

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, ROLLING ROAD PLAZA, 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... DR 3.5 and DR 16... zones to an BL... zone, for the following reasons:

SEE ATTACHED BRIEF

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:

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, 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.

ROLLING ROAD PLAZA, INC.

Contract purchaser
BY: William S. Baldwin
Legal Owner
Address: 1112 N. Rolling Road
Baltimore, Maryland 21228

DATE: October 13, 1972
BY: William S. Baldwin
Petitioner's Attorney
William S. Baldwin
Address: 24 West Pennsylvania Avenue
Towson, Maryland 21284

ORDERED By The Zoning Commission of Baltimore County, this 13th day of October, 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 29th day of March, 1973, at 10:00 o'clock.

John A. Dillon, Jr.
Zoning Commissioner of Baltimore County.

(over)

BRIEF OF ROLLING ROAD PLAZA, INC.

IN SUPPORT OF ITS REQUEST FOR RECLASSIFICATION

1. That substantial changes have occurred in the neighborhood since the adoption of the presently existing zoning map in 1971.
2. That through a drafting error on the part of the planning staff, the property in question was erroneously zoned DR 16 and DR 3.5. That Petition No. 64-82R classified the subject property as BL and the County Council in adopting its maps believed that it was affirming the existing zoning on which a shopping center was already under construction, when the maps were adopted in March of 1971. However, because of the drafting error heretofore mentioned, a small sliver of land on the west side of the shopping center was downshifted from BL to DR 3.5 and DR 16 and that the engineering studies conducted by the Petitioner discovered that the zoning line runs through a portion of their buildings that have already been constructed and are now occupied.

And for such other reasons that may be assigned at the time of the hearing hereon.

Respectfully submitted,

William S. Baldwin
William S. Baldwin
Attorney for the Petitioner
ROLLING ROAD PLAZA, INC.

DESCRIPTION OF PARCEL ON THE NORTH SIDE OF POWERS LANE APPROXIMATELY 470 FEET WEST OF THE CENTERLINE OF ROLLING ROAD FOR WHICH APPLICATION HAS BEEN MADE FOR RECLASSIFICATION FROM A DR 3.5 AND DR 16 ZONE TO A BL ZONE.

BEGINNING FOR THE SAME at a point in the north by right of way line of Powers Lane as now widened to a width of 60 feet; said point being situate 404 feet measured in a westerly direction along said Northern right of way line from the beginning of a gutter line continuing easterly right of way line of Powers Lane with the westerly right of way line of Rolling Road as now widened to a width of 90 feet; thence running with and binding along said right of way line North 70 degrees 56 minutes 16 seconds West 35.00 feet more or less to intersect the first or North 15 degrees 41 minutes East 353.73 foot line of land which by Deed dated May 19, 1968 and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4619, page 076 was conveyed by Cecelia C. Diehman, widow, to Fair Lanes Development Properties, Inc.; thence leaving said Powers Lane and binding along the remaining part of said first line, all of the second and a part of the third line, as now surveyed, the following three courses and distances: (1) North 13 degrees 14 minutes 44 seconds East 338.85 feet (2) North 16 degrees 42 minutes 44 seconds East 220.78 feet and (3) South 73 degrees 13 minutes 00 seconds East 80.00 feet more or less to a point; thence leaving said third line and running South 19 degrees 03 minutes 44 seconds West 560.00 feet more or less to the point of beginning; containing 34,731 square feet or 0.86 acres more or less.

This description has been prepared for purposes of zoning only and is not to be used for conveyance of property.



BALTIMORE COUNTY
ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE
October 13, 1972

William S. Baldwin, Esquire
24 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Reclassification
N/S of Powers Lane, 470'
W of Rolling Road
1st District
Rolling Road Plaza, Inc. - Petitioner
Item No. 37
Fourth Zoning Cycle

Dear Mr. Baldwin:

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 Powers Lane, 470 feet west of Rolling Road, in the First District of Baltimore County.

The property, which was previously zoned B.L., was apparently changed to D.R. 3.5 and D.R. 16 during the adoption of the Comprehensive Zoning Map in 1971. This was done after the Rolling Road Plaza was approved by Baltimore County and under construction. As far as this Committee is concerned, this petition is merely an attempt by the petitioners to clarify the zoning line.

This petition is accepted for filing on the date of the enclosed filing certificate. However, all corrections to site plans as requested shall be submitted to this office prior to Thursday, February 1, 1973 in order to allow time for advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between March 1, 1973 and April 15, 1973 will be forwarded to you in the near future.

Very truly yours,
John A. Dillon, Jr.
John A. Dillon, Jr.
Chairman, Zoning Advisory Committee

JJD:vic
Enclosures

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

Bureau of Engineering
ELSWORTH H. DYER, P. E. CHIEF

October 20, 1972

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

Re: Item #37 (Cycle Zoning IV Oct. 1972 - April 1973)
Property Owner: Rolling Road Plaza, Inc.
N/S Powers Lane, 470' W. of Rolling Road
Proposed Zoning: D.R. 3.5 and D.R. 16
Proposed Zoning: Re-class. from D.R. 3.5 and D.R. 16 to B.L.
District: 1st No. Acres: 34,731 sq. ft.

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General Comments:

This parcel of land is a portion of an existing shopping center.

Highway Comments:

Highway improvements for Rolling Road and Powers Lane are now being constructed.

Storm Drain Comments:

Public storm drains to serve this site are now being constructed.

Water and Sanitary Sewer Comments:

Public water and sanitary sewer are available to the site.

Very truly yours,

Elsworth H. Dyer
ELSWORTH H. DYER, P.E.
Chief, Bureau of Engineering

END:HAM:HWS:as

SW 01 & 02 Topo

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

ELBURN J. CLIFFORD, P.E. Wm. T. MELLEN
DIRECTOR DEPUTY TRAFFIC ENGINEER

October 30, 1972

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

Re: Cycle Zoning IV
Item 37 - ZAC - Oct. 72 to Apr. 73
Property Owner: Rolling Road Plaza, Inc.
NS Powers Lane W. of Rolling Road
Reclass. from DR 3.5 & DR 16 to BL
District 1

Dear Mr. DiNenna:

The subject petition is requesting a zoning reclassification from DR 3.5 and DR 16 to BL, since the site has been developed as BL, no increase in trip generation is expected.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF:nc

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
822-7310

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Acting
Chairman, Zoning Advisory Committee

Re: Property Owner: Rolling Road Plaza, Inc.

Location: N/S Powers Lane, 404' W of Rolling Road

Item No. 37 Zoning Agenda IV ZONING CYCLE
October 1972 - April 1973

Gentlemen:

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

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of 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 EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 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.
- (X) 6. Site plans are approved as drawn.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: John A. Dillon, Jr. Noted and Approved:
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

ms
4/25/72

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21284

October 10, 1972

DONALD J. ROOP, M.D., MPH
SANITARY STATE AND HEALTH SERVICE OFFICER

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 Reclassification should be had and it further appearing that the reclassification should be had.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of April, 1973, that the herein described property or area should be and is hereby reclassified from D.R. 3.5 and D.R. 16 to B.L. 1.

from and after the date of this order, subject to the approval of a site plan by the Department of Public Works 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 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 5th day of April, 1973, 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 as D.R. 3.5 and D.R. 16; and/or the Special Exception for the above described property or area be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

A. V. Quimby
Acting Director
GEORGE W. SCHEFFNER
Planning Director
111 W. Chesapeake Ave.
Towson, Md. 21284
#63351

October 24, 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 #37, IV Zoning Cycle, October 1972-April 1973, are as follows:

Property Owners: Rolling Road Plaza, Inc.
Location: N/S Powers Lane, 404' W of Rolling Road
Present Zoning: D.R. 3.5 and D.R. 16
Proposed Zoning: Reclas from D.R. 3.5 and D.R. 16 to B.L. 1
District: 1
No. Acres: 34,731 square feet

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

Richard B. Williams
Richard B. Williams
Planner I
Project Planning Division
Office of Planning and Zoning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

October 23, 1972

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

Re: Item #37

Property Owner: Rolling Road Plaza, Inc.
Location: N/S Powers Lane, 404' W of Rolling Road
Present Zoning: D.R. 3.5 and D.R. 16
Proposed Zoning: Reclas from D.R. 3.5 and D.R. 16 to B.L. 1

District: 1
No. Acres: 34,731 square feet

Dear Mr. DiNenna:

Since the plat submitted did not indicate how much D.R. 3.5 and D.R. 16 land was involved a statement as to the yield from these zonings could not be made. However, a change to B.L. would not increase the student population.

Schools servicing this area (based on September 20, 1972 enrollment):

School	Capacity	Enrollment	+/-
Johnnycake Elementary	740	792	+52
Johnnycake Junior	1240	1280	+40
Woodlawn Senior	2050	1954	-96

Very truly yours,
W. Rich Burroughs
W. Rich Burroughs
Field Representative

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 8, 1973

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, one time before the 73rd day of March, 1973, the last publication appearing on the 8th day of March, 1973.

THE JEFFERSONIAN
R. L. Smith
Manager

Cost of Advertisement, \$.....

CERTIFICATE OF POSTING

OFFICE OF THE CATONSVILLE TIMES

CATONSVILLE, MD. 21228 March 12 - 19 73

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric DiNenna, Zoning Commissioner of Baltimore County was inserted in THE CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 12 day of March 1973, that is to say, the same was inserted in the issue of March 8, 1973.

STROMBERG PUBLICATIONS, Inc.

By *Paul Morgan*

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 151
Date of Posting: MARCH 10, 73

Post for: RECLASSIFICATION
Petitioner: ROLLING ROAD PLAZA, INC.

Location of property: N/S OF POWERS LANE 404 FT. W. OF ROLLING RD.

Location of Sign: N/S OF POWERS LANE 100 FT. W. OF ROLLING RD.

Remarks:

Posted by: *Charles P. ...* Date of return: MARCH 15, 1973

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

William S. Boldrin, Agency Office Building
26 W. Pennsylvania Avenue, Chesapeake Avenue
Towson, Maryland 21284

Item # 37

Your Petition has been received and accepted for filing this 12th day of October 1972.

R. B. Williams
S. ERIC DINENNA,
Zoning Commissioner

Petitioner: Rolling Road Plaza, Inc.
Petitioner's Attorney: William S. Boldrin Reviewed by *...* Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 5782

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: Nov. 6, 1972 ACCOUNT: 01-662

AMOUNT: \$50.00

WHITE - CASHIER DISTRIBUTION
PINK - AGENCY YELLOW - CUSTOMER

Robert H. Price
922 Resallan Dr.
Baltimore, Md. 21204
Petition for Re-classification for Rolling Road Plaza, Inc.

BALTIMORE COUNTY, MARYLAND No. 8243

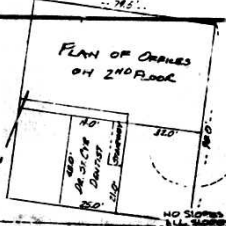
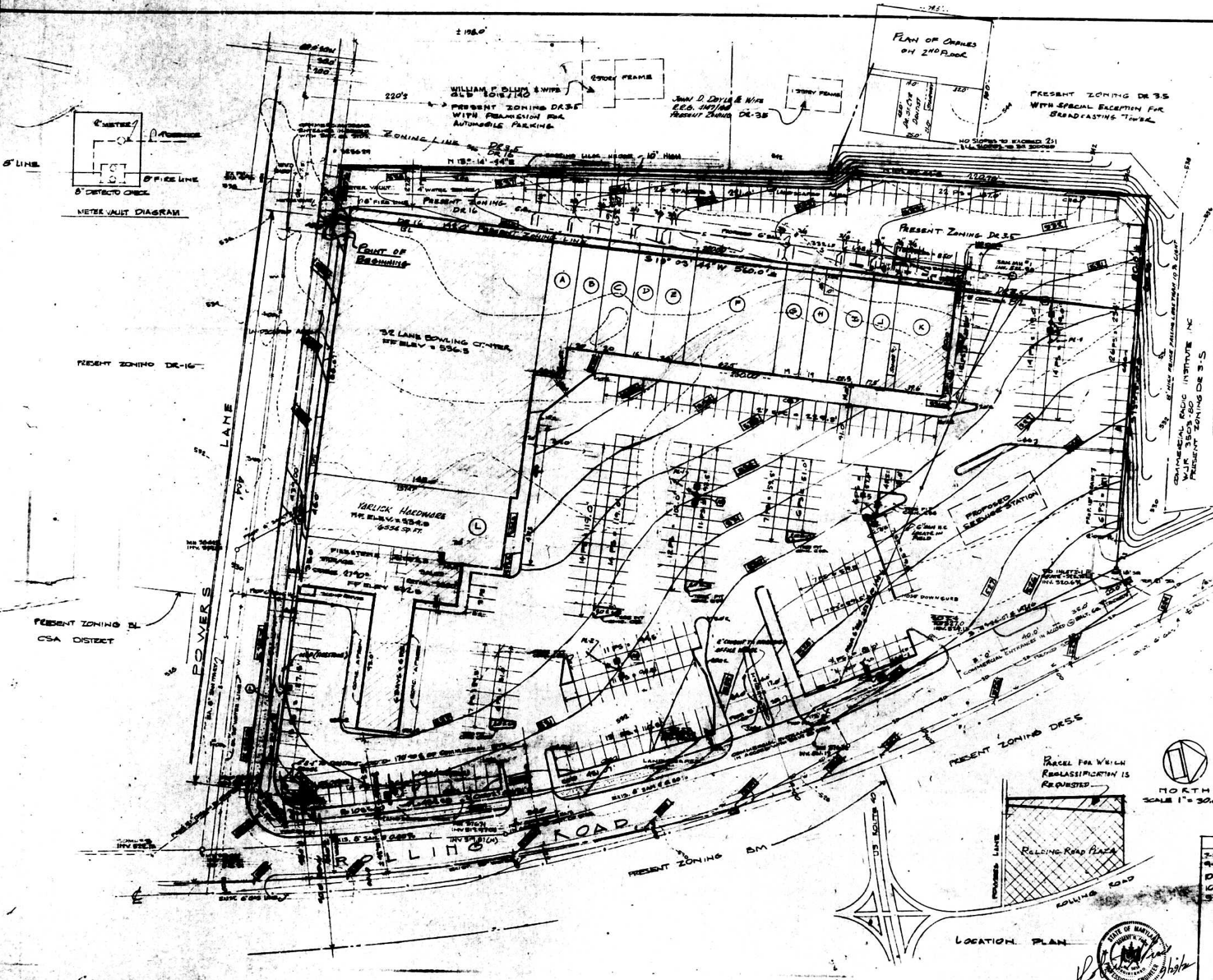
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: March 29, 1973 ACCOUNT: 01-662

AMOUNT: \$25.88

WHITE - CASHIER DISTRIBUTION
PINK - AGENCY YELLOW - CUSTOMER

Paul Thomas, Inc.
1112 North Rolling Road
Baltimore, Md. 21288
Advertising and posting of property for Rolling Road Plaza, Inc. 112-252-2



PARKING DATA

BOWLING CENTER 32 X 9	19
PRESTONE CENTRAL 200 X 200	19
STORAGE 770 X 300	36
2nd FLR FAX LABS OFFICE 10,000 SQ FT	36
A OFFICE 1st FLR OFFICE 7,500 SQ FT	31
B RETAIL 1600 X 200	8
RETAIL 1280 X 200	8
RETAIL 1470 X 200	8
RETAIL 5000 X 200	8
OFFICE 1500 X 800	8
RETAIL 1820 X 200	8
RETAIL 1800 X 200	8
RETAIL 1400 X 200	8
RETAIL 3160 X 200	8
RETAIL 6400 X 200	8
TOTAL PARKING REQUIRED	153
TOTAL PARKING PROVIDED	153

GENERAL

- EXISTING SITE SURVEY BY JAMES W. ...
- PROPOSED MASONRY ...
- PROPOSED SANITARY ...
- PROPOSED ZONING ...
- THE BUILDING SHALL ...

PLANNING

- PERMIT SELECTION ...
- AREA OF PROJECT ...
- EXISTING ZONING ...
- PROPOSED ZONING ...
- EXISTING USES ...

BENCH MARKS

- RECORDED MARK ON ...
- THE SYSTEM OF ...
- THE BATHHOUSE ...
- THE METROPOLITAN ...
- THE BUILDING ...

UTILITIES

- THE SANITARY ...
- THE CONTRACTOR ...
- THE CONTRACTOR ...
- THE CONTRACTOR ...
- THE CONTRACTOR ...
- THE CONTRACTOR ...
- THE CONTRACTOR ...

PAVING AND CURBS

- PAVING AND CURBS ...
- THE CONTRACTOR ...
- THE CONTRACTOR ...
- THE CONTRACTOR ...
- THE CONTRACTOR ...
- THE CONTRACTOR ...
- THE CONTRACTOR ...

LIGHTING

SEE PRESTONE STORE FOR PARKING LOT LIGHTS

REVISIONS

1-28-71	SAW & WATER CONNECTIONS
4-12-71	REVIS PRELIMINARY ICE COMPANY ROAD ME.
10-1-71	UPDATE ZONING INFORMATION
10-21-71	REVISED PARKING DATA FROM PRELIM.
11-2-71	REV FOR USE AS ZONING PLAN

LEGEND

- EXISTING CONCRETE
- PROPOSED CONCRETE
- PROPOSED MASONRY
- PROPOSED SANITARY
- PROPOSED LIGHTING
- WATER LINE
- SINGLE FLOODLIGHT
- DOUBLE FLOODLIGHT

