

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE – NW/Corner
Rolling Road and Powers Lane
(Rolling Road Plaza)
1st Election District
1st Council District

Rolling Road Plaza, Inc.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-097-SPHA

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Rolling Road Plaza, Inc., by Paul F. Robinson, Vice President, through their attorneys, G. Scott Barhight, Esquire and Julie A. DiGrigoli, Esquire. The Petitioners request a special hearing to approve an amendment to the previously approved site plan in Case No. 94-185-SPH, and a determination as to whether a variance is required from Section 232.2.B of the Baltimore County Zoning Regulations (B.C.Z.R.). If deemed necessary, then variance relief is requested from Section 232.2.B of the B.C.Z.R. to permit a side yard setback of 0 feet in lieu of the required 10 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing on behalf of the Petitioners was Michael Trenery, a representative of Mid-Atlantic Realty Trust, an affiliate of Rolling Road Plaza, Inc. owners of the subject property. Also appearing in support of the requests were Charles Main, II with Daft-McCune-Walker, Inc., the consultants who prepared the site plan for this property, and G. Scott Barhight, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located at the northwest corner of Rolling Road and Powers Lane in Catonsville. The property contains a gross area of 6.58 acres, more or less, split zoned B.L. (5.81 acres) and D.R.3.5 (0.77 acres), and is the site of the Rolling Road Plaza shopping center. Retail uses on the

ORDER RECEIVED FOR FILING
Date 7/19/01
By JS

site presently include a Firestone auto repair store, Cokesbury Bookstore, and a number of medical offices. A large amount of space in the corner of the L-shaped center was formerly used as a bowling alley; however, that space has been vacant for some time. The owners of the shopping center recently proposed utilizing that space for a gas and go convenience store, which generated a significant amount of opposition from tenants and neighbors. After negotiations, these plans were scrapped and the Petitioners now propose locating a Cort Furniture Store within that space. Cort Furniture is apparently a national chain that desires to establish a presence in the Baltimore Metropolitan area.

Special hearing relief is requested to approve amendments to the previously approved site plan to reflect the instant proposal and uses on the site. The prior zoning history of this parcel is more particularly shown on the site plan submitted and marked as Petitioner's Exhibit 1. The second prong of the special hearing relief requested a determination as to whether variance relief is necessary for a proposed loading dock. It was indicated that the elevation of the store is such that a loading dock is needed to accommodate deliveries and loading of furniture by customers. At the hearing, however, the Petitioner acknowledged that variance relief is required and withdrew this portion of the special hearing relief requested. In this regard, the Petitioner proposes to construct a 10' x 10' enclosed loading dock at the rear of the furniture store. As shown on the site plan, the existing building is located 10 feet from the property line abutting Powers Lane, an adjacent public street. Thus, in that the proposed loading dock will be enclosed, a variance is necessary to allow a 0-foot setback. It is to be noted, however, that although there will be a 0-foot setback from the property line, the loading dock will be setback from the edge of paving from Powers Lane in that there is a buffer of sidewalk between the property line and Powers Lane. The Petitioners indicated at the hearing that the Department of Public Works and Bureau of Traffic Engineering had reviewed the plans for the loading dock and found that same is acceptable and would not create traffic congestion or adversely impact adjacent public roads.

Based upon the testimony and evidence presented, I find that the relief requested should be granted. There were no adverse comments submitted by any Baltimore County reviewing agency and the Petitioners' proposal has the support of the other tenants and neighboring property

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Date 10/19/11
By [Signature]

owners. An amendment to the previously approved site plan is appropriate in order to reflect the proposed modifications. Moreover, the relief requested meets the requirements of Section 307 of the B.C.Z.R. and will not be detrimental to the surrounding locale.

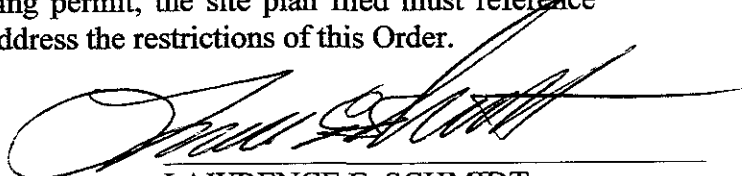
Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of October, 2001 that the Petition for Special Hearing seeking approval of an amendment to the previously approved site plan in Case No. 94-185-SPH, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that inasmuch as variance relief is required, that portion of the relief requested within the Petition for Special Hearing is hereby DISMISSED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 232.2.B of the B.C.Z.R. to permit a side yard setback of 0 feet in lieu of the required 10 feet for a proposed enclosed loading dock, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same 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 loading dock shall be constructed in accordance with the plans approved by the Department of Public Works and the Bureau of Traffic Engineering.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date 10/19/01

By [Signature]



Baltimore County
Zoning Commissioner

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

October 19, 2001

G. Scott Barhight, Esquire
Julie A. DiGrigoli, Esquire
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue, Suite 400
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING and VARIANCE
NW/Corner Rolling Road and Powers Lane
(Rolling Road Plaza)
1st Election District – 1st Council District
Rolling Road Plaza, Inc. - Petitioners
Case No. 02-097-SPHA

Dear Mr. Barhight & Ms. DiGrigoli:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted, in accordance with the attached Order.

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

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Messrs. Paul F. Robinson and Michael Trenery
Mid-Atlantic Realty Trust, 170 W. Ridgely Avenue, Lutherville, Md. 21093
Mr. Charles Mann, II, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21286
Department of Public Works; Bureau of Traffic Engineering; People's Counsel; Case File ✓

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





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1100 to 1134 Rolling Road
which is presently zoned B.L.

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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

- 1) Amendments to the previously-approved plan in Case No. 94-185-SPH.
- 2) Whether a variance from BCZR §232.2.B to permit a 0 foot side yard setback in lieu of the 10 foot setback is required.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, 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:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

G. Scott Barhight/Julie A. DiGrigoli, Esq.
Name - Type or Print _____
Signature _____
Whiteford, Taylor & Preston, LLP
Company Suite 400
210 W. Pennsylvania Ave. 410/832-2000
Address _____ Telephone No. _____
Towson MD 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

Rolling Road Plaza, Inc.
Name - Type or Print _____
Signature _____
Paul F. Robinson, Vice President
Name - Type or Print _____
Signature _____ Contact Attorney
170 W. Ridgley Avenue
Address _____ Telephone No. _____
Lutherville MD 21093
City _____ State _____ Zip Code _____

Representative to be Contacted:

G. Scott Barhight/Julie A. DiGrigoli, Esquire 2000
Name _____
Whiteford Taylor & Preston 410-832-
Address 210 W. Pennsylvania Ave Telephone No. _____
#400, Towson, MD 21204
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JCM Date 9.6.01

Case No. 02-097 SPHA

Date 9/15/98

ORDER RECEIVED FOR FILING
Date 9/15/98
By [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1100 to 1134 Rolling Road

which is presently zoned B.L.

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 Variance from Section(s)

232.2.B to permit a 0 foot side yard setback in lieu of the 10 foot setback required.

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

To be presented at hearing.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, 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:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Attorney For Petitioner:

G. Scott Barhight, Esq./Julie A.

Name - Type or Print _____ DiGrigoli, Esq.

Signature _____

Whiteford, Taylor & Preston

Company Suite 400

210 W. Pennsylvania Ave. 410-832-2000

Address _____ Telephone No. _____

Towson MD 21234

City _____ State _____ Zip Code _____

Legal Owner(s):

Rolling Road Plaza, Inc.

Name - Type or Print _____

By: Paul F. Robinson

Signature Paul F. Robinson, Vice President

Name - Type or Print _____

Signature _____

170 W. Ridgely Ave.

Address _____

Lutherville MD

City _____

State _____ Zip Code _____

Contact _____

Attorney _____

Telephone No. _____

Representative to be Contacted:

Julie A. DiGrigoli, Esq.

G. Scott Barhight, Esquire/

Name Whiteford, Taylor & Preston, LLP

210 W. Pennsylvania Ave. 410-832-

Address #400 2000 Telephone No. _____

Towson, MD 21204

City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By Julie A. DiGrigoli Date 9-6-01

Case No. 02-0973PHA

Date 9/15/98

ORDER FOR FILING

Description
To Accompany Petition for Special Exception
and Zoning Variance

Rolling Road Plaza Shopping Center
Northwest Corner of the Intersection of
Rolling Road with Powers Lane

First Election District, Baltimore County, Maryland



Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Golf Course Architects,

Engineers, Surveyors &

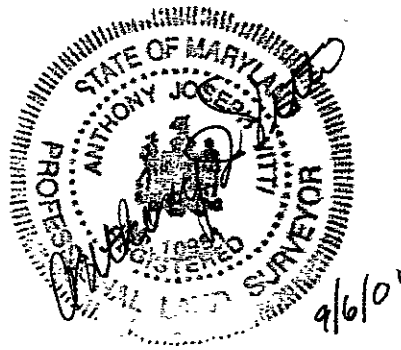
Environmental Professionals

Beginning for the same at a point on the Westerly right of way line of Rolling Road and at the Northeasterly end of the fillet line connecting said Westerly right of way line of Rolling Road with the Northerly right of way line of Powers Lane; thence leaving said point of beginning and binding along said fillet line, (1) South 54 degrees 23 minutes 24 seconds West 30.00 feet to a point on the Northerly right of way line of Powers Lane; thence running with and binding along said right of way line, thence (2) North 70 degrees 56 minutes 16 seconds West 564.56 feet, thence (3) leaving Powers Lane and running North 18 degrees 50 minutes 44 seconds East 158.44 feet; thence North 18 degrees 02 minutes 44 seconds East 100.00 feet; thence South 76 degrees 04 minutes 16 seconds East 101.10 feet, thence North 13 degrees 14 minutes 44 seconds East 70.20 feet, thence North 16 degrees 42 minutes 44 seconds East 220.78 feet, and thence South 73 degrees 13 minutes 00 seconds East 255.92 feet to intersect the Westerly right of way line of Rolling Road, thence running with and binding along said right of way line of the following two courses and distances, viz: (1) South 14 degrees 26 minutes 09 seconds East 147.16 feet, and thence (2) by a line curving to the right having a radius of 1055.00 feet (the arc of said curve being

subtended by a chord bearing South 02 degrees 05 minutes 31 seconds East 451.07 feet) for a distance of 454.58 feet, to the point of beginning; containing 5.75 acres, more or less.

August 21, 2001

Project No. 93067.E (L93067.E)



097

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

097

No.

5728

DATE 9-6-01 ACCOUNT 01-06-6150
AMOUNT \$ 500.00

RECEIVED FROM: Filling Rd. Plaza, Inc 1100-1134
Bellingham, WA

FOR: SPHA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JCM

PAID RECEIPT

PAYMENT ACTUAL TIME
9/07/2001 9/06/2001 14:11:30
4504 CASHIER DDOL IND DROWER 2
RECEIPT # 155352 (FL)
5 528 ZONING VERIFICATION
NO. 005728

Recpt Tot 500.00
500.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

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: #02-097-SPHA

1100 to 1034 Rolling Road

NW/Cor. Rolling Road and Route 40

1st Election District — 1st Councilmanic District

Legal Owner(s): Paul F. Robinson VP, Rolling Road Plaza Inc.

Variance: to permit a 0 foot side yard setback in lieu of the 10 foot setback required. Special Hearing: to amend the previously approved plan in Case No. 94-185-SPH, and to permit a 0 foot side yard setback in lieu of the 10 foot required.

Hearing: Friday, October 19, 2001 at 9:00 a.m. in Room 407, County Courts Building, 481 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) 887-4336.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
10/023 Oct. 4 C497782

CERTIFICATE OF PUBLICATION

10/4/2001

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 10/4/2001.

☒ The Jeffersonian

☐ Arbutus Times

☐ Catonsville Times

☐ Towson Times

☐ Owings Mills Times

☐ NE Booster/Reporter

☐ North County News

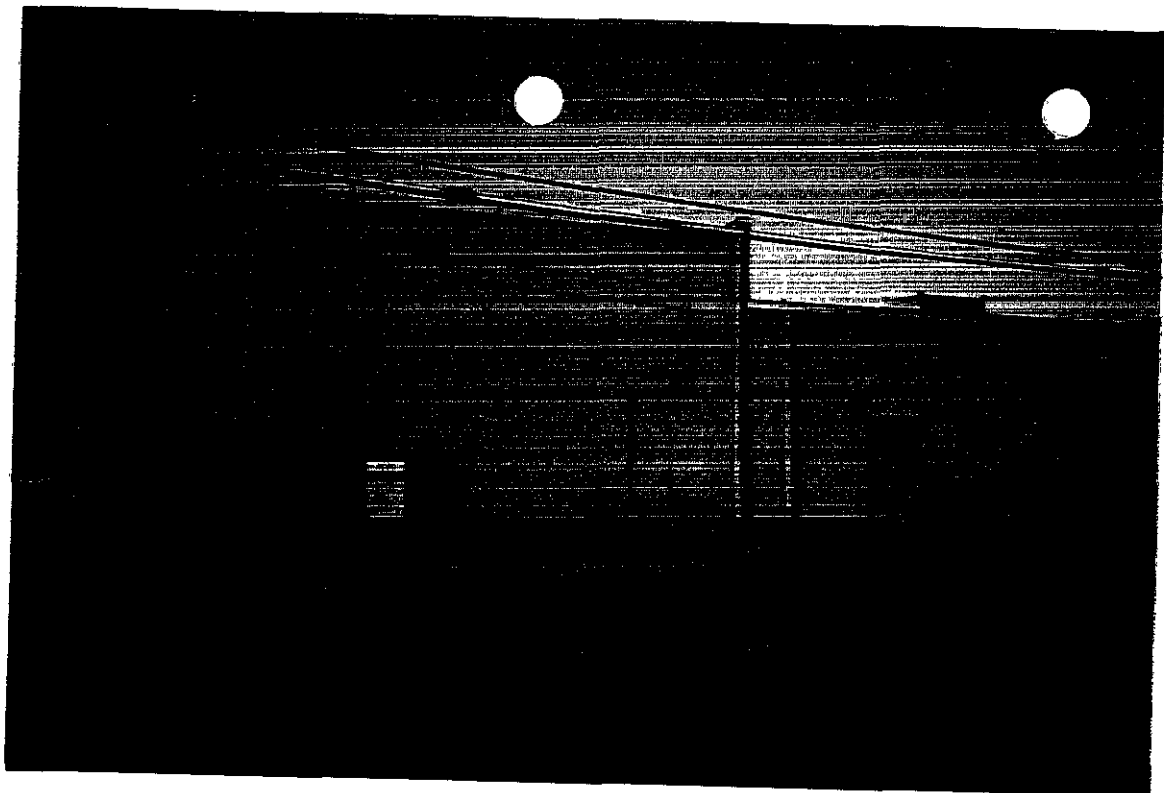
S. Wilkinson

LEGAL ADVERTISING

ZONING NOTICE

Case No. 02-097-SPMA

Notice is hereby given that the following property is the subject of a zoning application for a change of zoning from R-1 to R-2. The property is located at 1000 1st Street, N.W., Washington, D.C. 20004. The property is owned by the District of Columbia. The application was filed on 02-09-07. The application is for a change of zoning from R-1 to R-2. The property is located at 1000 1st Street, N.W., Washington, D.C. 20004. The property is owned by the District of Columbia. The application was filed on 02-09-07. The application is for a change of zoning from R-1 to R-2.



CERTIFICATE OF POSTING

RE: Case No.

02-097-SPHA

Petitioner/Developer

Rolling Road Plaza, Inc.

Date of Hearing/Closing

Friday, October 19, 2001

9:00 a.m.

Baltimore 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 penalties of perjury that the necessary sign(s) required by
law were posted conspicuously for the property known as

Rolling Road Plaza

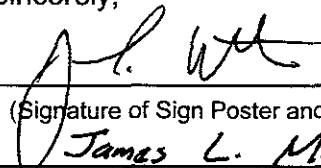
1100-1034 Rolling Road

The signs were posted on

Wednesday, October 3, 2001

(Month, Day, Year)

Sincerely,


(Signature of Sign Poster and Date)

James L. Mathias

(Printed Name)

Daft- McCune- Walker, Inc.

200 East Pennsylvania Avenue

Towson, MD 21286

(Address)

410-296-3333

(Telephone Number)

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: 02-097-SPHA
Petitioner: Rolling Road Plaza, Inc
Address or Location: 1100-1134 Rolling Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Rolling Road Plaza, Inc ^{Attn: Mike Trancy}
Address: 170 W. Ridgely Ave.
Cutlerville MD 21093
Telephone Number: 410-832-2000

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 4, 2001 Issue – Jeffersonian

Please forward billing to:

Mike Tremey
Rolling Road Plaza Inc
170 W Ridgley Avenue
Lutherville MD 21093

410 832-2000

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: 02-097-SPHA

1100 to 1034 Rolling Road

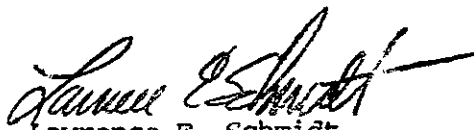
NW/Cor. Rolling Road and Route 40

1st Election District – 1st Councilmanic District

Legal Owner: Paul F Robinson VP, Rolling Road Plaza Inc

Variance to permit a 0 foot side yard setback in lieu of the 10 foot setback required.
Special Hearing to amend the previously-approved plan in Case No. 94-185-SPH, and to permit a 0 foot side yard setback in lieu of the 10 foot required.

HEARING: Friday, October 19, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT *LES*
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

September 27, 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: 02-097-SPHA
1100 to 1034 Rolling Road
NW/Cor. Rolling Road and Route 40
1st Election District – 1st Councilmanic District
Legal Owner: Paul F Robinson VP, Rolling Road Plaza Inc

Variance to permit a 0 foot side yard setback in lieu of the 10 foot setback required.
Special Hearing to amend the previously-approved plan in Case No. 94-185-SPH, and to permit a 0 foot side yard setback in lieu of the 10 foot required.

HEARING: Friday, October 19, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon GDZ
Director

C: Julie A DiGrigoli, Esquire, Whiteford, Taylor & Preston, 210 W Pennsylvania Ave,
Suite 400, Towson 21234
Paul F Robinson VP, Rolling Road Plaza Inc, 170 W Ridgley Avenue,
Lutherville 21093
G. Scott Barhight Esquire, Whiteford Taylor & Preston, 210 W Pennsylvania Ave,
Suite 400, Towson 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, OCTOBER 4, 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
pdmlandacq@co.ba.md.us

October 12, 2001

G. Scott Barhight Esquire
Whiteford Taylor & Preston
210 W Pennsylvania Avenue
Suite 400
Towson MD 21204

Dear Mr. Barhight:

RE: Case Number: 02-097-SPHA, 1100 to 1134 Rolling Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 6, 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. G D Z
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Paul F Robinson VP, Rolling Road Plaza, Inc, 170 W Ridgley Avenue
Lutherville 21093
Julie A DiGrigoli, Esquire, Whiteford Taylor & Preston, Suite 400,
210 W Pennsylvania Avenue, Towson 21204
People's Counsel



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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: October 25, 2001

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 1, 2001
Item No. 097

The Bureau of Development Plans Review has reviewed the subject zoning item.

Prior to removal of any existing curb for entrances, the developer shall obtain a permit from the *Department of Public Works, Bureau of Highways*.

The proposed single commercial entrance with depressed curb will be built per Department of Public Works' Standard Plate R-32.

RWB:HJO:jrb

cc: File



**Baltimore County
Fire Department**

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

September 27, 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: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPTEMBER 24, 2001

Item No.: See Below

Dear Ms. Stephens:

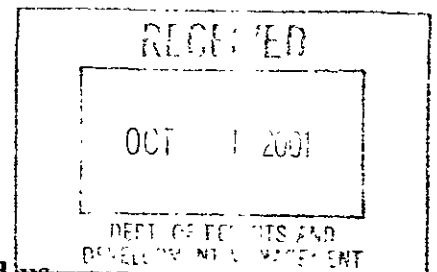
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

086, 087, 088, 089, 090, 091, 092, 093, 094, 095, 096, 097,
098, 099, AND 100

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

cc: File



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



As
10/1/9

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 1, 2001

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-090, 02-093, & 02-097

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

- 2

Section Chief:

Jeffrey W. Long

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 10.1.01

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

RE: Baltimore County
Item No. 097 JCM

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,

Kr 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

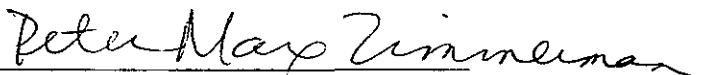
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
1100 - 1134 Rolling Road, NWC Rolling Rd & Route 40	*	ZONING COMMISSIONER
1st Election District, 1st Councilmanic		
	*	FOR
Legal Owner: Rolling Road Plaza, Inc.		
Petitioner(s)	*	BALTIMORE COUNTY
	*	Case No. 02-97-SPHA

* * * * *

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 2nd day of October, 2001 a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esq., Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Suite 400, Towson, MD 21204, attorney for Petitioner(s).


 PETER MAX ZIMMERMAN



Baltimore County
Department of Public Works

File
Bureau of Traffic Engineering
& Transportation Planning
111 W. Chesapeake Avenue
Towson, Maryland 21204
410-887-3554
Fax: 410-887-5784

December 18, 2001

Charles V. Main, II, P.E.
Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue
Towson, MD 21286

20

RE: Rolling Road Plaza
Case No. 02-097-SPHA, Special Hearing & Variance

Dear Mr. Main:

Sorry for the delay in responding back to you after our meeting. This is to advise you that our office did review the plan which you had submitted to the Zoning Commissioner at his Hearing, the plan being sealed on Sept. 6, 2001. We are approving the proposed loading dock area as shown on the plan which provides a 50-foot wide opening for parallel parking alongside the building, that parking space backing into a 10' X 10' loading dock.

However, to insure that this opening does not inadvertently allow for potential unintended uses, we require that the following note be added to the plan under the General Notes:

"12. Powers Lane Loading Zone

The loading zone along Powers Lane is to allow for parallel parking ONLY adjacent to the building. Such parking is intended solely for the use of persons actively making deliveries to or from the building loading dock. At no time can any vehicle be parked perpendicular to Powers Lane or extend out into Powers Lane. No openings to the building can be constructed within the 50-foot width shown on this plat; such openings being strictly limited to the 10' X 10' loading dock."

Please have this note added to the plan and resubmit it back to Rahee Famili in Development Plans Review, to Lawrence E. Schmidt for the Zoning Commissioner's records, and to myself. Assuming this note is added, the Department of Public Works and Division of Traffic Engineering will consider the plans approved, as outlined in item #2 of the Zoning Commissioner's Order for this case. If you have any other questions on this issue, please give me a call. Thank you for your cooperation.

Sincerely,

Stephen E. Weber, P.E., Chief
Division of Traffic Engineering

SEW

cc: Lawrence E. Schmidt, Zoning Commissioner
Rahee Famili, Development Plans Review
Tony Russell, Bureau of Highways
Keith Link

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**PROVISIONAL APPROVAL
PERMIT NUMBER: _____**



Date: _____

Location: 1100-1134 Rolling Rd.

The issuance of this permit in no way grants or implies approval of any matter relating to this property which is in conflict with the Baltimore County Zoning Regulations.

The issuance of this permit is subject to the following **Conditions**:

☒ Owner has filed for a public hearing, Item # 097

☐ Owner must file for a public hearing within ____ days before the Zoning Commission requesting relief from all conflicts with the Baltimore County Zoning Regulations.

☐ Owner/contract purchaser must submit a complete revised site development plan and requested accompanying information within ____ days resolving all possible conflicts with the Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the construction indicated in the above referenced permit.

However, in the event that any or all of the above conditions are not completed as stipulated, and/or the petition for relief has been denied, dismissed, or withdrawn, this provisional approval is rescinded forthwith.

Immediately thereafter, the owner/contract purchaser must return the property to the condition it was in prior to the beginning of said construction and accepts full financial liability in the matter.

ZONING STAFF

DIRECTOR, PERMITS & DEVELOPMENT MANAGEMENT

I have read the above statement and I agree to abide by the decision of the zoning commissioner, if applicable, in this matter. I also hereby certify that I, the undersigned, am in fact the owner and, if applicable, the contract purchaser and not just an agent for same.

Rolling Road Plaza Inc.
Signed - Owner Paul F. Robinson

Signed - Contract Purchaser _____

Printed Name Paul F. Robinson

Printed Name _____

Address 170 W. Ridgely Rd, Suite 300

Address _____

Lutherville, MD 21093

Work Phone # 410-684-2000

Work Phone # _____

Home Phone # _____

Home Phone # _____

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Michael Trenery

Mid-Atlantic Realty Trust

170 W. Ridgely Rd, Suite 300

Charles Mann, Jr

Lutherville Md 21093

200 E. Penn. Ave. Towson, MD 21286

G. Scott Barhight

210 W. Penn Ave Towson MD 21204



