IN THE MATTER OF

THE APPLICATION OF

SAVINO AND ROSE BOLLINO FOR ZONING

RECLASSIFICATION FROM B.R. & M.L.-C.S.I

& M.L.-I.M. TO B.R.-I.M. & B.R.-C.S.I ON

PROPERTY LOCATED ON THE SE/S PULASKI
HIGHWAY, 300' SW OF C/L ROSSVILLE BLVD*

(8731 PULASKI HIGHWAY)

15TH ELECTION DISTRICTS

*
6TH COUNCILMANIC DISTRICT

BEFORE THE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

Case No. R-94-340 Cycle III, 1994

ORDER OF DISMISSAL OF PETITION

This case comes to the Board on a Petition for Reclassification filed by Robert A. Hoffman, Esquire, on behalf of Savino Bollino and Rose Bollino, Petitioners, for zoning reclassification from B.R. & M.L.-C.S.1 & M.L.-I.M. to B.R.-I.M. & B.R.-C.S.1 on property located on the southeast side Pulaski Highway, 300' southwest of centerline Rossville Boulevard (8731 Pulaski Highway) in the Fifteenth Election District of Baltimore County.

WHEREAS, Petitions for Reclassification pending on the Board's Continued Docket on the date of adoption of the Comprehensive Zoning Maps are considered to be moot; and

WHEREAS, no further action has been taken in this matter since a continuance was granted on November 30, 1994;

IT IS, THEREFORE, this <u>35 m</u> day of <u>Julius y</u>, 2002, by the County Board of Appeals of Baltimore County

ORDERED that said Petition filed in Case No. R-94-340 be and the same is declared moot, and the Petition **DISMISSED**.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Charles L. Marks, Chairman

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION No. MISCELLANEOUS CASH RECEIPT _ACCOUNT_ AMOUNT_\$ RECEIVED FROM: VALIDATION OR SIGNATURE OF CASHIER DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PETITIONS FOR RECLASSIFICATION CYCLE III, 1994

Assigned Hearing Dates County Board of Appeals Page 1 of 2

Week of September 12, 1994

Item #1, Case No. R-94-329

Masters-Severe, Inc. /Legal Owner
Village Sound Company, Inc. /Contract Purchaser
Tuesday, September 13, 1994 @ 10:00 a.m.

Week of September 19, 1994

Week of September 26, 1994

Item #3, Case No. R-94-331

Morningside Six Limited Partnership
Wednesday, September 28, 1994 @ 10:00 a.m.

Week of October 3, 1994

Item #4, Case No. R-94-332

Baltimore Gas & Electric Company, Inc. AND
Baltimore County, Maryland AND CSX Transportation,
Inc. /Legal Owners
Nace, Inc. /Contract Purchaser
Tuesday, October 4, 1994 @ 10:00 a.m.

Item #5, Case No. R-94-333

Hico Park M Limited Partnership
Thursday, October 6, 1994 @ 10:00 a.m.

Week of October 10, 1994

Item #6, Case No. R-94-334

Baltimore Gas & Electric Company, Inc.
Wednesday, October 12, 1994 @ 10:00 a.m.

Cycle III, 1994
Assigned Hearing Dates
County Board of Appeals
Page 2 of 2

Week of October 17, 1994

Week of October 24, 1994

Item #8, Case No. R-94-336
Stebbins-Andersen Company, Inc.
Tuesday, October 25, 1994 @ 10:00 a.m.

Item #9, Case No. R-94-337
Genstar Stone Product Company
Thursday, October 27, 1994 @ 10:00 a.m.

Week of October 31, 1994

Item #10, Case No. R-94-338

Janet Terry
Wednesday, November 2, 1994 @ 10:00 a.m.

Week of November 14, 1994

Item #11, Case No. R-94-339
The Giles Building & Development Company
Tuesday, November 15, 1994 @ 10:00 a.m.

Week of November 28, 1994

Item #12, Case No. R-94-340
Savino Bollino and Rose Bollino
Wednesday, November 30, 1994 @ 10:00 a.m.

Week of December 5, 1994

Item #13, Case No. R-94-341
Gerald D. Sherman & Roger A. Spero
Tuesday, December 6, 1994 @ 10:00 a.m.

BALTIMORE COUNTY, MARYLAND

Recommendations of the Office of Planning and Zoning July 31, 1994

Item No. and Petitioner	Location	Acreage	Existing Zoning	Requested Zoning	OPZ/PB Recommendation
Item No. 1 Masters-Severe, Inc.	Southwest side of Reisterstown Road, 400' southeast of Sunset Road (#11418 Reisterstown Road)	. 4	R.O.	B.L.	R.O.
Item No. 2 C & E Realty Company	Northeast side of Reisterstown Road	14.54	D.R. 16	В.М.	D.R. 16
Item No. 3 Morningside Six Limited Partnership	Northwest side of Pleasant Ridge Drive, 360' northeast of Reisterstown Road	6.4	D.R. 16	B.L.	D.R. 16
Item No. 4 Baltimore Gas & Electric Company, Inc. and Baltimore County, MD & CSX Transportation, Inc.	West side of Owings Mills Boulevard, north and south of Bonita Avenue	26.83	D.R. 1	M.LI.M.	D.R. 1
Item No. 5 Hico Park M Limited Partnership	West side York Road, 97' south of the centerline of Ridgebrook Road	113.0	M.L. M.L.R.	D.R. 5.5	M.L. M.L.R.
Item No. 6 Baltimore Gas & Electric Company, Inc.	Southwest corner of York and Warren Roads	1.76	M.LA.S. M.LI.M. B.RA.S.	B.RA.S. B.RI.M.	M.LA.S. M.LI.M. B.RA.S.

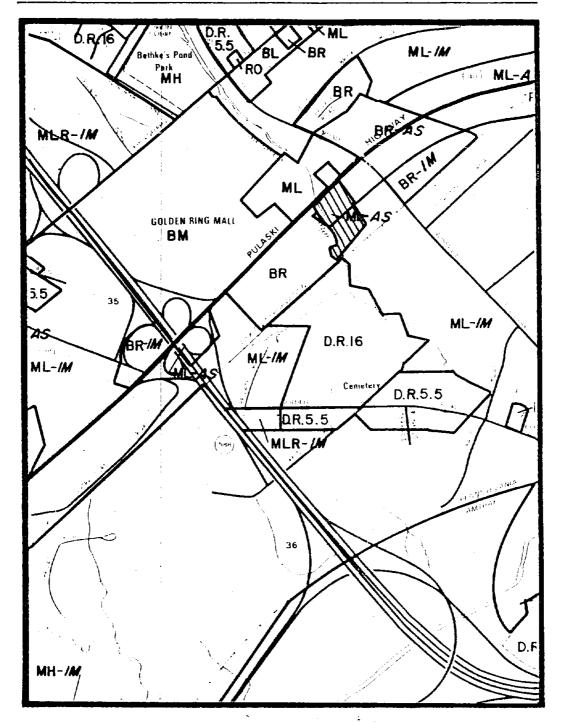
Item No. and Petitioner	Location	Acreage	Existing Zoning	Requested Zoning	OPZ/PB Recommendation
Item No. 7 Genstar Stone Products Company	South side of Galloway Avenue, 670' west of York Road, north side of Padonia Road, and eas and west of proposed Beaver Dam Road	38.3 t	M.LI.M.	B.MI.M.	M.LI.M.
Item No. 8 Stebbins-Anderson Company, Inc.	Southwest corner of Timonium and Aylesbury Roads (21 West Timonium Roa	14.6 d)	M.LI.M.	B.RI.M.	M.LI.M.
Item No. 9 Genstar Stone Products Company	Northwest corner of Pulaski Highway and White Marsh Boulevard, and southeast side of Philadelphia Road	205.8	M.LI.M. M.HI.M.	B.RI.M.	M.LI.M. M.HI.M.
Item No. 10 Janet Terry	Southeast side of Pulaski Highway, 1915' southwest of the centerline of Mohrs Lane	11.85	M.LI.M. M.LA.S.	B.RI.M.	M.LI.M. M.LA.S.
Item No. 11 The Giles Building and Development Company	North side of Race Road, 95' west of the centerline of Yellow Brick Road	. 94	M.LI.M.	B.L.	M.LI.M.
Item No. 12 Savino Bollino & Rose Bollino	Southeast side of Pulaski Highway, 300' southwest of the centerline of Rossville Bouleva	4.3 rd	B.R. M.LA.S. M.LI.M.	B.RI.M. B.RA.S.	B.R. M.LA.S. M.LI.M.
Item No. 13 Gerald D. Sherman & Roger A. Spero	Northeast and southwest side of Gladway Road, 1150' north of Bengies Road and 2390' southeast of Bird River Road	51.6	D.R1 M.LI.M. M.HI.M.	D.R. 3.5	D.R. 1 M.LI.M. M.HI.M.

LOCATIONS OF PROPERTIES UNDER PETITION YORK COUNTY, PA. EXISTING ZONING CLASSIFICATIONS RESOURCE CONSERVATION - AGRICULTURE RESOURCE CONSERVATION - DEFERRAL OF PLANNING AND DEVELOPMENT RESOURCE CONSERVATION - WATERSHED PROTECTION RESOURCE CONSERVATION - RURAL RESIDENTIAL RC4 RC5 RESOURCE CONSERVATION - CRITICAL AREA RCSO RCC RESOURCE CONSERVATION - CRITICAL AREA AGRICULTURAL RESOURCE CONSERVATION - COMMERCIAL DENSITY RESIDENTIAL, (I DWELLING UNIT PER ACRE) DENSITY RESIDENTIAL, (2 OWELLING UNITS PER ACRE) DENSITY RESIDENTIAL, (3.5 OWELLING UNITS PER ACRE) 0.0.1 082 D.R.S.5. DENSITY RESIDENTIAL, IS.5 DWELLING UNITS PER ACRE, D.R. 10.5 DENSITY RESIDENTIAL, (10.5 DWELLING UNITS PER ACRE) COUNTY D.R. 16 DENSITY RESIDENTIAL, (16 DENSITY UNITS PER ACRE) R.A.E. I. RESIDENTIAL, (40 DENSITY UNITS PER ACRE) RAEZ RESIDENTIAL, 180 DENSITY UNITS PER ACRES RESIDENTIAL - OFFICE, (5.5 OWELLING UNITS PER ACRE) RESIDENTIAL - OFFICE, CLASS "A" OFFICE BUILDING R-O-A CARROLL OFFICE BUILDING 0-Z **OFFICE PARK** OFFICE AND TECHNOLOGY QT. SERVICE EMPLOYHENT **NORTHERN SECTOR** BUSINESS MARITIME MARINA B.M.M. BUSINESS MARITIME BOATYARD B.M.B. BUSINESS, LOCAL BUSINESS, MAJOR BUSINESS, ROADSIDE B.M. B.A. MANUFACTURING, RESTRICTED MANUFACTURING, LIGHT, RESTRICTED MANUFACTURING, LIGHT MН MANUFACTURING, HEAVY "HARORO County 9 CENTRAL SECTOR **WESTERN SECTOR** SECURITY BLYO BALTIMORE CITY EASTERN SECTOR *04:490 ANNE ARUNDEL COUNTY

SOURCE MATERIAL

Recommendations for the thirteen (13) petitions filed are based on the following:

- 1. Information compiled during the processing of the Comprehensive Zoning Maps adopted by the County Council on October 15, 1992.
- 2. Capital Budget and 5-Year Capital Program.
- 3. Zoning Plans Advisory Committee comments.
- 4. Discussions with other governmental agencies.
- 5. Field inspections of subject sites.
- 6. Baltimore County Master Plan



ITEM NUMBER 12 Location of Property Under Petition

Scale: 1"= 1000'

CASE NO. R-94-340

PETITIONER:

Savino Bollino & Rose Bollino

REQUESTED ACTION:

Reclassification to B.R.-I.M. (Business Roadside-Industrial Major) and B.R.-A.S. (Business Roadside-Automotive Service)

EXISTING ZONING:

B.R. (Business Roadside), M.L.-A.S. (Manufacturing Light-Automotive Service) and M.L.-I.M. (Manufacturing Light-Industrial Major)

LOCATION:

Southeast side of Pulaski Highway, 300 feet southwest of the centerline of Rossville Boulevard (8731 Pulaski Highway)

AREA OF SITE:

4.283 acres ±

ZONING OF ADJACENT PROPERTY/USE:

North: B.R.-A.S. & M.L. - vacant, commercial service

South: B.R., D.R. 16, M.L.-I.M. - commercial, residential,

industrial

East: M.L.-I.M. - industrial

West: M.L. - vacant, commercial

SITE DESCRIPTION:

The subject site is improved with a motel and a vacant restaurant/bar, and is contiguous to the Stemmers Run.

PROPERTIES IN THE VICINITY:

The site is bordered by the Christlen Motel to the northeast, an industrial park and the CSX railroad tracks to the southeast and Golden Ring Mall, which is located generally west of the property. Stemmers Run, located immediately south of the site, separates the applicant's property from a larger area of commercial properties, which includes a Hechinger's store and a MacDonald's restaurant.

WATER AND SEWERAGE:

The area is served by public water and sewer, and is designated as W-1, S-1 (existing service area) according to the <u>Master</u> Water and Sewer Plan.

TRAFFIC AND ROADS:

The site has direct access to Pulaski Highway, which is designated as a major arterial. The signalized intersection of Rossville Boulevard and Pulaski Highway is located approximately 300 feet northeast of the subject site.

ZONING HISTORY:

The existing zoning has been in place since 1976.

MASTER PLAN/COMMUNITY PLANS:

The Baltimore County Master Plan designates the site as part of the White Marsh Urban Center, as does the Growth Management Plan. More specifically, the Growth Management Plan designates the proposed land use for this site as both mixed use commercial and industrial. Finally, the site falls within a PUD-C opportunity area on the proposed PUD-C map. The Master Plan addresses the issue of commercial corridor improvements in the eastern sector, and the need for "creative solutions to [these] design, land use and traffic situations" on these corridors. Additionally, it states that the County should "facilitate the redevelopment and general upgrading of quality along Pulaski Highway."

PROPOSED VS. EXISTING ZONING:

Regulation governing the B.R. zone may be found in Section 236.1 of the Baltimore County Zoning Regulations. The B.R. zone allows a wide range of uses in addition to those uses permitted in the B.M. zone. Density is regulated by a floor area ratio of 2.0, however, density is realistically limited by parking requirements and economic constraints. Building height is limited by height tent regulations, and setbacks include front yards not less than 25 feet from the centerline of any street (see Section 303.2 for front yard average). Side and rear yard setbacks for buildings are 30 feet, and all parking must be set back eight (8) feet from residential zones.

Regulations for the M.L. zone are found in Section 253 of the Baltimore County Zoning Regulations. The M.L. zone permits a number of light manufacturing uses by right. The zone also allows auxiliary retail or service uses or semi-industrial uses, provided the use is located in a planned district, however, such uses are not permitted in cases where direct access to an arterial street exists. The M.L. zone also permits several uses

by Special Exception. The I.M. and A.S. district regulations are found in Sections 259.2H and 405 respectively.

OFFICE OF PLANNING AND ZONING SUMMARY AND RECOMMENDATIONS:

Based upon the information provided and analysis conducted, staff recommends the applicant's request be denied for the following reasons:

-Support for any zoning change would be dependent upon the quality of site specific details. In the absence of a documented site plan, by which the quality of development could be controlled, staff can only recommend that the applicant's request be denied.

-The applicant's site has been delineated as an area which may be suitable for development under the Commercial Planned Unit Development (PUD-C legislation). The Commercial Planned Unit Development law, which was approved by the County Council on May 2, 1994, will provide for redevelopment opportunities by providing additional development flexibility in order to increase employment and revenue opportunities and improve site design while recognizing the need to protect adjacent residential communities. Therefore, in the instant case, the site could be redeveloped without necessitating a zoning change.

JL:1w

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

JULY 26, 1994

Savino and Rose Bollino c/o Robert A. Hoffman, Esq. 210 Allgeheny Avenue Towson, Maryland 21204

Re: Case Number: R-94-340

8731 Pulaski Highway

SE/S Pulaski Highway, 300' SW of c/l Rossville Boulevard

15th Election District - 6th Councilmanic

Dear Mr. Hoffman:

Attached you will find a copy of the memorandum originally forwarded to you on May 24, 1994. As noted thereon, payment 2 (your client's share of the \$\infty\$ \$4,313.40 cost of the full page ads) is now due.

Please immediately forward the following to this office:

A check made payable to Patuxent Publishing in the amount of \$331.80.

Non-payment of fees will hold your case in abeyance. If you have any questions regarding this letter, you may contact Ms. Gwen Stephens at 887-3391.

Very truly yours,

ARNOLD JABLON DIRECTOR

AJ:ggs

Per Gwen Stephens - ZADM

ALL ADVERTISING PAID FOR

CYCLE III RECLASS PETITIONS

INTER-AGENCY COMMENTS

Baltimore County Public Schools

Dr. Stuart Berger, Superintendent

Towson, Maryland

Office of Pupil Assignments
Educational Support Services Building
6901 N. Charles Street
Towson, Maryland 21204

June 1, 1994

Mr. Jeffrey Long Community Planner Office of Planning & Zoning Mail Stop 1108

RE: Zoning Reclassification Cycle III

April, 1994 - October, 1994

Dear Jeff:

Thank you for taking time out of your busy schedule to meet with me to discuss the Cyclical Zoning Reclassification Process. The vast majority of these petitions are non-residential and, therefore, will have no impact on Baltimore County Public Schools.

Those petitions involving increases in residential zoning and the subsequent affect on our school system are summarized below:

Item 5 - Case No. R-94-333

Existing Zoning - M.L. & M.L.R. (8th Election District)

Proposed Zoning - D.R.-5.5

Zoning would allow 621.5 mixed housing units. Since I do not have the housing type breakdown, I developed a student yield based on 310 single family units and 311 townhouse units.

This property is located in the Sparks Elementary, Hereford Middle and Hereford High School Districts.

310 S.F. x .319 = 99 311 T.H. x .192 = $\frac{60}{159}$ Elementary Students

Page 2

310 S.F.
$$\times$$
 .155 = 48
311 T.H. \times .055 = 17

65 Middle Students

310 S.F. \times .146 = 45 311 T.H. \times .090 = 28 73 High Students

A total yield of 297 students

Item 13 - Case No. R-94-341

Existing Zoning - D.R.-1 & M.L.-I.M. & M.H.-I.M. (15th Election district)

Proposed Zoning - D.R.-3.5

Zoning would allow 180.8 single family homes.

181 S.F. x .236 = 43 Elementary Students

181 S.F. \times .071 = 13 Middle Students

181 S.F. \times .107 = 19 High Students 75 Total Yield

If you have any questions, please do not hesitate to contact me at 887-4215.

Sincerely,

Barbara Pickelsimer, Field Representative

Office of Pupil Assignments

keloiner

bp

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 9, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, Chief

Developers Engineering Section

RE: Zoning Advisory Committee Meeting for Zoning Reclassification Cycle III April 1994 - October 1994

The Developers Engineering Section has reviewed the subject zoning items and we have no comments for Items 7, 8, 9, 10, and 14.

Item 1 - This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Rd., Md. Rte. 140.

Item 2 - This site, if rezoned, is subject the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development, and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Road, Md. Rte. 140. Also, update existing road and right-of-way width of Pleasant Ridge Dr.

Item 3 - This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development.

Item 4 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for industrial development.

Item 5 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for residential development.

Item 6 - This site is subject to Maryland State Highway Administration Standards for all improvements fronting on York Road, Md. Rte. 45, along with Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development. Access to Warren Road may be a limited access.

Zoning Reclassification Cycle III April 1994 - October 1994 Page 2

Item 11 - A portion of this site lies within the limit of the 100-year flood plain and per Bill No. 18-90, Section 26-276 filling within a flood plain is prohibited. Also, see Baltimore County Department of Public Works Standard Storm Drainage Design Plate D-19 for building setback from flood plain.

Item 12 - A portion of this site lies within the limit of the 100-year flood plain and per Bill No. 18-90, Section 26-276 filling within a flood plain is prohibited. Also, see Baltimore County Department of Public Works Standard Storm Drainage Design Plate D-19 for building setback from flood plain.

Item 13 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for residential development.

Item 15 - This site is located adjacent to tidewater. The property owner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor, including basements, of a residential and/or commercial development.

RWB: 6W

Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21204-5500

(301) 887-4500

DATE: 04/27/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner:

LOCATION:

Item No.:

Zoning Agenda:

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.

8. The Fire Prevention Bureau has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: R-94-329 THRU R-94-343.



ZADM

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, M3-1102F

cc: File

COUNTY, MARYLAND BALTIMORE

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

May 18, 1994

TO:

Mr. Arnold Jablon, Director Zoning Administration and Development Management

FROM:

J. Lawrence Pilson H. Development Coordinator, DEPRM

SUBJECT:

Zoning Item #R-94-340 - Bollino Property

8731 Pulaski Highway

Zoning Advisory Committee Meeting of April 25, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

JLP:KK:sp

BOLLINO/DEPRM/TXTSBP

MEMORANDUM

TO: RECLASSIFICATION PETITIONERS, ATTORNEY, AND/OR REPRESENTATIVES

FROM: ZONING ADMINISTARTION AND DEVELOPMENT MANAGEMENT 111 W. Chesapeake Avenue, Towson, Maryland 21204

RE:: PAYMENT OF POSTING AND ADVERTISING FEES - RECLASSIFICATIONS

As you are aware, all government entities should endeavor to cut dollor out-put, misuse of labor and the proliferation of paperwork.

In the past, mandated newspaper advertising of Zoning actions was billed to Baltimore County. The processing of these ads and their subsequent bills touched several county agencies. Although, we will continue to place ads for the petitioner, in the majority of cases, Baltimore County will no longer act as a middle-man with regard to the newspaper billing.

An individual ad for your petition will run approximately one month before the scheduled hearing date. Billing for the indvidual ad, due upon receipt, will come from and should be remitted directly to the newspaper.

Cycle Reclassification Petitions are required to be heavily advertised and are now the only instance when we must again act as middle-man. The initial full-page ads, containing the particulars of all the petitions in this Cycle, will run in the July 7, 1994 and July 14, 1994 issues of the Jeffersonian.

Patuxent Publishing will bill the County an estimated \$4,600.00 for these full-page ads. This cost is charged back to the petitioners, equally divided among them. When you receive this bill from us, we ask that you immediately mail your check back to us. However, the check's payee should read Patuxent Publishing Company. In this manner, you help lower the County's cost by reducing or eliminating the purchasing, budget, and/or finance departments' involvement. Costs are also lowered as no funds will come out of the County budget to pay the advertising costs.

Briefly, your payments will be as follows:

- 1) Posting charges of \$35.00, now due. Please make check payable to "Baltimore County" and mail to Zoning Administration & Development Management.
- 2) Your share of the full page ads. Our office will forward billing to you in late July. Upon receipt, please make your check payable to "Patuxent Publishing" and mail it to Zoning Administration and Development Management.
- 3) Advertising cost for your individual ad, which will run approximately 3 to 4 weeks before your hearing. Billing for this will come directly from Patuxent Publishing and your check should be made payable to and mailed directly to Patuxent.

If you have any questions concerning this matter, please contact Gwendolyn Stephens at 887-3391.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

MAY 24, 1994

NOTICE OF HEARING

CASE NUMBER: R-94-340 8731 Pulaski Highway SE/S Pulaski Highway, 300' SW of c/l Rossville Boulevard 15th Election District - 6th Councilmanic

Legal Owner(s): Savino Bollino and Rose Bollino

Petition to reclassify the property's zoning from B.R. and M.L.-C.S.-1 and M.L.-I.M. to B.R.-I.M. and B.R.-C.S.-1.

HEARING:

Wednesday, November 30, 1994 at 10:00 a.m.

LOCATION:

COUNTY COURTHOUSE, ROOM 48

400 WASHINGTON AVENUE TOWSON, MARYLAND 21204

WILLIAM T. HACKETT, CHAIRMAN COUNTY BOARD OF APPEALS

Uliam T. Hackett/M

cc: Savino and Rose Bollino Robert A. Hoffman, Esq.

Contidon red 1/30/4.
Reset on request

Printed with Soybean Ink to annual plan

30 12 My 21 26 31 25 26

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

May 18, 1994

T0:

Mr. Arnold Jablon, Director Zoning Administration and Development Management

FROM:

J. Lawrence Pilson The Development Coordinator, DEPRM

SUBJECT:

Zoning Item #R-94-340 - Bollino Property

8731 Pulaski Highway

Zoning Advisory Committee Meeting of April 25, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

JLP:KK:sp

BOLLINO/DEPRM/TXTSBP



O. James Lighthizer Secretary Hal Kassoff Administrator

June 9, 1994

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County

US 40-E

Savino and Rose Bollino Case No. R-94-340, 11-30-94

Zoning Reclassification

Mile Post 17.71

Dear Ms. Minton:

This office has reviewed the plan for the referenced project and we offer the following:

A review of the State Highway Administration's (SHA) current and long range planning documents reveals there are no roadway improvement projects scheduled in this area.

A field inspection of the property reveals the existing entrances are acceptable to the SHA for the property's present use.

However, if the zoning reclassification is approved, any future re-development and access to this property will require SHA review and approval. The reconstruction or relocation of the existing entrances will require an access permit to be issued by this office with the following submittals required:

- a. Eight (8) copies of the site plan showing the SHA requirements.
- b. Completed application.
- c. Performance bond, letter of credit, or certified check (include Federal ID number or social security number on certified checks only) in the amount of 150% of the actual entrance construction cost (to include the cost of relocating any affected utilities) and in an even thousand dollar increment. These must be made payable to the State of Maryland. (Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection).
- d. An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free Ms. Charlotte Minton Page Two June 9, 1994

e. A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction. Or, a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this plan.

Very truly yours,

David Ramsey, Acting Chief Engineering Access Permits

David MRamsy

Division

BS/es

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 9, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, Chief
Developers Engineering Section

RE: & Zoning Advisory Committee Meeting for Zoning Reclassification Cycle III April 1994 - October 1994

The Developers Engineering Section has reviewed the subject zoning items and we have no comments for Items 7, 8, 9, 10, and 14.

Item 1 - This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Rd., Md. Rte. 140.

Item 2 - This site, if rezoned, is subject the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development, and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Road, Md. Rte. 140. Also, update existing road and right-of-way width of Pleasant Ridge Dr.

Item 3 - This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development.

Item 4 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for industrial development.

Item 5 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for residential development.

Item 6 - This site is subject to Maryland State Highway Administration Standards for all improvements fronting on York Road, Md. Rte. 45, along with Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development. Access to Warren Road may be a limited access.

Zoning Reclassification Cycle III April 1994 - October 1994 Page 2

Item 11 - A portion of this site lies within the limit of the 100-year flood plain and per Bill No. 18-90, Section 26-276 filling within a flood plain is prohibited. Also, see Baltimore County Department of Public Works Standard Storm Drainage Design Plate D-19 for building setback from flood plain.

Item 12 A portion of this site lies within the limit of the 100-year flood plain and per Bill No. 18-90, Section 26-276 filling within a flood plain is prohibited. Also, see Baltimore County Department of Public Works Standard Storm Drainage Design Plate D-19 for building setback from flood plain.

Item 13 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for residential development.

Item 15 - This site is located adjacent to tidewater. The property owner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor, including basements, of a residential and/or commercial development.

RWB:sw



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

August 31, 1994

Robert A. Hoffman, Esquire VENABLE, BAETJER & HOWARD 210 Allegheny Avenue Towson, MD 21204

> RE: Case No. R-94-340 Savino & Rose Bollino

Dear Mr. Hoffman:

Pursuant to your letter of August 26th regarding the subject matter, the Board has noted both its file and docket that, on November 30, 1994 at 10:00 a.m., it is your intention to appear and request a continuance on the record for the purpose of amending to a documented site plan.

Accordingly, no testimony or evidence will be received on the merits of the Petition for Reclassification on November 30th, but rather the matter opened and continued, to be scheduled for an early morning hearing at a later date for submittal of a Documented Site Plan.

Should you have any questions, please call me at 887-3180.

Very truly yours,

Kathleen C. Weidenhammer Administrative Assistant

CC: Ms. Laurie A. Mazzotta
Mr. & Mrs. Savino Bollino
KCW Consultants, Inc.
James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

February 25, 2002

Robert A. Hoffman, Esquire VENABLE, BAETJER & HOWARD, LLP 210 Allegheny Avenue Towson, MD 21204

RE: *In the Matter of: Savino and Rose Bollino*Case No. R-94-340 / Order of Dismissal of Petition

Dear Mr. Hoffman:

Enclosed please find a copy of the Order of Dismissal of Petition issued this date by the

Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco
Administrator

Enclosure

c: Mr. & Mrs. Savino Bollino
KCW Consultants, Inc.
Robert J. Haines, Esquire
/Board of Ed. /MS 1102-J
People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt /Zoning Commissioner
W. Carl Richards /PDM
Arnold Jablon, Director /PDM

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

BALTIMORE, MD WASHINGTON, D.C. MCLEAN, VA ROCKVILLE, MD

210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21285-5517
(410) 494-6200
FAX (410) 821-0147

RICHARO M. VENABLE (1839-1910) EDWIN G. BAETJEN (1868-1945) CHARLES MCH. HOWARD (1870-1942)

WRITER'S DIRECT NUMBER IS

(410) 494-6262

ROBERT A. HOFFMAN

August 26, 1994

William T. Hackett, Chairman County Board of Appeals of Baltimore County Old Court House 400 Washington Avenue Towson, Maryland 21204

Re: - Cycle Zoning Reclassification No. R-94-340

- Legal Owner - Savino & Rose Bollino - Property Known as 8731 Pulaski Highway

Dear Mr. Hackett:

On behalf of our clients, Savino & Rose Bollino, the Petitioners in the above-referenced zoning reclassification request, we are writing to request a continuance for the hearing scheduled for Wednesday, November 30, 1994 at 10:00 a.m. before the Board of Appeals.

The purpose of this request is to provide our clients with some additional time to complete a Documented Site Plan which would be submitted at the rescheduled hearing. Accordingly, we respectfully request that a continuance be granted and that a hearing date prior to the end of the year be rescheduled at your convenience.

Sincerely

Robert A / Hoffman

GPW\dok

cc: Laurie A. Mazzotta

Gwen Stephens

Peter Max Zimmerman, Esq.

HACKET17.GPW

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

BALTIMORE, MD WASHINGTON, D.C. MCLEAN, VA ROCKVILLE, MD A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

210 ALLEGHENY AVENUE

P.O. BOX 5517

TOWSON, MARYLAND 21285-5517

(410) 494-6200

FAX (410) 821-0147

RICHARD M. VENABLE (1839-1910) EDWIN G. BAETJER (1868-1945) CHARLES MCH. HOWARD (1870-1942)

WRITER'S DIRECT NUMBER IS

ROBERT A. HOFFMAN

(410) 494-6203 February 25, 1994

William T. Hackett, Chairman County Board of Appeals of Baltimore County Old Court House 400 Washington Avenue Towson, Maryland 21204

Re: - Cycle Zoning Reclassification Request

- Legal Owner - Savino & Rose Bollino

- Property Known as 8731 Pulaski Highway

Dear Mr. Hackett:

This firm represents Mr. and Mrs. Savino Bollino, the Petitioners in the above-referenced zoning reclassification request for property located in Baltimore County on the east side of Pulaski Highway, near the intersection of Rossville Boulevard. The 4.28 acre property, which is zoned predominantly ML-IM and ML-CS-1 with a very small portion of BR and BR-CS-1, consists of the Continental Motel, an adjoining storage facility and a vacant restaurant/bar. The Petitioners are requesting BR-IM, BR-CS-1 (or BR-AS) and BR zoning in accordance with the enclosed open site plan.

Pursuant to Section 2-356(b) of the County Code, the purpose of this letter is to set forth the reasons why the requested reclassification should be granted. The property fronts on Pulaski Highway which has become a commercial corridor between the Beltway and the north side of Rossville Boulevard. The adjoining property on the northeast boundary is zoned BR-CS-1 and contains the Christlen Motel. The adjoining property on the southwest boundary is zoned BR and contains a Hechingers store. Other notable commercial uses in the immediate vicinity include the Golden Ring Mall, Circuit City, and Luskins. Simply stated, there is no relationship between the subject property and the additional industrial zoning to the southeast. The hotel itself seems to be a

See Perised Letter (Rev. 3/02/94)

William T. Hackett, Chairman February 25, 1994 Page 2

"throw-back" to a time when Pulaski Highway provided the predominant north/south route for this area.

Finally, it should be noted that the Petitioners' request is consistent with the Baltimore County Master Plan, which specifically addresses Pulaski Highway and calls for the "redevelopment and general upgrading of quality along Pulaski Highway."

For these reasons and for such further justification as may be presented at the hearing, it is respectfully submitted that the County Council erred when it retained the ML-IM and ML-CS-1 zoning on the subject property in 1992 and that it should be reclassified to BR-IM and BR-CS-1.

Sincerely,

Polert A. Hoffman, BY: GPW

Robert A. Hoffman

DOK\gpw enclosures

cc: Laurie A. Mazzotta

HACKETT7.GPW

10

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

BALTIMORE, MD WASHINGTON, D.C. MCLEAN, VA ROCKVILLE, MD A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21285-5517
(410) 494-6200
FAX (410) 821-0147

RICHARD M. VÉNABLE (1839-1910) EDWIN G. BAETJER (1866-1945) CHARLES MCH. HOWARD (1870-1942)

WRITER'S DIRECT NUMBER IS

ROBERT A. HOFFMAN

March 1, 1994

(410) 494-6203

William T. Hackett, Chairman County Board of Appeals of Baltimore County Old Court House 400 Washington Avenue Towson, Maryland 21204

Re: - Cycle Zoning Reclassification Request

- Legal Owner - Savino & Rose Bollino

- Property Known as 8731 Pulaski Highway

Dear Mr. Hackett:

This firm represents Mr. and Mrs. Savino Bollino, the Petitioners in the above-referenced zoning reclassification request for property located in Baltimore County on the east side of Pulaski Highway, near the intersection of Rossville Boulevard. The 4.28 acre property, which is zoned predominantly ML-IM and ML-CS-1 with a very small portion of BR and BR-CS-1, consists of the Continental Motel, an adjoining storage facility and a vacant restaurant/bar. The Petitioners are requesting BR-IM and BR-CS-1 (or BR-AS) zoning in accordance with the enclosed open site plan.

Pursuant to Section 2-356(b) of the County Code, the purpose of this letter is to set forth the reasons why the requested reclassification should be granted. The property fronts on Pulaski Highway which has become a commercial corridor between the Beltway and the north side of Rossville Boulevard. The adjoining property on the northeast boundary is zoned BR-CS-1 and contains the Christlen Motel. The adjoining property on the southwest boundary is zoned BR and contains a Hechingers store. Other notable commercial uses in the immediate vicinity include the Golden Ring Mall, Circuit City, and Luskins. Simply stated, there is no relationship between the subject property and the additional industrial zoning to the southeast. The hotel itself seems to be a

William T. Hackett, Chairman March 1, 1994 Page 2

"throw-back" to a time when Pulaski Highway provided the predominant north/south route for this area.

Finally, it should be noted that the Petitioners' request is consistent with the Baltimore County Master Plan, which specifically addresses Pulaski Highway and calls for the "redevelopment and general upgrading of quality along Pulaski Highway."

For these reasons and for such further justification as may be presented at the hearing, it is respectfully submitted that the County Council erred when it retained the ML-IM, ML-CS-1 and BR zoning on the subject property in 1992 and that it should be reclassified to BR-IM and BR-CS-1.

Sincerely,

Robert Hoffe BY: GPW

DOK\gpw enclosures

cc: Laurie A. Mazzotta

HACKETT7.GPW

SAVINO BOLLINO AND ROSE BOLLINO SE/s Pulaski Highway, 300' SW of centerline Rossville Boulevard (8731 Pulaski Highway)

#R-94-340 Item #12, Cycle III, 1994

15th Election District 6th Councilmanic District

From B.R. & M.L.-C.S.-1 & M.L.-I.M. to B.R.-I.M. & B.R.-C.S.1

4.283 acres

March 1, 1994

Petition for Reclassification filed by Robert A. Hoffman, Esquire, on behalf of Savino and Rose Bollino, Petitioners.

Robert A. Hoffman, Esquire VENABLE, BAETJER & HOWARD 210 Allegheny Avenue Towson, MD 21204

Mr. & Mrs. Savino Bollino 8731 Pulaski Highway

KCW Consultants, Inc. 3104 Timanus Lane Baltimore, MD 21244

Baltimore, MD 21237

Counsel for Petitioners

Laurie A. Mazzotto c/o Robert A. Hoffman, Esq.

Petitioners

Engineer

James Earl Kraft /Board of Education Mail Stop #1102-J

People's Counsel for Baltimore County

Pat Keller Jeffrey Long Lawrence E. Schmidt Timothy M. Kotroco W. Carl Richards, Jr. Docket Clerk /ZADM Arnold Jablon, Director /ZADM

R-94-340 /Savino & Rose Bollino

- 8/30/94 -Letter from R. Hoffman, Esquire, on behalf of Petitioner /intention to request continuance on record to complete Documented site Plan on scheduled hearing date of Wednesday, November 30, 1994 at 10:00 a.m.
- 8/31/94 -Letter to R. Hoffman --file and docket have been noted that matter will be opened and continued on 11/30/94 for purpose of amended to documented site plan, to be submitted in open hearing at later date. Copy to all interested parties.
- 11/30/94 -Opened and continued on the record by Paige Wingert on behalf of Petitioners. To be reset as requested.

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County Interoffice Correspondence

DATE:

May 3, 2002

TO:

Arnold Jablon, Director

Permits & Development Management

Attn.: David Duvall

FROM:

Theresa R. Shelton Board of Appeals

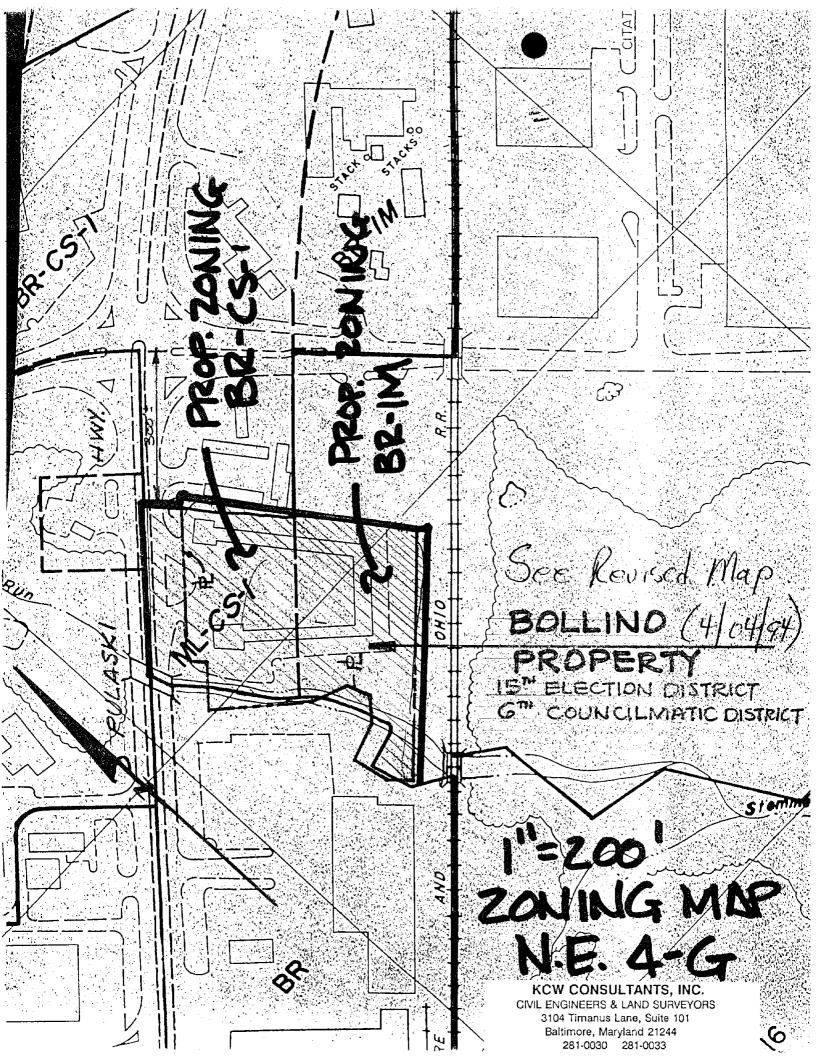
SUBJECT:

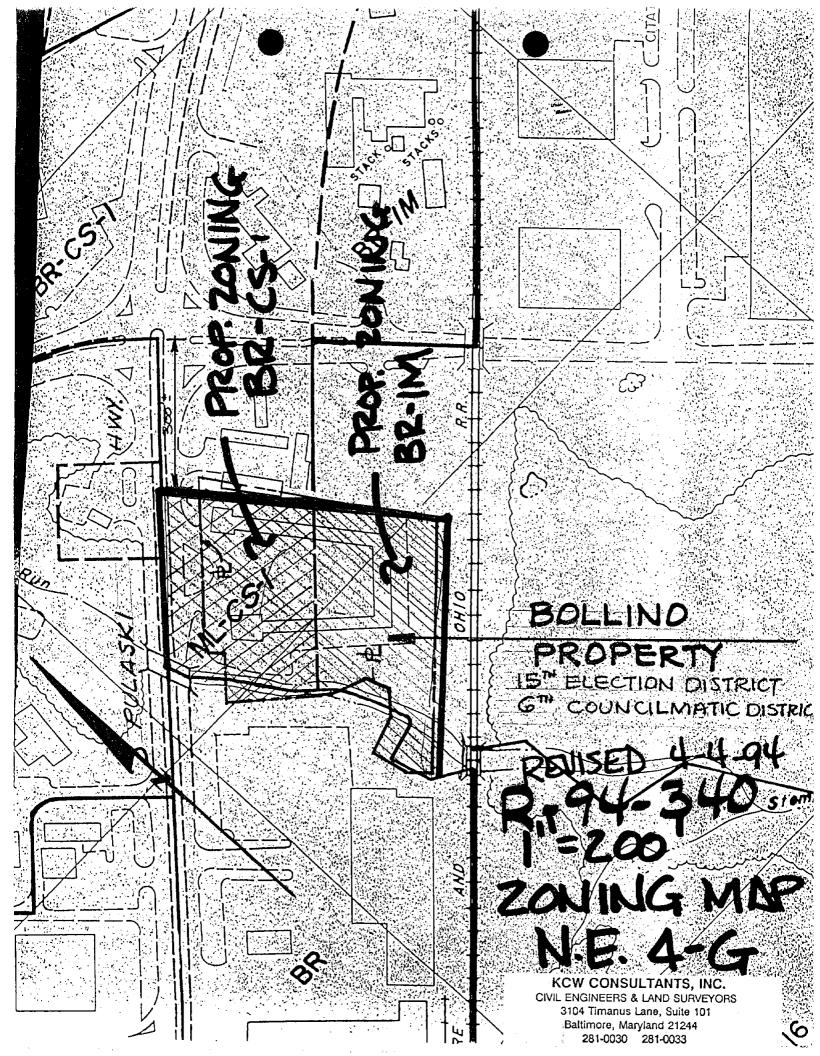
CLOSED APPEAL CASE FILE

The following case has been finalized and the Board of Appeals is closing the copy of the appeal case file and returning the file and exhibits (if applicable) attached herewith.

BOARD OF APPEALS CASE NUMBER	<u>PDM FILE NUMBER</u>	<u>NAME</u>	<u>LOCATION</u>
R-94-340	R-94-340	SAVINO BOLLINO AND ROSE BOLLINO	8731 PULASKI HIGHWAY

Attachment: SUBJECT FILE(S) ATTACHED





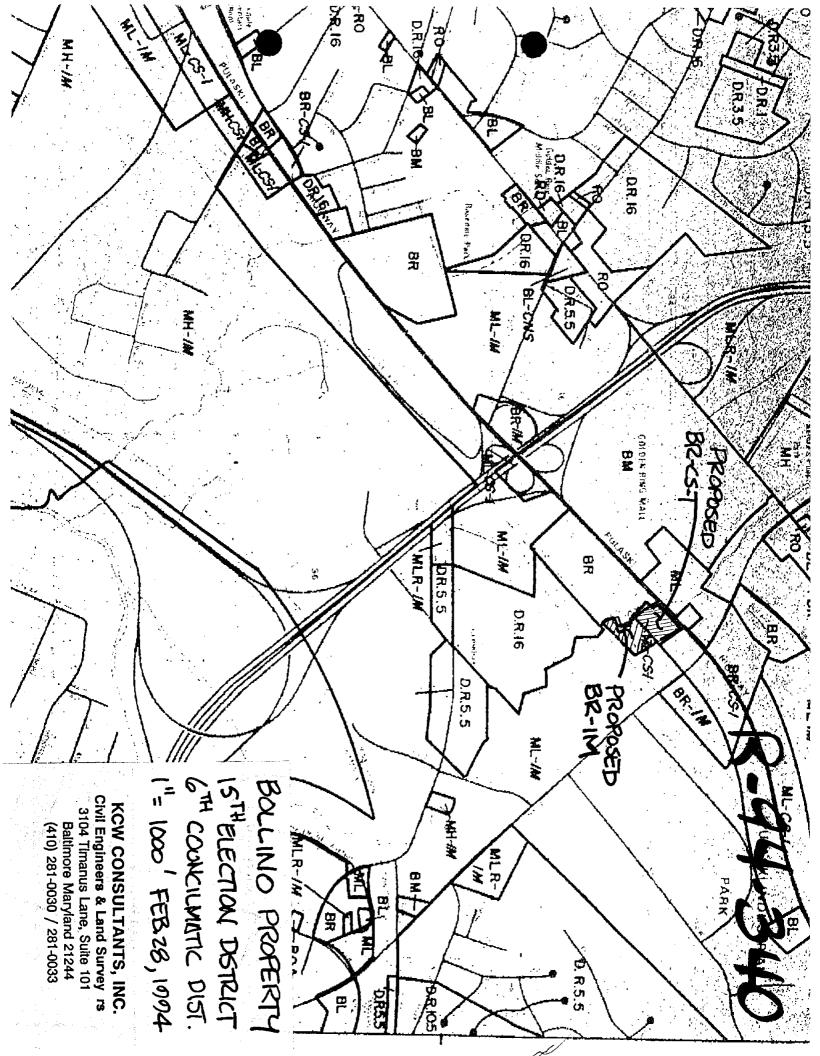


Petition for Reclassification

to the Board of Appeals of Baltimore County

leviand for	the property located at	8731 Pulaski Highway	
The undersigned, leg	art hereof, hereby petition (1) that the zoning (BR - BR-CS-1 - ML-CS-1)	re County and which is described in the descrip status of the herein described property be recla \(\BR-IM \)	ssified, pursuant to the
Zoning Law of Baltime and (2) for a Special 8	ore County, from an <u>& PLD LIM</u> zone to a Exception under the Zoning Regulations of Ba	n <u>BR-CS1</u> zone, for the reasons given in altimore County, to use the herein described pro	the attached statement; operty for:
	is given in the attached statement, a variance	from the following sections of the Zoning Regu	lations of Baltimore
County:			94 15
			1 20
Lor we earee to na	e posted and advertised as prescrib- y expenses of above Special Exception advene zoning regulations and restrictions of Baltin	ed by Zoning Regulations. rtising, posting, etc., upon filing of this petition, more County adopted pursuant to the Zoning Li	and further Toree to and aw for Baltimore County.
		I/We do solemnly declare and affirm, under the penalti- legal owner(s) of the property which is the subject of this	es of perjury, that I/we are the s Petition.
Contract Purchaser/Lessee:		Legal Owner(s): Savino Bollino	
(Type or Print Name)		(Type or Print Name)	Balline
Signature		Signature Rose Bollino	
Address		(Type or Plint Name)	llino
City	State Zipcode	8731 Pulaski Highway	686-8667
Attorney for Petitioner: Robert A.	Hoffman	Address Baltimore MD	Phone No. 21237
(Type or Print Name)	h	City State Name, Address and phone number of legal owner, con to be contacted.	
Signature Venable, 1	Baetjer and Howard	Robert A. Hoffman Name Venable, Baetjer a	ınd Howard 494-6262
210 Allegh	neny Ave. 494-6262 Phone No.	Address Towson, MD 21204	Phone No.
Towson	MD 21204	OFFICE USE ONLY	

See: Revised Petition (Rev. +104/94



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Return Service Requested

STORE TO THE STORE STORE

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BALTIMORE SAVINO BOLLINO

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Towson, MD 21204 YObert A. Hoffman, Esquire Robert A. Hoffman, Esquire

ghnual Brandliss de Baltimare Countly Randimare Countly ghnua Room 49 old courthouse Towson, maryland 21204

Mr. & Mrs. Savino Bollino 8731 Pulaski Highway Baltimore, MD 21237

County Board of Appeals of Baltimore County Rathouse Room 49 OLD COURTHOUSE TOWSON, MARYLAND 21204

KCW Consulants, Inc.
3104 Timanus Lane
Baltimore, MD 21244

aunty Board of Appeals of Ballimare Caunty Room es old courthouse toward, maryland 21204

Ms. Laurie A. Mazzotta c/o Robert A. Hoffman, Esquire 210 Allegheny Avenue Towson, MD 21204 Report by the
Baltimore County Planning Board
to the
Baltimore County Board of Appeals

ZONING RECLASSIFICATION PETITIONS

Cycle III, 1994

July 31,1994



Baltimore County Government Planning Board



401 Bosley Avenue Towson, MD 21204

(410) 887-3211 Fax (410) 887-5862

July 22, 1994

Mr. William T. Hackett, Chairman County Board of Appeals Courthouse Towson, Maryland 21204

Dear Mr. Hackett:

Enclosed herewith is the report containing the County Planning Board's recommendations regarding the zoning reclassification petitions in Cycle III, 1994.

After full discussion in the Committee meeting on July 7, 1994, the Report was adopted by the Planning Board in its monthly meeting on July 21, 1994, and is hereby published and submitted in accordance with County Code Section 2-356(f).

Sincerely,

Pat Keller

Secretary to the Planning Board

PK/TD/mjm LTRS/PZONE/TXTMJM

Enclosure

Merreen E. Kelly, Administrative Officer Peter Max Zimmerman, People's Counsel



ZONING RECLASSIFICATION PETITIONS

Cycle III, 1994

Report by the Baltimore County
Planning Board
to the

Baltimore County Board of Appeals

July 31, 1994

Baltimore County
Office of Planning and Zoning
Towson, Maryland

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REVISED 4-4-94

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the



Petition for Reclassification

to the Board of Appeals of Baltimore County

for the property located at

8731 Pulaski Highway

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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 reclassified, pursuant to the

BR , ML-CS-1 BR-IM & Zoning Law of Baltimore County, from an & ML-IM zone to an BR-CS1 zone, for the reasons given in the attached statement; and (2) for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for:

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

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

I, or we, agree to pay expenses of above Special Exception 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.

			REVIEWED BY:	DATE_	
		√	ALL	_OTHER	
		Street Marining	the following dates	-	Next Two Months
City	State	Zipcode	ESTIMATED LENGTH OF HEA	RING unavailable for Hearing	
Towson	MD	21204		OFFICE USE ONLY	
Address	Phor	ne No.	Address Towson, M	D 21204	Phone No.
	eny Ave.	494-6262	ZIU ALIEGIIE.	IIY AVE	
Venable,	aetjer and	Howard	Name Venable,	Baetjer ar	nd Howard
Signature	<i> </i>		Robert A. H		
(Type or Print Name)	M		City Name, Address and phone num to be contacted.	-	Zipcode act purchaser or representative
Robert A.	Hoffman		Baltimore	MD	21237
Attorney for Petitioner:			Address	MD	Phone No.
			8731 Pulask	i Highway	
City	State	Zipcode	Signature	XII	uno
Address			(Type of Print Name)	B	70.
Signature			Rose Bolling	n	
Signature			Signature Sur	me 13.	Mino
(Type or Print Name)			(Type or Print Name)		
			Savino Bolli	ino	
Contract Purchaser/Lessee:			Legal Owner(s):		
			legal owner(s) of the property wh	nich is the subject of this I	Petition.

INTRODUCTION

Under the provisions of Section 2-356(e), <u>Baltimore County Code</u>, <u>1988</u>, (see Appendix A), the Director of Planning and Zoning is required to submit to the Planning Board, during Period 1 of each zoning cycle, a report on the petitions accepted by the County Board of Appeals for filing during the previous zoning cycle. The report is to contain the following information:

- 1. Maps showing properties under petition and the reclassifications sought therefore; such maps may also identify groups of such properties located close to each other and show other indications of the inter-relation of petitions with respect to planning considerations.
- 2. Recommendations on the petitions.
- 3. Supporting data for the recommendations, including any pertinent data and recommendations submitted by other County agencies.
- 4. Recommendations for scheduling of all hearings (to be held during the next Period IV, prepared in consultation with the County Board of Appeals).

The thirteen petitions in the current cycle have been reviewed by the planning staff, and the following pages report the Office of Planning and Zoning staff's analyses and recommendations. The process of formulating these recommendations included: staff inspections of each site; a review of the policies and statements in the current <u>Baltimore County Master Plan</u>; and a review of files from the preparation and adoption of the 1992 Comprehensive Zoning Map. Comments also were requested from other county agencies including the Board of Education, the Department of Environmental Protection and Resource Management, the Fire Department, the Police Department, the Department of Public Works, the Department of Recreation and Parks, and the Bureau of Traffic Engineering.

In reaching its decision on each petition, the Board of Appeals is required to use the standards in Section 2-356(j) of the County Code. During the first cycle following a Comprehensive Zoning Map Process, Section 2-356(k) further limits the Board's authority to granting reclassifications only where the Board finds that the change is warranted upon consideration of the specified factors and also if "the last classification of the property [i.e., by the County Council's vote on October 15, 1992] was established in error." The concept of "error" is not further defined in the Code, and the staff does not presume to make an interpretation.

CYCLEA/PZONE/CYCLE

The concept of "error" is not further defined in the Code, and the staff does not presume to make an interpretation. The staff's review of each petition, however, did take into consideration the manner in which the Comprehensive Zoning Map Process is structured, and was conducted during 1991-92, to minimize the likelihood that relevant properties would inadvertently be omitted from consideration along with the Issues otherwise raised.

Obviously, each property that was raised as an Issue received separate consideration, especially properties that were sequestered from separate voting by the Planning Board and/or the County Council. In addition, after the close of the Open Filing Period, the planning staff reviewed each Issue in relation to neighboring properties to determine whether any other properties should also be raised as Issues for consideration at this time. Wherever, in the staff's judgment, action on an already-filed Issue would require or advise a change in the zoning of a neighboring property or properties, those also were raised as Issues. If, in the opinion of the staff, the current zoning in the vicinity would continue on the Issue, no additional Issues were raised. The County Council and Planning Board had the same opportunity to raise an Issue during their respective filing periods.

PETITIONS FOR RECLASSIFICATION CYCLE III, 1994

Assigned Hearing Dates County Board of Appeals Page 1 of 2

Week of September 12, 1994

Item #1, Case No. R-94-329

Masters-Severe, Inc. /Legal Owner Village Sound Company, Inc. /Contract Purchaser Tuesday, September 13, 1994 @ 10:00 a.m.

Week of September 19, 1994

Week of September 26, 1994

Item #3, Case No. R-94-331

Morningside Six Limited Partnership
Wednesday, September 28, 1994 @ 10:00 a.m.

Week of October 3, 1994

Item #4, Case No. R-94-332

Baltimore Gas & Electric Company, Inc. AND
Baltimore County, Maryland AND CSX Transportation,
Inc. /Legal Owners
Nace, Inc. /Contract Purchaser
Tuesday, October 4, 1994 @ 10:00 a.m.

Item #5, Case No. R-94-333

Hico Park M Limited Partnership
Thursday, October 6, 1994 @ 10:00 a.m.

Week of October 10, 1994

Item #6, Case No. R-94-334

Baltimore Gas & Electric Company, Inc.
Wednesday, October 12, 1994 @ 10:00 a.m.

Cycle III, 1994
Assigned Hearing Dates
County Board of Appeals
Page 2 of 2

Week of October 17, 1994

Week of October 24, 1994

Item #8, Case No. R-94-336
Stebbins-Andersen Company, Inc.
Tuesday, October 25, 1994 @ 10:00 a.m.

Item #9, Case No. R-94-337
Genstar Stone Product Company
Thursday, October 27, 1994 @ 10:00 a.m.

Week of October 31, 1994

Item #10, Case No. R-94-338

Janet Terry
Wednesday, November 2, 1994 @ 10:00 a.m.

Week of November 14, 1994

Item #11, Case No. R-94-339
The Giles Building & Development Company
Tuesday, November 15, 1994 @ 10:00 a.m.

Week of November 28, 1994

Item #12, Case No. R-94-340
Savino Bollino and Rose Bollino
Wednesday, November 30, 1994 @ 10:00 a.m.

Week of December 5, 1994

Item #13, Case No. R-94-341
Gerald D. Sherman & Roger A. Spero
Tuesday, December 6, 1994 @ 10:00 a.m.

BALTIMORE COUNTY, MARYLAND

Recommendations of the Office of Planning and Zoning July 31, 1994

Item No. and Petitioner	Location	Acreage	Existing Zoning	Requested Zoning	OPZ/PB Recommendation
Item No. 1 Masters-Severe, Inc.	Southwest side of Reisterstown Road, 400' southeast of Sunset Road (#11418 Reisterstown Road)	. 4	R.O.	B.L.	R.O.
Item No. 2 C & E Realty Company	Northeast side of Reisterstown Road	14.54	D.R. 16	В.М.	D.R. 16
Item No. 3 Morningside Six Limited Partnership	Northwest side of Pleasant Ridge Drive, 360' northeast of Reisterstown Road	6.4	D.R. 16	B.L.	D.R. 16
Item No. 4 Baltimore Gas & Electric Company, Inc. and Baltimore County, MD & CSX Transportation, Inc.	West side of Owings Mills Boulevard, north and south of Bonita Avenue	26.83	D.R. 1	M.LI.M.	D.R. 1
Item No. 5 Hico Park M Limited Partnership	West side York Road, 97' south of the centerline of Ridgebrook Road	113.0	M.L. M.L.R.	D.R. 5.5	M.L. M.L.R.
Item No. 6 Baltimore Gas & Electric Company, Inc.	Southwest corner of York and Warren Roads	1.76	M.LA.S. M.LI.M. B.RA.S.	B.RA.S. B.RI.M.	M.LA.S. M.LI.M. B.RA.S.

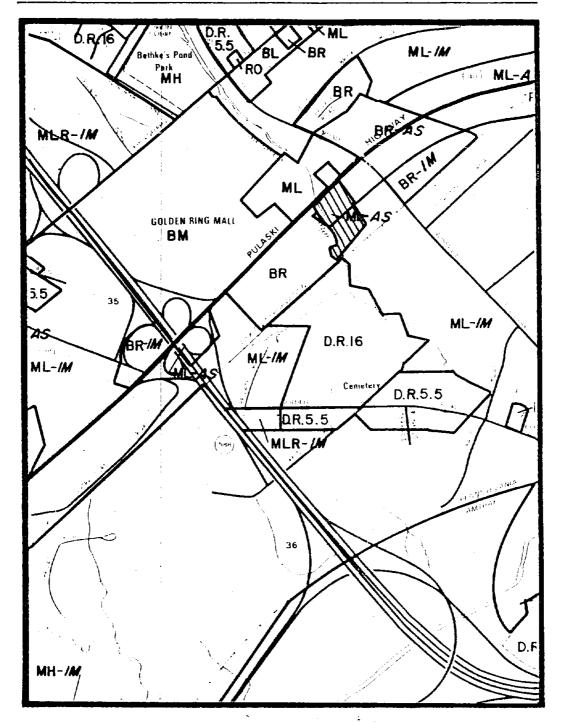
Item No. and Petitioner	Location	Acreage	Existing Zoning	Requested Zoning	OPZ/PB Recommendation
Item No. 7 Genstar Stone Products Company	South side of Galloway Avenue, 670' west of York Road, north side of Padonia Road, and eas and west of proposed Beaver Dam Road	38.3 t	M.LI.M.	B.MI.M.	M.LI.M.
Item No. 8 Stebbins-Anderson Company, Inc.	Southwest corner of Timonium and Aylesbury Roads (21 West Timonium Roa	14.6 d)	M.LI.M.	B.RI.M.	M.LI.M.
Item No. 9 Genstar Stone Products Company	Northwest corner of Pulaski Highway and White Marsh Boulevard, and southeast side of Philadelphia Road	205.8	M.LI.M. M.HI.M.	B.RI.M.	M.LI.M. M.HI.M.
Item No. 10 Janet Terry	Southeast side of Pulaski Highway, 1915' southwest of the centerline of Mohrs Lane	11.85	M.LI.M. M.LA.S.	B.RI.M.	M.LI.M. M.LA.S.
Item No. 11 The Giles Building and Development Company	North side of Race Road, 95' west of the centerline of Yellow Brick Road	. 94	M.LI.M.	B.L.	M.LI.M.
Item No. 12 Savino Bollino & Rose Bollino	Southeast side of Pulaski Highway, 300' southwest of the centerline of Rossville Bouleva	4.3 rd	B.R. M.LA.S. M.LI.M.	B.RI.M. B.RA.S.	B.R. M.LA.S. M.LI.M.
Item No. 13 Gerald D. Sherman & Roger A. Spero	Northeast and southwest side of Gladway Road, 1150' north of Bengies Road and 2390' southeast of Bird River Road	51.6	D.R1 M.LI.M. M.HI.M.	D.R. 3.5	D.R. 1 M.LI.M. M.HI.M.

LOCATIONS OF PROPERTIES UNDER PETITION YORK COUNTY, PA. EXISTING ZONING CLASSIFICATIONS RESOURCE CONSERVATION - AGRICULTURE RESOURCE CONSERVATION - DEFERRAL OF PLANNING AND DEVELOPMENT RESOURCE CONSERVATION - WATERSHED PROTECTION RESOURCE CONSERVATION - RURAL RESIDENTIAL RC4 RC5 RESOURCE CONSERVATION - CRITICAL AREA RCSO RCC RESOURCE CONSERVATION - CRITICAL AREA AGRICULTURAL RESOURCE CONSERVATION - COMMERCIAL DENSITY RESIDENTIAL, (I DWELLING UNIT PER ACRE) DENSITY RESIDENTIAL, (2 OWELLING UNITS PER ACRE) DENSITY RESIDENTIAL, (3.5 OWELLING UNITS PER ACRE) 0.0.1 082 D.R.S.5. DENSITY RESIDENTIAL, IS.5 DWELLING UNITS PER ACRE, D.R. 10.5 DENSITY RESIDENTIAL, (10.5 DWELLING UNITS PER ACRE) COUNTY D.R. 16 DENSITY RESIDENTIAL, (16 DENSITY UNITS PER ACRE) R.A.E. I. RESIDENTIAL, (40 DENSITY UNITS PER ACRE) RAEZ RESIDENTIAL, 180 DENSITY UNITS PER ACRES RESIDENTIAL - OFFICE, (5.5 OWELLING UNITS PER ACRE) RESIDENTIAL - OFFICE, CLASS "A" OFFICE BUILDING R-O-A CARROLL OFFICE BUILDING 0-Z **OFFICE PARK** OFFICE AND TECHNOLOGY QT. SERVICE EMPLOYHENT **NORTHERN SECTOR** BUSINESS MARITIME MARINA B.M.M. BUSINESS MARITIME BOATYARD B.M.B. BUSINESS, LOCAL BUSINESS, MAJOR BUSINESS, ROADSIDE B.M. B.A. MANUFACTURING, RESTRICTED MANUFACTURING, LIGHT, RESTRICTED MANUFACTURING, LIGHT MН MANUFACTURING, HEAVY "HARORO County 9 CENTRAL SECTOR **WESTERN SECTOR** SECURITY BLYO BALTIMORE CITY EASTERN SECTOR *04:490 ANNE ARUNDEL COUNTY

SOURCE MATERIAL

Recommendations for the thirteen (13) petitions filed are based on the following:

- 1. Information compiled during the processing of the Comprehensive Zoning Maps adopted by the County Council on October 15, 1992.
- 2. Capital Budget and 5-Year Capital Program.
- 3. Zoning Plans Advisory Committee comments.
- 4. Discussions with other governmental agencies.
- 5. Field inspections of subject sites.
- 6. Baltimore County Master Plan



ITEM NUMBER 12 Location of Property Under Petition

Scale: 1"= 1000'

CASE NO. R-94-340

PETITIONER:

Savino Bollino & Rose Bollino

REQUESTED ACTION:

Reclassification to B.R.-I.M. (Business Roadside-Industrial Major) and B.R.-A.S. (Business Roadside-Automotive Service)

EXISTING ZONING:

B.R. (Business Roadside), M.L.-A.S. (Manufacturing Light-Automotive Service) and M.L.-I.M. (Manufacturing Light-Industrial Major)

LOCATION:

Southeast side of Pulaski Highway, 300 feet southwest of the centerline of Rossville Boulevard (8731 Pulaski Highway)

AREA OF SITE:

4.283 acres ±

ZONING OF ADJACENT PROPERTY/USE:

North: B.R.-A.S. & M.L. - vacant, commercial service

South: B.R., D.R. 16, M.L.-I.M. - commercial, residential,

industrial

East: M.L.-I.M. - industrial

West: M.L. - vacant, commercial

SITE DESCRIPTION:

The subject site is improved with a motel and a vacant restaurant/bar, and is contiguous to the Stemmers Run.

PROPERTIES IN THE VICINITY:

The site is bordered by the Christlen Motel to the northeast, an industrial park and the CSX railroad tracks to the southeast and Golden Ring Mall, which is located generally west of the property. Stemmers Run, located immediately south of the site, separates the applicant's property from a larger area of commercial properties, which includes a Hechinger's store and a MacDonald's restaurant.

KCW Consultants, Inc.

Civil Engineers and Land Surveyors
3104 Timanus Lane, Suite 101 / Baltimore, Maryland 21244

(410) 281-0030 / 281-0033 / Fax (410) 298-0604

February 28, 1994

ZONING DESCRIPTION

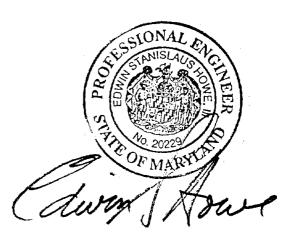
Property of Savino Bollino & Rose Bollino Deed S.M. 8121, Folio 682

15th Election District Baltimore County, Maryland

BEGINNING at a point on the east side of Pulaski Highway, 150 feet wide, at the distance of 300 feet south of the centerline of Rossville Boulevard; thence the following courses and distances:

- 1. S 35°07'33" E 485.73'
- 2. S 47°23'07" W 480.25'
- 3. N 65°06'33" W 45.26'
- 4. N 16°24'33" W 90.00'
- 5. N 74°03'27" E 85.00'
- 6. N 38°07'27" E 58.20'
- 7. N 20°15'33" W 46.80'
- 8. N 66°28'33" W 84.12'
- 9. N 48°12'39" W 210.33'
- 10. N 44°55'27" E 105.00'
- 11. N 45°04'33" W 40.00'
- 12. N 44°55'27" E 321.59'

to the place of beginning as recorded in Deed Liber S.M. 8121, Folio 682, containing 186,567 square feet or 4.283 acres. Also known as 8731 Pulaski Highway and located in the 15th Election District, Baltimore County, Maryland.



WATER AND SEWERAGE:

The area is served by public water and sewer, and is designated as W-1, S-1 (existing service area) according to the <u>Master</u> Water and Sewer Plan.

TRAFFIC AND ROADS:

The site has direct access to Pulaski Highway, which is designated as a major arterial. The signalized intersection of Rossville Boulevard and Pulaski Highway is located approximately 300 feet northeast of the subject site.

ZONING HISTORY:

The existing zoning has been in place since 1976.

MASTER PLAN/COMMUNITY PLANS:

The Baltimore County Master Plan designates the site as part of the White Marsh Urban Center, as does the Growth Management Plan. More specifically, the Growth Management Plan designates the proposed land use for this site as both mixed use commercial and industrial. Finally, the site falls within a PUD-C opportunity area on the proposed PUD-C map. The Master Plan addresses the issue of commercial corridor improvements in the eastern sector, and the need for "creative solutions to [these] design, land use and traffic situations" on these corridors. Additionally, it states that the County should "facilitate the redevelopment and general upgrading of quality along Pulaski Highway."

PROPOSED VS. EXISTING ZONING:

Regulation governing the B.R. zone may be found in Section 236.1 of the Baltimore County Zoning Regulations. The B.R. zone allows a wide range of uses in addition to those uses permitted in the B.M. zone. Density is regulated by a floor area ratio of 2.0, however, density is realistically limited by parking requirements and economic constraints. Building height is limited by height tent regulations, and setbacks include front yards not less than 25 feet from the centerline of any street (see Section 303.2 for front yard average). Side and rear yard setbacks for buildings are 30 feet, and all parking must be set back eight (8) feet from residential zones.

Regulations for the M.L. zone are found in Section 253 of the Baltimore County Zoning Regulations. The M.L. zone permits a number of light manufacturing uses by right. The zone also allows auxiliary retail or service uses or semi-industrial uses, provided the use is located in a planned district, however, such uses are not permitted in cases where direct access to an arterial street exists. The M.L. zone also permits several uses

by Special Exception. The I.M. and A.S. district regulations are found in Sections 259.2H and 405 respectively.

OFFICE OF PLANNING AND ZONING SUMMARY AND RECOMMENDATIONS:

Based upon the information provided and analysis conducted, staff recommends the applicant's request be denied for the following reasons:

-Support for any zoning change would be dependent upon the quality of site specific details. In the absence of a documented site plan, by which the quality of development could be controlled, staff can only recommend that the applicant's request be denied.

-The applicant's site has been delineated as an area which may be suitable for development under the Commercial Planned Unit Development (PUD-C legislation). The Commercial Planned Unit Development law, which was approved by the County Council on May 2, 1994, will provide for redevelopment opportunities by providing additional development flexibility in order to increase employment and revenue opportunities and improve site design while recognizing the need to protect adjacent residential communities. Therefore, in the instant case, the site could be redeveloped without necessitating a zoning change.

JL:1w

INTER-AGENCY COMMENTS

Baltimore County Public Schools

Dr. Stuart Berger, Superintendent

Towson, Maryland

Office of Pupil Assignments
Educational Support Services Building
6901 N. Charles Street
Towson, Maryland 21204

June 1, 1994

Mr. Jeffrey Long Community Planner Office of Planning & Zoning Mail Stop 1108

RE: Zoning Reclassification Cycle III

April, 1994 - October, 1994

Dear Jeff:

Thank you for taking time out of your busy schedule to meet with me to discuss the Cyclical Zoning Reclassification Process. The vast majority of these petitions are non-residential and, therefore, will have no impact on Baltimore County Public Schools.

Those petitions involving increases in residential zoning and the subsequent affect on our school system are summarized below:

Item 5 - Case No. R-94-333

Existing Zoning - M.L. & M.L.R. (8th Election District)

Proposed Zoning - D.R.-5.5

Zoning would allow 621.5 mixed housing units. Since I do not have the housing type breakdown, I developed a student yield based on 310 single family units and 311 townhouse units.

This property is located in the Sparks Elementary, Hereford Middle and Hereford High School Districts.

310 S.F. x .319 = 99 311 T.H. x .192 = $\underline{60}$ 159 Elementary Students

Page 2

310 S.F.
$$\times$$
 .155 = 48
311 T.H. \times .055 = 17

65 Middle Students

310 S.F. \times .146 = 45 311 T.H. \times .090 = 28 73 High Students

A total yield of 297 students

Item 13 - Case No. R-94-341

Existing Zoning - D.R.-1 & M.L.-I.M. & M.H.-I.M. (15th Election district)

Proposed Zoning - D.R.-3.5

Zoning would allow 180.8 single family homes.

181 S.F. x .236 = 43 Elementary Students

181 S.F. \times .071 = 13 Middle Students

181 S.F. \times .107 = 19 High Students 75 Total Yield

If you have any questions, please do not hesitate to contact me at 887-4215.

Sincerely,

Barbara Pickelsimer, Field Representative

Office of Pupil Assignments

keloiner

bp

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 9, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, Chief

Developers Engineering Section

RE: Zoning Advisory Committee Meeting for Zoning Reclassification Cycle III April 1994 - October 1994

The Developers Engineering Section has reviewed the subject zoning items and we have no comments for Items 7, 8, 9, 10, and 14.

Item 1 - This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Rd., Md. Rte. 140.

Item 2 - This site, if rezoned, is subject the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development, and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Road, Md. Rte. 140. Also, update existing road and right-of-way width of Pleasant Ridge Dr.

Item 3 - This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development.

Item 4 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for industrial development.

Item 5 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for residential development.

Item 6 - This site is subject to Maryland State Highway Administration Standards for all improvements fronting on York Road, Md. Rte. 45, along with Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development. Access to Warren Road may be a limited access.

Zoning Reclassification Cycle III April 1994 - October 1994 Page 2

Item 11 - A portion of this site lies within the limit of the 100-year flood plain and per Bill No. 18-90, Section 26-276 filling within a flood plain is prohibited. Also, see Baltimore County Department of Public Works Standard Storm Drainage Design Plate D-19 for building setback from flood plain.

Item 12 - A portion of this site lies within the limit of the 100-year flood plain and per Bill No. 18-90, Section 26-276 filling within a flood plain is prohibited. Also, see Baltimore County Department of Public Works Standard Storm Drainage Design Plate D-19 for building setback from flood plain.

Item 13 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for residential development.

Item 15 - This site is located adjacent to tidewater. The property owner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor, including basements, of a residential and/or commercial development.

RWB: 6W

Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21204-5500

(301) 887-4500

DATE: 04/27/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner:

LOCATION:

Item No.:

Zoning Agenda:

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.

8. The Fire Prevention Bureau has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: R-94-329 THRU R-94-343.



ZADM

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, M3-1102F

cc: File

COUNTY, MARYLAND BALTIMORE

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

May 18, 1994

TO:

Mr. Arnold Jablon, Director Zoning Administration and Development Management

FROM:

J. Lawrence Pilson H. Development Coordinator, DEPRM

SUBJECT:

Zoning Item #R-94-340 - Bollino Property

8731 Pulaski Highway

Zoning Advisory Committee Meeting of April 25, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

JLP:KK:sp

BOLLINO/DEPRM/TXTSBP

IN THE MATTER OF

THE APPLICATION OF

SAVINO AND ROSE BOLLINO FOR ZONING

RECLASSIFICATION FROM B.R. & M.L.-C.S.I

& M.L.-I.M. TO B.R.-I.M. & B.R.-C.S.I ON

PROPERTY LOCATED ON THE SE/S PULASKI
HIGHWAY, 300' SW OF C/L ROSSVILLE BLVD*

(8731 PULASKI HIGHWAY)

15TH ELECTION DISTRICTS

*
6TH COUNCILMANIC DISTRICT

BEFORE THE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

Case No. R-94-340 Cycle III, 1994

ORDER OF DISMISSAL OF PETITION

This case comes to the Board on a Petition for Reclassification filed by Robert A. Hoffman, Esquire, on behalf of Savino Bollino and Rose Bollino, Petitioners, for zoning reclassification from B.R. & M.L.-C.S.1 & M.L.-I.M. to B.R.-I.M. & B.R.-C.S.1 on property located on the southeast side Pulaski Highway, 300' southwest of centerline Rossville Boulevard (8731 Pulaski Highway) in the Fifteenth Election District of Baltimore County.

WHEREAS, Petitions for Reclassification pending on the Board's Continued Docket on the date of adoption of the Comprehensive Zoning Maps are considered to be moot; and

WHEREAS, no further action has been taken in this matter since a continuance was granted on November 30, 1994;

IT IS, THEREFORE, this <u>35 m</u> day of <u>Julius y</u>, 2002, by the County Board of Appeals of Baltimore County

ORDERED that said Petition filed in Case No. R-94-340 be and the same is declared moot, and the Petition **DISMISSED**.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Charles L. Marks, Chairman

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Townen, Maryland

District 15th	Date of Posting 1/14/94
Posted for: De class inca hors	
Petitioner: Savino Bolling of	
Location of property: 2731 Poloske Hug.	
Location of Signs: Facing for dugy o	en perpetery being zone
Remarks: Posted by	Date of return: 11 /1 3/94
Mumber of Signat /	





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

February 25, 2002

Robert A. Hoffman, Esquire VENABLE, BAETJER & HOWARD, LLP 210 Allegheny Avenue Towson, MD 21204

RE: *In the Matter of: Savino and Rose Bollino*Case No. R-94-340 / Order of Dismissal of Petition

Dear Mr. Hoffman:

Enclosed please find a copy of the Order of Dismissal of Petition issued this date by the

Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco
Administrator

Enclosure

c: Mr. & Mrs. Savino Bollino
KCW Consultants, Inc.
Robert J. Haines, Esquire
/Board of Ed. /MS 1102-J
People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt /Zoning Commissioner
W. Carl Richards /PDM
Arnold Jablon, Director /PDM



Petition for Reclassification

to the Board of Appeals of Baltimore County

leviand for	the property located at	8731 Pulaski Highway		
The undersigned, leg	art hereof: hereby petition (1) that the zoning :	re County and which is described in the descrip status of the herein described property be recla \(\BR-IM \)	ssified, pursuant to the	
(BR, BR-CS-1, ML-CS-1) (BR-IM) Zoning Law of Baltimore County, from an & ML-IM zone to an BR-CS1 zone, for the reasons given in the attached st and (2) for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for:				
	is given in the attached statement, a variance	from the following sections of the Zoning Regu	lations of Baltimore	
County:			94 15	
			1 20	
Lor we earee to na	e posted and advertised as prescrib- y expenses of above Special Exception advene zoning regulations and restrictions of Baltin	ed by Zoning Regulations. rtising, posting, etc., upon filing of this petition, more County adopted pursuant to the Zoning Li	and further Toree to and aw for Baltimore County.	
		I/We do solemnly declare and affirm, under the penalti- legal owner(s) of the property which is the subject of this	es of perjury, that I/we are the s Petition.	
Contract Purchaser/Lessee:		Legal Owner(s): Savino Bollino		
(Type or Print Name)		(Type or Print Name)	Balline	
Signature		Signature Rose Bollino		
Address		(Type or Plint Name)	llino	
City	State Zipcode	8731 Pulaski Highway	686-8667	
Attorney for Petitioner: Robert A.	Hoffman	Address Baltimore MD	Phone No. 21237	
(Type or Print Name)	h	City State Name, Address and phone number of legal owner, con to be contacted.		
Signature Venable, 1	Baetjer and Howard	Robert A. Hoffman Name Venable, Baetjer a	ınd Howard 494-6262	
210 Allegh	neny Ave. 494-6262 Phone No.	Address Towson, MD 21204	Phone No.	
Towson	MD 21204	OFFICE USE ONLY		

See: Revised Petition (Rev. +104/94

REVISED 4-4-94

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the



Petition for Reclassification

to the Board of Appeals of Baltimore County

for the property located at

8731 Pulaski Highway

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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 reclassified, pursuant to the

BR , ML-CS-1 BR-IM & Zoning Law of Baltimore County, from an & ML-IM zone to an BR-CS1 zone, for the reasons given in the attached statement; and (2) for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for:

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

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

I, or we, agree to pay expenses of above Special Exception 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.

			REVIEWED BY:	DATE_	
		√	ALL	_OTHER	
		Store administra	the following dates	•	Next Two Months
City	State	Zipcode	ESTIMATED LENGTH OF HEA	RING unavailable for Hearing	
Towson	MD	21204		OFFICE USE ONLY	
Address	Phor	ne No.	Address Towson, M	D 21204	Phone No.
	eny Ave.	494-6262	ZIU ALIEGIIE.	Hy Ave.	
Venable,	aetjer and	Howard	Name Venable,	Baetjer ar	nd Howard
Signature	<i> </i>		Robert A. H		
(Type or Print Name)	M		City Name, Address and phone num to be contacted.	-	Zipcode act purchaser or representative
Robert A.	Hoffman		Baltimore	MD	21237
Attorney for Petitioner:			Address	MD	Phone No.
			8731 Pulask	i Highway	
City	State	Zipcode	Signature	XII	uno
Address			(Type of Print Name)	B	70.
Signature			Rose Bolling	n	
Signature			Signature Sur	mi 13.	Mino
(Type or Print Name)			(Type or Print Name)		
			Savino Bolli	ino	
Contract Purchaser/Lessee:			Legal Owner(s):		
			legal owner(s) of the property wh	nich is the subject of this l	Petition.

KCW Consultants, Inc.

Civil Engineers and Land Surveyors
3104 Timanus Lane, Suite 101 / Baltimore, Maryland 21244

(410) 281-0030 / 281-0033 / Fax (410) 298-0604

February 28, 1994

ZONING DESCRIPTION

Property of Savino Bollino & Rose Bollino Deed S.M. 8121, Folio 682

15th Election District Baltimore County, Maryland

BEGINNING at a point on the east side of Pulaski Highway, 150 feet wide, at the distance of 300 feet south of the centerline of Rossville Boulevard; thence the following courses and distances:

- 1. S 35°07'33" E 485.73'
- 2. S 47°23'07" W 480.25'
- 3. N 65°06'33" W 45.26'
- 4. N 16°24'33" W 90.00'
- 5. N 74°03'27" E 85.00'
- 6. N 38°07'27" E 58.20'
- 7. N 20°15'33" W 46.80'
- 8. N 66°28'33" W 84.12'
- 9. N 48°12'39" W 210.33'
- 10. N 44°55'27" E 105.00'
- 11. N 45°04'33" W 40.00'
- 12. N 44°55'27" E 321.59'

to the place of beginning as recorded in Deed Liber S.M. 8121, Folio 682, containing 186,567 square feet or 4.283 acres. Also known as 8731 Pulaski Highway and located in the 15th Election District, Baltimore County, Maryland.



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Townen, Maryland

District 15th	Date of Posting 1/14/94
Posted for: De class inca hors	
Petitioner: Savino Bolling of	
Location of property: 2731 Poloske Hug.	
Location of Signs: Facing for dugy o	en perpetery being zone
Remarks: Posted by	Date of return: 11 /1 3/94
Mumber of Signat /	



BALTIMORE COUNTY, MARYLANE SICE OF FINANCE - REVENUE DIVISI CELLANEOUS CASH RECEIPT	
DATE 6/14/94 ACC	OUNT
АМ	OUNT \$ 3 5 72
RECEIVED Jenable, 61	Tjer & January
Posting &	<u> </u>
WALIDATION OF	SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND SICE OF FINANCE - REVENUE DIVISION CELLANEOUS CASH RECEIPT DATE ACCOUNT AMOUNT FOR: VALIDATION OR SIGNATURE OF CASHIER WHITE CASHIER PINK - AGENCY YELLOW - CUSTOMER

TE	ACCOUNT
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/	
or:	
JR:	

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION No. MISCELLANEOUS CASH RECEIPT _ACCOUNT_ AMOUNT_\$ RECEIVED FROM: VALIDATION OR SIGNATURE OF CASHIER DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

JULY 26, 1994

Savino and Rose Bollino c/o Robert A. Hoffman, Esq. 210 Allgeheny Avenue Towson, Maryland 21204

Re: Case Number: R-94-340

8731 Pulaski Highway

SE/S Pulaski Highway, 300' SW of c/l Rossville Boulevard

15th Election District - 6th Councilmanic

Dear Mr. Hoffman:

Attached you will find a copy of the memorandum originally forwarded to you on May 24, 1994. As noted thereon, payment 2 (your client's share of the \$\infty\$ \$4,313.40 cost of the full page ads) is now due.

Please immediately forward the following to this office:

A check made payable to Patuxent Publishing in the amount of \$331.80.

Non-payment of fees will hold your case in abeyance. If you have any questions regarding this letter, you may contact Ms. Gwen Stephens at 887-3391.

Very truly yours,

ARNOLD JABLON DIRECTOR

AJ:ggs

Per Gwen Stephens - ZADM

ALL ADVERTISING PAID FOR

CYCLE III RECLASS PETITIONS

BALTIMORE COUNTY, MARYLANE SICE OF FINANCE - REVENUE DIVISI CELLANEOUS CASH RECEIPT	
DATE 6/14/94 ACC	OUNT
АМ	OUNT \$ 3 5 72
RECEIVED Jenable, 61	Tjer & January
Posting &	<u> </u>
WALIDATION OF	SIGNATURE OF CASHIER

MEMORANDUM

TO: RECLASSIFICATION PETITIONERS, ATTORNEY, AND/OR REPRESENTATIVES

FROM: ZONING ADMINISTARTION AND DEVELOPMENT MANAGEMENT 111 W. Chesapeake Avenue, Towson, Maryland 21204

RE:: PAYMENT OF POSTING AND ADVERTISING FEES - RECLASSIFICATIONS

As you are aware, all government entities should endeavor to cut dollor out-put, misuse of labor and the proliferation of paperwork.

In the past, mandated newspaper advertising of Zoning actions was billed to Baltimore County. The processing of these ads and their subsequent bills touched several county agencies. Although, we will continue to place ads for the petitioner, in the majority of cases, Baltimore County will no longer act as a middle-man with regard to the newspaper billing.

An individual ad for your petition will run approximately one month before the scheduled hearing date. Billing for the indvidual ad, due upon receipt, will come from and should be remitted directly to the newspaper.

Cycle Reclassification Petitions are required to be heavily advertised and are now the only instance when we must again act as middle-man. The initial full-page ads, containing the particulars of all the petitions in this Cycle, will run in the July 7, 1994 and July 14, 1994 issues of the Jeffersonian.

Patuxent Publishing will bill the County an estimated \$4,600.00 for these full-page ads. This cost is charged back to the petitioners, equally divided among them. When you receive this bill from us, we ask that you immediately mail your check back to us. However, the check's payee should read Patuxent Publishing Company. In this manner, you help lower the County's cost by reducing or eliminating the purchasing, budget, and/or finance departments' involvement. Costs are also lowered as no funds will come out of the County budget to pay the advertising costs.

Briefly, your payments will be as follows:

- 1) Posting charges of \$35.00, now due. Please make check payable to "Baltimore County" and mail to Zoning Administration & Development Management.
- 2) Your share of the full page ads. Our office will forward billing to you in late July. Upon receipt, please make your check payable to "Patuxent Publishing" and mail it to Zoning Administration and Development Management.
- 3) Advertising cost for your individual ad, which will run approximately 3 to 4 weeks before your hearing. Billing for this will come directly from Patuxent Publishing and your check should be made payable to and mailed directly to Patuxent.

If you have any questions concerning this matter, please contact Gwendolyn Stephens at 887-3391.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

MAY 24, 1994

NOTICE OF HEARING

CASE NUMBER: R-94-340 8731 Pulaski Highway SE/S Pulaski Highway, 300' SW of c/l Rossville Boulevard 15th Election District - 6th Councilmanic

Legal Owner(s): Savino Bollino and Rose Bollino

Petition to reclassify the property's zoning from B.R. and M.L.-C.S.-1 and M.L.-I.M. to B.R.-I.M. and B.R.-C.S.-1.

HEARING:

Wednesday, November 30, 1994 at 10:00 a.m.

LOCATION:

COUNTY COURTHOUSE, ROOM 48

400 WASHINGTON AVENUE TOWSON, MARYLAND 21204

WILLIAM T. HACKETT, CHAIRMAN COUNTY BOARD OF APPEALS

Uliam T. Hackett/M

cc: Savino and Rose Bollino Robert A. Hoffman, Esq.

Contidon red 1/30/4.
Reset on request

Printed with Soybean Ink to annual plan

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BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

May 18, 1994

T0:

Mr. Arnold Jablon, Director Zoning Administration and Development Management

FROM:

J. Lawrence Pilson The Development Coordinator, DEPRM

SUBJECT:

Zoning Item #R-94-340 - Bollino Property

8731 Pulaski Highway

Zoning Advisory Committee Meeting of April 25, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

JLP:KK:sp

BOLLINO/DEPRM/TXTSBP



O. James Lighthizer Secretary Hal Kassoff Administrator

June 9, 1994

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County

US 40-E

Savino and Rose Bollino Case No. R-94-340, 11-30-94

Zoning Reclassification

Mile Post 17.71

Dear Ms. Minton:

This office has reviewed the plan for the referenced project and we offer the following:

A review of the State Highway Administration's (SHA) current and long range planning documents reveals there are no roadway improvement projects scheduled in this area.

A field inspection of the property reveals the existing entrances are acceptable to the SHA for the property's present use.

However, if the zoning reclassification is approved, any future re-development and access to this property will require SHA review and approval. The reconstruction or relocation of the existing entrances will require an access permit to be issued by this office with the following submittals required:

- a. Eight (8) copies of the site plan showing the SHA requirements.
- b. Completed application.
- c. Performance bond, letter of credit, or certified check (include Federal ID number or social security number on certified checks only) in the amount of 150% of the actual entrance construction cost (to include the cost of relocating any affected utilities) and in an even thousand dollar increment. These must be made payable to the State of Maryland. (Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection).
- d. An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free Ms. Charlotte Minton Page Two June 9, 1994

e. A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction. Or, a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this plan.

Very truly yours,

David Ramsey, Acting Chief Engineering Access Permits

David MRamsy

Division

BS/es

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 9, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, Chief
Developers Engineering Section

RE: & Zoning Advisory Committee Meeting for Zoning Reclassification Cycle III April 1994 - October 1994

The Developers Engineering Section has reviewed the subject zoning items and we have no comments for Items 7, 8, 9, 10, and 14.

Item 1 - This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Rd., Md. Rte. 140.

Item 2 - This site, if rezoned, is subject the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development, and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Road, Md. Rte. 140. Also, update existing road and right-of-way width of Pleasant Ridge Dr.

Item 3 - This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development.

Item 4 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for industrial development.

Item 5 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for residential development.

Item 6 - This site is subject to Maryland State Highway Administration Standards for all improvements fronting on York Road, Md. Rte. 45, along with Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development. Access to Warren Road may be a limited access.

Zoning Reclassification Cycle III April 1994 - October 1994 Page 2

Item 11 - A portion of this site lies within the limit of the 100-year flood plain and per Bill No. 18-90, Section 26-276 filling within a flood plain is prohibited. Also, see Baltimore County Department of Public Works Standard Storm Drainage Design Plate D-19 for building setback from flood plain.

Item 12 A portion of this site lies within the limit of the 100-year flood plain and per Bill No. 18-90, Section 26-276 filling within a flood plain is prohibited. Also, see Baltimore County Department of Public Works Standard Storm Drainage Design Plate D-19 for building setback from flood plain.

Item 13 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for residential development.

Item 15 - This site is located adjacent to tidewater. The property owner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor, including basements, of a residential and/or commercial development.

RWB:sw



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

August 31, 1994

Robert A. Hoffman, Esquire VENABLE, BAETJER & HOWARD 210 Allegheny Avenue Towson, MD 21204

> RE: Case No. R-94-340 Savino & Rose Bollino

Dear Mr. Hoffman:

Pursuant to your letter of August 26th regarding the subject matter, the Board has noted both its file and docket that, on November 30, 1994 at 10:00 a.m., it is your intention to appear and request a continuance on the record for the purpose of amending to a documented site plan.

Accordingly, no testimony or evidence will be received on the merits of the Petition for Reclassification on November 30th, but rather the matter opened and continued, to be scheduled for an early morning hearing at a later date for submittal of a Documented Site Plan.

Should you have any questions, please call me at 887-3180.

Very truly yours,

Kathleen C. Weidenhammer Administrative Assistant

CC: Ms. Laurie A. Mazzotta
Mr. & Mrs. Savino Bollino
KCW Consultants, Inc.
James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

BALTIMORE, MD WASHINGTON, D.C. MCLEAN, VA ROCKVILLE, MD

210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21285-5517
(410) 494-6200
FAX (410) 821-0147

RICHARO M. VENABLE (1839-1910) EDWIN G. BAETJEN (1868-1945) CHARLES MCH. HOWARD (1870-1942)

WRITER'S DIRECT NUMBER IS

(410) 494-6262

ROBERT A. HOFFMAN

August 26, 1994

William T. Hackett, Chairman County Board of Appeals of Baltimore County Old Court House 400 Washington Avenue Towson, Maryland 21204

Re: - Cycle Zoning Reclassification No. R-94-340

- Legal Owner - Savino & Rose Bollino - Property Known as 8731 Pulaski Highway

Dear Mr. Hackett:

On behalf of our clients, Savino & Rose Bollino, the Petitioners in the above-referenced zoning reclassification request, we are writing to request a continuance for the hearing scheduled for Wednesday, November 30, 1994 at 10:00 a.m. before the Board of Appeals.

The purpose of this request is to provide our clients with some additional time to complete a Documented Site Plan which would be submitted at the rescheduled hearing. Accordingly, we respectfully request that a continuance be granted and that a hearing date prior to the end of the year be rescheduled at your convenience.

Sincerely

Robert A / Hoffman

GPW\dok

cc: Laurie A. Mazzotta

Gwen Stephens

Peter Max Zimmerman, Esq.

HACKET17.GPW

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

BALTIMORE, MD WASHINGTON, D.C. MCLEAN, VA ROCKVILLE, MD A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

210 ALLEGHENY AVENUE

P.O. BOX 5517

TOWSON, MARYLAND 21285-5517

(410) 494-6200

FAX (410) 821-0147

RICHARD M. VENABLE (1839-1910) EDWIN G. BAETJER (1868-1945) CHARLES MCH. HOWARD (1870-1942)

WRITER'S DIRECT NUMBER IS

ROBERT A. HOFFMAN

(410) 494-6203 February 25, 1994

William T. Hackett, Chairman County Board of Appeals of Baltimore County Old Court House 400 Washington Avenue Towson, Maryland 21204

Re: - Cycle Zoning Reclassification Request

- Legal Owner - Savino & Rose Bollino

- Property Known as 8731 Pulaski Highway

Dear Mr. Hackett:

This firm represents Mr. and Mrs. Savino Bollino, the Petitioners in the above-referenced zoning reclassification request for property located in Baltimore County on the east side of Pulaski Highway, near the intersection of Rossville Boulevard. The 4.28 acre property, which is zoned predominantly ML-IM and ML-CS-1 with a very small portion of BR and BR-CS-1, consists of the Continental Motel, an adjoining storage facility and a vacant restaurant/bar. The Petitioners are requesting BR-IM, BR-CS-1 (or BR-AS) and BR zoning in accordance with the enclosed open site plan.

Pursuant to Section 2-356(b) of the County Code, the purpose of this letter is to set forth the reasons why the requested reclassification should be granted. The property fronts on Pulaski Highway which has become a commercial corridor between the Beltway and the north side of Rossville Boulevard. The adjoining property on the northeast boundary is zoned BR-CS-1 and contains the Christlen Motel. The adjoining property on the southwest boundary is zoned BR and contains a Hechingers store. Other notable commercial uses in the immediate vicinity include the Golden Ring Mall, Circuit City, and Luskins. Simply stated, there is no relationship between the subject property and the additional industrial zoning to the southeast. The hotel itself seems to be a

See Perised Letter (Rev. 3/02/94)

William T. Hackett, Chairman February 25, 1994 Page 2

"throw-back" to a time when Pulaski Highway provided the predominant north/south route for this area.

Finally, it should be noted that the Petitioners' request is consistent with the Baltimore County Master Plan, which specifically addresses Pulaski Highway and calls for the "redevelopment and general upgrading of quality along Pulaski Highway."

For these reasons and for such further justification as may be presented at the hearing, it is respectfully submitted that the County Council erred when it retained the ML-IM and ML-CS-1 zoning on the subject property in 1992 and that it should be reclassified to BR-IM and BR-CS-1.

Sincerely,

Polert A. Hoffman, BY: GPW

Robert A. Hoffman

DOK\gpw enclosures

cc: Laurie A. Mazzotta

HACKETT7.GPW

10

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

BALTIMORE, MD WASHINGTON, D.C. MCLEAN, VA ROCKVILLE, MD A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21285-5517
(410) 494-6200
FAX (410) 821-0147

RICHARD M. VÉNABLE (1839-1910) EDWIN G. BAETJER (1866-1945) CHARLES MCH. HOWARD (1870-1942)

WRITER'S DIRECT NUMBER IS

ROBERT A. HOFFMAN

March 1, 1994

(410) 494-6203

William T. Hackett, Chairman County Board of Appeals of Baltimore County Old Court House 400 Washington Avenue Towson, Maryland 21204

Re: - Cycle Zoning Reclassification Request

- Legal Owner - Savino & Rose Bollino

- Property Known as 8731 Pulaski Highway

Dear Mr. Hackett:

This firm represents Mr. and Mrs. Savino Bollino, the Petitioners in the above-referenced zoning reclassification request for property located in Baltimore County on the east side of Pulaski Highway, near the intersection of Rossville Boulevard. The 4.28 acre property, which is zoned predominantly ML-IM and ML-CS-1 with a very small portion of BR and BR-CS-1, consists of the Continental Motel, an adjoining storage facility and a vacant restaurant/bar. The Petitioners are requesting BR-IM and BR-CS-1 (or BR-AS) zoning in accordance with the enclosed open site plan.

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William T. Hackett, Chairman March 1, 1994 Page 2

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Sincerely,

Robert Hoffe BY: GPW

DOK\gpw enclosures

cc: Laurie A. Mazzotta

HACKETT7.GPW

SAVINO BOLLINO AND ROSE BOLLINO SE/s Pulaski Highway, 300' SW of centerline Rossville Boulevard (8731 Pulaski Highway)

#R-94-340 Item #12, Cycle III, 1994

15th Election District 6th Councilmanic District

From B.R. & M.L.-C.S.-1 & M.L.-I.M. to B.R.-I.M. & B.R.-C.S.1

4.283 acres

March 1, 1994

Petition for Reclassification filed by Robert A. Hoffman, Esquire, on behalf of Savino and Rose Bollino, Petitioners.

Robert A. Hoffman, Esquire VENABLE, BAETJER & HOWARD 210 Allegheny Avenue Towson, MD 21204

Mr. & Mrs. Savino Bollino 8731 Pulaski Highway

KCW Consultants, Inc. 3104 Timanus Lane Baltimore, MD 21244

Baltimore, MD 21237

Counsel for Petitioners

Laurie A. Mazzotto c/o Robert A. Hoffman, Esq.

Petitioners

Engineer

James Earl Kraft /Board of Education Mail Stop #1102-J

People's Counsel for Baltimore County

Pat Keller Jeffrey Long Lawrence E. Schmidt Timothy M. Kotroco W. Carl Richards, Jr. Docket Clerk /ZADM Arnold Jablon, Director /ZADM

R-94-340 /Savino & Rose Bollino

- 8/30/94 -Letter from R. Hoffman, Esquire, on behalf of Petitioner /intention to request continuance on record to complete Documented site Plan on scheduled hearing date of Wednesday, November 30, 1994 at 10:00 a.m.
- 8/31/94 -Letter to R. Hoffman --file and docket have been noted that matter will be opened and continued on 11/30/94 for purpose of amended to documented site plan, to be submitted in open hearing at later date. Copy to all interested parties.
- 11/30/94 -Opened and continued on the record by Paige Wingert on behalf of Petitioners. To be reset as requested.

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County Interoffice Correspondence

DATE:

May 3, 2002

TO:

Arnold Jablon, Director

Permits & Development Management

Attn.: David Duvall

FROM:

Theresa R. Shelton Board of Appeals

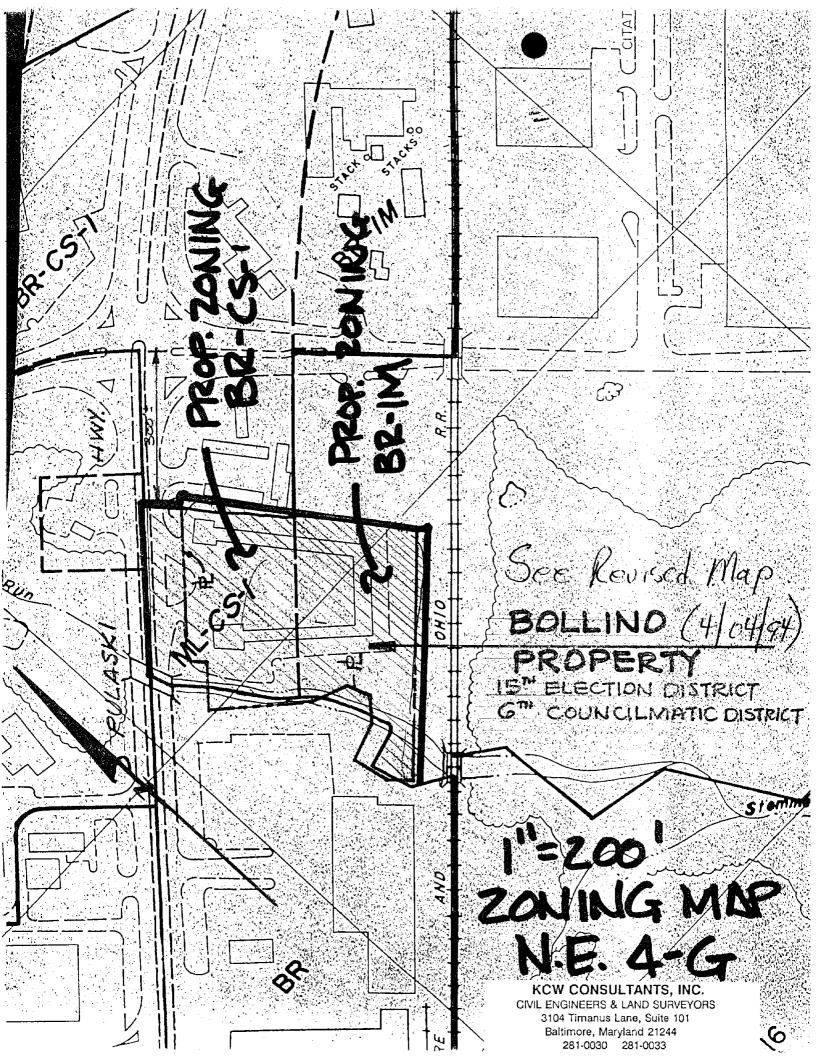
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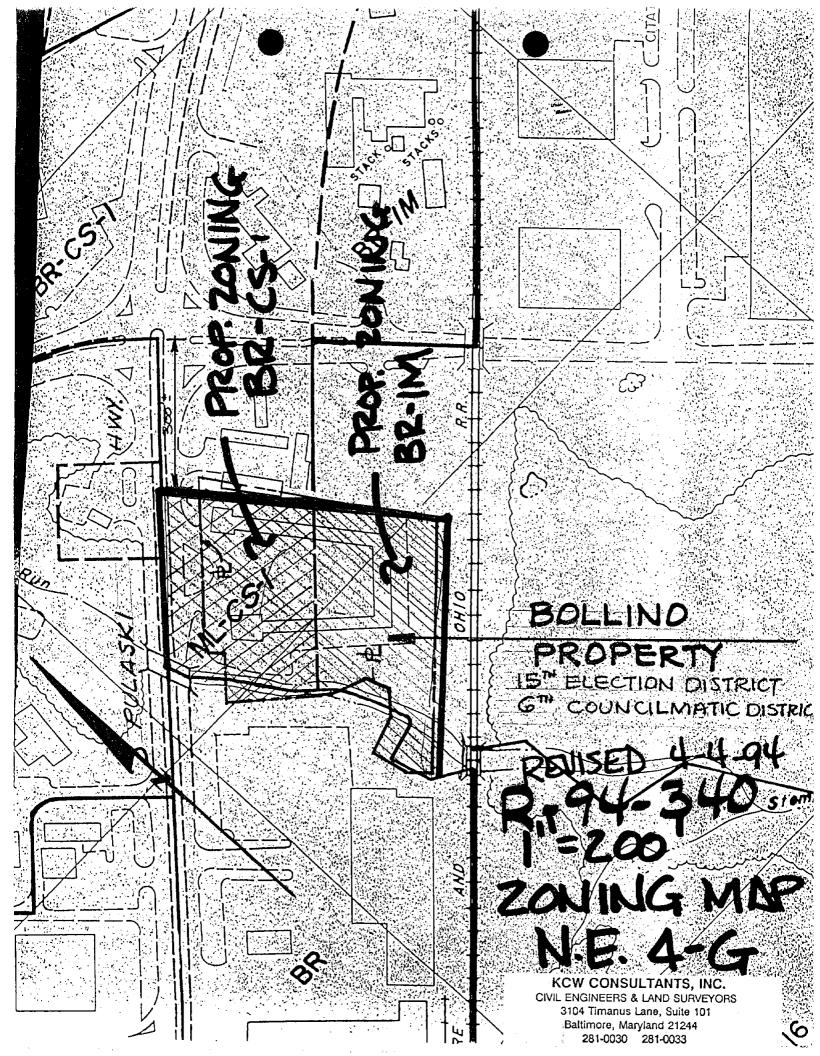
CLOSED APPEAL CASE FILE

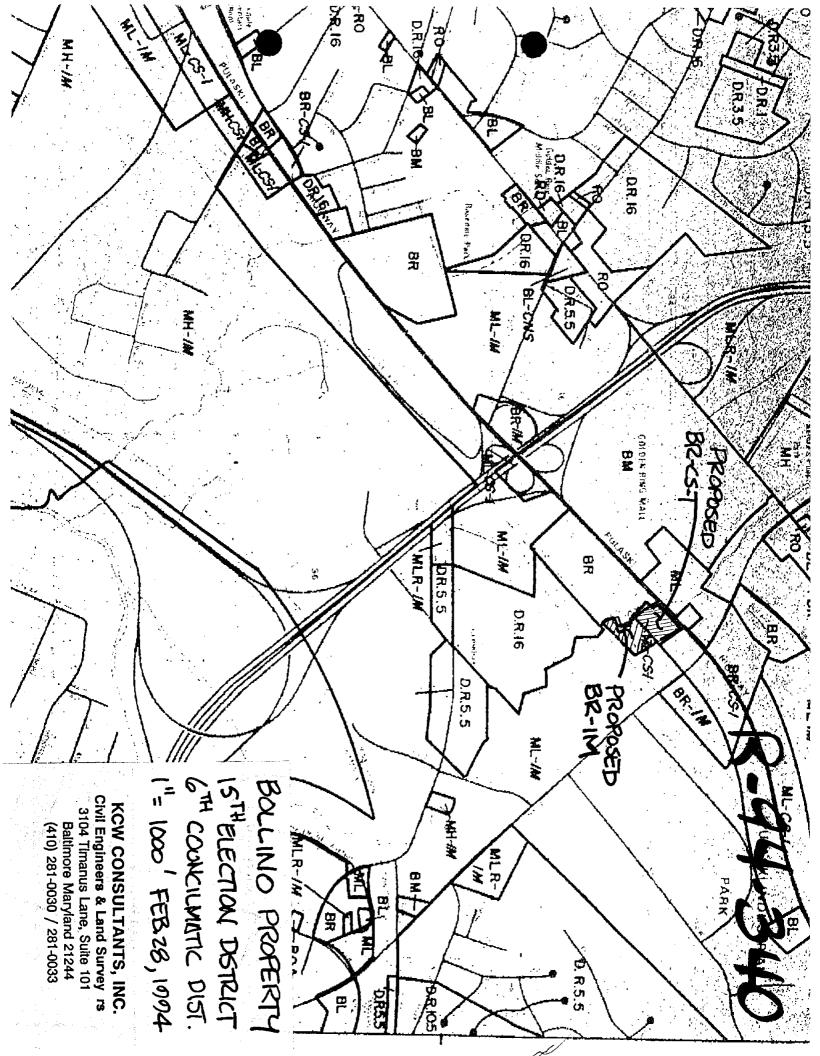
The following case has been finalized and the Board of Appeals is closing the copy of the appeal case file and returning the file and exhibits (if applicable) attached herewith.

BOARD OF APPEALS CASE NUMBER	<u>PDM FILE NUMBER</u>	<u>NAME</u>	<u>LOCATION</u>
R-94-340	R-94-340	SAVINO BOLLINO AND ROSE BOLLINO	8731 PULASKI HIGHWAY

Attachment: SUBJECT FILE(S) ATTACHED







glund dones of Appeals of Baltimore Counting glund one of moon as old street

Return Service Requested

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Towson, MD 21204 YOGET, BAETJER & HOWARD RODERT B. HOFFRD

ghnual Brandliss de Baltimare Countly Randimare Countly ghnua Room 49 old courthouse Towson, maryland 21204

Mr. & Mrs. Savino Bollino 8731 Pulaski Highway Baltimore, MD 21237

County Board of Appeals of Baltimore County Rathouse Room 49 OLD COURTHOUSE TOWSON, MARYLAND 21204

KCW Consulants, Inc.
3104 Timanus Lane
Baltimore, MD 21244

aunty Board of Appeals of Ballimare Caunty Room es old courthouse rowson, maryland 21204

Ms. Laurie A. Mazzotta c/o Robert A. Hoffman, Esquire 210 Allegheny Avenue Towson, MD 21204 Report by the
Baltimore County Planning Board
to the
Baltimore County Board of Appeals

ZONING RECLASSIFICATION PETITIONS

Cycle III, 1994

July 31,1994



Baltimore County Government Planning Board



401 Bosley Avenue Towson, MD 21204

(410) 887-3211 Fax (410) 887-5862

July 22, 1994

Mr. William T. Hackett, Chairman County Board of Appeals Courthouse Towson, Maryland 21204

Dear Mr. Hackett:

Enclosed herewith is the report containing the County Planning Board's recommendations regarding the zoning reclassification petitions in Cycle III, 1994.

After full discussion in the Committee meeting on July 7, 1994, the Report was adopted by the Planning Board in its monthly meeting on July 21, 1994, and is hereby published and submitted in accordance with County Code Section 2-356(f).

Sincerely,

Pat Keller

Secretary to the Planning Board

PK/TD/mjm LTRS/PZONE/TXTMJM

Enclosure

Merreen E. Kelly, Administrative Officer Peter Max Zimmerman, People's Counsel



ZONING RECLASSIFICATION PETITIONS

Cycle III, 1994

Report by the Baltimore County
Planning Board
to the

Baltimore County Board of Appeals

July 31, 1994

Baltimore County
Office of Planning and Zoning
Towson, Maryland

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Item No. 11
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Appendix A: Excerpt from Baltimore County Code, 198880

INTRODUCTION

Under the provisions of Section 2-356(e), <u>Baltimore County Code</u>, <u>1988</u>, (see Appendix A), the Director of Planning and Zoning is required to submit to the Planning Board, during Period 1 of each zoning cycle, a report on the petitions accepted by the County Board of Appeals for filing during the previous zoning cycle. The report is to contain the following information:

- 1. Maps showing properties under petition and the reclassifications sought therefore; such maps may also identify groups of such properties located close to each other and show other indications of the inter-relation of petitions with respect to planning considerations.
- 2. Recommendations on the petitions.
- 3. Supporting data for the recommendations, including any pertinent data and recommendations submitted by other County agencies.
- 4. Recommendations for scheduling of all hearings (to be held during the next Period IV, prepared in consultation with the County Board of Appeals).

The thirteen petitions in the current cycle have been reviewed by the planning staff, and the following pages report the Office of Planning and Zoning staff's analyses and recommendations. The process of formulating these recommendations included: staff inspections of each site; a review of the policies and statements in the current <u>Baltimore County Master Plan</u>; and a review of files from the preparation and adoption of the 1992 Comprehensive Zoning Map. Comments also were requested from other county agencies including the Board of Education, the Department of Environmental Protection and Resource Management, the Fire Department, the Police Department, the Department of Public Works, the Department of Recreation and Parks, and the Bureau of Traffic Engineering.

In reaching its decision on each petition, the Board of Appeals is required to use the standards in Section 2-356(j) of the County Code. During the first cycle following a Comprehensive Zoning Map Process, Section 2-356(k) further limits the Board's authority to granting reclassifications only where the Board finds that the change is warranted upon consideration of the specified factors and also if "the last classification of the property [i.e., by the County Council's vote on October 15, 1992] was established in error." The concept of "error" is not further defined in the Code, and the staff does not presume to make an interpretation.

CYCLEA/PZONE/CYCLE

The concept of "error" is not further defined in the Code, and the staff does not presume to make an interpretation. The staff's review of each petition, however, did take into consideration the manner in which the Comprehensive Zoning Map Process is structured, and was conducted during 1991-92, to minimize the likelihood that relevant properties would inadvertently be omitted from consideration along with the Issues otherwise raised.

Obviously, each property that was raised as an Issue received separate consideration, especially properties that were sequestered from separate voting by the Planning Board and/or the County Council. In addition, after the close of the Open Filing Period, the planning staff reviewed each Issue in relation to neighboring properties to determine whether any other properties should also be raised as Issues for consideration at this time. Wherever, in the staff's judgment, action on an already-filed Issue would require or advise a change in the zoning of a neighboring property or properties, those also were raised as Issues. If, in the opinion of the staff, the current zoning in the vicinity would continue on the Issue, no additional Issues were raised. The County Council and Planning Board had the same opportunity to raise an Issue during their respective filing periods.

IN THE MATTER OF

THE APPLICATION OF

SAVINO AND ROSE BOLLINO FOR ZONING

RECLASSIFICATION FROM B.R. & M.L.-C.S.I

& M.L.-I.M. TO B.R.-I.M. & B.R.-C.S.I ON

PROPERTY LOCATED ON THE SE/S PULASKI

HIGHWAY, 300' SW OF C/L ROSSVILLE BLVD*

(8731 PULASKI HIGHWAY)

15TH ELECTION DISTRICTS

*
6TH COUNCILMANIC DISTRICT

BEFORE THE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

Case No. R-94-340 Cycle III, 1994

ORDER OF DISMISSAL OF PETITION

This case comes to the Board on a Petition for Reclassification filed by Robert A.

Hoffman, Esquire, on behalf of Savino Bollino and Rose Bollino, Petitioners, for zoning reclassification from B.R. & M.L.-C.S.1 & M.L.-I.M. to B.R.-I.M. & B.R.-C.S.1 on property located on the southeast side Pulaski Highway, 300' southwest of centerline Rossville Boulevard (8731 Pulaski Highway) in the Fifteenth Election District of Baltimore County.

WHEREAS, Petitions for Reclassification pending on the Board's Continued Docket on the date of adoption of the Comprehensive Zoning Maps are considered to be moot; and

WHEREAS, no further action has been taken in this matter since a continuance was granted on November 30, 1994;

IT IS, THEREFORE, this 25-16 day of June 1999, 2002, by the County Board of Appeals of Baltimore County

ORDERED that said Petition filed in Case No. R-94-340 be and the same is declared moot, and the Petition **DISMISSED**.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Charles L. Marks, Chairman



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

February 25, 2002

Robert A. Hoffman, Esquire VENABLE, BAETJER & HOWARD, LLP 210 Allegheny Avenue Towson, MD 21204

RE: In the Matter of: Savino and Rose Bollino
Case No. R-94-340 / Order of Dismissal of Petition

Dear Mr. Hoffman:

Enclosed please find a copy of the Order of Dismissal of Petition issued this date by the

Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco
Administrator

Enclosure

c: Mr. & Mrs. Savino Bollino
KCW Consultants, Inc.
Robert J. Haines, Esquire
/Board of Ed. /MS 1102-J
People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt /Zoning Commissioner
W. Carl Richards /PDM
Arnold Jablon, Director /PDM



Petition for Reclassification

to the Board of Appeals of Baltimore County

for the property located at 8731 Pulaski Highway

coning Law of Bartimore County, from an 222 222 2011e to	BR-IM an BR-CS1 zone, for the reasons given in	n the attached
and (2) for a Special Exception under the Zoning Regulations of	Bartimore County, to use the nerein described pi	ropeny for:
and (3) for the reasons given in the attached statement, a varian	ce from the following sections of the Zoning Regu	ulations of Balti
County:		9
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	had by Zanina Dagy Jotiana	ίż
Property is to be posted and advertised as prescr i, or we, agree to pay expenses of above Special Exception ad are to be bound by the zoning regulations and restrictions of Ba	vertising, posting, etc., upon filing of this petition,	and further ag
	I/We do solemnly declare and affirm, under the penalt	
	legal owner(s) of the property which is the subject of th	is Petition.
Contract Purchaser/Lessee:	Legal Owner(s):	
	Savino Bollino	
(Type or Print Name)	(Type or Print Name)	
	Sarmo 6	Balln
Signature	Signature	
	Rose Bollino	
		
Address	(Type or Pint Name)	1
Address	(Type or Plint Name)	llin
Address City State Zipcode	(Type or Plint Name) Signature	llin
	Signature Dr	Clin
City State Zipcode	Signature De De Signature Signature De	
City State Zipcode Attorney for Petitioner:	Signative Dr. Signative Signative Dr. Signat	Phone No.
City State Zipcode Attorney for Petitioner: Robert A. Hoffman	8731 Pulaski Highway Address Baltimore MD	Phone No.
City State Zipcode Attorney for Petitioner:	8731 Pulaski Highway Address Baltimore MD City State Name, Address and phone number of legal owner, con	Phone No. 2123
City State Zipcode Attorney for Petitioner: Robert A. Hoffman	8731 Pulaski Highway Address Baltimore MD City State Name, Address and phone number of legal owner, conto be contacted.	Phone No. 2123
Attorney for Petitioner: Robert A. Hoffman (Type or Print Name)	8731 Pulaski Highway Address Baltimore MD City State Name, Address and phone number of legal owner, contobe contacted. Robert A. Hoffman	Phone No. 2123 Zip
Attorney for Petitioner: Robert A. Hoffman (Type or Print Name) Signature Venable, Baetjer and Howard	8731 Pulaski Highway Address Baltimore MD City State Name, Address and phone number of legal owner, contobe contacted. Robert A. Hoffman Name Venable, Baetjer a	Phone No. 2123
Attorney for Petitioner: Robert A. Hoffman (Type or Print Name) Signature Venable, Baetjer and Howard 210 Allegheny Ave. 494-6262 Address Phone No.	8731 Pulaski Highway Address Baltimore MD City State Name, Address and phone number of legal owner, conto be contacted. Robert A. Hoffman Name Venable, Baetjer at 210 Allegheny Ave.	Phone No. 2123 Zigitract purchaser or re
Attorney for Petitioner: Robert A. Hoffman (Type or Print Name) Signature Venable Baetjer and Howard 210 Allegheny Ave. 494-6262	8731 Pulaski Highway Address Baltimore MD City State Name, Address and phone number of legal owner, contobe contacted. Robert A. Hoffman Name Venable, Baetjer at 210 Allegheny Ave.	Phone No. 2123 Itract purchaser or form 494-62

See: Revised Petition (Rev. 4/04/94)



Petition for Reclassification

to the Board of Appeals of Baltimore County

for the property located at 8731 Pulaski Highway

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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 reclassified, pursuant to the BR, ML-CS-1

Zoning Law of Baltimore County, from an $\frac{\& ML-IM}{\& ML-IM}$ zone to an $\frac{BR-CS1}{\& ML-IM}$ zone, for the reasons given in the attached statement; and (2) for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for:

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

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

I, or we, agree to pay expenses of above Special Exception 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 at legal owner(s) of the property whi		
Contract Purchaser/Lessee:			Legal Owner(s):		
•			Savino Bolli	.no	
(Type or Print Name)	· · · · · · · · · · · · · · · · · · ·		(Type or Print Name)	ino 13	Almo
Signature			Signature	<u> </u>	
-			Rose Bollino)	
Address			(Type of Print Name)	Bit	lino
City	State	Zipcode	Signature		
			8731 Pulaski	Highway	686-8667
Attorney for Petitioner:		•	Address		Phone No.
Robert A.	Hoffman		Baltimore	MD	21237
(Type or Print Name)	1/2		City Name, Address and phone numb to be contacted.	State er of legal owner, contra	Zipcode act purchaser or representative
7////	////		Robert A. Ho	ffman	
Venable, 2210 Allegh	_		Name Venable, E 210 Allegher	-	1d Howard 494-6262
Address	P	hone No. 21204		21204	Phone No.
Towson	MD	Zipcode		OFFICE USE ONLY	
City	State	· ·	ESTIMATED LENGTH OF HEAR	RING unavailable for Hearing	 _
		California de la Carte de la C	the following dates		Next Two Months
		√	ALL	OTHER	
			REVIEWED BY:	DATE_	

KCW Consultants, Inc.

Civil Engineers and Land Surveyors
3104 Timanus Lane, Suite 101 / Baltimore, Maryland 21244

(410) 281-0030 / 281-0033 / Fax (410) 298-0604

February 28, 1994

ZONING DESCRIPTION

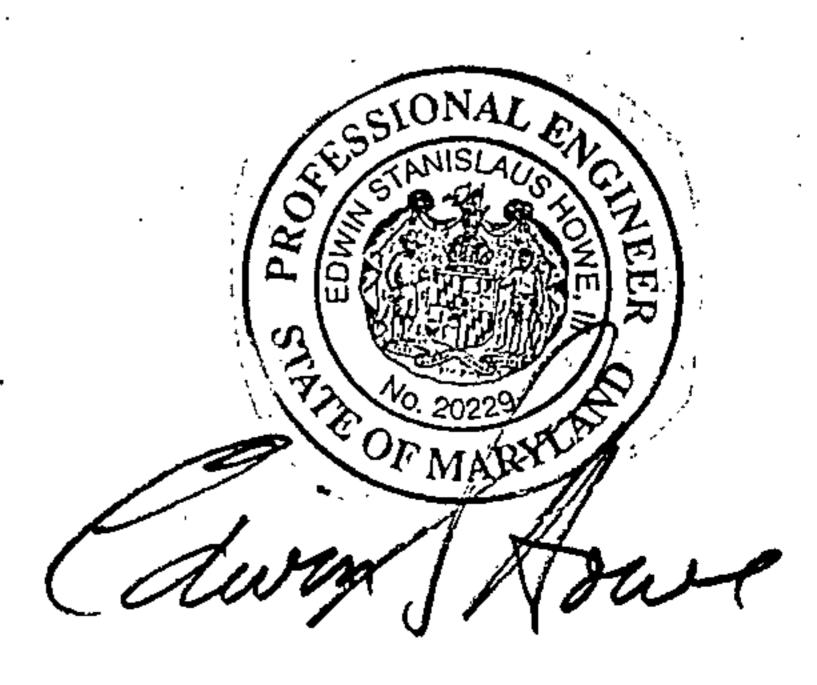
Property of Savino Bollino & Rose Bollino Deed S.M. 8121, Folio 682

15th Election District Baltimore County, Maryland

BEGINNING at a point on the east side of Pulaski Highway, 150 feet wide, at the distance of 300 feet south of the centerline of Rossville Boulevard; thence the following courses and distances:

- 1. S 35°07'33" E 485.73'
- 2. S 47°23'07" W 480.25'
- 3. N 65°06'33" W 45.26'
- 4. N 16°24'33" W 90.00'
- 5. N 74°03'27" E 85.00'
- 6. N 38°07'27" E 58.20'
- 7. N 20°15'33" W 46.80'
- 8. N 66°28'33" W 84.12'
- 9. N 48°12'39" W 210.33'.
- 10. N 44°55'27" E 105.00'
- 11. N 45°04'33" W 40.00'
- 12. N 44°55'27" E 321.59'

to the place of beginning as recorded in Deed Liber S.M. 8121, Folio 682, containing 186,567 square feet or 4.283 acres. Also known as 8731 Pulaski Highway and located in the 15th Election District, Baltimore County, Maryland.



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Townen, Maryland

District 15th	Date of Posting
Posted for: De olass Inca	/7071
Petitioner: Saulno Bol	11-40/0/4X
Location of property: 2731 Pula	SK! Hwy
Location of Signs: Focing 100	d way on proportory being zoned
	`/
Remarks:	
mettochu	Date of return: 11/18/94
Posted bySignature	
Number of Signs:	

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

JULY 26, 1994

Savino and Rose Bollino c/o Robert A. Hoffman, Esq. 210 Allgeheny Avenue Towson, Maryland 21204

Re: Case Number: R-94-340

8731 Pulaski Highway

SE/S Pulaski Highway, 300' SW of c/l Rossville Boulevard

15th Election District - 6th Councilmanic

Dear Mr. Hoffman:

Attached you will find a copy of the memorandum originally forwarded to you on May 24, 1994. As noted thereon, payment 2 (your client's share of the \$4,313.40 cost of the full page ads) is now due.

Please immediately forward the following to this office:

A check made payable to Patuxent Publishing in the amount of \$331.80.

Non-payment of fees will hold your case in abeyance. If you have any questions regarding this letter, you may contact Ms. Gwen Stephens at 887-3391.

Very truly yours,

ARNOLD JABLON DIRECTOR

AJ:ggs

Per Gwen Stephens - ZADM

ALL ADVERTISING PAID FOR

CYCLE III RECLASS PETITIONS

Printed with Soybean Ink
on Recycled Paper

BALTIMORE RECEIVED TICE OF FINANCE - REVENUE DIVISION JCELLANEOUS CASH RECEIPT PINK - AGENCY COUNTY, YELLOW - CUSTOMER しておるます VALIDATION OR SIGNATURE OF MARYLAND TENDSHOPS FOR THE CENTS · · ACCOUNT AMOUNT WHITE - CASHIER RECEIVED DATE BALTIMORE FOR: ద CASHIER CELLANEOUS CASH RECEIPT 유 PINK - AGENCY FINANCE - REVENUE DIVISION 14001 COUNTY, YELLOW - CUSTOMER VALIDATION OR SIGNATURE OF CASHIER MARYLAND ACCOUNT AMOUNT BALTIMORE COUNTY, MARYLAND TICE OF FINANCE - REVENUE DIVISION CELLANEOUS CASH RECEIPT PINK - AGENCY S YELLOW - CUSTOMER VALIDATION OR SIGNATURE OF CASHIER ACCOUNT AMOUNT_

FOR:

MEMORANDUM

TO: RECLASSIFICATION PETITIONERS, ATTORNEY, AND/OR REPRESENTATIVES

FROM: ZONING ADMINISTARTION AND DEVELOPMENT MANAGEMENT

111 W. Chesapeake Avenue, Towson, Maryland 21204

RE:: PAYMENT OF POSTING AND ADVERTISING FEES - RECLASSIFICATIONS

As you are aware, all government entities should endeavor to cut dollor out-put, misuse of labor and the proliferation of paperwork.

In the past, mandated newspaper advertising of Zoning actions was billed to Baltimore County. The processing of these ads and their subsequent bills touched several county agencies. Although, we will continue to place ads for the petitioner, in the majority of cases, Baltimore County will no longer act as a middle-man with regard to the newspaper billing.

An individual ad for your petition will run approximately one month before the scheduled hearing date. Billing for the indvidual ad, due upon receipt, will come from and should be remitted directly to the newspaper.

Cycle Reclassification Petitions are required to be heavily advertised and are now the only instance when we must again act as middle-man. The initial full-page ads, containing the particulars of all the petitions in this Cycle, will run in the July 7, 1994 and July 14, 1994 issues of the Jeffersonian.

Patuxent Publishing will bill the County an estimated \$4,600.00 for these full-page ads. This cost is charged back to the petitioners, equally divided among them. When you receive this bill from us, we ask that you immediately mail your check back to us. However, the check's payee should read Patuxent Publishing Company. In this manner, you help lower the County's cost by reducing or eliminating the purchasing, budget, and/or finance departments' involvement. Costs are also lowered as no funds will come out of the County budget to pay the advertising costs.

Briefly, your payments will be as follows:

- 1) Posting charges of \$35.00, now due. Please make check payable to "Baltimore County" and mail to Zoning Administration & Development Management.
- 2) Your share of the full page ads. Our office will forward billing to you in late July. Upon receipt, please make your check payable to "Patuxent Publishing" and mail it to Zoning Administration and Development Management.
- 3) Advertising cost for your individual ad, which will run approximately 3 to 4 weeks before your hearing. Billing for this will come directly from Patuxent Publishing and your check should be made payable to and mailed directly to Patuxent.
- If you have any questions concerning this matter, please contact Gwendolyn Stephens at 887-3391.

	BALTIMORE COUNTY, MARYLAND OFFICE OF FINANC REVENUE DIVISION MISCELLANEOUS CASH RECEIPT
1	ACCOUNT
	CYCLE III, #12
	AMOUNT \$
!	Ω
!	R-94-340
	R-94-340 RECEIVED FROM:
:	R-94-340 RECEIVED FROM:
	R-94-340 RECEIVED FROM:

•

Fem # 12 • R-94-390

Report by the
Baltimore County Planning Board
to the
Baltimore County Board of Appeals

ZONING RECLASSIFICATION PETITIONS

Cycle III, 1994

July 31,1994



Baltimore County Government Planning Board



401 Bosley Avenue Towson, MD 21204

(410) 887-3211 Fax (410) 887-5852

July 22, 1994

 $\ddot{\omega}$

Mr. William T. Hackett, Chairman County Board of Appeals Courthouse Towson, Maryland 21204

Dear Mr. Hackett:

Enclosed herewith is the report containing the County Planning Board's recommendations regarding the zoning reclassification petitions in Cycle III, 1994.

After full discussion in the Committee meeting on July 7, 1994, the Report was adopted by the Planning Board in its monthly meeting on July 21, 1994, and is hereby published and submitted in accordance with County Code Section 2-356(f).

Sincerely,

Pat Keller

Secretary to the Planning Board

PK/TD/mjm LTRS/PZONE/TXTMJM

Enclosure

cc: Merreen E. Kelly, Administrative Officer Peter Max Zimmerman, People's Counsel



ZONING RECLASSIFICATION PETITIONS

Cycle III, 1994

Report by the Baltimore County
Planning Board
to the

Baltimore County Board of Appeals

July 31, 1994

Baltimore County
Office of Planning and Zoning
Towson, Maryland

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INTRODUCTION

Under the provisions of Section 2-356(e), <u>Baltimore County Code</u>, <u>1988</u>, (see Appendix A), the Director of Planning and Zoning is required to submit to the Planning Board, during Period 1 of each zoning cycle, a report on the petitions accepted by the County Board of Appeals for filing during the previous zoning cycle. The report is to contain the following information:

- Maps showing properties under petition and the reclassifications sought therefore; such maps may also identify groups of such properties located close to each other and show other indications of the inter-relation of petitions with respect to planning considerations.
- 2. Recommendations on the petitions.
- 3. Supporting data for the recommendations, including any pertinent data and recommendations submitted by other County agencies.
- 4. Recommendations for scheduling of all hearings (to be held during the next Period IV, prepared in consultation with the County Board of Appeals).

The thirteen petitions in the current cycle have been reviewed by the planning staff, and the following pages report the Office of Planning and Zoning staff's analyses and recommendations. The process of formulating these recommendations included: staff inspections of each site; a review of the policies and statements in the current Baltimore County Master Plan; and a review of files from the preparation and adoption of the 1992 Comprehensive Zoning Map. Comments also were requested from other county agencies including the Board of Education, the Department of Environmental Protection and Resource Management, the Fire Department, the Police Department, the Department of Public Works, the Department of Recreation and Parks, and the Bureau of Traffic Engineering.

In reaching its decision on each petition, the Board of Appeals is required to use the standards in Section 2-356(j) of the County Code. During the first cycle following a Comprehensive Zoning Map Process, Section 2-356(k) further limits the Board's authority to granting reclassifications only where the Board finds that the change is warranted upon consideration of the specified factors and also if "the last classification of the property [i.e., by the County Council's vote on October 15, 1992] was established in error." The concept of "error" is not further defined in the Code, and the staff does not presume to make an interpretation.

CYCLEA/PZONE/CYCLE

The concept of "error" is not further defined in the Code, and the staff does not presume to make an interpretation. The staff's review of each petition, however, did take into consideration the manner in which the Comprehensive Zoning Map Process is structured, and was conducted during 1991-92, to minimize the likelihood that relevant properties would inadvertently be omitted from consideration along with the Issues otherwise raised.

Obviously, each property that was raised as an Issue received separate consideration, especially properties that were sequestered from separate voting by the Planning Board and/or the County Council. In addition, after the close of the Open Filing Period, the planning staff reviewed each Issue in relation to neighboring properties to determine whether any other properties should also be raised as Issues for consideration at this time. Wherever, in the staff's judgment, action on an already-filed Issue would require or advise a change in the zoning of a neighboring property or properties, those also were raised as Issues. If, in the opinion of the staff, the current zoning in the vicinity would continue on the Issue, no additional Issues were raised. The County Council and Planning Board had the same opportunity to raise an Issue during their respective filing periods.

PETITIONS FOR RECLASSIFICATION CYCLE III, 1994

Assigned Hearing Dates County Board of Appeals Page 1 of 2

Week of September 12, 1994

Item #1, Case No. R-94-329

Masters-Severe, Inc. /Legal Owner Village Sound Company, Inc. /Contract Purchaser Tuesday, September 13, 1994 @ 10:00 a.m.

Week of September 19, 1994

Item #2, Case No. R-94-330 C&E Realty Company Wednesday, September 21, 1994 @ 10:00 a.m.

Week of September 26, 1994

Item #3, Case No. R-94-331

Morningside Six Limited Partnership
Wednesday, September 28, 1994 @ 10:00 a.m.

Week of October 3, 1994

Item #4, Case No. R-94-332

Baltimore Gas & Electric Company, Inc. AND Baltimore County, Maryland AND CSX Transportation, Inc. /Legal Owners Nace, Inc. /Contract Purchaser Tuesday, October 4, 1994 @ 10:00 a.m.

Item #5, Case No. R-94-333

Hico Park M Limited Partnership
Thursday, October 6, 1994 @ 10:00 a.m.

Week of October 10, 1994

Item #6, Case No. R-94-334

Baltimore Gas & Electric Company, Inc.
Wednesday, October 12, 1994 @ 10:00 a.m.

Cycle III, 1994
Assigned Hearing Dates
County Board of Appeals
Page 2 of 2

Week of October 17, 1994

Item #7, Case No. R-94-335

Genstar Stone Products Company
Wednesday, October 19, 1994 @ 10:00 a.m.

Week of October 24, 1994

Item #8, Case No. R-94-336
 Stebbins-Andersen Company, Inc.
Tuesday, October 25, 1994 @ 10:00 a.m.

Item #9, Case No. R-94-337
Genstar Stone Product Company
Thursday, October 27, 1994 @ 10:00 a.m.

Week of October 31, 1994

Item #10, Case No. R-94-338

Janet Terry
Wednesday, November 2, 1994 @ 10:00 a.m.

Week of November 14, 1994

Item #11, Case No. R-94-339
The Giles Building & Development Company
Tuesday, November 15, 1994 @ 10:00 a.m.

Week of November 28, 1994

Item #12, Case No. R-94-340
Savino Bollino and Rose Bollino
Wednesday, November 30, 1994 @ 10:00 a.m.

Week of December 5, 1994

Item #13, Case No. R-94-341
Gerald D. Sherman & Roger A. Spero
Tuesday, December 6, 1994 @ 10:00 a.m.

BALTIMORE COUNTY, MARYLAND

Recommendations of the Office of Planning and Zoning

July 31, 1994

Item No. and Petitioner	Location	Acreage	Existing Zoning	Requested Zoning	OPZ/PB Recommendation
Item No. 1 Masters-Severe, Inc.	Southwest side of Reisterstown Road, 400' southeast of Sunset Road (#11418 Reisterstown Road)	. 4	R.O.	B.L.	R.O.
Item No. 2 C & E Realty Company	Northeast side of Reisterstown Road	14.54	D.R. 16	B.M.	D.R. 16
Item No. 3 Morningside Six Limited Partnership	Northwest side of Pleasant Ridge Drive, 360' northeast of Reisterstown Road	6.4	D.R. 16	B.L.	D.R. 16
Item No. 4 Baltimore Gas & Electric Company, Inc. and Baltimore County, MD & CSX Transportation, Inc.	West side of Owings Mills Boulevard, north and south of Bonita Avenue	26.83	D.R. 1	M.LI.M.	D.R. 1
Item No. 5 Hico Park M Limited Partnership	West side York Road, 97' south of the centerline of Ridgebrook Road	113.0	M.L.R.	D.R. 5.5	M.L. M.L.R.
Item No. 6 Baltimore Gas & Electric Company, Inc.	Southwest corner of York and Warren Roads	1.76	M.LA.S. M.LI.M. B.RA.S.	B.RA.S. B.RI.M.	M.LA.S. M.LI.M. B.RA.S.

Item No. and Petitioner	Location	<u>Acreage</u>	Existing Zoning	Requested Zoning	OPZ/PB Recommendation
Item No. 7 Genstar Stone Products Company	South side of Galloway Avenue, 670' west of York Road, north side of Padonia Road, and eas and west of proposed Beaver Dam Road	38.3 t	M.LI.M.	B.MI.M.	M.LI.M.
Item No. 8 Stebbins-Anderson Company, Inc.	Southwest corner of Timonium and Aylesbury Roads (21 West Timonium Roa	14.6 d)	M.LI.M.	B.RI.M.	M.LI.M.
Item No. 9 Genstar Stone Products Company	Northwest corner of Pulaski Highway and White Marsh Boulevard, and southeast side of Philadelphia Road	205.8	M.LI.M. M.HI.M.	B.RI.M.	M.LI.M. M.HI.M.
Item No. 10 Janet Terry	Southeast side of Pulaski Highway, 1915' southwest of the centerline of Mohrs Lane	11.85	M.LI.M. M.LA.S.	B.RI.M.	M.LI.M. M.LA.S.
Item No. 11 The Giles Building and Development Company	North side of Race Road, 95' west of the centerline of Yellow Brick Road	. 94	M.LI.M.	B.L.	M.LI.M.
Item No. 12 Savino Bollino & Rose Bollino	Southeast side of Pulaski Highway, 300' southwest of the centerline of Rossville Bouleva	4.3 rd	B.R. M.LA.S. M.LI.M.		B.R. M.LA.S. M.LI.M.
Item No. 13 Gerald D. Sherman & Roger A. Spero	Northeast and southwest side of Gladway Road, 1150' north of Bengies Road and 2390' southeast of Bird River Road	51.6	D.R1 M.LI.M. M.HI.M.		D.R. 1 M.LI.M. M.HI.M.

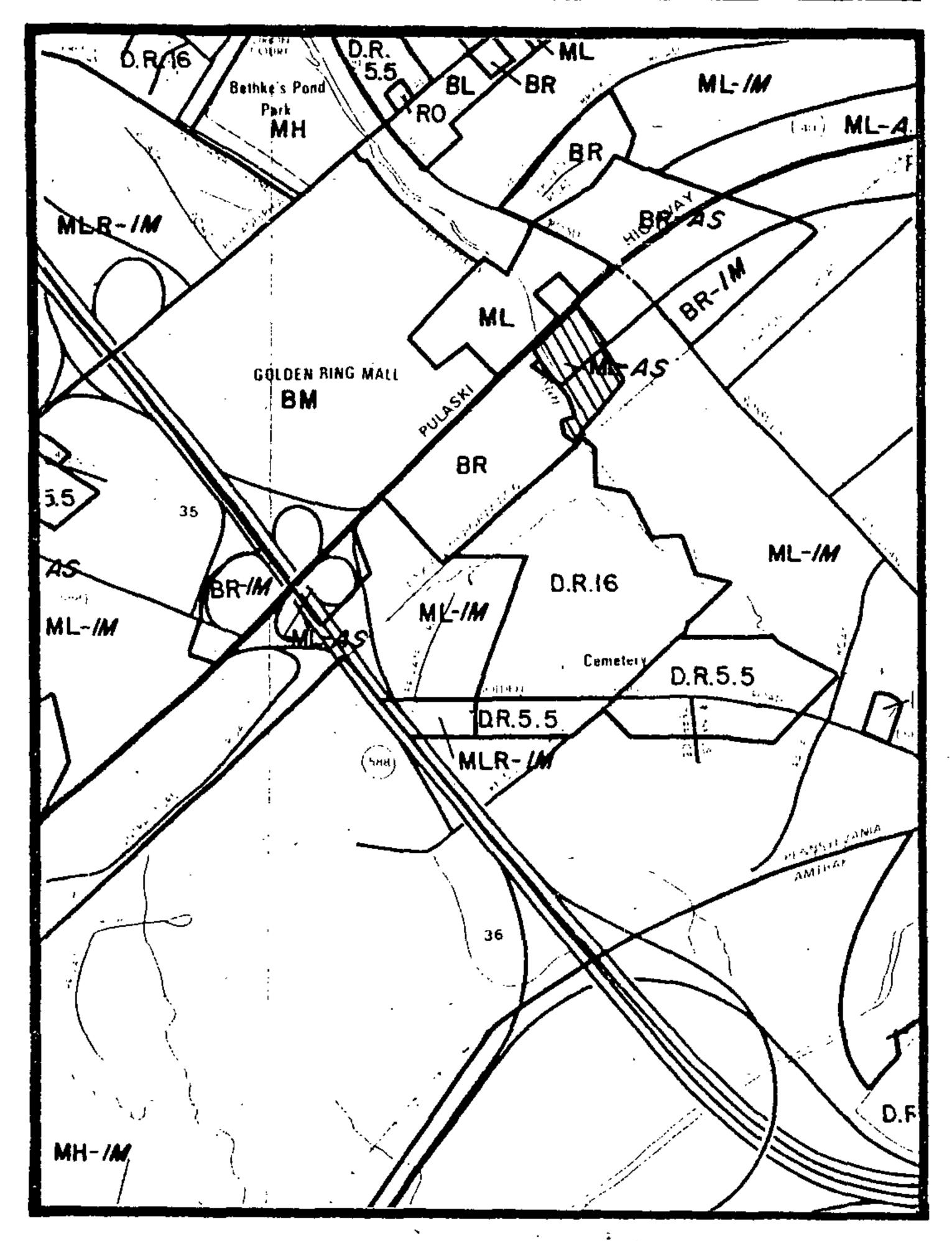
LOCATIONS OF PROPERTIES UNDER PETITION YORK COUNTY, PA. **EXISTING ZONING CLASSIFICATIONS** RESOURCE CONSERVATION - AGRICULTURE ЯÇŽ RC3 RESOURCE CONSERVATION - DEFERRAL OF PLANNING AND DEVELOPMENT R.C.4 RESOURCE CONSERVATION - WATERSHED PROTECTION R.C.5 RESOURCE CONSERVATION - RURAL RESIDENTIAL R.C.20 RESOURCE CONSERVATION - CRITICAL AREA R.C.50 RESOURCE CONSERVATION - CRITICAL AREA AGRICULTURAL R.C.C. RESOURCE CONSERVATION - COMMERCIAL D.R.1 DENSITY RESIDENTIAL, [1 DWELLING UNIT PER ACRE) DR 2 DENSITY RESIDENTIAL, (2 DWELLING UNITS PER ACRE) D.R.J.S DENSITY RESIDENTIAL, (3.5 DWELLING UNITS PER ARCE) DRISS DENSITY RESIDENTIAL, (S.S DWELLING UNITS PER ACRE) D.R. IO.S DENSITY RESIDENTIAL, (IO.S DWELLING UNITS PER ACRE) DR.16 DENSITY RESIDENTIAL, (16 DENSITY UNITS PER ACRE) COUNTY R.A.E.1 RESIDENTIAL, (40 DENSITY UNITS PER ACRE) RAEZ RESIDENTIAL, 180 DENSITY UNITS PER ACRE R-0 . RESIDENTIAL - OFFICE, (5.5 DWELLING UNITS PER ACRE) R-O-A RESIDENTIAL - OFFICE, CLASS "A" OFFICE BUILDING OFFICE BUILDING OFFICE PARK at. OFFICE AND TECHNOLOGY SERVICE EMPLOYHENT NORTHERN SECTOR B.M.M. BUSINESS MARITIME MARINA B.M.B. BUSINESS MARITIME BOATYARD BUSINESS, LOCAL BL BUSINESS, MAJOR BUSINESS, ROADSTOE MANUFACTURING, RESTRICTED MLR. MANUFACTURING, LIGHT, RESTRICTED MANUFACTURING, LIGHT MANUFACTURING, HEAVY \\$ MH SHAWAN 6 **EMINARY** JOPPA CENTRAL SECTOR **WESTERN SECTOR** SECURITY BLVD 70 N BALTIMORE CITY **EASTERN SECTOR** ANNE ARUNDEL COUNTY

SOURCE MATERIAL

Recommendations for the thirteen (13) petitions filed are based on the following:

- 1. Information compiled during the processing of the Comprehensive Zoning Maps adopted by the County Council on October 15, 1992.
- 2. Capital Budget and 5-Year Capital Program.
- 3. Zoning Plans Advisory Committee comments.
- 4. Discussions with other governmental agencies.
- 5. Field inspections of subject sites.
- 6. Baltimore County Master Plan

CYCLEA/PZONE/CYCLE



ITEM NUMBER 12 Location of Property Under Petition

Scale: 1'= 1000'

CYCLE III, ITEM 12

CASE NO. R-94-340

PETITIONER:

Savino Bollino & Rose Bollino

REQUESTED ACTION:

Reclassification to B.R.-I.M. (Business Roadside-Industrial Major) and B.R.-A.S. (Business Roadside-Automotive Service)

EXISTING ZONING:

B.R. (Business Roadside), M.L.-A.S. (Manufacturing Light-Automotive Service) and M.L.-I.M. (Manufacturing Light-Industrial Major)

LOCATION:

Southeast side of Pulaski Highway, 300 feet southwest of the centerline of Rossville Boulevard (8731 Pulaski Highway)

AREA OF SITE:

4.283 acres ±

ZONING OF ADJACENT PROPERTY/USE:

North: B.R.-A.S. & M.L. - vacant, commercial service

South: B.R., D.R. 16, M.L.-I.M. - commercial, residential,

industrial

East: M.L.-I.M. - industrial

West: M.L. - vacant, commercial

SITE DESCRIPTION:

The subject site is improved with a motel and a vacant restaurant/bar, and is contiguous to the Stemmers Run.

PROPERTIES IN THE VICINITY:

The site is bordered by the Christlen Motel to the northeast, an industrial park and the CSX railroad tracks to the southeast and Golden Ring Mall, which is located generally west of the property. Stemmers Run, located immediately south of the site, separates the applicant's property from a larger area of commercial properties, which includes a Hechinger's store and a MacDonald's restaurant.

WATER AND SEWERAGE:

The area is served by public water and sewer, and is designated as W-1, S-1 (existing service area) according to the <u>Master</u> Water and Sewer Plan.

TRAFFIC AND ROADS:

The site has direct access to Pulaski Highway, which is designated as a major arterial. The signalized intersection of Rossville Boulevard and Pulaski Highway is located approximately 300 feet northeast of the subject site.

ZONING HISTORY:

The existing zoning has been in place since 1976.

MASTER PLAN/COMMUNITY PLANS:

The Baltimore County Master Plan designates the site as part of the White Marsh Urban Center, as does the Growth Management Plan. More specifically, the Growth Management Plan designates the proposed land use for this site as both mixed use commercial and industrial. Finally, the site falls within a PUD-C opportunity area on the proposed PUD-C map. The Master Plan addresses the issue of commercial corridor improvements in the eastern sector, and the need for "creative solutions to [these] design, land use and traffic situations" on these corridors. Additionally, it states that the County should "facilitate the redevelopment and general upgrading of quality along Pulaski Highway."

PROPOSED VS. EXISTING ZONING:

Regulation governing the B.R. zone may be found in Section 236.1 of the Baltimore County Zoning Regulations. The B.R. zone allows a wide range of uses in addition to those uses permitted in the B.M. zone. Density is regulated by a floor area ratio of 2.0, however, density is realistically limited by parking requirements and economic constraints. Building height is limited by height tent regulations, and setbacks include front yards not less than 25 feet from the centerline of any street (see Section 303.2 for front yard average). Side and rear yard setbacks for buildings are 30 feet, and all parking must be set back eight (8) feet from residential zones.

Regulations for the M.L. zone are found in Section 253 of the Baltimore County Zoning Regulations. The M.L. zone permits a number of light manufacturing uses by right. The zone also allows auxiliary retail or service uses or semi-industrial uses, provided the use is located in a planned district, however, such uses are not permitted in cases where direct access to an arterial street exists. The M.L. zone also permits several uses

by Special Exception. The I.M. and A.S. district regulations are found in Sections 259.2H and 405 respectively.

OFFICE OF PLANNING AND ZONING SUMMARY AND RECOMMENDATIONS:

Based upon the information provided and analysis conducted, staff recommends the applicant's request be denied for the following reasons:

-Support for any zoning change would be dependent upon the quality of site specific details. In the absence of a documented site plan, by which the quality of development could be controlled, staff can only recommend that the applicant's request be denied.

-The applicant's site has been delineated as an area which may be suitable for development under the Commercial Planned Unit Development (PUD-C legislation). The Commercial Planned Unit Development law, which was approved by the County Council on May 2, 1994, will provide for redevelopment opportunities by providing additional development flexibility in order to increase employment and revenue opportunities and improve site design while recognizing the need to protect adjacent residential communities. Therefore, in the instant case, the site could be redeveloped without necessitating a zoning change.

JL:lw

INTER-AGENCY COMMENTS

Baltimore County Public Schools

Dr. Stuart Berger, Superintendent

Towson, Maryland

Office of Pupil Assignments

Educational Support Services Building
6901 N. Charles Street
Towson, Maryland 21204

June 1, 1994

Mr. Jeffrey Long Community Planner Office of Planning & Zoning Mail Stop 1108

RE: Zoning Reclassification Cycle III
April, 1994 - October, 1994

Dear Jeff:

Thank you for taking time out of your busy schedule to meet with me to discuss the Cyclical Zoning Reclassification Process. The vast majority of these petitions are non-residential and, therefore, will have no impact on Baltimore County Public Schools.

Those petitions involving increases in residential zoning and the subsequent affect on our school system are summarized below:

Item 5 - Case No. R-94-333

Existing Zoning - M.L. & M.L.R. (8th Election District)

Proposed Zoning - D.R.-5.5

Zoning would allow 621.5 mixed housing units. Since I do not have the housing type breakdown, I developed a student yield based on 310 single family units and 311 townhouse units.

This property is located in the Sparks Elementary, Hereford Middle and Hereford High School Districts.

310 S.F. x .319 = 99 311 T.H. x .192 = $\frac{60}{159}$ Elementary Students Page 2

310 S.F. x .155 = 48
311 T.H. x .055 =
$$\frac{17}{65}$$
 Middle Students

310 S.F. x .146 = 45
311 T.H. x .090 =
$$\frac{28}{73}$$
 High Students

A total yield of 297 students

Item 13 - Case No. R-94-341

Existing Zoning - D.R.-1 & M.L.-I.M. & M.H.-I.M. (15th Election district)

Proposed Zoning - D.R.-3.5

Zoning would allow 180.8 single family homes.

181 S.F. x .236 = 43 Elementary Students 181 S.F. x .071 = 13 Middle Students

181 S.F. x .071 = 13 Middle Student 181 S.F. x .107 = 19 High Students 75 Total Yield

If you have any questions, please do not hesitate to contact me at 887-4215.

Sincerely,

Barbara Pickelsimer,

Field Representative

Office of Pupil Assignments

bp

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 9, 1994 Zoning Administration and Development Management

FROM: Robert W. Bowling, Chief Developers Engineering Section

RE: Zoning Advisory Committee Meeting for Zoning Reclassification Cycle III April 1994 - October 1994

The Developers Engineering Section has reviewed the subject zoning items and we have no comments for Items 7, 8, 9, 10, and 14.

Item 1 - This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Rd., Md. Rte. 140.

Item 2 - This site, if rezoned, is subject the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development, and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Road, Md. Rte. 140. Also, update existing road and right-of-way width of Pleasant Ridge Dr.

Item 3 - This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development.

Item 4 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for industrial development.

Item 5 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for residential development.

Item 6 - This site is subject to Maryland State Highway Administration Standards for all improvements fronting on York Road, Md. Rte. 45, along with Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development. Access to Warren Road may be a limited access.

Zoning Reclassification Cycle III April 1994 - October 1994 Page 2

Item 11 - A portion of this site lies within the limit of the 100-year flood plain and per Bill No. 18-90, Section 26-276 filling within a flood plain is prohibited. Also, see Baltimore County Department of Public Works Standard Storm Drainage Design Plate D-19 for building setback from flood plain.

Item 12 - A portion of this site lies within the limit of the 100-year flood plain and per Bill No. 18-90, Section 26-276 filling within a flood plain is prohibited. Also, see Baltimore County Department of Public Works Standard Storm Drainage Design Plate D-19 for building setback from flood plain.

Item 13 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for residential development.

Item 15 - This site is located adjacent to tidewater. The property owner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor, including basements, of a residential and/or commercial development.

RWB:sw

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

May 18, 1994

TO:

Mr. Arnold Jablon, Director Zoning Administration and Development Management

FROM:

J. Lawrence Pilson

Development Coordinator, DEPRM

SUBJECT: Zoning Item #R-94-340 - Bollino Property

8731 Pulaski Highway

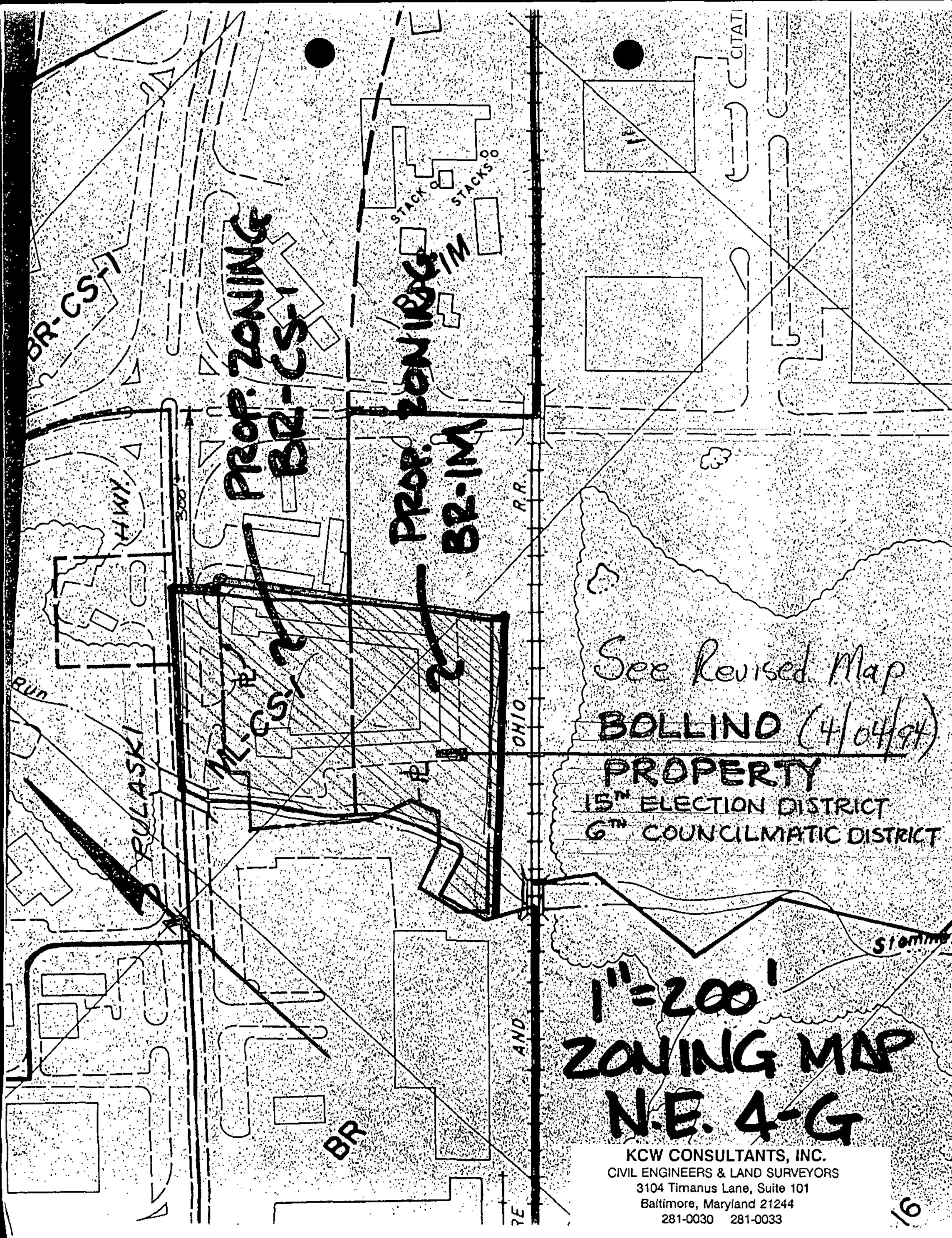
Zoning Advisory Committee Meeting of April 25, 1994

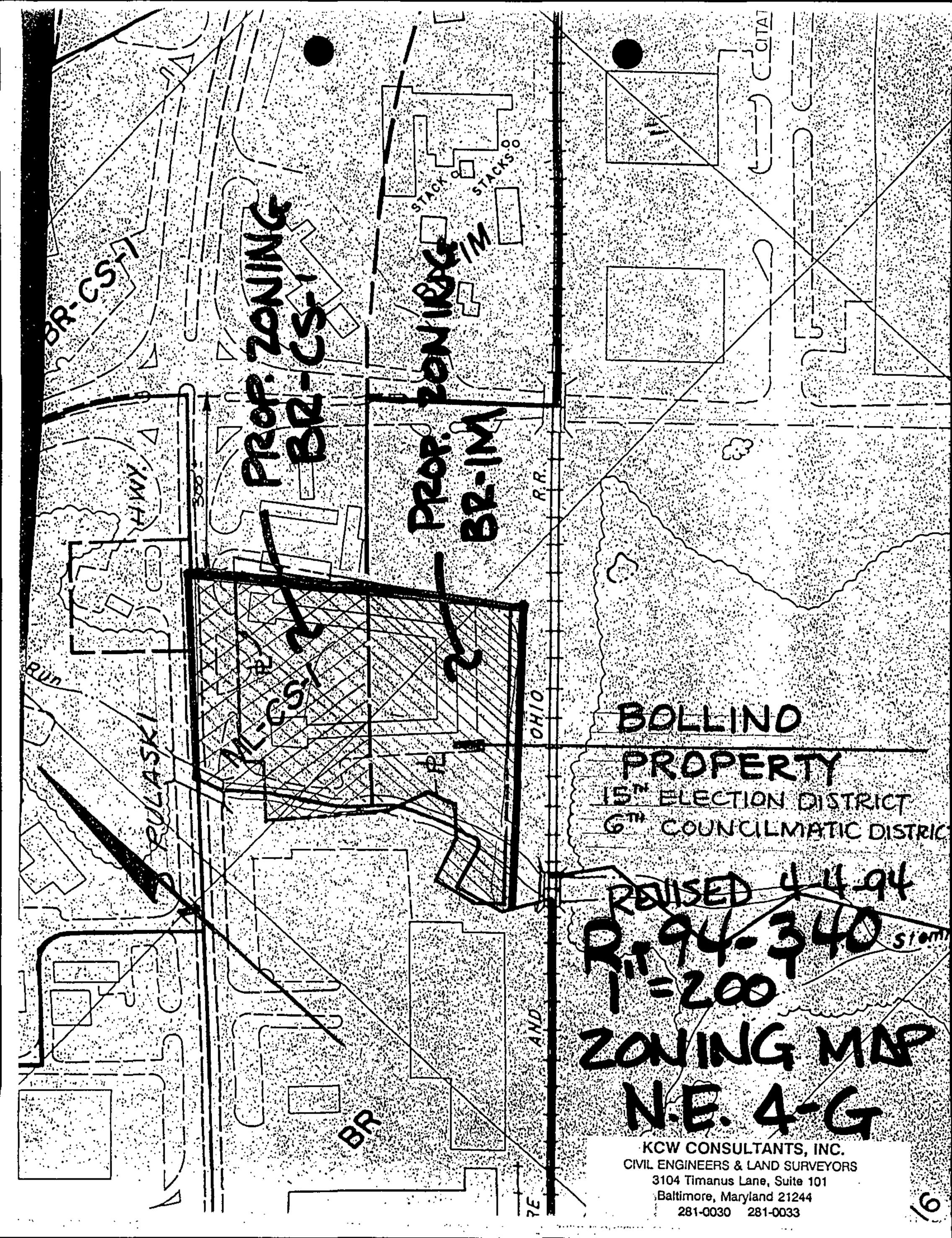
The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

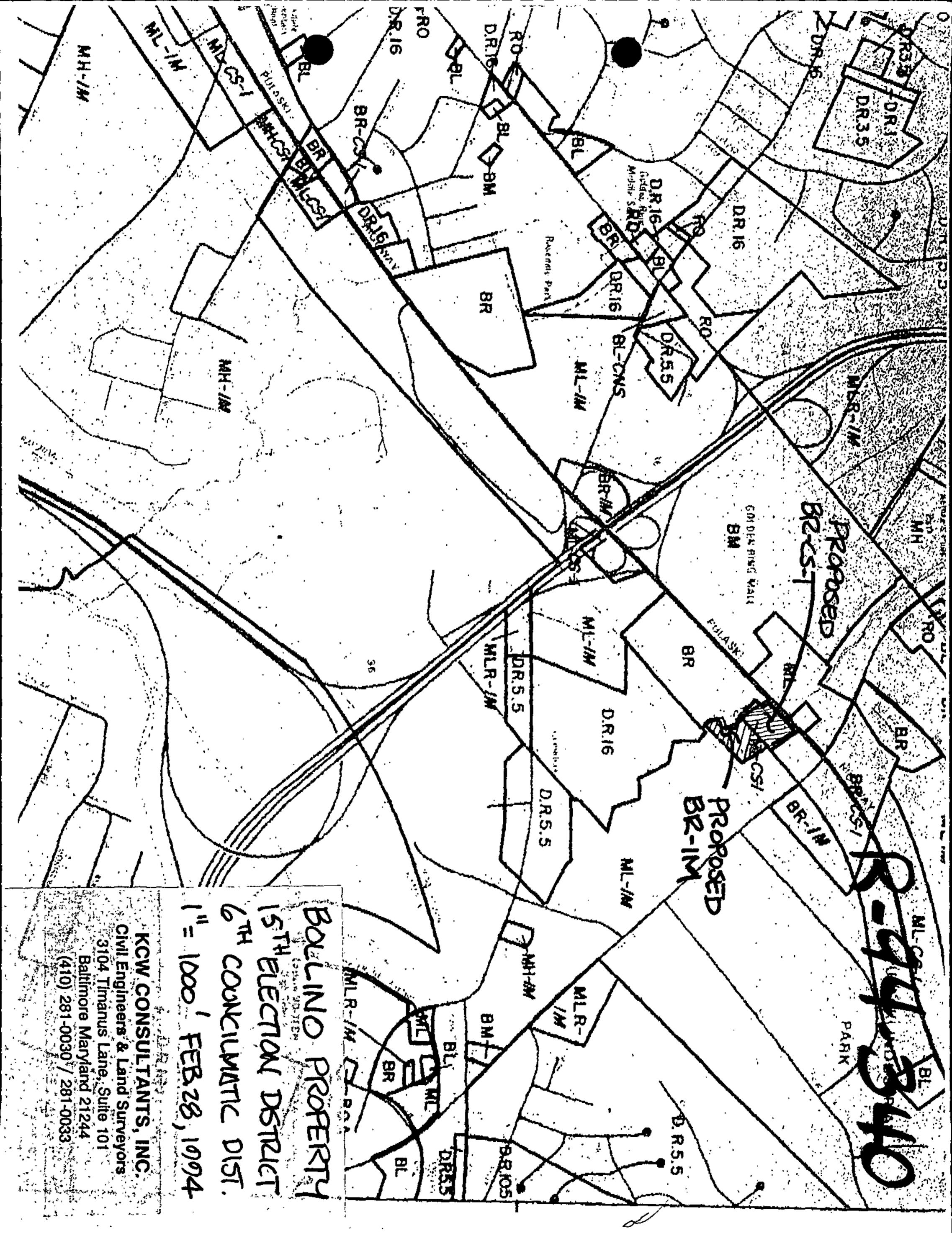
Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

JLP:KK:sp

BOLLINO/DEPRM/TXTSBP







BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

May 18, 1994

TO:

Mr. Arnold Jablon, Director Zoning Administration and Development Management

FROM:

J. Lawrence Pilson H. Development Coordinator, DEPRM

SUBJECT:

Zoning Item #R-94-340 - Bollino Property 8731 Pulaski Highway

Zoning Advisory Committee Meeting of April 25, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

JLP:KK:sp

BOLLINO/DEPRM/TXTSBP



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

MAY 24, 1994

NOTICE OF HEARING

CASE NUMBER: R-94-340 8731 Pulaski Highway

SE/S Pulaski Highway, 300' SW of c/l Rossville Boulevard

15th Election District - 6th Councilmanic

Legal Owner(s): Savino Bollino and Rose Bollino

Petition to reclassify the property's zoning from B.R. and M.L.-C.S.-1 and M.L.-I.M. to B.R.-I.M. and B.R.-C.S.-1.

HEARING:

Wednesday, November 30, 1994 at 10:00 a.m.

LOCATION:

COUNTY COURTHOUSE, ROOM 48

400 WASHINGTON AVENUE TOWSON, MARYLAND 21204

WILLIAM T. HACKETT, CHAIRMAN COUNTY BOARD OF APPEALS

Alliam T. Hackett/ffs

Savino and Rose Bollino cc:

Robert A. Hoffman, Esq.

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COUNTY BOARD OF APPEALS RECEIVED

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Printed with Soybean Ink to amend plan.

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VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

BALTIMORE, MD WASHINGTON, D. C. MCLEAN, VA

ROCKVILLE, MD

P.O. BOX 5517

P.O. BOX 5517

TOWSON, MARYLAND 21285-5517

(410) 494-6200

FAX (410) 821-0147

RICHARD M. VENABLE (1839-1910) EDWIN G. BAETJER (1888-1945) CHARLES MCH. HOWARD (1870-1942)

WRITER'S DIRECT NUMBER IS

ROBERT A. HOFFMAN

March 1, 1994

(410) 494-6203

William T. Hackett, Chairman County Board of Appeals of Baltimore County Old Court House 400 Washington Avenue Towson, Maryland 21204

Re: - Cycle Zoning Reclassification Request

- Legal Owner - Savino & Rose Bollino

- Property Known as 8731 Pulaski Highway

Dear Mr. Hackett:

This firm represents Mr. and Mrs. Savino Bollino, the Petitioners in the above-referenced zoning reclassification request for property located in Baltimore County on the east side of Pulaski Highway, near the intersection of Rossville Boulevard. The 4.28 acre property, which is zoned predominantly ML-IM and ML-CS-1 with a very small portion of BR and BR-CS-1, consists of the Continental Motel, an adjoining storage facility and a vacant restaurant/bar. The Petitioners are requesting BR-IM and BR-CS-1 (or BR-AS) zoning in accordance with the enclosed open site plan.

Pursuant to Section 2-356(b) of the County Code, the purpose of this letter is to set forth the reasons why the requested reclassification should be granted. The property fronts on Pulaski Highway which has become a commercial corridor between the Beltway and the north side of Rossville Boulevard. The adjoining property on the northeast boundary is zoned BR-CS-1 and contains the Christlen Motel. The adjoining property on the southwest boundary is zoned BR and contains a Hechingers store. Other notable commercial uses in the immediate vicinity include the Golden Ring Mall, Circuit City, and Luskins. Simply stated, there is no relationship between the subject property and the additional industrial zoning to the southeast. The hotel itself seems to be a

William T. Hackett, Chairman March 1, 1994 Page 2

"throw-back" to a time when Pulaski Highway provided the predominant north/south route for this area.

Finally, it should be noted that the Petitioners' request is consistent with the Baltimore County Master Plan, which specifically addresses Pulaski Highway and calls for the "redevelopment and general upgrading of quality along Pulaski Highway."

For these reasons and for such further justification as may be presented at the hearing, it is respectfully submitted that the County Council erred when it retained the ML-IM, ML-CS-1 and BR zoning on the subject property in 1992 and that it should be reclassified to BR-IM and BR-CS-1.

Sincerely,

Nabert Hoffen BY: GPW
Robert A. Hoffman

DOK\gpw enclosures

cc: Laurie A. Mazzotta

HACKETT7.GPW

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

BALTIMORE, MD WASHINGTON, D.C. MCLEAN, VA ROCKVILLE, MD

210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21285-5517
(410) 494-6200

FAX (410) 821-0147

RICHARD M. VENABLE (1839-19(0) EDWIN G. BAETJER (1868-1945) CHARLES MCH. HOWARD (1870-1942)

WRITER'S DIRECT NUMBER IS

ROBERT A. HOFFMAN

August 26, 1994

(410) 494-6262

William T. Hackett, Chairman County Board of Appeals of Baltimore County Old Court House 400 Washington Avenue Towson, Maryland 21204

Re: - Cycle Zoning Reclassification No. R-94-340

- Legal Owner - Savino & Rose Bollino

- Property Known as 8731 Pulaski Highway

Dear Mr. Hackett:

On behalf of our clients, Savino & Rose Bollino, the Petitioners in the above-referenced zoning reclassification request, we are writing to request a continuance for the hearing scheduled for Wednesday, November 30, 1994 at 10:00 a.m. before the Board of Appeals.

The purpose of this request is to provide our clients with some additional time to complete a Documented Site Plan which would be submitted at the rescheduled hearing. Accordingly, we respectfully request that a continuance be granted and that a hearing date prior to the end of the year be rescheduled at your convenience.

Sincerely,

Robert A*MH*offman

GPW\dok

cc: Laurie A. Mazzotta

Gwen Stephens

Peter Max Zimmerman, Esq.

HACKET17.GPW

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW

BALTIMORE, MD WASHINGTON, D.C. MCLEAN, VA

ROCKVILLE, MD

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

210 ALLEGHENY AVENUE P.O. BOX 5517 TOWSON, MARYLAND 21285-5517

> (410) 494-6200 FAX (410) 821-0147

RICHARD M. VENABLE (1839-1910) EDWIN G. BAETJER (1868-1945) CHARLES MCH. HOWARD (1870-1942)

WRITER'S DIRECT NUMBER IS

ROBERT A. HOFFMAN

(410) 494-6203

February 25, 1994

William T. Hackett, Chairman County Board of Appeals of Baltimore County Old Court House 400 Washington Avenue Towson, Maryland 21204

Re: - Cycle Zoning Reclassification Request

- Legal Owner - Savino & Rose Bollino

- Property Known as 8731 Pulaski Highway

Dear Mr. Hackett:

This firm represents Mr. and Mrs. Savino Bollino, the Petitioners in the above-referenced zoning reclassification request for property located in Baltimore County on the east side of Pulaski Highway, near the intersection of Rossville Boulevard. The 4.28 acre property, which is zoned predominantly ML-IM and ML-CS-1 with a very small portion of BR and BR-CS-1, consists of the Continental Motel, an adjoining storage facility and a vacant restaurant/bar. The Petitioners are requesting BR-IM, BR-CS-1 (or BR-AS) and BR zoning in accordance with the enclosed open site plan.

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See Revised Letter (Rev. 3/02/94)

William T. Hackett, Chairman February 25, 1994 Page 2

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Finally, it should be noted that the Petitioners' request is consistent with the Baltimore County Master Plan, which specifically addresses Pulaski Highway and calls for the "redevelopment and general upgrading of quality along Pulaski Highway."

For these reasons and for such further justification as may be presented at the hearing, it is respectfully submitted that the County Council erred when it retained the ML-IM and ML-CS-1 zoning on the subject property in 1992 and that it should be reclassified to BR-IM and BR-CS-1.

Sincerely,

Robert A. Hoffman, BY: GPW

Robert A. Hoffman

DOK\gpw enclosures

cc: Laurie A. Mazzotta

HACKETT7.GPW



O. James Lighthizer Secretary Hal Kassoff Administrator

June 9, 1994

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County

US 40-E

Savino and Rose Bollino Case No. R-94-340, 11-30-94

Zoning Reclassification

Mile Post 17.71

Dear Ms. Minton:

This office has reviewed the plan for the referenced project and we offer the following:

A review of the State Highway Administration's (SHA) current and long range planning documents reveals there are no roadway improvement projects scheduled in this area.

A field inspection of the property reveals the existing entrances are acceptable to the SHA for the property's present use.

However, if the zoning reclassification is approved, any future re-development and access to this property will require SHA review and approval. The reconstruction or relocation of the existing entrances will require an access permit to be issued by this office with the following submittals required:

- a. Eight (8) copies of the site plan showing the SHA requirements.
- b. Completed application.
- c. Performance bond, letter of credit, or certified check (include Federal ID number or social security number on certified checks only) in the amount of 150% of the actual entrance construction cost (to include the cost of relocating any affected utilities) and in an even thousand dollar increment. These must be made payable to the State of Maryland. (Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection).
- d. An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.

My telephone number is $\underline{-410\text{-}333\text{-}1350}$ (Fax# $\underline{333\text{-}1041}$)

Ms. Charlotte Minton Page Two June 9, 1994

e. A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction. Or, a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this plan.

Very truly yours,

David Ramsey, Acting Chief Engineering Access Permits

Division

BS/es

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 9, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, Chief
Developers Engineering Section

RE: V Zoning Advisory Committee Meeting for Zoning Reclassification Cycle III April 1994 - October 1994

The Developers Engineering Section has reviewed the subject zoning items and we have no comments for Items 7, 8, 9, 10, and 14.

Item 1 - This site, if rezoned, is subject to the Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for commercial development and the Maryland State Highway Administration Standards for all improvements fronting on Reisterstown Rd., Md. Rte. 140.

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Item 4 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for industrial development.

Item 5 - This site, if rezoned, is subject to Baltimore County Development Regulations, Divisions 2, 3, 4 and 5 for residential development.

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Zoning Reclassification Cycle III April 1994 - October 1994 Page 2

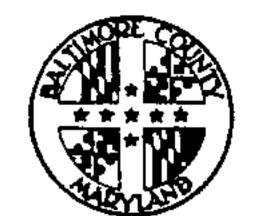
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Item 15 - This site is located adjacent to tidewater. The property owner, is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor, including basements, of a residential and/or commercial development.

RWB: 6W



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

August 31, 1994

Robert A. Hoffman, Esquire VENABLE, BAETJER & HOWARD 210 Allegheny Avenue Towson, MD 21204

RE: Case No. R-94-340

Savino & Rose Bollino

Dear Mr. Hoffman:

Pursuant to your letter of August 26th regarding the subject matter, the Board has noted both its file and docket that, on November 30, 1994 at 10:00 a.m., it is your intention to appear and request a continuance on the record for the purpose of amending to a documented site plan.

Accordingly, no testimony or evidence will be received on the merits of the Petition for Reclassification on November 30th, but rather the matter opened and continued, to be scheduled for an early morning hearing at a later date for submittal of a Documented Site Plan.

Should you have any questions, please call me at 887-3180.

Very truly yours,

Kathleen C. Weidenhammer Administrative Assistant

CC: Ms. Laurie A. Mazzotta
Mr. & Mrs. Savino Bollino
KCW Consultants, Inc.
James Earl Kraft
People's Counsel for Baltimore County
Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

SAVINO BOLLINO AND ROSE BOLLINO SE/s Pulaski Highway, 300' SW of centerline Rossville Boulevard (8731 Pulaski Highway)

#R-94-340
Item #12, Cycle III, 1994
15th Election District

6th Councilmanic District

From B.R. & M.L.-C.S.-1 & M.L.-I.M. to B.R.-I.M. & B.R.-C.S.1

4.283 acres

March 1, 1994

Petition for Reclassification filed by Robert A. Hoffman, Esquire, on behalf of Savino and Rose Bollino, Petitioners.

Robert A. Hoffman, Esquire VENABLE, BAETJER & HOWARD 210 Allegheny Avenue Towson, MD 21204

Mr. & Mrs. Savino Bollino 8731 Pulaski Highway Baltimore, MD 21237

KCW Consultants, Inc. 3104 Timanus Lane Baltimore, MD 21244

Counsel for Petitioners

Laurie A. Mazzotto c/o Robert A. Hoffman, Esq.

Petitioners

Engineer

James Earl Kraft /Board of Education Mail Stop #1102-J

People's Counsel for Baltimore County

Pat Keller
Jeffrey Long
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Ja

R-94-340 /Savino & Rose Bollino

- 8/30/94 -Letter from R. Hoffman, Esquire, on behalf of Petitioner /intention to request continuance on record to complete Documented site Plan on scheduled hearing date of Wednesday, November 30, 1994 at 10:00 a.m.
- 8/31/94 -Letter to R. Hoffman --file and docket have been noted that matter will be opened and continued on 11/30/94 for purpose of amended to documented site plan, to be submitted in open hearing at later date. Copy to all interested parties.
- 11/30/94 -Opened and continued on the record by Paige Wingert on behalf of Petitioners. To be reset as requested.

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County Interoffice Correspondence

DATE:

May 3, 2002

TO:

Arnold Jablon, Director

Permits & Development Management

Attn.: David Duvall

FROM:

Theresa R. Shelton
Board of Appeals

SUBJECT:

CLOSED APPEAL CASE FILE

The following case has been finalized and the Board of Appeals is closing the copy of the appeal case file and returning the file and exhibits (if applicable) attached herewith.

BOARD OF APPEALS CASE NUMBER	PDM FILE NUMBER	NAME	LOCATION
R-94-340	R-94-340	SAVINO BOLLINO AND ROSE BOLLINO	8731 PULASKI HIGHWAY

Attachment: SUBJECT FILE(S) ATTACHED

County Board of Appeals of Baltimore County Room 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

- - 122

Robert A. Hoffman, Esquire VENABLE, BAETJER & HOWARD 210 Allegheny Avenue Towson, MD 21204

County Board of Appeals of Baltimore County Room 49 OLD COURTHOUSE TOWSON, MARYLAND 21204

Mr. & Mrs. Savino Bollino

8731 Pulaski Highway

Baltimore, MD 21237

County Board of Appeals of Baltimore County Room 49 OLD COURTHOUSE
TOWSON, MARYLAND 21204

KCW Consulants, Inc. 3104 Timanus Lane Baltimore, MD 21244

County Board of Appeals of Baltimore County Room 49 old courthouse Towson, Maryland 21204

Ms. Laurie A. Mazzotta c/o Robert A. Hoffman, Esquire 210 Allegheny Avenue Towson, MD 21204

unty Board of Appeals of Baltimore County

ROOM 49 OLD COURTHOUSE TOWSON, MARYLAND 21204 Return Service Requested

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
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
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Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21204-5500

(301) 887-4500

DATE: 04/27/94

Armold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner:

LOCATION:

Item No.:

Zoning Agenda:

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.

8. The Fire Prevention Bureau has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: R-94-329 THRU R-94-343.



ZADM

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File