 1) The entrance on Sandalwood Road opposite the existing entrance to the apartments.
- 2) The entrance off of the alley must be eliminated and the alley extended along the property line to Bayner Road, and
- 3) The channelized entrance must be revised as per the standards of the Department of Public Works.

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a change to BL of 4.89 acres. This change would increase the trip density of the subject property from 500 trips per day to 3000 trips per day. The entrance on Marilyn Avenue does not meet County standards for a monumental type and access to the alley east of the property will not be allowed.

FIRE DEPARTMENT:

Owner shall be required to comply with all applicable requirements of the 101 Life Safety Code, 1957 edition, and the Fire Prevention Code when construction plans are submitted for approval.

RECEIVED
BY: JCM
DATE: 2-8-70
OFFICE OF:
PLANNING

ORDER RECD & REPLYING
DATE: 2/24/70
BY: JC Harris, Clerk

Zoning Commissioner of Baltimore County

James D. Nolan, Esq.
Nolan, Plunhoff & Williams
204 W. Pennsylvania Avenue
Towson, Maryland 21204
Item 235

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June 11, 1970

BUILDING ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements for Baltimore County Building Code and regulations when plans are submitted. Also, see Sec. 409.10M on parking lots.

BOARD OF EDUCATION:

The Deep Creek Elementary School services this area and with a capacity of 350 has (as of Sept. 17) an enrollment of 537 pupils. A rezoning would not increase the student population. However, the area in question is directly across the street from the Deep Creek Jr.-Sr. High School. And from a conversation with the school's principal it would seem that the area as proposed would create an unwelcoming atmosphere for the students attending the school, since past history has shown such areas to be lures for school dropouts and hangers-on, as well as for attending students who would cut classes, etc. The Transportation Department feels that the added traffic resulting from this type of operation would increase the problems of the school buses, would create additional hazards for walkers, and it would be an attraction for bus students as well as for walkers. In addition, an elementary school (Sandalwood Elem.) is soon to be opened next to the secondary school.

HEALTH DEPARTMENT:

Public water and sewers are available.

Food Service Comments: Prior to construction, renovation and/or installation of equipment for this food service facility, complete plans and specifications must be submitted to the Division of Food Control, Baltimore County Department of Health, for review and approval.

Air Pollution Comments: The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

ZONING ADMINISTRATION DIVISION:

This office is withholding a hearing date until such time as the petitioner revises his site plan in conformance with the Department of Traffic Engineering comments and the Project Planning Division

James D. Nolan, Esq.
Nolan, Plunhoff & Williams
204 W. Pennsylvania Avenue
Towson, Maryland 21204
Item 235

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June 11, 1970

Comments in the foregoing.

Very truly yours,

Oliver L. Myers, Chairman

OLM:JD

Enc.

TELEPHONE 406-2413

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204

DATE 4/2/71

TO: James D. Nolan, Esq.
204 West Pennsylvania Avenue
Towson, Md. 21204

BILLED
Zoning Office
119 County Office Bldg.
Towson, Md. 21204

DEBIT TO ACCOUNT NO. 01-622

RETURN THIS PORTION WITH YOUR REMITTANCE

QUANTITY	DESCRIPTION	TOTAL AMOUNT	COST
	Cost of appeal - Property of Security Mortgage Corp.	\$70.00	
No. 71-38-R	1 sign	5.00	\$75.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MAIL TO COURT HOUSE, TOWSON, MARYLAND 21204

TELEPHONE 184-3443

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204

DATE 6/3/71

TO: James D. Nolan, Esq.
204 W. Pennsylvania Ave.
Towson, Md. 21204

BILLED
Zoning Office
119 County Office Bldg.
Towson, Md. 21204

DEBIT TO ACCOUNT NO. 01-622

RETURN THIS PORTION WITH YOUR REMITTANCE

QUANTITY	DESCRIPTION	TOTAL AMOUNT	COST
	Cost of posting property of Security Mortgage Co., for appeal hearing	\$10.00	
No. 71-38-R			\$10.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MAIL TO COURT HOUSE, TOWSON, MARYLAND 21204

EX USM - EL COURT - VACANT (PROP. APTS) RA

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Ex. Use - Vacant

BOARD OF EDUCATION OF BALTIMORE COUNTY

PLAT TO ACCOMPANY ZONING PETITION
RECLASSIFICATION FROM RA AND RG TO BL

FIFTEENTH DISTRICT
SCALE: 1" = 50'

BALTIMORE COUNTY, MARYLAND
MARCH 18, 1970
REVISED APRIL 7, 1970
REVISED JULY 15, 1970

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVE.
TOWSON 4, MARYLAND

OFFICE
COPY

#71-38R

NIP
4-B
EASTERN
AREA
SE-1-H
PL

REVISÉD PLANS

~~AUG 11 70 AM~~

[illegible]

NOTES
LIGHTS SHOWN THRU ~~TO~~ 10th LIGHT TOWER
AWAY FROM RESIDENTIAL ZONE - RS.

PACKING TABULATION

SUPERMARKET	1 Space per/200 y.Ft	= 65
DRUG STORE	1 Space per/200 y.Ft	= 32
RETAIL STORES	1 Space per/200 y.Ft	= 32
TOTAL REQUIRED		= 130
TOTAL PROVIDED		= 321

PN 2005