

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND ZONING VARIANCE
SE/S Cromwell Bridge Road, 361' * ZONING COMMISSIONER
NE of Gleneagles Court
1101-1125 Cromwell Bridge Road * OF BALTIMORE COUNTY
9th Election District
4th Councilmanic District * Case No. 98-225-SPHA
21st Century Properties, Co.,
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing and Petition for Variance for the property known as 1101-1125 Cromwell Bridge Road in Towson. The Petition was filed by 21st Century Properties Company, property owner. Special hearing relief is requested to approve an amendment to the previously approved site plan in case No. 96-61-A. Variance relief is requested from Section 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 10 ft. in lieu of the required 30 ft. and a 30 ft. setback between buildings in lieu of the required 60 ft. The subject property and the relief requested are more particularly shown on the site plan, received into evidence as Petitioner's Exhibit No. 1.

Appearing at the public hearing held for this case was Cary Luskin, a principal with 21st Century Properties Company, Petitioner/property owner. Also present was William Monk, a Land Planner with William Monk, Inc., the consultant who prepared the site plan. Also present was Donald Kann, an architect engaged by the Petitioner. Appearing as interested persons were representatives of several neighboring community groups. They included Wayne Skinner, from the Loch Raven Community Council, V. Charles Rinaudo, of the Chatterleigh Association, Inc., and Mary Ann Nugent from the Baynesville Community Association. These individuals did not appear in opposition to the request, per se, however, their organizations have an interest in the redevelopment of the subject property.

ORIGINAL FILED
DATE 1/28/98
BY M. H. HARRIS

Testimony and evidence presented was that the subject property is approximately 14.10 acres in gross area, zoned B.R. The property is an irregularly shaped parcel which is adjacent to Cromwell Bridge Road, near that roadway's interchange with the Baltimore Beltway (I-695). Vehicular access to the site is by way of a driveway which leads from Cromwell Bridge Road and an access road which leads from Mylander Lane. The property is presently the site of a 50,000 sq. ft. retail building most commonly known as the Luskins' building. This structure is a landmark in the neighborhood and probably well known to nearly all of the residents of Baltimore County. The property's topography is unique in that its grade is quite steep and the building sits in a flat area atop a large hill. The building is highly visible to traffic, both east and westbound, on the Baltimore Beltway. For many years, the building was used by the Luskin family for their retail business which featured the sale of home appliances, electronics, etc. In addition to the large building, the site is presently improved with a large macadam parking area, and the serpentine driveway which leads to the top of the hill from Cromwell Bridge Road.

The Luskin's store is no longer in business, however, part of the existing building remains in use. Presently, Pier 1 Import Store operates from the premises, as well as a Cactus Willie's Restaurant and a carpet store.

The property also has an active zoning history. It was originally reclassified to the B.M. zoning classification in 1963. Certain variance relief was granted for signage in May of 1964, and approval to construct a wireless transmitting and receiving facility for a cellular telephone company was approved in 1984. Variance approval was also granted in 1985 from the parking regulations; permitting 630 parking spaces in lieu of the required 819 spaces. Most recently, a variance was granted for a proposed

ORIGINAL FILED
Date 1/28/98
By M. Gosh

building on the site in case No. 95-161-A. In that case, Deputy Zoning Commissioner, Timothy M. Kotroco, permitted a side yard setback of 20 ft. in lieu of the required 30 ft., and a rear yard setback of 5 ft. in lieu of the required 30 ft. for a proposed Sports Authority retail store.

Apparently, the plans for the Sports Authority's store have been abandoned and another approach has been adopted insofar as redevelopment of the site. As shown on the site plan submitted in this case, three new buildings are proposed. The first is a large two story building which contains 50,000 sq. ft. in total, 25,000 sq. ft. on each floor. This building is located on the southwest corner of the property, near the vehicular access way which leads from Mylander Lane. It was indicated that that store would be occupied by the Sims organization, a retail chain which sells men's wear. Additionally, two other new buildings are proposed. These include a proposed 9200 sq. ft. building near the existing structure which will be leased by Pier 1 Imports. A second building building, designated for retail use, totalling 12,600 sq. ft. is also contemplated. That building will immediately abut the Luskin's building.

Variance relief is requested to approve a 10 ft. side yard setback in lieu of the required 30 ft. for the proposed Sims building and to approve a setback of 30 ft. between the proposed Pier 1 Imports building and the proposed retail building, in lieu of the required 60 ft. In support of these requests, Mr. Monk testified extensively about the uniqueness of the property, including its topography and shape. He also noted that the property contains a sufficient rock formation beneath the surface, which eliminates the possibility of basements for any buildings. Based on these unique characteristics, Mr. Monk opined that the variances were justified. He observed that a grant of the variance would allow the proposed buildings to be constructed in the most practical method possi-

CHIEF OF ZONING
1/28/98
Date
By M. Monk

ble. He also noted that no variance relief is necessary from the parking regulations, in view of the variance relief which was previously granted. There will be no shortage of parking spaces greater than that permitted in the prior parking variance case.

Testimony was also received from Mr. Kann regarding the design of the buildings and Mr. Luskin about the proposed uses. These witnesses corroborated Mr. Monk's testimony regarding the need for the variances and the justification for same. Indeed, it appears that the proposed use is in keeping with the property's zoning classification and the character of the surrounding locale.

Based upon the testimony and evidence presented, I shall grant the relief requested. In my judgement, the topography, sub-surface conditions and configuration of the property are unique characteristics which justify variance relief. Moreover, I am persuaded that the Petitioner would suffer practical difficulty if relief were denied, and believe that relief can be fashioned without adverse impact upon surrounding properties.

As noted above, representatives from several community organizations appeared at the hearing. Apparently, there has been an ongoing dialogue between these organizations and the Petitioner regarding the redevelopment of this property. The concerns of the Loch Raven Community Council, Inc., are summarized in an exhibit marked "Community Exhibit No. 1" which was entered into the record. It was requested that these concerns be incorporated in any order for relief granted by the Zoning Commissioner.

I am convinced that many of the communities' concerns are valid. However, some of these concerns cannot practically be incorporated and certainly do not relate directly to the variance relief which has been granted. In this regard, I hope that the Petitioner and the communities can continue their dialogue.

CHAS. H. HARRIS, ZONING
DEC 12 1998
BY J. H. HARRIS

However, I will impose certain conditions and restrictions consistent with the spirit and intent expressed in the community's written summary. I believe that the following conditions are appropriate and related to the variance relief granted. Specifically, I shall require that the Petitioner submit elevation drawings to the Office of Planning for their review and approval. These plans should detail the design and materials to be used for the proposed buildings. Additionally, the Office of Planning should review and approve the entire outside advertising scheme for this site. In this regard, the Petitioner shall comply with all present sign requirements within the BCZR. Additionally, pursuant to the Petitioner's agreement with the community, all individual letters, symbols and/or advertising affixed to the building shall not exceed 4 ft. in height. Also, the Petitioner shall submit a landscape plan to the County's Landscape Architect for review and approval. This plan should be consistent with the spirit and intent of the agreement between the Loch Raven Community Council and the Petitioner.

I impose these restrictions because of the unique character and location of the property. As indicated above, the existing building sits atop a hill and is visible to the vast volume of traffic which travels both east and west bound on I-695. It is appropriate that the property should be tastefully redeveloped and that all signage should not interfere with traffic and be esthetically pleasing. Thus, I shall require the Petitioner to submit plans of its architecture, (building elevations) signage and landscaping for review and approval by the Office of Planning.

Again, the site's visibility to surrounding roadways and neighborhoods is significant and the impact of the existing and proposed buildings should be buffered.

CELESTINE J. HARRIS
1/28/98
By: [Signature]

100-100000
100-100000
100-100000


LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County



Baltimore County
Zoning Commissioner
Office of Planning

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

January 23, 1998

Mr. William Monk
William Monk, Inc.
222 Bosley Avenue, Suite C-6
Towson, Maryland 21204

RE: Petitions for Special Hearing and Variance
Property: 1101-1125 Cromwell Bridge Road
Case No. 98-225-SPHA

Dear Mr. Monk:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Variance have been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
att.

c: Mr. Cary Luskin
21st Century Properties Co.
7125 Columbia Gateway Drive
Columbia, Maryland 21046

c: Mr. Wayne Skinner, Loch Raven Community Council
1813 Edgewood Road, Baltimore, Md. 21234

M. V. Charles Rinaudo, The Chatterleigh Associates, Inc.
1210 Brook Meadow Drive, Baltimore, Md. 21286

Mr. Mary Ann Nugent, Baynesville Community Association
1626 Yakona Road, Towson, Maryland 21286



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1101-1125 Cromwell Bridge Road

which is presently zoned BR

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

An amendment to the previously approved plan in Case #96-61-A.

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 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.

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address Phone No

City State Zipcode

Legal Owner(s)

21st Century Properties Co. (Cary Lusk)
(Type or Print Name)

Signature

CARY LUSKIN
(Type or Print Name)

Signature

7125 Columbia Gateway Drive
Address Phone No

Columbia, MD 21046 (410) 290-1111
City State Zipcode

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

William Monk, Inc. 410-494-8931
Name

222 Bosley Ave, C-6, Towson, MD 21204
Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following date _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: STW DATE 12-10-97



98-225-SPHA

225



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

1101-1125 Cromwell Bridge Road

which is presently zoned

BR

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 Variance from Section(s) 238.2 to permit a side yard setback of 10 feet in lieu of the required 30 feet and 30 feet between buildings in lieu of the required 60 feet.

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

Due to topographic constraints and irregular lot configuration.

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

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

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

Legal Owner(s)

21st Century Properties Co. (Cary Luskin)
(Type or Print Name)

Signature

(Type or Print Name)

Signature

7125 Columbia Gateway Drive

Address

Phone No.

Columbia, MD 21046 410-290-1111

City

State

Zipcode

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

William Monk, Inc. 410-494-8931

Name

222 Bosley Ave. C-6, Towson, MD 21204

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: SPA

DATE

12-10-97



Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

98-225-SPHA

225

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
1101-1125 Cromwell Bridge Rd, SE/S Crom-	*	ZONING COMMISSIONER
well Bridge Rd, 361' NE of Gleneagles Ct		
9th Election District, 4th Councilmanic	*	OF BALTIMORE COUNTY
21st Century Properties Co.	*	CASE NO. 98-225-SPHA
Petitioner		
* * * * *		

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 29th day of December, 1997, a copy of the foregoing Entry of Appearance was mailed to William Monk, Inc., 222 Bosley Avenue, C-6, Towson, MD 21204, representative for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

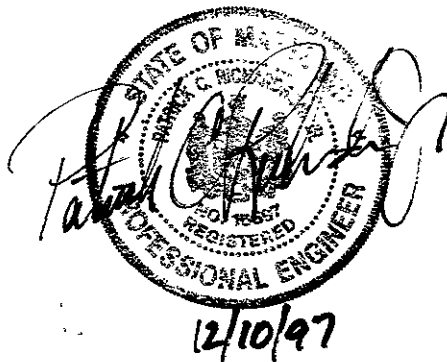
ZONING DESCRIPTION

**1125 CROMWELL BRIDGE ROAD
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND**

Beginning at a point on the southeast side of Cromwell Bridge Road, having a variable right of way width, at the distance of 361 feet, more or less, as measured northeasterly along said Cromwell Bridge Road, from the southeasterly extension of the center line of Glen Eagles Court, running thence binding on the southeast side of said Cromwell Bridge Road, the following courses and distances: (1) N 66° 21' 59" E 286.4 feet, more or less, (2) N 23° 57' 00" W 27.5 feet, more or less, (3) N 63° 24' 12" E 132.2 feet, more or less, (4) N 56° 12' 10" E 265.7 feet, more or less, to the southwest side of the Baltimore Beltway and thence binding on the southwest side of the Baltimore Beltway (5) S 59° 08' 51" E 120.2 feet, more or less, (6) S 56° 49' 17" E 79.6 feet, more or less, (7) S 01° 13' 29" W 124.9 feet, more or less, (8) S 32° 03' 19" E 144.7 feet, more or less, (9) S 82° 34' 57" E 325.6 feet, more or less to the outline of the land owned by Luskins, thence binding on the outline of Luskins land, six courses: (11) S 74° 22' 58" W 208.7 feet, more or less, (12) S 64° 46' 54" W 906.5 feet, more or less, (13) N 24° 06' 36" W 150.0 feet, more or less, (14) S 64° 56' 30" W 479.3 feet, more or less, (15) N 30° 34' 00" E 630.1 feet, more or less, and (16) N 23° 59' 00" W 61.1 feet, more or less to the place of beginning.

Containing 12.998 acres of land, more or less in the 9th election district.

wpm/skm33



98-225-SPHA

225.

CERTIFICATE OF POSTING

RE: Case No: 98-225 SPHA

Petitioner/Developer LUSKINS, ETAL
c/o WILLIAM MONK

Date of Hearing/Closing 1/16/98

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 #1101 CROMWELL BRIDGE RD.

1/2 C END MYLANDER LA.

The sign(s) were posted on 12/27/97
(Month, Day, Year)

Sincerely,
Patrick M O'Keefe 1/4/98

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

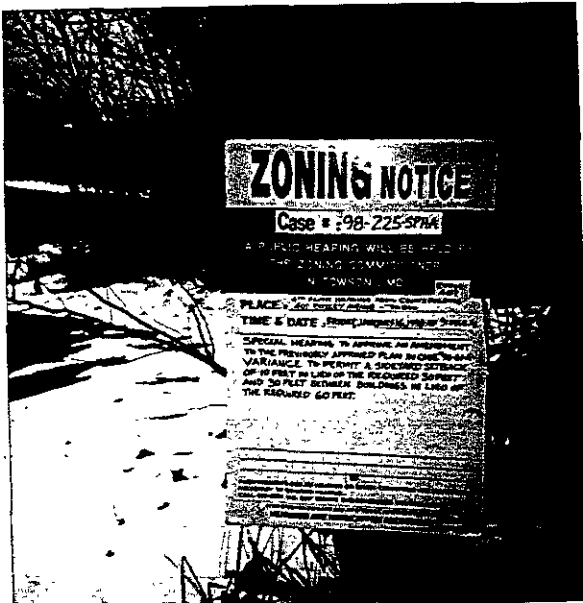
(Address)

HUNT VALLEY, MD. 21030

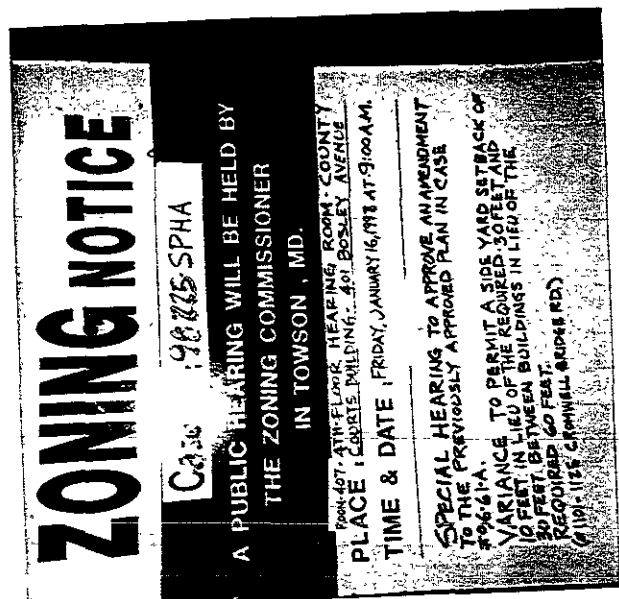
(City, State, Zip Code)

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

(Telephone Number)



98-225 SPHA
LUSKINS @ END MYLANDER LA. 9AM
P-12/29/97 c SITE H-1/16/98



98-225-SPHA
#1101 CROMWELL BRIDGE RD
H-1/16/98 9:00AM P-12/29/97

BALTIMORE COUNTY, MD
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 046920

DATE 12-10-97 ACCOUNT RECEIVED

AMOUNT \$ 500.00

RECEIVED FROM: 21st Century Prop
CXC Co. Inc. 12/10
CXC Co. Inc. 12/10

FOR: TOTAL 500.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
08/23/98 ACTUAL 17M
12/11/1997 12/10/1997 15:47:25
046920 CASHIER CLERK ENL DUNN
5 MISCELLANEOUS CASH RECEIPT
Receipt # 031291
OR NO. 046920
500.00 CHECK # 11
Baltimore County, Maryland

98-225-SPHA

CASHIER'S VALIDATION

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1-23 - 1998

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 1-23 - 1998.

THE JEFFERSONIAN.

A. Henickson

LEGAL AD. - TOWSON

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 in Room 407, County Court Building, on the property identified herein as follows:
Case #98-225-SPHA
1101-1125 Glenview Bridge Road
SE/SE Cornerwell Bridge Road
361 NE of Glenview Court
Blt Election District
4th Councilmanic District
Legal Owner(s)
21st Century Properties Co.
Special Hearing to approve an amendment to the previously approved plan in case #98-51-A. Variance to permit a side yard setback of 10 feet in lieu of the required 30 feet and 30 feet between buildings in lieu of the required 60 feet.
Hearing: Friday, January 16, 1998 at 8:00 a.m. Room 407, County Court Bldg., 401 Rossley 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.
1/169 Jan. 8 C198923



Baltimore County
Department of Permits and
Development Management

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

December 19, 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: 98-225-SPHA
1101-1125 Cromwell Bridge Road
SE/S Cromwell Bridge Road, 361' NE of Gleneagles Court
9th Election District - 4th Councilmanic District
Legal Owner: 21st Century Properties Co.

Special Hearing to approve an amendment to the previously approved plan in case #96-61-A.
Variance to permit a side yard setback of 10 feet in lieu of the required 30 feet and 30 feet between buildings in lieu of the required 60 feet.

HEARING: Friday, January 16, 1998 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Arnold Jablon
Director

c: William Monk, Inc.
21st Century Properties Co.

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 30, 1997.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
December 24, 1997 Issue - Jeffersonian

Please forward billing to:

William Monk, Inc.
222 Bosley Avenue, C-6
Towson, MD 21204

410-494-8931

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: 98-225-SPHA
1101-1125 Cromwell Bridge Road
SE/S Cromwell Bridge Road, 361' NE of Gleneagles Court
9th Election District - 4th Councilmanic District
Legal Owner: 21st Century Properties Co.

Special Hearing to approve an amendment to the previously approved plan in case #96-61-A.
Variance to permit a side yard setback of 10 feet in lieu of the required 30 feet and 30 feet between buildings in lieu of the required 60 feet.

HEARING: Friday, January 16, 1998 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

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.

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.: _____

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

PLACE: _____

DATE AND TIME: _____

REQUEST: SPECIAL HEARING - TO AMEND CASE # 95-61-A

AND VARIANCE - TO PERMIT A SIDE YARD SETBACK OF 10 FT
IN LIEU OF 30 FT. AND A SEPARATION BETWEEN BLDGS
OF 30 FT. IN LIEU OF THE REQUIRED 60 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 387-3391.

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

HANDICAPPED ACCESSIBLE

98-225-SPHA
225

hs
1/16

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

Date: January 6, 1998

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

SUBJECT: 1101-1125 Cromwell Bridge Road

INFORMATION

Item Number: 225

Petitioner: 21st Century Properties Co.

Zoning: BR

In order to provide substantive comments on the appropriateness of the requested Petitions for Special Hearing and Variance, the Office of Planning requires the following information to be provided:

- Elevation drawings showing the northwest and northeast elevations;
- All proposed signage (freestanding and wall mounted); and
- A landscape plan.

The provision of the above-mentioned information is important due to the prominent location of the subject site, which is situated in such a manner that it can be seen from the Baltimore Beltway, Cromwell Bridge Road and Loch Raven Boulevard. In addition, as the county is asking for increased funding from the General Assembly to fund a beautification project for Loch Raven Boulevard, the instant case can be viewed as an opportunity for improving the corridor in conjunction with conferring advantages through special implementation of the Baltimore County Zoning Regulations. Therefore, in the event that the information is not provided, staff can find no justification for the relief requested.

Prepared by:

Jeffrey W. Long

Division Chief:

Earl L. Kerns

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: December 29, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
for December 29, 1997
Item No. 225

The Bureau of Developer's Plans Review has reviewed the subject zoning item. The single-space planting islands in the parking lot should be extended to the abutting parking space.

RWB:HJO:jrb

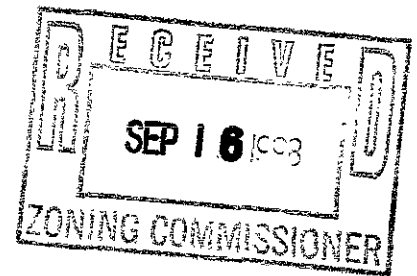
cc: File

ZONE1229.225

WILLIAM MONK, INC.

ENGINEERS • PLANNERS

September 15, 1998



Mr. Larry Schmidt, Zoning Commissioner
Baltimore County
County Courts Building
401 Bosley Avenue, 4th Floor
Towson, MD 21204

Subject: Case No.: 98-225-SPHA
A.K.A. 1101-1125 Cromwell Bridge Road
Luskins Property
WMI Project No.: 97-082

Dear Commissioner Schmidt:

In response to your recent order (copy attached) in the above-referenced case, the applicant, his architect, attorney and I, met with representatives from the Office of Planning to review the building elevations and signage. Jeff Long, serving as primary agent for the Office of Planning, indicated that the plans were acceptable. Based upon our meeting this letter shall serve to indicate compliance with the conditions in your order and importantly seeks to clarify the size of the individual letters, symbols and/or advertising affixed to the building.

On page 5 of your order, you indicated that "all individual letters, symbols and/or advertising affixed to the building shall not exceed 4' in height. In our meetings with community leaders and neighbors prior to the hearing, we indicated to them that some of the letters may exceed 4' in height however, the overall average height would not exceed the 4 foot limitation. We showed them our proposed graphics and they concurred that this was acceptable. As you recall, I attended and testified at the hearing and it is my recollection that this issue was briefly discussed. However, based upon what appears to be a slightly more restrictive condition per your order, we thought it would be appropriate to reconfirm our understanding of the "intent". The Planning Office did not have a problem with the average height and we are requesting affirmation by you before proceeding.

Baltimore County
WMI Project No.: 97-082
September 15, 1998
Page 2 of 2

If you concur with this interpretation we ask that you sign in the space provided, retaining one copy for your files and returning the second copy to my attention.

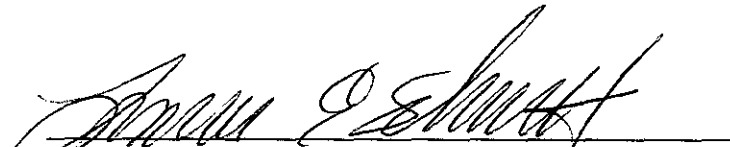
Cordially,



William P. Monk

cc: Carey Luskin - 21st Century Properties
Rob Hoffman - Venable, Baetjer & Howard
Donald Kann - Kann & Associates
Jeff Long - Office of Planning

Encl.



Lawrence Schmidt
Zoning Commissioner

10/16/98

Date

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Bill Monk

222 Bissley Road

Suite C-6

Towson, MD 21204

CARY LUSKIN

7125 GATEWAY DR COLUMBIA MD 21046

DONALD KANN

204 E. REDWOOD ST.

ELICU, MD. 21201

Community Groups

WAYNE SKINNER

LOCH DAVEN Community Council

1813 EDGEWOOD RD 21234

V. Charles Brando

The Chatterleigh Associates Inc

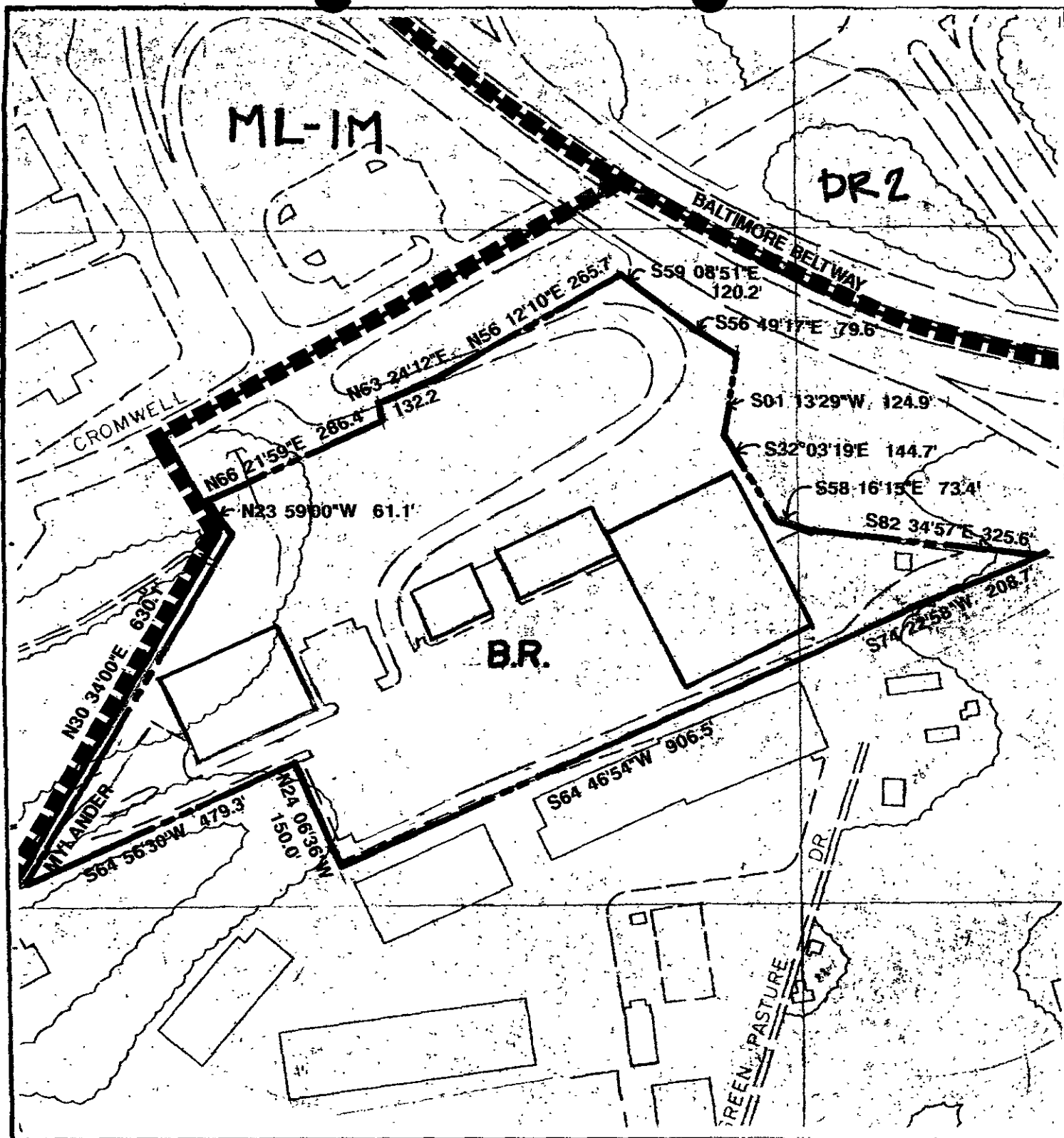
1210 Brook Meadow Drive 21286

Mary Ann Nugent

Baynesville Community Associate

1626 Yakona Rd Towson, MD 21286





WILLIAM MONK, INC.
 PLANNING, LANDSCAPE DESIGN
 ENVIRONMENTAL RESOURCE MANAGEMENT
 COURTHOUSE COMMONS
 222 BOSLEY AVENUE, SUITE B-7
 TOWSON, MD 21204
 (410) 494-8931

**ZONING MAP
 TO ACCOMPANY
 1101-1125 CROMWELL
 BRIDGE ROAD
 BALTIMORE CO., MD.**

MAP #:
NE 10C

SCALE:
 1"=200'

FILE #:

98-225-SPHA

225.

LOCH RAVEN COMMUNITY COUNCIL, INC.
(formerly - Towson-Loch Raven Community Council, Inc.)
P.O. Box 27682
Towson, MD 21285-7682

January 16, 1998

*Michael Monk
Community
No 1*

TO: Larry Schmidt, Zoning Commissioner
RE: Twenty-First Century Properties Co. (Luskins' property)
Case # 98-225-SPHA

The Loch Raven Community Council, Inc. (LRCC) represents 16 community associations and 2 service organizations in the Greater Loch Raven area.

On November 12, 1997, at the invitation of William Monk (William Monk, Inc.), I met with him to go over a proposed redevelopment plan for the Luskins' property. Mr. Monk was seeking an informal, quick-turnaround reaction from area neighborhood leaders on the proposal. I contacted representatives from four nearby neighborhood associations (Chatterleigh, Cromwell Valley, Knottishall and Loch Raven Village) and sought their verbal input. On November 14, I relayed to Mr. Monk the communities' initial comments and concerns.

During the week of November 24, Mr. Monk advised me that Twenty-First Century Properties has made application for a DRC hearing. He also requested an informal meeting with area community leaders. By November 26, six community associations (the four above, plus Baynesville and Towson Estates) were contacted and advised of a December 4 meeting date. Campus Hills was notified the week of November 30 about the meeting.

On December 4, representatives from Baynesville, Campus Hills, Chatterleigh, Cromwell Valley, Knottishall and Loch Raven Village met with Mr. Monk, Mr. Cary Luskins (property owner) and Mr. Donald Kann (Kann & Assoc). We had not received a response from Towson Estates.

At the December 4 meeting, the neighborhood representatives seemed favorable to the proposal and expressed a willingness to work with Twenty-First Century Properties. However, there were issues mentioned during the December 4 meeting that had to be addressed and they were: architecture, traffic, landscaping, lighting, fencing, signage, uses, maintenance and fireworks. At the conclusion of our meeting, Mr. Luskins exhibited a willingness to work with us. On December 5, I corresponded with Mr. Monk regarding the above issues and summarized the above issues in a December 6 letter to Mr. Robert Hewitt (County Planner) for use during the DRC discussion. Mr. Luskins responded to our December 5 letter on December 8. In light of Mr. Luskins' verbal commitment to work with the nearby neighborhoods, LRCC did not oppose Twenty-First Century Properties' DRC application request.

On December 31, Mr. Monk advised me of the January 16, 1998 zoning hearing. By January 2, 1998, a meeting with all parties had been scheduled for January 13, 1998 and written notice was mailed to all community representatives.

The proposal was outlined in LRCC's January 1998 newsletter and discussed during LRCC's January 12, 1998 meeting.

On January 13, 1998, representatives from Baynesville, Campus Hills, Chatterleigh, Cromwell Valley, Loch Raven Village and LRCC met with Mr. Monk, Mr. Luskin and Mr. Kann to review the Twenty-First Century Properties' proposed redevelopment plan. The representative from Knettishall was unable to attend and Towson Estates never responded to LRCC's January 2, 1998 meeting notice. The following summarizes our concerns:

01) Architecture - Portions of existing building will be redone to match the exterior of the new buildings. The sides of the old and new buildings facing and visible from the beltway and/or the communities of Chatterleigh and Cromwell Valley should be done in such a manner that its architectural flavor is uniform and gives it favorable prominence. The community prefers the earthtone colors as suggested by Mr. Luskin. Mr. Luskin has agreed to continue working with the community after today's hearing on the design of the building.

02) Traffic - The entrance will be predominately from Cromwell Bridge Road. Efforts should not be undertaken to encourage greater usage from E. Joppa Road. However, improvements on the access from E. Joppa Road would still include cleaning up the shrubs and trees, repaving, lighting, etc. Mylander Lane should not be widen.

03) Landscaping - LRCC has not had an opportunity to review the petitioner's site plan that was submitted with the application. LRCC will make its comments during the hearing. LRCC requests that landscaping be maintained (i.e. trim and replace dead shrubs/trees). As a footnote, the hill area will be replanted by the State Highway Administration with 175 trees at Twenty-First Century Properties expense.

04) Lighting - Sufficient lighting, but not to make the hill glow. Mr. Luskin has agreed to minimize direct glare into the communities of Chatterleigh and Cromwell Valley. Because the project is still evolving, the issue of lighting is still under discussion.

05) Signage - All new signage to conform with new sign regulations. Twenty-First Century Properties has agreed to limit the size of the sign letters to four (4) feet in height on signage along the exterior of the building (visible from the beltway and Chatterleigh & Cromwell Valley). Mr. Luskin has also agreed to encourage existing tenants to conform with the overall sign plan. LRCC recognizes Sym's right to certain signage on the exterior of the building. LRCC also encourages Twenty-First Century Properties to limit the number of signs on the exterior of the building (facing the beltway and neighborhoods) and tenants on the marquee. Because the project is still evolving, the issue of signage is still under discussion.

06) Uses - LRCC would like Twenty-First Century Properties to focus on family type businesses. Twenty-First Century Properties has agreed not to lease space to after-hours clubs, bars or adult video stores during their ownership of the property.

07) Maintenance of Property - To maintain the property by keeping the bushes/shrubs trimmed, trash picked-up and the exterior of the structures in good condition.

08) Fencing - To repair and/or replace, where necessary, then maintain fencing along the southeast side of the property.

09) Fireworks - To continue to allow the fireworks display from the property subject to approval on a continuing basis from government authorities

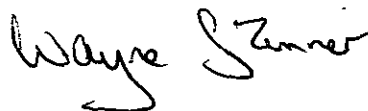
10) Dumpsters - To be properly screen. Because the project is still evolving. screening material still has to be decided.

In concluding, Mr. Luskin has been very forthcoming to the nearby communities and has expressed a willingness to continue his dialogue with the community beyond today's hearing.

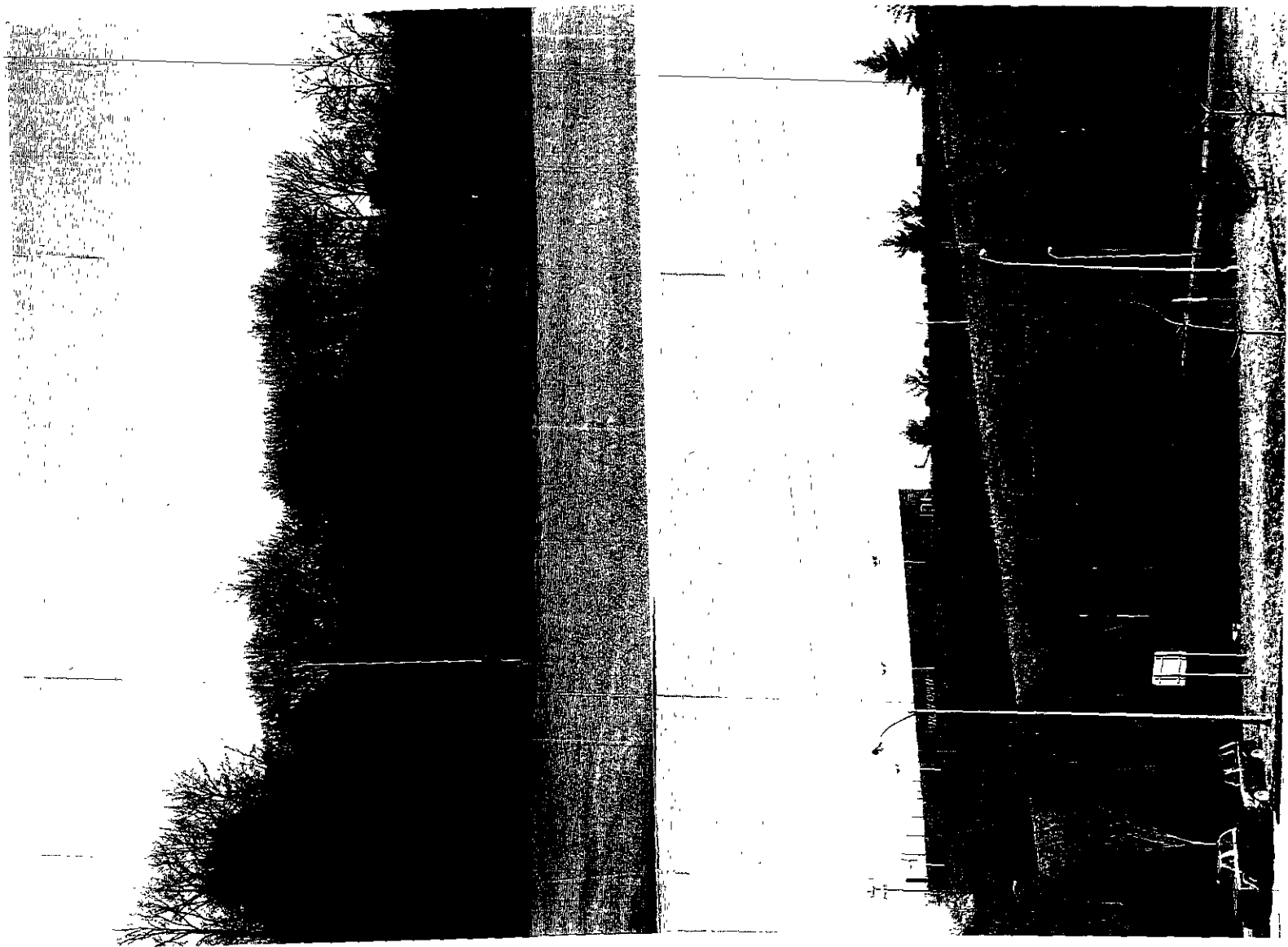
LRCC, in representing the participating communities, supports Twenty-First Century Properties' (Mr. Luskin's) request to amend the previously approved plan in case #96-61-A and the requested (2) variances (a 10 foot side yard setback and 30 feet between buildings).

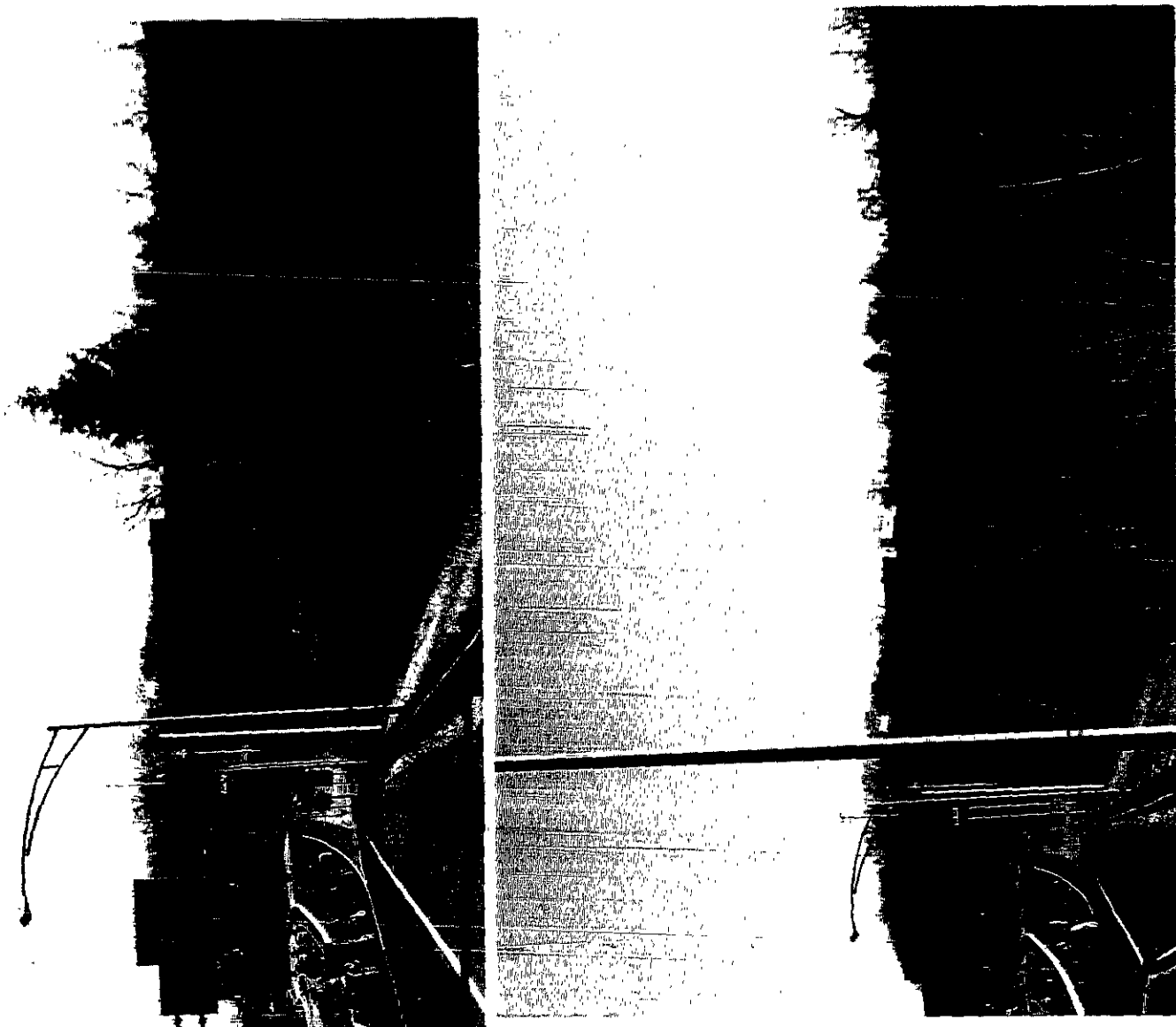
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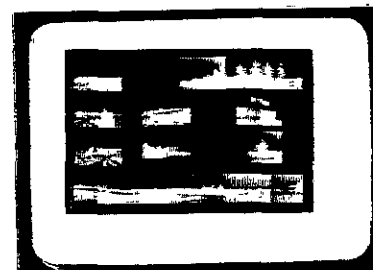
Wayne Skinner

A handwritten signature in cursive script that reads "Wayne Skinner".

LRCC Zoning Chairman

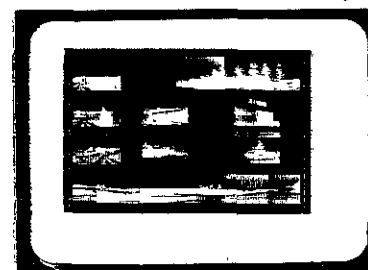






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