PETITION FOR SPECIAL HEARING 83-288-XSPHA

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

a Class B office site plan which utilizes a small D.R. 5.5 portion on the same lot as a part of the amenity open space requirement.

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

I, or we, agree to pay expenses of the above Special Hearing 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.

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

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Newton A. Williams and Nolan, Plumhoff & Williams, Chartered
(Type or Print Name)

Signature

204 West Pennsylvania Avenue
Address

Towson, Maryland 21204
City and State

Attorney's Telephone No.: 823-7800

Legal Owner(s):

DOE, INC. and GLENDALOUGH, INC.
(Type or Print Name)

Signature By James D. Nolan, Individually

(Type or Print Name) President of Glendalough, Inc.

Signature

9 Crestline Court 363-3633
Address Phone No.

Owings Mills, Maryland 21117
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

James D. Nolan
Name

9 Crestline Court, Owings Mills, MD 21117
Address 363-3633

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of May, 1983, 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 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 23rd day of June, 1983 at 10:45 o'clock A.M.

Zoning Commissioner of Baltimore County.

Z.C.O.—No. 1

(over)

Doe, Inc., et al
S/S New Bosley Ave., 366.81' S of
Chesapeake Avenue
9th

83-288-XSPHA

PETITION FOR ZONING VARIANCE 83-288-XSPHA

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

Variance from Section 203.4. to permit an alternate amenity open space of 21%

in lieu of the required 25% of the gross site area.

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

1. The lot in question is of an irregular shape and somewhat difficult topography, making it difficult to plan and develop.
2. A D.R. 5.5 portion of the same lot to be left open may not be eligible for technical inclusion in the amenity open space, but it will be left open, and will in effect serve that purpose.
3. That the northern tip of land contiguous to this property is publicly owned and is in open lawn, and will serve as open space in practical effect.
4. That without the requested variance, which is in harmony with the spirit and intent of the Regulations, the Petitioners will sustain practical difficulty and unreasonable *

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 Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

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

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Newton A. Williams and Nolan, Plumhoff & Williams, Chartered
(Type or Print Name)

Signature

204 West Pennsylvania Avenue
Address

Towson, Maryland 21204
City and State

Attorney's Telephone No.: 823-7800

Legal Owner(s):

DOE, INC. and GLENDALOUGH, INC.
(Type or Print Name)

Signature By James D. Nolan, Individually

(Type or Print Name) President of Glendalough, Inc.

Signature

9 Crestline Court 363-3633
Address Phone No.

Owings Mills, MD 21117
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

James D. Nolan
Name

9 Crestline Court, Owings Mills, MD 21117
Address Phone No. 363-3633

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of May, 1983, 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 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 23rd day of June, 1983 at 10:45 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

* hardship, and the requested variance will not harm the health, safety and welfare of the area.

PETITION FOR SPECIAL EXCEPTION 83-288-XSPHA

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the

herein described property for Class B office building

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

I, or we, agree to pay expenses of above 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.

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

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Newton A. Williams and Nolan, Plumhoff & Williams, Chartered
(Type or Print Name)

Signature

204 West Pennsylvania Avenue
Address

Towson, Maryland 21204
City and State

Attorney's Telephone No.: 823-7800

Legal Owner(s):

DOE, INC. and GLENDALOUGH, INC.
(Type or Print Name)

Signature By James D. Nolan, Individually

(Type or Print Name) President of Glendalough, Inc.

Signature

9 Crestline Court
Address

Owings Mills, Maryland 21117; 363-3633
City and State

Name and telephone number of legal owner, contract purchaser or representative to be contacted

James D. Nolan, 9 Crestline Court,
Name

Owings Mills, MD 21117; 363-3633
Telephone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of May, 1983, 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 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 23rd day of June, 1983 at 10:45 o'clock A.M.

Zoning Commissioner of Baltimore County.

Z.C.O.—No. 1

(over)

ORDER RECEIVED FOR FILING
DATE May 12, 1983
BY

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE

PETITION AND SITE PLAN

EVALUATION COMMENTS

Newton A. Williams, Esquire
Nolan, Plumhoff & Williams, Chartered
204 W. Pennsylvania Avenue
Towson, Maryland 21204

cc: Lapicki & Smith Assoc.
617 Park Avenue
Baltimore, Maryland 21201

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 12th day of May, 1983

WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Doe, Inc. et al

Petitioner's Attorney Newton A. Williams Reviewed by: Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No 122986

DATE 11/28/83 ACCOUNT R-01-615-000

AMOUNT $110.00

RECEIVED FROM John C. Murphy, Esquire

FOR Appeal Fee on Case #83-288-XSPHA
(Doe, Inc., et al)

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 122989

DATE 11/28/83 ACCOUNT R-01-615-000

AMOUNT $110.00

RECEIVED FROM People's Counsel

FOR Appeal fee on Case #83-288-XSPHA
(Doe, Inc., et al)

VALIDATION OR SIGNATURE OF CASHIER

BUREAU OF ENGINEERING - BALTIMORE COUNTY, MD

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 13, 1983

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

Nicholas B. Commodari
Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Newton A. Williams, Esquire
Nolan, Plumhoff & Williams, Chartered
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Case #83-288-XSPHA (Item No. 157)
Petitioner - Doe, Incorporated, et al
Special Exception, Special Hearing
and Variance Petitions

Dear Mr. Williams:

The County Review Group (CRG) has reviewed the plans submitted with the above referenced petition, and their comments have been substituted for the comments from the Zoning Plans Advisory Committee where applicable. 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.

In view of your proposal to construct a large two wing office building and provide required parking in the R.O. zoned portion of this site, the special exception is required. The variance for amenity open space is required if the special hearing is denied i.e. if it is determined that part of the required amenity open space for the proposed office building in the R.O. zone cannot be provided in the D.R. 5.5 zoned portion of this site.

The revised site plan that was submitted satisfies the comments from this office. However, as you are aware said plan was not approved by the County Review Group, but the hearing was scheduled anyway at your request.

This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:mch

Enclosures

cc: Lapicki & Smite Assoc.
617 Park Avenue
Baltimore, Maryland 21201

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

June 21, 1983

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

Dear Mr. Hammond

Comments on Item # 157 REVISED Zoning Advisory Committee Meeting June 7, 1983
are as follows:

Property Owner: Doe, Inc. & Glendalough, Inc.
Location: SW/S New Bosley Av. 366.81' S/E from centerline of Chesapeake Ave.
Existing Zoning:
Proposed Zoning:

Acres:
District:

The items checked below are applicable:

A. All structure shall conform to the Baltimore County Building Code 1981/ Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.

B. A building/and other miscellaneous permits shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0 of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, See Table 401, line 2, Section 1407 and Table 1402.

F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____.

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

I. Comments: The Building Code no longer recognizes ½ stories, see Table 505. Previous comments are still applicable. Compliance to State Handicapped Code has not been shown on plans concerning curb cuts, elevator locations, points of building entrance, handicapped parking signs, etc.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.
If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204.

Very truly yours,

Charles E. Burnham, Chief
Plans Review

CEB:rrj

FOR: 01-82

APR 23 1985

Pursuant to the advertisement, posting of property, public hearing, and at the request of the petitioner, to approve a Class B office site plan which utilizes a small D.R.5.5 portion on the same lot as a part of the amenity open space requirement is hereby DENIED.

Jean M.H. Jung
Deputy Zoning Commissioner of
Baltimore County

Date: October 24, 1983

Pursuant to the advertisement, posting of property, public hearing, and at the request of the petitioner, the Petition for Variance to permit an alternate amenity open space of 21% in lieu of the required 25% of the gross site area is hereby DENIED.

Jean M.H. Jung
Deputy Zoning Commissioner of
Baltimore County

Date: October 24, 1983

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Sections 502.1 and 203.2 of the Baltimore County Zoning Regulations having been met, and the health, safety, and general welfare of the community not being adversely affected, and the special exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 24th day of October, 1983, that the herein Petition for Special Exception for a Class B office building, in accordance with the site plans prepared by Lapicki/Smith Associates, P.A., dated June 22, 1983, and marked Petitioner's Exhibit 3a and b, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following:

1. No medical or dental offices shall be permitted, and the hours of operation shall not exceed 8:00 p.m., Monday through Friday, and 5:00 p.m. Saturday.
2. The buildings shall have the outward appearance of being two-story as viewed from Old Bosley Avenue.
3. There shall be no access to the site from Old Bosley Avenue.
4. Compact screen planting, a minimum of four feet high as shown on Petitioner's Exhibit 3 b plus major deciduous trees planted a minimum of 30 feet apart, shall be installed along the west and south sides of the property.
5. Lighting shall be arranged so as to reflect the light away from residences and shall be of the cut-off variety no more than 12 feet high.
6. The adjoining property, 221 Old Bosley Avenue, shall be maintained as a residence.
7. A revised site plan shall be submitted for approval by the Office of Planning and Zoning.
8. No building permits shall be issued until the expiration of any and all appeal periods.

ORDER RECEIVED FOR FILING
DATE October 24, 1983
BY Mary Campagna (Clerk)

Jean M.H. Jung
Deputy Zoning Commissioner of
Baltimore County

COUNTY REVIEW GROUP MEETING
Thursday, February 10, 1983

OFFICE BUILDING - 215 BOSLEY AVENUE

COUNTY REVIEW GROUP - THOSE PRESENT*

Gilbert S. Benson, Chairman	- Department of Public Works
Dan Mattison	- Bureau of Public Services
Susan Carroll	- Office of Planning
Gregory Jones	- Traffic Engineering
Art Putzel	- Economic Development Commission
Newton Williams	- Attorney for Developer
Don Smith	- Lapicki/Smith Associates, P.A.
Charles E. Fick	- G. W. Stephens, Jr. & Associates

*Attachment - List of interested citizens

The meeting was called to order by the Chairman, Gilbert S. Benson, at 9:00 a.m.

Mr. Newton Williams, attorney for the developer, presented the plan and stated that they propose to improve this site with an office building three stories high. They propose to remove the existing dwellings and provide additional parking as shown. Access to this site will be from Bosley Avenue. At the south end of the site, it is proposed to remove the houses and place trees or other landscaping materials within this area. Landscaping is also proposed throughout the site and as shown on the plan. The building from the Old Bosley Avenue road will appear as a two-story office building due to the topography within this site. Handicap parking has been provided from this building and proper screening is being provided as requested by Baltimore County. The building is being designed to be compatible with the neighborhood; i.e., exterior walls, roof style, etc. It is proposed to do some grading within County property; however, this will require the approval of Baltimore County.

Dianne Itter presented written comments from the Office of Zoning and stated that a Special Exception and Variance Hearing is required for this site and developer must file for this hearing. This tract of land is zoned RO, and the plan generally meets the requirements for a Class "B" building. There are several requirements, however, that have to be met. The amenity open space must be provided. All parking must be adequately screened from residential or institutional premises which are adjoining or across the

---

the street from this site. The elevation drawings are required that would show the average height of the building not to exceed 35 feet. A special hearing for parking in the DR 5.5 zone, which is a portion of the property adjoining the Hitchcock property, would not be feasible due to the residential transition area requirements. Developer may request re-zoning this property to RO through the 1984 maps in order to utilize this area for parking.

Greg Jones presented written comments from Traffic Engineering and stated that the northernmost entrance needs to be redesigned with a right turn in and out only island. The intersection of the Bosley Property with the criminal detention facility access needs to be redesigned to provide two approach lanes.

Susan Carroll presented written comments from the Office of Planning and stated that the soils within this area have limitations, and mitigative measures must be addressed during the processing of this subdivision. The tract of land at the intersection of Old Bosley Avenue and Baltimore Avenue must be identified as owned by Baltimore County. The parking area on the east side of Old Bosley Avenue must be properly landscaped and buffered from the residents directly across the street. A detailed landscape plan will be required at the time of the building permit. Grading within the area owned by Baltimore County, as shown on the plan, must be approved by Baltimore County and easements obtained for the grading within this area. A more detailed plan must be provided with the proposed slopes adjacent to the Hitchcock property. The Office of Planning is concerned about the effects of the grading and the slopes on the adjacent home site.

Health Department submitted written comments stating that this plan can be approved as submitted.

Department of Permits & Licenses submitted written comments stating that based on the plan submitted, we cannot determine if the building is in compliance with the Code. This building must be designed to comply with the Baltimore County Building Code. Curb ramps, handicap signs, access points to the building, must comply with handicap requirements. Separate permits for structural grading, paving, lighting, and razing shall be required.

Dan Mattison presented written comments from the Developers Engineering Division and stated that the roads along the frontages of this site are improved roads and curb cuts will require permits to be acquired from the Bureau of Public Services. Public water and sewer exist and can be made available by connections. This site will, however, discharge sewage into the Towson Run Interceptor which is currently overloaded at certain locations. The Department of Public Works has redesigned a relief sewer to correct this problem. Construction is proposed to be in 1984 for this relief sewer. Storm water management has been waived, but sediment control requirements apply at the time of construction. Storm drain improvements are the developer's full responsibility.

BUREAU OF ENGINEERING - BALTIMORE COUNTY, MD

CITIZENS' COMMENTS

Mr. John Murphy, representing the residents of the Southland Hill Improvement Association, stated that the buffering and landscaping within this site must be within the RO zone, not the DR zone as shown on the plan. He stated that the proposed building will be a large building opposite individual homes located on Old Bosley Avenue, and this was a concern to the residents of this area.

Mr. David Gregory was concerned about screening being inadequate along Old Bosley Avenue and also at the south end of the property. He further stated that this proposed building presented a very large office building mass and was not compatible with the area. He presented cross sections, profiles, pictures and other data to show that this building would not be desirable for this location.

It was stated by the Committee that the land would be restudied by developer's engineer and architect with reference to grading, landscaping and screening, and the building would be restudied also as to design.

Written comments by the following agencies were presented to the developer and developer's engineer: Developers Engineering Division, Permits & Licenses, Health, Planning, Zoning, Traffic Engineering.

Developer's engineer to restudy this plan and to meet with the Office of Planning regarding the revision or changes to the plan.

A continued meeting will be scheduled for this site upon the presentation of the revised plan.

OFFICE BLDG. - 215 BOSLEY AVE.
February 10, 1983
9:00 a.m.

C. R. G. MEETING AGENDA

1. Convene Meeting
2. Introductory statement concerning aims and goals of development regulations
3. Introduction of County representatives
4. Presentation of Plan by developer's representative
5. Comments of County agencies
6. Citizens' comments
7. Adjourn Meeting

SIGN IN

Name	Address
John C. Murphy	9 W Hamilton St. Baltimore, Md. 21201
Attorney for Southland Hills	794-3000
Edward K. Kraus	3 Bubbenridge Ct. 21204
Donna Pitcavage	305 Towson Rd. 21204
[illegible]	212 Bosley Ave. 21204
Henry C. Reckard	[illegible]
[illegible]	320 Dixie Dr. 21204
Rocco G. DiCenzo - Southland Hills Improvement	21 Dixie Dr. 21204
Honey A. [illegible]	301 Florida Ct. 21204
Philip M. Brown	617 Park Ave. Towson
Albert G. Winchester	[illegible]
[illegible]	[illegible]
James D. [illegible]	[illegible]
[illegible]	307 Colgate Ct.
David L. Gregory	202 Chilmark Ct.

C. R. G. MEETING AGENDA

1. Convene Meeting
2. Introductory statement concerning aims and goals of development regulations
3. Introduction of County representatives
4. Presentation of Plan by developer's representative
5. Comments of County agencies
6. Citizens' comments
7. Adjourn Meeting

SIGN IN

Name	Address
[illegible]	[illegible]
[illegible]	[illegible]

APR 23 1985

COUNTY REVIEW GROUP MEETING

Thursday, May 26, 1983

OFFICE BUILDING - 222 BOSLEY AVENUE

COUNTY REVIEW GROUP - THOSE PRESENT*

Gilbert S. Benson, Chairman	- Dept. of Public Works
E. A. Bober	- Office of Planning & Zoning
Diana Itter	- Office of Zoning
Greg Jones	- Traffic Engineering
Robert Covahey	- Developers Engineering Division Bureau of Public Services
Charles E. Fick	- G. W. Stephens, Jr. & Associates
Donald W. Smith	- Lapicki/Smith Assoc., P.A.
Albert G. Winchester	- Lapicki/Smith Assoc., P.A.
Newton Williams, Esq.	- Attorney for Developers
James D. Nolan	- Developer
Dolores M. Nolan	- Developer

*Attachment - List of interested citizens

Mr. Benson, Chairman of the County Review Group, called this meeting to order at 9:00 a.m.

Mr. Newton Williams, attorney for the developer, presented the plan. The new building proposed would be the same height as the existing home and will front on Bosley Avenue. All access is proposed from Bosley Avenue with no access being proposed from Old Bosley Avenue. They have an agreement between Baltimore County and the owners stating that the entrance that now serves the old jail would be made available and improved at County expense to serve this property. A copy of this agreement was submitted to Baltimore County for record. A cross section of this property and the slopes and grades within this site were also presented.

Mr. Bober presented written comments from the Office of Planning. This plan had been reviewed by the Committee, and it was found that this building was not compatible with the existing neighborhood. He further stated that amenity open space is not sufficient, the type of design was not acceptable, the access from the jail access was a concern, and the grade within this site is to be minimized. Mr. Bober also stated that this plan would be denied today because of incompatibility with the houses on Old Bosley Avenue. (See the Office of Planning & Zoning's comments dated May 26, 1983 for details.)

Diana Itter presented written comments from the Office of Zoning. A special exception hearing is scheduled for June 23, 1983 for this site. Special exception is for

a Class B office building in an RO zone. A special hearing also was filed to determine whether DR zoned land can be included in amenity open space requirements. Ms. Itter further stated that it is intended that buildings and uses in RO zones shall be highly compatible with present and prospective uses of nearby residential properties.

Greg Jones presented written comments from Traffic Engineering. Entrance to the jail house road needs to be improved as shown on the plan in red by Traffic Engineering. Elimination of parking space next to proposed office building is being requested. Radius for curb returns to be increased.

Bob Covahey presented written comments from Developers Engineering Division. Previous minutes and comments from February 10, 1983 are still valid. Permission has been requested by this office from the Sheriff's Office with reference to access to jail entrance and proposed grading within the County owned property adjacent to the jail. Answer will be forthcoming.

Dept. of Permits & Licenses submitted written comments stating that the location of the elevator to be noted on the plan. Show location of handicap parking to walkways, curb cuts and signs. This structure must comply with all Building Code regulations.

CITIZENS' COMMENTS

Mr. DiLonardo expressed concern that the property is being over developed and that a scaled down building would be much more compatible with the neighborhood. Developer should not use DR 5.5 zoning for the open space for this office building.

Mr. David Gregory stated that this use was not compatible with the neighborhood and the RO zoning. He felt that a small building and less parking should be at this location should be provided. He would prefer to see housing at this location rather than an office building which would be more in keeping with the community. Mr. Gregory was also concerned about the maintenance of the office building if constructed at this location.

Mr. Donald Smith, developer's architect, stated that the entrances have been adjusted on this plan agreeing that a parking lot should be changed to reduce filling, additional screening has been planned along Old Bosley Avenue, and additional landscaping has been provided within this site.

* * * * * * *

Mr. Bober summarized the meeting by stating that this plan was being disapproved. The minutes and comments for this site will be submitted to the Zoning Office for the scheduled hearing. Decision of the C.R.G. may be appealed to the Board of Appeals within 30 days.

The meeting was adjourned at 10:30 a.m.

OFFICE BLDG.- 222 BOSLEY AVE.
9:00 a.m.
May 26, 1983

CONTINUED MEETING

C. R. G. MEETING AGENDA

1. Convene Meeting
2. Introductory statement concerning aims and goals of development regulations
3. Introduction of County representatives
4. Presentation of Plan by developer's representative
5. Comments of County agencies
6. Citizens' comments
7. Adjourn Meeting

SIGN IN

Name	Address
Josephine Brink	302 Colonial Ct.
Billie Spicer	216 Bosley Ave
Nancy E. Brink	302 Colonial Ct
Wilmer B. Kobler	306 Colonial Ct.
Henry B. Rieckord	212 Bosley Ave 21204
Henry A. Knott Jr	21 Dixie Dr. 21204
Karen Robins	402 Carolina Rd 21204
David L. Gregory	307 Colonial Ct. 21204
* Rudy G. DiLonardo	377 Dixie Dr 21204
K. C. Thurston	6184 Chesapeake Rd 21204

Project #83009
Office Building - 215 Bosley Avenue
Page 2
February 9, 1983

HIGHWAY COMMENTS: (Cont'd)

Street lights exist along Bosley Avenue and Old Bosley Avenue.

Sidewalks are existing.

STORM DRAINS, SEDIMENT CONTROL AND STORM WATER MANAGEMENT COMMENTS:

The Developer 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 Developer.

Development of this property through stripping, 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 stripping of top soil.

In accordance with Baltimore County Council Grading Ordinance (Bill No. 10-77), a grading plan shall be approved and a Performance Bond posted prior to issuance of a grading permit. The number of square feet of land disturbed shall be indicated on the sediment control drawing.

Grading on County property beyond the limits of the site will be subject to approval by the appropriate County agency involved.

Storm water management has been waived for this site.

WATER AND/OR SANITARY SEWER COMMENTS:

The layout of the proposed fire hydrant from a service lead will not be permitted.

Water mains outside of public rights-of-way serving a proposed site improvement are considered private and shall be the Developer's full responsibility for construction and maintenance.

Onsite private water mains shall be metered at the public source. The size and design of the meters shall conform with Baltimore City Standards. Permission to obtain a metered connection may be obtained from the Department of Permits and Licenses.

This site will discharge sewage into the Towson Run Interceptor, which is currently overloaded at certain locations. The Department of Public Works has under design a relief sewer to alleviate this problem. Construction funds are proposed for this project in the 1983-84 Budget, with construction anticipated in 1984.

Project #83009
Office Building - 215 Bosley Avenue
Page 3
February 9, 1983

WATER AND/OR SANITARY SEWER COMMENTS: (Cont'd)

The Developer is entirely responsible for the construction, and the cost of the construction and maintenance, of his onsite private sanitary sewerage, which must conform with the Baltimore County Plumbing Code.

The Developer is responsible for the cost of capping or plugging any existing house connection not used to serve the proposed site.

The Developer will be given credit for the System Connection Charge for each existing house which is now connected to the public services.

This property is subject to a Water and/or Sewer System Connection Charge. The total Water and/or Sewer System Connection Charge is determined, and payable, upon application for the Plumbing Permit. This Charge is in addition to the normal front foot assessment and permit charges.

* * * * * *

The Plan is approved as shown.

EDWARD A. MCDONOUGH, P.E., Chief
Developers Engineering Division

EAM:DFM:ss

cc: File

BALTIMORE COUNTY, MARYLAND

SUBJECT: SUBDIVISION REVIEW COMMENTS DATE: May 23, 1983

FROM: Edward A. McDonough, P.E., Chief
Developers Engineering Division

PROJECT NAME: Office Building - 222 Bosley Avenue

PROJECT NUMBER: #82009

LOCATION: Bosley Avenue and Old Bosley Avenue

DISTRICT: 9C4

The Plan for the subject site, dated February 1, 1983, with the latest revision dated May 12, 1983, has been reviewed by the Developers Engineering Division and we comment as follows:

GENERAL COMMENTS:

The Plan as submitted is recommended for approval subject to permission from the Sheriff's Office of Baltimore County for the proposed entrance from the old jail access road and for the proposed grading on the County owned property.

EDWARD A. MCDONOUGH, P.E., Chief
Developers Engineering Division

EAM:REC:ss

cc: File

BALTIMORE COUNTY, MARYLAND

SUBJECT: SUBDIVISION REVIEW COMMENTS DATE: February 9, 1983

FROM: Edward A. McDonough, P.E., Chief
Developers Engineering Division

PROJECT NAME: Office Building - 215 Bosley Avenue

PROJECT NUMBER: #83009

LOCATION: Bosley Avenue and Old Bosley Avenue

DISTRICT: 9C4

The Plan for the subject site, dated January 10, 1983, has been reviewed by the Developers Engineering Division and we comment as follows:

HIGHWAY COMMENTS:

Bosley Avenue and Old Bosley Avenue are existing roads, which will not require any additional improvements.

All of the interior roadways and parking areas within this site shall be private and shall be the Developer's full responsibility for construction and maintenance.

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 35 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 (Detail R-32, 1977 Edition), as the Developer's total responsibility.

Prior to removal of any existing curb for entrances, the Developer shall obtain a permit from the Bureau of Public Services, Attention: Mr. C. E. Brown, 494-3321.

It shall be the responsibility of the Developer's engineer 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. The Developer shall be responsible for the submission of all necessary plats and for all costs of acquisition and/or abandonment of these rights-of-way.

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
FROM: OFFICE OF PLANNING AND ZONING DATE: February 10, 1983

PROJECT NAME: TWO HUNDRED FIFTEEN BOSLEY AVENUE

COUNCIL & ELECTION DISTRICT IX-394

PLAN	XXXXXXXXXXXXXXXXXX
PLAN EXTENSION	
REVISED PLAN	
PLAT	

The Office of Planning and Zoning has the following comments on the subject plan:

According to the Baltimore County Soil Survey, GIB (Glenely Urban Land Complex) has moderate limitations for development of streets and parking lots due to slope. Adequate measures which would mitigate the effects of this limitation will be required prior to the approval of building permits. It is the intended purpose to identify soil limitations on the Plan, and mitigative measures must be addressed in subsequent processing phases.

The ownership of the triangular parcel located between Bosley Avenue and Old Bosley Avenue adjacent to this site must be identified as Baltimore County.

The parking area on the east side of Old Bosley Avenue must be heavily landscaped and buffered from the residences directly across the street. A detailed landscape plan will be required at the time of building permit processing.

The plan shows proposed grading on the adjacent property owned by Baltimore County on which exists the vacant criminal detention facility. It must be clarified as to whether easements for grading have been obtained from Baltimore County.

More detail is required regarding the treatment of the proposed slopes adjacent to the Douglas M. Hitchock property. This office is concerned about the effects of proposed grading and resulting slopes on this adjacent homesite.

Susan Carrell (R.H.)
Susan Carrell

SC:rh

BUREAU OF ENGINEERING - BALTIMORE COUNTY, MD.

APR 23 1985

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
FROM: OFFICE OF PLANNING AND ZONING

DATE: May 26, 1983

PROJECT NAME: 222 BOSLEY AVENUE
COUNCIL & ELECTION DISTRICT: IX-194

CONTINUED PLAN: XXXXXXXXXXXXXX
PLAN EXTENSION:
REVISED PLAN:
PLAT:

The Office of Planning and Zoning has reviewed the subject plan and has the following comments:

The purpose of the continued CRG meeting is to determine if the subject property is compatible with the adjacent residential community. Under the provisions of Section 22-104, the development of property in the R.O. zone must be compatible with surrounding uses and amenity for the residentail neighborhood. The R.O. zone is supposed to serve as a transition between the intensity of the non-residential development and the existing neighborhood.

This office has reviewed the subject plan and concludes that the proposed development is not compatible with the neighborhood and the Plan cannot be approved as proposed. The reasons are as follows:

1. The proposed grade change on the south side is excessive and will have an adverse effect on the Hitchock property.
2. The proposed berm and landscaping is not sufficient to achieve an effective buffer. The existing dwelling on the site adjacent to the Hitchock property should remain to function as a buffer between the residential use and the office use. This would minimize the visual intrusion into the residential area.
3. The proposed office building is too large and is out of character with existing housing along Old Bosley Avenue. An alternate design is suggested which would locate the building with the appearance of townhouses with court yards fronting on Old Bosley Avenue.
4. The proposed parking lot is too large and too close to the houses on Old Bosley Avenue. The parking should be located on and oriented to Bosley Avenue rather than on Old Bosley Avenue. The parking lot should be located away from existing housing.
5. The required amount of amenity open space should be provided within the R.O. zoned area.

A copy of the deed agreement with Baltimore County relative to use of the development center access road must be submitted to be part of the plan file. The amount of fill and grading on County owned property adjacent to the entrance should be further addressed.

The Baltimore County Soil survey indicates an area of Glenville Soils (GuB) on a portion of this site. This soil has severe limitations for development due to a high water table. This must be further addressed.

Eugene A. Bober 5/26/83

Jan. 21, 1983
Date

COUNTY REVIEW GROUP
COMMENTS ON PROPOSED SUBDIVISION PLANS
BALTIMORE COUNTY DEPARTMENT OF HEALTH

215 Bosley Ave.
Subdivision Name, Section and/or Plat

James O. Nolan — Lapicki / Smith and Assoc.
Developer and/or Engineer

Watershed	No. of Lots or Units	Total Acreage	Water	Sewer
Towson Branch	1	1	Public	Public

COMMENTS ARE AS FOLLOWS:

____ Soil percolation tests are required; a minimum of two tests are required within a designated 10,000 square foot sewage disposal reserve area. After soil tests have been conducted, the engineer and/or developer is responsible for meeting with the Health Department to determine any needed revisions and submitting three (3) final prints of acceptable plans.

____ Soil percolation tests have been conducted. Revised plans ____ must be submitted prior to approval of plats; ____ are not required and the plat can be approved as submitted. Contact this office at 494-2762 for more complete information.

X Public sewers must be utilized and/or extended to serve the property.

____ No sewage disposal area shall be located within ____ feet of any perennial stream or body of water or within a 100-year floodplain and must be 10 feet removed from any easement or property line.

____ Wells must be located a minimum distance of ____ from any sewage disposal areas, 100 ft. from any wells, 40 ft. from dwellings, 10 ft. from property lines, 15 ft. from road widening easements, and must be positioned at a higher elevation than the sewage disposal area on the same lot.

X Public water must be utilized and/or extended to serve the property.

____ Due to a possible seasonal change in the groundwater table, soil tests must be conducted between February 1 and April 30.

____ Sewage disposal areas must not be placed on slopes of 25% or greater.

COUNTY REVIEW GROUP
COMMENTS ON PROPOSED SUBDIVISION PLANS
BALTIMORE COUNTY DEPARTMENT OF HEALTH
Page 2

X A Hydrogeological Study and Environmental Effects Report for this subdivision, ____ must be submitted, ____ must be updated, X can be waived, ____ must be revised.

____ A Water Appropriation Permit Application must be submitted.
Note: Greater than 33 lots necessitates a public hearing with Water Resources Administration as part of the permit process.

____ Locate all existing bodies of water, wells and septic systems within the property and within 100 feet of the exterior property line.

____ The developer must contact this office at 494-2762 to arrange for a meeting to discuss needed revisions prior to application for percolation tests.

X This plan can be approved as submitted.

____ This plan cannot be approved at this time. See checked revisions and/or comments.

SS 782

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
FROM: ZONING

DATE: February 10, 1983

PROJECT NAME: Office Building
LOCATION: 222 Bosley Avenue
DISTRICT: 9th Election District

PLAN: ✓
DEVELOPMENT PLAN:
PLAT:

1. To date, the special exception and variance hearings have not been filed with this office.
2. This plan generally meets the R.O. requirements for a Class B building provided the following requirements are met:
   a. Elevation drawings must be provided which show that the average height of the building will not exceed 35 feet.
   b. The required amenity open space must be provided in the R.O. unless a variance is requested. The special hearing regarding amenity open space is not necessary.
   c. All parking areas must be adequately screened from residential or institutional premises which are adjoining or across the street from the site.
   d. A special hearing for parking in a D.R. 5.5 zone, on that portion of the site adjoining the Hitchock property would not be feasible due to residential transition area requirements. It would be possible to request rezoning to R.O. through the 1984 maps in order to utilize that area for parking.

DIANA ITTER
Zoning Associate III

DI:bsc

7/82bsc

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
FROM: ZONING

DATE: May 26, 1983

PROJECT NAME: Office Building
LOCATION: 222 Bosley Avenue
DISTRICT: 9th Election District

PLAN: Revised (Cont'd meeting)
DEVELOPMENT PLAN:
PLAT:

1. A special exception, variance and special hearing was filed on February 15, 1983 with this office. The special exception is for a Class B Office Building in an R.O. zone, the variance to the amenity open space requirements to permit 21% of the total R.O. gross site area to be amenity open space and the special hearing to determine whether D.R. zoned land can be included in the minimum amenity open space requirements.

The revised site plan meets the comments made at the previous CRG meeting.

It should be noted that in order for the Zoning Commissioner to grant a special exception for a Class B Office Building the petitioner must meet the requirements of Section 502, and the legislative intent of the R.O. zone, Section 203.2. "The R.O. zoning classification is established.... to accommodate houses converted to office buildings and some small Class B office buildings in predominately residential areas....It is intended that buildings and uses in R.O. zones shall be highly compatible with the present or prospective uses of nearby residential property." A Class B Office Building is defined as having a floor area ratio of no more than .5, and being no higher than 35 feet.

DIANA ITTER
Zoning Associate III

DI:bsc

7/82bsc

BALTIMORE COUNTY, MARYLAND

TO: Mr. Robert Morton
FROM: C. Richard Moore
SUBJECT: C.R.G. COMMENTS

DATE: February 9, 1983

PROJECT NAME: Office Building, 215 Bosley Ave.
PROJECT NUMBER & DISTRICT: 9C4
LOCATION: Bosley Avenue and Old Bosley Ave.

C.R.G. PLAN: X
DEVELOPMENT PLAN:
RECORD PLAT:

The northernmost entrance needs to be designed with a right turn in and out only island. Also, the intersection of Bosley Avenue and the jailhouse road need to be designed to provide 2 approach lanes. Also, there should be 4ft. between the curb and the proposed porch on the jailhouse road.

C. Richard Moore
Asst. Traffic Engineer

CRM/GMJ/ccm

BALTIMORE COUNTY, MARYLAND

TO: C. Mr. Robert Morton
FROM: C. Richard Moore
SUBJECT: C.R.G. COMMENTS

DATE: May 24, 1983

PROJECT NAME: 222 Bosley Avenue Building
PROJECT NUMBER & DISTRICT:
LOCATION: Bosley Avenue and Old Bosley Avenue

C.R.G. PLAN: X
DEVELOPMENT PLAN:
RECORD PLAT:

The entrance on the Jail House Road needs to be improved by eliminating the first space next to the proposed office building.

C. Richard Moore
Acting Deputy Director

CRM/GMJ/ccm

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

March 30, 1983

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Doe, Incorated and Glendalough, Incorporated

Location: SW/S New Bosley Avenue 366.81' S/E from centerline of Chesapeake Avenue

Item No.: 157 Zoning Agenda: Meeting of March 1, 1983

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 or ____ 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 shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(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", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Planning Group — Special Inspection Division

Noted and Approved: Fire Prevention Bureau

JK/mb/cm

APR 23 1983

BUREAU OF ENGINEERING - BALTIMORE COUNTY, MD.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Joseph Warfied - C.R.G. Date January 24, 1983

FROM C.E. Ted Burnham, Building Plans Review Chief

SUBJECT Office Building, 215 Bosley Avenue, Dist. 9 Ch
Bosley Avenue and Old Bosley Avenue

1. Since only a site plan is available at this time, we cannot determine if the exiting from the building is in compliance with the code. Additionally it cannot be determined if the structure/s comply with the elevator requirements of the State Handicapped Code. It is always possible changes in design to satisfy these two areas, could require an exterior design change that could effect the building's final shape.

2. Handicapped signs shall be in compliance with the code (on metal post at each space). Curb ramps, Curb cuts from parking spaces to sidewalks, curb cuts at street and sidewalks. Building access points for Handicapped shall all be shown on plans.

3. Separate permits for structure, grading, paving, lighting, razing, etc., shall be required before construction begins.

4. Full comments on structure will be made by this department when application for a permit is applied for.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. Joseph Warfield
Department of Public Works Date May 9, 1983

FROM Building Plans Review

SUBJECT 222 Bosley Ave., Dist. 9Ch

1. It would appear because of the number of floors, one or both buildings will require an elevator, depending on access between the two structures. The elevator location shall be noted on the plans. See Section .06, Interior Access of the Code of Maryland, Regulations .05.01.07.

2. The note added to the plan since my original comments, should indicate proper construction type such as 2-c, 3-c, 2b, etc., see Section 401.0 B.O.C.A. 1981 Edition.

3. Show ramps from handicapped parking spaces to walkways, show handicapped parking signs for each space, show curbcuts.

4. All current improvements to lot that are to be razed, require a razing permit.

5. Advisory: See Section 510.0 B.O.C.A. 1981, regarding possible projects from the building and street lot lines or building lines.

These comments are the result of viewing of the proposed site plan only as revised of 4/22/83, and are not intended to be interpreted as an approval or denial of the proposed structures. A full review of the construction drawings will be performed when the project is submitted for a building permit.

Charles E. Burnham
Plans Review Chief

djl

RECEIVED
MAY 11 1983
BUREAU OF PUBLIC SERVICES

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
SW/S of New Bosley Ave., 366.81'
S of Chesapeake Ave., 9th District

: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY

DOE, INC., et al., Petitioners : Case No. 83-288-XSPHA

:::::::

ORDER FOR APPEAL

Mr. Commissioner:

Please note an appeal from the decision of the Deputy Zoning Commissioner in granting a special exception in the above-entitled matter, under date of October 24, 1983, to the County Board of Appeals and forward all papers in connection therewith to said Board for hearing.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hessian, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 21st day of November, 1983, a copy of the foregoing Order for Appeal was mailed to Newton A. Williams, Esquire, 204 W. Pennsylvania Ave., Towson, MD 21204; and John Murphy, Esquire, 9C West Hamilton, Baltimore, MD 21201.

John W. Hessian, III

NOV 21 AM

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
SW/S of New Bosley Ave., 366.81'
S of Chesapeake Ave., 9th District

: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY

DOE, INC., et al., Petitioners : Case No. 83-288-XSPHA

:::::::

ORDER TO ENTER APPEARANCE

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 therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hessian, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 13th day of June, 1983, a copy of the foregoing Order was mailed to Newton A. Williams, Esquire, and Nolan, Plumhoff & Williams, Chartered, 204 W. Pennsylvania Ave., Towson, MD 21204.

John W. Hessian, III

APPLICATION OF DOE, INC., GLENDALOUGH, INC. and JAMES D. NOLAN
215-219 Bosley Avenue

ZONING COMMISSIONER
OF
BALTIMORE COUNTY

* *

NOTICE OF APPEAL

Please enter an appeal to the Board of Appeals on behalf of Southland Hills Improvement Association of Baltimore County Inc., Towson, Maryland 21204, Philip M. Kenney, 301 Colonial Court, Towson, Maryland 21204 and Ronald G. DiLonardo, 320 Dixie Drive, Towson, Maryland 21204, from the Decision of the Deputy Zoning Commissioner attached hereto, granting a special exception for the above property.

JOHN C. MURPHY
9 West Hamilton Street
Baltimore, Maryland 21201
752-2280
Attorney for Appellants

I HEREBY CERTIFY, that on this 18th day of November, 1983, copies of the foregoing Notice of Appeal were mailed to George A. Nilson, Esquire, c/o Piper & Marbury, 36 South Charles Street, Baltimore, Maryland 21201, Newton A. Williams, Esquire, 204 West Pennsylvania Avenue, Towson, Maryland 21204, and John W. Hessian III, Esquire, 100 West Pennsylvania Avenue, Towson, Maryland 21204.

JOHN C. MURPHY

494-3180

COUNTY BOARD OF APPEALS
Room 219 Court House
Towson, Md. 21204

March 1, 1984

Hearing Room 218

NOTICE OF POSTPONEMENT

CASE NO. CBA-83-118 — NOLAN PROPERTY
222 Bosley Avenue
9th District
Re: CRG decision

AND

CASE NO. 83-288-XSPHA — DOE, INC., ET AL
SW/S New Bosley Ave., 366.81'
S. of Chesapeake Ave.
9th District
SE - Class B Office Building

Assigned for hearing on WEDNESDAY, MARCH 7, 1984, at 10 a.m. and THURSDAY, MARCH 8, 1984, at 10 a.m., have been POSTPONED by the Board at the request of Counsel for the Petitioners.

cc: George A. Nilson, Esq. — Counsel for Petitioners
Doe, Inc., et al — Petitioners
John C. Murphy, Esq. — Counsel for Protestants-Appellants (Southland Hills Imp. Assn., et al)
People's Counsel
T. J. Bollinger, Esq. — Office of Law
N. Gerber
J. Hoswell
J. Dyer
J. Jung
A. Jablon
E. Bober
H. Pistel
R. Morton
Charles Hickey, Jr.

June Holmen, Secy.

Notified of appeal hearing scheduled for ~~TUESDAY, JANUARY 10, 1984 at 10 a.m.~~ Postponed
~~WEDNESDAY, MARCH 7, 1984 at 10 a.m.~~
~~THURSDAY, MARCH 8, 1984 at 10 a.m.~~ out

George A. Wilson, Esquire
Doe, Inc., et al
John C. Murphy, Esquire
John W. Hessian, III, Esquire
N. E. Gerber
J. G. Hoswell
J. E. Dyer
Jean M.H. Jung
A. Jablon

1/11/84 Postponed
The Petitioners will advise in 2 to 3 weeks whether or not case is to go forward on 3/7-8
3-1-84 - Petitioners letter cancelled per letter

ok Jan 10 postponed out for Murphy 3/7-8
Murphy - 752-2280

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
TELEPHONE (301) 823-7800

J. EARLE PLUMHOFF
NEWTON A. WILLIAMS
WILLIAM M. HESSON, JR.
THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR.
STEPHEN J. NOLAN
G. SCOTT BARNIGHT
ROBERT L. HANLEY, JR.

December 2, 1983

Honorable William T. Hackett
County Board of Appeals
Court House
Towson, Maryland 21204

Honorable Arnold Jablon
Office of Planning & Zoning
Baltimore County
Towson, Maryland 21204

Re: Petitions for Special Exception, Special Hearing and Variance, SW/S of New Bosley Avenue, 336.81' S of Chesapeake Avenue
Doe, Inc., et al - Petitioners
Case No. 83-288 - XSPHA

Dear Chairman Hackett and Commissioner Jablon:

We have just recieved Mr. Jablon's letter of November 28, 1983, noting Appeals by Mr. Hessian of the People's Counsel, as well as by Mr. Murphy, Esquire on behalf of the Southland Hills Improvement Association of Baltimore County, Inc.

As the Board is aware, George Nilson, Esquire and Piper and Marbury have entered their appearance on behalf of the Petitioners in this matter, and accordingly please accept this letter as notice to all parties that I am striking my appearance, and the appearance of our firm from the matter.

It will be greatly appreciated if all future correspondence directed to the Petitioners Counsel will be directed to Mr. Nilson, Esquire at Piper and Marbury.

Best regards of the holiday season to all.

Respectfully,

Newton A. Williams

NAW:llb
cc: John C. Murphy, Esquire
John W. Hessian, III, Esquire
Mr. George Nilson
Mr. and Mrs. James D. Nolan

Rec'd 12/6/83

APR 23 1985

494-3180

County Board of Appeals
Room 200, Court House
Towson, Maryland 21204

December 19, 1983 (Hearing Room #218)

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. CBA-83-118 NOLAN PROPERTY
222 Bosley Avenue
9th District
Re: CRG decision

AND

CASE NO. 83-288-XSPHA DOE, INC., ET AL
SW/S New Bosley Ave. 366.81' S. of Chesapeake Ave.
9th District
SE- CLASS B OFFICE BUILDING
10/24/83 - SE-GRANTED BY D.Z.C.(SPH & Var. denied)

ASSIGNED FOR: ~~TUESDAY JANUARY 10, 1984 at 10 a.m.~~ Postponed
WEDNESDAY, MARCH 7, 1984 at 10 a.m.
THURSDAY, MARCH 8, 1984 at 10 a.m.

cc: George A. Nilson, Esquire — Counsel for Petitioners
Doe, Inc., et al — Petitioners
John C. Murphy, Esquire — Counsel for Protestants-Appellants (Southland Hills Imp.Assn.,et al)
John W. Hessian, III, Esquire — People's Counsel (Appellant)
Thomas J. Bollinger, Esquire — Office of Law
N. E. Gerber
J. G. Hoswell
J. E. Dyer
Jean M. H. Jung
A. Jablon
E. Boner
N. J. Pistel
R. A. Morton
Charles Hickey, Jr.

Edith T. Eisenhart, Adm. Secretary

IN THE MATTER OF THE APPLICATION OF DOE, INC., ET AL FOR SPECIAL EXCEPTION FOR AN OFFICE BUILDING SW/S NEW BOSLEY AVE. 366.81' S. CHESAPEAKE AVENUE 9th DISTRICT	:	BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY NO. 83-288-XSPHA

: :

ORDER OF DISMISSAL

Petition of Doe, Inc., et al, for a special exception for a Class B office building on property located on the southwest side of New Bosley Avenue 366.81 feet south of Chesapeake Avenue, in the Ninth Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a Dismissal of Appeal filed October 3, 1984 (a copy of which is attached hereto and made a part hereof) from the attorney representing the Protestants-Appellants in the above entitled matter; and

WHEREAS, the said attorney for the said Protestants-Appellants requests that the appeal filed on behalf of said Protestants-Appellants be dismissed as of October 3, 1984; and

WHEREAS, the Board of Appeals is in receipt of a Voluntary Dismissal of Appeal filed October 22, 1984 (a copy of which is attached hereto and made a part hereof) from People's Counsel for Baltimore County, Appellant in the above entitled matter; and

WHEREAS, the said People's Counsel for Baltimore County requests that the appeal filed on its behalf be dismissed as of October 22, 1984,

IT IS HEREBY ORDERED this 24th day of October, 1984, that said appeals be and are DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Diana K. Vincent
Diana K. Vincent

Keith S. Franz

APPLICATION OF DOE, INC., GLENDALOUGH, INC. AND JAMES D. NOLAN	*	ZONING COMMISSIONER OF
215-219 Bosley Avenue	*	BALTIMORE COUNTY

****

DISMISSAL OF APPEAL

Please dismiss the appeal, a copy of which is attached hereto, from the decision of the Deputy Zoning Commissioner, dated 10/24/83.

John C. Murphy
JOHN C. MURPHY
9 West Hamilton Street
Baltimore, Maryland 21201
(301) 752-2280

Attorney for Appellants

CERTIFICATE OF MAILING

I hereby certify, that on this 1 day of October, 1984, a copy of the foregoing Dismissal of Appeal was mailed to George A. Nilson, Esquire, c/o Piper & Marbury, 36 South Charles Street, Baltimore, Maryland 21201,and to Phyllis Cole Friedman, People's Counsel, Old Court House, Towson, Maryland 21204.

John C. Murphy
JOHN C. MURPHY

RECEIVED
COUNTY BOARD OF APPEALS
NOV OCT -3 A 10 18

RE: PETITION FOR SPECIAL EXCEPTION PETITION FOR SPECIAL HEARING PETITION FOR VARIANCE SW/S of New Bosley Ave., 366.81' S of Chesapeake Ave., 9th District	:	BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
DOE, INC., et al., Petitioners	:	Case No. 83-288-XSPHA

: : : : : : :

VOLUNTARY DISMISSAL OF APPEAL

Please dismiss the appeal filed on behalf of People's Counsel for Baltimore County in the above-entitled case because it no longer is in the public interest. The reasons are as follows:

1. Subsequent to this appeal, the Petitioner revised its site plan and filed Case No. 84-303-SPH.

2. On August 10, 1984, the Deputy Zoning Commissioner approved the revised site plan, amending the petition previously filed in this Case No. 83-288-XSPHA.

3. No appeal was filed from the decision of the Deputy Zoning Commissioner dated August 10, 1984.

4. It is agreedby counsel for all parties that the Petitioner intends to proceed with the revised site plan, and that the original site plan filed in this case has been effectively amended and superseded.

5. Because, however, the decision in Case No. 84-303-SPH refers to the previously approved special exception in this case, albeit amending it, the Petitioner finds and has so informed this office that the pendency of an appeal, as a practical matter, is hindering its effort to obtain a building permit or otherwise proceed.

6. Based on the confirmatory representation from Petitioner that it intends to proceed in accordance with the revised site plan in Case No. 84-303-SPH, the Appellant herein hereby dismisses its appeal.

- 2 -

Phyllis C. Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 22nd day of October, 1984, a copy of the foregoing Voluntary Dismissal of Appeal was mailed to George A. Nilson, Esquire, 36 S. Charles Street, Baltimore, MD 21201; and Richard A. Reid, Esquire, Suite 600, 102 W. Pennsylvania Ave., Towson, MD 21204.

Peter Max Zimmerman
Peter Max Zimmerman

RECEIVED
COUNTY BOARD OF APPEALS
NOV OCT 22 P 3 21

LAW OFFICES OF
PIPER & MARBURY
900 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201

TELEPHONE 301-539-2530
CABLE PIPERMAR BAL
TELEX 908054

1666 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. 20006
TELEPHONE 202-785-8150

GEORGE A. NILSON

November 22, 1983

HAND DELIVERY

The Honorable William T. Hackett
Chairman
County Board of Appeals of
Baltimore County
Room 200, Court House
Towson, Maryland 21204

Re: Case No. CBA-83-118, The Nolan Property, 222 Bosley Avenue, Ninth District, CRG Decision

Appeal to Board of Appeals from Decision of the Deputy Zoning Commissioner Granting a Special Exception for the Same Property

Dear Chairman Hackett:

First, I would like to enter my appearance and the appearance of Mark Pollak of this Firm on behalf of Mr. and Mrs. James D. Nolan, Doe, Inc. and Glendalough, Inc., owners of the above-referenced property and appellants in Case No. CBA-83-118. As your records will indicate, Newton A. Williams has previously represented the Nolans in connection with this matter. We are entering our appearances not only in connection with the CRG appeal filed earlier with the Board, but also in connection with the appeal recently noted from the decision of the Deputy Commissioner granting a special exception for a Class B office building in an RO zone on this property.

By letter dated August 22, 1983, Mr. Williams requested that the original scheduled hearing on the CRG appeal be postponed, and that that matter be heard with any appeal from the special exception decision of the Deputy Zoning Commissioner. Now that the Zoning Commissioner's decision has been made and an appeal has been taken, we would respectfully request that a hearing be scheduled on both matters on the earliest available date. While I am sure that the Board has other cases awaiting the assignment of hearing dates, I would request that in assigning dates for our cases, the Board consider the fact that the initial decision from

Rec'd 11-22-83
2:00 PM

The Honorable William T. Hackett
November 22, 1983
Page Two

PIPER & MARBURY

which an appeal was taken on behalf of the Nolans was made back in May of this year.

I should add that I believe a consolidated hearing on these two matters would require two days of testimony.

I thank you in advance for your consideration of this request.

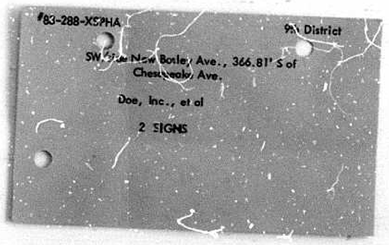
Sincerely yours,

George A. Nilson

George A. Nilson

GAN:pms

cc: John C. Murphy, Esq.
Thomas J. Bollinger, Esq.
John W. Hessian III, Esq.
Newton A. Williams, Esq.
Mr. & Mrs. James D. Nolan



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

83-288-XSPHA

District 9th Date of Posting Dec 2-83
Posted for: Appeal
Petitioner: Doe Inc et al
Location of property: SW/Side of Bosley Ave 366.81 S of Chesapeake Ave
Location of Signs: Large east side of Old Bosley Ave approx 500 South of Chesapeake Ave, 2 on west side of Bosley Ave approx 500 South of Chesapeake Ave
Remarks:
Posted by S. J. Ruta Signature Date of return Dec 9-83
Number of Signs: 2

APR 23 1985

494-3180

County Board of Appeals
Room 200, Court House
Towson, Maryland 21204

December 19, 1983 (Hearing Room #218)

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. CBA-83-118 NOLAN PROPERTY
222 Bosley Avenue
9th District
Re: CRG decision

AND

CASE NO. 83-288-XSPHA DOE, INC., ET AL
SW/S New Bosley Ave. 366.81'
S. of Chesapeake Ave.
9th District
SE- CLASS B OFFICE BUILDING
10/24/83 - SE-GRANTED BY D.Z.C.(SPH & Var. denied)

ASSIGNED FOR: ~~TUESDAY, JANUARY 10, 1984 at 10 a.m.~~ Postponed 1/10/84
~~WEDNESDAY, MARCH 7, 1984 at 10 a.m.~~
~~THURSDAY, MARCH 8, 1984 at 10 a.m.~~

cc: George A. Nilson, Esquire — Counsel for Petitioners
Doe, Inc., et al — Petitioners
John C. Murphy, Esquire — Counsel for Protestants-Appellants (Southland Hills Imp.Assn.,et al)
John W. Hessian, III, Esquire — People's Counsel (Appellant)
Thomas J. Bollinger, Esquire — Office of Law
N. E. Gerber
J. G. Hoswell
J. E. Dyer
Jean M. H. Jung
A. Jablon
E. Bober
H. J. Pistel
R. A. Morton
Charles Hickey, Jr.

Edith T. Eisenhart, Adm. Secretary

IN THE MATTER OF THE APPLICATION OF DOE, INC., ET AL FOR SPECIAL EXCEPTION FOR AN OFFICE BUILDING SW/S NEW BOSLEY AVE. 366.81' S. CHESAPEAKE AVENUE 9th DISTRICT : BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY NO. 83-288-XSPHA

: :

ORDER OF DISMISSAL

Petition of Doe, Inc., et al, for a special exception for a Class B office building on property located on the southwest side of New Bosley Avenue 366.81 feet south of Chesapeake Avenue, in the Ninth Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a Dismissal of Appeal filed October 3, 1984 (a copy of which is attached hereto and made a part hereof) from the attorney representing the Protestants-Appellants in the above entitled matter; and

WHEREAS, the said attorney for the said Protestants-Appellants requests that the appeal filed on behalf of said Protestants-Appellants be dismissed as of October 3, 1984; and

WHEREAS, the Board of Appeals is in receipt of a Voluntary Dismissal of Appeal filed October 22, 1984 (a copy of which is attached hereto and made a part hereof) from People's Counsel for Baltimore County, Appellant in the above entitled matter; and

WHEREAS, the said People's Counsel for Baltimore County requests that the appeal filed on its behalf be dismissed as of October 22, 1984,

IT IS HEREBY ORDERED this 24th day of October, 1984, that said appeals be and are DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Diana K. Vincent
Diana K. Vincent

Keith S. Franz

APPLICATION OF DOE, INC., GLENDALOUGH, INC. AND JAMES D. NOLAN
215-219 Bosley Avenue
* ZONING COMMISSIONER OF BALTIMORE COUNTY
****

DISMISSAL OF APPEAL

Please dismiss the appeal, a copy of which is attached hereto, from the decision of the Deputy Zoning Commissioner, dated 10/24/83.

John C. Murphy
JOHN C. MURPHY
9 West Hamilton Street
Baltimore, Maryland 21201
(301) 752-2280

Attorney for Appellants

CERTIFICATE OF MAILING

I hereby certify, that on this 1 day of October, 1984, a copy of the foregoing Dismissal of Appeal was mailed to George A. Nilson, Esquire, c/o Piper & Marbury, 36 South Charles Street, Baltimore, Maryland 21201,and to Phyllis Cole Friedman, People's Counsel, Old Court House, Towson, Maryland 21204.

John C. Murphy
JOHN C. MURPHY

RECEIVED
COUNTY BOARD OF APPEALS
NOV OCT -3 A 10 18

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
SW/S of New Bosley Ave., 366.81'
S of Chesapeake Ave., 9th District
DOE, INC., et al., Petitioners
: BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
: Case No. 83-288-XSPHA

: : : : : : :

VOLUNTARY DISMISSAL OF APPEAL

Please dismiss the appeal filed on behalf of People's Counsel for Baltimore County in the above-entitled case because it no longer is in the public interest. The reasons are as follows:

1. Subsequent to this appeal, the Petitioner revised its site plan and filed Case No. 84-303-SPH.

2. On August 10, 1984, the Deputy Zoning Commissioner approved the revised site plan, amending the petition previously filed in this Case No. 83-288-XSPHA.

3. No appeal was filed from the decision of the Deputy Zoning Commissioner dated August 10, 1984.

4. It is agreedby counsel for all parties that the Petitioner intends to proceed with the revised site plan, and that the original site plan filed in this case has been effectively amended and superseded.

5. Because, however, the decision in Case No. 84-303-SPH refers to the previously approved special exception in this case, albeit amending it, the Petitioner finds and has so informed this office that the pendency of an appeal, as a practical matter, is hindering its effort to obtain a building permit or otherwise proceed.

6. Based on the confirmatory representation from Petitioner that it intends to proceed in accordance with the revised site plan in Case No. 84-303-SPH, the Appellant herein hereby dismisses its appeal.

- 2 -

Phyllis C. Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 22nd day of October, 1984, a copy of the foregoing Voluntary Dismissal of Appeal was mailed to George A. Nilson, Esquire, 36 S. Charles Street, Baltimore, MD 21201; and Richard A. Reid, Esquire, Suite 600, 102 W. Pennsylvania Ave., Towson, MD 21204.

Peter Max Zimmerman
Peter Max Zimmerman

RECEIVED
COUNTY BOARD OF APPEALS
NOV OCT 22 P 3 21

LAW OFFICES OF
PIPER & MARBURY
1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
TELEPHONE 301-539-2530
CABLE PIPERMAR BAL
TELEX 908054

1666 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. 20006
TELEPHONE 202-785-8150

GEORGE A. NILSON

November 22, 1983

HAND DELIVERY

The Honorable William T. Hackett
Chairman
County Board of Appeals of
Baltimore County
Room 200, Court House
Towson, Maryland 21204

Re: Case No. CBA-83-118, The Nolan Property, 222 Bosley Avenue, Ninth District, CRG Decision

Appeal to Board of Appeals from Decision of the Deputy Zoning Commissioner Granting a Special Exception for the Same Property

Dear Chairman Hackett:

First, I would like to enter my appearance and the appearance of Mark Pollak of this Firm on behalf of Mr. and Mrs. James D. Nolan, Doe, Inc. and Glendalough, Inc., owners of the above-referenced property and appelants in Case No. CBA-83-118. As your records will indicate, Newton A. Williams has previously represented the Nolans in connection with this matter. We are entering our appearances not only in connection with the CRG appeal filed earlier with the Board, but also in connection with the appeal recently noted from the decision of the Deputy Commissioner granting a special exception for a Class B office building in an RO zone on this property.

By letter dated August 22, 1983, Mr. Williams requested that the original scheduled hearing on the CRG appeal be postponed, and that that matter be heard with any appeal from the special exception decision of the Deputy Zoning Commissioner. Now that the Zoning Commissioner's decision has been made and an appeal has been taken, we would respectfully request that a hearing be scheduled on both matters on the earliest available date. While I am sure that the Board has other cases awaiting the assignment of hearing dates, I would request that in assigning dates for our cases, the Board consider the fact that the initial decision from

Rec'd 11-22-83
3:20 pm

The Honorable William T. Hackett
November 22, 1983
Page Two

PIPER & MARBURY

which an appeal was taken on behalf of the Nolans was made back in May of this year.

I should add that I believe a consolidated hearing on these two matters would require two days of testimony.

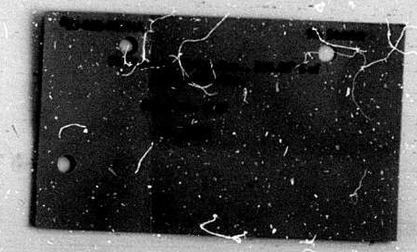
I thank you in advance for your consideration of this request.

Sincerely yours,

George A. Nilson
George A. Nilson

GAN:pms

cc: John C. Murphy, Esq.
Thomas J. Bollinger, Esq.
John W. Hessian III, Esq.
Newton A. Williams, Esq.
Mr. & Mrs. James D. Nolan



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

83-288-XSPHA

District 9th — Date of Posting Dec 2-83
Posted for: Appeal
Petitioner: Doe Inc. et al
Location of property: SW/Side of Bosley Ave. 366.81' S. of Chesapeake Ave.
Location of Signs: Larger east side of Old Bosley Ave. approx. 300' South of Chesapeake Ave. 2nd sign west side of Bosley Ave. approx. 500' South of Chesapeake Ave.
Remarks:
Posted by: A. J. Demuta (Signature) — Date of return: Dec 9-83
Number of Signs: 2

APR 23 1985

LAW OFFICES OF
PIPER & MARBURY
1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
TELEPHONE 301-539-2530
CABLE PIPERMAR BAL
TELEX 908054

GEORGE A. NILSON
DIRECT DIAL NUMBER
301 576 1769

888 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. 20006
TELEPHONE 202-785-9150

February 27, 1984

The Honorable William T. Hackett
Chairman
County Board of Appeals of
Baltimore County
Room 200, Court House
Towson, Maryland 21204

Re: Case No. CBA-83-118, The Nolan Property,
222 Bosley Avenue, Ninth District, CRG
Decision

Appeal to Board of Appeals from Decision
of the Deputy Zoning Commissioner Granting
a Special Exception for the Same Property

Dear Chairman Hackett:

This is to confirm my earlier telephone request for a postponement of the previously scheduled hearings in these consolidated cases, which had been set for March 7 and 8, 1984.

As you may recall from our brief appearance before the Board on January 10, 1984, the Nolans (the property owners) had decided to attempt to proceed with a modified site plan for the property involved in these cases and to submit the modified site plan for reconsideration at least by the County Review Group. Because of the possibility that that resubmission and reconsideration could occur within several months, the early March hearing dates were retained. As it turns out, the modified site plan has been essentially finalized and submitted for CRG action but will not be considered until mid March. Accordingly, no purpose would be served by retaining the March 7 and 8 hearing dates, and we would request that these cases remain on the Court's docket subject to future scheduling of a hearing or other proceedings as may prove necessary. In the event that the matter

Recd 3/5/84
11:30

is resolved based on the modified site plan and no appeals are taken, we will promptly advise the Board. Conversely, if further proceedings are necessary, we will request new hearing dates.

Sincerely yours,

George A. Nilson

George A. Nilson

GAN/nah

cc: John C. Murphy, Esquire
Thomas J. Bollinger, Esquire
Peter Max Zimmerman, Esquire

LAW OFFICES OF
PIPER & MARBURY
1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
TELEPHONE 301-539-2530
CABLE PIPERMAR BAL
TELEX 908054

GEORGE A. NILSON
DIRECT DIAL NUMBER
301 576 1769

888 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. 20006
TELEPHONE 202-785-9150

October 5, 1984

The Honorable William T. Hackett
Chairman, County Board of Appeals
of Baltimore County
Room 200, Court House
Towson, Maryland 21204

Re: Case Nos. CBA-83-118 and
83-288-XSPHA

Dear Chairman Hackett:

About a month ago you inquired as to the status of the above referenced cases, both of which involve the Nolan (or Doe, Inc.) property at 222 Bosley Avenue. I was not able to respond immediately to your inquiry because we did not know for sure whether the Deputy Zoning Commissioner's further decision of August 10, 1984 with respect to this same property would be appealed. That decision, approving the same revised site plan for the property that earlier this year had been approved by the CRG, has now become final by the absence of any appeal during the time allowed. [As your records should reflect, the earlier CRG appeal by the Southland Hills Improvement Association and several individuals was dismissed at the request of the appellants and by order of your Board dated June 5, 1984.]

With regard to the previous cases from 1983 which had once been scheduled for hearing before the Board, it is my judgment that the appeals which brought those cases to the

Board have either already been dismissed or are effectivley moot. Mr. John Murphy has just filed a Dismissal of Appeal on behalf of the Southland Hills protestants in Case No. 83-288-XSPHA -- the 1983 appeal from the grant of a Special Exception for this property. I am enclosing herewith a dismissal of our appeal from the adverse 1983 decision of the CRG in Case No. CBA-83-118, with the request that this dismissal be made final upon the dismissal of the companion case, No. 83-288-XSPHA. While I believe the previous appeals from that Special Exception case are effectively moot in light of the absence of any appeal from Deputy Commissioner Jung's more recent decision amending the site plan, I am by copy of this letter to People's Counsel asking that they file a formal dismissal of their appeal as Mr. Murphy has done.

In essence, this matter has been resolved and these two cases can be removed from the Board's docket and formally dismissed. I am sure that both Mr. Murphy and Ms. Friedman will agree.

Sincerely yours,

George A. Nilson

George A. Nilson

GAN/nah

Enclosure

cc: John C. Murphy, Esquire
Phyllis Cole Friedman, Esquire

RECEIVED
COUNTY BOARD OF APPEALS
'84 OCT -9 A 10 06

Baltimore County, Maryland
PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204
494-2188

PHYLLIS COLE FRIEDMAN
People's Counsel

PETER MAX ZIMMERMAN
Deputy People's Counsel

October 22, 1984

The Honorable
William T. Hackett, Chairman
Baltimore County Board of Appeals
Room 200, Court House
Towson, Maryland 21204

RE: Doe, Inc., Petitioner
Case No. 83-288-XSPHA

Dear Chairman Hackett:

Enclosed please find for filing People's Counsel's Voluntary Dismissal of Appeal in the above-captioned matter.

Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

Enclosure

cc: George A. Nilson, Esquire
Richard A. Reid, Esquire

PMZ:sh

RECEIVED
COUNTY BOARD OF APPEALS
'84 OCT 22 P 3:21

JOHN C. MURPHY
ATTORNEY AT LAW
9 WEST HAMILTON STREET
BALTIMORE, MARYLAND 21201
(301) 752-7080

October 2, 1984

Edith T. Eisenhart, Adm. Secretary
County Board of Appeals of
Baltimore County
Room 200 Courthouse
Towson, Maryland 21204

Re: Doe, Inc., et al.
Appeal from the
Deputy Zoning Commissioner

Dear Ms. Eisenhart:

I am enclosing a Dismissal of Appeal which I ask be filed in the above case.

Sincerely,

John C. Murphy

JCM/bg
cc: George A. Nilson, Esquire
Philip M. Kenney

RECEIVED
COUNTY BOARD OF APPEALS
'84 OCT -3 A 10 18

Baltimore County, Maryland
PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204
494-2188

PHYLLIS COLE FRIEDMAN
People's Counsel

PETER MAX ZIMMERMAN
Deputy People's Counsel

October 10, 1984

The Honorable
William T. Hackett, Chairman
County Board of Appeals
Room 200, Court House
Towson, Maryland 21204

RE: Doe, Inc., Petitioner

Dear Chairman Hackett:

In reference to the letter from George A. Nilson, Esquire, dated October 5, 1984, we agree that Case No. 83-288-XSPHA is effectively moot because the petition has been superseded by a new petition, filed in Case No. 84-303-SPH. Therefore, the proper disposition would be for the earlier petition to be dismissed as moot, with the understanding that it is superseded by the later case separately designated.

We believe that an appropriate Order could be prepared accurately to reflect this disposition.

Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

PMZ:sh

cc: George A. Nilson, Esquire

RECEIVED
COUNTY BOARD OF APPEALS
'84 OCT 10 P 2:02

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

October 24, 1984

John C. Murphy, Esquire
9 W. Hamilton Street
Baltimore, MD 21201

and

People's Counsel for Baltimore County
Room 223, Courthouse
Towson, MD 21204

Re: Case No. 83-288-XSPHA
Doe, Inc., et al

Gentlemen:

Enclosed herewith is a copy of the Order of Dismissal passed today by the County Board of Appeals in the above entitled matter.

Very truly yours,

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary

Enclosure
cc: Doe, Inc., et al
George A. Nilson, Esquire
Norman E. Gerber
James G. Hoswell
A. Jablon
Jean M. H. Jung
James E. Dyer

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

October 24, 1983

Newton A. Williams, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petitions for Special Exception, Special Hearing and Variance
SW/S of New Bosley Ave., 366.81' S of Chesapeake Ave. - 9th Election District
Doe, Inc., et al - Petitioners
NO. 83-288-XSPHA (Item No. 157)

Dear Mr. Williams:

I have this date passed my Orders in the above captioned matter in accordance with the attached.

Very truly yours,

Jean M.H. Jung

JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: John Murphy, Esquire
9C West Hamilton
Baltimore, Maryland 21201

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

JOHN C. MURPHY
ATTORNEY AT LAW
9 WEST HAMILTON STREET
BALTIMORE, MARYLAND 21201
(301) 752-0250

NOV 21 AM

November 18, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Enclosed is notice of appeal together with my check for $100.00.

Very truly yours,

John Murphy

JCM/ms
encs.

$10.00 check sent to me for signs, making total appeal fee $110.00.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

November 20, 1983

Newton A. Williams, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

Re: Petitions for Special Exception, Special Hearing and Variance
SW/S of New Bosley Ave., 366.81' S of Chesapeake Avenue
Doe, Inc., et al - Petitioners
Case No. 83-288- XSPHA

Dear Mr. Williams:

Please be advised that the following two appeals have been filed from the decision rendered by the Deputy Zoning Commissioner of Baltimore County in the above-referenced matter:

1) Appeal from John W. Hessian, III, Esquire, People's Counsel on the Special Exception petition.

2) Appeal from John C. Murphy, Esquire, on behalf of Southland Hills Improvement Association of Baltimore County, Inc., on the Special Exception petition.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Very truly yours,

Arnold Jablon

Arnold Jablon
Zoning Commissioner

AJ:aj

cc: John C. Murphy, Esquire
9 W. Hamilton Street
Baltimore, Maryland 21201

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO William E. Hammond
Zoning Commissioner
Norman E. Gerber, Director

Date June 10, 1983

FROM Office of Planning and Zoning
Zoning Petition No. 83-288-XSPA

SUBJECT Doe, Inc. et al

The subject proposal was rejected by the County Review Group (CRG), at its meeting on May 26, 1983; that decision has been appealed by petitioner to the County Board of Appeals. Please consider the comments and minutes of the CRG as this office's comments on the subject petition.

Norman E. Gerber per J.G. Hoswell
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:slc

cc: Arlene January
Shirley Hess

May 25, 1983

Newton A. Williams, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

NOTICE OF HEARING

Re: Petitions for Special Exception, Special Hearing & Variance
SW/S of New Bosley Ave., 366.81' S of Chesapeake Ave.
Doe, Inc., et al - Petitioner
Case No. 83-288-XSPHA

TIME: 10:45 A.M.

DATE: Thursday, June 23, 1983

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

ARNOLD JABLON
ZONING COMMISSIONER OF
BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 112391

DATE 6/6/83 ACCOUNT R-01-615-000
AMOUNT $50.00
RECEIVED Paul Jay Newton
FOR Filing fee for Appeal
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

AYLW
L47058 - 6/1 p. 52

TOWSON, MD. 6/6 1983

THIS IS TO CERTIFY, that the annexed advertisement was published in THE TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 successive weeks, the first publication appearing on the 1st day of June 1983.

THE TOWSON TIMES

Marianne Bugdalla

Cost of Advertisement, $ 51.36

83-288-XSPHA

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 2, 1983

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 one time before the 23rd day of June, 1983, the publication appearing on the 2nd day of June 1983.

THE JEFFERSONIAN

B. Frank Stricker
Manager.

Cost of Advertisement, $ 40.25

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

83-288-XSPHA

District 9th Date of Posting June 2 1983
Posted for: Special Exception, Special Hearing and Variance
Petitioner: Doe Inc. et al
Location of property: SW/S of New Bosley Ave. 366.81 S of Chesapeake Ave.
Location of Signs: 3 signs west side of New Bosley Avenue approx. 500' south of Chesapeake Avenue, 3 signs east side of Old Bosley Avenue approx. 500' south of Pinehurst Drive
Remarks:
Posted by [signature] Signature Date of return: June 10 1983
Number of Signs: 6

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 21, 1983

Newton A. Williams, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

Re: Petitions for Special Exception & Special Hearing
SW/S of New Bosley Ave., 366.81' S of Chesapeake Avenue
Doe, Inc., et al - Petitioners
Case No. 83-288-XSPHA

Dear Mr. Williams:

This is to advise you that $121.61 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond

WILLIAM E. HAMMOND
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 117658

DATE 6/23/83 ACCOUNT R-01-615-000
AMOUNT $121.61
RECEIVED FROM Bosley Avenue Venture
FOR Advertising & Posting Case #83-288-XSPHA (Doe, Inc., et al)
VALIDATION OR SIGNATURE OF CASHIER

BUREAU OF ENGINEERING - BALTIMORE COUNTY, MD.

PETITION FOR SPECIAL EXCEPTION, SPECIAL HEARING AND VARIANCE
9th Election District

ZONING: Petition for Special Exception, Special Hearing and Variance

LOCATION: Southwest side of New Bosley Avenue, 366.81 ft. South of Chesapeake Avenue

DATE & TIME: Thursday, June 23, 1983 at 10:45 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for a Class B office building: Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a Class B office site plan which utilizes a small D.R. 5.5 portion on the same lot as a part of the amenity open space requirement and Variance to permit an alternate amenity open space of 21% in lieu of the required 25% of the gross site area

The Zoning Regulation to be excepted as follows:
Section 203.4 - required amenity open space for a Class B office building in R-O zone

All that parcel of land in the Ninth District of Baltimore County

Being the property of Doe, Inc., et al, as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, June 23, 1983 at 10:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

83-2174

J. EARLE PLUNKOFF
NEWTON A. WILLIAMS
WILLIAM M. HESSON, JR.
THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR.
STEPHEN J. NOLAN
G. SCOTT BARNIGHT
ROBERT L. HANLEY, JR.

LAW OFFICES
NOLAN, PLUNKOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
TELEPHONE (301) 823-7800

September 23, 1983

Honorable Jean M. H. Jung
Deputy Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

DOE, Inc., et al

Re: Proposed Class B office development of the Nolan property, 222 Bosley Avenue, Case #83-288-XSPHA

Dear Mrs. Jung:

As we all will recall, there were various arguments offered to you on behalf of the respective parties in this matter at the hearing earlier this year.

All various witnesses, including Mr. Nolan, Mr. Pick, Mr. Smith, Mr. Gelston, and Mr. Lipman, all told you why they are of the opinion that the proposed Class B office building as set out on site plan C, petitioners' exhibit 3, meets the requirements of section 502.1 of the zoning regulations, as well as the various provisions of section 203 relating to development in the RO zone.

Since concluding the case, we have had occasion to review the decision of the Maryland Court of Appeals in Schultz vs. Pritts, 291 Md. 1, a 1981 decision of our highest court which announced a new standard for judging special exceptions.

While it is true that the Schultz case involved a funeral home in Carroll County, it is interesting to note, that as shown at page 23 of 291 Md., that section 1.0 of the Carroll County zoning regulations is very similar to our section 502.1, in that it addresses health, safety and morals, general welfare, adequate light and air, the prevention of congestion, undue crowding of the land, as well as safety from fire, panic and other dangers.

At pages 22 and 23 of 291 Md., the court announces a new standard, or more correctly, a correct standard to be applied in special exception cases, as follows:

> "We now hold that the appropriate standard to be used in determining whether a requested special exception use would have an adverse effect and, therefor, should be denied is whether there are facts and circumstances that show that the particular use proposed at the

The Honorable Jean M. H. Jung
Deputy Zoning Commissioner
June 29, 1983
Page Two

We thank you for your kind attention to these materials.

Respectfully,

Newton A. Williams

NAW:pr

cc: John C. Murphy, Esquire
Mr. Charles E. Pick, P.E.
Mr. Donald D. Smith, A.I.A.
Mr. Hugh E. Gelston
Mr. Ronald Lipman, M.A.I.
Mr. and Mrs. James D. Nolan

JUN 30 AM
ZONING DEPARTMENT

83-288-XSPHA

PETITION FOR SPECIAL EXCEPTION, SPECIAL HEARING AND VARIANCE
9th Election District

ZONING: Petition for Special Exception, Special Hearing and Variance

LOCATION: Southwest side of New Bosley Avenue, 366.81 ft. South of Chesapeake Avenue

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Hearing Date: Thursday, June 23, 1983 at 10:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

83-288-XSPHA

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 2, 1983

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 each of~~ one time ~~successive weeks~~ before the 23rd day of June, 1983, the first publication appearing on the 2nd day of June 1983.

THE JEFFERSONIAN,
L. Frank Griffin
Manager.

Cost of Advertisement, $ 40.25

MICROFILMED

PETITION FOR SPECIAL EXCEPTION, SPECIAL HEARING AND VARIANCE
9th Election District

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Hearing Date: Thursday, June 23, 1983 at 10:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
501 ALLEGHENY AVENUE, TOWSON, MARYLAND 21204

December 16, 1982
Revised May 12, 1983

Description to accompany Zoning Petition southwest side of New Bosley Avenue, east side of Old Bosley Avenue, Nolan Property for a Special Exception for Office Building (Class B) in an R-O Zone, Special Hearing regarding amenity Open Space in a DR 5.5 Zone and alternate amenity Open Space Variance.

Beginning for the same on the southwest side of New Bosley Avenue, said place of beginning located South 2° 47' 10" East 366.81 feet from the intersection of New Bosley Avenue and Chesapeake Avenue, running thence binding on the southwest side of said New Bosley Avenue, the two following courses, viz: (1) southeasterly by a curve to the left having a radius of 1016.20 feet for a distance of 101.76 feet, said curve being subtended by a chord bearing South 24° 42' 11" East 101.72 feet and (2) southeasterly by a curve to the left having a radius of 3874.72 feet for a distance of 92.73 feet, said curve being subtended by a chord bearing South 28° 15' 23" East 92.73 feet, running thence binding on the property lines of the above named petitioners, the eight following courses, viz: (3) South 6° 34' 14" West 10.00 feet, (4) South 31° 11' 30" West 24.00 feet, (5) South 6° 34' 14" West 25.00 feet, (6) South 23° 25' 46" East 14.00 feet, (7) southeasterly by a curve to the left having a radius of 375.00 feet for a distance of 31.66 feet, said curve being subtended by a chord bearing South 21° 42' 52" East 31.66 feet, (8) North 83° 25' 46" West 22.00 feet, (9) South 6° 34' 14" West 50.00 feet and (10) North 83° 30' 40" West 168.17 feet, running thence binding on the east side of Old Bosley Avenue, (11) North 6° 26' 13" East 280.00 feet, running thence, the two following courses, viz: (12) northeasterly by a curve to the right having a radius of 55.00 feet for a distance of 31.37 feet, said curve being subtended by a chord bearing North 20° 37' 22" East 30.94 feet and (13) South 83° 30' 40" East 65.54 feet to the place of beginning.

Containing 1.043 acres of land more or less. Special Exception and Variance covers R.O. portion only. Special Hearing covers entire site, including DR 5.5 area.

STATE OF MARYLAND
FRANCIS W. ZEIGLER
No. 6700
PROFESSIONAL
LAND SURVEYOR
5/25/83

TO: Jean Jung
September 23, 1983
Page 2

> particular location proposed would have any adverse effects above and beyond those inherently associated with such a special exception use irrespective of its location within the zone." (Citing cases)

While we believe that the proposed 222 Bosley Avenue building designed by Mr. Smith on a site beautifuly planned by Mr. Pick in every way affirmatively meets 502.1, we would respectfully point out that the Schultz case recognizes that there are certain effects associated with an office use, just as there are certain affects associated with a residential use.

Furthermore, we would respectfully submit that the location of the proposed building very close to new Bosley, built into the slope, with some 2,000 square feet less than the permissible floor area ratio, as well as the retention of the home at 221 Bosley Avenue, when combined with the increased planting in a triangular area provided at the south-west corner of the site, all combine to render this building appropriate to its surroundings.

It should be carefully noted, that this is not a case of going into the middle of the RO zone on Central or Highland Avenues in Towson completely surrounded by individual dwellings, but rather, it is a transitional use between the very heavy government uses including the new courthouse, the old courthouse, the county office building, the two parking garages, the old county jail, the work release center, and a residential neighborhood to the west, rather than being surrounded by homes.

The Nolan property has for years buffered the homes along old Bosley, and it would continue to buffer these homes from the twenty thousand plus cars that pass daily on Bosley Avenue, as well as from the intense governmental and commercial activities to the north, northeast, east and southeast, if allowed to be developed as proposed.

If we are reading the Schultz case correctly, Baltimore County Council has already taken into account the ordinary effects associated with offices, and by announcing a very conservative .5 floor area ratio, coupled with the new development regulations, and coupled with your power to condition any such special exception, we would respectfully submit that a proposed office building, built at somewhat below the allowable limits, is by definition permitted.

Indeed, we believe that the Nolan property is, perhaps, in the most unique position of any property zoned RO on the west side of Bosley Avenue, in that it not only confronts government across Bosley Avenue, but it also bears the full brunt of Bosley Avenue coming directly at it when proceeding

TO: Jean Jung
September 23, 1983
Page 3

southbound, since the first thing that you see when you come over the hill at Joppa Road is the Nolan property forming a point of land to the south; and, also, of course, the work release center and the old jail and the county parking lot associated therewith directly adjoin the Nolan property. No other RO property on the west side of Bosley Avenue is affected with, or by all of these factors. Therefore, we respectfully propose that a first class, high-grade, beautifuly designed building and site on the Nolan property is appropriate due to the unique characteristics of the Nolan property, as opposed to other RO properties to the west and northwest.

Thanking you and your staff for your consideration of these points.

Respectfully,

Newton A. Williams

NAW:llb

cc: John Hessian, Esquire
Peter Zimmerman, Esquire
John Murphy, Esquire
Ronald Lipman
Charles Pick
Hugh Gelston
Mr and Mrs. Nolan
Donald Smith

83-1938

J. EARLE PLUNKOFF
NEWTON A. WILLIAMS
WILLIAM M. HESSON, JR.
THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR.
STEPHEN J. NOLAN
G. SCOTT BARNIGHT
ROBERT L. HANLEY, JR.

LAW OFFICES
NOLAN, PLUNKOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
TELEPHONE (301) 823-7800

June 29, 1983

JUN 30 AM
ZONING DEPARTMENT

The Honorable Jean M. H. Jung
Deputy Zoning Commissioner
for Baltimore County
County Office Building
Towson, Maryland 21204

DOE, Inc., et al

Re: The Nolan Property, 222 Bosley Avenue
Case No. 83-288-XSPHA

Dear Mrs. Jung:

Before we leave this case for your deliberations, our appraiser Mr. Ronald Lipman has pointed out to me certain matters that may not have been completely clear or in any case graphically underlined during his testimony.

As you know, the protestants in this matter have pointed out that in their opinion the proposed building even as somewhat reduced in scheme C, petitioner's exhibit 3, is too large for the site.

Mr. Lipman points out to me that the typical D.R. 5.5 lot in the area is on the order of 8,000 square feet, and of this 8,000 square feet approximately 10% is consumed by a building footprint of a house and in some cases a garage. This 800 square feet assumes an average structure on the order of 20' by 40' or so, and to determine the F.A.R. it would be necessary to multiply by 2 or 2 1/2 or in some cases by 1 1/2 depending upon the height of the house.

Mr. Lipman goes on to point out that the proposed site as shown on scheme C, has 50,519 square feet in the R.O. zone. Of that 50,519 square feet, the combined building footprint of the south wing and the north wing taken together amounts to 7,700 square feet, with 3,850 square feet in each part of the overall footprint. This building coverage of the lot in percentage terms amounts to 15%, or only slightly greater than the average house coverage.

As far as bulk is concerned, Mr. Lipman relates the two stories to two and one-half stories at the most that are visible from old Bosley to the height of comparable houses in the neighborhood of a similar height. According to Mr. Lipman, there are a number of two story houses, in some cases, two and one-half stories, and in some cases, one and one-half story houses in the neighborhood.

As we said at the close of the hearing, we certainly have no objection to your visiting the site in the field.

BUREAU OF ENGINEERING - BALTIMORE COUNTY, MD.

83-2707

JOHN C. MURPHY
ATTORNEY AT LAW
9 WEST HAMILTON STREET
BALTIMORE, MARYLAND 21201
(301) 752-2280

September 29, 1983

Mrs. Jean M. H. Jung
Deputy Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Re: 222 Bosley Avenue

Dear Mrs. Jung:

DOE, INC.
83-288-XSPHA

The Pritts case cited by Mr. Williams deals with the adverse effect arising out of a special exception. This is only the second half of the two part test for a special exception: (1) whether the use meets the standards and requirements of the zone, see Pritts at 432 A.2d 1325; and (2) whether there will be an adverse effect in the neighborhood. Pritts held simply that the adverse effect has to be something over and above that normally associated with the special exception use.

But it is the first part of the test which the Nolan property fails, - meeting the standards and requirements of the zone. The basic requirement - indeed the raison d'etre of the R-O zone - is stated in Section 203.2 of the Zoning Ordinance:

> "It is intended that buildings and uses in R-O zones shall be highly compatible with the present or prospective uses of nearby residential property". (emphasis added)

The purpose of the zoning classification is specifically made a standard or requirement for granting a special exception by Section 502.1(g) of the Zoning Regulations.

As he did at the hearing, Mr. Williams goes on to argue that the Nolan proposal should be viewed in light of the non-residential uses in the larger neighborhood. - "the very heavy governmental uses including the new courthouse, the old courthouse, the county office building, the two parking garages, the old county jail, ..." (p.2).

Mrs. Jean M. H. Jung
September 29, 1983
page 2

A clear choice is presented. If viewed from the context of the adjacent residential uses, this proposal - in bulk many, many times larger than the existing single family houses; occupying vastly more land in proportion than the existing houses; and providing a parking lot along Old Bosley instead of individual front lawns - is clearly not highly compatible with the residential neighborhood. You have the finding of Gene Bober directly on this point; the testimony of Mr. Gregory and neighborhood residents; and this fact is evident from the plans and drawings.

The other choice - and that which is advocated by Mr. Williams - is to look at the use in conjunction with the other non-residential uses - "the new courthouse", and so on.

The problem with the approach of Mr. Williams is that it does not meet the test of the zoning ordinance - "highly compatible" with "nearby residential property".

The R-O zone is obviously somewhat of an experiment, - allow office uses next to residential uses. The basic safeguard built into the ordinance was the required finding, not of mere compatibility, or lack of incompatibility, but instead that the proposal be found to be "highly compatible" with adjacent residential uses.

Sincerely,

JCM/tm
cc: Newton A. Williams, Esquire

83-2605
NO-O
Case file

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823-7800

J. EARLE PLUMHOFF
NEWTON A. WILLIAMS
WILLIAM M. HESSON, JR.
THOMAS J. RENNER
WILLIAM F. ENGLEHART, JR.
STEPHEN J. NOLAN
G. SCOTT BARNHART
ROBERT L. HANLEY, JR.

December 2, 1983

Honorable William T. Hackett
County Board of Appeals
Court House
Towson, Maryland 21204

Honorable Arnold Jablon
Office of Planning & Zoning
Baltimore County
Towson, Maryland 21204

Re: Petitions for Special Exception, Special Hearing and Variance, SW/S of New Bosley Avenue, 336.81' S of Chesapeake Avenue
Doe, Inc., et al - Petitioners
Case No. 83-288 - XSPHA

Dear Chairman Hackett and Commissioner Jablon:

We have just recieved Mr. Jablon's letter of November 28, 1983, noting Appeals by Mr. Hessian of the People's Counsel, as well as by Mr. Murphy, Esquire on behalf of the Southland Hills Improvement Association of Baltimore County, Inc.

As the Board is aware, George Nilson, Esquire and Piper and Marbury have entered their appearance on behalf of the Petitioners in this matter, and accordingly please accept this letter as notice to all parties that I am striking my appearance, and the appearance of our firm from the matter.

It will be greatly appreciated if all future correspondence directed to the Petitioners Counsel will be directed to Mr. Nilson, Esquire at Piper and Marbury.

Best regards of the holiday season to all.

Respectfully,

Newton A. Williams

Newton A. Williams

NAW:llb
cc: John C. Murphy, Esquire
John W. Hessian, III, Esquire
Mr. George Nilson
Mr. and Mrs. James D. Nolan

83-1508
88-file

JOHN C. MURPHY
ATTORNEY AT LAW
9 WEST HAMILTON STREET
BALTIMORE, MARYLAND 21201
(301) 752-2280

July 7, 1983

Mrs. Jean M. H. Jung
Deputy Zoning Commissioner
for Baltimore County
County Office Building
Towson, Maryland 21204

DOE, INC., et al

Re: The Nolan Property, 222 Bosley Avenue
Case No. 83-288-XSPHA

Dear Mrs. Jung:

I would appreciate your making a correction to my letter of July 1, 1983 concerning the proposed Nolan Office Building.

In the last paragraph on the first page, I said that the solid mass of 23,500 sq. ft. along one side of Bosley Avenue will contrast with the total of approximately 9,000 sq. ft. along the other side. I should have said the solid mass of 50,519 sq. ft. instead of 23,500 sq. ft.

I apologize for any inconvenience.

Sincerely,

JCM/tm
cc: Newton A. Williams, Esquire

83-1461
88-file

JOHN C. MURPHY
ATTORNEY AT LAW
9 WEST HAMILTON STREET
BALTIMORE, MARYLAND 21201
(301) 752-2280

July 1, 1983

Mrs. Jean M. H. Jung
Deputy Zoning Commissioner
for Baltimore County
County Office Building
Towson, Maryland 21204

Re: The Nolan Property, 222 Bosley Avenue
Case No. 83-288-XSPHA

Dear Mrs. Jung:

I am writing this letter in reply to Mr. Williams' letter of June 29, 1983.

Mr. Lipman suggests that the houses along Old Bosley occupy 10% of their lots; and the Nolan structures are proposed to occupy 15% of the tract. Thus the conclusion is drawn, apparently, that thedensity of development is roughly comparable.

This ignores the parking lot for 57 cars proposed to be located along Old Bosley. When the parking is added, the development coverage for the Nolan property rises to roughly 50% (gross area) or 74% (net site area).

The result is that one side of the street will be low density residential, - a dwelling occupying 10% of the lot, with the remaining 90% in grass lawns and gardens. The other side of the street will be parking (36%) and building 14% - or over 50% black top, automobiles and buildings. To put it another way, 90% of the individual lots is open space; 25% of the Nolan property is open space.

In terms of bulk, the Nolan buildings contain 23,500 sq. ft. versus 1,500 sq. ft. for the average dwelling; even adding up the six dwellings, their total is 9,000 sq. ft. versus 23,500. The solid mass of 23,500 sq. ft. along the east side of Bosley Avenue will present a marked contrast to the six, separated houses containing 9,000 sq. ft. along the west side.

Mrs. Jean M. H. Jung
July 1, 1983
page 2

It is our contention that the key to this proceeding is the proper application of the "highly compatible" mandate of Section 203.2 of the Zoning regulations (this is essentially the same standard of "compatibility" under Section 22-104 which was reviewed by the CRG).

The Nolan proposal is premised on the assumption that office buildings can be effectively inserted into a residential neighborhood with some landscaping, etc. to buffer the use. Our contention is that this assumption is correct only if the property is zoned for office use; when it is zoned for residential - office use, with the mandate of "highly compatible", then there must have been an intention that the uses be generally similar. To achieve this compatibility the office uses must be generally consistent with the residential areas in ground coverage, bulk and height. Thus an office project compatible with the existing residential uses would be designed with front lawns on Old Bosley rather than a parking lot; with the buildings of a smaller scale and arranged along Bosley like the existing houses; and with the existing residence at 221 left alone rather than massively regraded to serve the adjoining office.

In short, we maintain that the average office building is not compatible with residential uses,which is why you have residential zoning; and that the R-O zone authorizes not the insertion of an average office building into a residential neighborhood with an attempt at some buffering, but instead only an office building which by reason of lot arrangement, bulk, height, etc. is virtually of the same character as the existing houses, but of a different use.

Sincerely,

JCM/tm
cc: Newton A. Williams, Esquire

83-1353

617 park avenue
baltimore, maryland 21201
301 685-4900

lapicki/smith associates, p.a.

JOSEPH W. LAPICKI, AIA
DONALD D. SMITH, AIA
JOHN R. NAUERT, AIA

architecture
urban design
planning
interiors

energy management

17 May 1983

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

Attn: Ms. Diana Itter
Mr. Nick Commodari

RE: DOE, INC., et al
83-288-XSPHA

Re: 222 Bosley Avenue
L/SA No. 82.33

In regard to your comments concerning the site plan dated 22 April 1983, the following revisions are incorporated into the revised site plan of 12 May 1983.

1. Floor Area Ratio:

Total Gross Site Area (RO)	50,519 s.f.
Multiplied by F.A.R. of	x .5
Gross Floor Area Allowed	25,259.5 s.f.

2. Amenity Open Space Calculation

Gross Site Area (RO)	50,.519 s.f.
	x .25
Amenity Open Space Required	12,629.75 s.f.

3. The following areas of the site plan have been subtracted, in accordance with Section 101 of the Zoning Regulations, from the amenity open space (RO). Please refer to the attached copy to identify specific areas in question.

Area 1	Subtract	31 s.f.
Area 2	Subtract	35 s.f.
Area 3	Subtract	37 s.f.
Area 5	Subtract	100 s.f.
Area 7	Subtract	257 s.f.
Area 8	Subtract	30 s.f.
Area 9	Subtract	121 s.f.
Area 10	Subtract	38 s.f.
Area 11	Subtract	75 s.f.
	Total	724 s.f.

Page Two

4. The following areas have been included, in accordance with Section 101 of Zoning Regulations, within the Amenity Open Space (R.O.). Please refer to the attached copy to identify specific areas in question.

   Area 4: The width was amended to measure 10' and thus be eligible for Amenity Open Space. Consequently the adjacent parking space was also revised to 8.5' wide.

   Area 6: The minimum width from the building edge to the parking pavement is 10'.

   Area 6A: The covered open space (15'x19'=285 s.f.) 10'± high minimum, is not greater than two times the sum of the open and clear areas. 2[(15'x10')+(15'x20')]= 900 s.f. 285<900; thus the area is eligible for Amenity Open Space.

5. Building height as the difference between average roof height and average grade for the total perimeter of the building has been amended as follows:

   Average grade of 437.89 (22 April 1983 drawing) has been amended to 437.52± (12 May 1983 drawing), a difference of .37' or 4-1/2"±. Consequently the average building roof elevation changed from 470.83'± to 467.86'±; the difference between the average grade and the average roof now equals 32.34'± which is less than the 35' maximum building height.

   The top of parapet is set at 476.33±. The difference between top of parapet and average grade equals 38.81±<39'. (35' maximum building height + 4' maximum parapet height.

Sincerely,

Albert G. Winchester

cc: Mr. and Mrs. James D. Nolan, Mr. Newton Williams, Charlie Fick

OLD BOSLEY

EX. 8" SEWER (DWG. # 13-152)

EX. 4" GAS

PROP. 6" SAN. H.C.

EX. BLDG. TO BE RAZED

PROPOSED 2 STORY BUILDING

SOUTH WING

L.L. 492.5'±
U.L. 444.5'±
2ND FL. 456.83'±
T.O.R. 472.33' (MAX.)

4" STORM DRAIN

EX. LIGHT

ACCESS FROM BOSLEY AVE.

DIRECTIONAL ISLAND

DIRECTION OF DESCRIPTION

EX. BIT. PAVING TO BE REMOVED

4' HIGH DENSE PLANTING SCREEN

EX. BLDG. TO BE RAZED

TYP. H.C. PARKING SPACE

222

Open Space

EX. WALL TO BE REMOVED

Greenhouse

TYP. STANDARD PARKING SPACE

NORTH WING

L.L. 494.5'±
U.L. 444.5'±
2ND FL. 456.83'±
T.O.R. 472.33' (MAX.)

BRIDGE ABOVE

PROPOSED 2½ STORY BUILDING

SOUTH WING

L.L. 492.5'±
U.L. 444.5'±
2ND FL. 456.83'±
T.O.R. 472.33' (MAX.)

PROP. 6" SAN. H.C.

EX. WALL (APPROX. LOCATION)

EX. CURB

EX. 4" GAS

EX. 8" SEWER

E. ROOF DRAIN OUTFALL

E. PROP. S.D.

SITE AREA:	Net	Gross
RO Zoned	0.9058 ac±	1.1598 ac±
	39,455 s.f.	50,519 s.f.
DR5.5 Zoned	0.1392 ac±	0.1622 ac±
	6,065 s.f.	7,067 s.f.
Total	1.045 ac±	1.322 ac±
	45,520 s.f.	57,586 s.f.

BUILDING AREA:

North Wing	4,000 s.f./floor
	x 3
	12,000 s.f.
South Wing	4,000 s.f./floor
	x 3
	12,000 s.f.
Total	24,000 s.f. (office; non-medical; ADT @ 12.5/1000 = 300)

FLOOR AREA RATIO:

Total Gross Site Area 57,586 s.f.

Multiplied by F.A.R. of 0.5 x 0.5

Adjusted Gross Floor Area: 28,793 s.f. (max.)

PARKING:

1/300 s.f. x 8,000 = 27 spaces
1/500 s.f. x 16,000 = 32 spaces

Total 59 spaces required
60 spaces provided
(inclusive of 3 HC spaces)

AMENITY OPEN SPACE CALCULATION:

Amenity Space Required:

.25 x 57,586 s.f. = 14,397 s.f.

Total Net Site Area	45,520 s.f.
Less Building Footprint	-8,000 s.f.
	37,520 s.f.
Less vehicular traffic, maneuvering and parking	-19,936 s.f.
Amenity Open Space Provided	17,584 s.f. (11,519 s.f. in RO) (6,065 s.f. in DR5.5)
Less possible future parking	- 1,800 s.f.
Amenity Open Space Provided	15,784 s.f.

Note: Stormwater management for this site has been exempted by a letter dated 12-23-82 from the Balto. Co. Dept. of Public Works.

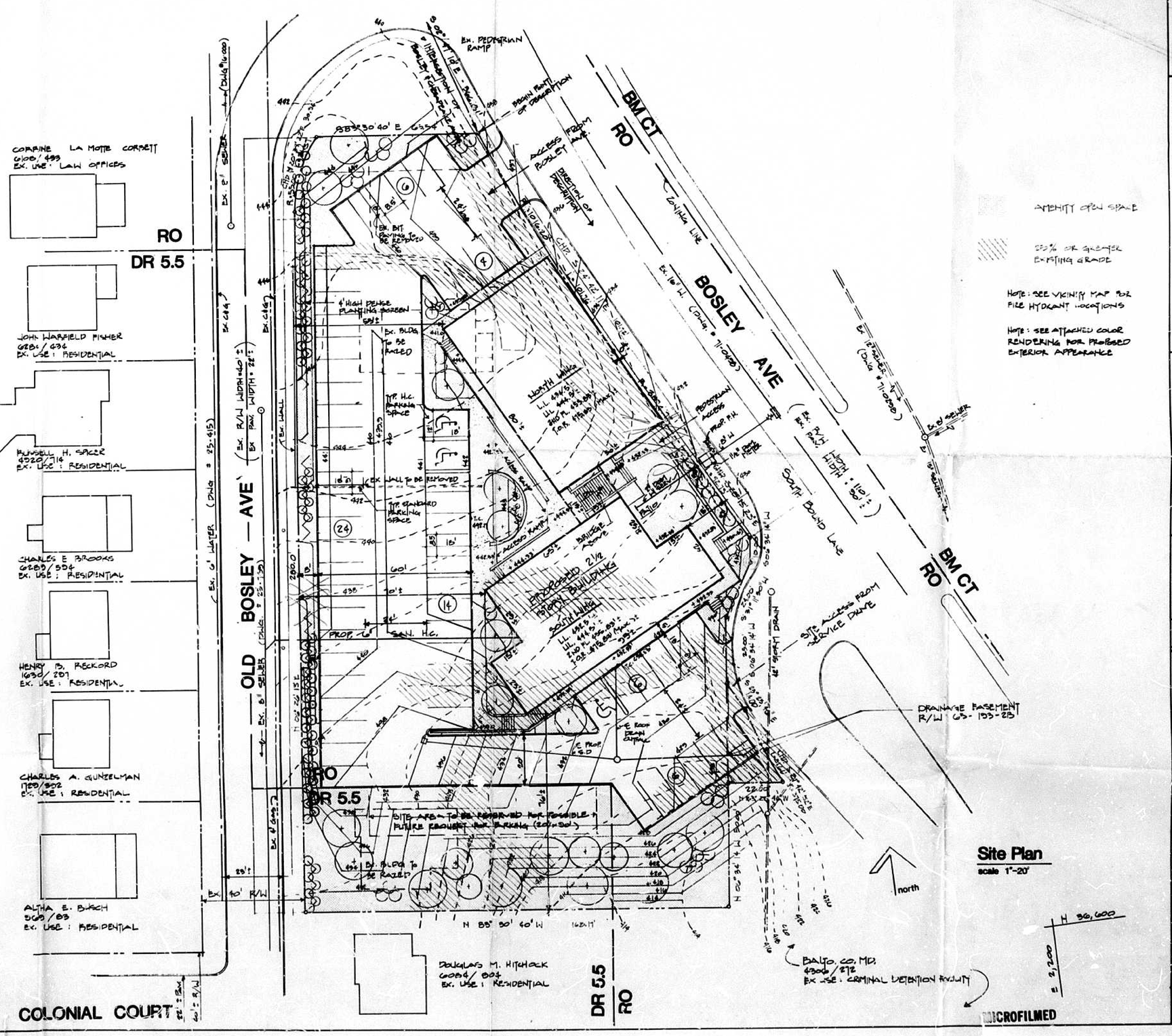
SHOULD POSSIBLE FUTURE PARKING BE ALLOWED IN DR 5.5 ZONE:

The following items are in conjunction with section 409.4 of the Balto. Co. zoning regulations

(A) The land so used must adjoin or be across an alley or street FROM THE BUSINESS INVOLVED
(B) Only passenger vehicles, excluding buses may use the parking area.
(C) No loading, service, or any use other than parking shall be permitted.
(D) Lighting shall be so erected as not to reflect rays into residential areas or impede traffic flow as to glare. (prop. 8' high)
(E) Screening shall consist of 4' high and 4' center to center evergreen plantings to screen parking from adjacent residential zones.
(F) Proposed paving shall be bituminous with crusher run base and shall be properly drained.
(G) Parking arrangement and vehicular access are as shown hereon.
(H) Hours of operation for office use 8AM- 8PM Mon.- Fri., 8AM- 3PM Sat.

NOTE: PROPOSED BUILDING SHALL BE OF BRICK & BISTER STEEL OR MASONRY BEARING CONST.

NOTE: MASS TRANSIT FACILITIES ARE LOCATED AT THE INTERSECTION OF CHESAPEAKE & WASHINGTON AVES



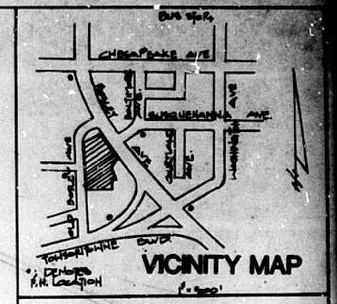
Site Plan
scale 1"=20'

AMENITY OPEN SPACE

25% OR GREATER EXISTING GRADE

NOTE: SEE VICINITY MAP FOR FIRE HYDRANT LOCATIONS

NOTE: SEE ATTACHED COLOR RENDERING FOR PROPOSED EXTERIOR APPEARANCE



PROPERTY/OWNERS REFERENCE

James D. Nolan	5330/413	#16-00-009605
	5521/945	#17-00-002356
	5527/377	#09-07-585270
	5527/375	#09-07-580470
	5204/760	#09-04-503924
	5928/803	#09-12-200330
DOE, Inc.	4812/544	#09-04-503922
		#09-04-503923

Title
Site plan to accompany County Review Group approval, special exception for office building (class B in R.O. zone), special hearing regarding amenity open space in a D.R. 5.5 zone, alternate amenity open space variance of 11,519 sq. ft. instead of the required 14,397 sq. ft.

APPLICANT

James D. Nolan
Nolan, Plumhoff & Williams
204 West Pennsylvania Ave.
Towson, Maryland 21204
301 823 7800

ARCHITECTURAL REGISTRATION BOARD 5365-C

l/sa
lapicki/smith associates p.a.
617 park avenue
baltimore, maryland
21201
301 685 4900

l/sa project number 8233

222 BOSLEY AVENUE

OFFICE BUILDING

Balto. Co. Md. Elect. Dist. #9
Councilmanic Dist. #4
Census Tract # 4907.02
Watershed #23
Soil Type = Ell SUB SOIL SEWER
GHBD #55

Date
1 FEBRUARY 1983

Dwg. No.
SP 1

MICROFILMED

PETITIONER'S
EXHIBIT 4

A. NOLAN PROPERTY LOOKING S FROM OLD & NEW BOSLEY INT.

B. NOLAN PROPERTY, NEW BOSLEY FRONTAGE LOOKING NW

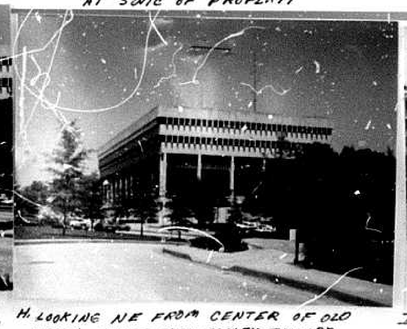
C. CONVALESCENT HOME AT NW CORNER OF OLD & NEW BOSLEY

D. LOOKING N ON BOSLEY FROM SOUTH OF CHESAPEAKE

E. OLD JAIL & WORK RELEASE CENTER AT SW/C OF PROPERTY

F. APARTMENTS AT NW CORNER OF BOSLEY & PENNSYLVANIA

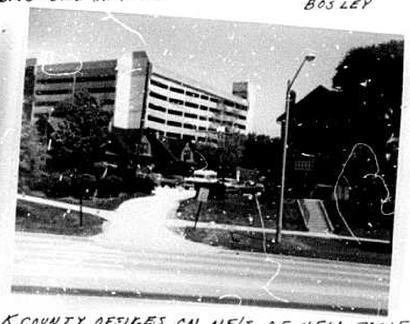
G. LOOKING N ON NEW BOSLEY FROM INTERSECTION ON OLD BOSLEY FROM N END OF PROPERTY



H. LOOKING NE FROM CENTER OF OLD BOSLEY ACROSS NEW BOSLEY TOWARD COURTS BUILDING - SITE ON RIGHT

I. LOOKING E/LY ACROSS NEW BOSLEY FROM SITE FRONTAGE ON SW/S OF NEW BOSLEY

J. INTERSECTION OF SUSQUEHANNA AND NEW BOSLEY LOOKING NE/LY ACROSS NEW BOSLEY TOWARD COUNTY OFFICE BUILDING AND OFFICES AND EXISTING GARAGE



K. COUNTY OFFICES ON NE/S OF NEW BOSLEY OPPOSITE SITE BETWEEN TWO PROPOSED ENTRANCE SITE

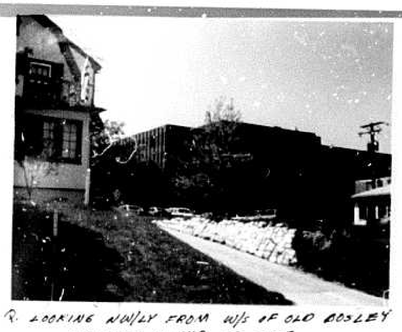
L. LOOKING NW ALONG SW/S OF NEW BOSLEY FROM COUNTY WORK RELEASE / SITE JOINT ENTRANCE

M. LOOKING SE/LY PAST "OLD, OLD JAIL" ENTRANCE TOWARD TOWSONTOWNE BLVD. INTERSECTION TO SOUTH

N. LOOKING SE/LY ALONG SW/S OF NEW BOSLEY FROM JUST SE OF NEW, JOINT ENTRANCE TO WORK RELEASE CENTER & SITE

O. "OLD, OLD JAIL" FROM COUNTY PARKING AREA JUST OFF SE/C OF SITE

P. S/S OF WORK RELEASE CENTER AND PARKING AREA OFF SE/C OF SITE

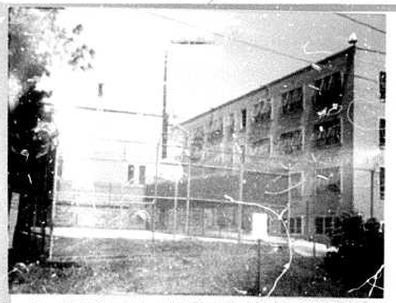


Q. LOOKING NW/LY FROM W/S OF OLD BOSLEY OPPOSITE N END OF SITE

R. CONVALESCENT HOME ON W/S OF NEW BOSLEY JUST NW OF SITE

S. PARKING LOT FOR FAMILY SERVICE BUILDING ON S/S OF CHESAPEAKE AVE., NW OF SITE, ON E/S OF CHESAPEAKE BLDG.

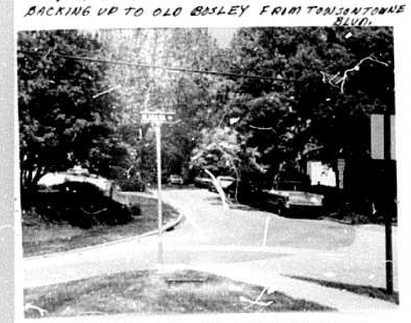
T. PARKING LOT AND REAR OF CHESAPEAKE BUILDING ON S/S OF CHESAPEAKE AVE., NW OF SITE



U. REAR OF WORK RELEASE CENTER BACKING UP TO OLD BOSLEY FROM TOWSONTOWNE BLVD.

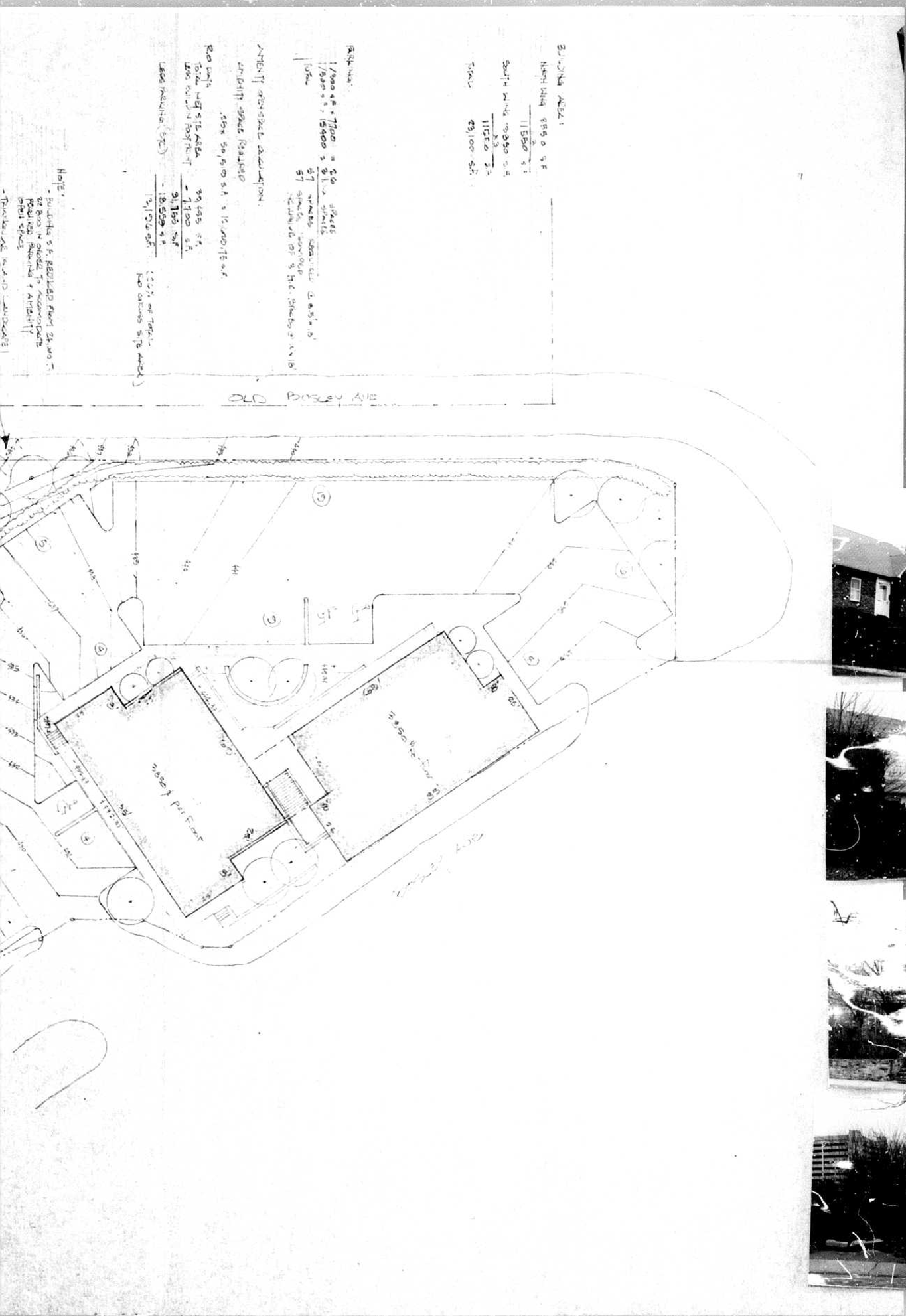
V. MULTI-STORY TOWSON STATE HIGH RISE DORMITORY OPPOSITE INTERSECTION OF OLD BOSLEY AND TOWSONTOWNE BLVD.

W. FRONT OF WORK RELEASE CENTER SE OF SITE FROM NEW BOSLEY



X. INTERSECTION OF ALABAMA ROAD AND OLD BOSLEY LOOKING NORTH TOWARD COLONIAL COURT AND SITE

Y. LOOKING NE/LY FROM SOUTH END OF OLD BOSLEY AT REAR OF WORK RELEASE CENTER



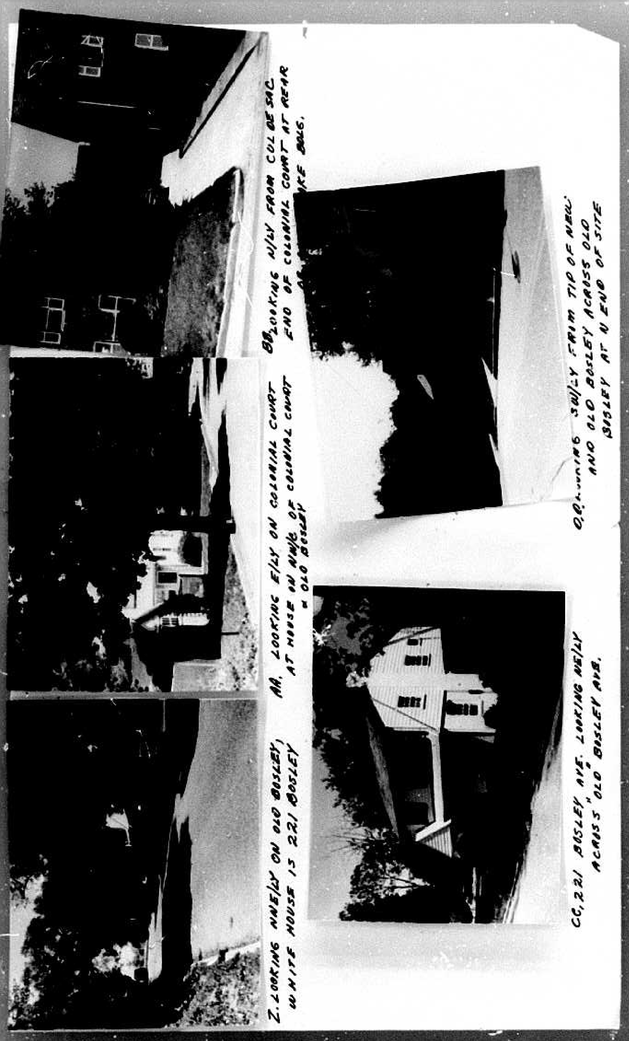
Z. LOOKING NNE/LY ON OLD BOSLEY, WHITE HOUSE IS 221 BOSLEY

AA. LOOKING E/LY ON COLONIAL COURT AT HOUSE ON NW/LY OF COLONIAL COURT & OLD BOSLEY

BB. LOOKING N/LY FROM CUL DE SAC END OF COLONIAL COURT AT REAR OF [illegible] LAKE BLDG.

CC, 221 BOSLEY AVE. LOOKING NE/LY ACROSS "OLD" BOSLEY AVE.

DD. LOOKING SW/LY FROM TIP OF NEW AND OLD BOSLEY ACROSS OLD BOSLEY AT N END OF SITE



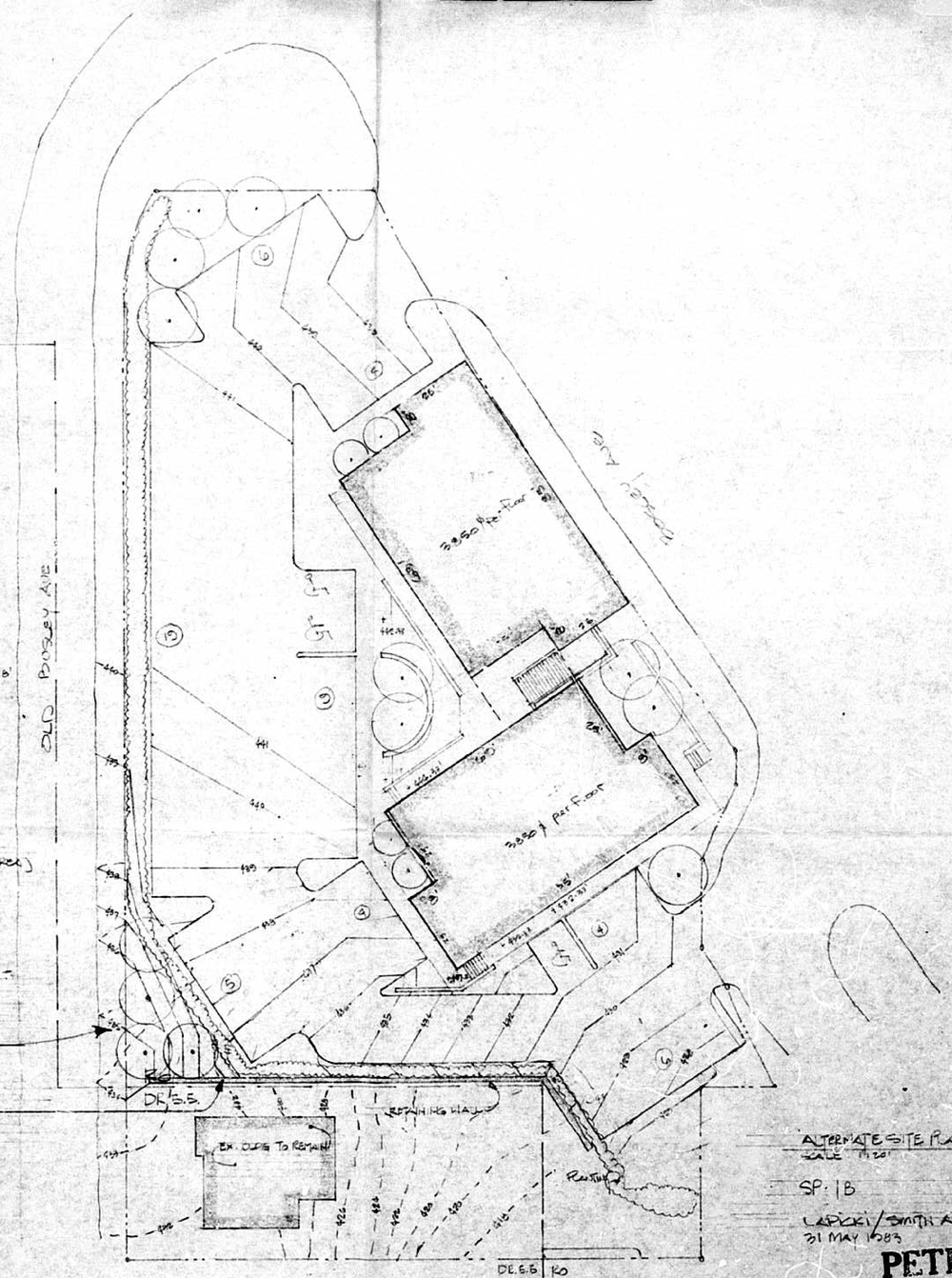
1. LOOKING NW/LY ON OLD BOSLEY, W/TE HOUSE IS 221 BOSLEY

11. LOOKING E/LY ON COLONIAL COURT AT HOUSE ON NW/L OF COLONIAL COURT & OLD BOSLEY

08. LOOKING N/LY FROM COL DE SAC END OF COLONIAL COURT AT REAR OF LOT BNDL.

06. MOVING S/W/LY FROM TIP OF NWL. AND OLD BOSLEY ACROSS OLD BOSLEY AT N END OF SITE

06, 221 BOSLEY AVE. LOOKING N/LY ACROSS OLD BOSLEY AVE.



BUILDING AREA:

NORTH WING 5750 S.F.
x 2
11500 S.F.

SOUTH WING 5750 S.F.
x 2
11500 S.F.

TOTAL 23,000 S.F.

PARKING:

1/300 S.F. × 7700 = 26 SPACES
1/500 S.F. × 15400 = 31 SPACES
TOTAL 57 SPACES REQUIRED @ 8.5' × 18'
57 SPACES PROVIDED
INCLUDING OF 3 H.C. SPACES @ 12' × 18'

AMENITY OPEN SPACE CALCULATION:

AMENITY SPACE REQUIRED

.25 × 50,510 S.F. = 12,600.75 S.F.

RO DATA

TOTAL NET SITE AREA	39,155 S.F.
LESS BUILDING FOOTPRINT	− 7,700 S.F.
	31,455 S.F.
LESS PARKING (57)	− 18,559 S.F.
	12,896 S.F. (40% OF TOTAL RO GROSS SITE AREA)

NOTE:

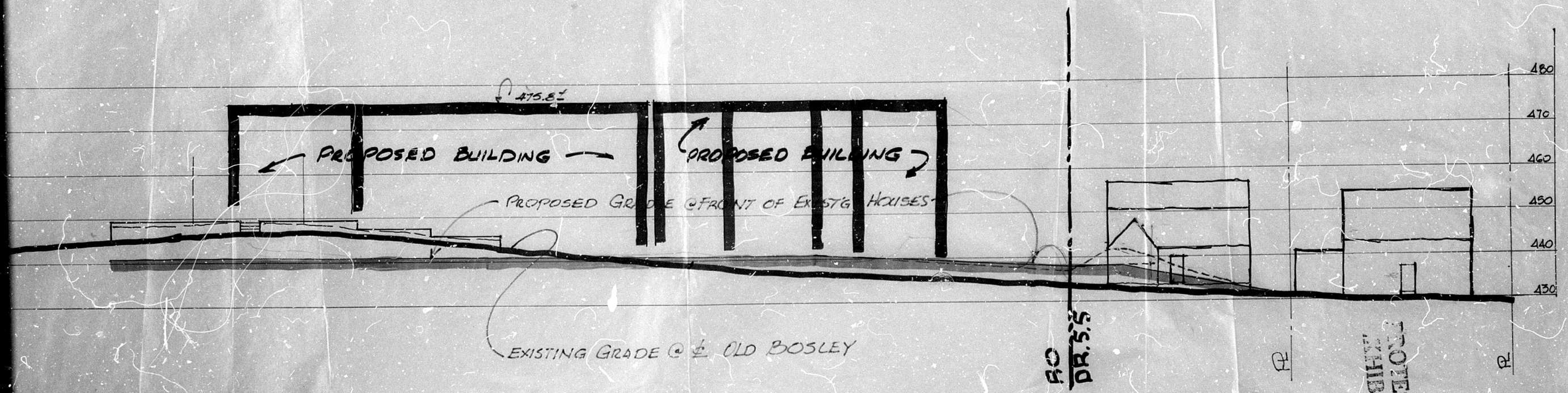
- BUILDING S.F. REDUCED FROM 24,000 T. 22,800 IN ORDER TO ACCOMODATE REQUIRED PARKING & AMENITY OPEN SPACE
- TRIANGULAR WOOD LANDSCAPE BUFFER WAS REQUESTED BY COMMUNITY
- RETAINING EXISTING HOME AT 221 OLD BOSLEY, A LARGE RETAINING WALL WILL BE REQUIRED TO COMPENSATE FOR THE DRAMATIC CHANGE IN GRADE (10 to 15' DIFFERENCE)

ALTERNATE SITE PLAN "B"
SCALE 1" = 20'

SP: 1B

LAPICKI/SMITH ASSOC. P.A.
31 MAY 1983

PETITIONER'S EXHIBIT 2



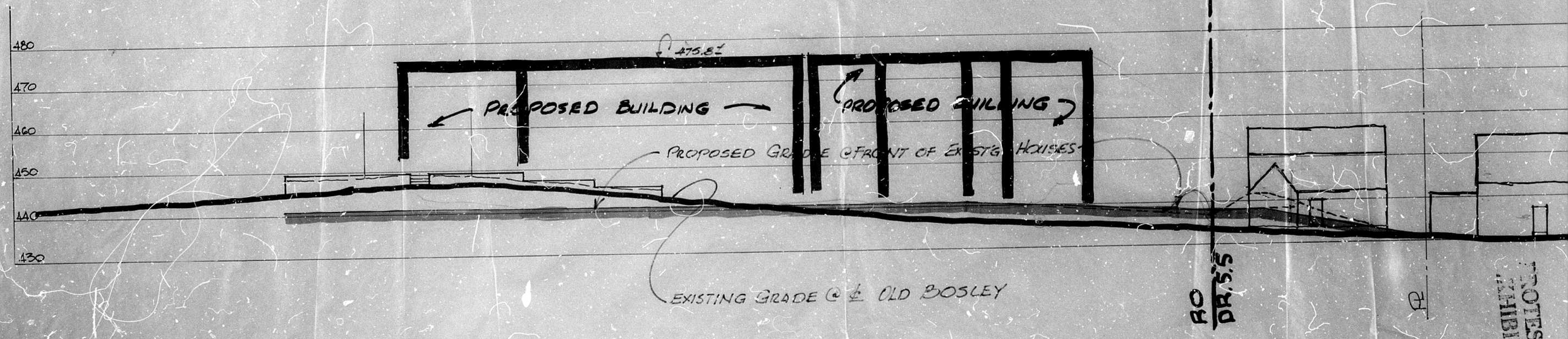
PROTESTANT'S EXHIBIT 3

Protestants Exhibit 3

ELEVATION ALONG OLD BOSLEY LOOKING EAST

SCALE 1" = 10' HOR & VERT

DAVID GREGORY & ASSOIATES, INC.
LANDSCAPE ARCHITECS & ENGINEERS



ELEVATION ALONG OLD BOSLEY LOOKING EAST

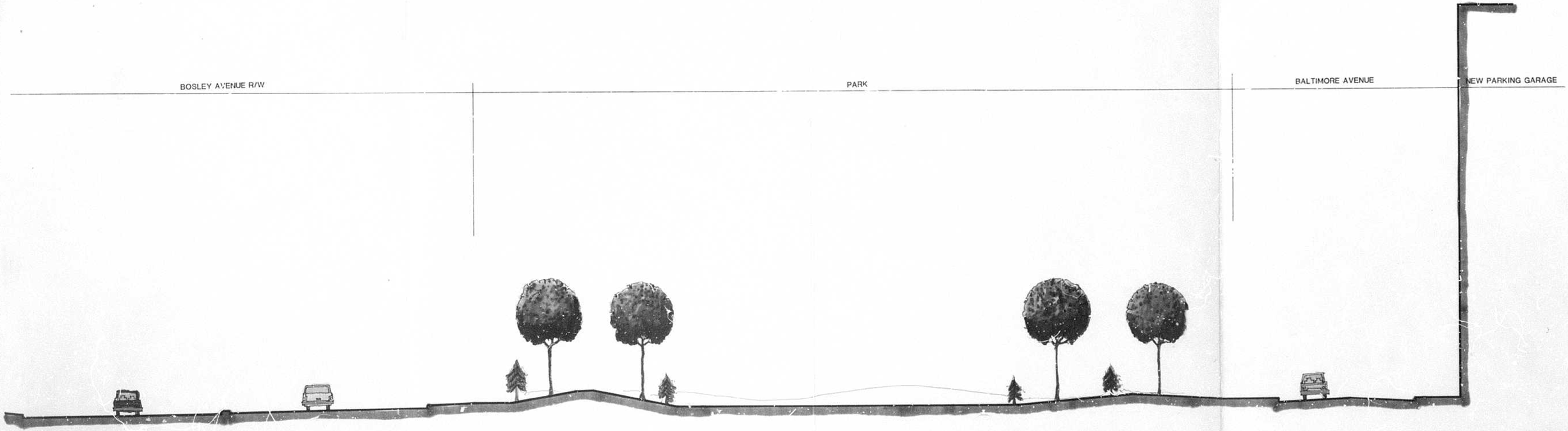
SCALE 1" = 10' HOR & VERT

DAVID GREGORY & ASSOIATES, INC.
LANDSCAPE ARCHITECTS & ENGINEERS

PROTESTANT'S EXHIBIT 3

238
4/9/72
TOWSON -1972
N
NW
NE
W
E
SW
SE
S
New Courts Bldg. & Bosley Ave. under constr.
Offices
Chesapeake Bldg. Family Service & Com. Home.
YMCA & Presbyterian Home
County Office & Chesapeake Bldg.
Old Bosley & Subject Properties High 1972 Traffic
Sites of 2 New Garages.
NEW Bldg. Under Constr. Old & New Jails
TSU EXPANDING CAMPUS.
PETITIONER'S EXHIBIT 6

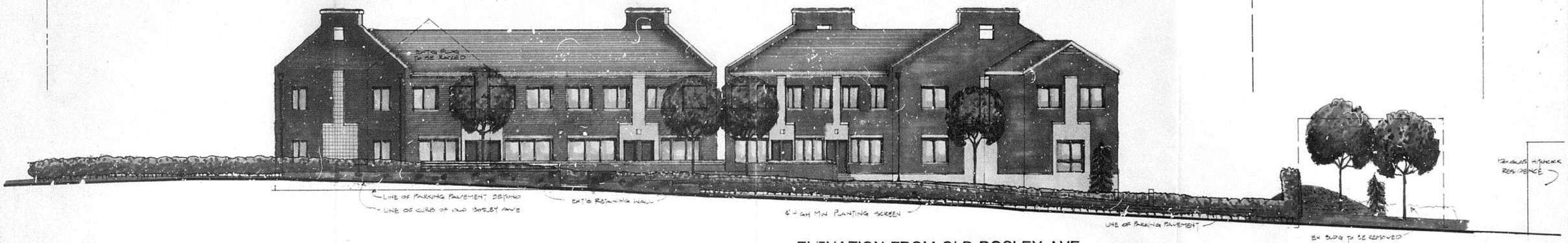
15-4 NW



SITE SECTION EXTENSION

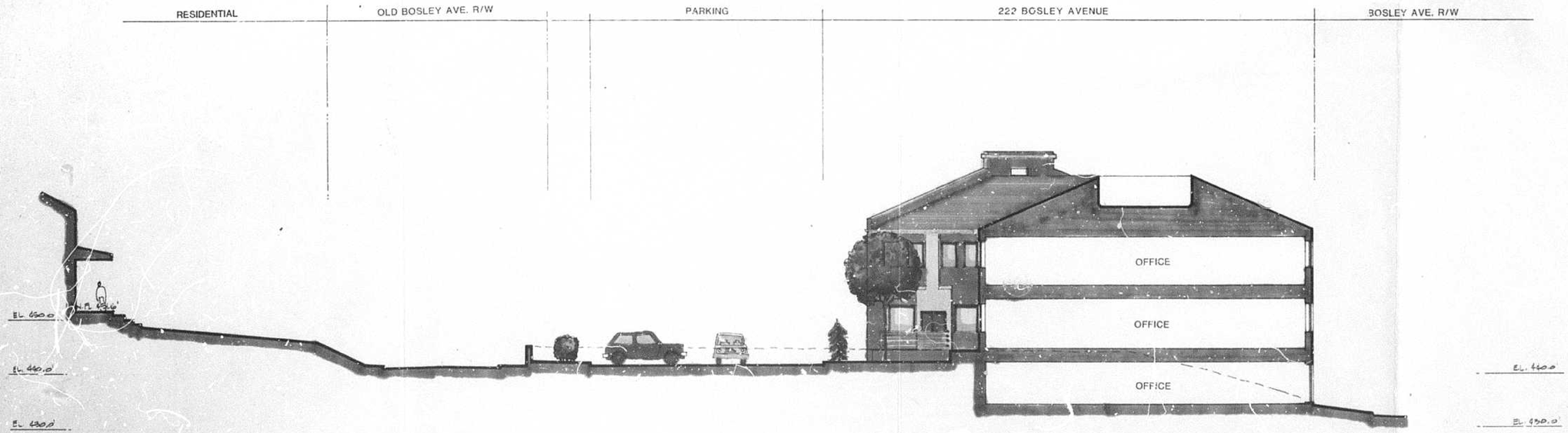
PETITIONER'S
EXHIBIT 50

RO | DR 5.5



ELEVATION FROM OLD BOSLEY, AVE.

SCALE 1:10



SITE SECTION AA

SCALE 1:10

B1	B1
W1	W1
SP2	SP2

PETITIONER'S EXHIBIT 5

l/sa

lapicki/smith associates p.a.

617 park avenue
baltimore, maryland
21201
301 685 4900

l/sa project number 88-33

222 BOSLEY AVENUE

Title
SITE SECTION & ELEVATION

Date
15 APR 88
12 APRIL 93

Dwg. No.
SP 2

SITE AREA:	NET	GROSS
RO ZONED	0.8058 AC ±	1.1583 AC ±
	35,095 S.F.	50,513 S.F.
DR 5.5 ZONED	0.1592 AC ±	0.1622 AC ±
	6,064 S.F.	7,067 S.F.
TOTAL	1.965 AC ±	1.925 AC
	85,520 S.F.	57,580 S.F.

BUILDING AREA

NORTH WING	3,850 S.F. / FLOOR × 3 = 11,550 S.F.
SOUTH WING	3,850 S.F. / FLOOR × 3 = 11,550 S.F.
TOTAL	23,100 S.F.

FLOOR AREA RATIO:

TOTAL GROSS SITE AREA (FO) 50,513 S.F.

MULTIPLIED BY F.A.R. OF 0.5 × 0.5

ALLOWED GROSS FLOOR AREA 25,257.5 (MAX)

PARKING

1/300 S.F. × 7,700 = 26 SPACES
1/500 S.F. × 15,400 = 31 SPACES

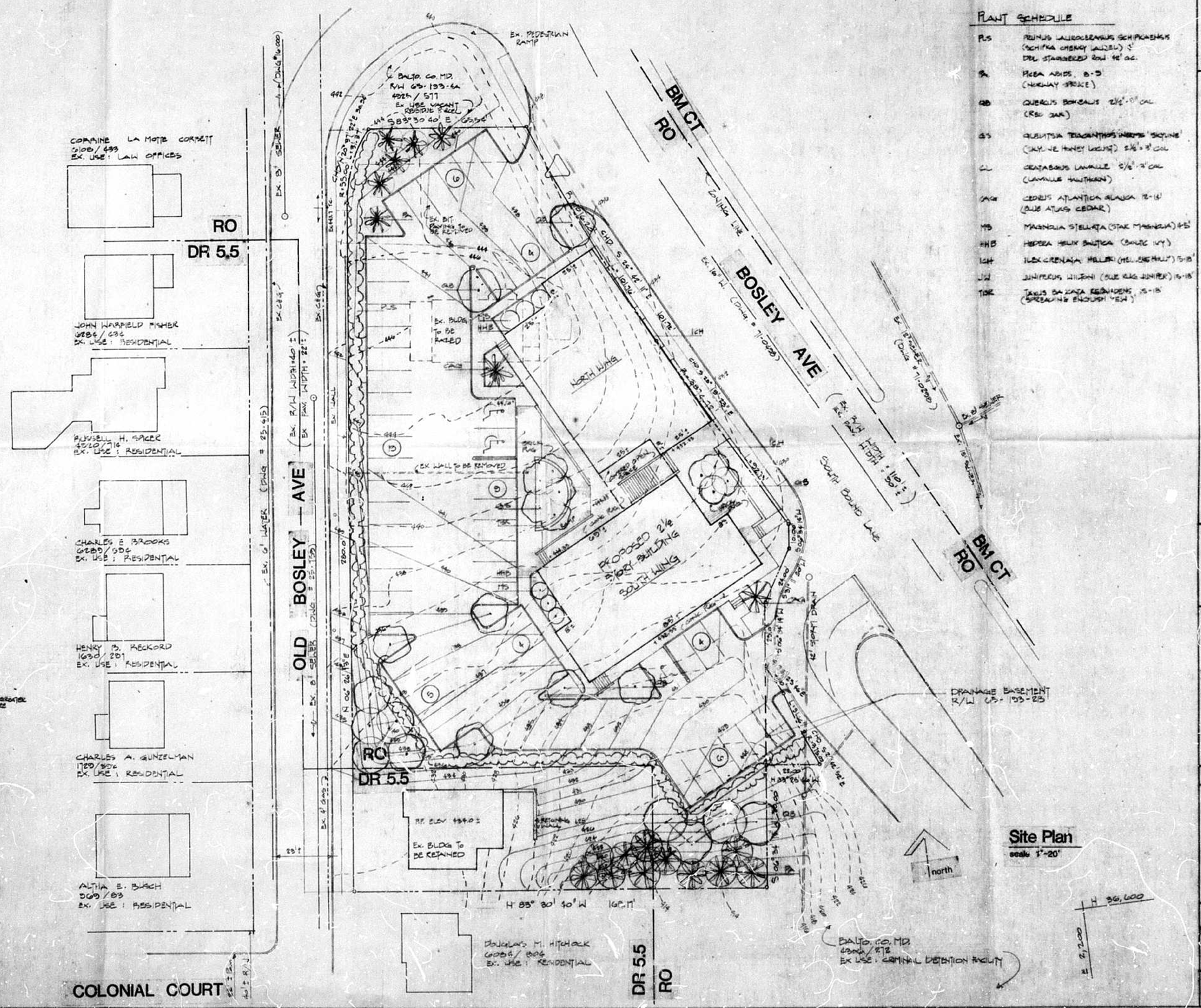
TOTAL: 57 SPACES REQ'D
57 SPACES PROVIDED
@ 8.5' × 18' INCLUSIVE OF 3 H.C. SPACES @ 12' × 18'

AMENITY OPEN SPACE CALCULATION

AMENITY SPACE REQ'D:

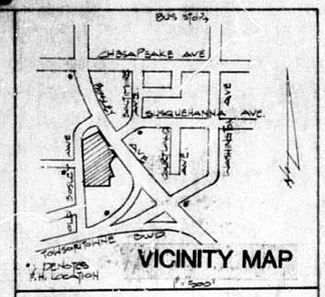
R.O. DATA	.25 × 50,513 S.F. = 12,628.25 S.F.
TOTAL NET SITE AREA (FO)	50,513 S.F.
LESS BUILDING FOOTPRINT	- 7700 S.F.
	31,755 S.F.
LESS VEHICULAR TRAFFIC, MANEUVERING AND PARKING AND OTHER NON ELIGIBLE AREAS	- 18,599 S.F. ±
AMENITY OPEN SPACE PROVIDED	13,156 S.F. ±

NOTE: COVERED OPEN SPACE (25' × 18' = 450 S.F.) IS NOT GREATER THAN 2[(10' × 18') + (7' × 20')] = 560 S.F. AND IS TAKEN FOR ELIGIBLE TOTAL. COUNTED AS AMENITY OPEN SPACE



PLANT SCHEDULE

PLS	PRUNUS LAUROCERASUS SCHIPKAENSIS (SCHIPKA CHERRY LAUREL) 5' DEL STAMBERED ROW 42" o.c.
PA	PICEA ABIES, 8-9' (NORWAY SPRUCE)
QB	QUERCUS BOREALIS 2½"-3" CAL (RED OAK)
GS	GLEDITSIA TRIACANTHOS INERMIS 'SKYLINE' (SKYLINE HONEY LOCUST) 2½"-3" CAL
CL	CRATAEGUS LAVALLE 2½"-3" CAL (LAVALLE HAWTHORN)
SAGC	CEDRUS ATLANTICA GLAUCA 12-14' (BLUE ATLAS CEDAR)
MS	MAGNOLIA STELLATA (STAR MAGNOLIA) 4-5'
HHB	HEDERA HELIX BALTICA (BALTIC IVY)
ICH	ILEX CRENATA HELLERI (HELLER HOLLY) 15-18'
JW	JUNIPERUS WILTONI (BLUE RUG JUNIPER) 15-18'
TBR	TAXUS BACCATA REPANDENS 15-18' (SPREADING ENGLISH YEW)



I/sa
lapicki/smith associates p.a.
617 park avenue
baltimore, maryland
21201
301 685 4800

I/sa project number 86.44

222 BOSLEY AVENUE

PETITIONER'S EXHIBIT 3h

Title
SITE PLAN PLAN 'C'
AND PLANTING SCHEDULE

Date 22 JUNE 1988

Dwg. No. SP-1C

Pet. Exh. 3.

SITE AREA:	NET	GROSS
RO ZONED	0.8056 AC ±	1.1555 AC ±
DR 5.5 ZONED	50,455 S.F.	50,515 S.F.
	0.1552 AC ±	0.1622 AC ±
	6,062 S.F.	7,067 S.F.
TOTAL	1.042 AC ±	1.322 AC
	45,880 S.F.	57,582 S.F.

BUILDING AREA:

NORTH WING	3,860 S.F. / FLOOR × 3 = 11,580 S.F.
SOUTH WING	3,850 S.F. / FLOOR × 3 = 11,550 S.F.
TOTAL	23,100 S.F.

FLOOR AREA RATIO:

TOTAL GROSS SITE AREA (RO) 50,515 S.F.

MULTIPLIED BY F.A.R. OF 0.5 × 0.5

ADJUSTED GROSS FLOOR AREA 25,257.5 (MAX)

PARKING:

1/300 S.F. × 7,700 = 26 SPACES
1/500 S.F. × 19,400 = 39 SPACES

TOTAL 65 SPACES REQ'D
57 SPACES PROVIDED
(2 8.5' × 18' INCLUSIVE OF 3 H.C. SPACES × 12' × 18')

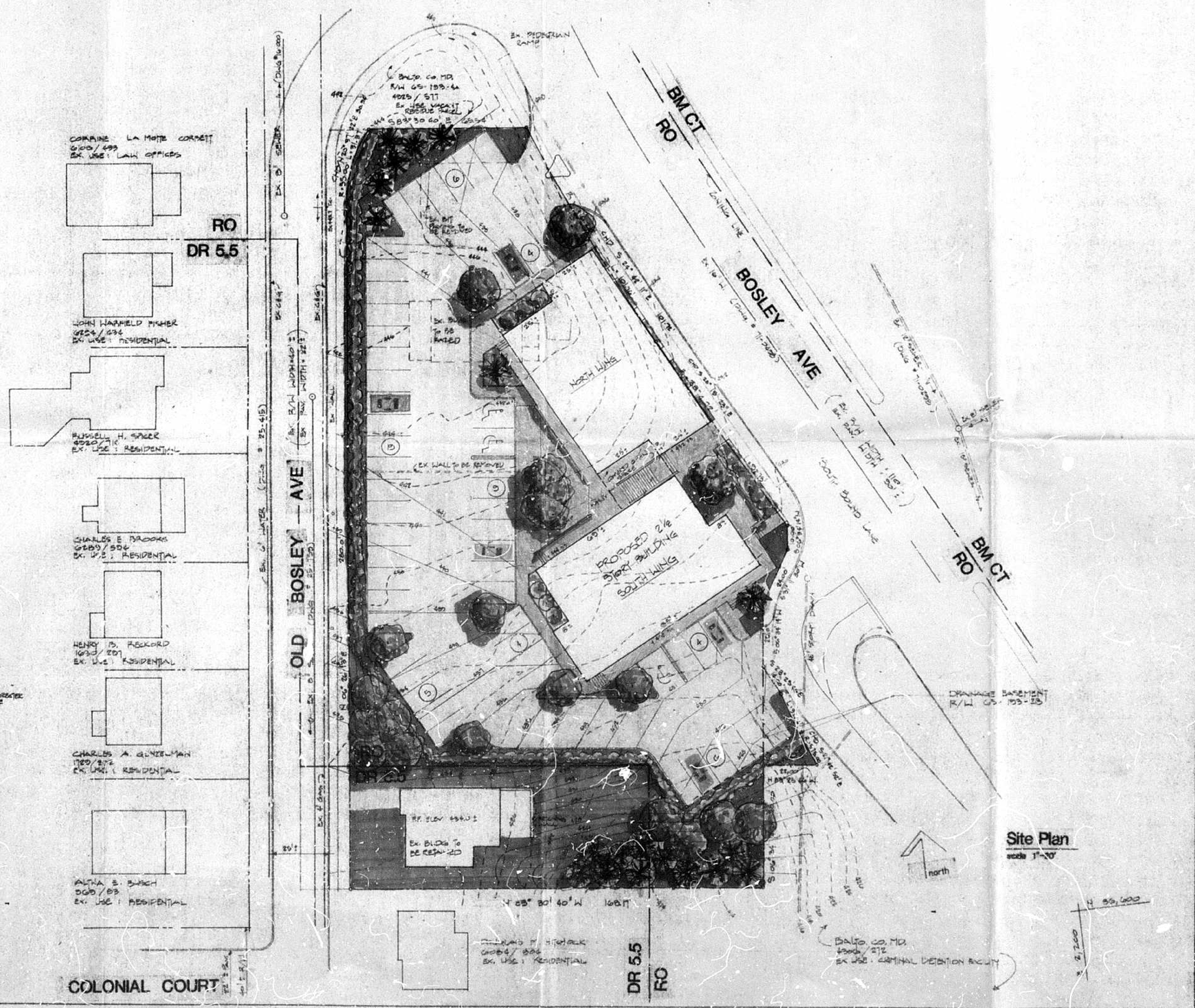
AMENITY OPEN SPACE CALCULATION:

AMENITY SPACE REQ'D:

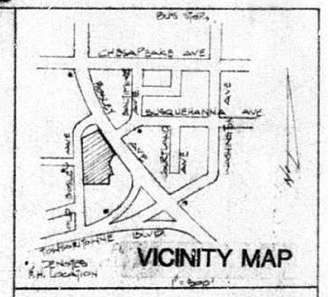
R.O. DATA .25 × 50,515 S.F. = 12,628.75 S.F.

TOTAL NET SITE AREA (R.O.)	50,455 S.F.
LESS BUILDING FOOTPRINT	- 7700 S.F.
	31,755 S.F.
LESS VEHICULAR TRAFFIC, MANEUVERING AND PARKING AND OTHER NON ELIGIBLE AREAS	- 18,550 S.F. ±
AMENITY OPEN SPACE PROVIDED	13,206 S.F. ±

* NOTE: GAZEBO, OPEN VOLUME (20' × 8' = 160 S.F.) IN HIGH ± IS NOT GREATER THAN 15' [(14'×10') + (10'×20')] = 700 S.F. AND IS THEREFORE ELIGIBLE TO BE COUNTED AS AMENITY OPEN SPACE.



Site Plan
scale 1"=20'



lapicki/smith associates p.a.
617 park avenue
baltimore, maryland
21201
301 685 4200

l/sa project number 8618

222 BOSLEY AVENUE
PETITIONER'S EXHIBIT 3a

Title
SITE PLAN PLAN "C"

Date 26 JUNE 1983

Dwg. No. SP. 1C

SITE AREA:	Net	Gross
RO Zoned	0.9058 ac±	1.1598 ac±*
	39,455 s.f.	50,519 s.f.*
DR5.5 Zoned	0.1392 ac±	0.1622 ac±**
	6,065 s.f.	7,067 s.f.**
Total	1.045 ac±	1.322 ac±
	45,520 s.f.	57,586 s.f.

* INCLUSIVE OF 20' OF OLD BOSLEY & 30' OF BOSLEY AVE.

** INCLUSIVE OF 20' OF OLD BOSLEY AVE. SITE FRONTAGE

BUILDING AREA:

North Wing: 4,000 s.f./floor × 3 = 12,000 s.f.

South Wing: 4,000 s.f./floor × 3 = 12,000 s.f.

Total: 24,000 s.f. (office; non-medical; ADT @ 12.5/1000 = 300)

FLOOR AREA RATIO:

Total Gross Site Area (RO): 50,519 s.f.

Multiplied by F.A.R. of 0.5: × 0.5

Adjusted Gross Floor Area: 25,259.5 s.f. (max.)

PARKING:

1/300 s.f. × 8,000 = 27 spaces
1/500 s.f. × 16,000 = 32 spaces

Total: 59 spaces required
60 spaces provided (inclusive of 3 HC spaces)

AMENITY OPEN SPACE CALCULATION:

Amenity Space Required:

.25 × 50,519 s.f. = 12,629.75 s.f.

RO DATA:

Total Net Site Area (RO)	39,455 s.f.
Less Building Footprint†	-9000 s.f.
	31,455 s.f.
Less vehicular traffic, maneuvering and parking AND OTHER NON ELIGIBLE AREAS	20,660 s.f.
AMENITY OPEN SPACE PROVIDED (RO)	10,795 s.f. (21.3% OF TOTAL RO GROSS SITE AREA)

† DOES NOT INCLUDE LOWER LEVEL DRIVE THRU

DR5.5 DATA:

TOTAL NET SITE AREA (DR5.5)	6,065 s.f.
LESS PROVIDED FUTURE PARKING	-1,800 s.f.
	4,265 s.f.
LESS NON ELIGIBLE AREAS	-120 s.f.
AMENITY OPEN SPACE PROVIDED (DR5.5)	4,145 s.f.

NOTE: COVERED OPEN SPACE (15' × 15' = 225 s.f.) 10' HIGH IS NOT GREATER THAN 2[(15×10)+(15×20)] = 2(775) s.f. AND IS THEREFORE ELIGIBLE TO BE COUNTED AS AMENITY OPEN SPACE

Note: Stormwater management for this site has been exempted per a letter dated 12-23-82 from the Balto. Co. Dept. of Public Works.

SHOULD POSSIBLE FUTURE PARKING BE ALLOWED IN DR 5.5 ZONE:

The following items are in conjunction with section 409.4 of the Balto. Co. zoning regulations

(A) The land so used must adjoin or be across an alley or street FROM THE BUSINESS INVOLVED
(B) Only passenger vehicles, excluding buses may use the parking area.
(C) No loading, service, or any use other than parking shall be permitted.
(D) Lighting shall be so erected as not to reflect rays into residential areas or impede traffic flow as to glare. (prop. 8' high)
(E) Screening shall consist of 4' high and 4' center to center evergreen plantings to screen parking from adjacent residential zones.
(F) Proposed paving shall be bituminous with crusher run base and shall be properly drained.
(G) Parking arrangement and vehicular access are as shown hereon.
(H) Hours of operation for office use 7AM- 8PM Mon.- Fri., 8AM- 5PM Sat.

NOTE: PROPOSED BUILDING SHALL BE OF BRICK & STEEL STYLE, OR MASONRY BEARING CONST.

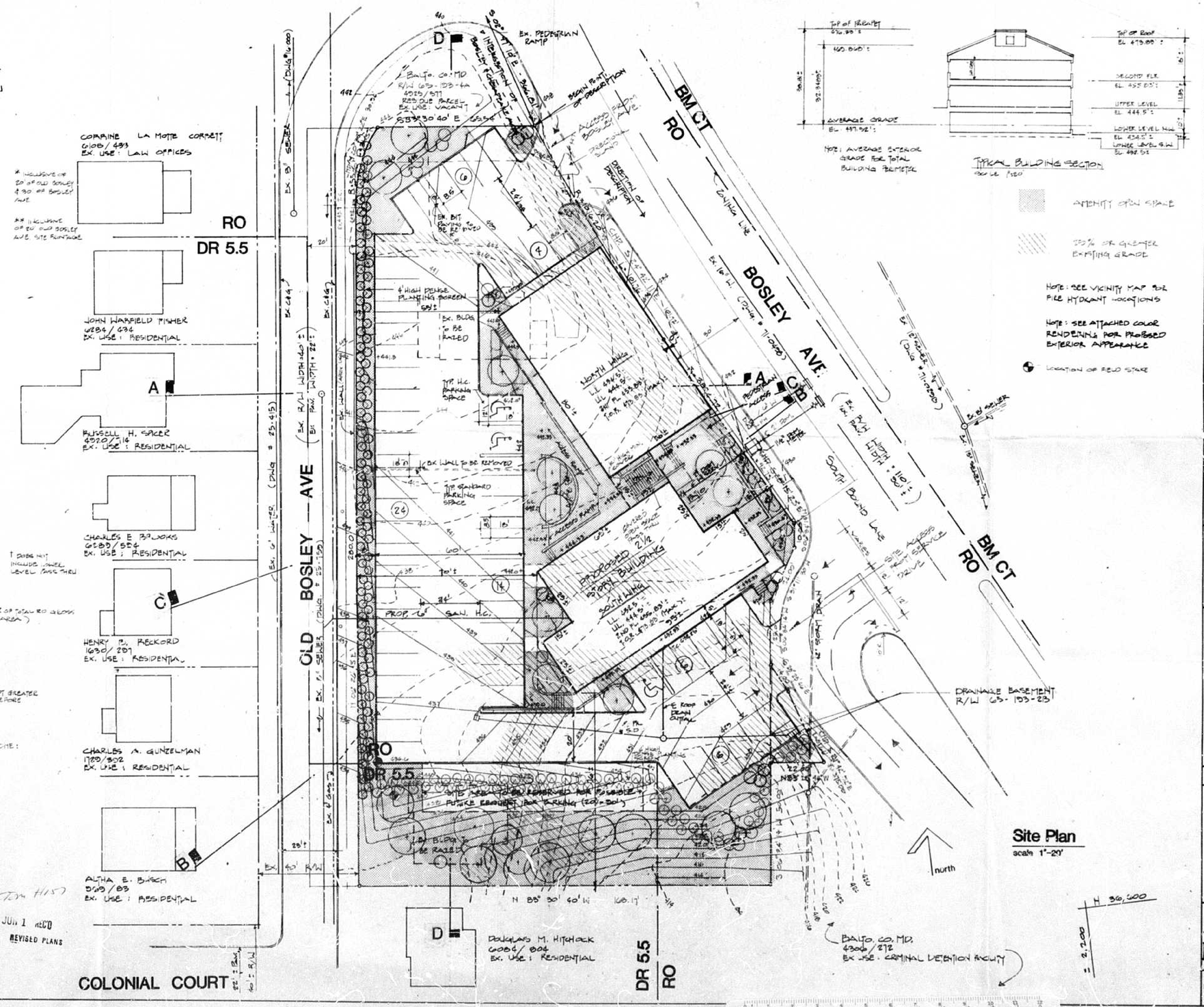
NOTE: BUS TRANSIT FACILITIES TO BE LOCATED AT THE INTERSECTION OF CHESAPEAKE & WASHINGTON AVES.

B1	
C1	
SP1	
C2	
D1	

FROM HIST

JUN 1 RECD

REVISED PLANS



Site Plan
scale 1"=20'

NOTE: AVERAGE EXTERIOR GRADE FOR TOTAL BUILDING PERIMETER

TYPICAL BUILDING SECTION
SCALE 1"=20'

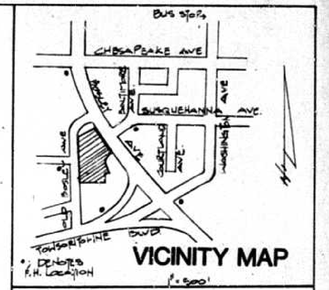
AMENITY OPEN SPACE

25% OR GREATER EXISTING GRADE

NOTE: SEE VICINITY MAP 9B2 FOR FIRE HYDRANT LOCATIONS

NOTE: SEE ATTACHED COLOR RENDERING FOR PROPOSED EXTERIOR APPEARANCE

LOCATION OF FIELD STAKE



VICINITY MAP

PROPERTY/OWNERS REFERENCE

James D. Nolan	5330/413	#16-00-009605
	5521/945	#17-00-002356
	5527/377	#09-07-585270
	5527/375	#09-07-580470
	5204/760	#09-04-503924
	5928/803	#09-12-200330
DOE, Inc.	4842/544	#09-04-503922
		#09-04-503923

Title
Site plan to accompany County Review Group approval, special exception for office building (class B in R.O. zone), special hearing regarding amenity open space in a D.R. 5.5 zone, alternate amenity open space variance of 21% instead of the required 25%.

APPLICANT

James D. Nolan
Nolan, Plumhoff & Williams
204 West Pennsylvania Ave.
Towson, Maryland 21204
301 823 7800

l/sa

lapicki/smith associates p.a.

617 park avenue
baltimore, maryland
21201
301 685 4900

l/sa project number 82.33

222 BOSLEY AVENUE

OFFICE BUILDING

Balto. Co. Md. Elect. Dist. #9
Councilmanic Dist. #4
Census Tract # 4907.02
Watershed #75
Soil Type - GlB GUILFORD
GHGD #55

PETITIONER'S EXHIBIT 1

Date	Dwg. No.
1 FEBRUARY 1983 12 MAY 83 21 MARCH 1983 15 APRIL 1983 22 APRIL 1983	SP 1