

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND ZONING VARIANCE
NEC Liberty and Milford Mill * ZONING COMMISSIONER
Roads (8042-8050 Liberty Road,
3601-3601-1/2 Milford Mill Rd. * OF BALTIMORE COUNTY
2nd Election District
2nd Councilmanic District * Case No. 99-135-SPHA
Legal Owners: Jittender Datta, et al
Contract Purchaser: Village Properties, Inc.
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on a Petition for Special Hearing and a Petition for Variance for the parcel collectively comprised of three individual lots known as 8042-8050 Liberty Road, 3601 Milford Mill Road and 3601-1/2 Milford Mill Road, all located in the Milford Mill community of western Baltimore County. The Petitions were filed by Village Properties, Inc., Contract Purchaser of the subject properties. Presently, the lot known as 3601-1/2 Milford Mill Road is owned by Jittender Datta and the lots known as 8042-8050 Liberty Road and 3601 Milford Mill Road are owned by Paul C. Beaty and Anna B. Beaty. Special Hearing relief is requested to approve a use permit to allow parking in a residential zone in accordance with Section 409.8.B.1 of the Baltimore County Zoning Regulations (BCZR). There are six different variances requested. They are:

From Section 409.6.A.2 of the Baltimore County Zoning Regulations (BCZR) to allow a retail use to have 58 parking spaces in lieu of the required 64; and

From Section 229.6.A.3 to allow in a B.L.R. zone a Floor Area Ratio of 0.44 (4795 SF+/-) in lieu of the permitted 0.33 (3611 SF); and

From Section 229.6.D to allow service and loading areas in a B.L.R. zone to be located 0 ft. from residentially zoned property in lieu of the required 20 ft. minimum; and

From Section 1B01.1.1.e.5 to allow an RTA buffer of 5 ft. in lieu of the required 50 ft. RTA buffer; and

From Section 1B01.1.B.1.e.5 to allow an RTA setback of 5 ft. in lieu of the required 75 ft. RTA setback for parking in a D.R.5.5 zone; and

From Section 409.8.B.2.c to allow a service area of an off-street parking facility to be located in a D.R.5.5 zone.

The subject property and requested relief are more particularly shown on the plat to accompany the Petitions, received into evidence as Petitioner's Exhibit No. 1.

As required by the Baltimore County Zoning Regulations (BCZR), notice of the public hearing on the pending Petitions was provided by way of a notice in the Jeffersonian Newspaper on October 29, 1998. The property was also duly posted with a sign advertising the hearing.

Appearing at the public hearing held for this case was Jim Helfrich on behalf of Village Properties, Inc., co-Petitioner/Contract Purchaser. Also present were David S. Thaler and Alan Scoll from D.S. Thaler and Associates, the Land Use Consulting firm which prepared the site plan. Others who appeared in support of the Petition were Mike Chapman and Jim Schumacher of the Liberty Road Business Association, Salem Reiner from the Baltimore County Department of Economic Development, Jittender Datta, property owner, and Gabe Rosenbush from Rosenbush Realty. The Petitioners were represented by G. Scott Barhight, Esquire.

Appearing as Protestants/interested persons in the matter were Judith Berger, Bob and Rosemary Lewis, Cheryl Linzey, William McQueeney, Gwen Shipe, Kay Smith and Patricia Anne Walker.

As noted above, the parcel at issue is actually a collection of three properties which have been combined for the proposed development of the subject site with a pharmacy to be operated by the Walgreen chain. The

collective parcel under consideration is approximately 1.51 acres in gross area, split zoned, B.L.R., B.L., B.R.5.5 and B.L.CCC. The parcel is a corner lot, located adjacent to the intersection of Liberty Road (Md. Route 26) and Milford Mill Road. Additionally, one side of the property abuts Kenmar Road, a residential side street which provides access to Liberty Road from the residential communities collectively known as Milford Mill.

Previously, a portion of this site was proposed for development with the CVS drugstore. Testimony and evidence offered at the hearing was that development/zoning approval was obtained for that project, however, same never moved forward.

At the present time, a new plan has been proposed as more particularly shown on the site plan. In this regard, testimony was received from Jim Helfrich, Vice President of Village Properties, Inc., developer. Mr. Helfrich explained that this company does site development for a number of national credit merchants, including the Walgreen's pharmacy chain. Village Properties, Inc., will actually own the site and building but will lease the facility under a long term lease to Walgreen. He described in detail the Walgreen's pharmacy operations which was established many years ago and operates nearly 3,000 stores nationwide. Although new to the Baltimore County area, this is a well known chain nationally. The Petitioner proposes a "neighborhood" pharmacy store approximately 12,703 ft. in area. The proposed building will be one story. In addition to the development of the property with the Walgreen store, a parking lot and drive aisle is also proposed, as more particularly shown on the site plan.

Mr. Helfrich testified in detail regarding the development of the plan which was offered at the hearing before me. He indicated that extensive communications and negotiations have been conducted with business and

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Date

By

neighborhood groups in an effort to develop the property in an acceptable fashion. In this regard, the plan shows that there will be significant landscaping and buffering provided, particularly to that portion of the property which abuts the residential community. There will also be three means of access to the property, one from Milford Mill Road and two from Kenmar Road.

Testimony was also received from David Thaler, the Civil Engineer who prepared the site plan. As to the Petition for Special Hearing, he testified that a small portion of the site zoned D.R.5.5 would be utilized for a parking lot. Thus, relief is requested to approve a use permit to allow parking in a residential zone, pursuant to Section 409.8B.1. He noted that relief was warranted in this case due to the unusual configuration and split zoning of the property. He concluded the denial of the special hearing relief would be inappropriate in that it would prevent a reasonable and consistent use of the property. He also noted that Walgreen routinely utilizes parking spaces which are larger than required under the County regulations as part of its national policy.

Variance relief is also requested as set out above. There will be slightly fewer parking spaces than are required, again due to Walgreen's policy for using larger dimension spaces than required by the BCZR. Additionally, certain setback relief is required primarily due to the split zoning of the property. Mr. Thaler discussed each of the proposed variances and the need therefore. His specific testimony on these issues is contained within the record of the case and will not be repeated herein.

By and large, the proposal appears to have community support. Mr. Schumacher, on behalf of the Liberty Road Business Association, supports the project and submitted a letter expressing the position of the Liberty Road Business Association. Written communication was also received Leon-

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Date

By

ard R. Buckheit in support of the project. Mr. Buckheit is one of the more affected neighbors in that his property is immediately across Kenmar Road. A number of the citizens who appeared generally supported the project. They expressed concerns regarding traffic, noise, lighting, etc., but appeared generally satisfied about the efforts made by Village Properties, Inc., to mitigate these impacts.

One community resident who was not satisfied with the plan, however, is Judith Berger. Although Mrs. Berger lives more than one mile away from the site, she does not endorse the proposal. She generally testified that there is too much development in the area at large and opposes the redevelopment of this site.

Upon due consideration of the testimony and evidence offered, I am persuaded to grant the Petition for Special Hearing and Variance. I believe that the Petitioner has satisfied the requirements of law for this relief to be granted. Clearly, the Petition for Special Hearing should be granted and the requested variances are warranted. It would be inappropriate to not permit the Petitioner to allow the parking lot to occupy that small portion of the property zoned D.R.5.5. The parking plan and on-site traffic flow pattern appears appropriate.

I will also grant the variances which have been requested. In my judgment, they are warranted due to the uniqueness of the property found in its configuration and multi-zoning classification. A denial of the variances would result in the inability to appropriately use this property for a permitted use; i.e., a Walgreen Pharmacy store. Moreover, I believe that variance relief can be granted without detrimental impact to the surrounding properties. In this regard, I will require the Petitioner to landscape the property in the manner generally shown on the schematic landscape plan submitted at the hearing. Particularly, the Petitioner

ORDER RECEIVED FOR FILING
Date 8/29/98
BY [Signature]

will be required to comply with the agreements and representations made at the hearing and during its negotiations with the community. These commitments include the installation of an extensive landscape buffer on that portion of the property which abut the residential dwellings. This buffer includes both the installation of fencing, as well as plantings on both the subject property and the neighbors' property, with their consent. Moreover, the proposed landscaping of the Buckheit property will be required in order to reduce impacts on that site. All of this landscaping need be installed as a condition to the zoning relief. I will defer the specific nature of the proposed landscaping (e.g., number of planting units, species, plant material, etc.) to the Developer, in consultation with Baltimore County's Landscape Architect and the affected neighbors.

There were also a number of concerns expressed regarding traffic. The residents who live further down Kenmar Road voiced their concerns about increased traffic through their community as a result of the store. As noted above, there will be three means of access to the site. One will be from Milford Mill Road and two from Kenmar Road. In order to minimize traffic impacts, the northern most curb cut on Kenmar Road shall be modified to permit only right turns out. In this regard, the plan shall be amended to show a construction of a "concrete porkchop" or similar traffic control device. Such a device shall be constructed as part of that exit to discourage/prohibit drivers from turning left from the site onto Kenmar Road. It is envisioned that the installation of these improvements will help control traffic and prohibit an increase of vehicular traffic on Kenmar Road.

Other proposed restrictions are set out in the Zoning Plans Advisory Committee comments which was received from the various County agencies which reviewed the plan. One such appropriate comment is that any light-

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Date

By

ing for the site should be submitted to the Development Plans Review Division of the Office of Permits and Development Management for review. I agree that such a submission is appropriate. In this regard, the lighting should be sufficient to allow for reasonable security, however prevent reflection and glare to the neighboring residences. The exact nature of the lighting plan should be determined based upon negotiations between the Developer and the Office of Permits and Development Management.

Also, as requested by the Office of Planning, I will limit the hours of tractor trailer deliveries to the store from between 8:00 A.M. and 10:00 P.M. This restriction is imposed to reduce impacts on the surrounding locale.

Finally, the Office of Planning requests the elimination of three parking spaces immediately adjacent to the intersection of Liberty Road and Milford Mill Road to provide additional landscaping. I decline to incorporate this request. The parking for the site is already the subject of the variance relief and to further reduce the parking is not appropriate. Moreover, the plan shows that there will be significant landscaping along Milford Mill Road and Liberty Road, above and beyond the landscaping referenced above which will screen the residents nearby. The landscape plan which has been schematically submitted appears appropriate.

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.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 9th day of December 1998 that, pursuant to the Petition for Special Hearing, approval for a use permit to allow parking in a residential zone in accordance with Section 409.8.B.1 of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED; and

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Date

By

IT IS FURTHER ORDERED that a variance from Section 409.6.A.2 of the BCZR to allow a retail use to have 58 parking spaces in lieu of the required 64, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 229.6.A.3 to allow in a B.L.R. zone a Floor Area Ratio of 0.44 (4795 SF+/-) in lieu of the permitted 0.33 (3611 SF), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 229.6.D to allow service and loading areas in a B.L.R. zone to be located 0 ft. from residentially zoned property in lieu of the required 20 ft. minimum, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1B01.1.1.e.5 to allow an RTA buffer of 5 ft. in lieu of the required 50 ft. RTA buffer, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1B01.1.B.1.e.5 to allow an RTA setback of 5 ft. in lieu of the required 75 ft. RTA setback for parking in a D.R.5.5 zone, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.8.B.2.c to allow a service area of an off-street parking facility to be located in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions, which are conditions precedent to the relief granted:

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

2. There shall be three means of access to the site, as shown on the plan. The northern most curb cut on Kenmar Road shall be modified to permit only right turns out by the construction of a concrete porkchop or similar traffic control device.

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Date

By

3. A lighting plan for the site should be submitted to the Development Plans Review Division of the Office of Permits and Development Management for review and approval.

3. The hours of tractor trailer deliveries to the store shall be limited to between 8:00 A.M. and 10:00 P.M.

4. The Petitioner shall provide a landscape plan to the Office of Planning for approval by the Baltimore County Landscape Architect. The approved landscape plan shall become a permanent part of the record and file in this matter and shall be in accordance with the comments made hereinabove.

5. 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.



LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 6/29/98
By Ch. Good



Baltimore County
Zoning Commissioner
Office of Planning

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

December 9, 1998

G. Scott Barhight, Esquire
Whiteford, Taylor and Preston, LLP
210 W. Pennsylvania Avenue #400
Towson, Maryland 21204

RE: Petitions for Special Hearing & Variance
Location: 8042/8050 Liberty and 3601/3601-1/2 Milford Mill Rd.
Case No. 99-135-SPHA
Village Properties, Inc., Petitioner

Dear Mr. Barhight:

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", is written over the typed name.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

- c: Messrs. David S. Thaler and Alan Scoll, D.S. Thaler & Assoc., 7115 Ambassador Road, Baltimore, Md. 21244
- c: Messrs. M. Chapman and Jim Schumacher, Liberty Road Bus. Assoc. 9960 Liberty Road, Randallstown, Md. 21133
- c: Mr. Jittender Datta, 3601-1/2 Milford Mill Rd., Balto. Md. 21244
- c: Mr. Gabe Rosenbush, Rosenbush Realty, P.O. Box 32122, Pikesville. Md. 21208
- c: Mrs. Judith Berger, 3801 Lochearn Drive, Baltimore, Md. 21207
- c: All Protestants/interested persons list on Sign-in Sheet





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8042/8050 Liberty Road
3601 Milford Mill Road
3601 1/2 Milford Mill Road

which is presently zoned BLR
BL
D.R. 5.5
BL-CCC

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

A special use permit to allow parking in a residential zone pursuant to BCZR Section 409.8.B.1

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.

Contract Purchaser/Lessee:

Village Properties, Inc.
(Type or Print Name)

Signature BY: Jim Helfrich Vice President

562 Mission Street, Suite 201
Address

San Francisco CA 94105-2906
City State Zipcode

Attorney for Petitioner/Contract Purchaser

G. Scott Barhight, Esquire
(Type or Print Name)

Signature Whiteford, Taylor & Preston L.L.P.
210 W. Pennsylvania Ave. #400
Address Towson, MD 21204 Phone No. 410-832-2000

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):

Jittender Datta a. (owner of 3601 1/2
Milford Mill Road)
(Type or Print Name)

Signature Anna B. Beaty (owner of 8042/8050
Liberty Rd.; 3601 Milford Mill Road)

(Type or Print Name) Paul C. Beaty (owner of 8042/8050
Liberty Road; 3601 Milford Mill Road)

Signature 3601 Milford Mill Road 410/922-7450
8042/8050 Liberty Road 410-521-5000
3601 1/2 Milford Mill Road

Address Baltimore MD 21224
City State Zipcode

Name, Address and phone number of representative to be contacted.
G. Scott Barhight, Esquire
OF CONTRACT PURCHASER

Name Whiteford, Taylor & Preston L.L.P.
210 W. Pennsylvania Ave., #400
Address Towson, MD 21204 Phone No. 410-832-2000

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing

the following dates _____ Next Two Months
ALL _____ OTHER _____

REVIEWED BY: gwm DATE 10-1-98



Revised 9/5/95

99-135-SPHA

135



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

8042/8050 Liberty Road
3601 Milford Mill Road
3601 1/2 Milford Mill Road

which is presently zoned BLR, BL
D.R. 5.5

BL-CCC

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)

SEE ATTACHED SHEET

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

TO BE PRESENTED 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:

Village Properties, Inc.

(Type or Print Name)

Signature By: Jim Helfrich

562 Mission Street, Suite 201

Address

San Francisco CA 94105-2906

City

State

Zipcode

Attorney for Petitioner/Contract Purchaser

G. Scott Barhight, Esquire

(Type or Print Name)

Signature Whiteford, Taylor & Preston LLP

210 W. Pennsylvania Ave., #400

Address

Phone No.

Towson Md

410/832-2000

City

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)

Jittender Datta (owner of 3601 1/2 Milford Mill Road)

(Type or Print Name)

Signature Anna B. Beaty (Owner of 8042/8050 Liberty Rd.; 3601 Milford Mill Road)

Paul C. Beaty (Owner of 8042/805 Liberty Rd.; 3601 Milford Mill Road)

Signature

3601 Milford Mill Road

8042/8050 Liberty Road

410/922-7450

3601 1/2 Milford Mill Road

410/521-5000

Address

Phone No.

Baltimore, MD

21224

City

State

Zipcode

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

of contract purchaser

G. Scott Barhight, Esquire

Name Whiteford, Taylor & Preston LLP

210 W. Pennsylvania Ave. #400

410-

Address Towson MD 21204

Phone No. 832-2000

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: gum DATE 10-1-98



Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

99-135-SPHA

135

Addendum to Petition for Variance

Contract Purchaser: Village Properties, Inc.
562 Mission Street; Suite 201
San Francisco, CA 94105-2906

Legal Owners: Paul C. and Anna B. Beaty
Apt 7; 8042 Liberty Road
Baltimore Maryland 21244

Jittender Datta
3601½ Milford Mill Road
Baltimore, Maryland 21244

Variance Requests: The Contract Purchaser/Petitioner hereby petitions for a variance from the following section(s) of the Baltimore County Zoning Regulations:

- (1) § 409.6.A.2 to allow a retail use to have 58 parking spaces in lieu of the required 64; and
- (2) § 229.6.A.3 to allow in a B.L.R. zone a Floor Area Ratio of 0.44 (4795 SF±) in lieu of the permitted 0.33 (3611 SF); and
- (3) § 229.6.D to allow service and loading areas in a B.L.R. zone to be located 0 feet from residentially zoned property in lieu of the required 20 foot minimum; and

4 ~~X~~ § 1B01.1.B.1.e.5 to allow an RTA buffer of 5 feet in lieu of the the required 50' RTA buffer; and

5 ~~X~~ § 1B01.1.B.1.e.5 to allow an RTA setback of 5 feet in lieu of the required 75' RTA setback for parking in a D.R. 5.5 zone; and

6 ~~X~~ § 409.8.B.2.c to allow a service area of an off-street parking facility to be located in a DR 5.5 zone.

135

8050 LIBERTY ROAD
Special Hearing Request
(Description for Zoning Purposes Only)

Beginning at a point located approximately 309 feet north of the intersection of Milford Mill Road (80' wide) and Liberty Road (80' wide) and east 76 feet therefrom, thence running the following four (4) courses and distances:

1. South 62°24'51" East 33.18 feet, more or less, to a point; thence,
2. South 33°14'22" West 63.70 feet, more or less, to a point; thence,
3. North 66°01'06" West 25.08 feet, more or less, to a point; thence,
4. North 26°34'19" East 64.93 feet, more or less, to the point of beginning.

Containing 0.04 acres of land, more or less.



135

99-135-SPHA

8050 LIBERTY ROAD
Variance Requests
(Description for Zoning Purposes Only)

Beginning at a point along the northern right-of-way of Liberty Road
(Maryland Route 26) approximately 78 feet east of the intersection of Milford
Mill Road (80' wide) and Liberty Road (80' wide) thence running the following
eight (8) courses and distances:

1. North 19°01'50" West 52.82 feet, more or less, to a point; thence,
2. North 27°38'50" East 231.78 feet, more or less, to a point; thence,
3. South 62°24'51" East 109.09 feet, more or less, to a point; thence
4. South 33°14'22" West 22.96 feet, more or less, to a point; thence,
5. South 48°59'47" East 112.85 feet, more or less, to a point; thence,
6. South 41°00'13" West 59.20 feet, more or less, to a point; thence,
7. South 24°18'16" West 151.66 feet, more or less, to a point; thence,
8. North 65°43'30" West 173.68 feet to the point of beginning.

Containing 1.165 acres of land, more or less.



135

99-135-SPHA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

135

No.

054742

DATE 10-1-98 ACCOUNT Pool-6150

AMOUNT \$ 500.00

RECEIVED FROM: J. Datta 8042/8050 Library Fr

FOR: {020} UAL
{040} SPH.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME

10/02/1998 10/01/1998 15:11:05

REG US05 CASHIER TSM LXS DRYMER

5 MISCELLANEOUS CASH RECEIPT

Receipt # 077224

(FL)

CR NO. 054742

500.00 CHECK

Baltimore County, Maryland

44-135-SPHA

CASHIER'S VALIDATION

**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: _____

Petitioner: JITTENDER DATTA

Address or Location: 8042/8050 LIBERTY RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: JITTENDER DATTA

Address: 3601 1/2 MILFORD MILL RD.

BALD. MD. 21224

Telephone Number: (410) 521-5000

**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: #99-135-SPHA
8050 Liberty Road
NEC Liberty and Milford Mill Roads
2nd Election District
2nd Councilmanic District
Legal Owner(s):

Jittender Datta & Anna B. Beaty & Paul C. Beaty
Contract Purchaser:

Village Properties, Inc.

Special Hearing: for a use permit to allow parking in a residential zone. **Variance:** to allow a retail use to have 58 parking spaces in lieu of the required 64; to allow in a B.L.R. zone a Floor Area Ratio of 0.44 in lieu of the permitted 0.33; to allow service and loading areas in a B.L.R. zone to be located zero feet from residentially zoned property in lieu of the required 20-foot minimum; to allow a RTA buffer of 5 feet in lieu of the required 50-foot buffer; to allow a RTA setback of 5 feet in lieu of the required 75-foot RTA setback for parking in a D.R.-5.5 zone; and to allow a service area of an off-street parking facility to be located in a D.R.-5.5 zone.

Hearing: Monday, November 16, 1998 at 2:00 p.m., in Room 407, County 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.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/29/, 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 10/29/, 1998.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

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

Date to be Posted: Anytime before but no later than 10-11-98

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-135 SPHX

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 VARIANCES TO ALLOW 58 PARKING
SPACES IN LIEU OF THE REQUIRED 64, TO ALLOW F.A.R. OF
0.44 IN LIEU OF THE PERMITTED 0.33 IN A BLR ZONE; TO
ALLOW SERVICE AND LOADING AREAS TO BE LOCATED 0ft.
FROM A RESIDENTIAL ZONE 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

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

Date to be Posted: Anytime before but no later than 10-11-98

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-135 SPH

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

PLACE: _____

DATE AND TIME: _____

REQUEST: (CONT) TO ALLOW AN RTA Buffer of 5ft.
IN LIEU of THE Required 50ft.; TO ALLOW AN
RTA SETBACK of 5ft. IN LIEU of THE Required
75ft. RTA SETBACK FOR PARKING IN A DR5-5 ZONE;

AND TO ALLOW A SERVICE AREA at AN off-STREET PARKING
FACILITY TO BE LOCATED IN A DR5-5 ZONE.

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

CERTIFICATE OF POSTING

RE: **Case # 99-135-SPHA**
Petitioner/Developer:
(Village Properties Inc.)
Date of Hearing/Posting:
(Nov. 16, 1998)

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 _____
8050 Liberty Road Baltimore, Maryland 21244 _____

The sign(s) were posted on _____ Oct. 30, 1998 _____
(Month, Day, Year)

Sincerely,


(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

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





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

October 19, 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: 99-135-SPHA
8050 Liberty Road
NEC Liberty and Milford Mill Roads
2nd Election District – 2nd Councilmanic District
Legal Owner: Jittender Datta & Anna B. Beaty & Paul C. Beaty
Contract Purchaser: Village Properties, Inc.

Special Hearing for a use permit to allow parking in a residential zone. Variance to allow a retail use to have 58 parking spaces in lieu of the required 64; to allow in a B.L.R. zone a Floor Area Ratio of 0.44 in lieu of the permitted 0.33; to allow service and loading areas in a B.L.R. zone to be located zero feet from residentially zoned property in lieu of the required 20-foot minimum; to allow a RTA buffer of 5 feet in lieu of the required 50-foot buffer; to allow a RTA setback of 5 feet in lieu of the required 75-foot RTA setback for parking in a D.R.-5.5 zone; and to allow a service area of an off-street parking facility to be located in a D.R.-5.5 zone.

HEARING: Monday, November 16, 1998 at 2:00 p.m. in Room 407, County Courts
Building, 401 Bosley Avenue


Arnold Jablon, Director

c: G. Scott Barhight, Esquire
Jittender Datta
Anna & Paul Beaty
Village Properties, Inc.

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 1, 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.

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
October 29, 1998 Issue - Jeffersonian

Please forward billing to:

Jittender Datta

410-521-5000

3601-1/2 Milford Mill Road

Baltimore, MD 21244

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: 99-135-SPHA

8050 Liberty Road

NEC Liberty and Milford Mill Roads

2nd Election District – 2nd Councilmanic District

Legal Owner: Jittender Datta & Anna B. Beaty & Paul C. Beaty

Contract Purchaser: Village Properties, Inc.

Special Hearing for a use permit to allow parking in a residential zone. Variance to allow a retail use to have 58 parking spaces in lieu of the required 64; to allow in a B.L.R. zone a Floor Area Ratio of 0.44 in lieu of the permitted 0.33; to allow service and loading areas in a B.L.R. zone to be located zero feet from residentially zoned property in lieu of the required 20-foot minimum; to allow a RTA buffer of 5 feet in lieu of the required 50-foot buffer; to allow a RTA setback of 5 feet in lieu of the required 75-foot RTA setback for parking in a D.R.-5.5 zone; and to allow a service area of an off-street parking facility to be located in a D.R.-5.5 zone.

HEARING: Monday, November 16, 1998 at 2:00 p.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.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

November 12, 1998

G. Scott Barhight, Esq.
Whiteford, Taylor & Preston, LLP
210 W. Pennsylvania Avenue, Suite 400
Towson, MD 21204

RE: Item No.: 135
Case No.: 99-135-SPHA
Location: 8042/8050 Liberty
Road/3601 Milford Mill
Road/3601-1/2 Milford Mill Road

Dear Mr. Barhight:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on October 1, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments 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.

Very truly yours,

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Come visit the County's Website at www.co.ba.md.us

Enclosures

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

I N T E R O F F I C E C O R R E S P O N D E N C E

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

Date: October 26, 1998

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

SUBJECT: Zoning Advisory Committee Meeting
 for October 19, 1998
 Item No. 135

 The Development Plans Review Division has reviewed the subject zoning item. Kenmar Road is an existing road which shall ultimately be improved as a 30-foot street cross section on a 50-foot right-of-way.

 If granted, recommend that lighting plan be approved by this office.

 A site plan must be submitted for review and comments.

 This site is subject to all development regulations.

 The proposed points of access may not be acceptable.

RWB:HJO:jrb

cc: File

ZONE1019.135



Baltimore County
Fire Department

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

October 29, 1998

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

RE: Property Owner: LOCH RAVEN BAPTIST CHURCH - 130
BALTIMORE COUNTY - 131
VILLAGE PROPERTIES, INC. - 135

Location: DISTRIBUTION MEETING OF October 13, 1998

Item No.: 130, 131, 135 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", 1994 edition prior to occupancy.

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

cc: File



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

TO: PDM

FROM: R. Bruce Seeley *Ans/88*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: *10/13/98*

DATE: *10/26/98*

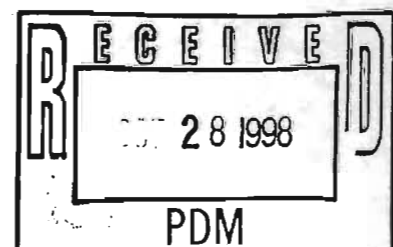
The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s:

- 121*
- 130*
- 131*
- 132*
- 135*
- 137*
- 138*
- 139*
- 98-366*

RBS:sp

BRUCE2/DEPRM/TXTSBP





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Date: 10.14.91

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

RE: Baltimore County
Item No. 139 WCR

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 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

pr *P. J. Burns*
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



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Date: October 14, 1998

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

RE: Baltimore County
Item No. 135 (JCM)

Dear Ms. Stephens:

This office has reviewed the referenced item and we have no objection to approval of the Special Hearing.

However we will require the owner to obtain an access permit. Please have their representative contact this office regarding the roadway improvements conditioned to the permit.

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

Very truly yours,

for Michael M. Lenhart, Acting 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 HEARING
PETITION FOR VARIANCE
9050 Liberty Road, NEC Liberty and Milford Mill
Rds, 2nd Election District, 2nd Councilmanic

Legal Owners: Jittender Datta,
Anna B. and Paul C. Beaty
Contract Purchaser: Village Properties, Inc.

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-135-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 22nd day of October, 1998, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esq., Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Suite 400, Towson, MD 21204, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN

sent
11/16

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 9, 1998

Put Nov

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

SUBJECT: 8050 Liberty Road

INFORMATION:

Item Number: 135

Petitioner: Village Properties, Inc.

Zoning: BLR, BL, DR 5.5, and BL-CCC

Requested Action: Special Hearing and Variance

Amended Comment

SUMMARY OF RECOMMENDATIONS:

The proposed retail use is located in the Liberty Road Revitalization Area. The Office of Planning supports efforts to attract new businesses to the Liberty Road corridor. Redevelopment of the proposed site with a Wal-Green Store offers an opportunity to enhance the vitality of Liberty Road.

The Office of Planning supports the applicant's request provided the petitioner meets the following conditions:

- Use building materials compatible with the surrounding residential and retail uses.
- Provide a six-foot privacy fence or wall in combination with compact dense evergreen screening on both sides where the site abuts residential uses.
- Limit deliveries to the hours between 8 AM and 5 PM.

- Consult with Baltimore County Traffic Engineering Division to determine how to minimize northbound traffic on Kenmar Road.
- In order to assure a site that compliments the Liberty Road corridor, the petitioner should submit elevations and a landscape plan to the Office of Planning for approval prior to obtaining a building permit. **The three parking spaces located at the intersection of Liberty Road and Milford Mill Road should be eliminated to provide additional area for landscaping.**

Section Chief:



AFK/JL:

Jim
11/16

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 6, 1998

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

SUBJECT: 8050 Liberty Road

INFORMATION:

Item Number: 135

Petitioner: Village Properties, Inc.

Zoning: BLR, BL, DR 5.5, and BL-CCC

Requested Action: Special Hearing and Variance

SUMMARY OF RECOMMENDATIONS:

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The Office of Planning supports the applicant's request provided the petitioner meets the following conditions:

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- Limit deliveries to the hours between 8 AM and 5 PM.
- Consult with Baltimore County Traffic Engineering Division to determine how to minimize northbound traffic on Kenmar Road.

- In order to assure a site that compliments the Liberty Road corridor, the petitioner should submit elevations and a landscape plan to the Office of Planning for approval prior to obtaining a building permit .

Section Chief:

Jeffrey W. Long

AFK/JL:

Baltimore County Government
Department of Economic Development



Per. No 1

400 Washington Avenue
Towson, MD 21204

(410) 887-8000
Fax (410) 887-8017

MEMORANDUM

To: Arnold Jablon
Director, Baltimore County Department of Permits and
Development Management

Date: November 13, 1998

From: Andrea Van Arsdale, *AVA*
Revitalization Director

Re: Walgreens Pharmacy, 8050 Liberty Road (Liberty and Milford Mill Roads)
Case Number: 99-135-SPHA

The Department of Economic Development supports the requested Variance for the above noted property. The Variance is necessary to accommodate the construction of a new Walgreens Pharmacy on a vacant lot on Liberty Road. The site falls within the Liberty Road Commercial Revitalization District, an area that has been targeted by the County to receive assistance to promote economic development. The Variance request involves two concerns.

1. Permitting 58 parking spaces in lieu of the required 64 – the six space difference is partially the result of Walgreens' policy of only using full size spaces (nine feet wide) and not using compact size spaces (7 feet wide). In addition, the pharmacy will have a drive through pick-up window that will reduce parking demand and create additional travel space within the lot. Further, on-street parking is available.
2. To allow the following changes in a B.L.R. zone, which are the result of an inconsistent zoning infringement that bisects the property but impacts only a small percentage of the lot – the petition to increase the FAR of 0.44 to 0.33 meets the requirements of the balance of the property and is consistent with the overall use of surrounding commercial properties. A request is also being made to allow the pharmacy's service and loading areas to abut the parking lot of a commercial building. This alignment will not have an adverse impact on the neighboring property. The request to allow reductions in the setback requirements is also due to the residential zoning infringement on the property, and not the predominant commercial zoning designation of the property.

In summary, the discrepancies that exist are the result of an improper zoning designation on a small part of the property. If permitted, the variances will not adversely impact the adjoining properties or traffic flow.

By permitting the Variances, the community and the County will realize a variety of benefits, including:

- improving the physical appearance of an important intersection;
- enhancing the impact of the forthcoming streetscape improvement project;
- strengthening the economic base of the community;
- attracting significant private investment;
- creating accessible employment opportunities for local residents; and
- generating new income and property tax revenue for the County.

If you have any questions, please call Salem Reiner of my staff at X-8011.



LIBERTY ROAD BUSINESS ASSOCIATION

9960 Liberty Road • Randallstown, Maryland 21133
Tel: (410) 655-7766 • Fax: (410) 655-8065

November 13, 1998

Mr. Lawrence Schmidt
Zoning Commissioner
Baltimore County
111 West Chesapeake Avenue
Towson, MD 21204

RE: Case # 99-135-SPHA (Walgreen Pharmacy)

Dear Mr. Schmidt:

The Liberty Road Business Association at its meeting on November 2, 1998, voted unanimously to support the applicant's request to secure necessary variances for the construction of a pharmacy. The Board also requested that any approval by the zoning commissioner, incorporate what decisions were made by the commissioner to accommodate the concerns of neighboring residential property owners.

Thank you for this opportunity to comment.

Sincerely,

James L. Schumacher
Executive Director, LRBA

November 16, 1998

Baltimore County
Office of Planning and Zoning
401 Bosley Avenue
Towson, MD 21204

Dear County Zoning Members:

The purpose of this correspondence is to convey approval and support regarding the construction of a Walgreen Pharmacy on the property at Kenmar, Liberty and Milford Mill Roads. (Case No. 99-135-S.P.H.A)

My interest herein is heightened by the fact that my property is located at 3601 Kenmar Road, directly across the street from the proposed construction. The presenting team of Michael Gordon, Alan Scoll and David Green have expressed a sincere consideration for our residential concerns including control of TRAFFIC - NOISE - LIGHTING, LANDSCAPING and the like.

In the light of the foregoing commitments, a Walgreen Pharmacy could constitute a considerable enhancement of the present situation and thereby warrants approval and support.

Respectfully Submitted


Leonard R. Buckheit

Configuration is unique -
Kernanrd will be widened

Confluence of D.N.S. & other zones

CVs plan - no zoning relief
devel plan approval exemption

Right turn out at entrance

~~rock~~ rock drop

make a rock drop - at
entrance

Judith Berger -

- not unique
- structure too large
- ~~add~~ add restrictions
- generally against everything

Fence / landscaping

David S Thayer

Civil Engineer -
Licensed Land Surveyor

1 1/2 acres -

Small part of DNG.5

BL - CCC ~~D~~

B
13

COS approved -

DRC approved refinement
development approvals have been
obtained

Testifies in support of ~~operation~~
special hearing

Special Case 3409

Variance

- 1) Number of spaces
- 2) in BL + BLCCC only are OK
- 3)

99-135-SP14A

Village Properties Inc. -

- Redevelopment of Liberty Rd

Walgreens Pharmacy -
national ~~center~~ outlet

CVS store -

see that shaded portion is DRS.5

Liberty Rd / Milford Mill

Jim Helfrich -

~~Village Properties~~ Village Properties -
does retail development for
"national credit ~~store~~ merchants"

retained by Walgreens Pharmacy
Walgreens pharmacy -

Village owns building +
leases to tenant

Walgreens - drug store / pharmacy -
~~store~~ ~~about~~ about 1700
National Goal - 3000 stores by
the year 2000

Proposed store 12000 sq. feet -
neighborhood store

schematic

12700 sq foot pharmacy

Site is now

Walgreens truck (one truck/delivery)
per week -

pick up window -
upper driveway is exit
only -

all parking spaces are full sized -

24 hr. store -

- 1] met w/ Councilman Kourmety
- 2] Liberty Road Business Assoc
- 3] Liberty Road Community Council
- 4] met w/ neighbors

went to
Trash pick up - ~~not~~ subject to
non night time

will improve Buckner's property
w/ landscaping

no left turn

James C Schumacher -

Liberty Rd Business Assoc.

Supports - see letter



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

Return Service Requested

ROOM 111 ZONING REVIEW

99-135-
SPHA

Printed with Soybean Ink

AUTO **21244



RETURN SERVICE REQUESTED

PAUL C AND ANNA B BEATY
8042 LIBERTY RD APT 7
BALTIMORE MD 21244

BEAT042 212443034 1897 19 11/02/95
RETURN TO SENDER
BEATY
6200 LONG MEADOW DR
SYKESVILLE MD 21784-3516
RETURN TO SENDER

Copy of Order
mailed on
Dec. 9, 1998

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

LUDITH BERGER

3801 LOCHEARN DR

21207

Bob Lewis

3610 Kenmar Rd

9440808

Rose Mary Lewis

Balto. MD 21244 410-635-4328

Cheryl Linzey

3611 Kenmar Rd. 21244

WILLIAM McGUIRENEY

3605 KENMAR RD 21244

Gwen Shipe

3605 Kenmar Rd 21244

Kay Smith

3602 Kenmar Rd 21244

Patricia Anne Walker

3609 Kenmar Rd 21244

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Mike Cameron

1921 Rockville Pike Suite 300
Rockville MD 20852

Jim Helfrich

116 Lagoon Rd. Beltsville Md.

Jim Schumacher

Liberty Road Bus. Assoc. 9960 Liberty Rd
Pandemonium MD

DAVID S. THALER

7115 Ambassador Rd.

Alan Saxe

Bethesda, Md. 21244

Mike Chapman

10225 Liberty Ave 41133

Salem Reiner

Balt. Co. Dept. Econ. Dev.

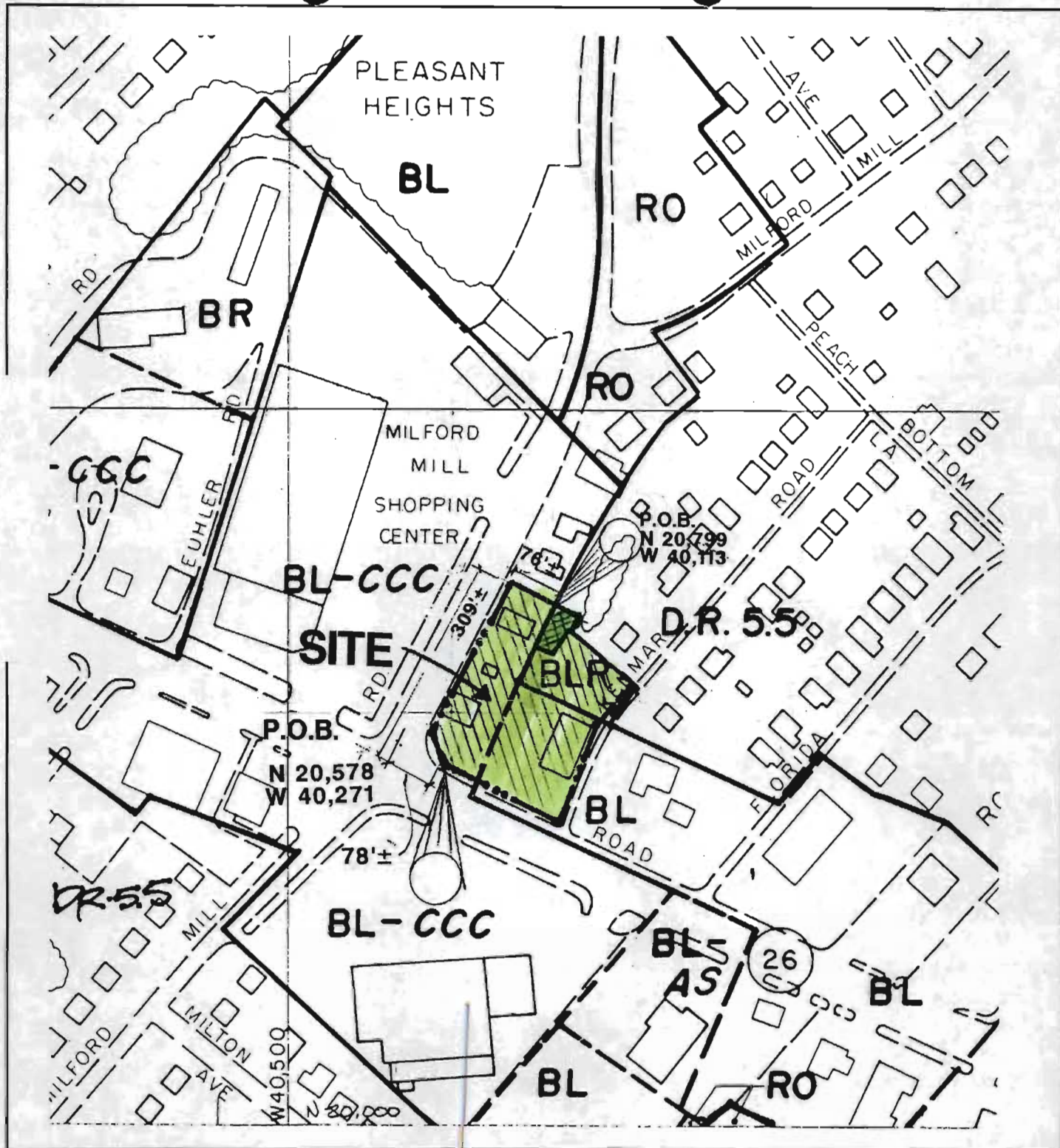
JITENDER DATTA

3601 1/2 MILFORD MILL RD. 21244

Gabe Rosenbush Jr

Rosenbush Realty P.O. Box 32122
Pittsville MD 21208





8050 LIBERTY ROAD

1996 ZONING MAP
TO ACCOMPANY ZONING PETITION

D.S. THALER & ASSOC., INC.

7115 AMBASSADOR RD., BALTIMORE MD 21244

PHONE: 410-944-ENGR FAX: 410-944-3684 E-MAIL: dsta@erols.com

0' 50' 100' 200' 400'



SCALE: 1" = 200' - 0"



NORTH

SHEET: NW-66

DATE: 09-03-98

99-135-SPAA



Red
5E

Red
5D

Red
5C

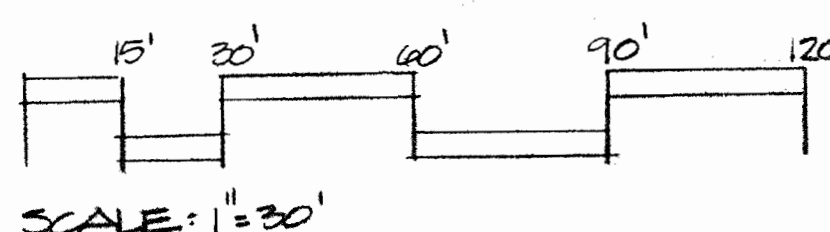
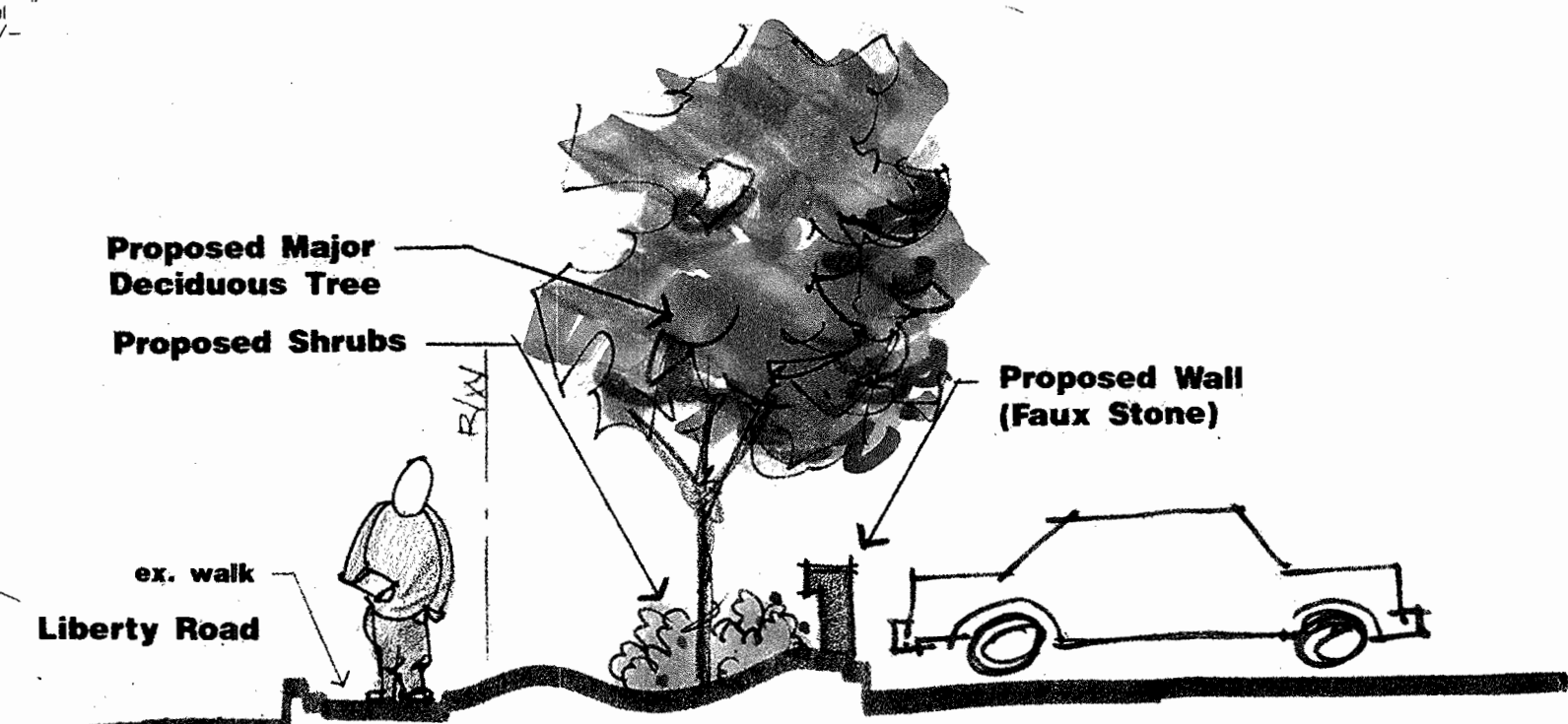
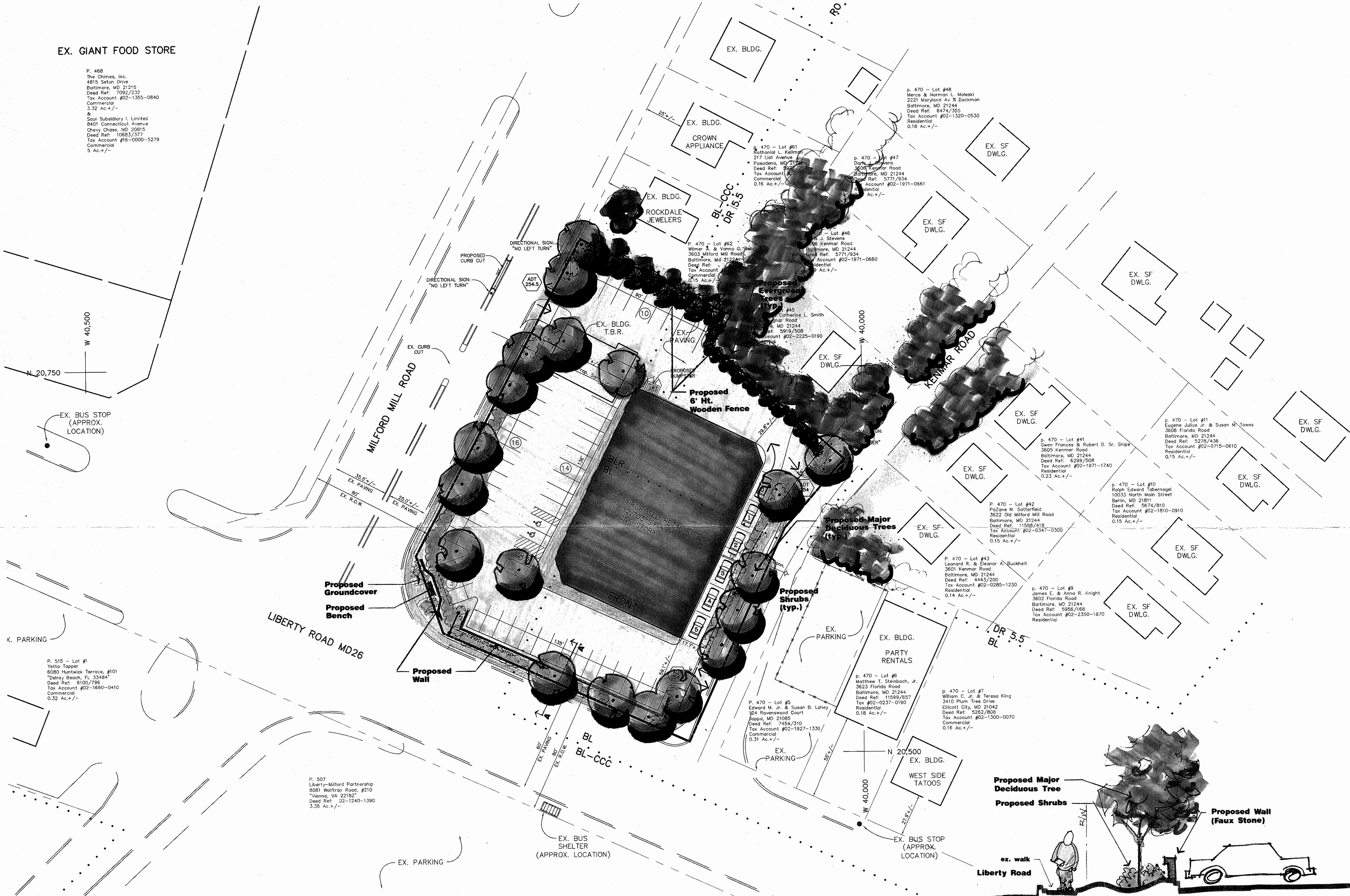


Red 5B

Red 5A

EX. GIANT FOOD STORE

P. 468
The Chimes, Inc.
4815 Seton Drive
Baltimore, MD 21215
Deed Ref: 7092/2322
Tax Account #02-1355-0840
Commercial
3.32 Ac. +/-
&
Soul Subsidiary I, Limited
8401 Connecticut Avenue
Chevy Chase, MD 20815
Deed Ref: 10683/377
Tax Account #16-0000-5279
Commercial
5 Ac. +/-



8050 LIBERTY ROAD

DR. THALER & ASSOC., INC.
40.944.3647

