

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Cities Service Oil Company, legal 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 R-1 zone to an R-2 zone, for the following reasons:

- Error in original zoning and a genuine change in conditions.
- To Section 405.5 (A) 2 a To permit a service station entrance to a public street in lieu of the access to the shopping center proper.
- To Section 101--To permit three entrances in a road frontage of 553.14 feet instead of the required 750 feet.

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

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 of Baltimore County.

Contract purchaser: Cities Service Oil Company
 By: W. Lee Harrison, Region Manager, Legal Owner
 Address: 306 W. Joppa Road
 Lee Harrison, Petitioner's Attorney
 Protestant's Attorney

Address 306 W. Joppa Road
 Towson, Maryland (823-1200)

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day of July, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 29th day of September, 1970, at 1:00 o'clock

Edward D. Hardisty
 Zoning Commissioner of Baltimore County

(over)

RE: RECLASSIFICATION FROM B-M, R-A and R-6 Zones to B-M with R-6. Northwest side of Belair Road, Northeast of the Baltimore Beltway, 14th Election District.
 PETITIONER: CITIES SERVICE OIL COMPANY
 BALTIMORE COUNTY

MEMORANDUM

Now comes Cities Service Oil Company, Legal Owner of the above captioned property. By W. Lee Harrison, its attorney, and in accordance with Bill 72, Section 22, 22(b) states that the reclassification requested should be granted and for reasons says:

- Numerous reclassifications have taken place in the immediate neighborhood:
 - Case No. 68-22-X - NE/S Fitch Avenue, 172' E of Belair Road. Special Exception for Wireless Transmitting and Receiving Structure. Granted 7/27/67
 - Case No. 70-77-R - NE/C Belair Road and Klein Avenue. Reclassification from M-L-R to B-R. Granted 10/30/69.
- And for such other and further reasons as may be shown at the hearing hereon.

W. Lee Harrison
 W. Lee Harrison
 306 W. Joppa Road
 Towson, Maryland 21204
 823-1200
 Attorney for Petitioner

MCA
 MATE, CHILDS & ASSOCIATES, INC.
 CONSULTING ENGINEERS

LUKE MATE, P.E., L.S.
 JOHN C. CHILDS, P.E., L.S.
 Associates:
 Harold W. Whittaker, L.S.
 George W. Beatty, L.S.
 Robert W. Craswell, P.E.
 Leonard M. Starks, P.E.
 Norman F. Harrison, L.S.
 Paul Lee, P.E.
 Paul S. Dyer, P.E.

DESCRIPTION

9.5 ACRE PARCEL, PART OF PROPERTY OF ROGWOOD, INC., NORTHWEST SIDE OF BELAIR ROAD, NORTHEAST OF THE BALTIMORE BELTWAY, FOURTEENTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for "B-M" Zoning

Beginning for the same at a point on the northwest side of Belair Road, sixty feet wide, at the distance of 761 feet, more or less, as measured southwesterly along said northwest side of Belair Road from its intersection with the center line of Oak Hill Avenue, thirty feet wide, said beginning point being in the ninth or southeasterly 650 foot line of the Baltimore County Zoning Description 14-R.A.-5, running thence binding on said northwest side of Belair Road, (1) S 40° 50' W 35 feet, more or less, thence along the southwest outline of the land described in the deed from Catherine Riddle to Rogood, Inc., dated June 24, 1966 and recorded among the Land Records of Baltimore County in Liber O. T. G. 4644, page 174, three courses: (2) N 50° 07' W 374.79 feet, (3) S 39° 32' 30" W 125.00 feet, and (4) N 49° 09' W 850 feet, more or less, to a point in the sixteenth or northeasterly 1400 foot line of said description, thence binding on a part of said sixteenth line, (5) northeasterly, 460 feet, more or less, thence along the northeast outline of the land herein mentioned, (6) S 71° 50' 30" E 670 feet, more or less, thence along the eighth line

Water Supply ■ Sewerage ■ Drainage ■ Highways ■ Structures ■ Development ■ Planning ■ Reports

MCA
 MATE, CHILDS & ASSOCIATES, INC.

of said description and a part of the ninth line the roof, (7) S 40° 50' W 550 feet, more or less, and (8) S 49° 10' E 620 feet to the place of beginning.
 Containing 9.5 acres of land, more or less.

HGW:mpl J.C. #65292-C March 25, 1970



ORDER RECEIVED FOR FILING
 DATE 7/29/70 - Joe Harwell

CITIES SERVICE OIL CO.
 711-7774
 1411 N. W. BELAIR RD.
 BALTIMORE, MD. 21204

#71-7774
 #215

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 5, 1970

W. Lee Harrison, Esq.,
 306 W. Joppa Road
 Towson, Maryland 21204

Re: Type of Hearings: Reclassification from an R-1, R-2 and R-6 zone to an R-2 zone.
 Location: NW/4 Belair at ent. with Oak Hill Avenue
 Petitioner: Cities Service Oil Company
 Committee Meeting of April 14, 1970
 14th District
 Item 215

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 improved with a two story frame dwelling and an ice cream store which is presently closed, with the remainder of the property being vacant. The property to the north is improved with the Holiday Press, Inc., printing business and vacant RA land. The property to the west is an existing 25 tract of land improved with dwellings. The property to the south is improved with a church and residential uses zoned RA. The property to the east is a garage and service station. Bel Air Road in this location is not improved as far as concrete curb and gutter are concerned.

BUREAU OF ENGINEERING:
 The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

W. Lee Harrison, Esq.,
 306 W. Joppa Road
 Towson, Maryland 21204
 Item 215
 - 2 - May 6, 1970

Highways:
 Belair Road is a State road; therefore, all improvements, intersections, and entrances on this road will be subject to State Roads Commission requirements.

The subject property is situated in the path of proposed Rosville Boulevard which, based on a preliminary alignment, traverses through the northwestern segment of this site. Rosville Boulevard is proposed to be constructed as a 50-foot closed roadway section within a 70-foot right-of-way and the plan should be revised to show the proposed alignment. Details in regard to the exact location, etc., can be obtained by the petitioner's engineer by consultation with the Street, Road and Bridge Design Group of the Bureau of Engineering.

Storm Drains:
 No provisions for accommodating storm water or drainage have been indicated on the subject plan; however, a storm drainage study and facilities will be required in connection with the proposed development of this site.

Belair Road is a State road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the Maryland State Roads Commission.

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.

Sanitary Sewer and Water:
 Public sanitary sewerage and public water supply is available to serve this property.

PROJECT PLANNING DIVISION:
 This plan should be revised to show relocated Fatty Hill Road. This road will eliminate the need for the entrance variance.

W. Lee Harrison, Esq.,
 306 W. Joppa Road
 Towson, Maryland 21204
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 - 3 - May 6, 1970

DEPT. OF TRAFFIC ENGINEERING:
 The subject petition is requesting a change from RA to BM of 9.5 acres. This change in zoning should increase the trip density to the subject site by 6,000 trips per day, thereby increasing the trips which can be expected from the total commercial area of 13,700. Based on the existing width and volume of Belair Road, this degree of development can be expected to exceed the capacity of the road.

FIRE DEPARTMENT:
 This office has no comment on the proposed site.

BOARD OF EDUCATION:
 Rezoning would not increase student population.

BUILDING ENGINEER'S OFFICE:
 Petitioner to meet all requirements of Baltimore County Building Codes, Rules and Regulations, when plans are submitted.

HEALTH DEPARTMENT:
 Public water and sewers are available.

Food Service Comments: If a food facility is planned, 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.

STATE ROADS COMMISSION:
 The proposed northerly entrance is not in conformance with State Roads Commission policy and standards. The entrance must be aligned

W. Lee Harrison, Esq.,
 306 W. Joppa Road
 Towson, Maryland 21204
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STATE ROADS COMMISSION (Continued)
 at 90 deg. to Belair Road. There must be a minimum of 5' from the north property line to the P.C. of the radius return into the entrance. The plan should be revised prior to a hearing date being assigned.
 The entrances will be subject to State Roads Commission approval and permit.

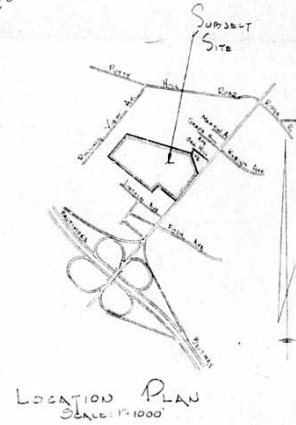
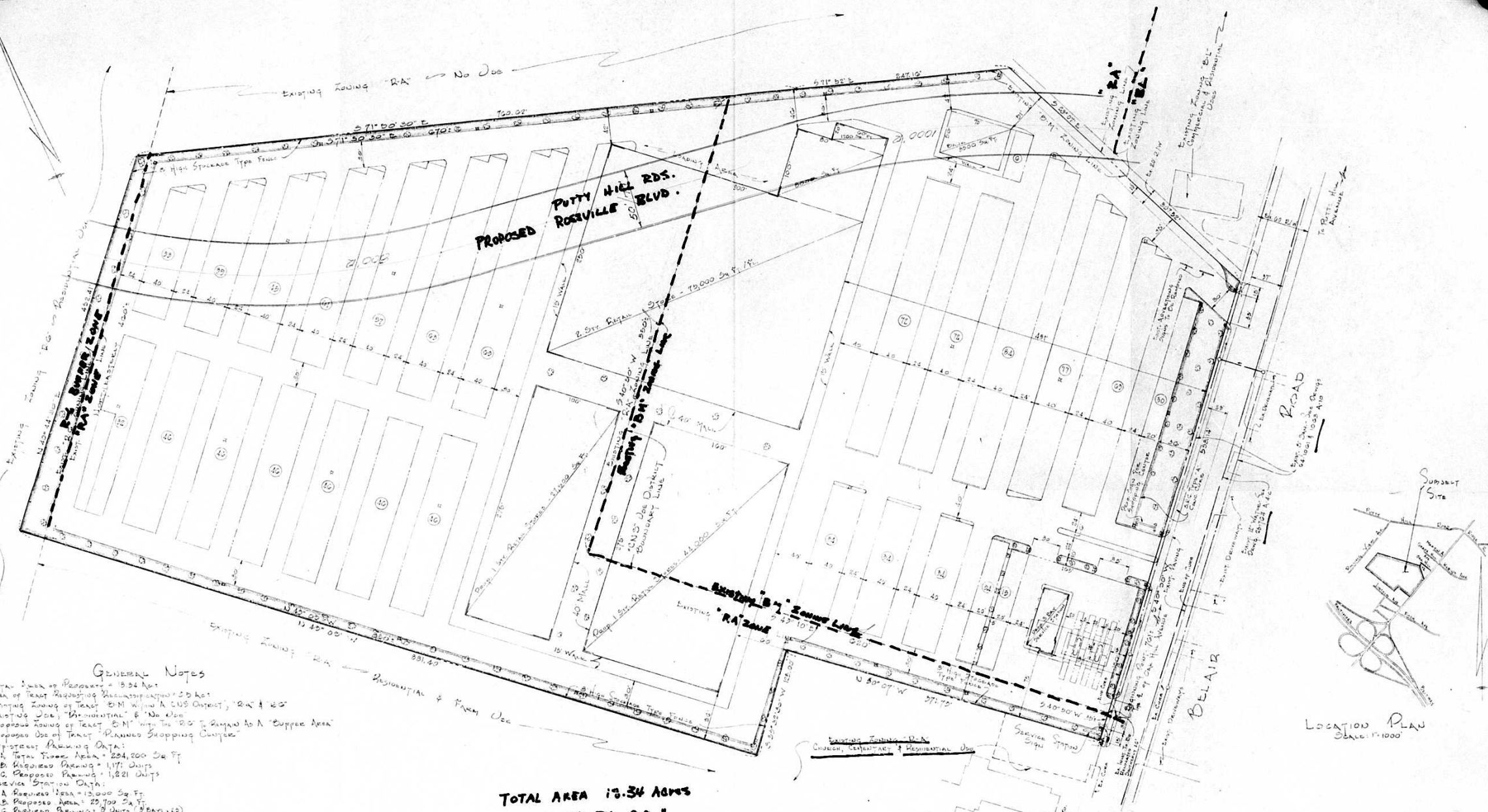
ZONING ADMINISTRATION DIVISION:
 This office is withholding a hearing date until such time as revised plans are submitted to this office indicating the following:

- The proposed alignment of Rosville Blvd. in the foregoing.
- Compliance with the State Roads Commission comments in the foregoing.

Very truly yours,
Oliver L. Myers
 OLIVER L. MYERS, Chairman

ULM:JD
 Enc.

11-17-70



GENERAL NOTES

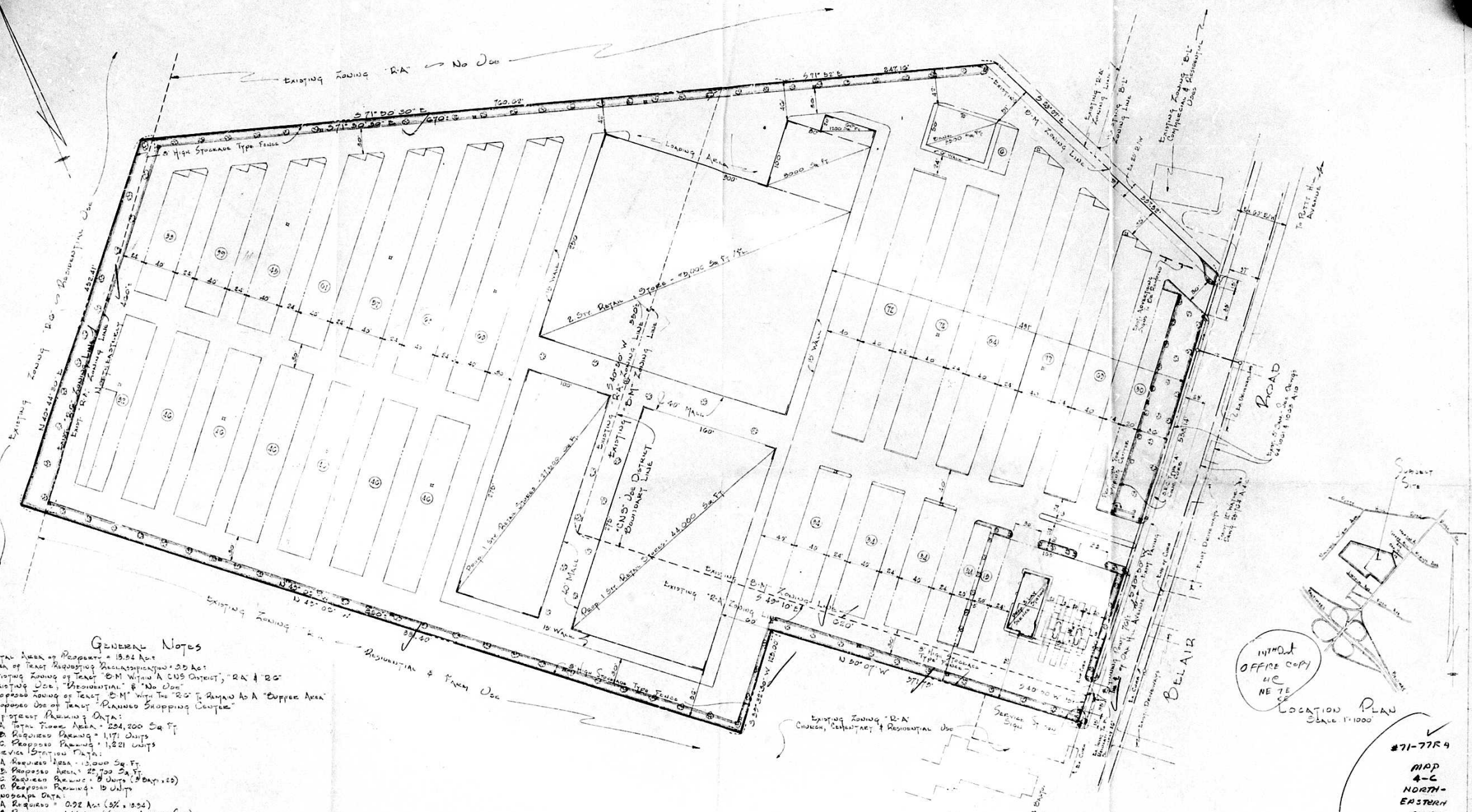
1. Total Area of Property = 13.34 Ac.
2. Area of Tract Requesting Reclassification = 3.5 Ac.
3. Existing Zoning of Tract: BM within A CUS District, RA 4 & 5
4. Existing Use: Residential & No Use
5. Proposed Zoning of Tract: BM with the RA 4 & 5 to Remain As A "Buffer Area"
6. Proposed Use of Tract: Planned Shopping Center
7. OFF-STREET PARKING DATA:
 - A. Total Proposed Area = 224,200 Sq Ft
 - B. Required Parking = 1,171 Units
 - C. Proposed Parking = 1,821 Units
8. SERVICE STATION DATA:
 - A. Required Area = 13,000 Sq Ft
 - B. Proposed Area = 25,700 Sq Ft
 - C. Required Parking = 9 Units (3 Exp. 12)
 - D. Proposed Parking = 10 Units
9. LANDSCAPE DATA:
 - A. Required = 0.22 Ac. (5% of 13.34)
 - B. Proposed = 1.14 Ac. (Shaded Areas of Site)
10. LIGHT STANDARDS ARE INDICATED THROUGHOUT & LIGHT FIXTURES WILL BE DESIGNED AWAY FROM RESIDENTIAL PROPERTIES.
11. DRAINAGE OF SITE WILL BE IN ACCORDANCE WITH ESTABLISHED PRACTICES OF THE EXP. CO. DEPT. OF PUBLIC WORKS.
12. FIRE HYDRANTS WILL BE PLACED IN ACCORDANCE WITH WATER CO. FIRE BUREAU PLAN.
13. ALL EXISTING UTILITIES, BUILDINGS, ETC. ON THE SITE WILL BE DEMOLISHED.
14. ENTRANCE DATA:
 - A. Allowed = 3
 - B. Proposed = 3
 - C. If Followed In Requesting A Variance To Section 400(A) SA TO PERMIT A SERVICE STATION ENTRANCE OUTSIDE A BLOCK STREET & A VARIANCE TO SECTION 101, (PART II) PARAGRAPH C(1) TO PERMIT A 2ND ENTRANCE IN LESS THAN 750' OF ROAD FRONTAGE (TOTAL SITE FRONTAGE = 552.14)

**TOTAL AREA 13.34 ACRES
TO BE ZONED BM. 9.6
FROM RA.**

ENGINEER
NATE CHINE & ASSOCIATES
1082 CHERRYWOOD DRIVE ROAD
BARTIMORE, MARYLAND 21804

PLAN TO ACCOMPANY PETITION
FOR
RECLASSIFICATION OF PROPERTY
AND
DRIVEWAY VARIANCE
VICINITY
BELAIR ROAD & DANVILLE AVENUE
DISTRICT 11
SCALE 1" = 50'
BALTIMORE CO. MD
MARCH 27, 1970



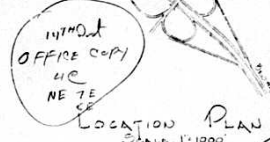


GENERAL NOTES

1. TOTAL AREA OF PROPERTY = 13.04 AC.
2. AREA OF TRACT REQUESTING RECLASSIFICATION = 2.0 AC.
3. EXISTING ZONING OF TRACT "B-M WITHIN A CUS DISTRICT", "RA & R2"
4. EXISTING USE, "RESIDENTIAL" & "NO JOB"
5. PROPOSED ZONING OF TRACT "B-M" WITH THE "R2" TO REMAIN AS A "BUFFER AREA"
6. PROPOSED USE OF TRACT "PLANNED SHOPPING CENTER"
7. OFFICIAL PLANNING DATA:
 - A. TOTAL FLOOR AREA = 234,200 SQ. FT.
 - B. REQUIRED PARKING = 1,171 UNITS
 - C. PROPOSED PARKING = 1,321 UNITS
8. SERVICE STATION DATA:
 - A. REQUIRED AREA = 12,000 SQ. FT.
 - B. PROPOSED AREA = 22,700 SQ. FT.
 - C. REQUIRED PARKING = 0 UNITS (NO SERVICE)
 - D. PROPOSED PARKING = 10 UNITS
9. LANDSCAPE DATA:
 - A. REQUIRED = 0.92 AC. (5% OF 13.04)
 - B. PROPOSED = 1.14 AC. (SHADED AREAS OF SITE)
10. LIGHT STANDARDS ARE INDICATED THROUGHOUT & LIGHT BARRIERS WILL BE DESIGNED AWAY FROM RESIDENTIAL PROPERTIES.
11. DRAINAGE OF SITE WILL BE IN ACCORDANCE WITH ESTABLISHED PRACTICES OF THE ENGR. CO. DEPT. OF PUBLIC WORKS.
12. FIRE HYDRANTS WILL BE PLACED IN ACCORDANCE WITH ENGR. CO. FIRE DEPARTMENT PLAN.
13. ALL EXISTING SIGNS, BUILDINGS, ETC. ON THE SITE WILL BE REMOVED.
14. UTILITY DATA:
 - A. ALLOWED = 3
 - B. PROPOSED = 3
 - C. REVISIONS: IS REQUESTING A VARIANCE TO SECTION 1000(A) SO TO PERMIT A SERVICE STATION ENTRANCE OUTTO A PUBLIC STREET & A VARIANCE TO SECTION 101, (PARA II), PARAGRAPH (G) TO PERMIT A 30' ENTRANCE IN LESS THAN 750' OF ROAD FRONTAGE (TOTAL SITE FRONTAGE = 253.14')

ENGINEER
MATA, CHINE & ASSOCIATES
1020 CUMMINGS BRIDGE ROAD
BALTIMORE, MARYLAND 21202

PLAN TO ACCOMPANY PETITION
FOR
RECLASSIFICATION OF PROPERTY
AND
DRIVEWAY VARIANCE
VICINITY
BELAIR ROAD & OAK HILL AVENUE
DISTRICT 14
BALTIMORE CO., MD.
MAY 27, 1970



✓
#71-77R-9
MAP
4-C
NORTH-
EASTERN
AREA
NE-7-E
NE-8-E
B11

