

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

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve business parking in a DR 2 zone

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

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

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

Contract Purchaser: (Type or Print Name)	Legal Owner(s): (Type or Print Name)
Signature	Signature
Address (Type or Print Name)	Address
City and State	City and State
Attorney for Petitioner: (Type or Print Name)	Address
Signature	City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State	Name
Attorney's Telephone No.:	Address

ORDERED By The Zoning Commissioner of Baltimore County, this 2nd day of June, 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 7th day of July, 1986, at 11:00 o'clock A.M.

Carl Jablon
Zoning Commissioner of Baltimore County.

(over)

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 8th Date of Posting: 6/6/86

Posted for: Special Hearing

Petitioner: The Meadows Partnership

Location of property: N/S. Greenmeadow Dr., 440' E. of York Rd.

Location of Signs: Facing Greenmeadow Dr., 440' E. of York Rd., 8th Elec. Dist. Baltimore

Remarks: _____

Posted by: [Signature] Date of return: 6/12/86

Number of Signs: 1

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
N/S of Greenmeadow Dr., 440' : OF BALTIMORE COUNTY
E of York Rd., 8th District :
THE MEADOWS PARTNERSHIP, : Case No. 87-4-SPH
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, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 17th day of June, 1986, a copy of the foregoing Entry of Appearance was mailed to John B. Howard, Esquire, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

IN RE: PETITION SPECIAL HEARING * BEFORE THE
N/S of Greenmeadow Drive, 440' * ZONING COMMISSIONER
E of York Road - 8th Election * OF BALTIMORE COUNTY
District * Case No. 87-4-SPH
The Meadows Partnership, *
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a use permit for business parking in a residential zone to serve an adjacent office building, as more particularly described on Petitioner's Exhibit 1.

The Petitioner appeared and was represented by Counsel. Wes Guckert, an expert traffic engineer, appeared on behalf of the Petitioner. There were no Protestants.

Testimony indicated that the subject property, zoned D.R.2 and located on Greenmeadow Drive, is adjacent to a three-story office building situated on property zoned R-O, which was granted a special exception. Although there is the requisite parking on the site, the tenants need additional parking, and the Petitioner, the owner of the building, proposes to add 15 additional spaces on the subject 0.6-acre tract. The site plan shows three spaces located on the driveway which the Planning Office suggests should be removed. Mr. Guckert agreed, and the Petitioner will remove those spaces. The adjoining residential property owners to the east are not opposed to the request.

The Petitioner seeks relief from Section 409.4, pursuant to Sections 500.7 and 502.1, Baltimore County Zoning Regulations (BCZR).

It is clear that the use of the terms "use permit" and "special exception" are intended to be interchangeable and that the import of either is the same. See *Hofmeister v. Frank Realty Co.*, 373 A.2d 273 (1977). The request

[Signature]
Zoning Commissioner of Baltimore County

AJ/srl
cc: John B. Howard, Esquire
People's Counsel

PETITION FOR SPECIAL HEARING
8th Election District
Case No. 87-4-SPH

LOCATION: North Side of Greenmeadow Drive, 440 feet East of York Road

DATE AND TIME: Monday, July 7, 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 Hearing to approve business parking in a D.R. 2 Zone

Being the property of The Meadows 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

for a use permit under Section 409.4 is in reality a request for a special exception. Therefore, in order for a use permit to be approved, the property owner must satisfy the burden of proof required by Section 502.1.

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

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

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

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

apr associates, inc.
surveyors-engineers

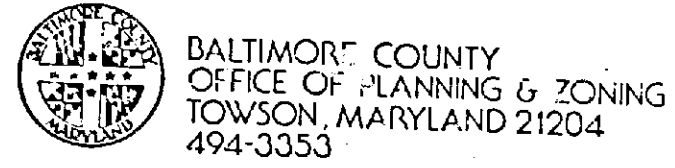
DESCRIPTION OF PROPERTY
TO ACCOMPANY PETITION FOR SPECIAL HEARING
GREENMEADOW DRIVE
8TH ELECTION DISTRICT, BALTIMORE, MARYLAND

BEGINNING FOR THE SAME at a point on the Northerly side of Greenmeadow Drive, 60 feet wide, and to the Southeastly corner of Lot 4, as shown on Plat No. 2, Resubdivision of Part of Parcel "A", Block "A", Plat No. One, Section One "Stratford" recorded among the Land Records of Baltimore County in Plat Book E.H.K. Jr., 51, Folio 21; said point of beginning being situate 440 feet more or less, measured in the Easterly direction along the Northerly side of Greenmeadow Drive from its intersection with the East side of York Road; thence leaving Greenmeadow Drive and binding along the Easterly outline of the beforementioned Lot 4 North 00 degrees 50 minutes 59 seconds West 225.13 feet; thence running North 89 degrees 16 minutes 24 seconds East 110.00 feet and thence South 00 degrees 43 minutes 36 seconds East 235.43 feet to intersect the North side of Greenmeadow Drive; thence binding thereon North 85 degrees 21 minutes 21 seconds West 110.00 feet to the point of beginning; containing 0.58 acres more or less.

4/2/86



7427 harford road bellmore, md. 21234 tel: 301 444 4312



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

July 1, 1986

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
N/S of Greenmeadow Dr., 440' E of York Rd.
8th Election District
The Meadows Partnership - Petitioner
Case No. 87-4-SPH

Dear Mr. Howard:

This is to advise you that \$71.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

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

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

No. 021772

DATE 7/1/86 ACCOUNT 01-615-000

AMOUNT \$ 71.00

RECEIVED FROM: Cook, Howard, Downes & Tracy, 210 Allegheny

FOR: Advertising & Posting re Case 87-4-SPH

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

June 3, 1986

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING
N/S of Greenmeadow Dr., 440' E of York Rd.
8th Election District
The Meadows Partnership - Petitioner
Case No. 87-4-SPH

TIME: 11:00 a.m.

DATE: Monday, July 7, 1986

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

Arnold Jablon
Zoning Commissioner
of Baltimore County

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

No. 020074

DATE 5/6/86 ACCOUNT 01-615-000

AMOUNT \$ 100.00

RECEIVED FROM: Cook H.D.T.

FOR: SPH # 405 Meadows Partnership

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
Zoning Commissioner Date June 23, 1986

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

SUBJECT: Zoning Variance Petition No. 87-4-SPH

The three (3) spaces for parallel parking in the driveway should be eliminated. It restricts movement in and out of the sole means of access to the site. Assuming compliance with this request and the comments of the Zoning Plans Advisory Committee, this office is not opposed to the granting of the subject petition.

Norman E. Gerber
Norman E. Gerber, AICP

NEG:JGH:bjs

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 24, 1986

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

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Paul F. Obrecht, Jr.
General Partner
The Meadows Partnership
9475 Deereco Road
Timonium, Maryland 21093

RE: Item No. 405 - Case No. 87-4-SPH
Petitioner: The Meadows Partnership
Petition for Special Hearing

Dear Mr. Obrecht:

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.

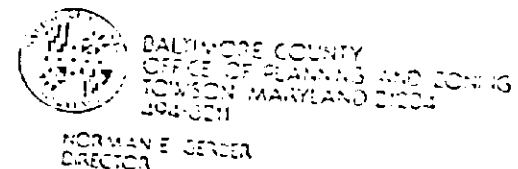
Very truly yours,

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

JED:kkb

Enclosures

cc: John B. Howard, Esquire
APR Associates, Inc.



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

JUNE 17, 1986

Re: Zoning Advisory Meeting of May 20, 1986
Item # 405 THE MEADOWS PARTNERSHIP
Location: N/S OF GREENMEADOW DR.,
440' E. OF YORK RD.

Dear Mr. Jablon:

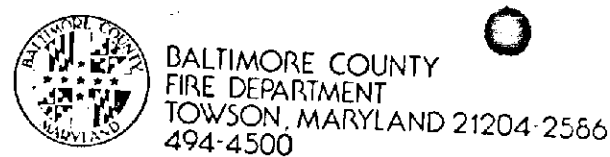
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- There are no site planning factors requiring comment.
- A County Service Group Meeting is required.
- A County Service Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- A record plat will be required and must be recorded prior to issuance of a building permit.
- The access is not satisfactory.
- The circulation on this site is not satisfactory.
- The parking arrangement is not satisfactory.
- The parking calculations must be satisfactory.
- This property contains soils shown on the plan.
- Construction on these soils is prohibited.
- Development in or alteration of the floodplain is prohibited under the provisions of Section 22-92 of the Development Regulations.
- Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- The amended Development Plan was approved by the Planning Board on _____.
- The property is located in a deficient service area as defined by §111 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- The property is located in a traffic area controlled by a "T" level intersection as defined by §111 172-79, and as conditions change the re-evaluation must be made by the County Council.

ADVISED OF CRG BY PROCESS WAS GRANTED
AT THE PLANNING BOARD MEETING
FILE # W-86-101 (N/A THE MEADOWS BUILDING)

cc: James Howard

Eugene A. Boser
Chief, Current Planning and Development



PAUL H. RENCKE
CHIEF

May 20, 1986

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

Attention: Chairman
Zoning Plans Advisory Committee

RE: Property Owner: The Meadows Partnership

Location: N/S Greenmeadow Dr., 440' E. of York Road

Item No.: 405

Zoning Agenda: Meeting of 5/20/86

Content:

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 of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- 2. A second means of vehicle access is required for the site.
- 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- 6. Site plans are approved, as drawn.
- 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill*
Planning Group
Special Inspection Division

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

/mb

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 19, 1986

THIS IS TO CERTIFY that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 18, 1986

TOWSON TIMES,

Elsan Steudel Obrecht
Publisher

34.00

87-4-SPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this day of June 19 86

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner
Petitioner's Attorney
The Meadows Partnership
John B. Howard, Esquire

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

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 19, 1986

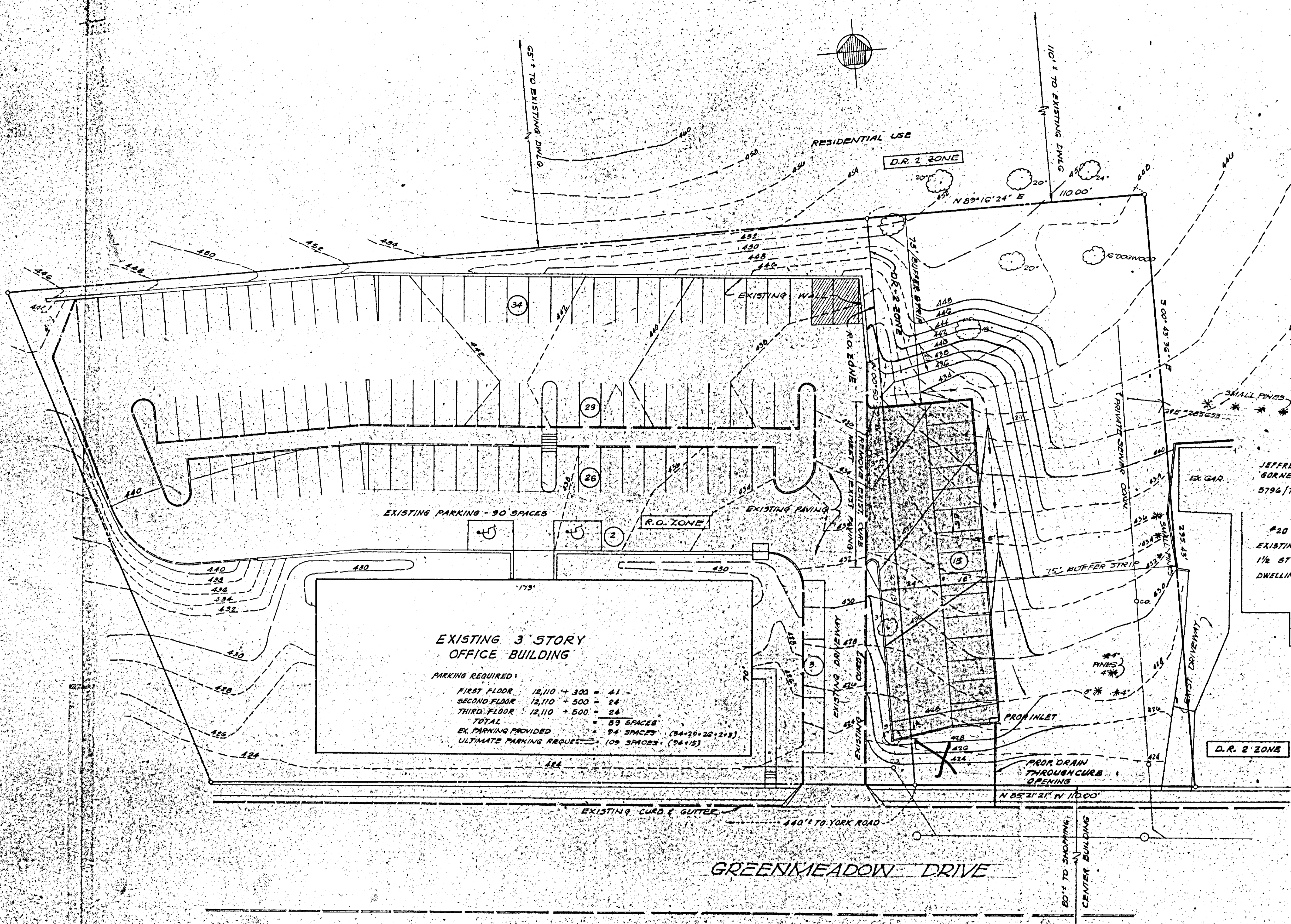
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 19, 1986

THE JEFFERSONIAN,

Elsan Steudel Obrecht
Publisher

Cost of Advertising

22.00



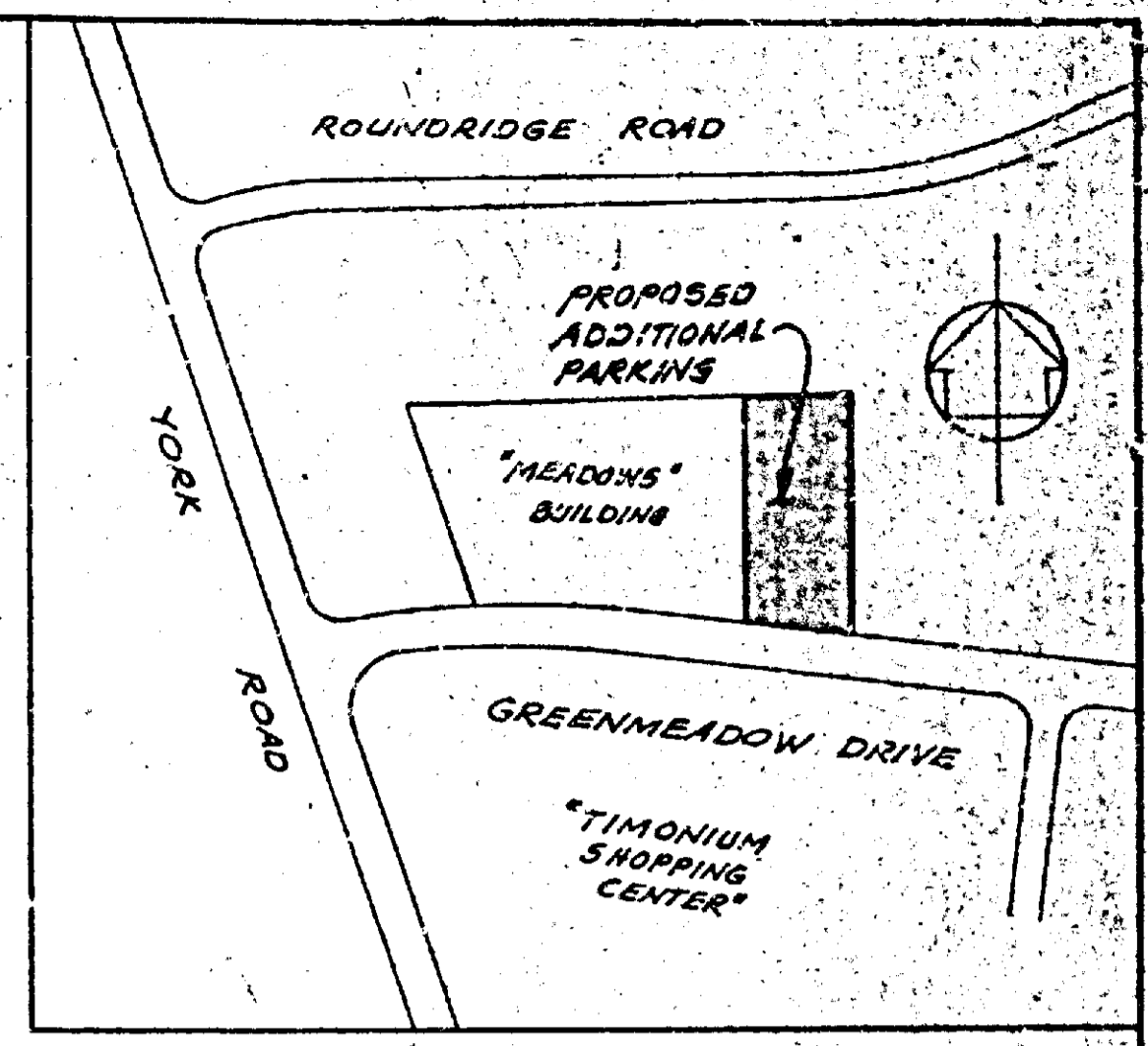
EXISTING 3 STORY OFFICE BUILDING

PARKING REQUIRED:

FIRST FLOOR	12,110 ÷ 300 = 41
SECOND FLOOR	12,110 ÷ 500 = 24
THIRD FLOOR	12,110 ÷ 500 = 24
TOTAL	89 SPACES

EX. PARKING PROVIDED: 94 SPACES (34 × 20 × 2 × 3)

ULTIMATE PARKING REQUEST: 109 SPACES (34 × 15)



LOCATION PLAN
SCALE: 1" = 200'

PETITIONER'S EXHIBIT 1

GENERAL NOTES:

1. EXISTING ZONING D.P. 2
 2. EXISTING USE VACANT
 3. PROPOSED USE PARKING FOR ADJACENT OFFICE BUILDING
 4. AREA OF SITE 85,331 S.F. ± (0.58 AC. ±)
 5. AREA OF PROPOSED PARKING IN DR-2 ZONE 4,463 S.F. ± (0.10 AC. ±)
- NOTES FOR SECTION 409.4**
6. ONLY PASSENGER VEHICLES EXCLUDING BUSES WILL USE PARKING AREA
 7. NO LOADING, SERVICE OR ANY USE OTHER THAN PARKING WILL BE ALLOWED
 8. NO LIGHTING WILL BE PROVIDED FOR THE PARKING AREA
 9. SCREENING SHALL BE PLACED IN THE 75 FOOT BUFFER STRIPS IN ACCORDANCE WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.
 10. PAVING SHALL CONSIST OF A MINIMUM THICKNESS AS FOLLOWS:
 - 1" BITUMINOUS CONCRETE SURFACE
 - 2" BITUMINOUS CONCRETE BINDER COURSE
 - 5" CR-6 CRUSHED STONE BASE COURSE
 11. DRAINAGE AND STORMWATER MANAGEMENT SHALL BE PROVIDED AS REQUIRED BY THE BALTIMORE COUNTY BUREAU OF PUBLIC SERVICES
 12. PARKING SHALL BE UNATTENDED AND USED DURING OFFICE HOURS ONLY.

PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING

MEADOWS BUILDING

PART OF THE REMAINDER OF PARCEL "A" BLOCK "A" OF SECTION ONE - STRATFORD

8th ELECTION DISTRICT, 4th COUNCILMANIC DISTRICT, BALTIMORE COUNTY, MARYLAND

CENSUS TRACT 4085.05, WATERSHED 24, SUBSEWER DIST. 57

SCALE: AS SHOWN APRIL 2, 1986 REV. MAY 3, 1986 REV. MAY 3, 1986

SPECIAL EXCEPTION FOR CLASS "B" OFFICE BUILDING IN R.O. ZONE GRANTED (588 CASE #24-145X)

apf associates, inc.
surveyors - engineers

2014 E. MARY STREET, BALTIMORE, MD 21204
PHONE: 443-251-1100

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

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve business parking in a DR 2 zone

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

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

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

Contract Purchaser: (Type or Print Name)	Legal Owner(s): (Type or Print Name)
Signature	Signature
Address (Type or Print Name)	Address (Type or Print Name)
City and State	City and State
Attorney for Petitioner: (Type or Print Name)	Address Phone No.
Signature	City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State	Name
Attorney's Telephone No.:	Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 2nd day of June, 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 7th day of July, 1986, at 11:00 o'clock A.M.

Carl Jablon
Zoning Commissioner of Baltimore County.

(over)

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 8th Date of Posting: 6/6/86

Posted for: Special Hearing

Petitioner: The Meadows Partnership

Location of property: N/S. Greenmeadow Dr., 440' E. of York Rd.

Location of Signs: Facing Greenmeadow Dr., 440' E. of York Rd., 8th Elec. Dist. Baltimore

Remarks: _____

Posted by: [Signature] Date of return: 6/12/86

Number of Signs: 1

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
N/S of Greenmeadow Dr., 440'
E of York Rd., 8th District : OF BALTIMORE COUNTY
THE MEADOWS PARTNERSHIP, : Case No. 87-4-SPH
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, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 17th day of June, 1986, a copy of the foregoing Entry of Appearance was mailed to John B. Howard, Esquire, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

IN RE: PETITION SPECIAL HEARING *
N/S of Greenmeadow Drive, 440' *
E of York Road - 8th Election *
District *
The Meadows Partnership, *
Petitioner *
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-4-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a use permit for business parking in a residential zone to serve an adjacent office building, as more particularly described on Petitioner's Exhibit 1.

The Petitioner appeared and was represented by Counsel. Wes Guckert, an expert traffic engineer, appeared on behalf of the Petitioner. There were no Protestants.

Testimony indicated that the subject property, zoned D.R.2 and located on Greenmeadow Drive, is adjacent to a three-story office building situated on property zoned R-O, which was granted a special exception. Although there is the requisite parking on the site, the tenants need additional parking, and the Petitioner, the owner of the building, proposes to add 15 additional spaces on the subject 0.6-acre tract. The site plan shows three spaces located on the driveway which the Planning Office suggests should be removed. Mr. Guckert agreed, and the Petitioner will remove those spaces. The adjoining residential property owners to the east are not opposed to the request.

The Petitioner seeks relief from Section 409.4, pursuant to Sections 500.7 and 502.1, Baltimore County Zoning Regulations (BCZR).

It is clear that the use of the terms "use permit" and "special exception" are intended to be interchangeable and that the import of either is the same. See *Hofmeister v. Frank Realty Co.*, 373 A.2d 273 (1977). The request

[Signature]
Zoning Commissioner of Baltimore County

AJ/srl
cc: John B. Howard, Esquire
People's Counsel

PETITION FOR SPECIAL HEARING
8th Election District
Case No. 87-4-SPH

LOCATION: North Side of Greenmeadow Drive, 440 feet East of York Road

DATE AND TIME: Monday, July 7, 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 Hearing to approve business parking in a D.R. 2 Zone

Being the property of The Meadows 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

for a use permit under Section 409.4 is in reality a request for a special exception. Therefore, in order for a use permit to be approved, the property owner must satisfy the burden of proof required by Section 502.1.

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

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

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

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

apr associates, inc.
surveyors-engineers

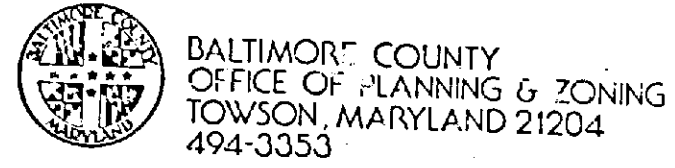
DESCRIPTION OF PROPERTY
TO ACCOMPANY PETITION FOR SPECIAL HEARING
GREENMEADOW DRIVE
8TH ELECTION DISTRICT, BALTIMORE, MARYLAND

BEGINNING FOR THE SAME at a point on the Northerly side of Greenmeadow Drive, 60 feet wide, and to the Southeastly corner of Lot 4, as shown on Plat No. 2, Resubdivision of Part of Parcel "A", Block "A", Plat No. One, Section One "Stratford" recorded among the Land Records of Baltimore County in Plat Book E.H.K. Jr., 51, Folio 21; said point of beginning being situate 440 feet more or less, measured in the Easterly direction along the Northerly side of Greenmeadow Drive from its intersection with the East side of York Road; thence leaving Greenmeadow Drive and binding along the Easterly outline of the beforementioned Lot 4 North 00 degrees 50 minutes 59 seconds West 225.13 feet; thence running North 89 degrees 16 minutes 24 seconds East 110.00 feet and thence South 00 degrees 43 minutes 36 seconds East 235.43 feet to intersect the North side of Greenmeadow Drive; thence binding thereon North 85 degrees 21 minutes 21 seconds West 110.00 feet to the point of beginning; containing 0.58 acres more or less.

4/2/86



7427 harford road bellmore, md. 21234 tel: 301 444 4312



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

July 1, 1986

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
N/S of Greenmeadow Dr., 440' E of York Rd.
8th Election District
The Meadows Partnership - Petitioner
Case No. 87-4-SPH

Dear Mr. Howard:

This is to advise you that \$71.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

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

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

No. 021772

DATE 7/1/86 ACCOUNT 01-615-000

AMOUNT \$ 71.00

RECEIVED FROM Cook, Howard, Downes & Tracy, 210 Allegheny Ave., Towson, Md. 21204

FOR Advertising & Posting re Case 87-4-SPH

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

June 3, 1986

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING
N/S of Greenmeadow Dr., 440' E of York Rd.
8th Election District
The Meadows Partnership - Petitioner
Case No. 87-4-SPH

TIME: 11:00 a.m.

DATE: Monday, July 7, 1986

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

Arnold Jablon
Zoning Commissioner
of Baltimore County

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

No. 020074

DATE 5/6/86 ACCOUNT 01-615-000

AMOUNT \$ 100.00

RECEIVED FROM Cook H.D.T.

FOR SPH # 405 Meadows Partnership

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
Zoning Commissioner Date June 23, 1986

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

SUBJECT: Zoning Variance Petition No. 87-4-SPH

The three (3) spaces for parallel parking in the driveway should be eliminated. It restricts movement in and out of the sole means of access to the site. Assuming compliance with this request and the comments of the Zoning Plans Advisory Committee, this office is not opposed to the granting of the subject petition.

Norman E. Gerber
Norman E. Gerber, AICP

NEG:JGH:bjs

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 24, 1986

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

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Paul F. Obrecht, Jr.
General Partner
The Meadows Partnership
9475 Dearco Road
Timonium, Maryland 21093

RE: Item No. 405 - Case No. 87-4-SPH
Petitioner: The Meadows Partnership
Petition for Special Hearing

Dear Mr. Obrecht:

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.

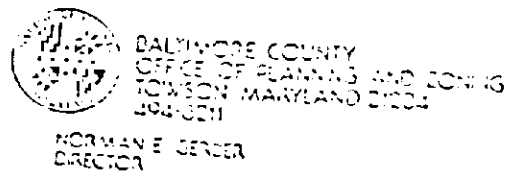
Very truly yours,

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

JED:kkb

Enclosures

cc: John B. Howard, Esquire
APR Associates, Inc.



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

JUNE 17, 1986

Re: Zoning Advisory Meeting of May 20, 1986
Item # 405 THE MEADOWS PARTNERSHIP
Location: N/S OF GREENMEADOW DR.,
440' E. OF YORK RD.

Dear Mr. Jablon:

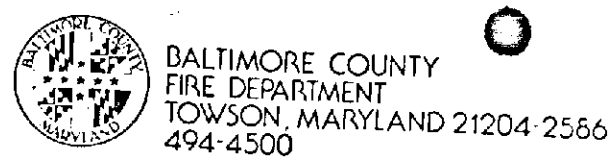
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- There are no site planning factors requiring comment.
- A County Service Group Meeting is required.
- A County Service Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- A record plat will be required and must be recorded prior to issuance of a building permit.
- The access is not satisfactory.
- The circulation on this site is not satisfactory.
- The parking arrangement is not satisfactory.
- The parking calculations must be satisfactory.
- This property contains soils shown on the plan.
- Construction on these soils is prohibited.
- Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-92 of the Development Regulations.
- Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- The amended Development Plan was approved by the Planning Board on _____.
- The property is located in a deficient service area as defined by §111 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- The property is located in a traffic area controlled by a "T" level intersection as defined by §111 172-79, and as conditions change the re-evaluation must be made by the County Council.

ADVISED OF CRG BY PROCESS WAS GRANTED
AT THE PLANNING BOARD MEETING
FILE # W-86-101 (IN THE MEADOWS BUILDING)

cc: James Howard

Eugene A. Boser
Chief, Current Planning and Development



PAUL H. RENCKE
CHIEF

May 20, 1986

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

Attention: Chairman
Zoning Plans Advisory Committee

RE: Property Owner: The Meadows Partnership

Location: N/S Greenmeadow Dr., 440' E. of York Road

Item No.: 405

Zoning Agenda: Meeting of 5/20/86

Content:

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 of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- 2. A second means of vehicle access is required for the site.
- 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- 6. Site plans are approved, as drawn.
- 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill*
Planning Group
Special Inspection Division

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

/mb

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 19, 1986

THIS IS TO CERTIFY that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 18, 1986

TOWSON TIMES,

Elsan Steudel Obrecht
Publisher

34.00

87-4-SPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this day of June 19 86

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner
Petitioner's Attorney
The Meadows Partnership
John B. Howard, Esquire

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

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 19, 1986

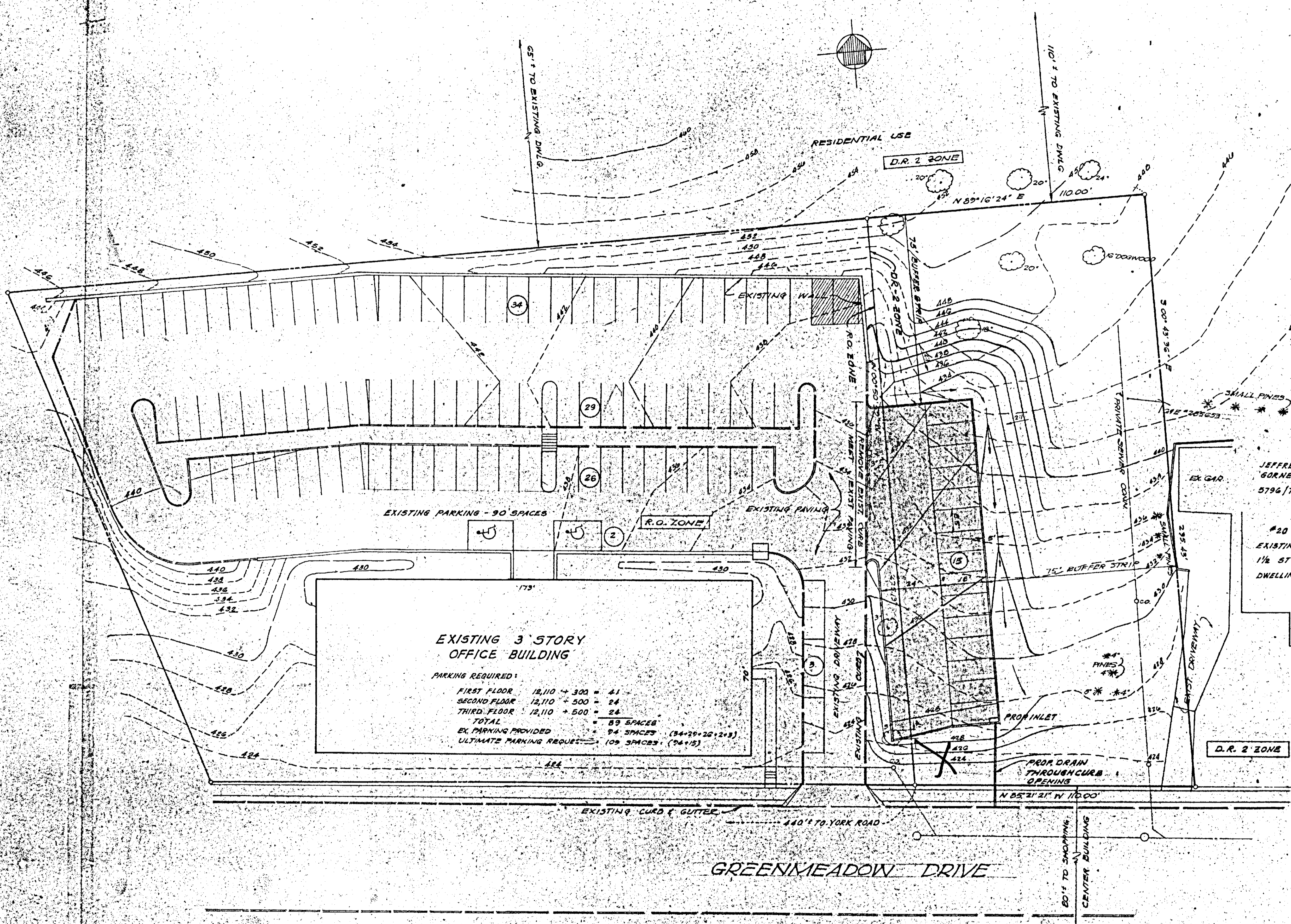
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 19, 1986

THE JEFFERSONIAN,

Elsan Steudel Obrecht
Publisher

Cost of Advertising

22.00



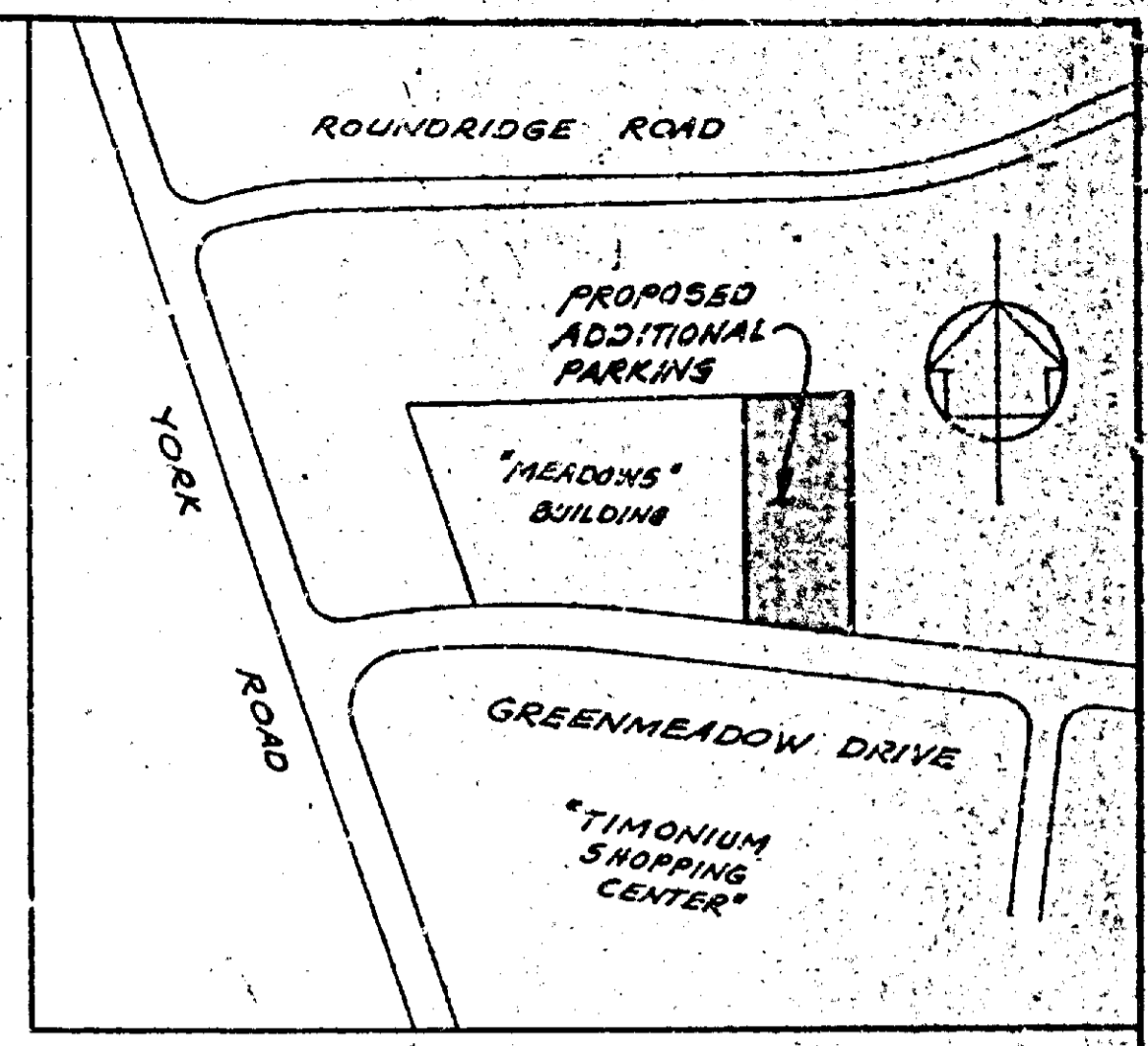
EXISTING 3 STORY OFFICE BUILDING

PARKING REQUIRED:

FIRST FLOOR	12,110 ÷ 300 = 41
SECOND FLOOR	12,110 ÷ 500 = 24
THIRD FLOOR	12,110 ÷ 500 = 24
TOTAL	89 SPACES

EX. PARKING PROVIDED: 94 SPACES (34 × 20 × 2 × 3)

ULTIMATE PARKING REQUEST: 109 SPACES (24 × 15)



LOCATION PLAN
SCALE: 1"=200'

PETITIONER'S EXHIBIT 1

GENERAL NOTES:

1. EXISTING ZONING D.P. 2
 2. EXISTING USE VACANT
 3. PROPOSED USE PARKING FOR ADJACENT OFFICE BUILDING
 4. AREA OF SITE 85,331 S.F. ± (0.58 AC.)
 5. AREA OF PROPOSED PARKING IN DR-2 ZONE 4,463 S.F. ± (0.10 AC.)
- NOTES FOR SECTION 409.4**
6. ONLY PASSENGER VEHICLES EXCLUDING BUSES WILL USE PARKING AREA
 7. NO LOADING, SERVICE OR ANY USE OTHER THAN PARKING WILL BE ALLOWED
 8. NO LIGHTING WILL BE PROVIDED FOR THE PARKING AREA
 9. SCREENING SHALL BE PLACED IN THE 75 FOOT BUFFER STRIPS IN ACCORDANCE WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.
 10. PAVING SHALL CONSIST OF A MINIMUM THICKNESS AS FOLLOWS:
 - 1" BITUMINOUS CONCRETE SURFACE
 - 2" BITUMINOUS CONCRETE BINDER COURSE
 - 5" CR-6 CRUSHED STONE BASE COURSE
 11. DRAINAGE AND STORMWATER MANAGEMENT SHALL BE PROVIDED AS REQUIRED BY THE BALTIMORE COUNTY BUREAU OF PUBLIC SERVICES
 12. PARKING SHALL BE UNATTENDED AND USED DURING OFFICE HOURS ONLY.

PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING

MEADOWS BUILDING

PART OF THE REMAINDER OF PARCEL "A" BLOCK "A" OF SECTION ONE - STRATFORD

8th ELECTION DISTRICT, 4th COUNCILMANIC DISTRICT, BALTIMORE COUNTY, MARYLAND

CENSUS TRACT 4085.05, WATERSHED 24, SUBSEWER DIST. 57

SCALE: AS SHOWN APRIL 2, 1986 REV. MAY 3, 1986 REV. MAY 3, 1986

SPECIAL EXCEPTION FOR CLASS "B" OFFICE BUILDING IN R.O. ZONE GRANTED (588 CASE #24-145X)

apf associates, inc.
surveyors - engineers

2014 E. MARY STREET, BALTIMORE, MD 21204
PHONE: 443-5818