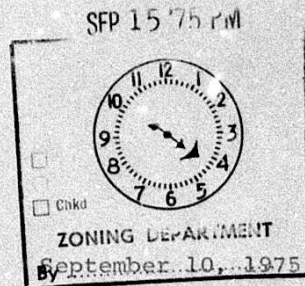


73-1-R

PHONE:  
LEXINGTON 9-3212  
377-8839FRANCIS X. McDONOUGH  
ATTORNEY AT LAW  
KEYSER BUILDING  
BALTIMORE 2, MD.243 Blenheim Road  
Baltimore, Md. 21212

Gerard A. Dunn,  
Assistant Vice-President  
Mortgage Department  
Equitable Trust Company  
Calvert & Fayette Streets  
Baltimore, Maryland 21202

Dear Mr. Dunn:

Last week, Cranbrook, Inc., requested you to partially release the western thirty feet of its property on the north side of Cranbrook Road in the eighth election district of Baltimore County from the lien of a mortgage deed of trust you hold on said property, known as Cranbrook Shopping Center, dated September 8, 1972. You indicated you are willing to submit said request to your Board, provided the existing B.L. zoning regulations of Baltimore County covering the remainder of said property are not adversely affected thereby.

On Tuesday of this week, I submitted to you a photo-copy of an Order of Mr. S. Eric DiNenna, Zoning Commissioner of Baltimore County, dated August 1, 1972, reclassifying the property you hold as security for your aforesaid mortgage, to a DR 16 and B.L. zone; and also a photo-copy of a plat of Malcolm E. Hudkins filed therewith in said case no. 73-1-R. Hudkin's plat showed the western thirty feet of the subject property to be existing DR 16 zoning and this 30' strip was not reclassified in case 73-1-R.

The subject 30' strip was reclassified in case no. 72-205-R to B.L. zoning by an Order of Mr. DiNenna on October 4, 1972, (Appeal of said Order was dismissed by the County Board of Appeals on June 7, 1973, at the request of the protestants-appellants.) and a copy of that Order was also submitted to you by me last Tuesday, along with a plat of Malcolm Hudkins filed therewith. Since the subject 30' strip

Gerard A. Dunn  
Equitable Trust Company  
September 10, 1975  
Page Two

constitutes the eastern portion of the land reclassified in case no. 72-205-R and the Order in that case stated the Zoning Commissioner attempted to clarify some of the confusion, surrounding the overall tract of land at the time of the adoption of the comprehensive zoning map in 1971, Cranbrook, Inc., consequently desires to develop as a unit of said shopping center the entire parcel reclassified in case 72-205-R. The parcel has a width in the rear or northernmost portion thereof of 400' (including the subject 30' strip), all as shown on the Hudkins plat filed therein. To do otherwise might confuse anew the situation which the Zoning Commissioner stated he was clarifying.

Moreover, a Declaration will be recorded among the Baltimore County Land Records by Cranbrook, Inc., imposing a cross-easement for parking, ingress and egress and sewerage and water and proportionate charges for maintenance thereof in the event of diverse ownership at a future date of the existing unit and the proposed new unit of said shopping center.

I know of no reason why a partial release by you of the western 30' strip of your security will adversely affect your security because of a resulting conflict with the zoning regulations of Baltimore County, either as to area or parking spaces. I am sending a copy of this letter to Mr. DiNenna at your request to ascertain if he will confirm this fact to you.

I also call to your attention you partially released the southern 197' of said 30' strip on April 26, 1973, and the possibility of a conflict with Baltimore County zoning regulations, resulting therefrom, did not pose a problem to you on that date.

Very truly yours,

FRANCIS X. MC DONOUGH

FXM/rm

cc: Jerome J. Gebhart  
599 Cranbrook Road  
Cockeysville, Md. 21030

S. Eric DiNenna,  
Zoning Commissioner  
Room 121, County Office Bldg.  
Towson, Md. 21204



# PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Cranbrook, Inc., 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.L. DR 16, DR 3.5 to an DR 16, B.L. for the following reasons:

See attached description  
(see attached brief)

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: Jerome J. Gebhart, President  
Address: 599 Cranbrook Road  
Baltimore, Md. 21204  
Protestant's Attorney: Jefferson B. Bly  
Address: 2nd 61214

ORDERED BY The Zoning Commissioner of Baltimore County, this 5th day of July, 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 100, County Office Building in Towson, Baltimore County, on the 5th day of July, 1972, at 2:00 PM, which

at 2:00 PM, 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 100, County Office Building in Towson, Baltimore County, on the 5th day of July, 1972, at 2:00 PM, which

Malcolm E. Hudkins  
Zoning Commissioner of Baltimore County.

(over)

MALCOLM E. HUDKINS ASSOCIATES  
SURVEYORS AND LAND DEVELOPERS  
308 W. CHESTER AVE.  
TOWSON, MD. 21204  
B2B-9080

Description of B.L. Zone (Including special exceptions)

Beginning for the same at a point in the north right of way line of Cranbrook Road (70 feet) said point being distant 85.29 feet westerly measured along the said north right of way line of Cranbrook Road from the intersection formed by the cut-off from Ridgland Road (100 feet) with the said north right of way line of Cranbrook Road, the coordinates of said last mentioned point being N 63436.43 and W 1402.76 as shown on the plat of Dulaney Springs Apartments said plat recorded among the plat records of Baltimore County in Liber R.R.G. 30 folio 78 thence binding on said plat the two following courses and distances viz: (1) by a curve to the left having a radius of 1410.09 feet for an arc length of 516.43 feet said arc being subtended by a chord bearing N85°35'47" W a distance of 513.55 feet (2) by a curve to the left having a radius of 1670.00 feet for an arc length of 131.44 feet said arc being subtended by a chord bearing S91°39'25" W a distance of 131.38 feet thence for a line of division thru the parcel of land which by deed dated November 5, 1965 and recorded among the land records of Baltimore County in Liber O.T.G. 4545 folio 569 was conveyed by the Witney Land Company to Jerome J. Gebhart and John A. Luetkenmeyer a 05°29'10" E 479.58 feet thence binding on a plat of Plat No. 2 Greentop Manor recorded among the plat records of Baltimore County in Liber G.L.B. 17 folio 8 S 84°39'50" E 651.33 feet thence binding on the aforementioned plat of Dulaney Springs Apartments the two following courses and distances viz: (1) N77°3'35"E

PARCEL NO. 1 BL to DR 16

Beginning for the same the following course and distance from the intersection formed by the centerline of Ridgland Road (100 feet wide) with the centerline of Cranbrook Road (70 feet wide) viz: northwesterly binding on the said centerline of Cranbrook Road 100 feet more or less thence binding on the said centerline of Cranbrook Road northwesterly 555 feet more or less thence N 5-29' 10" E 35 feet more or less to the north side of said Cranbrook Road thence binding thereon by a curve to the right having a radius of 1410.09 feet for an arc length of 514 feet more or less thence

the two following courses and distances viz: (1) N 21-00-08 E 50.51 feet (2) by a curve to the left having a radius of 400.00 feet for an arc length of 191 feet more or less thence S 84-30-50 E 50 feet more or less thence binding thereon by a curve to the right southwesterly 290 feet more or less to the place of beginning.

Containing 0.746 acres of land more or less.  
Exclusive of the bed of Cranbrook Road.



Malcolm E. Hudkins  
Malcolm E. Hudkins Reg. L.S. #5095

PARCEL 2  
DR 16 to BL

Beginning for the same the two following courses and distances from the intersection formed by the centerline of Ridgland Road (100 feet wide) with the centerline of Cranbrook Road (70 feet wide) viz: 1) northwesterly binding along the said centerline of Cranbrook Road 146 feet more or less; 2) northeasterly radial to the said centerline of Cranbrook Road 35.00 feet to the north side of said Cranbrook Road thence parallel to and distant from the said centerline of Ridgland Road 150 feet the three following courses and distances viz: 1) North 21 degrees 00' 08" East 50.51 feet; 2) by a curve to the left having a radius of 400.00 feet an arc distance of 235.85 feet; 3) North 12 degrees 46' 52" West 60.47 feet to a point distant southerly 100 feet from the rear line of Greentop Manor Subdivision recorded among the land records of Baltimore County in Plat Book 17 folio 8 thence binding on said line North 84° 30' 50" West 600.00 feet thence South 5 degrees 29' 10" West 371.73 feet to the north side of said Cranbrook Road thence binding on the said north side of Cranbrook Road the two following courses and distances viz: 1) by a curve to the right having a radius of 1670.00 feet an arc length of 100.27 feet; 2) by a curve to the right having a radius of 1410.09 feet an arc length of 516.43 to the place of beginning, containing 4.7902 acres of land, more or less.

Saving and excepting BL already zoned by Map.



Malcolm E. Hudkins  
Malcolm E. Hudkins Reg. L.S. #5095

MALCOLM E. HUDKINS ASSOCIATES  
SURVEYORS AND LAND DEVELOPERS  
308 W. CHESTER AVE.  
TOWSON, MD. 21204  
B2B-9080

PARCEL 3 - DR-3.5 to DR-16

Beginning for the same the five following courses and distances from the intersection formed by the centerline of Ridgland Road (100 feet wide) with the centerline of Cranbrook Road (70 feet wide) viz: (1) Northwesterly along the said centerline of Cranbrook Road 146 feet more or less (2) Northeasterly radial to the said centerline of Cranbrook Road 35.00 feet to the north side of said Cranbrook Road (3) N 21° 00' 08" E 50.51 feet (4) by a curve to the left having a radius of 400.00 feet for an arc length of 235.85 feet (5) N 12° 46' 52" W 60.47 feet thence N 84° 30' 50" W 1189.12 feet thence N 5° 29' 10" E 100.00 feet to the southern most line of Greentop Manor Subdivision thence binding thereon S 84° 30' 50" E 1210.45 feet thence N 77° 13' 05" E 48.40 feet to the west side of said Ridgland Road thence binding thereon S 12° 46' 52" E 121.29 feet thence N 84° 30' 50" W 105.31 feet to the place of beginning.

Containing 2.76 acres more or less.



Malcolm E. Hudkins  
Malcolm E. Hudkins Reg. L.S. #5095

Sheet (2)

48.40 feet (2) S12°46'52" E 30.00 feet thence for lines of division through the aforementioned conveyance from Witney Land Company to Jerome J. Gebhart and John A. Luetkenmeyer the four following courses and distances viz: (1) S77°13'08" W 100.00 feet (2) S12°46'52" E 118.75 feet (3) by a curve to the right having a radius of 400.00 feet for an arc distance of 235.85 feet said arc being subtended by a chord bearing S04°06'38" W a distance of 232.45 feet (4) S21°00'08" W 50.51 feet to the place of beginning. Containing 6.536 acres of land more or less.

Subject to drainage and utility easements as shown on accompanying plan.

Being a part of the land which by deed dated November 5, 1965 and recorded among the land records of Baltimore County in Liber #445 folio 569 was conveyed by the Witney Land Company to Jerome J. Gebhart and John A. Luetkenmeyer.



Malcolm E. Hudkins  
Malcolm E. Hudkins Reg. L.S. #5095

MALCOLM E. HUDKINS ASSOCIATES  
SURVEYORS AND LAND DEVELOPERS  
308 W. CHESTER AVE.  
TOWSON, MD. 21204  
B2B-9080

PARCEL 3 - DR-3.5 to DR-16

Beginning for the same the five following courses and distances from the intersection formed by the centerline of Ridgland Road (100 feet wide) with the centerline of Cranbrook Road (70 feet wide) viz: (1) Northwesterly along the said centerline of Cranbrook Road 146 feet more or less (2) Northeasterly radial to the said centerline of Cranbrook Road 35.00 feet to the north side of said Cranbrook Road (3) N 21° 00' 08" E 50.51 feet (4) by a curve to the left having a radius of 400.00 feet for an arc length of 235.85 feet (5) N 12° 46' 52" W 60.47 feet thence N 84° 30' 50" W 1189.12 feet thence N 5° 29' 10" E 100.00 feet to the southern most line of Greentop Manor Subdivision thence binding thereon S 84° 30' 50" E 1210.45 feet thence N 77° 13' 05" E 48.40 feet to the west side of said Ridgland Road thence binding thereon S 12° 46' 52" E 121.29 feet thence N 84° 30' 50" W 105.31 feet to the place of beginning.

Containing 2.76 acres more or less.



Malcolm E. Hudkins  
Malcolm E. Hudkins Reg. L.S. #5095

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiTerna, Zoning Commissioner Date: June 15, 1972  
FROM: Baltimore County Planning Board  
SUBJECT: Zoning Petition No. 73-1-R

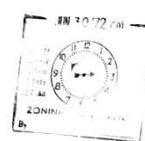
Property Owner: Cranbrook, Inc.  
Location: N/S of Cranbrook Road, 146' W. of Ridgland Road  
Existing Zoning: R.L., D.R. 16, and D.R. 3.5  
Requested Zoning: R.L. and L.U. 16  
Date of Hearing: July 5, 1972

This 5-acre parcel, presently zoned D.R. 3.5, D.R. 16, and R.L., is located on the north side of Cranbrook Road, 146 feet west of Ridgland Road. The petitioner is requesting R.L. and D.R. 16 zoning, proposing to construct a shopping center.

The zoning of this tract was an issue before the Planning Board and the County Council during the processing of the recently adopted comprehensive zoning maps.

Several errors apparently were made concerning this tract. First, the boundary line between D.R. 3.5 and D.R. 16 zoning should have been drawn at the rear lot lines of the Greentop Manor Subdivision as had originally been granted in zoning case 765-1838. The R.L. zoning boundary line, as adopted by the County Council, should have been 150 feet from the center line of Ridgland Road, 100 feet from the rear lot lines of Greentop Manor, and approximately 80 additional feet farther west than the original line shown.

It is therefore recommended by the Planning Board that the zoning lines be adjusted to correct this oversight (see attached sheet).



ORDER RECEIVED FOR FILING

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 and the health, safety, and general welfare of the community not being adversely affected,

the above Reclamation should be had; and it further appearing that by reason of error in the original zoning map and the health, safety, and general welfare of the community not being adversely affected,

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 1st day of August, 1972, that the herein described property or area should be and the same is hereby reclassified; from a R. 1, D. R. 16, D. B. 16, and B. 16, to a D. R. 16, D. B. 16, and B. 16, and the Special Exception Code, and the same is hereby DENIED.

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 and the health, safety, and general welfare of the community not being adversely affected,

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 1st day of August, 1972, 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 R. 1, D. R. 16, D. B. 16, and B. 16, and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

FRANK E. CICONE  
Attorney at Law  
TOWSON, MARYLAND 21204  
Suite 411 Jefferson Bldg.  
April 3, 1972

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

RE: Property of Cranbrook, Inc.

Dear Mr. DiNenna:

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 map signed March 24, 1971.

1. That a drafting error was committed by the Planning Staff in making an overlay for the subject property which erroneous overlay was submitted to the Council.

2. That Planning made a drafting or clerical error and placed a 200 foot buffer on the rear of the subject property instead of a 100 foot buffer which was intended by the County Council.

3. That a drafting error placed a 100 foot buffer from the center line of Ridgeland Road instead of measuring from the east property line westward as was intended by the County Council.

4. That the working minutes, maps, petitions, and other data confirmed the clerical and drafting errors.

5. That the map adopted in April of 1971 erroneously shows DR 3.5 measuring from the rear property line southward 100 feet when actually the said 100 feet is DR 16 and should be so shown on the map.

6. That all the errors appearing on the petitions, and plans were committed due to drafting and clerical errors.

7. And for other and further sufficient reasons to be shown at the hearing on this petition.

Very truly yours,

Frank E. Cicone

FEC:kn

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 3604  
DATE May 2, 1972 ACCOUNT 01-662  
AMOUNT \$50.00  
DISTRIBUTION: WHITE - CASHIER, PINK - AGENCY, YELLOW - CUSTOMER  
Frank E. Cicone, Rep.  
411 Jefferson Building  
Towson, Md. 21204  
Petition for Reclamation for Cranbrook, Inc.  
377 2271 10  
3000 REC  
Will H. Heford of Justice

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

JE. E. GAVELIS  
Director  
Jefferson Building  
Suite 201  
Towson, Md. 21204  
476-3211

The Honorable Francis C. Borrett  
Chairman  
Baltimore County Council  
Towson, Maryland 21204

Dear Sir:

At its regular meeting on Thursday, April 20, 1972, the Baltimore County Planning Board, under the provisions of Subsection 22-22 (i), Baltimore County Code, 1968, as amended, unanimously approved the following resolution pertaining to Zoning Advisory Committee Item 35, in the April 1972 to October 1972 zoning cycle:

RESOLVED: That the Baltimore County Planning Board certifies to the Baltimore County Council that early action is manifestly required in the public interest and because of emergency on the zoning reclassification petition submitted by Cranbrook, Incorporated, and accepted by the Baltimore County Zoning Commissioner on April 4, 1972.

A copy of the petition, with accompanying plan and description, is attached as Enclosure #1.

The Planning Board agreed that this petition should be exempted from the regular, cyclical procedures of Subsections 22-22 (e) through Subsection 22-22 (h), Baltimore County Code, 1968, as amended, for the reasons stated in Mr. Frank E. Cicone's letter to me. A copy of Mr. Cicone's letter is attached as Enclosure #2. Further, the Planning Board is convinced that it is in the public interest to rectify, as speedily as possible, what it considers to be errors of commission and omission by the Planning staff.

Sincerely,

George E. Gavelis  
Director

Enclosures (2) Approved by the County Council June 5, 1972

Herbert E. Hohenberger, Secretary

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 3775  
DATE Aug. 2, 1972 ACCOUNT 01-662  
AMOUNT \$46.00  
DISTRIBUTION: WHITE - CASHIER, PINK - AGENCY, YELLOW - CUSTOMER  
Alan Cranbrook Co., Inc.  
599 Cranbrook Road  
Cockeysville, Md. 21030  
Advertising and zoning of property  
473-1-2  
4600 REC

OFFICE OF  
THE TOWSON TIMES  
TOWSON, MD. 21204  
June 19 - 1972

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric DiNenna, Zoning Commissioner of Baltimore County, was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 19 day of June 1972 that is to say, the same was inserted in the issue of June 15, 1972.

STROMBERG PUBLICATIONS, Inc.

By: Ruth Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 15, 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. on one time before the 15th day of July, 1972, the 15th publication appearing on the 15th day of June 1972.

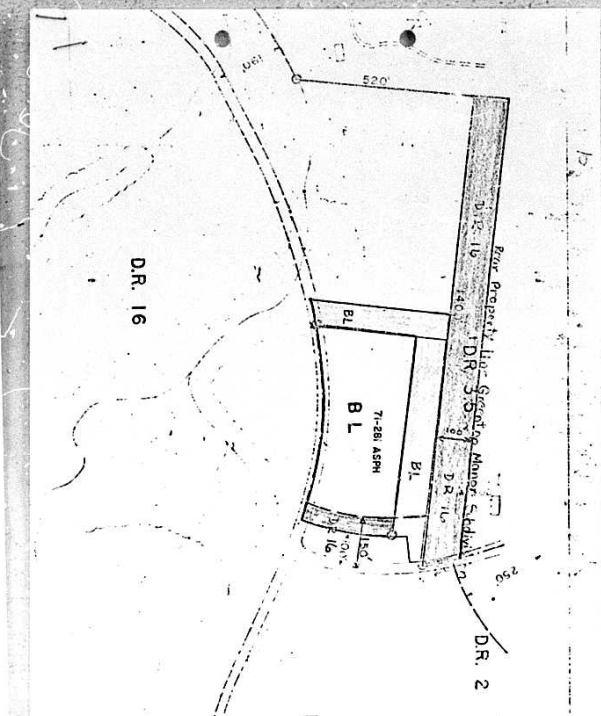
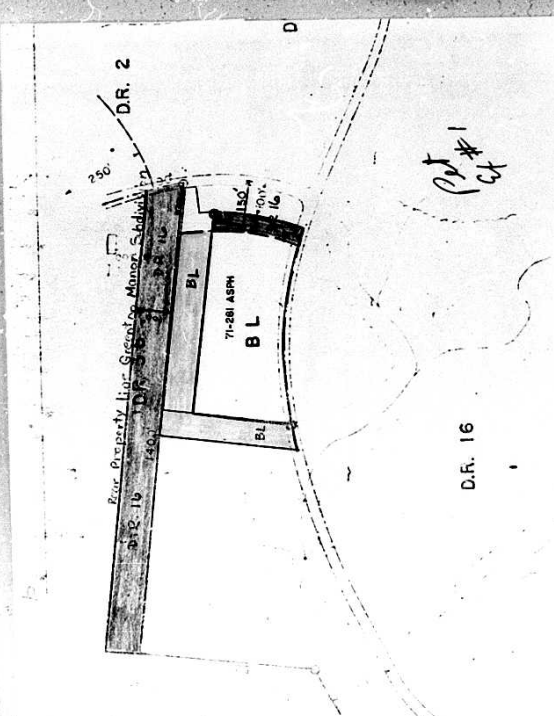
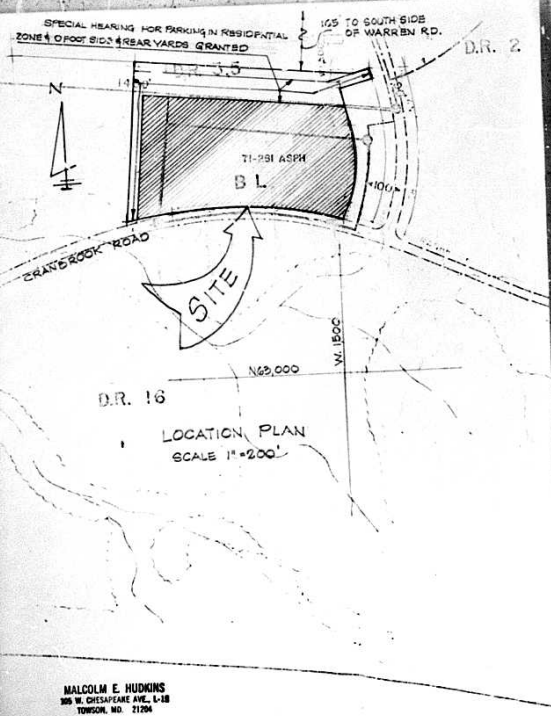
THE JEFFERSONIAN  
L. L. Lusk, Jr., Manager

Cost of Advertisement, \$

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 8th Date of Posting: June 15, 1972  
Posted for: Henry W. July 5, 1972 9:10 a.m.  
Petitioner: Cranbrook, Inc.  
Location of property: N/S of Cranbrook Rd. 1461 W. of Ridgeland Rd.  
Location of Sign: Signs posted on Cranbrook Rd.

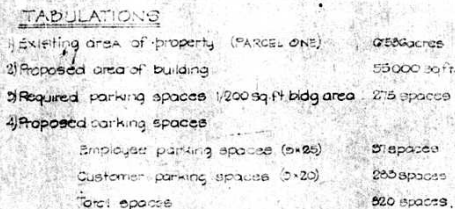
Remarks:  
Posted by: Fred H. Hox  
Date of return: June 22, 1972





Jerome J. Gebhart, President, Cranbrook V.C.

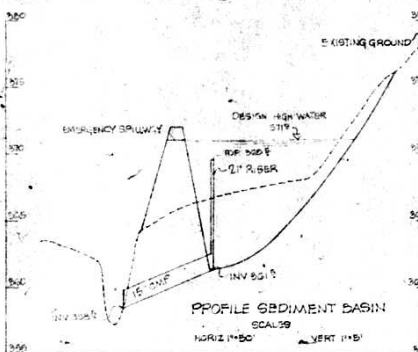




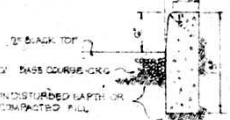
ARTICLE 40.4  
PARKING FOR PASSENGER VEHICLES ONLY.  
LOADING FROM REAR OF BUILDING ONLY.  
SCREENING PROPOSED AS SHOWN.  
DURABLE DUSTLESS SURFACE PROVIDED.  
PARKING AND ACCESS AS SHOWN.  
PROPOSED RETAIL SALES OPERATION 9AM-5PM.  
8 WALL MOUNTED FLOOD LIGHTS DIRECTED  
DOWNWARD TO BE OPERATED BETWEEN DUSK  
& 10 PM. MAINTAINED BY CRANBROOK INC.



1. All proposed structures shall be constructed in accordance with the standards and specifications of the International Building Code, 2006 Edition, as amended, and the local ordinances of the City of Colorado Springs. The City of Colorado Springs shall be responsible for the design and construction of the structure. The City of Colorado Springs shall be responsible for the design and construction of the structure. The City of Colorado Springs shall be responsible for the design and construction of the structure.



LEGEND:  
EXISTING CONTOUR  
PROPOSED CONTOUR  
SPOT ELEV.  
BUILDING LINE  
CURB LINE



TYPICAL CONCRETE CURB & PAVING SECTION

Note: All on-site curbs are concrete unless otherwise noted.

PREPARED BY: MALCOLM E. HUDKINS ASSOCIATES  
908 WEST CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
828-2000

Certify that the erosion control measures and sediment retention structures and design meet the criteria established in the standards specified on the Soil Erosion Management Control in Unincorporated Areas as approved and authorized by the State of Maryland Department of Water Resources.

Maxim E. Hudkins Reg #5021

Date \_\_\_\_\_

STATE TO A COMPANY PETITION

"RECLASSIFICATION DESB51, 506 TO B1, ZONE

EIGHTH ELECTION DISTRICT, BALTIMORE COUNTY MARYLAND

SCALE 1"=50'

FEBRUARY 4, 1972  
REV. FEB. 22, 1972  
MARCH 29, 1972  
4/21/72

OWNER:  
CRANBROOK INC.  
JEROME J. GEDHART PRES:  
500 CRANBROOK ROAD  
COCKEYSVILLE MARYLAND, 21030  
PHONE: NUMBER 660-3400

I Certify that all development and/or construction will be done according to the plan of development and plan of site and easement control.

Verne J. Gebhart President Cranbrook Inc.