

PETITION FOR SPECIAL EXCEPTION 85-303-X

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a Class B Office Building and site in an RQ Zone.

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

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

Contract Purchasers:

Richard J. Koller

Signature

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.

Legal Owner(s): Marion A. Plogman

By: Bernard G. Link, Personal Representative

Signature

(Type or Print Name)

Signature

(Type or Print Name)

Signature

(Type or Print Name)

3410 Old Court Road

Address

Baltimore, Maryland 21208

City and State

Attorney for Petitioner:

Newton A. Williams and

McLan, Plumbhoff & Williams, Chartered

(Type or Print Name)

Signature

204 West Pennsylvania Avenue

Address

Towson, Maryland 21204

City and State

Attorney's Telephone No.: 301/823-7800

Address

Phone No.

ORDERED BY The Zoning Commissioner of Baltimore County, this 2nd day of April, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 6th day of May, 1985, at 1:30 o'clock.

Signature

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon

TO: Zoning Commissioner

Date: May 1, 1985

Norman E. Gerber, Director

FROM: Office of Planning and Zoning

SUBJECT: Zoning Petition No. 85-303-X

The plan was approved by the CRG on March 20, 1985.

Signature

Office of Planning and Zoning

NEG:JGH:alm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 26, 1984

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

RE: Item No. 251 - Case No. 85-303-X
Petitioner - Marion A. Plogman
Special Exception Petition

Dear Mr. Williams:

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 accordance with our previous telephone conversation, this hearing was scheduled with the understanding that revised plans would be submitted that satisfy the enclosed comments.

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

Very truly yours,

Signature

NICHOLAS B. COMMODARI

Chairman

Zoning Plans Advisory Committee

Enclosures

cc: Urban Engineering and Associates, Inc.
1601 St. Paul Street
Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

SUBJECT: SUBDIVISION REVIEW COMMENTS

DATE: March 18, 1985

FROM: Edward A. McDonough, P.E., Chief
Developer's Engineering Division

PROJECT NAME: Sudbrook Professional Building

PROJECT NUMBER: 85039

LOCATION: 105 Sudbrook Lane,
S/W Reisterstown Road

DISTRICT: 3C2

The Plan for the subject site, dated February 10, 1985 and revised February 23, 1985, has been reviewed by the Developers Engineering Division and we comment as follows:

GENERAL COMMENTS:

All private contracts for construction of storm drains and roads intended for public title and maintenance must be let under a contract form, proposal and attachments adopted by the Baltimore County Department of Public Works. The Developer has the option of placing the storm drains under a public contract.

All construction drawings and construction for public use shall conform with Baltimore County Department of Public Works Design Standards and Standards Specifications and Details for Construction.

The responsibilities of the Developer involving public improvements shall include the Inspection Fees, Burden and Fringe Costs incurred. Currently these charges are 2.5 times payroll for Metropolitan District Projects and 2 times payroll for the Capital Improvement Fund.

The following note is to be placed on the sediment control plans and grading plans before approval will be given:

"All manmade embankments have been designed and/or certified for stability by a soils engineer."

The Developer shall be responsible for damages to the County's facilities, such as water meters, manholes, curbs and gutters and inlets within his site. Occupancy Permits will be withheld until such damages have been corrected.

The Plan is satisfactory pending conformance with the following comments.

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Sudbrook Professional Building
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March 18, 1985

HIGHWAY COMMENTS:

Sudbrook Lane is an existing road, which shall ultimately be improved as a 50-foot street cross-section on a 70-foot right-of-way.

The Developer's responsibilities along the existing road frontage of the site shall be as follows:

- The submission of detailed construction drawings to extend a minimum distance of 200 feet beyond the limits of the site or as may be required to establish line and grade.
- The submission of full cross-sections is deemed necessary for design and/or construction purposes. The sections are to be taken at 25-foot intervals and are to be shown on standard cross-section paper at 1"=5' horizontal to 1"=5' vertical scale.
- The preparation of the right-of-way plat for, and the dedication of any widening and slope easements at no cost to the County.
- The preparation of the right-of-way plats for any offsite road rights-of-way required to make the necessary improvements. The Developer's cost.
- The grading of the widening and the existing road to the established grade. Where adjacent properties are adversely affected by the improvements, the Developer shall be financially responsible for the necessary repairs to these properties.
- The construction of combination curb and gutter in its ultimate location and a maximum of 28.5 feet of paving adjacent thereto along the frontage of the property.
- The relocation of any utilities or poles as required by the road improvements.

Sudbrook Lane will require a specially designed paving section based on soil conditions and anticipated traffic volumes. The Developer shall be responsible for obtaining the required design data and submitting a recommended paving section, along with supporting data, for review and approval by Baltimore County.

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.

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HIGHWAY COMMENTS: (Cont'd)

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

Entrances shall be a minimum of 24 feet and a maximum of 35 feet wide. Depressed curb is to be used with no curb returns to the property line.

In accordance with Bill No. 32-72, street lights are required in all developments. The Developer will be responsible for the full costs of installation of the cable, poles and fixtures. The County will assume the cost of the power after installation.

Sidewalks are required adjacent to the public roads serving this site. The walks shall be 5 feet wide and shall be installed to conform with Baltimore County Standards, which places the back edge of the sidewalk 2 feet off the property line, or the adjacent unencumbered area.

The Developer shall be responsible for construction stake-out of all highway improvements required in connection with this site and all stake-outs shall be in accordance with Baltimore County Standards.

STORM DRAINS, SEDIMENT CONTROL AND STORM WATER MANAGEMENT COMMENTS:

The Developer is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall. The Developer's cost responsibilities include the acquiring of easements and rights-of-way - both onsite and offsite - and the deeding in fee and easement drawings, engineering and surveys, and payment of all actual construction costs including the County overhead both within and outside the development, are also the responsibilities of the Developer.

Onsite drainage facilities serving only areas within the site are considered private. Therefore, construction and maintenance shall be the Developer's responsibility. However, a drainage area map, scale 1"=200', including all facilities and drainage areas involved, shall be shown on the required construction plans.

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

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

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STORM DRAINS, SEDIMENT CONTROL AND STORM WATER MANAGEMENT COMMENTS: (Cont'd)

Storm water management drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

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.

The Developer shall be responsible to stabilize the sidewalk areas and grading of all road rights-of-way following completion of the initial grading of the boxed-out subgrade. The stabilization shall be accomplished within the nearest period of optimum seeding as established in the Baltimore County Sediment Control Manual. Minimum acceptable stabilization measures will be as specified in the Baltimore County Sediment Control Manual under "Critical Area Stabilization (With Semi-Permanent Seedings)".

Failure by the Developer to accomplish the stabilization as aforementioned will result in the termination of all processing phases of this development.

A permanent method for retaining storm water runoff in excess of the original runoff based on a 2-year, 10-year and 100-year frequency storm must be provided on the site.

Storm water management must comply with the requirements of the 1984 Baltimore County Storm Water Management Policy and Design Manual adopted September 11, 1984.

The Developer may request, in writing, an exemption of storm water management. The request should stress engineering studies justifying such an exemption. After evaluation, the County will then notify the Developer of its conclusion.

The storm water management waiver request noted on the plan (Note 134) has not been received as of this date.

Should the storm water management be required, infiltration of the first one inch of rainfall must be investigated.

Sediment control provisions will be required for the building permit application and for any grading involved.

WATER AND SANITARY SEWER COMMENTS:

Permission to obtain a metered connection from the existing main may be obtained from the Department of Permits and Licenses.

85-303-X

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 2nd day of April, 1985.

Signature

ARNOLD JABLON

Zoning Commissioner

Petitioner: Marion A. Plogman

Petitioner's Attorney: Newton A. Williams, Esq.

Received by: Signature

NICHOLAS B. COMMODARI

Chairman, Zoning Plans

Advisory Committee

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations

Project #85039
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WATER AND SANITARY SEWER COMMENTS: (Cont'd)

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

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

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

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

Water and sanitary sewer service connections shall be installed by a utility contractor prior to the road improvements.

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.

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

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

EAM:PMK:as

cc: File

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

DATE: March 19, 1985

PROJECT NAME: Sudbrook Professional Center PLAN: XXXXXXXXXXXXXXXXXXXX
COUNCIL & ELECTION DISTRICT: III-274 PLAN EXTENSION: _____
REVISED PLAN: _____
PLAT: _____

The Office of Planning and Zoning has reviewed the subject plan dated February 23, 1985 and has the following comments:

The Landscape Calculations are incorrect and must be revised as follows:
1 tree required for every 40 linear feet of road frontage for Sudbrook Lane;
1 tree required for every 20' of interior road frontage. The schematic landscaping exceeds the requirement and is acceptable. A Final Landscape Plan prepared by a registered landscape architect must be approved by this office prior to issuance of any grading or building permits.

The parallel parking spaces must be 9' X 23' and must be dimensioned on the plan. The spaces should be relocated adjacent to the building.

Susan Carrell
Susan Carrell

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS

DATE: 3/20/85

FROM: ZONING OFFICE

PROJECT NAME: Sudbrook Professional Building PLAN: ✓
LOCATION: s/s Sudbrook Lane DEVELOPMENT PLAN: _____
DISTRICT: 3rd Election District PLAT: _____

These comments were written on the plan dated revised 2/23/85.

1. A Special Exception for a Class B office building was filed with the Zoning Office, Item 251, on 2/25/85. If CDD approval occurs on this plan, approval of any building permits will be contingent upon the outcome of the zoning hearing.
2. The following revisions are needed on the CDD plan.
 - a. The adjacent zoning lines which appear to be the eastern and western property lines are D. R. 16 and must be corrected.
 - b. The parallel parking spaces must be 9' X 23' with a 12' aisle in order to meet minimum zoning requirements. The 8.5' X 18' parking spaces with a 24' aisle appear to overhang into the landscaping strip adjacent to Sudbrook Lane. If this is the case, this 18' area of overhang, may not be used as amenity open space. Amenity open space in parking areas must be a minimum 7' in width exclusive of the area of overhang.
 - c. Amenity open space provided equals a.o.s. required. If it must be adjusted because of the previous comment, additional a.o.s. will be needed.
 - d. Any parking space must be at least 8 feet from the proposed right of way widening line; this also relates to the 1/2 spot overhang.
 - e. It has come to our attention that the Division of Traffic Engineering plans to request an entrance in common either now or "future" with the ex. Lever office building at 10' Sudbrook Lane. If this request is made the following will be needed since the Lever building was the subject of two previous zoning hearings, 72-2130XA, a Special Exception for an office building in a D. R. 16 zone, and 80-638PDA, an amendment to the Special Exception to allow an addition to the building. The Levers must file a motion to amend the previous hearing, 80-638PDA in order to have an common entrance, 72-2130XA, a Special Exception. This would be posted with a sign, and a public hearing would not occur unless requested. A site plan must be submitted which would show the proposed changes to the entrance and driveways on the Lever property and the Sudbrook Professional Building.
 - f. The floor area ratio note needs a minor revision, the correct f. a. r. is .22, however the gross area is 16073.5 sq. ft. not 16412.8 sq. ft. as indicated.

Diana Miller
Diana Miller
Zoning Associate III

DI/sj

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

3-19-85
Date

Sudbrook Professional Building
Subdivision Name, Section and/or Plat

Developer and/or Engineer: Urban Engineering & Assoc.
No. of Lots: 1 Total Acreage: 0.37 Public: Public Public: Public
Water: Water Sewer: Sewer

COMMENTS ARE AS FOLLOWS:

Soil percolation tests are required; a minimum of two test are required within a designated 10,000 square foot sewage 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, public water, must be utilized and/or extended to serve the property.

A Hydrogeological Study and Environmental Effects Report for this subdivision, must be submitted, is not required, is incomplete and must be revised, 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, be approved as submitted subject to the following conditions noted: on the attached

It is recommended this plan not be approved at this time. See revisions and/or comments. 2/2/85

REVISIONS AND/OR COMMENTS:

Mr. Brooks Stafford
Environmental Effects Report Sudbrook Professional Building
(Name)

Page Two

1. The developer must follow the Health Department Wetland Guidelines.
2. _____ (Other)

C. BEST MANAGEMENT PRACTICES

1. 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.

2. 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.

3. Snow removal will be by mechanical means except in severe snow and ice conditions, when deicing compounds may be used.

4. Application of fertilizers, herbicides and pesticides will not exceed recommendations of the University of Maryland Cooperative Extension Service.

5. Filling will not occur in grassed or lined drainage ditches or swales.

6. _____

BALTIMORE COUNTY, MARYLAND

DATE: March 15, 1985

SUBJECT: SUBDIVISION REVIEW COMMENTS
FROM: BALTIMORE COUNTY FIRE DEPARTMENT, FIRE PREVENTION BUREAU
Captain Joseph Kelly

PROJECT NAME: Sudbrook Professional Building PRELIMINARY PLAN
PROJECT NUMBER: CRG Agenda 3/20/85, 11:00 am TENTATIVE PLAN
LOCATION: 100 Sudbrook Lane DEVELOPMENT PLAN
S/W Reisterstown Road
DISTRICT: 3 FINAL PLAT

Comments

1. Proposed buildings shall be designed and constructed so as to meet the applicable provisions of the Fire Prevention Code and the NFPA 101 Life Safety Code, 1981 Edition.

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
10000 MARYLAND 21204
494-3010

March 20, 1985

Mr. ZACHARY A. DINEEN
Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Pawson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 251 Zoning Advisory Committee Meeting are as follows:

Property Owner: Marion A. Plogman
Location: 88/3 Sudbrook Lane 713' S/W from Reisterstown Road
Existing Zoning: R.O. CDD
Proposed Zoning: Special Exception for a Class B Office Building.

Address: 0.331
District: 3rd.

The items checked below are applicable:

1. All structures shall conform to the Baltimore County Building Code 1981/County Bill 1-82 State of Maryland Code for the Landscaped and Agent and other applicable Code.
2. A building/ & other miscellaneous permit shall be required before beginning construction.
3. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
4. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer seal shall be required to file a permit application.
5. An exterior wall erected within 6'0" for commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction. No openings permitted within 3'0" of lot lines. A firewall in 110' and 110' and 110' also see Section 501.7. - West Wall shall be a fire wall void of any openings. See Section 501.11 for parapet requirements.
6. Requested variance appears to conflict with the Baltimore County Building Code, Section 5.
7. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
8. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to the office, that the structure for which a proposed change in use is proposed can comply with the design/area requirements of Table 505 and the required construction classification of Table 601.
9. Comments - Provide ramps at county sidewalks. Razing permit is required to remove existing structure.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be a substitute for the full extent of any permit. If desired, additional information may be obtained by visiting Room 102 (Third Floor) at 111 J. Chesapeake Ave., Towson.

Very truly yours,
Charles E. Lamb
Charles E. Lamb, Chief

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Catherine Warfield, C.R.G. Date: March 19, 1985
 FROM: Charles E. Burman, Chief, Building Plans Review C.E.B.
 SUBJECT: Sudbrook Professional Building
 115 Sudbrook Lane W/Reisterstown Road

1. West wall of structure shall be a fire wall 2 hour rated without any openings. See Section 1311.0 for parapet requirements.
2. Separate permits such as fencing, paving, outdoor lighting require permits separate from the Building Permit.
3. The applicant shall observe Code Section 1300.0 "Precautions During Building Operations".
4. A full review of the construction plans will be made when submitted for a permit.

CEB/vw

CRG Meeting of March 26, 1985
 Sudbrook Professional Building

1. The S.W.M. waiver request noted on this plan (Note "24") has not been received.
2. Should S.W.M. be required, infiltration of the first inch of rainfall must be investigated. Also, 2,100 to 100 per cent management would be required.

Thomas J. Burman
 3/31/85

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Sy Benson Date: March 4, 1985
 FROM: Charles K. Weiss, Chief, Bureau of Sanitation
 SUBJECT: Sudbrook Professional Building -- 105 Sudbrook Lane
 SW of Reisterstown Road
 CRG 3/20/85

It must be noted that Baltimore County does not provide commercial refuse collection.

It should be noted that the turnaround at the rear of the building (if intended for a dumpster location) would cause problems unless exit can be made through adjacent property near parking space #12.

CKW:gjw

DEPARTMENT OF TRAFFIC ENGINEERING
BALTIMORE COUNTY, MARYLAND

TO: Mr. James A. Markle DATE:
 FROM: C. Richard Moore
 SUBJECT: C.R.G. Comments

PROJECT NAME: Sudbrook Prof. Bldg. C.R.G. PLAN: X
 PROJECT NUMBER & DISTRICT: DEVELOPMENT PLAN:
 LOCATION: 105 Sudbrook W. of US 140 RECORD PLAT:

The parallel parking needs to be relocated directly against the east side of the building and the sidewalk next to the building needs to be 4 ft wide.

The plan needs to show a 24 ft wide access with the property to the east. Also the existing grade needs to be raised on the east side of the property to be compatible with the future use in common access with the property to the east.

20M/gjw

LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS
CHARTERED

204 WEST PENNSYLVANIA AVENUE
 TOWSON, MARYLAND 21204
 (301) 823-7800

OF COUNSEL

RALPH E. DEITZ
 9026 LIBERTY ROAD
 RANDALLSTOWN, MARYLAND 21133
 (301) 822-2121

RUSSELL J. WHITE

April 19, 1985

Dr. and Barry S. Lever
 103 Sudbrook Lane
 Pikesville, Maryland 21208

Re: Proposed Development of 107 Sudbrook Lane
 by Dr. Richard J. Kolker - Proposed
 Possible Future Joint Driveway

Dear Dr. and Mrs. Lever:

As you may know, Dr. and Mrs. Kolker are Contract Purchasers of 107 Sudbrook Lane.

Recently, we obtained CRG approval, and are seeking a special exception to erect a very attractive Class B Office Building on the site, and we will be glad to show you pictures of both the site plan and the building.

As you know, your 12 foot office driveway on the west side of your property at 103 Sudbrook Lane is located almost or virtually on the joint property line.

The Department of Traffic Engineering and the Department of Public Works and the Zoning Commissioner's Office have asked that should in the future you further modify your site, that a joint 24 foot driveway, 12 feet on your side as presently laid out, and 12 feet on the Kolker site as presently proposed, would be provided.

In the interim, the Kolkers will be providing a full 20 foot driveway on their side, and there would be no immediate requirement for any outlay of any kind of your part.

Our present CRG plan reads "dotted line shows possible 24 foot wide shared driveway with adjacent property in future".

Dr. and Mrs. Barry S. Lever
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The Zoning Commissioner has asked that this note be amended to read something along the lines as follows: "Possible, future 24 foot common driveway to be equally shared between properties, which driveway may require amendment of cases 72-213-RX and 80-63-SPHA."

It would appear to us that you are very comfortable with your present site, and thus, this plat note should not be a problem. However, I would like to briefly point out to you that it would have an advantage should you subsequently decide to develop your property more intensively. As you may know, under the present Development Regulations you are required to provide 25% of the gross site in amenity open space, and if you were required to provide a 20 foot driveway as Dr. Kolker is being required to provide, this would cut down on your amenity open space and on the building which could be built. Thus, there is no present disadvantage whatsoever, that I am aware of, as a result of this proposed plat provision, but rather, the proposal has future advantages for the development and value of your property.

We would be pleased to discuss this with you and your counsel at your early convenience. The matter is a matter of some urgency, and we look forward to discussing it with you in the near future.

Sincerely yours,

Newton A. Williams
 Newton A. Williams

NAW:ylm

cc: Dr. and Mrs. Kolker
 Mr. Stuart J. Macklin, A.I.A.
 Mr. Thomas Hewitt

LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS
CHARTERED

204 WEST PENNSYLVANIA AVENUE
 TOWSON, MARYLAND 21204
 (301) 823-7800

OF COUNSEL

RALPH E. DEITZ
 9026 LIBERTY ROAD
 RANDALLSTOWN, MARYLAND 21133
 (301) 822-2121

RUSSELL J. WHITE

April 15, 1985

Ms. Diane Frederick
 Executive Director
 Pikesville Community Growth Corp.
 1413 Reisterstown Road
 Pikesville, Maryland 21208

Re: Meeting with Pikesville Community Growth Corporation, Central Area Planning Committee, Thursday, April 25, 1985 at 8:30 a.m. at the PCGC Office, 1413 Reisterstown Road, Pikesville, Maryland

Dear Ms. Frederick:

Thank you for your recent notice regarding this matter, and Dr. Kolker and the architect, Mr. Macklin, and I look forward to meeting with your group on the 15th at 8:30 a.m. As you state in your notice, the Ralston and Sudbrook Communities are the communities most immediately interested in the proposal, and we believe that they will be pleased with this proposal, since it will involve a brand new very attractive single storey building, and the site will be extensively landscaped with amenity open space in accordance with the Development Regulations.

As you may know, the great majority of the older offices along Sudbrook were developed prior to the present Development Regulations, and we are not required to provide either any amenity open space or any detailed landscaping as this project will be required to do.

In any case, we look forward to meeting with you and your group on the 25th. With best regards, I am

Sincerely,

Newton A. Williams

NAW:ylm

cc: See page 2

Ms. Diane Frederick
 April 15, 1985
 Page 2

cc: Dr. and Mrs. Kolker
 Mr. Fabian Kolker
 Mr. Stuart J. Macklin, A.I.A.
 Mr. Thomas Hewitt
 Mr. Jerry Mazer

P.S. To All:

Re: Scheduled Hearing Before
 The Zoning Commissioner
 Monday, May 6, 1985 at
 1:30 p.m.; Important
 Meeting in this Office,
 Monday, April 29, 1985
 at 2:00 p.m. For All Witnesses

I am looking forward to meeting with the Pikesville Community Growth Corporation on the 25th, and frankly, from my conversations thus far with Ms. Frederick, I believe that they will welcome this proposal.

Secondly, the matter has been set with the Zoning Commissioner as the last case of the day on Monday, May 6, 1985 at 1:30 p.m. and we would ask everyone to mark their calendars for that date, and for the meeting of witnesses in this office on Monday, April 29, 1985 at 2:00 p.m.

It is our present plan to present the testimony of a spokesman for the Kolker family, Mr. Macklin, the architect, Mr. Hewitt, the engineer, and we would also like to present the testimony of a realtor/appraiser. In this regard I would like to recommend Mr. Hugh Gelston, an experienced real estate appraiser with offices here in Towson in our building, with whom I have worked many times. Mr. Gelston can be contacted at 823-8747 or 823-8748. If you wish I will be glad to have Hugh contact you.

As everyone will recall, the only open item now is to contact Dr. and Mrs. Barry Lever at 103 Sudbrook Road, regarding the joint comment concerning a possible joint future of a 24 foot driveway, 12 feet on each side to serve the Lever and Kolker properties at such time as the Lever property, if it is, may be further altered.

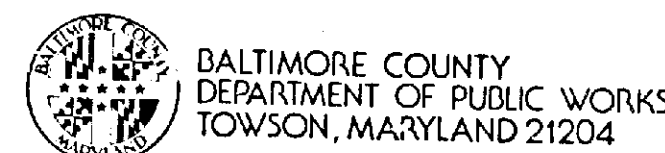
Ms. Diane Frederick
April 15, 1985
Page 3

In this regard, Ms. Diana Itter of the Zoning Office wishes us to write a letter to Dr. and Mrs. Lever, and I am enclosing herewith a proposed copy of such a letter.

As we all know, the County Review Group Proceeding will be final on the 19th, and I want to get this matter cleared up with the Levers around the 19th and well before May 6th. Thus, it will be appreciated if everyone will comment on the enclosed letter.

N.A.W.

Enclosure



HARRY J. PISTEL, P.E.
DIRECTOR

June 6, 1985

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

Re: Item #251 (1984-1985)
Property Owner: Marion A. Plogman
S/ES Sudbrook Lane 713' S/W from
Reisterstown Rd.
Acres: 0.331 District: 3rd

Dear Mr. Jablon:

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

General Comments:

No plan was received for this item.

Sudbrook Lane is proposed for ultimate improvement as a 40-foot roadway within a 60-foot right-of-way.

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

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.

No public utilities appear to be involved.

Very truly yours,

James A. Markle
JAMES A. MARKLE, P.E., Chief
Bureau of Public Services

JAM:EAM:GDL:ss

cc: File

16
15-300-1

IN RE: PETITION SPECIAL EXCEPTION
SE/S of Sudbrook Lane, 713'
SW of Reisterstown Road -
3rd Election District
Marion A. Plogman,
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-303-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception for a Class B office building in a R-O Zone, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by his Contract Purchaser, appeared and was represented by Counsel. Stuart J. Macklin, a registered architect, and Hugh Gelston, an expert real estate appraiser, appeared on behalf of the Petitioner. There were no Protestants. Indeed, Diane Frederick of the Pikesville Community Growth Corporation appeared and stated that her organization was not opposed to the request.

Testimony indicated that the subject property, located on Sudbrook Lane off Reisterstown Road in Pikesville, is presently improved with a ranch-type dwelling. The Contract Purchaser proposes to raze this structure and in its stead construct a single-story office building containing 3,520 square feet, of which he will use approximately 1,500 square feet and rent the remainder to other professionals. For the most part, the surrounding properties have already been converted to offices, and this proposed building would be compatible. In fact, the County Review Group (CRG) approved the proffered plan in March, 1985.

Evidence is clear that the conditions precedent in Section 502.1, Baltimore County Zoning Regulations (BCZR), will be satisfied and that the proposal conforms to the purposes established by the Baltimore County Council for the R-O Zone as described in Section 203.2, BCZR.

ORDER RECEIVED FOR FILING

DATE *May 8, 1985*
BY *John P. Langstaff*

The Petitioner seeks relief from Section 203.3.8.2, pursuant to Section 502.1, BCZR.

It is clear that the BCZR permits the use requested by the Petitioner in a R-O Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioner.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions, as more fully described below.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the BCZR.

Pursuant to the advertisement, posting of property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

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ORDER RECEIVED FOR FILING

DATE *May 8, 1985*
BY *John P. Langstaff*

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 6 day of May, 1985, that the Petition for Special exception for a Class B office building in a R-O Zone be and the same is hereby GRANTED, from and after the date of this Order, subject to the following restrictions which are conditions precedent to the relief herein granted:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The hours of operation shall be from 9:00 a.m. to 9:00 p.m., seven days per week.

John A. Williams
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Newton A. Williams, Esquire
People's Counsel

PETITION FOR SPECIAL EXCEPTION

3rd Election District

LOCATION: Southeast side Sudbrook Lane, 713 ft. Southwest of Reisterstown Road

DATE AND TIME: Monday, May 6, 1985 at 1:30 p.m.

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

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

Petition for Special Exception for a Class B office building and site in an R.O. zone

Being the property of Marion A. Plogman as shown on the plat filed with the Zoning Office.

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 hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



Urban Engineering & Associates, Inc.

8001 FOWLES PLACE
1501 ST. PAUL STREET
BALTIMORE, MARYLAND 21202
301-321-0084
301-727-5590

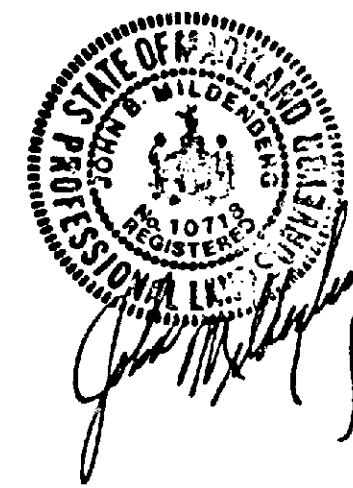
OFFICERS:
* EDGAR BEARS, JR., P.E., C.E., R.L.A.
* HARRY B. SMITH, P.E.

ASSOCIATES:
* PHILLIP A. BEVING, C.E.

Description of
0.331 Acre Parcel
Known as
#105 Sudbrook Lane

Beginning for the same at a point on the southeasterly right of way line of Sudbrook Lane, as laid out and now existing 60 feet wide, said point of beginning being located 713 feet, more or less, from the southeasterly right of way line of Reisterstown Road, said point also being at the end of the third or north 28 degrees, 19 minutes, 00 seconds west, 214.94 foot line which by deed dated November 20, 1962, and recorded among the Land Records of Baltimore County, in Liber R.B.G. 4106, folio 594, was conveyed by Francis J. Plogman and Anne C. Plogman, his wife, to Frank W. Plogman and Marion Plogman, his wife, and running thence and his binding on said southeasterly right of way line of Sudbrook Lane south 61 degrees, 38 minutes, 00 seconds west, 67.00 feet, thence leaving said southeasterly right of way line of Sudbrook Lane and running south 28 degrees, 10 minutes, 00 seconds east, 215.00 feet, thence north 61 degrees, 35 minutes, 00 seconds east, 67.00 feet, and thence north 28 degrees, 10 minutes, 00 seconds west, 214.94 feet to the place of beginning. Containing 0.331 acres of land, more or less.

Being the same lot of ground described in the aforementioned deed dated November 20, 1962 and recorded in Liber R.B.G. 4106, folio 594, and also the subject of zoning reclassification case #R-82-74.



ENGINEERS • PLANNERS • LANDSCAPE ARCHITECTS • SURVEYORS

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
SE/S Sudbrook Lane, 713' SW of
Reisterstown Rd., 3rd District : OF BALTIMORE COUNTY APR 11 AM
MARION A. PLOGMAN, Petitioner : Case No. 85-303-X

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the Zoning Department 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
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 16th day of April, 1985, a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esquire, and Nolan, Plumbhoff & Williams, Chartered, Counsel for Petitioner; and Mr. and Mrs. Richard J. Kolker, 3410 Old Court Rd., Baltimore, MD 21208, Contract Purchasers.

Peter Max Zimmerman
Peter Max Zimmerman

ORDER RECEIVED FOR FILING

DATE *May 8, 1985*
BY *John P. Langstaff*

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AUG 20 1985

ARNOLD JABLON
ZONING COMMISSIONER

April 30, 1985

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

RE: Petition for Special Hearing
SE/3 Sudbrook Lane, 713' SW of Reisterstown Road
Marion A. Plogman - Petitioner
Case No. 85-303-X

Dear Mr. Williams:

This is to advise you that \$45.00 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. 007205

DATE 5/6/85 ACCOUNT R-014615-000

AMOUNT \$ 45.00

RECEIVED FROM Newton A. Williams, Esquire

FOR advertising and posting Case 85-303-X
B D103*****45004 LGYLF

VALIDATION OR SIGNATURE OF CASHIER

85-303-X CERTIFICATE OF PUBLICATION

TOWSON, MD., April 18, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on April 18, 1985.

THE JEFFERSONIAN,

18 Kenton
Publisher

Cost of Advertising
18.00

PETITION FOR SPECIAL EXCEPTION
SE/3 Sudbrook Lane, 713' SW of Reisterstown Road
Marion A. Plogman - Petitioner
Case No. 85-303-X
The Zoning Commissioner of Baltimore County, in authority of the Zoning Ordinance, has received and reviewed the petition for a Special Exception for a Class B office building and parking lot at the above location. The Zoning Commission will hold a public hearing on the petition for a Special Exception for a Class B office building and parking lot at the above location on May 6, 1985 at 1:30 p.m. in the County Office Building, Room 113, 111 West Chesapeake Avenue, Towson, Maryland. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the hearing of said petition during this period for good cause shown. Such request must be received in writing, to the date of the hearing set above or made at the hearing.
BY ORDER OF
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
April 18

85-303-X CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 3rd Date of Posting 4-18-85
Posted for: Special Exception
Petitioner: Marion A. Plogman
Location of Property: SE/3 Sudbrook Lane, 713' SW of Reisterstown Rd
Location of Signs: In front of 105 Sudbrook Lane
Remarks:
Posted by: L.J. A. A. Signature Date of return: 4-24-85
Number of Signs: 1

LEGAL NOTICE PETITION FOR SPECIAL EXCEPTION 3rd Election District

LOCATION: Southeast side Sudbrook Lane, 713' SW of Reisterstown Road
DATE AND TIME: Monday, May 6, 1985 at 1:30 p.m.
PUBLIC HEARING: Room 108, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, in authority of the Zoning Ordinance, has received and reviewed the petition for a Special Exception for a Class B office building and parking lot at the above location. The Zoning Commission will hold a public hearing on the petition for a Special Exception for a Class B office building and parking lot at the above location on May 6, 1985 at 1:30 p.m. in the County Office Building, Room 113, 111 West Chesapeake Avenue, Towson, Maryland. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the hearing of said petition during this period for good cause shown. Such request must be received in writing, to the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County

CERTIFICATE OF PUBLICATION

63976

Pikesville, Md., April 17, 1985

CERTIFY, that the annexed advertisement was published in THE NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland, appearing on the 6th day of April, 1985.

the second publication appearing on the day of April, 1985
the third publication appearing on the day of April, 1985

THE NORTHWEST STAR

Manager

Cost of Advertisement \$22.00

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

April 9, 1985

NOTICE OF HEARING

RE: Petition for Special Exception
SE/3 Sudbrook Lane, 713' SW of Reisterstown Road
Marion A. Plogman - Petitioner
Case No. 85-303-X

TIME: 1:30 p.m.

DATE: Monday, May 6, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

ARNOLD JABLON
Zoning Commissioner
of Baltimore County

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

No. 004982

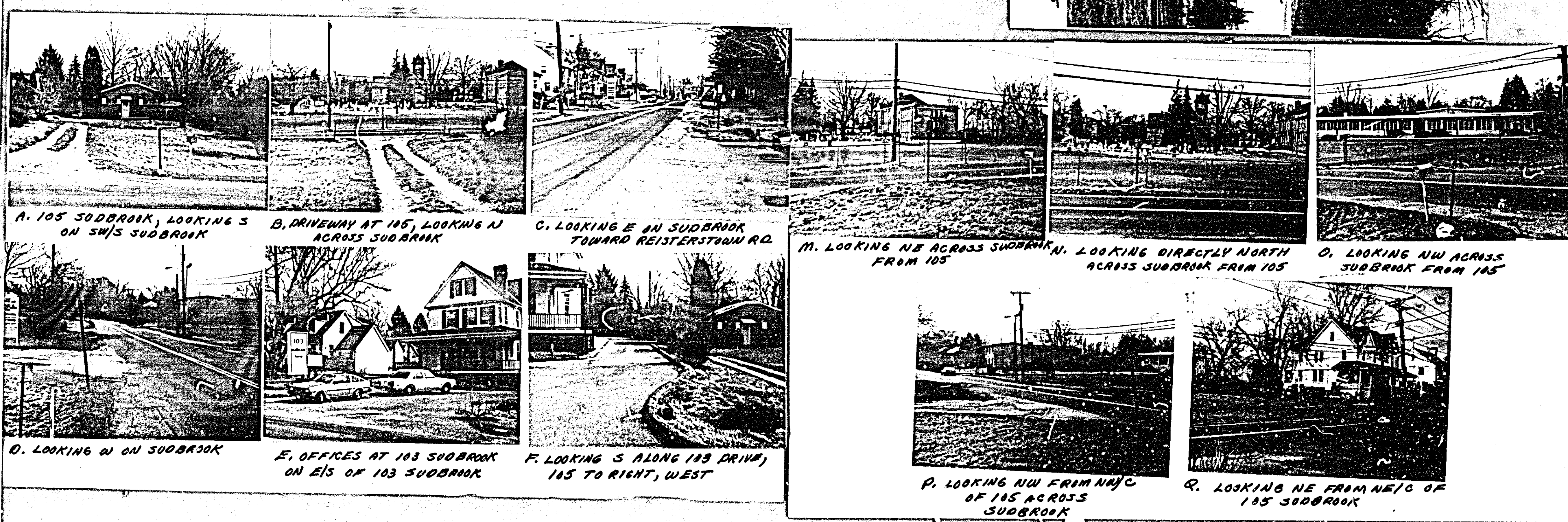
DATE 5/6/85 ACCOUNT R-014615-000

AMOUNT \$ 100.00

RECEIVED FROM Mr. Marion A. Plogman

FOR 100.00 for 100.00

VALIDATION OR SIGNATURE OF CASHIER



GENERAL NOTES

