

86-233 SPH

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve or disapprove the proposed use of the property and to amend the site plan filed in Case No. 73-146-SPH and a determination of the applicable R.T.A. requirements for this site.

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

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

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

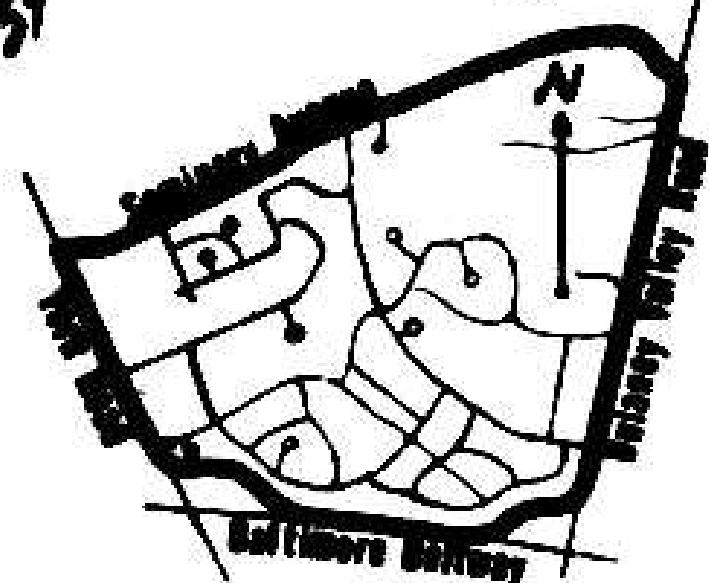
Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
NICHOLAS B. MANGIONE
Signature
(Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner:
RICHARD J. DIPASQUALE
Address
City and State
Attorney's Telephone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of December, 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 22nd day of January, 1986, at 1:00 o'clock P.M.

Barbara Poniatowski
Zoning Commissioner of Baltimore County



Dulaney Valley Improvement Association

Box 102
Lutherville, Md. 21093

March 1, 1986
Mr. Arnold Jablon
Zoning Commissioner
Baltimore County Office of Planning & Zoning
Towson, Maryland 21204

Re: Case #86-283-SPH

Dear Mr. Jablon,

The Board of Directors and the members of the Dulaney Valley Improvement Association would like to thank you for the decision that you rendered in case #86-283-SPH. We do have some remaining questions surrounding the issue of the zoning violation at 1205 York Place.

Since Mr. Mangione has been found in violation of the special exception granted in case #73-146-SPH, what specific measures will be taken if he does not comply with the site plan approved in case #73-146-SPH within 90 days? Secondly, the community association would like to know what measures have been taken to have the property owner compensate the public and the County for these past violations? Finally, the community association would like to know who will monitor the owners compliance with the commissioner's order?

Thank you.

Sincerely,

Barbara Poniatowski
President

cc: B. Bachur, Councilwoman
J. Barnes
H. Burkholder

I HEREBY CERTIFY that, on this 31st day of July, 1986, a copy of the foregoing Subpoena Duces Tecum was mailed, postage prepaid, to Peter Zimmerman, Esq. and Phyllis Friedman, Esq., People's Counsel for Baltimore County, Court House, 2nd Floor, Towson, Maryland, 21204, and to Thomas J. Bollinger, Esq., 416 East Joppa Road, Towson, Maryland, 21204.

Michael P. Tanczyn, Esq.
MICHAEL P. TANCZYN, ESQ.

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

March 7, 1986

Ms. Barbara Poniatowski, President
Dulaney Valley Improvement Association
P.O. Box 102
Lutherville, Maryland 21093

RE: Case No. 86-283-SPH
Nicholas B. Mangione,
Petitioner

Dear Ms. Poniatowski:

Please be advised that Mr. Mangione has appealed my decision of February 10, 1986 to the Board of Appeals for Baltimore County. If the Board upholds my decision, this office, with the expected cooperation of the community, will monitor the situation for compliance. If compliance is not attained, this office will issue a citation to the District Court of Maryland requesting a penalty of \$200 per day for each day of violation. Finally, there is no means by which compensation to the public and County can be assessed.

Sincerely,

Arnold Jablon
Zoning Commissioner

AJ/srl

cc: Case No. C-85-1205

2

MICROFILMED

RICHARD J. DIPASQUALE
ATTORNEY AT LAW
8718 HANFORD ROAD
BALTIMORE, MARYLAND 21216
AREA CODE 301
TELEPHONE 488-4938

February 14, 1986

Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Before the Zoning Commissioner
of Baltimore County
Case No. 86-283-SPH
Petition Special Hearing
E/S of York Road, 103' N of Ridgefield
Road (1205 York Road) - 9th Election District
Nicholas B. Mangione, Petitioner

Dear Sir:

Please note our Appeal of the February 10, 1986 decision of the Zoning Commissioner of Baltimore County with reference to the above captioned case. Enclosed please find our check for \$100.00 to cover the cost of this Appeal. I believe that we have already paid the cost of posting, but should this not be so, please advise the undersigned.

Very truly yours,

Richard J. DiPasquale

cc: People's Counsel

ceh

IN THE MATTER OF
NICHOLAS B. MANGIONE
Special Hearing for Off-
Street Parking and to
Amend Site Plan
E/S York Road, 103' North of
Ridgefield Road
9th Election District

BEFORE THE
BOARD OF APPEALS OF
BALTIMORE COUNTY
Case No. 86-283-SPH

SUBPOENA DUCES TECUM

SECRETARY, please issue a Subpoena for the following person to appear and testify before the Board of Appeals of Baltimore County on Tuesday, August 12, 1986, at 11:00 a.m. to testify for the Protestants before the Board of Appeals, Second Floor, Old Courthouse, Towson, Maryland, 21204:

Mr. Thompson, Zoning Inspector
Individually and as Custodian of Records
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

and to bring with him the zoning enforcement file and/or special hearing file and any notes or other information relating thereto regarding the matter scheduled for hearing on that date and time.

Please issue the above summons.

Jane Holden
Jane Holden, Board of Appeals

Michael P. Tanczyn, Esq.
Attorney for the Protestants
Suite 106, 606 Baltimore Avenue
Towson, Maryland 21204
(301) 296-8823

MICROFILMED

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 974 Date of Posting: 3/2/86
Posted to: 103' N of Ridgefield Rd.
Petitioner: Nicholas B. Mangione
Location of property: 1205 York Rd.
Location of Sign: 1205 York Rd.
Remarks: 1205 York Rd.
Posted by: [Signature]
Number of Signs: 2

6/2/86 - Mr. Stealey reported for sign posted. Sign is also put up on one side to show front property & install them down. Will check again & report to us. Take up with Mr. Stealey if this continues.
Therese out for 7/2

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 974 Date of Posting: 3/2/86
Posted to: 103' N of Ridgefield Rd.
Petitioner: Nicholas B. Mangione
Location of property: 1205 York Rd.
Location of Sign: 1205 York Rd.
Remarks: 1205 York Rd.
Posted by: [Signature]
Number of Signs: 2

6/17/86

Mr. Stealey,

Received a call that this sign is down - Please check and repost if necessary. Also, issue a second Certificate of Posting if you have to report so we have a record in the file.

Fdlth

6/20/86

checked signs at above address. Sign on Towson was missing, replaced with new sign. Sign on York Rd. was OK. Put sign back on pole.

MICROFILMED

MICROFILMED


Zoning Commissioner of
Baltimore County

cc: Ralph M. Murdy, Esquire
People's Counsel

The Petitioner further argued that there is a 42-foot easement and storm drain reservation on the south side of the proposed parking lot which should be counted in the buffer computation. Section 1801.1.B.1.b.5.(b) permits such uses within the buffer. However, the easement and reservation must be within the lot of record on which the primary use is proposed. Here, the easement and reservation are part of Ridgefield, the subdivision to the south, and are not part of the Petitioner's lot of record on which his office building or proposed parking lot is located. There is no question as to the

1. The Petitioner shall comply with the site plan approved in Case No. 73-146-KSPH by reducing the number of medical offices in the office building to provide an overall computation of medical and

Containing 0.74 Ac. of land more or less, in the 9th Section T. 10 S. R. 10 E. also known as 1205 West River.



(THIS DESCRIPTION CONSTRUCTED FOR ZONING PURPOSES ONLY)

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Testimony indicated that the subject property, located off York Road on Tenbury Road, zoned D.R.5.5, is adjacent to property owned by the Petitioner, zoned O-1, and improved with an office building, Case Nos. 73-4-RDA and 73-146-XSPH. As a result of a complaint received by the Zoning Office's Enforcement Section, James H. Thompson, Zoning Enforcement Coordinator, inspected the adjacent office building property and determined that only 154 parking spaces were provided. Based on the medical and general office uses in the building, which require different parking quotients pursuant to the Baltimore County Zoning Regulations (BCZR), 210 parking spaces are required (see Petitioner's Exhibit 1). Additionally, the site plan approved in Case No. 73-146-XSPH required 161 parking spaces. As a result, the Zoning Commissioner issued a Show Cause to York Road Associates to explain why the special

The Petitioner presented Jack R. Sturgill, Jr., Assistant County Attorney, Chief of Condemnation Section, who testified that the County had determined to extend Tenbury Road, which had ended south of the instant property,

Very truly yours,

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

No. 016129

2/20/86

DATE ACCOUNT R-01-C15-000

AMOUNT \$ 95.00

RECEIVED FROM Richard J. DiPasquale, Esquire

FOR Appeal fees in Case No. 86-283-SPH

B B 019*****8500: 4741F

VALIDATION OF SIGNATURE OF CARRIER

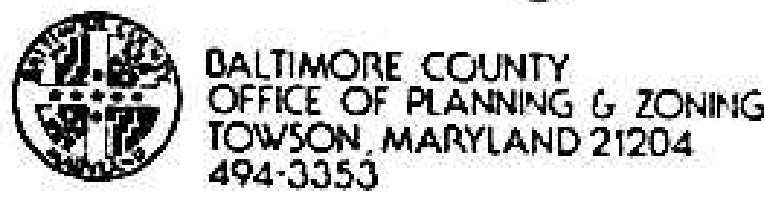
J. DiPasquale

Sincerely,

ARNOLD JABLON
Zoning Commissioner

cc: Richard J. Difasquale, Esquire
Ralph M. Murdy, Esquire
People's Counsel

DATE February 10, 1986 Shall & Long



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 16, 1986

Richard J. DiPasquale, Esquire
5718 Harford Road
Baltimore, Maryland 21214

Re: Petition for Special Hearing
E/S York Road, 103' N of Ridgefield Rd.
(1205 York Road)
9th Election District
Nicholas B. Mangione - Petitioner
Case No. 86-283-SPH

Dear Mr. DiPasquale:

This is to advise you that \$83.00 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 OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

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

DATE 1-16-86 ACCOUNT 01-615-000

AMOUNT \$ 83.00

RECEIVED FROM: Advertising & Posting

FOR: 81027*****1000012 82387

VALIDATION OR SIGNATURE OF CASHIER

December 20, 1985

Richard J. DiPasquale, Esquire
5718 Harford Road
Baltimore, Maryland 21214

NOTICE OF HEARING

Re: PETITION FOR SPECIAL HEARING
E/S York Road, 103' N of Ridgefield Rd.
(1205 York Road)
9th Election District
Nicholas B. Mangione - Petitioner
Case No. 86-283-SPH

TIME: 1:00 p.m.

DATE: Wednesday, January 22, 1986

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

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

DATE 10/29/85 ACCOUNT 01-615-000

AMOUNT \$ 100.00

RECEIVED FROM: Richard J. DiPasquale

FOR: SPH # 163

81027*****1000012 82387

VALIDATION OR SIGNATURE OF CASHIER

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
E/S York Rd., 103' N Ridgefield Rd. (1205 York Road), 9th District : OF BALTIMORE COUNTY

NICHOLAS B. MANGIONE, Petitioner Case No. 86-283-SPH

ENTRY OF APPEARANCE

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

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

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

I HEREBY CERTIFY that on this 23rd day of December, 1985, a copy of the foregoing Entry of Appearance was mailed to Richard J. DiPasquale, Esquire, and Ralph M. Murdy, Esquire, 5718 Harford Rd., Baltimore, MD 21214, Attorneys for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman



Baltimore County, Maryland

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

PHYLLIS COLE FRIEDMAN
People's Counsel

PETER MAX ZIMMERMAN
Deputy People's Counsel

June 27, 1986

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

RE: Nicholas B. Mangione, Petitioner
Zoning Case No. 86-283-SPH

Dear Chairman Hackett:

We noticed that the above-referenced case has been set in for Tuesday, July 22, 1986, at 10 a.m. Since we have a conflict on that date with another case being heard in the Circuit Court, we would appreciate it if the Board could reschedule this matter.

We regard this as an important case and feel that our presence is necessary.

Sincerely yours,
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County
Peter Max Zimmerman
Deputy People's Counsel

cc: Richard J. DiPasquale, Esquire
Barbara Poniatowski

PCF:sh

RECEIVED
COUNTY BOARD OF APPEALS
JUN 27 11 44 AM '86

Mangione Family Enterprises

1205 York Road, Penthouse
Lutherville, Maryland 21093
Phone (301) 825-8400

Nicholas B. Mangione, Chairman of the Board

March 19, 1987

Mr. Dyer
Baltimore County Zoning Office
111 W. Chesapeake Avenue
Towson, MD 21204

RE: Item #6
Special Exception/Variance
Petitioner: Mangione

Dear Mr. Dyer:

Enclosed are the revised site plans for the above referenced petition.

As I explained, revisions were required and other matters had to be clarified before we could move on the project. Obviously, that took some time, but now we are ready to proceed.

I respectfully request that this petition be scheduled for a hearing date at your convenience.

Please let me know if there is any problem with the site plans, description and/or petition forms. If I do not hear from you, I will assume that everything is proper and scheduling of a hearing date is progressing.

As always, thanks for your time and cooperation.

Sincerely,
MANGIONE FAMILY ENTERPRISES

Nicholas B. Commodari

NHC/jms
Enclosure

Case Nick Copy 2/11/87

February 10, 1987

M. Nicholas B. Mangione
1205 York Road, Penthouse
Towson, Maryland 21204

RE: Item #6 - 1985 Special Exception for
Nursing and Convalescent Home and
Domiciliary Care and
Variance - Front Setback

Dear Mr. Mangione:

In reference to the above referenced hearings, please resolve the following issues:

- ✓ 1) Spelling of Domiciliary (CI let out);
- ✓ 2) Petition for Variance, another \$100.00;
- ✓ 3) If domiciliary care would be for self-sufficient units (not people) density would be required. Show typical domiciliary unit. No kitchen noted, but not typical shown
- ✓ 4) Note on plan "All offsite dwellings and small lots that create a R.T.A. onsite are shown";
- ✓ 5) Show height of proposed building per policy M-6 (35' maximum in RTA) also note on plan that the building connection is only 1-story per Section 1801.1.B.1.b.2 (BCER);
- ✓ 6) Check description bearing #9 it does not match subdivision boundary bearing; and
- ✓ 7) How about a sign? Freestanding/Building?

If you need anything further, please do not hesitate to call.

Sincerely,

W. CARL RICHARDS, JR.
Zoning Coordinator

WCR:kbb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 86-283-SPH

Date: January 17, 1986

Although this office is not charged with interpreting the Baltimore County Zoning Regulations, it would appear that the proposed parking as shown on the petitioner's plat does not conform to the existing RTA regulations as we understand them.

Norman E. Gerber, AICP
Director

NEG:JGH:slm



PETITION FOR SPECIAL HEARING

9th Election District

LOCATION: Eastside York Road, 103' North of Ridgefield Road (1205 York Road)

DATE AND TIME: Wednesday, January 22, 1986 at 1:00 p.m.

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

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

Petition for Special Hearing for offstreet parking on residentially zoned property and to amend site plan filed in Case No. 73-146-SPH and a determination of the applicable R.T.A. requirements for this site.

Being the property of Nicholas B. Mangione 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



Dulaney Valley Improvement Association

P.O. Box 102
Lutherville, Md. 21093

AFFIDAVIT

I solemnly declare and affirm that Barbara Poniatowski occupies the office of President of the Dulaney Valley Improvement Association, and has been empowered, pursuant to a resolution of the Board of Directors to represent said Dulaney Valley Improvement Association in all zoning matters, and that said Barbara Poniatowski has an accurate knowledge of the number of members in the Association and its geographic limits.

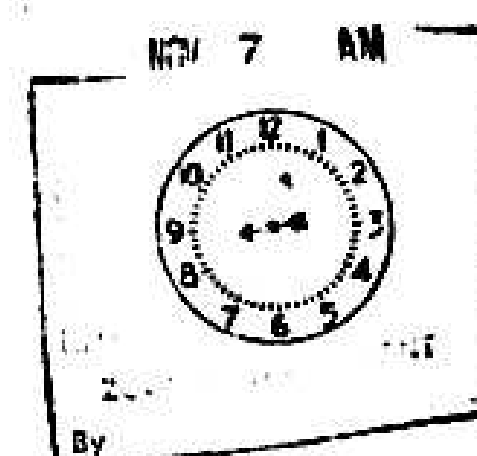
Barbara Poniatowski 1/1/86
Barbara Poniatowski, President
Lorrie McNew 1/1/86
Lorrie McNew, Recording Secretary



Copy filed
11-18-85

RICHARD J. DiPASQUALE
ATTORNEY AT LAW
8718 HANFORD ROAD
BALTIMORE, MARYLAND 21214
AREA CODE 301
TELEPHONE 728-4938

November 5, 1985



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

Re: E/S of York Road, 103' N of Ridgefield
Road (1205 York Road) - 9th Election District
Precision Quality Homes, Inc., Petitioner
Case Nos. 73-146-SPH and C-85-1205
And Item No. 163

Dear Mr. Commissioner:

Please be advised that pursuant to your Order dated the 16th day of September, 1985, the Respondent, Nicholas B. Mangione, has complied with each and every requirement therein, and is prepared to proceed on a hearing on his Petition for Special Hearing identified as Item No. 163 on the Baltimore County Zoning Hearing Docket.

It would be appreciated if this matter could be set in for a hearing expeditiously to satisfy the Zoning Commissioner and the residents of the immediate neighborhood of the Respondent.

Many thanks for your compliance with this request, notifying all parties of your selected hearing date.

Very truly yours,

Richard J. DiPasquale

cc: Mr. Louis Mangione

eeh

1 calculations that had been made by the zoning office.

2 The Board believes that to permit such an amendment
3 would not be proper and we will, therefore, grant the
4 motion to dismiss in this case.

5 We recognize that the changes that may be made -- and
6 I want to emphasize we have not heard anything of the
7 protestants' side to know what other complaints they might
8 have -- but the changes that are necessary in our estimation
9 to have minimum requirements that are necessary on a site
10 plan to be reviewed by the zoning commissioner or by us had
11 not been met, given the site plans that were submitted, and
12 that it does not appear that it would be a significant
13 change, but we do believe that the site plans as had been
14 provided and permitted in for the purposes of the testimony
15 here, and as had been testified to, do not meet those
16 requirements as had been verified by the zoning office.

17 Therefore, we are going to grant the motion to dismiss
18 and we believe that the petitioner will be filing an amended
19 site plan for review by the zoning office and, presumably,
20 by the zoning commissioner at that point subsequent to the order
21 in this case. Thank you.

MICROFILMED

(Mangione)

1 THE CHAIRMAN: When this case first began last week,
2 there was a request by the protestants that the two plats
3 that were being offered as exhibits in this case not be
4 permitted because they were not presented at the Zoning
5 Commissioner's level, and the Board reserved judgment on that
6 decision.

7 What we did was permit them to come in because we were
8 of the belief that the issue ultimately would become moot
9 because we would have a certain amount of time scheduled that
10 day after which time the matter, the plats could be reviewed
11 and in effect not have the lack of notice that had previously
12 been claimed the protestants.

13 In that time, the protestants did have an opportunity
14 to go to the zoning office and have both plats that had been
15 offered viewed, and based upon the testimony that was provided
16 today by Mr. Dwyer, it was his opinion that under neither
17 scenario as presented could the regulations be met that require
18 a residential transition area and a buffer that is of consequence
19 being placed in that area. Neither site plan as then presented
20 would be able to provide what the zoning regulations require.

21 At the time that Mr. Dwyer was presented, the petitioner
had rested his case. The petitioner thereafter requested that
we permit an amendment to the site plan to permit the engineer
who had prepared the site plan to have it conform with the

MICROFILMED

November 21, 1985

Mr. Nicholas B. Mangione
1205 York Road
Lutherville, Maryland 21093

Dear Mr. Mangione:

I have reviewed the site plan filed with the above-referenced Petition for Special Hearing and find it unsatisfactory. I need a specific breakdown of all of the uses on each floor. To that end, I would like Mr. James H. Thompson of my office to accompany your building manager throughout the building to delineate the uses, i.e., office by office.

It has also come to my attention that you have cleared an area behind the building and covered it with gravel. I suggest that you do not permit vehicles to park there as it would constitute a zoning violation, subject to a penalty of \$200 per day.

Sincerely,

ARNOLD JABLON
Zoning Commissioner

MJ/srl

MICROFILMED

16-1435



Officers

I. WESLEY BONE, Chairman
H. ERICH KOCH, Vice-Chairman
MARGARET E. MILLER, Secretary
GEORGE K. KINYAK, Treasurer

Board of Directors

JOHN HAMELICKY
ANTHONY KAMMARTILA
MARGARET E. MILLER
JOHN CHILCOAT
DORIS ENHANGIE

Director Emeritus

MATTHEW J. TRESS

President

GEORGE O. HANSEN, JR.

Vice President

ALFIE SITON

Credit Committee

FRED LOCKETT, Chairman

Supervisory Committee

JOHN BACK, Chairman

January 10, 1986

Baltimore County
Office of Planning and Zoning
Towson, Maryland 21204

Attention: Mr. Arnold Jablon

Re: Item No. 163
Nicholas B. Mangione,
Petitioner

Dear Mr. Jablon:

I have noted with great interest that 1205 York Road is petitioning for additional parking in rear of their lot. I feel this is a very good gesture on the property owner's part and I feel this additional zoning should be granted.

One of the greatest needs in any community such as we reside in is parking. Best to those who succeed in this direction.

Sincerely,

George O. Hansen, Jr.

GON:lh

1215 YORK ROAD
LUTHERVILLE, MARYLAND 21093

A FINANCIAL INSTITUTION OWNED AND OPERATED EXCLUSIVELY BY AND FOR ITS MEMBERS



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

June 13, 1986

York Road Associates
1205 York Road
Lutherville, Maryland 21093

Attention: Mr. Nicholas B. Mangione

RE: 1205 York Road
Commercial Parking/Residential Zone
9th Election District

Dear Mr. Mangione:

This office has been notified that motor vehicle parking is taking place to the far rear of the subject site. Noting that this is an area that was not designated for off-street parking in Case No. 73-146-SPH and subsequently was disapproved in Case No. 86-283-SPH, on February 10, 1986, this activity must cease immediately. Failure to keep this area barricaded until a final decision is rendered will result in the issuance of a citation, wherein, monetary penalties of \$200.00 per day will be imposed.

Sincerely,

ARNOLD JABLON
Zoning Commissioner



Baltimore County, Maryland

Date 2/18/86

To: Bettye

From: Barbara

- ☐ Please Note & File
- ☐ For Your Information
- ☐ Please Note & Return
- ☐ Please Handle
- ☐ Please answer, sending me copy of your letter
- ☐ Please Prepare reply for my Signature
- ☐ To be Signed
- ☐ Please Comment
- ☐ Please See Me
- ☐ Investigate & Report

Remarks:

Please docket the following appeal:

2/14/86 - Case No. 86-283-SPH
Appealed by Nicholas B. Mangione, Petitioner

Fee: \$95.00

Recycled Paper

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
day of January, 1986.

Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

Petitioner: Nicholas B. Mangione
Petitioner's Attorney: Richard J. DiPasquale, Esquire

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-283-SPH

District: 9th Date of Posting: 12/17/85
Posted for: Special Hearing
Petitioner: Nicholas B. Mangione
Location of property: E/S York Rd., 103' N of Ridgely Rd., 1205 York Rd.
Location of Sign: At York Rd. 103' N of Ridgely Rd., 1205 York Rd.
Remarks: North all signs are to be removed by 1/3/86.
Posted by: John J. Holmen Date of return: 1/3/86
Number of Signs: 1



County Board of Appeals of Baltimore County

Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

March 10, 1986

NOTICE OF ASSIGNMENT

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

CASE NO. 86-283-SPH NICHOLAS B. MANGIONE
E/S York Rd., 103' N of Ridgely Rd.
(1205 York Rd.)
9th District
SPH-Off-street parking; and to amend site plan
10/86 - Z.C.'s Order - DENIED
ASSIGNED FOR:
cc: Nicholas B. Mangione Petitioner
Richard J. DiPasquale, Esq. Counsel for Petitioner
Barbara Poniatowski Protestant
Phyllis C. Friedman People's Counsel
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean Jung
James Dyer

CERTIFICATE OF PUBLICATION

TOWSON, MD., JANUARY 1, 1986

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 January 1, 1986.

TOWSON TIMES,

W. Kentz
Publisher

38.25

County Board of Appeals
Room 219 Court House
TOWSON, MARYLAND 21204

NOTICE OF POSTPONEMENT and REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 86-283-SPH NICHOLAS B. MANGIONE
E/S York Rd., 103' N of Ridgely Rd.
(1205 York Rd.)
9th District
SPH-Off-street parking; and to amend site plan
The above case, set for hearing on Tuesday, July 22, 1986, at 10 a.m., has been POSTPONED by the Board at the request of the People's Counsel for Baltimore County, and
REASSIGNED FOR:
cc: Nicholas B. Mangione Petitioner
Richard J. DiPasquale, Esq. Counsel for Petitioner
Barbara Poniatowski Protestant
Michael Tanczyn, Esq. Counsel for Protestants
Phyllis C. Friedman People's Counsel
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean Jung
James Dyer

CERTIFICATE OF PUBLICATION

TOWSON, MD., JANUARY 2, 1986

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 January 2, 1986.

THE JEFFERSONIAN,

W. Kentz
Publisher

Cost of Advertising

24.75

Case No 86-283



County Board of Appeals of Baltimore County

Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

August 13, 1986

NOTICE OF ASSIGNMENT

(CONTINUED HEARING)

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

CASE NO. 86-283-SPH NICHOLAS B. MANGIONE
E/S York Rd., 103' N of Ridgely Rd.
(1205 York Rd.)
9th District
SPH-Off-street parking; and to amend site plan
ASSIGNED FOR:
cc: Nicholas B. Mangione Petitioner
Richard J. DiPasquale, Esq. Counsel for Petitioner
Barbara Poniatowski Protestant
Michael Tanczyn, Esq. Counsel for Protestants
Phyllis C. Friedman People's Counsel
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean Jung
James Dyer

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-283-SPH

District: 9th Date of Posting: 9/2/86
Posted for: Special
Petitioner: Nicholas B. Mangione
Location of property: 1205 York Rd.
Location of Sign: At York Rd. 103' N of Ridgely Rd., 1205 York Rd.
Remarks: North all signs are to be removed by 1/3/86.
Posted by: John J. Holmen Date of return: 1/3/86
Number of Signs: 1

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-283-SPH

District: 9th Date of Posting: 9/2/86
Posted for: Special
Petitioner: Nicholas B. Mangione
Location of property: E/S York Rd., 103' N of Ridgely Rd., 1205 York Rd.
Location of Sign: At York Rd. 103' N of Ridgely Rd., 1205 York Rd.
Remarks: North all signs are to be removed by 1/3/86.
Posted by: John J. Holmen Date of return: 1/3/86
Number of Signs: 1

3/10/86 - Following notified of hearing set for Tues. July 22, 1986, at 10 a.m.

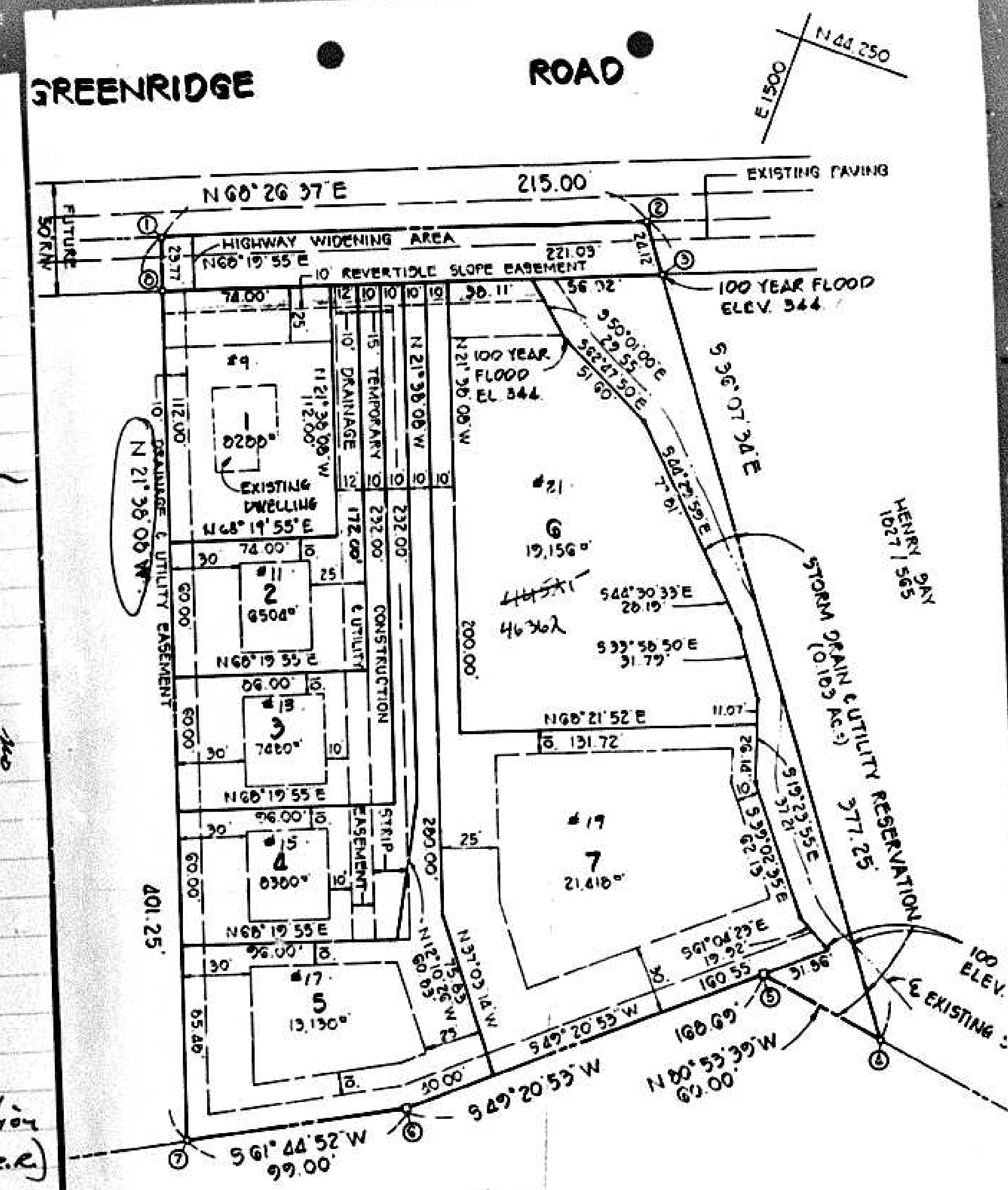
Nicholas B. Mangione
Richard DiPasquale, Esq.
Barbara Poniatowski
Phyllis C. Friedman
Norman Gerber, James Hoswell
Arnold Jablon, Jean Jung, James Dyer

8/21/86 - Continued hearing to be held on Thurs. Aug. 21, 1986, at 1:00 p.m. Above notified.

Ifen # 6, 1985 2/6/87
 N.B.M.
 1. S.E. For Nursing + Convalescent Home + Domiciliary - care
 2. Variance Front Setback

- Left out
- 1) spelling Domiciliary
 - ✓ 2) Petition for variance, another 100.00
 - 3) If domiciliary care would be for self-sufficient units (not people) density would be required.
 - NOTE: Show typical domiciliary unit.
 - 4) Note on plan "All offsite duellings and small lots that create a R.T.A. on site are shown"
 - 5) Show hatched of Proposed bldg. per policy RM-6 (35' max in R.T.A.) also note on plan that the building connection is only 1sty per S. 1301.1.B.1.6.2 (B.C.R.)
 - 6) Check description bearing #9, it does not match subdivision boundary bearing.
 - ✓ 7) How about a sign? Freestanding 1 bldg?

W.R.



AND COORDINATES SHOWN HEREON ARE BASED ON BALTIMORE COUNTY TRAVERSE STATIONS:
 NORTH 44.252.29 44.057.11
 EAST 1724.75 1122.42

EMK, JR. 48 FOLD 101
 Filed for record
 Date JAN 22 1986

10 FEE IN LIEU OF LOS (1.152 x 9.000) = 10.368

PARKING DATA
 11 NO. OF SPACES REQUIRED (7 LOTS x 2) = 14
 12 NO. OF SPACES PROVIDED (2 PER LOT) = 14

LONG QUARTER SEWER SHED
 GREENRIDGE PUMPING STATION

FINAL SUBDIVISION PLAT
 OF
McMULLEN'S GREEN
 9TH ELECTION DISTRICT BALTIMORE CO. MARYLAND
 SCALE: 1" = 50' APRIL 23, 1981

OWNER
 RUHL MANAGEMENT CO.
 RIDERWOOD, MD. 21139

DEED REFERENCE
 5314/803

McKEE, DUVAL & ASSOCIATES, INC.

Case No. 86-283-SPH
 Item No. 163
 Date: February 14, 1986
 E/S of York Rd., 103' N of Ridgely Rd.
 (1205 York Road) - 9th Election District
 Nicholas B. Mangione, Petitioner

SPH - Off-street parking; and to amend site plan

1. Copy of Petition
2. Copy of Description of Property
3. Copy of Certificate of Posting (4 Signs)
4. Copy of Certificates of Publication
5. Copy of Zoning Advisory Committee Comments
6. Copy of Comments from the Director of Planning
7. Planning Board Comments and Accompanying Map
8. Copy of Order to Enter Appearance
9. Copy of Order - Zoning/Planning Commission - 2/10/86 DENIED.
10. Copy of Plat of Property (Petitioner's Exhibit 1)
11. 200' Scale Location Plan
12. 1000' Scale Location Plan
13. Memorandum in Support of Petition
14. Letter(s) from Protestants
15. Letter(s) from Petitioner(s)
16. Protestants' Exhibits 1 to Affiant
17. Petitioner's Exhibits 1 to 2 Plat of Property Photograph
18. Letter of Appeal - 2/18/86 by Richard J. DiPasquale, Esq., on behalf of Petitioner.

RECEIVED
 COUNTY BOARD OF APPEALS
 FEB 21 P 3 1986

Nicholas B. Mangione
 1205 York Road
 Lutherville, MD 21093
 Petitioner

Richard J. DiPasquale, Esquire
 Ralph M. Murdy, Esquire
 5718 Harford Road
 Baltimore, MD 21214
 Attorneys for Petitioner

Barbara Poniatowski, President
 Dulany Valley Improvement Assoc.
 P. O. Box 102
 Lutherville, MD 21093
 Protestants

Phyllis C. Friedman, Esquire
 Norman E. Gerber
 James Howell
 Arnold Jablon
 Jean M. H. Jung
 James E. Dyer
 People's Counsel
 Request Notification
 Request Notification
 Request Notification
 Request Notification
 Request Notification

Michael Tanczyn Esq.
 106-606 Datto Ave
 For Protestants

County Board of Appeals of Baltimore County
 Room 200 Court House
 Towson, Maryland 21204
 (301) 494-3180
 November 3, 1986

Richard J. DiPasquale, Esq.
 Ralph M. Murdy, Esq.
 5718 Harford Rd.
 Baltimore, Md. 21214

Re: Case No. 86-283-SPH
 Nicholas B. Mangione

Gentlemen:

Enclosed you will find a copy of the Order of Dismissal which was passed today by the County Board of Appeals in the above entitled matter.

Very truly yours,
June Holmen
 June Holmen, Secretary

Encl.
 cc: Nicholas B. Mangione
 William Hesson, Esq.
 Barbara Poniatowski
 Michael Tanczyn, Esq.
 Phyllis C. Friedman
 Norman E. Gerber
 James Howell
 Arnold Jablon
 Jean Jung
 James E. Dyer

MICROFILMED

Nicholas B. Mangione
 Case No. 86-283-SPH

DISMISSED without prejudice of the rights of the Petitioner to create a new site plan for review by the appropriate County officials.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
 OF BALTIMORE COUNTY

Keith S. Franz, Acting Chairman
Lawrence E. Schmidt
James E. Dyer

MICROFILMED

IN THE MATTER OF
 THE APPLICATION OF
 NICHOLAS B. MANGIONE
 FOR SPECIAL HEARING ON PROPERTY
 LOCATED ON THE EAST SIDE OF
 YORK RD., 103' NORTH OF RIDGE-
 FIELD RD. (1205 YORK ROAD)
 9TH DISTRICT

BEFORE
 COUNTY BOARD OF APPEALS
 OF
 BALTIMORE COUNTY
 NO. 86-283-SPH

ORDER OF DISMISSAL

This matter came before the Board at hearing at which time the Petitioner provided two site plans that were offered to support the Petitioner's belief that, among other things, the residential transition area and buffer requirements of the Zoning Regulations could be met. At the hearing, James Dyer, Zoning Supervisor, testified that the Zoning Office was of the opinion that under neither of the two configurations presented could the regulations be met. Following the Petitioner's request that we permit an amendment to the site plans so as to permit Petitioner's engineer to have it conform with the calculations made by the Zoning Office, this Board determined that such an amendment would not be proper at this time before this Board. Protestants thereafter requested a Motion to Dismiss, and upon that Motion, this Board will so dismiss this matter.

We recognize that the changes that may have to be made may be minimal, might not amount to a significant change and may be accomplished with relative ease. However, we do believe that the site plans as have been provided to the Board and permitted into evidence for the purpose of the testimony in this matter, do not meet the requirements of the Zoning Regulations. It would be improper, without notice to Protestants, to permit an amendment of this nature during the course of the hearing.

ORDER

For the reasons set forth above, it is this 3rd day of November, 1986, by the County Board of Appeals, ORDERED that this matter be

MICROFILMED

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a use permit for off-street parking in a residential zone on three parcels owned by the undersigned, Parcel C-74, Access Parcel D-74 (Access Parcel D-74 shown on the attached plat and to amend the site plan filed in Case #73-146-XSPH and a determination of the applicable R.T.A. requirements and buffer requirements affecting the overall property.

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

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

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

Contract Purchaser:
Louis Mangione
(Type or Print Name)
Signature
1205 York Road
Address
Lutherville, MD. 21093
City and State

Legal Owner(s):
Nicholas B. Mangione
(Type or Print Name)
Signature
Charles W. Held, Jr.
(Type or Print Name)
Signature
1205 York Road
Address
Lutherville, MD. 21093
City and State

Attorney for Petitioner:
Richard J. DiPasquale
(Type or Print Name)
Signature
5718 Harford Road
Address
Baltimore, MD. 21214
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Louis Mangione
1205 York Road
825-8400
Phone No.

Attorney's Telephone No.: 426-6338

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of January, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of February, 1985, at 1:00 o'clock P.M.

ESTIMATED LENGTH OF HEARING
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
REVIEWED BY: WCR DATE 12/17/86

Maryland Department of Transportation

State Highway Administration

William K. Holloman
Secretary
Neil Russell
Administrator

November 15, 1985

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

RE: Baltimore County
Item # 163
Property Owner: Nicholas B. Mangione
Location: W/S York Rd (Route 45) E/S Tenbury Rd N. of Ridgefield
Existing zoning: O-1 & D.R. 5.5
Proposed Zoning: Spec. hearing to approve off street parking on residentially zoned property and to amend site plan filed in Case No. 73-146SPH and determination of the applicable R.T.A. requirements for this site
Acres: .74
District 9th

Att: James Dyers

Dear Mr. Dyer:

On the day of inspection, the S.H.A. found the existing off street parking generally acceptable.

However we (S.H.A.) find the exit conditions on York Road at the front of the site creating a hazardous condition.

Vehicles dropping off passengers and truck delivery are stopping at the site (on York Road) creating a blind spot for Motorist entering York Road from the existing parking lot entrance.

We recommend that all passenger drop off and deliveries be with the off street area of the site and not York Road.

Very truly yours,

Charles Lee, Chief
Bureau of Engr. Access Permits
By: George Kuttman

CL-GW:es
cc: J. Ogle My telephone number is 350-3501-350
S. Plummer, typewriter for impaired hearing or speech
363-7586 Baltimore Metro - 585-0451 D.C. Metro - 1-800-482-5082 Statewide Toll Free
P.O. Box 717 707 North Calvert St., Baltimore, Maryland 21203-0717

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a use permit for off-street parking in a residential zone on three parcels owned by the undersigned, Parcel C-74, Access Parcel D-74 (Access Parcel D-74 shown on the attached plat and to amend the site plan filed in Case No. 73-146-SPH and a determination of the applicable R.T.A. requirements for this site.

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

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

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

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

Contract Purchaser:
Nicholas B. Mangione
(Type or Print Name)
Signature
1205 York Road
Address
Lutherville, MD. 21093
City and State

Legal Owner(s):
Nicholas B. Mangione
(Type or Print Name)
Signature
Charles W. Held, Jr.
(Type or Print Name)
Signature
1205 York Road
Address
Lutherville, MD. 21093
City and State

Attorney for Petitioner:
Richard J. DiPasquale and
Richard J. DiPasquale
(Type or Print Name)
Signature
5718 Harford Road
Address
Baltimore, Maryland 21214
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Richard J. DiPasquale
5718 Harford Road
426-6338
Address Baltimore, Md. 21214 Phone No.

Attorney's Telephone No.: 426-6338

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of December, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of January, 1986, at 1:00 o'clock P.M.

ECO-NH 1

(over)



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

PAUL H. RENCKE
CHIEF

November 21, 1985

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

Attention: Nick Comandari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Nicholas B. Mangione

Location: W/S York Road, E/S Tenbury Road, N of Ridgefield

Item No.: 163

Zoning Agenda: Meeting of November 12, 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: [Signature] Noted and
Approved: [Signature]
Fire Prevention Bureau
Special Inspection Division

/mb

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
P.O. BOX 4828, TOWSON, MARYLAND 21204

October 8, 1985

Description To Accompany a Petition For
A Special Hearing To Permit Commercial
Parking in a Residential Zone.

Parcel "B"

Beginning for the first at a point located (N 54° 20' W 451') ± from the point of intersection of the centerlines of Tenbury Road and Ridgefield Road thence in a clockwise direction:

- 1) S 74° 58' W 75.0' ±
- 2) N 15° 04' W 105.0' ±
- 3) N 74° 58' E 75.0' ± and
- 4) S 15° 04' E 105.0' ± to the place of beginning.

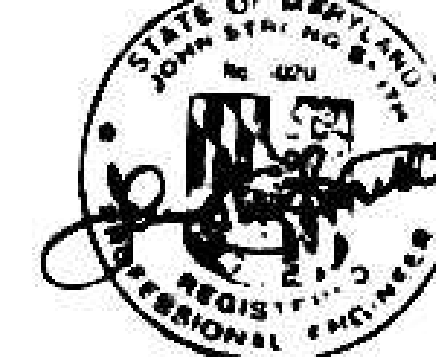
Containing 0.18 Ac. of land more or less.
Savory and excepting that area zoned O-1.

Parcel "C"

Beginning for the second at a point located (N 24° W 171') ± from the point of intersection of the centerlines of Tenbury Road and Ridgefield Road thence in a clockwise direction:

- 1) S 74° 56' W 175.41' ±
- 2) N 15° 04' W 180.33' ±
- 3) N 74° 56' E 187.0' ±
- 4) southeasterly by a radius of 979.93' with a length of 152' ± and
- 5) S 20° 57' E 31.54' ± to the place of beginning.

Containing 0.74 Ac. of land more or less. in 11.41' ± to the place of beginning.
also known as 1205 York Road.



(THIS DESCRIPTION CONSTRUCTED FOR ZONING PURPOSES ONLY)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 18, 1985

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

Richard J. DiPasquale, Esquire
Ralph M. Murdy, Esquire
5718 Harford Road
Baltimore, Maryland 21214

RE: Item No. 163 - Case No. 86-283-SPH
Petitioner - Nicholas B. Mangione
Special Hearing Petition

Dear Sirs:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are 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 information 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,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

cc: George William Stephens, Jr.
& Associates, Inc.
P.O. Box 4828
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nicholas Comandari, Zoning Department Date: November 21, 1985
FROM: Charles R. Burnham, Chief, Building Plans Review
SUBJECT: Zoning Advisory Committee Meeting
Meeting Scheduled 11/18/85

Item #160	See Comments
Item #161	See Comments
Item #162	No Comment
Item #163	No Comment
Item #164	See Comments
Item #165	See Comments
Item #166	See Comments
Item #167	See Comments
Item #105 (Revised)	See Comments

CEB/rw

BALTIMORE COUNTY
COUNTY ENGINEER
TOWSON, MARYLAND 21204

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

JANUARY 10, 1986

RE: Zoning Advisory Meeting - November 12, 1985
Item # 163
Location: W/S York Road, E/S Tenbury Road, N. of Ridgefield

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.
- (X) A County Review Group Meeting is required.
- (X) A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- (X) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- (X) A record plat will be required and must be recorded prior to issuance of a building permit.
- (X) The access is not satisfactory.
- (X) The circulation on this site is not satisfactory.
- (X) The parking arrangement is not satisfactory.
- (X) Parking calculations must be shown on the plan.
- (X) This project contains soils which are defined as wetlands, and development on these soils is prohibited.
- (X) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-95 of the Development Regulations.
- (X) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- (X) The amended Development Plan was approved by the Planning Board.
- (X) The project must comply with Baltimore County Landscaping Manual Bill 175-78. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- (X) The property is located in a Traffic Area Controlling by a "T" level traffic control. Any future development, and its conditions change the recommended intersection. The State Services Unit is requested to review the intersection.
- (X) Additional comments:

cc: James Russell

Engineer A, Date:
Chief, Current Planning and Development

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner

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

SUBJECT: Zoning Petition No. 86-283-SPH

Date: January 12, 1986

Although this office is not charged with interpreting the Baltimore County Zoning Regulations, it would appear that the proposed parking as shown on the petitioner's plat does not conform to the existing RTA regulations as we understand them.

Norman E. Gerber for Jablon
Norman E. Gerber, AICP
Director

NEG:IGH:sim



Office of the President

Officers
WESLEY BONE, Chairman
W. BRUCE HUGHES, Vice Chairman
MARION J. MILLER, Secretary
GEORGE KONITZ, Treasurer

Board of Directors

JOHN HANLINICKY
ANTHONY MANNASTELLA
MARGARET TATE
JOHN CHILCOAT
DORE INSINGER

Director Emeritus

MATTHEW J. TRESS

President

GEORGE O. HANSEN, JR.

Vice President

ALBIE MITTON

Credit Committee

FRID LOCKETT, Chairman

Supervisory Committee

JOHN BACE, Chairman

January 10, 1986

Baltimore County
Office of Planning and Zoning
Towson, Maryland 21204

Attention: Mr. Arnold Jablon

Re: Item No. 163
Nicholas B. Mangione
Petitioner

Dear Mr. Jablon:

I have noted with great interest that 1205 York Road is petitioning for additional parking in rear of their lot. I feel this is a very good gesture on the property owner's part and I feel this additional zoning should be granted.

One of the greatest needs in any community such as we reside in is parking. Best to those who succeed in this direction.

Sincerely,

George O. Hansen, Jr.
George O. Hansen, Jr.
COH:th

1215 YORK ROAD
LUTHERVILLE, MARYLAND 21093

A FINANCIAL INSTITUTION OWNED AND OPERATED EXCLUSIVELY BY AND FOR ITS MEMBERS

86-283-SPH

November 21, 1985

Mr. Nicholas B. Mangione
1205 York Road
Lutherville, Maryland 21093

RE: Item No. 163
Nicholas B. Mangione,
Petitioner

Dear Mr. Mangione:

I have reviewed the site plan filed with the above-referenced Petition for Special Hearing and find it unsatisfactory. I need a specific breakdown of all of the uses on each floor. To that end, I would like Mr. James H. Thompson of my office to accompany your building manager throughout the building to delineate the uses, i.e., office by office.

It has also come to my attention that you have cleared an area behind the building and covered it with gravel. I suggest that you do not permit vehicles to park there as it would constitute a zoning violation, subject to a penalty of \$200 per day.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ/srl

RICHARD J. DIPASQUALE
ATTORNEY AT LAW
5718 HARFORD ROAD
BALTIMORE, MARYLAND 21214
AREA CODE 301
TELEPHONE 426-4938

November 5, 1985

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

Re: E/S of York Road, 103' N of Ridgefield
Road (1205 York Road) - 9th Election District
Precision Quality Homes, Inc., Petitioner
Case Nos. 73-146-SPH and C-85-1205
And Item No. 163

Dear Mr. Commissioner:

Please be advised that pursuant to your Order dated the 16th day of September, 1985, the Respondent, Nicholas B. Mangione, has complied with each and every requirement therein, and is prepared to proceed on his Petition for Special Hearing identified as Item No. 163 on the Baltimore County Zoning Hearing Docket.

It would be appreciated if this matter could be set in for a hearing expeditiously to satisfy the Zoning Commissioner and the residents of the immediate neighborhood of the Respondent.

Many thanks for your compliance with this request notifying all parties of your selected hearing date.

Very truly yours,

Richard J. DiPasquale
Richard J. DiPasquale

cc: Mr. Louis Mangione

eeh

"DUPLICATE"
CERTIFICATE OF PUBLICATION

TOWSON, MD., January 2, 1986

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 January 2, 1986.

THE JEFFERSONIAN,

W. K. Kuntz
Publisher

Cost of Advertising

24.75

PETITION FOR SPECIAL HEARING
9th Election District
LOCATION: E/S of York Road, 103' N of Ridgefield Road (1205 York Road)
DATE AND TIME: Wednesday, January 22, 1986 at 1:00 p.m.
PUBLIC HEARING: Room 160, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Board of Zoning Appeals, has received and reviewed the Petition for Special Hearing filed by Nicholas B. Mangione, Petitioner, and has determined that the Petition is in proper form and that the Petitioner has complied with the requirements of the Zoning Regulations. The Petitioner is hereby notified that the Petition will be heard at the public hearing on the date and time specified above. The Petitioner is also notified that the Petition will be heard at the public hearing on the date and time specified above. The Petitioner is also notified that the Petition will be heard at the public hearing on the date and time specified above.

"DUPLICATE"
CERTIFICATE OF PUBLICATION

TOWSON, MD., January 2, 1986

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 January 2, 1986.

TOWSON TIMES,

W. K. Kuntz
Publisher

38.25

PETITION FOR SPECIAL HEARING
9th Election District
LOCATION: E/S of York Road, 103' N of Ridgefield Road (1205 York Road)
DATE AND TIME: Wednesday, January 22, 1986 at 1:00 p.m.
PUBLIC HEARING: Room 160, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Board of Zoning Appeals, has received and reviewed the Petition for Special Hearing filed by Nicholas B. Mangione, Petitioner, and has determined that the Petition is in proper form and that the Petitioner has complied with the requirements of the Zoning Regulations. The Petitioner is hereby notified that the Petition will be heard at the public hearing on the date and time specified above. The Petitioner is also notified that the Petition will be heard at the public hearing on the date and time specified above. The Petitioner is also notified that the Petition will be heard at the public hearing on the date and time specified above.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: 12/21/85
Posted for: Special Hearing
Petitioner: Nicholas B. Mangione
Location of property: E/S York Rd., 103' N of Ridgefield Rd.
1205 York Rd.
Location of Sign: Room 160, County Office Building, 111 W. Chesapeake Avenue, Towson, MD.
Remarks: Petitioner's Petition for Special Hearing, filed with the Zoning Commissioner on 11/21/85.
Posted by: Matthew J. Tress
Date of return: 1/3/86
Number of Signs: 1

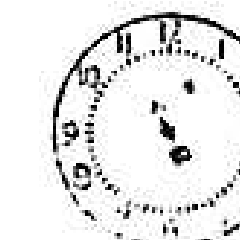
RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
E/S York Rd., 103' N of Ridgefield : OF BALTIMORE COUNTY
Rd. (1205 York Road),
9th District

NICHOLAS B. MANGIONE, Petitioner Case No. 86-283-SPH
: : : : :

ENTRY OF APPEARANCE

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

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



Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, MD 21204
494-2168

I HEREBY CERTIFY that on this 23rd day of December, 1985, a copy of the foregoing Entry of Appearance was mailed to Richard J. DiPasquale, Esquire, and Ralph M. Murdy, Esquire, 5718 Harford Rd., Baltimore, MD 21214, Attorneys for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

(Mangione)

1 THE CHAIRMAN: When this case first began last week,
2 there was a request by the protestants that the two plats
3 that were being offered as exhibits in this case not be
4 permitted because they were not presented at the Zoning
5 Commission's level, and the Board reserved judgment on that
6 decision.

7 What we did was permit them to come in because we were
8 of the belief that the issue ultimately would become moot
9 because we would have a certain amount of time scheduled that
10 day after which time the matter, the plats could be reviewed
11 and in effect not have the lack of notice that had previously
12 been claimed the protestants.

13 In that time, the protestants did have an opportunity
14 to go to the zoning office and have both plats that had been
15 offered viewed, and based upon the testimony that was provided
16 today by Mr. Dwyer, it was his opinion that under neither
17 scenario as presented could the regulations be met that require
18 a residential transition area and a buffer that is of consequence
19 being placed in that area. Neither site plan as then presented
20 would be able to provide what the zoning regulations require.

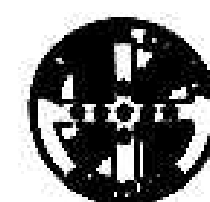
21 At the time that Mr. Dwyer was presented, the petitioner
had rested his case. The petitioner thereafter requested that
we permit an amendment to the site plan to permit the engineer
who had prepared the site plan to have it conform with the

1 calculations that had been made by the zoning office.

2 The Board believes that to permit such an amendment
3 would not be proper and we will, therefore, grant the
4 motion to dismiss in this case.

5 We recognize that the changes that may be made -- and
6 I want to emphasize we have not heard anything of the
7 protestants' side to know what other complaints they might
8 have -- but the changes that are necessary in our estimation
9 to have minimum requirements that are necessary on a site
10 plan to be reviewed by the zoning commissioner or by us had
11 not been met, given the site plans that were submitted, and
12 that it does not appear that it would be a significant
13 change, but we do believe that the site plans as had been
14 provided and permitted in for the purposes of the testimony
15 here, and as had been testified to, do not meet those
16 requirements as had been verified by the zoning office.

17 Therefore, we are going to grant the motion to dismiss
18 and we believe that the petitioner will be filing an amended
19 site plan for review by the zoning office and, presumably,
20 by the zoning commissioner at that point subsequent to the order
21 in this case. Thank you.



County Board of Appeals of Baltimore County
Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180
March 10, 1986

NOTICE OF ASSIGNMENT

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

CASE NO. 86-283-SPH NICHOLAS B. MANGIONE
E/S York Rd., 103' N of Ridgfield Rd.
(1205 York Rd.)

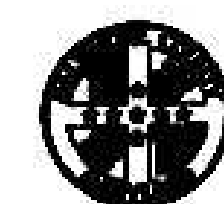
9th District

SPH-Off-street parking; and to
amend site plan

10/86 - Z.C.'s Order - DENIED

ASSIGNED FOR: TUESDAY, JULY 22, 1986, at 10 a.m.

cc: Nicholas B. Mangione Petitioner
Richard J. DiPasquale, Esq. Counsel for Petitioner
Barbara Poniatowski Protestant
Phyllis C. Friedman People's Counsel
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean Jung
James Dyer



Baltimore County, Maryland
PEOPLE'S COUNSEL
RM. 225 COURT HOUSE
TOWSON, MARYLAND 21204
494-2188

PHYLLIS COLE FRIEDMAN
People's Counsel

PETER MAX ZIMMERMAN
Deputy People's Counsel

June 27, 1986

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

RE: Nicholas B. Mangione, Petitioner
Zoning Case No. 86-283-SPH

Dear Chairman Hackett:

We noticed that the above-referenced case has been set in for
Tuesday, July 22, 1986, at 10 a.m. since we have a conflict on that date
with another case being heard in the Circuit Court, we would appreciate
it if the Board could reschedule this matter.

We regard this as an important case and feel that our presence
is necessary.

Sincerely yours,

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County
Peter Max Zimmerman
Deputy People's Counsel

cc: Richard J. DiPasquale, Esquire
Barbara Poniatowski

cc: sh

RECEIVED - APPEALS
JUN 27 11 44 AM '86

June Holman, Secretary



County Board of Appeals of Baltimore County
Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

August 13, 1986

NOTICE OF ASSIGNMENT

(CONTINUED HEARING)

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

CASE NO. 86-283-SPH

NICHOLAS B. MANGIONE

E/S York Rd., 103' N of Ridgfield Rd.
(1205 York Rd.)

9th District

SPH-Off-street parking; and to
amend site plan

ASSIGNED FOR:

THURSDAY, AUGUST 21, 1986, at 1:00 p.m.

cc: Nicholas B. Mangione

Petitioner

Richard J. DiPasquale, Esq. Counsel for Petitioner

Barbara Poniatowski Protestant

Michael Tanczyn, Esq. Counsel for Protestants

Phyllis C. Friedman People's Counsel

Norman E. Gerber

James Hoswell

Arnold Jablon

Jean Jung

James Dyer

June Holman, Secy.

County Board of Appeals
Room 219 Court House
TOWSON, MARYLAND 21204

NOTICE OF POSTPONEMENT and REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 86-283-SPH

NICHOLAS B. MANGIONE

E/S York Rd., 103' N of Ridgfield Rd.
(1205 York Rd.)

9th District

SPH-Off-street parking; and to
amend site plan

The above case, set for hearing on Tuesday, July 22, 1986, at 10 a.m.,
had been POSTPONED by the Board at the request of the People's Counsel
for Baltimore County, and

REASSIGNED FOR:

TUESDAY, AUGUST 12, 1986, at 4 a.m.

cc: Nicholas B. Mangione

Petitioner

Richard J. DiPasquale, Esq. Counsel for Petitioner

Barbara Poniatowski Protestant

Michael Tanczyn, Esq. Counsel for Protestants

Phyllis C. Friedman People's Counsel

Norman E. Gerber

James Hoswell

Arnold Jablon

Jean Jung

James Dyer

June Holman, Secy.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-283-SPH

District: 9th Date of Posting: 8/13/86
Posted for: Petitioner
Petitioner: Nicholas B. Mangione
Location of property: 1205 York Rd.
Location of Sign: Petitioner's Office, 1205 York Rd.
Remarks: Petitioner's Office, 1205 York Rd.
Posted by: [Signature] Date of return: 8/13/86
Number of Signs: 2

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-283-SPH

District: 9th Date of Posting: 8/13/86
Posted for: Petitioner
Petitioner: Nicholas B. Mangione
Location of property: E/S York Rd., 103' N of Ridgfield Rd.
(1205 York Rd.)
Location of Sign: Petitioner's Office, 1205 York Rd.
Remarks: Petitioner's Office, 1205 York Rd.
Posted by: [Signature] Date of return: 8/13/86
Number of Signs: 2

8/13/86 Mr. Dwyer reported per attached. Said to also put signs up on
time to check posted property & install them down. Will check again
report to us. Take up with Mr. Hackett if this continues.
Therese at for 7/22

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 974 Date of Posting: 3/2/86
Posted for: Adopted
Petitioner: Nicholas B. Mangione
Location of property: 116 York Rd. 103' N of Ridgefield Rd.
1205 York Rd.
Location of Sign: 116 York Rd. 103' N of Ridgefield Rd.
Tenbury Rd. 1205 York Rd. 103' N of Ridgefield Rd.
Remarks:
Posted by: M. J. Stealey Date of return: 3/7/86
Number of Signs: 2

6/17/86

Mr. Stealey,

Received a call that this sign is down - Please check and report if necessary. Also, issue a second Certificate of Posting if you have to report so we have a record in the file.

Edith

6/20/86

Checked signs at above address. Sign on Tenbury was missing, replaced with new sign. Sign on York Rd. was OK. Put sign back on pole.

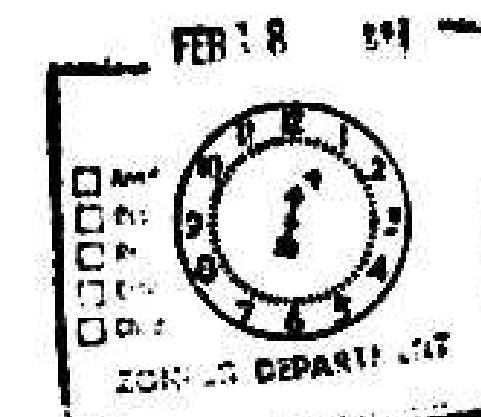
M. J. Stealey - 6/20/86

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 974 Date of Posting: 3/2/86
Posted for: Adopted
Petitioner: Nicholas B. Mangione
Location of property: 116 York Rd. 103' N of Ridgefield Rd.
1205 York Rd.
Location of Sign: 116 York Rd. 103' N of Ridgefield Rd.
Tenbury Rd. 1205 York Rd. 103' N of Ridgefield Rd.
Remarks:
Posted by: M. J. Stealey Date of return: 3/7/86
Number of Signs: 2

RICHARD J. DIPASQUALE
ATTORNEY AT LAW
5718 HANFORD ROAD
BALTIMORE, MARYLAND 21204
AMA CODE 301
TELEPHONE 459-8538

February 14, 1986



Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Before the Zoning Commissioner
of Baltimore County
Case No. 86-283-SPH
Petition Special Hearing
E/S of York Road, 103' N of Ridgefield
Road (1205 York Road) - 9th Election District
Nicholas B. Mangione, Petitioner

Dear Sir:

Please note our Appeal of the February 10, 1986 decision of the Zoning Commissioner of Baltimore County with reference to the above captioned case. Enclosed please find our check for \$100.00 to cover the cost of this Appeal. I believe that we have already paid the cost of posting, but should this not be so, please advise the undersigned.

Very truly yours,

Richard J. DiPasquale

cc: People's Counsel

eeh

IN RE: PETITION SPECIAL HEARING
E/S of York Road, 103' N of
Ridgefield Road (1205 York
Road) - 9th Election
District
Nicholas B. Mangione,
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-283-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a use permit for off-street parking on residentially zoned property adjacent to a commercial use and, additionally, to amend the site plan filed in Case No. 73-146-XSPH, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Louis Mangione, appeared and testified and was represented by Counsel. Barbara Poniatowski, President of Dulany Valley Improvement Association, Inc., and other residents of the community appeared in opposition.

Testimony indicated that the subject property, located off York Road on Tenbury Road, zoned D.R.5.5, is adjacent to property owned by the Petitioner, zoned D-1, and improved with an office building, Case Nos. 73-4-RXA and 73-146-XSPH. As a result of a complaint received by the Zoning Office's Enforcement Section, James H. Thompson, Zoning Enforcement Coordinator, inspected the adjacent office building property and determined that only 154 parking spaces were provided. Based on the medical and general office uses in the building, which require different parking quotients pursuant to the Baltimore County Zoning Regulations (BCZR), 210 parking spaces are required (see Petitioner's Exhibit 1). Additionally, the site plan approved in Case No. 73-146-XSPH required 151 parking spaces. As a result, the Zoning Commissioner is directed to show cause to the Petitioner to explain why the special

exception granted in Case No. 73-146-XSPH should not be revoked for failure to comply with the conditions delineated therein and the approved site plan. A hearing was held before the Zoning Commissioner on September 12, 1985, at which time the Petitioner herein appeared on behalf of York Road Associates. As a result of that hearing, the Zoning Commissioner ordered that the exact parking spaces needed for the uses existing in the office building be determined, and if not in compliance, the Petitioner would be given the opportunity to submit a Petition for Special Hearing to request a use permit for the necessary parking on land adjacent to the office building, which is the subject property.

Since the Petitioner has insufficient parking, the available options are to create additional parking pursuant to the BCZR or to reduce the number of medical offices or the total number of offices in the building to bring the site into compliance.

The Petitioner has elected to try the first option. However, the adjacent residentially-zoned property, Parcel C on Petitioner's Exhibit 1, is in a Residential Transition Area (RTA), which prohibits the use of the property as a parking lot unless an appropriate buffer can be provided. Section 1801.1.B.1.a.2.(c), BCZR. In other words, there are dwellings "...within 250 feet of any point lying within a vacant lot of record which is itself wholly or partially classified as D.R. ..." Section 1801.1.B.1.a.1.(b), BCZR. The Petitioner argued that the RTA is not applicable here due to the unique circumstances impacting the property in question.

The Petitioner presented Jack R. Sturgill, Jr., Assistant County Attorney, Chief of Condemnation Section, who testified that the County had determined to extend Tenbury Road, which had ended south of the instant property,

to link up with Greenridge Road. To do so, the County had to proceed to condemn certain properties in 1983, including property either owned or under option to the Petitioner. The property condemned bordered Parcel C and became Tenbury Road.

The Petitioner argued that he should not be penalized by the condemnation and should be permitted to count the roadway as part of his buffer inasmuch as he also owns the property on the other side of Tenbury Road across from Parcel C. However, the BCZR is clear that a road cannot be included in the buffer determination. Section 1801.1.B.1.b.5.(b) delineates what uses are permitted within the buffer and a road is specifically excluded. The Petitioner cannot now maintain that, if not for the condemnation, there would be no road and therefore sufficient property to provide the buffer. There is a road and he was provided compensation for the taking. The Petitioner cannot be rewarded twice. The fact is that he was not in compliance with either his approved site plan or with the BCZR and knew, or certainly should have known, that additional parking was needed. He failed to take corrective action at that time and cannot now, after being found in violation, attempt to take advantage of the condemnation and extension of Tenbury Road.

The Petitioner further argued that there is a 42-foot easement and storm drain reservation on the south side of the proposed parking lot which should be counted in the buffer computation. Section 1801.1.B.1.b.5.(b) permits such uses within the buffer. However, the easement and reservation must be within the lot of record on which the primary use is proposed. Here, the easement and reservation are part of Ridgefield, the subdivision to the south, and are not part of the Petitioner's lot of record on which his office building or proposed parking lot is located. There is no question as to the

County Council's intent if an RTA exists. It is the developer's responsibility to provide the requisite buffer area on his lot of record, as defined by the BCZR. The Petitioner is required to provide the defined buffer area between the new use and any abutting lot line that exists on the RTA. Miller v. 40 West Buildings, 499 A.2d 76, 84 (Md., 1985). Even a portion of that property taken by condemnation for Tenbury Road was not a part of Parcel C and, therefore, not part of the lot of record owned by the Petitioner and the subject of this Petition.

For the foregoing reasons, the use permit for off-street parking, pursuant to Section 409.4, BCZR, should not be granted inasmuch as the Petitioner cannot satisfy the requirements of Section 1801.1.B.1.b.7, BCZR, which specifically denies any authority to grant variances to the buffer requirements. Additionally, the request to include that part of Tenbury Road adjacent to Parcel C in the requisite buffer area and the request to include the easement and reservation adjacent to the south property line of Parcel C as part of the buffer area cannot be considered.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested use permit should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of February, 1986, that the use permit for off-street parking on residentially zoned property should not be approved and, as such, the Petition for Special Hearing is hereby DENIED, from and after the date of this Order, subject to the following:

1. The Petitioner shall comply with the site plan approved in Case No. 73-146-XSPH by reducing the number of medical offices in the office building to provide an overall composition of medical and

general office use to 154 parking spaces within 90 days from the date of this Order.

Richard J. DiPasquale
Zoning Commissioner of
Baltimore County

Attest:

cc: Ralph M. Murdy, Esquire

People's Counsel

IN THE MATTER OF
THE APPLICATION OF
NICHOLAS B. MANGIONE
FOR SPECIAL HEARING ON PROPERTY
LOCATED ON THE EAST SIDE OF
YORK RD., 103' NORTH OF RIDGE-
FIELD RD. (1205 YORK ROAD)
9th DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 86-283-SPH

ORDER OF DISMISSAL

This matter came before the Board at hearing at which time the Petitioner provided two site plans that were offered to support the Petitioner's belief that, among other things, the residential transition area and buffer requirements of the Zoning Regulations could be met. At the hearing, James Dyer, Zoning Supervisor, testified that the Zoning Office was of the opinion that under neither of the two configurations presented could the regulations be met. Following the Petitioner's request that we permit an amendment to the site plans so as to permit Petitioner's engineer to have it conform with the calculations made by the Zoning Office, this Board determined that such an amendment would not be proper at this time before this Forum. Protestants thereafter requested a Motion to Dismiss, and upon that Motion, this Board will so dismiss this matter.

We recognize that the changes that may have to be made may be minimal, might not amount to a significant change and may be accomplished with relative ease. However, we do believe that the site plans as have been provided to the Board and permitted into evidence for the purpose of the testimony in this matter, do not meet the requirements of the Zoning Regulations. It would be improper, without notice to Protestants, to permit an amendment of this nature during the course of the hearing.

ORDER

For the reasons set forth above, it is this 3rd day of November, 1986, by the County Board of Appeals, ORDERED that this matter be

Nicholas B. Mangione
Case No. 86-283-SPH

DISMISSED without prejudice of the rights of the Petitioner to create a new site plan for review by the appropriate County officials.
Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Keith S. Franz, Acting Chairman
Lawrence E. Schmidt
Leroy B. Spurrier

IN THE MATTER OF
THE APPLICATION OF
NICHOLAS B. MANGIONE
FOR SPECIAL HEARING ON PROPERTY
LOCATED ON THE EAST SIDE OF
YORK RD., 103' NORTH OF RIDGE-
FIELD RD. (1205 YORK ROAD)
9th DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 86-283-SPH

ORDER OF DISMISSAL

This matter came before the Board at hearing at which time the Petitioner provided two site plans that were offered to support the Petitioner's belief that, among other things, the residential transition area and buffer requirements of the Zoning Regulations could be met. At the hearing, James Dyer, Zoning Supervisor, testified that the Zoning Office was of the opinion that under neither of the two configurations presented could the regulations be met. Following the Petitioner's request that we permit an amendment to the site plans so as to permit Petitioner's engineer to have it conform with the calculations made by the Zoning Office, this Board determined that such an amendment would not be proper at this time before this Forum. Protestants thereafter requested a Motion to Dismiss, and upon that Motion, this Board will so dismiss this matter.

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ORDER

For the reasons set forth above, it is this 3rd day of November, 1986, by the County Board of Appeals, ORDERED that this matter be

Nicholas B. Mangione
Case No. 86-283-SPH

DISMISSED without prejudice of the rights of the Petitioner to create a new site plan for review by the appropriate County officials.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Keith S. Franz, Acting Chairman
Lawrence E. Schmidt
Leroy B. Spurrier

IN THE MATTER OF
THE APPLICATION OF
NICHOLAS B. MANGIONE
FOR SPECIAL HEARING ON PROPERTY
LOCATED ON THE EAST SIDE OF
YORK RD., 103' NORTH OF RIDGE-
FIELD RD. (1205 YORK ROAD)
9th DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 86-283-SPH

ORDER OF DISMISSAL

This matter came before the Board at hearing at which time the Petitioner provided two site plans that were offered to support the Petitioner's belief that, among other things, the residential transition area and buffer requirements of the Zoning Regulations could be met. At the hearing, James Dyer, Zoning Supervisor, testified that the Zoning Office was of the opinion that under neither of the two configurations presented could the regulations be met. Following the Petitioner's request that we permit an amendment to the site plans so as to permit Petitioner's engineer to have it conform with the calculations made by the Zoning Office, this Board determined that such an amendment would not be proper at this time before this Forum. Protestants thereafter requested a Motion to Dismiss, and upon that Motion, this Board will so dismiss this matter.

We recognize that the changes that may have to be made may be minimal, might not amount to a significant change and may be accomplished with relative ease. However, we do believe that the site plans as have been provided to the Board and permitted into evidence for the purpose of the testimony in this matter, do not meet the requirements of the Zoning Regulations. It would be improper, without notice to Protestants, to permit an amendment of this nature during the course of the hearing.

ORDER

For the reasons set forth above, it is this 3rd day of November, 1986, by the County Board of Appeals, ORDERED that this matter be

Nicholas B. Mangione
Case No. 86-283-SPH

DISMISSED without prejudice of the rights of the Petitioner to create a new site plan for review by the appropriate County officials.
Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Keith S. Franz, Acting Chairman
Lawrence E. Schmidt
Leroy B. Spurrier



County Board of Appeals of Baltimore County

Room 200 Court House
Columbia, Maryland 21204
(301) 494-3100

November 3, 1986

Richard J. DiPasquale, Esq.
Ralph M. Murdy, Esq.
5718 Harford Rd.
Baltimore, Md. 21214

Re: Case No. 86-283-SPH
Nicholas B. Mangione

Gentlemen:

Enclosed you will find a copy of the Order of Dismissal which was passed today by the County Board of Appeals in the above entitled matter.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.

cc: Nicholas B. Mangione
William Hession, Esq.
Barbara Poniatowski
Richard Tanczyn, Esq.
Phyllis C. Friedman
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean Jung
James E. Dyer

9/10/86 - Following notified of hearing set for Tues. July 22, 1986, at 10 a.m.:

Nicholas B. Mangione
Richard DiPasquale, Esq.
Barbara Poniatowski
Phyllis Friedman
Norman Gerber, James Hoswell
Arnold Jablon, Jean Jung, James Dyer

9/21/86 - Continued hearing to be held on Thurs. Aug. 21, 1986, at 1:00 p.m. Above notified.

84 walk

IN THE MATTER OF * BEFORE THE
NICHOLAS B. MANGIONE * BOARD OF APPEALS OF
Special Hearing for Off- * BALTIMORE COUNTY
Street Parking and to *
Amend Site Plan *
E/S York Road, 103' North of * Case No. 86-283-SPH
Ridgefield Road *
9th Election District *
* * * * *

SUBPOENA DUCES TECUM

SECRETARY, please issue a Subpoena for the following person to appear and testify before the Board of Appeals of Baltimore County on Tuesday, August 12, 1986, at 11:00 a.m. to testify for the Protestants before the Board of Appeals, Second Floor, Old Courthouse, Towson, Maryland, 21204:

Mr. Thompson, Zoning Inspector
Individually and as Custodian of Records
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

and to bring with him the zoning enforcement file and/or special hearing file and any notes or other information relating thereto regarding the matter scheduled for hearing on that date and time.

8-4-86
COUNTY CLERK
Rd 103-1 A H-06
MICHAEL P. TANCZYN, ESQ.
Attorney for the Protestants
Suite 106, 606 Baltimore Avenue
Towson, Maryland 21204
(301) 296-8823
Mr. Sheriff:
Please issue the above summons.
June Holmen, Board of Appeals

I HEREBY CERTIFY that, on this 31st day of July, 1986, a copy of the foregoing Subpoena Duces Tecum was mailed, postage prepaid, to Peter Zimmerman, Esq. and Phyllis Friedman, Esq., People's Counsel for Baltimore County, Court House, 2nd Floor, Towson, Maryland, 21204, and to Thomas J. Bollinger, Esq., 416 East Joppa Road, Towson, Maryland, 21204.

Michael P. Tanczyn
MICHAEL P. TANCZYN, ESQ.

IN THE MATTER OF * BEFORE THE
NICHOLAS B. MANGIONE * BOARD OF APPEALS OF
Special Hearing for Off- * BALTIMORE COUNTY
Street Parking and to *
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Michael P. Tanczyn
MICHAEL P. TANCZYN, ESQ.



Dulaney Valley Improvement Association

P.O. Box 102
Lutherville, Md. 21093

AFFIDAVIT

I solemnly declare and affirm that Barbara Poniatowski occupies the office of President of the Dulaney Valley Improvement Association, and has been empowered, pursuant to a resolution of the Board of Directors to represent said Dulaney Valley Improvement Association in all zoning matters, and that said Barbara Poniatowski has an accurate knowledge of the number of members in the Association and its geographic limits.

Barbara Poniatowski 1/1/86
Barbara Poniatowski, President
Lorrie McNew 1/1/86
Lorrie McNew, Recording Secretary



YORK PLACE LEASE

THIS AGREEMENT OF LEASE, is made this 17th day of October 1984, by and between YORK ROAD ASSOCIATES, a limited partnership organized under the laws of the State of Maryland ("Landlord") and HealthAmerica Maryland, L.P., a limited partnership organized under the laws of the State of Delaware ("Tenant"). The parties hereby agree as follows:

1. Premises. Landlord is the developer of York Place (the "Building"), a professional office building located at 1205 York Road, Lutherville, Maryland. Landlord hereby leases to Tenant, and Tenant hereby rents from Landlord, that portion of the Building (the "Leased Premises") described on the schedule attached as "Exhibit A" to this Lease.

2. Term. This Lease shall be for a term (the "Lease Term") of Three (3) years to commence January 1, 1985 and

terminate at midnight on the last day of the Lease Term, unless otherwise terminated in accordance with the provisions of this Lease.

Landlord shall give Tenant at least thirty (30) days notice of the date on which Landlord will give possession of the Leased Premises to Tenant. Tenant's liability for rent shall commence the date on which possession is given, or the date on which Tenant takes possession, whichever date occurs first. Tenant shall sign a written agreement, in recordable form if requested by Landlord, acknowledging the commencement date of the Lease Term.

If Landlord is unable, by reason of construction delays, to deliver possession of the Leased Premises on or before the specified date, this Lease shall continue in full force and effect, and Tenant shall have no right to rescind, cancel or terminate this Lease if

9. Quiet Enjoyment. Landlord warrants that upon payment of the rent and the performance by Tenant of all of Tenant's obligations under this Lease, Tenant shall have peaceful and quiet use and possession of the Leased Premises without hindrance on the part of the Landlord.

10. Tenant's Improvements. Landlord shall provide improvements to the Leased Premises as specified on the schedule attached to this Lease as Exhibit B.

Tenant shall not make any alteration, installation, addition or improvement to the Leased Premises without Landlord's prior written consent, and then only by contractors or mechanics approved by Landlord. All Tenant's work shall be done at Tenant's expense and at such times and in such manner as Landlord may designate. All alterations, decorations, installations, additions, or improvements made to the Leased Premises by either party, except movable office furniture or removable equipment installed at the expense of Tenant, shall be the property of Landlord and shall remain upon and be surrendered with the Leased Premises at the termination of this Lease without injury.

11. Condition of Premises. During the Lease Term, Tenant shall keep the Leased Premises and the improvements therein in good order and condition. At the expiration of the Lease Term, or at any earlier termination of this Lease, Tenant shall deliver the Leased Premises and improvements therein in the same condition as at the beginning of the tenancy, reasonable wear and tear excepted. Tenant shall remove all of its property from the Leased Premises before termination of the Lease. Tenant will pay for all damage to the Building and for all damages sustained by the Tenants or occupants of the Building due to any waste, misuse, or neglect of the Leased Premises or its improvements by Tenant, its employees or any other person or persons upon the Leased Premises by Tenant's permission. Tenant shall provide its own janitorial services at its expense.

Tenant shall not place a load upon any floor of the Leased

possession is given within ninety (90) days thereafter; however, Tenant's liability for rent shall be abated until Landlord delivers possession. Whether or not Landlord is able to deliver possession on or before the stated date, within such additional ninety-day period, or thereafter, Landlord shall not be liable for damage, if any, incurred by Tenant as a result of Landlord's failure to deliver possession.

3. Security Deposit. Tenant has paid or shall pay to Landlord \$7,300, an amount equal to one-twelfth (1/12th) of the Basic Annual Rent (defined in Section 4) to be held by Landlord as security for the performance by Tenant of all obligations imposed on Tenant under this Lease. If Tenant shall perform all such obligations, Landlord shall refund the security deposit to Tenant, without interest, at the end of the Lease Term. If Tenant shall default in any such obligation, Landlord shall be entitled to apply the security deposit to payment of Landlord's damages.

4. Basic Annual Rent. Tenant shall pay to Landlord during the Lease Term a total rental amount of Two hundred sixty two thousand eight hundred ~~100~~ ^{xx} dollars (\$262,800.00). The Basic Annual Rent is Eighty seven thousand six hundred ~~100~~ ^{xx} dollars (\$87,600.00) payable in equal monthly installments of Seven Thousand Three Hundred Dollars (\$7,300.00).

without any deductions of set-offs, without demand, and in advance on the first day of each month in each year during the Lease Term. If the Lease Term shall commence on a day other than the first day of a month, Tenant shall pay a pro-rated amount, on a per diem basis, of one month's rent on the commencement date, and on the first day of the last month of the Lease Term.

5. Adjustment for Expenses. Pursuant to the Maryland Horizontal Property Act (Title 11 of the Real Property Article of the Annotated Code of Maryland, 1974), the Landlord has subjected the Real Property to a horizontal property regime. The following definitions shall apply:

(a) "Real Property" shall mean the Building, the land upon which the Building is situated, and all fixtures, equipment, and other improvements in or upon such land or Building.

(b) "Council of Unit Owners" shall mean the organization of

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9/11/84

Premises exceeding the floor load per square foot area which the floor was designated to carry and which may be allowed by law. Landlord reserves the right to prescribe the weight and position of all safes or other heavy equipment, and to prescribe the reinforcing necessary, if any, which in the reasonable opinion of Landlord may be required under the circumstances, such reinforcing to be at Tenant's expense. Business or medical machines and mechanical equipment, if approved by Landlord in writing, shall be placed and maintained by Tenant, at Tenant's expense, in settings sufficient in Landlord's reasonable judgement to absorb and prevent vibration, noise or other adverse condition. There shall be no allowance to Tenant for a diminution of rental value, or abatement of rent, and no liability on the part of Landlord by reason of inconvenience, annoyance or injury to business arising from Landlord, Tenant or others making any repairs, alterations, additions or improvements in or to any portion of the Real Property or Leased Premises, or in or to fixtures, appurtenances or equipment thereof, and no liability upon Landlord for failure of Landlord or others to make any repairs, alterations, additions or improvements in or to any portion of the Building or of Leased Premises, or in or to the fixtures, appurtenances or equipment thereof.

12. Public Liability Insurance. Tenant will keep in force at its expense so long as this Lease remains in effect (i) public liability insurance with respect to the Leased Premises in companies and in form acceptable to Landlord with minimum limits of Two Hundred Thousand Dollars (\$200,000.00) on account of bodily injuries to or death of one person, and Five Hundred Thousand Dollars (\$500,000.00) on account of bodily injuries to or death of more than one person as the result of any one accident or disaster and (ii) property damage insurance with minimum limits of One Hundred Thousand Dollars (\$100,000.00). Tenant will deposit with Landlord policies of such insurance or certificates thereof.

13. Conduct on Premises. Tenant shall not do, or permit anything to be done, in the Leased Premises, which in any way will

unit owners of the Real Property.

(c) "Common Expenses" shall mean those expenses assessed, pursuant to the by-laws of the Council of Unit Owners, against the unit owners of the Real Property.

(d) "Unit" shall mean a condominium unit of the Real Property.

(e) "Landlord Units" shall mean those Units of the Real Property owned from time to time by the Landlord.

(f) "Area of the Landlord Units" shall be the total floor area of the Landlord Units as shown on the plans of the Building specified in the master deed which imposes on the Building the horizontal property regime.

(g) "Area of the Leased Premises" shall be the total floor area of the Unit or Units, as shown on the plans of the Building specified in the master deed which imposes on the Building the horizontal property regime, which is leased to Tenant.

(h) "Base Expense Year" shall mean the calendar year commencing January 1, 1982.

(i) "Landlord Unit Expenses" shall be those expenses paid or incurred by Landlord in connection with the maintaining, operating, and repairing of the Landlord Units in a manner deemed reasonable and appropriate by Landlord and shall include, without limitation, the following:

(1) Common Expenses allocated to the Landlord Units;

(2) all costs and expenses of operating, repairing, cleaning, and insuring (including liability for personal injury, death and property damage and workmen's compensation insurance covering personnel the Landlord Units and depreciation of all future machinery and equipment, such as elevators, cooling towers, fans, lights, heat pumps, etc., used therein or thereon; and

(3) all other expenses which would be considered as an expense of maintaining, operating, leasing (excluding commissions for such leasing) or repairing the Building under sound accounting principles. Landlord Unit Expenses shall not include the cost of capital improvements, as determined under sound accounting principles, or work which the Landlord performs specifically for any tenant.

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JAL 1/84

Case No. 86-283-SPH
Item No. 163
Date: February 14, 1986
E/S of York Rd., 103' N of Ridgely Rd.
(1205 York Road) - 9th Election District
Nicholas B. Mangione, Petitioner

SPH-Off-street parking; and to amend

1. Copy of Petition
2. Copy of Description of Property
3. Copy of Certificate of Posting (4 Signs)
4. Copy of Certificates of Publication
5. Copy of Zoning Advisory Committee Comments
6. Copy of Comments from the Director of Planning
7. Planning Board Comments and Accompanying Map
8. Copy of Order to Enter Appearance
9. Copy of Order - Zoning/Planning Commission - 2/10/86 DENIED.
10. Copy of Plat of Property (Petitioner's Exhibit 1)
11. 200' Scale Location Plan
12. 1000' Scale Location Plan
13. Memorandum in Support of Petition
14. Letter(s) from Protestants
15. Letter(s) from Petitioner(s)
16. Protestants' Exhibits 1 to Affidavit
17. Petitioner's Exhibits 1 to 2 Plat of Property Photograph
18. Letter of Appeal - 2/18/86 by Richard J. DiPasquale, Esq., on behalf of Petitioner.

Nicholas B. Mangione
1205 York Road
Lutherville, MD 21093
WM. W. HESSON, Esq.
Richard J. DiPasquale, Esquire
Ralph M. Hardy, Esquire
5718 Harford Road
Baltimore, MD 21214

Barbara Poniatowski, President
Dulaney Valley Improvement Assoc.
P. O. Box 102
Lutherville, MD 21093

Phyllis C. Friedman, Esquire
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer

Michael Tanczyn, Esq.
106-606 B'way
12104

RECEIVED
COUNTY CLERK
FEB 21 1986

For Protestants JUUU

4/14/87 87CG-59
Hon 315

9/11/84

If the Landlord Unit Expenses for any future year are greater than the Landlord Unit Expenses for the Base Expense Year, Tenant shall pay to the Landlord, as additional rent, an amount equal to that portion of the increase as bears the same ratio to the total of the increase as the gross floor area of the Leased Premises bears to the gross floor area of the entire building said ratio being 9.75 percent. Any such additional rent shall be due within thirty (30) days after the Landlord has submitted a written statement to Tenant showing the amount due. Tenant shall have the right to examine Landlord's records with respect to any such increases in rent, except that unless Tenant shall have given Landlord written notice of exception to any such statement within thirty (30) days after delivery thereof, the statement shall be conclusive and binding on Tenant.

6. Payments. All payments of rent and all other sums due under this Lease shall be paid to Landlord at the address designated by Landlord, and if not paid when due, shall bear interest at the rate of eighteen percent (18%) per annum until paid. A service charge of \$15.00 will be paid by Tenant to Landlord if the monthly rental payment is not made by the 10th of the month.

7. Use. Tenant may occupy the Leased Premises for executive, general administrative, or professional office use,

, and for no other purpose whatsoever. The total number of physicians and physical therapists working within the leased premises shall not exceed five per day on any given day at any given time. Tenant shall have the right of non-exclusive use, in common with others, for their intended purposes, of driveways, access roads, elevators, and other common areas and facilities as from time to time may be constructed for the Real property and so designate by Landlord.

8. Requirements of Law. Tenant, at its sole cost and expense, shall comply promptly with all governmental laws and other requirements and all regulations and other requirements of the Board of Fire Underwriters applicable to Tenant's use of the Leased Premises. Tenant will not use or occupy the Leased Premises in violation of any certificate of occupancy, permit or other governmental consent issued for the Building.

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16. Tenant's Failure to Repair. If Tenant fails, after fifteen (15) days' written notice from Landlord, to keep the Leased Premises in a good state of condition and repair, or commence and continuously prosecute required repairs, or to do any act or make any payment required under this Lease or otherwise fails to comply herewith, Landlord, at its option, may enter upon the Leased Premises at all reasonable hours to make such repairs, or do any act or make any payment or compliance which Tenant has failed to do. Upon demand, Tenant shall reimburse Landlord for any such expense incurred by Landlord. Any amount so expended by Landlord shall be payable upon demand as additional rent.

The Landlord shall be responsible for the maintenance repairs to the common areas and structural repairs, roof, corridor and demising walls, air-conditioning, plumbing, and exterior windows of the Leased Premises unless the repairs are the result of damage or misuse caused by the Tenant.

17. Property - Loss, Damage. Landlord shall not be liable for damage to property placed in the custody of its employees, nor for the loss of any property by theft or otherwise. Landlord shall not be liable for damage or injury to person or property unless notice in writing of any defect, which Landlord has under the terms of this Lease the duty to correct, alleged to have caused such damage or injury shall have been given a sufficient time before the occurrence of such damage or injury reasonably to have enabled Landlord to correct the defect, and even then only if such damage or injury is due to Landlord's negligence. Nor shall Landlord or its agents be liable for interference with the light, air, or other incorporeal hereditaments on any premises owned by the Tenant. Tenant shall reimburse Landlord as additional rent for all expenses, damages or fines incurred by Landlord (i) by reason of any breach, violation or non-performance by Tenant, or Tenant's employees, agents or visitors, of any covenant or provision of this lease, (ii) by reason of damage or injury to persons or property caused by moving property of or for Tenant in or out of the Building, or by the installation or removal of furniture or other property of or for Tenant, (iii) by reason of or arising out of the occupancy or use by Tenant of the Leased Premises or of the Real Property, or (iv) from any other cause due to the carelessness,

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24. Electric Current. Landlord will provide separate metering for electricity used in the Leased Premises. Tenant shall pay all costs of such electricity, including that used in heating or air-conditioning the Leased Premises, either to the Landlord as additional rent or directly to the company supplying the electricity, whichever Landlord directs.

25. Fees and Expenses. If Tenant defaults in the performance of any obligation of tenant under this Lease, Landlord, at its option may perform such obligation. Any expenditures by Landlord in connection therewith shall be additional rent and shall be paid by Tenant upon demand.

26. Several Liability. If the Tenant shall be one or more individuals, corporations or other entities, whether or not operating as a partnership or joint venture, then each such individual, corporation, entity, joint venturer or partner shall be deemed to be both jointly and severally liable for the payment of the entire rent and other payments specified herein.

27. Representations. Tenant has examined and knows the condition of the Leased Premises and has received the Leased Premises in good order and repair. Tenant acknowledges that no representations as to the condition of repair or otherwise have been made by Landlord or the agent of Landlord prior to or at the execution of this Lease that are not expressed herein. If the Leased Premises are not ready for occupancy on the date hereof, Tenant shall examine the Leased Premises, and, prior to taking possession thereof, shall represent in writing to Landlord as to the matters relating to the condition thereof.

28. Inability to Perform. Tenant's obligations under this Lease shall not be affected, impaired or excused because Landlord is unable to fulfill any of its obligations under this Lease if Landlord is prevented or delayed from performing such obligation by reason of strikes or labor troubles or any cause whatsoever beyond the control of Landlord.

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negligence or improper conduct of Tenant or Tenant's contractors, servants, employees, agents or invitees.

Tenant shall not move any safe, heavy machines, heavy equipment, freight, bulky matter or similar item into or out of the Building without Landlord's prior written consent. If such item requires special handling, Tenant shall employ only persons holding a proper license to do such work. Tenant shall indemnify Landlord for and hold Landlord harmless and free from damages, injuries sustained by person or property, or expenses incurred in connection therewith and all costs incurred in repairing any damage to the Building or appurtenances.

18. Destruction - Fire or Other Casualty. In case of partial damage to the Leased Premises by fire or other casualty insured against by Landlord or the Council of Unit Owners, tenant shall give immediate notice thereof to Landlord. Landlord shall cause damage to all property owned by it to be repaired with all reasonable speed subject to causes beyond Landlord's control. To the extent that the Leased Premises are rendered untenable, the rent shall proportionately abate, provided the damage occurred without the fault or neglect of Tenant, Tenant's servants, employees, agents, or invitees. If such partial damage is due to the fault or neglect of Tenant or Tenant's servants, employees, agents, or invitees, Landlord shall repair the damage at Tenant's expense, and there shall be no apportionment or abatement of rent. If the damage shall be so extensive to the Building as to render it uneconomical, in the opinion of the Council of Unit Owners, to restore for office building use and the Association shall decide not to repair or rebuild the Building, Landlord may terminate this Lease upon notice to Tenant. In such event, the rent shall be paid to or adjusted as of the date of such damage, and this Lease shall terminate upon the giving of such notice. Tenant shall thereupon vacate the Leased Premises and surrender them to Landlord. No such termination shall release Tenant from any liability to Landlord arising from such damage or from any breach of the obligations imposed on Tenant under this Lease.

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29. No Waiver. The failure of Landlord to insist, in any one or more instances, upon a strict performance of any of the covenants of this Lease, or to exercise any option herein contained, shall not be construed as a waiver, or a relinquishment for the future of such covenant or option. The receipt by Landlord of rent, with knowledge of the breach of any covenant hereof, shall not be deemed a waiver of such breach, and no waiver by Landlord of any provision hereof shall be deemed to have been made unless expressed in writing and signed by Landlord.

30. Access to Premises and Changes in Services. Landlord shall have the right, without abatement of rent, to have pass keys and to enter the Leased Premises at any hour to examine the Leased Premises, to make such repairs and alterations as Landlord shall deem necessary for the safety and preservation of the Building, and to exhibit the Leased Premises to be let. If, during the last month of the term, Tenant shall have removed all or substantially all of Tenant's property from the Leased Premises, or if Tenant shall move from the Premises at any time prior to the termination of this Lease, Landlord may immediately enter and alter, renovate and redecorate the Leased Premises, without elimination or abatement of rent, or incurring liability to Tenant for any compensation. Landlord shall also have the right at any time to change the arrangement or location of entrances or passageways, doors and doorways, and corridors, stairs, toilets, elevators, or other public parts of the Building, and to change the name by which the Building is commonly known or its mailing address.

31. Stopgap Certificates. Tenant agrees upon not less than five (5) days' prior notice by Landlord, for the benefit of third parties, to execute, acknowledge and deliver to Landlord a statement in writing certifying (i) that this Lease is unmodified and in full force and effect (or if there have been modifications, that the Lease is in full force and effect as modified and stating the modifications), (ii) the dates to which the rent and other charges have been paid in advance, if any, and (iii) whether or not to the

19. Eminent Domain. If the whole or any part of the Leased Premises shall be acquired or condemned by eminent domain, or by transfer in place thereof, for any public or quasi public use or purpose, then the Lease Term shall end as of the date of title vesting in such proceeding. Tenant shall have no claim against Landlord or against the total award for the value of any unexpired portion of the Lease Term or otherwise. Tenant shall not be entitled to any part of any award that may be made for such taking, nor to any damages therefor except that the rent shall be adjusted as of the date of such termination of this Lease.

20. Assignment. Tenant shall not assign, mortgage or encumber this Lease, nor sublet of use or permit the Leased Premises or any part thereof to be used by others, without the prior written consent of Landlord, in each instance, in each instance, provided however that tenant at any time may assign its interest in this lease and the premises without Landlord's consent to: (1) any successor to Tenant which may result from any merger, consolidation, reorganization, or the sale or other transfer of all or substantially all of the assets of Tenant, and (2) any entity which shall be an affiliate, subsidiary or parent of Tenant. Consent to one or more such transfers shall not destroy or waive this provision and shall likewise be made only after such have been consented to by Landlord. If this Lease be assigned, or if the Leased Premises or any part thereof be sublet or occupied by anyone other than Tenant, Landlord may, after default by Tenant, collect rent from the assignee, subtenant or occupant and apply the net amount collected to the rent reserved in the Lease. No such collection shall be deemed a waiver of this covenant, or the acceptance of the assignee, subtenant or occupancy as tenant, or a release of Tenant from the further observance and performance by Tenant of the terms of this Lease.

21. Insolvency. If (i) a petition in bankruptcy shall be filed by or against Tenant, (ii) Tenant shall be adjudicated a bankrupt or insolvent, (iii) a receiver or trustee shall be appointed of all or of a portion of Tenant's property, (iv) Tenant shall make an assignment for the benefit of creditor, (v) Tenant voluntarily or involuntarily takes advantage of any debtor relief proceeding under present or future law, or (vi) if Tenant's effects shall be levied upon or attached under process against Tenant, then Landlord at its option, may terminate this Lease by so notifying Tenant.

22. Default. If (i) any rent to be paid under this Lease shall

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best knowledge of the signer of such certificate Landlord is in default in performance of any covenant, agreement or condition contained in this Lease and, if so, specifying each such default of which the signer may have knowledge.

32. Notices. All demands, notices or other communication required under this Lease shall be in writing and shall be deemed to have been properly given if sent by United States registered or certified mail, postage prepaid, addressed

(i) if to Landlord,

Penthouse
1205 York Road
Lutherville, MD 21093

or (ii) if to Tenant at

Suite 14
1205 York Road
Lutherville, MD 21093

Any party may designate a change of address by written notice to the above parties, given at least 10 days before such change of address is to become effective.

Communication served by registered or certified mail in such manner shall be deemed sufficiently served or given when deposited in any United States mail receptacle. Any written notice actually received shall be effective regardless how delivered.

33. Transfer by Landlord. If Landlord transfers title to the Building or Real Property, the Landlord shall be relieved of all covenants and obligations arising under this Lease provided the transferee assumes all covenants and obligations of the Landlord hereunder. Tenant (i) shall attorn to such transferee if the transferee assumes Landlord's covenants and obligations hereunder, and (ii) shall continue to perform all of Tenant's obligations under this Lease.

34. Separability. If any term or provision of this Lease or the application thereof to any person or circumstances, to any extent, shall be invalid or unenforceable, the remainder of this Lease, or the application of such term or provision of such term or provision to perform or circumstances other than those as to which

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9/11/84
be more than ten (10) days in arrears and Landlord has given Tenant five (5) days written notice, (ii) Tenant shall default in performing any other obligation of Tenant set forth in this Lease and shall not cure such default within thirty (30) days following the giving by Landlord of notice of such default, or (iii) Tenant shall fail to move into or take possession of the Leased Premises within thirty (30) days after commencement of the Lease Term, and has not paid rent to the Landlord, Landlord, at its option, may terminate this Lease. Landlord shall have the right to reenter the Leased Premises, by force or otherwise, if permitted by the applicable law now or then in force, without formal notice or demand, without liability of any kind, and re-let the Leased Premises as the agent of Tenant for any unexpired balance of the Lease Term. Such re-letting shall be on such terms, conditions and rental as Landlord may deem proper. The proceeds collected from such re-letting, less the expense of re-letting, shall be applied upon the rental to be paid by Tenant, and Tenant shall be liable for any balance that may be due under this Lease. Such re-letting shall not operate as a termination of this Lease, nor as a waiver or postponement of any right of Landlord against Tenant. Mention in this Lease of any particular remedy or exercise by Landlord of any particular remedy shall not preclude Landlord from exercise of any other remedy in law or in equity.

23. Services. As long as Tenant is not in default under any of the covenants of this Lease, Landlord shall keep the Building open from 8:00 A.M. to 8:00 P.M. on weekdays (Mon.-Fri.) and on Saturdays from 8:00 A.M. to 1:00 P.M. Landlord reserves the right to stop service of the heating, air conditioning, elevator, plumbing and electric systems, when necessary, by reason of accident, or emergency, or for repairs, alterations, replacements or improvements, which in the judgement of Landlord are desirable or necessary to be made, until such repairs, alterations, replacements or improvements shall have been completed. Landlord shall have no responsibility or liability for failure to supply heat, air conditioning, elevator, plumbing, cleaning, or electric service, during any period or when prevented from so doing by any cause beyond Landlord's control. In no event shall Landlord be liable for Tenant's lost income.

-11-

it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Lease shall be valid and be enforced to the fullest extent permitted by law.

35. Parking. Parking shall be provided as set forth in the parking agreement executed by the parties hereto of even date herewith which is attached hereto as Exhibit D.

36. Captions. All headings set forth in this Lease are intended to convenience, of reference only and are not to be deemed or taken as a summary of the provisions to which they pertain or as a construction thereof.

37. Time of Essence. Time is of the essence in this Lease.

38. Successors and Assigns. The covenants, conditions and agreements contained in this Lease shall bind and inure to the benefit of Landlord and Tenant, and their respective heirs, distributees, executors, administrators, successors and, except as otherwise provided in this Lease, their assigns.

IN WITNESS WHEREOF, Landlord and Tenant have respectively signed and sealed this Lease as of the day and year first above written.

WITNESS:

Barbara Stettin

YORK ROAD ASSOCIATES

By *Therese M. Hannon*
Landlord

ATTEST OR
WITNESS For Tenant:

Samuel S. Brown

HEALTHAMERICA MARYLAND, L.P.

By *John A. [Signature]*
Tenant

Guarantor

-15-

RENEWAL AND RENT ADJUSTMENT ADDENDUM TO YORK
PLACE LEASE DATED BETWEEN
YORK ROAD ASSOCIATES, Landlord, and
HEALTHAMERICA MARYLAND, L.P., Tenant.

This agreement amends and adds to the terms and conditions of this Lease.

1. Renewal. Tenant shall have the right to renew this Lease on the same terms and conditions and for the rent hereinafter provided for two (2) additional consecutive terms of one (1) years upon written notice to Landlord from Tenant of its intention to exercise this renewal right delivered to Landlord, as to the initial renewal, not less than six months prior to the expiration date of the original term of this Lease and, as to any subsequent renewal, not less than six months prior to the expiration date of the renewal term then in effect.

2. Renewal Term Basic Annual Rent. Tenant shall pay to Landlord during each renewal term "Basic Annual Rent" no less than the amount specified in Section 4 of this Lease, as such amount may be increased as directed below, payable in equal monthly installments without any deductions or set-offs, without demand, and in advance on the first day of each and every month in each year during each renewal term; provided, however, that if a renewal term shall commence on a day other than the first day of a month, Tenant shall pay a pro-rated amount, on a per diem basis, of one month's rent on the commencement day, and on the first day of the last month of that renewal term.

3. Cost of Living Increase Rental Adjustment. As used herein:

(1) "Commencement Date" shall mean the commencement date of the Lease Term as established in Section 2 of this Lease;

(2) "Anniversary Date" shall mean the third (3) annual anniversary of the Commencement Date and the fourth annual anniversary of the Commencement Date.

(3) "Index" shall mean the Consumer Price Index - United States city average for urban wage earners and clerical workers (as revised 1964: 1967 = 100) issued by the Bureau of Labor Statistics of the United States Department of Labor;

8. No sign, advertisement, notice, corridor nameplate, interior door sign, or other lettering shall be exhibited, inscribed, painted, or affixed by any tenant on any part of the outside or inside of the building without the prior written consent of the Landlord. The Landlord will erect and maintain on the ground floor level of the building, a directory of all tenants. The Landlord may remove at a tenant's expense all unauthorized signs erected by that tenant.

9. No show cases or other articles shall be placed in front of or affixed to any part of the exterior of the building nor placed in the passageways, corridors, or other public areas of the building without the prior written consent of the Landlord.

10. No awnings, window air conditioning units, signs, or other projections shall be installed without the prior written consent of the Landlord. No curtains, blinds, shades, screens, or other window accessories shall be attached to, hung in, or used in connection with any window or door of the building without the prior written consent of the Landlord. Such projections or window accessories must be of a quality, type, design, and color and attached in a manner approved by the Landlord.

11. The water, water closets, and other plumbing fixtures shall not be used for any purposes other than those for which they were constructed, and no sweepings, rubbish, rags, or other substances shall be thrown therein. All damage resulting from any misuse of the fixtures shall be borne by the responsible tenant.

12. No tenant shall mark, paint, drill into, or in any way deface any part of the building. No boring, cutting, stringing, or attaching of wires shall be permitted except with the prior written consent of the landlord and as the Landlord may direct. No tenant, without the prior written consent of the Landlord, shall use in the leased premises any electrical appliance or equipment such as, but not limited to, heaters, grills, toasters, and fans, other than

(4) "Percentage Increase" shall mean the percentage of increase in the Index on the applicable Anniversary Date equal to a fraction, the numerator of which shall be the Index on such Anniversary Date less either the Index as of the date of this Lease or on the preceding Anniversary Date, whichever is more recent, and the denominator of which shall be either the Index as of the date of this Lease or on the preceding Anniversary Date, whichever is more recent.

The Base Annual Rent reserved herein shall be increased on each Anniversary Date by an amount equal to the Base Annual Rent payable as of the day preceding such Anniversary Date multiplied by the Percentage Increase as computed on such Anniversary Date.

If the Index shall hereafter be converted to a different standard reference base or otherwise revised, the determination of the Percentage Increase shall be made with the use of such conversion factor, formula, or other method for converting the Index as may be published by the Bureau of Labor Statistics or its successor or replacement federal governmental department. If the Index shall cease to be published, then, for the purpose of these provisions, the parties shall substitute for the Index such other index as they shall agree upon; and if they are unable to agree within ninety days after the Index ceases to be published, such matter shall be determined by arbitration in accordance with the rules of the American Arbitration Association.

WITNESS:

ATTEST or
WITNESS For Tenant:

HEALTHAMERICA MARYLAND, L.P.

Tenant

-2-

typewriters, telephones, adding machines and other similar and customary office equipment. No tenant shall lay linoleum or other similar floor covering which shall come in direct contact with the floor of the building. If linoleum or other similar floor covering is desired, an interlining of builder's deadening felt shall be first affixed to the floor by paste, or other material that is soluble in water. The use of cement or other similar adhesive material is expressly prohibited.

13. No tenant shall cause or permit any unusual or objectionable odors to be produced upon or permeate from the Leased Premises. No tenant shall do or permit cooking or food on the Leased Premises without the prior written consent of the Landlord.

14. No tenant shall make, or permit to be made, any unseemingly or disturbing noise or vibration or disturb or interfere with other tenants of the building or those having business with them. No tenant shall throw anything out of the doors, windows, or skylights or down passageways, elevator shafts, or stairways.

15. No tenant shall at any time bring or keep upon the leased premises any inflammable, combustible, or explosive acid, chemical or substance.

16. The landlord may retain a pass key to the leased premises. No additional locks or bolts of any kind shall be placed upon any of the doors or windows by any tenant, nor shall any changes be made in the existing locks or their mechanisms. Each tenant, upon the termination of that tenant's tenancy must leave the doors and windows in the leased premises in like condition to that at the outset of the lease and must deliver to the landlord all keys to rooms, closets, and toilets.

17. All removals, or the carrying in or out of any safes, freight, furniture or bulky material of any description must take place during hours specified by the landlord. The landlord reserves the right to inspect all freight to be brought into the building and to exclude from the building all freight which violates any of these rules and Regulations or any provision of leases relating to

Exhibit A - Description of Leased Premises
Exhibit B - Specifications of Improvements
Exhibit C - Building Rules and Regulations
Exhibit D - Parking Agreement

YORK PLACE RULES AND REGULATIONS

1. Canvassing, soliciting and peddling in the building are prohibited, and each tenant shall cooperate with the landlord to prevent such activities.

2. Hand trucks shall be used in or about the building only with prior written consent of the Landlord and shall be adequately designed so as not to deface or damage any walls, floors, or other interior parts of the building.

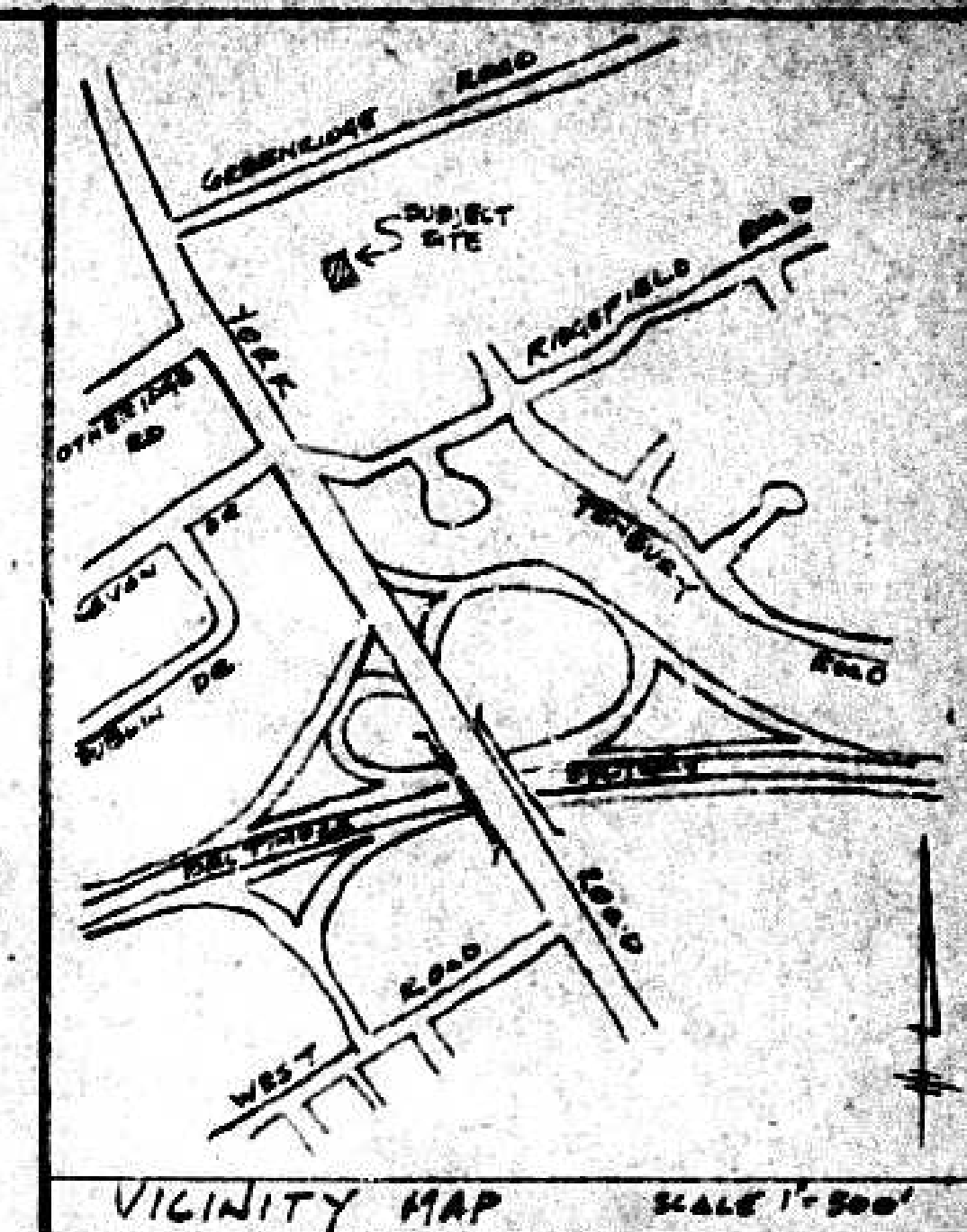
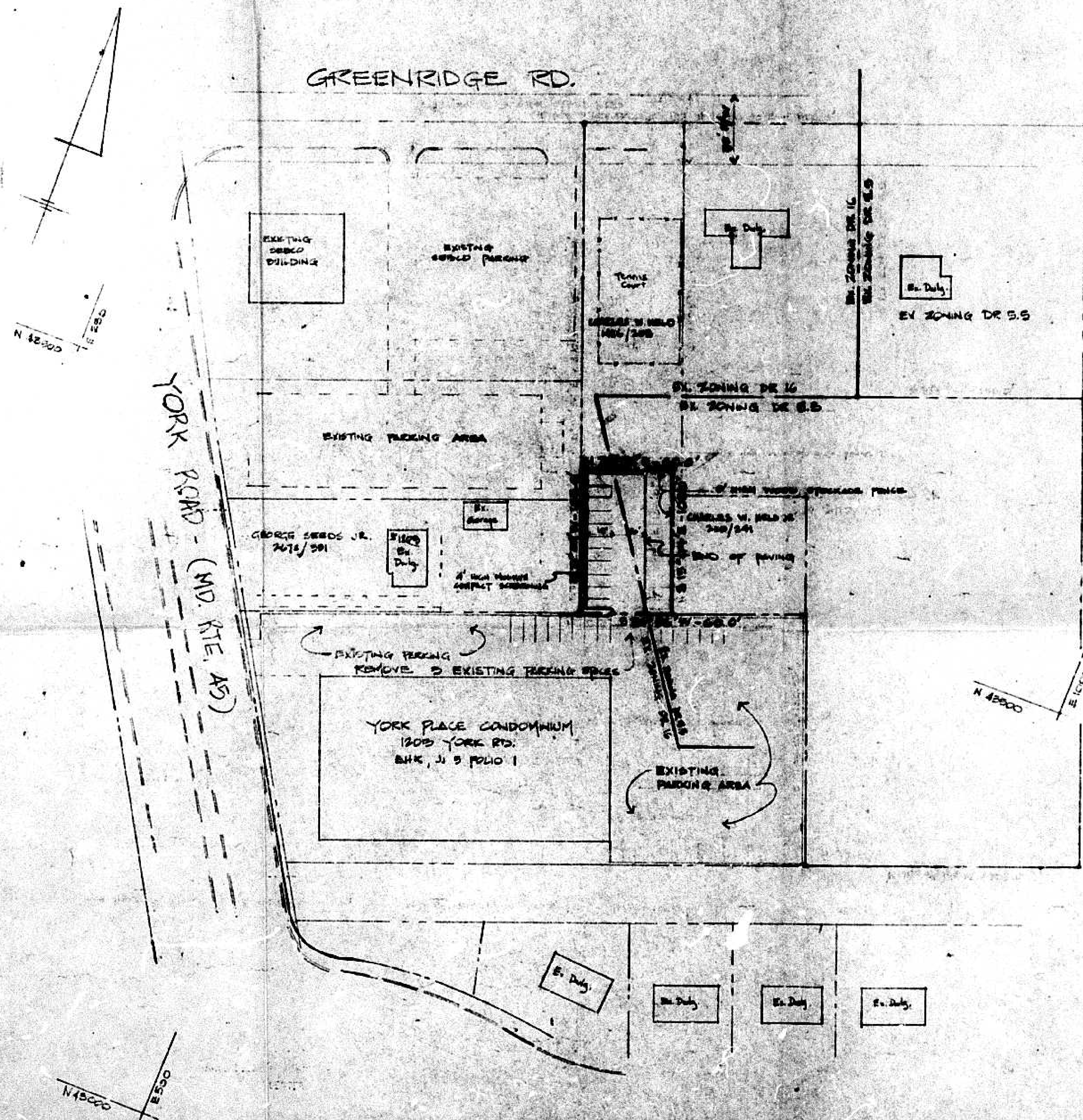
3. All windows and entrance doors of the leased premises shall be closed and locked at the end of every day on which the leased premises are used.

4. The Landlord reserves the right to exclude from the building between the hours of 8:00 p.m. and 8:00 a.m., Monday thru Friday, Midnight thru 8:00 a.m. and 1:00 p.m. thru Midnight on Saturday, and at all hours on Sundays, and legal holidays, all persons who do not present a key or a pass to the building signed by a tenant or by his authorized officer or agent.

5. Tenant shall not request building employees to perform any services outside of their regular duties, except with the consent of the Landlord.

6. The sidewalks, entrances, passageways, elevators, stairways and corridors shall not be obstructed, encumbered, or littered. No fire escapes shall be obstructed in any manner.

7. No sash, sash door, skylight, window, or door that reflects or admits light or air into the passageways or other public places in the building shall be covered or obstructed by any tenant. No bottles, parcels, or other articles shall be placed on the windowsills.



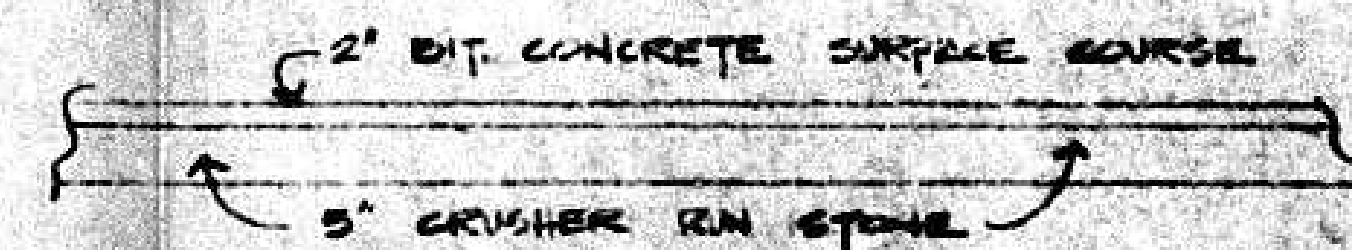
GENERAL SITE DATA

TOTAL AREA OF PROPERTY: 0.144 ± Ac.
 TOTAL AREA OF AFFECTED SITE: 0.091 ± Ac. (3990 SQ. FT.)
 PARKING AREA: 1890 SQ. FT. (.043 ± Ac.)
 DRIVEWAY ACCESS AREA: 2100 SQ. FT. (.048 ± Ac.)
 EXISTING ZONING OF PROPOSED PARKING AREA: DR 16
 EXISTING ZONING OF PROPOSED DRIVEWAY ACCESS AREA: DR 16/DR 5.5
 EXISTING PROPERTY USE: VACANT

PROPOSED NUMBER OF NEW PARKING SPACES: 11 SPACES
 EXISTING PARKING SPACES TO BE REMOVED: 3 SPACES
 TOTAL ADDITIONAL PARKING: 8 SPACES
 NO WATER OR SEWER REQUIRED

ADDITIONAL NOTES:

1. THE LAND SO USED ADJOINS THE BUSINESS INVOLVED.
2. ONLY PASSENGER VEHICLES, EXCLUDING BUSES, MAY USE THE PARKING AREA.
3. NO LOADING, SERVICE, OR ANY USE OTHER THAN PARKING SHALL BE PERMITTED.
4. LIGHTING SHALL BE REGULATED AS TO LOCATION, DIRECTION, HOURS OF ILLUMINATION, GLARE, AND INTENSITY, AS REQUIRED.
5. THE PAVED SURFACE SHALL BE PROPERLY DRAINED.
6. METHOD AND AREA OF OPERATION, PROVISION FOR MAINTENANCE, AND PERMITTED HOURS OF USE SHALL BE SPECIFIED, AND REGULATED AS REQUIRED.



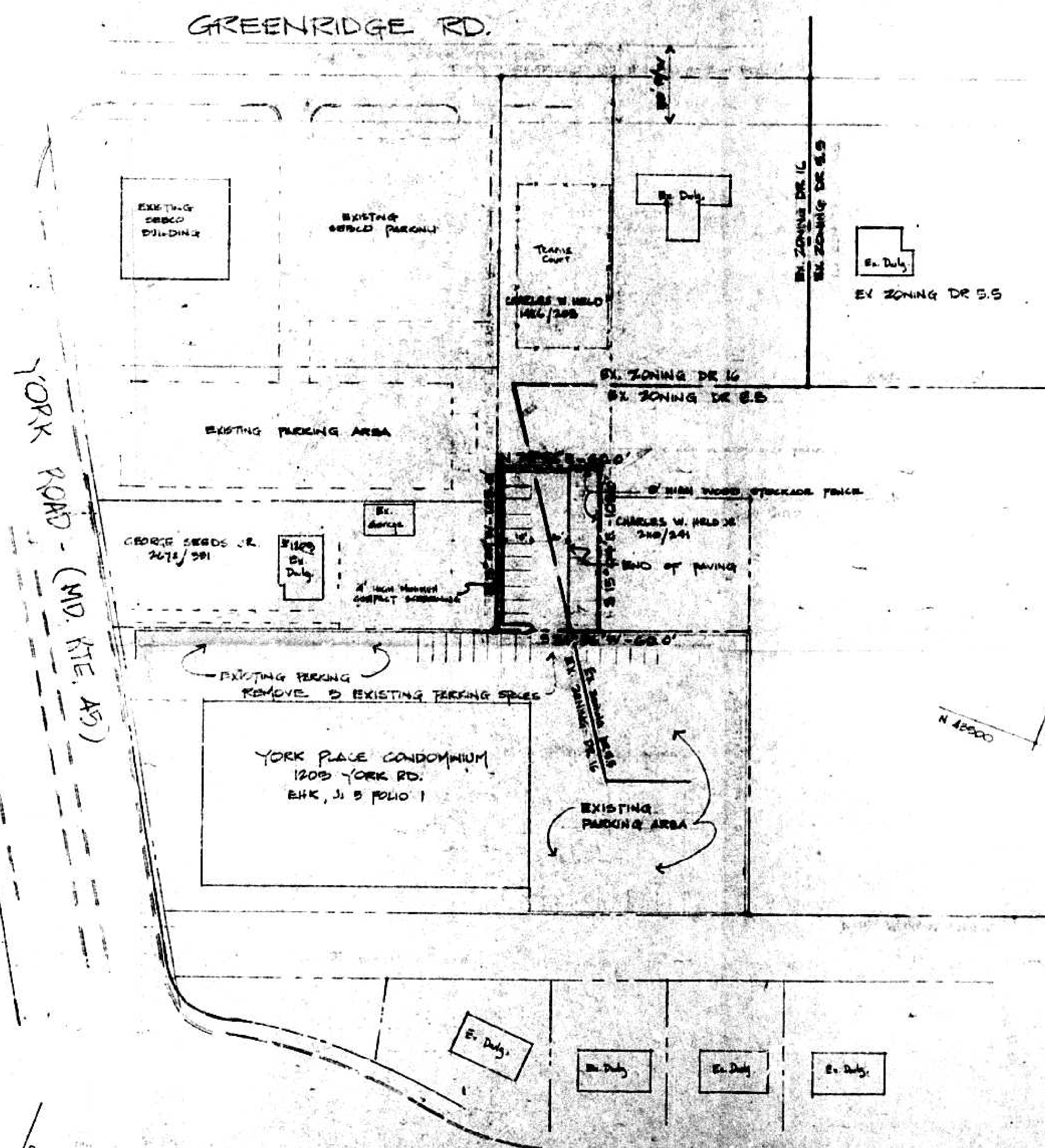
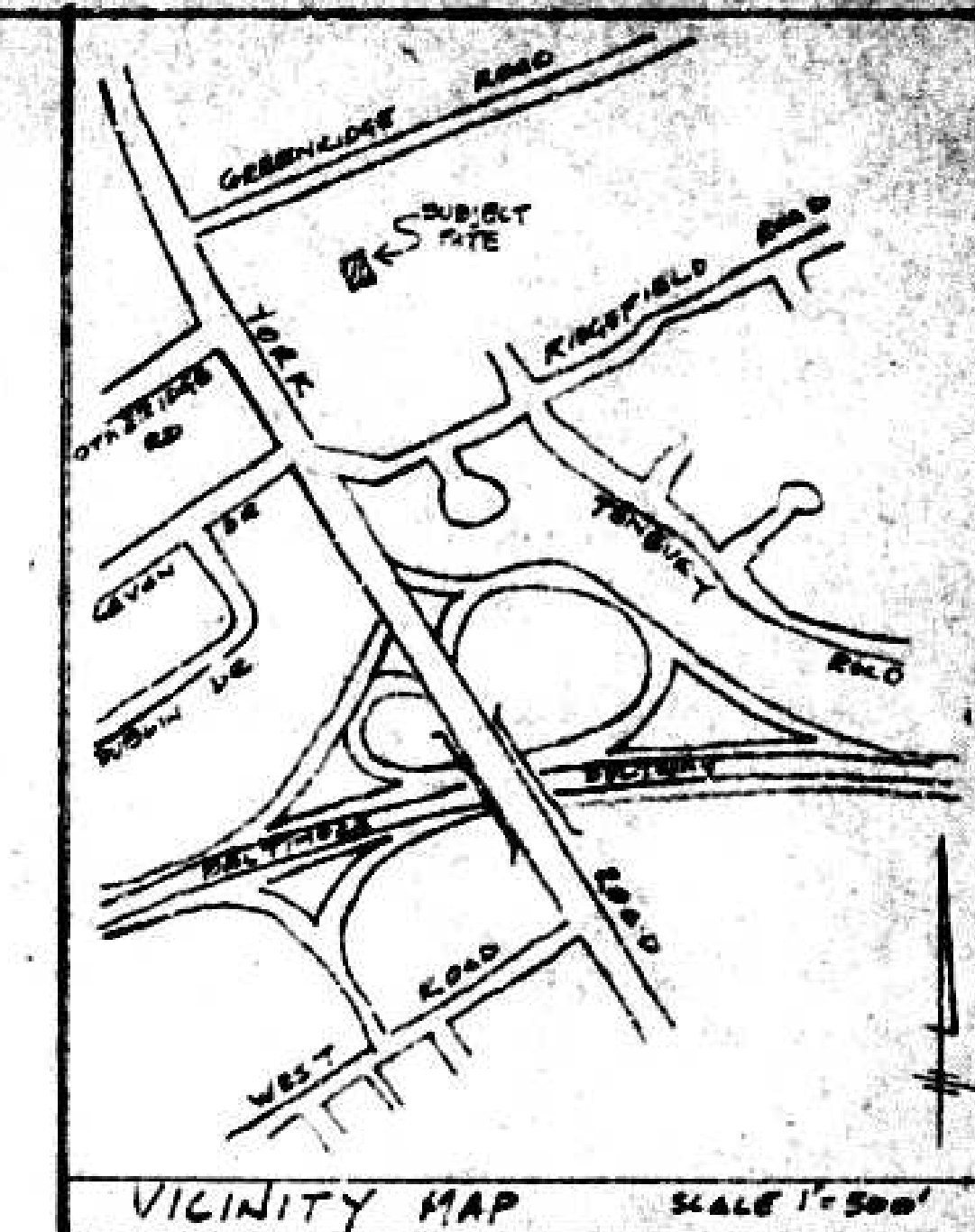
PARKING LOT - PAVING DETAIL
(NO SCALE)

PETITIONER'S
EXHIBIT 1

COMMERCIAL
CONTRACTORS
INC.

1205 YORK RD.
LUTHERVILLE, MARYLAND
21093

PLAT TO ACCOMPANY PETITION FOR
SPECIAL ZONING FOR
OFF-STREET PARKING
PROPERTY OF CHARLES W. HILD JR.
NINTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE 1" = 50'



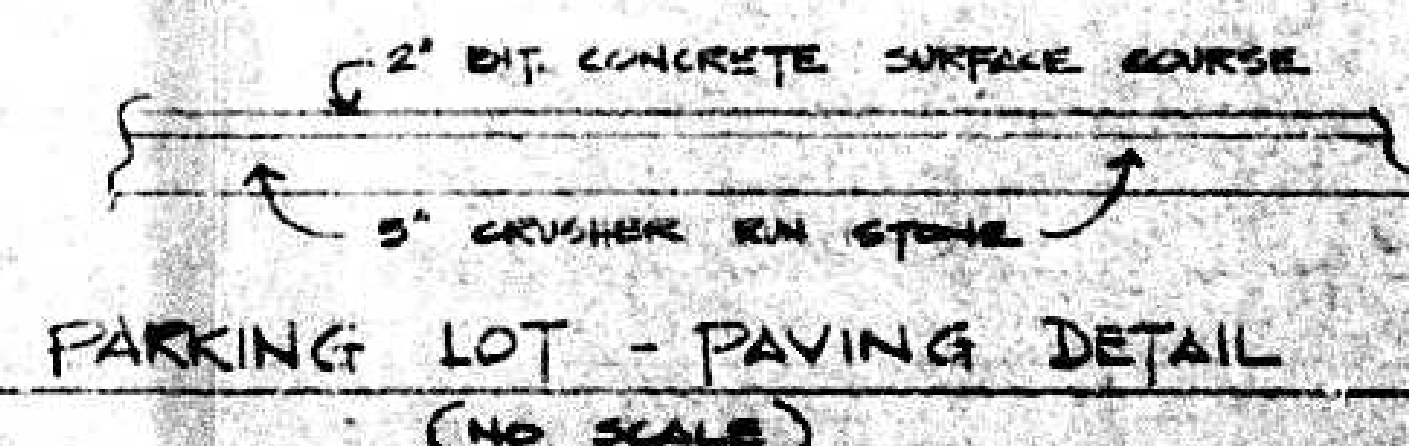
GENERAL SITE DATA

TOTAL AREA OF PROPERTY: 0.144 ± AC.
 TOTAL AREA OF AFFECTED SITE: 0.091 ± AC. (3990 SQ. FT.)
 PARKING AREA: 1890 SQ. FT. (0.043 ± AC.)
 DRIVEWAY ACCESS AREA: 2100 SQ. FT. (0.048 ± AC.)
 EXISTING ZONING OF PROPOSED PARKING AREA: DR 16
 EXISTING ZONING OF PROPOSED DRIVEWAY ACCESS AREA: DR 16/DR B.5
 EXISTING PROPERTY USE: VACANT

PROPOSED NUMBER OF NEW PARKING SPACES: 1 SPACE
 EXISTING PARKING SPACES TO BE REMOVED: 5 SPACES
 TOTAL ADDITIONAL PARKING: 6 SPACES
 NO WATER OR SEWER REQUIRED

ADDITIONAL NOTES:

1. THE LAND SO USED ADJACENT TO THE BUSINESS INVOLVED.
2. ONLY PASSENGER VEHICLES, EXCLUDING BUSES, MAY USE THE PARKING AREA.
3. NO LOADING, SERVICE, OR ANY USE OTHER THAN PARKING SHALL BE PERMITTED.
4. LIGHTING SHALL BE REGULATED AS TO LOCATION, DIRECTION, HOURS OF ILLUMINATION, GLARE, AND INTENSITY, AS REQUIRED.
5. THE PAVED SURFACE SHALL BE PROPERLY DRAINED.
6. METHOD AND AREA OF OPERATION, PROVISION FOR MAINTENANCE, AND PERMITTED HOURS OF USE SHALL BE SPECIFIED, AND REGULATED AS REQUIRED.



PETITIONER'S
EXHIBIT 1

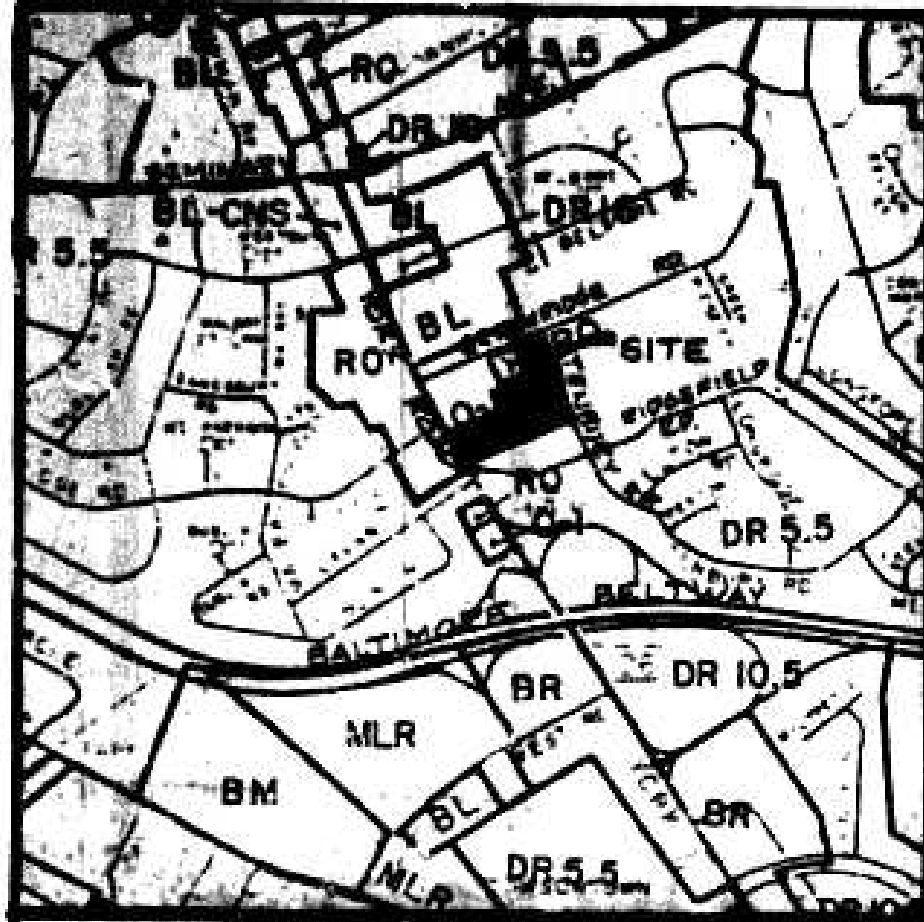
COMMERCIAL
CONTRACTORS
INCL.

1205 YORK RD.
LUTHERVILLE, MARYLAND
21113

PLAT TO ACCOMPANY PETITION FOR
SPECIAL PERMIT FOR
OFF-STREET PARKING
PROPERTY OF CHARLES W. HELD JR.

NINTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50'

50 40 30 20 10 0 10 20 30 40 50



VICINITY MAP
SCALE 1"=100'

PARKING REQUIRED

1ST FLOOR
MEDICAL & GENERAL OFFICES
23,000 SF ÷ 500 = 46 P.S.
ABOVE 1ST FLOOR
MEDICAL OFFICES
25,000 SF ÷ 500 = 50 P.S.
GENERAL OFFICES
23,100 SF ÷ 500 = 46 P.S.
TOTAL (2002) = 142 P.S.

PARKING SHOWN (SPACES)

PARCEL
A = 150 P.S.
B = 24 P.S.
C = 44 P.S.
D = 50 P.S.
E = 0 P.S.
TOTAL 317 P.S.

NOTES:
ANY ROW OF OFFICE
FALL SUPPORT 10' MAX. P.S. (2.5' P.S.)
DR 1 DUAL HANDICAP P.S. (2.5' P.S.)
PLUS 5 CONTINGENCY P.S.
FINAL LOCATION OF
HANDICAP P.S. TO BE
DETERMINED AT PERMIT STAGE

PARCEL
B = 0.15 AC
C = 0.74 AC
D = 0.70 AC
E = 0.77 AC

NOTE: ALL OFFSITE DWELLINGS AND
SMALL LOTS THAT CREATE AN
ETA ON SITE ARE SHOWN.

1205 YORK ROAD
PLAT TO ACCOMPANY A PETITION
FOR A SPECIAL HEARING
TO PERMIT OFFSTREET PARKING
IN A RESIDENTIAL ZONE

SCALE: 1"=30'
DATE: 12/8/84

DIVISION OF PUBLIC WORKS
P.H. 5132

NICHOLAS B. AND MARY MANGIONE
CHARLES W. AND MARIETTA WELLS
1205 YORK ROAD
TOWSON, MARYLAND 21204

GENERAL NOTES

- The land adjoining the business involved.
- Only passenger vehicles, including buses, will use the parking area.
- No loading, service, or any use other than parking will be permitted.
- Lighting will be so arranged as to not reflect onto adjacent residential areas or interface with traffic.
- Screening will be provided in accordance with the Baltimore County Landscape Manual and will consist of 5' high compact evergreen plantings.
- Fencing will consist of a durable, dark green masonry or bituminous surface.
- Parking will be used during normal business hours only.

PARCEL A (1.66 AC)

- A1 N 25° 12' W 102.27'
- A2 N 74° 03' W 50.01'
- A3 N 25° 12' W 100.00'
- A4 N 74° 03' W 18.05'
- A5 N 74° 58' E 405.10'
- A6 S 15° 04' E 100.00'
- A7 S 75° 31' W 374.20'

PARCEL B (0.15 AC)

- B1 S 74° 56' W 62.01'
- B2 N 15° 04' W 105.01'
- B3 N 74° 56' E 62.01'
- B4 S 15° 04' E 105.01'

PARCEL C (0.74 AC)

- C1 S 75° 31' W 175.41'
- C2 N 15° 04' W 100.00'
- C3 N 74° 56' E 107.01'
- C4 SOUTHEASTERLY BY A RADIUS OF 370.03
WITH A LENGTH OF 152.01'
- C5 S 14° 51' 54" E 31.54'

PARCEL D (0.70 AC)

- D1 S 74° 56' W 202.01' - 0-1
- D2 N 15° 04' W 105.01'
- D3 N 74° 56' E 106.01'
- D4 SOUTHEASTERLY 100.01'

GREENRIDGE

HEAVER PLAZA

ROAD

ROAD

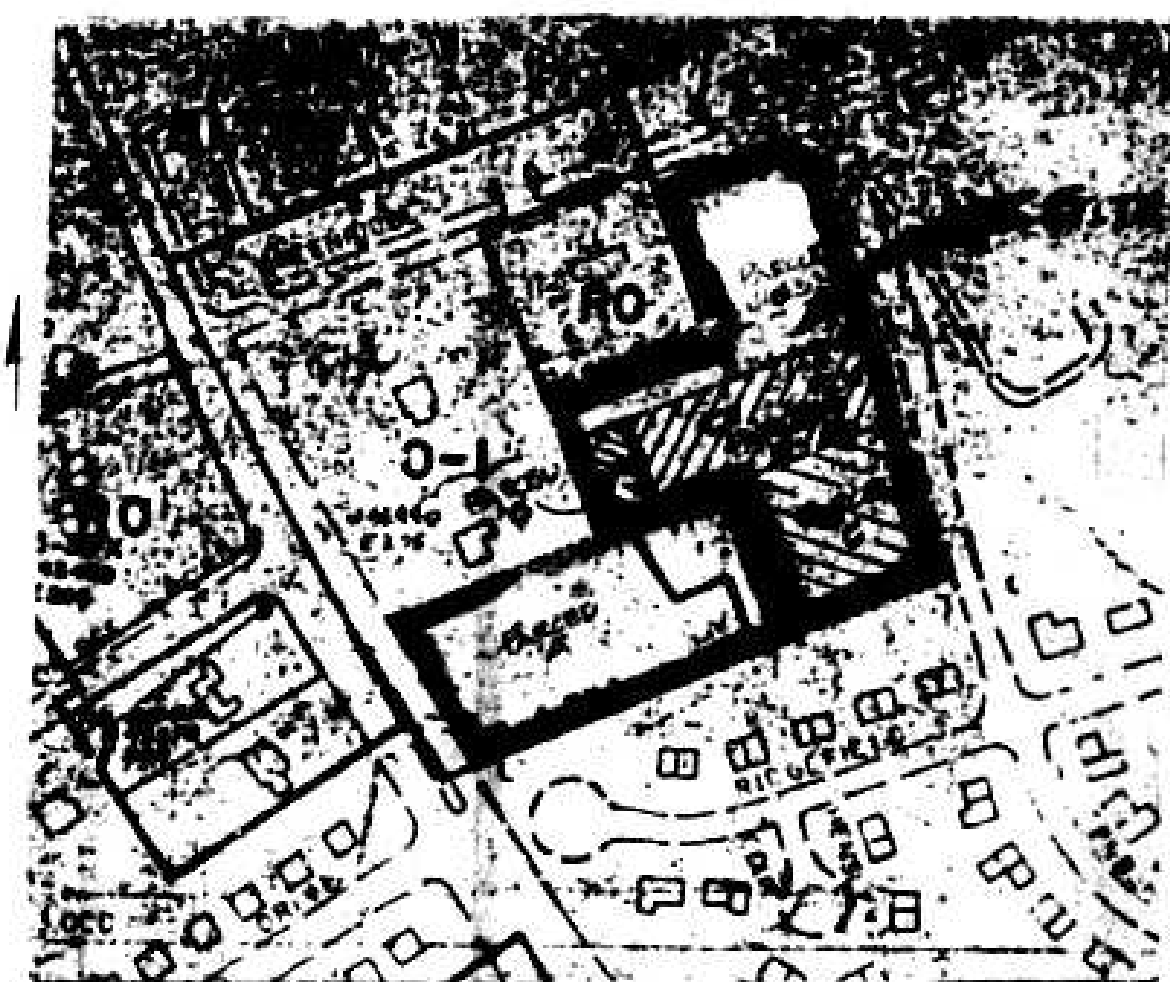
TENBURY

RIDGEFIELD

ROAD



P/O NE 11A 1986 PHOTOGRAPHIC MAP
1"=200'



P/O NE 11A 1984 ZONING MAP
1"=200'

NICHOLAS B. MANGIONE
5310/530

4.5 AC VACANT DR 5-2

- W 4000-Business or Industrial Parking in Residential Districts
- The Planning Commission may issue a use permit for the use of land in a residential zone for parking areas to meet the requirements of the following conditions, subject to the following conditions: (1) ground, such as permit shall be provided as follows, in lieu of the provisions in Section 602.5 (a) (B.C.P.A., 1955; Amendment, November 21, 1956; B.C.P.A., 1955; Amendment, November 21, 1956.)
- The land so used must be used as an alley or street from the business or industry involved. (B.C.P.A., 1955; Amendment, November 21, 1956.)
 - Only passenger vehicles, including buses, may use the parking area. (B.C.P.A., 1955; Amendment, November 21, 1956.)
 - No loading, service, or any use other than parking shall be permitted. (B.C.P.A., 1955; Amendment, November 21, 1956.)
 - Lighting shall be regulated as to location, direction, hours of illumination, glare, and intensity, as required. (B.C.P.A., 1955; Amendment, November 21, 1956.)
 - Screening shall be provided in accordance with the Baltimore County Landscape Manual adopted pursuant to Section 22-105 of Title 22 of the Baltimore County Code. (Amendment, November 21, 1956; B.C.P.A., 1955; Amendment, November 21, 1956.)
 - A good parking, properly drained, shall be required. (B.C.P.A., 1955; Amendment, November 21, 1956.)
 - A satisfactory plan showing parking arrangement and vehicular access must be provided. (Amendment, November 21, 1956.)
 - Height and use of structures, provision for maintenance, and specified hours of use shall be specified, and regulated as required. (B.C.P.A., 1955; Amendment, November 21, 1956.)

* SEE GENERAL NOTES

PREVIOUS HEARINGS:

PARCEL A #73-140-XSPH
PARCEL B #81-122-SPH

PETITIONER'S
EXHIBIT

①	N 25°12'W	10.27'
②	N 24°03'W	50.01'
③	N 25°12'W	100.00'
④	N 24°03'W	18.05'
⑤	N 74°58'E	408.10'
⑥	S 15°04'E	180.33'
⑦	S 75°31'W	274.93'

①	S 74° 58' W	75.0°
②	N 15° 04' W	108.0°
③	N 74° 58' E	75.0°
④	S 15° 04' E	105.0°

- ① $57^{\circ} 56' W$ 175.41°
- ② $N 15^{\circ} 04' W$ 180.33°
- ③ $N 74^{\circ} 58' E$ 107.0°
- ④ SOUTHEASTERLY BY A RADIUS OF 978.93
WITH A LENGTH OF 152.2
- ⑤ $S 20^{\circ} 57' E$ 31.54°



LOCATION MAP
SCALE: 1"=1000'

PETITIONER'S EXHIBIT

NICHOLAS B & MARY MANGIONE
1206 YORK ROAD
TOWSON, MARYLAND 21204

CHARLES W & HARRIETTE HELD

ELECTION DISTRICT
PN 5132
SHEET 1 OF

409.4-Business or Industrial Parking in Residence Zone—Upon application the Zoning Commissioner may issue a use permit for the use of land in a residential zone for parking areas to meet the requirements of the foregoing schedule, subject to the following conditions. If granted, such use permit shall be conditioned as follows, in lieu of the provisions in Section 409.2 (c): (B.C.Z.R., 1955; Resolution, November 21, 1956; Bill No. 31, 1964.)

- A. The land so used must adjoin or be across an alley or street from a business or industry involved. [B.C.E.R., 1955; Resolution, November 21, 1956].
- B. Only passenger vehicles, excluding buses, may use the parking area. [B.C.E.R., 1955; Resolution, November 21, 1956].
- C. No loading, unloading, or any use other than parking shall be permitted. [B.C.E.R., 1955; Resolution, November 21, 1956].
- D. Lighting shall be regulated as to location, direction, hours of illumination, glare, and intensity, as required. [B.C.E.R., 1955; Resolution, November 21, 1956].
- E. Screening shall be provided in accordance with the Baltimore County Landscape Manual adopted pursuant to Section 22-105 of Title 22 of the Baltimore County Code. [Resolution, November 21, 1956; No. 31, 1954].
- F. A paved surface, properly drained, shall be required. [B.C.E.R., 1955; Paragraph 409.4; Resolution, November 21, 1956].
- G. A satisfactory plan showing parking arrangement and vehicular access must be provided. [Resolution, November 21, 1956].
- H. Method and area of operation, provision for maintenance, and permitted hours of use shall be specified, and regulated as required. [B.C.E.R., 1955; Paragraph 409.4; Resolution, November 21, 1956].

S/Sgt. **WILLIAM J. SPENCER**
 S/Sgt. of York Road, 105
 N. of Edgely Road
 Precision Quality Mfg., Inc.
 Pontiac
 Tel. 73-122-SPN (Ext. 75)

It is further ~~STATED~~ that the Special Meeting to amend the Special Resolution to Class No. 75-4-22A, notwithstanding provision for no 1201 York Road, should be ~~HEARD~~ subject to, the ~~ACT~~ of the proposed office building not exceeding four (4) stories or forty (40) feet in height, whichever is the

All of the above are subject to:

1. The site of the proposed office building not exceeding four (4) acres or 174,240 feet in length, whichever is the greater.
2. Property containing as approved by the Office of Planning and Zoning for Baltimore County, 32 acres.
3. The bright illumination for lighting of the parking lot, overhead, being limited to eight (8) feet.
4. Proper drainage facilities be installed so that run-off of rain on the final overall 400-ft-long and property shall be the responsibility of the Baltimore County Department of Public Works.

* The approval of a site plan by the State Highway Administration, Bureau of Public Works and the Office of

... ..

14

Baltimore County

J. S. KLINE & W. S. STEPHENS

PARCEL 'A' (1.64 Ac.)

- ① N 23°12'W 102.7'
- ② N 24°03'W 50.01'
- ③ N 25°12'W 100.00'
- ④ N 24°03'W 19.05'
- ⑤ N 74°58'E 405.10'
- ⑥ S 15°04'E 180.33'
- ⑦ S 75°31'W 374.93'

PARCEL 'B' (0.18 Ac.)

- ① S 74°58'W 75.0'
- ② N 15°04'W 108.0'
- ③ N 74°58'E 75.0'
- ④ S 15°04'E 105.0'

PARCEL 'C' (0.74 Ac.)

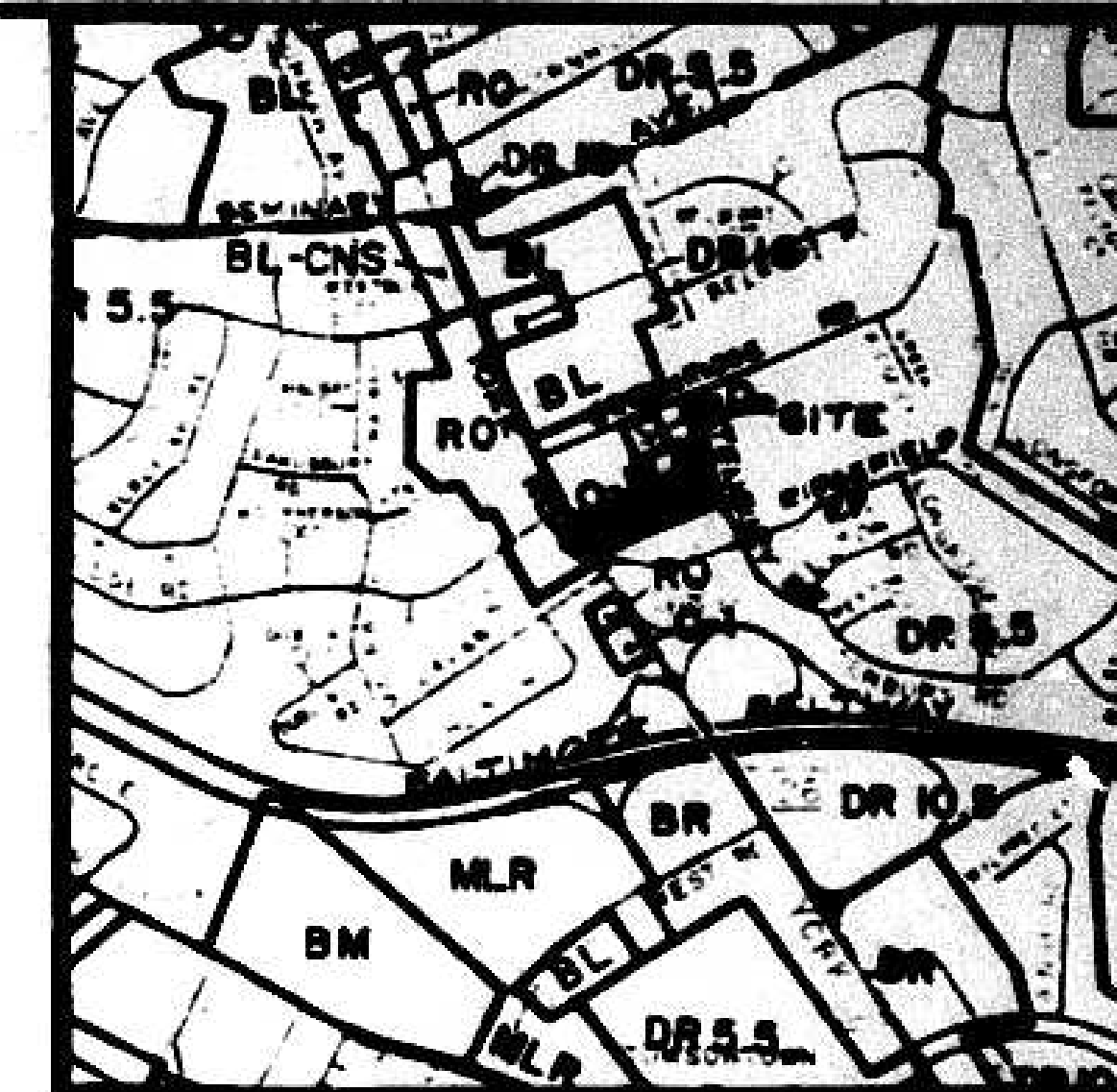
- ① S 74°58'W 175.41'
- ② N 15°04'W 180.33'
- ③ N 74°58'E 187.0'
- ④ SOUTHEASTERLY BY A RADIUS OF 979.93' WITH A LENGTH OF 152.1'
- ⑤ S 20°57'E 315.4'

PARKING REQUIRED

FIRST FLOOR
MEDICAL & GEN. OFFICES
23,000 SF - 300 = 76.67 PS.
ABOVE FIRST FLOOR
MEDICAL OFFICES
25,900 SF - 300 = 86.33 PS
GENERAL OFFICES
25,100 SF - 300 = 83.67 PS
TOTAL (209.2) = 210 PS.

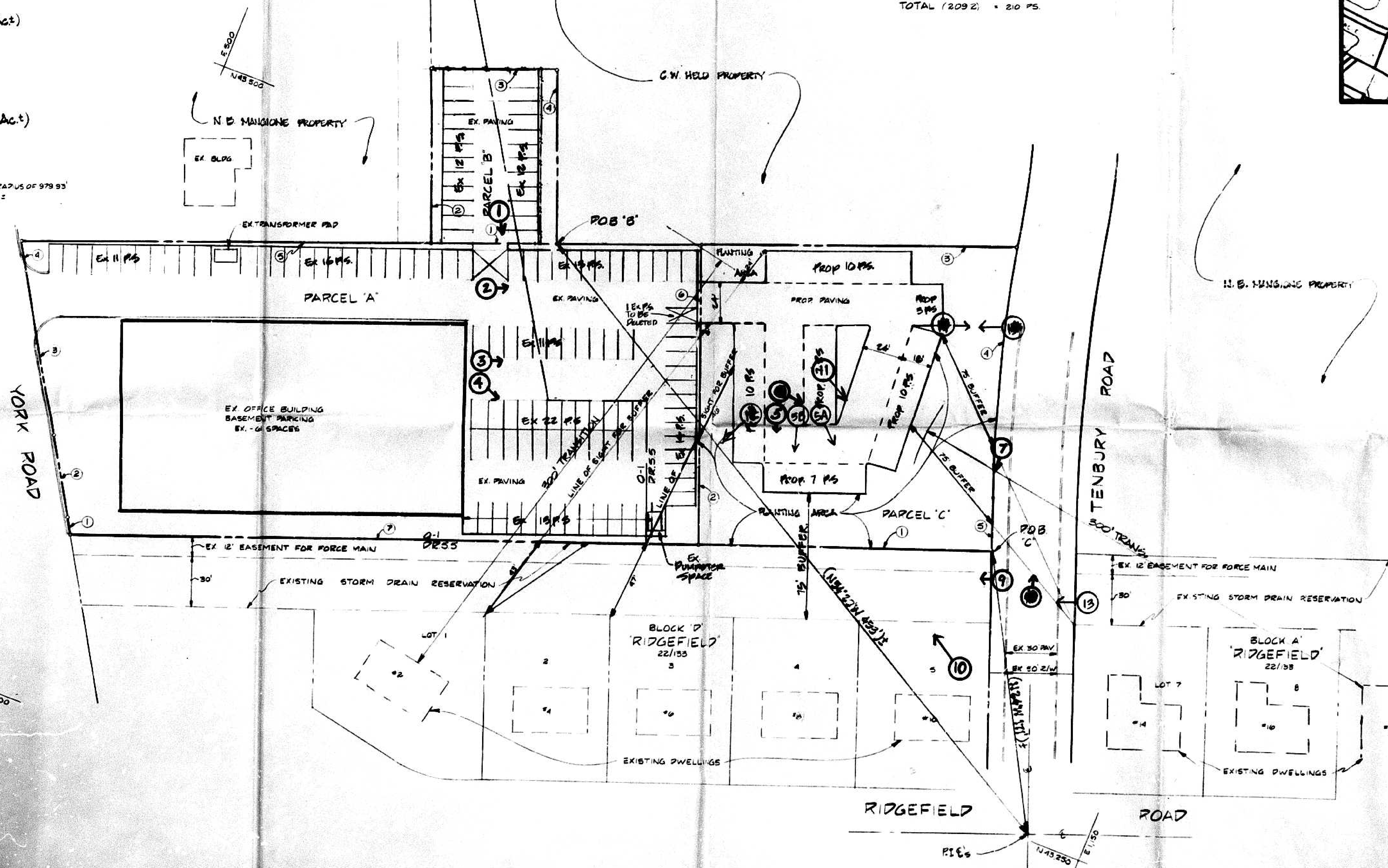
PARKING SHOWN

PARCEL 'A' 159 PS
PARCEL 'B' 24 PS
PARCEL 'C' 47 PS
TOTAL 230 PS



LOCATION MAP
SCALE 1" = 100'

BOARD OF APPEALS
PETITIONER'S
EXHIBIT 4



GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS

303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 825-8120

OWNER

NICHOLAS B. & MARY MANGIONE
1205 YORK ROAD
TOWSON, MARYLAND 21204
CHARLES W. & HARRIETTE HELD

1205 YORK ROAD

PLAT TO ACCOMPANY A PETITION
FOR A SPECIAL HEARING TO
PERMIT COMMERCIAL PARKING IN
A RESIDENTIAL ZONE

SCALE 1" = 30'
OCTOBER 7, 1985

ELECTION DISTRICT
PN 5182
SHEET 1 OF 1

PARCEL A (1.64 Ac±)

- ① N 23°12'W 1027'
- ② N 24°03'W 500'
- ③ N 25°12'W 1000'
- ④ N 24°03'W 1905'
- ⑤ N 74°58'E 405.0'
- ⑥ S 15°04'E 180.33'
- ⑦ S 75°31'W 374.93'

PARCEL B (0.18 Ac±)

- ① S 74°58'W 750'
- ② N 15°04'W 050'
- ③ N 74°58'E 750'
- ④ S 15°04'E 050'

PARCEL C (0.74 Ac±)

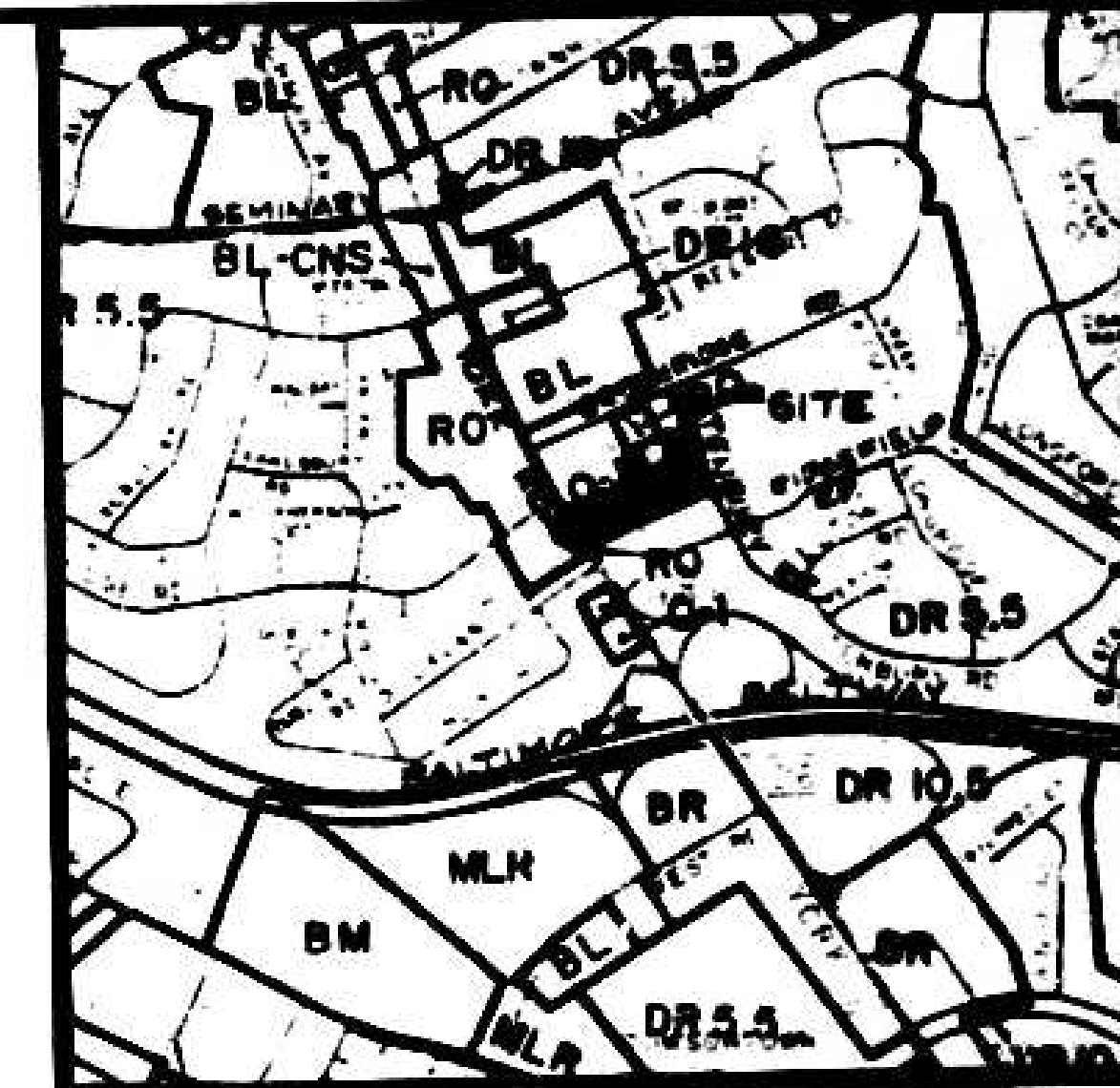
- ① S 74°58'W 175.41'
- ② N 15°04'W 180.33'
- ③ N 74°58'E 870'
- ④ SOUTHEASTERLY BY A 247.5 OF 979.93' WITH A LENGTH OF 152.2'
- ⑤ S 20°57'E 315.4'

PARKING REQUIRED

FIRST FLOOR
MEDICAL & GEN. OFFICES
23,000 SF ÷ 300 = 76.67 PS
ABOVE FIRST FLOOR
MEDICAL OFFICES
25,900 SF ÷ 300 = 86.33 PS
GENERAL OFFICES
23,000 SF ÷ 300 = 76.67 PS
TOTAL (209.2) = 210 PS

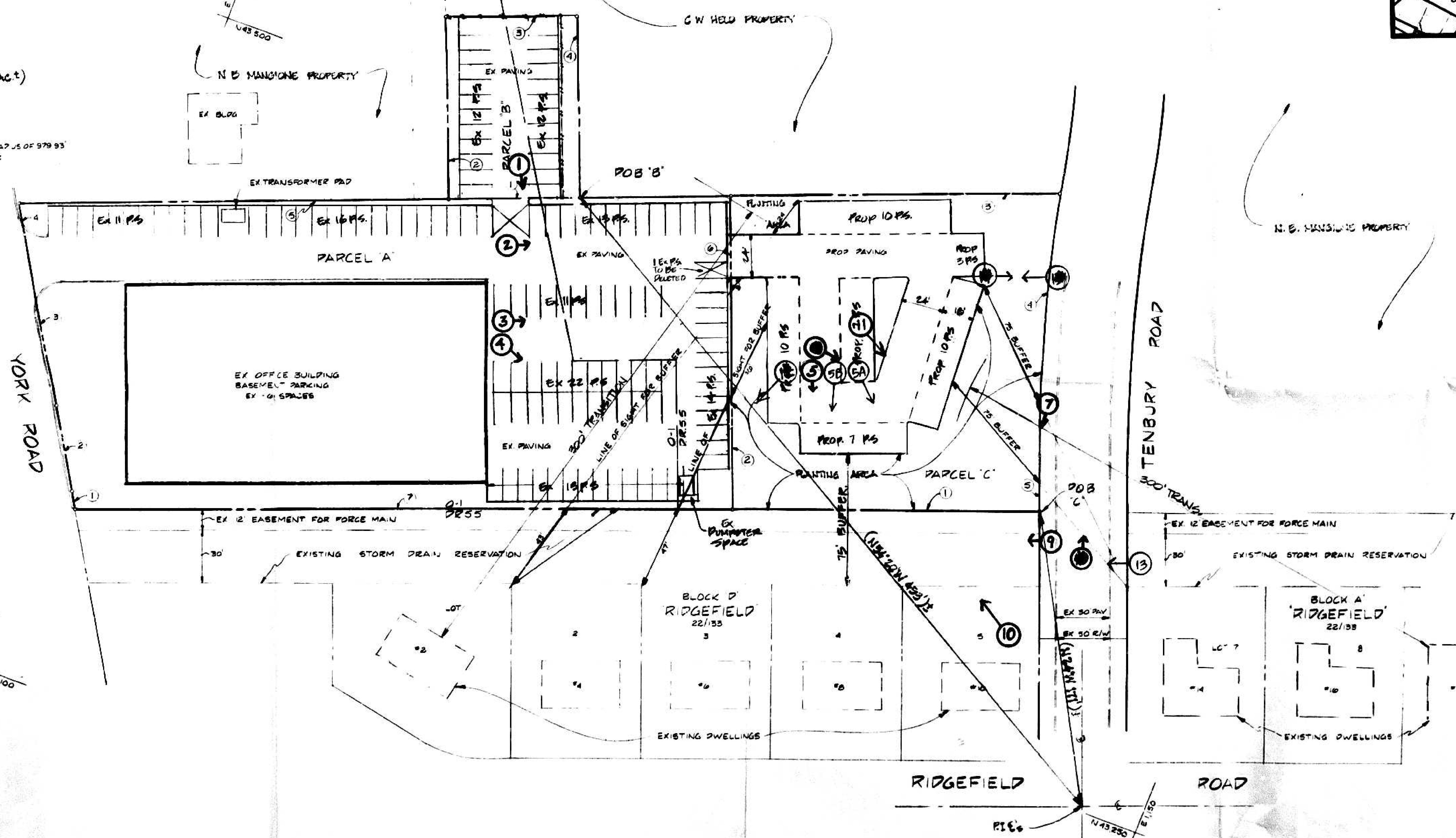
PARKING SHOWN

PARCEL A 58 PS
PARCEL B 24 PS
PARCEL C 47 PS
TOTAL 230 PS



LOCATION MAP
SCALE 1"=100'

BOARD OF APPEALS
PETITIONER'S
EXHIBIT 4



**GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.**

CIVIL ENGINEERS & LAND SURVEYORS

303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 825-8120

OWNER

NICHOLAS B. & MARY MANGIONE
1205 YORK ROAD
TOWSON, MARYLAND 21204

CHARLES W. & HARRIETTE HELD

1205 YORK ROAD
PLAT TO ACCOMPANY A PETITION
FOR A SPECIAL HEARING TO
PERMIT COMMERCIAL PARKING IN
A RESIDENTIAL ZONE

SCALE 1"=30'
OCTOBER 7, 1985

ELECTION DISTRICT
PN 5132
SHEET 1 OF 1

PARCEL A (1.64 Ac.)

- 1 N 25° 12' W 1027'
- 2 N 24° 05' W 50.01'
- 3 N 25° 12' W 100.00'
- 4 N 24° 05' W 9.05'
- 5 L 74° 58' E 402.10'
- 6 S 15° 04' E 180.55'
- 7 S 75° 51' W 374.95'

PARCEL B (0.16 Ac.)

- 1 S 74° 58' W 75.01'
- 2 N 15° 04' W 106.01'
- 3 N 74° 58' E 75.01'
- 4 S 15° 04' E 105.01'

PARCEL C (0.74 Ac.)

- 1 S 74° 58' W 175.41'
- 2 N 15° 04' W 180.55'
- 3 N 74° 58' E 180.55'
- 4 SOUTHEASTERLY BY A RADIUS OF 379.93' WITH A LENGTH OF 152.12'
- 5 S 20° 57' E 31.64'

PARKING REQUIRED

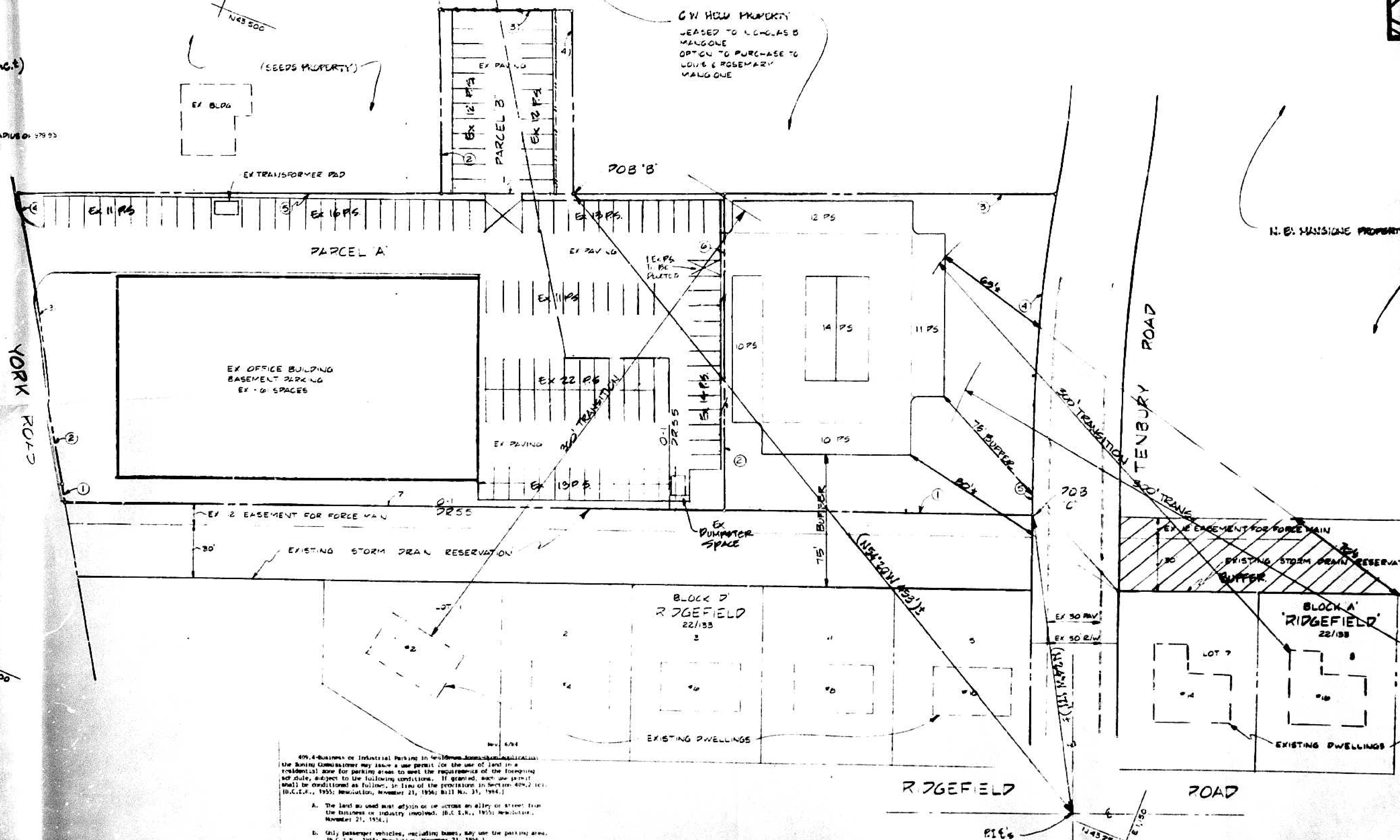
FIRST FLOOR
MEDICAL & GEN. OFFICES
25,000 SF - 500 = 74 ST PL
ABOVE FIRST FLOOR
MEDICAL OFFICES
25,400 SF - 300 = 84 ST PL
GENERAL OFFICES
25,000 SF - 500 = 46 ST PL
TOTAL (2092) = 210 PS

PARKING SHOWN

PARCEL A 159 PS
PARCEL B 24 PS
PARCEL C 57 PS
TOTAL 240 PS



LOCATION MAP
SCALE: 1"=1000'



BOARD OF APPEALS
PETITIONER'S
EXHIBIT 1/2

409.4 Business or Industrial Parking in Unincorporated Areas
The Board of Appeals may issue a use permit for the use of land in a residential zone for parking areas to meet the requirements of the following schedule, subject to the following conditions. If granted, such use permit shall be conditioned as follows, in lieu of the provisions in Section 409.2 (C). (B.C.E.A., 1955; Resolution, November 21, 1956; Bill No. 31, 1964.)

- The land so used must adjoin or be across an alley or street from the business or industry involved. (B.C.E.A., 1955; Resolution, November 21, 1956.)
- Only passenger vehicles, including buses, may use the parking area. (B.C.E.A., 1955; Resolution, November 21, 1956.)
- No loading, service, or any use other than parking shall be permitted. (B.C.E.A., 1955; Resolution, November 21, 1956.)
- Lighting shall be regulated as to location, direction, hours of illumination, glare, and intensity, as required. (B.C.E.A., 1955; Resolution, November 21, 1956.)
- Screening shall be provided in accordance with the Baltimore County Landscape Manual adopted pursuant to Section 22-105 of Title 22 of the Baltimore County Code. (Resolution, November 21, 1956; Bill No. 31, 1964.)
- A paved surface, properly drained, shall be required. (B.C.E.A., 1955; Paragraph 409.4(e); Resolution, November 21, 1956.)
- A satisfactory plan showing parking arrangement and vehicular access must be provided. (Resolution, November 21, 1956.)
- Method and area of operation, provision for maintenance, and permitted hours of use shall be specified, and regulated as required. (B.C.E.A., 1955; Paragraph 409.4(f); Resolution, November 21, 1956.)

OWNER

NICHOLAS B. & MARY MANGIONE
1708 YORK ROAD
TOWSON, MARYLAND 21204
CHARLES W. & HARRIETTE HELD

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS

905 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 251-2200



SCHEME #3
1200 YORK ROAD
PLAT TO ACCOMPANY A PETITION
FOR A SPECIAL HEARING TO
PERMIT COMMERCIAL USE
IN A RESIDENTIAL ZONE
SCALE: 1"=50'
OCTOBER 7, 1964

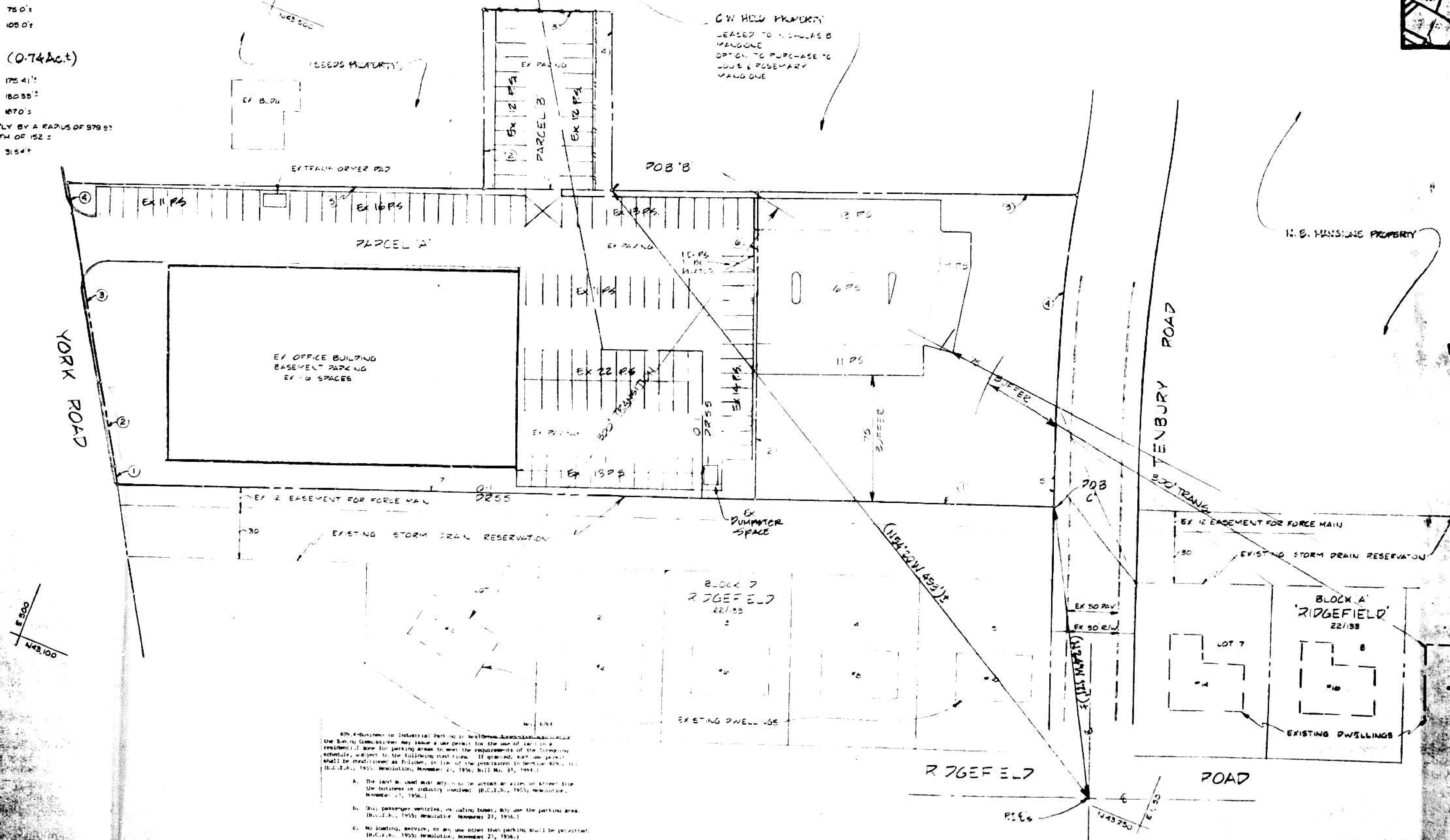
①	N 25° 12' W	10.27
②	N 24° 03' W	50.01
③	N 25° 12' W	100.00
④	N 24° 03' W	18.05
⑤	N 74° 58' E	405.10
⑥	S 15° 04' E	150.53
⑦	S 75° 51' W	374.93

①	S 74° 58' W	750 f
②	N 15° 04' W	1050 f
③	N 74° 56' E	750 f
④	S 15° 04' E	1050 f

- ① $57^{\circ}56'W$ $175^{\circ}41'$
- ② $N 15^{\circ}04'W$ $18033'$
- ③ $N 7^{\circ}58'E$ $070'$
- ④ SOUTHEASTERLY BY A RADIUS OF 579.5?
WITH A LENGTH OF 152 :
- ⑤ $52^{\circ}57'E$ $3154'$

FIRST FLOOR
 MEDICAL & GEN OFFICE
 2000 SF - 300 + 700 = 500
 ABOVE FIRST FLOOR
 MEDICAL OFFICES
 11,900 SF - 300 + 600 = 12,200
 GENERAL OFFICES
 10,000 SF - 300 + 400 = 10,100
 TOTAL (2292) = 2000

PLPCEL 'A'	59 PS
PLPCEL 'B'	24 PS
PLPCEL 'C'	37 PS
TOTAL	220 PS



409.4-Business or Industrial Park: In business, commercial, industrial, the zoning commission may issue a use permit for the use of land for a residential home for parking areas to meet the requirements of the foregoing schedule, subject to the following conditions: If granted, such use permit shall be conditioned as follows: in line of the provisions in Section 409.4, I.C. (B.C.R., 1956; Resolution, November 21, 1956; Bill No. 33, 1964.)

- A. The land use shall must only be to be access an alley or drive from the business or industry building. (B.C.C.R., 1955; Resolution, November 21, 1956.)
- B. Only passenger vehicles, including buses, may use the parking area. (B.C.C.R., 1955; Resolution, November 21, 1956.)
- C. No loading, servicing, or any use other than parking shall be permitted. (B.C.C.R., 1955; Resolution, November 21, 1956.)
- D. Lighting shall be regulated as to location, direction, hours of illumination, glare, and intensity, as required. (B.C.C.R., 1955; Resolution, November 21, 1956.)
- E. Screening shall be provided in accordance with the Baltimore County Landscape Manual adopted pursuant to Sections 22-105 of Title 22 of the Baltimore County Code. (Resolution, November 21, 1956; No. 11, 1956.)
- F. A paved area, properly drained, shall be required. (B.C.C.R., 1955; Paragraph 409.4; Resolution, November 21, 1956.)
- G. A satisfactory plan showing parking arrangement and vehicular access must be provided. (Resolution, November 21, 1956.)
- H. Method and area of operation, provision for maintenance, and permitted hours of use shall be specified, and regulated as required. (B.C.C.R., 1955; Paragraph 409.4; Resolution, November 21, 1956.)

NICHOLAS B. & MARY MANGIONE
1208 YORK ROAD
TOWSON, MARYLAND 21204

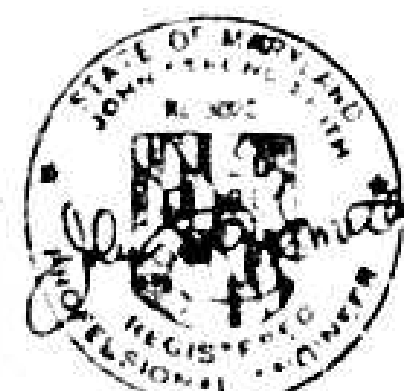
CHARLES W. & HARRIETTE HELD

1205 YORK ROAD
PLAT TO ACCOMPANY A PETITION
FOR A SPECIAL HEARING TO
PERMIT COMMERCIAL PARKING
A RESIDENTIAL ZONE

SCALE: 1"=20'
OCTOBER 7, 1964

CIVIL ENGINEERS & LAND SURVEYORS

803 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 825-8130



PARCEL 'A' (1.64 Ac.)

- 1 N 25° 12' W 1027'
- 2 N 24° 05' W 50.01'
- 3 N 25° 12' W 100.00'
- 4 N 24° 05' W 10.00'
- 5 N 74° 58' E 405.10'
- 6 S 15° 04' E 180.55'
- 7 S 75° 31' W 374.93'

PARCEL 'B' (0.10 Ac.)

- 1 S 74° 58' W 750.1'
- 2 N 15° 04' W 106.01'
- 3 N 74° 58' E 75.01'
- 4 S 15° 04' E 105.01'

PARCEL 'C' (0.74 Ac.)

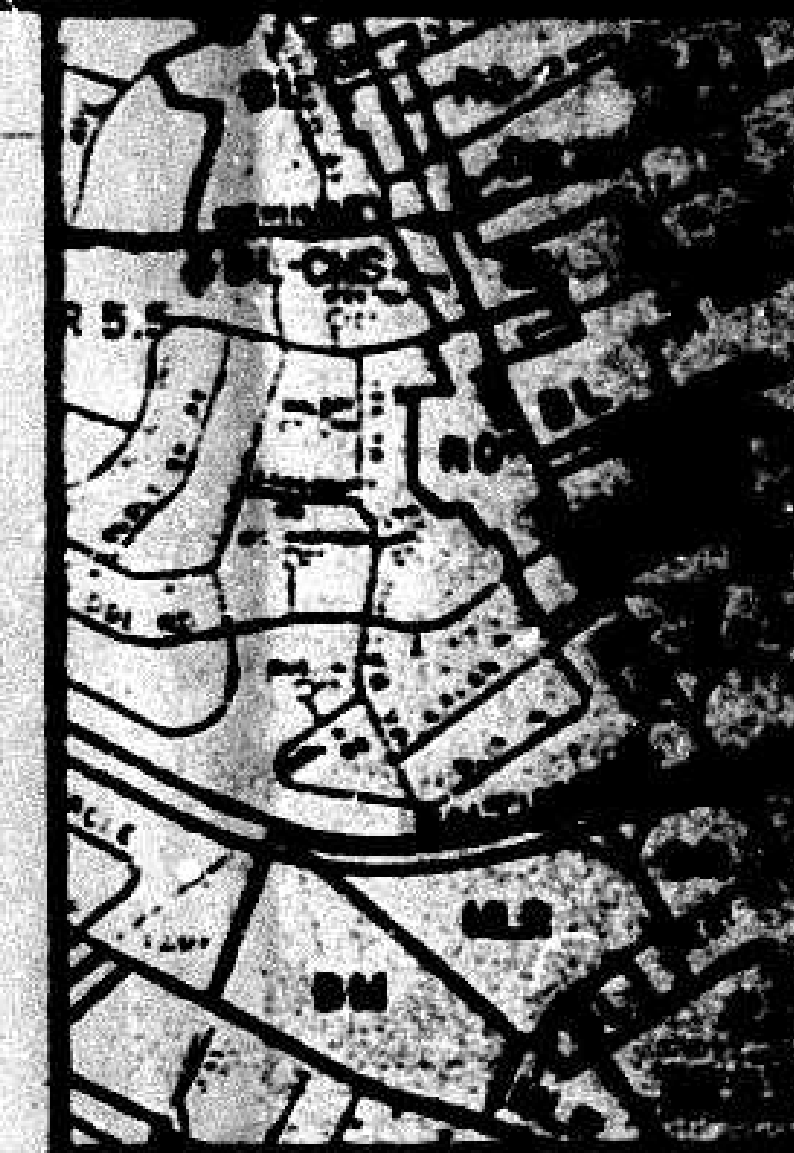
- 1 S 74° 58' W 175.41'
- 2 N 15° 04' W 180.55'
- 3 N 74° 58' E 187.01'
- 4 SOUTHEASTERLY BY A RADIUS OF 979.93' WITH A LENGTH OF 152.1'
- 5 S 20° 57' E 315.41'

PARKING REQUIRED

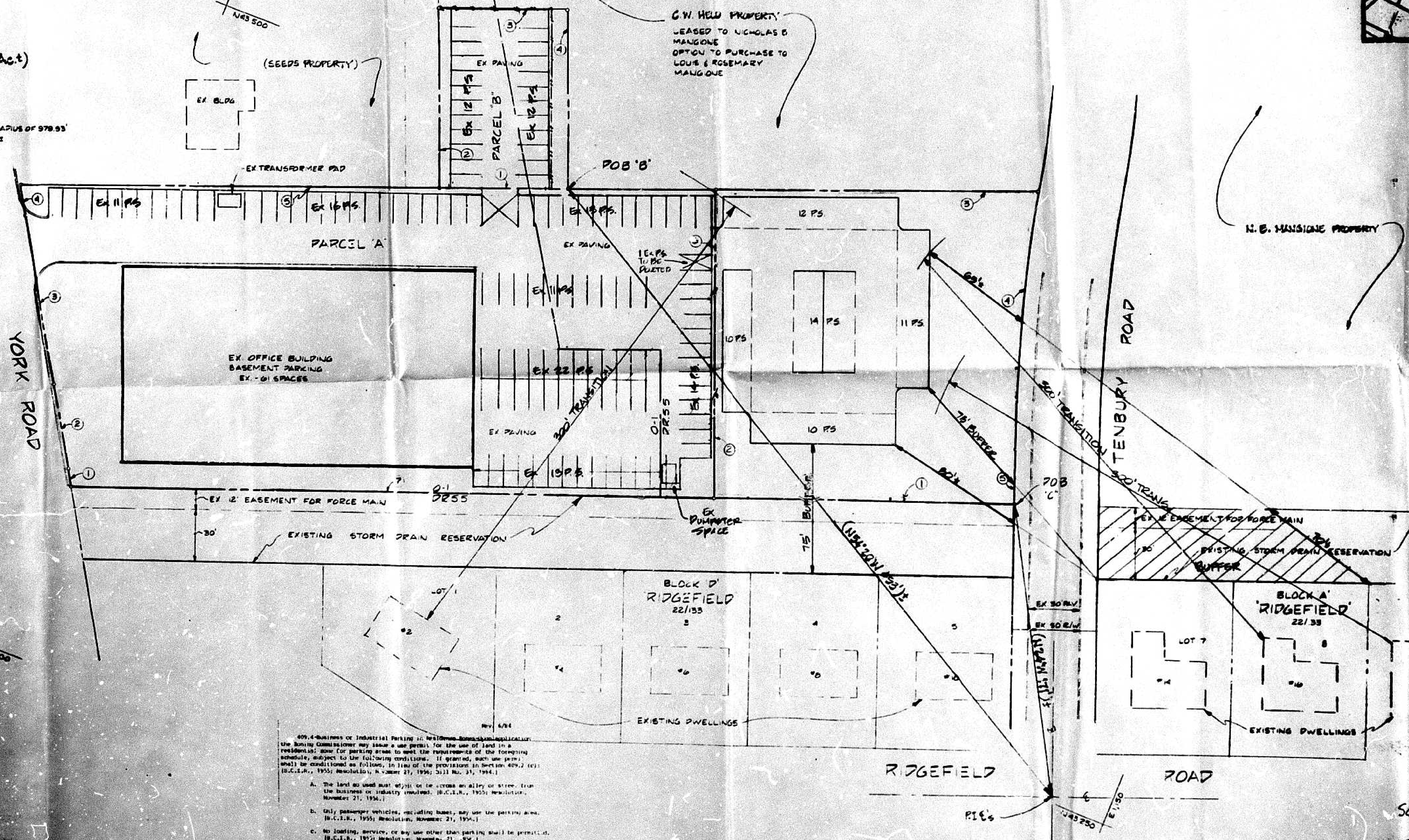
FIRST FLOOR
MEDICAL & GEN. OFFICES
22,000 SF - 300 = 76.67 PS.
ABOVE FIRST FLOOR
MEDICAL OFFICES
25,900 SF - 300 = 86.33 PS
GENERAL OFFICES
23,000 SF - 300 = 76.67 PS
TOTAL (209.2) = 240 PS.

PARKING SHOWN

PARCEL 'A' 158 PS
PARCEL 'B' 24 PS
PARCEL 'C' 57 PS
TOTAL 240 PS



LOCATION MAP
SCALE: 1"=400'



BOARD OF APPEALS
PETITIONER'S
EXHIBIT 1/62

409.4-Business or Industrial Parking in Residential Areas. Application for the Board of Appeals to vary the use of land in a residential zone for parking areas to meet the requirements of the following schedule, subject to the following conditions: If granted, such use shall be conditioned as follows, in lieu of the provisions in Section 409.2 (c) (B.C.A., 1955; Resolution, November 21, 1956; 231 No. 31, 1956.)

- The lot so used must abut on the street or an alley or street, from the business or industry involved. (B.C.A., 1955; Resolution, November 21, 1956.)
- Only passenger vehicles, including buses, may use the parking area. (B.C.A., 1955; Resolution, November 21, 1956.)
- No loading, unloading, or any use other than parking shall be permitted. (B.C.A., 1955; Resolution, November 21, 1956.)
- Lighting shall be regulated as to location, direction, hours of illumination, glare, and intensity, as required. (B.C.A., 1955; Resolution, November 21, 1956.)
- Screening shall be provided in accordance with 1.0 Baltimore County Landscape Manual adopted pursuant to Section 2-105 of Title 22 of the Baltimore County Code. (Resolution, November 21, 1956; No. 31, 1956.)
- A paved surface, properly drained, shall be required. (B.C.A., 1955; Paragraph 409.4; Resolution, November 21, 1956.)
- A satisfactory plan showing parking arrangement and vehicular access must be provided. (Resolution, November 21, 1956.)
- Method and area of operation, provision for maintenance, and permitted hours of use shall be specified, and regulated as required. (B.C.A., 1955; Paragraph 409.4; Resolution, November 21, 1956.)

OWNER

NICHOLAS B. & MARY MANGIONE
1205 YORK ROAD
TOWSON, MARYLAND 21204
CHARLES W. & HARRIETTE HELD

SCHEME #3
1205 YORK ROAD
PLAT TO ACCOMPANY
FOR A SPECIAL USE
PERMIT - COMMERCIAL
A RESIDENTIAL ZONE
SCALE: 1"=20'
OCTOBER 7, 1961

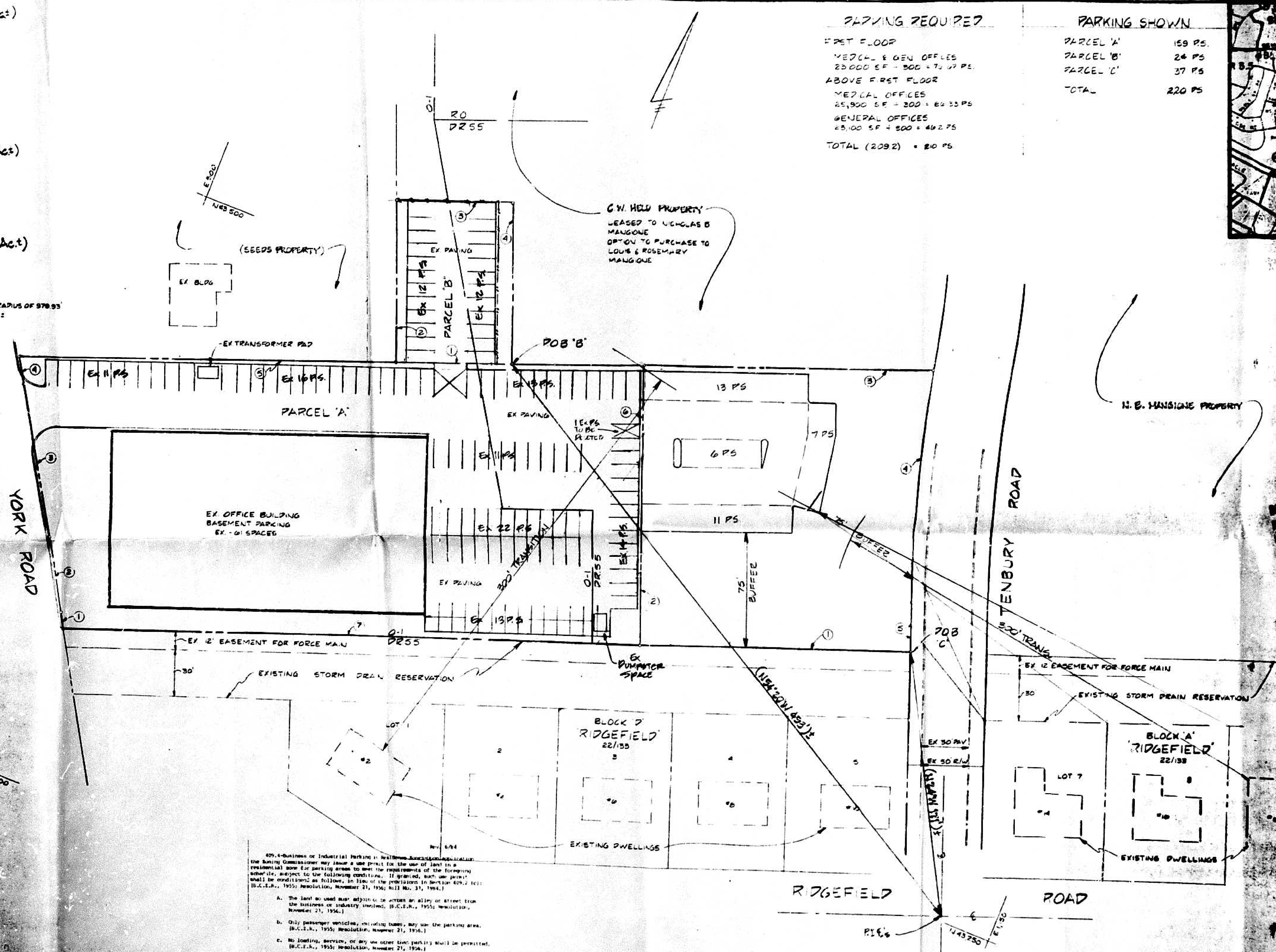
WILLIAM STEPHENS, JR.
ASSOCIATES, INC.



①	N 25° 12' W	10.27'
②	N 24° 03' W	50.01'
③	N 25° 12' W	100.00'
④	N 24° 03' W	19.05'
⑤	N 74° 58' E	405.10'
⑥	S 15° 04' E	180.33'
⑦	S 75° 21' W	374.93'

①	S 74° 55' W	75.0 ±
②	N 15° 04' W	105.0 ±
③	N 70° 55' E	75.0 ±
④	S 15° 04' E	105.0 ±

- (1) S 74° 56' W 175.41°
- (2) N 15° 04' W 180.35°
- (3) N 74° 58' E 070°
- (4) SOUTHEASTERLY BY A RADIUS OF 970.93'
WITH A LENGTH OF 152'
- (5) S 80° 57' E 31.54°



409.4-Business or Industrial Parking in Residential Subdivisions. The zoning commissioner may issue a use permit for the use of land in a residential zone for parking areas to meet the requirements of the foregoing schedule, subject to the following conditions. If granted, such use permit shall be conditioned as follows, in lieu of the provisions in Section 409.2 (c):
10.C.R., 1955; Amendment, November 21, 1956; Bill No. 33, 1964.

- a. The last two (2) feet adjoining the sidewalk on either side of the business of industry involved. (B.C.C.R., 1955; Resolution, November 21, 1956.)
- b. Only passenger vehicles, including buses, may use the parking area. (B.C.C.R., 1955; Resolution, November 21, 1956.)
- c. No loading, service, or any use other than parking shall be permitted. (B.C.C.R., 1955; Resolution, November 21, 1956.)
- d. Lighting shall be regulated as to location, direction, hours of illumination, glare, and intensity as required. (B.C.C.R., 1955; Resolution, November 21, 1956.)
- e. Screening shall be provided in accordance with the fullerton county Landscape Manual adopted pursuant to section 22-105 of Title 22 of the fullerton County Code. (Resolution, November 21, 1956; No. 31, 1960.)
- f. A paved surface, properly drained, shall be required. (B.C.C.R., 1955; Paragraph 409.4.e; Resolution, November 21, 1956.)
- g. A satisfactory plan showing parking arrangement and vehicular access must be provided. (Resolution, November 21, 1956.)
- h. Method and area of operation, provision for maintenance, and permitted hours of use shall be specified, and regulated as required. (B.C.C.R., 1955; Paragraph 409.4.g; Resolution, November 21, 1956.)

NICHOLAS B. & MARY MANGIONE
1208 YORK ROAD
TOWSON, MARYLAND 21204

CHARLES W. & HARRIETTE HULD

1205 YORK
PLAT TO ACCOMP
FOR A SPECIAL NE
PERMIT COMMERC
A RESIDENTIAL ZON

SCALE: 1"=20'



~~UNRECORDED~~