

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Elizabeth R. Rigger, legal owner of the property situated 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 re-classified, pursuant to the Zoning Law of Baltimore County, from an B.L. zone to an B.M. zone; for the following reasons:

error in map
(see attached brief)

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 for Baltimore County.

Contract purchaser: Elizabeth R. Rigger Legal Owner

Address: 228 Ivy Hill Rd. Address: Cockeysville, Md. 21030

Petitioner's Attorney: _____ Protestants' Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 3rd day

of August, 1971, 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 108, County Office Building in Towson, Baltimore County, on the 15th day of September, 1971, at 10:00 o'clock

Elizabeth R. Rigger
Zoning Commissioner of Baltimore County

(OVER)

RE: PETITION FOR RECLASSIFICATION : BEFORE
from B.L. zone to B.M. zone : COUNTY BOARD OF APPEALS
E/S York Road 632 feet North : OF
Hillside Avenue :
8th District : BALTIMORE COUNTY
Ira C. Rigger, et al :
Petitioners : No. 72-54-R

OPINION

This case comes before the Board on an appeal by the Protestants from an Order of the Zoning Commissioner dated January 18, 1972 granting the requested petition. The Petitioner seeks a reclassification from a Commercial (B.L.) Business Local zone to a Commercial (B.M.) Business Major zone, and a variance from Sections 232.3 and 235.3 of the Zoning Regulations of Baltimore County to permit a rear yard building setback of zero feet instead of the required twenty (20) feet. (See plat, Petitioner's Exhibit #1)

The subject property is located on the east side of York Road 632 feet north of Hillside Avenue, in the 8th Election District, Cockeysville, Baltimore County, Maryland, and contains 3.6 acres of land. Located on the northwest side of the subject is an improved parcel, also owned by the Petitioner, which has a lot to the Cockeysville Library. Next to that, and abutting the north side of the subject property, is the property of the Sherwood Episcopal Church. Abutting the rear, east side of the subject, are 9 acres of land which are also owned by the Petitioner. The road frontage on both sides of York Road, contiguous to the subject, is zoned B.L. in a C.N.S. District, and has intensive and varied commercial uses.

A variety of land uses that are permitted as a matter of right in the existing B.L. zone for the subject property under Section 230.9 of the Zoning Regulations include such uses as: restaurants, billiard and pool rooms, bowling alley, department store, electrical contractor and appliance repair shop, public utility service center, social clubs and fraternal organizations, swimming pool, a veterinarian, and many other uses. The Petitioner contends that many of the permitted uses would generate more noise, traffic, and other adverse effects on the neighborhood than his proposed use. If successful in

Ira C. Rigger, et al - File No. 72-54-R

2.

his petition, the Petitioner proposes to construct a 110 foot x 252 foot building, to be used as a roller skating rink.

There was testimony from a volunteer witness who is active with the Baltimore County Department of Recreation in the Cockeysville area, that public roller skating facilities are provided on a very limited and inadequate scale at the nearby public school, and that the proposed facility would be a welcome adjunct.

The sole Protestant who testified was the Rector of Sherwood Episcopal Church. He had no personal objection to the skating rink, but on behalf of the Church which he represented, he was opposed to granting a reclassification to B.M.

An expert witness, recognized as being a highly qualified City Planner, testifying for the Petitioner stated that he had made a study for the Cockeysville Chamber of Commerce around the year 1967 regarding the deteriorating condition of the "old downtown Cockeysville area", and that it is his opinion that the granting of the petition is proper and would benefit the community. He and the Petitioner further testified that the subject property had been granted B.M. zoning, which then had become final with the Zoning Commissioner's Order just prior to the County Council's adoption of the new comprehensive zoning map on March 24, 1971, but that the Council apparently was unaware of this change in zoning and adopted what mistakenly could have appeared to be the status quo of the area without realizing that it actually was downshifting the zoning of the subject property from B.M. to B.L. To support this contention, the Petitioner and his witnesses testified that since a 1000 foot scale map was used by the County Council in the comprehensive zoning proceedings, it was difficult to pinpoint individual small sites on the map. Furthermore, the Petitioner testified that it had received no written notice that his property was being considered for change in the proposed new zoning map; that there were no public notices indicating any proposed change, nor was his property included in the "Log of Issues" at the public hearings preceding the adoption of the new zoning map; therefore, the Petitioner claims the issue was not properly advertised and that the map is in error in downshifting the subject property to B.L. zoning.

The Board agrees with the Petitioner on the question of "error", and believes

Ira C. Rigger, et al - File No. 72-54-R

3.

that the downshifting in zoning issue, of the subject property, was not properly presented for timely review and decision by the County Council prior to its adoption of the zoning map on March 24, 1971. Furthermore, the Board believes that B.M. zoning is logical and should be granted.

Also, the Petitioner satisfied the Board that because of the topography of the site and the proposed parking layout, that to deny the requested variance for a zero rear yard setback would result in practical difficulty and unreasonable hardship on the Petitioner. Since he owns the abutting land in the rear, the granting of the variance would not be detrimental to public health, safety and general welfare.

For these reasons, and from all the testimony and evidence presented, the Board affirms the Order of the Zoning Commissioner dated January 18, 1972, hereby grants the subject petition by reclassifying the subject 3.6 acres from B.L. to B.M., and grants a variance permitting a zero rear yard building setback instead of the required 20 foot setback.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 1st day of June, 1972, by the County Board of Appeals ORDERED, that the reclassification from B.L. to B.M. be and the same is hereby GRANTED, and the requested rear yard variance to zero foot building setback is also GRANTED, since the Board finds as a fact that to deny same would result in practical difficulty and unreasonable hardship on the Petitioner due to the topography of the site.

Any appeal from this decision must be in accordance with Chapter 1100, subsection B of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Slowik, Chairman

W. Eric DiNenna

Walter A. Rafter, Jr.

MOORE, HENNEGAN, BRANNAN & CARNEY

ATTORNEYS AT LAW

408 JEFFERSON BUILDING

TOWSON, MARYLAND 21204

May 4, 1972

1001 N. W. 1001
A. D. C. HENNEGAN
WILLIAM E. BRANNAN
ROBERT E. CARNEY JR.
ROBERT J. STAN

ROOM 700
AREA CODE 300

VA 5420

FRANK E. CICONE

Attorney at Law

FIRST NATIONAL BANK BLDG

TOWSON, MARYLAND 21204

April 15, 1971

Mr. Edward D. Hardesty
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Property of Ira C. Rigger, et ux
Location: East side York Road

Dear Mr. Hardesty:

I am filing a petition in the above-subject case and wish to cite as a basis the following reasons which constitute error in the zoning maps signed March 24, 1971.

1. The Zoning Commissioner for Baltimore County on the third day of December, 1970, granted zoning from B.L. to B.M. zone.
2. The Order of the Zoning Commissioner was finalized without any appeals being taken on or about January 3, 1971.
3. The Order of the Zoning Commissioner was passed by agreement between the property owners and the residents of the area.
4. The Council was not aware that the Order of the Zoning Commissioner was final and that said Order had full force and effect of law.
5. The maps in effect downshifted the property from B.M. to B.L. through error. Had the Council been aware of the final Order, the downshift would not have occurred.
6. Councilman Tyrice made it quite clear both in his action on other cases and in his verbal announcement that he was against any downshifts.
7. The subject property is to be used for a skating rink for which B.M. zoning is needed. The residents of the area were aware of the use to be made of the property.
8. It was not the intent of the Council to downshift the property and this case about through error.
9. And for other and further valid reasons to be shown at the hearing hereof, which will show the glaring error in the adoption of the maps.

Very truly yours,
Frank E. Cicone

Mr. John A. Slowik
Chairman
County Board of Appeals
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Ira C. Rigger, et al
Case No. 72-54-R

Dear Mr. Slowik:

I hope that the following information might clear up some of the confusion in this case concerning the action taken by the County Council in connection with the above captioned property.

I understand that Mr. Rigger's property was prefiled in the County Council as item 42 in the Central District.

Accordingly, would you please make this letter a part of the record in this case.

Very truly yours,
William E. Brannan
William E. Brannan

WEB:jt

cc: Frank E. Cicone, Esquire

not on file with the County Board of Appeals
This is a copy of the original
submitted by the County Board of Appeals
D. J. Stan

2-1-72
9-15-72

MOORE, HENNEGAN, BRANNAN & CARNEY

ATTORNEYS AT LAW

408 JEFFERSON BUILDING

TOWSON, MARYLAND 21204

February 15, 1972

1001 N. W. 1001
A. D. C. HENNEGAN
WILLIAM E. BRANNAN
ROBERT E. CARNEY JR.
ROBERT J. STAN

ROOM 700
AREA CODE 300

S. Eric DiNenna, Esquire
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Petition for Reclassification
E/S of York Road, 632' N of
Hillside Avenue - 8th District
Ira C. Rigger, et ux
Petitioners
No. 72-54-R (Item No. 10)

Dear Mr. DiNenna:

Please enter an appeal to the Board of Zoning Appeals from your order of January 18, 1972 concerning the above captioned alleged violation.

Please enter the appeal on behalf of the Vestry of Sherwood Episcopal Church, adjacent property owners.

Enclosed please find our check in the amount of \$80.00 covering the cost of the appeal.

Thank you very much for your cooperation.

Very truly yours

William E. Brannan

WEB:jt

cc: Frank E. Cicone, Esquire

Sherwood Episcopal Church

Enclosure

JAMES B. SPAMER & ASSOCIATES
PROFESSIONAL ENGINEERS & LAND SURVEYORS
801 VICTOR ROAD - TOWSON, MD. 21204

BY W.O.L.
DATE 3/12/71

Survey Description
Ivy View Centre

SHEET 1 of 2
FILE 1-10690

All that piece or parcel of land situate, lying, and being in the 8th Election District of Baltimore County, State of Maryland and described as follows, to wit:

Beginning for the same at a point on the easterly side of York Road (66 feet wide) at the distance of 632 feet more or less northerly from the north side of Hillside Avenue and at the southerly property line of the Cockeysville Public Library, and running thence binding on the easterly side of York Road, (1) South 10° 28' East 137.00 feet, thence leaving York Road, (2) North 79° 20' East 115.00 feet, (3) South 10° 28' East 100.00 feet, (4) South 79° 20' West 115.00 feet to the east side of York Road, thence along the east side of York Road, (5) South 10° 28' East 50.00 feet, thence leaving York Road, (6) North 71° 20' East 200.00 feet, (7) South 10° 28' East 200.00 feet, (8) North 79° 20' East 200 feet to intersect a line drawn parallel to and 100 easterly, measured at a right angle, from the easterly side of York Road, thence binding on said line so drawn, (9) North 10° 28' East 539.61 feet to intersect the northerly outline of the whole tract of which this parcel is a part, thence binding thereon, (10) North 61° 02' West 142.93 feet to the easterly outline of said Cockeysville Public Library, thence binding on the outline thereof, (11) South 10° 28' East 50.00 feet, (12) South 55° 20' West 131.55 feet and (13) South 79° 32' West 165.00 feet to the place of beginning.

Containing 3.6 acres of land more or less.

Pursuant to the advertisement, posting of property, and public hearing on the above petition, and it appearing that by reason of error in the original zoning map

the above Reclassification should be had; and it is hereby ordered that the same be and the same is hereby reclassified; from a B.L. zone to a B.M. zone.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 18th day of January, 1971, that the herein described property or area should be and the same is hereby reclassified; from a B.L. zone to a B.M. zone.

subject to the approval of a site plan by the State Highway Administration, the Bureau of Public Services and the Office of Planning and Zoning.

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 NOT BE H/D, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of January, 1971, 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 a B.L. zone and/or the Special Exception for

Zoning Commissioner of Baltimore County

January 18, 1972

Frank E. Ciccone, Esquire
411 Jefferson Building
Towson, Maryland 21204

RE: Petition for Reclassification
1/3 of York Road, 632' N of
Hillside Avenue - 8th District
Ira C. Rigger, et ux -
Petitioners
RD. 72-54-R (Item No. 10)

Dear Mr. Ciccone:

I have this date passed my Order in the above captioned matter. Copy of said Order is attached.

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED/mrl

Attachments

cc: Reverend Timothy Dols
Sherwood Episcopal Church
Sherwood Road and York Road
Cockeysville, Maryland 21030

MOORE, HENNEGAN, BRANNAN & CARNEY

ATTORNEYS AT LAW
408 JEFFERSON BUILDING
TOWSON, MARYLAND 21204

January 18, 1972

Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Petition for Reclassification
E/S of York Road, 632' N of Hillside
Avenue - 8th District
Ira Rigger, et ux - Petitioners

Dear Mr. DiNenna:

At the December Vestry meeting of Sherwood Episcopal Church, the Vestry decided that they were in agreement with the County Planning Board in regard to the land adjacent to the Church and feels that any change in zoning would be inconsistent with the area and detrimental to the community. A motion was unanimously passed by the Vestry to protest any changes in zoning of the adjacent tract for any purposes whatever.

Very truly yours,

William E. Brannan

WEB:jt

cc: Frank E. Ciccone, Esquire

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING
JEFFERSON BUILDING
TOWSON, MARYLAND 21204
INTER-OFFICE CORRESPONDENCE

TO: Edward D. Hardesty
Attn: Oliver L. Myers
FROM: C. Richard Moore
SUBJECT: Item 10 - Cycle Zoning
Property Owner: Ira C. Rigger, et ux
York Road north of Hillside Avenue
Reclassification to BM

Date: May 11, 1971

The subject petition is requesting a change from BL zoning to BM. This change should not increase the trip density from the subject site.

C. Richard Moore
Assistant Traffic Engineer

CRM:mr

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 18, 1971

Mr. George E. Caspells, Director
Office of Planning & Zoning
301 Jefferson Building
Towson, Maryland 21204

RE: Item #10 (April - October Cycle 1971)
Property Owner: Ira C. Rigger, et ux
Location: E/S York Rd., 632' N. of
Hillside Ave.
Present Zoning: B.L.
Proposed Zoning: Reclass to B.M.
District: 8th District
No. Acres: 3.6

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 dwelling, which seems to be multi-family in character. The property to the north is improved with a church, with the east and south improved with residential uses. The property to the west is improved with a library and automotive service station. York Road in this location is not improved insofar as concrete curb and gutter are concerned. Extensive grading will be required to allow the proposed skating rink at its proposed location.

BUREAU OF ENGINEERING

The following comments are furnished in regard to the plot submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways

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

Sherwood Road is an existing County road which is proposed to be improved as a 40-foot class roadway section within

Item #10
Page 2
May 18, 1971

a 60-foot right-of-way and relocated so as to provide a perpendicular intersection with York Road at a point opposite Cockeysville Road and adjacent to the north side of the public library. The proposed relocation will require highway right-of-way acquisition through the northeastern corner of this property and the petitioner's engineer should contact the Chief of the Street, Roads and Bridge Design Group of the Bureau of Engineering for further details in regard to vertical and horizontal alignment. Highway right-of-way and improvements would be required in connection with the development of this property.

The petitioner should clarify his rights, title and interest in the existing entrance constructed along the east side of the public library. If the existing entrance is available to serve this property, the entrance must be reconstructed in accordance with Baltimore County standards for a monumental type entrance.

Storm Drains

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

No provisions for accommodating storm water or drainage have been indicated on the subject plan; however, storm drainage facilities and easements will be required in connection with the proposed development of this property.

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 stripping of top soil.

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

Item #10
Page 3
May 18, 1971

Water

Public water supply is available to serve this property.

Sanitary Sewer

Public sanitary sewerage is not available to serve this property at this time; however, a sewerage study is being initiated at this time to determine the feasibility of providing public sewers in the area of this site.

It is noted that the current zoning plat indicates that the Petitioner has acquired an additional parcel of land, 50' x 20' contiguous to the south side of the existing Shell Service Station. Due to possible problems arising from the use of an entrance in common with the Cockeysville Public Library, consideration should be given to providing a separate entrance to the subject property through the 50' x 20' parcel of land.

DEPT. OF TRAFFIC ENGINEERING

The subject petition is requesting a change from BL zoning to BM. This change should not increase the trip density from the subject site.

BOARD OF EDUCATION

No bearing on student population.

PROJECT PLANNING DIVISION

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

The entrance in common with the library is not adequate for this use.

FIRE PREVENTION & BUREAU

Fire hydrants for the proposed site are required and shall be in accordance with Baltimore County Standards. The hydrants shall be located at 300 ft. spacings.

The owner shall be required to comply with all applicable requirements of the 101 Life Safety Code, 1967 edition, and the Fire Prevention Code when construction plans are submitted for approval.

Item 10
Page 4
May 18, 1971

HEALTH DEPARTMENT

This office will not approve this operation until such time as public sewer is available to this site.

A revised plan must be submitted showing how the sewer will be extended.

Food Service Comments: If a food service facility is proposed, complete plans and specifications must be submitted in 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 existing entrance to the subject site is acceptable to the State Roads Commission.

ZONING ADMINISTRATION DIVISION

It appears that some action can be anticipated as to the proposed entrance in common with the Cockeysville Public Library. Upon investigation it is found that the petitioner has acquired an additional 50 foot portion of land which an entrance to the proposed skating rink can be constructed.

Very truly yours,

OLIVER L. MYERS, Chairman

OLM:JR

cc: Edward D. Hardesty

Frank E. Ciccone, Esq.
First National Bank Building
Towson, Md. 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Edward Hardesty, Zoning Commissioner
 FROM: Oliver L. Myers, Planning Division
 Date: May 6, 1971

SUBJECT: Item #10 (Amdt. - October Cycle 1971)
 Property Owner: Ira C. Rigger, et ux
 Location: E/S York Road, 632' N. of Hillside Ave.
 Present Zoning: R-L
 Proposed Zoning: Reclass. to B.M.
 District: 8th Sector: Central
 No. Acres: 3.6

The subject property is essentially the same property previously reviewed by the Zoning Advisory Committee and known as Item #305 (1969-1970). Zoning Order #71-118 BA. The comments furnished by this office in connection with Item #305 remain valid and in effect. We are enclosing herewith a serax copy of those comments which are applicable to the current zoning petition.

It is noted that the current zoning plat indicates that the Petitioner has acquired an additional parcel of land, 50' x 200' contiguous to the south side of the existing Shell Service Station. Due to possible problems arising from the use of an entrance in common with the Cockeysville Public Library, consideration should be given to providing a separate entrance to the subject property through the 50' x 200' parcel of land.

Edward D. Hardesty
 ELLSWORTH N. DIVER, P.E.
 Chief, Bureau of Engineering

END/EAH/RMD:ms

cc: File (3)

Attachment

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Edward Hardesty, Zoning Commissioner
 FROM: Oliver L. Myers, Planning Division
 Date: June 8, 1971

SUBJECT: Item #305 (1969-1970)
 Property Owner: Ira C. Rigger, et ux
 Location: E/S York Road, 632' N. of Hillside Avenue
 Present Zoning: R-L
 Proposed Zoning: Reclassification to B.M.
 District: 8th Sector: Central
 No. Acres: 3.36 acres

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highway

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

Shannon Road is an existing County road which is proposed to be improved as a 10-foot shared roadway within a 60-foot right-of-way and widened on one side to provide a perpendicular intersection with York Road at a point opposite Cockeysville Road and adjacent to the north side of the public library. The proposed reallocation will require highway right-of-way acquisition through the northwestern corner of this property and the petitioner's engineer should contact the Chief of the Bureau, Roads and Bridges Design Group of the Bureau of Engineering for further details in regard to vertical and horizontal alignment. Highway right-of-way and improvements would be required in connection with the development of this property.

The petitioner should clarify his rights, title and interest in the existing entrance constructed along the east side of the public library. If the existing entrance is available to serve this property, the entrance must be reconstructed in accordance with Baltimore County standards for a two-lane type entrance.

Storm Drainage

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

Item #305 (1969-1970)
 Property Owner: Ira C. Rigger, et ux
 Page 2
 June 8, 1971

Storm Drainage (Cont'd)

No provisions for accommodating storm water or drainage have been indicated on the subject plat; however, storm drainage facilities and easements will be required in connection with the proposed development of this property.

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damage 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.

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

Water

Public water supply is available to serve this property.

Sanitary Sewer

Public sanitary sewerage is not available to serve this property at this time; however, a sewerage study is being initiated at this time to determine the feasibility of providing public sewer in the area of this site.

Edward D. Hardesty
 ELLSWORTH N. DIVER, P.E.
 Chief, Bureau of Engineering

Public Utilities

WV 211, Key Street
 67 & 68 N.W. 6 Section Streets
 N.W. 17-20 200' Scale Topo

BALTIMORE COUNTY BOARD OF EDUCATION

ZONING ADVISORY COMMITTEE MEETING

OF APRIL 27, 1971 (CLOSED SESSION)

Petitioner: RIGGER, et ux

Location:

District: 8

Present Zoning: R-L

Proposed Zoning: B.M.

No. of Acres: 3.6

Comments: NO RECLASSIFICATION

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Zoning Commissioner
 FROM: Planning Division
 Date: May 11, 1971

SUBJECT: Project Planning Division
 Zoning Advisory Agenda Item #10

April 27, 1971
 Ira C. Rigger, et ux
 E/S York Road, 632' No. of
 Hillside Avenue

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

The entrance in-common with the library is not adequate for this use.

TO: Mr. Edward D. Hardesty, Zoning Commissioner
 FROM: Mr. Myers
 DATE: 5/6/71

TO: Planning Division
 Fire Prevention Bureau

SUBJECT: Property Owners
 Ira C. Rigger, et ux

Location: E/S York Road, 632' N. of Hillside Avenue

Item #10

Zoning Agenda

Fire hydrants for the proposed site are required and shall be in accordance with Baltimore County Standards. The hydrants shall be located at 300 ft. spacing.

The owner shall be required to comply with all applicable requirements of the 101 Life Safety Code, 1967 edition, and the Fire Prevention Code when construction plans are submitted for approval.

Respectfully submitted,

St. Thomas Kelly
 Planning Division
 Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Oliver Myers
 FROM: Ian J. Forrest
 Date: May 13, 1971

SUBJECT: Item 10

10. Property Owner: Ira C. Rigger, et ux
 Location: E/S of Seminary Ave., W. of Franke Ave.
 Present Zoning: R-L
 Proposed Zoning: Reclass. to B.M.
 District: 8th Sector: Central
 No. Acres: 3.6

This office will not approve this operation until such time as public sewer is available to this site.

A revised plan must be submitted showing how the sewer will be extended.

Food Service Comments: If a food service facility is proposed, 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.

St. Thomas Kelly
 Chief
 Water and Sewer Section
 BUREAU OF ENVIRONMENTAL HEALTH

137/ea



STATE OF MARYLAND
 STATE ROAD COMMISSION
 300 WEST PRATON STREET
 BALTIMORE, MD. 21201

APRIL 29, 1971

COMMISSIONERS
 DAVID H. FORD
 CHAIRMAN OF COMMISSION
 AND CHIEF OF STAFF
 WALTER ROBERT, JR.
 CHIEF OF STAFF
 WALTER ROBERT, JR.
 CHIEF OF STAFF
 WALTER ROBERT, JR.
 CHIEF OF STAFF
 WALTER ROBERT, JR.
 CHIEF OF STAFF

Mr. Edward D. Hardesty
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Attn: Mr. O. L. Myers

Dear Mr. Hardesty:

The existing entrance to the subject site is acceptable to the State Roads Commission.

Re: ITEM 10
 Property Owner: Ira C. Rigger, et ux
 Location: E/S York Road (Route 45)
 632' No. of Hillside Ave.
 Present Zoning: R-L
 Proposed Zoning: Reclass. to B.M.
 District: 8th Sector: Central
 No. Acres: 3.6

Very truly yours,

Charles Lee, Chief
 Development Engineering Section
 By: John C. Myers
 Asst. Development Engineer

CLJ:EM:bbk

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet
	date	by	date	by	date	by	date	by	date
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, CC, CA									

Reviewed by: *[Signature]*

Revised Plans:
Change in outline or description Yes
_____ No

Map # _____

Plot for Zoning Purposes by View Centre

Owner: Ira C. Elzabeth, R. Riggs, Industrial Lane, Cockeysville, Md.
5th District Baltimore County, Md.
Scale: 1"=50' April 12th, 1971

Applicant's: 1. Reclassification of Zoned Area
B.L. to B.M.
2. in view for a rear yard as shown

Zoning Data

Existing Zoned B.L. = 1.6 Acres
+ 1.96 Acres
3.6[±] Total

See Northern Area
Map, N.W. 17B

Proposed Zone

B.M. = 3.6 A. M.T.

Use: As Shown permitted 230.12

232.1 Front Yard: Not less than 10' from front property line.

232.2 Side Yards: Where lot abuts DR 3.5, not less than 5' width req'd for dwelling or abutting lot - 15' min.

232.3 Rear Yard: Where lot abuts DR 3.5, 20' min.

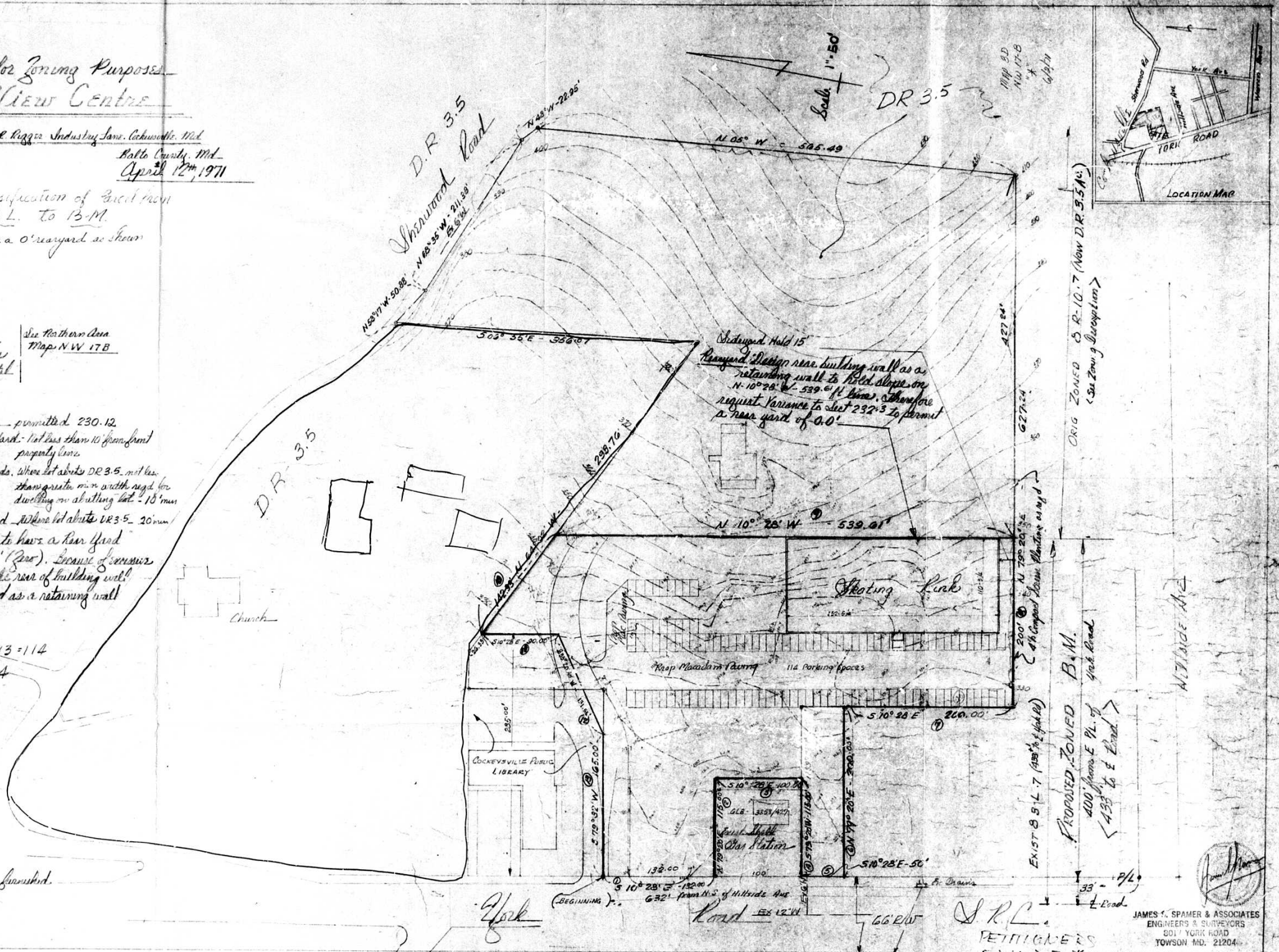
For this application, Variance to have a rear yard of 0.0' (zero). Because of unusual slopes the rear of building will be designed as a retaining wall.

USE: Skating Rink

Parking Required: 38 x 13 = 114

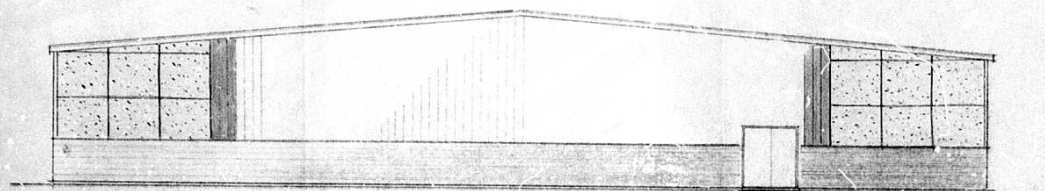
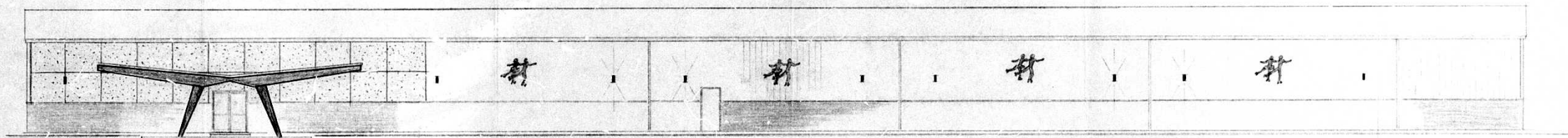
" Provided = 114

Note: Distances compiled from deeds & data furnished.



JAMES T. SPAMER & ASSOCIATES
ENGINEERS & SURVEYORS
801 YORK ROAD
TOWSON, MD. 21204

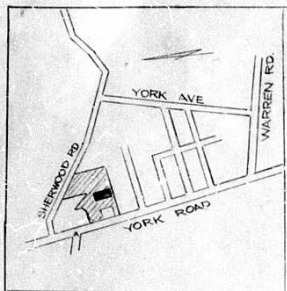
FILE-1089-D



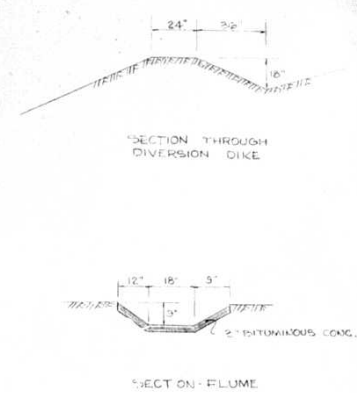
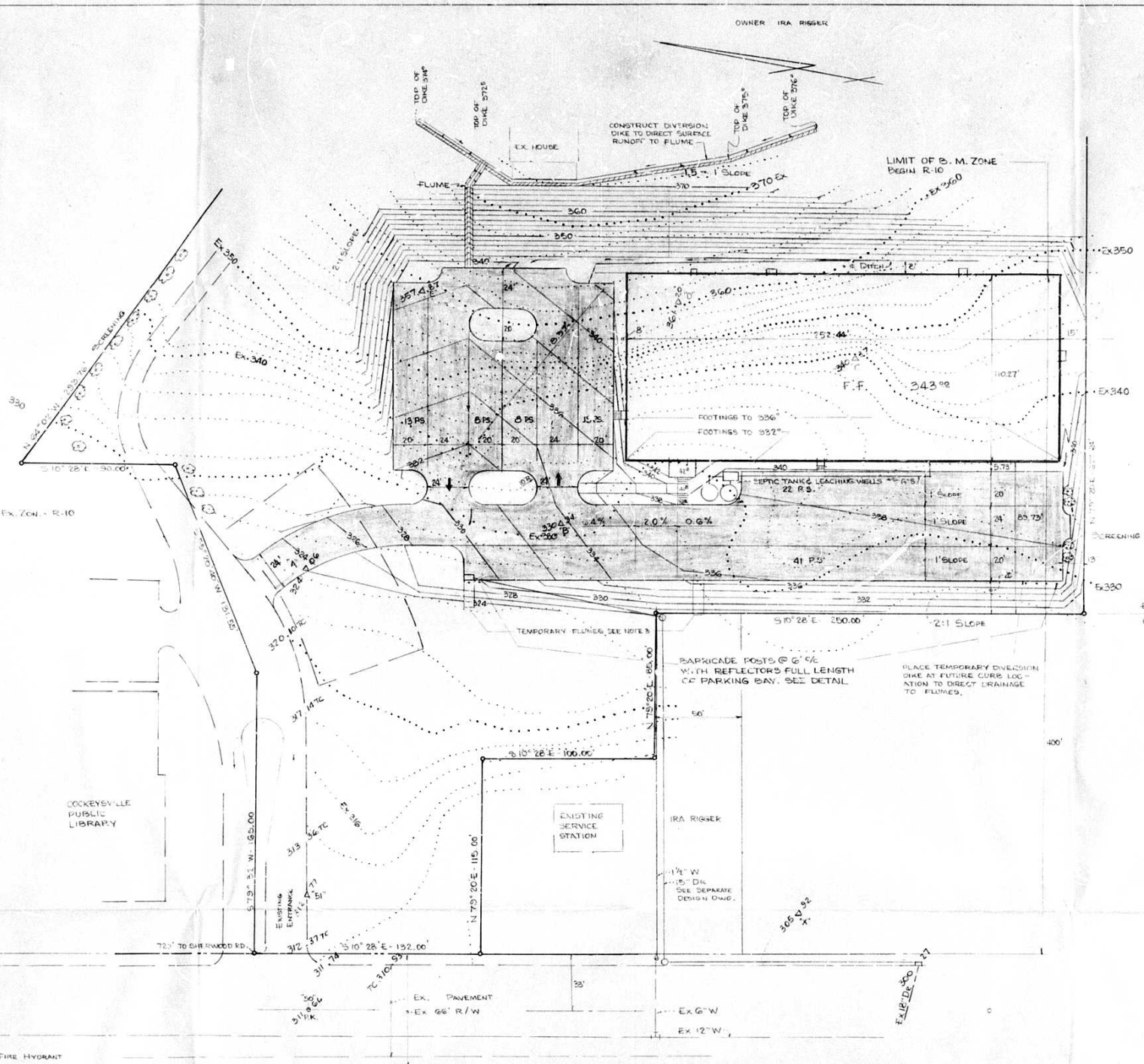
SKATING RINK

Set Ex 45





VICINITY MAP
 N = BENCH MARK X-5118 ELEV 308.62



- EROSION CONTROL NOTES
1. PERMANENT NEGATIVE COVER ON SLOPES TO BE FURNISHED BY CROWN VETCH. TEMPORARY COVER TO BE FURNISHED BY EYE GRASS.
 2. TEMPORARY DIVERSION DIKE WEST OF BLDG. AND TEMPORARY FLUMES TO BE IN PLACE PRIOR TO CONSTRUCTION OF PBLG.
 3. TEMPORARY FLUMES TO BE OF GRADED STONE 2' WIDE, 1' DEPTH.
 4. DIKE AND FLUME EAST OF BLDG. TO BE PLACED IMMEDIATELY FOLLOWING GRADING OF SLOPE.

AREA OF TRACT = 9.1 AC EXCL 50' STRIP
 AREA PBLG + PARKING + GRADING = 2.4 AC
 EXISTING ZONING = B.M. WITH VARIANCE FOR C' BACK YARD
 PROPOSED USE = SKATING RINK
 AREA OF BLDG. = 77,836 S.F.
 PARKING SPACES:
 REQUIRED = 93 (27,836 ÷ 300)
 PROVIDED = 105
 PAVEMENT, EX. & PROP. = MACADAM

OWNER: IRA RISSER
 INDUSTRY LA
 COCKEYSVILLE, MD

SMITH, TEACHER & ASSOCIATES
 MUSIC FAIR ROAD
 OWINGS MILLS, MD 21117
 P.N. 8-478 363-2100

PLAN
 SCALE 1" = 30'

PROPOSED SKATING RINK
 10755 YORK ROAD
 COCKEYSVILLE, MARYLAND
 8TH ELEC. DISTR., BALTO CO
 FEB. 18, 1971
 REV. 3-6-71

PETITIONED
 EXHIBIT
 #2

