

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 85-298-A

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 for a Variance from Section 258.1 and 238.2 to permit side yard setbacks of 26' in lieu of its required 30' and to permit side or rear yard setbacks of 3' and 11' in lieu of the required 30' Section 413.2f to permit a double-faced sign with a total area of 200 sq. ft. in lieu of the permitted 100 sq ft and to amend the site plan filed in Case #85-23-XA.

1. Configuration and acreage of property
2. Other practical hardships and unreasonable difficulties to be presented at the time of the hearing.
3. Permitted sign is inadequate in size in relation to location of sign and site.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, 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 County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

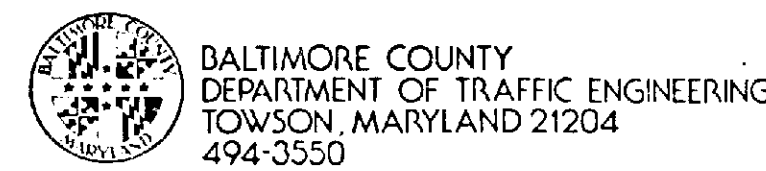
Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
Benjamin Bronstein
(Type or Print Name)
Signature
172 W. Pennsylvania Avenue, S. 200
Towson, MD 21204
City and State
Attorney's Telephone No.: 928-4442

Legal Owner(s):
Rolling Mill Realty Co.
(Type or Print Name)
Signature M.L. Harkley, General Partner
(Type or Print Name)
Signature
10 Parks Avenue
Cockeysville, MD 21030 666-0060
Address Phone No.
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
J. Strong Smith, G.W. Stephens
Name 303 Allegheny Ave. 825-8120
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 18th day of March 1985, 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 108, County Office Building in Towson, Baltimore County, Maryland on the 22nd day of April, 1985, at 10:15 o'clock.

Carl J. Jablon
Zoning Commissioner of Baltimore County.

(over)



STEPHEN E. COLLINS
DIRECTOR

February 8, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 180 -ZAC- Meeting of January 2, 1985
Property Owner: Rolling Mill Realty Company
Location: SE/S Rolling Mill Road 460' N/E from c/l North Point Blvd.
Existing Zoning: M.H.-IM & B.R.-IM
Proposed Zoning: Variance to permit a side yard setback of 11' and 26' and a rear yard setback of 3' all in lieu of the required 30' and to amend the site plan filed in Case No. 85-23-XA.

Acre: 3.987
District: 15th

Dear Mr. Jablon:

This site should be restricted to one point of access and the location is subject to the State Highway Administration's approval.

Michael S. Plantinga
Traffic Engineering Assoc. II

MSF/ocm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 85-298-A

Date: April 4, 1985

This office believes that the sign regulations provide ample signing to meet normal needs. Further, it would seem that the petitioner should have considered the variance need (between buildings) when Zoning Petition No. 85-23-XA was filed.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JCH:alm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 15, 1985

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

cc: Nicholas B. Commodari
Chairman

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

Benjamin Bronstein, Esquire
102 W. Pennsylvania Avenue, Suite 200
Towson, Maryland 21204

RE: Item No. 180 - Case No. 85-298-A
Rolling Mill Realty Company, Petitioner
Variance Petition

Dear Mr. Bronstein:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following 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 suitability of the requested zoning.

This property was the subject of a previous zoning hearing (Case No. 85-23-XA) in which variances and a special exception were granted for the existing warehouse buildings. In view of your clients proposal to alter these variances and request additional ones for the proposed restaurant and sign along North Point Boulevard, this hearing is required.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

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

NBC:mr

Enclosures

cc: Mr. J. Strong Smith, G. W. Stephens, Jr. and Assoc., Inc.
303 Allegheny Avenue, Towson, Maryland 21204



HARRY J. FISTEL, P.E.
DIRECTOR

March 4, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #180 (1984-1985)
Property Owner: Rolling Mill Realty Co.
SE/S Rolling Mill Rd. 460' N/E from center-line North Point Blvd.
Acre: 3.987
District: 15th

Dear Mr. Jablon:

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

General Comments:

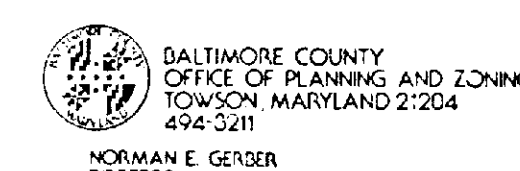
Public facilities as they relate to this project are covered by agreements and security; therefore, this office has no comments.

Very truly yours,

James A. Markle
JAMES A. MARKLE, P.E., Chief
Bureau of Public Services

JAM:EAM:REC:BS

cc: File



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 1/16/85
Item #180
Property Owner: Rolling Mill Realty Co.
Location: SE/S Rolling Mill Rd. 460' N/E from center-line North Point Blvd.

Dear Mr. Jablon:

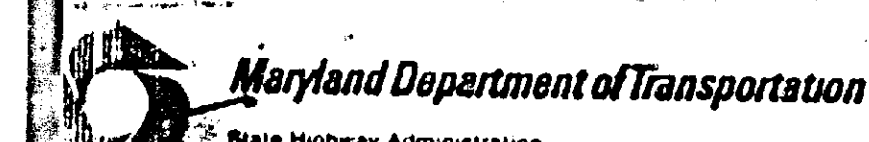
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable:

- (X) There are no site planning factors requiring comment.
- (X) A County Review Group Meeting is required.
- (X) A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- (X) A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the Floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on 1/16/85.
- (X) Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by B11 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- (X) Additional comments:

The property is located in a traffic area controlled by a "T" level intersection as defined by B11 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

cc: James Hoswell

Eugene A. Robb
Chief, Current Planning and Development



Lawell K. Bridwell
Secretary
Hal Kassell
Acting Administrator

June 8, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 6-5-84
ITEM: #327
Property Owner: Rolling Mill Realty Company
Location: SE/S Rolling Mill Road 460' N/E from c/l North Point Blvd. Route 151
Existing Zoning: M.H.-IM & B.R.-IM
Proposed Zoning: Variance to permit a minimum distance between buildings of 18' in lieu of the required 60'.
Special Exception for living quarters in a commercial building.
Acre: 3.987
District: 15th

Dear Mr. Jablon:

On review of the site plan of 4-25-84 showing all access to the site (Eastpoint Mini Storage) by way of Rolling Mill Road, the State Highway Administration finds the plan generally acceptable.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

cc: Mr. J. Ogle

My telephone number is (301) 659-1356

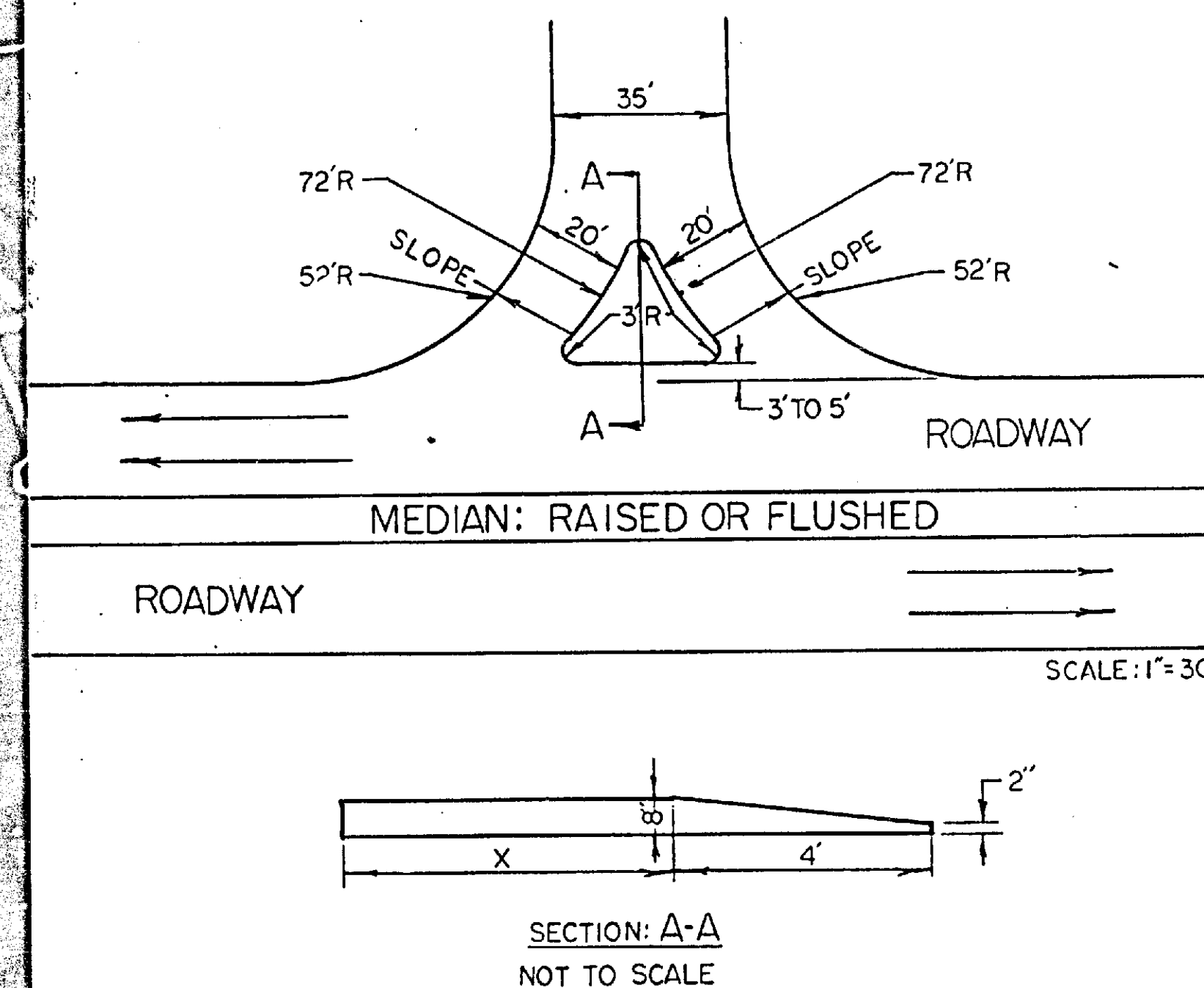
Telephone for Injured Hearing or Speech
363-7666 Baltimore Metro - 1-800-451 D.C. Metro - 1-800-484-5063 Statewide Toll Free
P.O. Box 717 / 100 North Calvert St., Baltimore, Maryland 21201, 671

AUG 21 1985

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit

CHANNELIZATION OF COMMERCIAL ENTRANCES A TYPICAL DIRECTIONAL ENTRANCE DUAL HWY.



William K. Hollmann
Secretary
Hal Kassoff
Administrator

January 19, 1985

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 1-2-85
ITEM: #180.
Property Owner: Rolling
Mill Realty Company
Location: SE/S Rolling
Mill Road, 460' N/E from
c/l North Point Blvd.,
Route 151
Existing Zoning: M.H.-IM
& B.R.-IM
Proposed Zoning: Variance
to permit a side yard
setback of 11' and 26'
and a rear yard setback
of 3' all in lieu of the
required 30' and to amend
the site plan filed in
Case No. 85-23-XA.
Acres: 3.987
District: 15th

Dear Mr. Jablon:

On review of the revised submittal of 12-12-84, field inspection and review of our zoning files, we offer the following comments.

On 6-8-84 the State Highway Administration provided comments to Baltimore County Zoning (Item #327) for the proposed Eastpoint Mini Storage.

The site plan of 4-25-84 provided all access to the site by way of Rolling Mill Road with the adjoining parcel fronting on North Point Blvd. unimproved.

My telephone number is (301) 659-1350

Teleprinter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-495-5082 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

Mr. A. Jablon -2- January 19, 1985

The revised plan of 12-12-84 (Property Lot #2) shows a proposed restaurant with two (2) points of access to North Point Blvd. (Route 151) and Emergency Fire Access with gates (two (2) locations) to the Eastpoint Mini Storage site (Property Lot #1).

The State Highway Administration - Bureau of Engineering Access Permits finds the "Emergency Fire Access" between the sites generally acceptable.

However, no approval for the two (2) points of access to North Point Blvd. (Route 151) for the proposed restaurant have been approved by State Highway Administration.

With North Point Blvd. (Route 151) a divided highway, the State Highway Administration - Bureau of Engineering Access Permits will require all access to the site to be by way of a directional entrance (Right Turn In and Right Turn Out) located halfway along the North Point Blvd. frontage.

We hereby request the plan be revised prior to a hearing date being set.

Very truly yours,
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

Attachment

cc: Mr. J. Ogle



William K. Hollmann
Secretary
Hal Kassoff
Administrator

March 16, 1985

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Md. 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 1-2-85
ITEM: #180.
Property Owner: Rolling
Mill Realty Company
Location: SE/S Rolling
Mill Road, 460' N/E from
c/l North Point Blvd.,
Route 151
Existing Zoning: M.H.-IM
& B.R.-IM
Proposed Zoning: Variance
to permit a side yard set-
back of 11' and 26' and a
rear yard setback of 3' all
in lieu of the required 30'
and to amend the site plan
filed in Case No. 85-23-XA.
Acres: 3.987
District: 15th

Dear Mr. Jablon:

On review of the revised site plan of 3-6-85 showing directional ingress and egress along the North Point Blvd. (Route 151) frontage, the State Highway Administration finds this concept generally acceptable.

However, prior to request for access permit to North Point Blvd. the State Highway Administration will require the site plan to show all geometric improvements in detail.

My telephone number is (301) 659-1350

Teleprinter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-495-5082 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

Mr. A. Jablon -2- March 16, 1985

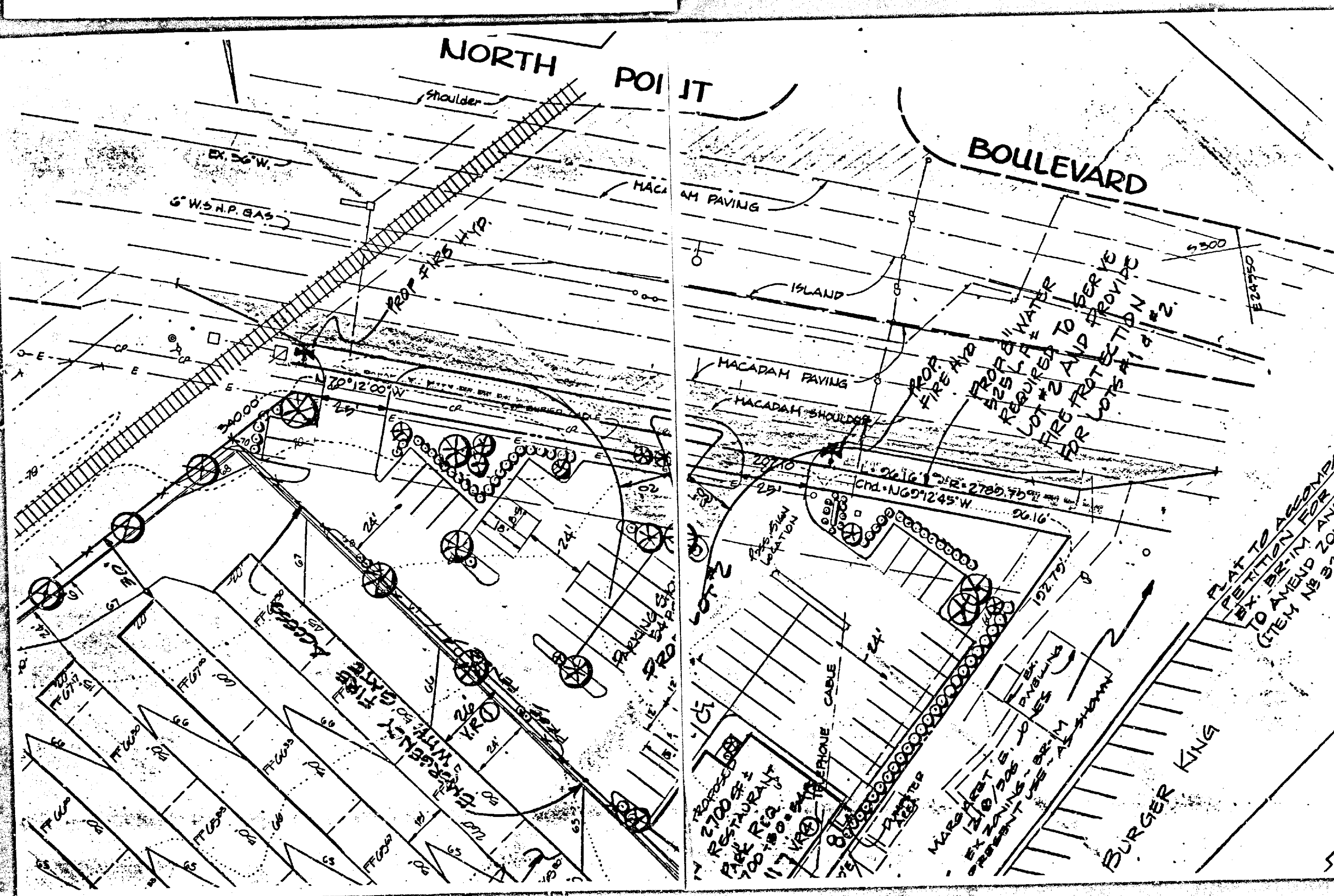
These geometrics will include 20' lane width for ingress and egress, 15' offset distance from the face of proposed curb and gutter to the edge of the traveled way and the labeling of S.H.A. Type "A" concrete curb and gutter.

Very truly yours,
Charles Lee, Chief
Bureau of Engineering
Access Permits

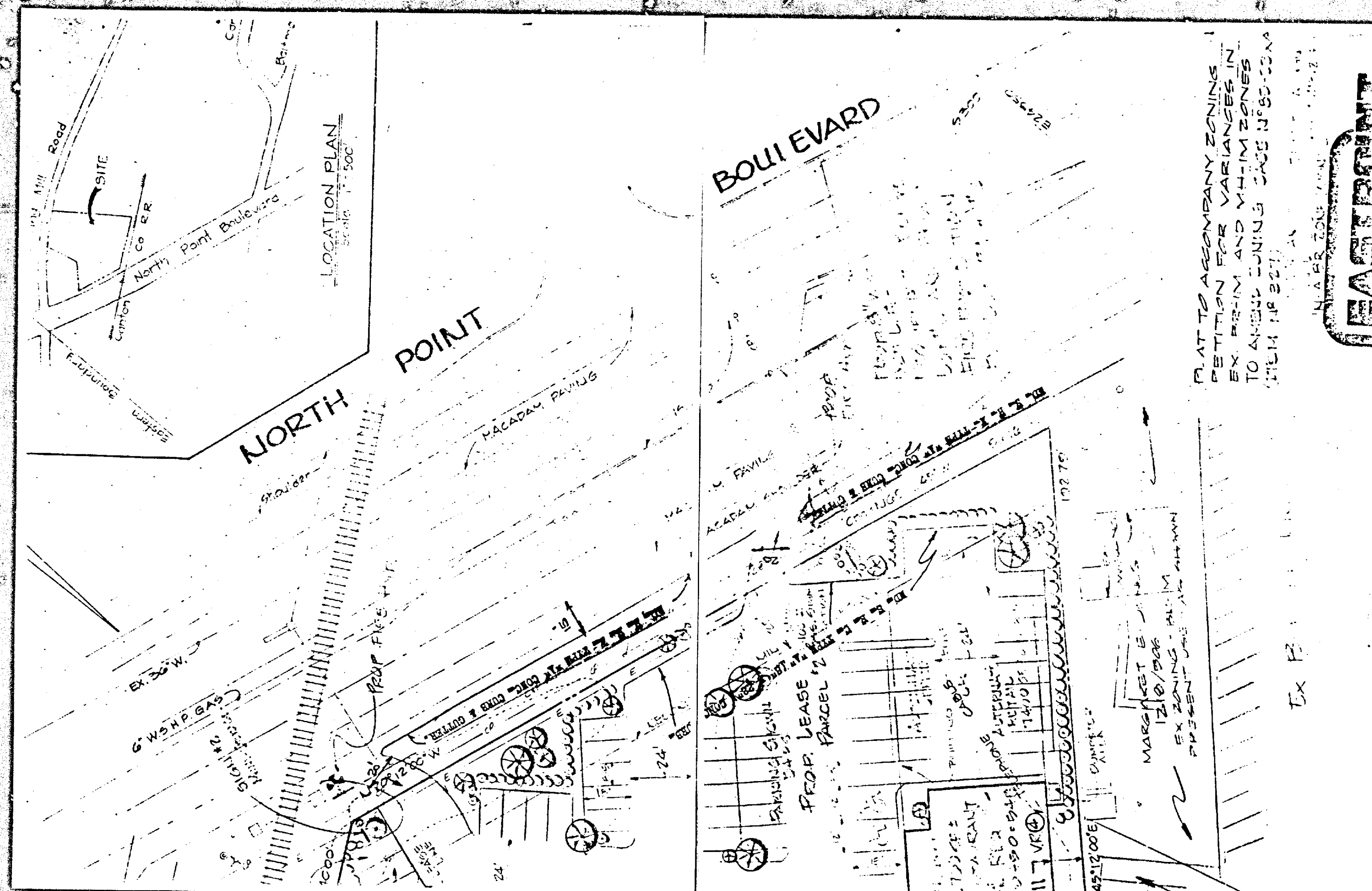
By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle
G.W. Stephens & Assoc.



AUG 21 1985



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204 2586
494-4500

PAUL H. REINCKE
CHIEF
Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

January 7, 1985

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Rolling Mill Realty Company

Location: SE/S Rolling Mill Road 460' N/E from c/l North Point Blvd.

Item No.: 180 Zoning Agenda: Meeting of 1/2/85

Gentlemen:

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

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of 150 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

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

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

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

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

() 6. Site plans are approved, as drawn.

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

REVIEWER: [Signature] Noted and Approved: [Signature]
Planning and Zoning Division Fire Prevention Bureau

/mb
Fire lane signs shall be posted at emergency gate entrance and assurance is sought from owner that gate shall always be accessible for emergency apparatus access.

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-5910

January 11, 1985

TED ZALESKI, JR.
DIRECTOR
Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:
Comments on Item #180 Zoning Advisory Committee Meeting are as follows:

Property Owner: Rolling Mill Realty Company
Location: SE/S Rolling Mill Road 460' N/E from c/l North Point Blvd.
Existing Zoning: M.H.-IM & B.R.-IM
Proposed Zoning: Variance to permit a side yard setback of 11' and 26' and a rear yard setback of 3' all in lieu of the required 30' and to amend the site plan filed in Case No. 85-23-XA.

Address: 3,987
District: 15th.

The items checked below are applicable:

() All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged and other applicable codes.

(X) A building/ & other permit shall be required before beginning construction.

() Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

(X) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

(X) An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.

() Requested variance appears to conflict with the Baltimore County Building Code, Section/

() A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

() Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

SPECIAL NOTE:

(X) Comments - If existing is required from north side of the building then a minimum of 14' shall be required for exit discharge. See also Section 503.2 and Section 1411.0 for opening protective. Parking along east side of structure can block use of exit doors unless precautions are taken. Parking shall not interfere with emergency fire access opening and written permission from restaurant owner and franchise shall be provided this office.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burnham, Chief
Plans Review

CEB:es

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-5910

April 11, 1985

TED ZALESKI, JR.
DIRECTOR
Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon: REVISOR
Comments on Item #180 Zoning Advisory Committee Meeting are as follows:

Property Owner: Rolling Mill Realty Company
Location: SE/S Rolling Mill Road 460' N/E from c/l North Point Blvd.
Existing Zoning: M.H.-IM & B.R.-IM
Proposed Zoning: Variance to permit a side yard setback of 11' and 26' and a rear yard setback of 3' all in lieu of the required 30' and to amend the site plan filed in Case No. 85-23-XA.

Address: 3,987
District: 15th.

The items checked below are applicable:

(X) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged and other applicable codes.

(X) A building/ & other permit shall be required before beginning construction.

() Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

(X) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

(X) An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.

() Requested variance appears to conflict with the Baltimore County Building Code, Section/

() A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

() Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

(X) Comments - Living quarters shall be separated from commercial uses in service building by fire separations as required in Section 312.0. Buildings shall comply with the height and area requirements of Article 5 and Table 501 and the construction requirements of Article 4 and Table 401. Building separations into permissible areas by true fire walls shall be required. Tenant separations shall be 1 hour.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burnham, Chief
Plans Review

IN RE: PETITIONS ZONING VARIANCES
SE/S of Rolling Mill Road,
500' NE of the centerline
of North Point Boulevard -
15th Election District
Rolling Mill Realty Company,
Petitioner
Case No. 85-298-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests variances to permit side yard setbacks of 26 feet instead of the required 30 feet for its mini-warehouses, a side yard setback of 11 feet instead of the required 30 feet and a rear yard setback of 3 feet instead of the required 30 feet for its proposed restaurant, and a free-standing sign with a total of 200 square feet instead of the allowed 100 square feet and, additionally, to amend the site plan approved in Case No. 85-23-XA, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Melvin L. Herzberger, a general partner, appeared and was represented by Counsel John S. Smith, a registered engineer, and Robert E. Nathan of Claude Neon Signs, Inc., also testified. There were no Protestants.

Testimony indicated that the subject property, zoned M.H. and B.R., was granted a special exception for living quarters in a commercial building on the site of the mini-warehouses and a variance in July, 1984 in Case No. 85-23-XA.

The Petitioner is seeking to add a restaurant to the site and to expand the distances between buildings A and B and buildings B and C of the mini-warehouses to permit better circulation, which require variances. The property will be divided into two parcels by a lease line, as shown on Petitioner's Exhibit 1, in order to allow the proposed restaurant. The lease line was created after determining the least adverse impact on the property which would allow the intended uses. If the distances between the buildings are expanded from 18 feet to 20

feet, then distances of 26 feet from building A to the northeast property line and 26 feet from building B to the southeast lease line will result. The restaurant will be located on Parcel 2 so that the required parking can be provided. Its location necessitates a 3-foot distance to the rear lease line and an 11-foot distance to the northwest property line. Access to the mini-warehouses is from Rolling Mill Road and access to the restaurant would be from North Point Boulevard.

Presently, the Petitioner has one 81 square foot multi-faced sign located on the M.H. zoned portion of the property for the mini-warehouses on Rolling Mill Road. However, the Petitioner believes a sign on North Point Boulevard is also needed. This sign will be placed on that portion of the mini-warehouse property zoned B.R., and the Petitioner requests that it be a total of 200 square feet, both sides, instead of the permitted 100 square feet.

The surrounding area is industrial and commercial, and both Rolling Mill Road and North Point Boulevard are heavily traveled. Although the property is not a corner lot, it has frontage on both roads, and therefore, it is important that cars traveling on North Point Boulevard know where the access to the mini-warehouses is, i.e., off Rolling Mill Road. Due to the speed of the vehicles using North Point Boulevard and the traffic congestion, a larger sign is needed.

The Petitioner seeks relief from Sections 258.1, 238.2, and 413.2.f., pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *McLester v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances and amendment should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 30th day of April, 1985, that the Petition for Zoning Variances to permit side yard setbacks of 26 feet instead of the required 30 feet for its mini-warehouses, a side yard setback of 11 feet instead of the required 30 feet and a rear yard setback of 3 feet instead of the required 30 feet for its proposed restaurant, and a free-standing sign with a total of 200 square feet instead of the allowed 100 square feet and, additionally, the amendment to the site plan approved in Case No. 85-23-XA be and the same are hereby GRANTED, from

- 3 -

ORDER RECEIVED FOR FILING
DATE April 29, 1985
BY [Signature]

ORDER RECEIVED FOR FILING
DATE April 29, 1985
BY [Signature]

ORDER RECEIVED FOR FILING
DATE April 29, 1985
BY [Signature]

AUG 21 1985

1. Compliance with the comments submitted by the Current Planning and Development Division, Office of Planning and Zoning, subject to approval by the County Review Group (CRG).
2. A recorded plat shall be required prior to the issuance of a building permit.
3. A revised site plan, approved by the CRG, shall be submitted to the Zoning Commissioner for approval before a building permit will be issued if Restriction 2 has been satisfied.

cc: Benjamin Bronstein, Esquire
People's Counsel


Zoning Commissioner of
Baltimore County

Message-
Recog-
Recog-
Recog-
PETITIONER'S
EXHIBIT 5

(44 Ft. Per Second)

WAGNER DIMENSIONAL LETTER
(10" Base)

Feet 800 700 600 500 400 300 200 100 0

Sign Location

Seconds 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1 0

ATTORNER'S

TOWSON
505 ALLEGHENY AVENUE
P.O. BOX 6028
TOWSON, MARYLAND 21204
501/275-8100



**GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CONSULTING ENGINEERS**

BEL AIR
203 EAST BROADWAY
BEL AIR, MARYLAND 21038
301/879-1500
301/845-3000

TO: Mr. Arnold Jablon, Zoning Commissioner DATE: April 22, 1985
County Office Building
Baltimore County REFERENCE: Rolling Mill Realty Company
Towson, Maryland 21204 Case No. 85-298-A

We are:

☒ Submitting ☒ Herewith ☐ Under Separate Cover
☐ Forwarding
☐ Returning

COPIES	DESCRIPTION
1	Letter and accompanying sketch from Charles Lee and George Wittman dated March 16, 1985 indicating general acceptability of revised entrance detail as shown on Exhibits submitted before and during Hearing on April 22, 1985.

☐ In accordance with your request
☐ For your review
☐ For processing
☐ Plans reviewed and accepted
☐ Plans reviewed and accepted as noted

☐ For your use
☐ Please call when ready
☐ Please return to this office
☐ Approval requested
☐ Meeting requested

Remarks

For further information, please contact the writer at this office.
JSS:klp
Enclosures
CC: Mr. Rep Bronstein

Sincerely yours,


J. Strong Smith, P.E.
Chief of Planning and
Property Analysis

Maryland Department of Transportation
State Highway Administration

William K. Hellman
Secretary

Hal Kassoff
Administrator

March 16, 1985

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Md. 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 1-2-85
ITEM: #180.
Property Owner: Rolling
Mill Realty Company
Location: SZ/S Rolling
Mill Road, 460' N/E from
c/1 North Point Blvd.,
Route 151
Existing Zoning: M.B.-1M
& B.R.-1M
Proposed Zoning: Variance
to permit a 20' rear yard set-
back of 11' and 26' and a
rear yard setback of 3' all
in lieu of the required 30'
and to amend the site plan
filed in Case No. 85-23-KA
Address: 3,982
District: 15th

Dear Mr. Jablon:

On review of the revised site plan of 3-6-85 showing directional ingress and egress along the North Point Blvd. (Route 151) frontage, the State Highway Administration finds this concept generally acceptable.

However, prior to request for access permit to North Point Blvd. the State Highway Administration will require the site plan to show all geometrics improvements in detail.

My telephone number is (301) 659-1350
 Teletypewriter for Impaired Hearing or Speech
 383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free
 P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

March 16, 1985

These geometrics will include 20' lane width for ingress and egress, 15' offset distance from the face of proposed curb and gutter to the edge of the traveled way and the labeling of S.H.A. Type "A" concrete curb and gutter.

Very truly yours,

 Charles Lee, Chief
 Bureau of Engineering
 Access Permits

Rev: George Wittmar

CL:GW:maw

cc: Mr. J. Ogle
G.W. Stephens & Assoc.

LOCATION PLAN

NORTH POINT

Boulevard

PROPOSED

PROPOSED LEASE

PROPOSED

W. J. B. 1/10/56

EX. 100-1000

PETITION FOR VARIANCES
15th Election District

LOCATION: Southeast side Rolling Mill Road, 500 feet Northeast
of the centerline of North Point Boulevard

DATE AND TIME: Monday, April 22, 1985 at 10:15 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Petition for Variances to permit side yard setbacks of 26 feet in lieu of its required 30 feet and to permit side or rear yard setbacks of 3 feet and 11 feet in lieu of the required 30 feet and to permit a double-faced sign with a total area of 200 square feet in lieu of the permitted 100 square feet and to amend the site plan filed in Case No. 85-23-XA.

Being the property of Rolling Mill Realty Co. as shown on
the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

AUG 21 1985



Peter Max Zimmerman
Peter Max Zimmerman

District 1574 _____ Date of Posting 2/29/75

Posted for: Taranceo

Petitioner: Rolling Mill Realty Co.

Location of property: SE 1/4 Rolling Mill Rd, 500' N.E. of N.P. Rd.

Location of Sign: On Facing N.P. Rd, Approx. 30' E. of Roadway -
1- Facing Rolling Mill Rd, Approx. 10' E. of Roadway. Both on property of Pet.

Remarks: _____

Posted by: Bill Brady _____ Date of return: 4/15/75

Number of Signs: 2

[illegible]

Middle River, Md., April 8 1985
 This is to Certify, That the annexed
Certification
Page 71652
 was inserted in The Times, a newspaper printed
 and published in Baltimore County, once in each
 of one successive
 weeks before the 4th day of
April 19 85
John D. Williams Publisher.

PETITION FOR VARIANCE
 1560 Election District
 LOCATION: Southeast of
 Rolling Mill Road, 800 feet
 north of the intersection
 of North Point Boulevard
 and TIMBER LANE
 April 28, 1961 to 10:15 a.m.
 108, County Office Building
 111 South Avenue
 Tallahassee, Florida
 The Zoning Commissioner
 Tallahassee, Florida, has
 the duty of the Zoning Act and Regulations
 and the following petitioners
 will hold a public hearing:
 Petition for Variance to per-
 mit the use of the property
 feet in less of its required
 front yard setback of 30
 feet and to permit a double
 lot to be used for a 20
 20 square feet in lieu of the
 required 30 feet setback
 to amend the site plan 124
 to conform to the zoning
 Revoke the property of Roll-
 ing Mill Road, 800 feet
 on the plat filed with the
 Zoning Commission
 In the event that this Peti-
 tion is granted, the zoning
 permit may be issued within
 the next ten (10) day of
 the hearing. The Zoning Commission
 will be held on the 10th day
 request for a stay of the hear-
 ing. The petitioners are
 period for good cause shown
 and the petitioners are
 in writing by the date of the
 hearing and the same
 are the
 By
 ARNOLD JARLEN
 President
 of Baltimore County

22.00

[illegible]

2200

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

No. 007201

11-32-85

ACCOUNT R-01-615-0000

DATE

AMOUNT \$ 57.41

RECEIVED FROM *Expenditure Unit*

FOR *utility payment* 85-298-A

B 0022*****571710 6226F

DATE OF RECEIPT

DATE OF SIGNATURE


Zoning Commissioner
of Baltimore County

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

No. 003116

DATE 12/1/88 ACCOUNT 001-015-000

AMOUNT \$ 100.00

RECEIVED By Baltimore County
FROM _____

FOR From 130

C 457*****0000000000000000

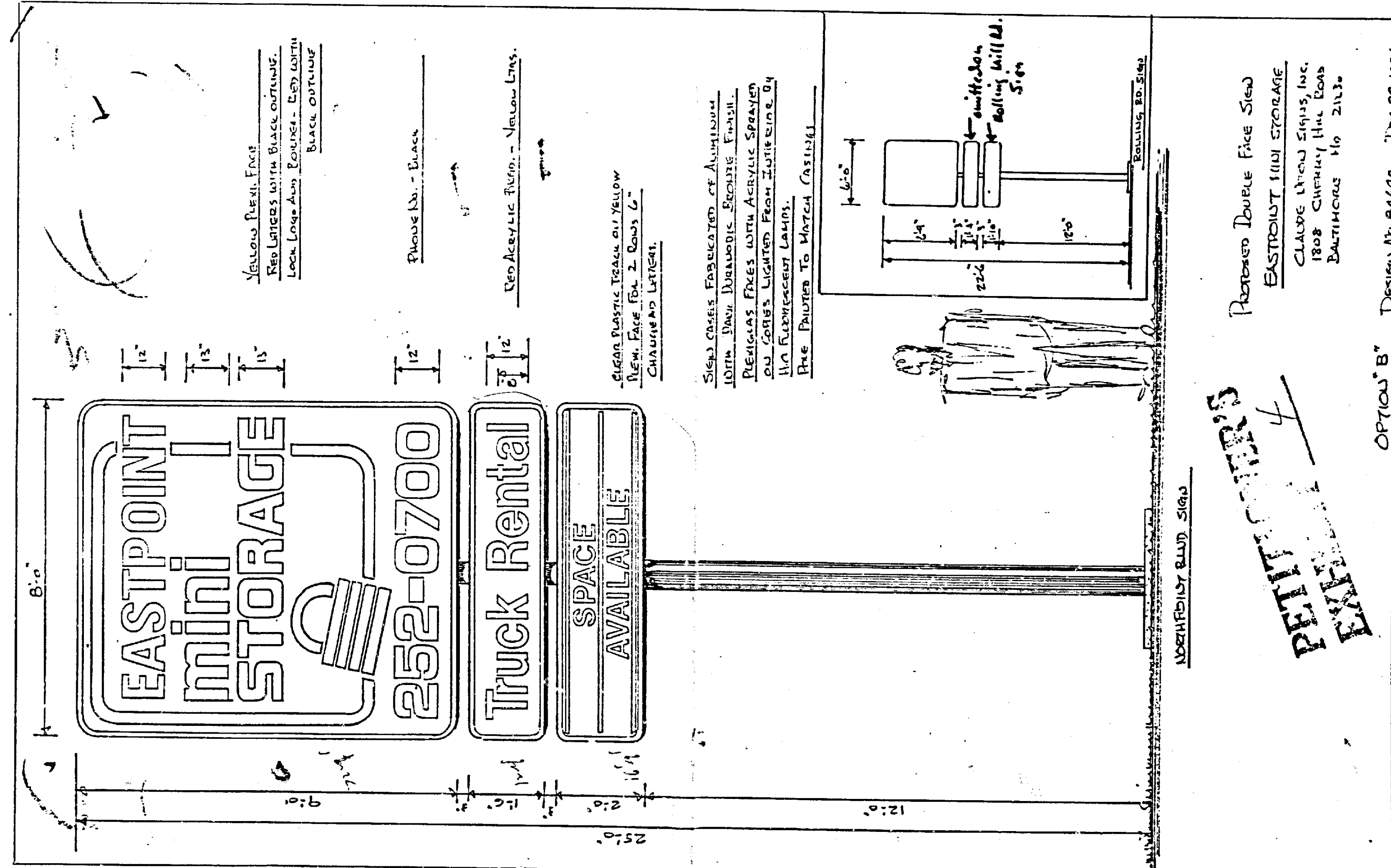
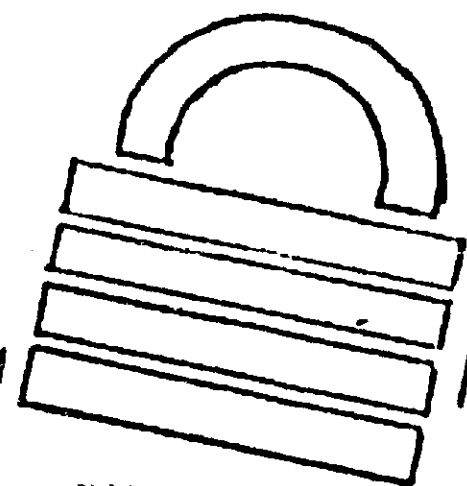


Exhibit
Revised message
Turn right
or
Turn left

EASTPOINT
mini
STORAGE



252-0700

Truck Rental

TURN RIGHT →
AT LIGHT

PETITIONER'S
EXHIBIT 3

OTHER SIDE TO READ

← TURN LEFT
AT LIGHT

12'

13'

13'

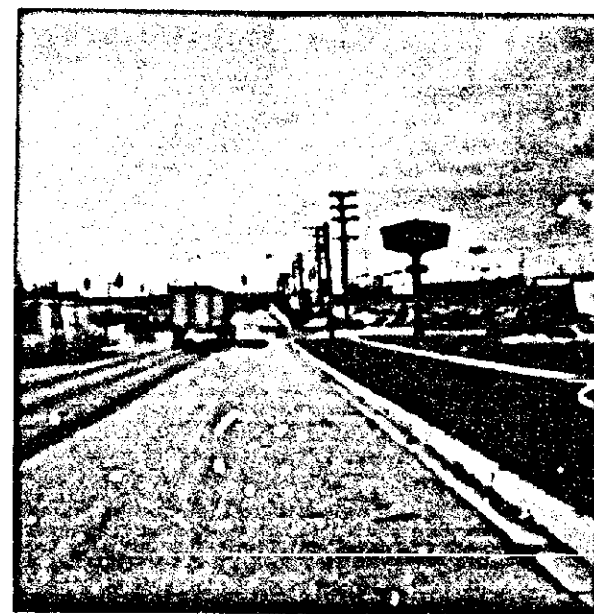
12'

11'

OTHER

CLEAR
PVIEW.

CHA



#1



#2



#3



#4



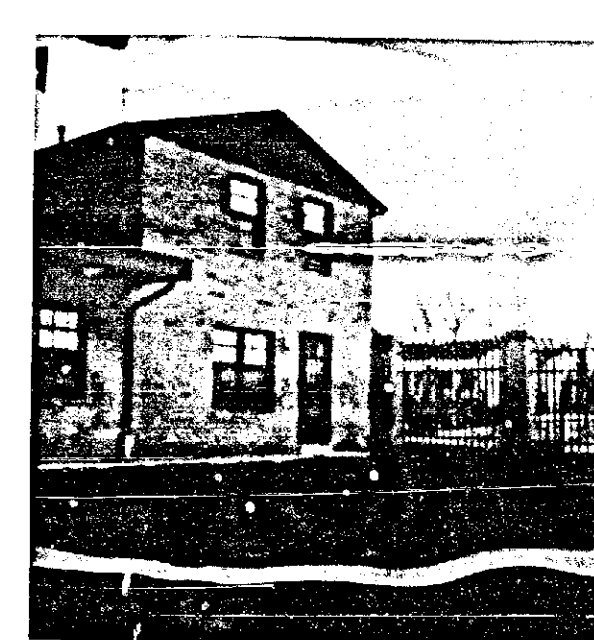
#5



#6



#7



#8



#9

THE PETITIONER FOR SPECIAL EXCEPTION AND VARIANCE
G.W. Stephens Jr., Inc., 440' W. of the center line of North Point Blvd.
15th Election District
Rolling Mill Realty & Company
Petitioner
No. 6-12-1A (Item No. 277)

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY

It is hereby ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 27th day of August, 1984, that the Order passed in this matter, dated July 27, 1984, is hereby AMENDED, to delete Restriction 3 and insert in lieu thereof the following:

3. Landscaping shall include perimeter plants, i.e., trees and/or shrubs, planted along the southeast and southwest sides of the mini-storage warehouse.

The herein petitioner seeks a Petition for Special Exception for living quarters in a commercial building and a Petition for a Variance to permit a minimum of 18 feet between buildings in line of the maximum required 60 feet, as more fully described on the site plan prepared by G.W. Stephens, Jr. and Associates, Inc., dated April 25, 1984.

Petitioner presented by the petitioner, Rolling Mill Realty and Company, submitted that they propose to construct mini-storage warehouses with an on-site caretaker residence on the subject property.

Pursuant to the advertisement, posting of property, and public hearing, and it appearing that by reason of the requirements of Section 500.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception and variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 27th day of July, 1984, that the Petition for Special Exception for living quarters in a commercial building and a variance to permit a minimum of 18 feet between buildings in line of the maximum required 60 feet are hereby GRANTED, from and after the date of this Order, subject, however, to the following:

1. The manager/caretaker of the mini-storage warehouse shall inhabit the living quarters.
2. The chain-link fence shall be maintained.
3. Landscaping shall include perimeter plants, i.e., trees and/or shrubs, planted along the north and east property lines.
4. Approval of the aforementioned site plan by the Office of Planning and Zoning, including compliance with the requirements of the Baltimore County Landscape Manual.

GENERAL NOTES

- 1) EX ZONING - MH-IM AND BR-IM
- 2) EX USE - VACANT
- 3) PROPOSED USE - MINI WAREHOUSES
- 4) PLAT REFERENCE - CANTON CENTER OTS #1, FOLD 72
- 5) AREA - 3.907 AC. ±
- 6) PUBLIC WATER AND SEWER ARE AVAILABLE
- 7) STORMWATER MANAGEMENT WILL BE PROVIDED.

SUMMARY OF VARIANCE REQUESTS:

1. A VARIANCE TO PERMIT A SIDE YARD OF 20' IN LIEU OF THE MINIMUM REQUIRED 30' (SECT. 230.2)
2. A VARIANCE TO PERMIT A SIDE YARD OF 20' IN LIEU OF THE MINIMUM REQUIRED 30' (SECT. 230.1)
3. A VARIANCE TO PERMIT A SIDE OR REAR YARD OF 3' IN LIEU OF THE MINIMUM REQUIRED 30' (SECT. 230.2)
4. A VARIANCE TO PERMIT A SIDE OR REAR YARD OF 11' IN LIEU OF THE MINIMUM REQUIRED 30' (SECT. 230.1)

LOT #1 PARKING TABULATION:

PARKING PROPOSED = 4 SPACES*
* 3 - 8.5' X 10' SPACES AND 1 - 12' X 10' SPACE

A SPECIAL EXCEPTION IS REQUESTED TO PERMIT LIVING QUARTERS IN A COMMERCIAL BUILDING AS AS PERMITTED BY SPECIAL EXCEPTION (SECT 230.4)

LEGEND

EXISTING CONTOURS 300 320
PROPOSED CONTOURS 300 320
CHAIN LINK FENCE
ELECTRIC LINE
V.R. - VARIANCE REQUEST

ENGINEER:
G.W. STEPHENS JR.
AND ASSOC., INC.
805 ALLEGHENY AVE.
TOWSON, MD. 21204
301-825-8120

PETITIONER:
ROLLING MILL
REALTY CO.
10 PARKS AVE.
COCKEYSVILLE, MD. 21030

THE PETITIONER FOR SPECIAL EXCEPTION AND VARIANCE
G.W. Stephens Jr., Inc., 440' W. of the center line of North Point Blvd.
15th Election District
Rolling Mill Realty & Company
Petitioner
No. 6-12-1A (Item No. 277)

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY

The herein petitioner seeks a Petition for Special Exception for living quarters in a commercial building and a Petition for a Variance to permit a minimum of 18 feet between buildings in line of the maximum required 60 feet, as more fully described on the site plan prepared by G.W. Stephens, Jr. and Associates, Inc., dated April 25, 1984.

Petitioner presented by the petitioner, Rolling Mill Realty and Company, submitted that they propose to construct mini-storage warehouses with an on-site caretaker residence on the subject property.

Pursuant to the advertisement, posting of property, and public hearing, and it appearing that by reason of the requirements of Section 500.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception and variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 27th day of July, 1984, that the Petition for Special Exception for living quarters in a commercial building and a variance to permit a minimum of 18 feet between buildings in line of the maximum required 60 feet are hereby GRANTED, from and after the date of this Order, subject, however, to the following:

1. The manager/caretaker of the mini-storage warehouse shall inhabit the living quarters.
2. The chain-link fence shall be maintained.
3. Landscaping shall include perimeter plants, i.e., trees and/or shrubs, planted along the north and east property lines.
4. Approval of the aforementioned site plan by the Office of Planning and Zoning, including compliance with the requirements of the Baltimore County Landscape Manual.

GENERAL NOTES

- 1) EX ZONING - MH-IM AND BR-IM
- 2) EX USE - VACANT
- 3) PROPOSED USE - MINI WAREHOUSES
- 4) PLAT REFERENCE - CANTON CENTER OTS #1, FOLD 72
- 5) AREA - 3.907 AC. ±
- 6) PUBLIC WATER AND SEWER ARE AVAILABLE
- 7) STORMWATER MANAGEMENT WILL BE PROVIDED.

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LOT #1 PARKING TABULATION:

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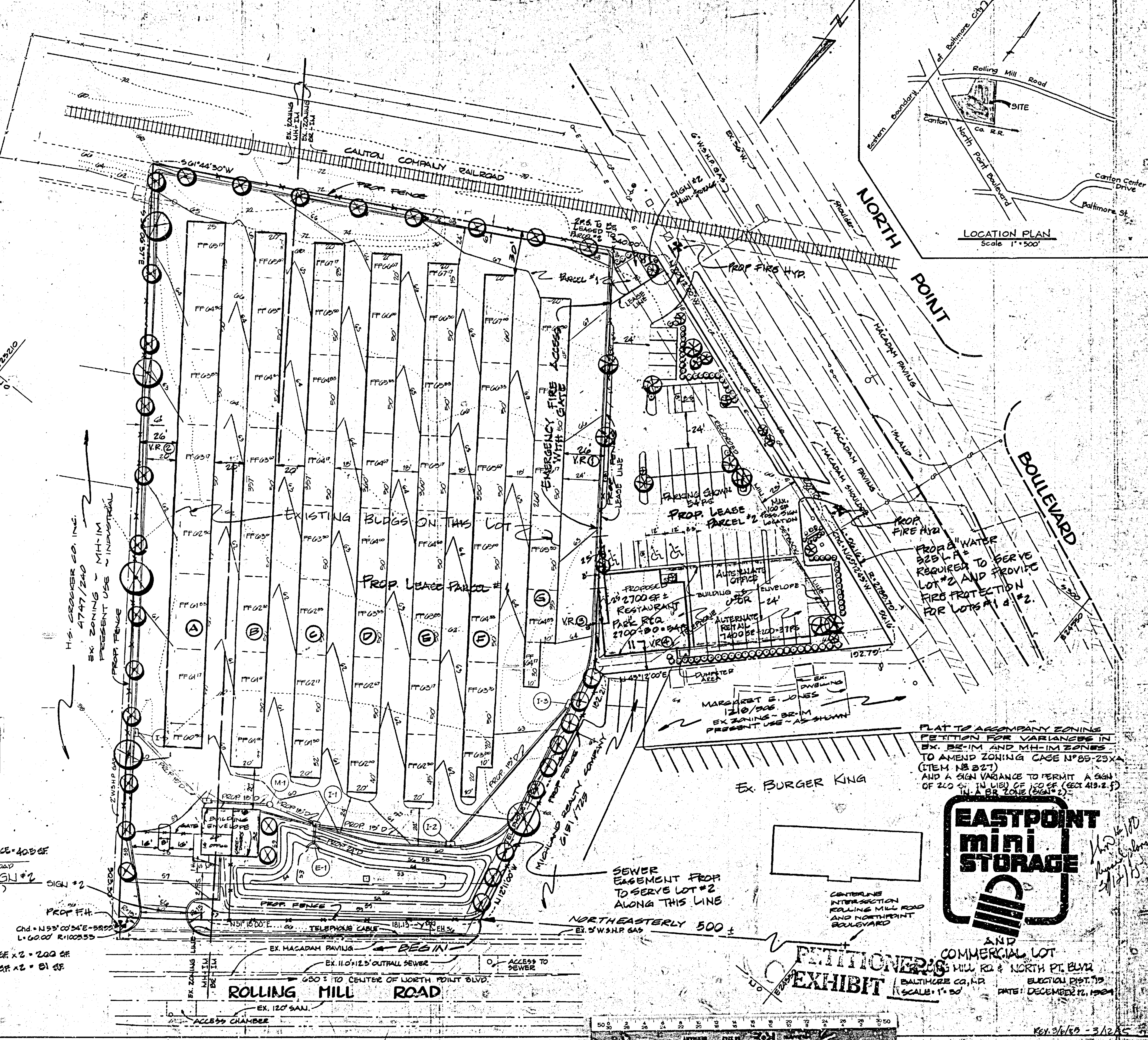
A SPECIAL EXCEPTION IS REQUESTED TO PERMIT LIVING QUARTERS IN A COMMERCIAL BUILDING AS AS PERMITTED BY SPECIAL EXCEPTION (SECT 230.4)

LEGEND

EXISTING CONTOURS 300 320
PROPOSED CONTOURS 300 320
CHAIN LINK FENCE
ELECTRIC LINE
V.R. - VARIANCE REQUEST

ENGINEER:
G.W. STEPHENS JR.
AND ASSOC., INC.
805 ALLEGHENY AVE.
TOWSON, MD. 21204
301-825-8120

PETITIONER:
ROLLING MILL
REALTY CO.
10 PARKS AVE.
COCKEYSVILLE, MD. 21030



PLAT TO ACCOMPANY ZONING PETITION FOR VARIANCES IN EX. BR-IM AND MH-IM ZONES TO AMEND ZONING CASE N°85-23XA (ITEM N°8327) AND A SIGN VARIANCE TO PERMIT A SIGN OF 20' ± IN LIEU OF 150' ± (SECT 413.2.5) IN A BR ZONE (SIGN #2).



PETITIONER'S EXHIBIT

COMMERCIAL LOT
ROLLING MILL RD & NORTH PT. BLVD
BALTIMORE CO., MD
ELECTION DIST. 15
DATE: DECEMBER 12, 1984

REV. 3/6/80 - 3/12/85
FN 49106

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCE
S/S of Rolling Mill Rd., 460' NE of the center line of North Point Blvd.
15th Election District
Rolling Mill Realty & Company, Petitioner
No. 85-23-1A (Item No. 327)

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCE
S/S of Rolling Mill Rd., 460' NE of the center line of North Point Blvd.
15th Election District
Rolling Mill Realty & Company, Petitioner
No. 85-23-1A (Item No. 327)

AMENDED ORDER
It is hereby ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 27th day of August, 1984, that the Order passed in this matter, dated July 27, 1984, is hereby AMENDED, Rec'd Pro Tunc, to delete Restriction 3 and insert in lieu thereof the following:

3. Landscaping shall include perimeter plants, i.e., trees and/or shrubs, planted along the southeast and southwest sides of the mini-storage warehouses.

The herein petitioner seeks a Petition for Special Exception for living quarters in a commercial building and a Petition for a Variance to permit a minimum of 18 feet between buildings in lieu of the maximum required 60 feet, as more fully described on the site plan prepared by G.W. Stephens, Jr. and Associates, Inc., dated April 25, 1984.

Testimony presented by the petitioner, Rolling Mill Realty and Company, indicated that they propose to construct mini-storage warehouses with an on-site caretaker residence on the subject property.

Pursuant to the advertisement, posting of property, and public hearing, and it appearing that by reason of the requirements of Section 502.4 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception and variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 27th day of July, 1984, that the Petition for Special Exception for living quarters in a commercial building and a variance to permit a minimum of 18 feet between buildings in lieu of the maximum required 60 feet are hereby GRANTED, from and after the date of this Order, subject, however, to the following:

1. The manager/caretaker of the mini-storage warehouses shall inhabit the living quarters.
2. The chain-link fence shall be maintained.
3. Landscaping shall include perimeter plants, i.e., trees and/or shrubs, planted along the north and east property lines.
4. Approval of the aforementioned site plan by the Office of Planning and Zoning, including compliance with the requirements of the Baltimore County Landscape Manual.

Deputy Zoning Commissioner of Baltimore County

GENERAL NOTES

- 1) EX. ZONING - MH-1M AND BR-1M
- 2) EX. USE - VACANT
- 3) PROPOSED USE - MINI WAREHOUSES
- 4) PLAT REFERENCE - CANTON CENTER OTG #1, FOLD 72
- 5) AREA - 3.907 AC. ±
- 6) PUBLIC WATER AND SEWER ARE AVAILABLE
- 7) STORMWATER MANAGEMENT WILL BE PROVIDED.

SUMMARY OF VARIANCE REQUESTS:

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2. A VARIANCE TO PERMIT A SIDE YARD OF 20' IN LIEU OF THE MINIMUM REQUIRED 30' (SECT. 230.1)
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A SPECIAL EXCEPTION IS REQUESTED TO PERMIT LIVING QUARTERS IN A COMMERCIAL BUILDING AS PERMITTED BY SPECIAL EXCEPTION (SECT. 230.4)

LEGEND

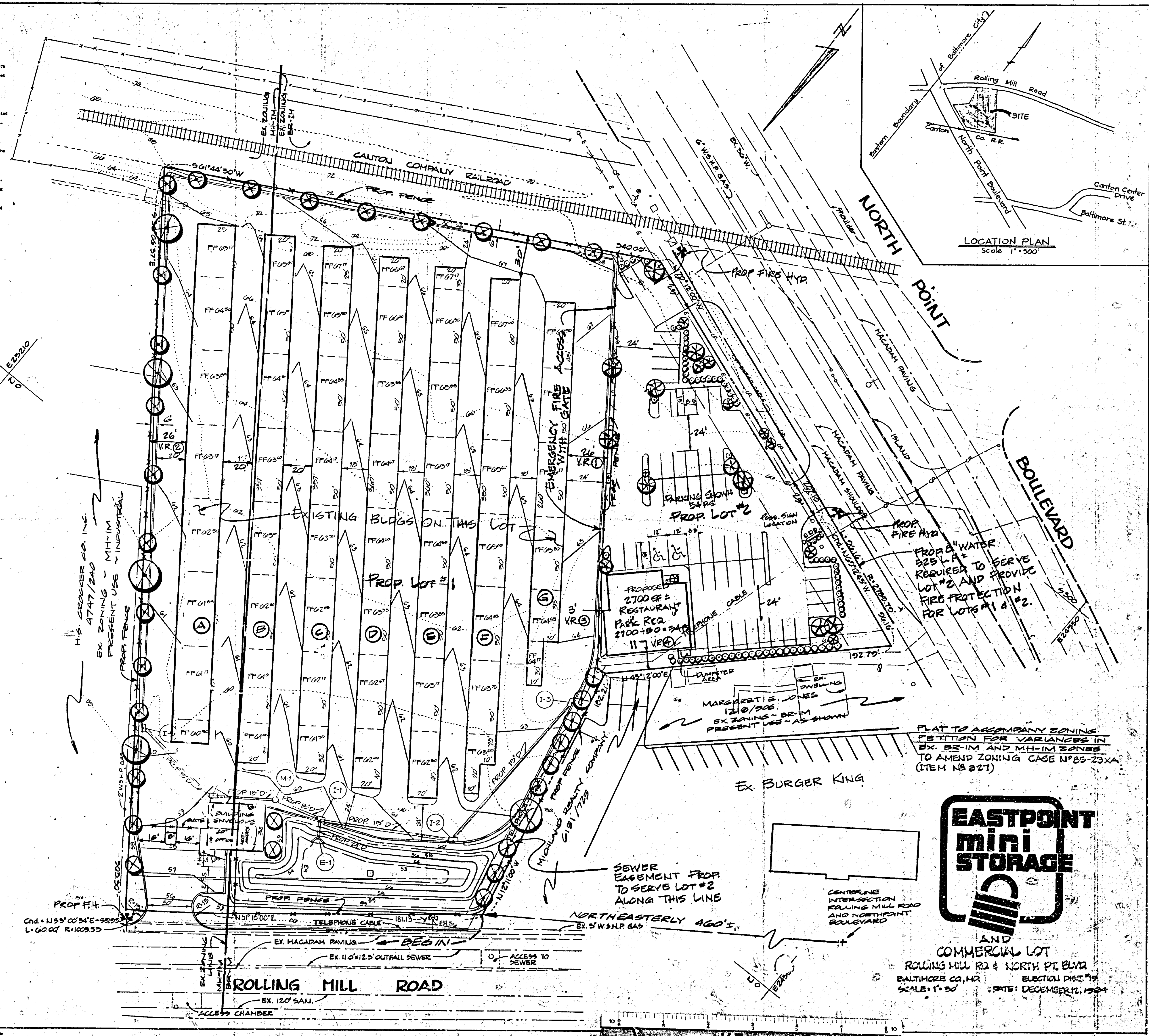
- EXISTING CONTOURS
- PROPOSED CONTOURS
- CHAIN LINK FENCE
- ELECTRIC LINES
- V.R. - VARIANCE REQUEST

MAP SCALE
1" = 25'
1" = 125'

DATE: 8/27/84
BY: [Signature]

ENGINEER:
G.W. STEPHENS JR.
AND ASSOC., INC.
808 ALLEGHENY AVE.
TOWSON, MD. 21204
301-825-8120

PETITIONER:
ROLLING MILL REALTY CO.
10 PARKS AVE.
COCKEYSVILLE, MD. 21030



COMMERCIAL LOT
ROLLING MILL RD & NORTH PT. BLVD
BALTIMORE CO., MD
SCALE: 1" = 50'
DATE: DECEMBER 12, 1984

PLAT TO ACCOMPANY ZONING PETITION FOR VARIANCES IN EX. BR-1M AND MH-1M ZONES TO AMEND ZONING CASE NO. 85-23-1A (ITEM NO. 327)