

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 Balumore County, from an DR 3.5 and DR 16 zone to an BR-CSA; BL-CSA 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,

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:

> map <u>SW-2(</u> D. 13T DATE 1-987

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

Legal Owner(s): Contract Purchaser: Circuit City Stores, Inc. 2040 Thalbro Street Richmond, Virginia 23230 City and State Attorney for Petitioner: P. O. 375 John B. Howard, Esquire Address Reisterstown, Maryland 21136 Name, address and phone number of legal of ner, ben-tract purchaser or representative to be contacted. John B. Howard, Esquire Towson, Maryland 21204 210 Allegheny Ave. Towson, MD 21204 Attorney's Telephone No.: 823-4111 823-4111

County Board of Appeals of Baltimore County Room 200 Court House Towson, Maryland 21204

September 10, 1986

(301)494-3180

John B. Howard, Esquire 210 Allegheny Avenue Towson, MD 21204

> Re: Case No. R-87-89 G. Edward Ommert

Dear Mr. Howard:

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

Administrative Secretary

G. Edward Ommert Phyllis Cole Friedman Norman E. Gerber Arnold Jablon Jean M. H. Jung James E. Dyer

IN THE MATTER OF THE APPLICATION OF BR-CSA AND BL-CSA; S/S POWERS 1st DISTRICT

COUNTY BOARD OF APPEALS BALTIMORE COUNTY #R-87-89

OPINION

This case comes before this Board on petition for a reclassification of 2.33 acres located on the south side of Powers Lane west of Rolling Road in the 1st election district. The parcels in question are presently zoned D.R. 3.5 and D.R. 16 and the request is to rezone the smaller parcel to BR-CSA containing .8 acre and the larger parcel containing 1.78 acres to BL-CSA. The case was heard this day in its entirety.

Petitioner's first witness was James Hoswell, Planner for Baltimore County, who testified that he prepared the reports, entered as Joint Exhibits 1 and 2, to the Board of Appeals and to the Baltimore County Planning Board, said reports recommending the requested change.

William Kirwin, Land Planner, was Petitioner's next witness. He testified that he prepared the sketch of the area entered as Petitioner's Exhibit #2 and described all area uses surrounding the subject site. He testified that residential use for the property was impractical because of the necessity to extend the water and sewer lines to the site from Rolling Road and the extremely heavy commercial use totally surrounding the site.

acre parcel was presently being used as a 34-bed nursing home but that it would not meet any of the County's standards to continue its use. He specifically noted that the hallways were not eight feet wide, no elevator was provided, and that the building was built about the turn of the century and was

G. Edward Ommert Case No. 3-87-89

a wooden building. Mr. Ommert also testified that he had attempted to get a State Certificate of Need to expand the nursing home to a minimum of 96 beds but has been told by the State that the State need for nursing home beds was only 112 beds and that applications have been received for over 2,000 beds, and that his chances were practically nonexistent. This concluded the testimony and evidence by Petitioner. The Board will note for the record that these parcels were not an issue on the 1984 Comprehensive Map Process and Mr. Hoswell testified that, as far as he could ascertain, no particular attention was afforded these two parcels throughout the map process.

People's Counsel presented only James Hoswell, Planner for Baltimore County, as their witness. He described the process through which the present zoning was afforded these parcels. Prior to the first comprehensive map, attempts were made to buffer commercial uses with residential uses. Since then, in the map process and the petition process, many of the surrounding residentially zoned properties in this area have been afforded commer cial use and that in his opinion these two parcels have just been overlooked.

It is the opinion of this Board that the present zoning of these two parcels has been allowed to remain so in error purely because they have never been made an issue for the Council to consider. It is therefore the Board's opinion that the existing zoning is in fact in error and that the petition for reclassification as described should be granted and will so order

It is therefore this 10th 1986 by the Baltimore County Board of Appeals ordered that the petition requesting BR-CSA zoning on .8 acre and BL-CSA zoning on 1.78 acres as

. Edward Ommert Case No. R-87-89 A Zoning Reclassification

described in the submitted petition be and the same is hereby granted.

OF BALTIMORE COUNTY

COUNTY BOARD OF APPEALS

GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC. ENGINEERS 303 ALLEGHENY AVENUE, TOWSON, MARYLAND 21204

Description to Accompanu A Petition For

February 24, 1986

RE: Circuit City Point of beginning being located on the centerline of Powers Lane 210° + westerly

- thence in clockwise direction: 1) South 20° 25' West 227.0 feet +
 - 2) North 77° 00' West 329.0 feet +
 - 3) North 20° 25' East 110.0 feet +
 - 4) North 70° 56' West 264.0 feet +
 - 5) North 18° 01' East 151.0 feet + to the centerline of Powers Lane, and 6) South 70° 56' East 599.0 feet + to the place of beginning.

Containing 2.73 Acres of land more or less, and intended to be all that land zoned D.R.-16 and D.R.-3.5 within those parcels of land record in E.H.K., Jr. 6727/435 and E.H.K., Jr. 6730/280.

from the point of intersection of centerlines of Powers Lane and Rolling Road

Saving and excepting all that land zoned DR 3.5 lying within 60 feet of the centerline of Powers Lane the area of which is 0.4 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)



PETITION FOR RECLASSIFICATION CASE NO. R-87-89

LOCATION: South Side of Powers Lane, 210 feet West of the Centerline of Rolling Road

PUBLIC HEARING: Thursday, September 4, 1986, at 10:00 a.m.

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

To reclassify the property from a D.R. 3.5 and D.R. 16 Zone to a B.R.-C.S.A.; B.L.-C.S.A. Zone

All that parcel of land in the <u>lst Election</u> District of Baltimore County

Point of beginning being located on the centerline of Powers Lane 210' + westerly from the point of intersection of centerlines of Powers Lane and Rolling Road thence in clockwise diraction:

- 1) South 20 25' West 127.0 feet +
- 2) North 77° 00' West 329.0 feet +
- 3) North 20 * 25 * East 110.0 feet +
- 4) North 70° 56' West 264.0 feet +
- 5) North 18° 01' East 151.0 feet + to the centerline of Powers Lane, and 6) South 70° 56' East 599.0 feet + to the place of beginning.

Containing 2.73 Acres of land more or less, and intended to be all that land zoned D.R.-16 and D.R.-3.5 within those parcels of land record in E.H.K., Jr. 6727/435 and E.H.K., Jr. 6730/280.

Saving and excepting all that land zoned DR 3.5 lying within 60 feet of the centerline of Powers Lane the area of which is 0.4 acres of land more or less.

Being the property of _____G. Edward Ommert as shown on the plat plan filed with the Zening Department.

BY ORDER OF WILLIAM T. HACKETT, CHAIRMAN COUNTY BOARD OF APPEALS BALTIMORE COUNTY

R-87-89

PETITION FOR RECLASSIFICATION AND REDISTRICTING Property located on Powers Lane 210 ft. west of the intersection on Powers Lane and Rolling Road Proposed Zoning: BR-CSA; BL-CSA

First Election District

Circuit City Stores, Inc. - Petitioner

LAW OFFICES COOK, HOWARD, DOWNES & TRACY 210 ALLEGHENY AVENUE P.O. BOX 5517

TOWSON, MARYLAND 21204

February 27, 1986

JOHN B. HOWARD DAVID D. DOWNES DANIEL O'C. TRACY, JR. JOHN H. ZINK, III JOSEPH C. WICH, JR. HENRY & PECK, JR. HERBERT R. O'CONOR, III THOMAS L. HUDSON C. CAREY DEELEY, JR. GEORGE K. REYNOLDS, M LAWRENCE L. HOOPER, JI M. KING HILL, III ROBERT & HOFFMAN DEBORAN C. DOPKIN

CYNTHIA M. HAHN

KEVIN H, SMITH

KATHLEEN M. GALLOGLY

H. BARRITT PETERSON, JR.

TELECOPIER

JAMES D. C. DOWNES

County Board of Appeals of Baltimore County Second Floor Old Court House Towson, Maryland 21204

> Re: Petition for Reclassification and Redistricting Property located on Powers Lane 210 ft. west of the intersection on Powers Lane and Rolling Road Proposed Zoning: BR-CSA; BL-CSA First Election District Circuit City Stores, Inc. - Petitioner

Dear Board Members:

This firm represents Circuit City Stores, Inc. (hereinafter "Circuit City") in its Petition for Reclassification and Redistricting of property located on Powers Lane, 210 ft. west of the intersection on Powers Lane and Rolling Road to BR-CSA and BL-CSA.

By way of background, the portion of this property which lies in the DR16 zone and adjacent to commercial (retail) uses on the east, south and north, has been utilized for many years as a nursing home by special exception. The DR3.5 portion of this property to the west is vacant and wooded. It is not anticipated that the nursing home use will continue.

Also, the property which abuts the DR3.5 portion of the subject property was the recipient of a reclassification and redistricting from DR3.5 to BR-CSA on the 1984 Compehensive Map. The property was rezoned as a logical extension of the BR zoning to the west and to conform to surrounding commercial uses.

County Board of Appeals of Baltimore County Circuit City Stores, Inc. February 27, 1986 page 2

JBH/jhr

Circuit City is requesting a reclassification and redistricting to both BR-CSA and BL-CSA. It is submitted that error was committed by the County Council in two respects.

First, the Council did not extend the BR-CSA zoning line east to meet the existing DR16 zone while rezoning property immediately adjacent and west of the subject property on the 1984 Comprehensive Map. Furthermore, an extension of the BR-CSA zoning line would leave a 60 ft. deep buffer for some residences situated to the northwest.

Second, logic would dictate extending the BL zones from the east and north to encompass the DR16 parcel, where a discontinuance of the special exception use is imminent. The Council, however, chose to leave an island of residential zoning in the midst of intensively used commercial property.

In sum, Petitioner submits that allowing this property to remain DR16 and DR3.5, surrounded by commercial uses on three sides was clearly error on the 1984 Comprehensive Zoning Map. Moreover, a discontinuance of use of the property as a nursing home would make an extension of the commercial zoning appropriate and in accord with the extensive surrounding commercial development.

For these reasons, Petitioners respectfully requests that the Petition for Reclassification be granted.

IN THE MATTER OF THE PETITION : BEFORE THE COUNTY BOARD OF APPEALS FOR ZONING RECLASSIFICATION FRCM D.R. 3.5 AND D.R. 16 OF BALTIMORE COUNTY TO BR-CSA AND BL-CSA ZONE S/S of Powers Lane, 210' W. of Rolling Rd., 1st District Case No. R-87-89 (Item 1, Cycle III) G. EDWARD CMMERT, Petitioner :::::: ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Phyllis Cole Friedman People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Room 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 6th day of August, 1986, a copy of the foregoing Entry of Appearance was mailed to John B. Howard, Esquire, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner; and Donald R. Chasen, Asst. Vice-President, Circuit City Stores, Inc., 2040 Thalbro St., Richmond, VA 23230, Contract Purchaser.

Peter Max Zimmerman

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

John B. Howard, Esquire 210 Allegheny Avenue Towson, Maryland 21204

RE: PRITTION FOR ZONING RECLASSIFICATION
5/3 of Powers La., 210° W of the c/1 of Rolling Rd. let Klection District G. Edward Ommert - Pecitioner Case No. R-87-89 (Item No. 1, Cycle III)

This is to advise you that \$313.36 is due for advertising and posting of the above property. This fee must be paid before an

RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED

Please make your check payable to "Baltimore County, Maryland" and remit it to Ms. Margaret E. du Bois, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

No. 021354 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION Toble-MISCELLANEOUS CASH RECEIPT E G. Edward Ommert Properties, P.O. Box 375. ADVERTISING & POSLING RE CASE NO. R-87-89

C [[Item No. 1, Cycle III) 6047a+4+43133674 2046F

CERTIFICATE OF PUBLICATION LOCATION: South Side of Powers Lane, 210 feet West of the Centerline Rolling Road. PUBLIIC HEARING: Thursday, THIS IS TO CERTIFY, that the annexed advertisement was ublished in THE JEFFERSONIAN, a weekly newspaper printed Election District of Bakimore Coun-Point of beginning being located the centerline of Powers Lane 210' westerly from the point of intersection Susan-Sender Obrect 6) South 70° 56° East 599.0 test ± 4, the place of beginning Contaming 2.73 Acres of land more or less, and invended to be all that tend aone.i D.R. 16 and D.R. 3.5 within those parcels of lead recorded in E.E.E. 14.6227/435 and E.H.E. Jr. 5730/200.

Seeing and excepting all that land again 300 and force within 60 test of the excepting and contamination of the excepting and contamination of test of the excepting and contamination of the excepting an Cost of Advertising 30.25 County Board of Appeals

PATUXENT 10750 Little Patuxent Pkwy. Columbia, MD 21044 Q August 18 19 86 THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR RECLASSIFICATION was inserted in the following: ☐ Catonsville Times thence in circlevies direction: 1) South 20" 25" Week 227.0 leef □Arbutus Times 2) North 77" 00" West 329.0 feet weekly newspapers published in Baltimore County, Maryland once a week for ______ successive weeks before 3) North 20" 25" East 116.5 feet the 16 day of August 19 86, that is to say, 5) Horth 18" 91" East 151.9 lost the same was inserted in the issues of 6) South 10" 55" East 500.0 lost August 14, 1986

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY P-87-89 Date of Posting August 20 -86 Reclosification Petitioner: T. Edward Ommerit Location of property: S/S of Cowers Long, 210' Wifthe c/2 of Polling and longer Loth ale of Power Lone opposit 600 West of Tolling Red Date of return: August 22-86 Mumber of Signet

John B. Howard, Esquire 210 Allegheny Avenue Towson, Maryland 212C4

August 7, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING RECLASSIFICATION S/S of Powers La., 210' W of the c/1 of Rolling Rd. 1st Election District G. Edward Ommert - Petitioner Case No. R-87-89 (Item No. 1, Cycle III)

Thursday, September 4, 1986

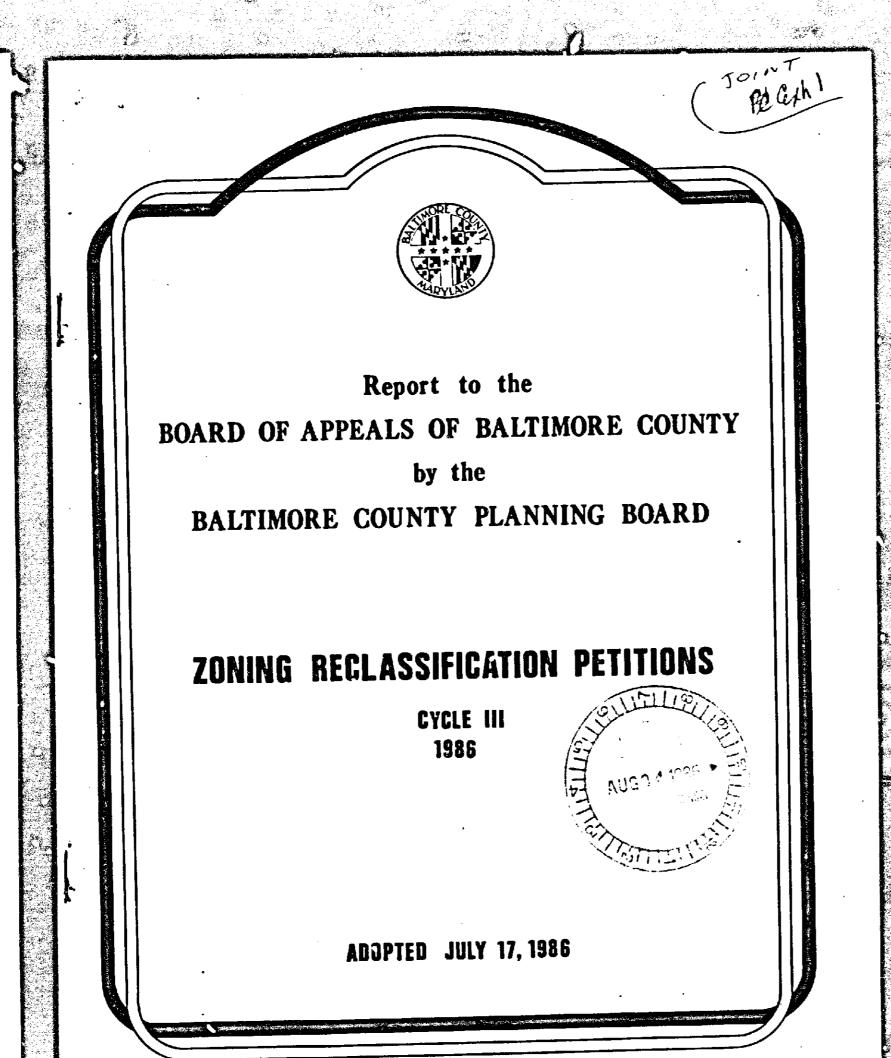
PLACE: Room 218, Courthouse, Towson, Maryland

BALTIMORE COUNTY, MARYLAND 8 P104**** 10000:a 3235F

Hackett, Chairman ard of Appeals

> People's Counsel for Baltimore County

THE ZONING OFFICE FOR HIS CASE APPROXIMATELY A AND THE SIGN AND POST RETURNED R THE ORDER SHALL NOT BE ISSUED



ITEM NO. 1

PROPERTY OWNER: G. Edward Ommert LOCATION: S/S of Powers Lane, 210' W. of Rolling Road ELECTION DISTRICT: 1 COUNCILMANIC DISTRICT:

RECOMMENDED DATE OF HEARING: September 4, 1986

ZONING PRIOR TO ADOPTION OF 1984 COMPREHENSIVE ZONING MAP: D.R.3.5; D.R.16 EXISTING ZONING: D.R. 3.5; D.R. 16
REQUESTED ZONING: B.R.-C.S.A.; B.L.-C.S.A.

PLANNING BOARD RECOMMENDATION: B.R.-C.S.A.; B.L.-C.S.A.

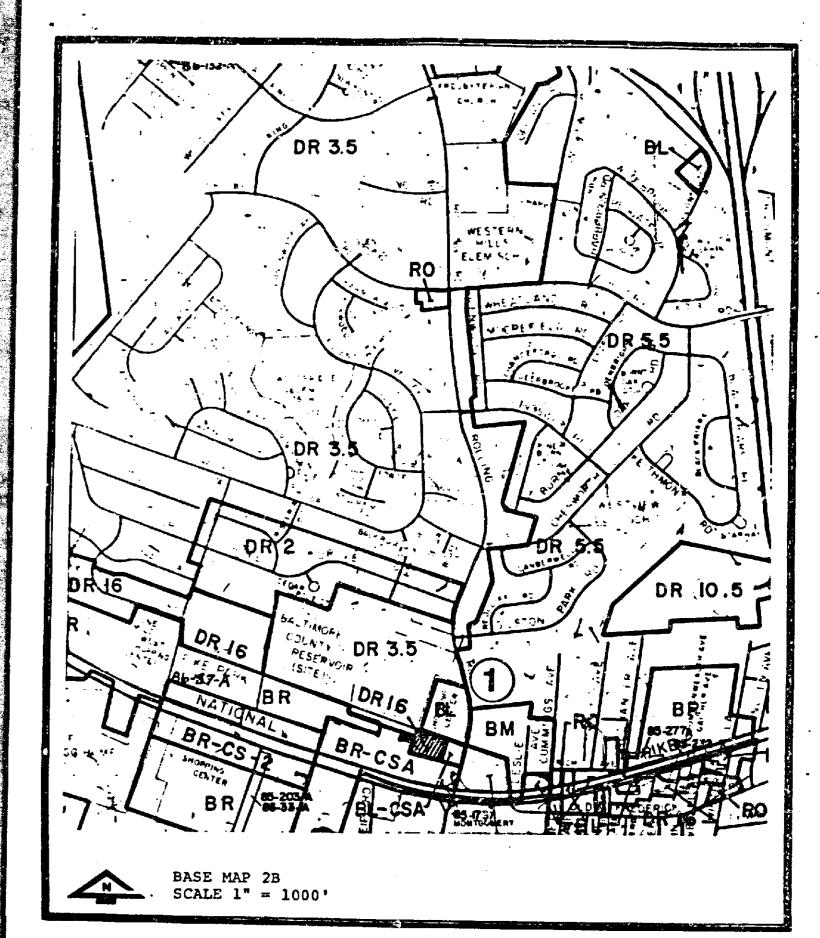
This property consists of a vacant 0.55-acre parcel zoned D.R. 3.5 and a nursing home on a 1.78-acre parcel zoned D.R. 16. To the south and west are commercial properties oriented to Baltimore National Pike; to the east, commercial properties oriented to Rolling Road. To the north, opposite the D.R. 16 zoned parcel, is a small shopping center located on the opposite side of Powers Lane. To the north, adjacent to the D.R. 3.5 parcel, is vacant, D.R.3.5 zoned land along the south side of Powers Lane; to the northeast, single-family dwellings on D.R. 3.5 zoned land. The petitioner is requesting a change from D.R. 3.5 and D.R. 16 to B.R.-C.S.A. and B.L.-C.S.A. zoning and has chosen to submit plans that do not show a proposed use for the property.

Prior to the adoption of the 1984 Comprehensive Zoning Map, the property was zoned as it is today. During the preparation and processing of this map, the zoning of the subject property was not identified as a specific issue before either the Planning Board or the County Council; consequently, the Council reaffirmed the existing zoning.

The Planning Board is of the opinion that the petitioner's request for commerical zoning be granted. The Board believes that the D.R. 16 zoned parcel should be reclassified so as to conform to the zoning to the north, east and south. In view of the shopping center entrance and parking lot on the opposite side of Powers Lane, there is no particular reason to retain residential zoning here. As to the D.R. 3.5 zoned parcel, commercial zoning will permit its incorporation into the commercial facilities oriented to Baltimore National Pike and another D.R. 3.5 zoned property, 60° in depth, remains as a buffer along that section of Powers Lane.

It is therefore recommended that the petitioner's request, B.R.-C.S.A. and B.L.-C.S.A., be granted.

- 3 -



Location of Property Under Petition

Report by the Director of Planning and Zoning to the Baltimore County Planning Board

ZONING RECLASSIFICATION PETITIONS CYCLE III

Baltimore County Office of Planning and Zoning May 31, 1986

		RECOMMENDATIONS TO THE PLANNING BOARD	BOARD			/
×0×	PETITIONER	LCCATION	ACREAGE	EXISTING ZONING	REQUE STED ZONING	RECOMMENDE ZONING
(-)	'G. Edw. Ommert	s/s of Powers Ln., 210' w. of Rolling Rd.	2,33	D.R. 3.5 D.R. 16	B.RC.S.A. B.LC.S.A.	B.RC.S.A B.LC.S.A
~	Timenus Lane Partnership	w/s of Timenus Ln., 1150' a. of Mindsor Mill Rd.	19.27	D.R. 10.5	0-2	D.R. 10.9
~	Louis Paviovec, Jr., et ux	n/w corner of Tawnmoore & Marriotts Lns.	1.0	D.R. 5.5	B.L. "	D.R. 5.5
4	Town Center Associates B. Ltd. Partnership	1575; s/e of the intersecton of Painters Mili & Music Fair Rds.	4.13	M.L1.H.	B.N.	M. L 1. H
2	Wanda K. Weluh; et el	n/e/s of Mestainster Pike, 136' n/w of Wolf St.	0.45	R.O. D.R. 3.5	В.с.	R.O. D.R. 3.5
9	Manda K. Welsh, et al	n/e/s of Westminster Pike, 2047 n/w of Wolf Ste	0.5	R.O. D.R. 3.5	B.t.	R.O. D.R. 3.5
-	Jon A. Thompson, et ux	w/s of York Rd., approx. 660' s. of 1-83	25.97	R.C. 5	Bala	R.C. 5
**	Stanley E. Carter, et ux	w/s of Stoney Batter Rd., 3500's. of Sunshine Ave.	5,15	4.C. 2	R.C. S	R.C. 2
٥	. William A. Schulte, at ux	s/w corner of Bradshaw & Jerusalem Rds.; also, e/s of Bradshaw Rd.	1.78	B.N. R.C. 5	В. В.	B.N.
2	Robert L. Barney, et ux	s/e corner of Falls Rd. & Hollins Ln.	1.5	D.R. 5.5	B.t.	D.R. 5.9
=	Fells Fairtield Limited Partnership	s/e corner of Lake & Stenton Aves.	0.58	D.R. 5.5	B.L.	D.R. 5.3
					•	

DISCUSSION

Of the 19 zoning reclassification petitions that are included in this report, four of them (III-2, III-5, III-6 and III-19) were identified as specific issues during the 1984 Comprehensive Zoning Map process. With the exception of Item Nos. 1 and 18, it is the opinion of the Director that the existing zoning adopted by the County Council in 1984 is correct.

Item No. D is a request for a change from D.R. 3.5 and D.R. 16 to the B.R.-C.S.A. and B.L.-C.S.A. zoning classifications. On part of this 2.33acre parcel of land is a nursing home; the remainder is vacant. Because of the rezoning of adjacent properties to commercial classifications, this office does not believe that the resulting zoning pattern is a rational one. Consequently, it is recommended that the subject request be granted.

Item Mo. 2 is a request for a change from D.R. 10.5 to the 0-2 zoning classification for a 19.27-acre wooded property. This parcel of land was part of Issue No. 2-45 during the processing of the 1984 Comprehensive Zoning Map. At that time, a portion of the entire ownership was zoned 0-1, while the subject parcel was reaffirmed in the D.R. 10.5 zoning classification. This office is of the opinion that either the D.R. 10.5 zoning should be retained or that the property should be reclassified as D.R. 5.5. All of the adjacent roads are residential in character and single-family residences are located along the east and west sides of the property. This office believes that the development of an office park here would impinge upon the firmly established residential character of the neighborhood. The subject request should be denied.

Item No. 3 is a request for a change from D.R. 5.5 to the B.L. zoning classification. The property is bounded by a shopping center to the south (oriented to Liberty Road), by the Scotts Branch Elementary School grounds, and by single-family dwellings on D.R. 5.5 zoned land. This office believes that the firmly established line between the commercial uses oriented to Liberty Road and the residential area north of Townmoore Lane should be affirmed. To allow the spread of commercial uses into this residential area along Marriots Lane would be unwarranted; there are ample opportunities for commercial uses along Liberty Road. The subject request should be

Item No. 4 is a request for a change from M.L.-I.M. to the B.M. zoning classification. The property is at the end of Music Fair Road, south of Painters Mill Road, in an area zoned M.L.-I.M. A large section of the road providing access to the area is substandard; the area is flood prone. Despite the two commercial uses on this and the adjacent site, the area is primarily industrial in use. To grant B.M. here would be "spot zoning". Finally, commercial uses in the general area should be funneled into the Owings Mills Town Center, not siphoned off into industrial areas. The subject request should be denied.

Item Nos. 5 and 5 are requests for a change from KT. and D.R. 3.5 to the B.C. zoning classification. It should be noted that both properties have received CRG approval for office use (IV-280), contingent upon obtaining

Page 5

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

Department of State Roads Commissi Health Department

Project Planning Building Department Board of Education Zoning Administration Industrial

August 27, 1986

John B. Howard, Esquire 210 Allegheny Avenue Towson, Maryland 21204

> RE: Item No. 1 - Cycle No. III Petitioner: G. Edward Ommert Reclassification Petition

Dear Mr. Howard:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the April-October reclassification cycle (Cycle III). 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 zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as 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 judgment as to their accuracy and submit the necessary amendments to this office before N/A,

19 . In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally

In view of the fact that the submitted site plan does not indicate a proposed use at this time, the comments from this Committee are general in nature. If the request is granted and an additional hearing is required at a later date, more detailed comments will be submitted at that time.

1 APR 14 1387

Item No. 1, Cycle III August 27, 1986 If you have any questions concerning the enclosed comments, please feel free to contact the Zoning Office at 494-3391 or the commenting agency. Very truly yours, JAMES E. DYER Chairman Zoning Plans Advisory Committee JED:kkb (MS018) Enclosures co: George William Stephens, Jr. 303 Allegheny Avenue Towson, Md. 21204

APRIL 22, 1986 Mr. Arnold Jabion Zoning Commissioner County Office Building Towson, Maryland 21204 Dear Mr. Jablon: OF ROLLING RD. 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, AT THIS TIME. There are no site planning factors requiring comment. ATTHIS TIME

()A County Review Group Meeting is required.

()A County Review Group meeting was held and the minutes will be

()This site is part of a larger tract; therefore it is defined as a

()A record plat will be required and must be recorded prior

()The access is not satisfactory. 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.)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 floodolain is prohibited under the provisions of Section 22-93 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 is

(X) 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 12 deficional companies. Additional comments:

ANY FUTURE DEVELOPMENT ON THIS SITE MUST

MEET THE REQUIRE MENTS OF BILL # 56 -82

"THE DEVELOPMENT REQUIRE TIMES"

e: Zoning Advisory Meeting of CYCLETT-RECLASS

Item + 1-CYCLETT

Property Owner: G. EDWARD OMMERT

Location: 5/3 POWERS LA., 210' W. OF &

Eugene A. Bober

Chier, Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS DIRECTOR

May 19, 1986

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

> Cycle III April 1986 Item No. Property Owner: G. Edward Ommert Contract Purchaser: Circuit City Stores, Inc. Location: S/S Powers Lane, 210! W of the c/1 of Rolling Road Existing Zoning: D.R. 3.5 and D.R. 16 Proposed Zoning: B.R.-C.S.A. and B.L.-C.S.A. Acres: 2.33 acres

1st Election District

Dear Mr. Hackett:

MSF:1t

District:

The existing D.R. 3.5 and D.R. 16 zoning for this site can be expected to generate approximately 225 trips per day. The proposed B.R., B.L.-C.S.A. zoning can be expected to generate approximately 1130 trips per day.

With any development of this site, Powers Lane must be improved including the D.R. zone.

> Very truly yours, Shedrael Atken Michael S. Flanigan Traffic Engineer Associate II

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON MARYLAND 21204-2586

PAUL H. REINCKE CHIEF

Towson, Maryland 21204

May 13, 1986

Mr. Arnold Jablon Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building

Attention: William Hackett Chairman, County Board of Appeals

RE: Property Owner: G. Edward Ommert Circuit City Stores, Inc. Location: S/S Powers Lane, 210' W. of the c/l of Rolling Road

Item No.: 1 Zoning Agenda: Cycle III

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. ($_{
m X}$) 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 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 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 Eureau has no commente, at this time.

Planning Group

Special Inspection Division

Fire Prevention Bureau

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William F. Hackett - Chairman Appeals Board Charles E. "Ted" Purnham

FROM Plans Review Chief, Department of Permits & Licenses

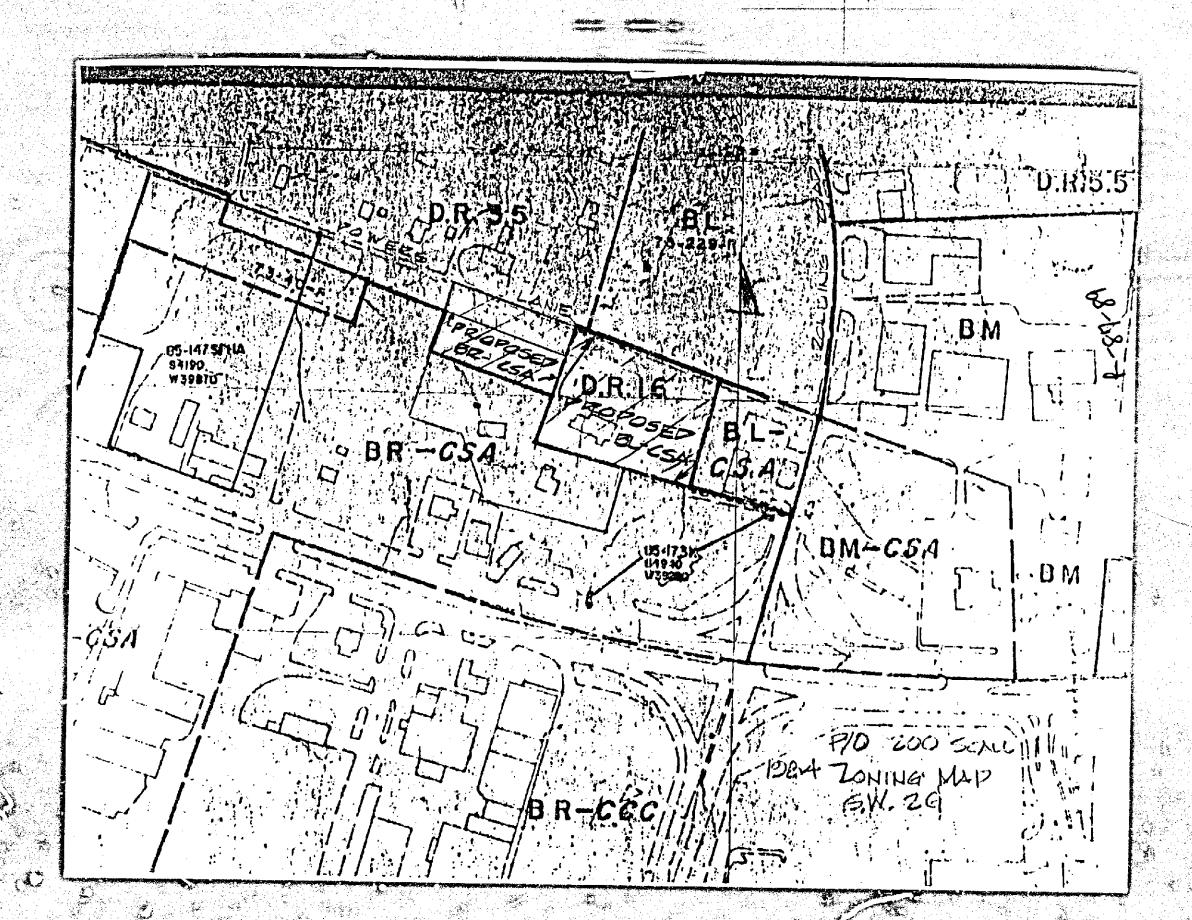
SUBJECT April - October 1986 -- Zoning Classification -- Cycle III

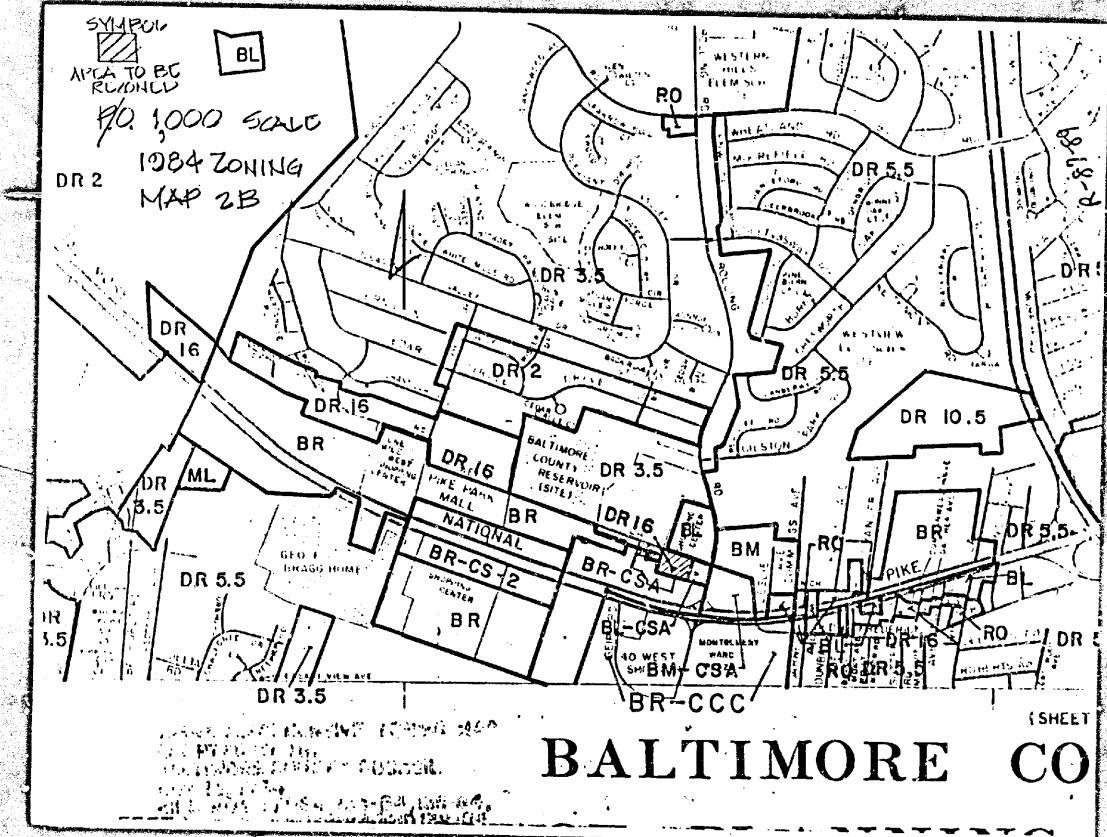
G. Edward Ommert Item # 1 Property Owner: Contract Purchaser: Circuit City Stores, Inc. s/S Powers Lane, 210 W of c/1 f Rolling Road D.R. 3.5 and D.R. 16

Existing Zoning: B.R.-C.S.A. and B.L.-C.S.A. Proposed Zoning: 2.33 Acres 1st. Election District District:

Any proposed improvements to the property shall comply to the Building Code in force at the time. Currently this is known as Council Bill #17-85 and includes the adoption, the changes and amendments to the 1984 Edition of the B.O.C.A. Basic National Building, Mechanical and Energy Codes.

As there are no structures shown or proposed, I have no further comment.





APR 14 1937

