

PETITION FOR ZONING VARIANCE FROM AREA RECLASSIFICATION REGULATIONS

78-191-RA #13

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, MARIO MANNARELLI, 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 for a Variance from Section 232.3b, to permit a front yard of 100.110 feet in lieu of the required twenty (20) feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

1. Due to the peculiar triangular shape of the subject property and the necessity to provide adequate parking for the proposed Light Commercial use, and other factors, the required rear yard cannot be provided, and strict compliance with the Regulations would cause the Petitioner practical difficulty and unreasonable hardship.
2. That the requested variance is in harmony with the spirit and the intent of the Regulations, and will in no way adversely affect the health, safety and general welfare of the area involved, but rather will permit the operation of the neighborhood convenience store which will be of benefit to the area involved.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, zoning, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser: MARIO MANNARELLI Legal Owner
 Address: 2929 Summit Circle
 Elllicott City, Maryland 21043

James D. Nolan
 People's Counsel
 County Office Building
 Towson, Md. 21284 (823-7800)

BY ORDERED By the Zoning Commissioner of Baltimore County, this 31st day of October 1977...

1977... 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 13th day of March, 1978 at 10:00 o'clock a.m.

Zoning Commissioner of Baltimore County.

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXEMPTION

78-191-RA #13

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, MARIO MANNARELLI, 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 re-classified, pursuant to the Zoning Law of Baltimore County, from an D.R. 3.5 zone to an B.C. (Business Local) zone, for the following reasons:

1. The 1976 zoning maps for this area erroneously divided the property between a residential and a business zone, despite the fact that this property and the adjoining, expanded corner tavern and restaurant property have long had an established commercial character, which character has been increased in recent years by the nearby tavern and restaurant expansion, all as more fully described in the attached Memorandum in Support.
2. That it was error for the 1976 maps to fail to recognize the continuing changing nature of the North Rolling Road, Johnnycake Road and Ir-70 (I-70) fact of way trunks of this corner property more and more suitable for commercial zoning and usage to serve the area, all as is more fully set out in the attached Memorandum in Support.
3. That the subject property and the character of the neighborhood in which it is set have undergone and are undergoing numerous fundamental changes, all of which changes make the residential zoning of this property inappropriate and unworkable.

See attached description

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 Exemption advertising, zoning, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser: MARIO MANNARELLI Legal Owner
 Address: 2929 Summit Circle
 Elllicott City, Md. 21043

James D. Nolan
 People's Counsel
 County Office Building
 Towson, Maryland 21284 (823-7800)

ORDERED By the Zoning Commissioner of Baltimore County, this 31st day of October 1977...

1977... 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 13th day of March, 1978 at 10:00 o'clock a.m.

Zoning Commissioner of Baltimore County.

RE: PETITION FOR RECLASSIFICATION OF BALTIMORE COUNTY BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

MARIO MANNARELLI, Petitioner : Case No. 78-191-RA

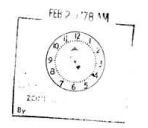
ORDER TO ENTER APPEARANCE

Mr. Commissioner: Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kuntz, Jr. People's Counsel
 County Office Building
 Towson, Maryland 21204
 494-2188

John W. Heslan, III People's Counsel
 County Office Building
 Towson, Maryland 21204
 494-2188

I HEREBY CERTIFY that on this 23rd day of February, 1978, a copy of the foregoing Order was mailed to James D. Nolan, Esquire, Nolan, Plunhoff and Williams, 204 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioner.



EVANS, HAGAN & HOLDEFER, INC.

803 BELLAIR ROAD / BALTIMORE, MD 21286 / 361 680 1501

Sept. 29, 1977

DESCRIPTION OF AREA TO BE RECORDED, PROPERTY OF MARIO MANNARELLI, TO ACCOMPANY PETITION FOR RECLASSIFICATION FROM DR. 3.5 TO B.C.

BEGINNING FOR THE SAME at a point distant the two following courses and distances, from the intersection formed by the centerline of Rolling Road and Johnnycake Road as shown on the Baltimore County Highway Design drawing #76-098 dated 10/17/74, (1) Binding on the centerline of Johnnycake Road in a southerly-westerly direction 243 feet, more or less, (2) Northeasterly 35.0 feet, more or less to the northeastern right of way line of said Johnnycake Road and to the place of beginning, thence leaving and binding on said Northeastern right of way line Northwesterly 117.0 feet, more or less, thence leaving said right of way line and running the 3 following courses and distances, viz: (1) North 39 degrees 07 minutes 52 seconds East 134.17 feet, (2) South 50 degrees 19 minutes 18 seconds East 75.00 feet, more or less and (3) Southwesterly 61.0 feet, more or less to the place of beginning.

Containing 0.201 acres of land, more or less.

This Description has been prepared for zoning purposes only and is not intended to be used for conveyance.



Mario Mannarelli

LAW OFFICES OF NOLAN, PLUNHOFF & WILLIAMS, INC. 204 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204

December 6, 1977

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

Re: The Mannarelli Commercial Property on the North side of Johnnycake Road West of North Rolling Road, Second Cycle, Item 13.

This office represents Mr. Mario Mannarelli, who is the owner of a one-third acre, triangular-shaped property on the north side of Johnnycake Road approximately 243 feet west of North Rolling Road which is located on 1000 scale zoning map Western Area 2-B.

The 1976 zoning maps correctly identified the commercial aspects of this property, and in fact placed the easternmost third of the triangle in a B.C. zone, but inadvertently and erroneously classified the remainder in a low density residential zone, namely D.R. 3.5.

The northwest corner of Johnnycake Road and North Rolling Road has had a long established commercial character, and in fact it has been for many years the site of Phillips Corner Bar, which has recently been modernized and enlarged. Furthermore, the parking lot for the bar forms a portion of the northeastern boundary of this property, and just a short distance to the north is the very wide, multi-lane Interstate 70-N, which carries heavy traffic both day and night.

This property has never been used residentially, and in fact the only building presently located on the property is a small garage in the northern corner of the triangle, with existing brick homes to the west being owned by the owners of the bar.

The properties on the opposite side of Johnnycake Road are not used residentially, and in fact include a rather large Church building some distance to the southeast



June 8, 1978

James D. Nolan, Esquire
 204 West Pennsylvania Avenue
 Towson, Maryland 21204

RE: Petitions for Reclassification and Variance
 N/S of Johnnycake Road, 243' W of Rolling Road - 1st
 Election District
 Mario Mannarelli - Petitioner
 NO. 78-191-RA (Item No. 13)

Dear Mr. Nolan: I have this date passed my Order in the above referenced matter, in accordance with the attached.

Very truly yours,
 S. ERIC DI MENNA
 Zoning Commissioner

SED/jhm

cc: George Nicholas Kariotis, Esquire
 2 Market Place
 Dundalk, Maryland 21222

Mr. Ronald Ritchie
 Woodbridge Valley Civic & Improvement Association
 1503 Rawling, Well Road
 Baltimore, Maryland 21228

John W. Heslan, III, Esquire
 People's Counsel

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If the correct B.L. zoning is placed upon the entire site, Mr. Mannarelli proposes to erect a neighborhood convenience store which would be a great deal of benefit to the Woodbridge Valley Community and other residential communities in the southwest quadrant of Interstate 70-N and North Rolling Road, and in fact would enable persons in these areas to obtain neighborhood convenience food items without venturing out onto North Rolling Road.

The property is largely unusable, erroneously zoned as it is, but if zoned B.L. as proposed would be of an appropriate size to fill community shopping needs, while at the same time not being out of character or scale with its surroundings.

We are confident that you will review the site plan which was filed with the case, together with the detailed list of errors inherent in the present zoning and that you will recommend that the Zoning Commissioner place the entire site in an appropriate zone, namely B.L., as requested. Needless to say, if any Board Member has any questions or wishes any further information, we will be glad to furnish whatever is requested. Thanking you and the Board for your consideration of this matter, I am

Respectfully,
Newton A. Williams
 Newton A. Williams

ENM/hl
 Enclosure
 See next page for copies sent



Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts:

the above Variance should be had; and it further appearing that by reason of:

a Variance should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of _____, 197____, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above Petition and it appearing that by reason of failure to show a special difficulty or unreasonable hardship, the Variance to permit a rear yard of 10 feet in lieu of the required 20 feet should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 197____, that the above Variance be, and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
DATE June 9, 1977
BY [Signature]

8. That it was and is erroneous not to recognize the commercial and institutional nature of this short section of Johnnycake Road, in view of the expanded Phillips Corner Bar operation, the construction of a large church on the opposite side of Johnnycake Road, a short distance to the west, and the lack of residential construction in this section of Johnnycake Road, with a significant amount of residential construction occurring in the area along Johnnycake Road and off Johnnycake Road and connecting roads to the west and southwest, with this commercially-oriented property being available both on the route to and from work and other destinations for many residents of this quadrant.

9. 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.

10. And for such other and further changes as have occurred, are occurring and will occur in this changing neighborhood as this petition case continues, which the Petitioner reserves the right to raise at such time as change in the character of the neighborhood shall be available as a ground for reclassification, either by statute or otherwise.

Respectfully submitted,
NOLAN, PLUMHOFF & WILLIAMS
James D. Nolan
By James D. Nolan

MEMORANDUM IN SUPPORT OF REQUEST FOR COMPLETION OF B.L. ZONING FOR THE MANNARELLI PROPERTY OF THE NORTH SIDE OF JOHNNYCAKE ROAD, WEST OF NORTH ROLLING ROAD, PARTIALLY SURROUNDED BY B.L. ZONING OCCUPIED BY "PHILLIPS CORNER BAR"

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of:

the above Reclassification should be had; and it further appearing that by reason of:

a Special Exception for _____ should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of _____, 197____, that the herein described property or area should be and the same is hereby reclassified, from _____ to _____ zone, and/or a Special Exception for _____ should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above Petition and it appearing that by reason of failure to show error in the original zoning map, the Reclassification from a D.R. 3.5 Zone to a B. L. Zone should NOT BE HAD.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 197____, that the aforementioned Reclassification be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
DATE June 8, 1977
BY [Signature]

Page three

- cc: Mr. Lewis M. Hess
P.O. Box 5890
Baltimore, Md. 21208
- Mr. Edward A. Griffith
112 Investment Building
Townson, Maryland 21204
- Mrs. Marie C. Henderson
521 Shamrock Lane
Baltimore, Md. 21208
- Mrs. Patricia Kerne Hearn
Room 319, Administration Bldg.
Townson State University
Townson, Md. 21204
- Mr. Benjamin H. Griswold, IV
Memor Road
Monkton, Md. 21111
- Mr. William F. Kirwin
Smith-Kirwin, Inc.
Mercantile Building
Townson, Md. 21204
- Mr. Franklin M. Padgett
634 Ingleside Avenue
Baltimore, Md. 21228
- Mr. Lawrence J. Simpson
2721 Southbrook Road
Baltimore, Md. 21222
- Mr. Ronald B. Hickernell
208 Park Drive
Baltimore, Md. 21228
- Mr. Robert P. Arnold
1174 Pelhamwood Road
Baltimore, Md. 21234
- Mrs. Caroline Bronushaf
671 Rosalie Avenue, Rte. 1
Baltimore, Md. 21221
- The Hon. S. Eric DiNenna
Zoning Commissioner
County Office Building
Townson, Md. 21204
- The Hon. George J. Martinek
Deputy Zoning Commissioner
- Mr. Mario Mannarelli
2929 Summit Circle
Ellicott City, Md. 21043
- Mr. Juri Maiste
Evans, Hagin & Holdefer
8913 Belair Road
Baltimore, Md. 21236

ALL WITH ENCLOSURE

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

MEMORANDUM IN SUPPORT OF REQUEST FOR COMPLETION OF B.L. ZONING FOR THE MANNARELLI PROPERTY OF THE NORTH SIDE OF JOHNNYCAKE ROAD, WEST OF NORTH ROLLING ROAD, PARTIALLY SURROUNDED BY B.L. ZONING OCCUPIED BY "PHILLIPS CORNER BAR"

The Petitioner and landowner, Mario Mannarelli, states that the 1976 zoning maps which arbitrarily and erroneously divided his property between a commercial zone on the portion partially surrounded by the Phillips Corner Bar property, and a residential zone to the west, is arbitrary, incorrect and erroneous, for at least the following reasons:

1. It was and is error to divide the property between a light commercial zone and a low density residential zone, and neither portion of the property is really usable, due to this incorrect, arbitrary division of this commercially-oriented property.
2. It was and is error to place any portion of the Mannarelli Property in a residential zone, in view of the partially surrounding, commercially-zoned Phillips Corner Bar property to the east and northeast, as well as the effects of nearby six to eight-lane Interstate 70N, a short distance to the north, which looms over this property on a high embankment.
3. That it was and is error to provide an insufficient amount of B.L. zoning in the southeast quadrant of Interstate 70N and North Rolling Road, in view of the fact that the Phillips Corner Bar property fully occupies the majority of the B.L. zone provided, and it was further erroneous for the 1976 maps to have zoned only a portion of the Mannarelli Property for commercial usage, indeed, a portion too small to be utilized.
4. It was and is erroneous not to provide a sufficient amount of B.L. zoning on this commercially-oriented property located between Johnnycake Road on the south,

North Rolling Road on the east and Interstate 70N on the north to accommodate a small neighborhood convenience store such as that proposed by the Petitioner.

5. That it was and is erroneous to only partially recognize the commercial character of the Mannarelli Property and the property immediately to the north lying between Johnnycake Road and Interstate 70N with the Phillips Corner Bar property to the east.

6. That it was and is erroneous to ignore the very fundamental changes in the character of this property which has been brought about by the construction and opening of Interstate 70N to the north, by the Security Square Mall to the northeast, as well as the extensive additional residential construction to the west and southwest in the southeast quadrant of Interstate 70N and North Rolling Road; which changes, coupled with the expansion of the partially surrounding Phillips Corner Bar property, render the Mannarelli Property inappropriate for any type of residential use, but ideally suited for a neighborhood convenience store for which a small portion of the property has been correctly zoned, whereas the entire property should have been so zoned.

7. It was and is erroneous not to provide a small additional amount of B.L. zoning on the Mannarelli Property, particularly in view of its partial classification as B.L., in order to construct a small neighborhood convenience store which would accommodate persons living in the area who could obtain such neighborhood needs without the necessity of going either through the heavy traffic on North Rolling Road to the Security Square Mall area to the northeast or the Route 40 West area to the south, both requiring the utilization of North Rolling Road and other area roads.

James D. Nolan, Esquire
Nolan, Plumhoff & Williams
264 W. Pennsylvania Ave.
Townson, Maryland 21204

EXHIBIT # 13

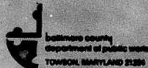
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Ave.
Townson, Maryland 21204

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

[Signature]
S. ERIC DI NENNA
Zoning Commissioner

Petitioner: Mario Mannarelli
Petitioner's Attorney: James D. Nolan Reviewed by: [Signature]
cc: Evans, Hagin & Holdefer, Inc.
8913 Belair Rd.
Baltimore, Md. 21236

Nicholas B. Comodari
Chairman, Zoning Plans
Advisory Committee



THORNTON B. MCGUIRE, P.E.
DIRECTOR

October 31, 1977

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21284

Re: Item #13 (Cycle II) October 1977 - April 1978
Property Owner: Mario Manarelli
N/S Johnnycake Rd. 243' W. Rolling Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: B.L. and Variance to permit a rear setback of 10' in lieu of the required 20'.
Acres: 0.201 District: 1st

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.

Highways:

Johnnycake Road, an existing public road, is proposed to be improved in the future as a 60-foot closed section roadway on a 60-foot right-of-way. Highway right-of-way widening, including any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

It shall be the responsibility of the Petitioner's engineer to clarify all rights-of-way within the property and to initiate such action that may be necessary to abandon, widen or extend said rights-of-way. The Petitioner shall be responsible for the submission of all necessary plats and for all costs of acquisition and/or abandonment of these rights-of-way.

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 striping of top soil.

Item #13 (Cycle II) October 1977 - April 1978
Property Owner: Mario Manarelli
Page 2
October 31, 1977

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 nuisance 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:

An 8-inch public water main (Drawing 870-0525, File 3) and an 8-inch public sanitary sewer (Drawing 870-0526, File 1) exist in Johnnycake Road. Additional fire hydrant protection is required in the vicinity.

This property is tributary to the Dead Run - Gwynn Falls Sanitary Sewerage System, subject to State Health Department regulations.

Very truly yours,

ELSWORTH M. DIVER, P.E.
ELSWORTH M. DIVER, P.E.
Chief, Bureau of Engineering

END/EM:PRO:SS

cc: J. Traxner
H. Shalowitz
W. Munchel

L-SE Key Sheet
4 SW 27 Pct. Sheet
M 1 G Page
94 Tax Map

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21284

October 31, 1977

Nicholas B. Commodari
Chairman

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

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

RE: Reclassification & Variance
Petition
Item Number 13 - Cycle II
Petitioner - Mario Manarelli

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.

This triangular shaped property, partially zoned D.R. 3.5 and B.L., is located on the north side of Johnnycake Road approximately 243' west of Rolling Road in the 1st Election District. Adjacent properties to the south, north and west are also zoned D.R. 3.5 and consist of vacant wooded land, Interstate 70 and a detached dwelling, respectively, while a bar, zoned B.L. exists to the east.

Because of your client's proposal to construct a retail food store on this property and coupled with the proximity of the proposed building to the rear property

James D. Nolan, Esq.
Page 2
Item No. 13
Oct. 31, 1977

line, this combination Reclassification and Variance is required. Based on the comments from the Department of Traffic Engineering and the Office of Project and Development Planning, the parking layout must be altered. Contact should be made with the representatives of these departments on the committee, in order to correct this situation and if the number of parking spaces provided or the location of the proposed building is affected, the Variance forms should be corrected in order to reflect this situation.

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 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 forwarded to you well in advance.

Very truly yours,

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

NBC:rf

cc: Evans, Hagan & Holdefer, Inc.
8013 Belair Road
Baltimore, Maryland 21236



October 14, 1977

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

Dear Mr. DiNenna:

Comments on Item #13, Zoning Cycle II, October, 1977, are as follows:

Property Owner: Mario Manarelli
Location: N/S Johnnycake Road 243' W. Rolling Road
Existing Zoning: D.R. 3.5
Proposed Zoning: B.L. and Variance to permit a rear setback of 10' in lieu of the required 20'.
Acres: 0.201
District: 1st

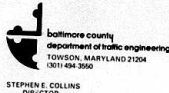
This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on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

The site plan should be revised to show one driveway of a maximum of 30 feet in width. It has been the experience of this office, that the one-way driveway and parking layout as shown creates circulation problems, both on-site and off-site.

Four foot high compact screening must be provided along the frontage of the property. It is recommended that five evergreens be used for screening.

Very truly yours,

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



STEPHENE COLLINS
DIRECTOR

October 24, 1977

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

RE: Item 13 - ZAC - October 13, 1977
Property Owner: Mario Manarelli
Location: N/S Johnnycake Road, 243' W. Rolling Road
Existing Zoning: D. R. 3.5
Proposed Zoning: B. L. and Variance to permit a rear setback of 10' in lieu of the required 20'.
Acres: 0.201
District: 1st

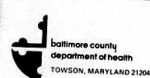
Dear Mr. DiNenna:

The subject petition requesting a change from D. R. 3.5 to B. L. of 0.201 acres and shall increase the trip density from 10 to 100 trips per day. The parking layout and the narrow 12 ft. driveway do create some problems if a vehicle parks behind space 5 or next to space 6 or parks along the curb of the driveway. Therefore, the drive should be a minimum of 18 ft. and entrances and exits must be clearly marked as such.

Very truly yours,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRM/bza



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

October 13, 1977

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

Dear Mr. DiNenna:

Comments on Item #13, Zoning Advisory Committee Meeting for Cycle II, October 5, 1977, are as follows:

Property Owner: Mario Manarelli
Location: N/S Johnnycake Rd. 243' W. Rolling Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: B.L. and Variance to permit a rear setback of 10' in lieu of the required 20'.
Acres: 0.201
District: 1st

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

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 prior to construction.

Very truly yours,

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

THD/ks/rhs



Paul H. Reineke
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: Mario Manarelli

Location: N/S Johnnycake Rd. 243' W. Rolling Rd.
Item No. 13 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.

- (X) 1. Fire hydrants for the referenced property are grandfathered 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. 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 on or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "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: *AT J. Kelly*
Special Inspection Division

Noted and Approved: *James M. Carroll*
Deputy Chief
Fire Prevention Bureau

NAME	ADDRESS	PHONE
146. James Martin	1185 Greenville Rd	788-8576
147. James Boyd	8105 Dogwood Rd	248-3011
148. Mary Robinson	8160 Dogwood Rd	248-3011
149. W. J. Price	8021 DeWitt Rd	944-0245
150. Arthur Haver	1473 Mill St. DeWitt	465-8014
151. Neil Masley	1811 Lombard St. DeWitt	945-6472
152. Barbara Brown	3016 Opuff Rd	922-7141
153. Linda Bull	620 Cleveland Rd	636-3203
154. George Seibert	3311 Cassette Ave	336-9762
155. Mary Ann Green	3000 Maple Rd	894-4372
156. Wm. B. Williamson	5200 Fairbairn Ave	448-2752
157. Harry E. Brown		243-7950
158. Harold E. Brown	651 Old Ft. Wayne Rd	288-3240
159. Peter Family	4215 Commercial	535-0785
160. Roger R. Hunt	6240 Central Ave	285-3331
161. Emma J. Hill	5412 N. North Ave	944-9311
162. Wm. J. Hill	2136 Cherokee Rd	721-2310
163. Albert C. Bradley	1527 Chandler Rd	944-5815
164. George W. Bradley	1527 Chandler Rd	944-5815
165. Michael G. Hill	3500 Union Rd	861-6965
166. J. Hill	814 Stuart Ave	721-4272
167. P. Hill	6171 North Hill Rd	721-4272
168. Thomas Brown	" " "	" " "
169. Wm. Hill	7475 Townsend Ave 21228	267-3255
170. Louis B. Brown	7519 Townsend Ave 21228	244-1747
171. Jackson Brown	3211 Lombard Ave	944-8044

NAME	ADDRESS	PHONE
172. Mrs. E. E. Brown	3511 Lombard Ave	244-8154
173. Mrs. E. E. Brown	7111 Lincoln St	455-3744
174. Mrs. E. E. Brown	7111 Lincoln St	455-3744
175. Margie W. Brown	7111 Lincoln St	244-3246
176. Mrs. E. E. Brown	7111 Lincoln St	244-3246
177. Mrs. E. E. Brown	7111 Lincoln St	244-3246
178. Mrs. E. E. Brown	7111 Lincoln St	244-3246
179. Mrs. E. E. Brown	7111 Lincoln St	244-3246
180. Mrs. E. E. Brown	7111 Lincoln St	244-3246
181. Mrs. E. E. Brown	7111 Lincoln St	244-3246
182. Mrs. E. E. Brown	7111 Lincoln St	244-3246
183. Mrs. E. E. Brown	7111 Lincoln St	244-3246
184. Mrs. E. E. Brown	7111 Lincoln St	244-3246
185. Mrs. E. E. Brown	7111 Lincoln St	244-3246
186. Mrs. E. E. Brown	7111 Lincoln St	244-3246
187. Mrs. E. E. Brown	7111 Lincoln St	244-3246
188. Mrs. E. E. Brown	7111 Lincoln St	244-3246
189. Mrs. E. E. Brown	7111 Lincoln St	244-3246
190. Mrs. E. E. Brown	7111 Lincoln St	244-3246
191. Mrs. E. E. Brown	7111 Lincoln St	244-3246
192. Mrs. E. E. Brown	7111 Lincoln St	244-3246
193. Mrs. E. E. Brown	7111 Lincoln St	244-3246
194. Mrs. E. E. Brown	7111 Lincoln St	244-3246
195. Mrs. E. E. Brown	7111 Lincoln St	244-3246

NAME	ADDRESS	PHONE
196. Robert W. Brown	5214 Old York Rd	788-6557
197. Robert W. Brown	6214 Redgate Cir	744-0784
198. Robert W. Brown	6524 Redgate Cir	744-0484
199. Robert W. Brown	5214 Old York Rd	788-6557
200. Robert W. Brown	3617 Gwynne Ln. Apt. 1	521-3189

PETITION

We the undersigned do by our signatures protest the proposed zoning change of the property on Johnnycake Road, beginning approximately 125-150 feet from Rolling Road owned by Mario Mannerilli for use as a High's Ice Cream Store.

The reasons for this protest are the following and others:

1. The closeness to Phillips Corner Tavern.
2. The fact that this type of operation attracts kids who will be loitering around the area of the store and the parking lot of the adjoining tavern property.
3. The fact that the intersection of Johnnycake and Rolling Road is already overloaded with traffic congestion and can not handle any more.
4. The fact that the property line as shown on Mr. Mannerilli's zoning plat is incorrect and shows his property as being larger than it actually is.
5. The fact that there is no real need for a store of this type at this location due to the closeness of shopping centers and stores already in the area.

NAME	ADDRESS	PHONE #
1. Betty M. Brown	1622 Johnson Rd	747-1110
2. Joseph A. Brown	3916 Palmer Ave	
3. Margaret H. Brown	5519 Forest Ave	747-1556
4. Bill Brown	447 St. Agnes Ave	
5. Betty Brown	1111 Adams Ave	747-0280
6. Janet Brown	1011 Adams Ave	747-1386
7. Bill Brown	461 Rolling Rd	747-0351
8. Carl Brown	1177 Pharr Rd	744-6644
9. Ruth Brown	4772 Lincoln St	744-6644
10. John Brown	4524 Dan Tracy Rd	333-8442

The hearing to protest the zoning change will be held at 10:00am in Room 106 of the County Office Building in Towson on Monday, March 13, 1978.

NAME	ADDRESS	PHONE #
11. Mary A. Matthews	5202 Foxwood Rd	606-0585
12. Mary A. Matthews	5338 Channing Rd	741-6774
13. Virginia Brown	5338 Channing Rd	744-6774
14. Virginia Brown	10052 Cordell St	526-4004
15. Jean M. Hill	4531 Bay View Rd	945-1477
16. John E. Hill	414 Maple Hill Rd	747-1072
17. William Brown	27 Mountain Rd	789-7037
18. Thomas Brown	606 Redwood Rd	
19. Thomas Brown	16122 22nd St. Towson	944-1511
20. James Brown	1002 Woodloch Rd	266-6000
21. John Brown	926 Maple Hill Rd	242-8213
22. George Brown	1733 York Rd	242-8213
23. Mary Brown	4529 Bay View Rd	366-3077
24. Pamela Hill	7731 Fairview Rd	944-6905
25. James Hill	1451 Fairview Rd	247-1065
26. John Hill	7519 Townsend Ave 21228	944-1743
27. Peter Hill	9222 Hill Rd	636-3203
28. Robert Hill	Maple St	636-3203
29. William Hill		
30. Barbara Hill	7026 Russell Ave	Baltimore
31. David Hill	7026 Russell Ave	598-4372
32. David Hill	411 Laurel Ave	Baltimore
33. Barbara Hill	325 Fairview Ave	Baltimore
34. Carl Hill	377 Old Stage Rd	Baltimore
35. William Hill	Logan Rd	Baltimore
36. Margaret Hill	1540 Campbell Rd	Baltimore
37. James Hill	1703 Liberty Rd	Baltimore
38. Charles Hill	5 West 1st Blvd	Baltimore
39. William Hill	2101 N. Rolling Rd	944-2742
40. John Hill	3204 Central Ave	2122

NAME	ADDRESS	PHONE #
41. John E. Hill	11111 Cordell St	516-6561
42. John E. Hill	844 Hill Rd	932-3341
43. John E. Hill	744 Hill Rd	417-5724
44. John E. Hill	2611 Bay View Rd	267-8831
45. John E. Hill	1171 Bay View Rd	285-8258
46. John E. Hill	317 York Rd	521-3189
47. John E. Hill	317 York Rd	521-3189
48. John E. Hill	317 York Rd	342-6341
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PETITION

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4. The fact that the property line as shown on Mr. Mannerilli's zoning plat is incorrect and shows his property as being larger than it actually is.
5. The fact that there is no real need for a store of this type at this location due to the closeness of shopping centers and stores already in the area.

NAME	ADDRESS	PHONE #
1. Charles Brown	5111 Maryland Ave	747-9586
2. William Brown	1907 York Rd	744-1725
3. William Brown	1239 York Rd	242-7430
4. William Brown	3401 York Rd	922-0517
5. Lee Brown	1374 York Rd	323-2079
6. Lee Brown	2661 Russell Ave	355-7131
7. Lee Brown	4611 York Rd	247-8147
8. William Brown	1239 York Rd	242-7430
9. William Brown	5111 Maryland Ave	941-9611
10. Charles Brown	577 York Rd	544-6547

The hearing to protest the zoning change will be held at 10:00am in Room 106 of the County Office Building in Towson on Monday, March 13, 1978.

NAME	ADDRESS	PHONE #
11. William Brown	6321 York Rd	747-9586
12. Lee Brown	200 York Rd	242-7430
13. William Brown	230 York Rd	242-7430
14. William Brown	1176 York Rd	461-1787
15. William Brown	1239 York Rd	242-7430
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PETITION

We the undersigned do by our signatures protest the proposed zoning change of the property on Johnnycake Road, beginning approximately 125-150 feet from Rolling Road owned by Mario Mannerelli for use as a High's Ice Cream Store.

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2. The fact that this type of operation attracts kids who will be loitering around the area of the store and the parking lot of the adjoining Tavern property.
3. The fact that the intersection of Johnnycake and Rolling Road is already overloaded with traffic congestion and can not handle any more.
4. The fact that the property line as shown on Mr. Mannerelli's zoning plat is incorrect and shows his property as being larger than it actually is.
5. The fact that there is no real need for a store of this type at this location due to the closeness of shopping centers and stores already in the area.

NAME	ADDRESS	PHONE #
1. Catherine M. del	1042 W. Carson St	385-1720
2. Ed McCallahan	3206 Bromble Lane	655-5152
3. Joseph Portman	3332 N. Adams Road	465-8787
4. William Leasing	5051 Blydenmouth Dr	730-0428
5. Bill Wynn	102 Laurel Ave	716-4791
6. Madeline Miller	1405 Sandford St	268-2220
7. Edna Roth	4461 W. O. Parkway	
8. Lucia Prothro	4447 5th Parkway	
9.		
10.		

The hearing to protest the zoning change will be held at 10:00am in Room 106 of the County Office Building in Towson on Monday, March 13, 1978.

2, C. Pet. Ch. 3

MEMBER EQUITY - YEAR END

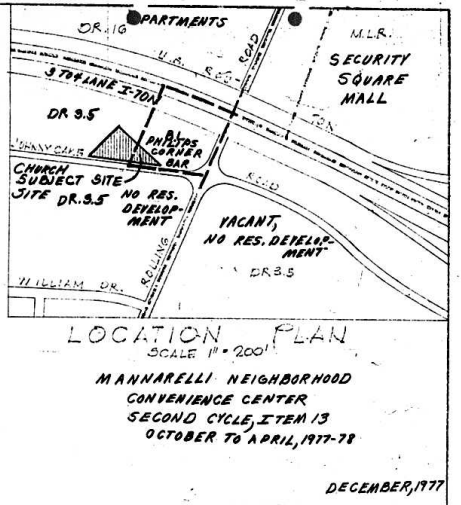
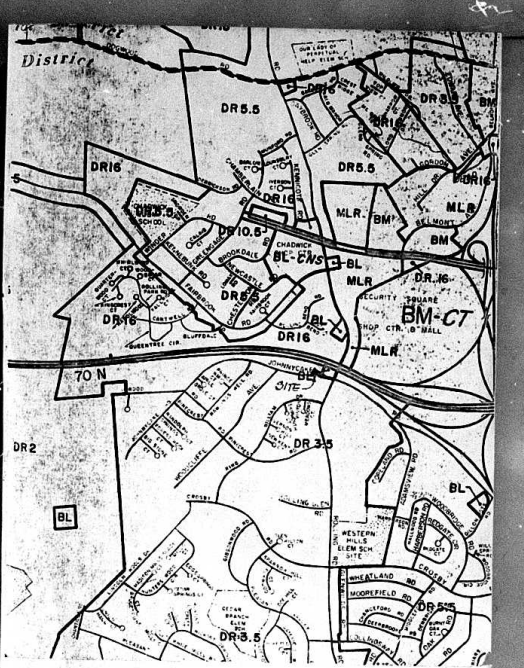
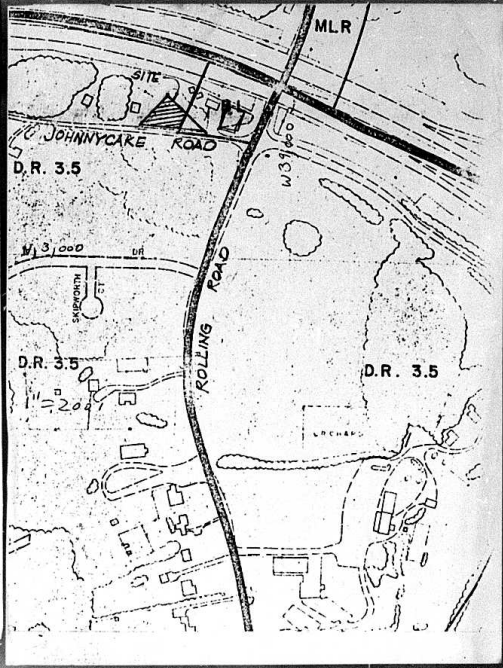
Year	Equity (Millions)
1972	4.5
1973	5.5
1974	7.5
1975	8.5
1976	9.2

High's, Dan City, Virginia - opened 3-20-76

Restauranteur Operating Contract with High's Inc. Manager - Mr. J. Smith, Manager

PRODUCTION LBS

Year	Production (Millions)
1972	150
1973	160
1974	175
1975	185
1976	194



CERTIFICATE OF PUBLICATION

TOWSON, MD. February 23, 1978

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 the 23rd day of March, 1978, the first publication appearing on the 23rd day of March, 1978.

THE JEFFERSONIAN
L. Powell, Publisher

Cost of Advertisement \$ _____

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st
Date of Posting: Feb. 25, 1978
Posted for: Petitions For a Reclassification To Variance
Petitioner: Mario Mannerelli
Location of property: N/S of Johnnycake Rd. 243 W. of Rolling Rd.
Location of Signs: N/S of Johnnycake Rd. 275' north W. of Rolling Rd.

Remarks: Thomas E. Roland
Date of return: March 3, 1978

OFFICE OF THE TIMES NEWSPAPERS

TOWSON, MD. 21204 Feb. 24, 1978

THIS IS TO CERTIFY that the annexed advertisement of PETITION FOR RECLASSIFICATION A VARIANCE was inserted in the following: MARIO MANNARELLI

Catonsville Times Towson Times
 Dundalk Times Arbutus Times
 Essex Times Community Times
 Suburban Times East Suburban Times West

STROMBERG PUBLICATIONS, INC.
By Lucia Mannerelli

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Posting		200 Sheet
	date	by	date	by	date	by	date	by	
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denies									
Granted by ZC, BA, CC, CA									
Reviewed by: [Signature]			Revised Plans:						
Previous case: None			Change in outline or description:						
			Map #	1431					

BALTIMORE COUNTY, MARYLAND
OFFICE OF FIN. & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 57242

DATE: Oct. 18, 1977 ACCOUNT: 01-662

AMOUNT: \$50.00

RECEIVED: Messrs. Rolan, Flusberg and Williams 201 W. Penna. Ave. - Towson, Md. 21204

FOR: Petition for Reclassification for Mario Mannerelli

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 65497

DATE: March 13, 1978 ACCOUNT: 01-662

AMOUNT: \$291.50

RECEIVED: Mario P. Mannerelli 2909 Summit Circle, Millport City, Md. 21033

FOR: Advertising and posting of property #15-19-31

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 29th day of Sept. 1977. Filing Fee \$ 20.00 Received Cash Other

Petitioner: MARIO MANNARELLI Submitted by: Thomas E. Roland
Petitioner's Attorney: Thomas E. Roland Reviewed by: [Signature]

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

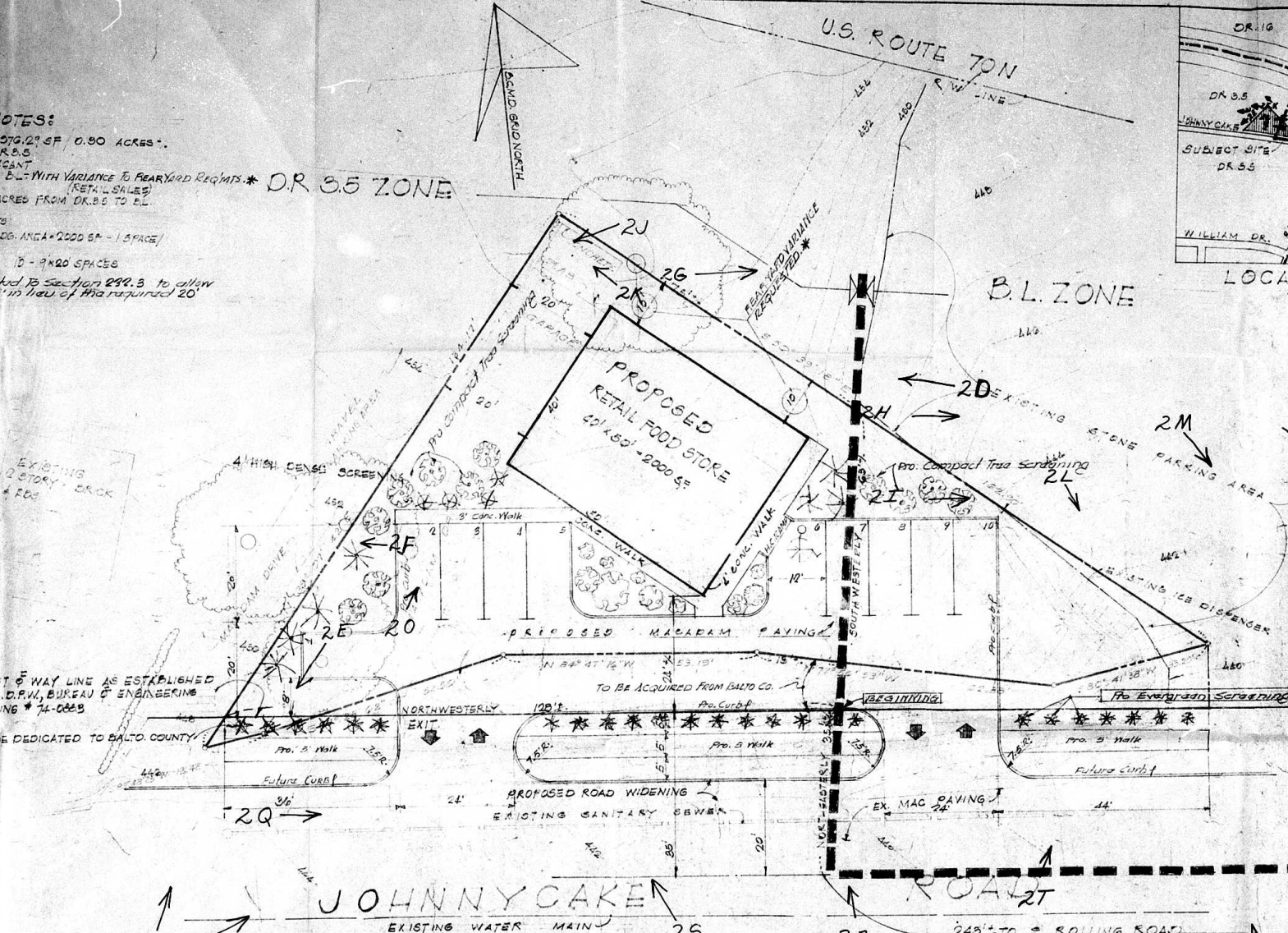
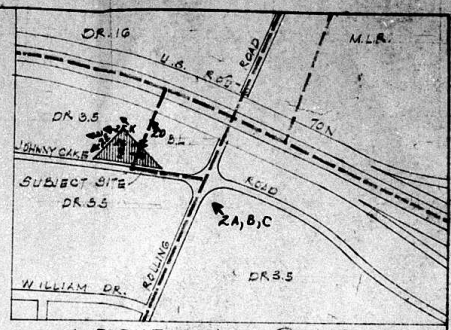


GENERAL NOTES:

TRACT AREA = 8076.2² SF / 0.80 ACRES.
 EXISTING ZONE - DR.B.5
 EXISTING USE - VACANT
 PROPOSED ZONE - B.L. WITH VARIANCE TO REAR YARD REQ'TS. * DR. B.5 ZONE
 PROPOSED USE - (RETAIL SALES)
 RECLASSIFY 0.201 ACRES FROM DR.B.5 TO B.L.

PARKING REQUIREMENTS
 SPACES REQUIRED (LWDG. AREA = 2000 SF = 1 SPACE)
 200 SF = 100 SPACES
 SPACES PROVIDED = 10 - 9x20 SPACES

* Variance Requested To Section 290.3 to allow a rear yard of 10' in lieu of the required 20'



RIGHT OF WAY LINE AS ESTABLISHED BY P.O.D.P.W., BUREAU OF ENGINEERING DRAWING # 74-0883

TO BE DEDICATED TO BALTO COUNTY

JOHNNYCAKE ROAD

PLAT 3 ACCOMPANY PETITION FOR ZONING RECLASSIFICATION FROM DR.B.5 & B.L. PROPERTY OF MARIO MANNARELLI JOHNNYCAKE ROAD. ELECT. DIST. #1 - BALTO. CO. MARYLAND

Key To Photographs 2A to 2T, February, 1978 of Manarelli site - Case # 78-191-RA

2A, BC from SE Corner of Rolling Rd. and Johnnycake Rd.

REVISED 11/04/78 PER ZAC COMMENTS OF MARYLAND
 EVANS, HAGAN & HOLDEFER, INC.
 SURVEYORS AND CIVIL ENGINEERS
 8713 BELAIR ROAD BALTIMORE, MD. 21286
 301-658-1501
 Jim Manarelli
 DATE 11/04/78 SCALE 1" = 10'



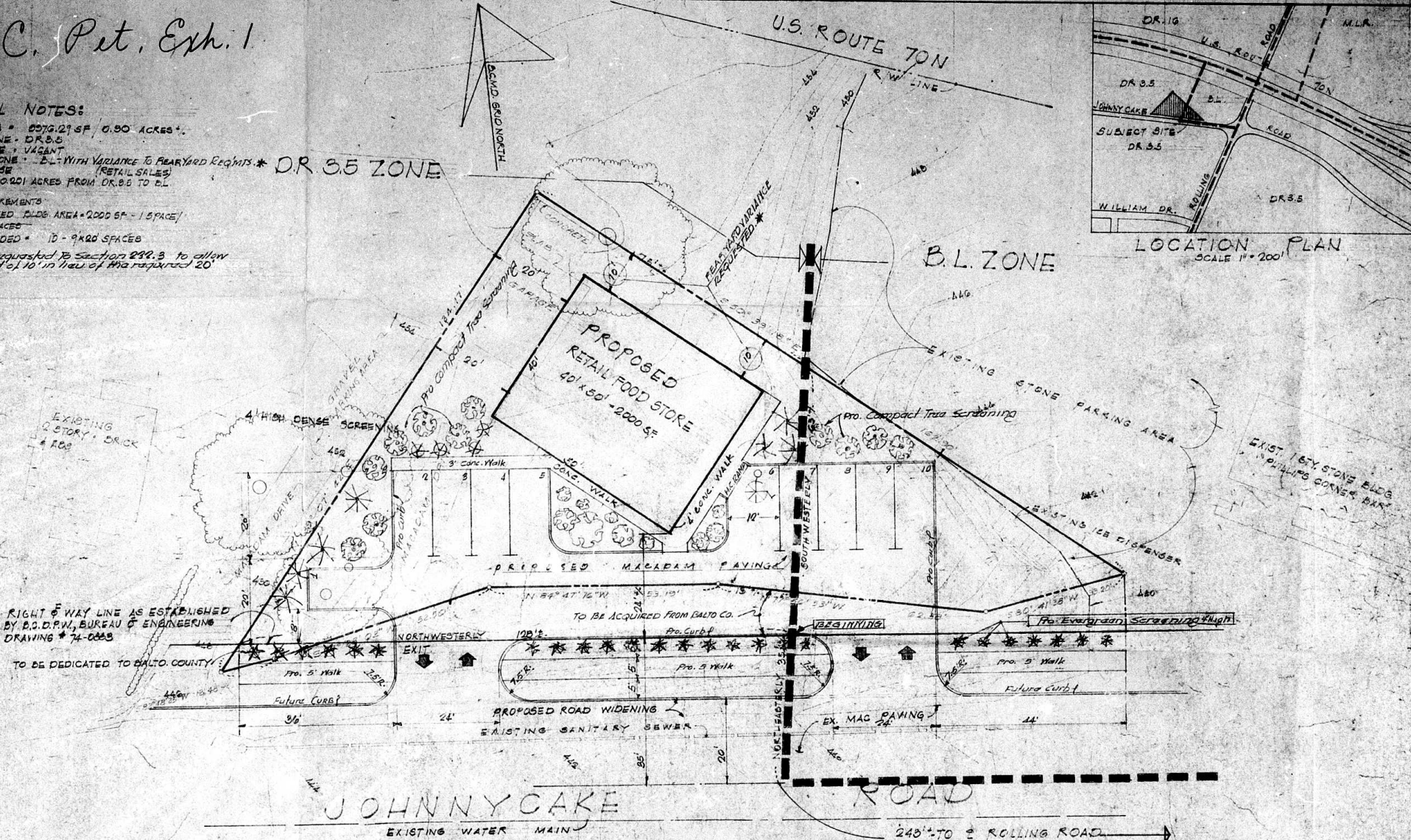
Z. C. Pet. Exp. 1

GENERAL NOTES:

TRACT AREA = 2076.21 SF, 0.90 ACRES +.
 EXISTING ZONE - DR. 35
 EXISTING USE - VACANT
 PROPOSED ZONE - B.L. WITH VARIANCE TO REAR YARD REQTS. * DR 35 ZONE
 PROPOSED USE - (RETAIL SALES)
 RECLASSIFY 0.001 ACRES FROM DR. 35 TO B.L.

PARKING REQUIREMENTS
 SPACES REQUIRED - 100 SPACES
 200 SF = 10 SPACES
 SPACES PROVIDED = 10 - 9' X 20' SPACES

* Variance Requested To Section 244.3 to allow a rear yard of 10' in lieu of the required 20'



JOHNNYCAKE ROAD

PLAT TO ACCOMPANY PETITION FOR ZONING RECLASSIFICATION FROM DR 35 TO B.L. PROPERTY OF MARIO MANNARELLI JOHNNYCAKE ROAD - ELECT. DIST. #1 - BALTO. CO. MARYLAND

REVISED 11/20/75 PER ZAC COMMENTS OF 10/20/75

EVANS, HAGAN & HOLDEFER, INC.
 SURVEYORS AND CIVIL ENGINEERS
 4013 BELAIR ROAD - BALTO. MD. 21206
 831-6841

J. H. Hagan

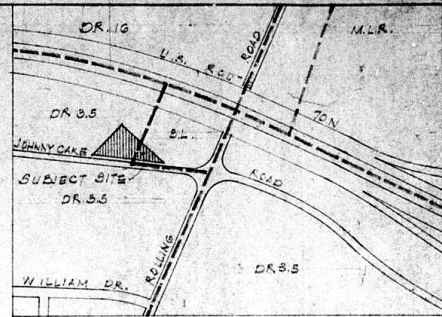


GENERAL NOTES:

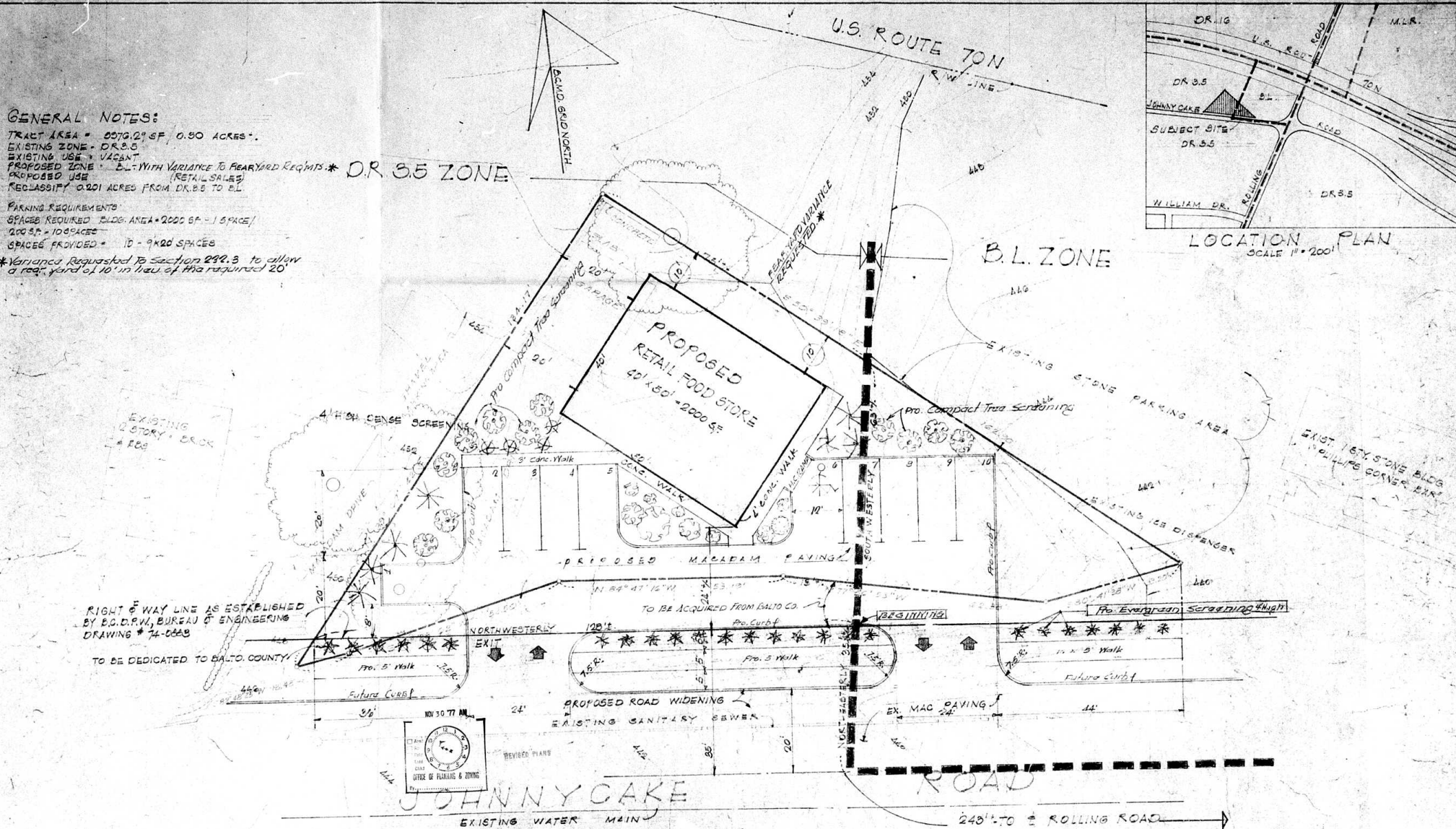
TRACT AREA = 2070.21 SF, 0.90 ACRES.
 EXISTING ZONE - DR.B.5
 EXISTING USE - VACANT
 PROPOSED ZONE - B.L. WITH VARIANCE TO REAR YARD REQ'TS.* DR. B.5 ZONE
 PROPOSED USE (RETAIL SALES)
 RECLASSIFY 0.201 ACRES FROM DR.B.5 TO B.L.

PARKING REQUIREMENTS
 SPACES REQUIRED BLDG. AREA = 2000 SF = 1 SPACE/
 200 SF = 10 SPACES
 SPACES PROVIDED = 10 - 9x20 SPACES

* Variance Requested To Section 299.3 to allow a rear yard of 10' in lieu of the required 20'



LOCATION PLAN
 SCALE 1" = 200'



JOHNNYCAKE ROAD
 EXISTING WATER MAIN

PLAT 3 ACCOMPANY PETITION FOR ZONING RECLASSIFICATION - FROM DR.B.5 & B.L. PROPERTY OF MARIO MANNARELLI JOHNNYCAKE ROAD - ELECT. DIST. #1 - BALTO. CO. MARYLAND

REVISED: 11/29/17-05 PER ZAC COMMENTS OF 10/17/17

EVANS, HAGAN & HOLDEFER, INC.
 SURVEYORS AND CIVIL ENGINEERS
 2013 MEAR ROAD - BALTIMORE, MD 21286
 410.534.1100
 J. Maiste
 CIVIL ENGINEER

