## PETITION FC 3 ZONING RE-CLASS TICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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-

\_\_\_\_zone; for the following reasons:

97 PF 2/2

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 theatre

or we agree to pay expenses of above re-classification and/or Special Exception advertising osting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning

on and restrictions of Baltimore County adopted purposes are to be boom by the bound on an and restrictions of Baltimore County adopted purposes to the Zonig Law for Baltimore Angylo ft. D'Anna, General Partner Contract purchaser

Boulevard Property Partnership Address 7183 Holabird Avenue

Shank & Come

Dundalk, Maryland 21222 Protestant's Attorney

..., 197 ..., That the subject matter of this petition be advertised, as Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 2nd day of November 1972 at 11:00 clock

SEP 5 1000

TANKS OF THE PERSON NAMED IN COLUMN

Zoning Commissioner of Baltimore Courty.

PROJ THE OFFICE OF CHORGE WILLIAM STEPHENS, JR. AND ASSOCIAT", INC.

Aumust 17, 1972

east side of Merritt Blad, and the north side of Westfield Road (1) North 75° 06' 22" East 110,00 feet, (2) South 14° 53' 38" East (5) South 75° 06' 22" West 132.00 feet (6) South 14° 53' 38" East (7) South 75° 06' 22" West 110,00 and (8) North 14° 53' 38" West 120,00

Containing 0.393 Acres of land more or less.



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

Mr. Angelo M. 3'Anna, Genural Partner Merritt Boulevard Property Partnership 7183 Melabird August Dundalk, Haryland 21222

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

Dear Mr. D'Anna:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced potition 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 as the set side of Perfit Blvd., 410 feet north of Vestfield Boad, in the 12th District of Baltimore County. This Dusiness Local property is currently unimproved and Hes adjacent to an existing vacant lot on the south offer. A going transferation Hes and residential Advillage on the east side and the Two Guys Shonsing Center on the morth. The wast side of ingertic Blvd. Is largely unimoved DB 5.5 property which is a simple of a current world sifterion existing, item 40 and Case 03/9/20 for amount modern should be center.

This petition is accessed for filling, however, revised size Indicates a 15 foot infinement to be specific to the superior of a received state of the superior of the super

This patition is accepted for filling on the rate of the enclosed filling certificate. Dailer of the heneface date and film, which will be held not less then 50, one rate clan 50 days after the date on the filling certificate, will be farmered to you in the news future.

II J. BILLON, SR .. ning Advisory Committee

Enclosure

## Baltimare County Garnland

Benartment (Of Enblie Marke COUNTY OFFICE BUILDING

Bureau of Empire im

September 15, 1972

Mr. S. Eric DiNerna

Be: Item sh2 (1972-1973)
Property Comer: Angels N. 50 mas
E/S Werritt Deshaward, N. 30 whenfield Road
Present Zoning: Rai.
Proposed Mening: Special Exception for theater
Districts 12th No. Acres: 0,393 acres

The formal connects dated October 28, 1971, furnished the Developer in connection with the Commercial Preliminary Plan for the Danville Square Shopping Center by the Eureson of Public Services, together with their additional comments dated September 5, 1972, remain applicable. Copies of those comments are attached for your consideration.

END:EAM:FUE:ss

E-NN Key Sheet 9 & 10 SE 22 Position Sheet SE 2 & 3 F Topo 103 Tax Mep

co: George A. Refer

Attachments

## Baltimore County Department Of Public Works

COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204 September 5, 1972

Ancar 7183 Holabird Avenue Ealtimore, Maryland 21222

Re: Darwille Square Shopping Center District 12

OFCHOR A. Piles, Chief . Bureau of Public Services

The following comments are supplied by the Bureau of Engineering. BUTTON OF FROINF PING:

The Commercial Preliminary Plan entitled "Site Plan No. 1 - Tan-wille Shordine Contert, Pertiend June 1, 1972 (D'Arma Provency), bas been re-viewed by the Towalowers Tealing Approvid Section of the Eureau of Engineering.

The following comments are in addition to those previously furnished the Feveloper by the Sureau of Fublic Services, dated October 28, 1971.

General Cornents:

It is noted that the various Prainage and Stility Essenchts and the sessents area for slores are not sind outed although they areas on the like sentitled fine-indivision Historic Laurenchies from the Color of the Lenge C. Pin

REGEIVER

# BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Jefferson Building Suits 301 Towson, Md. 21204 494-3211

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

Dear Mr. Di Nenna

ents on Item 42, Zoning Advisory Committee Meeting, September 5, 1972,

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: 0.394 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 you

September 18, 1972

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

## -BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH-

September 14, 1972

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

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 Proposed Zoning: B.L. Proposed Zoning: Special Exception for theater District: 12 No. Acres: 0.393

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

Food Service Comments: If a food service facili', 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 rollution Comments: The building or buildings on this sice 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, Builtoner County Department of Health.

Department of Water Resources Comments: If lubrication work and oil changes are performed at this location, avvised 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,

HVB:mn¢ cc: W.L. Phillips L.A. Schuppert

THOMAS H. Deviin, Director BUREAU OF ENVIRONMENTAL SERVICES

# Bacimore County Fire Department



823-7310

Office of Planning and Zoning Balt.more County Office Building Towson, Maryland 21204 Attention: Mr. Discouling Acting Chairman Zoning Advisory Committee

Property Owner: Angelo N. D'Anna

Loca\* on: E/S Merritt Boulevard, N/S Westfield Road

Item No. 42

Zoning Agenda Tuesday, September 5, 1972

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicably 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 200 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Morks.

A second means of vehicle access is required for the site. The vehicle dead-end condition shown at

ENCERO the maximum allowed by the Fire Department.

1 4. The site shall be made to comply with all applicable parts of operations opera

Reviewer: A Copp. Mose Moted and fout it Reache Planning Moroup Special Inspection Division Pire Prevention Bureau

mls 4/25/72

Public senitory sewerege can be undo evailable to serve this property by constructing a public senitory sewer extension, approximately 1,450 feet in length, from the existing 10-inch public senitory sewer in Mestrical Road, shown on Drawing \$23-251, A-10, File 1.

The Beveloper is responsible for any deficit to be incurred by the construction, under County contract and inspection, of the public sentrary sewerage required to serve this property. He is responsible for the preparation and cost of construction drawings and right-of-may plats required. He is further responsible for conveying the required

The Beveloper is entirely responsible for the construction, and the cost of the truction and maintenance, of his onsite private sanitary severage, which must con with the Baltimore County Fluebing Govern

The Developer is responsible for all accompanying right-of-way acquisition costs.

No approved is granted to include any food waste grinder emong the sanitary fixtures. is si subject to further review, upon application for permission to the Department of mults and Licenses.

The Developer is cautioned as to the disposal of Industrial wastes, Mestes detri-mental to the qualic sever system, or the functioning of the sewage pumping stations and/or tracteent plants, shall be treated or disposed o. as found necessary and directed by the Administrative Authority or other authority having jurisdiction.

Further, it shall be unleaful for any person to deposit by any means into the building drainess system or sever, any eshes, cinders or rags - flemable, poisonous, or explosive liquids - passe, oils, grosse, or any other material which would or could obstruct, design or overload such system or sever.

The Developer is responsible for the preparation and submittal of such analyses of his industrial wastas as may be required to determine either the method of disposal; or, the pretreatment to be employed by him if the industrial westes are to be disposaged into the public sanitary seams system, prior to issuance of a building permit.

The Developer must submit a plan indicating satisfactory means for the disposal the wash-rack offluent, industrial waste, storm crainage and sanitary sewage, before application for a building parmit can be approved.

This property is subject to a Sanitary Semer System Connection Charge which is determined on the Losis of mater service requirements, and is payable upon application for the Plumbing Parmit. This Charge is in addition to normal front foot assessment and parmit feet. \*\*\*\*\*\*\* A Public Works Agreement must be executed by the owner and Baltimore county for the above mentioned improvements, prior to the recording of the record plat.

The plan as shown appears to be satisfactory. However, several points should be called to the attention or the governour.

DEPARTMENT OF TRAFFIC ENGINEERING COMMENTS:

Bearille Square Shopping & er

Senitary Somer Comments:

Baltimore County Department Of Public Works

COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

RECEIVED

can of Public Service October 23. 1:71

Merritt Development Company 7183 Holabird Avenue Baltimore, Maryland 21222

Re: Commercial Preliminary Plan Banville Square Shopping Center (D'Anna Prop.) E/S Herritt Blvd. 1000' N. of Trappe Rd.- District 12

### Gent Legen:

The preliminary plan for the proposed shopping center has been reviewed and the commuts are as follows:

### OFFICE OF PLANTING CONVENTS:

Since there is to be an automotive service station on this site, an ô foot high fence or wall must be provided at the rear of the shopping center; or suitable screening that is acceptable to the residents, the Biractor of Planning, and the Zoning Commissioner.

## 2) The entire site must be provided with 5% of the area landscaped.

3) There should be a driveway connection between the subject site and the "The Guys" site since the building permit for the "The Guys" site was approved subject to the internal connection and the Addances to the Contract of sule was made part of the approval. (building Permit 8409-65)

4) Provision should also be made to make an internal connection to the property

5) All provisions of Section 405 (BIII 40) must be shown on any site plan for building permits.

### BUREAU OF PUBLIC SERVICES COMMENTS:

This site was previously reviewed by the Eureau of Engineering and their comments were provided to the 2-veloper under cate of April 22, 12/1. Those comments remain estentially will di noted and are repeated herein.

Benville Squere Shopping Co .P.

FIRE PREVENTION COMMENTS:

Traffic Engineering Comments: (Coned.)

PARTHERSHIP NE/cor. of Blvd. and Westfield Rd.

#42

MICKUPILMED

Marritt Boulevard, an existing County highway, was originally constructed with Foderal Aid as a divided none section hierapy with ficeble type pavenent. I not two 21-root lanes with in-food staulified shoulders scenared by a 21-million of the county of t

Should parking occur along the front of the ratell stores, severe circulation less will occur for the developer. The same holds true, if parking is allowed by the north side of the restaurent.

Also some circulation problems may occur in the vicinity of the drive-in bank on Friday evenings.

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

The camer shall comply with all applicable requirements of the National Fire Protection Association Standard No. 10], "The Life Safety Code", 1967 Edition, and the Fire Prevention Code when construction plans are submitted for approval.

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

Very trans of the Company of the Com

Benville Square Shoppinn Ce 'r

Highery Compents: (Contd.)

11 51 17 11 51 70 15 151

Merritt Bouleverd is proposed to be further improved as a divided characteristics Marries Boulevard Is proposed to be further improved as a divided CHRMS - intermediate the second of the second in the second of the construction of consection with the development of this also and shall consist of the construction of consection with the development of this also and shall consist of the construction of consection of the construction of the construction of the second of the construction of the second of

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a. The submission of detailed construction drawings to extend a minimum distance of 200 feet each side of the site or as may be required to establish line and grade.

b. The submission of cross-sections where deemed necessary for design or construction

d. The construction of concrete combination curb and gutter in its ultimate location biturinous concrete Spec "B" pavement (152-inch depth) adjacent thereto along the

e. Where existing utilities, poles or street lights must be relocated due to road forwards, the Developer shall be financially responsible for this work.

Since Herritt Boulevard was constructed as a Federal Aid Project, all proposed way improvements will be subject to review by the Street, Road and Bridge Lusign po of the Bureau of Engineering.

Public sidemalk is required to be constructed along the frontage of this site adjacent to Harritt Bouleverd. The back edge of the 4-foot wide, 4-inch thick concrete sidemalk will be placed 2 feet off the property line.

### Sadiment Control Comments:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, Conging 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 drawlings 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 Drain Comments: 2 - \$ 2 - to set of telefally as an expected to a fine

The continuing development of the over-all tract shown on the aforesid record nightly cross-section design. The continuing development of the over-all tract shown on the aforesald recorded plat will increasificate additional orientee improvements.

Benville Square Shopping Cr ar

Storm Brain Comments. (Contd.)

For information in regard to the existing storm drain improvements, see Epitimora County Bureau of Engineering Browings 666-541 and 542, File 4 and the aforementioned Highway Construction Browings 866-543 and 544, File 5.

Is accordance with the drainers policy for this type development, the Beveloper Is responsible for the total actual cost of drainers facilities required to carry the atom mater run-off through the property to be developed to a ustable control. The Beveloper's cost responsibilities include the acquiring of assemants and right-to-d-may both onsite and offsite - including the greating in rise to the County of the rightsoriusly. Properation of all construction, rightsori-may and essement drawlers including the registration of all construction, rightsori-may and essement drawlers including the compliancing and surveys, and payment of all actual construction costs including the County overhead both within and outside the development, are also the responsibilities of the Development.

Construction drawings are required. The storm drains are to be designed in accor-dance with Baltimore County Standards and Specifications, and the drawings submitted for review and approved by the Baltimore County Bureau of Engineering. Construction is to be accomplished under a County contract and inspecting.

## A grading plan is required for processing construction plans.

The Developer must provide meassary drainings facilities (tomorary or permanent to prevent creating any nuisances or damages to edjacent properties, especially by the concentration of surface setters. Correction of any problem which may result due to laproper grading or improper installation of drainings facilities, would be the full

Public meter can be ande available to serve this property by constructing a public meter main cotomion, approximately 1,500 feat in length, from the existing d-inch water med in intesting leight for a more more in the server of the server o

Fire hydrant specing shall be 300 feat apart per Standaris. Other fire protection wirements will be determined by the fire Department.

The Developer is responsible for any deficit to be incurred by the construction, under County contract and inspection, of public vester main extension required to serve this prometry. He is responsible for the preparation and the cost of construction construction that the contract of t

The bandloner is entirely responsible for the construction, and the cost of the construction and maintenance of his onsite water service system. He is responsible for all accompanying right-of-way acquisition costs.

This property is to be served from the First Zone of Water Service and is subject to a Water System Connection Charge. This Charge is determined on the basis of water service renderments, and is populate upon approximate for the freeding-normal charge is in section to remain from the charge is the section of the connection of the conn

OCT 28 1971

- 4

DAME TO BEST DAYS

Maryland Department of Transportation

David H. Fisher

Mr. S. Eric DiNenna Zoning Commissioner Att: Mr. John J. Dillon Re: I.A.C. meeting Sept. 5,1972 Item: 42: Property Owner: Angelo N. D'Anna Location: E/S Merritt Bldv.: /S Westfield Rd, Present Toning B.L. Proposed Joning: Special Exception for theater District 12 No. Acress 0.393

The entrance channelization indicated on the subject plan is acceptable to the State Highway Administration.

Charles Lee Chief, Development Engineering Section

by: John E. Meyers
Asst. Development Engineer

CL -JFM-es

P.O. Box 717 - 300 West Preston Street, Baltimore, Maryland 21203

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING EUGENE J. CLIFFORD. P.E. WM. T. MELZER

September 18, 1972

Mr. S. Eric DiNenna Zoning Commissioner County Office Building

Re: item 42 - ZAC - September 5, 1972 Property Owner: Angelo N. D'Anna Herritt Blvd. N/S Westfield Road Special exception for theater District 12

The requested special exception for a theater is not expected to create any major traffic problems. But, the outhermost entrance to the site must be relocated to a point no less chan 15 lest north of the south property line.

Michael Flance Michael S. Flanigan O Traffic Engineer Associate

DECENMENT OF

REGISTED OF ENGINEERING

OCT 28 1971 BUREAU OF ENGINES TO

R E 19 15

GAR: JAN: tes

Gross PMA File Prel, File

cc: Boneld B. Ratcliffe 34 W. 25th St. (21214) Boneld H. Ready 217 Cedarcrott Rd. (21212)

JAN 31 1973

# 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

He: Item #12 ZAO meeting of September 5, 1972 Property Ormer: Angelo N. D'Anna Location: E/S Merrit Boulevard, N/S Westfield Rd. Present Zoning: B.L. 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 Trick tetrouch W. Nick Petrovich Pield Re my entative

WNP:1d

BALTIMORE COUNTY, MANYLAND OFFICE OF FINA REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

DATE Oct. 11, 1972 ACCOUNT 01-662



### CERTIFICATE OF PUBLICATION

appearing on the 12th day of October

Cost of Advertisement, \$\_..

## 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

# CERTIFICATE OF PUBLICATION

## OFFICE OF **Dundalk Eagle**

October 13, 19 72

THIS IS TO CERTIFY, that the annexed advertisement of

the same was inserted in the issues of October 5,1972.

		per wile
BALTIMORE COUL OFFICE OF FIRE CE -	REVENUE DIVISION	<b>M.</b> 5706
DATE Cot. 2	4, 1972 ACCOUNT 01-	562
	AMOUNT_\$	5.00
Denville Square 7183 Holabird At Baltimore, Md.	re.	YELLOW - CUSTOMER
	posting of property	45.00%

PETITION	M	APPI	NG	PR	OGRE	SS	SHE	ET		
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Shee	
Descriptions checked and outline plotted on map	date	by	date	by	date	by	date	by	date	b
Petition number added to outline								-	-	-
Denied										
Granted by ZC, BA, CC, CA									1	
Reviewed by:		-	C	hange	d Plan in out	line o	r desc	riptio	nY	

1 Lyn	CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Townen, Moryland	#73-117-X
Posted for: 12 Posted for: 12 Posted for: 12 Posted for: 12 Poster Poste	Dute of Posts and Dr. Alore No. 1. 1972 G W. Blish Duferty Bathworks. No page 2 2 2 Ml. Blish + Wing	11:0 A.M.
Location of Signs: /	by Gatt Ne lon & mulla	and of whatfiel Al
Remarks:	L K Ness Date of return.	Del-19- 72



