

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE - W/S Ridge Road, 70' S of c/l Franklin Sq. Dr. (6918 Ridge Road) 14th Election District 6th Councilmanic District Giles Building & Development Co. Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Exception and Variance for that property known as 6918 Ridge Road located in the Rossville area of southeastern Baltimore County. The Petitions were filed by the legal owner of the property, the Giles Building and Development Company, by Gil P. Stern, its President. The Petitioner seeks a special exception to permit an existing drug store to remain on the subject property within a Class C Office Building as an accessory commercial use, pursuant to Sections 204.3.B.2.a and 204.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition to the special exception relief sought, the Petitioner seeks variance relief as follows: From Section 204.3.C.3.b.1 to permit an existing identification sign of 42.5 sq.ft. per face in lieu of the permitted 25 sq.ft. per face sign; from Section 204.3.C.3.b.2 to permit an existing freestanding sign to remain within the ultimate right-of-way; from Section 204.3.C.3.b.3 to permit the existing freestanding sign to remain at 15 feet, more or less, above street level in lieu of the maximum permitted 6 feet; from Section 204.4.C.2 to permit a street centerline setback of 21 feet in lieu of the required 35 feet; from Section 204.4.C.1 to permit a rear setback from the east corner of the building of 10 feet in lieu of the required 50 feet (twice the height of the building), to permit a rear setback from the west

corner of the building in lieu of the required 70 feet (twice the height of the building), and to permit a side setback of 43 feet in lieu of the required 70 feet (twice the height of the building); and from Section 204.3.C.2 to permit an exterior entrance to the existing pharmacy use where fewer than 75% of the principal users have exterior entrances. The relief sought is more particularly described on the plat submitted to accompany the Petitions filed, identified herein as Petitioner's Exhibit 1.

Appearing on behalf of the Petitioner were Gil Stern, President, and David S. Thaler, Professional Engineer. The Petitioner was represented by Michael Marino, Esquire. There were no Protestants present.

Testimony indicated that the subject property, known as 6918 Ridge Road, consists of 1.55 acres, more or less, currently zoned O-1 and is improved with a two-story brick Class C medical office building known as the Fuller Medical Center. Testimony revealed that the current zoning designation was implemented pursuant to the Order issued by the Board of Appeals in Case CR 93-300-A on November 9, 1993. Apparently, the matter came before the Board under a Petition for Zoning Reclassification of the property from D.R. 3.5 and R.O. to B.L. or O-1. The Board adopted the O-1 designation and the amended documented site plan which was filed with these Petitions as Petitioner's Exhibit 1. The Board also apparently recommended that the instant Petitions for Special Exception and Variance be filed for existing and proposed uses on the subject property. Additional testimony offered revealed that the subject property is located near Rossville Boulevard, across from the Franklin Square Hospital. The building on this site has been used to support medical/professional offices and a drug store for many years. It is clear that this use is entirely appropriate with the uses in the immediate vicinity, particularly in view of the Franklin Square

Hospital nearby and numerous physicians' offices in the vicinity. Testimony and evidence also revealed that the Petitioner proposes an expansion to the existing building to provide additional office space.

As to the Petition for Special Exception, the relief sought is specifically permitted in this instance pursuant to Section 204.3.b of the B.C.Z.R. Therein, drug stores, as accessory commercial uses, are permitted in Class C office buildings upon a finding that such a use will primarily serve the principal uses on the property. Clearly, this is the case in this instance. The subject drug store will serve many of the patients who visit the physicians who have offices within the building. Moreover, the Petitioner must produce testimony and evidence sufficient to satisfy the requirements set forth in Section 502.1 of the B.C.Z.R. In this respect, more than sufficient testimony and evidence was produced. It is clear that the proposed use will not in any way be detrimental to the health, safety or general welfare of the surrounding locale. In fact, the drug store use is an asset to compatible uses on the property and the users of the facility on this site. For all of these reasons, the Petition for Special Exception shall be granted.

As to the variances requested, they are also appropriate. Three of the variances requested specifically relate to the existing freestanding sign. This sign has existed on the property for many years and will not change. The variances requested are merely to legitimize the existing sign. Moreover, they are justified based upon the unusual topography of the site and its unusual setback from Rossville Boulevard. Most of the other variances requested relate to setback distances, both from the existing structure and the proposed addition. These variances are also warranted and should be approved. Any appropriate expansion to the building must

be consistent with the existing architectural and building configurations. Thus, certain variances are necessary from rear and side yard setback requirements. To deny these variances will prohibit the Petitioner from obtaining a legitimate use of the building and would cause a practical difficulty upon the property owner. Moreover, the variance relief is consistent with the spirit and intent of the B.C.Z.R. and will not be detrimental to the locale.

The final variance requested is from Section 204.3.C.2 and seeks approval of an exterior entrance to the existing pharmacy use where fewer than 75% of the principal users have exterior entrances. This regulation should clearly not be applied to the subject use. The majority of the offices in the building, both existing and proposed, are doctors' offices which do not have exterior access. However, by its very nature, the drug store needs an exterior entrance to serve its patrons. Thus, the variance is warranted in this case due to the unique character of the drug store use as opposed to other uses within the building.

Pursuant to the advertisement and posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3rd day of January, 1994 that the Petition for Special Exception to permit an existing drug store to remain on the subject property within a Class C Office Building as an accessory commercial use, pursuant to Sections 204.3.B.2.a and 204.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Section 204.3.C.3.b.1 to permit an existing identification sign of 42.5 sq.ft. per face in lieu of the permitted 25 sq.ft. per face sign; from Section 204.3.C.3.b.2 to permit an existing freestanding sign to remain within the ultimate right-of-way; from Section 204.3.C.3.b.3 to permit the existing freestanding sign to remain at 15 feet, more or less, above street level in lieu of the maximum permitted 6 feet; from Section 204.4.C.2 to permit a street centerline setback of 21 feet in lieu of the required 35 feet; from Section 204.4.C.1 to permit a rear setback from the east corner of the building of 10 feet in lieu of the required 50 feet (twice the height of the building), to permit a rear setback from the west corner of the building in lieu of the required 70 feet (twice the height of the building), and to permit a side setback of 43 feet in lieu of the required 70 feet (twice the height of the building); and from Section 204.3.C.2 to permit an exterior entrance to the existing pharmacy use where fewer than 75% of the principal users have exterior entrances, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

L.E.S.:bjs
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

January 3, 1994

(410) 887-4386

Michael E. Marino, Esquire
609 Bosley Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
W/S Ridge Road, 70' S of the c/l of Franklin Square Drive
(6918 Ridge Road)
14th Election District - 6th Councilmanic District
Giles Building and Development Company - Petitioner
Case No. 94-214-XA

Dear Mr. Marino:

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

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

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

cc: Mr. Gil P. Stern
P.O. Box 511, Brooklandville, Md. 21022
Mr. David S. Thaler
7115 Ambassador Road, Baltimore, Md. 21244
People's Counsel; File

Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 6918 Ridge Road which is presently zoned O-1

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 a drug store, pursuant to Section 204.3.B.2.a, to allow an existing drug store (accessory commercial use) to remain within a Class C Office Building, subject to Section 204.3.C.1.

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 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(s):
Type or Print Name: _____
Signature: _____
Address: _____
City: _____ State: _____ Zip: _____
Attorney for Petitioner:
Michael E. Marino
Type or Print Name: _____
Signature: _____
Address: _____
City: _____ State: _____ Zip: _____

Legal Owner(s):
Giles Building and Development Company
Type or Print Name: _____
By: Gil P. Stern, President
Signature: _____
Address: _____
City: _____ State: _____ Zip: _____
P.O. Box 511 653-3597
Brooklandville, MD 21022
Name, Address and phone number of legal owner, contract purchaser or representative as he is contacted:
Gil P. Stern
P.O. Box 511 653-3597
Brooklandville, MD 21022
Name, Address and phone number of legal owner, contract purchaser or representative as he is contacted:

ESTIMATED LENGTH OF HEARING: _____
The following date: _____
ALL OTHER: _____
REVIEWED BY: _____ DATE: 1/11/94

Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 6918 Ridge Road which is presently zoned O-1

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) _____

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): The building, as it exists and as is proposed, due to existing unique site conditions, is not capable of being developed thereby creating practical difficulty or hardship with regard to developability. The granting of these variances will not result in injury to the public health, safety or welfare.

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(s):
Type or Print Name: _____
Signature: _____
Address: _____
City: _____ State: _____ Zip: _____
Attorney for Petitioner:
Michael E. Marino
Type or Print Name: _____
Signature: _____
Address: _____
City: _____ State: _____ Zip: _____

Legal Owner(s):
Giles Building and Development Company
Type or Print Name: _____
By: Gil P. Stern, President
Signature: _____
Address: _____
City: _____ State: _____ Zip: _____
P.O. Box 511 653-3597
Brooklandville, MD 21022
Name, Address and phone number of legal owner, contract purchaser or representative as he is contacted:
Gil P. Stern
P.O. Box 511 653-3597
Brooklandville, MD 21022
Name, Address and phone number of legal owner, contract purchaser or representative as he is contacted:

ESTIMATED LENGTH OF HEARING: _____
The following date: _____
ALL OTHER: _____
REVIEWED BY: _____ DATE: 1/11/94

PETITION FOR VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

6918 Ridge Road
CONTINUATION SHEET

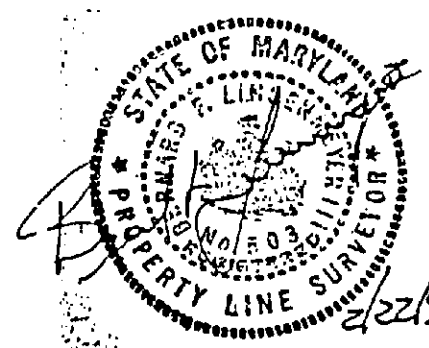
- 94-214-XA
- Per B.C.Z.R. Section 204.3.C.3.b.1:
To allow 42.5 square feet per sign face in lieu of the allowed 25 square feet per sign face.
 - Per B.C.Z.R. Section 204.3.C.3.b.2:
To allow the existing free standing sign to remain within the ultimate right of way.
 - Per B.C.Z.R. Section 204.3.C.3.b.3:
To allow the existing free standing sign to remain at 15' +/- above the street level in lieu of the allowed 6'.
 - Per B.C.Z.R. Section 204.4.C.2:
To allow a 21' +/- setback from a street line in lieu of the required 35' setback.
 - Per B.C.Z.R. Section 204.4.C.1:
I) To allow a 10' +/- rear setback (east corner of the building) in lieu of the required 50' setback (twice the height of the building).
II) To allow a 33' +/- rear setback (west corner of the building) in lieu of the required 70' setback (twice the height of the building).
III) To allow a 43' +/- side setback in lieu of the required 70' setback (twice the height of the building).
 - Per B.C.Z.R. Section 204.3.C.2:
To allow an exterior entrance to the existing pharmacy use where fewer than 75% of the principal users have exterior entrances.

94-214-XA
FUGLER MEDICAL CENTER
(Description for Zoning Purposes Only)

Beginning at a point in the center of Ridge Road approximately 70 feet, more or less, in a southwesterly direction from the centerline intersection of Ridge Road and Franklin Square Drive, running the following five (5) courses and distances:

- North 84°44'30" West 320.00 feet, more or less, to a point; thence
- South 12°24'00" West 231.71 feet, more or less, to a point; thence
- South 84°44'30" East 320.00 feet, more or less, to a point in the center of Ridge Road, thence binding on said road
- North 06°17'04" East 21.01 feet, more or less, to a point; thence
- North 13°00'30" East 210.83 feet, more or less, to the point of beginning as recorded in Deed Liber 4745 folio 290.

Containing 1.68 acres of land, more or less.
Also known as 6918 Ridge Road and located in the 14th Election District.



#216

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14th Date of Posting: 11/19/93
Posted for: Special Exception & Variance
Petitioner: Giles Building and Development Company
Location of property: 6918 Ridge Road, Towson, Maryland 21204
Location of Sign: 6918 Ridge Road, Towson, Maryland 21204
Remarks:
Posted by: [Signature] Date of return: 12/3/93
Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/2/93
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 12/2/93 to 12/9/93

THE JEFFERSONIAN,
A. Henricson
LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 West Chesapeake Avenue in Towson, Maryland 21204, on the following date and time:

Case Number: 94-214-XA (Item 216)
6918 Ridge Road, 70' +/- of c/o Franklin Square Drive
14th Election District - 6th Councilmanic District
Petitioner(s): Giles Building and Development Company
HEARING: MONDAY, DECEMBER 20, 1993 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Exception for a drug store, to allow an existing drug store (accessory commercial use) to remain within a Class C Office Building. Variance to allow 42.5 square ft. per sign face in lieu of the existing 25 square ft. per sign face; to allow the existing free-standing sign to remain within the ultimate right-of-way; to allow the existing free-standing sign to remain at 15 ft. +/- above the street level in lieu of the allowed 6 ft. +/-; to allow a 21 ft. +/- rear setback from a street line in lieu of the required 35 ft. +/-; to allow a 10 ft. +/- rear setback (east corner of the building) in lieu of the required 50 ft. +/-; to allow a 33 ft. +/- rear setback (west corner of the building) in lieu of the required 70 ft. +/-; to allow a 43 ft. +/- side setback in lieu of the required 70 ft. +/-; to allow an exterior entrance to the existing pharmacy use where fewer than 75% of the principal users have exterior entrances.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are held on a regular basis. For special accommodations, please call (410) 887-3353.
(2) For information concerning the filing and/or hearing, please call (410) 887-3353.
12/01/93 December 2

Baltimore County Government
Office of Zoning Administration
and Development Management

#216

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

94-214-XA
Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood 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:

- Posting fees will be assessed and paid to this office at the time of filing.
- 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.

[Signature]
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 216
Petitioner: Giles Building and Development Company
Location: 6918 Ridge Road
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Michael E. Marino
ADDRESS: 609 Bosley Avenue
Towson, MD 21204
PHONE NUMBER: 821-6633

AJ:ggg (Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management

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

NOVEMBER 24, 1993

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 West Chesapeake Avenue in Towson, Maryland 21204, on the following date and time:

Case Number: 94-214-XA (Item 216)
6918 Ridge Road, 70' +/- of c/o Franklin Square Drive
14th Election District - 6th Councilmanic District
Petitioner(s): Giles Building and Development Company
HEARING: MONDAY, DECEMBER 20, 1993 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Exception for a drug store, to allow an existing drug store (accessory commercial use) to remain within a Class C Office Building. Variance to allow 42.5 square ft. per sign face in lieu of the allowed 25 square ft. per sign face; to allow the existing free-standing sign to remain within the ultimate right-of-way; to allow the existing free-standing sign to remain at 15 ft. +/- above the street level in lieu of the allowed 6 ft. +/-; to allow a 21 ft. +/- rear setback from a street line in lieu of the required 35 ft. +/-; to allow a 10 ft. +/- rear setback (east corner of the building) in lieu of the required 50 ft. +/-; to allow a 33 ft. +/- rear setback (west corner of the building) in lieu of the required 70 ft. +/-; to allow a 43 ft. +/- side setback in lieu of the required 70 ft. +/-; to allow an exterior entrance to the existing pharmacy use where fewer than 75% of the principal users have exterior entrances.

[Signature]
Arnold Jablon
Director

cc: Gil P. Stern/Giles Building and Development Company
Michael E. Marino, 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 FILING AND/OR HEARING, CONTACT THIS OFFICE AT 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management

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

December 10, 1993

Michael E. Marino
609 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 94-214-XA, Item No. 216
Petitioner: Giles Building and Development Company
Petitions for Special Exception and Variance

Dear Mr. Marino:

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

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on November 19, 1993, and a hearing was scheduled accordingly.

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

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

receipt

Date: 11-19-93
Account # 001-16150
94-214-XA
Giles Building and Development Company
#026-Variance - \$250.00
#050-Sp. Exception - \$300.00
#080-2 Signs (875 sq. ft.) - \$75.00
Total - \$625.00

01A0180044MICHEL
121 West Chesapeake Avenue
Towson, Maryland 21204

Cashier Validation

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: December 3, 1993
Zoning Administration and Development Management
FROM: Robert M. Bowling, Senior Engineer
Development Plan Review Section
RE: Zoning Advisory Committee Meeting
for December 6, 1993
Item No. 216

The Development Plan Review Section has reviewed the subject zoning item. The proposed variances would not impact the ability to comply with the Landscape Manual. Landscape review comments will be forthcoming with the review process.

RWB:s



**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

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

Re: **BALTIMORE CO.**
Item No.: **216 (MJK)**

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

DAVID N. KAMM, ACTING CHIEF
John Constable, 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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: November 29, 1993

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

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 200, 202, 204, 205, 206, 207, 208, 209, 210, 213, 216 and 217.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

PK/JL:lw

ZAC.202/PZONE/ZAC1

**BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT**

INTER-OFFICE CORRESPONDENCE

December 8, 1993

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson, DEPRM
Development Coordinator, DEPRM

SUBJECT: Zoning Item #216 - Fuller Medical Center
6918 Ridge Road
Zoning Advisory Committee Meeting of November 29, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

The Forest Conservation Act may apply.

JLP:DL:sp

MEDICAL/DEPRM/TXTSBP

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
D.S. THALER	7145 AMBASSADOR RD. BALT MD 21244
MICHAEL MARINO ESQ	609 BOSLEY TOWSON MD 21204
GIL STERN	P.O. BOX 511 BROOKLANDVILLE, MD 21022

Baltimore County Government
Office of Planning and Zoning

401 Bosley Avenue
Towson, MD 21204

(410) 887-3211
Fax (410) 887-5862

June 16, 1993

Michael Marino, Esquire
609 Bosley Avenue
Baltimore, MD 21204

RE: Giles Building & Development Co.
(Case No. CR-93-308-A)

Dear Mr. Marino:

In response to our recent telephone conversation regarding your clients Cycle 1 - Rezoning Petition staff provides the following information.

- Staff does not support the requested rezoning of the property from DR 3.5 and RO to BL.
- Staff recognizes the existence and future viability of medical offices and office uses within proximity to Franklin Square Hospital and would support a rezoning reclassification of this property from DR 3.5 and RO to O1.
- The existing pharmacy located on the site should be retained. This use serves the general community as well as the medical office uses presently located on the site. Staff would not only support but suggest that a Special Exception be approved to retain the pharmacy in the event that O1 zoning is approved for the property.

If you have any questions or require any additional information, please feel free to contact me at 887-3211.

Sincerely,

Pat Keller
Pat Keller
Deputy Director

PK:bjs

CC: Cycle Zoning File

**PETITIONER'S
EXHIBIT No 3**

MARINO. LTR/TXTBVO

Baltimore County Government
Department of Permits and Licenses



DECEMBER 7, 1993

(410) 887-3610

111 West Chesapeake Avenue
Towson, MD 21204

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

ZONING AGENDA: MEETING OF NOVEMBER 29, 1993

Property Owner: Jerome A. Siegel, et al
Location: #6500 Block Baltimore National Pike -- Pike Park Plaza
Item No.: #210 (JCM)
Comment: 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

Property Owner: Round Hollow Limited Partnership
Location: #1015 York Road
Item No.: #215 (JJS)
Comment: 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

Property Owner: Giles Building and Development Company
Location: #6918 Ridge Road - Fuller Medical Center
Item No.: #216 (MJK)
Comment: 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

Property Owner: Frost Brothers Development Corporation
Location: #5 Russell Frost Court
Item No.: 217 (JRF)
Comment: 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

Property Owner: Manor Farm Homes, Inc.
Location: #8 Clarion Court
Item No.: 206 (JRF)
Comment: 7. The Fire Prevention Bureau has no comments at this time.

Property Owner: Arthur Smith & Arlene Smith
Location: #950 Seneca park Road
Item No.: 207 (MJK)

LAW OFFICES
LEVY & MARINO, P.A.
609 BOSLEY AVENUE
TOWSON, MARYLAND 21204
(410) 881-0033
FAX (410) 888-0057

April 21, 1994

Mr. Arnold Jablon
Director of Zoning Administration
County Office Building
Room 109
Towson, MD 21204

Re: 1.68 Acres +/- NW Side of Ridge
Road/Rossville Boulevard 70' South
of Franklin Square Drive known as
6918 Ridge Road, 14th Election
District, 6th Councilmanic District

Dear Mr. Jablon:

This office represents The Giles Building and Development Company, owner of the above captioned property (the "Property") which is shown on the attached site plan.

The Property is now zoned O-1 with a Special Exception to allow an existing drug store (see early commercial use) to remain within a Class C Office Building. (See Case No. CR-93-308-A and Case No. 94-214-XA, Item 216.)

The present use of the existing improvements on the Property is as a Medical Office Building and an appurtenant Drug Store/Pharmacy.

It is respectfully requested that the existing use of the Property, as herein set forth, be evaluated and a determination letter be issued to verify the compliance of the existing use with present zoning.

RECEIVED
APR 21 1994
ZADM

Mr. Arnold Jablon
Director of Zoning Administration
Page Two
April 21, 1994

Enclosed is our check in the amount of \$40.00 payable to the order of Baltimore County, Maryland to cover the cost of the determination letter.

Very truly yours,

William M. Levy
William M. Levy

April 28, 1994 14th E.D.

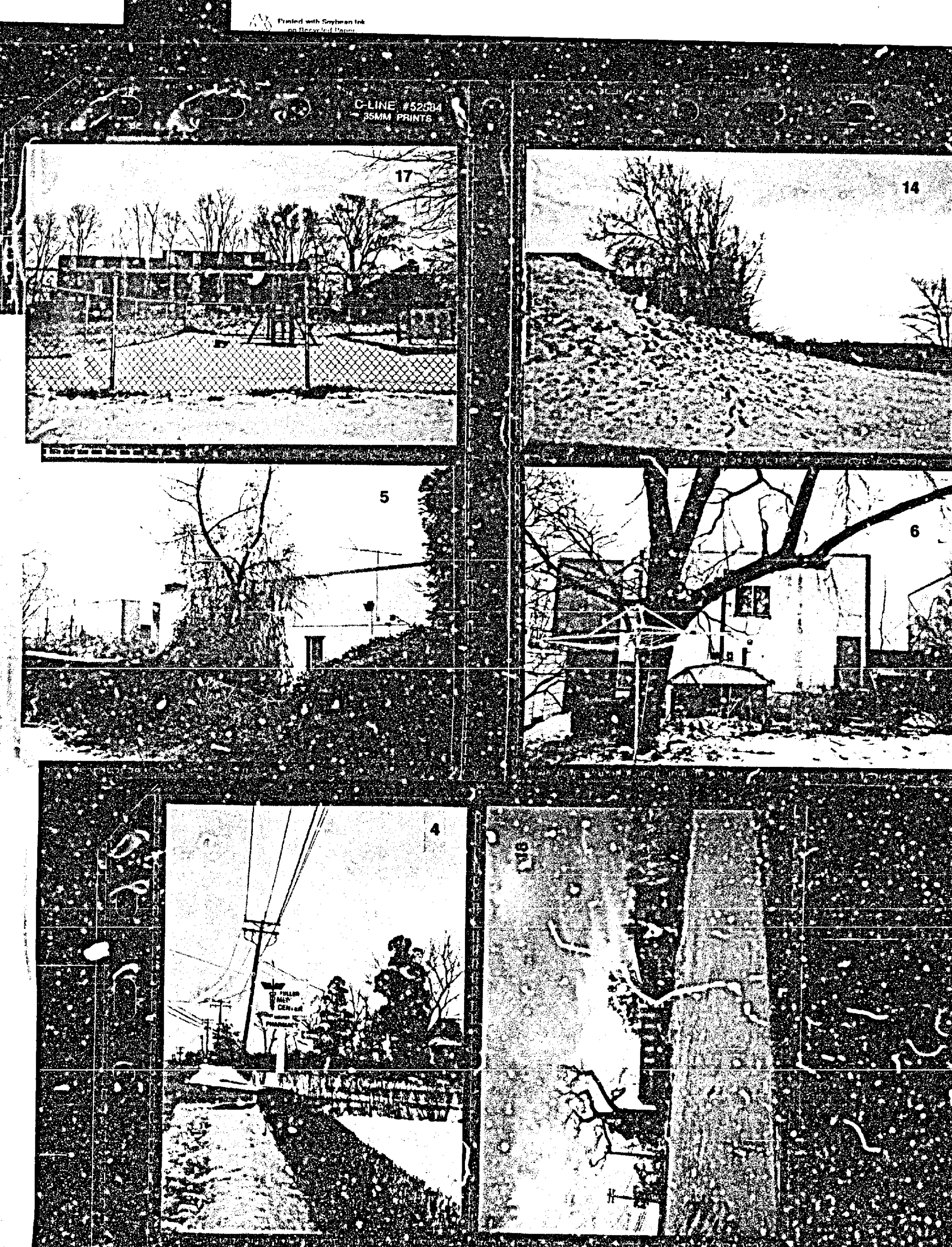
Based on the provided information and partial copies of a site plan the use of the site to support a class "C" medical office building and an appurtenant drugstore/pharmacy is in compliance with the last approved zoning case site plan in case #94-214-XA and is verified as complying with the Baltimore County Zoning Regulations. Please be aware that an apparent typographical error exists in your letter identifying the conditional reclassification case as CR-93-308-A while the actual case number is CR-93-308-A. A copy of the latest order in zoning case 94-214-XA is included with this response. Please be aware that if utilized within two years the special exception will remain in effect and the conditional reclassification must be utilized within 3 years and the site has to continue to comply with the approved zoning case plans for this site.

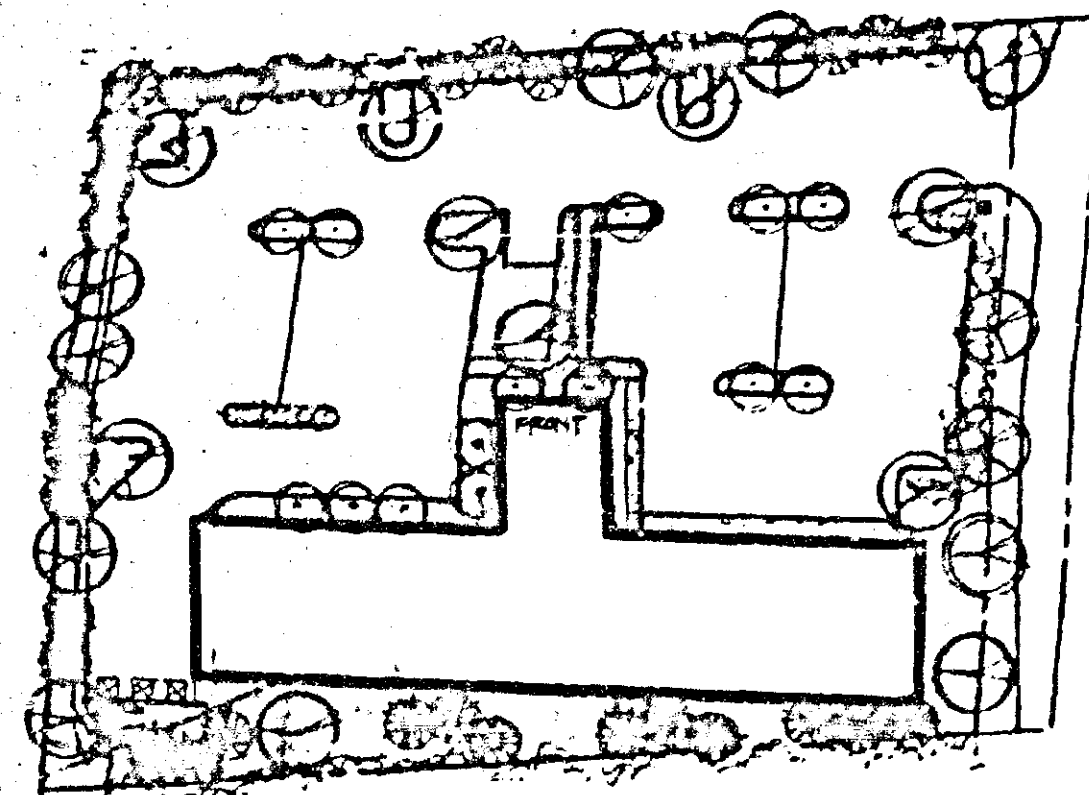
John L. Lewis
Planner II

JLL: jaw

Enclosure

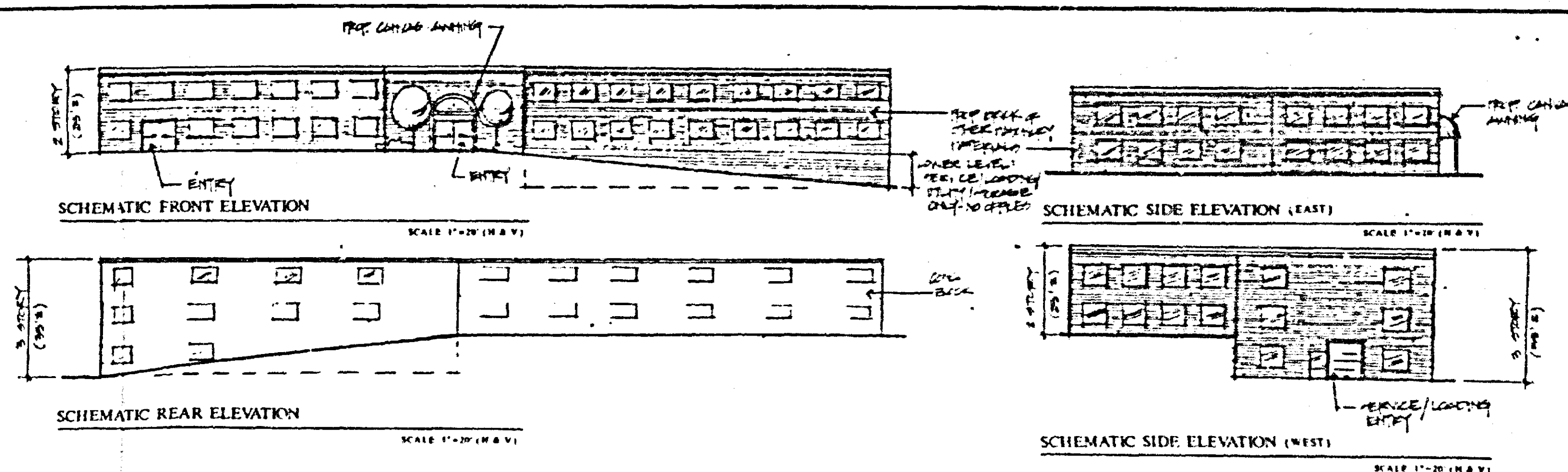
c: 94-214-XA
CR-93-308-A





SCHEMATIC LANDSCAPE PLAN

SCALE: 1"=50'



SCHEMATIC FRONT ELEVATION

SCALE: 1"=20' (H&V)

SCHEMATIC REAR ELEVATION

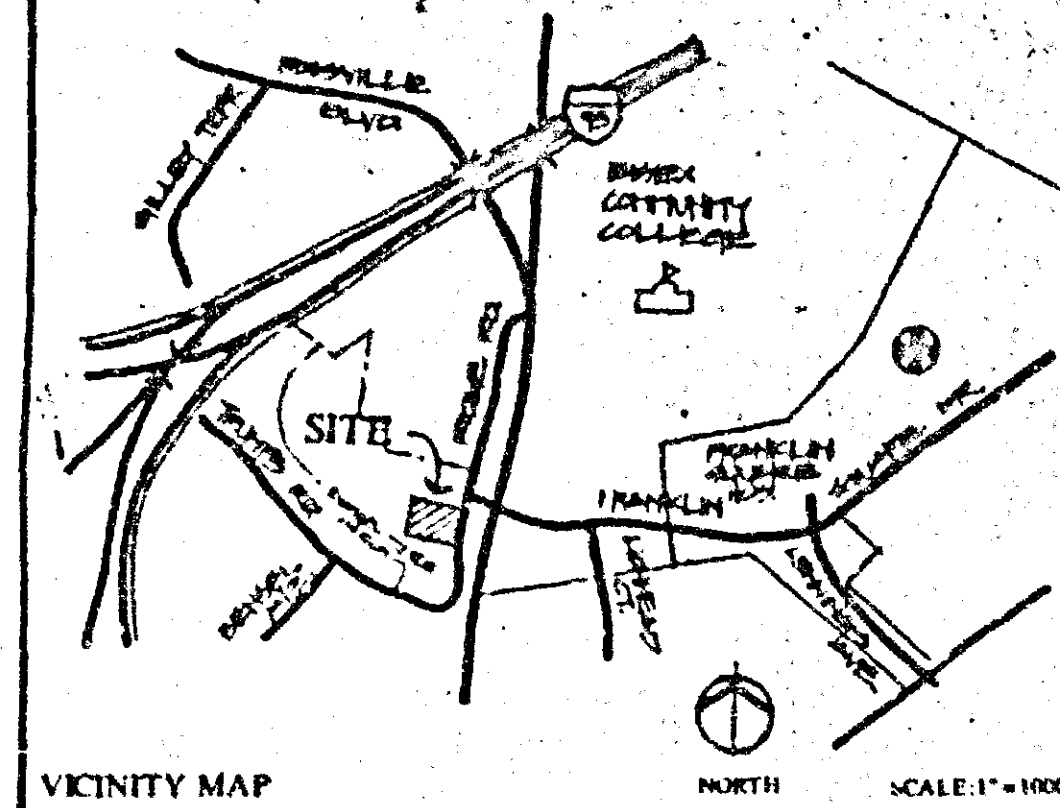
SCALE: 1"=20' (H&V)

SCHEMATIC SIDE ELEVATION (EAST)

SCALE: 1"=20' (H&V)

SCHEMATIC SIDE ELEVATION (WEST)

SCALE: 1"=20' (H&V)



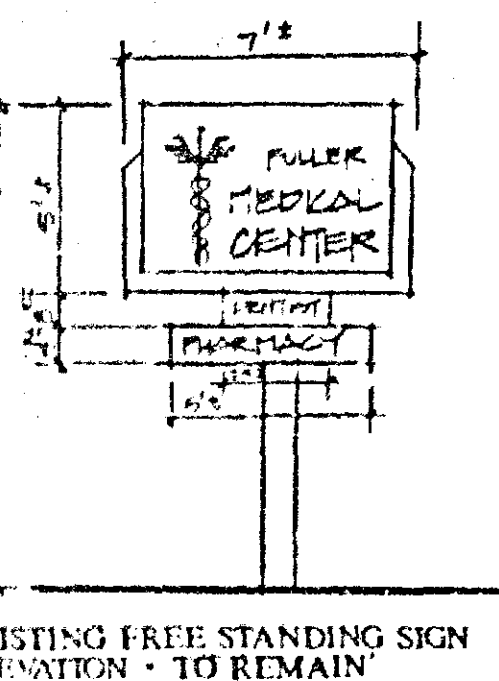
GENERAL NOTES

1. DEVELOPMENT NOTES: Follow General Notes.
2. APPLICANT/OWNER: GILES BUILDING & DEVELOPMENT COMPANY, P.O. BOX 311, BROOKLANDVILLE, MARYLAND 21022. (410) 653-3597.
3. PROJECT/ SITE NAME: FULLER MEDICAL CENTER.
4. GENERAL DATA: Location: Baltimore, Maryland. Project No.: 94-214-XA. Date: 10/1/84.
5. SITE INFORMATION:
 - a. Gross Acreage: 1.00 Acre (1/2 of 2.00 Acre).
 - b. Net Acreage: 0.50 Acre.
 - c. Zoning: R-1.
 - d. Easements: None.
 - e. Utility: Public water and sewer.
 - f. Access: From Ridge Road.
6. BUILDING INFORMATION:
 - a. Building Type: Medical/Professional Office.
 - b. Building Area: 10,000 sq. ft.
 - c. Building Height: 2 stories.
 - d. Building Materials: Brick and concrete.
 - e. Building Orientation: North.
7. LANDSCAPE INFORMATION:
 - a. Planting: Native plants and trees.
 - b. Landscaping: Professional landscaping.
 - c. Irrigation: None.
 - d. Fencing: None.
8. UTILITIES: Public water and sewer.
9. USE: Medical/Professional Office.
10. EXISTING: None.

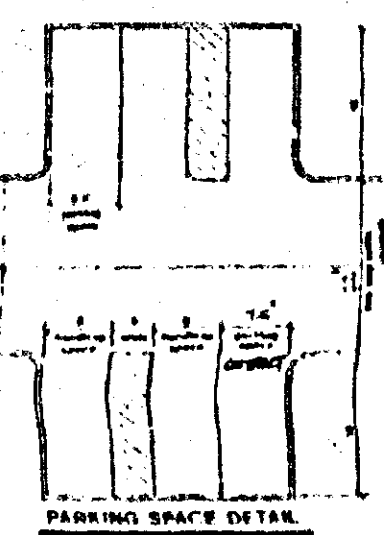
FULLER MEDICAL CENTER

PLAN TO ACCOMPANY ZONING PETITION

OWNER: GILES BUILDING AND DEVELOPMENT COMPANY P.O. BOX 311 BROOKLANDVILLE, MD 21022 (410) 653-3597		PREPARED BY: D.S. THAYER & ASSOCIATES, INC. 7115 AMBASSADOR ROAD BALTIMORE, MD 21244 (410) 914-3647	
REVISIONS: 1. 10/1/84: Initial design. 2. 10/15/84: Revised design. 3. 11/1/84: Final design.		PROJECT/ SITE NAME: FULLER MEDICAL CENTER PROJECT/ SITE NO.: 94-214-XA	
ELECTION DISTRICT: 14 CENSUS TRACT: 447 COUNCIL DISTRICT: 4	DATE: 11/1/84 SCALE: 1"=50' C.E.S. P.N.: 1418 SHEET 1 OF 1	APPROVED: [Signature] [Signature]	



EXISTING FREE STANDING SIGN ELEVATION - TO REMAIN



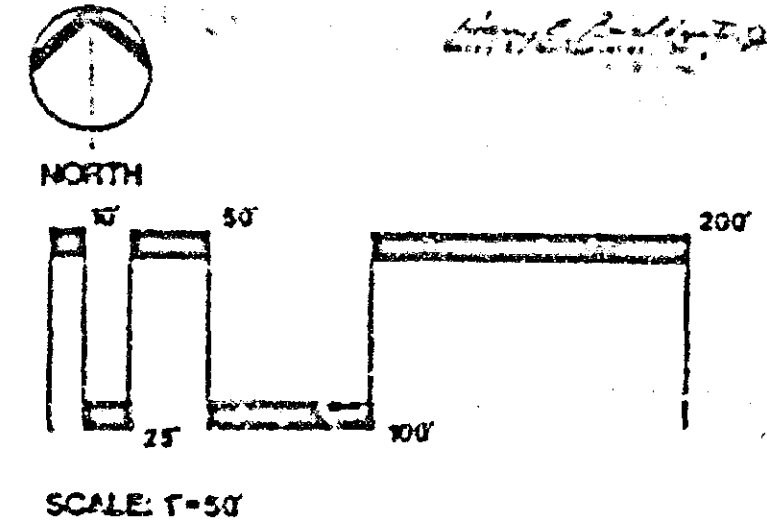
94-214-XA

LEGEND

1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50

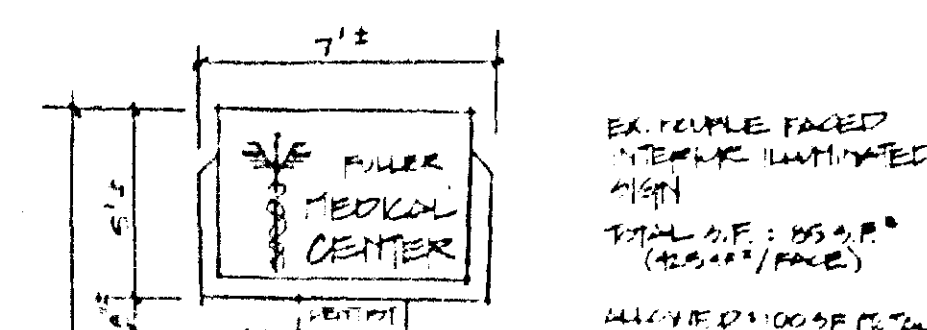
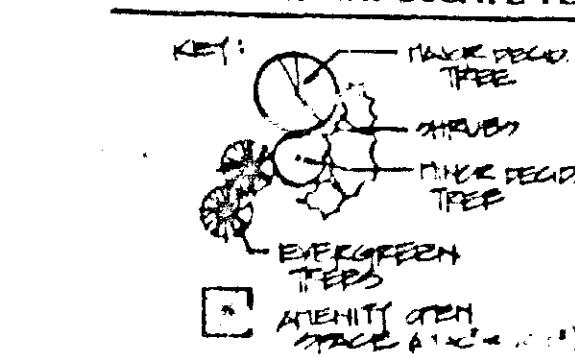
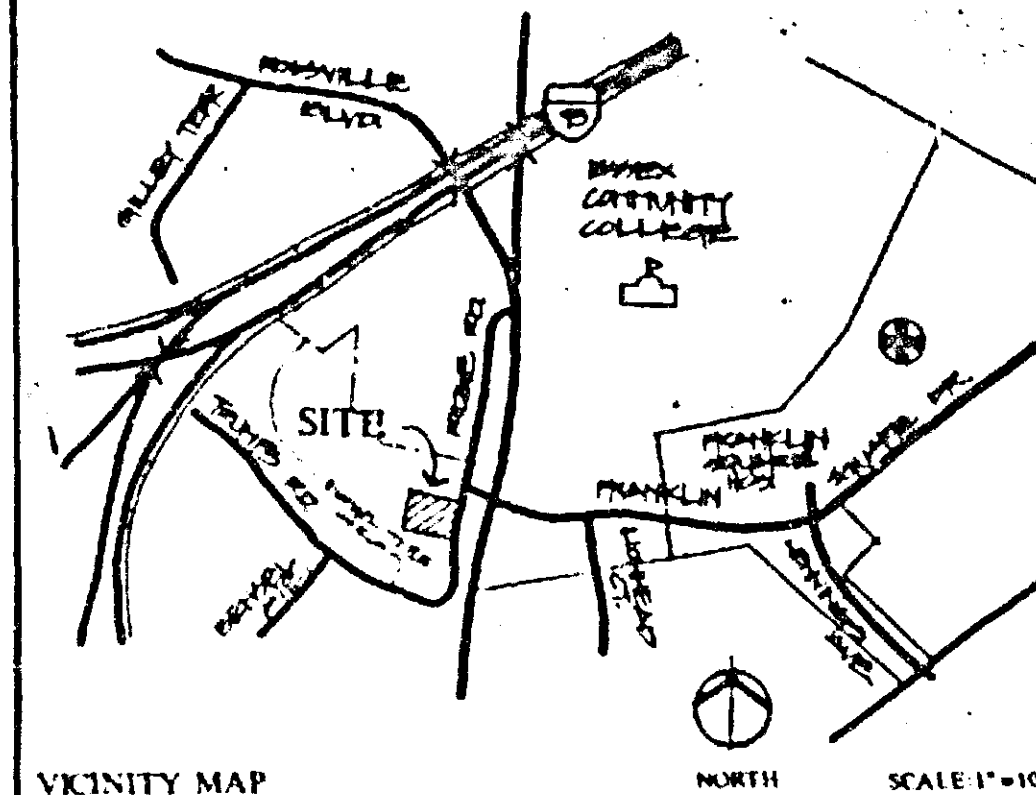
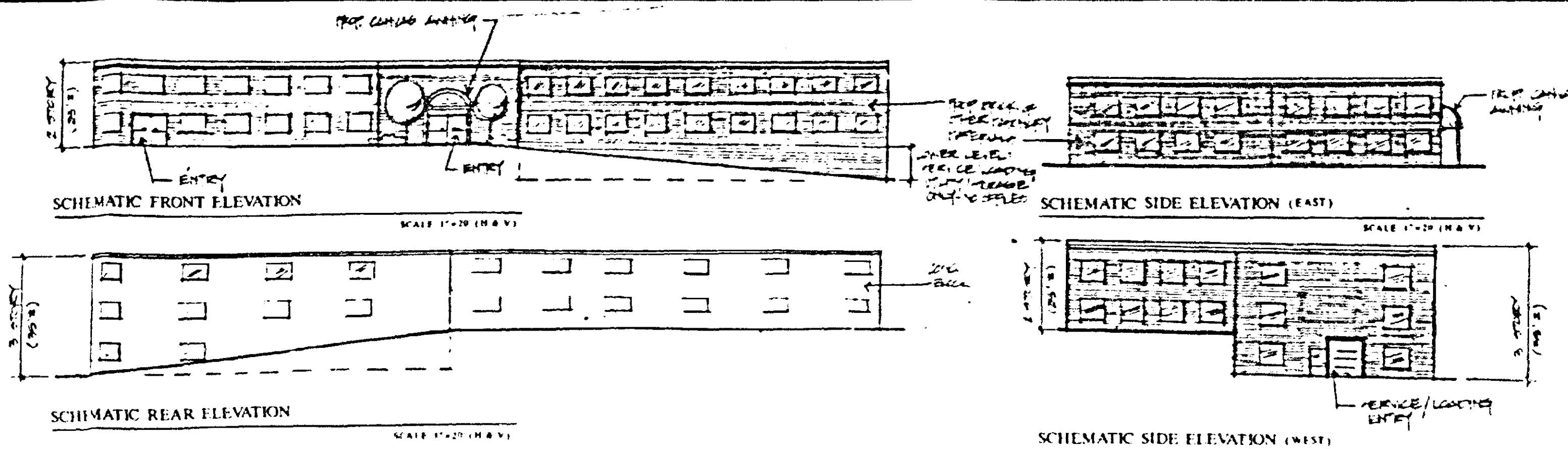
NOTATION

TYPE	CLASS	SHOW TYPE	OTHER IN USE
Structure	1	Light	None/Other slope
Character	2	Other	Other

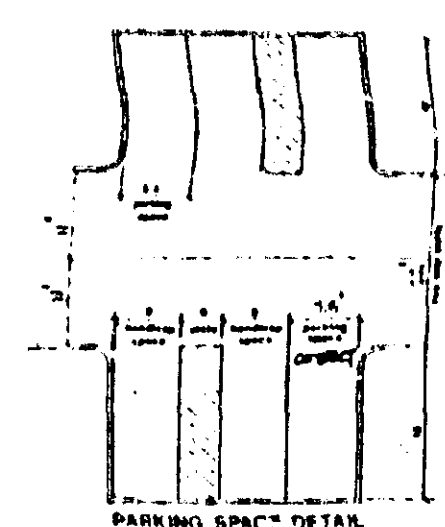


PETITIONER'S EXHIBIT 1

SCHEMATIC LANDSCAPE PLAN



EXISTING FREE STANDING SIGN
ELEVATION - TO REMAIN



LEGEND

SYMBOL	DESCRIPTION				
	1.	2.	3.	4.	5.
	6.	7.	8.	9.	10.
	11.	12.	13.	14.	15.
	16.	17.	18.	19.	20.
	21.	22.	23.	24.	25.
	26.	27.	28.	29.	30.
	31.	32.	33.	34.	35.
	36.	37.	38.	39.	40.
	41.	42.	43.	44.	45.
	46.	47.	48.	49.	50.
	51.	52.	53.	54.	55.
	56.	57.	58.	59.	60.
	61.	62.	63.	64.	65.
	66.	67.	68.	69.	70.
	71.	72.	73.	74.	75.
	76.	77.	78.	79.	80.
	81.	82.	83.	84.	85.
	86.	87.	88.	89.	90.
	91.	92.	93.	94.	95.
	96.	97.	98.	99.	100.

LIMITATIONS			
TYPE:	CLASS:	SCORE WITH BASIS TYPE:	STRENGTH AND LOVE:
Sanctified sin	B	Slight	Moderate: sleep
Christians can	C	Severe	Severe

- [illegible]

[illegible]

The above entitled earlier rules are for a hearing before the Board on October 26, 1953 as a Petition for Summary Reinvestigation of property from D-1, S-1 and S-2 to S-3, etc. in the alternative to S-3. The nature property is a 1/4 acre parcel located on the Northwest side of Ridge Road/Brownsville Boulevard, 1/4 mile south of Florida Square Drive, known as 610 Ridge Road (Palmer Road):

(ENTER)

The Petitioner appeared represented by Michael Reine
Fugate, Carrie S. Fugate, County Judge's Court, for Baltimore
County, also participated in the proceedings.
Based upon the evidence and testimony presented, and for the
reasons given by this Court at the above hearing on the above date,
IT IS THE "Hon. Day of December 1953 by the Court
Order of Appellate of Baltimore County
ORDERED that the petition to exonerate the subject property
from § 3-15 and § 3-16 be and do hereby DISMISSED, and it so
ordered.

RECEIVED THAT the request for information is being to find out
 on 20-22 FEB 41. Since Division is Department, Security
 and not in line of the request of that nature be and is
 hereby granted and is to further
 QUOTED that the Personnel will file with this Board, within
 70 days of the date of this order, an "Amended Departmental Plan"
 conforming with the findings and order of this Board.
 Any petition for judicial review from this decision must be
 made to the Supreme Court within 30 days through the National
 Office of the Secretary.

COUNTY CLERK OF APPEALS
OF BALTIMORE COUNTY

[Signature]
Baltimore, Maryland

[Signature]
John H. [unclear]
[unclear] & [unclear]

[Signature]
Harry E. [unclear]

GENERAL NOTES

- [illegible]

PLAT TO ACCOMPANY ZONING PETITION
FULLER MEDICAL CENTER

PLAT TO ACCOMPANY ZONING PETITION

OWNER
GILES BUILDING AND DEVELOPMENT COMPANY
P.O. BOX 511
BROOKLANDVILLE, MD 21022
(410) 653-1177

PREPARED BY:
D. S. HALLER & ASSOCIATES, INC.
7115 AMBASSADOR ROAD
BALTIMORE, MD 21244
(410) 944-3647

CIVIL ENGINEERS
LAND PLANNERS/SURVEYORS/LANDSCAPE ARCHITECTS

PLAT TO ACCOMPANY
ZONING PETITION
FULLER MEDICAL CENTER

CR-92-30P/A
ITEM #6 CYCL

REVISIONS:

REVISIONS:

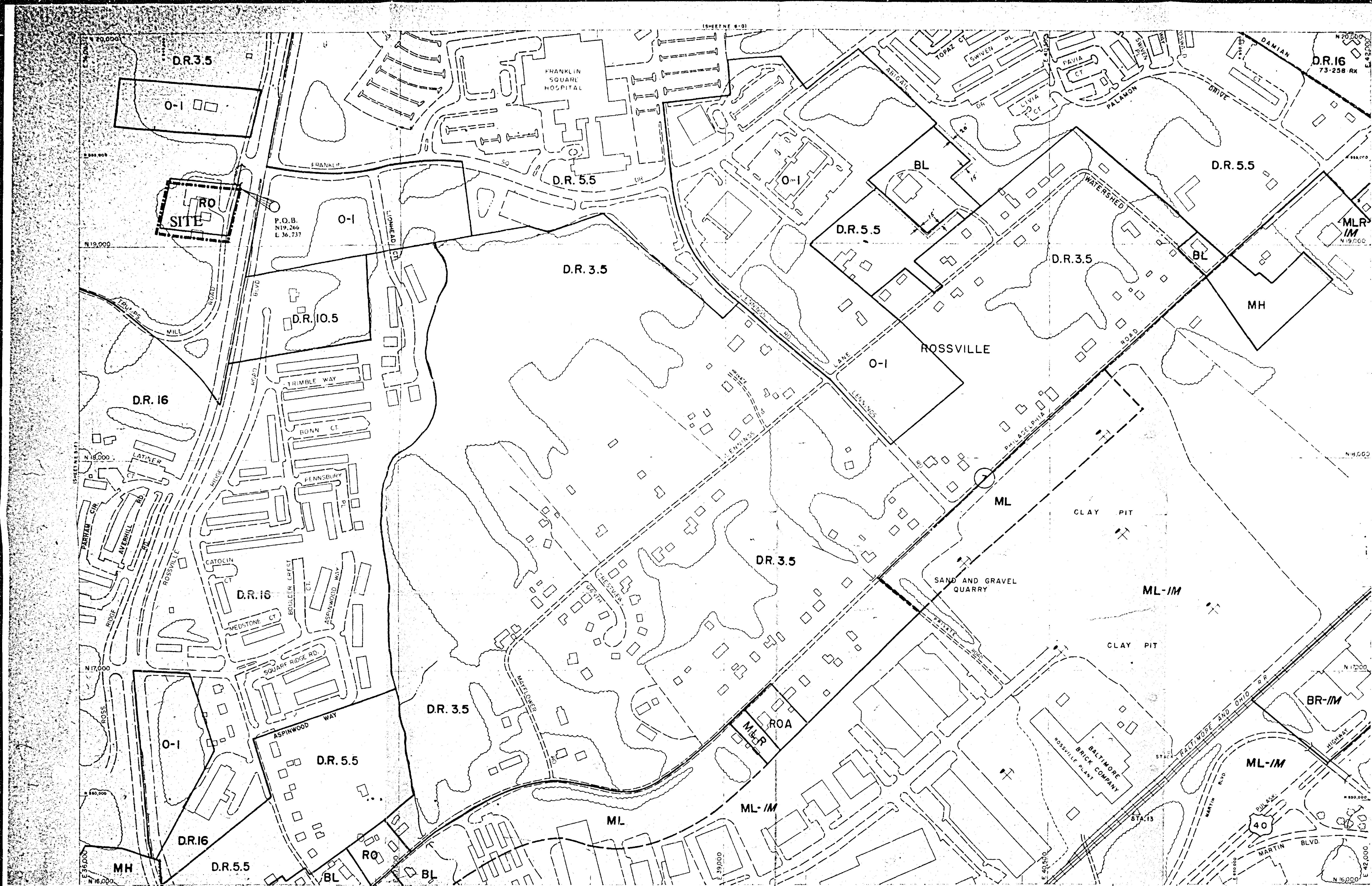
2-14-78 RE 4-D FILE, ALL 4-D MEMBERS.
2-17-78 RE 4-D FILE.
2-21-78 RE 4-D FILE, EVERY ONE HAS TO SIGN IN FOR
2-21-78 RE 4-D FILE, EVERY ONE HAS TO SIGN IN FOR

ELECTION
DISTRICT: 14
CENSUS
TRACT: 4407
COUNCIL
DISTRICT: 6

DATE: 12-1-81
SCALE: 1"=50'
C.I.: 5' P.N.: 1418
SHEET 1 OF 1

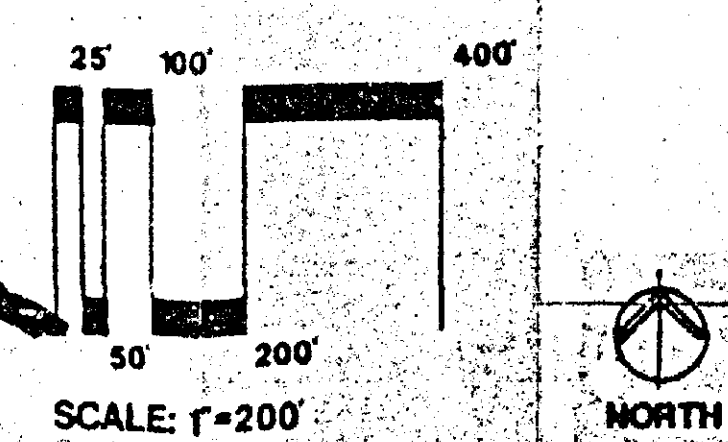


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variables



#216
 PLAT TO ACCOMPANY ZONING PETITION
 FULLER MEDICAL CENTER
 D.S. THALER & ASSOC., INC.
 1717 BROADWAY ROAD, BALTIMORE, MD 21244

94-214-
 XA



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 15, 1992
 Bill Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92
William A. Howard
 Chairman, County Council

SCALE
 1" = 200'
 DATE OF
 PHOTOGRAPHY
 JANUARY
 1986

LOCATION	SHEET
ROSSVILLE	N.E. 5-G