

ST-20-2
This is an additional petition
12/16/85 #173
SL-296-7A

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2.b(5) to permit 24 parking spaces in lieu of the required 52 parking spaces.

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

1. Configuration of property;
2. Such hardships and practical difficulties as may be shown at the hearing.

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

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

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

Contract Purchaser: Cherry Hill Limited Partnership
Helmsman Ross Ridge, Inc., General Partner

(Type or Print Name) Signature Address City and State

Signature: MICHAEL B. GLICK
Address: MICHAEL B. GLICK
City and State: Baltimore, MD

Attorney for Petitioner: Benjamin Bronstein
(Type or Print Name) Address Phone No. City and State

Signature: Benjamin Bronstein
Address: Suite 400, 102 W. Pennsylvania Avenue
City and State: Towson, MD 21204

Name, address and phone number of legal owner, contract purchaser or representative to be contacted: Robert Royer, D.S. Thaler & Assoc.
Address: 11 Warren Road, Baltimore, MD 21208
City and State: Baltimore, MD

Attorney's Telephone No.: 828-4442

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day of January, 1986, 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 10th day of February, 1986, at 11 o'clock.

By: [Signature] Zoning Commissioner of Baltimore County.

(over)

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PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Class B office buildings in an R-O zone.

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

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

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

Contract Purchaser: Helmsman Ross Ridge, Inc., General Partner

(Type or Print Name) Signature Address City and State

Signature: MICHAEL B. GLICK, President
Address: MICHAEL B. GLICK
City and State: Baltimore, MD

Attorney for Petitioner: Benjamin Bronstein
(Type or Print Name) Address Phone No. City and State

Signature: Benjamin Bronstein
Address: Suite 400, 102 W. Pennsylvania Avenue
City and State: Towson, Maryland 21204

Name, address and phone number of legal owner, contract purchaser or representative to be contacted: Robert Royer, D.S. Thaler & Assoc.
Address: 11 Warren Road, Baltimore, MD 21208
City and State: Baltimore, MD

Attorney's Telephone No.: 828-4442

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day of January, 1986, 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 10th day of February, 1986, at 11 o'clock.

By: [Signature] Zoning Commissioner of Baltimore County.

(over)

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IN RE: PETITIONER SPECIAL EXCEPTION AND VARIANCE SE/corner of Cherry Hill Road and School Access Drive - 4th Election District
Cherry Hill Limited Partnership,
Petitioner

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
Case No. 86-296-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception for a Class B office building in an R-O Zone and, additionally, a variance to permit 24 parking spaces instead of the required 52 spaces, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Michael Weinman, Vice President of Helmsman Ross Ridge, Inc., General Partner, appeared and testified and was represented by Counsel, David Thaler, a registered civil engineer testified on behalf of the Petitioner. There were no Protestants.

At the onset of the hearing, the Petitioner moved to amend the Petition to request 22 on-site parking spaces. The motion was granted.

Testimony indicated that the subject property, located on Cherry Hill Road, west of Reisterstown Road, is within an area that will be impacted by the Owings Mills Town Center. Indeed, the property is to be bifurcated by Franklin Boulevard, a future entrance to the Northwest Expressway. The property to the southeast of Franklin Boulevard is zoned D.R.5.5 and will be improved with townhouses. An office building is proposed in the parcel bounded by Franklin Boulevard on the southeast and Cherry Hill Road on the northeast. The County proposes to dead end Cherry Hill Road and create a cul-de-sac. Across Cherry Hill Road from the proposed office building is Franklin Senior High School property. To the east is a tire store located on Reisterstown Road and to the west is a residence which the owner has indicated will be developed. The proposed office building will consist of eight 30' x 40' modular units connected together and resembling the townhouse development. The total square footage proposed is 19,200, requiring 52 parking spaces. However, the Petitioner proposes 22 spaces to be on-site and 33 spaces to be located off-site, adjacent to the subject property on Cherry Hill Road. The Petitioner owns to the centerline of Cherry Hill Road, and inasmuch as the road will be locked in, the Petitioner proposes to utilize the space provided for parking.

Mr. Thaler testified that the County Review Group (CRG) approved the site plan exhibited at the hearing on December 4, 1985. Notwithstanding the comments by Michael S. Flanigan, Department of Traffic Engineering, to the Baltimore County Zoning Plans Advisory Committee (ZPAC) that the proposed variance would create a problem and the expressed concerns of James G. Howell, Office of Planning, to this Commissioner, the Department of Traffic Engineering apparently acquiesced and did not object to the proposal of providing 31 spaces on Cherry Hill Road at the CRG meeting. The CRG's approval mitigates the expressed opposition of Mr. Howell and Mr. Flanigan. Neither appeared to testify in opposition.

Mr. Thaler further testified that all of the conditions precedent in Section 502.1, Baltimore County Zoning Regulations (BCZR), will be satisfied and that the parking provided, both on and off the site, will pragmatically, if not technically, satisfy the parking requirements.

The Petitioner seeks relief from Section 203.3.B.2, pursuant to Section 502.1 and from Section 409.2.b.(5), pursuant to Section 307, BCZR.

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October 29, 1985

DESCRIPTION TO ACCOMPANY SPECIAL EXCEPTION PETITION FOR A CLASS B OFFICE BUILDING ROSCHEN PROPERTY

Beginning for the same at a point on the North side of relocated Franklin Boulevard, 75 feet wide where it intersects the west side of School Access Drive; thence the two following courses and distances:

1. South 44°56'18" West 86.52 feet
2. South 46°05'02" West 221.80 feet;

thence along a curve to the left having a radius of 1287.5 feet, for an arc length of 105.24 feet. Thence the six following courses and distances:

1. South 48°52'35" East 27.20 feet
2. North 19°53'50" East 99.03 feet
3. North 26°47'45" East 304.04 feet
4. South 62°18'43" East 11.23 feet
5. North 72°41'18" East 33.90 feet
6. South 62°18'43" East 9.09 feet;

thence along a curve to the right having a radius of 350.00 feet, for an arc length of 112.37; thence the two following courses and distances:

1. South 43°54'57" East 5.27 feet
2. South 00°30'40" West 21.00 feet to the place of beginning.

Containing 1.02 acres of land more or less.

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PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District

LOCATION: Southeast Corner Cherry Hill Road and School Access Drive

DATE AND TIME: Monday, February 10, 1986, at 11:00 a.m.

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

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

Petition for Special Exception to use the herein described property for Class B office buildings in an R3 zone.

Petition for Zoning Variance from Section 409.2.1(5) to permit 74 parking spaces in lieu of the required 52 parking spaces.

Being the property of Cherry Hill Limited Partnership, as shown on plat plan filed with the Zoning Office.

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

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE : OF BALTIMORE COUNTY
SE Corner Cherry Hill Rd. and School Access Drive, 4th District
Cherry Hill Limited Partnership Case No. 86-296-XA
Petitioner

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
494-2188

I HEREBY CERTIFY that on this 21st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, Esquire, Suite 200, 102 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner; and Mr. Robert Royer, D. S. Thaler & Associates, 11 Warren Rd., Baltimore, MD 21208, who requested notification.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 28, 1986

Benjamin Bronstein, Esquire
Suite 200, 102 West Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
SE Corner Cherry Hill Rd. and School Access Drive
Cherry Hill Limited Partnership, Petitioner
4th Election District
Case No. 86-296-XA

Dear Mr. Bronstein:

This is to advise you that \$56.50 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.

The above sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the above payment to the County, Maryland, and remit to the Treasurer, Baltimore County, Maryland, and remit to the Treasurer, Baltimore County, Maryland, and remit to the Treasurer, Baltimore County, Maryland.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 018477

DATE: 1/28/86 ACCOUNT: 86-296-XA

AMOUNT: \$56.50

RECEIVED BY: [Signature]

FOR: [Signature]

VALIDATION OR SIGNATURE OF CASHIER

LEGAL NOTICE

PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District

LOCATION: Southeast Corner Cherry Hill Road and School Access Drive
DATE AND TIME: Monday, February 10, 1986, at 11:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Petition for Special Exception to use the herein described property for Class B office buildings in an R3 zone.

Petition for Zoning Variance from Section 409.2.1(5) to permit 74 parking spaces in lieu of the required 52 parking spaces.

Being the property of Cherry Hill Limited Partnership, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

CERTIFICATE OF PUBLICATION

73204

Pikesville, Md., Jan. 22 19 86

TO CERTIFY, that the annexed advertisement

published in the NORTHWEST STAR, a weekly

paper published in Pikesville, Baltimore

Maryland before the 10th day of

Jan. 19 86

first publication appearing on the

10th day of Jan. 19 86

and publication appearing on the

10th day of Jan. 19 86

the third publication appearing on the

10th day of Jan. 19 86

THE NORTHWEST STAR

Phyllis Cole Friedman
Manager

Cost of Advertisement 22.00

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 23 19 86

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 23 19 86

THE JEFFERSONIAN,
W. B. [Signature]
Publisher

Cost of Advertising
27.50

86-296-XA

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 4th Date of Posting Jan. 22, 1986

Posted for Special Exception and Variance

Petitioner: Cherry Hill Limited Partnership

Location of property: SE Corner Cherry Hill Road and School Access Drive

Location of Sign: Southwest Corner of Cherry Hill Road and School Access Drive

Remarks: Signs in front of subject property

Posted by [Signature] Date of return Jan 24 86

Number of Signs 2

LEGAL NOTICE

PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District

LOCATION: Southeast Corner Cherry Hill Road and School Access Drive
DATE AND TIME: Monday, February 10, 1986, at 11:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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Being the property of Cherry Hill Limited Partnership, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

CERTIFICATE OF PUBLICATION

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Pikesville, Md., Jan. 22 19 86

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the third publication appearing on the

10th day of Jan. 19 86

THE NORTHWEST STAR

Phyllis Cole Friedman
Manager

Cost of Advertisement 22.00

Benjamin Bronstein, Esquire
Suite 200, 102 West Pennsylvania Avenue
Towson, Maryland 21204

January 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
SE Corner Cherry Hill Road and School Access Drive
Cherry Hill Limited Partnership, Petitioner
Case No. 86-296-XA

TIME: 11:00 a.m.

DATE: Monday, February 10, 1986

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

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

No. 012823

DATE: 1/23/86 ACCOUNT: 86-296-XA

AMOUNT: \$100.00

RECEIVED BY: [Signature]

FOR: [Signature]

VALIDATION OR SIGNATURE OF CASHIER

VALIDATION OR SIGNATURE OF CASHIER

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 19, 1986

Mr. Michael Alston
5457 Twin Knolls Rd.
Columbia, Maryland 21045

RE: Building Permit No. C-1779-86
SE/S Cherry Hill Road, Roschen Property
4th. Elect. Dist.

Dear Mr. Alston,

The Zoning Office cannot approve the above referenced building permit application for the following reason(s):

- Improper setbacks
- Improper use
- Improper location
- Inspection of the property must be made before permit can be approved
- Insufficient information on permit
- Needs average sheet in order to determine front setbacks
- Revised Plans (9 copies) must be submitted to Mrs. Sherry Methyl, Room 100, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland. All plans must be accompanied by a cover letter listing the revisions and referencing the permit and control number.
- Other: The revised building layout and setbacks differ from the site plan in zoning hearing 86-296 XA. The Zoning Commissioner should approve the changes as they differ from Exhibit #1 presented at the zoning hearing. Also: Breakdown the parking data by building, Chase, and sub-total the qualifying A.O.S. provided on-site. Note: the zoning hearing, what was granted, and the date.

If you have any further questions, you may contact me at 494-3391.

Very truly yours,

W. Carl Richards, Jr.
W. CARL RICHARDS, JR.
Zoning Coordinator

cc: Zoning File
Planning File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Tom Vidmar - Dev. Engr.
Sue Sheesley - Current Planning
Gary Kerns - Planning
George Jones - Planning
Larry Pilson - Health
Beverly Clark - Zoning
Ellen Smith - Fire Dept.
Frank Nitch - Rec. & Parks
George Wittman - S.H.A.
SUBJECT: Amended C.R.G. Roschen Property
Engineer - D. S. Thaler & Assoc.
484-4103
Date: June 5, 1986
FROM: Tom Watson
Bureau of Public Services

Please review the attached for concurrence to an amended C.R.G. approval for the above subject and give us your approval or comments by June 14, 1986. Nonresponsiveness by the aforementioned date will be considered to be concurrence by your office of changes made. Kindly return the print to us.

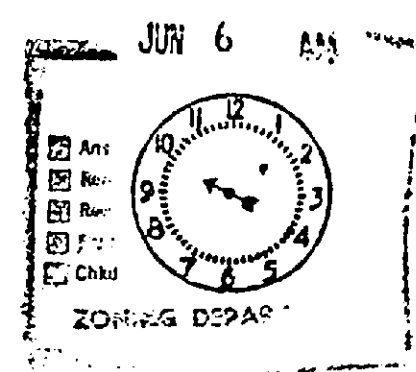
ZONING COMMENTS

Revised building layout varies from what was granted in Case No. 86-206-XA. Square footage of buildings and parking requirements have increased.

The Zoning Commissioner should approve the changes, because this plan differs from Petitioner's Exhibit #1 presented at the zoning hearing.

Christine Borge
Zoning Associate III
6/20/86

CRK:bsc



JAN:TAG
Attachment
File

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
DATE: December 5, 1985
FROM: ZONING OFFICE
PROJECT NAME: ROSCHEN PROPERTY
PLAN:
LOCATION: N/S and S/S of Relocated Franklin Boulevard
DEVELOPMENT PLAN:
DISTRICT: 4th Election District
PLAN:

- 1. Note #9 is incorrect. The maximum allowed F.A.R. in an R.O. zone is .5. The F.A.R. proposed is computed by figuring the gross floor area of the building divided by gross site area of the R.O. zoned portion of the property. This calculation should be clearly shown.
2. Show all areas of amenity open space. Open land area less than 10 feet wide may not be designated amenity open space, except that a mutually planted area as little as 7 feet wide may be so designated if that area is within a parking lot.
3. The parking area and access to "Cherry Hill Road" presents some questions. If the area is now owned by the developer, proof of title should be shown and the area for driveway access to the proposed parking spaces must be included within your described area. If said road remains public, the parking does not satisfy the requirements of this office and a variance must be included with the Special Exception that was filed.
4. In view of this office's recent policy concerning height determination, the Zoning Commissioner will require a letter from the engineer stating he did not know of the policy.
5. The local open space provided for the townhouses cannot also be used as the buffer area that is required from adjacent single family dwellings.
6. Any townhouses that face the west property line and that are located within the transition area must be situated at least 150 feet from said property line or relocated.

NBC:tg

Nicholas B. Corroday
NICHOLAS B. CORRODAY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: January 27, 1986
FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning
SUBJECT: Zoning Petition No. 86-296-XA

The CRG plan (IV-275) was approved on December 4, 1985. This office is not supportive of a variance of this magnitude for this type of use.

Norman E. Gerber, AICP
Director

NEG:JCH:slm

Case No. 86-296-XA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 10th day of January, 1986.

Arnold Jablon
Zoning Commissioner

Cherry Hill Limited Partnership
Petitioner's Attorney
Benjamin Bronstein, Esquire
Received by: Norman E. Gerber, Chairman, Zoning Plans Advisory Committee

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

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

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

Item No. 173 -ZAC- Meeting of November 16, 1985
Property Owner: Cherry Hill Limited Partnership
Location: SE corner Cherry Hill Road and School Access Drive
Existing Zoning: R.O.
Proposed Zoning: Special Exception for Class B office buildings in an R.O. Zone

Acres: 1.02
District: 4th

Dear Mr. Jablon:

This Department has no received plans for item #173.

Michael S. Flanagan
Traffic Engineer Associate II

MSF/bld

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 10, 1986

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

Benjamin Bronstein, Esquire
Suite 200, 102 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 173 - Case No. 86-296-XA
Special Exception and Variance Petition
Petitioner - Cherry Hill Limited Partnership

Dear Sirs:

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

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Mr. Robert Royer
D. S. Thaler & Assoc.
11 Warren Road
Baltimore, Maryland 21208

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING TOWSON, MARYLAND 21204 494-3521

NORMAN E. GERBER
DIRECTOR

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

JANUARY 14, 1986

Dear Mr. Jablon:

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

- There are no site planning factors requiring comment.
A County Review Group Meeting is required.
This site is part of a larger tract, therefore it is defined as a subdivision. The plan must show the entire tract.
A record plat will be required and must be recorded prior to issuance of a building permit.
The access is not satisfactory.
The parking arrangement is not satisfactory.
Parking calculations must be shown on the plan.
This property contains soils which are defined as wetlands, and development on these soils is prohibited.
Construction in or alteration of the floodplain is prohibited under the provisions of Section 28-59 of the Ordinance.
Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
The amended development plan was approved by the Planning Board on [unclear].
The property is located in a deficient service area as defined by S111 178-19. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service area is located in a traffic area controlled by a top level intersection as defined by S111 178-79, and its conditions change the annualized by the County Council.
THE CRG PLAN IV-275 (ROSCHEN PROPERTY) WAS APPROVED 12/4/85

cc: James Hossell

Euonne A. Soper
Chief, Current Planning and Development

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

STEPHEN E. COLLINS
DIRECTOR

January 16, 1986

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

Item No. 173 -ZAC- Meeting of December 24, 1985
Property Owner: Cherry Hill Limited Partnership
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

We have not received a plan of this site but do object to the parking variance because a variance to parking usually causes parking in the residential areas around the site.

Michael S. Flanagan
Traffic Engineer Associate II

MSF/bld

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204-2586 494-4500

PAUL H. REINCKE
CHIEF

January 10, 1986

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Cherry Hill Ltd. Partnership

Location: on Agenda of November 19, 1985
Item No.: 173 Zoning Agenda: Meeting of 12-24-85

Concurrence:

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 deal 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.
7. The Fire Prevention Bureau has no comments of this time.

Noted and Approved:
Planning Group
Special Inspection Division

/mb



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

PAUL H. REINCKE
CHIEF

November 22, 1985

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Cherry Hill Ltd. Partnership

Location: SE corner Cherry Hill Road & School Access Drive

Item No.: 173 Zoning Agenda: Meeting of November 19, 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.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in (*Cherry Hill Rd.) 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.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1973 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: _____
Planning Group
Special Inspection Division

Noted and Approved: John F. O'Neill
Fire Prevention Bureau

/mb



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

December 6, 1985

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 173 Zoning Advisory Committee Meeting are as follows:

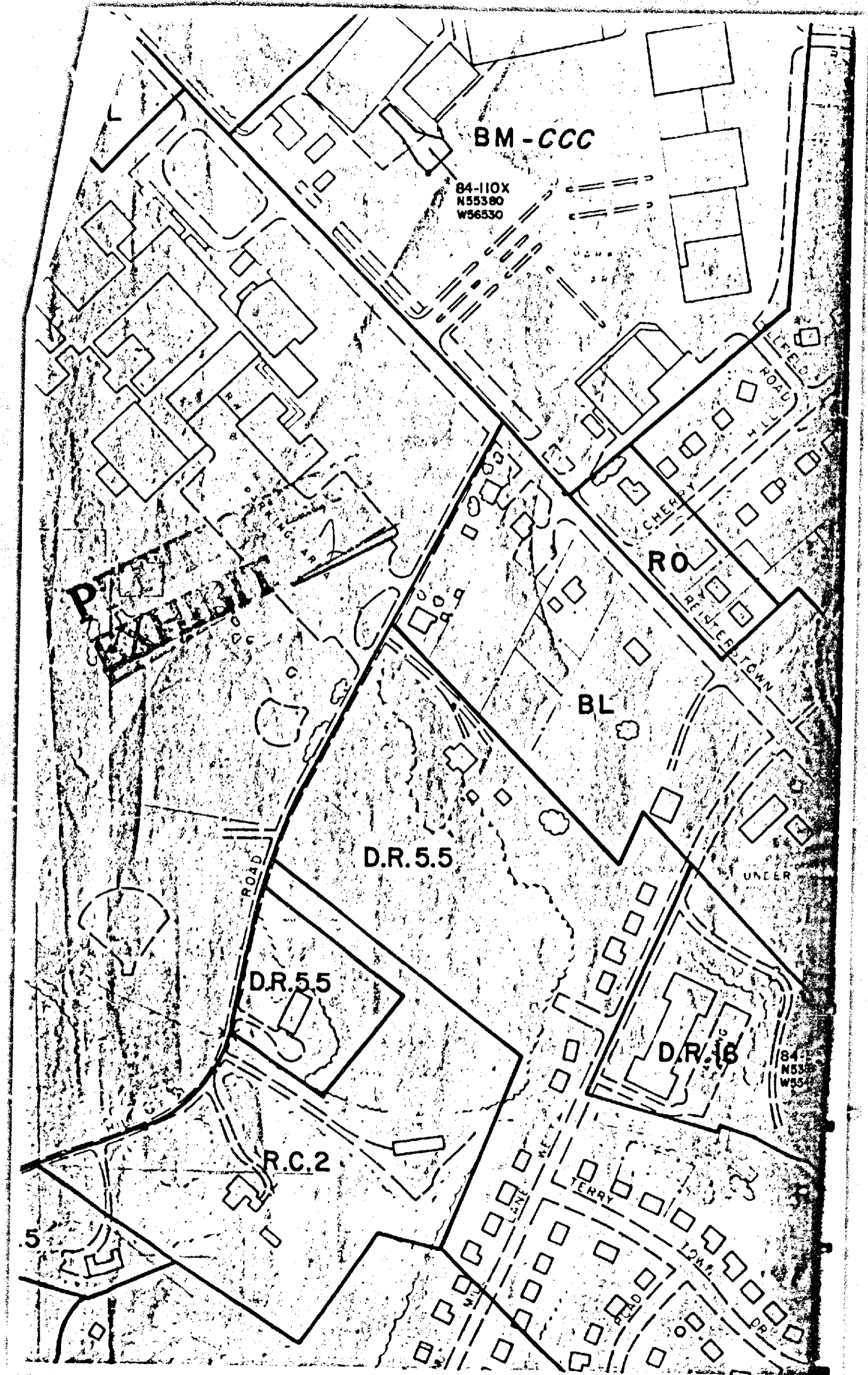
Property Owner: Cherry Hill Limited Partnership
Location: SE corner Cherry Hill Road and School Access Drive
District: 4th.

APPLICABLE ITEMS ARE CIRCLED:

- (A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- (B) A building and other miscellaneous permits shall be required before the start of any construction.
- (C) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- (D) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- (E) All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party exterior wall within 3'-0" of an interior lot line.
- (F) The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- (G) The requested variance appears to conflict with Section(s) _____, _____, of the Baltimore County Building Code.
- (H) When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Uses _____. See Section 312 of the Building Code.
- (I) The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- (J) Comments: Plans shall reflect how access to the various levels will be made to comply to the State Handicapped Code for interior access. Show also curb cuts, signs, etc. Multi-level structures can require handicapped elevators. Dwelling units shall be separated by a 2 hour party wall. See Section 1409.1.2 as amended by Bill #17-85.
- (K) These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Burnham
By: C. E. Burnham, Chief
Building Plans Review

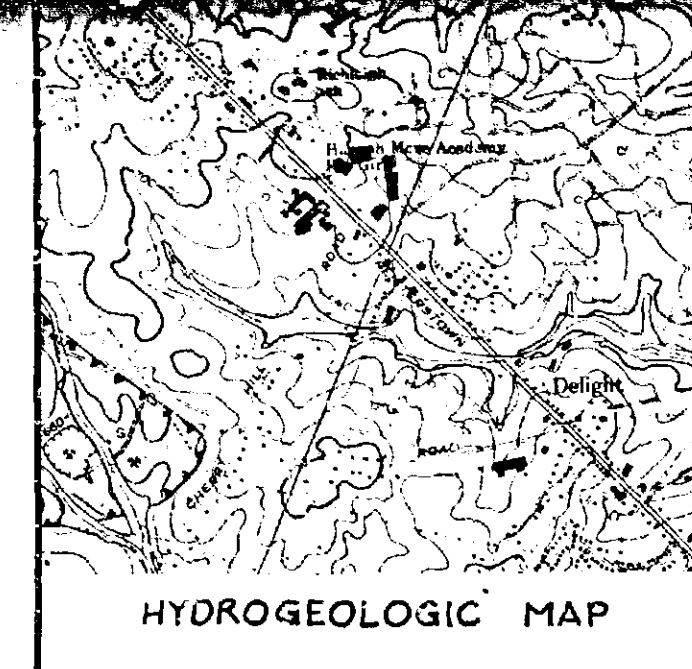
L/22/85



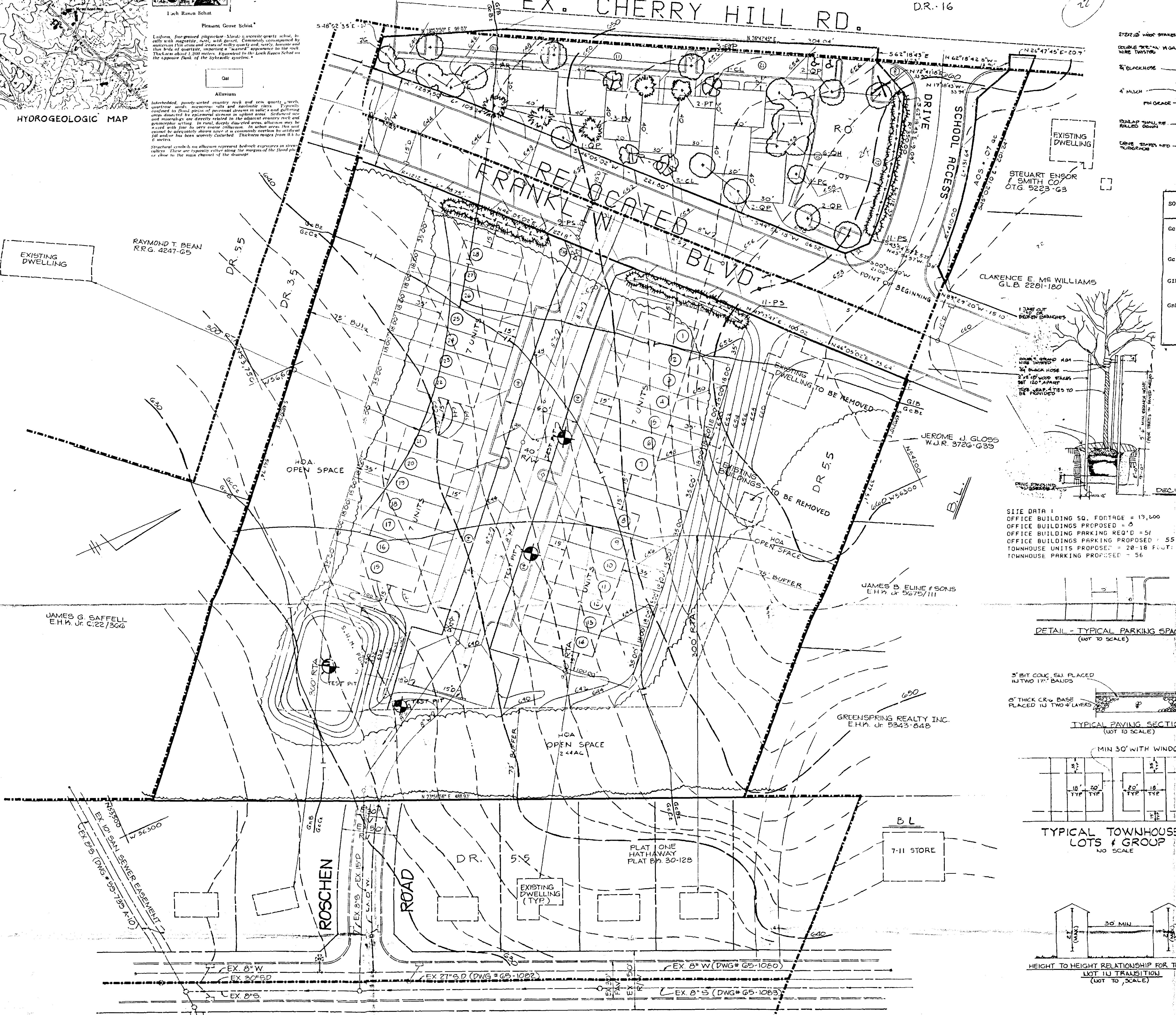
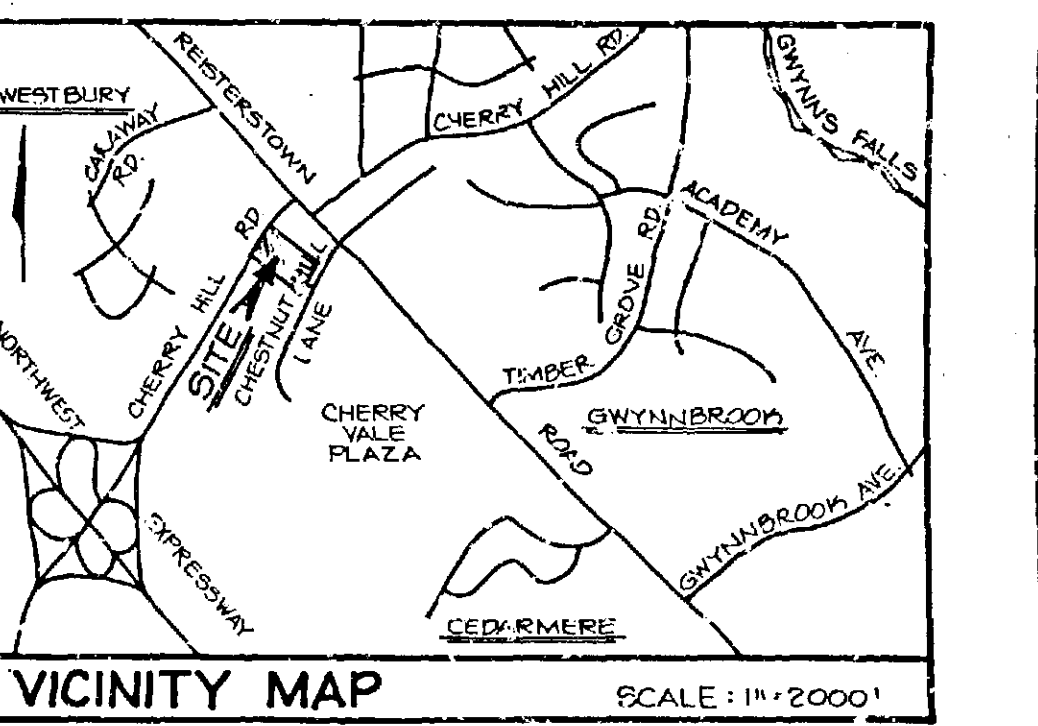
NOTE: Cherry Hill Road has been "ad-ended" as part of relocation of Franklin Boulevard.

FRANKLIN S.H. SCHOOL PROPERTY D.R. 16

EX. CHERRY HILL RD.

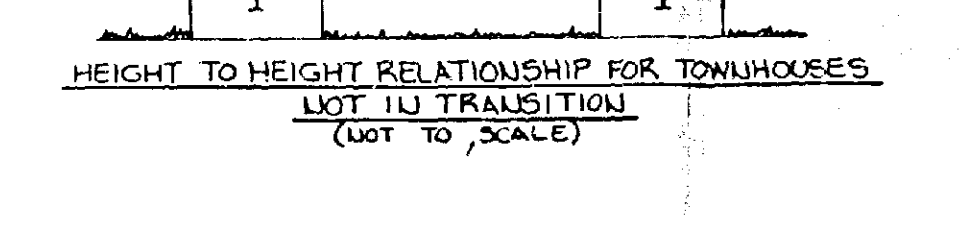
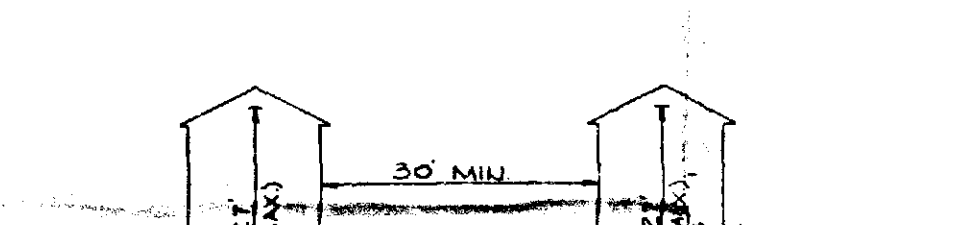
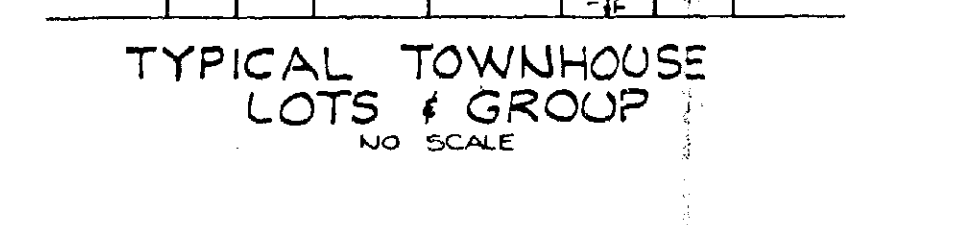
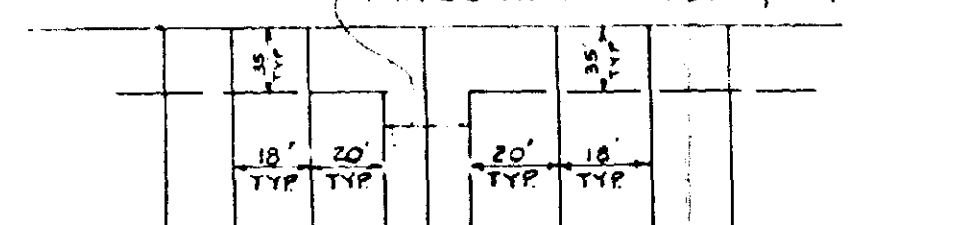
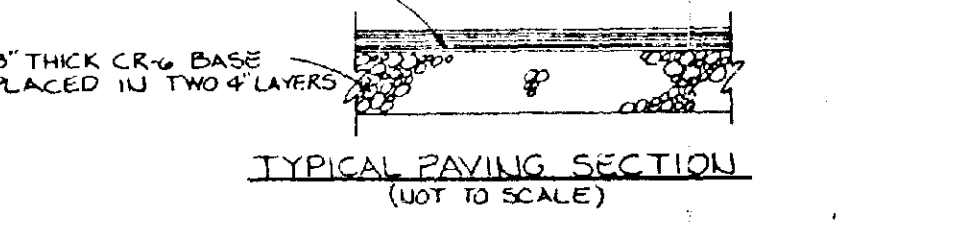
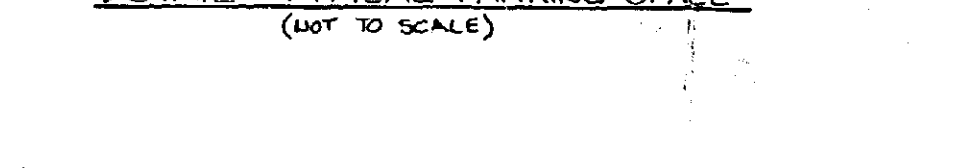


Platinum Grove Schist
 Calcium, magnesium silicates. Shale is a common variety. It is a fine-grained, micaceous, silty and argillaceous rock. It is typically massive in the field, but may be highly fractured and shaly in places. It is a common variety of the schist in the area. It is a common variety of the schist in the area. It is a common variety of the schist in the area.



SOIL TYPE	AREA	HYDRO SOIL GROUP	STREETS AND PARKING LOTS	BASEMENT'S LIMITATIONS	USDA
Gc B2	1.99	B	Moderate Slope	Slight	0-7 Loam 7-25 Loam, Silt Loam, Silty Clay Loam 25-30 Loam
Gc C2	2.66	B	Moderate Slope	Moderate Slope	0-7 Loam 7-25 Loam, Silt Loam, Silty Clay Loam 25-30 Loam
GIE	2.37	B	Moderate Slope	Moderate Slope	0-7 Loam 7-25 Loam, Silt Loam, Silty Clay Loam 25-30 Loam
GNE	.41	C	Severe: High Water Table	Severe: High Water Table	0-10 Silty Loam 10-16 Loam, Silt Loam, Silty Clay Loam 16-34 Loam, Silty Loam, Silty Clay Loam, Fragipan 34-72 Loam, Silt Loam, Fine Fine Sandy Loam

SITE DATA :
 OFFICE BUILDING SQ. FOOTAGE = 19,000
 OFFICE BUILDINGS PROPOSED = 9
 OFFICE BUILDING PARKING REQ'D = 51
 OFFICE BUILDINGS PARKING PROPOSED = 55
 TOWNHOUSE UNITS PROPOSED = 20-18 FOOT: 8-20 FOOT
 TOWNHOUSE PARKING PROPOSED = 56



KEY	BOTANICAL NAME	COMMON NAME	QTY	SIZE
RO - AREA MAJOR	DECIDUOUS TREES			
AR	Acer rubrum	Red maple	3	2-2.5" cal., B+B
CL	Cedrela lutea	Yellow wood	4	2-2.5" cal., B+B
QH	Quercus phellos	Willow oak	6	2-2.5" cal., B+B
QP	Quercus pelustic	Pin oak	10	2-2.5" cal., B+B
MINOR	DECIDUOUS TREES			
PC	Pyrus calleryana "Bradford"	Bradford pear	3	2-2.5" Cal., B+B
EVERGREEN				
PN	Pinus nigra	Black pine	5	4'-5", B+B
PS	Pinus strobus	White pine	11	4'-5", B+B
DR 5.5 AREA - EVERGREEN				
PS	Pinus strobus	White pine	20	4'-5", B+B

- GENERAL NOTES**
- Election District: 4
 - Councilmatic District: 3
 - Census Tract: 4044.01
 - Watershed: 27; Subwatershed: 67
 - Zoning: R-O - 1.1 Ac. ±
DR 5.5 - 5.19 Ac. ±
 - Site Acreage: 6.280 Ac. ±
Open Space Requirement: R-O - N/A
DR 5.5 - 5.19 Ac. x 64 = .31 Ac.
HOA Open Space Proposed: 2.44 Ac.
 - Parking Required:
Townhouses: 27 x 1.75 = 47 spaces.
Offices: 2,600 sq. ft. (First story)/300 sq. ft. = 32 Spaces
3,610 sq. ft. (Second story)/500 sq. ft. = 19 Spaces
TOTAL 51 Spaces
 - Parking Proposed:
Townhouses: 56 Spaces
Offices: 53 Spaces HANDICAPPED - 2
 - P.A.R. Allowed: = 0.6
P.A.R. Proposed: = 19,200 sq. ft. / 44,575 sq. ft. = .43
 - The storm water management will be as shown.

- There are no well areas proposed on this site, public water will be provided.
- There are no proposed septic areas, public sewerage will be provided.
- A.D.T. shown thusly: = (B00)
- Parking spaces shown thusly: = (3)
- Lighting shown thusly: = (L)
- There are no historic sites, Critical Areas, hazardous material, disposal site, endangered species habitats on this tract.
- Tax Account Number: 04-18-047300
- Deeds of Ownership: - E.H.K. Jr., 6128/106
- A.O.S. Allowed: = 1.1 Ac. x .25 = .28 Ac.
A.O.S. Proposed: = .32 Ac.
- Landscape Planting Required:
R-O Zoning Area - 42
One (1) tree per 20 linear feet of road (50% of major deciduous) plus one (1) tree per 12 parking spaces.
DR-5.5 Zoning Area - 28
For purpose of establishing quantity, one tree shall be required for every proposed dwelling unit. Placement of the trees shall conform to the objectives contained in Section IV, Landscape Elements. At least 50% of the trees required shall be major deciduous trees and 30% shall be evergreen trees.
Landscape Planting Proposed:
R-O Zoning Area - 16 Evergreen
16 Major Deciduous
3 Minor Deciduous
Total - 42
DR-5.5 Zoning Area - 20 Evergreen
28 Major Deciduous
Total - 48
- WORKS ARE FROM 8AM TO 5PM MONS TO FRIDAYS FOR CIVIL WORK ALL RESTRICTIONS APPLY

ENGINEERS, SURVEYORS & LANDSCAPE ARCHITECTS
D.S. THALER & ASSOCIATES
 11 WARREN ROAD
 BALTIMORE, MARYLAND 21208
 (301) 484-4100

OWNER & DEVELOPER
 CHERRY HILL LIMITED PARTNERSHIP
 HELMSMAN, ROSS RIDGE, INC. GENERAL PARTNER
 MICHAEL B. GLICK, PRESIDENT
 P.O. BOX 5992
 BALTIMORE, MARYLAND
 21208 • (301) 653-1082

PLAT TO ACCOMPANY SPECIAL EXCEPTION
&
CRG PLAN & SCHEMATIC PLANTING PLAN
ROSCHEN PROPERTY
 CHERRY HILL ROAD
 4th ELECTION DISTRICT
 REISTERSTOWN, MARYLAND
 SCALE: 1" = 30' OCT 16 1995

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2.b.(5) to permit 24 parking spaces in lieu of the required 52 parking spaces.

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

- 1. Configuration of property;
2. Such hardships and practical difficulties as may be shown at the hearing.

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

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

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

Contract Purchaser: Cherry Hill Limited Partnership Helmsman Ross Ridge, Inc., General Partner

(Type or Print Name) Signature: Michael B. Glick

Address: MICHAEL B. GLICK (Type or Print Name)

City and State: Signature

Attorney for Petitioner: Benjamin Bronstein

(Type or Print Name) Address: Phone No.

Signature: Suite 400, 102 W. Pennsylvania Avenue

Address: City and State: Robert Royer, D.S. Thaler & Assoc.

Towson, MD 21204 Name: 11 Warren Road, Baltimore, MD 21208

City and State: Attorney's Telephone No.: 828-4442 Address: Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day of January, 1986, 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 10th day of February, 1986, at 11 o'clock

on the 10th day of February, 1986, at 11 o'clock

(over)

Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING DATE January 29, 1986 BY [Signature]

ORDER RECEIVED FOR FILING DATE January 29, 1986 BY [Signature]

ORDER RECEIVED FOR FILING DATE January 29, 1986 BY [Signature]

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ORDER RECEIVED FOR FILING DATE January 29, 1986 BY [Signature]

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Class B office buildings in an R-O zone.

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

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

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

Contract Purchaser: Legal Owner(s): Cherry Hill Limited Partnership Helmsman Ross Ridge, Inc., General Partner

(Type or Print Name) Signature: Michael B. Glick, President

Address: City and State: Signature

Attorney for Petitioner: Benjamin Bronstein

(Type or Print Name) Address: Phone No.

Signature: Suite 400, 102 W. Pennsylvania Avenue

Address: City and State: Robert Royer, D.S. Thaler & Assoc.

Towson, Maryland 21204 Name: 11 Warren Road

City and State: Attorney's Telephone No.: 828-4442 Address: Phone No.

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on the 10th day of February, 1986, at 11 o'clock

(over)

Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING DATE January 29, 1986 BY [Signature]

ORDER RECEIVED FOR FILING DATE January 29, 1986 BY [Signature]

ORDER RECEIVED FOR FILING DATE January 29, 1986 BY [Signature]

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ORDER RECEIVED FOR FILING DATE January 29, 1986 BY [Signature]

IN RE: PETITIONERS SPECIAL EXCEPTION AND VARIANCE SE/corner of Cherry Hill Road and School Access Drive - 4th Election District Cherry Hill Limited Partnership, Petitioner

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 86-296-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception for a Class B office building in an R-O Zone and, additionally, a variance to permit 24 parking spaces instead of the required 52 spaces, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Michael Weinman, Vice President of Helmsman Ross Ridge, Inc., General Partner, appeared and testified and was represented by Counsel, David Thaler, a registered civil engineer testified on behalf of the Petitioner. There were no Protestants.

At the onset of the hearing, the Petitioner moved to amend the Petition to request 22 on-site parking spaces. The motion was granted.

Testimony indicated that the subject property, located on Cherry Hill Road, west of Reisterstown Road, is within an area that will be impacted by the Owings Mills Town Center. Indeed, the property is to be bifurcated by Franklin Boulevard, a future entrance to the Northwest Expressway. The property to the southeast of Franklin Boulevard is zoned D.R.5.5 and will be improved with townhouses. An office building is proposed in the parcel bounded by Franklin Boulevard on the southeast and Cherry Hill Road on the northeast. The County proposes to dead end Cherry Hill Road and create a cul-de-sac. Across Cherry Hill Road from the proposed office building is

addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

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

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of February, 1986, that the Petition for Special Exception for a Class B office building in an R-O Zone and, additionally, the Petition for Zoning Variance to permit 22 parking spaces instead of the required 52 spaces be and are hereby GRANTED, from and after the date of this Order, subject to the following:

- 1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING DATE January 29, 1986 BY [Signature]

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ORDER RECEIVED FOR FILING DATE January 29, 1986 BY [Signature]

Franklin Senior High School property. To the east is a tire store located on Reisterstown Road and to the west is a residence which the owner has indicated will be developed. The proposed office building will consist of eight 30' x 40' modular units connected together and resembling the townhouse development. The total square footage proposed is 19,200, requiring 52 parking spaces. However, the Petitioner proposes 22 spaces to be on-site and 33 spaces to be located off-site, adjacent to the subject property on Cherry Hill Road. The Petitioner owns to the centerline of Cherry Hill Road, and inasmuch as the road will be locked in, the Petitioner proposes to utilize the space provided for parking.

Mr. Thaler testified that the County Review Group (CRG) approved the site plan exhibited at the hearing on December 4, 1985. Notwithstanding the comments by Michael S. Flanigan, Department of Traffic Engineering, to the Baltimore County Zoning Plans Advisory Committee (ZPAC) that the proposed variance would create a problem and the expressed concerns of James G. Howell, Office of Planning, to this Commissioner, the Department of Traffic Engineering apparently acquiesced and did not object to the proposal of providing 31 spaces on Cherry Hill Road at the CRG meeting. The CRG's approval mitigates the expressed opposition of Mr. Howell and Mr. Flanigan. Neither appeared to testify in opposition.

Mr. Thaler further testified that all of the conditions precedent in Section 502.1, Baltimore County Zoning Regulations (BCZR), will be satisfied and that the parking provided, both on and off the site, will pragmatically, if not technically, satisfy the parking requirements.

The Petitioner seeks relief from Section 203.3.B.2, pursuant to Section 502.1 and from Section 409.2.b.(5), pursuant to Section 307, BCZR.

October 29, 1985

DESCRIPTION TO ACCOMPANY SPECIAL EXCEPTION PETITION FOR A CLASS B OFFICE BUILDING ROSCHEN PROPERTY

Beginning for the same at a point on the North side of relocated Franklin Boulevard, 75 feet wide where it intersects the west side of School Access Drive; thence the two following courses and distances:

- 1. South 44°56'18" West 86.52 feet
2. South 46°05'02" West 221.80 feet;

thence along a curve to the left having a radius of 1287.5 feet, for an arc length of 105.24 feet. Thence the six following courses and distances:

- 1. South 48°52'35" East 27.20 feet
2. North 19°53'50" East 99.03 feet
3. North 26°47'45" East 304.04 feet
4. South 62°18'43" East 11.23 feet
5. North 72°41'18" East 33.90 feet
6. South 62°18'43" East 9.09 feet;

thence along a curve to the right having a radius of 350.00 feet, for an arc length of 112.37; thence the two following courses and distances:

- 1. South 43°54'57" East 5.27 feet
2. South 00°30'40" West 21.00 feet to the place of beginning. Containing 1.02 acres of land more or less.

ORDER RECEIVED FOR FILING DATE January 29, 1986 BY [Signature]

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ORDER RECEIVED FOR FILING DATE January 29, 1986 BY [Signature]

PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District

LOCATION: Southeast Corner Cherry Hill Road and School Access Drive

DATE AND TIME: Monday, February 10, 1986, at 11:00 a.m.

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

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

Petition for Special Exception to use the herein described property for Class B office buildings in an R3 zone.

Petition for Zoning Variance from Section 409.2.1(5) to permit 74 parking spaces in lieu of the required 52 parking spaces.

Being the property of Cherry Hill Limited Partnership, as shown on plat plan filed with the Zoning Office.

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

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE : OF BALTIMORE COUNTY
SE Corner Cherry Hill Rd. and School Access Drive, 4th District
Cherry Hill Limited Partnership Case No. 86-296-XA
Petitioner

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
494-2188

I HEREBY CERTIFY that on this 21st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, Esquire, Suite 200, 102 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner; and Mr. Robert Royer, D. S. Thaler & Associates, 11 Warren Rd., Baltimore, MD 21208, who requested notification.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 28, 1986

Benjamin Bronstein, Esquire
Suite 200, 102 West Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
SE Corner Cherry Hill Rd. and School Access Drive
Cherry Hill Limited Partnership, Petitioner
4th Election District
Case No. 86-296-XA

Dear Mr. Bronstein:

This is to advise you that \$56.50 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.

The above sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the above payment to the Finance Revenue Division, Baltimore County, Maryland, and remit to the Treasurer, Baltimore County, Maryland, and remit to the Treasurer, Baltimore County, Maryland, and remit to the Treasurer, Baltimore County, Maryland.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 018477

DATE: 1/28/86 ACCOUNT: 86-296-XA

AMOUNT: \$56.50

RECEIVED: [Signature]

FOR: [Signature]

VALIDATION OR SIGNATURE OF CASHIER

LEGAL NOTICE

PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District

LOCATION: Southeast Corner Cherry Hill Road and School Access Drive
DATE AND TIME: Monday, February 10, 1986, at 11:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Petition for Special Exception to use the herein described property for Class B office buildings in an R3 zone.

Petition for Zoning Variance from Section 409.2.1(5) to permit 74 parking spaces in lieu of the required 52 parking spaces.

Being the property of Cherry Hill Limited Partnership, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

CERTIFICATE OF PUBLICATION

73204
Pikesville, Md., Jan. 22 19 86

TO CERTIFY, that the annexed advertisement published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore Maryland before the 10th day of January, 19 86
first publication appearing on the 10th day of Jan 19 86
and publication appearing on the 19th day of Jan 19 86
the third publication appearing on the 19th day of Jan 19 86

THE NORTHWEST STAR

Phyllis Cole Friedman
Manager

Cost of Advertisement 22.00

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 23 19 86
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 23 19 86

THE JEFFERSONIAN

W.B. [Signature]
Publisher

Cost of Advertising 27.50

86-296-XA

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 4th Date of Posting Jan. 22, 1986

Posted for Special Exception and Variance

Petitioner: Cherry Hill Limited Partnership

Location of property: SE Corner Cherry Hill Road and School Access Drive

Location of Sign: Southwest Corner of Cherry Hill Road and School Access Drive

Remarks: Signs in front of subject property

Posted by [Signature] Date of return Jan 24 86

Number of Signs 2

LEGAL NOTICE

PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District

LOCATION: Southeast Corner Cherry Hill Road and School Access Drive
DATE AND TIME: Monday, February 10, 1986, at 11:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Petition for Special Exception to use the herein described property for Class B office buildings in an R3 zone.

Petition for Zoning Variance from Section 409.2.1(5) to permit 74 parking spaces in lieu of the required 52 parking spaces.

Being the property of Cherry Hill Limited Partnership, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

CERTIFICATE OF PUBLICATION

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the third publication appearing on the 19th day of Jan 19 86

THE NORTHWEST STAR

Phyllis Cole Friedman
Manager

Cost of Advertisement 22.00

Benjamin Bronstein, Esquire
Suite 200, 102 West Pennsylvania Avenue
Towson, Maryland 21204

January 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
SE Corner Cherry Hill Road and School Access Drive
Cherry Hill Limited Partnership, Petitioner
Case No. 86-296-XA

TIME: 11:00 a.m.

DATE: Monday, February 10, 1986

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

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

No. 012823

DATE: 1/23/86 ACCOUNT: 86-296-XA

AMOUNT: \$56.50

RECEIVED: [Signature]

FOR: [Signature]

VALIDATION OR SIGNATURE OF CASHIER

VALIDATION OR SIGNATURE OF CASHIER

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. Michael Alston
5457 Twin Knolls Rd.
Columbia, Maryland 21045

September 19, 1986

RE: Building Permit No. C-1779-86
SE/S Cherry Hill Road, Roschen Property
4th Elect. Dist.

Dear Mr. Alston,

The Zoning Office cannot approve the above referenced building permit application for the following reason(s):

- Improper setbacks
- Improper use
- Improper location
- Inspection of the property must be made before permit can be approved
- Insufficient information on permit
- Needs average sheet in order to determine front setbacks
- Revised Plans (9 copies) must be submitted to Mrs. Sherry Methel, Room 100, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland. All plans must be accompanied by a cover letter listing the revisions and referencing the permit and control number.
- Other: The revised building layout and setbacks differ from the site plan in zoning hearing 86-296 XA. The Zoning Commissioner should approve the changes as they differ from Exhibit #1 presented at the zoning hearing. Also: Breakdown the parking data by building, Chase, and sub-total the qualifying A.O.S. provided on-site Note: the zoning hearing, what was granted, and the date.

If you have any further questions, you may contact me at 494-3391.

Very truly yours,

W. Carl Richards, Jr.
W. CARL RICHARDS, JR.
Zoning Coordinator

cc: Zoning File
Planning File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Tom Vidmar - Dev. Engr.
Sue Sheesley - Current Planning
Gary Kerns - Planning
George Jones - Planning
Larry Wilson - Health
Beverly Clark - Zoning
Ellen Smith - Fire Dept.
Frank Nicks - Rec. & Parks
George Wittman - S.H.A.
SUBJECT: Amended C.R.G. Roschen Property
Engineer - D. S. Thaler & Assoc.
484-4103
Date: June 5, 1986
FROM: Tom Watson
Bureau of Public Services

Please review the attached for concurrence to an amended C.R.G. approval for the above subject and give us your approval or comments by June 14, 1986. Nonresponsiveness by the aforementioned date is considered to be concurrence by your office of changes made. Kindly return the print to us.

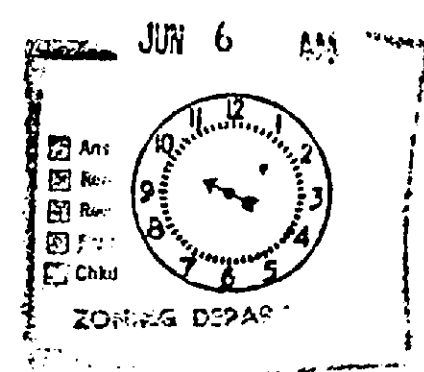
ZONING COMMENTS

Revised building layout varies from what was granted in Case No. 86-206-XA. Square footage of buildings and parking requirements have increased.

The Zoning Commissioner should approve the changes, because this plan differs from Petitioner's Exhibit #1 presented at the zoning hearing.

Christine Borge
Zoning Associate III
6/20/86

CRK:bsc



JAN:TAG
Attachment
File

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
DATE: December 5, 1985
FROM: ZONING OFFICE
PROJECT NAME: ROSCHEN PROPERTY
PLAN:
LOCATION: N/S and S/S of Relocated Franklin Boulevard
DEVELOPMENT PLAN:
DISTRICT: 4th Election District
PLAN:

- 1. Note #9 is incorrect. The maximum allowed F.A.R. in an R.O. zone is .5. The F.A.R. proposed is computed by figuring the gross floor area of the building divided by gross site area of the R.O. zoned portion of the property. This calculation should be clearly shown.
2. Show all areas of amenity open space. Open land area less than 10 feet wide may not be designated amenity open space, except that a mutually planted area as little as 7 feet wide may be so designated if that area is within a parking lot.
3. The parking area and access to "Cherry Hill Road" presents some questions. If the area is now owned by the developer, proof of title should be shown and the area for driveway access to the proposed parking spaces must be included within your described area. If said road remains public, the parking does not satisfy the requirements of this office and a variance must be included with the Special Exception that was filed.
4. In view of this office's recent policy concerning height determination, the Zoning Commissioner will require a letter from the engineer stating he did not know of the policy.
5. The local open space provided for the townhouses cannot also be used as the buffer area that is required from adjacent single family dwellings.
6. Any townhouses that face the west property line and that are located within the transition area must be situated at least 150 feet from said property line or relocated.

NBC:tg

Nicholas B. Corroday
NICHOLAS B. CORRODAY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: January 27, 1986
FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning
SUBJECT: Zoning Petition No. 86-296-XA

The CRG plan (IV-275) was approved on December 4, 1985. This office is not supportive of a variance of this magnitude for this type of use.

Norman E. Gerber, AICP
Director

NEG:JCH:slm

Case No. 86-296-XA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 10th day of January, 1986.

Arnold Jablon
Zoning Commissioner

Cherry Hill Limited Partnership
Petitioner's Attorney Benjamin Bronstein, Esquire
Received by: Norman E. Gerber, Chairman, Zoning Plans Advisory Committee

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

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

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

Item No. 173 -ZAC- Meeting of November 16, 1985
Property Owner: Cherry Hill Limited Partnership
Location: SE corner Cherry Hill Road and School Access Drive
Existing Zoning: R.O.
Proposed Zoning: Special Exception for Class B office buildings in an R.O. Zone

Acres: 1.02
District: 4th

Dear Mr. Jablon:

This Department has no received plans for item #173.

Michael S. Flanagan
Traffic Engineer Associate II

MSF/bld

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 10, 1986

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

Benjamin Bronstein, Esquire
Suite 200, 102 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 173 - Case No. 86-296-XA
Special Exception and Variance Petition
Petitioner - Cherry Hill Limited Partnership

Dear Sirs:

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

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Mr. Robert Royer
D. S. Thaler & Assoc.
11 Warren Road
Baltimore, Maryland 21208

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING TOWSON, MARYLAND 21204 494-3521

NORMAN E. GERBER
DIRECTOR

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

JANUARY 14, 1986

Dear Mr. Jablon:

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

- There are no site planning factors requiring comment.
A County Review Group Meeting is required.
This site is part of a larger tract, therefore it is defined as a subdivision. The plan must show the entire tract.
A record plat will be required and must be recorded prior to issuance of a building permit.
The access is not satisfactory.
The parking arrangement is not satisfactory.
Parking calculations must be shown on the plan.
This property contains soils which are defined as wetlands, and development on these soils is prohibited.
Construction in or alteration of the floodplain is prohibited under the provisions of Section 28-59 of the Ordinance.
Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
The amended development plan was approved by the Planning Board on [unclear].
The property is located in a deficient service area as defined by S111 178-19. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service area is located in a traffic area controlled by a top level intersection as defined by S111 178-79, and its conditions change the annualized by the County Council.
THE CRG PLAN IV-275 (ROSCHEN PROPERTY) WAS APPROVED 12/4/85

cc: James Roswell

Euonne A. Soper
Chief, Current Planning and Development

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

STEPHEN E. COLLINS
DIRECTOR

January 16, 1986

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

Item No. 173 -ZAC- Meeting of December 24, 1985
Property Owner: Cherry Hill Limited Partnership
Location:
Existing Zoning:
Proposed Zoning:

This is not the agenda of November 19, 1985. A Special Exception for a Class B office building in an R.O. zone. A variance has been added to permit 24 parking spaces in lieu of the required 52.

Acres:
District:

Dear Mr. Jablon:

We have not received a plan of this site but do object to the parking variance because a variance to parking usually causes parking in the residential areas around the site.

Michael S. Flanagan
Traffic Engineer Associate II

MSF/bld

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204-2586 494-4500

PAUL H. REINCKE
CHIEF

January 10, 1986

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Cherry Hill Ltd. Partnership

Location: on Agenda of November 19, 1985
Item No.: 173 Zoning Agenda: Meeting of 12-24-85

Concurrence:

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 deal 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.
7. The Fire Prevention Bureau has no comment of this time.

Noted and Approved:
Planning Group
Special Inspection Division

/mb



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

PAUL H. REINCKE
CHIEF

November 22, 1985

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Cherry Hill Ltd. Partnership

Location: SE corner Cherry Hill Road & School Access Drive

Item No.: 173 Zoning Agenda: Meeting of November 19, 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.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in (*Cherry Hill Rd.) 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.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1973 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: _____
Planning Group
Special Inspection Division

Noted and Approved: John F. O'Neill
Fire Prevention Bureau

/mb



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

December 6, 1985

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 173 Zoning Advisory Committee Meeting are as follows:

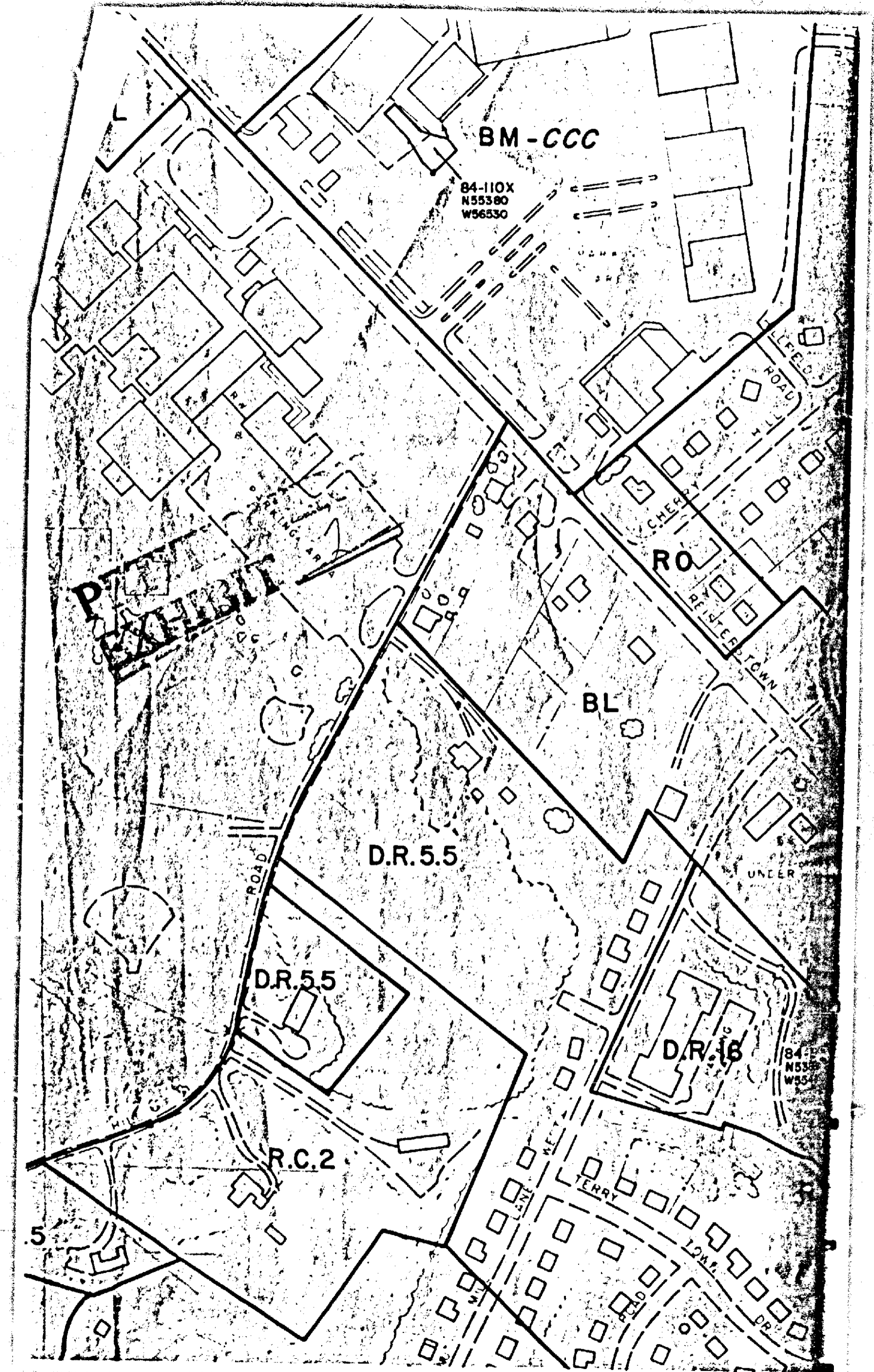
Property Owner: Cherry Hill Limited Partnership
Location: SE corner Cherry Hill Road and School Access Drive
District: 4th.

APPLICABLE ITEMS ARE CIRCLED:

- (A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- (B) A building and other miscellaneous permits shall be required before the start of any construction.
- (C) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- (D) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- (E) All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- (F) The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- (G) The requested variance appears to conflict with Section(s) _____, _____, of the Baltimore County Building Code.
- (H) When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Uses _____. See Section 312 of the Building Code.
- (I) The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- (J) Comments: Plans shall reflect how access to the various levels will be made to comply to the State Handicapped Code for interior access. Show also curb cuts, signs, etc. etc. Multi-level structures can require handicapped elevators. Dwelling units shall be separated by a 2 hour party wall. See Section 1409.1.2 as amended by Bill #17-85.
- (K) These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Burnham
By: C. E. Burnham, Chief
Building Plans Review

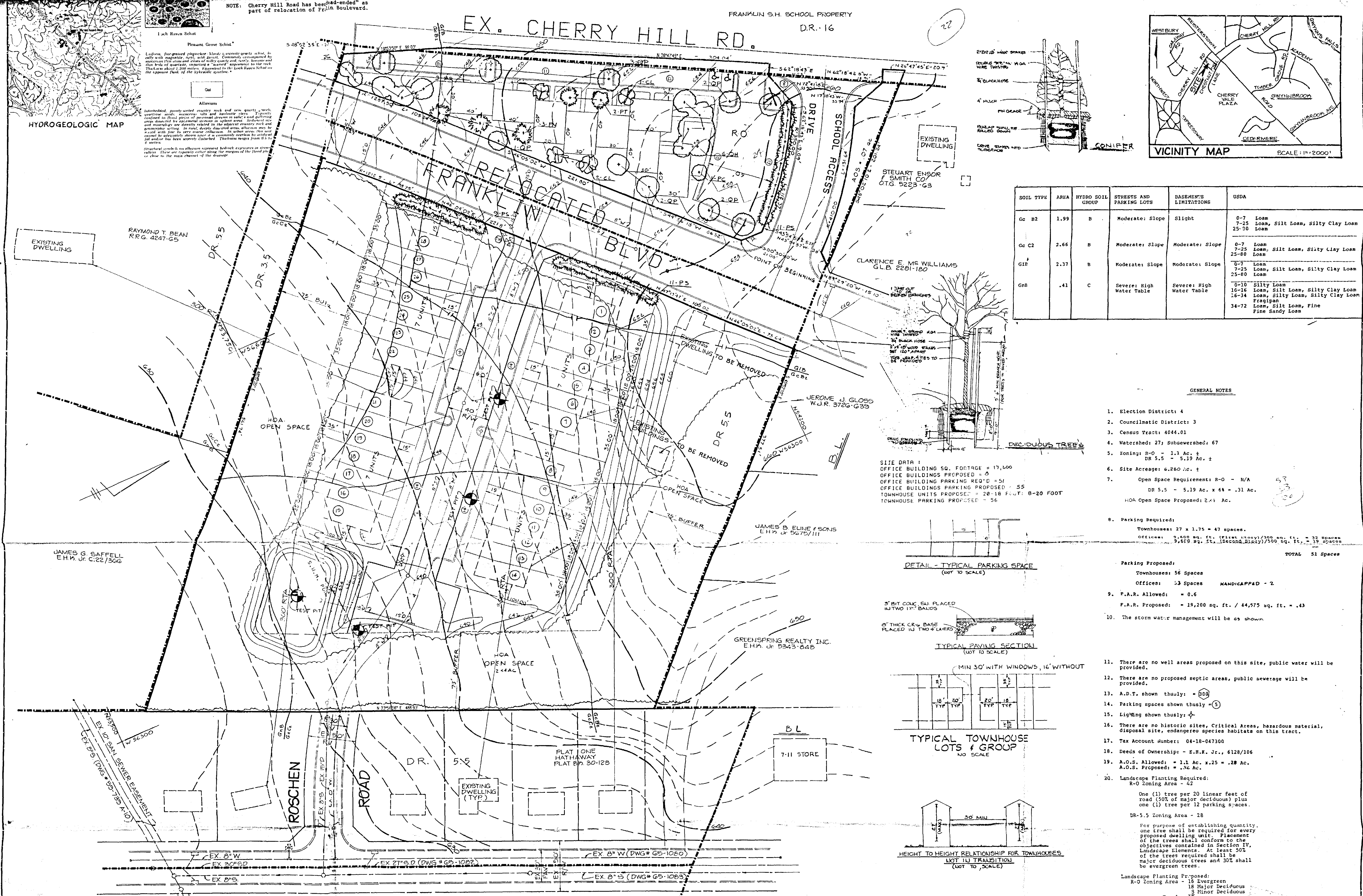
L/22/85



NOTE: Cherry Hill Road has been "ad-ended" as part of relocation of Franklin Boulevard.

FRANKLIN S.H. SCHOOL PROPERTY D.R. 16

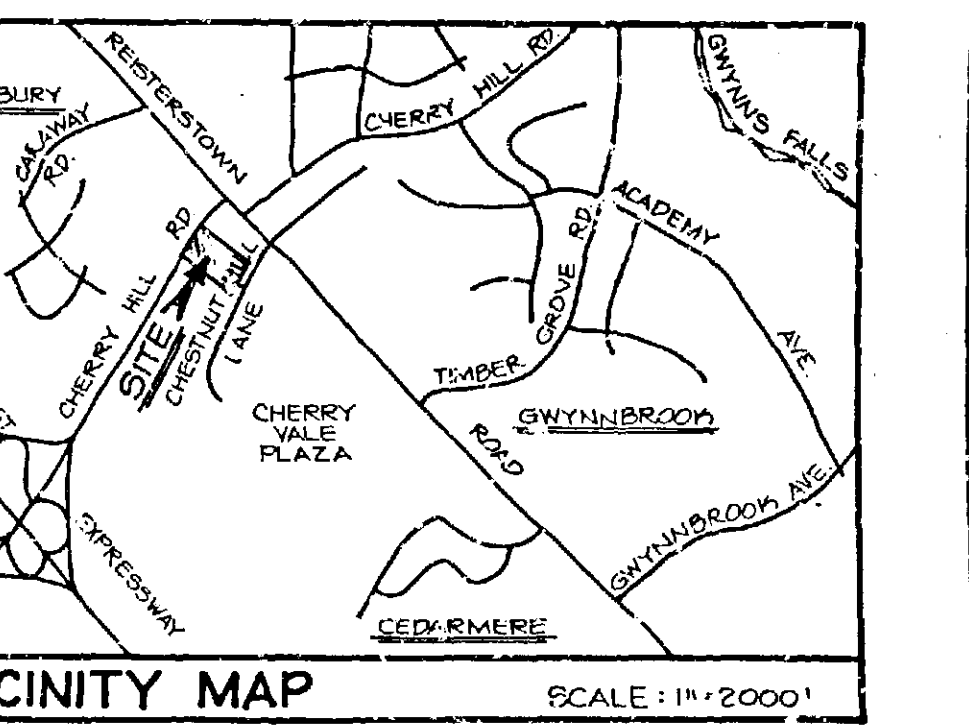
EX. CHERRY HILL RD.



HYDROGEOLOGIC MAP

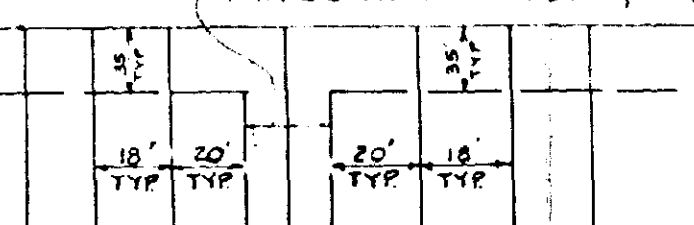
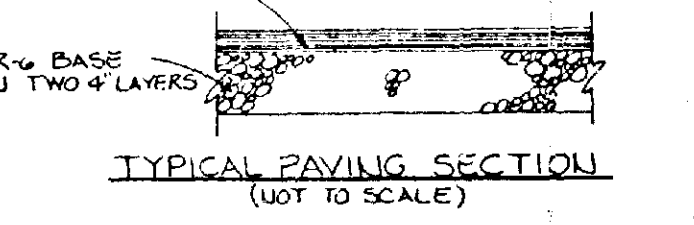
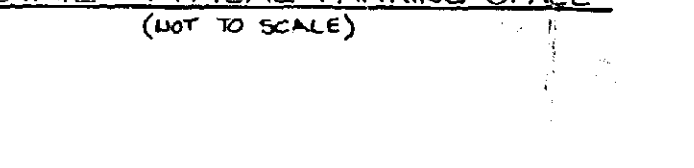
Platinum Group Soils
 Calcium, magnesium silicates. Shaly to sandy silty clay, in some places silty clay with gravel. Commonly accompanied by thin beds of quartzite, mica, and mica. Some of the mica is oriented in the same direction as the mica in the adjacent clay. The mica is oriented in the same direction as the mica in the adjacent clay. The mica is oriented in the same direction as the mica in the adjacent clay.

Gal
 Alluvium
 Interbedded, poorly sorted, silty sand and silty clay, with some gravel. Typically contains small pieces of mica and mica. Commonly accompanied by thin beds of quartzite, mica, and mica. Some of the mica is oriented in the same direction as the mica in the adjacent clay. The mica is oriented in the same direction as the mica in the adjacent clay. The mica is oriented in the same direction as the mica in the adjacent clay.



SOIL TYPE	AREA	HYDRO SOIL GROUP	STREETS AND PARKING LOTS	BASEMENT'S LIMITATIONS	USDA
Gc B2	1.99	B	Moderate Slope	Slight	0-7 Loam 7-25 Loam, Silt Loam, Silty Clay Loam 25-30 Loam
Gc C2	2.66	B	Moderate Slope	Moderate Slope	0-7 Loam 7-25 Loam, Silt Loam, Silty Clay Loam 25-30 Loam
GIE	2.37	B	Moderate Slope	Moderate Slope	0-7 Loam 7-25 Loam, Silt Loam, Silty Clay Loam 25-30 Loam
GNE	.41	C	Severe: High Water Table	Severe: High Water Table	0-10 Silty Loam 10-16 Loam, Silt Loam, Silty Clay Loam 16-34 Loam, Silty Loam, Silty Clay Loam, Fragipan 34-72 Loam, Silt Loam, Fine Fine Sandy Loam

SITE DATA :
 OFFICE BUILDING SQ. FOOTAGE = 19,000
 OFFICE BUILDINGS PROPOSED = 9
 OFFICE BUILDING PARKING REQ'D = 51
 OFFICE BUILDINGS PARKING PROPOSED = 55
 TOWNHOUSE UNITS PROPOSED = 20-18 FOOT: 8-20 FOOT
 TOWNHOUSE PARKING PROPOSED = 56



- GENERAL NOTES**
- Election District: 4
 - Councilmatic District: 3
 - Census Tract: 4044.01
 - Watershed: 27; Subwatershed: 67
 - Zoning: R-O - 1.1 Ac. ±
DR 5.5 - 5.19 Ac. ±
 - Site Acreage: 6.280 Ac. ±
Open Space Requirement: R-O - N/A
DR 5.5 - 5.19 Ac. x 64 = .31 Ac.
HOA Open Space Proposed: 2.45 Ac.
 - Parking Required:
Townhouses: 27 x 1.75 = 47 spaces.
Offices: 9,600 sq. ft. (First story)/300 sq. ft. = 32 Spaces
9,600 sq. ft. (Second story)/500 sq. ft. = 19 Spaces
TOTAL 51 Spaces
 - Parking Proposed:
Townhouses: 56 Spaces
Offices: 53 Spaces **HANDICAPPED - 2**
 - P.A.R. Allowed: = 0.6
P.A.R. Proposed: = 19,200 sq. ft. / 44,575 sq. ft. = .43
 - The storm water management will be as shown.

- There are no well areas proposed on this site, public water will be provided.
- There are no proposed septic areas, public sewerage will be provided.
- A.D.T. shown thusly: = (B00)
- Parking spaces shown thusly: = (3)
- Lighting shown thusly: = (L)
- There are no historic sites, Critical Areas, hazardous material, disposal site, endangered species habitats on this tract.
- Tax Account Number: 04-18-047300
- Deeds of Ownership: - E.H.K. Jr., 6128/106
- A.O.S. Allowed: = 1.1 Ac. x .25 = .28 Ac.
A.O.S. Proposed: = .32 Ac.
- Landscape Planting Required:
R-O Zoning Area - 42
One (1) tree per 20 linear feet of road (50% of major deciduous) plus one (1) tree per 12 parking spaces.
DR-5.5 Zoning Area - 28
For purpose of establishing quantity, one tree shall be required for every proposed dwelling unit. Placement of the trees shall conform to the objectives contained in Section IV, Landscape Elements. At least 50% of the trees required shall be major deciduous trees and 30% shall be evergreen trees.
Landscape Planting Proposed:
R-O Zoning Area - 16 Evergreen
16 Major Deciduous
3 Minor Deciduous
Total - 42
DR-5.5 Zoning Area - 20 Evergreen
28 Major Deciduous
Total - 48
- Hours are from 8AM to 5PM. Hours are from 8AM to 5PM. Hours are from 8AM to 5PM.

ENGINEERS, SURVEYORS & LANDSCAPE ARCHITECTS
D.S. THALER & ASSOCIATES
 11 WARREN ROAD
 BALTIMORE, MARYLAND 21208
 (301) 484-4100

OWNER & DEVELOPER
 CHERRY HILL LIMITED PARTNERSHIP
 HELMSMAN, ROSS RIDGE, INC. GENERAL PARTNER
 MICHAEL B. GLICK, PRESIDENT
 P.O. BOX 5992
 BALTIMORE, MARYLAND
 21208 • (301) 653-1082

PLAT TO ACCOMPANY SPECIAL EXCEPTION
&
CRG PLAN & SCHEMATIC PLANTING PLAN
ROSCHEN PROPERTY
 CHERRY HILL ROAD
 4TH ELECTION DISTRICT
 REISTERSTOWN, MARYLAND
 SCALE: 1"=30' OCT 16 1995

ST-20-2
This is an additional petition
12/16/85 #173
SL-296-7A

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2.b.(5) to permit 24 parking spaces in lieu of the required 52 parking spaces.

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

1. Configuration of property;
2. Such hardships and practical difficulties as may be shown at the hearing.

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

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

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

Contract Purchaser: Cherry Hill Limited Partnership
Helmsman Ross Ridge, Inc., General Partner

(Type or Print Name) Signature
MICHAEL B. GLICK

Address: 11 Warren Road, Baltimore, MD 21208
City and State: Baltimore, MD

Attorney for Petitioner: Benjamin Bronstein
(Type or Print Name) Signature
Suite 400, 102 W. Pennsylvania Avenue
Address: Towson, MD 21204
City and State: Towson, MD
Attorney's Telephone No.: 238-4442

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Robert Royer, D.S. Thaler & Assoc.
11 Warren Road, Baltimore, MD 21208
Address: Baltimore, MD
Phone No. 484-4100

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day of January, 1986, 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 10th day of February, 1986, at 11 o'clock.

Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING
DATE January 20, 1986
BY [Signature]

(over)

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Class B office buildings in an R-O zone.

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

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

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

Contract Purchaser: Helmsman Ross Ridge, Inc., General Partner

(Type or Print Name) Signature
MICHAEL B. GLICK, President

Address: 11 Warren Road
City and State: Baltimore, MD

Attorney for Petitioner: Benjamin Bronstein
(Type or Print Name) Signature
Suite 400, 102 W. Pennsylvania Avenue
Address: Towson, Maryland 21204
City and State: Towson, MD
Attorney's Telephone No.: 238-4442

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Robert Royer, D.S. Thaler & Assoc.
11 Warren Road
Address: Baltimore, MD 21208
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Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING
DATE January 20, 1986
BY [Signature]

(over)

In addition, Section 502.2.g, BCZR, requires that the proposed use not be inconsistent with the purposes of the property's zoning classification nor be inconsistent with the spirit and intent of the BCZR. A finding that the condition required by Section 502.1.g has been met necessarily implies a finding that the proposed use is a compatible one as required by Section 203.2, BCZR. See People's Counsel v. Webster, No. 361, Ct. of Sp. Appeals, January 8, 1986.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soloy, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In

ORDER RECEIVED FOR FILING
DATE January 20, 1986
BY [Signature]

(over)

IN RE: PETITIONER'S SPECIAL EXCEPTION AND VARIANCE
SE/corner of Cherry Hill Road and School Access Drive - 4th Election District
Cherry Hill Limited Partnership,
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-296-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception for a Class B office building in an R-O Zone and, additionally, a variance to permit 24 parking spaces instead of the required 52 spaces, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Michael Weinman, Vice President of Helmsman Ross Ridge, Inc., General Partner, appeared and testified and was represented by Counsel David Thaler, a registered civil engineer testified on behalf of the Petitioner. There were no Protestants.

At the onset of the hearing, the Petitioner moved to amend the Petition to request 22 on-site parking spaces. The motion was granted.

Testimony indicated that the subject property, located on Cherry Hill Road, west of Reisterstown Road, is within an area that will be impacted by the Owings Mills Town Center. Indeed, the property is to be bifurcated by Franklin Boulevard, a future entrance to the Northwest Expressway. The property to the southeast of Franklin Boulevard is zoned D.R.5.5 and will be improved with townhouses. An office building is proposed in the parcel bounded by Franklin Boulevard on the southeast and Cherry Hill Road on the northeast. The County proposes to dead end Cherry Hill Road and create a cul-de-sac. Across Cherry Hill Road from the proposed office building is

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DATE January 20, 1986
BY [Signature]

addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

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

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of February, 1986, that the Petition for Special Exception for a Class B office building in an R-O Zone and, additionally, the Petition for Zoning Variance to permit 22 parking spaces instead of the required 52 spaces be and are hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILING
DATE January 20, 1986
BY [Signature]

Benjamin Bronstein, Esquire
People's Counsel

Franklin Senior High School property. To the east is a tire store located on Reisterstown Road and to the west is a residence which the owner has indicated will be developed. The proposed office building will consist of eight 30' x 40' modular units connected together and resembling the townhouse development. The total square footage proposed is 19,200, requiring 52 parking spaces. However, the Petitioner proposes 22 spaces to be on-site and 33 spaces to be located off-site, adjacent to the subject property on Cherry Hill Road. The Petitioner owns to the centerline of Cherry Hill Road, and inasmuch as the road will be locked in, the Petitioner proposes to utilize the space provided for parking.

Mr. Thaler testified that the County Review Group (CRG) approved the site plan exhibited at the hearing on December 4, 1985. Notwithstanding the comments by Michael S. Flanigan, Department of Traffic Engineering, to the Baltimore County Zoning Plans Advisory Committee (ZPAC) that the proposed variance would create a problem and the expressed concerns of James G. Howell, Office of Planning, to this Commissioner, the Department of Traffic Engineering apparently acquiesced and did not object to the proposal of providing 31 spaces on Cherry Hill Road at the CRG meeting. The CRG's approval mitigates the expressed opposition of Mr. Howell and Mr. Flanigan. Neither appeared to testify in opposition.

Mr. Thaler further testified that all of the conditions precedent in Section 502.1, Baltimore County Zoning Regulations (BCZR), will be satisfied and that the parking provided, both on and off the site, will pragmatically, if not technically, satisfy the parking requirements.

The Petitioner seeks relief from Section 203.2.b.2, pursuant to Section 502.1 and from Section 409.2.b.(5), pursuant to Section 307, BCZR.

ORDER RECEIVED FOR FILING
DATE January 20, 1986
BY [Signature]

DESCRIPTION TO ACCOMPANY SPECIAL EXCEPTION PETITION FOR A CLASS B OFFICE BUILDING ROSCHEN PROPERTY

Beginning for the same at a point on the North side of relocated Franklin Boulevard, 75 feet wide where it intersects the west side of School Access Drive; thence the two following courses and distances:

1. South 44°56'18" West 86.52 feet
 2. South 46°05'02" West 221.80 feet;
- thence along a curve to the left having a radius of 1287.5 feet, for an arc length of 105.24 feet. Thence the six following courses and distances:

1. South 48°52'35" East 27.20 feet
2. North 19°53'50" East 99.03 feet
3. North 26°47'45" East 304.04 feet
4. South 62°18'43" East 11.23 feet
5. North 72°41'18" East 33.90 feet
6. South 62°18'43" East 9.09 feet;

thence along a curve to the right having a radius of 350.00 feet, for an arc length of 112.37; thence the two following courses and distances:

1. South 43°54'57" East 5.27 feet
2. South 00°30'40" West 21.00 feet to the place of beginning. Containing 1.02 acres of land more or less.

ORDER RECEIVED FOR FILING
DATE January 20, 1986
BY [Signature]

PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District

LOCATION: Southeast Corner Cherry Hill Road and School Access Drive

DATE AND TIME: Monday, February 10, 1986, at 11:00 a.m.

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

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

Petition for Special Exception to use the herein described property for Class B office buildings in an R3 zone.

Petition for Zoning Variance from Section 409.2.1(5) to permit 74 parking spaces in lieu of the required 52 parking spaces.

Being the property of Cherry Hill Limited Partnership, as shown on plat plan filed with the Zoning Office.

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

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE : OF BALTIMORE COUNTY
SE Corner Cherry Hill Rd. and School Access Drive, 4th District
Cherry Hill Limited Partnership Case No. 86-296-XA
Petitioner

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
494-2188

I HEREBY CERTIFY that on this 21st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, Esquire, Suite 200, 102 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner; and Mr. Robert Royer, D. S. Thaler & Associates, 11 Warren Rd., Baltimore, MD 21208, who requested notification.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 28, 1986

Benjamin Bronstein, Esquire
Suite 200, 102 West Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
SE Corner Cherry Hill Rd. and School Access Drive
Cherry Hill Limited Partnership, Petitioner
4th Election District
Case No. 86-296-XA

Dear Mr. Bronstein:

This is to advise you that \$56.50 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.

The above sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the above payment to the County, Maryland, and remit to the Treasurer, Baltimore County, Maryland, and remit to the Treasurer, Baltimore County, Maryland.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 018477

DATE: 1/28/86 ACCOUNT: 21-296-XA

AMOUNT: \$56.50

RECEIVED: [Signature]

FOR: [Signature]

VALIDATION OR SIGNATURE OF CASHIER

LEGAL NOTICE

PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District

LOCATION: Southeast Corner Cherry Hill Road and School Access Drive

DATE AND TIME: Monday, February 10, 1986, at 11:00 a.m.

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

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

Petition for Special Exception to use the herein described property for Class B office buildings in an R3 zone.

Petition for Zoning Variance from Section 409.2.1(5) to permit 74 parking spaces in lieu of the required 52 parking spaces.

Being the property of Cherry Hill Limited Partnership, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

CERTIFICATE OF PUBLICATION
73204

Pikesville, Md., Jan. 22 19 86

TO CERTIFY, that the annexed advertisement published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore

Maryland before the 10th day of

Jan. 19 86

first publication appearing on the

10th day of Jan. 19 86

and publication appearing on the

10th day of Jan. 19 86

the third publication appearing on the

10th day of Jan. 19 86

THE NORTHWEST STAR

Phyllis Cole Friedman
Manager

Cost of Advertisement 22.00

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 23 19 86

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 23 19 86

THE JEFFERSONIAN,
W.B. [Signature]
Publisher

Cost of Advertising
27.50

86-296-XA

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: Jan. 22, 1986

Posted for: Special Exception and Variance

Petitioner: Cherry Hill Limited Partnership

Location of property: SE Corner Cherry Hill Road and School Access Drive

Location of Sign: Southwest Corner of Cherry Hill Road and School Access Drive

Remarks: Signs in front of subject property

Posted by: [Signature] Date of return: Jan 24 86

Number of Signs: 2

LEGAL NOTICE

PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District

LOCATION: Southeast Corner Cherry Hill Road and School Access Drive

DATE AND TIME: Monday, February 10, 1986, at 11:00 a.m.

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

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

Petition for Special Exception to use the herein described property for Class B office buildings in an R3 zone.

Petition for Zoning Variance from Section 409.2.1(5) to permit 74 parking spaces in lieu of the required 52 parking spaces.

Being the property of Cherry Hill Limited Partnership, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

CERTIFICATE OF PUBLICATION

Pikesville, Md., Jan. 22 19 86

TO CERTIFY, that the annexed advertisement published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore

Maryland before the 10th day of

Jan. 19 86

first publication appearing on the

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and publication appearing on the

10th day of Jan. 19 86

the third publication appearing on the

10th day of Jan. 19 86

THE NORTHWEST STAR

Phyllis Cole Friedman
Manager

Cost of Advertisement 22.00

Benjamin Bronstein, Esquire
Suite 200, 102 West Pennsylvania Avenue
Towson, Maryland 21204

January 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
SE Corner Cherry Hill Road and School Access Drive
Cherry Hill Limited Partnership, Petitioner
Case No. 86-296-XA

TIME: 11:00 a.m.

DATE: Monday, February 10, 1986

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

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 012823

DATE: 1/23/86 ACCOUNT: 21-296-XA

AMOUNT: \$100.00

RECEIVED: [Signature]

FOR: [Signature]

VALIDATION OR SIGNATURE OF CASHIER

VALIDATION OR SIGNATURE OF CASHIER

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 19, 1986

Mr. Michael Alston
5457 Twin Knolls Rd.
Columbia, Maryland 21045

RE: Building Permit No. C-1779-86
SE/S Cherry Hill Road, Roschen Property
4th. Elect. Dist.

Dear Mr. Alston,

The Zoning Office cannot approve the above referenced building permit application for the following reason(s):

- Improper setbacks
- Improper use
- Improper location
- Inspection of the property must be made before permit can be approved
- Insufficient information on permit
- Needs average sheet in order to determine front setbacks
- Revised Plans (9 copies) must be submitted to Mrs. Sherry Methel, Room 100, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland. All plans must be accompanied by a cover letter listing the revisions and referencing the permit and control number.
- Other: The revised building layout and setbacks differ from the site plan in zoning hearing 86-296 XA. The Zoning Commissioner should approve the changes as they differ from Exhibit #1 presented at the zoning hearing. Also: Breakdown the parking data by building, Chase, and sub-total the qualifying A.O.S. provided on-site. Note the zoning hearing, what was granted, and the date.

If you have any further questions, you may contact me at 494-3391.

Very truly yours,

W. Carl Richards, Jr.
W. CARL RICHARDS, JR.
Zoning Coordinator

cc: Zoning File
Planning File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Tom Vidmar - Dev. Engr.
Sue Sheesley - Current Planning
Gary Kerns - Planning
George Jones - Planning
Larry Wilson - Health
Beverly Clark - Zoning
Ellen Smith - Fire Dept.
Frank Nicks - Rec. & Parks
George Wittman - S.H.A.
SUBJECT: Amended C.R.G. - Roschen Property
Engineer - D. S. Thaler & Assoc.
484-4103
Date: June 5, 1986
FROM: Tom Watson
Bureau of Public Services

Please review the attached for concurrence to an amended C.R.G. approval for the above subject and give us your approval or comments by June 14, 1986. Nonresponsiveness by the aforementioned date will be considered to be concurrence by your office of changes made. Kindly return the print to us.

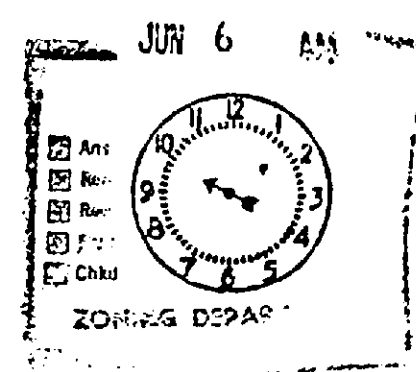
ZONING COMMENTS

Revised building layout varies from what was granted in Case No. 86-206-XA. Square footage of buildings and parking requirements have increased.

The Zoning Commissioner should approve the changes, because this plan differs from Petitioner's Exhibit #1 presented at the zoning hearing.

Christine Borge
Zoning Associate III
6/20/86

CRK:bsc



JAN:TAG
Attachment
File

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
DATE: December 5, 1985
FROM: ZONING OFFICE
PROJECT NAME: ROSCHEN PROPERTY
PLAN:
LOCATION: N/S and S/S of Relocated Franklin Boulevard
DEVELOPMENT PLAN:
DISTRICT: 4th Election District
PLAN:

- 1. Note #9 is incorrect. The maximum allowed F.A.R. in an R.O. zone is .5. The F.A.R. proposed is computed by figuring the gross floor area of the building divided by gross site area of the R.O. zoned portion of the property. This calculation should be clearly shown.
2. Show all areas of amenity open space. Open land area less than 10 feet wide may not be designated amenity open space, except that a mutually planted area as little as 7 feet wide may be so designated if that area is within a parking lot.
3. The parking area and access to "Cherry Hill Road" presents some questions. If the area is now owned by the developer, proof of title should be shown and the area for driveway access to the proposed parking spaces must be included within your described area. If said road remains public, the parking does not satisfy the requirements of this office and a variance must be included with the Special Exception that was filed.
4. In view of this office's recent policy concerning height determination, the Zoning Commissioner will require a letter from the engineer stating he did not know of the policy.
5. The local open space provided for the townhouses cannot also be used as the buffer area that is required from adjacent single family dwellings.
6. Any townhouses that face the west property line and that are located within the transition area must be situated at least 150 feet from said property line or relocated.

NBC:tg

Nicholas B. Corroday
NICHOLAS B. CORRODAY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: January 27, 1986
FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning
SUBJECT: Zoning Petition No. 86-296-XA

The CRG plan (IV-275) was approved on December 4, 1985. This office is not supportive of a variance of this magnitude for this type of use.

Norman E. Gerber, AICP
Director

NEG:JCH:slm

Case No. 86-296-XA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 10th day of January, 1986.

Arnold Jablon
Zoning Commissioner

Cherry Hill Limited Partnership
Petitioner's Attorney
Benjamin Bronstein, Esquire
Received by: Norman E. Gerber, Chairman, Zoning Plans Advisory Committee

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

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

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

Item No. 173 -ZAC- Meeting of November 16, 1985
Property Owner: Cherry Hill Limited Partnership
Location: SE corner Cherry Hill Road and School Access Drive
Existing Zoning: R.O.
Proposed Zoning: Special Exception for Class B office buildings in an R.O. Zone

Acres: 1.02
District: 4th

Dear Mr. Jablon:

This Department has no received plans for item #173.

Michael S. Flanagan
Traffic Engineer Associate II

MSF/bld

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 10, 1986

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

Benjamin Bronstein, Esquire
Suite 200, 102 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 173 - Case No. 86-296-XA
Special Exception and Variance Petition
Petitioner - Cherry Hill Limited Partnership

Dear Sirs:

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

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Mr. Robert Royer
D. S. Thaler & Assoc.
11 Warren Road
Baltimore, Maryland 21208

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING TOWSON, MARYLAND 21204 494-3521

NORMAN E. GERBER
DIRECTOR

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

JANUARY 14, 1986

Dear Mr. Jablon:

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

- There are no site planning factors requiring comment.
A County Review Group Meeting is required.
A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
A record plat will be required and must be recorded prior to issuance of a building permit.
The access is not satisfactory.
The parking arrangement is not satisfactory.
Parking calculations must be shown on the plan.
This property contains soils which are defined as wetlands, and development on these soils is prohibited.
Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-59 of the Ordinance.
Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
The amended development plan was approved by the Planning Board on [unclear].
The proposed development must comply with Baltimore County Land Use Manual, 8111 120-12. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The District service area is located in a traffic area controlled by a top level intersection as defined by 8111 120-79, and its conditions change the annualized by the County Council.
THE CRG PLAN IV-275 (ROSCHEN PROPERTY) WAS APPROVED 12/4/85

cc: James Hoswell

Euonne A. Soper
Chief, Current Planning and Development

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

STEPHEN E. COLLINS
DIRECTOR

January 16, 1986

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

Item No. 173 -ZAC- Meeting of December 24, 1985
Property Owner: Cherry Hill Limited Partnership
Location:
Existing Zoning:
Proposed Zoning:

This is not the agenda of November 19, 1985. A Special Exception for a Class B office building in an R.O. zone. A variance has been added to permit 24 parking spaces in lieu of the required 52.

Acres:
District:

Dear Mr. Jablon:

We have not received a plan of this site but do object to the parking variance because a variance to parking usually causes parking in the residential areas around the site.

Michael S. Flanagan
Traffic Engineer Associate II

MSF/bld

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204-2586 494-4500

PAUL H. REINCKE
CHIEF

January 10, 1986

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Cherry Hill Ltd. Partnership

Location: on Agenda of November 19, 1985
Item No.: 173 Zoning Agenda: Meeting of 12-24-85

Contention:

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 deal 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.
7. The Fire Prevention Bureau has no comment of this time.

Noted and Approved:
Planning Group
Special Inspection Division

/mb



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

PAUL H. REINCKE
CHIEF

November 22, 1985

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Cherry Hill Ltd. Partnership

Location: SE corner Cherry Hill Road & School Access Drive

Item No.: 173 Zoning Agenda: Meeting of November 19, 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.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in (*Cherry Hill Rd.) 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.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1973 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: _____
Planning Group
Special Inspection Division

Noted and Approved: *John F. O'Neill*
Fire Prevention Bureau

/mb



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

December 6, 1985

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 173 Zoning Advisory Committee Meeting are as follows:

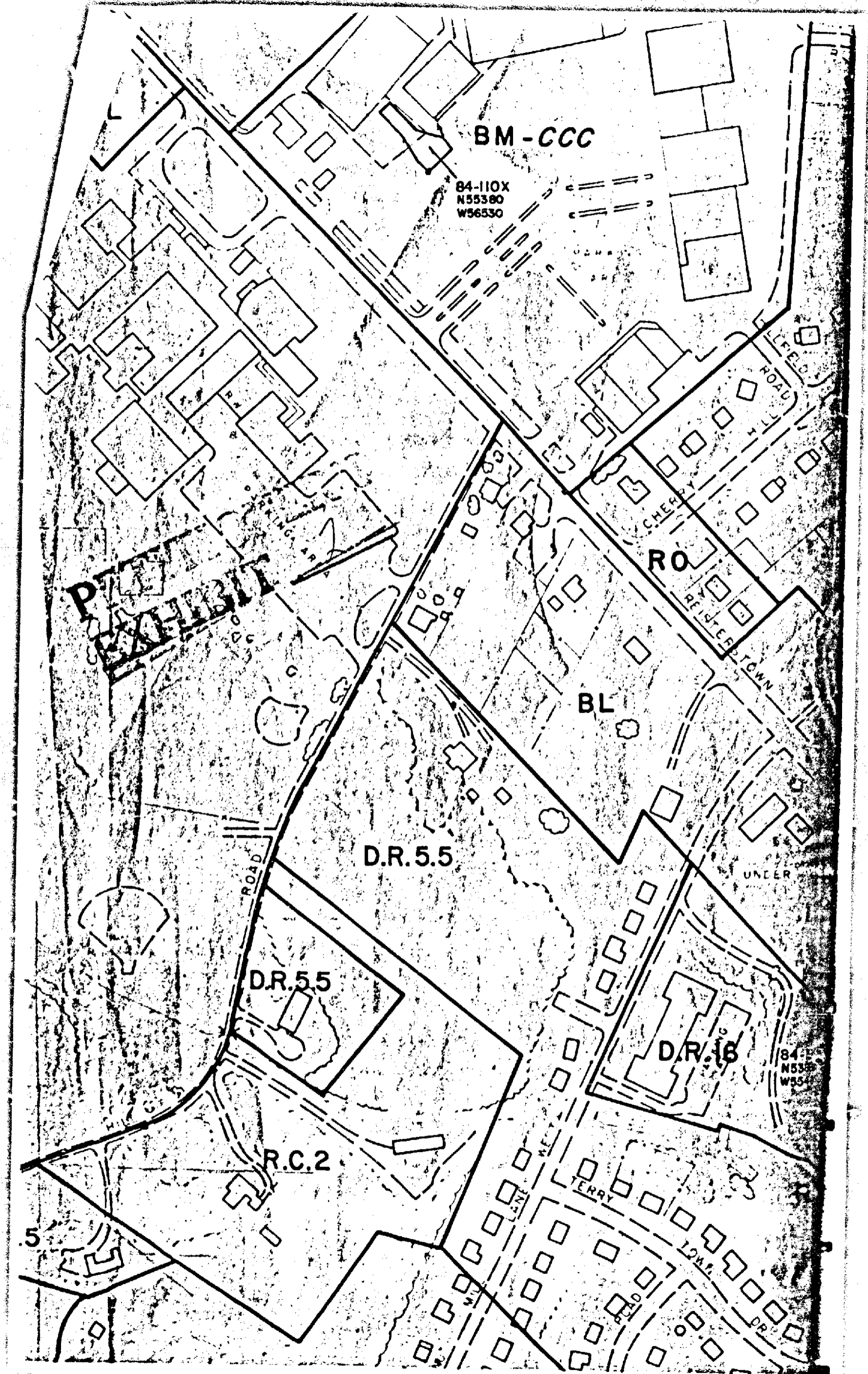
Property Owner: Cherry Hill Limited Partnership
Location: SE corner Cherry Hill Road and School Access Drive
District: 4th.

APPLICABLE ITEMS ARE CIRCLED:

- (A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- (B) A building and other miscellaneous permits shall be required before the start of any construction.
- (C) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- (D) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- (E) All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party exterior wall within 3'-0" of an interior lot line.
- (F) The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- (G) The requested variance appears to conflict with Section(s) _____, _____, of the Baltimore County Building Code.
- (H) When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Uses _____. See Section 312 of the Building Code.
- (I) The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- (J) Comments: Plans shall reflect how access to the various levels will be made to comply to the State Handicapped Code for interior access. Show also curb cuts, signs, etc. Multi-level structures can require handicapped elevators. Dwelling units shall be separated by a 2 hour party wall. See Section 1409.1.2 as amended by Bill #17-85.
- (K) These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Burnham
By: C. E. Burnham, Chief
Building Plans Review

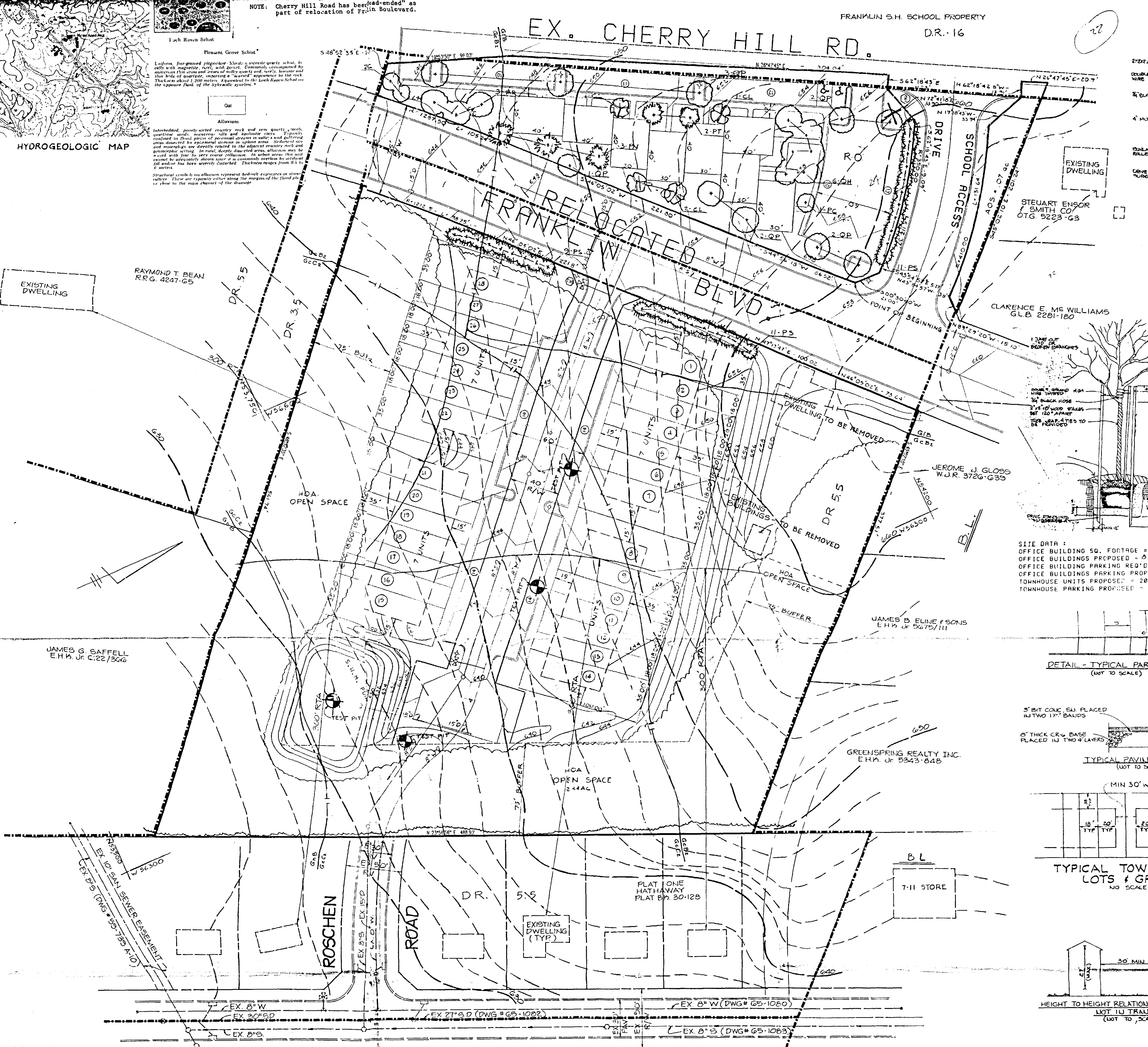
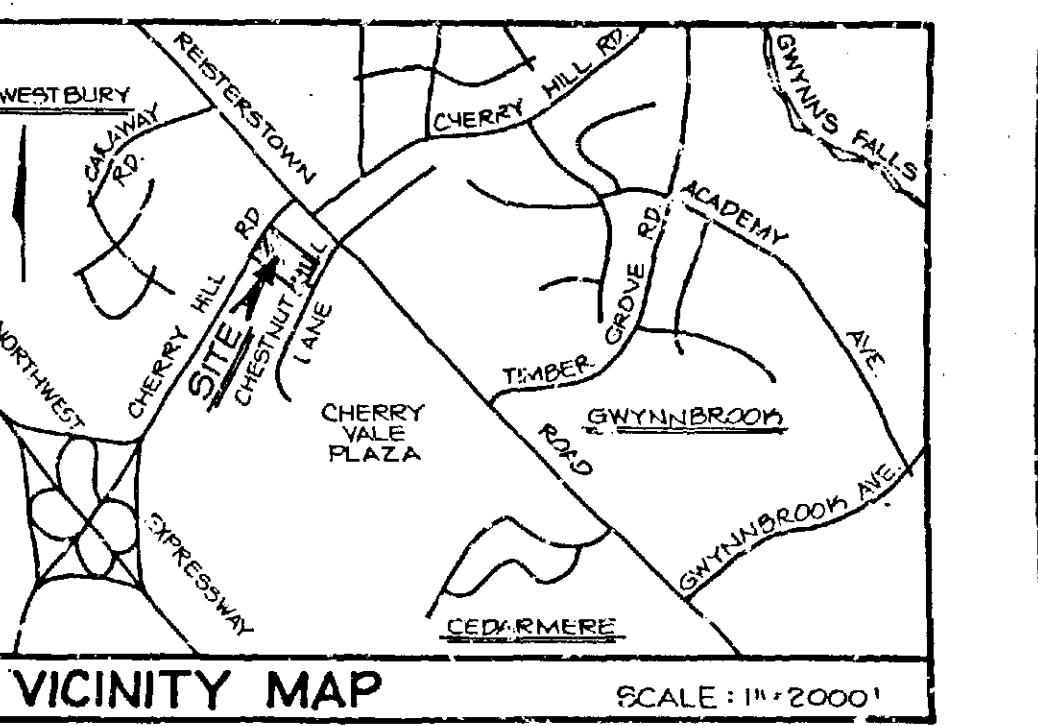
L/22/85



NOTE: Cherry Hill Road has been "ad-ended" as part of relocation of Franklin Boulevard.

FRANKLIN S.H. SCHOOL PROPERTY D.R. 16

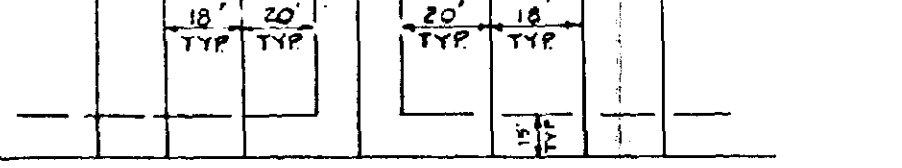
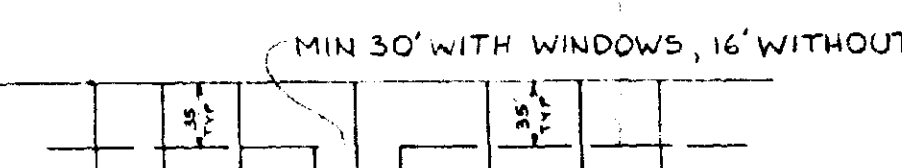
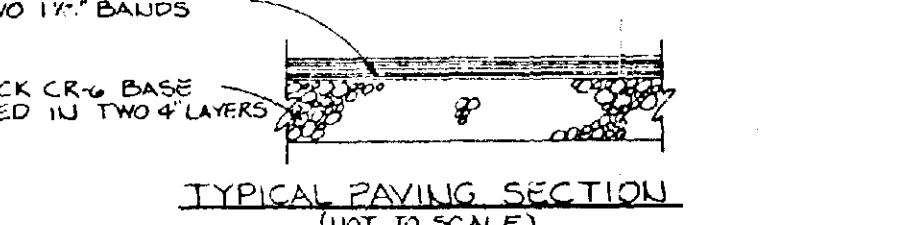
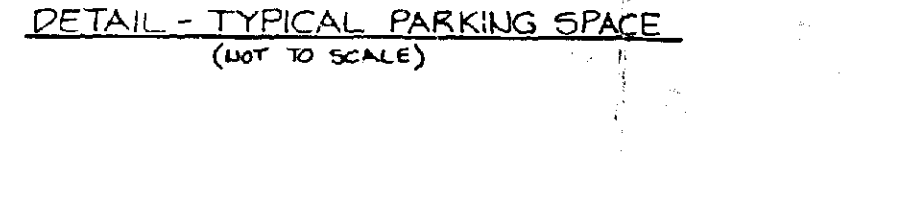
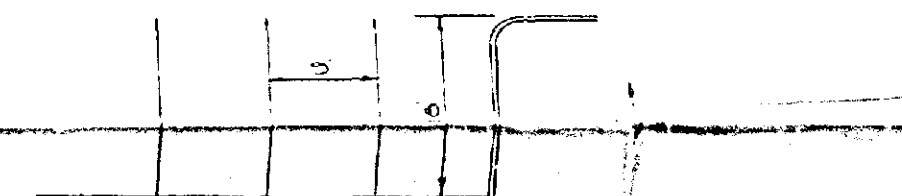
EX. CHERRY HILL RD.



SOIL TYPE	AREA	HYDRO SOIL GROUP	STREETS AND PARKING LOTS	BASEMENT'S LIMITATIONS	USDA
Gc B2	1.99	B	Moderate Slope	Slight	0-7 Loam 7-25 Silt Loam, Silty Loam 25-30 Silty Clay Loam
Gc C2	2.66	B	Moderate Slope	Moderate Slope	0-7 Loam 7-25 Silt Loam, Silty Loam 25-30 Silty Clay Loam
GfE	2.37	B	Moderate Slope	Moderate Slope	0-7 Loam 7-25 Silt Loam, Silty Loam 25-30 Silty Clay Loam
GnB	.41	C	Severe High Water Table	Severe High Water Table	0-10 Silty Loam 10-16 Silty Loam, Silt Loam, Silty Clay Loam 16-34 Loam, Silty Loam, Silty Clay Loam 34-72 Loam, Silty Loam, Fine Sandy Loam

- GENERAL NOTES
- Election District: 4
 - Councilmatic District: 3
 - Census Tract: 4044.01
 - Watershed: 27; Subwatershed: 67
 - Zoning: R-O - 1.1 Ac. ± DR 5.5 - 5.19 Ac. ±
 - Site Acreage: 6.280 Ac. ±
 - Open Space Requirement: R-O - N/A DR 5.5 - 5.19 Ac. x 64 = .31 Ac. HOA Open Space Proposed: 2.44 Ac.
 - Parking Required: Townhouses: 27 x 1.75 = 47 spaces. Offices: 2,600 sq. ft. (First story)/300 sq. ft. = 32 spaces. 3,610 sq. ft. (Second story)/500 sq. ft. = 19 spaces. TOTAL 51 Spaces
 - Parking Proposed: Townhouses: 56 Spaces. Offices: 53 Spaces. HANDICAPPED - 2.
 - P.A.R. Allowed: = 0.6. P.A.R. Proposed: = 19,200 sq. ft. / 44,975 sq. ft. = .43
 - The storm water management will be as shown.
 - There are no well areas proposed on this site, public water will be provided.
 - There are no proposed septic areas, public sewerage will be provided.
 - A.D.T. shown thusly: = (00)
 - Parking spaces shown thusly: = (3)
 - Lighting shown thusly: = (4)
 - There are no historic sites, Critical Areas, hazardous material, disposal site, endangered species habitats on this tract.
 - Tax Account Number: 04-18-04300
 - Deeds of Ownership: - E.H.K. Jr., 6128/106
 - A.O.S. Allowed: = 1.1 Ac. x 25 = .28 Ac. A.O.S. Proposed: = .32 Ac.
 - Landscape Planting Required: R-O Zoning Area - 42. One (1) tree per 20 linear feet of road (50% of major deciduous) plus one (1) tree per 12 parking spaces. DR-5.5 Zoning Area - 28. For purpose of establishing quantity, one tree shall be required for every proposed dwelling unit. Placement of the trees shall conform to the objectives contained in Section IV, Landscape Elements. At least 50% of the trees required shall be major deciduous trees and 30% shall be evergreen trees. Landscape Planting Proposed: R-O Zoning Area - 16 Evergreen, 18 Major Deciduous, 8 Minor Deciduous. Total - 42. DR-5.5 Zoning Area - 20 Evergreen, 28 Major Deciduous. Total - 48.

SITE DATA:
OFFICE BUILDING SQ. FOOTAGE = 19,200
OFFICE BUILDINGS PROPOSED = 4
OFFICE BUILDING PARKING REQ'D = 51
OFFICE BUILDINGS PROPOSED = 55
TOWNHOUSE UNITS PROPOSED = 20-18 FLOOR: 8-20 FOOT
TOWNHOUSE PARKING PROPOSED = 56



KEY	BOTANICAL NAME	COMMON NAME	QNTY	SIZE
RO - AREA MAJOR DECIDUOUS TREES				
AR	Acer rubrum	Red maple	3	2-2.5" cal., B+B
CL	Cledrodia lutea	Yellow wood	4	2-2.5" cal., B+B
QH	Quercus phellos	Willow oak	6	2-2.5" cal., B+B
QP	Quercus pelustic	Pin oak	10	2-2.5" cal., B+B
MINOR DECIDUOUS TREES				
PC	Pyrus calleryana "Bradford"	Bradford pear	3	2-2.5" Cal., B+B
EVERGREEN				
PN	Pinus nigra	Black pine	5	4'-5", B+B
PS	Pinus strobus	White pine	11	4'-5", B+B
DR 5.5 AREA - EVERGREEN				
PS	Pinus strobus	White pine	20	4'-5", B+B

ENGINEERS, SURVEYORS & LANDSCAPE ARCHITECTS
D.S. THALER & ASSOCIATES
11 WARREN ROAD
BALTIMORE, MARYLAND 21208
(301) 484-4100

OWNER & DEVELOPER
CHERRY HILL LIMITED PARTNERSHIP
HELMESMAN, ROSS & GEMMEL, INC. GENERAL PARTNER
MICHAEL B. GLICK, PRESIDENT
P.O. BOX 5992
BALTIMORE, MARYLAND
21208 • (301) 653-1082

PLAT TO ACCOMPANY SPECIAL EXCEPTION & SCHEMATIC PLANTING PLAN
ROSCHEN PROPERTY
CHERRY HILL ROAD
4th ELECTION DISTRICT
REISTERSTOWN, MARYLAND
SCALE: 1"=30' OCT 16 1985