

210 PETITION FOR ZONING VARIANCE 85-360-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2.b. to allow 630 parking spaces in lieu of the required 837 parking spaces.

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

1. The practical difficulty is that the land owner is unable, due to the regulations and restrictions, to make normal improvements in the character of the use of his property which is permitted under the use provisions of the regulations.
2. The unreasonable hardship is that the property is unique and that the physical or topographical features of the property are such that the property cannot be used for the permitted purpose without the removal of the restrictions or that with the restrictions in existence the property can be arranged for such use only at prohibitive expense.

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

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

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

Contract Purchaser: _____
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Attorney for Petitioner:
John O. Hennegan, Esquire, and
David J. Preller, Esquire
(Type or Print Name)
Signature: _____
809 Eastern Boulevard
Address
Baltimore, Maryland, 21221
City and State
Attorney's Telephone No.: 686-8274

Legal Owner(s):
21st Century Properties
(Type or Print Name)
Signature: _____
Jack Lusk, General Partner
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name: _____
Address: _____
City and State: _____
Phone No.: _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1985, at 1:30 o'clock.

Carl J. Jablo
Zoning Commissioner of Baltimore County.

(over)

IN RE: PETITION FOR VARIANCE
SE/5 Cromwell Bridge Rd.,
361' NE from the c/l of
Glen Eagles Court -
9th Election District
21st Century Properties,
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-360-A

The Petitioner herein requests a variance to allow 630 parking spaces in lieu of the required 837 parking spaces.

At the onset of the hearing, Counsel for the Petitioner moved to amend the petition to request a variance to allow 630 parking spaces in lieu of the required 819, as indicated on the plan prepared by Kidde Consultants, Inc., revised April 30, 1985 and marked Petitioner's Exhibit 1. The motion was granted.

Testimony on behalf of the Petitioner indicates that the subject site has 13 acres zoned B.R., a significant portion of which has over 25% slopes. The property is improved with an existing one story, 50,000 square foot building utilized for retail and restaurant. An extensive parking lot is never filled. In fact, a week's survey showed a maximum of 171 vehicles on the lot. Six hundred and thirty parking spaces is the maximum number that can be placed on the site. Access to the site is provided by a steep, U-curved road from Cromwell Bridge Road and a long, narrow access from Joppa Road via Mylander Lane, a private road. Parking lots, as well as parking spaces, along Mylander Lane are not available for overflow parking. In fact, there is no off-site parking of any kind within walking distance. Inadequate parking provisions would harm chiefly the Petitioner.

The Petitioner proposes to construct a building with a maximum of 100,000 square feet in a five to eight story configuration. The primary purpose of the building is to house a health spa and a restaurant, most of whose users are anticipated to be spa members. Inclusion of office space is needed to make the

project economically feasible. One of the partners may relocate his 35-40,000 square feet of corporate offices to the building. Traffic peaks will be different for different groups of users. There were no protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, and the granting of the variance requested would not adversely affect the health, safety, and general welfare of the community, and, therefore, the variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 22 day of October, 1985, that the herein Petition for Variance to permit 630 parking spaces in lieu of the required 819 parking spaces, in accordance with Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Compliance with all requirements of the Baltimore County Department of Traffic Engineering.
2. The Petitioner must obtain approval of the County Review Group (CRG) with specific, detailed requirements relative to Mylander Lane, including, but not limited to point of access, and improvements such as width, curbs, parking, etc. The Petitioner shall submit a CRG approved plan to the Deputy Zoning Commissioner for her approval prior to the issuance of any building permits.

Jan M. Denny
Deputy Zoning Commissioner
of Baltimore County

PETITION FOR VARIANCE
9th Election District

LOCATION: Southeast side Cromwell Bridge Road, 361 ft. Northeast from the centerline of Glen Eagles Court
DATE AND TIME: Wednesday, June 12, 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 Variance to permit 630 parking spaces in lieu of the required 837 spaces

Being the property of 21st Century Properties 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 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

ORDER RECEIVED FOR FILING
DATE 10-22-85
BY *John A. White*

ORDER RECEIVED FOR FILING
DATE 10-22-85
BY *John A. White*

KIDDE CONSULTANTS, INC.
Subsidiary of Kidde, Inc.

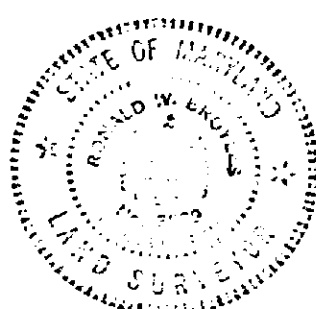
325.6 feet, more or less to the outline of the land owned by Luskins, thence binding on the outline of Luskins Land, six courses: (11) S 74° 22' 58" W 208.7 feet, more or less, (12) S 64° 46' 54" W 906.5 feet, more or less, (13) N 24° 06' 36" W 150.0 feet, more or less, (14) S 64° 56' 30" W 479.3 feet, more or less, (15) N 30° 34' 00" E 630.1 feet, more or less, and (16) N 23° 59' 00" W 61.1 feet, more or less to the place of beginning.

Containing 13 acres of land, more or less.

RWB:bjm

J.O. 1-85053

March 12, 1985



RE: PETITION FOR VARIANCE
SE/5 Cromwell Bridge Rd., 361' NE from the Centerline of Glen Eagles Ct., 9th Dist.
21ST CENTURY PROPERTIES, Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-360-A

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

I HEREBY CERTIFY that on this 23rd day of May, 1985, a copy of the foregoing Entry of Appearance was mailed to John O. Hennegan, Esquire, and David J. Preller, Esquire, 809 Eastern Blvd., Baltimore, MD 21221, Attorneys for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman



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

ARNOLD JABLON
ZONING COMMISSIONER

June 5, 1985

John O. Hennegan, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petition for Variance
SE/5 Cromwell Bridge Rd., 361' NE from the c/l of Glen Eagles Court
21st Century Properties - Petitioner
Case No. 85-360-A

Dear Mr. Hennegan:

This is to advise you that \$72.95 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
ARNOLD JABLON
Zoning Commissioner

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

No. 007345

DATE: 6/5/85 ACCOUNT: 1000000000

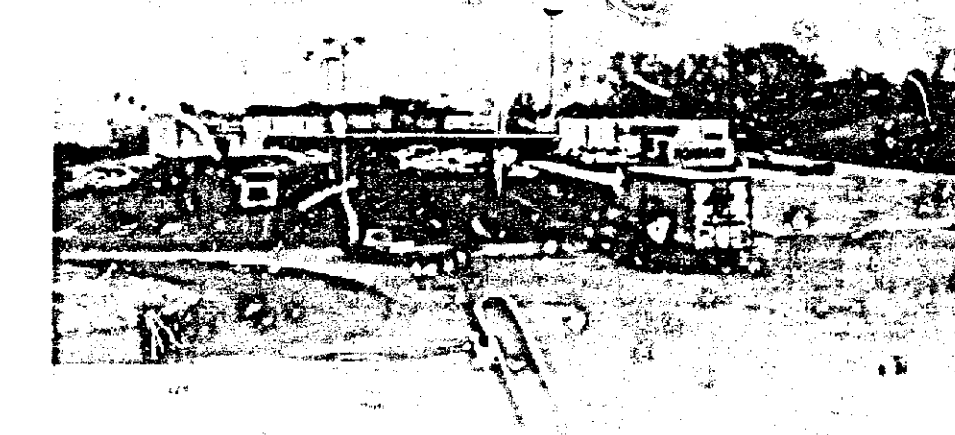
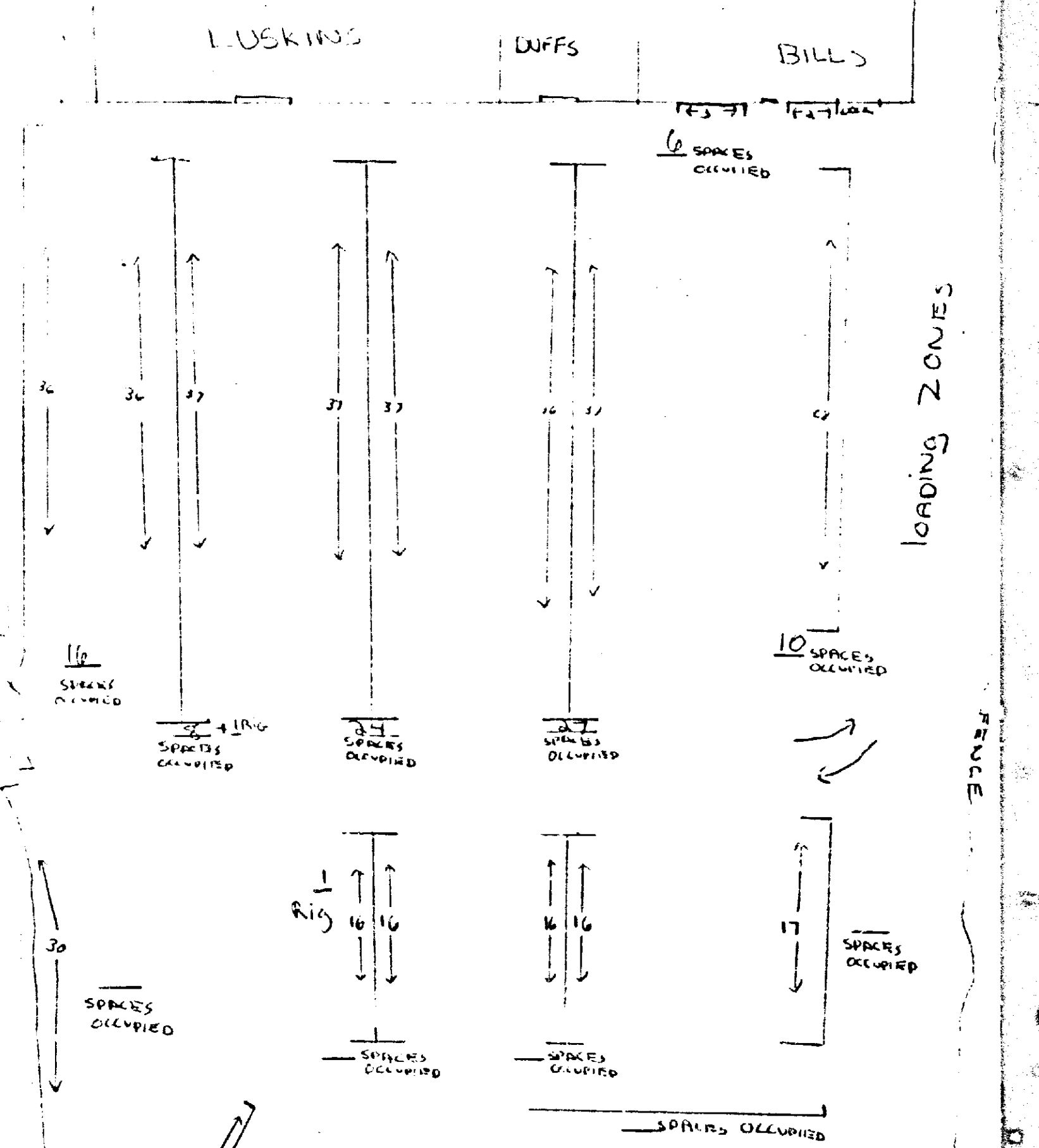
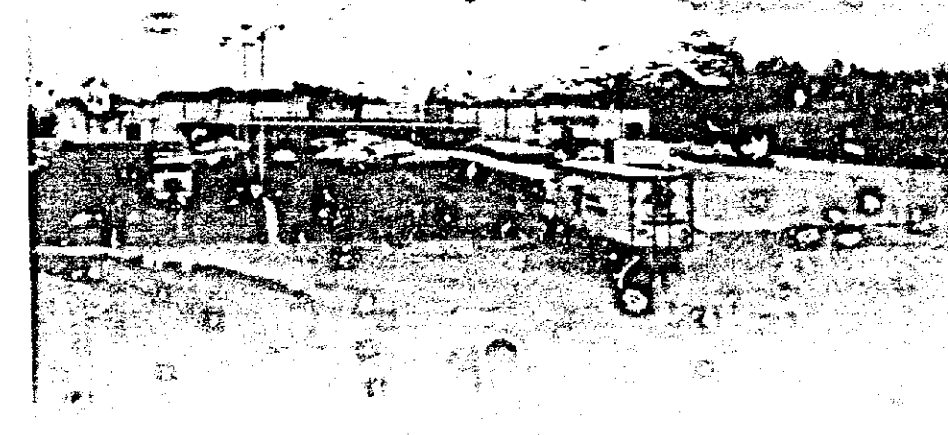
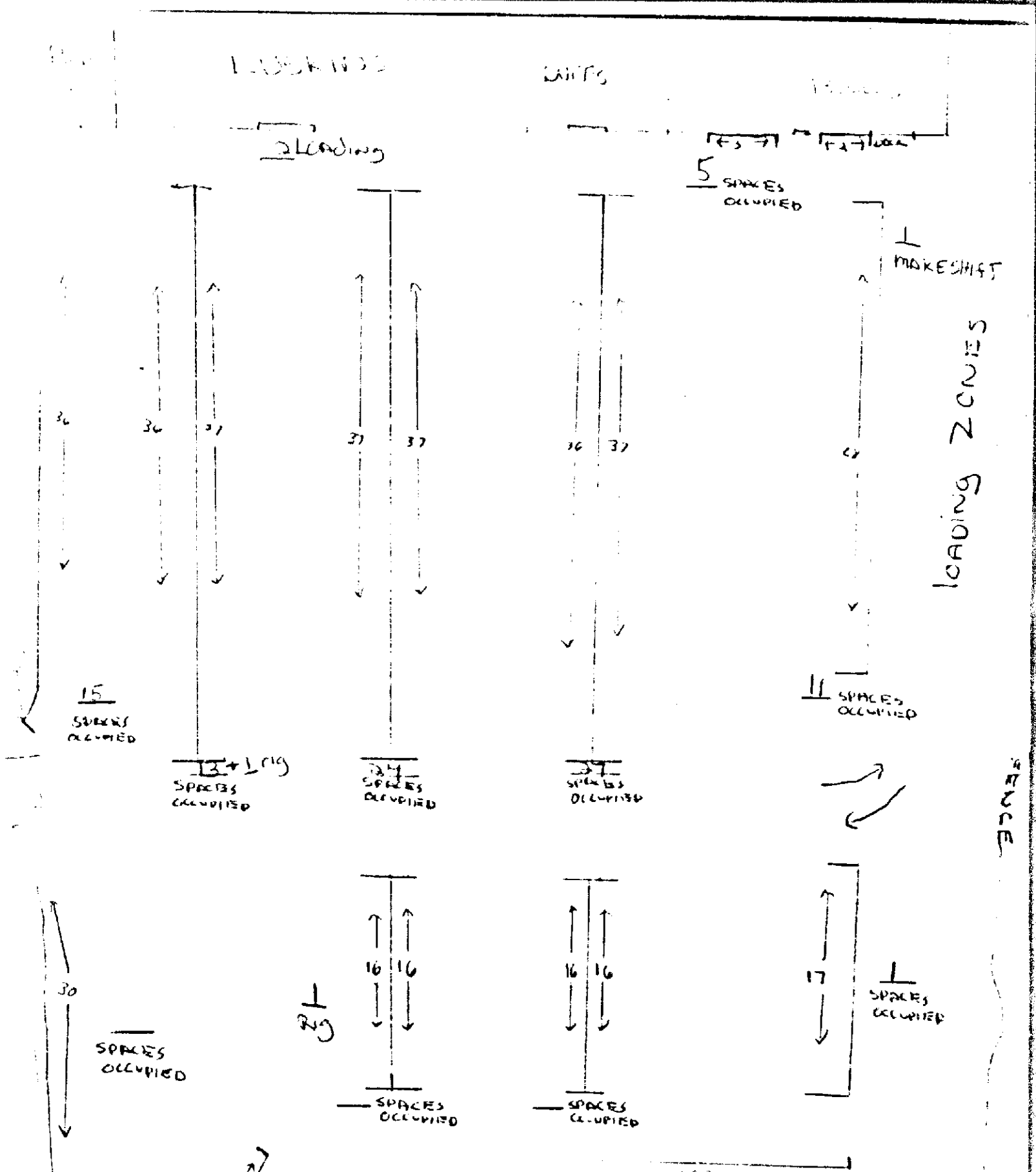
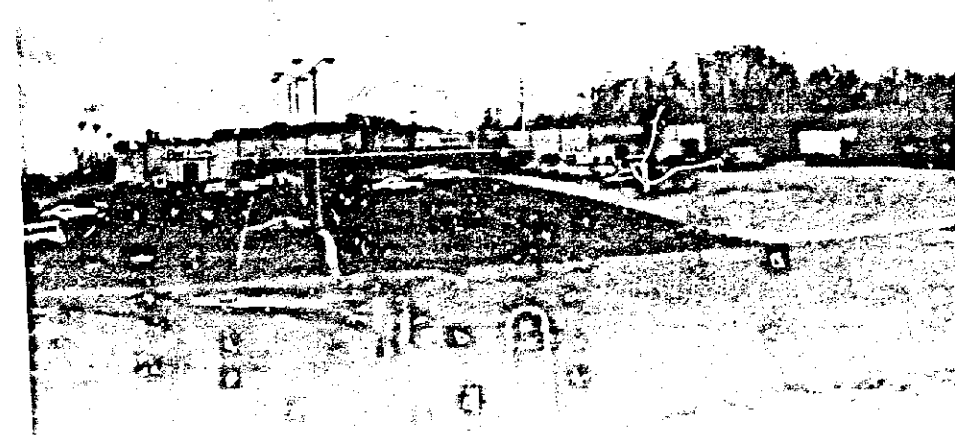
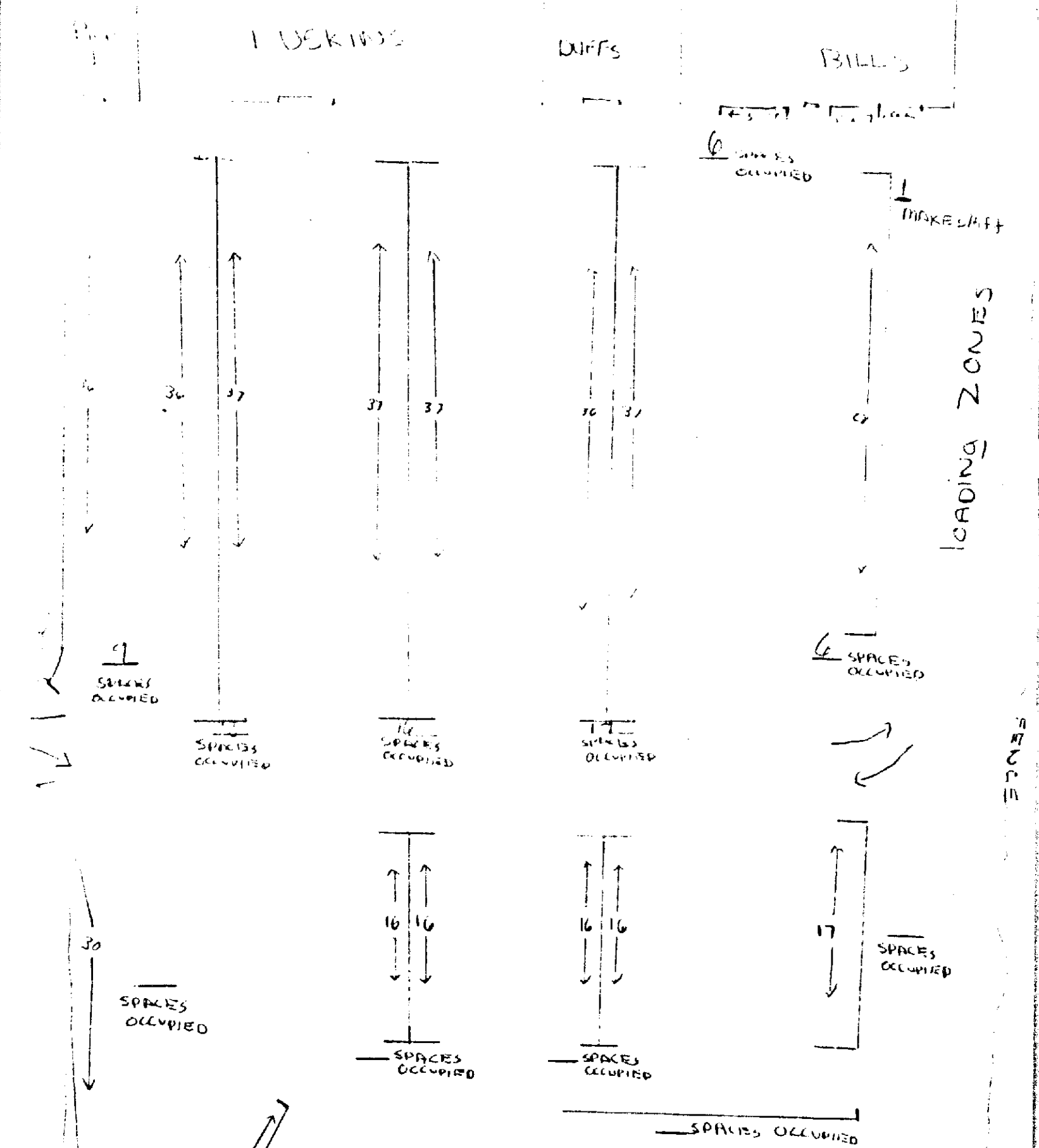
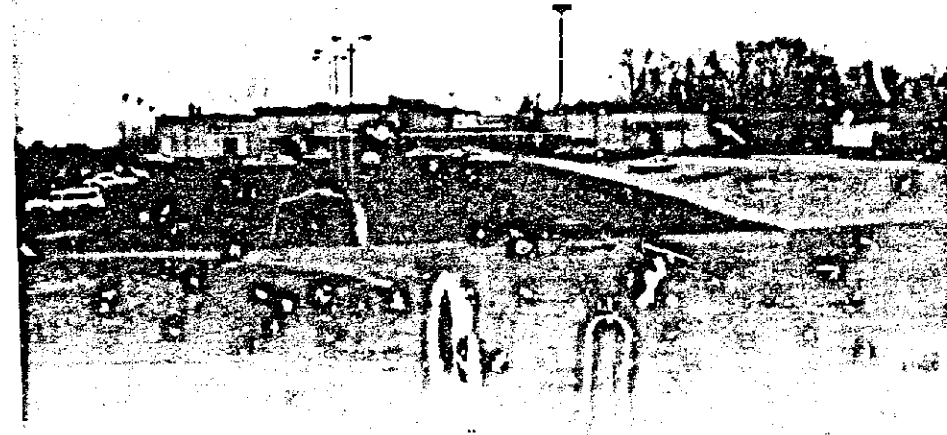
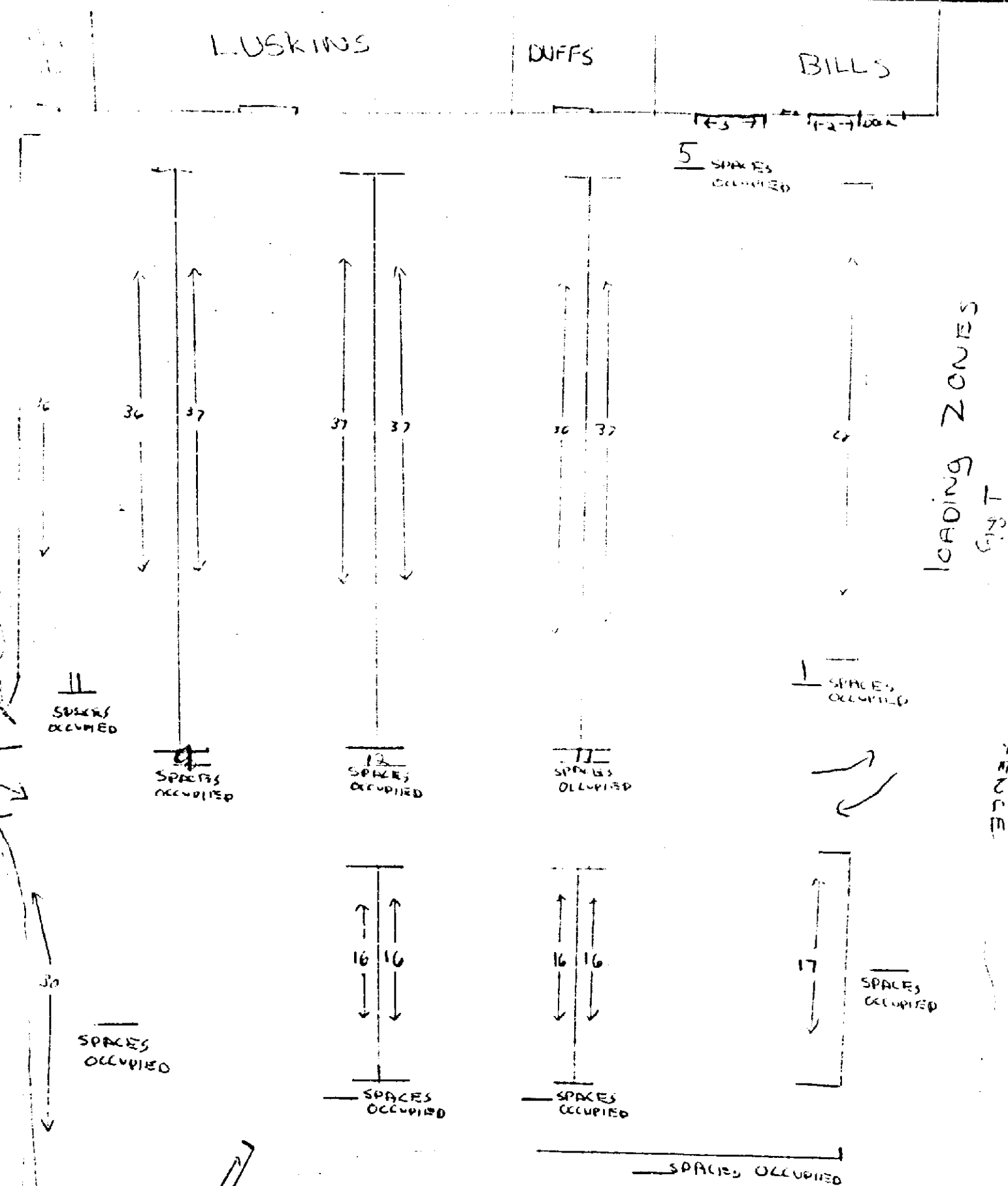
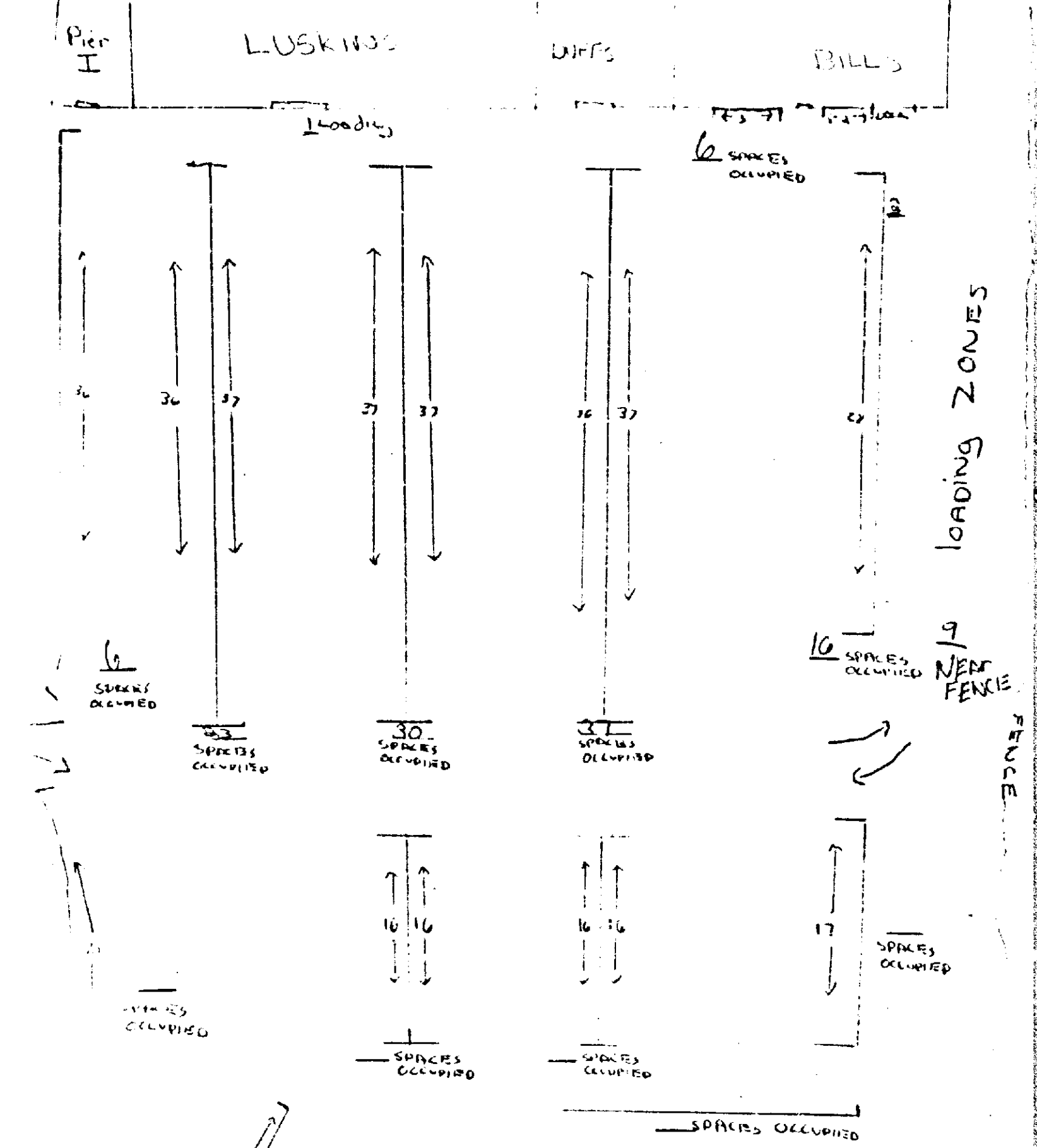
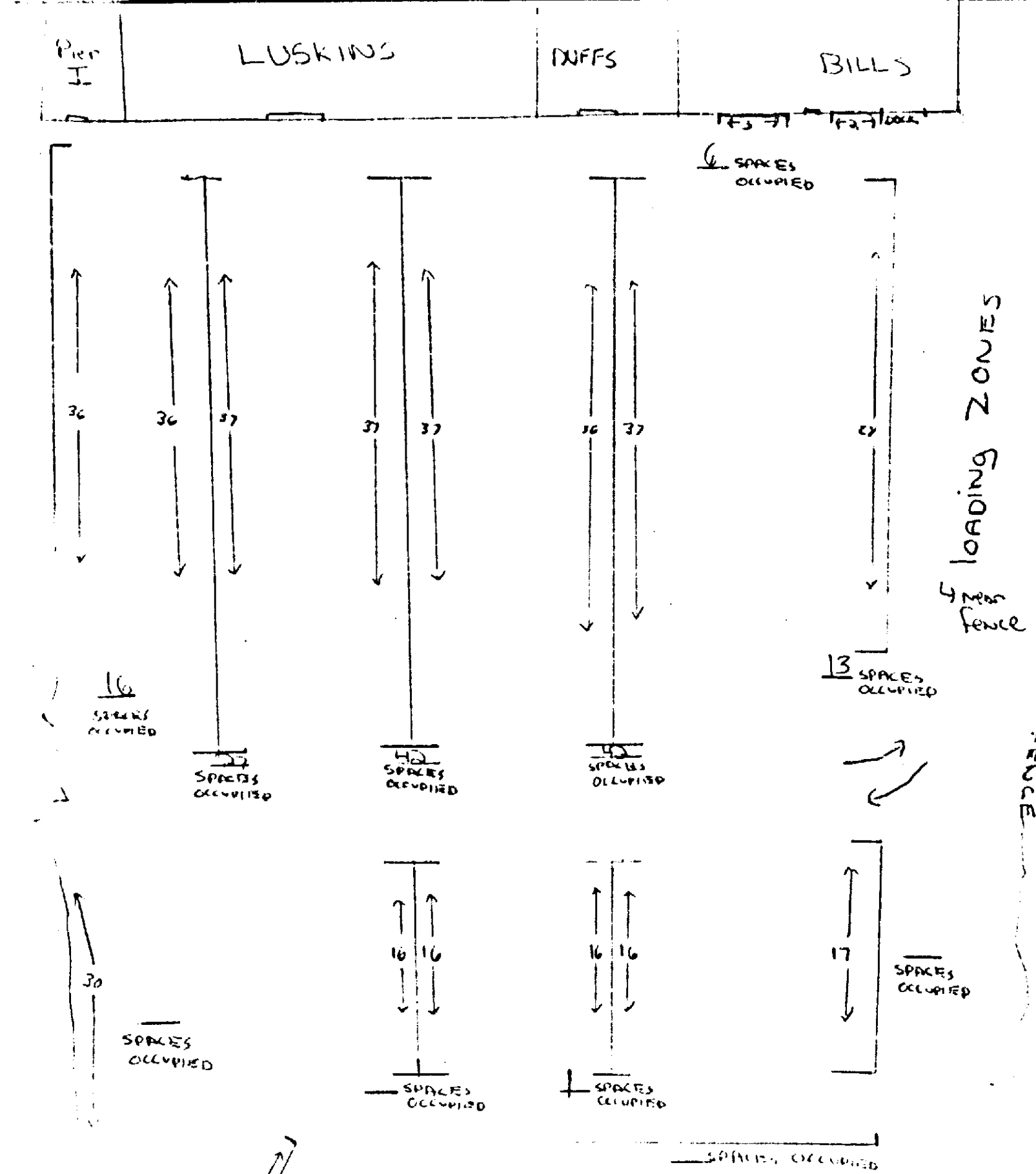
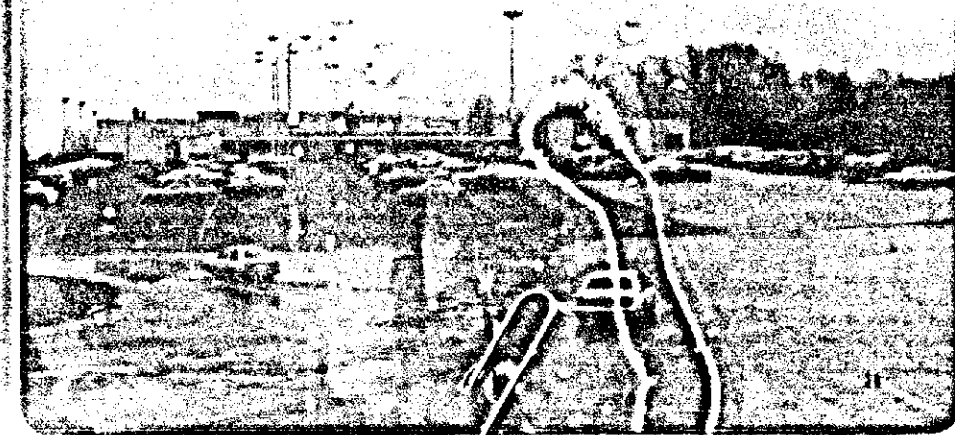
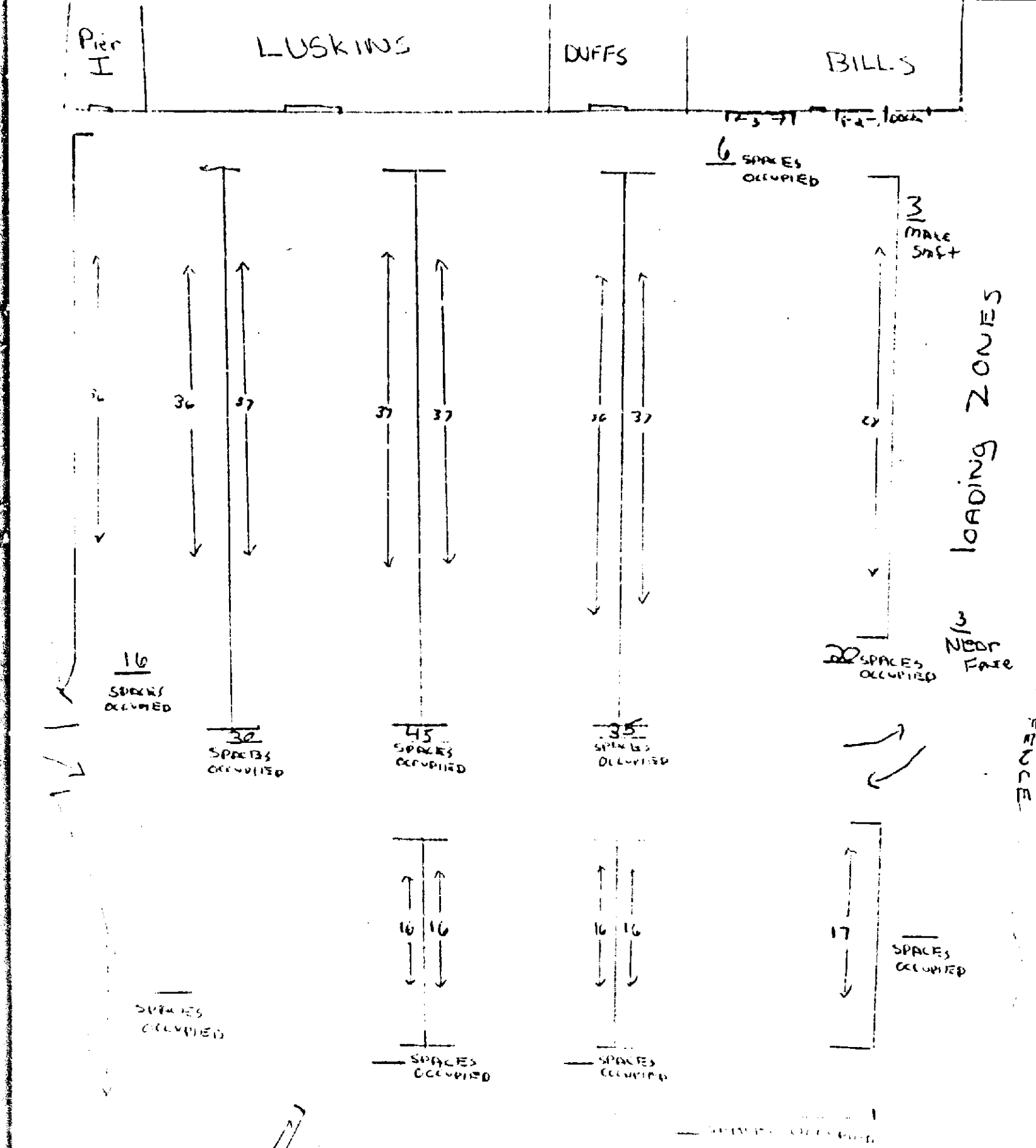
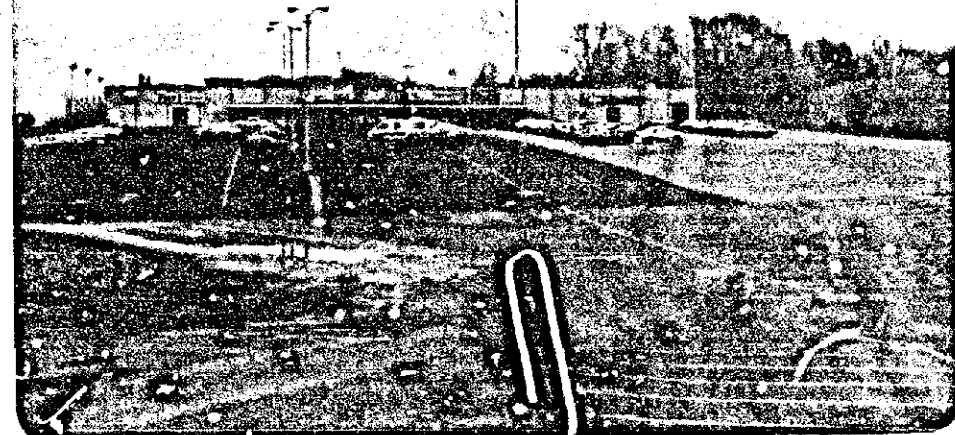
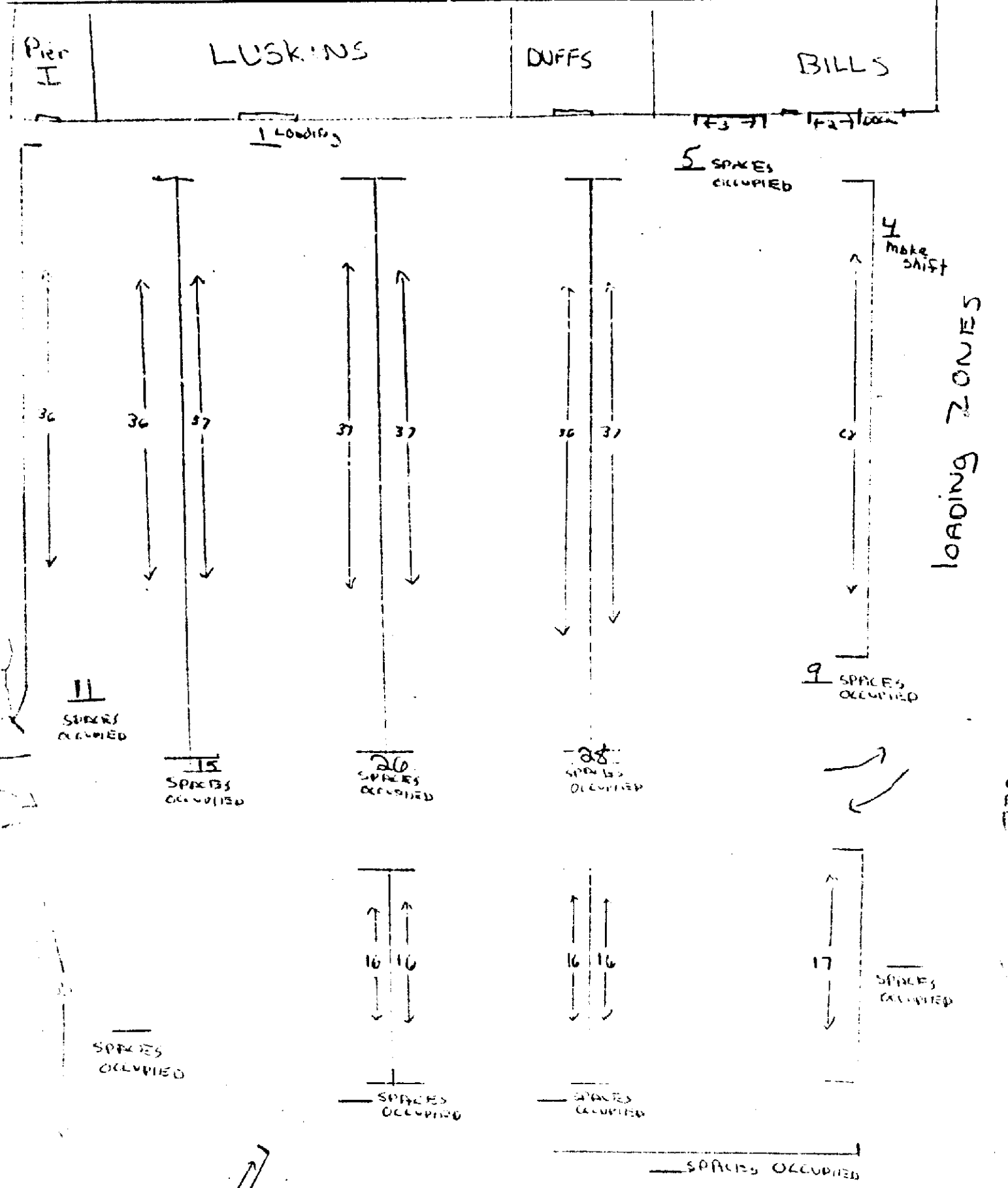
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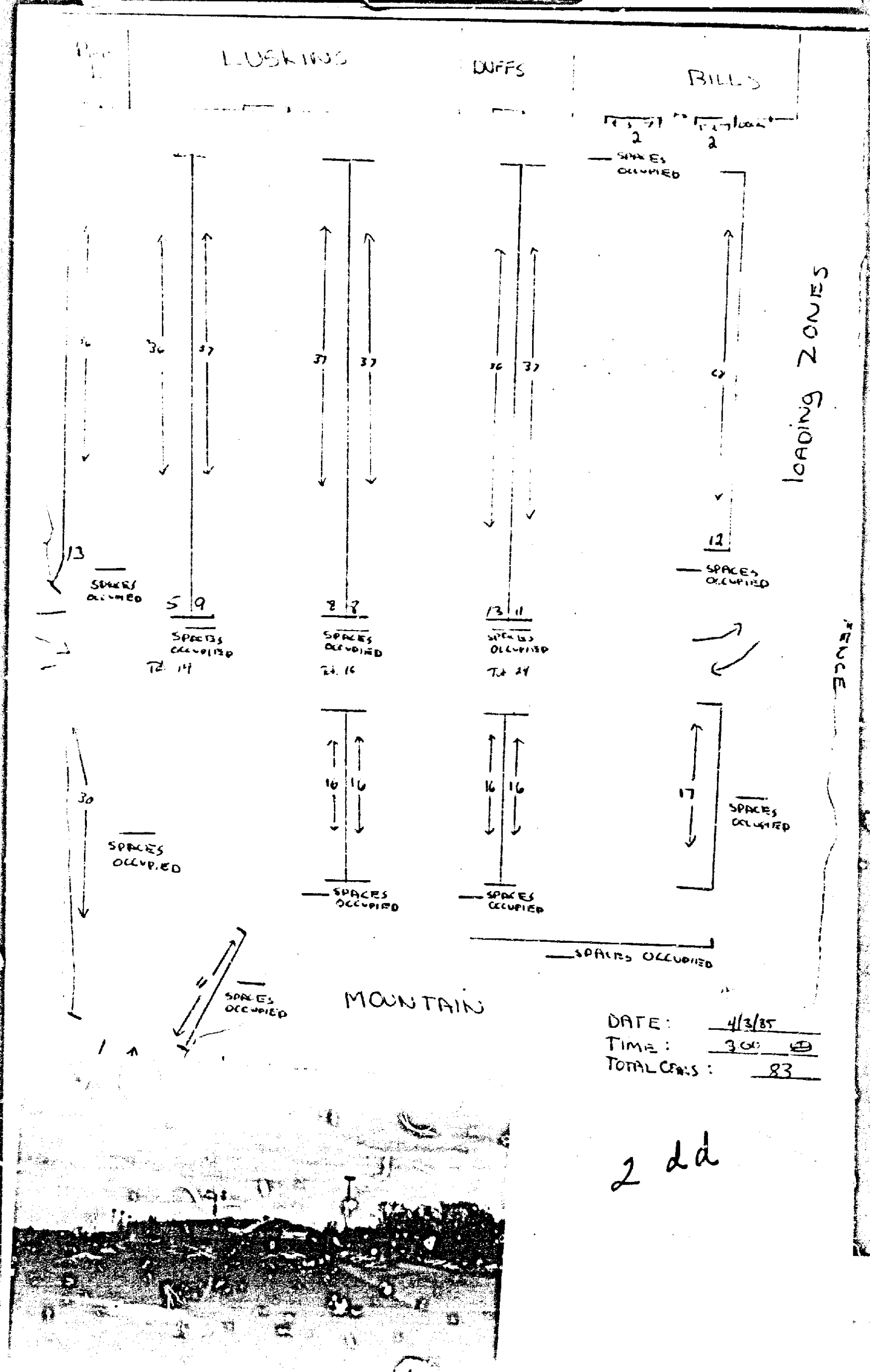
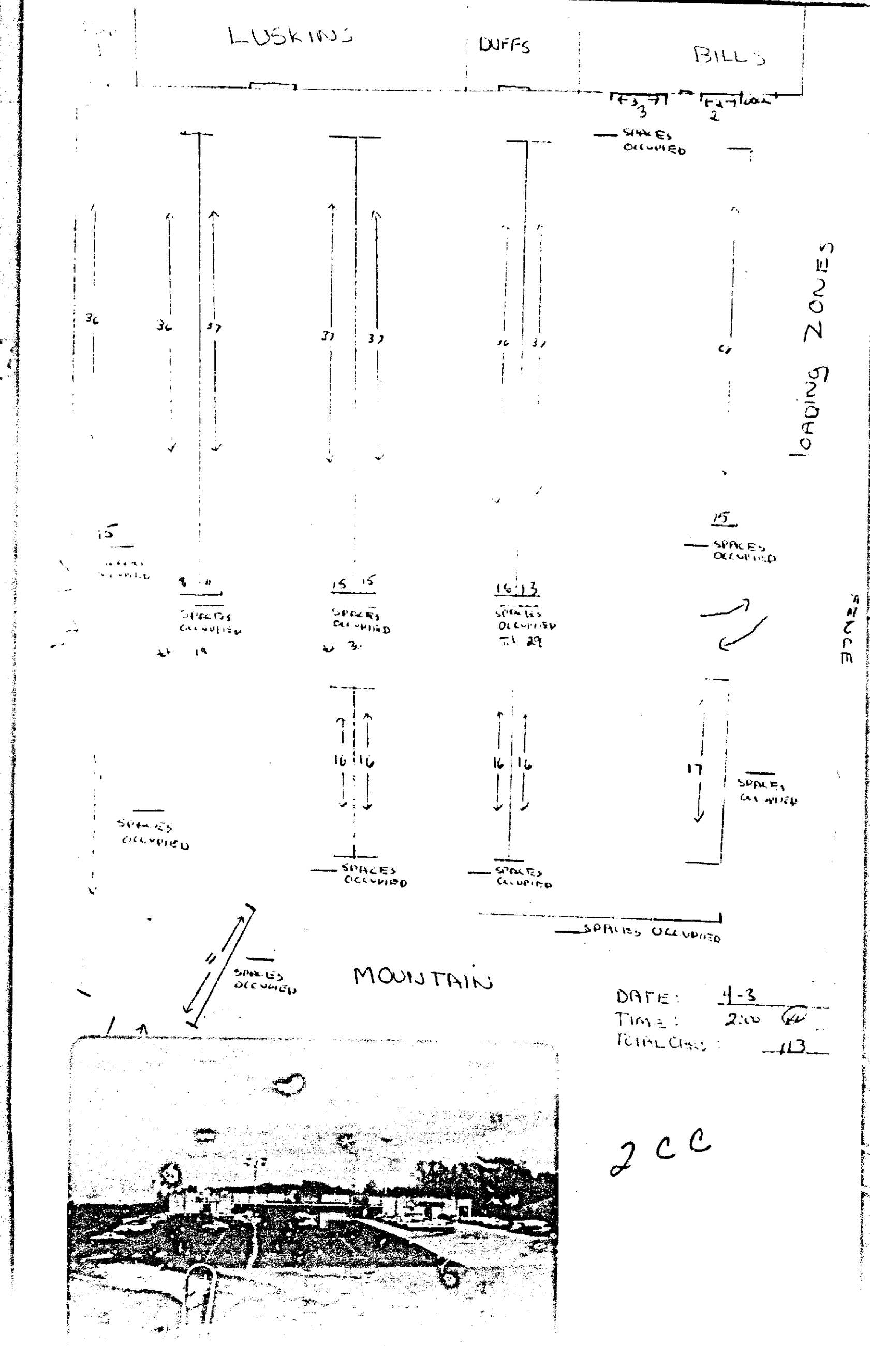
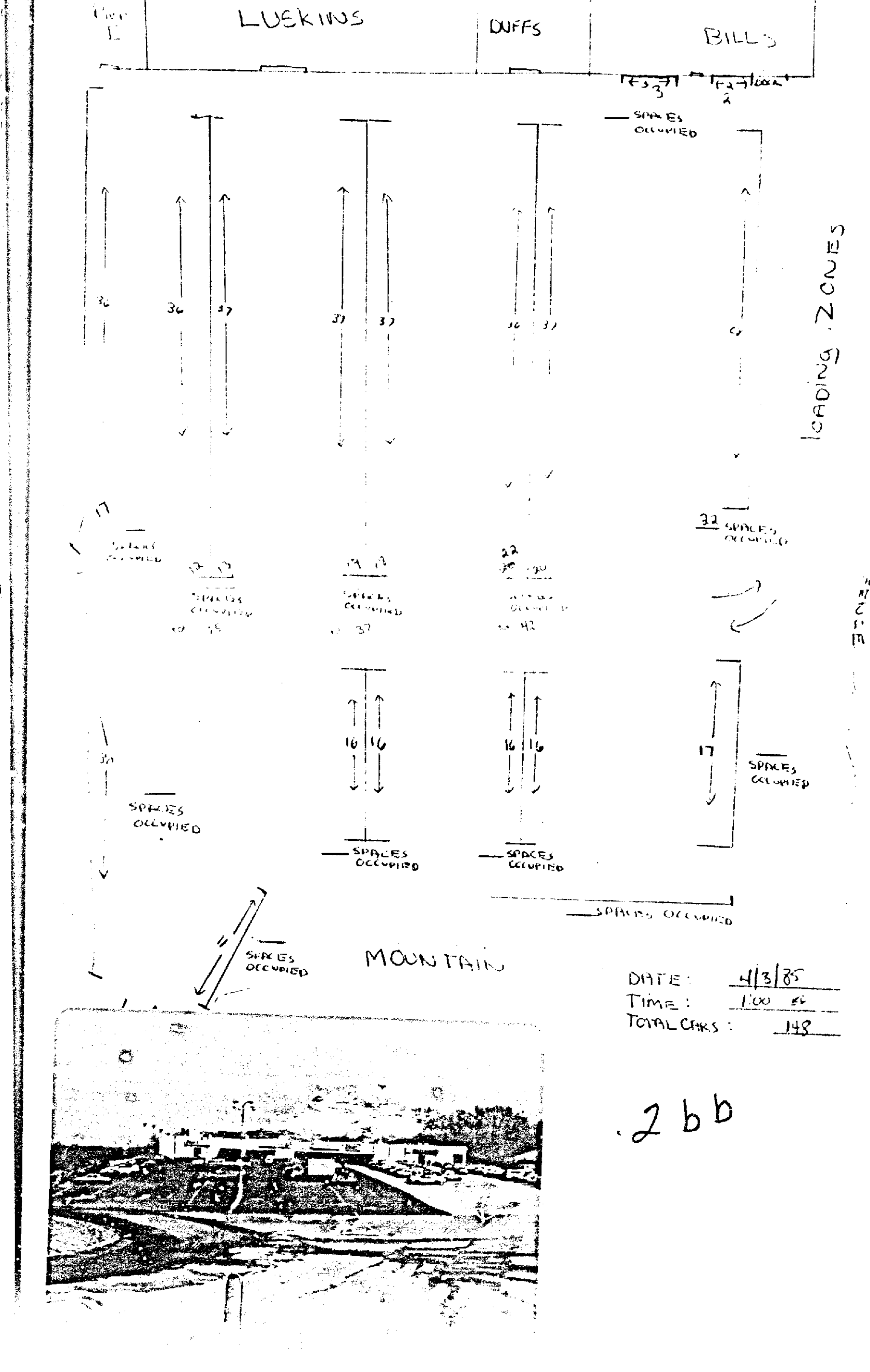
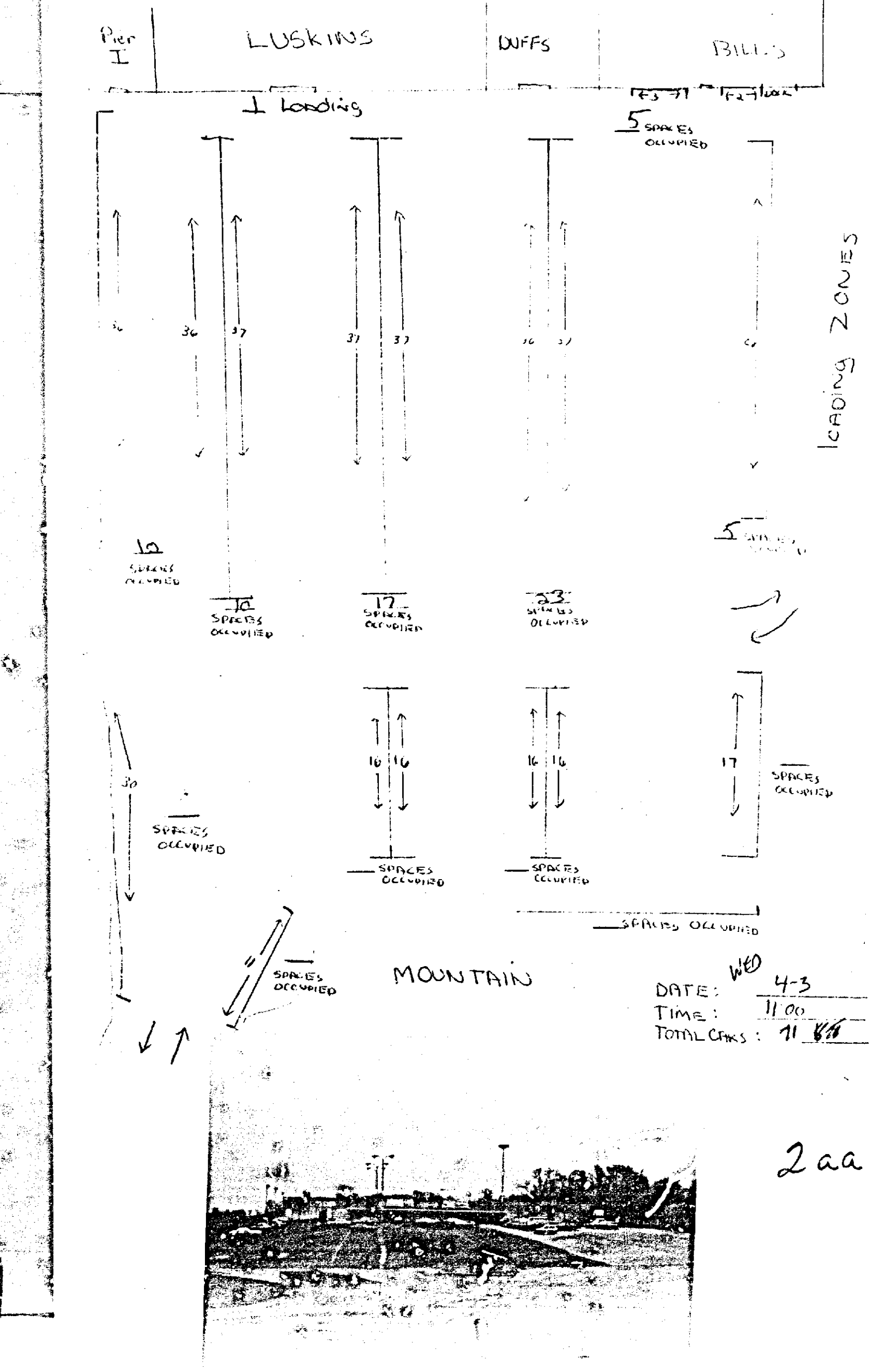
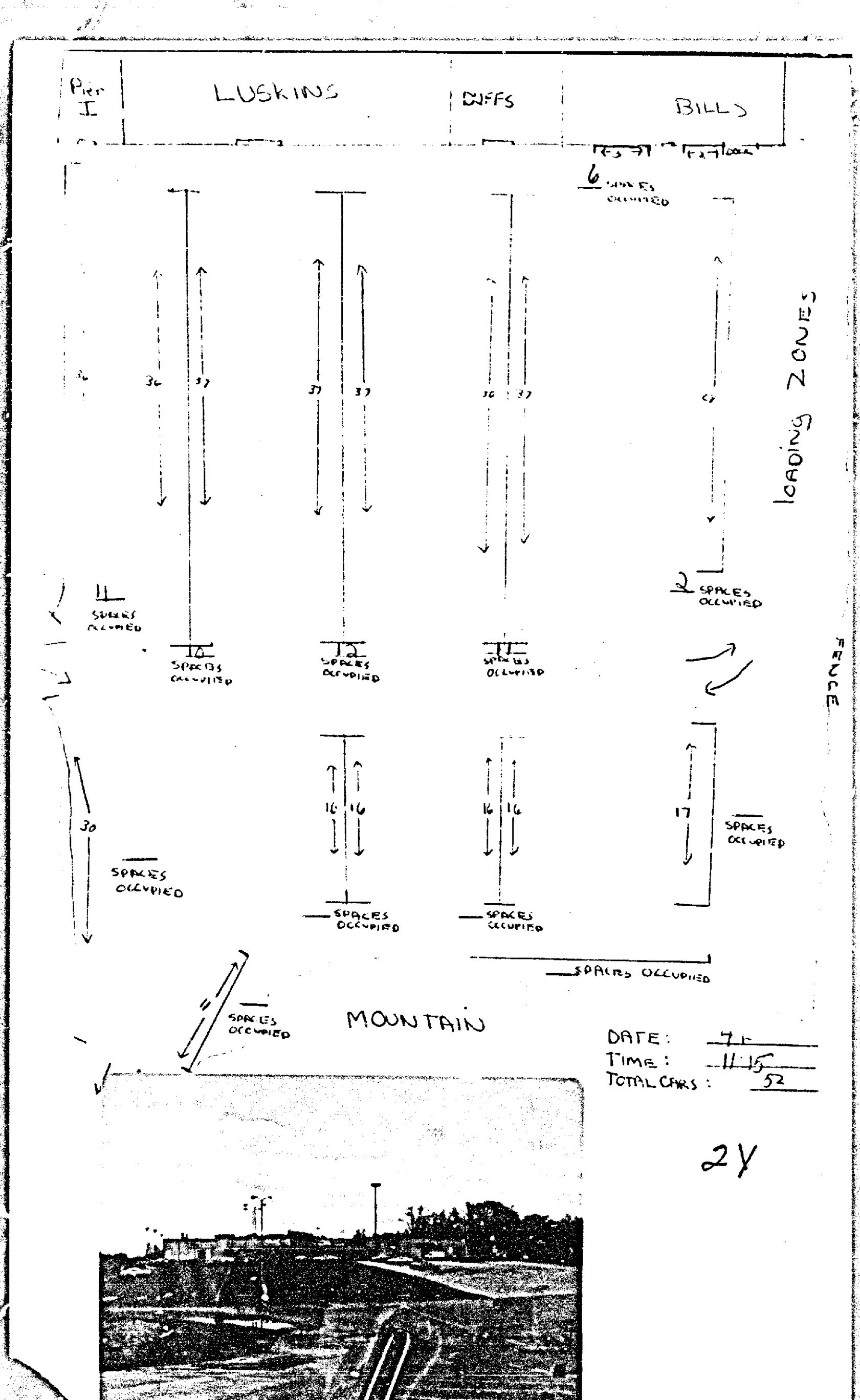
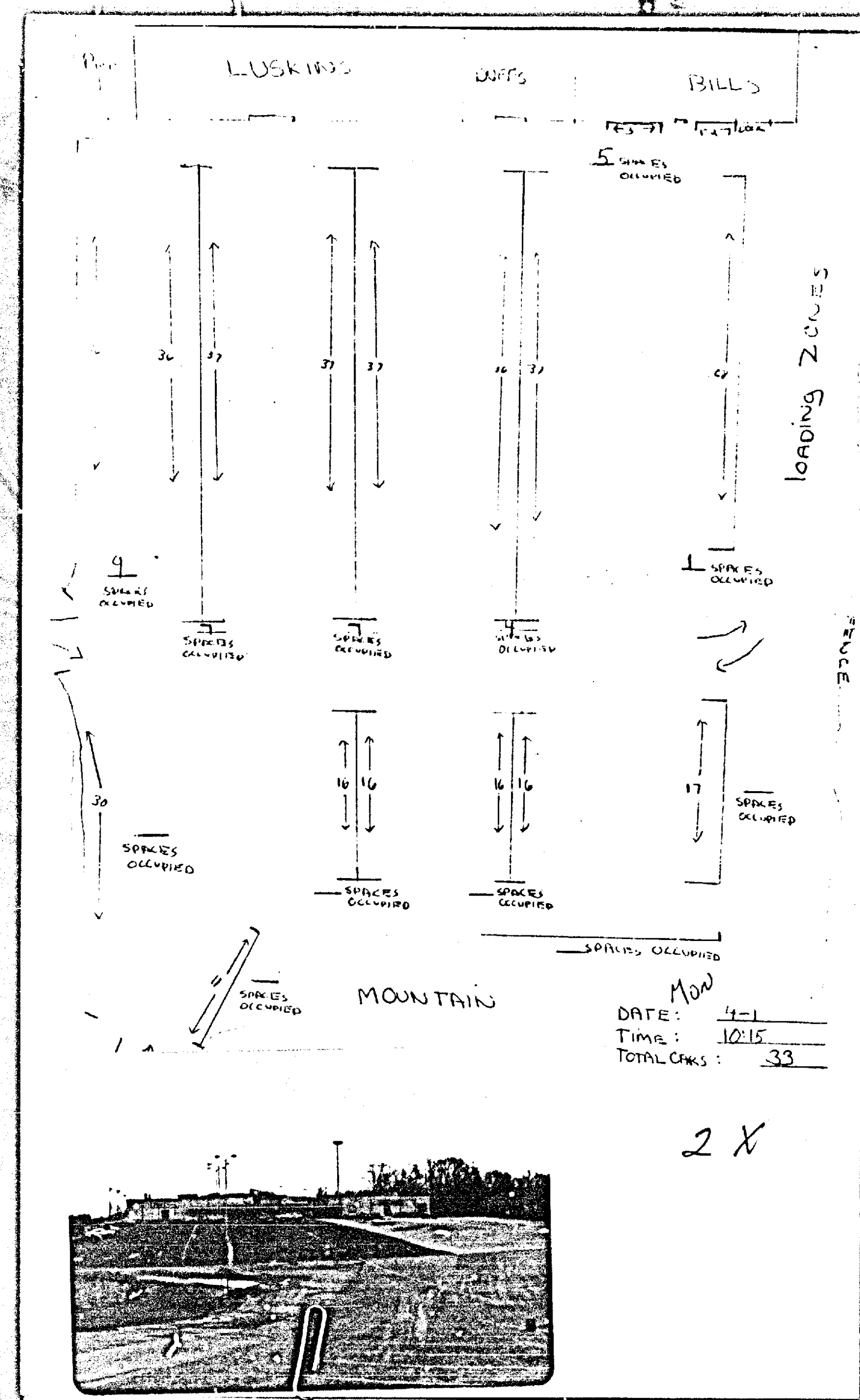
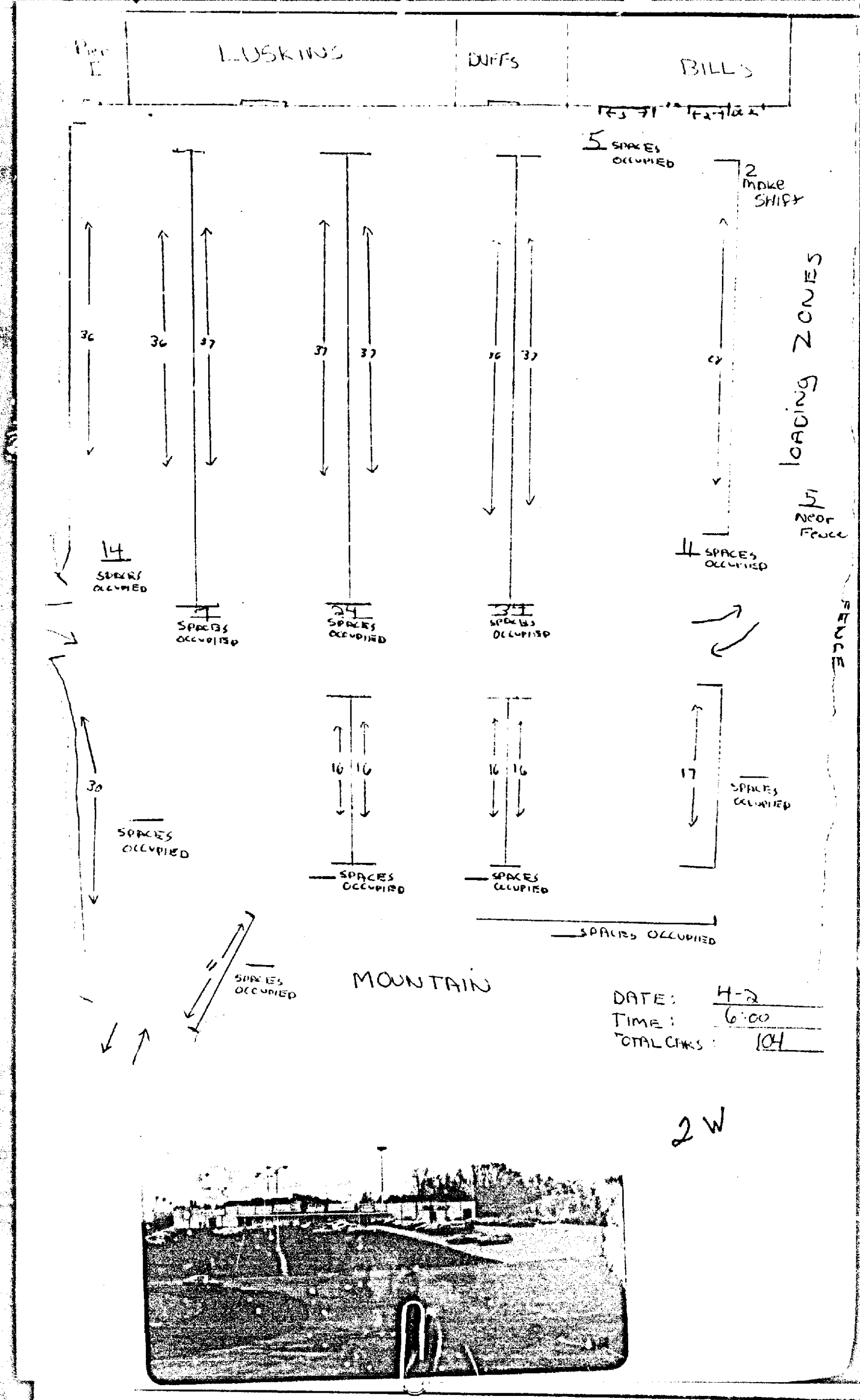
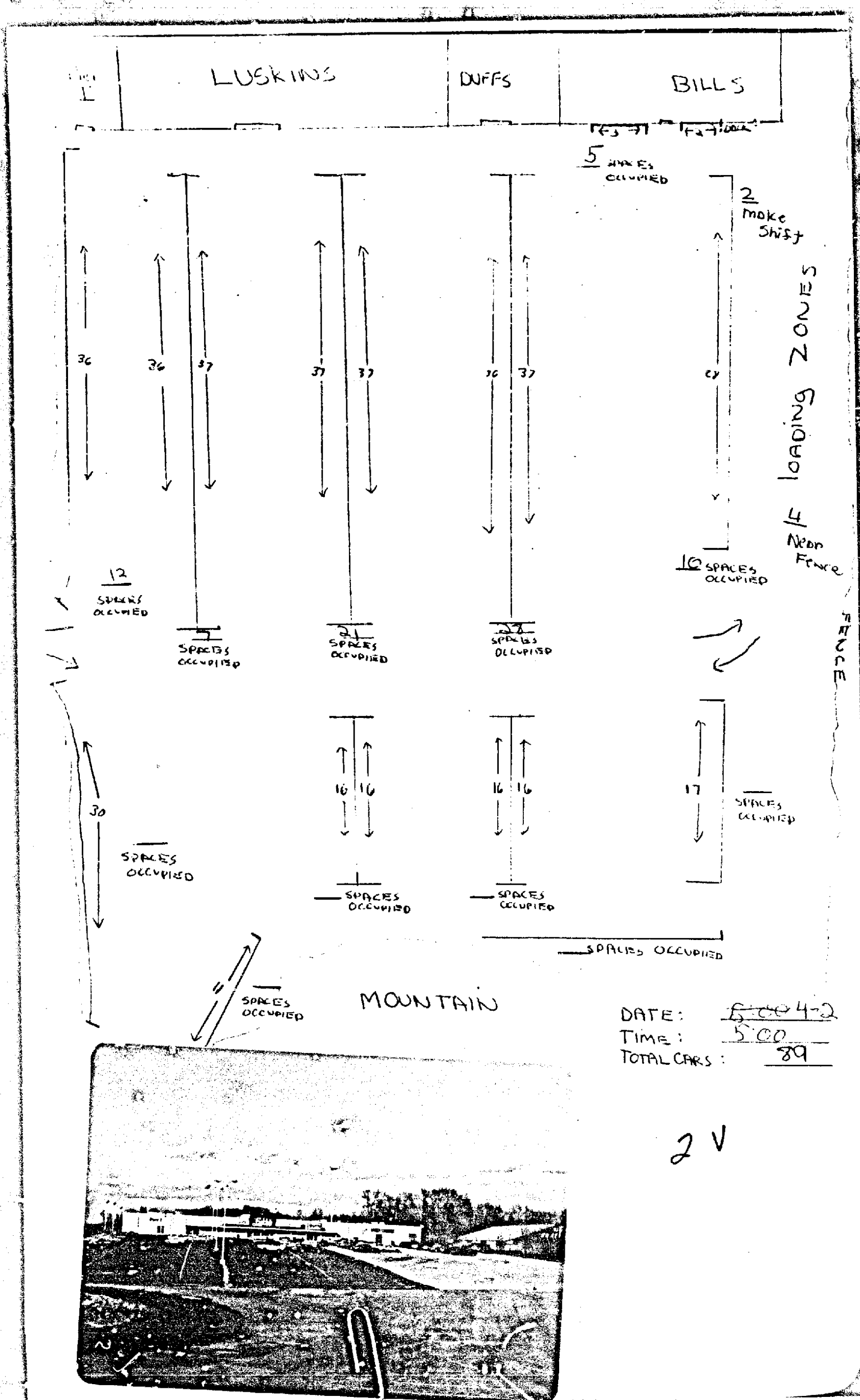
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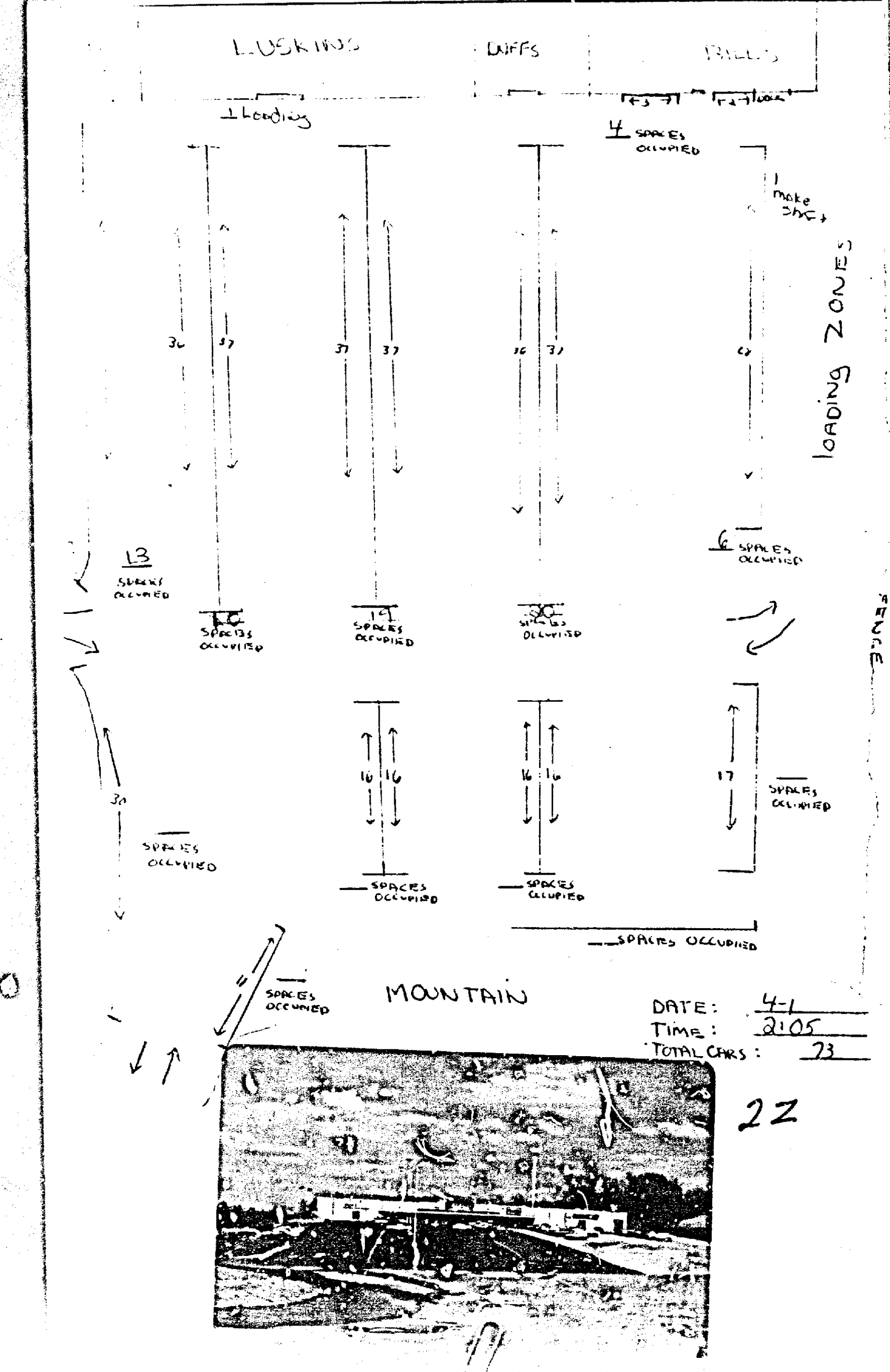
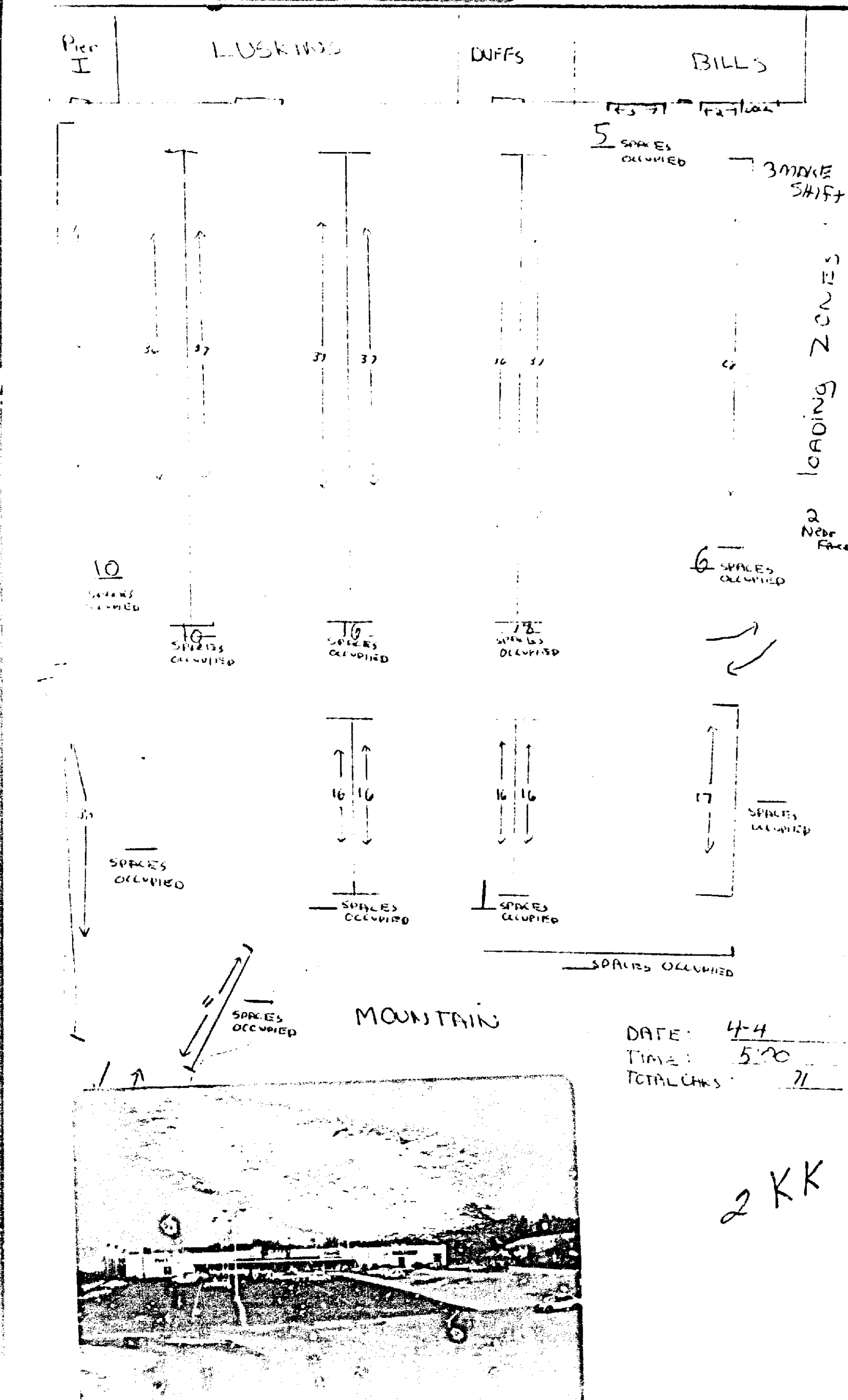
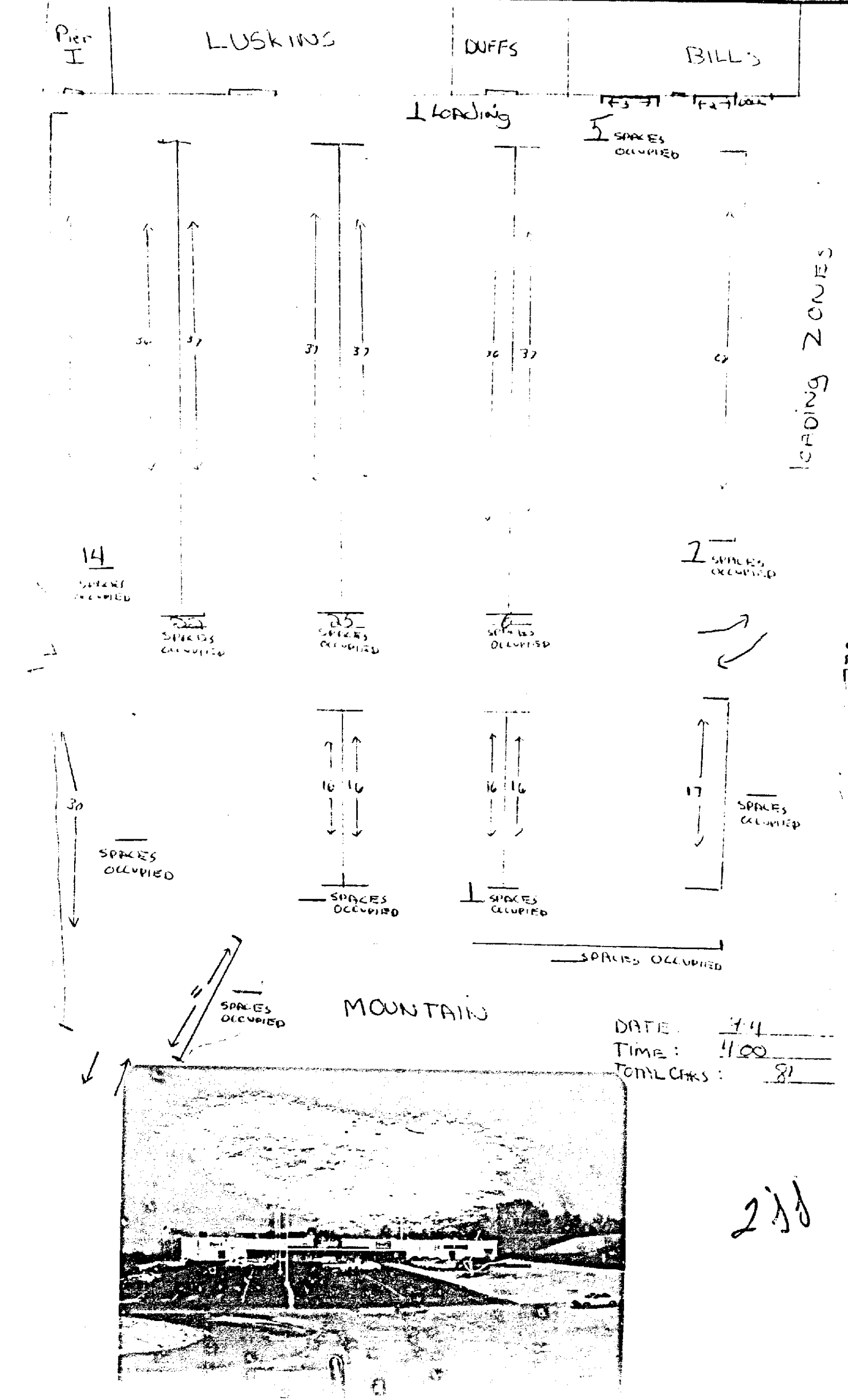
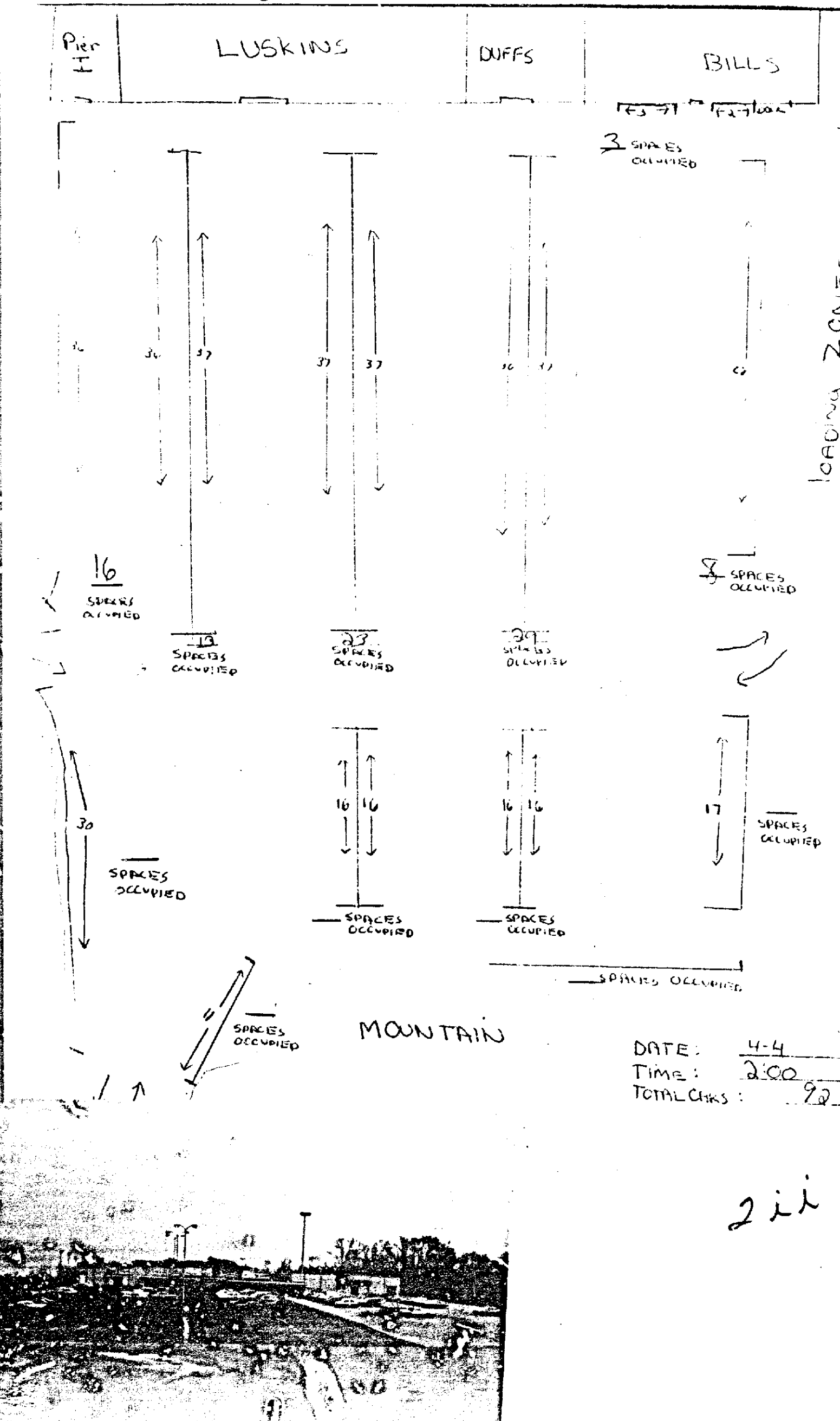
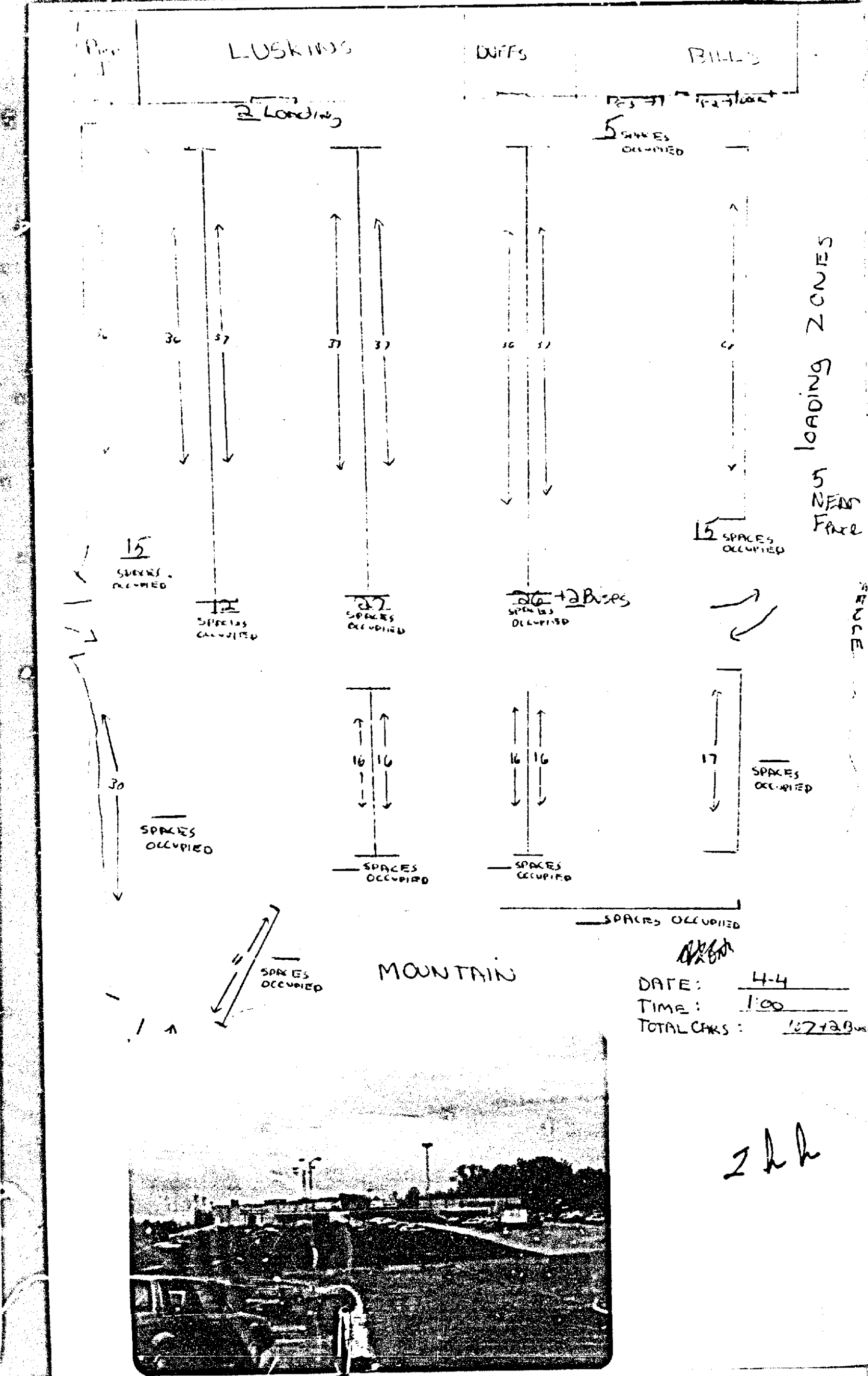
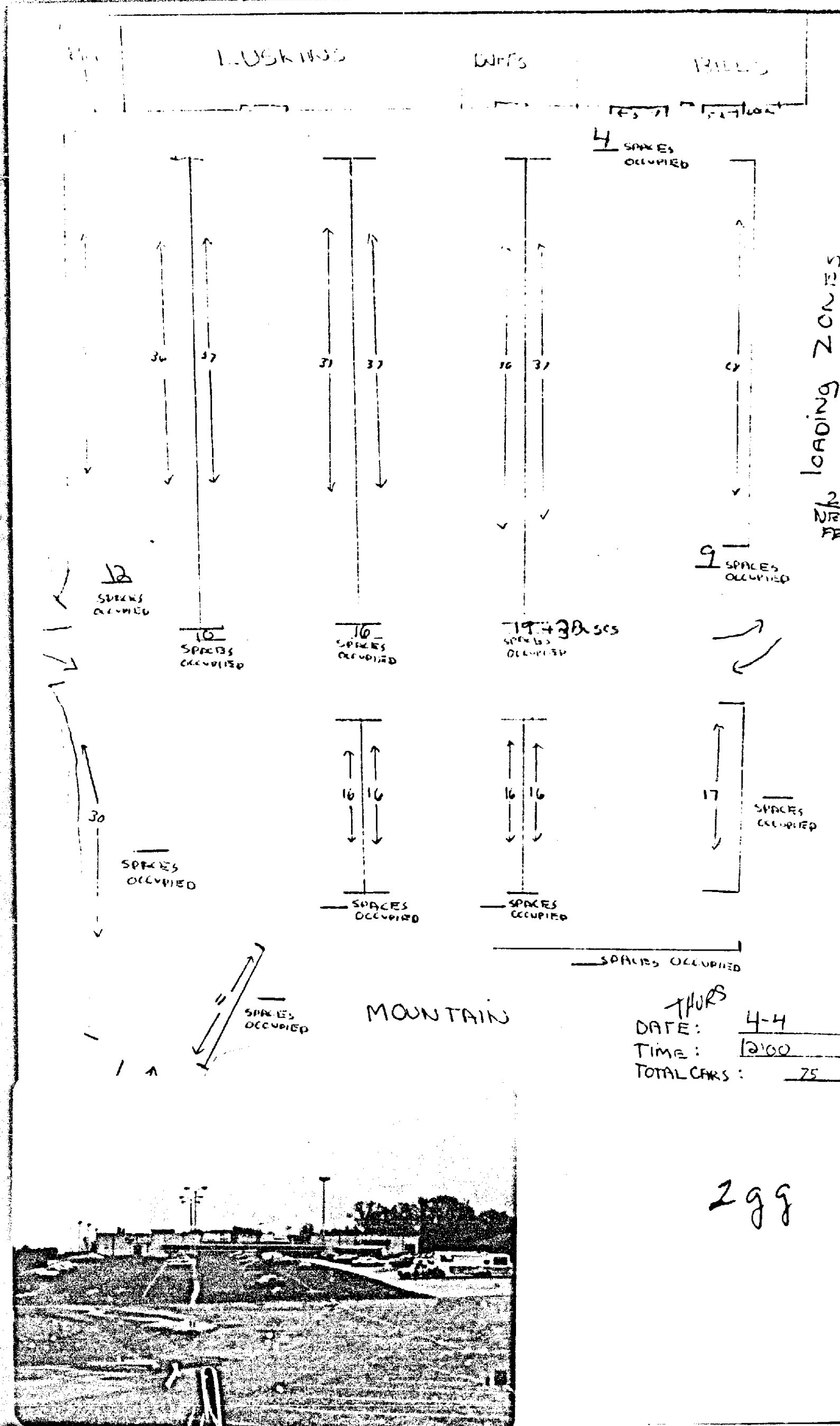
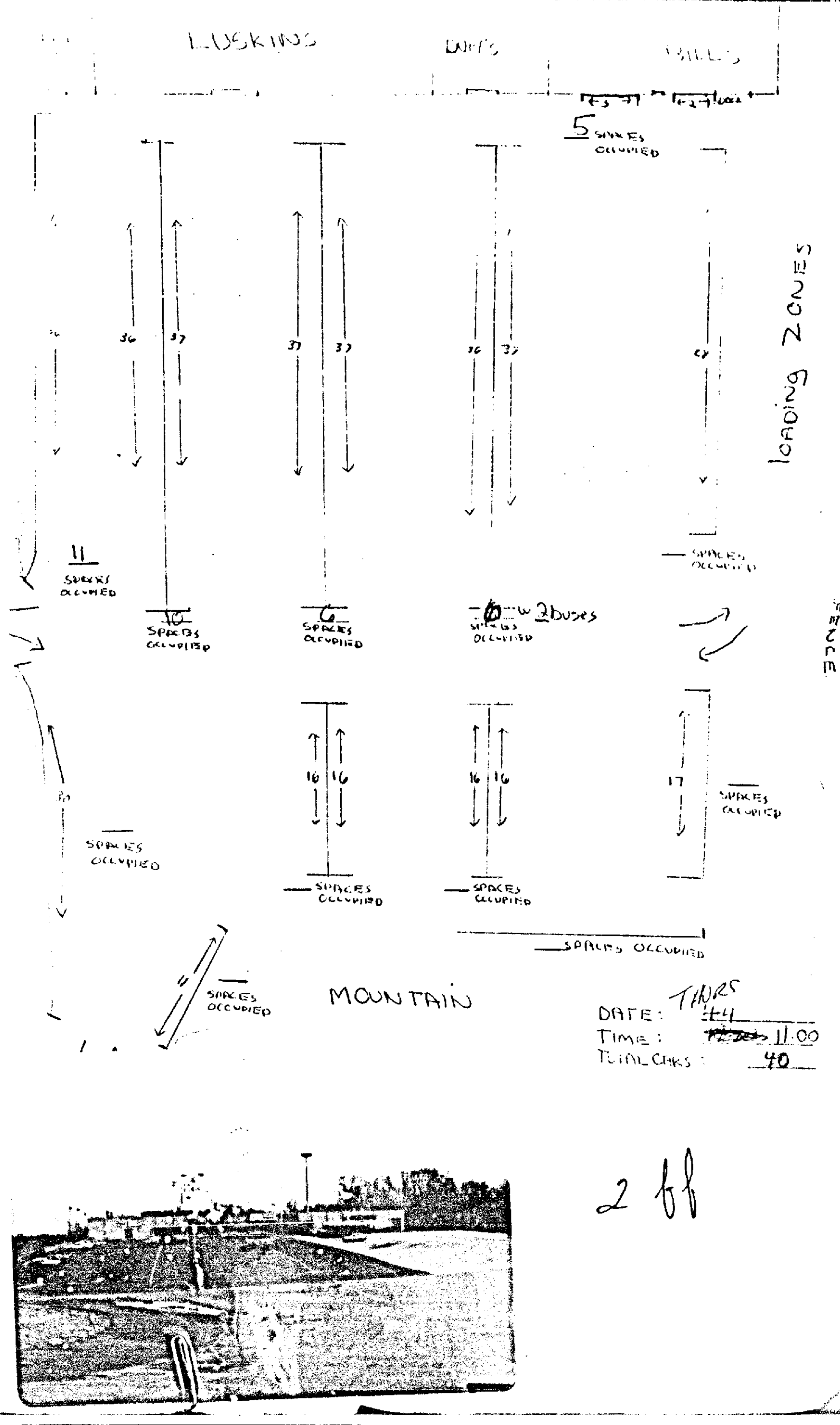
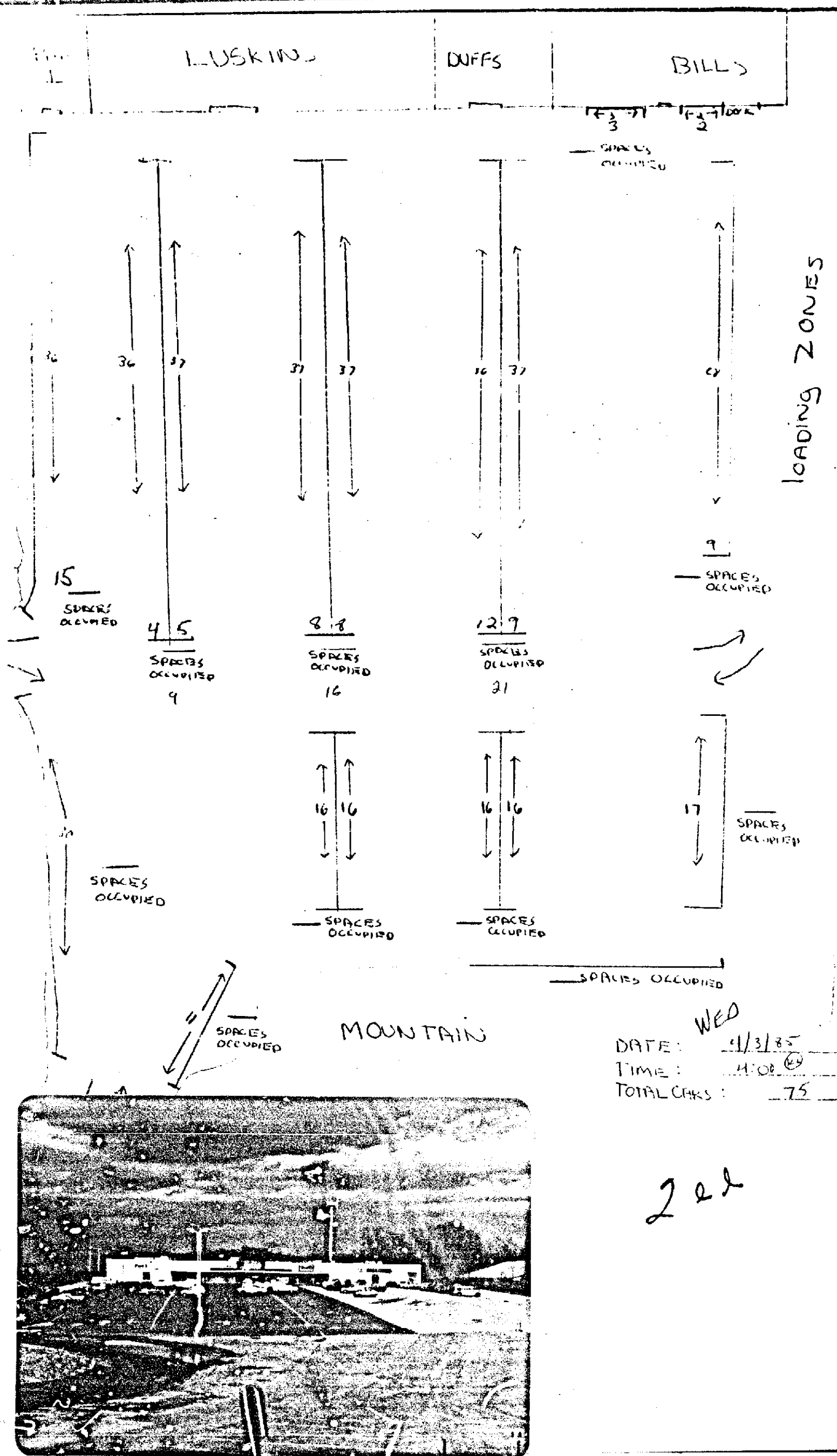
FOR: 1000000000

VALIDATION OR SIGNATURE OF CASHIER

APR 9 1986







WEDNESDAY - 4/3/85

2:00 p.m. 113
3:00 p.m. 83
4:00 p.m. 75

THURSDAY - 4/4/85

11:00 a.m. 40
12:00 noon 75
1:00 p.m. 107 + 2 Buses
2:00 p.m. 92
4:00 p.m. 81
5:00 p.m. 71

FRIDAY - 4/5/85

12:00 noon 69
1:00 p.m. 98
2:00 p.m. 95
4:00 p.m. 117
5:00 p.m. 108
6:00 p.m. 114
7:00 p.m. 119

LAW FIRM
Romalka, Ventum, Hennegan & Foss
ORMANIA FEDERAL BUILDING
800 EASTERN BOULEVARD
KORRIS, MARYLAND 21204
TELEPHONE (301) 546-2574

ROBERT J. ROMADKA
JOHN A. VENTUM
JOHN Q. HENNEGAN
CHARLES E. FOSS, III

OF COUNSEL
ALFRED M. WALPERT

June 17, 1985

Jean M. Jung
Zoning Commissioner
of Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Variance
SE/S Cromwell Bridge Rd., 361 NE from the
c/l of Glen Eagles Court
21st Century Properties
Case No. 85-360-A

Dear Ms. Jung:

Pursuant to your request at the hearing on
June 12th, 1985, please be advised that my research
of the case law reveals the following:

1. Undue hardship standard, or practical difficulty
standard, can be established by a showing that the regulation
burdens his property with an unreasonable hardship that is
unique to his property. In other words there must be proof
of unique circumstances in that said circumstances or conditions
are such that strict application of the provisions of the
zoning ordinance or regulations would deprive the applicant
of reasonable use of land or building. See Anderson v.
Board of App. Township of Chesapeake Beach, 322 A2nd 220.
Rathkopf, The Law of Zoning and Planning, 48-1 section 1.

Also, it appears that the case law provides that
the showing of the uniqueness of the property can be accom-
plished by showing that the physical or topographical features
of the property are such that the property cannot be used for
permitted purposes or by showing the property can be arranged
for such use only at prohibited expense. The courts however
have stated that in the event that the peculiar or unique
circumstances were self created by the property owner that
relief than would be barred.

Jean Jung
June 17th, 1985
Page 2

I am sure that your recollection of testimony
reveals that the unique circumstances under which we
are asking for parking variance result from the
topography of the property which was created by forces
outside of the scope or influence of the property
owner and therefore are not self created.

I appreciate your taking time out to review
this letter and permitting me to submit the efforts
of my research. If you have any further questions
please do not hesitate to call.

Very truly yours,

John O. Hennegan
John O. Hennegan

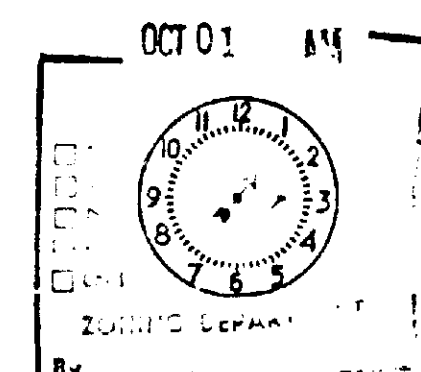
JOH/mrd

LAW OFFICES
PRELLER AND PRELLER
SUITE 200
15 CHARLES PLAZA
BALTIMORE, MARYLAND 21204

September 27, 1985

DAVID J. PRELLER
DAVID J. PRELLER, JR.
JANE L. JENSEN
ROBERT J. LENNON, JR.
WAYNE G. GRACEY
GEORGE ZAVIDL

AREA CODE 301
PHONE 752-1484



Re: Luskins Property

Dear Mrs. Jung:

As you know, on or about June 12, 1985 there was a
hearing regarding a variance for the above property. Since
that time, I have provided you with requested information so
that you may render a decision.

At the present time, I am in negotiations with Bendix
Corporation regarding Mylander Lane improvements in order to
satisfy C.R.G. Further, my client is attempting to prepare the
scheduling for building; however, until you make your ruling,
everything is at a complete standstill.

My clients have informed me that this property is a
ten to fifteen million dollar project that may not go forward
because of the delay in your ruling. They feel that a reasonable
request has been made and time is of the essence.

I hate to continually request a ruling on this matter,
however, it is a matter that has not been protested and has more
than adequate parking, even with the granted variance as requested.

I would appreciate your attention to this matter and I hope
you can understand their insistence.

If you have any questions, please do not hesitate to contact
me.

Very truly yours,

David J. Preller, Jr.
David J. Preller, Jr.

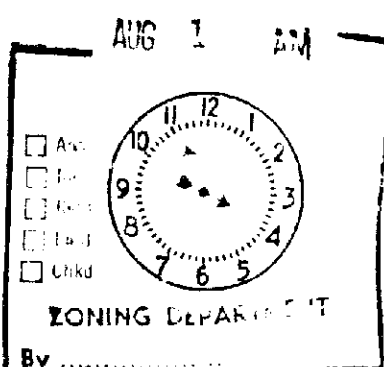
DJP, Jr./dm

LAW OFFICES
PRELLER AND PRELLER
SUITE 200
15 CHARLES PLAZA
BALTIMORE, MARYLAND 21204

DAVID J. PRELLER
DAVID J. PRELLER, JR.
JANE L. JENSEN
ROBERT J. LENNON, JR.
WAYNE G. GRACEY
GEORGE ZAVIDL

AREA CODE 301
PHONE 752-1484

July 31, 1985



Mrs. Jung
Office of Planning and Zoning
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: Luskins Property

Dear Mrs. Jung:

As per your request, enclosed please find a print prepared
by Kann and Ammon, Inc. showing the locations of the signs on
the above property, the size of the signs, photographs numbered
in correlation with the prints, and a letter from Kann and Ammon
explaining what type of signs and location of proposed new signs.
This should provide you with all needed information. If there
is any additional information needed, please do not hesitate to
contact me.

In regard to the variance, if you will look at the diagram
that is presently an Exhibit showing the proposed parking, there
are 239 parking spaces to the west of the entrance road leaving
391 parking spaces to the east.

Again, please review the photos and Exhibits presented at
the hearing by witness William Savitsky. He has shown that the
maximum amount of cars on the lot at any one time was 171, leaving
a greater number of spaces available to fulfill parking needed by
the new building.

I know that you must consider the impact on the surrounding
properties when deciding whether to grant a variance or not, but
it should be remembered in the present case that if a customer
would not be able to find a spot to park on the lot, the impact
would not effect surrounding property as there are no surrounding
property where someone would be able to park and walk to the
building. The property is surrounded by the beltway and woods.
It is not conducive to the problem of parking next door and walking.

Mrs. Jung
Office of Planning and Zoning
Re: Luskins Property

Page 2
July 31, 1985

Finally, there is no opposition to the granting of the
variance.

The economics of the request for a variance show a need
for the building to be the size that has been proposed and to
build a building without the requirement of building parking
garages.

In the event there is a chance you will not grant a variance
as has been requested, I would appreciate your contacting me so
we may discuss this matter one final time.

Your consideration in this matter if greatly appreciated.

Very truly yours,

David J. Preller, Jr.
David J. Preller, Jr.

DJP, Jr./dm
Enclosures

KANN + AMMON, INC. 519 West Pratt Street Suite 102 Baltimore, Md. 21201 (301) 234-0900

July 29, 1985

Mr. David J. Preller, Jr.
Attorney at Law
Suite 200
15 Charles Plaza
Baltimore, MD 21201

Subject: Luskins Property
Cromwell Bridge Road
Baltimore, MD

Dear Mr. Preller:

Based on our discussions, we would like to provide the following
for your use:

- Three (3) prints of a drawing dated July 24, 1985,
indicating all of the existing retail signage on the site.
- Photographs of each sign keyed to the drawing.
- Based on the Site Plan drawing dated April 30, 1985, there
are 239 parking spaces in the vicinity of the proposed new
building to the west of the entrance road. There are 391
parking spaces to the east of the entrance road toward the
existing retail building.
- With respect to signage for the new building:
 - A sign designating the health spa use will be placed on
both the north and east building facades. These signs
will be internally illuminated.
 - There will be one sign designating the name of the new
building.

Mr. David Preller, Jr. - 2 -

7/29/85

- There will be two signs identifying the restaurant use.
- A pylon sign will be constructed at the entrance to the
site at Cromwell Bridge Road.
- All signs will be consistent with the size limitations
as described in the Baltimore County Zoning
Regulations, Section 413.

Please call if you need additional information.

Very truly yours,

Donald R. Kann, AIA
KANN + AMMON, INC.
Donald R. Kann, AIA

DRK/pc

PRELLER AND PRELLER, ATTORNEYS AT LAW, 15 CHARLES PLAZA, SUITE 200, BALTIMORE, MARYLAND 21201 (301) 752-1484

Architecture Planning Preservation Interior Design

APR 9 1986



86-1144

November 15, 1985

Ms. Jean M. H. Jung
Deputy Zoning Commissioner
Baltimore County Office of
Planning and Zoning
Towson, Maryland 21204

RE: Petitioner's Case #85-360-A

Dear Ms. Jung:

Allied-Signal, Inc., Bendix Aerospace Communications Division, 1300 East Joppa Road, Towson, Maryland, acknowledges receipt of a copy of your Order to grant a zoning variance which is the subject of the referenced petition.

To confirm our telephone conversation, it is my understanding that your Order approving the variance is specifically conditional in part upon the petitioner reaching an accord with Bendix relative to certain improvements to Mylander Lane, a private right-of-way, the fee title of a portion of which is vested in Allied-Signal. Further, it is understood that Allied-Signal is under no obligation to consent to modifications or improvements of Mylander Lane and that it is not under the threat of an eminent domain taking by Baltimore County in conjunction with the subject petition.

Based on these understandings, Allied-Signal will not appeal your Order of October 22, 1985, granting petitioner's conditional approval.

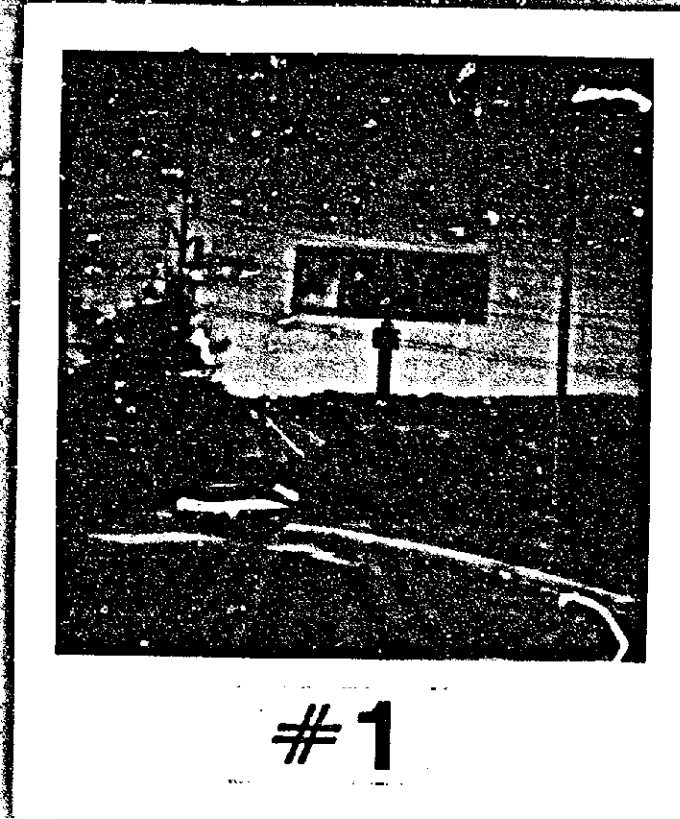
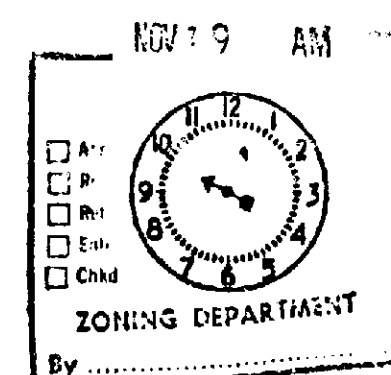
Allied-Signal is presently having discussions with the petitioner and in the spirit of cooperation we are hopeful that an agreement can be reached with the petitioner that will allow for modifications and improvements to Mylander Lane to the satisfaction of the County Review Group and the petitioner.

Sincerely yours,

George A. Rodgers
George A. Rodgers
Director of Operations
Towson Facility

cc: W. P. Harokopus
W. J. Flanagan
A. Allen Gray
R. J. Malick
D. Preller, Esq.

Bendix Communications Division
1300 East Joppa Road
Towson, Maryland 21204
Telephone (301) 563-4000



#1



#2



#3



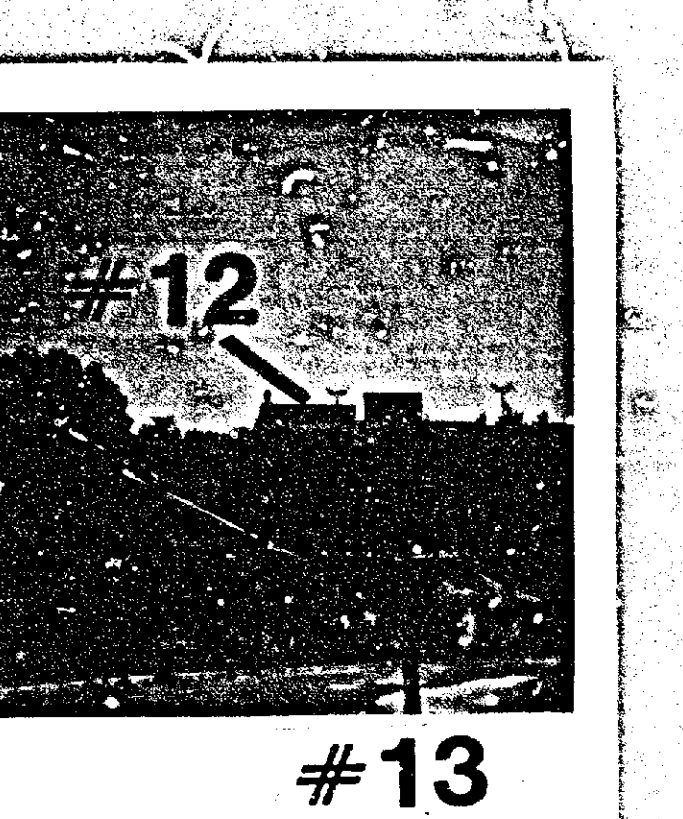
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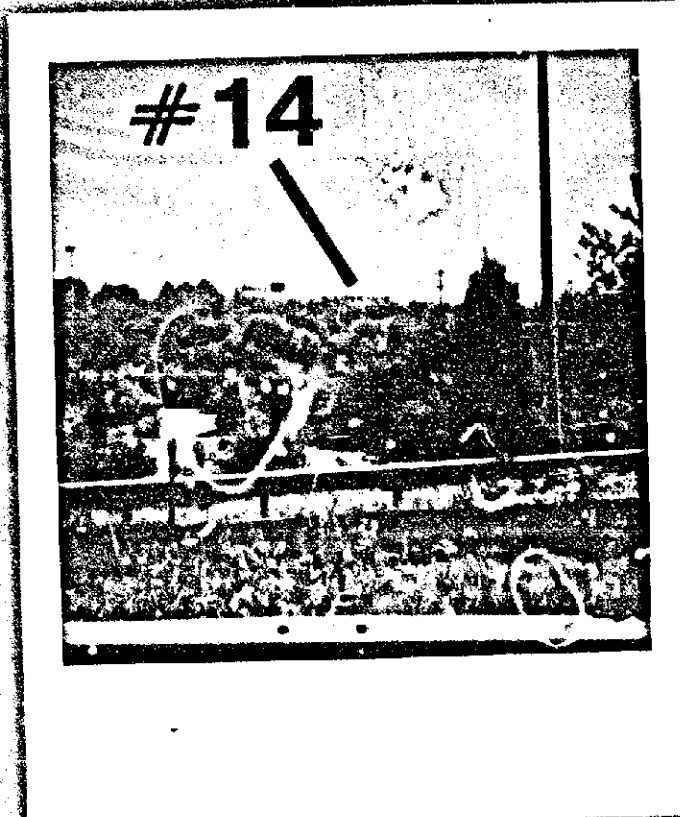


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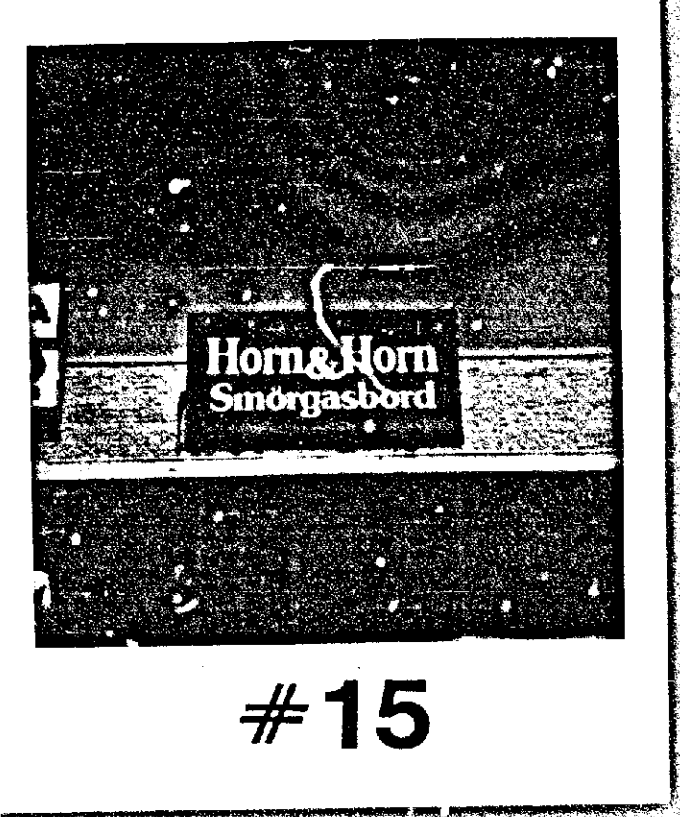


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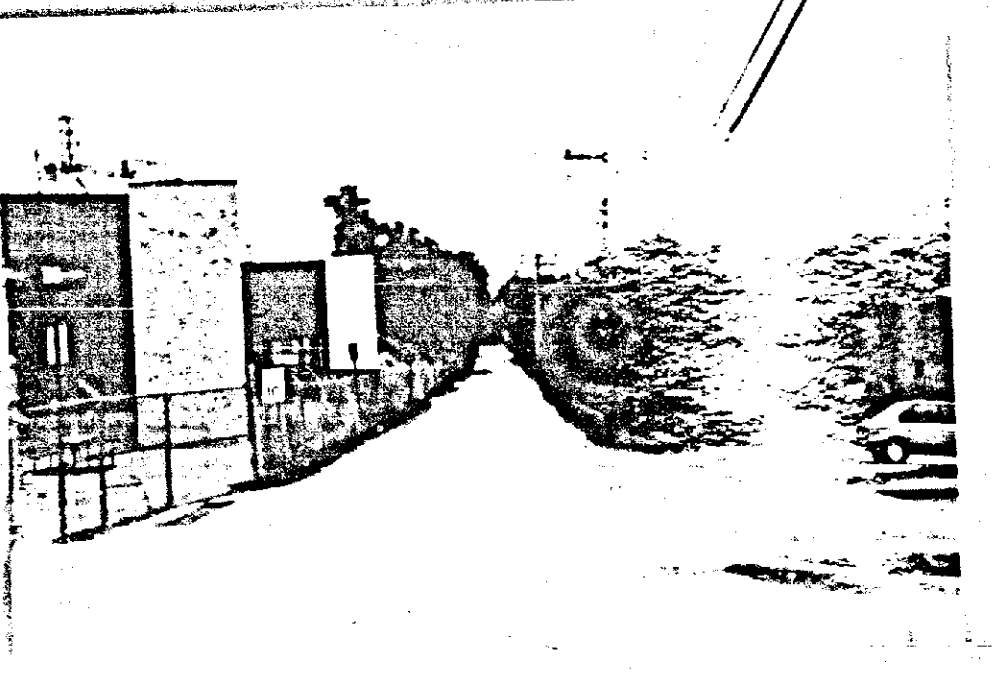
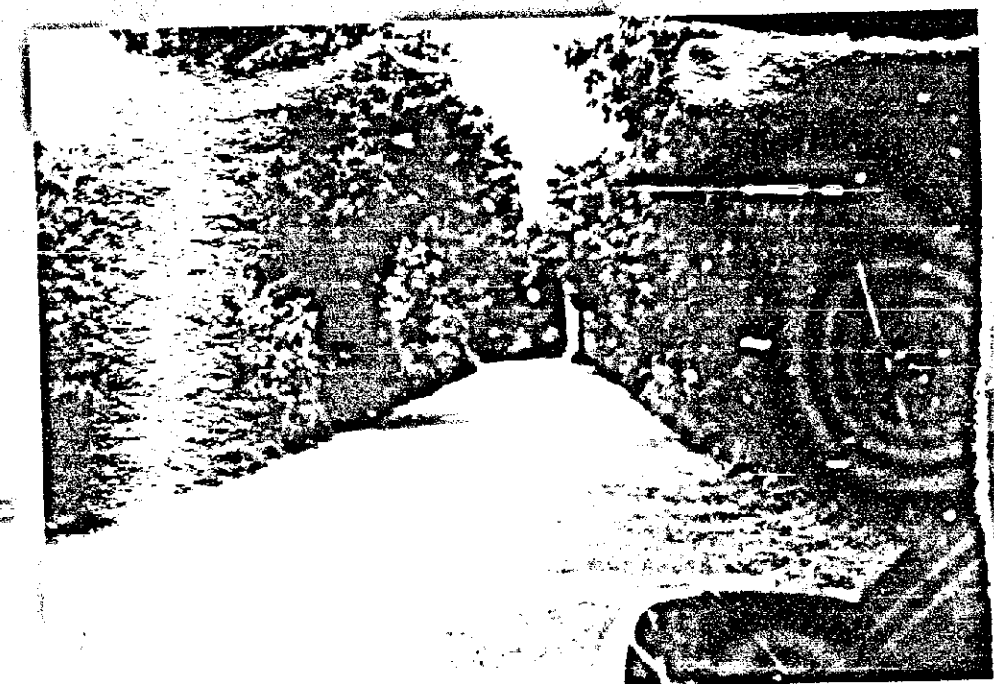
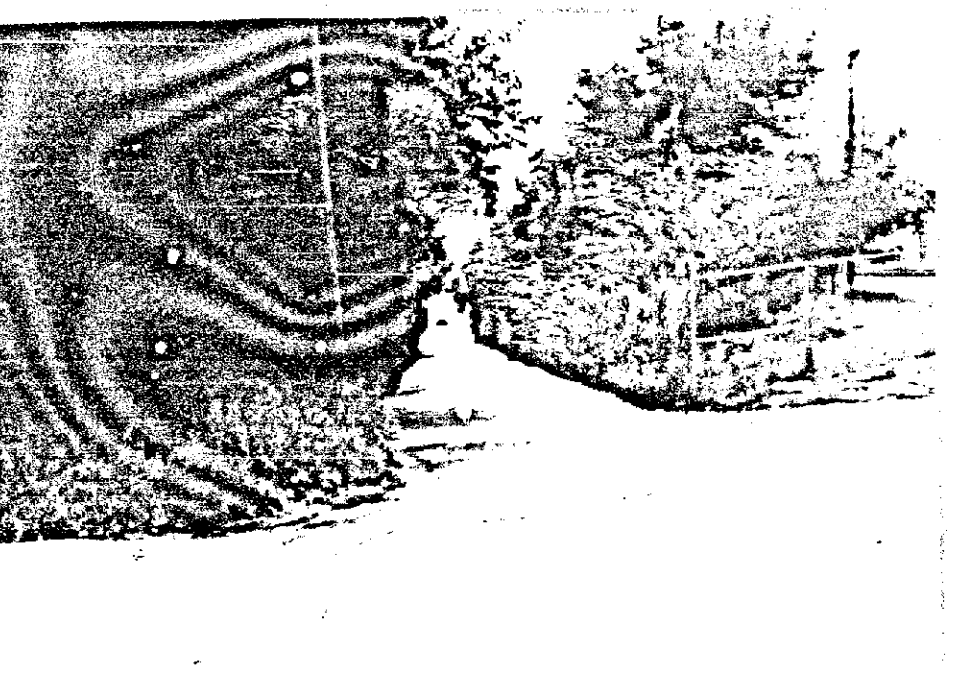
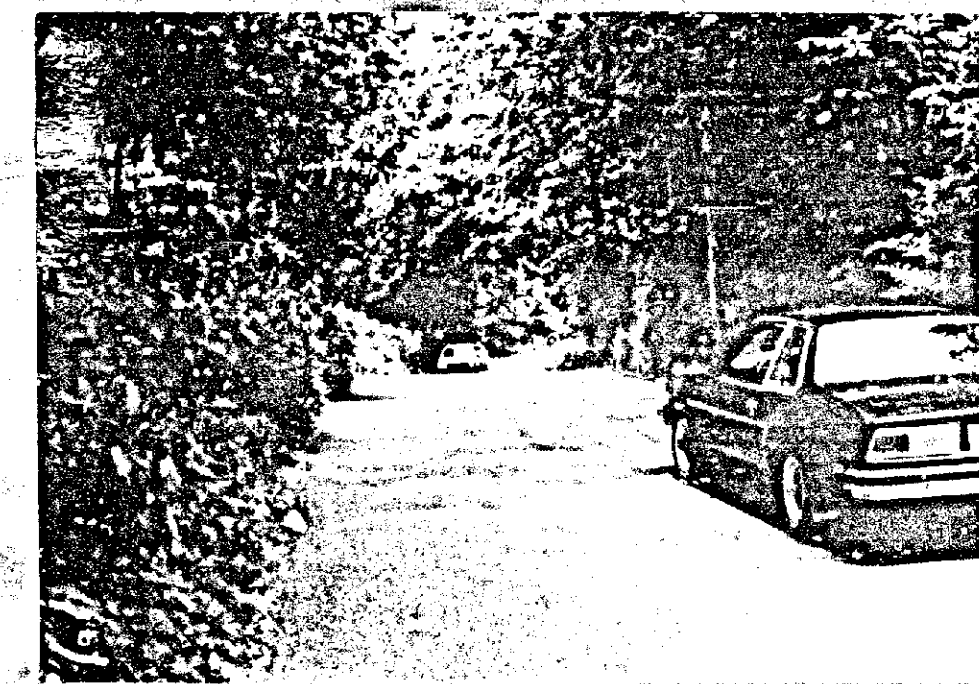
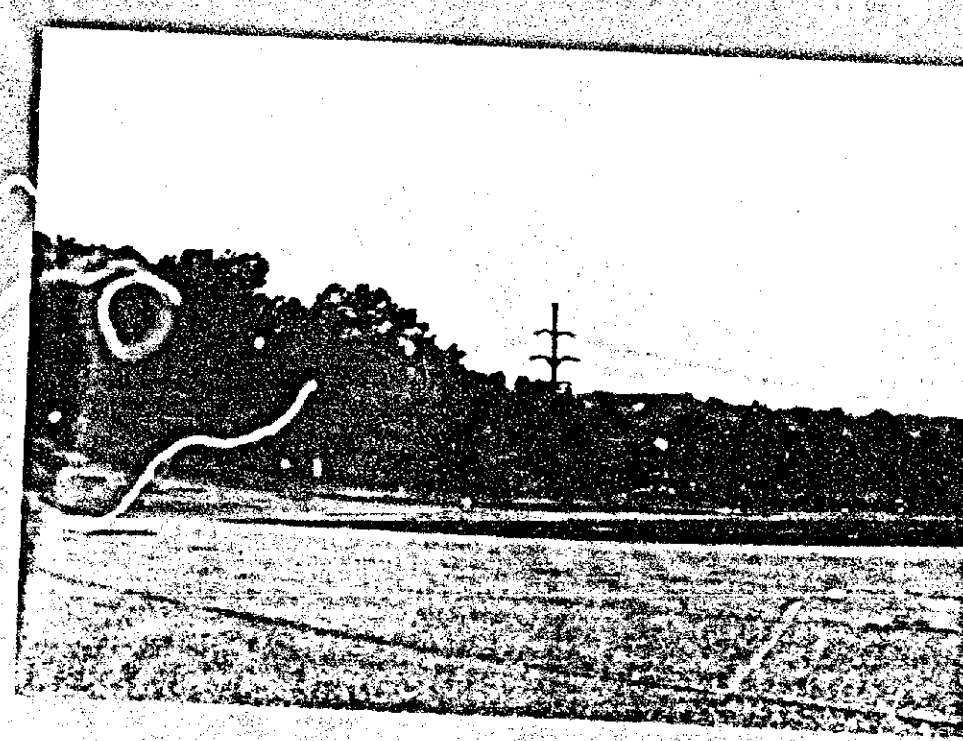
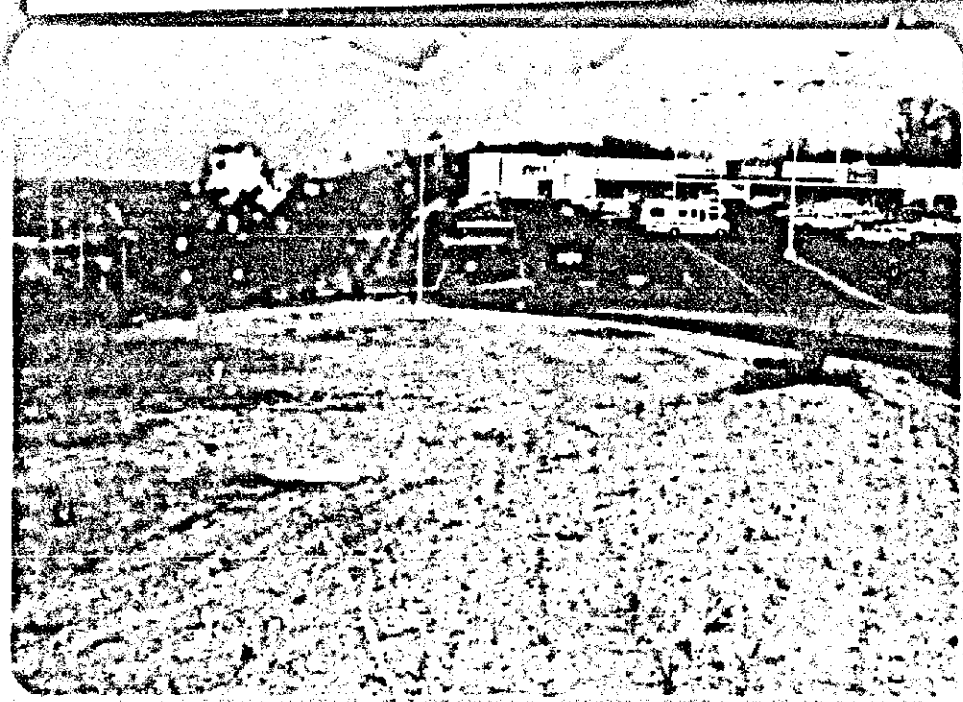
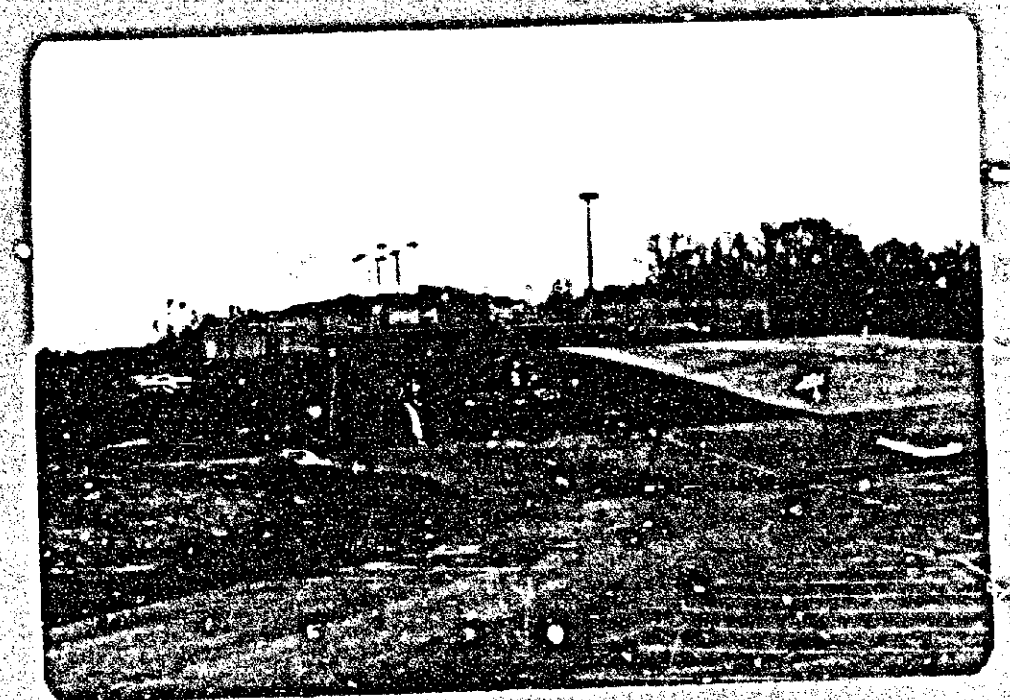
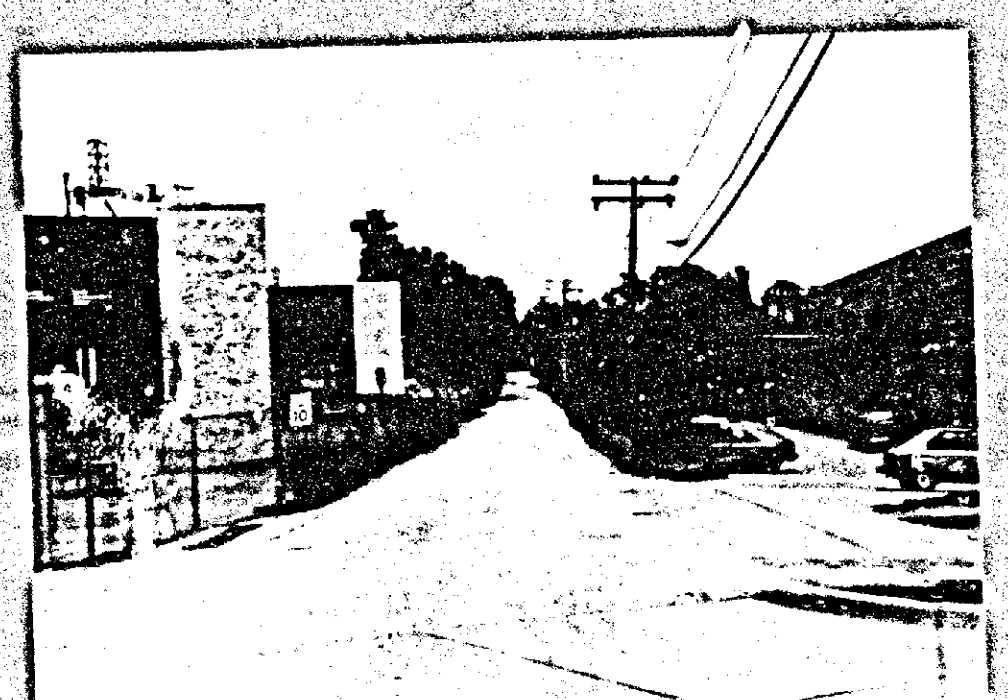
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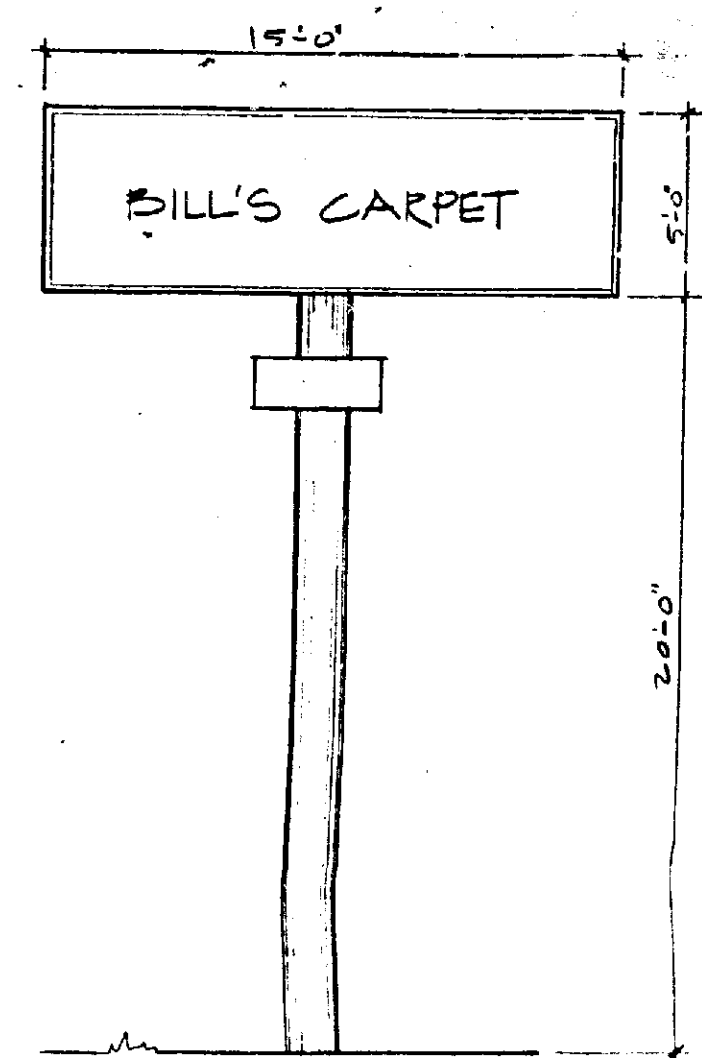
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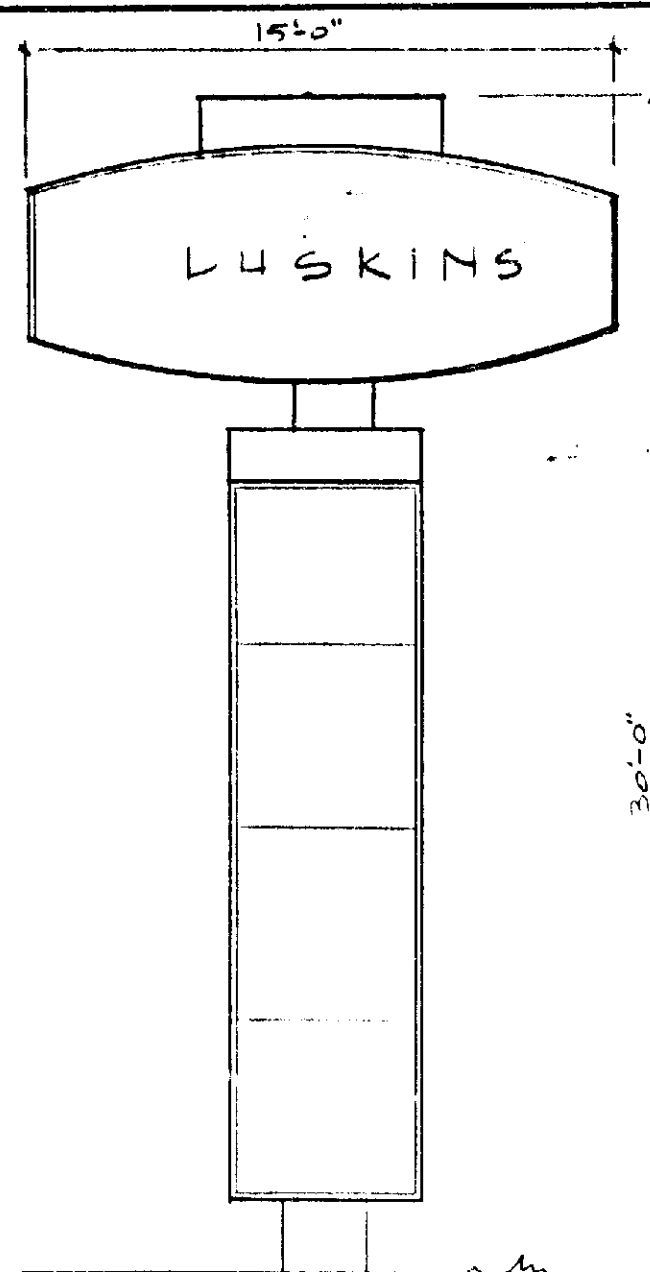
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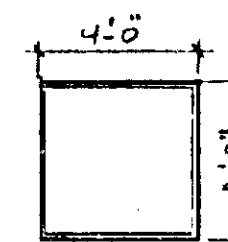
APR 9 1986



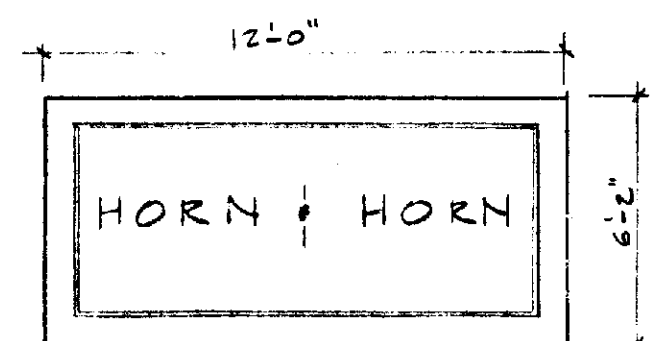
TYPE A



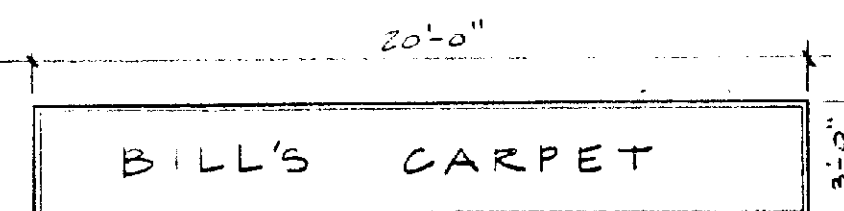
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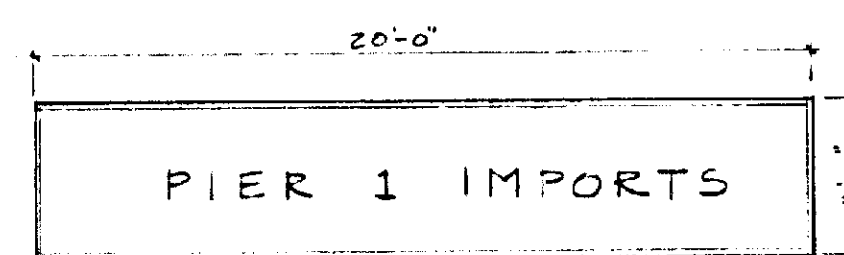
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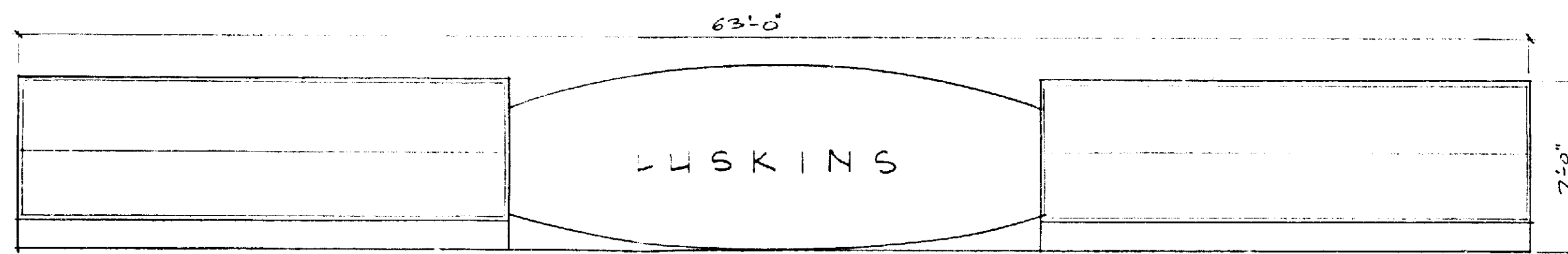
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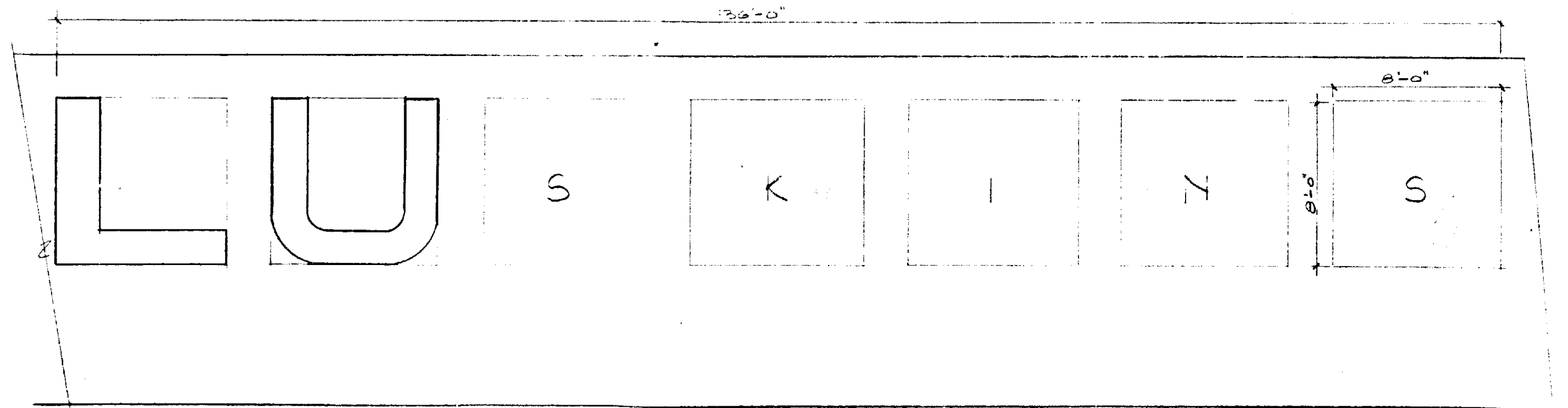
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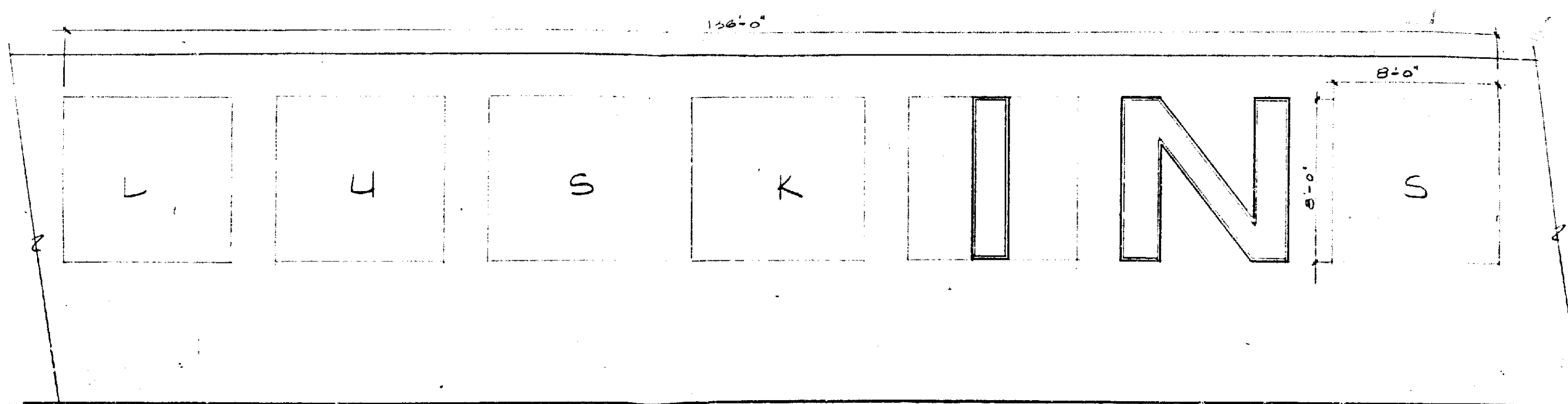
TYPE F



TYPE G



TYPE H



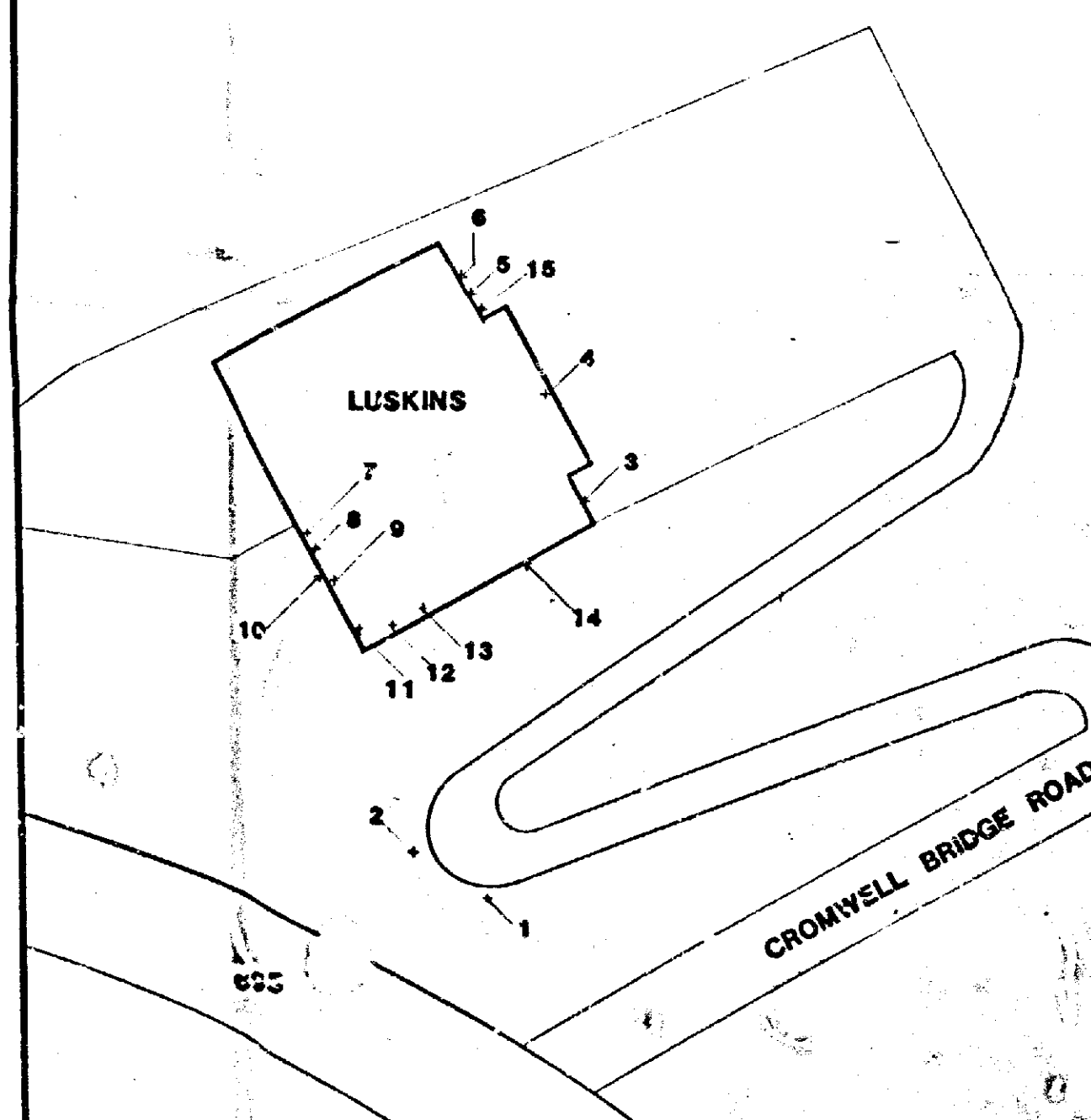
TYPE I

SIGNS

- 1 TYPE A - REVOLVING ILLUMINATED
- 2 TYPE B
- 3 TYPE F
- 4 TYPE G
- 5 TYPE C
- 6 TYPE E
- 7 TYPE C
- 8 TYPE E
- 9 TYPE D
- 10 TYPE H PAINTED
- 11 TYPE F
- 12 TYPE F
- 13 TYPE D
- 14 TYPE I
- 15 TYPE D ILLUMINATED

LOCATION MAP/KEY

+ - DENOTES FREE STANDING OR ROOFTOP MOUNTING / - DENOTES WALL MOUNTING

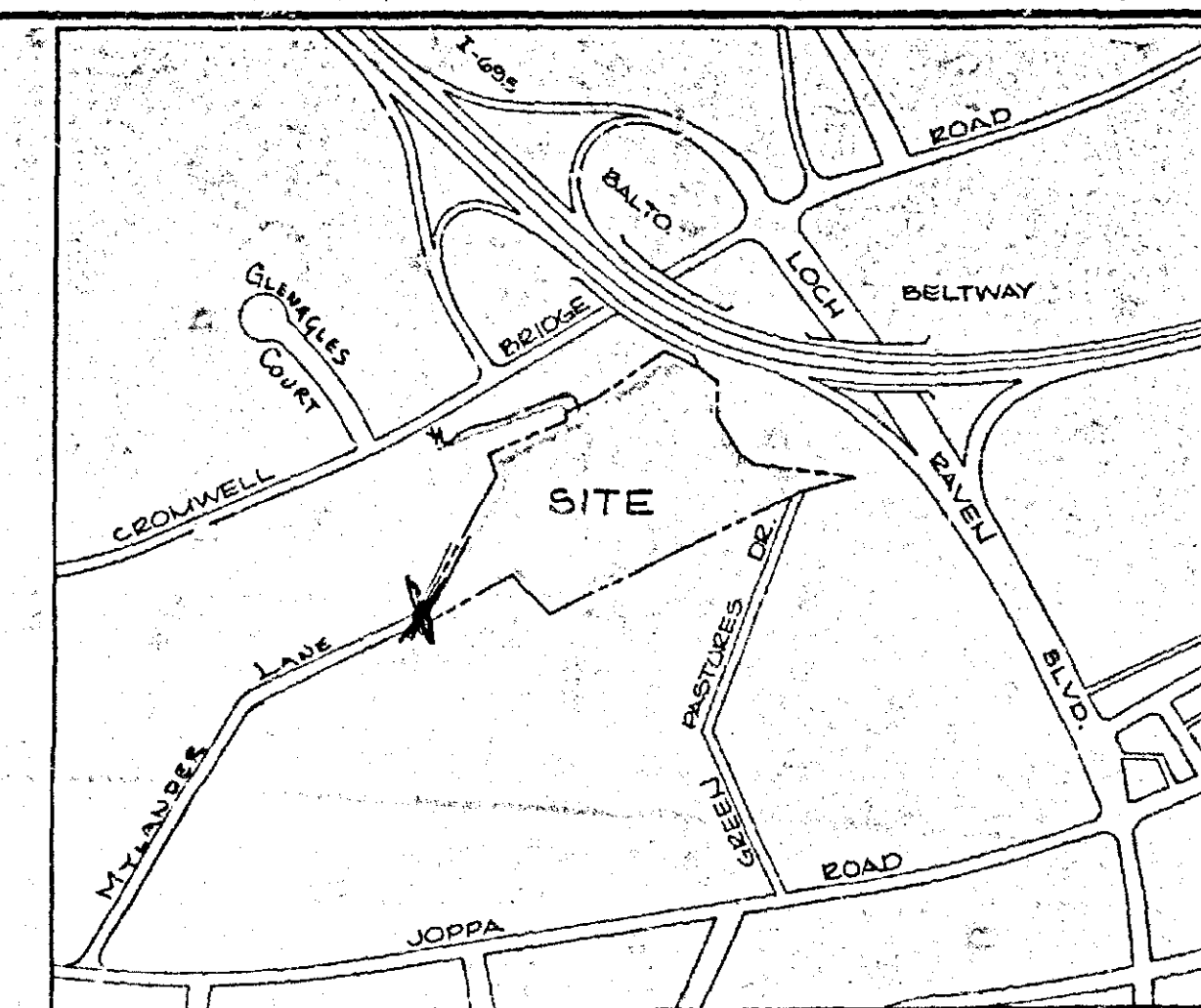


KANN + AMMON INC.
519 West Pratt Street
Suite 102 Baltimore, Maryland 21201
(301) 234-0500 / 727-7110
Architecture Planning Preservation Interior Design

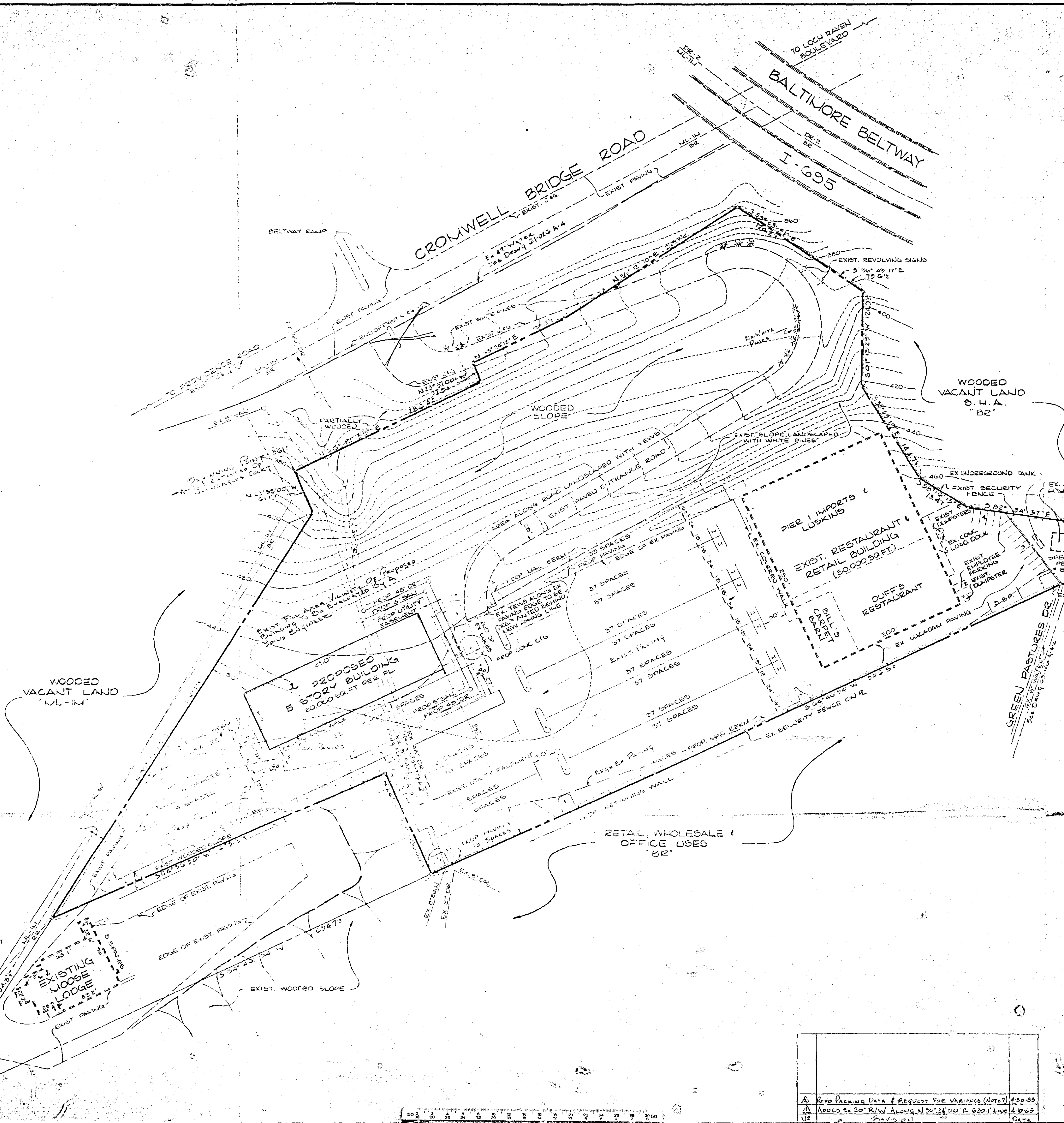
LUSKINS PROPERTY
CROMWELL BRIDGE ROAD ELECTION DISTRICT 9 BALTIMORE COUNTY, MARYLAND

Revisions:

Released For:
☒ Preliminary Only
☐ Bidding
☐ Permits
☐ Construction
Date: 7/24/85
Project No.:
Drawn: RCH
Designed:
Check:
Title:
SIGNAGE
SCALE: 1/4" = 1'-0"



LOCATION MAP
SCALE: 1" = 50'



- ### GENERAL NOTES
- TOTAL AREA OF "LUSKINS PROPERTY": 13.00 AC.
AREA OF PROPERTY TO BE DEVELOPED: 3.5 AC.
 - EXISTING ZONING: "B2" 1 MILE WITH SPECIAL EXCEPTION FOR A MONOPOLY ANTENNA (SEE PETITION N° 84-177-A).
 - EXISTING USE OF THE SITE: RETAIL & RESTAURANT USE.
 - PROPOSED ADDITIONAL USE OF THE SITE: HEALTH SPA, OFFICE & OFF-STREET PARKING DATA.
 - SITE IS LOCATED IN THE LINDBANK RUN DRAINAGE AREA.
 - PROPOSED BUILDING: 5 STORY BUILDING - 20,000 SQ. FT. (175 SPACES) 1/200' (RESTAURANT - 15,000 SQ. FT. - 300 SPACES) 1/50' (RETAIL - 55,000 SQ. FT. - 175 SPACES) 1/200' PROPOSED BUILDING: 20,000 SQ. FT. (175 SPACES) 1/200' HEALTH SPA: 6 RACQUET BALL COURTS - 18 SPACES (3/COURT) GROUND FLOOR AREA: 20,000 S.F. - 627 SPACES (1/300 S.F.) OFFICES - 50,000 S.F. - 120 SPACES (1/500 S.F.) PROPOSED PARKING - 100 SPACES (SEE NOTE 7) LUSKINS (PROPOSED BUILDING) - 100 SPACES
 - PETITIONER IS REQUESTING A VARIANCE TO SECTION 400.28 (B) OF THE ZONING REGULATIONS TO PROVIDE 100 PARKING SPACES INSTEAD OF REQUIRED 812 SPACES, A VARIANCE OF 100 SPACES.
 - EXISTING LIGHT POLES WITHIN THE EXIST. PARKING AREAS TO BE RELOCATED TO ACCOMMODATE NEW PARKING ALIGNMENTS.
 - EXISTING PARKING AREA TO BE RESTRICTED ACCORDING TO THIS PLAN.
 - REQUIRED LANDSCAPING: 1 MAJOR DECIDUOUS TREE/12 PARKING SPACES - 400/12 = 55.5 TREES PROPOSED LANDSCAPING - 53 MAJOR DECIDUOUS TREES

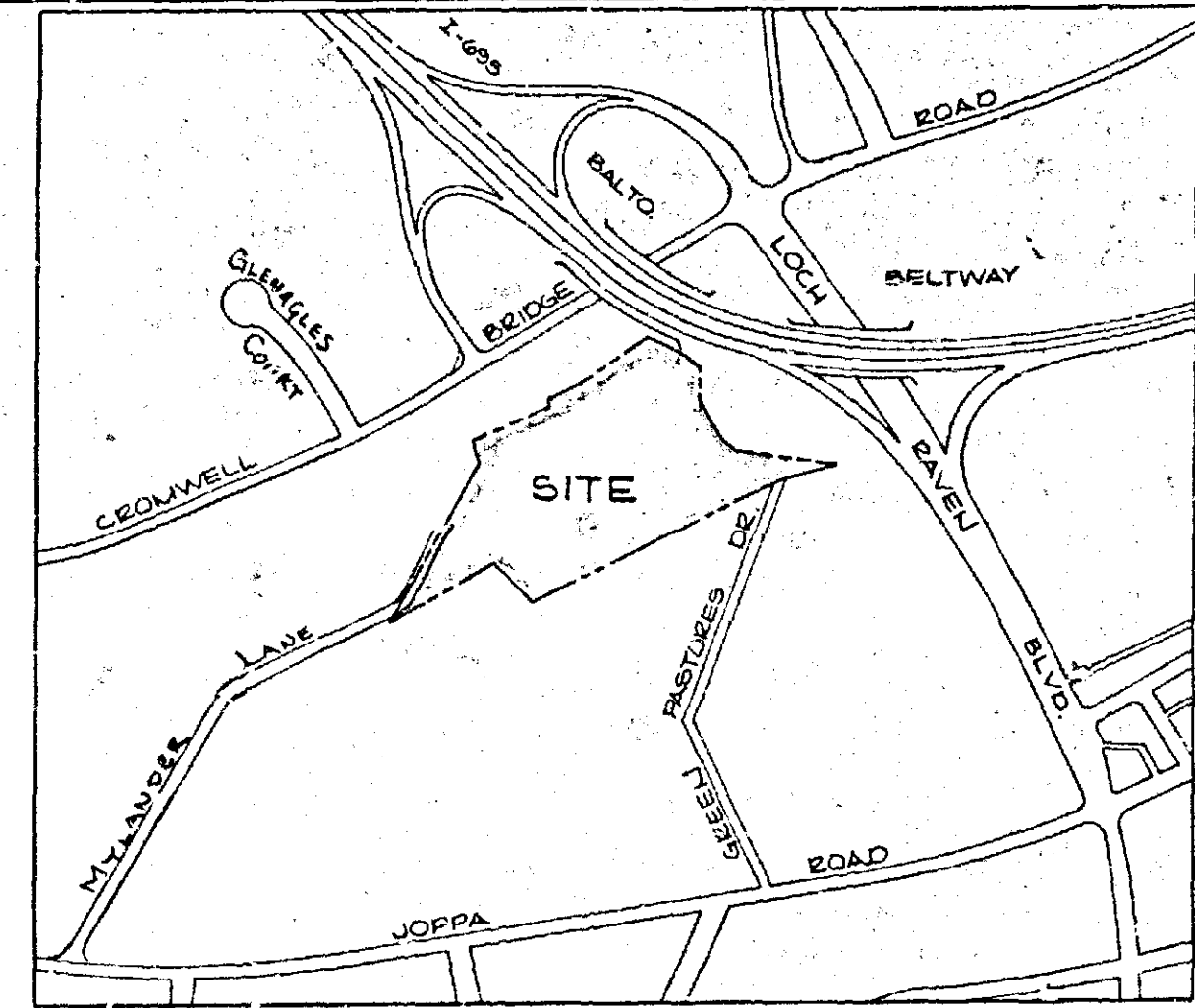
SITE PLAN
FOR A
PROPOSED 5 STORY BUILDING
LUSKINS PROPERTY
CROMWELL BRIDGE ROAD
ELECTION DISTRICT 9 BALTIMORE CO. MD.
SCALE: 1" = 50' MARCH 5, 1985
REVISED: APRIL 10, 1985
APRIL 30, 1985

KIDDE CONSULTANTS, INC.
CONSULTING ENGINEERS
BALTIMORE, MARYLAND

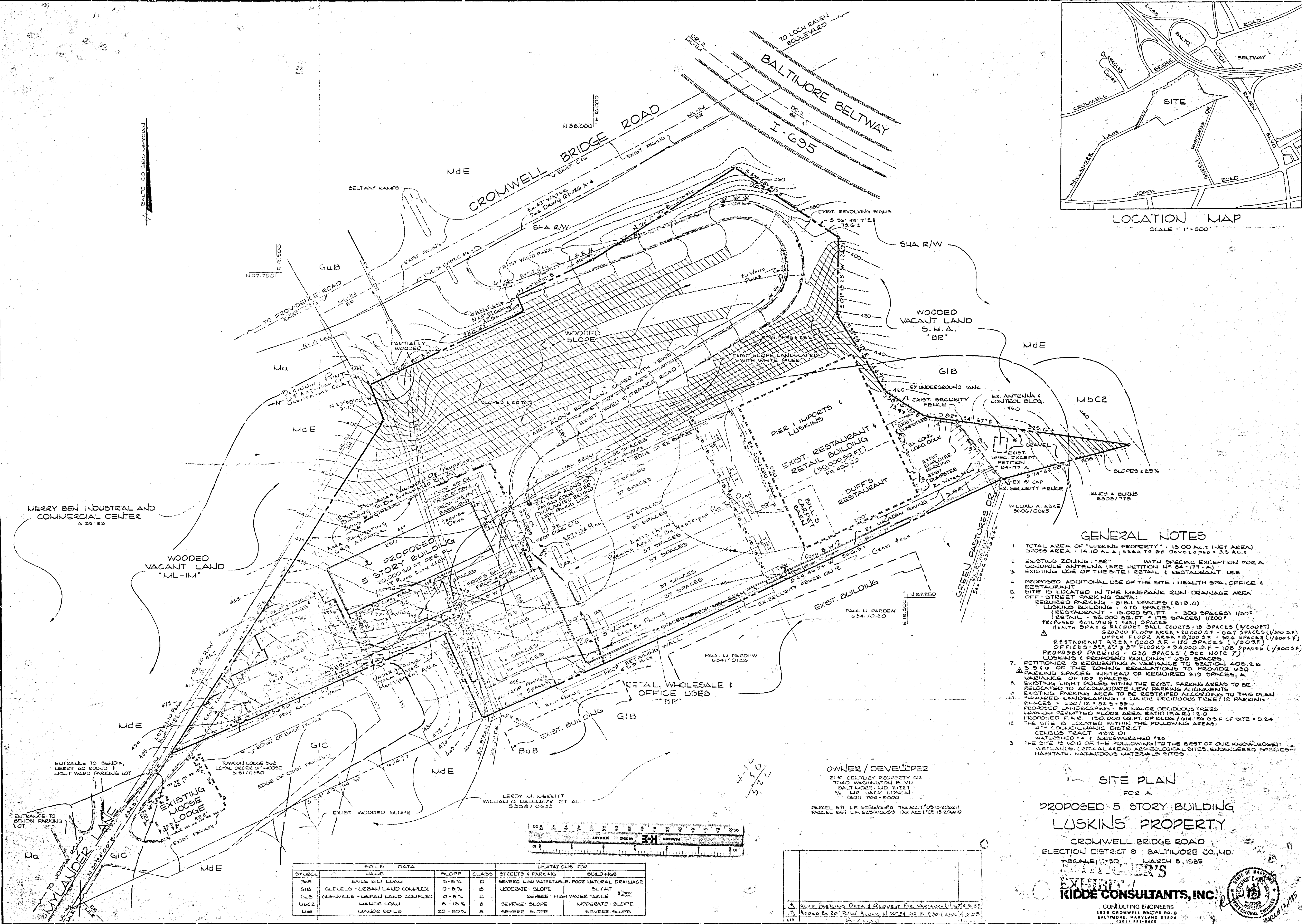
JO 83053

Rev'd Parking Data & Request for Variance (Notes)	4-30-85
Added ex 20' R/W Along N 50' 31' 00" E 630' Line	4-10-85
Revised	DATE

BALTO. CO. GEO. MERIDIAN



LOCATION MAP
SCALE: 1" = 500'



GENERAL NOTES

1. TOTAL AREA OF "LUSKINS PROPERTY": 13.00 AC. (NET AREA)
GROSS AREA: 14.10 AC.; AREA TO BE DEVELOPED: 3.5 AC.
2. EXISTING ZONING: "B2" WITH SPECIAL EXCEPTION FOR A MONOPOLE ANTENNA (SEE PETITION N° 84-177-A)
3. EXISTING USE OF THE SITE: RETAIL & RESTAURANT USE
4. PROPOSED ADDITIONAL USE OF THE SITE: HEALTH SPA, OFFICE & RESTAURANT
5. SITE IS LOCATED IN THE LINEBANK RUN DRAINAGE AREA
6. OFF-STREET PARKING DATA:
REQUIRED PARKING - 819.1 SPACES (819.0)
LUSKINS BUILDING - 475 SPACES
(RESTAURANT - 15,000 S.F. - 300 SPACES) 1/500'
(RETAIL - 55,000 S.F. - 175 SPACES) 1/200'
PROPOSED BUILDING: 343.1 SPACES
HEALTH SPA: 6 RACQUET BALL COURTS - 18 SPACES (3/COURT)
GROUND FLOOR AREA: 20,000 S.F. - 66.7 SPACES (1/300 S.F.)
UPPER FLOOR AREA: 15,000 S.F. - 50.4 SPACES (1/500 S.F.)
RESTAURANT AREA: 6,000 S.F. - 120 SPACES (1/500 S.F.)
OFFICES: 35,000 S.F. - 105 SPACES (1/500 S.F.)
PROPOSED PARKING - 650 SPACES (SEE NOTE 7)
7. PETITIONER IS REQUESTING A VARIANCE TO SECTION 400.2.B
2.01% OF THE ZONING REGULATIONS TO PROVIDE 650
PARKING SPACES INSTEAD OF REQUIRED 819 SPACES, A
VARIANCE OF 169 SPACES
8. EXISTING LIGHT POLES WITHIN THE EXIST. PARKING AREAS TO BE
RELOCATED TO ACCOMMODATE NEW PARKING ALIGNMENTS
9. EXISTING PARKING AREA TO BE RESTORED ACCORDING TO THIS PLAN
10. REQUIRED LANDSCAPING: 1 MAJOR RESIDUOUS TREE / 12 PARKING
SPACES = 650 / 12 = 54.17
PROPOSED LANDSCAPING: 53 MAJOR DECIDUOUS TREES
MAXIMUM PERMITTED FLOOR AREA RATIO (F.A.R.) 1.20
PROPOSED F.A.R. 150,000 SQ. FT. OF BLDG. / 614,124 G.S.F. OF SITE = 0.24
11. THE SITE IS LOCATED WITHIN THE FOLLOWING AREAS:
4th CONGRESSIONAL DISTRICT
CENSUS TRACT 4912.01
WATERSHED 14 & SUBWATERSHED 120
12. THE SITE IS VOIO OF THE FOLLOWING (TO THE BEST OF OUR KNOWLEDGE):
WETLANDS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES
HABITATS, HAZARDOUS MATERIALS SITES

OWNER / DEVELOPER

21st CENTURY PROPERTY CO.
7540 WASHINGTON BLVD.
BALTIMORE, MD. 21221
9th MD. JACK LUSKINS
(301) 730-0000
PARCEL 571 L.F. 6254/0659 TAX ACCT. 09-13-200611
PARCEL 567 L.F. 6254/0659 TAX ACCT. 09-13-200610

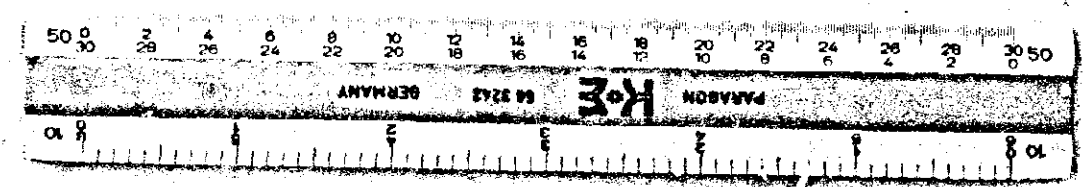
SITE PLAN

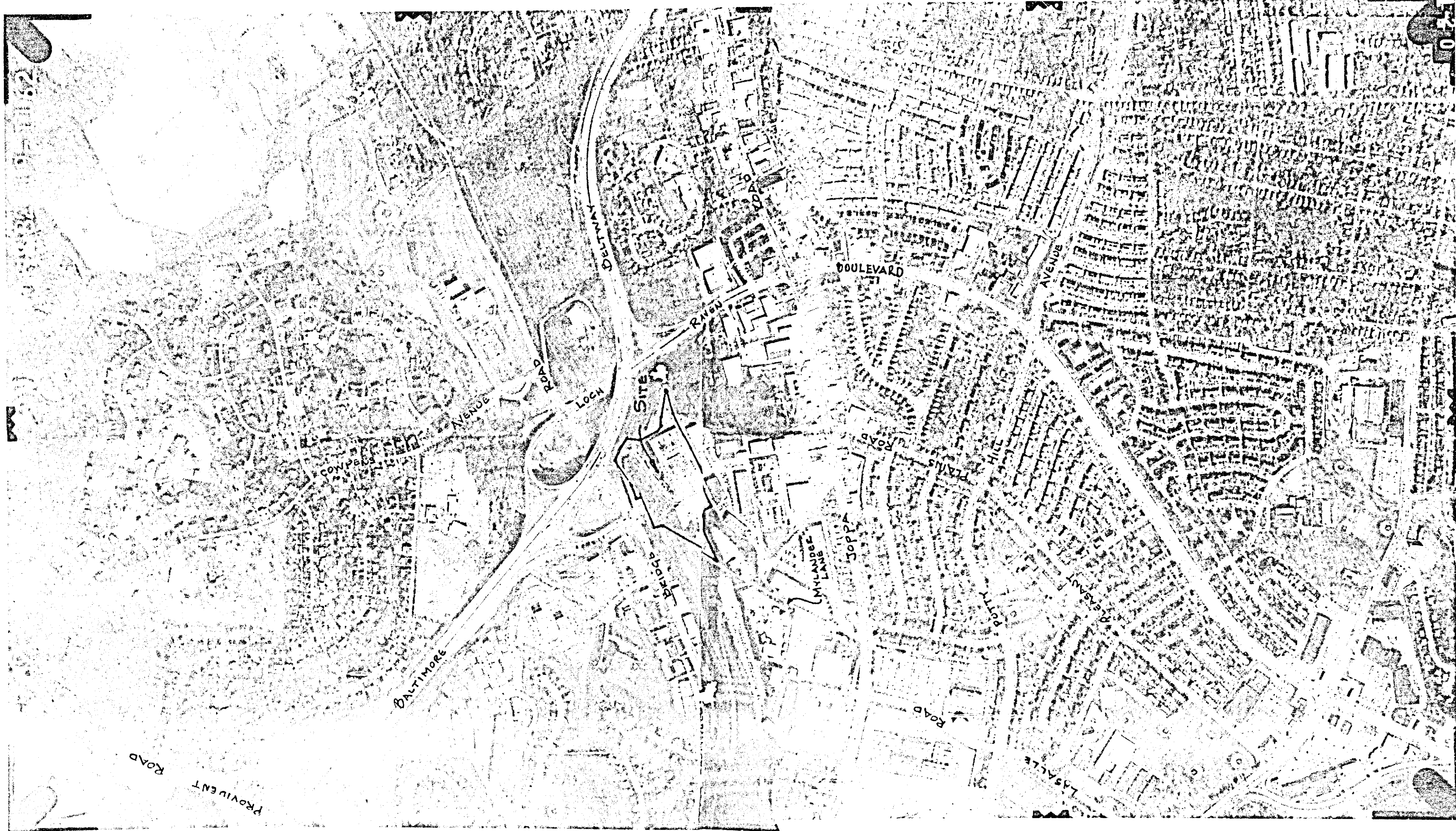
FOR A
PROPOSED 5 STORY BUILDING
LUSKINS PROPERTY

CROMWELL BRIDGE ROAD
ELECTION DISTRICT 9 BALTIMORE CO., MD.
SCALE: 1" = 50' MARCH 8, 1985

KIDDE CONSULTANTS, INC.
CONSULTING ENGINEERS
1028 CROMWELL BRIDGE ROAD
BALTIMORE, MARYLAND 21204
(301) 521-5500

SOILS DATA		SLOPE		CLASS		LIMITATIONS FOR	
SYMBOL	NAME					STREETS & PARKING	BUILDINGS
Gub	BAILE SILT LOAM	5-8%		D		SEVERE: HIGH WATER TABLE, POOR NATURAL DRAINAGE	
G1B	GLENVIEW - URBAN LAND COMPLEX	0-8%		D		MODERATE: SLOPE	SLIGHT
Gub	GLENVIEW - URBAN LAND COMPLEX	0-8%		C		SEVERE: HIGH WATER TABLE	
MbC2	MANOR LOAM	8-15%		B		SEVERE: SLOPE	MODERATE: SLOPE
MdE	MANOR SOILS	25-50%		B		SEVERE: SLOPE	SEVERE: SLOPE





Scale: 1"=500'

ADP

19-2

John O. Hennegan, Esquire
David J. Preller, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

May 14, 1985

NOTICE OF HEARING

RE: Petition for Variance
SE/S Cromwell Bridge Rd., 361' NE from the
c/l of Glen Eagles Court
21st Century Properties - Petitioner
Case No. 85-360-A

TIME: 1:30 p.m.

DATE: Wednesday, June 12, 1985

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

[Signature]
Zoning Commissioner
of Baltimore County

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

No. 005612

DATE: 5/23/85 ACCOUNT: *[illegible]*

AMOUNT: \$ 20.00

RECEIVED FROM: *[illegible]*

FOR: *[illegible]*

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 31, 1985

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

Chairman
Nicholas B. Commodari

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

John O. Hennegan, Esquire, and
David J. Preller, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Item No. 280 - Case No. 85-360-A
Petitioner - 21st Century Properties
Variance Petition

Dear Mr. Hennegan:

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

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. 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, Jr.
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

RE: Item

Enclosures

cc: Kilde Consultants
1020 Cromwell Bridge Road
Towson, Maryland 21204

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

May 17, 1985

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

RE: Item #280 (1984-1985)
Property Owner: 21st Century Properties
SE/S Cromwell Bridge Rd., 361' N/E from
Centerline Glen Eagles Ct.
Acre: 13
District: 9th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General Comments:

There is an existing 48-inch storm drain and 8-inch sanitary sewer within drainage and utility easements passing through this site. Provisions must be made for their relocation under a public County contract.

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.

Very truly yours,

James A. Markle, Jr.
JAMES A. MARKLE, JR., Chief
Bureau of Public Services

JAM: EAM: PNO: 185

cc: File

BALTIMORE COUNTY
DEPARTMENT OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211
LORNA E. GERSON
DIRECTOR

MAY 28, 1985

RE: Zoning Advisory Meeting of APRIL 2, 1985
Item # 280 - 21ST CENTURY PROPERTIES
Location: SE/S CROMWELL BRIDGE RD. 361'
N/E FROM GLEN EAGLES CT.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable:

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-58 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on 5/15/85.
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual.
- ☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is 15.
- ☒ The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Area is re-evaluated annually by the County Council.
- ☒ Additional comments:
SE/S CROMWELL BRIDGE RD. 361' N/E FROM GLEN EAGLES CT.
OFFICE USES IN THE AREA ARE SUBJECT TO
SE/S CROMWELL BRIDGE RD. 361' N/E FROM GLEN EAGLES CT.
SE/S CROMWELL BRIDGE RD. 361' N/E FROM GLEN EAGLES CT.

cc: James Howell

Eugene A. Boer
Chief, Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

April 9, 1985

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

Item No. 280 -ZAC- Meeting of April 2, 1985
Property Owner: 21st Century Properties
Location: SE/S Cromwell Bridge Road 361' N/E from c/l Glen Eagles Court.
Existing Zoning: R. & M.L.R.
Proposed Zoning: Variance to permit 630 parking spaces in lieu of the required 837 spaces.

Acre: 13
District: 9th

Dear Mr. Jablon:

A parking variance to this extent can be expected to cause serious problems in the area.

MSF/cem

[Signature]
Michael S. Flanigan
Traffic Engineering Assoc. II

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

April 15, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: 21st Century Properties

Location: SE/S Cromwell Bridge Rd. 361' N/E from c/l Glen Eagles Ct.

Item No.: 280 Zoning Agenda: Meeting 4/2/85

Gentlemen:

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

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

- (x) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

Page -2-

Property Owner: 21st Century Properties

Item No.: 280

Meeting of 4/2/85

- 4. Existing 28 feet paved entrance road shall be posted with fire lane signs for its entire length.

CERTIFICATE OF PUBLICATION

TOWSON, MD, May 23, 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 May 23, 1985.

THE JEFFERSONIAN,

[Signature]
Publisher

Cost of Advertising

22

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

April 15, 1985

ED LALUSH JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 280 Zoning Advisory Committee Meeting are as follows:

Property Owner: 21st Century Properties
Location: SE/S Cromwell Bridge Road 361' N/E from C/l Glen Eagles Court
Existing Zoning: R. & M.L.R.
Proposed Zoning: Variance to permit 630 parking spaces in lieu of the required 837 spaces.

Acre: 13
District: 9th.

The items checked below are applicable:

- ☒ All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Handicapped and Age; and other applicable Codes.
- ☒ A building/other / permit shall be required before beginning construction.
- ☒ Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required. Non-reproduced seals and signatures are required on Plans and Technical data.
- ☒ Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- ☒ 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 6" one hour fire resistant construction, no openings permitted within 3'0" of lot line. A fire wall is required if construction is on the lot line, see Table 101, line 2, Section 1007 and Table 1002, also Section 501.1.
- ☒ Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____.
- ☒ 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.
- ☒ Before this office can comment on the above structure, please have the owner, turn the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.
- ☒ Comments - Soils reports will be required. The Handicapped Code requires 2% of the total parking spaces provided be handicapped spaces. See State Code and Baltimore County Building Code. Show ramps, curb cuts, signs, building access, etc. Also buildings over 45'-0" require sprinklers. Permits filed after April 21, 1985 shall comply with the 1991 B.O.C.A. Code as adopted by Bill #17-85.

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

Very truly yours,

[Signature]
Charles E. Burnham, Chief
Plans Review

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: June 24, 1985
Norman E. Gerber, Director
FROM: Office of Planning & Zoning
SUBJECT: Zoning Petition No. 85-360-A

Assuming compliance with the comments of the Zoning Plans Advisory Committee, this office is not opposed to the granting of the subject request.

Norman E. Gerber, Director
Office of Planning & Zoning

NEG:JGR:alm

85-360-A

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
6th day of May, 1985.

Arnold Jablon
Zoning Commissioner

Petitioner: 21st Century Properties
Petitioner's Attorney: John O. Hennegan & David Preller, Esq.
Received by: Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

85-360-A

District: 9th Date of Posting: 5/24/85
Posted for: Variance
Petitioner: 21st Century Properties
Location of property: 446 Cromwell Bridge Rd., 341' N.E. of the intersection of
Cromwell Bridge Rd. and the property of the County of Baltimore
Location of Sign: 446 Cromwell Bridge Rd., 341' N.E. of the intersection of
Cromwell Bridge Rd. and the property of the County of Baltimore
Remarks: 1. The proposed variance is for the purpose of allowing the petitioner to use the property for a parking lot. 2. The proposed variance is for the purpose of allowing the petitioner to use the property for a parking lot.
Posted by: [Signature] Date of return: 5/31/85
Number of Signs: 2

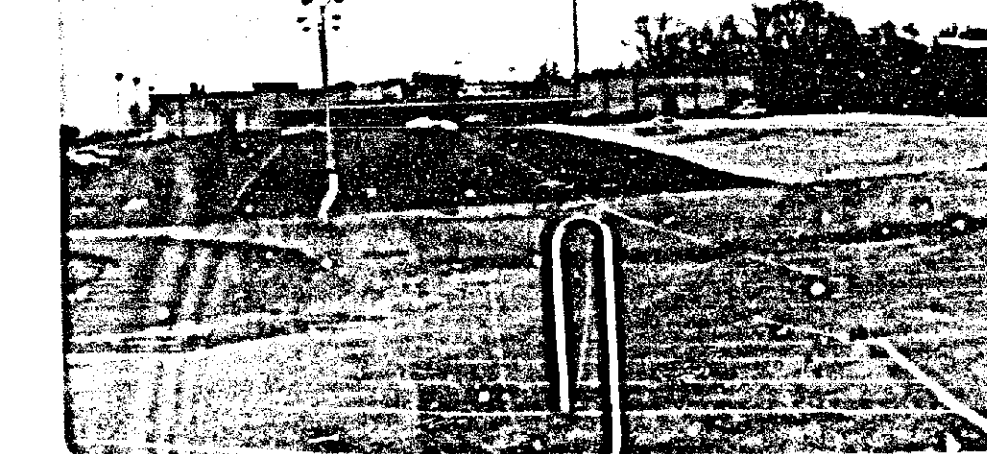
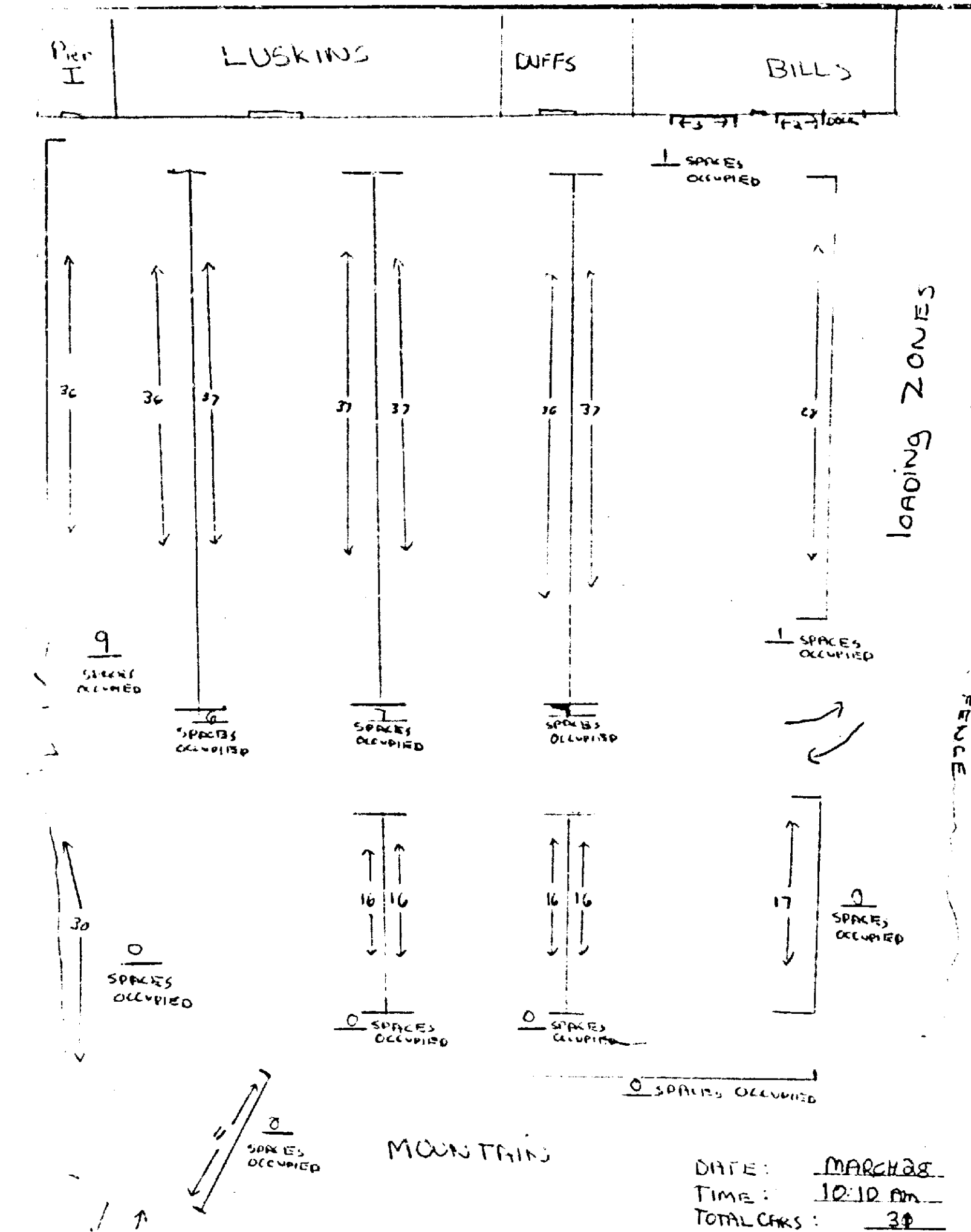
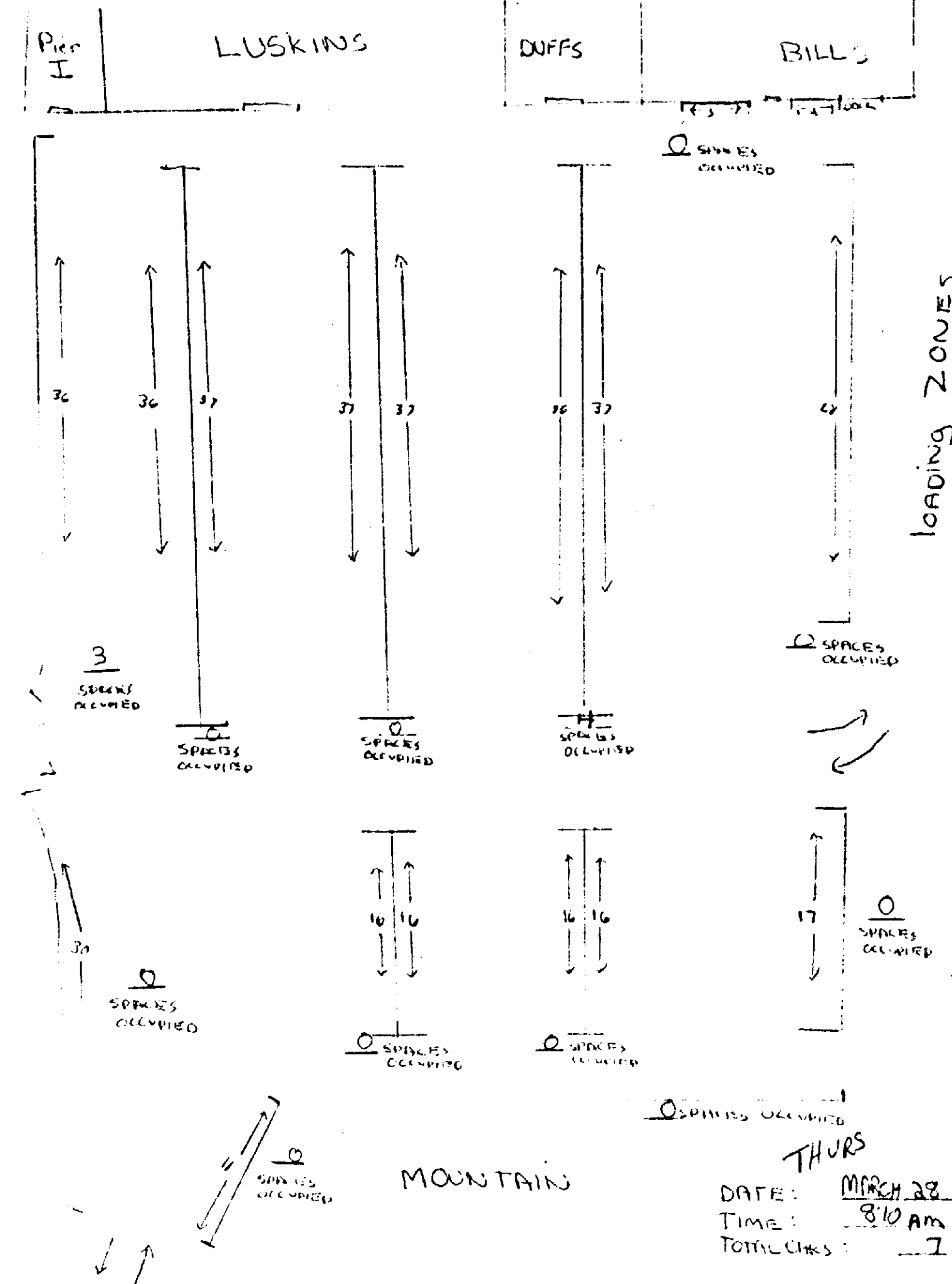
CERTIFICATE OF PUBLICATION

Towson, Md. 6/5/1985

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 1st day of May, 1985.

The TOWSON TIMES

Cost of Advertisement: \$10.00

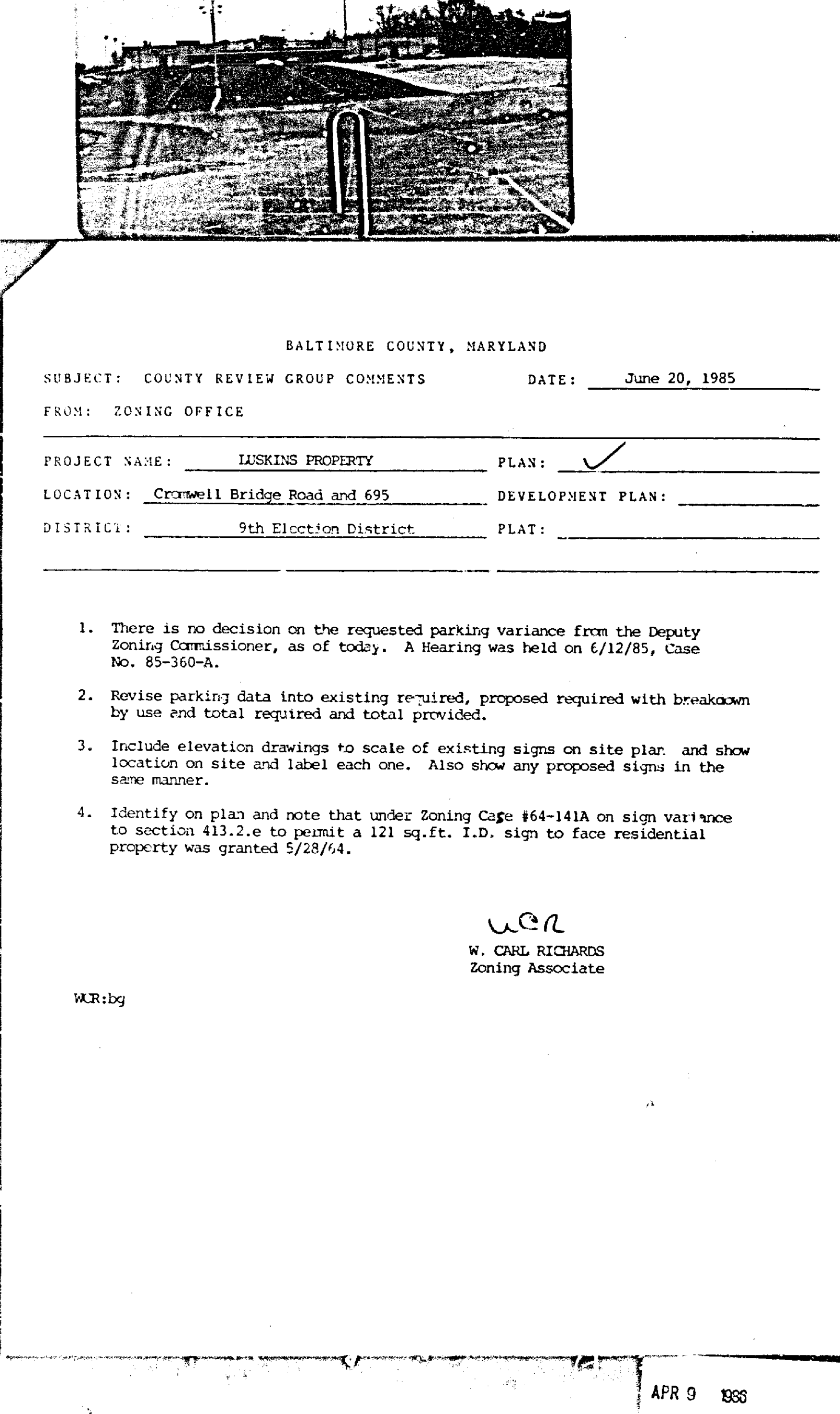
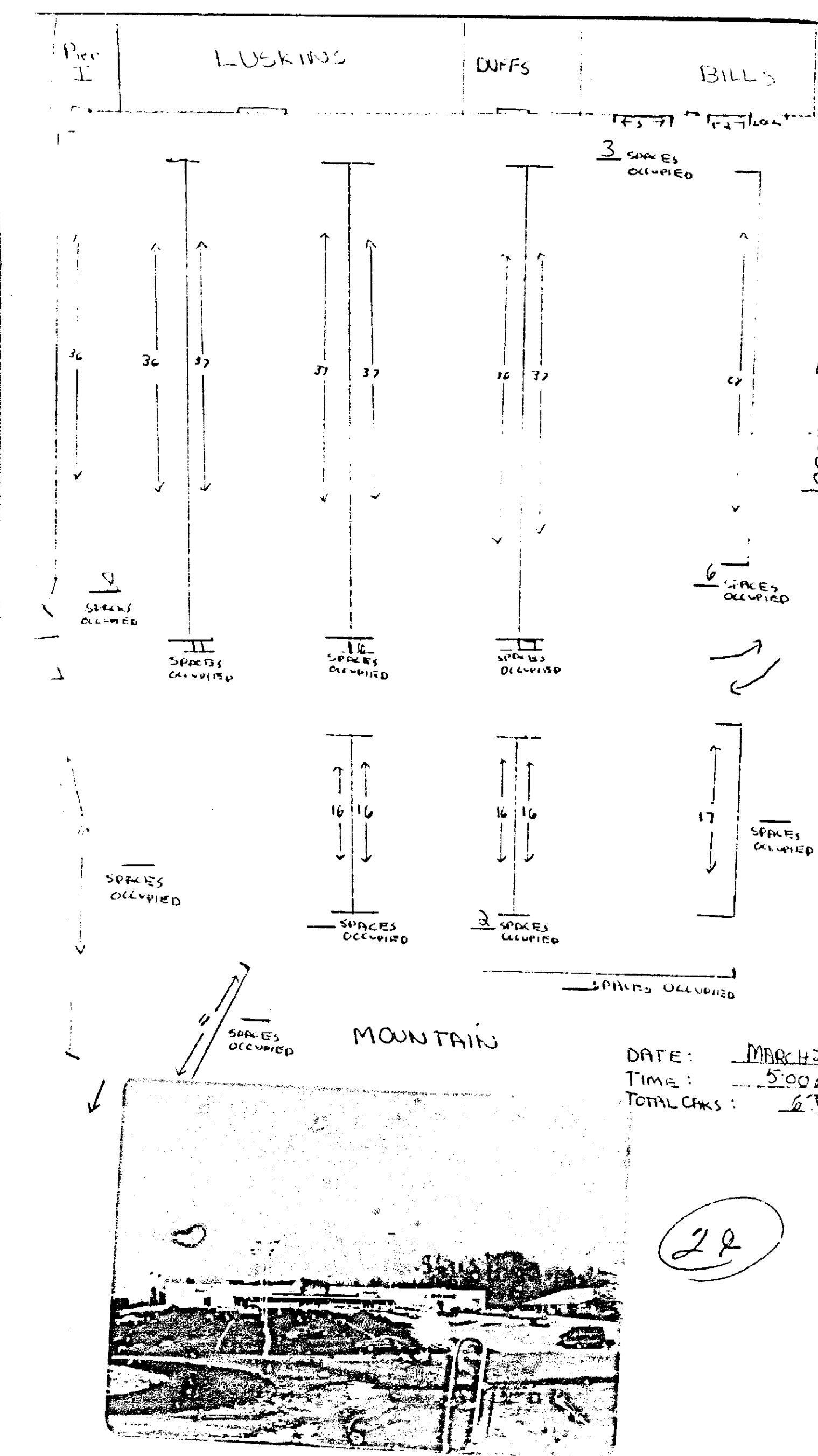


BALTIMORE COUNTY, MARYLAND
SUBJECT: COUNTY REVIEW GROUP COMMENTS DATE: June 20, 1985
FROM: ZONING OFFICE
PROJECT NAME: LUSKINS PROPERTY PLAN: [checked]
LOCATION: Cromwell Bridge Road and 695 DEVELOPMENT PLAN:
DISTRICT: 9th Election District PLAT:

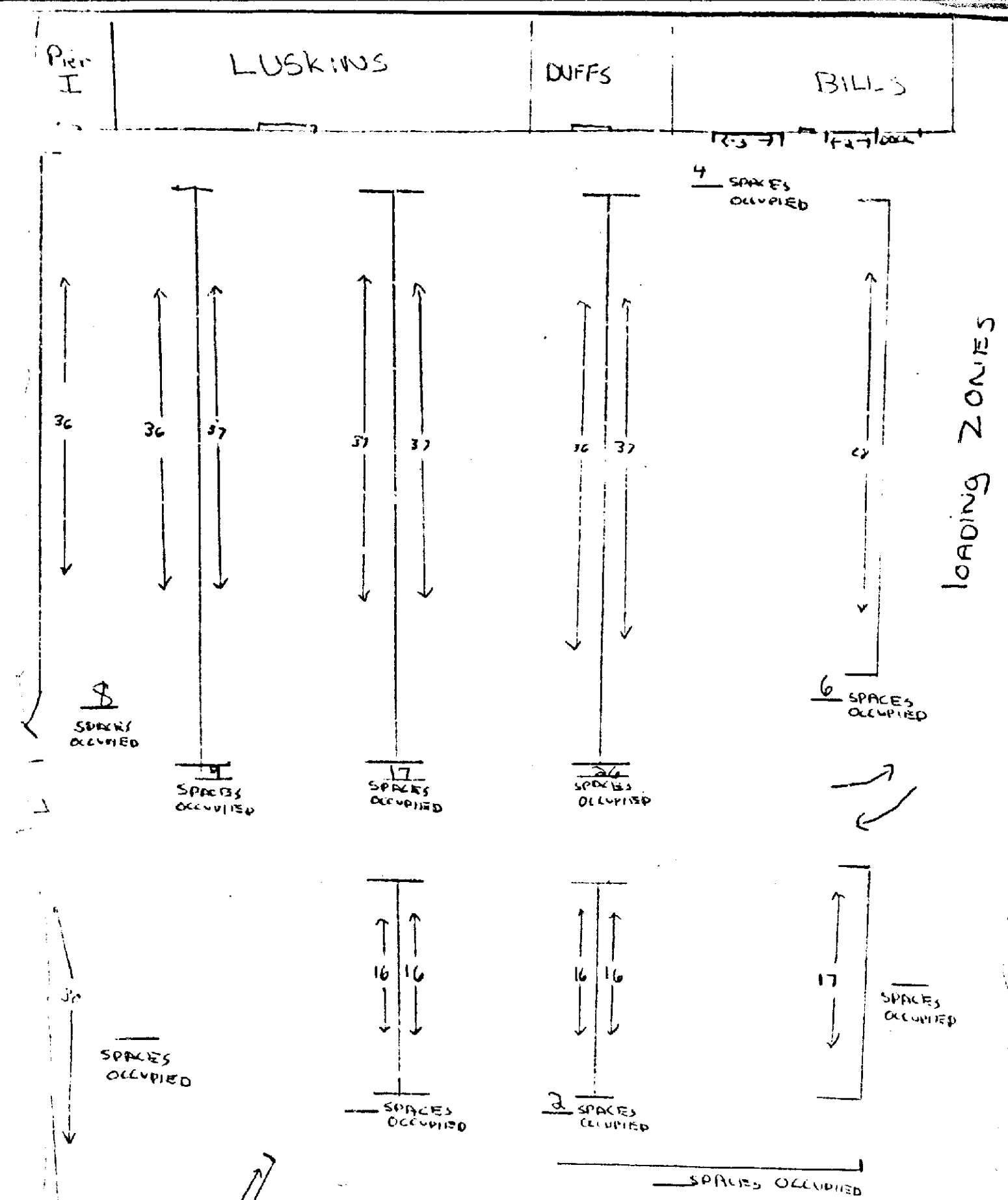
- There is no decision on the requested parking variance from the Deputy Zoning Commissioner, as of today. A Hearing was held on 6/12/85, Case No. 85-360-A.
- Revise parking data into existing required, proposed required with breakdown by use and total required and total provided.
- Include elevation drawings to scale of existing signs on site plan and show location on site and label each one. Also show any proposed signs in the same manner.
- Identify on plan and note that under Zoning Code #64-141A on sign variance to section 411.2.e to permit a 121 sq.ft. I.D. sign to face residential property was granted 5/28/84.

W. CARL RICHARDS
Zoning Associate

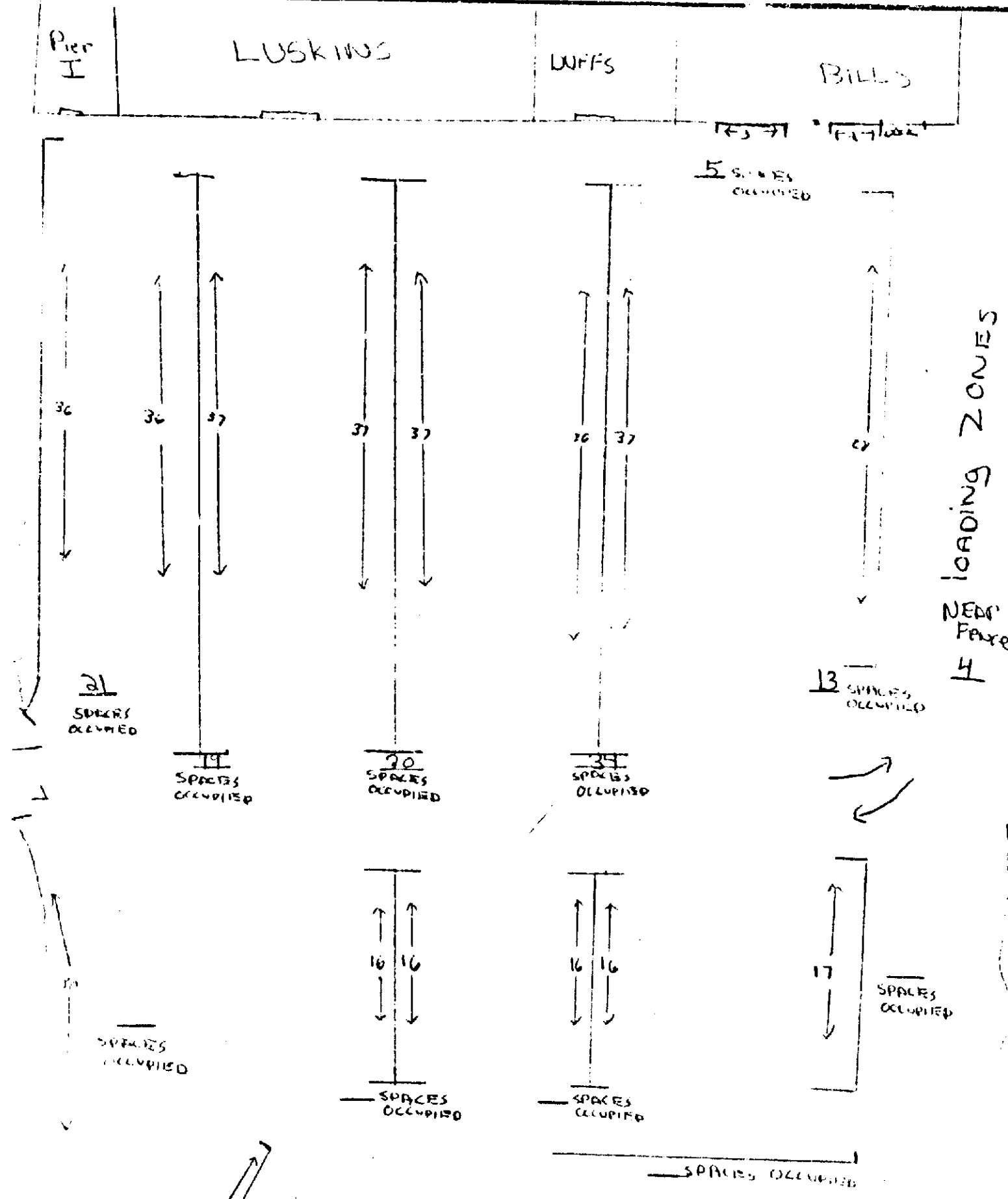
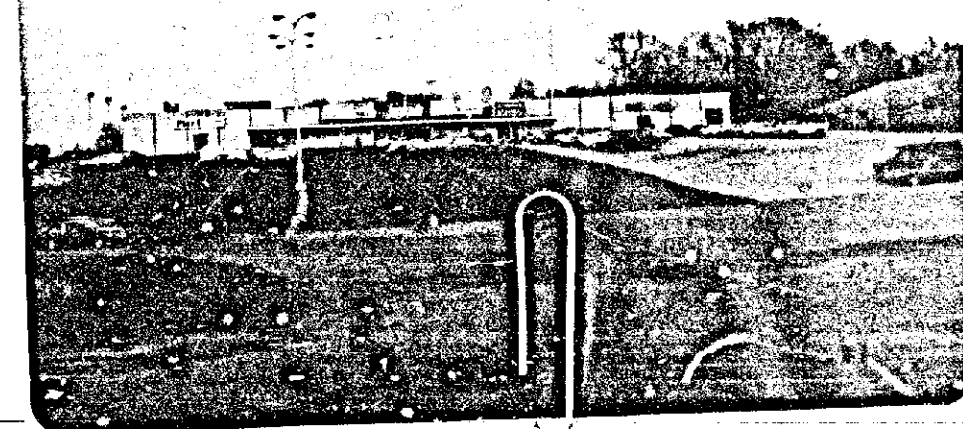
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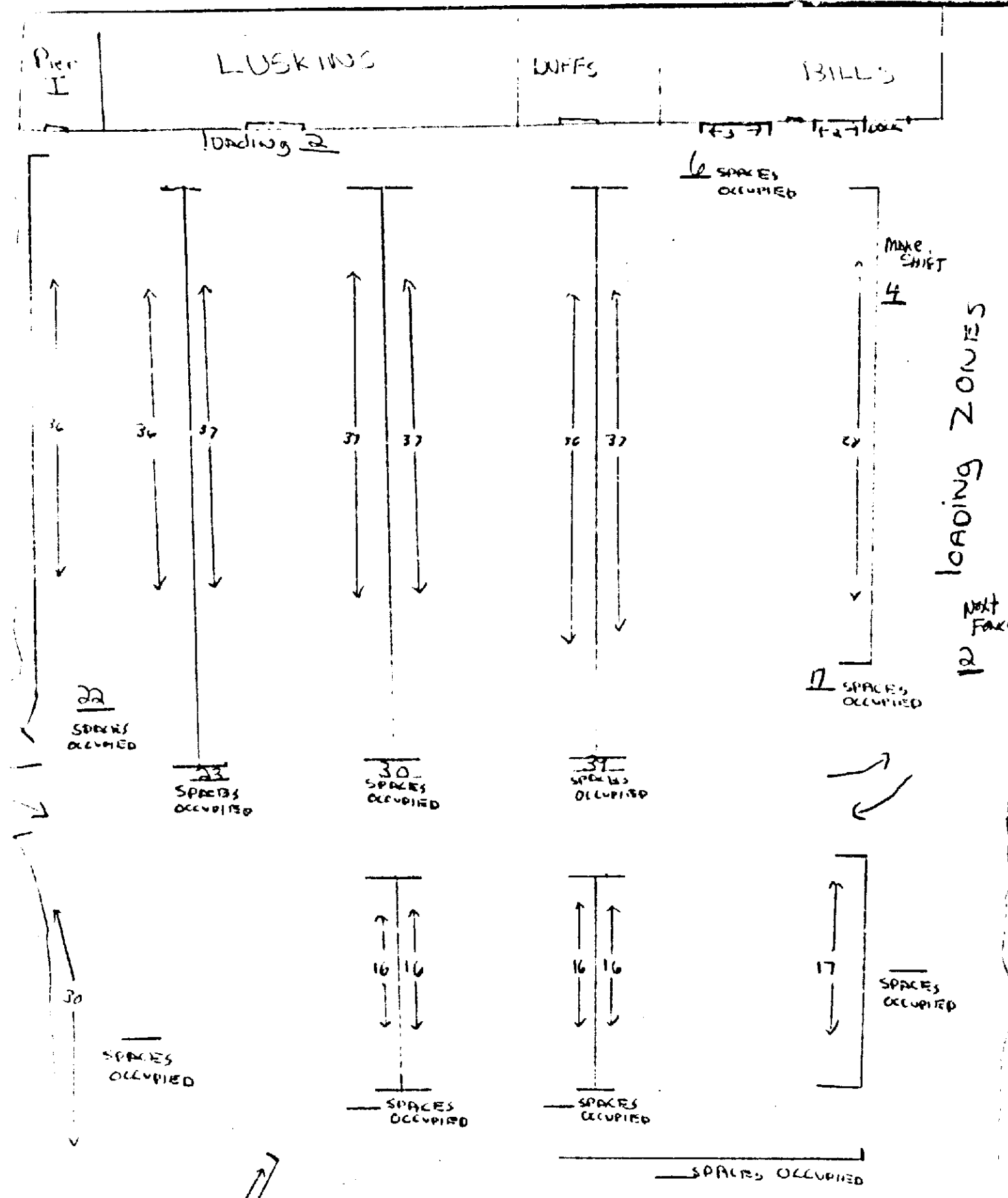
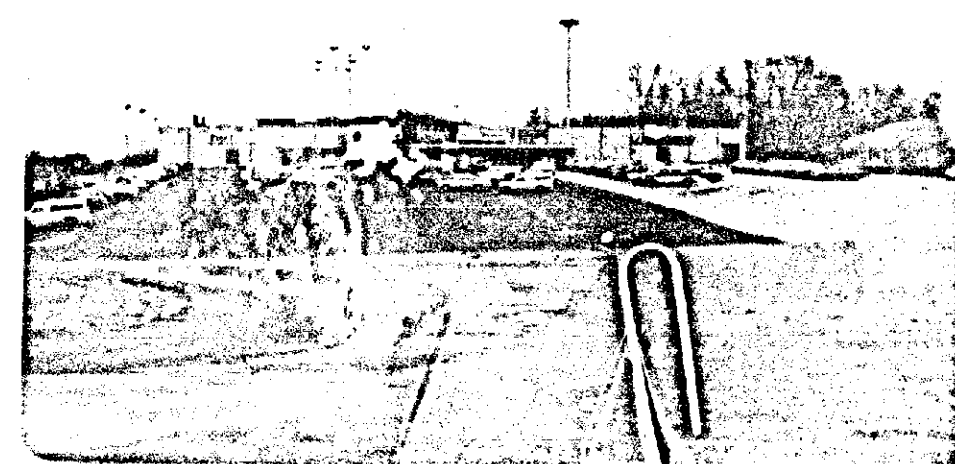
APR 9 1985



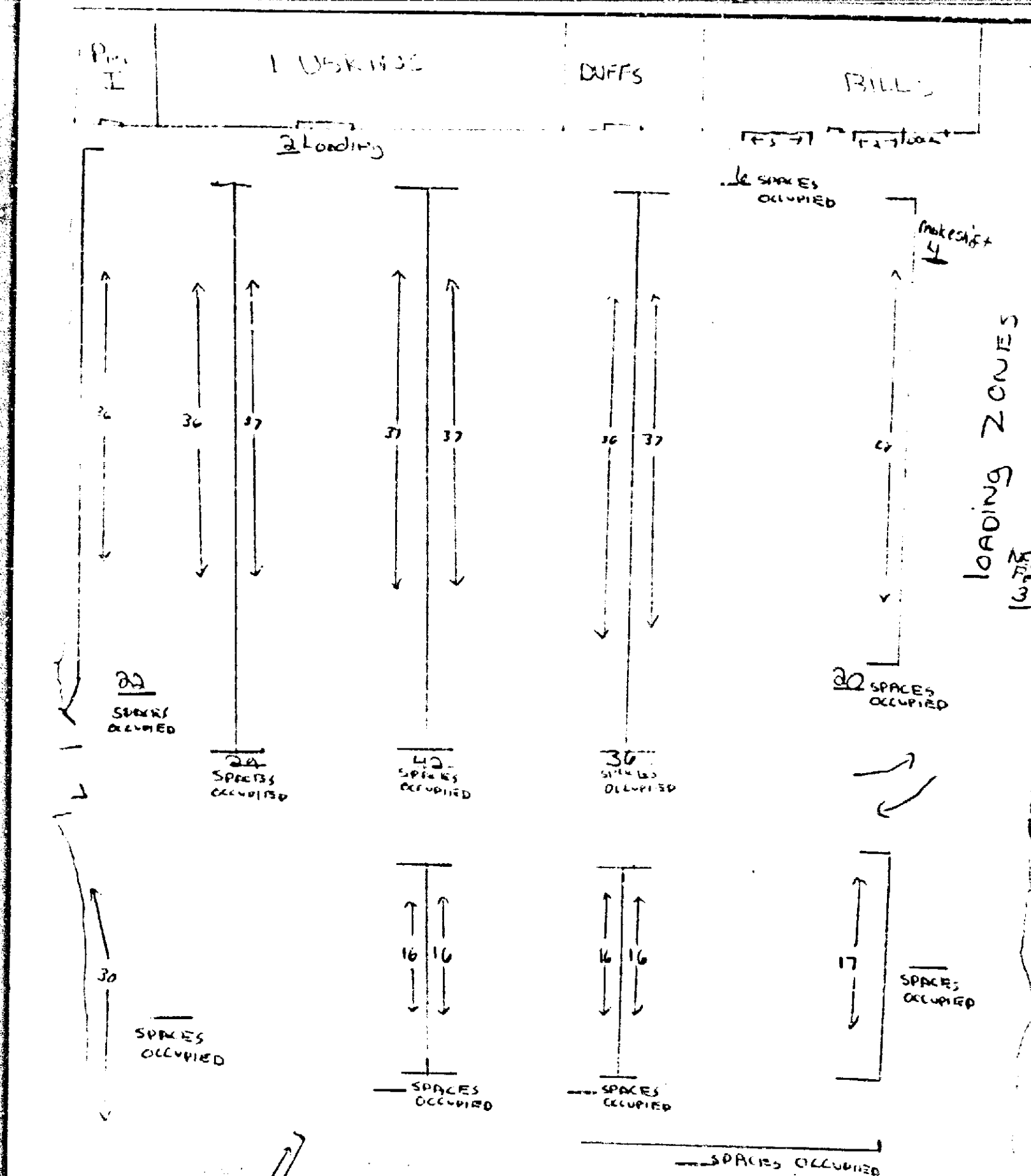
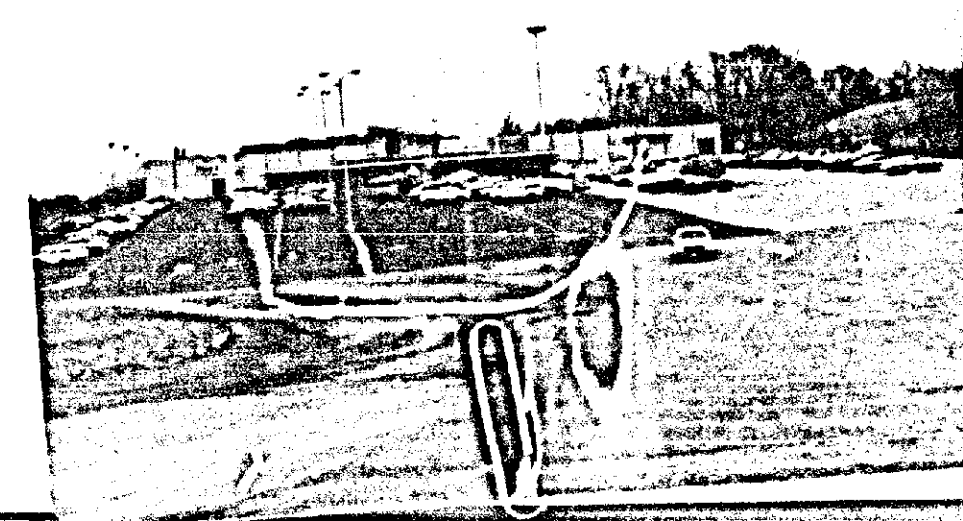
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TIME: 5:50pm
TOTAL CLKs: 72



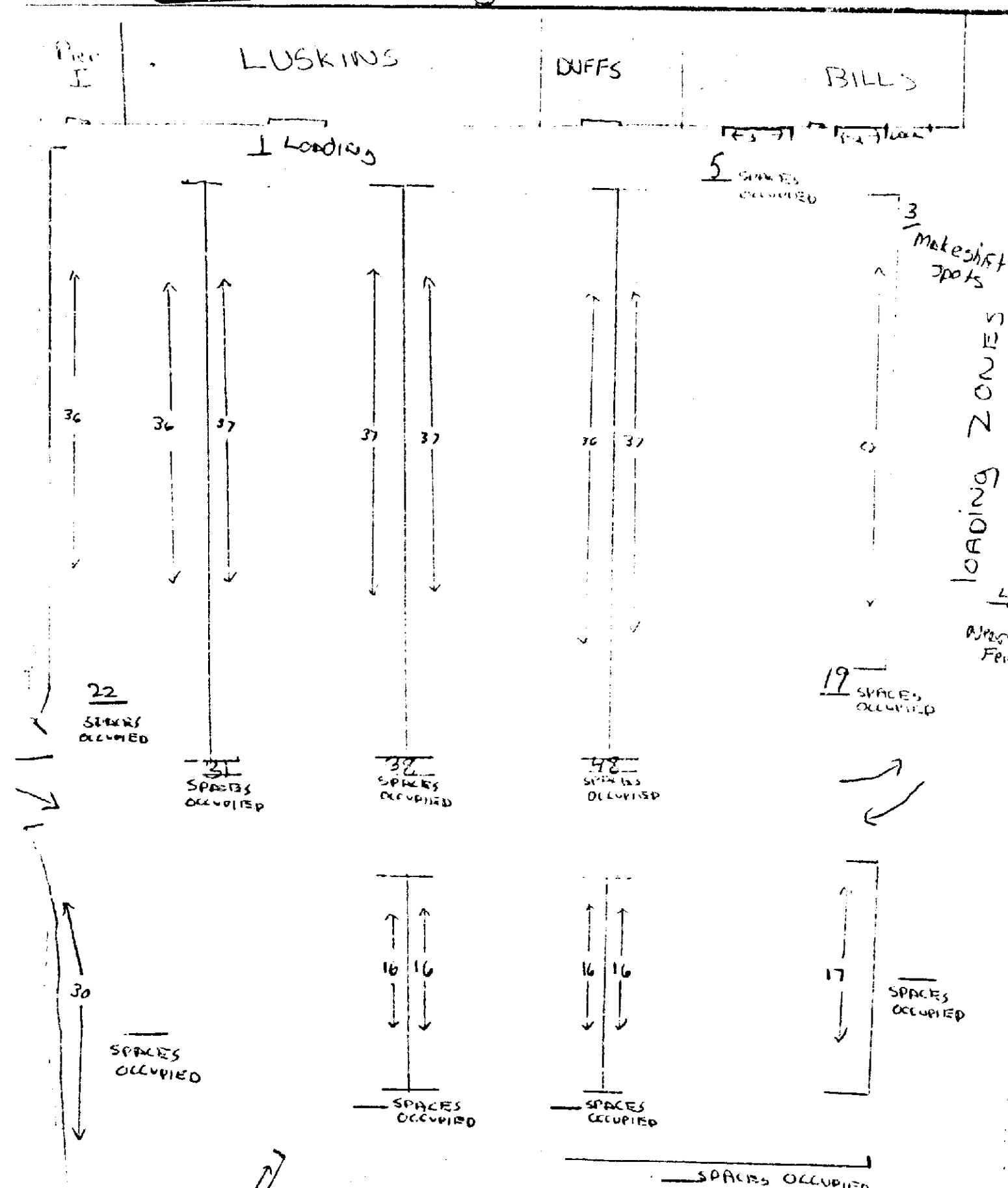
SAT.
DATE: 3-30-85
TIME: 12:00pm
TOTAL CHKS: 126



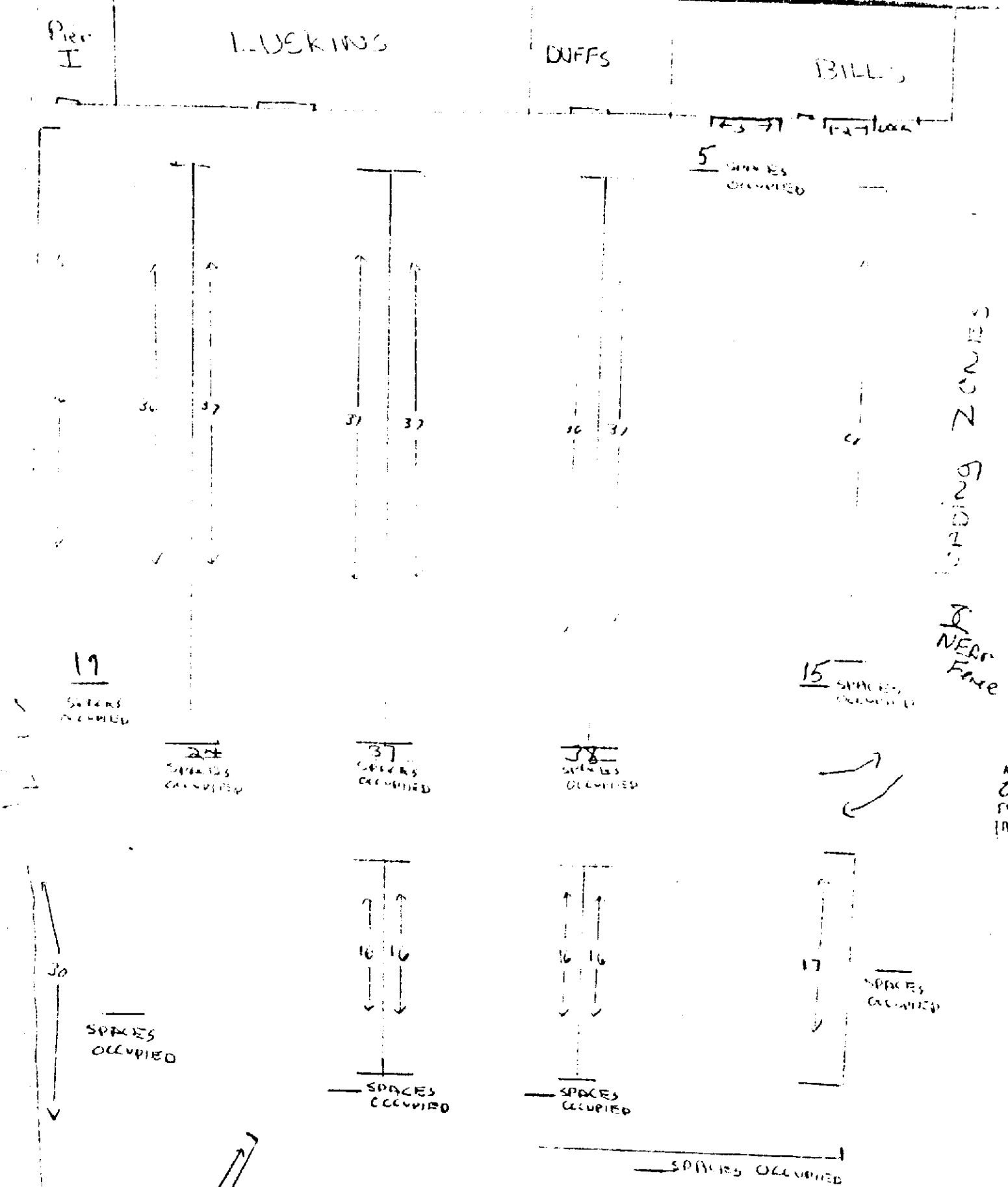
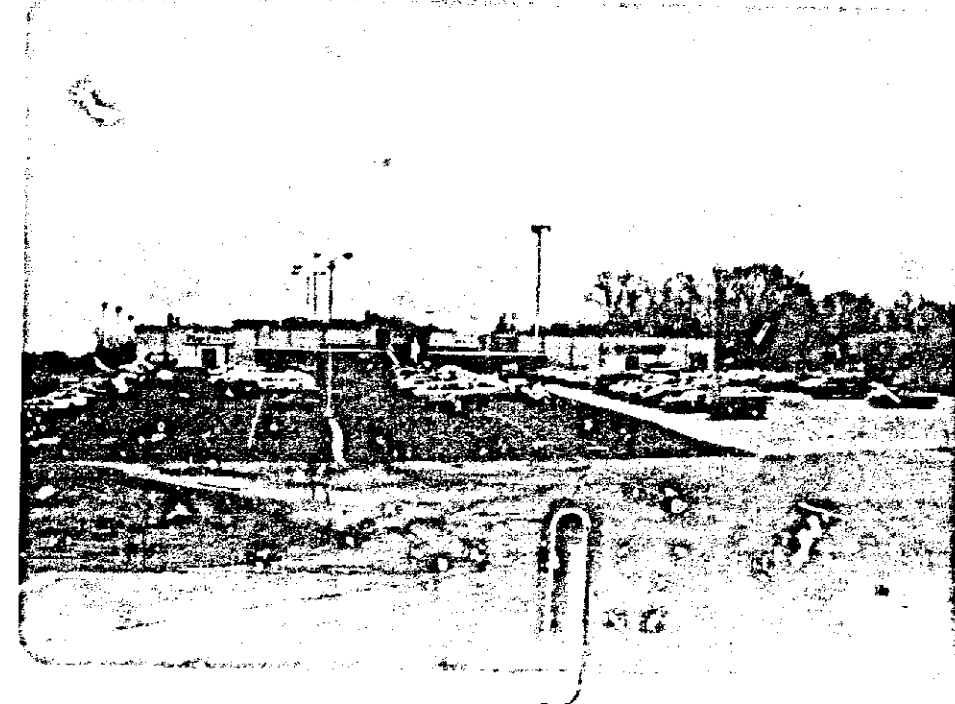
DATE: 3-30-85
Time: 1:00pm
TOTAL CAGES: 145



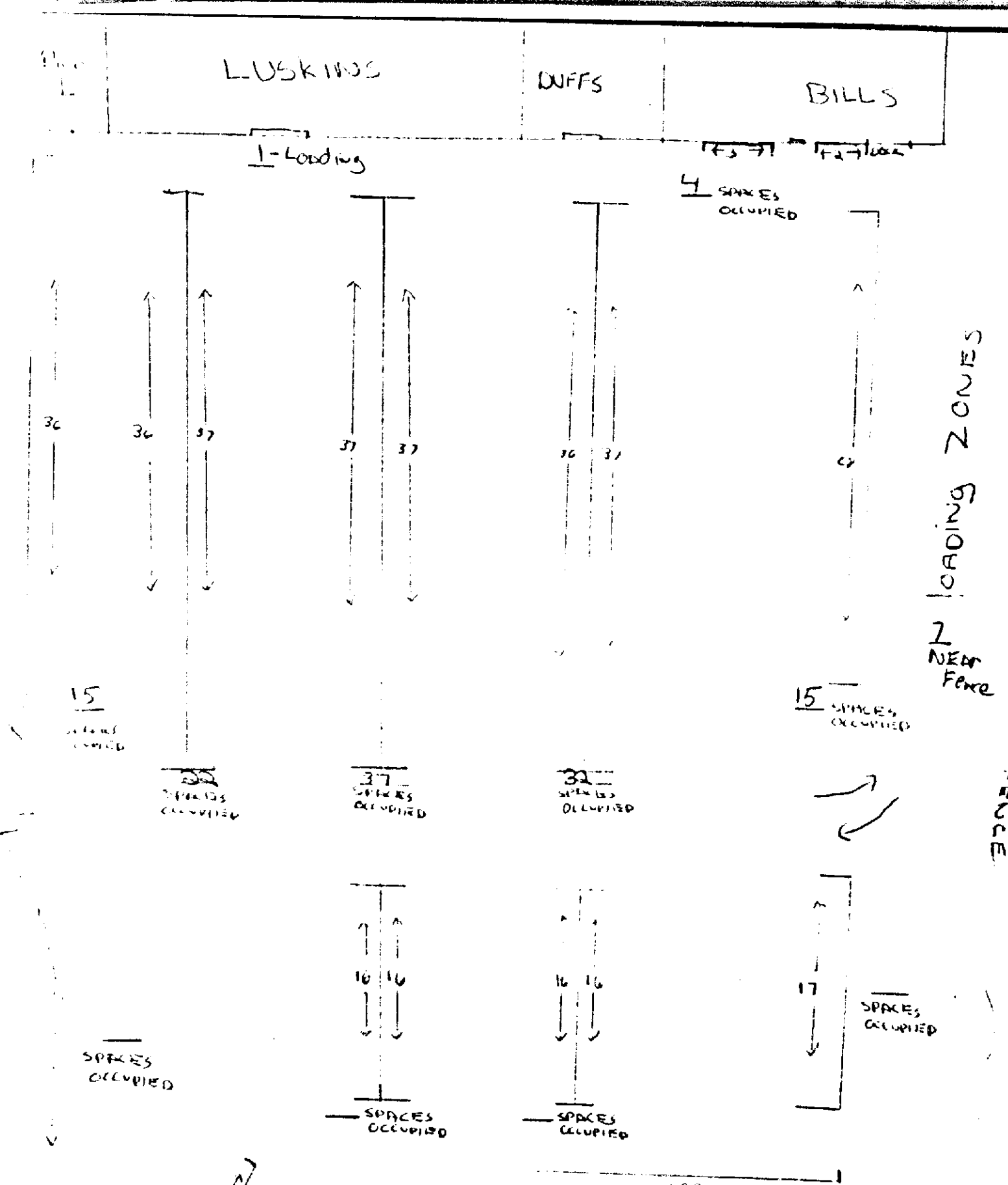
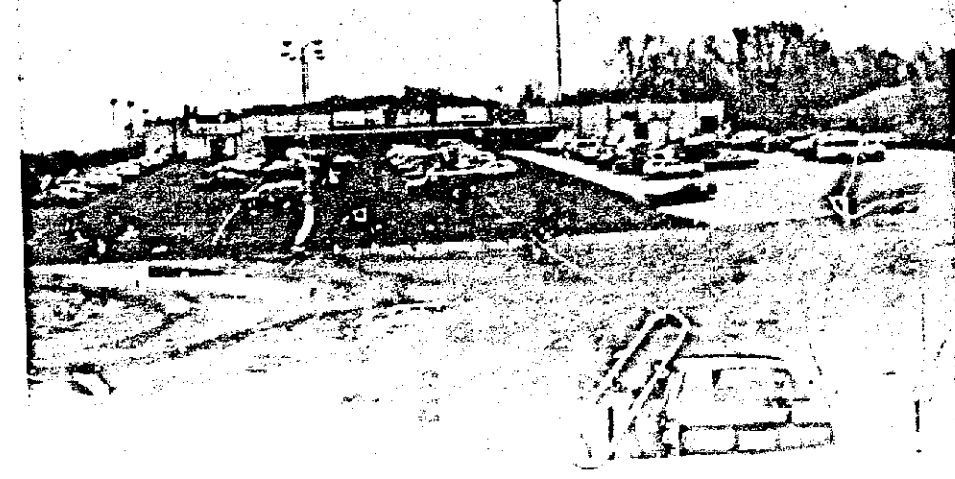
DATE: 3-30-25
TIME: 2:05
TOTAL CARS: 164



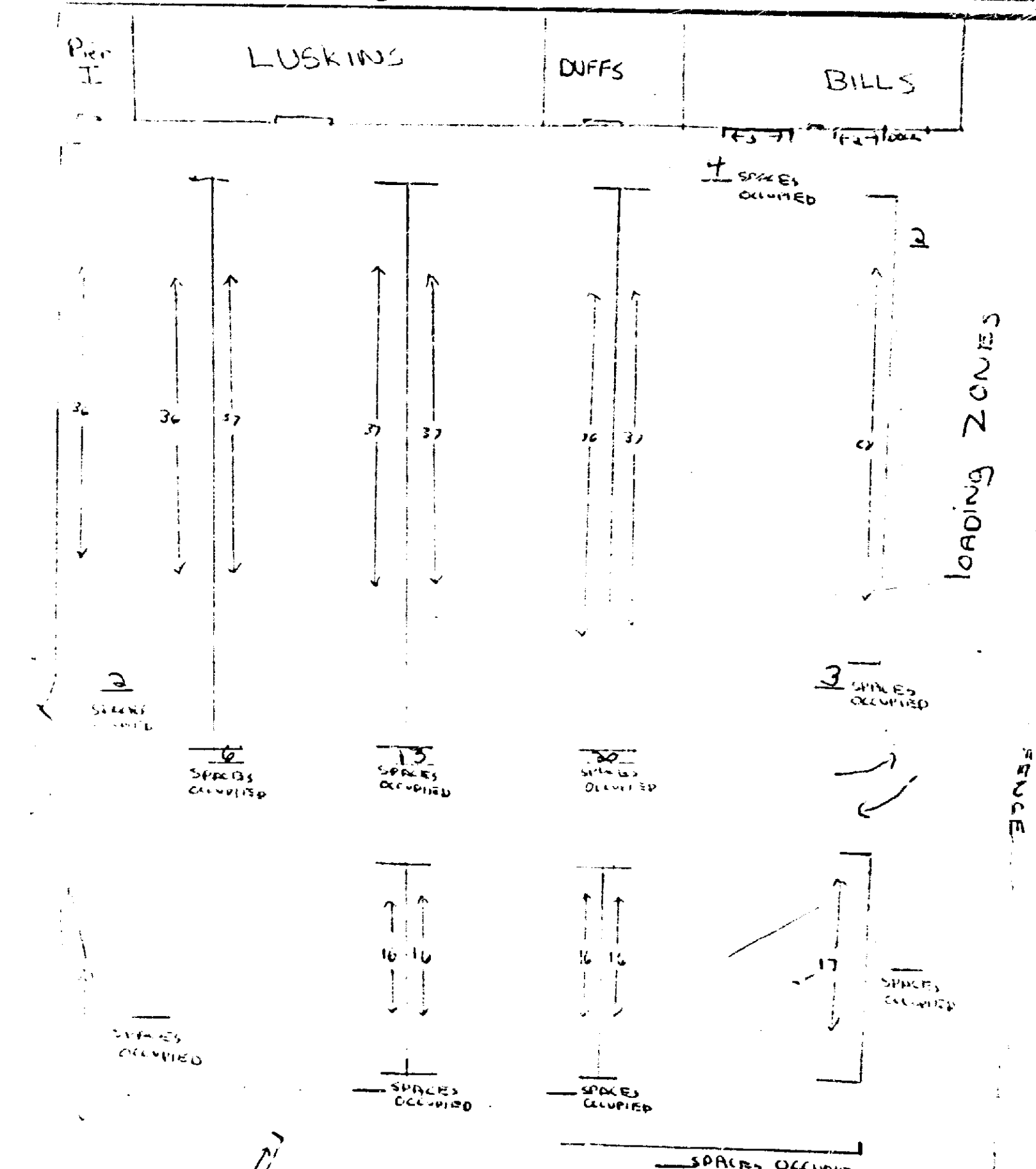
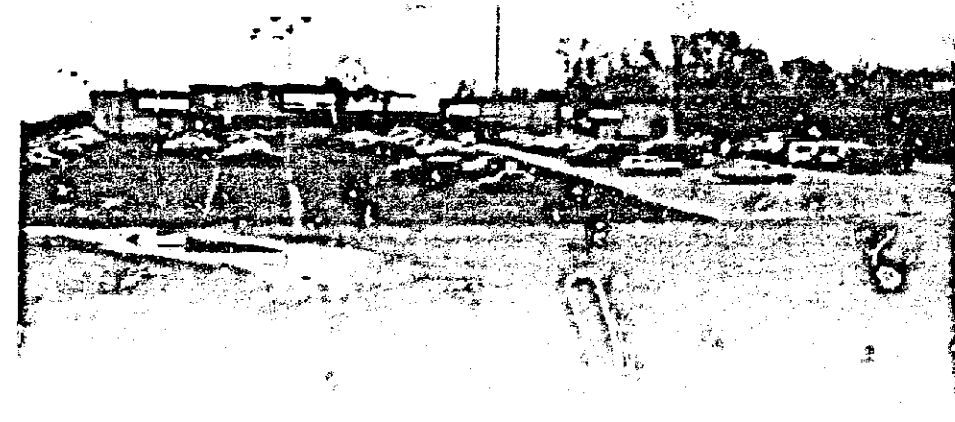
DATE: 3/30/85
TIME: 4:00pm
TOTAL CHKS: 171



DATE: 3-30-85
Time: 5:00 pm
Total Cms: 146



DATE: 3-30-85
TIME: 6:00 pm
TOTAL Cms: 133



DATE: 3-31
Time: 11:15 am
SUB: 503

