

IN RE: PETITION FOR ZONING VARIANCE
Cor. SE/S Belair Road and
SW/S Fowler Avenue
11th Election District
5th Councilmanic District
K. D. Properties, a Maryland
Partnership - Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-135-A

AMENDED ORDER

WHEREAS, an Order issued by the Zoning Commissioner for Baltimore County dated November 13, 1987 granted the Petitioner's requested relief subject to certain restrictions;

WHEREAS, Restriction No. 2 of said Order is inconsistent with the established regulations of the Baltimore County Department of Public Works;

WHEREAS, it is the Zoning Commissioner's intent that the Order in this matter be consistent with all Departmental regulations;

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15th day of February, 1988, that Restriction No. 2 of the Order dated November 13, 1987 be amended to read as follows:

"2) The Petitioner will be required to provide additional screening with a 6-foot wooden fence, flanked on both sides at 5-foot intervals with evergreen trees of appropriate nature, type and species that will limit growth into the walkway and street areas. Such screening shall be placed beginning from a point 10 feet from the curb line of Fowler Avenue along the east side of the commercial use of this property. The fence shall be placed in accordance with that indicated on the site plan, identified as Exhibit "A", which was submitted to this office under cover letter dated February 2, 1988 and has been made a part hereof. All other landscaping shall comply with the standards established in the Baltimore County Landscaping Manual.

IT IS FURTHER ORDERED that all other provisions and restrictions of the Order dated November 13, 1987 shall remain in full force and effect.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

JRH:bjs

- 4) The Petitioner will complete and follow through on the application for reclassification in an attempt to obtain a change in zoning on the subject property as indicated on Petitioner's Exhibit 4 and as represented to the Zoning Commissioner. If the Petitioner obtains the requested reclassification as specified and delineated in Petitioner's Exhibit 4, the Petitioner will provide the additional parking for the proposed project as reflected in Petitioner's Exhibit 4 and the reclassified area will not be used for any other purpose other than access, parking, and open space.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

JRH:bjs

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
15th day of August, 1987

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
Received by: *[Signature]*
Petitioner: *[Signature]*
Attorney: *[Signature]*
Chairman, Zoning Plans
Advisory Committee

IN RE: PETITION FOR ZONING VARIANCE
Cor. SE/S Belair Road and
SW/S Fowler Avenue
11th Election District
5th Councilmanic District
K.D. Properties, a Maryland
Partnership - Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-135-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner, herein requests a zoning variance to permit 56 parking spaces in lieu of the required 73 spaces.

On behalf of the Petitioner, Messrs. Kenneth Katz, Alan Katz and Dave Altfield, appeared and testified and were represented by Counsel. Mr. David Thaler appeared and testified on behalf of the Petitioner.

Testimony indicated that the subject property is located on Belair Road between Cardwell Avenue and Fowler Avenue. The property has split zoning as reflected on Petitioner's Exhibits 1, 2 and 4. The portion of the property facing Belair Road is zoned BL; the rear portion of the property is zoned DR 5.5. Testimony proffered indicated that the Petitioner proposes to construct a retail center of approximately 15,000 sq.ft., which will include a bank at the northern end of the shopping center with a drive through facility. There is inadequate area in the BL zone to provide the required parking. The lack of area in the BL zoned portion would result in parking overflowing into the DR 5.5 zoned portion, which is also inadequate for parking use due to the RTA requirements.

Further testimony indicated that it is the Petitioner's intention to have the property rezoned to move the BL zoning line to the center of the new alley to be constructed at the rear of the proposed shopping center complex as shown on Petitioner's Exhibit 4. The zoning reclassification will allow the Petitioner to construct 17 additional parking spaces, which would provide the

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-135-A 514
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2 to permit 56 parking spaces in lieu of the required 73.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the reasons: (Indicate hardship or practical difficulty)
1. Configuration of property;
2. Uses do not require the minimum parking requirements;
3. And for such other and further reasons as may be demonstrated at the hearing.

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

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

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

Contract Purchaser: Legal Owner(s): K.D. Properties, a Maryland
(Type or Print Name) by: Kenneth Katz, Managing Partner
Signature Signature Kenneth Katz, Managing Partner
Address (Type or Print Name)
City and State Signature

Attorney for Petitioner: 3 Shawan Road 683-1811
(Type or Print Name) Address Phone No.
By: *[Signature]* Cockeysville, Maryland 21030
Signature Benjamin Bernstein City and State
Address
City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted
D.S. Thaler & Assoc.

Attorney's Telephone No.: 226-0200 11 Warren Rd. Pikesville, MD 21208
Address Phone No. 484-4100

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of August, 1987, 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 29th day of August, 1987, at 2:00 o'clock P.M.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

Received by: *[Signature]*
Petitioner: *[Signature]*
Attorney: *[Signature]*
Chairman, Zoning Plans
Advisory Committee

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

(over)

required parking as set forth in the Baltimore County Zoning Regulations (BCZR). If the Petitioner is successful in his request for zoning reclassification, the variance that has been requested, as shown on Petitioner's Exhibit 4, will not be required.

The instant variance will be used, if granted, only in the event that the Petitioner's request for reclassification of the property is unsuccessful. The parking statistics were determined by the Petitioner based upon the standards prescribed in the BCZR. The standards require 66 general retail spaces and 7 spaces for the proposed banking establishment, for a total of 73 commercial spaces, including the 3 spaces dedicated to handicapped parking. The proposed parking count, as taken from Petitioner's Exhibit 1, indicates that there is only sufficient area to park a total of 56 vehicles. The testimony of the Petitioner indicates that in their opinion, the proposed business uses, as specifically outlined on Petitioner's Exhibit 4, do not require the prescribed number of parking spaces. The Petitioners claim the businesses are all high turnover patron establishments and do not require long-term parking.

The Petitioner requests relief from Section 409.2 pursuant to Section 307 of the BCZR.

After due consideration of the testimony and evidence presented, and taking all that evidence in a light most favorable to the Petitioner as no testimony in contradiction was produced, it appears that strict compliance with the BCZR would result in practical difficulty and unreasonable hardship upon the Petitioners and the Petitioner's property. In the opinion of the Zoning Commissioner, the requested variance would not adversely affect the health, safety and general welfare of the community and will not in any way increase the density use of the subject property.

It is clear from the testimony that if the variance is granted such use as proposed would not be contrary to the spirit and intent of the BCZR and would

not result in substantial detriment to the public good. In the opinion of the Zoning Commissioner, it has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel.

Pursuant to the advertisement, posting of the property and public hearing held on this petition, and for the reasons given above, the requested variance should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 15th day of November, 1987, that a variance to permit 56 parking spaces in lieu of the required 73 spaces, in accordance with Petitioner's Exhibits 1, 2 and 4, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The Petitioner will be required to provide additional screening with a 6-foot wooden fence, flanked on both sides at 5-foot intervals with evergreen trees of appropriate nature, type and species that will limit growth into the walkway and street areas. Such screening shall be placed beginning from a point 10 feet from the curb line of Fowler Avenue to a point 10 feet from the curb line to Caldwell Avenue along the east edge of the commercial use of this property, approximately 2 feet from the curb line of the proposed road at the rear of the property. All other landscaping shall comply with the standards established in the Baltimore County Landscaping Manual.
- 3) This variance is being granted based upon and subject to the representations set forth on the site plans in the record, specifically, Petitioner's Exhibits 1, 2 and 4. All representations set forth thereon are required to be complied with by the Petitioner.

DESCRIPTION OF PROPERTY OWNED BY K.D. PROPERTIES, A MARYLAND GENERAL PARTNERSHIP 14TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the centerline of Belair Road (U.S. Route 1), said point being situated approximately 20 feet southerly from the centerline of Fowler Avenue (a 40 foot right-of-way) and thence running with and binding partly upon the southwesterly right-of-way line of said Fowler Avenue South 45° 48' 35" East 410.60 feet to an iron pin, thence leaving said right-of-way and running with the following three courses and distances: South 44° 11' 25" West 149.01 feet to a point, thence North 45° 48' 35" West 100.00 feet to a point, thence South 44° 11' 25" West 150.00 feet to a point on the northeasterly right-of-way of Cardwell Avenue. (a 40 foot right-of-way) thence running with and binding partly upon said centerline North 45° 48' 35" West 292.75 feet to a point on the centerline of Belair Road, thence running with and binding upon said centerline North 40° 46' 25" East 299.53 feet to the point of beginning.

Containing 2.4128 acres of land more or less and intended to comply with a Plat of Survey by D.S. Thaler & Associates, Inc. dated February 18, 1987.

Benjamin Bernstein, Esquire
73 W. Chesapeake Avenue, Suite 202
Towson, Maryland 21204

Petition for Zoning Variance
Cor. SE/S Belair Road and SW/S Fowler Avenue
11th Election District; 5th Councilmanic District
K.D. Properties, a Maryland Partnership - Petitioner
Case No. 88-135-A

Dear Mr. Commissioner:
Pursuant to the recent hearing held on the subject matter of this petition, I have advised that your petition for zoning variance has been granted, subject to the restrictions noted in the attached Order.

In the event the decision rendered in this matter is appealed, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

Enclosures
cc: D. S. Thaler & Associates
11 Warren Road
Pikesville, Maryland 21208
People's Counsel
File

PETITION FOR ZONING VARIANCE
11th Election District - 5th Councilmanic District
Case No. 88-135-A

LOCATION: Corner Southeast Side of Belair Road and Southwest Side of Fowler Avenue

DATE AND TIME: Wednesday, October 28, 1987, at 2:00 p.m.

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

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Zoning Variance to permit 56 parking spaces in lieu of the required 73 spaces.

Being the property of K. D. Properties, a Maryland 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.

J. ROBERT HAINES
ZONING COMMISSIONER
OF BALTIMORE COUNTY

PETITION FOR VARIANCE
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
K. D. PROPERTIES, A MARYLAND PARTNERSHIP, Petitioner
Case No. 88-135-A

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 21st day of September, 1987, a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, Esquire, Evans, George & Bronstein, Suite 203, 29 W. Susquehanna Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

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

J. ROBERT HAINES
ZONING COMMISSIONER

October 21, 1987

Benjamin Bronstein, Esquire
Suite 203
29 West Susquehanna Avenue
Towson, Maryland 21204

Re: PETITION FOR ZONING VARIANCE - Fowler Ave. Cor. SE/S Belair Rd., and SW/S Fowler Ave., 11th Election District - 5th Councilmanic District
K. D. Properties, a Maryland Partnership - Petitioner
Case No. 88-135-A

Dear Mr. Bronstein:

This is to advise you that \$69.57 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 the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:med

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 37968

DATE 10/28/87 ACCOUNT K-1-11-000

SIGN & POST RETURNED

AMOUNT \$ 69.57

Evans, George & Bronstein, Suite 203,
29 W. Susquehanna Ave., Towson, Md 21204

ADVERTISING & POSTING COSTS RE CASE #88-135-A

FOR \$ 8145*****685711 47627

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

Postage 11/14 Date of Posting 10/27/87

Postage for 11/14

Postmaster: K. D. Properties, a Maryland Partnership

Location of property: Cor. SE/S Belair Rd. & SW/S Fowler Ave.

Location of Sign: Corner SE/S Belair Rd. & SW/S Fowler Ave.

Remarks: 11/14 Date of return: 10/27/87

Posted by: 11/14 Signature

Number of Signs: 1

CERTIFICATE OF PUBLICATION
TOWSON, MD. Oct 8 1987

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 Oct 8 1987

Susan Shindler Shindler
THE JEFFERSONIAN,
Publisher

Petition For Zoning Variance
11th Election District - 5th Councilmanic District
Case No. 88-135-A

LOCATION: Corner Southeast Side of Belair Road and Southwest Side of Fowler Avenue

DATE AND TIME: Wednesday, October 28, 1987, at 2:00 p.m.

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

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Zoning Variance to permit 56 parking spaces in lieu of the required 73 spaces.

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.

J. ROBERT HAINES
Zoning Commissioner
of Baltimore County

The Times
Middle River, Md. Oct 8 1987

This is to Certify, That the annexed 11/14 was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 28th day of October, 1987.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
of Baltimore County

Benjamin Bronstein, Esquire
Suite 203
29 West Susquehanna Avenue
Towson, Maryland 21204

September 14, 1987

NOTICE OF HEARING
RE: PETITION FOR ZONING VARIANCE
Cor. SE/S Belair Rd. and SW/S Fowler Ave.
11th Election District - 5th Councilmanic District
K. D. Properties, a Maryland Partnership - Petitioner
Case No. 88-135-A

TIME: 2:00 p.m.

DATE: Wednesday, October 28, 1987

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

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 36185

DATE 10/15/87 ACCOUNT 01-615

AMOUNT \$ 100.00

RECEIVED FROM: BENJAMIN BRONSTEIN

FOR: FILED FEE FOR VARIANCE ITEM 514

FOR \$ 8092*****1000018 8054F

K. D. PROPERTIES, INC.
VALIDATION OR SIGNATURE OF CASHIER

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

June 18, 1987

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

Re: Property Owner: KD Properties

Location: Corner SE/S Belair Rd., and SW/S Fowler Avenue

Item No.: 514 Zoning Agenda: Meeting of 6/16/87

Gentlemen:

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

1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: C. H. Jones Noted and Approved: J. H. F. O'Neill
Planning Group Fire Prevention Bureau
Special Inspection Division

/s/

BALTIMORE COUNTY DEPARTMENT OF HEALTH

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

Zoning Item # 514 Zoning Advisory Committee Meeting of 6/16/87

Property Owner: KD Properties

Location: Corner SE/S Belair Rd. and SW/S Fowler Ave.

Water Supply: metric Sewage Disposal: metric

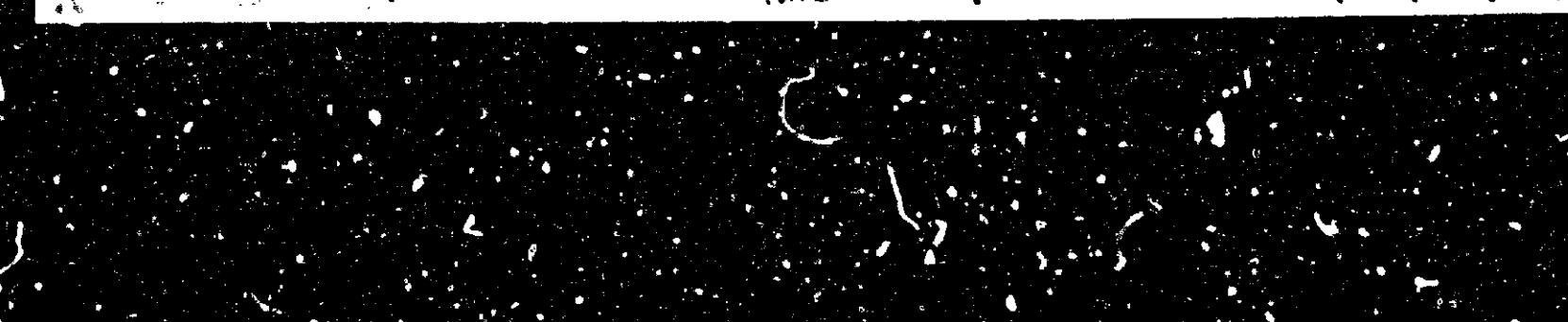
COMMENTS ARE AS FOLLOWS:

- () 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.
- (X) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 154-3775, 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 chafftrailer 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

11-245-923-2 11-245-923-2

1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 26



currently zoned DR 5.5 to BL to permit owner and employee parking behind the building which at the same time will straighten out the zoning line in a more sensible manner. We understand that your petition will request an exception from the Baltimore County rezoning cycle process and that you will need the consent of the Planning Board and the County Council. If obtained, you will then petition the Baltimore County Board of Appeals for a hearing. If this body grants the zoning change, we understand the previously granted variance referred to in paragraph 3 will be vacated. Our Association enthusiastically endorses this action on your part.

5. You are indicated to us that if the rezoning is granted, you do not intend to enlarge the size of your building but will only use the rezoned portion for parking.

6. Also, in exchange for our support of this project, you agree to build a connector road from Cardwell Avenue to Fowler Avenue in accordance with Baltimore County specifications within your development plan and development time frame. Further, you will not seek to obtain parking along this connector road.

7. I have reviewed the plat depicting the development plan and existing and proposed zoning line which I have executed in my capacity as President of the Linover Improvement Association.

We are sending a copy of this letter to Hon William Evans, our County Councilman, so he can review our agreement and urge him to support your request. Our Association is very appreciative of the time and effort you have spent in satisfying our concerns.

Sincerely yours,
Keith Madison
KEITH MADISON
President of Linover
Improvement Association

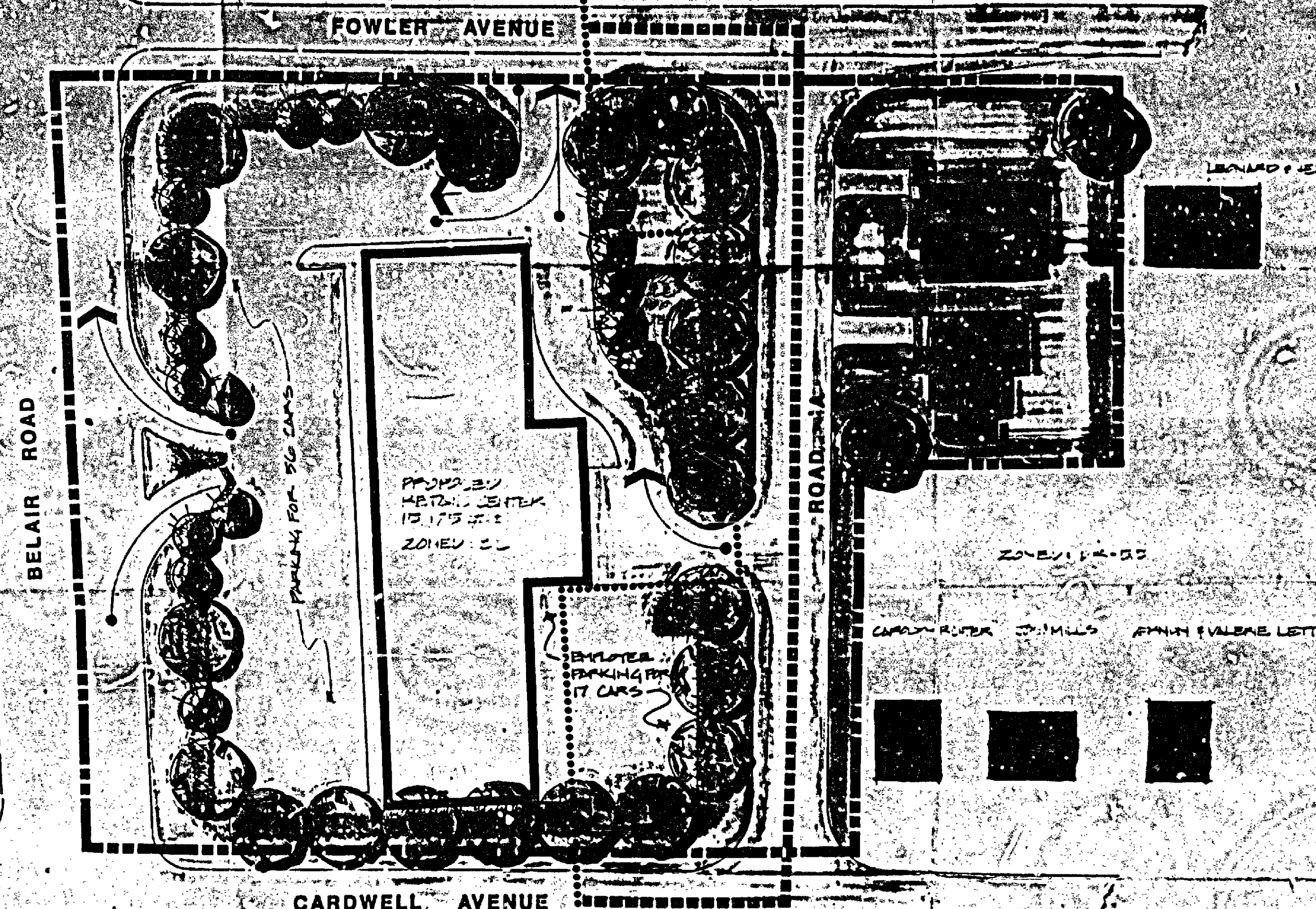
cc: Hon William R. Evans

SELTWAY PLAZA
SHOPPING CENTER

LEGEND

----- EXISTING TRACT BOUNDARY
..... EXISTING ZONING LINE
- - - - - PROPOSED ZONING LINE

○ PROPOSED SHADE TREES
○ PROPOSED FLOWERING TREES
~ ~ ~ ~ ~ PROPOSED EVERGREEN SCREEN / UNDERSTORY PLANTINGS



PROPOSED SITE PLAN:
BELAIR/FOWLER

PREPARED FOR:
K.D. PROPERTIES

BY:
D.S. THALER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LANDSCAPE ARCHITECTS
MAY, 1987

SCALE: 1" = 30'

THIS PLAN IS PRELIMINARY AND SCHEMATIC AND SUBJECT TO CHANGE

Keith L. Madison, President
Marian J. Ritzel, Vice President
Carl E. Michael, Treas.
Gintas Rollins, V.P. Membership
J. Paul Krave, Past President
Barry D. Picot, Treasurer
Robert J. Lusk, Chairman
Louis J. Holybrooke
Maggie L. Lusk
John M. Lusk
Charles E. Michael
Joseph T. Kacabakos
William J. Lusk

PERIODIC EXHIBIT 2

PERIODIC EXHIBIT 2

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Ken Katz	3 Shawan Rd. Lakeside W
Alan Katz	Baltimore
Mike Atfield	1100 Gower Rd. Baltimore
David Thaler	11 Waverly Rd. 21208
Benjamin Bernstein	29 W. Susquehanna Bldg. 21204

