

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 15, 1994

Mr. James R. Grieves
Grieves, Worrall, Wright and O'Hatnick, Inc.
5 East Read Street
Baltimore, MD 21202-2481

RE: Zoning Verification
L'Hoirondelle Club
7611 Club Road
9th Election District

Dear Mr. Grieves:

This letter references your latest correspondence and the revised red-lined zoning public hearing plan in case number, 93-31-SPHXA received by this office on April 13, 1994.

Based on the provided information the changes proposed in your letter; an increase in building area of 3,063 square feet, a proposed porte cacher and changes in some parking and maneuvering areas (requiring no increase in membership) are approved by this office as being within the spirit and intent of the approved zoning order and plan. Also, a zoning public hearing will not be required. This approval is subject to the condition that those changes suggested by Mr. Rahee Famili (Traffic Engineer) of Development Plans Review and noted on the plan signed and dated by him on April 13, 1994, must be incorporated into the site plans. Also, the site plans and this letter response must be documented on all future plans submitted to this office for zoning review.

Should you have any questions, please do not hesitate to contact me at 887-3391.

Sincerely,

A handwritten signature in dark ink, appearing to read "John R. Lewis".

John R. Lewis
Planner II

JLL:jaw

c: Case No. 91-31-SPHXA



Baltimore County Government
Office of Zoning Administration
and Development Management



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IN RE: DEVELOPMENT PLAN HEARING AND PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE - 3/8 of Greenspring Valley Road, NE of Reisterstown Road (O'Rourke Property) Election District 1 Councilmanic District 3

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case Nos. 111-385 & 93-11-XA (Project No. 92-129-Z)

William M. O'Rourke, Jr., et ux
Owners

HEARING OFFICER'S OPINION AND ORDER

This matter comes before the Hearing Officer for consideration of the final development plan prepared by Gerhold, Cross & Etzel, Registered Professional Land Surveyors and L.P.J., Inc., Consulting Engineers, for the proposed development of the subject property by the owners, William M. O'Rourke, Jr., and Donna M. O'Rourke. In addition to approval of the development plan, the Petitioners also request a Special Exception and Variances for the use and improvements on the subject property. These requests are more particularly described on Petitioner's Exhibit 2, the site plan and development plan for the subject property.

Appearing at the public hearing required for this project were Bruce E. Doak, Registered Land Surveyor with Gerhold, Cross & Etzel, and Jeffrey H. Scherr, Esquire, attorney for Petitioners. Numerous representatives of the various agencies of Baltimore County also attended the hearing. Further, several adjacent neighbors, including Charles Kalinich, Ellen Gee, Frederick Weis, and Robert Gajdys with the Community Assistance Network, appeared at the hearing. Also appearing was Margaret Worrall of the Valleys Planning Council, who was represented by J. Carroll Holzer, Esquire.

Testimony and evidence presented at the hearing was that the subject property is located on Greenspring Valley Road near its intersec-

tion with Reisterstown Road. The property consists of a gross area of 0.91 acres (39,640 sq.ft.) and is split zoned R.O. and D.R.1. The property is improved with a one-story stone and frame dwelling containing 1480 sq.ft. The Petitioner proposes to add two one-story additions to the existing building, one to the front and one to the rear, for use as a Class A office building.

It is to be noted that the Petition for Special Exception filed in this matter requested approval of the use of the property as a Class B office building. The Petitioners, by way of preliminary Motion, withdrew their request for a Class B office building and merely seek the approval of the use of the subject property as a Class A office building, a use which is permitted as of right in an R.O. zone. Therefore, it is not necessary for the Petitioner to request a special exception and accordingly, that request shall be dismissed. However, in order to ensure that the use of this property would not adversely affect the surrounding community, the Petitioner offered testimony through Bruce Doak, Registered Professional Engineer, that this use satisfies the requirements of Section 502.1 of the B.C.Z.R., even though such proof was not technically necessary.

As to the history of this project, the concept plan conference for this development was conducted on April 20, 1992. As required, a community input meeting was held on May 28, 1992. Subsequently, the developer submitted a development plan and a conference thereon was conducted on September 9, 1992. Following the submission of that plan, development plan comments were submitted by the appropriate agencies of Baltimore County. A revised development plan incorporating these comments was submitted at the hearing and bears a revision date of September 17, 1992.

- 2 -

At the public hearing before me, I am required to determine what, if any, agency comments were unresolved. Rahee Famili, a representative of the Bureau of Traffic Engineering, testified that Note No. 11 on the development plan which references the number of average daily trips to the subject property should be changed from 37 to 68. Mr. Famili stated that the engineer should indicate on the plan the existing 66-foot right-of-way line of Greenspring Road (Route 130). Mr. Famili also stated, for the edification of the developer, that the intersection of Reisterstown Road and the Beltway has a "D" rating. He warned that this intersection is very close to becoming an "F" (or failing) intersection which would prohibit the developer from obtaining a permit to move forward with his development in the event the intersection is downgraded.

Bruce Doak, the engineer on this project, indicated that he would accommodate Mr. Famili and make the necessary changes and revisions to the development plan, which is marked Petitioner's Exhibit 2. These changes are minor in nature and did not cause any other agencies to raise additional comments or issues.

John Lewis, a representative of the Zoning Administration and Development Management office raised an issue concerning Note No. 7 on the development plan. Mr. Lewis noted that the plan indicates that the special exception being requested is for a Class B office building in an R.O. zone. Inasmuch as the developer has amended his request to seek approval of a Class A office building on the subject property, the note on the development plan should be changed accordingly. Mr. Doak indicated that this would pose no problem to the developer and said note would be changed.

Another issue raised concerned the widening of Greenspring Valley Road near the entrance to the Petitioners' property. It was noted at the

- 3 -

hearing that Greenspring Valley Road is a state highway and as such, falls under the jurisdiction of the State Highway Administration (SHA). Dave Ramsey appeared and testified on behalf of that agency. Mr. Ramsey indicated that it is the position of the SHA that Greenspring Valley Road be widened approximately 100 feet west of the entrance to this property so that a slow-down lane for vehicles entering the subject site can be added. All of the residents who appeared at the hearing testified in opposition to this proposed widening. Also opposed to any widening of Greenspring Valley Road is the Office of Planning and Zoning, who, by and through its representative, Andrea VanAndale, appeared and testified. Ms. VanAndale testified that Greenspring Valley Road at this location is a gateway to the Greenspring Valley and, in order to help maintain the residential character of that area, should not be widened. Also the Valleys Planning Council, by and through their attorney, J. Carroll Holzer, Esquire, is opposed to any widening of Greenspring Valley Road. Their position is that any widening would further the commercialization of this area and would be detrimental to the community at large.

It is clear from the evidence and testimony presented to this Hearing Officer, notwithstanding the comment by Mr. Ramsey of the SHA, that Greenspring Valley Road should not be widened at this location. It is most important that this property maintain its residential character. That is precisely why the Petitioners are seeking a Class A office building as opposed to a Class B office building for this site. Furthermore, any widening of Greenspring Valley Road would infringe upon the residential character of this neighborhood and promote unnecessary commercialization. Testimony offered by the residents was that many motorists regularly speed up and down this roadway. They argued that the provision of a turn lane

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would only exacerbate an already dangerous situation in that turning vehicles would be out of the way of oncoming traffic and would allow motorists to travel at an even higher rate of speed. Therefore, it would be beneficial to keep the existing width of Greenspring Valley Road at this location as it would help to keep the speed of traffic at a legal limit. There is also a water runoff problem at this particular location as testified to by Ms. Ellen Gee who lives downhill and north of the subject site. To allow a turn lane to be constructed at this location would provide additional impervious surface which would in turn create more stormwater runoff. This is exactly what the neighborhood does not need.

In an attempt to help alleviate the water runoff problem, the developer is removing the existing macadam entrance and replacing same with grass. This should allow more water runoff to soak into the ground as opposed to running across Greenspring Valley Road and onto Ms. Gee's property. Also, the developer stated that it would attempt to channel existing stormwater into the water intake situated nearby.

For all of the foregoing reasons I find that the widening of Greenspring Valley Road at this location would not be appropriate nor advisable, given the adverse effects it would have upon the surrounding community.

It is to be noted that all of the above issues were resolved and agreed to by the developer and shall be incorporated within a revised development plan which shall be submitted for my approval within five (5) business days of the date of this Order. The changes to be made are very minor in nature and should pose no problems to any other agencies of Baltimore County.

As stated previously, the Petitioners are requesting a special exception and variance for the proposed office building. At the commencement of the hearing, the Petitioners' attorney, Jeffrey Scherr, amended the Petitioners' request for special exception by way of a written joint statement, signed by J. Carroll Holzer, Esquire, attorney for the Valleys Planning Council, to clarify that the Petitioners are not requesting approval to use the subject property for a Class B office building. It was made clear by Counsel for the Petitioner in this joint statement that the use of the subject property will be for that of a Class A office building, only. The Petitioners originally requested approval of a Class B office building but have withdrawn that request and now seek the use of the property as a Class A office building. In addition to the approval of the use of this property as a Class A office building, the Petitioners also requested variances from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 203.4.C.8.C.2 to waive the 10' landscape buffer requirement along the southern property lines which lie within existing wooded areas; from Section 203.4.C.6 to waive the amenity open space required in the interior of the parking lot; from Section 203.4.C.8.a and b to substitute the required 5-foot high opaque fence with evergreen trees of adequate height in accordance with the Baltimore County Landscape Manual; and from Section 203.3.C.2 to permit parking in the front yard in lieu of the required side or rear yard due to the lack of adequate area for sufficient parking.

Bruce Doak with Gerhold, Cross, & Etzel testified on behalf of the Petitioners' request to use the property for a Class A office building and the requested variances. Mr. Doak testified that the use proposed would not be detrimental to the health, safety or general welfare of the

locality involved; would not create congestion in roads, streets, or alleys therein; would not create a potential hazard from fire, panic or other dangers; would not overcrowd land or cause undue concentration of population; would not interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements; would not interfere with adequate light and air; and that the use would be consistent with the property's zoning classification and would be consistent with the spirit and intent of the zoning regulations, and that the use would also be consistent with the impermeable surface and vegetative provisions of the B.C.Z.R. Mr. Doak further testified that the variances being requested by the Petitioners should be approved by virtue of special circumstances or conditions which exist that are peculiar to the land or structure which is the subject of this variance hearing and that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship. He further testified that there would be no increase in residential density by virtue of granting these variances and that the requested relief is in strict harmony with the spirit and intent of the B.C.Z.R. It should be noted that there was no contradictory testimony or evidence offered by the Valleys Planning Council or by the citizens from the community.

Therefore, based upon the testimony and evidence presented at the hearing, the use of the subject property as a Class A office building shall be approved and the requested variances granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner and Hearing Officer for Baltimore County this 6th day of October, 1992 that the development plan for the O'Rourke Property, as to be revised in accordance with the comments contained herein and submitted within five (5)

business days of the date of this Order, be and the same is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception, as amended herein, requesting approval of the use of the subject property as a Class A office building, be and is hereby DISMISSED as that use is permitted as of right in an R.O. zone. The Petitioner shall be permitted to operate a Class A office building on the subject property as a matter of right in accordance with the site plan submitted herein; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from the B.C.Z.R. as follows: From Section 203.4.C.8.C.2 to waive the 10' landscape buffer requirement along the southern property lines which lie within existing wooded areas; from Section 203.4.C.6 to waive the amenity open space required in the interior of the parking lot; from Section 203.4.C.8.a and b to substitute the required 5-foot high opaque fence with evergreen trees of adequate height in accordance with the Baltimore County Landscape Manual; and from Section 203.3.C.2 to permit parking in the front yard in lieu of the required side or rear yard due to the lack of adequate area for sufficient parking, as more particularly described on Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) The Petitioners shall be prohibited from removing any trees situated to the rear of the subject property south of the existing structure. Specifically, all

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

DATE: 9-4-92

Levin/Brown & Associates, Inc.
17 Macree Road, Suite 78
Baltimore, Maryland 21208

RE: CASE NUMBER: 93-31-1A (Item 3)
S/S Greenspring Valley Road, 450' E of Belairtown Road
15 Greenspring Valley Road - 3rd Election District - 3rd Councilmanic
Legal Owner(s): William and Donna O'Rourke
Contract Purchaser(s): Levin, Brown & Associates, Inc.
HEARING: WEDNESDAY, SEPTEMBER 23, 1992 at 9:00 a.m. in Rm. 118, Old Courthouse.

Dear Petitioner(s):

Please be advised that \$ 97.69 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

ARNOLD JABLON
DIRECTOR

CC: Jeffrey Scherr, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

August 12, 1992

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-31-1A (Item 3)
S/S Greenspring Valley Road, 450' E of Belairtown Road
15 Greenspring Valley Road - 3rd Election District - 3rd Councilmanic
Legal Owner(s): William and Donna O'Rourke
Contract Purchaser(s): Levin, Brown & Associates, Inc.
HEARING: WEDNESDAY, SEPTEMBER 23, 1992 at 9:00 a.m. in Rm. 118, Old Courthouse.

Special Exception for a Class B Office Building.

Variance to waive landscape buffer along southern property lines which lie within existing wooded areas; to waive the usually open space required in the interior of the parking lot; to substitute the required 5 foot high opaque fence with evergreen trees of adequate height; and to allow parking in the front yard in lieu of the required side or rear yard.

Lawrence E. Schmidt
Zoning Commissioner of Baltimore County

cc: William and Donna O'Rourke
Levin, Brown & Associates
Bruce E. Doak/Gerhold, Cross & Etzel
Gordon Harden, Jr.
Margaret Marral/Valley Planning Council
Charles Mite
Dorian P. Flynn
Charles Kalinich
Jeffrey Scherr, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

September 2, 1992

Mr. Bruce E. Doak
Gerhold, Cross & Etzel
320 Townsontown Blvd, Suite 100
Towson, MD 21204

RE: Item No. 3, Case No. 93-31-XA
Petitioner: William W. O'Rourke, et ux
Petition for Special Exception and Variance

Dear Mr. Doak:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

Your petition has been received and accepted for filing this 30th day of June, 1992

ARNOLD JABLON
DIRECTOR

Received By:
W. Carl Richman, Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: William W. O'Rourke, et ux
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration
and Development Management

Date: July 20, 1992

FROM: Robert M. Bowling, P.E., Chief
Developers Engineering Division

SUBJECT: Zoning Advisory Committee Meeting
for July 13, 1992
Item 3

The Developers Engineering Division has reviewed the subject zoning item.

This site is in Phase One of the Development Process; however, a schematic landscape plan has not been submitted for review.

Regarding variance request (A), we feel that the Landscape Buffer Line should remain on the Plan and the content of the buffer will be decided during review of the schematic landscape plan.

Regarding variance request (B), we feel that the parking layout shown on the plan is functionally adequate and we therefore see no reason to waive the amenity open space.

Regarding variance request (C), we feel that the issue of whether a fence is required can more readily be resolved during review of the schematic landscape plan when contours, pictures and other site data are available.

We have no comment regarding variance request (D).

RWB:DAK:pab

cc: File

OROURKE/PB_MEMO4

TO: Arnold Jablon, Director
Zoning Administration & Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: July 20, 1992

SUBJECT: 15 Greenspring Valley Road

INFORMATION:

Item Number: 3

Petitioner: William W. O'Rourke, Jr.

Property Size: 34,412 square feet

Zoning: RO, DR1

Requested Action: Variance, Special Exception

Hearing Date: 9/23/92

SUMMARY OF RECOMMENDATIONS:

This particular property will come before the Hearing Officer for development plan review. At that particular time, the Hearing Officer will rule on any variances, special exceptions or special hearings affecting the site in addition to taking final action on the development plan.

The Office of Planning and Zoning's comments are included as part of the development plan.

Prepared by: Francis Morrey

Division Chief: Eric McDaniel

FM/EMc:rdn

003.ZAC/ZAC1

DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature: *Raker J. Campbell* Date: 7/20/92

File Number	Waiver Number	Zoning Issue	Meeting Date
90476		Stonegate at Patapsco (Azreal Property)	6-1-92
ZON DED TE (Waiting for developer to submit plans first)			
COUNT 1			
✓ Highlands Limited Partnership			
DED DEPRM RP STP TE		N/C	7-13-92
Charles C. Campbell, Sr.			
DED DEPRM RP STP TE	1	N/C	
John And Beverly R. Dertel			
DED DEPRM RP STP TE	2	N/C	
William W. And Donna M. O'Rourke			
DED DEPRM RP STP TE	3	N/C	
Theresa A. Mahlstedt			
DED DEPRM RP STP TE	4	N/C	
COUNT 5			
FINAL TOTALS			
COUNT 6			
*** END OF REPORT ***			

Department of Environmental Protection & Resource Management
Development Review Committee Response Form
Authorized signature: *W. Carl Richman, Jr.* Date: 7-20-92

File Number	Waiver Number	Zoning Issue	Meeting Date
Joan R. McMahon	FRS-1		6-22-92
DEPRM			
Frederick J. And Michelle Y. Burgesen			
DEPRM	517		7-13-92
COUNT 2			
RMS Nominee, Inc.			
DEPRM	527		6-29-92
Juanita L. Cottrell			
DEPRM	529		7-13-92
The Middle River Baptist Church			
DEPRM	530		7-13-92
COUNT 3			
Highlands Limited Partnership			
DED DEPRM RP STP TE			7-13-92
Charles C. Campbell, Sr.			
DED DEPRM RP STP TE	1		7-13-92
John And Beverly R. Dertel			
DED DEPRM RP STP TE	2		7-13-92
William W. And Donna M. O'Rourke			
DED DEPRM RP STP TE	3		7-13-92
Theresa A. Mahlstedt			
DED DEPRM RP STP TE	4		7-13-92
COUNT 5			

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

JULY 13, 1992

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: WILLIAM W. O'ROURKE, JR. AND DONNA M.
O'ROURKE LEVIN, BROOK AND ASSOCIATES.

Location: #15 GREENSPRING VALLEY ROAD

Item No.: + 3 (JLL) Zoning Agenda: JULY 13, 1992

Gentlemen:

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

1. Fire hydrants for the referenced property are required and shall be located at intervals of (500) feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

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", 1988 edition prior to occupancy.

REVIEWED: [Signature] Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

07/14/92

RESERVED
JUL 14 1992
ZONING OFFICE

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature _____ Date 7/20/92

Project Name	File Number	Waiver Number	Zoning Issue	Meeting Date
Highlands Limited Partnership	DED DEPRM RP STP TE	No Comments	1	7-13-92
Charles C. Campbell, Sr.	DED DEPRM RP STP TE	No Comments	2	
John And Beverly R. Oertel	DED DEPRM RP STP TE	No Comments	3	
William W. And Donna M. O'Rourke	DED DEPRM RP STP TE	No Comments	4	
Theresa A. Mahstedt	DED DEPRM RP STP TE	No Comments	5	
W. Claymore And Carol H. Sieck	DEPRM RP	No Comments	541	7-6-92

COUNT 1

FINAL TOTALS

COUNT 6

*** END OF REPORT ***

SUBJECT: HEARING OFFICER HEARING COMMENTS
FROM: ZONING - DEVELOPMENT CONTROL
Z.A.D.M.

HOH DATE: 9/23/92

RECEIVED
25 1992
ZONING COMMISSIONER

PROJECT NAME: O'Rourke Property

PLAN DATE: 1/29/92

LOCATION: S/S Greenspring Valley Road,
500' E of Reisterstown Road

REV.: 9/17/92

REV.:

DISTRICT: 3c3
PROPOSAL: Class "B" Office
in R.O. Zone
ZONING CASE: 93-11-XA

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

The plan has been reviewed by the staff at this level of detail and the plan generally matches the zoning public hearing plan filed under zoning case #93-11-XA

- Plans:** The development and zoning public hearing plans must agree. The following comments indicate some, but not necessarily all, the differences. The gross site area and F.A.R. figures differ. Show the D.R.-1, R.O. and overall areas by square feet or acreage separately on the plans. There are enlargements to the additions on the development plan not shown on the public hearing plan. All calculations must be revised accordingly. Key to location and list specific relief requested for all variances from the B.C.Z.R., as stated on the public hearing plan.
- Signs:** Though no free-standing signs are requested, be aware that the limitations of Section 203.3.C.1 (B.C.Z.R.) still applies and indicate and show compliance for the wall-mounted sign referenced in plan note #4.
- Final zoning approval** is contingent first, upon all plan comments being addressed on the development plan; and secondly, upon the final resolution of all comments, the outcome of any zoning requests before the hearing officer and finally, a zoning permit review and corresponding plan.
- These comments address the requested Class "B" office use only. If the request is changed at public hearing, then all zoning issues newly created by such changes must still be addressed prior to final zoning approvals.

JLL:scj

JLL
JUN 11 1992
Planner II

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management
VIA: Pat Keller, Deputy Director - Office of Planning and Zoning
FROM: P. David Fields, Director - Office of Planning and Zoning
DATE: September 15, 1992

PROJECT NAME: O' Rourke, William Property

PROJECT NUMBER: 111-385 (921252)

Applicant Name: Gerhold, Cross & Etzel

412 Delaware Ave

Towson, MD 21204

VARIANCES

After review of the Schematic Landscape Plan in conjunction with the Department of Public Works, the Office of Planning and Zoning recommends that the requested variances from Section 26-203 and 204 of the BCZR be granted subject to the conditions listed below. In addition, these variances should be tied to the Site Plan and Elevations as submitted and not run with the land.

Variance of Sec. 203.3 c 2

The Office of Planning and Zoning supports the variance request from Section 203.3 c2 to allow parking in the front yard as shown on the plan. The location of the parking meets the compatibility objectives of the CMPD in that it is oriented to the abutting commercial property and avoids extensive grading and removal of trees which would adversely affect the residential community and the Historic District

Variance of Sec. 203.4 C 8 c 2

The County and the developer are in agreement that existing trees are to remain in the wooded areas along the south property lines. Granting of this variance should be conditioned on the preservation of these trees as shown on the Plan and the provision of supplemental planting as shown on the Landscape Plan, where grading for the parking lot necessitates removal of vegetation.

92/125/Z.VAR/CONCEPT

Pg. 1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

COMPATIBILITY REPORT

TO: Arnold Jablon, Director, ZADM

DATE: September 16, 1992

VIA: Pat Keller, Deputy Director

PROJECT NAME: O'Rourke, William Property

Office of Planning and Zoning

PROJECT NUMBER: 111-385 (921252)

FROM: P. David Fields, Director

Applicant Name: Gerhold, Cross & Etzel

Towson, MD 21204

The Director of Planning & Zoning has reviewed the Development Plan and Schematic Landscape Plan for the O'Rourke Property and recommends a finding of compatibility. The Plan meets the compatibility objectives of the Comprehensive Manual of Development Policy (CMPD) and Section 26-282(b) of the Baltimore County Code as listed below.

COMPATIBILITY OBJECTIVES

APPLICATION

- The arrangement and orientation of the proposed buildings and site improvements are patterned in a similar manner to those in the neighborhood.
- The building and parking lot layouts reinforce existing building and streetscape patterns and assure that the placement of buildings and parking lots have no adverse impact on the neighborhood.
- The proposed streets are connected with the existing neighborhood road network wherever possible and the proposed sidewalks are located to support the functional patterns of the neighborhood.

The expansion of the existing building maintains the orientation of the existing structure. Parking is oriented toward the existing commercial parking lot.

The parking layout has reduced and relocated to the side yard to avoid extensive grading and removal of trees in the rear of the property. The tree line along the southern property boundary softens the view of the existing commercial property to the rear. Their removal would cause an adverse impact on the residential community and historic district. Use of the curved driveway eliminates an access point onto Greenspring Valley Road and helps maintain the residential character of the area.

N/A

COMP1.COL/XTXCM

Property

PROJECT NUMBER: 111-385 (921252)

COMPATIBILITY OBJECTIVES (Continued)

APPLICATION (Continued)

of the proposed development reinforce the open space patterns of the neighborhood in form and siting and complement existing open space systems.

The Plan maintains the continuity of open front lawn characteristic of residential uses along Greenspring Valley Road.

- Locally significant features of the site such as distinctive buildings or vistas are integrated into the site design.

N/A

- The proposed landscape design complements the neighborhood's landscape patterns and reinforces its functional qualities

The Landscape Plan provides adequate screening of the proposed parking lot from Greenspring Valley Road, and establishes dense landscape buffers on the residential and commercial boundaries providing a compatible transition between commercial and residential development. The landscape design preserves existing trees and integrates a mix of plant materials complementary to the project and the residential landscape patterns.

- The exterior signs, site lighting and accessory structures support a uniform architectural theme and present a harmonious visual relationship with the surrounding neighborhood.

The Plan indicates a wall mounted sign which is an integral part of the building architecture.

- The scale, proportions, massing and detailing of the proposed buildings are in proportion to those existing in the neighborhood.

The addition to the rear of the structure is not visible from Greenspring Valley Road, and therefore does not increase the visual massing of the structure.

The front addition as shown in the elevations, continues the dominant roof line, building height, and architectural treatment of the existing structure.

COMP1.COL/XTXCM

Pg. 2

Variance of Sec. 203.4 C 6

Granting of the variance of the 7% interior landscape requirement for the parking lot should be conditioned on the provision of landscaping on the perimeter of the lot as shown on the Landscape Plan. The parking arrangement and planting areas shown meet the intent of this requirement which is to provide shade for parking areas; break up the large mass of the parking area; and define circulation patterns within the parking lot.

Variance of Sec. 203.4 C 8 a & b

The Office of Planning and Zoning prefers the provision of evergreen screening as shown on the Landscape Plan to an opaque fence on the residential property boundary and supports the granting of this variance. Although the developer has indicated that the use of a dumpster is not planned, a note should be placed on the Plan to the effect that if a dumpster is needed in the future, placement and screening will be in accordance with the requirements of the Landscape Manual.

SPECIAL EXCEPTION

The Office of Planning and Zoning supports the petition to permit a Class B office building in a RO zone only if the conditions above are met and if the Special Exception is tied to the Site Plan and Elevations as shown and not run with the land.

Division Chief: [Signature]

92/125/Z.VAR/CONCEPT

Pg. 2

LAW OFFICES

KRAMON & GRAHAM, P.A.

SUN LIFE BUILDING

CHARLES CENTER

20 SOUTH CHARLES STREET

BALTIMORE, MARYLAND 21201

(410) 752-6030

FACSIMILE

(410) 539-1269

September 24, 1992

ANDREW JAY GRAHAM
JAMES M. KRAMON
LEE M. O'BRIEN
JEFFREY H. SCHERR
NANCY E. GREGG
JAMES P. ULWICK
PHILIP M. ANDREWS
GERTRUDE C. BARTELL
MARILYN ROSE FISHER
MAX HIGGINS LAUREN
KATHLEEN A. BIRNBAUM
KEVIN F. ARTHUR
ARON U. SAKAS
SETH M. ROYENBERG
PERRY F. SEAS

BLAIR CHASE
THE EMMETT PROFESSIONAL BUILDING
2107 LAUREL BUSH ROAD
BLAIR, MARYLAND 21015
(410) 515-0040
(410) 569-0299
FACSIMILE
(410) 569-0298
FRIEDRICH STENMANN

Timothy M. Kotroco, Esquire
Deputy Zoning Commissioner
400 Washington Avenue
Suite 113
Towson, Maryland 21204

Re: O'Rourke Property
Project No.: 111-385(921252)
Case No.: 93-11-XA

RECEIVED
25 1992
ZONING COMMISSIONER

Dear Mr. Kotroco:

The comments of Planning and Zoning in the above-captioned matter state:

"In addition, these variances should be tied to the Site Plan and Elevations as submitted and not run with the land."

This will confirm that the Planning and Zoning representative stated and agreed at the Development Hearing before you on September 23, 1992 that this comment is not intended to inhibit transfer of the property if improved as proposed in the Development, Zoning Variance and Special Exception Plan which you approved at the hearing. Rather, it is intended to limit the variances to that Plan and if further improvements to the property are proposed, the variances will not apply to those improvements, unless specifically approved.

I would appreciate you making this letter part of the file in the above-captioned case so there is no public perception that transfer of the property is limited in any way.

Sincerely,

Jeffrey H. Scherr

JHS:ks

cc: Levin, Brown & Associates, Inc.
Bruce E. Doak, L.S.
J. Carroll Holzer, Esquire
Ms. Andria Van Arsdale
Ms. Carol McIvry

ENVIRONMENTAL INFORMATION

EXISTING	NO	YES
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EXISTING BUILT CONDITIONS

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COUNTY ADOPTED PLANS

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SITE DATA

Zone	Acres	Units Allowed	Units Proposed
DR-1	0.13	N/A	N/A
EO	0.78	N/A	N/A
TOTAL			

SITE DEVELOPMENT PROPOSAL

Swelling Type	Proposed	Parking Units Required	Parking Units Provided	Phase Development Schedule
OFFICE	0	9	15	N/A
TOTAL				

OPEN SPACE PROPOSAL

Open Space Type	Acres
Baltimore County Greenway Easement	N/A
Storm Water Management	N/A
Total Provided	N/A

ADDITIONAL INFORMATION

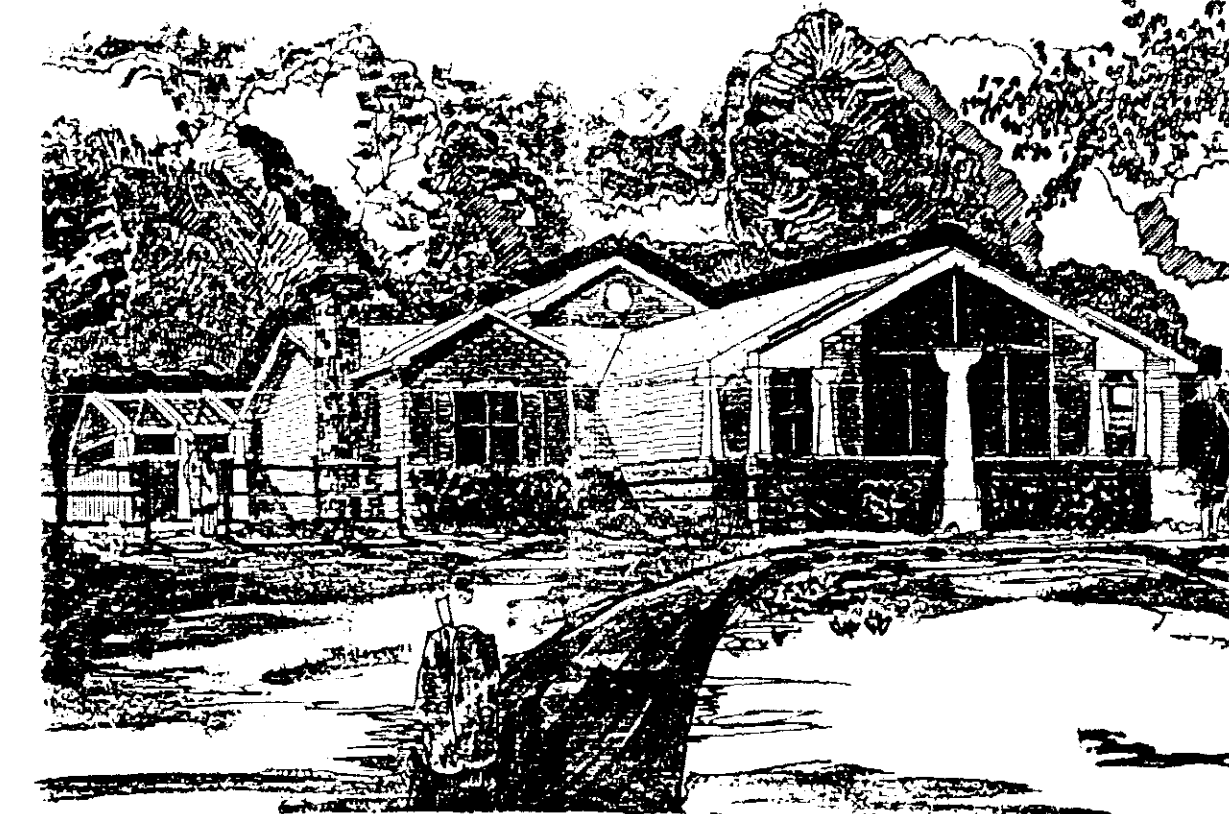
Anticipated Actions:	SEE GENERAL NOTES
Variances	
Special Exceptions	
Other	

Consistency with design manuals.

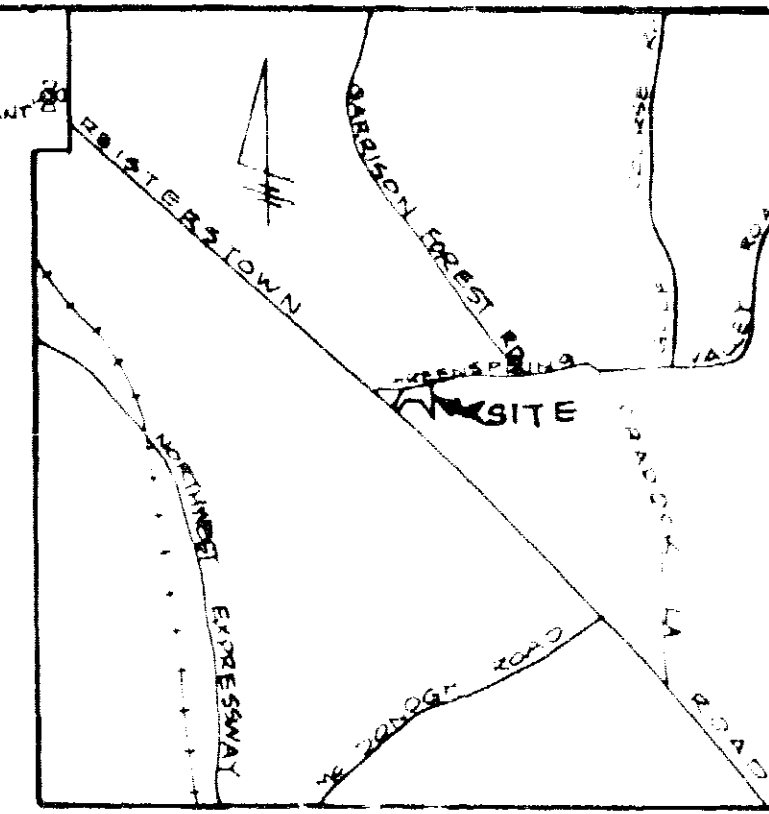
GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS
SUITE 100
320 TOWNSHIP BOULEVARD
TOWSON, MARYLAND 21286

L.P.J. INC. CONSULTING ENGINEERS
16 WEST 25TH STREET
BALTIMORE, MD 21218

PETITIONER'S EXHIBIT #2



SCHEMATIC DETAIL



VICINITY MAP
SCALE 1" = 200'

GENERAL NOTES

1. PROPERTY ZONED: R.O. AND L.R.1
2. R.O. = 0.78 AC. (33,971 SQ. FT.) / L.R.1 = 0.13 AC. (5,603 SQ. FT.)
3. PARKING DATA: GENERAL OFFICE USE
4. BUILDING (EXISTING AND PROPOSED): 2720 SQ. FT.
5. PARKING SPACE PER 1000 SQ. FT.: 2.72 X 3.3 = 9 SPACES REQUIRED
6. SPACES SHOWN: 15
7. MINIMUM SPACES: 8.5 X 10'
8. 2 HANDICAP SPACES
9. GROSS AREA OF PARCEL: 0.91 AC. (39,574 SQ. FT.)
10. NET AREA OF PARCEL: 0.91 AC.
11. ANY SIGNS PLACED ON THE SUBJECT PROPERTY SHALL BE MOUNTED ON THE BUILDING WALL, BUT THE EXACT LOCATION HAS NOT BEEN DETERMINED.
12. THE MAXIMUM HEIGHT OF THE BUILDING SHALL NOT EXCEED 35 FEET.
13. GROSS STORAGE FLOOR AREA: 800 SQ. FT.
14. GROSS SITE AREA: 39,574 SQ. FT. / R.O. AREA: 33,971 SQ. FT.
15. FLOOR AREA RATIO: 3.020 / 33,971 = 0.09
16. VARIANCES FROM THE FOLLOWING SECTIONS OF THE ZONING REQUIREMENTS ARE BEING REQUESTED:
 - (a) SECTION 203.4 C.B.C.2: PETITION TO WAIVE 10' LANDSCAPE BUFFER ALONG SOUTHERN PROPERTY LINE WHICH LIES WITHIN EXISTING WOODED AREAS.
 - (b) SECTION 203.4 C.9: PETITION TO WAIVE THE AMENITY OPEN SPACE REQUIRED IN THE INTERIOR OF THE PARKING LOT.
 - (c) SECTION 203.4 C.8.4(d): PETITION TO SUBSTITUTE THE REQUIRED 5' HIGH OPAQUE FENCES WITH EVERGREEN TREES OF ADEQUATE HEIGHT AS PER THE BALTIMORE COUNTY LANDSCAPE MANUAL.
 - (d) SECTION 203.3 C.2: PETITION TO ALLOW PARKING IN THE FRONT YARD IN LIEU OF THE REQUESTED SIDE OR REAR YARD BECAUSE OF THE LACK OF ADEQUATE AREA FOR SUFFICIENT PARKING.
17. EXCEPTION IS BEING REQUESTED TO PERMIT A CLASS B OFFICE IN A R.O. ZONE
18. THERE ARE NO UNDERGROUND FUEL TANKS ON THE SUBJECT PROPERTY OR ON THE ADJACENTS
19. A VARIANCE FROM THE PROVISION OF QUANTITATIVE CONTROL OF STORMWATER HAS BEEN REQUESTED FOR THIS SITE. QUALITATIVE CONTROL FOR THE HIGH IMPERVIOUS AREA WILL BE PROVIDED BY GRASS SWALES.
20. STORMWATER MANAGEMENT INFORMATION FOR THE PROPOSED SITE IS AS FOLLOWS:
 - SITE AREA: 0.91 ACRES
 - CURVE NUMBER: 74
 - TIME OF CONCENTRATION: 0.21 HR.
 - 10 YR. PEAK FLOW: 2.59 CFS
21. THE BALTIMORE COUNTY PLANNING BOARD APPROVED THE DEVELOPMENT OF THE SUBJECT PROPERTY WHICH IS CONTIGUOUS TO THE GREENSPRING VALLEY NATIONAL REGISTER OF HISTORIC DISTRICT ON MAY 2, 1992 SUBJECT TO THE RECOMMENDATIONS OF THE OFFICE OF PLANNING AND ZONING.

ENVIRONMENTAL DATA

1. SITE SOILS ARE GLENN'S LOAM AND SAND
2. THERE ARE NO WETLANDS ON THE SITE
3. NO PORTION OF THE SITE IS WITHIN A DEFINED FLOODPLAIN
4. A SMALL PORTION OF THE SITE CONTAINS SLOPES STEEPER THAN 25% (SEE PLAN) THIS AREA IS NOT WITHIN THE PROPOSED LIMIT OF DISTURBANCE.
5. THERE ARE NO SPRINGS OR STREAMS ON THIS SITE
6. EXISTING LAND USE - SINGLE FAMILY RESIDENCE
7. PROPOSED LAND USE - OFFICE
8. NO LOCAL OPEN SPACE IS REQUIRED
9. A VARIANCE FROM STORMWATER MANAGEMENT REQUIREMENT HAS BEEN REQUESTED
10. NO NPDES PERMITS EXIST OR ARE REQUIRED FOR THIS PLAN
11. NO RADIOACTIVE MATERIALS, PATHOLOGICAL MATERIALS, CHEMICALS, PETROLEUM PRODUCTS, FERTILIZERS OR SIMILAR MATERIALS ARE PRESENTLY OR PROPOSED TO BE STORED ON THIS SITE. COMMERCIAL DYEING COMPOUNDS OF LIMITED QUANTITIES MAY BE STORED IN AN INTERIOR CLOSET.
12. THIS SITE IS NOT WITHIN THE CRITICAL AREAS.

DEVELOPMENT PLAN

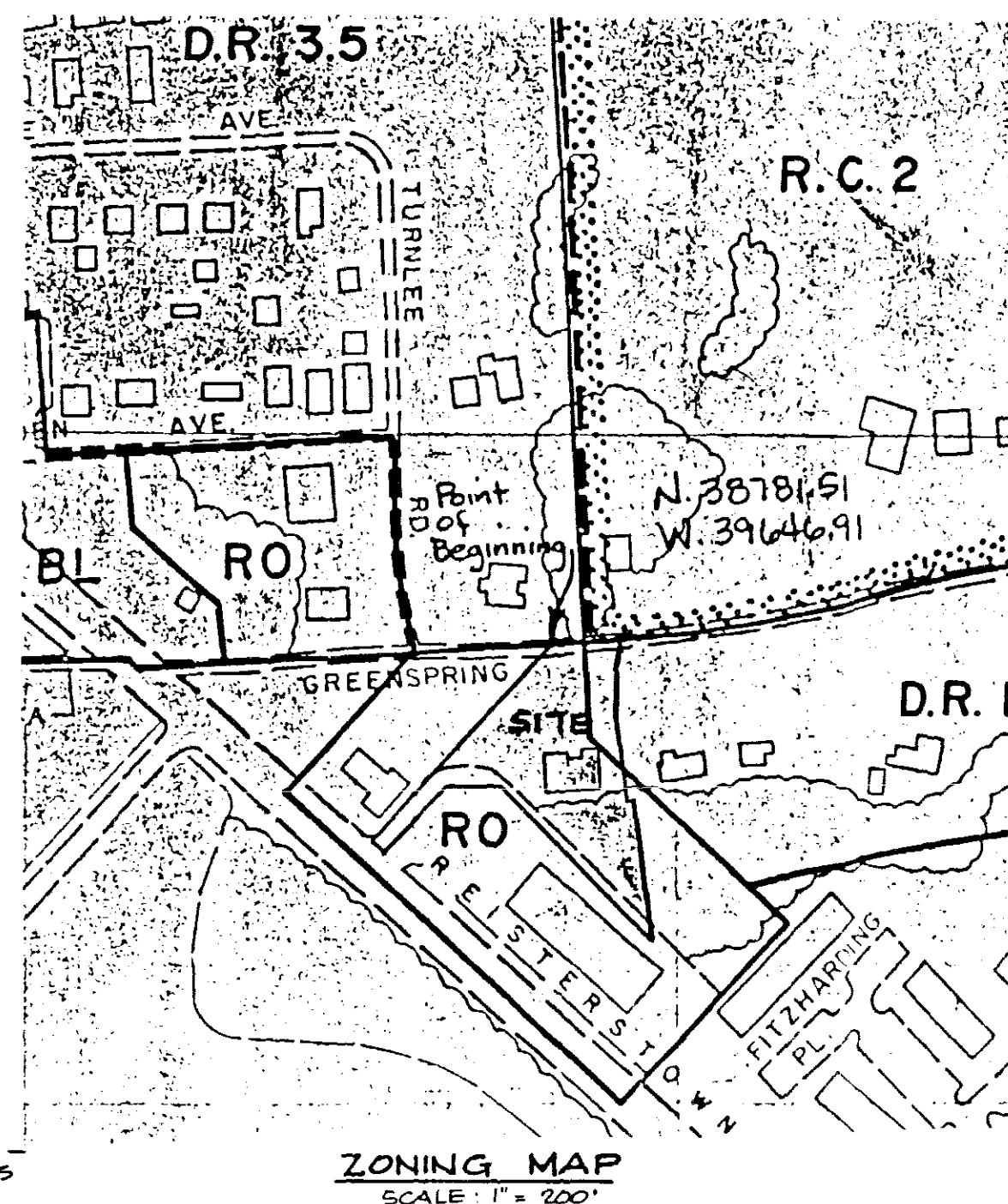
PROPERTY OF WILLIAM W. O'ROURKE JR. & DONNA M. O'ROURKE
3RD ELECTION DISTRICT, 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

REASON FOR SUBMITTAL IS TO PERMIT A CLASS B OFFICE IN A R.O. ZONE AS PER SEC. 203.3 B.2a

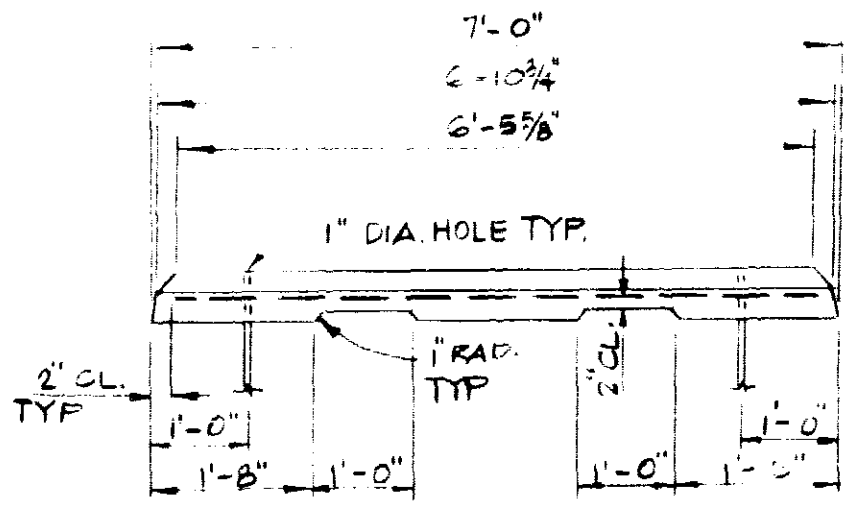
SCALE: 1" = 20' DATE: JUNE 17, 1992
REV: JULY 20, 1992
REV: SEPTEMBER 17, 1992

DEVELOPER: LEVIN, BROWN & ASSOCIATES
17 WARREN ROAD
SUITE 7B
BALTIMORE, MARYLAND 21208

OWNER: WILLIAM W. O'ROURKE, JR. & DONNA M. O'ROURKE
14021 SUNNYBROOK ROAD
PHOENIX, MARYLAND 21151

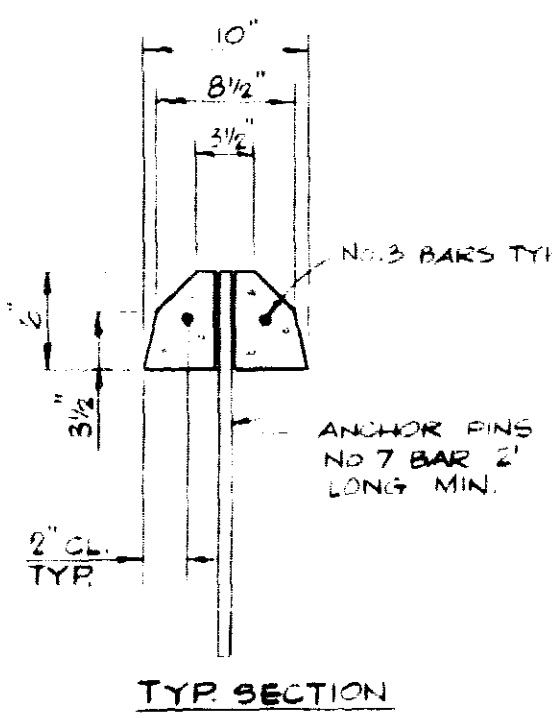


ZONING MAP
SCALE 1" = 200'



ELEVATION
WHEEL STOP DETAIL

NOT TO SCALE



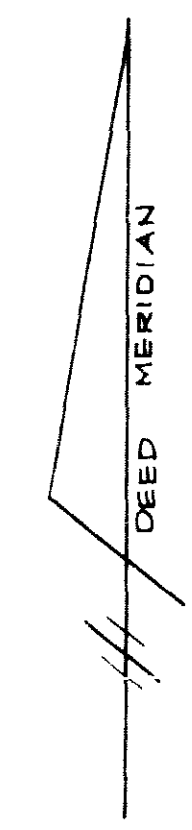
TYP. SECTION

LEGEND

- EXISTING WOODS LINE
- PROPOSED WOODS LINE
- SIGHT DISTANCE
- PROPOSED SCREENING (EVERGREEN) AS PER LANDSCAPE MANUAL
- LIMIT OF DISTURBANCE
- SLOPES STEEPER THAN 25%

FIRE HYDRANT

0.00' N 38.400'



N 38.800
W 39.800

450'± to
REISTERSTOWN
ROAD
300'± to
FIRE HYDRANT

EUGENE F. MCCARTHY JR.
AND WIFE
E.H.K. Jr. 6063/842

EX. 2 1/2 STORY
BRICK OFFICE
BUILDING

GREENSPRING VALLEY OFFICE CENTER
S.M. 7907 / 88

EX. 3 STORY
BRICK OFFICE
BUILDING

N 38.400
W 39.600

GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS
SUITE 100
320 TOWSONTOWN BOULEVARD
TOWSON MARYLAND 21206

N 38.800
W 39.800

GREENSPRING
VALLEY ROAD
(EX. GG R/W)

VALLEY ROAD
(EX. GG R/W)

ROAD

PETITIONING FOR VARIANCE
(1) OF SEC. 203.3 C2 AS TO
OFF STREET PARKING

EX. MACADAM ENTRANCE
TO BE REMOVED

THE WIDTH OF THE
PROPOSED DRIVE HAS
BEEN APPROVED BY
TRAFFIC ENGINEERING,
WHICH COMPLES WITH
SEC. 101.2

PROPOSED
MACADAM

EX. MACADAM

EX. 1 STORY
STONE & FRAME DWELLING
1480 SQ. FT. EXISTING BLDG.
PROP. OFFICE BUILDING
2720 SQ. FT. TOTAL
PROP. BUILDING 44.5'

EX. WOOD DECK
TO BE REMOVED

PROPOSED
ADDITION

WILLIAM W. O'ROURKE JR.
AND
DONNA M. O'ROURKE, HIS WIFE
E.H.K. Jr. 5601/548
0.91 AC.±

REQUIRED LANDSCAPE
BUFFER

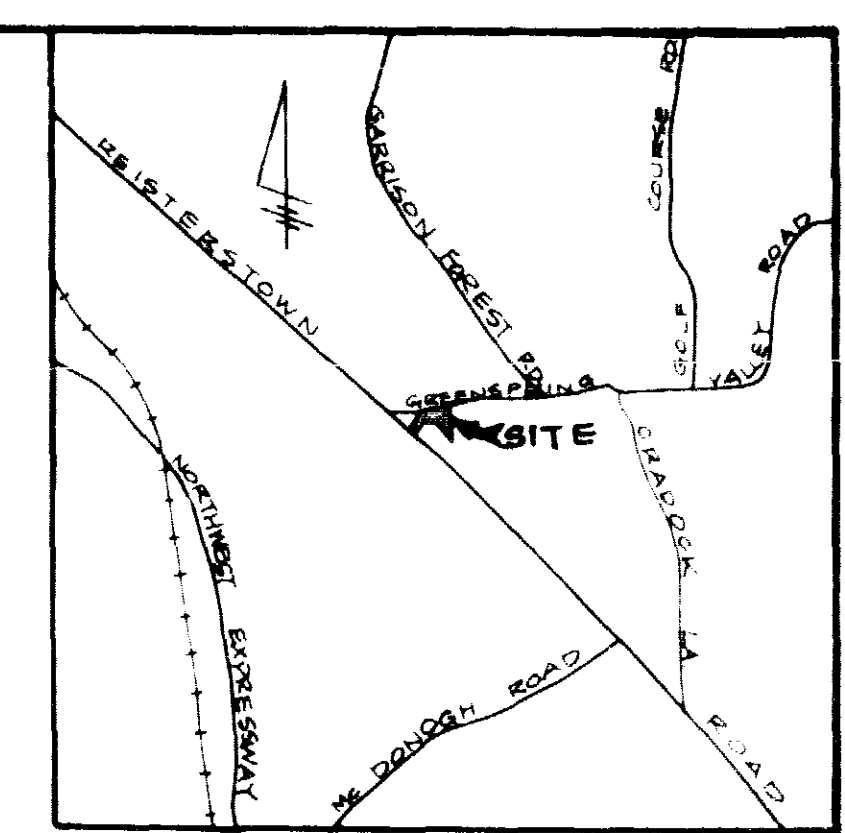
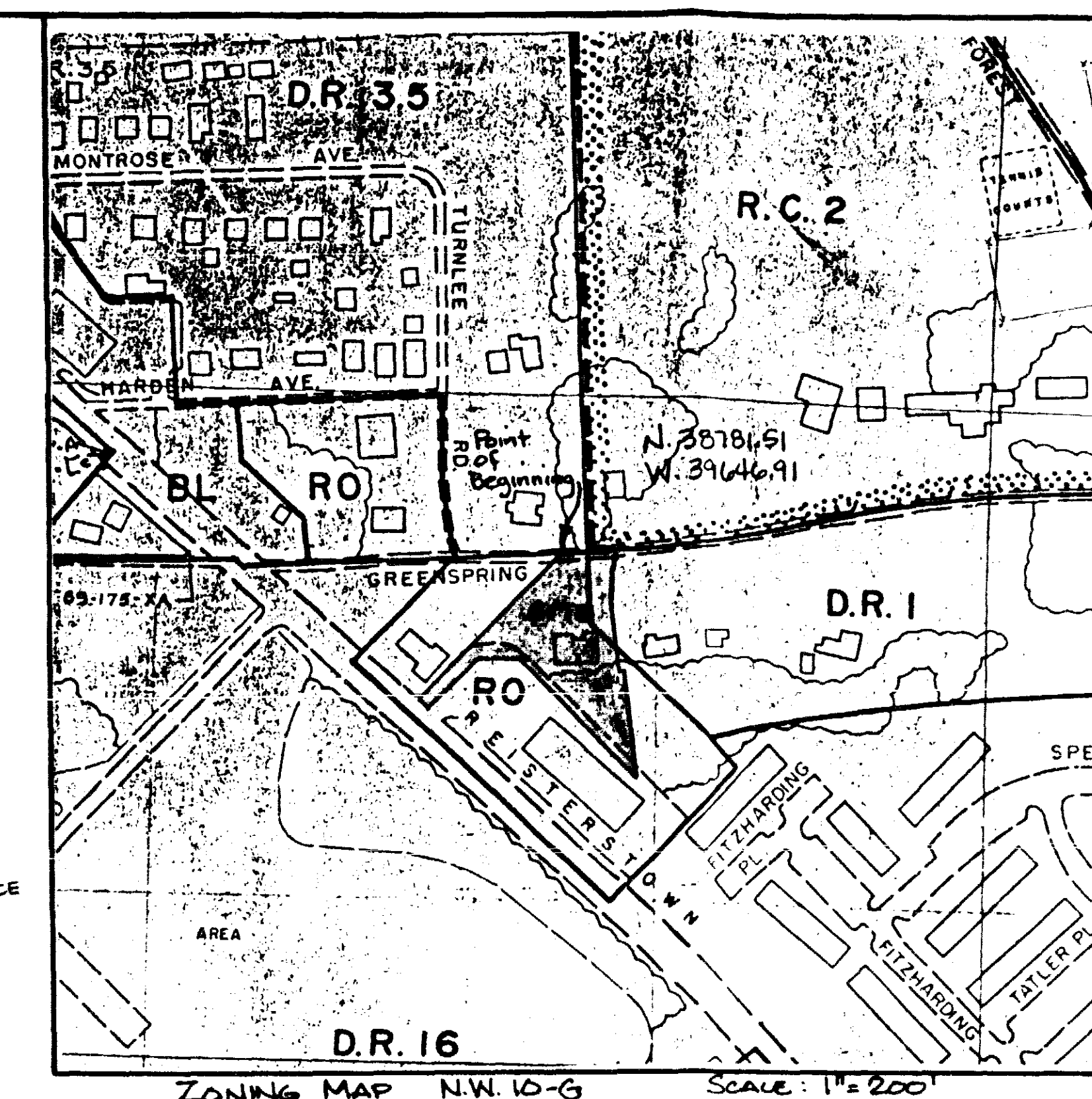
BUILDING SETBACK LINE

EX. 3 STORY
BRICK OFFICE
BUILDING

PETITIONING FOR VARIANCE
OF SEC. 203.4 C2 & 4b

EX. 1 STORY
FRAME
DWELLING

CHARLES M. KALINICH
E.H.K. Jr. 6932/841



- GENERAL NOTES**
1. VARIANCES FROM THE FOLLOWING SECTIONS ARE BEING REQUESTED:
 - (A) SECTION 203.4 C & C2: PETITION TO WAIVE 10' LANDSCAPE BUFFER ALONG SOUTHERN PROPERTY LINES WHICH LIE WITHIN EXISTING WOODED AREAS.
 - (B) SECTION 203.4 C2: PETITION TO WAIVE THE AMENITY OPEN SPACE REQUIRED IN THE INTERIOR OF THE PARKING LOT.
 - (C) SECTION 203.4 C2 & 4b: PETITION TO SUBSTITUTE THE REQUIRED 5' HIGH OPAQUE FENCE WITH EVERGREEN TREES OF APPROPRIATE HEIGHT AS PER THE BALTIMORE COUNTY LANDSCAPE MANUAL.
 - (D) SECTION 203.3 C2: PETITION TO ALLOW PARKING IN THE FRONT YARD IN LIEU OF THE REQUESTED SIDE OR REAR YARD BECAUSE OF THE LACK OF ADEQUATE AREA FOR SUFFICIENT PARKING.
 2. THE MAXIMUM HEIGHT OF THE BUILDING SHALL NOT EXCEED 35 FT.
 3. GROSS STORAGE FLOOR AREA: 800 SQ. FT.
GROSS OFFICE FLOOR AREA: 2720 SQ. FT.
GROSS SITE AREA IN R.O.: 344 1/2 SQ. FT.
FLOOR AREA RATIO: 0.10
 4. ANY SIGNS PLACED ON THE SUBJECT PROPERTY WILL BE ATTACHED TO THE FACE OF THE BUILDING.

93-31-XA
#3

PLAN TO ACCOMPANY SPECIAL EXCEPTION
AND VARIANCES

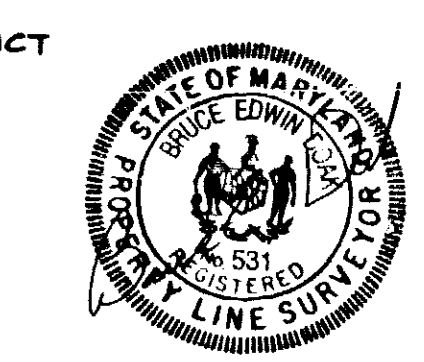
REASON FOR SUBMITTAL IS TO PERMIT CLASS B OFFICE IN A R.O. ZONE
AS PER SEC. 203.3.B. 2a.

PROPERTY OF WILLIAM W. O'ROURKE, JR. & DONNA M. O'ROURKE

3RD ELECTION DISTRICT, 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 20' DATE: JUNE 15, 1992

DEVELOPER: LEVIN / BROWN & ASSOCIATES
17 WARREN ROAD
SUITE 78
BALTIMORE MARYLAND 21208



REVISIONS	DATE
(1) REVISED GENERAL NOTES	JUNE 30, 92