

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
SWC of Rolling and Dogwood Roads,
W/S Rolling Road, 166+/- S Dogwood Road * DEPUTY ZONING COMMISSIONER
1st Election District
1st Councilmanic District * OF BALTIMORE COUNTY
(SWC of Rolling & Dogwood Roads) *
* CASE NO. 01-408-X
Rolling Heights Lot A Ltd. Partnership,
Legal Owner and
BP Amoco Corporation, Contract Purchaser
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owners of the subject property, Rolling Heights Lot A Limited Partnership and the contract purchaser/lessee, BP Amoco Corporation. The Petitioners are requesting a special exception for property located at the southwest corner of Rolling Road and Dogwood Road, which property is zoned BL-AS. The special exception is to allow a fuel service station on an individual site and a convenience and rollover car wash as uses in combination with the fuel service station, pursuant to Sections 405.2.B.1, 405.4.E.1 and 405.4.E.2 of the Baltimore County Zoning Regulations (B.C.Z.R.).

Appearing at the hearing on behalf of the special exception request were John Lombardo, appearing on behalf of BP Amoco, Mickey Cornelius, a representative of the Traffic Group, Bill Monk, representing Morris & Ritchie Associates, the engineering firm who prepared the site plan of the property, Carroll McGill, appearing on behalf of the owner of the property and Rob Hoffman, attorney at law, representing the Petitioners. Appearing in opposition to the Petitioners' request were several residents of the surrounding community, namely Charles & Margaret Carnaggio, Olgard & Ruth Rackus, Joan Brooks and Doranna Peskins.

ORDER RECEIVED FOR FILING

Date

7/9/01

By

J. P. Johnson

Testimony and evidence indicated that the property, which is the subject of this special exception request, consists of 1.4 acres, more or less, zoned BL-AS. The subject property is located on the corner of the intersections of Dogwood Road and Rolling Road, located within the Rolling Heights Business Park. The property, which is the subject of this request, is proposed to be developed with a new BP Gasoline Service Station and convenience store with an accessory car wash. The entire corner of Rolling Road and Dogwood Road, which at this time is undeveloped, is slated to be developed with a two-story office building, a Walgreens Drug Store and a one-story retail bank. The BP Gasoline Station is the fourth component of the development of this corner. At the present time, the property is unimproved. Intense development of this corner has occurred by virtue of the County Council changing the zoning on the property from its prior designation as ML-IM to its current designation of BL-AS. By virtue of the change in zoning, the retail development of the property has proceeded.

Testimony and evidence indicated that the proposed special exception request for the BP Gasoline Station with convenience store is a standard prototype of the gasoline station/convenience store that have become more and more common in the Baltimore metropolitan area. The subject proposal meets all parking and setback requirements and no variances are being requested for this use. The particulars of the design of the BP Gasoline Station are more particularly shown on Petitioners' Exhibits 1A and 1B, the site plans submitted into evidence. Access into the gas station and the surrounding development occurs from Rolling Road, opposite its intersection with Gaybrook Road. In addition, a separate right-in, right-out access is located further north along Rolling Road. There is another access into the site off of Dogwood Road. These access points are to accommodate not only the BP Gasoline Station, but also the aforementioned Walgreens Drug Store, the two-story office building and the one-story

retail bank. As stated previously, the gasoline station is but one component of the overall development of this corner.

Many residents from the surrounding community appeared in strong opposition to the Petitioners' request. In addition, the citizens who attended submitted petitions signed by many other residents of the surrounding communities, all of whom oppose the development of this corner. The cumulative testimony of the Protestants demonstrated that the traffic in this particular area has become congested and is difficult to negotiate. These residents particularly object to another gas station coming into their community when there are many others in operation just a short distance from this site. Furthermore, they feel that the development of this property in a commercial fashion will cause a devaluation of their property and not be in character with the existing residential homes. They, therefore, ask that the Petitioners' request be denied.

As stated previously and as was discussed with the citizens in attendance at the hearing, the rezoning of this entire corner has permitted the commercial development of this property. The Walgreens, the one-story retail bank and the two-story office building will be constructed without the need for a public hearing. As a result of the gasoline station having a convenience store component, the special exception request is necessary. These residents and many others who signed the Protestants' petition are opposed to the commercial development of the property and believe that the hearing held before me was for the purpose of allowing the commercial development to move forward. However, that decision has already been made by virtue of the change in the zoning classification. Commercial development will occur on this property as indicated at the hearing.

The request before me is whether to approve a gasoline station on the property that is used in combination with a rollover car wash and convenience store. This particular request has been reviewed by the Office of Planning who supports the special exception request, as indicated by their letter dated April 23, 2001. The Planning Office has asked for certain limitations in conjunction with their support for the special exception request. After considering the testimony and evidence offered by the Petitioners, as well as the citizens in attendance, I find that the special exception to allow the gasoline station to have a convenience store and rollover car wash should be approved.

It is clear the Baltimore County Zoning Regulations permits the Petitioners' use in a BL-AS zone by special exception. It is equally clear that the proposed use is not detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioners had the burden of adducing testimony and evidence which shows that the use meets the prescribed standards and requirements set forth in Section 502.1 of the Baltimore County Zoning Regulations. The Petitioners have shown that the use is conducted without real detriment to the neighborhood and does not adversely affect the public interest. The facts and circumstances do not show that the use at this particular location described by Petitioners' Exhibit No. 1 has any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The use is not detrimental to the health, safety, or general welfare of the locality, nor tends to create congestion in roads, streets, or alleys therein, nor is it inconsistent with the purposes of

ORDER PREPARED FOR FILING
Date 7/9/01
By J.P. Jameson

the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the B.C.Z.R.

The addition of this gasoline station at this location, considering the surrounding commercial uses that are about to be built on this corner, is in character with the commercial development of this corner. These commercial entities are permitted to locate on this property now that the property has been rezoned.

Pursuant to the advertising, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief request in the special exception shall be granted.

THEREFORE, IT IS ORDERED this 9th day of July, 2001, by this Deputy Zoning Commissioner, that the Petitioners' request for Special Exception, to permit a fuel service station use in combination with a convenience store and rollover car wash, be and is hereby APPROVED. The following conditions will be imposed:

1. The Petitioners may apply for their building permit upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
2. The proposed monument sign should not exceed 50 sq. ft.
3. The Petitioners shall not be permitted to install outdoor speakers on the property.
4. The Petitioners shall be required to submit a landscaping plan to Mr. Avery Harden, Landscape Architect for Baltimore County, for his review and approval.
5. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER NO. 2001-001
DATE 7/19/01
BY [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

July 9, 2001

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

RE: Petition for Special Exception
Case No. 01-408-X
Property: SWC Rolling Road & Dogwood Road

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Special Exception has been granted in accordance with the enclosed 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 from the date of the Order to the Office of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

Copies to:

Rolling Heights Lot A Ltd. Partnership
c/o Carol K. McGill, Vice President
One Texas Station Court, S-200
Timonium, Maryland 21093

Mr. John Lombardo
BP Corporation
1 W. Pennsylvania Ave., Suite 95
Towson, MD 21204

Mickey Cornelius, P.E.
The Traffic Group, Inc.
9900 Franklin Square Drive, Suite H
Baltimore, MD 21236

Bill Monk, P.E.
Morris Ritchie & Associates
110 West Road, Suite 245
Towson, MD 21204

Doranna Peskins
2119 Gaybrook Avenue
Baltimore, MD 21244

Mr. & Mrs. Charles S. Carnaggio
2012 N. Rolling Road
Baltimore, MD 21244

Mr. & Mrs. Olgard Rackus
7014 Gaymount Road
Baltimore, MD 21244

Ms. Joan Brooks
7007 Dogwood Road
Baltimore, MD 21244



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

Southwest Corner of Rolling.
for the property located at Road and Dogwood Road

which is presently zoned BL-AS

This Petition shall be filed with the Department of Permits and 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 Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Special Exception to permit a fuel service station on an individual site and a convenience store and roll-over car wash as uses in combination with a fuel service station pursuant to Sections 405.2.B.1, 405.4.E.1, and 405.4.E.2 of the Baltimore County Zoning Regulations.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

BP Amoco Corporation
Name - Type or Print
By: [Signature] Real Estate
Signature Jeffrey S. Bainbridge, Development Mgr.
1 West Pennsylvania Ave. (410) 494-3737
Address Telephone No.
Towson, MD 21204
City State Zip Code

Attorney For Petitioner:

Robert A. Hoffman
Name - Type or Print
Signature [Signature]
Venable, Baetjer and Howard, LLP
Company
210 Allegheny Avenue (410) 494-6200
Address Telephone No.
Towson, MD 21204
City State Zip Code

Legal Owner(s):

Rolling Heights Lot A Limited Partnership
Name - Type or Print
By: [Signature]
Signature Carol K. McGill, Vice-President
James F. Knott Development Corporation
Name - Type or Print
Signature (443)
One Texas Station Court, S-200 689-8005
Address Telephone No.
Timonium, MD 21093
City State Zip Code

Representative to be Contacted:

Robert A. Hoffman
Name
210 Allegheny Avenue (410) 494-6200
Address Telephone No.
Towson, MD 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 1/2 hrs
UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 4-5-01

Case No. 01-408-X

09/15/98

ORIGINAL FILED IN 3/9/01

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



ZONING DESCRIPTION

BEGINNING at a point on west side of Rolling Road, 70 feet wide, at a distance of 166 feet more or less south of the intersection of Rolling Road and Dogwood Road. Thence the following courses and distances:

South 22° 03' 17" East 233.73 feet, South 67° 56' 51" West 261.00 feet, North 22° 03' 17" West 233.72 feet, North 67° 56' 43" East 261.00 feet, to the place of beginning.

CONTAINING 1.40 Acres of land more or less.

BEING known as Rolling Road @ Dogwood Road and part of Rolling Road Heights Business Park CRG Plan located in the First Election District, Baltimore County, Maryland.



Michael L. Ray 4/2/01

Michael L. Ray
Professional Land Surveyor #11041

#11738

408

MLR:mak\s\11738\zoningdescription\032901

- ☐ 3445-A BOX HILL CORPORATE CENTER DRIVE, ABINGDON, MD 21009
- ☐ 110 WEST ROAD, SUITE 245, TOWSON, MD 21204
- ☐ 9090 JUNCTION DRIVE, SUITE 9, ANNAPOLIS JUNCTION, MD 20701

- 410-515-9000 ■ FAX 410-515-9002
- 410-821-1690 ■ FAX 410-821-1748
- 410-792-9792 ■ FAX 410-792-7395

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Case No. 92928
01-408-X

DATE 4-5-01

ACCOUNT R-001-06-6150

AMOUNT \$ 300.00

RECEIVED FROM:

Venable, Esq. or Howard LLP

FOR:

Service Fee of 7000 filing fee
SWC Rollings & Drywood Rtds.

PAID RECEIPT

PAYMENT ACTUAL TIME
 4/06/2001 4/06/2001 15:14:57
 RET 4805 CASHIER NOTE NEG DRAFTER 5
 >> RECEIPT # 207964
 DEBIT 5 520 ZIMING VERIFICATION
 CR 40. 072928

Receipt Tot 300.00
 300.00 OK
 Baltimore County, Maryland

DISTRIBUTION
 WHITE - CASHIER
 PINK - AGENCY
 YELLOW - CUSTOMER

CASHIER'S VALIDATION

**NOTICE OF ZONING HEARING
CHANGE OF DATE**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #01-408-X

Southwest Corner of Rolling Road and Dogwood Road
W/S Rolling Road, 166' +/- S Dogwood Road
1st Election District -- 1st Councilmanic District

Legal Owner(s): Rolling Height Lot A Ltd Partnership

Contract Purchaser: BP Amoco Corporation

Special Exception: to permit a fuel service station on an individual site and a convenience store and rollover car wash as uses in combination with a fuel service station pursuant to Sections 405.2.B.1, 405.4.E.1 and 405.4.E.2 of the BCZR.
Hearing: Friday, June 1, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the file and/or Hearing, contact the Zoning Review Office at (410) 887-3391.

5/16/01 May 17

C489344

CERTIFICATE OF PUBLICATION

5/17, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/17, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

LEGAL ADVERTISING

S. Williams

Inch
6/1

CERTIFICATE OF POSTING

RE: Case No.: 01-408-XPetitioner/Developer: FUEL STA. / ETCAL
VENABLE % AMY DONTREDate of Hearing/Closing: 4/1/01Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 2- ONSITE LOCATIONS
SW/S ROLLING ROAD & DOGWOOD RD.The sign(s) were posted on 5/10/01
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 5/23/01
(Signature of Sign Poster and Date)PATRICK M. O'KEEFE
(Printed Name)523 PENNY LANE
(Address)HUNT VALLEY, MD. 2103
(City, State, Zip Code)410-666-5366 ; CELL 410-905-8
(Telephone Number)01-408-X
ROLLING & DOGWOOD

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring 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 (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 01-408-X

Petitioner: BP Amoco Corporation

Address or Location: SOUTHWEST CORNER OF ROLLING ROAD AND
DOGWOOD ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: AMY DONTILL

Address: 210 ALLEGHENY AVENUE

TOWSON, MARYLAND 21204

Telephone Number: (410) 494-6200

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 11, 2001 Issue – Jeffersonian

Please forward billing to:

Amy Dontell
Venable Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

410 494-6200

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-408-X

Southwest Corner of Rolling Road and Dogwood Road

W/S Rolling Road, 166' +/- S Dogwood Road

1st Election District – 1st Councilmanic District

Legal Owner: Rolling Height Lot A Ltd Partnership

Contract Purchaser: BP Amoco Corporation

Special Exception to permit a fuel service station on an individual site and a convenience store and rollover car wash as uses in combination with a fuel service station pursuant to Sections 405.2.B.1, 405.4.E.1 and 405.4.E.2 of the BCZR.

HEARING: Friday, May 25, 2001 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT *LS*
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

April 17, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-408-X

Southwest Corner of Rolling Road and Dogwood Road

W/S Rolling Road, 166' +/- S Dogwood Road

1st Election District – 1st Councilmanic District

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Contract Purchaser: BP Amoco Corporation

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HEARING: Friday, May 25, 2001 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon GDD
Director

C: Robert A Hoffman, Venable Baetjer & Howard LLP, 210 Allegheny Avenue, Towson 21204
Carol K McGill VP, Rolling Heights Lot A Limited Partnership, One Texas Station
Court, Timonium 21093
Jeffrey S Bainbridge, BP Amoco Corp, 1 W Pennsylvania Ave, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MAY 10, 2001**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Thursday, May 17, 2001 Issue – Jeffersonian

Please forward billing to:

Amy Dontell
Venable Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

410 494-6200

**NOTICE OF ZONING HEARING
CHANGE OF DATE**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-408-X

Southwest Corner of Rolling Road and Dogwood Road

W/S Rolling Road, 166' +/- S Dogwood Road

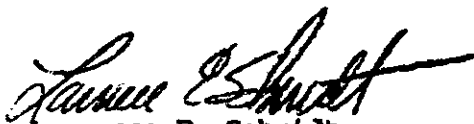
1st Election District – 1st Councilmanic District

Legal Owner: Rolling Height Lot A Ltd Partnership

Contract Purchaser: BP Amoco Corporation

Special Exception to permit a fuel service station on an individual site and a convenience store and rollover car wash as uses in combination with a fuel service station pursuant to Sections 405.2.B.1, 405.4.E.1 and 405.4.E.2 of the BCZR.

HEARING: Friday, June 1, 2001 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT C.D.2
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

April 25, 2001

NOTICE OF ZONING HEARING CHANGE OF DATE

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-408-X

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HEARING: Friday, June 1, 2001 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue

Arnold Jablon CDZ
Director

C: Robert A Hoffman, Venable Baetjer & Howard LLP, 210 Allegheny Avenue, Towson 21204
Carol K McGill VP, Rolling Heights Lot A Limited Partnership, One Texas Station
Court, Timonium 21093
Jeffrey S Bainbridge, BP Amoco Corp, 1 W Pennsylvania Ave, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 17, 2001**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 25, 2001

Robert A Hoffman, Esquire
Venable Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

Dear Mr. Hoffman:

RE: Case Number: 01-408-X, Southwest Corner of Rolling Road & Dogwood Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 5, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Carol K McGill, VP, & James F Knott, Rolling Heights Lot A Limited Partnership,
One Texas Station Court, S-200, Timonium 21093
Jeffrey S Bainbridge, BP Amoco Corp, 1 W Pennsylvania Avenue,
Towson 21204
People's Counsel

JK
5/25
6/1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: April 23, 2001

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: SW/C Rolling Road

INFORMATION:

Item Number: 01-408

Petitioner: Rolling Heights

Zoning: BL-AS

Requested Action: Special Exception

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request subject to the following conditions:

1. As a measure to ensure compatibility with the existing single-family dwellings located on the opposite side of Rolling Road, the total size (including pricing) of the proposed monument sign should not exceed 50 square feet.
2. Outdoor speakers should not be permitted at this site.

Prepared by: Maletta A. Cunniff

Section Chief: Jeffrey W. Long
AFK:MAC:



Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

April 17, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: Rolling Height Lot A LTD Partn. - 408
Frederick J. Beste - 410
Essex Church of God - 403
Marye D. Kellerman - 401

Location: DISTRIBUTION MEETING OF April 16, 2001

Item No.: 401, 403, 408, and 410

Dear Ms. Stephens:

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", 1994 edition prior to occupancy.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4.12.01

Ms. Ronnay Jackson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 408 JJS

Dear Ms. Jackson:

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 affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for

Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

RE: PETITION FOR SPECIAL EXCEPTION
Rolling Road and Dogwood Road, SW cor Rolling and
Dogwood Rds, W/S Rolling Rd, 166' +/- S of Dogwood
1st Election District, 1st Councilmanic

Legal Owner: Rolling Heights Lot, L.P.
Contract Purchaser: BP Amoco Corp.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-408-X

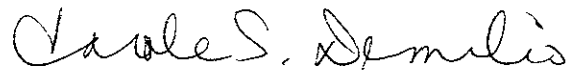
* * * * *

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. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of April, 2001 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner(s).



PETER MAX ZIMMERMAN

County Council of Baltimore County, MD
 We, the undersigned property owners are opposed to any zoning
 changes on North Rolling Road recommended by the Planning Board
 of Baltimore County.

Frederick Rd.

2003 NORTH ROLLING ROAD

2008	John Coby	410-298-3251
2010	William B. Mann	410-265-8063
2012	Charles S. Cannaggio	410-944-1334
2014	Ted Ryak	410-265-7632
2016	Chandice P. Gilmore	410-298-7235
2018	De. 1st	410-298-9590
2020		
2022	Helen W. White	410 944 6646
2024		
2026	Emory J. Fritchett Jr.	298 4667
2023	Kenn Blatka	(410) 298-7147
2032	Rud - Ronald Lane	410-944-2510
2117	Grace Moussette	410-944-6403
2113	Glenn Frank	(410) 298 - 8765
2111	Hoyan & Marie Alexander	410-298-0356
2107	PATRICK & MARCIA RUSSELL	410-944-2780
2101	Marilyn & Merle York	410-944-2973
2021/2021	Frank & Lavahan	410-265-6188

	Name	Do You Live in the Community?		Your Address (if you live in the Community)	Your Business Address (if you are a Commuter)	Telephone
		Yes	No			
22	Kaisha Mann	Yes		7402 Hesada Dr	Verizon Wireless	410 925-6888
23	<i>[Signature]</i>	YES		3302 AURORA LW #B	_____	298
24	V.A. BANKS	Yes		5505 Bushmill Ave	_____	5793
25	VAIVESSA LOGAN					410-448 5253
26	Louise V. Allen					410-947-
27	Shavon Zwaan	Yes		1633 Winding Rock Way		3515
28	Cerdy Randall	yes		1911 Spring Rd		410 298- 4273
29	Joy A. Graham	yes		7000 Cornerstone Way		410-597-8898
30	D.L. Watts	yes		2422 Foxbury Lane		410 944-0434
31	<i>[Signature]</i>	yes		7478 Cattusset		410 561 6210
32	Natarsha Johnson	yes		3 Bushmill Ct.		410 5947140
33	Leah Morrison	YES				410-2980573
34	Latoya Billups	yes		1415 Hallowood Rd		410 613-2300
35	Detonia Rector	yes		1308 Glenville Rd		410 719-1578
36	<i>[Signature]</i>	Yes		2141 Lorraine Ave 21246		
37	Don P. O	yes		2421 Rolling Road		410-716 8980
38	Melita Lay *	Yes		1 EARTH CT		410 265-1473

	Name	Do You Live in the Community?		Your Address (if you live in the Community)	Your Business Address (if you are a Commuter)	Telephone
		Yes	No			
1.	Aileen Bullock				7500 Security Blvd	786-5637
2.	Nyla Walters		No		7500 Security Blvd	410-786-2154
3.	Tracey Mummer +		No		7500 Security Blvd	410-786-3358
4.	Lynne Riggs		No		7500 Security Blvd	410-786-8063
5.	Michelle Dunkley		No		7500 Security Blvd	410-786-9361
6.	John Ray		No		7500 Security Blvd	410-944-2187
7.	Timothy Ray		No		7500 Security Blvd	410-786-3348
8.	Deborah Burns		NO		7500 Security Blvd	410-786-6127
9.	Mel Schneider		No		" "	410-786-3444
10.	Mary Siellu		NO		" "	410-786-0091
11.	Medford Campbell, Jr		No		7500 Security Blvd	410-786-4457
12.	Sammy Khung		No		7500 Security Blvd	410-786-8066
13.	Angela Pompey		Yes		7500 Security Blvd	410-786-3533
14.	Randall Small		NO		7500 Security Blvd	410-786-0129
15.	Rose Payer		NO		7500 Security Blvd	410-786-2852
16.	LARRY Johnson		NO		" "	410-786-6462
17.	Brenda Streets		Yes		7500 Security Blvd	(410) 786-2071
18.	Karen Sullivan		NO		7500 Security Blvd	410-786-5411
19.	BARBARA GREENBERG		NO		7500 Security Blvd	410-786-5553
20.	Equilla Allen		NO		7500 Security Blvd	410-786-5550
21.	MANNY BURGOS		NO		7500 Security Blvd	410-786-5509

	Name	Do You Live in the Community?		Your Address (if you live in the Community)	Your Business Address (if you are a Commuter)	Telephone
		Yes	No			
39	Sven Smith	Yes		2036 Cross Banks Rd	N/A	265-6544
40	Jackie Pryor	Yes		2723 Claybrook	N/A	485277
41	Nicole Campbell	WORK			6700 Richardson Rd.	4722
42	Caran Gentry	Yes				
43	RON LEWIS	YES		6 F FAURIDGE CT	Best Buy	410-887-1390
44	Michael Thompson	NO				410-944-7630
45	Olivia Jenkins	Yes			BGE HOME	410-944-2308
46	Marlyn M. Bell	Yes				410-485-3826
47	Josie HARRISON	Yes				410-944-4208
48	Joan Brooks	yes		7007 Dogwood Rd 21244		(410) 396-6394
49	Shirley Eldridge	NO				410-944-2315
50	Mary Collins	yes			7500 Security Blvd	410-597-8414
51	Nancy Archer	yes			7500 Security Blvd	410-786-5836
52	Al Bates	no				410-786-5526
53	Mark Brook	no				410-786-0596
						410-786-3391
						410-448-4788

Sharon A. Laughlin

P.O. Box 47283
Windsor Mill, MD 21244

Shirley Carter

4105 Silver Oaks Trail Owings Mills, Md. 21117

JIMMY ASHLEY

2 GREENLEA DR BALTO MD 21208

DENISE PARHAM

1516 N. PATTERSON DR. AVE #21213

Keith Williams

7500 Security Blvd. Balt. Md. 21243

Larry Beardsley

3420 Barkley Woods Rd Balto. MD 21244

DEBBIE HORTON

7500 Security Blvd 21244

Dorothy Stamps

7500 Security Blvd 21244

John Niles

6916 Dogwood Road 21244

William Glad ~~Stamps~~

1432 Bank St Balto. Md 21231

Robert & Gaylord
Romana Evans
Joseph V. Alascio Jr
Louis W. Richardson
James L. Inc
George Wise
Shirley W. W.

2104 Gaybrook Rd.
6 Regent Court.
2114 Haybrook Rd
2116 Gaybrook Rd
2201 McRelling Rd
2201 N. Relling Rd.
2201 N. Relling Rd.

~~Raymond~~ 7010 Glen Springs Rd

Marge Klus 2103 Kalk Manor Rd

Hans Naye 69 Fallow Ct.

Jul L 7003 Gaymount

Marie Baranovich 2111 Crest Ridge Rd.

Jeany Brooks 7007 Dogwood Rd

Sharon Bowley 7009 Gaymount Rd

CHARLES PITTS 7006 Gaymount Rd

Wadeash Bradley 2108 Caybrook Rd

C. Stilling 7019 GAYMOUNT RD

Shaion Stilling 7019 Gaymount Rd

Joseph McDonald 2118 Gaymount Rd

Chuck Brooks 3629 Forest Hill Rd

Mojley

Torey Somerville
2803 Ashfield Dr #314
Windsor Mill, MD, 21244

Emory Proctor
2022 N Rolling Rd
Baltimore MD 21244

William B. Harris
2010 N. Rolling Rd.
Windsor Mill MD 21244

MR & MRS. RONNIE SCUDDER
7034 GLEN SPRING RD
BALTO. MD 21244

Brian Giles
7030 Glen Spring RD
BALTO. MD 21244

Phil DeVenti
7014 Glenspring Rd
Baltimore MD 21244

ARTAS LODGE
7011 Glen Spring Rd
BALTO MD 21244

Coronatus Dean J	7029 GLEN SPRING RD
JEAN DUKES	7029 GLEN SPRING RD
RALPH BROCK	7023 Glen Spring Rd.
MARY BROCK	7023 Glen Spring Rd.
Jay SCHRIEFER	7025 GLEN SPRING RD.
Charles J. [unclear]	7015 GLEN SPRING Rd
Chad M. [unclear]	2104 Kals Manor Rd
Roseline Bennett	2106 Kals Manor Rd
Abhay Taylor	7005 G. [unclear] RD
Wade Bright	7023 Dogwood Creek
Mark [unclear]	7019 Dogwood Rd
Joan Jones	707 Dogwood Rd 2124
Catherine Jones	7011 Dogwood Rd 21244
Theresa Bransbury	7002 Dogwood Rd 21244
BARBARA FLANAGAN	7008 Gaymount Rd 21244
Ed Rocker	7014 Gaymount Rd 21244
Samuel T. Black	7012 Gaymount Rd. 21244
Mr & Mrs Derek Widdows	2115 Gaybrook R 21244
Jackie Butler	2111 Gaybrook Rd 21244
Jan J. [unclear]	2111 Gaybrook Rd 21244
William A. Helmbold	2107 Gaybrook Rd 21244
Verlen [unclear]	2103 GAYBROOK Rd 21244
Shelly Y. [unclear]	2102 Gaybrook Rd. 21244
James [unclear]	5301 Hewell Ave 21207

Petition of Denial

Dogwood / Rolling Roads Gas Station

Douglas C. Askins	2119 Gaybrook Rd	Woodlawn, MD 21244
Noranna Askins	2119 Gaybrook Rd.	Woodlawn, Md. 21244
A. Maria Johnson	2121 Gaybrook Rd	Woodlawn MD 21244
Charles W. Johnson	2121 Gaybrook Rd	Woodlawn MD 21244
John J. Dittling Jr.	2121 N. Rolling Rd	21244
Edward E. Dittling	2121 N. Rolling Rd	21244
Grace Morissette	2117 N. Rolling Rd	21244
NEOMIA McFADDEN	2115 N. Rolling Rd	21244
Tanya McFadden	2115 N. Rolling Rd	21244
Latoria Williams	10950 Baskerville Rd	21136
Barbara Smith	200 Woodlawn Dr.	21207
Dianne Franklin	2113 N. Rolling Rd	21244
Patrick Russell	2107 N. Rolling Rd	21244
Elizabeth A. Nash	2105 W. Rolling Rd.	21244
Chad Kates	2103 N. Rolling Rd.	21244
Merle O. Jones	2101 N. Rolling Rd	21244
Marilyn B. Thorp	2101 N. Rolling Rd	21244
Kenn Bhatia	2023 N. Rolling Rd	21244
John J. Kates	2021 N. Rolling Rd	21244
Ron Kauer	2032 N. Rolling Rd	21244
Jeanne White	2030 N. Rolling Rd	21244
Kathleen G. Turner	2024 N. Rolling Rd	21244
John W. White	2022 N. Rolling Rd	21244
Quane C. Dotson	2018 N. Rolling Rd	21244
Claudia P. Moore	2016 N. Rolling Rd	21244
Margaret Cannagys	2012 Rolling Rd	21244

Rad Ex #1

PETITION OF DENIAL
RE: GAS STATION/CAR WASH/CONVENIENCE STORE
AT THE CORNER OF ROLLING & DOGWOOD ROADS

There is a Hearing scheduled on Friday, June 1, 2001 at 2:00 p.m. at the Baltimore County Courthouse located at 401 Bosley Ave. , Room: 407 Towson, Maryland

We, the Homeowners of this neighborhood located directly in this domain, attest to the development of a gas station/convenient store/car wash at this site based upon heavy traffic patterns that already exist at this intersection. One of our main concerns is property value for our residential area. Our second concern is environmental contamination of this area's water supply, landscape, toxic fumes from the gas station's pumps and/or gas spills. Also the threat of possible explosion from underground gas storage tanks. Among that, the transporting of thousands of gallons of fuel to this location which is less than a 1/10th of a mile to residential homes and schools. The safety of pedestrians, children and home dwellers who frequently travel this route by way of foot is another major concern. Due to the close proximity of two public schools, child care centers, 2 government work sites that house more than 5,000 employees, a shopping center and 2 churches, an industrial park, a factory and several apartment complexes combined with the heavy existing traffic flow from Catonsville, Randallstown, Gwynn Oak area, Security Mall, the Beltway in which we know is already a major congestion traffic problem.

As HOMEOWNERS AND TAXPAYERS, we strongly suggest denial of any commercial establishment which curtails any disruption of traffic flow or may cause the threat of additional accidents or mishaps to the safety of our community. We already find it unbearable trying to enter or exit into traffic to and from our homes. There are already several gas stations/car washes and convenient stores within less than a mile that exist. We feel as HOMEOWNERS that enough of this type of commercial establishments is sufficient.

We expect a swift denial of this matter and we thank you as CITIZENS of Baltimore County, Woodlawn, Maryland, 21244.

On the corner of **Dogwood** and **Rolling Rd.** Do we need another Gas Station plus a CAR WASH to **DESTROY** our Community and **ENDANGER** our children More NOISE, more CAR, more Fumes, more **STRANGERS** ROAMING AROUND in our neighborhood. There are already **★15** Stations So **PLEASE SIGN THE PETITION** which is coming AROUND,

★ GAS STATIONS IN AND AROUND OUR NEIGHBORHOOD

Prot Ex #2

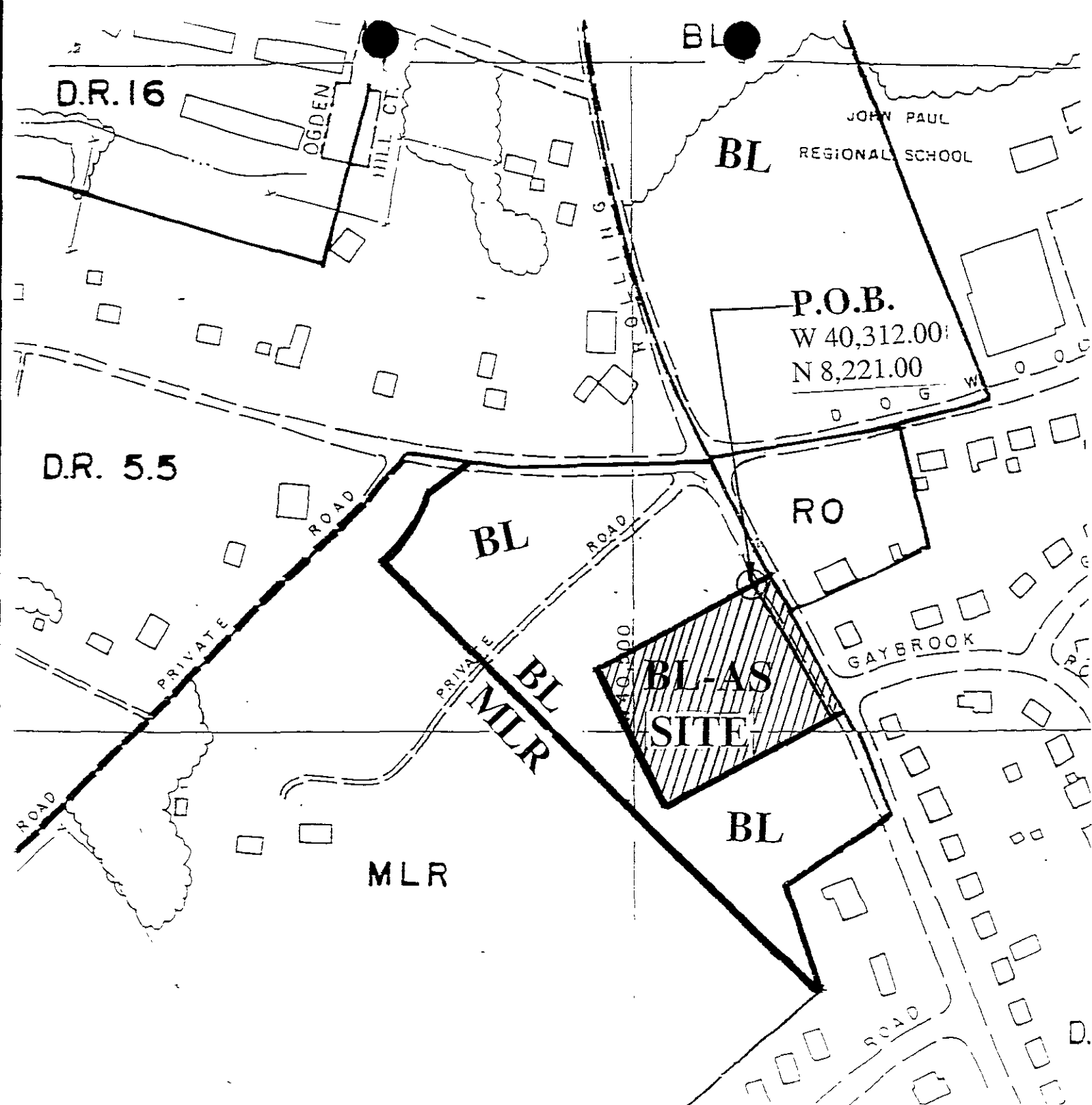


Case Number

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

[illegible]



ITEM #1-028 ZONING RECLASS. EFFECTIVE 12/04/2000

SCALE

LOCATION

SHEET

1" = 200' ±

DATE
OF
PHOTOGRAPHY:
JANUARY
1986

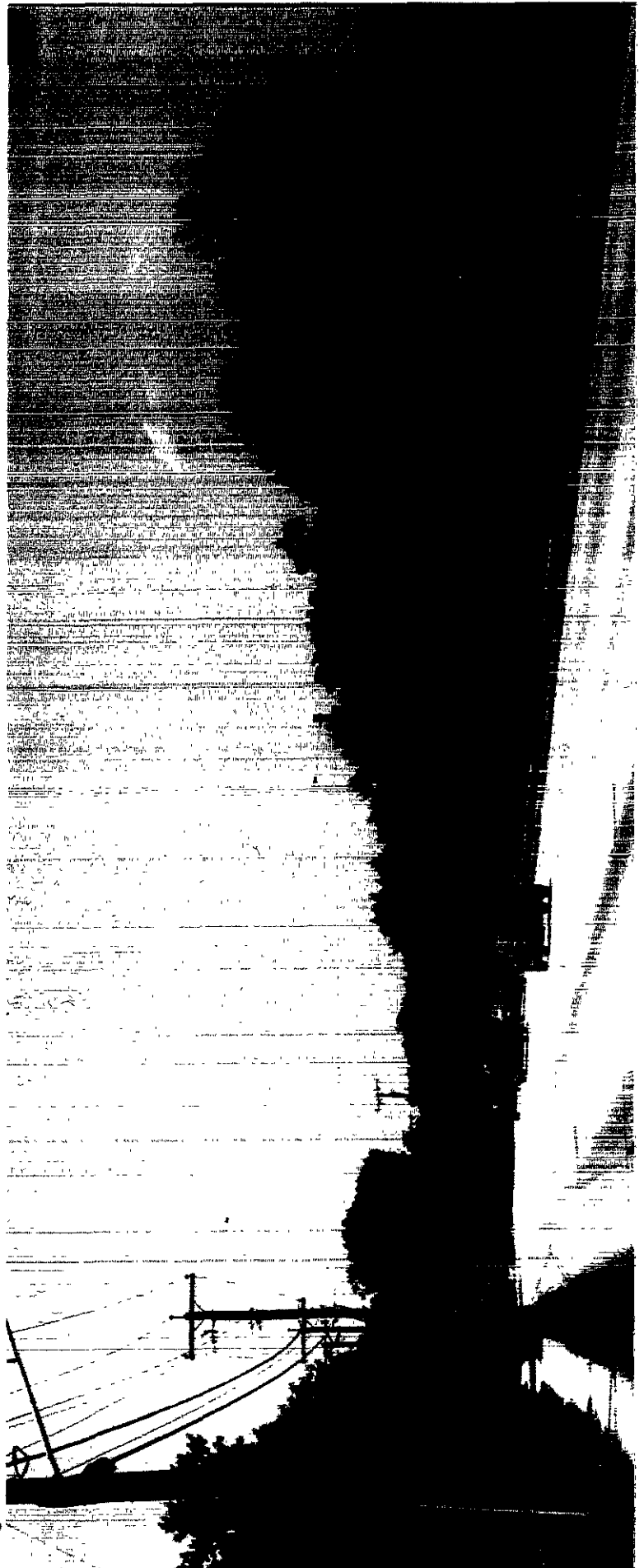
BELMONT

N.W. #408
2-3
&
3-6

WILLIAM MONK, INC.

ENGINEERS • PLANNERS

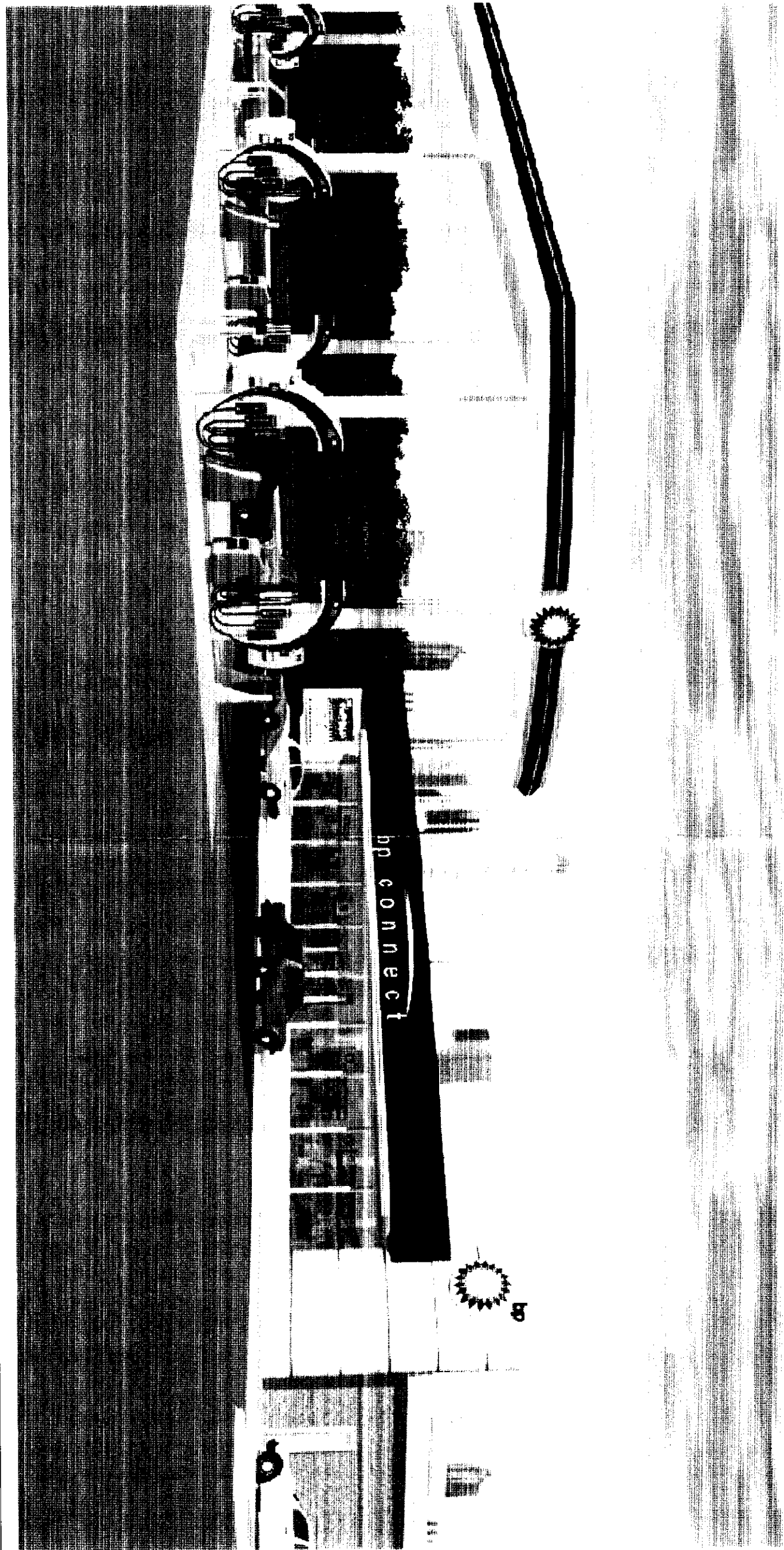
6



COURTHOUSE COMMONS • 222 BOSLEY AVENUE • SUITE B-6







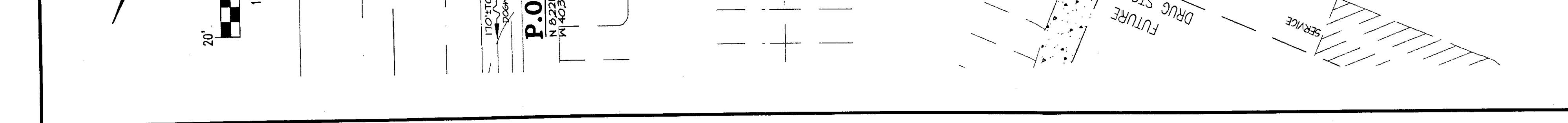
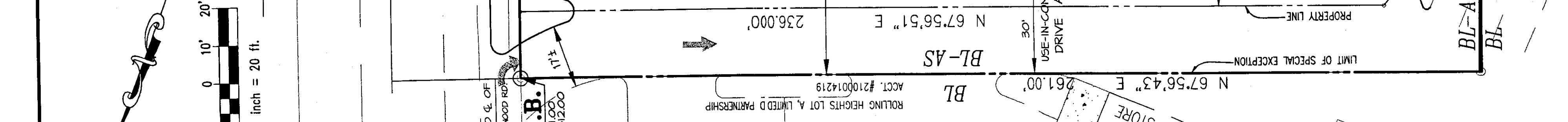
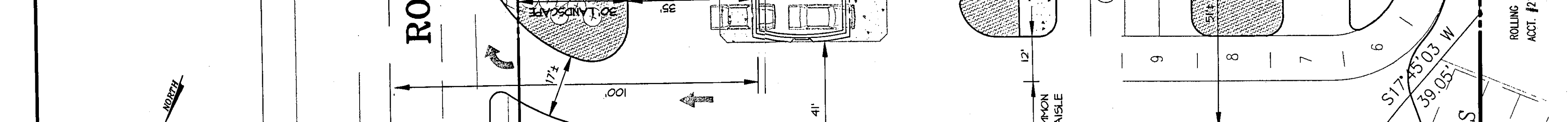
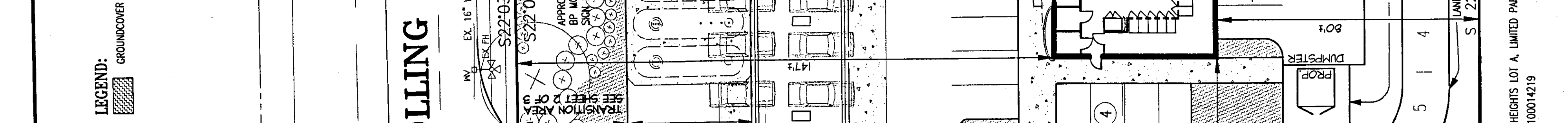
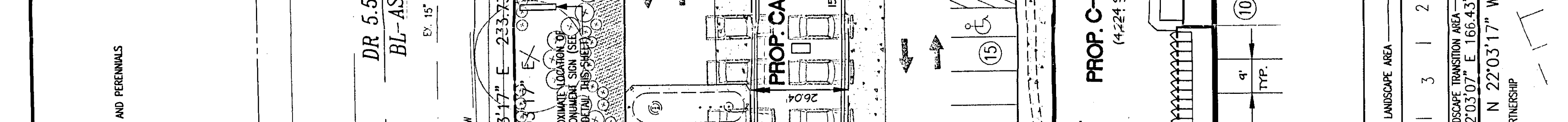
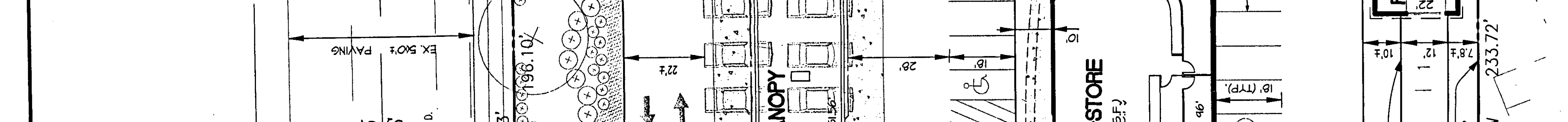
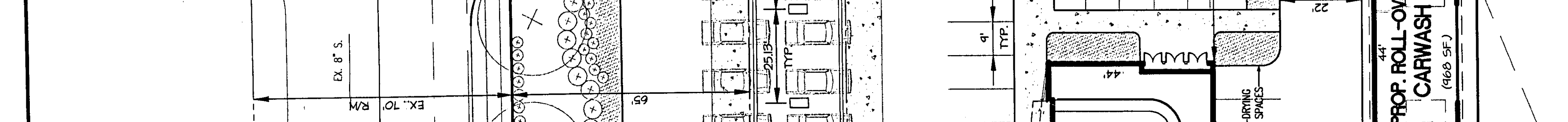
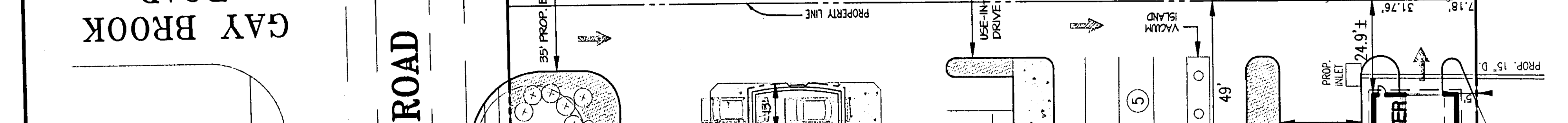
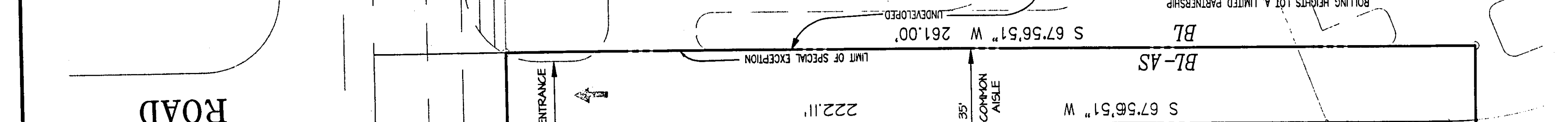
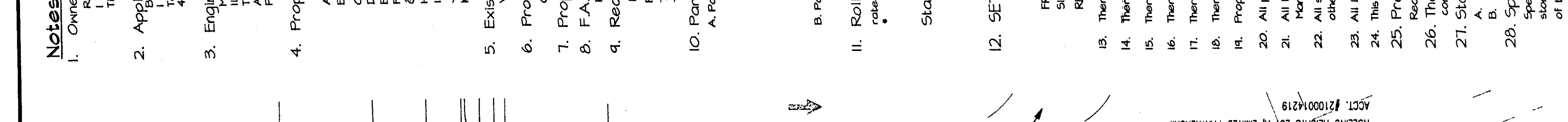
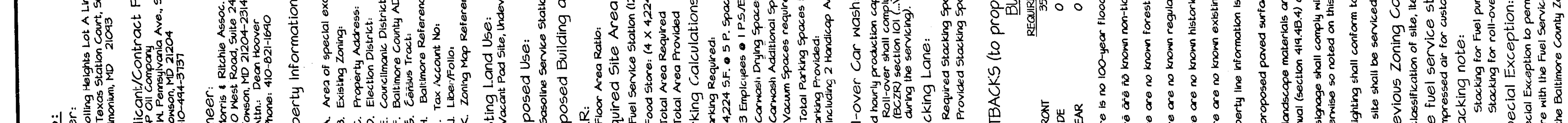
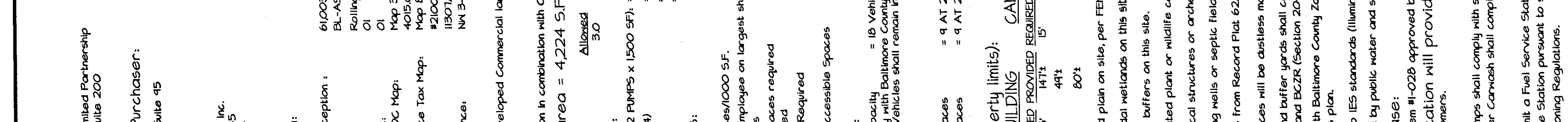
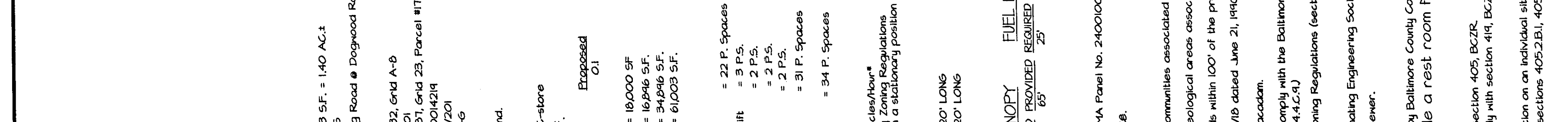
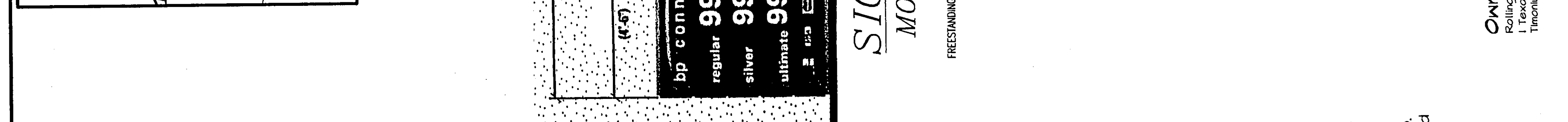
07-07-14

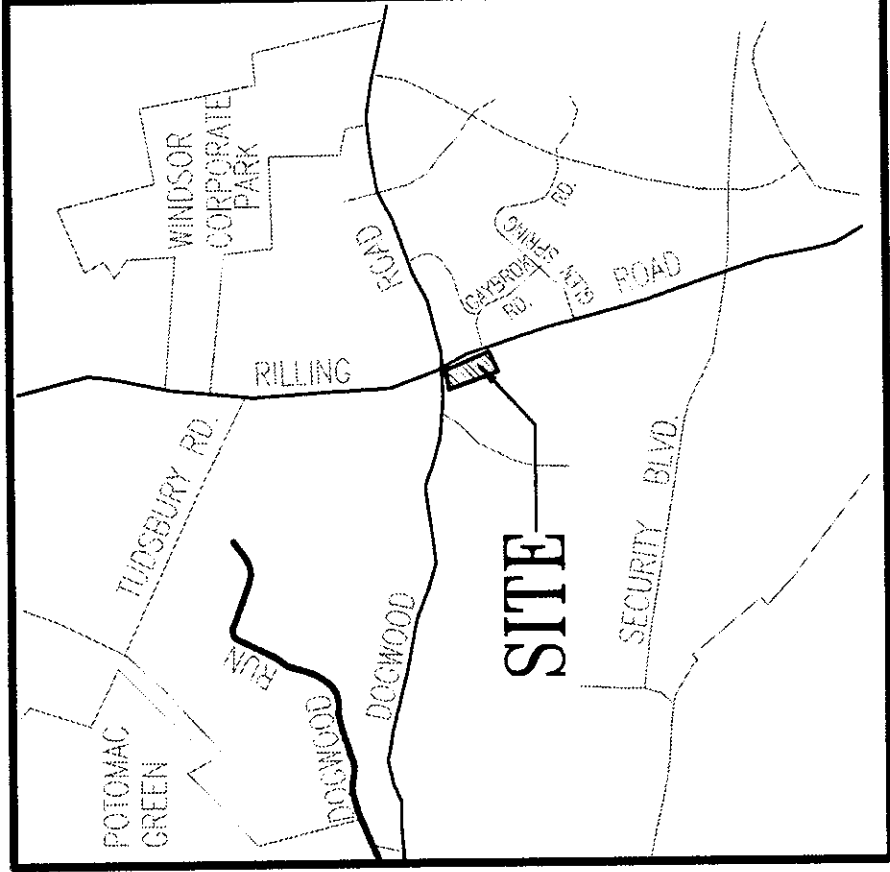
E1	Sheet:	Project:	Harmony Project	These drawings are for the sole purpose of expressing visual design intent and are not intended for actual fabrication purposes. All dimensions shown are schematic. Fabricator is responsible for obtaining field dimensions and making adjustments as required for specific installation.
		Drawing Title:	4200 Building	
		Scale:	NTS	
		Date:	8/9/2000	





	MORRIS & RITCHIE ASSOCIATES, INC. ENGINEER, PLANNING, SURVEYING AND LANDSCAPE ARCHITECTS 10 WEST MOND BLVD #46 TOWNSHIP, MARYLAND 21064 FAX (410) 821-7148
PRELIMINARY STREETSCAPE SCENARIO PLAN	ROLLING HEIGHTS BUSINESS PARK LOT A
DATE REVISIONS	INDUSTRY CATEGORY
DATE REVISIONS	INDUSTRY CATEGORY



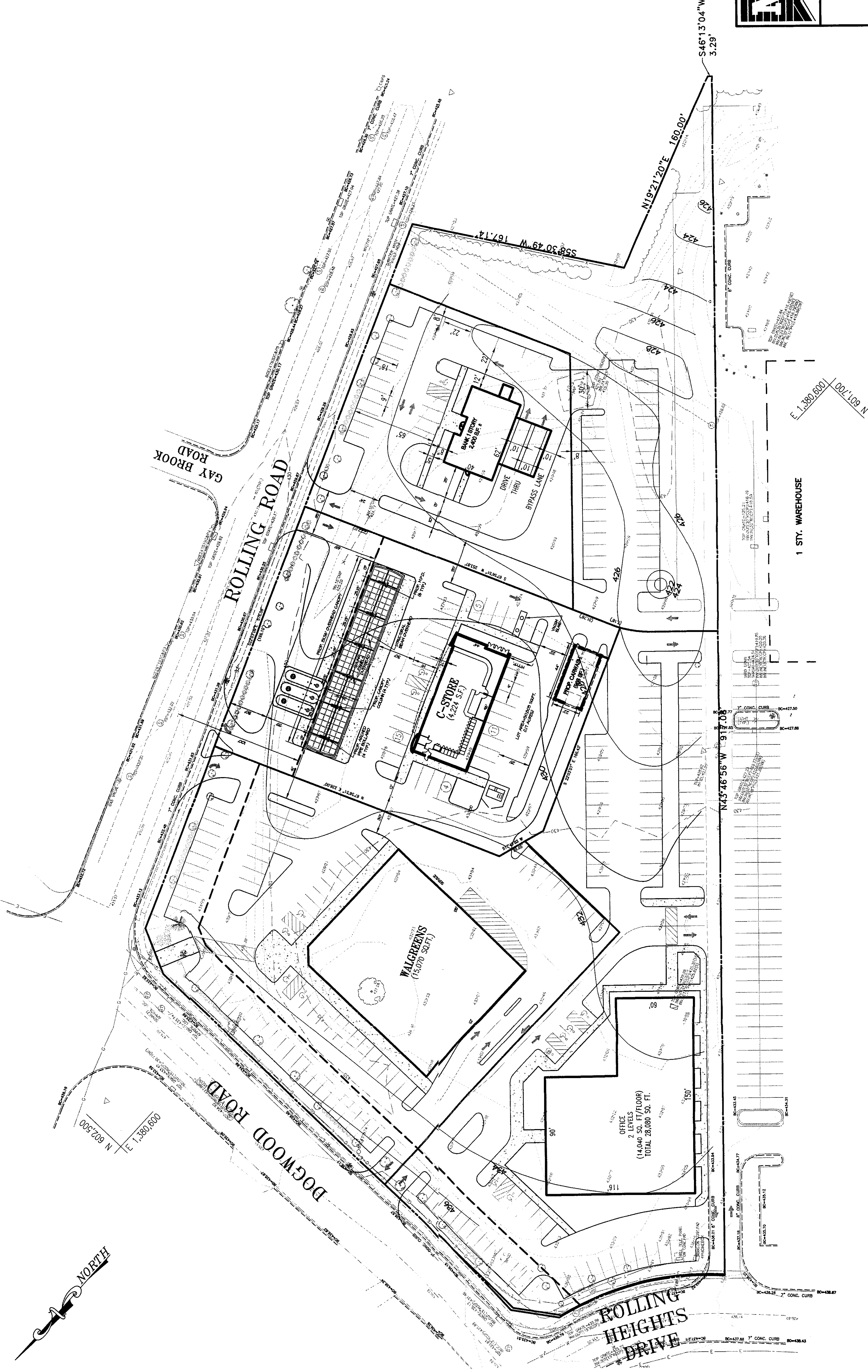


VICINITY MAP
SCALE: 1" = 2000'



DEVELOPMENT AGREEMENTS:

- * EXTERIOR BUILDING MATERIALS: ALL BUILDING FACADES SHALL BE CONSTRUCTED OF BRICK, SUBSTANTIALLY SIMILAR IN COLOR AND SIZE TO THE BUILDING KNOWN AS 2275 ROLLING RUN DRIVE LOCATED IN THE ROLLING HEIGHTS BUSINESS PARK.
- * PARKING LOT LIGHTING: ALL PARKING LOT LIGHTING TO CONFORM TO IES STANDARDS (ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA).
- * FREE STANDING ENTERPRISE ID SIGN: SIGN(S) TO BE GROUND MOUNTED, NOT TO EXCEED 9' IN HEIGHT INCLUDING ANY FOUNDATION BASE ELEMENT. WHERE APPLIED, FOUNDATION BASE ELEMENT TO BE CONSTRUCTED OF BRICK, SIMILAR TO THE EXTERIOR BUILDING FACADE.
- * LANDSCAPING: STREET EDGE PLANTING MATERIALS AND BUFFER YARDS TO CONFORM WITH CONCEPTUAL LANDSCAPE PLAN PREPARED BY MORRIS & RITCHIE ASSOCIATES, INC. (MRA), DATED 8/8/2000.



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
110 WEST ROAD SUITE 245
TOWSON, MARYLAND 21204
(410) 821-1690
FAX (410) 821-1748

PRELIMINARY SITE PLAN
BP AMOCO GAS & C-STORE
ROLLING RD AT DOGWOOD RD
ROLLING HEIGHTS BUS PARK

DATE	REVISIONS	JOB NO.	11739
11/21/00	PER AGREEMENT NOTES	SCALE:	1"=40'
07/03/01	BUILDING SETBACK LINES	DATE:	9/9/2000
02/13-01	ADD GRADING	DRAWN BY:	SL
		DESIGN BY:	WM
		REVIEW BY:	WM
		SHEET:	1 OF 1

BALTIMORE COUNTY

MARYLAND

THIS MAP HAS BEEN REVERSED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BRUNNEN, INC., BALTIMORE, MD. 21210

2000 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
BILL NO. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

DATE
OF
PHOTOGRAPHY
JANUARY
1985

SCALE
1" = 200'

2

LOCATION
BELMONT
N. W.

SHEET
2-6



NW 2 G

NW 3 G

