

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

John Albert Smith, Nellie M. Smith, Joseph R. Brown
I, or we, as legal owners of the property situate in Baltimore
County and which is described in the description and plat attached hereto and made a part hereof,
hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant
to the Zoning Law of Baltimore County, from an B.M. 16 zone to an
B.M. zone; for the following reasons:

See attached brief

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore
County, to use the herein described property, for:

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

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

Contract purchaser
Address
Contract purchaser
Address
Protestant's Attorney
Address

ORDERED: By The Zoning Commissioner of Baltimore County, this 13th day
of October, 1972, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore
County, on the 8th day of March, 1973, at 10:00 o'clock.

Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING REDISTRICTING AND/OR SPECIAL EXCEPTION

John Albert Smith, Nellie M. Smith, Joseph R. Brown
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, as legal owner... of the property situate in Baltimore
County and which is described in the description and plat attached hereto and made a part hereof,
hereby petition (1) that the zoning status of the herein described property be re-districted, pursuant
to the Zoning Law of Baltimore County, from Undistricted to a
C. T. district; for the following reasons:

See attached brief

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore
County, to use the herein described property, for:

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

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

Contract purchaser
Address
Contract purchaser
Address
Protestant's Attorney
Address

ORDERED: By The Zoning Commissioner of Baltimore County, this 19th day
of October, 1972, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore
County, on the 19th day of March, 1973, at 10:00 o'clock.

Zoning Commissioner of Baltimore County.

(over)

Beginning for the same on the south side of Old
Padonia Road, 30 feet wide, at the distance of 244 feet
measured easterly along the south side of Old Padonia
Road from the centerline of the Relocation of Broad
Avenue as shown on Baltimore County Bureau of Land
Acquisition Plat HRW 29-251-7 and running thence and
binding on the south side of Old Padonia Road South 83
degrees 58 minutes 54 seconds East 105.6 feet, thence
leaving Old Padonia Road and running South 7 degrees 01
minutes 06 seconds West 182.25 feet to the center of an
alley 12 feet wide, thence running and binding on the center
of said alley South 83 degrees 58 minutes 54 seconds East
58.23 feet, thence leaving the alley and running and
binding on a part of the division line between lots
Nos. 8 and 9 Block K as shown on the plat of Timonium
Heights and recorded among the Land Records of Baltimore
County in Plat Book W.P.C. No. 3 folio 82, South 18
degrees 13 minutes 56 seconds East 174.55 feet to inter-
sect the north side of the Relocation of Padonia Road
as shown on Baltimore County Bureau of Land Acquisition
Plat HRW 59-251-5 and running thence and binding on the
north side of the Relocation of Padonia Road the two
following lines viz: South 72 degrees 16 minutes 07 seconds
West 18.78 feet and westerly by a line curving toward the
right having a radius of 3767.72 feet for a distance of
211.74 feet (the chord of the arc bearing South 78 degrees
32 minutes 16 seconds West 211.72 feet) and running thence
and binding on a line connecting the north side of the
Relocation of Padonia Road with the east side of the
Relocation of Broad Avenue, North 59 degrees 06 minutes
30 seconds West 7.51 feet and running thence and binding
on the east side of the Relocation of Broad Avenue as
shown on Baltimore County Bureau of Land Acquisition Plats
HRW 59-251-6 and HRW 59-251-7, North 18 degrees 16 minutes
37 seconds West 174.00 feet, thence leaving the Relocation
of Broad Avenue and binding on the division line between
lots Nos. 30 and 31 Block K as shown on the aforesaid
Plat of Timonium Heights, North 71 degrees 46 minutes 04
seconds East 96.22 feet to the center of the aforesaid
alley 12 feet wide, thence running and binding on the
centerline of said alley South 83 degrees 58 minutes 54
seconds East 33.02 feet and thence leaving said alley
and running North 7 degrees 01 minutes 06 seconds East
182.25 feet to the place of beginning.

Containing 1.77 acres of land more or less.

B. The MITCHELL property described as follows:

Beginning for the same at a point on the north side
of the relocated Padonia Road at a distance of 215'± South-
west of the centerline of York Road as shown on the State
Road Commission of Maryland Plat #24072, said point being
at the division line between Lot 2 and Lot 3 Section K of
Timonium Heights and recorded among the Land Records of
Baltimore County in Liber WPC 5 folio 82, running thence
and binding on the north Right of Way line of the relocated
Padonia Road as shown on the aforesaid Plat #24072 and
Plat #24071 57°16'07" W 160.00' to intersect the division

line between Lot 8 and Lot 9 Section K of the Plat
of Timonium Heights thence leaving the north Right of
Way line of the relocated Padonia Road and binding
on part of the division line between Lot 8 and Lot 9
N 18° 29' 30" W 176.38' to the centerline of a 12' alley
running thence and binding on the centerline of the 12'
alley S 84° 05' 33"E 9.36' thence leaving the centerline
line and crossing the aforesaid alley and continuing on the
3rd line of the land which by deed dated December 10, 1954
and recorded among the Land Records of Baltimore County in
Liber GLB 2609 folio 422 was conveyed by Samuel L. Thomsen
to Ralph T. Hushour and wife N 6° 54' 27"E 214.89' to the
north side of Padonia Road running thence and binding on
the north side of Padonia Road and on the 4th line in the
aforesaid deed S 84° 05' 33"E 142.33' thence leaving the
north side of Padonia Road and binding on the first line
in aforesaid deed S 6° 54' 27"W 208.89' running thence and
binding on part of the outline of Lot 4 and Lot 3 as shown
on the aforesaid Plat of Timonium Heights S 5° 54' 27"W
96.00' and S 84° 05' 30"E 46.57' to the division line
between Lot 2 and Lot 3 as shown on the aforesaid Plat of
Timonium Heights running thence and binding on part of the
said division line between Lot 2 and Lot 3 S 18° 29' 30"E
51.02' to the place of beginning.

Containing 1.17 acres of land more or less.

Being all of the land which by deed dated December 10,
1954 and recorded among the Land Records of Baltimore
County in Liber GLB 2609, folio 422, was conveyed by
Samuel L. Thomsen, Ralph T. Hushour and wife.

Being also the remainder of Lots 3, 4, 5, 6, 7 and 8
Section K of the Plat of Timonium Heights and recorded
among the Land Records of Baltimore County in Liber WPC 5,
folio 82.

II. THE COVENANTS, RESTRICTIONS AND CONDITIONS THAT SHALL
APPLY TO THE ABOVE DESCRIBED PROPERTIES.

Subject to the provisions as provided in Paragraph III of
this Agreement and upon finalization of B.M.-C.T. zoning, the
parties agree as follows:

A. The following uses shall not be permitted upon the
within described properties:

Dairy Bar
Billard and Pool Room
Bowling Alley
Food store
Automotive Service Station
Laundramat or self-service laundry
Veterinarian's office
Veterinarian
Car Wash

Drive-In Restaurant
Service Garage
Animal Boarding Place
Automobile Sales Room and adjoining outdoor
sales area
Dry Cleaning Plant
Bus Terminal
Carpentry, electrical, plumbing, heating, sheet
metal, electroplating and painting shop
Commercial recreation enterprises, including
dance halls, skating rinks and others.
Machinery sales store
Night Club
Pawn Shop
Second-hand Store
Warehouse, sales and storage
Excavation
Signs, outdoor advertising

B. The following uses shall be permitted only when
accessory to and concomitant with a hotel, motor hotel, motel,
apartment use, condominium project, office building or similar
permitted use:

Swimming Pool
Tavern or Cocktail Lounge with entertainment
Restaurant

III. CONDITIONS PRECEDENT TO OPERATIVE EFFECT OF COVENANTS,
RESTRICTIONS AND CONDITIONS.

A. It is expressly agreed by and between the parties
hereto that the aforesaid covenants, restrictions and conditions
shall be inoperative and of no force and effect unless and until
the following shall occur:

(1) Approval and acceptance of this Agreement
by the Zoning Commissioner for Baltimore County, and
(11) An Order passed by the Zoning Commissioner for
Baltimore County granting reclassification of the BROWN-SMITH
parcels to B.M. with a C.T. district, the expiration of all applica-
ble appeal periods from said Order so as to render the reclassification
and redistricting final and binding.

B. At such time as the foregoing conditions of
paragraph A are met, O'CONOR & FLYNN shall cause this Agreement to

O'CONOR & FLYNN, the BROWNS and the SMITHS have no objection
to such limitation and to entering into covenants, restrictions
and conditions to effectuate the same provided the property of
MITCHELL be similarly and mutually limited.

In order to make the covenants, restrictions and conditions
contained in this Agreement binding and in full force and effect
on the parcels of land hereinbefore referred to and upon the present
and future owners and occupants thereof, the parties have entered
into this Agreement to the end and intent that they, their
successors, heirs and assigns will hold, utilize and hereafter
convey or foreclose said property subject to the said covenants,
restrictions and conditions contained herein.

NOW, THEREFORE, in consideration of the mutual agreements,
covenants, restrictions and conditions herein contained and the
sum of Ten (\$10.00) Dollars paid by each party to the other and
for other good and valuable consideration, the receipt of which is
hereby mutually acknowledged, the parties hereby agree to enter
into these presents and to have the same recorded among the Land
Records of Baltimore County, and that the covenants, restrictions
and conditions shall run with and be binding upon the properties
immediately hereinafter described and upon present and all future
owners thereof and shall inure to the benefit of each of the parties
hereto respectively, their successors, heirs and assigns as well as
any purchaser at foreclosure, his, her or its heirs or assigns,
as follows.

I. THE PROPERTIES TO BE SUBJECTED TO THE COVENANTS, RESTRICTIONS
AND CONDITIONS.

A. The combined BROWN-SMITH parcels described as
follows:

All that place or parcel of land situate, lying and
being in the Eighth Election District of Baltimore County,
State of Maryland and described as follows to wit:

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be recorded among the Land Records for Baltimore County at their
sole cost and expense.

IV. BINDING EFFECT OF COVENANTS, RESTRICTIONS AND CONDITIONS.

All the agreements, covenants, restrictions and conditions
contained in this instrument shall be binding upon and inure to the
benefit of the heirs, successors and assigns of the parties hereto,
and any purchaser at foreclosure under any Mortgage or Deed of Trust,
and all persons claiming by or through them or any of them, shall
run with the land and be binding upon the property hereinabove
described.

The failure to enforce any of the covenants, restrictions
and conditions herein contained, in any instance, shall in no
event constitute a waiver or estoppel of the right to enforce the
same or any other covenant, restriction or condition in event of
another violation occurring prior or subsequent thereto. Moreover,
in the event anyone or more of the covenants, restrictions and
conditions herein contained should for any reason be declared invalid,
the remaining covenants, restrictions and conditions shall continue
in full force and effect.

IN WITNESS WHEREOF, the parties have affixed their hands
and seals the day and year first above written.

O'CONOR & FLYNN, a Partnership

BY: James H. Flynn
LENNON-MITCHELL-WIEDEFELD, INC.

BY: J.P. Brown President
JOSEPH R. BROWN (SEAL)
BY: John A. Brown (SEAL)
EMMA S. BROWN

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of error in the original zoning map and the health, safety, and general welfare of the community not being adversely affected,

the above Reclassification should be had; and it further appearing that by reason of error in the original zoning map and the health, safety, and general welfare of the community not being adversely affected,

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of September, 1973, that the herein described property or area should be and the same is hereby reclassified; from a D₂B₁ 16 zone to a B₁M zone.

from and after the date of this order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of error in the original zoning map and the health, safety, and general welfare of the community not being adversely affected,

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of September, 1973, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a D₂B₁ 16 zone; and/or the Special Exception for the above described property or area be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of error in the original zoning map and the health, safety, and general welfare of the community not being adversely affected,

the above Re-districting should be had; and it further appearing that by reason of error in the original zoning map and the health, safety, and general welfare of the community not being adversely affected,

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of September, 1973, that the herein described property or area should be and the same is hereby re-districted; from Undesignated to a C₂T district.

from and after the date of this order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of error in the original zoning map and the health, safety, and general welfare of the community not being adversely affected,

the above Re-districting should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of September, 1973, that the above re-districting be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a C₂T district; and/or the Special Exception for the above described property or area be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

WITNESS

JOHN ALBERT SMITH (SEAL)

NELLIE M. SMITH (SEAL)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 25th day of July, 1973, before me, the subscriber, a Notary Public in and for the County and State aforesaid, personally appeared Ramsey W. J. Flynn, a Partner of O'CONOR & FLYNN, and he made oath in due form of law that the matters and facts set forth in the foregoing Agreement are true to the best of his knowledge, information and belief.

As Witness my hand and Notarial Seal.

Ramsey W. J. Flynn
Notary Public
My Commission Expires July 1, 1974

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 1st day of August, 1973, before me, the subscriber, a Notary Public in and for the County and State aforesaid, personally appeared J. E. LOWELL LEMMON, President of LEMMON-MITCHELL-WIEDEPFLD, INC., and he made oath in due form of law that the matters and facts set forth in the foregoing Agreement are true to the best of his knowledge, information and belief.

As Witness my hand and Notarial Seal.

J. E. Lowell Lemmon
Notary Public
My Commission Expires July 1, 1974

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STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 1st day of September, 1973, before me, the subscriber, a notary public in and for the County and State aforesaid, personally appeared JOSEPH R. BROWN and EMMA S. BROWN, and they made oath in due form of law that the matters and facts set forth in the foregoing Agreement are true to the best of their information, knowledge and belief.

As witness my hand and notarial seal.

Joseph R. Brown
Notary Public
My Commission Expires July 1, 1974

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 24th day of July, 1973, before me, the subscriber, a notary public in and for the County and State aforesaid, personally appeared JOHN ALBERT SMITH and NELLIE M. SMITH, and they made oath in due form of law that the matters and facts set forth in the foregoing Agreement are true to the best of their information and belief.

As witness my hand and notarial seal.

John Albert Smith
Notary Public
My Commission Expires July 1, 1974

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BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 13, 1972

JOHN J. DILLON, JR.
Chairman

MEMBERS
JOHN J. DILLON, JR., Chairman
JOHN A. SMITH, Vice Chairman
NELLIE M. SMITH, Secretary
JOHN A. SMITH, Treasurer
JOHN A. SMITH, Secretary
JOHN A. SMITH, Treasurer
JOHN A. SMITH, Secretary
JOHN A. SMITH, Treasurer
JOHN A. SMITH, Secretary
JOHN A. SMITH, Treasurer

Frank E. Ciccone, Esq.,
111 Jefferson Building
Towson, Maryland 21204
RE: Reclassification Petition
Item 16
John Albert Smith, Nellie May Smith,
Joseph R. Brown & Emma S. Brown -
Petitioners

Dear Mr. Ciccone:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on field inspection of the property. The following comments are a result of this review and inspection.

The subject property is located on the northeast corner of Padonia Road and Broad Avenue, in the 8th District of Baltimore County. This is a 16 property, which contains 1.77 acres, is currently improved with two single family residences and two detached garages. One is located on the east side of Broad Avenue and the other fronts on the south side of Old Padonia Road. The remainder of the lot is partially wooded. The property immediately to the east is zoned for a funeral home which is now under construction. The property on the west side of Broad Avenue is partially improved with residential land. The properties on either side of Old Padonia Road are improved with single family dwellings. Curb and gutter exists along Padonia Road. However, no curb and gutter exists along Broad Avenue or Old Padonia Road at this location.

This petition is a request from a DR 16 zone to a Business Major with a C₂ District and is proposed to be developed with a combination of commercial uses, offices and apartments and is proposed to be 125 feet in height. This structure would also utilize a parking deck, parking lot configuration that would provide 300 parking spaces. It appears that the height of 125 feet utilizing the elevation of grade level of 4350' and the proposed elevation of 4305' would exceed the maximum allowed height 120' by 5', as shown in Section 4.6 on the submitted site plan.

It should also be noted that this property falls within the Town Center area as indicated on the Town Center Map for the Planning Board. The petitioner is advised to pay particular attention to the Bureau of Engineering and the Dept. of Traffic Engineering comments.

Frank E. Ciccone, Esq.,
Item 16
Page 2
October 13, 1972

This petition is accepted for filing on the date of the enclosed filing certificate. However, all corrections to the site plans as requested shall be submitted to this office prior to Thursday, February 1, 1973 in order to allow time for advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between March 1, 1973 and April 15th, 1973 will be forwarded to you in the near future.

Very truly yours,
John J. Dillon, Jr.,
Chairman,
Zoning Advisory Committee

JJD:JD
Enclosure

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING EUGENE J. CLIFFORD, P.E. DIRECTOR Wm. T. MILLER DEPUTY TRAFFIC ENGINEER

October 26, 1972

Mr. S. Eric DiMenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Re: Cycle Zoning IV
Item 16 - ZAC - Oct. 72 to Apr. 73
Property Owner: John & Nellie Smith & Joseph & Emma Brown
Old Padonia Road & relocated Broad Avenue
Reclass. from D.R. 16 to B.M.
District 8

Dear Mr. DiMenna:

The subject petition is requesting a zoning change from DR 16 to BM. As presently zoned, the site can be expected to generate approximately 210 trips per day. The requested zoning reclassification can be expected to generate approximately 1560 trips per day.

York Road is presently operating at capacity levels in certain areas. Any increase in density in the York Road corridor can be expected to create further traffic problems.

Very truly yours,
Michael S. Flanigan
Traffic Engineer Associate

HSF:nc

Baltimore County, Maryland
Department of Public Works
 COUNTY OFFICE BUILDING
 TOWSON, MARYLAND 21204

Bureau of Engineering
 ELLSWORTH N. DIVER, P.E., CHIEF

October 18, 1972

Mr. S. Eric DiNenna
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: Item #16 (Cycle Zoning IV - Oct. 1972 - April 1973)
 Property Owner: John & Nellie Smith & Joseph & Emma Brown
 S/S Old Padonia Rd., and relocated Broad Ave.
 Present Zoning: D.R. 16
 Proposed Zoning: Reclass. from D.R. 16 to B.M.
 District: 8th No. Acres: 1.77 acres

Dear Mr. DiNenna:

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.

Highway Comments:

This property has frontage on Padonia Road, Broad Avenue and Old Padonia Road.

With any subsequent grading or building permit application this property will require improvements of curb and gutter, sidewalk and additional pavement through its frontage on Padonia Road sufficient to complete a 36-foot westbound lane.

This property will also require improvement of curb and gutter, sidewalk and additional pavement through its frontage on Broad Avenue sufficient to complete the east half of a future 40-foot cross-section.

This property will also require improvement of curb and gutter, sidewalk and additional pavement through its frontage on Old Padonia Road sufficient to complete the southern half of a future 40-foot cross-section on a 60-foot right-of-way.

The entrance locations are subject to approval by the Department of Traffic Engineering.

Entrances shall be a minimum of 24 feet and a maximum of 30 feet wide, shall have 10-foot minimum radii curb returns, shall be located a minimum of 15 feet from any property line, and shall be constructed in accordance with Baltimore County Standards (Details R-13, R-33A and R-33B, 1971 Edition), as the Petitioner's total responsibility.

Highway improvements and entrances shown on the Petitioner's plat differ from the above through all three frontages.

The 15-foot front yard setback as shown to the 3 story parking structure on Old Padonia Road will be eliminated by the required 15-foot highway widening needed for improvements to this property.

Item #16 (Cycle Zoning IV - Oct. 1972 - April 1973)
 Property Owner: John & Nellie Smith & Joseph & Emma Brown
 Page 2
 October 18, 1972

Highway Comments: (Cont'd)

Setbacks on the Padonia Road frontage and Broad Avenue frontage as shown will not be effected by the required highway improvements.

It shall be the responsibility of the Petitioner to clarify all rights-of-way within the property and to initiate such action that may be necessary to abandon, widen or extend said rights-of-way.

Storm Drain Comments:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Sediment Control Comments:

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping of top soil.

Water Comments:

Public water is available to serve this property from the existing water mains in Old Padonia Road, or Padonia Road, dependent on the demand, domestic or fire protection.

Supplementary fire hydrants may be required on the public system to provide adequate fire protection to this property.

Sanitary Sewer Comments:

Sewer service can be made available to this property by the extension of a public sanitary sewer approximately 350 feet in length through the front of this site in Broad Avenue from the existing 12-inch sewer lying south of Padonia Road, Baltimore County Bureau of Engineering Drawing #66-926-1.

Very truly yours,

Ellsworth N. Diver
 ELLSWORTH N. DIVER, P.E.
 Chief, Bureau of Engineering

END/ENM:OWISS

S&M Key Sheet
 59 NW 4 Position Sheet
 NW 15 A Tono

Baltimore County Fire Department

J. Austin Oatis
 Chief

Towson, Maryland 21204

828-7516

Office of Planning and Zoning
 Baltimore County Office Building
 Towson, Maryland 21204

Attention: Mr. *Jack Dillon*, Acting
 Zoning Advisory Committee

Re: Property Owner: John and Nellie Smith and Joseph and Emma Brown

Location: S/S Old Padonia Road, and relocated Broad Avenue

Item No. 16 Zoning Agenda IV ZONING CYCLE
 October 1972 - 1973-April

Gentlemen:

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

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site must be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (X) 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 "The Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *H. Thomas Kelly* Noted and Approved:
 Planning Group Deputy Chief
 Special Inspection Division Fire Prevention Bureau

ms
 4/25/72

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
 TOWSON, MARYLAND 21204

October 10, 1972

DONALD J. ROOP, M.D., M.P.H.
 Deputy Health and Safety Officer

Mr. S. Eric DiNenna, Zoning Commissioner
 Office of Planning and Zoning
 County Office Building
 Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Reclassification, Zoning Advisory Committee Meeting, October 4, 1972, are as follows:

Property Owner: John & Nellie Smith, Joseph & Emma Brown
 Location: S/S Old Padonia Road, and relocated Broad Ave.
 Present Zoning: D.R. 16
 Proposed Zoning: Reclassification to B.M.
 District: 8
 No. Acres: 1.77

Nearby metropolitan water and sewer must be extended to the site prior to issuance of building permit.

Very truly yours,

Thomas H. Devlin
 Thomas H. Devlin, Director
 BUREAU OF ENVIRONMENTAL SERVICES

HVB:mgc

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: October 23, 1972

Mr. S. Eric DiNenna
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: Item #16
 Property Owner: John and Nellie Smith and Joseph and Emma Brown
 Locations: S/S Old Padonia Road, and relocated Broad Avenue
 Present Zoning: D.R. 16
 Proposed Zoning: Reclass from D.R. 16 to B.M.

District: 8
 No. Acres: 1.77 acres

Dear Mr. DiNenna:

The existing D.R. 16 zoning could yield approximately 22 Elementary, 12 Junior High, and 3 Senior High pupils if it was developed into 3 Bedroom Townhouse apartments. A change to B.M. zoning would not yield any students.

Please see attached sheet.

Very truly yours,

W. Nick Petrovich
 W. Nick Petrovich
 Field Representative

WNP:ld

ITEM # 16

Schools servicing this area (based on September 20, 1972 enrollment):

	Capacity	Enrollment	%
Pot Spring Elementary	725	663	-62
Ridgely Junior	1335	1254	-81
Dulaney Senior	1615	1938	+293

DOLLENGER BROTHERS

Registered Professional Engineers & Land Surveyors
 708 WASHINGTON AVENUE AT YORK RD. 10
 TOWSON, MD. 21204

September 22, 1972

Zoning Description

All that piece or parcel of land situated, lying and being in the Eighth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning forth same on the south side of Old Padonia Road, 30 feet wide, at the distance of 244 feet measured easterly along the south side of Old Padonia Road from the centerline of the Relocation of Broad Avenue as shown on Baltimore County Bureau of Land Acquisition Plat #HW 59-251-7 and running thence and binding on the south side of Old Padonia Road South 83 degrees 58 minutes 51 seconds East 105.6 feet, thence leaving Old Padonia Road and running South 7 degrees 01 minutes 06 seconds West 182.25 feet to the center of an alley 12 feet wide, thence running and binding on the center of said alley South 83 degrees 58 minutes 51 seconds East 58.23 feet, thence leaving the alley and running and binding on a part of the division line between lots Nos. 8 and 9 Block X as shown on the plat of Ticonium Heights and recorded among the town records of Baltimore County in Plat Book W. O. No. 5 folio 82, South 16 degrees 13 minutes 56 seconds East 174.55 feet to intersect the north side of the Relocation of Padonia Road as shown on Baltimore County Bureau of Land Acquisition Plat #HW 59-251-5 and running thence and binding on the north side of the Relocation of Padonia Road the two following lines viz: South 72 degrees 16 minutes 07 seconds West 18.78 feet and westerly by a line curving toward the right having a radius of 1767.72 feet for a distance of 211.74 feet (the chord of the arc bearing South 76 degrees 32 minutes 16 seconds West 211.72 feet) and running thence and binding on a line connecting the north side of the Relocation of Padonia Road with the east side of the Relocation of Broad Avenue, North 59 degrees 06 minutes 10 seconds West 71.31 feet and running thence and binding on the east side of the Relocation of Broad Avenue as shown on Baltimore County Bureau of Land Acquisition Plat #HW 59-251-7 and #HW 59-251-7, North 16 degrees 13 minutes 57 seconds East 174.55 feet, thence leaving the Relocation of Broad Avenue and binding on the division line between lots Nos. 30 and 31 Block X as shown on the aforesaid Plat of Ticonium Heights, North 71 degrees 46 minutes 46 seconds East 96.22 feet to the center of the aforesaid alley 12 feet wide, thence running and binding on the centerline of said alley South 83 degrees 58 minutes 51 seconds East 35.02 feet and thence leaving said alley and running North 7 degrees 01 minutes 06 seconds East 182.25 feet to the place of beginning.

Containing 1.77 Acres of land more or less.

LAW OFFICES

COOK, MUDD, MURRAY & HOWARD
 MERCANTILE TOWSON BUILDING
 408 WASHINGTON AVENUE
 TOWSON, MARYLAND 21204

TELEPHONE 823-4111
 AREA CODE 301

February 6, 1973

S. Eric DiNenna, Esq.
 Zoning Commissioner for Baltimore County
 County Office Building
 Towson, Maryland 21204

Re: Reclassification Petition
 Item 16
 John Albert Smith, Nellie May Smith,
 Joseph R. Brown & Emma S. Brown
 Petitioners

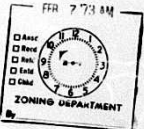
Dear Mr. DiNenna:

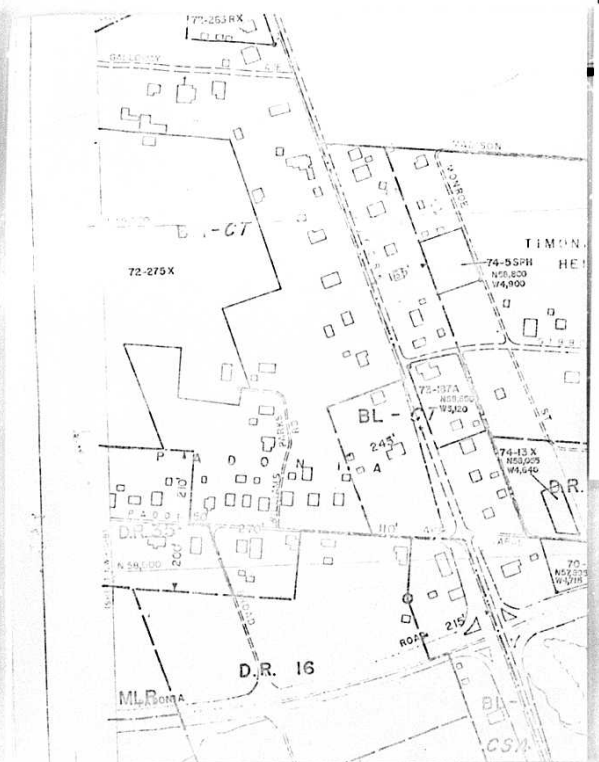
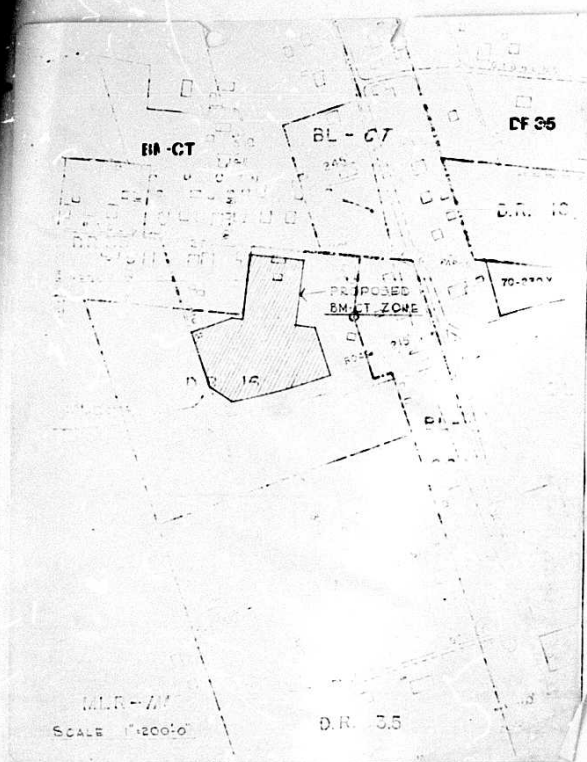
Please enter my appearance as counsel for the
 Petitioners in the above entitled matter.

Very truly yours,

James H. Cook
 James H. Cook

JHC:rm





THE JEFFERSONIAN
Manager

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 15, 1973

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 15th day of February, 1973, the first publication appearing on the 15th day of February, 1973.

Cost of Advertisement, \$.....

ORIGINAL

OFFICE OF THE TOWSON TIMES

TOWSON, MD. 21204 February 19 - 1973

THIS IS TO CERTIFY, that the annexed advertisement was published in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 19 day of February 1973 that is to say, the same was inserted in the issue of February 15, 1973.

STROMBERG PUBLICATIONS, Inc.

B. B. Morgan

451605 73-206-12

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 872 Date of Posting: FEB. 17, 1973

Posted for: RECLASSIFICATION & REZONING

Petitioner: JOHN A. SMITH

Location of property: S.W. 1/4 of Sec. 16, T. 15 N., R. 12 E., MD. 21204

Location of signs: 14 ft. x 4 ft. signs at each corner of the property

Remarks: See map for location of signs

Posted by: Charles M. Smith

Date of return: FEB. 23, 1973

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: JPS										
Revised Plans: Change in outline or description										
Previous case: Map #										

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received - this 15th day of Feb. 1973.

Signature: [Signature]

Position: [Signature]

Petitioner: John A. Smith

Petitioner's Attorney: [Signature]

This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 15th day of Feb. 1973.

The attached petition for redistricting will be accepted for filing on 15th day of January, 1973.

Signature: [Signature]

Position: [Signature]

Petitioner: John A. Smith

Petitioner's Attorney: [Signature]

BALTIMORE COUNTY, MARYLAND No. 5757

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

DATE: March 6, 1973 ACCOUNT: 03-668

AMOUNT: \$12.11

PAID TO: [Signature]

PAID BY: [Signature]

BALTIMORE COUNTY, MARYLAND No. 7087

OFFICE OF FINANCE - REVENUE DIVISION

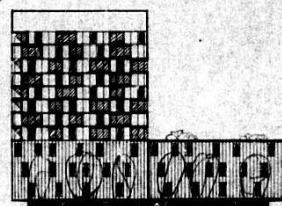
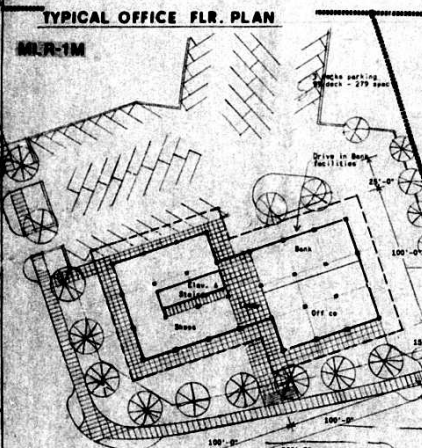
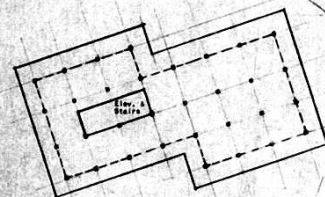
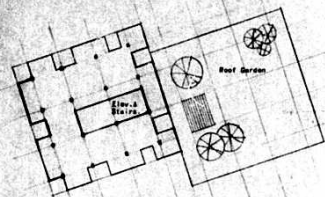
MISCELLANEOUS CASH RECEIPT

DATE: March 13, 1973 ACCOUNT: 03-668

AMOUNT: \$12.11

PAID TO: [Signature]

PAID BY: [Signature]



AREA & PARKING DATA

First Floor			
O'Connor & Flynn Offices	3000	1/3000	28
Bank (Drive up window)	2500	1/2000	13
Stops	8000	1/2000	70
Lobby-core	1000	1/300	7
	13500		88
Second thru Fourth Floors (3)			
Offices 2000/Floor	60000	1/7500 (1.500000)	178
Fifth thru Twelfth floors (8)			
Housing 7500/Floor	60000	1/Apt.	86
Top Floor			
Mechanical & Storage	6500		
	18500		

Proposed parking exceeds zoning minimum by 50 cars plus an additional 40 cars if one half of residential parking needs are applied to other parking requirements as permitted in a BM-CT district.

MAX. BUILDING PERMITTED IN BM-CT

LOT AREA		
Nett area	76880	Sq. Ft.
Gross area	93325	"
Max F A R 93325 x 5.5	512897.5	"
Proposed Development Building	180000	"
Parking Structures		"
3 decks (26800/level)	80400	"
Total	220000	"

[Because it would be below grade, approximately one half of the parking structure area could be deducted from the above total as it would not count towards the P & R Maximum area]

NOTE:-
Property sitting on Highway
Brooklyn Ave. S. 1000 ft
Road to State Academy
Public Road from about 20 miles
Military Base
Federal Highway 100
Hwy. 100 S. 1000 ft
Water line in the General Store
Hwy. 100 S. 1000 ft
Water line in the General Store
Hwy. 100 S. 1000 ft
Telephone line
Public Road from about 20 miles

PROPERTY IN
Sls. ELECTION DISTRICT

BALTIMORE COUNTY		

IND.	DATE	ITEM
REVISION		
FILE		
TAX		
PERSONAL P.C.		
PROL. AREA		
DESIGNED		
GROUP		
APPROVED		
CONSULT		

**THE
STRUCTURE
AFFILIATION**

21 NEW ADMINISTRATIVE BUILDINGS
100000, 100000, 100000, 100000
100000, 100000, 100000, 100000

PROPOSED
DEVELOPMENT
OF
PACIFIC TRAIL
PACIFIC TRAIL & GREAT PACIFIC
TRAIL
PACIFIC TRAIL & PACIFIC

PADONIA
TOMER'S

S I T E P L A N
B A S I C F L O O R P L A N S
E L E V A T I O N
S E C T I O N

PLAN NO.	7210
SCALE	1"=60'-0"
DATE	20 SEP. 1972

