

IN RE: PETITIONS FOR SPECIAL HEARING,
SPECIAL EXCEPTION & VARIANCE -
E/S Jarrettsville Pike, 420' N of the c/l
Sweet Air Road
(14315 Jarrettsville Pike)
10th Election District
6th Council District

Four Corners Square L.P., c/o
Gaylord Brooks Realty Co.

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-078-SPHXA

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance filed by the owners of the subject property, Four Corners Square Limited Partnership, by Richard A. Moore, Manager, c/o Gaylord Brooks Realty Company, through their attorney, Robert A. Hoffman, Esquire. The Petitioners request a special hearing to confirm that the zoning relief granted in prior Case No. 96-269-XA, with the exception of the special exception, has not expired; and, a modification/elimination of Restriction No. 1 of the Order issued in that case. In addition, the Petitioners request a special exception for a Class B Office Building on the subject property, pursuant to Section 204.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), and variance relief from the B.C.Z.R., if necessary, as follows: From Sections 204.4.C.3 and 259.3.C.2.a thereof to permit a front yard setback of 38 feet from the average building setback line in lieu of the required 0 feet, and from Section 204.4.C.7 thereof to permit a maximum lot size of 2 acres in lieu of the permitted 1 acre. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Richard A. Moore and Steve Smith on behalf of the Four Corners Limited Partnership, property owners, and Patricia A. Malone, Esquire, attorney for the Petitioners. Also appearing were Laurie McLain, Architect, and Eugene F. Raphael, the Professional Engineer who prepared the site plan for this property. Appearing

ORDER RECEIVED FOR FILING

Date

By

3/29/02
JOP

as an interested person was Curtis Way, a nearby resident. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the east side of Jarrettsville Pike, near the "Four Corners" intersection of Paper Mill Road and Sweet Air Road in Jacksonville. The property contains a gross area of 3.31 acres, more or less, zoned R.O.-C.R., and is presently unimproved. The Petitioner proposes the construction of an 8800 sq.ft. Class A office building on the site. The building will be situated so as to take advantage of the existing grade of the property and will contain a maximum 2200 sq.ft. of medical offices and 6600 sq.ft. of general offices. The building will not exceed the 30-foot height limitation imposed for the R.O.-C.R. district by the B.C.Z.R. In addition to the building, a portion of the lot will be developed so as to provide 32 parking spaces. The site plan also shows the proposed construction of a future office building on the northern side of the site. That building will contain 4400 sq.ft. in area, and is designated as a Phase II improvement. Collectively, the two buildings will not exceed 13,200 sq.ft. of office space.

The undersigned Zoning Commissioner previously considered this proposal in a prior case. Specifically, development plan approval was granted in prior Case No. X-326 in conjunction with zoning relief in companion Case No. 96-269-XA. In the zoning case, identical special exception relief was requested for a Class B office building and variance relief was also sought. By my opinion and Order dated March 14, 1996, I granted relief to approve the proposal. The Order issued at that time did not establish a date by which the special exception use needed to be utilized. In such a circumstance, special exception relief expires after two years, pursuant to Section 502.3 of the B.C.Z.R., unless construction has commenced during the authorized two-year period. In that there has been no construction, the special exception approval granted in the prior case has lapsed and is no longer valid. Thus, the instant Petition for Special Exception was filed.

It is also to be noted that certain variances were granted in the prior case; two of which are of note in connection with the instant case. First, the R.O.-C.R. regulations require the building to be set back a distance consistent with the average setbacks for adjacent buildings. In this regard, the

3/29/02
Bp

adjacent buildings are located immediately adjacent to the average building setback line. The proposed building will be set back further into the interior of the property by a distance of 38 feet from that average setback line. Secondly, the R.O.-C.R. regulations require the building to be situated on a 1-acre lot. The subject lot is actually a larger parcel of 2 acres. As noted above, the overall tract is 3.31 acres in area and the Petitioner proposes to divide the parcel into a 2-acre tract for the proposed Class A office building and a 1-acre tract for the future office building.

Unlike a Petition for Special Exception, there is no language within the B.C.Z.R. indicating that variance relief lapses or expires if not utilized. The undersigned is aware of no case law or other authority to that effect. Under the circumstances, the Petition for Variance filed in the instant case is unnecessary and will therefore be dismissed as moot. The two variances referenced above were granted by the prior Order and remain in full force and effect. Although the special exception in that case has lapsed, the variance relief has not. Thus, those variances may be utilized at any time. Moreover, it is to be noted for the record that the undisputed testimony and evidence offered in the present case would be persuasive to a finding that those variances, if needed, should be granted.

As to the Petition for Special Exception, it is clear that same should be granted. The undisputed testimony and evidence offered was that the proposal meets the standards set forth in Section 502.1 of the B.C.Z.R. Surely, there will be no detrimental impact by this use on the health, safety or general welfare of the locale. Moreover, the request meets the requirements of Section 259.3.E of the B.C.Z.R. That Section imposes additional requirements for the granting of a special exception in the C.R. district. These include that the Petitioner shall document the need for the development and that the property will be developed in a manner so as to take into account existing and proposed roads, topography, architecturally significant buildings, scenic views, etc. The testimony offered by Mr. Moore and Ms. McLain was persuasive to a finding that the subject proposal meets this collective criteria. Thus, the relief will be granted. Moreover, to avoid this scenario in the future, the special exception granted herein will remain valid for a period of five (5) years, pursuant to Section 502.3 of the B.C.Z.R.

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Date

By

As to the Petition for Special Hearing, the first part of the relief requested will be granted. Essentially, the Petitioner seeks a finding that the variances granted in the prior case remain valid. For the reasons set forth above, I find that the variances have not lapsed and thus, the Petition for Special Hearing shall be granted. The second part of the relief requested is to modify or eliminate Restriction No. 1 of the prior Order. That restriction relates to an apparent agreement by and between the property owner and the Greater Jacksonville Community Association. In this regard, it was indicated that an agreement was apparently never executed between the parties. No one appeared at the hearing on behalf of the Association; however, a draft, unsigned copy of the agreement was presented at the hearing. Upon review of that agreement, it appears that the proposed provisions thereof have been incorporated into the plan as well as the compatibility report prepared by Ms. McLain for this project. To incorporate the agreement as a restriction in the Order would be duplicitous and is unnecessary. Thus, this portion of the Petition for Special Hearing shall be granted.

It is also to be noted that Zoning Advisory Committee (ZAC) comments were received from the Office of Planning and the Bureau of Development Plans Review relative to the proposed project. The Petitioner agreed at the hearing to comply with the recommendations made by those agencies. Thus, those comments shall be incorporated hereinafter as restrictions to the relief granted.

Finally, a brief comment is in order regarding the development plan approval previously granted for this property. In this regard, the Petitioner produced a copy of a letter (Petitioner's Exhibit 3), signed by Arnold Jablon, Director of the Department of Permits and Development Management, dated December 28, 2001, conferring a limited exemption for this project from the development review process. Thus, based upon that exemption, the prior relief granted, and the relief granted in this case, this project may now proceed forward to construction.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted, and/or dismissed as moot in accordance with the following Order.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of March, 2002 that the zoning relief granted in prior Case No. 96-269-XA, with the

ORDER NO. 96-269-XA FOR FILING
Date 3/29/02
By [Signature]

exception of the special exception, has not expired, and as such, the Petition for Special Hearing is GRANTED; and,

IT IS FURTHER ORDERED that Restriction No. 1 of the Order issued in prior Case No. 96-269-XA may be eliminated, and as such, the Petition for Special Hearing, be and the same shall hereby be GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception for a Class B Office Building on the subject property, pursuant to Section 204.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Zoning Advisory Committee (ZAC) comments submitted by the Office of Planning, dated January 23, 2002, and the Bureau of Development Plans Review, dated February 7, 2002, copies of which are attached hereto and made a part hereof.
- 3) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 204.4.C.3 and 259.3.C.2.a of the B.C.Z.R. to permit a front yard setback of 38 feet from the average building setback line in lieu of the required 0 feet, and from Section 204.4.C.7 thereof to permit a maximum lot size of 2 acres in lieu of the required 1 acre, be and is hereby DISMISSED AS MOOT.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 3/29/02
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

March 29, 2002

Patricia A. Malone, Esquire
Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE
E/S Jarrettsville Pike, 420' N of the c/l Sweet Air Road
(14315 Jarrettsville Pike)
10th Election District – 6th Council District
Four Corners Square L.P., c/l Gaylord Brooks Realty Co. - Petitioners
Case No. 02-078-SPHXA

Dear Ms. Malone & Mr. Hoffman:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Richard A. Moore, P.O. Box 400, Phoenix, Md. 21131
Ms. Laurie McLain, 8212 Main Street, Ellicott City, Md. 21043
Mr. E. F. Raphael, 205 Courtland Avenue, Towson, Md. 21204
Mr. Curtis Way, 3531 Southside Avenue, Jarrettsville, Md. 21131
Ms. Betsy Lehmann, Greater Jacksonville Community Association
4104 Green Glade Road, Phoenix, Md. 21131
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

which is presently zoned RO-CR

14315 Jarrettville Pike
east side of Jarrettville Pike
north of Sweet Air Road

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

see attached

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Robert A. Hoffman
Name - Type or Print _____
Signature _____
Venable, Baetjer and Howard, LLP
Company _____
210 Allegheny Avenue (410) 494-6262
Address _____ Telephone No. _____
Towson Maryland 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

Four Corners Square Limited Partnership
Name - Type or Print _____
Signature _____
Richard A. Moore, Partnership Manager
Name - Type or Print _____
Signature _____
P. O. Box 400 (410) 667-0800
Address _____ Telephone No. _____
Phoenix Maryland 21131
City _____ State _____ Zip Code _____

Representative to be Contacted:

Robert A. Hoffman
Name _____
210 Allegheny Avenue (410) 494-6262
Address _____ Telephone No. _____
Towson Maryland 21204
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By LT M Date _____

Case No. 02-078-X SP4A

ORDER RECEIVED FOR FILING

Date

BY 20 9/15/98

REQUESTED SPECIAL HEARING RELIEF

Special Hearing to confirm that the zoning relief granted in Case No. 96-269-XA, with the exception of the special exception relief, has not expired; and,

Special Hearing to modify/eliminate Restriction No. 1 from the Zoning Commissioner's Order in Case No. 96-269-XA.

OFFICE OF THE ZONING COMMISSIONER
Date: 3/29/02
By: [Signature]



Petition for Special Exception

to the Zoning Commissioner of Baltimore County
14315 Jarrettsville Pike; East side of Jarrettsville Pike

for the property located at 420 ft. North of Sweet Air Road

which is presently zoned RO-CR

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer and Howard, LLP

Company

210 Allegheny Avenue

(410) 494-6200

Address

Telephone No.

Towson

Md.

21204

City

State

Zip Code

Legal Owner(s):

Four Corners Square Limited Partnership

Name - Type or Print

Signature Richard A. Moore, Partnership Manager

Name - Type or Print

Signature

P. O. Box 400

(410) 667-0800

Address

Telephone No.

Phoenix

Md.

21131

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue

(410) 494-6200

Address

Telephone No.

Towson,

Md.

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By LTm Date

ORDER RECEIVED FOR FILING

Date

By

Case No. 02-078-XSPHA

REV 09/15/98



Petition for Variance

to the Zoning Commissioner of Baltimore County

14315 Jarrettsville Pike, East side of Jarrettsville Pike
for the property located at 420 ft. North of Sweet Air Road

which is presently zoned RO-CR

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

See attached.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be determined at the hearing.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer and Howard, LLP

Company

210 Allegheny Avenue (410) 494-6200

Address

Towson, Maryland

Telephone No.

21204

City

State

Zip Code

Legal Owner(s):

Four Corners Square Limited Partnership

Name - Type or Print

Signature Richard A. Moore, Partnership Manager

Name - Type or Print

Signature

P. O. Box 400

(410) 667-0800

Address

Telephone No.

Phoenix

Md.

21131

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue

(410) 494-6200

Address

Telephone No.

Towson

Md.

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By LTM Date _____

Case No. 02-078-X SPHA

287 9/15/98

REQUESTED VARIANCE RELIEF

Variance, if necessary, pursuant to B.C.Z.R. Sections 204.4.C.3 and 259.3.C.2.a to permit a front yard setback of 38 feet from the average building setback line in lieu of the required 0 feet; and,

Variance, if necessary, pursuant to B.C.Z.R. Section 204.4.C.7 to permit a maximum lot size of 2 acres in lieu of the permitted 1 acre.

ORDER RECEIVED FOR FILING
Date 3/29/02
By REP

F. Raphel & Associates
Registered Professional Land Surveyors
205 Courtland Avenue
Towson, Maryland 21204

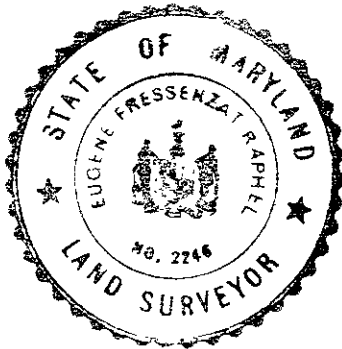
Phone (410) 825-3908

Fax (410) 825-1331

DESCRIPTION TO ACCOMPANY ZONING PETITION

BEGINNING FOR THE SAME at a point on the Easterly Right-of-Way line of Jarrettsville Pike, (Maryland Route 146), said point being located North 420 feet and South 56° 54' 53" East 20 feet more or less from the intersection of Jarrettsville Pike and Sweet Air Road, running thence on the Eastern Right-of-Way line of Jarrettsville Pike and binding on the outline as described in Liber S.M. 7894, folio 191; North 01° 55' 02" West 272.27 feet, thence by a curve to the right having a radius of 2276.49 feet, for a distance of 191.09 feet, thence leaving the Eastern Right-of-Way of Jarrettsville Pike, South 72° 22' 37" East 282.18 feet, thence South 03° 21' 56" East 571.48 feet, thence North 56° 54' 53" West 353.06 feet to the place of Beginning. Containing 3.31 Acres of land, more or less.


E.F. Raphel, Registered Professional Land Surveyor #2246



#078

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 0788

DATE 11/15/01 ACCOUNT 2001 006 6150

AMOUNT \$ 330.00

RECEIVED FROM: FOUR CORNERS

SQUARE LTD. P.

FOR: _____

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

CASHIER ACTUAL TIME
11/15/01 11:15/2001 11:32:00
BY: [Signature] CASHIER ROOM LPR NUMBER 3
DATE 11/15/01 DEPT
Total \$ 330.00 (11/15/01)
CASHIER [Signature]
Dept Tot 330.00
50.00 PR 300.00
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 5709

DATE 8/21/01 ACCOUNT 2001 006 6150

AMOUNT \$ 300.00

RECEIVED FROM: FOUR CORNERS SQUARE

FOR: SPECIAL EXCEPTION

02-078-X

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT
CASHIER ACTUAL TIME
8/21/01 8:00 AM
BY: [Signature] CASHIER ROOM LPR NUMBER 3
DATE 8/21/01 DEPT
Total \$ 300.00 (8/21/01)
CASHIER [Signature]
Dept Tot 300.00
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #02-078-XSPHA

14315 Jarrettsville Pike

E/S Jarrettsville Pike, 420' N of Sweet Air Road

10th Election District - 6th Councilmanic District

Legal Owner(s): Richard A. Moore

Special Hearing: to confirm that the zoning relief granted in Case No. 96-269-XA with the exception of the special exception relief; has not expired and to modify/eliminate Restriction No 1 from the Zoning Commissioner's order in Case No 96-269-XA. **Variance:** to permit a front yard setback of 38 feet from the average building setback line in lieu of the required zero feet and to permit a maximum lot size of 2 acres in lieu of the required 1 acre. **Special Exception:** to use herein described property for a Class B office building.

Hearing: Friday, March 15, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

2/3/38 Feb. 28

C523172

CERTIFICATE OF PUBLICATION

3/1/2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/28/2002.

☒ The Jeffersonian

☐ Arbutus Times

☐ Catonsville Times

☐ Towson Times

☐ Owings Mills Times

☐ NE Booster/Reporter

☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.:

02-078-SPHXA

Petitioner/Developer:

82-0147E VBH C/O AMY DONTRELL

Date of Hearing/Closing:

2/26/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens & GEORGE ZAHNER

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #14315 - JARRETTSVILLE PIKE

The sign(s) were posted on

2/04/02

(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 2/10/02

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)

Post-It® Fax Note	Date	7671
	From	
	To	
	Co./Dept.	
	Phone #	

ZONING NOTICE

CASE # 02078 XSPHA

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

ROOM 106, COUNTY OFFICE BUILDING
PLACE: 111 WEST CHESAPEAKE AVENUE

DATE AND TIME: FEBRUARY 26, 2002 AT 2:00 PM

REQUEST SPECIAL HEARING TO

CONFIRM THAT THE ZONING PLAT IS SPANDED IN
AN MANNER WITH THE EXISTING LOT OF THE
SUBJECT PROPERTY. THE PLAT HAS NO EXCEED
VARIANCE TO THE ZONING LINE IN THE SUBJECT PROPERTY
AND TO BECOME A LOT OF 2 ACRES. THE PLAT IS REQUIRED
TO BE HEARD BY THE ZONING COMMISSIONER.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

RE Case No 02-078-XSPHA

Petitioner/Developer -R. MOORE, ETAL
VENABLE - AMY DONTE

Date of Hearing/Closing 2/26/02

# of pages	1
From	O'KEEFE
To	ZONING COMM
Co.	
Phone #	512 4621
Fax #	410-887-3408

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention. Ms. Gwendolyn Stephens & GEORGE ZAHNER

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #14315 JARRETTVILLE PIKE

The sign(s) were posted on 2/5/02
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 2/4/02
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)

ZONING NOTICE

CASE # 02-078-XSPHA

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

ROOM 106, COUNTY OFFICE BUILDING
PLACE, 111 WEST CHESAPEAKE AVENUE

DATE AND TIME: TUESDAY, FEBRUARY 26, 2002 AT 9:00 AM

REQUEST: SPECIAL HEARING TO

CONFIRM THAT THE ZONING RELIEF GRANTED IN
CASE # 02-078-XSPHA WITH THE EXCEPTION OF THE
SPECIAL EXCEPTION RELIEF HAS NOT EXPIRED
VARIANCE TO PERMIT A FRONT YARD SETBACK OF 30 FEET FROM
THE AVERAGE BUILDING SETBACKLINE IN LIEU OF THE REQUIRED 25
FEET AND TO PERMIT A LOT SIZE OF 2 ACRES IN LIEU OF THE REQUIRED
1 ACRE. SPECIAL HEARING TO MODIFY/ELIMINATE RESTRICTION
ON 14315 JARRETTVILLE PIKE

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARINGS CALL 887-3391

CERTIFICATE OF POSTING

RE Case No 02-078-XSPHA

Petitioner/Developer MOORE, ETAL
VBH

Date of Hearing/Closing 3/15/02

i. t ^m brand fax transmittal memo 7671		# of pages <u>1</u>
To <u>BETTY OR ROBIN</u>	From <u>O'KEEFE</u>	
Co. <u>ZONING - COMM.</u>	Co.	
Dept	Phone # <u>410-462-1111</u>	
Fax # <u>410-887-3468</u>	Fax # <u>666-0929</u>	

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms Gwendolyn Stephens / GEORGE ZAHNER

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at # 14315 JARRETTSVILLE
(2 SIGNS) PIKE

The sign(s) were posted on 2/27/02
(Month, Day, Year)

Sincerely,

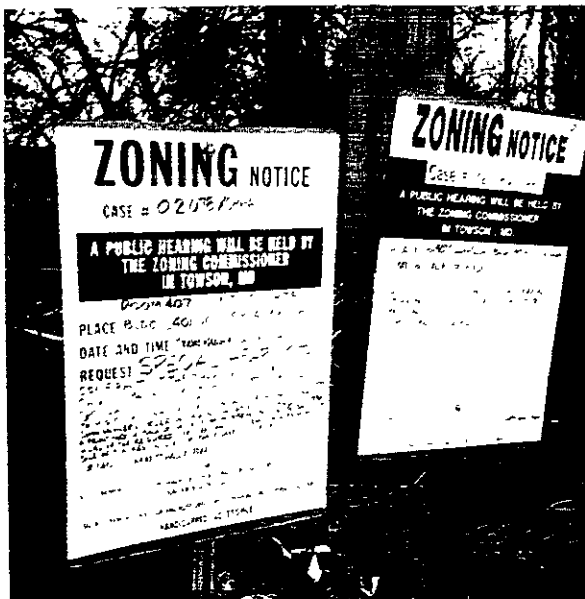
Patrick M O'Keefe 2/28/02
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)



02-078-XSPHA
#14315 JARRETTSVILLE PK.
VBH 3/15/02

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 02-078-X SPHA
Petitioner: Gaylord Brooks Realty
Address or Location: 14315 Jarrettsville Pike

PLEASE FORWARD ADVERTISING BILL TO:

Name: Amey L. Donte II
Address: 210 Allegheney Ave
Towson, MD. 21204
Telephone Number: 410-494-6244

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 12, 2002 Issue – Jeffersonian

Please forward billing to:

Amy L Dontell
Venable Baetjer & Howard
210 Allegheny Avenue
Towson MD 21204

410 494-6244

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-078-XSPHA
14315 Jarrettsville Pike
E/S Jarrettsville Pike, 420' N of Sweet Air Road
10th Election District – 6th Councilmanic District
Legal Owner: Richard A Moore

Special Hearing to confirm that the zoning relief granted in Case No. 96-269-XA with the exception of the special exception relief; has not expired. Variance to permit a front yard setback of 38 feet from the average building setback line in lieu of the required zero feet and to permit a lot size of 2 acres in lieu of the require 1 acre. Special Hearing to modify/eliminate restriction No. 1 also.

HEARING: Tuesday, February 26, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDC
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

January 16, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-078-XSPHA
14315 Jarrettsville Pike
E/S Jarrettsville Pike, 420' N of Sweet Air Road
10th Election District – 6th Councilmanic District
Legal Owner: Richard A Moore

Special Hearing to confirm that the zoning relief granted in Case No. 96-269-XA with the exception of the special exception relief; has not expired. Variance to permit a front yard setback of 38 feet from the average building setback line in lieu of the required zero feet and to permit a lot size of 2 acres in lieu of the require 1 acre. Special Hearing to modify/eliminate restriction No. 1 also.

HEARING: Tuesday, February 26, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon G D Z
Director

C: Robert A Hoffman, Venable Baetjer & Howard, 210 Allegheny Avenue,
Towson 21204
Amy Dontell, Venable Baetjer & Howard, 210 Allegheny Avenue, Towson 21204
Richard A Moore, Four Corners Square Limited Partnership, P O Box 400,
Phoenix 21131

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, FEBRUARY 11, 2002.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 28, 2002 Issue – Jeffersonian

Please forward billing to:

Amy L Dontell
Venable Baetjer & Howard
210 Allegheny Avenue
Towson MD 21204

410 494-6244

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-078-XSPHA
14315 Jarrettsville Pike
E/S Jarrettsville Pike, 420' N of Sweet Air Road
10th Election District – 6th Councilmanic District
Legal Owner: Richard A Moore

Special Hearing to confirm that the zoning relief granted in Case No. 96-269-XA with the exception of the special exception relief; has not expired and to modify/eliminate Restriction No 1 from the Zoning Commissioner's order in Case No 96-269-XA. Variance to permit a front yard setback of 38 feet from the average building setback line in lieu of the required zero feet and to permit a maximum lot size of 2 acres in lieu of the require 1 acre. Special Exception to use herein described property for a Class B office building.

HEARING: Friday, March 15, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT 672
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

February 21, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER. 02-078-XSPHA
14315 Jarrettsville Pike
E/S Jarrettsville Pike, 420' N of Sweet Air Road
10th Election District – 6th Councilmanic District
Legal Owner: Richard A Moore

Special Hearing to confirm that the zoning relief granted in Case No. 96-269-XA with the exception of the special exception relief; has not expired and to modify/eliminate Restriction No 1 from the Zoning Commissioner's order in Case No 96-269-XA. Variance to permit a front yard setback of 38 feet from the average building setback line in lieu of the required zero feet and to permit a maximum lot size of 2 acres in lieu of the require 1 acre. Special Exception to use herein described property for a Class B office building.

HEARING: Friday, March 15, 2002 at 2.00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon GJZ
Director

C: Robert A Hoffman, Venable Baetjer & Howard, 210 Allegheny Avenue,
Towson 21204
Amy Dontell, Venable Baetjer & Howard, 210 Allegheny Avenue, Towson 21204
Richard A Moore, Four Corners Square Limited Partnership, P O Box 400,
Phoenix 21131

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, FEBRAURY 28, 2002.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

February 22, 2002

Robert A Hoffman
Venable Baetjer & Howard
210 Allegheny Avenue
Towson MD 21204

Dear Mr. Pittler:

RE: Case Number: 02-078-XSPHA,

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 4, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning

Review

WCR: gdz

Enclosures

c: Mr. Richard A Moore, Four Corners Square Limited Partnership, P O Box 400.
Phoenix 21131
People's Counsel

hp
3/15

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: February 7, 2002

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 22, 2002
Item No. 078

FEB 27 2002

The Bureau of Development Plans Review has reviewed the subject zoning item.

The storm drain carrying the offsite runoff from Jarrettsville Pike through the site to the existing drain on Koslarek's property will be a public system. The developer's cost responsibilities include the acquiring of easements and rights-of-way both onsite and offsite and the deeding in-fee of said right-of-way at no cost to the county. Preparation of all construction, right-of-way and easement drawings, engineering and surveys, and payment of all actual construction costs, including the county overhead both within and outside the development, are also the responsibilities of the developer.

RWB:HJO:jrb

cc: File

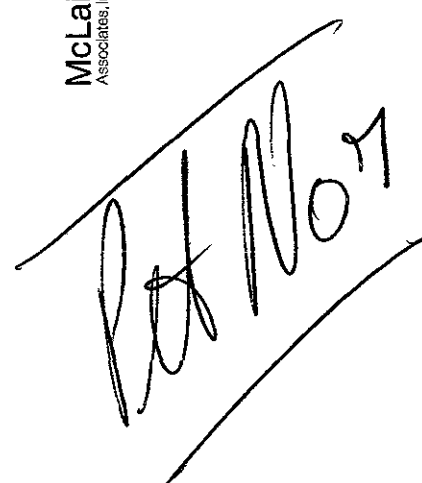
Alexander
Design Studio, PC

McLain
Associates, Inc.

COMPATIBILITY REPORT

January 7, 2002

Four Corners Square
Jarrettsville Pike
Phoenix, Maryland



The development of this property has been designed to address the compatibility objectives, in accordance with the guidelines in the Comprehensive Manual of Development Policies, as set forth in Section 26-282 (b). The eight objectives and design responses are summarized below.

1. **The arrangement and orientation of the proposed building and site improvements are patterned in a similar manner to those in the neighborhood.** Buildings are oriented along the contour of the land and perpendicular to Jarrettsville Pike. The front of the building, being shorter than the sides, will have less impact when viewed from Jarrettsville Pike.
2. **The building and parking lot layouts reinforce existing building and streetscape patterns and assure that the placement of the buildings and parking lots have no adverse impact on the neighborhood.** The parking is located behind the setback of the building and is screened from residential areas with earth berms and dense planting.
3. **The proposed streets are connected with the existing neighborhood road network wherever possible and the proposed sidewalks are located to support the functional patterns of the neighborhood.** Entrance onto the site is aligned directly opposite the entrance on the west side of Jarrettsville Pike and will serve Lot One and Lot Two.

8212 Main Street
Ellicott City, MD 21043
t 410.465.8207
f 410.465.8208
email@brokenboxes.com

4. **The open spaces of the proposed development reinforce the open space patterns of the neighborhood in form and siting and compliment existing open space systems.** The neighborhood's open spaces do not follow a rigid system; they are irregular and naturalistic in form, typical of a rural setting. The proposed development follows these cues, with the building oriented parallel to the natural slope of the site.
5. **Locally significant features of the site such as distinctive buildings or vistas are integrated into the site design.** There are no significant features on the existing site.
6. **The proposed landscape design compliments the neighborhood landscape patterns and reinforces its functional qualities.** The proposed landscaping beautifies the site while screening the parking from residential areas.
7. **The exterior signs, site lighting, and accessory structures support a uniform architectural theme and present a harmonious and visual relationship with the surrounding neighborhood.** Signs and lighting are in conformance with the adjacent commercial sites. Exterior building-mounted light fixtures are lantern style. Parking lot fixtures are directional throw to minimize light pollution. Site bollard lighting has louvered reflector. Controls are via timeclock.
8. **The scale, proportions, massing and detailing of the proposed buildings are in proportion with those existing in the neighborhood.** The scale and placement of the buildings are in conformance with adjacent residential and commercial sites. Preliminary building materials and color selections:
 - Siding: Chapel Hill Premium vinyl siding or equivalent. Color: Clay.
 - Roof: Hertiage II asphalt shingles or equivalent. Color: Weathered wood.
 - Trim Color: Navajo White.
 - Door Color: Plymouth Red.

Prepared by: Laurie M. McLain, AIA
Principal, McLain Associates, Inc.

*h
2/26*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: January 23, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

JAN 24 2002

SUBJECT: 14315 Jarrettsville Pike

INFORMATION:

Item Number: 02-078

Petitioner: Four Corners Square LLP

Zoning: RO-CR

Requested Action: Special Exception/Variance/Special Hearing

SUMMARY OF RECOMMENDATIONS:

The property in question was the subject of a previous zoning hearing, Case No. 96-269XA which was granted but expired prior to utilization. The requested special exception for the proposed office building and variances are the same as requested in the prior zoning hearing. More recently, the Development Review Committee approved a limited exemption pursuant to Section 26-171(b)(9) on December 10, 2001.

Since the site is zoned RO-CR, a compatibility report has been submitted for review and is in keeping with the guidelines in the Comprehensive Manual of Development Policies, as set forth in Section 26-282 (b).

The proposed use is within the Jacksonville Community Plan area, which recommends that the Greater Jacksonville Association (GJA) review the site plan, architectural drawings and landscape plan. A meeting with GJA has occurred. The Jacksonville Community Plan recommends sidewalks should be constructed along Jarrettsville Pike.

The Office of Planning recommends approval of the Special Exception and Special Hearing, and Variances, (if Variances are deemed necessary), provided the following condition is added.

1. Add a note to the plan that states the sidewalk will be constructed along Lot 2's Jarrettsville Pike frontage at the time of development of the future office building on Lot

Prepared by: Mads A. Cunningham

Section Chief: Jeffrey W. Long

AFK:MAC:

H
File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: October 16, 2001

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For September 24, 2001
Item Nos. 071, 072, 073, 074, 075, 076,
077, 078, 079, 081, 082, 083, 084, and
085

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

January 23, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen ~~Stephens~~ *J. Zahner*

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF January 14 2002

Item No.: See Below

Dear Ms. Stephens:

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

078, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 252,
253, 254, 256, 257, 258, 259, 260, and 262

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: Todd Taylor 

DATE: February 13, 2002

SUBJECT: NO COMMENTS FOR ZONING ITEMS:

78, 243, 244, 245, 247, 249, 251, 253, 254, 257, 259

Zoning Advisory Committee Meeting of January 14, 2002



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

January 23, 2002

Mr. George Zhaner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 078 (LTM)
MD 146
14315 Jarrettsville Pike
Mile Post 9.27

Dear Mr. Zahner:

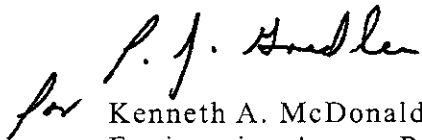
We have reviewed the referenced plan and have no objection to approval of the Special Hearing.

However, we will require the owner/developer to obtain an access permit from our office and as a minimum the following will be required:

- A traffic impact analysis. The final design for any required roadway improvements will be determined following the review and approval of the traffic impact analysis.
- A hydraulics analysis.
- Auxiliary lane widening, including curb, gutter and sidewalk, from property corner to property corner.
- Highway widening dedication.

Should you require any additional information regarding this subject, please contact Larry Gredlein at 410-545-5606 or by E-mail (lgredlein@sha.state.md.us).

Very truly yours,



Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

CC: Robert W. Bowling, P.E.

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

RE: PETITION FOR SPECIAL HEARING
PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE

14315 Jarrettsville Pike, E/S Jarrettsville Pike,
420' N of Sweet Air Rd
10th Election District, 6th Councilmanic

Legal Owner: Four Corners Square L.P.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
*
* Case No. 02-78-SPHXA

* * * * *

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. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of January, 2002 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner(s).



PETER MAX ZIMMERMAN

FOR GEORGE ONLY

VENABLE, BAETJER AND HOWARD LLP
Including professional corporations

210 Allagheny Avenue
Baltimore, Maryland 21204
(410) 494-6200, Fax (410) 821-0147
MARYLAND • WASHINGTON, D.C. • VIRGINIA

VENABLE
ATTORNEYS AT LAW

Writer's Direct Line:
(410) 494-6244
aldontell@venable.com

Memorandum

TO:
Mr. George Zahner-Baltimore County Office of Zoning

FROM:
Amy L. Dontell

RE:
**Clyford Brooks/4 Corners Square (02-078-X)
Hearing Dates**

DATE:
January 3, 2002

The following dates are available for the month of February for the above referenced hearing. Monday, February 25, 2002 and Tuesday, February 26, 2002 are our first choices for the hearing. If those dates do not work, February 19-22 are also available.

do for Amy
Lomax

VENABLE, BAETJER AND HOWARD LLP
Including professional corporations

210 Allegheny Avenue
Towson, Maryland 21204
(410) 494-6200, Fax (410) 821-0147

MARYLAND • WASHINGTON, D.C. • VIRGINIA

VENABLE®
ATTORNEYS AT LAW

TO:
**Mr. George Zahner/Office of
Zoning**

FAX NUMBER:
(410) 887-2824

PHONE NUMBER:
(410) 887-3391

SENDER:
Amy L. Dontell

SENDER'S FAX NUMBER:
(410) 821-0147

SENDER'S PHONE NUMBER:
(410) 494-6244

SENDER'S ASSISTANT:
Eileen Leonhart

ASSISTANT'S PHONE NUMBER:
(410) 494-6221

DATE:
1/15/2002

CLIENT/MATTER NUMBER:
25246-173381

PAGES, EXCLUDING COVER:
1

MESSAGE:

Attached please find the requested dates for the Gaylord Brooks-4 Corners Square Hearing (02-078-X).
If there are any questions please give me a call. Thanks for your help.

If you require assistance with this transmission, please contact the sender.

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U.S. postal service. Thank you.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Patricia A. Malone

LAURIE McLAIN

Richard A. Moore

E.F. RARNEL

Steve Smith

210 Allegheny Avenue 21204

8212 MAIN STREET Ellcott City 21043

P.O. Box 400, PHOENIA, MD. 21131

205 CANTLAND AVE. Towson



IN RE: DEV. PLAN HEARING & PETITIONS * BEFORE THE HEARING OFFICER/
FOR SPECIAL EXCEPTION & VARIANCE
E/S Jarrettsville Pike, N of * ZONING COMMISSIONER
Sweet Air Road
Election District * OF BALTIMORE COUNTY
6th Councilmanic District
Four Corners Square Office Bldg. * Case No. X-326 & 96-269-XA
Four Corners Square Ltd. Partner-
ship/ Grahamp Ltd. Partnership *
Trust, Applicant/Developer
* * * * *

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN AND VARIANCE ORDER

This matter comes before the Zoning Commissioner/Hearing Officer as a combined hearing, pursuant to Section 26-206.1 of the Baltimore County Code, for consideration of a development plan and related zoning requests for the property known as the Four Corners Square Office Building in Jacksonville. As to the development plan, approval is requested of the plan prepared by E.F. Raphel and Associates received into evidence as Developer's Exhibit No. 1A. The plan is appended with a landscape plan (Developer's Exhibit No. 1B) which is incorporated and considered a part of the development plan. The development plan was prepared on behalf of Four Corners Square Limited Partnership, property owner, and proposes construction of an 8800 sq. ft. building on the site.

As to the zoning relief requested, special exception approval is requested for a Class B office building, pursuant to Section 204-3.B of the Baltimore County Zoning Regulations (BCZR). Also, three zoning variances are sought. They are:

1. A variance to permit a front yard setback of 38 ft. from the average building setback line in lieu of 0 ft. as required, pursuant to Sections 259-.3.C.2 and 204.4.C.3 of the BCZR; and

2. A variance to permit one free standing sign of 15 sq. ft., per

side, in lieu of a required 8 ft. attached sign not exceeding 8 ft. in area by Section 204.3.C.1; and

3. A variance to permit a lot size of two acres for the Class B office building in lieu of the required one acre permitted on a minor arterial roadway as set forth in Section 204.4.C.7 of the BCZR.

As to the history of the review of the project, a Concept Plan Conference was held on February 14, 1995 and the concept plan was submitted at that time. Thereafter a Community Input Meeting was held on September 27, 1995 at the Chestnut Grove Presbyterian Church in Jacksonville. The development plan was submitted and a conference held thereon on February 14, 1996. The Hearing Officer's hearing was scheduled and held on March 7, 1996 at 9:00 A.M. in Room 118 of the Court House in Towson.

Appearing at the Hearing Officer's hearing on behalf of the property owner was Richard A. Moore and Stephen Smith, of Gaylord Brooks Investment Co., Inc. Also appearing was E.G. Raphael and C.K. Merrick, from E.G. Raphael and Associates, surveyors and land planners. The Developer/Petitioner was represented by E. Harrison Stone, Esquire. Appearing as interested persons were Deborah Dopkin, Esquire, Mitchell A. Daly, Jr., Herbert C. Lintz, Jr. and Marian M. Lintz. Also present were representatives of the various Baltimore County agencies who evaluated the project. These included Don Rascoe the substitute Project Manager, Stephany Wright from the Office of Permits and Development Management (PDM), Carole McEvoy from the Office of Planning (OP), Bob Bowling from Development Plans Review, Bruce Seeley and Gale Parker from the Department of Environmental Protection and Resource Management (DEPRM) and Bob Small from State Highway Administration.

Turning first to a review of the development plan, same shows that the gross area of the subject tract is 3.31 acres, zoned R0-CR. Two areas are designated as lot No. 1 and will be developed with the subject office building. The building will contain 8800 sq. ft. of office space, divided into 6600 sq. ft. for general offices and 2200 sq. ft. for medical offices. The property is located on Jarrettsville Pike not far from the intersection of that road and Paper Mill Road/Sweet Air Road. Vehicular access from Jarrettsville Pike is also provided as is an area for parking.

In considering the merits of the development plan, the Hearing Officer is required to identify any open issues/unresolved comments which would preclude development plan approval. In this regard, representatives of several of the County agencies indicated that minor comments remained unresolved which will be corrected by revision of the plan. For example, Mr. Seeley from DEPRM indicated that the plan should be revised to show the location of a dry well on site and also that a note should be noted on the plan indicating that a variance was requested from DEPRM to permit offsite forest retention in lieu of aforestation on site. The Developer agreed that the plan would be amended in accordance with these recommendations from DEPRM.

Ms. McEvoy from the Office of Planning also requested four revisions. She requested that architectural drawings of the proposed building (received as Developer's Exhibit No. 3A and 3B) be attached to the plan for review and inclusion therewith. Secondly, she asked that the proposed sign be shown on the landscape plan and an appropriate landscaping completed in the area immediately surrounding the sign. Third, she stated that the landscape plan need be amended to show a walkway leading to a dumpster, consistent with what is shown on the development plan. Last, a

street address of the subject property must be shown on the development plan. As was the case with DEPRM's recommendations, the Developer indicated that the plan would be amended in accordance with the Office of Planning's requests.

Mr. Merrick also testified and explained the plan in some detail. As noted above, the development plan (Exhibit No. 1A) and the landscape plan (Exhibit No. 1B), were both received and are accepted in conjunction with one another. Mr. Merrick explained in some details the siting of the building, the parking arrangements and efforts which have been made to minimize the impact of the building on the surrounding locale. Several comments/questions were raised by Mr. Lintz, a neighboring property owner, which were satisfactorily addressed by Mr. Merrick.

Based upon the testimony and evidence presented, all of which was uncontradicted, it is clear that the plan complies with all of the development regulations, policies and procedures promulgated by Baltimore County and should, therefore, be approved. I believe that the plan is in compliance with all County standards and that the proposed development is appropriate. It is evidence that the Developer has paid particular attention to the design and location of the building and that the development of the site as proposed is entirely appropriate and harmonious with the surrounding locale.

As to the zoning relief requested, the Petition for Special Exception shall and will be granted. In this regard, the evidence was clear the proposed use will not be detrimental to the health, safety and general welfare of the locale. I find no adverse impact associated with the proposed use, over and above which would be normally associated with the use, irrespective of its location within the zone. The standards set

forth in Section 502.1 of the BCZR and Schultz v. Pritts, 291 Md. 1, 432 A2d 1319 (1981) have been satisfied.

As to the variance relief, the first variance will be granted in that same is justified based upon unique site constraints and the proposed location of the building. A 38 ft. front setback as shown on the plan is appropriate in that it allows construction of the building at a proper location on the lot, while providing proper screening of the improvements from neighboring residential uses. The siting of the building will also promote a smooth traffic flow and parking configuration.

As to the proposed signage, the Petitioner proposes a single free standing sign to identify the building. It is indicated that this is a largely rural locale and a sign in strict compliance with the BCZR would be insufficiently sized and not properly advertise the sign. The sign as shown on the plan appears entirely appropriate. Although the Petition indicates that the sign will not be illuminated, testimony presented at the hearing was that illumination may ultimately be necessary owing to the characteristics of the surrounding locale. If illumination is necessary, same shall be of a minimal strength, only sufficient to properly light the sign. Moreover, any illumination shall not reflect or be directed onto neighboring properties, particularly residential properties, and shall also be installed so as to not interfere with vehicular traffic.

The last variance requested relates to the lot size on which the building is to be constructed. More particularly, the question turns on whether Jarrettsville Pike is a minor arterial roadway or whether same is considered a principal road (See Section 204.4.C.7 of the BCZR). If it is a principal road, a variance is not necessary. I am familiar with this vicinity and Jarrettsville Pike. Although the road does not compare with

many of the major arterial roadways throughout the County (i.e., Reisterstown Road, York Road, Belair Road, etc.) it is a principal road in context with the nature of this locale. Jacksonville is a small rural town center. Jarrettsville Pike is a major road in this community. For these reasons, I believe that Jarrettsville Pike is a principal road, at least as contemplated by the language in Section 204.4.C.7. Thus, the third variance request is unnecessary and, therefore, moot. However, even if required, I would grant the variance in this instance. Mr. Merrick's testimony in support of this request was uncontradicted and would be dispositive of this issue.

Finally, it is to be noted that the Developer entered into an agreement (Dev. Exhibit No. 2) with the Greater Jacksonville Association, Inc., relating to the use of the subject property. Pursuant to the request of this community association and the Petitioner/Developer, this agreement shall be incorporated as a condition precedent to the relief granted. The agreement essentially provides that development of the site shall be limited as shown on the plan.

Pursuant to the development regulations of Baltimore County, as contained within Subtitle 26 of the Baltimore County Code, the advertising of the property and the public hearing thereon, I will approve the development plan consistent with the comments set forth above and shall so order.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 1st day of March, 1996, that the development plan submitted in the within case as Developer/Petitioner's Exhibit No. 1A and 1B, be and is hereby APPROVED in accordance with the terms and conditions as set forth herein; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Exception, approval for a Class B office building, pursuant to Section 204-3.B of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance to permit a front yard setback of 38 ft. from the average building setback line in lieu of 0 ft. as required, pursuant to Sections 259-.3.C.2 and 204.4.C.3 of the BCZR, be and is hereby GRANTED: and,

IT IS FURTHER ORDERED that a variance to permit one free standing sign of 15 sq. ft., per side, in lieu of the required 8 ft. attached sign by Section 204.3.C.1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance to permit a lot size of two acres for the subject Class B office building in lieu of the required one acre permitted on a minor arterial roadway as set forth in Section 204.4.C.7 of the BCZR., be and is hereby DISMISSED AS MOOT; and

IT IS FURTHER ORDERED that the relief granted herein is subject to the following restrictions:

1. The agreement by and between the Four Corners Square Ltd. Partnership (owner) and the Greater Jacksonville Association, Inc. (Association) be and is hereby incorporated as a condition precedent to the relief requested herein.
2. Any illumination of the sign shall be limited to the wattage necessary to properly illuminate the sign and any such illumination shall not be directed and/or reflect into adjoining properties nor interfere with vehicular traffic.

IT IS FURTHER ORDERED that the Developer shall prepare and submit to Permits and Development Management (PDM), 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 opinion and Order and/or the development plan comments.

Any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code and the applicable provisions of law.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

Baltimore County Government
Department of Permits and
Development Management



111 West Chesapeake Avenue
Towson, MD 21204

410-887-3335

December 28, 2001

Four Corners Square
P.O. Box 400
Phoenix, MD 21131

Feb No 3

RE: Four Corners Square
14315 Jarrettsville Pike
DRC Number 092401L; Dist. 10C6

Dear Sir or Madam:

Pursuant to Article 25A, Section 5 (U) of the Annotated Code of Maryland, and as provided in Section 602 (d) of the Baltimore County Charter, and Section 26-132 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal, or modification of a license, permit, approval, exemption, waiver, or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land-use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to ensure compliance with Section 26-171 and Section 26-211 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management (PDM).

The DRC has, in fact, met in an open meeting on December 10, 2001, and made the following recommendations:

The DRC has determined that your project meets the requirements of a limited exemption under Section 26-171 (B) (9).

Four Corners Square
Four Corners Square
December 28, 2001
Page 2

In order to further process your development plan, submit two check prints, of the plan, prepared in accordance with Section 26-203 of the development regulations, one completed, signed and sealed copy of the **Development Plan Checklist**, and a copy of this letter to this office.

- Be advised that in addition to development review fees, Phase 2 review fees may apply, depending on the amount of site disturbance, and/or the requirement of a Public Works Agreement.

I have reviewed the recommendations carefully, and I have determined to adopt the recommendations set forth above. It is this 28th day of December 2001, ordered and decided that the recommendations of the DRC are hereby adopted.

Should you submit an application for any permits that may be required for this project, your application will be processed subject to the conditions set forth above and any plans, securities, or non-county permits that may be required in accordance with County, State, or Federal regulations.

Additionally, this project is located on a state road; therefore, the State Highway Administration requires the plan to be reviewed prior to the permit approval. For further information, contact Larry Gredlein at 410-545-5600.

Sincerely,



Arnold Jablon
Director

AJ:DTR:dak

c: Kristin Weis
File
Larry Gredlein

DEVELOPMENT REVIEW COMMITTEE
REQUEST FORM

DRC=_____

3 Copies of the Plan as Required/ Folded 8 1/2 x 11

FEE: \$40.00

(payable to Baltimore County and is non-refundable)

Tax No(s): 10 - 2100005765

Applicant & Engineer Name: Four Corners Square Limited Partnership Filing Date: 8-21-01

Address: PO Box 400 Phone #: (410) 494-6200

Phoenix, Maryland 21131 Acreage: 3.31ac[±]

Project Name: 4 Corners Square PDM File #: _____

Project Address: 14315 Jarrettsville Pike Zip Code 21131 ADC Map #: 13

Councilmanic District: 6th Election District 10 Building Permit #: _____

Is this an antenna? Yes ☒ No ☐ If "Yes" check one of the following: Cellular ☐ Water Tower ☐ MonoPole ☐
(CAC) (WTC) (CFC)

REQUEST: _____ Refinement ☒ Limited Exemption _____ Waiver _____
(Attach letter if necessary)

DO NOT WRITE BELOW THIS LINE

TO BE FILLED OUT BY COUNTY

COMMITTEE ACTION:

- () Limited Exemption under Section 26-171 () ()
() Material Amendment to the plan (new CRG or HOH must be scheduled)
() Plan Refinement (submit enough plans for the agencies checked off below)
() Waiver recommendation forwarded to Planning Board for determination
() Waiver of Standards referred to _____
(Department)
() Requires a Zoning () Special Hearing; () Special Exception; () Variance
() Other _____

DRC#: _____

COMMITTEE COMMENTS:

Agencies to Review and Return Comments to Committee:

() DPR () PO () Zoning () EIR () SWM () Rec & Parks () Fire () SHA

Signature of Coordinator _____ Meeting Date: _____

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com



OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Writer's Direct Number:
(410) 494-6206

pamalone@venable.com

September 5, 2001

HAND-DELIVERED

Mr. Donald T. Rascoe
Department of Permits and
Development Management
County Office Building
111 W. Chesapeake Avenue, Room 123
Towson, Maryland 21204

Re: Request for Limited Exemption
Jarrettsville Pike - Phoenix
6th Councilmanic District, 10th Election District

Dear Mr. Rascoe:

Our client, Four Corners Square Limited Partnership ("Four Corners"), is proposing to construct a Class B Office Building called 4 Corners Square on a 3.31 acre parcel of land located along Jarrettsville Pike in the Phoenix section of Baltimore County.

At this time, Four Corners is requesting that the Development Review Committee grant a limited exemption under Section 26-171(b)(9) of the Baltimore County Code. A Development Plan for this project was approved on March 14, 1996, but has since expired. Four Corners has also reapplied for the necessary special exception relief, which had also lapsed. No hearing has yet been scheduled on this zoning relief.

Robert Hoffman or I will be available at the Development Review Committee meeting should you require any additional information.

Mr. Donald T. Rascoe
September 5, 2001
Page 2

Very truly yours,

A handwritten signature in black ink, appearing to read 'P. Malone', with a long horizontal flourish extending to the right.

Patricia A. Malone

PAM/mar
Enclosures

cc: Mr. Steve Smith

TO:DOCS1/PAM01/#121834 v1

DEVELOPMENT REVIEW COMMITTEE
REQUEST FORM

DRC=_____

3 Copies of the Plan as Required/ Folded 8 1/2 x 11

FEE: \$ 40.00

(payable to Baltimore County and is non-refundable)

Tax No(s): 10-2100005765

Applicant & Engineer Name: Four Corners Square Limited Partnership Filing Date: 09/05/01

Address: PO Box 400 Phone #: (410) 494-6200

Phoenix, Maryland 21131 Acreage: 3.31 ac+

Project Name: 4 Corners Square PDM File #: _____

Project Address: 14315 Jarrettsville Pike Zip Code 21131 ADC Map #: 13

Councilmanic District: 6th Election District 10 Building Permit #: _____

Is this an antenna? ___ Yes X No If "Yes" check one of the following: Cellular ___ Water Tower ___ MonoPole ___
(CAC) (WTC) (CFC)

REQUEST: _____ Refinement X Limited Exemption _____ Waiver
(Attach letter if necessary)

DO NOT WRITE BELOW THIS LINE

TO BE FILLED OUT BY COUNTY

COMMITTEE ACTION:

- () Limited Exemption under Section 26-171 () ()
() Material Amendment to the plan (new CRG or HOH must be scheduled)
() Plan Refinement (submit enough plans for the agencies checked off below)
() Waiver recommendation forwarded to Planning Board for determination
() Waiver of Standards referred to _____
(Department)
() Requires a Zoning () Special Hearing; () Special Exception; () Variance
() Other _____

DRC=: _____

COMMITTEE COMMENTS:

Agencies to Review and Return Comments to Committee.

() DPR () PO () Zoning () EIR () SWM () Rec & Parks () Fire () SHA

Signature of Coordinator _____ Meeting Date: _____

AGREEMENT

Rec'd No 4

THIS AGREEMENT made and entered into this _____ day of _____, 199____, by and between FOUR CORNERS SQUARE LIMITED PARTNERSHIP ("Owner"), and THE GREATER JACKSONVILLE ASSOCIATION, INC. ("Association").

WHEREAS, Owner owns the unimproved property located on the east side of the Jarrettsville Pike, approximately five hundred feet (500') north of the stoplight at Jacksonville, consisting of approximately 3.3 acres and shown more particularly on the plat attached hereto and made a part hereof as Exhibit A ("the Property") and;

WHEREAS, Owner desires to develop the Property by placing on the Property at some time in the future, two office buildings similar in size, shape and general architecture as the buildings shown on Exhibit B attached hereto, and;

WHEREAS, the Association desires to identify the general location of these buildings and to limit the size of the buildings to be placed the Property, and;

WHEREAS, the Association also wishes to identify the basic schematic architectural design of said buildings, and;

WHEREAS, the Association desires to participate in the landscape design and exterior lighting design ultimately planned to be placed on the Property.

NOW, THEREFORE, THIS AGREEMENT, WITNESSETH, that for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

1. *Location of Improvements.*

The improvements shall be located generally as they appear on Exhibit A.

2. *Size of Buildings.*

The total aggregate square footage to be built on the Property shall not exceed thirteen thousand two hundred (13,200) square feet and no building shall exceed eighty-eight hundred (8,800) square feet in size.

3. *Architectural Design.*

The architectural design shall be similar to the design shown on Exhibit B, or such other design which may be agreed upon by the Owner and the Association acting in good faith.

4. Site Work.

The Owner will work jointly with a committee of the Association to develop a landscaping plan and exterior lighting plan which not only meets Baltimore County standards, but minimizes the impact of these buildings and adjacent parking lots on the surrounding community. Said site work and landscaping to be similar to that shown on Exhibit B.

5. Termination.

This Agreement shall terminate on January 1, 2005, or upon the issuance of an occupancy permit for the final building to be built on the Property, whichever shall first occur.

6. Miscellaneous.

a. If the parties hereto shall be in disagreement about the interpretation of this Agreement, or about their rights and obligations hereunder, any party hereto may, at its discretion, file an action in a court of competent jurisdiction to resolve such disagreement.

b. All notices and communications hereunder shall be in writing and shall be deemed to be duly given if sent by registered or certified mail, return receipt requested, postage prepaid, to the following addresses:

As to Owner:

FOUR CORNERS SQUARE LIMITED PARTNERSHIP
c/o Gaylord Brooks Realty Co., Inc.
P.O. Box 400
Phoenix, MD 21131

As to the Association:

GREATER JACKSONVILLE ASSOCIATION, INC.
P.O. Box 126
Phoenix, MD 21131

C. This Agreement shall inure to the benefit of and shall be binding upon the parties hereto and their respective successors and assigns.

d. This Agreement shall be construed, enforced, and interpreted under the laws of the State of Maryland, without regard to principals of conflict of laws.

IN WITNESS WHEREOF, the parties hereby have executed this Agreement on the day and year first above written.

WITNESS:

FOUR CORNERS SQUARE
LIMITED PARTNERSHIP,

Gaylord Brooks Investment Co, Inc.,
General Partner,

By: Richard A. Moore, President

GREATER JACKSONVILLE
ASSOCIATION, INC.,

Mitchell A. Daley, Jr., President

GREATER JACKSONVILLE
ASSOCIATION, INC.,

James V. McCoy, Chairman,
Jacksonville Planning Committee

Stephen E. Volker, Lot Owner,
Hampshire

Gary L. Rosch, Lot Owner,
Hampshire

EXHIBIT A: Plat
EXHIBIT B: Design Plan

Laurie M. McLain, AIA
Principal, McLain Associates, Inc.

EDUCATION

1981, Bachelor of Architecture,
The Pennsylvania State University

**PROFESSIONAL
AFFILIATIONS**

Member, The American Institute Of Architects
Member, Building Congress and Exchange
Member, Construction Specifications Institute

**CERTIFICATION &
LICENSURE**

Registered Architect, State of Maryland
Registered Architect, State of Pennsylvania
Certified Construction Contract Administrator

PRO BONO ACTIVITIES

Volunteer, The Neighborhood Design Center, Baltimore
since 1989

Volunteer, Arabber Preservation Society, Baltimore
since 1996

Architectural services for the Susquehanna Art Museum and
Art Bus

EMPLOYMENT

1992 - present Principal, McLain Associates, Inc.

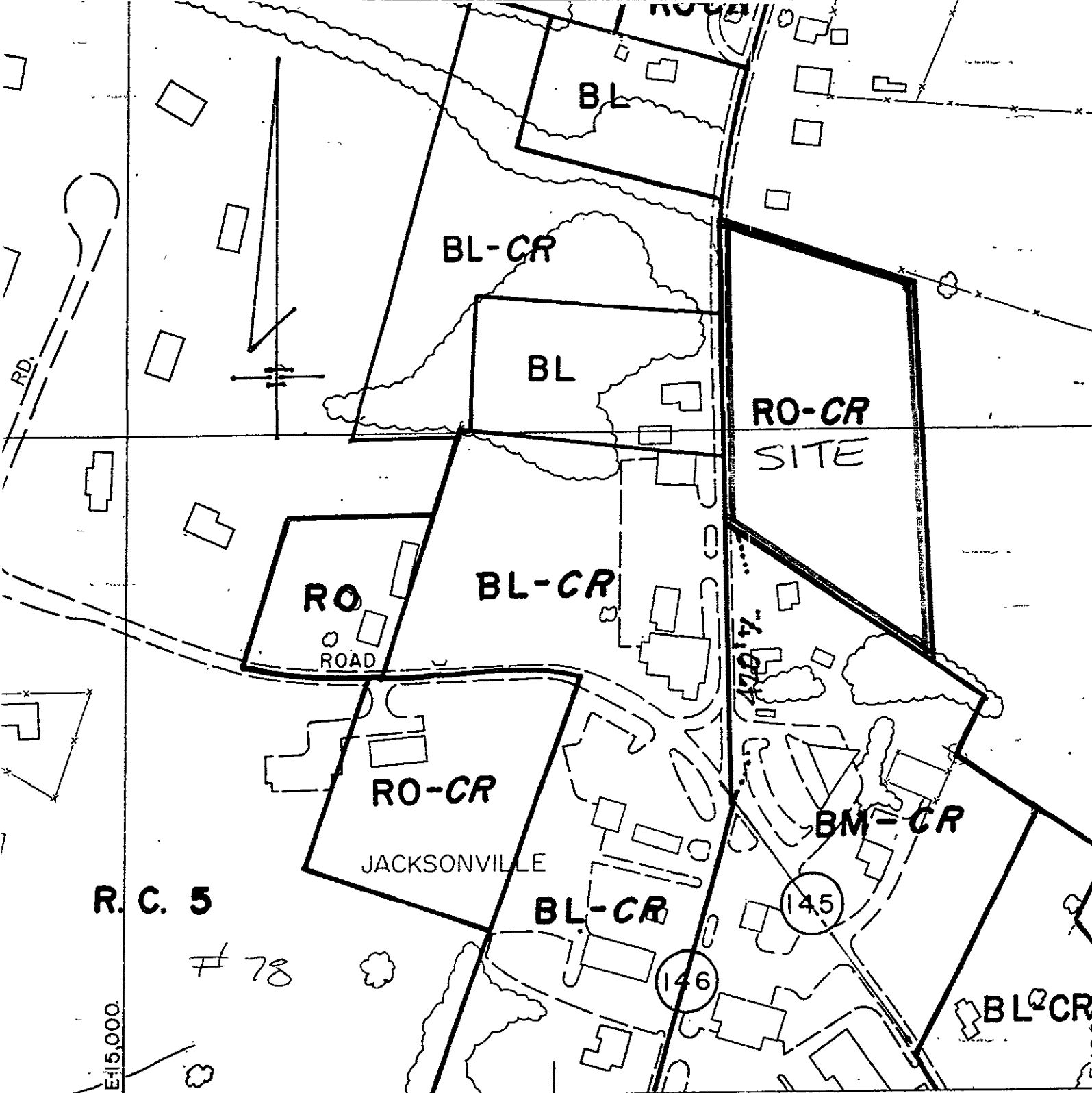
1985 - 1992 Associate, Columbia Design Collective, Inc.

1985 - 1985 Intern Architect, George Vaeth Associates

1981 - 1983 Intern Architect, Sullivan/Arfaa, P.C.

Ref No 6

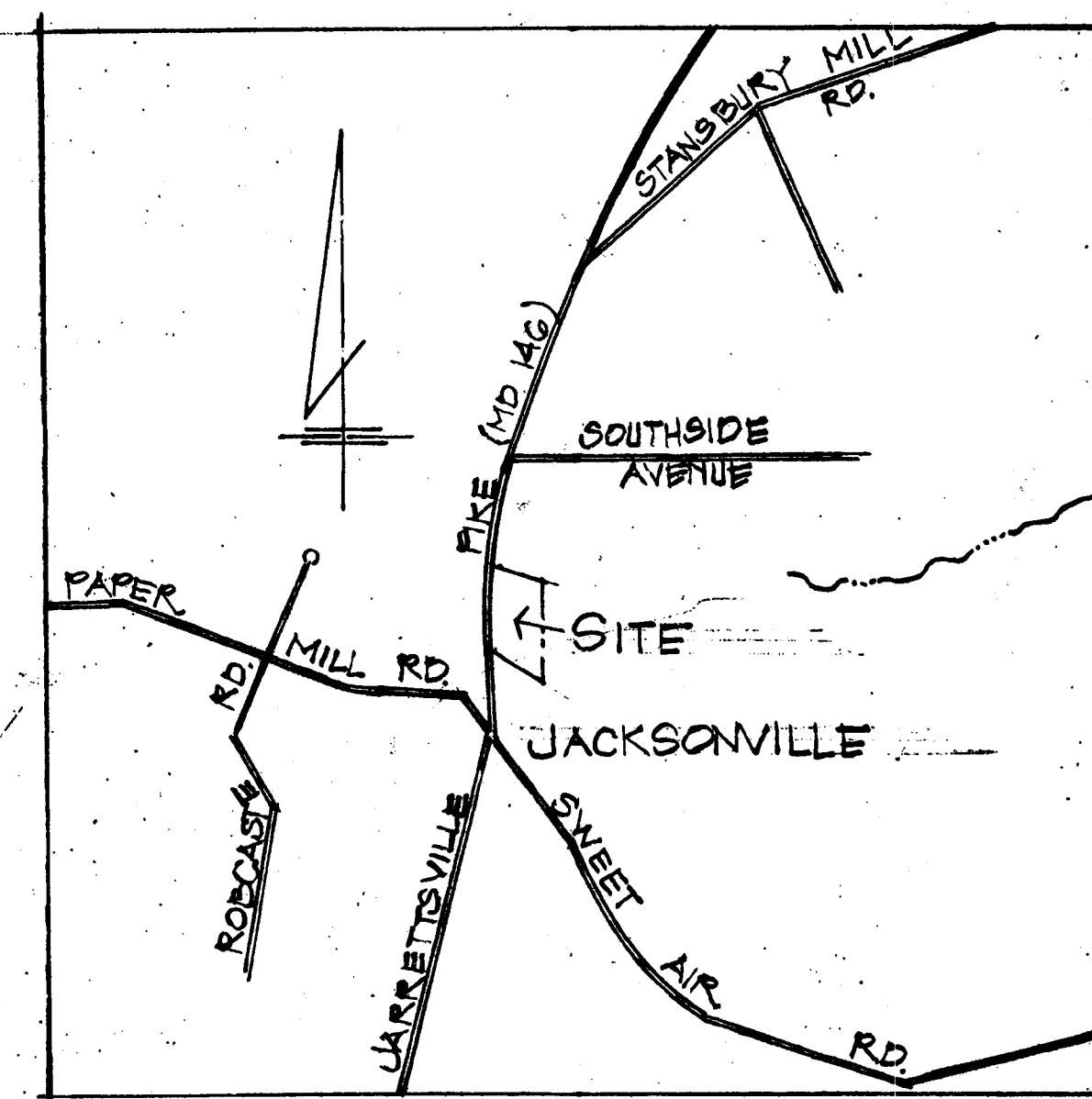
SCALE 1" = 200' ±	LOCATION	SHEET
DATE OF PHOTOGRAPHY JANUARY 1986	JACKSONVILLE	N.E. 21-C



HAMPSHIRE SUBDIVISION

ANDREW B. & TRACY KOSLAREK
S.M. 13005/572 *2100006232

H.C. KOUKIDES
S.M. 5010/443 *2100006234



VICINITY MAP
SCALE 1"=1000'

GENERAL NOTES

- Existing Zoning: RC-CR
- 6" Conduits in District 10th Election District
- Consent Tract 4102
- Sub-sewer Shed #1
- Regional Planning District
- Area of Property: 3.31 acres +/-
- Gross Area of Property: 8,800 S.F.
- Highway Widening Area: 0.31 acres +/-
- Net Area of Property: 3.00 acres +/-
- Area of Lot 1 = 2.0 acres +/-
- Area of Lot 2 = 1.0 acres +/- (subject to future zoning relief)
- Use of Property: Vacant
- Existing Use: Class B Office Building
- Proposed Use (Lot 1): Class B Office Building (subject to future approval)
- Proposed Use (Lot 2): Class B Office Building (subject to future approval)
- The maximum height of any proposed building shall be 30 feet.
- Proposed Building Area for Lot 1 (2 floors): 8,800 S.F.
- Medical Offices (8,800 x 25%) = 2,200 S.F.
- General Offices (8,800 x 75%) = 6,600 S.F.
- (The 25% medical office calculations are based on adjusted gross floor area in accordance with B.C.Z.R. Section 204.3.B.2.a. First floor square footage not to exceed 4,400 S.F.)
- Floor Area Ratio: 20.0% (Max)
- 6,600 SF / 33,000 SF (or 2 acres) = 20.0% (Max)
- Parking: (Lot 1) 10 spaces
- Medical Offices: 2,200 @ 4.5 spaces/1000 = 10 spaces
- General Offices: 6,600 @ 3.3 spaces/1000 = 22 spaces
- Total parking spaces required: 32 spaces
- Total parking spaces provided: 32 spaces
- Four landscaped spaces are included.
- Standard space = 9' x 18' - Handicap = 12' x 18'
- Average daily trips generated: 75 trips
- Medical office space = 2200 S.F. @ 34/1000 = 75 trips
- General office space = 6600 S.F. @ 25/1000 = 165 trips
- Total average daily trips (A.D.T.) = 240 trips
- There are no wetlands, critical areas, archaeological sites, endangered species, or historic structures on site, nor are hazardous materials stored on site.
- Private well and septic system to serve developed area.
- Setbacks are as shown and will comply with B.C.Z.R. Sections 204.4.C and 259.3.C.2 for side and rear yards.
- All signs shall comply with B.C.Z.R. Section 450 (see note below regarding prior sign variance).
- Amenity Open Space shall be provided as required by B.C.Z.R. Section 204.4.C.6 with 7% of the interior parking lot, not including setback and buffer area requirements, being previous land area in association with plantings.
- Landscaping requirements:
 - One tree per 20 feet of road = 470/20 = 23 trees
 - One tree per 8 parking spaces = 25/8 = 3 trees
 - (In addition to the requirements set forth in the Baltimore County Landscaping Manual for commercial zones, the developer will comply with B.C.Z.R. Section 259.3.C.1.)
- All parking dumpster pad areas which abut residential zones shall be screened by an opaque fence, wall or berm in association with plantings, in accordance with B.C.Z.R. 204.4.C.9, with a minimum screening height of 5 feet.
- Buffers shall be provided in accordance with B.C.Z.R. Section 204.4.C.9.
- Stormwater management to be provided as shown.
- Stormwater management and septic reserve areas are to be jointly shared with cross-sections and maintenance easements between Lot 1 and Lot 2.
- Water conserving fixtures are to be provided:
 - a) 1.6 g.p.i./flush toilets, 1.0 g.p.i. sensor equip., urinal & faucets w/flow reducers;
 - b) The developer shall conform to B.C.Z.R. Section 259.3.C.5 "environmental loading capacity."
- Developer intends to obtain a limited exemption under Section 26-171 (b)(7) of the Baltimore County Code, in compliance with B.C.Z.R. Sections 204.3.B and 259.3.D, prior to the granting of the special exception.
- Zoning History:
 - Case No. 96-269-XA/326: The Hearing Officer/Zoning Commissioner for Baltimore County granted development plan approval and the following zoning relief, with restrictions:
 - (1) Special Exception pursuant to B.C.Z.R. Section 204.3.B for a Class B office building;
 - (2) Variance from B.C.Z.R. Sections 204.4.C.3 and 259.3.C.2.a to permit a front yard setback of 18 feet from the average building setback line in lieu of the required 0 feet;
 - (3) Variance from B.C.Z.R. Section 204.3.C.1 to permit a free-standing sign, 15 square feet per side, non-illuminated, in lieu of the permitted 8 square foot wall-mounted sign.
 - With regard to the lot size variance for a 3-acre lot in lieu of the required 1-acre lot, the Zoning Commissioner found Jarrettsville Pike to be a principal arterial road as required by B.C.Z.R. Section 204.4.C.7, and, therefore, the variance was found to be unnecessary.

REQUESTED ZONING RELIEF

Special Exception pursuant to B.C.Z.R. Section 204.3.B.2 for a Class B office building

Special Hearing to confirm that the zoning relief granted in Case No. 96-269-XA, with the exception of the special exception relief, has not expired and to modify/eliminate Restriction No. 1 from the Zoning Commissioner's Order.

In the alternative:

Variance, if necessary, pursuant to B.C.Z.R. Sections 204.4.C.3 and 259.3.C.2.a to permit a front yard setback of 18 feet from the average building setback line in lieu of the required 0 feet; and

Variance, if necessary, pursuant to B.C.Z.R. Section 204.4.C.7 to permit a maximum lot size of 2 acres in lieu of the permitted 1 acre.

Pet. #1

PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION, SPECIAL HEARING, AND VARIANCE DEVELOPMENT PLAN

4 CORNERS SQUARE
10TH ELECTION DISTRICT BALTIMORE COUNTY, MD

SCALE: 1"=30'

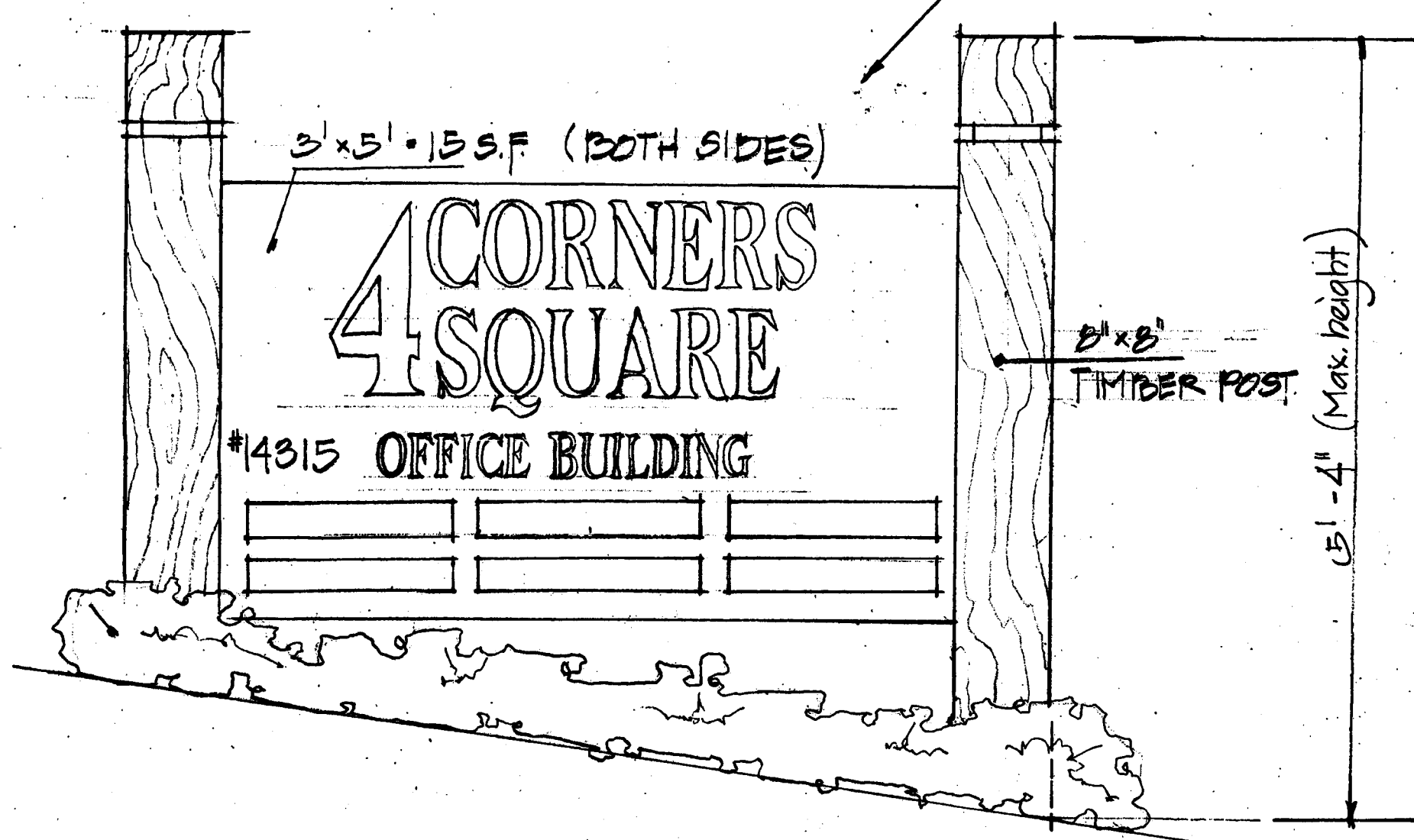
DATE: OCTOBER 18, 01

REVISIONS

NO.	DATE	DESCRIPTION

LEGEND

- PROP. MAJOR DECIDUOUS TREES
- PROP. CONC. WALK
- ZONING BOUNDARIES
- PERC. TEST SOIL TYPES
- SEPTIC RESERVE AREA
- EXISTING CONTOURS (2 FOOT INTERVALS)
- PROPOSED CONTOURS (2 FOOT INTERVALS)



SIGN DETAIL
SCALE 1"=1'-0"

A VARIANCE HAS BEEN APPROVED FROM DEPRM TO PERMIT OFFSITE FOREST RETENTION IN LIEU OF AFFORESTATION ON SITE.

PROPERTY ADDRESS:

14315 JARRETTSVILLE PIKE
PHOENIX, MD 21131

OWNER / DEVELOPER:

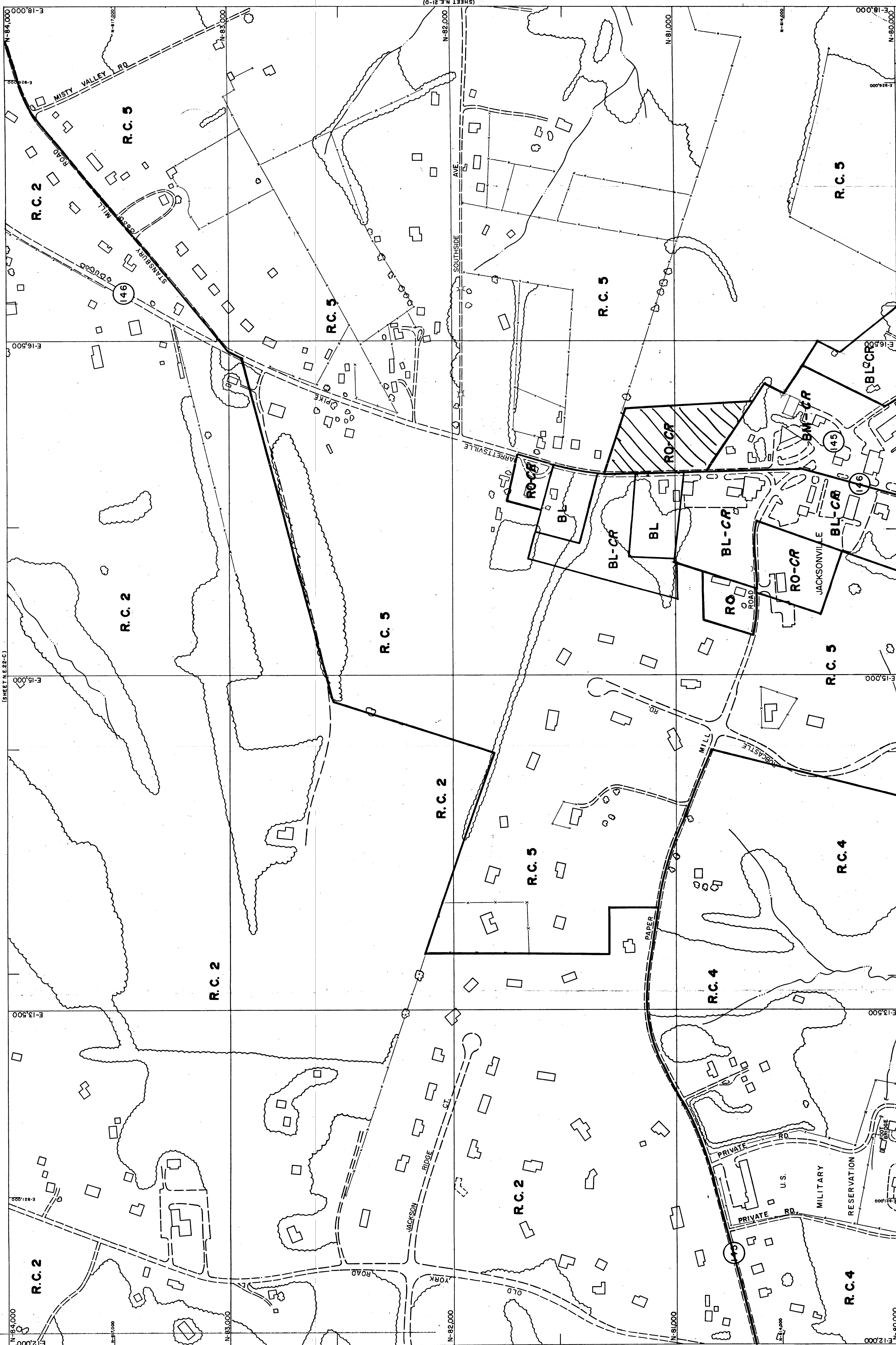
FOUR CORNERS SQUARE LIMITED PARTNERSHIP
96 GAYLORD BROOKS REALTY COMPANY

P.O. BOX 400
PHOENIX, MARYLAND 21131
PHONE 410-777-0900

Note: I, *[Signature]*, certify under oath that there are no delinquent accounts for any other development with respect to any of the following: the applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development.



PREPARED BY:
E. RAPHAEL & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS
205 COURTLAND AVENUE
TOWSON, MARYLAND 21204



2000 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 13, 2000
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00,
James B. Smith
Chairman, County Council

EE - SW EE - SE
U NW U NE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
JACKSONVILLE

SHEET
NE.
21-C