

MEMORANDUM IN SUPPORT OF REQUEST FOR RECLASSIFICATION
OF PROPERTY ON THE SOUTHEAST SIDE OF PHILADELPHIA ROAD,
ROUTE 7, NORTHEAST OF ROSSVILLE BOULEVARD,
FROM M.L.-I.M. AND D.R. 16 TO B.L.

The Petitioner, Ellis A. Rawls, and the Contract Purchaser, Golden Ring Savings & Loan Association, state that the 1976 zoning maps which arbitrarily divided the property between D.R. 16 along the southeast side of Philadelphia Road, while arbitrarily placing a significant portion of the rear of the property in an M.L.-I.M. zone, are erroneous and the fundamental character of the property and the neighborhood has been incorrectly identified and zoned, and have both changed, for at least the following reasons:

1. That the subject property is now used, and has been used for many years, for a motel operation. This commercial usage of the Rawls property which has continued without interruption since before 1945 renders the property a legal, nonconforming use. This long established commercial usage and character of the property should have been and could have been properly recognized with light commercial zoning, such as the requested B.L. zoning, on the 1976 comprehensive zoning maps.

2. That although the Rawls property has been used for many years for commercial purposes, and has been so taxed, it has never been recognized with appropriate commercial zoning; and it was and is error to ignore the commercial nature of this property, particularly in view of the numerous highway, commercial and industrial changes which have occurred in this area over the years.

3. That the commercial character and the zoning appropriate for this corner property have been strengthened by the construction and operation of the very large Golden Ring Mall within sight of the property, 1,000 feet to the

southwest; the location of this regional shopping mall further rendering any residential zoning improper for the property, while rendering commercial zoning even more appropriate for it.

4. That the long established, commercial character of this property formerly at the corner of Race Road and Philadelphia Road, Route 7, has been tremendously reinforced by the location of four-lane Rossville Boulevard adjacent to the property on the southwest.

5. That it was and is error not to place the subject property in at least a B.L. zone in view of the increased commercial activity and zoning to the north, centering on Ridge Road and Philadelphia Road, as well as the commercial activity on the Golden Ring Mall property to the southwest, and the commercial activity along Rossville Boulevard between Philadelphia Road and Route 40, Pulaski Highway, a short distance to the southeast.

6. That it was and is error to maintain this property in a residential and manufacturing zone in view of the change of the property across from it on the southwest side of Rossville Boulevard from D.R. 16 on the 1971 zoning maps to M.L.-I.M. on the 1976 maps, a change from a residential zone to an industrial zone.

7. That in view of the tremendous corner exposure of this property, it was and is error to place the subject property primarily in a residential zone, when B.L. zoning would allow it to be used for light commercial uses, such as the relocation of the Golden Ring Savings & Loan Association. The contract purchaser is a long established savings and loan association serving this area. Golden Ring has grown in recent years to need larger quarters and its present building

and site located nearby on the southwest side of Ridge Road near the Rossville corner at Philadelphia Road do not have room to accommodate the new facilities needed and planned, and this corner commercial location is an excellent location for a savings and loan as proposed, particularly since it is in the same neighborhood.

8. That it was and is erroneous for the Baltimore County zoning maps to fail to recognize the established commercial nature of the Rawls property at this increasingly exposed corner, which linked with the adjoining V.F.W. Post (which has a liquor license and is in the nature of a bar and restaurant operation, with a large building and parking area) forms a compact unit of commercial uses and should form a compact unit of commercial zoning on the southeast side of Philadelphia Road, from Rossville Boulevard on the southwest to the B.R.-C.N.S. zoning on the southeast side of Philadelphia Road opposite Ridge Road.

9. That the 1976 zoning maps arbitrarily and erroneously divide this property between a residential zone, D.R. 16, and an industrial zone, M.L.-I.M., with the zoning line actually bisecting one of the established motel buildings. It was and is erroneous to so arbitrarily divide the property in such a manner and to make the use of either zone very difficult, since the M.L.-I.M. industrial zone on the rear portion of the property cannot be appropriately utilized with the D.R. 16 residential zone on the majority of the property closer to Philadelphia Road.

10. That it was and is erroneous to fail to recognize the increased need for light commercial zoning in the area, particularly in view of the long established commercial character of this corner property. This established,

increasingly exposed corner is admirably suited to fill, in part, this light commercial need, with the proposed savings and loan an excellent use for this property.

11. That it was and is error to fail to recognize the increasingly commercial character of this corner, and to place it in a D.R. 16 zone despite its established commercial character and the increasingly commercial character of the neighborhood in which it lies.

12. And for such other and further errors as may be disclosed by a closer analysis of this property and this area as this zoning petition case continues, many of which errors shall be brought out at the time of the hearing hereon.

Respectfully submitted,
NOLAN, PLUMHOFF & WILLIAMS

James D. Nolan
James D. Nolan

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-3-

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BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE

PETITION AND SITE PLAN

EVALUATION COMMENTS

204 W. Pennsylvania Avenue
Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing
this 31st day of October, 1977.

Eric D. Henna
S. ERIC DI HENNA
Zoning Commissioner

Petitioner: Ellis A. Rawls
Petitioner's Attorney: James D. Nolan
Spelman, Larson & Associates, Inc.
Suite 110 - Jefferson Building
105 West Chesapeake Avenue
Towson, Maryland 21204

Reviewed by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 31, 1977

COUNTY OFFICE Bldg.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc:
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Social Administration
Industrial
Development

James D. Nolan, Esquire
Nolan, Plumhoff & Williams
204 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Reclassification Petition
Item Number 3 - Cycle II
Petitioner - Ellis A. Rawls

Dear Mr. Nolan:

The Zoning Plans 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.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

Located on the south side of Philadelphia Road at its intersection with Rossville Boulevard in the 15th Election District, this 1.6 acre tract of land is partially zoned D.R. 16 and M.L.-I.M. and is improved with three dwellings, sheds and a motel operation. Directly opposite this site on Philadelphia Road are individual dwellings zoned D.R. 16, while a V.F.W. hall and dwelling exist immediately contiguous to the north-east and south. To the southwest across Rossville Boulevard is vacant land, owned by A.V. Williams, that was recently granted a Reclassification (Case #78-40-B) from the existing M.L.-I.M. to a B.M. zone on

SEP 28

James D. Nolan, Esq.
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October 4, 1977, however, it is not final until the 30-day appeal period expires.

After review of the Baltimore County Zoning Regulations and the proposed use, (office and savings & loan), it is apparent that the rezoning is necessitated by the latter use. If it were not for this use, a Special Exception to permit offices would be sufficient rather than a Reclassification. The proposed B.L. would encompass both uses as a matter of right, however, it should be noted that Section 25.1.C permits a savings and loan association, a parking lot and, of course, offices in an M.L.-I.M. provided there is no direct access to an arterial street other than a Class I Commercial Motorway. It appears that both Philadelphia Road, northeast of Rossville Boulevard, and Race Road are not art al streets and, therefore, direct access would be permitted. This has been indicated for the benefit of you and your client. I request that you contact me in order to discuss the above, and if you desire to proceed with your original request, a letter should be sent to me indicating same.

Regardless of the above decision, separate descriptions should be submitted for the D.R. 15 and M.L.-I.M. zones. In addition, the comments from the State Highway Administration should be reflected on revised site plans.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plats, as may have been requested by this Committee, shall be submitted to

James D. Nolan, Esq.
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this office prior to November 28, 1977 in order to allow time for final Committee review and 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, 1978 and April 15, 1978 will be forwarded to you well in advance.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:rf

cc: Spellman, Larson & Associates, Inc.
Suite 110 - Jefferson Building
105 West Chesapeake Avenue
Towson, Maryland 21204

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
THORNTON M. MOURING, P.E.
DIRECTOR

October 28, 1977

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

Re: Item #3 (Cycle II) October 1977 - April 1978
Property Owner: Ellis A. Rawls
S/E cor. Philadelphia Rd. & Rossville Blvd.
Existing Zoning: M.L.-I.M. & D.R. 16
Proposed Zoning: B.L.
Acre: 1.6 District: 15th

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

This property, comprises Lots 1 thru 5 of the recorded subdivision "Property of Erich Scharpsted & Ann L. Scharpsted" (G.L.M. 17, Folio 20).

Highways

Philadelphia Road (Md. 7) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Rossville Boulevard is a County road, constructed as a divided or dual highway with closed section roadways on a 120-foot right-of-way. No further improvements are proposed at this time.

Race Road is a County road, portions of which were severed/replaced in connection with the construction of Rossville Boulevard. The portion remaining to serve this, and other properties to the east, was relocated and improved as an access or service road with an 18-foot roadway on the existing 60-foot right-of-way. Subsequent: a section of this access road was further improved westerly from Yellow Brick Road (existing 875-0114, File 5). The remainder of this 18-foot wide portion of Race Road is proposed to be further improved in the future as a 27-foot closed section roadway on the present 60-foot right-of-way.

The abandoned portion of Race Road, contiguous to this property remains available for acquisition, subject to utility easements, by the Petitioner, or others, from Baltimore County (Right-of-Way Reference 66-21 series).

Item #3 (Cycle II) October 1977 - April 1978
Property Owner: Ellis A. Rawls
Page 2
October 28, 1977

Highways (Cont'd)

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

The construction or reconstruction of concrete sidewalks (5 feet wide), curbs and gutters, entrances, aprons, etc. will be the full responsibility of the Petitioner.

Sediment Control

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drainage

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer

There are 16-inch water mains and 8-inch sanitary sewers in Philadelphia Road and Rossville Boulevard.

Very truly yours,

Edmund H. Dwyer, P.E.
EDMUND H. DWYER, P.E.
Chief, Bureau of Engineering

END:EM:FW:RS

cc: J. Trenner
J. Redmond
J. Wimbley

I-100 Key Sheet
16 NE 25 Pos. Sheet
NE 4 G Topo
90 Tax Map

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
THORNTON M. MOURING, P.E.
DIRECTOR

December 16, 1977

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

Re: Item #3 (Cycle II) October 1977 - April 1978
Property Owner: Ellis A. Rawls
S/E cor. Philadelphia Rd. & Rossville Blvd.
Existing Zoning: M.L.-I.M. & D.R. 16
Proposed Zoning: B.L.
Acre: 1.6 District: 15th

Dear Mr. DiNenna:

The following is an addendum to comments of October 28, 1977.

Highways

The abandoned portion of Race Road, contiguous to this property and referred to within the comments supplied October 28, 1977, remains subject to all requirements of a formal road closure procedure. (Right-of-Way Reference 66-210 series)

Very truly yours,

Edmund H. Dwyer, P.E.
EDMUND H. DWYER, P.E.
Chief, Bureau of Engineering

END:EM:FW:RS

cc: J. Trenner
J. Redmond
J. Wimbley

I-100 Key Sheet
16 NE 25 Pos. Sheet
NE 4 G Topo
90 Tax Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Nicholas B. Commodari, Chairman

TO: Zoning Plans Advisory Committee

Date: December 21, 1977

FROM: Rosellen Plant, Industrial Development Commission

SUBJECT: Zoning Advisory Committee Meeting - Cycle II

- Item 3 Property Owner: Ellis A. Rawls
Location: SE/C Philadelphia Road & Rossville Boulevard
Existing Zoning: M.L.-I.M. & D.R. 16
Proposed Zoning: B.L.
Acre: 1.6
District: 15th
- Item 2 Property Owner: Jerome N. Diller
Location: NE/S Mohr's L.A., 354' NW Pulaski Highway
Existing Zoning: M.L.
Proposed Zoning: M.H. with a Special Exception for a junk yard, etc. Acre: 1.53; District: 15
- Item 1 Property Owner: New North Point Company
Location: SE/S Cove Road 172' NE North Point Boulevard
Existing Zoning: M.L.-I.M. & B.R.-I.M.
Proposed Zoning: M.H. with variance, etc.
Acre: 3.23
District: 15

This office has no comments to make on the above petitions.

Rosellen Plant
ROSELLEN J. PLANT



Maryland Department of Transportation

State Highway Administration

Norman E. Swenson
Secretary
Barnett M. Fears
Administrative

October 10, 1977

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

Attention: Mr. N. Commodari

Re: Meeting for Cycle II
Item: 3
Property Owner: Ellis A. Rawls
Location: SE/C Philadelphia Rd. (Rte. 7) & Rossville Blvd.
Existing Zoning: M.L.-I.M. & D.R. 16
Proposed Zoning: B.L.
Acre: 1.6
District: 15th

Dear Mr. DiNenna:

The entrance from Philadelphia Road must have a minimum width of 25' A 30' width is recommended. Stopping sight distance is less than desirable due to the vertical alignment of Philadelphia Road to the east.

The Philadelphia Road frontage must be improved with curb and gutter.

There is an 80' right of way proposed for Philadelphia Road that must be indicated. A standard concrete curb must be constructed between the proposed paved area and the proposed right of way line.

The plan must be revised in accordance with the above.

CL:JEM:dj

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits
John E. Meyers
JOHN E. MEYERS

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 694-3211

October 14, 1977

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

Dear Mr. DiNenna:

Comments on Item #3, Zoning Cycle II, October 1977, are as follows:

Property Owner: Ellis A. Rawls
Location: SE/C Philadelphia Road and Rossville Blvd
Existing Zoning: M.L.-I.M. and D.R. 16
Proposed Zoning: B.L.
Acre: 1.6
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

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

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Project and Development Planning



STEPHEN E. COLLINS
DIRECTOR

October 24, 1977

Mr. S. Eric DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

Re: Item 3 - ZAC - October 13, 1977
Property Owner: Ellis A. Rawls
Location: SE/C Philadelphia Rd. & Rossville Blvd.
Existing Zoning: M.L. - I.M. & D.R. 16
Proposed Zoning: B.L.
Acres: 1.6
District: 15th

Dear Mr. DiNenna:

The subject petition is requesting a change from M.L. and D.R. 16 to B.L. of 1.6 acres. This should increase the trip density from 200 to 800 trips per day. The entrance to Philadelphia Road is on a downgrade and could possible create some problem.

There is also a free right turn from Rossville Boulevard which could add to the problem.

The entrance as located, however, is probably the best location considering the limited access to the site.

Very truly yours,

Charles E. Burnham
Charles E. Burnham
Assistant Traffic Engineer

CDBba



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

October 14, 1977

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

Dear Mr. DiNenna:

Comments on Item #3, Zoning Advisory Committee Meeting for Cycle II, October 5, 1977, are as follows:

Property Owner: Ellis A. Rawls
Location: SE/C Philadelphia Rd. & Rossville Blvd.
Existing Zoning: M.L. - I.M. & D.R. 16
Proposed Zoning: B.L.
Acres: 1.6
District: 15th

Metropolitan water and sewer are available, therefore no health hazards are anticipated.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TMD/ks/rus



Paul H. Heinicke
CHIEF

October 26, 1977

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Ellis A. Rawls

Location: SE/C Philadelphia Rd. & Rossville Blvd.

Item No. 3

Zoning Agenda Cycle II

Comments:

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.

(xx) 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 _____

REMOVED 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 operation.

(xx) 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 "Life Safety Code", 1973 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

Reviewed: *H. J. Tully* Planning Bureau
Special Inspection Division
Noted and approved: *George M. McManis* Deputy Chief
Fire Prevention Bureau



JOHN D. SEFFERT
DIRECTOR

December 9, 1977

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

Dear Mr. DiNenna:

Comments on Item #3 Zoning Advisory Committee Meeting, CYCLE II REVISED are as follows:

Property Owner: Ellis A. Rawls
Location: SE/C Philadelphia Rd. & Rossville Blvd.
Existing Zoning: M.L. - I.M. & D.R. 16
Proposed Zoning: B.L.

Acres: 1.6
District: 15th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes. See Maryland State Code for the handicapped and aged.
- ☒ B. A building permit shall be required before construction can begin. A zoning permit shall be required.
- ☒ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☒ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

☐ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

☐ F. No comment.

☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burnham

Charles E. Burnham
Plans Review Chief
CDB/rj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 11, 1977

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

Z.A.C. Meeting of: Cycle II

RE: Item No. 3
Property Owner: Ellis A. Rawls
Location: SE/C Philadelphia Rd. & Rossville Blvd.
Present Zoning: M.L.-I.M. & D.R. 16
Proposed Zoning: B.L.

Dear Mr. DiNenna:

No effect on student population.

Very truly yours,

N. Nick Petrovich
N. Nick Petrovich,
Field Representative

NTP/tp

JOSEPH H. MCGOWAN, PRESIDENT
F. HAROLD WELLS, JR., VICE-PRESIDENT
MARCUS M. ROTHSCHILD

THOMAS H. BOYER
WILLIAM L. LORICK, JR., CHAIRMAN
ROGER S. HAYDEN
ROBERT V. DUBEL, SUPERINTENDENT

ALVIN LORICK
WILLIAM H. SMITH, JR.
RICHARD W. TRACY, D.M.

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

January 10, 1977

James D. Nolan, Esq.
204 W. Pennsylvania Ave.
Towson, Md. 21204

Dear Mr. Nolan:

Re: Reclassification Petition
Case #78-177-R - Ellis A. Rawls

Enclosed please find a copy of the recently enacted Bill 122-78 which affects your petition. No further hearings on reclassification petitions will be held until the petitioners advise the Board as to their intentions within the purview of this act.

Your prompt reply is necessary.

Very truly yours,

Walter A. Smith, Jr.
Walter A. Smith, Jr., Chairman

WAKE
Enclosure: Bill 122-78
cc: John W. Hession, III, Esq.
Mr. Ellis A. Rawls
Mr. S. E. DiNenna
Mr. James Dyer
Mr. Leslie Graf
Mr. Gary Burl
Board of Education
Mrs. Carol Bernish



JOHN D. SEFFERT
DIRECTOR

October 10, 1977

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

Dear Mr. DiNenna:

Comments on Item #3 Zoning Advisory Committee Meeting, Cycle II are as follows:

Property Owner: Ellis A. Rawls
Location: SE/C Philadelphia Rd. & Rossville Blvd.
Existing Zoning: M.L. - I.M. & D.R. 16
Proposed Zoning: B.L.

Acres: 1.6
District: 15th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ B. A building permit shall be required before construction can begin.
- ☒ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☒ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☐ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burnham
Charles E. Burnham
Plans Review Chief
CDB/rj

ITEM NO. 3

PROPERTY OWNER: Ellis A. Rawls
LOCATION: SE corner of Philadelphia Road and Rossville Boulevard
ELECTION DISTRICT: 15
CONGRESSIONAL DISTRICT: 6
AGEAGE: 1.30
GEOGRAPHICAL GRID: 1
FUNCTIONAL CATEGORY: A

RECOMMENDED DATE OF HEARING: Week of March 1, 1978
ZONING PRIOR TO ADOPTION OF 1976 COMPREHENSIVE ZONING MAP, M.L.-I.M. & D.R. 16
EXISTING ZONING: M.L.-I.M. & D.R. 16
REQUESTED ZONING: B.L.

PLANNING BOARD RECOMMENDATION: Retain Existing Zoning (M.L.-I.M. & D.R. 16)

The subject site is located at the northeast corner of Philadelphia Road and Rossville Boulevard. To the north, on the same side of Philadelphia Road, is the American Legion Hall on a heavily wooded lot. To the east, a dwelling on an industrial road property to the west, on the opposite side of Philadelphia Road, is the A.V. Williams property, the subject of a 2-1/2 acre petition No. 78-177-R. A request for commercial zoning which was granted by the Zoning Commission; however, this decision has been appealed to the County Board of Appeals.

Prior to the adoption of the 1976 Comprehensive Zoning Map, the subject property was zoned M.L.-I.M. & D.R. 16. The preparation and adoption of this map covered a period of more than two years, the process was publicized, and included numerous public hearings by both the Planning Board and County Council. Commercial zoning was not requested nor was the aforementioned zoning proposed for the subject property during this entire process. Now the petitioner is requesting a change to B.L. zoning, proposing to construct a building for a savings and loan agency and for other offices.

It is noted by the Chairman of the Zoning Advisory Committee that the proposed uses could be accommodated within the perimeter of the current zoning. In view of this, and after review of the petitioner's particular proposal, the Board questions the necessity of the requested change.

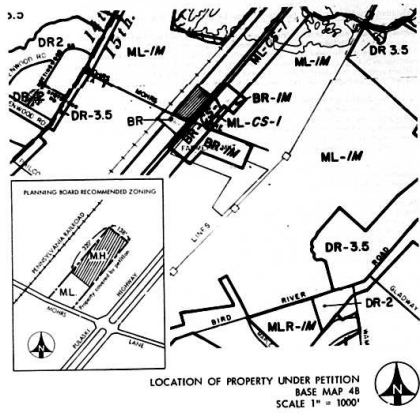
The granting of the petitioner's request for B.L. zoning would result in the creation of additional high-density commercial development along Philadelphia Road. The 1976 Baltimore County Comprehensive Zoning Map, adopted by the Planning Board on October 12, 1975, states, in part, that "the policy of locating high-density commercial and residential uses in strips along major highways is another serious drawback because of its disruption of the traffic flow and concomitant reduction in the efficiency of the highway system." The Comprehensive Zoning Map as recommended by the Planning Board and adopted by the County Council reflects the policy of discouraging the expansion of existing commercial strips or the establishment of new ones along major arterials.

It is the opinion of the Planning Board that the existing zoning is appropriate, that ample commercial opportunities have been provided in the area, and that the zoning map is correct. A short distance from this site is the Golden Ring Mall with approximately 800,000 square feet of retail floor space, the proposed shopping on Center Village Road and King Avenue and at Philadelphia Road and Kenwood Avenue, a community center exists at Philadelphia Road and Kenwood Avenue.

It is therefore recommended that the existing zoning, M.L.-I.M. & D.R. 16, be retained.

The Planning Board believes that an effort should be made to accommodate the petitioner's request so that he can continue to operate this business. The Board does not believe, however, that the entire property in this request should be granted the change in zoning. It is suggested that the northwestern one acre of the site be granted M.L.-I.M. zoning with the accompanying special exception for a junk yard. Furthermore, it is the opinion of the Board that rigid conditions restricting the use of this operation should be spelled out in any order granting such a request. These restrictions should include the operation to insure that it not be expanded to include any type of operation other than that which is currently taking place on the site and that the site be properly screened (landscaped).

It is therefore recommended that the petitioner's request for M.L. zoning be granted for that portion of the site referred to in the paragraph above and shown on the accompanying map insert. The remainder of the tract should remain in the existing M.L.-I.M. and M.L.-C.S. zoning classifications.



LAW OFFICES OF
NOLAN, PLATTENBERG & WILLIAMS
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

December 6, 1977

The Honorable Arnold Fleischmann, Esquire
Chairman, Baltimore County Planning Board
Courts Building
Towson, Maryland 21204

Re: The Rawls Property, Contract Purchaser -
Golden Ring Savings & Loan Association
Eastern Corner of Philadelphia Road and
Rossville Boulevard, near the Golden Ring
Mall Property, Second Cycle, Item 3.

Dear Chairman Fleischmann and Members of the Board:

On behalf of our client, Golden Ring Savings & Loan Association, which wishes to move from its present inadequate quarters on nearby Ridge Road to this long established commercial corner at the enlarged intersection of Philadelphia Road and the new Rossville Boulevard, we respectfully request that the Planning Board recommend commercial recognition of this long established commercially used site.

For forty years or more, ever since Philadelphia Road was the main motor road from Baltimore to Philadelphia, this corner property has been used, and is presently being used as the site of a motel or cabin court. Instead of recognizing this commercial character on the 1976 zoning maps, or earlier maps, the property was erroneously and improperly divided between D.R. 16 for the bulk of the corner, with the rear of the property being placed in an M.L.-I.M. zone.

We are enclosing along with this letter an aerial photograph of the property itself and the Rossville Area which has been vastly changed in recent years. First of all, it should be noted that this corner property has tremendous exposure to the multi-lane Philadelphia Road in front of it to the north, as well as to the multi-lane, newly opened Rossville Boulevard to the west.

Furthermore, this entire area has been tremendously affected by the very large multi-department store Golden

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TOWSON, MARYLAND 21204

November 1, 1977

Nicholas B. Commodari, Chairman
Zoning Plans Advisory Committee
Zoning Commissioner's Office
County Office Building
Towson, Maryland 21204

Re: Reclassification Petition Item No. 3-Cycle II,
Petitioner - Ellis A. Rawls (Contract Purchaser,
Golden Ring Savings and Loan Association)

Dear Chairman Commodari:

Thank you for the Zoning Advisory Committee Comments dated October 31, 1977. At the present time we are reviewing them and Mr. Spellman will take the necessary steps to make the several requested plan revisions.

In your cover letter in the front of the ZAC Comments, you mention the possibility of utilizing the property under Section 253.1C, which allows certain uses in M.L.-I.M. zones located with direct access on Class I commercial motorways. However, as you can see from looking at our plat, only about one-third of the property at the rear is zoned M.L.-I.M., while the bulk of the property is zoned D.R. 16, including the corner and the frontage on Philadelphia Road, the proposed access point.

In order to use the entire site for the new headquarters of the Golden Ring Savings and Loan Association, a long established financial institution in this neighborhood, we are requesting B.L. for the entire property, which we believe is correct in view of the surrounding zones and uses.

Accordingly then, it is our proposal to proceed with this case, and as previously noted Mr. Spellman will be filing revised plats with your office well prior to November 28, the deadline noted.

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Ring Mall Property a short distance to the west, as well as the changed commercial character of Pulaski Highway a short distance to the south in this area.

During the first cycle, the Deputy Zoning Commissioner, by his Opinion and Order dated October 4, 1977, reclassified the A. B. Williams Property directly across Rossville Boulevard from M.L.-I.M. to B.L., in recognition of the commercial character of these corners. Furthermore, properties along the east side of Rossville Boulevard to the south are commercial in character and include a branch bank, an office building, and other uses of a commercial nature.

As can also be noted on the aerial photograph, the subject property has as its neighbor to the east a very large and active V.F.W. Post which has a liquor license, and which has played a very large parking lot directly adjacent to the subject property.

Golden Ring Savings & Loan Association, is a long established good neighbor in the Rossville Community. It is presently housed in a location on the west side of Ridge Road a short distance to the north of Philadelphia Road, but in recent years it has outgrown these very small and cramped quarters.

Accordingly, Golden Ring Savings & Loan Association has contracted with the Rawls Family to purchase the subject site in order to locate its new headquarters at this strategic corner. This zoning case in no way represents a speculation by Golden Ring, and is the commercial character of the Rawls Property is recognized with B.L. zoning, the site will be improved by a modern and convenient savings and loan association to better serve the community.

The location of a modern savings and loan at this corner will serve as an excellent anchor for the continued upgrading of this part of the Rossville Community, and will replace the outdated hotel which presently occupies the site.

Contrary to popular belief, a savings and loan association is not a major traffic generator, and in fact for some years now Golden Ring has kept a tally of its walk-in customers, and have served approximately 400 walk-in customers per week. Based upon 400 customers per week, this would mean 800 trips per week by customers, and approximately an additional 10 trips per day by employees, or a total of 140 trips per day, which the excellent area

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roads can easily handle.

For all of these reasons, we are hopeful that the Planning Board will endorse recognition of the commercial character of this property by the imposition of deserved B.L. zoning, in order that Golden Ring Savings & Loan may use it as its new site. If any Board Member or Planning Staff Member has any additional questions, please do not hesitate to contact us.

Respectfully,

James D. Nolan

JDN/h1

Enclosure

See next page for copies sent

Page four

cc: Mr. Lewis M. Hess
Mr. Edward A. Griffith
Mrs. Marie C. Henderson
Mrs. Patricia Kerns Hearn
Mr. Benjamin H. Griswold, IV
Mr. William F. Kirwin
Mr. Franklin M. Padgett
Mr. Lawrence J. Simpson
Mr. Ronald B. Hickernell
Mr. Robert P. Arnold
Mrs. Caroline Bronushaf

The Hon. S. Eric DiNenna
Zoning Commissioner
The Hon. George J. Martinak
Deputy Zoning Commissioner
John W. Evering, Jr., Pres.
Golden Ring Savings & Loan Ass'n.
Box 277-G, Ridge Road
Rossville, Md. 21237
Mr. Robert E. Spellman
Spellman Larson & Associates, Inc.
Suite 110, Jefferson Building
Towson, Md. 21204

JAMES D. NOLAN
J. CARL PLATTENBERG
WILLIAM F. WILLIAMS
KENNETH H. MATTERS
THOMAS J. JENNEN

Nicholas B. Commodari, Chairman
Zoning Plans Advisory Committee
Zoning Commissioner's Office
County Office Building
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Thanking you and your Staff for your attention to this matter, I am with best regards,

Sincerely,

James D. Nolan

JDN/h1

cc: John W. Evering, Jr., Pres.
Golden Ring Savings and Loan Ass'n.

Mr. Robert Spellman
Spellman, Larson & Associates, Inc.
John M. Hilliard, A.I.A.
16 W. 25th St.
Baltimore, Md. 21218

July 27, 1977

John W. Houston, III, Esquire
County Office Building
Towson, Maryland 21204

Re: Case No. 76-177-R
Ellis A. Rawls

Dear Mr. Houston:

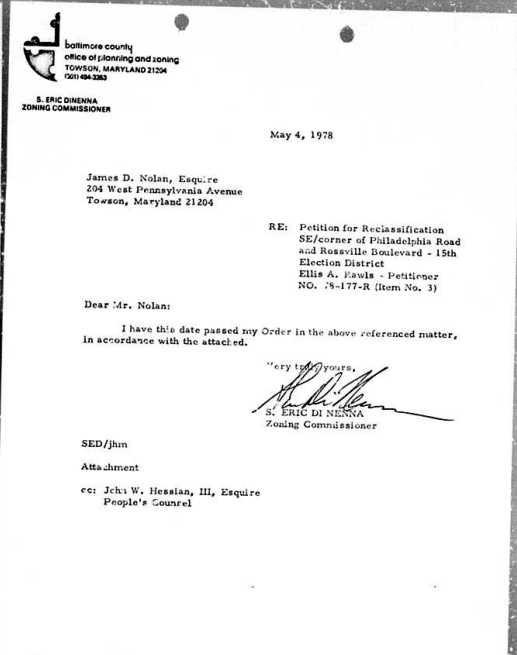
Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Edith T. Eisenhart, Adm. Secretary

End.

cc: James D. Nolan, Esquire
Mr. Ellis A. Rawls
Mr. J. E. Oyer
Mr. W. S. Hammond
Mr. L. M. Groat
Mr. J. Howell
Board of Education



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15-1178

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15 Date of Posting: 4/22/78

Posted for: John F. Applegate

Petitioner: Ellen A. Rapp

Location of property: Removille Rd. Towson, Md.

Location of Sign: County of Essex, Philadelpha
Pa.

Remarks:

Posted by: [Signature] Date of return: 4/26/78

1 sign

PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Series
	date	by	date	by	date	by	date	by	date
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, CC, CA									
Reviewed by: <i>JP</i>									
Previous case: <i>New</i>									

Revised Plans:
Change in outline or description

Map # *NE46*

Yes _____

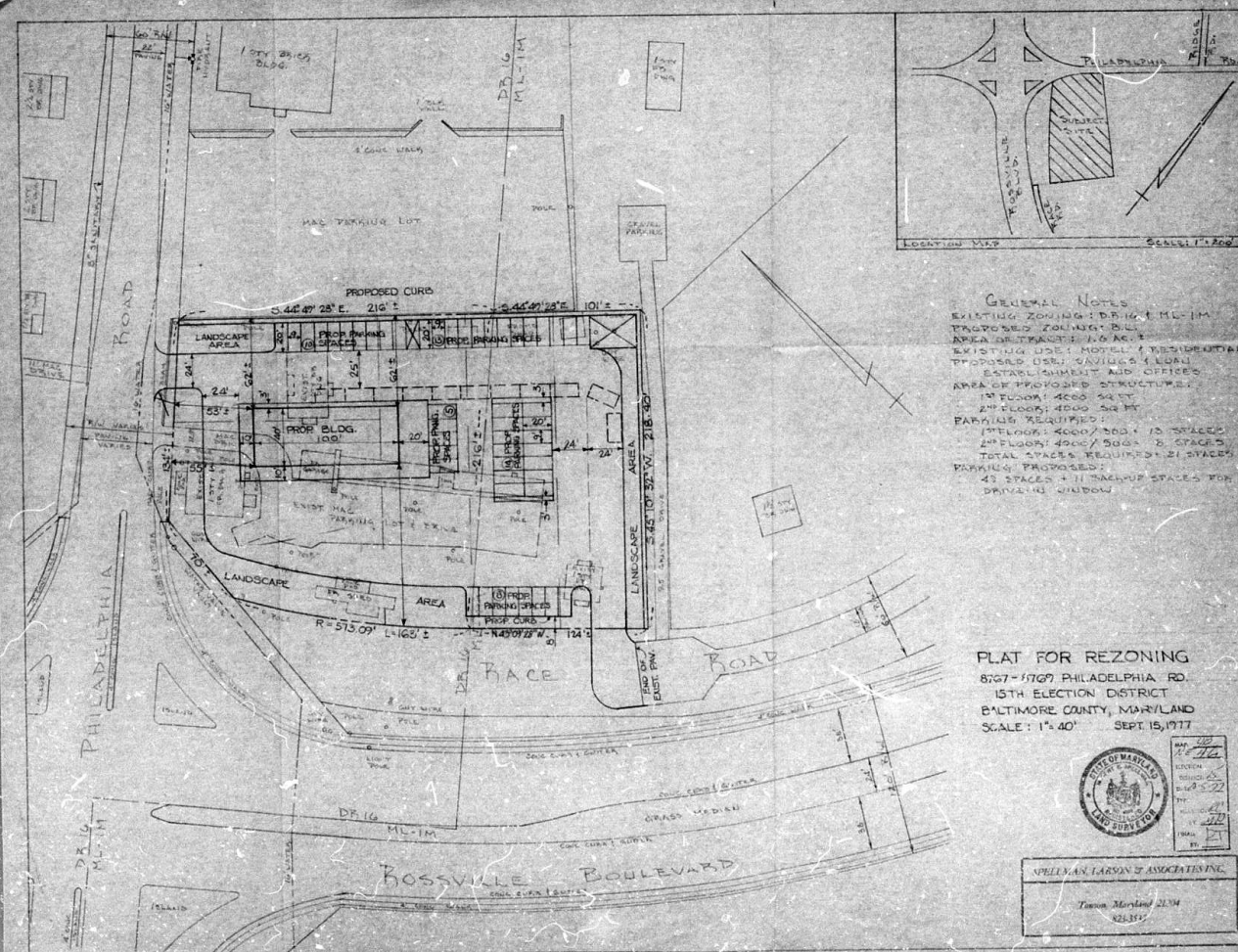
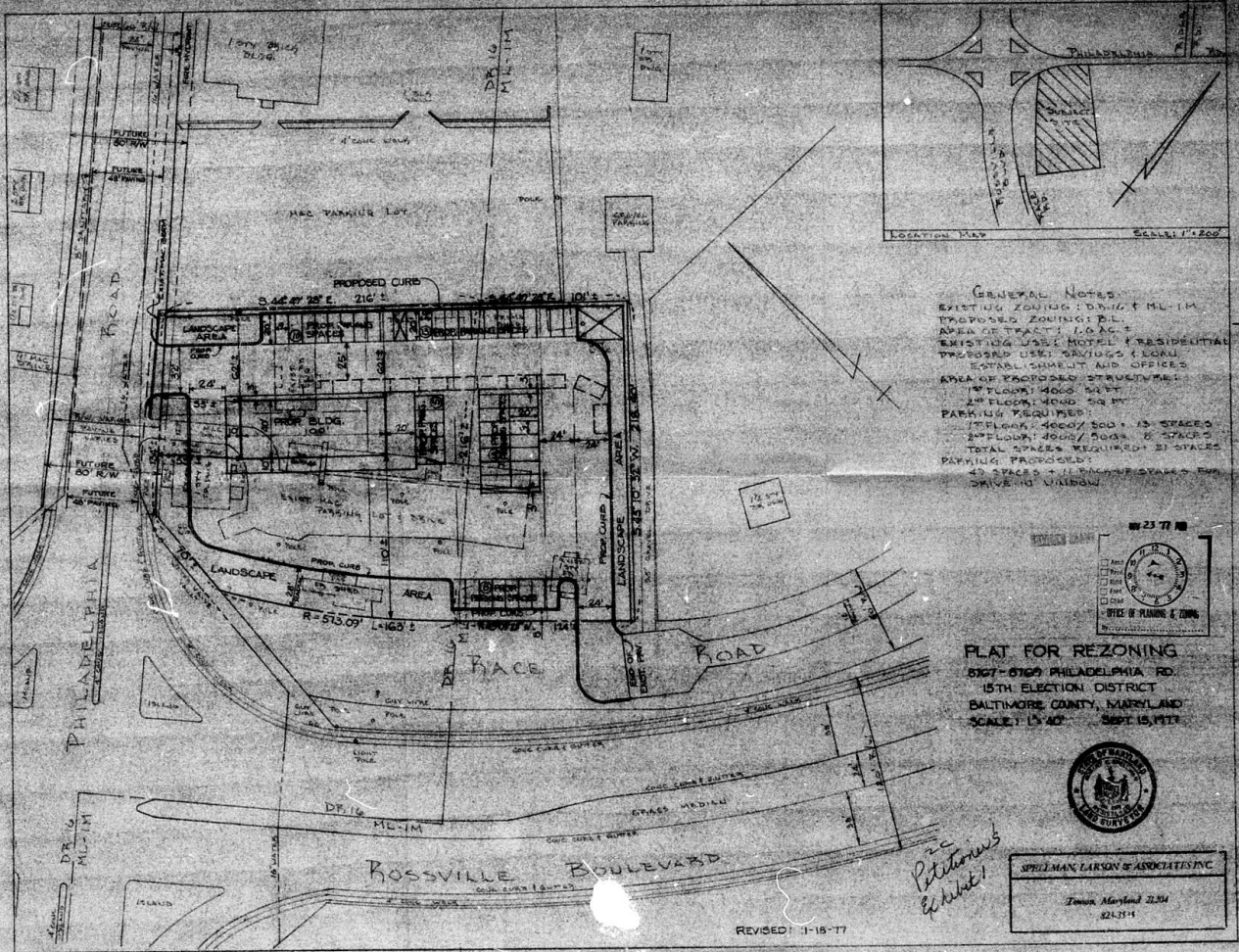
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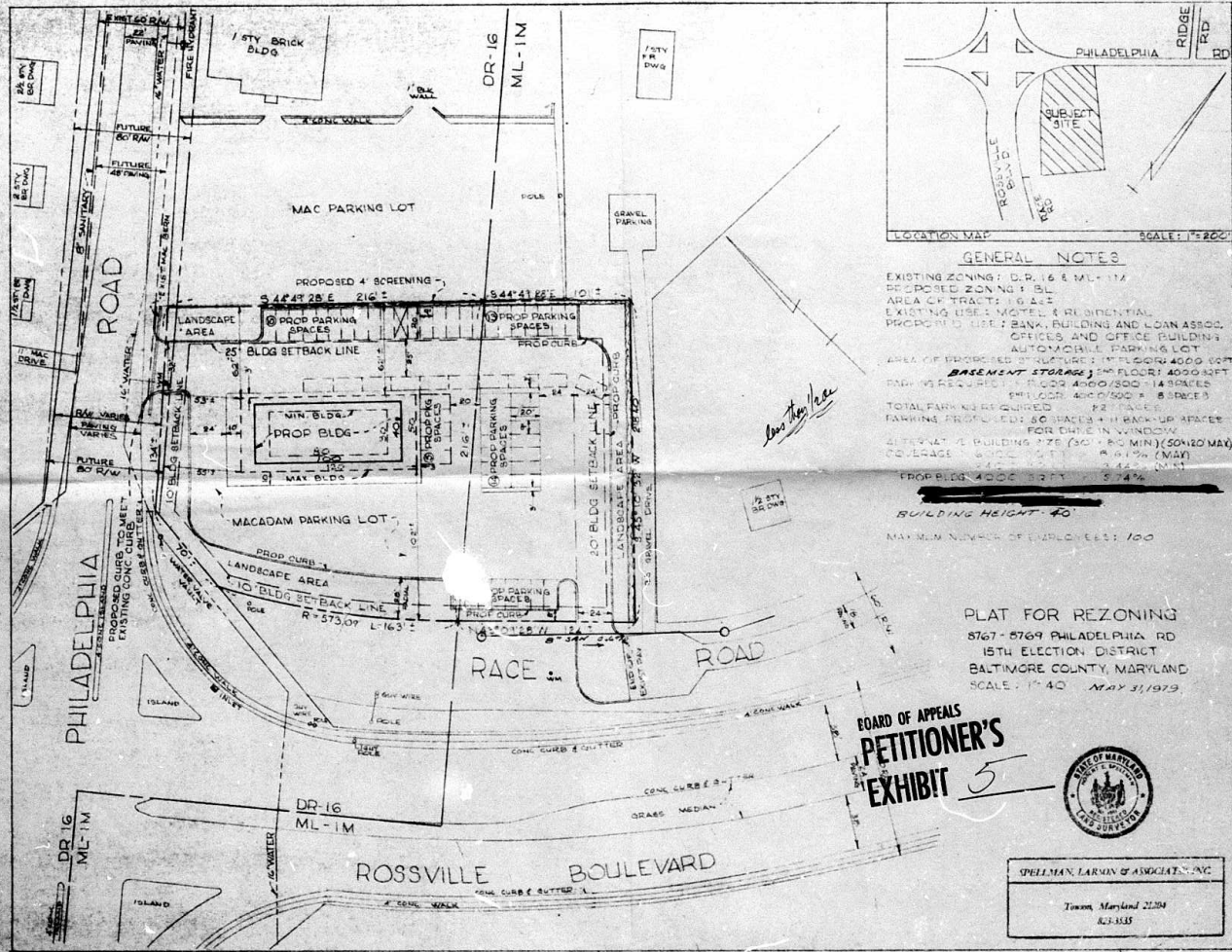
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THE JEFFERSONIAN,
L. Leach Smith
Manager.

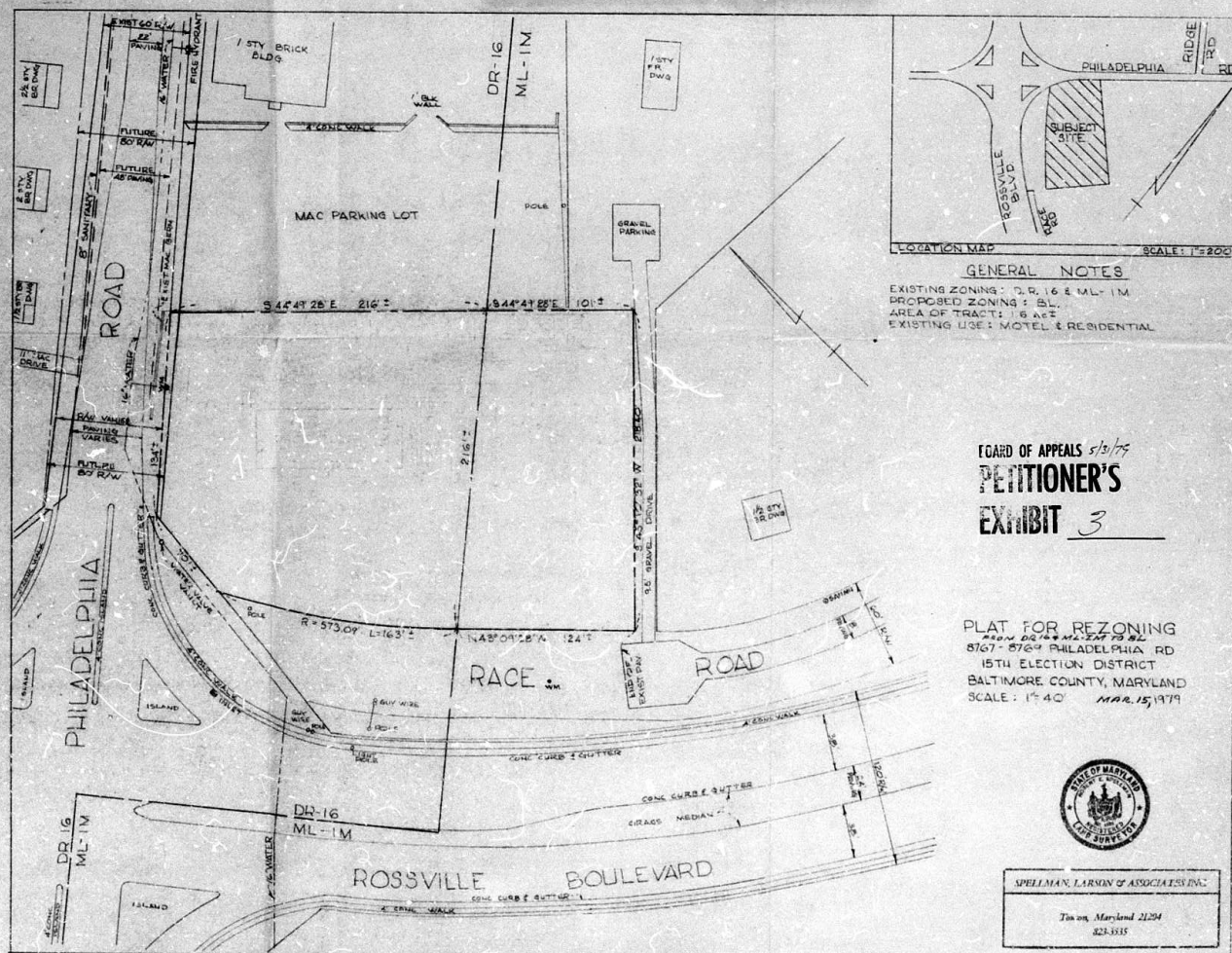
STROMBERG PUBLICATIONS, INC.
BY Laura Pannofino

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 10 day of Feb. 1978, that is to say, the same was inserted in the issues of Feb. 9, 1978.

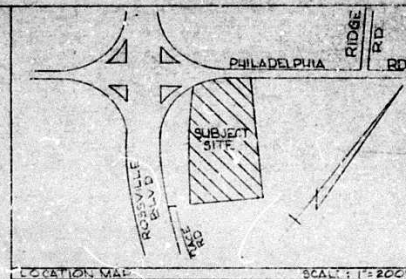




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Townson, Maryland 21204
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