

IN RE: PETITIONS FOR SPECIAL HEARING & * BEFORE THE
 ZONING VARIANCE *
 NWC Belair Road and Putty Hill * ZONING COMMISSIONER
 Avenue *
 8100 Belair Road * OF BALTIMORE COUNTY
 14th Election District *
 6th Councilmanic District *
 Legal Owner: Joseph A. Lorenzo Case No. 98-417-SPHA
 Lessee: Robert Ellrich
 Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing and Petition for Zoning Variance for the property located on the northwest corner of the intersection of Belair Road and Putty Hill Avenue, known as 8100 Belair Road. The Petitions was filed by Joseph A. Lorenzo, property owner and Robert Ellrich, Lessee. Through the Petition for Special Hearing, relief is requested to approve commercial parking in a residential zone. As to the Petition for Variance, relief is sought to allow a setback of 38 ft. to a property line for commercial parking in a Residential Transition Area (RTA) in lieu of the required 75 ft., and to allow a buffer of 38 ft. in an RTA area, in lieu of the required 50 ft. (See Section 1B01.1B.1.e of the BCZR). The subject property and requested relief are more particularly shown on the plat to accompany the Petitions for Variance and Special Hearing, received as Petitioners' Exhibit No. 1.

Appearing at the public hearing held for this case was Robert E. Ellrich, co-Petitioner. Mr. Ellrich was represented by Deborah Dopkin, Esquire. Also present was Bruce Doak, a surveyor with Gerhold, Cross and Etzel, Ltd., who prepared the site plan.

An examination of the site plan and photographs submitted at the hearing show that the subject property is .71 acres in area, split zoned B.L.-A.S. and D.R.5.5. As noted above, the property is located on the northeast corner of the intersection of Belair Road and Putty Hill Avenue,

ORIGINAL RECEIVED FOR FILING
 Date 8/26/98
 BY [Signature]

just north of the Baltimore Beltway (I-695). The property is improved with a 2-1/2 story stucco and frame dwelling which sits immediately adjacent to Belair Road. The property also contains an asphalt parking area. The rear of the portion is steeply sloped and contains a large area of trees and woods.

Apparently, Mr. Ellrich leases the property from Mr. Lorenzo and operates a video store business from the building on site. Additionally, the building contains several residential apartments and an office. Mr. Ellrich proposes operating a snowball stand during the summer season on the property. As shown on the site plan and photographs, a free-standing snowball stand building will be situated towards the rear of the site. Although no new construction or paving is required, the Petitioner seeks relief to legitimize the existing area of the parking lot which is located in the D.R.5.5 zoned part of the property. As more particularly shown on the site plan, the existing building, snowball stand and most of the parking are in that part of the property zoned B.L.-A.S.; which occupies the front portion of the property. However, a small area of the existing parking lot, as well as the steep slope wooded area of the site, is zoned D.R.5.5.

Based upon the uncontradicted testimony and evidence offered, I am persuaded to grant the relief requested. It is particularly significant that no new paving will be added and that the requested relief is sought only to legitimize that portion of the existing lot which is in the D.R.5.5 zone. Moreover, the steep topography of the rear portion of the site and the existence of the woods on that part of the tract are compelling factors which support a conclusion that the property is unique. Moreover, I find that a grant of the relief requested will not be detrimental for any adjacent properties and is consistent with the spirit and intent of the applicable zoning regulations.

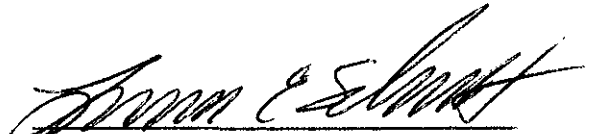
ORDER REQUIRED FOR FILING
Date 8/24/98
M. York

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

IT IS, THEREFORE, ORDERED, this 26th day of June 1998, that approval for commercial parking in a residential zone, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1B01.1B.1.e of the BCZR to allow a setback of 38 ft. to a property line for commercial parking in a Residential Transition Area (RTA), in lieu of the required 75 ft., and to allow a buffer of 38 ft. in an RTA area, in lieu of the required 50 ft., be and is hereby GRANTED, subject, however, to the following restriction:

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


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 6/26/98
By M. Spork

LES:mn



Baltimore County
Zoning Commissioner
Office of Planning

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

June 25, 1998

Deborah C. Dopkin, Esquire
Suite 920, 409 Washington Avenue
Towson, Maryland 21204

RE: Petitions for Special Hearing and Variance
Property: 8100 Belair Road
Robert Ellrich, Lessee, Joseph Lorenzo, Legal Owner, Petitioners
Case No. 98-417-SPHA

Dear Mrs. Dopkin:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Variance have been granted, with restriction, 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 cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Mr. Robert Ellrich
2 Sawgrass Court
Timonium, Maryland 21093



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

Northwest corner of Belair Road (8100)
and Putty hill Avenue

which is presently zoned BL-AS & DR 5.5

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

commercial parking in a residential zone.

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.

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:

Robert Ellrich
(Type or Print Name)
Robert Ellrich
Signature
2 Sawgrass Court
Address
Timonium, Maryland 21093
City State Zipcode

Legal Owner(s):

Joseph A. Lorenzo
(Type or Print Name)
Joseph A. Lorenzo
Signature
(Type or Print Name)
Signature
11129 W. Dixie Drive 410-312-9802
Address Phone No.
Bishopville, Maryland 21813
City State Zipcode

Attorney for Petitioner:

Deborah C. Dopkin
(Type or Print Name)
Deborah C. Dopkin
Signature
Suite 920
409 Washington Avenue 410-494-8080
Address Phone No.
Towson, Maryland 21204
City State Zipcode

11129 W. Dixie Drive 410-312-9802
Address Phone No.
Bishopville, Maryland 21813
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 Suite 100
320 E. Towsontown Boulevard 21286
Address Phone No. 410-823-4470

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING 1 1/2 hr
unavailable for hearing

the following date _____ Next Two Months

ALL OTHER

REVIEWED BY: *[Signature]* DATE 5-5-88

417

98-417-512HA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

Northwest corner of Belair Road (8100)
and Putty Hill Avenue

which is presently zoned BL-AS & DR 5.5

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(e) 1 B01.1B1c - TO ALLOW A SETBACK OF 38 FEET TO A PROPERTY LINE FOR COMMERCIAL PARKING IN A RESIDENTIAL TRANSITION AREA IN LIEU OF THE REQUIRED 75' AND TO ALLOW A BUFFER OF 38' IN LIEU OF THE REQUIRED 50'

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

THE PARKING AREA HAS EXISTED IN THIS LOCATION FOR MANY YEARS.

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:

Robert Ellrich

(Type or Print Name)

Signature

2 Sawgrass Court

Address

Timonium, Maryland 21093

City State Zipcode

Attorney for Petitioner:

Deborah C Dopkin

(Type or Print Name)

Signature

Suite 920

409 Washington Avenue 410-494-8080

Address 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 A. Lorenzo

(Type or Print Name)

Signature

(Type or Print Name)

Signature

11129 W. Dixie Drive 410-312-9802

Address Phone No.

Bishopsville, Maryland 21813

City State Zipcode

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

Scott A. Lindgren

Gerhold, Cross & Etzel, Ltd.

Name Suite 100

320 E. Towsontown Boulevard 21286

Address Phone No.

410-823-4470

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING See Sp. Hearing
unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: JD DATE 5-5-98

417



Printed with Soybean Ink on Recycled Paper

98-417-SPHA

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
WILLIAM G. ULRICH

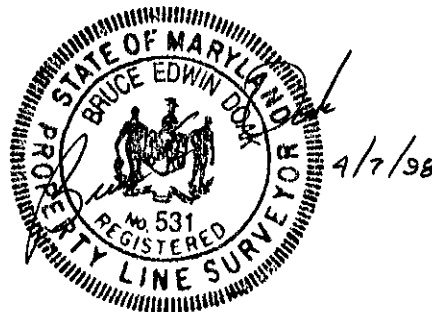
March 13, 1998

**Zoning Description
Property Located at the Northwest Corner
of Belair Road and Putty Hill Avenue**

Beginning at the intersection of the west side of Belair Road and the north side of Putty Hill Avenue, running thence on the west side of Belair Road 66 feet more or less, thence leaving said road and running North 42 degrees 56 minutes West 64.38 feet, North 51 degrees 41 minutes West 75.58 feet, North 36 degrees 43 minutes East 90 feet more or less, North 64 degrees 30 minutes West 62 feet 1 inch, South 40 degrees 48 minutes West 120 feet more or less, South 40 degrees 48 minutes West 10 feet 2 inches, and South 22 degrees 48 minutes West 94 feet 6 1/2 inches to the north side of Putty Hill Avenue, running thence on the north side of Putty Hill Avenue, South 81 degrees 13 minutes East 53 feet 4 inches, South 84 degrees 50 minutes East 33.18 feet and Southeasterly 94 feet more or less to the place of beginning.

Containing 0.58 Acres of land, more or less

This description is compiled from Deeds and Plats and only meets the requirements of the Office of Zoning and is not for conveyance purposes.



417

98-417-SPHA

BALTIMORE COUNTY, MARYL
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Item No. 417
2820

DATE 5-5-98 ACCOUNT R-001-6150

AMOUNT \$ 500.00

RECEIVED FROM: Friendly Snoddell Inc 260 Park Ellwood

FOR: Summer and Special Hearing & Various Files for
8100 Belair Rd. (Snoddell stand)

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

98-417-SPHA

CASHER'S VALIDATION

PAID RECEIPT
NO. 505198
DATE 5/5/98
AMOUNT \$500.00
BY [Signature]
OFFICE OF BUDGET & FINANCE
BALTIMORE COUNTY, MARYLAND

**NOTICE OF ZONING
HEARINGS**

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 #98-417-SPMA
8100 Beelar Road
NWC Beelar Road and Pully Hill Avenue
14th Election District
6th Courtdramatic District
Legal Owner(s): Joseph A. Lorenzo
Contract Purchaser: Robert Elruch

Special Hearing: to approve commercial parking in a residential zone. **Variance:** to allow a setback of 38 feet to a property line for commercial parking in a Residential Transition Area in lieu of the required 75 feet, and to allow a buffer of 38 feet in lieu of the required 50 feet.

Hearing: Monday, June 22, 1998 at 10:30 a.m. in Room 407, County Courts Bldg., 401 Bessey 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) 887-3397.

6/03/1 June 4

02334430

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/4, 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 6/4, 1998.

THE JEFFERSONIAN,

A. H. Erickson
LEGAL AD. - TOWSON

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
8100 Belair Road, NWC Belair Road and Putty Hill
Ave., 14th Election District, 6th Councilmanic

Legal Owners: Joseph A. Lorenzo
Contract Purchaser: Robert Ellrich

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
*
* Case Number: 98-417-SPHA

* * * * *

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 of 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
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of June, 1998, a copy of the foregoing Entry of Appearance was mailed to Deborah C. Dopkin, Esq., , 502 Washington Avenue, Suite 220, Towson, MD 21204, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

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

May 18, 1998

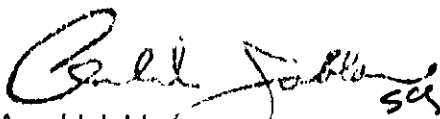
NOTICE OF ZONING HEARING

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: 98-417-SPHA
8100 Belair Road
NWC Belair Road and Putty Hill Avenue
14th Election District - 6th Councilmanic District
Legal Owner: Joseph A. Lorenzo
Contract Purchaser: Robert Ellrich

Special Hearing to approve commercial parking in a residential zone. Variance to allow a setback of 38 feet to a property line for commercial parking in a Residential Transition Area in lieu of the required 75 feet. and to allow a buffer of 38 feet in lieu of the required 50 feet.

HEARING: Monday, June 22, 1998 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue


Arnold Jablon
Director

c: Deborah C. Dopkin, Esquire
Joseph A. Lorenzo
Robert Ellrich
Gerhold, Cross & Etzel, Ltd.

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 7, 1998.**
- (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
June 4, 1998 Issue - Jeffersonian

Please forward billing to:

Robert Ellrich
2 Sawgrass Court
Lutherville, MD 21093

No Telephone Number
(Attorney - Deborah Dopkin 410-494-8080)


NOTICE OF ZONING 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: 98-417-SPHA
8100 Belair Road
NWC Belair Road and Putty Hill Avenue
14th Election District - 6th Councilmanic District
Legal Owner: Joseph A. Lorenzo
Contract Purchaser: Robert Ellrich

Special Hearing to approve commercial parking in a residential zone. Variance to allow a setback of 38 feet to a property line for commercial parking in a Residential Transition Area in lieu of the required 75 feet. and to allow a buffer of 38 feet in lieu of the required 50 feet.

HEARING: Monday, June 22, 1998 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue


Lawrence E. Schmidt 59

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.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 98-417-SPHA
Petitioner: Joseph Lorenzo- Owner, Lessor Robert Ellrich- Lessee
Address or Location: Northwest corner of Belair Road and Putty Hill Avenue

PLEASE FORWARD ADVERTISING BILL TO:

Name: Robert Ellrich
Address: 2 Sawgrass Court
Lutherville, Maryland 21093
Telephone Number: _____

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.: 98-417-SPHA

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

PLACE: _____

DATE AND TIME: _____

REQUEST: A Special Hearing to allow commercial parking in a residential zone and a Variance to allow a setback of 38 ft to a property line for same in a residential transition area in lieu of the required 75 ft, and to allow a buffer of 38 ft. in lieu of the minimum required 50 ft.

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



Baltimore County
Department of Permits and
Development Management

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

June 15, 1998

Deborah C. Dopkin, Esq.
409 Washington Avenue, Suite 920
Towson, MD 21204

RE: Item No.: 417
Case No.: 98-417-SPHA
Petitioner: Joseph A. Lorenzo
Location: NWC Belair Road and
Putty Hill Avenue

Dear Mrs. Dopkin:

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 May 5, 1998.

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 Gwendolyn Stephens in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR:ggs
Attachment(s)



Baltimore County
Fire Department

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

May 1, 1998

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

RE: Property Owner: JOSEPH A. LORENZO
BALTIMORE COUNTY, MARYLAND

Location: DISTRIBUTION MEETING OF MAY 18, 1998

Item No.: 425 AND 417 Zoning Agenda:

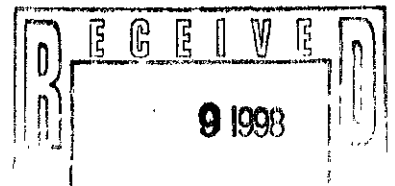
Gentlemen:

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.

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: May 26, 1998

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

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item No. 417, 427, 428, 431, 433, 435, and 440

If there should be any questions or if this office can provide additional information,
please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Jeffrey W. Long for Gay Kerne

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: May 22, 1998

FROM: Robert W. Bowling, Chief *RWB/DAK*
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for May 26, 1998
Item Nos. 416, 417, 418, 419, 420,
421, 422, 423 and 424

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:HJO:jrb

cc: File



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

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

RE: Baltimore County 5.15.98
Item No. 417 JJS

Dear Ms. Stephens:

WE have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 1 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Larry Gredlein At 410-545-5606 or By E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

R. J. Burns
for 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

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

TO: PDM
FROM: R. Bruce Seeley *RBS/90*
Permits and Development Review
DEPRM

DATE: 5/20/90

SUBJECT: Zoning Advisory Committee
Meeting Date: May 17, 90

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

Item #'s:

416	423
417	424
419	425
420	426

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND
Interoffice Correspondence

DATE: September 13, 2000

TO: Donald T. Rascoe, Development Manager
Department of Permits and Development Management

FROM: Charles C. Dennis, Tower Coordinator, TRC

SUBJECT: AT&T Wireless Services' Tower Requests

The Tower Review Committee (TRC) met on August 24, 2000 to review and finalize the request from AT&T Wireless Services for the construction of two steel monopole towers in the northern section of Baltimore County. The first proposed monopole, located at 801 Bacon Hall Road, Sparks, Maryland, 21152, will have a height of 150 feet, while the second proposed monopole, located at 19807 York Road, Parkton, Maryland, 21120, will have a height of 199 feet. AT&T was represented at the meeting by Paul A. Dorf, Esq. and S. Leonard Rottman, Esq., attorneys with the law firm of Adelberg, Rudow, Dorf, Hendler, and Sameth.

The following factors were taken into consideration in evaluating the two AT&T tower site requests.

Telecommunications Review

The two proposed tower sites have been reviewed for technical merit, need, and the potential for co-location on existing structures. Because the two sites are in the same general geographical area, they were evaluated together. It is the Tower Review Committee's opinion that these communication structures are required in these areas to meet the Radio Frequency (RF) coverage objectives of AT&T along the Interstate 83 (I-83) corridor. Numerous potential co-location sites were examined. A summary of the evaluation of potential co-location sites is detailed below. In summary, no existing available sites were identified to mitigate the requirement for construction of these structures.

During a site visit to these proposed locations and to areas along I-83 anticipated to be covered by these new structures, it was noted that an AT&T cellular phone did not have AT&T service. In addition, RF propagation data provided by AT&T detailed that AT&T presently lacks service in this area.

During a site visit and after consultation with Baltimore County's tower map and database, no co-location sites within the immediate vicinity of these sites were located. Since no immediate co-location opportunities were found, the use of numerous existing

sites to the south, between, and north of the proposed new construction was considered. The objective in evaluating existing sites was to consider the use of potentially three sites on existing structures as an alternative to constructing two new sites. Also considered was the use of existing sites and potentially using repeaters and/or microcells to cover small gaps in coverage to mitigate the requirement for new construction.

To evaluate numerous potential co-locations sites south, between, and north of the proposed new construction sites, AT&T provided RF propagation data from locations representative of numerous existing sites as requested by the Tower Committee. These existing sites did not, in the Committee's opinion, provide AT&T adequate RF coverage for the existing holes in their current coverage along Interstate 83. In nearly all the potential co-location cases evaluated, AT&T has or anticipates (based on RF data provided) co-location on existing structures in the general vicinity along I-83. The existing structures evaluated added little additional coverage for AT&T and did not mitigate the requirement for construction of new structures in the general areas requested in these petitions.

Based on site visits, a review of the technical data presented by AT&T, and investigation of the potential co-location sites, it is the Committee's technical opinion that these new structures are required within this general area to meet AT&T's coverage objectives.

Planning Considerations for the 19807 York Road Site

AT&T Wireless Services, Inc., proposes to construct a new 199' telecommunication monopole within an area presently used as a flea market, The Mason Dixon Village, located at 19807 York Road. The tower will be located on a five-acre portion of the property on the west-side of York Road. The site is zoned RC-4 and RC-5. Since the tower is located within a residential area, a special exception will be required. The area adjacent to the monopole site is also zoned RC-4 and RC-5 and will continue to be used as a flea market.

Planning Considerations for 801 Bacon Hall Road Site

AT&T Wireless Services, Inc., proposes to construct a new 150' telecommunication monopole on a 5.03 acre site zoned RC-2. The proposed tower site is located west of U.S. Interstate 83 and north of Bacon Hall Road. Access into the site will be from Bacon Hall Road. Since the tower is located within a residential area, a special exception will be required. The area adjacent to the monopole site is also zoned RC-2. Section 426.2B3 of the Baltimore County Zoning Regulations states: "If a new tower must be built, the tower should be: 3. Located and designed to minimize its visibility from residential and transitional zones."

The proposed telecommunication tower will be visible from both I-83, Baltimore - Harrisburg Expressway, and MD-45, York Road. In this particular section of the County, these roadways are designated as scenic routes in the Baltimore County Master Plan 2010.

At the August 24, 2000 Tower Review Committee meeting, the committee members requested that AT&T submit documentation to the Office of Planning, showing how the proposed tower will be viewed from I-83 heading south and from York Road across the Ross Valley Farms view shed. The documentation should show how the placement of the communication tower would impact the views from both I-83 and York Road and what measures will be taken to mitigate the tower's impact on both views. This documentation should be received by Planning Staff before the September 20, 2000 Special Exception Hearing.

Community Considerations

Mr. Page, the Community Member of the Tower Review Committee, telephoned all affected community groups in the area. As of this date, there has been no response by any of the groups. Although there may be further opposition when the tower petitions reach the DRC hearing stage, we can only assume at this point that there is no opinion from the community groups on the construction of these towers.

General Considerations

Baltimore County personnel have visited the areas associated with these proposed towers, and with the assistance of Electronic Services and Telecommunications have determined that AT&T Wireless Services has a need for increased RF signal along this section of I-83. After surveying the areas and evaluating computer imaged photographs supplied by AT&T, the Committee feels that the placement of the towers at the proposed properties and at the heights specified will have a negligible effect on the view of the surrounding countryside. However, the Committee would make the request that, to further disguise the tower from the skyline, AT&T have the towers manufactured or painted a sky gray or blue color.

Final Conclusion

After reviewing all of the material supplied to the Committee by AT&T Wireless Services and completing our own site survey and evaluation, the Committee believes that AT&T's RF coverage in the designated areas needs to be enhanced. We also believe that the construction of the towers, especially ones that are properly painted to blend with the skyline, will have a minimal effect on the surrounding communities. Based on the information that has been presented above, the Tower Review Committee recommends approval of AT&T Wireless Services' petitions for special exception for the construction of monopole towers at 801 Bacon Hall Road, Sparks, Maryland, 21152 and 19807 York Road, Parkton, Maryland, 21120.

Tower Review Committee

Tim Krout, Columbia Telecommunications
Charles C. Dennis, OBF, Electronic Services / Telecommunications

Ervin McDaniel, Office of Planning
A. Bob Page, Community Member TRC
Richard Sterba, Office of Budget and Finance

Cc: Mr. S. Leonard Rottman, Attorney for AT&T Wireless Services

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

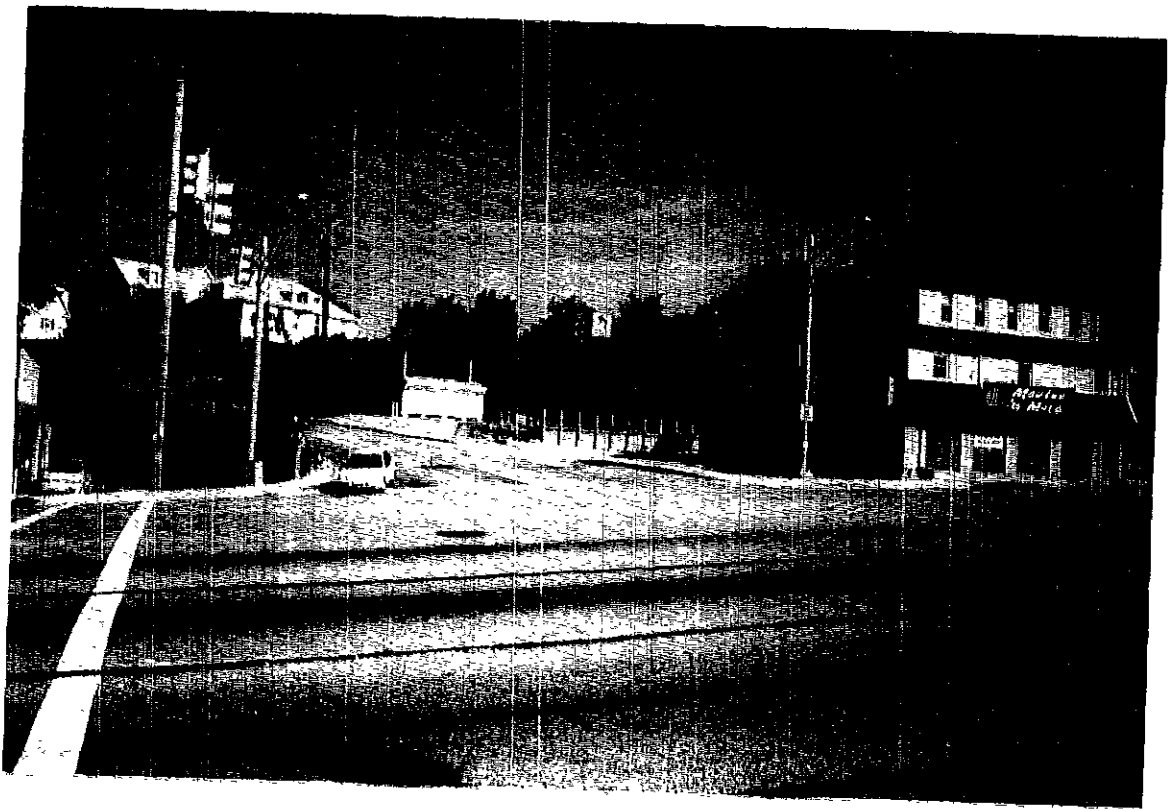
98-4175 PAA

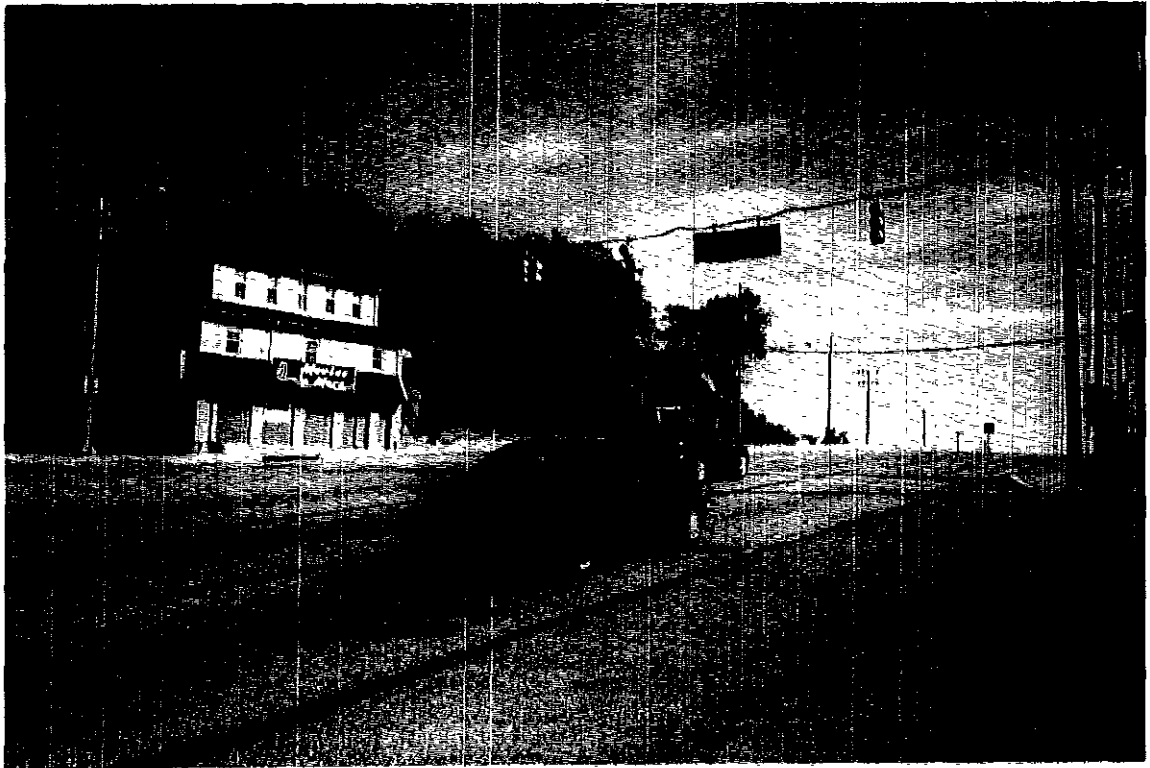
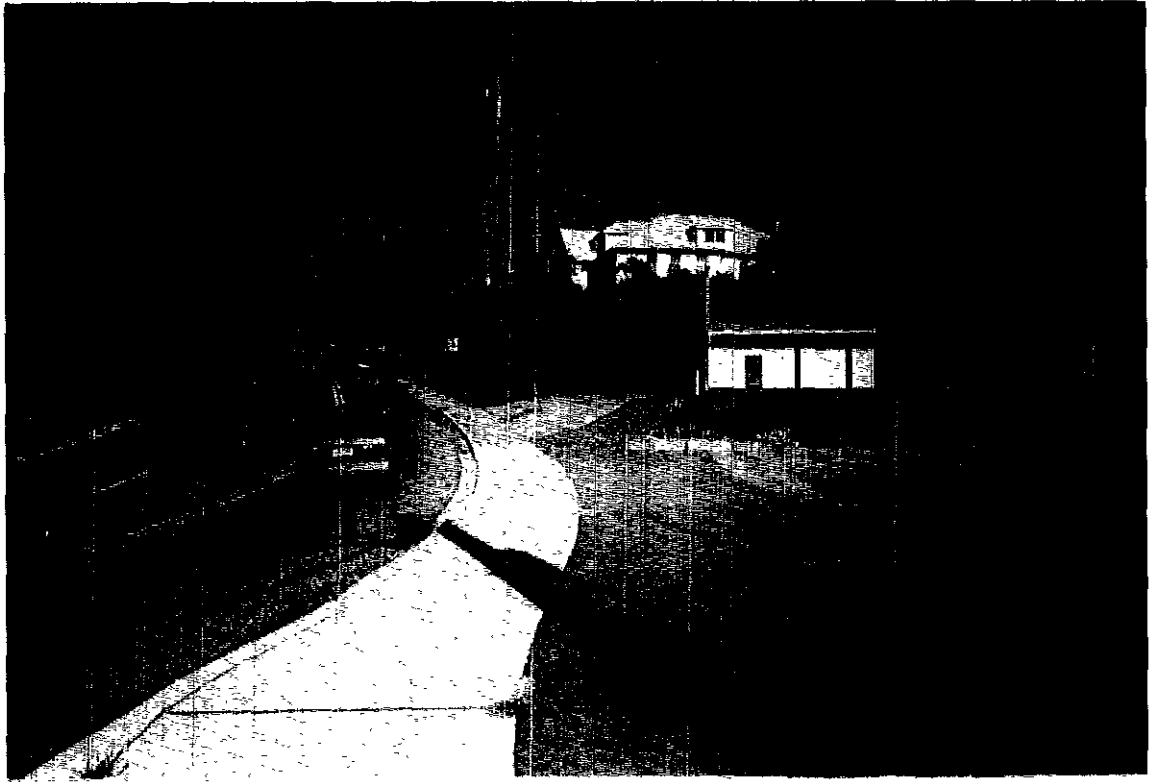
NAME

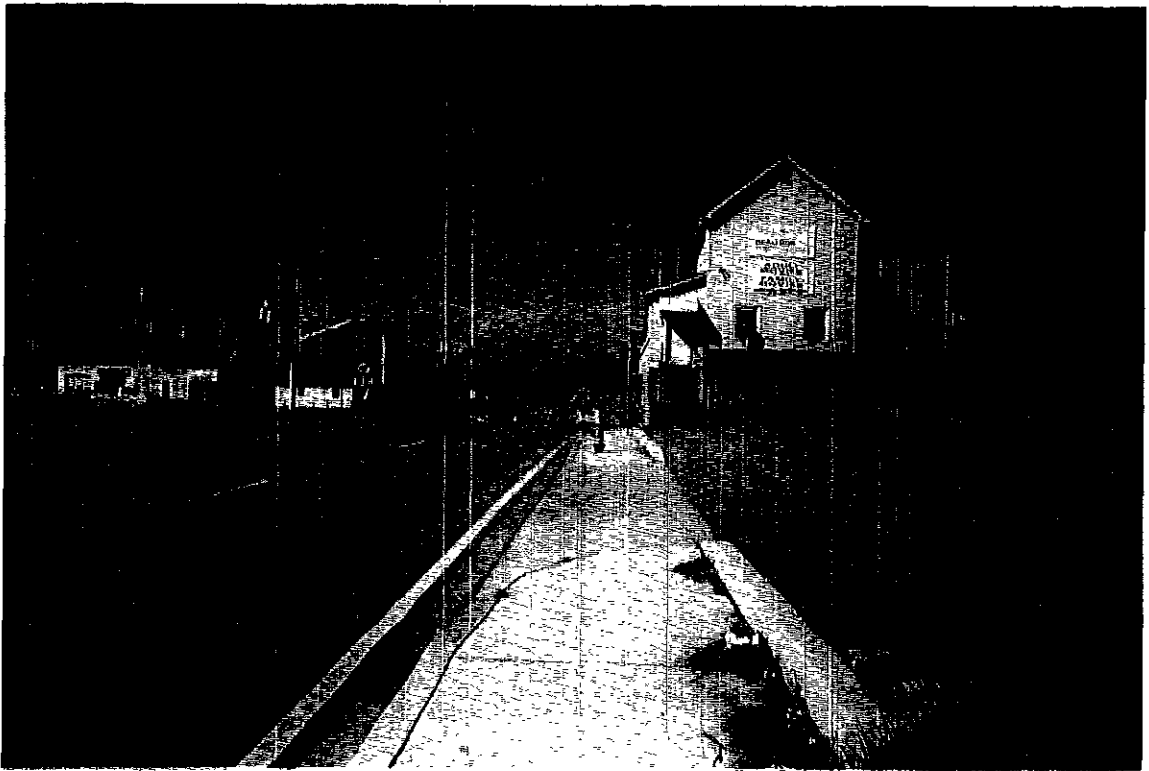
ADDRESS

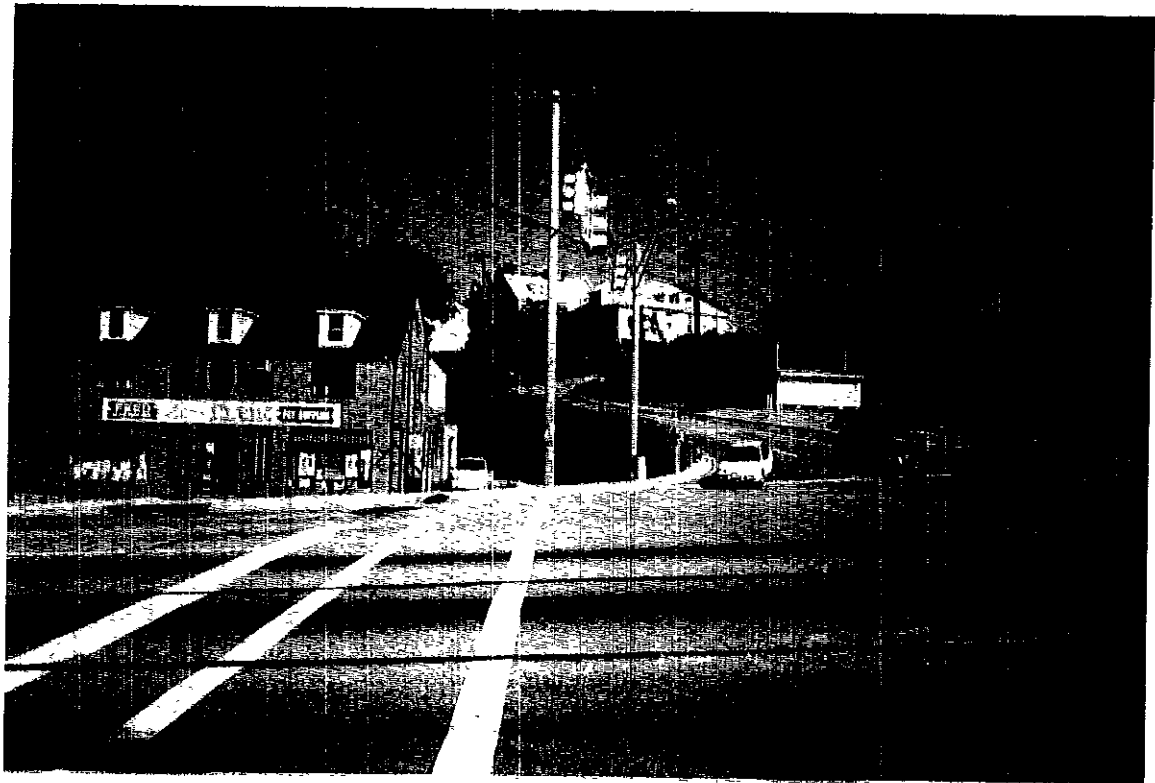
BRUCE DAAN-GERHOLD, CROSS & ETZEL, LTD	320 E TOWNSHOWN BLVD TOWSON MD 21286
DEBORAH DOPKIN	409 WASHINGTON AVE 21204
ROBERT E. ELLRICH	2 SAWGRASS CRT.











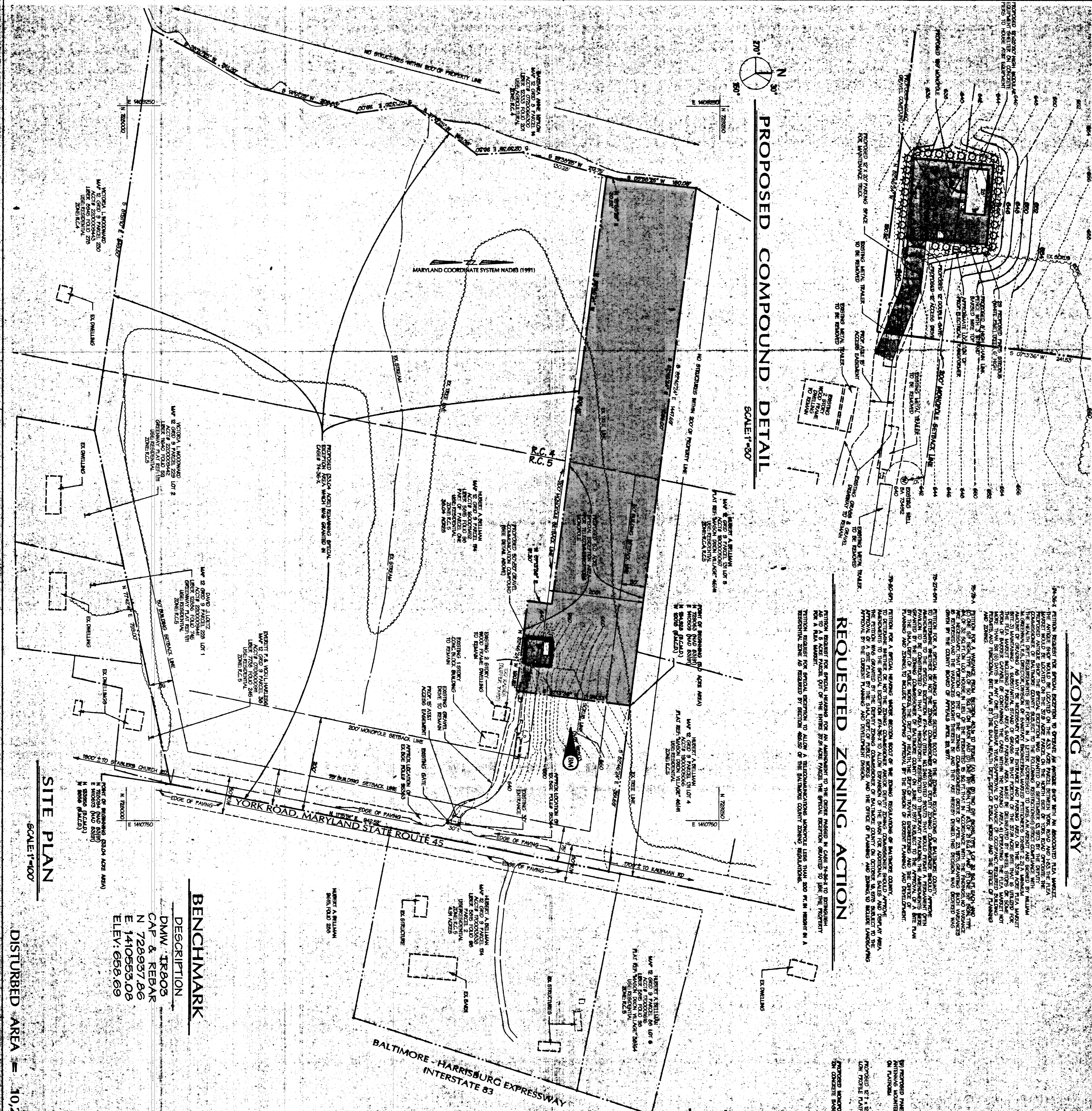
ZONING HISTORY

70-34-4 PERMIT TO CONSTRUCT FOR SPECIAL ZONING TO BE OBTAINED BY APPLICANT FOR THE PROPOSED FACILITY. THE APPLICANT HAS BEEN ADVISED THAT THE BALTIMORE COUNTY ZONING BOARD HAS REVIEWED THE APPLICATION AND HAS GRANTED A SPECIAL ZONING EXCEPTION TO THE BALTIMORE COUNTY ZONING ORDINANCE. THE APPLICANT HAS BEEN ADVISED THAT THE BALTIMORE COUNTY ZONING BOARD HAS REVIEWED THE APPLICATION AND HAS GRANTED A SPECIAL ZONING EXCEPTION TO THE BALTIMORE COUNTY ZONING ORDINANCE. THE APPLICANT HAS BEEN ADVISED THAT THE BALTIMORE COUNTY ZONING BOARD HAS REVIEWED THE APPLICATION AND HAS GRANTED A SPECIAL ZONING EXCEPTION TO THE BALTIMORE COUNTY ZONING ORDINANCE.

REQUESTED ZONING ACTION

REVISION REQUEST FOR SPECIAL ZONING TO BE OBTAINED BY APPLICANT FOR THE PROPOSED FACILITY. THE APPLICANT HAS BEEN ADVISED THAT THE BALTIMORE COUNTY ZONING BOARD HAS REVIEWED THE APPLICATION AND HAS GRANTED A SPECIAL ZONING EXCEPTION TO THE BALTIMORE COUNTY ZONING ORDINANCE. THE APPLICANT HAS BEEN ADVISED THAT THE BALTIMORE COUNTY ZONING BOARD HAS REVIEWED THE APPLICATION AND HAS GRANTED A SPECIAL ZONING EXCEPTION TO THE BALTIMORE COUNTY ZONING ORDINANCE.

PROPOSED COMPOUND DETAIL



SITE PLAN

SCALE: 1"=100'

DISTURBED AREA = 10,200 SQ. FT. ±

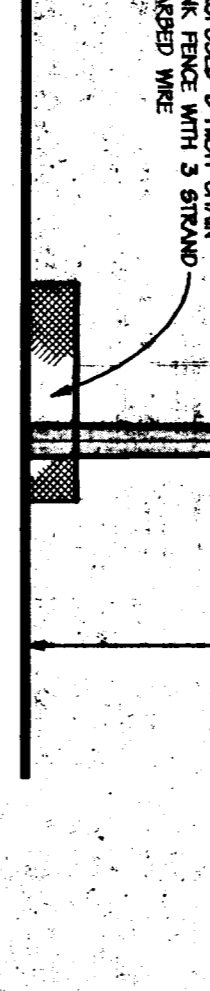
BENCHMARK

DESCRIPTION
 DMW: 18303
 CAP & REBAR
 N 728937.86
 E 1410553.08
 ELEV: 659.69

GENERAL NOTES

1. CHECKER: DMW AND STREET ADDRESS: 19607 YORK ROAD, PARKTON, MD 21120
2. CONTRACT: ISSUED BY: DMW
3. SPECIAL EXCEPTION AREA: 200' MONOPOLE SETBACK LINE
4. SETBACKS: 5 FT. SETBACKS
5. SITE ADDRESS: 19607 YORK ROAD, PARKTON, MD 21120
6. SITE DATA: 200' MONOPOLE SETBACK LINE

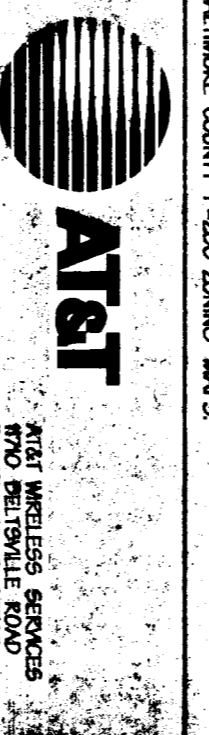
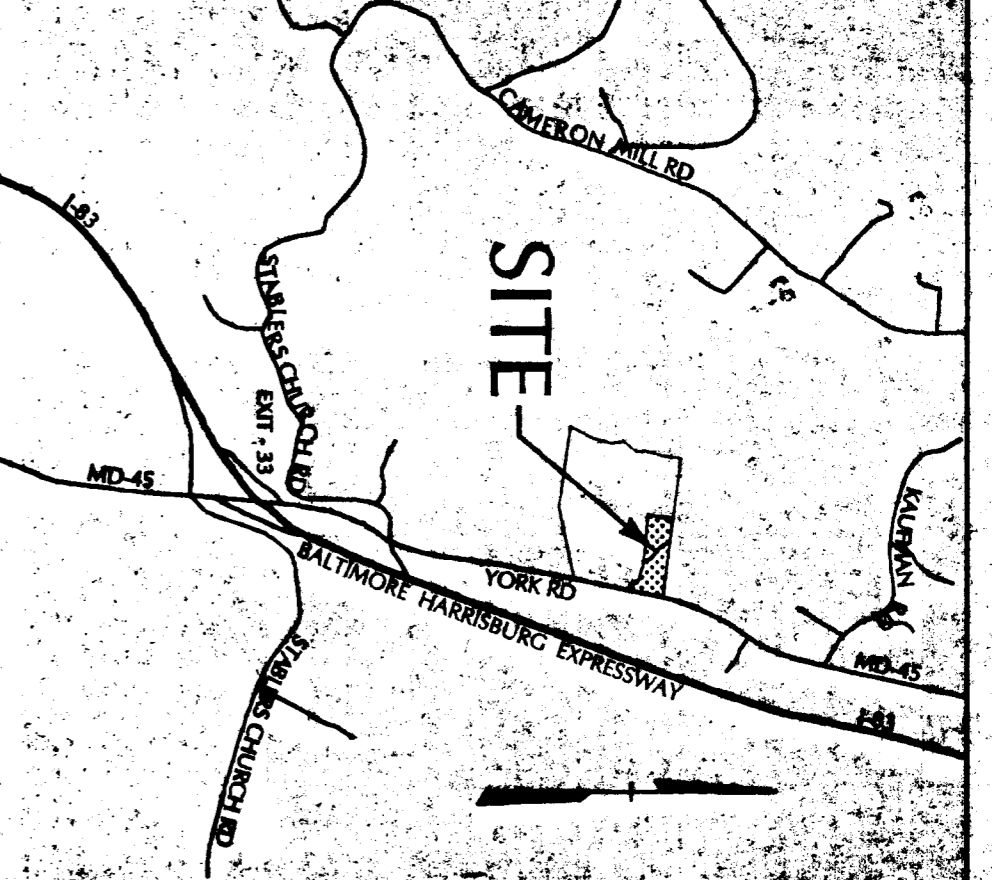
MONOPOLE ELEVATION



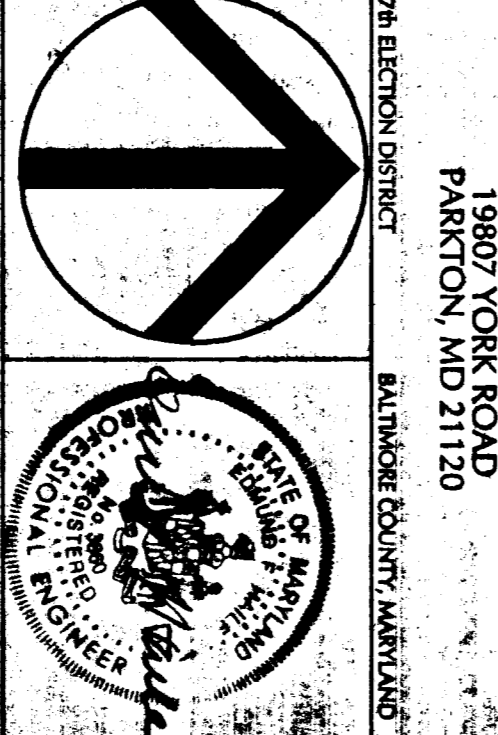
LEGEND

- EXISTING CONDITIONS
- PROPOSED CONDITIONS
- EXISTING METAL FENCE
- PROPOSED METAL FENCE
- EXISTING DRIVE
- PROPOSED DRIVE
- EXISTING TRAIL LINE
- 200' ZONING RESTRICTION LINE
- ZONING RESTRICTION LINE
- PROPERTY LINE
- PROPOSED WHITE FENCE
- PROPOSED SPECIAL EXCEPTION AREA

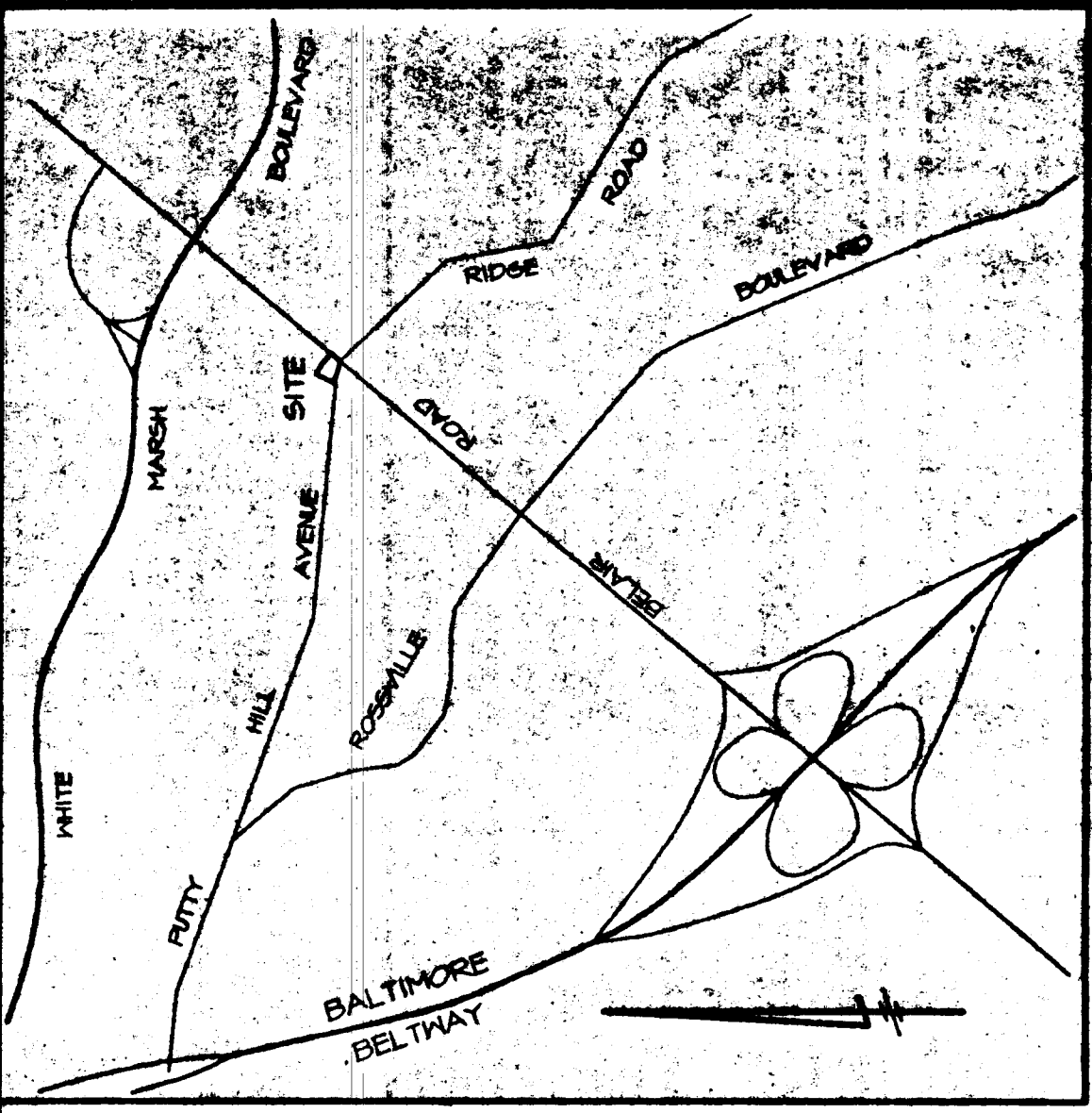
VICINITY MAP



DMW
 DUNHAM, MCWHORTER & WYNN
 4 YEARS OF LEAD PROGRESS
 4600 39th Avenue, Suite 100
 Baltimore, Maryland 21208
 410-588-7100



ISSUE DATES	BASE	REVISIONS
REVIEW: BT/MDM	DATE: 10/20/21	BY: BT/MDM
DRAWN: BT/MDM	DATE: 10/20/21	BY: BT/MDM
DESIGNED: BT/MDM	DATE: 10/20/21	BY: BT/MDM
CHECKED BY: BT/MDM	DATE: 10/20/21	BY: BT/MDM
DATE CHECKED: 10/20/21	DATE: 10/20/21	BY: BT/MDM
SCALE: AS SHOWN	DATE: 10/20/21	BY: BT/MDM
PROJECT NO.: 86035.BE	DATE: 10/20/21	BY: BT/MDM
DRAWING: 1 of 1	DATE: 10/20/21	BY: BT/MDM



Vicinity Map
1" = 1000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON WAS TAKEN FROM THE TITLE DEEDS AND SHA PLATS.
2. THE CORNER MARKERS SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY 200 PLAT.
3. CONVEYANCE TO THE DEED.
4. AS2, MAP & GRID 28 1410
5. AS2, MAP & GRID 28 1410
6. AS2, MAP & GRID 28 1410
7. AS2, MAP & GRID 28 1410
8. AS2, MAP & GRID 28 1410
9. AS2, MAP & GRID 28 1410
10. AS2, MAP & GRID 28 1410

DENSITY CALCULATIONS

TOTAL GROSS AREA 0.11 AC.±
 GROSS AREA IN D.R. 5.5 0.90 AC.±
 GROSS AREA IN BL-AS 0.41 AC.±
 TOTAL NET AREA 0.36 AC.±
 FLOOR AREA RATIO: 3400 ± 51000 = 0.18

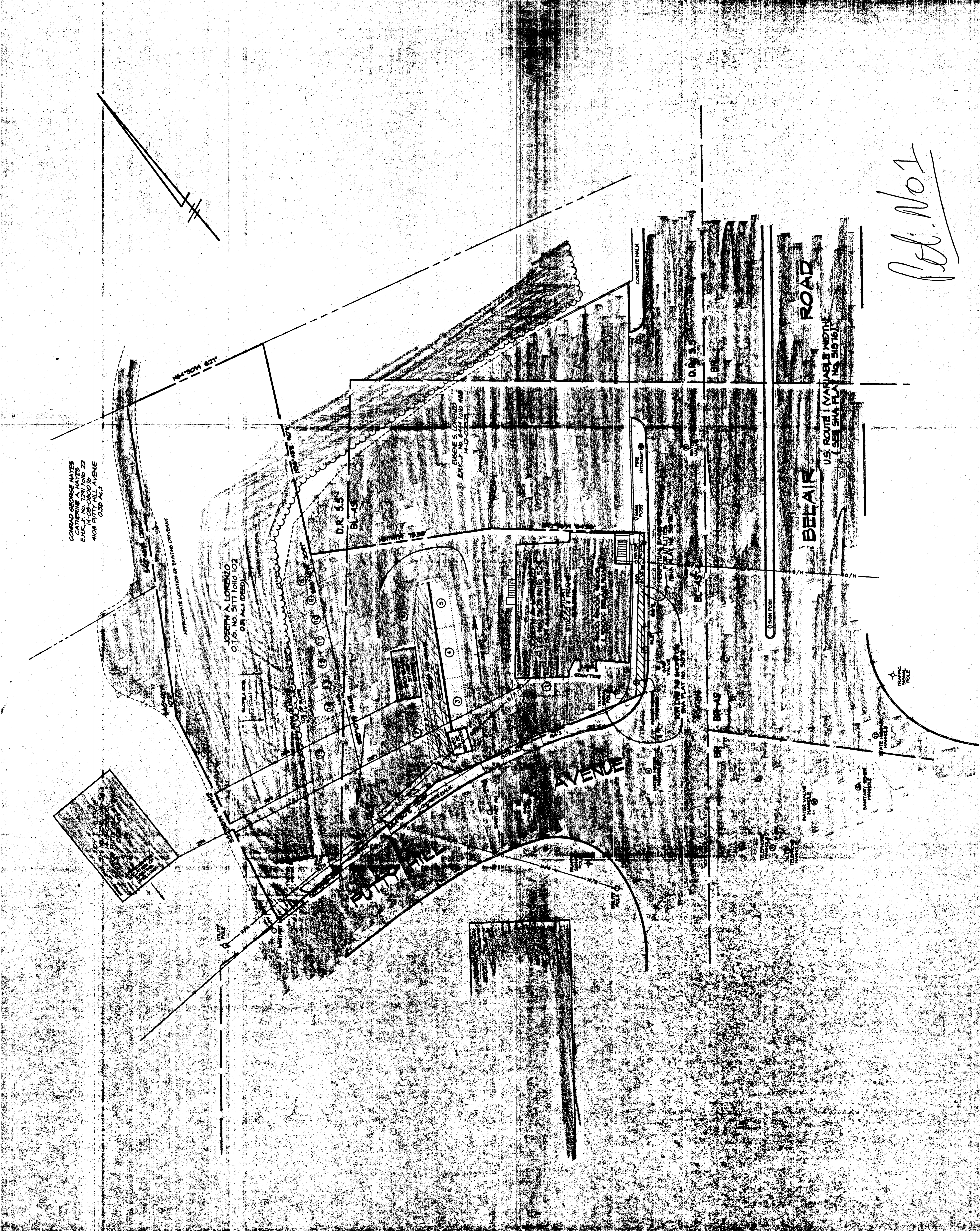
OWNER/LESSOR
 JOSEPH A. LORENZO
 1124 M. DIXIE DRIVE
 BISHOPSVILLE, MD. 21015

DEVELOPER/LESSEE
 ROBERT ELLERICH
 5 SANGRASS COURT
 TIMONUM, MD. 21083

PLAT TO ACCOMPANY PETITION FOR VARIANCE AND SPECIAL HEARING AT THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF BELAIR ROAD & PUTTY HILL AVENUE

Deed Ref. O.T.S. No. 5104 Folio 52
 Tax Account No. 14-18-021250
 Deed Ref. O.T.S. No. 5111 Folio 102
 Tax Account No. 14-19-08110
 Zoned: BL-AS & DN 5.5
 Tax Map Bl. Grid 5, Parcel 525
 14th ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND

Scale: 1" = 20'
 March 10, 1988
GERHOLD, GROSS & ETZEL LLP
 REGISTERED PROFESSIONAL LAND SURVEYORS
 320 East Towson Boulevard
 Towson, Maryland 21286
 (410) 823-4410



CURRENT USES OF THE EXISTING BUILDING	SQUARE FOOTAGE	PARKING REQUIRED	PARKING PROVIDED
1) 2500 RETAIL SALES OF VIDEO TAPES	2000±	5 per 1000± GROSS FLOOR AREA	10
2) 2500 OFFICE FOR A CONSTRUCTION COMPANY	400±	3.5 per 1000± GROSS FLOOR AREA	1
3) 2500 APARTMENT (2 BEDROOM / BATHROOM)	700±	15 per APARTMENT UNIT of 2 SEPARATE BEDROOMS	3
4) 2500 APARTMENT (2 BEDROOM / BATHROOM)	700±	15 per APARTMENT UNIT of 2 SEPARATE BEDROOMS	3
PROPOSED ADDITIONAL USE	SQUARE FOOTAGE	PARKING REQUIRED	PARKING PROVIDED
SHOW-BALL STAND	200±	1 per 200±	1

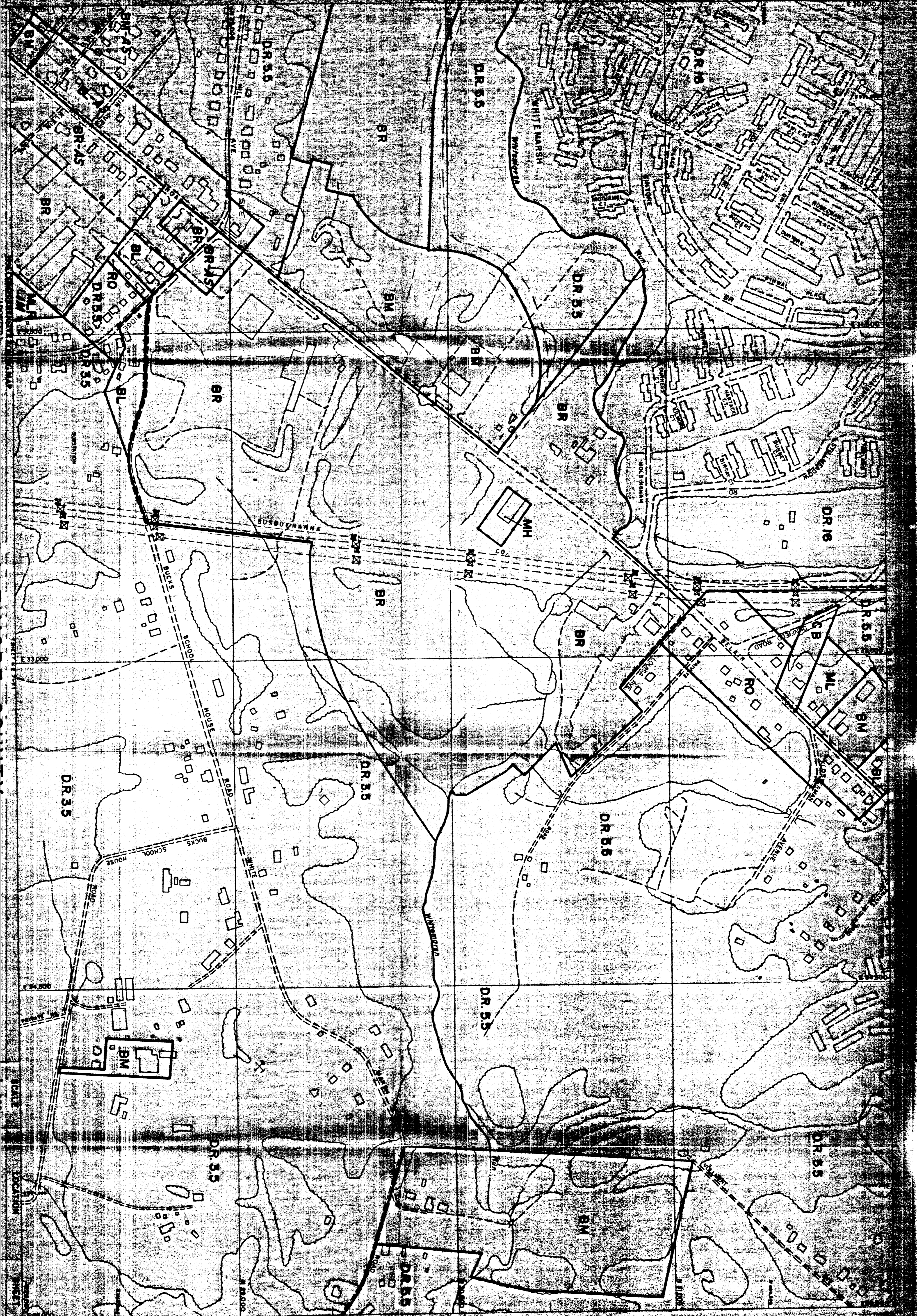
Bl. No. 1

DATE
 REVIEWER

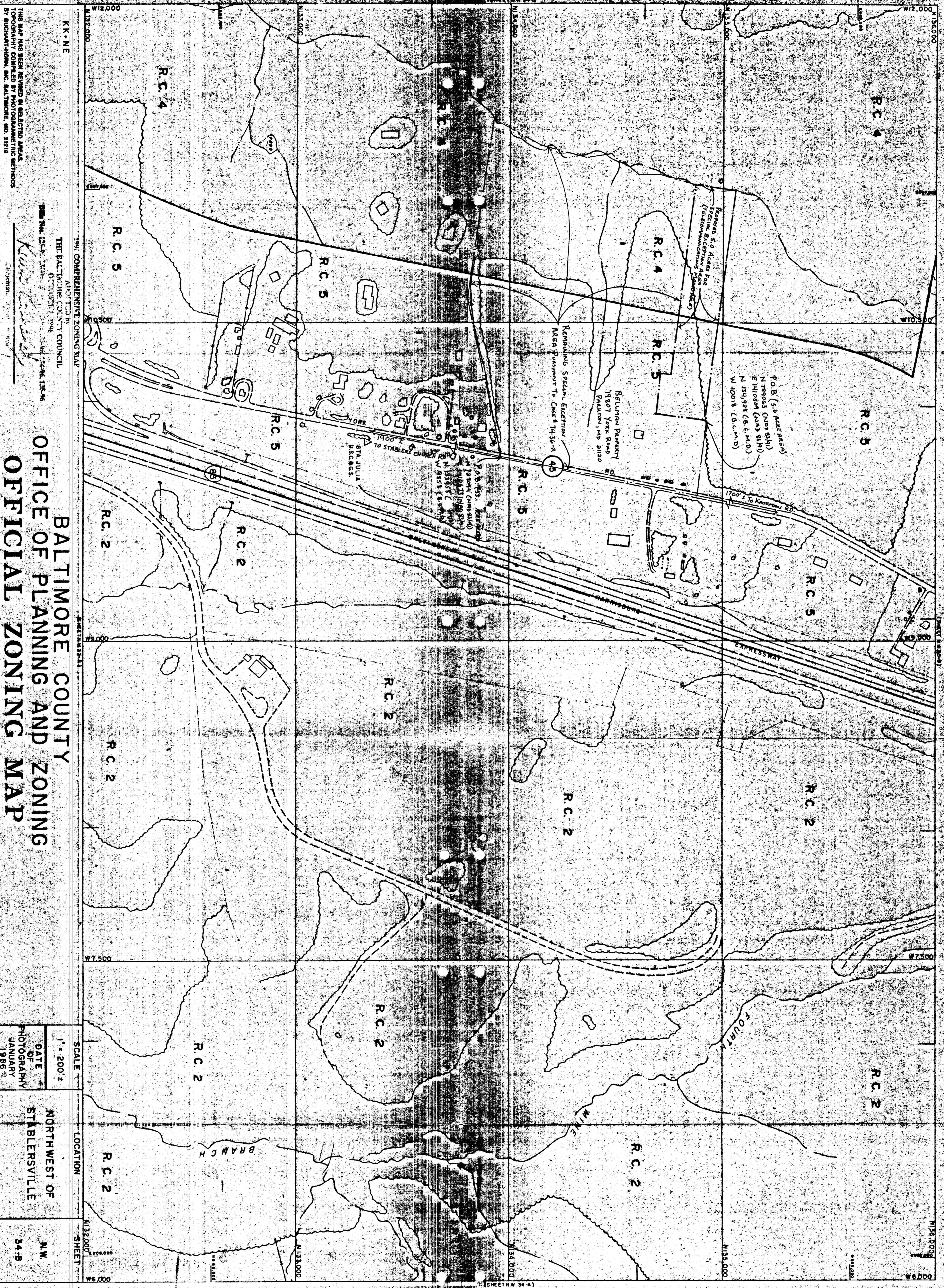
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
DECEMBER 1, 1974
FROM THE 1974-1976 ZONING MAP
Kevin Kennedy
Chairman, County Council

DATE OF PHOTOGRAPHY
JANUARY 1976
SCALE
1" = 200'
LOCATION
SHEET
FULLERTON
417
98-417-SP41A



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



K-K - NE
 THIS MAP HAS BEEN REPRODUCED IN SELECTED AREAS
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

THE BALTIMORE COUNTY COUNCIL
 APPROVED BY
 OCTOBER 2, 1966
 BALTIMORE, MARYLAND

**BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 OFFICIAL ZONING MAP**

SCALE 1" = 200'
 DATE OF PHOTOGRAPHY
 JANUARY 1966

LOCATION
 NORTHWEST OF
 STABLERSVILLE

SHEET
 N.W.
 34-B

NW 34-B
 047

ADSX-L40-10