

72-149

December 1, 1971

John H. Hessey, IV, Esq.
1311 Fidelity Bldg.,
Baltimore, Maryland 21201

RE: Type of Hearing: Special Exception
for offices and office
building
Location: WS Rolling Road, 100' No. of
I-70-N
Petitioners: Robert M. and Elizabeth Butler
Committee Meeting of October 19, 1971
Present Zoning: D.R. 16
Proposed Zoning: Special Exception for offices
1st District
Item 64

Dear Sirs:

This office has received revised drawings and we
are scheduling the above referenced case for a hearing.

Very truly yours,

OLIVER L. MYERS, Chairman

OLM:JD

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

December 1, 1971

John H. Hessey, IV, Esq.
1311 Fidelity Bldg.,
Baltimore, Maryland 21201

RE: Type of Hearing: Special Exception
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building

Location: WS Rolling Road, 100' No. of I-70-N
Petitioners: Robert M. and Elizabeth Butler
Committee Meeting of October 19, 1971
Present Zoning: D.R. 16
Proposed Zoning: Special Exception for offices
1st District
Item 64

Dear Sirs:

The above referenced petition is accepted for filing
as of the date on the enclosed filing certificate. Notice of
the hearing date and time, which will be held not less than
30 days, nor more than 90 days after the date on the filing
certificate, will be forwarded to you in the near future.

If you have any questions concerning this matter,
please do not hesitate to contact me at 494-3351.

Very truly yours,

JAMES E. DYER,
Zoning Supervisor

JED:JD

Enclosure

RE: EXTENSION OF SPECIAL EXCEPTION
 NW/corner of Rolling Road and
 Interstate 70N - 1st Election
 District
 Robert M. Butler - Petitioner
 NO. 72-149-X (Item No. 64)

BEFORE THE
 ZONING COMMISSIONER
 OF
 BALTIMORE COUNTY

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of January, 1977, that the Special Exception for an Office Building and Offices is hereby extended, in accordance with Section 502.3 of the Baltimore County Zoning Regulations, to a date 18 months after certification is obtained from the Department of Public Works, indicating that the sewer moratorium has been lifted and that such facilities are now available and adequate to the public.

[Signature]
 Zoning Commissioner of
 Baltimore County

December 12, 1973

John H. Hessey, IV, Esquire
 1311 Fidelity Building
 Charles and Lexington Streets
 Baltimore, Maryland 21201

RE: Petition for Special Exception
 NW/corner of Rolling Road and
 I-70N - 1st Election District
 Robert M. Butler - Petitioner
 NO. 72-149-X (Item No. 64)

Dear Mr. Hessey:

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

Very truly yours,

[Signature]
 JAMES E. DYER
 Deputy Zoning Commissioner

JED:mc
 Attachment

Baltimore County
 Office of Planning and Zoning
 100/50N, MARYLAND 21204
 (301) 488-3301

S. ERIC DINENNA
 ZONING COMMISSIONER

January 5, 1977

John H. Hessey, IV, Esquire
 1311 Fidelity Building
 Charles and Lexington Streets
 Baltimore, Maryland 21201

RE: Request for Extension of Special
 Exception
 NW/corner of Rolling Road and
 Interstate 70N - 1st Election District
 Robert M. Butler - Petitioner
 NO. 72-149-X (Item No. 64)

Dear Mr. Hessey:

I am in receipt of your letter of December 1, 1976, in which you request an additional three year extension for utilization of the above referenced matter.

As indicated in your letter, the original Order was written on January 6, 1972, and extended for five years, until January 6, 1977. Section 502.3 of the Baltimore County Zoning Regulations states that the maximum period for utilization of a Special Exception is five years and no further extensions can be granted unless there is an unavailability of public sewer or water facilities.

After consultation with Mr. John A. Somers, Bureau of Public Services, Department of Public Works, it has been determined that, since the property is situated in the Gwynns Falls sewer moratorium, public sewer is not available at this time.

In light of the above and as stated in the aforementioned Section, the time for utilization of this Special Exception is extended to a date 18 months after public sewer is available.

John H. Hessey, IV, Esquire
 Page 2
 January 5, 1977

If you have any further questions concerning this matter, please feel free to contact this office.

Very truly yours,
[Signature]
 S. ERIC DINENNA
 Zoning Commissioner

SED/NBC/sr

cc: Mr. Thornton M. Mouring, Director
 Department of Public Works

Mr. John A. Somers
 Bureau of Public Services
 Department of Public Works

Mr. George J. Martinak
 Deputy Zoning Commissioner

Mr. James E. Dyer
 Zoning Supervisor

Mr. Nicholas B. Commodari
 Acting Zoning Coordinator

Case No. 72-149-X

JOHN H. HESSEY
 ESQUIRE
 JOHN H. HESSEY, IV
 MARLON W. HESSEY
 DANIEL M. THOMET

HUSSEY & HUSSEY
 ATTORNEYS AT LAW
 1311 FIDELITY BUILDING
 CHARLES AND LEXINGTON STREETS
 BALTIMORE, MARYLAND 21201

JOHN H. HESSEY
 ESQUIRE
 TELEPHONE 639-3300
 AREA CODE 301

December 1, 1976

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

RE: Petition 72-149-X
 Robert M. Butler and Wife, Petitioners
 The Harry B. Cook Company, Inc., Contract
 Purchaser (now Owner)
 Property: W/S Rolling Road North of I-70

Dear Mr. DiNenna:

On January 6, 1972, by Order of the Deputy Zoning Commissioner, a special exception for an office building and offices was granted on the above property, subject to the approval of a site plan by the Bureau of Public Services, State Highway Administration and the Office of Planning and Zoning.

On December 12, 1973, an extension was granted on this special exception until January 6, 1977.

This property is situated on the Gwynns Falls sewer system, and a sewer moratorium has been in effect on this system since September 15, 1973; thus, the property owner has, during the entire period of the current extension of the special exception, been unable to secure a building permit for the contemplated office buildings. While some relief from this moratorium has been granted in special situations, we are advised that there is no probability of obtaining a sewer hookup until at least July of 1977, meaning that the property cannot be developed for offices unless an extension to the special exception heretofore granted is obtained.

Therefore, as attorney for the above-named parties, I respectfully request that you pass an Order extending the special exception now in effect on this property for an additional three-year period, commencing on January 6, 1977.

If any further information or action is required on our part, please let me know.

Sincerely,

[Signature]
 John H. Hessey, IV

JHHIV:jf
 CC: Mr. George D. Hardy
 Mr. Kenneth L. Surra



JAN 18 1977

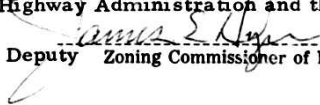
Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met

~~the above Special Exception should be and it further appearing that by reason of~~

a Special Exception for an office building and offices should be granted.

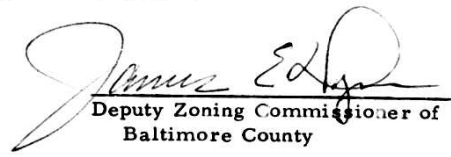
IT IS ORDERED by the ^{Deputy} Zoning Commissioner of Baltimore County this 6TH day of January, 1972, ~~that the herein described property or area should be and~~

~~the same is hereby extended for a~~ zone, and/or a Special Exception for an office building and offices should be and the same is granted, from and after the date of this Order, subject to the approval of a site plan by the Bureau of Public Services, State Highway Administration and the Office of Planning and Zoning.


Deputy 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

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 12TH day of December 1973, that the Special Exception for an office building and offices, granted January 6, 1972, should be and the same is hereby extended for a period of three (3) years, beginning January 6, 1974, and ending January 6, 1977.


Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

ORDER RECEIVED FOR FILING

DATE 11/22-12-1973

DATE December 12, 1973

BY [Signature]

BY [Signature]

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met

a Special Exception for an office building and offices should be granted.

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 10th day of January, 1967, that the above described property be and the same is hereby

granted a Special Exception for an office building and offices should be and the same is granted from and after the date of this Order, subject to the approval of a site plan by the Bureau of Public Services, State Highway Administration and the Office of Planning and Zoning.

Deputy 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

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10th day of January, 1967, that the above re-classification 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 _____ zone, and/or the Special Exception for _____ be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 12, 1971

COUNTY OFFICE BUILDING
111 N. CALVERT ST.
BALTIMORE, MARYLAND 21202

OLIVER L. MYERS, Chairman

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROAD COMMISSION

FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

GENERAL DEPARTMENT

John H. Massey, IV, Esq.
1311 Fidelity Bldg.,
Baltimore, Maryland 21201

Re: Type of Hearings: Special Exception for offices and office buildings. Location: 45 Rolling Road, 120' W. of I-70-N. Petitioners: Robert H. and Elizabeth Suttler. Committee Meeting of October 19, 1971. Present: Zoning B.C. 16. Proposed Zoning: Special Exception for offices. District: 1st. Item 64.

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 located on the west side of Rolling Road at the intersection of Interstate 1-70-N. To the north and east of the subject site there are existing dwellings that front on Rolling Road. To the west of the subject site there is an existing garden apartment development. Also, on the east side of Rolling Road there is currently under construction a large shopping center complex. There is no existing curb and gutter along this part of Rolling Road at this location.

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.

General:

The Tax Map indicates that this site is part of a larger tract. Highway and utility plans indicate this site as part of the State Highway Administration holdings in connection with the I-70-N crossing of Rolling Road.

It shall be the responsibility of the Petitioner's engineer to clarify all rights-of-way within and adjacent to this property and to initiate such action as necessary to

John H. Massey, IV, Esq.
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November 12, 1971

to utilize, relocate, widen, extend, release, etc. such rights-of-way; particularly in regard to the former Rolling Road right-of-way (indicated on the submitted plan as an 18 foot median access road).

It appears that a record plat may be required in connection with this property.

Highways:

Rolling Road, a County road in this vicinity is being reconstructed as a closed type highway cross section consisting of dual traffic lanes of varying width separated by a median within a right-of-way of varying width, see Drawings 770-0079 and 0080, File 5. No further highway improvements are required.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Interstate Route 70-N is a State road; therefore, all improvements, intersections and entrances on this road will be subject to State Highway Administration requirements.

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.

Drainage 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.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

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.

John H. Massey, IV, Esq.
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November 12, 1971

Interstate Route 70-N is a State road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the State Highway Administration.

Water:

Public water supply is available to serve this property.

Sanitary Sewers:

Public sanitary sewerage can be made available to serve this property by extension of a public sanitary sewer from the existing sanitary sewer mainline #3884, see Drawing 770-0077, File 1.

PROJECT PLANNING DIVISION:

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

The access for this property is unacceptable. From records available to this office it appears that this property was subdivided from a larger holding. The plan must be revised to show all adjacent property owners and titles so it can be determined if a violation of the Baltimore County Subdivision Regulations exists.

HEALTH DEPARTMENT:

Metropolitan water and sewer must be extended to building site before building permit is issued.

DEPT. OF TRAFFIC ENGINEERING:

A severe traffic problem can be expected at the intersection of the access road to this site and Rolling Road.

The problem is caused by the extreme turn of nearly 180° all vehicles must make when entering Rolling Road. This is a difficult turn for a car and impossible for any vehicle larger than a car to make and still remain on the right side of the center line access road. This intersection has a potential for being even more hazardous by the possible short sight distance by being located on the inside of a curve.

John H. Massey, IV, Esq.
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November 12, 1971

FIRE DEPARTMENT:

The owner shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101, "The Life Safety Code", 1957 Edition, and the Fire Prevention Code when construction plans are submitted for approval.

BOARD OF EDUCATION:

Offices would only result in a loss of potential pupils.

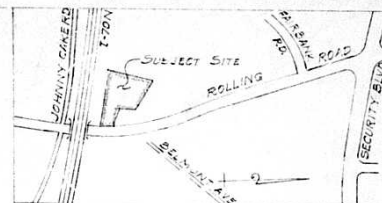
ZONING ADMINISTRATION DIVISION:

This office is withholding approval of the subject petition until such time as revised plans are submitted that indicate the consent of the Bureau of Engineering, Dept. of Traffic Engineering and Project Planning. Also, if a portion of this property has been obtained from the State Highway Administration from a parcel that they owned in fee, this petition cannot be further processed because that property must first be reclassified from public land to G.N. 16.

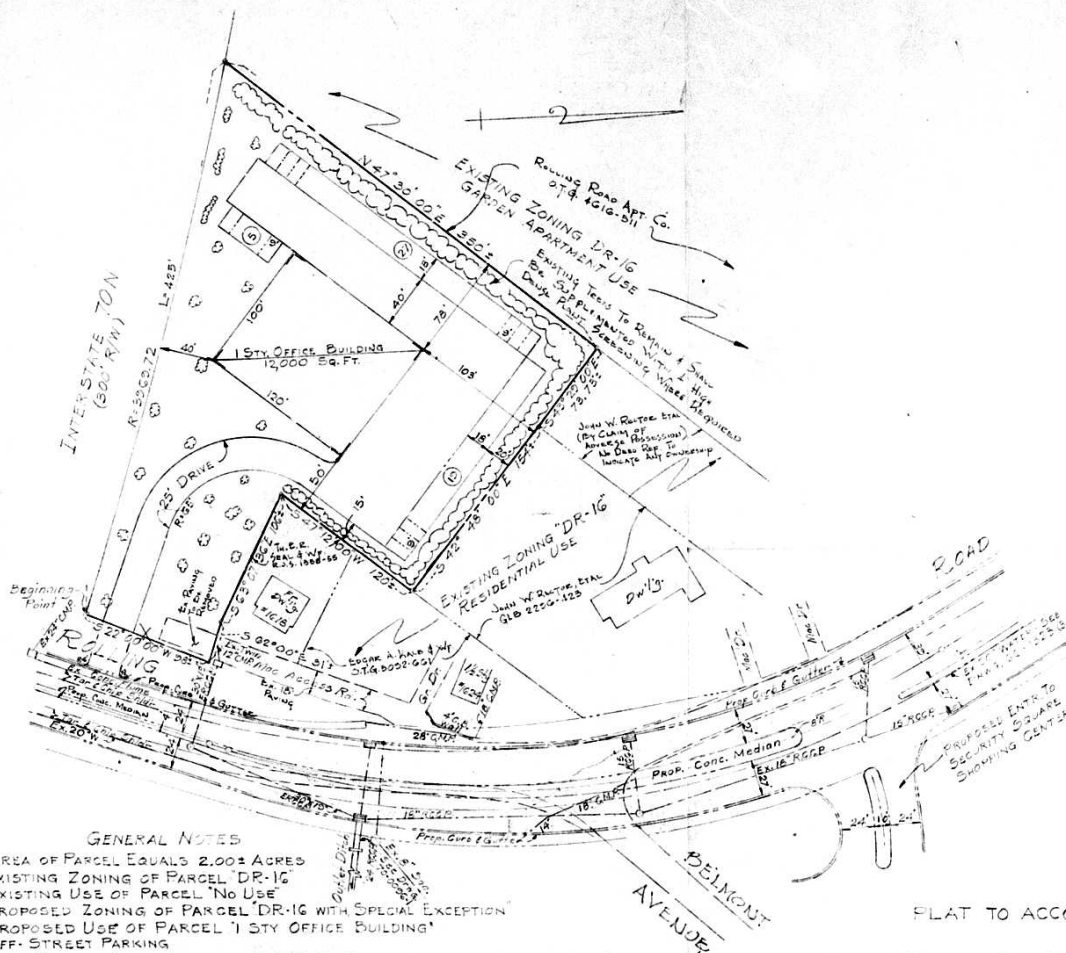
Very truly yours,

Oliver L. Myers, Chairman

OLIVER L. MYERS, Inc.



LOCATION PLAN
SCALE: 1"=500'

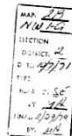


GENERAL NOTES

1. AREA OF PARCEL EQUALS 2.00± ACRES
2. EXISTING ZONING OF PARCEL "DR-1G"
3. EXISTING USE OF PARCEL "NO USE"
4. PROPOSED ZONING OF PARCEL "DR-1G" WITH SPECIAL EXCEPTION
5. PROPOSED USE OF PARCEL "1 STY OFFICE BUILDING"
6. OFF-STREET PARKING
 - A. FLOOR AREA EQUALS 12,000 SQ. FT.
 - B. REQUIRED PARKING EQUALS 40 SPACES
 - C. PROPOSED PARKING EQUALS 51 SPACES

ENTER
#64

REVISED PLANS
NOV 30/71 PM



PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION OF PROPERTY VICINITY

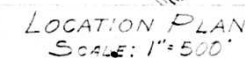
ROLLING ROAD & INTERSTATE 70N
Election District No. 1 Baltimore County, Md.
Scale: 1"=50'

Sept. 27, 1971
Revised: Nov. 29, 1971

HAZ. CHILDS & ASSOCIATES, INC.
1070 CHEVY CHASE ROAD
BALTIMORE, MARYLAND 21204



3071102



FOR

SPECIAL EXCEPTION OF PROPERTY

VICINITY

ROLLING ROAD & INTERSTATE 70 N

Rolling Road
Election District No.1

Baltimore County, Md.

Scale: 1" = 50'

Sept. 27, 1971

Revised: Nov. 29, 1971

WATZ, CHUDY & ASSOCIATES, INC.

BALTIMORE, MARYLAND 21204



3.071102

1. AREA OF PARCEL EQUALS 2.00± ACRES
2. EXISTING ZONING OF PARCEL DR-12
3. EXISTING USE OF PARCEL 'NO USE'
4. PROPOSED ZONING OF PARCEL DR-16 WITH SPECIAL EXCEPTION
5. PROPOSED USE OF PARCEL '1 STY OFFICE BUILDING'
6. OFF-STREET PARKING
 - A. FLOOR AREA EQUALS 12,000 SQ. FT.
 - B. REQUIRED PARKING EQUALS 40 SPACES
 - C. PROPOSED PARKING EQUALS 51 SPACES

Ex. E

