May 22, 2009

Mr. Timothy Kotroco, Director Office of Permits & Development Management 111 W. Chesapeake Avenue, Room 109 Towson, MD 21204

Re: Morris and Rosenberger Properties
Supplemental Spirit and Intent Letter
4th Election District, 3rd Councilmanic District
Map 39, Parcels 245 and 246
Matter No. 09-96
Case No. 71-0134-X

Dear Mr. Kotroco,

The purpose of this letter is to satisfy the conditions set forth in the Spirit and Intent letter dated April 14, 2009 which was accepted and agreed to by Timothy M. Kotroco, Director of the Department of Permits and Development Management, Matter No. 09-96. As indicated in the April 14, 2009 Spirit and Intent letter signed by my counsel, Gildea & Schmidt, LLC, the special exception approval granted in Case No. 71-0134- X will be voluntarily forfeited as to the property I am acquiring from Dr. Rosenberger, once I obtain title from Dr. Rosenberger. As previously indicated by my counsel, I have no intention of developing the property I am acquiring from Dr. Rosenberger at this time. The aforementioned property will be used in accordance with the underlying zoning, the Baltimore County Zoning Regulations and the Baltimore County Code. It bears repeating that Dr. Rosenberger intends to retain the ten (10) acres approved for veterinarian use by special exception in Case No. 71-0134-X. Therefore, the special exception use that was approved, which includes the portion of the lot I will acquire from Dr. Rosenberger will be transferred from the lot I am I acquiring to the lot Dr. Rosenberger is acquiring from me. As previously indicated, the property Dr. Rosenberger is acquiring from me has the exact acreage as the property I am acquiring from him.

Provided this letter is reviewed and accepted as to its form and content, it is my intention that this letter and the April 14, 2009 Spirit and Intent letter will be adopted and incorporated into the attached Spirit and Intent Plan, which depicts the parcels being exchanged between me and Dr. Rosenberger. It is my hope that this satisfies the conditions set forth in the aforementioned Spirit and Intent letter. Thank you for your time and consideration of this most important matter.

Timothy Kotroco May 22, 2009 Page 2

Please feel free to contact the undersigned with any comments, questions or concerns. With kind regards, I remain

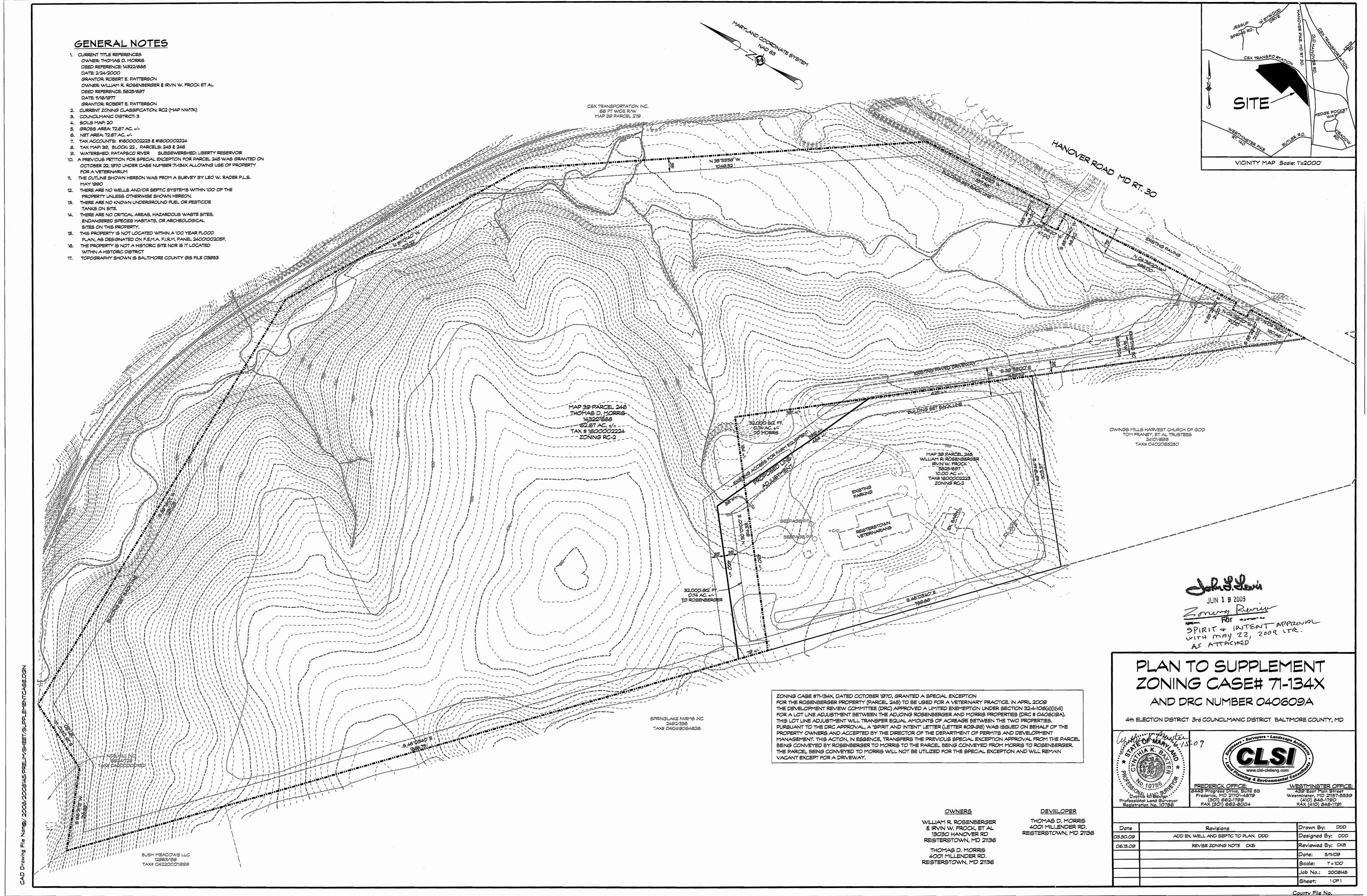
Very truly yours,

Thomas D. Morris

skomos Dinous

Enclosures

CC: Carl Richards, Baltimore County Department of Permits and Development Management John Lewis, Baltimore County Department of Permits and Development Management Cynthia Baxter, CLSI Civil Engineering David K. Gildea, Esquire Jason T. Vettori, Esquire



AND/OR SPECIAL EXCEPTION PETITION FOR ZONING RE-CLASSIFICATION

73 THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

See attached description

L or weallen H. & Ruth N. Brooks legal owners of the property situate in Baltimore map County and which is described in the description and plat attached hereto and made a part hereof, # 4 bereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an ... NW-17-K

zone: for the following reason:

tion under the said Zoning Law and Zoning Regulations of Baltimor

Property is to be posted and advertised as prescribed by Zoning Regulations or we, agree to pay espenses or above re-classification and/or Special Exception advartising, etc., upon filing of this petition, and further agree to and are to be bound by the zoning ns of Baltimore County adopted pursuant to the Zoning Law for Baltimore

allen Burke · Rett & Broke Address 3414 m. Fielder Pikeenille Ind 31308

197 ... that it subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through

County, that property be posted, and that 'he public hearing be had before the Zoning of Baltimore County in Room 106, County Office Building in Towson, Baltimore _____day of Cctober ______1970 ___at10:00 o'clock

Edward N. Hardy

September 18, 1970

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE P. DG

- A.M.

MEMBERS BEAU OF DEPARTMENT OF

ORDER RE

STA' E ROADS COMMISS BURGAT OF FIRE PREVENTION HEALTH DEPARTMEN

PROJECT PLANSING BUILDING DEPARTME BOARD OF EDUCATION ZONING ADMINISTRATI

INDUSTRIAL DEVELOPMENT

RE: Type of Hearing: Jaccial Exception-for Yeterinarium Location: V/S Hanover Pike, 2200 No. Location: V/S Hanover Pike, 2200 No. Petitioner: Allen H, & Buth N, Brooks Committee Nesting of September 1, 1970 4th District The Zoning Advisory Committee has reviewed the plans submitted with the above referenced cetition and has nade an on site field inspection of the property. The following comments are a result of this review and inspection.

wery difficult to locate. The entrance to Hanner Road appeared to be in order but the tract of land could not be reached at the present time. It appears that extensive grading would be regarded to provide access to this property. The surrounding properties are farm land in character, - some country, tower wooded area, with the exercision of the property to Refsterston tumber Company.

BUREAU OF ENGINEERING:

Frank E. Cicone, Esq. First National Bank Building Towson, Maryland 21204

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

This site appears to be a land-locked piece of property, i.e. with no in-fee frontage on a public road, and also a subdivision of a larger tract of land, for which an overall site development plan would be recommended.

Hanover Pike (Md. 30) is a State road; therefore, all improvements, intersections and entrances on this road will be

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Edward D. Hordesty, Date Zoning Commissioner Mr. George E. Gavrelis, Director of Planning Date October 21, 1970

SUBJECT Patition 71=134-X. West side of Hanover Pike 2200 feet, more or less, north of Old Hanover Road. Petition for Special exception fo: veterinarium Allen M. Brooks - Petitioner

4th District

HEARING: Thursday, October 22, 1970 (10:00 a.m.)

The Staff of the Office of Planning and Zoning has reviewed the subject petition for special exception for veterinarium.

If granted, the special exception should be conditioned upon compliance with the site devalopment plan approved by the appropriate County agencies.

H.

* X "

ww

will be subject to State Roads Commission requirements.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, densign private and public holdings domestrem of the property. A grading peralt is, therefore, necessary for al. grading, including the stripping of top soil.

Graving studies and sediment control drawings will be necessary to to reviewed and approved prior to the issuance of any grading or building permits.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Manover Pike (Md. 30) is a State road; therefore, drainage requirements as they affect the road come under the jurisdiction of the Maryland State Roads Commission.

The patitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent per permanent) to prevent creating any nuisances or damages to adjacent as surface waters. Correction of any problem with the property of the patitioner.

Waters

Public water facilities are not available to serve this property.

Sanitary Sewers

Public sanitary sewer facilities are not available to serve this

FIRE DEPARTMENT:

The Fire Department has no comment on the proposed site.



SAN & HOI DEFER, INC. 471-134 X
SURVEYORS AND CIVIL ENGINEERS
AND GLAGOE AVENUE, BASTANDA CAN "SE(1-D

Description of 10.76 Apra Pariel West of Hanover Pike To Be Reclassified from R-40 to R-40 With Special Exception For Veterannar'um

BEJINNING for the same at the end of the 1st line of the land which by de ober 13, 1904 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 280 folio 295 was conveyed by Levin C. Fekhardt, Executor, to Levin C. Eckhardt, sail place of beginning being distant the 2 following courses and distances measured from the intersection of the center line of Old Manover Road with the center line of Hanover Pike, vis: (1) 2005 feet, measured Northorly along the center line of Hanover Pike and (2) North 87 degrees ON minutes West 445 feet measured along the south side of a proposed 60 foot right of way for ingress and egress to the place of beginning, thence leaving said place of beginning and rumning the 4 following courses and distances, vis: North 36 degrees On minutes Mart 800,00 feet, South 52 degrees 55 minutes 16 seconds West 650,00 feet, South 45 degrees 34 minutes 14 seconds East 808,00 fest and North 53 degrees 00 minutes East 515.63 feet to the place of beginning.

Containing 10.76 acres of land, more or less.

Fote: This description has been prepared for zoning purposes only



Frank E. Cicone, Esq. Item 3? Page 3

BUILDING ENGINEER'S OFFICE:

PROJECT PLANNING DIVISION:

BOARD OF EDUCATION:

HEALTH DEPARTMENT:

DEPARTMENT OF TRAFFIC ENGINEERING:

No bearing on student population.

Petitioner to comply with all applicable requirements of the Baltimore County Building Code and Regulations when plans are submitted. Also, see Parking Lots, Section 409.10 h.

The subject petition is requesting a special exception for a veterinarium. This should not create any increase in traffic density.

This office has reviewed the subject site plan and offers the following comments:

A private water supply is proposed. Prior to the drilling the water supply location must be approved by this office.

A private sewage disposal system is proposed. Prior to approval of a building application, a soil percolation test must be conducted to determine the suitability of the soil for underground disposal. The operation must comply with Section 3-36 of the Baltimore County Code of 1960,

Air Pollution Comment: The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baitimore County Department of Kealth.

There is a 100' right of way proposed for Hanover Pike (50' from center) that must be indicated on the subject plan.

The plan indicates a 24' wide entrance. The minimum width for a commercial entrance to a State highway is 25'.

The site for the veterinarium annears to be part of a larger tract of land; therefore, this office will require an overall site plan of the entire property before any comments can be made as to this piece of property.

Soptember 18, 1970

OUNTY OFFICE OF PLANNENG AND ZONING

BALT MORE COUNTY, MAR' AND Ma. 73885 OFFICE OF FINANCE COURT HOUSE 350.00

> ME CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO OFFICE OF FINANCE, REVENUE DIVISION

Frank E. Cicone, Esq. Item 32 Page 4

September 18, 1970

STATE ROADS COMMISSION: (Continued)

The entrance must be curbed with concrete. The readside face of curb is to be 2^4 from the center line of Hanover Pike. The curb shall tie into the existing curb at the north-side of the entrance.

There is a large storm drain inlet within the area of the proposed entrance that must be provided for.

The entrance will be subject to State Roads Commission approval and

ZONING ADMINISTRATION DIVISION:

This petition is addepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 93 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours, blive & Myen OLIVER L. HYERS. Chairman

OLM:JO

12-14-70

Pursuant to the advertisement, posting of property and public hearing on the above petition rod it appearing that by reason of the requirements of Section 502. Lof, the Baltimose County Zoning Regulations having been met.

| Description of the Property of the Section 502. Lof, the Baltimose County Advertises the Section 502. Lof, the Baltimose County Manual Section 502. Lof, the Baltimose County Manual Section 502. Lof, the Baltimose County this Section 502. Lof, the Baltimose County Section 502. Log, the Baltimose County S

MICROFILMED

15160

71-134- X

CERTIFICATE OF POSTING

Date of Particle of STEPS/At EXCEPTION FOR VETERIAN RIVE.

Parted for STEPS/At EXCEPTION FOR VETERIAN RIVE.

Decition of property N/S CF HANGUER PIKE 2500 FT. N. OF Old Hanguer. Rd.

Location of Signs. N/S OF HANGUER. PIKE 2500 FT. N. OF Old Hanguer. Rd.

Remarks: SIGN. Hand A FOOT NOTE PROPER SOF Zeneral MYS FT. West Protect by Colonies in Theol.

Date of return. Set. 8 - 1970.

The second secon

CERTIFICATE OF PUBLICATION

THE JEFFERSONIAN,

Control of the Section of the Sectio

OFFICE OF COMMUNITY I MES

RANDALLSTOWN, MD. 21133 Cotober 5 -19 70

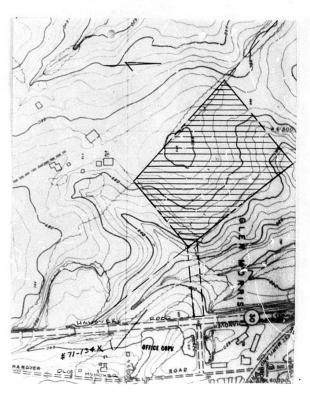
THIS IS TO CERTIFY, that the annexed advertisement of Edward D. Hardosty Zoning Cosmissioner of Baltimore County

was inserted in THE COMMUNITY TIMES, a weekly newspape: published in Baltimore County, Maryland, once a week for one one occurring the same weekl before the 5th day of Oct. 1970, that is to say, the same was inserted in the issue/of October 1, 1970.

STROMBERG PUBLICATIONS, Inc.

By Ruth Maryan

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
COUNT DIGINAL COUNTY OF THE BALTIMORE COUNTY OF THE BALTI



ZONED - R-40 650.00 5-52" 55 16"- W O WATER WELL Z01150 - R-40 #71-134X N-53-00'-E MAP #4 SEC. I-D ZONGO R-40 NW-15-K <u>"x"</u> VING PLAT OWN VETERINARY CENTER



