

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 15th day of December, 1986 a copy of the foregoing Petitioner's Memorandum in Support of its Petitions for Special Exception and Variance was hand delivered to Phyllis Cole Friedman, People's Counsel for Baltimore County, Peter Max Zimmerman, Deputy People's Counsel, Room 223, Court House, Towson, Maryland 21204.

Richard A. Reid
Richard A. Reid

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE
N/S of Bellona Ave., 74.39' W of: OF BALTIMORE COUNTY
Lutherville Rd. (1312 Bellona Ave.), 8th District

DAVID R. MILLARD, et al., : Case No. 87-244-XA
Petitioners

ENTRY OF APPEARANCE

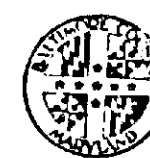
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

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 25th day of November, 1986, a copy of the foregoing Entry of Appearance was mailed to Keith R. Truffer, Esquire, Royston, Mueller, McLean & Reid, Suite 600, 102 W. Pennsylvania Ave., Towson, MD 21204; and Thomas F. Zink, Jr., President, Zink Development Corporation, 1927 York Rd., Timonium, MD 21093, Contract Purchaser.

Peter Max Zimmerman
Peter Max Zimmerman



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

ARNOLD JARLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 17, 1986

Keith R. Truffer, Esquire
Royston, Mueller, McLean & Reid
Suite 600
102 West Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
N/S of Bellona Ave., 74.39' W of Lutherville Rd. (1312 Bellona Ave.)
8th Election District
David R. Millard, et al - Petitioners
Case No. 87-244-XA

Dear Mr. Truffer:

This is to advise you that \$98.50 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.

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

Please make payment to the County, Maryland, and remit to the Zoning Office, Towson, Maryland

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

No. 025753

DATE 12/23/86 ACCOUNT 01-615-000

2 SIGNS & POSTS
RECEIVED FROM: ROYSTON, MUELLER, MCLEAN & REID, 102 W. PENNSYLVANIA AVE., TOWSON, MD. 21204
AMOUNT \$ 98.50

ADVERTISING & POSTING COSTS RE CASE #87-244-XA

FOR: 8 BAL-*****2305014 2704F

VALIDATION OR SIGNATURE OF CASHIER

Keith R. Truffer, Esquire
Royston, Mueller, McLean & Reid
Suite 600
102 West Pennsylvania Avenue
Towson, Maryland 21204

November 14, 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
N/S of Bellona Ave., 74.39' W of Lutherville Rd. (1312 Bellona Ave.)
8th Election District
David R. Millard, et al - Petitioners
Case No. 87-244-XA

TIME: 10:30 a.m.

DATE: Tuesday, December 23, 1986

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

Thomas F. Zink, Jr.
Zoning Commissioner
of Baltimore County

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

No. 026064

DATE 12/23/86 ACCOUNT 01-615

AMOUNT \$ 200.00

RECEIVED FROM: KEITH R. TRUFFER

FOR: FINE FEES FOR SPECIAL EXCEPTION AND VARIANCE 12/23/86
B 8034*****2305014 5204F
MILLARD, ET AL - PETITIONERS

VALIDATION OR SIGNATURE OF CASHIER

Thomas F. Zink, Jr.
President
Zink Development Corporation
1927 York Road
Timonium, Maryland 21093

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
AND ZONING VARIANCE - N/S of * DEPUTY ZONING COMMISSIONER
Bellona Avenue, 74.39' W of * OF BALTIMORE COUNTY
Lutherville Road *
(1312 Bellona Avenue) *
8th Election District *
David R. Millard, et al *
Petitioners *

The Petitioners herein request a special exception to use R-O zoned property for a Class "B" office building, and additionally, a variance to permit a reduction of the required provision of amenity open space from 25% to 16% of the gross site area.

The architect for the proposed office building testified that the design challenges to establish compatibility with the residences to the north and east were met by the determination of scale, brick materials and a "stepped" configuration. The site slopes upward from west to east and front to rear. Therefore, the structure will be built into the hill with parking wrapped around so that the community sees a one or two story building.

The engineer for the project testified that the cross sections as shown on Petitioner's Exhibit 3 indicate that existing residents have roof lines higher than those proposed for the office building. The Petitioners are aware that 1600 sq.ft. of the space cannot be utilized for medical offices because sufficient parking is not being provided. The plan submitted, prepared by George W. Stephens, Jr. and Associates, Inc., revised December 18, 1986, and identified as Petitioner's Exhibit 2 indicates that, in addition to the .22 acres of amenity open space provided on the R-O portion of the site in accordance with Baltimore County Zoning Regulations (BCZR) and Office of Zoning policies, .06 acres is provided on site on land zoned BR and DR 16, and .16 acres is available on land owned by the State Highway Administration (SHA) located between the site and the road. Petitioner's Exhibit 2 appears to reflect accurately the rear zone line as mapped and as intended in the comprehensive zoning process of 1984.

ORDER RECEIVED FOR FILING
Date 11/18/86
By *Keith R. Truffer*

The aforementioned experts testified that the proposed building is compatible with adjacent residences.

A traffic expert testified that the estimated 50 to 60 trips during peak traffic hours would disburse in such a way as to be insignificant.

The president of the Lutherville Community Association, Inc. testified that the developers, Zink Development Corporation, had met with the general association once and the board members several times (Petitioner's Exhibit 4). An Agreement has been signed and will be recorded.

There were no Protestants.

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

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 20th day of January, 1987, that the Special Exception for a Class B office building in an R.O. zone, and additionally, the Variance to permit a reduction of the required provision of amenity open space to 16% of the gross site area, in accordance with Petitioner's Exhibit 2, be and are hereby GRANTED, subject to the following restriction:

The Agreement between the Lutherville Community Association, Inc. and the Zink Development Corporation shall be recorded in the land records of Baltimore County prior to the issuance of any permits for the development of the site for a Class B office building.

Arnold Jarlon
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
Date 11/18/86
By *Keith R. Truffer*

PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
8th Election District
Case No. 87-244-XA

LOCATION: North Side of Bellona Avenue, 74.39 feet West of Lutherville Road (1312 Bellona Avenue)
DATE AND TIME: Tuesday, December 23, 1986, at 10:30 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 property, zoned R.O., for a Class B office building

Petition for Zoning Variance to reduce the required provision of amenity open space from 25% to 16% of gross site area regarding the development of a Class B office building on this property

Being the property of David R. Millard, et al, 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 JARLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVENUE, TOWSON, MARYLAND 21204

Description to Accompany a Petition
For a Special Exception for a Class
"B" Office Building and Variances.

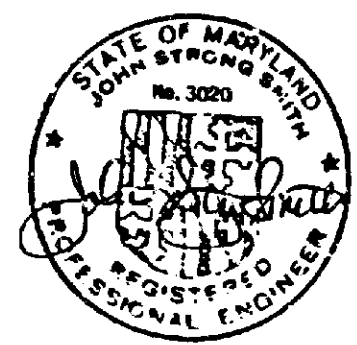
September 24, 1986

Point of Beginning being located on the north side of Bellona Avenue North 80° 25' 40" West, 74.39 feet from the intersection of the west side of Lutherville Road with the north side of Bellona Avenue thence in a clockwise direction:

1. North 80° 21' 34" West 105.00 feet ±
2. North 80° 42' 12" West 158.61 feet ±
3. North 08° 05' 17" East 247.72 feet ±
4. South 71° 46' 13" East 195.32 feet ±
5. South 19° 21' 26" West 80.10 feet ±
6. South 70° 38' 34" East 62.46 feet ±
7. South 14° 30' 34" East 71.26 feet ±
8. South 09° 38' 26" West 63.00 feet ± to the place of beginning.

Containing 1.21 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)



OFFICE COPY

155 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 203.4 of Baltimore County Zoning Regulations to reduce the required provision of amenity open space from 25% to 16% of gross site area, in connection with Petitioner's development of a Class "B" Office Building on this property.

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

Reasons to be set out in Memorandum to be filed.

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:
Zink Development Corporation
(Type or Print Name)

Signature: Thomas F. Zink, Jr.,
President
1927 York Road
Address

Timonium, Maryland 21093
City and State

Attorney for Petitioner:

Keith R. Truffer, Esquire
(Type or Print Name)

Signature: Royston, Mueller, McLean & Reid
Suite 600, 102 W. Pennsylvania Ave.
Address

Towson, Maryland 21204
City and State

Attorney's Telephone No.: 823-1800

ORDERED By the Zoning Commissioner of Baltimore County, this 12th day

November 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 23rd day of December, 1986, at 10:30 o'clock

Signature: Carl Richards, Jr.
Zoning Commissioner of Baltimore County.

(over)

155 PETITION FOR SPECIAL EXCEPTION 87-244-XA

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, zoned R-O, for a Class "B" Office Building, as permitted by special exception in Baltimore County Zoning Regulations 203.3(B)(2).

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:

Zink Development Corporation
(Type or Print Name)

Signature: Thomas F. Zink, Jr.,
President
1927 York Road
Address

Timonium, Maryland 21093
City and State

Attorney for Petitioner:

Keith R. Truffer, Esquire
(Type or Print Name)

Signature: Royston, Mueller, McLean & Reid
Suite 600, 102 W. Pennsylvania Ave.
Address

Towson, Maryland 21204
City and State

Attorney's Telephone No.:

ORDERED By the Zoning Commissioner of Baltimore County, this 12th day

November 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 23rd day of December, 1986, at 10:30 o'clock

Signature: Carl Richards, Jr.
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO Zoning Commissioner
Date: November 26, 1986

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

SUBJECT: Zoning Petition No. 87-244-XA

Although this office is not concerned with the issue of the compatibility of this proposal with the development to the west, we are concerned that the proposal is too large to be compatible with the single-family housing to the east, and, hence, does not meet the spirit and intent of the R.O. zone.

NEG:JGH:slb

RECEIVED
NOV 28 1986
ZONING OFFICE

ROYSTON, MUELLER, MCLEAN & REID

ATTORNEYS AT LAW

SUITE 600
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4575

December 23, 1986

RECEIVED
DEC 24 1986
ZONING OFFICE

Jean M. H. Jung
Deputy Zoning Commissioner
Baltimore County Office of Planning & Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
N/S of Bellona Ave., 74.39' W of Lutherville Rd. (1312 Bellona Avenue)
8th Election District
David R. Millard, et al. - Petitioners
Case No. 87-244-XA

Dear Commissioner Jung:

In response to your request, I herewith furnish the following information concerning the agreement between the contract purchaser and the community association in the above entitled case.

The title of the document is "Agreement". It is dated December 4, 1986. The parties to the Agreement are Zink Development Corporation, a Maryland Corporation, and Lutherville Community Association, Inc. It is signed by Thomas F. Zink, Jr., President, Zink Development Corporation and Charles P. Forbes, President, Lutherville Community Association, Inc.

If there is any additional information which you require, please give me a call.

Very truly yours,

Signature: Richard A. Reid
Richard A. Reid

RAR/plm
2118d
cc: Phyllis Cole Friedman
People's Counsel for Baltimore County
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS DATE: 12/30/86

FROM: ZONING OFFICE

PROJECT NAME: 1312 Bellona Avenue

PLAN: 11/20/86

LOCATION: N/S Bellona Avenue and State Highway Ramp H west of Lutherville Road

REV: REV:

DISTRICT: 8th Election District

REVISED PLAN KEY:
COMPLIANCE WITH COMMENT CHECKED
NON-COMPLIANCE IS CIRCLED
ADDITIONAL COMMENTS ADDED LAST

1) A petition was filed in the Zoning Office 10/20/86, under Item #155 (Case #87-244-XA) for a special exception for a Class "B" office building and variance from Section 203.4 -- to permit 16% amenity open space in lieu of the required 25%. The Hearing is scheduled for December 23, 1986 at 10:30 AM. Zoning approval would be contingent on the outcome of this hearing.

2) Please update the Zoning hearing plans and especially the revised zone line on this plan as shown corrected by this office. Both zone lines should be shown due to the inconsistency as the two official maps are placed together. The zone line issue should be addressed at the hearing because it affects other factors on the site plan.

3) A sign variance has not been requested, so Note #20 should be revised.

4) Indicate the natural grade on the height dimension on the elevation drawings. Also, exterior materials should be indicated.

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

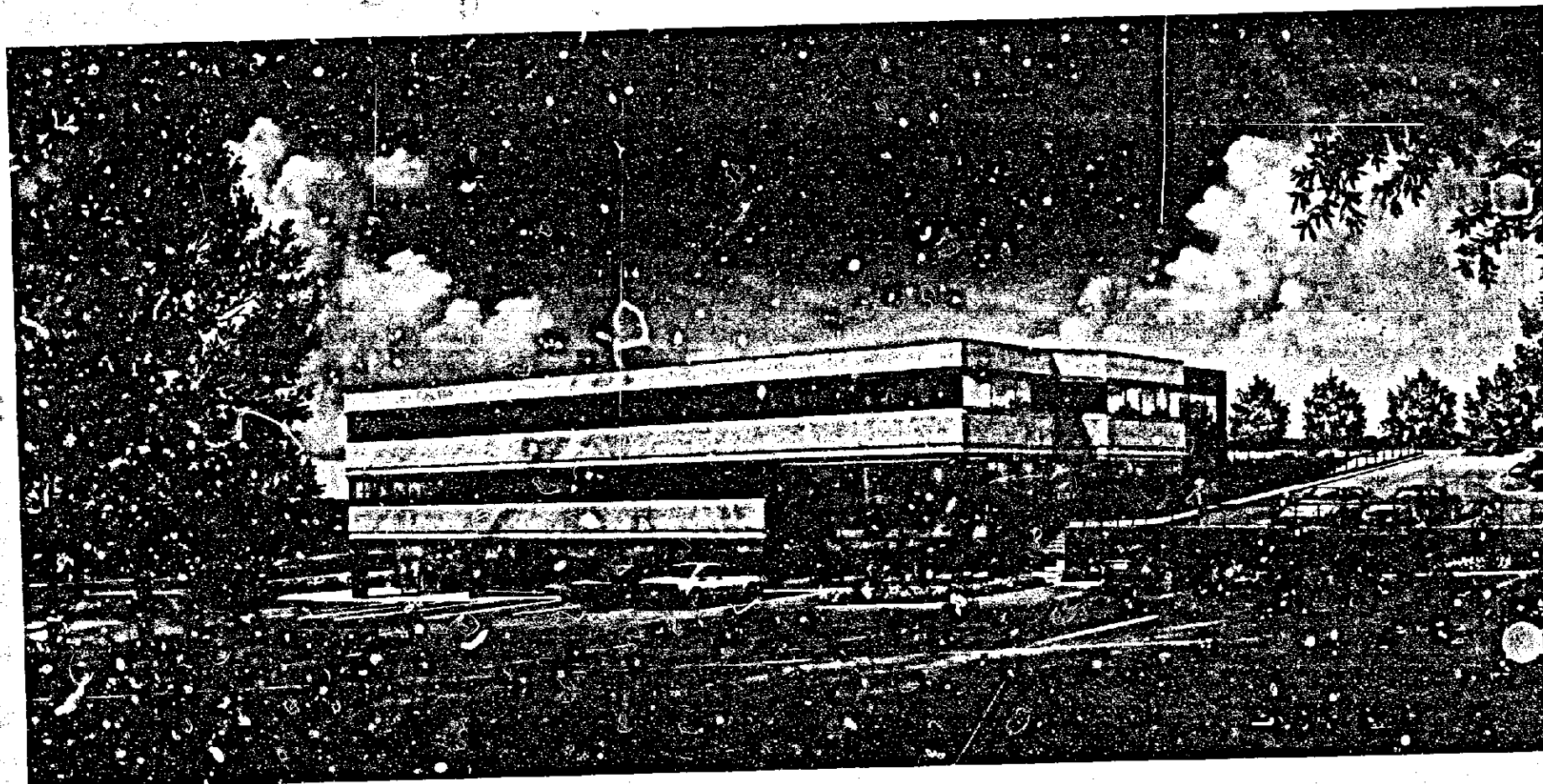
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this 12th day of November, 1986.

Signature: Arnold Jablon
Arnold Jablon
Zoning Commissioner

Petitioner: David R. Millard, et al.
Petitioner's Attorney: Keith R. Truffer, Esquire
Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee



- (✓) Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
{ } The results are valid until _____
{ } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until _____. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- (✓) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- (✓) Others existing well as shown on plat must be abandoned and properly backfilled sealed.

[Signature]
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86

BALTIMORE COUNTY DEPARTMENT OF HEALTH

11-26-86
Date
RECEIVED
DEC 19 1986

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

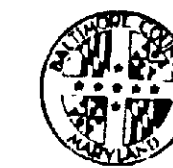
Zoning Item # 155 Zoning Advisory Committee Meeting of 10-28-86
Property Owner: David R. Millard, et al
Location: N/S Bellona Ave. District 8
Water Supply meteo Sewage Disposal meteo

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charcoal operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

WWQ 1 4/86

87-244-XA Rec'd 12-22-86



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

November 10, 1986

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 155 Zoning Advisory Committee Meeting are as follows:

Property Owner: David R. Millard, et al
Location: N/S Bellona Avenue, 74.39 feet W
District: 8th.

APPLICABLE ITEMS ARE CIRCLED:

1. 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.M.C. #117-1 - 1980) and other applicable Codes and Standards.
2. A building and other miscellaneous permits shall be required before the start of any construction. Razing permits are required to remove existing structures.
3. 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.
4. 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.
5. All Use Groups except B-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. B-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. No openings are permitted in an
6. 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.
7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
8. 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.
9. 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.
10. Comments: Provide curb cuts, signs, etc. etc. for compliance to the Maryland State Handicapped Code.
11. 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.

[Signature]
By: C. E. Burdham, Chief
Building Plans Review

L/27/86

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 4, 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 December 4, 1986.

THE JEFFERSONIAN,

[Signature]
Publisher

30.25

PETITION FOR SPECIAL EXCEPTION AND VARIANCE

8th Election District
Case No. 87-244-XA

LOCATION: North Side of Bellona Avenue, 74.39 feet West of Lutherville Road (1312 Bellona Avenue)

DATE AND TIME: Tuesday, December 23, 1986, at 10:30 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 property, zoned R.O., for a Class B office building.

Petition for Zoning Variance to reduce the required provision of currently open space from 25% to 16% of gross site area regarding the development of a Class B office building on this property.

Being the property of David R. Millard, et al, as shown on plat plan filed with the Zoning Office.

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

By Order Of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County
12012 Dec. 4.

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 3, 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 December 3, 1986.

TOWSON TIMES,

[Signature]
Publisher

38.25

Land Record
Malden
and June R.

1096j:6
MRS:jse,eh
12/02/86

LIBER 7503 PAGE 4

AGREEMENT

0 REC/F 30.00
SW CLERK 30.00
#33149 12002 602 107:59
04/24/87

THIS AGREEMENT made this 12th day of December, 1986, between ZINK DEVELOPMENT CORPORATION (the "Petitioner"), a Maryland corporation, and LUTHERVILLE COMMUNITY ASSOCIATION, INC. (the "Association"), a Maryland corporation.

EXPLANATORY STATEMENT

1. Petitioner is the contract purchaser of all that parcel of land described in Exhibit A attached hereto and made a part hereof, containing approximately 1.21 acres and hereafter referred to as the "Development Tract." Petitioner proposes to acquire the Development Tract and to develop thereon an office building (the "Office Building"). In order for Petitioner to use and develop the Office Building upon the Development Tract, Petitioner requires an Order granting a special exception and variance pursuant to the Baltimore County zoning laws and regulations (collectively the "Zoning Regulations") as requested in a Petition for Special Exception and Petition for Zoning Variance filed with the Office of Planning and Zoning of Baltimore County as Case No. 87-244-XA (collectively the "Zoning Petition"). The Petitioner is also applying to Baltimore County for County Review Group approval ("CRG Approval") of its plans for the development of the Office Building upon the Development Tract.

2. The Association is an association of residents and other parties interested in the welfare and preservation of the community of Lutherville in Baltimore County and as such takes a legal interest in land use matters in such community. The Association has examined the Petitioner's development plans for the Office Building filed with the Zoning Petition and has agreed to support and endorse the Zoning Petition and application for CRG Approval subject to the terms and conditions herein set forth.

3. Petitioner is agreeable to the terms and conditions requested by the Association in exchange for its support and endorsement as hereafter set forth.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements herein contained, the parties agree as follows:

1. Obligations of Petitioner. Subject to the conditions of Section 2, Petitioner agrees, upon conveyance to Petitioner of fee simple title to the Development Tract, the Petitioner shall

hold title to the Development Tract subject to the following covenants, conditions and restrictions:

1.1 Petitioner will not acquire, use, or develop all or any parts of Lots 1, 3, 4 and 5 of Block A as shown on a plat entitled "Subdivision of Bellona Court," which plat is recorded among the Land Records of Baltimore County in Plat Book 22, Folio 11 (the "Bellona Court Plat"), either (i) for use in connection with the use and development of the Office Building on the Development Tract or (ii) for any other non-residential use, other than for the installation, construction, use, maintenance, operation or replacement of sewers, drains, water pipes, electrical and telephone lines and other municipal and public and quasi-public utilities and services for the use and benefit of the Development Tract.

1.2 In connection with the use and development of the Office Building upon the Development Tract pursuant to an Order granting the Zoning Petition, Petitioner will comply with such screening requirements of the Zoning Regulations, including the Landscape Manual as therein referred to, all as amended and as may from time to time be applicable to the Development Tract.

1.3 Any building constructed on the Development Tract shall not contain in excess of twenty eight thousand, seven hundred fifty (28,750) square feet of adjusted gross floor area as presently defined in Section 101 of the Zoning Regulations and no sign shall be erected upon the roof of any such building.

1.4 On or before the date of the issuance of a use and occupancy permit for the Office Building and subject to compliance with applicable laws, Petitioner shall erect and maintain a fence not less than five feet (5') in height within a twenty foot (20') wide strip of land running along the entire length of the common boundary line of the Development Tract and Lots 1, 3, 4 and 5 of Block A as shown on the Bellona Court Plat. The Petitioner shall be deemed to have satisfied its obligations under this Section 1.4 to the extent that it maintains an existing chain link fence running along and near the common boundary line between the Development Tract and Lots 1, 3, 4 and 5 as shown on the Bellona Court Plat.

2. The obligations of Petitioner under Section 1 shall be subject to the following conditions precedent:

2.1 The Association shall support and endorse (and not oppose) (i) the Zoning Petition in each administrative and judicial proceeding conducted pursuant to the Zoning Petition and any appeal thereof, and (ii) Petitioner's application for CRG Approval of its plans for the development of the Office Building upon the Development Tract in any County Review Group

hearing or hearings, or any appeal of or other judicial or administrative proceedings with respect to the granting of CRG Approval of Petitioner's application therefor. Such support and endorsement shall be (i) by oral testimony and written statement of appropriate and authorized officers or representatives of the Association, (ii) in such form and manner as may be required or permitted pursuant to applicable laws, regulations or rules of procedure and (iii) subject to no qualifications or conditions other than Petitioner's execution and delivery of this Agreement. The Association further agrees that it shall not authorize or direct any officer, employee, agent, member or other representative of the Association to give any oral testimony or submit any written statement in behalf of the Association which is inconsistent with the obligations of the Association under this Section 2.1; and at the request of Petitioner, the Association shall affirmatively disclaim any such unauthorized statement by the presentation of oral testimony and written statements in any administrative or judicial proceeding arising out of the Zoning Petition or application for CRG Approval.

2.2 A final order beyond all right of appeal shall be issued by the appropriate administrative or judicial tribunal granting the Zoning Petition and CRG Approval as requested.

2.3 The Petitioner shall acquire fee simple title to the Development Tract and utilize the special exception granted pursuant to the Zoning Petition within the time and manner provided for utilization of a special exception under the Zoning Regulations.

3. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns. This Agreement shall also inure to the benefit of and be enforceable by the Owners from time to time of fee simple title or perpetually renewable leasehold title of Lots 1, 3, 4 and 5 of Block A as shown on the Bellona Court Plat. The Association shall not have the right to assign this Agreement without the consent of the Petitioner, except that the Association shall have the right to assign this Agreement without Petitioner's consent to a non-profit, non-stock corporation organized for the purpose of the welfare and preservation of the community of Lutherville in Baltimore County with its members and directors comprised exclusively of residents of the Lutherville community, and existing in good standing under the laws of the State of Maryland; provided, however, that no assignment by the Association shall be effective unless and until the assignee shall give written notice of such assignment to the Petitioner and execute and deliver to Petitioner its written assumption of the obligations of the Association under this Agreement. Upon satisfaction of the conditions precedent set forth in Section 2, the covenants, obligations and rights of Petitioner under this

Agreement which are binding upon or inure to the benefit of the Petitioner shall run with and bind the Development Tract and the owner of record fee simple title thereto from time to time, and the provisions of this Agreement shall continue in full force and effect with respect to the Development Tract until released or modified by (i) the Association and (ii) the then owners of fee simple or perpetually renewable leasehold title to Lots 1, 3, 4 and 5 of Block A as shown on the Bellona Court Plat. Further notwithstanding any contrary provision hereof, (i) if the Association shall cease to be a non-profit, non-stock corporation organized for the purpose of the welfare and preservation of the Lutherville Community with its members and directors comprised exclusively of residents of such community and in good standing under the laws of the State of Maryland, the rights of the Association under this Agreement shall terminate upon the expiration of six (6) months from the date of written notice by the Petitioner to the last named Resident Agent of the Association appearing on the corporation records of the Maryland State Department of Assessments and Taxation, or successor agency, unless within such six (6) month period the Association shall be reinstated as a non-profit, non-stock corporation in good standing under the laws of the State of Maryland and organized for the purpose of the welfare and preservation of the Lutherville Community with its members and directors comprised exclusively of residents of such community; and (ii) at such time as Lots 1, 3, 4 and 5 of Block A as shown on the Bellona Court Plat cease to be used for residential purposes, the rights under this Agreement of the owners of fee simple title or perpetually renewable leasehold title to any such Lots shall terminate.

4. The Petitioner shall not be deemed in default of any of its obligations under this Agreement unless any such default shall continue for a period of not less than thirty (30) days following written notice of such breach by the Association to the Petitioner and in the event that a default is of such a nature that it cannot be cured within such thirty (30) day period, such default shall not be deemed to continue so long as Petitioner, after receiving notice of default, proceeds to cure the default as soon as reasonably possible and continues to take all steps necessary to complete the same within a period of time which, under all prevailing circumstances, shall be reasonable.

5. Either party shall, without charge, at any time and from time to time hereafter, within ten (10) days after written request of the other, certify by written instrument duly executed and acknowledged to any mortgagee or purchaser, or firm or corporation specified in such request: (a) as to the validity and force and effect of this Agreement in accordance with its tenor as then constituted; and (b) as to the existence of any default thereunder. Any such certificate may be relied

Case 87-244-XA

87-244-XA

87-244-XA

87-244-XA

LIBER 7503 PAGE 16

upon by the party requesting it, and any other person, firm or corporation to whom the same may be exhibited or delivered, and the contents of such certificate shall be binding upon the party executing the same.

6. Notices. Every notice or other communication authorized or required by this Agreement shall not be effective unless the same shall be in writing and hand delivered or sent postage prepaid by United States registered or certified mail, return receipt requested, directed to the addressee thereof at the address hereafter set forth or such other address as may be given from time to time in accordance with this Section 6:

Petitioner: Zink Development Corporation
1927 York Road
Timonium, Maryland 21093

Association: Charles Forbes
1611 Francke Avenue
Lutherville, Maryland 21093

Notwithstanding the foregoing, from and after the acquisition of fee simple title to the Development Tract by the Association or its successors, any such notice or any successor owner of the Development Tract shall be deemed to have been given to the Association if directed (i) to the Petitioner's address appearing in the real estate records of Baltimore County, Maryland, and (ii) to the Association in care of its Resident Agent, as then appearing in the corporate records of the Maryland State Department of Assessments and Taxation, or successor agency.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

WITNESS:

BY: John H. P. [Signature] (SEAL)
THOMAS P. ZINK, Jr., President

ATTEST:
BY: Charles P. [Signature] (SEAL)
Charles P. Forbes, President

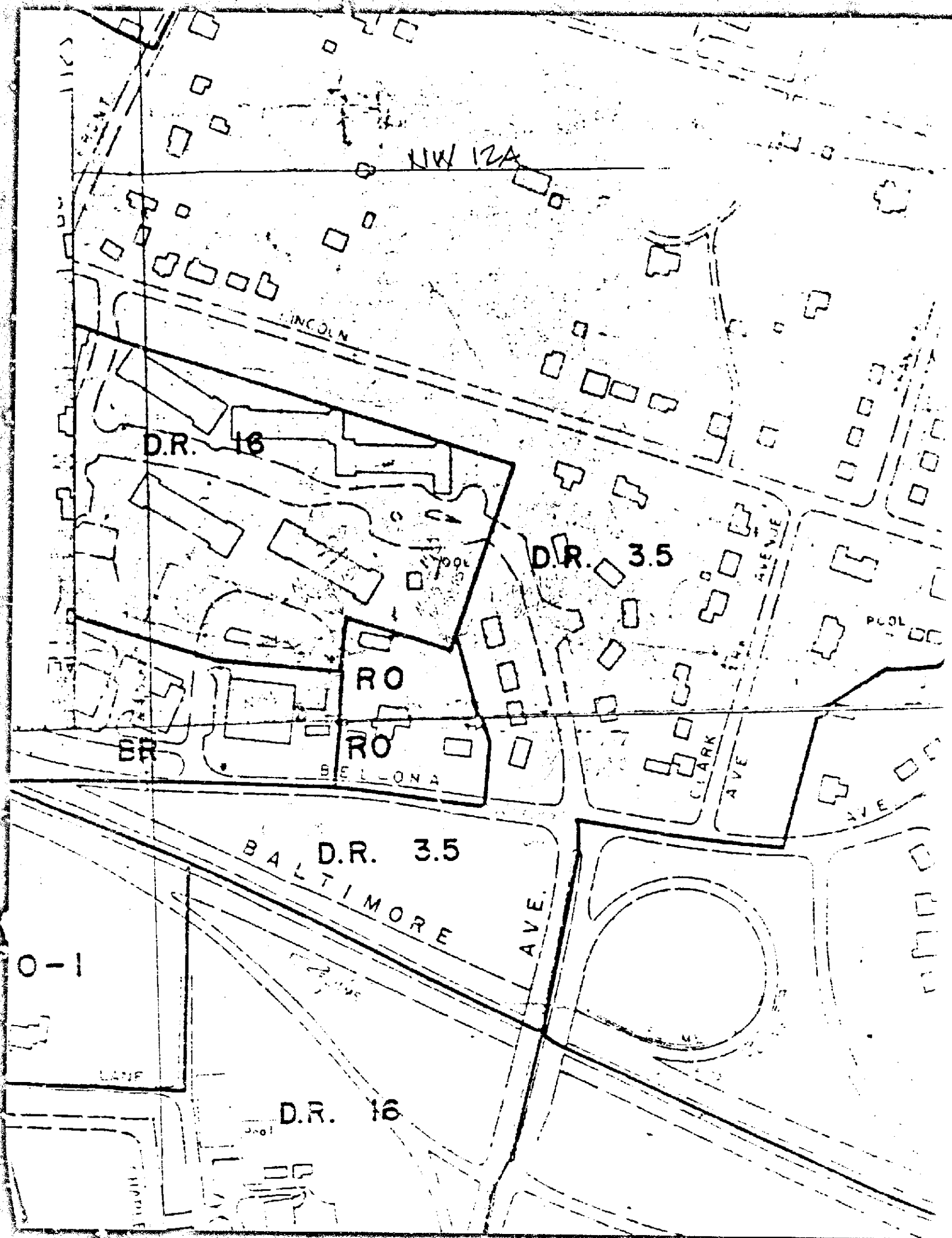
Ann Rudd, Secretary

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Timonium, Maryland

87-244-XA

District: 11th
Parcel for: Office Building and Variance
Petitioner: Zink Development Corporation
Location of property: 1927 York Road, Timonium, MD 21093
Location of Sign: 1927 York Road, Timonium, MD 21093
Remarks: See attached plat
Filed by: John H. P. [Signature]
Number of Signs: 1
Date of return: 12-2-86

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:
I HEREBY CERTIFY that on this 12th day of December, 1986, before me, a Notary Public of said state personally appeared, THOMAS P. ZINK, JR., known to me, or satisfactorily proven to be the person whose name is subscribed to the within instrument, and known to be the President of ZINK DEVELOPMENT CORPORATION, a Maryland corporation, and that he, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing in my presence the name of said corporation by himself as such President.
WITNESS my hand and Notarial Seal.
Notary Public
My Commission Expires: 7/1/90



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 15, 1986

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

Chairman

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

Keith R. Truffer, Esquire
Royston, Mueller, McLean & Reid
102 W. Pennsylvania Avenue, Suite 600
Towson, Maryland 21204

RE: Item No. 155 - Case No. 87-244-XA
Petitioner: David R. Millard, et al
Petitions for Zoning Variance and
Special Exception

Dear Mr. Truffer:

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:kbb

Enclosures

cc: George William Stephens, Jr.
& Associates, Inc.
303 Allegheny Avenue
Towson, Maryland 21204



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

NORMAN E. GERBER
DIRECTOR

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

NOVEMBER 19, 1986

RE: Zoning Advisory Meeting of OCTOBER 28, 1986
Item #155
Property Owner: DAVID R. MILLARD, et al
Location: N/S BELLONA AVE. 74.39' W.

Dear Mr. Jablon:

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

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on [unclear].
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [unclear].
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☒ Additional comments:

David Fields, Acting Chief
Current Planning and Development

cc: James Hoswell



NOV 7 1986



Maryland Department of Transportation
State Highway Administration

William K. Hellmann
Secretary
Hal Kassoff
Administrator

November 3, 1986

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

RE: Baltimore County
Item #155
Property Owner: David
R. Millard, et al
Location: N/S Bellona
Ave. at I-695 "Ramp H"
74.39 feet west
Existing Zoning: R.O.,
B.R., D.R. 16
Proposed Zoning: Spec.
Exception to use the
herein described property,
zoned R.O. for a Class
"B" office building
& Variance to reduce the
required provision of
amenity open space from
25% to 16% of gross site
area, in connection with
petitioners development
of a Class "B" office
building on this property
Area: 1.21 acres
District: 8th

Dear Mr. Jablon:

On review of the submittal of 9/23/86 and field inspection, the State Highway Administration Bureau of Engineering Access Permits will require the site plan to be revised.

The revised site plan must show all access to the site by way of a standard 35' entrance with 10' radii, located at the west property line.

State Highway Administration Type "A" concrete curb and gutter must be constructed on an alignment offset 12' from the edge of the travelled way at Bellona Avenue-Ramp "H", with S.H.A. concrete curb constructed on or in back of the S.H.A. right-of-way line.

The developer of the proposed office building should be aware of the S.H.A. study for improvements to the Baltimore Beltway-I-695 from Reisterstown Road, Maryland Route 140 to J.F. Kennedy Highway, I-95 and associated interchanges.

My telephone number is 333-1350

Teletypewriter for Impaired Hearing or Speech
363-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-452-5062 Statewide Toll Free
P.O. Box 717 / 717 North Calvert St., Baltimore, Maryland 21203-0717

Mr. A. Jablon
Page 2
November 3, 1986

The submittal of 9/23/86, (#1312 Bellona Avenue) was submitted for review and comments to S.H.A. Bureau of Project Development. The attached sketch shows the proposed roadway (collector roadway) that will be terminated to the west and eliminate all access westerly to I-695 Baltimore Beltway.

Be advised that all comments pertaining to the S.H.A. Baltimore Beltway, I-695 study are tentative and subject to change and we request the site plan be revised prior to a hearing date being set.

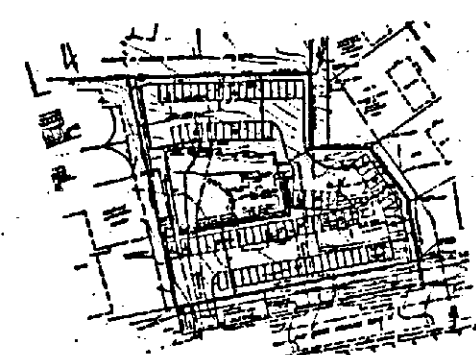
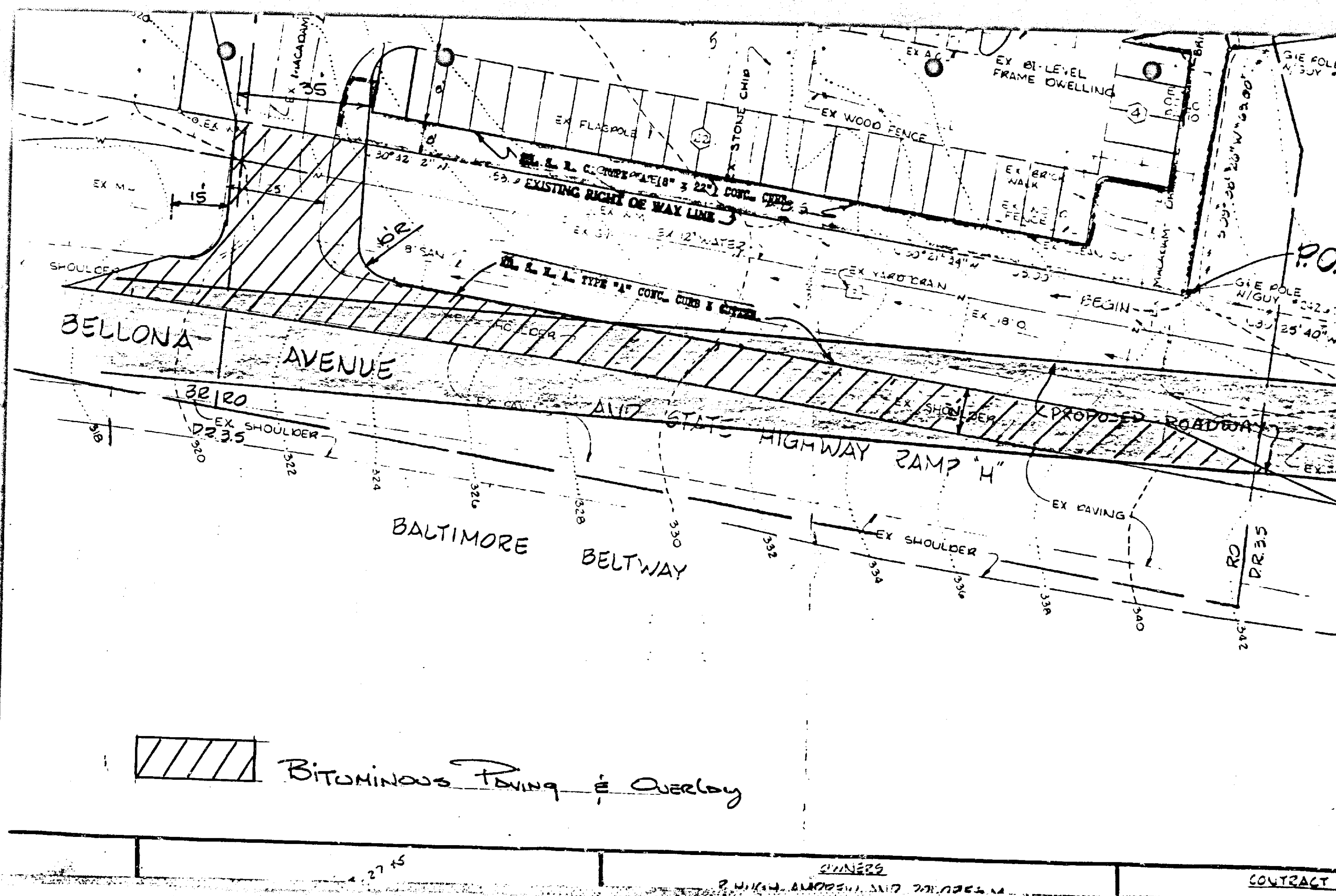
Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

CL-GW:es

cc: J. Ogle
G.W. Stephens and Associates

attachment



1"=200'

BITUMINOUS PAVING & OVERLAY

CONTRACT

Millard, et al Item 155

11/4/86

A review of the CRG plot found that the zone line falls about 15 feet south of what is shown on the submitted special exception plot.

The engineer, John Smith, had spoken to Joe Maranto about the zone line as shown. I informed them about the Circuit Court injunction process for drafting errors and told them to see Frank Fisher or Joe Maranto about how to proceed in that process.

The parking count is sufficient at this point to allow general offices, but not medical offices with those spaces discounted. The AOS ratio is even less than petitioned for because that 7' strip in the rear cannot be counted.

You might want to delay setting the hearing until the zone line problem is resolved.

11/1/86 Jim Cline brought in additional information to support the zone line as placed on the plot. The additional plot he submitted shows 2 grid ties one for construction, one for zoning. He said that Joe Maranto will affirm that the zone line was meant to fall on the property line. If you have any question, contact Jim @ 825 8120

RESOLUTION

At a regular meeting of the Board of Directors of the Lutherville Community Association, Inc., a Maryland Corporation, held on November 11, 1986, upon motion duly made and seconded the following resolution was adopted:

WHEREAS, at the regular membership meeting of the Lutherville Community Association, on October 14, 1986, the members did consider the development proposed by the Zinc Development Corporation for the property at 1312 Bellona Avenue, Lutherville, now owned by David R. Mallard, Jane R. Mallard, R. Hugh Andrew, and Delores M. Andrew (in two parcels), such presentation showing the development of a Class "B" office building on the site, and requiring a special exception and variance from the Office of Planning and Zoning of Baltimore County under Case No. 87-244-XA, and the membership had an opportunity to question representatives of the developer; and,

WHEREAS, after due consideration of the proposal the membership did, on motion duly made and seconded, adopt the following resolution:

RESOLUTION

BE IT RESOLVED BY THE LUTHERVILLE COMMUNITY ASSOCIATION, INC. THAT the Association supports the development proposal of the Zinc Development Corporation for the Andrew/Millard property at 1312 Bellona Avenue, including the request for special exception and variance, provided that the Lutherville Community Association, Inc. representing the community, and the Zinc Development Corporation, contract purchaser, do enter into binding covenants, to run with the land, which provide, in substance, that (1) no building or development on the land will be built larger than is now permitted for this size parcel in an R0 zone regardless of any future change in zoning on the property; (2) that screening in a form agreeable to the present owners of the adjoining residences be provided; (3) that the land never be used as part of a larger development which includes adjoining residential property on Charles Street; and (4) that there be no sign on the roof of the building; and,

THAT the Board of Directors is directed and empowered to take all necessary actions to carry out the letter and spirit of the resolution, including but not limited to, entering into

binding covenants with the Zinc Development Corporation, representing the Association before agencies of Baltimore County, and advising and informing the residents of Charles Street (extended) of this and all future actions relating to this development.

WHEREAS, such covenants have been drafted and are ready to be signed subject to final review by attorneys representing both parties; and,

WHEREAS, the nearby neighbors to the development, namely all of the residents of Charles Street (extended) north of the Beltway, have been informed by messages delivered to their homes by the Association of the proposed development, the time and place of consideration of the development by the Association, and the wording of the final draft of the covenants to be signed by the Association and the Zinc Development Corporation; and,

WHEREAS, the bounds of the Association include the property in question and all of the adjacent residential properties on Charles Street (extended); and,

WHEREAS, the By-Laws of the Association authorize the Board of Directors to act on all matters in which the Association has interest, including zoning and development considerations, provide such action is consistent with adopted resolutions of the membership;

BE IT THEREFORE RESOLVED, that the Association supports the Petition for special exception and variance filed by Zinc Development Corporation, a Maryland Corporation, contract purchaser, and David R. Mallard, Jane R. Mallard, R. Hugh Andrew, and Delores M. Andrew, legal owners, to permit a Class "B" office building in an R0 zone on property located at 1312 Bellona Avenue, Lutherville, Maryland 21093 consisting of 1.39 acres +/- pursuant to plans therefor filed with the Office of Planning and Zoning of Baltimore County and made part of Case No. 87-244-XA for reasons that:

1. The Association believes that the proposed development will be an appropriate use of the land because of adjacent commercial activity and heavy commercial and other traffic, which will be compatible with the present or prospective uses of nearby residential property and that the property is not suitable for residential development for the foregoing reasons. It is believed that the proposed uses of the subject property will provide a logical and useful transition between the commercial uses to its west and the residential uses to its east.

2. It is the opinion of the Association, recognizing its lack of competence in certain technical areas, that granting the special exception will not:

a. Be detrimental to the health, safety, or general welfare of the locality involved;

b. Create unacceptable congestion in roads, streets or alleys therein;

c. Create a potential hazard from fire, panic or other dangers;

d. Tend to overcrowd land and cause undue concentration of population;

e. Interfere with adequate provisions for schools, parks, water, sewerage, transportation, or other public requirements, conveniences, or improvements;

f. Interfere with adequate light and air;

g. 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 Zoning Regulations; nor

h. Be inconsistent with the impermeable surface and vegetative retention provisions of the Baltimore County Zoning Regulations.

3. It is the opinion of the Association that strict compliance with the Zoning Regulations of Baltimore County relating to amenity open space would result in practical difficulty and/or unreasonable hardship to Petitioner, and granting the variance therefor would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations and would not cause injury to public health, safety, or general welfare.

4. Charles P. Forbes, President of the Association, and Louis G. Noetzel, Jr. member of the Board of Directors and Chair of the Zoning Committee, are authorized to speak on behalf of the Association on all matters related to this development proposal.

Charles P. Forbes
CHARLES P. FORBES, President
Lutherville Community
Association, Inc.

ATTEST:

Ann Rudd
ANN RUDD, Secretary
Lutherville Community
Association, Inc.

ROYSTON, MUELLER, MCLEAN & REID

Baltimore County Zoning
Commissioner
October 28, 1986
Page 2

We will appreciate your prompt action and cooperation upon this request.

Very truly yours,

Milton R. Smith, Jr.

MRSJr:ejh
cc: Mr. Thomas P. Zink, Jr.

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

STEPHEN E. COLLINS
DIRECTOR

November 26, 1986

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

Item No. 155 -ZAC-
Property Owner: David R. Millard, et al
Location: N/S Bellona Avenue, 74.39 feet W
Existing Zoning: R.O., B.R., D.R. 16
Proposed Zoning: Special Exception to use the herein described property, zoned R.O., for Class "B" office building and Variance to reduce the required provision of amenity open space from 25% to 16% of gross site area, in connection with petitioner's development of a Class "B" office building on this property 1.21 acres

Area:
District: 8th Election District

Dear Mr. Jablon:

The proposed office building can be expected to generate approximately 475 trips per day as general offices.

All access to this site will be subject to the State Highway Administration's approval.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF:tt

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4300

PAUL H. REINCKE
CHIEF

November 18, 1986

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

RE: Property Owner: David R. Millard, et al

Location: N/S Bellona Avenue, 74.39 ft. W

Item No.: 155 Zoning Agenda: Meeting of Oct. 28, 1986

Gentlemen:

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

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

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

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

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

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

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

REVIEWER: [Signature]
Planning Group
Special Inspection Division

Noted and
Approved:

John F. O'Neill
Fire Prevention Bureau

/mb

ROYSTON, MUELLER, MCLEAN & REID
ATTORNEYS AT LAW
SUITE 800
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4575
(410) 813-1800

October 28, 1986

BY HAND DELIVERY

Arnold E. Jablon, Esquire
Baltimore County Zoning
Commissioner
Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Petitions for Special Exception and Variance
David R. Millard, et al., Petitioners
Property known as 1712 Bellona Avenue
Item #155

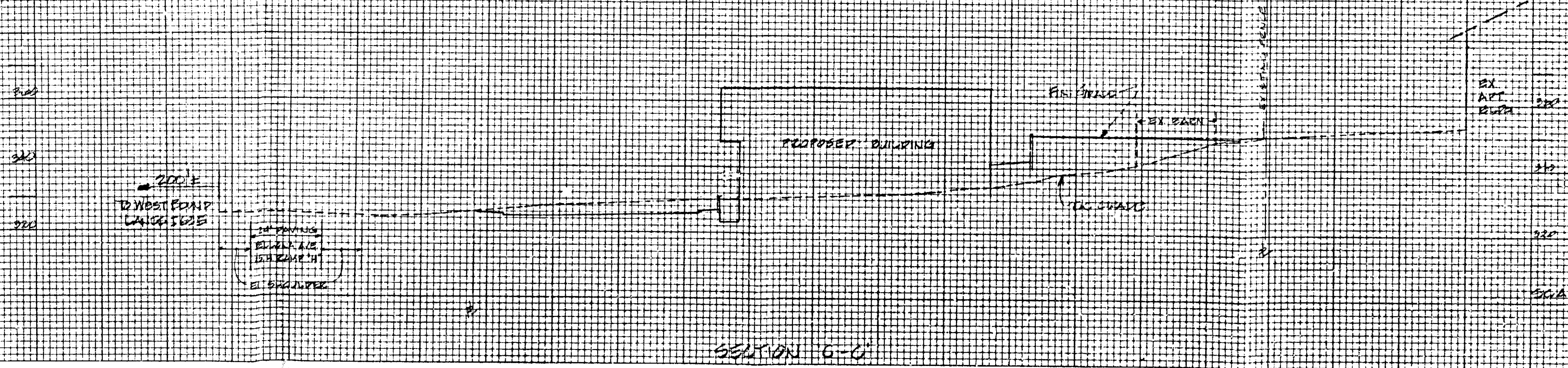
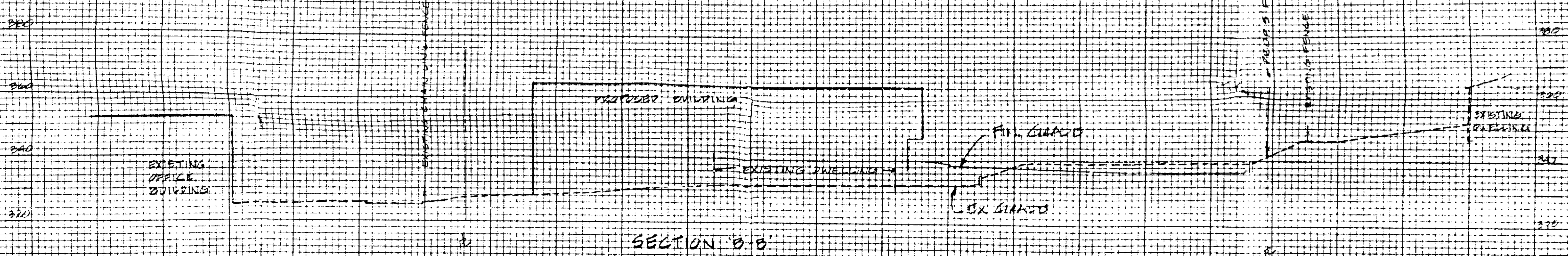
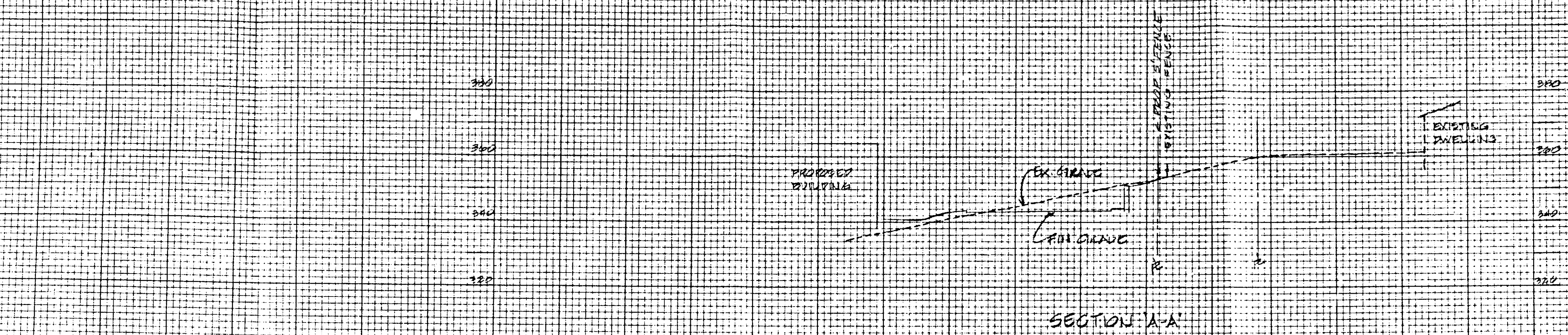
Dear Commissioner-Jablon:

Our offices represent Zinc Development Corporation, one of the petitioners in the above referred to zoning proceedings. These petitions were filed on October 20, 1986. Subsequent to the date of filing, our office has been advised not to expect a hearing date before the Zoning Commissioner on these petitions prior to the end of December 1986.

In behalf of Zinc Development Corporation, we respectfully request that the hearing date on the above petitions be advanced and that the hearing be scheduled for the earliest possible date. This request for an earlier hearing date is made for the reason that the prospective tenant for the entirety of the office building for which the special exception is sought requires occupancy prior to the expiration of this proposed office result, it is crucial to the viability of this proposed office development that these zoning proceedings be resolved with finality at the earliest possible time so that construction may proceed on a schedule which will permit tenant occupancy during 1987.

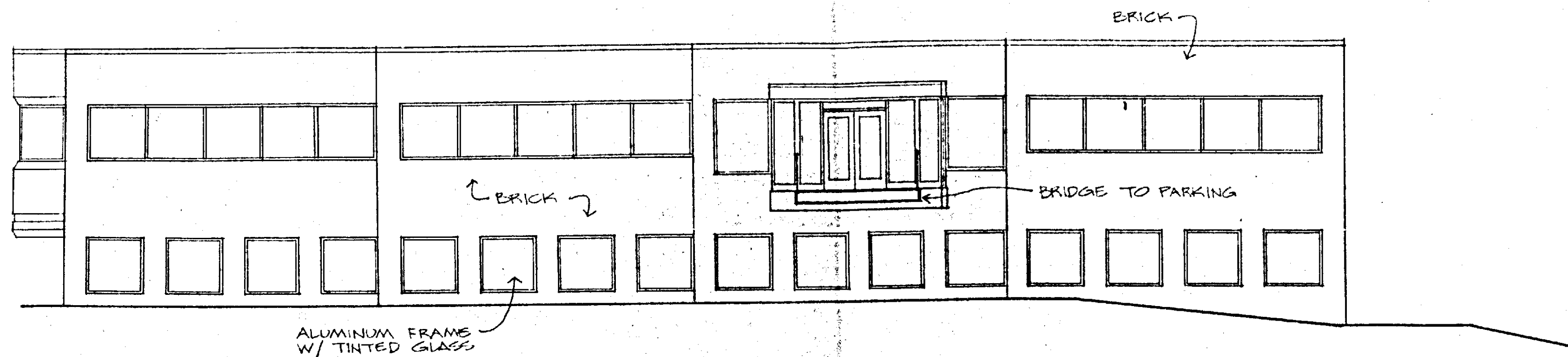
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OCT 28 1986
ZONING OFFICE

87-244-XA

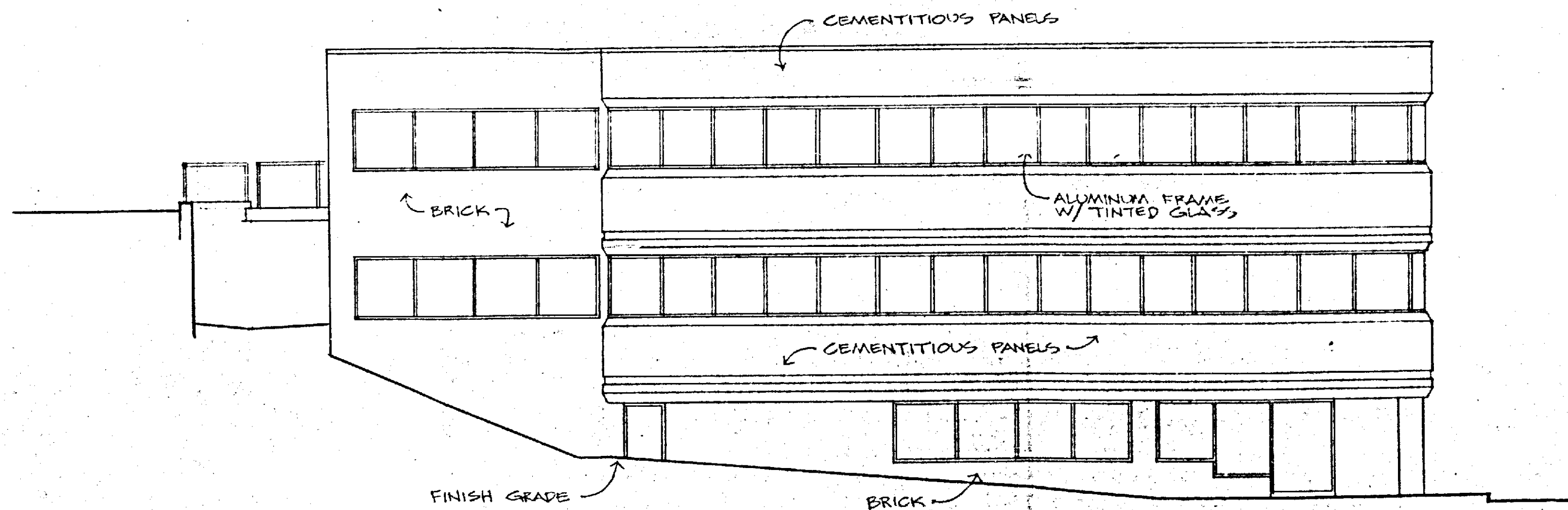


10 X 10 TO THE INCH
Kruppel & Krenn Co.
PRINTED IN U.S.A.

1312 BELLONA AVENUE
PITTSBURGH
3



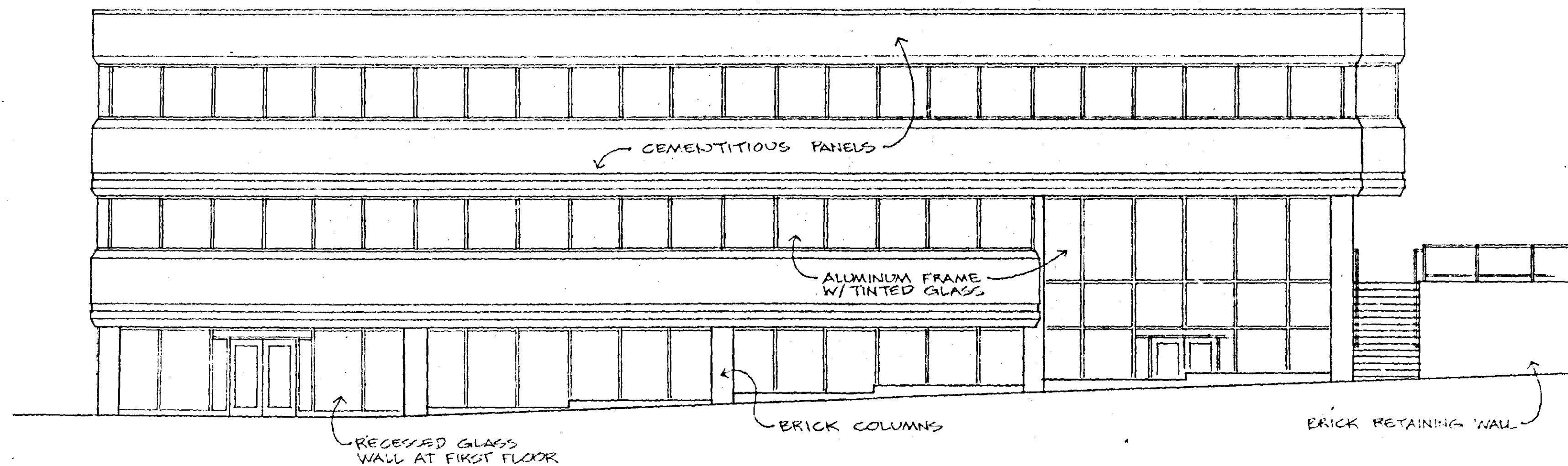
NORTH ELEVATION



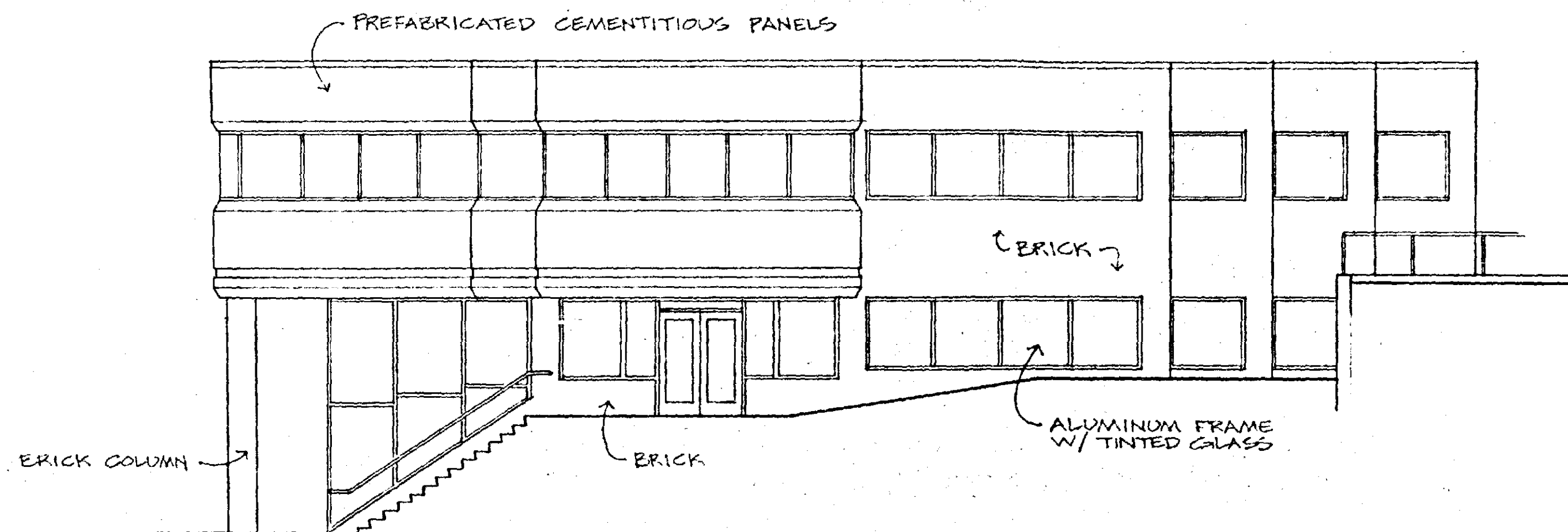
WEST ELEVATION

LAPICKI-SMITH ASSOCIATES, P.A. - ARCHITECTS

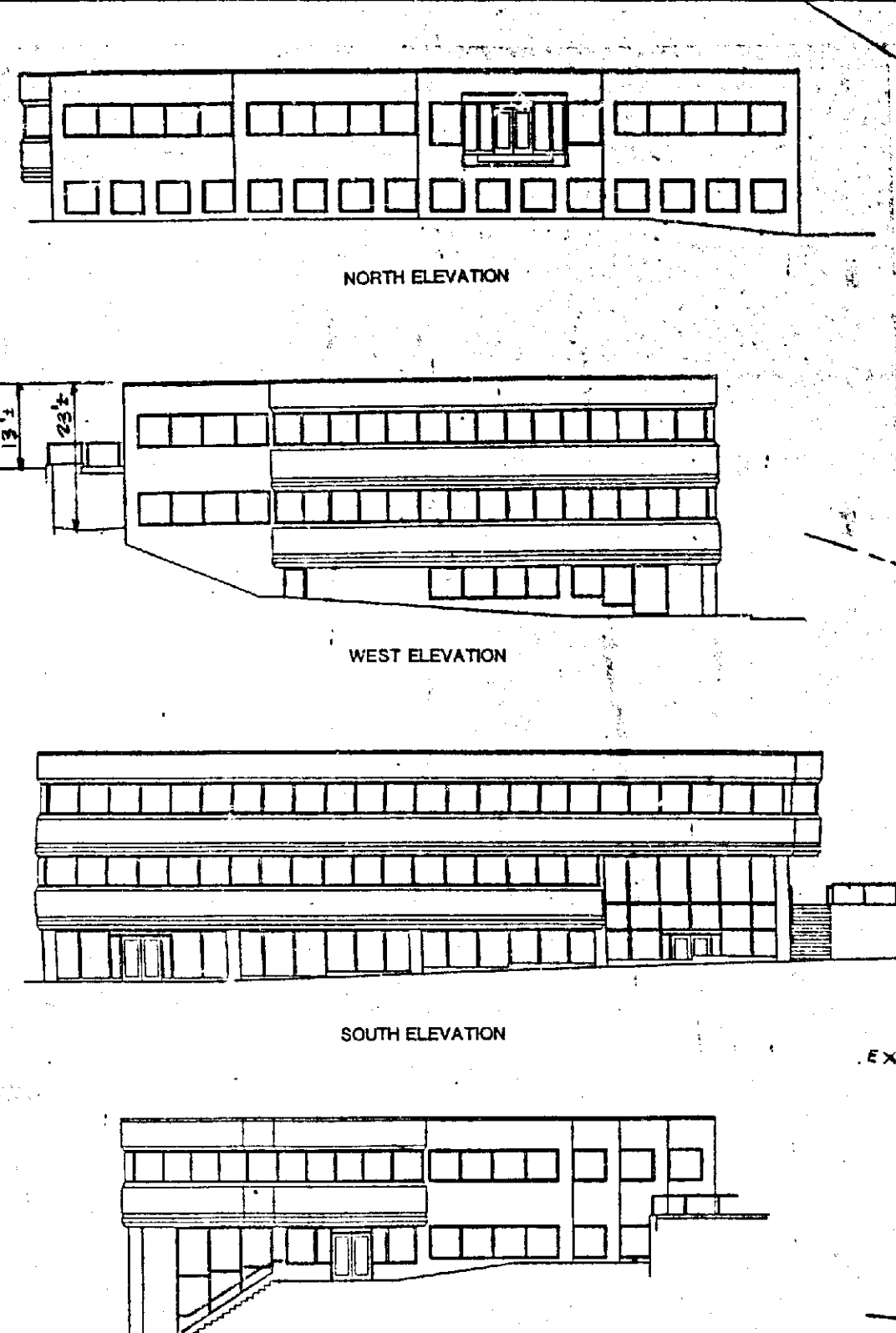
PROPOSED OFFICE BUILDING
1312 BELLONA AVENUE
2 OCTOBER 1986



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION
WEST ELEVATION
SOUTH ELEVATION
EAST ELEVATION
SCALE: 1"=20'

BELTWAY INVESTORS
5332/531

EX. OFFICE BUILDING
#1302

EX. CHAIN LINK FENCE

EX. PAVING

EX. STONE WALL TO BE RAZED

EX. STONE WALL TO BE RAZED

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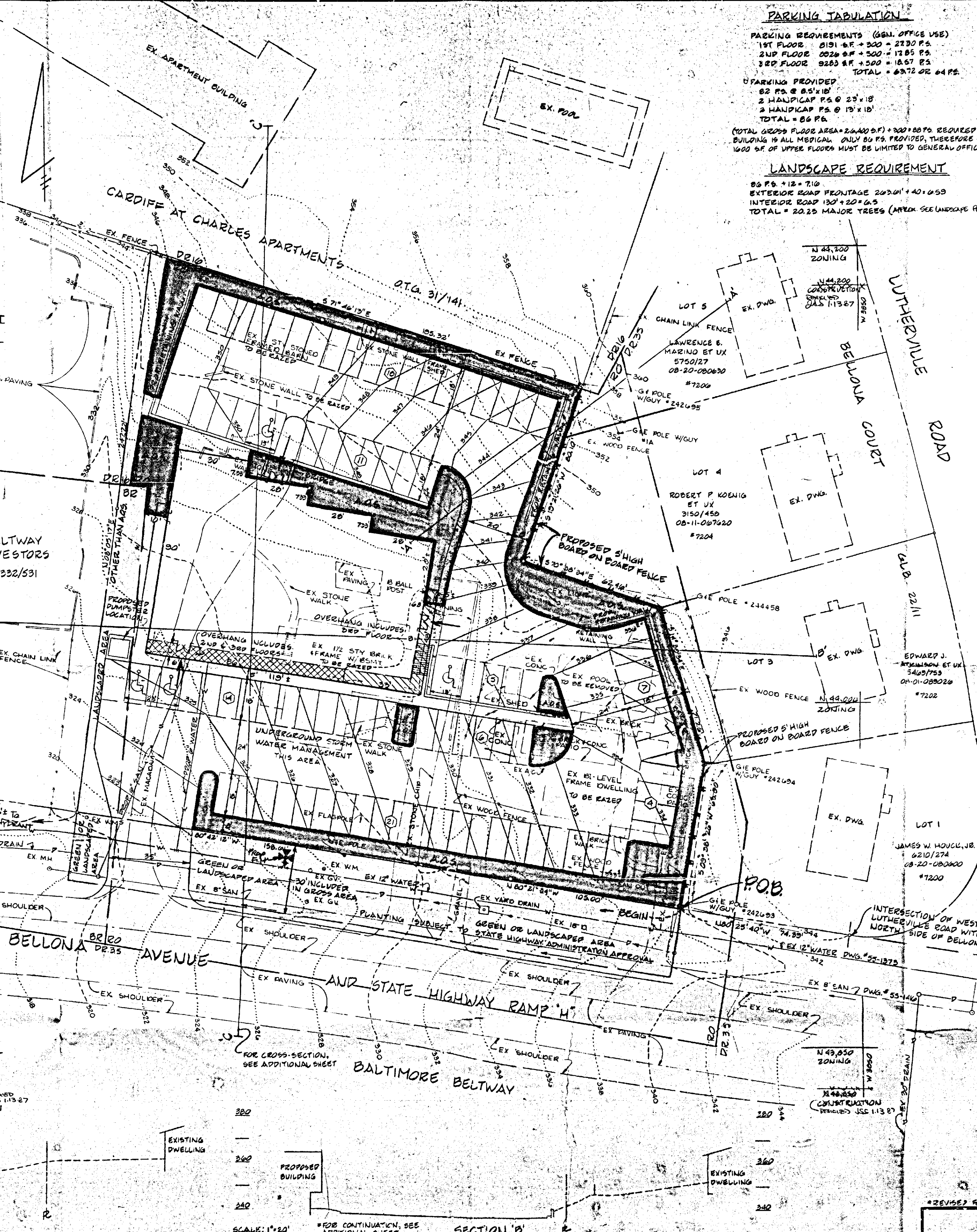
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SECTION 'A'
SECTION 'B'
SCALE: 1"=20'

PARKING TABULATION

PARKING REQUIREMENTS (GEN. OFFICE USE)

1ST FLOOR	2191 SF + 300 = 2130 FS
2ND FLOOR	2026 SF + 500 = 1785 FS
3RD FLOOR	923 SF + 500 = 1667 FS
TOTAL	6522 OR 64 FS

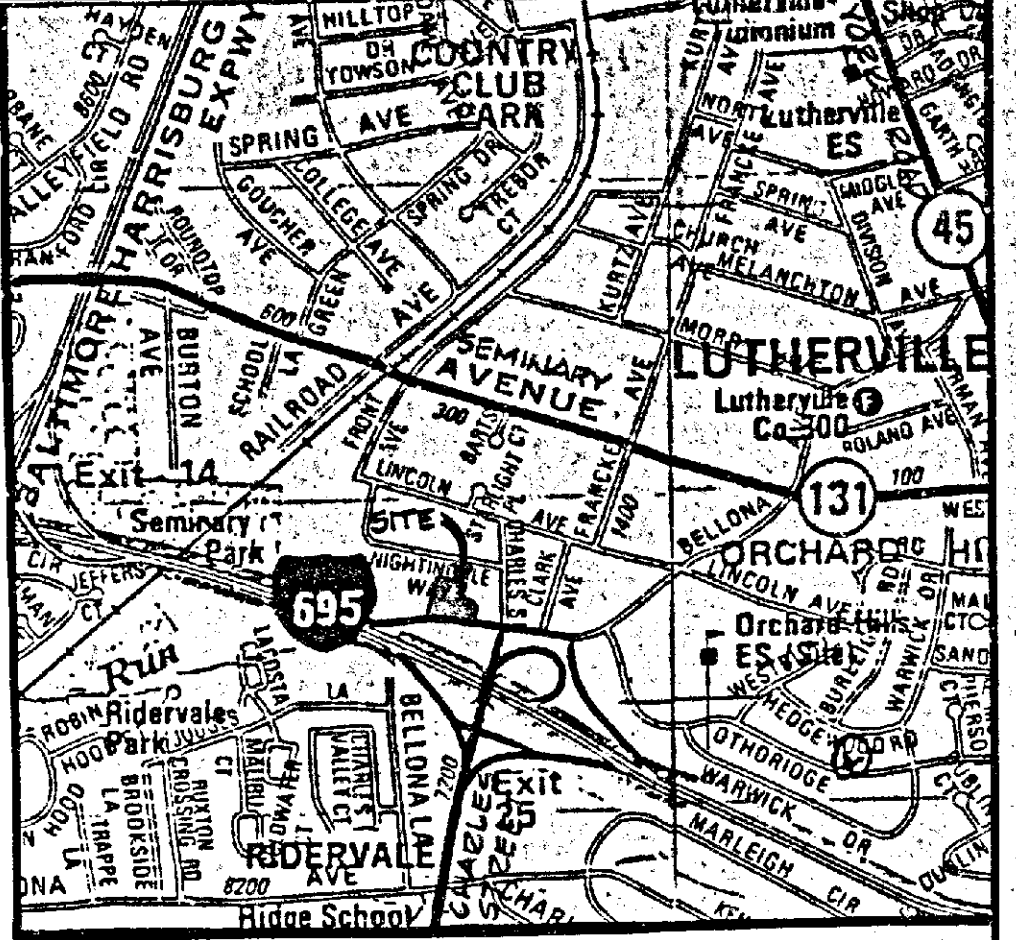
PARKING PROVIDED

82 FS @ 8.5'x10'	
2 HANDICAP FS @ 23'x18'	
2 HANDICAP FS @ 13'x18'	
TOTAL	86 FS

(TOTAL GROSS FLOOR AREA = 26400 SF) + 200 + 80 FS REQUIRED IF BUILDING IS ALL MEDICAL. ONLY 80 FS PROVIDED, THEREFORE 1600 SF OF UPPER FLOORS MUST BE LIMITED TO GENERAL OFFICES.

LANDSCAPE REQUIREMENT

86 FS @ 12'x7'10"	
EXTERIOR ROAD FRONTAGE 262'x41' + 40'x53'	
INTERIOR ROAD 130'x20'x43'	
TOTAL	2025 MAJOR TREES (APPROX. SEE LANDSCAPE PLAN)



LOCATION MAP
SCALE: 1"=1000'

GENERAL NOTES

1. ELECTION DISTRICT	8
2. COUNCILMANIC DISTRICT	3
3. CENSUS TRACT	4088
4. WATERSHED	24
5. SUBWATERSHED	57
6. SITE DATA	
DR 16	NET AREA = .02 AC. GROSS AREA = .02 AC.
BR	NET AREA = .05 AC. GROSS AREA = .06 AC.
RO	NET AREA = 1.14 AC. GROSS AREA = 1.31 AC.
TOTAL	NET AREA = 1.21 AC. TOTAL GROSS AREA = 1.39 AC.

BUILDING COVERAGE 8191 SF + 19 AC.1
TOTAL FLOOR AREA 26400 SF + 61 AC.1
PARKING REQUIRED 64 FS (GEN. OFF.), 88 FS (MED. OFF.)
PARKING PROVIDED 86 FS, INCLUDING 4 HANDICAP FS.

7. DEED REFERENCES 5327/022, 3432/050; PLAT OF BELLOVA COURT 6L22/11 (LOT 2) AND DEEDS 3427/558 (3014/212)

8. TAX ACCOUNT NOS. 00-01-054410, 00-13-054420/46-00-008419

9. FLOOR AREA RATIO PERMITTED .50
SHOWN .61 AC. + 1.31 AC. = .47

10. GEOLOGICAL INFORMATION (SEE ENVIRONMENTAL EFFECTS REPORT)

11. NO ARCHEOLOGICAL SITES, ENDANGERED SPECIES, HAZARDOUS MATERIALS, WETLANDS OR CRITICAL AREAS EXIST WITHIN THIS SITE

12. LIGHTING SHALL BE ERECTED SO AS NOT TO REFLECT LIGHTS TOWARD ADJACENT RESIDENCES OR INTERFERE WITH TRAFFIC (MAX. HEIGHT 8 FEET)

13. LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH APPROPRIATE REGULATIONS (LANDSCAPE MANUAL)

14. PARKING TO BE SCREENED FROM ADJACENT RESIDENCES BY WALL, SLOPE, EVERGREEN PLANTINGS & FENCES (EITHER OF OR IN COMBINATION WITH)

15. PRINCIPLE USE - GENERAL OFFICE (AND/OR) MEDICAL OFFICES

ART. 33B.25

16. NO. OF EMPLOYEES 30 ±

17. HOURS OF OPERATION 7 A.M. TO 6 P.M.

18. EX. CONTOUR 350 ±

19. PROOF CONTIGUES TO BE SHOWN ON C.R.G. PLAN

20. PROOF SIGN SUBJECT TO SECT. 203.3C (VARIANTS TO BE REQUESTED)

21. SITE IS SERVED BY M.T.A. BUS ROUTE

22. HANDICAP RAMP TO BE PROVIDED WHERE APPLICABLE

23. PAVING TO CONSIST OF A DURABLE DUST-FREE SURFACE

24. AMENITY OPEN SPACE REQUIRED 1.31 X .25 = .33 AC.1
A.O.S. PROVIDED .22 AC.1 (VARIANCE REQUIRED)

25. SOIL TYPE & LIMITATIONS

SOIL TYPE	BLDR W/ BSHL BDR W/ BSHL	PARKING
JUD	BLIGHT TO MOD. BLIGHT TO MOD. SEVERE	SLOPE A

26. THIS PLAN IS SUBJECT TO C.R.G. APPROVAL

27. NO HISTORIC BUILDING

28. EXISTING VEGETATION TO BE INCORPORATED IN LANDSCAPE PLAN WHERE POSSIBLE

29. PRIOR TO REMOVAL OF EX. STRUCTURES THEY SHOULD BE CHECKED FOR ARCHAEOLOGICAL REMAINS

30. ZONING DIVISION LINES SCALED FROM 1:5000 ZONING MAPS NU-11A & NU-12A

SOIL TYPE & LIMITATIONS

SOIL TYPE	BLDR W/ BSHL BDR W/ BSHL	PARKING
JUD	BLIGHT TO MOD. BLIGHT TO MOD. SEVERE	SLOPE A

AMENITIES

1) A.O.S. PROVIDED	.22 AC.1
2) OTHER LANDSCAPED OR GREEN AREAS ON NET AREA OF LOT	.00 AC.1
3) OTHER LANDSCAPED OR GREEN AREAS WITHIN GROSS AREAS OF LOT	.10 AC.1
TOTAL	.44 AC.1

*REVISED FOR ZONING SUBMISSION OCTOBER 15, 1982

CRG PLAN

PLAT TO ACCOMPANY A PETITION FOR A SPECIAL EXCEPTION FOR A CLASS 'B' OFFICE BUILDING AND VARIANCE

1312 BELLOVA AVENUE

BALTIMORE COUNTY

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 825-8120

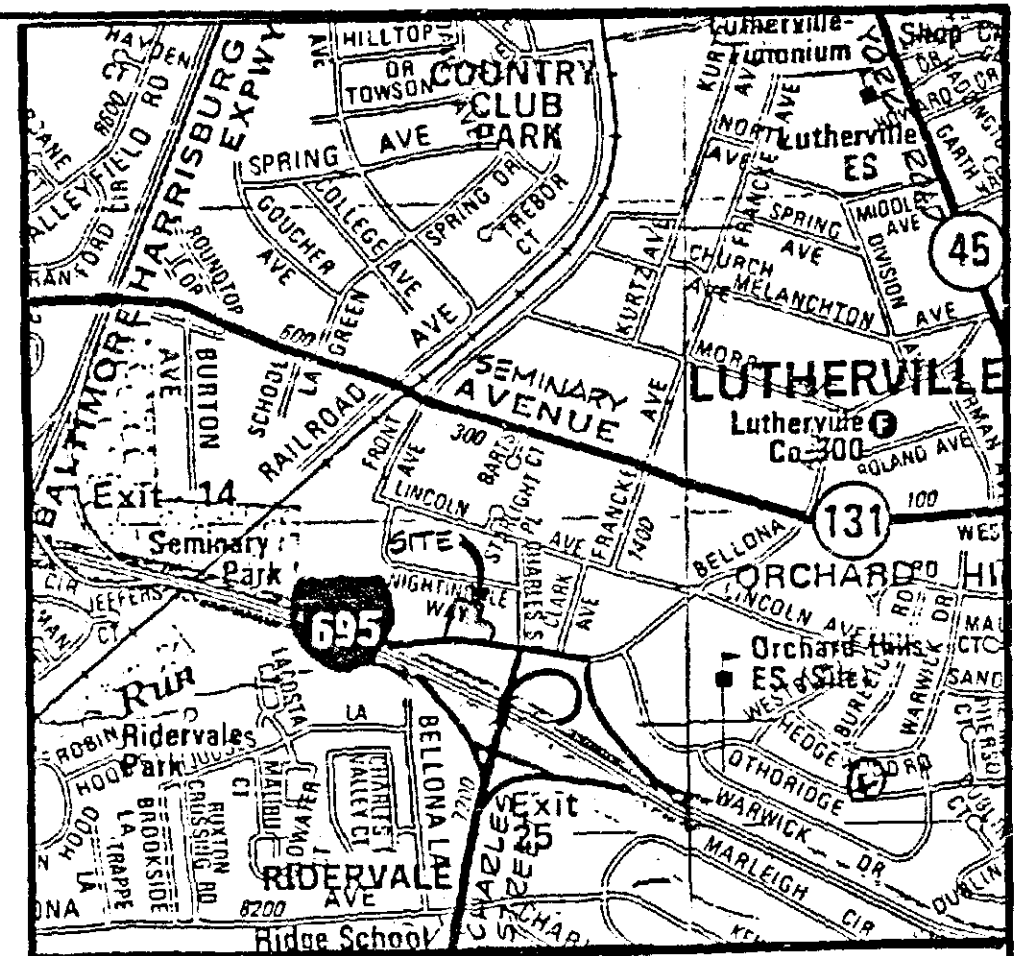
REVISIONS

NOVEMBER 20, 1982 INDICATED PROPOSED STATUS OF EXISTING BUILDINGS AND ROADS SHOWED BUILDING UTILITY CONNECTIONS SHOWED PROFILES OF SECTIONS 'A' AND 'B' REVISED PARKING LAYOUT AND PARKING AND LANDSCAPE TABULATIONS ADJUSTED A.O.S. ADDED NOTES ON VARIANCE ADJUSTED RETAINING WALL ADDED ONE 12" WALL	REVISOR: R. HUGH ANDERSON AND DOLORES M. LUTHERVILLE, MARYLAND 21093 825-3481 DATE: DECEMBER 10, 1982 1. ADDED EX. STORM DRAIN 2. ADJUSTED CONTINUATION OF GROUND-WATER 3. REVISOR: R. HUGH ANDERSON AND DOLORES M. LUTHERVILLE, MARYLAND 21093 825-3481 DATE: DECEMBER 10, 1982
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OWNER:
R. HUGH ANDERSON AND DOLORES M. LUTHERVILLE, MARYLAND 21093 825-3481
DAVID R. MILLARD AND JANE R. LUTHERVILLE, MARYLAND 21093 593-8000

CONTRACT / PURCHASER:
THOMAS F. ZINK, JR.
ZINK DEVELOPMENT CORPORATION
1027 YORK ROAD
TIMONIUM, MARYLAND 21093 561-0370

PETITIONER:
PLAT TO ACCOMPANY A PETITION FOR A SPECIAL EXCEPTION FOR A CLASS 'B' OFFICE BUILDING AND VARIANCE
1312 BELLOVA AVENUE
BALTIMORE COUNTY



GENERAL NOTES

- Schematic landscape plan required for CRG
Item 155

Pne Dev
4/3 1:30

NW 11-12A * DENOTES VARIANCE REQUEST

- AMENITIES**
- | | | |
|---|--------------|-------------------|
| 1) A.O.S. PROVIDED | ----- | = .21 AC ± |
| 2) OTHER LANDSCAPED OR
GREEN AREAS ON NET AREA
OF LOT | ----- | = .00 AC ± |
| 3) OTHER LANDSCAPED OR
GREEN AREAS WITHIN GROSS
AREA OF LOT | ----- | = .10 AC ± |
| TOTAL | ----- | = .43 AC ± |

CRG PLAN

PLAT TO ACCOMPANY A PETITION FOR A
SPECIAL EXCEPTION FOR A CLASS 'B' OFFICE
BUILDING AND VARIANCES
FOR

1312 BELLONA AVENUE

SCALE: 1" = 20'
SEPTEMBER 23, 1953

STATE OF MARYLAND
JOHN STRONG G. III
No. 5029
REGISTERED
CIVIL ENGINEER

CONTRACT / PURCHASER

THOMAS F. ZINK, JR.
ZINK DEVELOPMENT CORPORATION
1927 YORK ROAD
TIMONIUM, MARYLAND 21093
561-0370

* REVISED FOR ZONING SUBMISSION OCTOBER 15, 1986