TO THE ZONING COMMISSIONER OF BALTIMORE CCUNTY: 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 409.2b to allow a reduction in the required sumber of parking places for a shopping center from 243 to 222 places. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1. The subject site is situated on the Baltimore City-Baltimore County line, and the portion of the tract inside the county will not safely accommodate the required number of parking places. 2. There are 21 additional parking places within the portion of the site within Baltimore City bringing the total number of parking spaces provided to 246. IN RE: PETITION ZONING VARIANCE If the entire site were within the County, this hearing would not be Case No. 85-337-A SW/corner of Reisterstown Property is to be posted and advertised as prescribed by Zoning Regulations. Road and the Baltimore City-ZONING COMMISSIONER necessary. County Line - 3rd Election 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 OFFICE OF PLANNING & ZONING District OF BALTIMORE COUNTY The purpose of this hearing is to establish a means by which the County can Baltimore County adopted pursuant to the Zoning Law For Baltimore County. County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Colonial Village Company, exercise control over the parking requirements to satisfy the BCZR. As to the Case No. 85-337-A I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property Petitioner * portion of the parking lot in the City, the County could not exercise any con-Your petition has been received and accepted for filing this which is the subject of this Petition. trol for obvious reasons. Therefore, technically, a variance is required to day of May Legal Owner(s): FINDINGS OF FACT AND CONCLUSIONS OF LAW Contract Purchaser: recognize the existence of the requisite spaces in the City. Tilmany Rosenblat for Colonial Village Co.
(Type or Print Name)

AGENT The Petitioner herein requests a variance to permit the required number of The County Review Group (CRG) approved the project on October 13, 1983. (Type or Print Name) parking spaces for a shopping center to be reduced from 243 spaces to 222 It is obvious that the Petitioner has, in its continuing and admirable spaces, as more particularly described on Petitioner's Exhibit 1. search for justice and the right, heeded Plato's admonition and not killed the Zoning Commissioner The Petitioner, by Joel D. Fedder, its managing partner, appeared and tes-(Type or Print Name) goose which sustains us. Needless to say, with the array of support exhibited, Petitioner Columial Village Co. Petitioner's tified and was represented by Counsel. Robert Morelock, a registered landscape the requested variance will be granted. Chairman, Zoning Plans Attorney Joel D. Fedder. Esquire City and State Advisory Committee architect, also appeared on behalf of the Petitioner. Additionally, Thomas The Petitioner seeks relief from Section 409.2.b, pursuant to Section 307, Attorney for Petitioner: cc: William F. Kirwin, Inc. Waxter, who indicated that this project also had the support of Councilwoman <u>514 N. Crain Highway 768-4100</u> 1 Iri. Reeves, and Rikki Spector, Baltimore City Councilpersons; Diane Frederick, An area variance may be granted where strict application of the zoning Glen Burnie, MD 21061 Pikesville Community Growth Corporation; Jacks Parks, Pikesville Chamber of Comregulation would cause practical difficulty to the petitioner and his property. 514 N. Crain Highway Name, address and phone number of legal owner, conmerce; and Joel Matz, President of the Colonial Village Improvement Association, McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area tract purchaser or representative to be contacted appeared and testified in support of the petition. Unequivocally, there were no variance, the petitioner must meet the following: 1. whether strict compliance with requirement would unrea-Attorney's Telephone No.: ____768-4100 sonably prevent the use of the property for a permitted Testimony indicated that the subject property, an existing shopping center purpose or render conformance unnecessarily burdensome; RDERED By The Zoning Commissioner of Baltimore County, this _____day consisting of 4.1 acres zoned B.L., straddles the City-County line. The Petiwhether the grant would do substantial injustice to ap-May 19.85, that the subject matter of this petition be advertised, as plicant as well as other property owners in the dis-tidner wishes to construct a bank within the center, which would cause some of trict or whether a lesser relaxation than that applied for would give substantial relief; and the pexisting parking spaces to be removed. With the addition of the bank and whether relief can be granted in such fashion that the grive-thru, the center would provide 222 parking spaces in the County porspirit of the ordinance will be observed and public safety and welfare secured. tion and 23 spaces in the contiguous City portion. The Baltimore County Zoning erson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974). Regitations (BCZR) requires 243 spaces. The Petitioner owns sufficient property Zoning Commissioner of Baltimore County. Filt is clear from the testimony that if the variance were granted, such use to satisfy the parking requirements but a portion is located within the City Foposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good. - 2 -0 WILLIAM F. KIRWIN INC. PETITION FOR VARIANCE After due consideration of the testimony and evidence presented, it is Land Planning Landscape Architecture Team Design Concepts RE: PETITION FOR VARIANCE 3rd Election District : BEFORE THE ZONING COMMISSIONER clear that a practical difficulty or unreasonable hardship would result if the SW Corner Reisterstown Rd. Southwest corner Reisterstown Road and Baltimore City Line and Baltimore City Line, LOCATION: OF BALTIMORE COUNTY March 18, 1985 instant variance were not granted. It has been established that the requirement 3rd District from which the Petitioner seeks relief would unduly restrict the use of the land COLONIAL VILLAGE CO., Case No. 85-337-A Monday, June 3, 1985 at 10:15 a.m. Petitioner DATE AND TIME: due to the special conditions unique to this particular parcel. In addition, ZONING DESCRIPTION ::::::: PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake the variance requested will not be detrimental to the public health, safety, and Avenue, Towson, Maryland COLONIAL VILLAGE SHOPPING CENTER ENTRY OF APPEARANCE general welfare. The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Beginning for the same at the intersection of the southwest side Pursuant to the advertisement, posting of the property, and public hearing Please enter the appearance of the People's Counsel in the of the right-of-way for Reisterstown Road, 66 feet wide, with the western boundry line of Baltimore City as established in 1918, and on this Petition held, and for the reasons given above, the requested variance above-captioned matter. Notices should be sent of any hearing dates or Petition for Variance to allow a reduction in the required number running thence binding on the said southwest right-of-way line of of parking places for a shopping center from 243 to 222 places Reisterstown Road (1) South 47 degrees 28 minutes 30 seconds East should be granted. other proceedings in this matter and of the passage of any preliminary 104.97 feet, thence leaving the said right-of-way running the Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, following three courses (2) South 42 degrees 31 minutes 30 seconds or final Order. West 100 feet, (3) South 47 degrees 28 minutes 30 seconds East 125 this _______ day of June, 1985, that the Petition for Zoning Variance to feet, (4) South 42 degrees 27 minutes West 447.49 feet to a point in the outline of a development known as "Colonial Village", thence binding on said outline (5) North 11 degrees 14 minutes 50 permit the required number of parking spaces for the shopping center to be seconds West 694.81, thence leaving said outline of "Colonial" Village" and running (6) North 42 degrees 31 minutes 30 seconds reduced from 243 spaces to 222 spaces be and is hereby GRANTED, from and after Phyllis Cole Friedman East 136.86 feet to the southwest right-of-way line of People's Counsel for Baltimore County Being the property of Colonial Village Co. the date of this Order, subject, however, to the following restrictions which as shown on Reisterstown Road, thence binding on the southwest side of said the plat filed with the Zoning Office. right-of-way (7) South 47 degrees 28 minutes 30 seconds East 329.80 feet to the place of beginning. Containing 4.1 acres more 1eter Max Zumen are conditions precedent to the relief herein granted: In the event that this Petition is granted, a building permit may be issued within or less and lying in the 3rd Election District. the thirty (30) day appeal period. The Zoning Commissioner will, however, enter-1. The Petitioner may apply for its building permit and be Peter Max Zimmerman tain any request for a stay of the issuance of said permit during this period for granted same upon receipt of this Order; however, Peti-Deputy People's Counsel good cause shown. Such request must be received in writing by the date of the tioner is hereby made aware that proceeding at this Rm. 223, Court House hearing set above or made at the hearing. time is at its own risk until such time as the applica-Towson, MD 21204 ble appellate process from this Order has expired. If, 494-2188 BY ORDER OF for whatever reason. this Order is reversed, the Peti-ARNOLD JABLON tioner would be required to return, and be responsible ZONING COMMISSIONER for returning, said property to its original condition. I HEREBY CERTIFY that on this //th day of May, 1985, a copy OF BALTIMORE COUNTY The Petitioner shall prevent vehicle access to the cenof the foregoing Entry of Appearance was mailed to Joel D. Fedder, ter from the alley bordering the south property line that traverses both the City and County. Esquire, 514 N. Crain Highway, Glen Burnie, MD 21061, Attorney for Petitioner. 🏖. Scott Barhight, Esquire People's Counsel 28 E. Susquehanna Ave. Suite 2 Towson MD 21204 - 3 -

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PETITIOI) FOR ZONING VAR INCE 85-337-A

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

> CCLONIAL VILLAGE CMPANY 514 North Crain Highway Glen Burnie, Maryland 21061

> > April 30, 1985

768-4100

Mr. Arnold Jablon Zoning Commissioner for Baltimore County Court House

Towson, Maryland 21204

Re: Case No. 276

Dear Mr. Jahlon:

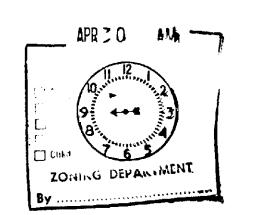
On March 19, 1985, a Petition for Variance was filed with your office. We have patiently waited for the normal process to occur. However, continued delay at this stage is extremely serious and may jeopardize the ability of Regal Savings and Loan Association to locate at the Colonial Village Shopping Center.

We therefore would appreciate it if you could expedite our Petition for Variance.

Thank you foryour kind attention to this matter.

Sincerely

COLONIAL VILLAGE COMPANY



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE May 17, 1985

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 Joel D. Fedder, Esquire 514 N. Crain Highway

Bureau of

Engineering

Department of

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Industrial

Zoning Administration

Traffic Engineering

State Roads Commission

Glen Burnie, Maryland 21061 Nicholas B. Commodari RE: Item No. 276 - Case No. 85-337-A

MEMBERS

Dear Mr. Fedder:

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.

Variance Petition

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

Petitioner - Colonial Village Co.

Chairman Zoning Plans Advisory Committee

Enclosures

cc: William F. Kirwin, Inc. 28 E. Susquehanna Avenue, Suite 2 Towson, Maryland 21204

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS TOWSON, MARYLAND 21204 HARRY J. PISTEL, P. E. DIRECTOR

May 17, 1985

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

> Re: Item #276 (1984-1985) Property Owner: Colonial Village Co. S/W cor. Reisterstown Rd. & Baltimore City Line Acres: 4.1

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

District: 3rd

General Comments:

JAM: EAM: PMO:ss

cc: File

Since no public facilities are involved, this office has no comment.

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

MAY 20, 1985

Re: Zoning Advisory Meeting of April 2,1965
Item # 276
Property Owner: COLONIAL VILLAGE CO. Location: SW/COR. REISTERSTOWN RV. + BALTO . CITY LINE .

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

(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 forward by the Bureau of Public Services.)This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.)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 Landscaping: Must comply with Baltimore County Landscape Manual

The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas

are re-evaluated annually by the County Council. (X)Additional comments:

ACRG PLANTIT-252 (COLONIDL VILLAGE SHOP. GR. ADD.)

WAS APPROVED - 10/13/86.

Chief, Current Planning and Development

Maryland Department of Transportation

William K. Hellmann Hat Kassoff

Re: ZAC Meeting of 4-2-85

District: 3rd

ITEM: #276.

April 19, 1985

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

Property Owner: Colonial Village Company Location: SW/Cor. Reisterstown Road, Attention: Mr. N. Commodari Route 140, & Baltimore City Line Existing Zoning: B.L. & B.L.-CNS Proposed Zoning: Variance to allow 225 parking spaces in lieu o the required 243 spaces for shopping center. Acres: 4.1

Dear Mr. Jablon:

On review of the submittal of 3-18-85 and request for a variance of 18 parking spaces, the State Highway Administration finds the plan generally acceptable.

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

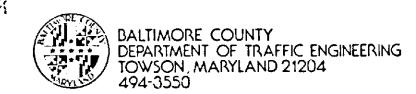
By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle

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



STEPHEN E. COLLINS DIRECTOR

April 8, 1985

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

> Item No. 274, 275, 276, 277, and 279 ZAC- Meeting of April 2, 1985 Property Owner: Location: Existing Zoning: Proposed Zoning:

Acres: District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 274, 275, 276, 277, and 279.

Traffic Engineering Assoc. II

MSF/ccm

BALTIMORE COUNTY FIRE DEPARTMENT TOWSON, MARYLAND 21204-2586

PAUL H. REINCKE CHIEF

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

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Colonial Village Company

Location: SW/Cor. Reisterstown Rd. and Balto. City Line Zoning Agenda: Meeting of 4/2/85 Item No.: 276

April 15, 1985

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 or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

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

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

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

() 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.

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

REVIEWER: (1) (1) (1) (1) Approved:

Planning Group Fire Frevention Bureau

Special Inspection Division

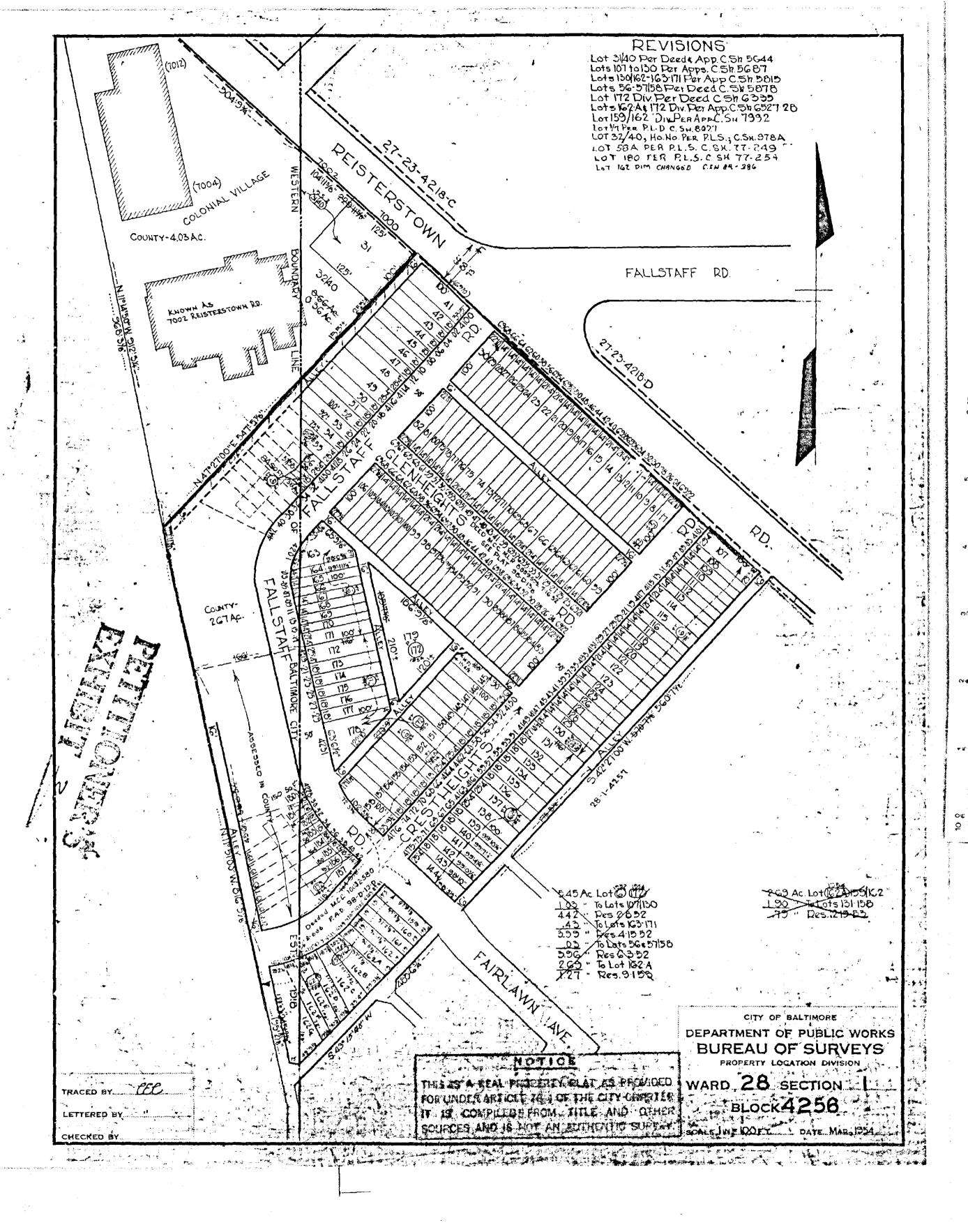
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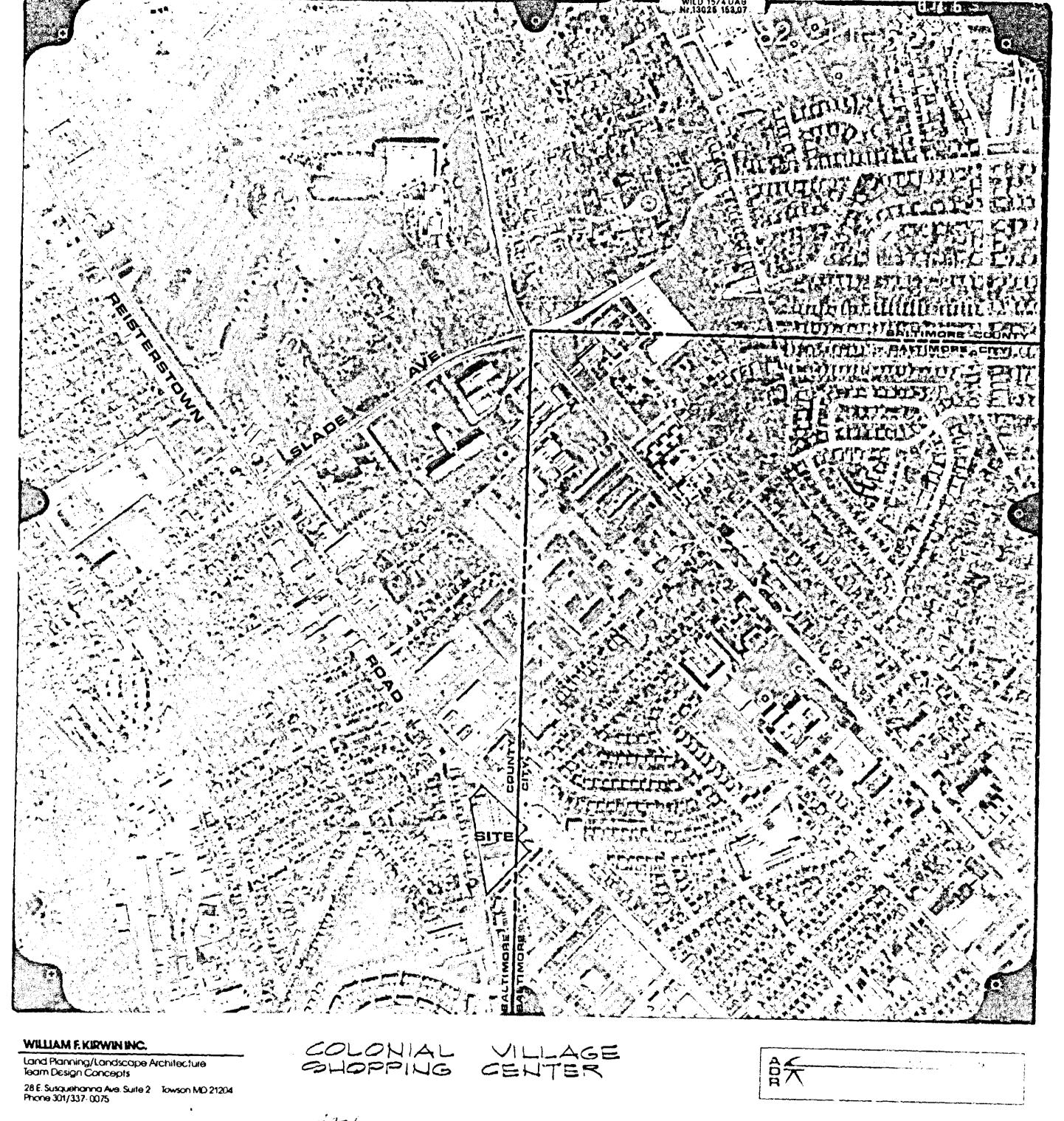
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BALTIMORE COUNTY, MARYLAND BALTIMORE COUNTY, MARYLAND BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE INTER-OFFICE CORRESPONDENCE INTER-OFFICE CORRESPONDENCE Arnold Jablon TO Arnold Jablon, Zoning Commissioner TO Zoning Commissioner Date April 15, 1985 Date May 22, 1985 JOEL MATZ 7011 PLYMOUTH Ad. Judy London, Norman E. Gerber, Director FROM C. E. Burnham, Chief, Building Plans Review C.S. 8 FROM Revitalization Coordinator FROM Office of Planning and Zoning PRESIDENT COLONIAL VILLAGE IMPROVEMENT ASSOC. Colonial Village Shopping Center 85-3392 SUBJECT Case #337 A Item 276 SUBJECT Zoning Advisory Committee Meeting Scheduled 4/2/85 SUBJECT Zoning Petitions No. 85-337-A, 85-340-A, 85-343-A, 85-344-A, 85-345-A and 85-346-A DIANE Frederick PCGC-1413 Reiserson Rd. 21208 Tom Warter City Counil, Ball Wol 21202 396-482 Item #274 Standard Comment Marlene Koepsel leg aide to Rekhe Spector City/fall a 1200 Item #275 Standard Comment Colonial Village Shopping Center is seeking a parking variance to enable the center to accommodate a drive-in banking facility, Item #276 No Comment The variance request is submitted in view of the fact that parking There are no comprehensive planning factors requiring spaces located exclusively in the County are below County zoning Item #277 See Comment requirements even though if spaces located in the City are counted, comment on this petition. the project meets project parking requirements. Item #278 See Comment Colonial Village has developed a parking management program to Item #279 Standard Comments divert employees to park in the rear of the property. In addition, access concerns of nearby residential property owners have been Item #280 See Comments Norman E. Gerber, Director Office of Planning and Zoning accommodated. NEG:JGH:slm The Economic Development office supports the Colonial Village CEB/vw 85-337-1 CERTIFICATE OF PUBLICATION CELTIFICATE OF PUBLICATION BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 May 7, 1985 PETITION FOR VARIANCE

3rd Election District Joel D. Fedder, Esquite OCATION: Southwest corner Reisterstown Road and Bal-timore City Line DATE AND TIME: Monday, June 3, 1985 at 10:15 a.m. TOWSON, MD., May 16, 19 85 Fikesville, Md., May 15 1985 514 N. Crain Highway ARNOLD JABLON ZONING COMMISSIONER Glen Burnie, Maryland 21061 THIS IS TO CERTIFY, that the annexed advertisement was THIS IS TO CERTIFY, that the annexed advertisment PUBLIC HEARING: Room
106, County Office Building,
111 West Chesapeake Avenue,
Towson, Maryland NOTICE OF HEARING published in THE JEFFERSONIAN, a weekly newspaper printed was published in the NORTHWEST STAR, a weekly RE: Petition for Variance and published in Towson, Baltimore County, Md., appearing on SW/corner Reisterstown Rd. and Balto. City Line The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regu-lations of Baltimore County, will hold a public hearing: Petition for Variance to al-low a reduction in the re-quired number of parking Hay 17, 1985 newspaper published in Pikesville. Baltimore Colonial Village Co. - Petitioner Case No. 85-337-A May 16 19 85 County, Maryland before the 3rd day of June 19 85 places for a shopping center from 243 to 222 places

Being the property of Colo-nial Village Co. as shown on the plat filed with the Zoning Joel D. Fedder, Esquire the first publication appearing on the THE JEFFERSONIAN. 514 M. Crain Highway 15th cay of May .19 85 Glen Burnie, Maryland 21061 In the event that this Peti-DATE: Monday, June 3, 1985 the secend publication appearing on the RE: Petition for Variance PLACE: Room 106, County Office Building, 111 West Chesapeake SW/corner Reisterstown Road and Balto. City Line Colonial Village, Co. - Petitioner Case No. 85-337-A Avenue, Towson, Maryland the third publication appearing on the Cost of Advertising Dear Mr. Fedder: or made at the hearing.
By Order Of
ARNOLD JABLON This is to advise you that _____is due for advertising and posting 24.75 of the above property. THE NORTHWEST STAR This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing. 20 LEGAL NOTICE Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing. OCATIO, Southwest somer Releterston Cost of Advertisement 22.00 CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 85-337-A BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION BALTIMORE COUNTY, MARYLAND OLD JABLON Date of Posting May 18 - 85 No. 005325 MISCELLANEOUS CASH RECEIPT OFFICE OF FINANCE - REVENUE DIVISION ng Commissioner Variance MISCELLANEOUS CASH RECEIPT Petitioner: Colonial Village Co
Location of property: SW/Corner Rentistanon Roudand
Betterese City Line ACCOUNT 01-615-000 PROMISE School Current 200 Location of Signs: 5 W/ sick of Reistrotown Road offerit Hengyla ave, front of subject property PROM: THOMAS Pure (a 100 15-337-A Calonere Village 1 May 1985 / Northwest STAR / P 184 29 Remarks:
Dectad by Segmenture B B734****** 517512 83321 Date of return: May 24-55 B 8520*****13000:a 22026 VALIDATION OR SIGNATURE OF CASHIER





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