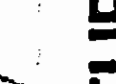
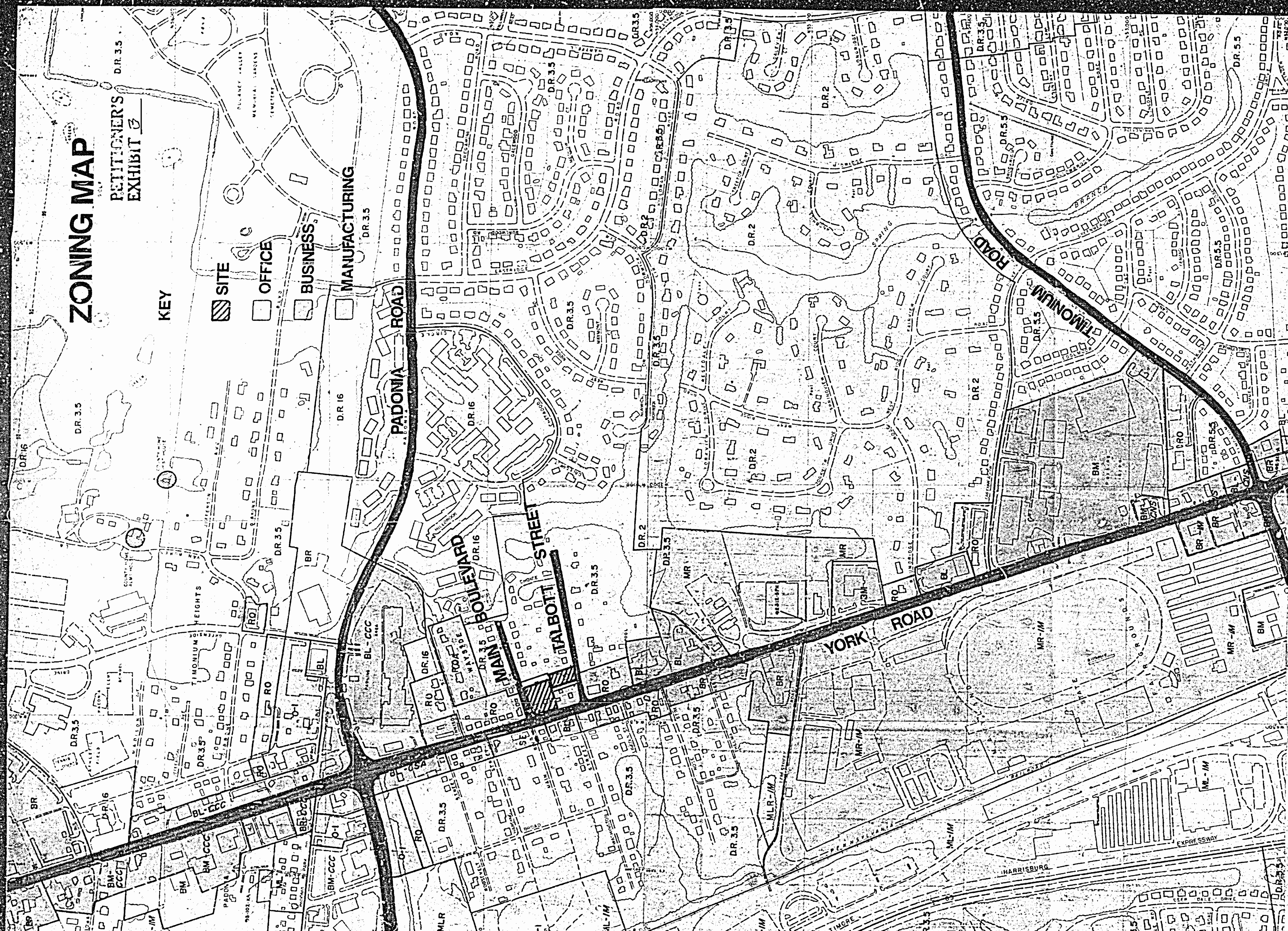


ZONING MAP

PETITIONER'S
EXHIBIT 3

KEY

-  SITE
-  OFFICE
-  BUSINESS
-  MANUFACTURING

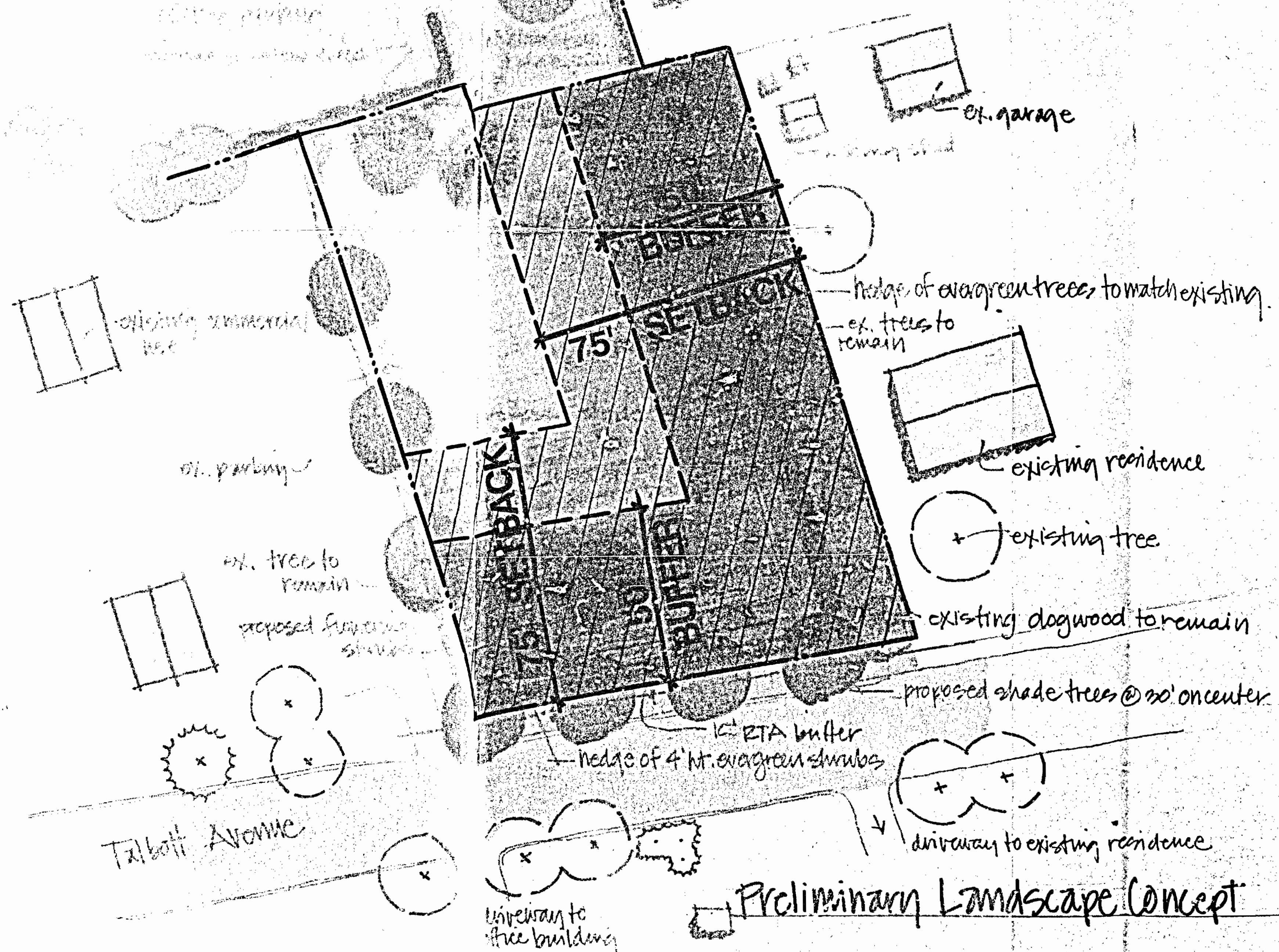
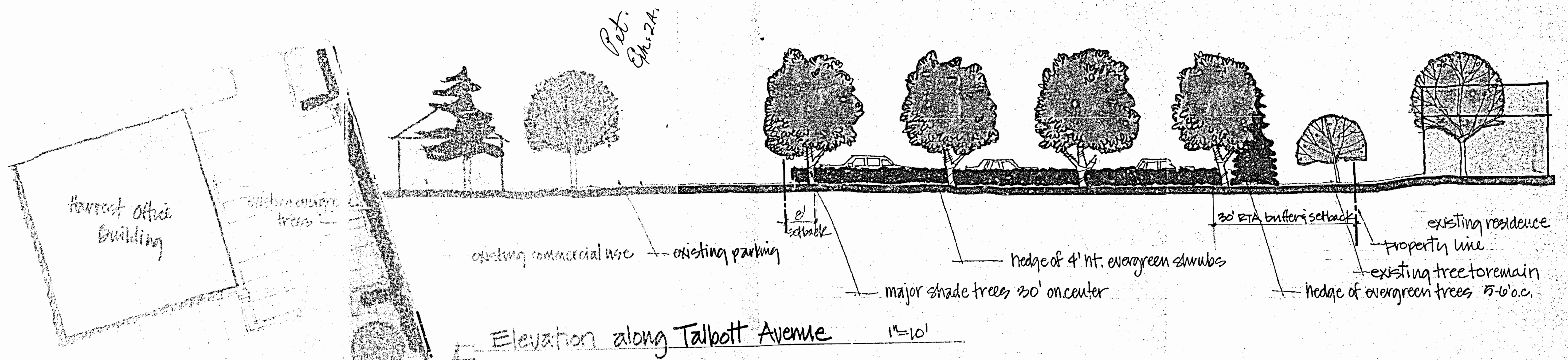


BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
on May 12, 1992
DATE OF ADOPTION
JANUARY 1998

SCALE
1" = 200'
LOCATION
TIMONIUM
SHEET
14-A

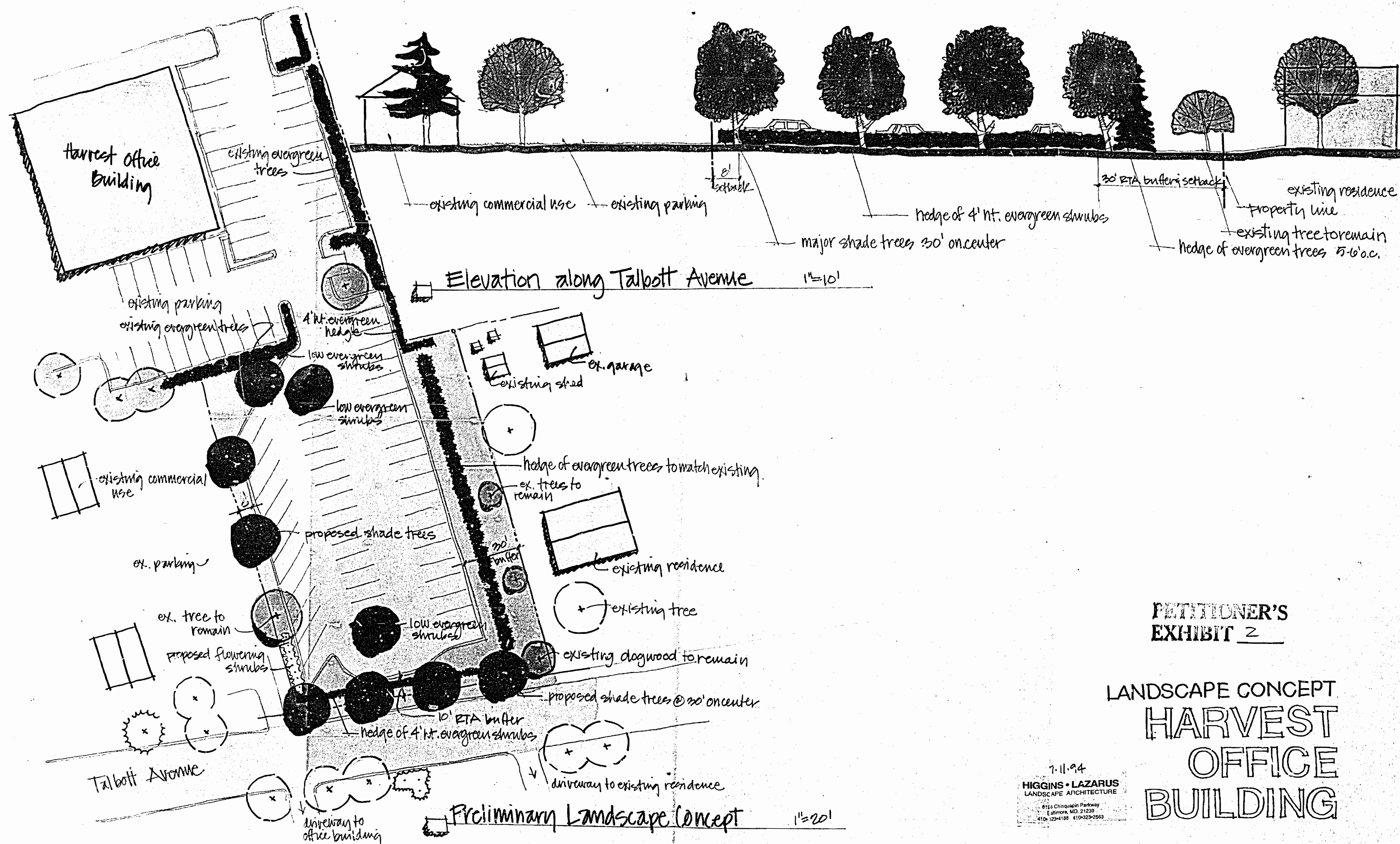
THIS MAP HAS BEEN REVIEWED IN SELECTED AREAS
TOPOGRAPHY COLLECTED BY PHOTOGRAMMETRIC METHODS
BY BENTLEY ENGINEERING AND BALTIMORE, MD 21115



PETITIONER'S
EXHIBIT 2

LANDSCAPE CONCEPT
HARVEST
OFFICE
BUILDING

7.11.94
HIGGINS • LAZARUS
LANDSCAPE ARCHITECTURE
6155 Chingquian Parkway
Baltimore, MD 21239
410-329-1188 410-329-2583



PETITIONER'S
EXHIBIT 2

LANDSCAPE CONCEPT
HARVEST
OFFICE
BUILDING

7.11.94
HIGGINS • LAZARUS
LANDSCAPE ARCHITECTURE
8150 Chiquappa Parkway
Edinburg, MD 21039
410-224-1188 410-224-2563

ZONING HISTORY

CRG Plan No. 86012: Approved 2/27/86
Zoning Hearing 86-416XA

Special Exception to permit Class B Office Building in an R.O. Zone - **Granted**
Variance to permit two illuminated signs totalling 48 s.f. in lieu of non-illuminated sign with 8 s.f. maximum size - **Granted**
Special Conditions: Special Exception to be utilized within five years of order, signs will not be illuminated after 9:00 p.m. Monday - Friday, and no illumination on Saturdays or Sundays.

ENTRANCE SIGN DETAIL
(DOUBLE SIDED, NON-ILLUMINATED)

HARVEST BUILDING
ENTRANCE

SIGN NOT TO
EXCEED 15 SF
PER SIDE

SIGN NOTES:
1. DIRECTIONAL SIGNS (I.E., ONE WAY, NO RIGHT TURN, DO NOT ENTER, ETC.) SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 413 OF THE BCZR
2. ENTRANCE SIGN SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 203.3 C.1. AND 413 OF THE BCZR

REQUESTED RELIEF

- A. VARIANCE REQUEST from Section 203.3B.2.A. to permit one hundred percent (100%) medical office occupancy of existing, previously approved Class B office building in lieu of the presently allowed twenty five (25%) percent of the total adjusted gross floor area.
- B. VARIANCE REQUEST from Section 1801.1.3.1.e.(5) and Residential Standards, Section 11, Page 16 (C.M.D.P.) to permit buffers and setbacks of a minimum of four (4) feet, ten (10) feet and thirty (30) feet in lieu of the requirements of 50 foot buffers and 75 foot setbacks in an R.T.A. area/D.R. zone, subject to the requirements of Section 1801.1.3.1.c.(2), and other applicable regulations, if any.
- C. VARIANCE REQUEST to permit 0.23 acres (22.14% of the gross site area of the R.O. site) for amenity open space on the proposed plan, in lieu of the required 2% minimum of the gross site area Section 203.4 (BCZR 1981 and 1988 Regulations), and the 0.265 acres (25.5%) of the site per County approved.

McKEE & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
TELEPHONE: (410) 527-5355 FACSIMILE: (410) 527-5653

COMPUTED BY: JRG. DRAWN BY: JMB. CHECKED BY: JRG. JOB No: 84-09



JAMES W. McKEE
M.D. REG. NO. 8012

DATE

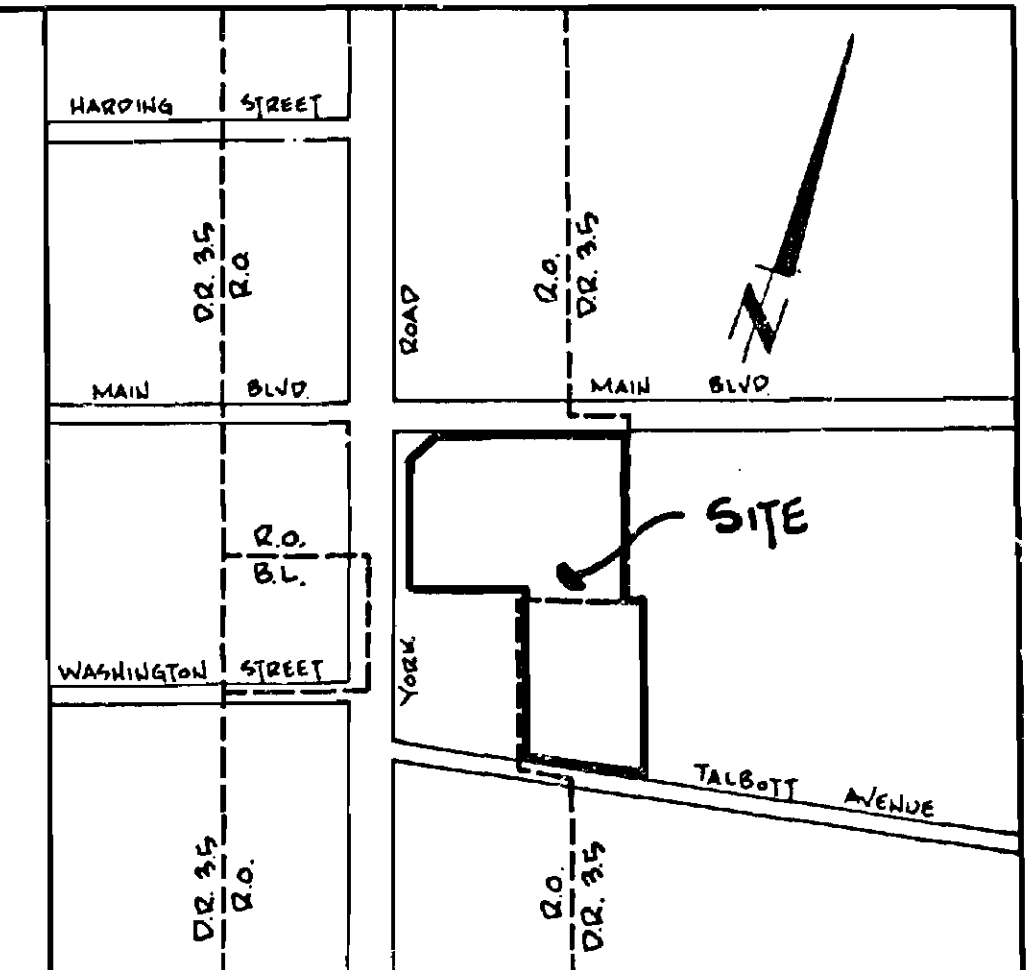
OWNER (P.1) / CONTRACT PURCHASER (P.2)
HARVEST OFFICE BUILDING INVESTORS
STEPHEN S. DUKLEWSKI, JR.

2345 YORK ROAD
TIMONIUM, MD. 21093
(410) 541-9040

TAX ACCOUNT # 20-00-010885 ZONE R.O.
TAX ACCOUNT # 00-20-006621 ZONE DR-3.5
DEED 1149/251 ZONE R.O.
DEED 1442/011 ZONE DR-3.5

PARKING NOTES

ACCESSORY PARKING AREA (DR 3.5 Zone)
In addition to all other applicable requirements, such parking facilities shall be subject to the following conditions: (409.8.B.2 BCZR)
A. Only passenger vehicles, excluding buses, may use the parking facility.
B. No loading, service, or any use other than parking shall be permitted.
C. Lighting shall be directed away from adjacent residences, not be illuminated after 9:00 p.m.
D. Method and Area of Operation: self parking.
Maintenance: shall be conducted during off peak hours
Permitted Hours of Operation: 7:30 a.m. - 9:00 p.m.
Mon-Fri, 8:00 a.m. - 5:00 p.m. Saturday, no Sunday



LOCATION MAP
SCALE: 1" = 200'

SITE DATA

- Existing Use: general offices/medical offices
- Proposed Use: medical offices/accessory business parking in a residential zone
- Councilmanic District: 4
- Census Tract: 4,085.05
- Watershed: 11, Subwatershed: 32
- There are no Historical Areas, Critical Areas, Wetlands, Archeological sites, endangered species habitat, or hazardous materials on this site.
- There are no wells or septic within 100 feet of this site.

Existing Zoning: R.O. and DR-3.5

Site Acreage:
Gross 1.04 acres ±
Net 0.80 acres ±

Adjusted Gross Floor Areas:
Basement 2,278 s.f.
1st Floor 6,452 s.f.
2nd Floor 6,524 s.f.
3rd Floor 6,524 s.f.
Total 21,778 s.f.

Floor Area Ratio:
Permitted Maximum 0.50
Proposed 21,778 s.f./45,302 s.f. = 0.48

Amenity Open Space
Required Minimum 0.26 Ac. ± (25%)
Existing A.O.S. 0.265 Ac. ± (25.5%)
Proposed A.O.S. 0.23 Ac. ± (22.1%)

Parking Tabulation:
Basement 2,278/1,000 x 4.5 = 10.25
1st Floor 6,452/1,000 x 4.5 = 29.03
2nd Floor 6,524/1,000 x 4.5 = 29.36
3rd Floor 6,524/1,000 x 4.5 = 29.36
Total Required 98 spaces

Parking Proposed: 103 spaces (includes 3 H.C.)

Compact Spaces Permitted: 103 x 0.4 = 41 spaces

Compact Spaces Proposed: 37 spaces

REVISED
PLAT TO ACCOMPANY PETITIONS FOR
SPECIAL HEARING, USE PERMIT, AND VARIANCES

FOR

HARVEST OFFICE BUILDING

8TH ELECTION DISTRICT

BALTIMORE COUNTY, MD

SCALE: 1" = 30'

JULY 1, 1994

20. PREPARED BY
EXHIBIT 1

THE PROPOSED PARKING AREA SHALL BE REQUIRED TO BE UTILIZED BY EMPLOYEES. NO EMPLOYEE PARKING WILL BE PERMITTED ON THE EXISTING LOT. EXTERIOR PARKING WILL BE PERMITTED ON THE NEW LOT WHEN IT IS AVAILABLE FOR SUCH.

ZONING HISTORY

CRG Plan No. 86012: Approved 2/27/86
Zoning Hearing 86-416XA

Special Exception to permit Class B Office Building in an R.O. Zone - **Granted**
Variance to permit two illuminated signs totalling 48 s.f. in lieu of non-illuminated sign with 8 s.f. maximum size - **Granted**
Special Conditions: Special Exception to be utilized within five years of order, signs will not be illuminated after 9:00 p.m. Monday - Friday, and no illumination on Saturdays or Sundays.



- SIGN NOTES:**
1. DIRECTIONAL SIGNS (I.E., ONE WAY, NO RIGHT TURN, DO NOT ENTER, ETC.) SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 413 OF THE BCZR
 2. ENTRANCE SIGN SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 203.3.C.1. AND 413 OF THE BCZR

REQUESTED RELIEF

1. A. VARIANCE REQUEST from Section 203.3B.2.A. to permit one hundred percent (100%) medical office occupancy of an existing, previously approved Class B office building in lieu of the presently allowed twenty five (25%) percent of the total adjusted gross floor area.
 - B. VARIANCE REQUEST from Section 1801.1.B.1.e.(5) and Residential Standards, Section 11, Page 16 (C.M.D.P.) to permit buffers and setbacks of a minimum of four (4) feet, ten (10) feet and thirty (30) feet in lieu of the requirements of 50 foot buffers and 75 foot setbacks in an R.O.S.A. area/D.R. zone, subject to the requirements of Section 1801.1B.1.c(2), and other applicable regulations, if any.
 - C. VARIANCE REQUEST to permit 0.23 acres (22.1% of the gross site area of the R.O. site) for amenity open space on the proposed plan, in lieu of the required 25% minimum of the gross site area Section 203.4 (BCZR 1981 and 1988 regulations), and the 0.265 acres (25.5%) of the site previously approved.
2. A. SPECIAL HEARING to amend the previously approved plan from Case Number 86-416XA for Harvest Office Building and site.
 - B. SPECIAL HEARING per Sections 409.8B.1 and 409.8B.2 and other applicable regulations, if any, to allow office/business parking in a residential zone.

McKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD
TELEPHONE: (410) 527-5555

HUNT VALLEY, MARYLAND 21039
FACSIMILE: (410) 527-5563

COMPUTED BY: J.M.G. DRAWN BY: J.M.G. CHECKED BY: J.M.G. JOB No.: 94-09



JAMES W. McKEE
MD REG NO 9012

OWNER (P.1) / CONTRACT PURCHASER (P.2) HARVEST OFFICE BUILDING INVESTORS STEPHEN S. DUKLEWSKI, JR.

2345 YORK ROAD
TIMONIUM, MD 21093
(410) 561-9040

TAX ACCOUNT # 20-00-010889 ZONE-R.O.
TAX ACCOUNT # 08-20-066621 ZONE-DR-3.5
DEED 7149/251 ZONE R.O.
DEED 1442/011 ZONE DR-3.5

PARKING NOTES

ACCESSORY PARKING AREA (DR 3.5 Zone)

In addition to all other applicable requirements, such parking facilities shall be subject to the following conditions: (409.8.B.2 BCZR)

- Only passenger vehicles, excluding buses, may use the parking facility.
- No loading, service, or any use other than parking shall be permitted.
- Lighting shall be directed away from adjacent residences, not be illuminated after 9:00 p.m. of operation.
- Method and Area of Operation: self parking. Maintenance shall be conducted during off-peak hours of operation. Permitted Hours of Operation: 7:30 a.m. - 9:00 p.m. Mon-Fri, 8:00 a.m. - 5:00 p.m. Saturday, no Sunday

SITE DATA

1. Existing Use: general offices/medical offices
2. Proposed Use: medical offices/office/business parking in a residential zone
3. Councilmanic District: 4
4. Census Tract: 4,085.05
5. Watershed: 11, Subwatershed: 32
6. There are no Historical Areas, Critical Areas, Wetlands, Archeological sites, endangered species habitat, or hazardous materials on this site.
7. There are no wells or septic within 100 feet of this site.

Existing Zoning: R.O. and DR-3.5

Site Acreage:

	R.O.	DR-3.5
Gross	1.04 acres ±	0.55 acres ±
Net	0.80 acres ±	0.49 acres ±

Adjusted Gross Floor Areas:

Basement	2,278 s.f.
1st Floor	6,452 s.f.
2nd Floor	6,524 s.f.
3rd Floor	6,524 s.f.
Total	21,778 s.f.

Floor Area Ratio:

Permitted Maximum	0.50
Proposed	21,778 s.f./45,302 s.f. = 0.48

Amenity Open Space

	R.O.	DR-3.5	DR-3.5 A.O.S.
Required Minimum	0.26 Ac. ± (25%)	0.02 Ac. ±	As required by the landscape regulations
Existing A.O.S.	0.265 Ac. ± (25.5%)		
Proposed A.O.S.	0.23 Ac. ± (22.1%)	0.02 Ac. ±	

Parking Tabulation:

Basement	2,278/1,000 x 4.5 = 10.25
1st Floor	6,452/1,000 x 4.5 = 29.03
2nd Floor	6,524/1,000 x 4.5 = 29.36
3rd Floor	6,524/1,000 x 4.5 = 29.36
Total Required	98 spaces

Parking Proposed: 103 spaces (includes 3 H.C.)

Compact Spaces Permitted: 103 x 0.4 = 41 spaces

Compact Spaces Proposed: 37 spaces

REVISED
PLAT TO ACCOMPANY PETITIONS FOR
SPECIAL HEARING, USE PERMIT, AND VARIANCES

FOR

HARVEST OFFICE BUILDING

8TH ELECTION DISTRICT

BALTIMORE COUNTY, MD

SCALE: 1" = 30'

JULY 1, 1994

REVISED 8/29/94
94-436-SPHA

THE PROPOSED PARKING AREA SHALL BE REQUIRED TO BE UTILIZED BY EMPLOYEES. NO EMPLOYEE PARKING WILL BE PERMITTED ON THE EXISTING LOT. PATRON PARKING WILL BE PERMITTED ON THE NEW LOT WHEN IT IS AVAILABLE FOR SUCH.

ZONING HISTORY

CRG Plan No. 85012: Approved 2/27/86
Zoning Hearing 86-416XA

Special Exception to permit Class B Office Building in an R.O. Zone - Granted
Variance to permit two illuminated signs totalling 48 s.f. in lieu of non-illuminated sign with 8 s.f. maximum size - Granted
Special Conditions: Special Exception to be utilized within five years of order, signs will not be illuminated after 9:00 p.m. Monday - Friday, and no illumination on Saturdays or Sundays.

ENTRANCE SIGN DETAIL
(DOUBLE-SIDED, NON-ILLUMINATED)

HARVEST BUILDING
ENTRANCE

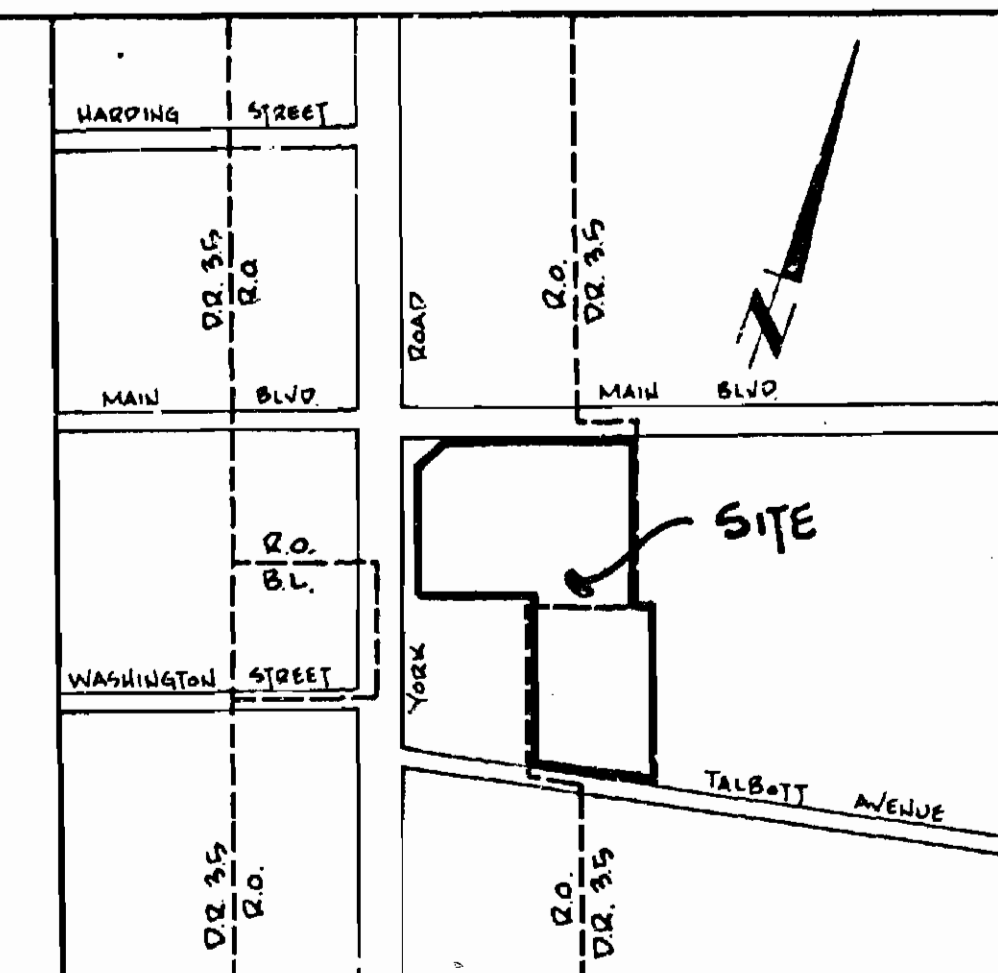
SIGN NOT TO
EXCEED 15SF
PER SIDE

SIGN NOTES:
1. DIRECTIONAL SIGNS (I.E., ONE WAY, NO RIGHT TURN, DO NOT ENTER, ETC.) SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 413 OF THE BCZR
2. ENTRANCE SIGN SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 203.3 C.1. AND 413 OF THE BCZR

OWNER (P.1) / CONTRACT PURCHASER (P.2)
HARVEST OFFICE BUILDING INVESTORS
STEPHEN S. DUKLEWSKI, JR.

2345 YORK ROAD
TIMONIUM, MD. 21073
(410) 941-9040

TAX ACCOUNT # 20-00-010885 ZONE-R.O.
TAX ACCOUNT # 20-20-066627 ZONE-DR.35
DEED 7149/251 ZONE R.O.
DEED 1442/011 ZONE DR.35



LOCATION MAP
SCALE: 1" = 200'

SITE DATA

- Existing Use: general offices/medical offices
- Proposed Use: medical offices
- Councilmanic District: 4
- Census Tract: 4,085.05
- Watershed: 11, Subwatershed: 32
- There are no Historical Areas, Critical Areas, Wetlands, Archaeological sites, endangered species habitat, or hazardous materials on this site.
- There are no wells or septic within 100 feet of this site.

Existing Zoning: R.O. and DR-3.5

Site Acreage:
Gross 1.04 acres ±
Net 0.80 acres ±

Adjusted Gross Floor Areas:

Basement 2,278 s.f.
1st Floor 6,452 s.f.
2nd Floor 6,524 s.f.
3rd Floor 6,524 s.f.
Total 21,778 s.f.

Floor Area Ratio:

Permitted Maximum
Proposed 21,778 s.f. / 45,302 s.f. = 0.50

Amenity Open Space

Required Minimum 0.25 Ac. ±
Existing A.O.S. 0.26 Ac. ±
Proposed A.O.S. 0.23 Ac. ±

Parking Tabulations:

Basement 2,278/1,000 x 4.5 = 10.25
1st Floor 6,452/1,000 x 4.5 = 29.03
2nd Floor 6,524/1,000 x 4.5 = 29.36
3rd Floor 6,524/1,000 x 4.5 = 29.36

Total Required 98 spaces

Parking Proposed: 103 spaces (includes 3 H.C.)

Compact Spaces Permitted: 103 x 0.4 = 41 spaces

Compact Spaces Proposed: 37 spaces

REVISED
PLAT TO ACCOMPANY PETITIONS FOR
SPECIAL HEARING, USE PERMIT, AND VARIANCES

FOR

HARVEST OFFICE BUILDING

8TH ELECTION DISTRICT

BALTIMORE COUNTY, MD

SCALE: 1" = 30'

JULY 1, 1994

McKEE & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD
TELEPHONE: (410) 527-1555

HUNT VALLEY, MARYLAND 21030
FACSIMILE: (410) 527-1563

COMPUTED BY: J.M. DRAWN BY: J.M. CHECKED BY: J.M. JOB No: 94-09

JAMES W. McKEE
V. REG NO 3012

DATE:

ZONING HISTORY

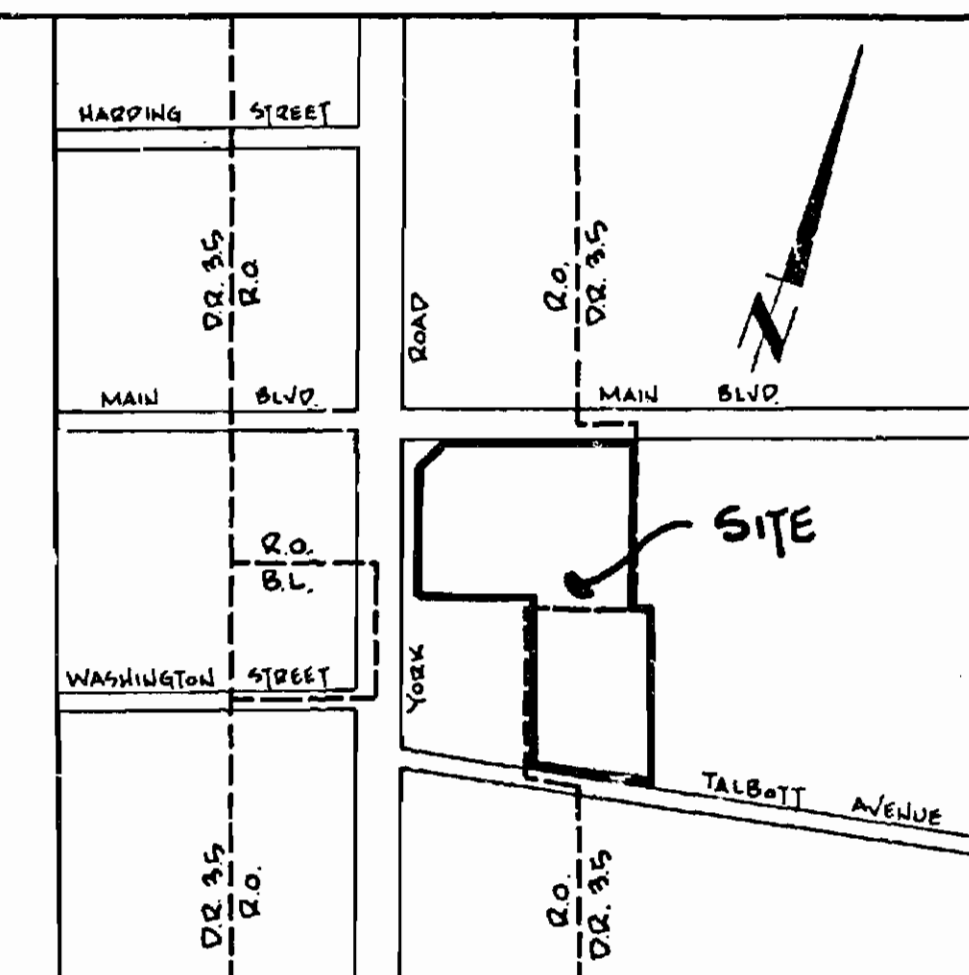
CRG Plan No. 86012: Approved 2/27/86
Zoning Hearing 86-416XA

Special Exception to permit Class B Office Building in an R.O. Zone - Granted
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Special Conditions: Special Exception to be utilized within five years of order, signs will not be illuminated after 9:00 p.m. Monday - Friday, and no illumination on Saturdays or Sundays.

OWNER (P.1) / CONTRACT PURCHASER (P.2)
HARVEST OFFICE BUILDING INVESTORS
STEPHEN S. DUKLEWSKI, JR.

2345 YORK ROAD
TIMONIUM, MD. 21093
(410) 541-9040

TAX ACCOUNT # 20-00-010885 ZONE - R.O.
TAX ACCOUNT # 00-20-004627 ZONE - DR.35
DEED 1449157 ZONE R.O.
DEED 1448011 ZONE DR.35



LOCATION MAP
SCALE: 1" = 200'

SITE DATA

- Existing Use: general offices
- Proposed Use: medical offices
- Councilmanic District: 4
- Census Tract: 4,085.05
- Watershed: 11, Subwatershed: 32
- There are no Historical Areas, Critical Areas, Wetlands, Archeological sites, endangered species habitat, or hazardous materials on this site.
- There are no wells or septic within 100 feet of this site.

Existing Zoning: R.O. and DR-3.5

Site Acreage:
Gross 1.25 acres ±
Net 1.04 acres ±

Adjusted Gross Floor Areas:
Basement 2,278 s.f.
1st Floor 6,452 s.f.
2nd Floor 6,524 s.f.
3rd Floor 6,524 s.f.
Total 21,778 s.f.

Floor Area Ratio:
Permitted Maximum 0.20
Proposed 21,778 s.f./54,450 s.f. = 0.40

Amenity Open Space:
Required Minimum 0.05 Ac. ±
Proposed A.O.S. 0.05 Ac. ±

Parking Tabulation:
Basement 2,278/1,000 x 4.5 = 10.25
1st Floor 6,452/1,000 x 4.5 = 29.03
2nd Floor 6,524/1,000 x 4.5 = 29.36
3rd Floor 6,524/1,000 x 4.5 = 29.36
Total Required 98 spaces

Parking Proposed: 98 spaces (includes 3 H.C.)
Compact Spaces Permitted: 98 x 0.4 = 39 spaces
Compact Spaces Proposed: 37 spaces

PLAT TO ACCOMPANY PETITIONS FOR
SPECIAL HEARING, SPECIAL EXCEPTION, USE PERMIT, AND VARIANCES
FOR

HARVEST OFFICE BUILDING

8TH ELECTION DISTRICT
SCALE: 1" = 30'

BALTIMORE COUNTY, MD
APRIL 14, 1994

94-436-SPAXA

ITEM # 420

REQUESTED ACTIONS:

- Special Hearing to amend the previously approved plan for Harvest Office Building. (86-416XA)
- Special Exception Request per Section 203.3.B.2.b to permit up to 100% of the total adjusted gross floor area of a Class B office building to be medical offices.
- Use Permit per Sections 409.8.B.1 and 409.8.B.2 to allow parking in residential zone
- Variance to Section 203.3.B.2.b(1) to permit a floor area ratio of 0.40 in lieu of 0.20 permitted maximum.
- Variance to Section 203.4.C.4 to permit a setback from a residential street of 5 feet in lieu of the required 20 foot minimum.

Variance to Section 203.4.C.6.C.1 to permit an 8 foot landscape buffer in lieu of the required 20 foot minimum.

Variance to Section 1801.1B.1.e(5) to permit a 30 foot buffer in lieu of the 50 foot minimum buffer required, subject to the requirements of Section 1801.1B.1.c(2).

McKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD
TELEPHONE: (410) 527-1555

HUNT VALLEY, MARYLAND 21030
FACSIMILE: (410) 527-1563



COMPUTED BY: JAG. DRAWN BY: JMB. CHECKED BY: JAG. JOB No: 94-09

NEWTON A. WILLIAMS
THOMAS J. REMER
WILLIAM F. ENGLISH, JR.
STEPHEN J. NOLAN
ROBERT L. HANLEY, JR.
ROBERT S. GUSHAKOW
STEPHEN M. SCHENNO
DOUGLAS L. BURGESS
ROBERT E. CAHILL, JR.
E. BRUCE JONES
JOSEPH CURRAN, III
CHRISTINE K. MCHERRY

LAW OFFICES
NOLAN, PLIMHOFF & WILLIAMS
CHARTERED
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(410) 823-7800
TELEFAX (410) 296-2765

August 18, 1994

Mr. Donald Rascoe
Director
Zoning Administration and
Development Management
County Office Building
Towson, Maryland 21204

Re: Harvest Office Building, Proposed Full Medical
Occupancy and New Parking Area - Possible
Condominium Ownership

Dear Mr. Jablon and Mr. Rascoe:

In case 94-436-SPHXA (presently being revised prior to
hearing by the Zoning Commissioner) we are asking for a special
hearing to convert one hundred percent of the existing Harvest
Office Building to medical occupancy from its present thirty
three percent, a special hearing to amend the earlier site plan
in Case No. 86-416-XA, as well as a use permit for parking in a
residential zone, with associated RTA variances, and a minor
amenity open space variance for the main site.

Mr. John Lewis of your office has kindly helped us reshape
the necessary zoning relief, and we are confident that we now
have that fully identified.

Recently, on August 1, the Development Review Committee
decided that such zoning relief with no new buildings, and a
new, at-ground level parking area, is not "development" under
Section 22-168 of the Development Regulations.

There is a possibility that the owners of this building,
Harvest Office Building Investors, L.P. may wish to sell it on
a condominium basis for medical occupancy after obtaining the
zoning relief in question. The probability would be to sell
each of the three floors as a separate condominium development.

Subsection (4) of Section 26-168 provides as follows:
"Subjecting property to the provisions of the Maryland
Condominium Act."

RECEIVED
AUG 22 1994

ZADM

Physicians Directory: ref. The Community Phone Book 1994 - 1995

Address	No. of Physicians
1134 York Rd.	7
1202 "	1
1205 "	49
1206 "	4
1212 "	12
1447 "	2
1629 "	1
1905 "	2
2205 "	1
2211 "	1
2380 "	1
2405 "	1
2414 "	2
2505 "	2
7402 "	9
7620 "	8
7704 "	2
7800 "	3
7801 "	17
7825 "	1
10155 "	1
10540 "	1
10629 "	1
11309 "	1
16918 "	2
57 West Timonium Rd.	2
106 Old Padonia Rd.	1
109 "	1
113 "	1
30 East Padonia Rd.	2
61 "	3
21 Cranbrook Rd.	1
1040 Ridgeland Rd.	1
120 Cockeysville Rd.	12
10 Warren Rd.	2
10 Gerard Ave.	2
1503 Long Quarter Ct.	1
50 Scott Adam Rd.	3
54 "	13
1922 Greenspring Dr.	4
1966 "	3
1400 Front Ave.	10
1910 Lynde Rd.	1
120 Sister Pierre Dr.	41
28 Allegheny Ave.	3
305 "	1
403 "	1
22 West Rd.	5
110 "	2
113 "	1

Timonium Medical Center

Primary Care Practice Associates

Chestridge Medical

Medstat Clinic

Hunt Valley Medical Center

Maryland Womens Medical Center

Greater Chesapeake Hand Specialists

St. Joseph Professional Building

November 8, 1994

HARVEST OFFICE BUILDING POINTS

GOAL

The goal is to convert the existing Harvest Office Building
site at York Road and Main Boulevard in Timonium to 100% medical
occupancy. It is presently in excess of 1/3rd medical
occupancy, over and above the present 25% restriction on medical
occupancy in an R.O. office building. It was approved under the
original RO zone, with a .50 P.A.R. and no restriction on
medical occupancy percentage. It and its neighbors along York
Road have many of the aspects of an O-1 zone, but with no
accessory commercial uses.

ZONING RELIEF REQUESTED SPECIAL HEARING

A special hearing has been requested to amend previously
approved case 86-416-XA, which approved the original building,
site and a variance to allow the sign on the building to be
larger and illuminated, as originally granted with up to five
years for utilization by Deputy Commissioner Jung's Opinion and
Order of April 23, 1986, attached hereto.

THREE VARIANCES

100 PERCENT MEDICAL OFFICE OCCUPANCY

1. To permit 100% medical office occupancy of the existing
Class B office building in lieu of the presently allowed 25% of
the gross floor area.

RIGHT TO 100 PERCENT MEDICAL OCCUPANCY

A. Please note that the most recent RO amendment,
namely Bill 151-88, enacted in the fall of 1988, and effective
November 27, 1988, specifically added a new Section, 502.8 to
the BCZR, which provides:

BILL 151-88 TREATMENT OF EXISTING RO BUILDINGS AND SITES

"502.8 - Bill No. 151-88 does not affect the validity of any
order granting a special exception for a Class B office building
pursuant to Subsection 203.3.B. prior to the effective date of
the Bill. Any such special exception may be used in accordance
with the applicable provisions of these regulations in effect at
the time of the grant of such special exception and in
accordance with the terms thereof, provided construction is
started prior to the expiration date of the special exception as
required by Section 502.3. [Bill No. 151, 1988.]"

Comm. 15
10/94

PLEASE PRINT CLEARLY

Harvest Office
PETITIONER(S) SIGN-IN SHEET
Case No 94-436-SPHXA

11/10/94
210 M.

NAME
Newton A. Williams
Jim McKee
James Grammer
STEVE DUKLEWSKI

ADDRESS
823-7800
700 Court Towers, 21204
5 SHAWAN PLACE, HUNT VALLEY
5 Shawan Road, Hunt Valley 21093
2345 YORK RD TIMONIUM, MD 21093

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

11/30/94

NAME
Newton A. Williams
Steve Duklewski

ADDRESS
700 Court Towers, 21204
Harvest Office Bldg. 2345 York Rd. 21093

PLEASE PRINT CLEARLY

Harvest Office
CASE# 94-436-SPHXA
Case No 94-436-SPHXA
11/10/94
210 M.

NAME	ADDRESS
Beth Spindler	#6 E Main Blvd. 21093
Beth Spindler	" " " "
Wanda Spindler	#16 E Main Blvd. 21093
Wanda Spindler	9 Chase Ct. Timonium 21093
Wanda Spindler	2 Chase Ct. Timonium 21093
Wanda Spindler	10 Chase Ct. Timonium 21093
Wanda Spindler	10 Talbott Ave. 21093
Wanda Spindler	12 Talbott Ave. 21093
Wanda Spindler	9 E Main Blvd. 21093
Wanda Spindler	14 Talbott Ave. 21093
Wanda Spindler	18 Talbott Ave. 21093
Wanda Spindler	18 Talbott Ave. 21093

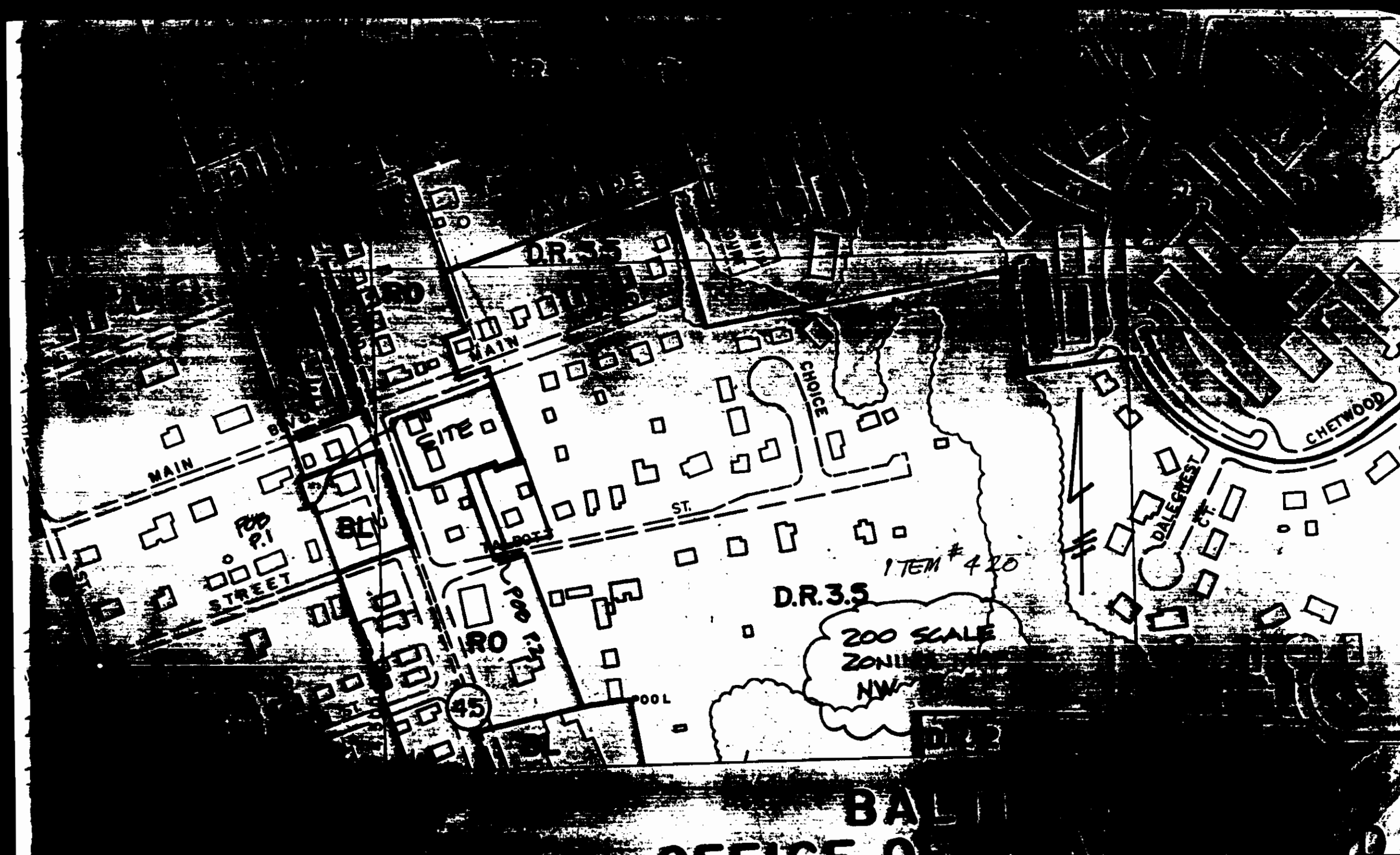
HARVEST
CASE# 94-436-SPHXA

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

11/10/94

NAME	ADDRESS
Bruce Munkach	6 E Main Blvd - Timonium
Beth Munkach	" " " "
Wanda Spindler	23 Talbott Ave. Timonium
Beth Spindler	32 Talbott Avenue Timonium
Wanda Spindler	4 Chase Ct. Timonium 21093
Wanda Spindler	2 Chase Ct. Timonium
Wanda Spindler	1 Chase Ct. Timonium
Wanda Spindler	1 Chase Ct. Timonium 21093
Wanda Spindler	6 Chase Ct. " "
Wanda Spindler	12 Talbott Ave. " "
Wanda Spindler	10 Talbott Ave
Wanda Spindler	10 Talbott Ave. Timonium
Wanda Spindler	9 E Main Blvd. 21093
Wanda Spindler	14 E Main Blvd. 21093



FILE NO. 281 08 02 '94 13:21 NOLAN, PLUMHOFF, WILLIAMS
8/2/94
3919/01 804

PAGE 2

Petition for Special Exception

to the Zoning Commissioner of Baltimore County
for the property located at
Harvest Office Building
2345 York Road and Talbott Avenue
which is presently zoned RO

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for 100% medical occupancy in an R.O. building.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of the 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.

Legal Owner(s) of RO site
Contract Purchaser/Lessor: **of D.R.3.5 site**
Harvest Office Building Investors, L.P.
(Type or Print Name)

Legal Owner(s) of D.R.3.5 site
For Estate of Mrs. Katherine Trapp
Mrs. Katherine Hannibal, Personal Representative
(Type or Print Name)

Signature STEPHEN S. DUKLEWSKI, JR.
HARVEST OFFICE BUILDING
2345 York Road, 435-6500
Address
Timonium, Maryland 21093
City State Zipcode

Signature MRS. KATHERINE HANNIBAL, PERSONAL REPRESENTATIVE
(Type or Print Name)

Signature 4 Talbott Avenue
Address
Timonium, Maryland 21093
City State Zipcode

Signature NEWTON A. WILLIAMS, ESQUIRE
NOLAN, PLUMHOFF & WILLIAMS, CHTD.
(Type or Print Name)

Signature 700 Court Towers
210 W. Pennsylvania Avenue, 823-7800
Address
Towson, Maryland 21204
City State Zipcode

Signature 700 Court Towers
210 W. Pennsylvania Avenue, 823-7800
Address
Towson, Maryland 21204
City State Zipcode

ESTIMATED LENGTH OF HEARING
Unreasonable for Hearing
The following dates: _____
All OTHER _____
REVIEWED BY: _____ DATE: _____

FILE NO. 281 08 02 '94 13:21 NOLAN, PLUMHOFF, WILLIAMS
AMENDED

PAGE 3

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County
for the property located at
Harvest Office Building
2345 York Road and Talbott Avenue
which is presently zoned RO and D.R.3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County to determine whether or not the Zoning Commissioner should approve a Special Hearing to amend the previously approved plan from Case No. 86-416KA for Harvest Office Building and site; and a Special Hearing per Sections 409.88.1 and 409.88.2 and other applicable regulations, if any, to allow office/business parking in a residential zone.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of the 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.

Contract Purchaser/Lessor and Legal Owner of RO site
Harvest Office Building Investors, L.P.
(Type or Print Name)

Legal Owner(s) of D.R.3.5 site
For Estate of Mrs. Katherine Trapp
Mrs. Katherine Hannibal, Representative
(Type or Print Name)

Signature STEPHEN S. DUKLEWSKI, JR.
HARVEST OFFICE BUILDING
2345 York Road, 435-6500
Address
Timonium, Maryland 21093
City State Zipcode

Signature MRS. KATHERINE HANNIBAL, PERSONAL REPRESENTATIVE
(Type or Print Name)

Signature 4 Talbott Avenue
Address
Timonium, Maryland 21093
City State Zipcode

Signature NEWTON A. WILLIAMS, ESQUIRE
NOLAN, PLUMHOFF & WILLIAMS, CHTD.
(Type or Print Name)

Signature 700 Court Towers
210 W. Pennsylvania Avenue, 823-7800
Address
Towson, Maryland 21204
City State Zipcode

Signature 700 Court Towers
210 W. Pennsylvania Avenue, 823-7800
Address
Towson, Maryland 21204
City State Zipcode

ESTIMATED LENGTH OF HEARING
Unreasonable for Hearing
The following dates: _____
All OTHER _____
REVIEWED BY: _____ DATE: _____

FILE NO. 281 08 02 '94 13:22 NOLAN, PLUMHOFF, WILLIAMS
AMENDED

PAGE 4

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at
Harvest Office Building
2345 York Road and Talbott Avenue
which is presently zoned RO and D.R.3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) as shown on the attached list.

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

The variances are being requested for the reasons shown on the attached list.

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

Contract Purchaser/Lessor and Legal Owner of RO site
Harvest Office Building Investors, L.P.
(Type or Print Name)

Legal Owner(s) of D.R.3.5 site
For Estate of Mrs. Katherine Trapp
Mrs. Katherine Hannibal, Representative
(Type or Print Name)

Signature STEPHEN S. DUKLEWSKI, JR.
HARVEST OFFICE BUILDING
2345 York Road, 435-6500
Address
Timonium, Maryland 21093
City State Zipcode

Signature MRS. KATHERINE HANNIBAL, PERSONAL REPRESENTATIVE
(Type or Print Name)

Signature 4 Talbott Avenue
Address
Timonium, Maryland 21093
City State Zipcode

Signature NEWTON A. WILLIAMS, ESQUIRE
NOLAN, PLUMHOFF & WILLIAMS, CHTD.
(Type or Print Name)

Signature 700 Court Towers
210 W. Pennsylvania Avenue, 823-7800
Address
Towson, Maryland 21204
City State Zipcode

Signature 700 Court Towers
210 W. Pennsylvania Avenue, 823-7800
Address
Towson, Maryland 21204
City State Zipcode

ESTIMATED LENGTH OF HEARING
Unreasonable for Hearing
The following dates: _____
All OTHER _____
REVIEWED BY: _____ DATE: _____

FILE NO. 281 08 02 '94 13:22 NOLAN, PLUMHOFF, WILLIAMS
AMENDED

PAGE 5

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at
Harvest Office Building
2345 York Road and Talbott Avenue
which is presently zoned RO and D.R.3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) as shown on the attached list.

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

The variances are being requested for the reasons shown on the attached list.

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

Contract Purchaser/Lessor and Legal Owner of RO site
Harvest Office Building Investors, L.P.
(Type or Print Name)

Legal Owner(s) of D.R.3.5 site
For Estate of Mrs. Katherine Trapp
Mrs. Katherine Hannibal, Representative
(Type or Print Name)

Signature STEPHEN S. DUKLEWSKI, JR.
HARVEST OFFICE BUILDING
2345 York Road, 435-6500
Address
Timonium, Maryland 21093
City State Zipcode

Signature MRS. KATHERINE HANNIBAL, PERSONAL REPRESENTATIVE
(Type or Print Name)

Signature 4 Talbott Avenue
Address
Timonium, Maryland 21093
City State Zipcode

Signature NEWTON A. WILLIAMS, ESQUIRE
NOLAN, PLUMHOFF & WILLIAMS, CHTD.
(Type or Print Name)

Signature 700 Court Towers
210 W. Pennsylvania Avenue, 823-7800
Address
Towson, Maryland 21204
City State Zipcode

Signature 700 Court Towers
210 W. Pennsylvania Avenue, 823-7800
Address
Towson, Maryland 21204
City State Zipcode

ESTIMATED LENGTH OF HEARING
Unreasonable for Hearing
The following dates: _____
All OTHER _____
REVIEWED BY: _____ DATE: _____

1.A. VARIANCE REQUEST from Section 263.2.B.2.a. and other applicable regulations, if any, to permit up to 100% of the total adjusted gross floor area of a Class B Office Building to be medical offices in lieu of the maximum permitted of 75%.

B. VARIANCE REQUEST to permit 10 foot and 30 foot buffers and setbacks in lieu of the requirements of 50 foot buffers and 75 foot setbacks in an R.T.A. area/D.R. zone, subject to the requirements of Section 1801.1B.1.C(2), and other applicable regulations, if any.

C. VARIANCE REQUEST to permit 0.23 (22.17% medical office) density open space on the previously proposed plan, as per the attached 25% minimum under Section 203.4 B.C.R. (201.00% minimum) of the all previously approved, and the from Section 203.3 B.C.R.

72330 VARIANCE REQUEST to permit 0.23 (22.17% medical office) density open space on the previously proposed plan, as per the attached 25% minimum under Section 203.4 B.C.R. (201.00% minimum) of the all previously approved, and the from Section 203.3 B.C.R.

D. One Hundred Percent (100%) medical occupancy of an existing, previously approved Class B office building in lieu of the previously allowed twenty five (25) percent of the total adjusted gross floor area.

FILE NO. 281 08 02 '94 13:23 NOLAN, PLUMHOFF, WILLIAMS
AMENDED

PAGE 6

REASONS FOR REQUESTED VARIANCE(S)

SPECIAL HEARING AND USE PERMIT REQUEST
HARVEST OFFICE BUILDING AND
RELATED, PROPOSED PARKING AREAS

- Harvest Office Building is one of the finest in the York Road Corridor, and its grounds, building and plantings are excellently maintained.
- That there is an additional need for medical office spaces conveniently located on York Road to serve this area of Timonium.
- That there is additional, vacant, unused land available for parking purposes adjoining the Harvest Site to the south, of the same depth as the RO zoned, Harvest Site.
- That this additional parking area will facilitate the proposed total medical usage of the Harvest Building, with its presently medical occupancy in excess of one third.
- That the existing site and building was approved in 1986 in Case No. 86-416KA, at which time 100% medical occupancy was permitted.
- That the 0.50 F.A.R. met the previous requirements, prior to Bill 37-88.
- That the proposed new parking area adjoining the site on Talbott Avenue will be fully screened, appropriately lighted, and will be bordered on the north by the Harvest site, on the west by an RO, office developed site and parking area and on the south by Talbott Avenue.
- That without the requested relief, the Petitioners will sustain practical difficulty and unreasonable hardship. That the requested relief will not be detrimental to the health, safety and welfare of the area, and the requested relief is in harmony with the spirit and intent of the Regulations.

6935C

FILE NO. 281 08 02 '94 13:23 NOLAN, PLUMHOFF, WILLIAMS
AMENDED

PAGE 7

REASONS FOR REQUESTED VARIANCE(S)

SPECIAL HEARING AND USE PERMIT REQUEST
HARVEST OFFICE BUILDING AND
RELATED, PROPOSED PARKING AREAS

- Harvest Office Building is one of the finest in the York Road Corridor, and its grounds, building and plantings are excellently maintained.
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- That the 0.50 F.A.R. met the previous requirements, prior to Bill 37-88.
- That the proposed new parking area adjoining the site on Talbott Avenue will be fully screened, appropriately lighted, and will be bordered on the north by the Harvest site, on the west by an RO, office developed site and parking area and on the south by Talbott Avenue.
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6935C

FILE NO. 281 08 02 '94 13:23 NOLAN, PLUMHOFF, WILLIAMS
AMENDED

PAGE 8

REASONS FOR REQUESTED VARIANCE(S)

SPECIAL HEARING AND USE PERMIT REQUEST
HARVEST OFFICE BUILDING AND
RELATED, PROPOSED PARKING AREAS

- Harvest Office Building is one of the finest in the York Road Corridor, and its grounds, building and plantings are excellently maintained.
- That there is an additional need for medical office spaces conveniently located on York Road to serve this area of Timonium.
- That there is additional, vacant, unused land available for parking purposes adjoining the Harvest Site to the south, of the same depth as the RO zoned, Harvest Site.
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6935C

FILE NO. 281 08 02 '94 13:23 NOLAN, PLUMHOFF, WILLIAMS
AMENDED

PAGE 9

REASONS FOR REQUESTED VARIANCE(S)

SPECIAL HEARING AND USE PERMIT REQUEST
HARVEST OFFICE BUILDING AND
RELATED, PROPOSED PARKING AREAS

- Harvest Office Building is one of the finest in the York Road Corridor, and its grounds, building and plantings are excellently maintained.
- That there is an additional need for medical office spaces conveniently located on York Road to serve this area of Timonium.
- That there is additional, vacant, unused land available for parking purposes adjoining the Harvest Site to the south, of the same depth as the RO zoned, Harvest Site.
- That this additional parking area will facilitate the proposed total medical usage of the Harvest Building, with its presently medical occupancy in excess of one third.
- That the existing site and building was approved in 1986 in Case No. 86-416KA, at which time 100% medical occupancy was permitted.
- That the 0.50 F.A.R. met the previous requirements, prior to Bill 37-88.
- That the proposed new parking area adjoining the site on Talbott Avenue will be fully screened, appropriately lighted, and will be bordered on the north by the Harvest site, on the west by an RO, office developed site and parking area and on the south by Talbott Avenue.
- That without the requested relief, the Petitioners will sustain practical difficulty and unreasonable hardship. That the requested relief will not be detrimental to the health, safety and welfare of the area, and the requested relief is in harmony with the spirit and intent of the Regulations.

6935C

REVISED PET'S AND PLANS.
94-436-SPHA. -- X-henry
dropped.

Open 2 sets signs for
FOR VAR+SPH.
Post 1 set of signs on York Rd
and 1 set on Talbott.

Need signs each location for var. Due to length of request
and 1 set on Talbott.

John

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



November 17, 1994

(410) 887-4386

Newton A. Williams, Esquire
Nolan, Plumhoff and Williams, Chtd.
700 Court Towers
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 94-436-SPHA
Harvest Office Building Investors, L.P., et al, Petitioners

Dear Mr. Williams:

Confirming telephone conversations, it was agreed by all parties that the continuance of the above captioned case will take place on Wednesday, November 30, 1994 at 9:00 A.M. in Room 118 of the Old Court House.

Very truly yours,
Charles E. Radcliffe
Marlene C. Novak
Secretary to
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

cc: Gwen Stephens, Docket Clerk
Office of ZADM

cc: Mr. and Mrs. Bruce Murdoch, 6 E. Main Boulevard, Timonium

NOV 17 1994

ZADM

Printed with Soybean Ink
on Recycled Paper

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management



(410) 887-3353

SEPTEMBER 12, 1994

NOTICE OF HEARING

The Zoning Commission 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:

Rechecked from 6/17/94

CASE NUMBER: 94-436-SPHA (Item 425)
2345 York Road - Harvest Office Building
SEC York Road and Main Boulevard - Parcel 1
N/S Talbott Street, 120' E of c/l York Road - Parcel 2
8th Election District - 4th Councilmanic
Legal Owner: Parcel 2: Katherine Hannibal, P/R Estate Katherine Trapp
Legal Owner/Contract Purchaser: Harvest Office Building Investors, L.P.

HEARING: WEDNESDAY, OCTOBER 5, 1994 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to amend the previously approved plan from Case 886-416-2A and to allow office/business parking in a residential zone.
Special Exception - no longer requested.
Variance to permit 100% medical office occupancy of an existing, previously approved Class B office building in lieu of the presently allowed 25% of the total adjusted gross floor area; to allow buffers and setbacks, of a minimum of 4 feet, 10 feet and 30 feet in line of the requirements of 50 ft. buffers and 75 ft. setbacks in a S.T.A. area/D.R. zone; to permit 0.23 acres (22.1% of the gross site area of the 80 site) for amenity open space in lieu of the required minimum of 25%, and the 0.265 acres previously approved.

Arnold Jablon
Director

cc: Newton A. Williams, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Note: Notice of 10-5-94 Hearing date sent
via postcard to names on attached list.

Printed with Soybean Ink
on Recycled Paper

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
SEC York Road and Main Boulevard - Parcel 1; N/S Talbott Street, 120' E of c/l York Road - Parcel 2; (2345 York Road - Harvest Office Bldg.), 8th Election Dist., 4th Councilmanic Dist.
KATHERINE HANNIBAL, P/R FOR THE ESTATE OF KATHERINE TRAPP
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Case No. 94-436-SPHA

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Charles S. DeMilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of May, 1994, a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esquire, Nolan, Plumhoff & Williams, Chtd., 700 Court Towers, 210 W. Pennsylvania Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

John B. Gontrum, Esquire
ROMADKA, GONTRUM & McLAUGHLIN
814 Eastern Boulevard
Baltimore, MD 21221

RE: Case No. 94-272-XA
John H. Snyder, Mena T. Snyder,
and Chapel Homes, Inc.

Dear Mr. Gontrum:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,
Charlotte E. Radcliffe
Charlotte E. Radcliffe
Legal Secretary

encl.

cc: Mr. Thomas J. Faust /
Chapel Homes, Inc.
Mrs. Mena T. Snyder
Mr. Bruce P. Murdock
Richard Cohen, Esquire
Mr. C. L. Talbott
Mrs. E. David McNamara
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Bcc: NEWTON WILLIAMS

Printed with Soybean Ink
on Recycled Paper

NEWTON A. WILLIAMS
THOMAS J. FAUST
WILLIAM P. ENGLISH, JR.
STEPHEN J. NOLAN
ROBERT L. HANLEY, JR.
ROBERT R. BULGACOV
STEPHEN M. SCHENKING
GREGOR L. BURGESS
ROBERT E. CAHILL, JR.
E. BRUCE JONES
J. JOSEPH CURRAN, III
CHRISTINE A. McHEARN

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(410) 823-7800
TELEFAX (410) 296-2765

JAMES B. NOLAN
NOLAN, PLUMHOFF & WILLIAMS
J. EARLE PLUMHOFF
1980-1988
RALPH E. DEITE
1989-1990
OF COUNSEL
T. BAYARD WILLIAMS, JR.
WALTER S. DREYER, D.D.

TELECOPIER COVER PAGE
TELEFAX (410) 296-2765

DATE: October 4, 1994 CLIENT/MATTER NO.: 3919/1- FAX
TELECOPIER TELEPHONE NUMBER: 887-5788
TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET): 1
TO: Newton Williams and Mr. John Lewis
FIRM: ZADM
TELEPHONE NUMBER TO CONFIRM RECEIPT: 887-3391
FROM: Newton Williams
RE: Trapp/Murdoch Case No. 94-436-SPHA, with John H. Snyder, Oct 5, 1994
IF FOR ANY REASON YOU NEED TO CONTACT US, PLEASE CALL
Newton Williams at 823-7800

Dear John and John: Please refer to my FAX of October 3rd.
1. As the file will show, on 9/29 we filed to report on York Road and on Talbott.
2. John - Should be setting Ret. 75-111-XA on November 2nd.
3. On November 2nd, I have 3 witnesses with difficult schedules - PLEASE do NOT SET on Nov 2, 3, 4, 11, 16th or 17th or the Friday after Thanksgiving, the 25th.
Thanks and best regards, sincerely, Newton

WARNING: Unauthorized interception of this telephonic communication could be a violation of Federal and Maryland law.

The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopy information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents to us.

52678

FILE NO. 281 08-02 '94 13:20 NOLAN, PLUMHOFF, WILLIAMS

PAGE 1

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(410) 823-7800
TELEFAX (410) 296-2765

TELECOPIER COVER PAGE
TELEFAX (410) 296-2765

DATE: August 2, 1994 CLIENT/MATTER NO.: 3919/1
TELECOPIER TELEPHONE NUMBER: 527-1563
TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET): 6
TO: Mr. John Lewis
FIRM: ZADM and Newton
TELEPHONE NUMBER TO CONFIRM RECEIPT: 527-1565
FROM: Newton Williams
RE: Trapp/Murdoch Case No. 94-436-SPHA, with John H. Snyder, Oct 5, 1994
IF FOR ANY REASON YOU NEED TO CONTACT US, PLEASE CALL
Newton Williams at 823-7800

Dear John and John: Please refer to my FAX of August 1.
John has made me rethink and consult the requests.
Note classifications of legal owner/contract purchase, lease.
Also more importantly, note the two proposed additional witnesses for A.O.S. and the 70% P.A.R. on medical occupancy. It is not clear that the special exception action is the governing action, John is right - appears to be a variance. Please advise.
Thanks for your help. Best regards, Newton

WARNING: Unauthorized interception of this telephonic communication could be a violation of Federal and Maryland law.

The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopy information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents to us.

52678

FAX CC - Mr. John Lewis at ZADM, Phone 887-3391
FAX 887-5788

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: (Revised Comments 9/8/94)

SUBJECT: 2345 York Road

INFORMATION:

Item Number: 420

Petitioner: Katherine Hannibal, Personal Representative

Property Size: 1.8± acres gross, 1.53± acres net

Zoning: R.O. and D.R. 3.5

Requested Action: Special Hearing to allow parking in a D.R. zone, and allow medical office use in an R.O. zone.

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The R.O. zone was created to provide a transition between residences and commercial retail uses on busy traffic corridors. The zone allows for limited office use, and is not intended to accommodate a substantial share of the demand for office space. In the instant case, the applicant proposes to expand an existing parking lot onto a viable residential property in order to provide additional parking for an increase of medical office use.

Conversions of offices to medical use negatively impact communities. Communities are affected in the following ways:

- Additional traffic;
- Increased demand for on-street parking;
- Future expansion/encroachment into established communities.

Based upon a review of the information provided and analysis conducted, staff recommends the applicant's request be denied for the reasons as follows:

The subject request constitutes an unwarranted extension of a non-residential use into an established neighborhood. The residents to the south and east will be

impacted by increased noise and activity related to patient turnover. In addition, traffic and on-street parking will increase on Main Boulevard which is a residential street.

Prepared by:

Division Chief:

PK/JL:lw

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

5-17-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 42 430 (RT)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for DAVID N. RAMSEY, ACTING CHIEF
John Comestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

0-9-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 94-436-SPHA

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RECEIVED
SEP 12 1994

ZADM

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/17/94

Arnold Jablon,
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Dates: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

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.

B. The Fire Prevention Bureau has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 415, 416, 417, 418, 419, 420, 422, 423, 425.

RECEIVED
MAY 18 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE: 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 19, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for September 19, 1994
Case No. 94-436-SPHA

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to the previous landscape review comments.

RWB:BW

111 West Chesapeake Avenue
Towson, MD 21204

September 26, 1994

(410) 887-3353

Newton A. Williams, Esquire
210 West Pennsylvania Avenue
Baltimore, Maryland 21204

Item 420

RE: Case No. 94-436 Petitioner Katherine
Hannibal, for Estate of Katherine Trapp

Dear Mr. Williams:

Enclosed are copies of comments received from OPZ September 08, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

John Watson
Joyce Watson

Enclosure

111 West Chesapeake Avenue
Towson, MD 21204

August 23, 1994

(410) 887-3353

Newton A. Williams, Esquire
Nolan, Plumbhoff, and Williams
Suite 700, Court Towers
210 West Pennsylvania Avenue
Towson, MD 21204-5340

RE: Harvest Office Building
Zoning File #94-436-SPHA
ORC #080148

Dear Mr. Williams:

Reference is made to your letter of August 18, 1994 and the attached plans to Arnold Jablon and Donald Rascoe of this office and has been referred to me for reply. You have requested that this office confirm that the probability of horizontal condominiums would not trigger any additional development meetings.

On the zoning side, as long as the uses are consistent with the zoning petition, the ownership whether vertical or horizontal does not change the zoning requirements.

I have discussed your request with Donald Rascoe today and we have agreed that no additional development meetings are required as long as all of the zoning or environmental issues are resolved prior to permit applications.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 887-3391 (FAX - 887-5708).

Very truly yours,

W. Carl Richards, Jr.
Zoning Supervisor

MCR:scj

cc: Stephen Duklewski
Jim McKee & Jim Grammer
William Monk
Donald Rascoe
Zoning File #94-436-SPHA

Pg. 2

ITEM #42A

ITEM # 420

A. Henickson
LEGAL AD. - TOWSON

***MUST BE SUPPLIED**

A. Henriksen
LEGAL AD. - TOWSON

Descriptions, including accurate beginning point
 Actual address of property
 Zoning
 Acreage
 Plats (need 12, only _____ submitted)
 200 scale zoning map for property outlined
 Election district
 Councilmanic district
 BC2R section information and/or wording
 Hardship/practical difficulty information
 Owner's signature (need minimum 1 original signature) and/or
 printed name and/or address and/or telephone number
 Contract purchaser's signature (need minimum 1 original
 signature) and/or printed name and/or address
 Signature (need minimum 1 original signature) and/or
 printed name and/or title of person signing for legal
 owner/contract purchaser
 Power of attorney or authorization for person signing for
 legal owner and/or contract purchaser
 Attorney's signature (need minimum 1 original signature)
 and/or printed name and/or address and/or telephone number
 Notary Public's section is incomplete and/or incorrect
 and/or commission has expired
 Use Required for General Excitation Form -
 ACTUAL AMOUNT OF VARIANCE FORD

PET-FLAG (TXTSOPH)
11/17/93

8/27/94

REVISED PLANS AND
PETTIONS + NEW POSTING
BY JLL.

REVISED PUBLIC
HEARING PERMS
+ PETITIONS CODE 110 = \$100.00

2 SIGN POSTING SITES WITH
3 SIGNS AT EACH AREA = 6 SIGNS TOTAL PRICED @ \$210.00

TOTAL = \$310.00

COUNCILS
TRAP AND HAVEST OFF BLDG. INSPECTIONS LP

LOC # 2345 YORK RD

GAZARD REPAIRS UNIT
RG CO 113 AMOR-29-98

\$310.00

MAY Check Payable To: Baltimore County



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County
Harvest Office Building
for the property located at 2345 York Road and Talbott Avenue

which is presently zoned RO and D.R.3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an amendment of the approved Site Plan in Case No. 86-416XA, to permit additional and revised parking areas, as well as medical offices occupancy of the Harvest Office Building, built prior to the 1988 restriction on per cent of medical office occupancy.

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

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

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

Legal Owner(s) For Estate of Mrs. Katherine Trapp

Mrs. Katherine Hannibal, Personal Representative

Signature: *Katherine Hannibal*

MRS. KATHERINE HANNIBAL, Personal Representative

Address: 2345 York Road, 435-6500

City: Timonium, Maryland 21093

State: MD

Signature: _____

4 Talbott Avenue

Address: _____

City: Timonium, Maryland 21093

State: MD

Newton A. Williams, Esquire

Nolan, Plumhoff & Williams, CHD.

Signature: *Newton A. Williams*

700 Court Towers

210 W. Pennsylvania Avenue, 823-7800

City: Towson, Maryland 21204

State: MD

Signature: _____

4 Talbott Avenue

Address: _____

City: Timonium, Maryland 21093

State: MD

Newton A. Williams, Esquire

Nolan, Plumhoff & Williams, CHD.

Signature: *Newton A. Williams*

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State: MD

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210 W. Pennsylvania Avenue, 823-7800

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4 Talbott Avenue

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City: Timonium, Maryland 21093

State: MD



Petition for Variance

to the Zoning Commissioner of Baltimore County
Harvest Office Building
for the property located at 2345 York Road and Talbott Avenue

which is presently zoned RO and D.R.3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) as shown on the attached list.

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

The variances are being requested for the reasons shown on the attached list.

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

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

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

Legal Owner(s) For Estate of Mrs. Katherine Trapp

Mrs. Katherine Hannibal, Personal Representative

Signature: *Katherine Hannibal*

MRS. KATHERINE HANNIBAL, Personal Representative

Address: 2345 York Road, 435-6500

City: Timonium, Maryland 21093

State: MD

Signature: _____

4 Talbott Avenue

Address: _____

City: Timonium, Maryland 21093

State: MD

Newton A. Williams, Esquire

Nolan, Plumhoff & Williams, CHD.

Signature: *Newton A. Williams*

700 Court Towers

210 W. Pennsylvania Avenue, 823-7800

City: Towson, Maryland 21204

State: MD

Signature: _____

4 Talbott Avenue

Address: _____

City: Timonium, Maryland 21093

State: MD

Newton A. Williams, Esquire

Nolan, Plumhoff & Williams, CHD.

Signature: *Newton A. Williams*

700 Court Towers

210 W. Pennsylvania Avenue, 823-7800

City: Towson, Maryland 21204

State: MD

Signature: _____

4 Talbott Avenue

Address: _____

City: Timonium, Maryland 21093

State: MD

Newton A. Williams, Esquire

Nolan, Plumhoff & Williams, CHD.

Signature: *Newton A. Williams*

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Nolan, Plumhoff & Williams, CHD.

Signature: *Newton A. Williams*

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Nolan, Plumhoff & Williams, CHD.

Signature: *Newton A. Williams*

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State: MD

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State: MD

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Nolan, Plumhoff & Williams, CHD.

Signature: *Newton A. Williams*

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State: MD

Signature: _____

4 Talbott Avenue

Address: _____

City: Timonium, Maryland 21093

State: MD

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

Legal Owner(s) For Estate of Mrs. Katherine Trapp (D.R.3.5)

Mrs. Katherine Hannibal, Personal Representative

Signature: *Katherine Hannibal*

MRS. KATHERINE HANNIBAL, Personal Representative

Address: 2345 York Road, 435-6500

City: Timonium, Maryland 21093

State: MD

Signature: _____

4 Talbott Avenue

Address: _____

City: Timonium, Maryland 21093

State: MD

Newton A. Williams, Esquire

Nolan, Plumhoff & Williams, CHD.

Signature: *Newton A. Williams*

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4 Talbott Avenue

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City: Timonium, Maryland 21093

State: MD

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Nolan, Plumhoff & Williams, CHD.

Signature: *Newton A. Williams*

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Newton A. Williams, Esquire

Nolan, Plumhoff & Williams, CHD.

Signature: *Newton A. Williams*

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Signature: _____

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City: Timonium, Maryland 21093

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Newton A. Williams, Esquire

Nolan, Plumhoff & Williams, CHD.

Signature: *Newton A. Williams*

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Nolan, Plumhoff & Williams, CHD.

Signature: *Newton A. Williams*

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Petition for Variance

to the Zoning Commissioner of Baltimore County
Harvest Office Building
for the property located at 2345 York Road and Talbott Avenue

which is presently zoned RO and D.R.3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) as shown on the attached list.

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

The variances are being requested for the reasons shown on the attached list.

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

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

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

Legal Owner(s) For Estate of Mrs. Katherine Trapp

Mrs. Katherine Hannibal, Personal Representative

Signature: *Katherine Hannibal*

MRS. KATHERINE HANNIBAL, Personal Representative

Address: 2345 York Road, 435-6500

City: Timonium, Maryland 21093

ZONING COMMISSIONER'S ORDER **CASE NO. 94-272-XA**

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of March, 1994 that, pursuant to the Petition for Special Exception, Approval for use of the property as a Class B office building in an R.O. zone, pursuant to Section 203.3.B.2(A) of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 203.4.C.3 of the B.C.Z.R. to permit a front yard setback of 16 ft. in lieu of the minimum required 25 ft., and be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 203.4.C.4 of the B.C.Z.R. to permit a side yard setback of 5 ft. in lieu of the minimum required 10 ft., and a side yard setback adjacent to a residential street setback of 5 ft. in lieu of the minimum required 20 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 203.4.C.6 to permit 0% amenity open space for the parking lot interior in lieu of the minimum required 7%, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 203.4.C.8.C.1 to permit a 4 ft. wide landscaped buffer adjacent to a residentially used property in lieu of the minimum required 20 ft., and a 0 ft. wide landscaped buffer adjacent to a residential street in lieu of the minimum required 20 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 203.4.C.8.C.2 to permit a 2 ft. wide landscaped buffer adjacent to a non-residentially zoned property in lieu of the minimum required 10 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.8.A.4 to permit a non-residential parking space setback of 3 ft. to a right of way line of a public street in lieu of the minimum required 10 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.8.A.5 to permit a deadend aisle with no turn-around area, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 203.3.C.1 to permit two illuminated signs with a total area of 24 sq. ft. in lieu of the maximum permitted 8 sq. ft. non-illuminated sign, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

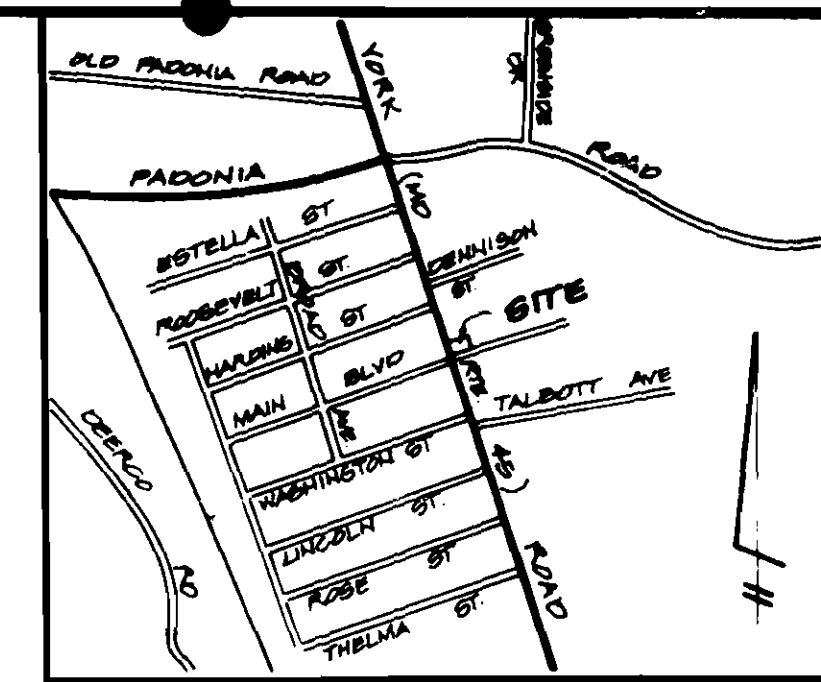
1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall prepare and submit to ZAM, within 10 days from the date of this Order, a development plan which reflects and incorporates the terms, conditions and restrictions, if any, of this Order.
3. The Petitioner shall relocate the entrance to the side of the building in order to save the three trees in the front yard, in compliance with the Landscape Manual, to the greatest extent possible, and in accordance with the Petitioner's Exhibit No. 2.
4. The Petitioner shall not allow the illumination of the signage to reflect into the residential community and the signs cannot be illuminated between the hours of 10:00 P.M. and 7:00 A.M.
5. The Petitioner shall increase the height of the fence on the rear of the property from 5 ft. to 6 ft. The fence line should further be buffered with a row of evergreen trees such as Leland Cypress.
6. Prior to the issuance of any building permits, the Petitioner shall submit a landscape plan for approval by Baltimore County's Landscape Architect, consistent with the comments and restrictions herein.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

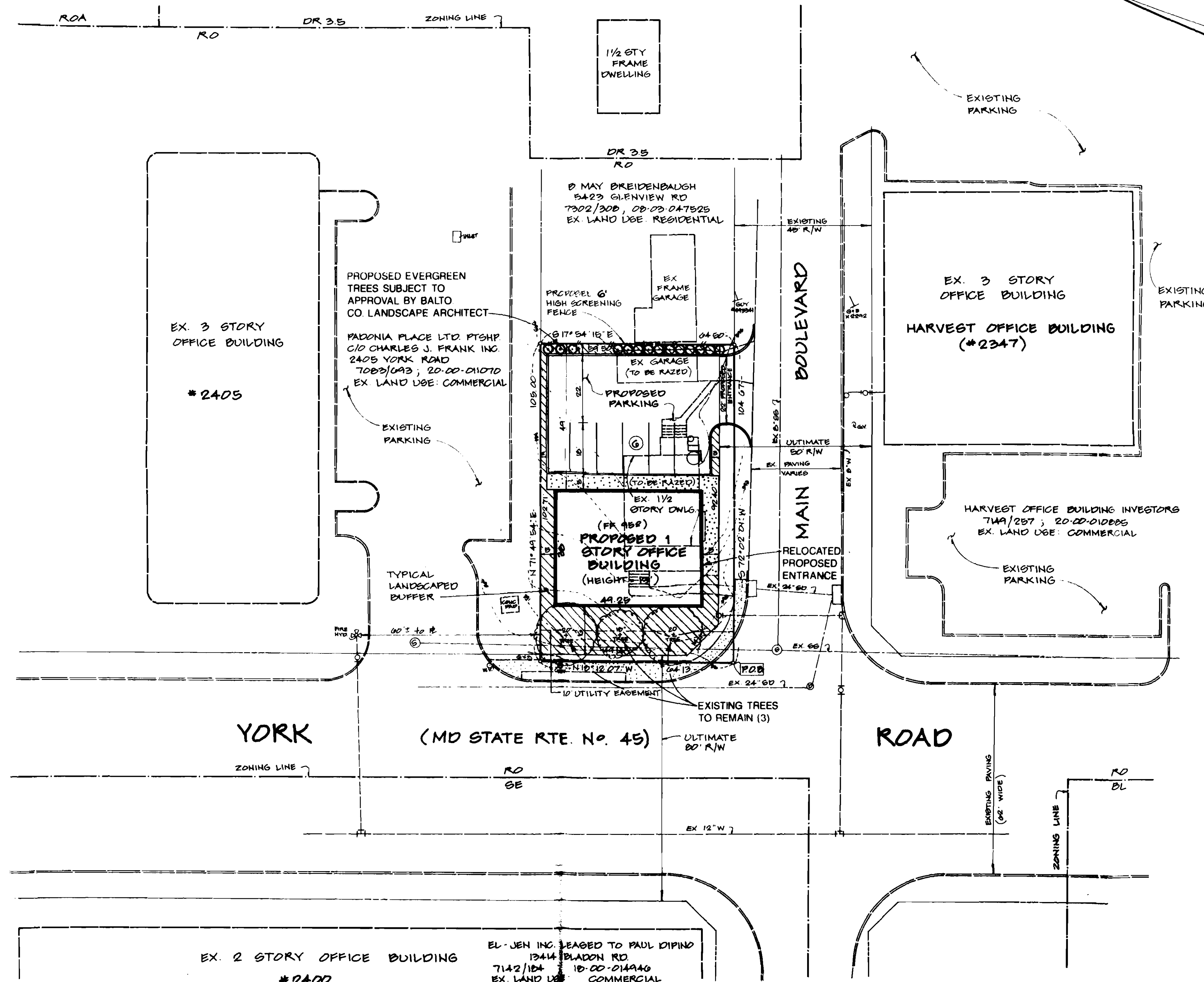
McKEE & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development
SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
(410) 527-1555



Computed by D.N.H.
Drawn by B.A.D.
Checked by G.C.S. James W. McKee Date
Job Number 93-116 (Maryland Registered No 9012)



VICINITY MAP
SCALE 1"=1000'



DENSITY TABULATION

1. Existing Zoning: RO
2. Gross Area (by deed): 6,743 SF = 0.155 Ac.±
3. Gross Area (by zoning): 11,408 SF = 0.262 Ac.±
4. Highway Widening Area: 709 SF = 0.016 Ac.±
5. Net Area of Site: 6,034 SF = 0.139 Ac.±
6. Proposed Floor Area: 1,871.5 SF
7. Proposed Use: General Office (Class B)
8. Parking Required:
1,871.5 SF/1,000 SF x 3.3 = 6.18 spaces
less
5% transit adjustment 6.18 x 0.5 = 0.31
TOTAL REQUIRED = 5.87 = 6 spaces
9. Parking Proposed: 6 spaces
10. Maximum Permitted Floor Area Ratio: 0.33
11. Proposed Floor Area Ratio: 1,871.5/11,408 = 0.164
12. Amenity Open Space Required (7% of parking):
0.7 x 2,180 = 152.6 SF
13. Amenity Open Space Provided: 0 SF

GENERAL NOTES

1. This site lies within the 4th Councilmanic District.
2. There have been no previous zoning hearings or commercial permits issued for this site.
3. Existing use of site: Residential
4. Proposed use of site: General Office (Class B office building)
5. This site has been granted a limited exemption under section 36-171(A)(7) of the Baltimore County Development Regulations (DRC No. 12133N, SC4, 12-13-93)
6. This site falls on Baltimore County Zoning Map No. R.W.15A.
7. This site is exempt from the Forest Conservation Act.
8. To the best of our knowledge, there are no streams, wetlands, critical areas, 100 year flood plains, archeological sites, endangered species habitats, historical areas, or underground fuel tanks on this site.
9. This site operates on public water and sewer
10. The on-site existing house and garage are to be razed.

PLAT TO ACCOMPANY PETITIONS FOR SPECIAL EXCEPTION & ZONING VARIANCES

AT

2401 YORK ROAD

8TH ELECTION DISTRICT BALTIMORE COUNTY, MD
SCALE: 1"= 20' JANUARY 3, 1994
REVISED JULY 25, 1994

OWNER

NENA T. SNYDER
1207 MOLESWORTH ROAD
PARKTON, MD 21120
DEED REF.: 1505/532
TAX ACCOUNT No.: 08-19-058100

CONTRACT PURCHASER

CHAPEL HOMES, INC.
c/o THOMAS J. FAUST, PRES.
P.O. BOX 4397
TMDONUM, MD 21093
PHONE No.: (410) 560-1182

TYPICAL SIGN DETAIL
INDIVIDUAL ILLUMINATED LETTERS
(MAX. DEPTH 4")
NOT TO SCALE

CHAPEL HOMES

David Booth
5 E. Main Blvd.
Timonium, MD 21093

June 15, 1994

Mr. Lawrence E. Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, MD 21204

re: Case #94-436-SPHX
Case #86-416-XA

Dear Mr. Schmidt:

Even though I cannot attend the June 17th zoning hearing I wish to express my deep concern regarding the exceptions and variances being requested for the Harvest Office Building at the corner of York Road and Main Boulevard.

Before making any changes in the use of the Harvest Office Building there are several things to consider. First, Main Boulevard is a dead end, residential street which is only 28' wide. There are several families on the street with small children. In addition, a number of senior citizens reside here. Many of the residents on Main Boulevard have lived here for twenty or more years in comparison to the Harvest Office Building which was built less than ten years ago. Currently, the traffic connected with the Harvest Office Building is limited but some problems already exist. Cars passing the existing parking lot use residential driveways for turn-around spots. Recently, one such vehicle nearly collided with my wife's car when she was backing out of our driveway. When the current parking lot fills up cars park in front of individual homes leaving no space for the residents.

If the exceptions and variances requested are granted additional traffic connected with the medical offices will greatly increase the number of automobiles entering, turning around and parking on Main Boulevard. This will result in increased parking problems, noise, pollution and danger to the safety of pedestrians and children.

As a resident on Main Boulevard I do not feel it is fair to ask me and other long-time residents to deal with the problems which seem inherent to the exceptions being requested by the Harvest Office Building.

Sincerely,

David Booth
David Booth

Alan W. Sackier
Catherine T. Sackier
12 E Main Blvd.
Timonium, MD 21093

16 June 1994

Mr. Lawrence E. Schmidt,
Zoning Commissioner
400 Washington Avenue
Towson, MD 21204

Mr. Schmidt,

As a resident of E. Main I am concerned with the approval of the zoning cases #94-436-SPHX and #86-416-XA. I see an existing annoying condition turning into a future disaster.

If I return home in the middle of the day I find cars parking on both sides of the street for the first 1/4 to 1/2 of the street. If occupancy increases to 100% in the building this situation will become more of a problem. I have also had to wait for cars to exit Main Blvd. before I could enter and get to my own home. Creating a parking lot near Talbot Avenue will not alleviate the problem. The entrance to the building is closer to Main Blvd than to the proposed lot and people always park as close to the entrance as possible.

Most important to me is the safety and well

David Booth
5 E. Main Blvd.
Timonium, MD 21093

June 15, 1994

Mr. Lawrence E. Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, MD 21204

re: Case #94-436-SPHX
Case #86-416-XA

Dear Mr. Schmidt:

Even though I cannot attend the June 17th zoning hearing I wish to express my deep concern regarding the exceptions and variances being requested for the Harvest Office Building at the corner of York Road and Main Boulevard.

Before making any changes in the use of the Harvest Office Building there are several things to consider. First, Main Boulevard is a dead end, residential street which is only 28' wide. There are several families on the street with small children. In addition, a number of senior citizens reside here. Many of the residents on Main Boulevard have lived here for twenty or more years in comparison to the Harvest Office Building which was built less than ten years ago. Currently, the traffic connected with the Harvest Office Building is limited but some problems already exist. Cars passing the existing parking lot use residential driveways for turn-around spots. Recently, one such vehicle nearly collided with my wife's car when she was backing out of our driveway. When the current parking lot fills up cars park in front of individual homes leaving no space for the residents.

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As a resident on Main Boulevard I do not feel it is fair to ask me and other long-time residents to deal with the problems which seem inherent to the exceptions being requested by the Harvest Office Building.

Sincerely,

David Booth
David Booth

172.23' N 18° 27' 51" W 7.76' 675° 19' 39" W

DR 35

PROTESTANT'S EXHIBIT NO. 7

T. A. LLOYD 2057125

PRESENT USE RESIDENTIAL

ZONING MANUAL HAS BEEN APPLIED FOR TO ALLOW FOR 2 ILLUMINATED SIGNS WITH A TOTAL OF 42 SQ. FT. ON THE BUILDING.

9 EXISTING STRUCTURES ON SITE WILL BE RAZED

10 PROPOSED BUILDING TO BE CLASS B

11 PARKING AREA TO BE STRIPED

12 HEIGHT OF BLDG NOT TO EXCEED 35'

13 HOURS OF OPERATION 7:30 A.M. TO 9:00 P.M.

14 MAXIMUM NO. OF EMPLOYEES N/A

15 4TH COUNCILMANIC DISTRICT

16 CENSUS TRACT 4035.05

17 WATERSHED 11

18 SUBWATERSHED 32

19 BLDG WILL HAVE ONE OR MORE OF THE FOLLOWING

RTY) USES

ENGINEER REAL ESTATE SALES MANAGEMENT

ARCHITECT ACCOUNTANT CONTRACTOR

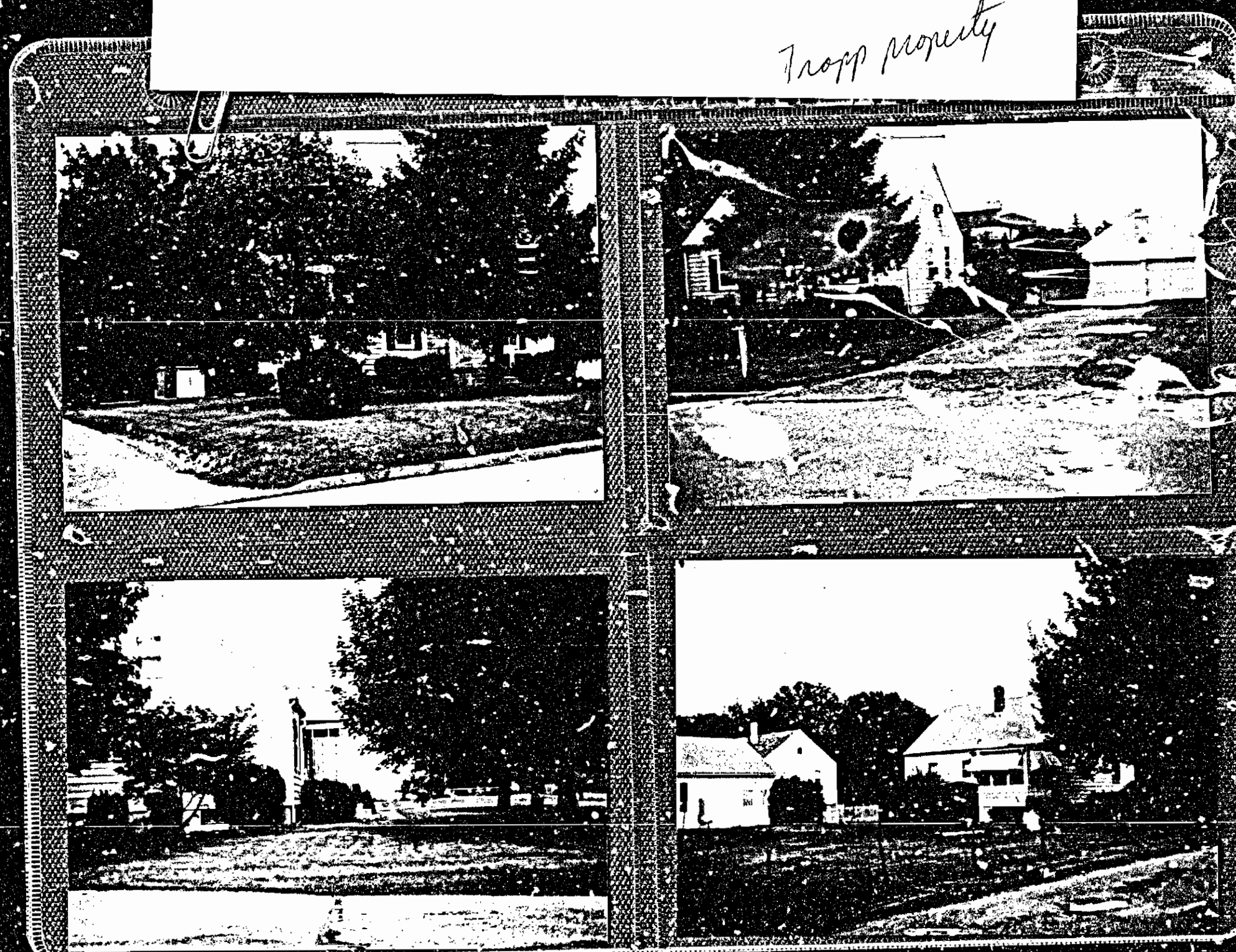
LAW FIRM AND OTHER SIMILAR USES

20 GENERAL OFFICE SPACE IS FOR RENTAL PURPOSES

21 PROPOSED LIGHTING SHOWN THUSLY

PROTESTANT'S EXHIBIT NO. 7

Troop property



Your Mailbox Needs Attention

(Date)

WHICH ONE LOOKS LIKE YOUR MAIL BOX?

Postal regulations require customers to provide and erect at their own expense rural mail boxes which meet official standards. A recent inspection disclosed the following faults:

1. Your box is not an approved box	10. The signal flag needs attention
2. The door needs attention	11. Your box is too near the road
3. Box must be located so carrier can serve it without leaving vehicle	12. Your box is too far from the road
4. Your box is not waterproof	13. Your box should face the road
5. Your box should be raised inches	14. Your box should be securely fastened to its support
6. Your box should be lowered inches	15. Your box should be made level, and the mail entry slanted
7. Your box should be located on the right-hand side of the road in the carrier's direction of travel	16. A new post for your box should be provided
8. The approach to your box should be clear of snow, vehicles, and other obstructions at all times	17. The box number must be printed in permanent ink on the side of the box visible to the carrier as they approach it or on the box door if the box is grouped
9. The approach to your box should be kept clear of snow, vehicles, and other obstructions	18. Your box should be a limited to prevent rattle

19. Other faults

PROTESTANT'S EXHIBIT NO. 6

Please help your carrier provide you with better service by correcting these faults by:

After this date, delivery service will be suspended until the faults are corrected. Your cooperation in the interest of improved postal service is appreciated.

If you have any questions please see your carrier or contact me.

(Postmaster)

PS Form 4056, See 1005

6/16/94
ATTN: Mr. Lawrence Schmidt
Ref: Case #94-436-SPHXA
- ITEM 420
- HARVEST GROUP

LETTERS IN OPPOSITION TO VARIANCE AND
SPECIAL EXCEPTION

- ① GREATER TIMONIUM COMMUNITY COUNCIL
2 - John Easterday #4 E. MAIN BLVD
3 - Beth Murdock #6 " " "
4 - Robert & Sandra Van Dam #10 " " "
5 - Alan & Catherine Sacker #12 " " "
6 - Mr & Mrs Joseph Eff #14 " " "
7 - Mrs. Mabel Dilworth #16 " " "
8 - David Booth #5 " " "
9 - Mr & Mrs. Melvin Chilcoat #9 " " "

PROTESTANTS
EXHIBIT NO. 1

June 10, 1994
Mr. Lawrence Schmidt
Zoning Commissioner
400 Washington Ave.
Towson, Md. 21204

Ref: #94-436-SPHXA
#86-416-XA

Dear Mr. Schmidt,
As a resident of Main Blvd for 31 years, I wish to convey my objection to any zoning change that would increase the traffic & parking congestion on the street. In an emergency fire & ambulance would find it very difficult to get in the street and maneuver around. We have no turn around at the end of our dead-end street, our driveways are used for that! We have no sidewalks or curbs & gutters, our sidewalks are blocked, cars are parked on the street, our mailboxes are blocked, etc. if you refer to postal form PS form 4056, you will see that the mailman does not have to deliver our mail.

I have many more reasons for my objection - I will bring them up at the hearing of 6/17/94 10:30 AM.

Sincerely,
Beth Murdock

Mr. Lawrence Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, Md. 21204

June 13, 1994

Re: Ref #94-436-SPHXA
#86-416-XA

Dear Mr. Schmidt,

I am a resident at 4 East Main Blvd. I am against the rezoning & special exception for Main Blvd. I do not have a driveway, and I already have a major problem trying to park in front of my home. If approved, it will create even more traffic problems.

Sincerely,
John Easterday

Mr. Lawrence Schmidt, Director Zoning Administration,

Dear Mr. Schmidt,

We are writing in regard to the Harvest House, request for a special exception to build a parking lot for the use of the above building. We do not need a medical building here on this small dead-end street where traffic and parking is unbelievable. We have a nice medical building just around the corner on Thelma Road, one directly across York Road, and one three blocks south on York Road. Why would we possibly need another? We know big business usually get what they want but we need your help. Please give the residents of E. Main Blvd. a break and give them matter serious thought. We hope you will deny this request.

Sincerely,
Mr. & Mrs. Melvin Chilcoat
9 E. Main Blvd.
Timonium, Md.

June 1, 1994
Mr. Lawrence E. Schmidt
Zoning Commissioner
400 Washington Ave.
Towson, Md. 21204

Reference Case #94-SPHXA for Variance
#86-416-XA for Special Exception

I am definitely opposed to the changes in the Harvest Bldg. that will only add to our parking problem on Main Blvd.

Even though you have parking on Foster Ave., Clark Ave., going to Oak, on Clark Ave. south, which will be on Main Blvd.

I am a widow & live alone here 39 yrs and I am not going to get a car so I will have to get in a car to get to work.

Only hope & pray that our town need emergency equipment and that will collect cars parked on both sides of street. why could you get in here with a big fire engine etc.

Greater Timonium Community Council

Box 276, 9 B West Ridgely Road,
Lutherville-Timonium, Maryland 21093

June 14, 1994

Messrs. Lawrence Schmidt
and Timothy Kuroko
Zoning Commissioner's Office
Old Court House
Towson, Maryland 21204

Re: Case 94-436-SPHXA
Item 420

Gentlemen:

I am writing on behalf of the Greater Timonium Community Council, an umbrella group of many neighborhood associations in the Timonium area. I have reviewed the plan for the proposed parking lot, the request for variances and special exception and the request to amend the approved site plan, and I find most of these proposals objectionable. Of primary concern is the request to turn the entire Harvest Office Building into medical offices. Mr. Schmidt has already heard testimony and received correspondence in another case, see 94-272-XA (272), regarding the start of congestion on Main Boulevard because of parking associated with this building. The attendant increase of traffic that an "all" medical offices building will generate could only harm the welfare of the residents on this street. On street parking by employees of this building as well as patients will take away most of the parking for the guests of the residents. Secondly, the memo dated May 24, 1994 from Pat Keller to Arnold Jablon clearly demonstrates that in the opinion of planning experts who reviewed this request the proposal will increase traffic and noise, thus harming the residential quality of the neighborhood. Finally, the applicant states in his petition that there is a need for medical offices in the Timonium area. That statement is ridiculous! A quick scan of the area reveals that there is a medical office building located at 10 East Warren Road, smaller buildings on Scott Adam Road, another one located at 1205 York Road in Lutherville, medical offices located on Bellona Lane, just off Charles Street, and a variety of individual offices located at many other buildings along the York Road corridor. This list does not even consider the hundreds of offices located in close proximity to GBMC and Saint Joseph's hospitals in Towson.

In conclusion, the general welfare of the area would be harmed if this petition is approved, and the applicant can in no way demonstrate a community need for these changes.

Sincerely,
Eric Rockel

Timonium, June 13, 1994

Mr. Lawrence E. Schmidt
Zoning Commissioner
400 Washington Avenue
TOWSON, Maryland 21204

Reference: Case #94-436-SPHXA for variance
Case #86-416-XA for special exemption

Dear Mr. Schmidt,

Some weeks ago came to my knowledge the fact that there are plans to make the Harvest Building a 100% medical center. We are against any changes in the current situation of this building. It already causes a lot of traffic problems in our street. For instance, it is impossible to pass a incoming car, when - as in current situation - there are cars parked at both sides of the street. Except these existing problems we are sure that we will see a bigger problem occur when the building is 100% occupied with doctors. As you can see in the drawing of McKee & Associates it will be more convenient to park in our street than on the new to create parking place. Another problem what bothers us is that the livability of Main Boulevard will obvious decrease by the more intensive use of our street together with the current existing traffic noise caused by York Road.

Therefore we ask you to deny any changes in the current situation of the Harvest Building.

Sincerely,

Robert van Dam
Sandra van Sichen
10 East Main Boulevard
Timonium, MD 21093

June 15, 1994

Dear Mr. Schmidt,

We are against the changes that are currently being proposed by the Harvest Building.

The main concern is the extra traffic that will be entering and exiting East Main Blvd.

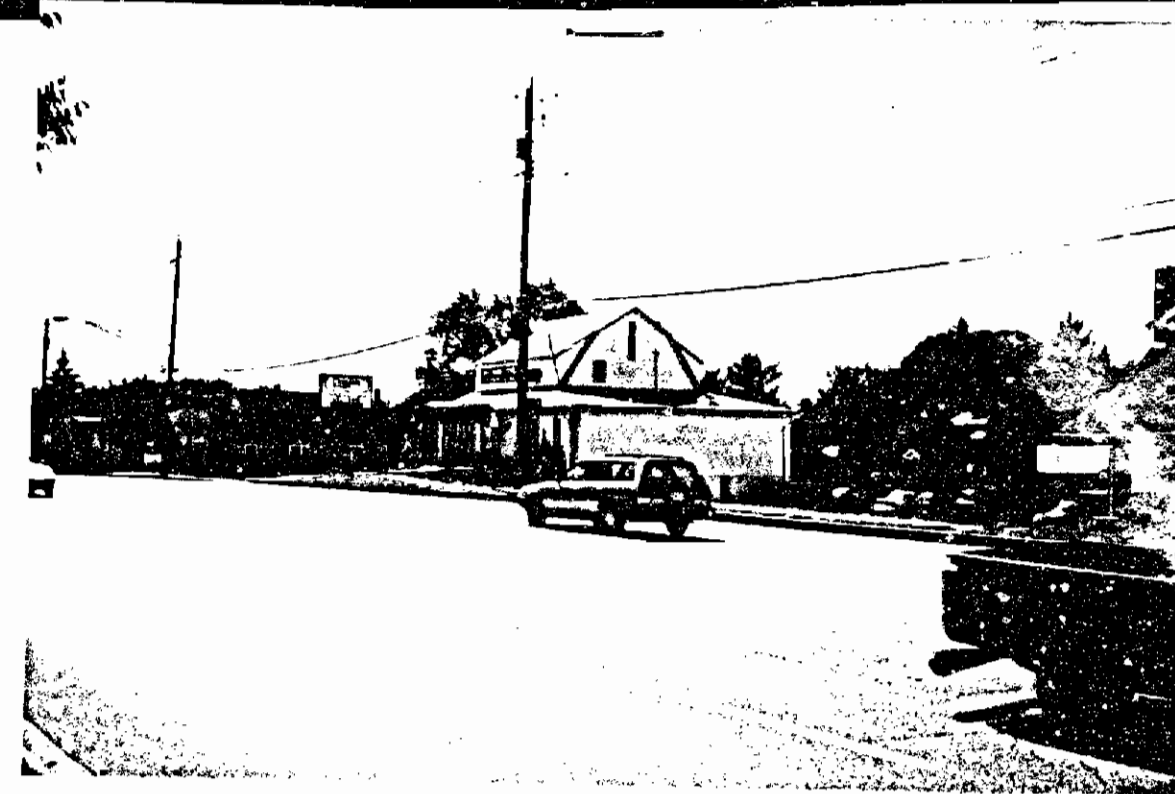
The planned parking lot for Talbot Ave. has no access, which means more cars will be using our small residential street. They will also be using our street for parking because it is closer to the Harvest Building.

We have an appeals hearing on the property located on the northeast corner of York Rd & E. Main Blvd. coming up. Please keep us informed as we are being harassed by both corners.

Thank You
Mr. & Mrs. Joseph Eff



K. Building on W/S of York Rd., N of Harwest



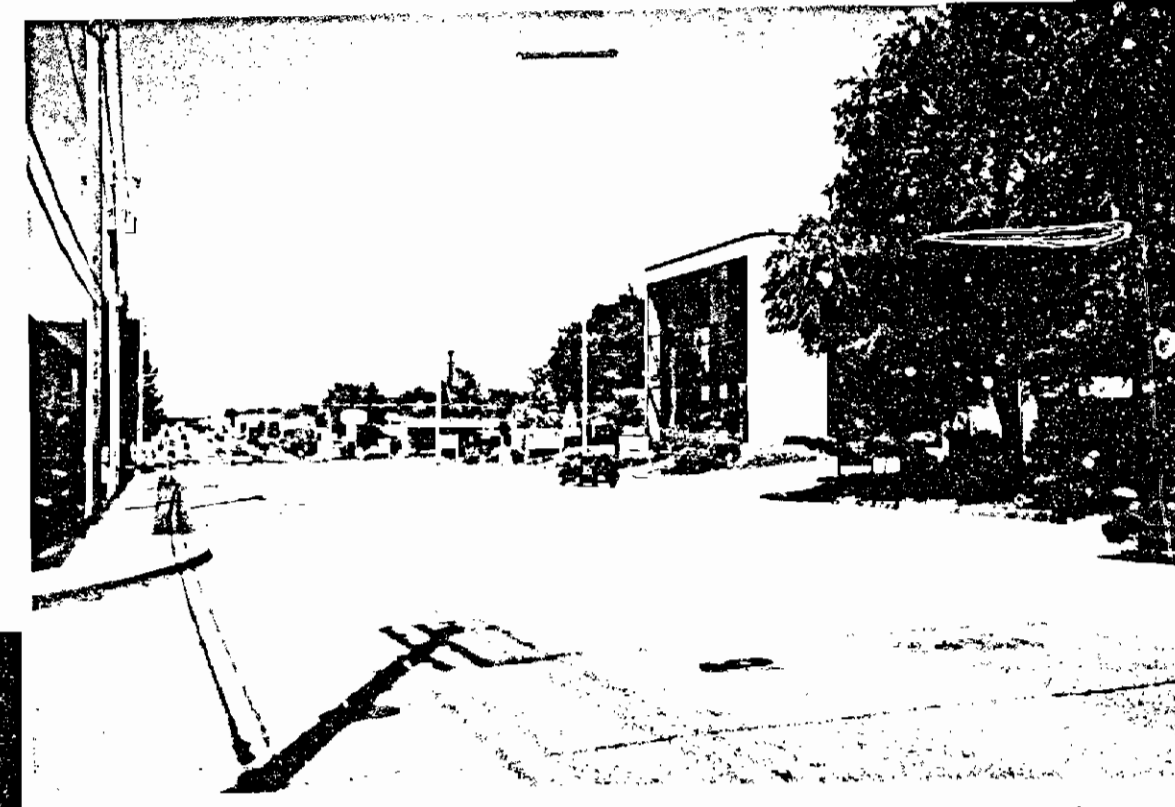
L. OL groom hair salon on W/S of York Rd. catenamer to SW from Harwest



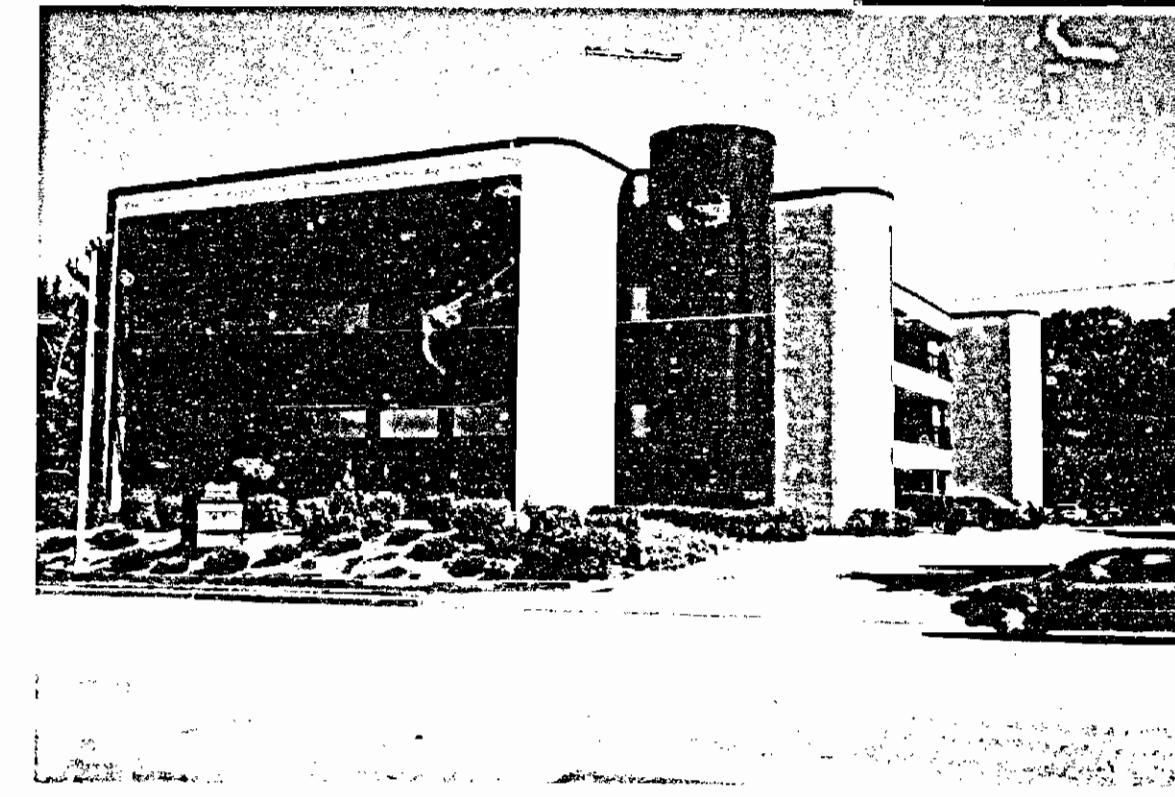
S. Looking S on York Rd from W/S, Harwest Entrance in Center, Avey & Class & Office Bldgs.



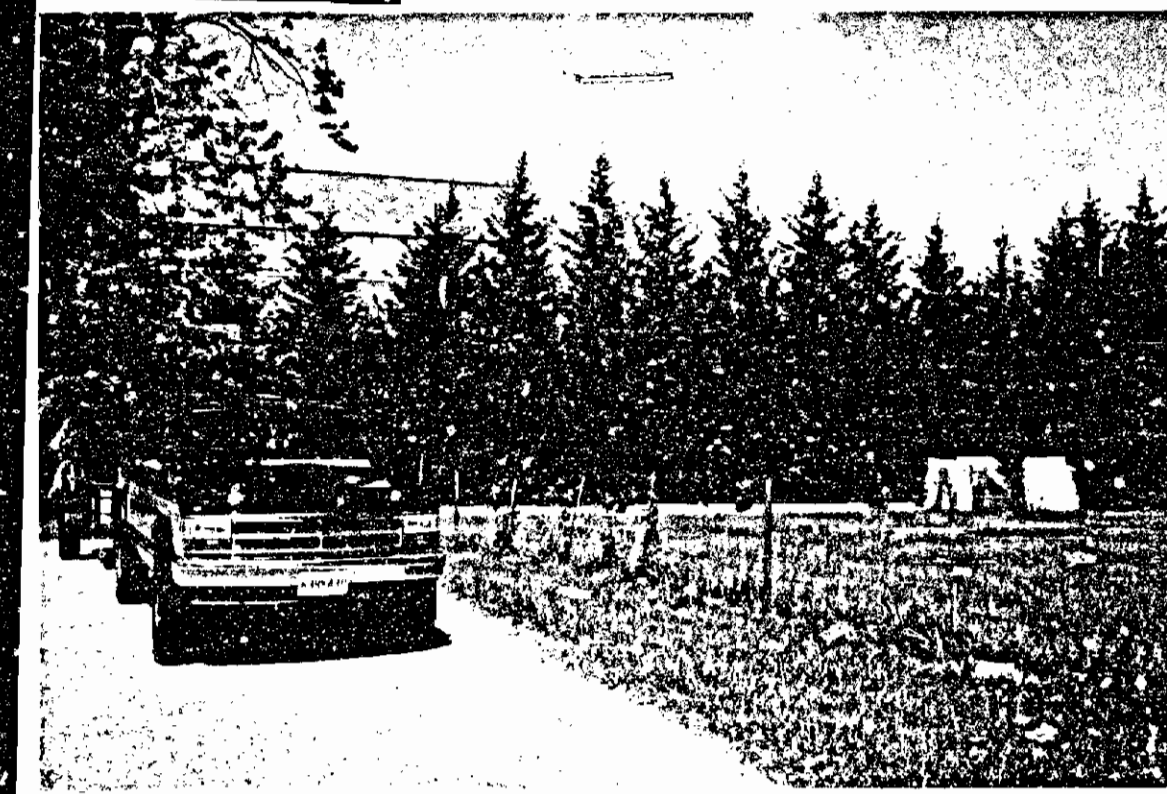
T. Rear of Avey, note lot and Harwest Bldg. in background.



M. Looking N on York Rd. from W/S at Main Blvd., note CLC Bldg.



N. CLC Bldg. on E/S of York Rd., Property to N of Harwest



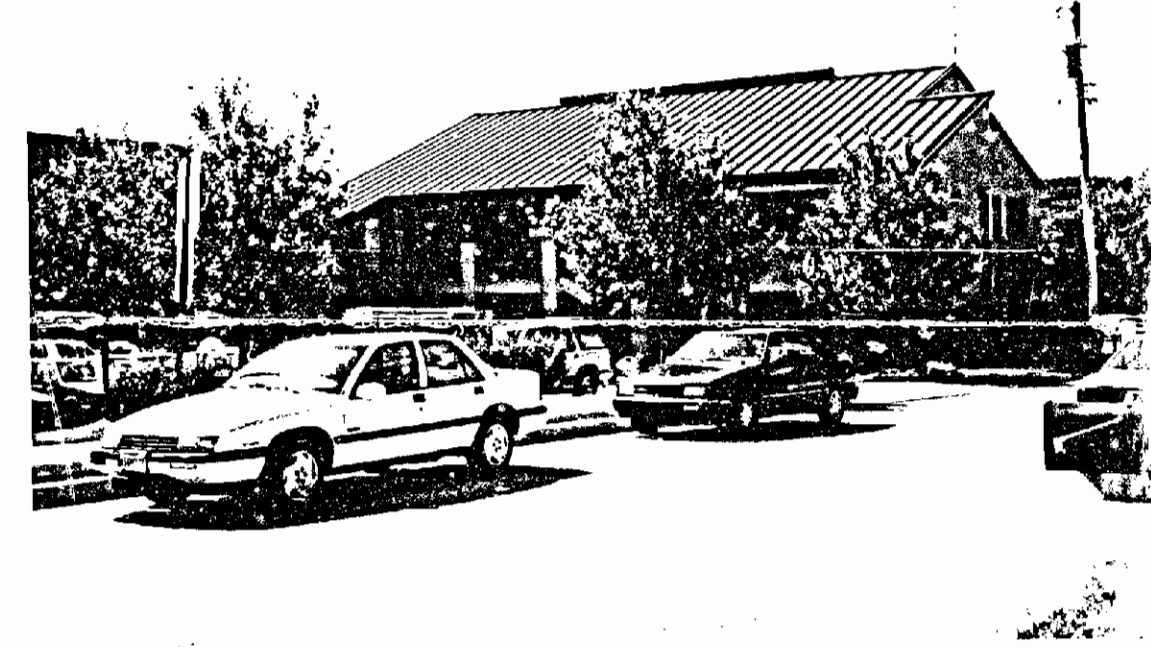
V. Rear of Avey, Tripp on right, Harwest in background, looking NE from Avey



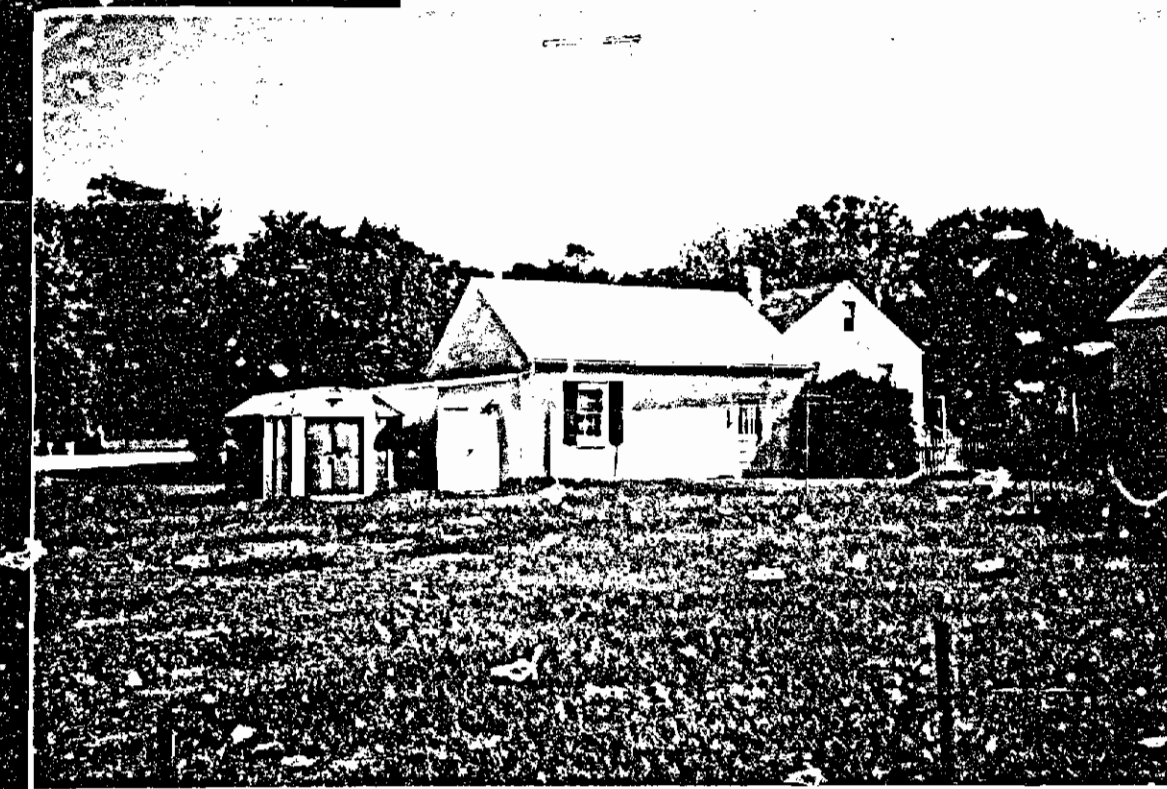
U. Tripp on left, Avey on right, looking S.



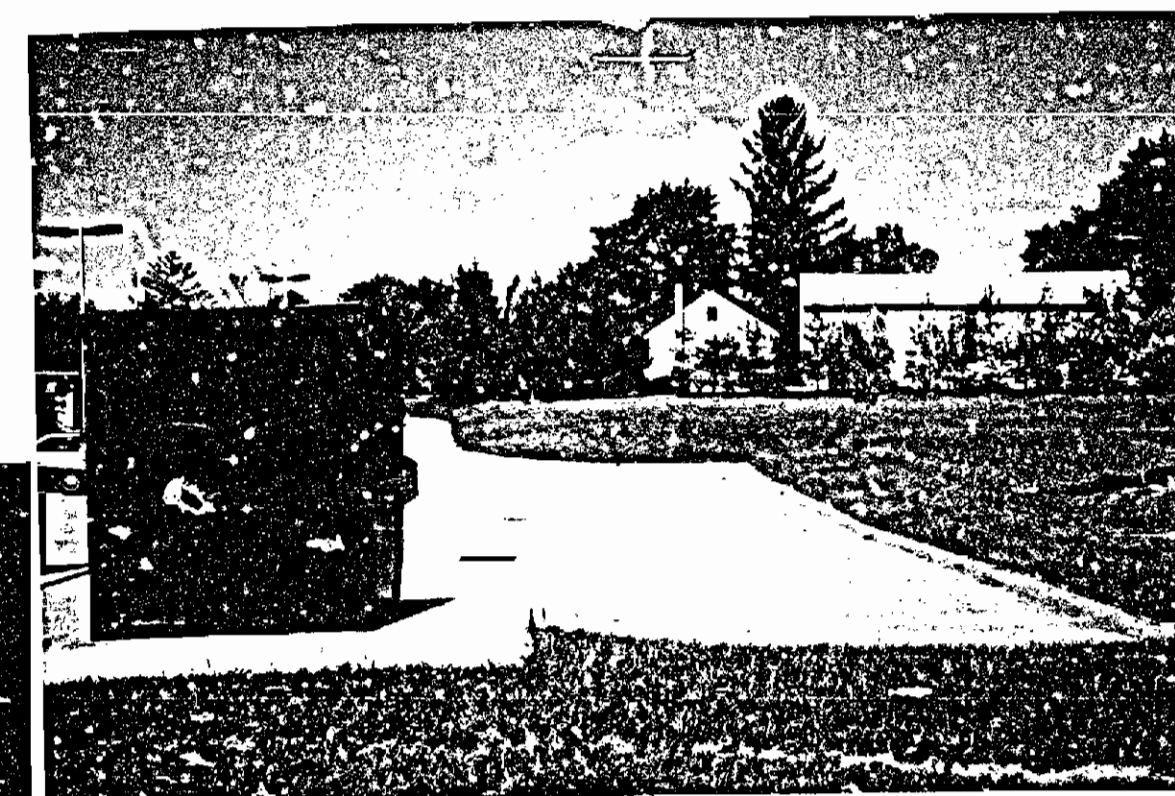
O. Former Maryland Communications Bldg. at SE/C of York Rd. and Tallott Ave., on E/S of York, One Property to S of Harwest



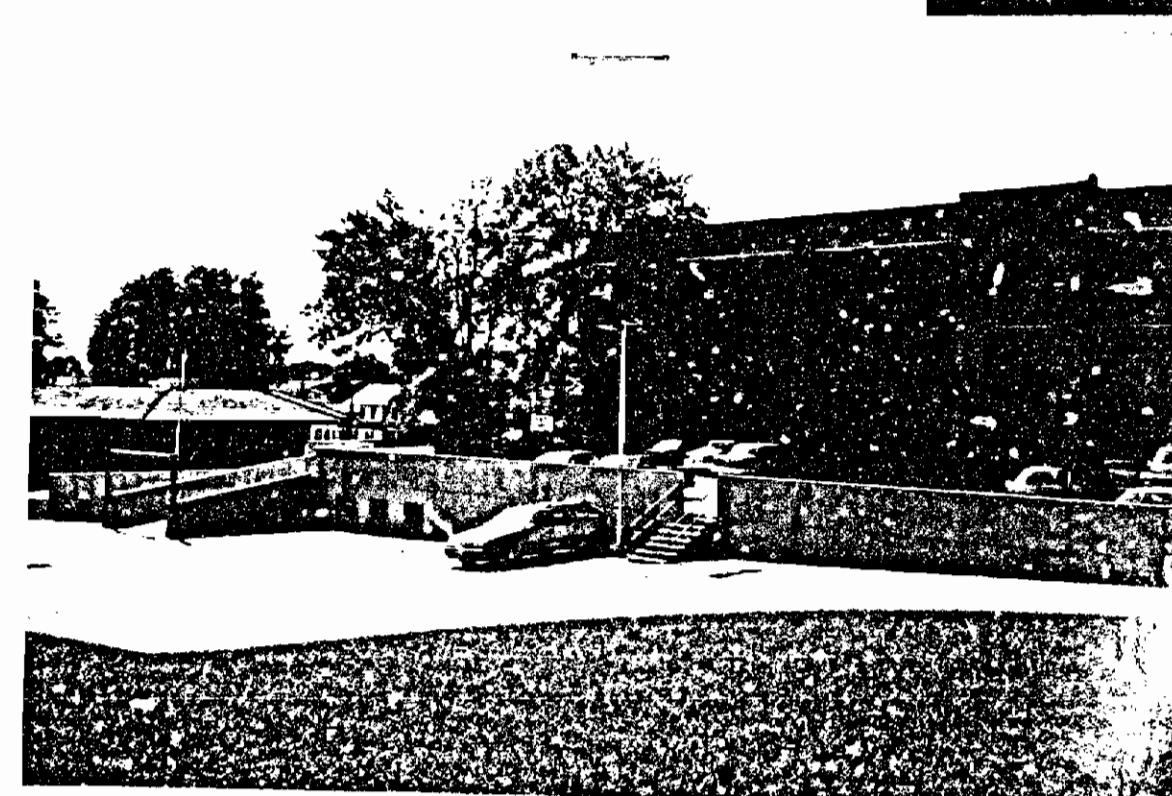
P. Looking SW across Tallott Ave. at former Maryland Communications Bldg. from Tripp Property



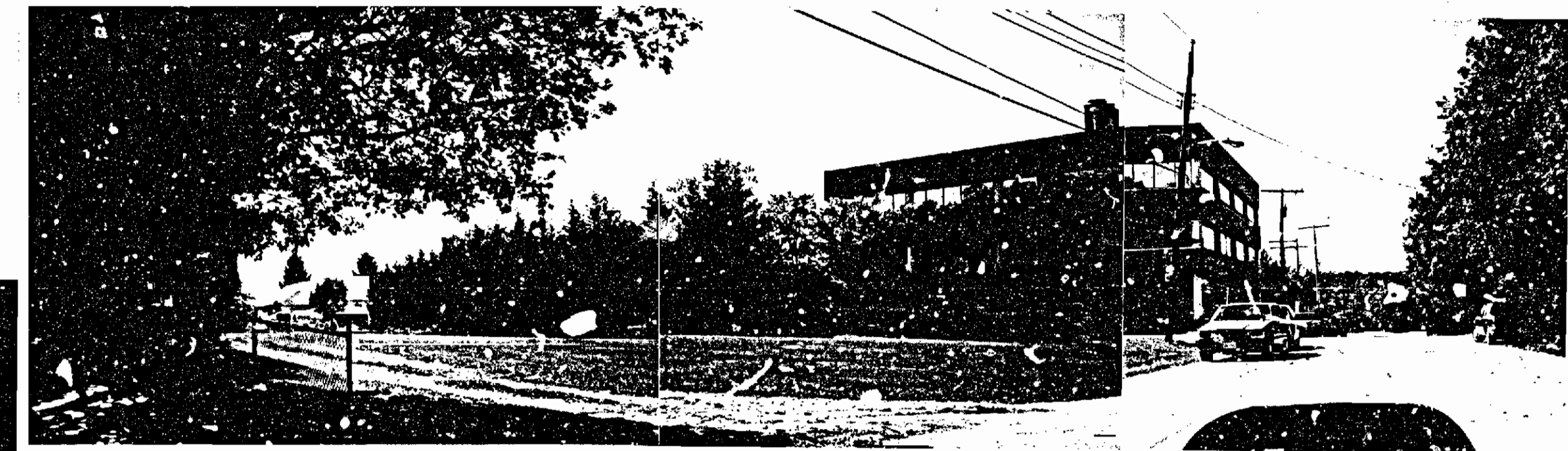
W. Rear of Tripp from Avey, Garage, Corner of House on right



Q. Rear Parking on former Maryland Communications Bldg. on S/S of Tallott, opposite Tripp Property



R. Gravel level, deck and underground/deck property on E/S of York Rd.



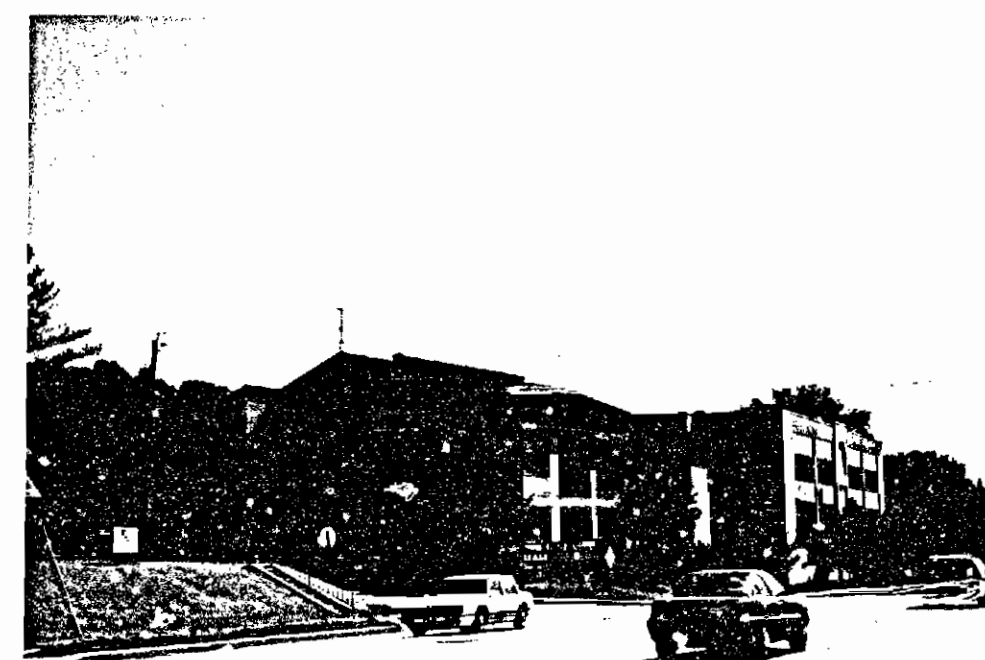
VIEW FROM MAIN BOULEVARD - LOOKING WEST TOWARDS SITE
EXISTING LANDSCAPING AND UNDEVELOPED LOT BUFFER PARKING LOT
FROM ADJACENT RESIDENTIAL PROPERTY

Ref 13

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9303



#3 TALBOTT STREET & #2331 YORK ROAD

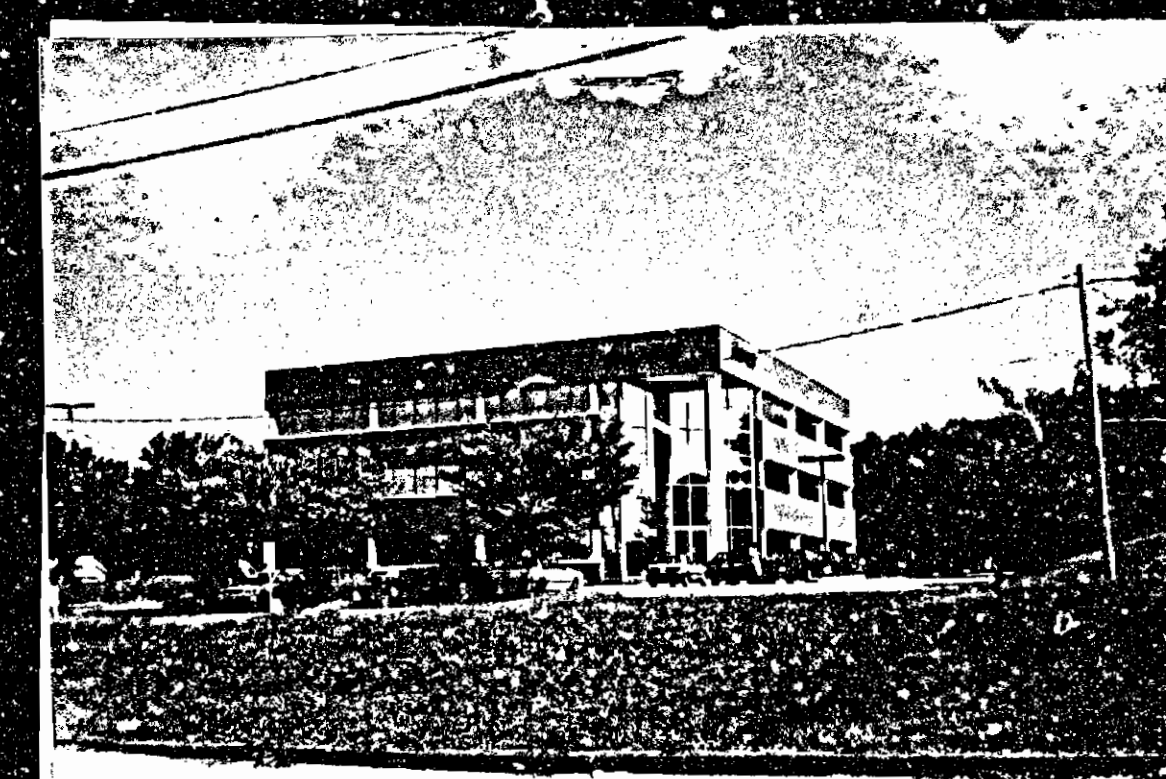
Petitioner's
Exhibit 9A +
9B
2 photos
94-436-SPHX



lot 9A

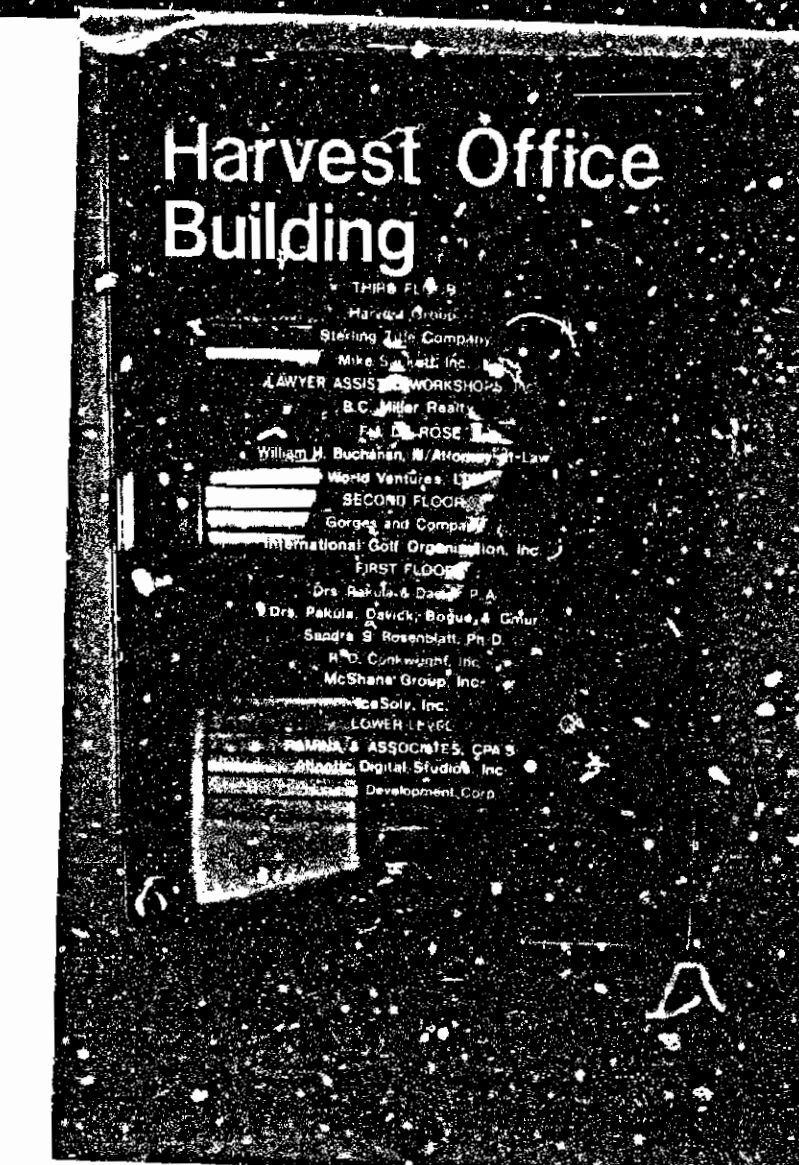


lot 9B



A. Harvest Office Building - SE/C
York Road and Main Boulevard

Z.C.
Pet # 17



Proposed Harvest Office
Building
Medical Occupancy
Case No. 86-416XA
and
Case No. 94-436SPHX.

B. Harvest Building -
Current Tenant Roster



C. SE/C of Harvest Bldg. and part of lot



D. Present Rear of Harvest Lot - Note height
and density of landscaping - 8' wide strip



G. Looking E. on Main Blvd. from Harvest,
Entrance and Exit



H. Looking W on Main Blvd. toward Harvest and
York Rd.



E. Looking E on Main Blvd. from York Rd.,
Harvest Building on right



F. Looking W on Main Blvd. toward York Rd.,
Harvest Bldg. on left



I. Vacant, undeveloped lot on S/E of Main Blvd.
in back of Harvest Bldg.



J. South Harvest Lot, looking toward York Rd.

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903



TRAPP PROPERTY
TALBOTT AVENUE



WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903

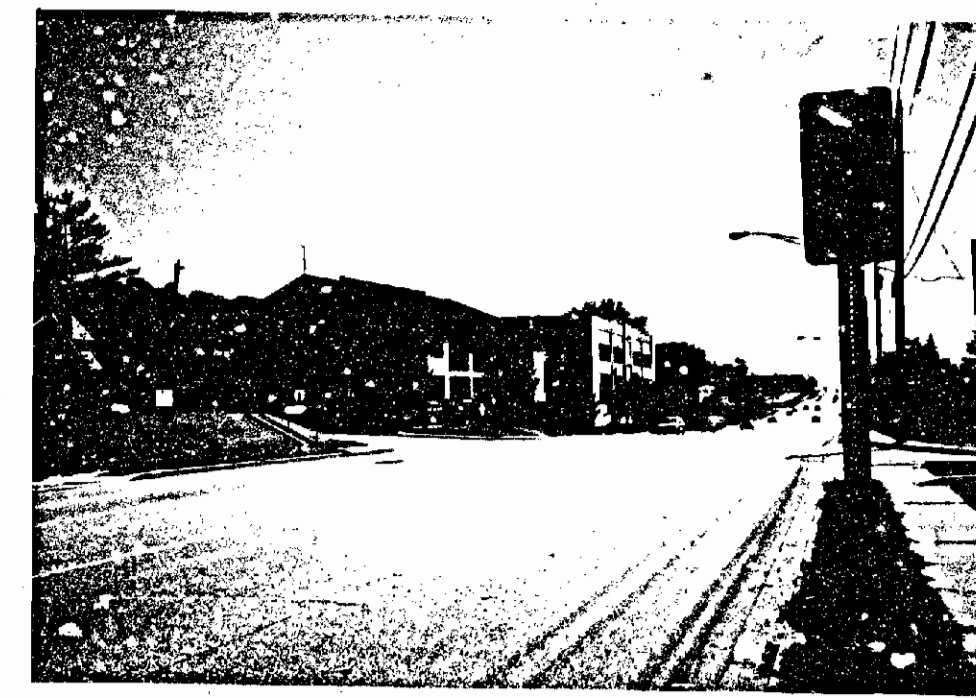


#2325 YORK ROAD

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903



YORK ROAD - LOOKING SOUTH



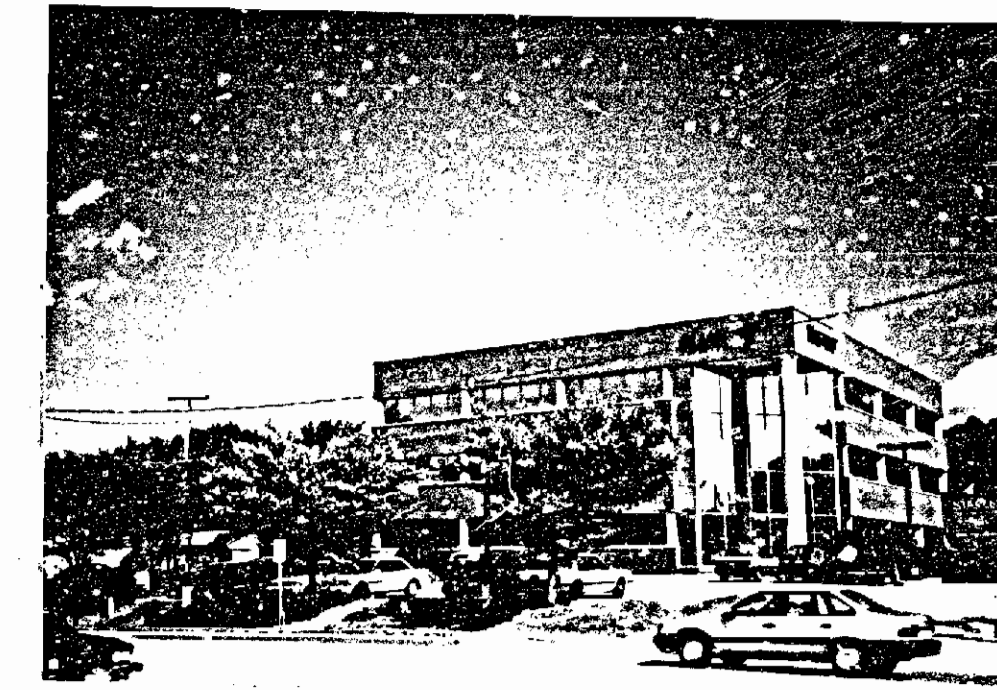
YORK ROAD - LOOKING NORTH

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903

2245 YORK ROAD



WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903



#2405 YORK ROAD



#2401 YORK ROAD

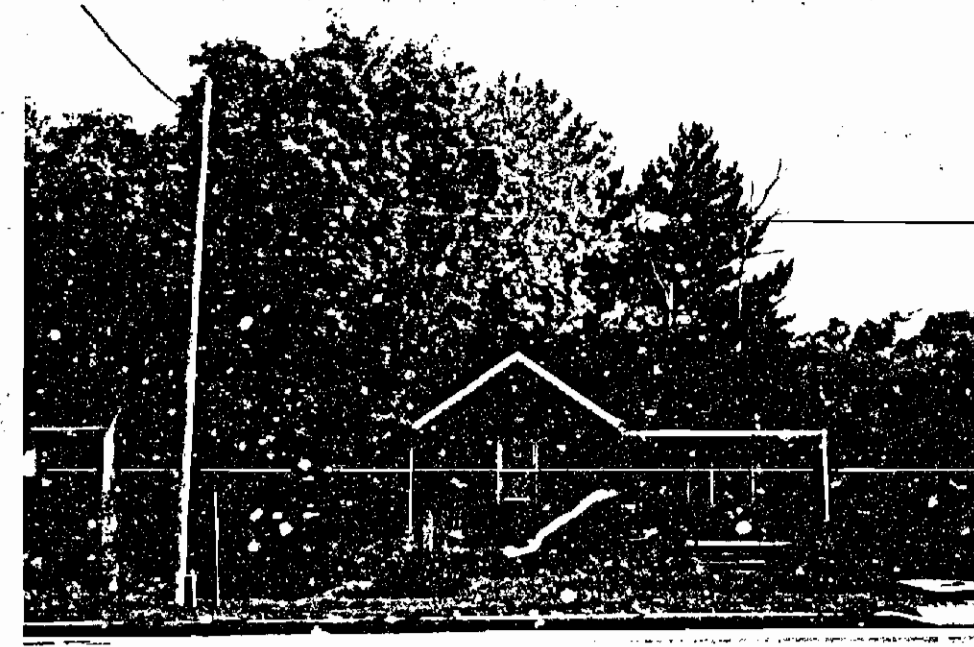
WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903



#2413 YORK ROAD

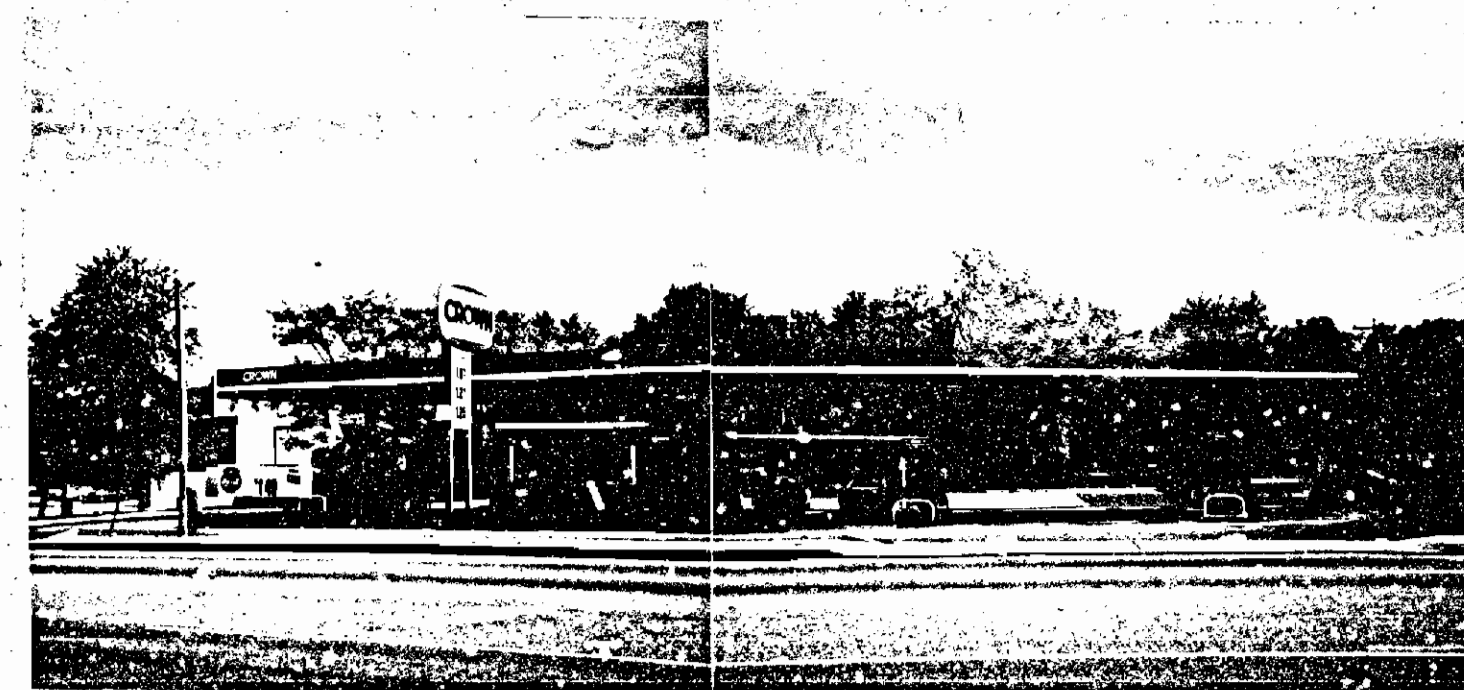


#2411 YORK ROAD

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903



#2415 YORK ROAD

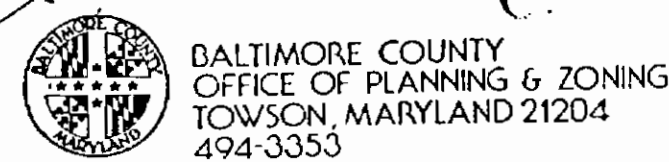
WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903

ADJACENT LAND USE:
OFFICES CONVERTED FROM RESIDENCES -
VIEW FROM YORK ROAD





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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 23, 1986

Newton A. Williams, Esquire
204 W. Pennsylvania Avenue
Towson, MD 21204

RE: PETITIONS SPECIAL EXCEPTION
AND VARIANCE
SE/corner of Main Boulevard
and York Road
9th Election District
Art H. Panayis, Petitioner
Case No. 86-416-XA

Dear Mr. Williams:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:jbg

Attachments

cc: People's Counsel

Mrs. Mary Ginn
695 Horncrest Road
Towson, MD 21204

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 1988, Legislative Day No. 12
BILL NO. 151-88

MS. BARBARA F. BACHUR, COUNCILWOMAN

BY THE COUNTY COUNCIL, OCTOBER 3, 1988

A BILL ENTITLED

AN ACT concerning

Residential - Office Zone

FOR the purpose of amending the Baltimore County Zoning Regulations and the Baltimore County Development Regulations in order to generally revise the R-O Zoning classification relating to the conditions and requirements imposed upon the conversion of certain types of buildings, and generally relative to the permitted uses, conditions, restrictions, limitations, and requirements imposed upon uses in R-O Zones in Baltimore County.

BY repealing and re-enacting, with amendments,

Section 101 - the definitions of "Building Height" and "Office Building, Class B"

Baltimore County Zoning Regulations, as amended.

BY adding

Section 101 - alphabetically, the definition of "Principal Arterial"

Baltimore County Zoning Regulations, as amended.

BY repealing and re-enacting, with amendments,

Sections 203.2, 203.3, 203.4, 203.6, 204.4.B., 205.4.C., and 409.7B

Baltimore County Zoning Regulations, as amended.

BY adding

Section 502.8

Baltimore County Zoning Regulations, as amended.

BY repealing and re-enacting, with amendments,

Section 22-104(a)

Title 22 - Planning, Zoning and Subdivision Control
Baltimore County Code, 1976, 1986 Supplement

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
(Brackets) indicate matter stricken from existing law.
Strike-out indicates matter stricken from bill.
Underlining indicates amendments to bill.

Mr. Lawrence E. Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Reference Case # 94-436-SPHXA for variance
Reference Case # 86-416-XA for special exception

Dear Mr. Schmidt,

The undersigned are in opposition to the proposed plan (case # 94-436-SPHXA). We feel it would be detrimental to our pleasant, quiet neighborhood on Talbot Avenue.

The traffic and noise problem that now exists on East Main Blvd. are due greatly to the five doctors currently in the Harvest Building. The plan to increase to 100% medical offices would bring in as many as 15 to 20 new physicians, but only double the parking from the current 53 spaces to 103 spaces total. There is no way this will be adequate!

Since there is now very little space remaining on East Main, the future overflow of cars will most certainly end up on Talbot Ave., which is the same walking distance. This brings a lot of safety concerns for the children living here. There now are many kids on bicycles and roller-skates, which is part of what makes this neighborhood so nice. Also, since it such a narrow street there will be concern for vehicles (including emergency vehicles) entering and exiting Talbot Ave. There is already a similar problem due to the overflow of the York Road building that is on the south side of Talbot.

Our further concerns are of future encroachment of the neighborhood. Several people have been trying to move business (e.g., Evans Funeral Chapel) on to our street and we fear that this will open the door for them. There goes our now quiet neighborhood!

We greatly appreciate your consideration in this matter.

Thank you,

The concerned residents of Talbot Ave.

1. *Charles H. Cox*
2. *David J. Krosche* Choice Ct.
3. *Marilee Nohara*
4. *Henry W. White* 1 Choice Ct.
5. *John W. White*
6. *David J. Krosche* 14 Talbot Ave.
7. *Mary E. Taylor* 18 Talbot Ave.
8. *Barbara M. Brown* 18 Talbot Ave.
9. *James R. Krosche* 10 Talbot Ave.
10. *David J. Krosche* 10 Talbot Ave.
11. *Josephine Krosche* 10 Talbot Ave.
12. *David J. Krosche*
13. *John W. White* 16 Talbot Ave.
14. *David J. Krosche* 18 Talbot Ave.
15. *John W. White* 18 Talbot Ave.
16. *John W. White* 18 Talbot Ave.
17. *John W. White* 18 Talbot Ave.
18. *David J. Krosche* 18 Talbot Ave.
19. *David J. Krosche* 18 Talbot Ave.
20. *David J. Krosche* 18 Talbot Ave.
21. *David J. Krosche* 18 Talbot Ave.
22. *David J. Krosche* 18 Talbot Ave.
23. *David J. Krosche* 18 Talbot Ave.
24. *David J. Krosche* 18 Talbot Ave.
25. *David J. Krosche* 18 Talbot Ave.
26. *David J. Krosche* 18 Talbot Ave.
27. *David J. Krosche* 18 Talbot Ave.

PROTESTANTS
EXHIBIT NO. 10

Raymond and Eileen Wilson
86 Talbot Avenue
Timonium, Maryland 21093

November 8, 1994

Mr. Lawrence E. Schmidt
Baltimore County Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Re: Case # 94-436-SPHXA
Case # 86-416-XA

Dear Mr. Schmidt:

We have recently become aware of proposed zoning exceptions and variances in our neighborhood. We understand that the proposed changes involving the Harvest Office Building are likely to increase traffic and parking problems in this residential area. Our family lives on nearby Talbot Avenue. This area consists of a number of narrow residential streets which empty onto the busy York Road. Traffic on York Road is often excessively congested and flow is poorly controlled. Access to and from our residential street is already too dangerous... (we face four lanes of 45 mph traffic pulling onto York Road and often must turn onto our side streets exiting out of or across speeding traffic while threading into a narrow street lined with parked cars near the intersection). We ask that you carefully consider any change that would increase commercial traffic on these residential streets. It is inevitable that increased commercial traffic will encroach upon the surrounding neighborhood. We understand that Baltimore County encourages business but we urge that you ensure that this does not endanger our children and neighbors.

Thank you for your careful consideration of this matter.

Sincerely,

Raymond Wilson
Raymond Wilson and Eileen Wilson

November 28, 1994

Lawrence E. Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Case # 94-436-SPHXA

Dear Mr. Schmidt:

A little over three years ago we moved into the home of our dreams. This home, 1 Choice Court at the corner of Talbot Avenue and Choice Court, is in an area with good schools and provides easy access to shopping, recreation and other services. The quiet neighborhood is the home for many families with children of school age, around the ages of our own children, Taylor Rose and Reed William.

My wife and I have only one area of concern, the corner of York Road and Talbot Avenue. York Road is one of the major arteries in Baltimore County. There are times when we must wait five to ten minutes to turn left on to York Road from Talbot Avenue or from south bound York Road on to Talbot Avenue.

We have also experienced a large number of vehicles parked on Talbot Avenue near York Road. These vehicles are associated with the office buildings on the east side of York Road, just north and south of Talbot Avenue. During last winter's snow storms, these vehicles along with icy conditions and downhill slope from Talbot Avenue to York Road combined to make the trek to school and work treacherous.

The increase in traffic we could expect from the expansion of medical offices at the Harvest Building on York Road, would only make the situation worse. We also have fears of increased litter from the proposed parking lot.

While increased traffic is of concern to everyone in the neighborhood, my wife and I do not believe that our area is in need of additional medical facilities. This evening, I counted at least six medical practices of differing specialties between Timonium Road and Padonia Road. This does not include the Timonium Medical Center across from the State Fairgrounds or Maryland General Health Care at the corner of Padonia and York Roads. These are facilities within walking distance of our home.

Therefore, we urge the commission to reject the proposed zoning changes and allow our family oriented area to remain residential in makeup. If you have any further questions or wish a tour of the area, please feel free to contact me at one of the numbers given below.

Sincerely,

Henry W. White
Henry W. White
Perry and Clare Wheelock
1 Choice Court
Timonium, MD 21093
(410) 252-2653 Evenings
(301) 390-2115 Days

Mr. Lawrence E. Schmidt
Zoning Commissioner
400 Washington Ave.
Towson, MD 21204

Reference Case # 94-436-SPHXA for variance
Reference Case # 86-416-XA for special exception

In July, 1989, my family and I moved to Talbot Ave. It was a quiet street with not many houses. Over the years more houses were built and it became a lovely Ave. All the lawns were neat with flowers and shrubbery - and it was a nice place to live.

I believe it will not be as likeable with a parking lot on the Ave. I feel sorry for the people living near the location of the lot. It would not be a large parking lot and with more room needed, and eventually I am sure there would be parking on Talbot Ave. Just like there is on both sides of E. Main Blvd. This would cause traffic to be much more congested than it is now.

This, of course, would cause the value of our properties to go down. No one would like that. Do we really need another Physicians Building? I think not. There are some quite near us.

I hope you will consider my feelings and my opinion on this matter. Thank you very much.

Yours truly,
Charles H. Cox
Charles H. Cox
15 Talbot Ave.
Timonium, MD 21093-2304

To The Zoning Board,

As block Captain for Talbot Ave's neighborhood watch program, I am writing to express my own strong opposition to "any" change in our present zoning. We have a very private street, however if the zoning ordinance is altered to allow for expansion of parking lots for businesses, our neighborhood will be further invaded by the "York Road business traffic." We all certainly not opposed to our area businesses, but where does the expansion end up "in our front yards"?! We need and think we deserve our little bit of privacy that we work hard for on a daily basis.

Recently, we have had "three" attempted break-ins. In the past 3 years one of our neighbors houses was broken into. We have the right to voice our opposition to any further change in one of the oldest and most established neighborhoods here in Timonium. Of the present

DR & MRS. HARSHAD SANGHVI
32, TALBOT AVENUE
TIMONIUM
MARYLAND 21093
Nov. 18, 94.

MR. LAWRENCE E. SCHMIDT
BALTIMORE COUNTY ZONING COMMISSIONER
400 WASHINGTON AVENUE,
TOWSON, MARYLAND 21204.

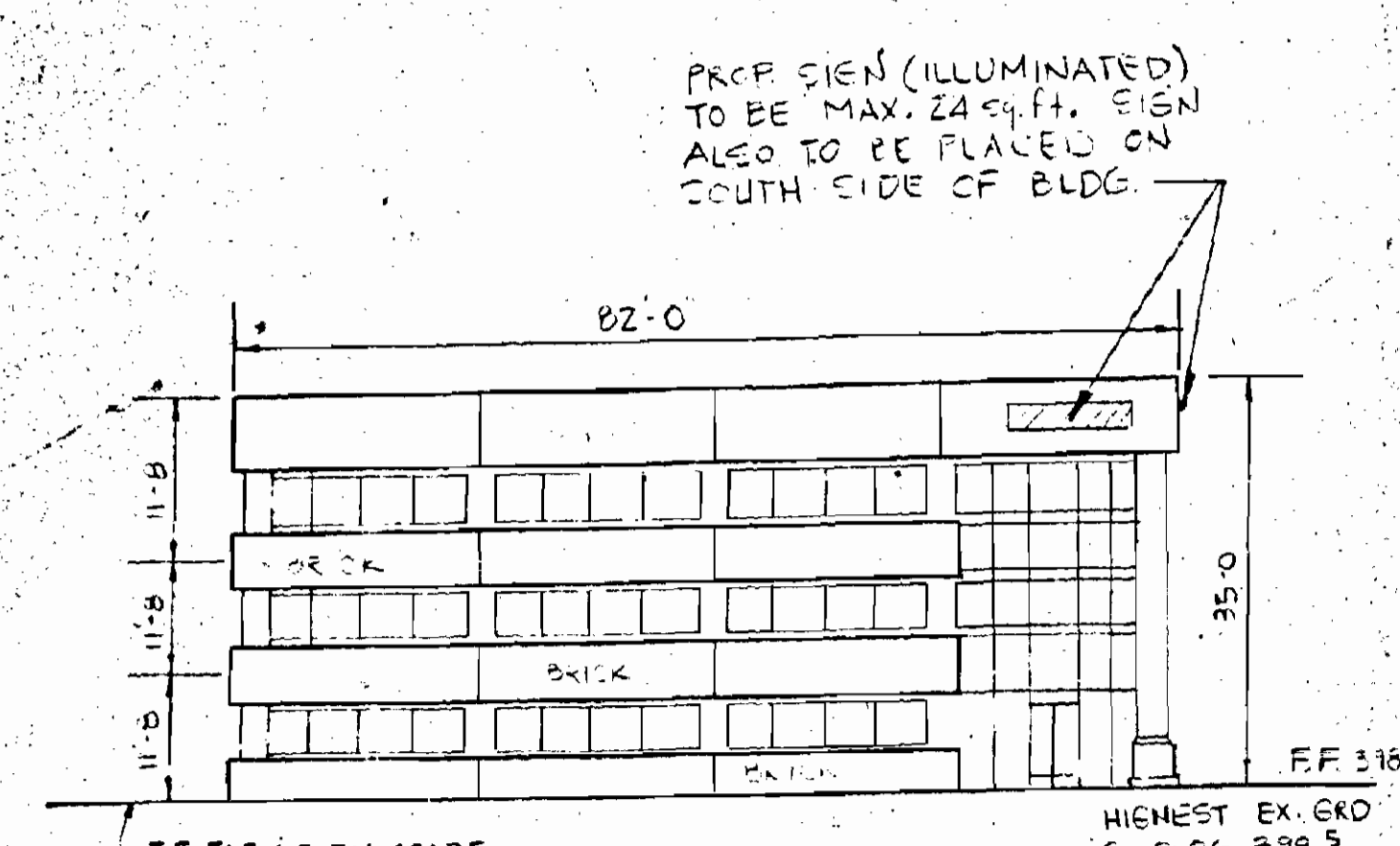
RE: CASE # 94-436-SPHXA
CASE # 86-416-XA

Dear Mr. Schmidt:-

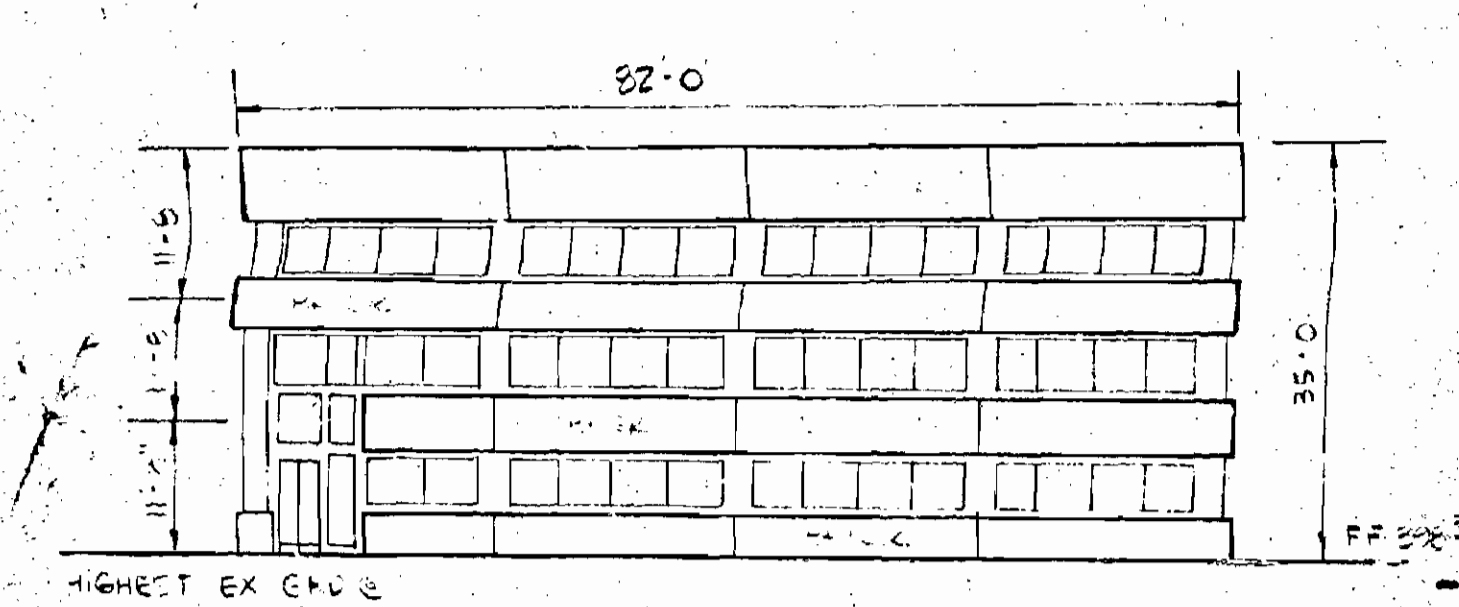
We are tenants at 32, Talbot Avenue. We have just been informed about the proposed zoning exceptions and variance in our neighborhood and are very unhappy about it. The Avenue is very narrow and my two children are dropped off at the corner of Talbot Avenue and York Road and they have to walk up to 32 Talbot Avenue. This would be very dangerous if the commercial traffic on the residential Avenue increases. We would be obliged if you will consider our feelings and our sentiments on this matter. Thank you very much.

Yours
Sincerely,
DR & MRS. HARSHAD SANGHVI
Harshad Sanghvi

ORDER RECEIVED FOR FILING



WEST ELEVATION
NO SCALE



NORTH ELEVATION
NO SCALE

SOIL TYPES & LIMITATIONS

TYPE: C-1, C-2
HOMESITES (3 STORIES OR LESS) WITH BASEMENTS; SLIGHT STREETS & PARKING LOTS; MODERATE SLOPE



McKee & Associates, Inc.
CIVIL ENGINEERS & LAND SURVEYORS

1717 YORK ROAD,
LUTHERVILLE, MARYLAND 21093
(301) 252-5820

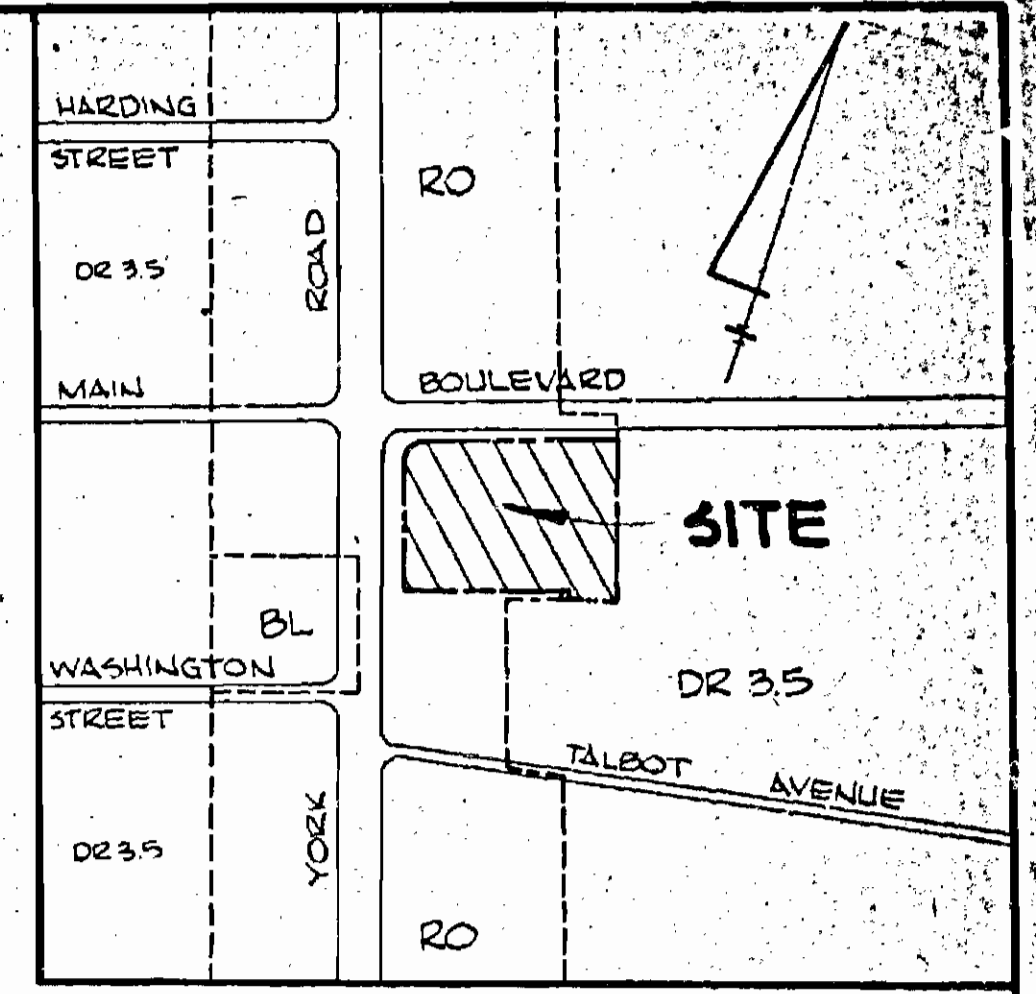
ZONING REQUEST

REQUESTING A SPECIAL EXCEPTION TO PERMIT A CLASS B OFFICE BUILDING IN AN RO ZONE (REFER TO SECTION 203.3B.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS).
REQUESTING A VARIANCE TO SECTION 203.3C OF THE BCZM TO ALLOW FOR TWO ILLUMINATED SIGNS WITH A TOTAL OF 48 SQ. FT. IN LIEU OF THE REQUIRED 8 SQ. FT. NON-ILLUMINATED SIGN.

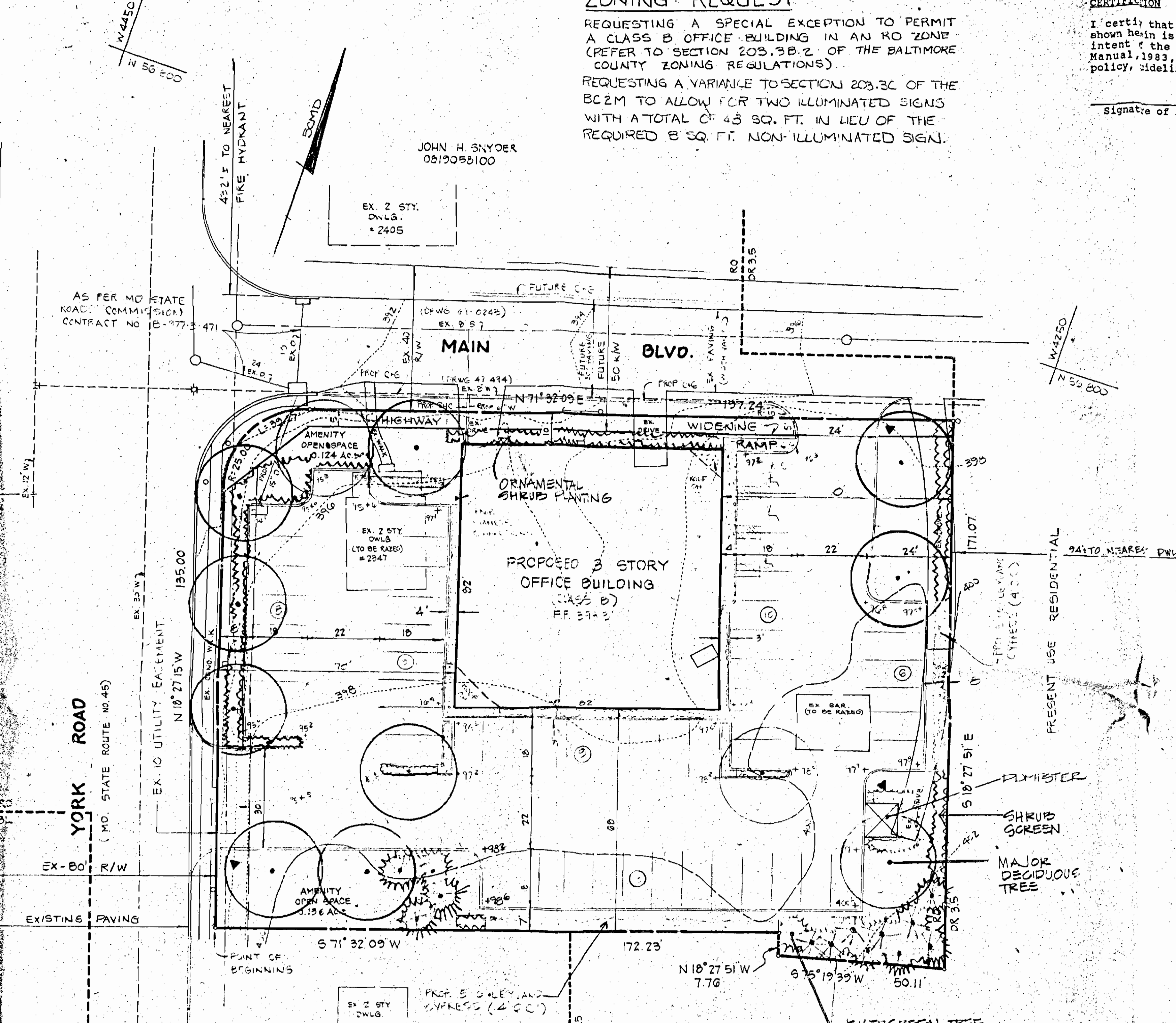
CERTIFICATION

I certify that the schematic planting plan shown herein is consistent with the goal and intent of the Baltimore County Landscape Manual, 1983, and meets all applicable policy, guidelines and ordinances.

Signature of Applicant _____ Date _____



LOCATION MAP
SCALE: 1" = 200'



TABULATION

- GROSS AREA OF SITE: 1.04 AC. NET AREA = 0.80 AC.
- EXISTING ZONING OF SITE: RC
- FLOOR AREA OF PROPOSED BLDG (TO BE USED AS OFFICES)
 - 1ST FLOOR: 2276 SQ. FT.
 - 2ND FLOOR: 2452 SQ. FT.
 - 3RD FLOOR: 2524 SQ. FT.
 - TOTAL FLOOR AREA: 7252 SQ. FT.
- FLOOR AREA RATIO (50% MAXIMUM ALLOWED)
 - (TOTAL FLOOR AREA / GROSS SITE AREA)
 - 7252 / 1044 = 6.95
- PARKING REQUIRED
 - 1ST FLOOR: 2276 / 500 = 4.55
 - 2ND FLOOR: 2452 / 500 = 4.90
 - 3RD FLOOR: 2524 / 500 = 5.05
 - TOTAL NO. OF SPACES REQD: 14.50
- PARKING PROVIDED: 25 SPACES (INCLUDES 3 HANDICAPPED)
- AMENITY OPEN SPACE REQUIRED (25% OF GROSS AREA): 0.25 x 1.04 = 0.26 AC.
- AMENITY OPEN SPACE PROVIDED: 0.20 AC / 1.04 = 25.9% OF GROSS AREA
- ACT. CALCULATION: (12.3 x 1000 SQ. FT.) / 7252 = 1.68 A.D.T.S.
- MINIMUM PLANTING REQUIREMENTS

Trees

Parking Spaces	57 @ 1 tree/12 spaces	5
Interior Road	80' @ 1 tree/20'	4
Exterior Road	271.51' @ 1 tree/40'	10
Total major deciduous or equivalent		19
(min. 12 major deciduous)		

Screening and other planting

- 5' high screen planting between parking and adjacent public streets and between parking and adjacent residential zones or uses.
- 8' wide planting area along property lines abutting public streets or adjacent residential zones or uses.
- 5' high screen around dumpster.

TREES SHOWN

	Major deciduous equivalent
12 Major deciduous	12
0 Minor deciduous	0
14 Evergreen	7
Total major deciduous equivalent	19

NOTE:
THIS PLAN IS IN ACCORDANCE WITH HEAVY NO. 80-416X OF THE BALTO. CO. MD. ZONING OFFICE AS FOLLOWS:
THE SPECIAL EXCEPTION MAY BE UTILIZED WITHIN FIVE (5) YEARS OF THE DATE OF THE HEARING.
THERE WILL BE NO SIGN ILLUMINATION AFTER 7:00 PM MON.-FRI. AND NO SIGN ILLUMINATION SATURDAY OR SUNDAY.

GENERAL NOTES:

- PROPOSED USE: GENERAL OFFICES
- ALL PARKING & DRIVEWAY AREAS WILL BE BITUMINOUS PAVED W/ CONC. CURB
- LANDSCAPED SPACES ARE 12' x 15'. ALL OTHER SPACES ARE 10' x 15'
- LANDSCAPING IMPROVEMENTS WILL BE IN ACCORDANCE WITH SHA & BALTO. CO. SPECIFICATIONS
- LIGHTING FIXTURES WILL BE LOCATED & DIRECTED AWAY FROM ADJACENT RESIDENTIAL AREAS. LIGHT STANDARDS WILL BE A MAXIMUM OF 14' IN HEIGHT
- A VARIANCE FOR STORM WATER MANAGEMENT HAS BEEN GRANTED (1/22/80 UNDER 'DUKLEWSKI PROPERTY')
- GENERAL OFFICES ARE INTENDED TO INCLUDE STRICT OFFICE USE ONLY. IF CONTRACTOR'S OFFICE WILL BE PROPOSED, NO MATERIALS OR TRUCKS ASSOCIATED WITH SUCH USE WILL BE STORED OR PARKED ON SITE
- A VARIANCE FROM SECTION 203.3C OF THE BALTO. CO. MD. ZONING MANUAL HAS BEEN APPLIED FOR TO ALLOW FOR 2 ILLUMINATED SIGNS WITH A TOTAL OF 48 SQ. FT. IN LIEU OF THE REQUIRED 8 SQ. FT. NON-ILLUMINATED SIGN
- EXISTING STRUCTURES ON SITE WILL BE KEPT
- PROPOSED BUILDING TO BE CLASS B
- PARKING AREA TO BE STRIPED
- HEIGHT OF BLDG NOT TO EXCEED 35'
- HOURS OF OPERATION: 7:30 AM TO 7:00 PM
- MAXIMUM NO. OF EMPLOYEES: N/A
- 14TH CONGRESSIONAL DISTRICT
- CENSUS TRACT: 4025.05
- WATERSHIP: 11
- SUBS. WATERSHIP: 32
- BLDG. WILL HAVE ONE OR MORE OF THE FOLLOWING USES: ENGINEER, ARCHITECT, REAL ESTATE, SALES, MANAGEMENT, ACCOUNTANT, CONTRACTOR, LAW, AND OTHER SIMILAR USES
- GENERAL OFFICE SPACE IS FOR RENTAL PURPOSES
- PROPOSED LIGHTING SHOWN THUSLY

- THERE ARE NO HISTORICAL AREAS, CRITICAL AREAS, WETLANDS, ARCHEOLOGICAL ENDANGERED SPECIES HABITAT OR HAZARDOUS MATERIALS ON THE SITE
- A MODIFICATION OF THE REQUIREMENT OF THE BALTO. CO. MD. ZONING MANUAL FOR REQUESTED PLANTING AREA ALONG WITH LINES ADJUTING ADJACENT RESIDENTIAL ZONES & USES
- NO MEDICAL OFFICES ALLOWED FOR IN PA. CALCULATIONS
- A SPECIAL EXCEPTION HAS BEEN APPLIED FOR, ITEM NO. 270
- EXISTING WATER CONNECTIONS WILL BE ABANDONED

PLAT TO ACCOMPANY

PETITION FOR

SPECIAL EXCEPTION TO ZONING

SE CORNER YORK RD. & MAIN BLVD.

8TH. ELECT. DIST.
SCALE: 1" = 20'

BALTO. CO. MD.
DEC 13, 1983

2.c Pet 6A

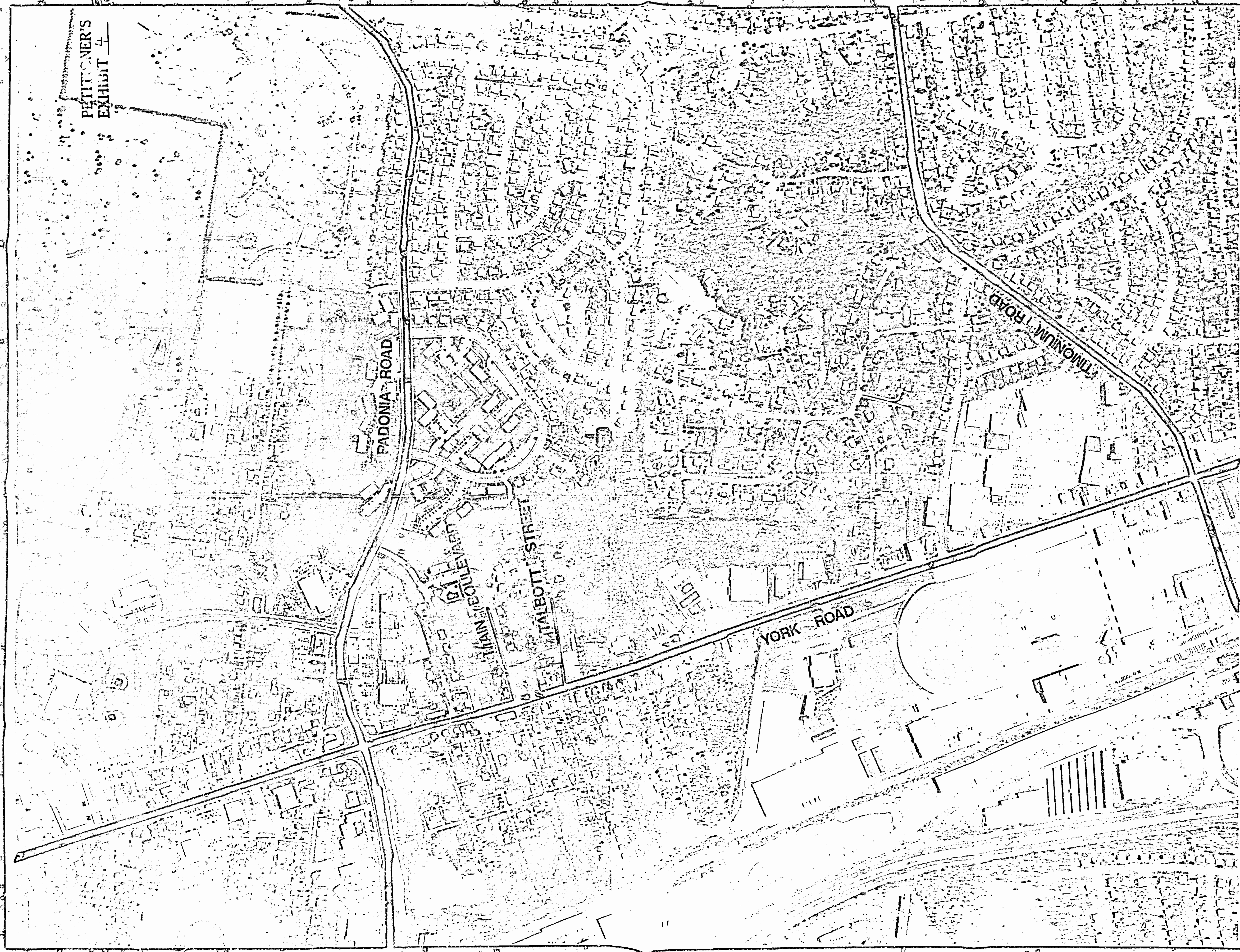
OWNER

MR. ART H. PANAYIS
2542/110 113
Apt. No. 025045332

APPLICANT / CONTRACT PURCHASER

MR. STEPHEN S. DUKLEWSKI, JR.
% MR. KOWLAND K. HILL
HARVEST INVESTMENT CORP.
1112 HIGH COUNTRY RD.
TOWSON, MD. 21204
(301) 435-6500

PETITIONER'S
EXHIBIT 4



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHIC, INC.
MARTINDALE, W.V. 26041

SCALE
1" = 200'

DATE
JANUARY
1966

PHOTOGRAPHY
JANUARY
1966

LOCATION
TIMONUM

SHEET
N.W.
14-A

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
SPECIAL EXCEPTION AND VARIANCE - * ZONING COMMISSIONER
SE/Cor. York Rd. & Talbott Ave. * (2345 York Road & 4 Talbott Avenue)
8th Election District * OF BALTIMORE COUNTY
4th Councilmanic District * Case No. 94-436-SPHXA
The Estate of Mrs. Katherine Trapp
and Mrs. Katherine Hannibal, as
Personal Representative - Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Amended Petitions for Special Hearing and Variance for the properties known as 2345 York Road and 4 Talbott Avenue in Lutherville. The Petitions were filed by the owners of 4 Talbott Avenue, The Estate of Mrs. Katherine Trapp, by Mrs. Katherine Hannibal, Personal Representative, and the Contract Purchasers, Harvest Office Building Investors Limited Partnership, by Steve Duklewski, through their attorney, Newton A. Williams, Esquire. The Harvest Office Building Partnership owns the property at 2345 York Road which abuts 4 Talbott Avenue along the side and rear property lines. As amended, the Petition for Special Hearing seeks approval of an amendment to the previously approved site plan in Case No. 86-416-XA to permit additional and revised parking areas, as well as medical offices on the property known as 2345 York Road. Relief is also sought within the Petition for Special Hearing, pursuant to Sections 409.8B.1 and 409.8B.2 and other applicable regulations, if any, of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow office/business parking in a residential zone (i.e., D.R. 3.5), on the adjoining property known as 4 Talbott Avenue. As to the Petition for Variance, the Petitioners seek relief from Section 203.3B.2.a of the B.C.Z.R. to permit 100% medical office occupancy of an existing, previously approved Class B office building in lieu of the presently allowed 25%

of the total adjusted gross floor area. In addition, the Petitioners seek relief from Section 1801.1B.1.e(5) of the B.C.Z.R., and from the Residential Standards, Section II, Page 16 of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit buffers and setbacks of a minimum of 4 feet, 10 feet, and 30 feet in lieu of the 50-foot buffers and 75-foot setbacks required in a Residential Transition Area/D.R. zone, subject to the requirements of Section 1801.1B.1.c(2), and other applicable regulations of the B.C.Z.R., if any. Finally relief is sought to permit amenity open space of 0.23 acres (22.1% of the gross area of the R.O. zoned property) in lieu of the required 25% minimum of the gross site area (pursuant to Section 203.4 of the 1981 to 1988 regulations) and the 0.265 acres, or 25.5% of the gross site area, as previously approved in prior Case No. 86-416-XA. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

It should be noted that the Amended Petitions replaced the zoning Petitions initially filed in this case. Originally, Petitions for Special Hearing, Special Exception and Variance were filed. Those Petitions sought relief for business parking in a residential zone for the Harvest Office Building and 100% medical occupancy in an R.O. zone. The original special hearing petition also requested an amendment to the previously approved site plan in Case No. 86-416-XA as well as relief to permit additional and revised parking areas and medical office occupancy in the Harvest Office Building. The original variance Petition sought a series of variances from Section 203 of the B.C.Z.R. and a variance from Section 1801.1.B of the B.C.Z.R. as it relates to RTA buffers. However, these Petitions were withdrawn prior to the public hearing held on this case.

- 2 -

Appearing at the hearing on behalf of the amended Petitions was Steve Duklewski, representing the Harvest Office Building Investors Limited Partnership. As noted above, that entity owns the site on which the Harvest Office Building is located, known as 2345 York Road, and is under contract to purchase the adjoining property at 4 Talbott Avenue, which is under the ownership of The Estate of Katherine Trapp. Also appearing on behalf of the amended Petitions were James McKee and James Grammer, Professional Engineers with McKee and Associates, Inc. That engineering firm prepared the revised plat to accompany the Petitions for Special Hearing and Variance marked as Petitioner's Exhibit 1. Also participating in the case on behalf of the Petitioners was William P. Monk, a Land Use Consultant. The Petitioners were represented by Newton A. Williams, Esquire.

A number of area residents appeared in opposition to the request over the two days of public hearing during which this case was considered. They included Bruce and Beth Murdock, who reside near the subject site at 6 East Main Boulevard, and Sandy Brown, Faith Kroder and Claire Wheelock, nearby residents of the area. Numerous other individuals appeared at one or both of the hearing dates.

A review of the physical characteristics of the two properties in question and the surrounding locale is appropriate. A great deal of testimony on both subjects was offered by both the Petitioners and the Protestants. The property known as 2345 York Road (Parcel 1), consists of a gross area of approximately 1.04 acres, more or less, zoned R.O. and is located on the southeast corner of the intersection of York Road and Main Boulevard. This parcel is the site of the Harvest Office Building, which is an attractive, three-story building with a height of slightly less than

- 3 -

35 feet. The balance of the site is improved with a parking area which has the capacity for 55 vehicles.

The second parcel under consideration (Parcel 2) is known as 4 Talbott Avenue, and abuts the side and rear property lines of the lot on which the Harvest Office Building is located. Parcel 2 consists of approximately .80 acres in gross area, zoned D.R. 3.5, and is improved with a single family residential dwelling which is rented. Parcel 2 does not have frontage on York Road. Rather, Parcel 2 fronts on Talbott Avenue. Moreover, Parcel 2 is located adjacent to the property owned by E. Donald and Teresa Airey, which is situated at the northeast corner of the intersection of York Road and Talbott Avenue. The Airey property shares its side property line with the Harvest Office Building lot and its rear property line with the Trapp property. The Airey property is zoned R.O. and is improved with two structures.

As is well-known to this Zoning Commissioner, this locale contains a highly commercialized/office corridor of York Road, which is a major arterial road that bears a significant volume of traffic. York Road contains two lanes in each direction with a center left-turning lane for both north- and southbound traffic. The properties which abut York Road have been commercially zoned and developed over the years. In fact, there are few residential properties on York Road from Towson to Hunt Valley. As shown on the number of exhibits submitted, including Protestant's Exhibit 4, Petitioner's Exhibit 3, and numerous photographs, the properties fronting York Road are highly commercial in both zoning classification and actual use. Main Boulevard and Talbott Avenue are but two of the many side streets which connect with York Road and lead to the residential communities adjacent to this commercial corridor. A great deal of pressure

- 4 -

has been placed upon the residential properties which abut the rear yards of the commercial/office uses on York Road. This is another case involving the future of these residential properties and the depth of commercial/office use which should be permitted from the York Road frontage.

The history of Parcel 1 is also significant. As noted earlier, this property was the subject of prior Case No. 86-416-XA in which a special exception for the existing three-story office building was granted by then Deputy Zoning Commissioner Jean M. Jung on April 23, 1986 (see Petitioner's Exhibit 5). The office building is very attractive and is one of the most well-maintained commercial properties on the York Road corridor. Even the Protestants concede that the Petitioners have taken great care of the property and are to be applauded for their maintenance of this parcel. Construction of the building apparently began in 1986 and occupancy thereof took place approximately one year later.

The Harvest Office Building is considered a Class B office building under the B.C.Z.R. Moreover, Class B office buildings are permitted in R.O. zones by special exception, only. Special Exception approval was required in 1986 when the plans for this site were submitted and remains the requirement today. In prior Case No. 86-416-XA, Commissioner Jung granted special exception approval for a "Class B office building" on the subject property, zoned R.O., on April 23, 1986. Her Findings of Fact and Conclusions of Law were not lengthy and did not discuss many of the specifics of the office building proposed. However, her Order did incorporate and adopt the site plan which was submitted at that time (see Petitioner's Exhibits 6A and 6B). Note No. 7 on that plan indicates that "General Offices are intended to include strict office use only..." Moreover, Note No. 19 states that the "Building will have one or more of the following

uses: Engineer, Real Estate Sales, Management, Architect, Accountant, Contractor, Law, Title Company, and other similar uses." Lastly, Note No. 24 indicates that "No medical offices allowed for in parking calculations."

As Mr. Duklewski indicated during his testimony, the building was not originally constructed with the intent of housing medical offices. A vast majority of the tenants obtained at the beginning were not physicians or related to the medical field. This remains the case today, although some of the building has now been leased to physicians and medical uses. A comprehensive list of the present tenants was presented by both the Petitioners and the Protestants.

In any event, Mr. Duklewski indicated that the office market in this area has slowed down. In an effort to adjust to these changing market conditions, he proposes converting the building to 100% medical office use. He believes that this will meet the need for medical office space in the Lutherville area and that such use is justified based on the dynamics of the office building market in this locale.

Quite obviously, the conversion of the office building to medical offices would generate the need for additional parking. In order to meet this anticipated need, the subject amended zoning petitions have been filed and the owner of the Harvest Office Building has entered into a contract to purchase the Trapp property (Parcel 2) for this purpose. As noted above and as shown on the site plan, the Trapp property is the first property on Talbott Avenue which does not have frontage on York Road. The site is presently improved with a residential dwelling which is being rented. The Petitioners propose razing the house and converting a portion of the property to a parking lot to provide the additional parking spaces necessary to support the change in tenant mix at the Harvest Office Building.

ing. This parking lot will be connected to the existing parking lot on the Harvest Office Building property and will be accessible only from that lot. There will be no access to this parking lot from Talbott Avenue.

As to the numbers of parking spaces required, the plan shows that the Harvest Office Building lot presently contains 55 parking spaces. At the time of the construction of said building, the parking regulations then in force required 53 spaces for office (non-medical) use, and 73 spaces if the building were converted to medical office use. It is of particular note that the parking regulations have changed since that time. The number of spaces required for medical offices has been increased from 1 parking space for each 300 sq.ft. of medical office use to 4.5 spaces per each 1,000 sq.ft. of medical office use. Under the old regulations, 73 spaces were required; however, under the new regulations, 98 spaces would be required. The plans submitted indicate 103 parking spaces will be provided by use of the Trapp property. Under either scenario, this is more than the number of spaces required.

Testimony was presented by Messrs. Jim McKee and Bill Monk regarding the proposed Petitions and the propriety of using the residentially zoned Trapp property for the required additional parking. A number of factors were offered by these witnesses in support of the Petition. Included among these factors in their testimony was the character of the York Road commercial corridor and the existing depth of commercial zoning use from York Road. As shown on the site plan, and more particularly on Petitioner's Exhibit 3, the commercial zoning use extends away from York Road towards the residential communities a relative consistent depth from the intersection of York Road and Padonia Road to the north to the York Road Shopping Center and Timonium Road to the south. The Petitioners'

experts rightfully note that the Trapp property at this location creates a notch in this relatively consistent commercial zoning line. Thus, it is argued that a use permit for parking on the Trapp property is appropriate in that it will support a consistent application of commercial/office parking uses at a relatively uniform depth from York Road. These expert witnesses also testified as to the commercial characteristics of many of the businesses and uses along the York Road corridor.

Messrs. Monk and McKee also noted that the proposed plan does not provide for any curb cuts for the parking lot on the Trapp property. Thus, the flow of parking on Talbott Avenue should not be adversely affected. They also noted that the installation of the new parking lot would serve to ease parking problems generated by traffic to and from the Harvest Office Building site. The Protestants' witnesses noted that many of the visitors to the Harvest Office Building park on the residential streets of both Main Boulevard and Talbott Avenue. A near doubling of the capacity of parking on-site will help ease this congestion. Other factors were also offered in support of the request and are contained within the record. Among these was a view that the Trapp property is not a property which is viable for residential use; a contention which was disputed by the neighbors. Moreover, the Petitioners' plan shows a significantly sized buffer from the rear of the proposed lot towards the residences on Talbott Avenue. This buffer will be consistent with the depth of the buffer which presently exists to the rear of the Harvest Office Building. The buffer will be some 30 feet in width and will allow for the planting of a sufficient landscape screen to buffer the use.

One comment offered by Counsel for the Petitioners which is of particular note was that the use of the Trapp property to support traffic

- 5 -

- 6 -

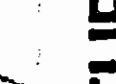
- 7 -

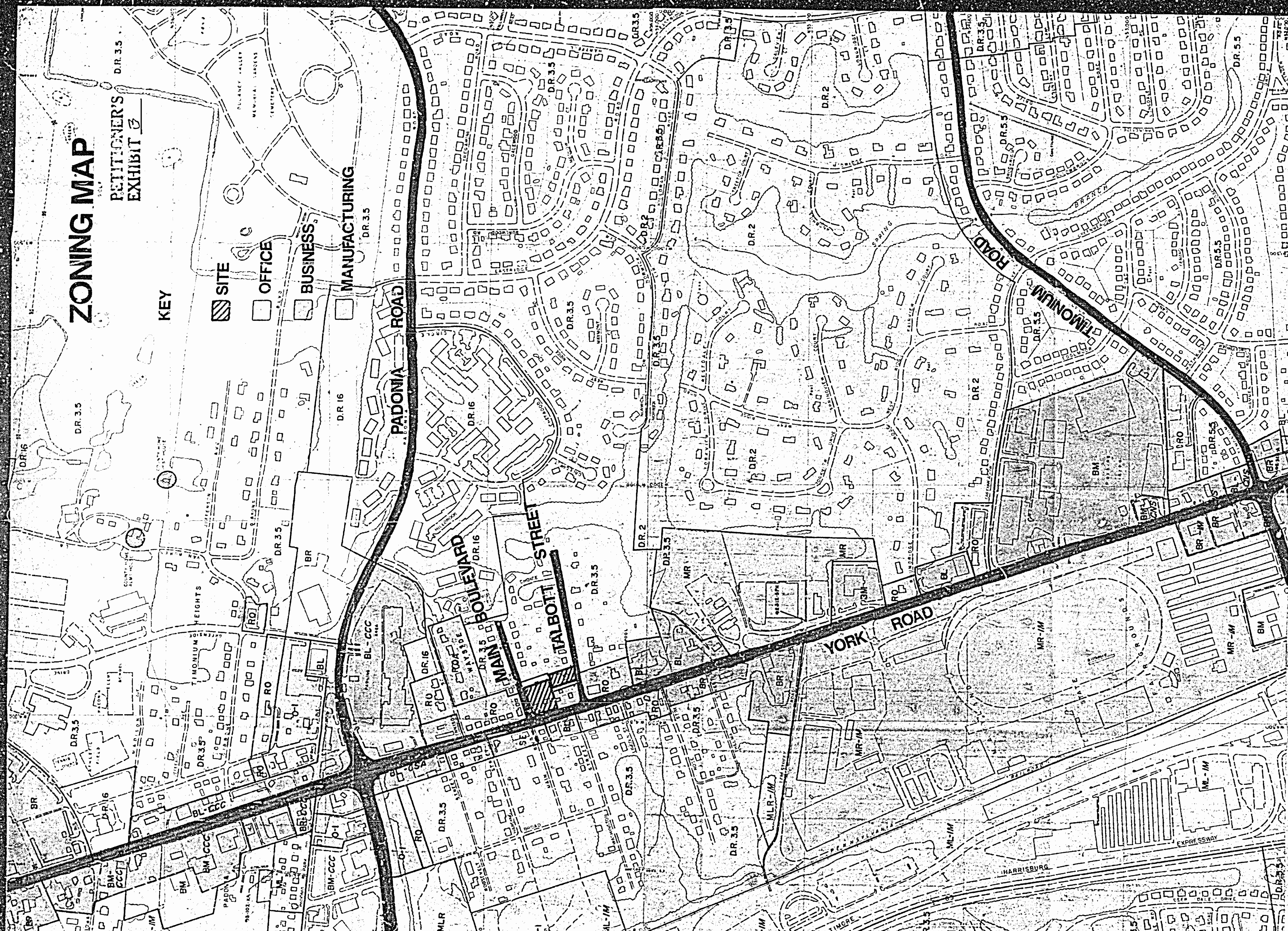
- 8 -

ZONING MAP

PETITIONER'S
EXHIBIT 3

KEY

-  SITE
-  OFFICE
-  BUSINESS
-  MANUFACTURING

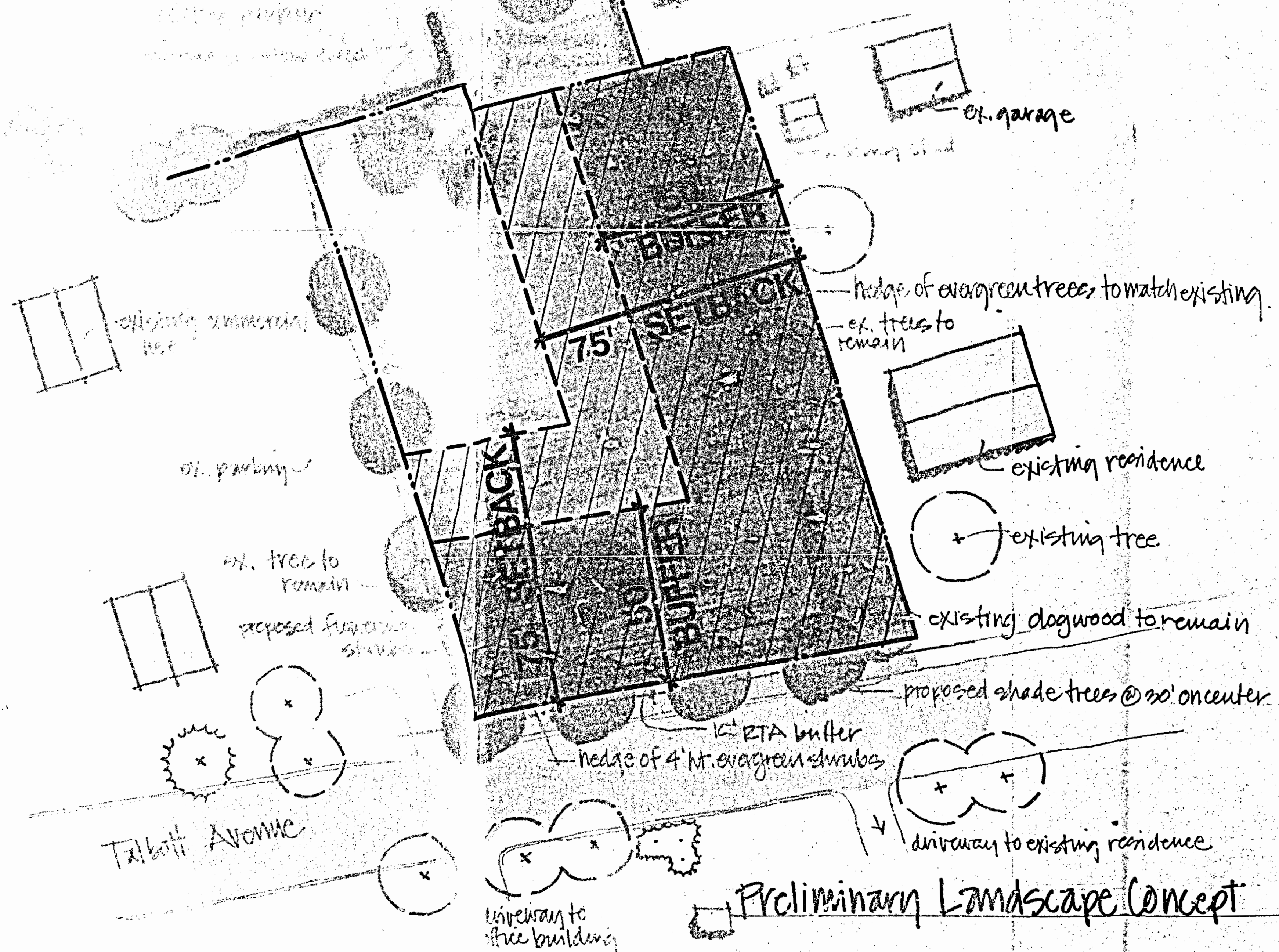
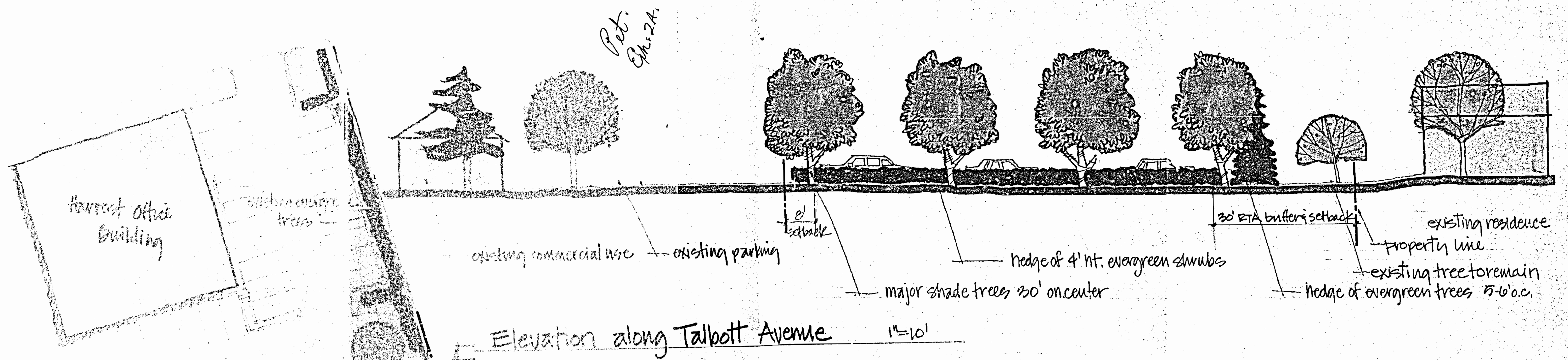


BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
on May 12, 1992
DATE OF ADOPTION
JANUARY 1998

SCALE
1" = 200'
LOCATION
TIMONIUM
SHEET
14-A

THIS MAP HAS BEEN REVIEWED IN SELECTED AREAS
TOPOGRAPHY COLLECTED BY PHOTOGRAMMETRIC METHODS
BY BENTLEY ENGINEERING AND BALTIMORE, MD 21115



PETITIONER'S
EXHIBIT 2

LANDSCAPE CONCEPT
HARVEST
OFFICE
BUILDING

7.11.94
HIGGINS • LAZARUS
LANDSCAPE ARCHITECTURE
6155 Chingquon Parkway
Baltimore, MD 21239
410-328-1188 410-328-2583

ZONING HISTORY

CRG Plan No. 86012: Approved 2/27/86
Zoning Hearing 86-416XA

Special Exception to permit Class B Office Building in an R.O. Zone - **Granted**
Variance to permit two illuminated signs totalling 48 s.f. in lieu of non-illuminated sign with 8 s.f. maximum size - **Granted**
Special Conditions: Special Exception to be utilized within five years of order, signs will not be illuminated after 9:00 p.m. Monday - Friday, and no illumination on Saturdays or Sundays.

ENTRANCE SIGN DETAIL
(DOUBLE SIDED, NON-ILLUMINATED)

HARVEST BUILDING
ENTRANCE

SIGN NOT TO
EXCEED 15 SF
PER SIDE

SIGN NOTES:
1. DIRECTIONAL SIGNS (I.E., ONE WAY, NO RIGHT TURN, DO NOT ENTER, ETC.) SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 413 OF THE BCZR
2. ENTRANCE SIGN SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 203.3 C.1. AND 413 OF THE BCZR

REQUESTED RELIEF

- A. VARIANCE REQUEST from Section 203.3B.2.A. to permit one hundred percent (100%) medical office occupancy of existing, previously approved Class B office building in lieu of the presently allowed twenty five (25%) percent of the total adjusted gross floor area.
- B. VARIANCE REQUEST from Section 1801.1.3.1.e.(5) and Residential Standards, Section 11, Page 16 (C.M.D.P.) to permit buffers and setbacks of a minimum of four (4) feet, ten (10) feet and thirty (30) feet in lieu of the requirements of 50 foot buffers and 75 foot setbacks in an R.T.A. area/D.R. zone, subject to the requirements of Section 1801.1.3.1.c(2), and other applicable regulations, if any.
- C. VARIANCE REQUEST to permit 0.23 acres (22.14% of the gross site area of the R.O. site) for amenity open space on the proposed plan, in lieu of the required 2% minimum of the gross site area Section 203.4 (BCZR 1981 and 1988 Regulations), and the 0.265 acres (25.5%) of the site per County approved.
2. A. SPECIAL HEARING to amend the previously approved plan from Case Number 86-416XA for Harvest Office Building and site.
- B. SPECIAL HEARING per Sections 409.HB.1 and 409.HB.2 and other applicable regulations, if any, to allow office/business parking in a residential zone.

McKEE & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
TELEPHONE: (410) 527-5355 FACSIMILE: (410) 527-5653

COMPUTED BY: JRG. DRAWN BY: JMB. CHECKED BY: JRG. JOB No: 84-09



JAMES W. McKEE
M.D. REG. NO. 8012

DATE

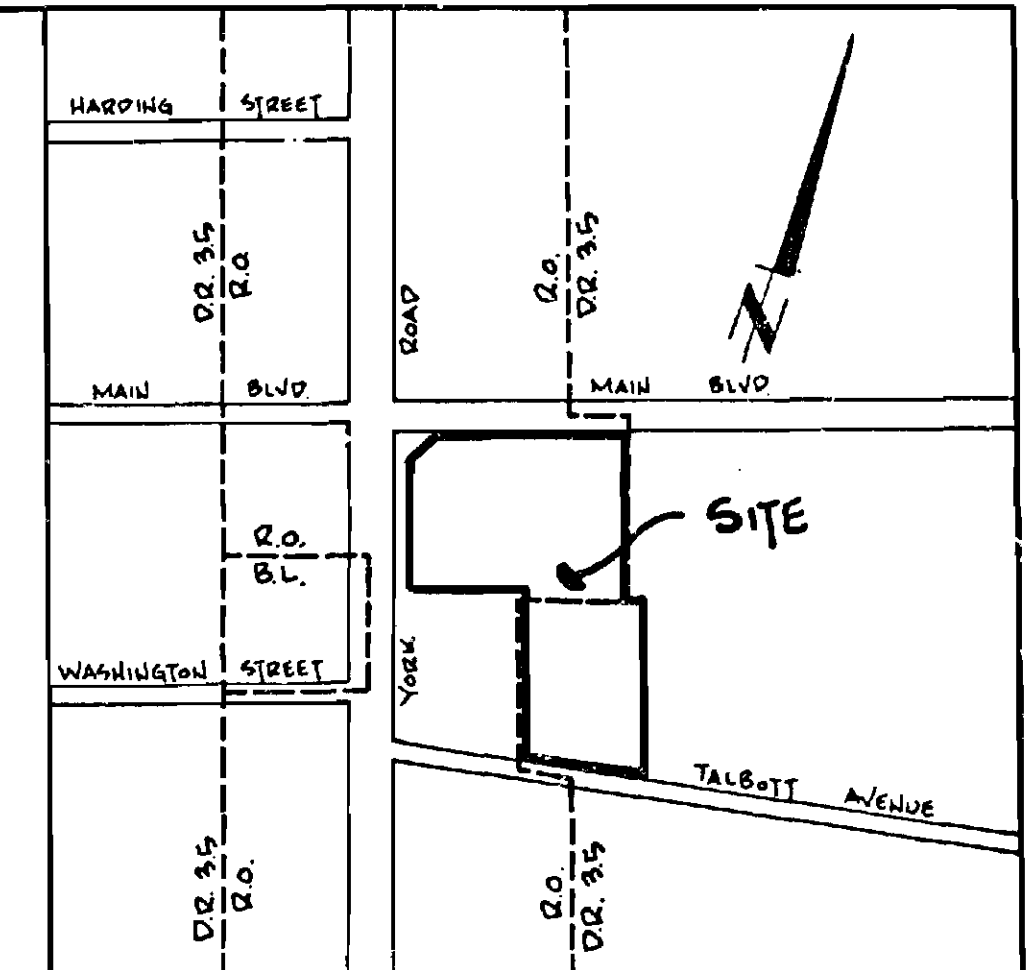
OWNER (P.1) / CONTRACT PURCHASER (P.2)
HARVEST OFFICE BUILDING INVESTORS
STEPHEN S. DUKLEWSKI, JR.

2345 YORK ROAD
TIMONIUM, MD. 21093
(410) 541-9040

TAX ACCOUNT # 20-00-010885 ZONE R.O.
TAX ACCOUNT # 00-20-000021 ZONE DR-3.5
DEED 1149/251 ZONE R.O.
DEED 1442/011 ZONE DR-3.5

PARKING NOTES

ACCESSORY PARKING AREA (DR 3.5 Zone)
In addition to all other applicable requirements, such parking facilities shall be subject to the following conditions: (409.8.B.2 BCZR)
A. Only passenger vehicles, excluding buses, may use the parking facility.
B. No loading, service, or any use other than parking shall be permitted.
C. Lighting shall be directed away from adjacent residences, not be illuminated after 9:00 p.m.
D. Method and Area of Operation: self parking.
Maintenance: shall be conducted during off peak hours of operation
Permitted Hours of Operation: 7:30 a.m. - 9:00 p.m.
Mon-Fri, 8:00 a.m. - 5:00 p.m. Saturday, no Sunday



LOCATION MAP
SCALE: 1" = 200'

SITE DATA

- Existing Use: general offices/medical offices
- Proposed Use: medical offices/accessory business parking in a residential zone
- Councilmanic District: 4
- Census Tract: 4,085.05
- Watershed: 11, Subwatershed: 32
- There are no Historical Areas, Critical Areas, Wetlands, Archeological sites, endangered species habitat, or hazardous materials on this site.
- There are no wells or septic within 100 feet of this site.

Existing Zoning: R.O. and DR-3.5

Site Acreage:
Gross 1.04 acres ±
Net 0.80 acres ±

Adjusted Gross Floor Areas:
Basement 2,278 s.f.
1st Floor 6,452 s.f.
2nd Floor 6,524 s.f.
3rd Floor 6,524 s.f.
Total 21,778 s.f.

Floor Area Ratio:
Permitted Maximum 0.50
Proposed 21,778 s.f./45,302 s.f. = 0.48

Amenity Open Space
Required Minimum 0.26 Ac. ± (25%)
Existing A.O.S. 0.265 Ac. ± (25.5%)
Proposed A.O.S. 0.23 Ac. ± (22.1%)

Parking Tabulation:
Basement 2,278/1,000 x 4.5 = 10.25
1st Floor 6,452/1,000 x 4.5 = 29.03
2nd Floor 6,524/1,000 x 4.5 = 29.36
3rd Floor 6,524/1,000 x 4.5 = 29.36
Total Required 98 spaces

Parking Proposed: 103 spaces (includes 3 H.C.)

Compact Spaces Permitted: 103 x 0.4 = 41 spaces

Compact Spaces Proposed: 37 spaces

REVISED
PLAT TO ACCOMPANY PETITIONS FOR
SPECIAL HEARING, USE PERMIT, AND VARIANCES

FOR

HARVEST OFFICE BUILDING

8TH ELECTION DISTRICT

BALTIMORE COUNTY, MD

SCALE: 1" = 30'

JULY 1, 1994

20. PREPARED BY
EXHIBIT 1

THE PROPOSED PARKING AREA SHALL BE REQUIRED TO BE UTILIZED BY EMPLOYEES. NO EMPLOYEE PARKING WILL BE PERMITTED ON THE EXISTING LOT. EXTERIOR PARKING WILL BE PERMITTED ON THE NEW LOT WHEN IT IS AVAILABLE FOR SUCH.

ZONING HISTORY

CRG Plan No. 86012: Approved 2/27/86
Zoning Hearing 86-416XA

Special Exception to permit Class B Office Building in an R.O. Zone - **Granted**
Variance to permit two illuminated signs totalling 48 s.f. in lieu of non-illuminated sign with 8 s.f. maximum size - **Granted**
Special Conditions: Special Exception to be utilized within five years of order, signs will not be illuminated after 9:00 p.m. Monday - Friday, and no illumination on Saturdays or Sundays.



- SIGN NOTES:**
1. DIRECTIONAL SIGNS (I.E., ONE WAY, NO RIGHT TURN, DO NOT ENTER, ETC.) SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 413 OF THE BCZR
 2. ENTRANCE SIGN SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 203.3.C.1. AND 413 OF THE BCZR

REQUESTED RELIEF

1. A. VARIANCE REQUEST from Section 203.3B.2.A. to permit one hundred percent (100%) medical office occupancy of an existing, previously approved Class B office building in lieu of the presently allowed twenty five (25%) percent of the total adjusted gross floor area.
 - B. VARIANCE REQUEST from Section 1801.1.B.1.e.(5) and Residential Standards, Section 11, Page 16 (C.M.D.P.) to permit buffers and setbacks of a minimum of four (4) feet, ten (10) feet and thirty (30) feet in lieu of the requirements of 50 foot buffers and 75 foot setbacks in an R.O.S.A. area/D.R. zone, subject to the requirements of Section 1801.1B.1.c(2), and other applicable regulations, if any.
 - C. VARIANCE REQUEST to permit 0.23 acres (22.1% of the gross site area of the R.O. site) for amenity open space on the proposed plan, in lieu of the required 25% minimum of the gross site area Section 203.4 (BCZR 1981 and 1989 regulations), and the 0.265 acres (25.5%) of the site previously approved.
2. A. SPECIAL HEARING to amend the previously approved plan from Case Number 86-416XA for Harvest Office Building and site.
 - B. SPECIAL HEARING per Sections 409.8B.1 and 409.8B.2 and other applicable regulations, if any, to allow office/business parking in a residential zone.

McKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD
TELEPHONE: (410) 527-1555

HUNT VALLEY, MARYLAND 21039
FACSIMILE: (410) 527-1563



JAMES W. McKEE
MD REG NO 9012

COMPUTED BY: J.M.G. DRAWN BY: J.M.G. CHECKED BY: J.M.G. JOB No.: 94-09

OWNER (P.1) / CONTRACT PURCHASER (P.2) HARVEST OFFICE BUILDING INVESTORS STEPHEN S. DUKLEWSKI, JR.

2345 YORK ROAD
TIMONIUM, MD. 21093
(410) 561-9040

TAX ACCOUNT # 20-00-010889 ZONE-R.O.
TAX ACCOUNT # 08-20-066621 ZONE-DR-3.5
DEED 7149/251 ZONE R.O.
DEED 1442/011 ZONE DR-3.5

PARKING NOTES

ACCESSORY PARKING AREA (DR 3.5 Zone)
In addition to all other applicable requirements, such parking facilities shall be subject to the following conditions: (409.8.B.2 BCZR)

- A. Only passenger vehicles, excluding buses, may use the parking facility.
- B. No loading, service, or any use other than parking shall be permitted.
- C. Lighting shall be directed away from adjacent residences, not be illuminated after 9:00 p.m. of operation.
- D. Method and Area of Operation: self parking. Maintenance shall be conducted during off-peak hours of operation.
Permitted Hours of Operation: 7:30 a.m. - 9:00 p.m.
Mon-Fri, 8:00 a.m. - 5:00 p.m. Saturday, no Sunday

SITE DATA

1. Existing Use: general offices/medical offices
2. Proposed Use: medical offices/office/business parking in a residential zone
3. Councilmanic District: 4
4. Census Tract: 4,085.05
5. Watershed: 11, Subwatershed: 32
6. There are no Historical Areas, Critical Areas, Wetlands, Archeological sites, endangered species habitat, or hazardous materials on this site.
7. There are no wells or septic within 100 feet of this site.

Existing Zoning: R.O. and DR-3.5

Site Acreage:

	R.O.	DR-3.5
Gross	1.04 acres ±	0.55 acres ±
Net	0.80 acres ±	0.49 acres ±

Adjusted Gross Floor Areas:

Basement	2,278 s.f.
1st Floor	6,452 s.f.
2nd Floor	6,524 s.f.
3rd Floor	6,524 s.f.
Total	21,778 s.f.

Floor Area Ratio:

Permitted Maximum	0.50
Proposed	21,778 s.f./45,302 s.f. = 0.48

Amenity Open Space

	R.O.	D.R. 3.5	DR 3.5 A.O.S.
Required Minimum	0.26 Ac. ± (25%)	0.02 Ac. ±	As required by the landscape regulations
Existing A.O.S.	0.265 Ac. ± (25.5%)		
Proposed A.O.S.	0.23 Ac. ± (22.1%)	0.02 Ac. ±	

Parking Tabulation:

Basement	2,278/1,000 x 4.5 = 10.25
1st Floor	6,452/1,000 x 4.5 = 29.03
2nd Floor	6,524/1,000 x 4.5 = 29.36
3rd Floor	6,524/1,000 x 4.5 = 29.36
Total Required	98 spaces

Parking Proposed: 103 spaces (includes 3 H.C.)

Compact Spaces Permitted: 103 x 0.4 = 41 spaces

Compact Spaces Proposed: 37 spaces

REVISED
PLAT TO ACCOMPANY PETITIONS FOR
SPECIAL HEARING, USE PERMIT, AND VARIANCES

FOR

HARVEST OFFICE BUILDING

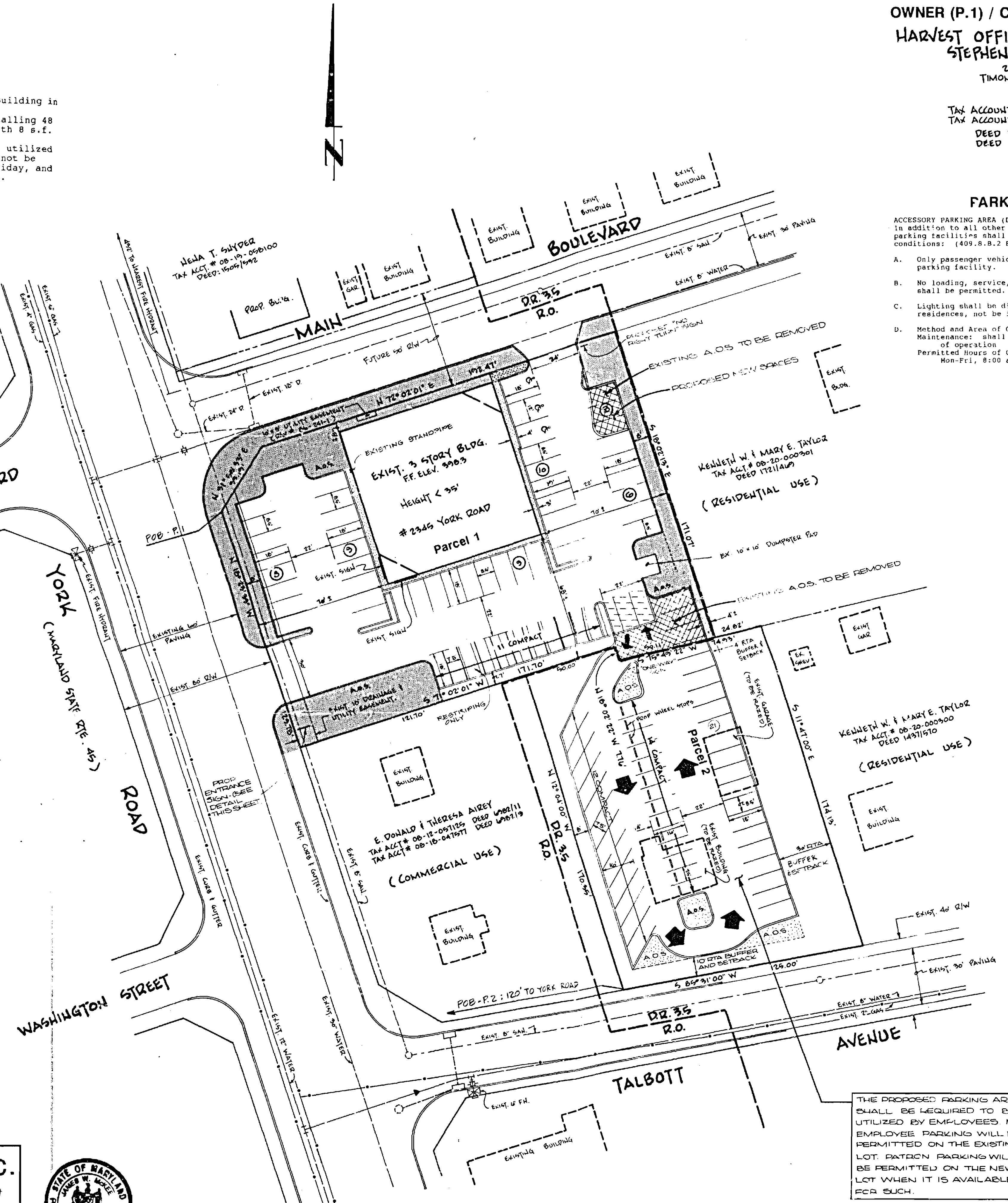
8TH ELECTION DISTRICT

BALTIMORE COUNTY, MD

SCALE: 1" = 30'

JULY 1, 1994

REVISED 8/29/94
94-436-SPHA



THE PROPOSED PARKING AREA SHALL BE REQUIRED TO BE UTILIZED BY EMPLOYEES NO EMPLOYEE PARKING WILL BE PERMITTED ON THE EXISTING LOT. PATRON PARKING WILL BE PERMITTED ON THE NEW LOT WHEN IT IS AVAILABLE FOR SUCH.

ZONING HISTORY

CRG Plan No. 85012: Approved 2/27/86
Zoning Hearing 86-416XA

Special Exception to permit Class B Office Building in an R.O. Zone - Granted
Variance to permit two illuminated signs totalling 48 s.f. in lieu of non-illuminated sign with 8 s.f. maximum size - Granted
Special Conditions: Special Exception to be utilized within five years of order, signs will not be illuminated after 9:00 p.m. Monday - Friday, and no illumination on Saturdays or Sundays.

ENTRANCE SIGN DETAIL
(DOUBLE-SIDED, NON-ILLUMINATED)

HARVEST BUILDING
ENTRANCE

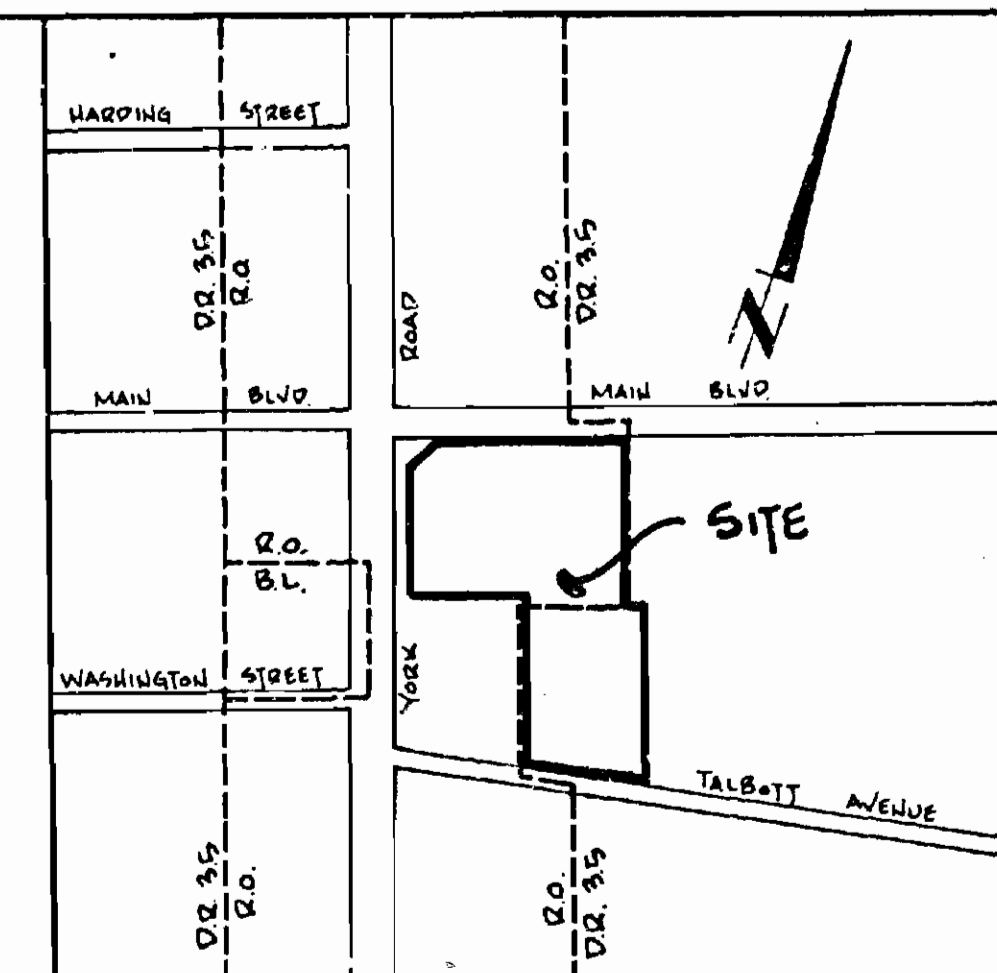
SIGN NOT TO
EXCEED 15SF
PER SIDE

SIGN NOTES:
1. DIRECTIONAL SIGNS (I.E., ONE WAY, NO RIGHT TURN, DO NOT ENTER, ETC.) SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 413 OF THE BCZR
2. ENTRANCE SIGN SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 203.3 C.1. AND 413 OF THE BCZR

OWNER (P.1) / CONTRACT PURCHASER (P.2)
HARVEST OFFICE BUILDING INVESTORS
STEPHEN S. DUKLEWSKI, JR.

2345 YORK ROAD
TIMONIUM, MD. 21073
(410) 941-9040

TAX ACCOUNT # 20-00-010885 ZONE-R.O.
TAX ACCOUNT # 20-20-066627 ZONE-DR.35
DEED 7149/251 ZONE R.O.
DEED 1442/011 ZONE DR.35



LOCATION MAP
SCALE: 1" = 200'

SITE DATA

- Existing Use: general offices/medical offices
- Proposed Use: medical offices
- Councilmanic District: 4
- Census Tract: 4,085.05
- Watershed: 11, Subwatershed: 32
- There are no Historical Areas, Critical Areas, Wetlands, Archaeological sites, endangered species habitat, or hazardous materials on this site.
- There are no wells or septic within 100 feet of this site.

Existing Zoning: R.O. and DR-3.5

Site Acreage:
Gross 1.04 acres ±
Net 0.80 acres ±

Adjusted Gross Floor Areas:

Basement 2,278 s.f.
1st Floor 6,452 s.f.
2nd Floor 6,524 s.f.
3rd Floor 6,524 s.f.
Total 21,778 s.f.

Floor Area Ratio:
Permitted Maximum
Proposed 21,778 s.f. / 45,302 s.f. = 0.50

Amenity Open Space R.O. D.R. 3.5
Required Minimum 0.25 Ac. ± 0.02 Ac. ±
Existing A.O.S. 0.26 Ac. ±
Proposed A.O.S. 0.23 Ac. ± 0.02 Ac. ±
As required by the landscape regulations

Parking Tabulation:
Basement 2,278/1,000 x 4.5 = 10.25
1st Floor 6,452/1,000 x 4.5 = 29.03
2nd Floor 6,524/1,000 x 4.5 = 29.36
3rd Floor 6,524/1,000 x 4.5 = 29.36
Total Required 98 spaces

Parking Proposed: 103 spaces (includes 3 H.C.)

Compact Spaces Permitted: 103 x 0.4 = 41 spaces

Compact Spaces Proposed: 37 spaces

REVISED
PLAT TO ACCOMPANY PETITIONS FOR
SPECIAL HEARING, USE PERMIT, AND VARIANCES

FOR

HARVEST OFFICE BUILDING

8TH ELECTION DISTRICT

BALTIMORE COUNTY, MD

SCALE: 1" = 30'

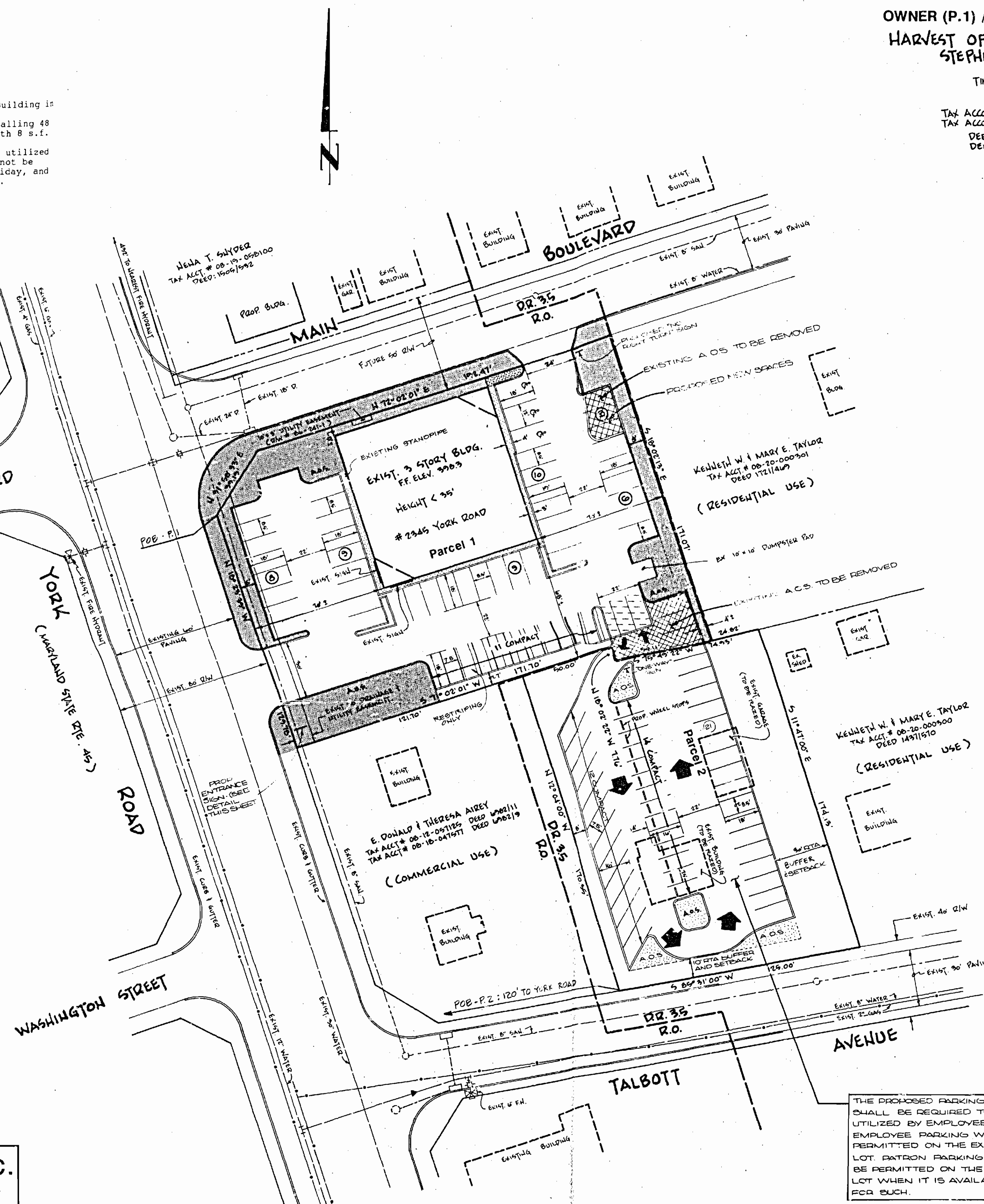
JULY 1, 1994

McKEE & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
TELEPHONE: (410) 527-1555 FACSIMILE: (410) 527-1563

COMPUTED BY: J.M. DRAWN BY: J.M. CHECKED BY: J.M. JOB No: 94-09

JAMES W. McKEE DATE:
V. REG NO 3012



THE PROPOSED PARKING AREA SHALL BE REQUIRED TO BE UTILIZED BY EMPLOYEES. NO EMPLOYEE PARKING WILL BE PERMITTED ON THE EXISTING LOT. PATRON PARKING WILL BE PERMITTED ON THE NEW LOT WHEN IT IS AVAILABLE FOR SUCH.

ZONING HISTORY

CRG Plan No. 86012: Approved 2/27/86

Zoning Hearing 86-416XA

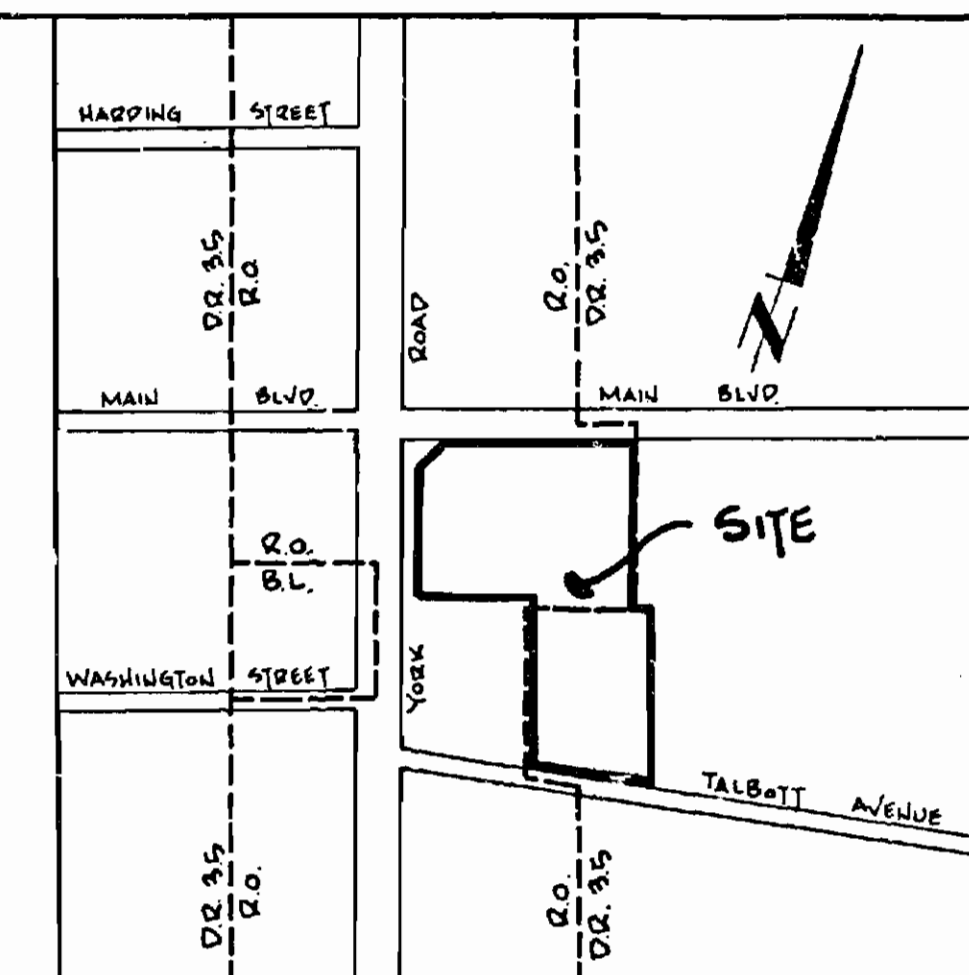
Special Exception to permit Class B Office Building in an RO Zone - Granted
 Variance to permit two illuminated signs totalling 48 s.f. in lieu of non-illuminated sign with 8 s.f. maximum size - Granted
 Special Conditions: Special Exception to be utilized within five years of order, signs will not be illuminated after 9:00 p.m. Monday - Friday, and no illumination on Saturdays or Sundays.

OWNER (P.1) / CONTRACT PURCHASER (P.2)

HARVEST OFFICE BUILDING INVESTORS
 STEPHEN S. DUKLEWSKI, JR.

2345 YORK ROAD
 TIMONIUM, MD. 21093
 (410) 541-9040

TAX ACCOUNT # 20-00-010885 ZONE - R.O.
 TAX ACCOUNT # 00-20-004627 ZONE - DR.35
 DEED 1449/197 ZONE R.O.
 DEED 1448/011 ZONE DR.35



LOCATION MAP
 SCALE: 1" = 200'

SITE DATA

- Existing Use: general offices
- Proposed Use: medical offices
- Councilmanic District: 4
- Census Tract: 4,085.05
- Watershed: 11, Subwatershed: 32
- There are no Historical Areas, Critical Areas, Wetlands, Archeological sites, endangered species habitat, or hazardous materials on this site.
- There are no wells or septic within 100 feet of this site.

Existing Zoning: R.O. and DR-3.5

Site Acreage:
 Gross 1.25 acres ±
 Net 1.04 acres ±

Adjusted Gross Floor Areas:
 Basement 2,278 s.f.
 1st Floor 6,452 s.f.
 2nd Floor 6,524 s.f.
 3rd Floor 6,524 s.f.
 Total 21,778 s.f.

Floor Area Ratio:
 Permitted Maximum 0.20
 Proposed 21,778 s.f./54,450 s.f. = 0.40

Amenity Open Space:
 Required Minimum 0.05 Ac. ±
 Proposed A.O.S. 0.05 Ac. ±

Parking Tabulation:
 Basement 2,278/1,000 x 4.5 = 10.25
 1st Floor 6,452/1,000 x 4.5 = 29.03
 2nd Floor 6,524/1,000 x 4.5 = 29.36
 3rd Floor 6,524/1,000 x 4.5 = 29.36
 Total Required 98 spaces

Parking Proposed: 98 spaces (includes 3 H.C.)
 Compact Spaces Permitted: 98 x 0.4 = 39 spaces
 Compact Spaces Proposed: 37 spaces

PLAT TO ACCOMPANY PETITIONS FOR
 SPECIAL HEARING, SPECIAL EXCEPTION, USE PERMIT, AND VARIANCES

FOR

HARVEST OFFICE BUILDING

8TH ELECTION DISTRICT

BALTIMORE COUNTY, MD

SCALE: 1" = 30'

APRIL 14, 1994

94-436-SPAXA

ITEM # 420

REQUESTED ACTIONS:

- Special Hearing to amend the previously approved plan for Harvest Office Building. (86-416XA)
- Special Exception Request per Section 203.3.B.2.b to permit up to 100% of the total adjusted gross floor area of a Class B office building to be medical offices.
- Use Permit per Sections 409.8.B.1 and 409.8.B.2 to allow parking in residential zone
- Variance to Section 203.3.B.2.b(1) to permit a floor area ratio of 0.40 in lieu of 0.20 permitted maximum.
- Variance to Section 203.4.C.4 to permit a setback from a residential street of 5 feet in lieu of the required 20 foot minimum.

Variance to Section 203.4.C.6.C.1 to permit an 8 foot landscape buffer in lieu of the required 20 foot minimum.

Variance to Section 1801.1B.1.e(5) to permit a 30 foot buffer in lieu of the 50 foot minimum buffer required, subject to the requirements of Section 1801.1B.1.c(2).

McKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD
 TELEPHONE: (410) 527-1555

HUNT VALLEY, MARYLAND 21030
 FACSIMILE: (410) 527-1563



COMPUTED BY: JAG. DRAWN BY: JMB. CHECKED BY: JAG. JOB No: 94-09

August 18, 1994

Re: Harvest Office Building, Proposed Full Medical
Occupancy and New Parking Area - Possible
Condominium Ownership

Dear Mr. Jablon and Mr. Rascoe:

In case 94-436-SPHXA (presently being revised prior to hearing by the Zoning Commission) we are asking for a special hearing to convert hundred percent of the existing Harvest Office Building to medical occupancy from its present thirty three percent, a special hearing to amend the earlier site plan in Case No. 86-416-XA, as well as a use permit for parking in a residential zone, with associated RTA variances, and a minor amenity open space variance for the main site.

Mr. John Lewis of your office has kindly helped us reshape the necessary zoning relief, and we are confident that we now have that fully identified.

Recently, on August 1, the Development Review Committee decided that such zoning relief with no new buildings, and a new, at-ground level parking area, is not "development" under Section 22-168 of the Development Regulations.

There is a possibility that the owners of this building, Harvest Office Building Investors, L.P. may wish to sell it on a condominium basis for medical occupancy after obtaining the zoning relief in question. The probability would be to sell each of the three floors as a separate condominium development.

Subsection (4) of Section 26-168 provides as follows:
 "Subjecting property to the provisions of the Maryland
 Condominium Act."

RECEIVED

ZADM

Physicians Directory: ref. The Community Phone Book 1994 - 1995

<u>Address</u>	<u>No. of Physicians</u>
1134 York Rd.	7
1202 "	1
1205 "	49
1286 "	4
1212 "	12
1447 "	2
1629 "	1
1905 "	2
2205 "	
2211 "	1
2300 "	1
2405 "	1
2414 "	2
7305 "	2
7402 "	9
7620 "	8
7704 "	2
7800 "	3
7801 "	17
7825 "	1
10155 "	
10540 "	1
10629 "	1
11309 "	1
16918 "	2
57 West Timonium Rd.	2
106 Old Padonia Rd.	1
109 "	1
113 "	
30 East Padonia Rd.	2
61 " "	3
21 Cranbrook Rd.	1
1040 Ridgeland Rd.	1
120 Cockeysville Rd.	2
10 Warren Rd.	14
10 Gerard Ave.	2
1503 Long Quarter Ct.	1
50 Scott Adam Rd.	3
54 "	13
1922 Greenspring Dr.	4
1966 "	3
1400 Front Ave.	10
1910 Lynde Rd.	1
120 Slater Pierre Dr.	41
28 Allegheny Ave.	3
305 "	1
403 "	1
22 West Rd.	5
110 "	2
113 "	1
Timonium Medical Center	
Primary Care Practice Associates	
Chestridge Medical	
Medstat Clinic	
Hunt Valley Medical Center	
Maryland Womens Medical Center	
Greater Chesapeake Hand Specialists	
St. Joseph Professional Building	

November 8, 1994

HARVEST OFFICE BUILDING POINTS

GOAL

The goal is to convert the existing Harvest Office Building site at York Road and Main Boulevard in Timonium to 100 medical occupancy. It is presently in excess of 1/3rd medical occupancy, over and above the present 25% restriction on medical occupancy in an R.O. office building. It was approved under the original RO zone, with a .50 F.A.R. and no restriction on medical occupancy percentage. It and its neighbors along York Road have made use of the aspects of an O-1 zone, but with no ACCESSORY commercial uses.

ZONING RELIEF REQUESTED
SPECIAL HEARING

A special hearing has been requested to amend previously approved case 86-416-XA, which approved the original building, site and a variance to allow the sign on the building to be larger and illuminated, as originally granted with up to five years for utilization by Deputy Commissioner Jung's Opinion and Order of April 23, 1986, attached hereto.

THREE VARIANCES

100 PERCENT MEDICAL OFFICE OCCUPANCY

1. To permit 100% medical office occupancy of the existing Class B office building in lieu of the presently allowed 25% of the gross floor area.

RIGHT TO 100 PERCENT MEDICAL OCCUPANCY

A. Please note that the most recent RO amendment, namely Bill 151-88, enacted in the fall of 1988, and effective November 27, 1988, specifically added a new Section, 502.8 to the BCZR, which provides:

**BILL 151-88 TREATMENT OF
EXISTING RO BUILDINGS AND SITES**

*502.8 - B[ill] No. 151-88 does not affect the validity of any order granting a special exception for a Class B office building pursuant to Subsection 203.3.B. prior to the effective date of the Bill. Any such special exception may be used in accordance with the applicable provisions of these regulations in effect at the time of the grant of such special exception and in accordance with the terms of the order, provided construction is started prior to the expiration date of the special exception as required by Section 502.3. [B[ill] No. 151, 1988.]

Comm. is
copy

PLEASE PRINT CLEARLY

Harvest & Truss
PETITIONER(S) SIGN-IN SHEET
2 M 84-1121-5

11/10/94
2 P.M.

NAME
Newton G. Williams
Jim McKee
James Grammer
STEVE DUKLEWSKI

102

ADDRESS 823-7800

200 Court Towers, #1204

5 SHAWAN PLACE, MONT VALLEY 527-1555

5 Shawan Road, Hunt Valley 21030

3345 YORK RD TIDWORTH MD 21093

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

11/30/94

NAME
Newton A. Williams
Steve Rubikowski

ADDRESS
700 Court Tower, 21204
Hermit Hills, Pa 23454

PLEASE PRINT CLEARLY

Harvest/Trops
PROTESTANT(S) SIGN-IN SHEET
Case No 94-45

PROTESTANT(S) SIGN-IN SHEET
Case No 94-436-SPM 11/10/94
J.P.M.

NAME	ADDRESS
Beth J. Murdoch	#6 W. 1st St., 21072
Kenneth Murdoch	" " " " "
in care of Mrs. Murdoch	#16 E. W. 1st St. 21073
Margie Robinson	9 Chas. CT. Uniontown 21073
Frank & Margaret	2 W. 1st St. 21072
" " " "	12 W. 1st St. 21072
Wayne L. Rottge	10 Talbot Ave. 21093
Sandra H. Brown	12 Talbot Ave. 21093
Marian Philpot	9 E. Main St. 21072
John O. Davis	18 Talbot Ave. 21093
Angie Geiger	18 Talbot Ave. 21093
Ann Johnson	18 Talbot Ave. 21093

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

Nov 30, 1994

NAME

Bruce Murchak

Both Murchak

isabelle P. Ade

Bhadra Saughrin

Delores J. Marshall

Paul J. Koder

Mary Clare Wheeler

Barry Winkler

Jack Thompson

Sandy Brown

James Rutledge

Walter C. Rutledge

Reginald Pleasant

Rose M. Eff

ADDRESS

6 E. Main Blvd - Timonium

" " "

23 Talbott Ave. Timonium

32, Talbott Avenue Timonium

40 Olive Ct. Timonium 21093

2 Chance Ct. Timon

1 Chance Ct Timonium

1 Chance Ct - Timonium 21093

6 Chance Ct " "

12 Talbott Ave " "

40 Talbott Ave

10 Talbott Ave Timonium

9 E. Main Blvd. 21093

14 E Main Blvd 21093



REVISED PET'S AND PLANS.
94-436-SPHA. -- X-henry
dropped.

Open 2 sets signs for
FOR VAR+SPH.
Post 1 set of signs on York Rd
and 1 set on Talbott.

Need signs each location for var. Due to length of request
and 1 set on Talbott.

John

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



November 17, 1994

(410) 887-4386

Newton A. Williams, Esquire
Nolan, Plumhoff and Williams, Chtd.
700 Court Towers
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 94-436-SPHA
Harvest Office Building Investors, L.P., et al, Petitioners

Dear Mr. Williams:

Confirming telephone conversations, it was agreed by all parties that the continuance of the above captioned case will take place on Wednesday, November 30, 1994 at 9:00 A.M. in Room 118 of the Old Court House.

Very truly yours,
Charles E. Radcliffe
Marlene C. Novak
Secretary to
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

cc: Gwen Stephens, Docket Clerk ✓
Office of ZADM

cc: Mr. and Mrs. Bruce Murdoch, 6 E. Main Boulevard, Timonium

NOV 17 1994

ZADM

Printed with Soybean Ink
on Recycled Paper

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management



(410) 887-3353

SEPTEMBER 12, 1994

NOTICE OF HEARING

The Zoning Commission 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:

Rechecked from 6/17/94

CASE NUMBER: 94-436-SPHA (Item 425)
2345 York Road - Harvest Office Building
SEC York Road and Main Boulevard - Parcel 1
N/S Talbott Street, 120' E of c/l York Road - Parcel 2
8th Election District - 4th Councilmanic
Legal Owner: Parcel 2: Katherine Hannibal, P/R Estate Katherine Trapp
Legal Owner/Contract Purchaser: Harvest Office Building Investors, L.P.

HEARING: WEDNESDAY, OCTOBER 5, 1994 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to amend the previously approved plan from Case 886-416-2A and to allow office/business parking in a residential zone.
Special Exception - no longer requested.
Variance to permit 100% medical office occupancy of an existing, previously approved Class B office building in lieu of the presently allowed 25% of the total adjusted gross floor area; to allow buffers and setbacks, of a minimum of 4 feet, 10 feet and 30 feet in line of the requirements of 50 ft. buffers and 75 ft. setbacks in a S.T.A. area/D.R. zone; to permit 0.23 acres (22.1% of the gross site area of the 80 site) for amenity open space in lieu of the required minimum of 25%, and the 0.265 acres previously approved.

Arnold Jablon
Director

cc: Newton A. Williams, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Note: Notice of 10-5-94 Hearing Date sent
via postcard to names on attached list.

Printed with Soybean Ink
on Recycled Paper

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
SEC York Road and Main Boulevard - Parcel 1; N/S Talbott Street, 120' E of c/l York Road - Parcel 2; (2345 York Road - Harvest Office Bldg.), 8th Election Dist., 4th Councilmanic Dist.
KATHERINE HANNIBAL, P/R FOR THE ESTATE OF KATHERINE TRAPP
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Case No. 94-436-SPHA

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Charles S. DeMilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of May, 1994, a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esquire, Nolan, Plumhoff & Williams, Chtd., 700 Court Towers, 210 W. Pennsylvania Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

John B. Gontrum, Esquire
ROMADKA, GONTRUM & McLAUGHLIN
814 Eastern Boulevard
Baltimore, MD 21221

RE: Case No. 94-272-XA
John H. Snyder, Mena T. Snyder,
and Chapel Homes, Inc.

Dear Mr. Gontrum:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,
Charlotte E. Radcliffe
Charlotte E. Radcliffe
Legal Secretary

encl.

cc: Mr. Thomas J. Faust /
Chapel Homes, Inc.
Mrs. Mena T. Snyder
Mr. Bruce P. Murdock
Richard Cohen, Esquire
Mr. C. L. Talbott
Mrs. E. David McNamara
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Bcc: NEWTON WILLIAMS

Printed with Soybean Ink
on Recycled Paper

NEWTON A. WILLIAMS
THOMAS J. FAUST
WILLIAM P. ENGLISH, JR.
STEPHEN J. NOLAN
ROBERT L. HANLEY, JR.
ROBERT R. BULGACOV
STEPHEN M. SCHENKING
GREGORY L. BURGESS
ROBERT E. CAHILL, JR.
E. BRUCE JONES
J. JOSEPH CURRAN, III
CHRISTINE M. McHEARN

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(410) 823-7800
TELEFAX (410) 296-2765

JAMES B. NOLAN
NOLAN, PLUMHOFF & WILLIAMS
J. EARLE PLUMHOFF
1980-1988
RALPH E. DEITE
1989-1990
OF COUNSEL
T. BAYARD WILLIAMS, JR.
WALTER S. DREYER, D.D.

TELECOPIER COVER PAGE
TELEFAX (410) 296-2765

DATE: October 4, 1994 CLIENT/MATTER NO.: 3919/1- FAX TWICE
TELECOPIER TELEPHONE NUMBER: 887-5788
TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET): 1
TO: Newton Williams and Mr. John Lewis
FIRM: ZADM
TELEPHONE NUMBER TO CONFIRM RECEIPT: 887-3391
FROM: Newton Williams
RE: Trapp/Murdoch Case No. 94-436-SPHA, with John H. Snyder, Oct 5, 1994.
IF FOR ANY REASON YOU NEED TO CONTACT US, PLEASE CALL
Newton Williams at 823-7800

Dear John and John: Please refer to my FAX of October 3rd.
1. As the file will show, on 9/29 we filed to report on York Road and on Talbott.
2. John - Should be setting Ret. 75-111-XA on November 2nd.
3. On November 2nd, I have 3 witnesses with difficult schedules - PLEASE do NOT SET on Nov 2, 3, 4, 11, 16th or 17th or the Friday after Thanksgiving, the 25th.
Thanks and best regards, sincerely, Newton

WARNING: Unauthorized interception of this telephonic communication could be a violation of Federal and Maryland law.

The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopy information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents to us.

52678

FILE NO. 281 08-02 '94 13:20 NOLAN, PLUMHOFF, WILLIAMS

PAGE 1

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(410) 823-7800
TELEFAX (410) 296-2765

TELECOPIER COVER PAGE
TELEFAX (410) 296-2765

DATE: August 2, 1994 CLIENT/MATTER NO.: 3919/1
TELECOPIER TELEPHONE NUMBER: 527-1563
TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET): 6
TO: Mr. John Lewis
FIRM: ZADM and Newton
TELEPHONE NUMBER TO CONFIRM RECEIPT: 527-1565
FROM: Newton Williams
RE: Trapp/Murdoch Case No. 94-436-SPHA, with John H. Snyder, Oct 5, 1994.
IF FOR ANY REASON YOU NEED TO CONTACT US, PLEASE CALL
Newton Williams at 823-7800

Dear John and John: Please refer to my fax of August 1.
John has made me rethink and consult the requests.
Note classifications of legal owner/contract purchase, lease.
Also more importantly, note the two proposed additional witnesses for A.O.S. and the 70% P.A.R. on medical occupancy. It is not clear that the special exception action is the governing action, John is right - appears to be a variance. Please advise.
Thanks for your help. Best regards, Newton

WARNING: Unauthorized interception of this telephonic communication could be a violation of Federal and Maryland law.

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52678

FAX CC - Mr. John Lewis at ZADM, Phone 887-3391
FAX 887-5788

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: (Revised Comments 9/8/94)

SUBJECT: 2345 York Road

INFORMATION:

Item Number: 420

Petitioner: Katherine Hannibal, Personal Representative

Property Size: 1.8± acres gross, 1.53± acres net

Zoning: R.O. and D.R. 3.5

Requested Action: Special Hearing to allow parking in a D.R. zone, and allow medical office use in an R.O. zone.

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The R.O. zone was created to provide a transition between residences and commercial retail uses on busy traffic corridors. The zone allows for limited office use, and is not intended to accommodate a substantial share of the demand for office space. In the instant case, the applicant proposes to expand an existing parking lot onto a viable residential property in order to provide additional parking for an increase of medical office use.

Conversions of offices to medical use negatively impact communities. Communities are affected in the following ways:

- Additional traffic;
- Increased demand for on-street parking;
- Future expansion/encroachment into established communities.

Based upon a review of the information provided and analysis conducted, staff recommends the applicant's request be denied for the reasons as follows:

The subject request constitutes an unwarranted extension of a non-residential use into an established neighborhood. The residents to the south and east will be

impacted by increased noise and activity related to patient turnover. In addition, traffic and on-street parking will increase on Main Boulevard which is a residential street.

Prepared by:

Division Chief:

PK/JL:lw



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

5-17-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 42 430 (RT)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for DAVID N. RAMSEY, ACTING CHIEF
John Comestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

0-9-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 94-436-SPHA

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RECEIVED
SEP 12 1994

ZADM

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/17/94

Arnold Jablon,
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Dates: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

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.

B. The Fire Prevention Bureau has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 415, 416, 417, 418, 419, 420, 422, 423, 425.

RECEIVED
MAY 18 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE: 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 19, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for September 19, 1994
Case No. 94-436-SPHA

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to the previous landscape review comments.

RWB:BW

111 West Chesapeake Avenue
Towson, MD 21204

September 26, 1994

(410) 887-3353

Newton A. Williams, Esquire
210 West Pennsylvania Avenue
Baltimore, Maryland 21204

Item 420

RE: Case No. 94-436 Petitioner Katherine
Hannibal, for Estate of Katherine Trapp

Dear Mr. Williams:

Enclosed are copies of comments received from OPZ September 08, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

John Watson
Joyce Watson

Enclosure

111 West Chesapeake Avenue
Towson, MD 21204

August 23, 1994

(410) 887-3353

Newton A. Williams, Esquire
Nolan, Plumbhoff, and Williams
Suite 700, Court Towers
210 West Pennsylvania Avenue
Towson, MD 21204-5340

RE: Harvest Office Building
Zoning File #94-436-SPHA
ORC #080148

Dear Mr. Williams:

Reference is made to your letter of August 18, 1994 and the attached plans to Arnold Jablon and Donald Rascoe of this office and has been referred to me for reply. You have requested that this office confirm that the probability of horizontal condominiums would not trigger any additional development meetings.

On the zoning side, as long as the uses are consistent with the zoning petition, the ownership whether vertical or horizontal does not change the zoning requirements.

I have discussed your request with Donald Rascoe today and we have agreed that no additional development meetings are required as long as all of the zoning or environmental issues are resolved prior to permit applications.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 887-3391 (FAX - 887-5708).

Very truly yours,

W. Carl Richards, Jr.
Zoning Supervisor

MCR:scj

cc: Stephen Duklewski
Jim McKee & Jim Grammer
William Monk
Donald Rascoe
Zoning File #94-436-SPHA

Pg. 2

REASONS FOR REQUESTED VARIANCE(S)
SPECIAL HEARING, AND USE PERMIT REQUEST
HARVEST OFFICE BUILDING AND
RELATED, PROPOSED PARKING AREAS

1. Harvest Office Building is one of the finest in the York Road Corridor, and its grounds, building and plantings are excellently maintained.
2. That there is an additional need for medical office spaces conveniently located on York Road to serve this area of Timonium.
3. That there is additional, vacant, unused land available for parking purposes adjoining the Harvest Site to the south, of the same depth as the R0 zoned, Harvest Site.
4. That this additional parking area will facilitate the proposed total medical usage of the Harvest Building, with its presently medical occupancy in excess of one third.
5. That the existing site and building was approved in 1986 in Case No. 86-416XA.
6. That the 0.50 F.A.R. met the previous requirements, prior to Bill 37-86.
7. That the proposed new parking area adjoining the site on Talbot Avenue will be fully screened, appropriately lighted, and will be bordered on the north by the Harvest site, on the west by an R0, office developed site and parking area and on the south by Talbot Avenue.
8. That without the requested relief, the Petitioners will sustain practical difficulty and unreasonable hardship. That the requested relief will not be detrimental to the health, safety and welfare of the area, and they are in harmony with the spirit and intent of the Regulations.

ITEM #420

MCKEE & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555
Facsimile: (410) 527-1563

May 3, 1994

ZONING DESCRIPTION
2345 YORK ROAD
HARVEST OFFICE BUILDING
EIGHTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the first at a point, said point being situated at the intersection of the east side of York Road (Maryland State Route 45), 80 feet wide, and the south side of Main Boulevard, 50 feet wide; thence leaving said point and running along Main Boulevard, North 31° 58' 33" East 39.19 feet and North 72° 02' 01" East 192.47 feet; thence leaving Main Boulevard and running, South 18° 02' 13" East 171.07 feet; thence South 75° 49' 22" West 50.11 feet; thence North 18° 02' 22" West 7.76 feet; thence South 71° 02' 01" West 171.70 feet to a point on the east side of York Road; thence along York Road, North 18° 23' 39" West 129.78 feet to the point of beginning.

Containing 45,302 square feet or 1.04 acres of land, more or less. Being known as #2345 York Road and lying in the Eighth Election District.

Beginning for the second on the north side of Talbot Avenue, 40 feet wide, at a distance of 120 feet, more or less from the east side of York Road (Maryland State Route 45), 80 feet wide; thence leaving said north side of Talbot Avenue and running, North 12° 04' 00" West 170.35 feet; thence North 71° 02' 01" East 50.00 feet; thence South 18° 02' 22" East 7.76 feet; thence North 75° 49' 22" East 74.93 feet; thence South 11° 47' 00" East 174.13 feet to a point on the north side of Talbot Avenue; thence running along Talbot Avenue, South 65° 31' 00" West 125.00 feet to the point of beginning.

Containing 21,344 square feet or 0.49 acres of land, more or less. Being known as #4 Talbot Avenue and lying in the Eighth Election District.



ITEM #420

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 8th Date of Posting: 5/11/94
Posted for: Special Hearing - Special Exception - Variance
Petitioner: Harvest Office Building - Rittenberg, Howard, 2345 York Rd.
Location of property: 2345 York Rd. - Silver Spring, Md.
Location of Sign: North 18° 02' 13" East 171.07 feet
Remarks: only 10' pole used - No pole used - No pole used
Posted by: Michael Date of return: 5/11/94
Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD. Oct 20, 1994

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 1 successive weeks, the first publication appearing on Oct 20, 1994.

THE JEFFERSONIAN,

A. Henickson
LEGAL AD. - TOWSON

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 420
Petitioner: Robert & Katherine Trapp
Location: 2345 York Rd and Talbot Ave.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Steve A. Oshinski (OWNER/CONTRACT PURCHASER)
ADDRESS: Harvest Office Bldg
2345 York Rd
Towson, Md. 21203
PHONE NUMBER: 420-6500

MUST BE SUPPLIED

CERTIFICATE OF PUBLICATION

TOWSON, MD. 5/12, 1994

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 1 successive weeks, the first publication appearing on 5/19, 1994.

THE JEFFERSONIAN,

A. Henickson
LEGAL AD. - TOWSON

Item Number: 420
Planner: BT
Date Filed: 5-5-94

PETITION PROCESSING FLAG

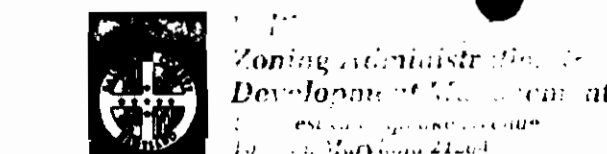
This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing:

- ☐ Descriptions, including accurate beginning point
- ☐ Actual address of property
- ☐ Zoning
- ☐ Acreage
- ☐ Plats (need 12, only 1 submitted)
- ☐ 200 scale zoning map with property outlined
- ☐ Election district
- ☐ Councilmanic district
- ☐ BCR section information and/or wording
- ☐ Hardship/practical difficulty information
- ☒ Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- ☐ Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- ☐ Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
- ☐ Power of attorney or authorization for person signing for legal owner and/or contract purchaser
- ☐ Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- ☐ Notary Public's section is incomplete and/or incorrect and/or commission has expired
- ☒ "Use Permit" Title on Special Exception Form -
- ☐ Actual Request of Variance Form

PET-FLAG (TZYBOPH)
11/17/93



Account: R-001-6150
Number: 420
Date: 5/5/94

STEVAN JABLON, DIRECTOR

111 West Chesapeake Avenue
Towson, Maryland 21204

111 West Chesapeake Avenue
Towson, Maryland 21204

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Towson, Maryland 21204

111 West Chesapeake Avenue
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND
OFFICE OF PUBLIC REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 8/23/94 ACCOUNT: 001-6150

AMOUNT: \$ 40.00 (BCL)

RECEIVED FOR: Nolan, Plumbhoff & Williams

FOR: #710 - VERIFICATION

FROM: Harvest Office Building

DIAGRAM/NOTICE: \$40.00

VERIFICATION OF SIGNATURE OF OWNER

RECEIVED FOR: Nolan, Plumbhoff & Williams

FOR: #710 - VERIFICATION

FROM: Harvest Office Building

DIAGRAM/NOTICE: \$40.00

VERIFICATION OF SIGNATURE OF OWNER

RECEIVED FOR: Nolan, Plumbhoff & Williams

FOR: #710 - VERIFICATION

FROM: Harvest Office Building

DIAGRAM/NOTICE: \$40.00

VERIFICATION OF SIGNATURE OF OWNER

RECEIVED FOR: Nolan, Plumbhoff & Williams

FOR: #710 - VERIFICATION

FROM: Harvest Office Building

DIAGRAM/NOTICE: \$40.00

VERIFICATION OF SIGNATURE OF OWNER

RECEIVED FOR: Nolan, Plumbhoff & Williams

FOR: #710 - VERIFICATION

FROM: Harvest Office Building

DIAGRAM/NOTICE: \$40.00

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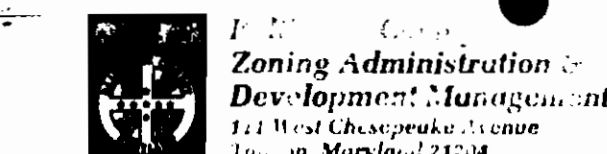
RECEIVED FOR: Nolan, Plumbhoff & Williams

FOR: #710 - VERIFICATION

FROM: Harvest Office Building

DIAGRAM/NOTICE: \$40.00

VERIFICATION OF SIGNATURE OF OWNER



Account: R-001-6150
Number: 94-436-SPHA
Date: 8/23/94

(REVISED PLANS AND PETITIONS + NEW POSTING)
BY JLL

REVISED PUBLIC HEARING PLANS + PETITIONS
CODE 110 = \$100.00

2 SIGN POSTING SITES WITH 3 SIGNS AT EACH AREA = 6 SIGNS TOTAL @ \$210.00

TOTAL = \$310.00

CHECKS TRAPP AND HANSTOFF BLDG. INTERESTS LP

LOC: 2345 YORK RD

111 West Chesapeake Avenue
Towson, Maryland 21204

111 West Chesapeake Avenue
Towson, Maryland 21204

111 West Chesapeake Avenue
Towson, Maryland 21204

111 West Chesapeake Avenue
Towson, Maryland 21204

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111 West Chesapeake Avenue
Towson, Maryland 21204



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County
Harvest Office Building
for the property located at 2345 York Road and Talbott Avenue

which is presently zoned RO and D.R.3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an amendment of the approved Site Plan in Case No. 86-416XA, to permit additional and revised parking areas, as well as medical offices occupancy of the Harvest Office Building, built prior to the 1988 restriction on per cent of medical office occupancy.

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

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

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

Legal Owner(s) For Estate of Mrs. Katherine Trapp

Mrs. Katherine Hannibal, Personal Representative

Signature: *Katherine Hannibal*

MRS. KATHERINE HANNIBAL, Representative

Address: 2345 York Road, 435-6500

City: Timonium, Maryland 21093

State: MD

County: Baltimore

Section: 4 Talbott Avenue

Address: Timonium, Maryland 21093

City: Timonium, Maryland 21093

State: MD

County: Baltimore

Section: Newton A. Williams, Esquire

Nolan, Plumhoff & Williams, CHD.

Address: 700 Court Towers

210 W. Pennsylvania Avenue, 823-7800

City: Towson, Maryland 21204

State: MD

County: Baltimore

Section: 700 Court Towers

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Petition for Variance

to the Zoning Commissioner of Baltimore County
Harvest Office Building
for the property located at 2345 York Road and Talbott Avenue

which is presently zoned RO and D.R.3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) as shown on the attached list.

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

The variances are being requested for the reasons shown on the attached list.

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

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

Contract Purchaser/Lessor: (D.R.3.5 Site)

Harvest Office Building Investors, L.P.

Signature: *Stephen S. Duklewski, Jr.*

STEPHEN S. DUKLEWSKI, JR.

Address: 2345 York Road, 435-6500

City: Timonium, Maryland 21093

State: MD

County: Baltimore

Section: 4 Talbott Avenue

Address: Timonium, Maryland 21093

City: Timonium, Maryland 21093

State: MD

County: Baltimore

Section: Newton A. Williams, Esquire

Nolan, Plumhoff & Williams, CHD.

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Legal Owner(s) For Estate of Mrs. Katherine Trapp (D.R.3.5)

Mrs. Katherine Hannibal, Personal Representative

Signature: *Katherine Hannibal*

MRS. KATHERINE HANNIBAL, Representative

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210 W. Pennsylvania Avenue, 823-7800

ZONING COMMISSIONER'S ORDER CASE NO. 94-272-XA

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of March, 1994 that, pursuant to the Petition for Special Exception, Approval for use of the property as a Class B office building in an R.O. zone, pursuant to Section 203.3.B.2(A) of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 203.4.C.3 of the B.C.Z.R. to permit a front yard setback of 16 ft. in lieu of the minimum required 25 ft., and be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 203.4.C.4 of the B.C.Z.R. to permit a side yard setback of 5 ft. in lieu of the minimum required 10 ft., and a side yard setback adjacent to a residential street setback of 5 ft. in lieu of the minimum required 20 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 203.4.C.6 to permit 0% amenity open space for the parking lot interior in lieu of the minimum required 7%, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 203.4.C.8.C.1 to permit a 4 ft. wide landscaped buffer adjacent to a residentially used property in lieu of the minimum required 20 ft., and a 0 ft. wide landscaped buffer adjacent to a residential street in lieu of the minimum required 20 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 203.4.C.8.C.2 to permit a 2 ft. wide landscaped buffer adjacent to a non-residentially zoned property in lieu of the minimum required 10 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.8.A.4 to permit a non-residential parking space setback of 3 ft. to a right of way line of a public street in lieu of the minimum required 10 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.8.A.5 to permit a deadend aisle with no turn-around area, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 203.3.C.1 to permit two illuminated signs with a total area of 24 sq. ft. in lieu of the maximum permitted 8 sq. ft. non-illuminated sign, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

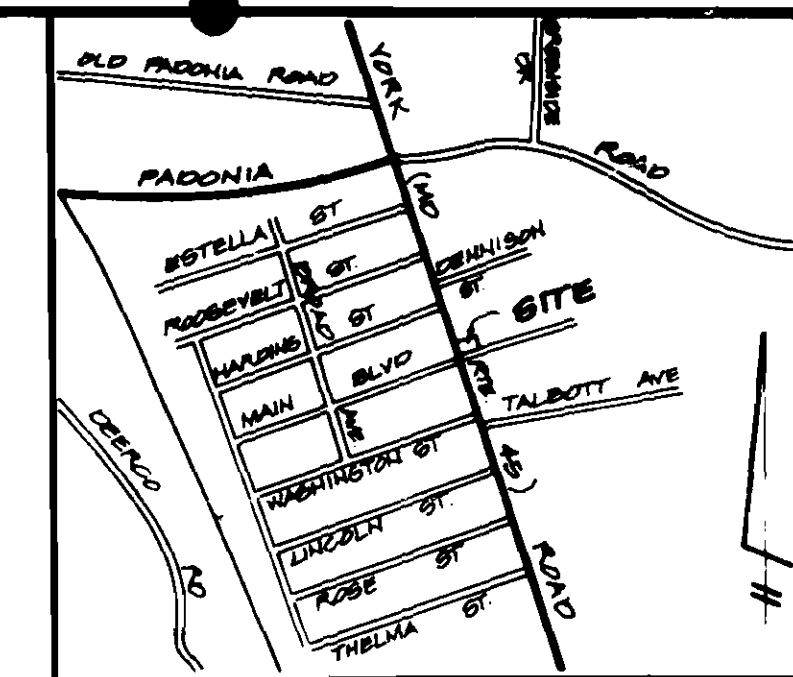
1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall prepare and submit to ZAM, within 10 days from the date of this Order, a development plan which reflects and incorporates the terms, conditions and restrictions, if any, of this Order.
3. The Petitioner shall relocate the entrance to the side of the building in order to save the three trees in the front yard, in compliance with the Landscape Manual, to the greatest extent possible, and in accordance with the Petitioner's Exhibit No. 2.
4. The Petitioner shall not allow the illumination of the signage to reflect into the residential community and the signs cannot be illuminated between the hours of 10:00 P.M. and 7:00 A.M.
5. The Petitioner shall increase the height of the fence on the rear of the property from 5 ft. to 6 ft. The fence line should further be buffered with a row of evergreen trees such as Leland Cypress.
6. Prior to the issuance of any building permits, the Petitioner shall submit a landscape plan for approval by Baltimore County's Landscape Architect, consistent with the comments and restrictions herein.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

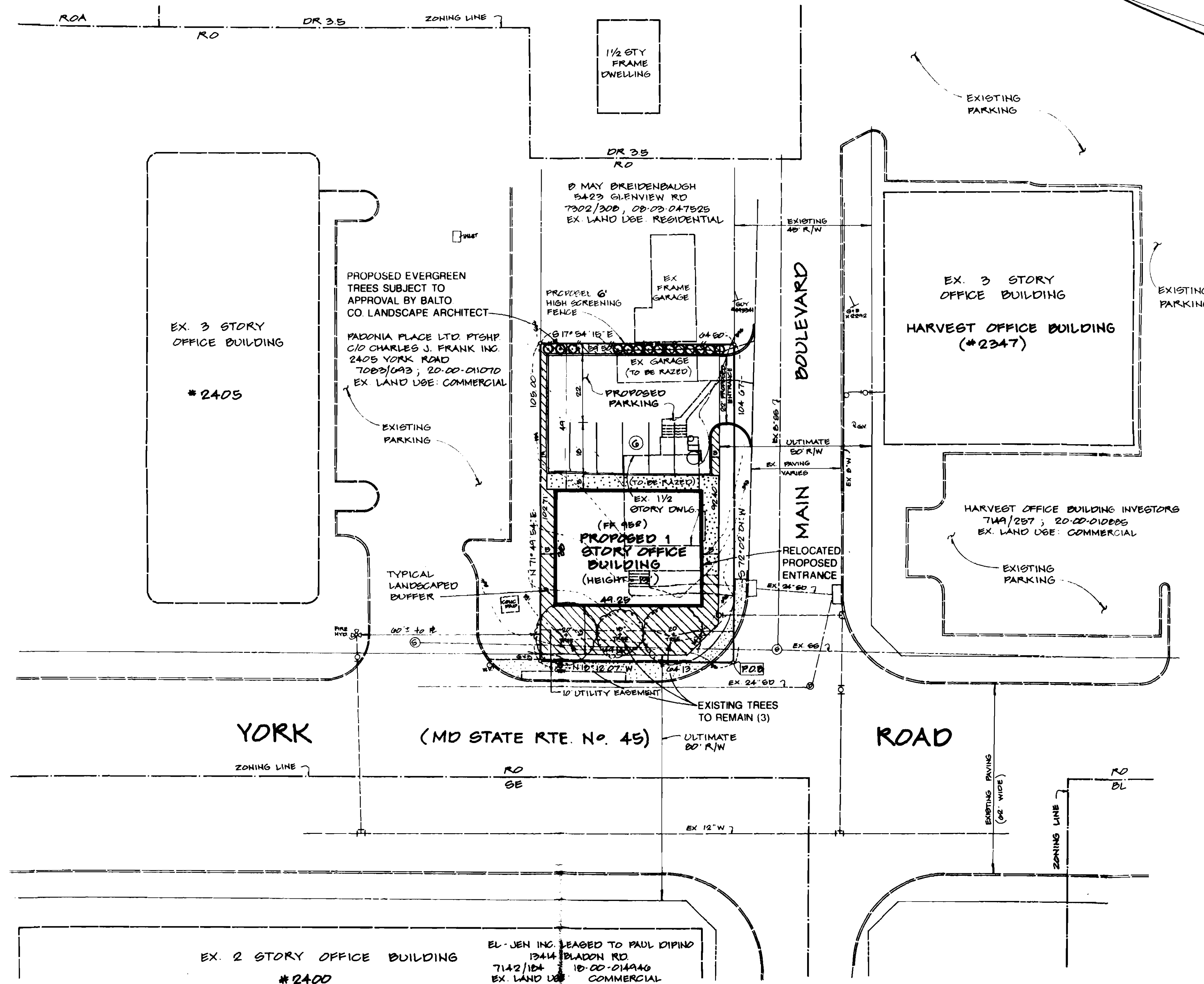
McKEE & ASSOCIATES, INC.
Engineering - Surveying - Real Estate Development
SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
(410) 527-1555



Computed by D.N.H.
Drawn by B.A.D.
Checked by G.C.S. James W. McKee Date
Job Number 93-116 (Maryland Registered No 9012)



VICINITY MAP
SCALE 1"=1000'



DENSITY TABULATION

1. Existing Zoning: RO
2. Gross Area (by deed): 6,743 SF = 0.155 Ac.±
3. Gross Area (by zoning): 11,408 SF = 0.262 Ac.±
4. Highway Widening Area: 709 SF = 0.016 Ac.±
5. Net Area of Site: 6,034 SF = 0.139 Ac.±
6. Proposed Floor Area: 1,871.5 SF
7. Proposed Use: General Office (Class B)
8. Parking Required:
1,871.5 SF / 1,000 SF x 3.3 = 6.18 spaces
less
5% transit adjustment 6.18 x 0.5 = 0.31
TOTAL REQUIRED = 5.87 = 6 spaces
9. Parking Proposed: 6 spaces
10. Maximum Permitted Floor Area Ratio: 0.33
11. Proposed Floor Area Ratio: 1,871.5 / 11,408 = 0.164
12. Amenity Open Space Required (7% of parking):
0.7 x 2,180 = 152.6 SF
13. Amenity Open Space Provided: 0 SF

GENERAL NOTES

1. This site lies within the 4th Councilmanic District.
2. There have been no previous zoning hearings or commercial permits issued for this site.
3. Existing use of site: Residential
4. Proposed use of site: General Office (Class B office building)
5. This site has been granted a limited exemption under section 36-171(A)(7) of the Baltimore County Development Regulations (DRC No. 12133N, SC4, 12-13-93)
6. This site falls on Baltimore County Zoning Map No. R.W.15A.
7. This site is exempt from the Forest Conservation Act.
8. To the best of our knowledge, there are no streams, wetlands, critical areas, 100 year flood plains, archeological sites, endangered species habitats, historical areas, or underground fuel tanks on this site.
9. This site operates on public water and sewer
10. The on-site existing house and garage are to be razed.

PLAT TO ACCOMPANY PETITIONS FOR SPECIAL EXCEPTION & ZONING VARIANCES

AT
2401 YORK ROAD

8TH ELECTION DISTRICT BALTIMORE COUNTY, MD
SCALE: 1"= 20' JANUARY 3, 1994
REVISED JULY 25, 1994

OWNER

NENA T. SNYDER
1207 MOLESWORTH ROAD
PARKTON, MD 21120
DEED REF: 1505/532
TAX ACCOUNT No.: 08-19-058100

CONTRACT PURCHASER

CHAPEL HOMES, INC.
c/o THOMAS J. FAUST, PRES.
P.O. BOX 4397
TMDONUM, MD 21093
PHONE No.: (410) 560-1182

TYPICAL SIGN DETAIL
INDIVIDUAL ILLUMINATED LETTERS
(MAX. DEPTH 1/4")
NOT TO SCALE

12'
CHAPEL HOMES

David Booth
5 E. Main Blvd.
Timonium, MD 21093

June 15, 1994

Mr. Lawrence E. Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, MD 21204

re: Case #94-436-SPHX
Case #86-416-XA

Dear Mr. Schmidt:

Even though I cannot attend the June 17th zoning hearing I wish to express my deep concern regarding the exceptions and variances being requested for the Harvest Office Building at the corner of York Road and Main Boulevard.

Before making any changes in the use of the Harvest Office Building there are several things to consider. First, Main Boulevard is a dead end, residential street which is only 28' wide. There are several families on the street with small children. In addition, a number of senior citizens reside here. Many of the residents on Main Boulevard have lived here for twenty or more years in comparison to the Harvest Office Building which was built less than ten years ago. Currently, the traffic connected with the Harvest Office Building is limited but some problems already exist. Cars passing the existing parking lot use residential driveways for turn-around spots. Recently, one such vehicle nearly collided with my wife's car when she was backing out of our driveway. When the current parking lot fills up cars park in front of individual homes leaving no space for the residents.

If the exceptions and variances requested are granted additional traffic connected with the medical offices will greatly increase the number of automobiles entering, turning around and parking on Main Boulevard. This will result in increased parking problems, noise, pollution and danger to the safety of pedestrians and children.

As a resident on Main Boulevard I do not feel it is fair to ask me and other long-time residents to deal with the problems which seem inherent to the exceptions being requested by the Harvest Office Building.

Sincerely,

David Booth
David Booth

Alan W. Sackier
Catherine T. Sackier
12 E Main Blvd.
Timonium, MD 21093

16 June 1994

Mr. Lawrence E. Schmidt,
Zoning Commissioner
400 Washington Avenue
Towson, MD 21204

Mr. Schmidt,

As a resident of E. Main I am concerned with the approval of the zoning cases #94-436-SPHX and #86-416-XA. I see an existing annoying condition turning into a future disaster.

If I return home in the middle of the day I find cars parking on both sides of the street for the first 1/4 to 1/2 of the street. If occupancy increases to 100% in the building this situation will become more of a problem. I have also had to wait for cars to exit Main Blvd. before I could enter and get to my own home. Creating a parking lot near Talbot Avenue will not alleviate the problem. The entrance to the building is closer to Main Blvd than to the proposed lot and people always park as close to the entrance as possible.

Most important to me is the safety and well

David Booth
5 E. Main Blvd.
Timonium, MD 21093

June 15, 1994

Mr. Lawrence E. Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, MD 21204

re: Case #94-436-SPHX
Case #86-416-XA

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Even though I cannot attend the June 17th zoning hearing I wish to express my deep concern regarding the exceptions and variances being requested for the Harvest Office Building at the corner of York Road and Main Boulevard.

Before making any changes in the use of the Harvest Office Building there are several things to consider. First, Main Boulevard is a dead end, residential street which is only 28' wide. There are several families on the street with small children. In addition, a number of senior citizens reside here. Many of the residents on Main Boulevard have lived here for twenty or more years in comparison to the Harvest Office Building which was built less than ten years ago. Currently, the traffic connected with the Harvest Office Building is limited but some problems already exist. Cars passing the existing parking lot use residential driveways for turn-around spots. Recently, one such vehicle nearly collided with my wife's car when she was backing out of our driveway. When the current parking lot fills up cars park in front of individual homes leaving no space for the residents.

If the exceptions and variances requested are granted additional traffic connected with the medical offices will greatly increase the number of automobiles entering, turning around and parking on Main Boulevard. This will result in increased parking problems, noise, pollution and danger to the safety of pedestrians and children.

As a resident on Main Boulevard I do not feel it is fair to ask me and other long-time residents to deal with the problems which seem inherent to the exceptions being requested by the Harvest Office Building.

Sincerely,

David Booth
David Booth

172.23' N 18° 27' 51" W 7.76' 675° 19' 39" W

DR 35

PROTESTANT'S EXHIBIT NO. 7

T. A. LLOYD 2057125

PRESENT USE RESIDENTIAL

ZONING MANUAL HAS BEEN APPLIED FOR TO ALLOW FOR 2 ILLUMINATED SIGNS WITH A TOTAL OF 42 SQ. FT. ON THE BUILDING.

9 EXISTING STRUCTURES ON SITE WILL BE RAZED

10 PROPOSED BUILDING TO BE CLASS B

11 PARKING AREA TO BE STRIPED

12 HEIGHT OF BLDG NOT TO EXCEED 35'

13 HOURS OF OPERATION 7:30 A.M. TO 9:00 P.M.

14 MAXIMUM NO. OF EMPLOYEES N/A

15 4TH COUNCILMANIC DISTRICT

16 CENSUS TRACT 4035.05

17 WATERSHED 11

18 SUBWATERSHED 32

19 BLDG WILL HAVE ONE OR MORE OF THE FOLLOWING

RTY) USES

ENGINEER REAL ESTATE SALES MANAGEMENT

ARCHITECT ACCOUNTANT CONTRACTOR

LAW FIRM AND OTHER SIMILAR USES

20 GENERAL OFFICE SPACE IS FOR RENTAL PURPOSES

21 PROPOSED LIGHTING SHOWN THUSLY

PROTESTANT'S EXHIBIT NO. 7

Tropp property

PROTESTANT'S EXHIBIT NO. 8

Your Mailbox Needs Attention

(Date)

WHICH ONE LOOKS LIKE YOUR MAIL BOX?

Postal regulations require customers to provide and erect at their own expense rural mail boxes which meet official standards. A recent inspection disclosed the following faults:

1. Your box is not an approved box	10. The signal flag needs attention
2. The door needs attention	11. Your box is too near the road
3. Box must be located so carrier can serve it without leaving vehicle	12. Your box is too far from the road
4. Your box is not waterproof	13. Your box should face the road
5. Your box should be raised inches	14. Your box should be securely fastened to its support
6. Your box should be lowered inches	15. Your box should be made level, and the mail entry slanted
7. Your box should be located on the right-hand side of the road in the carrier's direction of travel	16. A new post for your box should be provided
8. The approach to your box should be clear of snow, vehicles, and other obstructions at all times	17. The box number must be printed in permanent ink on the side of the box visible to the carrier as they approach it or on the box door if the box is grouped
9. The approach to your box should be kept clear of snow, vehicles, and other obstructions	18. Your box should be a limited to prevent rattle

19. Other faults

PROTESTANT'S EXHIBIT NO. 6

Please help your carrier provide you with better service by correcting these faults by:

After this date, delivery service will be suspended until the faults are corrected. Your cooperation in the interest of improved postal service is appreciated.

If you have any questions please see your carrier or contact me.

(Postmaster)

PS Form 4056, See 1005

6/16/94
ATTN: Mr. Lawrence Schmidt
Ref: Case #94-436-SPHXA
- ITEM 420
- HARVEST GROUP

LETTERS IN OPPOSITION TO VARIANCE AND
SPECIAL EXCEPTION

- ① GREATER TIMONIUM COMMUNITY COUNCIL
2 - John Easterday #4 E. MAIN BLVD
3 - Beth Murdock #6 " " "
4 - Robert & Sandra Van Dam #10 " " "
5 - Alan & Catherine Sacker #12 " " "
6 - Mr & Mrs Joseph Eff #14 " " "
7 - Mrs. Mabel Dilworth #16 " " "
8 - David Booth #5 " " "
9 - Mr & Mrs. Melvin Chilcoat #9 " " "

PROTESTANTS
EXHIBIT NO. 1

June 10, 1994
Mr. Lawrence Schmidt
Zoning Commissioner
400 Washington Ave.
Towson, Md. 21204

Ref: #94-436-SPHXA
#86-416-XA

Dear Mr. Schmidt,
As a resident of Main Blvd for 31 years, I wish to convey my objection to any zoning change that would increase the traffic & parking congestion on the street. In an emergency fire & ambulance would find it very difficult to get in the street and maneuver around. We have no turn around at the end of our dead-end street, our driveways are used for that! We have no sidewalks or curbs & gutters, our sidewalks are with their wheels on our lawns. Our mailboxes are blocked, yes, if you refer to postal form PS form 4056, you will see that the mailman does not have to deliver our mail.

I have many more reasons for my objection - I will bring them up at the hearing of 6/17/94 10:30 AM.

Sincerely,
Beth Murdock

Mr. Lawrence Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, Md. 21204

June 13, 1994

Re: Ref #94-436-SPHXA
#86-416-XA

Dear Mr. Schmidt,

I am a resident at 4 East Main Blvd. I am against the rezoning & special exception for Main Blvd. I do not have a driveway, and I already have a major problem trying to park in front of my home. If approved, it will create even more traffic problems.

Sincerely,
John Easterday

Mr. Lawrence Schmidt, Director Zoning Administration,

Dear Mr. Schmidt,

We are writing in regard to the Harvest House, request for a special exception to build a parking lot for the use of the above building. We do not need a medical building here on this small dead-end street where traffic and parking is unbelievable. We have a nice medical building just around the corner on Thelma Road, one directly across York Road, and one three blocks south on York Road. Why would we possibly need another? We know big business usually get what they want but we need your help. Please give the residents of E. Main Blvd. a break and give them matter serious thought. We hope you will deny this request.

Sincerely,
Mr & Mrs Melvin Chilcoat
9 E. Main Blvd.
Timonium, Md.

June 1, 1994
Mr. Lawrence E. Schmidt
Zoning Commissioner
400 Washington Ave.
Towson, Md. 21204

Reference Case # 94-SPHXA for Variance
#86-416-XA for Special Exception

I am definitely opposed to the change in the Harvest Bldg. that will only add to our parking problem on Main Blvd.

Even though you have parking on Foster Ave., Clark Ave., going to Oak, on Clark Ave. south, which will be on Main Blvd.

I am a widow & live alone here 39 yrs and I am not going to get a car so I will have to get in a car on Main Blvd.

Only hope & pray that our town need emergency equipment which this, which collection can be a hindrance of street. why could you get in here with a big fire engine etc.

Greater Timonium Community Council

Box 276, 9 B West Ridgely Road,
Lutherville-Timonium, Maryland 21093

June 14, 1994

Messrs. Lawrence Schmidt
and Timothy Kuroko
Zoning Commissioner's Office
Old Court House
Towson, Maryland 21204

Re: Case 94-436-SPHXA
Item 420

Gentlemen:

I am writing on behalf of the Greater Timonium Community Council, an umbrella group of many neighborhood associations in the Timonium area. I have reviewed the plan for the proposed parking lot, the request for variances and special exception and the request to amend the approved site plan, and I find most of these proposals objectionable. Of primary concern is the request to turn the entire Harvest Office Building into medical offices. Mr. Schmidt has already heard testimony and received correspondence in another case, see 94-272-XA (272), regarding the start of congestion on Main Boulevard because of parking associated with this building. The attendant increase of traffic that an "all" medical offices building will generate could only harm the welfare of the residents on this street. On street parking by employees of this building as well as patients will take away most of the parking for the guests of the residents. Secondly, the memo dated May 24, 1994 from Pat Keller to Arnold Jablon clearly demonstrates that in the opinion of planning experts who reviewed this request the proposal will increase traffic and noise, thus harming the residential quality of the neighborhood. Finally, the applicant states in his petition that there is a need for medical offices in the Timonium area. That statement is ridiculous! A quick scan of the area reveals that there is a medical office building located at 10 East Warren Road, smaller buildings on Scott Adam Road, another one located at 1205 York Road in Lutherville, medical offices located on Bellona Lane, just off Charles Street, and a variety of individual offices located at many other buildings along the York Road corridor. This list does not even consider the hundreds of offices located in close proximity to GBMC and Saint Joseph's hospitals in Towson.

In conclusion, the general welfare of the area would be harmed if this petition is approved, and the applicant can in no way demonstrate a community need for these changes.

Sincerely,
Eric Rockel

Timonium, June 13, 1994

Mr. Lawrence E. Schmidt
Zoning Commissioner
400 Washington Avenue
TOWSON, Maryland 21204

Reference: Case #94-436-SPHXA for variance
Case #86-416-XA for special exemption

Dear Mr. Schmidt,

Some weeks ago came to my knowledge the fact that there are plans to make the Harvest Building a 100% medical center. We are against any changes in the current situation of this building. It already causes a lot of traffic problems in our street. For instance, it is impossible to pass an incoming car, when - as in current situation - there are cars parked at both sides of the street. Except these existing problems we are sure that we will see a bigger problem occur when the building is 100% occupied with doctors. As you can see in the drawing of McKee & Associates it will be more convenient to park in our street than on the new to create parking place. Another problem what bothers us is that the livability of Main Boulevard will obvious decrease by the more intensive use of our street together with the current existing traffic noise caused by York Road.

Therefore we ask you to deny any changes in the current situation of the Harvest Building.

Sincerely,

Robert van Dam
Sandra van Sichen
10 East Main Boulevard
Timonium, MD 21093

June 15, 1994

Dear Mr. Schmidt,

We are against the changes that are currently being proposed by the Harvest Building.

The main concern is the extra traffic that will be entering and exiting East Main Blvd.

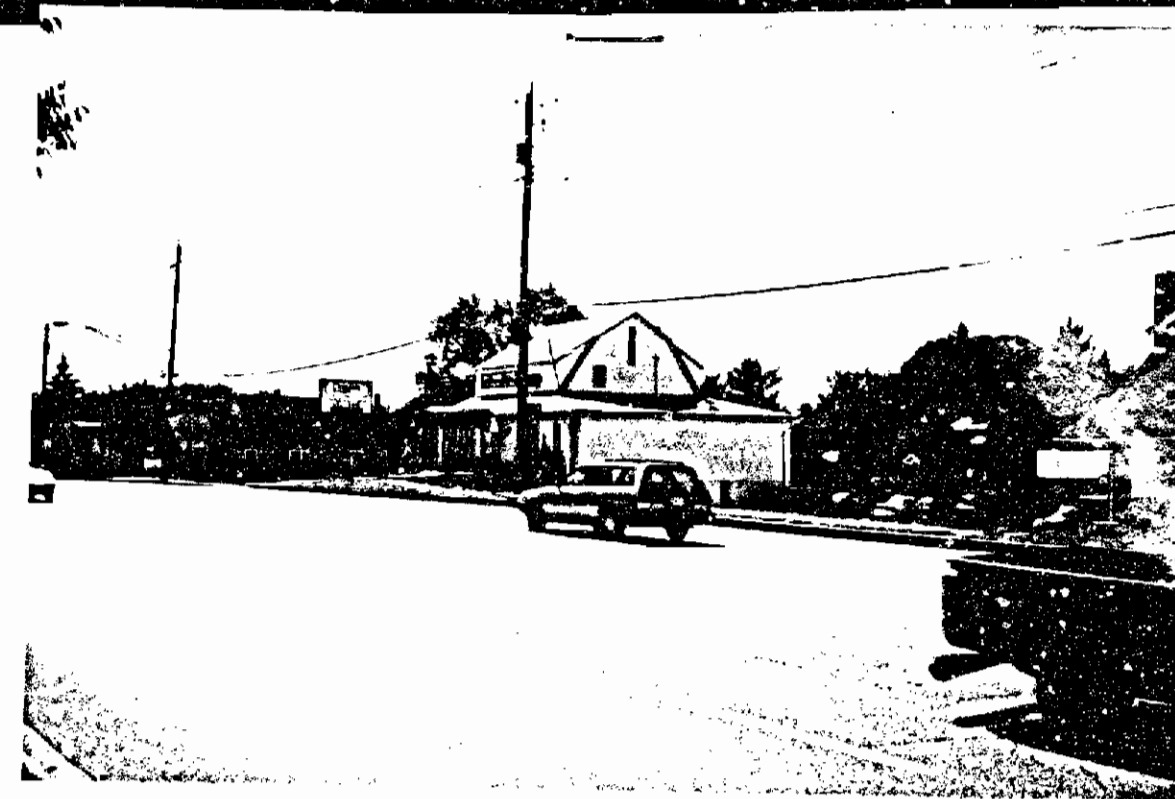
The planned parking lot for Talbot Ave. has no access, which means more cars will be using our small residential street. They will also be using our street for parking because it is closer to the Harvest Building.

We have an appeals hearing on the property located on the northeast corner of York Rd & E. Main Blvd coming up. Please keep, we are being harassed in both corners.

Thank You
Mr & Mrs Joseph Eff



K. Building on W/S of York Rd., N of Harwest



L. OL groom hair salon on W/S of York Rd. catwrenner to SW from Harwest



S. Looking S on York Rd from W/S, Harwest Entrance in Center, Avey & Class & Office Bldgs.



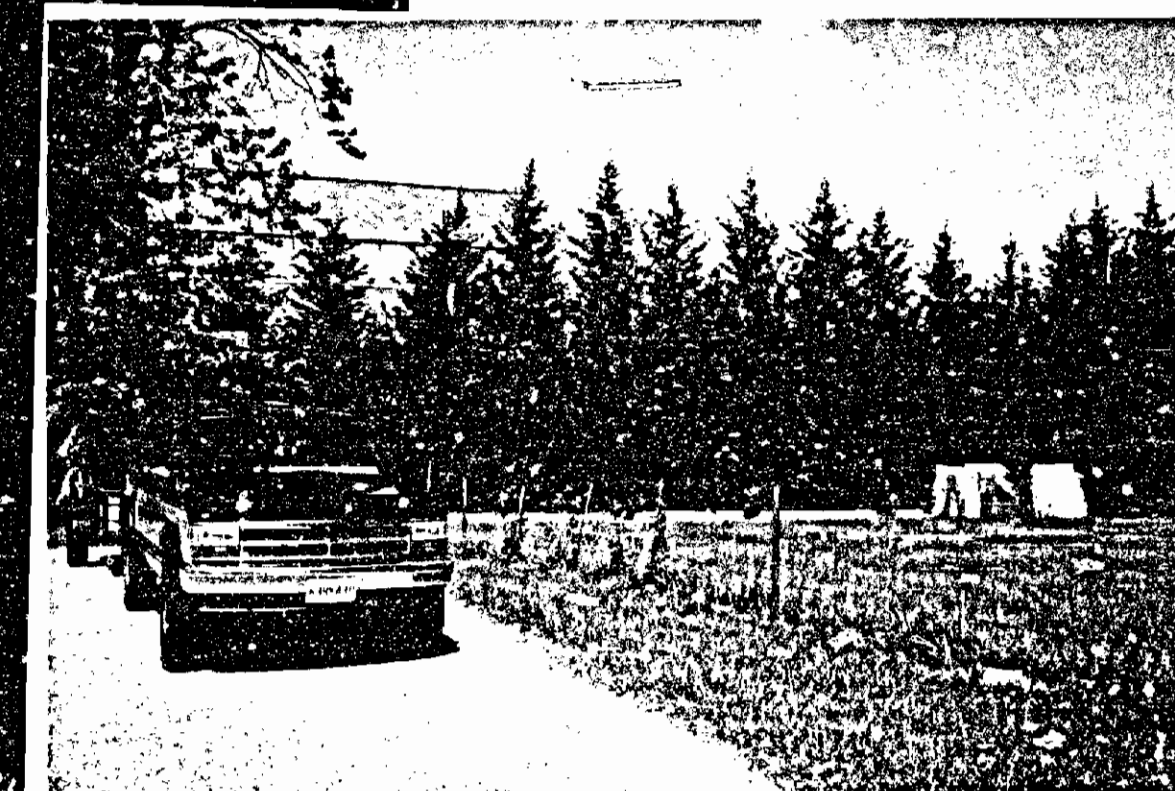
T. Rear of Avey, note lot and Harwest Bldg. in background.



M. Looking N on York Rd. from W/S at Main Blvd., note CLC Bldg.



N. CLC Bldg. on E/S of York Rd., Property to N of Harwest



V. Rear of Avey, Tripp on right, Harwest in background, looking NE from Avey



U. Tripp on left, Avey on right, looking S.



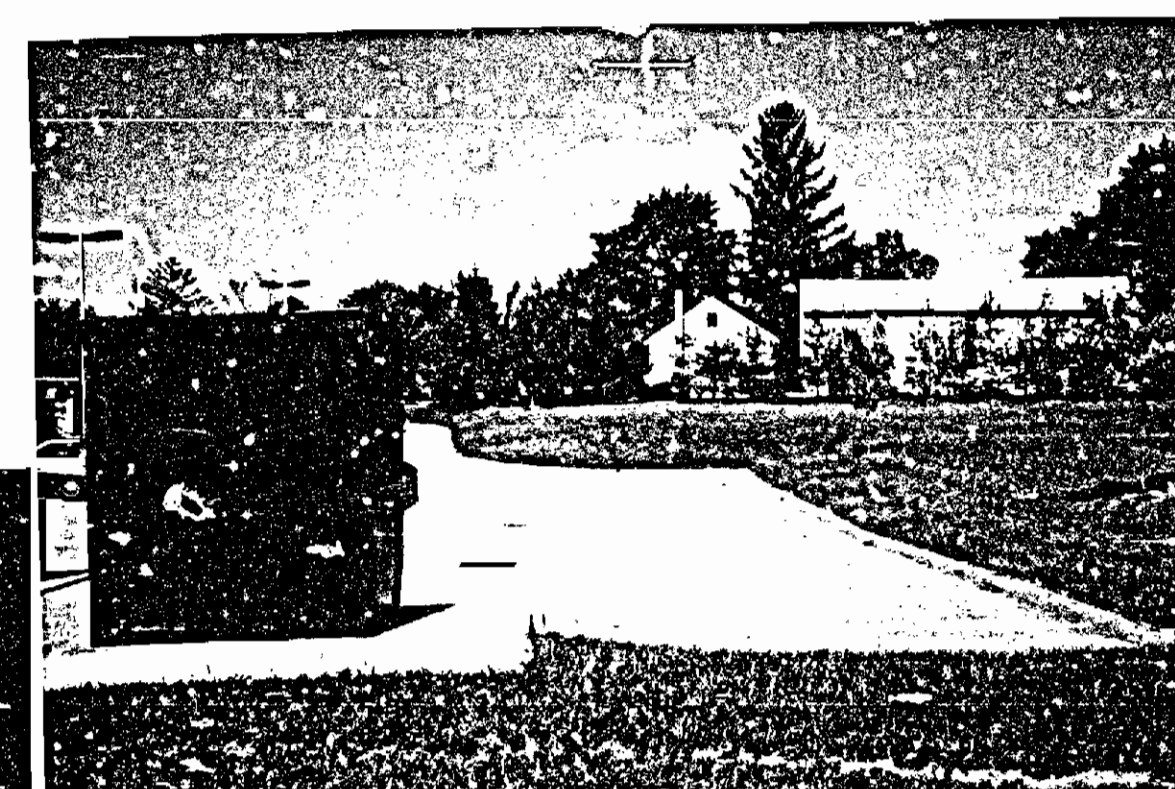
O. Former Maryland Communications Bldg. at SE/C of York Rd. and Tallott Ave., on E/S of York, One Property to S of Harwest



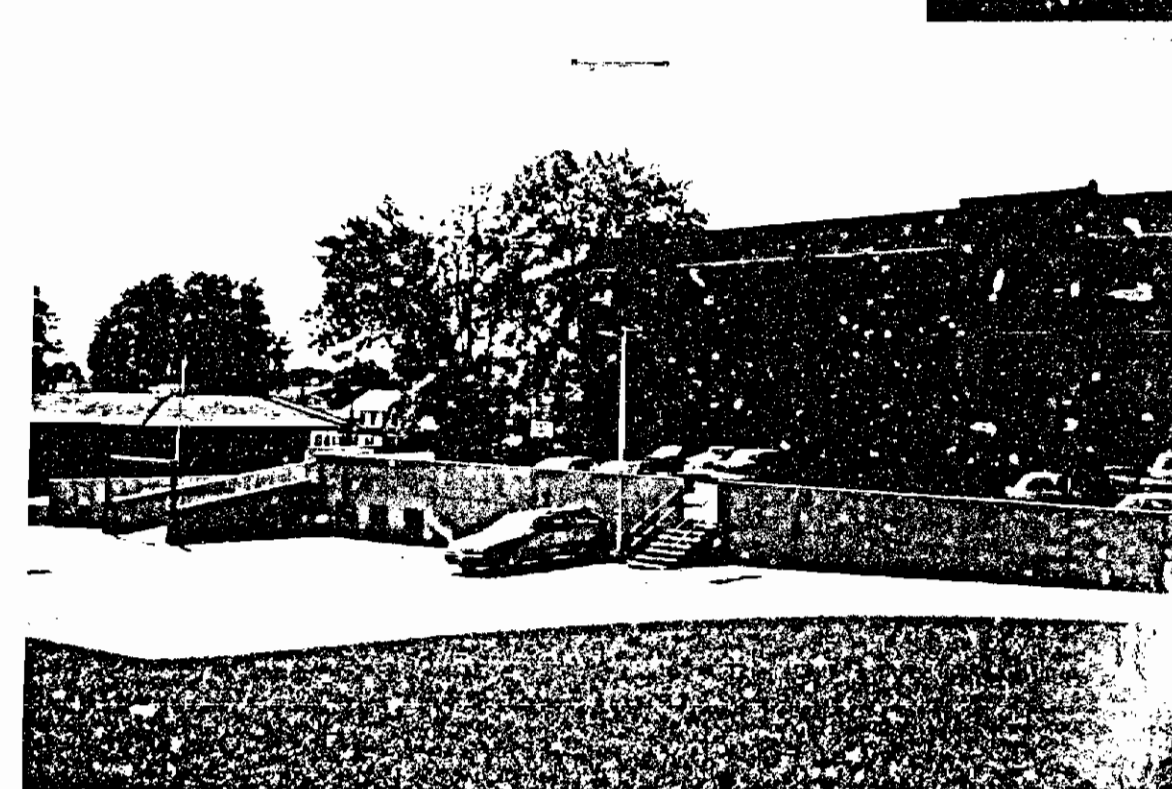
P. Looking SW across Tallott Ave. at former Maryland Communications Bldg. from Tripp Property



W. Rear of Tripp from Avey, Garage, Corner of House on right



Q. Rear Parking on former Maryland Communications Bldg. on S/S of Tallott, opposite Tripp Property



R. Gravel level, deck and underground/deck property on E/S of York Rd.



VIEW FROM MAIN BOULEVARD - LOOKING WEST TOWARDS SITE
EXISTING LANDSCAPING AND UNDEVELOPED LOT BUFFER PARKING LOT
FROM ADJACENT RESIDENTIAL PROPERTY

Ref 13

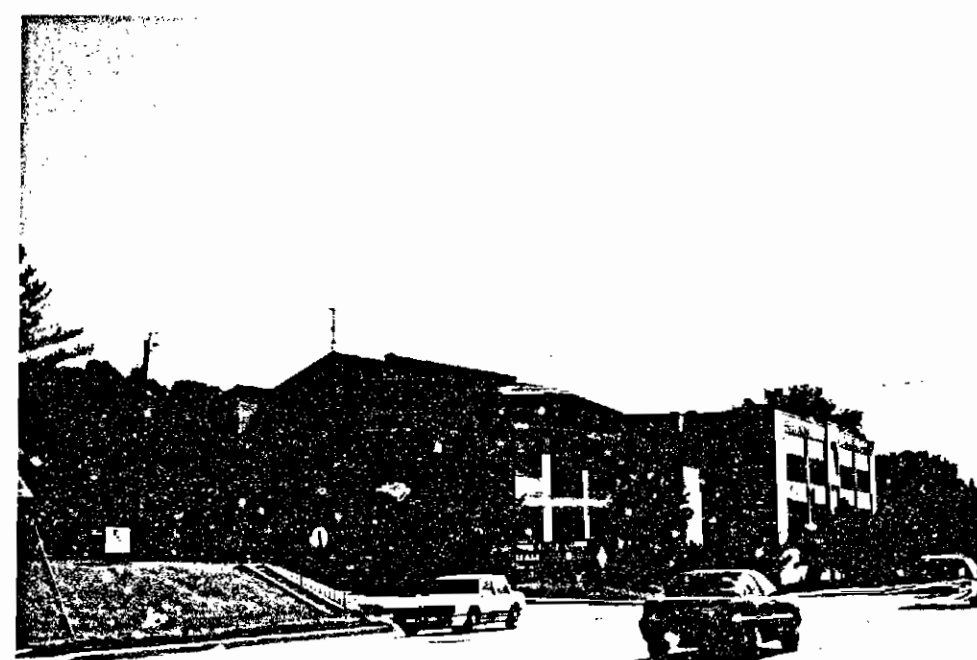
WILLIAM MONK, INC.
LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
425 BROADWAY
TOWSON, MD 21204
FAX 410-494-9903

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9303



#3 TALBOTT STREET & #2331 YORK ROAD

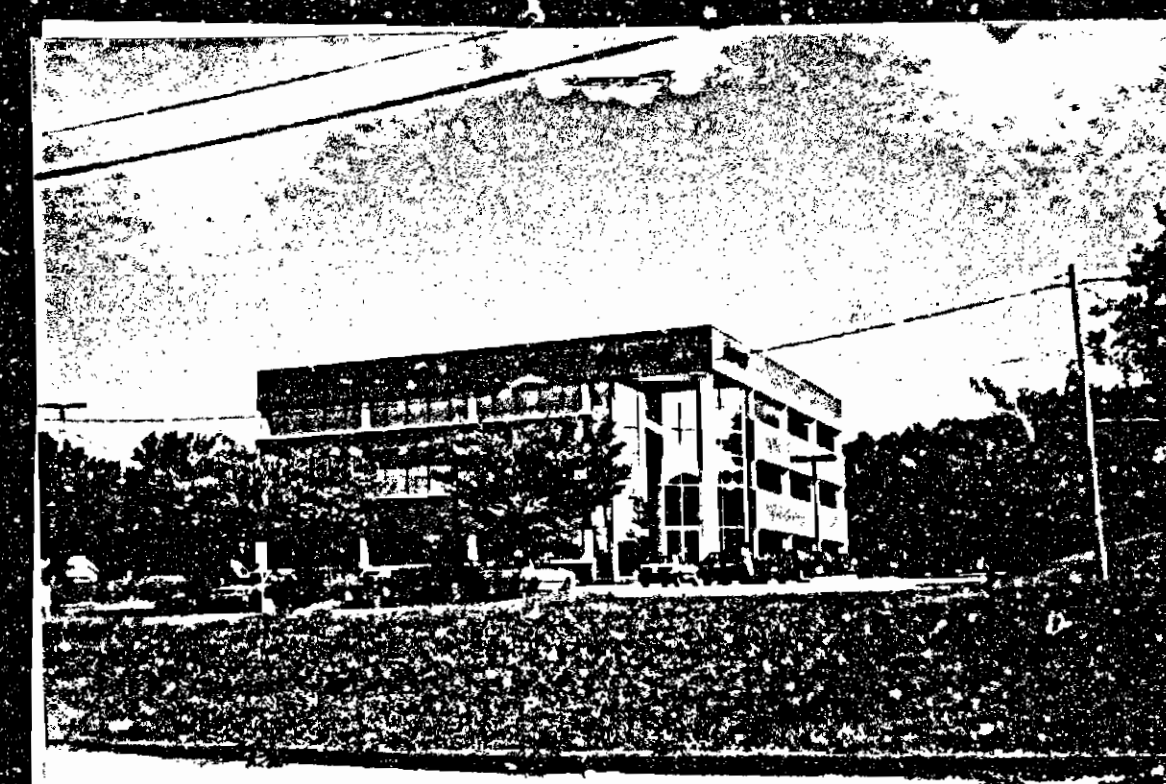
Petitioner's
Exhibit 9A +
9B
2 photos
94-436-SPHX



lot 9A

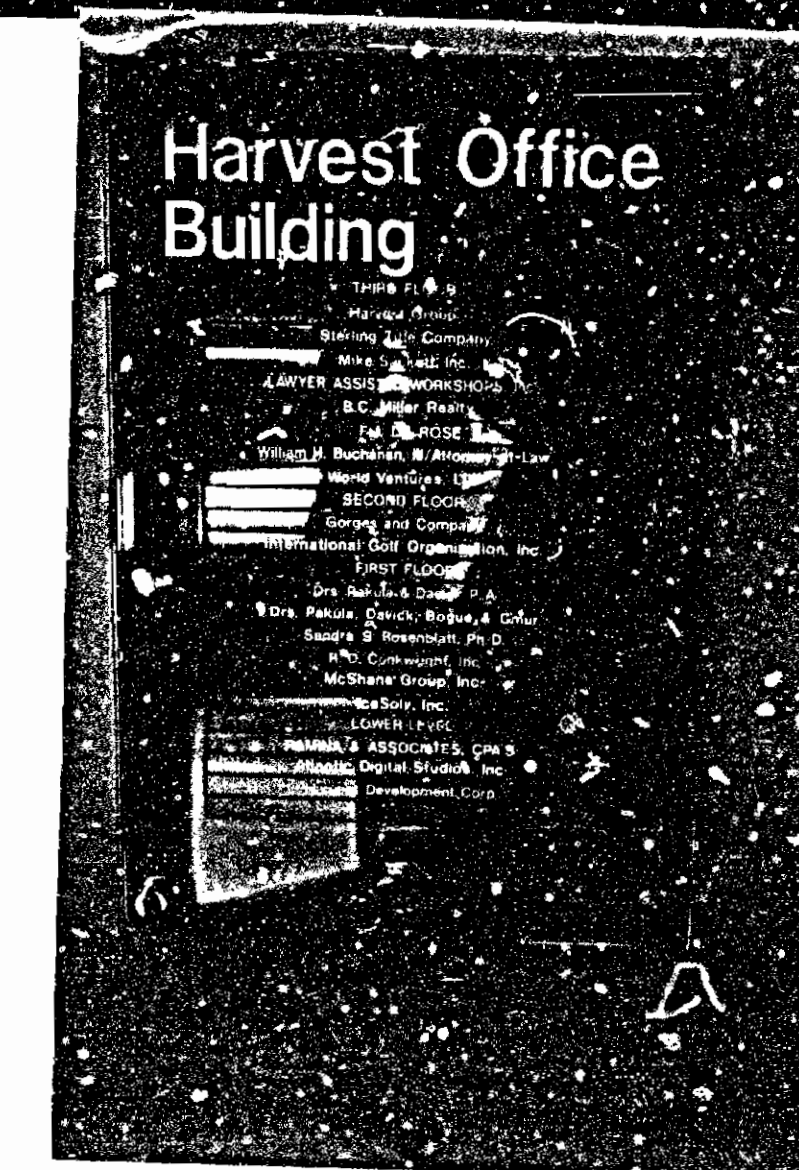


lot 9B



A. Harvest Office Building - SE/C
York Road and Main Boulevard

Z.C.
Pet # 17



Proposed Harvest Office
Building
Medical Occupancy
Case No. 86-416XA
and
Case No. 94-436SPHX.

B. Harvest Building -
Current Tenant Roster



C. SE/C of Harvest Bldg. and part of lot



D. Present Rear of Harvest Lot - Note height
and density of landscaping - 8' wide strip



G. Looking E. on Main Blvd. from Harvest,
Entrance and Exit



H. Looking W on Main Blvd. toward Harvest and
York Rd.



E. Looking E on Main Blvd. from York Rd.,
Harvest Building on right



F. Looking W on Main Blvd. toward York Rd.,
Harvest Bldg. on left



I. Vacant, undeveloped lot on S/E of Main Blvd.
in back of Harvest Bldg.



J. South Harvest Lot, looking toward York Rd.

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903



TRAPP PROPERTY
TALBOTT AVENUE



WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903

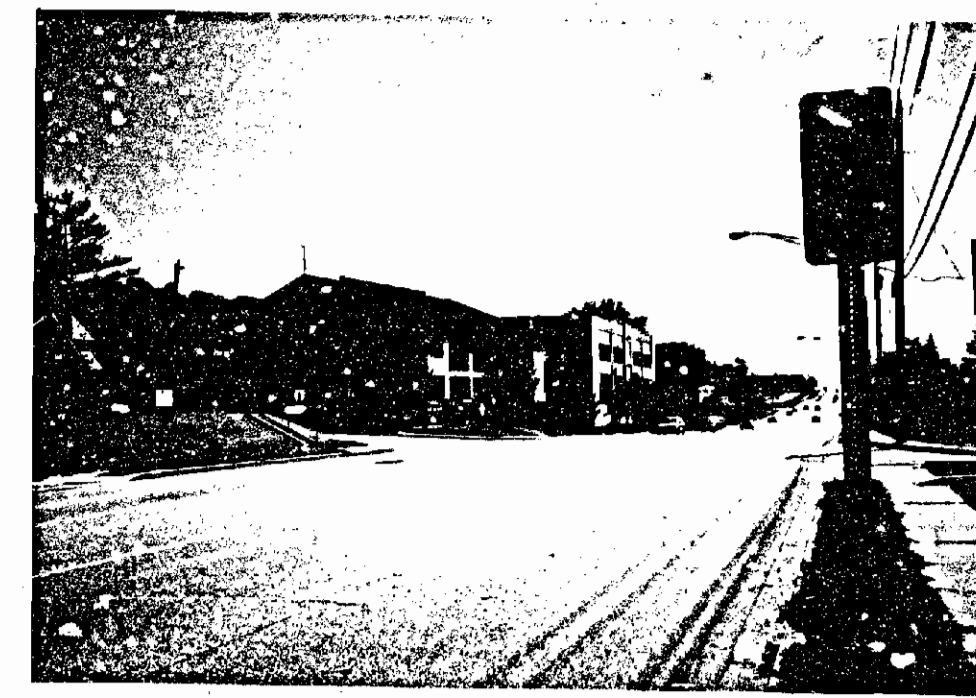


#2325 YORK ROAD

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903



YORK ROAD - LOOKING SOUTH



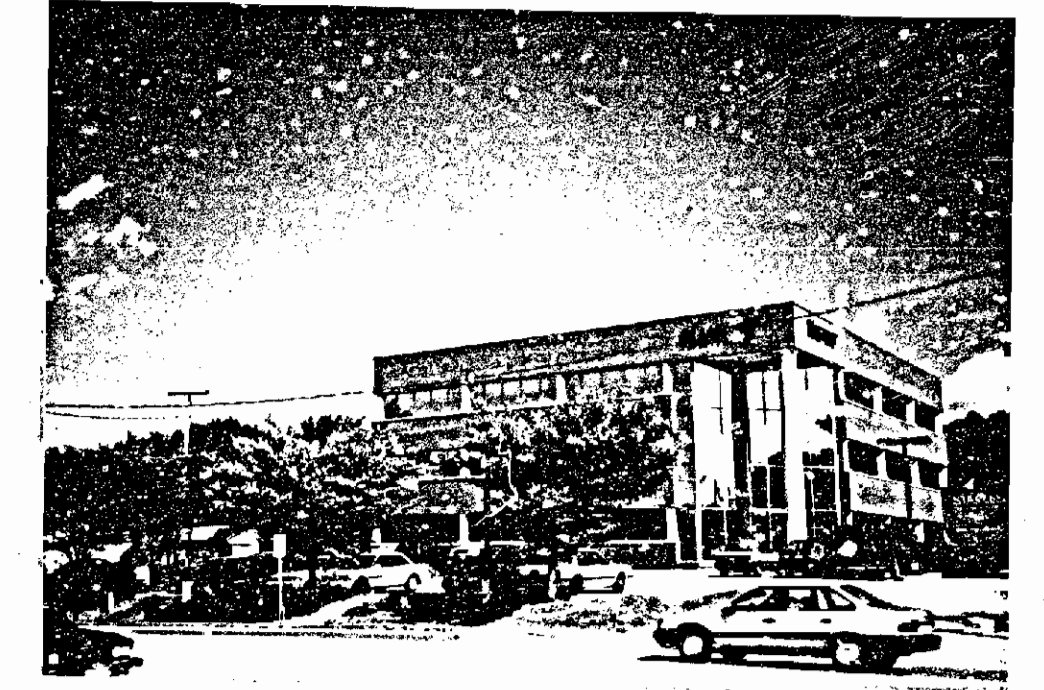
YORK ROAD - LOOKING NORTH

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903

2245 YORK ROAD



WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903



#2405 YORK ROAD



#2401 YORK ROAD

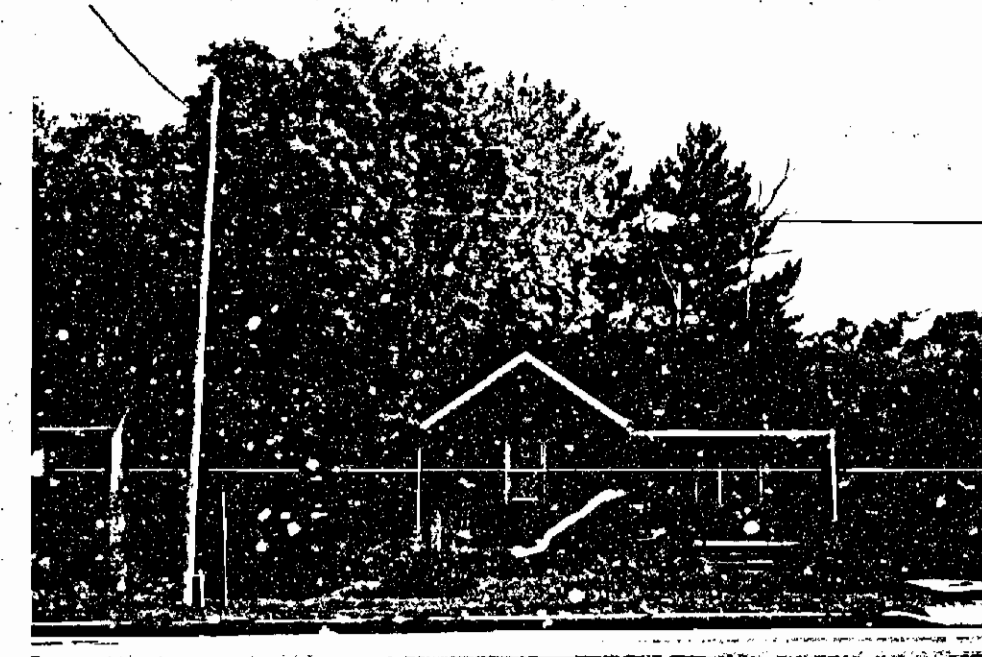
WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903



#2413 YORK ROAD

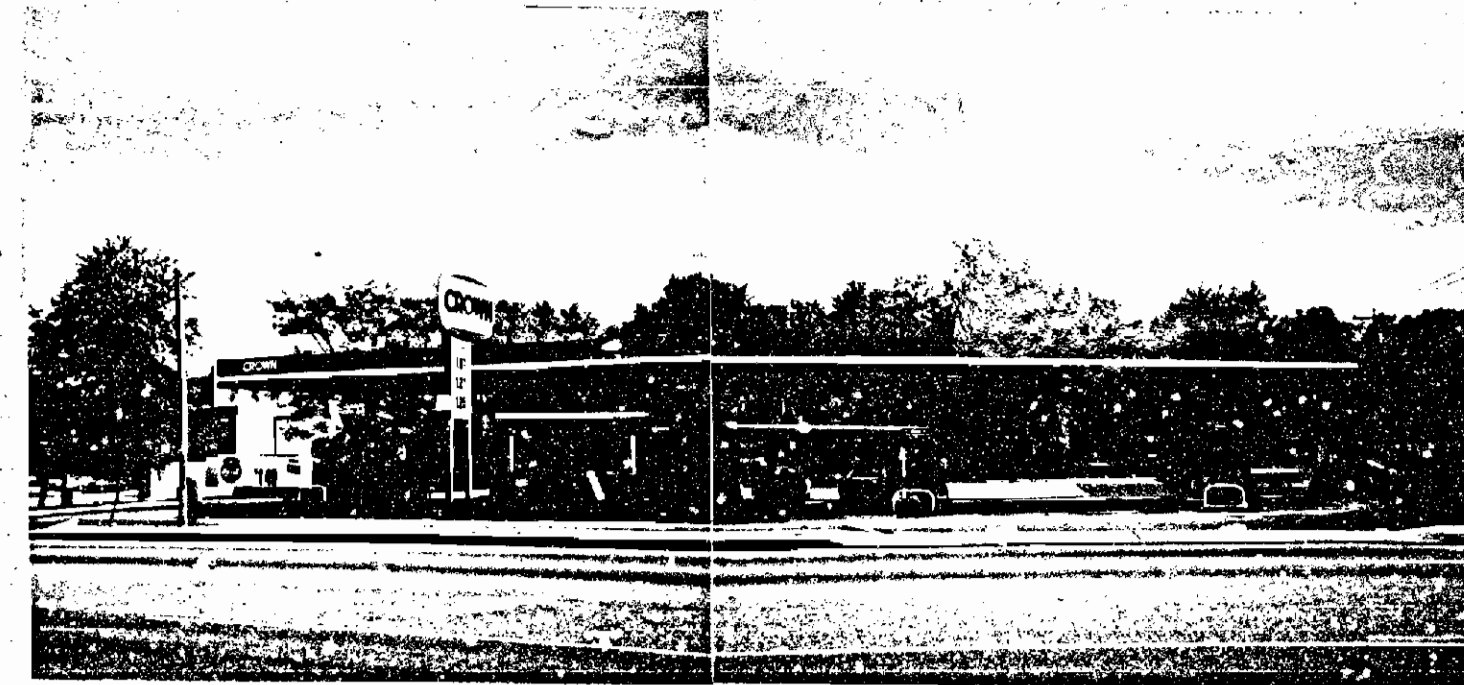


#2411 YORK ROAD

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903



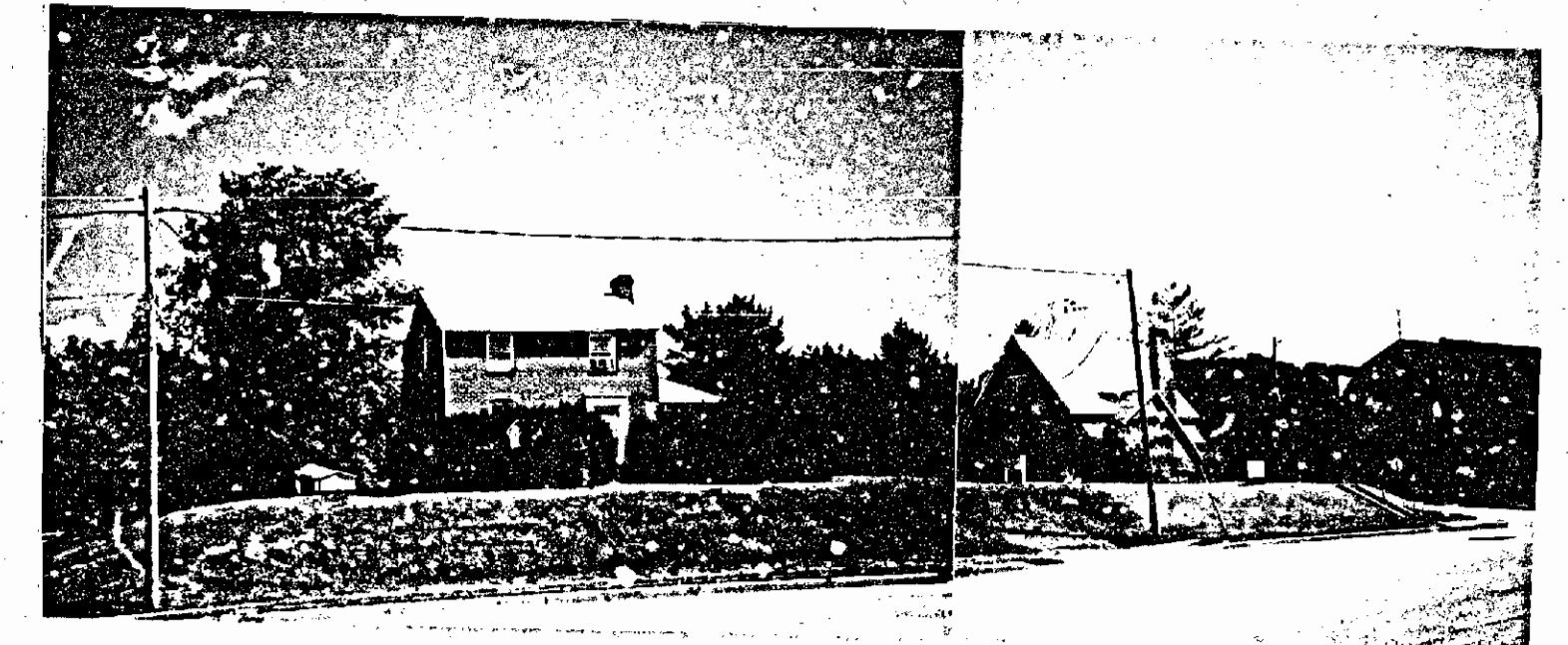
#2415 YORK ROAD

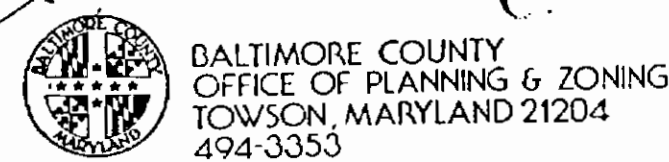
WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903

ADJACENT LAND USE:
OFFICES CONVERTED FROM RESIDENCES -
VIEW FROM YORK ROAD





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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 23, 1986

Newton A. Williams, Esquire
204 W. Pennsylvania Avenue
Towson, MD 21204

RE: PETITIONS SPECIAL EXCEPTION
AND VARIANCE
SE/corner of Main Boulevard
and York Road
9th Election District
Art H. Panayis, Petitioner
Case No. 86-416-XA

Dear Mr. Williams:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:jbg

Attachments

cc: People's Counsel

Mrs. Mary Ginn
696 Horncrest Road
Towson, MD 21204

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 1988, Legislative Day No. 12
BILL NO. 151-88

MS. BARBARA F. BACHUR, COUNCILWOMAN

BY THE COUNTY COUNCIL, OCTOBER 3, 1988

A BILL ENTITLED

AN ACT concerning

Residential - Office Zone

FOR the purpose of amending the Baltimore County Zoning Regulations and the Baltimore County Development Regulations in order to generally revise the R-O Zoning classification relating to the conditions and requirements imposed upon the conversion of certain types of buildings, and generally relative to the permitted uses, conditions, restrictions, limitations, and requirements imposed upon uses in R-O Zones in Baltimore County.

BY repealing and re-enacting, with amendments,

Section 101 - the definitions of "Building Height" and "Office Building, Class B"

Baltimore County Zoning Regulations, as amended.

BY adding

Section 101 - alphabetically, the definition of "Principal Arterial"

Baltimore County Zoning Regulations, as amended.

BY repealing and re-enacting, with amendments,

Sections 203.2, 203.3, 203.4, 203.6, 204.4.B., 205.4.C., and 409.7B

Baltimore County Zoning Regulations, as amended.

BY adding

Section 502.8

Baltimore County Zoning Regulations, as amended.

BY repealing and re-enacting, with amendments,

Section 22-104(a)

Title 22 - Planning, Zoning and Subdivision Control

Baltimore County Code, 1976, 1986 Supplement

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
(Brackets) indicate matter stricken from existing law.
Strike-out indicates matter stricken from bill.
Underlining indicates amendments to bill.

Mr. Lawrence E. Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Reference Case # 94-436-SPHXA for variance
Reference Case # 86-416-XA for special exception

Dear Mr. Schmidt,

The undersigned are in opposition to the proposed plan (case # 94-436-SPHXA). We feel it would be detrimental to our pleasant, quiet neighborhood on Talbot Avenue.

The traffic and noise problem that now exists on East Main Blvd. are due greatly to the five doctors currently in the Harvest Building. The plan to increase to 100% medical offices would bring in as many as 15 to 20 new physicians, but only double the parking from the current 53 spaces to 103 spaces total. There is no way this will be adequate!

Since there is now very little space remaining on East Main, the future overflow of cars will most certainly end up on Talbot Ave., which is the same walking distance. This brings a lot of safety concerns for the children living here. There now are many kids on bicycles and roller-skates, which is part of what makes this neighborhood so nice. Also, since it such a narrow street there will be concern for vehicles (including emergency vehicles) entering and exiting Talbot Ave. There is already a similar problem due to the overflow of the York Road building that is on the south side of Talbot.

Our further concerns are of future encroachment of the neighborhood. Several people have been trying to move business (e.g., Evans Funeral Chapel) on to our street and we fear that this will open the door for them. There goes our now quiet neighborhood!

We greatly appreciate your consideration in this matter.

Thank you,

The concerned residents of Talbot Ave.

1. *Charles H. Cox*
2. *David J. Krosche* Choice Ct.
3. *Marilee Nohara*
4. *Henry W. White* 1 Choice Ct.
5. *John W. White*
6. *David J. Krosche* 14 Talbot Ave.
7. *Mary E. Taylor* 18 Talbot Ave.
8. *Barbara D. Nohara* 18 Talbot Ave.
9. *John W. White* 10 Talbot Ave.
10. *David J. Krosche* 10 Talbot Ave.
11. *Josephine Krosche* 10 Talbot Ave.
12. *David J. Krosche*
13. *John W. White* 16 Talbot Ave.
14. *David J. Krosche* 18 Talbot Ave.
15. *John W. White* 18 Talbot Ave.
16. *John W. White* 18 Talbot Ave.
17. *John W. White* 18 Talbot Ave.
18. *David J. Krosche* 18 Talbot Ave.
19. *David J. Krosche* 18 Talbot Ave.
20. *David J. Krosche* 18 Talbot Ave.
21. *David J. Krosche* 18 Talbot Ave.
22. *David J. Krosche* 18 Talbot Ave.
23. *David J. Krosche* 18 Talbot Ave.
24. *David J. Krosche* 18 Talbot Ave.
25. *David J. Krosche* 18 Talbot Ave.
26. *David J. Krosche* 18 Talbot Ave.
27. *David J. Krosche* 18 Talbot Ave.

PROTESTANTS
EXHIBIT NO. 10

To The Zoning Board,

As block Captain for Talbot Ave's neighborhood watch program, I am writing to express my own strong opposition to "any" change in our present zoning. We have a very private street, however if the zoning ordinance is altered to allow for expansion of parking lots for businesses, our neighborhood will be further invaded by the "York Road business traffic." We all certainly not opposed to our area businesses, but where does the expansion end up "in our front yards"? We need and think we deserve our little bit of privacy that we work hard for on a daily basis.

Recently we have had "three" attempted break-ins. In the past 3 years one of our neighbors houses was broken into. We have the right to voice our opposition to any further change in one of the oldest and most established neighborhoods here in Timonium. Of the present

November 28, 1994

Lawrence E. Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Case # 94-436-SPHXA

Dear Mr. Schmidt:

A little over three years ago we moved into the home of our dreams. This home, 1 Choice Court at the corner of Talbot Avenue and Choice Court, is in an area with good schools and provides easy access to shopping, recreation and other services. The quiet neighborhood is the home for many families with children of school age, around the ages of our own children, Taylor Rose and Reed William.

My wife and I have only one area of concern, the corner of York Road and Talbot Avenue. York Road is one of the major arteries in Baltimore County. There are times when we must wait five to ten minutes to turn left on to York Road from Talbot Avenue or from south bound York Road on to Talbot Avenue.

We have also experienced a large number of vehicles parked on Talbot Avenue near York Road. These vehicles are associated with the office buildings on the east side of York Road, just north and south of Talbot Avenue. During last winter's snow storms, these vehicles along with icy conditions and downhill slope from Talbot Avenue to York Road combined to make the trek to school and work treacherous.

The increase in traffic we could expect from the expansion of medical offices at the Harvest Building on York Road, would only make the situation worse. We also have fears of increased litter from the proposed parking lot.

While increased traffic is of concern to everyone in the neighborhood, my wife and I do not believe that our area is in need of additional medical facilities. This evening, I counted at least six medical practices of differing specialties between Timonium Road and Padonia Road. This does not include the Timonium Medical Center across from the State Fairgrounds or Maryland General Health Care at the corner of Padonia and York Roads. These are facilities within walking distance of our home.

Therefore, we urge the commission to reject the proposed zoning changes and allow our family oriented area to remain residential in makeup. If you have any further questions or wish a tour of the area, please feel free to contact me at one of the numbers given below.

Sincerely,

Henry W. White
Henry W. White
Perry and Clare Wheelock
1 Choice Court
Timonium, MD 21093

(410) 252-2653 Evenings
(301) 390-2115 Days

Mr. Lawrence E. Schmidt
Zoning Commissioner
400 Washington Ave.
Towson, MD 21204

Reference Case # 94-436-SPHXA for variance
Reference Case # 86-416-XA for special exception

In July, 1989, my family and I moved to Talbot Ave. It was a quiet street with not many houses. Over the years more houses were built and it became a lovely Ave. All the lawns were neat with flowers and shrubbery - and it was a nice place to live.

I believe it will not be as likeable with a parking lot on the Ave. I feel sorry for the people living near the location of the lot. It would not be a large parking lot and with more room needed, and eventually I am sure there would be parking on Talbot Ave. Just like there is on both sides of E. Main Blvd. This would cause traffic to be much more congested than it is now.

This, of course, would cause the value of our properties to go down. No one would like that. Do we really need another Physicians Building? I think not. There are some quite near us.

I hope you will consider my feelings and my opinion on this matter. Thank you very much.

Yours truly,
Charles H. Cox
Charles H. Cox
15 Talbot Ave.
Timonium, MD 21093-2304

Raymond and Eileen Wilson
86 Talbot Avenue
Timonium, Maryland 21093

November 8, 1994

Mr. Lawrence E. Schmidt
Baltimore County Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

Re: Case # 94-436-SPHXA
Case # 86-416-XA

Dear Mr. Schmidt:

We have recently become aware of proposed zoning exceptions and variances in our neighborhood. We understand that the proposed changes involving the Harvest Office Building are likely to increase traffic and parking problems in this residential area. Our family lives on nearby Talbot Avenue. This area consists of a number of narrow residential streets which empty onto the busy York Road. Traffic on York Road is often excessively congested and flow is poorly controlled. Access to and from our residential street is already too dangerous... (we face four lanes of 45 mph traffic pulling onto York Road and often must turn onto our side streets exiting out of or across speeding traffic while threading into a narrow street lined with parked cars near the intersection). We ask that you carefully consider any change that would increase commercial traffic on these residential streets. It is inevitable that increased commercial traffic will encroach upon the surrounding neighborhood. We understand that Baltimore County encourages business but we urge that you ensure that this does not endanger our children and neighbors.

Thank you for your careful consideration of this matter.

Sincerely,

Raymond Wilson
Raymond Wilson and Eileen Wilson

DR & MRS HARSHAD SANGHVI
32, TALBOT AVENUE
TIMONIUM
MARYLAND 21093
Nov. 18, 94.

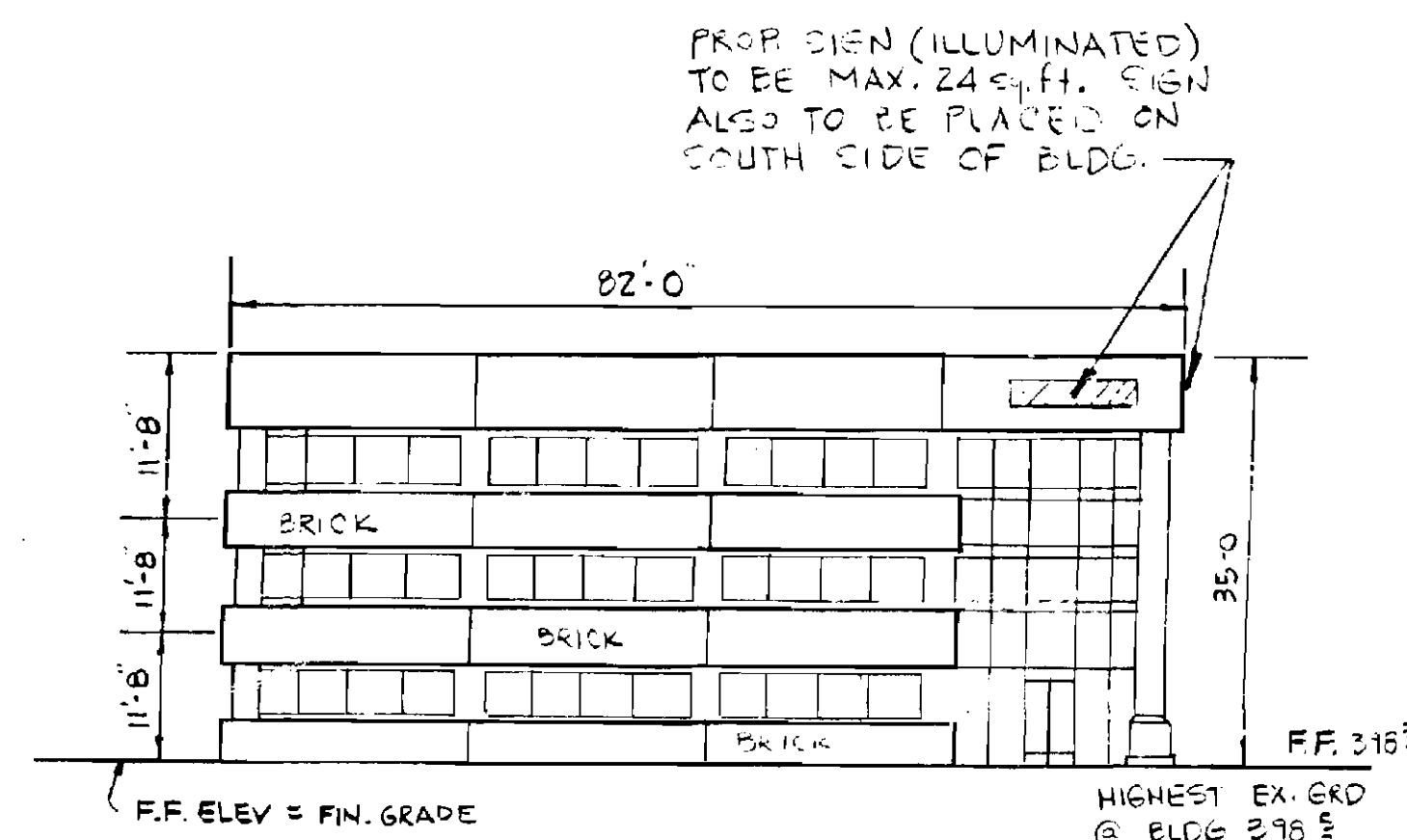
MR. LAWRENCE E. SCHMIDT
BALTIMORE COUNTY ZONING COMMISSIONER
400 WASHINGTON AVENUE,
TOWSON, MARYLAND 21204.

RE: CASE # 94-436-SPHXA
CASE # 86-416-XA

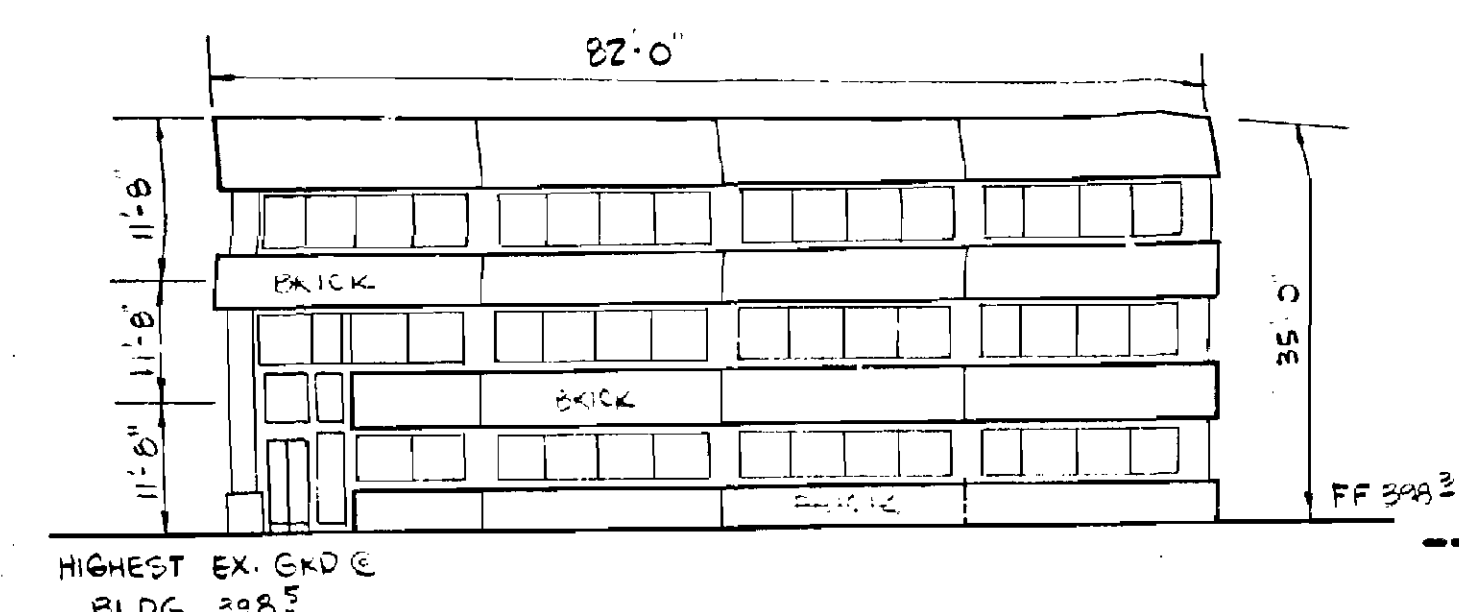
Dear Mr. Schmidt:-

We are tenants at 32, Talbot Avenue. We have just been informed about the proposed zoning exceptions and variance in our neighborhood and are very unhappy about it. The Avenue is very narrow and my two children are dropped off at the corner of Talbot Avenue and York Road and they have to walk up to 32 Talbot Avenue. This would be very dangerous if the commercial traffic on the residential Avenue increases. We would be obliged if you will consider our feelings and our sentiments on this matter. Thank you very much.

Yours
Sincerely,
DR & MRS HARSHAD SANGHVI
Harshad Sanghvi



WEST ELEVATION
NO SCALE



NORTH ELEVATION
NO SCALE

SOIL TYPES & LIMITATIONS
TYPE: BMBZ

HOMERITES (3 STORIES OR LESS) WITH EASEMENTS, SIGHT
STREETS & PARKING LOTS; MODERATE SLOPE

JAMES W. MCKEE
(MD. REG. NO. 9021)

MCKEE & ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS

1717 YORK ROAD
LUTHERVILLE, MARYLAND 21093
(301) 252-5820

GENERAL NOTES:

1. PROPOSED USE: GENERAL OFFICES
2. ALL PARKING & DRIVEWAY AREAS WILL BE BITUMINOUS PAVED W/ CONC. CURB
3. HANDICAPPED SPACES ARE 12'x18'. ALL OTHER SPACES ARE 9'x18'.
4. HIGHWAY IMPROVEMENTS WILL BE IN ACCORDANCE W/ SHA & BALTO. CO. SPECIFICATIONS.
5. LIGHTING FIXTURES WILL BE LOCATED & DIRECTED AWAY FROM ADJACENT RESIDENTIAL AREAS. LIGHT STANDARDS WILL BE A MAXIMUM OF 14' IN HEIGHT.
6. A WAIVER FOR STORM WATER MANAGEMENT HAS BEEN GRANTED. (1/22/86 UNDER 'DUKLENSKI PROPERTY')
7. GENERAL OFFICES ARE INTENDED TO INCLUDE STRICT OFFICE USE ONLY. IF CONTRACTOR'S OFFICE WILL BE PROPOSED, NO MATERIALS OR TRUCKS ASSOCIATED W/ SUCH USE WILL BE STORED OR PARKED ON SITE.
8. A VARIANCE FROM SECTION 203.3C OF THE BALTO. CO. MD

ZONING MANUAL HAS BEEN APPLIED FOR TO ALLOW FOR 2 ILLUMINATED SIGNS WITH A TOTAL CF 40 SQ. FT. ON THE BUILDING.

9. EXISTING STRUCTURES ON SITE WILL BE RAZED.
10. PROPOSED BUILDING TO BE CLASS 'B'
11. PARKING AREA TO BE STRIPED.
12. HEIGHT OF BLDG. NOT TO EXCEED 35'.
13. HOURS OF OPERATION: 7:30 AM TO 7:00 PM.
14. MAXIMUM NO. OF EMPLOYEES: N/A
15. 4TH COUNCILMANIC DISTRICT
16. CENSUS TRACT: 4025.05
17. WATERSHED: 11
18. SUBWATERSHED: 32
19. BLDGS WILL HAVE ONE OR MORE OF THE FOLLOWING USES:
ENGINEER REAL ESTATE SALES MANAGEMENT
ARCHITECT ACCOUNTANT CONTRACTOR
LAW TITLE CO. AND OTHER SIMILAR USES.
20. GENERAL OFFICE SPACE IS FOR RENTAL PURPOSES.
21. PROPOSED LIGHTING SHOWN THUSLY: ▲

NOTE: THIS PLAN IS IN ACCORDANCE WITH HEARING NO. 86-416 XA OF THE BALTO. CO. MD ZONING OFFICE AS FOLLOWS:

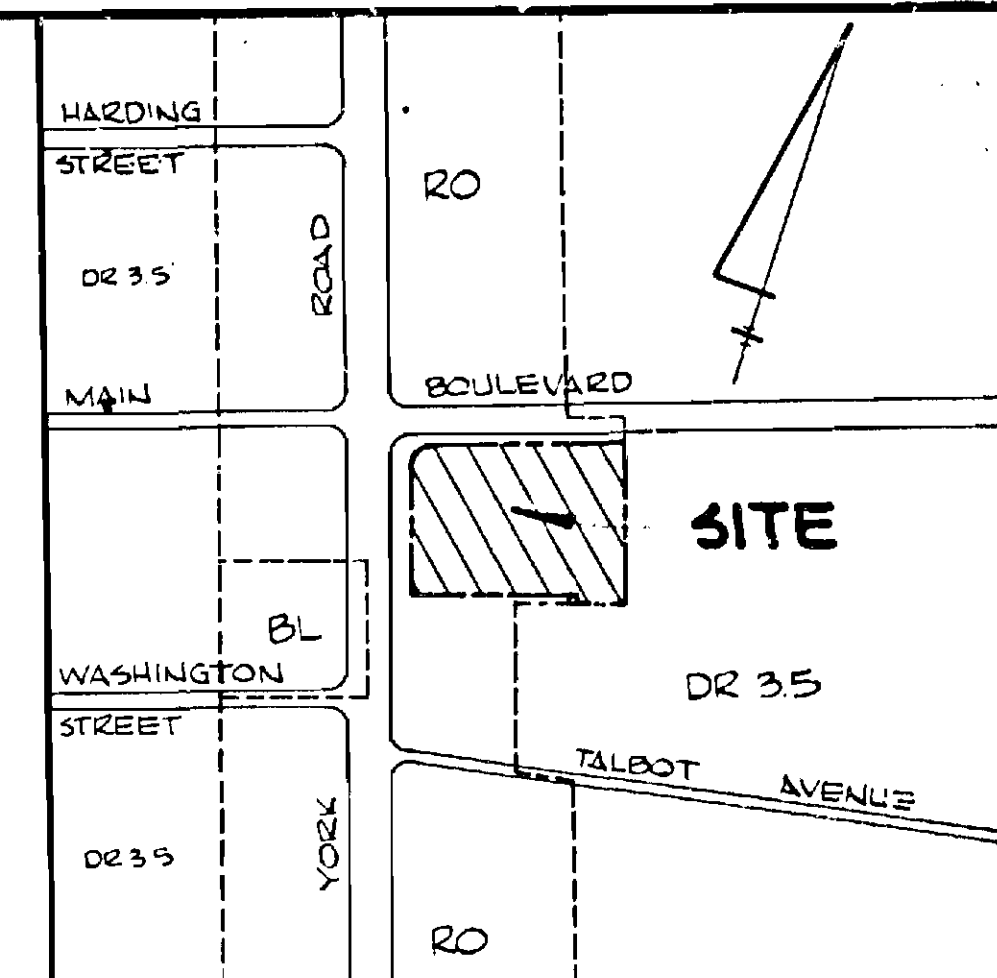
- 1) THE SPECIAL EXCEPTION MAY BE UTILIZED WITHIN FIVE(5) YEARS OF THE SPECIAL EXCEPTION.
- 2) THERE WILL BE NO SIGN ILLUMINATION AFTER 7:00 PM MON-FRI AND NO SIGN ILLUMINATION SATURDAY OR SUNDAY

CERTIFICATION

I certify that the schematic planting plan shown herein is consistent with the goal and intent of the Baltimore County Landscape Manual, 1983, and meets all applicable policy, guidelines and ordinances.

Signature of Applicant

Date



LOCATION MAP
SCALE: 1" = 200'

TABULATION

1. GROSS AREA OF SITE: 1.04 AC. NET AREA = 0.80 AC.
2. EXISTING ZONING OF SITE: RO
3. FLOOR AREA OF PROPOSED BLDGS (TO BE USED AS OFFICES)
B.S.M.T. 2278 SQ. FT.
1ST FLOOR 6442 SQ. FT.
2ND FLOOR 6524 SQ. FT.
3RD FLOOR 6574 SQ. FT.
TOTAL FLOOR AREA 21,778 SQ. FT.
4. FLOOR AREA RATIO (ECON. MAXIMUM ALLOWED)
(TOTAL FLOOR AREA / GROSS SITE AREA)
21,778 / 104 AC. = 0.48 FLOORPSD
5. PARKING REQUIRED
B.S.M.T. 2278 / 500 = 4.56
1ST FLOOR - 6442 / 500 = 12.88
2ND FLOOR - 6524 / 500 = 13.05
3RD FLOOR - 6574 / 500 = 13.15
TOTAL NO. OF SPACES REQUIRED: 32.71 = 33 SPACES
6. AMENITY OPEN SPACE REQUIRED
(25% OF GROSS AREA) = 0.25 x 1.04 = 0.26 AC.
AMENITY OPEN SPACE PROVIDED
0.203 AC / 1.04 = 25.8% OF GROSS AREA
7. ADT. CALCULATION (12.3 PER 1000 SQ. FT.)
21,778 / 1000 = 21.78 x 12.3 = 267.10 = 268 ADT'S
8. MINIMUM PLANTING REQUIREMENTS

Trees	
Parking Spaces --- 57 @ 1 tree/12 spaces ---	5
Interior Road --- 80' @ 1 tree/20' ---	4
Exterior Road --- 271.51' @ 1 tree/40' ---	10
Total major deciduous or equivalent (min. 12 major deciduous)	19
Screening and other planting	
5' high screen planting between parking and adjacent public streets and between parking and adjacent residential zones or uses.	
8' wide planting area along property lines abutting public streets or adjacent residential zones or uses.	
5' high screen around dumpster.	
TREES SHOWN	
Major deciduous equivalent	
12 Major deciduous ---	12
0 Minor deciduous ---	0
14 Evergreen ---	7
Total major deciduous equivalent	19

C.R.G. PLAN

HARVEST OFFICE BUILDING

6TH. ELECT. DIST

SCALE: 1" = 20'

PUBLIC SERVICES C.R.G. NO. 86017

PLANNING NO.

BALTO. CO. MD

DEC. 13, 1985 REV. 22386

REV. 12186 REV. 31086

CONTRACT PURCHASER

MR. STEPHEN S. DUKLEWSKI, JR.

1112 HIGH COUNTRY RD.

TOWSON, MD. 21204

(301) 425-0500

OWNER

DR. ART H. PANAYIS

5848/910.713

Acct. No. 0625045332

APPLICANT/

2, C Pdt. 18

APPLICANT/

CONTRACT PURCHASER

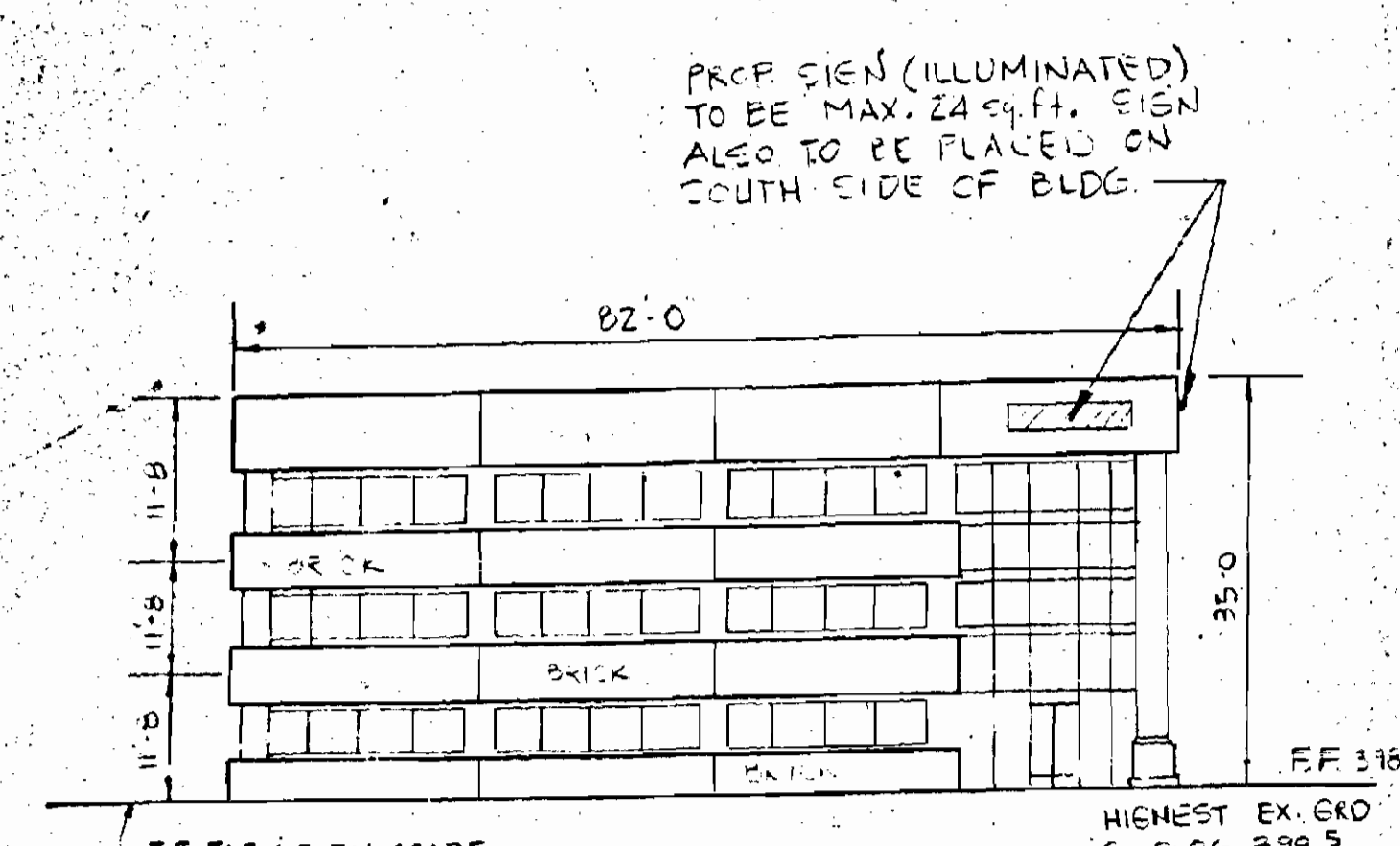
MR. STEPHEN S. DUKLEWSKI, JR.

1112 HIGH COUNTRY RD.

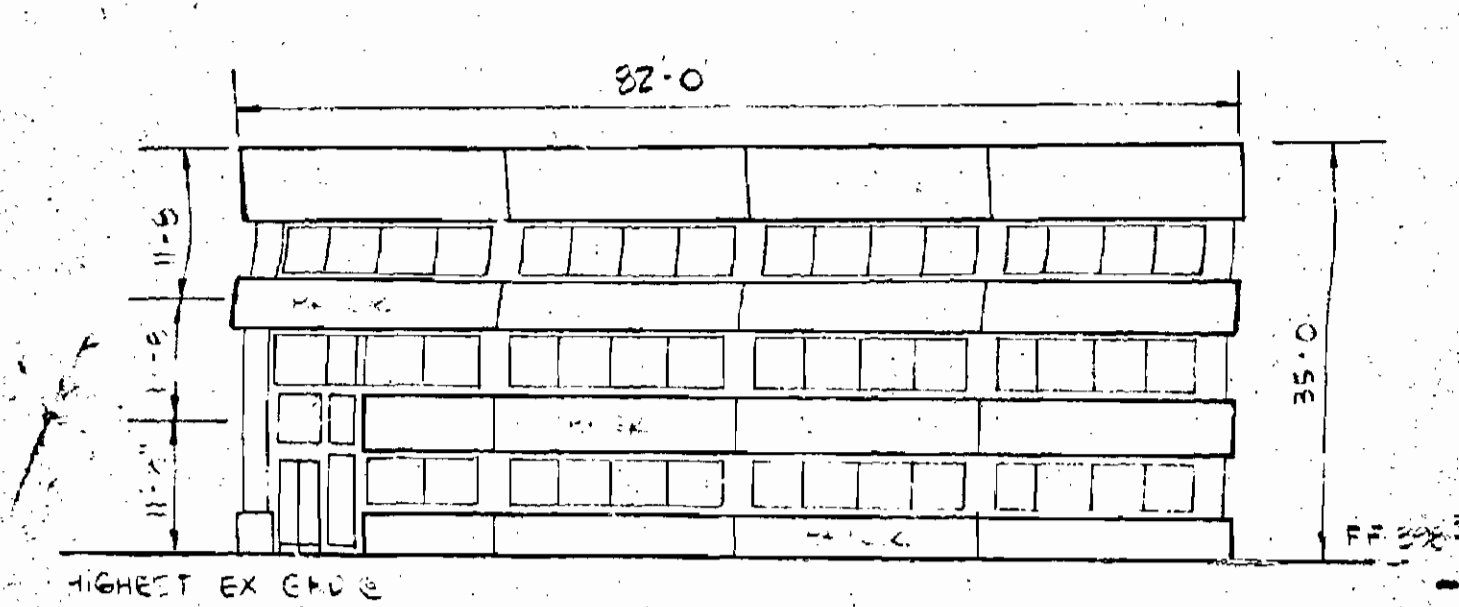
TOWSON, MD. 21204

(301) 425-0500

APF3 05-45



WEST ELEVATION
NO SCALE



NORTH ELEVATION
NO SCALE

SOIL TYPES & LIMITATIONS

TYPE: C-1, C-2
HOMESITES (3 STORIES OR LESS) WITH BASEMENTS; SLIGHT
STREETS & PARKING LOTS; MODERATE SLOPE



McKEE & ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS

1717 YORK ROAD,
LUTHERVILLE, MARYLAND 21093
(301) 252-5820

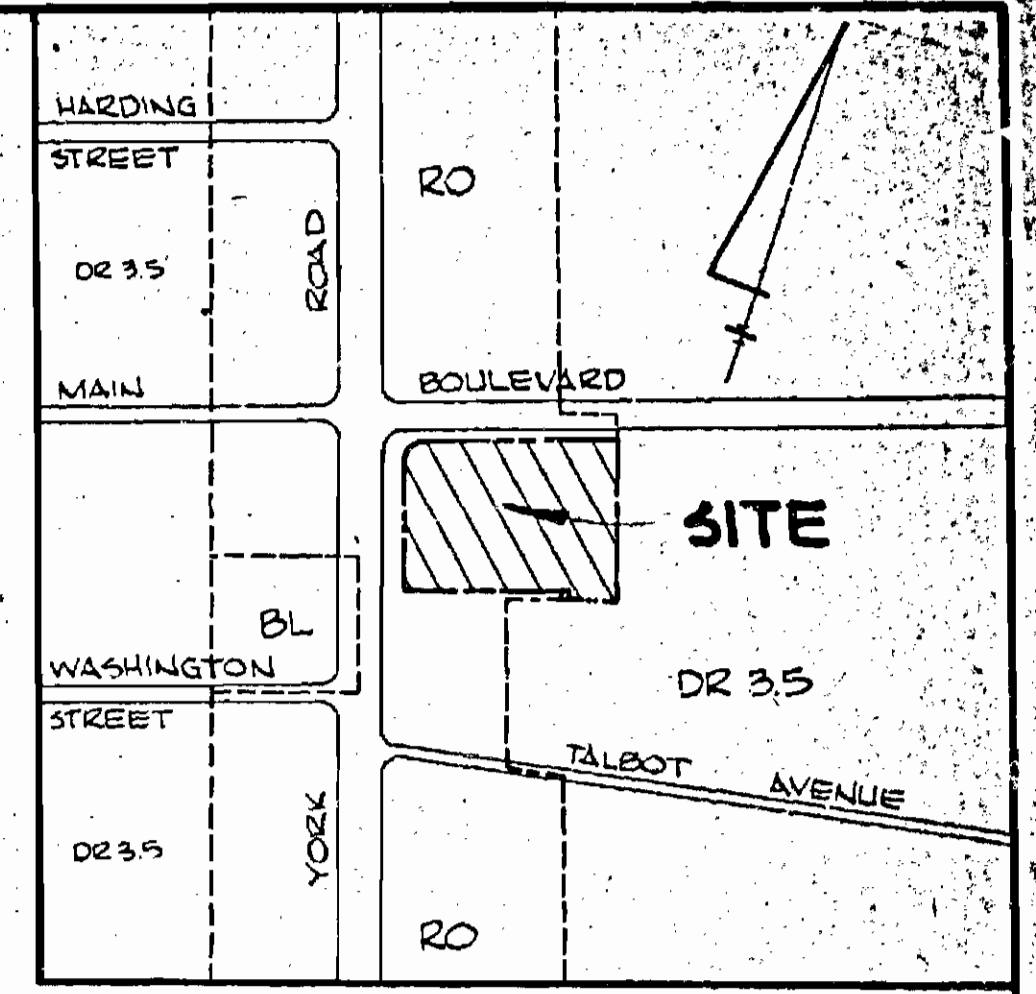
ZONING REQUEST

REQUESTING A SPECIAL EXCEPTION TO PERMIT
A CLASS B OFFICE BUILDING IN AN RO ZONE
(REFER TO SECTION 203.3B.2 OF THE BALTIMORE
COUNTY ZONING REGULATIONS)
REQUESTING A VARIANCE TO SECTION 203.3C OF THE
BCZM TO ALLOW FOR TWO ILLUMINATED SIGNS
WITH A TOTAL OF 48 SQ. FT. IN LIEU OF THE
REQUIRED 8 SQ. FT. NON-ILLUMINATED SIGN.

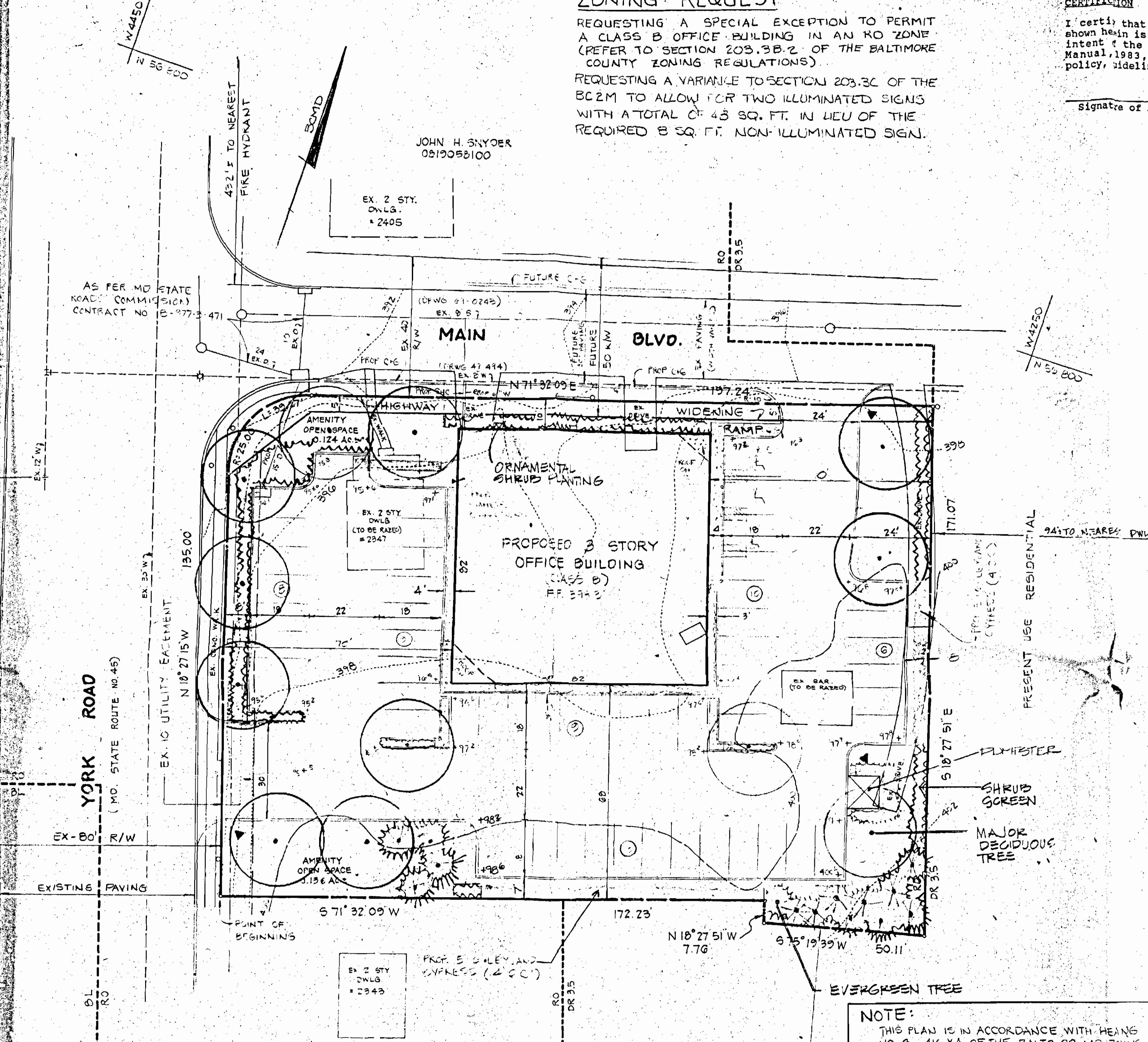
CERTIFICATION

I certify that the schematic planting plan
shown herein is consistent with the goal and
intent of the Baltimore County Landscape
Manual, 1983, and meets all applicable
policy, guidelines and ordinances.

Signature of Applicant _____ Date _____



LOCATION MAP
SCALE: 1" = 200'



TABULATION

- GROSS AREA OF SITE 1.04 AC. NET AREA = 0.80 AC.
- EXISTING ZONING OF SITE: RC
- FLOOR AREA OF PROPOSED BLDG (TO BE USED AS OFFICES)
 - 1ST FLOOR 2276 SQ. FT.
 - 2ND FLOOR 2452 SQ. FT.
 - 3RD FLOOR 2524 SQ. FT.
 - TOTAL FLOOR AREA = 7252 SQ. FT.
- FLOOR AREA RATIO (50% MAXIMUM ALLOWED)
(TOTAL FLOOR AREA / GROSS SITE AREA)
7252 / 1044 = 6.95 PROPOSED
- PARKING REQUIRED
 - 1ST FLOOR 2276 / 500 = 4.55
 - 2ND FLOOR 2452 / 500 = 4.90
 - 3RD FLOOR 2524 / 500 = 5.05
 - TOTAL NO. OF SPACES REQD. = 14.50
- PARKING PROVIDED 25 SPACES (INCLUDES 3 HANDICAPPED)
- AMENITY OPEN SPACE REQUIRED
(25% OF GROSS AREA) 0.25 x 1.04 = 0.26 AC.
AMENITY OPEN SPACE PROVIDED
0.20 AC / 1.04 = 19.2% OF GROSS AREA
- ACT. CALCULATION (12.3% MAX. ALLOWED)
21,775 / 176,000 = 12.3% = 26.8 A.D.T.S.
- MINIMUM PLANTING REQUIREMENTS

Trees

Parking Spaces --	57 @ 1 tree/12 spaces --	5
Interior Road --	80' @ 1 tree/20' --	4
Exterior Road --	271.51' @ 1 tree/40' --	10
Total major deciduous or equivalent		19
(min. 12 major deciduous)		

Screening and other planting

5' high screen planting between parking and adjacent public streets and between parking and adjacent residential zones or uses.	
8' wide planting area along property lines abutting public streets or adjacent residential zones or uses.	
5' high screen around dumpster.	

TREES SHOWN

	Major deciduous equivalent
12 Major deciduous	12
0 Minor deciduous	0
14 Evergreen	7
Total major deciduous equivalent	19

NOTE:
THIS PLAN IS IN ACCORDANCE WITH HEAVY
NO. 80-416X OF THE BALTO. CO. MD. ZONING
OFFICE AS FOLLOWS:
THE SPECIAL EXCEPTION MAY BE UTILIZED
WITHIN FIVE (5) YEARS OF THE DATE OF
THE HEARING.
THERE WILL BE NO SIGN ILLUMINATION
AFTER 7:00 PM MON.-FRI. AND NO SIGN
ILLUMINATION SATURDAY OR SUNDAY.

GENERAL NOTES:

- PROPOSED USE GENERAL OFFICES
- ALL PARKING & DRIVEWAY AREAS WILL BE BITUMINOUS PAVED W/ CONC. CURB
- LANDSCAPED SPACES ARE 12' x 15'. ALL OTHER SPACES ARE 10' x 12'
- LANDSCAPING IMPROVEMENTS WILL BE IN ACCORDANCE WITH SHA & BALTO. CO. SPECIFICATIONS
- LIGHTING FIXTURES WILL BE LOCATED & DIRECTED AWAY FROM ADJACENT RESIDENTIAL AREAS. LIGHT STANDARDS WILL BE A MAXIMUM OF 14' IN HEIGHT
- A VARIANCE FOR STORM WATER MANAGEMENT HAS BEEN GRANTED (1/22/80 UNDER 'DUKLEWSKI PROPERTY')
- GENERAL OFFICES ARE INTENDED TO INCLUDE STRICT OFFICE USE ONLY. IF CONTRACTOR'S OFFICE WILL BE PROPOSED, NO MATERIALS OR TRUCKS ASSOCIATED WITH SUCH USE WILL BE STORED OR PARKED ON SITE.
- A VARIANCE FROM SECTION 203.3C OF THE BALTO. CO. MD.

- ZONING MANUAL HAS BEEN APPLIED FOR TO ALLOW FOR 2 ILLUMINATED SIGNS WITH A TOTAL OF 48 SQ. FT. IN LIEU OF THE REQUIRED 8 SQ. FT. NON-ILLUMINATED SIGN.
- EXISTING STRUCTURES ON SITE WILL BE KEPT
- PROPOSED BUILDING TO BE CLASS B
- PARKING AREA TO BE STRIPED
- HEIGHT OF BLDG NOT TO EXCEED 35'
- HOURS OF OPERATION: 7:30 AM TO 7:00 PM
- MAXIMUM NO. OF EMPLOYEES: N/A
- 14TH CONGRESSIONAL DISTRICT
- CENSUS TRACT: 4025.05
- WATERSHIP: 11
- SUBDIVISION: 32
- BLDG. WILL HAVE ONE OR MORE OF THE FOLLOWING USES: ENGINEER, ARCHITECT, REAL ESTATE, SALES, MANAGEMENT, ACCOUNTANT, CONTRACTOR, LAW, AND OTHER SIMILAR USES.
- GENERAL OFFICE SPACE IS FOR RENTAL PURPOSES.
- PROPOSED LIGHTING SHOWN THUSLY.

- THERE ARE NO HISTORICAL AREAS, CRITICAL AREAS, WETLANDS, ARCHEOLOGICAL ENDANGERED SPECIES HABITAT OR HAZARDOUS MATERIALS ON THE SITE
- A MODIFICATION OF THE REQUIREMENT OF THE BALTO. CO. MD. ZONING MANUAL FOR REQUESTED REZONING AREA ALONG WITH LIES ADJUTING ADJACENT RESIDENTIAL ZONES & USES
- NO MEDICAL OFFICES ALLOWED FOR IN PA CALCULATIONS
- A SPECIAL EXCEPTION HAS BEEN APPLIED FOR, ITEM NO. 270
- EXISTING WATER CONNECTIONS WILL BE ABANDONED

PLAT TO ACCOMPANY

PETITION FOR
SPECIAL EXCEPTION TO ZONING
SE CORNER YORK RD. & MAIN BLVD.

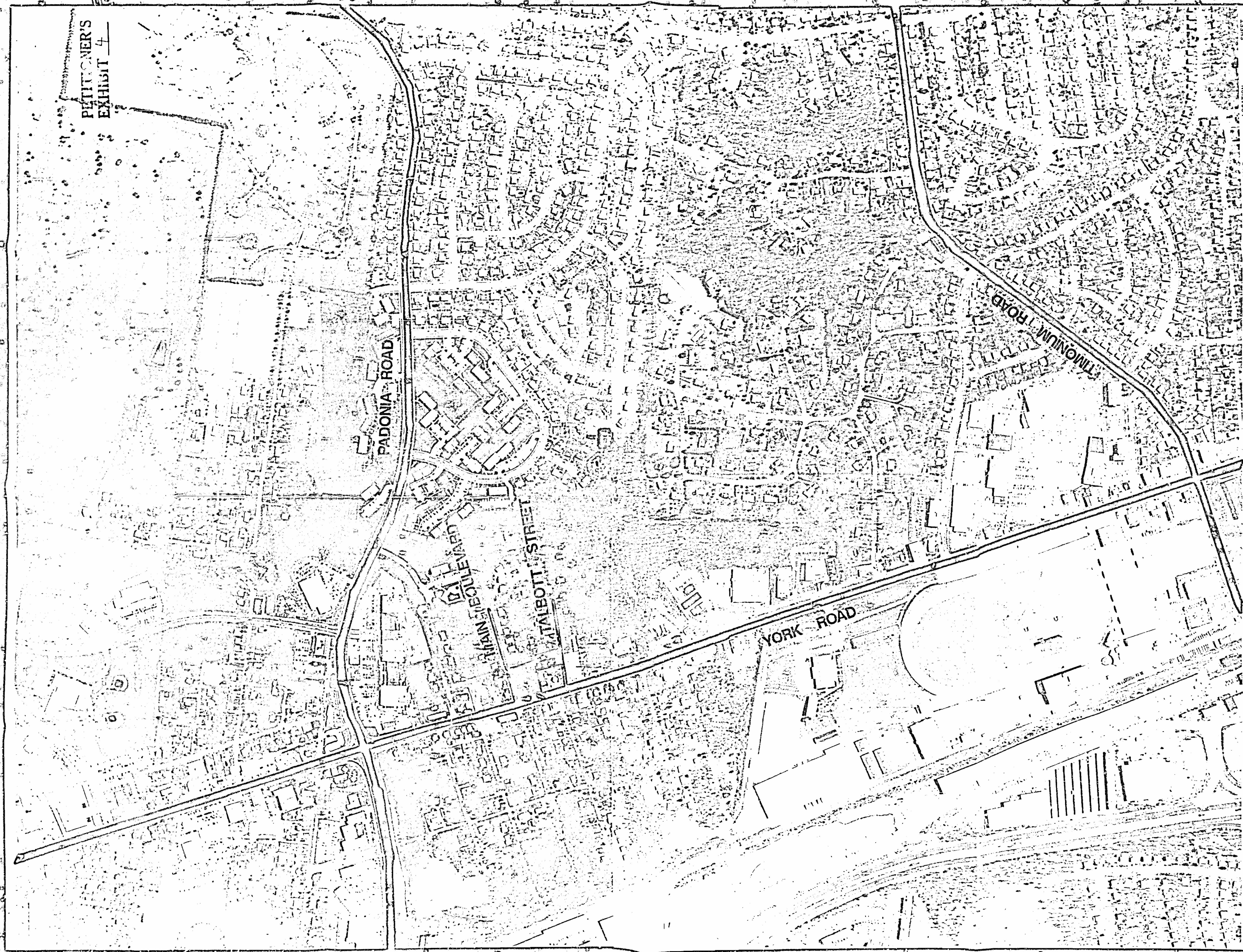
8TH. ELECT. DIST. BALTO. CO. MD.
SCALE: 1" = 20' DEC 13, 1983

OWNER
MR. ART H. PANAYIS
2542/110 113
Apt. No. 025045332

APPLICANT / CONTRACT PURCHASER
MR. STEPHEN S. DUKLEWSKI, JR.
% MR. KOWLAND K. HILL
HARVEST INVESTMENT CORP.
1112 HIGH COUNTRY RD.
TOWSON, MD. 21204
(301) 435-6500

2.c Pet 6A

PETITIONER'S
EXHIBIT 4



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHIC, INC.
MARTINDALE, WV 26041

SCALE
1" = 200'

DATE
JANUARY
1986

PHOTOGRAPHY

TIMONUM

N.W.

14-A

SHEET

LOCATION

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
SPECIAL EXCEPTION AND VARIANCE - * ZONING COMMISSIONER
SE/Cor. York Rd. & Talbott Ave. * (2345 York Road & 4 Talbott Avenue)
8th Election District * OF BALTIMORE COUNTY
4th Councilmanic District * Case No. 94-436-SPHXA
The Estate of Mrs. Katherine Trapp
and Mrs. Katherine Hannibal, as
Personal Representative - Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Amended Petitions for Special Hearing and Variance for the properties known as 2345 York Road and 4 Talbott Avenue in Lutherville. The Petitions were filed by the owners of 4 Talbott Avenue, The Estate of Mrs. Katherine Trapp, by Mrs. Katherine Hannibal, Personal Representative, and the Contract Purchasers, Harvest Office Building Investors Limited Partnership, by Steve Duklewski, through their attorney, Newton A. Williams, Esquire. The Harvest Office Building Partnership owns the property at 2345 York Road which abuts 4 Talbott Avenue along the side and rear property lines. As amended, the Petition for Special Hearing seeks approval of an amendment to the previously approved site plan in Case No. 86-416-XA to permit additional and revised parking areas, as well as medical offices on the property known as 2345 York Road. Relief is also sought within the Petition for Special Hearing, pursuant to Sections 409.8B.1 and 409.8B.2 and other applicable regulations, if any, of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow office/business parking in a residential zone (i.e., D.R. 3.5), on the adjoining property known as 4 Talbott Avenue. As to the Petition for Variance, the Petitioners seek relief from Section 203.3B.2.a of the B.C.Z.R. to permit 100% medical office occupancy of an existing, previously approved Class B office building in lieu of the presently allowed 25%

of the total adjusted gross floor area. In addition, the Petitioners seek relief from Section 1801.1B.1.e(5) of the B.C.Z.R., and from the Residential Standards, Section II, Page 16 of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit buffers and setbacks of a minimum of 4 feet, 10 feet, and 30 feet in lieu of the 50-foot buffers and 75-foot setbacks required in a Residential Transition Area/D.R. zone, subject to the requirements of Section 1801.1B.1.c(2), and other applicable regulations of the B.C.Z.R., if any. Finally relief is sought to permit amenity open space of 0.23 acres (22.1% of the gross area of the R.O. zoned property) in lieu of the required 25% minimum of the gross site area (pursuant to Section 203.4 of the 1981 to 1988 regulations) and the 0.265 acres, or 25.5% of the gross site area, as previously approved in prior Case No. 86-416-XA. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

It should be noted that the Amended Petitions replaced the zoning Petitions initially filed in this case. Originally, Petitions for Special Hearing, Special Exception and Variance were filed. Those Petitions sought relief for business parking in a residential zone for the Harvest Office Building and 100% medical occupancy in an R.O. zone. The original special hearing petition also requested an amendment to the previously approved site plan in Case No. 86-416-XA as well as relief to permit additional and revised parking areas and medical office occupancy in the Harvest Office Building. The original variance Petition sought a series of variances from Section 203 of the B.C.Z.R. and a variance from Section 1801.1.B of the B.C.Z.R. as it relates to RTA buffers. However, these Petitions were withdrawn prior to the public hearing held on this case.

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Appearing at the hearing on behalf of the amended Petitions was Steve Duklewski, representing the Harvest Office Building Investors Limited Partnership. As noted above, that entity owns the site on which the Harvest Office Building is located, known as 2345 York Road, and is under contract to purchase the adjoining property at 4 Talbott Avenue, which is under the ownership of The Estate of Katherine Trapp. Also appearing on behalf of the amended Petitions were James McKee and James Grammer, Professional Engineers with McKee and Associates, Inc. That engineering firm prepared the revised plat to accompany the Petitions for Special Hearing and Variance marked as Petitioner's Exhibit 1. Also participating in the case on behalf of the Petitioners was William P. Monk, a Land Use Consultant. The Petitioners were represented by Newton A. Williams, Esquire.

A number of area residents appeared in opposition to the request over the two days of public hearing during which this case was considered. They included Bruce and Beth Murdock, who reside near the subject site at 6 East Main Boulevard, and Sandy Brown, Faith Kroder and Claire Wheelock, nearby residents of the area. Numerous other individuals appeared at one or both of the hearing dates.

A review of the physical characteristics of the two properties in question and the surrounding locale is appropriate. A great deal of testimony on both subjects was offered by both the Petitioners and the Protestants. The property known as 2345 York Road (Parcel 1), consists of a gross area of approximately 1.04 acres, more or less, zoned R.O. and is located on the southeast corner of the intersection of York Road and Main Boulevard. This parcel is the site of the Harvest Office Building, which is an attractive, three-story building with a height of slightly less than

- 3 -

35 feet. The balance of the site is improved with a parking area which has the capacity for 55 vehicles.

The second parcel under consideration (Parcel 2) is known as 4 Talbott Avenue, and abuts the side and rear property lines of the lot on which the Harvest Office Building is located. Parcel 2 consists of approximately .80 acres in gross area, zoned D.R. 3.5, and is improved with a single family residential dwelling which is rented. Parcel 2 does not have frontage on York Road. Rather, Parcel 2 fronts on Talbott Avenue. Moreover, Parcel 2 is located adjacent to the property owned by E. Donald and Teresa Airey, which is situated at the northeast corner of the intersection of York Road and Talbott Avenue. The Airey property shares its side property line with the Harvest Office Building lot and its rear property line with the Trapp property. The Airey property is zoned R.O. and is improved with two structures.

As is well-known to this Zoning Commissioner, this locale contains a highly commercialized/office corridor of York Road, which is a major arterial road that bears a significant volume of traffic. York Road contains two lanes in each direction with a center left-turning lane for both north- and southbound traffic. The properties which abut York Road have been commercially zoned and developed over the years. In fact, there are few residential properties on York Road from Towson to Hunt Valley. As shown on the number of exhibits submitted, including Protestant's Exhibit 4, Petitioner's Exhibit 3, and numerous photographs, the properties fronting York Road are highly commercial in both zoning classification and actual use. Main Boulevard and Talbott Avenue are but two of the many side streets which connect with York Road and lead to the residential communities adjacent to this commercial corridor. A great deal of pressure

- 4 -

has been placed upon the residential properties which abut the rear yards of the commercial/office uses on York Road. This is another case involving the future of these residential properties and the depth of commercial/office use which should be permitted from the York Road frontage.

The history of Parcel 1 is also significant. As noted earlier, this property was the subject of prior Case No. 86-416-XA in which a special exception for the existing three-story office building was granted by then Deputy Zoning Commissioner Jean M. Jung on April 23, 1986 (see Petitioner's Exhibit 5). The office building is very attractive and is one of the most well-maintained commercial properties on the York Road corridor. Even the Protestants concede that the Petitioners have taken great care of the property and are to be applauded for their maintenance of this parcel. Construction of the building apparently began in 1986 and occupancy thereof took place approximately one year later.

The Harvest Office Building is considered a Class B office building under the B.C.Z.R. Moreover, Class B office buildings are permitted in R.O. zones by special exception, only. Special Exception approval was required in 1986 when the plans for this site were submitted and remains the requirement today. In prior Case No. 86-416-XA, Commissioner Jung granted special exception approval for a "Class B office building" on the subject property, zoned R.O., on April 23, 1986. Her Findings of Fact and Conclusions of Law were not lengthy and did not discuss many of the specifics of the office building proposed. However, her Order did incorporate and adopt the site plan which was submitted at that time (see Petitioner's Exhibits 6A and 6B). Note No. 7 on that plan indicates that "General Offices are intended to include strict office use only..." Moreover, Note No. 19 states that the "Building will have one or more of the following

uses: Engineer, Real Estate Sales, Management, Architect, Accountant, Contractor, Law, Title Company, and other similar uses." Lastly, Note No. 24 indicates that "No medical offices allowed for in parking calculations."

As Mr. Duklewski indicated during his testimony, the building was not originally constructed with the intent of housing medical offices. A vast majority of the tenants obtained at the beginning were not physicians or related to the medical field. This remains the case today, although some of the building has now been leased to physicians and medical uses. A comprehensive list of the present tenants was presented by both the Petitioners and the Protestants.

In any event, Mr. Duklewski indicated that the office market in this area has slowed down. In an effort to adjust to these changing market conditions, he proposes converting the building to 100% medical office use. He believes that this will meet the need for medical office space in the Lutherville area and that such use is justified based on the dynamics of the office building market in this locale.

Quite obviously, the conversion of the office building to medical offices would generate the need for additional parking. In order to meet this anticipated need, the subject amended zoning petitions have been filed and the owner of the Harvest Office Building has entered into a contract to purchase the Trapp property (Parcel 2) for this purpose. As noted above and as shown on the site plan, the Trapp property is the first property on Talbott Avenue which does not have frontage on York Road. The site is presently improved with a residential dwelling which is being rented. The Petitioners propose razing the house and converting a portion of the property to a parking lot to provide the additional parking spaces necessary to support the change in tenant mix at the Harvest Office Building.

ing. This parking lot will be connected to the existing parking lot on the Harvest Office Building property and will be accessible only from that lot. There will be no access to this parking lot from Talbott Avenue.

As to the numbers of parking spaces required, the plan shows that the Harvest Office Building lot presently contains 55 parking spaces. At the time of the construction of said building, the parking regulations then in force required 53 spaces for office (non-medical) use, and 73 spaces if the building were converted to medical office use. It is of particular note that the parking regulations have changed since that time. The number of spaces required for medical offices has been increased from 1 parking space for each 300 sq.ft. of medical office use to 4.5 spaces per each 1,000 sq.ft. of medical office use. Under the old regulations, 73 spaces were required; however, under the new regulations, 98 spaces would be required. The plans submitted indicate 103 parking spaces will be provided by use of the Trapp property. Under either scenario, this is more than the number of spaces required.

Testimony was presented by Messrs. Jim McKee and Bill Monk regarding the proposed Petitions and the propriety of using the residentially zoned Trapp property for the required additional parking. A number of factors were offered by these witnesses in support of the Petition. Included among these factors in their testimony was the character of the York Road commercial corridor and the existing depth of commercial zoning use from York Road. As shown on the site plan, and more particularly on Petitioner's Exhibit 3, the commercial zoning use extends away from York Road towards the residential communities a relative consistent depth from the intersection of York Road and Padonia Road to the north to the York Road Shopping Center and Timonium Road to the south. The Petitioners'

- 7 -

experts rightfully note that the Trapp property at this location creates a notch in this relatively consistent commercial zoning line. Thus, it is argued that a use permit for parking on the Trapp property is appropriate in that it will support a consistent application of commercial/office parking uses at a relatively uniform depth from York Road. These expert witnesses also testified as to the commercial characteristics of many of the businesses and uses along the York Road corridor.

Messrs. Monk and McKee also noted that the proposed plan does not provide for any curb cuts for the parking lot on the Trapp property. Thus, the flow of parking on Talbott Avenue should not be adversely affected. They also noted that the installation of the new parking lot would serve to ease parking problems generated by traffic to and from the Harvest Office Building site. The Protestants' witnesses noted that many of the visitors to the Harvest Office Building park on the residential streets of both Main Boulevard and Talbott Avenue. A near doubling of the capacity of parking on-site will help ease this congestion. Other factors were also offered in support of the request and are contained within the record. Among these was a view that the Trapp property is not a property which is viable for residential use; a contention which was disputed by the neighbors. Moreover, the Petitioners' plan shows a significantly sized buffer from the rear of the proposed lot towards the residences on Talbott Avenue. This buffer will be consistent with the depth of the buffer which presently exists to the rear of the Harvest Office Building. The buffer will be some 30 feet in width and will allow for the planting of a sufficient landscape screen to buffer the use.

One comment offered by Counsel for the Petitioners which is of particular note was that the use of the Trapp property to support traffic

- 8 -