

PETITION FOR ZONING REDISTRICTING AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Chartley Shopping Center, Inc.
(Chartley), 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(s) that the zoning status of the herein described property be re-districted, pursuant to the Zoning Law of Baltimore County, from Undistricted to a

C. C. C. district; for the following reasons: The subject property, comprised of approximately 1.18 acres of land, is the only area owned by Chartley, available for expansion of its existing shopping center operation and such expansion is required to serve the neighborhood. Simultaneously herewith, Chartley has requested reclassification of the approximately 1.18 acres of land from a D. R. 16 Zone to a B. M. Zone, and upon granting of such reclassification, the C. C. C. District applied to the shopping center ought to be extended to this small additional acreage.

See attached Description

and/or a Special Exception, under the 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. Said sign to be of the following description: 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.

CHARTLEY SHOPPING CENTER, INC.
Contract purchaser
By: *William Adelson*
Vice President, Legal Owner

Address: 1035 Maryland National Bank Bldg.
Baltimore, Maryland 21202

Protestant's Attorney
M. William Adelson, Esq.
1035 Maryland National Bank Bldg.
Baltimore, Maryland 21202
Plaza 2-6682

ORDERED: By The Zoning Commissioner of Baltimore County, this 15th day of February 1972, 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 19th day of March 1972 at 11:00 o'clock.

County, on the 19th day of March 1972 at 11:00 o'clock

John W. Hines
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Chartley Shopping Center, Inc.
(Chartley), 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(s) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from D. R. 16 Zone to a B. M. Zone, for the following reasons: The subject property, comprised of approximately 1.18 acres of land, is the only area owned by Chartley, available for expansion of its existing shopping center operation and such expansion is required to serve the neighborhood. There was error in adoption of the zoning map applicable to the subject property because of: (i) the failure to make any provision for expansion of the existing shopping center; and (ii) classification of the subject property for apartment use, although its shape, size and locale render it useless for apartment purposes. Additionally, changes in conditions in the area since adoption of the zoning map justify reclassification of the subject property from the D. R. 16 Zone to the B. M. Zone.

See attached Description
and/or a Special Exception, under the 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. Said sign to be of the following description: 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.

CHARTLEY SHOPPING CENTER, INC.
Contract purchaser
By: *William Adelson*
Vice President, Legal Owner

Address: 1035 Maryland National Bank Bldg.
Baltimore, Maryland 21202

Protestant's Attorney
M. William Adelson, Esq.
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ORDERED: By The Zoning Commissioner of Baltimore County, this 15th day of February 1972, 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 19th day of March 1972 at 11:00 o'clock.

County, on the 19th day of March 1972 at 11:00 o'clock

John W. Hines
Zoning Commissioner of Baltimore County.

(over)

STATEMENT OF CHARTLEY SHOPPING CENTER, INC.
IN SUPPORT OF PETITION FOR ZONING RECLASSIFICATION
OF APPROXIMATELY 1.18 ACRES OF LAND LOCATED ON THE
NORTH SIDE OF CHARTLEY BOULEVARD, EAST OF REISTERSTOWN ROAD,
THIRD ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND.

The Petitioner, Chartley Shopping Center, Inc. (Chartley), is engaged in the shopping center, not the apartment business.

In carrying out its corporate purposes, Chartley acquired approximately 15.41 acres of land located on the north side of Chartley Boulevard, east of Reisterstown Road, in the Third Election District of Baltimore County, Maryland, for the purpose of constructing thereon a shopping center designed to provide shopping facilities for approximately 50,000 people in the Reisterstown area. Heretofore, Chartley developed approximately 14.23 acres of its total shopping center site by construction thereon of approximately 25 store buildings, including a bank, men's, women's and children's apparel shops, a drug store, supermarket and a large variety store. Chartley proposed to develop the remaining area (1.18 acres) of its shopping center site by construction thereon of a one-story retail store building providing approximately 11,200 square feet of shopping space for the sale of convenience goods, perhaps including appliances, as additional shopping facilities required to serve the neighborhood. However, in adoption of the Zoning Map applicable to the subject area, the undeveloped area of the shopping center site was classified for apartment use. Such classification constituted error because of the following:

1. The shape, size, contour and locale of said small area of the shopping center site render it useless for apartment or

other residential purposes; and

2. The failure to recognize that the only practical use of said small area of the shopping center site is for expansion of the existing shopping facilities, which expansion is now necessary properly to serve the neighborhood, violates elementary zoning and planning principles.

In view of the evident error in classifying the small area of the shopping center site for apartment use and the aforesaid change in conditions in the area of said site, the small area of land involved in this case ought to be reclassified from the D. R. 16 Zone to the B. M. Zone, in accordance with the Petition for Zoning Reclassification filed herein.

Respectfully submitted,
William Adelson
M. William Adelson,
Attorney for Petitioner,
Chartley Shopping Center, Inc.

(over)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 15, 1972

COUNTY OFFICE BLDG.
111 N. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

OLIVER L. MYERS
Chairman

MEMBERS:

RECEIVED BY:

DEPARTMENT OF:

TRAFFIC ENGINEERING

STATE ROAD COMMISSION

BUILDINGS

FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

EDUCATION

PLANNING

Mr. M. William Adelson
1035 Maryland National Bank Building
Baltimore, Md. 21202

RE: Type of Hearing: Reclass. to B.M.
Location: N/S of Chartley Blvd., 1.185' E. of Reisterstown Rd.
Petitioners: Chartley Shopping Center, Inc.
4th District
Item 37

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 north side of Chartley Blvd., just east of Piper Road. It is an undeveloped tract that lies within a rather steep embankment and drainage reservation from the existing Chartley Shopping Center, directly to the west. There is a residential subdivision to the south of the subject site and an existing apartment zone to the north and east of the subject site. There is curb and gutter existing along Chartley Blvd. and parking area.

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:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan. The plan should indicate the existing and/or proposed drainage, and drainage facility easements.

All County highway and utility requirements are secured by Public Works Agreements executed in conjunction with the development of "Chartley Shopping Center".

This office has no further comments in regard to the plan submitted to the Zoning Advisory Committee for review in connection with this item.

Mr. M. William Adelson
Item 37
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PROJECT PLANNING DIVISION:

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

- 1) The four foot high compact screen planting must be extended around the parking lot.
- 2) The parking must be set back 8' from the right of way line.

DEPT. OF TRAFFIC ENGINEERING:

The subject petition is requesting a change from DR 16 to BM of 1.17 acres. This should increase the trip density from 120 to 500 trips per day.

BOARD OF EDUCATION:

Acreage too small to have an effect on student population.

FIRE DEPARTMENT:

Fire hydrants for the proposed site (are required and) shall be in accordance with Baltimore County Standards.

The hydrants shall be located - Intervals of 300 feet along an approved road.

The owner shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101, "The Life Safety Code", 1967 Edition, and the Fire Prevention Code when construction plans are submitted for approval.

HEALTH DEPARTMENT:

Metropolitan water and sewer are available to the site.

Air Pollution Comments: The building or buildings on this site may be subject to reclassification 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 ADVISORY ADMINISTRATION:

The plan as submitted does not indicate the steep embankment as now exists in this area. It does not appear from any field inspection that the property could be developed in the manner shown on this plan. Also the plan does not indicate the proximity of the existing apartment development and the residential houses adjacent to these properties.

Mr. M. William Adelson
Item 37
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This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Oliver L. Myers
Oliver L. Myers, Chairman

JJD,jr:rw

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CG, CA										
Reviewed by: <i>John W. Hines</i>			Reviewed Plans:		Change in outline or description		Yes		No	
Previous case:			Map #							

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: *4th* Date of Posting: *MARCH 11, 1972*
Posted for: *RECLASSIFICATION & REDISTRICTING*
Petitioner: *CHARTLEY SHOPPING CENTER, INC.*
Location of property: *N/S OF CHARTLEY BLVD. JUST EAST OF REISTERSTOWN ROAD*
Location of Sign: *(18) N/S OF CHARTLEY BLVD. JUST EAST OF REISTERSTOWN ROAD AT THE ENTRANCE OF SHOPPING CENTER*
Remarks: *Chartley Shopping Center*
Posted by: *John W. Hines* Date of return: *MARCH 6, 1972*

ORDER RECEIVED FOR FILING

DATE July 25, 1972
BY John J. Morgan

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 259.2, C. of the Baltimore County Zoning Regulations having been met,

the above Redistricting should be had; and it further appearing that by reason of

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 25 day of July, 1972, that the herein described property or area should be and the same is hereby re-districted, from Undistricted to a C.C.C. district and it is further ordered that the same should be and the same is hereby re-districted, from Undistricted to a C.C.C. district, from and after the date of this order, subject to the approval of the site plan by the State Highway Administration, 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 Redistricting should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 25 day of July, 1972, that the above re-districting 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 Undistricted; and/or the Special Exception for CCC District be and the same is hereby DENIED.

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 requirements of Section 259.2, C. of the Baltimore County Zoning Regulations having been met,

the above Redistricting should be had; and it further appearing that by reason of

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 25 day of July, 1972, that the herein described property or area should be and the same is hereby reclassified, from a D.R.16 zone to a R.M. zone, from and after the date of this order, subject to the approval of the site plan by the State Highway Administration, 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 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 25 day of July, 1972, 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 D.R.16 zone; and/or the Special Exception for CCC District be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

MCA
MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING ENGINEERS
1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301/823-4900

Lester Matz
John C. Childs
Associates
Ronald W. Bryles
George W. Bush
Robert W. Casan
Leonard M. Gass
Edmund F. Hale
Norman F. Hartmann
Paul Lee
A. Mario Loreschman
Fred P. Morrison
Wilson F. Oulan
Paul S. Swenson

DESCRIPTION

1.1792 ACRE PARCEL, NORTH SIDE OF CHARTLEY BOULEVARD, EAST OF REISTERSTOWN ROAD, "CHARTLEY SHOPPING CENTER", FOURTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for B-M Zoning and for Extension of CCC District

Beginning for the same at a point on the north side of Chartley Boulevard, seventy feet wide, at the distance of 1115.95 feet, as measured northeasterly and easterly along the northwest and north side of said Chartley Boulevard from its intersection with the northeast side of Reisterstown Road, running thence binding on said north side of Chartley Boulevard, two courses: (1) easterly, by curve to the right with the radius of 70.00 feet, the distance of 101.35 feet, the chord of said arc being N 80° 44' 33" E 101.31 feet, and (2) N 83° 44' 09" E 124.52 feet, thence along the southwest side of Section One, "Chartley Apartments", as shown on the plat thereof recorded among the Land Records of Baltimore County in Plat Book G, L, B, 25, page 97, three courses: (3) N 06° 15' 51" W 40.00 feet, (4) northwesterly, by a curve to the left with the radius of 235.00 feet, the distance of 252.24 feet, the chord of said arc being N 37° 00' 51" W 240.31 feet, and (5) N 67° 45' 51" W 117.00 feet, Water Supply ■ Sewerage ■ Drainage ■ Highways ■ Structures ■ Developments ■ Planning ■ Reports

MCA
MATZ, CHILDS & ASSOCIATES, INC.

thence binding on a part of the fifth line of the land described in the deed to Chartley Shopping Center, Inc., recorded among said Land Records in Liber: G.L.B. 2889, page 85, (6) S 15° 51' E 307.63 feet to the place of beginning.
Containing 1.1792 acres of land.

HGW:mp1 J.O. #68218 August 26, 1971



STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

THE COMMUNITY TIMES

RANDALLSTOWN, MD. 21133 March 6 - 1972

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric Dismann, Zoning Commissioner of Baltimore County was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 6 day of March 1972 that is to say, the same was inserted in the issue of March 2, 1972.

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 2, 1972.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once a week for one week before the 22nd day of March, 1972, that is to say, the same was published appearing on the 2nd day of March, 1972.

THE JEFFERSONIAN
S. Frank Struthers
Manager.

Cost of Advertisement, \$.....

Mr. H. William Adelson
1035 Maryland National Bank Bldg.
Baltimore, Maryland 21202

Item 37

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 7th day of February, 1972

S. Eric Dismann
Zoning Commissioner

Petitioner's: Chartley Shopping Center, Inc.
Petitioner's Attorney: H. William Adelson Reviewed by Robert L. Morgan
Chairman of Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 237
OFFICE OF FIN. & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Oct. 27, 1971 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

Chartley Shopping Center, Inc.
335 North Charles St.
Baltimore, Md. 21201
Petition for Reclassification

50.00

BALTIMORE COUNTY, MARYLAND No. 1583
OFFICE OF FIN. & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

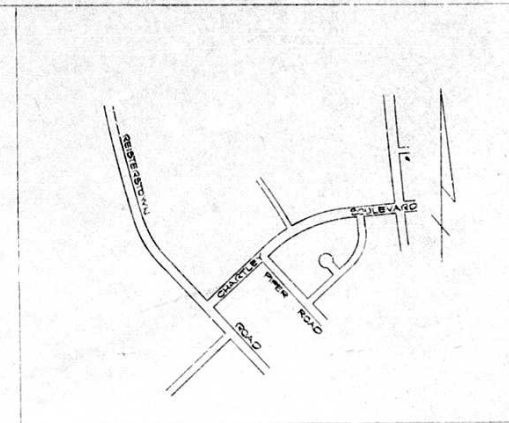
DATE March 17, 1972 ACCOUNT 01-662

AMOUNT \$131.50

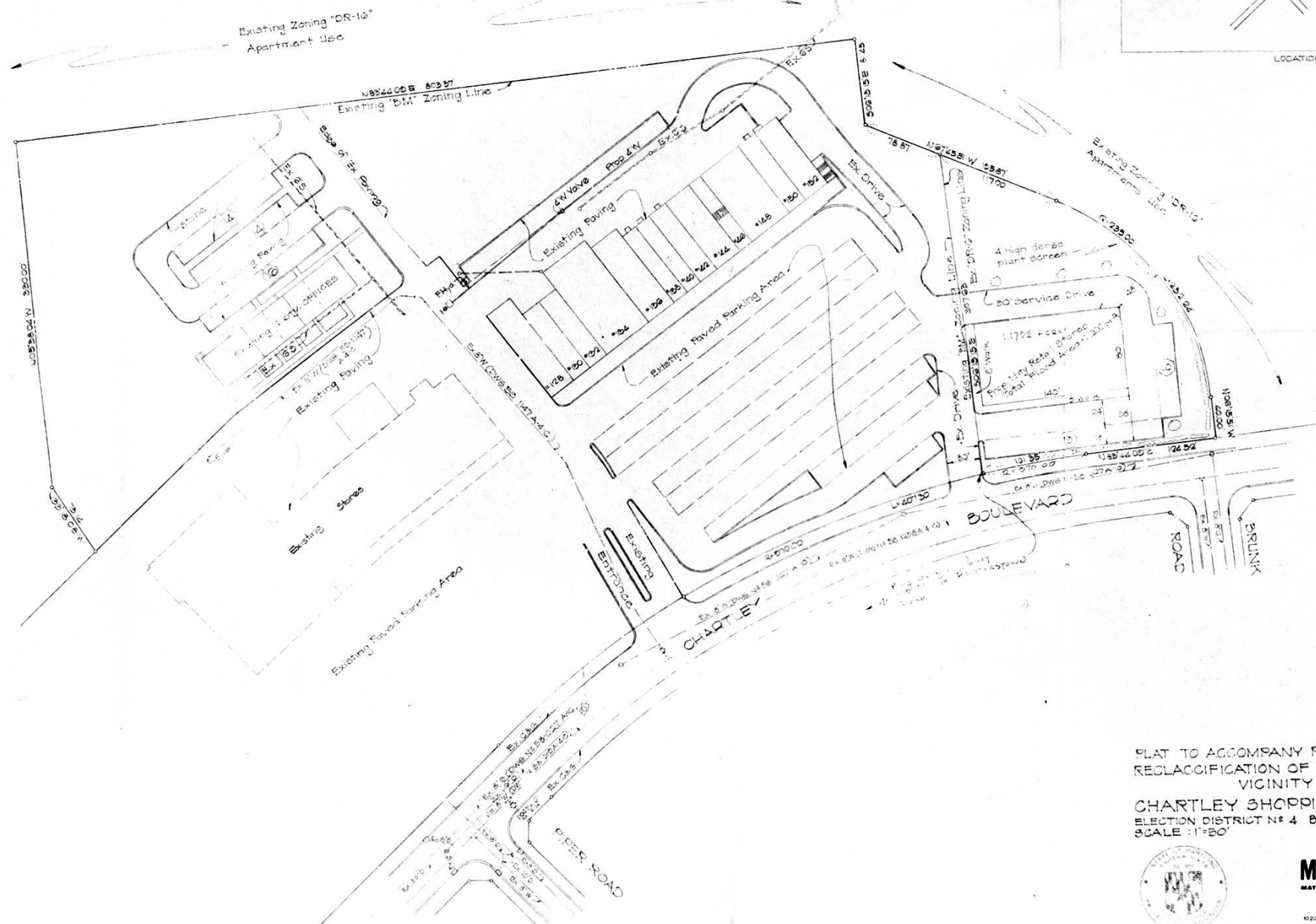
DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

Chartley Shopping Center, Inc.
335 N. Charles St.
Baltimore, Md. 21201
Advertising and posting of property

131.50



LOCATION PLAN SCALE 1"=300'



1. Total area of site equals 15.41 A.C.±
2. Area of site developed prior to adoption of new zoning makes = 14.23 A.C.±
3. Area requesting reclassification = 1.1702 A.C.±
4. Existing zoning of site "B-M" & "D-1G"
5. Existing use of site "Neighborhood Shopping Center" & "Office"
6. Proposed zoning of site "B-M"
7. Proposed use of site "Neighborhood Shopping Center"
8. Off-Street Parking Data:
 - A. Existing total floor area = 77,531 sq.ft
 - B. Parking required = 850 units
 - C. Existing parking = 570± cars
 - D. Parking required = 130 units
 - E. Parking required for existing stores & offices = 400 units
 - F. Existing parking on-site = 345 units
 - G. Proposed additional = 11,200 sq.ft. requiring 130 units
 - H. Proposed additional parking = 20 units
 - I. Total parking required for site = 400 units
 - J. Total parking proposed for site = 114 units

REVISED PLANS
OCT 6 - '71 PM

☐ Amend
☒ Recd
☐ Held
☐ Expd
☐ Chgd

ZONING DEPARTMENT

By *BBH*

PLAT TO ACCOMPANY PETITION FOR
RECLASSIFICATION OF PROPERTY
VICINITY
CHARTLEY SHOPPING CENTER
ELECTION DISTRICT # 4 BALTIMORE CO., MD.
SCALE 1"=50' JULY 15, 1971



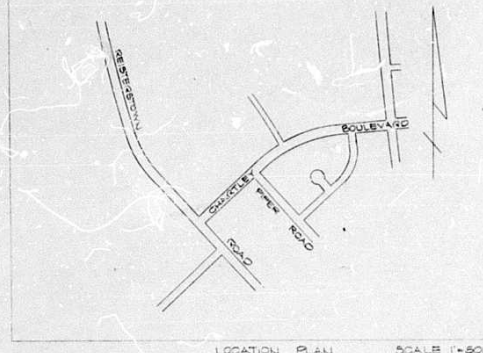
MCA □ ○ ▷
MATZ, CHILDS & ASSOCIATES, INC.
**CONSULTING
ENGINEERS**
1000 Commerce Center Bldg., Columbus, MS 39201

1233 *Giuseppe, Roderic, Ed. Giuseppe*

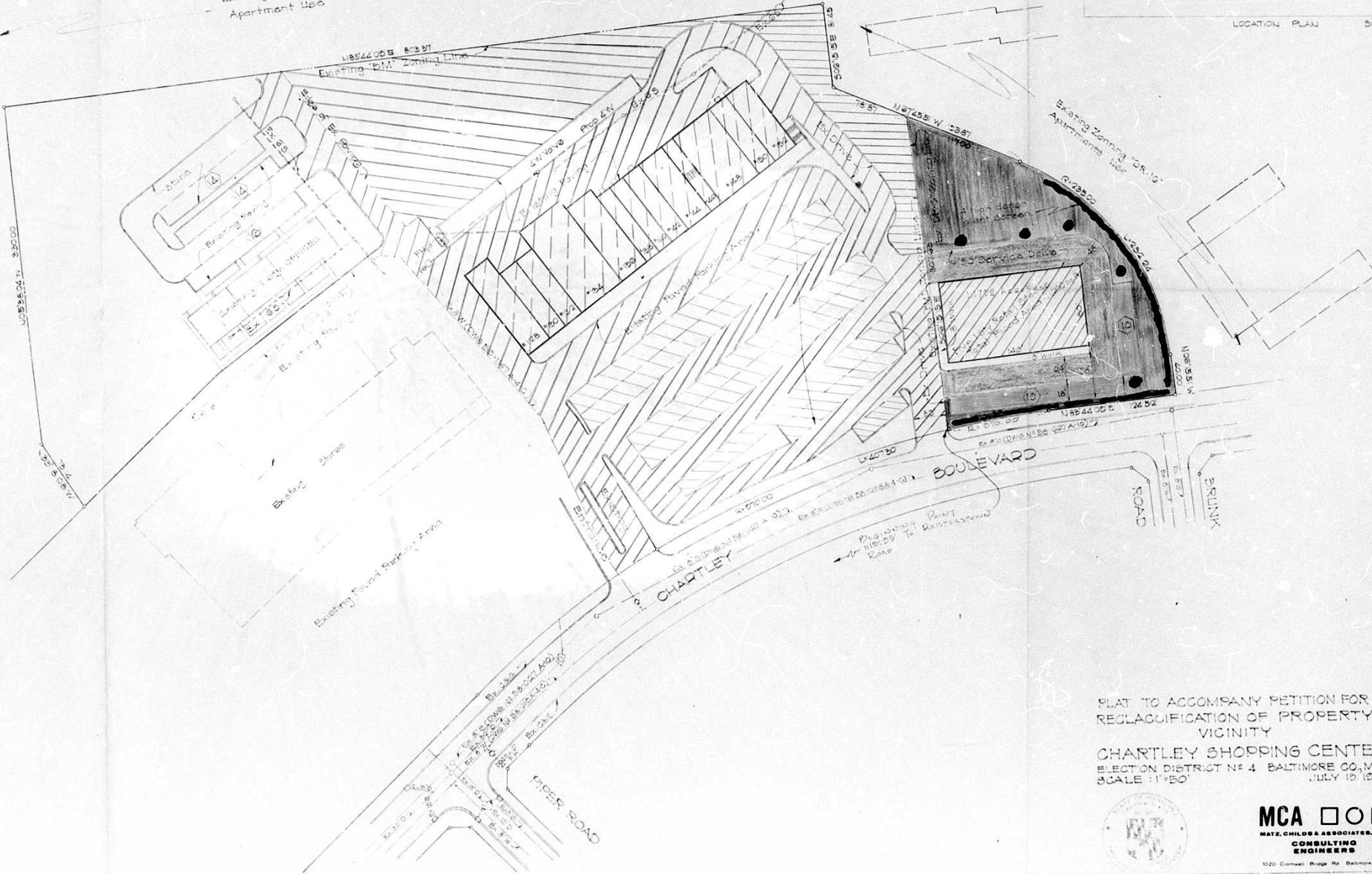
19. GR218



Existing Zoning "DR-10"
Apartment Use



LOCATION PLAN SCALE 1"=500'



GENERAL NOTES

1. Total area of site equals 15.41 Ac. ±
2. Area of site developed prior to adoption of new zoning maps = 14.25 Ac. ±
3. Area requesting reclassification = 1.172 Ac. ±
4. Existing Zoning of site "B-M" & "DR-10"
5. Existing use of site "Neighborhood Shopping Center" & "No Use"
6. Proposed Zoning of site "B-M"
7. Proposed use of site "Neighborhood Shopping Center"
8. Off-Street Parking Data:
 - A. Existing retail floor area = 77,201 sq. ft.
 - B. Parking required = 200 units
 - C. Existing offices = 37,000 sq. ft.
 - D. Parking required = 10 units
 - E. Parking required for existing stores & offices = 400 units
 - F. Existing parking on-site = 685 units
 - G. Proposed additional = 11,200 sq. ft. requiring 50 units
 - H. Proposed additional parking = 20 units
 - I. Total parking required for site = 460 units
 - J. Total parking proposed for site = 734 units

PLAT TO ACCOMPANY PETITION FOR
RECLASSIFICATION OF PROPERTY
VICINITY
CHARTLEY SHOPPING CENTER
ELECTION DISTRICT NO. 4 BALTIMORE CO., MD.
SCALE 1"=50'



MCA
MATE, CHILDS & ASSOCIATES, INC.
CONSULTING
ENGINEERS
1020 Cloness Ridge Rd. Baltimore, Md.

J3 08218

