

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 SE/s Tudsbury Road and W/S
 Rolling Rd. (Rolling Winds * ZONING COMMISSIONER
 Apartments and Townhouses)
 2nd Election District * OF BALTIMORE COUNTY
 1st Councilmanic District
 Rolling Wind Associates Ltd. * Case No. 95-132-A
 Partnership, Petitioners
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property known as the Rolling Wind Apartments, located on Rolling Road southwest of Tudsbury Road in southwestern Baltimore County. The Petition is filed by John B. Colvin on behalf of the Rolling Wind Associates Ltd. Partnership. Relief is requested from Sections 504.1 and 1B01.2.C.1 of the Baltimore County Zoning Regulations (BCZR) and pages 25 and 30 of the Comprehensive Manual of Development Policy (CMDP), Residential Standard Section, to permit a 45 ft. setback between a rear of a multi-family building to the rear of a multi family building in lieu of the required 60 ft. Also requested is a variance from Section 504 of the BCZR and page 25 of the CMDP, Residential Standard Section, to permit a 0 ft. setback in lieu of the required 35 ft. from a building face to the paving of a private street. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, a 3 page plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case was John B. Colvin, representing the property owners/Petitioner. Also present was David Thaler and Philip Carroll from D.S. Thaler and Associates, the engineers who prepared the site plan. The Petitioner was represented by Stuart D. Kaplow, Esquire. There were no interested persons or Protestants present.

COPIES RECEIVED FOR FILING
 Date 11/18/90
 By M. G. G. G.

MICROFILMED

Testimony and evidence presented was that the subject variances are requested as they relate to a portion of the development of the entire tract of this property. As noted above, the site is being developed as the Rolling Wind Apartments. Development is to be accomplished by way of three phases. The units in Phase I and Phase II are for rent and the units in Phase III are for sale. The subject variances relate to certain units in Phase II.

The property also has a significant zoning history, some of which relates to the instant case. The case was the subject of a Petition for Zoning Variance in case No. 90-283-A, wherein certain variance relief was granted. Later, the matter came before the Board of Appeals under case No. MC-90-5 wherein certain zoning lines were adjusted. Also, the matter was the subject of a Petition for Zoning Reclassification which was granted by the Board of Appeals under case No. R-92-154. Most recently, the matter came before Deputy Zoning Commissioner, Timothy M. Kotroco, in case No. 93-238-A. Therein, Deputy Zoning Commissioner Kotroco granted certain variances. These variances also relate to the subject property which is at issue in this case.

The subject variances requested are mandated as a result of a redesign of the apartment buildings which are proposed. The first variance from Sections 504.1 and 1B01.2.C.1 and related provisions of the CMDP is requested to allow a 45 ft. distance between buildings 13 and 9; and 12 and 15 in lieu of the required 50 ft. The second variance, from Section 504 of the BCZR and relevant CMDP portions, request a 0 ft. setback in lieu of the required 35 ft. from a building face to the edge of the paving of a private street.

The variances are justified because of the unique architectural style of the buildings. As shown on the site plan, the apartments will be so

ORIGINAL FILED
11/18/94
M. J. J. J.

constructed so that each unit has its own garage. Originally, the structures were proposed with on-street parking. Moreover, the parking garages will be constructed at grade with each apartment unit over top of the garage provided for it. Direct access between the garage and the unit will be allowed. This unique architectural style mandates a minor expansion of the original building envelope which is shown and, therefore, brings the building slightly closer to the other units. Moreover, since the macadam parking area leads to the garages directly under the units, a 0 ft. setback from the building face to the paving of the parking is requested.

An area variance may be granted if the Petitioner adduces testimony and evidence to comply with the provisions of Section 307 of the BCZR. Therein, the test which must be applied to any variance is listed. Specifically, it is provided that the Petitioner must show that a practical difficulty would result if variance relief were denied. Moreover, variances may only be granted if same are within the spirit and intent of the BCZR and if they will not cause detriment to the surrounding locale.

RECEIVED FOR FILING

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of November, 1994 that a variance from Sections 504.1 and 1B01.2.C.1 of the Baltimore County Zoning Regulations (BCZR) and pages 25 and 30 of the Comprehensive Manual of Development Policy (CMDP), Residential Standard Section, to permit a 45 ft. setback between a rear of a multi-family building to the rear of a multi family building in lieu of the required 60 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 504 of the BCZR and page 25 of the CMDP, Residential Standard Section, to permit a 0 ft. setback in lieu of the required 35 ft. from a building face to the paving of a private street, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmn

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 14, 1994

Stuart D. Kaplow, Esquire
5125 Roland Avenue
Baltimore, Maryland 21210

RE: Petition for Variance
Case No. 95-132-A
Rolling Wind Associates Ltd. Partnership

Dear Mr. Kaplow: *h h*

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

cc: Mr. John B. Colvin
Mr. David S. Thaler

MICROFILMED





Petition for Variance

134
95-132-A

to the Zoning Commissioner of Baltimore County

for the property located at

Rolling Road s/w of Tudsbury Road

which is presently zoned O-2

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 for a Variance from Section(s)

See attached.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

That there are unique physical conditions, including irregularity, narrowness and shallowness of lot and shape and other physical conditions peculiar to and inherent in the particular lot; and that as a result, practical difficulties or unnecessary hardships arise in complying strictly with the regulations.

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Stuart D. Kaplow

(Type or Print Name)

Signature

Stuart D. Kaplow, P.A.

5125 Roland Avenue 435-5632

Address

Phone No.

Baltimore, MD 21210

City

State

Zipcode

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

Legal Owner(s):

Rolling Wind Associates Limited Partnership

(Type or Print Name)

Signature

John B. Colvin

(Type or Print Name)

Signature

124 Slade Avenue, Suite 200

Address

486-1234

Phone No.

Baltimore, Maryland

21208

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Stuart D. Kaplow, P.A.

Name 5125 Roland Avenue

Baltimore, md 21210 435-5632

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

DROP-OFF
No REVIEW
10/7/94
WCR



RECORDED

Attachment 1
Rolling Wind Associates Limited Partnership

95-132-A

1. BCZR Sections 504.1 and 1B01.2.c.1. and CMDP, Residential Standards, pages 25 and 30 to permit a 45 feet setback between rear of multi-family building to rear of a multi-family building in lieu of 60 feet.

2. BCZR Section 504 and CMDP Section, Residential Standards, page 25, to permit a 0 feet setback in lieu of the required 35 feet from a building face to edge of paving of a private street.

0000000000

134

September 28, 1994

DESCRIPTION TO ACCOMPANY ZONING

95-132-A

VARIANCE REQUESTS

ROLLING WIND, PHASE TWO

(FOR ZONING PURPOSES ONLY)

Beginning for the same at a point on the southerly right-of-way line of Tudsbury Road which is 500 feet, more or less, westerly from the intersection of Tudsbury Road and Rolling Road; thence, the following courses and distances:

1. South 25°03'30" West 101.88 feet to a point; thence,
2. South 11°43'36" East 142.91 feet to a point; thence,
3. South 21°08'15" West 186.38 feet to a point; thence,
4. North 68°51'45" West 80.54 feet to a point; thence,
5. South 54°02'08" West 152.25 feet to a point; thence,
6. North 40°32'42" West 55.01 feet to a point; thence,
7. South 54°02'08" West 31.08 feet to a point; thence,
8. North 68°51'45" West 208.71 feet to a point; thence,
9. North 21°08'15" East 86.97 feet to a point; thence,
10. North 09°18'51" East 81.67 feet to a point; thence,
11. North 14°42'41" West 105.76 feet to a point; thence,
12. North 46°57'46" East 19.43 feet to a point; thence,
13. North 69°33'58" East 51.44 feet to a point; thence,
14. North 51°04'27" East 39.57 feet to a point; thence,
15. North 76°34'32" East 41.53 feet to a point; thence,
16. North 84°37'52" East 70.52 feet to a point; thence,

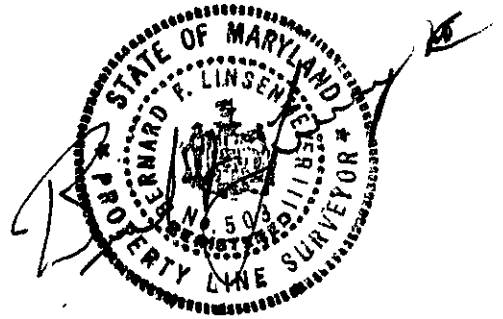
Submitted

page 2
September 28, 1994
DESCRIPTION TO ACCOMPANY ZONING
VARIANCE REQUESTS
ROLLING WIND, PHASE TWO
(FOR ZONING PURPOSES ONLY)

95-132-A

17. North 78°44'28" East 48.56 feet to a point; thence,
18. North 73°27'55" East 48.16 feet to a point; thence,
19. North 65°56'48" East 45.44 feet to a point; thence,
20. North 82°21'19" East 55.86 feet to a point; thence,
21. North 39°37'43" East 37.36 feet to a point; thence,
22. South 64°50'30" East 109.83 feet to the point of beginning.

Containing 4.30 acres of land, more or less.



MICROFILMED

NOTICE OF HEARING

The Zoning Commissioners of Baltimore County, Maryland, of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118 Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number:
85-132-A (Item 134)
85/8 Tudbury Road and
W/S Rolling Road (Rolling
Wind Apartments and
Townhouses)
2nd Election District
1st Councilmanic

Legal Owner:
Baltimore County
Planning Commission

NOVEMBER 10, 1994
8:00 a.m. in Room 118 Old
Courthouse

Variance: to permit a 45 foot
setback between rear of multi-
family building to rear of a multi-
family building in lieu of 60 feet;
to permit a zero foot setback in
lieu of the required 35 feet from
a building face to edge of
paving of a private street.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Hand-
icapped accessible; for special
accommodations Please Call
887-3353.

(2) For informa-
tion concerning the File and/or
Hearing, Please Call 887-3391.

10/22/94 October 20.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Oct. 20, 1994

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on Oct 20, 1994.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-132-A

District 2nd

Date of Posting 10/20/94

Posted for: Varianco

Petitioner: Rolling Wind Associates Ltd. Park

Location of property: SE/S Tods bury & w/s Rolling Rd

Location of Signs: Facing road way, on property being zoned
Post on Tods bury Rd

Remarks: _____

Posted by M. J. Hately
Signature

Date of return: 10/28/94

Number of Signs: 1



REMICROFILMED



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-132-A

Account: R-001-6150

Number 134 (WCR)

DROP-OFF ——— no review

Date 10/7/94

#020 - VARIANCE	_____	\$250.00
#080 - SIGN	_____	\$ 35.00
TOTAL	_____	\$285.00

Legal Owner: Rolling Wind Associates Limited Partnership
Rolling Road, S/W Tudsbury Road (Rolling Wind
Apartments and Townhouses)
District: 2c1
Zoning: O-2
Acreage: 92.32 acres

Check From:
Stuart D. Kaplow, P.A.

MICROFILMED

02A0280477MICRRC

\$285.00

BA 000132F410-11-94

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 134

Petitioner: Rolling Wind Associates Limited Partnership

Location: Rolling Road s/w of Towson

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Stanley D. Kraw

ADDRESS: 5125 Rolling Avenue
Baltimore MD 21210

PHONE NUMBER: 435-5162

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

OCTOBER 14, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-132-A (Item 134)
SE/S Tudsbury Road and W/S Rolling Road (Rolling Wind Apartments and Townhouses)
2nd Election District - 1st Councilmanic
Legal Owner: Rolling Wind Associates Limited Partnership
HEARING: THURSDAY, NOVEMBER 10, 1994 at 9:00 a.m. in Room 118, Old Courthouse.

Variance to permit a 45 feet setback between rear of multi-family building to rear of a multi-family building in lieu of 60 feet; to permit a zero feet setback in lieu of the required 35 feet from a building face to edge of paving of a private street.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Rolling Wind Associates Limited Partnership
Stuart D. Kaplow, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Stuart D. Kaplow, P.A.
5125 Roland Avenue
Baltimore, Maryland 21210

NOV. 2 1994

RE: Case No. 95-132A, Item No. 134
Petitioner: Rolling Wind Assoc./J.B. Colvin

Dear Mr. Kaplow:

The Zoning Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on October 07, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

The following is related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office:

1. The director of the Office of Zoning Administration and Development Management has instituted a system whereby zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions' filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.
2. Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is the possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.
3. Those individuals who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e., 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Joyce Watson in the zoning office at 887-3391 or the commenting agency.

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jnw
Enclosure(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 10/31/94

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 10/17/94

Revised

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 125
126
Rev # 124
133

129
134

LS:sp

LETTY2/DEPRM/TXTSBP

MICROFILMED

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: October 24, 1994
Zoning Administration and Development Management

(Handwritten signature)
FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for October 24, 1994
Items 125, 126, 127, 130, 132, *(134 circled)* and 135

The Developers Engineering Section has reviewed
the subject zoning items and we have no comments.

RWB:sw

(Faint handwritten text)

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/19/94

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

RE: Property Owner: ROLLING WIND ASSOCIATES LIMITED PARTNERSHIP

LOCATION: SE/S TUDSBURY RD. AND W/S ROLLING RD. (ROLLING WIND
APARTMENTS AND TOWNHOUSES)

Item No.: 134 ✓ Zoning Agenda: VARIANCE

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.

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

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

RECEIVED
OCT 20 1994

ZADM

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: October 19, 1994

SUBJECT: Rolling Road Southwest of Tudsbury Road

INFORMATION:

Item Number: 134 ✓

Petitioner: Rolling Wind Associates Limited Partnership

Property Size: _____

Zoning: 0-2

Requested Action: _____

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided and a meeting with the developer and his representative, it appears that the unique design characteristics of this project justify the requested relief. Therefore, staff recommends the applicant's request be granted.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

PK/JL:lw

MICROFILMED



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary

Hal Kassoff
Administrator

10-14-94

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

Re: Baltimore County
Item No.: +134 (WCR)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

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

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

RE: Preliminary Petition Review (Item #)
Legal Owner:

Election District

Dear :

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

MSK

ITEM 134

:scj

Enclosure (receipt)

cc: Zoning Commissioner

FOR PRELIMINARY
REVIEW



Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

October 17, 1994

Stuart D. Kaplow, P.A.
5125 Roland Avenue
Baltimore, MD 21210

95-132

RE: Preliminary Petition Review (Item #134)
Legal Owner: Rolling Wind Associates
Limited Partnership
Rolling Road, SW Tudsbury Road (Rolling
Wind Apartments and Townhouses)
2nd Election District

Dear Mr. Kaplow:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. The petition form does not indicate the title of John B. Colvin, who is signing for Rolling Wind Associates Limited Partnership. This needs to be printed or typed on the petition form.
2. The requested variances should be building specific on the site plan and petition forms.

MICROFILMED

Stuart D. Kaplow, P.A.
October 17, 1994
Page 2

3. If there is an approved Final Development Plan on the property, a special hearing could have been filed to amend an approved Final Development Plan. Alternatively, the Final Development Plan can be resubmitted, listing the variances and indicating that no lots have been sold within 300 feet of the change.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,



Mitchell J. Kellman
Planner II

MJK:scj

Enclosure (receipt)

cc: Zoning Commissioner

RE: PETITION FOR VARIANCE	*	BEFORE THE
SE/S Tudsbury Road and W/S Rolling		
Road (Rolling Wind Apartments and	*	ZONING COMMISSIONER
Townhouses) 2nd Election Dist.,		
1st Councilmanic	*	OF BALTIMORE COUNTY
Rolling Wind Assoc. Ltd. Partnership*		CASE NO. 95-132-A
Petitioner		
* * * * *		

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio

 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of October, 1994, a copy of the foregoing Entry of Appearance was mailed to Stuart D. Kaplow, P.A., 5125 Roland Avenue, Baltimore, MD 21210, attorney for Petitioners.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN

MICROFILMED

134

STUART D. KAPLOW, P.A.
ATTORNEYS AT LAW
5125 ROLAND AVENUE
BALTIMORE, MARYLAND 21210
TELEPHONE (410) 435-5632
FACSIMILE (410) 435-6134

STUART D. KAPLOW

October 6, 1994

Hand Delivered

Department of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Filing of New Petition
Rolling Wind Associates Limited Partnership

Dear Sirs:

I am by this correspondence filing, under the expedited petition filing process, a Petition For Variance in the above noted matter.

Specifically, find attached:

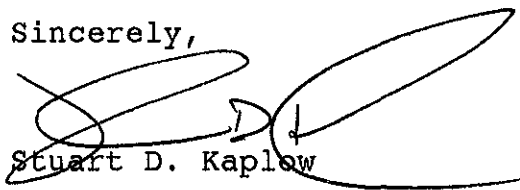
- 3 original petitions;
- 12 plans (sets of three sheets each);
- 3 zoning map exhibits; and
- 3 metes and bounds descriptions.

Also, find attached my firm's check in the amount of \$285.00, as payment of the filing fee and posting charge.

By this correspondence I am also requesting that this Petition be set in for a hearing at the first available date.

Thanking you in advance for your courtesies, should their be any difficulties with this submittal, please give me a call immediately.

Sincerely,


Stuart D. Kaplow

Attachments

cc: Mr. John B. Colvin
David S. Thaler, P.E.

SDK:tbm

60-15761-100-2

10.21-94
Date

ZADM TRANSMITTAL

887-3335

TO: // DES _____
// SCD _____
// DEPRM _____
// ZONING _____
// ZADM _____
// OTHER _____

TO: SLL
1ST ADP

Re: Project Name Rolling Wind Ph 1 & 2 // Project Not Managed
Project Manager Bowers ZADM No. _____
Type of Plan FDP // Preliminary // Final // Signature
Team Leader _____
Engineer Thaler Tele # 941-3647

Phase II Routing Slip:

Scheduled submission date: (see Project Chart) _____

Scheduled completion date: (see Project Chart) _____
or
(2 wks from submission)

// Approved

// Approved with comments

// Returned for revision

☒ Disapproved

NO APPROVAL POSSIBLE WITHOUT COMPLIANCE WITH REVISED COMMENTS.

ACTION TAKEN

BY REVIEWER:

ZADM Dev Control
Agency

[Signature]
Reviewer's Name

10/31/94
Date

RETURN TO: ZADM - Room 123 COUNTY OFFICE BUILDING

"FLAGS" or "Too Many Reviews" should be brought to P.M.'s attention!

This form is being sent to you from _____

name

MICROFILMED

ROLLING WIND
PHASE I & II

1st Amended FDP Zoning Comments

Plan Date: 9/26/94

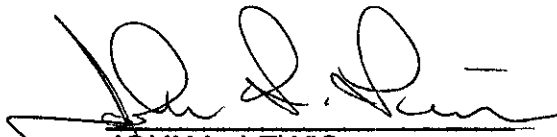
Comments Date: 10/31/94

Comments Completed: 11/3/94

Provide 2 red-lined copies of the approved plan showing all changes in zoning case #93-238-A, along with a explanatory cover letter to the Director of ZADM requesting a determination that said changes are within the spirit and intent of the approved plan and order. Once this response is received from ZADM, document the response on the amended FDP. Also document DRC action on these proposed changes on the amended FDP.

Upon plan documentation of approval of these changes as stated above, staff can review the revised plans for FDP amendment approval.

A \$40.00 fee is required for the spirit and intent letter and plan review.



JOHN L. LEWIS
Planner II

JLL:scj

cc: zoning case #93-238-A

MICROFILMED

11.23.94
Date

ZADM TRANSMITTAL

887-3335

TO: // DES _____
// SCD _____
// DEPRM _____
☒ ZONING _____
// ZADM _____
// OTHER _____

JLL
Amended? Title? *u*

Re: Project Name Rollingwood Ph1+2 // Project Not Managed

Project Manager Flowers ZADM No. # 435

Type of Plan FDP // Preliminary // Final // Signature

Team Leader _____

Engineer Thaler

Tele # 444-3647

Phase II Routing Slip:

Scheduled submission date: (see Project Chart) _____

Scheduled completion date: (see Project Chart) _____

or
(2 wks from submission)

// Approved

// Approved with comments

☒ Returned for revision

// Disapproved

ACTION TAKEN

BY REVIEWER:

(FOR D.R.C. ON MON. DEC 5, 1994)

SEE ATTACHED COMMENTS

ZADM
Agency _____

J.L. LEWIS
Reviewer's Name

11/29/94
Date

RETURN TO: ZADM - Room 123 COUNTY OFFICE BUILDING

"FLAGS" or "Too Many Reviews" should be brought to P.M.'s attention!

This form is being sent to you from _____
name

July, 1986

OFFICE OF PLANNING AND ZONING
CHECKLIST FOR DEVELOPMENT PLANS
(PARTIAL OR FINAL)

Zoning
Planning

GENERAL:

1. Name of Subdivision and Section.
2. Election District.
3. Name and address of owner, developer, engineer (phone number) or land surveyor. (Seal) — BOTH SHEETS.
4. Scale: Must be legible and clearly show enough detail per engineering scale approved by Office of Planning and Zoning.
5. North arrow.
6. Date. — CORRECT TO POST DATE ZONING COMMISSIONERS NOV, 18 1994 VARIANCE ORDER
7. Location Plan: to be legible and clearly relate the site to it's surroundings. (Should include proposed roads.)
8. Bearings and distances around complete outline of tract.
9. Complete gross and net acreage and density calculations (Zoning Policy RSD-3).
10. Dimension of all lots.
11. Existing topography and major vegetation.
12. Relation of tract to addition property owned. (If partial development plan.)
13. Date of the Approved ~~Site~~ Plan. DEV - AND DATE AND DOCUMENT LATEST DATE ACTION ON THE CHANGES.
14. Signature block. (To be placed in lower right hand corner).

ADD TO
SHEET 2

OFFICE OF PLANNING AND ZONING	
Approved by:	
Director of Planning	Date
Zoning Commissioner	Date

TITLE PLAN CHANGES

"1ST AMENDED PHASE I

APPROVAL AND CONSOLIDATION

WITH AND NEW PHASE II APPROVAL.

ONCE THIS APPROV IS
GIVEN AMEND PHASE
III FOR THE
DENSITY/PARKING
CHANGES ON THE
CHART.

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

JOHN B. COWIN

124 SUNDAY AVE 21208

STUART D. KAPLAN

5125 ROUND AVE 21210

DAVID THALER

{ 7115 AMBASSADOR RD

PHILIP CARROL

{ BALT MD 21244



Printed with Soybean Ink
on Recycled Paper

MICROFILMED

157

95-132-A 134

PRO. NAME ROLLING WIND ASS. & TH

P.O. NAME DEVELOPMENT PLAN

1 - S.W. 92334.2

PLANNING REC B-435

COUNCIL DIST 1

OWNER / DEVELOPER:

ROLLING WIND ASSOCIATES

LIMITED PARTNERSHIP

124 SLADE AVENUE, SUITE 200

BAJTMOORE, MARYLAND 21068

(410) 486-1234

ATTN: MR. JOHN B. COLVIN

COMMUNITY INPUT MEETING: 11-2-92

HEARING/OFFICER HEARING: WAIVED

W-92-82

APPROVAL:

MICROFILMED

FBI LABORERS

TAMM NOT

PST 84010 - 3/4/64
REASON: ALTERNATE ARCHITECTURE FOR
FBI BUILDINGS
PLANS II & PHOTOGRAPHY SERVICES

AGENT	ALL AIDS	D	Moderate Moderate	Moderate Moderate
MENT	Watchung MAA McB	D	Severe Severe	Severe Severe
	Chlorine G023	D	Severe	Severe
	Legore LacJ	C	Moderate	Severe
SOURCES	Montello MSB2	B	Slight	Moderate
	Kelly K2 KAC2	D	Severe Severe	Severe Severe
	Kelly KAC2	B	Moderate	Severe

**MULTI-FAMILY BUILDING
ELEVATION, SETBACK, HEIGHT
TO HEIGHT RELATIONSHIP DETAIL**

NOT TO SCALE

HEIGHT FROM FLOOR FINISH

HEIGHT FROM FINISH

HEIGHT FROM FINISH

HEIGHT FROM FINISH

HEIGHT FROM FINISH = 10' 0"

HEIGHT FROM FINISH = 10' 0"

