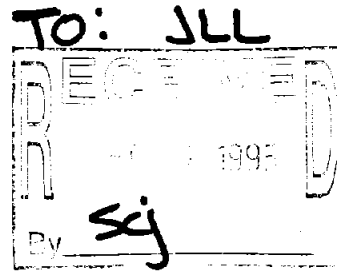


183K 12/12
R109 12/13

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
INTER-OFFICE CORRESPONDENCE

DATE: December 7, 1995

To: Mr. Wirth - DEPRM, SWM
Mr. Stewart - DEPRM, EIRD
Mr. Seeley - DEPRM, W & S
Mr. Richards - PDM, Development Control
Mr. Ogle - PDM, House Numbers & Street Names
Mr. Bowling - PDM, DES (4)
Capt. Paull - Fire Dept. - 1102F
Mr. Grossman - Rec & Parks
Mr. Small - SHA (3)
Mr. McDaniel - OPZ, Development Review (3)



From: Susan Wimbley

Subject: Project Name: FRANKLIN BLVD. PROPERTY
Project No.: 952012
PDM No.: IV-452
District: 4
Engineer: MRA
Phone No.: 821-1690

Action: ☒ Limited Exemption (26-171.b.9)
☐ Waived Hearing Officer Hearing
☐ CRG Non-material Amendment
☐ Waived CRG Meeting

Please review the attached plan for compliance with current regulations and return comments to this office by **DEC. 28, 1995**. If you have no comments or do not need to review this plan, please indicate by placing your initials here _____

Please initial here if your agency requests PDM, Land Acquisition, to acquire

_____ HIGHWAY WIDENING	_____ FOREST BUFFER
_____ GREENWAY	_____ FLOODPLAIN
_____ DRAIN/UTILITY EASEMENT	_____ PUBLIC WORKS AGRMT
_____ FOREST CONSERVATION	_____ NONE OF THE ABOVE

LTDEXEMP.DOT

FRANKLIN BOULEVARD PROPERTY

95-201-Z

Limited Exemption Plan Review

Plan Date: 12/4/95

Comments Due: 12/28/95

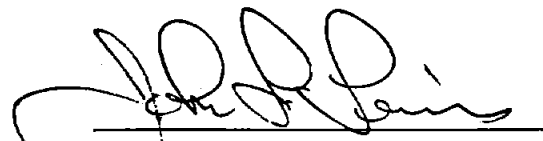
Comments Date: 12/13/95

Comments Typed: 12/13/95

The plan has been reviewed by the staff at this level of detail and has been found to be in general compliance with the Baltimore County Zoning Regulations (BCZR) for limited exemption plan approval. To avoid any possible delays in the development review and zoning approval process, when additional details are available or changed, this office should be contacted and it should be the responsibility of the owner, developer or developer's engineer to rectify any zoning conflicts well in advance of any expected final approvals. Only if necessary, will this office up-date or supplement this comment during the review of the building permit.

1. This plan appears to agree with the approved zoning hearing plan in case #96-128-A. Confirm this by a statement on the plan. Put the zoning order and restrictions on the plan (verbatim) from zoning case #96-128-A.
2. Final zoning approval is contingent first upon all plan comments being addressed on the limited exemption plan; secondly upon the final resolution of all comments, the outcome of any requested zoning hearings; and finally the inclusion of the blue commercial checklist information being included on the building permit site plans.

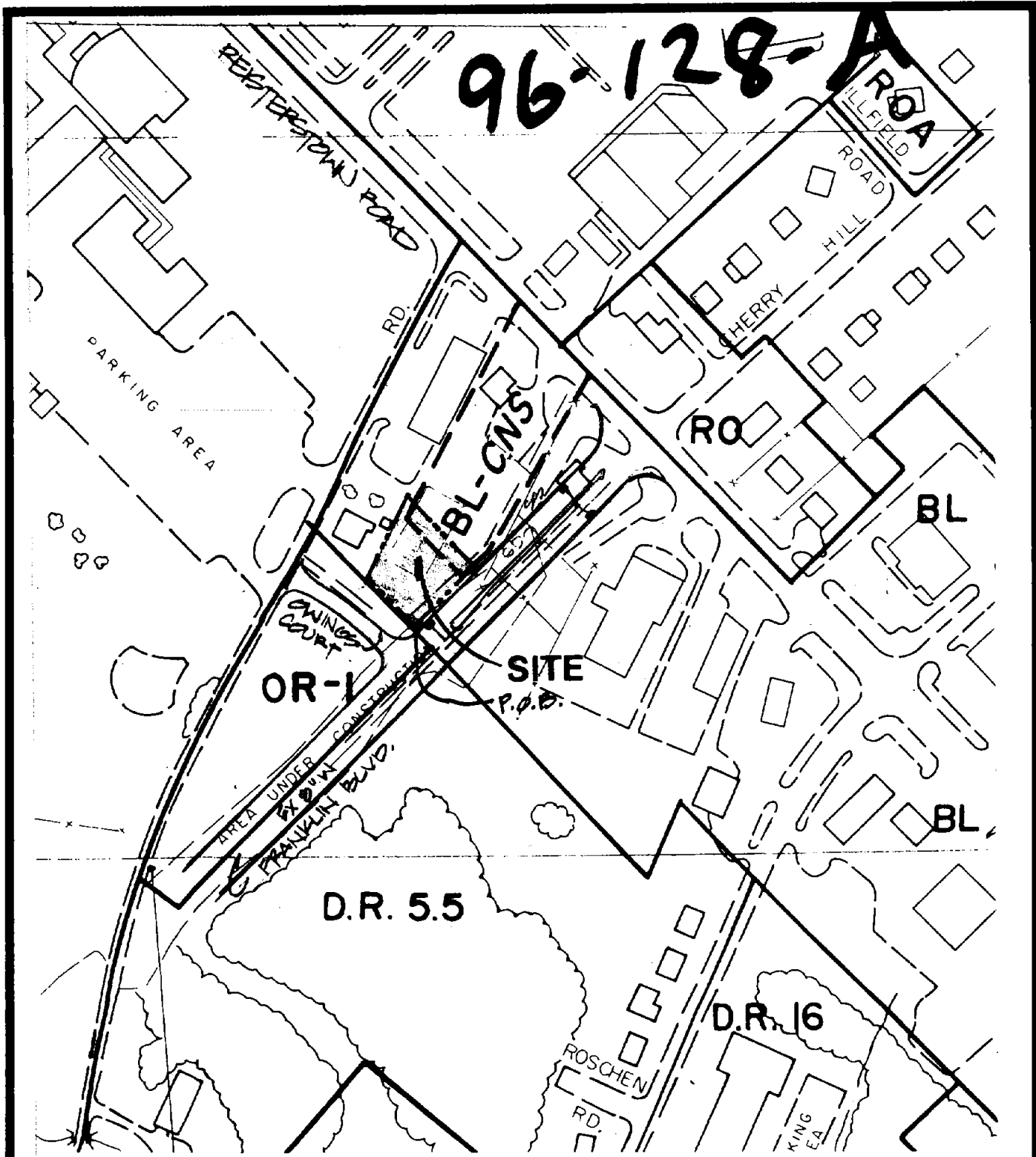
Any requests for further information from the Zoning Office must include a reference to the limited exemption file #95-201-Z and written correspondence or revised plans must be accompanied by a copy of these comments.



JOHN L. LEWIS
Planner II

JLL:scj

c: zoning case #96-128-A



BALTIMORE COUNTY ZONING MAP NW 14-J



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS
110 West Road, Suite 105
Towson, Maryland 21204
(410) 821-1690
Fax: (410) 821-1748

EXHIBIT TO ACCOMPANY
VARIANCE PETITION

**FRANKLIN BOULEVARD
PROPERTY**

SCALE: 1"=200'	DATE: 2/15/05	DRAWN BY: HT	DESIGN BY: -	REVIEW BY: TM	JOB NO: 9838
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155697-2

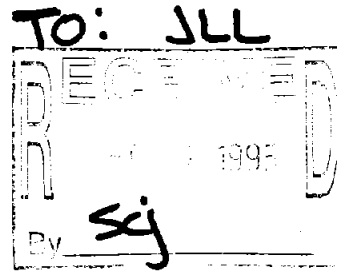
#127

183K 12/12
R109 12/13

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
INTER-OFFICE CORRESPONDENCE

DATE: December 7, 1995

To: Mr. Wirth - DEPRM, SWM
Mr. Stewart - DEPRM, EIRD
Mr. Seeley - DEPRM, W & S
Mr. Richards - PDM, Development Control
Mr. Ogle - PDM, House Numbers & Street Names
Mr. Bowling - PDM, DES (4)
Capt. Paull - Fire Dept. - 1102F
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From: Susan Wimbley

Subject: Project Name: FRANKLIN BLVD. PROPERTY
Project No.: 952012
PDM No.: IV-452
District: 4
Engineer: MRA
Phone No.: 821-1690

Action: ☒ Limited Exemption (26-171.b.9)
☐ Waived Hearing Officer Hearing
☐ CRG Non-material Amendment
☐ Waived CRG Meeting

Please review the attached plan for compliance with current regulations and return comments to this office by **DEC. 28, 1995**. If you have no comments or do not need to review this plan, please indicate by placing your initials here _____

Please initial here if your agency requests PDM, Land Acquisition, to acquire

_____ HIGHWAY WIDENING	_____ FOREST BUFFER
_____ GREENWAY	_____ FLOODPLAIN
_____ DRAIN/UTILITY EASEMENT	_____ PUBLIC WORKS AGRMT
_____ FOREST CONSERVATION	_____ NONE OF THE ABOVE

LTDEXEMP.DOT

FRANKLIN BOULEVARD PROPERTY

95-201-Z

Limited Exemption Plan Review

Plan Date: 12/4/95

Comments Due: 12/28/95

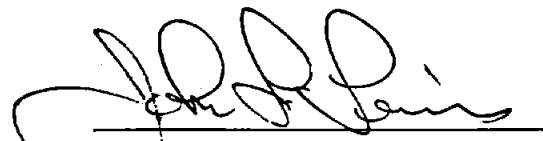
Comments Date: 12/13/95

Comments Typed: 12/13/95

The plan has been reviewed by the staff at this level of detail and has been found to be in general compliance with the Baltimore County Zoning Regulations (BCZR) for limited exemption plan approval. To avoid any possible delays in the development review and zoning approval process, when additional details are available or changed, this office should be contacted and it should be the responsibility of the owner, developer or developer's engineer to rectify any zoning conflicts well in advance of any expected final approvals. Only if necessary, will this office up-date or supplement this comment during the review of the building permit.

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

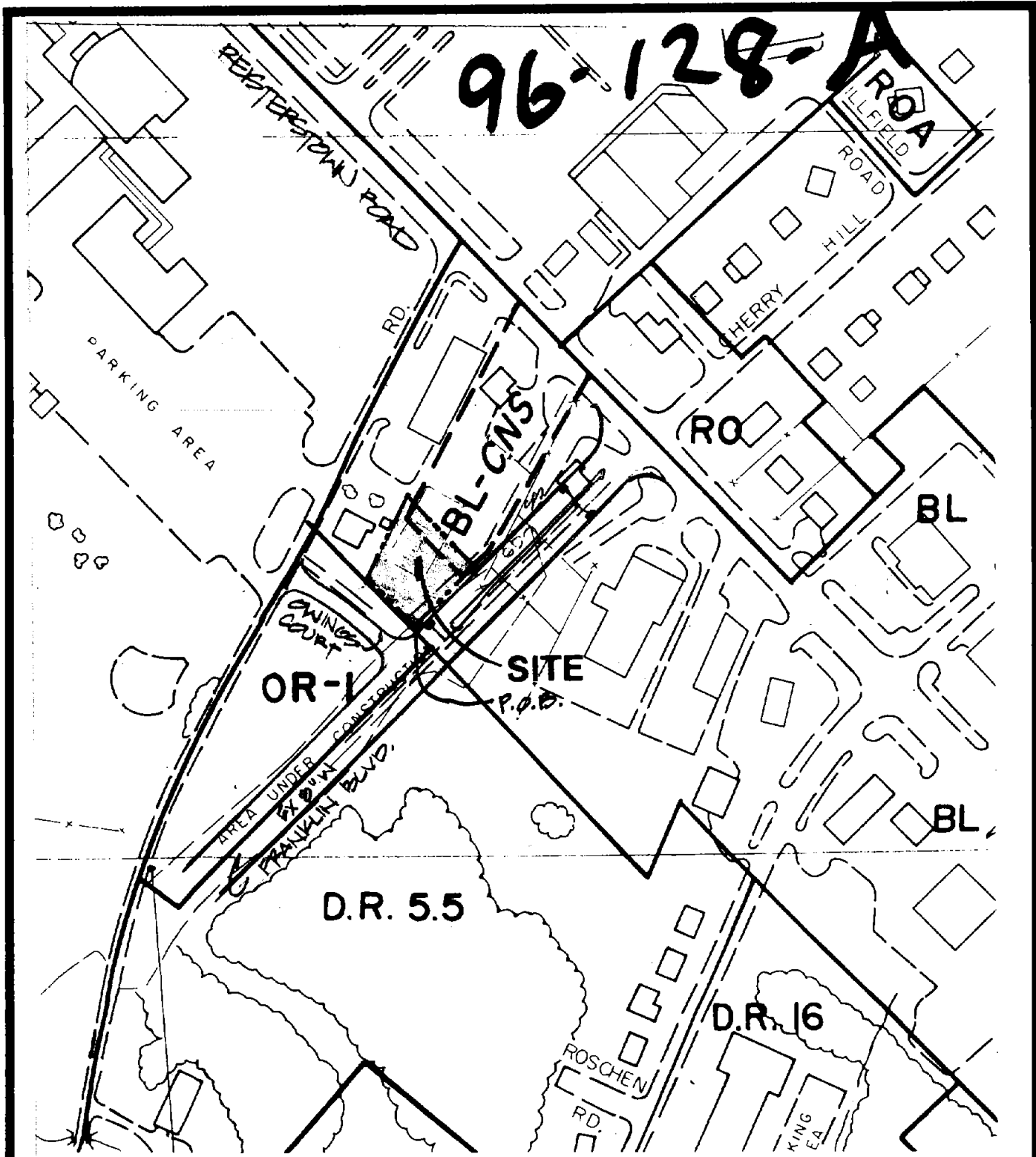
Any requests for further information from the Zoning Office must include a reference to the limited exemption file #95-201-Z and written correspondence or revised plans must be accompanied by a copy of these comments.



JOHN L. LEWIS
Planner II

JLL:scj

c: zoning case #96-128-A



BALTIMORE COUNTY ZONING MAP NW 14-J



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS
110 West Road, Suite 105
Towson, Maryland 21204
(410) 821-1690
Fax: (410) 821-1748

EXHIBIT TO ACCOMPANY
VARIANCE PETITION

**FRANKLIN BOULEVARD
PROPERTY**

SCALE: 1"=200'	DATE: 2/5/05	DRAWN BY: HT	DESIGN BY: -	REVIEW BY: TM	JOB NO: 9838
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155897-2

#127

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
N/S Franklin Blvd & E/S Owings * ZONING COMMISSIONER
Court
4th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District
Franklin and Reisterstown L.L.C. * Case No. 96-128-A
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Zoning Variance for the property located at the intersection of Owings Court and Franklin Boulevard in the Owings Mills section of Baltimore County. The Petition is filed by Franklin and Reisterstown L.L.C. through Mr. Ron Schaftel, principal. Variance relief is requested from Sections 409.6 and 409.8 of the Baltimore County Zoning Regulations (BCZR) to allow 25 parking spaces in lieu of the required 30, and to permit a 4 ft. setback, in lieu of the required 10 ft. from a right of way line. The subject lot and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the site plan.

Appearing at the requisite public hearing held for this case were Ron Schaftel and David Altfeld on behalf of Franklin & Reisterstown L.L.C. Also present was Glenn Cook, a traffic engineer from The Traffic Group, Inc. and Timothy Madden, a consultant with Morris and Ritchie Associates. The Petitioner was represented by Robert A. Hoffman, Esquire. There were no interested persons or Protestants present.

Uncontradicted testimony and evidence offered by the Petitioner was that the subject site is a tract of approximately .34 acres zoned B.L. and B.L.-C.N.S. The property is located at the intersection of Owings Court and Franklin Boulevard, not far from the interchange of I-795 and Franklin Boulevard. The property is surrounded by a number of other commercial uses

ORDER RECEIVED FOR FILING

Date

By

11/3/95
[Signature]

including the Reisterstown shopping center. The Franklin Senior High School is also located nearby.

The Petitioner proposes to construct a one story retail building on the subject site. A schematic representation of the building was presented as Petitioner's Exhibit No. 3. This will be a low rise building which is somewhat residential in appearance. The building will accommodate up to five retail tenants which are anticipated to be community oriented type uses. The building will be approximately 5800 sq. ft. in area.

Variance relief is required to permit 25 parking spaces in lieu of the required 30 and to permit a 4 ft. setback in lieu of the required 10 ft. As to the number of spaces requested, testimony on behalf of Mr. Cook was that the granting of the variance would not adversely impact internal traffic patterns or traffic flows on neighboring streets. The nature of the proposed use and the orientation of the building indicate that the site will have a sufficient number of spaces with the 25 proposed.

The variance request as it relates to the right of way setback is driven by the unusual configuration of the lot. As shown on the site plan, the property is not rectangularly in shape, and a reduced setback area will also accommodate additional parking spaces.

Mr. Jeff Long, from the Office of Planning and Zoning, also appeared in support of the Petition. He produced his agency's comment dated October 17, 1995 which indicates support for the project so long as the building is constructed in a manner substantially similar to the Petitioner's Exhibit No. 3. An amended comment was also received from the Development Plans Review Division. That comment indicates that the office will accept modifications to the landscape requirements and is supportive of the subject proposal.

ORDER RECEIVED FOR FILING
Date 11/7/95
By M. Cook

Based upon the testimony and evidence offered, all of which is uncontradicted, I am persuaded to grant the Petition for Variance. This appears to be a well thought out project which will be beneficial to the Owings Mills area. There was no opposition to the request and County agencies support same. I am persuaded that the Petitioner has satisfied the burden set forth in Section 307.1 of the BCZR in order to obtain variance relief. Thus, the Petition for Variance will be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 7th day of November, 1995 that a variance from Section 409.6 and 409.8 of the Baltimore County Zoning Regulations (BCZR) to allow 25 parking spaces in lieu of the required 30, and to permit a 4 ft. setback, in lieu of the required 10 ft. from a right of way line, be and is hereby GRANTED; subject, however, to the following restrictions.

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The proposed building will be substantially similar in appearance to the elevation drawings submitted as Petitioner's Exhibit No. 3.

3. The Petitioner will landscape the site in accordance with Petitioner's Exhibits Nos. 2A and 2B (Schematic Landscape Plan), as approved by the Baltimore County Landscape architect.

ORDER RECEIVED FOR FILING

Date

By

LES:mmn


LAWRENCE E. SCHMIDT

Zoning Commissioner for
Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 6, 1995

Robert Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: Case No. 96-128A
Petition for Zoning Variance
Franklin & Reisterstown L.L.C., Petitioner

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

cc: Messrs. Ron Schafter and David Altfeld
9832 York Road, Suite 2B, Cockeysville, Md. 21030





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

Owings Court & Franklin Boulevard

which is presently zoned

BL-CNS

This Petition shall be filed with the Office of Zoning Administration & 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)

409.6 Required number of parking spaces

409.8 Parking design standards

409.6 & 409.8 to allow 25 parking spaces in lieu of the required 30 & to permit 4 ft. setback in lieu of the required 10' from front of way.

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

(See Attachments)

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/Lessee:

Franklin & Reisterstown L.L.C.
c/o Mr. Ron Schaftel

(Type or Print Name)

Signature

9832 York Road
Texas Center Suite 2B

Address

Cockeysville

Maryland

21030

City

State

Zipcode

Attorney for Petitioner:

N/A

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

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.

Legal Owner(s)

Franklin & Reisterstown L.L.C.
c/o Mr. Ron Schaftel

(Type or Print Name)

Signature

(Type or Print Name)

Signature

(SEE ABOVE LEFT) 410-660-1900
Address Phone No.

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL

OTHER

REVIEWED BY:

SMA

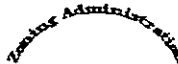
DATE

9-19-95

POST 34 10-1 #127



Printed with Soybean Ink
on Recycled Paper



The following variances are requested from the Baltimore County Zoning Regulations:

- A. A variance is requested from Section 409.6 A.2 (Parking Requirements) of the Baltimore County Zoning Regulations. This request is to permit 25 parking spaces in lieu of the 30 spaces required. The configuration of the lot causes practical difficulty in locating the entire number of parking spaces required in an efficient manner.

The proposed layout maximizes the number of parking spaces provided along the single drive aisle.

- B. A variance is requested from Section 409.8 A.4 (Design Standards) from the B.C.Z.R. to permit parking closer than 10' from a public right of way. The minimum distance between the proposed parking lot and the existing public right of way is four feet $\pm$. This would permit the double loaded parking bay necessary to service the proposed retail building.

SL-128-A

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS.
AND LANDSCAPE ARCHITECTS



96-128-A

ZONING DESCRIPTION

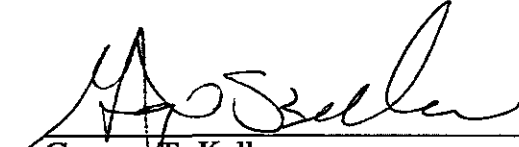
BEGINNING at a point on the northwest side of Franklin Boulevard, variable width, at the distance of 43 feet more or less measured northwesterly from the centerline of Owings Court, 60 feet wide. Thence the following courses and distances:

North 43° 31' 39" West 94.47 feet, North 27° 34' 53" East 136.64 feet, South 43° 31' 39" East 137.95 feet, South 46° 12' 23" West 3.11 feet, South 45° 03' 39" West 123.83 feet, and North 89° 21' 59" West 3.31 feet to the place of beginning.

CONTAINING 15,170 square feet.

BEING Parcel "A" as shown on a plat entitled "Final Subdivision Plat, Property of Clarence E. McWilliams and Nellie Jean McWilliams" and recorded in Baltimore County Plat Book S.M. 66, Folio 107 and located in the Fourth Election District.




George T. Keller
Registered Property Line Surveyor #67

☒ 139 N. MAIN STREET, SUITE 202
BEL AIR, MARYLAND 21034
(410) 879-1690 (410) 838-7560
FAX (410) 879-1320

☐ 110 WEST ROAD, SUITE 105
TOWSON, MARYLAND 21204
(410) 821-1690
FAX (410) 821-1746

☐ 9090 JUNCTION DRIVE, SUITE 9
ANNAPOLIS JUNCTION, MARYLAND 20701
(410) 792-9446 (301) 470-4470
FAX (410) 732-7395

#127

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-178-A

District Wth Date of Posting 10/13/95

Posted for: Variance

Petitioner: Franklin & Pilsburytown, LLC

Location of property: N/S Franklin Blvd. & E/S Owney Ct

Location of Sign: Facing roadway on property being zoned

Remarks: _____

Posted by W. H. H. H. Date of return: 10/20/95
Signature

Number of Signs: 1



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

96-128

DATE 9-19-95

ACCOUNT R-001600

AMOUNT \$ 255.00

RECEIVED FROM: T.R. Ron Schaffer - Franklin Park, MD
CUMINGS GT F. Franklin Blvd

CSC C. VAL 250
CSC I SIGN 5.00
FOR: TOTAL 255.00

DEADIS#039AMICARD \$285.00
BA 0011123AM09-19-95

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

#127

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-128-A

(Item 127)

N/S Franklin Boulevard and E/S Owings Court

4th Election District

3rd Councilmanic

Legal Owner(s):

Franklin & Reisterstown L.L.C.

Hearing: Wednesday, November 1, 1995, at 9:00 a.m. in

Room 118, Old Courthouse.

~~Variances to allow 25 parking~~

~~spaces in lieu of the required~~

~~30, and to permit 4-foot set-~~

~~back in lieu of the required 10~~

~~feet from right-of-way.~~

LAWRENCE E. SCHMIDT

Zoning Commissioner for

Baltimore County

NOTES: (1) Hearings are

Handicapped Accessible; for

special accommodations

Please Call 887-3353.

(2) or information concern-

ing the File and/or Hearing,

Please Call 887-3391.

10/154 Oct. 12.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/13, 19 95

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 3 successive weeks, the first publication appearing on 10/12, 19 95.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

TO: PUTUXENT PUBLISHING COMPANY
October 12, 1995 Issue - Jeffersonian

Please forward billing to:

Franklin & Reisterstown, L.L.C.
c/o Ron Schaftel
9832 York Road
Texas Center, Suite 2B
Cockeysville, MD 21030
666-1900

NOTICE OF HEARING

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or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-128-A (Item 127)
N/S Franklin Boulevard and E/S Owings Court
4th Election District - 3rd Councilmanic
Legal Owner: Franklin & Reisterstown L.L.C.

Variance to allow 25 parking spaces in lieu of the required 30; and to permit 4-foot setback in lieu of the required 10 feet from right-of-way.

HEARING: WEDNESDAY, NOVEMBER 1, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

10/12/95



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 11, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
OR
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-128-A (Item 127)
N/S Franklin Boulevard and E/S Owings Court
4th Election District - 3rd Councilmanic
Legal Owner: Franklin & Reisterstown L.L.C.

Variance to allow 25 parking spaces in lieu of the required 30; and to permit 4-foot setback in lieu of the required 10 feet from right-of-way.

HEARING: WEDNESDAY, NOVEMBER 1, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

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

Arnold Jablon
Director

cc: Franklin & Reisterstown L.L.C.

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





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 26, 1995

Franklin & Reisterstown L.L.C.
c/o Mr. Ron Schaftel
9832 York Road
Texas Center Suite 2B
Cockeysville, Maryland 21030

RE: Item No.: 127
Case No.: 96-128-A
Petitioner: R. O. Schaftel

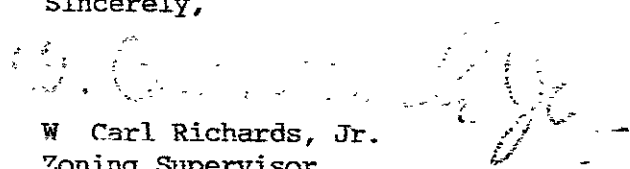
Dear Mr. Schaftel:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 19, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: October 17, 1995

FROM: Pat Keller, Director, OP

SUBJECT: Franklin Retail Center

INFORMATION:

Item Number: 127

Petitioner: Ronald O. Schaftel

Property Size: _____

Zoning: BL-AS

Requested Action: Variance

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

The attached letter of October 16, 1995 from the Southern Land Company, Inc. is consistent with an agreement reached between this office and Mr. Ronald O. Schaftel regarding the proposed 6,000 square foot retail center.

Based upon a review of the information provided and analysis of the Variance Petition, staff recommends that the applicant's request be granted subject to the agreed upon terms.

Prepared by: Jeffrey W. Long

Division Chief: Carol Kerns

PK/JL

The Southern Land Company, Inc.

October 16, 1995

VIA FACSIMILE: 887-5862

Mr. Jeffrey Long
Baltimore County Government
Office of Planning and Zoning
401 Bosley Avenue, Suite 406
Towson, Maryland 21204

Re: Franklin Retail Center

Dear Mr. Long:

In exchange for the Baltimore County Office of Planning and Zoning's support of the variance petitions requested from Section 409.6 A.2 (Parking Requirements) and Section 409.8 A.4 (Design Standards) of the Baltimore County Zoning Regulations, Franklin and Reisterstown, L.L.C. hereby covenants and agrees to construct the approximate 6,000 square foot above referenced retail center in substantial conformity with the attached building elevation prepared by Piechocki (Architect) dated September 14, 1995. The front elevation of the building will be constructed of split face block, glass, dryvit or stucco material and the sides and rear of the building will be commercial grade vinyl.

If the Office of Planning and Zoning has any questions with regard to the above stated agreement, please contact me at your earliest convenience. Your support and presence at the Variance Hearing which is scheduled for November 1, 1995 at 9:00 a.m. in Room 118 of the Old Court House Building is greatly appreciated.

Very truly yours



Ronald O. Schaftel
Member



The Southern Land Company, Inc.

4822 York Road • Suite 2B • Cockeysville, Maryland 21030

MICROFILMED

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Oct. 13, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for October 10, 1995
Item No. 127

The Development Plans Review Division has reviewed the subject zoning item. Granting the right-of-way setback variance will significantly diminish the ability to comply with the Landscape Manual Streetscape requirement. This 10-foot setback is a Landscape Manual requirement. The proposed parking lot also fails to comply with the Manual's 7% interior space for landscaping.

RWB:sw

FAX

5108

BALTIMORE COUNTY, MARYLAND
 DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
 INTER-OFFICE CORRESPONDENCE

TO: ZADM - Joyce Watson
 FROM: DEPRM
 Development Coordination
 SUBJECT: Zoning Advisory Committee
 Agenda: 10/2 and 10/10/95

DATE: 10/19/95

Post-It* Fax Note	7671	Date	10/19/95	# of pages	1
To	Joyce Watson	From	Letty Sonn		
Co./Dept.	PDM	Co.			
Phone #		Phone #	3980		
Fax #	5708	Fax #			

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

ZAC MTG of
Oct. 2

Item #'s:

123
 124
 125
 126
 127
 131
 132

ZAC MTG of
OCT. 10

133
 136
 137
 138
 141
 142
 143
 144

LS:sp

LETTYZ/DEPRM/TXTS8P



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

10-2-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 127 (JRA)

Dear Ms. Watson:

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 affected by any State Highway Administration projects.

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,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

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 Government
Fire Department



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

(410) 887-4500

DATE: 10/03/95

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

RE: Property Owner: FRANKLIN & REISTERSTOWN L.L.C.

LOCATION: N/S FRANKLIN BLVD. AND E/S OWINGS CT.

Item No.: 127

Zoning Agenda: VARIANCE.

Gentlemen:

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

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

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

cc: File



PETITION PROBLEMS

#124 — JCM

1. No section number or wording on petition form. Variance for what???

96-128-A

#125 — JRA

1. No zoning indicated on petition form.

#126 — JRA

1. Notary section is incomplete.

#127 — JRA

1. Need title of person signing for legal owner.
2. Need authorization for person signing for legal owner.

#132 — MJK

1. Plat says legal owner is "Frederick Villa Associates, Limited Partnership".
Petition says legal owner is "Henry Reitberger". Which is correct??

RE: PETITION FOR VARIANCE
N/S Franklin Blvd. and E/S Owings Court
4th Election District, 3rd Councilmanic

Franklin & Reisterstown L.L.C.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-128-A

* * * * *

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.

WED.
11/1/95
HEARINGS

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of October, 1995, a copy of the foregoing Entry of Appearance was mailed to Ron Schaftel, Franklin & Reisterstown L.L.C., 9832 York Road, Suite 2B, Cockeysville, MD 21030, Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

11/1/95

Baltimore County Government
Office of Zoning Administration
and Development Management

DON - PROPOSAL!

#9838 TFR



111 West Chesapeake Avenue
Towson, MD 21204

November 23, 1994

(410) 887-3353

Mr. Tim Madden
Morris and Ritchie Assoc., Inc.
110 West Road, Suite 105
Towson, Maryland 21204

96-128-A

RE: Franklin Blvd. & Owings Ct. Site
DRC Number 11214F Dist. 4C3

Dear Mr. Madden:

On November 21, 1994, the Development Review Committee (DRC) considered your request on the above referenced project and determined it to be a limited exemption under Section 26-171(b)(9) of the Baltimore County development regulations. As a result, your development is exempt from the requirements of a Community Input Meeting, a Hearing Officer's Hearing; however, compliance with all applicable zoning regulations and county design standards and requirements for public and private improvements is required.

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, and a copy of this letter to:

Office of Zoning Administration and Development Management
County Office Building, Room 123
111 West Chesapeake Avenue
Towson, Maryland 21204

Your plan will be examined for general compliance with submittal requirements. Comments on the check print will determine if any changes or additional information are necessary. At that time, the development plan review fee will be determined by the fee schedule. Following your revision, the check print, along with 22 copies of the plan, and a certified or cashier's check made payable to Baltimore County, Maryland must be submitted to this office.

Should you have additional questions regarding this matter, please do not hesitate to call me.

Sincerely,

DONALD T. RASCOE
Development Manager

DTR:KAK:aw

c: Larry Pilson
Carolyn Beatty

#127

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Rob Hoffman
RON SCHAFFEL

210 Allegheny 21204
9832 YORK RD SUITE 2B
COCKEYSVILLE MD 21030

Tim Madden

MORRIS & RITCHIE ASSOC.
110 WEST Rd Towson, MD
The Traffic Group, Inc.
40 W Chesapeake Ave Ste 600

GLENN COOK

DAVID ALTFELD

9832 YORK ROAD SUITE 2B
COCKEYSVILLE, MD. 21030



INTEROFFICE MEMORANDUM

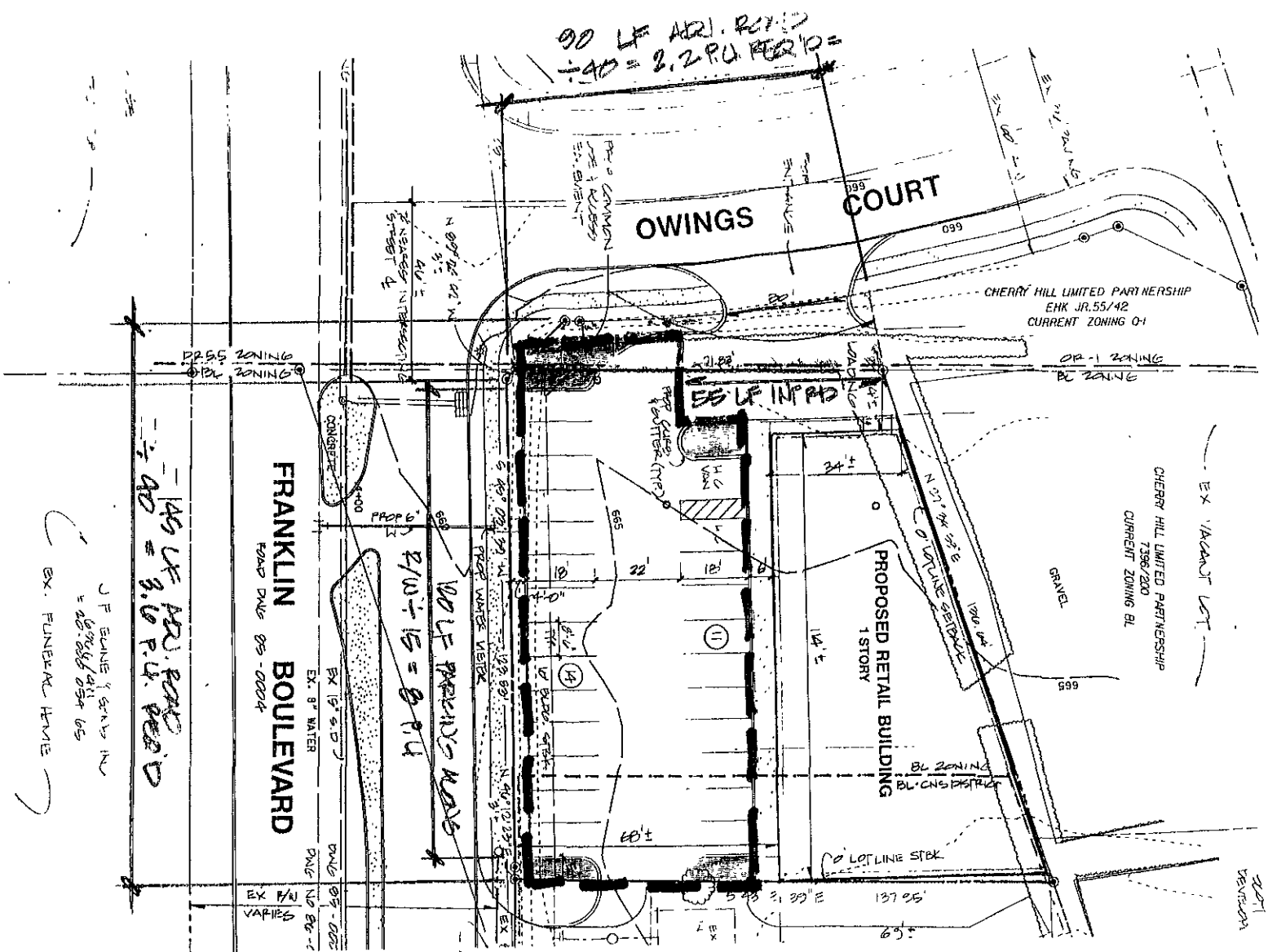
To: Zoning Commissioner
From: E. Avery Harden, Landscape Architect
Permits and Development Management
Re: Franklin Retail Center
Date: 11/1/95

Please substitute this Landscape Manual comment for the previous one from this office.

This office supports granting the landscape modifications necessary to support the subject proposal.

Ref 2c

11/1/95



(INSIDE PAGE)

Total 7900 \$
 7% LANDSCAPING AREA PROPOSED = 540 SF
 LANDSCAPING AREA PROPOSED = 540 SF

Ref No 28

- Commercial, Office, Industrial, High Rise Residential, and Pub Developments
1. 55 linear feet of interior road $\div 20 = \underline{2.7}$ p.u.'s
 No. 2 major (75%), 1 minor, 1 evergreen, 1 shrubs, 1 ground cover.
 2. 100 linear feet of adjacent road $\div 40 = \underline{2.5}$ p.u.'s
 No. 4 major (75%), 1 minor, 1 evergreen, 1 shrubs, 1 ground cover.
 3. 95 Parking Spaces $\div 12 = \underline{7.9}$ p.u.'s
 No. 1 major (75%), 1 minor, 1 evergreen, 1 shrubs, 1 ground cover.
 4. 100 linear feet of parking lot adjacent to r.o.w. or structures, $\div 15 = \underline{6.7}$ p.u.'s
 No. 1 major (75%), 1 minor, 1 evergreen, 1 shrubs, 1 ground cover.
 5. 0 linear feet of adjacent residential $\div 15 = \underline{0}$ p.u.'s
 No. 0 major (75%), 0 minor, 0 evergreen, 0 shrubs, 0 ground cover.
 6. 0 linear feet of dumpster(s) $\div 15 = \underline{0}$ p.u.'s
 No. 0 major (75%), 0 minor, 0 evergreen, 0 shrubs, 0 ground cover.

Total Planting Units Required 18.5 p.u.'s
 Total Planting Units Provided 22.8 p.u.'s
4.3 Major, 1 Minor, 1 Evergreen, 1 Shrubs, 1 Ground cover (S.P.U.)



MORRIS & RITCHIE ASSOCIATES, INC.
 ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS
 110 West Road Suite 105
 Towson, Maryland 21204
 (410) 821-1690
 Fax (410) 821-1748

SCHEMATIC LANDSCAPING
FRANKLIN BOULEVARD
PROPERTY

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
N/S Franklin Blvd & E/S Owings * ZONING COMMISSIONER
Court
4th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District
Franklin and Reisterstown L.L.C. * Case No. 96-128-A
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Zoning Variance for the property located at the intersection of Owings Court and Franklin Boulevard in the Owings Mills section of Baltimore County. The Petition is filed by Franklin and Reisterstown L.L.C. through Mr. Ron Schafel, principal. Variance relief is requested from Sections 409.6 and 409.8 of the Baltimore County Zoning Regulations (BCZR) to allow 25 parking spaces in lieu of the required 30, and to permit a 4 ft. setback, in lieu of the required 10 ft. from a right of way line. The subject lot and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the site plan.

Appearing at the requisite public hearing held for this case were Ron Schafel and David Altfield on behalf of Franklin & Reisterstown L.L.C. Also present was Glenn Cook, a traffic engineer from The Traffic Group, Inc. and Timothy Madden, a consultant with Morris and Ritchie Associates. The Petitioner was represented by Robert A. Hoffman, Esquire. There were no interested persons or Protestants present.

Uncontradicted testimony and evidence offered by the Petitioner was that the subject site is a tract of approximately .34 acres zoned B.L. and B.L.-C.N.S. The property is located at the intersection of Owings Court and Franklin Boulevard, not far from the interchange of I-795 and Franklin Boulevard. The property is surrounded by a number of other commercial uses

including the Reisterstown shopping center. The Franklin Senior High School is also located nearby.

The Petitioner proposes to construct a one story retail building on the subject site. A schematic representation of the building was presented as Petitioner's Exhibit No. 3. This will be a low rise building which is somewhat residential in appearance. The building will accommodate up to five retail tenants which are anticipated to be community oriented type uses. The building will be approximately 5800 sq. ft. in area.

Variance relief is required to permit 25 parking spaces in lieu of the required 30 and to permit a 4 ft. setback in lieu of the required 10 ft. As to the number of spaces requested, testimony on behalf of Mr. Cook was that the granting of the variance would not adversely impact internal traffic patterns or traffic flows on neighboring streets. The nature of the proposed use and the orientation of the building indicate that the site will have a sufficient number of spaces with the 25 proposed.

The variance request as it relates to the right of way setback is driven by the unusual configuration of the lot. As shown on the site plan, the property is not rectangular in shape, and a reduced setback area will also accommodate additional parking spaces.

Mr. Jeff Long, from the Office of Planning and Zoning, also appeared in support of the Petition. He produced his agency's comment dated October 17, 1995 which indicates support for the project so long as the building is constructed in a manner substantially similar to the Petitioner's Exhibit No. 3. An amended comment was also received from the Development Plans Review Division. That comment indicates that the office will accept modifications to the landscape requirements and is supportive of the subject proposal.

Based upon the testimony and evidence offered, all of which is uncontradicted, I am persuaded to grant the Petition for Variance. This appears to be a well thought out project which will be beneficial to the Owings Mills area. There was no opposition to the request and County agencies support same. I am persuaded that the Petitioner has satisfied the burden set forth in Section 307.1 of the BCZR in order to obtain variance relief. Thus, the Petition for Variance will be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 7th day of November, 1995 that a variance from Section 409.6 and 409.8 of the Baltimore County Zoning Regulations (BCZR) to allow 25 parking spaces in lieu of the required 30, and to permit a 4 ft. setback, in lieu of the required 10 ft. from a right of way line, be and is hereby GRANTED; subject, however, to the following restrictions.

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The proposed building will be substantially similar in appearance to the elevation drawings submitted as Petitioner's Exhibit No. 3.

3. The Petitioner will landscape the site in accordance with Petitioner's Exhibits Nos. 2A and 2B (Schematic Landscape Plan), as approved by the Baltimore County Landscape architect.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 6, 1995

Robert Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: Case No. 96-128A
Petition for Zoning Variance
Franklin & Reisterstown L.L.C., Petitioner

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn
att.
cc: Messrs. Ron Schafel and David Altfield
9832 York Road, Suite 2B, Cockeysville, MD. 21030

ORDER RECEIVED FOR FILING
Date 11/13/95
By Ron Schafel

ORDER RECEIVED FOR FILING
Date 11/13/95
By Ron Schafel

ORDER RECEIVED FOR FILING
Date 11/13/95
By Ron Schafel

LES:mmn

- 3 -

- 2 -



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Owings Court & Franklin Boulevard
which is presently zoned BL-CNS

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)

409.6 Required number of parking spaces
409.8 Parking design standards 400.6 & 400.8 to allow 25 parking spaces in lieu of the required 30 & to permit 4 ft. setback in lieu of the required 10 ft. from right of way line
of the Zoning Regulations of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

(See Attachments)

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

Contract Purchaser/Lessor:
Franklin & Reisterstown L.L.C.
c/o Mr. Ron Schafel
(Type or Print Name)

Signature: [Signature]
9832 York Road
Towson Center Suite 2B
Address

Cockeysville Maryland 21030
City State Zipcode

Agency for Petitioner:
N/A
(Type or Print Name)

Signature: [Signature]

Address Phone No.
City State Zipcode

View on 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.

Legal Owner(s):
Franklin & Reisterstown L.L.C.
c/o Mr. Ron Schafel
(Type or Print Name)

Signature: [Signature]

(Type or Print Name)

Signature: [Signature]

City State Zipcode

Name Address Phone No.
City State Zipcode

ESTIMATED LENGTH OF HEARING
unavailable for hearing

ALL OTHER
REVIEWED BY: [Signature] DATE: 9-19-95

Post by 10-1-95 #127

The following variances are requested from the Baltimore County Zoning Regulations:

A. A variance is requested from Section 409.6 A.2 (Parking Requirements) of the Baltimore County Zoning Regulations. This request is to permit 25 parking spaces in lieu of the 30 spaces required. The configuration of the lot causes practical difficulty in locating the entire number of parking spaces required in an efficient manner.

The proposed layout maximizes the number of parking spaces provided along the single drive aisle.

B. A variance is requested from Section 409.8 A.4 (Design Standards) from the B.C.Z.R. to permit parking closer than 10' from a public right of way. The minimum distance between the proposed parking lot and the existing public right of way is four feet ±. This would permit the double loaded parking bay necessary to service the proposed retail building.

96-128-A

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



ZONING DESCRIPTION

BEGINNING at a point on the northwest side of Franklin Boulevard, variable width, at the distance of 43 feet more or less measured northwesterly from the centerline of Owings Court, 60 feet wide. Thence the following courses and distances:

North 43° 31' 39" West 94.47 feet, North 27° 34' 53" East 136.64 feet, South 43° 31' 39" East 137.95 feet, South 46° 12' 23" West 3.11 feet, South 45° 03' 39" West 123.83 feet, and North 89° 21' 59" West 3.31 feet to the place of beginning.

CONTAINING 15,170 square feet.

BEING Parcel "A" as shown on a plat entitled "Final Subdivision Plat, Property of Clarence E. McWilliams and Nellie Jean McWilliams" and recorded in Baltimore County Plat Book S.M. 66, Folio 107 and located in the Fourth Election District.



George T. Keller
Registered Property Line Surveyor #67

139 W MAIN STREET SUITE 200
BEL AIR, MARYLAND 21014
(410) 879-1690 (410) 836-7560
FAX (410) 879-1690

110 WEST ROAD, SUITE 105
TOWSON, MARYLAND 21204
(410) 821-1690
FAX (410) 821-1748

5086 JUNCTION DRIVE, SUITE 9
ANNAPOLIS JUNCTION, MARYLAND 20701
(410) 792-9446 (301) 470-4470
FAX (410) 792-7395

#127

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 144 Date of Posting: 11/13/95
Posted for: [Signature]
Petitioner: Franklin & Reisterstown L.L.C.
Location of property: N/S Franklin Blvd & E/S Owings Ct.
Location of Sign: [Signature]
Remarks: [Signature]
Posted by: [Signature] Date of return: 11/24/95
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/13, 1995

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 2 successive weeks, the first publication appearing on 10/12, 1995.

THE JEFFERSONIAN,

A. Henderson
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 proposed Variance from Sections 409.6 and 409.8 of the County Zoning Regulations, at Room 106 of the County Office Building, 111 W. Chase Avenue, in Towson, Maryland 21204, on November 13, 1995 at 2:00 p.m. in the 11th Floor Conference Room. The proposed Variance is to allow 25 parking spaces in lieu of the required 30, and to permit a 4 ft. setback in lieu of the required 10 ft. from the right of way line. The public hearing will be held at the County Office Building, 111 W. Chase Avenue, in Towson, Maryland 21204, on November 13, 1995 at 2:00 p.m. in the 11th Floor Conference Room. The proposed Variance is to allow 25 parking spaces in lieu of the required 30, and to permit a 4 ft. setback in lieu of the required 10 ft. from the right of way line. The public hearing will be held at the County Office Building, 111 W. Chase Avenue, in Towson, Maryland 21204, on November 13, 1995 at 2:00 p.m. in the 11th Floor Conference Room.

TO: PUTNEY PUBLISHING COMPANY
October 12, 1995 Issue - Jeffersonian

Please forward billing to:

Franklin & Reisterstown, L.L.C.
c/o Ron Schafel
9832 York Road
Texas Center, Suite 2B
Cockeysville, MD 21030
666-1900

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-128-A (Item 127)
N/S Franklin Boulevard and E/S Owings Court
4th Election District - 3rd Councilmanic
Legal Owner: Franklin & Reisterstown L.L.C.

Variance to allow 25 parking spaces in lieu of the required 30; and to permit 4-foot setback in lieu of the required 10 feet from right-of-way.

HEARING: WEDNESDAY, NOVEMBER 1, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 11, 1995

NOTICE OF HEARING

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

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-128-A (Item 127)
N/S Franklin Boulevard and E/S Owings Court
4th Election District - 3rd Councilmanic
Legal Owner: Franklin & Reisterstown L.L.C.

Variance to allow 25 parking spaces in lieu of the required 30; and to permit 4-foot setback in lieu of the required 10 feet from right-of-way.

HEARING: WEDNESDAY, NOVEMBER 1, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Franklin & Reisterstown L.L.C.

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

Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 26, 1995

Franklin & Reisterstown L.L.C.
c/o Mr. Ron Schafel
9832 York Road
Texas Center Suite 2B
Cockeysville, Maryland 21030

RE: Item No.: 127
Case No.: 96-128-A
Petitioner: R. O. Schafel

Dear Mr. Schafel:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 19, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

MCR/jw
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM
FROM: Pat Keller, Director, OP
SUBJECT: Franklin Retail Center

DATE: October 17, 1995

INFORMATION:

Item Number: 127
Petitioner: Ronald O. Schafel
Property Size:
Zoning: BL-AS
Requested Action: Variance
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The attached letter of October 16, 1995 from the Southern Land Company, Inc. is consistent with an agreement reached between this office and Mr. Ronald O. Schafel regarding the proposed 6,000 square foot retail center.

Based upon a review of the information provided and analysis of the Variance Petition, staff recommends that the applicant's request be granted subject to the agreed upon terms.

Prepared by: Jeffrey W. Long
Division Chief: Carylene
PK/JL

10-16-1995 04:45PM FROM: THE SOUTHERN LAND COMPANY TO: 8875862 FAX

The Southern Land Company, Inc.

October 16, 1995

VIA FACSIMILE: 887-5862

Mr. Jeffrey Long
Baltimore County Government
Office of Planning and Zoning
401 Bosley Avenue, Suite 406
Towson, Maryland 21204

Re: Franklin Retail Center

Dear Mr. Long:

In exchange for the Baltimore County Office of Planning and Zoning's support of the variance petitions requested from Section 409.6 A.2 (Parking Requirements) and Section 409.8 A.4 (Design Standards) of the Baltimore County Zoning Regulations, Franklin and Reisterstown, L.L.C. hereby covenants and agrees to construct the approximate 6,000 square foot above referenced retail center in substantial conformity with the attached building elevation prepared by Piechocki (Architect) dated September 14, 1995. The front elevation of the building will be constructed of split face block, glass, dryvit or stucco material and the sides and rear of the building will be commercial grade vinyl.

If the Office of Planning and Zoning has any questions with regard to the above stated agreement, please contact me at your earliest convenience. Your support and presence at the Variance Hearing which is scheduled for November 1, 1995 at 9:00 a.m. in Room 118 of the Old Court House Building is greatly appreciated.

Very truly yours

Ronald O. Schafel
Member

The Southern Land Company, Inc.
9832 York Road • Suite 2B • Cockeysville, Maryland 21030

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Oct. 13, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for October 10, 1995
Item No. 127

The Development Plans Review Division has reviewed the subject zoning item. Granting the right-of-way setback variance will significantly diminish the ability to comply with the Landscape Manual Streetscape requirement. This 10-foot setback is a Landscape Manual requirement. The proposed parking lot also fails to comply with the Manual's 7% interior space for landscaping.

RWB:sw

10/19/1995 10:49 14108874 BALTO CO DEPRM FAX 5108 PAGE 01

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: ZADM - Joyce Watson
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 10/12 and 10/19/95

DATE: 10/19/95

Post-It Fax Note	7671	Date	10/19/95	Page	1
To	Joyce Watson	From	Letty Sana		
Subject	PDM				
Phone #		Phone #	3980		
Fax #	8708	Fax #			

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s:	2AC Mtg of Oct. 2	2AC Mtg of Oct. 10
123		133
124		136
125		137
126		138
127		141
131		142
132		143
		144

LS:sp

LETTY2/DEPRM/TXTSBP



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 127 (JRA)

Dear Ms. Watson:

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 affected by any State Highway Administration projects.

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
Ronald Burns, Chief
Engineering Access Permits
Division

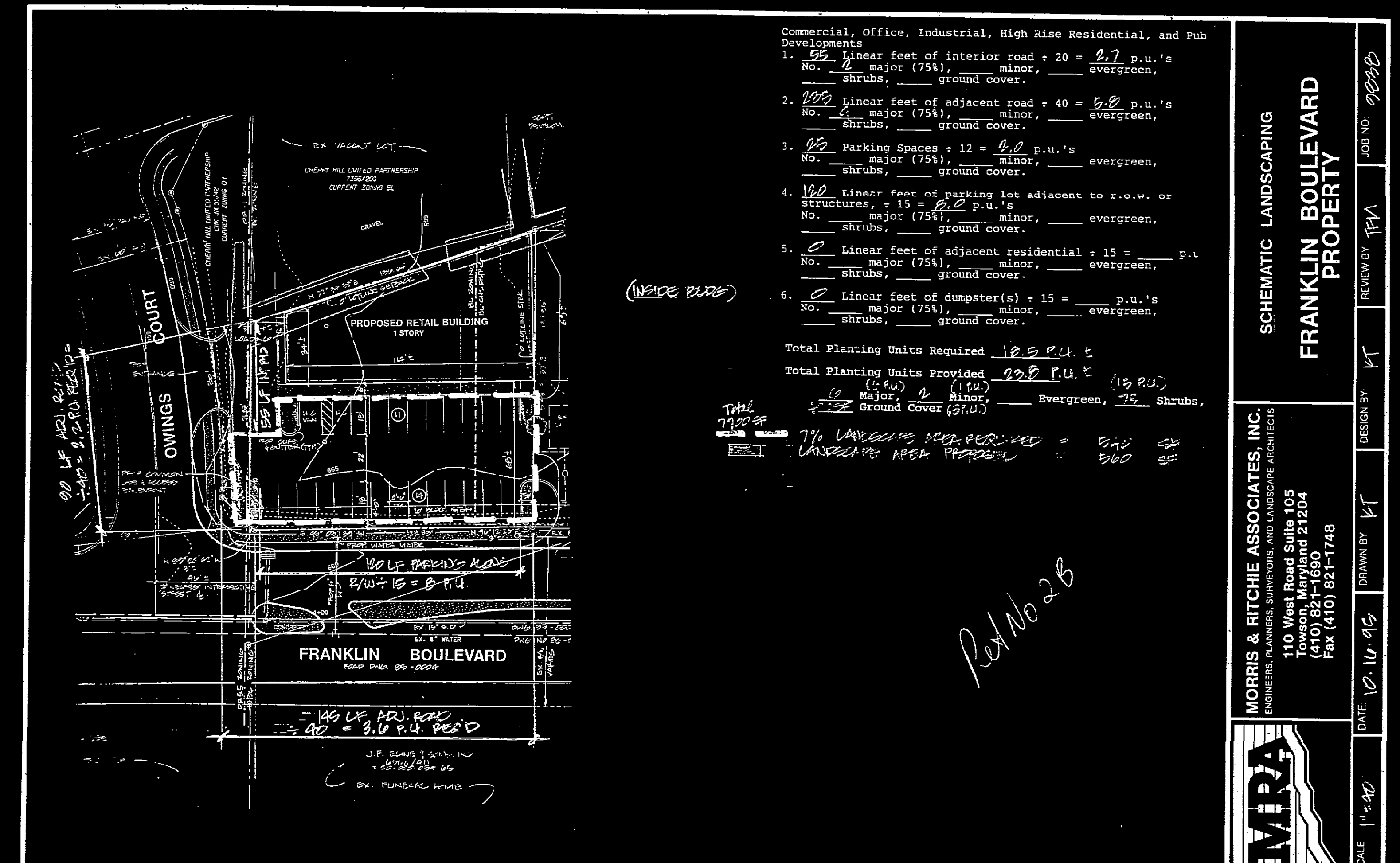
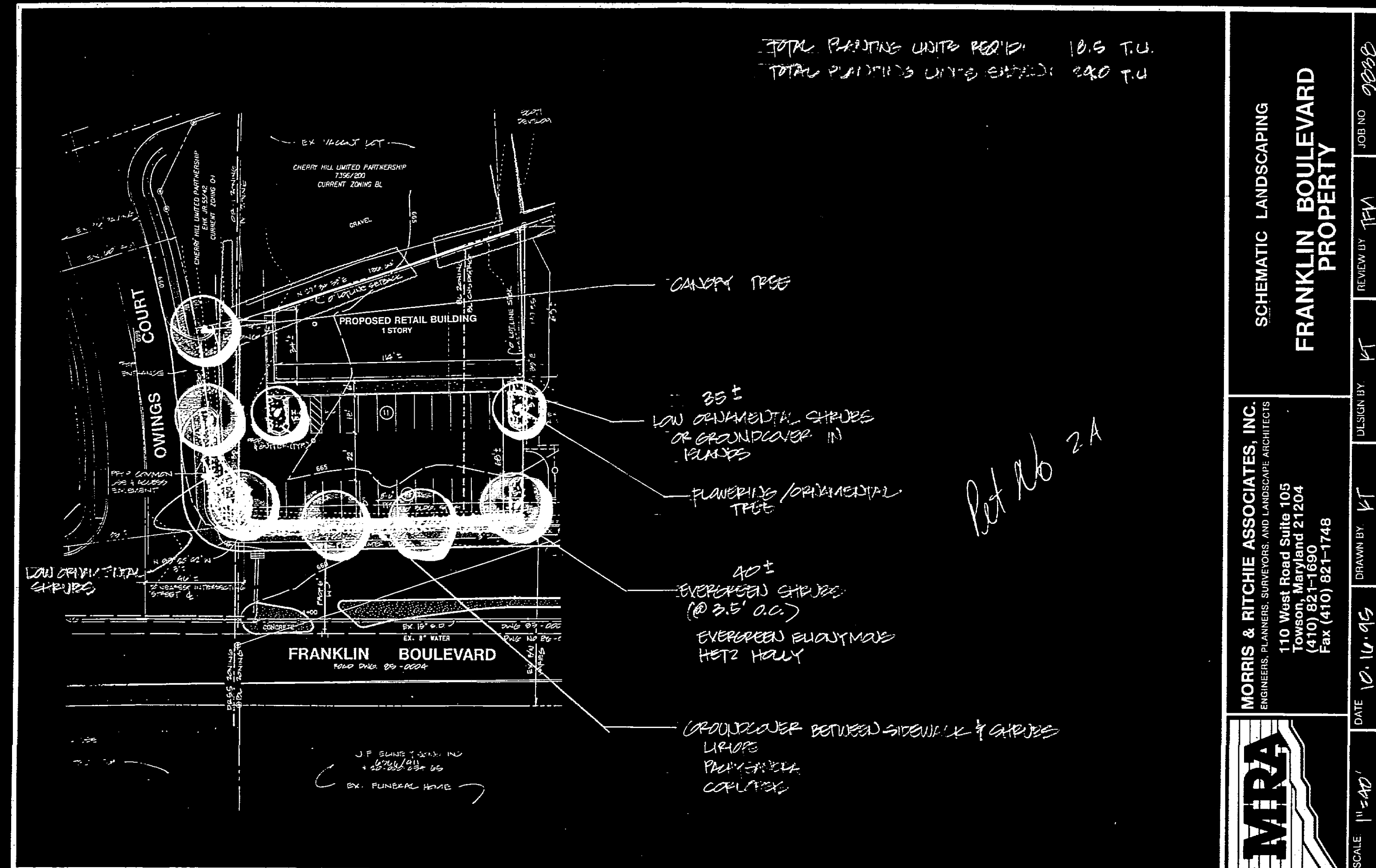
BS/es

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech

1-800-735-2259 Statewide Toll Free

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



INTEROFFICE MEMORANDUM

To: Zoning Commissioner
From: E. Avery Harden, Landscape Architect
Permits and Development Management
Re: Franklin Retail Center
Date: 11/1/95

Please substitute this Landscape Manual comment for the previous one from this office.
This office supports granting the landscape modifications necessary to support the subject proposal.

Per 2c

FRANKLIN SENIOR HIGH SCHOOL
BOARD OF EDUCATION
2000-405 2682-500

EX. RETAIL USE (BATTERY / TIRES SOLD)
SCOTT S. BAIR & ANITA B. BAIR
DEVELOPMENT CO. OF AMERICA
01/25/04
BL ZONING

CHERRY HILL LIMITED PARTNERSHIP
7396/200
CURRENT ZONING BL

VICINITY MAP

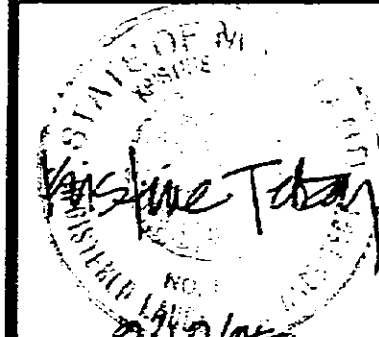
SCALE: 1" = 1000'

- OWNER/APPLICANT:
FRANKLIN AND REISTERSTOWN, L.L.C.
800 YORK ROAD, SUITE 20
COCKEYSVILLE, MARYLAND 21033
ATTN: MR. BOB SCHMIDT
PHONE: 410-666-1900
- MORRIS & RITCHIE CONTACT:
TIM MADDELL, PRINCIPAL
KRISTINE TERRY, P.L.A.
PHONE: 821-1620
- GENERAL INFORMATION:
ELECTION DISTRICT: 4
COUNTY: BALTIMORE
BALTIMORE CO. ZONING MAP: 3
ACC. MAP NO. 16 (REV. 8-11)
TAX MAP NO. 57 GRD 6 PARCEL 433
- SITE DATA:
TAX ACCOUNT: JUMBER
DEED REFERENCE: 22-000-198-27
GROSS ACREAGE: 0.43 ACRES ±
NET ACREAGE: 0.34 ACRES ±
EXISTING ZONING: BL & BL-CDS
EXISTING LOT: 5870 SF (ONE STORY RETAIL)
PROPOSED DEVELOPMENT: BUILDING AND PARKING
MAX. HEIGHT PROPOSED: 20'
- THERE HAVE BEEN NO KNOWN PREVIOUS DEVELOPMENT PROPOSALS FOR THIS SITE. THERE ARE NO KNOWN PREVIOUS ZONING ORDERS, CASE NUMBERS OR PREVIOUS COMMERCIAL PERMITS ISSUED FOR THIS SITE.
- BL DIVISION HISTORY:
JUNE 16, 1994 - PARCEL A, 0.34 AC. DEED REF. 19020-092 WAS CONVEYED TO FRANKLIN AND REISTERSTOWN, L.L.C. FROM CLARENCE E. MCWILLIAMS AND KELLIE JEAN MCWILLIAMS. LOT # 4 (0.43 AC. DEED REF. 19020-092) WAS SOLD TO THE EXHIBIT COOPERATION FOR THE DEVELOPMENT OF A SERVICE STATION (ZONING FILE # 433 & CASE # 84221-04). REFER TO FINAL SUBDIVISION PLAT RECORDED MAY 11, 1994 (SM 96 FOLD 107).
- BL SETBACK REQUIREMENTS:
10' BUILDING TO FRONT PROPERTY LINE
10' BUILDING TO STREET CENTERLINE
0' SIDE YARD REQUIRED FOR INTERIOR LOTS
10' SIDE YARD ON STREET SIDE OF CORNER LOT
0' REAR YARD
20' MAXIMUM HEIGHT PERMITTED
- ACCESS: ACCESS IS DENIED ALONG THE FRANKLIN BOULEVARD FRONTAGE AS RECORDED IN PLAT BOOK 446 FOLD #107. ONE NEW COMMERCIAL ENTRANCE IS PROPOSED ON OWINGS COURT. THIS WILL PROVIDE ACCESS TO THE PROJECT AS WELL AS ANY FUTURE DEVELOPMENT ON THE ADJACENT PARCEL OWNED BY CHERRY HILL LIMITED PARTNERSHIP. AN ACCESS EASEMENT HAS BEEN PROVIDED BY CHERRY HILL LIMITED PARTNERSHIP FOR ACCESS TO THIS SITE FROM OWINGS COURT.
- SWIM AN UNDERGROUND FACILITY TO MANAGE 2, 10 AND 100 YR STORM IS PROPOSED.
- FLOOR AREA RATIO:
3.0 F.A.R. MAXIMUM PERMITTED
GROSS BUILDING AREA - 1895.2 SF GROSS
LOT AREA / 0.32 F.A.R. PROPOSED
- PARKING CALCULATIONS:
5870 SF RETAIL AT 5 P.S. / 1000 SF = 30 PARKING SPACES REQUIRED
PARKING SPACES PROPOSED: 32 P.S.
(SEE NOTE #15 FOR ZONING VARIANCE REQUESTS)
- THE PROPOSED ZERO LOT LINE BUILDING WILL MEET ALL BUILDING CODES, INCLUDING FIRE CODE REQUIREMENTS ON CONSTRUCTION.
- SITE ADDRESS: FRANKLIN BOULEVARD
- THERE ARE NO EXISTING STREAM, WETLANDS, 100 YR FLOODPLAINS OR FOREST ON SITE.
- THE FOLLOWING VARIANCES ARE REQUESTED FROM THE BALTIMORE COUNTY ZONING REGULATIONS:
A. A VARIANCE IS REQUESTED FROM SECTION 406.8.2 (PARKING REQUIREMENTS) OF THE BALTIMORE COUNTY ZONING REGULATIONS. THIS REQUEST IS TO PERMIT 32 PARKING SPACES IN LIEU OF THE 30 SPACES REQUIRED. THE CONFIGURATION OF THE LOT CAUSES PRACTICAL DIFFICULTY IN LOCATING THE ENTIRE NUMBER OF PARKING SPACES REQUIRED IN AN EFFICIENT MANNER. THE PROPOSED LAYOUT MAXIMIZES THE NUMBER OF PARKING SPACES PROVIDED ALONG THE SINGLE DRIVE AISLE.
B. A VARIANCE IS REQUESTED FROM SECTION 409.8.4.4 (DESIGN STANDARDS) FROM THE B.C.Z.R. TO PERMIT PARKING CLOSER THAN 10' FROM A PUBLIC RIGHT OF WAY. THE MINIMUM DISTANCE BETWEEN THE PROPOSED PARKING LOT AND THE EXISTING PUBLIC RIGHT OF WAY IS FOUR FEET. THIS WOULD PERMIT THE DOUBLE-LOADED PARKING LOT NECESSARY TO SERVICE THE PROPOSED RETAIL BUILDING.
- ALL SIGNAGE WILL BE IN CONFORMANCE WITH SECTION 413.2 OF THE B.C.Z.R.
- ALL PARKING WILL BE PERMANENTLY STRIPED.
- LIGHTING: SATISFACTORY EXTERIOR LIGHTING WILL BE PROVIDED.
- LANDSCAPING WILL BE IN CONFORMANCE WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.

96-128-A



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS
110 West Road, Suite 105
Towson, Maryland 21204
(410) 821-1690
Fax: (410) 821-1748



PLAT TO ACCOMPANY VARIANCE PETITION
FRANKLIN BOULEVARD PROPERTY

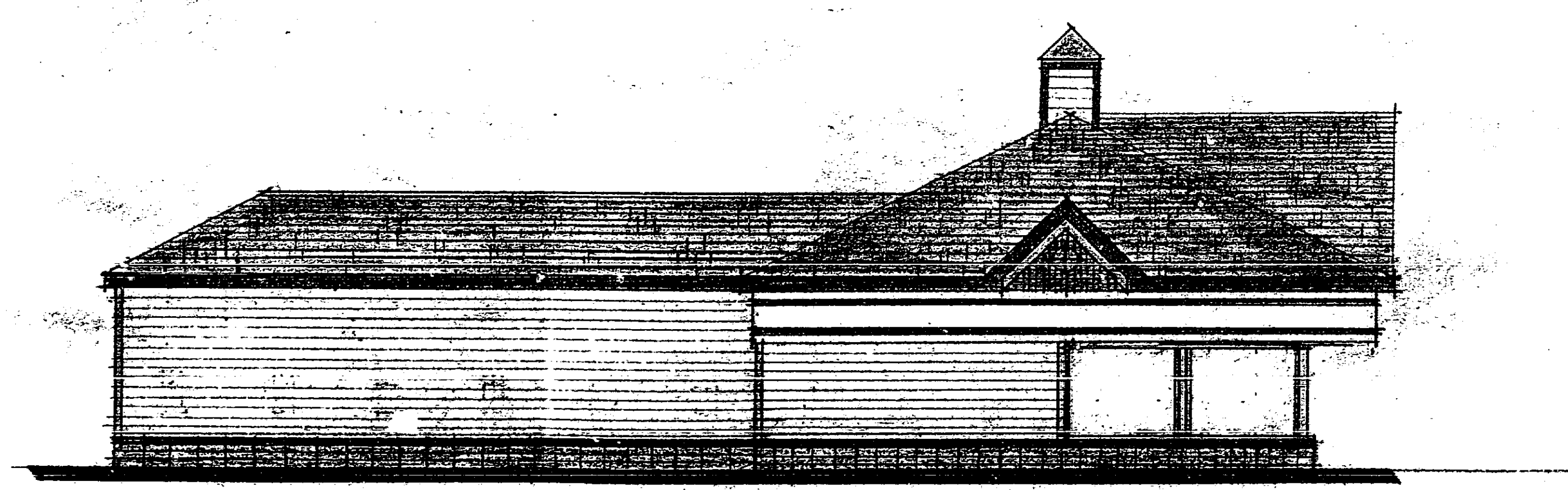
DATE	REVISIONS	JOB NO.
		9838
		SCALE: 1" = 20'
		DATE: 07/10/03
		DRAWN BY: KAT
		DESIGN BY: KAT
		REVIEW BY: TFM
		SHEET: 1 OF 1

Refine #3



FRONT ELEVATION

Conceptual



SIDE ELEVATION

Conceptual

DATED 11 SEPT 75

FRANKLIN RETAIL CENTER

16 GREENMEADOW DRIVE, TIMONIUM, MARYLAND 21093
410-453-0484 • 410-561-4809

PIECHOCKI
BUILDING DEVELOPMENT CONSULTANT

FRANKLIN RETAIL CENTER