

73-117-X #42 PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Herritt Boulevard Property Partnership, Angelo N. D'Anna (General Partner)
I, or we, as 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,
herby petition (1) that the zoning status of the herein described property be re-classified, pursuant
to the Zoning Law of Baltimore County, from an _____ zone to an _____
zone; for the following reasons:

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 A. 5895555.

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

Contract purchaser
Angelo N. D'Anna, General Partner
Herritt Boulevard Property Partnership
Legal Owner

Address... 1183 Holabird Avenue
Dundalk, Maryland 21222

BY *Mark E. Brown*
Petitioner's Attorney

Address *Jefferson Bldg*
Towson, Md 21204
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of September, 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 through-
out 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 _____ day of November, 1972, at 11:00 o'clock

George W. Stephens, Jr.
Zoning Commissioner of Baltimore County

(over)

FROM THE OFFICE OF
GEORGE W. STEPHENS, JR. AND ASSOCIATES, INC.
ENGINEERS
P.O. BOX 46628, TOWSON, MD. 21204

Description to Accompany Zoning Petition
For Theater in District B.L. Zone
West side Merritt Blvd.

August 17, 1972

Beginning at the end of the two following courses from the intersection
formed by the east side of Merritt Blvd. and the north side of Westfield Road
(1) northerly along the east side of Merritt Blvd. 956.76 feet and (2) North
75° 06' 22" East 160 feet, thence from said point of beginning the eight following
courses, viz: (1) North 75° 06' 22" East 110.00 feet, (2) South 14° 53' 30" East
35.00 feet (3) North 75° 06' 22" East 132.00 feet (4) South 14° 53' 30" East
30.00 feet (5) South 75° 06' 22" West 132.00 feet (6) South 14° 53' 30" East
55.00 feet (7) South 75° 06' 22" West 110.00 feet and (8) North 14° 53' 30" West 120.00
feet to the point of beginning.

Containing 0.393 Acres of land more or less.



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 19, 1972

Mr. Angelo N. D'Anna, General Partner
Herritt Boulevard Property Partnership
7183 Holabird Avenue
Dundalk, Maryland 21222

RE: Special Exception Petition
Item 42
Angelo N. D'Anna, General Partner
Herritt Boulevard Property Partnership -
Petitioners

Dear Mr. D'Anna:

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 east side of Merritt
Blvd., 610 feet north of Westfield Road, in the 12th District of
Baltimore County. This Business Local property is currently
unimproved and lies adjacent to an existing vacant lot on the
south side. A sewer transmission line and residential building
on the east side and the Two Guys Shopping Center on the north. The
west side of Merritt Blvd. is largely unimproved B.L. property
and is the subject of a current reclassification petition, Item
40 and Case #73-750 for another shopping center.

This petition is accepted for filing, however, revised site
plans must be submitted to the Office of Planning and Zoning
indicating a 15 foot minimum curb tangent from the southernmost
property line and the entrance to this property. Also, in general,
all future development on this site must be correlated with
any future development on the west side of
Merritt Blvd.

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

Very truly yours,
John I. Dillman, Jr.
Chairman
Zoning Advisory Committee

cc: 4243
Enclosure

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

September 15, 1972

Bureau of Engineering
ELLENWORTH N. DIVER, P.E. CHIEF

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

Re: Item #42 (1972-1573)
Property Owner: Angelo N. D'Anna
E/S Merritt Boulevard, N/S Westfield Road
Present Zoning: B.L.
Proposed Zoning: Special Exception for theater
District: 12th W. District 12.393 acres

Dear Mr. DiNenna:

The formal comments dated October 25, 1971, furnished the Developer in
connection with the Commercial Preliminary Plan for the Danville Square
Shopping Center by the Bureau of Public Services, together with their
additional comments dated September 5, 1972, remain applicable. Copies
of those comments are attached for your consideration.

Very truly yours,
Ellenworth N. Diver
ELLENWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

ENCLOSURES

2-MIN Key Sheet
9 x 10 1/2 92 Position Sheet
103 Tax Map

cc: George A. Reier
Attachments

Baltimore County Department Of Public Works COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

September 5, 1972

Anchor
7183 Holabird Avenue
Baltimore, Maryland 21222

Re: Danville Square Shopping Center
District 12

Gentlemen:

The following comments are supplied by the Bureau of Engineering.

BUREAU OF ENGINEERING:

The Commercial Preliminary Plan entitled "Site Plan No. 1 - Dan-
ville Shopping Center, District 12, 1972 (D'Anna Proj. etc.)", has been re-
viewed by the Engineers Design Approval section of the Bureau of Engineering.

The following comments are in addition to those previously furnished
the Developer by the Bureau of Public Services, dated October 25, 1971.

General Comments:

It is noted that the various Fire and Utility Easements and the
easement area for storm are not indicated although they appear on the plat
entitled "Preliminary Plan of Danville Shopping Center, District 12, 1972",
of which this property is a part, being designated as Lot No. 1 on the recorded
plat. It is the responsibility of the Developer to determine the status of
these easements and to ascertain the rights therein. No encroachment by con-
struction of any structure, including footings is permitted within any Bal-
timore County utility easements.

Very truly yours,
George A. Reier
GEORGE A. REIER, Chief
Bureau of Public Services

cc: George W. Stephens, Jr. & Assoc.
Edward A. McDonough
File

RECEIVED
BUREAU OF ENGINEERING

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

A. V. Quimby
Acting Director
Jefferson Building
Suite 201
Towson, Md. 21204
(#6321)

September 18, 1972

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 42, Zoning Advisory Committee Meeting, September 5, 1972,
are as follows:

Property Owner: Angelo N. D'Anna
Location: E/S Merritt Boulevard, N/S Westfield Road
Present Zoning: B.L.
Proposed Zoning: Special Exception for theater
District: 12
No. Acres: 0.393 acres

The site plan should be revised to reflect the changes made to the southern most
driveway to agree with the plan approved by this office.

Very truly yours

John L. Wimbley
Planning Specialist II
Project Planning Division
Office of Planning and Zoning

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

September 14, 1972

DONALD J. ROOF, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

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

Dear Mr. DiNenna:

Comments on Item 42, Zoning Advisory Committee Meeting
September 12, 1972, are as follows:

Property Owner: Angelo N. D'Anna
Location: E/S Merritt Boulevard, N/S Westfield Road
Present Zoning: B.L.
Proposed Zoning: Special Exception for theater
District: 12
No. Acres: 0.393

Metropolitan water and sewer must be extended prior to
issuance of building permit.

Food Service Comments: If a food service facility is
proposed, complete plans and specifications must be submitted to
the Division of Food Protection, Baltimore County Department of
Health, for review and approval.

Air Pollution Comments: The building or buildings on this
site may be subject to a permit to construct and a permit to operate
any and all fuel burning and processing equipment. Additional
information may be obtained from the Division of Air Pollution and
Industrial Hygiene, Baltimore County Department of Health.

Department of Water Resources Comments: If lubrication
work and oil changes are performed at this location, revised plans
must be submitted showing method providing for the elimination of
waste oil in accordance with the Department of Water Resources
requirements.

Very truly yours,

Donald J. Roof
DONALD J. ROOF, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVR:mnc
cc: W.L. Phillips
L.A. Schuppert

Baltimore County Fire Department

J. Austin Deitz
Chief

Towson, Maryland 21204

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: Mr. *John I. Dillman, Jr.* Acting
Zoning Advisory Committee

Re: Property Owner: Angelo N. D'Anna

Location: E/S Merritt Boulevard, N/S Westfield Road

Item No. 42 Zoning Agenda Tuesday, September 5, 1972

Gentlemen:

Pursuant to your request, the referenced property has been surveyed
by this Bureau and the comments below marked with an "x" are applica-
ble and required to be corrected or incorporated into the final plans for
the property.

- (X) 1. Fire hydrants for the referenced property are required and
shall be located at intervals of 300 feet along an
approved road in accordance with Baltimore County Standards
as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at _____
- () 4. _____ exceeds the maximum allowed by the Fire Department.
The site shall be made to comply with all applicable parts
of the Fire Prevention Code prior to occupancy or beginning
of operations.
- (X) 5. The buildings and structures existing or proposed on the
site shall comply with all applicable requirements of the
National Fire Protection Association Standard No. 101
"The Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *John I. Dillman, Jr.* Noted and Approved: *Paul H. Rane*
Planning Group Special Inspection Division Deputy Chief
Fire Prevention Bureau

mls
4/25/72

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: September 5, 1972

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

Re: Item #42 ZAC meeting of September 5, 1972
Property Owner: Angelo N. D'Anna
Location: E/S Merritt Boulevard, N/S Westfield Rd.
Present Zoning: S-1
Proposed Zoning: Special Exception for theater

District: 12
No. Acres: 0.393 acres

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich

W. Nick Petrovich
Field Representative

WNP:ld

F. BAYARD WILLIAMS, JR., PRESIDENT
WES. JOHN M. BROOKER, VICE PRESIDENT
WES. ROBERT W. BERRY

EUGENE H. WESS
W. RUSSELL KNIGHT
W. ALAN LORACK
JOSHUA H. WHEELER, ATTORNEY

H. EMBUE PARKS
RICHARD A. TRACY, J.M.
WES. RICHARD C. LUCIEL

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenna, Zoning Commissioner Date: October 31, 1972

FROM: Norman E. Gerber, Office of Planning

SUBJECT: Petition #73-117-X, Northeast corner of Merritt Boulevard and Westfield Road.
Petition for special exception for a theatre
Merritt Boulevard Property Partnership, Angelo N. D'Anna - Petitioner

12th DISTRICT

HEARING: Thursday, November 2, 1972 (11:00 A.M.)

The Office of Planning and Zoning has reviewed the subject petition and has the following comments to offer:

A theatre is a use that is consistent with the policies of the County's official master plan - the Guideplan.

If the proofs of Sec. 502.1 are met development should be conditioned to an approved site plan.

NEG:cm

Mr. Angelo N. D'Anna, General Partner
Merritt Boulevard Property Partnership
7185 Holabird Avenue
Dundalk, Md. 21222

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Item #2

Your Petition has been received and accepted for filing
this 5th day of September 1972.

R. D. DiNenna
ERIC DINENNA
Zoning Commissioner

Petitioner: Angelo N. D'Anna, General Partner
Merritt Boulevard Property Partnership
Petitioner's Attorney: Reviewed by *John J. Deller Jr.*
Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 5076
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Oct. 11, 1972 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

Dunville Square
7185 Holabird Ave.
Baltimore, Md. 21222
Advertising and posting of property
#73-117-X

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

3P N. Dundalk Ave.
L. idok, Md. 21222

October 13, 1972

THIS IS TO CERTIFY, that the annexed advertisement of
SERIC DINENNA, ZONING COMMISSIONER OF BALTO. COUNTY,
in the Matter of Petition by Merritt Blvd. Partnership,
was inserted in The Dundalk Eagle a weekly news-
paper published in Baltimore County, Maryland, once a week
for five successive weeks before the
13th day of October, 1972; that is to say,
the same was inserted in the issues of October 5, 1972.

Kimbel Publication, Inc.

Publisher.

Kimbel & Co.

BALTIMORE COUNTY, MARYLAND No. 5706
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Oct. 24, 1972 ACCOUNT 01-662

AMOUNT \$45.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

Dunville Square
7185 Holabird Ave.
Baltimore, Md. 21222
Advertising and posting of property
#73-117-X

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet
	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, CC, CA									
Reviewed by: <i>JD</i>	Revised Plans:				Change in outline or description				
Previous case:	Map #				Yes _____ No _____				

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 12, 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 time, successive weeks before the 22nd day of November, 1972, the last publication appearing on the 12th day of October, 1972.

THE JEFFERSONIAN

A. Frank Strickland
Manager

Cost of Advertisement, \$

PETITION FOR SPECIAL EXCEPTION

FOR A THEATRE

LOCATION: Northeast corner of Merritt Boulevard and Westfield Road

DATE: A TIME: Thursday, November 2, 1972 at 11:00 A.M.

PLACE: County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

THE Zoning Commissioner of Baltimore County, by authority of the Board of Commissioners, do hereby certify that the following petition for special exception for a theatre, was filed with the Office of Planning and Zoning, Baltimore County, Maryland, on the 11th day of September, 1972.

The said petition is for a special exception for a theatre, to be located on the northeast corner of Merritt Boulevard and Westfield Road, in the 12th District, Baltimore County, Maryland.

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CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#73-117-X

District: 12th Date of Posting: Oct. 12-72

Posted for: *Angelo N. D'Anna* Nov. 2, 1972 at 11:00 A.M.

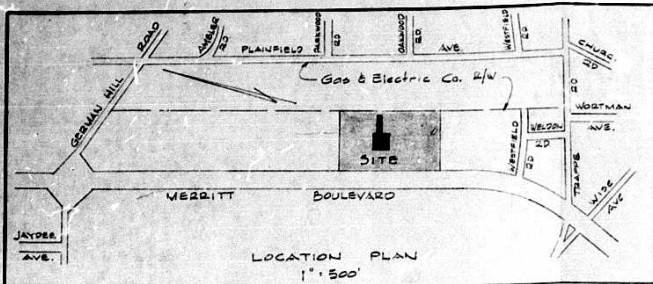
Petitioner: *Merritt Blvd. Property Partnership*

Location of property: *N. Chesapeake Rd. & Westfield Rd.*

Location of Signs: *1 Sign - East N. Chesapeake Rd. & Westfield Rd.*

Remarks: *Merritt Blvd. Property Partnership*

Posted by: *Michael H. Hines* Date of return: Oct. 19, 72



PARKING DATA

1. DETAIL STORES 60,475' @ 1/200" 347 Cars
 2. THEATRE 230 SEATS @ 1/4 58 Cars
 3. AUTOMOTIVE SERVICE STATION 5 Cars
 4. RESTAURANT AREA 4,700' @ 1/50" 94 Cars
 5. DRIVE IN BANK 2,520' @ 1/300" 8 Cars
- MINIMUM PARKING SPACE 85'x18' TOTAL REQ'D 496
TOTAL PROVIDED 496
6. † INDICATES LIGHT STANDARD 10' HIGH AND DIRECTION
7. EXISTING PROPERTY ZONED - B.L.
8. SURFACE TO BE MACADAM PAVED.

AREA OF SITE 7.32 AC.±

1. AREA OF SITE TO BE LANDSCAPED
.05 x 7.32 AC. = .375 AC. or 16,200' x 250'
2. LANDSCAPING WILL CONSIST OF SHRUBBERY AND GRASS.

Proposed 250
Seat Theatre

EXISTING ZONING DR 5.5

"BALTIMORE GAS & ELECTRIC CO."

750' x 110' Screen Accessible to Residents
and Director of Planning

EXISTING ZONING B.L.

VACANT

BOULEVARD

MERRITT

EXISTING ZONING DR 5.5

VACANT

PLAT TO ACCOMPANY ZONING PETITION
SPECIAL EXCEPTION FOR THEATRE IN B.L. ZONE
EAST SIDE MERRITT BLVD NORTH OF WESTFIELD RD

BALTO. CO., MARYLAND
SCALE: 1"=50'

ELECTION DISTRICT #12
AUGUST 16, 1978

REVISED SEPTEMBER 22, 1972 - CHANGED SOUTHWEST ENTRANCE

OFFICE COPY
REVISED PLANS

#42
S. Anne



PW 1655

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
308 ALBEMARLE AVE.
TOWSON, MARYLAND



