

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCES - NS Joppa Road, 644' west of center line of Providence Road (414-416 East Joppa Road) - Ninth Election District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-246-XA

414-416 East Associates, *
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner in this case requests a special exception for a Class B office building in an R-O (Residential-Office) zone, as well as variances from Section 203.4.C.8.c of the Baltimore County Zoning Regulations ("BCZR") to permit a landscape buffer of 8 feet, in lieu of the required 20 feet, along the Petitioner's rear property line and similar landscape buffers of 8 feet, in lieu of the required 10 feet, along the Petitioner's side property lines. These requests arise from the Petitioner's proposal to construct a building addition that will link two Class A office buildings presently located on the property in question.

The Petitioner was represented at the January 19, 1989 hearing by Robert A. Hoffman, of Cook, Howard, Downes & Tracy/Venable, Baetjer & Howard. Also appearing at the January 19 hearing on behalf of the Petitioner were John W. Guckert, a general partner of the Petitioner partnership; William F. Kirwin, a planner and landscape architect; and David P. Recchia, an architect. Frederick W. Wood, II appeared on behalf of the Campus Hills Community Association, Inc. and expressed the

position of the association in favor of the Petitioner's proposal. Mr. Wood explained that, although the association had initially had some concerns, it had met with the Petitioner and was satisfied that the areas of concern would be appropriately addressed by the Petitioner.

At the beginning of the January 19 presentation of the Petitioner's case, Mr. Hoffman indicated that the Class B office building proposed in the Petitioner's revised plat, which was admitted as Petitioner's Exhibit 2, would comply with the maximum floor area ratio standard in Section 203.4.C.1 of the BCZR and that the variance originally requested in connection with that section would therefore be unnecessary. Accordingly, Mr. Hoffman withdrew that portion of the Variance Petition.

Before the filing of the Petitions in this case on October 13 and October 20, 1988, the County Council passed Bill No. 151-88, which became effective in November, 1988 and modified the requirements of the BCZR with respect to development in R-O zones. Because the new law was in effect at the time of the January 19, 1989 hearing before the Zoning Commissioner, and because, by its terms, the bill "grandfathers" only development carried out under "any order granting a special exception for a Class B office building . . . prior to the effective date of the bill", Bill No. 151-88 is applicable to the development proposed by the Petitioner.

Bill No. 151-88 provides that a Class B office building may be permitted by special exception in an R-O zone, if a

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development plan for the office building use has been approved by the County Review Group ("CRG") prior to the granting of the special exception. This provision does not forbid the filing of a Petition for Special Exception, nor does it forbid the Zoning Commissioner from holding a hearing on any Petition for Special Exception, before the approval of a CRG plan; rather, it requires that the CRG plan be approved before a final order granting any special exception is issued. In this case, although the Petitioner's CRG plan had not been approved at the time of the initial hearing, it was subsequently approved on April 20, 1989.

Mr. Guckert testified on January 19, 1989 that the Petitioner is the owner of the two Class A office buildings located at 414 and 416 East Joppa Road. He also stated that his business, known as "The Traffic Group, Inc.", currently occupies all of 414 and most of 416 East Joppa Road (there are two tenants at 416 East Joppa Road whose existing leases are being allowed to expire). The Traffic Group wants room for expansion and some limited growth,¹ and the Petitioner expects that The Traffic Group will occupy all of the proposed new Class B office building.

Mr. Guckert stated his opinion, both on behalf of the Petitioner/owner and as a traffic expert, that the Class B office building proposed in the Petitions would fully satisfy the

¹ Mr. Guckert testified that The Traffic Group currently has 17 employees and that some of these employees regularly work outside the office, so that there are generally 10 to 12 employees working in the office at any one time.

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requirements of Section 502.1 of the BCZR. Based on his conversations with representatives of the neighborhood, he felt that the development proposed in the Petitions would not adversely affect surrounding properties or the general neighborhood. In connection with the Petition for Zoning Variances, Mr. Guckert gave his opinion that unreasonable hardship would result if the buffer requirements of Section 203.4.C.8.c of the BCZR were not varied: if such buffers were provided, required parking on the petitioned property would be very cramped, and internal circulation impaired.

With respect to parking, Mr. Guckert testified at the January 19 hearing that he then had 21 parking spaces on the property that would be continued in the event of the proposed addition, that he leased five spaces on the adjoining property at 410 East Joppa Road, that on-street parking is permitted on Joppa Road during most of the regular work day, and that he had a building permit to construct additional on-site parking. Mr. Hoffman followed up Mr. Guckert's testimony by explaining that Mr. Guckert was then in the process of negotiating a formal written lease to assure continued access to five parking spaces at 410 East Joppa Road; Mr. Hoffman stated that, if the use of these spaces could not be assured, the Petitioner would scale back the area of its proposed office use, so that the parking provided on-site would meet the requirements of the BCZR.

At a June 5, 1989 continuation of the hearing in this case, convened so that the Petitioner could amend its submission

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slightly to conform to the approved CRG plan, the issue of leased parking spaces was rendered moot. In accordance with testimony of Mr. Guckert, proffered by Mr. Hoffman, the approved CRG plan, which was admitted as Petitioner's Exhibit 1A, showed a revised floor area configuration, remaining below the maximum floor area ratio permitted by the BCZR, requiring a total of 21 parking spaces. As Mr. Guckert had previously testified, 21 parking spaces were already being provided, and would continue to be provided, on site.

On January 19, 1989, Mr. Kirwin was acknowledged by the Zoning Commissioner to be an expert in the fields of planning and landscape architecture. Mr. Kirwin presented and discussed a landscape plan, which was admitted as Petitioner's Exhibit 3. That plan showed a fence atop the proposed concrete retaining wall at the rear of the property. Mr. Kirwin noted that he had shown the fence at least in part because of discussions with representatives of the Campus Hills Community Association, but that he did not favor this device. Rather, he felt that plantings, in conjunction with the proposed retaining wall, would provide adequate screening for neighboring properties. When Mr. Wood was questioned about the community's view of the need for the fence, he indicated that the community would not be opposed to the substitution of plantings, as long as they would keep the headlights of cars on the petitioned property from shining directly onto any neighboring property. Mr. Guckert indicated

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that the Petitioner would maintain and replace vegetation used in lieu of a fence for visual buffering.

Mr. Kirwin described the "cottage" residential flavor of the existing development along the north side of this section of Joppa Road. He testified that the building addition proposed by the Petitioner would, in his expert opinion, be fully consistent with the character established by the converted dwellings in the area. He explained that the proposed link to be built between the two existing Class A office buildings would create the appearance of three separate houses connected at the upper level. The testimony of Mr. Recchia was proffered to corroborate Mr. Kirwin's opinion in this regard.

It is clear that the BCZR, as amended by County Council Bill No. 151-88, permit a Class B office building by special exception in an R-O zone, as long as a CRG plan for the office building has been approved before the special exception is actually granted. The Zoning Commissioner takes notice of the fact, indicated above, that a CRG plan for the Petitioner's proposed Class B office building was approved on April 20, 1989.

After reviewing the evidence presented, it appears that the special exception requested by the Petitioner should be granted, subject to the conditions stated below. The Petitioner has satisfied its burden of showing that the proposed use, as so conditioned, would not result in real detriment to the neighborhood or adversely affect the public interest. The facts and circumstances described at the hearing do not indicate that

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the proposed Class B office building at the location involved here would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. See Schultz v. Pritts, 291 Md. 1, 432 A.2d 1319 (1981).

If the proposed office building is established in accordance with the approved CRG plan and the conditions stated below, it will not be detrimental to the health, safety, or general welfare of the locality; will not tend to create congestion in roads, streets, or alleys; will not create a potential hazard, tend to overcrowd land, or cause undue concentration of population; will not interfere with the adequate provision of public facilities or with adequate light and air; will not be inconsistent with the impermeable surface and vegetative retention provisions of the BCZR or with the purposes of the property's zoning classification; and will not in any other way be inconsistent with the spirit and intent of the BCZR.

As to the requested variances from the landscape buffer requirements set forth in Section 203.4.C.8.c of the BCZR, these are clearly variances from area regulations, which the Zoning Commissioner is authorized by Section 307.1 of the BCZR to grant where strict compliance with the BCZR would result in practical difficulty or unreasonable hardship. The testimony presented and proffered on behalf of the Petitioner demonstrates that to require strict adherence to Section 203.4.C.8.c would severely restrict the space provided within the parking areas on the

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Petitioner's site for aisles and vehicle maneuvering. Furthermore, the testimony indicates that the buffering objectives that the County Council sought to achieve through Section 203.4.C.8.c can be accomplished in this case through the combination of retaining walls and plantings favored by the Petitioner's landscape architect, reinforced by the conditions stated below. Just as the evidence shows that the requested variances would be in strict harmony with the spirit and intent of the BCZR, it also establishes that they would result in no substantial injury to public health, safety, or general welfare.

Pursuant to the advertisement, posting of the property, and public hearing held, and it appearing that the requirements of Sections 307.1 and 502.1 of the BCZR have been met and that the health, safety, and general welfare of the community will not be adversely affected by the use proposed by the Petitioner, if conditioned as set forth below, the approvals requested by the Petitioner should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this third day of June, 1989, that the Petition for Special Exception for a Class B office building and the Petition for Zoning Variances from Section 203.4.C.8.c of the BCZR are hereby GRANTED, subject however, to the following restrictions, which are conditions precedent to the relief granted herein:

1. The Petitioner shall take all appropriate action in accordance with the Baltimore County Development

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NOTES:

- ELECTION DISTRICT NO. 9
- COUNCILMANIC DISTRICT NO. 4
- CENSUS TRACT: 4909
- WATERSHED: 23
- SUBWATERSHED: 55
- NET SITE AREA: 0.434 ACRES = 18905 S.F. +/-
- GROSS SITE AREA (50' OF ADJACENT RIGHT OF WAY) 0.539 ACRES = 23492.6 S.F. +/-
- EXISTING ZONING: RO
- PROPOSED DENSITY: N/A
- AMENITY: OPEN SPACE REQUIRED: 1% OF PARKING AREA OR 0.1% OF G.R. AREA, WHICHEVER IS GREATER. OPEN SPACE PROVIDED: 134 S.F.
- NO EXISTING OR PROPOSED WELL & SEPTIC AREA EXISTING UTILITIES LOCATED IN JOPPA ROAD.
- THERE ARE NO KNOWN WETLANDS, ARCHAEOLOGICAL SITES, CRITICAL AREAS, ENDANGERED SPECIES HABITAT OR HAZARDOUS WASTE ON THIS SITE.
- ESTIMATED AVERAGE DAILY TRIPS: GENERAL OFFICE BUILDING 10000 S.F. @ 10/1000 S.F. = 100 TRIPS
414 - 414E EAST JOPPA RD. 6366/715
416 - 414E EAST JOPPA RD. 6366/715
- DEED REFERENCE: 414 - 414E EAST JOPPA RD. 6366/715
- PROPERTY NOS. 414 JOPPA - 0905610351, 416 JOPPA - 0905610350
- TOTAL SITE LIES WITHIN THE 15' TYPICAL SETBACK - SEE PLAN.
- REQUIRED PARKING: GENERAL OFFICE BUILDING: 33 SPACES PER 1000 S.F. OF GROSS FLOOR AREA
- TOTAL NO. OF PARKING SPACES REQUIRED: BASED ON 33 SPACES PER 1000 S.F. OF GROSS FLOOR AREA
BASEMENT: 0 S.F. + 1000 = 0 X 3.3 = 0
1ST FLOOR: 2849 S.F. + 1000 = 2.85 X 3.3 = 9.4
2ND FLOOR: 2405 S.F. + 1000 = 2.4 X 3.3 = 7.9
TOTAL REQ'D SAY 17.3
- TOTAL NO. OF PARKING SPACES PROVIDED: 21 SPACES INCLUDING 1 HANDICAP ON SITE
- ALL PARKING SPACES SHALL BE MINIMUM SIZE OF 8.5' X 18'. ONE HANDICAPPED SPACE TO BE PROVIDED.
- EXISTING USE: OFFICE - 2 CLASS "A" BUILDINGS
- PROPOSED BUILDING USE: CLASS "Y" OFFICE BUILDING GENERAL OFFICE USE IS PROPOSED. MEDICAL OFFICES WILL NOT BE PERMITTED.
- FLOOR AREA RATIO: MAXIMUM PERMITTED, 55 OF 25452.6 S.F. (650' AC ±) = 7752.5 S.F. OF ADJUSTED GROSS FLOOR AREA
- FLOOR AREA RATIO PROPOSED: 7751 S.F. IS 99% OF ALLOWABLE OR .33 FAR. FAR IS BASED ON OFFICE AND STORAGE 58,000 S.F. OF ADJUSTED GROSS FLOOR AREA
- % OF BUILDING COVERAGE TO NET SITE: 3322 / 18905 = 18%
- LANDSCAPING TO BE ACCOMPLISHED IN ACCORDANCE WITH THE LANDSCAPE MANUAL STANDARDS.
- ALL DISTURBED AREAS WHICH ARE NOT TO BE PAVED OR PLANTED IN ACCORDANCE WITH THE PLANTING PLAN SHALL BE SEEDED & MULCHED.
- THERE ARE NO HISTORIC BUILDINGS ON SITE
- PRINCIPAL USE WILL BE OFFICE SPACE FOR THE TRAFFIC GROUP GROUP WHO ARE TRAFFIC ENGINEERS. NORMAL HOURS ARE FROM 7:00 AM TO 6:00 PM. BY CODE A TOTAL OF 13 EMPLOYEES IS POSSIBLE @ 1/100 G.R.
- AN EXISTING ONE SIDED SIGN OF 8 S.F. WILL BE RELOCATED ON FRONT OF THE NEW BUILDING. THIS SIGN IS POLISHED, BRASS, NOT ILLUMINATED AND HAS A PROJECTION OF LESS THAN 6". ALL EXTERIOR LIGHTS SHALL BE DIRECTED AWAY FROM NEIGHBORING PROPERTIES. LIGHT AT THE PARKING LOT WILL BE RECESSED INTO THE BUILDING AND NOT BE VISIBLE FROM THE ADJACENT HIGHWAY.
- THE SUBJECT SITE HAS BEEN APPLIED FOR.
- THE SUBJECT SITE IS SERVED BY M.T.A. ROUTE 66. A PETITION FOR SPECIAL EXCEPTION & ZONING VARIANCE HAS BEEN FILED. ITEM NO. 66-246 XA. ITEMS TO BE ADDRESSED ARE:
66-1 - A SPECIAL EXCEPTION TO ALLOW A CLASS "Y" OFFICE BUILDING IN A RO ZONE
66-2 - TO ALLOW A FLOOR AREA RATIO OF 50 IN LIEU OF 55-DE DEDICTED
66-3 - TO ALLOW AN 8' LANDSCAPE BUFFER IN LIEU OF 20' IN FEAR
66-4 - THE EXISTING CENTER PROPERTY LINE WILL BE REMOVED & RELOCATED
66-5 - A LANDSCAPE PLAN WILL BE SUBMITTED PRIOR TO GRANTING OF A PERMIT
- THE BUILDING SIGN WILL CONFORM TO RO ZONE GUIDELINES - 2 S.F. MAX. MOUNTED BUILDING PROJECTING LESS THAN 6" - NOT ILLUMINATED.

TOTAL BLDG. SQ. FT. 8819 S.F.
GROSS FLOOR AREA 6253 S.F.
ADJUSTED G.F.A. 7751 S.F.

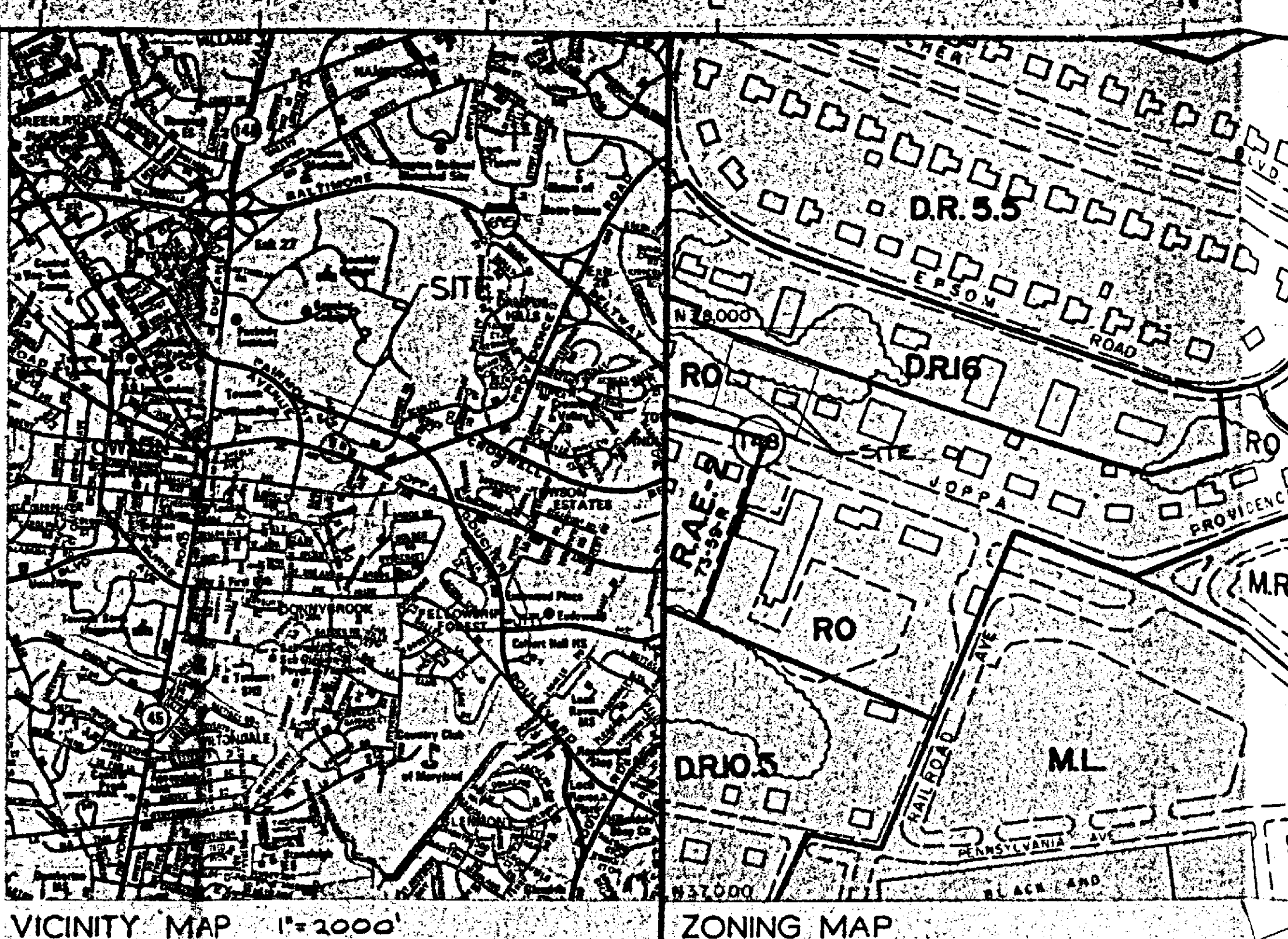
SQUARE FOOTAGE TABULATION

BASEMENT	
EXISTING 414 - MECH STORAGE	278 S.F.
EXISTING 416 - MECH STORAGE	278 S.F.
PROPOSED - PARKING STORAGE	512 S.F.
PROPOSED - STORAGE	288 S.F.
TOTAL	2566 S.F.

FIRST FLOOR	
EXISTING (414)	1040 S.F.
EXISTING (416)	1040 S.F.
PROPOSED	1478 S.F.
TOTAL	3558 S.F.

SECOND FLOOR	
EXISTING (414)	980 S.F.
EXISTING (416)	980 S.F.
PROPOSED	1478 S.F.
TOTAL	3438 S.F.

SUMMARY	
BASEMENT	2566 S.F.
FIRST FLOOR	3558 S.F.
SECOND FLOOR	3438 S.F.
TOTAL BUILDING	8819 S.F.
TOTAL OFFICE USE	6253 S.F.
TOTAL MECH. USE	556 S.F.
TOTAL PARKING USE	512 S.F.
TOTAL STORAGE USE	1478 S.F.
TOTAL	13809 S.F.



THE TRAFFIC GROUP
414 EAST JOPPA ROAD
TOWSON, MARYLAND 21204

DEVELOPMENT NAME

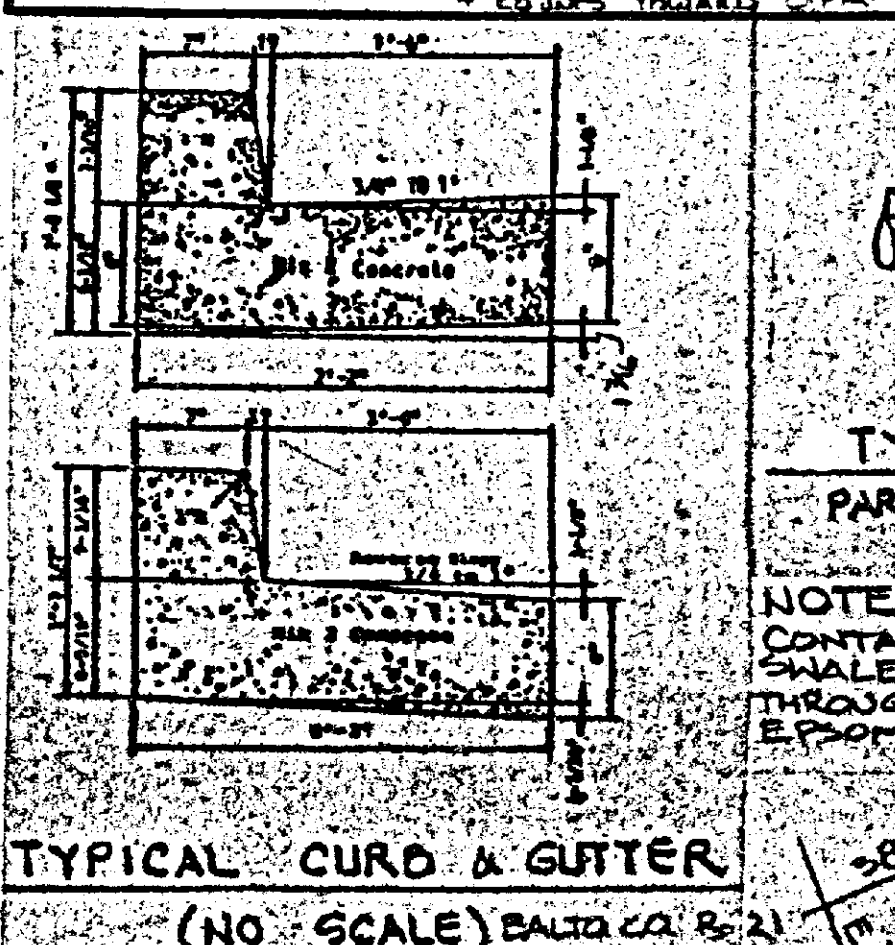
THE TRAFFIC GROUP
414 EAST JOPPA ROAD
TOWSON, MARYLAND 21204
PHONE # 583-8405

APPLICANT

THE TRAFFIC GROUP
414 EAST JOPPA ROAD
TOWSON, MARYLAND 21204

OWNER

PUBLIC SERVICE CRG. NO. 88/193
PLANNING NO.

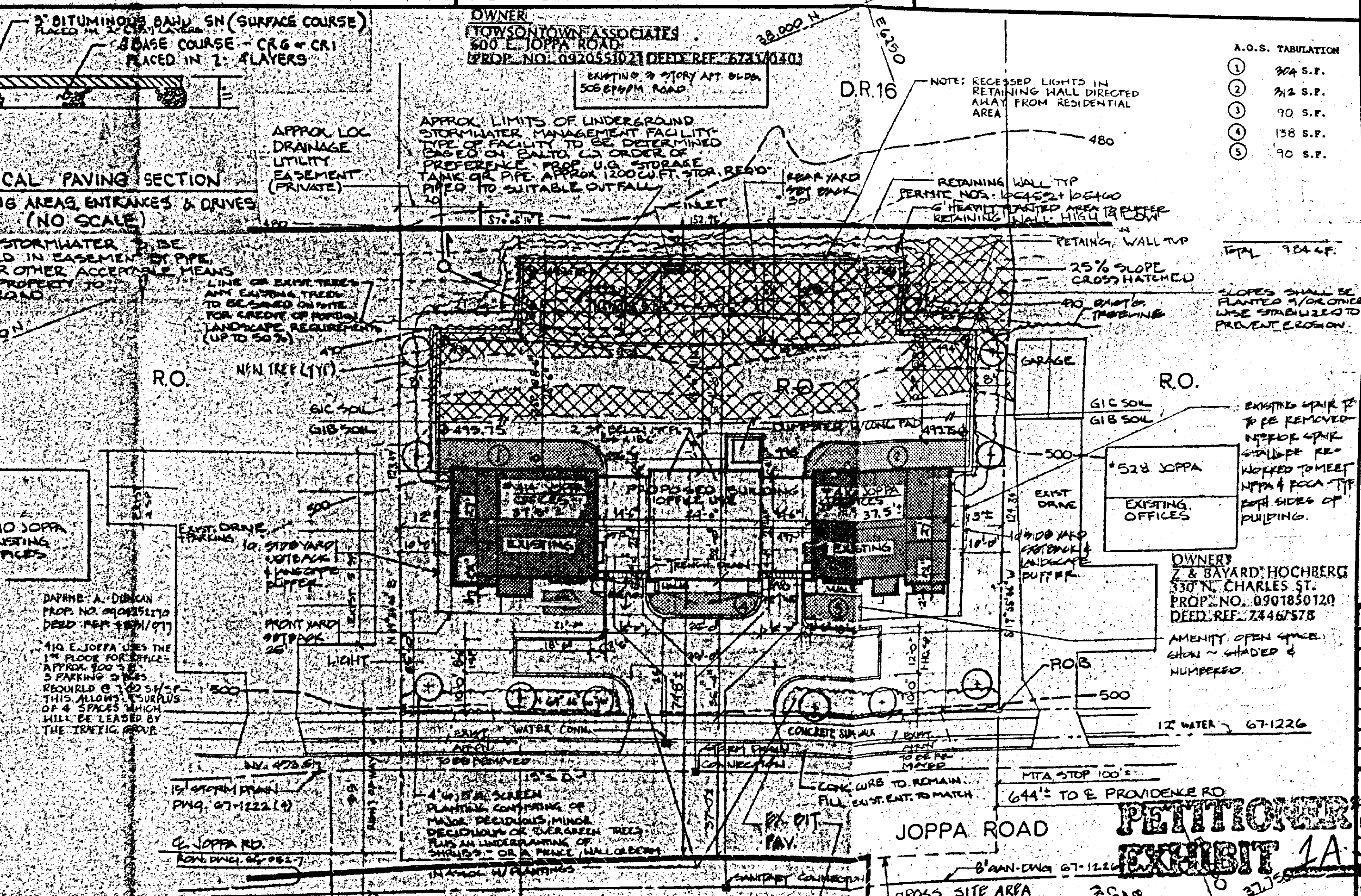


LEGEND

- SOIL TYPE DIVISION
- BOUNDING LINE OF DIVISION
- AREAS OF 20% OR GREATER SLOPE
- RETAINING WALL
- SPOT ELEVATION

SOIL TYPE	RECOMMENDATION	PARKING LOT
CLAY	FLIGHT	MODERATE SLOPE
CLAY	MODERATE SLOPE	GENERAL SLOPE

LANDSCAPING NOTES:
1. ONE TREE PER 10 LF. OF FRONTAGE - 20' X 10' - 7' 1/2" TREE - 6 TREES.
2. ONE TREE PER 10 PARKING SPACES - 10' X 10' - 7' 1/2" TREE - 10 TREES.
3. TOTAL NUMBER OF TREES REQUIRED - 16 TREES.
4. MINIMUM OF 60% OF REQUIRED TREES SHALL BE MATURE PERENNIALS.
5. A LANDSCAPE PLAN WILL BE SUBMITTED PRIOR TO GRANTING OF A PERMIT.



A.O.S. TABULATION	
1	904 S.F.
2	912 S.F.
3	90 S.F.
4	138 S.F.
5	90 S.F.
TOTAL	984 S.F.

NOTE: RECESSED LIGHTS IN RETAINING WALL DIRECTED AWAY FROM RESIDENTIAL AREA

RETAINING WALL TOP TYPE PERMITS NOS. 104251 & 104400 6" HEAVY TYPED AREA 13' ELEVATION RETAINING WALL TYPE

25% SLOPE CROSS HATCHED

NO. 104251 & 104400 6" HEAVY TYPED AREA 13' ELEVATION RETAINING WALL TYPE

EXISTING DRIVE TO BE REMOVED - EXISTING DRIVE SHALL BE RELOCATED TO MEET JOPPA & PROVIDENCE

EXISTING DRIVE TO BE REMOVED - EXISTING DRIVE SHALL BE RELOCATED TO MEET JOPPA & PROVIDENCE

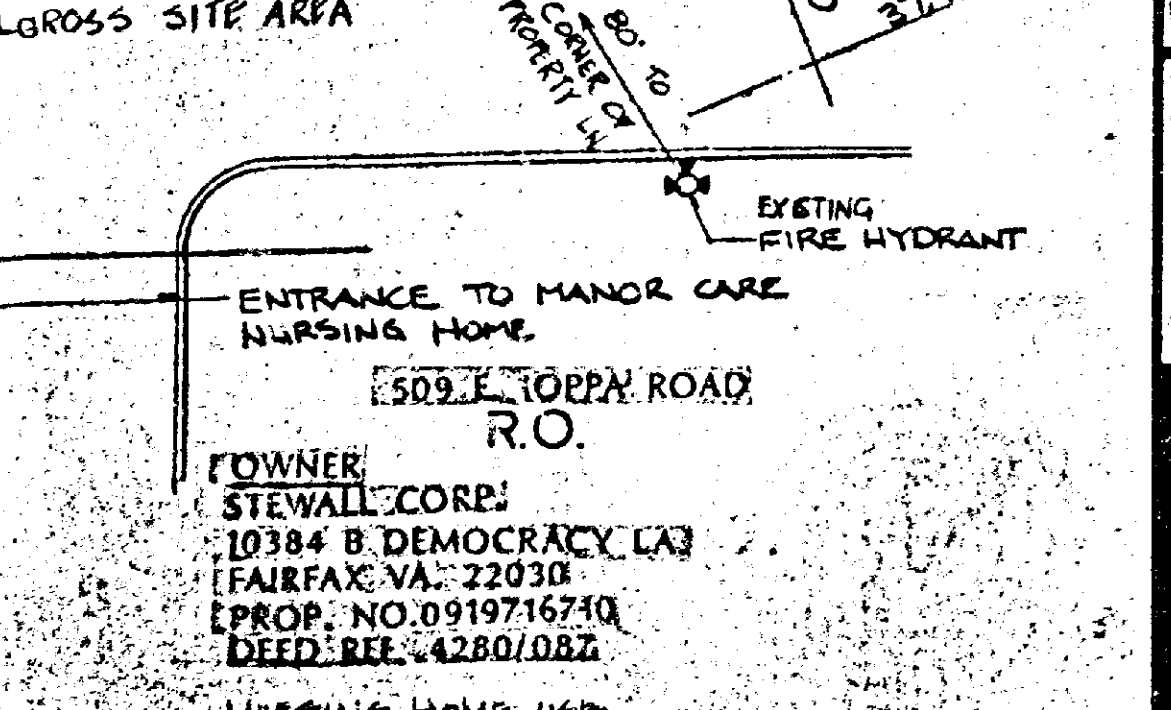
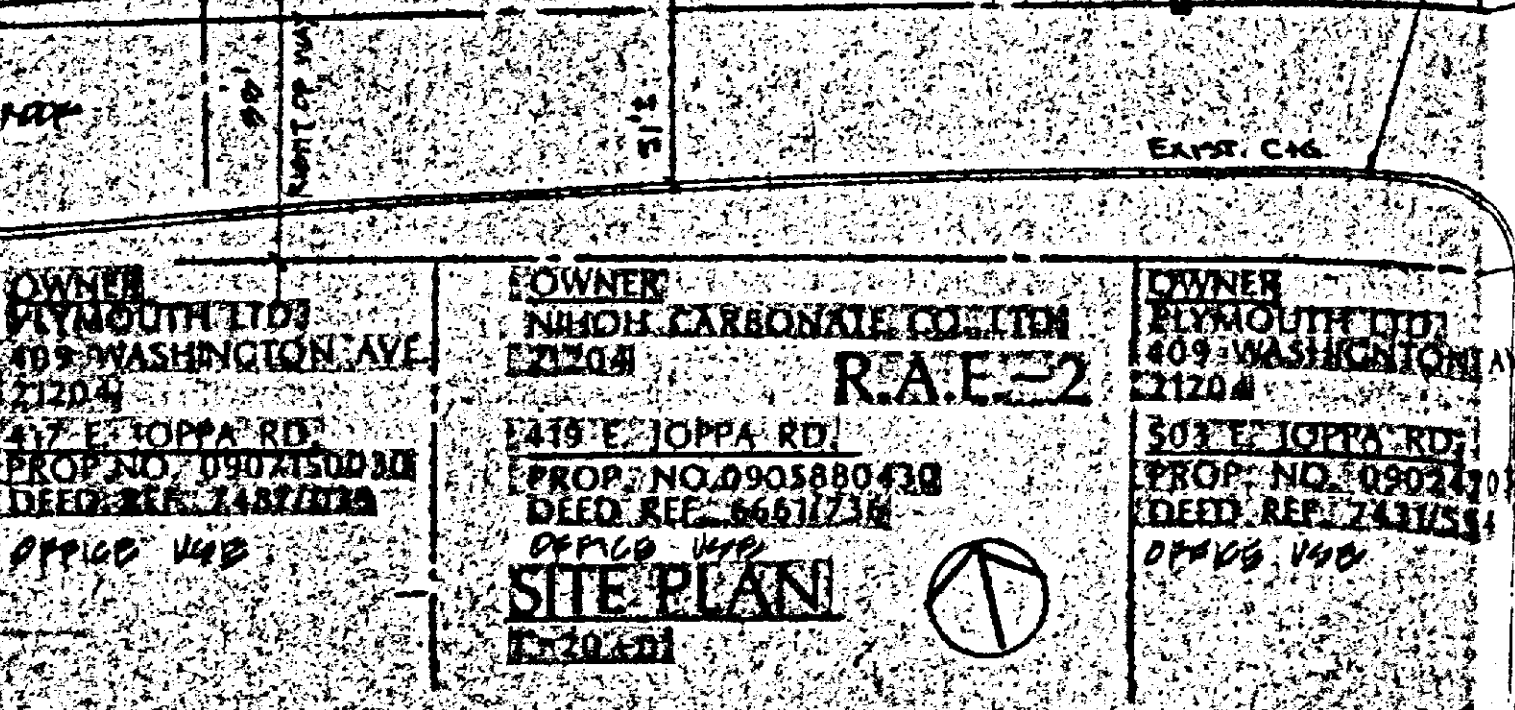
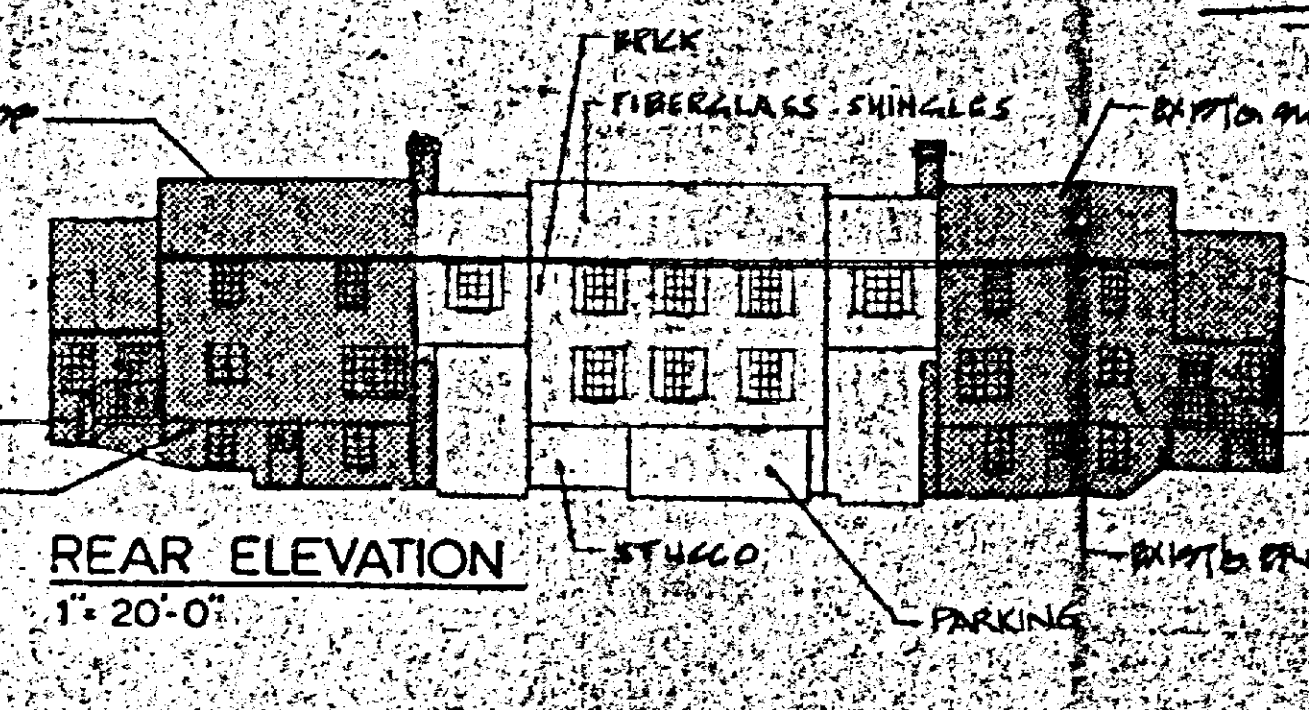
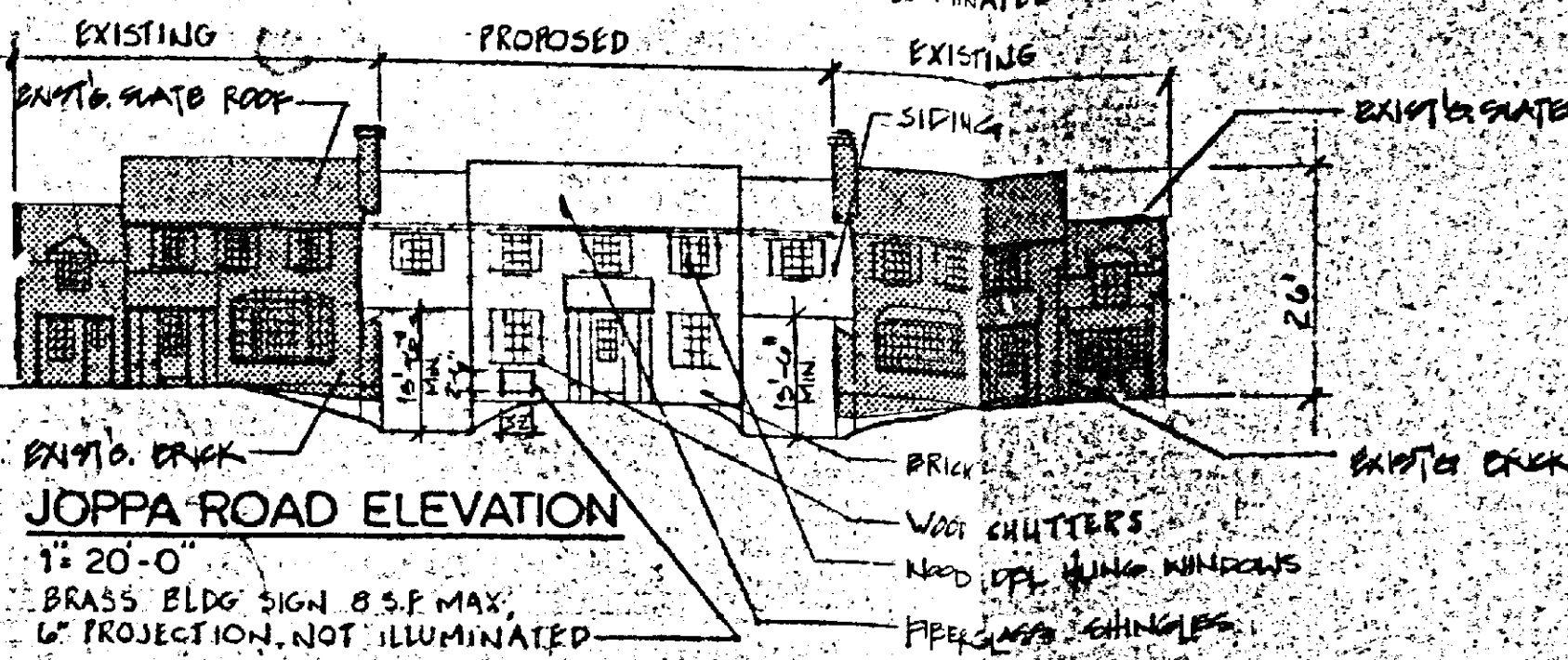
EXISTING DRIVE TO BE REMOVED - EXISTING DRIVE SHALL BE RELOCATED TO MEET JOPPA & PROVIDENCE

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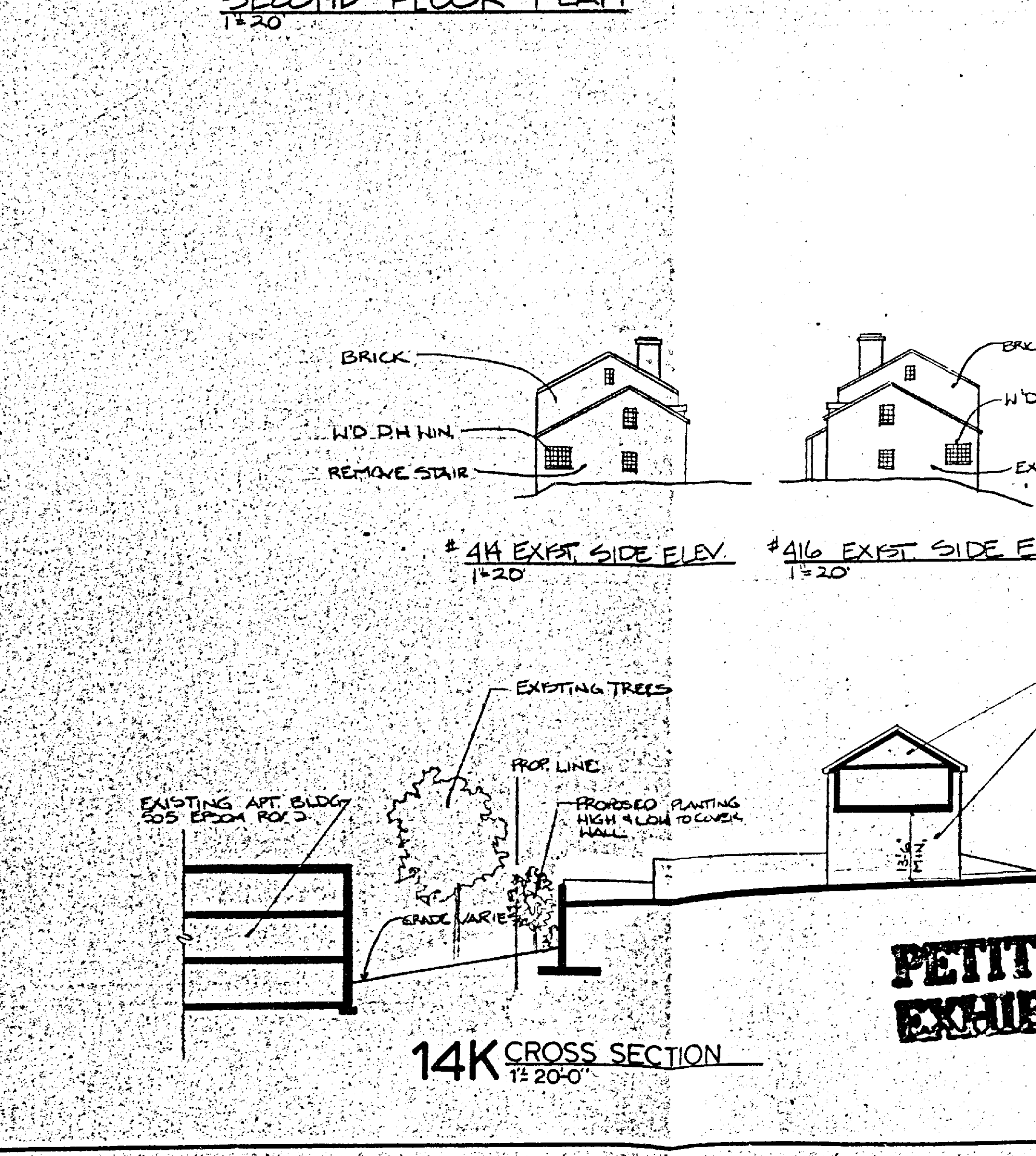
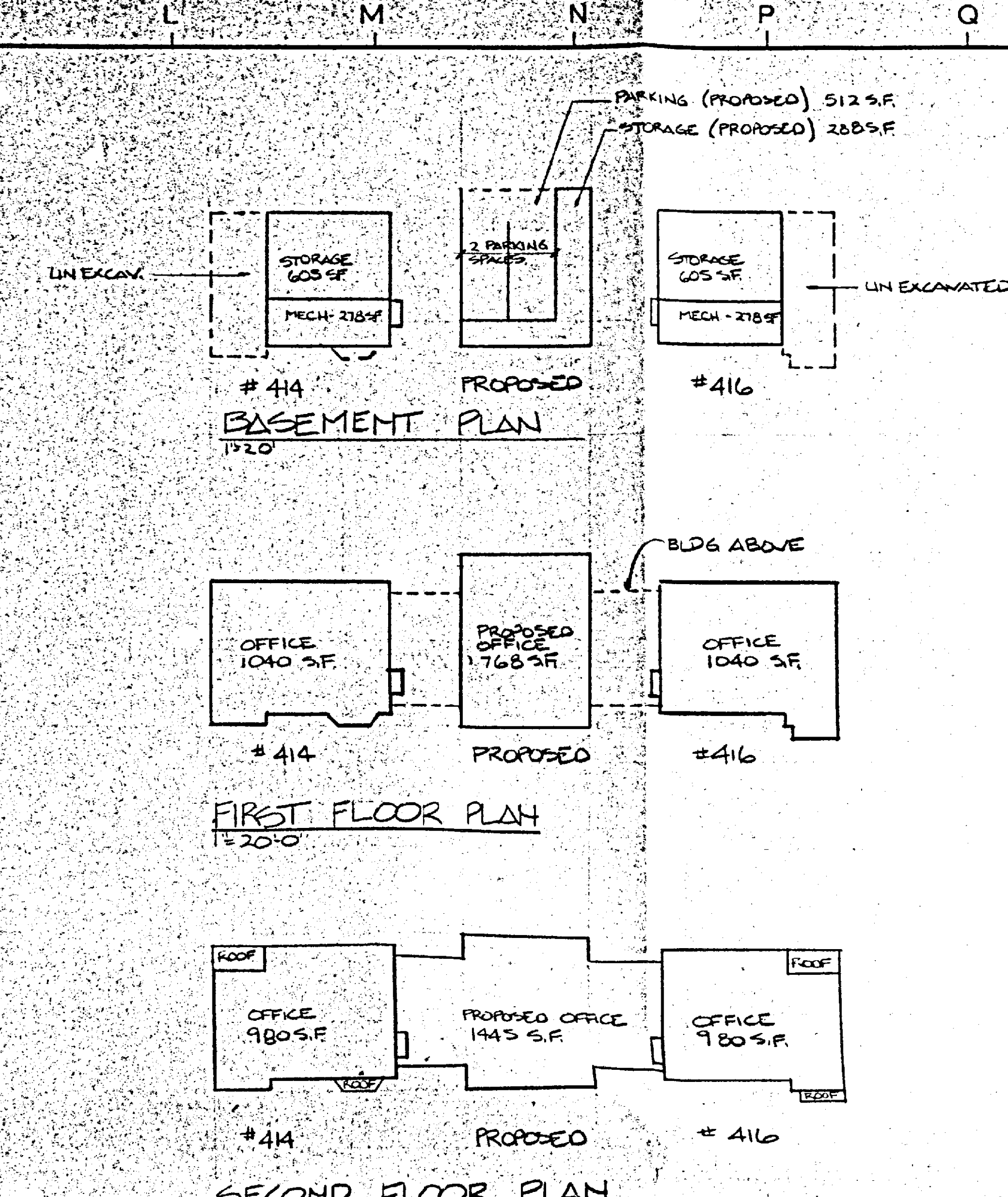
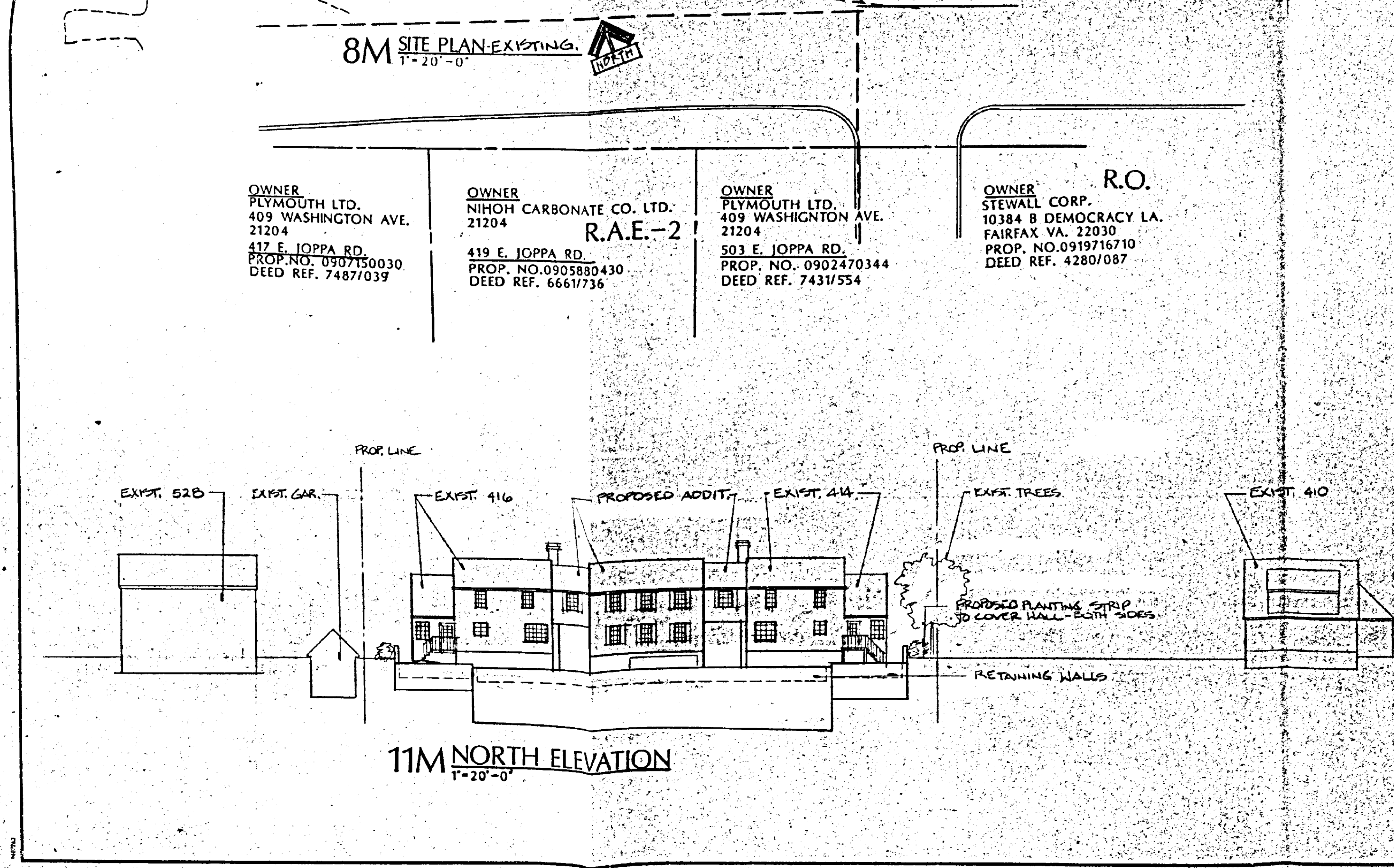
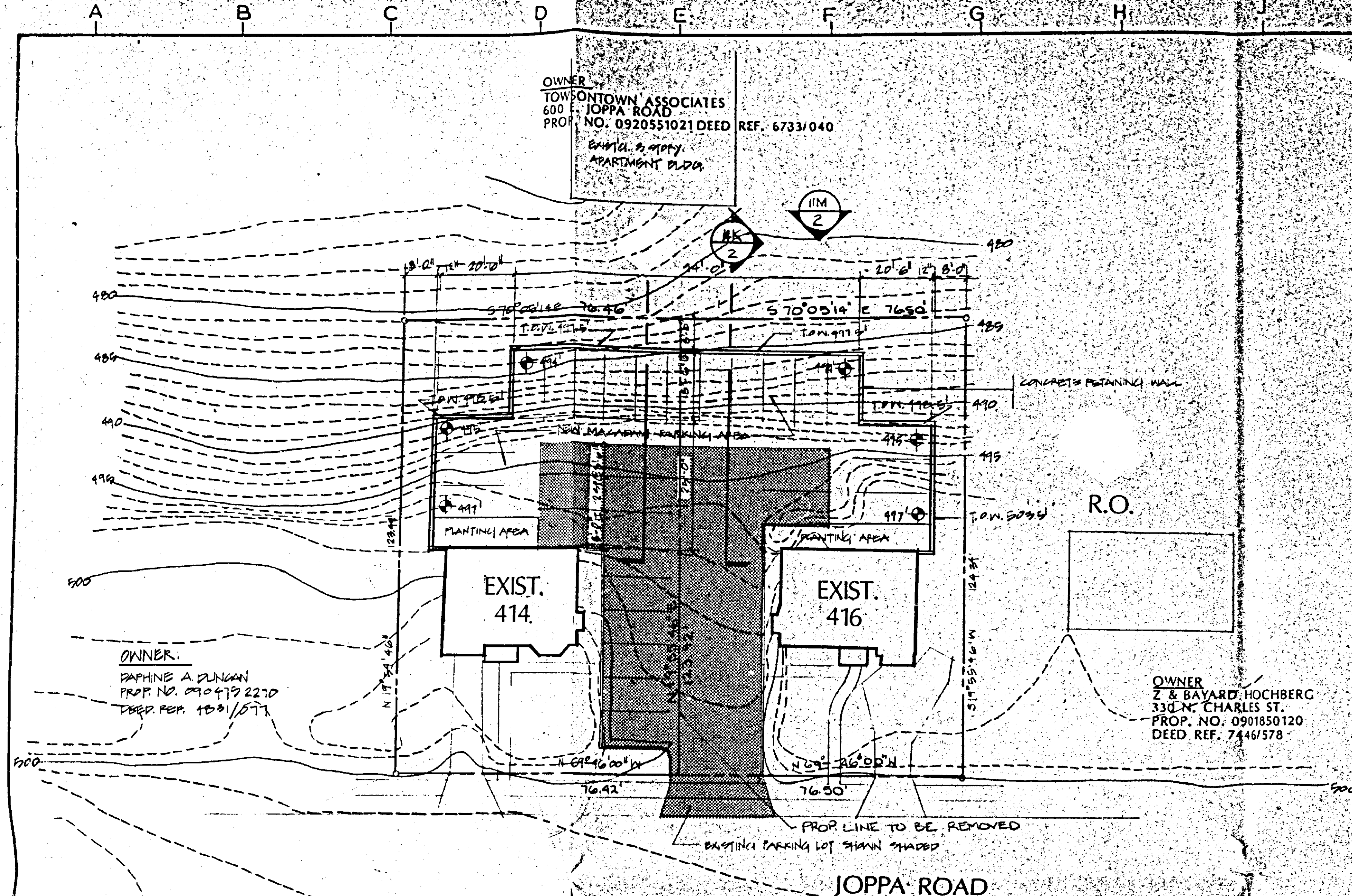
RUBELING & ASSOCIATES ARCHITECTS
510 EAST JOPPA ROAD
TOWSON, MARYLAND 21204
301/337-2886

THE TRAFFIC GROUP ADDITIONS & ALTERATIONS TOWSON, MARYLAND

No.	Description	Date
1	Revisions	
2	Revisions	
3	Revisions	
4	Revisions	
5	Revisions	
6	Revisions	
7	Revisions	
8	Revisions	
9	Revisions	
10	Revisions	

Title CRG PLAN/PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION FOR CLASS B BUILDING

Sheet 1



RUBELING & ASSOCIATES
ARCHITECTS
510 EAST JOPPA ROAD
TOWSON, MARYLAND 21204
410/337-2886

THE TRAFFIC GROUP
ADDITIONS & ALTERATIONS
TOWSON, MARYLAND

No.	Description	Date
1	PROJ. NO. 880651	
2	DATE 20 DEC 88	
3	SCALE AS NOTED	
4	LAST REV. 20 MAR 89	
5	TITLE CRG. PLAN/PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION FOR CLASS B BLDG.	
6	SHEET 2	

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed rezoning of the property located at 111 W. Chesapeake Avenue in Towson, Maryland at 10:30 a.m. on Wednesday, December 21, 1988 at 10:30 a.m.

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 23, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov. 22, 1988.

THE JEFFERSONIAN
TOWSON TIMES,

S. Zabe Orlean

PO 05840
rg M 20474
case 89-246-XA
price \$105.43 T+J

Publisher

LAW OFFICES COOK, HOWARD, DOWNES & TRACY

210 ALLEGHENY AVENUE
P.O. BOX 5517

TOWSON, MARYLAND 21204

TOWSON (301) 823-4111

TELECOPIER (301) 821-0477

205 EAST BROADWAY

P.O. BOX B

BEL AIR, MARYLAND 21014

BEL AIR (301) 838-8884

BALTIMORE (301) 978-1551

DIRECT DIAL NUMBER

December 1, 1988

JAMES H. COOK
JOHN B. HOWARD
DAVID S. DOWNES
DANIEL O. COOK, JR.
JOHN H. ZINK, III
JOSEPH C. WICK, JR.
HENRY B. PECK, JR.
HERBERT F. GONONOR, III
FRANK F. HERTSCH
MICHAEL E. LEAT
THOMAS L. HUDSON
C. CAREY DEELEY, JR.
M. KING HILL, III
GEORGE K. REYNOLDS, III
ROBERT A. HOFFMAN
CYNTHIA M. HAHN

REPLY TO: TOWSON

JUDITH A. ARNOLD
GERARD C. COPPIN
KATHLEEN GALLOGLY COX
JOHN J. GESSNER
J. MICHAEL BRENNAN
H. BARRY PETERSON, JR.
JOSEPH F. SKEE, JR.
KATHERINE L. KOTE
JAMES K. MALMASTER
JAMES H. MARTIN
REGAN J. R. SMITH
NEWTON B. FOWLER, III
CHARLES R. WELLSINGTON
KEVIN J. MAHONEY
ELISA J. S. RUBIN
NANCY E. SMITH
JAMES D. C. DOWNES
(1906-1979)

Hand Delivery

Gwen Stevens
Baltimore County Office of
Zoning and Planning
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: 414-416 East Associates
Case No.: 89-246XA

Dear Gwen:

Enclosed please find the revised petitions that Rob Hoffman discussed with you this morning in connection with the above referenced case. Please call me as soon as you know whether the new hearing date will be on January 17th or the 19th. Also enclosed is a check in the amount of \$35.00 in payment of the revision fee.

Thank you.

Sincerely,

Alice A. Malinowski
Alice A. Malinowski
Legal Assistant

AAM:bw
Enclosure
cc: Robert A. Hoffman, Esquire

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

12/2/88

John B. Howard, Esq.
210 Allegheny Ave.
Towson, MD 21204

Re: POSTPONEMENT REQUEST

Dear Sir:

This to acknowledge receipt of your postponement request regarding the following petition:

Case number: 89-246-XA
Petitioner(s): 414-416 East Assoc.
Location: 414-416 E. Joppa.

Please be advised that your request [X] will [] will not be granted, and as such, the case [] will [X] will not proceed on the assigned date of 12-21-88. Where applicable, you will be timely notified of the new hearing date.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:gs

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE : OF BALTIMORE COUNTY
N/S Joppa Rd., 644' W c/l :
Providence Rd. (414-416 E. Joppa :
Rd.), 9th Election District; :
4th Councilmanic District :
414-416 EAST ASSOCIATES, : Case No. 89-246-XA
Petitioner : :
: : : : :
ENTRY OF APPEARANCE

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

ENTRY OF APPEARANCE

: : : : :

Phyllis Cole Friedman

People's Counsel for Baltimore County

Peter Max Zimmerman

Peter Max Zimmerman

Deputy People's Counsel

Room 306, County Office Building

Towson, Maryland 21204

494-2188

I HEREBY CERTIFY that on this 28th day of November, 1988, a copy of the foregoing Entry of Appearance was mailed to John B. Howard, Esquire, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

414-416 East Associates
414 East Joppa Road
Towson, Maryland 21204

ATTN: MR. JOHN W. GUCKERT

Date: 12/2/88



Dennis F. Rasmussen
County Executive

Re: Petitions for Special Exception and Zoning Variance
Case Numbers: 89-246-XA
45 Joppa Road, 644' W c/l Providence Rd.
(414-416 East Joppa Road)
9th Election District - 4th Councilmanic
Petitioner(s): 414-416 East Associates
Hearings Wednesday, December 21, 1988 at 10:30 a.m.

Gentlemen:

Please be advised that \$155.43 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

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

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled.

Please note that should will be an additional returned.

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

No. 059713

DATE 1/4/89 ACCOUNT 12-01-615-000

AMOUNT \$ 135.43

RECEIVED FROM: Cook, Howard, et al (414-416)

FOR: PA 12/2/88

JRH:gs

cc: John B. Howard,
File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Exception and Zoning Variance

CASE NUMBER: 89-246-XA

45 Joppa Road, 644' W c/l Providence Rd.

(414-416 East Joppa Road)

9th Election District - 4th Councilmanic

Petitioner(s): 414 - 416 East Associates

HEARING SCHEDULED: WEDNESDAY, DECEMBER 21, 1988 at 10:30 a.m.

Variance to allow a floor area ratio of .36 in lieu of the maximum permitted floor area ratio of .33 and to allow an 8 ft. landscape buffer in lieu of the required 20 ft. landscape buffer.

Special Exceptions: A class B office building.

*IF PHASE II OF SNOW EMERGENCY PLAN IS IN EFFECT ON THIS DATE, CASE WILL BE RESCHEDULED. CALL 887-3391 TO CONFIRM DATE.

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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 14, 1988

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

RE: Item No. 156, Case No. 89-246-XA
Petitioner: 414-416 East Associates
Petition for Special Exception and Zoning
Variance

Dear Mr. Howard:

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. 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:dt

Enclosures

cc: Rubeling & Associates
530 E. Joppa Rd.
Towson, MD 21204

Baltimore County
Fire Department
Towson, Maryland 21204-2356
494-4540

Paul H. Reincke
Chief

December 2, 1988

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: 414-416 E. Assoc.,
Location: N/S Joppa Rd., 644' W. of c/l of Providence Rd.

Item No.: 156

Gentlemen:

Zoning Agenda: Meeting of 10/25/88

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

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- (x) 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.

REVIEWED: *John B. Kelly* 12-2-88 NOTED &
Planning Group
Special Inspection Division
* Entrances shall be 13 feet, 6 inches, in height for Fire Dept. access to rear of building.
Fire Prevention Bureau
/jl

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: May 23, 1989
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for March 14, 1989 - Item 353

The Developers Engineering Division has reviewed the subject zoning item and our comments are attached.

Robert W. Bowling / DAK
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s
Encls.

RECEIVED
MAY 25 1989
ZONING OFFICE

MAY 25 1989

BALTIMORE COUNTY, MARYLAND
SUBJECT: COUNTY REVIEW GROUP COMMENT
FROM: OFFICE OF PLANNING AND ZONING DATE: 1/5/89

PROJECT NAME: The Traffic Group XXXXXX PLAN
PROJECT NUMBER: 1X-570

The applicant is requesting CRG approval for a Class B office building located at 414-416 Joppa Road. The applicant is proposing the connection of two existing buildings to provide a total of 6,253 square feet of general office use. The total project site which includes two individual parcels has a gross lot size of 23,492.6 square feet (including street) and a net lot size of 18,905 square feet.

The Office of Planning and Zoning has reviewed revised CRG plans elevation drawings and cross sections dated December 30, 1988 and has the following comments:

1. The R0 Zone (Section 203.2, B.C.Z.R.) legislative policy states that "The R0 zoning classification is established...to accommodate houses converted to office buildings and some small class E office buildings...because of adjacent commercial activity, heavy commercial traffic...can no longer reasonably be restricted solely to uses allowable in moderate density residential zones. It is intended that buildings and uses in R0 zones shall not intrude upon or disturb present or prospective uses of nearby residential property." A great deal of time and thought was directed towards the revision of the R0 zone to create a transitional zone that would allow some office development while providing adequate buffers, transition yards, and development that did not exceed a floor area ratio of .33. The site plan as submitted does not provide the following:
 - o adequate rear yard buffer of 20 feet from parking adjacent to residential uses is not being provided. The applicant is proposing an 8 foot buffer.
 - o the 10 foot side yard buffers although adequate for the buildings, is not maintained for the parking area, only 3 foot is proposed.
 - o it is unclear whether the floor area ratio proposed is .27 or .36 - note 25 indicates the former while note 35 indicates the latter.
2. Section 22-104 of the Development Regulations states that: "Development of property in an R0 Zone shall be appropriate to the specific circumstances of the site taking into account surrounding uses: tree preservation; protection of watercourses and bodies of water from erosion and siltation; and safety."

OVER

convenience, and amenity for the neighborhoods." The intensification of use as proposed by the applicant and the reduction of required buffer yards and landscape requirements are not in keeping with the provision of adequate protection for adjoining residences and amenity for the neighborhood. The removal of existing trees adjacent to the parking lot is not in keeping with the tree preservation objective. The actual design of the building does appear to meet some of the appropriateness of design as outlined in Section 22-104(a)(2) of the development regulations, however the site layout and intensification, i.e. size and scale of the building exceeds the scale of the R0 development in the area.

Based upon the analysis conducted and the fundamental tenants of the R0 Zone which was specifically designed to 1) provide adequate buffers and landscaping; 2) provide a reasonable intensification of development and 3) allow for appropriate development, the Office of Planning and Zoning finds that the scale of the project is not consistent with the spirit and intent of the R0 legislation as stated in Section 22-104 of the Development Regulations.

3. A notes and bounds description is not a legal method to combine R0 lots. If the above requirements are addressed and CRG approval should occur a record plat will be required prior to issuance of any building permits.
4. A final landscape plan is required prior to issuance of any building permits.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Carl Richards
Zoning Advisory Committee Date: May 25, 1989

FROM: Robert W. Bowling, P.E.

SUBJECT: Item 353 - Peterson Property
414 E. Joppa Road
District 11
Plan Dated December 15, 1988

RECEIVED
MAY 25 1989

ZONING OFFICE

GENERAL COMMENTS:

All private contracts for construction of storm drains and roads intended for public title and maintenance must be let under a contract form, proposal and attachments adopted by the Baltimore County Department of Public Works. The Developer has the option of placing the storm drains under a public contract.

All construction drawings and construction for public use shall conform with Baltimore County Department of Public Works Design Standards and Standard Specifications and Details for Construction.

The responsibilities of the Developer involving public improvements shall include the Inspection Fees, Burden and Fringe Costs incurred. Currently these charges are 3 times payroll for Metropolitan District Projects and 2 times payroll for the Capital Improvement Fund.

The Developer is responsible for the full cost of all highway and storm drain construction.

A Public Works Agreement must be executed by the owner and Baltimore County for the required public improvements, prior to the recording of a record plat.

The Developer shall be responsible for damages to the County's facilities, such as water meters, manholes, curbs and gutters and inlets within his subdivision. Occupancy Permits will be withheld until such damages have been corrected.

The Developer's Engineer shall investigate the need and obtain the necessary permits for the facilities serving this site that may require a "Corps of Engineer's Permit", a "Water Resources Permit", a "Water Quality Certification", and any other Federal or State Permits. These facilities cannot be sent to contract until such permits have been received.

CP5-008

Peterson Property - Item 353
Page 2
05/25/89

HIGHWAY COMMENTS:

Joppa Road is an existing road which shall ultimately be improved as a 64-foot street cross section on an 84-foot right-of-way.

Construction drawings for Joppa Road improvements are being prepared. If the Developer wishes to proceed prior to construction of the Joppa Road improvements, he shall provide a temporary entrance and shall be responsible for relocation of existing utilities and poles. He shall also deposit monies covering the cost of construction of combination curb and gutter, bituminous concrete paving and sidewalk in its ultimate location.

The Developer should be aware that a median is proposed for Joppa Road which would restrict access to this site.

The Developer is responsible for the preparation of the right-of-way plat for, and the dedication of any widening and slope easements at no cost to the County.

It shall be the responsibility of the Developer's engineer to clarify all rights-of-way within the property and to initiate such action that may be necessary to abandon, widen or extend said rights-of-way. The Developer shall be responsible for the submission of all necessary plats and for all costs of acquisition and/or abandonment of these rights-of-way.

The entrance locations are subject to approval by the Bureau of Traffic Engineering.

Entrances shall be a minimum of 24 feet and a maximum of 35 feet wide, shall have 10-foot minimum radii curb returns, shall be located a minimum of 15 feet from any property line, and shall be constructed in accordance with Baltimore County Standards (Details R-32, 1977 Edition), as the Developer's total responsibility.

The proposed entrance location should be revised to avoid a conflict with inlet locations proposed under the Joppa Road improvements contract.

In accordance with Bill No. 32-72, street lights are required in all subdivisions. The Developer will be responsible for the full costs of installation of the cable, poles and fixtures. The County will assume the cost of the power after installation.

Ramps shall be provided for physically handicapped persons at all street intersections.

Sidewalks are required adjacent to the public roads serving this site, including State roads as applicable. The walks shall be 5 feet wide and shall be installed to conform with Baltimore County Standards, which places the back edge of the sidewalk 2 feet off the property line, or the adjacent unencumbered area.

It shall be the Developer's responsibility to have his engineer set property line control stakes on the points of curvature and points of tangency and on adjacent rights-of-way along proposed roads to be used as control for the stake-out of utilities.

Peterson Property - Item 353
Page 3
05/25/89

STORM DRAINS AND SEDIMENT CONTROL COMMENTS:

The Developer is responsible for the total actual cost of drainage facilities required to carry the storm water run off through the property to be developed to a suitable outfall. The Developer's cost responsibilities include the acquiring of easements and rights-of-way - both onsite and offsite - and the deeding in fee of said rights-of-way to the County. Preparation of all construction, rights-of-way and easement drawings, engineering and surveys, and payment of all actual construction costs including the County overhead both within and outside the development, are also the responsibilities of the Developer.

Onsite drainage facilities serving only areas within the site are considered private. Therefore, construction and maintenance shall be the Developer's responsibility. However, a drainage area map, scale 1" = 200', including all facilities and drainage areas involved, shall be shown on a plan and submitted to Baltimore County for review.

The Developer must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Developer.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm water management drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

In accordance with Baltimore County Council Grading, Sediment Control and Forest Management Ordinance (Bill No. 33-88), a grading plan shall be approved and a Performance Bond posted prior to issuance of a grading permit. A sediment control plan is required. The number of square feet of land disturbed shall be indicated on the sediment control drawing.

The Developer shall be responsible to stabilize the sidewalk areas and supporting slopes on all road rights-of-way following completion of the initial grading of the boxed-out subgrade. The stabilization shall be accomplished within the nearest period of optimum seeding as established in the Baltimore County Sediment Control Manual. Minimum acceptable stabilization measures will be as specified in the Baltimore County Sediment Control Manual under "Critical Area Stabilization (with Semi-Permanent Seedings)".

Failure by the Developer to accomplish the stabilization as aforementioned will result in the termination of all processing phases of this development.

Peterson Property - Item 353
Page 4
05/25/89

WATER AND SANITARY SEWER COMMENTS:

The Developer is responsible for the cost of capping or plugging any existing house connection not used to serve the proposed site.

The Developer will be given credit for one System Connection Charge for each existing house which is now connected into the public services.

Permission to connect to, or (to connect additional sanitary fixtures to) the existing public sanitary sewer may be obtained from the Department of Permits and Licenses.

Water and sanitary sewer service connections shall be installed by a utility contractor prior to the road improvements and shall be included in the Public Works Agreement.

The total Water and/or Sanitary Sewer System Connection Charge is determined, and payable, upon application for the Plumbing Permit. This Charge is in addition to the normal front foot assessment and permit charges.

Onsite private water mains with fire hydrants shall be metered at the public source. The size and design of the meters shall conform with Baltimore City Standards. Permission to obtain a metered connection may be obtained from the Department of Permits and Licenses.

Fire hydrant spacing and location are subject to review and approval by the Fire Protection Section of the Fire Department.

This property is subject to Water and/or Sewer System Connection Charges based on the size of water meters utilized in accordance with current County Policy.

The Developer shall contact Mr. Carlyle Brown of the Bureau of Public Services on 887-3321 for information on obtaining water service where the meter required is 3" or less, or the Developers Engineering Division on 887-3751 for water service requiring meters 4" and larger.

Robert W. Bowling / DAK
Robert W. Bowling, P.E., Chief
Developers Engineering Division

RWB:DAB:pab

cc: File

PETERSON/TXTCOMM2

THE TRAFFIC GROUP, INC.

414 East Joppa Road
Towson, Maryland 21204
Telephone 301-583-8405
Telecopier 301-321-8458

RECEIVED
SEP 1 1989

ZONING OFFICE

August 30, 1989

Mr. Wayne Kempske
712 Scarlett Drive
Towson, Maryland 21204

RE: 414-416 E. Joppa Road

Dear Mr. Kempske:

It is with regret that I inform that we will not be moving forward with the construction of the additional office building on subject property between 414 and 416.

Due to the cost of the project, it is not economically feasible for me to proceed at this time.

Thank you very much for your time and effort with the CRG and Special Exception Hearings and I apologize for any inconvenience.

It was indeed a pleasure working with such a reasonable community group. Thanks again.

Sincerely,

W. W. J. J.
John W. Guckert
President

JWG/njj

cc: Daphne Duncan
Robert Haines
Rob Hoffman
Dave Recchia

(db7)
(mail)

Even - File

89-246-XX

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

June 22, 1989

Robert A. Hoffman, Esquire
Cook, Howard, Downes & Tracy
210 Allegheny Avenue
Towson, Maryland 21204



Dennis F. Rasmussen
County Executive

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
N/S Joppa Road, 644' W of the c/l of Providence Road
(414 - 416 East Joppa Road)
9th Election District - 4th Councilmanic District
414 - 416 East Associates - Petitioners
Case No. 89-246-XA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

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

JRH:bjs

cc: Mr. Frederick W. Wood
Campus Hills Community Assoc., Inc.
c/o Rosemary Ranier, President,
924 Southwick Drive, Towson, Md. 21204

People's Counsel

File

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS

DATE: 1/5/89

FROM: ZONING OFFICE

PROJECT NAME: The Traffic Group

PLAN: 10/21/88

REV.: 12/30/88 REV.:

LOCATION: N/S Joppa Road,
E of Fairmont Avenue

DISTRICT: 9c4

REVISED PLAN KEY:

- (X) COMPLIANCE WITH COMMENT CHECKED
- (O) NON-COMPLIANCE IS CIRCLED
- (BA) BE ADVISED (NOT NECESSARY FOR CRG APPROVAL, BUT MUST BE ADDRESSED PRIOR TO FINAL ZONING APPROVAL)
- ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE

1. On 10/13/88 petitions were filed in the zoning office for these properties #414 and #416 E. Joppa Road. The petitions were filed under Item #156 and Case #89-246XA has been assigned. The petitions included:

- a. a special exception for a Class "B" office building
- b. a variance from Section 203.4.C.(1) to permit a floor area ratio of .36 in lieu of the allowed .33 and Section 203.4.C.8.C to allow 8 ft. landscape buffers in lieu of the required 20 ft. and 10 ft. landscape buffer.

The petition and site plan for the zoning application and the C.R.G plan all should be revised to clarify all of the conflicts with the B.C.Z.R. and the petition should reflect the following sections:

- 203.3.C.1 - signs (F/S, sq. ft. & illumination) 12/30-Joppa not arterial west of Goucher
- 203.4.C.1 - F.A.R. (.36 in lieu of .33)
- 203.4.C.6 - A.O.S. (7% req. in interior of parking lot) 12/30-peripheral areas don't qualify
- 203.4.C.8.C1 - landscape buffer (rear)
- 203.4.C.8.C2 - landscape buffer (side)
- 409.4.A - driveway width (minimum 12 ft.) 12/30- scaled accurate
- ~~409.4.B - (stacked parking not allowed)~~
- ~~409.8.A.4 - parking distance to street B/W (10' req.)~~

2. Clarify that the dividing property line will be removed and that the properties will be combined into one metes and bounds description in the land records. If this cannot be accomplished, variances will be required to S.203.4.C.4 (side yard setback) 10 ft. required.

COUNTY REVIEW GROUP COMMENTS
PROJECT NAME: The Traffic Group
DATE: 1/5/89
PAGE 2

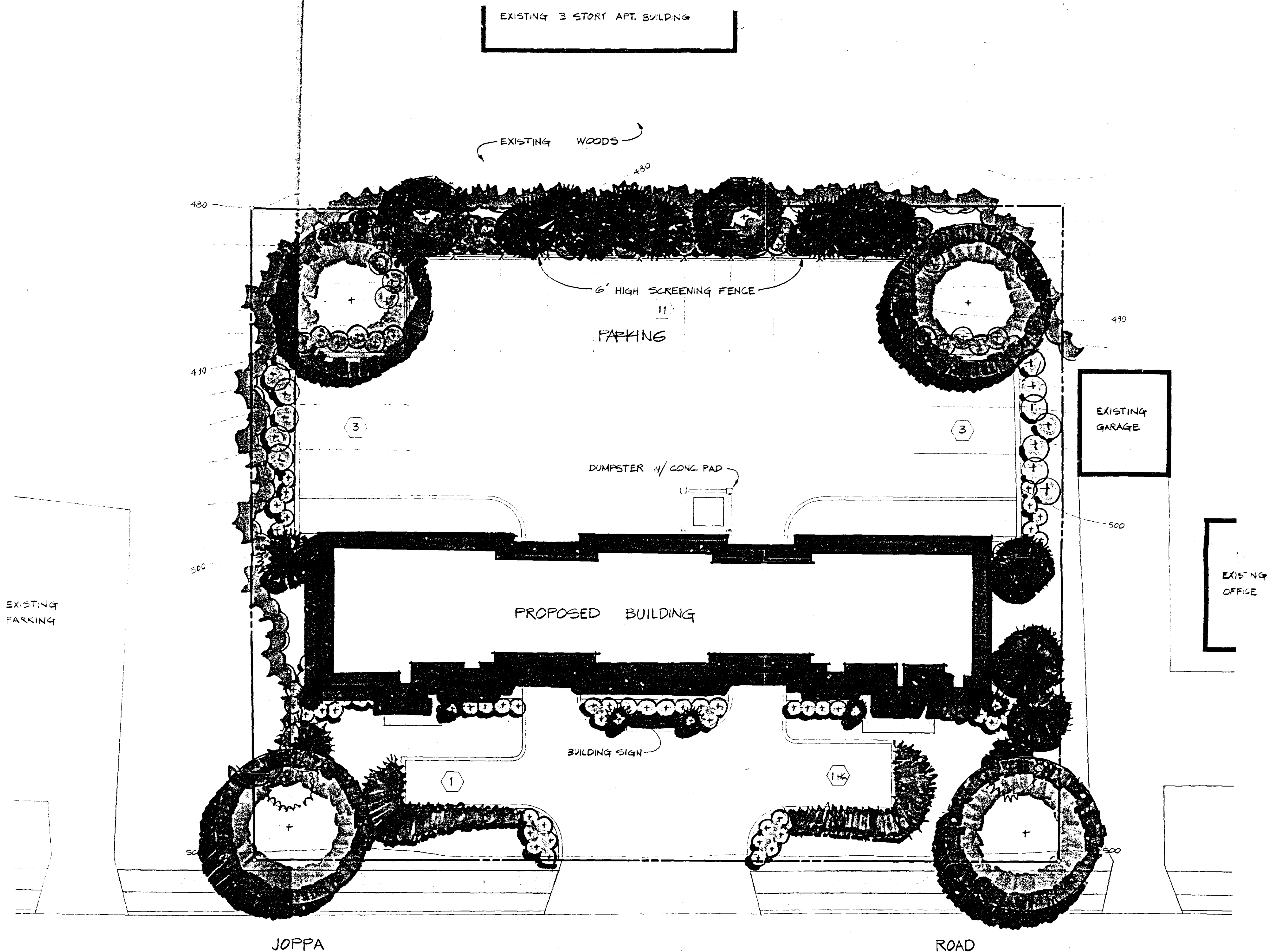
3. Include a scale sign detail with height, sq. footage, single or double face, and illumination indicated. Also include a detail or clarify the required minimum 5 ft. high screening between the R.O. and D.R.-16 zones (see Section 203.4.C.8.b. (B.C.Z.R.)); show existing stairwells (are they existing or proposed?); they were indicated on the Class "A" office approved site plan (RO-26); clarify the allowed and proposed F.A.R.; shade and subtotal in sq. ft. any qualifying A.O.S. areas if they will be provided and dimension all landscape buffer areas. 12/30-note that the basement will be used exclusively for parking and mechanical; clarify the two conflicting rear elevations, and clearly show the access for the basement parking; include complete floor plans including the basement and side elevations.

4. When the zoning petition and site plan is revised, all comments should be addressed and variance clearly indicated on the 10 required site plans. The 1" = 200' zoning map should be compared with the 1988 zoning map effective 12/4/88.

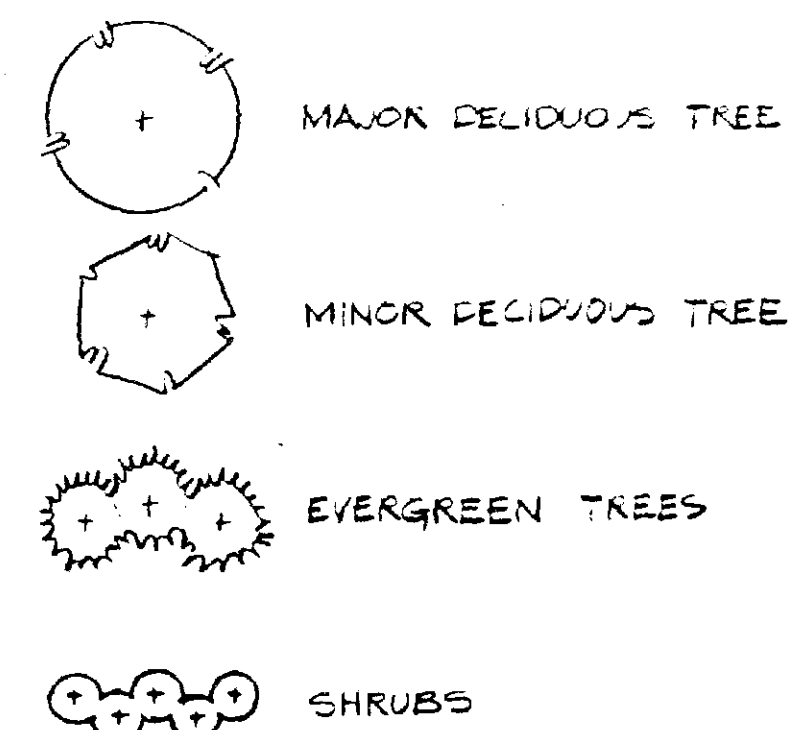
5. Final zoning approval would be contingent upon first upon the revision of the petition and the outcome of the public hearing and the resolution of these comments.

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

WCR:scj



LEGEND



MINIMUM PLANTING REQUIREMENTS

Trees

Parking Spaces	19 @ 1 tree/12 spaces	1
Interior Road	0 @ 1 tree/20'	0
Exterior Road	153' @ 1 tree/40'	4
Total major deciduous or equivalent		5
(min. major deciduous)		

TREES SHOWN

	Trees
Major deciduous	4
Minor deciduous	4
Evergreen	16-15
Total major deciduous or equivalent	14-15.5

PLANTING NOTES

1. Plant locations may be field adjusted to avoid final utility placements.
2. All trees and shrubs shall be mulched to a minimum of 18" beyond the edge of the root ball.
3. All shrub masses shall be planted in continuous mulch beds.
4. All wire and non-biodegradable plastic ball ties shall be removed.

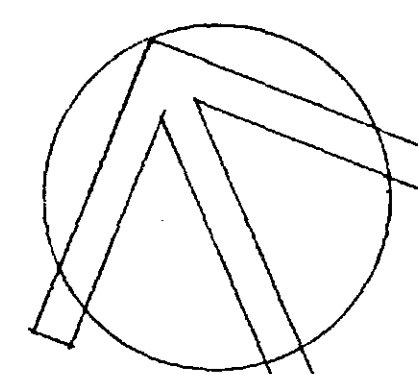
LANDSCAPE SPECIFICATIONS

Landscape specifications shall conform to "Landscape Specification Guidelines for Baltimore-Washington Metropolitan Area." A one-year maintenance and warranty period shall be required.

PETITIONER'S
EXHIBIT 3

PLANTING CONCEPT THE TRAFFIC GROUP

414 EAST JOPPA ROAD
TOWSON, MARYLAND 21204



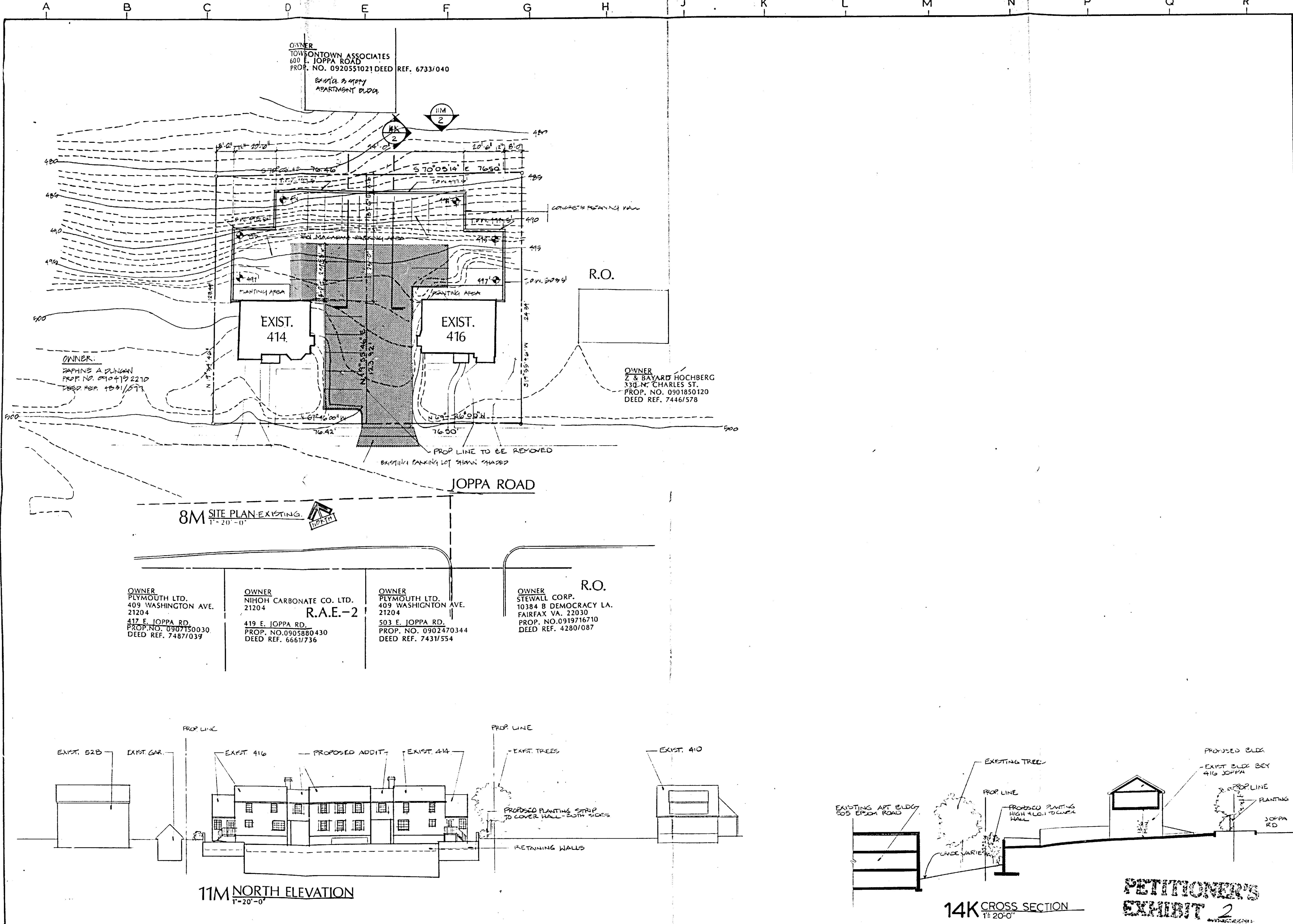
SCALE: 1" = 10'

WFK WILLIAM F. KIRWIN, INC.

28 E. Susquehanna Avenue
Towson, MD 21204
Phone 301 337-0075

R
RUBELING
& ASSOCIATES
ARCHITECTS

1/17/89





RUBELING & ASSOCIATES
ARCHITECTS
530 EAST JOPPA ROAD
TOWSON, MARYLAND 21204
(410) 347-2456

THE TRAFFIC GROUP

ADDITIONS & ALTERATIONS

TOWSON, MARYLAND

1/19/89		
No.	Description	Date
Revisions		
Proj. No.	88065	
Date	20 DEC 88	
Scale	AS N'D.	
Last Rev.	30 DEC 88	
Title CRG. PLAN/PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION FOR CLASS B BLDG.		
2		

NOTES:

- ELECTION DISTRICT NO. 9
- COUNCILMANIC DISTRICT NO. 4
- CENSUS TRACT: 4909
- WATERSHED: 23
- SUBWATERSHED: 55
- NET SITE AREA: 0.434 ACRES = 18905 S.F. +/-
- GROSS SITE AREA (50' OF ALLOWING RIGHT OF WAY) 0.539 ACRES = 23,492.6 S.F. +/-
- EXISTING ZONING: RO
- PROPOSED DENSITY: N/A
- AMENITY OPEN SPACE REQUIRED: 1% OF PARKING AREA OR 0.121 S.F. x 600 S.F. = 72.6 S.F.
- AMENITY OPEN SPACE PROVIDED: 934 S.F.
- NO EXISTING OR PROPOSED WELL & SEPTIC AREA EXISTING UTILITIES LOCATED IN JOPPA ROAD.
- THERE ARE NO KNOWN WETLANDS, ARCHAEOLOGICAL SITES, CRITICAL AREAS, ENDANGERED SPECIES HABITAT OR HAZARDOUS WASTE ON THIS SITE.
- ESTIMATED AVERAGE DAILY TRIPS: GENERAL OFFICE UNDER 100,000 S.F. = 18/1000 S.F.
- DEED REFERENCE: #414- 44416 EAST JOPPA ROAD 6306/415
- PROPERTY NOS. #414 JOPPA-0905610351, #416 JOPPA-0905610350
- TOTAL SITE LIES WITHIN THE GID 1 GIC SALS TYPES - SEE PLAN.
- REQUIRED PARKING: GENERAL OFFICE BUILDING - 1 PER 300 G.P. OF OFFICE FLOOR AREA
- TOTAL NO. OF PARKING SPACES REQUIRED:

BASEMENT: 1200 S.F. = 300 S.F./SPACE = 4.0
1ST. FLOOR: 2843 S.F. = 300 S.F./SPACE = 9.5
2ND FLOOR: 2405 S.F. = 300 S.F./SPACE = 11.4
TOTAL REQ'D SAY 25

- TOTAL NO. OF PARKING SPACES PROVIDED: 21 SPACES INCLUDING 1 HANDICAP SPACE. AN ADDITIONAL 4 SPACES LEASED ON THE ADJOINING PROPERTY 410 JOPPA RD - 25 TOTAL
- ALL PARKING SPACES SHALL BE MINIMUM SIZE OF 8.5' X 18'. ONE HANDICAPPED SPACE TO BE PROVIDED.
- EXISTING USE: OFFICE - 2 CLASS "A" BUILDINGS
- PROPOSED BUILDING USE: CLASS "B" OFFICE BUILDING GENERAL OFFICE USE IS PROPOSED. MEDICAL OFFICES WILL NOT BE PERMITTED.
- FLOOR AREA RATIO: MAXIMUM PERMITTED 33 OF 23492.6 S.F. (50% MAX) = 7752.5 S.F.
- FLOOR AREA RATIO PROPOSED: 7453 S.F. = 96% OF ALLOWABLE OR 32 FAR.
- % OF BUILDING COVERAGE TO NET SITE: 3322 / 18905 = 18%
- LANDSCAPING TO BE ACCOMPLISHED IN ACCORDANCE WITH THE LANDSCAPE MANUAL STANDARDS.
- ALL DISTURBED AREAS WHICH ARE NOT TO BE PAVED OR PLANTED IN ACCORDANCE WITH THE PLANTING PLAN SHALL BE SEEDED & MULCHED.
- THERE ARE NO HISTORIC BUILDINGS ON SITE
- PRINCIPAL USE WILL BE OFFICE SPACE FOR THE TRAFFIC GROUP WHO ARE TRAFFIC ENGINEERS. NORMAL HOURS ARE FROM 7:00 AM TO 6:00 PM, BY LOTS A TOTAL OF 23 EMPLOYEES IS POSSIBLE @ 1/100 G.P.
- AN EXISTING ONE SIDED SIGN OF 8 S.F. WILL BE RE-LOCATED IN FRONT OF THE NEW BUILDING. THIS SIGN IS POLISHED BRASS, NOT ILLUMINATED AND HAS A PROJECTION OF LESS THAN 6". ALL EXTERIOR LIGHTS SHALL BE DIRECTED AWAY FROM NEIGHBORING PROPERTIES. LIGHT AT THE PARKING LOT WILL BE RECESSED INTO THE RETAINING WALL AND WILL NOT BE VISIBLE FROM THE ADJOINING INTERSECTION. A WAIVER OF THE STORMWATER MANAGEMENT REQUIREMENTS FOR THE SUBJECT SITE HAS BEEN APPLIED FOR.
- THE SUBJECT SITE IS SERVED BY M.T.A. ROUTES
- A PETITION FOR SPECIAL EXCEPTION & ZONING VARIANCE HAS BEEN FILED, ITEM 12, CASE NO. 80-244X. ITEMS TO BE ADDRESS ARE:
35.1 - A SPECIAL EXCEPTION TO ALLOW A CLASS "B" OFFICE BUILDING IN A "B" ZONE
35.2 - TO ALLOW A FLOOR AREA RATIO OF 30 IN LIEU OF 33. THIS WILL BE 35.2 - TO ALLOW AN EIGHT LANDSCAPE BUFFER IN LIEU OF 20 FT. IN REAR
35.3 - TO ALLOW AN EIGHT LANDSCAPE BUFFER IN LIEU OF 10 FT. AT THE SIDES.
THE EXISTING CENTER PROPERTY LINE WILL BE REMOVED LEGALLY.
- THE BUILDING SIGN WILL CONFORM TO R-20 ZONE GUIDELINES - 8 S.F. MAX MOUNT BUILDING PROJECTING LESS THAN 6" - NOT ILLUMINATED.

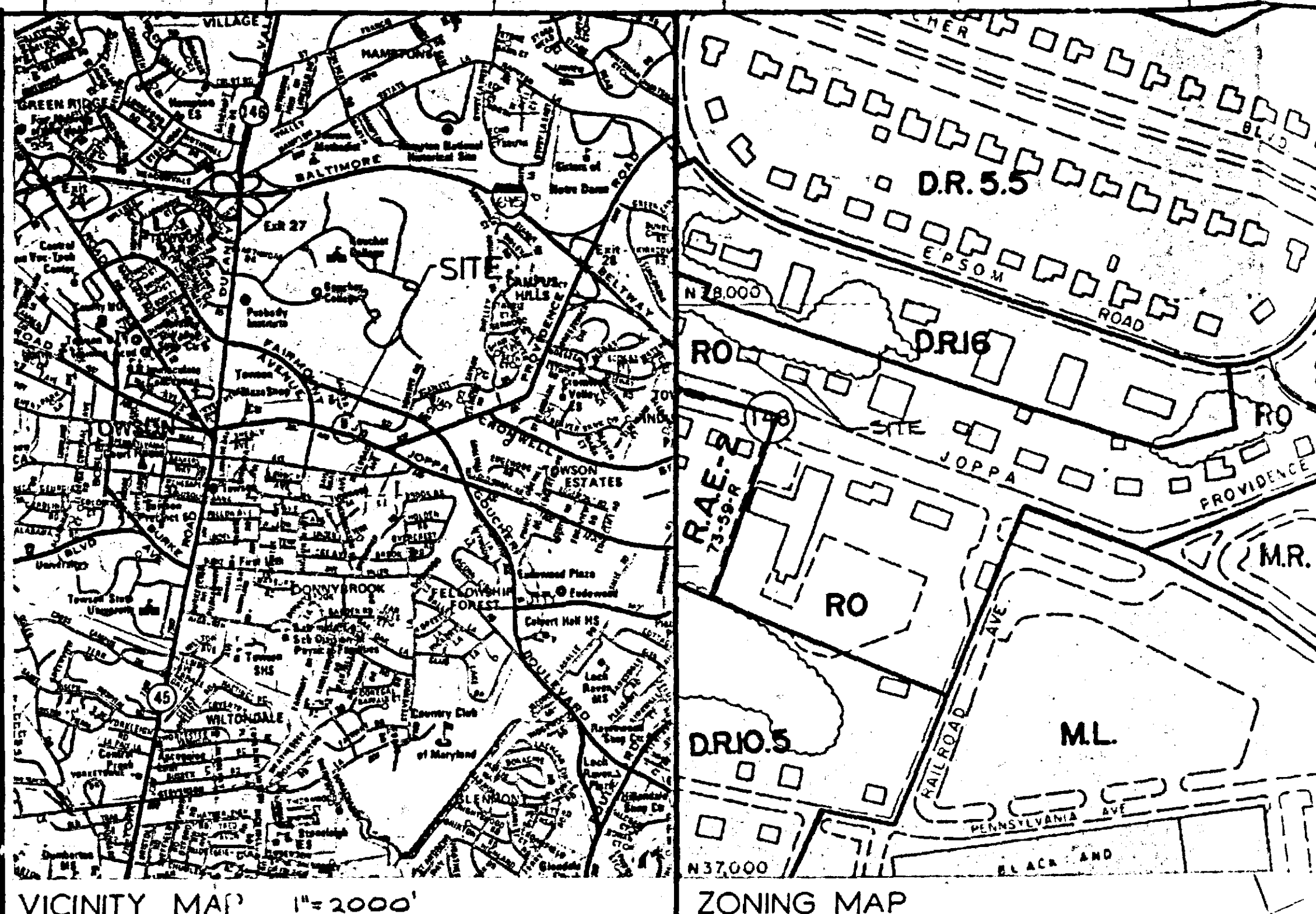
SQUARE FOOTAGE TABULATION

BASEMENT		
EXISTING 414 - MECH OFFICE	278	S.F.
EXISTING 416 - MECH OFFICE	270	S.F.
PROPOSED - PARKING OFFICE	472	S.F.
	512	S.F.
	256	S.F.

TOTAL	2268	S.F.
FIRST FLOOR		
EXISTING (414)	1040	S.F.
EXISTING (416)	1040	S.F.
PROPOSED	769	S.F.
TOTAL	2849	S.F.

SECOND FLOOR		
EXISTING (414)	980	S.F.
EXISTING (416)	980	S.F.
PROPOSED	1445	S.F.
TOTAL	3405	S.F.

SUMMARY		
BASEMENT	2268	S.F.
FIRST FLOOR	2849	S.F.
SECOND FLOOR	3405	S.F.
TOTAL BUILDING	8521	S.F.
TOTAL OFFICE USE	7453	S.F.
TOTAL MECH. USE	556	S.F.
TOTAL PARKING USE	512	S.F.



THE TRAFFIC GROUP
414 EAST JOPPA ROAD
TOWSON, MARYLAND 21204

DEVELOPMENT NAME

THE TRAFFIC GROUP
414 EAST JOPPA ROAD
TOWSON, MARYLAND 21204
PHONE # 583-8405

APPLICANT

THE TRAFFIC GROUP
414 EAST JOPPA ROAD
TOWSON, MARYLAND 21204

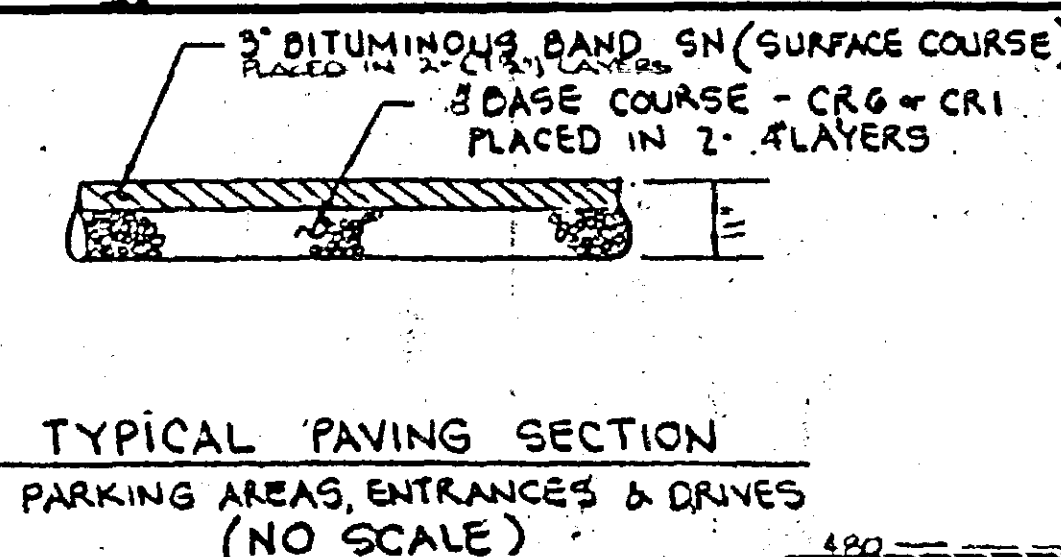
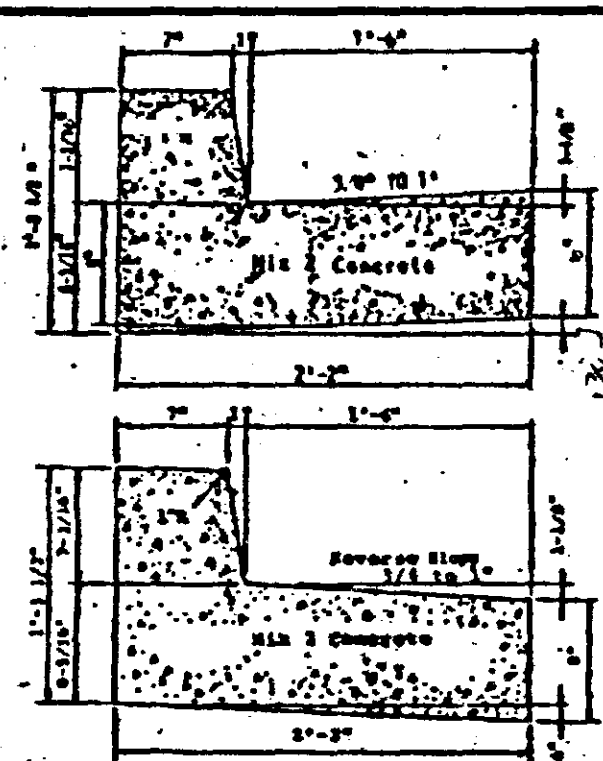
OWNER

PUBLIC SERVICE CRG. NO. 88193
PLANNING NO.

RUBELING & ASSOCIATES ARCHITECTS
310 EAST JOPPA ROAD
TOWSON, MARYLAND 21204
410/117-2900

THE TRAFFIC GROUP
ADDITIONS & ALTERATIONS
TOWSON, MARYLAND

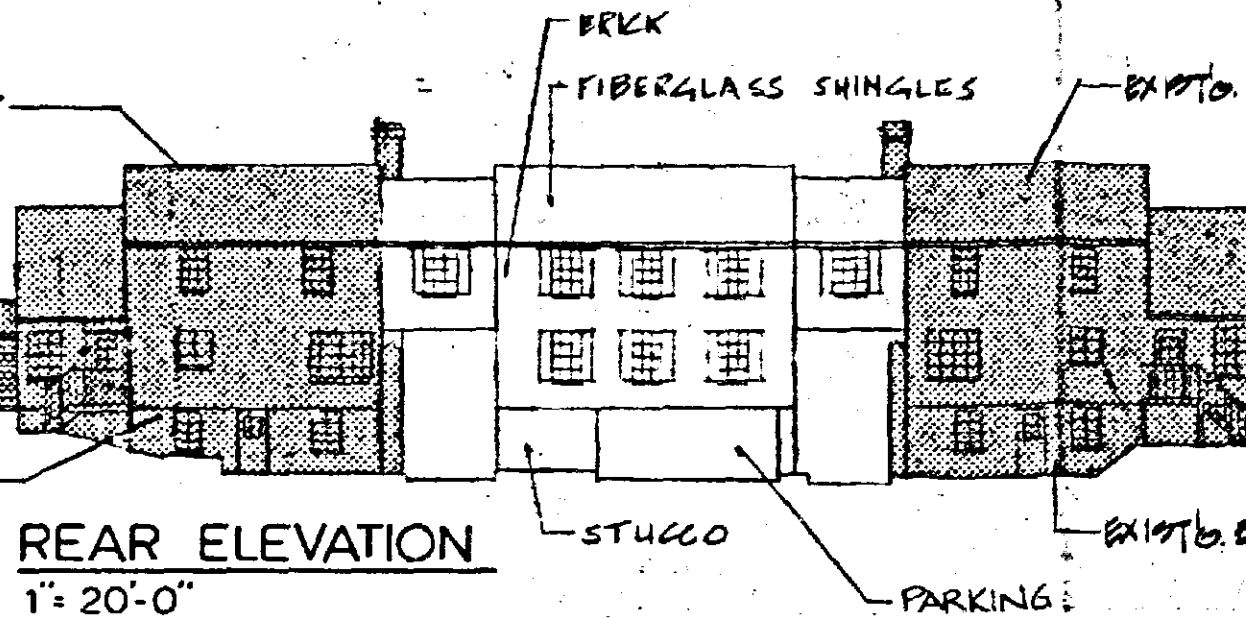
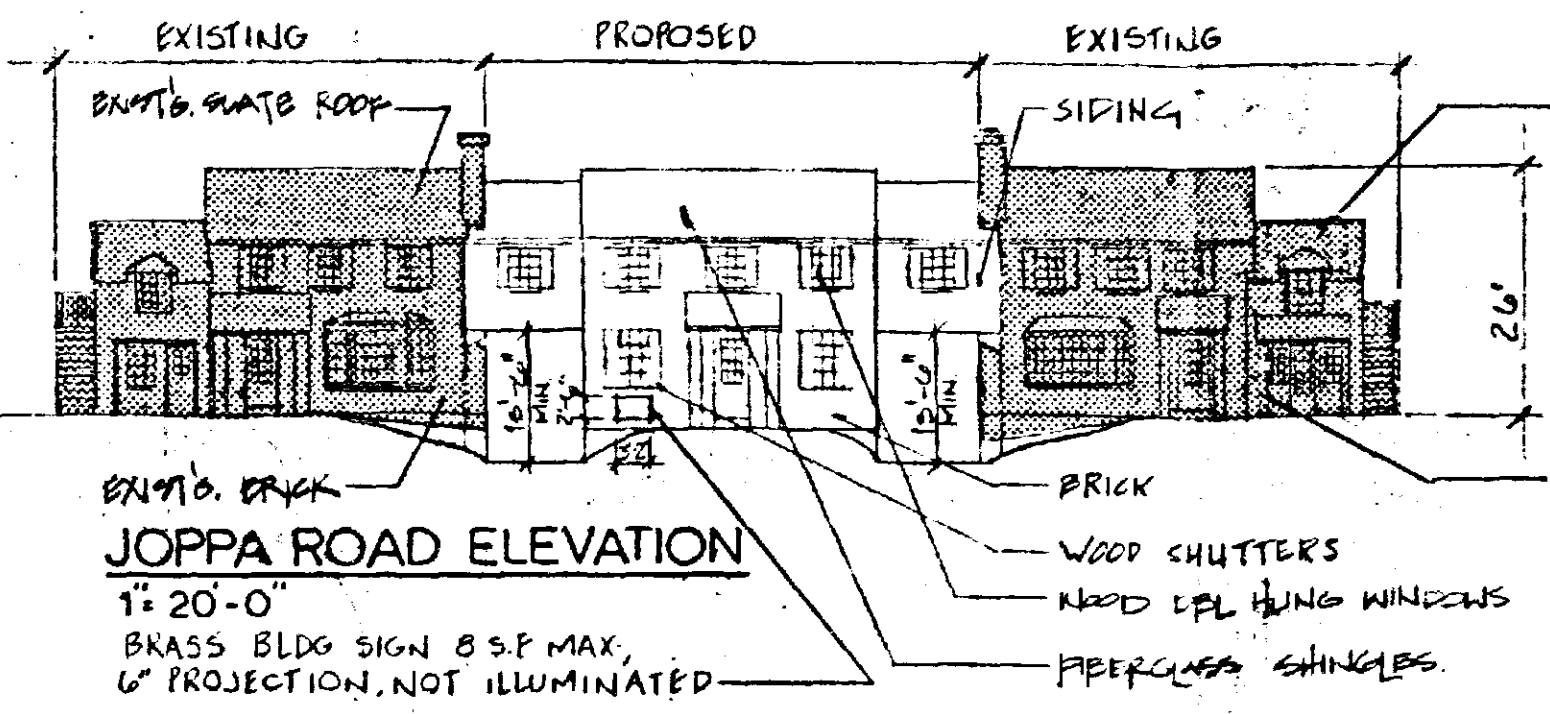
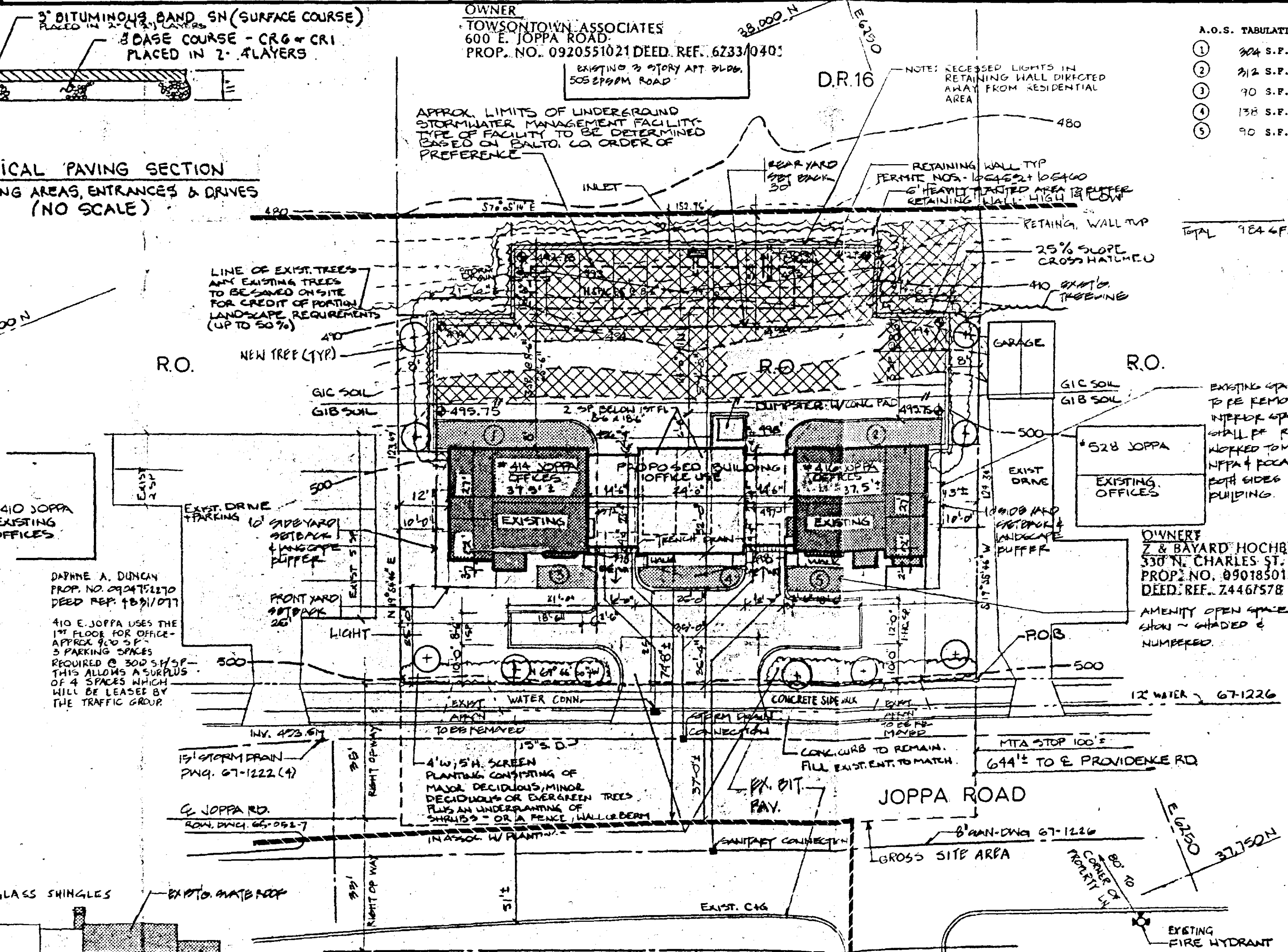
No. Description	Date
Revisions	
Proj. No.	88065
Date	21 OCT 88
Scale	AS NOTED
Last Rev.	30 DEC 88
Title	CRG PLAN/PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION FOR CLASS B BUILDING
Sheet	1



TYPICAL CURB & GUTTER (NO SCALE)

LEGEND

- SOIL TYPE DIVIDE
- ZONING LINE OF DIVISION
- AREAS OF 24% OF GREATER SLOPE
- RETAINING WALL
- 4' POT ELEVATION
- SOIL TYPES & LIMITATIONS
- SOIL TYPE
- MODERATE SLOPE
- PARALLEL TO
- MODERATE SLOPE
- SEVERE SLOPE
- LANDSCAPING NOTES
- ONE TREE PER 40 LF FRONTAGE = 306 / 40 = 7.7 TREES = 8 TREES
- ONE TREE PER 32 PARKING SPACES = 24/32 = 2 TREES
- TOTAL NUMBER OF TREES REQUIRED = 10 TREES
- MINIMUM OF 50% OF REQUIRED TREES SHALL BE MAJOR DECIDUOUS
- A LANDSCAPE PLAN WILL BE SUBMITTED PRIOR TO ISSUANCE OF A PERMIT



OWNER
PLYMOUTH LTD.
409 WASHINGTON AVE.
21204
417 E. JOPPA RD.
PROP. NO. 0902470
DEED REF. 7487/039
OFFICE USE

OWNER
NIHON CARBONATE CO. LTD.
21204
419 E. JOPPA RD.
PROP. NO. 0905880430
DEED REF. 6661/736
OFFICE USE

OWNER
PLYMOUTH LTD.
409 WASHINGTON AVE.
21204
503 E. JOPPA RD.
PROP. NO. 0902470
DEED REF. 7431/554
OFFICE USE

OWNER
STEWART CORP.
30384 B DEMOCRACY LANE
FAIRFAX VA. 22030
PROP. NO. 0919716710
DEED REF. 4280/087
NURSING HOME USE

PETITIONER'S EXHIBIT