

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE - NW/Corner *
Greenside Drive & Adams Avenue * DEPUTY ZONING COMMISSIONER
(9720 Greenside Drive) *
8th Election District * OF BALTIMORE COUNTY
4th Councilmanic District *
Case No. 98-69-XA
Joseph H. Seipp, Jr. *
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owner of the subject property, Joseph H. Seipp, Jr., through his attorney, Benjamin Bronstein, Esquire. The Petitioner requests a special exception for a Class B office building in an R.O. zone and variance relief from Section 204.4.C.8.c.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a landscape buffer of 10 feet in lieu of the required 20 feet. The subject property, known as 9720 Greenside Drive, is located off of York Road and Gibbons Boulevard in Cockeysville, and is more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Joseph H. Seipp, Jr., property owner, Bruce E. Doak, Registered Land Surveyor with Gerhold, Cross and Etzel, the engineering firm which prepared the site plan for this property, and Benjamin Bronstein, Esquire, attorney for the Petitioner. Appearing as Protestants in the matter were David Jordan, President, and Stephen Weber, Treasurer, of the County Home Park Community Association, Inc., the adjacent community.

Testimony and evidence offered revealed that the subject property consists of a gross area of 0.84 acres, more or less, the majority of

ORDER RECEIVED FOR FILING

Date

By

which is zoned R.O (0.67 acres), with a small area of O-1 (0.13 acres), and D.R. 3.5 (0.02 acres). The property is an unimproved rectangular parcel, located on the west side of Greenside Drive, at its intersection with Adams Avenue near Padonia Road. The Petitioner proposes to develop the site with a two-story, Class B office building and accessory parking lot in accordance with Petitioner's Exhibit 1. In order to develop the site as proposed, a special exception is necessary. Furthermore, the requested variance is necessary, due to the configuration of the property and topography of the land. Testimony indicated that the Petitioner had to reduce the width of the landscape buffer along the western boundary of the property to 10 feet in order to provide the required number of parking spaces for the use proposed. In addition to the landscaping proposed for this site, the Petitioner proposes to install a board on board fence along the northern and western boundaries of the subject property to provide an additional buffer of the proposed use from the adjacent residential uses.

As noted above, Messrs. David Jordan and Stephen Weber, representatives of the adjacent County Home Park Community, appeared, not as Protestants, but as interested citizens. These gentlemen testified that they are not opposed to the proposed two-story office building, but wish to insure that appropriate screening and fencing will be provided to buffer the proposed use from adjacent residential properties. In addition, they were concerned over the type of lighting that will be utilized to illuminate the parking area.

These same concerns were echoed in the comment offered by the Office of Planning, dated September 9, 1997. Therefore, as a condition of approval of the relief requested, the Petitioner shall be required to com-

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10/3/97
JBP

ply with all six recommendations as set forth in Planning's comments, which shall be incorporated herein and made enforceable as if a part hereof.

It is clear that the B.C.Z.R. permits the use proposed in a R.O. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

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) 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).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property 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 variance requested will not cause any injury to the public health, safety or general welfare, and meets 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 relief requested in the special exception and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of October, 1997 that the Petition for

ORDER RECEIVED FOR FILING

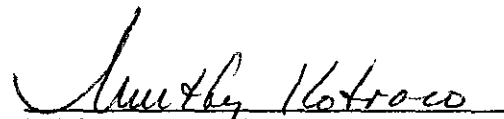
Date

By

Special Exception for a Class B office building in an R.O. zone, 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 204.4.C.8.c.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a landscape buffer of 10 feet in lieu of the required 20 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the recommendations made by the Office of Planning, Numbered 1 through 6, in their comments dated September 9, 1997, a copy of which has been attached hereto and shall be enforceable as if a part hereof.
- 3) The Petitioner shall submit a landscape plan for review and approval by Mr. Avery Harden, 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

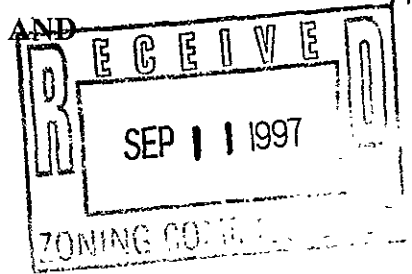
ORDER RECEIVED FOR FILING

Date

By

Jim
9/23

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE



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

Date: September 9, 1997

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

SUBJECT: 9720 Greenside Drive

INFORMATION

Item Number: 69
Petitioner: Seipp Property
Zoning: DR3.5, RO and OR 1

Based upon a review of the information provided, Staff offers the following comments:

1. Plan should provide building elevations of all facades and specify all finishes. Exterior of building should reflect, to the degree possible, the finishes and design features of the surrounding commercial buildings.
2. Plan should provide for front sidewalk, grass strip and trees (major deciduous) similar to the landscaped frontage which now exists on adjoining commercial property (south side).
3. Plan should give details of proposed board-on-board perimeter fence.
4. Plan should show dumpster to be enclosed by masonry structure.

Arnold Jablon
Subject 9720 Greenside Drive
September 9, 1997
Page 2

5. Lighting: Plan should demonstrate that exterior lighting of the building and the parking areas will not intrude into adjoining residential properties (wall packs on the rear and side of the building may not be appropriate cut-off fixtures at the curb line or center planted island that project inward may be preferable).
6. Plan should show landscaping along residential edge to include deciduous and evergreen trees.

Prepared by:

Jeffrey W. Lay

Division Chief:

Carol L. Kern

AFK/JL

ORDER RECEIVED FOR FILING

Date

By



Baltimore County
Zoning Commissioner
Office of Planning

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

October 3, 1997

Benjamin Bronstein, Esquire
George & Bronstein
29 W. Susquehanna Avenue, Suite 205
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
NW/Corner Greenside Drive & Adams Avenue
(9720 Greenside Drive)
8th Election District - 4th Councilmanic District
Joseph H. Seipp, Jr. - Petitioner
Case No. 98-69-XA

Dear Mr. Bronstein:

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

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

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Joseph H. Seipp, Jr.
4100 N. Charles Street, Baltimore, Md. 21207

Mr. Bruce E. Doak, Gerhold, Cross & Etzel
320 E. Towsontown Blvd., Towson, Md. 21286

Mr. David Jordan, 120 Gibbons Blvd., Cockeysville, Md. 21030
Mr. Stephen Weber, 9801 Van Buren Lane, Cockeysville, Md. 21030

People's Counsel; Case Files





Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 9720 Greenside Drive

98-69-XA

which is presently zoned DR3.5, RO & O1

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

to permit a Class B office building in an RO zone.

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

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner: Benjamin Bronstein

George & Bronstein, LLP

(Type or Print Name)

Signature

29 W. Susquehanna Ave., Suite 205

Address (410) 296-0200 Phone No.

Towson, Maryland 21204

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):

Joseph H. Seipp, Jr.

(Type or Print Name)

Signature

(Type or Print Name)

Signature

4100 N. Charles Street (410)235-8650

Address Phone No

Baltimore Maryland 21207

City State Zipcode

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

Scott A. Lindgren

Gerhold, Cross & Etzel, Ltd.

Name

320 E. Towsontown Blvd. Suite 100

Address Towson, MD 21286 (410) 823-4470

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: Jim DATE 8-19-97

69

ORDER RECEIVED FOR FILING

Date Revised 9/5/95



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

9720 Greenside Drive

98-69-XA

which is presently zoned Dr3.5, RO & O1

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)

204.4C.8.c.1 to permit a landscape buffer of 10' ft. in lieu of the required 20 ft.

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

1. Configuration of the site
2. Topography of the site
3. And for such further relief as may be requested 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 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:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner: Benjamin Bronstein

George & Bronstein, LLP

(Type or Print Name)

Signature

29 W. Susquehanna Ave., Suite 205

Address (410)296-0200

Phone No.

Towson, Maryland 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):

Joseph H. Seipp, Jr.

(Type or Print Name)

Signature

(Type or Print Name)

Signature

4100 N. Charles Street

(410)235-8650

Address

Phone No.

Baltimore, Maryland 21207

City

State

Zipcode

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

Scott A. Lindgren

Gerhold, Cross & Etzel, Ltd.

Name 320 E. Towsontown Blvd., Suite 100

Towson, Maryland 21286

Address (410)823-4470

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: *[Signature]*

DATE

8-19-97

69

ORDER RECEIVED FOR FILING

Date

By



GORDON T. LANGDON
EDWARD F. DEIACO-LOHR
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
FAX 410-823-4473

EMERITUS

PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL

98-69-XA

June 4, 1997

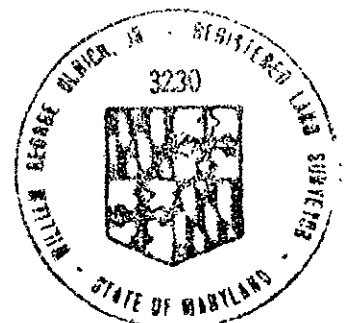
Zoning Description 8th Election District

Beginning for the same at the northwest corner of Adams Avenue and Greenside Drive said north west corner being measured northerly along the west side of Greenside Drive 347 feet from the center line of Padonia Road and running thence and binding on the west right of line of Greenside Drive the two following lines viz: North 8 degrees 35 minutes 13 seconds East 20.21 feet, by a line curving to the left having a radius of 2829.79 feet and an arc length of 106 feet more or less to a point in line with the center line of a alley 12 feet wide as shown on section DD plat No 2 Timonium Heights and recorded among the Land Records of Baltimore County in plat book W.P.C. No 7 folio 15, thence leaving Greenside Drive and running and binding on the center line of said alley (now closed) North 84 degrees 12 minutes 07 seconds West 228 feet more or less to a point in line with the division line between lots No. 28 and lot No. 29 as shown on the aforesaid plat No. 2 Timonium Heights section DD thence running and binding on said division line South 5 degrees 47 minutes 53 seconds West 126.00 feet to the north side of Adams Avenue 30 feet wide thence running and binding on the north side of Adams Avenue South 84 degrees 12 minutes 07 seconds East 223 feet more or less to the place of beginning.

Containing 0.66 acres of land more or less

69

descript\zoning8 des



William G. Ulrich, Jr.

CERTIFICATE OF POSTING

RE: Case No.: 98-69 XA

Petitioner/Developer: JOS. H. SEIPP, JR., ETAL
c/o G.C.E. - GORDON LANGDON, ESQ

Date of Hearing/Closing: 9/23/97
9:00 AM

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #9720 GREENSIDE DR.
ONSITE

The sign(s) were posted on 9/8/97
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 9/12/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

Hunt Valley, MD 21030

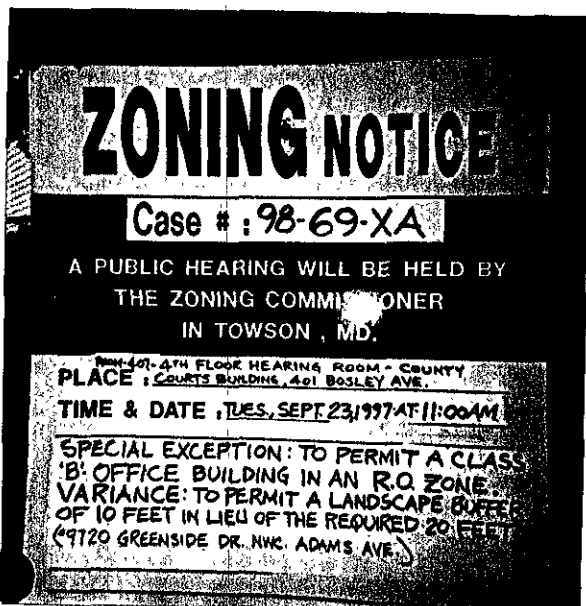
(City, State, Zip Code)

(410) 666-5366

Pager (410) ~~666-5366~~

905-8571

(Telephone Number)



98-69-XA - DR. SIPES
#9720 GREENSIDE DRIVE
G.C.E. - GORDON / JOS. H. SEIPP, JR.
P-9/8/97 H-9/23/97 CUM

CERTIFICATE OF PUBLICATION

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 in Tow-

son, Maryland on the property identified herein as follows:

Case: #98-69-XA
9720 Greenside Drive
NWC Greenside Drive
and Adams Avenue
8th Election District
4th Councilmanic
Legal Owner(s):

Joseph H. Seipp, Jr.

Special Exception: to permit a Class "B" office building in an R O zone. **Variance:** to permit a landscape buffer of 10 feet in lieu of the required 20 feet.

Hearing: Tuesday, September 23, 1997 at 11:00 a.m., Room 407 Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

9/074 Sept. 4 C170943

TOWSON, MD.,

Sept. 4, 19 97

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 Sept. 4, 19 97.

THE JEFFERSONIAN,

A. Henickson
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
SCCELLANEOUS RECEIPT

69

No.

043328

DATE 8-19-97 ACCOUNT Pool-6150

AMOUNT \$ 550.00

RECEIVED
FROM:

Seipp

9720 GREENSIDE DR.

FOR:

(050) X

(020) V.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JCM

PAID RECEIPT

PROCESS ACTUAL TIME
8/19/1997 8/19/1997 15:58:21

REG USM CASHIER LSH LXS DRAMER 4

SCCELLANEOUS CASH RECEIPT

Receipt # 018400

CR ID. 043328

OFLH

550.00 CHECK

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 98-69-XA

Petitioner/Developer:
(Joseph H. Selpp, Jr.)
Date of Hearing/Closing:
(Sept. 23, 1997)

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

Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

**This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____
_____9720 Greenside Drive Baltimore Maryland 21030_____**

**The sign(s) were posted on _____Sept 8, 1997_____
(Month, Day, Year)**

Sincerely,

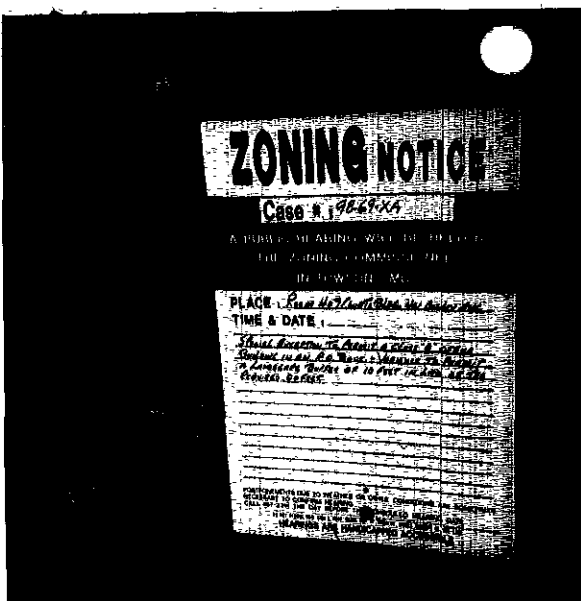
Thomas P. Ogle, Sr.
(Signature of Sign Eater & Date)

_____**Thomas P. Ogle, Sr.**_____

_____**325 Nicholson Road**_____

_____**Baltimore, Maryland 21221**_____

_____**(410)-687-8405**_____
(Telephone Number)



98-69-XA

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-69-XA

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

PLACE: *

DATE AND TIME: *

REQUEST: A SPECIAL EXCEPTION TO PERMIT A CLASS B OFFICE
BUILDING IN AN RO ZONE AND A VARIANCE TO PERMIT
A LANDSCAPE BUFFER OF 10ft. IN LIEU OF THE
REQUIRED 20ft.

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

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

HANDICAPPED ACCESSIBLE



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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 69

Petitioner: Joseph Seip, Jr.

Location: 9720 GREENSIDE DR.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: BEN BRONSTEIN, ESQ.

ADDRESS: 29. W. SESQUEHANNA AVE SUITE 205
Towson, Md. 21204

PHONE NUMBER: 410-296-0200

AJ:ggs

(Revised 09/24/96)



Baltimore County
Department of Permits and
Development Management

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

August 29, 1997

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-69-XA
9720 Greenside Drive
NWC Greenside Drive and Adams Avenue
8th election District - 4th Councilmanic
Legal Owner(s): Joseph H. Seipp, Jr.

Special Exception to permit a Class "B" office building in an R. O. zone.
Variance to permit a landscape buffer of 10 feet in lieu of the required 20 feet.

HEARING: TUESDAY, SEPTEMBER 23, 1997 at 11:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

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

Arnold Jablon
Director

cc: Joseph H. Seipp, Jr.
Scott Lindgren
Benjamin Bronstein, Esq.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY SEPTEMBER 8, 1997.
(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

September 22, 1997

Benjamin Bronstein, Esquire
George & Bronstein, LLP
29 W. Susquehanna, Ste. 205
Towson, MD 21204

RE: Item No.: 69
Case No.: 97-69-XA
Petitioner: Joseph H. Seipp, Jr.

Dear Mr. Bronstein:

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 August 19, 1997.

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 Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.", is written over a circular stamp that contains the word "OFFICE".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



B A L T I M O R E C O U N T Y , M A R Y L A N D

INTEROFFICE CORRESPONDENCE

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

Date: Sept. 8, 1997

FROM: Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 September 8, 1997
 Item No. 069

The Bureau of Developer's Plans Review has reviewed the subject zoning item. If the special exception and building footprint delineated on the plan are approved, this office does not oppose granting the variance of the 20 foot landscape buffer down to 10 feet.

RWB:HJO:jrb

cc: File

ZONE908.069



Baltimore County
Fire Department

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

August 3, 1997

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

RE: Property Owner: LLC & STONERIDGE CONDOMINIUM, INC.
JOSEPH H. SEIPP, JR.
GLENN C. CAMPBELL & MELISSA H. DOWLING
639 MAIN STREET, LLC

Location: DISTRIBUTION MEETING OF SEPTEMBER 2, 1997

Item No.: 068, 069, 075, AND 076

Zoning Agenda:

Gentlemen:

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

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



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: September 9, 1997

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

SUBJECT: 9720 Greenside Drive

INFORMATION

Item Number: 69

Petitioner: Seipp Property

Zoning: DR3.5, RO and OR 1

Based upon a review of the information provided, Staff offers the following comments:

1. Plan should provide building elevations of all facades and specify all finishes.
Exterior of building should reflect, to the degree possible, the finishes and design features of the surrounding commercial buildings.
2. Plan should provide for front sidewalk, grass strip and trees (major deciduous) similar to the landscaped frontage which now exists on adjoining commercial property (south side).
3. Plan should give details of proposed board-on-board perimeter fence.
4. Plan should show dumpster to be enclosed by masonry structure.

Arnold Jablon
Subject 9720 Greenside Drive
September 9, 1997
Page 2

5. Lighting: Plan should demonstrate that exterior lighting of the building and the parking areas will not intrude into adjoining residential properties (wall packs on the rear and side of the building may not be appropriate cut-off fixtures at the curb line or center planted island that project inward may be preferable).
6. Plan should show landscaping along residential edge to include deciduous and evergreen trees.

Prepared by:

Jeffrey W. Lay

Division Chief:

Gary L. Kerns

AFK/JL

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

TO: PDM

FROM: R. Bruce Seeley . *RN/gp*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Sept 2, 97

DATE: 8/29/97

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

Item #'s:	66	74
	67	75
	69	76
	71	77
	72	
	73	

RBS:sp

BRUCE2/DEPRM/TXTSBP



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

9-5-97

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

RE: Baltimore County
Item No. 069 (JCM)

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as the proposed development is not located on a State roadway and there are no impacts to any SHA facilities.

Please contact Larry Gredlein at 410-545-5606 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

LG

My telephone number is _____

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

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

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
PETITION FOR VARIANCE		
9720 Greenside Drive, NWC Greenside Dr.	*	ZONING COMMISSIONER
and Adams Avenue, 8th Election District,	*	OF BALTIMORE COUNTY
4th Councilmanic	*	
Joseph H. Seipp, Jr.	*	CASE NO. 98-69-XA
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

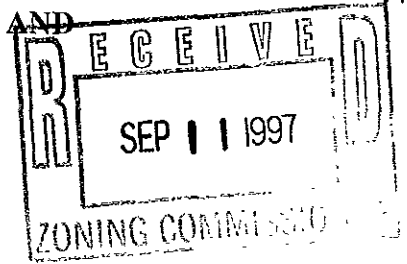
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of September, 1997, a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, Esq., 29 W. Susquehanna Avenue, Suite 205, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE



TO: Arnold Jablon, Director
Department of Permits
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Prepared by:

Jeffrey W. Lay

Division Chief:

Carol L. Kern

AFK/JL

CHPCA

COUNTY HOME PARK COMMUNITY ASSOCIATION, INC.

120 Gibbons Blvd. ~ Cockeysville, MD 21030 ~ USA
Phone 410-628-0623 ~ Fax 410-273-2763



SEP 17 1997

OFFICE OF PLANNING

Jim
9/23

September 11, 1997

Bob Hewitt
Fourth District Planner
Baltimore County Office of Planning
401 Bosley Ave.
Towson, MD 21204

RE: Case number 98-69-XA

(9720 GREENSIDE DRIVE)

Dear Bob,

I have received your August 28, 1997 letter concerning Dr. Joseph Seipp's petition for special exception to the current zoning. I have also been notified of the hearing concerning this issue which will be held on 9-23-1997 at 11:00 am. On behalf of the CHPCA, Inc., I would like you to know that the Association does not dispute this request but we do have a number of questions concerning the site plan.

- 1) What type of fence is planned and what type of material will be used?
- 2) What type of landscape materials are planned to be used and the quantity of each?
- 3) How many light standards are planned and what will be the direction and the duration of the lighting?
- 4) What will the actual building look like and what is the design of the roof line?
- 5) How visible will the building be from Greenside?

Our primary concerns are for the residents on the north side of the property, which are situated on Gibbons Blvd. We believe it is prudent for the developer to provide a reasonable buffer between the adjunct properties. The Association is aware of Dr. Seipp's ownership of a number of properties on Gibbons Blvd. that are adjunct to the site at issue and have some concerns of his future intentions concerning these properties. A number of our members will be attending this hearing and a representative will be speaking to the issues addressed above.

Thank you again for assistance.

Sincerely,


David L. Jordan
President

cc: Steven Weber, Treasurer

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Joseph H. Ser, pp

725 Deepdene Rd Belto 21210

BRUCE E. DRAK GENHOLD, CROSS & ETEL, LTD

320 E. TOWSON TOWN BLVD. TOWSON MD. 21286



PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

DAVID JORDAN, County Home
Park Community Association 120 GIBBONS BLVD, Cockeysville
MD 21030

STEPHEN WEBER, Co. Home
Park Comm. Assn. 9801 VAN BUREN LN, 21030



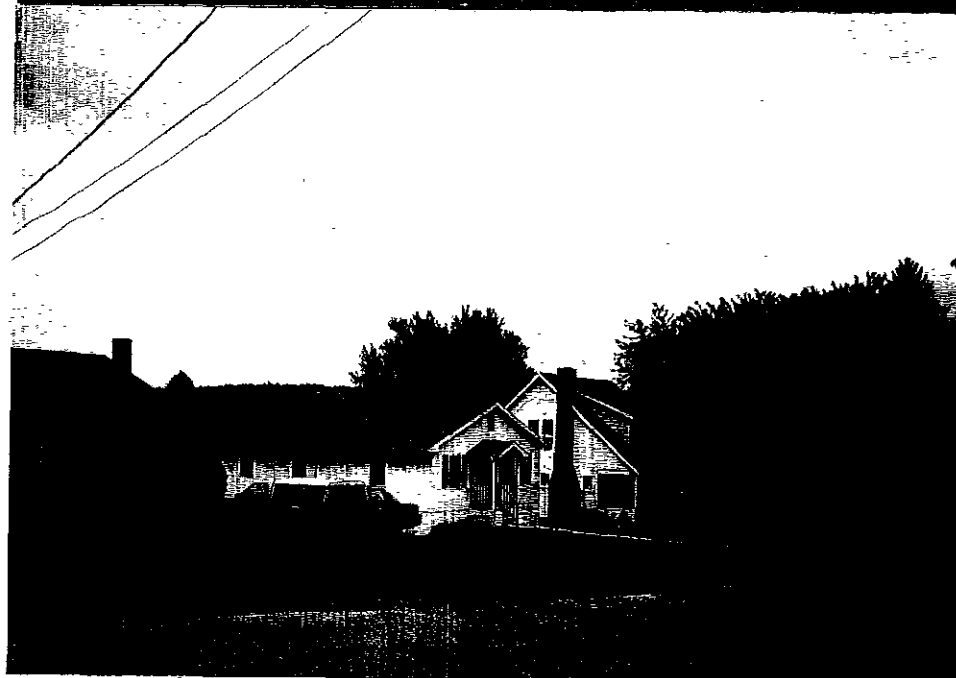
Petitioner's
Exhibit
2A

(13)
photograph

98-69-XA

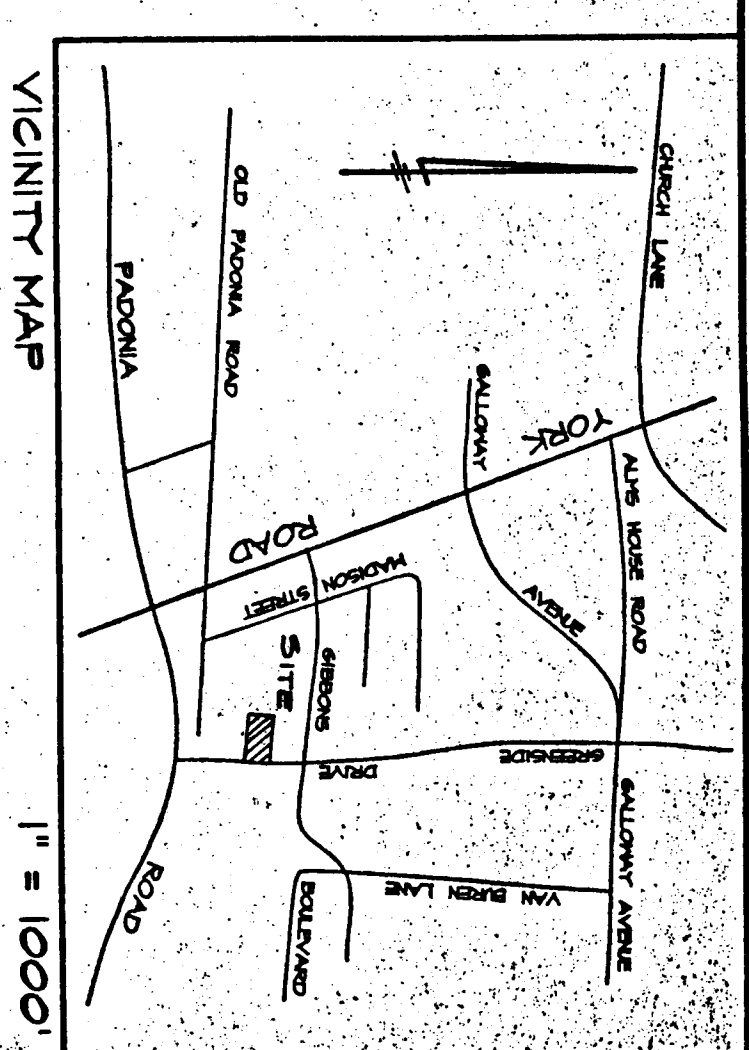
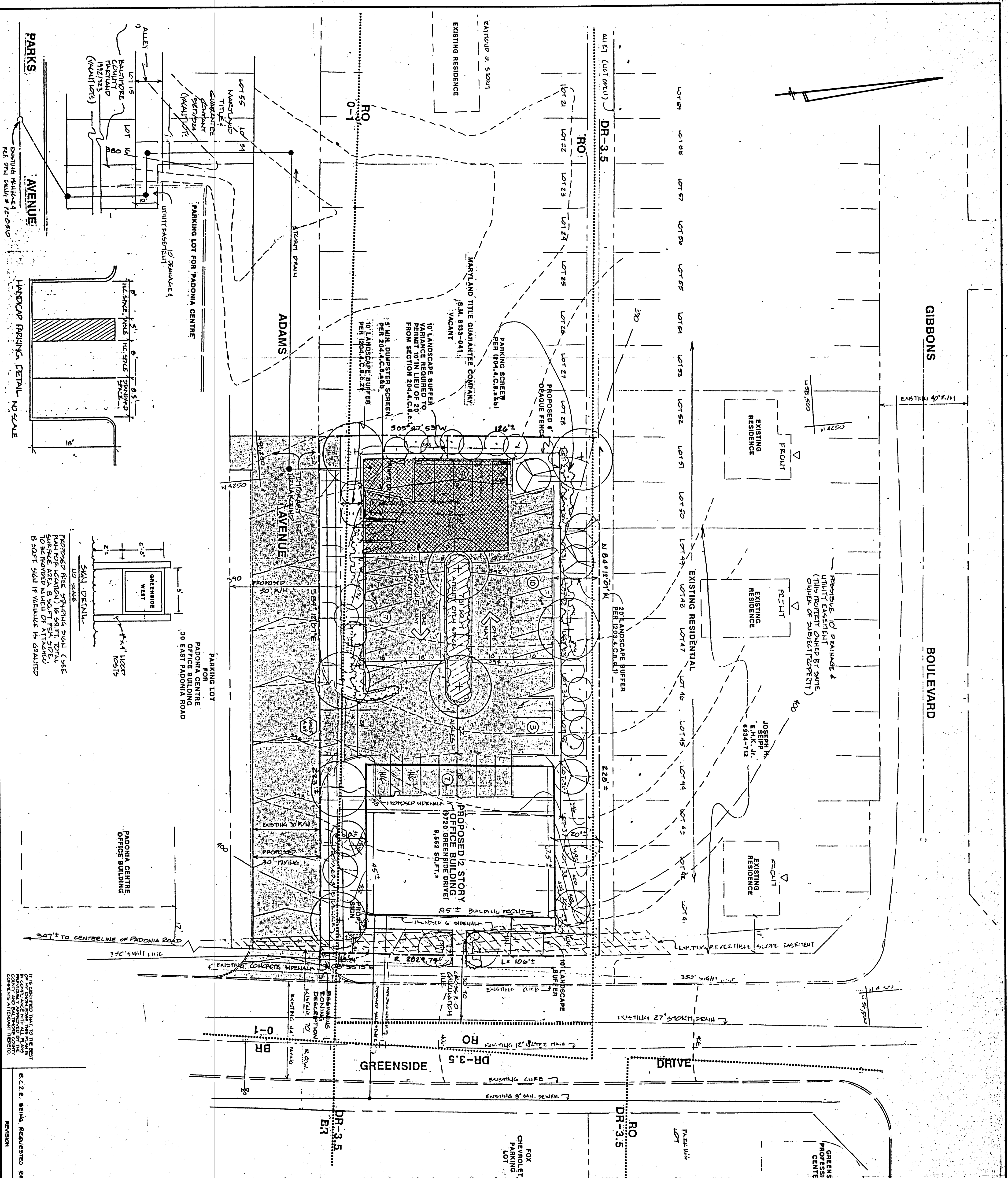












GENERAL NOTES

- [illegible]

PREVIOUSLY APPROVED PLANS:
C.R.G. No. 20-175 APPROVED JANUARY 25, 1990 (SINCE EXPIRED)
D.R.C. No. 033174; LIMITED EXEMPTION UNDER SECTION 26-171(B)(9)

68-67-X-1

DENSITY CALCULATIONS
 GROSS AREA 0.4 A.C.
 NET AREA 0.66 A.C.
 EXISTING ZONING DR 93 = .02 A.C.
 PC = 0.61 A.C.; C-1 = 0.13 A.C.
 0.67 A.C. = 24105 sq.ft. x 0.95 = 22899.75 sq.ft.

OWNER/DEVELOPER
 JOSEPH L. SEIPP, JR.
 4100 N. CHARLES STREET
 BALTIMORE, MARYLAND 21204
 410-235-9550

PETITIONER'S

EXHIBIT

PLAT TO ACCOMPANY PETITION
FOR SPECIAL EXEMPTION & VARIANCE

GREENSIDE NEST

9720 GREENSIDE DRIVE
8th ELECTION DISTRICT
4th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1" = 20'

May 27, 1997

GERHOLD, CROSS & EITZEL, LTP
REGISTERED PROFESSIONAL LAND SURVEYORS

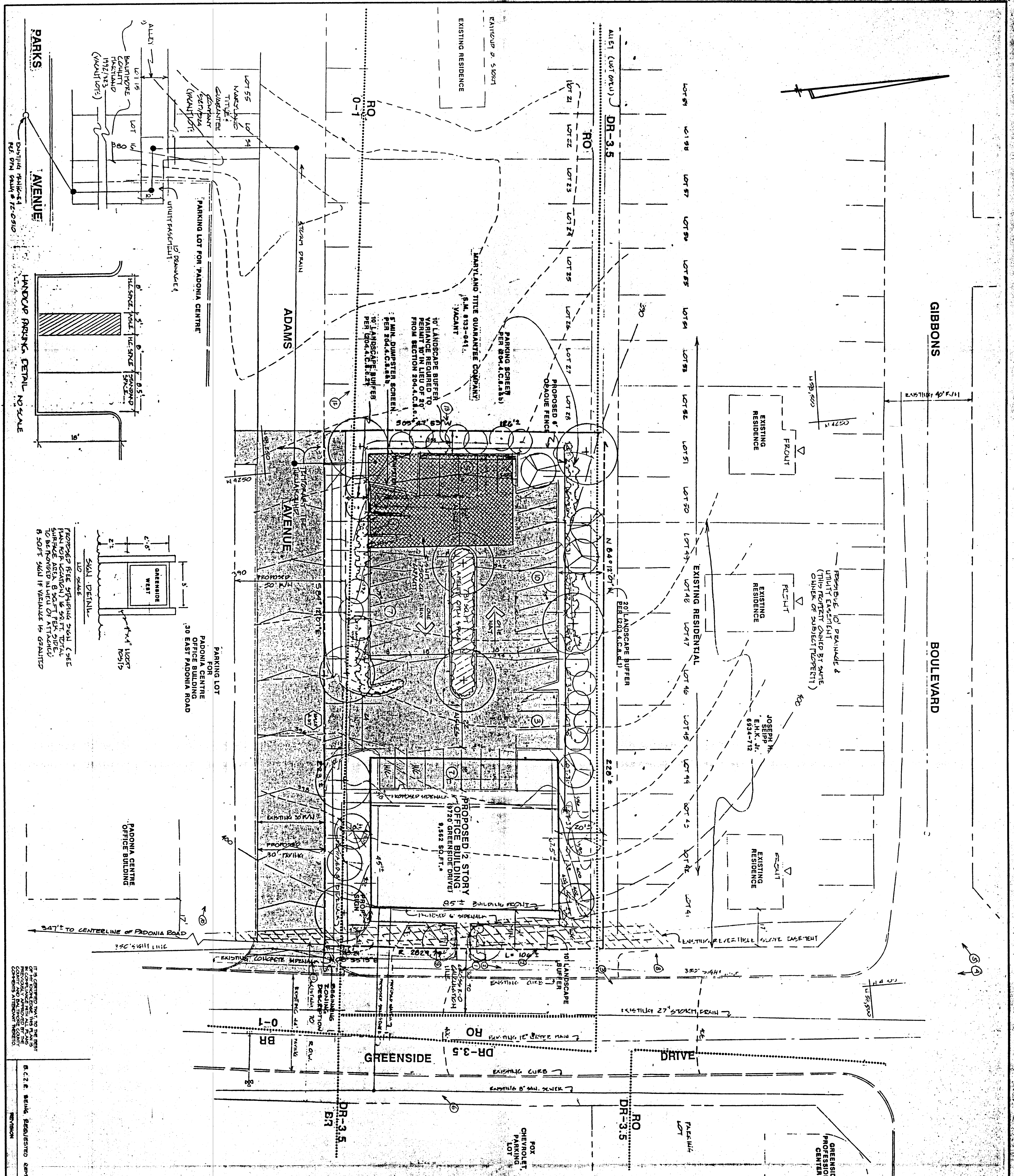
Suite 100
320 East Townsend Boulevard

son, Maryland 21286
(410) 823-4470

X. LEPIDAZONELLA

7-20-9	B, C, E. BEING REQUESTED REMOVED
DATE	REVISION

60



PETTIONER'S EXHIBIT 2

Plan to Accompany Petition
for Special Exemption & Variance
GREENSIDE WEST

4720 GREENSIDE DRIVE
8th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1" = 20'

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
320 East Towson Boulevard
Towson, Maryland 21286
(410) 833-4410

DENSITY CALCULATIONS

PROPOSED AREA: 0.04 AC ±
EXISTING ZONING: DR-3.5
NO: 0.01 AC ±
0.01 AC ± x 0.05 = 0.0005 AC ±
0.01 AC ± x 0.05 = 0.0005 AC ±

ON-DEVELOPER
JOHN J. CROSS
400 N. EIGHTH STREET
BALTIMORE, MARYLAND 21201
410-235-8830

Plan to Accompany Photographs

GENERAL NOTES

1. THIS PLAN IS A PART OF THE RECORD MAP FOR THE GREENSIDE WEST DEVELOPMENT, BALTIMORE COUNTY, MARYLAND, AND IS TO BE RECORDED WITH THE RECORD MAP.
2. THE DEVELOPER HAS BEEN ADVISED THAT THE BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS HAS REVIEWED THIS PLAN AND HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT.
3. THE DEVELOPER HAS BEEN ADVISED THAT THE BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS HAS REVIEWED THIS PLAN AND HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT.
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SCALE 1" = 200'	LOCATION Padonia, Laguna Marina	SHEET NW
DATE OF PHOTOGRAPHY January 1956	PADONIA	B-A

196 COMPREHENSIVE ZONING MAP

ADVERTISING

THE HINDUSTAN COASTAL

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Wm. H. H. H.

THE UNIVERSITY OF CHICAGO

THE

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1993

Journal of Management Education 30(6)

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