

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE - W/S Owings Mills *
Boulevard at Bonita Avenue * DEPUTY ZONING COMMISSIONER
(Lot 3 of BG & E Property) *
5th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District * Case No. 96-381-SPHA

Baltimore Gas & Electric Company
and Bosworth Properties - Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Variance for that property located on the west side of Owings Mills Boulevard at its intersection with Bonita Avenue and Groffs Lane in Owings Mills. The Petition was filed by the owner of the property, Baltimore Gas and Electric Company, by G. Dowell Schwartz, Jr., Vice President, and the Contract Purchaser/Lessee, Owings Mills Self Storage, Inc., by Peter Bosworth, President, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek approval of a waiver of Public Works Standards requiring full improvements to Owings Mills Boulevard and Bonita Avenue/Groffs Lane and the extension of public water to the subject site, and variance relief from Section 255.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a building setback of 25 feet in lieu of the minimum required 75 feet (front, or 50 feet, rear) for the proposed buildings. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Peter Bosworth, Contract Lessee, Henry LeBrun, and Robert A. Hoffman, Esquire, attorney for the Petitioners. There were no Protestants present.

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

Testimony and evidence presented revealed that the subject property is a narrow, yet long strip of land consisting of 18.68 acres, more or less, zoned M.L.-I.M. The property is vacant but for the existence of Baltimore Gas and Electric Company overhead transmission lines and CSX Transportation Railroad tracks. The Contract Lessee proposes to construct warehouse storage buildings on the subject site in accordance with Petitioner's Exhibit 1; however, due to the narrow width of the property and the location of the overhead transmission lines and railroad tracks, the requested variance is necessary. In addition, a waiver of public works standards is being requested inasmuch as the use proposed does not deem full road improvements and the extension of public water to this site. Testimony proffered by Mr. Hoffman on behalf of the Petitioners revealed that the Department of Public Works has recommended approval of the requested waivers from public works standards and the extension of public water, conditioned upon the Petitioners developing Bonita Avenue/Groffs Lane in accordance with Item 2A as shown on Petitioner's Exhibit 1.

As to the requested variance, it was determined at the hearing that the proposed buildings will front on Owings Mills Boulevard and that the rear yard will run adjacent to the CSX Transportation Railroad tracks. Therefore, a rear setback of 50 feet must be maintained, however, only a 25-foot setback can be provided. Thus, a variance of 25 feet is necessary.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

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5/29/96
RSP

2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the relief requested in the special hearing and variance are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 29th day of May, 1996 that the Petition for Special Hearing seeking approval of a waiver of Public Works Standards requiring full improvements to Owings Mills Boulevard and Bonita Avenue/Groffs Lane

ORDER RECEIVED FOR FILING

Date

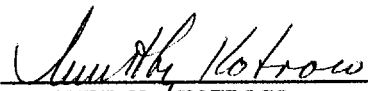
By

MICROFILMED

and the extension of public water to the subject site, 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 Section 255.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 25 feet in lieu of the required 50 feet for the proposed buildings, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until 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.
- 2) The relief granted herein is conditioned upon the Petitioners improving Bonita Avenue/Groffs Lane in accordance with Item 2A as shown on Petitioner's Exhibit 1.
- 3) Prior to the issuance of any occupancy permits, the Petitioners shall submit a schematic landscape plan for review and approval by the Landscape Architect for Baltimore County.
- 4) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County{

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 29, 1996

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

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
W/S Owings Mills Boulevard at Bonita Avenue
(Lot 3 of BG & E Property)
5th Election District - 3rd Councilmanic District
Baltimore Gas & Electric Company - Petitioner
Case No. 96-381-SPHA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing 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,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. G. Dowell Schwartz, Jr., Vice Pres. General Services
Baltimore Gas & Electric Co., P.O. Box 1475, Baltimore, Md. 21203

Mr. Peter Bosworth, President, Owings Mills Self Storage, Inc.
801 St. Georges Road, Baltimore, Md. 21210

People's Counsel

File

MICROFILMED





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at West Side of Owings Mills Boulevard at Bonita Avenue

96-381-S PHA

which is presently zoned ML-IM

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 part of hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Special Hearing to approve a waiver of Public Works Standards requiring full improvements to Owings Mills Boulevard and Bonita Avenue/Groffs Lane and the extension of public water.

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

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing 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:

Owings Mills Self Storage, Inc.

(Type or Print Name)

Signature

By: Peter Bosworth, President

801 St. Georges Road

Address

Baltimore

City

MD

State

21210

Zipcode

Attorney for Petitioner:

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

(Type or Print Name)

Signature

210 Allegheny Ave.

Address

(410) 494-6200

Phone No

Towson

City

MD

State

21204

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):

Baltimore Gas & Electric Co., Inc.

(Type or Print Name)

Signature

By: G. Dowell Schwartz, Jr., V.P., General Services

(Type or Print Name)

Signature

P.O. Box 1475

Address

234-7166

Phone No.

Baltimore

City

MD

State

21203

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave, Towson, MD 21204

Address

(410) 494-6200

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

Zoning Administration
& Development Management

MICROFILMED



Petition for Variance

377

to the Zoning Commissioner of Baltimore County

for the property located at West Side of Owings Mills Blvd. & Bonita Ave.

96-381-SPTA

which is presently zoned ML-IM

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 part of hereof, hereby petition for a Variance from Section(s)

255.2 of the Baltimore County Zoning Regulations to permit a setback of 25 feet in lieu of the ~~75 feet~~ ^{YMK} required if a front yard or the 50 feet required if a rear yard.

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

To be determined at hearing

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 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:

Owings Mills Self Storage, Inc.

(Type or Print Name)

Signature

By: Peter Bosworth, President

801 St. Georges Road

Address

Baltimore

City

MD

State

21210

Zipcode

Attorney for Petitioner:

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

(Type or Print Name)

Signature

210 Allegheny Ave.

Address

(410) 494-6200

Phone No

Towson

City

MD

State

21204

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):

Baltimore Gas & Electric Co., Inc.

(Type or Print Name)

Signature

By: G. Dowell Schwartz, Jr., V.P.,

(Type or Print Name)

General Services

Signature

P.O. Box 1475

Address

234-7166

Phone No.

Baltimore

City

MD

State

21203

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave, Towson, MD 21204

Address

(410) 494-6200

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

2 hr.

unavailable for Hearing the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

YMK

DATE

4/1/96

MICROFILMED

Zoning Administration
& Development Management

96-381-SPHA

Baltimore Gas & Electric Company

Description to Accompany Zoning Petition

February 27, 1996

DESCRIPTION OF PROPERTY ON OWINGS MILLS BOULEVARD AT BONITA AVENUE (ALSO KNOWN AS GROFFS LANE) TO ACCOMPANY REQUEST FOR ZONING VARIANCE AND PUBLIC WORKS WAIVERS

BEGINNING AT A POINT ON THE EASTERN RIGHT-OF-WAY LINE OF OWINGS MILLS BOULEVARD, AS SHOWN HEREON. THENCE LEAVING SAID POINT OF BEGINNING, AND RUNNING THE FOLLOWING COURSES;

1. R = 7704.44' L = 42.96'
CH= S 02° 52' 44" W 42.96';
Δ = 00° 19' 10"
2. S 87° 16' 51" E 30.00'
3. R=7674.44' L=1108.50'
CH= S 01° 25' 07.5" E 1107.52';
Δ= 08° 16' 33"
4. S 05° 33' 24" E 1198.89';
5. R= 1180.92' L= 591.95'
CH=S 19° 55' 00" E 585.77'
Δ = 28° 43' 12"
6. S 34° 16' 36" E 140.95'
7. S 53° 31' 41" W 495.42
8. N 05° 29' 30" W 357.18'
9. S 84° 36' 40" W 15.00'
10. N 05° 23' 10" W 2100.17'
11. S 84° 38' 45" W 20.14'
12. N 05° 22' 45" W 750.33'
13. N 67° 47' 20" E 307.63'



BEING ALSO KNOWN AND DESIGNATED AS LOT 3, AS SHOWN ON PLAT SM 65/24

Area = 813,644.86 SQ. FT. OR 18.6787 ACRES

NOTE: The above description is for zoning purposes only and is not to be used for any conveyances or agreements.

MICROFILMED

377

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-581-504A

District: HTB

Posted for: Special Hearing & Denial Date of Posting: 5/3/96

Petitioner: Belle Best Elec Co

Location of property: 415 Dennis Mills Blvd. of Baltimore Ave

Location of Sign: Facing roadway on property being #2001

Remarks: _____

Posted by: _____

Signature

Number of Signs: 1

Date of return: 5/10/96

MICROFILMED

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed amendment to the Zoning Ordinance, Chapter 111, which amends the zoning map of Baltimore County, Maryland, 21204, on Hogan Hill, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204, as follows:

Case #86-381-SP1A.

(Item 377)

W/S Owings Mills Boulevard at Bonta Avenue

4th Election District

3rd Councilmanic

Legal Owner(s):

Baltimore Gas Electric Company, Inc.

Contract/Purchased/Lease/ Owings Mills Self Storage, Inc.

Special Hearing to approve a waiver of Public Works Standards requiring full improvements to Owings Mills Boulevard and Bonta Avenue/Grove Lane and the extension of public water.

Variance: to permit a setback of 25 feet in lieu of the 75 feet required if a front yard or the 50 feet required if a rear yard.

Hearing: Tuesday, May 7, 1996 at 9:00 a.m. in Rm. 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 number hearing, Please Call 887-3391.

4/19/96 April 18: C45087

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/18, 1996

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 4/18, 1996.

A. H. Emile
LEGAL AD. - TOWSON

A. H. Emile
LEGAL AD. - TOWSON

RECORDED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-381-SP4A

District 4th

Posted for: May 7, 1996 hearings Date of Posting 4/19/96

Petitioner: Beth Lee Electric / Lewis Mills Cell Storage

Location of property: 45 Lewis Mills Blvd at Route

Location of Sign: Facing road May on property being zoned

Remarks: _____

Posted by: W. Lee

Signature

Number of Signs: 1

Date of return: 4/26/96

MICROFILMED

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

96-381-SPHA

DATE 4/1/96

ACCOUNT 01-615

1400-377

By MDL

AMOUNT \$ 570.00

RECEIVED Living Mills Self Storage, Inc. - w/s - 1000 - 1000 - 1000
FROM: + 1000 - 1000

040 - Comm. Special Hory - \$ 250.00

020 - Comm. Variance - \$ 250.00

080 - 1000 - \$ 70.00

FOR:

MICROFILMED

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

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

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

PAYMENT WILL BE MADE AS FOLLOWS:

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

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

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 377 Petitioner: Owings Mills Self Storage, Inc.
Location: W/S of Owings Mills Blvd. & Bonita Ave

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Barbara W. Ormrod

ADDRESS: ~~10975 Emdin Rd~~ 210 Allegheny Avenue
Towson, Md 21204

PHONE NUMBER: 410-6494-6201

MICROFILMED

TO: PUTUXENT PUBLISHING COMPANY
April 18, 1996 Issue - Jeffersonian

Please forward billing to:

Barbara W. Ormord
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204
494-6201

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 105 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: 96-381-SPHA (Item 377)
W/S Owings Mills Boulevard at Bonita Avenue
4th Election District - 3rd Councilmanic
Legal Owner(s): Baltimore Gas Electric Company, Inc.
Contract Purchaser/Lessee: Owings Mills Self Storage, Inc.

Special Hearing to approve a waiver of Public Works Standards requiring full improvements to Owings Mills Boulevard and Bonita Avenue/Groffs Lane and the extension of public water.
Variance to permit a setback of 25 feet inlieu of the 75 feet required if a front yard or the 50 feet required if a rear yard.

HEARING: TUESDAY, MAY 7, 1996 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.

MICROFILM





Baltimore County
Department of Permits and
Development Management

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

April 11, 1996

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: 96-381-SPHA (Item 377)
W/S Owings Mills Boulevard at Bonita Avenue
4th Election District - 3rd Councilmanic
Legal Owner(s): Baltimore Gas Electric Company, Inc.
Contract Purchaser/Lessee: Owings Mills Self Storage, Inc.

Special Hearing to approve a waiver of Public Works Standards requiring full improvements to Owings Mills Boulevard and Bonita Avenue/Groffs Lane and the extension of public water.
Variance to permit a setback of 25 feet inlieu of the 75 feet required if a front yard or the 50 feet required if a rear yard.

HEARING: TUESDAY, MAY 7, 1996 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: Baltimore Gas Electric Co., Inc.
Owings Mills Self Storage, Inc.
Robert A. Hoffman, Esq.

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

MICROFILMED





Baltimore County
Department of Permits and
Development Management

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

April 30, 1996

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 377
Case No.: 96-381-SPHA
Petitioner: Balto. Gas & Elec. Co.

Dear Mr. Hoffman:

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 April 25, 1996.

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,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the word "Sincerely,".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: April 22, 1996

FROM:  Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for April 22, 1996
Item No. 377

The Development Plans Review Division has reviewed the subject zoning item. We strongly recommend granting item 2A not 2B.

A Schematic Landscape Plan should be submitted for review and approval as a condition of granting the petition.

RWB:HJO:jrb

cc: File

ZONE7A

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: April 22, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: West Side of Owings Mill Blvd. and Bonita Ave.

INFORMATION:

Item Number: 377

Petitioner: BGE

Property Size:

Zoning: ML-IM

Requested Action: Variance & Special Hearing

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Should the applicant's request be granted, a restriction should be placed in the Order confirming that rezoning of the property was subject to six conditions as set forth in Case No. R-94-332. These conditions are identified on the plat accompanying the subject request.

Prepared by:

Division Chief:

PK/JL

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 04/16/96

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

RE: Property Owner: BALTIMORE GAS AND ELECTRIC COMPANY, INC.

Location: W/S OWINGS MILLS BLVD. AT BONITA AVE. (OWINGS MILLS MINI STORAGE)

Item No.: 377

Zoning Agenda: SPECIAL HEARING

Gentlemen:

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

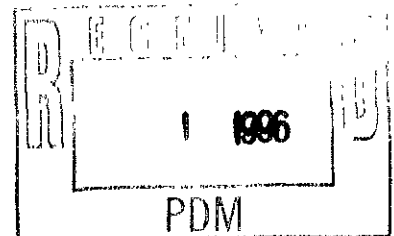
1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.

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





**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

4-12-96

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

RE: Baltimore County
Item No. 377 (MJK)

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 410-⁵⁴⁵⁻⁸⁵⁸¹~~333-1350~~ if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

MICROFILMED

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

TO: Mr. Arnold Jablon, Director April 25, 1996
Zoning Administration and
Development Management

FROM: Robert A. Wirth *RAW/MW*
DEPRM

SUBJECT: Zoning Item #377 - BG&E - Lot 3
West side of Owings Mills Blvd. at Bonita Avenue
Zoning Advisory Committee Meeting of April 8, 1996

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

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

RAW:BK:sp

BG&E/DEPRM/TXTSBP

MICROFILMED

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
W/S Owings Mills Blvd. at Bonita Avenue	*	ZONING COMMISSIONER
4th Election District, 3rd Councilmanic	*	
	*	OF BALTIMORE COUNTY
Legal Owner(s): BG&E		
Contract Purchaser/Lessee: Owings Mills	*	CASE NO. 96-381-SPHA
Self Storage, Inc.		
Petitioners	*	

* * * * *

ENTRY OF APPEARANCE

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

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

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 6th day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

THOMAS N. WOODFORD

Rob Hoffman

PETER BOSWORTH

HENRY LeBRUN LeBRUN

658 KENILWORTH DR, TOWSON 21204

210 Allegany Ave 21204

212 WASHINGTON AVE

" "



Printed with Soybean Ink
on Recycled Paper

MICROFILMED

IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE - W/S Owings Mills Boulevard at Bonita Avenue (Lot 3 of BG & E Property) 5th Election District 3rd Councilmanic District Baltimore Gas & Electric Company and Bosworth Properties - Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Variance for that property located on the west side of Owings Mills Boulevard at its intersection with Bonita Avenue and Groff's Lane in Owings Mills. The Petition was filed by the owner of the property, Baltimore Gas and Electric Company, by G. Dowell Schwartz, Jr., Vice President, and the Contract Purchaser/Lessee, Owings Mills Self Storage, Inc., by Peter Bosworth, President, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek approval of a waiver of Public Works Standards requiring full improvements to Owings Mills Boulevard and Bonita Avenue/Groff's Lane and the extension of public water to the subject site, and variance relief from Section 255.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a building setback of 25 feet in lieu of the minimum required 75 feet (front, or 50 feet, rear) for the proposed buildings. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Peter Bosworth, Contract Lessee, Henry LeBrun, and Robert A. Hoffman, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence presented revealed that the subject property is a narrow, yet long strip of land consisting of 18.68 acres, more or less, zoned M.L.-I.M. The property is vacant but for the existence of Baltimore Gas and Electric Company overhead transmission lines and CSX Transportation Railroad tracks. The Contract Lessee proposes to construct warehouse storage buildings on the subject site in accordance with Petitioner's Exhibit 1; however, due to the narrow width of the property and the location of the overhead transmission lines and railroad tracks, the requested variance is necessary. In addition, a waiver of public works standards is being requested inasmuch as the use proposed does not deem full road improvements and the extension of public water to this site. Testimony proffered by Mr. Hoffman on behalf of the Petitioners revealed that the Department of Public Works has recommended approval of the requested waivers from public works standards and the extension of public water, conditioned upon the Petitioners developing Bonita Avenue/Groff's Lane in accordance with Item 2A as shown on Petitioner's Exhibit 1.

As to the requested variance, it was determined at the hearing that the proposed buildings will front on Owings Mills Boulevard and that the rear yard will run adjacent to the CSX Transportation Railroad tracks. Therefore, a rear setback of 50 feet must be maintained, however, only a 25-foot setback can be provided. Thus, a variance of 25 feet is necessary.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

- 2 -

- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the relief requested in the special hearing and variance are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 25th day of May, 1996 that the Petition for Special Hearing seeking approval of a waiver of Public Works Standards requiring full improvements to Owings Mills Boulevard and Bonita Avenue/Groff's Lane

- 3 -

and the extension of public water to the subject site, 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 Section 255.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 25 feet in lieu of the required 50 feet for the proposed buildings, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until 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.
- 2) The relief granted herein is conditioned upon the Petitioners improving Bonita Avenue/Groff's Lane in accordance with Item 2A as shown on Petitioner's Exhibit 1.
- 3) Prior to the issuance of any occupancy permits, the Petitioners shall submit a schematic landscape plan for review and approval by the Landscape Architect for Baltimore County.
- 4) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY H. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

- 4 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-4386
May 29, 1996

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

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
W/S Owings Mills Boulevard at Bonita Avenue
(Lot 3 of BG & E Property)
5th Election District - 3rd Councilmanic District
Baltimore Gas & Electric Company - Petitioner
Case No. 96-381-SPHA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing 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,
TIMOTHY H. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. G. Dowell Schwartz, Jr., Vice Pres. General Services
Baltimore Gas & Electric Co., P.O. Box 1475, Baltimore, Md. 21203

Mr. Peter Bosworth, President, Owings Mills Self Storage, Inc.
801 St. Georges Road, Baltimore, Md. 21210

People's Counsel

File

Petition for Special Hearing to the Zoning Commissioner of Baltimore County for the property located at West Side of Owings Mills Boulevard at Bonita Avenue 76-381-SPHA which is presently zoned ML-IM

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 part of hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Special Hearing to approve a waiver of Public Works Standards requiring full improvements to Owings Mills Boulevard and Bonita Avenue/Groff's Lane and the extension of public water.

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

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing 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:

Owings Mills Self Storage, Inc.
(Type or Print Name)
Signature: *Peter Bosworth*
By: Peter Bosworth, President
801 St. Georges Road
Address

Baltimore MD 21210
City State Zipcode

Attorney for Petitioner:

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
(Type or Print Name)
Signature: *Robert A. Hoffman*

210 Allegheny Ave. (410) 494-6200
Address Phone No.

Towson MD 21204
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):
Baltimore Gas & Electric Co., Inc.
(Type or Print Name)
Signature: *Robert A. Hoffman*
By: G. Dowell Schwartz, Jr., V.P., General Services
(Type or Print Name)
Signature:

P.O. Box 1475 234-7186
Address Phone No.

Baltimore MD 21203
City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.
Robert A. Hoffman
Venable, Baetjer and Howard, LLP
Name

210 Allegheny Ave, Towson, MD 21204 (410) 494-6200
Address Phone No.

Towson MD 21204
City State Zipcode

ESTIMATED LENGTH OF HEARING: 2 hr

REVIEWED BY: *TMK* DATE 4/1/96

Petition for Variance to the Zoning Commissioner of Baltimore County for the property located at West Side of Owings Mills Blvd. & Bonita Ave. 76-381-SPHA which is presently zoned ML-IM

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 part of hereof, hereby petition for a Variance from Section(s)

255.2 of the Baltimore County Zoning Regulations to permit a setback of 25 feet in lieu of the 75 feet required by the 50 feet required if a rear yard.

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

To be determined at hearing

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 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:

Owings Mills Self Storage, Inc.
(Type or Print Name)
Signature: *Peter Bosworth*
By: Peter Bosworth, President
801 St. Georges Road
Address

Baltimore MD 21210
City State Zipcode

Attorney for Petitioner:

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
(Type or Print Name)
Signature: *Robert A. Hoffman*

210 Allegheny Ave. (410) 494-6200
Address Phone No.

Towson MD 21204
City State Zipcode

ESTIMATED LENGTH OF HEARING: 2 hr

REVIEWED BY: *TMK* DATE 4/1/96

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):
Baltimore Gas & Electric Co., Inc.
(Type or Print Name)
Signature: *Robert A. Hoffman*
By: G. Dowell Schwartz, Jr., V.P.,
(Type or Print Name) General Services
Signature:

P.O. Box 1475 234-7186
Address Phone No.

Baltimore MD 21203
City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.
Robert A. Hoffman
Venable, Baetjer and Howard, LLP
Name

210 Allegheny Ave, Towson, MD 21204 (410) 494-6200
Address Phone No.

ESTIMATED LENGTH OF HEARING: 2 hr

REVIEWED BY: *TMK* DATE 4/1/96

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR., & ASSOCIATES, INC.
ENGINEERS
448 KENNEBETH DRIVE, SUITE 100, TOWSON, MARYLAND 21204

Baltimore Gas & Electric Company Description to Accompany Zoning Petition

February 27, 1996

DESCRIPTION OF PROPERTY ON OWINGS MILLS BOULEVARD AT BONITA AVENUE (ALSO KNOWN AS GROFF'S LANE) TO ACCOMPANY REQUEST FOR ZONING VARIANCE AND PUBLIC WORKS WAIVERS

BEGINNING AT A POINT ON THE EASTERN RIGHT-OF-WAY LINE OF OWINGS MILLS BOULEVARD, AS SHOWN HEREON, THENCE LEAVING SAID POINT OF BEGINNING, AND RUNNING THE FOLLOWING COURSES:

1. R = 7704.44' L = 42.96'
CH = S 02° 52' 44" W 42.96';
Δ = 00° 19' 10"
2. S 87° 16' 51" E 30.00'
R = 7674.44' L = 1108.50'
3. CH = S 01° 25' 07" E 1107.52';
Δ = 08° 16' 33"
4. S 05° 33' 24" E 1198.89';
R = 1180.92' L = 591.95'
5. CH = S 19° 55' 00" E 585.77';
Δ = 28° 43' 12"
6. S 34° 16' 36" E 140.95'
7. S 53° 31' 41" W 495.42'
8. N 05° 28' 30" W 357.18'
9. S 84° 38' 40" W 15.00'
10. N 05° 23' 10" W 2100.17'
11. S 84° 38' 45" W 20.14'
12. N 05° 22' 45" W 750.33'
13. N 67° 47' 20" E 307.63'



BEING ALSO KNOWN AND DESIGNATED AS LOT 3, AS SHOWN ON PLAT SM 65/24

Area = 813,844.88 SQ. FT. OR 18.6877 ACRES

NOTE: The above description is for zoning purposes only and is not to be used for any conveyances or agreements.

#377

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: 5/1/86
Posted for: Special Hearing & Variance
Petitioner: Balto Gas Elec Co
Location of property: W/S Owings Mills Blvd. at Bonita Ave.
Location of Sign: County Roadway on property being posted
Remarks: _____
Posted by: [Signature] Date of return: 5/14/86
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. 4/18, 1986
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 4/18, 1986.

A. Henrichson
LEGAL AD. - TOWSON

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: 4/14/86
Posted for: May 7, 1986 hearing
Petitioner: Balto Gas Electric / Owings Mills Self Storage
Location of property: W/S Owings Mills Blvd at Bonita
Location of Sign: Along road on property being posted
Remarks: _____
Posted by: [Signature] Date of return: 4/16/86
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 4/1/86 ACCOUNT: 31-615
ITEM: 377 AMOUNT: \$ 570.00
RECEIVED Owings Mills Self Storage, Inc. W/S Owings Mills Blvd. + Bonita Ave.
FROM: 040 - Comm. Special Hearing - \$ 250.00
020 - Comm. Variance - \$ 320.00
FOR: 050 - 2 signs - \$ 70.00
D1400H0139H1CHRC \$570.00
BALANCE FORWARDING: _____
VALIDATION OR SIGNATURE OF CASHIER
DATE: _____ TIME: _____



Baltimore County
Department of Permits and
Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

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

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

PAYMENT WILL BE MADE AS FOLLOWS:

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

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

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 377 Petitioner: Owings Mills Self Storage, Inc.
Location: W/S of Owings Mills Blvd. + Bonita Ave.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Barbara W. Brand
ADDRESS: 210 Allegheny Avenue
Towson, Md. 21204
PHONE NUMBER: 410-8494-6201

TO: PUTNEY PUBLISHING COMPANY
April 18, 1986 Issue - Jeffersonian

Please forward billing to:

Barbara W. Brand
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204
410-6201

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: 96-381-SPHA (Item 377)
W/S Owings Mills Boulevard at Bonita Avenue
4th Election District - 3rd Councilmanic
Legal Owner(s): Baltimore Gas Electric Company, Inc.
Contract Purchaser/Lessee: Owings Mills Self Storage, Inc.

Special Hearing to approve a waiver of Public Works Standards requiring full improvements to Owings Mills Boulevard and Bonita Avenue/Crofts Lane and the extension of public water.
Variance to permit a setback of 25 feet in lieu of the 75 feet required if a front yard or the 50 feet required if a rear yard.

HEARING: TUESDAY, MAY 7, 1986 at 9:00 a.m. in Room 118, Old Courthouse.

LAURENCE 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

April 11, 1986

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: 96-381-SPHA (Item 377)
W/S Owings Mills Boulevard at Bonita Avenue
4th Election District - 3rd Councilmanic
Legal Owner(s): Baltimore Gas Electric Company, Inc.
Contract Purchaser/Lessee: Owings Mills Self Storage, Inc.

Special Hearing to approve a waiver of Public Works Standards requiring full improvements to Owings Mills Boulevard and Bonita Avenue/Crofts Lane and the extension of public water.
Variance to permit a setback of 25 feet in lieu of the 75 feet required if a front yard or the 50 feet required if a rear yard.

HEARING: TUESDAY, MAY 7, 1986 at 9:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Baltimore Gas Electric Co., Inc.
Owings Mills Self Storage, Inc.
Robert A. Hoffman, Esq.

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



Baltimore County
Department of Permits and
Development Management

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

April 30, 1986

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 377
Case No.: 96-381-SPHA
Petitioner: Balto. Gas & Elec. Co.

Dear Mr. Hoffman:

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 April 25, 1986.

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.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director PDM Date: April 22, 1986
Department of Permits & Development Management
FROM: Robert M. Bowling, Chief
Development Plans Review Division
Department of Permits & Development Management
SUBJECT: Zoning Advisory Committee Meeting
for April 22, 1986
Item No. 377

The Development Plans Review Division has reviewed the subject zoning item. We strongly recommend granting item 2A not 2B.

A Schematic Landscape Plan should be submitted for review and approval as a condition of granting the petition.

RWB:BJO:jrb

cc: File

ZONE7A

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director. PDM DATE: April 22, 1986
FROM: Arnold F. "Pat" Keller, III, Director. OP
SUBJECT: West Side of Owings Mill Blvd. and Bonita Ave.

INFORMATION:
Item Number: 377
Petitioner: BGE
Property Size: _____
Zoning: ML-1H
Requested Action: Variance & Special Hearing
Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

Should the applicant's request be granted, a restriction should be placed in the Order confirming that rezoning of the property was subject to six conditions as set forth in Case No. R-94-332. These conditions are identified on the plat accompanying the subject request.

Prepared by: Jeffrey M. Long
Division Chief: Carl L. Kern
FK/JL

MARCH 8, 1998
SCALE: 1" = 200'
G. W. Stephens, Jr. & Assoc., Inc.

PROPERTY LINE	
RIGHT-OF-WAY LINE	
ZONING LINE	
EX. 5' CONTOUR	
WETLAND LIMIT	
100 YR. FLOODPLAIN LIMIT	
WOODED AREA LIMIT	
FOREST BUFFER EASEMENT LIMIT	
≥ 25% SLOPES	

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Donald Rascoe, Chief
Bureau of Development Management

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

SUBJECT: Owens Mills Mini-Storage
8444 Lot 3/3ace Property
S.F.P. Waiver Request

Date: January 15, 1996

After meeting with representatives of the Department of Public the following partial waivers are recommended for approval by the Board:

1. Owner Mills Brothers: the developer will be required at a minimum to install 2" x 4" x 8" lumber with concrete connections and gravel and hypsum laine at the intersection of Old Donita Avenue and Gruffs Laine.

2. Access Lane - 150 feet tangent W/ 2011 Lap

3. Access Lane - 250 feet tangent W/ 1011 Lap

4. Access Area Width - 80 feet tangent W/ 1011 Lap

5. Access Bound - 100 feet tangent W/ 2011 Lap

6. Old Donita Avenue and Gruffs Lane

7. Public area - 36 feet wide for a distance of 200 feet:
100 feet of width must be tangent

8. Access area - 3 Access width 24 feet wide

9. Water Line - second water main to Old Donita Avenue and Gruffs Road
in line of extending it for the full frontage of the site.

10. There are no any exceptions, please contact me at CR 3791.

PER MR. ROBERT W. BOWLING, 2-2-96,
NO WATER MAIN EXTENSION IS REQUIRED.

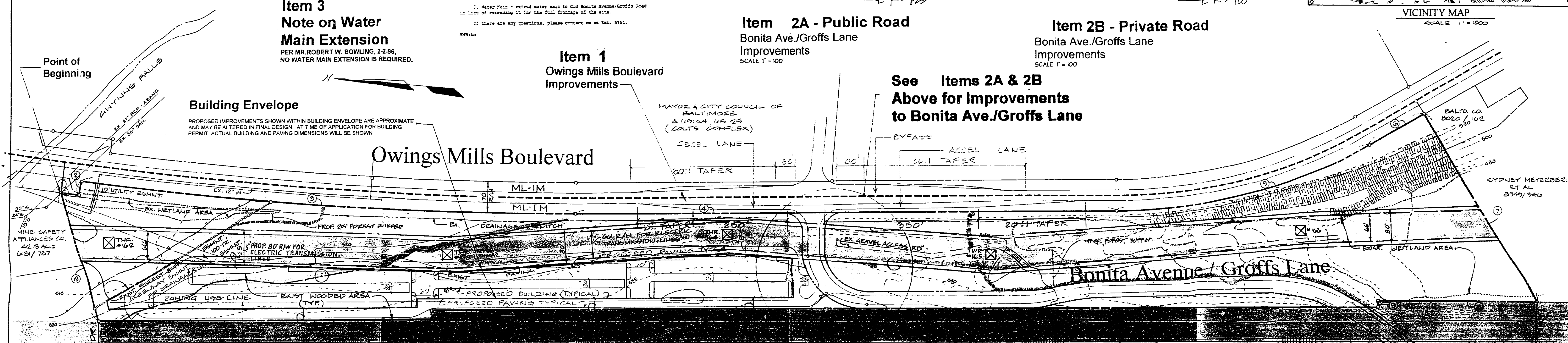
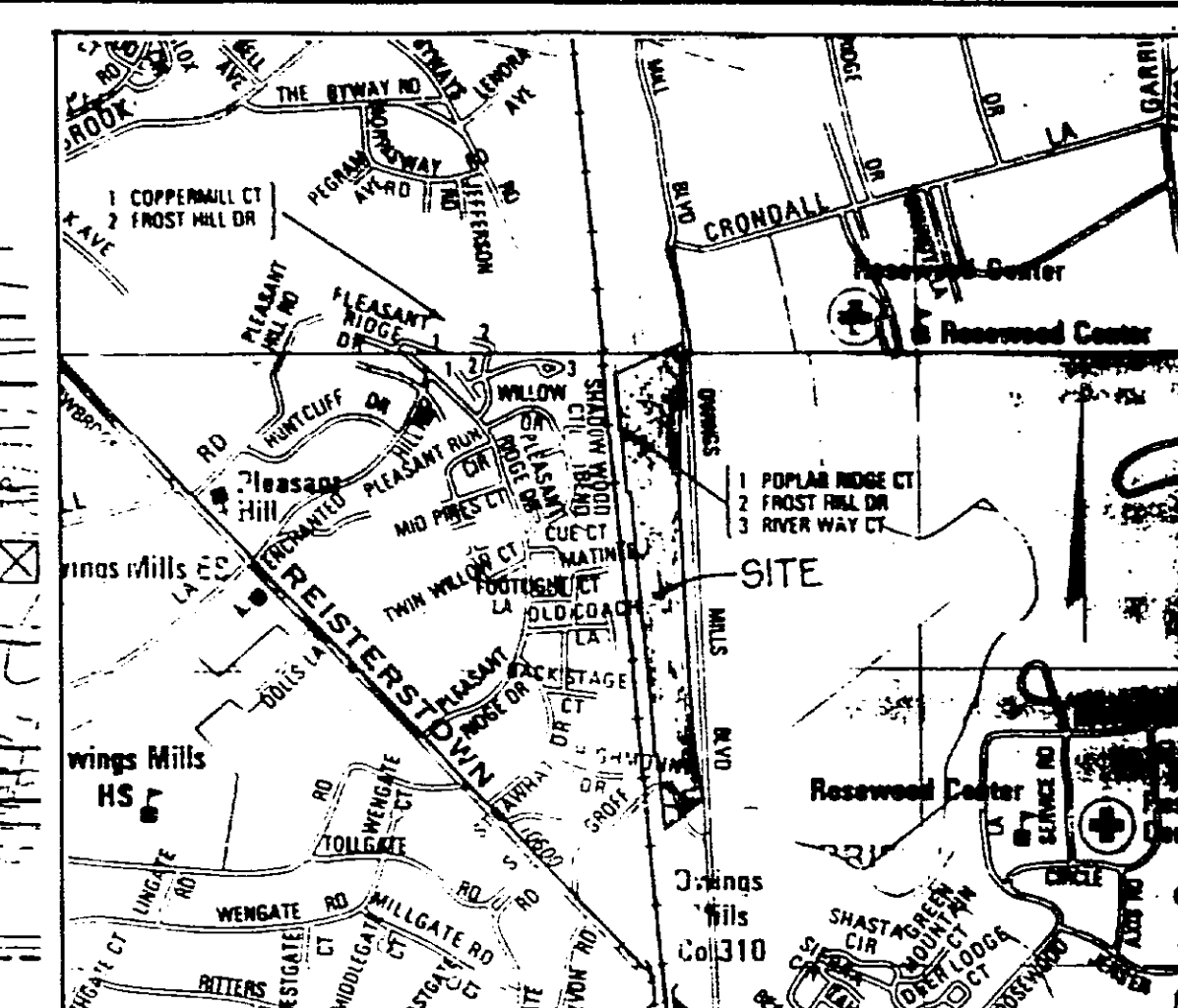
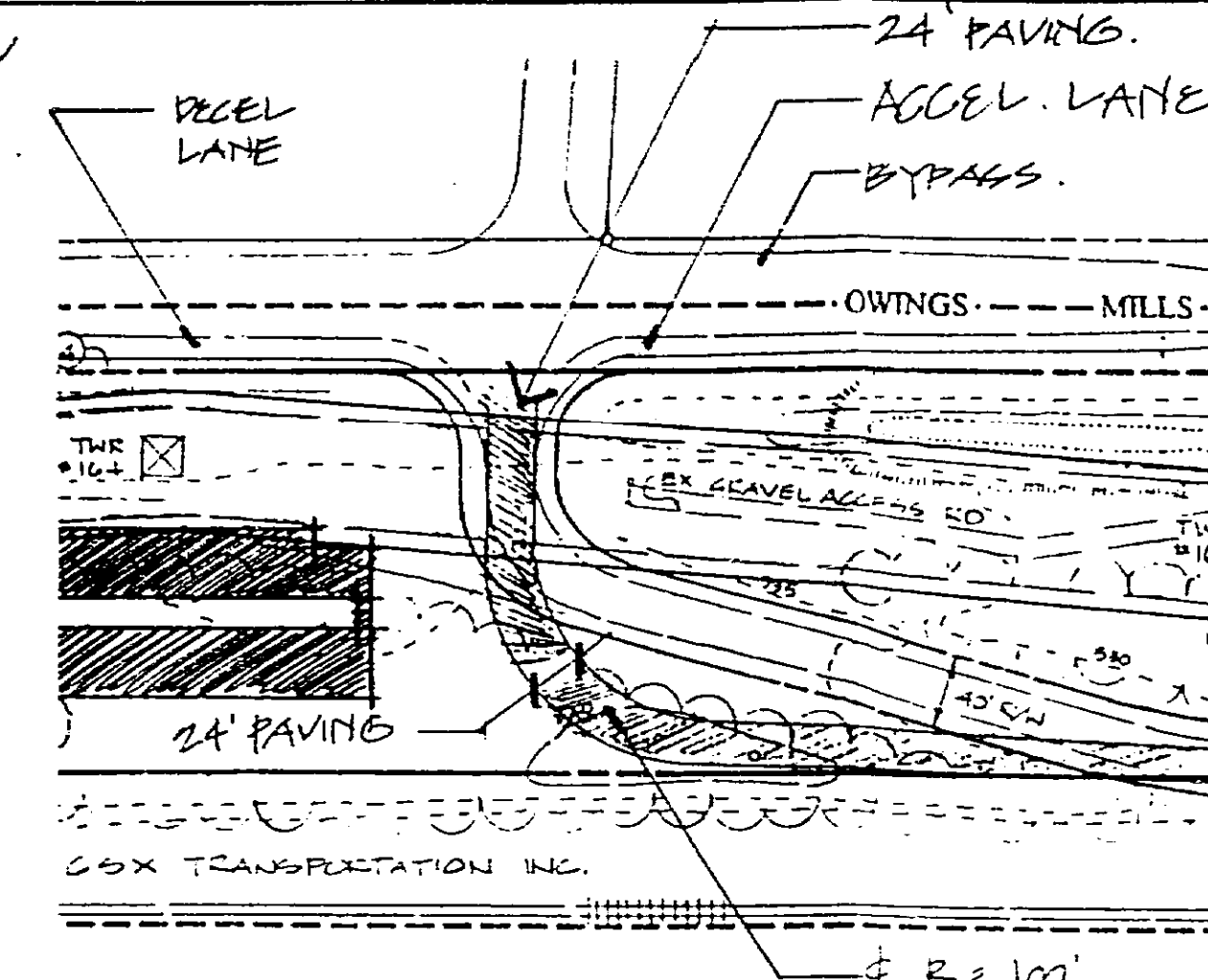
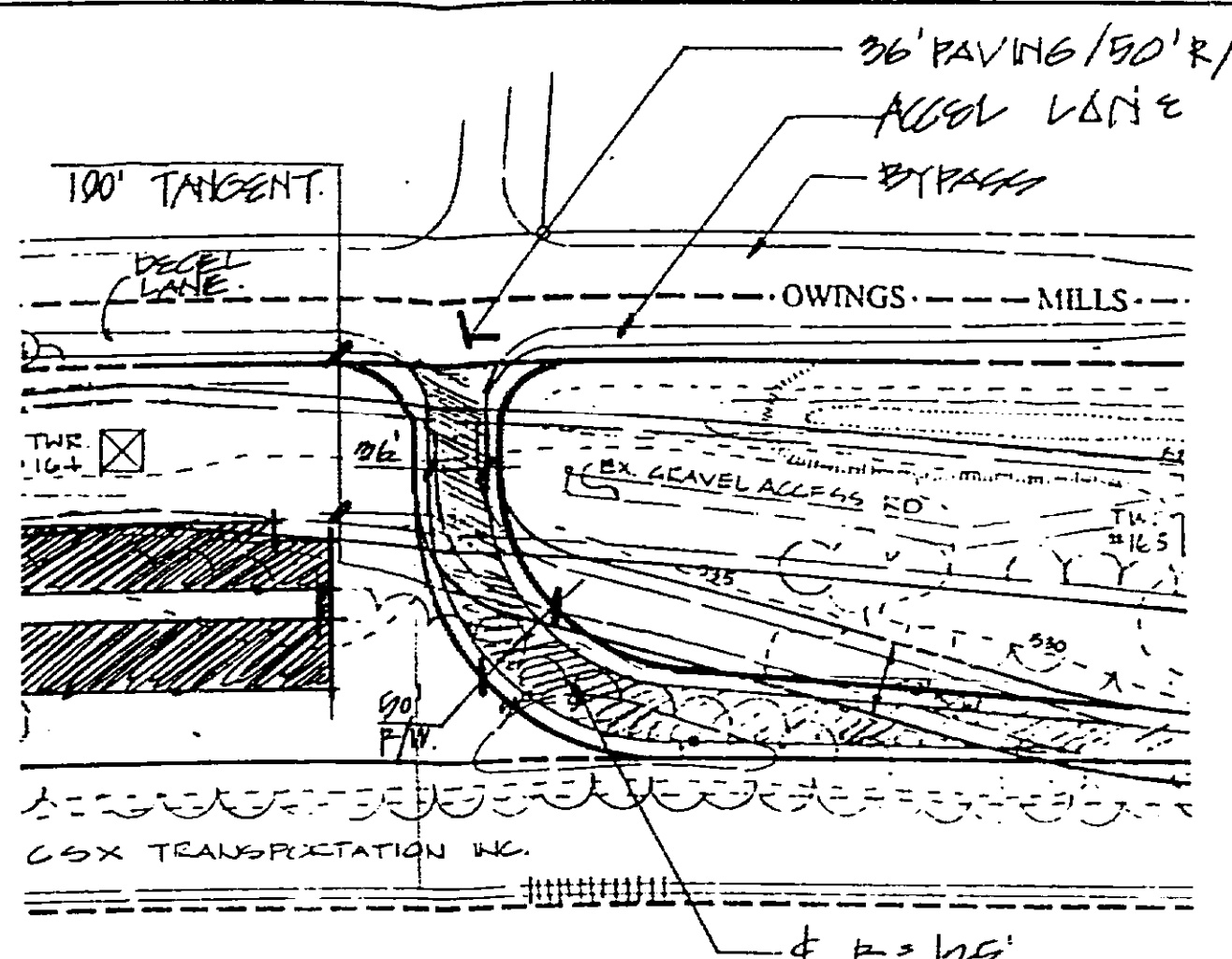
PER MR.ROBERT W. BOWLING, 2-2-96,
NO WATER MAIN EXTENSION IS REQUIRED.

Item 1
Owings Mills Boulevard
Improvements —

Item 2A - Public Road
Bonita Ave./Groffs Lane
Improvements
SCALE: 1" = 100'

Item 2B - Private Road
Bonita Ave./Groffs Lane
Improvements
SCALE 1" = 100'

**See Items 2A & 2B
Above for Improvements
to Bonita Ave./Groffs Lane**



CONNECTIONS SHOWN BETWEEN BUILDINGS WILL BE ABOVE GRADE OVERHEAD
FUNCTIONAL CONNECTIONS

THE FRONT YARD AREAS DEFINED IN THE REQUESTED VARIANCE MAY BE SIDE OR REAR YARDS ON FINAL PLAN. HOWEVER, THE MOST RESTRICTIVE SETBACK IS BEING SHOWN.

LOT 3 L= 42.96'
 R= 7704.44' S= 02° 52' 44" W Δ= 22.96'
 Δ= 00° 19' 10"
 S 87° 16' 51" E= 30.00'
 R= 7874.44' L= 108.50'
 CH= 01° 25' 07.5" E= 1107.52'
 Δ= 08° 16' 33"
 S 103° 32' 42" E= 1198.89'
 R= 1182.32' L= 591.95'
 CH= 19° 55' 00" E= 585.77'
 Δ= 28° 43' 12"
 S 34° 16' 36" E= 140.95'
 S 53° 31' 41" W= 495.42'
 N 05° 29' 30" W= 357.18'
 S 84° 38' 40" W= 15.00'
 N 05° 23' 10" W= 2100.17'
 S 84° 38' 45" W= 75.14'
 N 05° 22' 45" W= 20.33'
 N 13° 40' 20" E= 207.5'
 AREA = 813.64486 SQ. FT.
 OR 18,687.66 ACRES

[illegible]

ELECTION DISTRICT	4
COUNCILMAN/DISTRICT	
EXISTING ZONING	ML-M
USE	R55S-4B5
TAX ACCOUNT NUMBER	
PLAT REFERENCE	SM 5524
CENSUS TRACT	4042.12
WATERSHED	27
SUBMERGED	67
THERE ARE NO ARCHAEOLOGICAL SITES ON/SITE	
THERE ARE NO HISTORIC BUILDINGS ON/SITE	
THERE ARE NO ENDANGERED SPECIES HABITATS ON/SITE	
SITE AREA	19.58 AC +-
EXISTING USE	WAREHOUSES
PROPOSED USE	TO BE DETERMINED
PROPOSED FLOODING FLOOR AREA	
PARKING REQUIRED	
OFFICE USE ONLY	2 SPACES
500 SF @ 3 SPACES 1000 SF=	6 SPACES
PARKING REQUIRED	

CASE R-94-332 - BGE, INC. / NACE - NC
 * RECLASSIFICATION FROM CR-1 TO M-LM - GRANTED MAY 15 1995 SEE ZONING ORDER REGION
 * PETITIONER REQUESTED CONFIRMATION THAT PROPOSED MINI-WAREHOUSES ARE WITHIN THE SPIRIT & INTENT OF THE RECLASSIFICATION ORDER - CONFIRMED NOVEMBER 3, 1995

DRC NUMBER 112050
 * A2 LIMITED EXEMPTION - GRANTED NOVEMBER 30, 1995

DRC NUMBER 010206
 * WATER TO STANDARDS (ROAD AND WATER MAIN IMPROVEMENTS) - PARTIAL
 * WAIVER TO STANDARDS R-13 1800 SEE WAMVLETTER HEREON

IN THE MATTER OF
THE APPLICATION OF
MR. AND MRS. J. M. LEE, SPECIAL OWNERS
AND ESTATE OF THE DECEASED PERSONAL
FOR A DECLARATION OF PROBATE UNDER
WILL DATED 10-1-38 OF THE ESTATE OF
D. M. L. TO M. L. L. ON PROPERTY
LOCATED ON THE WEST SIDE OF ONE
EIGHTH STREET, NORTH AND SOUTH
OF EIGHTH AVENUE
THIRTEENTH DISTRICT
AND COMMERCIAL DISTRICT

BEFORE THE
CITY BOARD OF APPEAL
OF
BALTIMORE COUNTY
CASE NO. B-94-132

IT IS THEREFORE THIS 11th day of May, 1939 by the Court

Board of Appeals of Baltimore County

Record No. B-94-132 MAY 1939 Page 102

- VARIANCE OF 25' FRONT BLDG. SETBACK IN LIEU OF 75' MINIMUM REQUIRED (BOP 255 Z)
- WAIVER TO PUBLIC WORKS STANDARDS REQUIRED IN ACCORDANCE WITH LETTER SHOWN HERE

OWNER
Baltimore Gas & Electric Company
P.O. Box 1475
Baltimore, Maryland 21203

DEVELOPER
Bosworth Properties
10 E. Madison Street
Baltimore, Maryland 21202
(410) 783-9580

Plat to Accompany Zoning Variance Petition
and Request for Waivers

Owings Mills Mini-Storage
ELECTION DISTRICT 4 COUNCILMANIC DISTRICT 3
BALTIMORE COUNTY, MARYLAND

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES INC.

USE LINE	CAF	SHEET	50
NOTE	X 6	DATE:	2-29-06
BY: <i>W. J. [illegible]</i>		DATE MOD:	2-03-06
RE: <i>INDICATE</i>	<i>W</i>	DESIGNED BY:	T. N. W.
		DRAWN:	CAF
		CHECKED:	T. N. W.
		FILE:	
		DRAWING	
		NUMBER:	SIT - 1

NO.	DATE	REVISIONS:	BY	SHEET	OF
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