

IN RE: PETITION FOR SPECIAL HEARING
Cor. of NE/S Rolling Rd.,
NW/S of Wilkens Avenue
Rolling Road Country Club
1st Election District
1st Councilmanic District
Beltway Realty Corporation
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE # 90-232-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a Special Hearing to amend the Special Exception and Site Plan of Case No. 73-115X, as more particularly described on Petitioner's Exhibits Nos. 1 and 2.

The Petitioner, Beltway Realty Corporation, by Mr. Twig, President, appeared, testified and was represented by Richard D. Payne, Esquire. Appearing on behalf of the Petitioner was Paul Lee, Professional Engineer. There were no Protestants.

Testimony indicated that the subject property, known as Rolling Road Country Club, consists of 95.94 acres +/-, zoned D.R.2 and D.R.3.5.

Proffered testimony indicated that the subject country club consists of a golf course, pool, tennis courts and pro shop. A large portion of the subject structure recently suffered heavy fire damage.

Testimony indicated that the Petitioner proposes the razing of this structure indicated on Petitioner's Exhibit No. 2 and the construction of a new ballroom/clubhouse consistent with Petitioner's Exhibit No.1, which requires the relief requested herein.

Mr. Paul Lee testified that, in his opinion, the Petitioner's proposal meets the requirements of Section 502.1 and is otherwise consistent with the spirit and intent of the Baltimore County Zoning Regulations (B.C.Z.R.).

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 22nd day of January, 1990 that the Petition for Special Hearing to amend the Special Exception and Site Plan of Case No. 73-115X, all in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

J. Robert Haines
Zoning Commissioner for
Baltimore County

JRH:mmm
cc: Peoples Counsel

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

January 19, 1990



Dennis F. Rasmussen
County Executive

Richard D. Payne, Esquire
22 W. Pennsylvania Avenue, Suite 504
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
Beltway Realty Corporation, Petitioner
Case #90-232-SPH

Dear Mr. Payne:

Enclosed please find a copy of the decision rendered in the above captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days from the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3391.

Very truly yours,

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:mmm
cc: Peoples Counsel

PETITION FOR SPECIAL HEARING 90-232-SPH
TO THE ZONING COMMISSIONER 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 for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve to amend the Special Exception and Site Plan of Case #73-115X.

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

I, or we, agree to pay expenses of the above Special Hearing 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

Legal Owner(s):
BELTWAY REALTY CORP.
(Type or Print Name)
Signature
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

Attorney for Petitioner:
RICHARD D. PAYNE
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of January, 1990, 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 held before the Zoning Commissioner of Baltimore County in Room 106-County Office Building in Towson, Baltimore County, on the 14th day of December, 1989, at 7:30 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 074459
DATE 8/24/89 ACCOUNT 61-615
AMOUNT \$ 175.00
RECEIVED Paul Lee Engineering, Inc.
Rolling Road Country Club & Golf Course
For Comm. Special Hearing (Case # 80)
B 145*****175003 \$254f
VALIDATION OR SIGNATURE OF CASHIER

Tracking System
Baltimore County
Office of Planning & Zoning
Receipt
Date 8/24/89
Number 074459
Type Identification Number
Council District
Election District
Zip Code
Petitioner's Address
Rolling Road Country Club & Golf Course
Towson, Maryland 21204
Petitioner's Name
Paul Lee Engineering, Inc.
Petitioner's Address
301 W. Pennsylvania Ave.
Towson, Maryland 21204
Petitioner's Phone
301-881-5844

Paul Lee P.E.
Paul Lee Engineering, Inc.
301 W. Pennsylvania Ave.
Towson, Maryland 21204
301-881-5844

DESCRIPTION
ROLLING ROAD COUNTRY CLUB AND GOLF COURSE
FIRST ELEC. ON DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at the corner formed by the intersection of the southeast side of Valley Road with the northeast side of Rolling Road, thence leaving said point of beginning and running and binding on said southeast side of Valley Road (1) N 54°00'00" E 2001.00 feet to the southwest side of Hilltop Road, thence running and binding thereon, (2) S 39°30'00" E 168.00 feet and (3) S 49°00'00" E 1,507.00 feet to the northwest side of Wilkens Avenue, thence binding on the northwest side of Wilkens Avenue, (4) S 44°00'00" W 721.00 feet, and (5) S 29°30'00" W 508.00 feet, thence running in the bed of said Wilkens Avenue, (6) S 59°12'00" E 25.00 feet to the center of Wilkens Avenue; thence running and binding thereon, (7) S 30°11'00" W 487.00 feet, thence leaving the center of Wilkens Avenue, (8) N 76°42'00" W 226.97 feet, thence leaving the center of Wilkens Avenue, (9) S 25°27'10" W 178.86 feet, (10) N 06°34'00" E 90.80 feet, (11) N 89°01'30" W 304.02 feet, and (12) S 66°08'00" W 389.44 feet to the center of Rolling Road, thence running in the center of said Rolling Road, (13) N 23°52'00" W 238.42 feet, and (14) N 11°46'00" W 277.67 feet, thence leaving the center of Rolling Road, (15) N 55°50'00" E 27.17 feet, to the northeast side of Rolling Road, thence binding on the northeast side of Rolling Road (16) N 34°30'00" W 376.00 feet, and (17) N 42°00'00" W 870.00 feet to the point of beginning.

Containing 95.94 acres of land, more or less.



Engineers - Surveyors - Site Planners
8/22/89

CERTIFICATE OF PUBLIC NOTIFICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on November 22, 1989.

CATONSVILLE TIMES
S. Zake O'Brien
Publisher

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 28, 1989
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on November 23, 1989.

THE JEFFERSONIAN
S. Zake O'Brien
Publisher

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st
Posted for: Special Hearing
Petitioner: Beltway Realty Corporation
Location of property: Cor. of N.E./S. Rolling Road, NW/S of Wilkens Avenue
Location of Signs: S.E. Corner of Rolling Road and Valley Road
Remarks: S.J. Haines
Posted by: S.J. Haines
Number of Signs: 1
Date of Posting: November 19, 1989
Date of return: November 24, 1989

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 837-3333
J. Robert Haines
Zoning Commissioner

November 15, 1989

NOTICE OF HEARING

Dennis P. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue, Towson, Maryland as follows:

Petition for Special Hearing
CASE NUMBER: 90-232-SPH
Corner of NE/S Rolling Road, NW/S of Wilkens Avenue
"Rolling Road Country Club"
1st Election District - 1st Councilman
Petitioner(s): Baltway Realty Corporation
HEARING: THURSDAY, DECEMBER 14, 1989 at 9:30 a.m.

Special Hearings To amend the Special Exception and site plan of Case #73115-X.

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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

NOTE:
(If "Phase III" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 897-3391 to confirm hearing date.)

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

301-837-3333
Baltway Realty Corporation
Richard D. Payne, Esq.
File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 837-3333
J. Robert Haines
Zoning Commissioner

DATE DEC 12 1989

Baltway Realty Corporation
814 Hilltop Road
Baltimore, Maryland 21228

Re: Petition for Special Hearing
CASE NUMBER: 90-232-SPH
Corner of NE/S Rolling Road, NW/S of Wilkens Avenue
"Rolling Road Country Club"
1st Election District - 1st Councilman
Petitioner(s): Baltway Realty Corporation
HEARING: THURSDAY, DECEMBER 14, 1989 at 9:30 a.m.

Continued

Please be advised that \$11.09 is due for advertising and posting of the above captioned property.

AMT. FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) OF THE HEARING OR THE ORDER SHALL NOT ISSUE. MOST SET(S) FROM THE PROPERTY

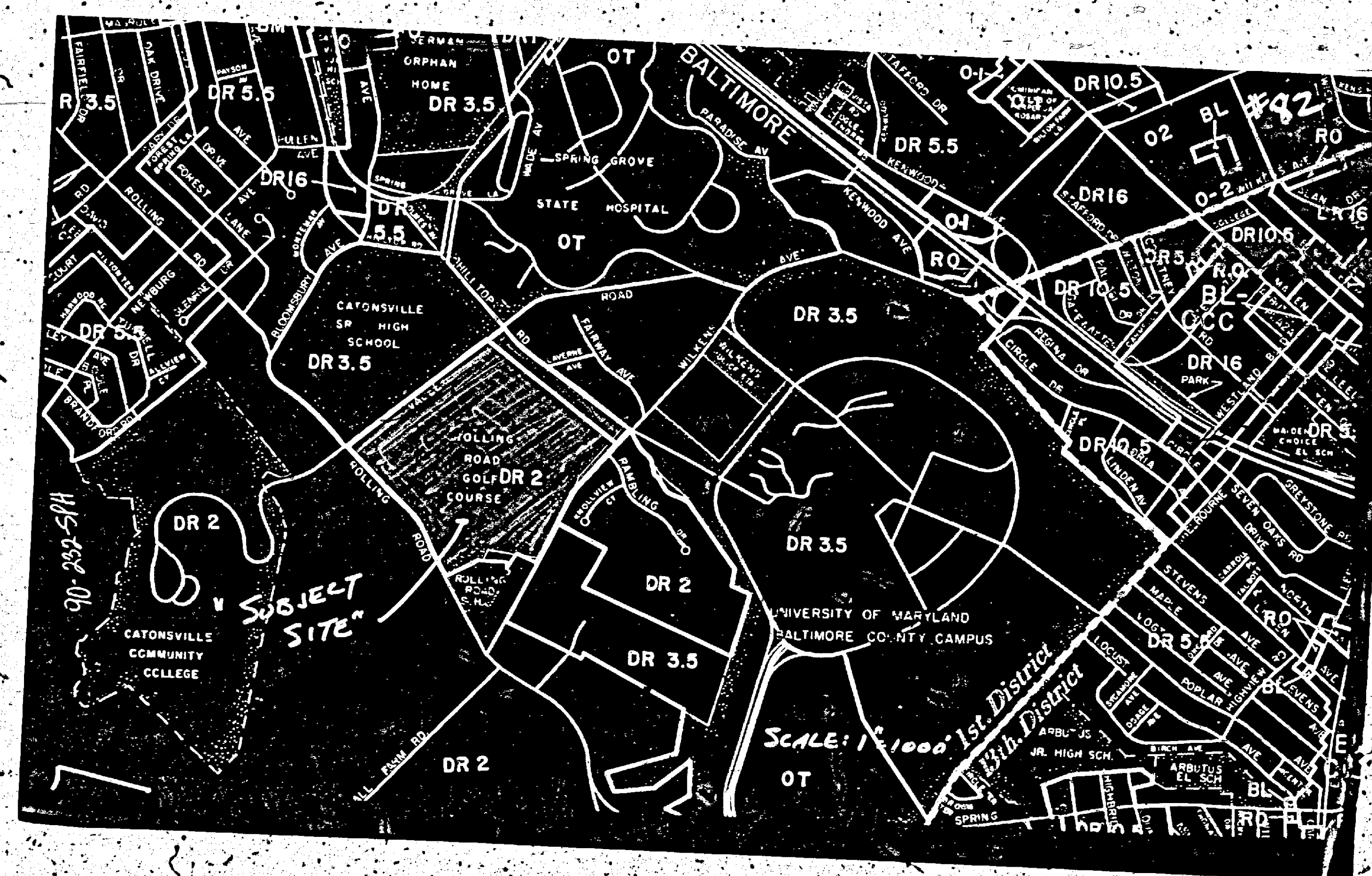
Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Receipt
No. 673
90-232

Date 12/14/89
Account: R001 6150
Number

DESCRIPTION	QTY	PRICE
PUBLIC HEARING FEES		
060 - POSTING SIGNS / ADVERTISING 1 X		\$98.91
LAST NAME OF OWNER: BELTWAY REALTY CO.		TOTAL: \$98.91

Customer Validation: B 028*****969112 2148F
Please make checks payable to: Baltimore County



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 6, 1989

Richard D. Payne, Esquire
22 N. Pennsylvania Avenue, Suite 504
Towson, MD 21204

RE: Item No. 82, Case No. 90-232-SPH
Petitioner: Beltway Realty Corp.
Petition for Special Hearing

Dear Mr. Payne:

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. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Beltway Realty Corp.
814 Hilltop Road
Baltimore, MD 21228

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3363

J. Robert Haines
Zoning Commissioner



Your petition has been received and accepted for filing this
6th day of September, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman
Zoning Plans Advisory Committee

Petitioner: Beltway Realty Corp.

Petitioner's Attorney: Richard D. Payne

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: December 4, 1989
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Beltway Realty Corp., Item 82
Zoning Petition No. 90-232

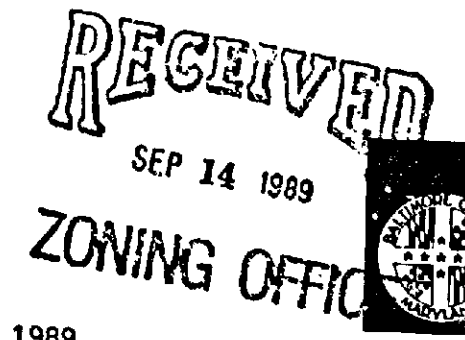
The Petitioner requests a special hearing to amend Case No. 73-115X.

In reference to this request, staff offers no comment.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building, Suite 405
Towson, Maryland 21204
(301) 887-3554



September 12, 1989

Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 73, 74, 75, 76, 77, 78, 79, 80, 81, and 82.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan

MSF/efm

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

8/31/89
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 82, Zoning Advisory Committee Meeting of September 5, 1989
Property Owner: Beltway Realty Corp.

Location: Corner of Rolling Rd. and N. of Williams Ave. District: 1
Water Supply: M&T Sewage Disposal: M&T

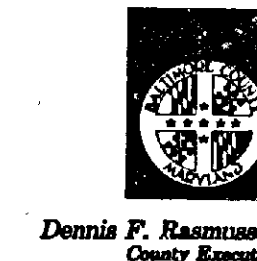
COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charcoal burner generation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 887-4500 x 315.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () Soil percolation tests, have been conducted, must be conducted.
() The results are valid until
() Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test:
() shall be valid until
() is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3-80.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- () Others

John E. Smith
BUREAU OF WATER QUALITY AND SEWERAGE

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2536
(301) 887-4500
Paul H. Reinick
Chief

SEPTEMBER 7, 1989



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: BELTWAY REALTY CORP.
Location: CORNER OF NE/S OF ROLLING ROAD
Item No.: 82 Zoning Agenda: SEPTEMBER 5, 1989
Gentlemen:

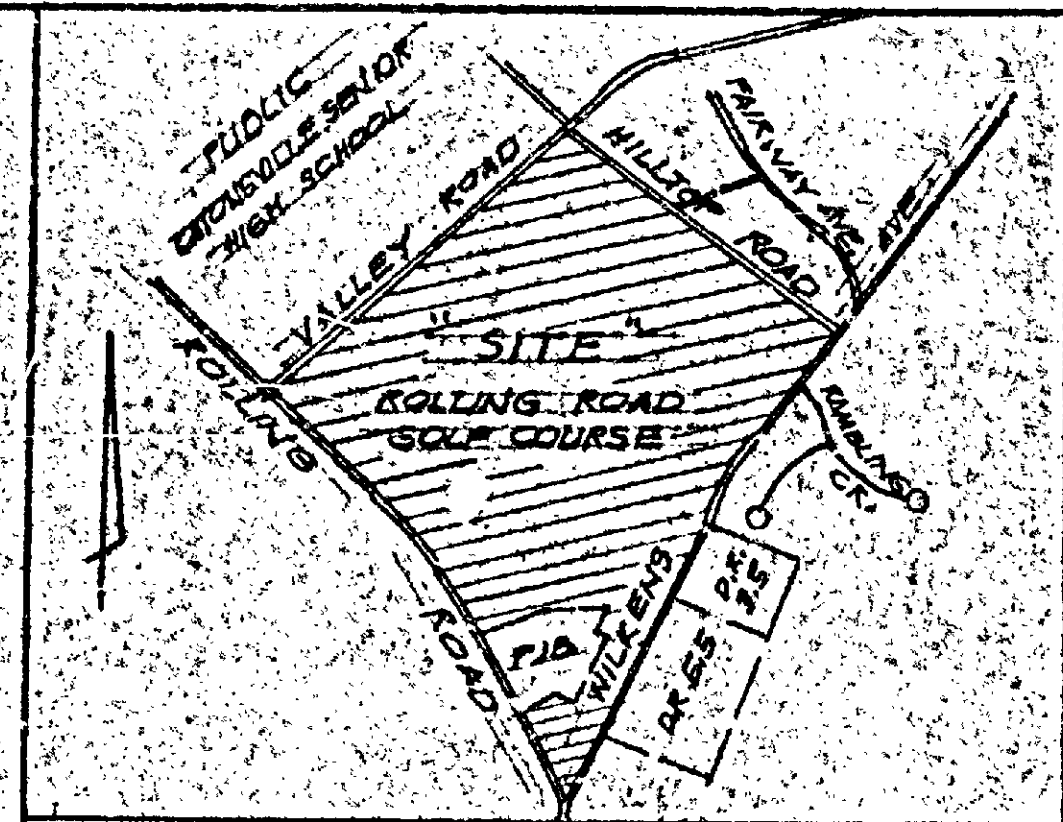
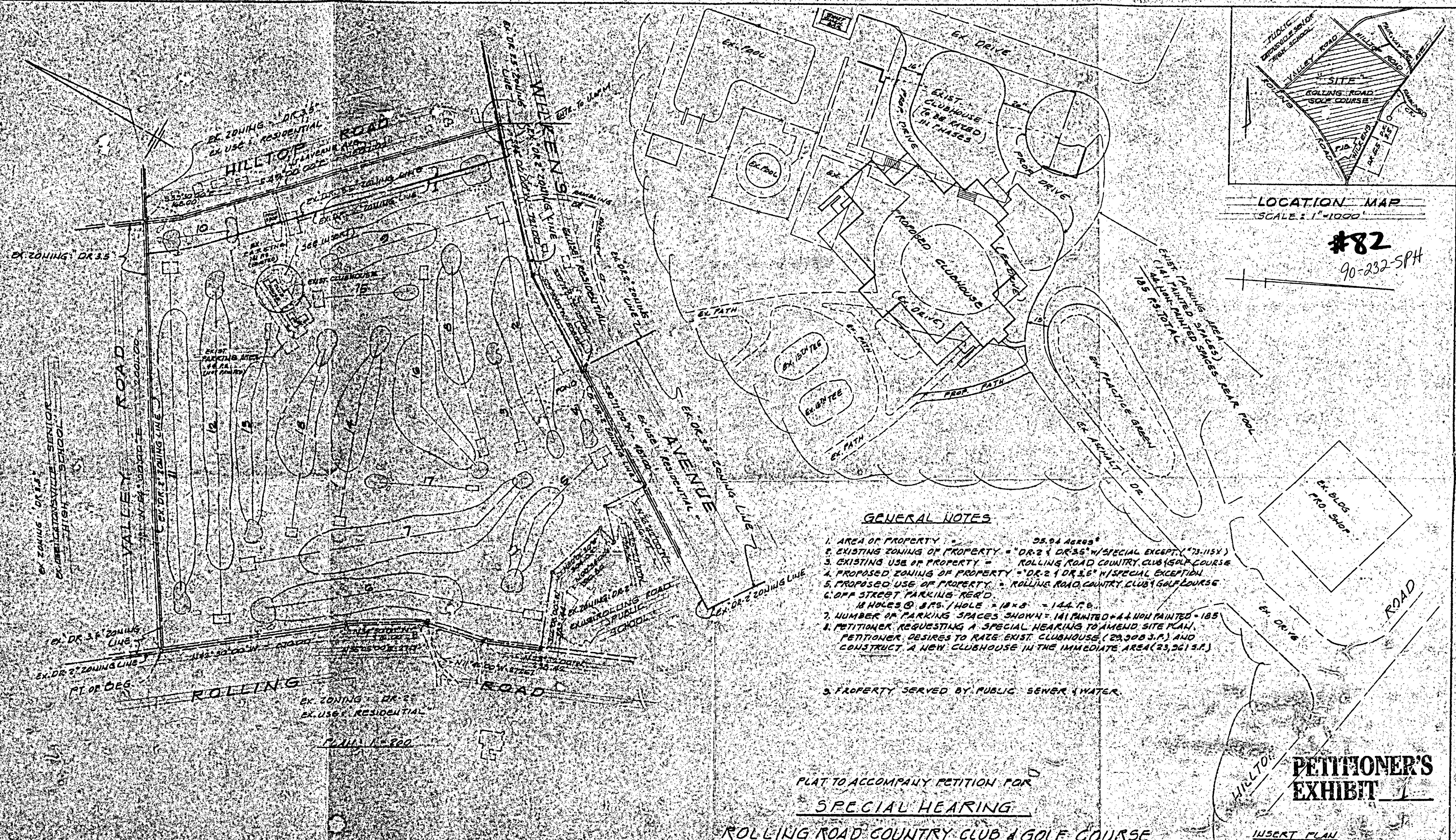
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

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", 1988 edition prior to occupancy.

REVIEWER: *John E. Smith* Noted and Approved: *Paul H. Reinick*
Planning/Group Fire Prevention Bureau
Special Inspection Division

JK/KEK



LOCATION MAP
SCALE: 1"=1000'

#82
90-232-SPH

GENERAL NOTES

1. AREA OF PROPERTY = 25.94 ACRES
2. EXISTING ZONING OF PROPERTY = "DR-2 & DR-35" W/ SPECIAL EXCEPT. ("73-115X")
3. EXISTING USE OF PROPERTY = ROLLING ROAD COUNTRY CLUB (GOLF COURSE)
4. PROPOSED ZONING OF PROPERTY = "DR-2 & DR-35" W/ SPECIAL EXCEPT.
5. PROPOSED USE OF PROPERTY = ROLLING ROAD COUNTRY CLUB (GOLF COURSE)
6. OFF STREET PARKING REQ'D.
18 HOLES @ 375' / HOLE = 18 x 375' = 144,750'
7. NUMBER OF PARKING SPACES SHOWN = 141 PAINTED + 44 NON PAINTED = 185
8. PETITIONER REQUESTING A SPECIAL HEARING TO AMEND SITE PLAN.
PETITIONER DESIRES TO RAZE EXIST. CLUBHOUSE (23,900 S.F.) AND
CONSTRUCT A NEW CLUBHOUSE IN THE IMMEDIATE AREA (23,961 S.F.)

9. PROPERTY SERVED BY PUBLIC SEWER & WATER.

**PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING**

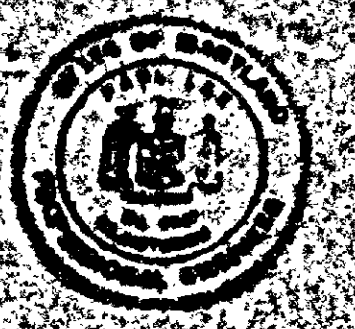
ROLLING ROAD COUNTRY CLUB & GOLF COURSE

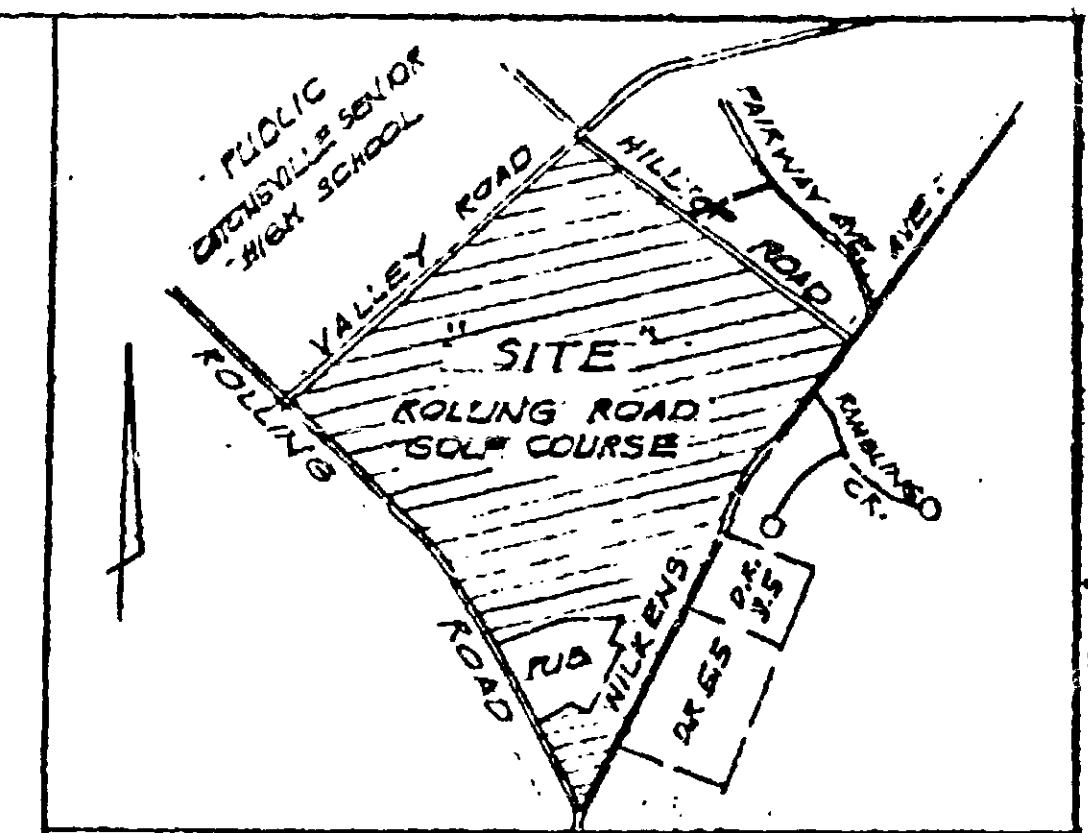
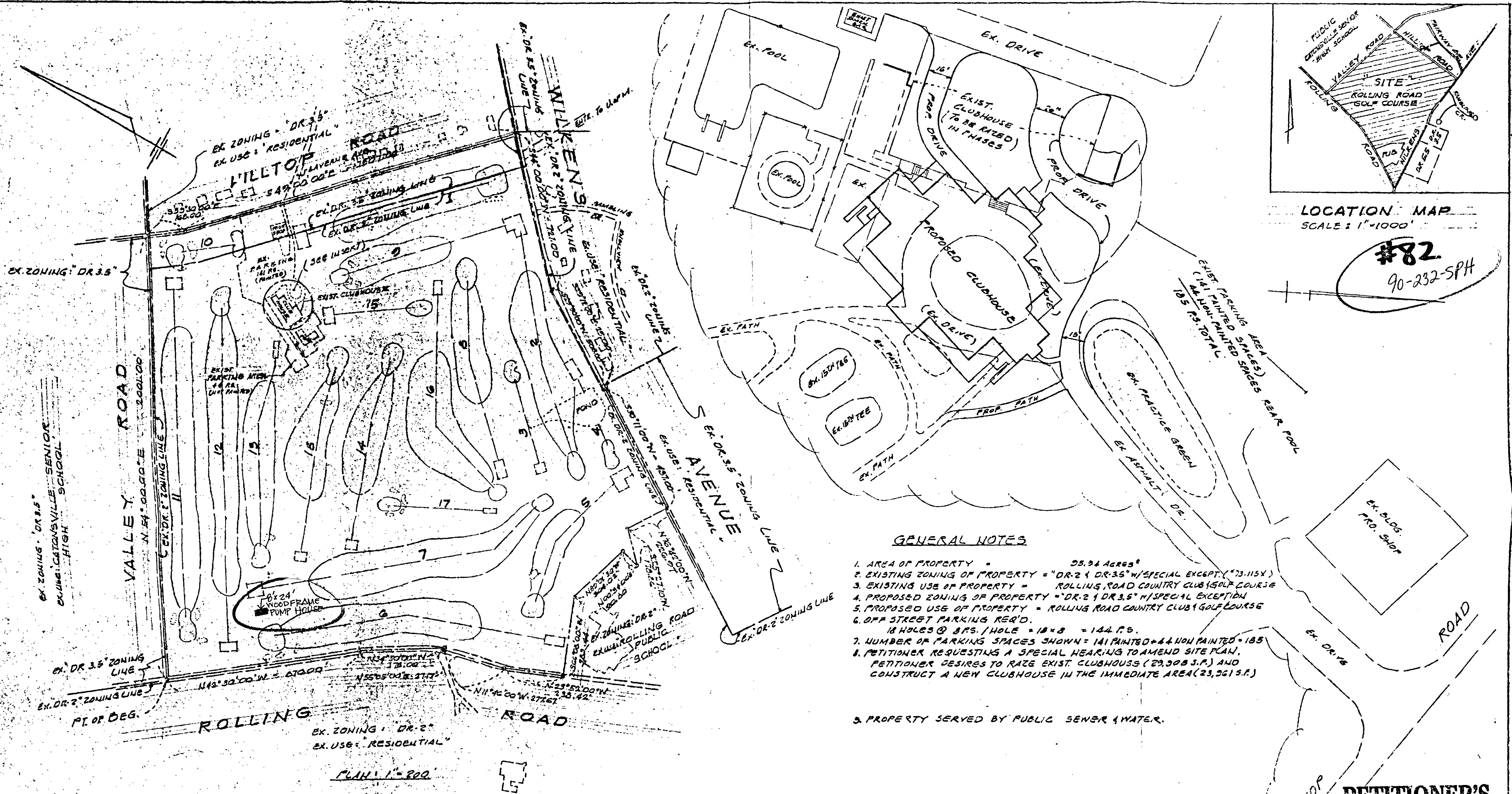
C.S. WILKENS AVE., W.S. VALLEY RD., U.S. ROLLING RD. & S.S. HILLTOP RD.
1ST ELECT. DIST.
BALTIMORE COUNTY, MD.
SCALE: AS SHOWN
AUG. 22, 1989

**PETITIONER'S
EXHIBIT 1**

INSERT PLAN
SCALE: 1"=30'

PAUL LEE ENGINEERING, INC.
504 N. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204





LOCATION MAP
SCALE: 1"=1000'

#82
90-232-SPH

GENERAL NOTES

1. AREA OF PROPERTY = 25.24 ACRES
2. EXISTING ZONING OF PROPERTY = "DR-2 & DR-3.5" W/ SPECIAL EXCEPT. ("73-115X")
3. EXISTING USE OF PROPERTY = ROLLING ROAD COUNTRY CLUB GOLF COURSE
4. PROPOSED ZONING OF PROPERTY = "DR-2 & DR-3.5" W/ SPECIAL EXCEPTION
5. PROPOSED USE OF PROPERTY = ROLLING ROAD COUNTRY CLUB GOLF COURSE
6. OFF STREET PARKING REQ'D.
18 HOLES @ 8 P.S. / HOLE = 144 P.S.
7. NUMBER OF PARKING SPACES SHOWN = 141 PAINTED + 44 NON PAINTED = 185
8. PETITIONER REQUESTING A SPECIAL HEARING TO AMEND SITE PLAN.
PETITIONER DESIRES TO RAZE EXIST. CLUBHOUSE (29,308 S.F.) AND
CONSTRUCT A NEW CLUBHOUSE IN THE IMMEDIATE AREA (23,261 S.F.)

3. PROPERTY SERVED BY PUBLIC SEWER & WATER.

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING

ROLLING ROAD COUNTRY CLUB GOLF COURSE

C.S. WILKENS AVE., N.S. VALLEY RD., N.S. ROLLING RD., S.S. HILLTOP RD.

1ST ELECT. DIST.

SCALE: AS SHOWN

BALTIMORE COUNTY, MD

AUG. 22, 1989

PETITIONER'S EXHIBIT 1

INSERT PLAN
SCALE: 1"=30'

MOL LEE ENGINEERING, INC.
504 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND - 21204



SEE B-337-
app'd 4-22-98
CAN/wcr