86-85-XA

PETITION FOR SPECIAL EXCEPTION

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 building in an R.O. 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.

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

Contract Purchaser:	Legal Owner(s):
Thanner Development, Inc. (Type or Print Name)	Robert Schmidt (Type or Print Name)
Signature VP.	Signature
414 East Joppa Road	Cathay Village Inn, Inc.
Address	(Type or Print Name)
Towson, Maryland 21204	Signature J. Hom, Pres.
City and State	
Attorney for Petitioner:	
R. Bruce Alderman, Esquire (Type or Print Name)	(Over)
Signature	Address Phone No.
White, Mindel, Clarke & Hill 29 West Susquehanna Avenue	City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Towson, Maryland 21204	Daft-McCune-Walker, Inc.
City and State	Name 200 East Pennsylvania Avenue
Attorney's Telephone No.: 828-1050	Towson, Maryland 21204 296-3333
	Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of July, 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 27th day of August, 1985, at 1:30 o'clock P.M.

Zoning Commissioner of Baltimore County.

Z.C.O.—No. 1 (over)

ORDER RECEIVED FOR FILING
DATE October 31, 1985
BY Barbara A. Mitchell
ADMINISTRATIVE ASSISTANT

Date 7/26
Hearing 8/27/85
Reception
Deadline
Date 8/8/85
Type
Hearing XA
By
Final
By

86-85-XA
371

Case No. 86-85-XA

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 24th day of July, 1985.

ARNOLD JABLON
Zoning Commissioner

Petitioner Robert Schmidt
Petitioner's Attorney R. Bruce Alderman, Esquire
cc: Daft-McCune-Walker, Inc.
Thanner Development, Inc.

Received by: JAMES E. DYER, Chairman
Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 16, 1985

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

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

R. Bruce Alderman, Esquire
White, Mindel, Clarke & Hill
29 West Susquehanna Avenue
Towson, Maryland 21204

RE: Item No. 371 - Case No. 86-85-XA
Petitioner - Robert Schmidt
Special Exception and Variance Petitions

Dear Mr. Alderman:

The Zoning Plans Advisory Committee and the County Review Group (CRG) have both reviewed the plans submitted with the above-referenced petition. The comments from the CRG have been added to those of the Zoning Plans Advisory Committee and are part of this case file. 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.

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

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Daft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21204

Thanner Development, Inc.
414 East Joppa Road
Towson, Maryland 21204

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL P. E.
DIRECTOR

July 5, 1985

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

Re: Item #371 (1984-1985)
Property Owner: Robert Schmidt
E/S York Road, 135' S/E from c/l Deneison Street
District 8th

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:

Since no public facilities are involved, this office has no comment.

Very truly yours,

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

JAM:PMO:blp

cc: File

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

JULY 29, 1985

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

Re: Zoning Advisory Meeting of JUNE 18, 1985
Item # 371
Property Owner: ROBERT SCHMIDT
Location: E/S YORK RD. 135' S/E FROM C/L OF DENEISON ST.

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.

(X) There are no site planning factors requiring comment.
( ) A County Review Group Meeting is required.
(X) A County Review Group meeting was held and the minutes will be forward 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 22-98 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
(X) 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
( ) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
(X) Additional comments:
THE C.R.G. PLAN - VIII-420 (PADONIA PLACE) WAS APPROVED ON 7/18/85, APPROVED PLAN EXPIRES 7/18/88

Eugene A. Bober
Chief, Current Planning and Development

cc: James Hoswell

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

STEPHEN E. COLLINS
DIRECTOR

June 26, 1985

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

Item No. 371 -ZAC- Meeting of June 18, 1985
Property Owner: Robert Schmidt
Location: E/S York Road 135' S/E from c/l Deneison Street
Existing Zoning: R-O and D.R. 3.5 (CRG)
Proposed Zoning: Variance to permit a free standing illuminated sign 4 X 6 in size, both sides, in lieu of the required 8 sq.ft. non-illuminated sign on the building and special exception for a Class B Office Building.

Acres: 1.063
District: 8th

Dear Mr. Jablon:

Item #371 is a C.R.G. ITEM.

Michael S. Flanigan
Traffic Engineering Assoc. II

MSF/ccm

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

PAUL H. REINCKE
CHIEF

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

July 1, 1985

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Robert Schmidt

Location: E/S York Road 135' S/E from c/l Deneison Street

Item No.: 371 Zoning Agenda: Meeting of June 18, 1985

Gentlemen:

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

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

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

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

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

( ) 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.

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

REVIEWER: Catherine Wood Kelly 7-3-85 Noted and Approved: Roy W. Kemmerer
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

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

TED ZALESKI, JR.
DIRECTOR

July 8, 1985

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

Dear Mr. Jablon:

Comments on Item # 371 Zoning Advisory Committee Meeting are as follows:

Property Owner: Robert Schmidt
Location: E/S York Road 135' S/E from c/l Deneison Street
District: 8th.

APPLICABLE ITEMS ARE CIRCLED:

A. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.

B. A building and other miscellaneous permits shall be required before the start of any construction. (razing)

C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

E. All Use Groups except R-3 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-3 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line.

F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) _____, _____, of the Baltimore County Building Code.

H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Many and architectural or engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Uses _____ _____. See Section 312 of the Building Code.

I. The proposed project appears to be located in a Flood Plain, Wind/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above mean level for the lot and the finish floor levels including basements.

NOTE: (+) Comments: Signs shall comply with Article 1900.0. Exiting could be a problem for this structure if constructed as shown due to travel distance and dead end travel. Atriums shall comply with Section 620.0.

K. These abbreviated 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 the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Burnham, Chief
Building Plan Review

JED:12/85

APR 10 1988

R. Bruce Alderman, Esquire
White, Mindel, Clarke & Hill
29 West Susquehanna Avenue
Towson, Maryland 21204

July 26, 1985

NOTICE OF HEARING

RE: PETITION FOR SPECIAL EXCEPTION
AND VARIANCE
E/S York Rd., 135' SW/centerline of
Deneison St. (Padonia Place)
8th Election District
Robert Schmidt, Petitioner
Case No. 86-85-XA

TIME: 1:30 p.m.

DATE: Tuesday, August 27, 1985

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

...mmissioner
...ore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 007274

DATE 6/4/85 ACCOUNT R-01-615-000
RECEIVED FROM: Sherry Nestor AMOUNT $ 244.00
FOR: filing fee for Hearing #371 Special Exception & Variance
B 050 ****2440:a 0448F
VALIDATION OR SIGNATURE OF CASHIER

Maryland Department of Transportation
State Highway Administration

William K. Hellmann
Secretary
Hal Kassoff
Administrator

July 8, 1985

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

Attention: Mr. N. Commodari

Re: ZAC Meeting of 6-18-85
ITEM: 371.
Property Owner: Robert Schmidt
Location: E/S York Road Route 45, 135' S/E from c/l Deneison Street
Existing Zoning: R-O and D.R. 3.5 (DRG)
Proposed Zoning: Variance to permit a free standing illiminated sign 4 x 6 in size, in lieu of the required 8 sq. ft. non-illuminated sign on the building and Special Exception for a Class B Office Building.
Acres: 1.063
District: 8th

Dear Mr. Jablon:

Attached for your use and review is a copy of the Baltimore County CRG comments of 7-18-85.

Very truly yours,
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

Attachment

cc: Mr. J. Ogle

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

86-85-XA

PETITION FOR SPECIAL EXCEPTION & VARIANCE
8th Election District

LOCATION: East side of York Road, 135 ft. Southwest of the centerline of Deneison Street (Padonia Place, 2405 — 2409 York Road)
DATE AND TIME: Tuesday, August 27, 1985 at 1:30 p.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Petition for Special Exception for a Class B office building in a R.O. zone; Variance from Section 203.3.C to permit a free-standing illuminated sign, 4' x 6' in size, a total of 48 sq. ft., both sides, in lieu of the permitted 8 square foot non-illuminated sign on the building.

Being the property of Robert Schmidt, as shown on the plat filed with the Zoning Office.

In the event that these Petitions are 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

86-85-XA

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 8, 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 August 8, 1985

THE JEFFERSONIAN,

Publisher

Cost of Advertising
27.50

86-85-XA

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 7, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 7, 1985.

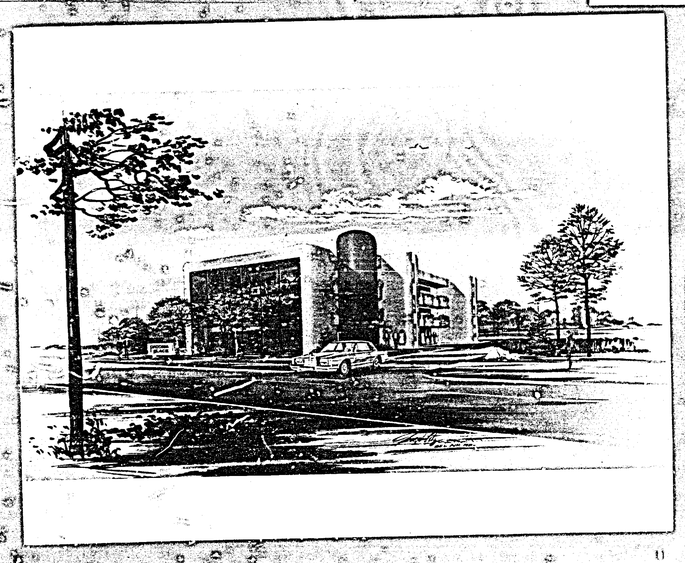
TOWSON TIMES,

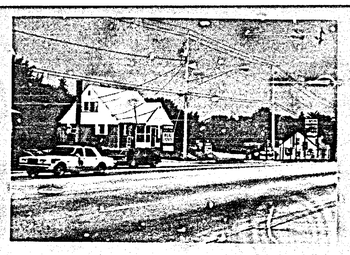
Publisher

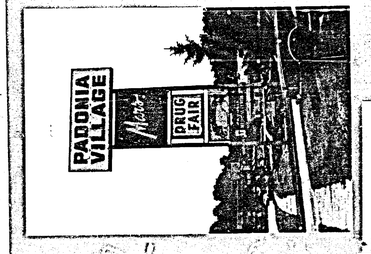
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

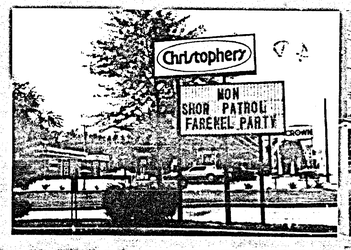
86-85-XA

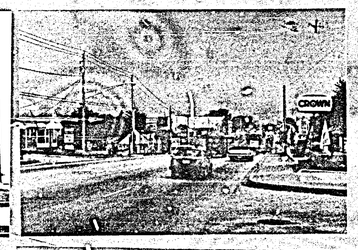
District 8th Date of Posting 8/4/85
Posted for: Special Exception + Variance
Petitioner: Robert Schmidt
Location of property: E/S York Rd. 135' SW of Deneison St. 2405-09 York Rd
Location of Signs: 2 signs facing York Rd, approx 8' fr. roadway
Remarks:
Posted by Signature Date of return: 8/9/85
Number of Signs: 4

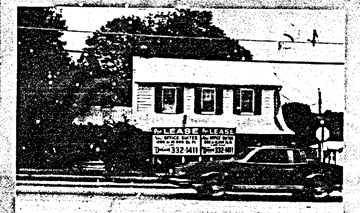


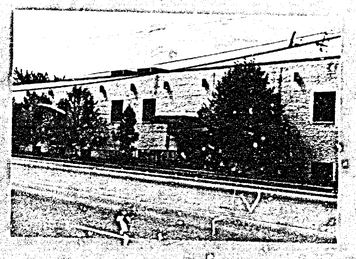




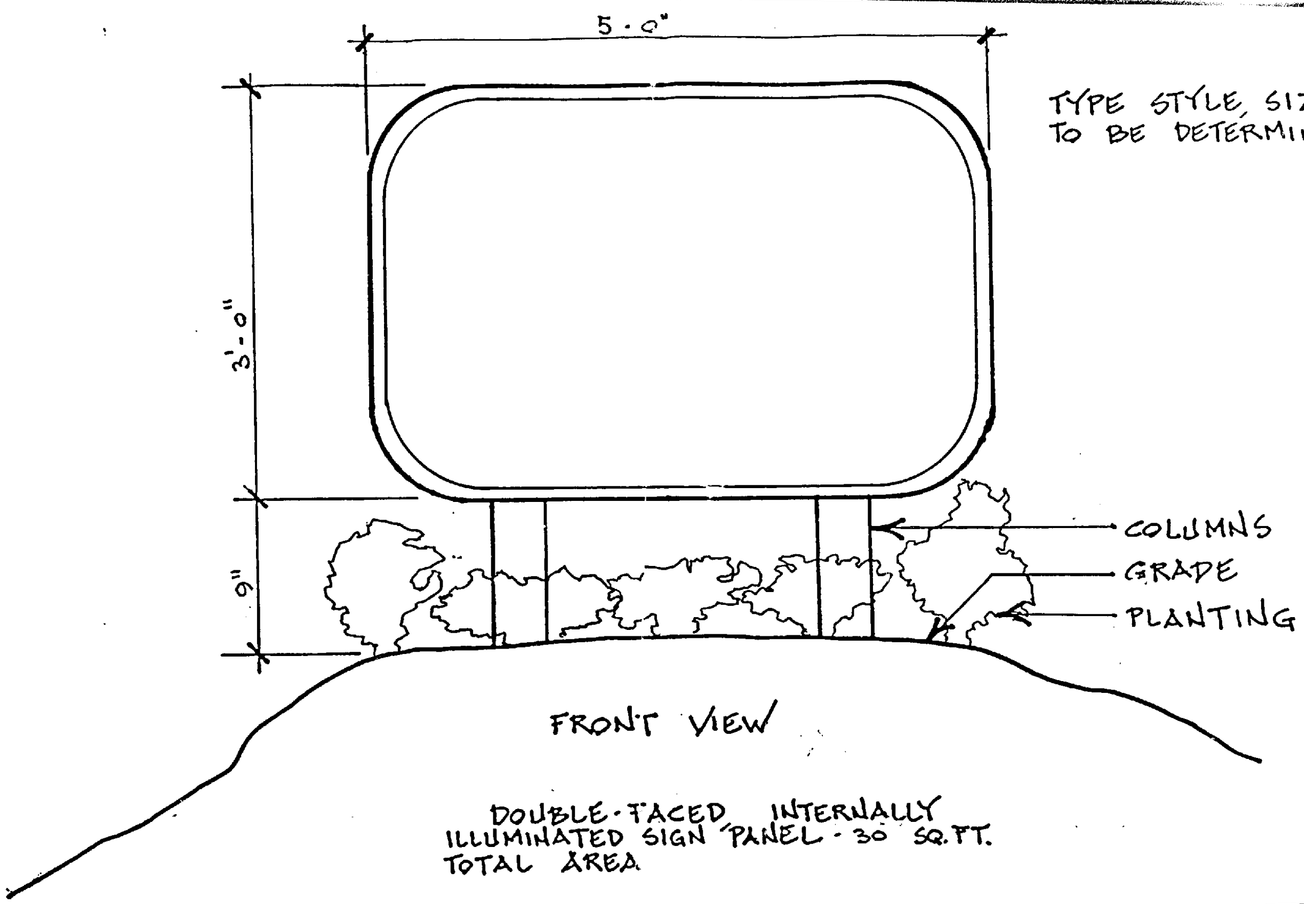








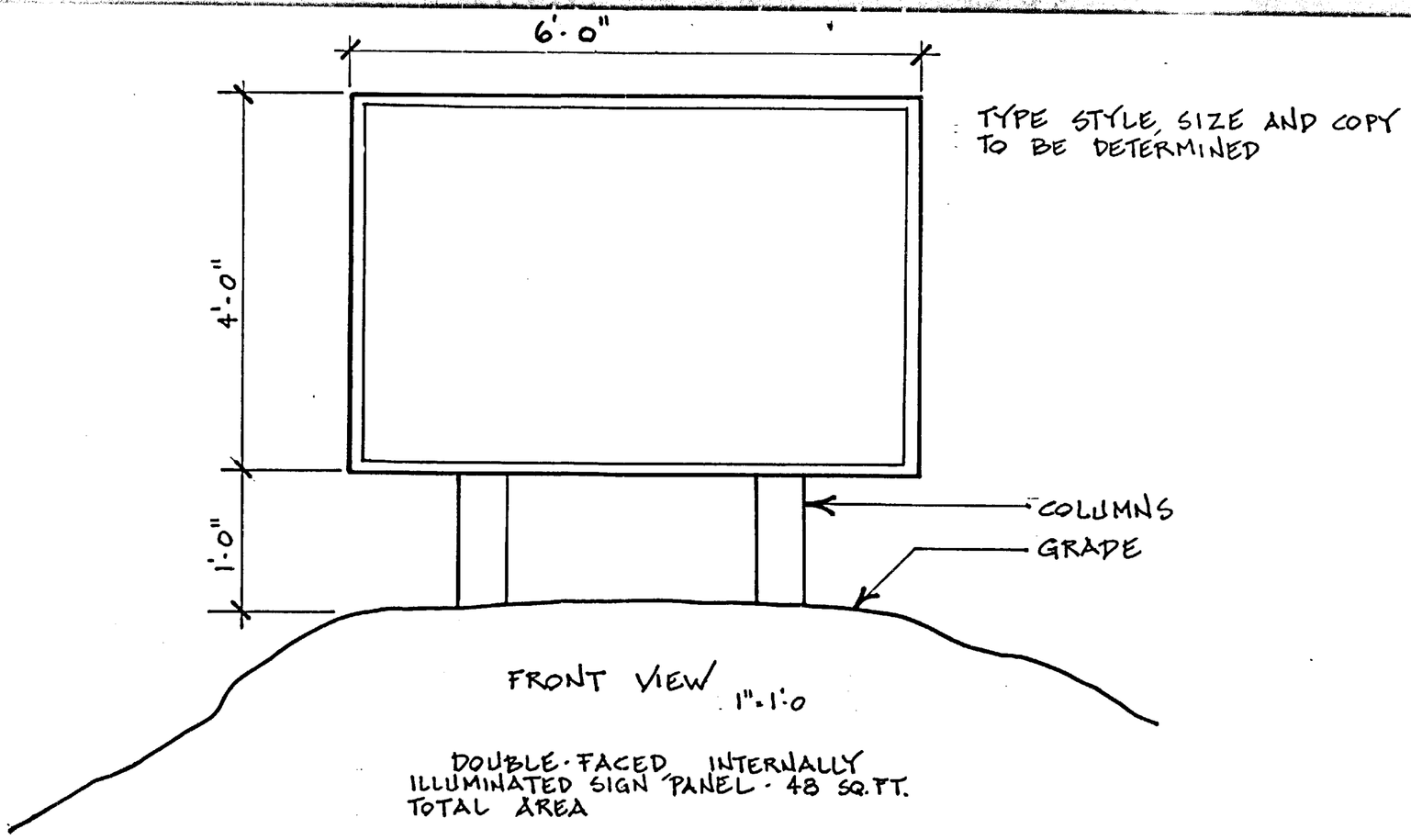
APR 10 1986
DATE



PROPOSED FREESTANDING SIGN
PADONIA PLACE
2405-2409 YORK RD.

PETITIONER'S EXHIBIT 5

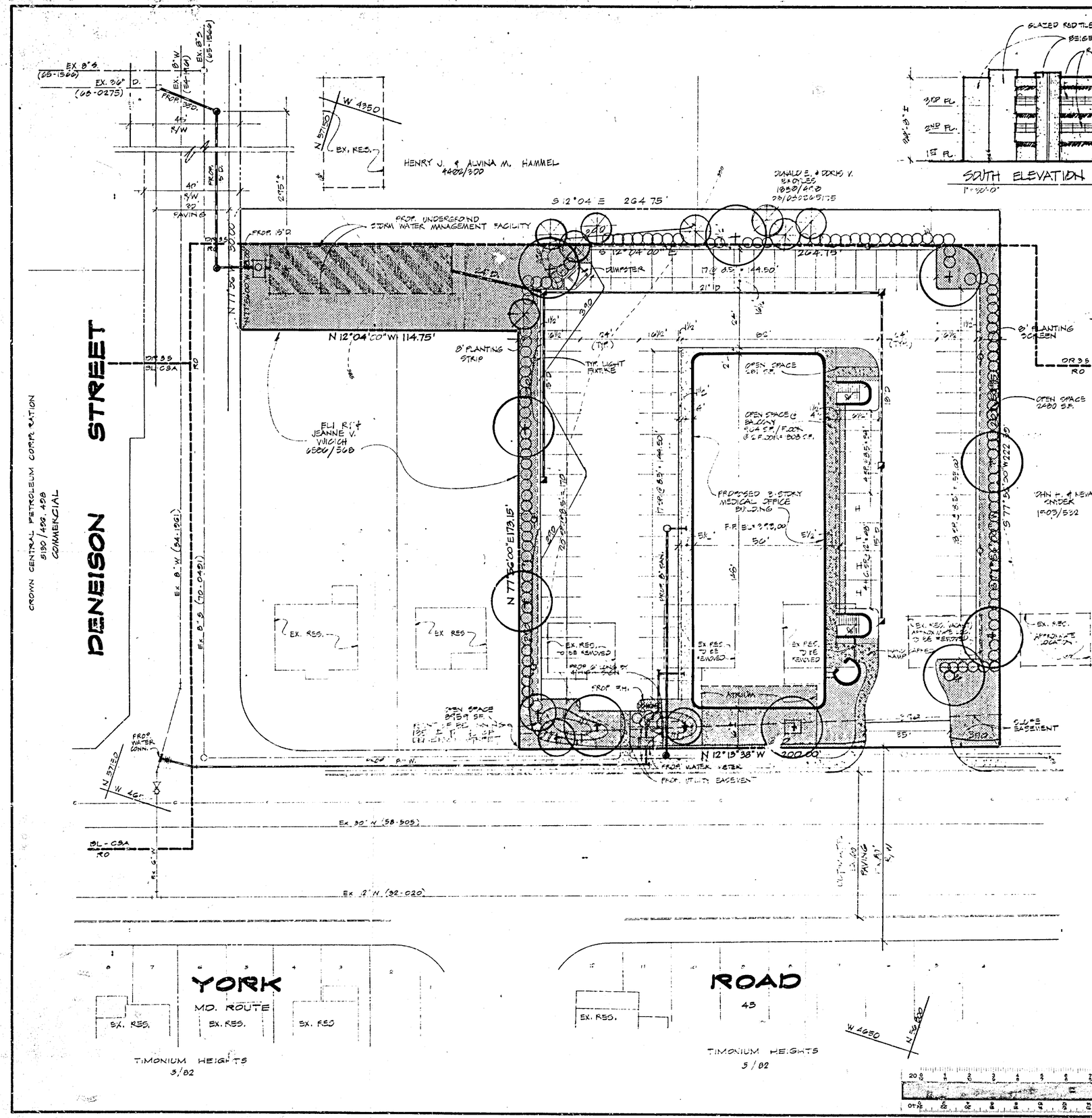
THANNER DEVELOPMENT CORP.

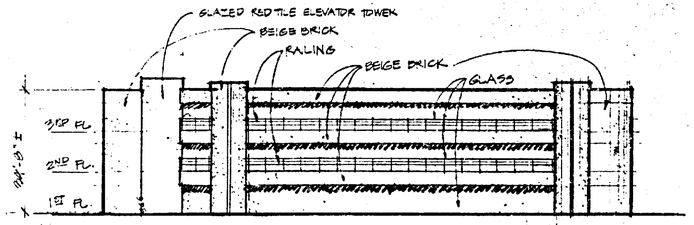


PROPOSED FREESTANDING SIGN
PADONIA PLACE
2405-2409 YORK RD.

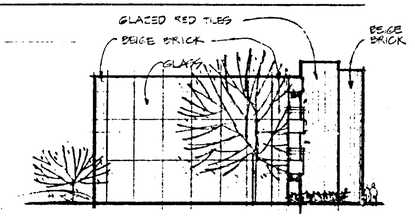
#371

THANNER DEVELOPMENT CORP.

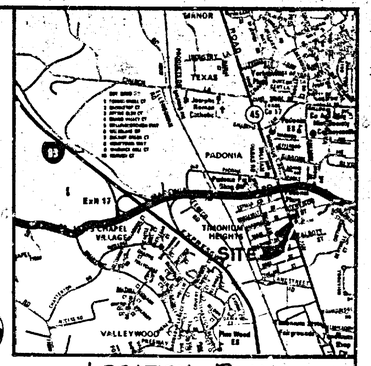




SOUTH ELEVATION
1" = 30'-0"



WEST ELEVATION
1" = 30'-0"



LOCATION PLAN
SCALE 1" = 2000'

LEGEND

- MAJOR DECIDUOUS TREE
- SMALL FLOWERING TREE
- EVERGREEN TREE
- 5' HIGH SCREEN

General Notes

1. Contract Purchaser/Applicant: Thatcher Development Corporation
   c/o Kent Joppa Road
   Towson, MD 21204
   (301) 828-0606
2. Election District 8; Councilmanic District 4; Census Tract 4085.05.
3. Watershed 1; Subwatershed 32.
4. Current Zoning: RO, DR-3.5

   Proposed Use: Medical Office

   Site Acreage and Zoning:

		G.Acres	Net
RO	=	1.218 Acres	1.063 Acres
DR-3.5	=	0.096 Acres	0.091 Acres
Total		1.314 Acres	1.154 Acres

   F.A.R.:

   Allowed = 1.218 x 0.5 = 0.608 = 26,464.48 S.F.
   Proposed = 1st Floor = 8,268 S.F.
   2nd Floor = 7,731 S.F.
   3rd Floor = 7,731 S.F.
   Total 23,758 S.F. = 0.545 Acres

   Class B Building:

   Use: Medical Office

   Anticipated Hours of Operation: 9:00 a.m. to 5:00 p.m.

   Estimated No. of Employees: 55

   Parking:

   Required = 23,758 S.F. @ 1/300 = 80 Spaces
   Provided = 80 Spaces (Includes 4 Handicapped Spaces)

   Amenity Open Space:

   Required = 1.218 x .25 = 13,242.24 S.F.
   Proposed = 13,528 S.F.

   Landscape Requirements:

   Required = 250 L.F. Frontage x 40 = 6.2 Trees
   35 L.F. Interior Roadway x 20 = 1.7 Trees
   80 Parking Spaces x 12 = 6.7 Trees
   Total = 14.6 Trees
   (8 Major Deciduous)

   8' wide planting strip along residential and street frontage.
   5' high parking and dumpster screens.

   Provided = 10 Major Deciduous = 10.0 Trees
   3 Small Flowering = 1.5 Trees
   8 Evergreen = 4.0 Trees
   Total = 15.5 Trees

   8' wide planting strips.
   5' high screens.
5. There are no proposed or existing well or septic areas.
6. Soils:

Soil Series & Symbol	Hydro Class	Limitations: With Basements	Without Basements	Streets & Parking
Baltimore Silt Loam (BmB2)	B	Slight	Slight	Slight

7. The site is primarily lawn with some ornamental planting which will be removed.
8. There are no existing streams, bodies of water, springs or flood plains associated with this property.
9. There are no buildings of historic significance on this property.
10. Current Ownership:

    Russell T. Baker, Sr., et al
    c/o Robert Schmidt
    6120 North Charles Street (AMD)
    Baltimore, MD 21212

    Catchy Village Inn Inc.
    9726 York Road
    Cockeysville, MD 21030

    Deed References: Liber 6358 Folio 647 — Ll on 5801 Folio 895

    Property Numbers: 08-19-011376, 08-19-040100, 08-19-011375, and 06-07-056125 — 06 07-040040

11. Estimated Average Daily Trips:

    23,758 S.F. @ 75/1,000 = ± 791.85 A.D.T.'s

12. The Bus. 9 and 18 M.T.A. buses service this area of York Road.
13. Stormwater will be managed through the use of an underground facility as shown on the plan. Since ± 4a soils fall into the "B" classification, infiltration will as required. Volume calculations are submitted with the plan.
14. There are no known wetlands, significant geologic formations, critical areas, archeological sites, endangered species habitats or hazardous materials on this property.

OFFICE USE

Plat to Accompany Petition for Special Exception and Variance

DAFT · McCUNE · WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS
530 EAST JOPPA ROAD
TOWSON MD 21204
TELEPHONE 301 296 3333

PADONIA PLACE

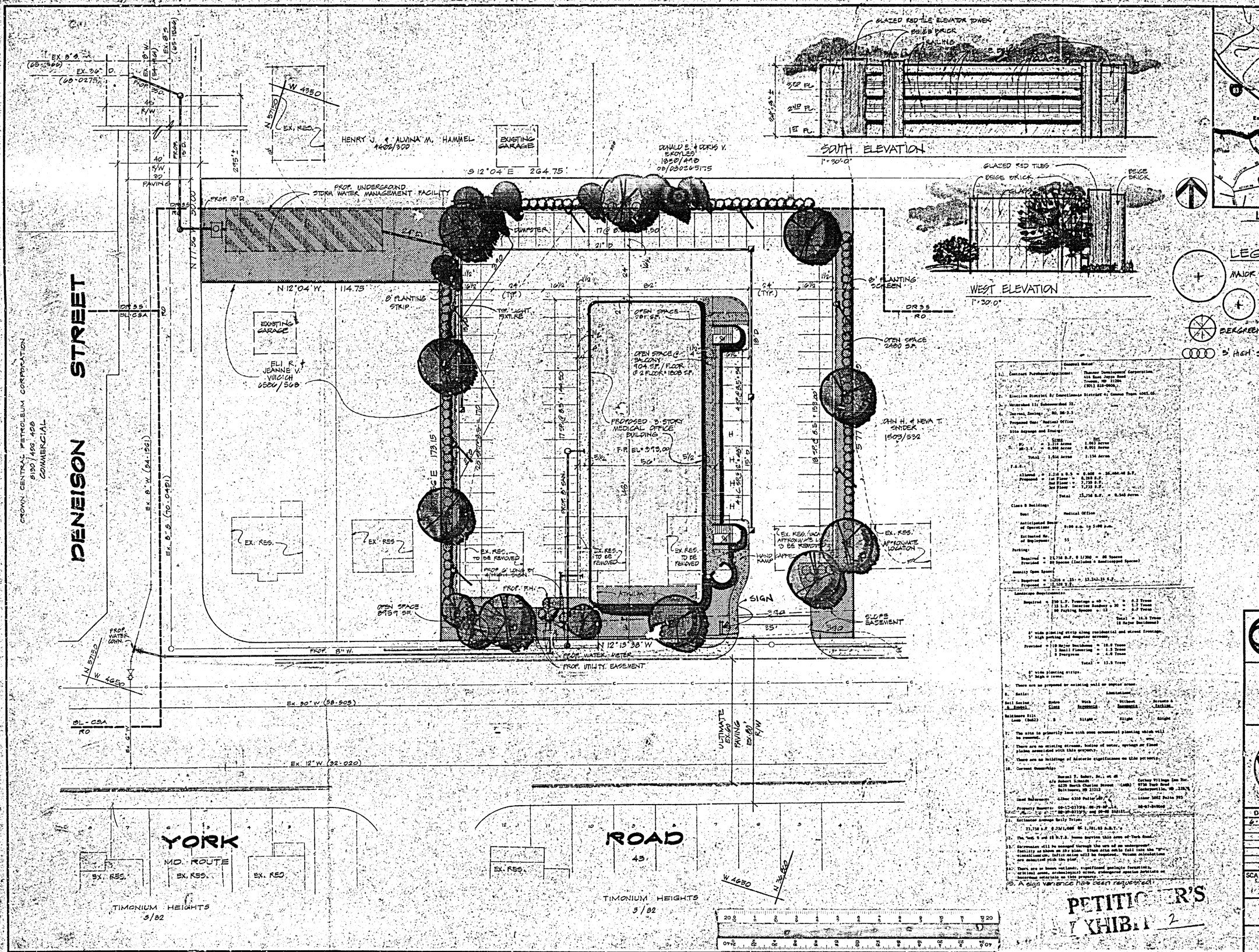
DATE	REVISIONS

SCALE: 1" = 20'

JOB ORDER NO. 85081

ISSUE DATE 6/9/85

PETITIONER'S EXHIBIT 1



DAFT - McCUNE - WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS
200 EAST JOPPA ROAD
TOWSON, MD 21204
TELEPHONE: 301-296-3333

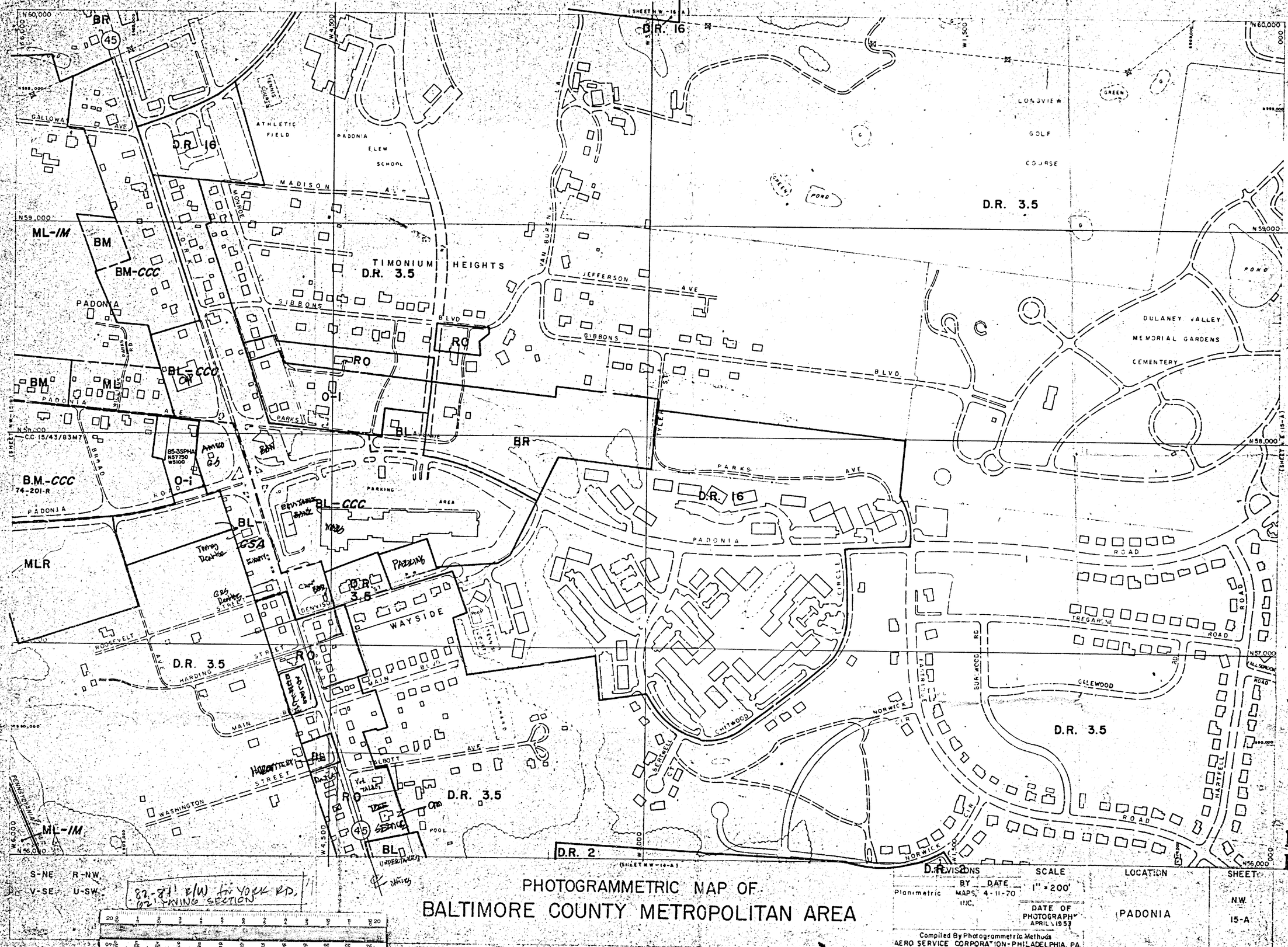
PADONIA PLACE

DATE	REVISIONS
6-11-85	P.B. COMMENTS, PRELIM. COMMENTS

SCALE: 1"=20'

JOB ORDER NO. 85081

ISSUE DATE 6/9/85



PETITIONER EXHIBIT n

ZONING CASE 85009

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

Robert Schmidt
6229 North Charles Street
Baltimore, Maryland 21212

Cathay Village Inn, Inc.
9726 York Road
Cockeysville, Maryland 21030

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE
E/S York Rd., 135' SW/Centerline : OF BALTIMORE COUNTY
of Deneison St. (Padonia Place -
2405-2409 York Rd.), 8th District:

ROBERT SCHMIDT, Petitioner : Case No. 86-85-XA

: : : : : : :

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 31st day of July, 1985, a copy of the foregoing Entry of Appearance was mailed to R. Bruce Alderman, Esquire, White, Mindel, Clarke & Hill, 25 W. Susquehanna Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Arnold Jablon, Zoning Commissioner — Date August 8, 1985

FROM Norman E. Gerber, Director, Office of Planning and Zoning

SUBJECT Zoning Petition No. 86-85-XA

The CRG plan (File No. VIII - 470: Padonia Place) was approved on July 18, 1985. However, this office is opposed to the granting of the requested sign variance. It is this office's opinion that the permitted type and size signs for this zone would not be in keeping with the spirit and intent of the R.O. zone.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:slm

DAFT-McCUNE-WALKER, INC.
200 East Pennsylvania Avenue
Towson, Maryland 21204
Telephone 301—296-3333
Land Planning Consultants
Landscape Architects
Engineers & Surveyors

Description to Accompany Petition for Special Exception and Variance Eighth Election District, Baltimore, Maryland

Beginning for the same on the east side of York Road, 80 feet wide, at a point distant 135 feet more or less measured in a southeasterly direction on said east side of York Road from its intersection with the centerline of Deneison Street, thence leaving said point of beginning and said east side of York Road and running (1) North 77 degrees 56 minutes 00 seconds East 173.15 feet, (2) North 12 degrees 04 minutes 00 seconds West 114.75 feet, (3) North 77 degrees 56 minutes 00 seconds West 35.00 feet to intersect the line which separates the land zoned R.O. and the land zoned D.R. 3.5 as shown on the 1984 Comprehensive Zoning Map for Baltimore County, thence running and binding thereon (4) South 12 degrees 04 minutes 00 seconds East 264.75 feet, thence leaving said zoning line and running (5) South 77 degrees 56 minutes 00 seconds West 207.59 feet to intersect the aforesaid east side of York Road, thence running and binding thereon (6) North 12 degrees 13 minutes 38 seconds West 200.00 feet to the place of beginning.

Containing 1.063 acres of land, more or less.

NOTE: This description has been prepared for zoning purposes only and is not intended to be used for conveyance.

Our File No. 85081

June 3, 1985

STATE OF MARYLAND — JAMES D. SHAFFER — NO. 8118 REGISTERED PROFESSIONAL LAND SURVEYOR

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
E/S York Road, 135' SW of the c/l Deneison Street (Padonia Place) - 8th Election District
Robert Schmidt, Petitioner

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
Case No. 86-85-XA

* * * * * * * * * * *

The Petitioner herein requests a special exception for a Class B office building in a R-O Zone and a variance to permit a 4' x 6' free-standing, illuminated sign with a total of 48 square feet, in lieu of the permitted 8 square foot non-illuminated sign on the building.

Testimony by and on behalf of the Petitioner indicated that he proposes to construct a three-story office building with an anticipated mix of one-third medical and two-thirds general office use. The subject site is located near a commercial center in an area with intense office development on York Road, a heavily traveled, five-lane road with an average speed of 40 miles per hour. The floor area ratio is less than allowed. In addition to required landscaping, the site provides a strip along the entire length of the rear property line, zoned D.R. 3.5, which will remain open and green. The County Review Group (CRG) approved the plan on July 18, 1985. A double-faced, free-standing 3' x 5' sign, visible from both directions, as more particularly described on Petitioner's Exhibit 5, is needed for identification of the building and/or the primary tenant. The proposed sign will be located low to the ground on a berm with landscaping; illumination will be cut off at 11:00 p.m. There will be no other signs on the building or site.

Mary Ginn, on behalf of the Alliance of Baltimore County Community Councils, Inc. spoke of that organization's general policy against the granting of sign variances.

Pursuant to the advertisement, posting of property and public hearing, in the opinion of the Deputy Zoning Commissioner, strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty or unreasonable hardship upon the petitioner, the requirements of Section 502.1, BCZR have been met, and the health, safety and general welfare of the community will not be adversely affected, and, therefore, the special exception and variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 31st day of October, 1985, that the herein Petition for Special Exception for a Class B office building in a R-O Zone and, additionally, the Petition for Variance to permit a 4' x 6' free-standing, illuminated sign with a total of 48 square feet in lieu of the permitted 8 square foot non-illuminated sign on the building, in accordance with the site plan prepared by Daft-McCune-Walker, Inc., revised June 17, 1985, and marked Petitioner's Exhibit 2, and the drawing marked Petitioner's Exhibit 5, are hereby GRANTED, from and after the date of this Order, subject, however, to the following restriction:

1. The sign shall not be illuminated after 10:00 p.m.

Deputy Zoning Commissioner
of Baltimore County

JMHJ:bg

ORDER RECEIVED FOR FILING
DATE October 31, 1985
BY Administrative Assistant

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

ARNOLD JABLON
ZONING COMMISSIONER

August 22, 1985

R. Bruce Alderman
White, Mindel, Clarke & Hill
29 West Susquehanna Avenue
Towson, Maryland 21204

Re: Petition for Special Exception and Variance
E/S York Rd., 135' SW/centerline of
Deneison St. (Padonia Place)
8th Election District
Robert Schmidt, Petitioner
Case No. 86-85-XA

Dear Mr. Alderman:

This is to advise you that $85.75 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

Please make the check payable to Baltimore County, Maryland, and remit to 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. 012628
DATE 8-27-85 ACCOUNT 01-615-1??
AMOUNT $ 85.75
RECEIVED FROM: R. Schmidt Petitioner
FOR: Charges Zon Case
Petition Posting Case #86-15-XA
B 0133 *****85.75** 12:07PM
VALIDATION OR SIGNATURE OF CASHIER

Maryland Department of Transportation
State Highway Administration

William K. Hellmann, Secretary
Hal Kassoff, Administrator

July 8, 1985

Mr. J. Markle, Chief
Bureau of Public Services
County Office Building
Towson, Maryland 21204

Re: CRG Meeting of 7-18-85
Padonia Place
E/S York Rd., Route 45
South of Deneison Street

Dear Mr. Markle:

On review of the submittal of 6-3-85 and field inspection, the State Highway Administration finds the plan generally acceptable, with minor revisions.

The revisions are as follows:

1. Show a entrance width of no less than 25' into the site.
2. Label the entrance radii and Handicap Ramps.
3. Show the elimination of all residential access at #2409 #2407 #2405 and #2403 York Road.
4. Show the existing 5 lane section on York Road with Left Turn Movements.

It is requested that all Baltimore County permits be held until the plan is revised and State Highway Administration Access Permit applied for.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

Attachment

cc: Mr. J. Ogle
Daft McCune Walker

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-300-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

APR 10 1986

R. Bruce Alderman, Esquire
White, Mindel, Clarke & Hill
29 West Susquehanna Avenue
Towson, Maryland 21204

July 26, 1985

NOTICE OF HEARING

RE: PETITION FOR SPECIAL EXCEPTION
AND VARIANCE
E/S York Rd., 135' SW/centerline of
Deneison St. (Padonia Place)
8th Election District
Robert Schmidt, Petitioner
Case No. 86-85-XA

TIME: 1:30 p.m.

DATE: Tuesday, August 27, 1985

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

...mmissioner
...ore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 007274

DATE 6/4/85 ACCOUNT R-01-615-000
RECEIVED FROM: Sherry Nestor AMOUNT $ 244.00
FOR: filing fee for Hearing #371 Special Exception & Variance
B 050 ****2440:a 0448F
VALIDATION OR SIGNATURE OF CASHIER

Maryland Department of Transportation
State Highway Administration

William K. Hellmann
Secretary
Hal Kassoff
Administrator

July 8, 1985

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

Attention: Mr. N. Commodari

Re: ZAC Meeting of 6-18-85
ITEM: 371.
Property Owner: Robert Schmidt
Location: E/S York Road Route 45, 135' S/E from c/l Deneison Street
Existing Zoning: R-O and D.R. 3.5 (DRG)
Proposed Zoning: Variance to permit a free standing illiminated sign 4 x 6 in size, in lieu of the required 8 sq. ft. non-illuminated sign on the building and Special Exception for a Class B Office Building.
Acres: 1.063
District: 8th

Dear Mr. Jablon:

Attached for your use and review is a copy of the Baltimore County CRG comments of 7-18-85.

Very truly yours,
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

Attachment

cc: Mr. J. Ogle

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

86-85-XA

PETITION FOR SPECIAL EXCEPTION & VARIANCE
8th Election District

LOCATION: East side of York Road, 135 ft. Southwest of the centerline of Deneison Street (Padonia Place, 2405 — 2409 York Road)
DATE AND TIME: Tuesday, August 27, 1985 at 1:30 p.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Petition for Special Exception for a Class B office building in a R.O. zone; Variance from Section 203.3.C to permit a free-standing illuminated sign, 4' x 6' in size, a total of 48 sq. ft., both sides, in lieu of the permitted 8 square foot non-illuminated sign on the building.

Being the property of Robert Schmidt, as shown on the plat filed with the Zoning Office.

In the event that these Petitions are 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

86-85-XA

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 8, 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 August 8, 1985

THE JEFFERSONIAN,

Publisher

Cost of Advertising
27.50

86-85-XA

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 7, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 7, 1985.

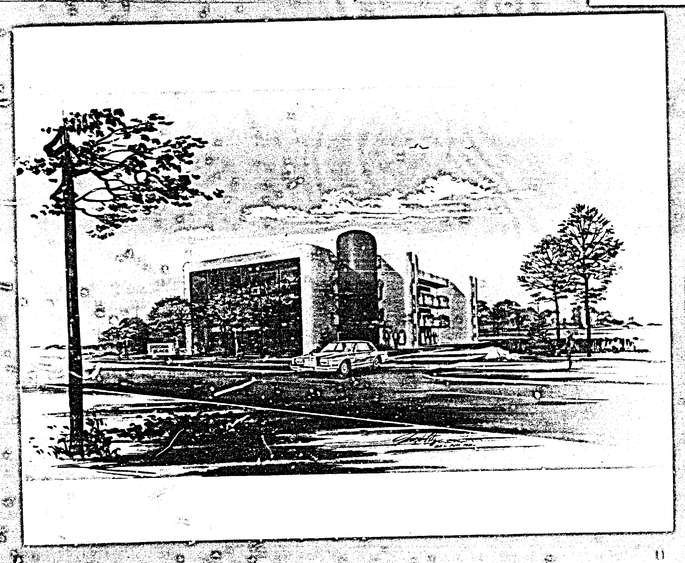
TOWSON TIMES,

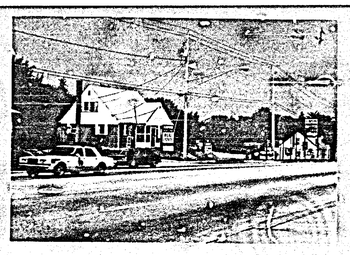
Publisher

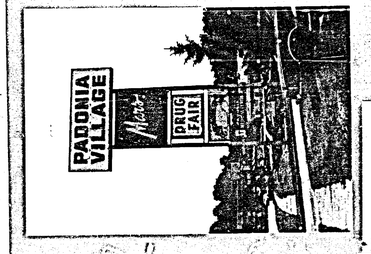
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

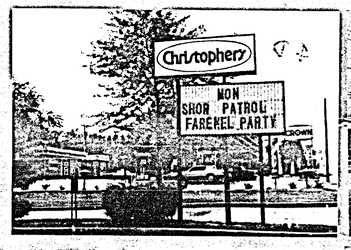
86-85-XA

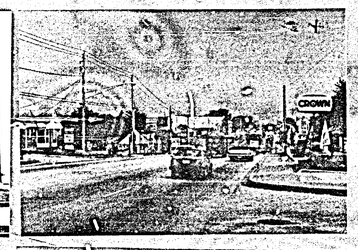
District 8th Date of Posting 8/4/85
Posted for: Special Exception + Variance
Petitioner: Robert Schmidt
Location of property: E/S York Rd. 135' SW of Deneison St. 2405-09 York Rd
Location of Signs: 2 signs facing York Rd, approx 8' fr. roadway
Remarks:
Posted by Signature Date of return: 8/9/85
Number of Signs: 4

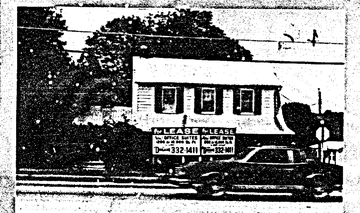


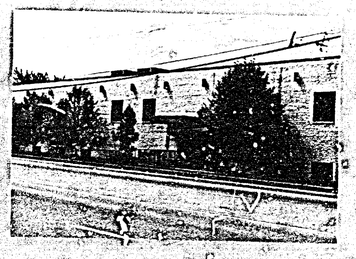




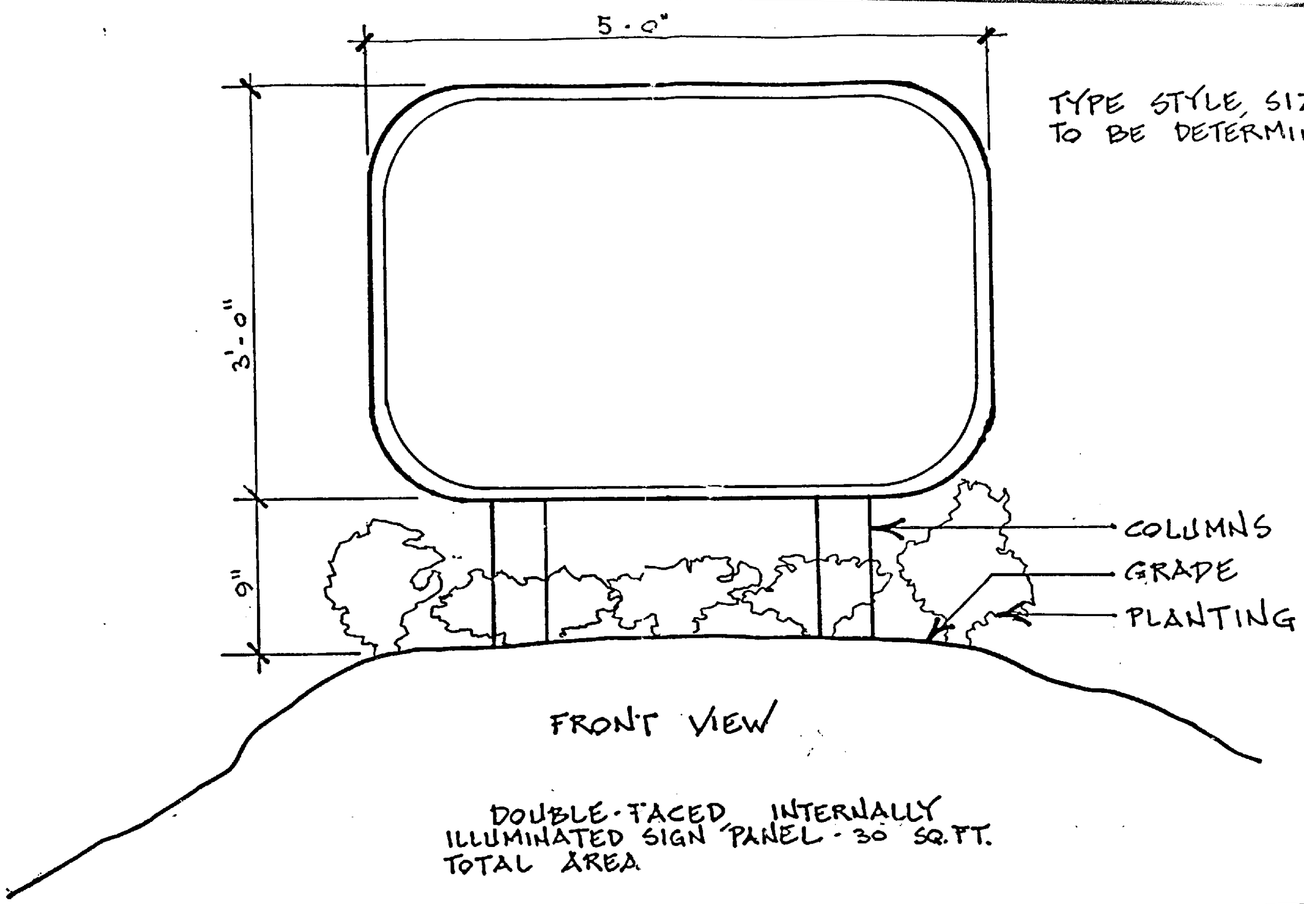








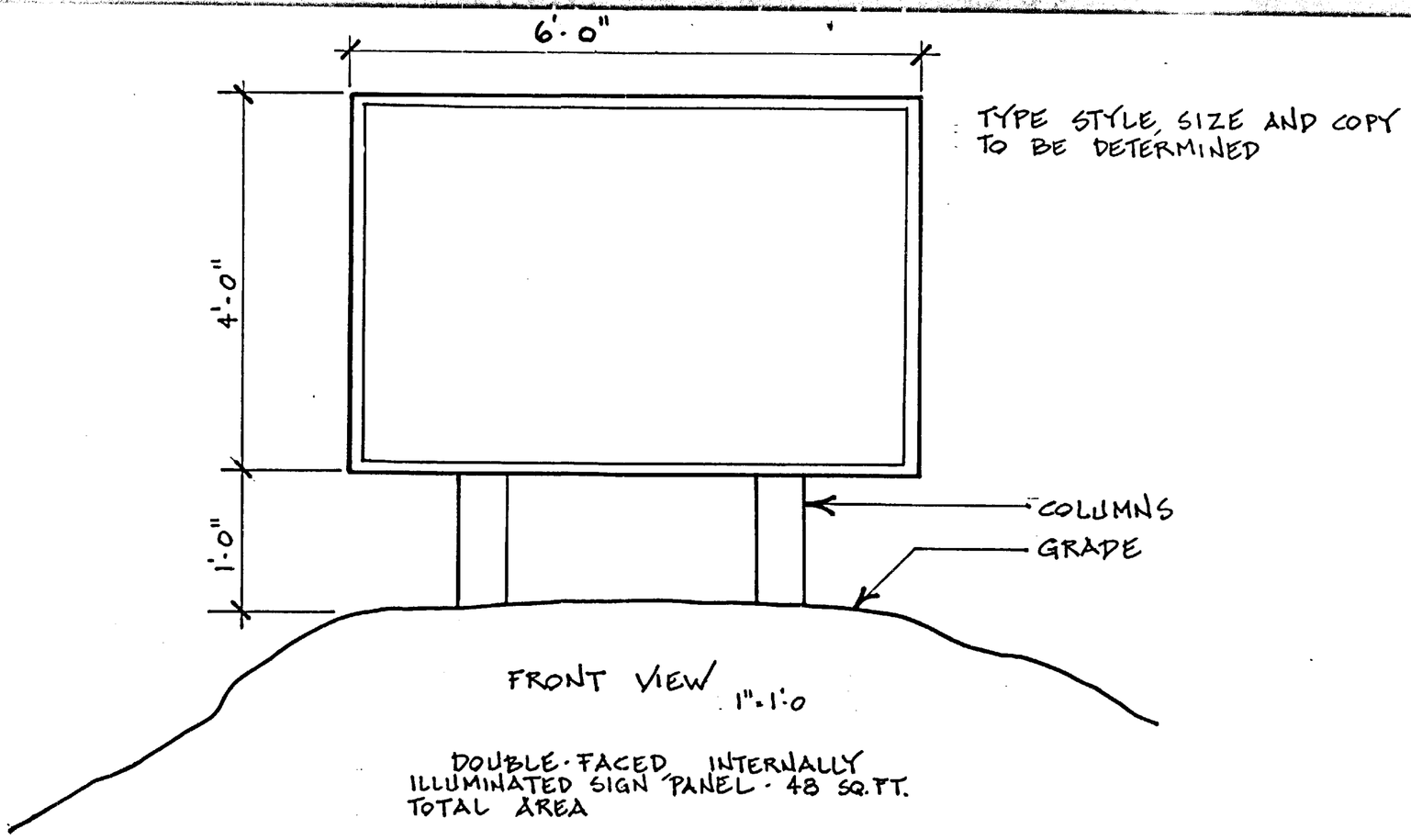
APR 10 1986
DATE



PROPOSED FREESTANDING SIGN
PADONIA PLACE
2405-2409 YORK RD.

PETITIONER'S EXHIBIT 5

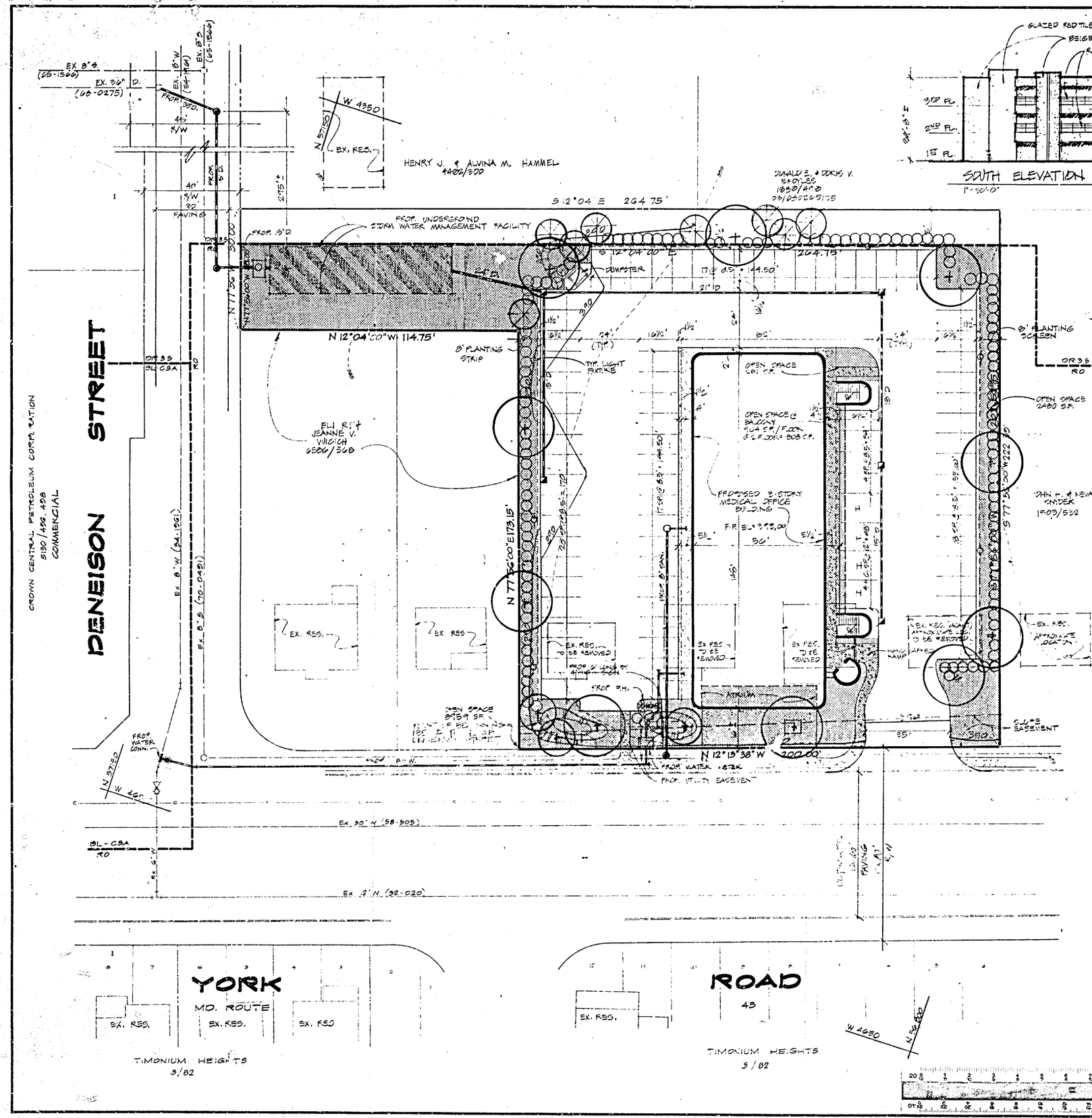
THANNER DEVELOPMENT CORP.

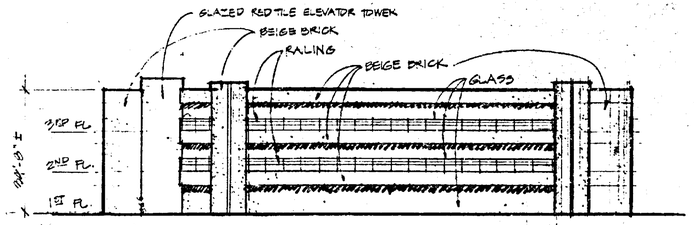


PROPOSED FREESTANDING SIGN
PADONIA PLACE
2405-2409 YORK RD.

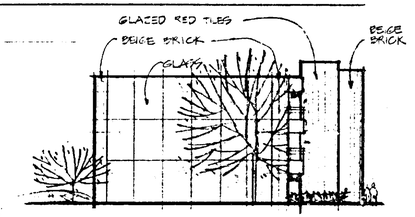
#371

THANNER DEVELOPMENT CORP.

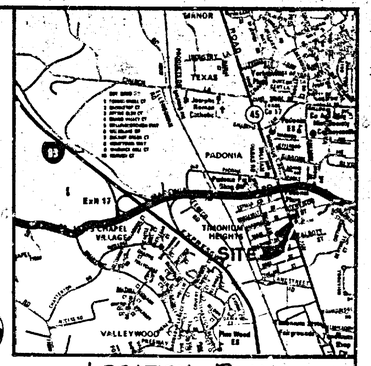




SOUTH ELEVATION
1" = 30'-0"



WEST ELEVATION
1" = 30'-0"



LOCATION PLAN
SCALE 1" = 2000'

LEGEND

- MAJOR DECIDUOUS TREE
- SMALL FLOWERING TREE
- EVERGREEN TREE
- 5' HIGH SCREEN

General Notes

1. Contract Purchaser/Applicant: Thatcher Development Corporation
   c/o Kent Joppa Road
   Towson, MD 21204
   (301) 828-0606
2. Election District 8; Councilmanic District 4; Census Tract 4085.05.
3. Watershed 1; Subwatershed 32.
4. Current Zoning: RO, DR-3.5

   Proposed Use: Medical Office

   Site Acreage and Zoning:

		G.Acres	Net
RO	=	1.218 Acres	1.063 Acres
DR-3.5	=	0.096 Acres	0.091 Acres
Total		1.314 Acres	1.154 Acres

   F.A.R.:

   Allowed = 1.218 x 0.5 = 0.608 = 26,464.48 S.F.
   Proposed = 1st Floor = 8,268 S.F.
   2nd Floor = 7,731 S.F.
   3rd Floor = 7,731 S.F.
   Total 23,758 S.F. = 0.545 Acres

   Class B Building:

   Use: Medical Office

   Anticipated Hours of Operation: 9:00 a.m. to 5:00 p.m.

   Estimated No. of Employees: 55

   Parking:

   Required = 23,758 S.F. @ 1/300 = 80 Spaces
   Provided = 80 Spaces (Includes 4 Handicapped Spaces)

   Amenity Open Space:

   Required = 1.218 x .25 = 13,242.24 S.F.
   Proposed = 13,528 S.F.

   Landscape Requirements:

   Required = 250 L.F. Frontage x 40 = 6.2 Trees
   35 L.F. Interior Roadway x 20 = 1.7 Trees
   80 Parking Spaces x 12 = 6.7 Trees
   Total = 14.6 Trees
   (8 Major Deciduous)

   8' wide planting strip along residential and street frontage.
   5' high parking and dumpster screens.

   Provided = 10 Major Deciduous = 10.0 Trees
   3 Small Flowering = 1.5 Trees
   8 Evergreen = 4.0 Trees
   Total = 15.5 Trees

   8' wide planting strips.
   5' high screens.
5. There are no proposed or existing well or septic areas.
6. Soils:

Soil Series & Symbol	Hydro Class	Limitations: With Basements	Without Basements	Streets & Parking
Baltimore Silt Loam (BmB2)	B	Slight	Slight	Slight

7. The site is primarily lawn with some ornamental planting which will be removed.
8. There are no existing streams, bodies of water, springs or flood plains associated with this property.
9. There are no buildings of historic significance on this property.
10. Current Ownership:

    Russell T. Baker, Sr., et al
    c/o Robert Schmidt
    6120 North Charles Street (AMD)
    Baltimore, MD 21212

    Catchy Village Inn Inc.
    9726 York Road
    Cockeysville, MD 21030

    Deed References: Liber 6358 Folio 647 — Ll on 5801 Folio 895

    Property Numbers: 08-19-011376, 08-19-040100, 08-19-011375, and 06-07-056125 — 06 07-040040

11. Estimated Average Daily Trips:

    23,758 S.F. @ 75/1,000 = ± 791.85 A.D.T.'s

12. The Bus. 9 and 18 M.T.A. buses service this area of York Road.
13. Stormwater will be managed through the use of an underground facility as shown on the plan. Since ± 4a soils fall into the "B" classification, infiltration will as required. Volume calculations are submitted with the plan.
14. There are no known wetlands, significant geologic formations, critical areas, archeological sites, endangered species habitats or hazardous materials on this property.

OFFICE USE

Plat to Accompany Petition for Special Exception and Variance

DAFT · McCUNE · WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS
530 EAST JOPPA ROAD
TOWSON MD 21204
TELEPHONE 301 296 3333

PADONIA PLACE

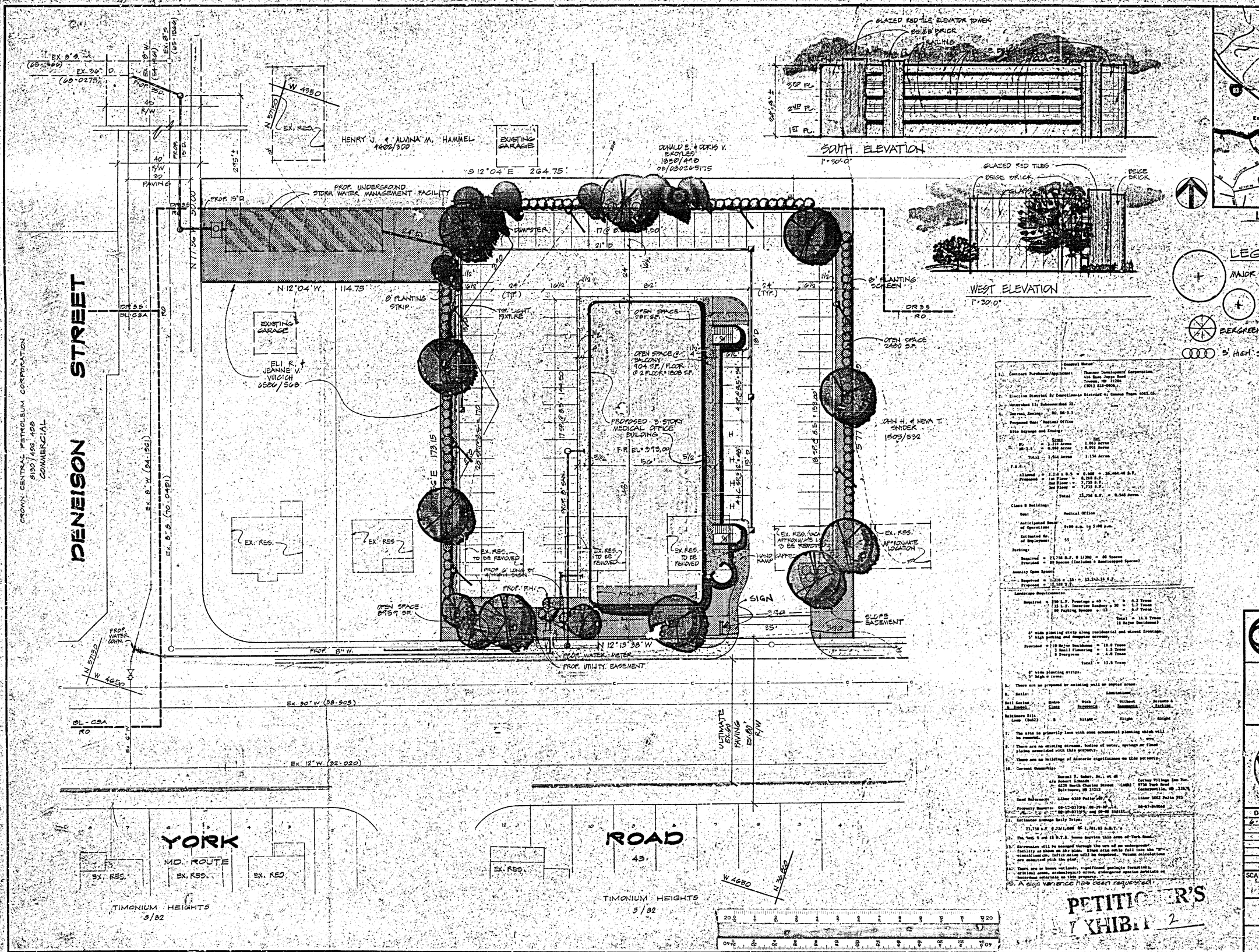
DATE	REVISIONS

SCALE: 1" = 20'

JOB ORDER NO. 85081

ISSUE DATE 6/9/85

PETITIONER'S EXHIBIT 1



DAFT - McCUNE - WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS
200 EAST JOPPA ROAD
TOWSON, MD 21204
TELEPHONE: 301-296-3333

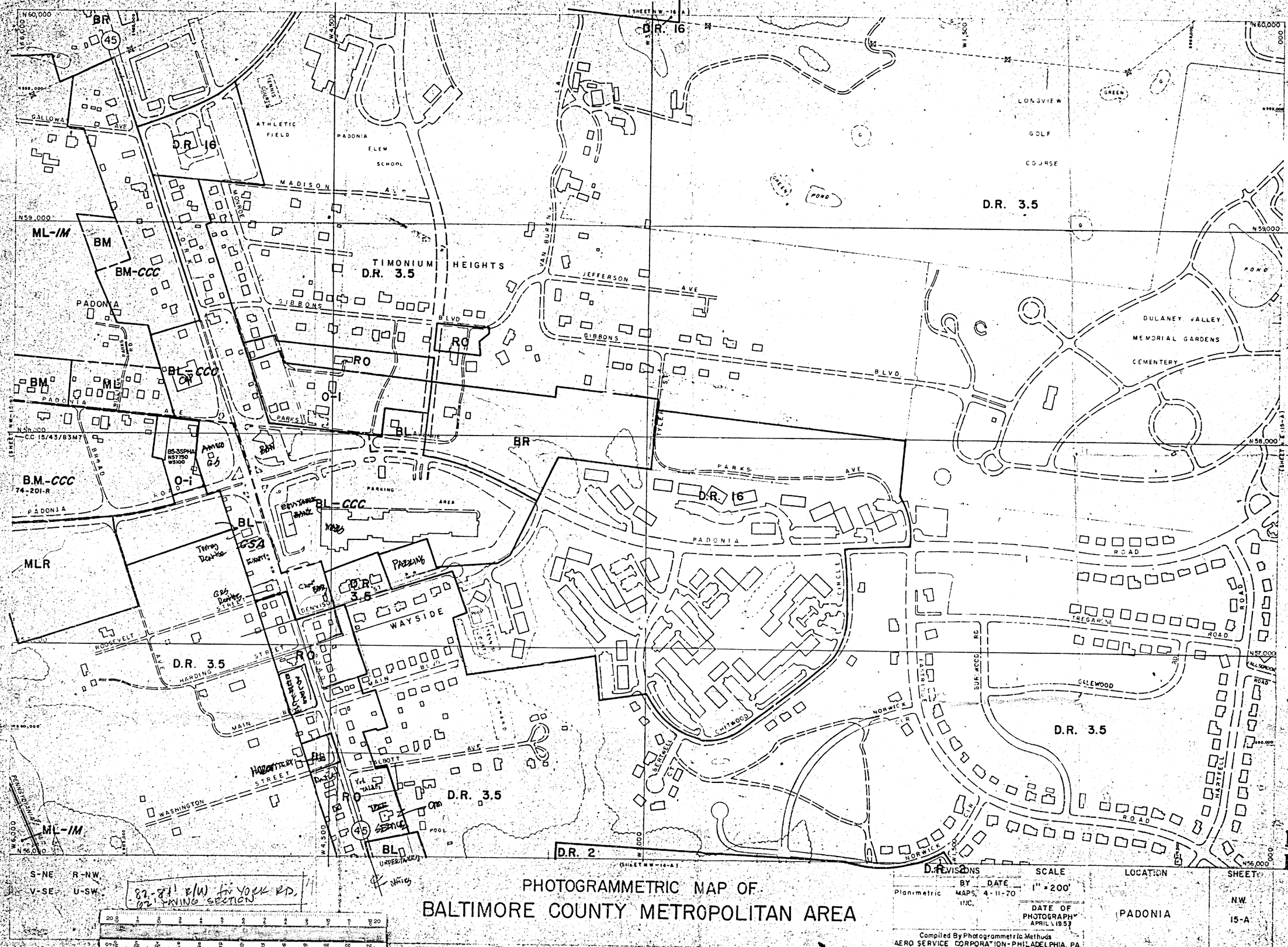
PADONIA PLACE

DATE	REVISIONS
6-11-85	P.B. COMMENTS, PRELIM. COMMENTS

SCALE: 1"=20'

JOB ORDER NO. 85081

ISSUE DATE 6/9/85



PETITIONER EXHIBIT n

ZONING CASE 85009

86-85-XA

PETITION FOR SPECIAL EXCEPTION

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 building in an R.O. 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.

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

Contract Purchaser:	Legal Owner(s):
Thanner Development, Inc. (Type or Print Name)	Robert Schmidt (Type or Print Name)
Signature VP.	Signature
414 East Joppa Road	Cathay Village Inn, Inc.
Address	(Type or Print Name)
Towson, Maryland 21204	Signature J. Hom, Pres.
City and State	
Attorney for Petitioner:	
R. Bruce Alderman, Esquire (Type or Print Name)	(Over)
Signature	Address Phone No.
White, Mindel, Clarke & Hill 29 West Susquehanna Avenue	City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Towson, Maryland 21204	Daft-McCune-Walker, Inc.
City and State	Name 200 East Pennsylvania Avenue
Attorney's Telephone No.: 828-1050	Towson, Maryland 21204 296-3333
	Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of July, 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 27th day of August, 1985, at 1:30 o'clock P.M.

Zoning Commissioner of Baltimore County.

Z.C.O.—No. 1 (over)

ORDER RECEIVED FOR FILING
DATE October 31, 1985
BY Barbara A. Mitchell
ADMINISTRATIVE ASSISTANT

Date 7/26
Hearing 8/27/85
Reception
Deadline
Date 8/8/85
Type
Hearing XA
By
Final
By

86-85-XA
371

Case No. 86-85-XA

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 24th day of July, 1985.

ARNOLD JABLON
Zoning Commissioner

Petitioner Robert Schmidt
Petitioner's Attorney R. Bruce Alderman, Esquire
cc: Daft-McCune-Walker, Inc.
Thanner Development, Inc.

Received by: JAMES E. DYER, Chairman
Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 16, 1985

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

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

R. Bruce Alderman, Esquire
White, Mindel, Clarke & Hill
29 West Susquehanna Avenue
Towson, Maryland 21204

RE: Item No. 371 - Case No. 86-85-XA
Petitioner - Robert Schmidt
Special Exception and Variance Petitions

Dear Mr. Alderman:

The Zoning Plans Advisory Committee and the County Review Group (CRG) have both reviewed the plans submitted with the above-referenced petition. The comments from the CRG have been added to those of the Zoning Plans Advisory Committee and are part of this case file. 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.

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

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Daft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21204

Thanner Development, Inc.
414 East Joppa Road
Towson, Maryland 21204

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL P. E.
DIRECTOR

July 5, 1985

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

Re: Item #371 (1984-1985)
Property Owner: Robert Schmidt
E/S York Road, 135' S/E from c/l Deneison Street
District 8th

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:

Since no public facilities are involved, this office has no comment.

Very truly yours,

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

JAM:PMO:blp

cc: File

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

JULY 29, 1985

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

Re: Zoning Advisory Meeting of JUNE 18, 1985
Item # 371
Property Owner: ROBERT SCHMIDT
Location: E/S YORK RD. 135' S/E FROM C/L OF DENEISON ST.

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.

(X) There are no site planning factors requiring comment.
( ) A County Review Group Meeting is required.
(X) A County Review Group meeting was held and the minutes will be forward 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 22-98 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
(X) 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
( ) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
(X) Additional comments:
THE C.R.G. PLAN - VIII-420 (PADONIA PLACE) WAS APPROVED ON 7/18/85, APPROVED PLAN EXPIRES 7/18/88

Eugene A. Bober
Chief, Current Planning and Development

cc: James Hoswell

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

STEPHEN E. COLLINS
DIRECTOR

June 26, 1985

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

Item No. 371 -ZAC- Meeting of June 18, 1985
Property Owner: Robert Schmidt
Location: E/S York Road 135' S/E from c/l Deneison Street
Existing Zoning: R-O and D.R. 3.5 (CRG)
Proposed Zoning: Variance to permit a free standing illuminated sign 4 X 6 in size, both sides, in lieu of the required 8 sq.ft. non-illuminated sign on the building and special exception for a Class B Office Building.

Acres: 1.063
District: 8th

Dear Mr. Jablon:

Item #371 is a C.R.G. ITEM.

Michael S. Flanigan
Traffic Engineering Assoc. II

MSF/ccm

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

PAUL H. REINCKE
CHIEF

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

July 1, 1985

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Robert Schmidt

Location: E/S York Road 135' S/E from c/l Deneison Street

Item No.: 371 Zoning Agenda: Meeting of June 18, 1985

Gentlemen:

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

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

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

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

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

( ) 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.

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

REVIEWER: Catherine Wood Kelly 7-3-85 Noted and Approved: Roy W. Kemmerer
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

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

TED ZALESKI, JR.
DIRECTOR

July 8, 1985

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

Dear Mr. Jablon:

Comments on Item # 371 Zoning Advisory Committee Meeting are as follows:

Property Owner: Robert Schmidt
Location: E/S York Road 135' S/E from c/l Deneison Street
District: 8th.

APPLICABLE ITEMS ARE CIRCLED:

A. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.

B. A building and other miscellaneous permits shall be required before the start of any construction. (razing)

C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

E. All Use Groups except R-3 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-3 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line.

F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) _____, _____, of the Baltimore County Building Code.

H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Many and architectural or engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Uses _____ _____. See Section 312 of the Building Code.

I. The proposed project appears to be located in a Flood Plain, Wind/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above mean level for the lot and the finish floor levels including basements.

NOTE: (+) Comments: Signs shall comply with Article 1900.0. Exiting could be a problem for this structure if constructed as shown due to travel distance and dead end travel. Atriums shall comply with Section 620.0.

K. These abbreviated 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 the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Burnham, Chief
Building Plan Review

JED:12/85

APR 10 1988

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

Robert Schmidt
6229 North Charles Street
Baltimore, Maryland 21212

Cathay Village Inn, Inc.
9726 York Road
Cockeysville, Maryland 21030

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE
E/S York Rd., 135' SW/Centerline : OF BALTIMORE COUNTY
of Deneison St. (Padonia Place -
2405-2409 York Rd.), 8th District:

ROBERT SCHMIDT, Petitioner : Case No. 86-85-XA

: : : : : : :

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 31st day of July, 1985, a copy of the foregoing Entry of Appearance was mailed to R. Bruce Alderman, Esquire, White, Mindel, Clarke & Hill, 25 W. Susquehanna Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Arnold Jablon, Zoning Commissioner — Date August 8, 1985

FROM Norman E. Gerber, Director, Office of Planning and Zoning

SUBJECT Zoning Petition No. 86-85-XA

The CRG plan (File No. VIII - 470: Padonia Place) was approved on July 18, 1985. However, this office is opposed to the granting of the requested sign variance. It is this office's opinion that the permitted type and size signs for this zone would not be in keeping with the spirit and intent of the R.O. zone.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:slm

DAFT-McCUNE-WALKER, INC.
200 East Pennsylvania Avenue
Towson, Maryland 21204
Telephone 301—296-3333
Land Planning Consultants
Landscape Architects
Engineers & Surveyors

Description to Accompany Petition for Special Exception and Variance Eighth Election District, Baltimore, Maryland

Beginning for the same on the east side of York Road, 80 feet wide, at a point distant 135 feet more or less measured in a southeasterly direction on said east side of York Road from its intersection with the centerline of Deneison Street, thence leaving said point of beginning and said east side of York Road and running (1) North 77 degrees 56 minutes 00 seconds East 173.15 feet, (2) North 12 degrees 04 minutes 00 seconds West 114.75 feet, (3) North 77 degrees 56 minutes 00 seconds West 35.00 feet to intersect the line which separates the land zoned R.O. and the land zoned D.R. 3.5 as shown on the 1984 Comprehensive Zoning Map for Baltimore County, thence running and binding thereon (4) South 12 degrees 04 minutes 00 seconds East 264.75 feet, thence leaving said zoning line and running (5) South 77 degrees 56 minutes 00 seconds West 207.59 feet to intersect the aforesaid east side of York Road, thence running and binding thereon (6) North 12 degrees 13 minutes 38 seconds West 200.00 feet to the place of beginning.

Containing 1.063 acres of land, more or less.

NOTE: This description has been prepared for zoning purposes only and is not intended to be used for conveyance.

Our File No. 85081

June 3, 1985

STATE OF MARYLAND — JAMES D. SHAFFER — NO. 8118 REGISTERED PROFESSIONAL LAND SURVEYOR

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
E/S York Road, 135' SW of the c/l Deneison Street (Padonia Place) - 8th Election District
Robert Schmidt, Petitioner

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
Case No. 86-85-XA

* * * * * * * * * * *

The Petitioner herein requests a special exception for a Class B office building in a R-O Zone and a variance to permit a 4' x 6' free-standing, illuminated sign with a total of 48 square feet, in lieu of the permitted 8 square foot non-illuminated sign on the building.

Testimony by and on behalf of the Petitioner indicated that he proposes to construct a three-story office building with an anticipated mix of one-third medical and two-thirds general office use. The subject site is located near a commercial center in an area with intense office development on York Road, a heavily traveled, five-lane road with an average speed of 40 miles per hour. The floor area ratio is less than allowed. In addition to required landscaping, the site provides a strip along the entire length of the rear property line, zoned D.R. 3.5, which will remain open and green. The County Review Group (CRG) approved the plan on July 18, 1985. A double-faced, free-standing 3' x 5' sign, visible from both directions, as more particularly described on Petitioner's Exhibit 5, is needed for identification of the building and/or the primary tenant. The proposed sign will be located low to the ground on a berm with landscaping; illumination will be cut off at 11:00 p.m. There will be no other signs on the building or site.

Mary Ginn, on behalf of the Alliance of Baltimore County Community Councils, Inc. spoke of that organization's general policy against the granting of sign variances.

Pursuant to the advertisement, posting of property and public hearing, in the opinion of the Deputy Zoning Commissioner, strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty or unreasonable hardship upon the petitioner, the requirements of Section 502.1, BCZR have been met, and the health, safety and general welfare of the community will not be adversely affected, and, therefore, the special exception and variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 31st day of October, 1985, that the herein Petition for Special Exception for a Class B office building in a R-O Zone and, additionally, the Petition for Variance to permit a 4' x 6' free-standing, illuminated sign with a total of 48 square feet in lieu of the permitted 8 square foot non-illuminated sign on the building, in accordance with the site plan prepared by Daft-McCune-Walker, Inc., revised June 17, 1985, and marked Petitioner's Exhibit 2, and the drawing marked Petitioner's Exhibit 5, are hereby GRANTED, from and after the date of this Order, subject, however, to the following restriction:

1. The sign shall not be illuminated after 10:00 p.m.

Deputy Zoning Commissioner
of Baltimore County

JMHJ:bg

ORDER RECEIVED FOR FILING
DATE October 31, 1985
BY Administrative Assistant

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

ARNOLD JABLON
ZONING COMMISSIONER

August 22, 1985

R. Bruce Alderman
White, Mindel, Clarke & Hill
29 West Susquehanna Avenue
Towson, Maryland 21204

Re: Petition for Special Exception and Variance
E/S York Rd., 135' SW/centerline of
Deneison St. (Padonia Place)
8th Election District
Robert Schmidt, Petitioner
Case No. 86-85-XA

Dear Mr. Alderman:

This is to advise you that $85.75 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

Please make the check payable to Baltimore County, Maryland, and remit to 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. 012628
DATE 8-27-85 ACCOUNT 01-615-1??
AMOUNT $ 85.75
RECEIVED FROM: R. Schmidt Petitioner
FOR: Charges Zon Case
Petition Posting Case #86-15-XA
B 0133 *****85.75** 12:07PM
VALIDATION OR SIGNATURE OF CASHIER

Maryland Department of Transportation
State Highway Administration

William K. Hellmann, Secretary
Hal Kassoff, Administrator

July 8, 1985

Mr. J. Markle, Chief
Bureau of Public Services
County Office Building
Towson, Maryland 21204

Re: CRG Meeting of 7-18-85
Padonia Place
E/S York Rd., Route 45
South of Deneison Street

Dear Mr. Markle:

On review of the submittal of 6-3-85 and field inspection, the State Highway Administration finds the plan generally acceptable, with minor revisions.

The revisions are as follows:

1. Show a entrance width of no less than 25' into the site.
2. Label the entrance radii and Handicap Ramps.
3. Show the elimination of all residential access at #2409 #2407 #2405 and #2403 York Road.
4. Show the existing 5 lane section on York Road with Left Turn Movements.

It is requested that all Baltimore County permits be held until the plan is revised and State Highway Administration Access Permit applied for.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

Attachment

cc: Mr. J. Ogle
Daft McCune Walker

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-300-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

APR 10 1986