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VICINITY MAP

SCALE: I" = 500'

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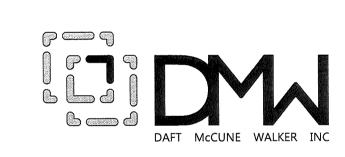
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PROP. BUILDING

PROP. ROAD STRIPING

DATA SOURCES:
SITE PLAN IN ZONING CASE NO.
1980 - 0047 - A; CURENT
BALTIMORE COUNTY GIS; PARKING
COUNT FIELD VERIFIED MAY 2022

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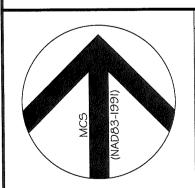


501 FAIRMOUNT AVENUE SUITE 300 TOWSON, MD 21286 P: 410 296 3333 F: 410 296 4705 WWW.DMW.COM

PARKING COMPLIANCE PLAN FOR RYLEIGH'S/ PIT BEEF STAND

PADONIA TOWERS

22 W PADONIA RD,
TIMONIUM, MD 21093



SEAL

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| PROJECT NO: | 22 | 2028.00 | 1 1 | of 2 |

1996-0517 & 1980-0047

PARKING EASEMENT AGREEMENT

THIS ACREEMENT, made this 27 day of February, 1980. by and between LEMMON-MITCHELL-WIEDEFELD, INC. A Maryland corporation (herein referred to as "LMW") and PADONIA TOWER ASSOCIATES, a joint venture organized under the pertnership laws of the State of Maryland (herein referred to as "Padonia"),

WHEREAS, LMW is the owner of a parcel of land lying between the south side of Old Padonia Road and the north side of New Padonia Road, west of York Road, in the Eighth Election District of Baltimore County, Maryland, whereon it operates a funeral home establishment with appurtenant parking facilities (herein referred to as "LMW's Property"); and

WHEREAS, Padonia is the owner of a parcel of land, abutting the west side of LNW's above-described parcel of land, whereon Padonia has constructed a building complex containing premises to be leased for office and commercial uses, including a restaurant facility (herein referred to as "Padonia's Property"); and

WHEREAS, in order to lease premises in its building complex for commercial uses, including a restaurant facility, Padonia has obtained a variance from the parking requirements of the Zoning Regulations of Baltimore County by an order of the Zoning Commissioner of Baltimore County, dated September 10,

WHEREAS, a condition of the said parking variance order required that Padonia obtain a lease from LMW co permit parking of motor vehicles of business invitees of tenants in Padonia's building complex upon the parking areas located upon LMW's

WHEREAS, LAW has entered into a Parking Lease Agreement of even date herewith with Padonia, permitting business invitees of tenants in the Padonia building complex to park their motor vehicles upon the parking area on LMW's property, in consideration for reciperacal rights with respect to Padonia's property and other agreements as hereinafter set forth.

NOW, THEREFORE, in consideration of the mutual benefits to be derived by the parties herato from the covenants hereinafter set forth, and for other good and valuable considerations, the receipt and sufficiency of which is acknowledged, the parties hereto hereby agree as follows:

1. LMW has executed and delivered to Padonia that certain Parking Lease Agreement of even date herewith, by the terms of which INW has permitted Padonia to park motor vehicles upon the parking area located on LMW's property for the benefit of the business invitees of tenants in the building complex located upon Padonia's property.

2. Effective upon the completion of the "connecting driveway" (as hereinafter described), Padonia hereby grants and conveys to LAW an easement for the parking of motor vehicles

upon the parking area located on Padonia's Property for the

3. It is expressly understood and agreed that the principals, servants, agents, employees and contractors of LMW may not use the parking facilities located upon Padonie's property pursuant to paragraph 2 shove - it being the intent of this Agreement that the use of such parking facilities shall take place only when an overflow of business invitees on LMW's property so requires. Additionally, it is expressly understood and agreed that the rantal of storage space for automobiles and/or trucks or other automotive equipment will not be permitted on Padonia's Property.

4. Promptly following the execution of this Agreement, Padonia shall cause to be constructed at a location between Padonia's property and LMW's Property to be mutually agreed upon, a driveway connecting the parking areas on the two properties (hereinabove referred to as "the connecting driveway"), the cost of which work shall be subject to the approval of LMW and, thereafter, shall be borne equally by LMW and Padonia.

5. Padonia hereby grants and conveys to LMW an easement to install and maintain two (2) identification/traffic directional signs upon Padonia's Property - one at the southwest corner of Padonia's Property and one at the northwest corner thereof. The precise location of the signs, as well as the size of the signs, shall be mutually agreed upon by the parties. It is understood and agreed that the sign to be installed at the southwest corner of Padonia's Property shall be illuminated; and Padonia agrees to provide electrical service for such oign. All costs and expenses incurred in the fabrication staliation and hooking up of such signs shall be borne solely by LAW; and LAW agrees to accomplish such installation in accordance with all applicable governmental regulations and to thereafter maintain such signs in good condition at all times.

6. Padonia hereby covenants and agrees that, during the term of this Agreement, any restaurant facility which may hereafter be operated upon Padonia's Property shall be limited to two hundred twenty (220) seats; and, no part thereof shall be used as a Discotheque

7. In the event any provision of this Agreement or of that certain Parking Lease Agreement of even data herewith is breached by one of the parties, and such breach is not cured within thirty (30) days after the delivery of written notice thereof to the defaulting party, then the non-defaulting party shall have the option to unilaterally terminate this Agreement and that certain Parking Lease Agreement of even date herewith upon the recording of an appropriate notice of termination among the Land Records of Baltimore County.

8. This Agreement shall inure to the benefit of and be binding upon not only the parties hereto but also their successors in title to the parcels of land effected hereby; and the covenants becein shall cun with and bind the said parcels of land until the expiration of ten (10) years from the date hereof, after which either party hereto, or their successors in

mitle, may terminate this Agreement yoon six (6) months advance written notice to the other party and the recording of an appropriate notice of termination among the Land Records of Baltimore County; provided that such termination shall also effect a termination of that certain Parking Lease Agreement of

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first above written. LEMMON-MITCHELL-WIEDEFELD. INC.

の場合では PADONIA TOWER ASSOCIATES WITNESS

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: I HEREBY CERTIFY that on this Erw day of February, 1980, before me, a Notary Public in and for the State aforesaid, personally appeared of Lindon-MITCHELL-wiedered himself to be the President of LEMMON-MITCHELL-wiedered. INC., a body corporate, and that he, as such

President, being authorized so to do, executed the foregoing A signing the surposes therein contained, by signing the name of the Corporation by himself as President AS WITNESS my band and notorial soal.

My Commission Expires: July 1, 1982.

"U : 10 . 18

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: I REREBY CERTIFY that on this /立 day of February, 1980, before me, a Notary Public in and for the State aforesaid, personally appeared Thomas F. Mullam, III, General Partner of PADONIA TOWER ASSOCIATES, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within Agreement, and acknowledged that they executed the same for the purposes therein contained.

AS WITNESS my hand and notaried seal. My Commission Expires: July 1, 1982.

> Bac'd for record FEB 135 1982 Per Elmer H. Eshline, Jr. Wolerk

AMENDMENT TO PARKING EASEMENT AGREEMENT

THIS AMENDMENT TO PARKING EASEMENT AGREEMENT is dated as of July 27, 2007, by and between PADONIA PLAZA LLC, a Maryland limited liability company, (herein referred to as "Padonia"), and

Lemmon Funeral Home of Dulaney Valley, Informerly known as DULANEY VALLEY HOME OF LEMMON-MITCHELL-WIEDEFELD, INC., a Maryland corporation, (herein referred to as "LMW").

Whereas, Padonia is the successor in interest to Padonia Tower Associates ("PTA") by deed dated July 27, 2007 and recorded or intended to be recorded in the land records of Baltimore County ("Land Records") immediately prior hereto, and

Whereas, LMW (using the name Lemmon-Mitchell-Wiedefeld, Inc.) and PTA entered into that certain Parking Easement Agreement ("Parking Easement") dated February, 1980 and recorded among the Land Records in Liber 6136 Folio 701 et. seq.

Whereas, the parties hereto desire to extend the term of the Parking Easement

NOW THEREFORE, in consideration of the above, and the mutual agreements in and benefits of the Parking Easement, and other good and valuable consideration the receipt and sufficiency of are hereby acknowledged, the parties hereto agree as follows:

The term of the Parking Easement, as described in paragraph 8 of the Parking Easement shall be for 11 years from the date hereof, and thereafter the Parking Easement may be terminated as provided in paragraph 8 of the Parking Easement.

Except as amended hereby, the Parking Easement is ratified and confirmed in all respects.

This Amendment to Parking Easement may be executed in any number of counterparts which together shall form one and the same instrument.

[signatures continued next page]

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IN WITNESS THEREOF, the parties hereto have executed this Amendment to Parking Easement and affixed their seals with the intention that this be a sealed instrument as of the day and year first written above

Title

Padonia Plaza LLC

State of __MD__ Baltimore County, to wit:

I HEREBY CERTIFY that on July 25th , 2007, before me, a Notary Public of of MD Lowell M. Lemmon personally who acknowledged himself to be the

(the "Company"), and that (s)he, as such officer, being authorized so to do, executed the foregoing document on behalf of the Company acting in its capacity as <u>President</u> for the purposes therein contained, by signing the name of the Company by himself as such officer.

WITNESS my hand and Notarial Seal.

Notary Public Edith B. Hellmers My Commission Expires: 10/1/2010

I HEREBY CERTIFY that on July 27, 2007, before me, a Notary Public of the State of Maryland personally appeared Wayne R. Giososo, Jr. who acknowledged himself to be the Managing Member of Padonia Plaza LLC (the "Company"), and that he, as such officer, being authorized so to do, executed the foregoing document on behalf of the Company acting in its capacity as Managing Member____ purposes therein contained, by signing the name of the Company by himself as such officer.

WITNESS my hand and Notarial Seal.

Attorney Certification

I hereby certify that this instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of

____ Trustees under a Deed of Trust dated _____ and recorded among the Land Records at Liber ____ Folio ("Deed of Trust") execute this instrument for the sole purpose of subordinating the Deed of Trust to the operation and effect of this instrument.

_____County, to wit:

I HEREBY CERTIFY that on ______, 2007, before me, a Notary Public of State

personally appeared who acknowledged himself to be the (the "Company"), and that (s)he, as such officer, being authorized so to do, executed the foregoing document on behalf of the Company acting in its capacity as ______ for the purposes therein contained, by signing the name of the Company by himself as such officer.

WITNESS my hand and Notarial Seal.

Notary Public My Commission Expires: _____

I HEREBY CERTIFY that on ______, 2007, before me, a Notary Public of the State of _____ personally appeared who acknowledged himself to be the ______of _____ (the "Company"), and that

(s)he, as such officer, being authorized so to do, executed the foregoing document on behalf of the Company acting in its capacity as _____ ____ for the purposes therein contained, by signing the name of the Company by himself as such officer.

WITNESS my hand and Notarial Seal.

Notary Public My Commission Expires: ___ Exhibit A

22 West Padonia Road

Description of Land

LEGAL DESCRIPTION Order Number: 507-2142

Commitment Number: S07-2142LB BEING ALL that piece or parcel of land situate, lying and being in the Eighth Election District of Saltimore County, State of Maryland, and described as follows:

BEGINNING FOR THE SAME at a point on the Northwest right-of-way line of Padonia Road as widened and realigned and shown on Baltimore County Highway Right-of-Way Plat No. 59-251-5 where said right-of-way line is intersected by the division line between Lot Nos. 8 and 9, Section K as laid out on the PLAT OF TIMONIUM HEIGHTS, which Plat is recorded among the Plat Records of Baltimore County in Plat Book WPC No. 5, folio 82; thence binding on the Northwest right-of-way line of Padonia Road as shown on Baltimore County Highway Right-of-Way Plat No. 59-251-5, the two following lines, viz: South 72 degrees 16 minutes 07 seconds West 21.59 feet and Southwesterly by a line curving toward the right having a radius of 3767.72 feet for a distance of 211.74 feet (the chord of said arc bearing South 78 degrees 32 minutes 16 seconds West 211.72 feet); thence leaving Padonia Road and binding on a line which connects the Northwest side of Padonia Road with the Northeast side of Broad Avenue and shown on Baltimore County Highway Right-of-Way Plat No. 59-251-6, North 59 degrees 06 minutes 30 seconds West 73.5 I feet to the Northeast side of Broad Avenue, thence binding on the Northeast side of Broad Avenue as shown on Baltimore County Highway Right-of-Way Plat Nes. 59-251-6 and 59-251-7, the two following lines, viz: North 18 degrees 16 minutes 37 seconds West 346.18 feet and Northerly by a line curving toward the right having a radius of 165 feet for a distance of 45.20 feet (the chord of said arc bearing North 10 degrees 25 minutes 48 seconds West 45.05 feet); thence leaving Broad Avenue and binding on a line that connects the Northeast side of Broad Avenue with the Southwest side of Old Padonia Road and shown on Baltimore County Highway Right-of-Way Plat No. 77-096-1, North 48 degrees 21 minutes 49 seconds East 19.85 feet to the Southwest side of Old Padonia Road as widened and shown on said last mentioned plat; thence binding on the Southwest right-of-way line of Old Padonia Road as shown on said plat, South 83 degrees 58 minutes 54 seconds East 302.02 feet to intersect the first line of the firstly described parcel of land in a Deed from John Albert Smith and wife to James P. O 'Conor, et al, trading as Padonia Towers Associates, dated December 12, 1973 and recorded among the Land Records of Baltimore County in Liber EHK, Jr. No. 5420, folio 140; thence leaving Padonia Road and binding reversely on a part of said first line and running with and binding on a part of the second line of a parcel of land which by a Deed dated May 27, 1966 and recorded among the Land Records of Baltimore County in Liber OTC No. 4623, folio 90 was conveyed by Edmund T. Bryan, Jr. and wife to Theodore H. Human and wife, South 06 degrees 56 minutes 00 seconds West 165.61 feet; thence running with and binding on a part of the third line of said parcel of land conveyed by Bryan to Human, South 84 degrees 03 minutes 56 seconds East 55.55 feet to a point in line with the division line between Lot Nos. 8 and 9 as laid out on the herein referred to PLAT OF TIMONIUM HEIGHTS; and thence running to and binding on a part of said division line, South 18 degrees 18 minutes 56 seconds East 182.77 feet to the

CONTAINING 2.554 acres of land, more or less.

6/11/2007

501 FAIRMOUNT AVENUE SUITE 300 TOWSON, MD 21286 P: 410 296 3333 F: 410 296 4705 WWW.DMW.COM

PARKING COMPLIANCE PLAN FOR RYLEIGH'S/ PIT BEEF STAND

PADONIA TOWERS

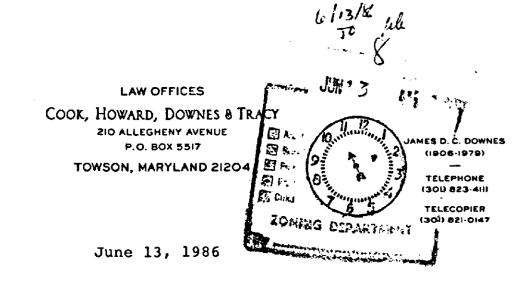
22 W PADONIA RD, TIMONIUM, MD 21093

LEASE EXHIBIT FOR PARKING



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HAND-DELIVERED

Arnold E. Jablon Zoning Commissioner County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

> Re: Case No.: 80-47-A Padonia Towers Associates, Petitioner

Dear Mr. Jablon:

JAMES H. COOK

JOHN B. HOWARD

DAVID D. DOWNES

JOHN H. ZINK, III

JOSEPH C. WICH, JR

HENRY B. PECK, JR.

THOMAS L HUDSON

M. KING HILL, III

POBERT A. HOFFMAN

DEBORAH C. DOPKIN

CYNTHIA M. HAHN

KEVIN H. SMITH H. BARRITT PETERSON, JR.

C. CAREY DEELEY, JR.

GEORGE K. REYNOLDS, I

LAWRENCE L. HOOPER, JI

KATHLEEN M. GALLOGLY

HERBERT R. O'CONOR, I

DANIEL O'C. TRACY, JR

In response to your correspondence of June 2, 1986 and certain phone conferences which we have had over the last week, the following should clear up your concerns on this case.

First, it is my understanding that all illegal signs on the site have been removed and that each sign that remains is in compliance with the zoning regulations.

As John Howard stated to you in his letter of May 19, 1986, a revised site plan in compliance with Restriction No. 3 in the Zoning Commissioner's Order dated September 10, 1979 would be filed with your office.

Enclosed is a copy of tant revised site plan indicating "the proposed future improvements of Old Padonia Road is a 30 ft. closed section roadway on a 50 ft. right-of-way", as stated in the comments of the Department of Public Works dated June 12, 1979.

MICROFILMEL

Mr. Arnold Jablon May 19, 1986 Page 2

permit 205 parking spaces in lieu of the required 248 spaces. The first of these restrictions was submission of proof to the Zoning Commissioner of a bona fide lease with the property owner adjacent to the Petitioner's east property line, indicating that additional parking is available for use by patrons of the restaurant.

I have obtained a copy of your file in this case and no such parking lease agreement was contained therein. However, I am attaching for your review and for filing a copy of the "bona fide Lease Agreement" which was entered into with Lemon-Mitchell-Wiedefeld, Inc., the adjacent property owner to the Petitioner's east, on February 8, 1980, and recorded among the Land Records of Baltimore County at Liber 6136, page 698. I cannot explain why this lease is not contained in your file.

Since the requisite number of spaces are being provided, and a bona fide lease has been entered into pursuant to the Zoning Commissioner's Restriction No. 1, Padonia Towers Associates respectfully submits that Mr. Filzenger's complaint regarding parking is unfounded and that all County requirements have been met.

With regard to compliance with Restriction No. 3, it should be noted first that all appropriate building permits and occupancy permits have been obtained by Padonia Towers Associates, as well as the occupants of this site. If no plan had been filed previously, and I do not find a copy of it in your file, one will be submitted within three weeks of the date of this letter, incorporating the comments of the Department of Public Works dated June 12, 1979.

If you have any further questions or need any clarification of the above points, please call either Rob Hoffman or me.

RAH:ttj Enclosures

MICROFILMED

Arnold E. Jablon Re: Case No.: 80-47-A June 13, 1986 Page 2

Please contact me if you wish to discuss this matter further or if you require any additional information.

> Yours truly, Robert W. Hoffman

RAH/jhr Enclosure

PARKING LEASE AGREEMENT

THIS AGREEMENT, made this 370 day of February, 1980, by and between LEMMON-MITCHELL-WIEDEFELD, INC. //a Maryland corporation (herein referred to as "LMW") and PADONIA TOWER ASSOCIATES, a joint venture organized under the partnership laws of the State of Maryland (herein referred to as "Padonia"), WITNESSETH:

WHEREAS, LMW for the owner of a parcel of land lying between the south side of Old Padonia Road and the north side of New Padonia Road, west of York Road, in the Eighth Election District of Baltimore County, Maryland, whereon it operates a funeral home establishment with appurtenant parking facilities (herein referred to as "LMW's Property"); and

WHEREAS, Padonia is the owner of a parcel of land, abutting the west side of LMW's above-described parcel of land, whereon Padonia has constructed a building complex containing premises to be leased for office and commercial uses, including a restaurant facility (herein referred to as "Padonia's Property"); and

WHEREAS, in order to lease premises in its building complex for commercial uses, including a restaurant facility, Padonia has obtained a variance from the parking requirements of the Zoning Regulations of Baltimore County by an order of the Zoning Commissioner of Baltimore County, dated September 10,

WHEREAS, a condition of the said parking variance order requires that Padonia obtain a lease from LMW to permit parking of motor vehicles of business invitees of tenents in Padonia's building complex upon the parking areas located upon LMW's property; and

WHEREAS, LMW is willing to permit business invitees of tenants in the Padonia building complex to park their motor vechiles upon the parking area on LMW's property upon certain conditions as hereinafter set forth.

NOW, THEREFORE, in consideration of the mutual benefits to be derived by the parties hereto from the covenants hereinafter set forth, and for other good and valuable considerations, the receipt and sufficiency of which is acknowledged, the parties hereto hereby agree as follows:

1. Effective upon the completion of the "connecting driveway" (as hereinafter described), LMW hereby leases to Padonia eight (8) parking spaces upon the parking area located on LMW's property for the benefit of the business invitees of tenants in the building complex located upon Padonia's property.

2. Although such eight (8) parking spaces shall not be specifically located and designated, the parties hereby agree that they shall be deemed to refer to eight (8) parking spaces located upon the parking area on LMW's property in the closest proximity to Padonia's property as circumstances may reasonably permit from time to time.

> TRANSFER TAX NOT REQUIRED UNDOLPH B. ROSENCRANTZ

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204

ARNOLD JABLON ZONING COMMISSIONER JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

June 2, 1986

John B. Howard, Esquire 210 Allegheny Avenue P.O. Box 5517 Towson, Maryland 21204

> RE: Case No. 80-47-A Padonia Towers Associates, Petitioner

Dear Mr. Howard:

I am in inceipt of your letter dated May 19, 1986 with reference to the above.

I previously indicated to Mr. Hoffman that there are, and have been for some time, illegal temporary and permanent signs at this site. I have not seen any change. Therefore, if the illegal signs are not removed within one week of the date of this letter, I will issue a citation. In the alternative, if the illegalities can be corrected with a permit, your client will have one week to obtain one. If variances are needed, I will not permit the illegal signs to remain pending the variance request.

Zoning Commissioner

AJ/srl

3. It is expressly understood and agreed that neither the principals, agents, servants, employees or contractors of Padonia amd Padonia's tenants may use the eight (8) parkings spaces leased here by - it being the intent of this Agreement that the use of the parking spaces upon LMW's property shall take place only when an overflow of business invitees on Padonia's property so requires. Additionally, it is expressly understood and agreed that the rental of storage space for automobiles and/or trucks or other automotive equipment will not be permitted on LMW's Property.

4. Promptly following the execution of this Agreement, Padonia shall cause to be constructed at a location between Padonia's property and LMW's Property to be mutually agreed upon a driveway connecting the parking areas on the two properties (hereinabove referred to as "the connecting driveway"), the cost of which work shall be subject to the approval of LMW and, thereafter, shall be borne equally by LMW and Padonia.

5. It is expressly understood and agreed that the parties do not intend Padonia to have the full-time, exclusive rights to the aforesaid eight (8) parking spaces, but that the same shall be made available only during such hours as the business offices and the restaurant facility located upon Padonia's property are open for business. At any other times, LMW shall have the full right to use the aforesaid eight (8) parking spaces for its own purposes.

6. In the event any provision of this Agreement is breached by one of the parties, and such breach is not cured within thirty (30) days after the delivery of written notice thereof to the defaulting party, then the non-defaulting party shall have the option to unilaterally terminate this Agreement upon the recording of an appropriate notice of termination among the Land Records of Baltimore County.

7. This Agreement shall inure to the benefit of and be binding upon not only the parties hereto but also their successors in title to the parcels of land affected hereby; and the covenants herein shall run with and bind the said parcels of land until the expiration of ten (10) years from the date hereof, after which either party hereto, or their successors in nereot, after which either party hereto, or their successors in title, may terminate this Agreement upon six (6) months advance written notice to the other party and the recording of an appropriate notice of termination among the Land Records of

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first above written. LEMMON-MITCHELL-WIEDEFELD, INC. WITNESS:

WITNESS:

PADONIA TOWER ASSOCIATES

LAW OFFICES

COOK, HOWARD, DOWNES & TRACY 210 ALLEGHENY AVENUE P.O. 50X 3017

JAMES D. C. DOWNES (1906-1679) TELEPHONE (30)) 623-4111 TELECOPIER

May 19, 1986

TOWSON, MARYLAND 21204

Mr. Arnold Jablon Zoning Commissioner for Baltimore County County Office Building First Floor Towson, Maryland 21204

JAMES H. COOK

JOHN 8, HOWARD

DAVID D. DOWNES

JOHN H. ZINK, 五

JOSEPH C. WICH, JR.

HENRY &. PECK, JR.

DANIEL O'C. TRACY, JR.

HERBERT R. O'CONOR, II

GEORGE K. REYNOLDS, II

LAWRENCE L. HOOPER, JR.

THOMAS L HUDSON

C. CAREY DEELEY, JR.

M. KING HILL III

ROBERT A. HOFFMAN

DEBORAH C. DOPKIN

KATHLEEN M. GALLOGL

H. BARRITT PETERSON, JR.

CYNTHIA M. HAHN

KEVIN H. SMITH

Re: Case No.: 80-47-A Padonia Towers Associates Eighth Election District

Dear Mr. Jablon:

I am in receipt of your correspondence dated April 9, 1986 regarding the above-referenced zoning case. Essentially, you have stated that Padonia Towers Associates has been deficient in two respects, as follows:

1. That it appears from the site plan submitted at the hearing on August 23, 1979 (Petitioner's Exhibit 1), that there is not the requisite number of parking spaces provided at this location for "Red Robin" restaurant parking.

2. That no revised site plan was submitted in compliance with Restriction No. 3 in the Zoning Commissioner's Order dated September 10, 1979.

After reviewing the Zoning Commissioner's Order and zoning file in this case, it is clear that certain restrictions should have been met in order that a variance be obtained to

LIBERS 136 PAGE 700

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this day of February, 1980, before me, a Notary Public in and for the State acknowledged himself to be the President of LEMMON-MITCHELL-WIEDEFELD, INC., a body corporate, and that he, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Corporation by himself as President.

AS WITNESS my hand and notarial seal.

. •••

Thy Commission Expires: July 1, 1982.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

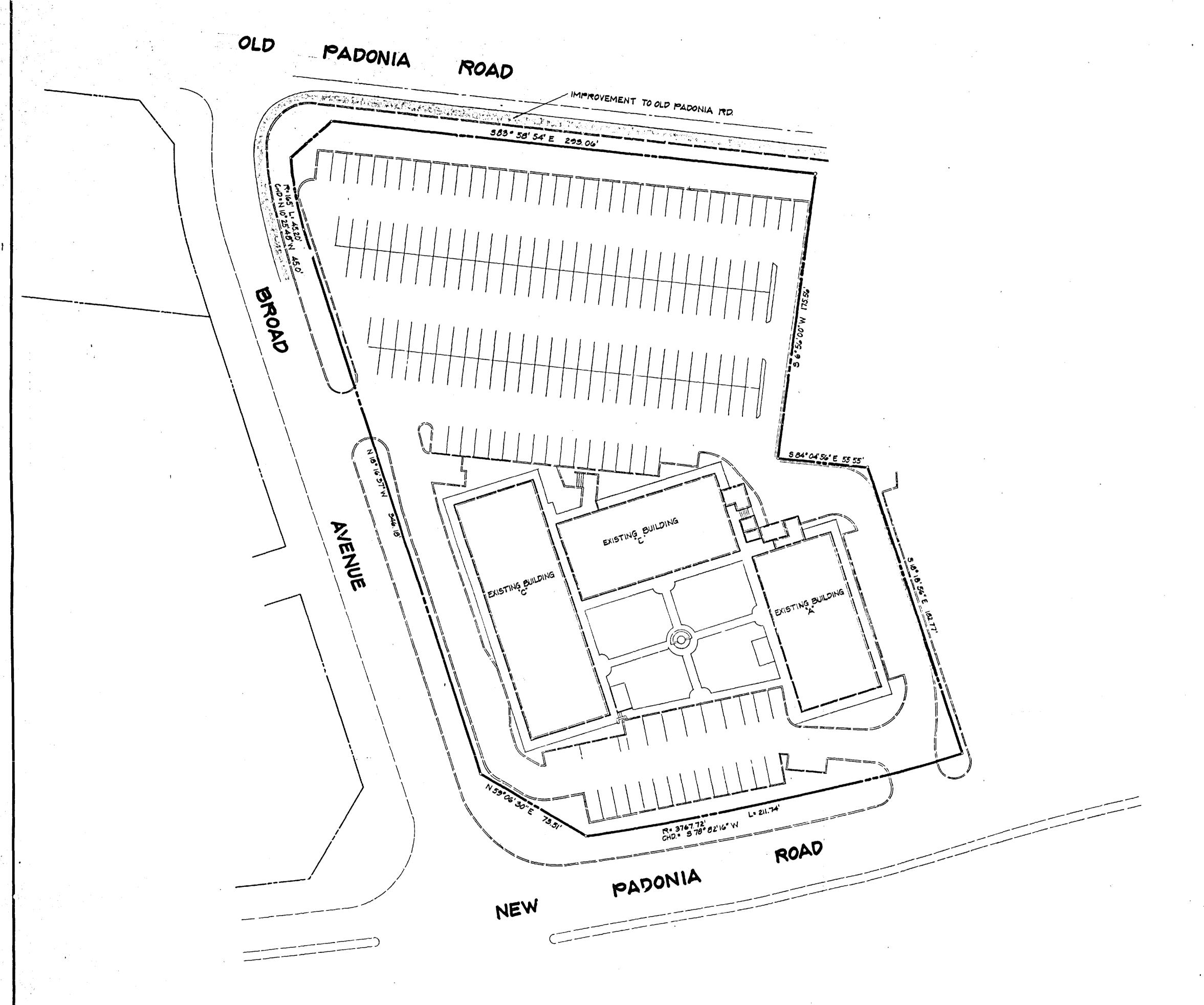
I HEREBY CERTIFY that on this day of February, 1980, before me, a Notary Public in and for the State aforesaid, personally appeared Thomas F. Mullan, III, General Partner of PADONIA TOWER ASSOCIATES, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within Agreement, and acknowledged that they executed the same for the purposes therein contained. AS WITNESS my hand and notarial seal

My Commission Expires: July 1, 1982.

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Rec'd for record FEB 115 /930 2. 3

Per Elmer H. Kahling, Jran Clark



PRINTED

JUN 12 1986

DAFT-MCCUNE-WALKER, INC.



DAFT - McCUME - WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS

PADONIA TOWERS
IMPROVEMENTS TO OLD PADONIA RA



REVISIONS 5-28-86 REVISIONS TO BITE PLAN.

SCALE:

JOR ORDER NO. 86019 H

ISSUE DATE 5-27-86

NOTES

1. AREA OF I FLOOR BLDG. A: 5000
2. AREA OF I FLOOR BLDG. C: 7500
3. AREA OF I FLOOR BLDG. C: 7500
4. TOTAL AREA-GROUND FLOOR: 17,500
5. TOTAL AREA-FLOORS 1-4 = 70,000
6. PARKING REO'D
17,500 + 300: 58.53
70,000 + 500 = 140

TOTAL PARKING REO'D = 199 SPACES
7. PARKING PROVIDED = 200 SPACES
6. ZONNING: BMTC
9. AREA = 2.6 = AC. = 113,250 = 50.FT.
10 BH ELECTION DISTRICT
11. TYPE ZB CONSTRUCTION
12. PARKING INCLUDES 6 HANDICAPPED
3PACES
13. —EXISTING CONTOURS
14. PROPOSED USE - OFFICE BUILDING

MICHOFILMED

The Contract Contract of the C

I, or we, Padonia Towers Associates __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 for a Variance from Section 409.2b(3, 5, 6) to permit 205 spaces in lieu of the required 253 spaces.

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

A quality restaurant is proposed to be located on the ground level of "B" Building to serve the needs of the office complex and general community; a hardship and practical difficulty would result to the integrity of the office complex and requirements of the community by denial of the requested variance.

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

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

Contract purchaser

Thomas F. Mullan, III, General Partner Address 15 Charles Plaza Baltimore, Maryland 21202

John B. Howard Attorney Address 210 Allegheny Ave., Towsor ORDERED By The Zoning Commissioner of Baltimore County, this_____11th___

of_____July_____, 196x279 that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baitimore 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 23rd day of August , 19879, at 10:00 o'clock

___**A**__M.

RECEIVED FOR FILING

Zoning Commissioner of Baltimore County.

RE: PETITION FOR VARIANCE SE corner of Old Padonia Rd. and Broad Ave., 8th District

OF BALTIMORE COUNTY

: BEFORE THE ZONING COMMISSIONER

PADONIA TOWERS ASSOCIATES,

: Case No. 80-47-A ::::::

ORDER TO ENTER APPTARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman Peter Max Zimmerman Deputy People's Counsel

John/W. Hessian, III People's Counsel for Baltimore County County Office Building Towson, Maryland 21204

I HEREBY CERTIFY that on this 8th day of August, 1979, a copy of the aforegoing Order was mailed to John B. Howard, Esquire, 210 Alleyheny Avenue, Towson, Maryland 21204, Attorney for Petitioners.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

August 7, 1979

Nicholas B. Commodar!

Chairman

MEMBERS

Department of

Fire Prevention

Project Planning

Health Department

Building Department Board of Education

Zoning Administration

Bureau of

Bureau of

Industrial

Engineering

John B. Howard, Esquire 210 Allegheny Avenue Towson, Maryland 21204

> RE: Item No. 217 Petitioner - Padonia Towers Assoc. Variance Petition

31

Traffic Engineering Dear Mr. Howard: State Roads Commission

> The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced Petition and has made an on-site field inspection of the property. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Located on the southeast corner of Old Padonia Road and Broad Avenue in the 8th Election District, the subject property is presently improved with an office complex, currently under construction, and an accessory parking area. Adjacent properties to the north, east, and west, are improved with individual dwellings, a funeral home and office building, and commercial uses, respectively.

Because of your client's proposal to construct an addition to Building "B", as shown on the submitted site plan, and convert the entire ground floor of said building to a restaurant, this Variance for parking is required. It should be noted that at the time of field inspection, the parking area along Old Padonia Road was utilized without benefit of the required screening. Said screening must be installed, and at the time of the scheduled hearing, this matter should be discussed and verified that compliance will be obtained.

With the submission of revised site plans, the Variance forms were altered accordingly. Since the total number of spaces required minus the number provided will still be 48, the comments from the members of this Committee remain unchanged.

Item No. 217 - Padonia Towers Assoc. Page Two

August 7, 1979

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This Petition is accepted 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 90 days after the date on the filing certificate, will be forwarded to you in the near

> Very truly yours, illa & Commoder NICHOLAS B. COMMODARI Zoning Plans Advisory Committee

NBC/sf Enclosures

cc: Neumayer & Foutz 11 W. Pennsylvania Avenue Towson, Maryland 21204

ADVISORY COMMITTEE

BALTIMORE COUNTY

ZONING PLANS



PETITION AND SITE PLAN

John B. Howard, Esquire 210 Allegheny Avenue Towson, Maryland 21204

cc: Neumayer & Foutz 11 W. Pennsylvania Avenue Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Fetition has been received and accepted for filing this 11th

WILLIAM E. HAMMOND Zoning Commissioner

Petitioner Padonia Towers Associates

Petitioner's Attorney John B. Howard

Chairman, Zoning Plans Advisory Committee

department of public works TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.

June 12, 1979

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #217 (1978-1979) Property Owner: Padonia Towers Associates S/E cor. Old Padonia Rd. & Broad Ave. Existing Zoning: B.M.-C.T. Proposed Zoning: Variance to permit 200 parking spaces in lieu of the required 248 spaces. Acres: 2.554 District: 8th

Dear Mr. Hammond:

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:

Baltimore County highway and utility improvements are not directly involved and are secured by Public Works Agreement #87610, executed in connection with the development of "Padonia Towers (Office Building)".

The submitted plan does not indicate the proposed future improvements of Ol-Padonia Road as a 30-foot closed section roadway on a 50-foot right-of-way. Highway rights-of-way widenings, including fillet areas for sight distance at the southeast ar i southwest corners of the Old Padonia Road-Broad Avenue intersection and any necessary revertible easements for slopes, will be required in connection with any grading or building permit application or further development of this property.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #217 (1978-1979).

Very truly yours,

ELISWORTH N. DIVER, P.E. Chief, Bureau of Engineering

END: EAM: FWR: SS

cc: C. Warfield

J. Somers

5? Tax Map

S-NE Key Sheet 59 & 59 NW 4 Pos. Sheets N¥ 15 A Topo

battimore county office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3211 John D. Seyffert DIRECTOR

→ ly 11, 1979

Mr. William Hammond, Zoning Commissioner Zoing Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Commercis on Item #217, Zoning Advisory Committee Meeting, April 24, 1979, are as follows:

Property Cwner: Padonia Towers Associates Location: SE/C Old Padonia Road and Broad Ave. Fxisting Zoning: B.M.-C.T.

Proposed Zoning: Variance to permit 200 parking spaces in lieu of the required 248 spaces Acres: 2.554 District: 8th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

Current Planning and Development

Pursuant to the advertisement, posting of property, and public hearing on the in the Petition

and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, the Variance should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore, the Variance should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of September, 1979, that the herein Petition for Variance to permit 205 parking spaces in lieu of the required 248 spaces should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- 1. Submission of proof to the Zoning Commissioner of a bonafide lease with the property owner adjacent to the Petitioner's east property line, indicating that additional parking is available for use by patrons of the restaurant.
- 2. Provide screening as required by the Current Planning and Development Division.
- 3. A revised site plan be submitted, incorporating the comments of the Department of Public Works, dated
- 4. Approval of said revised site plan by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

HAllen Call Zoning Commissioner of Baltimore County

the above Variance should NOT BE GRANTED.

ORDER RECEIVED

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____day

of _____, 196___, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

department of traffic engineering TOWSON, MARYLAND 21204

STEPHEN E. COLLINS

July 5, 1979

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

Property Owner:

District:

Existing Zoning:

Proposed Zoning:

-ZAC- Meeting of April 24, 1979 Padonia Towers Associates SE/C Old Padonia Rd. and Broad Ave. B.M.-C.T. Variance to permit 200 parking spaces in

lieu of the required 248 spaces. 2.554

The requested variance to parking can be expected to cause parking problems in residential areas to the north of this site.

> Michael S. Flanigan Engineer Associate II

MSF/mjm

department of health TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

June 21, 1979

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Harmond:

Comments on Item # 217, Zoning Advisory Committee meeting of April 24, 1979, are as follows:

> Property Owner: Location: Existing Zoning: Proposed Zoning: lieu of the required 248 spaces

Padonia Towers Associates SE/C Old Padonia Rd. & Broad Ave. B.M. - C.T. Variance to permit 200 parking spaces in

Acres: District:

Metropolitan water and sewer exists.

If a food service facility is proposed, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, Baltimore County Department of Health, for review and approval pior to construction.

BUREAU OF ENVIRONMENTAL SERVICES

IJF/JRP:ph&

cc: J.A. Butcher

Ro: Property Owner: Padonia Towers Associates

Location: SE/C Old Padonia Rd. & Broad Ave.

Office of Planning and Zoning Baltimore County Office Duilding

Attention: N. Commodari, Chairman Zoning Advisory Committee

Touson, Maryland 21204

Item No. 217

Gentlemen:

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ______fect along an approved road in accordance with Baltimore County Standards as published by the Department of Public Morks.

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.

May 21, 1979

Zoning Agenda Meeting of 4/24/79

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEPDS the maximum allowed by the Fire Department.

() 4. The site shall 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 "Life Safety Code", 1975

() 6. Site plans are approved as drawn.

Edition prior to occupancy.

() 7. The Fire Provention Dureas has no comments, at this time.

Planning Group Special Inspection Division

Noted and Leoys M Weigand Approved:

Fire Prevention Bareau

battimore countu department of permits and licenses TOWSON, MARYLAND 21204

JOHN D. SEYFFERT

May 18, 1979

Mr. S. Eric Dillenna, Zoning Commissione Office of Planning and Zoning County Office Building Towson, Maryland 2120

Comments on Item # 217 Zonine idvisory Committee Meeting, May 22, 1979

are as follows: Property Owner: Padonia Towers Associates SEC Old Padonia Road and Broad Ave.

Existing Zoning: B.M. - C.T. Proposed Zoning: Variance to permit 200 parking spaces in lieu of the required 248 spaces.

The items checked below are applicable:

X A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.

X B. A building permit shall be required before construction can begin.

X C. Additional miscellaneous Permits shall be required.

D. Building shall be upgraded to new use - requires alteration permit. E. Three sets of construction drawings will be required to file an application for a building permit.

- X F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0"
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section ___
- X J. Comment: Please have the architect consult with the Plans Review Department as to the required fire separations between the existing buildings.

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 23, 1979

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

Z.A.C. Meeting of: April 24, 1979

RE: Item No: 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223 Property Owner: Location: Present Zoning: Proposed Zoning:

District: No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

Very truly yours lich feteruit W. Nick Petrovich, Field Representative

T. BAYARD WILLIAMS, JR., VICE-PRESIDEN MARCUS M. BOTSARIS

MRS. LORRAINE F. CHOSCUS ROGER B. HAYDEN

ROBERT Y. TUBEL, SUPERMY, HOENT

ALVIN LORECK MRS, MILTON R. SMITH. JR. RICHARD W. TRACEY, D.V.M.

September 19, 1979

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

Attention John L. Wimbley, Planner III

Re: Item 217(1978-1979) Parking Variance Padonia Towers Associates

Dear Mr. Wimbley:

Please reference the Order of William E. Hammond, Zoning Commissioner of Baltimore County, dated September 10, 1979, granting the variance for parking in the above-captioned matter.

As you know, the County is presently in the process of widening Old Padonia Road adjacent to the subject property; and, we are unable to complete the installation of required screen planting along the property line abutting Old Padonia Road until the County's work has been completed.

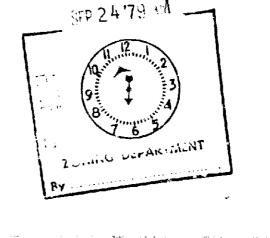
Please be advised that, as soon as the County's work in the widening of Old Padonia Road has been completed, Padonia Towers Associates stands ready, willing and able to promptly complete the installation of the required screen planting.

> Thomas F. Mullan, III General Partner

Sincerely

TFM:ksl

cc: Mr. William E. Hammond John B. Howard, Esq.





80-407-10

baltimore county

Paul II. Reincke

(301) 825-7310

fire department
TOWSON, MARYLAND 21204

STREET TRAFFIC STUDIES, LTD. 16628 S. Westland Drive, Gaithersburg, Maryland 20760 Tel. 301/948-1754

August 21, 1979

MEMORANDUM

John Howard

John W. Guckert SUBJECT: Padonia Towers Parking Variance

Baltimore County

As requested, we have completed a traffic engineering study and analysis related to the requested parking variance for the subject site. The Padonia Towers property is located in the northeast quadrant of Padonia Road and Broad Avenue in the Timonium area of Baltimore County.

The Padonia Towers Associates plan to expand the first floor area of the building by 1800 square feet and lease a total of 6800 square feet of space to a restaurant. The present zoning ordanance as a result of the amendment by Resolution on November 21, 1956 states that one parking space be provided for each 50 square feet of total floor area. The zoning regulations do not address parking space requirements as a result of the number of patrons the restaurant can serve or the number of seats in the restaurant. Therefore, based upon 6800 square feet, 136 parking spaces are required. A traffic engineering rule of thumb requirement for sit down restaurants is one space for each three or four seats. The proposed restaurant

plans to have 132 seats in the restaurant proper, 68 seats in the lounge and 20 seats in the bar for a total of 220 seats. Based upon the rule of thumb 50 to 73 spaces would be required for the subject restaurant.

Field investigations were made and the results are shown in Exhibit 1. The field study showed a peak accumulation of 82 vehicles for the 30,000 square feet of space presently occupied in Padonia Towers, or an average of one space for each 365 square feet of occupied floor area. The tabulation below shows the required number of spaces for the development based oon existing conditions.

| Total Existing Floor Area Proposed Expansion Total Proposed Development Proposed Restaurant Office/Retail Development | 52,500 square feet 1,800 square feet 54,300 square feet -6,800 square feet 47,500 square feet |
|---|---|
|---|---|

47,500 Sq.Ft. = 130 Spaces required for Office, Retail 73 Spaces required for Restaurant 203 Spaces required for Development 205 Spaces existing on Parking Lot

Based upon the above, sufficient on-site spaces are already available.

However, further studies were made to determine the availability of on-street parking in the vicinity of the site. The field studies show there is room for parking approximately 17 cars along the east side of Broad Avenue and 15 cars along the west side of Broad Avenue for a total of 32 parking spaces. This takes into account the existing driveways, fire hydrants, and the Maryland Motor Vehicle Code as it relates to parking prohibition near driveways and intersections. Broad Avenue is

EXHIBIT 1

SUMMARY OF FIELD INVESTIGATIONS

| LOCATION | DATE | DAY | TIME | NO. OF CARS PARKED |
|-----------------------------------|---------|----------|------------|--------------------|
| Padonia Towers | 8/17/79 | Friday | 11:30 AM | 82 |
| Parking Lot | | | 12:00 Noon | 78 |
| | | | 12:30 PM | 71 |
| | | | 1:00 PM | 69 |
| | | | 1:30 PM | 72 |
| | | | 3:45 PM | 73 |
| | 8/18/79 | Saturday | 10:50 AM | 50 |
| Padonia Park | 8/17/79 | Friday | 11:30 AM | Not Observed |
| Parking Lot (Front Lot for | | | 12:00 Noon | 57 |
| Strip Stores and | | | 12:30 PM | 61 |
| Offices) | | | 1:00 PM | 69 |
| | | | 1:30 PM | 72 |
| | | | 3:45 PM | 46 |
| | 8/18/79 | Saturday | 10:50 AM | 43 |
| Broad Avenue | 8/17/79 | Friday | 11:30 AM | None |
| (From Padonia Road to Old | | | 12:00 Noon | None |
| Padonia Road) | | | 12:30 PM | None |
| | | | 1:00 PM | None |
| | | | 1:30 PM | None |
| | | | 3:45 PM | None |
| | 8/18/79 | Saturday | 10:50 PM | None |
| Old Padonia Road | 8/17/79 | Friday | 11:30 AM | None |
| (From Maryland 45 Westerly to 500 | | | 12:00 Noon | None |
| feet West of | | | 12:30 PM | None |
| Broad Avenue) | | | 1:00 PM | None |
| | | | 1:30 PM | None |
| | 8/18/79 | Saturday | 3:45 PM | None |
| | | | | |

a 40 foot closed section roadway which allows for 2-8 foot parking lanes and 2-12 foot travel lanes. In addition, the rear portion of the site has approximately 285 feet of frontage along the south side of Old Padonia Road. This road frontage is being widened to approximately 29 feet which will allow for 1-8 foot parking lane and 2-10.5 foot travel lanes. This frontage will provide room for approximately 16 spaces. Old Pagenia Road is posted for 25 MPH and serves a total of 28 residential properties all of which have private driveways.

In conclusion, it appears that there is already sufficient onsite parking to accommodate the planned development of the site including the restaurant. However, in the event additional spaces are required, there exists room for a minimum of 48 spaces in the immediate vicinity of the site along Broad Avenue and Old Padonia Road which will not adversely impact the adjoining residential neighborhood.

BAZTIMORE COUNTY, MAX PAND

INTER-OFFICE CORRESPONDENCE

Zoning Commissioner August 8, 1979 John D. Seyffert , Director

FROM Office of Planning and Zoning Petition #80-47-A. Item #217

> Petition for Variance for offstreet parking Southeast corner of Old Padonia Road and Broad Avenue Petitioner - Padonia Towers Associates

8th District

HEARING: Thursday, August 23, 1979 (10:00 A.M.)

This office shares the concerns expressed by the Department of Traffic Engineering's representative on the Zoning Advisory Committee: consquently, we oppose the granting of the subject request.

JDS:JGH:rw

CARL L. GERHOLD PHILIP K. CROSS

JOHN F. ETZEL

WILLIAM G. ULRICH GORDON T. LANGDON GERHOLD, CROSS & ETZEL

Registered Professional Land Surveyors

412 DELAWARE AVENUE TOWSON, MARYLAND 21204

823-4470

EMERITUS PAUL G. DULLENBERG

April 5, 1979

Zoning Description

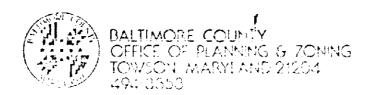
All that piece or parcel of land situate, lying and being in the Eighth Election Pistrict of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same on the south side of Old Padonia Road as widened at a point distant South 83 degrees 58 minutes 54 souchds East 50 feet from the center of Broad Avenue and running thence and binding on the south side of Old Padonia Road as widened, South 93 degrees 58 minutes 54 seconds East 302.02 feet, thence leaving said road and binding on the outlines of the land of the petitioner herein, the three following courses and distances viz: South 6 degrees 56 minutes 00 seconds West 165.61 feet, South 84 degrees 03 minutes 56 seconds East 55.55 feet and South 18 degrees 18 minutes 56 seconds East 182.77 feet to the north side of Padonia Road, thence binding on the north side of Padonia Road, the two following lines viz: South 72 degrees 16 minutes 07 seconds West 21.59 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 said arc bearing South 78 degrees 32 minutes 16 seconds West 211.72 feet), thence binding on the line that connects the north side of Tadonia Road with the east side of Broad Avenue, North 59 degrees 06 minutes 30 seconds West 73.51 feet to the east side of Broad Avenue, thence binding on the east side of "road Avenue, the two following lines viz: North 18 degrees 16 minutes 37 seconds West 346.18 feet and Mortherly by a line curving toward the right having a radius of 165 feet for a distance of 45.20 feet (the chord of said are bearing North 10 degrees 25 minutes 48 seconds West 45.05 feet) and thence binding on the line that connects the east side of Broad Avenue with the south side of Old Padonia Road, North 48 degrees 21 minutes 49 seconds East 19.85 feet to the place of beginning.

Containing 2.554 Acres of land more or less.

Being the land of the petitioner herein as shown on a plat filed in the office of the Zoning Commissioner.





CHOMMAH 3 MALLINE ZONING COMMISSIONER

September 10, 1979

John B. Howard, Esquire 210 Allegheny Avenue Towson, Maryland 21204

> RE: Petition for Variance SE/corner of Old Padonia Road and Broad Avenue - 6th Election District Padonia Towers Associates -Petitioner NO. 80-47-A (Item No. 217)

Dear Mr. Howard:

I have this date passed my Order in the above referenced matter in accordance with the attached.

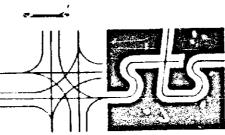
Very truly yours,

Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hessian, III, Esquire People's Counsel



STREET TRAFFIC STUDIES, LTD. 16628 S. Westland Drive, Gaithersburg, Maryland 20760 Tel. 301/948-1754

QUALIFICATIONS AND EXPERIENCE John W. Guckert

April 17, 1979

Present

EXPERIENCE: Street Traffic Studies, Limited August 1977 Manager, STS. - I function as an associate to Stephen G. Petersen, P.E. I have performed all types of traffic engineering studies and have worked on over 50 projects since August 1977. I have prime responsibility for many projects and have prepared reports for the clients based upon my analysis and they have acted accordingly.

> I have testified as an expert witness as a Traffic Engineer in zoning cases and other hearings in Prince Georges County, Anne Arundel County and Harford County, Alleghany County, St. Mary's County, Loudon County, Virginia.

April 1977 Worked part time for STS as an assistant to Stephen G. Petersen, P.E. on all types of engineering and August 1977 planning projects.

Maryland State Highway Administration Traffic Division. May 1972

Engineer Associate -- Traffic Division - I worked as August 1977 a Design Draftsman for the Traffic Signal Design Section for ten (10) months. Projects included signals for isolated intersections and interconnected coordinated signal systems throughout the State. February, 1973 I began working for the Baltimore Metropolitan Regional Traffic Engineer as a primary assistant. Duties and studies included (but not limited to) traffic signal design, sign design, capacity analysis, geometric design and review, parking and speed limit studies. Worked as an assistant in southern Maryland and eastern shore for ly years and in the Baltimore Metropolitan area for 24 years.

United States Air Force May 1968 Vietnamese Linguist for the United States Air Force May 1972 Security Service.

Oct. 1967

Maryland State Highway Administration Testing Laboratory Engineering Associate - Conducted tests on all types April 1968 of materials used by the State Highway Administration and contractors.

Pursuing Bachelor's Degree in Civil Engineering. Currently attending Johns Hopkins University. I have taken courses at Towson State University and Essex Community College. 60 credits towards Civil Engineering Degree. Personnel Management course while in the United States Air Force.

PROFESSIONAL COURSES

Northestern University - Traffic Institute 1). Seminar for Technical Assistants (June, 1973) 2). Highway Capacity Workshop (March, 1976)

3). Traffic Signal Workshop (January, 1976)

4). Urban Street Systems Design Workshop (March, 1977) 5). Traffic Management of Land Development (February, 1973)

United States Department of Transportation Traffic Control for Street and Highway Construction and Maintenance

Operations Urban Traffic Control Systems (UTCS) Seminar - FHWA ITE - Self-training Course

University of Maryland Short Course Urban Transportation Planning (May, 1975) Traffic Engineering Short Course (1972)

University of Tennessee Quick response Urban Travel Estimation Techniques (July, 1978)

Typical Projects
Transit Station Access Development Alternatives Study (TSDAS) for Baltimore County - complete January, 1978. Comprehensive study of impact of Baltimore's Reisterstown Road Plaza Metro Station (cost \$21,000).

Various traffic signal design projects throughout the State of Maryland underway - estimated installation costs \$500,000. Pikesville Revitallization Study - Baltimore County - underway sub-consultant to James L. Prost Associates (cost \$6500.00)

Various traffic planning and engineering studies relating to zoning and special exception cases throughout Maryland, Virginia,

The following are locations and jurisdictions where I have qualified and testified as an expert traffic engineer. Prince Georges County-Zoning Hearing Examiner Anne Arundel County-Zoning Hearing Examiner

Harford County-Zoning Hearing Examiner St. Mary's County-Planning Board Allegany County-Local Planning Board Town of BelAir-Town Council Town of BelAir-Planning Board Loudon County Virginia-Planning Board Baltimore County-Zoning Hearing Examiner Baltimore City Council Baltimore County - Board of Appeals

Frederick County - County Commissioners

80-47-A

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

| District Sth Date of Posting August 3,1979 Posted for: Petition For VARIANCE Peutioner: PADONIA TOWERS ASSOCIATES Location of property: SE/CORNER OLD PADONIA PL & BROAD AVE- |
|---|
| Posted for: Internal Association |
| Petitioner: THOONIA TOWERS A SOCIATION |
| Location of property: SE/CORNER OLD PADONIA 18 9 DROAD AVE |
| Location of Signs: O SE/COR. OLD PADONIA REL. & BROAD AVE. (2) NE/COR. PADONIA Pd. & BROAD AVE. |
| (2) NE/COR. PADONIA Pd. O BROND AVE. |
| |
| Posted by Schous B. Roband Date of return: AUGUST 10,1979 |
| Signature |
| 2-S16NS |
| |

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|--|--|
| BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOU ASH RECEIPT | No. 83056 |
| DATE JULY 19, 1979 ACCOUNT | #31-662 |
| . AMOUNT_ | \$25.00 |
| FROM: Cook, Howard, Downess | & Tracy |
| For: Filing Fee for Case | No. 80-1:7-A |
| 1 4 ^&20 | 25.0€ ≈€ |

VALIDATION OR SIGNATURE OF CASHIER

SIA DISTRICT ZONING: Petition for Variance for

offstreet parking.
LOCATION: Southeast corner of
Old Padonia Road and Broad Avenue
DATE & TIME: Thursday, August
22, 1979 at 10:00 A.M.
PUBLIC HEARING: Room/106,
County Office Building, 111 W.
Chasarake Avenue, Towson, The Zoning Commissioner of Bal-timore County, by authority of the Zoning Act and Property of Bal-timore County, will hold a public hearing:

Petition for Variance to permit
200 parking spaces in lieu of the required 248 spaces.

The Zoning Regulation to be excepted as follows: Section 409.2b(3,5,6)—offstreet parking
All that parcel of land in the
Eighth District of Baltimore County Beginning for the same on the south side of Old Padonia Road as

widened at a point distant South 83 degrees 58 minutes 54 seconds East 50 feet from the center of Broad Avenue and running thence and binding on the south side of Old Padonia Road as widened, South 83 degrees 58 minutes 54 seconds East 302.02 feet, thence leaving said road and binding on the outlines of the land of the petitioner herein, the three following courses and distantoward the right having a radius of 3767.72 feet for a distance of 211.74

ces vis: South 6 degrees 56 minutes 00 grounds West 165 61 feet, South 84 d.grees 03 minutes 56 seconds East 56.55 feet and South 18 degrees 18 minutes 56 seconds East 182.77 feet to the north side of Pad nia Road, thence binding on the north side of Padonia Road, the two following lines viz: South 72 degrees 16 minutes 07 seconds West 21.59 feet and Westerly by a line curving feet (the chord of said are bearing South 78 degrees 32 minutes 16 seconds West 211.72 feet), thence binding on the line that connects the north side of Padonia Road with the east side of Broad Avenue, North 59 degrees 06 minutes 30 seconds West 73.51 feet to the east side of Broad Avenue, thence hindside of Broad Avenue, thence bind-ing on the east side of Broad Avenue, the two following lines vis: North 18 degrees 16 minutes 37 sec-onds West 346.18 feet and Northerly by a line curving toward the right having a radius of 165 feet for a distance of 45.20 feet (the chord of said are bearing North 10 degrees 25 minutes 48 seconds West 45.0 feet) and thence binding on the line that connects the east side of Broad Avenue with the south side of Old Padonia Road, North 48 degrees 21 minutes 49 seconds East 19.85 feet to the place of beginning. Containing 2.554 Acres of land more or less. Being the property of Padonia Towers As ociates, as shown on plat plan filed with the Zoning Depart-Hearing Date: Thursday, August 23, 1979 at 10:00 A.M. 23, 1979 at 10:00 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Cherapeake Avenue, Towson, Maryland.

By Order Of

WILLIAM E. HAMMOND,

Zoning Commissioner of Baltimore County

one-time---successive owners before the 23rd day of __Au_just.____ appearing on the ___ 2nd ____day of ___ Angust _____

19_.79.

Buttaling the state of the second of the second property of the second second second of the second s BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

DATE August 23, 1979 ACCOUNT 01-662

AMOUNT \$72.51

FROM: John B. Howard, Esq. FOR FOSTING and Advartising for Case No. 80-1,7-A

VALIDATION OR SIGNATURE OF CASHIER

3637.... 72.51/0

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 2 , 19.79 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in seach 19_79, the #xx publication

Cost of Advertisement, \$_____

two following lines viz: South 72 degrees 16 minutes 07 seconds: West 21.59 feet and Westerly by a ine curving toward the right having a radius of 3767.72 feet for a dis-tance of 211.74 feet (the chord of

said arc bearing South 78 degrees 32 minutes 18 seconds West 211 72 feet), thence binding on the line that connects the north side of Padonia Road with the east side of Broad Avenue, North 59 degrees 06 mir ites 30 seconds West 73.51 feet to the east side of Broad Ave-nue therice binding on the east side of Broad Avenue, the two foltice of eroad avenue, the two fol-towing times viz: North 18 degrees 16 minutes 37 seconds West 346 18 feet and Northerly by a line curving toward the right having a radius of 165 feet for a distance of 45 20 feet (the chord of said are

Marie Land State Control of the Cont

PETITION FOR VARIANCE

Old Padonia Road and Broad Ave-DATE & TIME Thursday, August 23, 1979 at 10,00 A M PUBLIC HEARING: Room 108,

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

Maryland
The Zoning Commissioner of Battimore County, by authority of the Zoning Act and Regulations of Raltimore County, with hold a public hearing.

Petition for Variance to permit

200 parking spaces in Neu of the required 248 spaces.
The Zoning Regulation to be ax-

cepted as follows: Section 409 2b(3,5,6) - offstreet

parking
All that percel of land in the

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Being the property of Padonia Towers Associates, as shown on plat plan filed with the Zoning Department partment
Hearing Date Thursday, August
23, 1979 at 10.00 A M.
Public Hearing, Room 106,
County Office Building, 111 W.
Chesapeaka Avenue, Towson,
Markind Meryland.

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Tow Aug. 2 (912) THETENIES NEWSPAPERS

August 2, 1979 TOWSON, MD. 21204

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Padonia Towers Assoc. was inserted in the following:

Arbutus Times ☐ Catonsville Times ☐ Community Times ☐ Essex Times **▼** Towson Times

weekly newspapers published in Baltimore, County, Maryland, once a week for ______ successive weeks before the was inserted in the issues of August 2, 1979.

STROMBERG PUBLICATIONS, INC.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your Petition has been received * this / day of

Filing Fee \$ 25.00. Received Check ___Cash

Zoning Commissioner Petitioner Progra Towns With Submitted by John Howard Petitioner's Attorney John & Howard Reviewed by 616

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

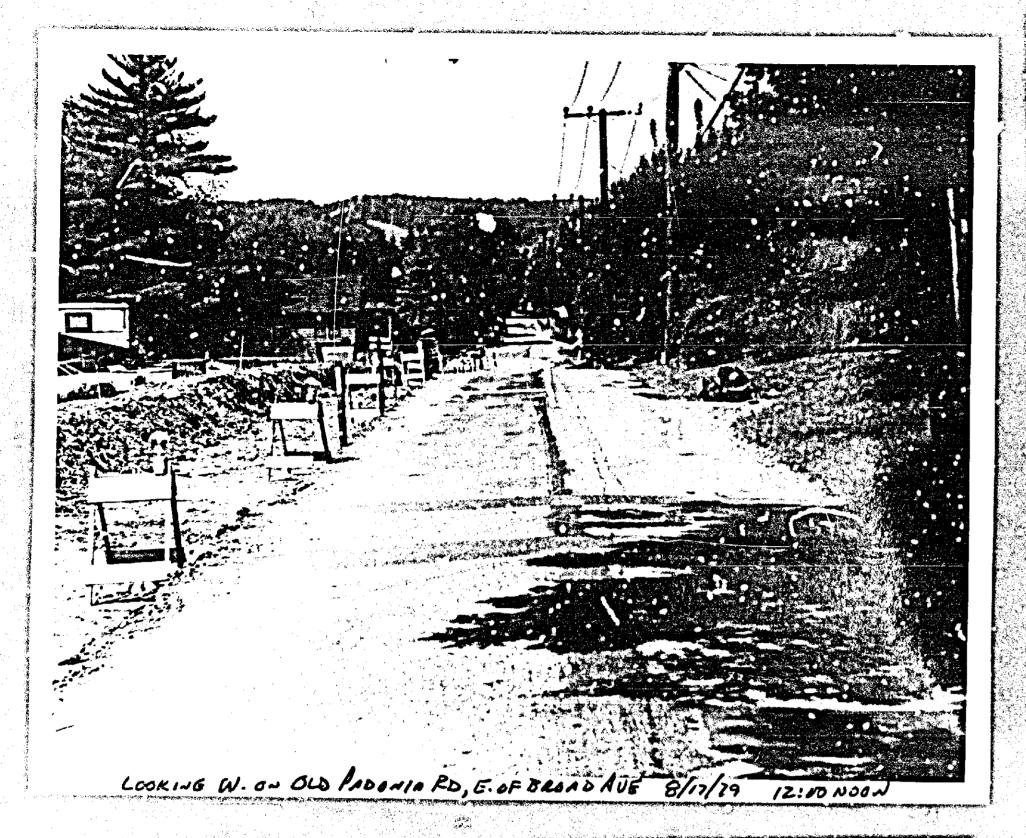
PETITION MAPPING PROGRESS SHEET Walt Map Original Duplicate
date by date by date by FUNCTION Descriptions checked and outline plotted on map Petition number added to DeniedGranted by ZC, BA, CC, CA Revised Plans: Reviewed by: Change in outline or description___Yes

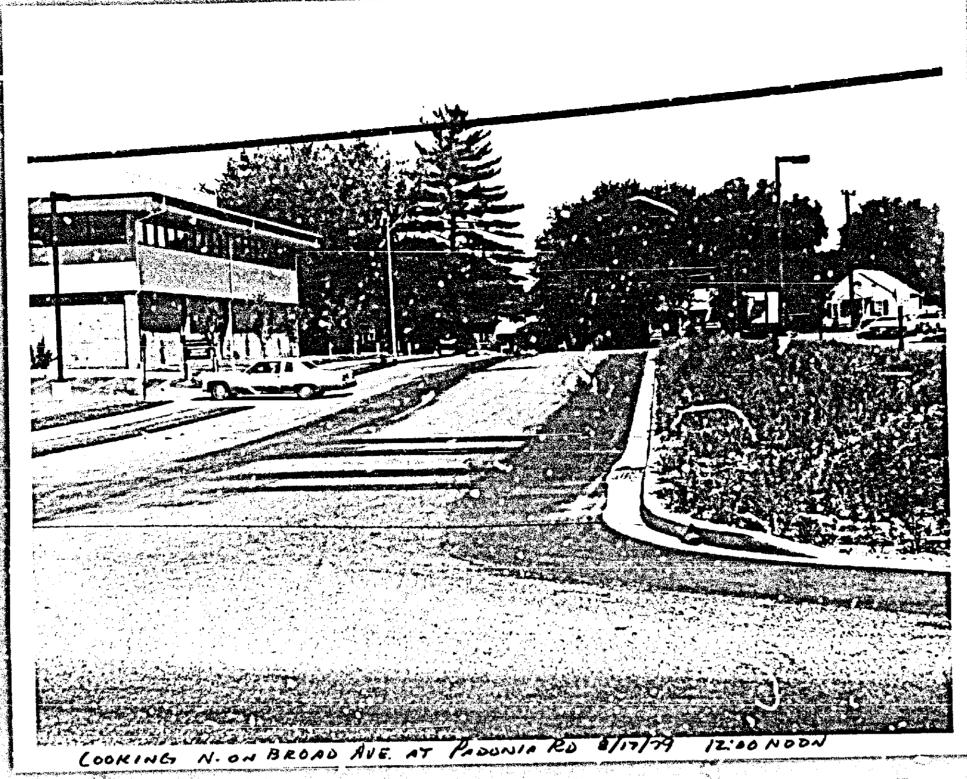
Previous case: Aunt

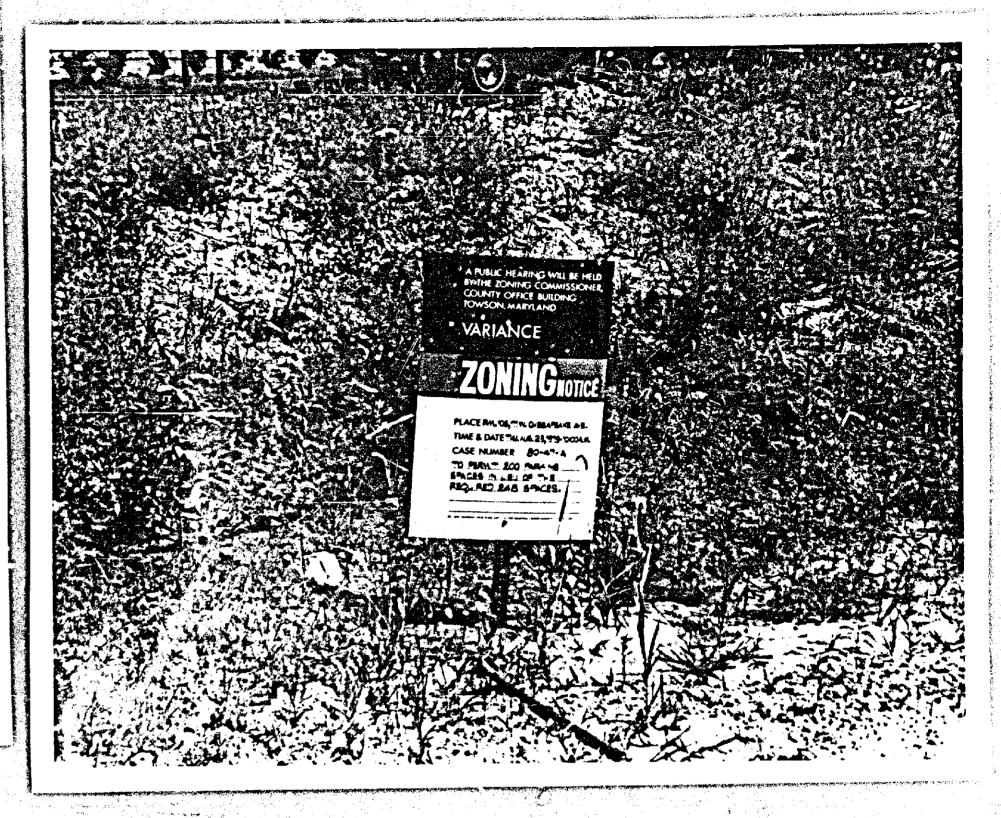




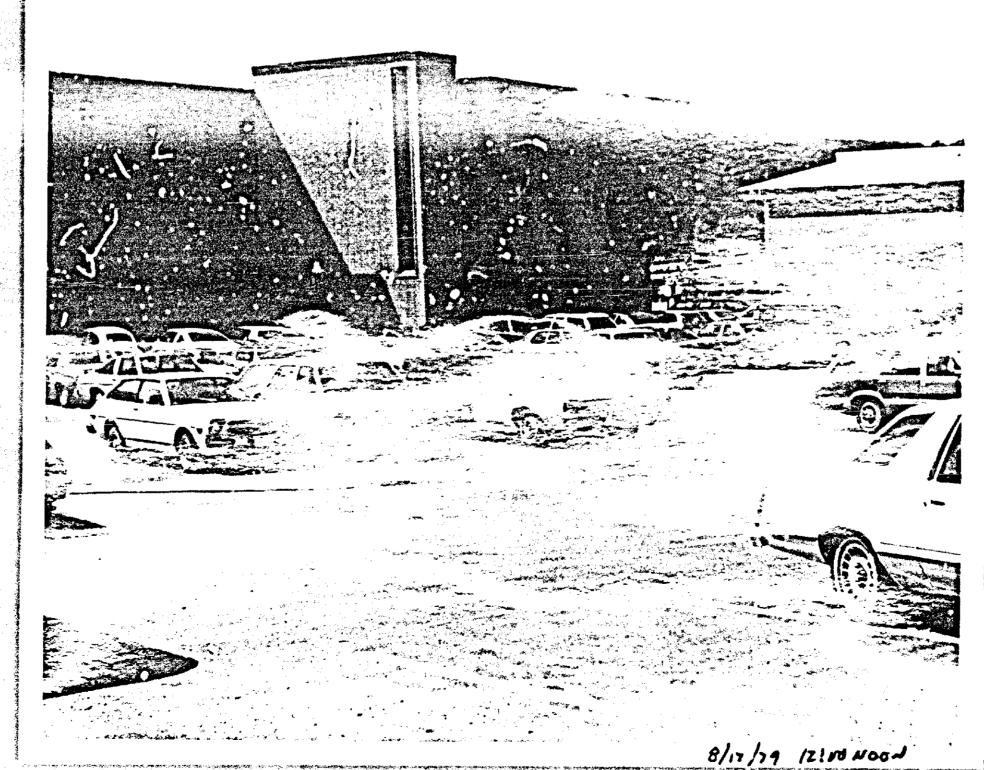


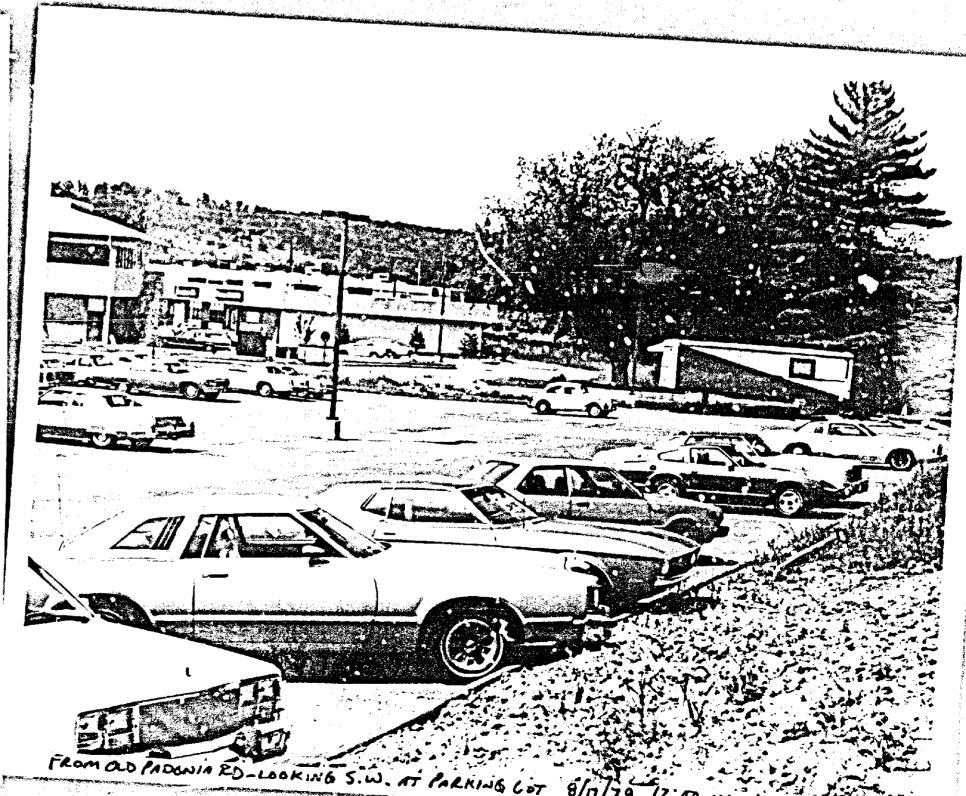


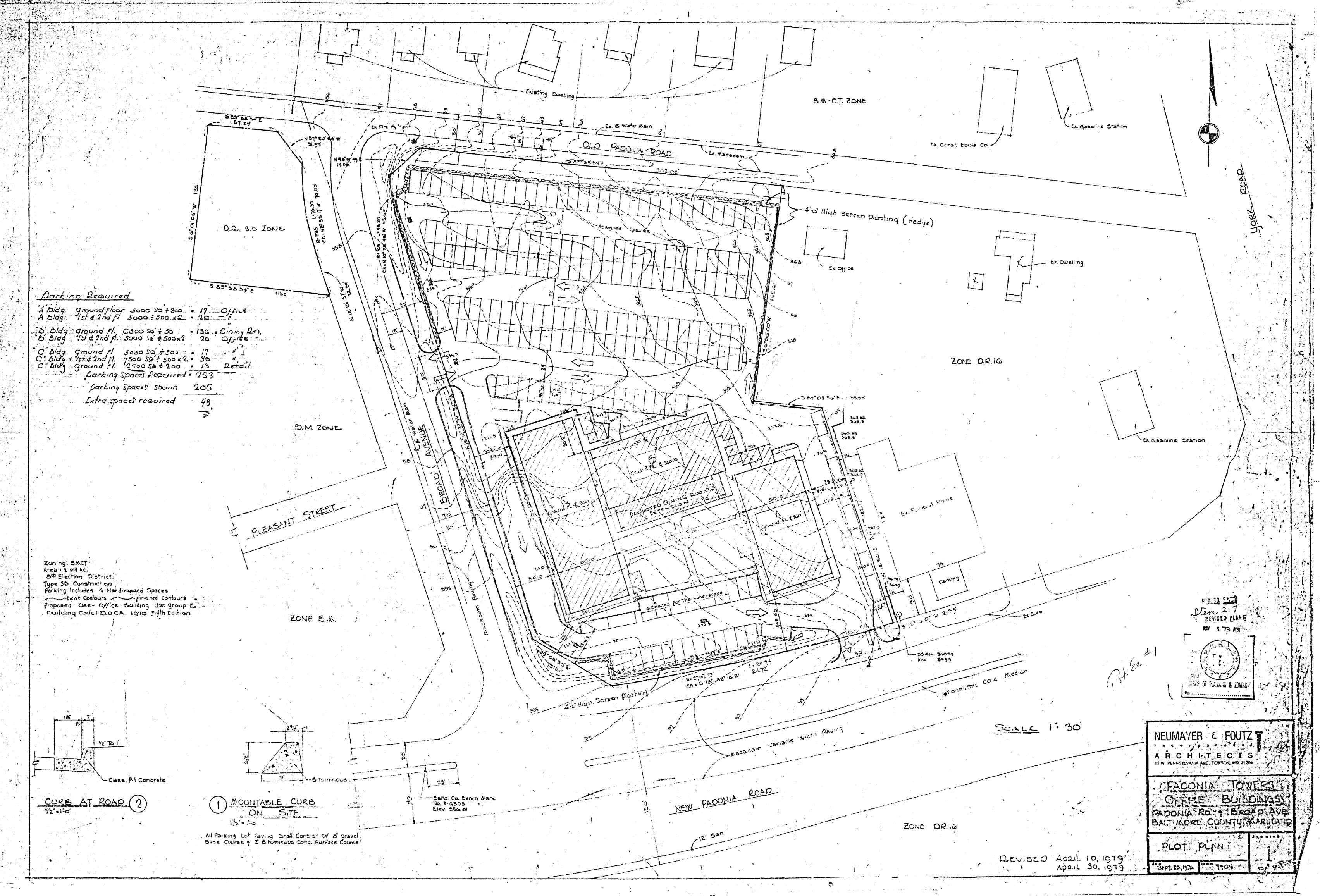


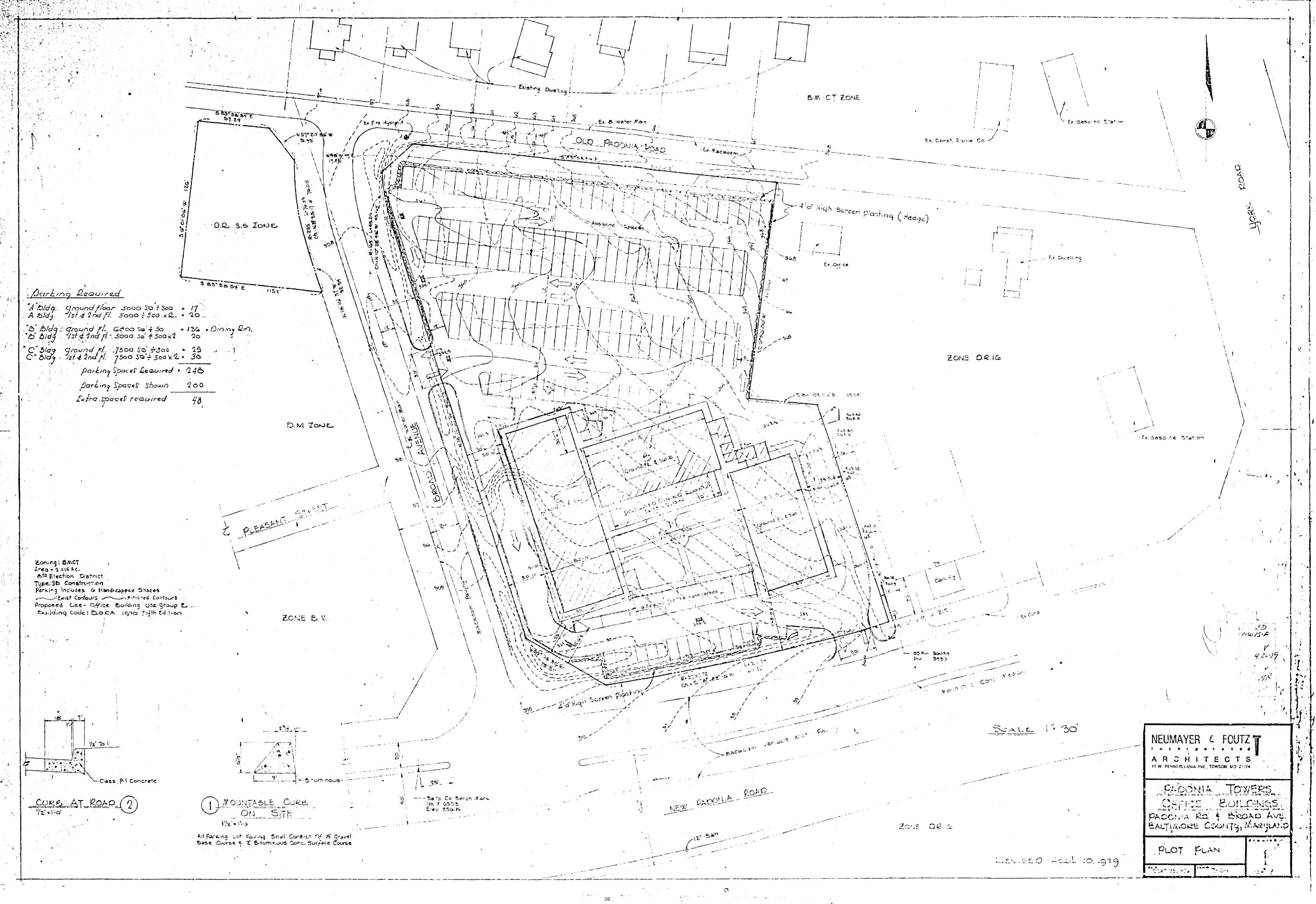












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