

PETITION FOR SPECIAL HEARING 84-303-SPH

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated 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 an amendment to the site plan of Special Exception Case No. 83-288-XSPHA to allow a change in configuration and location of proposed office building and to modify Restriction No. 4 in said order by reducing the area required for screen plantings.

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:

Legal Owner(s):

(Type or Print Name)

DOE, INC. and GLENDALOUGH, INC.

Signature

Signature JAMES D. NOLAN, individually

Address

(Type or Print Name) President, DOE, INC.

City and State

Signature President, GLENDALOUGH, INC.

Attorney for Petitioner:

George A. Nilson, Esquire
Fiber & Marbury

9 Crestline Court 363-3633
Address Phone No.

Signature
1100 Charles Center South
36 S. Charles Street

Owings Mills, MD 21117
City and State

Address
Baltimore, MD 21201

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

City and State
Attorney's Telephone No.: 539-2530

James D. Nolan
9 Crestline Court 363-3633
Name Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of March, 1984, 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 petition be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 8th day of May, 1984, at 10:15 o'clock A.M.

Carl J. Jall
Zoning Commissioner of Baltimore County.

E.C.O.-No.1

(over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: April 20, 1984
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Doe, Inc., et al
SUBJECT: 84-303-SPH

Please consider the comments and minutes of the CRG to be the position of this office.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JGH/sf

COUNTY REVIEW GROUP MEETING MINUTES Wednesday, March 14, 1984

OFFICE BUILDING - 222 BOSLEY AVENUE
DISTRICT 9

COUNTY REVIEW GROUP - THOSE PRESENT*

Gilbert S. Benson, Chairman - Dept. of Public Works
Eugene A. Bober, Co-Chairman - Office of Current Planning

Agency Representatives

Susan Carrell - Planning
Greg Jones - Traffic Engineering
Bob Covahey - Bureau of Public Services
Judy London - Economic Development

Developer's Representatives

James & Dolores Nolan - Developers
Stephen J. Nolan - Developers' Son
Donald D. Smith - Lapicki/Smith Assoc. P.A.
Charles Pick - G. W. Stephens & Assoc.

*Attachment - Interested Citizens

The meeting was called to order at 9:00 a.m. by Mr. Gilbert S. Benson, Chairman of the County Review Group. This was a continued meeting from May 26, 1983. A number of revisions were to be made to this plan. The plan was found not to be compatible with existing neighborhood, amenity open space not sufficient, existing residence is to remain, access to be from New Bosley Avenue rather than any access from Old Bosley Avenue, parking is to be located along New Bosley Avenue.

Mr. Donald Smith presented the plan which has been revised and building relocated along Old Bosley Avenue with the parking to front on New Bosley Avenue. Office buildings have been revised as shown on the plan to be compatible with the neighborhood. Access to parking lot will be from New Bosley Avenue. There are 8 parking spaces reserved within the new County garage. Existing dwelling is to remain and is now being occupied as a home. Amenity open space for this site has met County requirements.

Susan Carrell, Office of Planning, summarized written comments submitted from Fire, Planning, Zoning, Developers Engineering Division, Permits & Licenses, Traffic Engineering, Health. A copy of these comments was given to the developer and developer's engineer, and have also been made a part of these minutes.

Planning - Site Plan No. 1 is generally acceptable to this office. A copy of the lease agreement must be submitted to Baltimore County for the 8 spaces within the Revenue Authority Parking Garage.

84-303-SPH

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 27th day of March, 1984.

Arnold Jablon
Zoning Commissioner

Petitioner Doe, Inc., et al
Petitioner's Attorney George A. Nilson, Esq.

Received by: Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

OFFICE BUILDING - 222 BOSLEY AVENUE

-2-

March 14, 1984

Zoning - Special hearing will be needed to amend the site plan and a variance is required to permit 46 parking places instead of 54. This plan is subject to the outcome of the zoning hearing.

Developers Engineering Division - This plan is subject to previous comments of 5/23/83.

Permits & Licenses - This plan is subject to comments of 3/1/84.

Traffic Engineering - Northernmost 18' of parking needs to be eliminated in front of Unit 1.

Health - Approval is subject to conditions set forth by that office, and owner must comply in writing with these conditions.

Fire - Additional hydrants shall be installed at Bosley Avenue and Old Bosley Avenue.

CITIZENS' COMMENTS

Mr. Murphy and Mr. Kenney stated that the handicap access is a concern to the neighborhood.

The access has been studied by the developer's engineer and found to be the only way access can be provided to these buildings.

Site Plan No. 1 is approved by the Department of Public Works and Office of Planning.

Site Plan No. 2 is disapproved.

The meeting was adjourned at 10:00 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 or questions
7. Developer's response
8. County Review Group decision
9. Adjourn meeting

SIGN IN

Name
Rita Jones
Renee Jones
Linda B. Jones
P. H. Jones
J. C. Jones
MIKE RICH

Address
212 Bosley Ave.
212 Bosley Ave.
301 Connel Ct.
9 W. Hamilton
TOWSON TMD83

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 30, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
000
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

George A. Nilson, Esquire
Fiber & Marbury
1100 Charles Center South
36 South Charles Street
Baltimore, Maryland 21201

RE: Item No. 248 - Case No. 84-303-SPH
Doe, Inc., et al
Special Hearing Petition

Dear Mr. Nilson:

The Zoning Plans Advisory Committee and the County Review Group (CRG) have both reviewed the plans submitted with the above referenced petition. The following comments from the CRG have been substituted for those of the Zoning Plans Advisory Committee. They 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 amend the site plan in Case No. 83-288-XSPHA by changing the location and shape of the proposed office complex, and modifying the screening requirements this hearing is required.

As indicated in my conversation with Mr. Don Smith, the site plan must indicate that the average height of the proposed building will not exceed 35 feet. In addition, it must be clearly indicate that the shortage of parking spaces (8 or more in accordance with the comments of the Department of Traffic Engineering) must be leased from the Baltimore County Revenue Authority Parking Garage. For further information on the revisions to the parking layout, you should contact Mr. Greg Jones at 494-3554. The revised site plan must also indicate the correct amenity open space calculations and location thereof. As you are aware, this open space cannot be less than 7 feet in a parking area if it is suitably planted and 10 feet in any other area.

AUG 13 1985

PLANT SCHEDULE

PLS	PRUNUS LAUROCEASUS SCHIPKAENHUS (SCHIPKA CHERRY LAUREL) 5'
PA	PLA STAGGERED ROM 5'0" O.C. FILEA ARIES 8'9"
Q.E.	(NORWAY SPRUCE) QUERCUS BOKEALIS 2 1/2" 3" CAL (RED OAK)
GS	GUEVITZIA TRIACANTHOS INERME (SKYLINE) (SHYLINE HONEY LOCUST) 2 1/2" 3" CAL.
MS	MAGNOLIA STELLATA (STAR MAGNOLIA) 4'-6'
HMB	HEPERA HELIX BALTICA (BALTIC IVY) ILEX GRENATA HELLERAI (HELLER'S HOLLY) 15'-18'
KH	

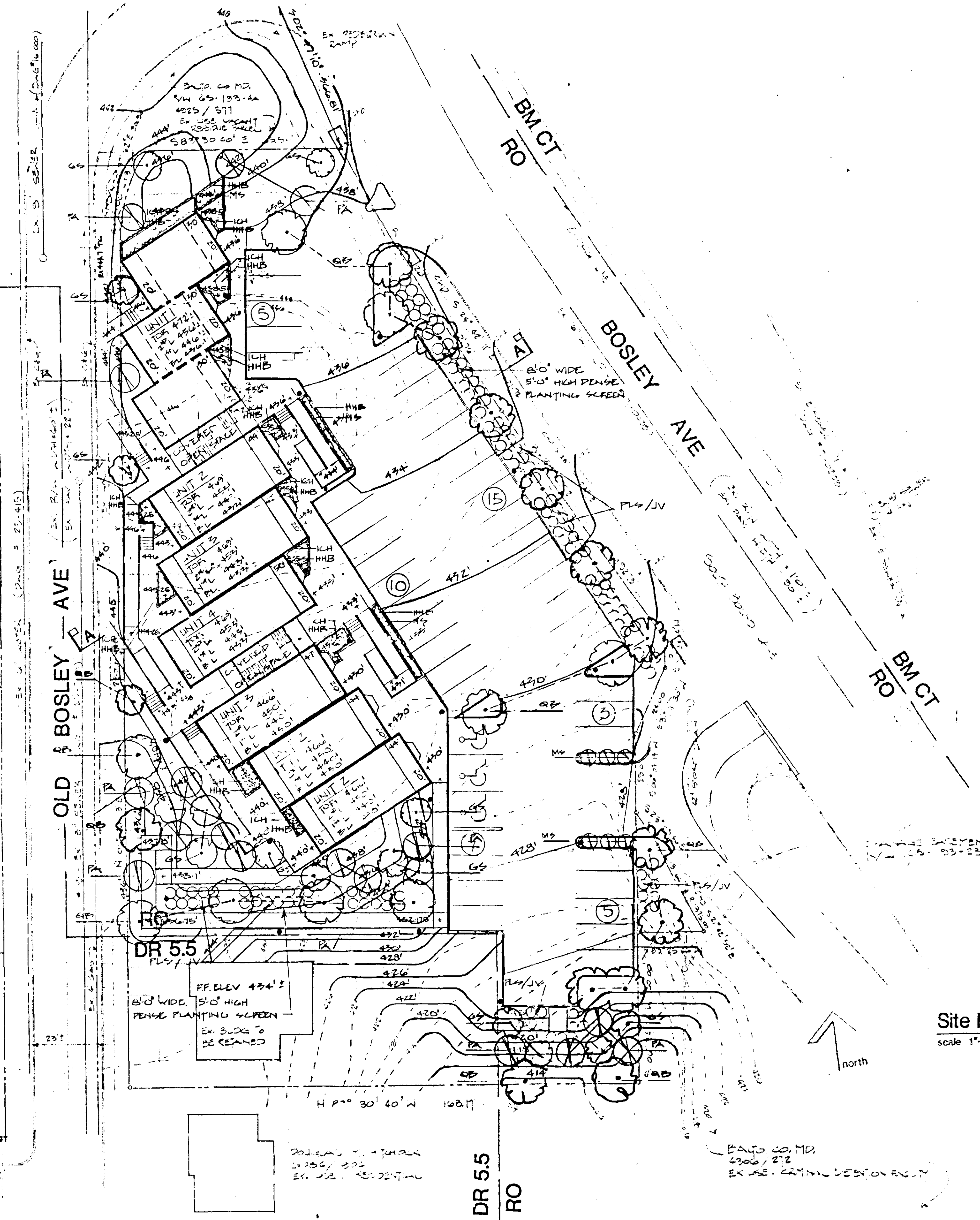
JV JUNIPERUS VIRGINIANA
(JUNIPER RED CEDAR).

E 1,500
4 37,000

COMBINE LA MOTTE CORSETT
600/493
EX. USE: LAW OFFICES
* INCLUSIVE OF 20' OF
OLD BOSLEY & 50'
OF BOSLEY AVE
** INCLUSIVE OF 20'
OF OLD BOSLEY
AVE.
SITE FRONTAGE

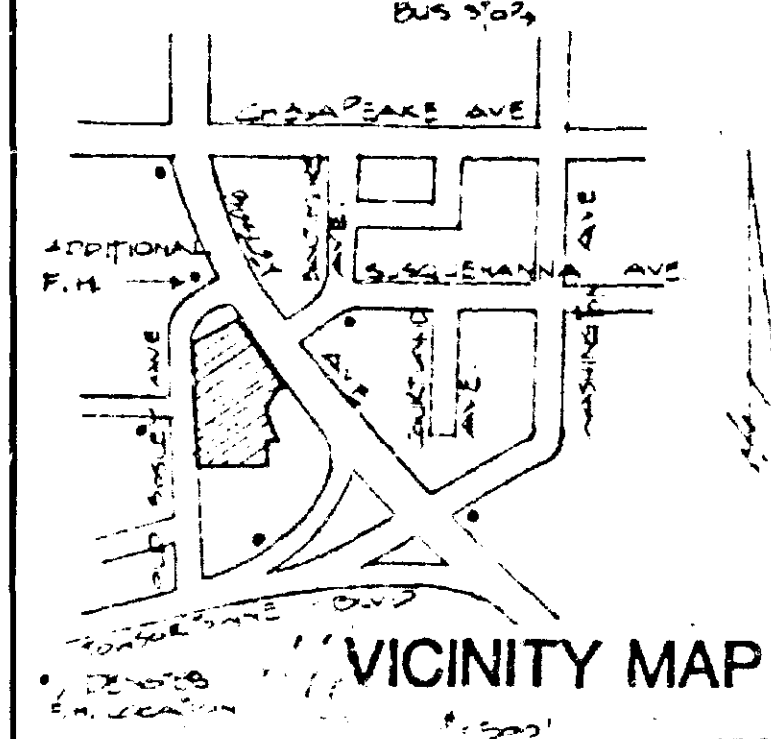
JOHN WARFIELD FISHER
6284/432
EX. USE: RESIDENTIAL
CHARLES E. FISHER
6285/504
EX. USE: RESIDENTIAL
HENRY B. FISHER
6286/522
EX. USE: RESIDENTIAL
CHARLES A. FISHER
6287/532
EX. USE: RESIDENTIAL
ALAN E. FISHER
6288/542
EX. USE: RESIDENTIAL

COLONIAL COURT



Site Plan
scale 1"=20'

E 2,200
4 37,000



GEORGE W STEPHENS AND ASSOCIATES INC.
303 ALLEGHANY AVENUE
TOWSON, MARYLAND 21204
301-825-8120

APPLICANT
James D. Nolan
C/O Mr George A. Nilson
Piper and Marbury
36, South Charles Street
Baltimore, Maryland 21201 301-539-2530

I/sa
lapicki/smith associates pa.
617 park avenue
baltimore, maryland
21201
301 685 4900

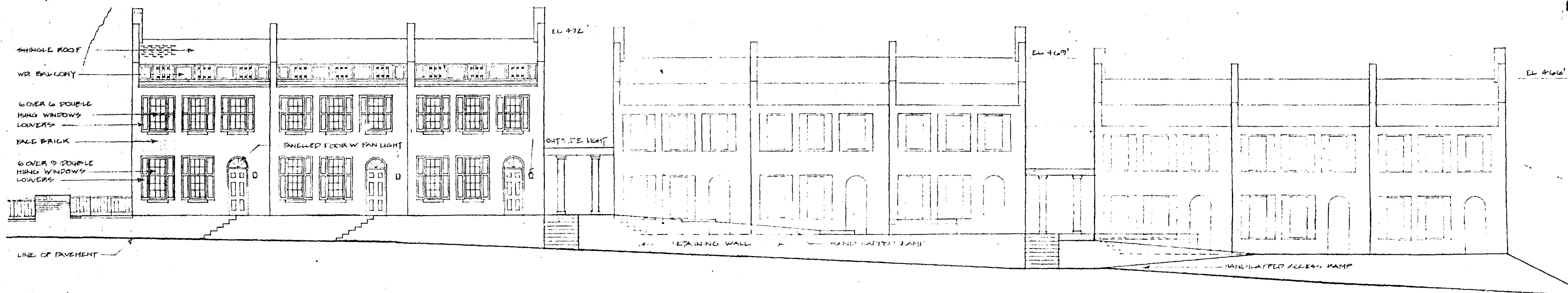
I/sa project number 00133

222 BOSLEY AVENUE
OFFICE BUILDING

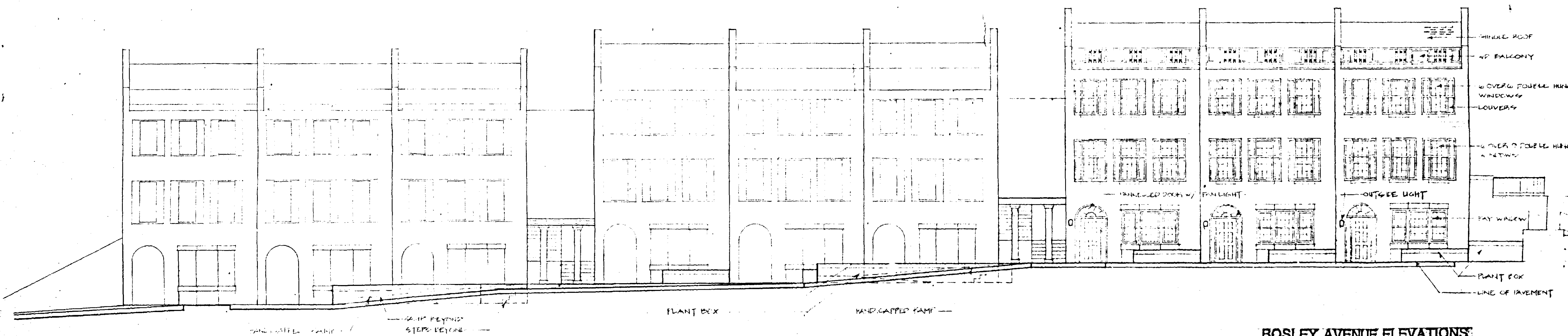
Title
LANDSCAPE PLAN

Date
23 APRIL 1984
Dwg. No.
L-1

B1	B1
C1	C1
S1	S1
L1	L1



OLD BOSLEY AVENUE ELEVATIONS
SCALE 1/8"=1'-0"



BOSLEY AVENUE ELEVATIONS
SCALE 1/8"=1'-0"

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

I/sa project number 20133

222 BOSLEY AVENUE
OFFICE BUILDING

Title
ELEVATIONS

Date
8 FEBRUARY 1984

Dwg. No.
A-1

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts:

Item No. 248 - Case No. 84-303-SPH
Doe, Inc., et al
Special Hearing Petition
Page 2

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
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Lapicki/Smith Associates
617 Park Avenue
Baltimore, Md. 21201



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

May 4, 1984

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

Re: Item #248 (1983-1984)
Property Owner: Doe, Inc., et al
S/W New Bosley Avenue, 366.8' from centerline
New Bosley Avenue and Chesapeake Avenue
Acre: 1.3 District: 9th

Dear Mr. Jablon:

The following comments are furnished in regard to the subject item.

General:

The Subdivision Review Comments (December 9, 1983), with additional Revised Plan Comments (May 23, 1983 and March 8, 1984), were supplied by the Developers Engineering Division for this property (Project 83009).

This property was reviewed by the County Review Group February 10, 1983, with Continuing County Review Group Meetings May 26, 1983 and March 14, 1984.

Comments were supplied for a portion of this property in conjunction with the Zoning Advisory Committee review in connection with Item #246 (1969-1970).

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #248 (1983-1984).

Very truly yours,
Robert A. McKim
ROBERT A. MCKIM, P.E., Chief
Bureau of Public Services

RAM:ERM:RWR:ss

cc: R. Covahey

N-W Key Sheet
37 NE 2 Pos. Sheet
NE 10 A Topo
70 & 70 A Tax Maps

BALTIMORE COUNTY, MARYLAND

SUBJECT: SUBDIVISION REVIEW COMMENTS

DATE: March 8, 1984

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

PROJECT NAME: Office Building - 222 Bosley Avenue

PROJECT NUMBER: #33009

LOCATION: Bosley Avenue,
N. of Towson Boulevard

DISTRICT: 9C4

The Plan for the subject site, dated February 8, 1984, has been reviewed by the Developers Engineering Division and we comment as follows:

GENERAL COMMENTS:

Any manmade embankment over 10 feet vertically, shall be designed and/or approved by a soils engineer.

The Plan as submitted is satisfactory.

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 and configurations are subject to approval by the Department of Traffic Engineering.

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.

Project #83009
Office Building - 222 Bosley Avenue
Page 2
March 8, 1984

HIGHWAY COMMENTS: (Cont'd)

The Developer shall be fully responsible for the construction of the new entrances and for all repairs and/or replacement of the existing curb and gutter and sidewalks of both streets, which are necessitated by the development of this site.

Street lights exist along Bosley Avenue and Old Bosley Avenue.

Sidewalks are existing.

Ramps shall be provided for physically handicapped persons at all street intersections.

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 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.

A sediment control plan is required.

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 Department of Public Works.

A storm water management exemption has been granted for this site.

WATER AND/OR SANITARY SEWER COMMENTS:

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.

Project #83009
Office Building - 222 Bosley Avenue
Page 3
March 8, 1984

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

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.

Fire hydrant spacing and location are subject to review and approval by the Fire Protection Section of the Fire Department.

Permission to connect to the existing public sanitary sewer may be obtained from the Department of Permits and Licenses.

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.

This property is subject to Water and/or Sewer System Connection Charges based on the size of water meters utilized in accordance with current County policy.

If the Developer increases the plumbing facilities to the equivalent of a dwelling unit or more, the System Connection Charges will apply. The amount to be determined and payable upon application for the Plumbing Permit. The Developer will be given credit for one System Connection Charge for each existing house which is now connected into the public service.

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

ERM:REC:ss

cc: File

BALTIMORE COUNTY, MARYLAND

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

DATE: March 13, 1984

PROJECT NAME: TWO HUNDRED TWENTY TWO (222) Bosley Ave PLAN

XXXXXXXXXXXX

COUNCIL & ELECTION DISTRICT IX-9C4

PLAN EXTENSION

REVISED PLAN

PLAT

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

Site Plan #2 is not satisfactory.

Site Plan #1 is generally acceptable as it pertains to the requirements of this office. A note should be added to the plan which states that the 8 parking spaces not provided on the site are proposed to be leased from the Revenue Authority. The lease agreement must be submitted with the building permit application.

A separate landscape and planting plan must be submitted with the building permit application.

Susan Carrell
Susan Carrell

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
FROM: ZONING

DATE: March 14, 1984
CONTINUED MEETING

PROJECT NAME: Office Building

PLAN: ✓

LOCATION: 222 Bosley Avenue

DEVELOPER'S PLAN:

DISTRICT: 9th Election

PLAT:

1. The property in question was the subject of a zoning hearing, Case No. 83-288-XSPH, in which the Deputy Zoning Commissioner granted a Special Exception for an office building on October 24, 1983. The Special Hearing and Variance were dismissed. The Special Exception was granted in accordance with a plan dated June 22, 1983 and was subject to several restrictions (see copy of the Order attached).

2. In light of the revised site plan submitted for CRG approval, a Special Hearing will be needed to amend the site plan and to remove or modify Restriction No. 4 imposed by the Order. A Variance also is necessary to permit 46 parking spaces instead of the required 54.

3. CRG approval may occur; final approval, however, is contingent upon the outcome of the Zoning hearing.

4. All areas devoted to amenity open space must clearly meet the following requirements:

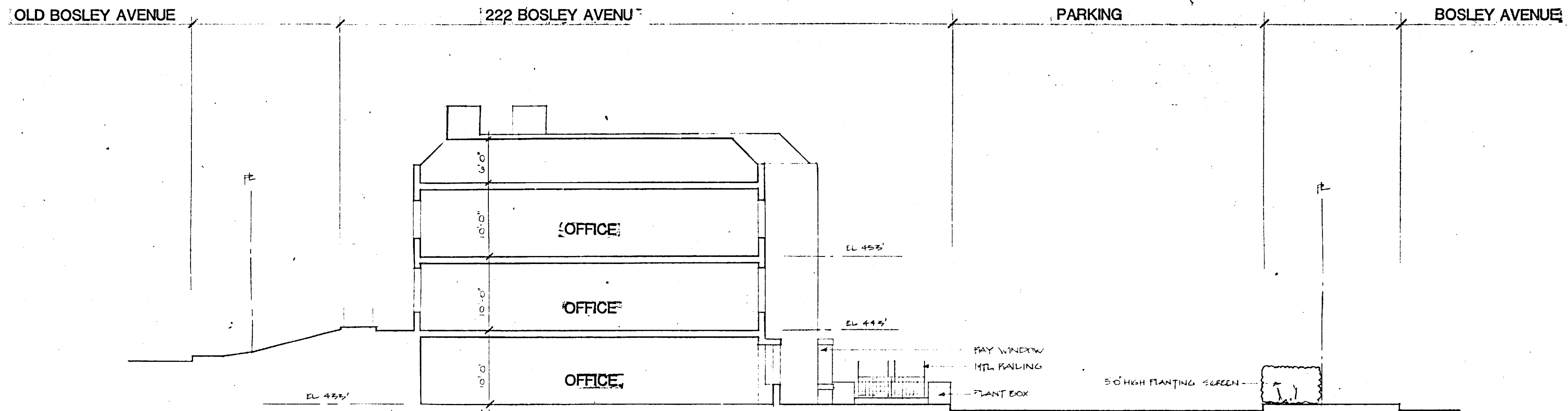
A. Any area devoted to a.o.s. which is within or immediately adjacent to a parking area must be 7 feet wide.

B. All other exterior areas must be 10 feet wide.

Diana Titter
DIANA TITTER
Zoning Associate III

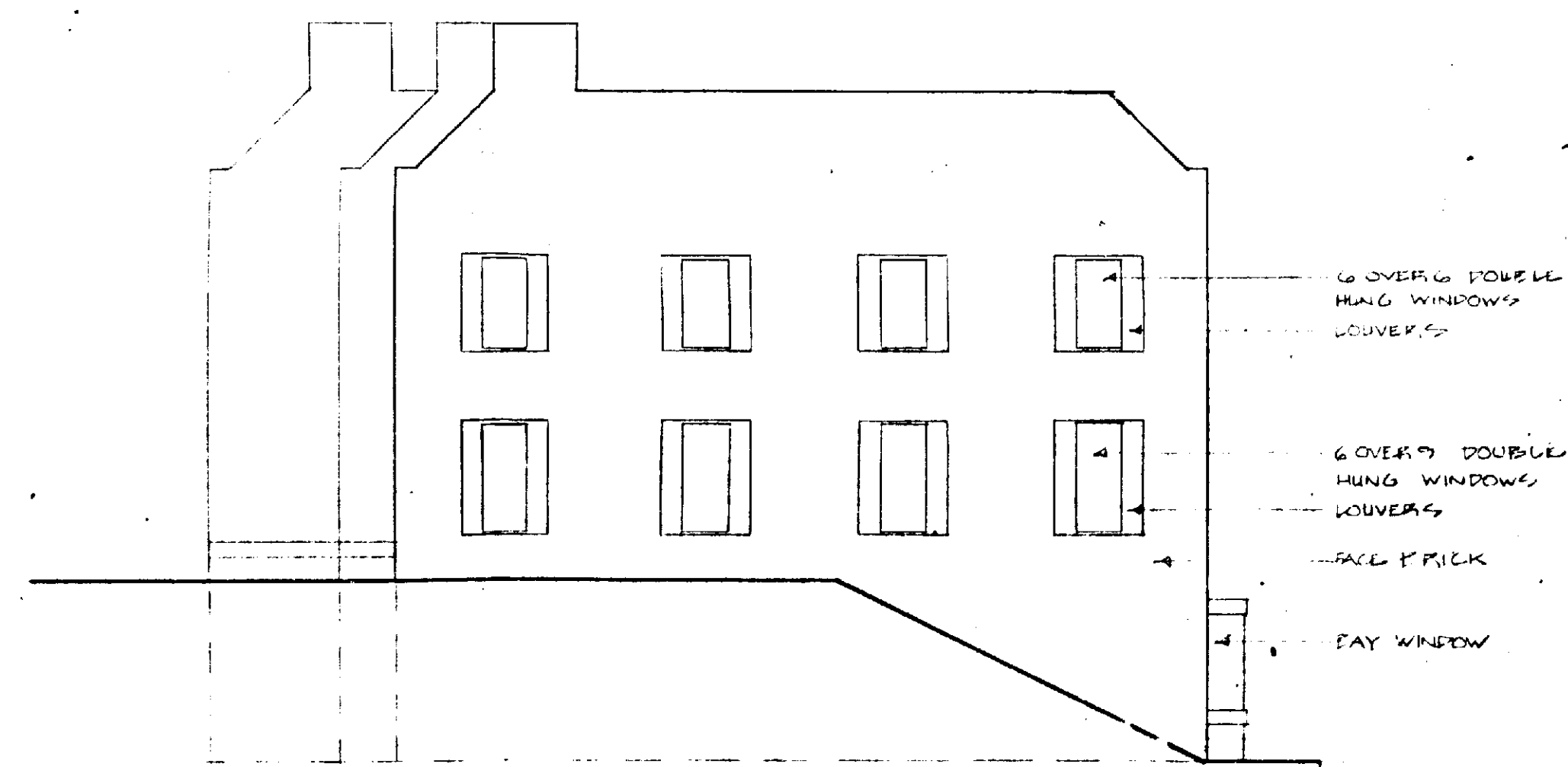
DI:mr

7/32ss



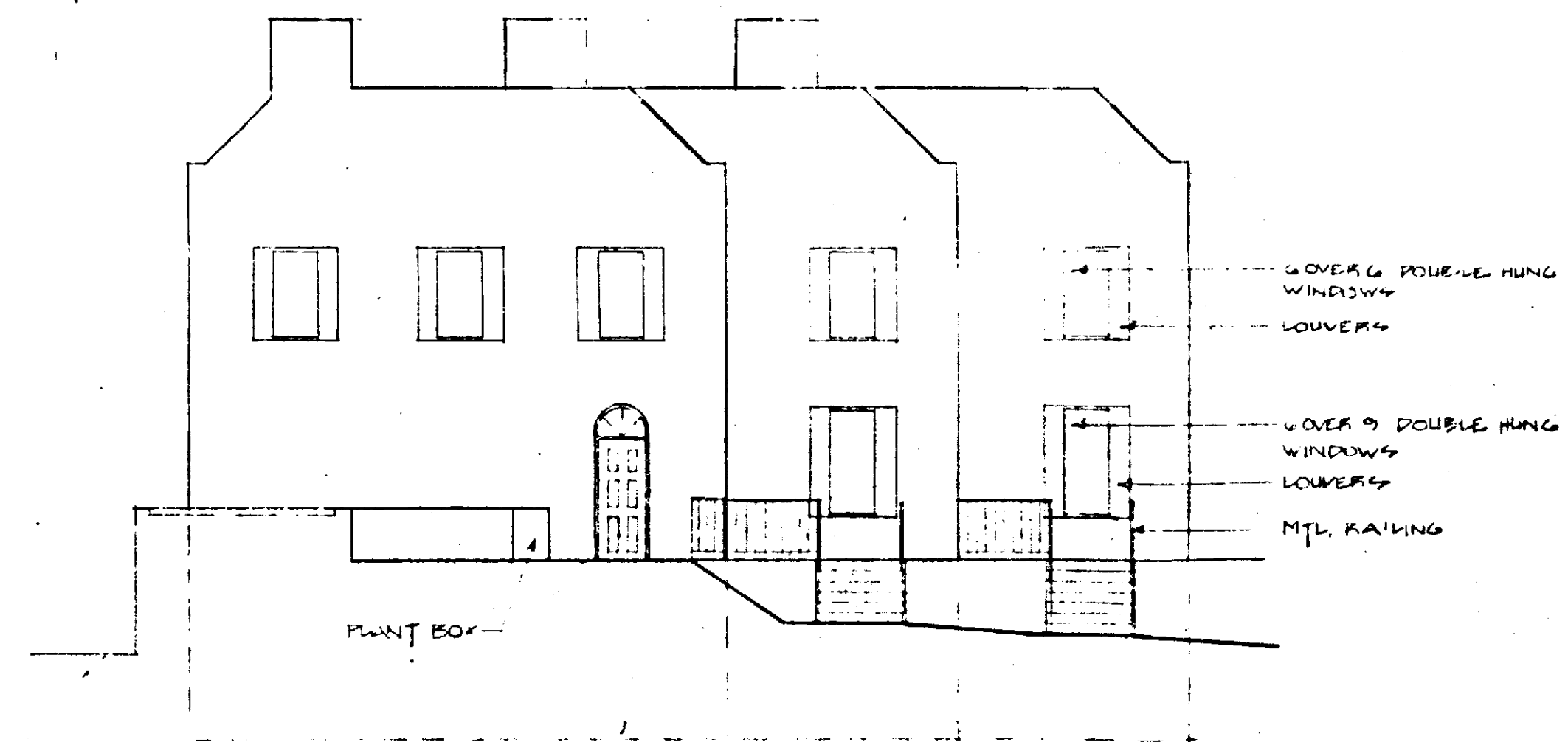
SECTION A-A

SCALE 1/8" = 1'-0"



SOUTH ELEVATION

SCALE 1/8" = 1'-0"



NORTH ELEVATION

SCALE 1/8" = 1'-0"

I/sa

lapicki/smith associates p.a.

617 park avenue
baltimore, maryland
21201
301 685 4900

I/sa project number 00133

222 BOSLEY AVENUE

Title

ELEVATIONS & SECTION

Date
1 FEBRUARY 1984

Dwg. No.
A-2

84-303

Baltimore County Revenue Authority
10 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TELEPHONE 494-3127

September 14, 1984

Mr. M. Ronald Lipman
Lipman Frizzell & Mitchell
8422 Bellona Lane
Suite 203
Baltimore, Maryland 21204

Re: Office Building - 222 Bosley Avenue

Dear Mr. Lipman:

You have inquired whether the Revenue Authority will make available parking spaces in its Towson multideck parking structures for the tenants and other occupants of the proposed office building of your clients, Mr. and Mr. James Nolan at 222 Bosley Avenue.

We understand that there must be provided ten (10) off-site parking spaces for the proposed building.

This is to advise you that the Revenue Authority will provide monthly parking for that number of spaces in its multideck parking facilities located in Towson, provided that the tenant's (or other user's) application for space is made within three (3) months from the date an occupancy permit is issued for the building. The monthly parking agreement for such spaces shall be renewable from month to month as long as the tenancy (or other use) in the building exists and as long as the tenant pays the parking fees being charged by the Revenue Authority from time to time for the monthly parking and abides by the reasonable rules and regulations imposed by the Revenue Authority on its monthly parking patrons. The Revenue Authority agrees to notify the Owner of any delinquency in the payment of parking fees or any failure to abide by the rules and regulations. When a tenant (or other user) ceases to rent premises in the building, such tenant's successor to the premises will be permitted to enter into a monthly parking agreement for the requisite number of spaces, provided such successor tenant immediately applies for such spaces, and, in any event, within three (3) months of the termination of the prior tenancy.

Very truly yours,

Charles E. Heintz, Jr.
Charles E. Heintz, Jr.
Executive Director

CEH/f

MICROFILMED

November 15, 1984

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

Re: Courthouse Commons
222 Bosley Avenue
Towson, Maryland

Gentlemen:

The purpose of this letter is to acknowledge and agree to, on behalf of Courthouse Commons Limited Partnership (the Limited Partnership), the owner of the above-referred to property, the terms of the letter of the Baltimore County Revenue Authority dated September 14, 1984 for the use of ten (10) off-site parking spaces for the Office Building to be constructed at 222 Bosley Avenue, a copy of which letter is attached hereto.

The Limited Partnership understands that Baltimore County is relying upon the commitment of the Revenue Authority to supply the 10 parking spaces for the use of this Building, and that it is upon that condition that you are willing to sign off on the building permit.

Accordingly, to induce you to sign off the building permit, the Limited Partnership agrees to the following:

1. The Limited Partnership, as the owner and developer of the proposed Office Building, shall be liable for the parking fees for the 10 spaces from the Baltimore County Revenue Authority to support the parking requirements for this Building.

MICROFILMED

Baltimore County Office of
Planning and Zoning
November 15, 1984
Page 2

2. The obligation of the Limited Partnership shall continue for as long as the parking is required.

3. The Office of Planning and Zoning shall have the right to enforce the obligations of the Limited Partnership under this Agreement.

4. From time to time, the Limited Partnership shall furnish evidence of compliance with the terms of this Agreement upon demand by the Office of Planning and Zoning.

5. This Agreement shall be binding upon the Limited Partnership, its successors and assigns, and this Agreement shall inure to the benefit of the Baltimore County Office of Planning and Zoning.

COURTHOUSE COMMONS LIMITED
PARTNERSHIP

By: *James D. Nolan*
General Partner

MICROFILMED

DEPARTMENT OF TRAFFIC ENGINEERING
BALTIMORE COUNTY, MARYLAND

TO: Mr. Robert A. Morton DATE: March 13, 1984

FROM: C. Richard Moore

SUBJECT: C.R.G. COMMENTS

PROJECT NAME: Office Building, 222 Bosley Ave. C.R.G. PLAN: X

PROJECT NUMBER & DISTRICT: 904 DEVELOPMENT PLAN:

LOCATION: Bosley Avenue and Baltimore Avenue RECORD PLAT:

The northernmost 18ft. of parking needs to be eliminated in front of unit 1.

C. Richard Moore
Acting Deputy Director
Traffic Engineering

CRM/GMJ/ccm

March 13, 1984
Date

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

Office Building - 222 Bosley Avenue
Subdivision Name, Section and/or Plat

James A. Nolan Developer and/or Engineer

Towson Branch Watershed

No. of Lots or Units: 1
Total Acreage: 0.91
Public Water: Public
Sewer: Public

COMMENTS ARE AS FOLLOWS:

- Soil percolation tests are required; minimum of two test are required within a designated 10,000 square foot area. Disposal reserve area. For further information regarding these requirements, contact this office at 494-2762.
- Soil percolation test have been conducted. Revised plans, must be submitted prior to approval of plat, are not required and the plat can be approved as submitted. Contact this office for more complete information, 494-2762.
- Public sewers X, public water X, must be utilized and/or extended to serve the property.
- A Hydrogeological Study and Environmental Effects Report for this subdivision, must be submitted, are not required, is incomplete and must be revised, X has/have been reviewed and approved.
- A Water Appropriation Permit Application, must be submitted, has been submitted. NOTE: Greater than 33 lots necessitates a public hearing with Water Resources Administration as part of the permit process.
- It is recommended the plan, be approved as submitted, X be approved as submitted subject to the following conditions noted: in the attached memo dated March 12, 1984.
- It is recommended this plan not be approved at this time. See revisions and/or comments.

REVISIONS AND/OR COMMENTS: JAB

SS 783R

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Brooks Stafford DATE: March 12, 1984

FROM: Stephanie A. Taylor

SUBJECT: ENVIRONMENTAL EFFECTS REPORT
222 BOSLEY AVENUE CRG MTG MARCH 14, 1984 9:00 A.M.

PLAN REVIEW NOTES

- Office building on 0.91 acres.
- Public water and public sewer proposed.
- Not in reservoir watershed.
- No wetland soils or streams on site.
- Stormwater management is not required.
- Proposed impervious area is 0.72 acres.
- Proposed best management practices include the five recommended by the Health Department.

RESPONSES

Environmental Effects Report is approved, subject to the following conditions:

- The owner agrees in writing to comply with the following best management practices at this site:

- All areas except that used for buildings, sidewalks and paved parking will be planted with vegetated cover and/or landscaped as soon as possible after final grading and maintained in such condition.
- Dirt and debris accumulating on private roads and parking lots will be removed according to the following schedule: May through October, concurrent with grass mowing; November through April, monthly.
- Snow removal will be by mechanical means except in severe snow and ice conditions. When deicing compounds may be used.
- Application of fertilizers, herbicides and pesticides will not exceed recommendations of the University of Maryland Cooperative Extension Service.
- Filling will not occur in grassed or lined drainage ditches or swales.

SAT:pms

BALTIMORE COUNTY, MARYLAND

DATE: March 13, 1984

SUBJECT: SUBDIVISION REVIEW COMMENTS

FROM: BALTIMORE COUNTY FIRE DEPARTMENT, FIRE PREVENTION BUREAU
Captain Joseph Kelly

PROJECT NAME: Office Bldg. 222 Bosley Avenue PRELIMINARY PLAN

PROJECT NUMBER: CRG Agenda 3/14/84: 9:00 am TENTATIVE PLAN

LOCATION: 222 Bosley Avenue DEVELOPMENT PLAN

DISTRICT: 9 FINAL PLAT

Comments

- Additional fire hydrant shall be installed at Bosley and Old Bosley Avenue.
- Proposed buildings are to be designed and constructed in accordance with the Fire Prevention Code and the NFPA 101 Life Safety Code, 1981 Edition.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Catherine Warfield, C.R.G. DATE: March 1, 1984

FROM: Charles E. Burnham, Chief, Building Plans Review CEB

SUBJECT: 222 Bosley Avenue
Drawings #SP1, A-1 and A-2

- It appears this type project would be very difficult due to the design to comply with the State Handicapped Code, known as the Code of Maryland Regulations 05.01.07, Section .05 Interior Access. Please find this Section attached and note sub-section (4) and (c) which does require access to all floors of buildings with 3 levels. Should the designer wish to provide an elevator for each unit the code could be met although the cost would be astronomical. The applicant may wish to restrict the height to two levels, with no building floor area exceeding 4,000 square feet. Another option would be to apply to the State for a waiver. However they should also be aware of Section 515.5 which is part of the County Handicapped Law, and also requires access to all levels without exception, but subject to interpretation.
 - This plan as well as SP-2 does not appear to provide Handicapped Parking in compliance with Section .05 of the State Code or 515.4.1, 515.4.2, 515.4.3 etc. of the 1981 B.O.C.A. Code.
 - The applicant shall also be made aware the early stage of review prior to adoption proceedings has begun for the 1984 Code. If and when this Code is adopted, any plans filed after the effective date of the ordinance will be required to comply with the 1984 Code.
- The applicable Codes will be the B.O.C.A. Basic Building, Mechanical, Energy Codes and the State Handicapped Code when the project is reviewed upon permit application.

CEB/vw

RECEIVED
MARCH 1984
BUREAU OF PUBLIC SERVICES

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
366.81' S of New Bosley Ave., : OF BALTIMORE COUNTY
366.81' S of Chesapeake Ave., : 9th District
DOE, INC., et al., Petitioners : Case No. 84-303-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

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

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

I HEREBY CERTIFY that on this 20th day of April, 1984, a copy of the foregoing Entry of Appearance was mailed to George A. Nilson, Esquire, Piper & Marbury, 1100 Charles Center South, 36 S. Charles Street, Baltimore, MD 21201, Attorney for Petitioners.

Phyllis Cole Friedman
Phyllis Cole Friedman

PIPER & MARBURY

1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201

TELEPHONE 301-576-2530
CABLE PIPERMAR BAL
TELEX 904054

606 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. 20006
TELEPHONE 202-786-8160

March 15, 1984

Office of the Zoning Commissioner
111 W. Chesapeake Avenue
Towson, Maryland 21204

Attention: Mr. Nicholas Commadari,
Zoning Coordinator

RE: 222 Bosley Avenue --
Petition for Special Hearing
to Amend Site Plan Approved
in Case No. 83-288-XSPHA

Dear Mr. Commadari:

Enclosed for filing is an original and three copies of a Petition for Special Hearing for the Nolan Property, located at 222 Bosley Avenue. In accordance with our discussion of yesterday, I am also enclosing six sets of the current Site Plan, including elevations, as submitted to and approved by the County Review Group. A check in the amount of \$100.00, covering the application fee, is also enclosed. Finally, because I was somewhat uncertain as to whether the conditions that accompanied the approval of the old Site Plan had to be formally incorporated in the new one, I am simply enclosing 10 copies of the Order of October 24, 1983 granting the Special Exception, which Order sets forth the applicable conditions. It is my understanding that the property descriptions submitted with the Special Exception application last fall will be satisfactory. If not, please let me know.

Insofar as the parking is concerned, the enclosed Site Plans reflect an on-site parking deficit of 8 spaces. In the course of the CRG review process, the elimination of two spaces was suggested (although we may be able to "recapture" one of those spaces elsewhere on the site). We are not requesting a variance from applicable parking requirements, because it is our intention to lease a number of parking spaces equal to any on-site deficit in the new Revenue Authority garage now under construction and located just across New Bosley Avenue from the site.

Office of the Zoning Commissioner
March 15, 1984
Page Two

PIPER & MARBURY

Because this matter has been pending in one way or another for more than a year now, we are anxious to proceed as promptly as possible now that we have a Site Plan which appears to be satisfactory to both CRG and the community. While we are anxious to have this matter scheduled at the earliest possible date, I should mention that Mr. Nolan presently plans to be out of town during the last week of April and the first week of May. If a date is available during that two-week period, we may be able to adjust his schedule.

In our discussion of yesterday, you asked about compliance with the amenity open-space requirement. In the course of preparing for the CRG meeting, we recomputed the amenity open-space and preliminarily concluded that it was approximately 400 square feet less than that shown on the enclosed Site Plans. Even this lower figure is more than 3,000 square feet in excess of what is required. We are in the process of finalizing the exact computations, and I will forward a plat to your office within the next week which will show the precise final figures and which will indicate exactly which areas are included in arriving at the amenity open-space number.* I trust that this will be satisfactory.

If there are any questions or problems in connection with the processing and scheduling of this matter, please let me know.

Sincerely yours,

George A. Nilson

GAN/nah

Enclosures

*See enclosed specially marked Site Plan, which arrived after this letter was dictated.

ARNOLD JARON
ZONING COMMISSIONER

August 10, 1984

George A. Nilson, Esquire
1100 Charles Center South
36 South Charles Street
Baltimore, Maryland 21201

RE: Petition for Special Hearing
SW/S of New Bosley Ave., 366.81'
S of Chesapeake Ave., 9th Election
District
Doe, Inc., et al - Petitioners
No. 84-303-SPH (Item No. 248)

Dear Mr. Nilson:

I have this date passed my Order 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: People's Counsel

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
Keith S. Franz

APPLICATION OF DOE, INC., * ZONING COMMISSIONER
GLENDA LOUGH, INC. AND *
JAMES D. NOLAN * 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 24th 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

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE COUNTY BOARD OF APPEALS
PETITION FOR SPECIAL HEARING :
PETITION FOR VARIANCE : OF BALTIMORE COUNTY
SW/S of New Bosley Ave., 366.81' :
S of Chesapeake Ave., 9th District :
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 agreed by 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 -

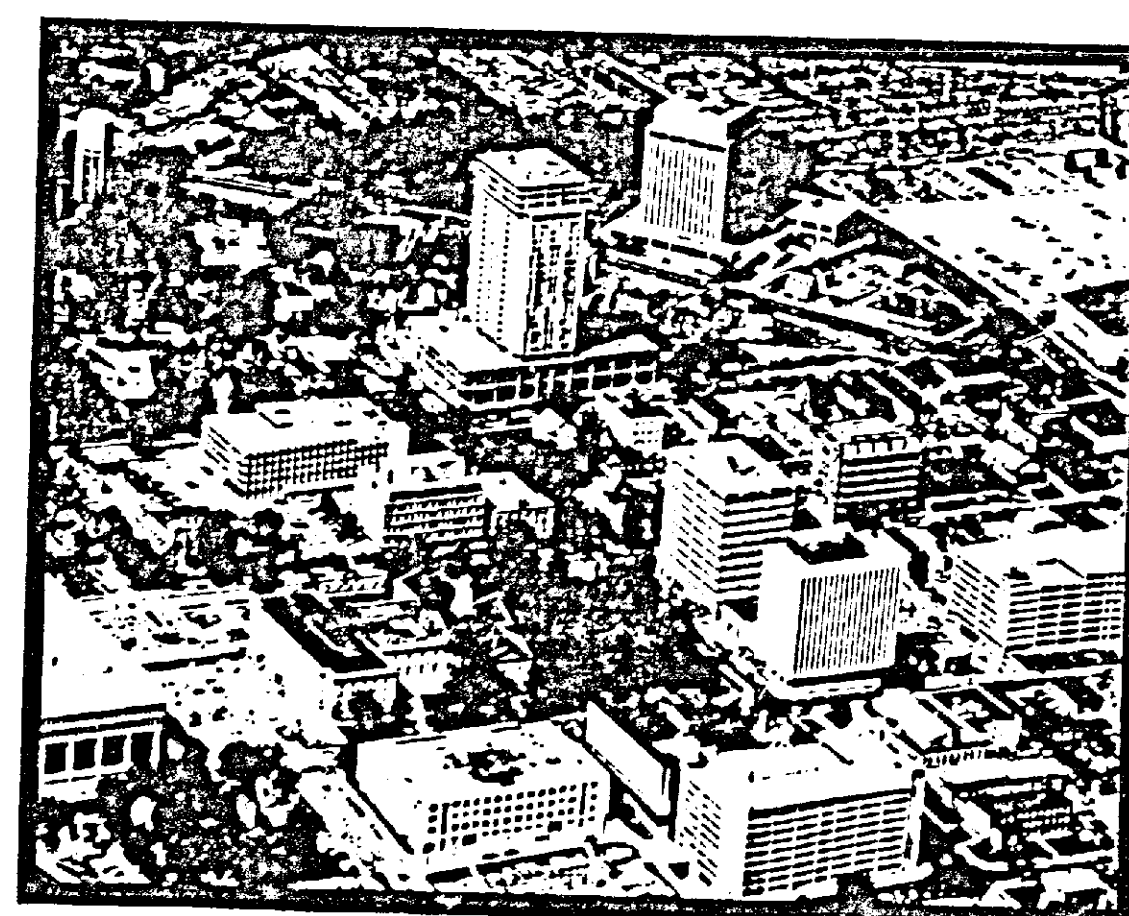
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

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

FINAL
ADDENDUM
TO THE
TOWSON TOWN CENTER
PLAN



OFFICE OF PLANNING AND ZONING
ADOPTED MARCH 15, 1979

Infiltration of Non-Residential Uses in West Towson (page 37)

The attached map included in this addendum identifies the final recommendations to be incorporated into the 1980 zoning map. One such recommendation which will supersede Working Paper 2 is the retention of D.R. 16 zoning on those properties on the north and south sides of Pennsylvania Avenue between Central and Highland Avenues; however, the north and south sides of Allegheny Avenue between Central and Highland Avenues are recommended by the Planning Board to be downshifted to D.R. 5.5 to maintain the integrity of the residential neighborhood.

Strengthening the East Towson Community (page 39)

In an effort to divert redevelopment pressures from the East Towson neighborhood, the enclosed map identifies an area to be reclassified from a business to residential land-use category. The designated area will be recommended for change from ML, BM, DK 16, BM-C1 to D.R. 5.5 as a part of the 1980 zoning map. It should be noted that during the processing of the comprehensive zoning maps, community input may result in a slightly revised neighborhood boundary and/or combination of residential zones.

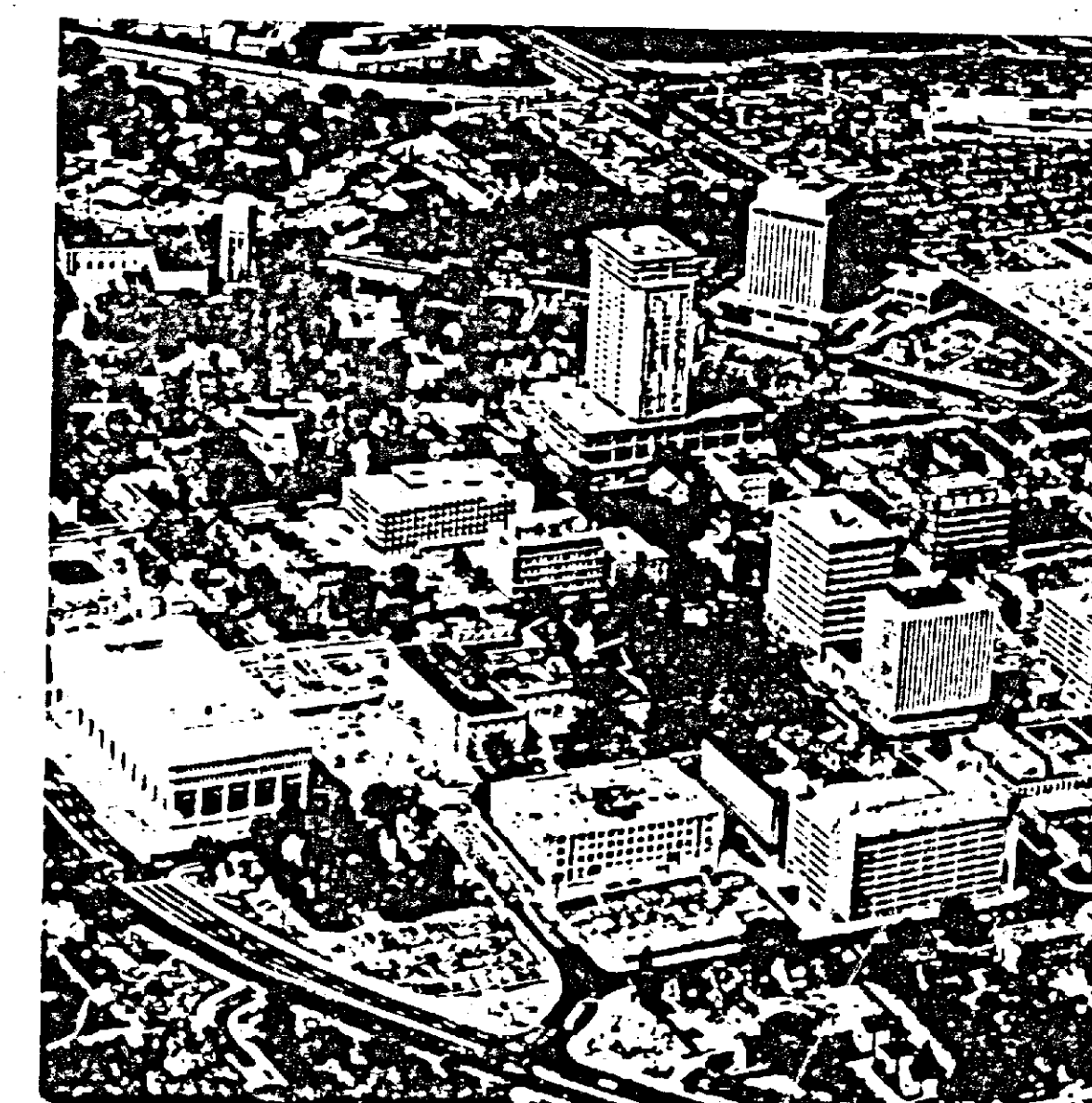
TOWSON
TOWN
CENTER

WORKING PAPER

2

COPE LINDER WALMSLEY

Architects Engineers Landscape Architects



VI. ELEMENTS OF THE PLAN - PROTECTION OF RESIDENTIAL AREAS 37

We have noted in our earlier study that there are problems in both East and West Towson. These relate to protection of residential uses, elimination of non-residential on-street parking and maintenance of physical stock in neighborhoods which are proximate to commercial areas.

Infiltration of Non-Residential Uses in West Towson

In West Towson there is local concern that conversion of residential structures to office uses will eventually destroy the neighborhood. The area immediately west of Bosley Road is a case in point. Half the structures on Pennsylvania and Allegheny Avenues between Bosley Avenue and Highland Avenue have already been converted to office uses. People fear that such conversions will make even deeper inroads to their residential areas in the future. The present zoning map shows a strip two blocks wide from Highland to Baltimore Avenue zoned as DR 16 which in effect is a transition zone between residential and commercial areas. DR 16 is the only residential classification which has provisions for office building construction, or for the conversion of residential structures to office uses (except in a very limited way for professional offices such as doctors' practices as accessory uses). Under the present zoning situation further infiltration west of Highland Avenue is unlikely, assuming the zoning code is enforced, since this area is outside the DR 16 zone.

In DR 16 zones office uses are only allowed as special exceptions which means they must be reviewed and sanctioned by the Zoning Board. Special exceptions have been granted for the conversion of residential structures to commercial offices and for the construction of one new high-rise office building. This, the Chesapeake Building, is in our view an inappropriate use for its location; its scale is not suitable to a residential area and the traffic generated is a nuisance on neighborhood streets. Considering this fact and we are faced with the possibility that similar decisions could be made in the future. There are no limitations in the zoning regulations, relating to height, Floor Area Ratio, etc., for office buildings which can be allowed as special exceptions. Thus it is theoretically possible to develop offices at greater Floor Area Ratio than is allowed in the CT core. In practice the majority of office buildings in the county are developed in DR 16 zones as special exceptions.

38

We believe that office districts should be established in areas of the county where office development is desirable. Then DR 16 zones could revert to their original purpose of providing transition zones between densely developed and residential areas. This could be accomplished by limiting the area, height and Floor Area Ratio of office buildings which could be granted special exceptions in DR 16 zones. We recommend that no new office buildings should be allowed, but conversion of existing residential structures would continue. Thus, eventually the area of West Towson immediately adjacent to Bosley Road would become almost entirely offices, but would retain the density, scale and character of a residential area. In this way it would fulfill its function as a transition zone. In order to further restrict the impact of office uses on the residential areas west of Bosley more effectively, we recommend reducing the area of the DR16 transition zone to a strip one block wide. Thus the border between the DR16 and DR5.5 zone would be moved from Highland Avenue to Central Ave.

The West Towson community is concerned about the future of the Towson Elementary School. Their concern is that the closing of the elementary school is one more step in the disintegration of the neighborhood. They are concerned to have a local school for their children and with the preservation of the building which is of some historic value. We recommend a reconsideration of the consequences of closing this neighborhood school facility.

Non-Residential On-Street Parking in Residential Areas

Residential streets which are within easy walking distance of the central area are used by office workers for free parking. Generally, in Towson, this problem has not reached such proportions that residents cannot find parking spaces, but such on-street parking increases traffic and is a general nuisance and eyesore. Several techniques have been tried in other cities and towns where similar problems exist, which could be considered for Towson. Residents with a right to park in a neighborhood could display residents' stickers and all other parking could be eliminated or limited to a 2 hour period between the hours of 9 a.m. to 5 p.m. This would allow visitor parking but discourage all day parking by commuters. The cost of providing residents' stickers would be minimal, in the order of \$2-3 each; they could be paid for from revenue generated by ticketing illegally parked vehicles in these residential areas.

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND Legislative Session 1981, Legislative Day No. 1 Resolution No. 2-81

Ms. Barbara Bachur, Councilwoman

By the County Council, January 5, 1981

WHEREAS, by Resolution No. 71-79, passed on November 19, 1979, the County Council of Baltimore County, Maryland adopted the Baltimore County Master Plan 1979-1990; and

WHEREAS, pursuant to provisions of the Charter and of the Baltimore County Code, the County is responsible for planning for the future growth and development of the County, including preparation of a Master Plan; and

WHEREAS, the Baltimore County Planning Board by Resolution dated June 19, 1980 requested that the Baltimore County Council incorporate detailed plans for the Towson Town Center into the Baltimore County Master Plan; and

WHEREAS, the County Council of Baltimore County, Maryland has thoroughly reviewed the detailed plans for the Towson Town Center.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Baltimore County, Maryland that the Towson Town Center Plan be incorporated into the Baltimore County Master Plan 1979-1990.

[Handwritten: P.B. (3/15/79) ad - recommended. C.C. (2-81 Resolution) - adopted]

*"Towson Town Center working paper 2"
"Final Addendum to the Towson Town Center Plan"*

2/1/81

Opinion from Mr. Spicer given orally that Towson Plan is going.

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND Legislative Session 1979, Legislative Day No. 22 RESOLUTION NO. 71-79

Mr. Norman W. Lauenstein, Councilman

By the County Council, November 19, 1979

WHEREAS, by Article XI-A of the Maryland Constitution, the General Assembly is authorized to provide a grant of "express powers" to counties that form a charter government; and

WHEREAS, by Article 25A, Section 5 of the Annotated Code of Maryland, the General Assembly has designated the "express powers" to be granted to charter counties, which powers include the power to enact local laws for the protection and promotion of public health, safety and welfare, relating to planning, zoning and subdivision, and to pass all ordinances, resolutions or bylaws that may be necessary and proper to execute and enforce any of the powers expressly enumerated; and

WHEREAS, the people of Baltimore County in accordance with the Constitution and Laws of the State of Maryland have adopted, ordained and established the Baltimore County Charter; and

WHEREAS, pursuant to provisions of the Charter and of the County Code, the County is responsible for planning for the future growth and development of the County, including the preparation of a Master Plan; and

WHEREAS, pursuant to Section 523 of the Baltimore County Charter, the Master Plan shall be a composite of mapped and written proposals setting forth comprehensive objectives, policies and standards to serve as a guide for the development of the County; and

WHEREAS, the Charter provides that the Office of Planning and Zoning prepare and revise a Master Plan at least every ten years, the previous such revision being accomplished in 1975; and

WHEREAS, pursuant to Section 523 of the Baltimore County Charter, the County Council has the responsibility to accept or modify, and then adopt by

resolution, a Master Plan which it receives from the Office of Planning and Zoning; and

WHEREAS, the County Council has caused to be prepared by consultants and staff, at great expense to the taxpayers of Baltimore County, a comprehensive growth management planning study which has been accomplished over the past three years; and

WHEREAS, the elements of said planning study together comprise a Master Plan, containing objectives, policies and standards, and a composite of mapped and written proposals serving as a guide for the physical development of the County; and

WHEREAS, the Planning Board of Baltimore County has held public hearings on the Master Plan and on the elements thereof and has recommended the adoption of certain elements of that Plan; and

WHEREAS, the Office of Planning and Zoning has submitted to the County Council a Master Plan, entitled "Recommended Baltimore County Master Plan 1979-1990", with accompanying map entitled "Baltimore County Master Plan Land Use Plan"; and

WHEREAS, the County Council has held a public hearing on the Master Plan on September 11, 1979.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the Master Plan submitted by the Office of Planning and Zoning and adopted by the Baltimore County Planning Board, including mapped and written proposals, are hereby amended and modified, and as so amended and modified, are hereby adopted and declared to incorporate and be comprised of the following written and mapped components, which will serve as a guide for the development of the County, and which may be subject to such further modifications as deemed advisable by the Baltimore County Council:

"Baltimore County Master Plan 1979-1990" Written Components, maps, errata and addendum thereto, as follows:

- SECTION I
Baltimore County Growth Management Program Physical Development Plan, Part I, Land Use Elements.
- SECTION II
Baltimore County Growth Management Program Physical Development Plan, Part II, Transportation Elements.
- SECTION III
Baltimore County Growth Management Program Housing and Community Preservation Plan.
- SECTION IV
Baltimore County Growth Management Program Open Space and Recreation Plan.
- SECTION V
Baltimore County Growth Management Program Public Facilities Plan, Part I, Community Services.
- SECTION VI
Baltimore County Growth Management Program Public Facilities Plan, Part II, Utilities.

BE IT FURTHER RESOLVED, that, using the Baltimore County Master Plan 1979-1990 herein adopted as a guide, the County Council intends to proceed with development of an overall growth management program for the implementation of the Master Plan, said program to include revised zoning maps, zoning rules and regulations, subdivision rules and regulations, a capital improvements program, community plans, including but not limited to Owings Mills and Whitmarsh, and such other legislation, regulations, policies and programs as may be necessary; and

BE IT FURTHER RESOLVED, that until said overall growth management program and implementation measures can be adopted, the Office of Planning and Zoning, the Baltimore County Council and all other departments, agencies and officials of the County, in the exercise of any powers, authority, duties or responsibilities related to actions impacting on land use, growth or development, including planning, zoning and subdivision activities, in the County, shall consider the objectives, policies and standards of the Master Plan.

BE IT FURTHER RESOLVED, that all programs and construction projects initiated by the County be in concert with or further the goals and objectives stated in the Master Plan adopted in this resolution, and further that the Director of the Office of Planning and Zoning make such a determination AN EVALUATION OF each and every such project and program and forward said determination EVALUATION to the County Executive and the County Council for their approval CONSIDERATION.

BE IT FURTHER RESOLVED, that supplementary to and in conformity with the Master Plan, the agencies of Baltimore County engage in an ongoing process which includes water, sewer, and solid waste management planning, management of the coastal zone of Baltimore County, designation of areas of critical state concern, specific area plans, and plans devoted to capital improvements and other facilities. It is intended that such plans, upon enactment by the County Council and as amended from time to time shall be incorporated in the Master Plan by reference.

BE IT FURTHER RESOLVED, that the County Council intends to approve a land use map to be part of the Master Plan concurrently with the adoption of the 1980 Comprehensive Zoning maps.

BE IT FURTHER RESOLVED, that the Planning Board forward to the Council, upon completion of the elements governing growth in each of the Growth Areas, a recommendation on the method of ensuring that all development actions made by the public and private sectors are in conformance with the master plan goals, objectives and elements as adopted by the County Council.

AND BE IT FURTHER RESOLVED, that previous Master Plans adopted by the Planning Board and/or the County Council are rescinded to the extent that they are inconsistent with the Baltimore County Master Plan 1979-1990.

84-668
Baltimore County, Maryland
PEOPLE'S COUNCIL
OLD COURT HOUSE
TOWSON, MARYLAND 21204

PHYLIS COLE FRIEDMAN
People's Counsel
PETER MAX ZIMMERMAN
Deputy People's Counsel

March 26, 1984

George A. Nilson, Esquire
Piper & Marbury
1100 Charles Center South
36 South Charles Street
Baltimore, Maryland 21201

RE: Doe, Inc., et al., Petitioners
Zoning Case No. 83-288-XSPHA

Dear Mr. Nilson:

Thank you for keeping this office advised of the status of your revised plans. It is our understanding that you have recently filed a new special exception petition with the Zoning Commissioner.

I must bring to your attention, as well as that of the Commissioner, a question which had not previously been raised as to this property and which is of concern. There is a provision in the Towson Town Center Plan, a part of the enacted Master Plan, which precludes new office buildings west of Bosley Avenue. See Working Paper No. 2, page 38.

Enclosed for your consideration are the following:

1. Resolution No. 71-79.
2. Resolution No. 2-81.
3. Towson Town Center Working Paper 2.
4. Final Addendum to the Towson Town Center Plan.

The question of the applicability of the Master Plan to West Towson has arisen in the case of Dennis Webster, No. 84-167-X and CBA-83-133 (CBA hearing held March 21, 1984). It has been the position of our office that the plan is mandatory.

Of necessity, as the issue was highlighted in Webster, it came to our attention that the Master Plan needs to be considered in all cases involving "Class B" office buildings in West Towson, including this one.

Very truly yours,
Peter Max Zimmerman
Deputy People's Counsel

cc: Arnold Jablon
John C. Murphy Esquire
Enclosures
PMZ:sh

April 12, 1984

George A. Nilson, Esquire
1100 Charles Center South
36 South Charles Street
Baltimore, Maryland 21201

NOTICE OF HEARING
Re: Petition for Special Hearing
SW/S of New Bosley Avenue, 366.81 ft. South
of Chesapeake Avenue
Doe, Inc., et al - Petitioners
Case No. 84-303-SPH

TIME: 10:15 A.M.
DATE: Tuesday, May 8, 1984
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

cc: James D. Nolan
9 Crestline Court
Owings Mills, Maryland 21117

Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 128204

DATE: 3/15/84 ACCOUNT: P-01-615-000
AMOUNT: \$100.00

RECEIVED: Peter Max Zimmerman
FOR: [Signature] 4249 Doe, Inc.

0 063*****1000616 B154A
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2th
Posted for: Special Hearing
Petitioner: Doe, Inc. et al
Location of property: SW/S of New Bosley Avenue, 366.81 ft. South of Chesapeake Avenue
Location of Sign: West side of New Bosley Ave. Opposite 2nd South of Chesapeake Ave. and 1/2 mile south of Old Bosley Ave. Opposite 2nd South of Chesapeake Ave.
Remarks:
Posted by: [Signature]
Number of Signs: 2

Date of Posting: 4-12-84
Date of return: 4-27-84

660703p70418
CERTIFICATE OF PUBLICATION
84-303-SPH
Towson, Md. 5/15/84

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 consecutive weeks, the first publication appearing on the 18th day of April 1984.

The TOWSON TIMES
M. C. [Signature]
Cost of Advertisement: \$23.04

84-303-SPH
CERTIFICATE OF PUBLICATION
TOWSON, MD. April 12, 1984

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 a week for one time, the first publication appearing on the 12th day of April 1984.

THE JEFFERSONIAN
[Signature]
Manager

Cost of Advertisement, \$22.00

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

ARNOLD JABLON
ZONING COMMISSIONER

May 4, 1984

George A. Nilson, Esquire
1100 Charles Center South
36 South Charles Street
Baltimore, Maryland 21201

Re: Petition for Special Hearing
SW/S New Bosley Ave. 366.81' S of
Chesapeake Avenue
Doe, Inc., et al - Petitioners
Case No. 84-303-SPH

Dear Mr. Nilson:

This is to advise you that \$55.04 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

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

Sincerely,
Arnold Jablon
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 130270

DATE: 5-8-84 ACCOUNT: R-01-615-000
AMOUNT: \$55.04

RECEIVED: Peter Max Zimmerman
FOR: [Signature] 84-303-SPH
C. [Signature]

0 050*****550416 B084A
VALIDATION OR SIGNATURE OF CASHIER

Beginning for the same on the southwest side of 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, (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. Saving and excepting from the above described property all that land zoned D.R. 5, 5.

STATE OF MARYLAND
JUL 15 1984
5/2/84

PETITION FOR SPECIAL HEARING
9th Election District

ZONING: Petition for Special Hearing
LOCATION: Southwest side of New Bosley Avenue, 366.81 ft. South of Chesapeake Avenue
DATE & TIME: Tuesday, May 8, 1984 at 10:15 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 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 an amendment to the site plan of Special Exception in Case No. 83-288-XSPHA to allow a change in configuration and location of proposed office building and to modify Restriction No. 4 in said Order by reducing the area required for screen planting

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

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: Petition for Special Hearing
SW/S of New Bosley Avenue, 366.81' S
of Chesapeake Avenue - 9th Election
District
Doe, Inc., et al - Petitioners
No. 84-303-SPH (Item No. 242)

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that by reason of the following finding of facts:

1. The petitioners seek to amend the site plan filed in Case No. 83-288-XSPHA to allow a change in configuration and location of the proposed office building and to modify Restriction 4 by reducing the required screen planting.
2. Testimony presented by the petitioners indicated that the subject site was purchased in several parcels from the late 50's through the early 70's for the purpose of constructing an office building.
3. The property was the subject of a previous Order, Case No. 71-25-RX, dated January 7, 1971, which granted a reclassification, R.6 to R.A., and a special exception for offices. This decision noted the increased growth of commercial and office use in the immediate area. In March, 1971 the County Council reclassified the subject property to D.R.16. On April 18, 1973, the Board of Appeals affirmed the Order noted above citing the topography, the orientation of the property towards New Bosley, and the proximity of the building to the County Jail, parking lot, County Office Building and the multi-story garage. Both decisions mandated access from New Bosley.
4. A 1974 Agreement between the petitioners and Baltimore County resulted in an exchange of land and in the obligation of Baltimore County to construct a joint Doe/Jail entrance onto New Bosley when the Doe property is developed.
5. Testimony by both a representative of the Baltimore County Office of Planning, who served as the Central Area Planner prior to the adoption of the Towson Town Center Plan, and a real estate expert, who served as a consultant to Wamsley, author of the Towson Town Center Working Paper 2, indicated that the subject property was considered, prior to the adoption of the Towson Town Center Plan, to be oriented to New Bosley and in no way a part of Southland Hills, West Towson, or the area to the west of "Bosley Road", or "Bosley Avenue" referred to in the Working Paper noted above. Further, the Old County Jail is contiguous to the site. These two are the only properties located east of Old Bosley with sole access to New Bosley. Other properties on the east side of Old Bosley have

ORDER RECEIVED FOR FILING
DATE: August 12, 1984
BY: [Signature]

Old Bosley addresses and access only to Old Bosley.

- The site was zoned R.O. by the County Council in 1980 and in 1983, the petitioners requested a special exception for a Class B office building. This was granted by case No. 83-288-XSPHA, dated October 24, 1983.
- Testimony by a representative for Southland Hills indicated that the community supported the R.O. zoning for the property in 1980 because of the orientation of the site but opposed the plan submitted in Case No. 83-288-XSPHA. They requested that the design be altered to locate the parking and primary office entrances on the east side facing New Bosley so that the offices would appear to be residential structures as viewed from Old Bosley. The petitioners took the request into consideration, scaled down the size of the project, designed it in anticipation of the Baltimore County Landscaping Manual, and will lease 9 parking spaces to meet County requirements. The plan submitted, in the instant case, is acceptable to and compatible with the residential areas to the west of the subject property.

After due consideration of all evidence presented and testimony given, in the opinion of the Deputy Zoning Commissioner, the subject property should be considered a unique parcel. The site is separated from the residential community to the west by Old Bosley and is oriented to and has sole access to New Bosley with a portion of the property dominated by the jail. It is neither residential in nature nor intended to be considered a part of West Towson. The property has a long history of planned development for offices.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 10th day of August, 1984, that to amend the site plan filed in Case No. 83-288-XSPHA to allow a change in configuration and location of the proposed office building and to modify Restriction 4 by reducing the required screen planting, in accordance with the site plan dated April 23, 1984, marked Petitioner's Exhibit 2, is approved, and, as such, the Petition for Special Hearing is GRANTED, subject to the following:

- Compliance with CRG requirements.
- The average height of the building shall not exceed 35 feet.

ORDER RECEIVED FOR FILING

DATE August 10, 1984
BY May Campbell
ADMINISTRATIVE ASSISTANT

- The additional required parking spaces shall be provided via lease from Baltimore County Revenue Authority Parking Garage.
- The required amenity open space calculations and location shall be indicated on the site plan.

John M. Jung
Deputy Zoning Commissioner
Baltimore County

ORDER RECEIVED FOR FILING

DATE August 10, 1984
BY May Campbell
ADMINISTRATIVE ASSISTANT

Baltimore County Office of
Planning and Zoning
November 15, 1984
Page 2

- The obligation of the Limited Partnership shall continue for as long as the parking is required.
- The Office of Planning and Zoning shall have the right to enforce the obligations of the Limited Partnership under this Agreement.
- From time to time, the Limited Partnership shall furnish evidence of compliance with the terms of this Agreement upon demand by the Office of Planning and Zoning.
- This Agreement shall be binding upon the Limited Partnership, its successors and assigns, and this Agreement shall inure to the benefit of the Baltimore County Office of Planning and Zoning.

COURTHOUSE COMMONS LIMITED
PARTNERSHIP

By: *James D. Nolan*
General Partner

Baltimore County Revenue Authority
10 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TELEPHONE 484-2127

September 14, 1984

Mr. M. Ronald Lipman
Lipman Frizzell & Mitchell
8422 Bellona Lane
Suite 203
Baltimore, Maryland 21204

Re: Office Building - 222 Bosley Avenue

Dear Mr. Lipman:

You have inquired whether the Revenue Authority will make available parking spaces in its Towson multideck parking structures for the tenants and other occupants of the proposed office building of your clients, Mr. and Mrs. James Nolan at 222 Bosley Avenue.

We understand that there must be provided ten (10) off-site parking spaces for the proposed building.

This is to advise you that the Revenue Authority will provide monthly parking for that number of spaces in its multideck parking facilities located in Towson, provided that the tenant's (or other user's) application for space is made within three (3) months from the date an occupancy permit is issued for the building. The monthly parking agreement for such spaces shall be renewable from month to month as long as the tenancy (or other use) in the building exists and as long as the tenant pays the parking fees being charged by the Revenue Authority from time to time for the monthly parking and abides by the reasonable rules and regulations imposed by the Revenue Authority on its monthly parking patrons. The Revenue Authority agrees to notify the owner of any delinquency in the payment of parking fees or any failure to abide by the rules and regulations. When a tenant (or other user) ceases to rent premises in the building, such tenant's successor to the premises will be permitted to enter into a monthly parking agreement for the requisite number of spaces, provided such successor tenant immediately applies for such spaces, and, in any event, within three (3) months of the termination of the prior tenancy.

Very truly yours,

Charles E. Heintz, Jr.
Charles E. Heintz, Jr.
Executive Director

CEH/E

MICROFILMED

LAW OFFICES OF
PIPER & MARBURY
1100 CHARLES CENTER SOUTH
30 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
TELEPHONE 301-459-8230
CABLE: PIPERMAR BAL
TELEX 908084

300 NINETEENTH STREET, N.W.
WASHINGTON, D.C. 20006
TELEPHONE 202-785-8100

May 9, 1984

The Honorable Jean M. H. Jung
Deputy Zoning Commissioner
Office of the Zoning Commissioner
111 W. Chesapeake Avenue
Towson, MD 21204

Re: 222 Bosley Avenue

Dear Ms. Jung:

During your questioning of Mr. Don Smith at yesterday's hearing, the subject of the existing retaining wall and the proposed retaining wall at the site was raised. Mr. Smith indicated that he thought the existing retaining wall (which may well be retained) was 4 feet high at the highest point. Following yesterday's hearing, we measured the existing wall and determined that it is in fact 5'4" (or 4 1/2 feet) at its highest point - and 3 feet at its lowest point. While I do not believe that any restrictive conditions are necessary with respect to the retaining wall, if you should conclude otherwise I would request that any such restriction permit a retaining wall such as the one presently on the property which is as much as 4 1/2 feet in height.

Very truly yours,

George A. Nilson
George A. Nilson

GAN/nah

cc: Phyllis Cole, Friedman, Esquire
Mr. and Mrs. James D. Nolan
John C. Murphy, Esquire

SOUTHLAND HILLS IMPROVEMENT ASSOCIATION
OF BALTIMORE COUNTY, INC.

TOWSON, MARYLAND 21204

May 17, 1984

Mrs. Jean Marie Jung
Deputy Zoning Commissioner
111 West Chesapeake Avenue
Towson, Md.

Dear Mrs. Jung:

A general meeting of the Southland Hills Community Association has held on January 17, 1984 to review the proposed plans for Townhouse Office Development on Old Bosley Avenue. Although some details would need to be resolved, the sense of the meeting was that the proposed townhouse style office building would be compatible with the neighborhood. The Board of Directors of the Association reviewed final proposals and the agreement on May 3, 1984 and directed the President to execute the agreement with the developers. Present at the meeting were the following Officers and Directors of the Association: Richard Reid, Ron DiLorenzo, Alvin Padgett, John McMahon, Barbara Kaminsky, Dennis Kreiner, Philip Kenney, Karen Rabins, John Griffin, and Marcia Mueller.

The agreement was subsequently executed by me in Towson, Maryland on behalf of the Association.

Very truly yours,

John R. McMahon
John R. McMahon
President

cc: John C. Murphy
file

LINE 5521 PAGE 931

AGREEMENT

THIS AGREEMENT, made this 10th day of July, 1974, by and between DOE, INC., a body corporate of the State of Maryland, GLENDALOUGH, INC., a body corporate of the State of Maryland, and JAMES D. NOLAN, hereinafter collectively called the "Owners", parties of the first part, and BALTIMORE COUNTY, MARYLAND, a body corporate and politic, hereinafter called the "County", party of the second part.

WHEREAS, the Owners own, with titles being in various of the individual parties, all collectively comprising the Owners, the improved premises known as 213, 215, 217 and 219 Bosley Avenue, as well as the formerly improved premises known as 203 Susquehanna Avenue, located in Towson, Maryland, in the Ninth Election District of Baltimore County, the said properties comprising in all 0.7055 of an acre more or less, hereinafter collectively termed the "Owners' Property"; and

WHEREAS, Baltimore County is desirous of obtaining a certain portion of the said Owners' Property in fee simple, as well as certain temporary construction easement areas, hereinafter collectively called the "County Taking", all in connection with the realignment and improvement of new Bosley Avenue (the said area to be taken in fee being shown shaded in green, and the temporary construction easement areas sought by the County being shown with continuous hatching on Baltimore County Bureau of Land Acquisition Drawing No. RW 65-193-2E, dated October 10, 1973, hereinafter called the Land Acquisition Drawing, a copy of which is attached hereto, marked "Exhibit One", and is hereby made a part hereof); and

WHEREAS, the Owners are willing to grant and convey the County Taking to the County, in exchange for certain surplus County land, shaded in red on Exhibit One attached hereto, hereinafter called the County Surplus Land, as well as full rights of ingress and egress (in addition to the Owners' rights of ingress and egress) over the County Surplus Land;

WITNESSETH, that the Owners do hereby covenant and agree to exchange, grant and convey to Baltimore County, Maryland all their right, title and interest in fee simple in and to the real property designated herein as the County Taking, as shown shaded in green on Exhibit One hereto, and marked "Area to be Exchanged", as well as to exchange, grant and convey to Baltimore County, Maryland the right (so long as required for the construction of the

PETITIONER'S
EXHIBIT 3

LINE 5521 PAGE 932

basic rights of ingress and egress to old and new Bosley Avenue by virtue of law as a contiguous property owner) to a twenty-four (24) foot wide driveway, hereinafter called the Driveway as shown on Exhibit One attached hereto, by means of not less than a County constructed, graded and paved curb and driveway cut at least twenty-five (25) feet in width leading from the said Driveway to the said Owners' Property to serve the said Owners' Property (as all shown on County Department of Public Works, Bureau of Engineering Drawing No. 72-0447-S, a copy of which is attached hereto, marked "Exhibit Two", and is hereby made a part hereof); and

WHEREAS, the County in consideration of this Agreement and exchange, will agree to institute road closing proceedings and to use every reasonable effort to close that portion of Susquehanna Avenue between the old Bosley Avenue and new Bosley Avenue, as shown on Exhibit One, attached hereto, in exchange for a conveyance by the Property Owners of the required supporting slope easements.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH, that in consideration of the properties, and the property rights agreed to be exchanged between the Property Owners and the County, as well as other good and valuable considerations the receipt whereof the parties hereto hereby mutually acknowledge, it is agreed as follows:

1. PROPERTY AND RIGHTS TO BE CONVEYED TO COUNTY.

The Owners for themselves, their heirs, personal and legal representatives, successors and assigns hereby covenant and agree to exchange, grant and convey to Baltimore County, Maryland all their right, title and interest in fee simple in and to the real property designated herein as the County Taking, as shown shaded in green on Exhibit One hereto, and marked "Area to be Exchanged", as well as to exchange, grant and convey to Baltimore County, Maryland the right (so long as required for the construction of the

-2-

AUG 13 1985

4. In return for your group's support of R-0 zoning for my properties, I will agree that for a 10-year period, that is, from September of 1980 through September of 1990, I will not file a petition for reclassification to any other zone more intensive than the R-0 zone, nor will I make a comprehensive map request during that same 10-year period for any zone more intensive than the R-0 zone. Of course, if the entire area were to be placed in an O-1 zone or if the Council of its own volition and not at my request were to place it in an O-1 zone or some other zone, I would have the right to utilize such zoning, but I will not seek such zoning for the 10-year period other than the obtaining and the retention of R-0 zoning for this property.

As Mrs. Turner and I discussed, in all probability I would not convert the existing dwellings to offices, but rather will seek a special exception for the construction of a new office building or buildings on these properties. In return for my honoring these agreements with regard to access, landscaping, the extension of the sidewalk and the forbearance from seeking any more intensive zoning, I will appreciate and expect your Association's support for such a special exception case at the time it is made.

You and your Association can be assured that I will continue to cooperate with Southland Hills.

Sincerely,

James D. Nolan

JDN/hl
cc: Mrs. Kay Turner
618 W. Chesapeake Avenue
Towson, Md. 21204

The Hon. Barbara F. Bachur,
Fourth District Councilwoman
Baltimore County Council
Court House
Towson, Md. 21204

Ms. Lisa Schade, Aide
to Councilwoman Bachur

Joseph V. Maranto,
Central Area Planner
Courts Building
Towson, Md. 21204

October 10, 1980

The Hon. Barbara F. Bachur
Fourth District Councilwoman
Baltimore County Council
Court House
Towson, Maryland 21204

Re: Planning Staff and Planning Board-
Recommended R-0 Zoning for the Nolan
Property on New Bosley Avenue, Adjacent
to the County Parking Lot and Jail,
Part of Map Item 4-43.

Dear Councilwoman Bachur:

As you and your Staff may recall, the Nolan property which fronts on New Bosley Avenue has been placed in an office eligible zone for some years.

With the removal of the special exception for office capability from the D.R. 16 zone, we respectfully request that you recommend either R-0 or other office zoning to the Council at your October 14th meeting.

As was confirmed by the remarks of Towson community group representatives at the recent hearing, the property owner has been very cooperative with Southland Hills Improvement Association and has given Southland Hills certain assurances with regard to his plans for the property's development.

As Mr. Nolan has confirmed with Southland Hills, this property is oriented to and will obtain access from New Bosley Avenue. Furthermore, any development of the property will involve improvements to the site, including the completion of the sidewalk along Old Bosley, as agreed with Southland Hills and extensive appropriate landscaping, as was also agreed with Southland Hills.

Accordingly, we know that the retention of this property in an office zone is completely appropriate, in view

PETITIONER'S
EXHIBIT 5

of its orientation to Bosley Avenue and the Towson governmental center.

Thanking you and your Staff and the Council and Planning Staff for your consideration of this matter, I am
Sincerely,

Newton A. Williams

NAW/hl
cc: Ms. Lisa Schade, Aide
to Councilwoman Bachur

Joseph V. Maranto,
Central Area Planner

Mr. and Mrs. James D. Nolan
9 Crestline Court
Owings Mills, Maryland 21117

September 21, 1980

To the Members of the Baltimore County Council:

Speaking for the Board of Directors representing the residents of Southland Hills neighborhood, a community of 200 homes west of Bosley Ave., concern is still expressed for the zoning issues involved in #4-43. For our part, there are 3 separate issues involved in the area lying within our neighborhood. Bill 13-80 and bill 141-80, regarding R.O. zoning classification and deleting the special exception from DR 16 while creating O-1 and O-2 zones have adjusted our thinking.

Item 1: The 3 buildings at 301,303,305 W. Chesapeake Ave. which lie on the south side of the street were allowed under DR 16 with special exception for offices and should stay under DR 16, although now, as non-conforming use.

Item 2: The properties with an entrance and exit only on Bosley Ave., namely the Nolan properties and the county Jail could be zoned R.O. in order to be the buffer zone to the homes west of it.

Item 3: The houses on Old Bosley Ave. should all be zoned DR 5.5, in order to maintain the existing character of the neighborhood. There is an unnatural and irregular zoning line drawn now that has created undue hardship to the neighboring properties. This can be corrected by including the properties of 220,218,216,214 in the DR 5.5 zone as the neighboring properties of 212,210,208 on the same side of Old Bosley Ave.

R.O. is not appropriate here as the homes are too close together. While R.O. may be suitable for the older larger homes on large lots which then provide space for the necessary parking for offices, the small lots on Old Bosley Ave. do not fit this category. The driveway of one small home is only 2 feet from the wall - not the lot line but the wall - of the next home. These homes are in a residential neighborhood where people are caring about their properties. The maintenance problems allowed by absentee landlords is another item which we hope the Council will address soon.

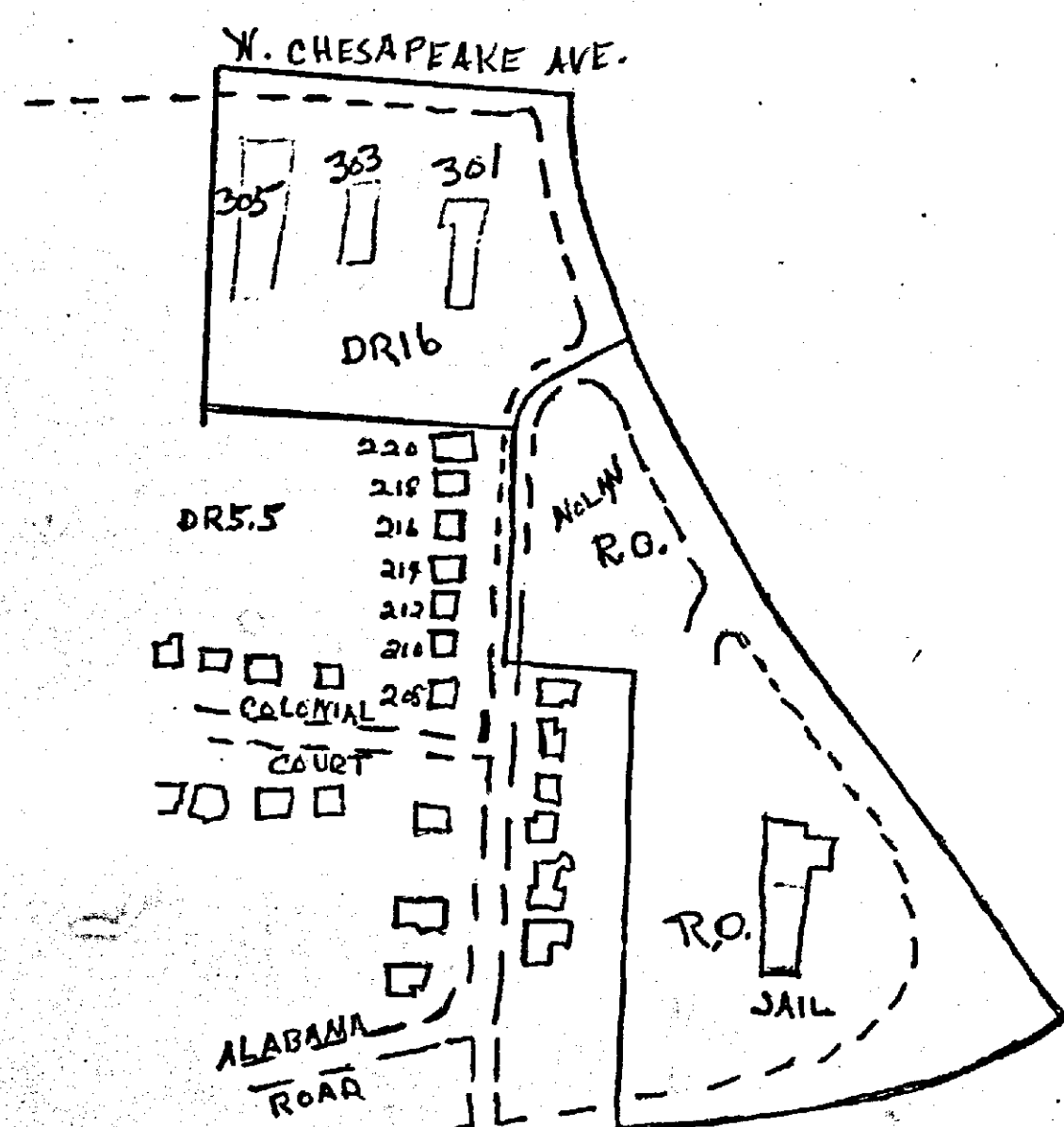
The latter recommendation supports the Towson Plan as approved.

Thank you.
K. Turner

PETITIONER'S
EXHIBIT 6

9/23/80

Suggested zoning in issue: #43



AGREEMENT

This Agreement made this ____ day of _____

1984, between Doe, Inc., a body corporate of the State of Maryland, Glendalough, Inc., a body corporate of the State of Maryland, James D. Nolan and Dolores M. Nolan, individually, their respective heirs, successors and assigns, parties of the first part (hereinafter collectively referred to as Nolan), and the Southland Hills Improvement Association of Baltimore County, Inc., a body corporate of the State of Maryland, their respective heirs, successors and assigns, party of the second part (hereinafter referred to as Southland Hills).

WHEREAS, Nolan is the owner of certain property on Old Bosley Avenue in the community of Southland Hills and is desirous of constructing an office building thereon; and

WHEREAS, Southland Hills is an association of residents of the Southland Hills community and has reviewed Nolan's proposals and has taken positions before Baltimore County boards and agencies concerning said proposals; and

WHEREAS, Nolan and Southland Hills have, after discussions, reached an agreement concerning Nolan's proposed development of the property and desire this document to embody said agreement.

NOW, THEREFORE, in consideration of the sum of Five Dollars paid by the parties of the first part to the party of the second part, receipt of which is hereby acknowledged, and in consideration of the sum of Five Dollars paid by the party of the second part to the parties of the first part, receipt of which is hereby acknowledged, Nolan and Southland Hills agree as follows:

PETITIONER'S
EXHIBIT 7

1. Property. The property subject to this agreement (hereinafter referred to as 222 Bosley Avenue or the Property) is located on the east side of Old Bosley Avenue, is bounded on the east by New Bosley Avenue and on the south by the property known as 221 Old Bosley Avenue and is depicted and described in Exhibit 1.

2. Proposal. The office building proposal which is the subject of this agreement is depicted on the Site Plan dated April 25, 1984, and prepared by Lapicki/Smith Associates, P.A. (attached hereto as Exhibit 1 and hereinafter referred to as the Site Plan) and on the Elevations dated February 8, 1984 and prepared by Lapicki/Smith Associates, P.A. (attached hereto as Exhibit 2 and hereinafter referred to as the Elevations).

3. Conformance to Proposal Required; Undertaking to Commence Proposal.

a. Nolan agrees that the buildings to be constructed on the Property pursuant to any County Review Group (CRG) approval and special exception approval of the current proposal will be in the locations, sizes and configurations as depicted on the Site Plan, will be of the heights and in the locations as depicted on the Elevations, may also include provision for storage space, and will be subject to the terms of this agreement; provided that if the Site Plan and Elevations are changed by a requirement of the County or by agreement of the parties, the approved Site Plan and/or Elevations will be deemed substituted for Exhibits 1 and 2. In the event that unanticipated design or construction problems arise prior to the completion of the buildings that require

some alteration in their location, height, size (presently anticipated to be not more than 250 square feet) or configuration, Nolan may seek the approval of Southland Hills, which approval will not be unreasonably withheld.

b. Nolan represents that it is his intention to commence construction of the proposal within one year of the date he secures CRG approval and special exception approval of the proposal as depicted on the Site Plan.

4. Access to Property. Nolan agrees that, as indicated on the Site Plan, parking and vehicular access to the buildings is provided at the parking area to the east of the buildings and not on Old Bosley Avenue. Nolan further agrees to reflect this in appropriate agreements with the occupants of the building.

5. 221 Old Bosley Avenue. A dwelling is presently located at 221 Old Bosley Avenue on the edge of a predominantly single-family use area and is identified as "existing building to be retained" on Exhibit 1. Nolan agrees that the property known as 221 Old Bosley Avenue (which is shown on Exhibit 1 and is presently zoned DR 5.5) will be used for a single family dwelling only for a period of twenty (20) years from the date of this agreement. This undertaking is in the nature of a covenant which runs with the land and shall be binding upon Nolan, his heirs, successors and assigns. The expiration of the twenty (20) years shall not prevent Southland Hills from opposing any change in the existing residential zoning of the portion of the property occupied by the dwelling.

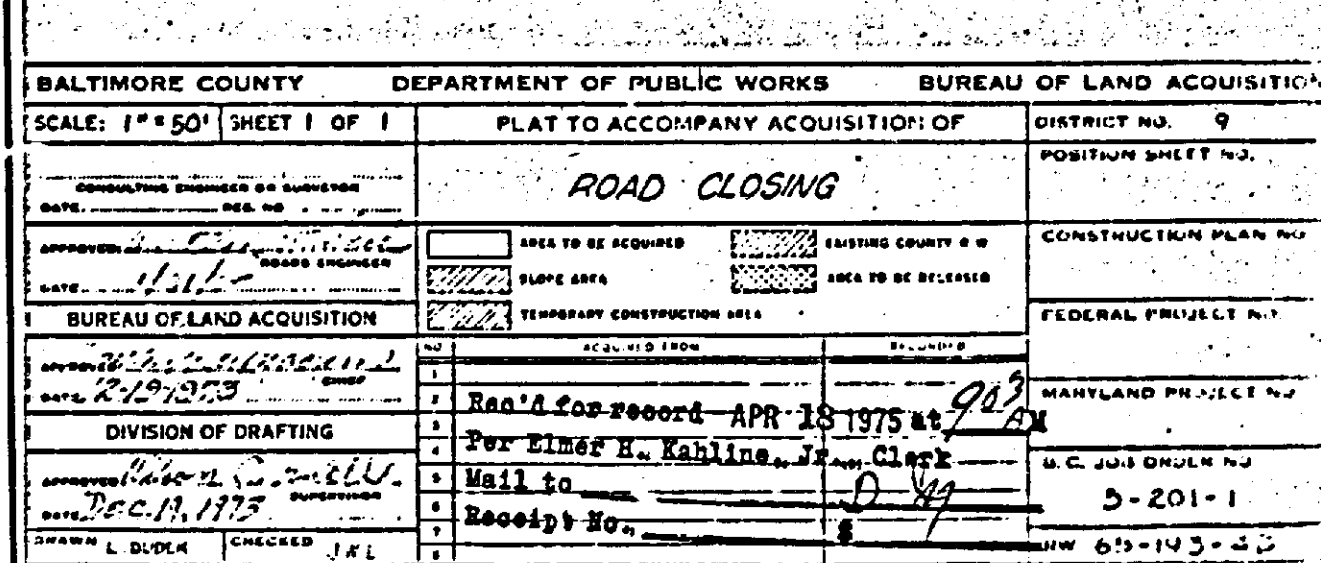
6. Change in Zoning. Nolan represents that he has no present intention of changing the R-0 zoning of the Property and

-3-

-4-

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Helmut B. Karmachar, Frederick C. Newkirk

[illegible]

that he will not request or initiate any rezoning from R-O for a period of ten (10) years from the date of this agreement.

7. Signs. The signing for the building as a whole shall be limited to the one stationary outside identification permitted by Section 203.3(c) of the Baltimore County Zoning Regulations. Said sign shall be oriented towards New Bosley Avenue and shall be located south of or below the red line drawn on the Site Plan. Individual identification signs for the various occupants of the building shall be permitted in accordance with the Zoning Regulations, provided that any exterior signs facing on Old Bosley Avenue shall be limited to one-half square foot each in size and shall be of a generally uniform design.

8. Trash removal. Nolan agrees that trash removal shall not take place before 7:00 a.m. and shall take place on the parking lot side of the building.

9. Zoning Commissioner's Ruling. Nolan agrees to request that the opinion and order of the Zoning Commissioner dated October 24, 1983, which approved a prior version of the proposal, be replaced or superseded by a new opinion and order of the Zoning Commissioner or of the Board of Appeals, which superseding order shall: approve the proposal agreed to herein; provide that it replaces or supersedes the earlier opinion and order; and provide that the earlier opinion and order is no longer of precedential value.

10. Approval of Proposal. Southland Hills agrees to state their approval of the proposal to the County Review Group, the Zoning Commissioner and the Board of Appeals and to take any other action reasonably requested by Nolan to obtain governmental approval of the proposal. It is agreed and understood that the agreements and commitments of Nolan as set forth herein are conditioned upon his securing final, non-appealable approval of the proposal by the County Review Group and the Zoning Commissioner.

-4-

or by the Board of Appeals, by June 15, 1984, or such later date to which Nolan may agree.

11. Injunction. The parties agree that monetary damages would not be an adequate remedy for breach of the terms, conditions and restrictions herein contained, and therefore, in the event that Nolan, his heirs, successors or assigns, violate or breach any of such terms, conditions and restrictions herein contained, Southland Hills, its successors, or assigns, may institute a suit to enjoin such violation and secure other equitable relief.

12. Hours of Operation. Nolan agrees that the hours of operation at the office building shall not exceed 8:00 a.m. to 8:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday, provided, that this shall not prevent occasional use of individual offices outside of the normal hours of operation.

13. Recordation; Successors and Assigns. Nolan agrees to execute an agreement setting forth the provisions of Paragraphs 4, 5, 6, 7, 8, 11, 12 and 13 hereof, which agreement shall be recorded in the land records of Baltimore County. Although the entire agreement is not to be recorded among the land records, it is agreed that all of the provisions hereof are covenants which run with the land and shall be binding upon the parties of the first part and their heirs, successors and assigns. Nolan further agrees to notify any future transferee of the Property of the terms of this Agreement.

IN WITNESS WHEREOF, the parties have set their hands and seals.

By: S/ Doe, Inc. (SEAL)

Attest Glendalough, Inc.

By: _____ (SEAL)

-5-

Witness _____ James D. Nolan (SEAL)

Witness _____ Dolores M. Nolan (SEAL)

Southland Hills Improvement Association of Baltimore County, Inc.

Attest By: _____ (SEAL)

-6-

TOWSON TOWN CENTER
URBAN DESIGN AND IMPLEMENTATION PLAN
Working Paper I

Prepared by Cope Linder Walmsley
Architects Engineers Landscape
Architects
Philadelphia, Pennsylvania

Assisted by Lipman Frizzell & Mitchell
Real Estate Consultants
Towson, Maryland

Progress Associates
Community and Public Finance
Consultants
Allentown, Pennsylvania

Simpson and Curtin
Traffic and Transportation Consultants
Philadelphia, Pennsylvania

Prepared for Baltimore County Office of
Planning and Zoning, Towson, Maryland

April, 1977

PETITIONER'S
EXHIBIT 8

28

Cultural

The preference expressed was that of improving the parking, services and settings of existing cultural institutions, such as the library, in the Town Center. However, it seemed that the proximity of Towson State University and Goucher College reduced somewhat the importance of early action on providing new cultural facilities and opportunities. Better promotional programs for what is already in place seemed to be preferred.

Residential Neighborhoods

Representatives of East Towson were quite strong in their preference to be assisted in their efforts to stay in Towson and receive assistance from the county and other organizations as part of that effort. While some expressed the belief that a "historic district" would be of value and a desirable goal, others believed housing rehabilitation and new housing choices was more to the point. Our consultant group has limited information on the status of current housing efforts and will carefully evaluate those housing studies and recommendations such as the current Metropolitan Associates Development Corporation's report.

The West Towson Neighborhood Association and groups concerned with the preservation of the Towson Elementary School also expressed strong preferences for the preservation of the residential neighborhood integrity which exists west of the loop road (Bosley Avenue). Efforts are underway to oppose zoning variances permitting office development and consideration of closing the elementary school.

The preferences of residential neighborhood representatives then is one of preserving the neighborhoods as they presently exist. At the same time, there is a positive feeling toward new commercial and office development as well as landscaping and beautification efforts. Throughout all the community preference work, a strong sense of people's pride in Towson was experienced. This agreement on a goal of improvement coupled with the lack of irreversible conflicts encourages us to believe that a specific action program is very possible. The support is there.

RE: SPECIAL EXCEPTION FOR A CLASS "B" OFFICE BUILDING, W/S of Bosley Ave., 165' N of Allegheny Ave., 9th Dist. : BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
C. DENNIS WEBSTER, : Case No. 84-167-X Consolidated with
Petitioner : Case No. CBA-83-133

PEOPLE'S COUNSEL'S REPLY MEMORANDUM

People's Counsel for Baltimore County, in reply to the Memorandum of Petitioner, submit the following:

I. Master Plan Consistency

The key to this decision is the interpretation of Section 523 of the Baltimore County Charter, and particularly that provision which requires zoning to be "...consistent with the master plan." Because of the specific Master Plan consistency requirement, and the further involvement of the County Council in adoption of the Plan, cases involving interpretation of local ordinances lacking such requirements are not applicable.

For example, the case of Floyd v. County Council of Prince George's County, 55 Md. App. 246, 256-57 (1983) is different because it requires only compliance with the "principles" described in planning documents or maps. Other cases, such as JNC Construction Co. v. Montgomery County, 54 Md. App. 1 (1983), and Howard County v. Dorsey, 292 Md. 351 (1982), follow earlier decisions considering master plans to be advisory where there was no specific "consistency" requirement.

Therefore, the decision which the County Board of Appeals of Baltimore County confronts here is quite different from decisions made in other jurisdictions with different laws. And, it is different from

decisions in Baltimore County prior to adoption of Section 523 of the Baltimore County Charter.

Notwithstanding Petitioner's contentions, the new Baltimore County Charter provision establishes a structure more closely following that of Cecil County reviewed in Caster v. Board of County Commissioners, 285 Md. 233 (1979); see, e.g., Coffey v. Md. National Capital Park and Planning Commission, 293 Md. 224 (1982) and Md. National Capital Park and Planning Commission v. Washington Business Park Associates, 294 Md. 302 (1982).

II. The Report of the Commission on Charter Revision to Baltimore County

On March 14, 1978, the Commission on Charter Revision issued its report and recommendations. The report was issued after approximately one year of study by various committees, including one committee devoted to planning, zoning, and economic development. These committees held a total of over sixty meetings which included participation by the Administration, the County Council, and interested members of the general public. Five public hearings were held and written comments reviewed.

Substantial changes were recommended in the area of planning and zoning. These included provision for adoption of the Master Plan by the County Council and implementation of the zoning map consistent with the Master Plan. This recommendation was formulated in proposed new Section 523, which included three subsections. Subsections (a) and (b) were later approved by the Baltimore County Council in Bill 83-78 and ratified by the voters in the 1978 general election.

A review of the content of the Charter Revision Commission to proposed Section 523 is, therefore, important. So that there is no misunderstanding, we are reprinting the part applicable to Subsections (a)

- 3 -

and (b) here, and attaching the pertinent pages of the Commission report. The comment stated,

"This section number corresponds to an existing number in the Charter, but the text is all new. Because the master plan is a basic document which should serve as a guide to orderly development in the County, the Commission recommends that a broad definition of it be given in the Charter. The Commission recommends that the County Council alter the master plan as necessary, then adopt it by resolution. It is not the intent of the Commission that all actions in the County should automatically be required to conform with every detail of the master plan because of this resolution. It would be up to the Council to define any enforcement mechanisms by legislative act. However, the Commission does want the development of a Master Plan to which the Council can and will make a commitment. The Council then can enact a zoning map consistent with the master plan, as provided in subsection 523(b), and the master plan will provide a reference document Council members can depend upon when they must resist pressures to draw zoning maps to conform with transient political demands." Emphasis supplied.

To be sure, the Master Plan is a "guide" for the development of the County. But it is a guide which has the force of the County Council's imprimatur and the specific provision for Master Plan consistency.

As it was put by the Commission, the Council "can and will make a commitment" to the Master Plan. The consistency requirement insures then that there is a document which can be depended upon when necessary to resist the transient political demands. The Master Plan thus is a source of stability and support and may not be subordinated to the interests felt from time to time in particular cases.

If it is felt that the Master Plan is producing unacceptable results in a sufficient number of cases, then the Council, upon advice from the Planning Board, may wish to amend the Master Plan. But until so amended, following proper review and public hearings, the specific provisions of the Plan have the force and effect of law.

AUG 13 1985

III. An Idea Whose Time Has Come

The momentum in Baltimore County toward a legally effective Master Plan is not an isolated phenomenon. New laws have sprung up around the country, and recent decisions are evidence of the new climate in the courts.

In Philippi v. City of Sublimity, 662 P.2d 325 (Or. 1983), the Supreme Court of Oregon reversed approval of a development permit for property zoned residential within an acknowledged urban growth boundary because the proposal was inconsistent with the "agricultural retention policy" set out in the city's comprehensive plan. Recognizing the importance of planning to the scheme of land use regulation, the court stated,

"Analysis here must be prefaced with the recognition that a local government's comprehensive plan holds the preeminent position in its land use powers and responsibilities. Zoning and subdivision ordinances, and local land use decisions, are intended to be the means by which the plan is effectuated and, to such an extent, they are subservient to the plan. Baker v. City of Milwaukee, 271 Or. 500, 533 P.2d 777 (1975); see ORS 197-175(2)(d). Accordingly, a particular zoning designation does not of itself entitle the landowner to a particular corresponding use irrespective of whether applicable provisions of the plan may mandate otherwise. The question thus presented is whether the challenged 'agricultural retention policy' is applicable to the subject parcel and whether it permits the city to delay the parcel's development." 662 P.2d, at 328.

In this context, it was clear that the text of the city plan prevented urbanization of the productive farm land under consideration.

The property owner argued that the agricultural retention policy was inconsistent with the SFR (single family residential) zoning designation, so that the plan would not, as a matter of law, delay development of property so zoned. But the court observed that the plan was not "an absolute bar" to

development. It would allow development, subject to the condition that the parcel could not be farmed or a need arose for more residential lots in the city. Similarly, the court disagreed with the contention that application of this plan within the urban growth boundary was a contradiction in terms. The purpose of the so-called "UGB" was to create a buffer zone between urban and rural land and to set appropriate limits on the nature and timing of development permitted. The application of plan limitations to the buffer zone in Philippi is remarkably analogous to the application of the Townson plan to limit development in the buffer zone designated R-O on the west side of Bosley Avenue.

In Love v. Board of Cty. Comm'rs of Bingham, 671 P.2d 471 (Idaho 1983), the Supreme Court of Idaho overturned a rezoning decision of the County Commissioners because it was not "in accordance with the adopted plan." Like the Master Plan in Baltimore County, the Bingham County Comprehensive Plan was also a "guide" for the development of land but, as the court underlined, the plan text stated that the guide "...should be followed as closely as reason, justice, and its own general character make practical and possible." 671 P.2d, at 472-73, footnote 1. Otherwise stated, the fact that a plan is intended to guide development does not detract from its legal effectiveness where the law provides that the zoning districts shall be in accord with it or consistent. See, Dawson Enterprises, Inc. v. Blaine County, 98 Idaho 506, 511, 567 P.2d 1257, 1262 (1977).

And, in San Juan County v. Department of Nat. Res., Wash. App., 626 P.2d 995 (Washington 1981), the Court of Appeals of Washington reviewed the issuance of a development permit by the Shorelines Hearing Board to determine whether its action was "...consistent with the master program

adopted pursuant to the Shorelines Management Act." 626 P.2d, at 997. As stated,

"The administration of the permit system is not thereby removed from the local jurisdiction, but is made to be consistent with the Shorelines Management Act." *Ibid.*

IV. Master Plan Consistency Applied

The legal structure requiring implementation of zoning maps consistent with the Master Plan is bound to present issues of the limitation of permitted uses under specific zoning classifications arising from the Plan. It will often occur that the intent of the Plan must be harmonized with the Map so that both are effective.

The implementation of the Master Plan west of Bosley Avenue by the designation of an area zoned R-O is readily understandable. The Plan calls for a transition area on the west side of Bosley Avenue in order to buffer the strictly residential area further to the west from the more intense development in the Townson Center on the east side of Bosley. The R-O zoning classification is a logical choice. It allows the conversion of existing residences to offices and thus accomplishes the stated goal of the Master Plan. Master Plan consistency is maintained, subject to the qualification that no new "Class B" office buildings are permitted by special exception. Such new buildings are permitted in areas zoned R-O so long as there is no inconsistency with provisions of the Master Plan applicable to those areas.

If the legislature had zoned the area west of Bosley Avenue more intensely, such as O-1 (office building) the classification would be impermissible because the core purpose is inconsistent with the Plan prohibition

of new office buildings. On the other hand, a purely residential classification would be inconsistent because of the failure to allow conversion to office use to accomplish the goal of having a transition area.

There are but a limited number of zoning classifications, each with defined uses permitted as of right and by special exception. These use classifications cannot possibly incorporate the variety of specific objectives, purposes, and policies which the Master Plan devises to resolve particular land use concerns pertinent to special problems or localities. In each case, therefore, the scope of use permitted to an individual property is determined by an adjustment of the uses permitted as zoned to the policies or conditions set forth in the Plan.

This is the nature of Master Plan consistency, which brings together Plan and Map. To suggest that the Plan is merely advisory and subordinate to the Map amounts to a suggestion that the Plan effectively can be disregarded. That is what the Petitioners want to do in this case, and that is why it is necessary that the petition be opposed.

Phyllis Cole Friedman
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People's Counsel for Baltimore County
Peter Max Zimmerman
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Deputy People's Counsel
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 20th day of April, 1984, a copy of the foregoing People's Counsel's Reply Memorandum was mailed to John B. Howard, Esquire, 210 Allegheny Ave., P.O. Box 5517, Towson, MD 21204.

Peter Max Zimmerman

REPORT OF THE COMMISSION ON CHARTER REVISION TO BALTIMORE COUNTY



Towson, Maryland

March 14, 1978

INTRODUCTION AND SUMMARY

A. Method and Procedure

Pursuant to authority granted in section 402(d)(7) of the Baltimore County Charter, the Baltimore County Commission on Charter Revision was appointed on May 23, 1977 by County Executive Theodore Vanestoulis. Forty-three members were appointed, but resignations attributable to schedule changes or illness reduced the membership to thirty-seven by the conclusion of the Commission's work.

To pursue its investigation, the Commission divided into the following committees: (1) Executive Organization and Effectiveness, (2) Fiscal, Budgetary, and Purchasing Matters, (3) Legislative Matters, (4) Open Government and Government Ethics, (5) Personnel Matters and the Merit System, (6) Planning, Zoning, and Economic Development. Most members served on only one committee, but members of the Committee on Open Government and Government Ethics also held membership on one of the other five committees. Although other committees were assigned only the parts of the Charter appropriate to the subject of their study, the Committee on Open Government and Government Ethics was charged with examining the application of its subject of study throughout the Charter.

Between May and December of 1977, the committees of the Commission held a total of over 60 meetings at which members of the Administration and the County Council and interested members of the general public were interviewed, issues were discussed, and proposals were formulated for the examination of the full Commission. The full Commission held five public hearings scattered throughout the County. In addition, written comments were solicited and received. In late November or early December, each committee

submitted its proposals for the consideration of the full Commission. During January and February of 1978, the full Commission held 10 meetings to discuss and vote upon proposals of committees and individual members.

The Commission decided to adopt a procedurally conservative approach to its recommendations. To recommend any measure, it required the affirmative vote of a majority of the total number of Commission members or three quarters of those present and voting, whichever was less. A quorum consisted of a majority of the total number of Commission members. Because some members of an unpaid 37-member lay Commission were certain to be absent from any given meeting, the practical effect was to insure that no proposal would pass unless supported by an overwhelming majority. In fact, every amendment recommended by the Commission on Charter Revision has been approved by over two thirds of those who voted upon it.

Throughout its work, the Commission operated independently of any other government body or any government official. Although appointed by the County Executive, Commission members were aware that the County Council had ultimate responsibility for deciding what proposed Charter amendments would be placed on the ballot. Accordingly, the Commission tried to keep both the County Council and the County Executive well advised of its deliberations. Both Council members and members of the executive branch were quite helpful in supplying information and opinions to the Commission, and the Commission considered such information and opinions vital to its work. However, the Commission's recommendations are a product solely of the independent decisions of its members, acting upon the evidence and their best judgment.

B. General Descriptions of Major Proposals of the Commission

The major proposals of the Commission on Charter Revision affecting the structure and operation of the County Council and the passage of legislation are as follows: (1) Increase the number of Council members to eleven so that the number of constituents each Council member must serve will be reduced, Council members will be better able to represent the constituents they have, and the Council as a body will be better able to grapple with the growing complexity of Baltimore County government;¹ (2) add to the Charter new guarantees of the accessibility of Council proceedings to the general public and provisions which will guarantee that proceedings of any committee of the County Council created in the future will be as accessible to the public as the proceedings of the full Council;² (3) improve and clarify the procedures for verifying and challenging referendum petitions and provide that one third, rather than one half, of the full number of signatures required to complete a petition will be enough to delay the implementation of a law until the 75th day after its enactment.³

Major proposals of the Commission on Charter Revision affecting fiscal, budgetary, and purchasing matters are as follows: (1) Give the County Council an extra fifteen days to examine the budget and allow the County Executive to correct errors or omissions found in budget expenditures during that period;⁴ (2) give the Council more time during which it can hold hearings on the budget, and allow those hearings to be held early enough to affect the Council's decisions;⁵ (3) give the County authority to classify

¹See Charter sections 201 and 206.
²Sections 303 and 308.
³Section 309.
⁴Sections 706 and 707.
⁵Section 708.

gifts and grants as supplementary appropriations to federal grants need not be classified as "emergency" appropriations;⁶ (4) Provide for an annual, rather than biennial, independent audit;⁷ (5) Include the Revenue Authority in Baltimore County's regular budgetary and auditing procedures;⁸ (6) provide different categories which the Council may use in defining what kinds of contracts are appropriate to competitive bidding and what kinds are not.⁹

The Commission on Charter Revision recommends the following changes in provisions affecting personnel administration and the merit system: (1) Transform the Personnel and Salary Advisory Board into a Personnel Appeals Board and allow its administrative duties to formally revert to the Office of Personnel, to which most of them have already been delegated in practice anyway;¹⁰ (2) remove the present limitation of two unclassified employees on the personal staff of the County Executive and leave the limitation of that staff to the budgetary decisions of the County Council;¹¹ (3) expand the merit system to include permanent part-time employees;¹² (4) allow the County Executive, with the concurrence of two thirds of the Council, to put certain management-level positions outside the merit system;¹³ (5) provide that neither the Charter nor Baltimore County Ordinances will prevent County employees from engaging in collective bargaining.¹⁴

⁶ Section 712.
⁷ Section 312.
⁸ Section 702 and several others.
⁹ Section 904.
¹⁰ Section 502.
¹¹ Sections 402, 801.
¹² Section 801.
¹³ Section 801.
¹⁴ Section 804.

Other than the changes recommended in personnel administration and the merit system, the Commission has recommended only one major change in the Charter which might affect the general organization of the administrative services. That is to allow the County Executive, with the concurrence of two thirds of the Council, to create, merge, or abolish offices or departments, provided that there is never a total of more than 17 offices and departments, which is the present number.¹⁵ Because everyone who testified agreed that the jail and civil defense bureaus were presently misplaced, the Commission also recommends removing the Charter provision that they be in the Police Department.¹⁶

The Commission has recommended the following changes in the area of planning and zoning: (1) Make the planning board an all-citizen 15-member board with members appointed by the County Executive but the chairman and vice-chairman confirmed by the Council;¹⁷ (2) give Charter guarantees that the master plan will be comprehensively reviewed at least every 10 years and the zoning map will be comprehensively reviewed at least every 6 years;¹⁸ (3) have the County Council adopt the master plan by resolution;¹⁹ (4) have the Board of Appeals hold initial hearings on reclassifications and limit hearings of the Zoning Commissioner to variances, special exceptions, and violations;²⁰ (5) make hearings of the Zoning Commissioner hearings of record and appeals from decisions of the Zoning Commissioner to the Board of Appeals

¹⁵ Section 502.
¹⁶ Section 541.
¹⁷ Section 522.
¹⁸ Section 522.
¹⁹ Section 523.
²⁰ Sections 522, 523, 602, 603.

Section 522.3. Duties of the zoning commissioner. (continued)

(3) Approving such permits as may be assigned for his review by law. All decisions and orders of the zoning commissioner pursuant to (1) and (2) shall be made only after a public hearing and may be appealed only in the manner provided for in article IV of this Charter. All hearings of the zoning commissioner shall be hearings of record. All decisions of the zoning commissioner upon matters heard before him shall be rendered within sixty days of the end of the hearing.

COMMENT

This section is new to the Charter, and makes significant changes in the duties of the Zoning Commissioner. Under it, the Zoning Commissioner would no longer have responsibility for hearing reclassification cases, which are assigned to the Board of Appeals in the recommended section 523. Hearings of the Zoning Commissioner would be hearings of record, and decisions would have to be rendered within sixty days of their completion. All of these changes are recommended to facilitate timely decisions and prevent duplication of effort in zoning hearings. See also sections 523(c), 602, and 603.

Section 521. (Delete all of section 521, "Duties of the Office," as it presently exists and substitute the following:) The master plan and the zoning map.

(a) Definition and implementation of the master plan. The master plan shall be a composite of planned and written proposals setting forth comprehensive objectives, policies, and standards to serve as a guide for the development of the county. Upon receipt of the master plan from the office of planning and zoning, the county council shall accept or modify and then adopt it by resolution.

(b) Definition and implementation of the zoning map. The zoning map shall show the boundaries of the proposed districts, divisions and zones into which the county is to be divided consistent with the master plan. Upon receipt of the zoning map from the office of planning and zoning, the county council shall accept or modify and then adopt it by legislative act.

(c) Changes in the zoning map. Requests for changes in zoning classifications and districts shall be heard only by the county board of appeals in the manner provided for in article IV of this Charter.

COMMENT

This section number corresponds to an existing number in the Charter, but the text is all new. Because the master plan is a basic document which

Section 523. (continued)

COMMENT (continued)

should serve as a guide to orderly development in the County, the Commission recommends that a broad definition of it be given in the Charter. The Commission recommends that the County Council alter the master plan as necessary, then adopt it by resolution. It is not the intent of the Commission that all actions in the County should automatically be required to conform with every detail of the master plan because of this resolution. It would be up to the Council to define any enforcement mechanisms by legislative act. However, the Commission does want the development of a Master Plan to which the Council can and will make a commitment. The Council then can enact a zoning map consistent with the master plan, as provided in subsection 523(b), and the master plan will provide a reference document Council members can depend upon when they must resist pressures to draw zoning maps to conform with transient political demands. Section 523(c) places the responsibility for hearings on reclassifications with the Board of Appeals. Many Commission members felt reclassification was essentially a legislative type of activity which belonged with a board appointed by the Council, if not with the Council itself. Moreover, since reclassification cases are frequently quite important, and likely to be appealed to the Board of Appeals even if heard at a lower level, the Commission decided a step would be saved by having the members of the Board of Appeals make the initial judgment.

Section 524. (Delete all of section 524 in the present Charter, and replace it with text presently in section 524.1, as indicated below.)

Section [524.1] 524. (Appointment and removal of director and deputy director of planning, zoning commissioner, deputy zoning commissioner and people's council.) People's Council.

[(a)] (Delete all of this subsection, which has been covered in the proposed section 522.)

[(b)] Notwithstanding any other provision of this Charter, [within thirty days after the effective date of this Charter amendment, the county executive shall appoint a] a people's council, who shall represent the interests of the public in general in planning and zoning matters as hereinafter set forth, shall be appointed by the county executive, subject, however, to confirmation by the county council, and [if such person as appointed shall continue to serve as people's council until such time as he [or she] resigns or [has been] is removed [pursuant to the provisions herein contained] from office.

(1) Qualifications. The people's council shall be a resident of Baltimore County, a member in good standing of the Maryland Bar, and actively engaged in the general practice of law for at least five [(5)] years prior to [his] appointment.

TOWSON TOWN CENTER

WORKING PAPER

2

COPE LINDER WALMSLEY

Architects Engineers Landscape Architects



VI. ELEMENTS OF THE PLAN - PROTECTION OF RESIDENTIAL AREAS 37

We have noted in our earlier study that there are problems in both East and West Towson. These relate to protection of residential uses, elimination of non-residential on-street parking and maintenance of physical stock in neighborhoods which are proximate to commercial areas.

Infiltration of Non-Residential Uses in West Towson

In West Towson there is local concern that conversion of residential structures to office uses will eventually destroy the neighborhood. The area immediately west of Bosley Road is a case in point. Half the structures on Pennsylvania and Allegheny Avenues between Bosley Avenue and Highland Avenue have already been converted to office uses. People fear that such conversions will make even deeper inroads to their residential areas in the future. The present zoning map shows a strip two blocks wide from Highland to Baltimore Avenue zoned as DR 16 which in effect is a transition zone between residential and commercial areas. DR 16 is the only residential classification which has provisions for office building construction, or for the conversion of residential structures to office uses (except in a very limited way for professional offices such as doctors' practices as accessory uses). Under the present zoning situation further infiltration west of Highland Avenue is unlikely, assuming the zoning code is enforced, since this area is outside the DR 16 zone.

In DR 16 zones office uses are only allowed as special exceptions which means they must be reviewed and sanctioned by the Zoning Board. Special exceptions have been granted for the conversion of residential structures to commercial uses and for the construction of one new high-rise office building. This, the Chesapeake Building, is in our view an inappropriate use for its location; its scale is not suitable to a residential area and the traffic generated is a nuisance on neighborhood streets. Considering this fact accomplish we are faced with the possibility that similar decisions could be made in the future. There are no limitations in the zoning regulations, relating to height, Floor Area Ratio, etc., for office buildings which can be allowed as special exceptions. Thus it is theoretically possible to develop offices at greater Floor Area Ratio than is allowed in the CR core. In practice the majority of office buildings in the county are developed in DR 16 zones as special exceptions.

We believe that office districts should be established in areas of the county where office development is desirable. Then DR 16 zones could revert to their original purpose of providing transition zones between densely developed and residential areas. This could be accomplished by limiting the area, height and Floor Area Ratio of office buildings which could be granted special exceptions in DR 16 zones. We recommend that no new office buildings should be allowed, but conversion of existing residential structures would continue. Thus, eventually the area of West Towson immediately adjacent to Bosley Road would become almost entirely offices, but would retain the density, scale and character of a residential area. In this way it would fulfill its function as a transition zone. In order to further restrict the impact of office uses on the residential areas west of Bosley more effectively, we recommend reducing the area of the DR16 transition zone to a strip one block wide. Thus the border between the DR16 and DR5.5 zone would be moved from Highland Avenue to Central Avenue.

The West Towson community is concerned about the future of the Towson Elementary School. Their concern is that the closing of the elementary school is one more step in the disintegration of the neighborhood. They are concerned to have a local school for their children and with the preservation of the building which is of some historic value. We recommend a reconsideration of the consequences of closing this neighborhood school facility.

Non-Residential On-Street Parking in Residential Areas

Residential streets which are within easy walking distance of the central area are used by office workers for free parking. Generally, in Towson, this problem has not reached such proportions that residents cannot find parking spaces, but such on-street parking increases traffic and is a general nuisance and eyesore. Several techniques have been tried in other cities and towns, where similar problems exist which could be considered for Towson. Residents with a right to park in a neighborhood could display residents' stickers and all other parking could be eliminated or limited to a 2 hour period between the hours of 9 a.m. to 5 p.m. This would allow visitor parking but discourage all day parking by commuters. The cost of providing residents' stickers would be minimal, in the order of \$2-3 each; they could be paid for from revenue generated by ticketing illegally parked vehicles in these residential areas.

In Washington, D.C. local area residents have been hired as traffic wardens with the authority to issue tickets in order to enforce similar regulations.

Strengthening the East Towson Community

The area of East Towson inside the Loop Road south of Pennsylvania and east of Virginia must be strengthened if it is to remain as a residential community. Investment is urgently needed if the housing stock is to survive. We strongly endorse the recommendations of Metropolitan Associates⁷ that existing funds be used either as direct grants or to insure bank loans for area residents to rehabilitate their properties. Reinvestment in the residential infrastructure would assuage future pressures for change.

In cases where housing structures are severely deteriorated, or where vacant sites exist, infill housing, similar in type and scale to existing units should be constructed using Federal Section 8 funding now available through HUD allocations.

When the Loop Road is complete neither Jefferson nor Lennox Avenues will be through streets and the opportunity will exist to create pleasant tree-lined spaces with carefully designed sidewalks, play lots and parking areas. These upgraded neighborhood streets should be connected by a new pedestrian pathway to Chesapeake Avenue at the time when it is upgraded and the streetscape improvements are carried out (Fig. 7).

The inner neighborhood of East Towson is zoned as the rest of the Towson Center - RM-CT (Business, Major - Commercial, Town Center core). In theory this allows the construction of most retail, office or apartment uses at high densities. Any use allowed anywhere within the core is also allowable in the heart of the East Towson neighborhood. However, at this time the location, ownership pattern, market demand and accessibility all suggest that East Towson will not imminently be redeveloped for commercial or high intensity uses. However, there are justifiable concerns in the area and the completion of the Loop Road will make East Towson's position more visible and accessible, thus increasing development pressures.

⁷Metropolitan Associates, East Towson Housing Survey, Section E Recommendations.

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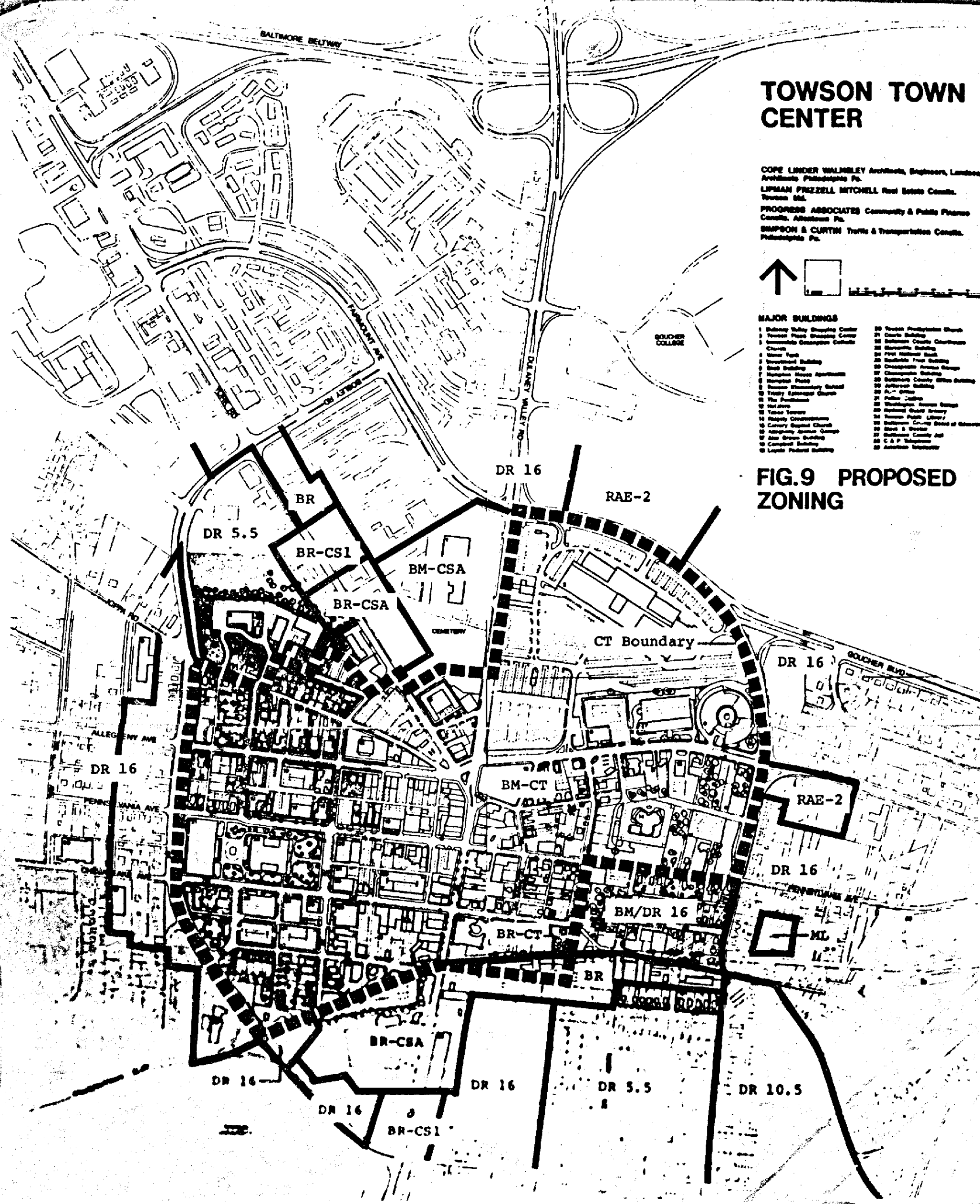
SHAFER & CURTIN Traffic & Transportation Consultants
Indianapolis Ind.



MAJOR FINDINGS

1 Belmont High Shopping Center	30 Town Professional Center
2 Sunset Plaza Shopping Center	31 Davis Building
3 Westside Shopping Center	32 Westside Shopping Center
4 Westside Shopping Center	33 Westside Building
5 Street View	34 West National Bank
6 Westside Building	35 Westside Building
7 Westside Building	36 Westside Building
8 Westside Apartments	37 Westside Building
9 Westside Building	38 Westside Building
10 Westside Building	39 Westside Building
11 Westside Building	40 Westside Building
12 Westside Building	41 Westside Building
13 Westside Building	42 Westside Building
14 Westside Building	43 Westside Building
15 Westside Building	44 Westside Building
16 Westside Building	45 Westside Building
17 Westside Building	46 Westside Building
18 Westside Building	47 Westside Building
19 Westside Building	48 Westside Building

FIG.9 PROPOSED ZONING



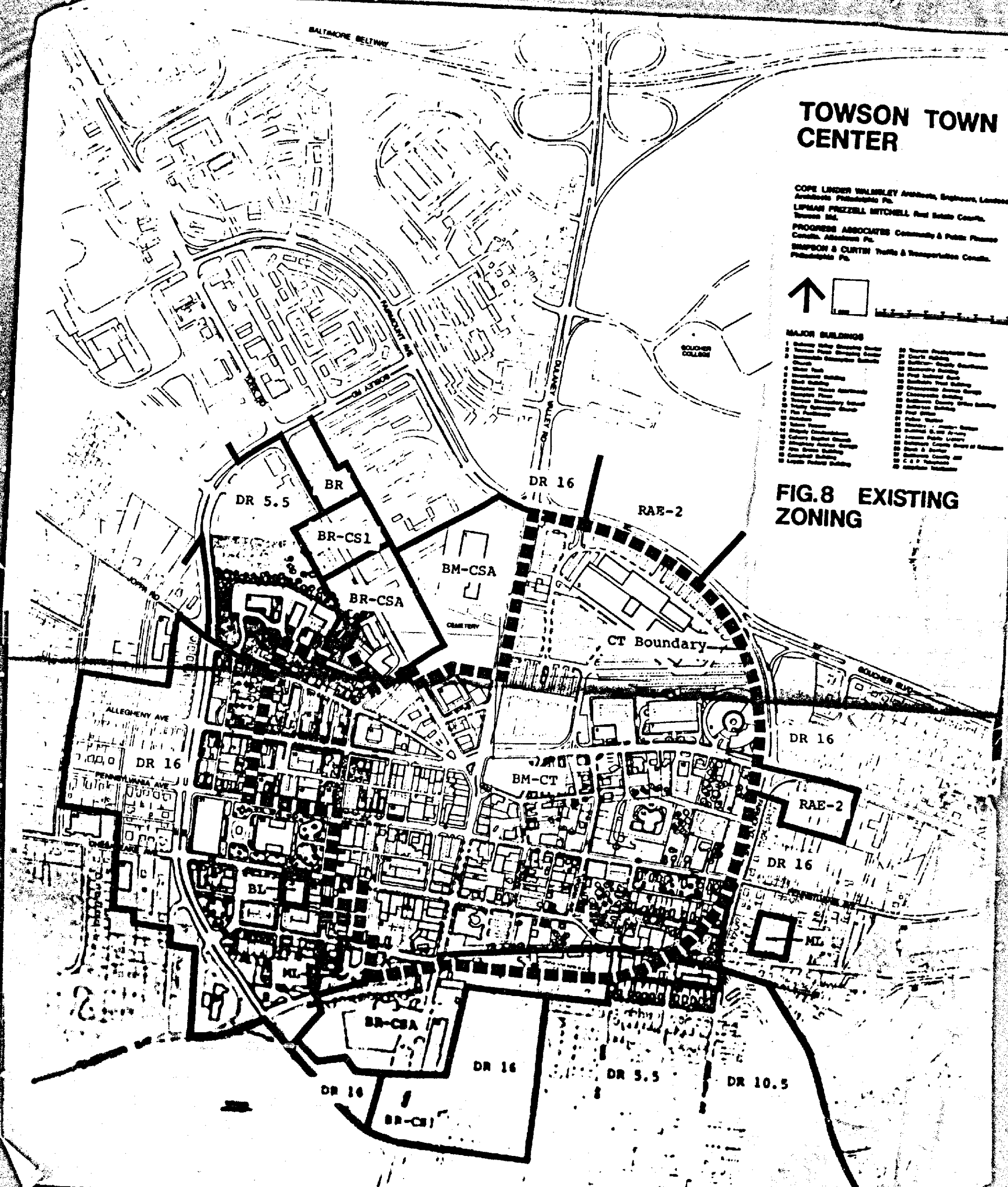
COPE UNDER WALKERLEY Architects, Engineers, Landscapers
Architects Philadelphia Pa.
LIPMAN FREZZELL MITCHELL And Related Courts.
Towson Md.
PROGRESS ASSOCIATES Community & Public Planning
Councils Allentown Pa.
SIMPSON & CURTIN Traffic & Transportation Council
Philadelphia Pa.



MAISON DE LA PIERRE

[illegible]

FIG.8 EXISTING ZONING



ENTIRE SITE GIB

SOIL SURVEY

SOIL SERIES & MAP SYMBOLS

STREETS AND PARKING LOT

MODERATE SLOPE

HOME SITES	W/BASEMENT	W/O BASEMENT
SLIGHT	SLIGHT	SLIGHT

TOP OF RAFTER

EL 474'

TOP OF ROOF

EL 472'

SECOND FL.

EL 456'

FIRST FL.

EL 446'

LOWER LEVEL

EL 436'

AVERAGE GRADE

EL 442.72'

BLDG. SECTION 'A' (TYP FOR UNITS 1, 2)

SCALE 1" = 20'

(TOP UNITS)

TOP OF RAFTER

EL 471'

TOP OF ROOF

EL 469'

SECOND FL.

EL 455'

FIRST FL.

EL 445'

LOWER LEVEL

EL 435'

AVERAGE GRADE

EL 439.69'

BLDG. SECTION 'B' (MIDDLE UNITS)

(TYP FOR UNITS 3, 4)

SCALE 1" = 20'

25% OR GREATER EXISTING GRADE

TOP OF RAFTER

EL 463'

TOP OF ROOF

EL 460'

SECOND FL.

EL 450'

FIRST FL.

EL 440'

LOWER LEVEL

EL 430'

AVERAGE GRADE

EL 446.79'

BLDG. SECTION 'C' (LOWER UNITS)

(TYP FOR UNITS 5, 6)

SCALE 1" = 20'

TOP OF RAFTER

EL 463'

TOP OF ROOF

EL 460'

SECOND FL.

EL 450'

FIRST FL.

EL 440'

LOWER LEVEL

EL 430'

AVERAGE GRADE

EL 446.79'

VICINITY MAP

PROPERTY / OWNER REFERENCE

JAMES D. NOLAN

5330/413 #16-00-009605

5521/945 #17-00-002358

5527/377 #09-07-585270

5527/375 #09-07-580470

5204/780 #09-04-503924

5828/803 #09-12-200330

DOE INC.

4842/644 #09-04-503922

#09-04-503923

NOTE

OL OUTSIDE LIGHT (SEE ELEVATIONS) SEE VICINITY MAP FOR FIRE HYDRANT LOCATIONS.

LEGEND:

- L.P. LIGHT POLE (8'0" TYP)
- TRACT BOUNDARY
- ZONING LINE
- EXISTING CONTOURS
- PROPOSED CONTOURS
- CONIFEROUS TREES
- DECIDUOUS TREES
- PROPOSED FIRE HYDRANT

GEORGE W STEPHENS AND ASSOCIATES INC.

303 ALLEGHANY AVENUE

TOWSON, MARYLAND 21204

301-825-8120

APPLICANT

James D. Nolan

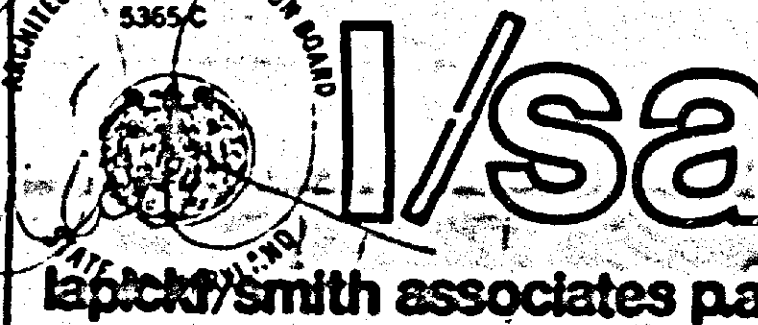
C/O Mr George A. Nelson

Piper and Marbury

36, South Charles Street

Baltimore, Maryland 21201

301-639-2530



617 park avenue

baltimore, maryland

21201

301 685 4900

Use project number

06133

222 BOSLEY AVENUE

OFFICE BUILDING

Bato Co. Md. Elect. Dist. #8

Councilmanic Dist. C-4

Census Tract # 4907.02

Watershed #23

Est Type C-5 Sub Sewer Shed #55

Title:

SITE PLAN

Date

23 APRIL 1984

Dwg. No.

SP 1

Site Area	Net	Gross
Ro Zoned	0.9058 Ac	1.1598 Ac
	39,455 s.f.	50,519 s.f.

BUILDING AREA

Unit 1: 20' x 30' All Floors

Unit 2: 20' x 44' All Floors

Unit 3: 20' x 47' All Floors

Unit 4: 20' x 50' All Floors

(Bay window lower floors)

Total 2,072.5 s.f.

(Office: on Medical A.D.T. @ 12.5/1,000 = 275)

FLOOR AREA RATIO

Total Gross Site Area (Ro)

Multiplied by F.A.R. of 0.5

Adjusted Gross Floor Area

50,519 s.f.

x0.5

25,259.75 (max)

PARKING

1/300 x 7452.5 = 25 spaces

1/500 x 14,040 = 28 spaces

Total = 54 spaces req'd.

Spaces Prov. = 45 spaces

@ 8.5' x 18' inclusive

of 3 H-C spaces @ 12' x 18'

Car Parking Shortage (9) Spaces

9 parking spaces must be leased from Revenue Authority.

AMENITY OPEN SPACE CALCULATION

Amenity Open Space Req'd

.25 x 50,519 s.f. = 12,629.75 s.f.

Ro Data

Total Net Site Area (Ro)

39,455.00 s.f.

Less Building Footprint

7452.50 s.f.

32,002.50 s.f.

Less Vehicular Traffic

Maneuvering and Parking

and Other Non-Eligible Areas

Amenity Open Space Provided

15,776.5 s.f.

16,246.00 s.f.

NOTE COVERED OPEN SPACE 10' x 30' x 9' HIGH

IS NOT GREATER THAN 2' [(9' x 10') x (9' x 10')] = 360 s.f.

AND IS THEREFORE ELIGIBLE TO BE COUNTED AS AMENITY OPEN SPACE.

GENERAL NOTES:

1. STORM WATER MANAGEMENT FOR THIS SITE

HAS BEEN EXEMPTED BY LETTER DATED 12-24-82

FROM THE BALTO. CO. DEPT. OF PUBLIC WORKS.

2. ON THIS SITE THERE ARE NO WETLANDS, NO CRITICAL

AREAS, NO ARCHEOLOGY SITES, NO ENDANGERED SPECIES

AND NO HAZARDOUS MATERIALS.

3. HOURS OF OPERATION FOR OFFICE USE 8AM-5PM

MON.-FRI., 8AM-5PM SAT.

4. ON THIS SITE THERE ARE NO SIGNIFICANT GEOLOGICAL

FORMATIONS OR OTHER UNUSUAL NATURAL FORMATIONS.

5. MASS TRANSIT FACILITIES ARE LOCATED AT THE

INTERSECTION OF CHESAPEAKE & WASHINGTON AVES.

6. MAXIMUM # OF EMPLOYEES = 221 PERSONS.

7. NO EXISTING OR PROPOSED SEWERS OR SEPTIC AREAS.

8. SIGN. SIGN IN ACCORDANCE W/ SECTION 20336.

RESIDENTIAL OFFICE ZONE AND 9' X 6' SIGN

IN ACCORDANCE W/ SECTION 415.1A SIGN

BALTO. CO. ZONING REGULATIONS.

9. NO EXISTING STREAMS, STAGNANT FLOOD PLAIN,

10. NO EXISTING WOODED AREAS, VEGETATION TO BE REMOVED.

11. THE MIN. SCREENING HEIGHT FOR PLANTING IS 5'0"

THE PLANTING SCREEN SHALL HAVE EVERGREEN THRUBES

8'0" ON CENTER W/ EVERGREEN TREES @ 6'0" ON CENTER.

12. BUILDING CHARACTER GEORGIAN TOWN HOUSE

13. LIGHTING SHALL BE SO EFFECTED AS NOT TO REFLECT RAYS

INTO RESIDENTIAL AREAS OR IMPERE TRAFFIC FLOW AS TO

GLARE (PROP 8'0" HIGH)

14. RAMP ARRANGEMENTS & CURB CUTS WILL BE ADDRESSED

IN MORE DETAIL WHEN BUILDING PLAN IS SUBMITTED

15. BUILDINGS HAVE BRICK EXTERIOR FINISH

W/ VINYL FLOOR

16. NO LOADING FACILITIES

17. NO HISTORIC BUILDINGS

18. AVERAGE HEIGHT OF BUILDING ABOVE

AVERAGE GRADE DOES NOT EXCEED 35'0"

COMBINE LA MORE COR=211

5200/499

EX. USE: LAW OFFICES

* INCLUSIVE OF 20' OF

OLD BOSLEY & 90'

OF FORNEY AVE

* INCLUSIVE OF 20'

OF OLD BOSLEY

AVE.

SITE FRONTAGE

JOHN WARFIELD FISHER

4280/636

EX. USE: RESIDENTIAL

BUSSELL M. FISHER

6020/716

EX. USE: RESIDENTIAL

CHARLES E. BROOKS

6280/504

EX. USE: RESIDENTIAL

HENRY S. RECKORD

6280/504

EX. USE: RESIDENTIAL

CHARLES A. GUNZMAN

1720/502

EX. USE: RESIDENTIAL

ALTA E. BUCH

5000/03

EX. USE: RESIDENTIAL

ALTA E. BUCH

5000/03

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5000/03

EX. USE: RESIDENTIAL

ALTA E. BUCH

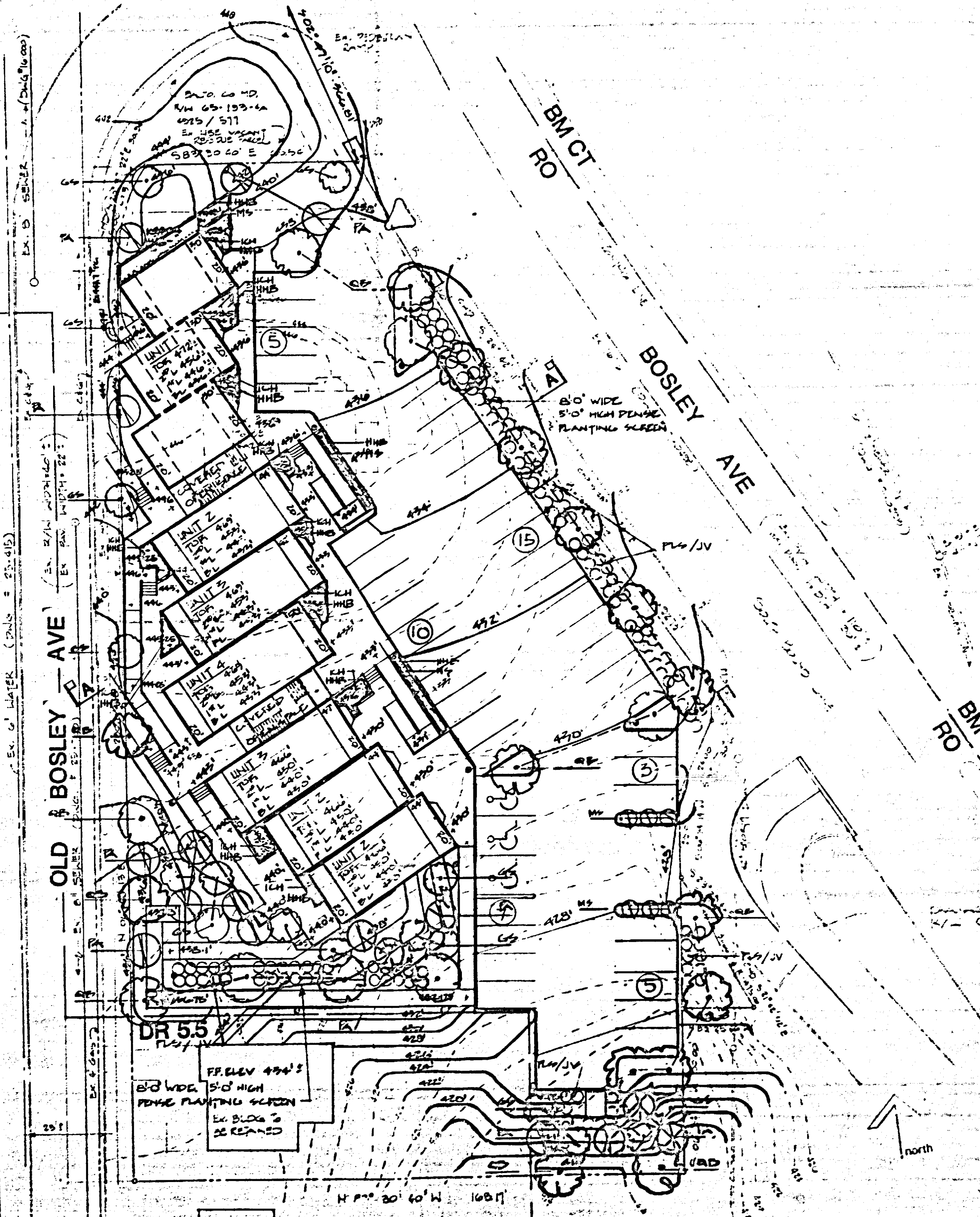
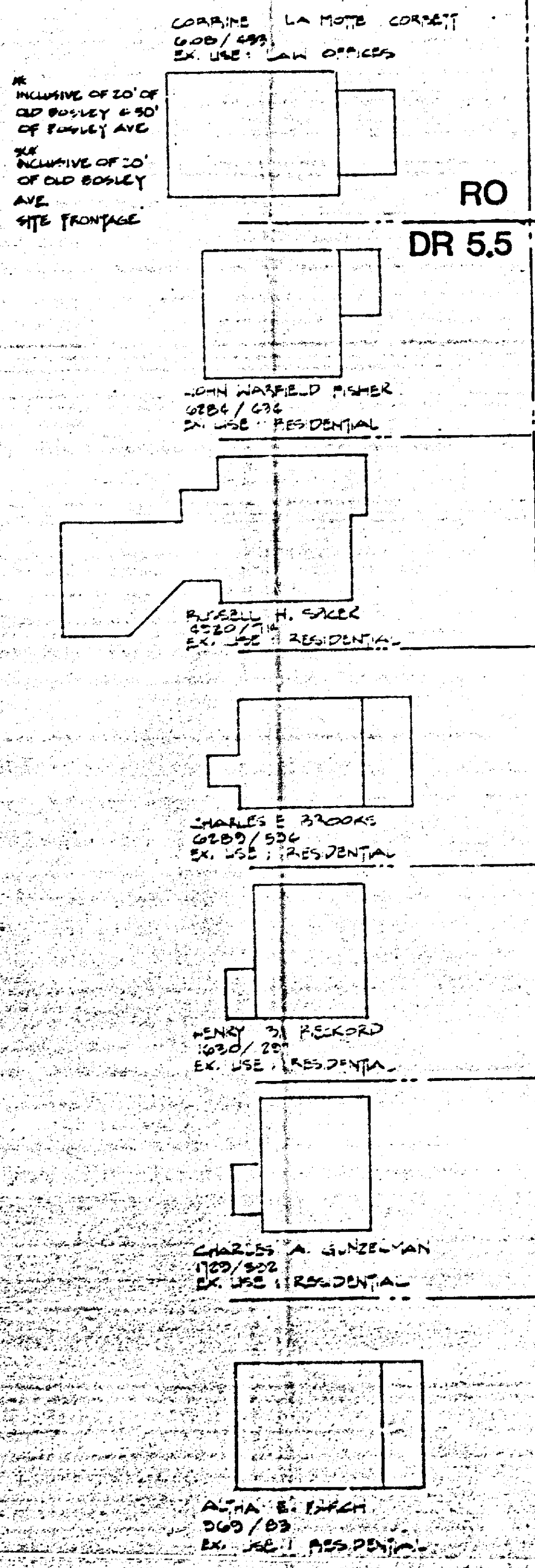
5000/03

PLANT SCHEDULE

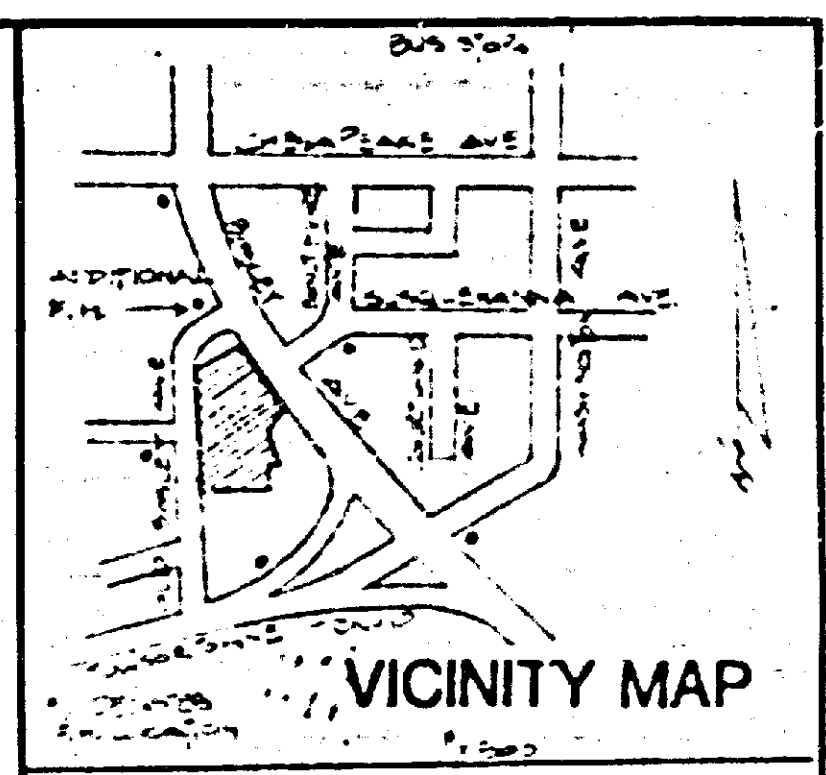
PL	PRUNUS LAURICERATA SCHIPKENSIS (SCHIPKA CHERRY LAUREL) 5'
PA	PEL STANGED BOM 4'-0" O.C. FLOR. APRIL 5-10' (WINTER STAGLE)
OS	QUERCUS BOKEANUS 2 1/2" 9' CAL (RED OAK)
OS	QUERCUS TRUNCATUM MEAME (SKYLINE) (SKYLINE MONSTY LOUWST) 2 1/2" 9' CAL.
MS	MAGNOLIA SYLLATA (STAR MAGNOLIA) 4'-0"
MS	VEDERA HELIX CAUTICA (BATTLE NY)
KH	ILEX CORYMBOSA HELLERII (HELLER'S HOLLY) 15'-10"

JV JUNIPERUS VIRGINIANA
(JUNIPER RED LEAF)

1" = 1,000'
4 31,000'



1" = 1,000'
4 31,000'



GEORGE W STEPHENS AND ASSOCIATES INC.
303 ALLEGHANY AVENUE
TOWSON, MARYLAND 21204
301-828-6120

APPLICANT
James D. Nolan
C/O Mr George A. Hiseor.
Piper and Marbury
38, South Charles Street
Baltimore, Maryland 21201 301-639-2630

l/sa
Landscape Architecture
617 park avenue
baltimore, maryland
21201
301 635 4000

l/sa project number 00199

222 BOSLEY AVENUE
OFFICE BUILDING

Title
LANDSCAPE PLAN
Date 03/04/1991
Draw. No. L-1

Site Plan
scale 1"=20'

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20

COLONIAL COURT

ENTIRE SITE GIB

SOIL SURVEY

SOIL SERIES & MAP SYMBOLS	HOME SITES
GLENELO GIB	W/BASEMENT W/O BASEMENT
	SUGHT SUGHT

STREETS AND PARKING LOT
MODERATE SLOPE

TOP OF PARAPET
EL 471'

TOP OF ROOF
EL 472'

SECOND FL.
EL 456'

FIRST FL.
EL 446'

LOWER LEVEL
EL 436'

AVERAGE GRADE
EL 446.72'

BLDG. SECTION 'A'
(TYP FOR UNITS #1,)
SCALE 1"=20'

(TOP UNITS)

TOP OF PARAPET
EL 471'

TOP OF ROOF
EL 469'

SECOND FL.
EL 453'

FIRST FL.
EL 443'

LOWER LEVEL
EL 433'

AVERAGE GRADE
EL 459.69'

BLDG. SECTION 'B' (MIDDLE UNITS)
(TYP FOR UNITS #2,3,4)
SCALE 1"=20'

25% OR GREATER
EXISTING GRADE

TOP OF PARAPET
EL 469'

TOP OF ROOF
EL 466'

SECOND FL.
EL 450'

FIRST FL.
EL 440'

LOWER LEVEL
EL 430'

AVERAGE GRADE
EL 446.79'

BLDG. SECTION 'C' (LOWER UNITS)
(TYP FOR UNITS #5,6,7)
SCALE 1"=20'

PROPERTY / OWNER REFERENCE

JAMES D. NOLAN

5330/413	#18-00-009605
5521/845	#17-00-002358
5527/377	#09-07-585270
5527/375	#09-07-580470
5204/780	#09-04-503924
5828/803	#09-12-200330

DOE INC.

4842/544	#09-04-503922
	#09-04-503923

NOTE
OL. OUTSIDE LIGHT (SEE ELEVATIONS)
SEE VICINITY MAP FOR FIRE
HYDRANT LOCATIONS.

LEGEND:

- L.P. LIGHT POLE (8'0" TYP)
- TRACT BOUNDARY
- ZONING LINE
- EXISTING CONTOURS
- PROPOSED CONTOURS
- CONIFEROUS TREES
- DECIDUOUS TREES
- PROPOSED FIRE HYDRANT

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303 ALLEGHANY AVENUE

TOWSON, MARYLAND 21204

301-825-8120

APPLICANT

James D. Nolan
C/O Mr George A. Nilson
Piper and Marbury
36, South Charles Street
Baltimore, Maryland 21201 301-539-2530

I/sa

lapicki/smith associates p.a.

617 park avenue
baltimore, maryland
21201
301 685 4900

I/sa project number 02133

222 BOSLEY AVENUE

OFFICE BUILDING

Balto Co. Md. Elect. Dist. #9
Councilmanic Dist. C-4
Census Tract # 4907.02
Watershed #23
Soil Type Gb Sub Sewer Shed #55

Title

SITE PLAN

Date

23 APRIL 1984

Dwg. No.

SP 1

SITE INFORMATION

Site Area	Net	Gross
Ro Zoned	0.9058 Ac+ 39,455 s.f.	1.1598 Ac+ 50,519 s.f.

BUILDING AREA

- Unit 1: 20' x 30' All Floors
- Unit 2: 20' x 44' All Floors
- Unit 3: 20' x 47' All Floors
- Unit 4: 20' x 50' All Floors
(Bay window lower floors)

Total 22,072.5 s.f.
(Office: Non Medical A.D.T. @ 12.5/1,000 = 275)

FLOOR AREA RATIO

Total Gross Site Area (Ro)	50,519 s.f.
Multiplied by F.A.R. of 0.5	X0.5
Adjusted Gross Floor Area	25,259.75 (max)

PARKING

- 1/300 x 7432.5 = 25 spaces
- 1/500 x 14,640 = 29 spaces
- Total = 54 spaces req'd.
- Spaces Prov. = 45 spaces
- @ 8.5' x 18' inclusive
- of 3 H-C spaces @ 12' x 18'

Car Parking Shortage (9) Spaces
9 parking spaces must be leased from Revenue
Authority.

AMENITY OPEN SPACE CALCULATION

Amenity Open Space Req'd
.25 x 50,519 s.f. = 12,629.75 s.f.

Ro Data	
Total Net Site Area (Ro)	39,455.00 s.f.
Less Building Footprint	7432.50 s.f.
	32,022.50 s.f.

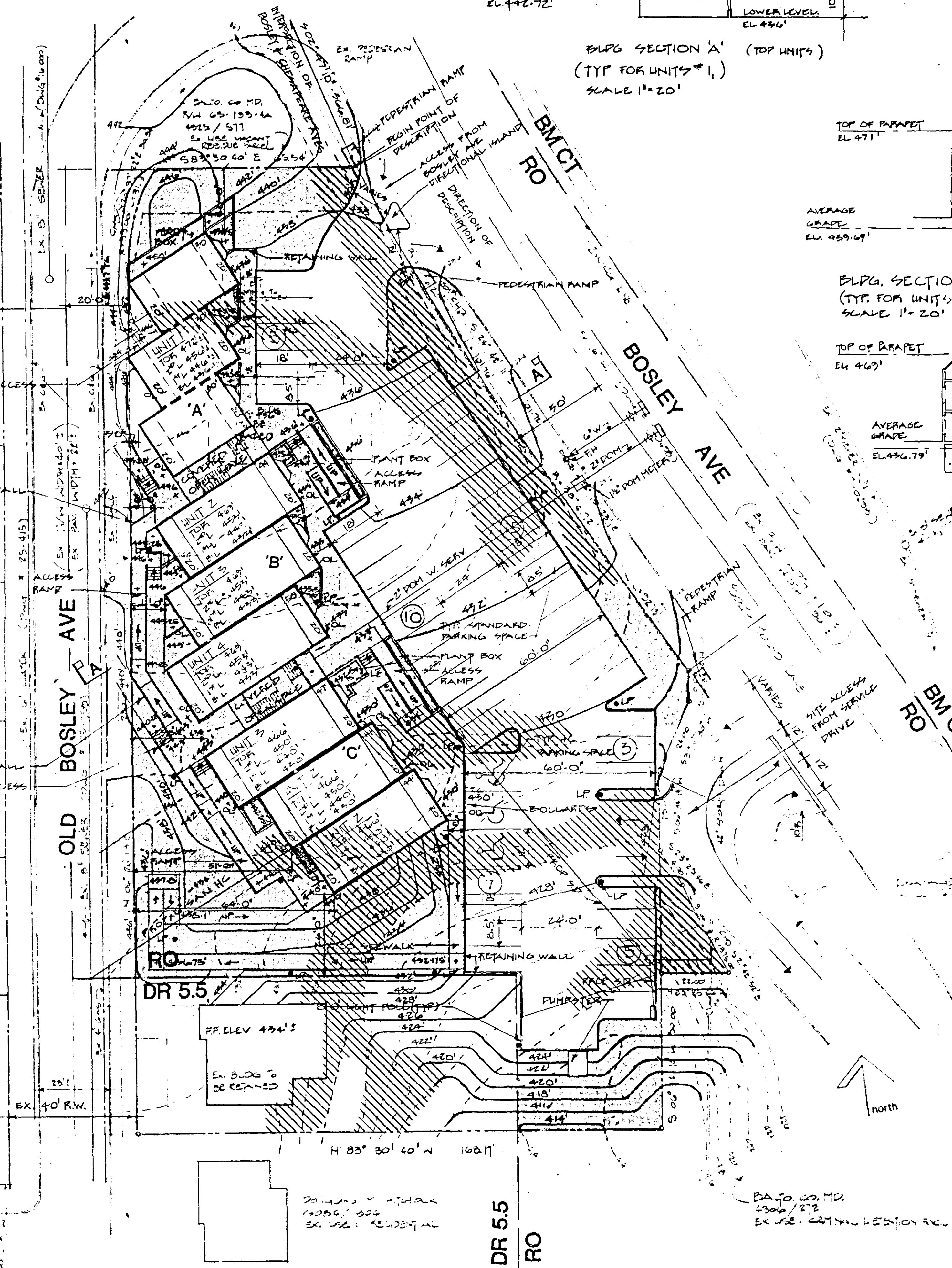
Less Vehicular Traffic
Maneuvering and Parking
and Other Non-Eligible Areas
Amenity Open Space Provided
15,776.5 s.f.
16,246.00 s.f.

NOTE COVERED OPEN SPACE 10' x 50' = 500 s.f. 9' HIGH
IS NOT GREATER THAN 2[(9'x10')+(9'x10')] = 560 s.f.
AND IS THEREFORE ELIGIBLE TO BE COUNTED AS AMENITY OPEN SPACE.

GENERAL NOTES:

- STORM WATER MANAGEMENT FOR THIS SITE
HAS BEEN EXEMPTED BY A LETTER DATED 12.23.82
FROM THE BALTO. CO. DEPT. OF PUBLIC WORKS.
- ON THIS SITE THERE ARE NO WETLANDS, NO CRITICAL
AREAS, NO ARCHEOLOGY SITES, NO ENDANGERED SPECIES
AND NO HAZARDOUS MATERIALS.
- HOURS OF OPERATION FOR OFFICE USE 8AM-5PM
MON-FRI, 8AM-5PM SAT.
- ON THIS SITE THERE ARE NO SIGNIFICANT GEOLOGICAL
FORMATIONS OR OTHER UNUSUAL NATURAL FORMATIONS.
- MASS TRANSIT FACILITIES ARE LOCATED AT THE
INTERSECTION OF CHESAPEAKE & WASHINGTON AVES.
- MAXIMUM # OF EMPLOYEES = 221 PERSONS
- NO EXISTING OR PROPOSED WELLS OR SEPTIC AREAS.
- BS&RT, SIGN IN ACCORDANCE W/ SECTION 2033C,
RESIDENTIAL, OFFICE ZONE AND 9' & 9.6'RT, SIGNS
IN ACCORDANCE W/ SECTION 413.1A SIGNS
BALTO. CO. ZONING REGULATIONS.
- NO EXISTING STREAMS, SPRINGS, FLOOD PLAIN.
- NO EXISTING WOODED AREAS, VEGETATION TO BE REMOVED
- THE MIN. SCREENING HEIGHT FOR PLANTING IS 5'0"
THE PLANTING SCREEN SHALL HAVE EVERGREEN SHRUBS
@ 3' ON CENTER W/ EVERGREEN TREES @ 6'0" ON CENTER.
- BUILDING CHARACTER GEORGIAN TOWN HOUSE
- LIGHTING SHALL BE SO EFFECTED AS NOT TO REFLECT RAYS
INTO RESIDENTIAL AREAS OR IMPERE TRAFFIC FLOW AS TO
GLARE (PROP. 8'-0" HIGH)
- RAMP ARRANGEMENTS & CURB CUTS WILL BE ADDRESSED
IN MORE DETAIL WHEN BUILDING PLAN IS SUBMITTED
- BUILDINGS HAVE BRICK EXTERIOR FINISH
W/ SHINGLE ROOF.
- NO LOADING FACILITIES.
- NO HISTORIC BUILDINGS.
- AVERAGE HEIGHT OF BUILDING ABOVE
AVERAGE GRADE DOES NOT EXCEED 35'-0"

COLONIAL COURT



PREPARED BY
EXHIBIT 2

Site Plan

scale 1"=20'

North