

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - SW/Corner Owings Mills Blvd. Extended and Proposed Red Run Blvd. 4th Election District - 3rd Councilmanic District Painters Mill Venture Petitioners

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 89-421-SPHA

AMENDED ORDER

WHEREAS, the Petitioner herein request a special hearing to approve a freestanding restaurant on a separate lot as an accessory use to the principal uses proposed on adjoining lots or in the alternative, to approve a freestanding restaurant as a proper auxiliary commercial use to be structurally integrated with the proposed principal uses on adjoining lots; and variances to permit a minimum lot line or street line setback of 0 feet in lieu of the required 50 feet for Building "A"; a minimum lot line setback of 17 feet and a minimum street line setback of 35 feet in lieu of the required 50 feet each, and a building height of 221 feet in lieu of the maximum permitted 150 feet for Building "B"; a minimum lot line or street line setback of 17 feet in lieu of the required 50 feet and a minimum height of 221 feet in lieu of the maximum permitted 150 feet for Building "C"; a minimum lot line setback of 0 feet in lieu of the required 50 feet and a minimum setback of 7 feet to a D.R. 10.5 zone line in lieu of the required 150 feet, and to permit an off-street parking and loading area within a minimum setback of 7 feet from a D.R. zone line in lieu of the required 25 feet for Building "D"; a minimum lot line or street line setback of 16 feet in lieu of the required 50 feet for Building "E"; a 6-foot lot width at building line in lieu of the required 150 feet, a

minimum lot line setback of 4 feet and a minimum street line setback of 42 feet in lieu of the required 50 feet for each, and to permit a restaurant location as a freestanding building in lieu of the required "within" a principal use building for Building "F", all as more particularly described in Petitioner's Exhibit 1.

WHEREAS, by Order issued July 27, 1989, the relief requested was granted, subject to restrictions; and

WHEREAS, there was an omission in the original Order of certain substantive variance request which were intended to be granted.

THEREFORE, IT IS HEREBY ORDERED by the Zoning Commissioner for Baltimore County, this 25th day of August 1989, that a freestanding restaurant which is connected to the principal use building on the same lot by an enclosed walkway in lieu of the required "within" a principal use building be approved as a proper auxiliary commercial use to the principal use building in the O.T. zone and, as such, the Petition for Special Hearing is hereby GRANTED; and

IT IS FURTHER ORDERED, that the Petition for Zoning Variance to permit a minimum lot line and street line setback of 0 feet in lieu of the required 50 feet for Building "A"; a minimum lot line setback of 17 feet and a minimum street line setback of 35 feet in lieu of the required 50 feet each, and a building height of 221 feet in lieu of the maximum permitted 150 feet for Building "B"; a minimum lot line and street line setback of 17 feet in lieu of the required 50 feet and a minimum height of 221 feet in lieu of the maximum permitted 150 feet for Building "C"; a minimum lot line setback of 0 feet in lieu of the required 50 feet, a minimum setback of 7 feet to any D.R. zone line in lieu of the required 50 feet and a minimum setback of 7 feet to a D.R. 10.5 zone line in lieu of the

required 150 feet; and to permit an off-street parking and loading area within a minimum setback of 7 feet from a D.R. zone in lieu of the required 25 feet for Building "D"; a minimum lot line and street line setback of 16 feet in lieu of the required 50 feet for Building "E"; a 6 foot lot width at building line in lieu of the required 150 feet, a minimum lot line setback of 4 feet and a minimum street line setback of 42 feet in lieu of the required 50 feet for each, for Building "F", in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day 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 relief granted herein to permit the proposed restaurant, Building "F", as a freestanding restaurant not located within a principle building is conditioned upon Petitioners combining Lots 1 and 4 so that Buildings "F" and "B" are contained on one lot and Building "F" is auxiliary and subordinate to Building "B".
- 3) To insure the restaurant building on Lot 1 remains auxiliary and subordinate to the principal building on Lot 4, Buildings "F" and "B" shall be physically connected by an enclosed walkway which will not only provide access between the two buildings but also link the two uses together.
- 4) Prior to the issuance of any permits, Petitioners shall submit for approval by the Zoning Commissioner a revised site plan incorporating Restrictions 2 and 3 set forth above.
- 5) Pursuant to Section 502.2 of the B.C.Z.R., either a reference to this case and the restrictions and conditions set forth herein shall be noted on the subdivision plat to be recorded among the Land Records of Baltimore County, or a deed recorded simultaneously

with the subdivision plat among the Land Records of Baltimore County shall incorporate a reference to this case and the restrictions and conditions set forth herein. A copy of the recorded subdivision plat or deed shall be forwarded to the Zoning Commissioner for inclusion in the case file.

IT IS FURTHER ORDERED, that all other terms, conditions, and restrictions of the original Order of July 27, 1989, shall remain in full force and effect.

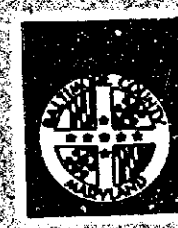
J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:mm
cc: Peoples Counsel

ORDER RECEIVED FOR FILING
Date 8/25/89
By J. J. J.

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

August 25, 1989



Dennis F. Rasmussen
County Executive

G. Scott Barr, Esquire
Whiteford, Taylor & Preston
40 W. Chesapeake Avenue
Towson, Maryland 21204

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - SW/Corner Owings Mills Blvd. Extended and Proposed Red Run Blvd. 4th Election District - 3rd Councilmanic District Painters Mill Venture Petitioners Case No. 89-421-SPHA

Dear Mr. Berhight:

Enclosed please find a copy of the Amended Order rendered in the above-captioned matter.

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
Zoning Commissioner
for Baltimore County

JRH:mm
cc: Peoples Counsel

ORDER RECEIVED FOR FILING
Date 8/25/89
By J. J. J.

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - SW/Corner Owings Mills Blvd. Extended and Proposed Red Run Blvd. 4th Election District - 3rd Councilmanic District Painters Mill Venture Petitioners

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 89-421-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve a freestanding restaurant on a separate lot as an accessory use to the principal uses proposed on adjoining lots, or in the alternative, to approve a freestanding restaurant as a proper auxiliary commercial use to be structurally integrated with the proposed principal uses on adjoining lots; and variances to permit a minimum lot line or street line setback of 0 feet in lieu of the required 50 feet for Building "A"; a minimum lot line setback of 17 feet and a minimum street line setback of 35 feet in lieu of the required 50 feet each, and a building height of 221 feet in lieu of the maximum permitted 150 feet for Building "B"; a minimum lot line or street line setback of 17 feet in lieu of the required 50 feet and a minimum height of 221 feet in lieu of the maximum permitted 150 feet for Building "C"; a minimum lot line setback of 0 feet in lieu of the required 50 feet and a minimum setback of 7 feet to a D.R. 10.5 zone line in lieu of the required 150 feet, and to permit an off-street parking and loading area within a minimum setback of 7 feet from a D.R. zone line in lieu of the required 25 feet for Building "D"; a minimum lot line or street line setback of 16 feet in lieu of the required 50 feet for Building "E"; a 6-foot lot width at building line in lieu of the required 150 feet, a minimum lot line setback of 4 feet and a minimum street line setback of 42 feet in

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Date 8/25/89
By J. J. J.

lieu of the required 50 feet for each, and to permit a restaurant location as a freestanding building in lieu of the required "within" a principal use building for Building "F", all as more particularly described in Petitioner's Exhibit 1.

The Petitioners, Painters Mill Venture, by Jack L. Baylin, and Contract Purchaser, Crow-Owings Mill Limited Partnership, by Dirk P.D. Mosis, III, Vice President, Trammell Crow Company, appeared, testified, and were represented by G. Scott Barrhight, Esquire. Also appearing on behalf of the Petition were: James Rubenstein, Painters Mill Venture; Bill McCloud, Trammell Crow Company; Jeffrey Frank and Jeffrey Watson, Engineers with Patton, Harris, Rust & Associates; David S. Thaler, Development Consultant of D.S. Thaler & Associates, Inc.; Ollie Mumpower, Traffic Engineering Consultant with The Traffic Group, Inc.; Glenn House, Engineering Architect with House Reh Associates, Inc.; Pat Keller, Baltimore County Office of Planning; and Ralph Patterson, Baltimore County Economic Development Commission. There were no Protestants.

Testimony indicated that the subject property consists of 19.407 acres, of which 19.025 acres are zoned O.T., and 0.382 acres are zoned D.R. 10.5. Said property is located off of Painters Mill Road at the southwest corner of Owings Mills Boulevard Extended and proposed Red Run Boulevard and is the proposed site for the Owings Mills Office Park. Testimony indicated the proposed development is surrounded by office parks and a shopping mall on land zoned D.R. 10.5, D.R. 16 and O.T. The evidence presented indicated the requested variances are minimal in nature and will not result in any detriment to the public health, safety or general welfare or interfere with any of the surrounding uses.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, it appears the relief requested in the Petition for Special Hearing should be granted as hereinafter modified. The proposed freestanding restaurant shall be approved as an accessory use to the principal uses proposed on adjoining lots, provided that the lot on which the restaurant is constructed, namely Lot 1, is combined with the nearest adjoining lot, Lot 4, to insure that the proposed restaurant remains "auxiliary and subordinate to" the principal uses. Further, the restaurant shall be physically connected to the principal office building with an enclosed walkway structure that will not only provide access between the two uses but also link the two uses together.

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

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

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

The O.T. zone was established to permit the development of employment and residential centers consisting of employment intensive office development in combination with certain high technology and residential

ORDER RECEIVED FOR FILING
Date 8/25/89
By J. J. J.

Mr. W. Carl Richards, Jr.
April 20, 1989
Page 2

provide the Zoning Office with an opportunity to review the parking calculations, floor plans and other pertinent information.

As to Paragraph C.4 of your comments, the Petitioner has already filed a revised CRG plan and an amended site plan with the Zoning Office. The amended zoning plans incorporate the changes which arose out of the CRG proceedings.

The Petitioner and I both appreciate your flexibility and cooperation. I am sure that we will be able to work out the final plans prior to the building of the stage in this project.

Should you have any questions or comments regarding these or other matters, please feel free to contact me.

Sincerely,
G. Scott Barhight

Enclosures:
cc: Mr. Dirk P.D. Mosis, III
Mr. William F. McCloud
Mr. Jeffrey D. Watson
Mr. David S. Thaler
Mr. Gautam Dey, AIA
J. Norris, Byrnes

Note:
I talked to Scott on 4/25 AM. about the letter - it sounds too conclusive or black+white about whether or not the additional info. requested are absolutely required for the hearing. I made it clear on 4/25 that the comments reflect my best judgment of what is necessary to illustrate compliance with the B.C.R. to the extent possible. It is clearly his or his client's decision not to provide the information requested.
Carl Richards 4/25

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

89-421-SPHA

District: 1121 Date of Posting: April 5, 89
Posted for: Special Hearing and Zoning Variance
Petitioner: Carl Richards, Jr. - Owner - Owings Mills Office Park
Location of property: S.W. Corner of Owings Mills Blvd. Extended and Proposed Red Run Boulevard
Remarks: See attached site plan and floor plan.
Number of Signs: 4

CERTIFICATE OF PUBLICATION

TOWSON, MD. April 3, 1989

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md. once in each of 11 successive weeks, the first publication appearing on March 30, 1989.

THE JEFFERSONIAN

PO 10868
rg M27113
ca 89-421-SPHA
price \$183.41

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS

DATE: February 23, 1989
(Continued from 4/14/88)

FROM: ZONING OFFICE

PROJECT NAME: Owings Mills Office Park

PLAN: 02/02/89

REV: 2/16/89 REV:

LOCATION: SW/Cor of Owings Mills Blvd Extended and Proposed Red Run Boulevard

REVISION 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

DISTRICT: 4c3
A. The zoning office has reviewed the preliminary and latest updated plans for the proposed office park now wholly within an O.T. zone within the Owings Mills Town Center with the exception of a portion of building "B". Many conflicts with the O.T. bulk regulations and some use regulations were originally identified and application was made for Variances and a Special Hearing for uses both applied for on March 9, 1988 in this office under Item: 330 (Case: 88-474-SPHA).

B. On April 6, 1988, J. Norris Byrnes, Esquire, Attorney for the Petitioner, requested a postponement of the scheduled May 23, 1988 Public Hearing, and the old zoning case will be withdrawn.

C. On February 7, 1989, a new application for Variances and Special Hearing was made on the revised plan by G. Scott Barhight, Esq. for the Petitioner under Item 334 (1989). A new case number will be assigned and the petition must be revised as follows:

1. All variance setbacks must be identified along with other hearing requests on the site plan. All public street right-of-ways both off and on-site must also be clearly indicated. Provide a 1 inch = 1000 ft vicinity map and a 1 inch = 200 scale 1988 zoning map with the property plotted along with the zoning application. Shade and subdivide A.O.S. areas and provide F.A.R. calculations by lot in the notes (both based on the O.T. zone area only). Correct the DR16 /O.T. zone line offset as per the 1 inch = 200 ft scale zoning map number NW101.

2. Prior to the zoning hearing, garage floor plans with the parking layout dimensioned and entrance, exit and traffic flow arrows must be submitted to be in conjunction with the site plans as submitted. Also, a structural detail of each building pedestrian connection must be submitted and keyed to the zoning hearing plan which should also show the connections.

COUNTY REVIEW GROUP COMMENTS 2/23/89
Owings Mills Office Park, page 2

- Notes should be included on the plan that all proposed signs will comply with section 413.6 (B.C.Z.R.) and that scale elevations of all trees and standing signs indicating size, height, single-double face and illumination will be included with the building permit plans. Also, all anticipated auxiliary commercial uses should be identified on the plans and in the parking calculations.
- When the plans are reviewed in the formal C.R.G. process and if these plans are revised as a result of the C.R.G. review, that if an additional zoning bulk or use conflict is identified or one that is already identified would change, it should be incumbent upon the developer to contact the zoning office as soon as possible prior to the zoning hearing, submit revised plans to the zoning office and depending on the time frame if a hearing date has been set, a rescheduling may be necessary.
- Final zoning approval will be contingent upon the resolution of all comments and all conflicts with the B.C.Z.R. and the outcome of all zoning hearing requests.
- A meeting should be scheduled in the zoning office preferably prior to the C.R.G. meeting to review these comments with the attorney and engineer so that these comments may be addressed and the sign wording finalized. A complete list of all conflicts will be provided in the C.R.G. comments after this meeting.

W. Carl Richards, Jr.
Zoning Coordinator

ADDITIONAL FOR THE 2/16/89 PLAN

The following conflicts and public hearing requests have been identified:
1. The following conflicts and public hearing requests have been identified:
a. The following conflicts and public hearing requests have been identified:
b. The following conflicts and public hearing requests have been identified:
c. The following conflicts and public hearing requests have been identified:
d. The following conflicts and public hearing requests have been identified:
e. The following conflicts and public hearing requests have been identified:
f. The following conflicts and public hearing requests have been identified:
g. The following conflicts and public hearing requests have been identified:
h. The following conflicts and public hearing requests have been identified:
i. The following conflicts and public hearing requests have been identified:
j. The following conflicts and public hearing requests have been identified:
k. The following conflicts and public hearing requests have been identified:
l. The following conflicts and public hearing requests have been identified:
m. The following conflicts and public hearing requests have been identified:
n. The following conflicts and public hearing requests have been identified:
o. The following conflicts and public hearing requests have been identified:
p. The following conflicts and public hearing requests have been identified:
q. The following conflicts and public hearing requests have been identified:
r. The following conflicts and public hearing requests have been identified:
s. The following conflicts and public hearing requests have been identified:
t. The following conflicts and public hearing requests have been identified:
u. The following conflicts and public hearing requests have been identified:
v. The following conflicts and public hearing requests have been identified:
w. The following conflicts and public hearing requests have been identified:
x. The following conflicts and public hearing requests have been identified:
y. The following conflicts and public hearing requests have been identified:
z. The following conflicts and public hearing requests have been identified:

Also, a special hearing to approve:
Building "A" (Lot 1) - a freestanding restaurant on a separate lot as an accessory use normal and customary incidental to and integrated with the proposed principal use on adjoining lots pursuant to Section 207.3.B.1 or a freestanding restaurant as a proper auxiliary commercial use to be structurally integrated with the proposed principal use on adjoining lots pursuant to Section 207.3.C.2. Buildings "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K", "L", "M", "N", "O", "P", "Q", "R", "S", "T", "U", "V", "W", "X", "Y", "Z" to affirm that all structures and uses as proposed are integrated pursuant to Section 207.4.C.1.

CERTIFICATE OF PUBLICATION

TOWSON, MD. April 3, 1989

THIS IS TO CERTIFY that the annexed advertisement was published in the OWINGS MILLS TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md. appearing on March 30, 1989.

OWINGS MILLS TIMES

PO 10868
rg M27113
ca 89-421-SPHA
price \$183.41

LAW OFFICES
WHITEFORD, TAYLOR & PRESTON

300 LAFAYETTE BUILDING
40 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301 832-2000
FAX 301 832-2015

March 28, 1989

Mr. W. Carl Richards, Jr.
Zoning Coordinator
Office of Planning & Zoning
Towson, Maryland 21204

Re: Petitions for Special Hearing and Zoning Variances
Petitioner: Crow-Owings Mills Limited Partnership
Case Number: 89-421-SPHA

Dear Carl:

Enclosed is a check made payable to Baltimore County, Maryland in the amount of \$35.00 for the revised plan filing fee which I neglected to attach to my earlier correspondence. Please accept this check for the required filing fee.

Thank you for your continued cooperation on this case.

Sincerely,
G. Scott Barhight

CSB:ab
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 3/30/89 ACCOUNT: 001-006-6150
AMOUNT: \$ 35.00
RECEIVED FROM: Whiteford, Taylor & Preston
FOR: Revised Commercial Plans - Case 89-421-SPHA
6 81104-0000-0000
VALIDATION OR SIGNATURE OF CASHIER
W. Carl Richards, Jr.
Zoning Coordinator

RECEIVED
MAR 30 1989
ZONING OFFICE

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

J. Robert Haines
Zoning Commissioner

G. Scott Barhight, Esq.
Whiteford, Taylor & Preston
40 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petitions for Special Hearing and Zoning Variances
CASE NUMBER: 89-421-SPHA
SAC Owings Mills Boulevard Ext. and Proposed Red Run Blvd.
4th Election District - 3rd Councilmanic
Legal Owner(s): Painters Mill Venture
Contract Purchaser(s): Crow-Owings Mills Limited Partnership
HEARING SCHEDULED: FRIDAY, APRIL 28, 1989 at 9:00 a.m.

Dear Mr. Barhight:

Please be advised that \$243.41 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 to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

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

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 4/28/89 ACCOUNT: R-01-615-000
AMOUNT: \$ 243.41
PAID TO: J. Robert Haines
FOR: 89-421-SPHA
VALIDATION OR SIGNATURE OF CASHIER
W. Carl Richards, Jr.
Zoning Coordinator

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 Hearing and Zoning Variances
CASE NUMBER: 89-421-SPHA
SAC Owings Mills Boulevard Ext. and Proposed Red Run Blvd.
4th Election District - 3rd Councilmanic
Legal Owner(s): Painters Mill Venture
Contract Purchaser(s): Crow-Owings Mills Limited Partnership
HEARING SCHEDULED: FRIDAY, APRIL 28, 1989 at 9:00 a.m.

VARIANCES:

Variance from the following Sections: Building "A" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "B" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "C" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "D" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "E" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "F" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "G" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "H" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "I" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "J" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "K" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "L" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "M" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "N" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "O" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "P" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "Q" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "R" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "S" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "T" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "U" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "V" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "W" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "X" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "Y" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "Z" (Lot 1)-Section 207.4.C.1-2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.

SPECIAL HEARING TO APPROVE:

Building "A" (Lot 1) - a freestanding restaurant on a separate lot as an accessory use normal and customary incidental to and integrated with the proposed principal use on adjoining lots pursuant to Section 207.3.B.1 or a freestanding restaurant as a proper auxiliary commercial use to be structurally integrated with the proposed principal use on adjoining lots pursuant to Section 207.3.C.2. Buildings "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K", "L", "M", "N", "O", "P", "Q", "R", "S", "T", "U", "V", "W", "X", "Y", "Z" to affirm that all structures and uses as proposed are integrated pursuant to Section 207.4.C.1.

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
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

LAW OFFICES
WHITEFORD, TAYLOR & PRESTON
300 LANETTE BUILDING
40 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301 832-2000
FAX 301 832-2015
SCOTT BARHIGHT
DIRECT NUMBER
301 832-2000

March 27, 1989

HAND DELIVERY

Mr. W. Carl Richards, Jr.
Zoning Coordinator
Office of Planning & Zoning
Towson, Maryland 21204

Re: Petitions for Special Hearing and Zoning Variances
Petitioner: Crow-Owings Mills Limited Partnership
Case Number: 89-421-SPHA

Dear Carl:

Enclosed are ten (10) copies of the revised zoning plans in the above matter. Page 1 of 3 contains most of the notations required by the Zoning Regulations and Page 3 of 3 graphically shows the plan for the development and the variances requested. These plans contain the revisions requested by various agencies during the CRG process.

If you have any questions or comments regarding these plans, please feel free to contact me. If any additional revisions are required by your office, we will be happy to provide the necessary revised plans.

Also enclosed is a two-page report from the civil engineers, PHR&A, which summarizes the changes to the general notes. Given the large number of notes on Page 1 of 3, we thought it important to identify which notes actually contained substantive changes.

REVISED PLANS
MR 27 1989

Mr. W. Carl Richards, Jr.
March 27, 1989
Page 2

Thank you for your kind attention to this matter.

Sincerely,

G. Scott Barhight

GSB:ab
Enclosures
cc: Mr. Dirk P.D. Mosis, III
Mr. William F. McCloud
Mr. Jeffrey D. Watson
Mr. David S. Thaler
J. Morris Byrnes, Esquire

OWINGS MILLS OFFICE PARK
CRG
PUBLIC SERVICES CRG NO. 88043
CURRENT PLANNING CRG NO. IV-340
PHR&A P# 2258-1-0

SUMMARY OF CHANGES TO THE GENERAL NOTES

After the CRG hearing, and in preparation for final approval submission, the general notes were modified. Although some substantive revisions occurred, the primary change was a reordering and renumbering of the notes. This reordering was done for the purpose of grouping together notes of a similar nature or content. Other modifications involve actual changing of notes and the inclusion of several new notes.

The modifications are as shown below:

The following list shows how the notes are reordered and renumbered:

New Note No.	Old Note No.	New Note No.	Old Note No.
1	4	27	6
2	5	28	*
3	7	29	*
4	13	30	3
5	8	31	23
6	9	32	38
7	12	33	*
8	16	34	*
9	32	35	43
10	34	36	44
11	*	37	21
12	33	38	22
13	31	39	25
14	*	40	41
15	46	41	19
16	*	42	20
17	42	43	*
18	*	44	24
19	*	45	18
20	26	46	*
21	27	47	14
22	30	48	17
23	36	49	15
24	37	50	*
25	35	51	*
26	*	52	*

The new numbers above which have a corresponding "*" in the old note number column are notes which either changed or are entirely new. All changes and new notes resulted from departmental referral comments to the CRG Plan or from discussions during the CRG hearing.

The following are notes in which the text was changed or amended and then each was reordered and renumbered as described above:

New Note No.	Old Note No.
11	39
14	1
16	29
19	28
28	10
29	2
33	40
40	11
51	46

The following are new notes which were added to the list:

New Note No.

18
26
34
43
50
52

89-421-SPHA

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
1st day of MARCH, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: PAINTERS MILL VENTURE
Petitioner's Attorney: G. Scott Barhight, Esquire
Received by: JAMES E. DYER
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 5, 1989

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

G. Scott Barhight, Esquire
Whiteford, Taylor & Preston
40 W. Chesapeake Avenue
Towson, MD 21204

RE: Item No. 334, Case No. 89-421-SPHA
Petitioner: Painters Mill Venture
Petition for Zoning Variance and
Special Hearing

Dear Mr. Barhight:

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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION: JULIE WIAWASKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

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

JED:jw

cc: Crow-Owings Mill Limited Partnership
Seven Saint Paul Street
Baltimore, MD 21202

Trammell Crow Company
7 St. Paul Street
Suite 720
Baltimore, Maryland 21202
301/962-8919

Owings Mills Town Center Meeting

Tuesday, January 10, 1989

Attendees

Jack Dillon
Art Kitcher
Harry Karmas
Carl Richards
Ralph Patterson
Glenn House
David Smith
Jeff Frank
Sam Crozier
Bill McCloud
Went Lillingstad
Baltimore County Planning and Zoning (Hand Delivered)
Baltimore County Planning and Zoning (Hand Delivered)
Baltimore County Planning and Zoning (Hand Delivered)
Baltimore County Economic Development (Facsimile)
House Reh Associates (Facsimile)
Smith, Locke, Asekura (Facsimile)
Fattori, Harris & Rust Associates (Facsimile)
Crozier Associates (Facsimile)
Trammell Crow Company
Trammell Crow Company

Dear Sirs:

Jack Dillon has afforded Trammell Crow Company the opportunity to present our proposed CRG plan to the above listed attendees on Tuesday, January 10, 1989 at 1:00 p.m. at the County.

My objective is to have by design team give you the evolution of our site from a design perspective. As always, we have had to take into account many parameters which include, among others, in no specific order:

- o Traffic
- o View corridors
- o Setbacks
- o Elevation
- o Topography
- o Siting of buildings and parking
- o Pedestrians
- o Our neighbors
- o Red Run Stream
- o Flood plain

even hundred fifty thousand (750,000) square feet works the best. This configuration works best, taking not only the above into account but also considering economic, marketing conditions, financing, joint venture agreements, and other considerations as well, we believe we have done our best.

Trammell Crow Company
Owings Mills Town Center Meeting
January 10, 1989
Page 2

Glenn House and David Smith will describe to you what we have done to get here. I will not be at the meeting. I want this to be predominantly a design and engineering session with constructive give and take. Glenn and David are aware of how economics drive certain conditions such as sinking a garage into the ground and how such a condition can severely limit or defeat a development. However, at this time, I would like for all of you to focus on our design.

After our presentation, I hope you agree with our design. I also hope that you will offer any suggestions as to how we might improve upon it.

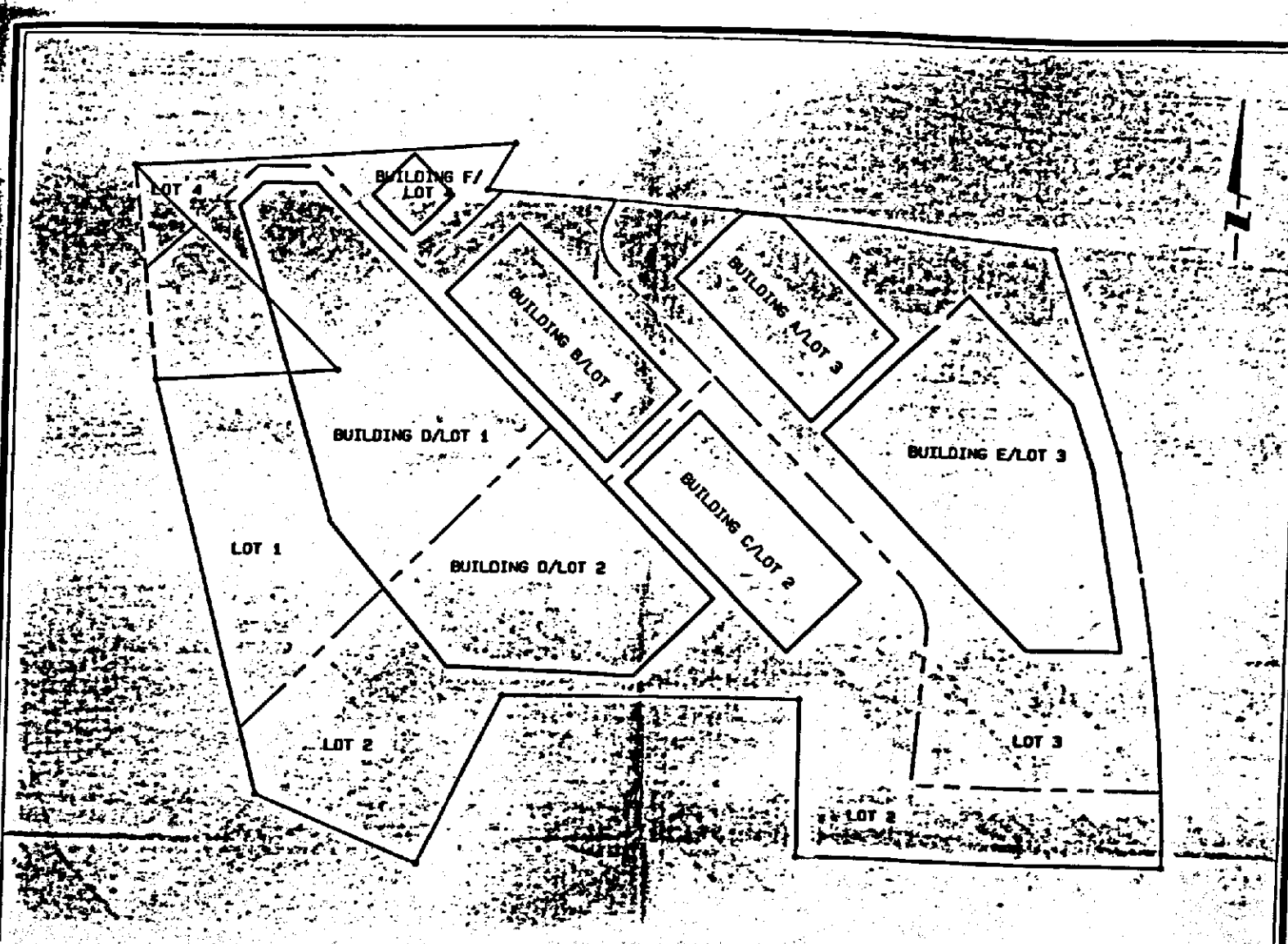
We are excited about moving forward as expeditiously as possible. If there are any questions, please call. Thank you.

Best regards,

Dirk Mosis
Partner
DM/kmk

cc: John Dillingham, Trammell Crow Company (Facsimile)
David Fields, Baltimore County Planning and Zoning (Hand Delivered)
Ray Carignan, Baltimore County Economic Development (Facsimile)
Councilman Dutch Ruppertsberger, Baltimore County Council (Facsimile)
Scott Barhight, Whiteford, Taylor & Preston (Facsimile)
David Thaler, D.S. Thaler & Associates, Inc. (Facsimile)
Wes Guckert, The Traffic Group, Inc. (Facsimile)

Dictated but not read



BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

3/29/89
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204
Zoning Item # 334, Zoning Advisory Committee Meeting of February 28, 1989
Property Owner: Painters Mill Venture
Location: SW/Cor of Owings Mills Blvd Extended District: 4
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, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management 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 Bureau of Air Quality Management is required for any charbroiler generation 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 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 Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () 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 the State Department of the Environment.
- () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () 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 Water and Sewer 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 _____
() is not acceptable and must be retested. 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. For more information contact the Division of Environmental Management at 887-3980.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- () Others All building foundations must be at least 20 ft. from flood plain limitation lines.

[Signature]
BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

Baltimore County
Fire Department
Towson, Maryland 21204-2586
894-4500

Paul J. Rasmussen
Fire Captain

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



Property Owner: Painters Mill Venture
Location: SW/Cor of Owings Mills Blvd. extended and proposed Red Run Blvd.
Item No.: 334 Zoning Agenda: February 28, 1989

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

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in 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]* 3-17-89
Planning Group
Special Inspection Division
NOTED & APPROVED: *[Signature]*
Fire Prevention Bureau

/j1

MAR 20 1989

BALTIMORE COUNTY, MARYLAND

#334
OFFICE COPY

SUBJECT: COUNTY REVIEW GROUP COMMENTS DATE: February 23, 1989
(Continued from 4/14/88)

FROM: ZONING OFFICE

PROJECT NAME: Owings Mills Office Park PLAN: 02/02/89
REV.: 2/16/89 REV. 1

LOCATION: SW/Cor of Owings Mills Blvd Extended and Proposed Red Run Boulevard

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

DISTRICT: 4c3

- A. The zoning office has reviewed the preliminary and latest updated plans for the proposed office park now wholly within an O.T. zone within the Owings Mills Town Center with the exception of a portion of building "D". Many conflicts with the O.T. bulk regulations and some use regulations were originally identified and application was made for Variances and a Special Hearing for uses both applied for on March 9, 1988 in this office under Item#: 330 (Case#: 88-474-SPHA).
- B. On April 6, 1988, J. Norris Byrnes, Esquire, Attorney for the Petitioner, requested a postponement of the scheduled May 23, 1988 Public Hearing, and the old zoning case will be withdrawn.
- C. On February 7, 1989, a new application for Variances and Special Hearing was made on the revised plan by G. Scott Barhight, Esq. for the petitioner under Item #334 (1989). A new case number will be assigned and the petition must be revised as follows:
1. All variance setbacks must be identified along with other hearing requests on the site plan. All public street right-of ways both off and onsite must also be clearly indicated. Provide a 1 inch = 1000 ft vicinity map and a 1 inch = 200 scale 1988 zoning map with the property plotted along with the zoning application. Shade and subtotal A.O.S. areas and provide F.A.R. calculations by lot in the notes (both based on the O.T. zoned area only). Correct the DR16 /O.T. zone line offsite as per the 1 inch = 200 ft scale zoning map number NW101.
- 2. Prior to the zoning hearing, garage floor plans with the parking layout dimensioned and entrance, exit and traffic flow arrows must be submitted to be in conjunction with the site plans as submitted. Also, a structural detail of each building pedestrian connection must be submitted and keyed to the zoning hearing plan which should also show the connections.

over

COUNTY REVIEW GROUP COMMENTS 2/23/89
Owings Mills Office Park, page 2

- 3. Notes should be included on the plan that all proposed signs will comply with section 413.6 (B.C.Z.R.) and that scale elevations of all free-standing signs indicating size, height, single-double face and illumination will be included with the building permit plans. Also, all anticipated auxiliary commercial uses should be identified on the plans and in the parking calculations.
- 4. When the plans are reviewed in the formal C.R.G. process and if those plans are revised as a result of the C.R.G. review, that if an additional zoning bulk or use conflict is identified or one that is already identified would change, it should be incumbent upon the developer to contact the zoning office as soon as possible prior to the zoning hearing, submit revised plans to the zoning office and depending on the time frame if a hearing date has been set, a rescheduling may be necessary.
- 5. Final zoning approval would be contingent upon the resolution of all comments and all conflicts with the B.C.Z.R. and the outcome of all zoning hearing requests.
- 6. A meeting should be scheduled in the zoning office preferably prior to the C. R. G. meeting to review these comments with the attorney and engineer so that these comments may be addressed and the sign wording finalized. A complete list of all conflicts will be provided in the C.R.G. comments after this meeting.

[Signature]
W. CARL RICHARDS, JR.
Zoning Coordinator

ADDITIONAL FOR THE 2/16/89 PLAN

- 7. The following conflicts and public hearing requests have been identified:
Variance from the following Sections: Building "A" (Lot#3)-Section 207.4.C.1+2 to permit a minimum lot line or street line setback of 0 ft. in lieu of the required 50 ft.; Building "B" (Lot#1)-Section 207.4.C.1+2 to permit a minimum lot line setback of 17 ft. and a minimum street line setback of 35 ft. both in lieu of the required 50 ft. and Section 207.4.D to permit a building height of 22 ft. in lieu of the allowed 150 ft.; Building "C" (Lot#2)-Section 207.4.C.1 to permit a minimum lot line setback of 0 ft. in lieu of the required 50 ft. and Section 207.4.C.3 to permit a minimum 7 ft. setback to a D.R.16 zone line in lieu of the allowed 50 ft. and Section 207.4.C.4 to permit a minimum 7 ft. setback to a D.R.10.5 zone line in lieu of the allowed 150 ft. line in lieu of the allowed 25 ft.; Building "D" (Lot#1+2)-Section 207.4.C.1 to permit a minimum 7 ft. setback to a D.R.16 zone line in lieu of the required 50 ft.; Building "E" (Lot#4)-Section 207.4.C.1+2 to permit a minimum 4 ft. lot line, and a minimum 42 ft. street line setback both in lieu of the required 50 ft. and Section 207.3.C (if necessary) to permit a restaurant location as a freestanding building in lieu of the required "within" a principal use building.
- Also, a special hearing to approve:
Building "F" (Lot#4)- a freestanding restaurant on a separate lot as an accessory use normal and customarily incidental to and integrated with the proposed principal uses on adjoining lots pursuant to Section 207.3.B.1 or a freestanding restaurant as a proper auxiliary commercial use to be structurally integrated with the proposed principal uses on adjoining lots pursuant to Section 207.3.C.2; Buildings "A", "B", "C", "D", "E", "F" (Lots # 1,2,3,4) to affirm that all structures and uses as proposed are integrated pursuant to Section 207.4.C.1.

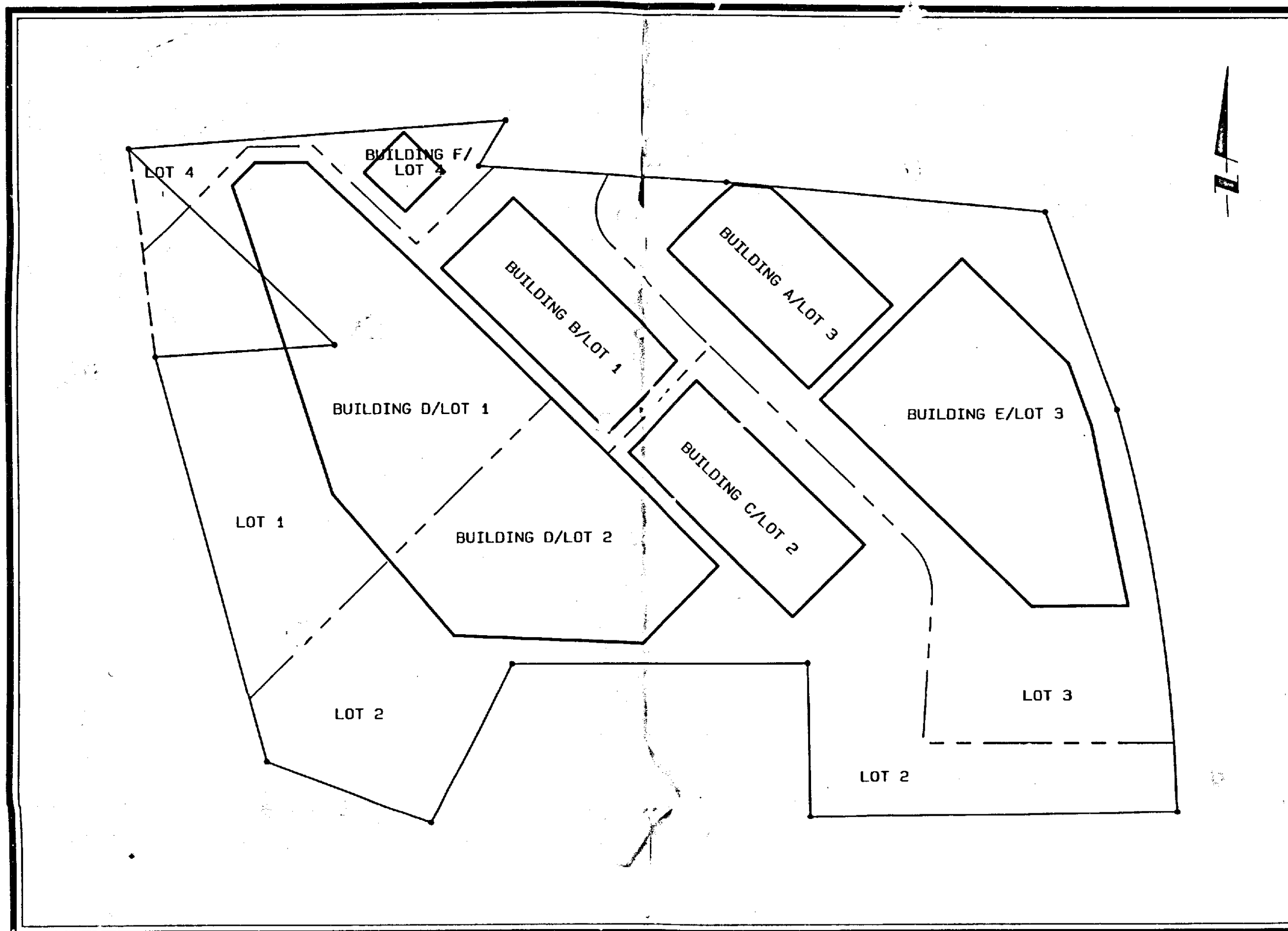
GENERAL NOTES

1. THERE ARE NO EXISTING OR PROPOSED WELL AREAS ON THIS SITE; PUBLIC WATER WILL BE PROVIDED.
2. THERE ARE NO EXISTING OR PROPOSED SEPTIC AREAS ON THIS SITE; PUBLIC SEWERAGE WILL BE PROVIDED.
3. THERE ARE NO KNOWN HISTORIC SITES, CRITICAL AREAS, HAZARDOUS MATERIAL DISPOSAL SITES, ENDANGERED SPECIES HABITATS OR ARCHAEOLOGICAL SITES ON THIS PROPERTY.
4. THERE ARE NO KNOWN UNDER OR ABOVE GROUND CHEMICAL OR PETROLEUM PRODUCTS STORAGE TANKS WITHIN 200' OF THE PROPERTY.
5. DEEDS OF OWNERSHIP:
PARCEL B, BALTIMORE COUNTY MORTGAGE COMPANY, L.7425 F.014;
PAINTERS MILL VENTURE ACRES PARCEL,
PART OF L.4460 F.473.
6. TAX ACCOUNT NUMBERS:
L.7425 F.014 - 120-00-011892
L.4460 F.473 - 102-02-00360 115,6209 ACRES
104-02-007330 99,9586 ACRES
7. THERE ARE EXISTING SLOPES GREATER THAN 25% ON THE SITE. THESE CONDITIONS WERE CREATED BY A CONTROLLED FILL OPERATION IN 1987 AND 1988.
8. ALL EXISTING VEGETATION SHALL REMAIN IN AREAS NOT SUBJECT TO LANDSCAPE PLANTING OR REPAIR CONSTRUCTION AND GRADING.
9. INFORMATION PERTAINING TO ELECTION DISTRICT, COUNCILMANIC DISTRICT, CENSUS TRACT, WATERSHED, AND SUBWATERSHED WAS OBTAINED FROM THE OFFICE OF CURRENT PLANNING.
10. THE FLOODPLAIN SHOWN ON THESE PLANS IS BASED UPON THE FLOODPLAIN STUDY BY KIMBLE KLEPPER RAMEL DATED 02/24/84 AND FIELD TOPOGRAPHY GATHERED BY KIMBLE CONSULTANTS AND PHRA.
11. WETLANDS LIMITS SHOWN ARE BASED UPON FIELD INVESTIGATION BY PHRA WITH BALTIMORE COUNTY ENVIRONMENTAL TECHNICAL STAFF. NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION SHALL BE ALLOWED IN WETLANDS OR FLOODPLAIN AREAS EXCEPT AS PERMITTED BY BALTIMORE COUNTY, MARYLAND WATER QUALITY MANAGEMENT POLICY.
12. THE TOWN CENTER BOUNDARY SHOWN ON THESE PLANS IS BASED UPON INFORMATION PROVIDED BY MR. JACK O'LEON OF THE COUNTY OFFICE OF PLANNING AND ZONING. THIS BOUNDARY LIES WITHIN THE TOWN CENTER AND WITHIN 3,000 FEET OF THE TOWN CENTER BOUNDARY.
13. ZONE LINES SHOWN ON THESE PLANS ARE BASED UPON THE OFFICIAL ZONING MAPS OF BALTIMORE COUNTY, MAP NO. MW/10-1, AS AMENDED IN DECEMBER 1988.
14. TWO, 10 AND 100-YEAR STORMWATER MANAGEMENT WILL BE PROVIDED FOR THIS SITE AND OFFSITE AREAS AS INDICATED ON THE DRAINAGE MAP - DEVELOPED CONDITIONS (STORMWATER MANAGEMENT REPORT). STORMWATER MANAGEMENT FACILITIES WILL BE PHASED WITH CONSTRUCTION.
15. WATER QUALITY MEASURES WILL BE PROVIDED IN CONJUNCTION WITH STORMWATER MANAGEMENT FOR THIS SITE AND THE PORTION OF THE PUBLIC RIGHTS-OF-WAY AREAS AS INDICATED ON THE DRAINAGE MAP - DEVELOPED CONDITIONS (STORMWATER MANAGEMENT REPORT). FACILITIES SHALL BE DESIGNED AND CONSTRUCTED CONSISTENT WITH THE POLICIES OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
16. EROSION AND SEDIMENT CONTROL FOR THIS SITE MAY BE PROVIDED IN TOTALITY OR PHASED AS NECESSARY TO DEVELOP THE PROPERTY. EROSION AND SEDIMENT CONTROL SHALL REMAIN UNTIL ALL AREAS ARE STABILIZED AND APPROVED BY THE EROSION/SEDIMENT CONTROL OFFICIAL.
17. PROPOSED GRADING SHOWN ON THESE PLANS IS CONCEPTUAL AND SUBJECT TO MODIFICATION AS FURTHER STUDIES AND DESIGN NEEDS MAY DEVELOP.
18. THE SUBJECT CMC IS, IN PART, PROPOSED AS A REDEVELOPMENT OF PART OF THE PLAT KNOWN AS "BALTIMORE COUNTY MORTGAGE COMPANY", RECORDED AMONG THE PLAT RECORDS OF BALTIMORE COUNTY, MARYLAND IN PLAT BOOK S.M. NO.55, FOLIO 126.
19. A WAIVER OF SUBDIVISION PLAT HAS BEEN APPROVED FOR THIS PROPERTY IN ACCORDANCE WITH SECTION 22-43 OF THE BALTIMORE COUNTY DEVELOPMENT REGULATIONS. THE WAIVER, NO. W-88-79, WAS APPROVED ON MARCH 17, 1988. THIS WAIVER IS SOLELY FOR EXPEDIENTY IN TRANSFERRING TITLE OF THE 19.4 ACRES, WHICH IS COMPRISED OF LAND UNDER TWO TAX ACCOUNT NUMBERS AND TWO DEED RECORDS. A SUBDIVISION RECORD PLAT SHALL BE APPROVED AND FILED PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS.
20. SUBDIVISION OF THIS PROPERTY INTO MORE THAN ONE LOT MAY OR MAY NOT TAKE PLACE. THE NECESSITY OF SUBDIVISION INTO MORE THAN ONE LOT SHALL BE DETERMINED BY THE DEVELOPER. SUBDIVISION LINES SHOWN ON THESE PLANS ARE ONLY PRELIMINARY AND SUBJECT TO CHANGE PRIOR TO DEVELOPMENT OF THE RECORD PLATS.
21. SETBACKS SHOWN ON THESE PLANS ARE PRELIMINARY AND SUBJECT TO CHANGE. IN NO CASE SHALL ANY SETBACKS BE LESS THAN ALLOWED BY THE ZONING CODE UNLESS A VARIANCE OR OTHER MODIFICATION TO COUNTY CODE REQUIREMENTS IS GRANTED BY BALTIMORE COUNTY.
22. A REQUEST FOR WAIVER OF SETBACK FROM THE 100-YEAR FLOODPLAIN WILL BE REQUESTED FOR THIS PROPERTY AS NECESSARY.
23. ALL PUBLIC AND PRIVATE ROADWAY IMPROVEMENTS SHOWN ON THIS PLAN AS PART OF THE NECESSARY SITE IMPROVEMENTS ARE PRELIMINARY ONLY AND SUBJECT TO MODIFICATION. FINAL LOCATIONS OF ROADWAYS SHALL BE DETERMINED AT THE CONSTRUCTION DESIGN STAGE AND APPROVED BY THE DEPARTMENT OF PUBLIC WORKS.
24. ALL PROPOSED UTILITIES SHOWN ARE PRELIMINARY AND SUBJECT TO SOME MODIFICATION. FINAL UTILITY ALIGNMENT SHALL BE MADE AT THE CONSTRUCTION DESIGN STAGE AND APPROVED BY THE DEPARTMENT OF PUBLIC WORKS.
25. IMPROVEMENTS SHOWN ON THESE PLANS FOR OWINGS MILLS BOULEVARD EXTENDED, INCLUDING ALL UTILITIES AND STORM DRAINAGE, ARE BASED ON APPROVED PLANS AS NOTED.
26. THE DEVELOPER WILL SEEK A WAIVER OF REQUIREMENTS FOR PUBLIC CONTRACTING OF IMPROVEMENTS INTENDED FOR PUBLIC TITLE. IT IS THE INTENTION OF THE DEVELOPER THAT ALL IMPROVEMENTS INCLUDING WATER, SEWER, STORM DRAIN, STORMWATER MANAGEMENT, ROADS, ETC. ARE THE RESPONSIBILITY OF THE DEVELOPER.
27. ALL INTERIOR ROADWAYS SHALL BE PRIVATELY OWNED AND MAINTAINED.
28. ALL ROADS, UTILITIES, STORMWATER MANAGEMENT, WATER QUALITY FACILITIES AND PARKING AREAS SHALL BE SUBJECT TO RECIPROCAL CROSS EASEMENTS FOR ALL LOT OWNERS.
29. ALL FIRE LINES SHALL BE POSTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE FIRE MARSHALL. ACCESS AND ON-SITE ROADS SHALL BE POSTED AS FIRE LINES ALONG THEIR ENTIRE LENGTH AND/OR AS IDENTIFIED BY THE FIRE MARSHALL.
30. REQUIRED LANDSCAPE PLANTING IS SHOWN ON THE SCHEMATIC LANDSCAPE PLAN. FOR LANDSCAPE REQUIREMENTS SEE LANDSCAPE PLAN SHEET 1 OF 1.
31. LANDSCAPING SHOWN FOR THIS SITE IS SCHEMATIC ONLY. FINAL LANDSCAPE DETAILS AND A PLANTING LIST SHALL BE APPROVED BY THE PLANNING STAFF PRIOR TO ISSUANCE OF A BUILDING PERMIT. FINAL LANDSCAPE PLANS MAY BE DONE ON A LOT-BY-LOT BASIS FOR APPROVAL OF INDIVIDUAL BUILDING PERMITS.
32. LIGHTING PLANS FOR BOTH ON-SITE AND PUBLIC IMPROVEMENTS SHALL BE APPROVED BY THE CURRENT PLANNING OFFICE PRIOR TO ISSUANCE OF BUILDING PERMITS.
33. ALL AMENITY OPEN SPACES SHALL BE OWNED AND MAINTAINED BY THE DEVELOPER EXCEPT THOSE AREAS OF THE 100-YEAR FLOODPLAIN WHICH WILL BE DEDICATED (SEE NOTE NO. 34).
34. THE AREA OF THE SUBJECT PROPERTY SHOWN TO BE WITHIN THE BOUNDARY OF THE 100-YEAR FLOODPLAIN (SEE NOTE NO. 10) SHALL BE DEDICATED TO BALTIMORE COUNTY AS PART OF THE RED RIVER VALLEY STREAM PARK.
35. THE NUMBER OF PARKING SPACES TO BE PROVIDED WILL BE DETERMINED IN THE FUTURE BASED UPON MARKET, ZONING CHANGES, RESTRICTIONS, ETC. INCREASES IN THE NUMBER OF SPACES MAY BE GENERATED BY RESERVING FOR THE PROVISION OF COMPACT PARKING SPACES AND THE CONSEQUENTIAL REDUCTION OF STANDARD SIZE SPACES. HOWEVER, THE MINIMUM NUMBER OF STANDARD SIZE SPACES REQUIRED BY THE ZONING REGULATIONS SHALL BE PROVIDED AT ANY GIVEN TIME.
36. PARKING SPACE SIZES SHALL MEET OR EXCEED COUNTY MINIMUM DIMENSIONAL REQUIREMENTS.
37. THE NUMBER OF PARKING SPACES AVAILABLE OR PROPOSED BY THE PHASING PLAN SHALL MEET OR EXCEED COUNTY REQUIREMENTS FOR THE AMOUNT OF SQUARE FOOTAGE DEVELOPED OR PROPOSED AT EACH BUILDING PERMIT APPLICATION.
38. THE NUMBER OF LEVELS SHOWN FOR THE PARKING STRUCTURES REPRESENTS A MAXIMUM. FLOOR LEVELS THAT THE MAXIMUM MAY BE CONSTRUCTED IF THE MAXIMUM IS UNNECESSARY DUE TO COUNTY REQUIREMENTS AND/OR MARKET CONDITIONS.
39. HANDICAP PARKING SPACES SHALL BE LOCATED IN APPROPRIATE POSITIONS NEAR ACCESS RAMP, ELEVATORS, ETC., IN THE PARKING STRUCTURES. HANDICAP SPACES SHALL BE PROVIDED AT THE TIME OF BUILDING USE AND OCCUPANCY PERMIT FOR EACH BUILDING AS REQUIRED BY COUNTY AND STATE REGULATIONS.
40. THE PROPOSED LOADING SPACES SHOWN FOR EACH BUILDING MAY BE REDUCED IF LESS THAN THE MAXIMUM FLOOR AREA IS CONSTRUCTED FOR EACH BUILDING.
41. THE BUILDING ENVELOPES SHOWN ON THE PLAN REPRESENT THE APPROXIMATE BOUNDARY FOR THE MAXIMUM "FOOTPRINT" OF THE FIRST FLOOR OF EACH BUILDING. THE ACTUAL LAYOUT OF EACH BUILDING MAY VARY IN SHAPE AND SIZE WHILE MAINTAINING THE GENERAL CONCEPT OF THE ENVELOPES SHOWN.
42. THE SQUARE FOOTAGE SHOWN FOR EACH BUILDING INDICATES THE MAXIMUM ALLOWABLE. THE SQUARE FOOTAGE OF EACH BUILDING MAY BE AT OR BELOW THE INDICATED MAXIMUM AS NECESSARY. THE ACTUAL GROSS SQUARE FOOTAGE FOR EACH BUILDING WILL BE DETERMINED AND INDICATED AT THE TIME OF BUILDING PERMIT APPLICATION. HOWEVER, THE AGGREGATE SQUARE FOOTAGE FOR BUILDINGS A, B, AND C MAY NOT EXCEED THE MAXIMUM APPROVED FOR THIS PLAN WITHOUT APPROVAL BY THE COUNTY REVIEW GROUP.
43. THE DEVELOPER AND THE OFFICE OF PLANNING SHALL AGREE UPON THE FINAL WIDTH OF THE AREA IN FRONT OF BUILDINGS "A" & "C" PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
44. PHASING SHOWN IS CONCEPTUAL ONLY AND MAY CHANGE. THE ORDER OF BUILDING CONSTRUCTION WILL BE BASED UPON MARKET CONDITIONS AND MAY BE ALTERED BY THE DEVELOPER WITH CORRESPONDING PUBLIC AND PRIVATE INFRASTRUCTURE INSTALLATION ALSO BEING ALTERED.
45. A SPECIAL HEARING SHALL BE REQUIRED TO DETERMINE WHETHER THE RESTAURANT SHALL BE ALLOWED ON ITS OWN LOT. OTHERWISE, THE RESTAURANT AND OTHER ACCESSORY COMMERCIAL USES WILL COMPLY WITH SECTION 207.3 (B) AND 207.3 (C) OF THE BALTIMORE COUNTY ZONING REGULATIONS.
46. ALL SIGNS SHALL COMPLY WITH THE BALTIMORE COUNTY ZONING REGULATIONS, SECTION 413 AND THE ZONING POLICY MANUAL, SECTION 51. SCALE ELEVATIONS OF ALL PREEXISTING SIGNS INDICATING SIZE, HEIGHT, SINGLE/DOUBLE FACE AND ILLUMINATION SHALL BE INCLUDED WITH THE BUILDING PERMIT PLANS.
47. SIGNS OF ORIGIN SHALL BE ALL NORMAL AND REASONABLE HOURS.
48. THE EXACT NUMBER OF EMPLOYEES IS UNKNOWN AT THIS TIME.
49. TRANSIT FACILITIES: THE OWINGS MILLS TOWN CENTER AREA IS SERVED BY THE OWINGS MILLS SUBWAY STATION, AND BUS ROUTES M9, M15, M16 AND M17.

OWINGS MILLS OFFICE PARK

OWINGS MILLS TOWN CENTER

BALTIMORE COUNTY, MARYLAND



SITE DATA

GROSS:		
LOT 1	261,751 sq. ft./5.009 acres	
LOT 2	291,698 sq. ft./6.696 acres	
LOT 3	305,256 sq. ft./7.008 acres	
LOT 4	32,281 sq. ft./0.741 acres	
TOTAL	890,986 sq. ft./20.454 acres	
NET:		
	19,407 acres	
	845,375 sq. ft.	
NET LOT AREA LESS OPEN SPACE (FLOOD PLAIN) AND PROPOSED RIGHT-OF-WAY TO BE DEDICATED:		
	15,752 acres	
	686,152 sq. ft.	
FLOOD PLAIN:		
	3.655 acres	
	159,223 sq. ft.	
PROPOSED RIGHT-OF-WAY:		
	0.211 acres	
	9,193 sq. ft.	
ELECTION DISTRICT:		FOURTH
COUNCILMANIC DISTRICT:		THIRD
CENSUS TRACT:		4041
WATERSHED:		48
SUBWATERSHED:		56

1. THE PERMITS INDICATED FOR THE GROSS AREA OF EACH INDIVIDUAL LOT IS PRELIMINARY AND SUBJECT TO REVISION. THE GROSS AREA FOR BOTH THE LOT AND THE TOTAL PROPERTY SHALL BE BASED UPON THE AREA OF A 30' WIDE STRIP BORDERING THE PROPERTY ALONG EXISTING PROPOSED STREET RIGHTS-OF-WAY (SEE NOTE NO. 35 THIS SHEET).
2. THE PERMITS INDICATED FOR THE 100-YEAR FLOOD PLAIN AREA ARE APPROXIMATE AND SUBJECT TO REVISION UPON FINAL DETERMINATION OF THE LOCATION OF THE 100-YEAR FLOOD PLAIN BOUNDARY BASED UPON THE APPROVED FLOOD PLAIN STUDY (SEE NOTES 10 & 34 THIS SHEET).
3. THE PROPOSED RIGHT-OF-WAY SHOWN IS APPROXIMATE AND SUBJECT TO REVISION UPON COMPLETION OF THE 100-YEAR FLOOD PLAIN STUDY. THE ULTIMATE IMPROVEMENTS TO OWINGS MILLS BLVD.

SHEET INDEX

COVER SHEET	SHT 1 of 3
CRG PLAN	SHT 2 of 3
ZONING PLAN	SHT 3 of 3

OWNER

Painter's Mill Venture
c/o Mr. Jack L. Baylin
106 Old Court Road
Suite 202
Pikesville, Maryland 21208
(301) 484-4710

DEVELOPMENT CONSULTANT

D. S. Thaler & Associates, Inc.
11 Warren Road
Baltimore, Maryland 21208
(301) 484-4100

TRAFFIC CONSULTANT

The Traffic Group, Inc.
414 East Joppa Road
Towson, Maryland 21204
(301) 553-6405

ZONING DATA

ZONING:	O.T., OFFICE AND TECHNOLOGY: D.R. 10.5, DENSITY RESIDENTIAL:	19.025 acres 0.382 acres
MINIMUM NET LOT AREA:	REQUIRED: PROVIDED:	30,000 sq. ft.
	LOT 1: LOT 2: LOT 3: LOT 4: TOTAL:	257,800 sq. ft. 288,855 sq. ft. 267,949 sq. ft. 30,771 sq. ft. 845,375 sq. ft.
REQUIRED SETBACKS:	BUILDINGS:	
	FROM STREET RIGHT-OF-WAY: FROM INTERSECTION OF LOT LINES: FROM ABUTTING ZONES: D.R. 10.5: D.R. 16:	50 FEET 50 FEET 150 FEET 50 FEET 20 FEET
	PARKING:	
	FROM STREET RIGHT-OF-WAY: FROM ABUTTING ZONES: D.R. 10.5: FROM 100-YEAR FLOOD PLAIN BOUNDARY:	8 FEET 25 FEET 20 FEET 150 FEET
MAXIMUM BUILDING HEIGHT:		

1. SEE THE AMENITY OPEN SPACE TABLE FOR OVERALL PROPERTY AND INDIVIDUAL LOT AREA BREAKDOWNS ADDRESSING THE AMENITY OPEN SPACE REQUIREMENTS (SEE FOOTNOTE SPECIFICALLY). THE AMENITY OPEN SPACE REQUIREMENTS OF THE ZONING CODE ARE BEING REQUESTED FOR THIS PROPERTY. RELIEF FROM VARIOUS SECTIONS OF THE ZONING CODE IS UNLAWFUL ON THE BASIS OF THE ZONING VARIANCE PLAN, SHEET 3 OF 3.
2. THE SETBACKS FOR THE 100-YEAR FLOOD PLAIN MUST BE FROM THE FLOOD PLAIN BOUNDARY PLUS ONE FOOT OF FREEBOARD. SEE NOTE NO. 10 & 34 THIS SHEET.

PROPOSED BUILDING TABULATION

BUILDING/USE/LOT	NO. STORIES	MAX. GROSS SQUARE FOOTAGE/F.A.R.	MAX. HEIGHT (FEET)
A/OFFICE/LOT 3	14	155,000/0.53	137
B/OFFICE/LOT 1	14	320,000/1.10	221
C/OFFICE/LOT 2	14	320,000/1.05	221
D/PARKING/LOTS 1&2	5	N/A	25-35/65-75
E/PARKING/LOT 3	2	N/A	10-20/20-30
F/RESTAURANT/LOT 4	2	7,500/0.23	60
OVERALL		FLOOR AREA RATIO (F.A.R.)	OVERALL
MAX. ALLOWED		0.90	MAX. ALLOWED
5.5			4,900,423
			802,500

1. THE MAXIMUM HEIGHT INDICATED FOR EACH OFFICE BUILDING REFLECTS THE HEIGHT TO THE ROOF LINE AND NOT TO THE TOP OF THE ROOF. THESE DOMES ARE ABOVE THE FLOOR LINE AND DO NOT AFFECT THE HEIGHT OF THE BUILDING. THE VARIATION IN HEIGHT INDICATED FOR THE PARKING STRUCTURES REFLECTS THE HEIGHT TO THE TOP OF THE ROOF. THE HEIGHT AT THE BUILDING EXPOSURE ON THE NORTH SIDE AND THE GREATER EXPOSURE ON THE SOUTH SIDE OF THE BUILDING IS INDICATED. THE TOP OF THE ROOF OF THE BUILDING IS ESTIMATED TO BE 25'-30' BELOW THE TOP OF THE TOWERS.
2. THE MAXIMUM PROPOSED HEIGHT IS BASED UPON THE GROSS LOT AREA FOR BOTH THE OVERALL PROPERTY AND EACH INDIVIDUAL LOT.

PROPOSED PARKING TABULATION

	PROPOSED TOTAL FLOOR AREA (sq. ft.)	TOTAL PARKING SPACES REQUIRED	TOTAL PARKING SPACES PROVIDED
OFFICES			
BUILDING A	155,000	512	*
BUILDING B	320,000	1,056	*
BUILDING C	320,000	1,056	*
SUBTOTALS	795,000	2,624	*
RESTAURANT			
BUILDING F	7,500	150	*
TOTALS	802,500	2,774	*
PARKING LOCATION			
PARKING STRUCTURE - BUILDING D		2262 SPACES	**
PARKING STRUCTURE - BUILDING E		512 SPACES	**
MINIMUM HANDICAP PARKING SPACES REQUIRED:			
- BUILDING D		33	**
- BUILDING E		10	**
HANDICAP PARKING SPACES TO BE PROVIDED:			

1. REQUIRED PARKING FOR EACH BUILDING IS BASED UPON THE FOLLOWING: OFFICE USES - 3.0 SPACES FOR EACH 1000 SQ. FT. OF TOTAL FLOOR AREA; RESTAURANT USES - ONE SPACE FOR EACH 500 SQ. FT. OF FLOOR AREA.
2. REQUIRED NUMBER OF SPACES FOR EACH BUILDING IS PROVIDED BY SPACES LOCATED WITHIN THE PARKING STRUCTURE.
3. PROVIDED IS UNDETERMINED AT THIS TIME. THE NUMBER OF SPACES TO BE PROVIDED IS BASED UPON THE NUMBER OF SPACES PROVIDED BY THE CODE BUT MAY EXCEED THOSE REQUIREMENTS IF MARKET CONDITIONS SO DICTATE.
4. THE NUMBER OF SPACES THAT SHALL BE PROVIDED IN EACH OF THE RESPECTIVE PARKING STRUCTURES IN ORDER TO MEET CODE REQUIREMENTS FOR THE PARKING STRUCTURE IS LOCATED.
5. THE NUMBER OF REQUIRED HANDICAP SPACES IS BASED UPON MARYLAND REGULATIONS. THE STATE REQUIREMENTS ARE 2% OF THE NUMBER OF SPACES PROVIDED BETWEEN 500 AND 1000 SHALL BE HANDICAP SPACES. THE REMAINING NUMBER OF SPACES EXCEEDING 1000 SHALL BE HANDICAP SPACES. THE MINIMUM NUMBER OF SPACES PROVIDED SHALL BE INCLUDED IN THE TOTAL SPACES PROVIDED FOR THE SITE.

PROPOSED LOADING TABULATION

	TOTAL FLOOR AREA (sq. ft.)	PROPOSED MINIMUM NO. LOADING SPACES
OFFICES		
BUILDING A	155,000	1
BUILDING B	320,000	1
BUILDING C	320,000	1
RESTAURANT		
BUILDING F	7,500	1

PROPOSED AMENITY OPEN SPACE TABULATION

AMENITY OPEN SPACE REQUIRED:		25% of NET LOT AREA		
AREA:		4,756 acres		
AMENITY OPEN SPACE PROVIDED:		207,182 sq. ft.		
TOTAL AREA:		45% of NET LOT AREA		
		8,463 acres		
FLOOD PLAIN AREA:		368,643 sq. ft.		
		3.274 acres		
LANDSCAPED GREENSPACE:		142,624 sq. ft.		
		5.189 acres		
BUILDING:		226,019 sq. ft.		

INDIVIDUAL LOT BREAKDOWN:				
LOT	NET AREA	AMENITY OPEN SPACE		
	sq. ft./ac.	REQUIRED		
		sq. ft./ac.		
		PROVIDED		
		sq. ft./ac.		
		(%)		
BUILDING B/LOT 1	243,170/5.583	60,793/1.393	98,355/2.258	(41%)
BUILDING C/LOT 2	288,855/6.631	72,214/1.657	157,350/3.612	(54%)
BUILDING A/LOT 3	267,949/6.151	66,987/1.538	93,750/2.152	(35%)
BUILDING F/LOT 4	28,764/0.660	7,191/0.165	19,188/0.441	(67%)
TOTAL	828,738/19.025	207,185/4.756	368,643/8.463	(45%)

1. AMENITY OPEN SPACE CALCULATIONS FOR BOTH THE OVERALL PROPERTY AND EACH INDIVIDUAL LOT ARE BASED UPON NET LOT AREA. THE NET LOT AREA FOR THE OVERALL PROPERTY IS 19.025 ACRES, AS SHOWN IN THIS TABLE. DOES NOT INCLUDE THE PORTION OF THE PROPERTY AREA AS SHOWN IN THE SITE DATA TABLE.
2. AREA AS SHOWN IN THE SITE DATA TABLE.
3. AREA AS SHOWN IN THE SITE DATA TABLE.
4. INDIVIDUAL LOT AMENITY OPEN SPACE DOES NOT INCLUDE ANY APPLICABLE AREA OF LOT OR LOT AREA AS SHOWN IN THE SITE DATA TABLE.
5. BUILDING AMENITY OPEN SPACE IS UNKNOWN AT THIS TIME DUE TO THE LACK OF EXTERIOR ELEVATION DATA FOR THE BUILDING.
6. ALL AMENITY OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE DEVELOPER.

CIVIL ENGINEER

Patton, Harris, Rust & Associates, PC
7609 Standish Place
Rockville, Maryland 20855
301 762-2220 Baltimore 301 792-7244
Facsimile (FAX) 301 762-6042

PETITIONER'S
COMMIT 1

PRINTED
MAY 1989
FILE # A
ROCKVILLE

REVISED FOR FINAL CRG APPROVAL
REVISED PER COMMENTS
REVISED CRG SUBMITTAL TO BALTIMORE COUNTY
CRG SUBMITTAL TO BALTIMORE COUNTY

REVISION
PUBLIC SERVICES CRG No. B8043
CURRENT PLANNING CRG No. J-1-340
CRG COVER SHEET - 5/30/89, 2071 PF.
DATE 10/1/89
DATE 10/1/89
DATE 10/1/89

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Wirth / SWM
Mr. Powell / EIRS
Mr. Filson / W&S
Mr. Flowers / CBCA
Mr. Fisher / Current Planning
Mr. Richards / Zoning
Mr. Bowling / DED (2)
Mr. Famili / Traffic Engineering
Mr. Weiss / Sanitation
Mr. Beaumont / Land Acquisition
Ms. Lutz / House Numbering
Capt. Kelly / Fire Department
Mr. Kincer / Recreation & Parks
Mr. Brocato / SHA
Mr. Butcher / C & F
Mr. Keller / OPZ Deputy Director (FYI)

DATE: April 29, 1991

FROM: Susan Wimbley
Bureau of Public Services

SUBJECT: District: 4 C 3
Project Name: OWINGS MILLS OFFICE PARK
Project No.: 88043
Engineer: KCI
Phone No.: 583-1751

ACTION REQUESTED:

CRG Plan Review (Meeting Waived)	:
CRG Plan Refinement Review	:
CRG Non-Material Amendment Review	:
CRG Plan Approval Extension Review	: X
Panhandle Minor CRG Plan Review	:
Minor Subdivision Review	:

Please review the attached plan for compliance with current regulations and return comments to our office by May 20, 1991. If you have no comments or do not need to review this plan, please indicate by placing your initials here _____.

Thank you for your attention to our request.

SDW:bje
Attachment
cc: File

OWINGSOF/EDWS

OWINGS MILLS OFFICE PARK

CRG Plan Approval Extension
Plan Date: 3/14/89
Comments Due: 5/20/91
Comments Date: 5/1/91
Comments Typed: 5/3/91

Document on the plan that there are no changes from the C.R.G. plan approved on 2/23/89 and from the approved zoning hearing plan in Zoning Case #89-421-SPHA. If any changes have occurred, they must be clearly indicated and the reasons noted on a revised red-lined plan for zoning review.

Final zoning approval is contingent first, upon all plan comments being addressed on the C.R... plan; and secondly, upon the final resolution of all comments, the outcome of any requested zoning hearings and finally, the inclusion of the blue commercial checklist information being included on the building permit site plans.

Any requests for further information from the Zoning Office must include a reference to the CRG Plan Approval Extension Review and written correspondence or revised plans must be accompanied by a copy of these comments.

JOHN L. LEWIS
PLANNER II

JLL:scj

cc: Current Planning
Zoning File - #89-421-SPHA
Waiver File

PHR&A

Patton Harris Rust & Associates, pc
7609 Standish Place
Rockville, Maryland 20855

Fax 301 762-6042
301 762-2220

December 11, 1989

The Honorable J. Robert Haines
Zoning Commissioner of Baltimore County
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Special Hearing and Zoning Variance
Case No. 89-421-SPHA
PHR&A F# 2258-1-0

Dear Mr. Haines:

On behalf of our client, Trammell Crow Company, and the Petitioners, we are returning to your office the enclosed exhibits. These are reduced copies of those full size exhibits presented during the hearing for the referenced case.

We wish to apologize for the delay in returning these items to you. We hope this allows you to complete your records and close the file for this case. Should you require any additional information please contact us at your convenience.

Sincerely,

Jeffrey D. Watson
Project Manager

JDW:jac(17)

2258-1-0.11

Enclosure

cc: Mr. William McCloud
Mr. Scott Barhight

Engineers,
Surveyors,
Planners &
Landscape
Architects

12-14-12 JED

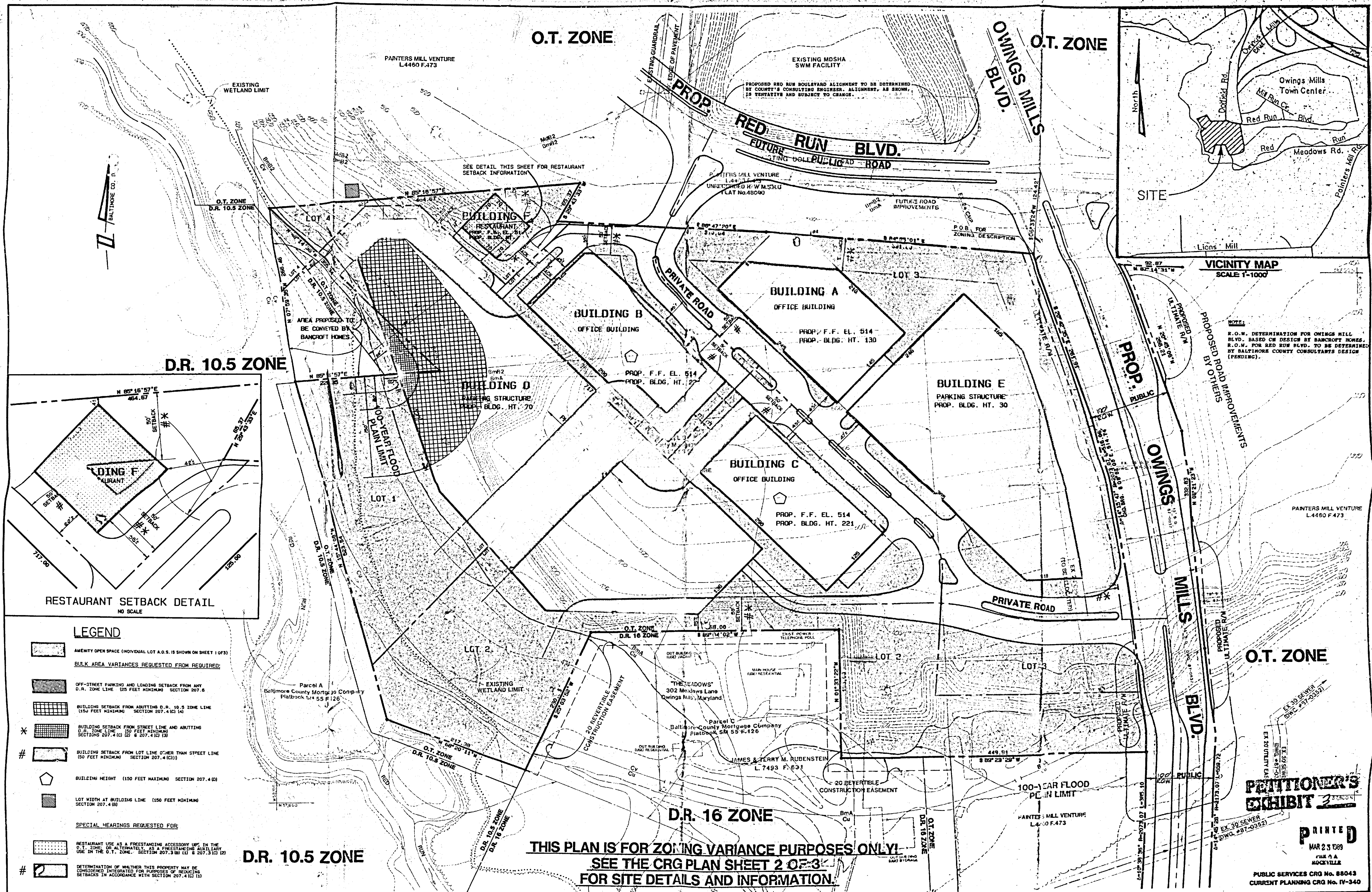
RECEIVED
DEC 13 1989
ZONING OFFICE

OWINGS MILLS CORPORATE CAMPUS

ZONING EXHIBITS

Trammell Crow Company

Trammell Crow Company



THIS PLAN IS FOR ZONING VARIANCE PURPOSES ONLY!
SEE THE CRG PLAN SHEET 2 OF 3
FOR SITE DETAILS AND INFORMATION.

**PETITIONER'S
EXHIBIT 2**

PRINTED
MAR 23 1989
CHS & A
ROCKVILLE

PUBLIC SERVICES CRG No. 88043
CURRENT PLANNING CRG No. IV-340

Developer:
TRAMMELL CROW COMPANY
7 St. Paul Street Suite 720
Baltimore, Maryland 21202
301-962-8919



PHR&A

ENGINEERS • SURVEYORS • PLANNERS • LANDSCAPE ARCHITECTS

OFFICES

FAIRFAX, VA.,

BROOKVIEW, VA.,

CHANTILLY, VA.

LEESBURG, VA.

ROCKVILLE, VA.

VIRGINIA BEACH, VA.

PATTON, HARRIS, RUST & ASSOCIATES, PC

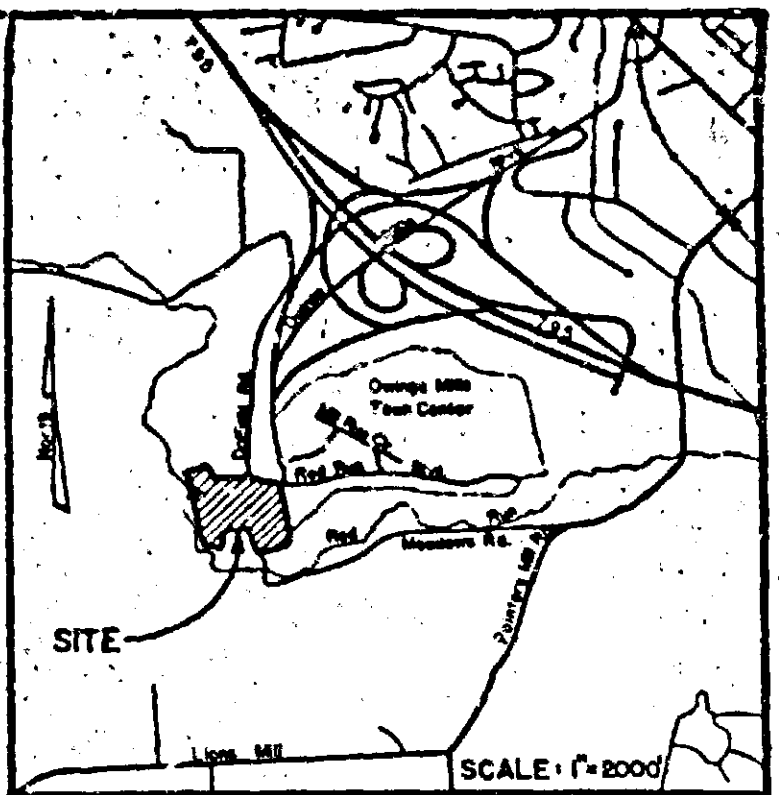
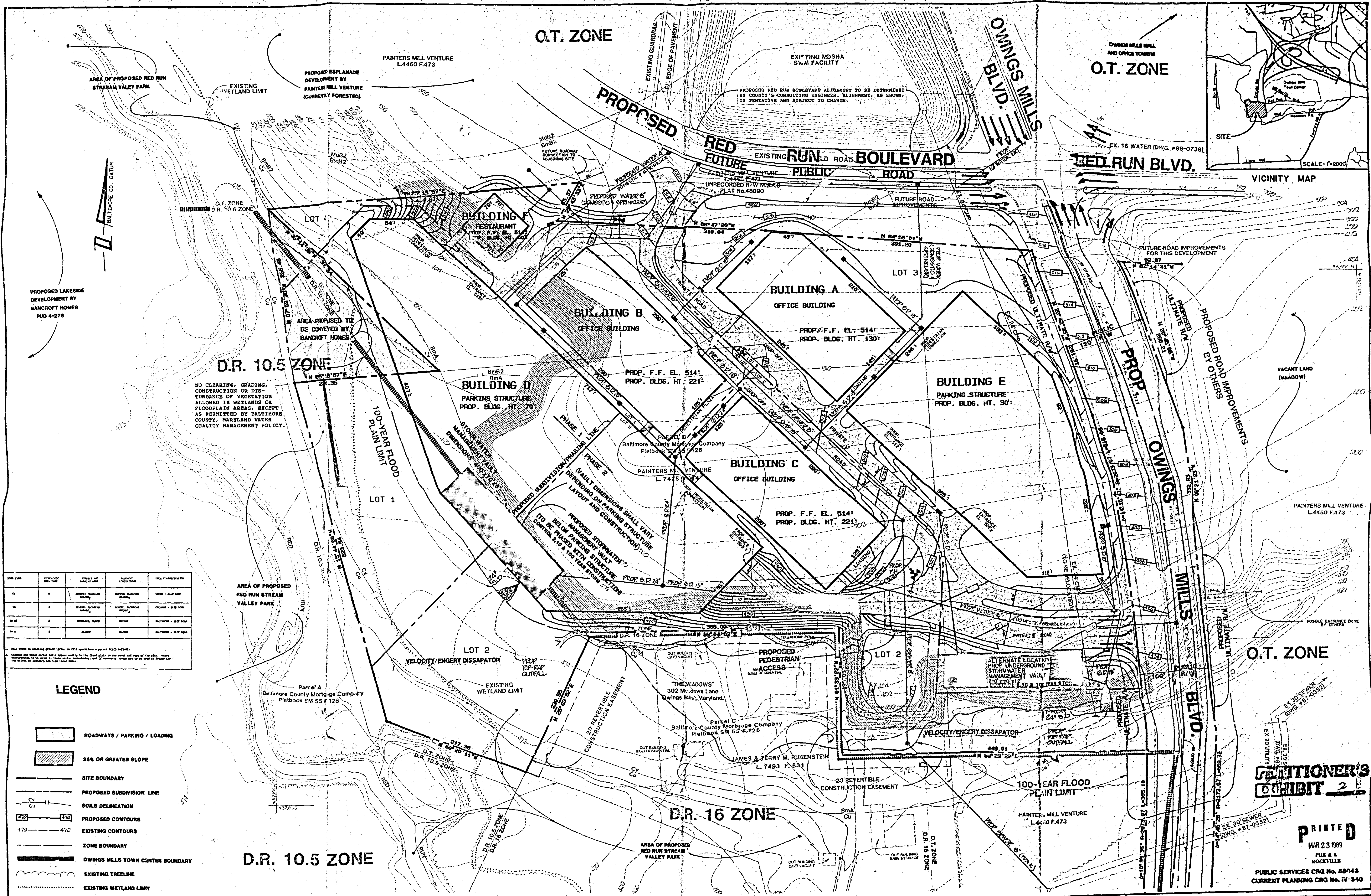
7809 STANDISH PLACE

ROCKVILLE, MARYLAND 20855

SO. 782. 2220 WASH. SO. 792. 7244 BALT.

**ZONING VARIANCE PLAN
OWINGS MILLS OFFICE PARK
OWINGS MILLS TOWN CENTER
BALTIMORE COUNTY, MARYLAND
3rd COUNCILMANIC DISTRICT, ELECTION DISTRICT 4**

[illegible]



NO.	DESCRIPTION	DATE	BY	CHKD
1	PRELIMINARY	10/1/89	J. CROW	
2	REVISED FOR PRELIMINARY COMMENTS	10/1/89	J. CROW	
3	REVISED FOR PRELIMINARY COMMENTS	10/1/89	J. CROW	
4	REVISED FOR PRELIMINARY COMMENTS	10/1/89	J. CROW	
5	REVISED FOR PRELIMINARY COMMENTS	10/1/89	J. CROW	
6	REVISED FOR PRELIMINARY COMMENTS	10/1/89	J. CROW	
7	REVISED FOR PRELIMINARY COMMENTS	10/1/89	J. CROW	
8	REVISED FOR PRELIMINARY COMMENTS	10/1/89	J. CROW	
9	REVISED FOR PRELIMINARY COMMENTS	10/1/89	J. CROW	
10	REVISED FOR PRELIMINARY COMMENTS	10/1/89	J. CROW	

- LEGEND**
- ROADWAYS / PARKING / LOADING
 - 25% OR GREATER SLOPE
 - SITE BOUNDARY
 - PROPOSED SUBDIVISION LINE
 - SOILS DELINEATION
 - PROPOSED CONTOURS
 - EXISTING CONTOURS
 - ZONE BOUNDARY
 - OWINGS MILLS TOWN CENTER BOUNDARY
 - EXISTING TREELINE
 - EXISTING WETLAND LIMIT

Developer:
TRAMMELL CROW COMPANY
7 St. Paul Street Suite 720
Baltimore, Maryland 21202
301-962-8919

PHR&A
ENGINEERS • SURVEYORS • PLANNERS • LANDSCAPE ARCHITECTS
PATTON, HARRIS, RUST & ASSOCIATES, PC
7609 STANDISH PLACE
ROCKVILLE, MARYLAND 20855
301-782-2220 WASH. 301-792-7244 BALT.



CRG SITE PLAN
OWINGS MILLS OFFICE PARK
OWINGS MILLS TOWN CENTER
BALTIMORE COUNTY, MARYLAND
3rd COUNCILMANIC DISTRICT, ELECTION DISTRICT 4

NO.	REVISIONS	DATE	CHKD
1	REVISED FOR PRELIMINARY COMMENTS	10/1/89	J. CROW
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8	REVISED FOR PRELIMINARY COMMENTS	10/1/89	J. CROW
9	REVISED FOR PRELIMINARY COMMENTS	10/1/89	J. CROW
10	REVISED FOR PRELIMINARY COMMENTS	10/1/89	J. CROW

PREPARED FOR THE
OWINGS MILLS TOWN CENTER
CRG SITE PLAN

PRINTED
MAR 23 1989
PHR & A
ROCKVILLE

PUBLIC SERVICES CRG No. 88043
CURRENT PLANNING CRG No. IV-240

[illegible]

The map shows a property divided into five lots. LOT 1 is on the left, LOT 2 is at the bottom, LOT 3 is on the right, LOT 4 is at the top left, and LOT 5 is at the top. Buildings are distributed across these lots: BUILDING A/LOT 3 is on LOT 3; BUILDING B/LOT 1 and BUILDING D/LOT 1 are on LOT 1; BUILDING C/LOT 2 and BUILDING D/LOT 2 are on LOT 2; and BUILDING F/LOT 5 is on LOT 5. A north arrow points towards the top right of the map.

SITE AREA:
 GRASS:
 LOT 1 261,751 sq. ft./6.009 acres
 LOT 2 291,699 sq. ft./6.696 acres
 LOT 3 305,256 sq. ft./7.008 acres
 LOT 4 32,281 sq. ft./0.741 acres
 TOTAL 890,986 sq. ft./20.454 acres
 NET:
 19,407 acres
 845,375 sq. ft.
 NET LOT AREA LESS OPEN SPACE
 (FLOOD PLAIN) AND PROPOSED
 RIGHT-OF-WAY TO BE DEDICATED:
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 3,655 acres
 159,223 sq. ft.
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 9,193 sq. ft.

ELECTION DISTRICT:
 COUNCILMANIC DISTRICT:
 CENSUS TRACT:
 WATERSHED:
 SUBWATERSHED:

FOURTH
 THIRD
 4C41
 48
 66

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	TOTAL:	845,375 sq. ft.
REQUIRED SETBACKS:		
BUILDINGS:	FROM STREET RIGHT-OF-WAY: FROM INTERIOR LOT LINES: FROM ABUTTING ZONES: D.R. 10.5: D.R. 16:	50 FEET 50 FEET 150 FEET 50 FEET 50 FEET
PARKING:	FROM 100-YEAR FLOOD PLAIN BOUNDARY: FROM STREET RIGHT-OF-WAY: FROM ABUTTING ZONES: D.R. 10.5: FROM 100-YEAR FLOOD PLAIN BOUNDARY:	8 FEET 25 FEET 20 FEET 150 FEET
MAXIMUM BUILDING HEIGHT:		

COVER SHEET	SHT 1 of 3
CWG PLAN	SHT 2 of 3
ZONING PLAN	SHT 3 of 3

Painter's Mill Venture
c/o Mr. Jack L. Baylin
106 Old Court Road
Suite 202
Pikesville, Maryland 21208
(301) 484-4710

Crow-Owings Mill Limited Partnership
c/o Trammell Crow Company
7 St. Paul Street
Suite 720
Baltimore, Maryland 21202
(301) 962-8919

House Reh Associates, Inc
1054 31st St. NW
Suite 110
Washington, D.C. 20007
(202) 944-2111

Smith, Lucke Asakura, Inc
70 So. Post Oak Lane
Suite 350
Houston, Texas 77056
(713) 552-0611

BUILDING/USE/LOT	NO.	STORIES	MAX. GROSS SQUARE FOOTAGE/F.A.R.	MAX. HEIGHT (FEET)
A/OFFICE/LOT 3	7		155,000/0.58	130
B/OFFICE/LOT 1	4		324,000/1.10	221
C/OFFICE/LOT 2	14		320,000/0.105	221
D/PARKING/LOTS 1&2	2		N/A	25-35/65-75
E/PARKING/LOT 3	2		N/A	10-20/20-30
F/RESTAURANT/LOT 4	2		7,500/0.23	60

OVERALL FLOOR AREA RATIO (F.A.R.)	MAX. ALLOWED	MAX. PROPOSED	OVERALL GROSS SQUARE FOOTAGE	MAX. PROPOSED
5.5	0.90		4,900,423	802,500

	PROPOSED TOTAL FLOOR AREA (sq. ft.)	TOTAL PARKING SPACES REQUIRED	TOTAL PARKING SPACES PROVIDED
OFFICES			
BUILDING A	155, 000	512	#
BUILDING B	320, 000	1, 056	#
BUILDING C	320, 000	1, 056	#
SUBTOTALS	795, 000	2, 624	#
RESTAURANT			
BUILDING F	7, 500	150	#
TOTALS	802, 500	2, 774	#
PARKING LOCATION			
PARKING STRUCTURE - BUILDING D		2262 SPACES	##
PARKING STRUCTURE - BUILDING E		512 SPACES	##
MINIMUM HANDICAP PARKING SPACES REQUIRED:			
- BUILDING D			33 ##
- BUILDING E			10 ##
HANDICAP PARKING SPACES TO BE PROVIDED:			#

	TOTAL FLOOR AREA (sq. ft.)	PROPOSED MINIMUM No. LOADING SPACES
OFFICES		
BUILDING A	155,000	1
BUILDING B	320,000	1
BUILDING C	320,000	1
RESTAURANT		
BUILDING F	7,500	1

AMENITY OPEN SPACE REQUIRED:		25% of NET LOT AREA		
AREA:		4.756 acres		
AMENITY OPEN SPACE PROVIDED:		207,182 sq. ft.		
TOTAL AREA:		45% of NET LOT AREA		
		8.463 acres		
FLOOD PLAIN AREA:		368,643 sq. ft.		
		3.274 acres		
LANDSCAPED GREENSPACE:		142,624 sq. ft.		
		5.189 acres		
BUILDING:		226,013 sq. ft.		

INDIVIDUAL LOT BREAKDOWN:				
LOT	NET AREA sq. ft./ac.	AMENITY OPEN SPACE REQUIRED sq. ft./ac.	AMENITY OPEN SPACE PROVIDED sq. ft./ac.	(X)
BUILDING B/LOT 1	243,170/5.583	60,793/1.386	98,355/2.259	(41X)
BUILDING C/LOT 2	288,855/6.631	72,214/1.657	157,350/3.612	(54X)
BUILDING A/LOT 3	267,949/6.151	68,987/1.538	93,750/2.152	(35X)
BUILDING F/LOT 4	26,754/0.660	7,131/0.165	19,186/0.441	(67X)
TOTAL	828,738/19.025	207,185/4.756	368,643/8.463	(45X)

 PHR&A
Patton, Harris, Rust & Associates, PC
7609 Standish Place
Rockville, Maryland 20855
301 762-2220 Baltimore 301 792-7244
Facsimile (FAX) 301 762-6042

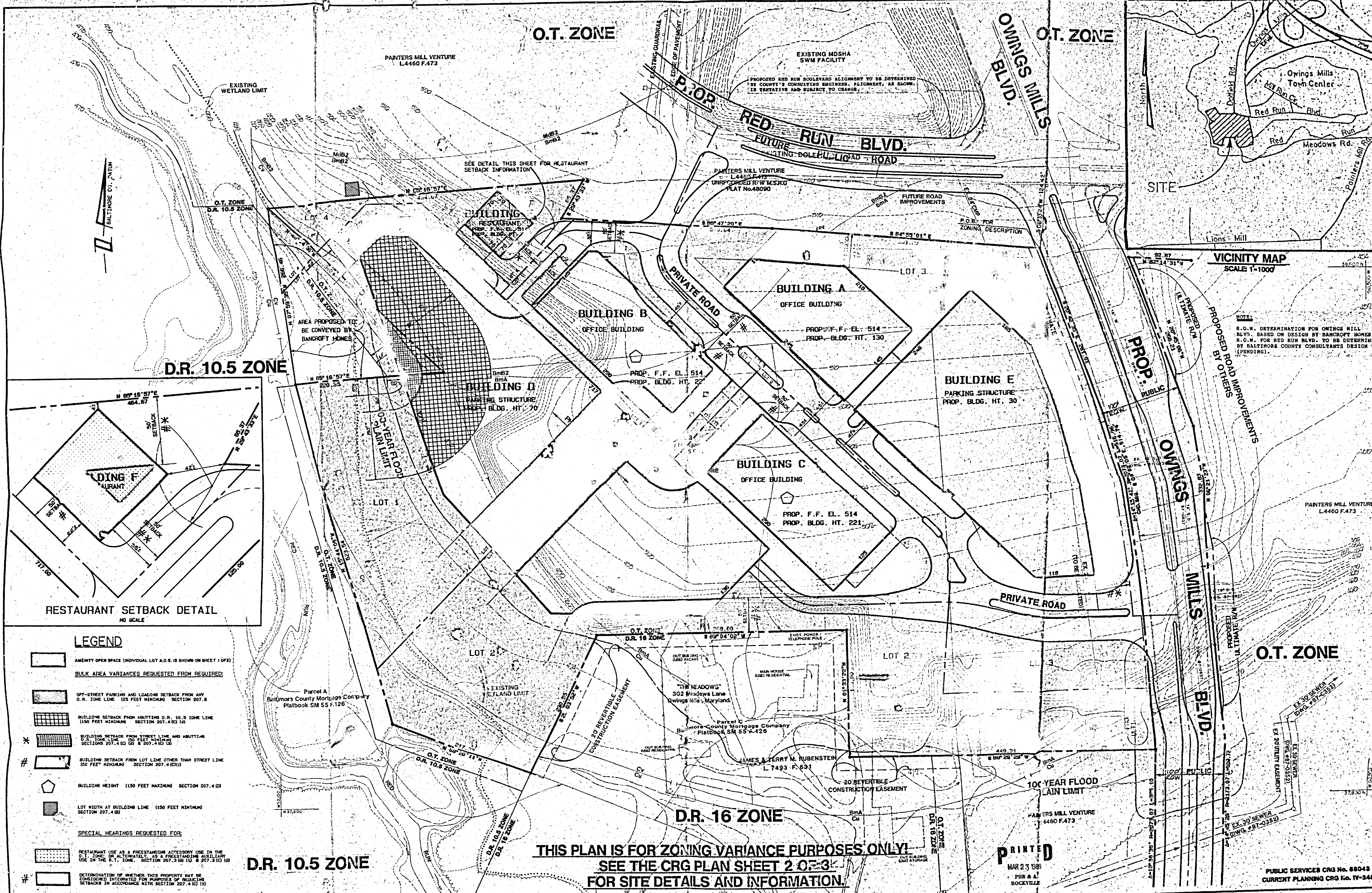
PRINTED
MAR 23 1989

REVISOR FOR FINAL CRG APPROVAL
REVISED PER PRE-CRG COMMENTS
REVISED PER SUBMITTAL TO BALTIMORE COUNTY
CRG SUBMITTAL TO BALTIMORE COUNTY

REVISION
PUBLIC SERVICES CRG NO. BR043

CURRENT PLANNING CRG NO. IV - 349
QUEST - ADVISE REPLY: DATE 087 12-04-00 08:25 PM / 22

3-14-00
2-10-00
2-02-00
2-10-00
DATE
04537



THIS PLAN IS FOR ZONING VARIANCE PURPOSES ONLY!
SEE THE CRG PLAN SHEET 2 OF 3
FOR SITE DETAILS AND INFORMATION.

Developer:
TRAMMELL CROW COMPANY
7 St. Paul Street Suite 720
Baltimore, Maryland 21202
301-962-8919

PHR&A
ENGINEERS • SURVEYORS • PLANNERS • LANDSCAPE ARCHITECTS
PATTON, HARRIS, RUST & ASSOCIATES, PC
7809 STANDISH PLACE
ROCKVILLE, MARYLAND 20855
301-782-2220 WASH. 301-792-7244 BALT.



ZONING VARIANCE PLAN
OWINGS MILLS OFFICE CENTER
OWINGS MILLS TOWN CENTER
BALTIMORE COUNTY, MARYLAND
3rd COUNCILMANIC DISTRICT, ELECTION DISTRICT 4

PRINTED
MAR 23 1989
PHR & A
ROCKVILLE

SURVEY PHR & A and OTHERS			
DATE	BY	CHKD	DATE
BASE	PHR		
DESIGN	PHR		
DRAWN	PHR		
SCALE	1" = 80'	SHEET	3 OF 3
FILE NO.	2184-10		
NO. OF REVISIONS			
NO.	DATE	CHKD	DATE
1	2-14-89		
2	2-16-89		
3	2-16-89		
4	2-16-89		
5	2-16-89		
6	2-16-89		
7	2-16-89		
8	2-16-89		
9	2-16-89		
10	2-16-89		

Building F
 (14) Variance from Section 207.4.B, BCZR, to permit a six (6) foot lot width at building line, in lieu of the required one hundred fifty (150) feet;
 (15) Variance from Section 207.4.C.1, BCZR, to permit a four (4) foot setback from any lot line other than a street line, in lieu of the required fifty (50) feet;
 (16) Variance from Section 207.4.C.2, BCZR, to permit a forty-two (42) foot setback from any lot line, in lieu of the required fifty (50) feet.

The Petitioner requests the above-referenced variances for the following reasons:

To provide for the development of the subject property in accordance with the spirit and intent of the O.T. Zone, variances must be granted from height and area regulations. Due to the location of the subject property relative to a growth area of a Town Center, as shown on the Baltimore County Master Plan, it is important to develop the property to the extent envisioned by the BCZR and to thereby increase the tax base and create jobs for citizens. To do otherwise would adversely affect the proper implementation of the Master Plan.

As a practical matter, it is extremely difficult to develop the property in a manner consistent with the height and area constraints currently imposed by Section 207, BCZR. The building area available under the current BCZR and other applicable development regulations preclude the owner from

Page 4 of 6

securing a reasonable return on its investment and from making reasonable and permitted use of its property. Strict compliance with BCZR would result in practical difficulty or unreasonable hardship.

The current height and area regulations present land planning and construction problems which affect the subject property, but do not affect other property located in a O.T. Zone. The property is bounded by high density residentially zoned property rather than by property zoned O.T., which results in the imposition of setback requirements which are not imposed upon other property in the area which is zoned O.T. The topography of the property and the proximity of the one hundred (100) year flood plain to the proposed development preclude construction upon some portions of the property, thereby requiring construction of buildings within setback areas and creating the need for construction of taller facilities to achieve the density even proximate to the density of development permitted in a O.T. Zone in or near a Town Center (5.5 F.A.R.). The proposed development would achieve a density development of 0.90 F.A.R.

The grant of the requested variances will not reduce the amount of amenity open space provided on the property, nor will it result in an increase in density above that permitted in an O.T. Zone. To the contrary, the proposed density for the project is less than seventeen percent (17%) of the permitted density. The variances requested, if granted, would be in strict

Page 5 of 6

harmony with the spirit and intent of the BCZR and would not substantially injure the public health, safety and general welfare.

Page 6 of 6

PETITION FOR SPECIAL HEARING ADDENDUM

Addressees for Legal Owners:

Robert G. Merrick, Jr.
 119 East Baltimore Street
 Baltimore, Maryland 21202
 717-1700

James Rubenstein
 Agent for Owner/Developer, Lakeside FUD
 5505 Reisterstown Road
 Baltimore, Maryland
 363-4663

Page 1 of 3

The Petitioner hereby petitions for a Special Hearing under Section 500.7, Baltimore County Zoning Regulations ("BCZR") to determine whether the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the following:

Building F

(1) That a freestanding restaurant, situated on a separate lot within an integrated development project consisting of office buildings as the principal use is a proper accessory use and permitted as a matter of right in an O.T. Zone pursuant to Section 207.3.B.1, BCZR. In the alternative, approve that a freestanding restaurant, situated on a separate lot with an integrated development project consisting of office buildings as the principal use is a proper auxiliary commercial use and permitted as a matter of right in an O.T. Zone pursuant to Section 207.3.C.2, BCZR.

A restaurant (eating or drinking establishment) is normally and customarily incidental to the development of a complex of office buildings as proposed in the subject project. An eating and drinking establishment is an amenity which must be provided to the citizens working in and visiting the office buildings, especially in a semi-urban setting where similar establishments may not be readily accessible. Use of the lot as a restaurant will not create objectionable conditions adversely affecting the use of nearby property.

Page 2 of 3

Buildings A, B, C, D, E and F

(2) That the minimum setback requirement of Section 207.4.C.1, BCZR, may be reduced to zero (0) feet. The setback may be reduced for the purpose of integrating, adjoining, or connecting structures on contiguous lots with the expressed approval of the owner of the contiguous lot. The entire project is an integrated development consisting of interconnected buildings, utilizing a common and complementary architectural design scheme and providing for common amenities to serve each of and all principal use buildings. The owners of each lot in the development hereby expressly approve of this reduction in setback.

Page 3 of 3

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

89-421-SPHA
 The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve:

Building "F" (Lot #4) - a freestanding restaurant on a separate lot as an accessory use normal and customarily incidental to and integrated with the proposed principal use on adjoining lots pursuant to Section 207.3.B.1; or a freestanding restaurant as a proper auxiliary commercial use to be structurally integrated with the proposed principal use on adjoining lots pursuant to Section 207.3.C.2; Buildings "A", "B", "C", "D", "E", "F" (lots # 1, 2, 3, 4) to affirm that all structures and uses as proposed are integrated pursuant to Section 207.4.C.1. (also see attached addendum)

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

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

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

Contract Purchaser: Crow-Owings Mill Limited Partnership By: Crow-Baltimore #1 Development Corporation (Type or Print Name) Signature: DFR F.D. Hossis, III, Vice President Trammell Crow Company Address: Seven Saint Paul Street Baltimore, Maryland 21202 City and State: Attorney for Petitioner: G. Scott Barlight City and State: Whitigum, Taylor & Preston 40 W. Chesapeake Avenue Address: Towson, Maryland 21204 City and State: Attorney's Telephone No.: 832-2050	Legal Owner(s): Painters Mill Venture (Type or Print Name) Signature: Robert G. Merrick, General Partner James Rubenstein, Agent for Owner/Developer, Lakeside FUD (Type or Print Name) Signature: [Signature] See attached Addendum Address: City and State: Name, address and phone number of legal owner, contract purchaser or representative to be contacted: G. Scott Barlight 40 W. Chesapeake Avenue Towson, Maryland 21204 Address: Phone No.: 832-2050
--	---

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of March, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 28th day of April, 1989, at 9 o'clock A.M.

J. Robert Haines
 Zoning Commissioner of Baltimore County.

K.C.O.-No. 1 (over)

February 6, 1989

PHR&A F#2258-1-0

METES AND BONDS DESCRIPTION
 OF PART OF THE PROPERTY OF
 PAINTERS MILL VENTURE
 AND PARCEL B AND PART OF PARCEL A
 BALTIMORE COUNTY MORTGAGE COMPANY
 FOURTH ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND

Beginning at the point of intersection of the future westerly right-of-way line of Owings Mills Boulevard with the future southerly right-of-way line of Red Run Boulevard as shown on State Roads Commission Plat No. 48090, said point lying South 06°33'24" West, 124.42 feet from the center line intersection of Red Run Boulevard, at Station 50+00, with the center line of Owings Mills Boulevard, at Station 65+00, and running with and binding on the land of Painters Mill Venture the following courses and distances:

1. South 20°42'35" East, 261.91 feet, and
2. an arc distance of 516.07 feet along a curve to the right having a radius of 2,073.07 feet, a central angle of 140°15'47" and a chord bearing and distance of South 08°52'05" East, 514.74 feet to a point
3. South 89°29'29" West, 449.91 feet
4. North 01°33'21" West, 195.00 feet
5. South 89°04'02" West, 368.00 feet

Metes and Bounds Description
Painters Mill Venture
February 7, 1989

6. South 25003.52' West, 230.55' feet
7. North 68020.11' West, 217.38' feet
8. North 15044.08' West, 423.56' feet
9. North 07059.35' West, 266.46' feet
10. North 85016.57' East, 464.67' feet
11. South 29043.33' West, 65.37' feet
12. South 86047.20' East, 310.04' feet
13. South 84055.01' East, 391.20' feet to the point of beginning containing 845,375 square feet or 19.40714 acres of land, more or less.

LAW OFFICES
WHITEFORD, TAYLOR & PRESTON
300 LAFAYETTE BUILDING
40 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301 832-2000
FAX: 301 832-2015

RECEIVED
AUG 23 1989
ZONING OFFICE

August 22, 1989

HAND DELIVERED

The Honorable J. Robert Haines
Zoning Commissioner of Baltimore County
Office of Planning and Zoning
Towson, Maryland 21204

Re: Petitions for Special Hearing and Zoning Variance
SW/Corner Owings Mills Blvd. Extended and Proposed
Red Run Blvd.
4th Election District - 3rd Councilmanic District
Painters Mill Venture - Petitioners
Case No. 89-421-SPHA

Dear Mr. Haines:

On behalf of the Petitioners, I respectfully request that you revise the Findings of Fact and Conclusions of Law, dated July 27, 1989. After considerable review and discussion, there are four areas of concern which we would like for you to address. Enclosed is a suggested revision to the Order portion of your Findings of Fact and Conclusions of Law for your consideration.

The first concern relates to what was identified in the Petition for Zoning Variance as Variance 9 relative to Building "D". Variance 9 was from Section 207.4.C.3 to permit a 7 foot setback from any abutting D.R. zone line other than a boundary line that lies within a street in lieu of the required 50 feet. Although Variance No. 10, which requested a 7 foot setback from any abutting D.R. 10.5 zone line in lieu of the required 150 feet is included in the Order, we are concerned that Variance 9 has not been fully described and properly granted. In addition to those portions of the Order which we request be changed as shown on the enclosed revised Order, it appears that a portion of page 1 of the Findings of Fact and Conclusions of Law should also be amended. In the 14th line on page 1, we respectfully request

The Hon. J. Robert Haines
Re: Case No. 89-421-SPHA
August 22, 1989
Page 2

that you add the following phrase "a minimum setback of 7 feet from any abutting D.R. zone line in lieu of the required 50 feet".

The second issue relates to the use of the word "or", rather than "and" in the Order. The attached revised Order identifies those portions of the text which we would like revised. We are concerned that the Order may be misinterpreted to be in the alternative rather than the conjunctive.

Our third concern relates to the conditions of the Order. The Petitioners have decided not to file an appeal to the Board of Appeals. Instead, the Petitioners are pursuing amending the Zoning Regulations to permit a freestanding restaurant as a matter of right. To insure that your Order does not preclude the possibility of enjoying such an amendment, we are requesting that additional language be added to the Order as enclosed.

Our final concern relates to the fifth condition of your Order. As a practical matter, it will be impossible to record a new deed incorporating a reference to this case and its conditions within 60 days from the date of the Order. If possible, we would like to have the conditions either noted on the subdivision plat or set forth in a deed recorded simultaneously with the subdivision plat. If this does not meet with your approval, we will need at least 180 days from the date of the Order to comply with this condition.

During the hearing, several full size exhibits were entered into evidence which were to be replaced with reduced copies which could fit into the Zoning files. To that end, we would like to borrow these full size exhibits so that they may be reduced to a 8-1/2 x 11 photograph and replaced with these smaller versions. Since the full size exhibits in your possession are the only originals available, they will need to be borrowed in order to be duplicated. If our suggestion meets with your approval, Jeff Watson of Patton, Harris, Rust and Associates will be contacting your office to duplicate and replace these exhibits. Please contact me with your thoughts on this matter.

It is my understanding that your revisory power ends on August 26, 1989. I apologize for the few days left in this revisory period for you to take action. Much work and discussion has gone into the decision to request these revisions.

The Hon. J. Robert Haines
Re: Case No. 89-421-SPHA
August 22, 1989
Page 3

Should you have any questions or comments, please feel free to contact me. I will be contacting your office in the next several days to make myself available. Thank you for your continued cooperation.

Sincerely,

G. Scott Barhight

GSB/crp
Enclosure

cc: Mr. Dirk P.D. Mosis, III
Mr. William F. McCloud
Mr. David S. Thaler
Mr. Glenn C. House, Jr.
Mr. Jeffrey E. Frank
Mr. Jeffrey Watson

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Scott Barhight	20 W. Chesapeake Ave. Towson
DAVID S. THALER	1514 N. ST. # 220 Baltimore 21208
DAVID S. THALER	11 WARREN ROAD BALTIMORE, MD 21208
GLENN HOUSE	1054 N. ST. # 220 BALTIMORE, MD 21208
JEFFREY FRANK	7609 STANDISH PI. ROCKVILLE, MD 20855
DAVID S. THALER	COMMUNITY TIMES BOX 147 REST. MD 21136
JEFFREY D. WATSON	7609 STANDISH PI. ROCKVILLE, MD 20855
JAMES ROSENSTEIN	11421 Conhill Dr. Owings Mills MD 21117
DAVID S. THALER	PAINTERS MILL VENTURE 33 106 OLD CASTLE RD. BALTIMORE, MD 21208
DAVID S. THALER	ECONOMIC DEVELOPMENT COMM. 415 E. SPAN ROAD Towson, MD
DAVID S. THALER	TRAMMILL CEN. SUITE 720 7 ST. PAUL ST. BALTIMORE, MD 21202
BILL MC CLOUD	

LAW OFFICES
WHITEFORD, TAYLOR & PRESTON
300 LAFAYETTE BUILDING
40 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301 832-2000
FAX: 301 832-2015

RECEIVED
MAY 15 1989
ZONING OFFICE

May 12, 1989

The Honorable J. Robert Haines
Zoning Commissioner of Baltimore County
Office of Planning and Zoning
Towson, Maryland 21204

Re: Petitions for Special Hearing and Zoning Variances
Case No. 89-421-SPHA
Petitioner's Memorandum

Dear Mr. Haines:

Enclosed is the Petitioner's Memorandum which you requested at the public hearing in this matter. If this office can provide you anything further on these or other issues, please feel free to contact me.

Thank you for your time and attention.

Sincerely,

G. Scott Barhight

GSB:eb
cc: Mr. Dirk P. D. Mosis, III (w/encl.)
Mr. William F. McCloud (w/encl.)
Mr. David S. Thaler
Mr. Glenn C. House, Jr.
Mr. Jeffrey E. Frank

IN RE: PETITION FOR SPECIAL
HEARING AND ZONING VARIANCES
SW/COR OF OWINGS MILLS BOULEVARD
Extended and Proposed Red Run
Boulevard
Fourth Election District
Third Councilmanic District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-421-SPHA

Crow-Owings Mill Limited
Partnership
Petitioner

PETITIONER'S MEMORANDUM OF LAW

The Petitioner, Crow-Owings Mill Limited Partnership, by its attorneys, G. Scott Barhight and Whiteford, Taylor & Preston, respectfully submit this memorandum regarding the following two major issues:

1. Petition for Special Hearing to approve a freestanding restaurant, situated on a separate lot within an integrated development project.
2. Agreement with Office of Planning and Zoning regarding Promenade.

FREESTANDING RESTAURANT

The Petition for Special Hearing requests that the Zoning Commissioner approve a freestanding restaurant, situated on a separate lot within an integrated development project consisting of office buildings as the principal use as an accessory use permitted as a matter of right in the OT zone pursuant to Section 207.3.B.1, BCZR. This section permits the following accessory uses as a matter of right:

Uses and structures which are normally and customarily incidental to any of the principal uses permitted in Subsection 207.3.A. . . .

Three class A offices with a potential total square footage of 795,000 square feet permitted pursuant to Section 207.3.A.8 are the principal uses to be served by the restaurant. The testimony of Messrs. Thaler, Mosis, Frank, House and Keller unanimously shows that restaurants are normally and customarily incidental to offices and multiple office park developments. In particular, Messrs. Thaler, Mosis and House all testified that freestanding restaurants customarily serve numerous office park developments throughout the United States. The subject restaurant is strategically situated to primarily serve the employees and visitors of the office development in a convenient manner.

Section 207.1.A states that there is a continuing space demand for offices in Baltimore County. Section 207.1.B indicates that the growth areas are especially well suited for office development. Most importantly, Section 207.1.C promotes the establishment of amenities and encourages intense development in the OT zone. An amenity such as a high quality sit-down restaurant is not only consistent with the purposes of the OT zone, but it is encouraged by the policy associated with this zone.

The plan for Owings Mills adopted by the Baltimore County Council on May 21, 1984 ("the Master Plan") sets forth the following objectives and policies which will be served by the approval of this restaurant:

2.B. Minimize the impact of new traffic routes through existing communities. (Page 34)

3.A. Create a development pattern which provides a variety of living, working, and leisure opportunities for people of diverse ages, incomes, and interests, including the disadvantaged. (Page 34)

3.G. Offer incentives for developers to provide extra open space, amenities, and good design as defined by special standards applicable to growth areas. (Page 34)

3.H. Encourage clustered mixed-use development patterns to conserve energy. (Page 34)

4.C. Promote industrial, office, and commercial development in Owings Mills to provide as many jobs for residents as possible. (Page 35)

6.A. Encourage the location of special facilities for social, cultural, educational, fire, police, and other activities within the Town Center or growth area. (Page 36)

The restaurant, servicing the large office development, by pedestrian access will dramatically minimize the impact of traffic leaving the site. The freestanding restaurant, in conjunction with the delis and other food services to be provided within the office buildings will provide a variety of opportunities for all of the employees and visitors to the site. Approving the restaurant will be consistent with the policy to offer incentives for developers to provide amenities and good design. It will also encourage clustered mixed-use development

- 3 -

patterns to conserve energy. Granting the relief requested will certainly promote office development and encourage the location of this special facility for social and other activities.

The definition of accessory use or structure as set forth in Section 101, BCZR, states, in part, as follows:

A use or structure which (a) is customarily incident and subordinate to and serves a principal use or structure;

(b) is subordinate in area, extent, or purpose to the principal use or structure;

(c) is located on the same lot as the principal use or structure served; and

(d) contributes to the comfort, convenience, or necessity of occupants, business, or industry in the principal use or structure served.

The testimony of all of the experts supports that the restaurant will serve the office development, that it is subordinate in area, extent, and purpose to the office development, and will clearly contribute to the comfort, convenience, and necessity of the occupants and businesses located in the office development. The only issue which presents any question relates to the requirement that the accessory use or structure be located on the same lot as the principal use or structure served.

"Lot" is not a defined term, in and of itself, in the Baltimore County Zoning Regulations. "Lot Corner," "Lot Interior," "Lot, Through," and "Lot Depth" are all defined terms. However, in each case, the word "lot" is used in the definition thereby assuming a definition for "lot."

- 4 -

"Lot of record" and "Record lot" are given special definitions which, it is interesting to note, are not the same. The mere fact that the definitions for "Lot of record" and "Record lot" appear, indicates that they must have some meaning separate from the word "lot." The word "lot" appears in the definition of "Record lot," but does not appear in the definition of "Lot of record." The definition of accessory use refers to "lot," not to "Lot of record" or "Record lot."

According to Sanfilippo v. Board of Review, 96 R.I. 7, 188 A.2d 464, 466 (1963), the definition of "lot" within a zoning ordinance is a question of fact. The term "lot" can have different connotations and meanings depending upon all of the facts and circumstances surrounding its use. Baskin v. Jeffers, Ct. App. Tex., 653 S.W. 2d 480, 482 (1983).

It has been recognized by zoning regulation authorities that "lot" means a parcel of land occupied or to be occupied by a principal building or group of buildings and accessory buildings including such open spaces as are required or arranged and designed to be used in connection with such buildings. Although contiguous land ownership is a feature of "lots" contiguous land under one ownership does not necessarily constitute a single lot. Bankers Trust Co. v. Zoning Board of Appeals, 165 Ct. 624, 345 A.2d 544, 548-49 (1974).

The normal unit of control in a zoning regulation is a lot. As such, the definition of a lot plays a particularly significant role. Under the traditional definition, a lot is a tract of land with only one building. This definition inhibits

- 5 -

development of large-scale projects. Under more modern definitions, a lot may also include a group of buildings. Williams, American Land Planning Law, Vol. 1, § 16.12. No serious problem arises in permitting one or more buildings on a given lot. The wisest solution is to leave developers of large projects considerable freedom to designate what is to be considered as one lot. Williams, at § 72.02. A sample definition of a "zoning lot" provided includes the following:

A tract of land, either unsubdivided or consisting of two or more contiguous lots of record, located within a single block, which, on the effective date of this resolution or any applicable subsequent amendment thereto, was in single ownership. Id.

In Village of St. Louis Park v. Casey, 218 Minn. 394, 16 N.W. 2d 459 (1944), a radio enthusiast was enjoined from maintaining in a residential district certain poles and wires for radio purposes in violation of a zoning ordinance. The defendant's residence was on a subdivided lot in St. Louis Park. On a contiguous lot which he owned, the defendant erected an antenna for his radio equipment. The trial court granted the requested injunction based upon an ordinance which required the accessory use to be located on the same lot as the principal use.

The Supreme Court of Minnesota held that the radio poles and wires were customarily incident to a residential establishment. The two contiguous lots were held to comprise but one tract or parcel appropriate for a residence. The court held that if the zoning regulation was to be sustained, it must be interpreted not according to the platted lot or lots, but as

- 6 -

applied to a single residential establishment with the area appropriate thereto. The restriction of customary use incidental to residential establishments to a single lot according to a plat was held to be unreasonable and arbitrary.

Although the Baltimore County Zoning Regulations do not contain a definition of lot, the policy manual does provide direction consistent with the Village of St. Louis Park case. Policy A-4 states that if two or more lots are under the same ownership and one lot is improved with a dwelling, an accessory structure may be permitted on an adjacent lot. The freestanding accessory structure may be permitted on its own lot by one of the following three ways:

1. Straddling the joint property line;
2. Combining the vacant lot with the dwelling lot under one metes and bounds description, with one tax account number, if possible.
3. When two lots are combined for the purpose of building an accessory structure, the owner must have exclusive use of all of the property between the dwellings and the accessory structure, with no easements or rights or way between the lots.

For the purposes of accessory uses in the OT zone pursuant to Section 207.3.B a "lot" should include contiguous lots of record or record lots which are part of an office development. The policies of the Master Plan and the OT zoning regulations strongly encourage amenities such as restaurants in the OT zone. As Messrs. Thaler and Nosis testified, the lot delineations for the Owings Run Project are occurring merely to facilitate the financing and phased development of the total

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project. The modern trend is to subdivide large-scale projects in this fashion to accommodate the needs of lenders, partners and other parties active in the development. To deny the relief requested would be inconsistent with the spirit and intentions of the Baltimore County Zoning Regulations, the Master Plan and Policy A-4, as well as inconsistent with the modern trends of land use control and office development. Such an unnecessary restriction, especially when not specifically required by the zoning regulations, would discourage proper development in the OT zone and inhibit quality development in Baltimore County.

THE PROMENADE

The Office of Planning and Zoning strongly supports the Owings Run Project. Pursuant to suggestions made by the Office of Planning and Zoning, the Petitioner is willing to construct a promenade between the office buildings proposed. The Petitioner has agreed to a twenty-five (25) foot promenade between the first floor of the respective office building and the street curb line, subject to the restrictions and requirements of the Baltimore County Fire Department and other appropriate agencies. It is suggested that this agreement be made a condition of the Commissioner's Order and that the landscaping plan would be an appropriate forum for review of the promenade by the Office of Planning and Zoning.

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If the Zoning Commissioner would like any further information or discussion of any other issue arising out of the Petitions filed, this office would be happy to comply. Based upon the evidence presented at the public hearing, the Petitioner respectfully requests that the relief requested be granted.

Respectfully submitted,

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(301) 832-2050

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April 20, 1989

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ZONING OFFICE

Mr. W. Carl Richards, Jr.
Zoning Coordinator
Office of Planning & Zoning
Towson, Maryland 21204

Re: Petitions for Special Hearing and Zoning Variances
Petitioner: Crow-Owings Mills Limited Partnership
Case Number: 89-421-SPHA

Dear Carl:

This letter is to confirm our conference on April 18, 1989. Our conference that day related to your County Review Group comments dated February 23, 1989. A copy of this comment is attached. During our conference we specifically discussed Items C.2 through C.5. Because the final building plans have not yet been developed, the Petitioner cannot fully identify the total square footage of the office buildings or the percentage mix of auxiliary commercial uses. When those plans are finalized, the Petitioner will be able to calculate the necessary parking and design the proposed parking structures to fulfill the zoning and market needs. The Petitioner has built in flexibility to the zoning plans by showing a building footprint larger than the anticipated final design of the structures. In all likelihood, the parking required will be less than that which is shown on the zoning plans. In no case will there be more parking required than that which is shown or will be constructed.

As we discussed, pedestrian connections are shown on the revised final CRG plan which will be entered as an exhibit in the zoning hearing. There will be no structural details of building pedestrian connections other than those shown on the CRG plan.

Given the Petitioner's situation, it was agreed that the information requested in Paragraph C.2 and 3 of your comments would not need to be provided before or during the zoning hearing. Instead, the Petitioner agrees to provide the necessary information well in advance of filing for building permits to