PETITION FOR ZONING RE-CLASSIFICATION SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 DR 16 zone to an BL zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property.

for accommission of the second second

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore

Contract Purchaser

Attornevator Politioner Type or Park Name) S. ERIO DINENNA, P.A.

C. John Serio, Esq. 201 N. Charles St., Suite 337 Baltimore, Md. 21201

Attorney's Telephone No. 752-1946 APTORNEY-S. Eric DiNema, Esq. 406 W. Pennsylvania Ave.

Tourson, Nd. 21204 825-1630

Legal Owners

FIDELITY FEDERAL SAVINGS AND LOAN ASSOCIATION Jaami Colinimale NP

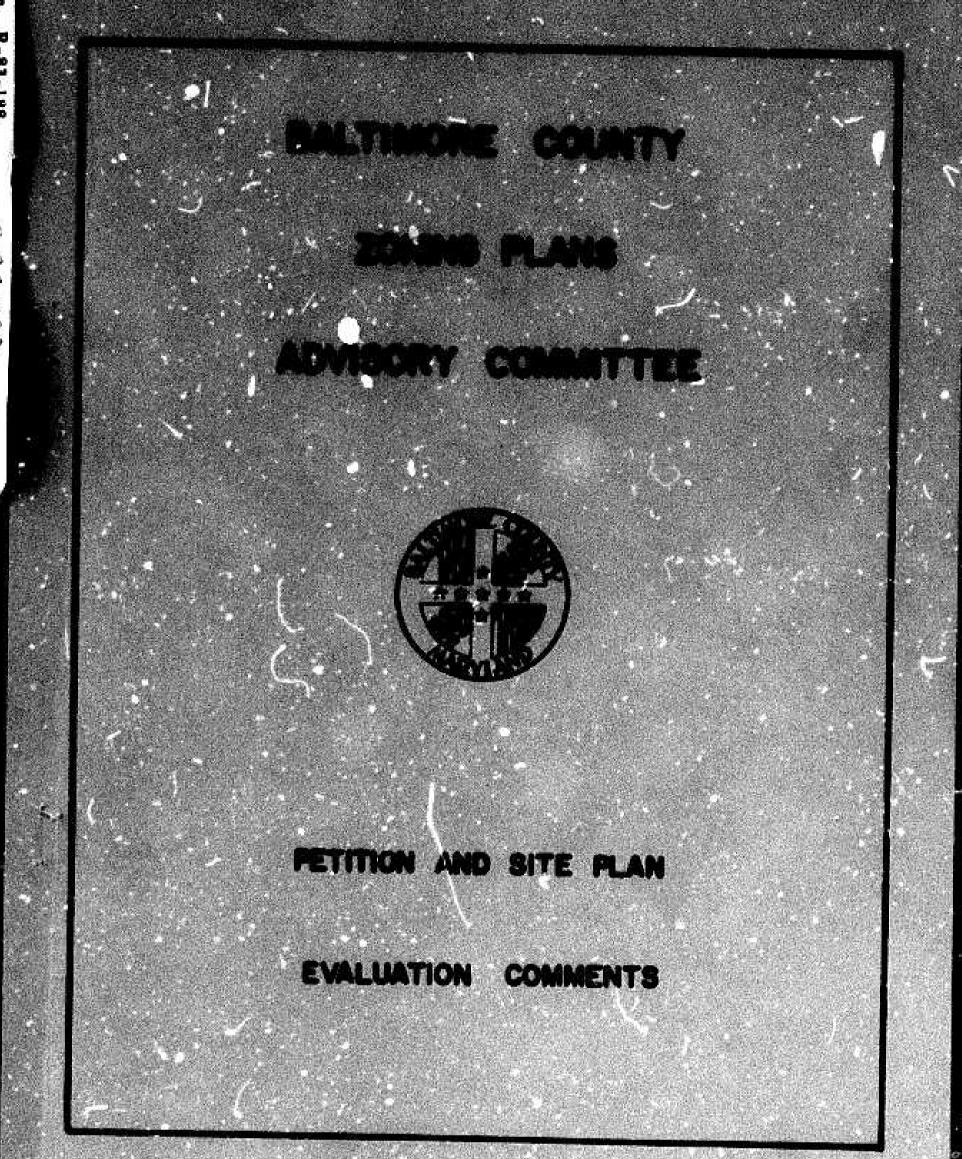
ignature Joanne C. Hovermale (Type or Print Name)

16 E. Lombard St. (301) 244-8200

Baltimore, Maryland 21202 City and State

Name, address and phone num er of legal owner, contract purchaser or representative to be contacted S. ERIC DINENNA

406 W. Pennsylvania Avenue 825-1630 Phone No. Towson, MD 21204



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 4, 1982

III W. Chesapeake Ave. Townson, Maryland 21,04

> Michalas B. Commodar CLASTONE

Erwingering \$960年世史神经的大学的第三 TEATING Engineering State Roads Frameracion

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S. Eric DiNenna, Esquire 406 W. Pennsylvania Avenue Towson, Maryland 21204

RE: Item No. 2 - Cycle No. IV Petitioner · Fidelity Federal Savings and Loan Association Reclassification Petition

Dear Mr. DiNenna:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the October-April reclassification cycle (Cycle IV). It has been reviewed by the zoning office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the coming action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so s to reflect better compliance with the zoning regulations and/ or commenting agencies' standards and policies, you are requested to review these comments, make your own judgement to this office before Monday, November 29, 1982. In the event that any requested amendments are not received prior to this date, the petition will be advertised as original!

The subject of this petition consists of vacant, partially wooded land, coned D.R.16 and part of a larger tract of ground located at the northwest corner of 1-70 and Rolling Road. A portion of the overall tract, located along Rolling Road, is presently coned B.I. as a result of Case No. 73-45-R, while part of the subject property was granted a special exception for an office building as a result of Case No. 72-149-X.

In view of your client's proposal to have the entire tract classified as B.L., this hearing is required. I spoke to your engineer, Mr. Dick Smith, about revisions to the site plan and descriptions. By way of this letter, I

Item No. 2 - Cycle No. IV Petitioner - Fidelity Federal Savings and Loan Association Reclassification Petition

am requesting that he personally contact me before waking the revisions that we discussed.

In view of the fact that the submitted site plan does not indicate a proposed development, the enclosed comments from this Committee are general in nature. If the requested reclassification is granted; more detailed comments from County agencies and the Committee (if a hearing is required, will be written when a pronoted development is indicated.

If you have any questions concerning the enclosed comments, please feel free to contact me at 494-5391. Notice of the specific hearing date which will be between March 1 and June 30, 1983, will be forwarded to you in the future.

> Very truly yours. NICHOLAS B. COMMODARI Chair nan Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Mr. Dick Smith Kidde Consultants, Inc. 1020 Cromwell Bridge Road Towson, Maryland 21204

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS TOWSON, MARYLAND 21204

HARRY J PISTEL P E October 5, 1982 DIRECTOR.

Mr. William T. Hackett, Chairman Brard of Appeals Court House Towson, Maryland 21204

> Re: Item #2 ?nning Cycle IV (Oct. 1982 - Apr. 1/83) Property Owner: Fidelity Federal Savings and Loan Association N/W corner Interstate Route 7u and Rolling Road Existing Zoning: D.R. 16 Proposed Zoning: B.L. Acres: 2.5

Gaar Mr. Hackett:

The following commerts 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:

District: ist

The comments supplied in conjunction with the Zoning Advisory Committee reviews for Item 64 (1971-1972) and Item 18 Zonin', Cycle III (April-October 1972) are referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 2 of Zoning (vole tv (October 1982-April 1983).

Bureau of Public Services

RAM: EAM: FWR: SE

sc: Jack Wimbley

Attachments

94 Tax Map

L-SE Key Sheet 4 4 5 NW 27 Pos. Sheets NW 1 6 2 C Topu

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric Dillenna ATTHI Oliver L. Tyers

November 5, 1971

Ellsworth N. Diver, P.E.

SUBJECT 1 tem #64 (1971-1972)

Property Comer: Tobert II. and Elisabeth Butler W/E Rolling Road, 100' N. of I-70-N Present Zoning: D.R. 16 Proposed Zoning: Special Exception for offices District: lst No. Acrosi 2

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.

Othersl:

The Tax Map indicates that this site is part of a larger tract, Highway and outlity plans indicate this site as part of the State Righway Administration holdings in conrection with the I-70-N crossing of Rolling Road.

It shall be the responsibility of the Petitioner's engineer to slarify all rights-of-way within and/or adjacent to this property and to initiate such action as necessary to utilize, relocate, widen, extend, release, etc. such rights-of-way; particularly in regard to the former Rolling Road right-of-way (indicated on the submitted plan as an 18-foot manadam access

It appears that a record plat may be required in connection with this ----

Highways:

Rolling Road, a County road in this vicinity is being reconstructed as a closed-type highway cross-section consisting of dual traffic lanes of varying width separated by a median within a right-of-way of varying width, use Drawings #70-0079 and 0080, File 5. No further highway improvements are required.

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

Interstate Route 70-H is a State Road; therefore, all improvements, intersections and entrances on this road will be subject to State Highway Administration requirements.

Item #64 (1971-1972(Prowety Owner: Robert M. and Elizabeth Butler Page 2 November 5, 1971

Sediment Control:

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

The state of the s

Drainage studies and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

Store Pre run

Privisions for accommodating store water or drainage have not been indicated on the submitted plan-

The Petitioner must provide necessary a mineye facilities (temperary or permanent) to prevent creating any mulsances or deserges 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.

Inverstate Route 70-N is a State Road, Therefore, drainage requirements as they affect the road come under the jurisdiction of the State Righway Administration.

Public water supply is available to serve this property.

Semitary Sever!

Public comitary severage can be made available to serve this property by extension of a public scritary sever from the existing sanitary sever manhole #128%, see Drawing #70-0097, Pile 1.

ELLINORTH N. DIV.R. P.B.

Chief, Bureau of Engineering

2-11-14

EMD-EAH: FAR: 05

645

1-52 Loy Shoet 5 MW 27 Position Sheet WM 1 & 2 0 Topo % Tax Map

Baltimore County, Maryland

Bepartment Of Public Worke SOUN STRICE BUILDING TOWSON, MARYLAND 21204 April 26, 1972

Bureau of Engineering EL IWORTH N. DIVER. P. E. CHIEF

Mr. Oliver L. Myers, Chairman

Zoning Advisory Committee County Office Building Towson, Haryland 2120h

Re: Item #18 (Cycle April - October 1972) Property Owner: Alvin H. Rector W/S Rolling Rd., 900' S. of Fairbrook Rd. Present Zoning: D.R. 16 Proposed Zoning: Reclassification to B.L. District: 1st No. Aeres: 1.33 ecres

200

50 Sec. 1

Dear Mr. Myerut

Character (Mayor

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

Highways:

Rolling Foad is now under construction. We further improvements will be required at this time.

Entrance locations are subject to the approval of the Department of Traffic Engineering.

Store Draines

In accordance with the drainage policy for this type development, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the store water run-off through the property to be developed to a suitable outfall.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any noisences or danges 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.

Sedimen Control:

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

Mr. Oliver L. Myers, Cheirman Soning Advisory Committee Page 2

Re: Item #18 (Cycle April - October 1972)

There is an existing 20-inch water main in Relling Road. (See Drawing

Permission to obtain a metered apprection from this existing main may be obtained from the Penertaent of Permits and Licenses.

Sanitary Sewer

Public smiltary sewerage can be made available to serve this property by constructing a public samitary sewer extension, approximately 165 feet in length, from the existing 8-inch public samitary sewer in Rolling Road, shown on Drawing \$70-0097 (1).

1000

ELISWORTH N. DIVER, P.E. Chief, Bureau of Engineering

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included the state of the state

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

C/O Nickolas Commodori TO. Chairman Balto, Co. Board of Appeals William T. Hackett

Date_September 29, 1982....

PROM Charles E. Burnham, Plans Review Chief

SUBJECT Cycle Zoning IV. 1982

Iten 2. Fidelity Federal Savings & Loan Assoc.

How structures, alterations, additions, changes of use, or other is movements to the property shall comply with the Baltimore County Building Code as adapted by Bill #1-82, this includes the 1981 B.O.C.A. Basic Building Code, the 1981 BOCA Basic Mechanical Code, the 1981 Basic Energy Code and the Maryland State Code for the Handicapped (Code of Maryland Regulations 05.01.07). No Construction work shall be started until proper permits have been expressed and released. approved and relassed.

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204

STEPHEN E. COLLING DIRECTOR

November 1, 1982

Mr. William Hackett Chairman, Board of Appeals Office of Law, Courthouse Towson, Maryland 21204

> Cycle IV - Meeting of September 14, 1982 Item No. - 2 Property Owner: Fidelity Federal Savings and Loan Association Location: NM/Corner Interstate Route 70 and Rolling Road Existing Zoning: D.A. 16 Proposed Zoning: B.L. Acres: 2.6

Dear Mr. 'Lackett:

District: 1st

The existing D.R. 16 zoning for this site can be expected to generate approximately 310 trips per day and the proposed B.L. zoning can be expected to generate approximately 1300 trips per lay.

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintenden

Towson, Maryland - 21204

Date: 9,17/82

-Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: 9/14/82

RE: Item No: 2 Property Owner: Fidelity "ederal Savings & Loan Assoc. Location: NM/cor. Inter. Route 70 and Rolling Rd. Present Zoning: D.k. 16 Proposed Zoning: 3.L.

District: 1st No. Acres: 2.6

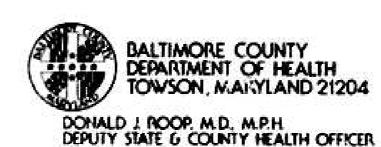
Dear Mr. Hammond:

Would only result in a loss of 2 or 3 pupils.

Very truly yours,

Wm. Nick Petrovich, Assistant Department of Planning

WAP/bp



September 27, 1982

Mr. William Hackett, Chairson Board of Appeals Court House Towson, Maryland 21204

Dear Mr. Hackett:

Comments on Item #2, Cycle IV Meeting, September 14, 1982, are as follows:

Location:

Fidelity Federal Savings and Loan Association NW/Corner Interstate Route 70 and Rolling Road D.R. 16

Ex ting Zoning: Propos od Zoning: Acres: District:

The site must be developed utilizing metropolitan water and sever. Connection to sewer is subject to the Gwynna Falls Sewer Moratorium.

> Very truly yours Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SPRVICES

IJF/uls

BALCHONE TE.

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS from D.R. 16 to B.L. Zone NW Corner Interstate Route 70 and Rolling Rd., 1st District

OF TALT DRE COUNTY

Case No. R-83-188 (Item 2, Cycle IV, 1982)

FIDELITY FEDERAL SAVINGS AND : LOAN ASSOCIATION, Petitioner

::::::

ORDER TO ENTER APPEARANCE

To the Honorable, Members of Said Board:

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 therefor, and of the passage of an preliminary or final Order in connection therewith.

May Kennerman Peter Max Zimmerman Deputy People's Counsel

the contract of the John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204

I HEREBY CERTIFY that on this 25th day of January 1983, a capy of the foregoing Order was mailed to C. John Serio, Escuire, 201 N. Charles St., Suits 35 Baltimore, Maryland 21201; and S. Eric DiNenna, Esquire and S. Eric DiNenna, P.A., 406 W. Pennsylvania Avenue, Towson, Maryland 21204, Atturners for Petitioner.

But Co

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-73.0

PAUL H REINCKE

September 29, 1982

Hr. William Banmond cc: William Hackett Caning Camissiones Chairman of Board of Appeals Office of Planning and Zoning Beltimore County Office Building Towner, Maryland 21204

Attention: Wick Commoderi, Cheirman Zoning Plans Advisory Committee

RB: Property Owner: Fidelity Federal Savings and Loan Association

Location: Mi/Corner Interstate Route 70 and Rolling Road

Item No.: 2 Zoning Agenda: Meeting of September 14, 1982

Centlemen:

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

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Norks.

to be corrected or incorporated into the final plans for the property.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCERDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Pire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shell comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are arr oved, as drawn.

() 7. The Pire Prevention Bureau has no comments of this time.

Special Inspection Division

February 17 19 83

THIS IS TO CERTIFY, that the annexed advertisement of

Petition for Mclassification

was inserted in the following: GCaton ille Times Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for _____one the ____day 1____ successive weeks before February 83, that is to say. the same was inserted in the issues of

February 17, 1983

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 17 , 19 83

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baitimore County, Md., was stronger one time ___dth ___dth appearing on the 1276.

Cost of Advertisement, \$.....

CENTIFICATE OF POSTING R-83-188

Date of Posting 3-18-83

Poster for Reclassification

Posteriores Fidelity Federal Sarings and Joan association

Location of property NW/Corner of Interstate 70 and Polling Reach.

Location of Sage NW Cours of Introdite ? and Rolling Bench

BEFORE THE

COUNTY BOARD OF APPEALS

BALTIMORE COUNTY

IN THE MATTER OF N/E corner of Interstate 70 and Rolling Road Baltimore County, Maryland

PETITION FOR RECLASSIFICATION

FIDELITY FEDERAL SAVINGS AND LOAN ASSOCIATION

Petitioner **************

MEMORANDUM OF LAW

The Petitioner and owner, Fidelity Federal Savings and Loan Association, by its attorneys, S. Eric DiNenna and S. Eric DiNenna, P.A., respectfully request a reclassification from the existing DR16 Zone to a BL Zone for the property cocated at the N/F corner of Interstate 70 North and Rolling Road in Baltimore County, Maryland.

The subject property contains 2.6 acres of land, more or less. is sandwiched between the BL Zone existing to the east and Interstate 70 N. to the west, with apartments immediately to the north. To the south is Rolling Road. The Petitioner requests a reclassification of the subject property to the BL Zone based upon the fact that in its adoption of the Comprehensive Zoning Map of 1960, the property was erroneously classified in the DR16 Zone, containing only 2.6 acres of land and at the time the adoption of the subject property and at the present time cannot be developed economically and physically into the density equivalent to the DR16 Zone.

In its adoption of the RC Zone, the Baltimore County Council by legislation, struck from the DR16 Zone, the capability of requesting a special exception for offices in that zone. Pesides, topography, location, etc. the property is not conducive o residential usage.

Though the Petitioner is submitting a Petition in blank, it is anticipated that further study will be made, and that

PETITION FOR FECLASSIFICATION

ist Election District

ZONING:

Petition for Reclassification

LOCATION:

Northwest corner of Interstate Route 70 and Rolling Road

DATE & TIME:

Tuesday, March 8, 1983 at 9:00 A.M.

PUBLIC HEARING: Room 219, Courthouse, Towson, Maryland

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter, will hold a public hearing:

> Present Zoning: D.R. 16 Proposed Zoning: B. L.

All that parcel of land in the First District of Biltimore County

Ma. 107989 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 105.00 Loan Association, as shown on t OF T. HACKETT, CHAIRMAN BOAPD OF APPEALS 8 148 ---- 100p3: N 8518A

VALIDATION OR SIGNATURE OF CASHIER

specific plans bursuant to Bill 46.7), will be submitted for Baltimore County's consideration.

For the above reasons, the Petitioner requests a reclassification from the DR16 Zone to the BL Zone.

Respectfully submittel,

MORE COUNTY

S. ERIC DINENNA, P.A. 406 W. Pennsylvania Avenue Towson, Maryland 21204 825-1630 Attorneys for Petitioners

BALTI MORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 6, 1982

Nathalas B. Commestara Charge was

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Design In Lawrence

* 'hesapeake Ave Twenty Maryland 21704

> S. Eric DiNenna, Esquire 406 W. Pennsylvania Avenue Towson, Maryland 21204

RE: Item No. 2 - Cycle No IV Petitioner - Fidelity Federal Savings and Loan Association Long connect areas. Reclassification Petition Department of Dear Mr. DiNenna: State Boads | Discharge

> Finclosed please find addendum comments for the above referenced petition.

> > Very truly yours,

Techelen & Com redone NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee

NBC:bsc Enclosure

cc: Mr. Dick Smith Kidde Consultants, Inc. 1020 Cromwell Bridge Road Towson, Maryland 21204

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON MARYLAND 21204
494 3211 NORMAN E GERBER DIRECTOR

December 3, 1982

Mr. William T. Hackett, Chairman Board of Appeals Room 219 - Court House Towson, Maryland 21204

Dear Mr. Hackett:

Comments on Item #2, Zoning Advisory Committee Mesting, Zoning Cycle IV -1982, September 14, 1/82, are as follows:

Property Owner: Fidelity Federal Savings and Loan Association Location: NW/corner Interstate Route 70 a d Rolling Road Acres: 2.6

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 property is located in the Gwynns Falls Sewer Area and must meet the requirements of Section 4A of the Zoning Regulations.

If the petition is granted, the developer must comply with Bill 56-82, (Baltimore Count: evelopment Regulations).

Very truly yours,

John & Wentley WM John L. Wimbley Planner III Current Planning & Development

JLK:rh

KIDDE CONSULTANTS, INC

Cable KIDOLNG/ Telex 87769 1020 Cromwell Endge Road Battmore Mary and 21204 (301) 321 5500

> Direct Dial Number 321-5512

DESCRIPTION

2.6 ACRE PARCEL, NORTHWEST CORNER 1-70 N AND ROLLING ROAD, BALTIMORE COUNTY, MARYLAND.

This description is for DR - 16 to BL Zoning.

Beginning at the northwest corner of Interstate Route 70 N and Rolling Road as widened, running thence binging on the north side of said Interstate Route 70 N, westerly with a curve to the left with a radius of 3969.72 feet, the arc distance of 428.64 feet, thence binding on part of the southeast outline of the land for "Rolling Road Apartments" (2) N 39° 19' 00" E 360.4 feet more or less, thence Linding on the area zoned BL, two courses (') S 55° 10' 00" E 228 feet, and (4) N 40" 43' 10" E 136.1 feet to the west side of said Rolling Road, thence binding thereon two courses (5) southerly by a curve to the right with a radius of 686.04 fee*, the arc distance of 155.21 feet and (6) S 23° 13° 20° W 230.91 fuet to the place of beginning.

Containing 2.6 acres of land.

J.O. .-82104

W.O. 1187-C

July 7, 1092

ENGINEERS . PLA . NERS . SURVEYORS

BALTIMORE COUNTY
FICE OF PLANNING & ZONING JWSON MARYLAND 21204

DANOMAN 3 MAILLY NANOROR

C. John Serie, Esquire 201 N. Charles Street Baltimere, Maryland 21201 February 28, 1983

This is to advise you that \$336.06 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County. Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours.

WILLIAM E. HAMMOND Zoning Commissioner

oc: S. Eric Differen, Ecquire Towers, Maryland 21294

C. John Serio, Esquire 201 North Charles Street - Suite 337 Baltimore, Maryland 21201

> NOTICE OF HEARING Re: Petition for Reclassit cation NW/corner of Interstate Route 70 and Rolling Road Fidelity Federal Savings and Loan Association - Petitioner Case No. R-83-188 Item No. 2 - Cycle IV

9:00 A.M. TIME:

Tuesday, March 8, 1983

PLACE: Room 218, Courthouse, Towson, Maryland

cc: S. Eric DiNenna, Esquire 406 W. Pennsylvania Avenue Towson, Maryland 21204

People's Counsel

William T. Hackett, Chairman County Board of Appea's

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

No. 19 5049

DATE March 11, 1983 ACCOUNT R-01-615-000

AMOUNT \$336.06

Fidelity Federal Savings & Loan Assn. PROW C/o S. Eric DiNenna, Enquire -on Advertising & Posting Coce 6R-83-108

8 007*****3365610 \$118A

VALIDATION OR SIGNATURE OF CASHIER

County Board of Appeals of Baltimore County Room 200 Court Mouse Cobson, Margland 21204

> (301) 494-3180 January 25, 1985

C. John Serio, Esquire 201 N. Charles Street Suite 337 Baltimore, MD 21201

> Re: Case No. R-83-188 Fidelity Federal Savings and Loan Association

Dear Mr. Serio:

As the Petitioner, or representative thereof, in the above referenced case, you are hereby advised that said case now pending before the Board of Appeals is considered most. This decison is based on an opinion of the Baltimore County Attorney's office concluding that any reclassification case pending before this Board on the date of the adoption of new comprehensive zoning maps is moot.

Therefore, unless you present written objection to the Board within thirty (30) days from the date hereof, an Order of Dismissal shall be executed by this Board.

Very truly yours,

WTH:e

cc+ S. Eric DiNenna, Esquire Joanne C. Hovermale Phyllis Cole Friedman Arnold Jablon Jean M. H. Jung James E. Dyer Norman E. Gerber James G. Hoswell Board of Education



County Bourd of Appeals of Baltimore County Room 200 Court Mener Tobson, Sagland 21204 (301) 494-3180

March 18, 1985

C. John Serio, Esquire 201 N. Charles Street Suite 337 Baltimore, MD 21201

S. Eric DiNenna, Esquire 406 W. Penrisylvania Ave. Towson, MD 21204

> Re: Case No.CR-83-188 Fidelity Federal Savings and Loan Association

Gentlemen:

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

Very truly yours.

Enclosure

cc: Joanne C. Hovermale Phyllis Cole Friedman Arnold Jablon Jean M. H. Jung James E. Dyer Norman E. Gerber James G. Hoswell Board of Education

IN THE MATTER OF THE APPLICATION OF FIDELITY FEDERAL SAVINGS AND LOAN ASSOCIATION FOR RECLASSIFICATION FROM D.R. 16 to B.L. NW CORNER 1-70 AND ROLLING ROAD 1st DISTRICT

BEFORE COUNTY BOARD OF APPEALS OF

> BALTIMORE COUNTY NO.CR-85-188

ORDER OF DISMISSAL

Petition of Fidelity Federal Savings and Loan Association for reclassification of property from D.R. 16 to B.L. located on the northwest corner of 1-10 and Rolling Road, in the First Election District of Baltimore County.

WHEREAS, by letter dated lanuary 25, 1985, the Board of Appeals notified the parties of record in the above entitled matter that the case is considered meet; and

WHEREAS, thus decision is based on an opinion of the Baltimore County Attorney's office stating that any zoning case requesting reclassify ation of property pending before the Board on the date the new zoning maps are adopted is

WHEREAS, the Board has not received a reply from its letter of January 25, 1985, within thirty (30) days as requested;

THEREFORE the Board will, on its own Motion, dismiss the within petition

IT IS HEPEBY ORDERED, this 18th day of March, 1985, that said petition be and the same is declared moot and the petition DISMISSED.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Office of 10750 Little Patuxant Pkwy Columbia, MD 21044

February 24 19 83

THIS IS TO CERT: FY, that the annexed advertisement of

Petition for Re:lassification N W I 70

vas inserted in the following: Catonsville Times

Arbutus Times

weekly newspapers published in Baltimore County, Maryland buce a week for ________successive weeks before the ______26 ____day of _______19___13__, that is to say. the same was inserted in the issues of

February 24, 1983

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Paul Solomon

Date..... 27. 1983

PROM Nick Commodari

Environmental Impact Statement SUBJECT Item No. 2 · Cycle No. IV

> Attacred is an environmental impact statement that was sulmitted in conjunction with revised site plans on the above property. Comments are needed by 'aly 15, 1923 in order to proceed with the hearing.

NBC:bsc

cc: John W. Hessian III People's Counsel

James G. Hoswell Planning Office

- felo

S Cric Di Nenna, PA Allo ney at Lax

son to Branishania Acense Towner Marghand 2124

September 15, 190

Mr. Nicholas Commode++ Baltimore County Zoning Office 11: West Chesapeake Avenue Towsor, Maryland 21294

> RE: Fidelity Federal Savings & Loan Association Security Boulevard Your File No.: R83-188

Dear Nick:

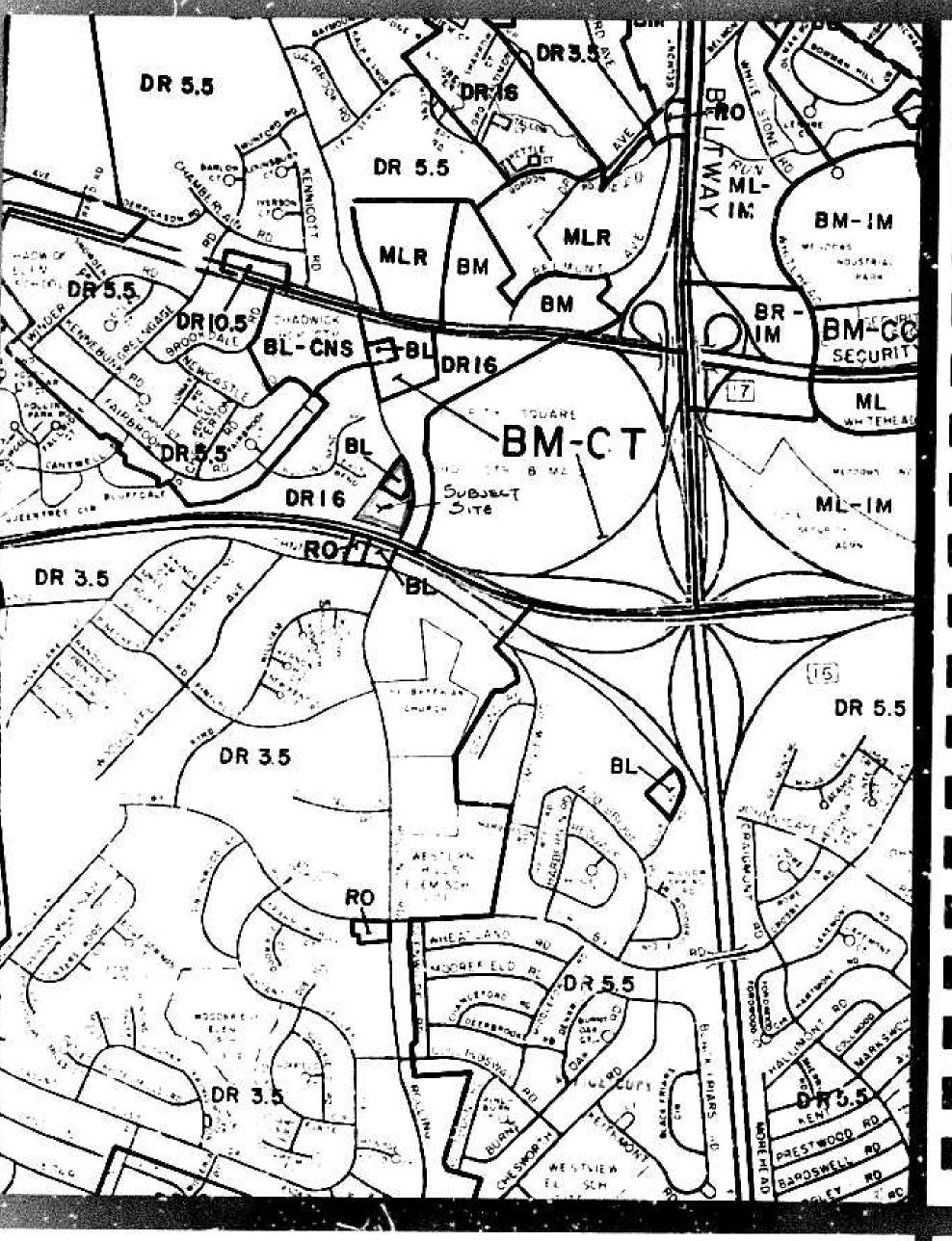
Would you be so kind as to advise me of the status of the review of the plans by the Zening Advisory Committee concerning the above captioned matter.

SA ERIC DINENNA

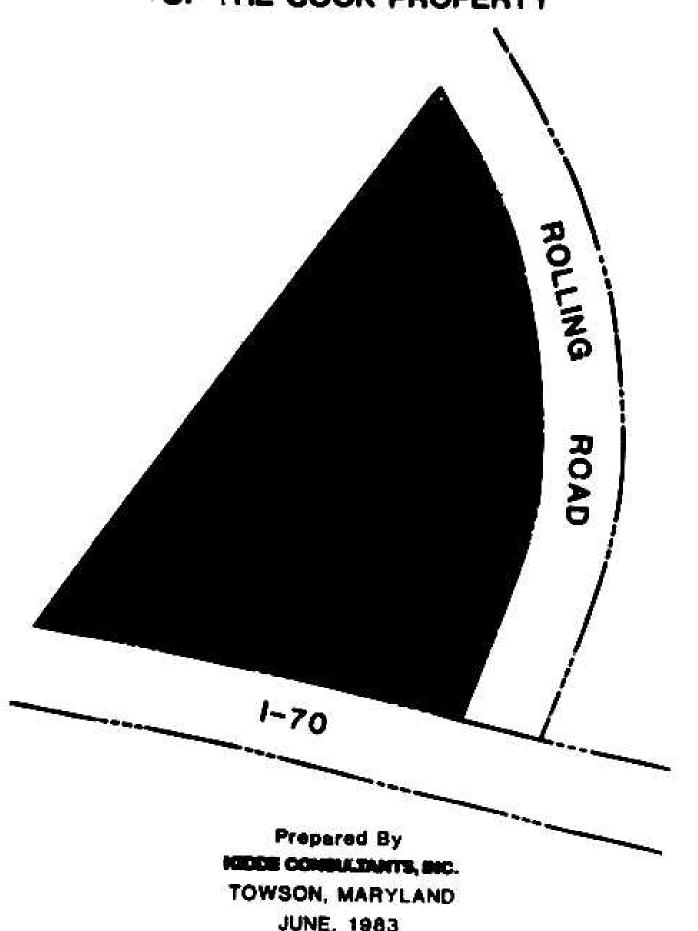
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cc: Mr. Fred Klaus Ms. JoAnn Hovermale C. John Serio, Esquire Stephen W. McLaughlin

SUBJECT SITE



ENVIRONMENTAL IMPACT STATEMENT TO ACCOMPANY THE ZONING RECLASSIFICATION OF THE COOK PROPERTY



STATEMENT TO ACCOMPANY THE SOMING RECLASSIFICATION OF THE COOK PROPERTY

June, 1983

Prepared 'y KIDDE CONSULTANTS, INC. TOWGON, MARYLAND



June, 1963

Bosle: 1'-2000'

HODDE CONFULDANTS, MC.

SITE INVENTORY

1. Geotechnical

Maryland is divided into three geologic regions; the coastal plain, piedmont, and Appalachian provinces. The Cook property is composed primarily of a great variety of geologically ancient rocks of volcanic (igneous) and sedimentary origin which have been greatly contorted, sheared, and metamorphized into schists, gneisses, quartzites, marbles, and serpentines. The aldino soils are underlain by gabbro. Gabbro is an igneous rock, characteristic of compact medium to coarse-grained textured rock, dark gray to black in col r, and often includes several small areas of pyroxenite and serpentine igneous facies.

The soil type present on the site consists of aldino silt leam which is characterized by moderately well drained and moderately sloping, very silty soils. This soil type is suitable for most crops, but has moderate to severe limitations for many nonfarm uses due to the existence of a high water table.

2. Vogetation

There are currently three vegetation classifications which exist at the site. These classifications are as follows:

a. Maintained Vegetation Association

Describes that area of the site which is currently kept from natural succession by man's intervention. This area includes the Fidelity Federal Savines and Loan building, its parking facility and the lawn which surrounds the property.

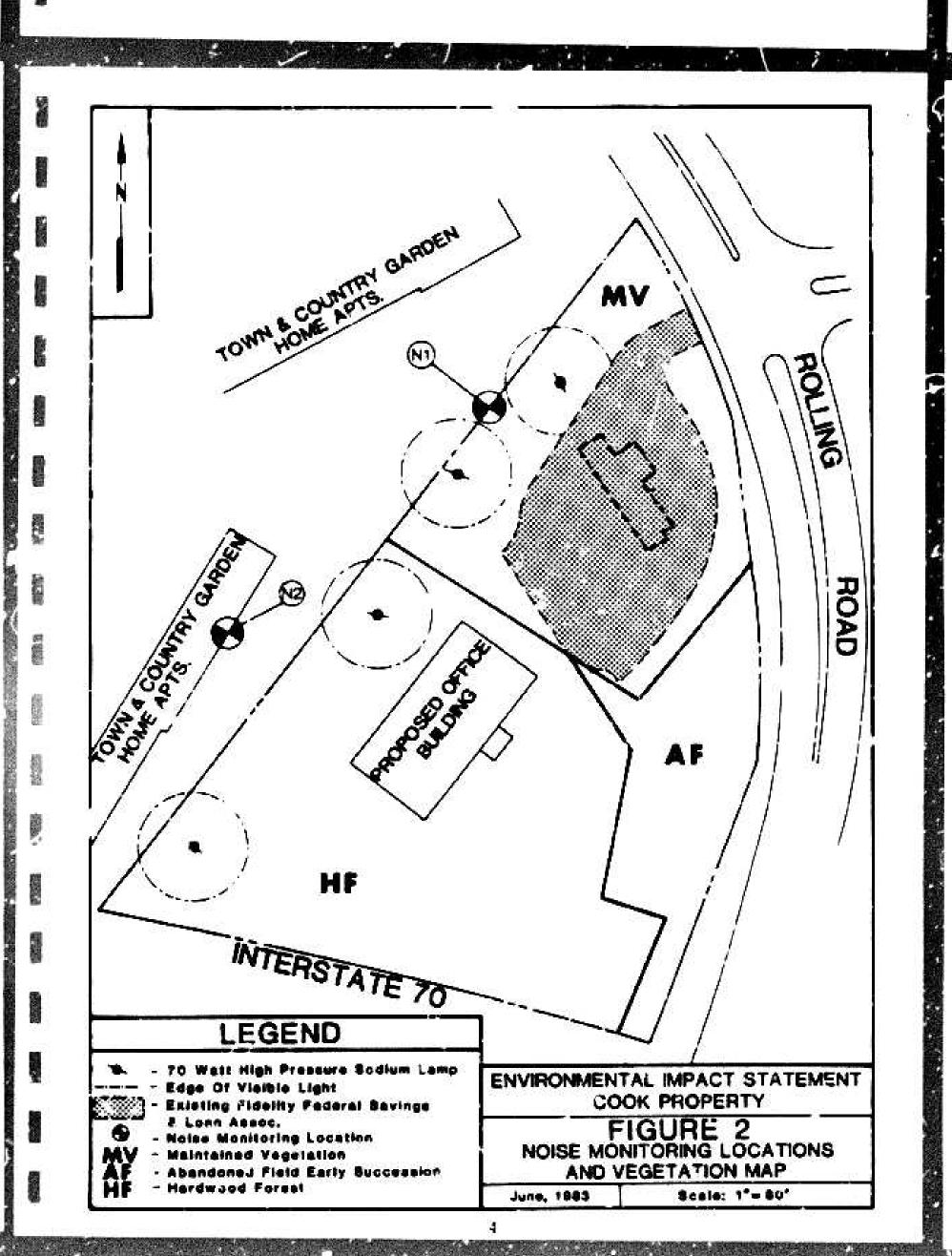
b. Abandoned Field-Early Succession Vegetation Association

Describes the unmaintained grass plot which borders Rolling Road and lies directly south of the existing Fidelity Federal Savings and Loan building.

c. Hardwood Forest Vegetation Association

Describes the wooded area which lies behind the Fidelity Federal Savings and Loan building and directly west of the uncaintained grass plot.

Figure 2 shows the location of the vegetation classification areas. There are currently 1.26 acres of maintained vegetation, .55 of abandoned field-early succession vegetation and 2.05 of hardwood forest vegetation existing on the site.



PURPOSE OF THE STUDY

The purpose of this study is to identify the potential environmental impacts occurring as a result of development due to the zoning reclassification of the Cook property from BL (Business Local) and DR-16 (High Density Dwelling) to BL (Business Local).

DESCRIPTION OF THE SITE

The site is located in Baltimore County Election District 1 and Councilmanic District 1 along the western edge of Rolling Road Setween Security Moulevard and I-70 (See Figure 1). The property is three sided with one side bordering Rolling Road; one side bordering I-70; and the final side bordering the Town and Country Garden Home Apartments.

The total area of the site encompasses 3.86 acres with approximately one third of that area presently utilized. The Fidelity Federal Savings and Loan Association currently occupies the developed portion of the tract. The building itself is a one story commercial building with a drive-up window. Parking facilities are located at the rear of the building.

PROPOSED PROJECT

A six story office building has been proposed for the site. All existing buildings on the site will be removed. Fidelity Federal Savings and Loan Association (including the drive-up window) will relocate into the proposed office building.

The following are general notes concerning the proposed office building:

- Approximately 150 persons will be employed at the office building (this number will vary depending on final leases).
- Hours of operation will be from 7:00 a.m. to 6:00 p.m. on Monday through Friday and Saturday from 7:00 a.m. to 1:00 p.m.
- Two hundred and fifty spaces of off street parking will be offered at the site.
- The site will be lighted with low must high pressure sodium lamps.

3. Surrounding Land Use

The eastern boundar, of the property is bordered by Rolling Road. Directly east of Rolling Road is the commercially zoned parking facility for the Security Square Shopping Mall. The southwestern boundary of the site is bordered by a chain link fence which separates the property from I-70. The northwest edge of the site is bordered by the Town and Country Garden Home Apartments. The apartments are round high density residential (sixteen uncling units/acre).

4. Historical Sites

Research into Maryland Historical Trust documentation and mapping identifies no structures of state or local historical importance existing on site or nearby. The "National Register of Historic Places", as well, shows no existing structures of national importance in the immediate area.

5. Climate

The proposed office building lies within an area of land controlled climate; the temperate continental climate. Because the site lies in the eastern or leeward side of the continent, the ocean is relatively 'neffective in modifying temperature conditions. West-to-east atmospheric circulation, the "prevailing westerlies", makes entrance of maritime air into the corridor difficult. Summers are very warm while winters are cold. Mean annual temperature is approximately 57 degrees thile average annual precipitation is approximately 43 inches. July is usually the warmest month with an average temperature of approximately 78° F. January, usually the coldest month, has an average temperature of approximately 36° F. Precipitation is fairly well distributed throughout the year with any month of the year being the wettest or driest. The average length of the growing season in the Bal: imore area is 200 days. The last killing frost is usually in mid April and the first is normally late in October.

6. Air Quality

The Environmental Protection Agency (EPA) has defined non-attainment areas for those areas failing to meet carbon monoxide (CO) concentration Nationa! Ambient Air Quality Standards (NAAQS). The closest non-attainment area to the site is located in the Sentral Business District of Baltimore City, approximately eight miles away. Research into 1981 CO monitoring data at the Garrison Air Monitoring Station (closest CO monitoring station to the site) shows CO concentration levels well below the NAAQS criteria.

Drainage and Topography

The site is located in the Dead Run - Gwynns Falls Drainage Area. Existing topography of the site, from the southeast and southwest corners of the site to the northern corner of the site, gently slopes upward to the existing Fidelity Federal Savings and Loan building. From the building facade to the building entrance on Rolling Road exists a 10% slope which facilitates stormwater runoff to stormdrains located along Rolling Road.

8. Noise

To determine the acoustical impact that site development may have on the surrounding environment, ambient noise levels were monitored at selected sensitive receivers. Ambient noise is the background noise which is emitted by existing noise sources within a defined area. Ambient noise levels were monitored using a General Radio 1982 Precision Sound Level Meter. Two monitoring locations were chosen to represent noise levels experienced at the Town and County Garden Home Apartments (See Figure 2).

Several different methods are used to analyze and measure noise levels. The decibel is the standard measurement unit. Different weighting scales exist to compare decibels (A, B and C). The A scale most accurately records sound levels as the human ear would. The symbol dB(A) represents a sound level which has been measured on the A weighted scale.

The primary noise generator associated with the development of the site will be automobiles. L_{10} is a statistical indicator used when describing noise emitted by mobile sources. It represents the noise level exceeded 10% of a given time span.

The A weighted L₁₀ noise levels monitored at the two locations shown on Figure 2 are provided in Table 1.

Table 1 Ambient Noise Levels

Site No.	Site Description	L_{10} (dB[A]) Levels
1	Town and Country Garden Apartments Home Property Line	60
2	Town and Country Garden Home Apartments	€2

IMPACT ASSESSMENTS

1. Geotechnical

The aldino silt loams which exist at the site generally range in depths from three and a half to six feet. Soils existing in this particular geologic province are generally underlain by igneous (volcanic) rock. The compact molecular structure of igneous rock may require that blasting be performed in the event of subsurface excavation.

. Vegetation

Development of the Cook property would require that .55 acres of abandoned field shrub and 2.05 acres of mixed hardwoods would be taken. The vegetation classification for the site resulting from development wou'd be "maintained vegetation".

The site currently exists in a developing area. The biological habitat which now exists at the site is typical of urban dwelling wildlife. The chain link rence which separates the site from I-70, and the Rolling Road boundary isolates the site from harboring high order or endangered species of the biological community. Wildlife species which now inhabit the site include birds, squirrels, and rabbits. Since these animals are adept to an urban environment, displacement of these species due to development of the site would not incur a significant impact to this particular wildlife community.

3. Light Intrusion

The parking facilities for the proposed office building will be lighted with 70 watthigh pressure sodium luminaires, mounted on 12' poles. The sodium lamps will be enclosed in an aluminum housing shielded by clear, flat tempered glass. Characteristics of these luminaires include:

- 1. Each luminaire shall provide sharp cutoff of direct glare.
- Light patterns can be tailored to site geometry by a single adjustment while leaving imminaire leads informably oriented.
- Luminaire provides wide distribution within a sharply defined cutoff pattern, allows maximum spacing without glare, and avoids excessive illumination directly below luminaire.

Sensitive receptors that could be affected by increased ambient light created by the site include residents of the Town and Country Garden Home Apartments. Looking at the luminaire which lies closest to the apartments, the distance from the luminaire to the "visible edge" of light emitted by that luminaire onto the surrounding area is 35 feet (See Figure 2). This area subtended by the luminaire does not intercept the Town and County Garden Home Apartments. Light emitted by high pressure sodium luminaires is therefore not expected to directly impact nearby residents.

4. Air Quality

As pointed out in the site inventory, the property is located approximately eight milen away from the nearest EPA designated non-attainment rea. It was also cited from Carbon Monoxide (CO) concentration monitoring data from the Garrison Air Monitoring Stat.on in Baltimore County that CO levels near the site are well below the National Ambient Air Quality Standards (NAAOS).

When the rumber of trips generated by the site are compared to the totals of the region, they are insignificant. The proposed project, therefore will not have any effect on regional air quality.

5. Site Drainage

Introduction of additional vehicles onto the site coupled with expanded paved areas will result in increased levels of lead (Pb) and zinc (Zn) in the site's stormwater runoff. This additional amount, however, when compared to macroscale deposition of the metals (Pb and Zn; within the watershed, will be insignificant.

6. Noise

The primary contributor of ambient noise at the Town and County Garden Home Apartments is traffic along I-70. This traffic includes heavy-duty diesel and heavy-duty gasoline vehicles (trucks and buses) and light-duty diesel and light-duty gasoline vehicles (cars, pick-up trucks, and motorcycles). Noise emitted from these vehicles averaging speeds above fifty mph dominates background noise in this area.

Pederal Highway Noise Abatement Criteria is followed when studying noise impacts. This criteria is shown in the table below:

Table 2
FINA Noise Abstement Criteria

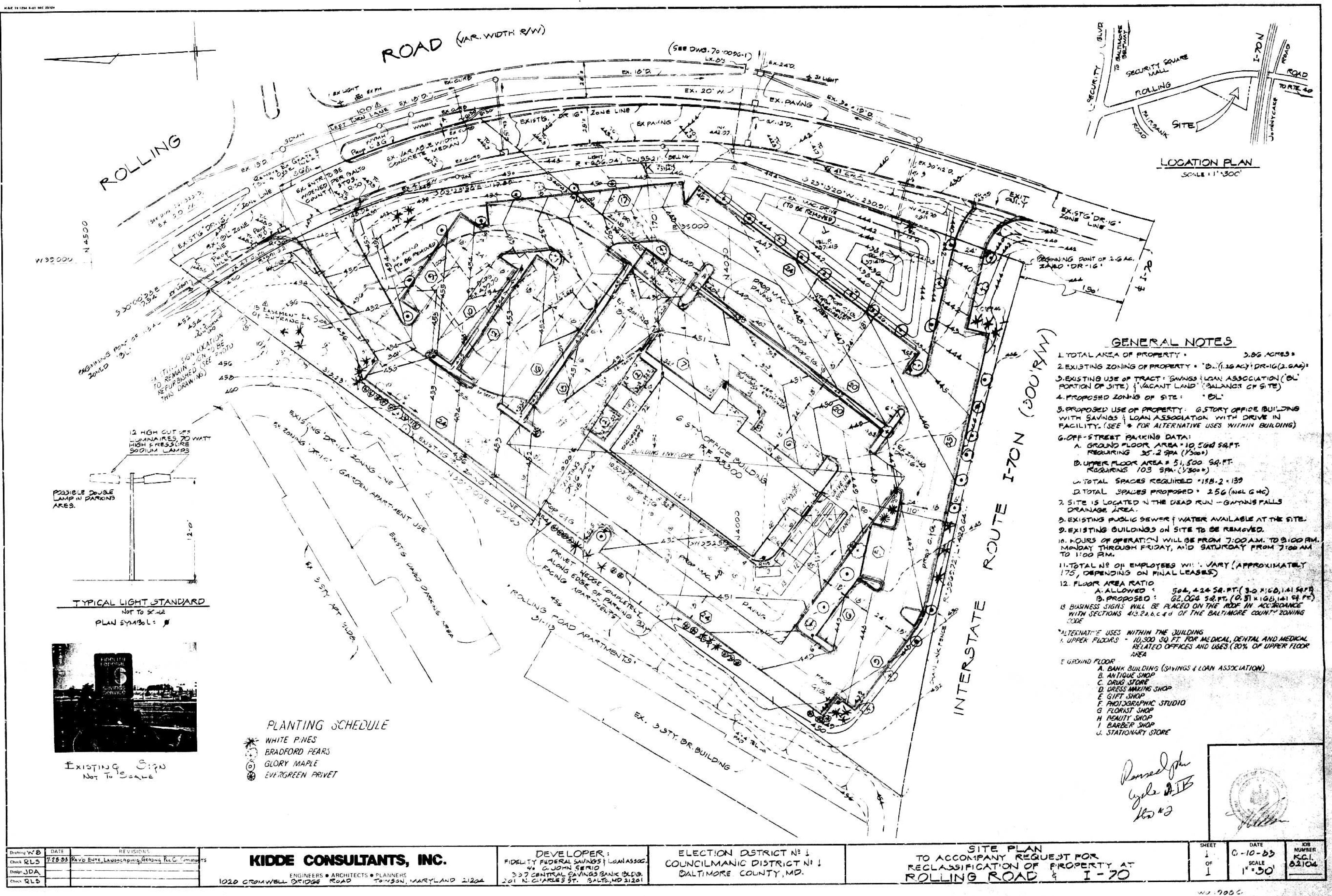
-10 Level	Activity Category	Descriptionn Activity Category	
60 dB(A) Exterior	A	Lands on which serenity and quiet are of extraordinary significance and serve an important public need, and where the preservation of those qualities is essential if the area is to continue to serve its incended purpose.	
(0 dB(4) Exterior	B .	Residences, motels, hotels, schools, churches, libraries, hospitals, pictic areas, recreation areas, playgrounds, active sports areas and parks.	
5 dB(A) xterior	12 (1	Developed lands, properties or activities not included in Cate-gories A and B above.	
	D	Undeveloped lands	
5 dB(A) nterior	1E 39	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals and auditoriums.	

Town and County Garden Home Apartments require that an exterior noise level of 70 dB(A) not be exceeded. Table 1 in the site intentory section of this report shows that neither monitored receiver violates FHWA criteria.

Applying a trip generation factor of .571 to the proposed 150 employees working at the office building, 86 light-duty vehicle trips are expected to be generated by the site. Additional trips will be generated on-site by the Fidelity Federal Savings and Loan drive-up banking window. These trips will be dominated by light-duty vehicles at idle or low speed conditions.

When vehicle noise generated from the 86 employees trips and the drive-up window are added to ambient noise levels, the resulting noise levels are not expected to exceed FHWA criteria.

1 TTE Technical Committee 6a-6-Trip Generation Rates

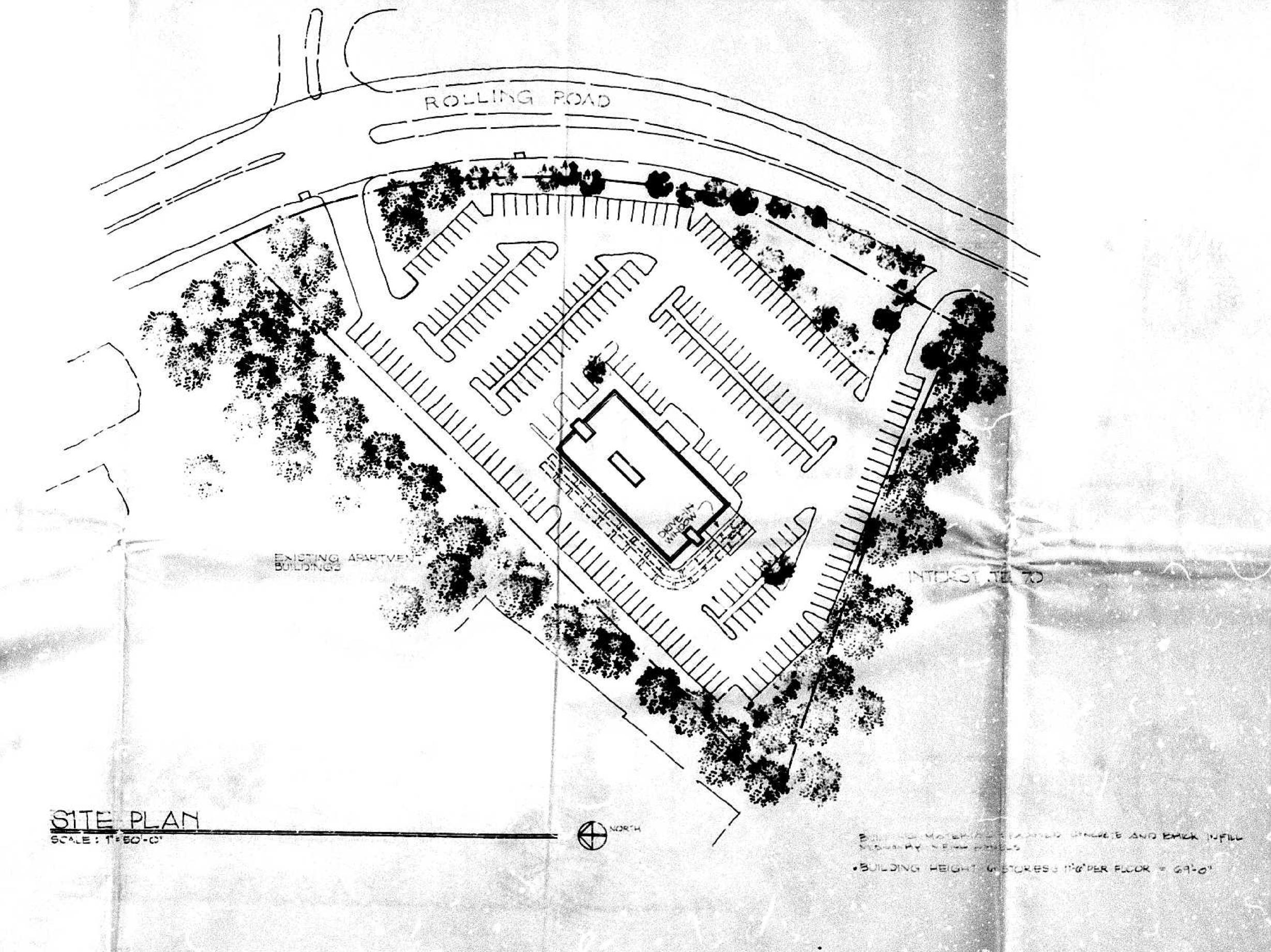




FIDELITY FEDERAL BUILDING

MEYERS AND D'ALEO · ARCHITECTS

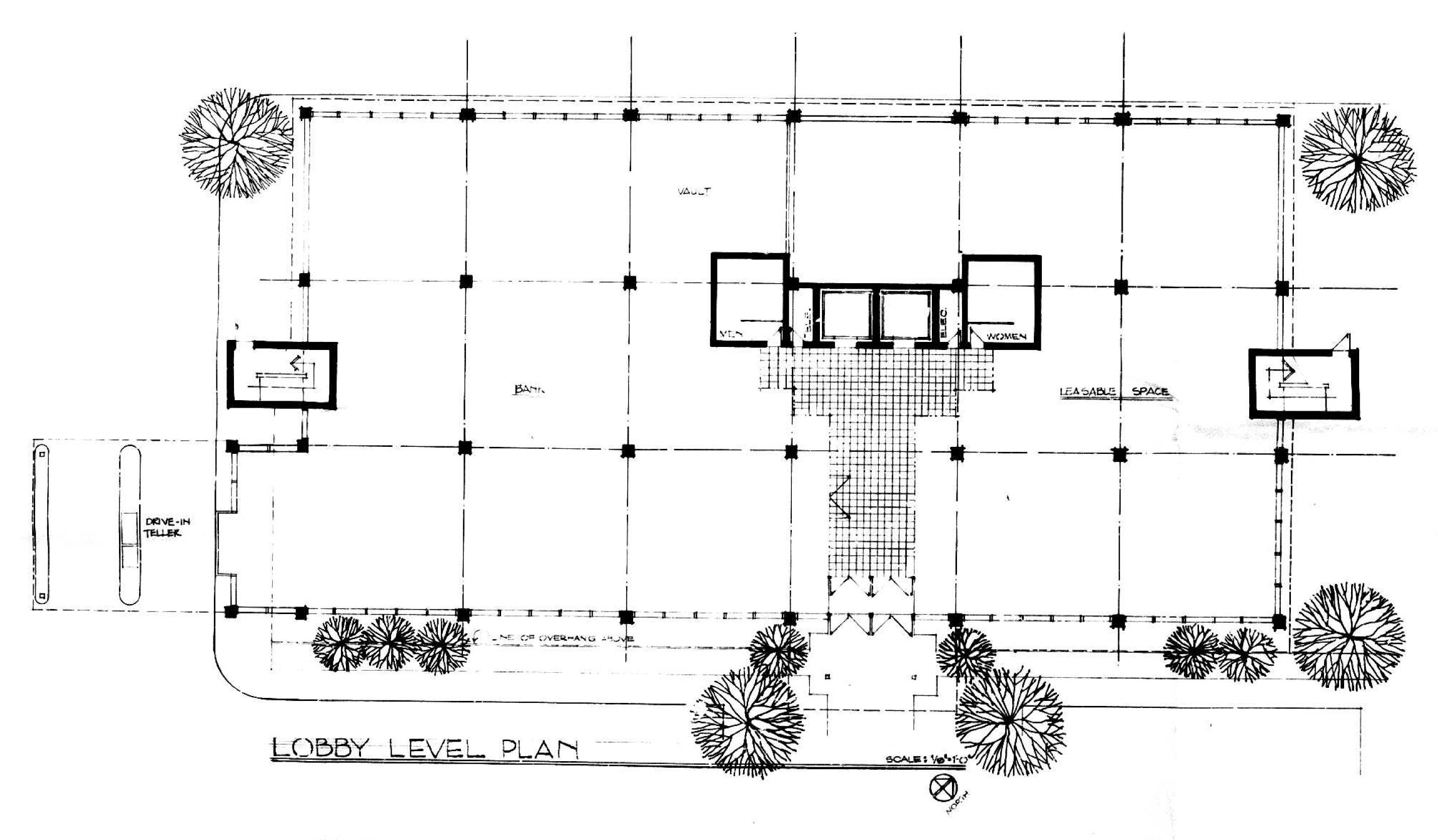
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FIDELITY FEDERAL BUILDING

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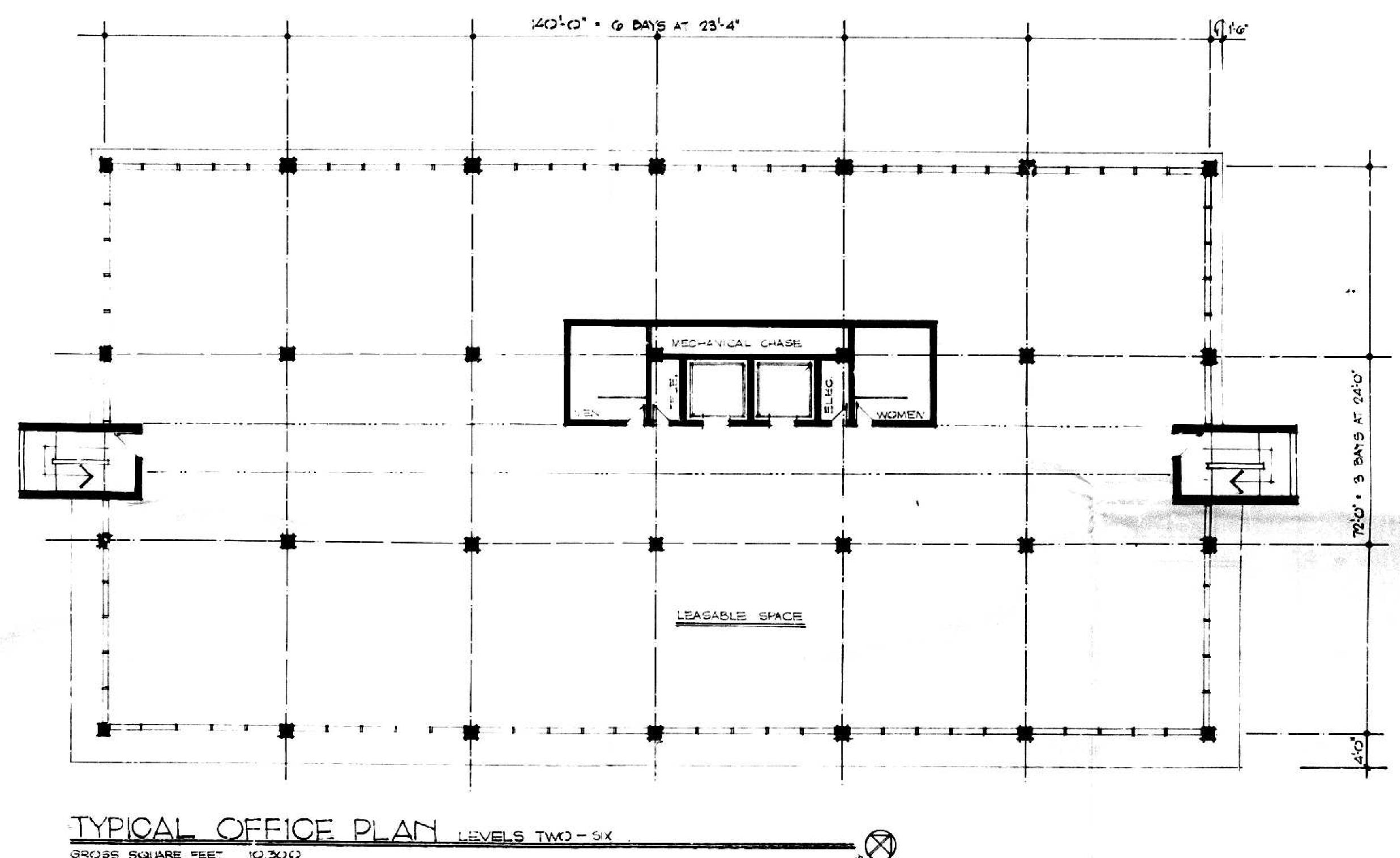
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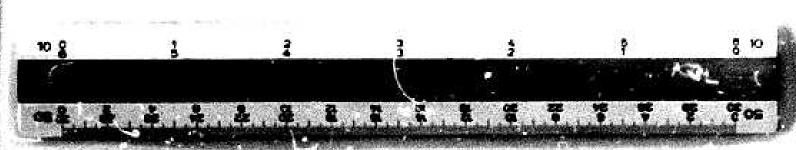
FIDELITY FEDERAL BUILDING

MEYERS AND D'ALEO · ARCHITECTS

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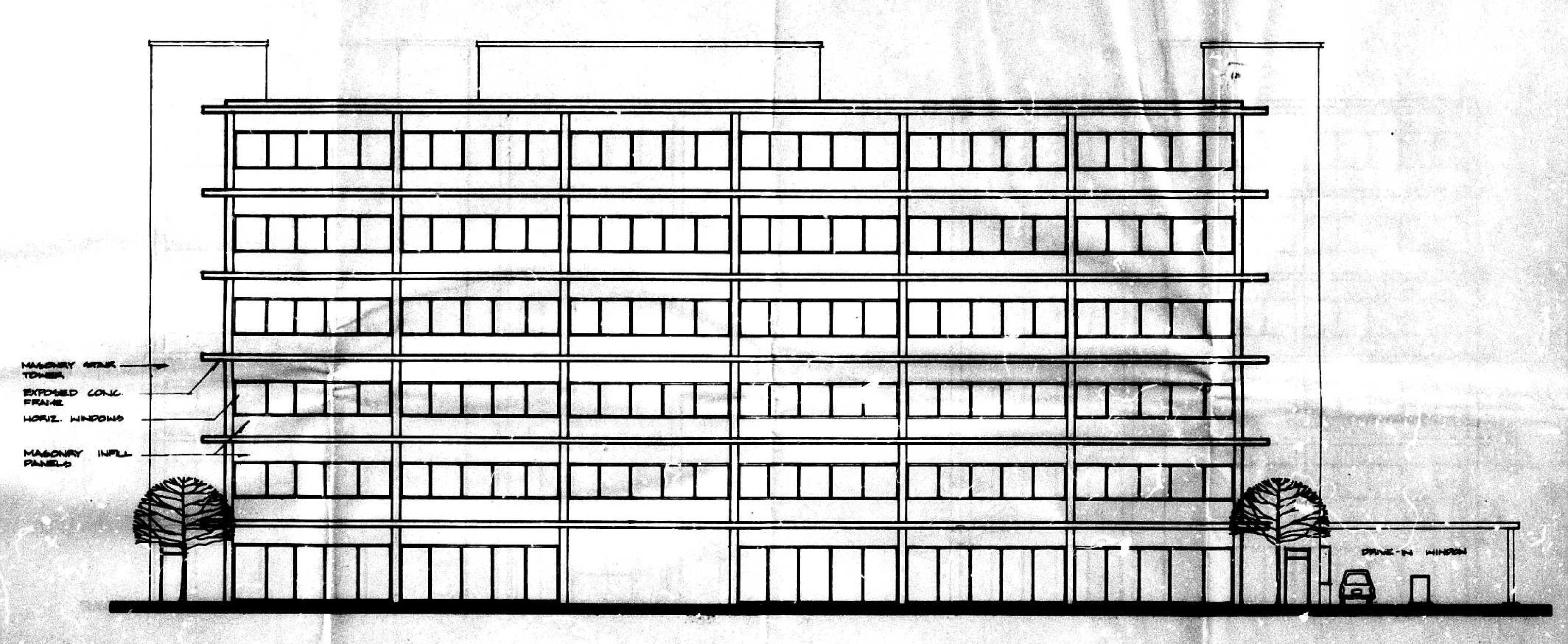


GROSS SQUARE FEET NET LEASABLE SPACE 10,300 8,200

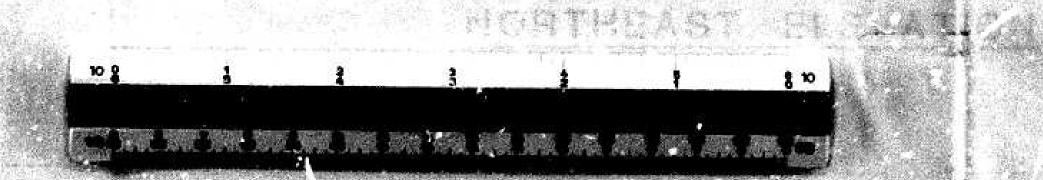


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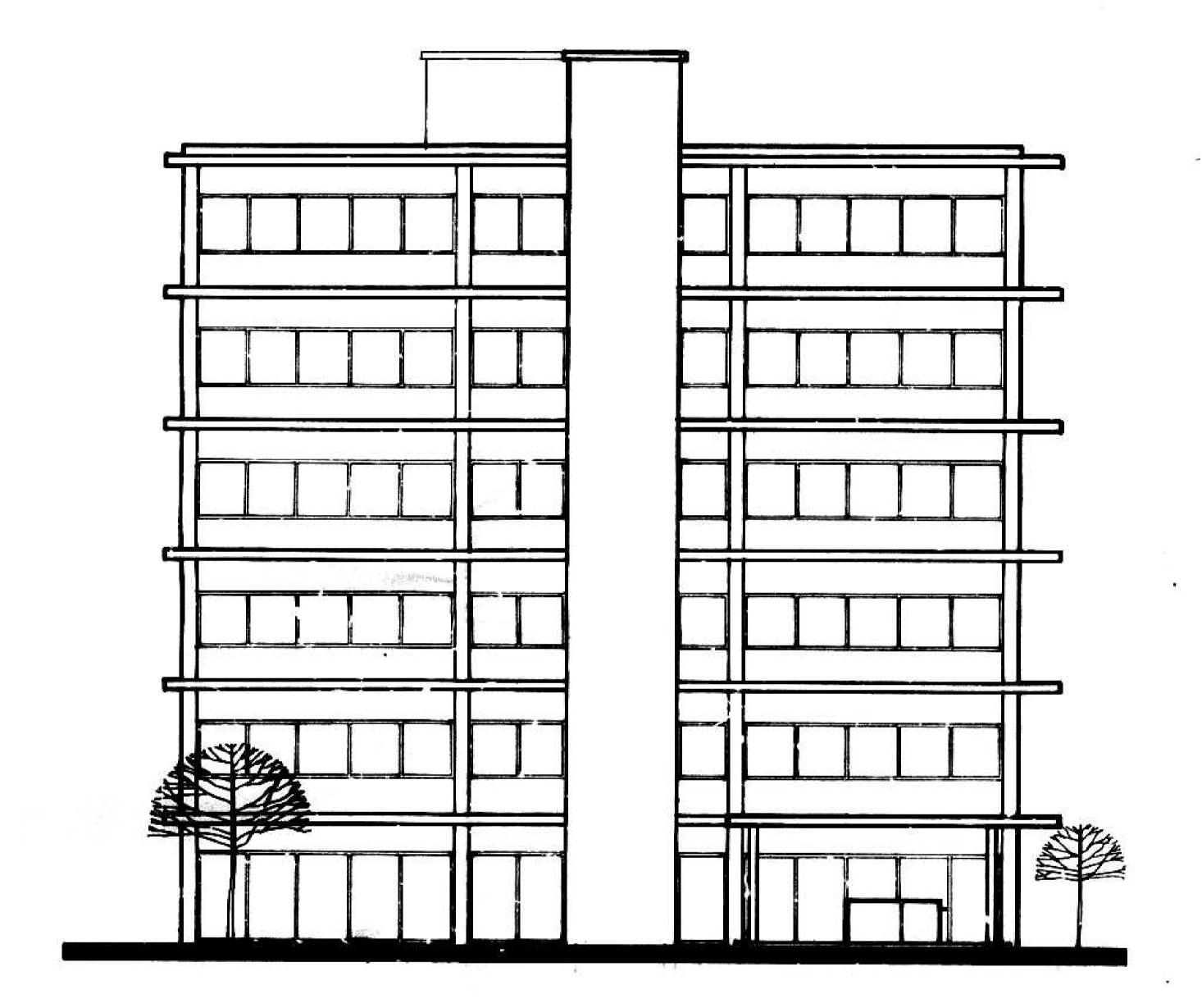
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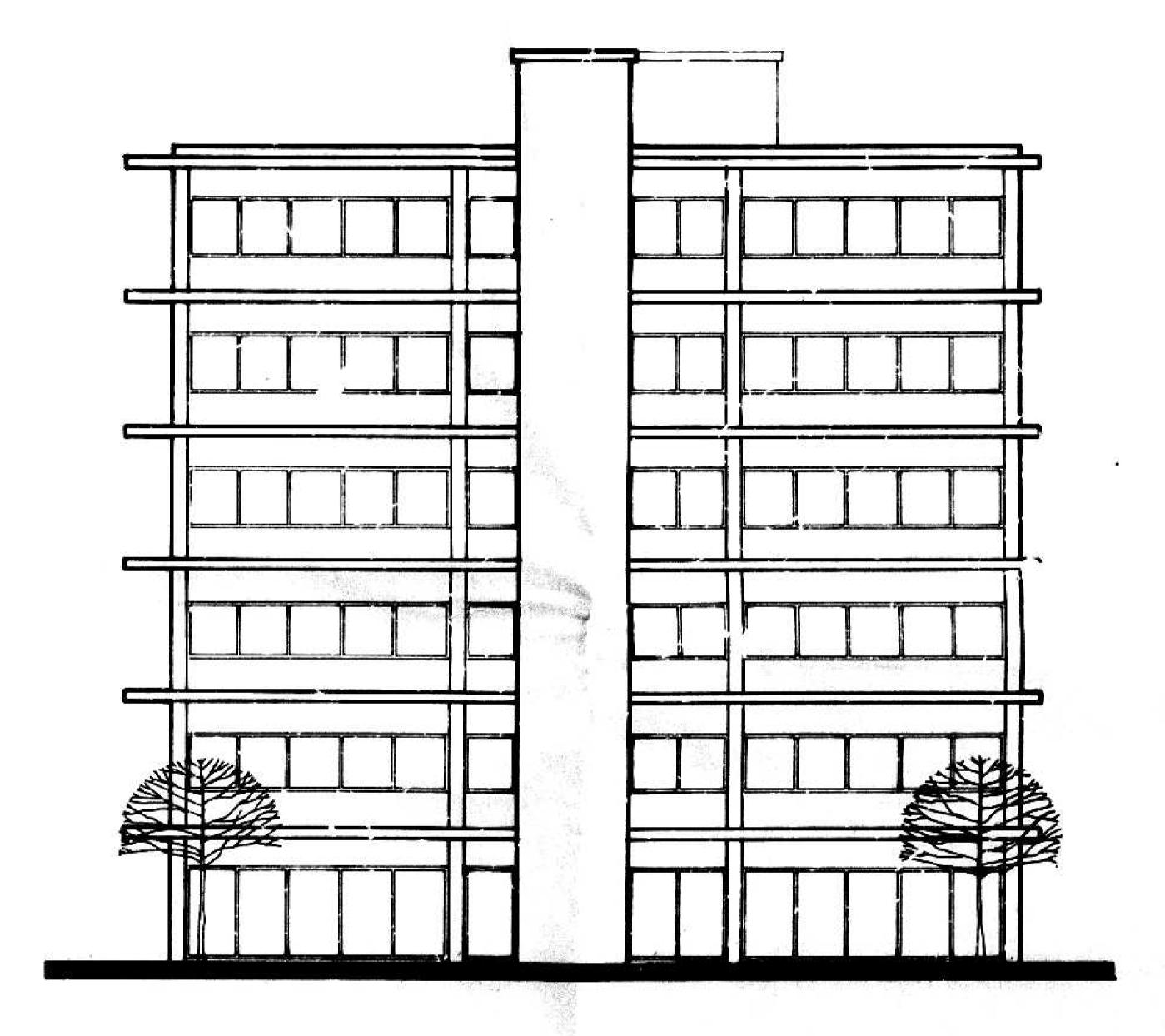


NORTHWEST ELEVATION



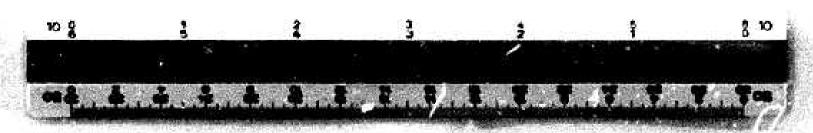
FIDELITY FEDERAL BULDING MEYERS AND D'ALEO ARCHITECTS DECEMBER 1982





SOUTHWEST ELEVATION

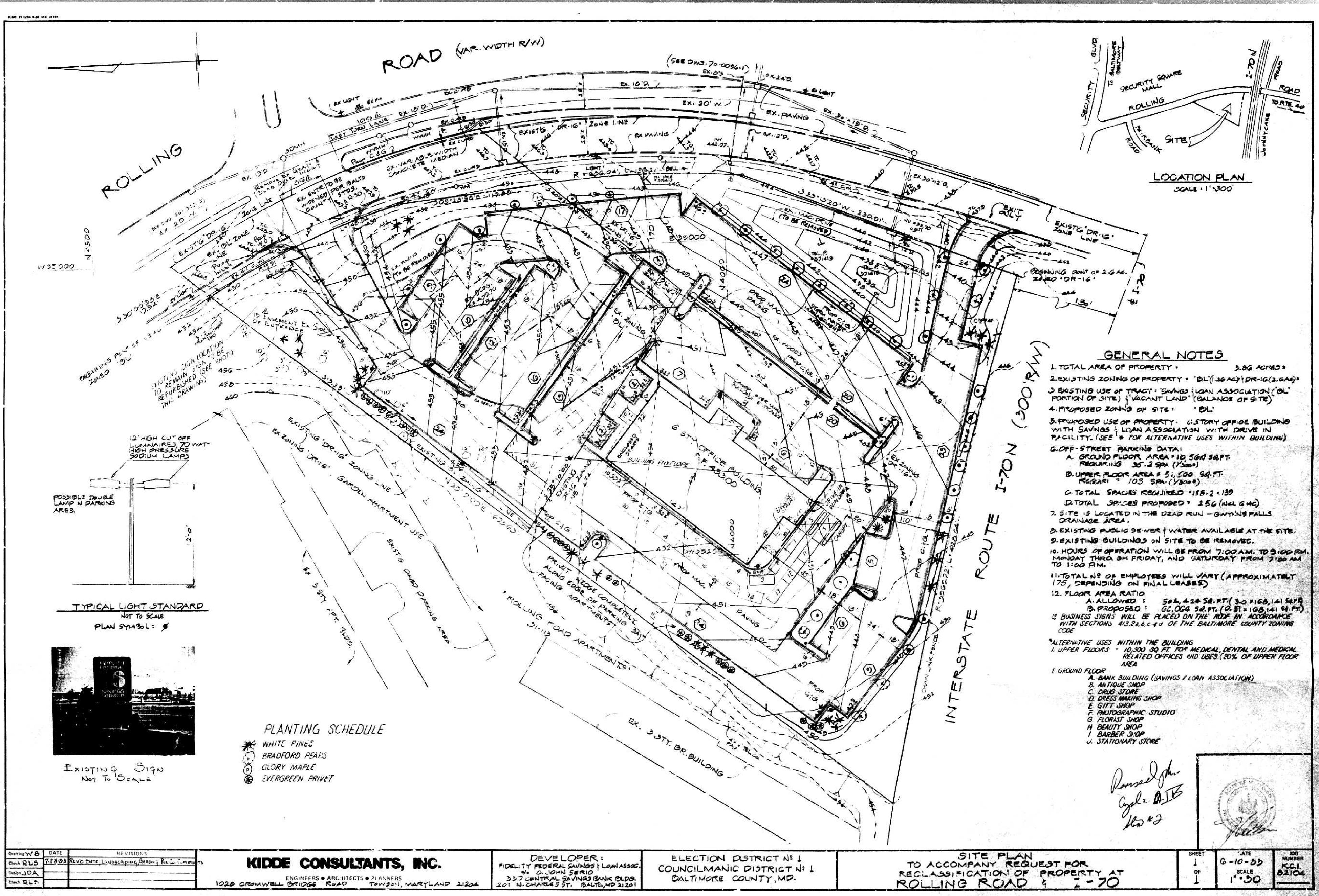
NORTHEAST ELEVATION



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