

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE – SE/Corner Owings
Mills Boulevard and Reisterstown Road
(Garrison Forest Plaza)
4th Election District
3rd Councilmanic District

Garrison Forest Assoc., L.P.
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-391-SPHA
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Garrison Forest Associates Limited Partnership, by Bruce I. Levine, Commercial Real Estate Director, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek approval to abandon the previously approved special exception use and to amend the site plan approved in prior Case No. 94-187-X, accordingly. In addition, variance relief is sought from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 576 parking spaces in lieu of the required 719 spaces. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing in support of the requests were Bruce Levine, a representative of the Garrison Forest Associates, L.P., Owners of the subject property, Ed Haile and John Seefried, Professional Engineers with Daft-McCune-Walker, Inc., who prepared the site plan for this property, Wes Guckert, Traffic Engineering consultant, and Robert A. Hoffman, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 11.68 acres, more or less, split zoned B.M. and B.L.-A.S., and is the site of the Garrison Forest Plaza shopping center, which contains a number of retail/commercial uses as well as an automotive service garage. The site has been used as a shopping center for many years and the

ORDER RECEIVED FOR FILING

Date

By

Petitioners are desirous of renovating the center in accordance with the site plan submitted into evidence as Petitioner's Exhibit 1. In conjunction with the proposed upgrades, a new tenant has been secured (Safeway Food Stores). In addition, a major current tenant (JoAnn Fabrics) will be relocated within the complex. As part of these arrangements, a portion of the existing strip building will be enlarged and reconfigured. Based upon these improvements, the requested special hearing and variance relief are necessary in order to proceed.

In this regard, testimony and evidence were received from Mr. Guckert, the traffic engineering expert retained by the Petitioners for this project. Mr. Guckert indicated that his office had completed negotiations with the Maryland State Highway Administration (SHA) regarding an upgrading of the site and access to same. As shown on the plan, there will be three means of access in the future; one from Rosewood Lane, one from Reisterstown Road, and one from Owings Mills Boulevard. The location and design of these access points has been negotiated and agreed to by and between the Petitioners and the SHA.

Mr. Guckert also indicated that he believes that sufficient parking exists on the site to accommodate existing and proposed users. In this regard, he testified that the "big box" tenants typically do not generate the number of parking spaces required by the B.C.Z.R. The parking requirements set forth in Section 409 require a certain number of parking spaces based upon the square footage of the retail space that will be used. Mr. Guckert concluded that ample parking has existed on this site for many years and that sufficient room exists for expansion. It was also noted that the smaller tenants in the shopping center do not generate significant parking.

The Petition for Special Hearing also seeks approval of an amendment to the previously approved site plan in prior Case No. 94-187-X to delete a proposed use. In this regard, testimony and evidence presented was that a special exception was granted in that case to permit an arcade on the subject site approximately three years ago. Discovery Zone, although not a typical arcade, was a concept so classified under the B.C.Z.R. Discovery Zone has vacated its premises and the use is no longer active at this location. Thus, special hearing relief should be granted to amend the previously approved site plan to reflect this change in use.

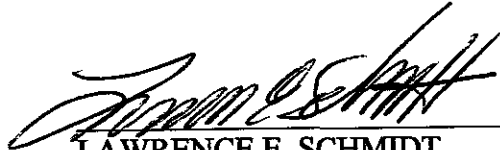
OWINGS MILLS
6/21/99
Bald
RM

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth herein, the special hearing and variance shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2/28 day of June, 1999 that the Petition for Special Hearing to abandon the previously approved special exception use and to amend the site plan approved in prior Case No. 94-187-X, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 576 parking spaces in lieu of the required 719 spaces, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date 6/21/99

By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 17, 1999

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

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE
SE/Corner Owings Mills Boulevard & Reisterstown Road
(Garrison Forest Plaza)
4th Election District – 3rd Councilmanic District
Garrison Forest Associates, L.P. – Petitioners
Case No. 99-391-SPHA

Dear Mr. Hoffman:

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Bruce I. Levine, Garrison Forest Assoc., L.P.
25 Hooks Lane, suite 312, Baltimore, Md. 21208
Messrs. Ed Haile and John Seefried, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21286
People's Counsel; Case File

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



Printed with Soybean Ink
on Recycled Paper



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

NW Corner of Owings Mills Boulevard and
for the property located at Reisterstown Road (Garrison Forest Plaza)

which is presently zoned BM and BL-AS

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

Special Hearing to abandon the previously approved special exception
use and to amend the site plan approved in Case No. 94-187-X.

Property is to be posted and advertised as prescribed by zoning regulations.
I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Leasee:

Name - Type or Print
Signature
Address Telephone No.
City State Zip Code

Attorney for Petitioner:

Robert A. Hoffman
Name - Type or Print
Signature
Venable, Baetjer and Howard, LLP
Company
210 Allegheny Ave (410) 494-6200
Address Telephone No.
Towson MD 21204
City State Zip Code

Legal Owner and Long Term Ground Lessee

Garrison Forest Associates Limited Partnership
Name - Type or Print
By: *Bruce I. Levine*
Signature: Bruce I. Levine, Commercial Real Estate
Director
Name - Type or Print

Signature
25 Hooks Lane, Suite 312 410-486-0800
Address Telephone No.
Baltimore MD 21208
City State Zip Code

Representative to be Contacted:

Robert A. Hoffman, Venable, Baetjer and Howard, LLP
Name
210 Allegheny Ave (410) 494-6200
Address Telephone No.
Towson MD 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
UNAVAILABLE FOR HEARING

Reviewed By uc Date 4-2-99

ORDER RECEIVED FOR FILING
Date 4/2/99
BY

Case No. 99-391-SPHA

REV 9/15/98
DOCS1/BAW01/#80014

DROP OFF

No Review



Petition for Variance

to the Zoning Commissioner of Baltimore County

Owings Mills Blvd. and Reisterstown Road
for the property located at NW Corner (Garrison Forest Plaza)
which is presently zoned BM and BL-AS

This Petition shall be filed with the Department of Permits and 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)

409.6 to permit 576 parking spaces in lieu of the 719 space required.

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 determined at hearing

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney for Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer and Howard, LLP

Company

210 Allegheny Ave

(410) 494-6200

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner and Long Term Ground Lessee

Garrison Forest Associates Limited Partnership

Name - Type or Print

By:

Signature: Bruce I. Levine, Commercial Real Estate Director

Name - Type or Print

Signature

25 Hooks Lane, Suite 312

410-486-0800

Address

Telephone No.

Baltimore

MD

21208

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman, Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave

(410) 494-6200

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

uci

Date

4-2-99

REV 9/15/98

TO: DOCS1/crl01/#79760 v1

DROP OFF

No REVIEW

ORDER RECEIVED FOR FILING
6/2/99



Petition for Variance

Revised # 391

to the Zoning Commissioner of Baltimore County

Owings Mills Blvd. and Reisterstown Road
for the property located at NW Corner (Garrison Forest Plaza)
which is presently zoned BM and BL-AS

This Petition shall be filed with the Department of Permits and 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)

409.6 to permit 576 parking spaces in lieu of the 714 space required.

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 determined at hearing

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney for Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer and Howard, LLP

Company

210 Allegheny Ave

(410) 494-6200

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner and Long Term Ground Lessee

Garrison Forest Associates Limited Partnership

Name - Type or Print

By: Bruce I. Levine

Signature: Bruce I. Levine, Commercial Real Estate Director

Name - Type or Print

Signature

25 Hooks Lane, Suite 312

410-486-0800

Address

Telephone No.

Baltimore

MD

21208

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman, Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave

(410) 494-6200

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

Case No. 99-391-SRHA

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By BH Date 5/6/99

REV 9/15/98

Revised



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
<http://www.dmw.com>
410 296 3333
Fax 410 296 4705

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

Description
to Accompany Petition for Special Hearing
and Variance

Garrison Forest Plaza

Northeast Side of Reisterstown Road

Southwest Side of Rosewood Lane

Fourth Election District, Baltimore County, Maryland

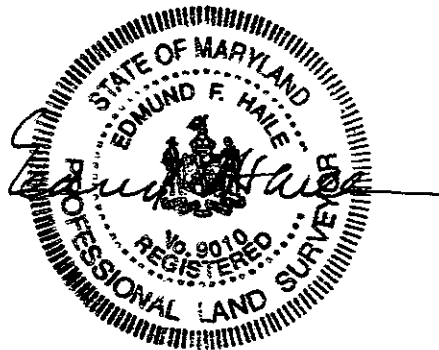
Beginning for the same at the end of the second of the two following courses and distances, measured from the intersection of the centerline of Reisterstown Road (variable width) with the centerline of Rosewood Lane (60 feet wide), viz: (1) Northeasterly 50 feet, more or less, along the centerline of Rosewood Lane, and thence (2) Northwesterly 30 feet, more or less, to the point of beginning, thence leaving said point of beginning and binding on the northeast side of Reisterstown Road for the following five courses and distances, viz: (1) South 87 degrees 17 minutes 35 seconds West 11.24 feet, thence (2) North 47 degrees 29 minutes 45 seconds West 526.66 feet, thence (3) South 41 degrees 55 minutes 44 seconds West 7.00 feet, thence (4) North 47 degrees 46 minutes 05 seconds West 306.47 feet, and thence (5) North 47 degrees 53 minutes 15 seconds West 143.52 feet to the northeast side of Owings Mills Boulevard, thence binding thereon the following four courses and distances, viz: (6) North 32 degrees 08 minutes 05 seconds East 16.51 feet to a point of nontangency, thence (7) Northeasterly by a line curving to the left with a radius of 1195.21 feet for a distance of 74.22 feet (the arc of said curve being

subtended by a chord bearing North 36 degrees 16 minutes 19 seconds East 74.21 feet) to a point of curvature, thence (8) Northeasterly by a line curving to the left with a radius of 1748.87 feet for a distance of 98.40 feet (the arc of said curve being subtended by a chord bearing North 32 degrees 52 minutes 58 seconds East 98.39 feet) to a point of curvature, thence (9) Northeasterly by a line curving to the left with a radius of 1748.87 feet, for a distance of 297.20 feet (the arc of said curve being subtended by a chord bearing North 26 degrees 24 minutes 10 seconds East 296.84 feet) to a point of nontangency, and thence (10) North 32 degrees 08 minutes 05 seconds East 24.79 feet, thence (11) South 47 degrees 47 minutes 46 seconds East 1095.90 feet to the southwest side of Rosewood Lane, thence binding thereon the following two courses and distances, viz: (12) South 43 degrees 56 minutes 44 seconds West 56.91 feet, and thence (13) South 41 degrees 55 minutes 44 seconds West 428.06 feet to the point of beginning; containing 11.68 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

March 26, 1999

Project No. 96093.B (L96093B)



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 5/6/99 ACCOUNT REVENUE AMOUNT \$ 100.00

RECEIVED FROM: VB+H

FOR: REVENUE - PLANS & PERMITS

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 4/2/99 ACCOUNT 001-6150 AMOUNT \$ 500.00 (WCR)

RECEIVED FROM: Venable, Baetjer & Howard

FOR: SPECIAL HEARING & VARIANCE Item 391

Garrison Forest Plaza Case #99-391-SPHA
Drop-Off No Review

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

REVISION 391-SPH17
112M #99-
B.R.

No. 067340

PAID RECEIPT

PROCESS ACTUAL TIME
4/06/1999 5/06/1999 16:19:49
REG #302 CASHIER LEND LNS DRAWER 2
Dept 5 528 ZONING VERIFICATION
Receipt # 042270
CR NO. 067340
Receipt Tot 100.00
100.00 OK
Baltimore County, Maryland

CASHIER'S VALIDATION

No. 067006

PAID RECEIPT

PROCESS ACTUAL TIME
4/06/1999 4/05/1999 16:16:49
REG #303 CASHIER PUES PEM DRAWER 3
5 MISCELLANEOUS CASH RECEIPT
Receipt # 060888
CR NO. 067006
Receipt Tot 500.00
500.00 OK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/29/, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/29/, 1999.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

NOTICE OF ZONING HEARING

The Zoning Commission will hold a public hearing on the application 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: 499-331-SP4A
Garrison Forest Plaza
NE/S. Rostenlow Road between Rosewood Lane and Owings

Mills Boulevard
4th Election District - 3rd Councilmanic District
Legal Owner(s): Garrison Forest Associates Limited Partnership

Special Hearing: to abandon the previously approved special exception use and to amend the site plan approved in case number 94-187-X.

Variance: to permit 575 parking spaces in lieu of the 719 spaces required.

Hearing: Thursday, May 20, 1999 at 9:00 a.m. in Room 407, County Court Bldg., 401 Biddle Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

4/15/99 April 29 C307945

CERTIFICATE OF POSTING

RE Case No 99-391-SPHA

Petitioner/Developer: GARRISON FOREST PLAZA, ETAL

% ROBERT HOFFMAN, ESQ

Date of Hearing/Closing 5/20/99

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

Attention: Ms Gwendolyn Stephens

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at E/S REISTERSTOWN RD.

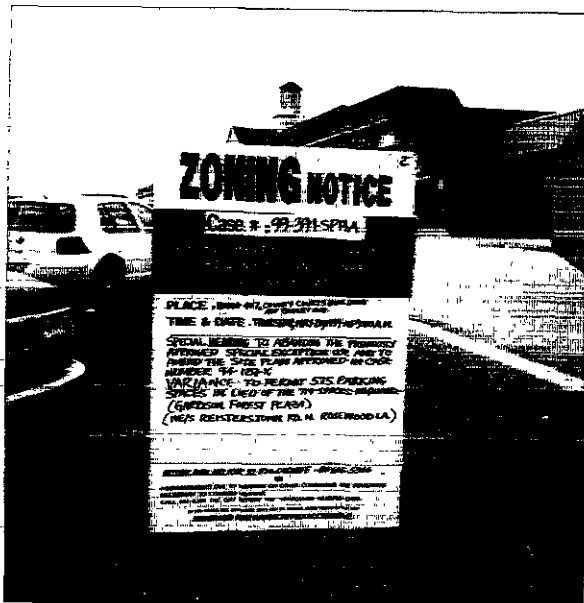
NORTH ROSEWOOD LA. & S/S OWINGS MILL
BLVD. (ONSITE)

The sign(s) were posted on 5/2/99
(Month, Day, Year)

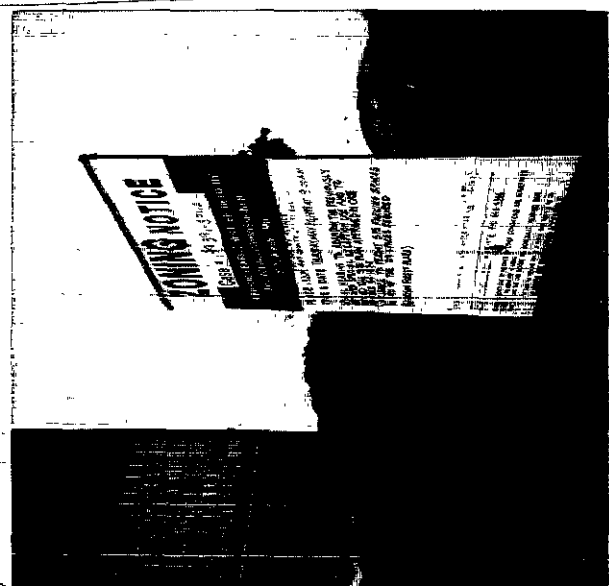
Sincerely,

Patrick M O'Keefe 5/3/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE



99-391-SPHA
GARRISON FOREST PLAZA
VBH REISTS. RD. @ ROSEWOOD LA.
5/20/99



99-391-SPHA
GARRISON FOREST PLAZA
O. REISTERSTOWN RD. & OMB.
5/20/99



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

April 13, 1999

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: 99-391-SPHA

Garrison Forest Plaza

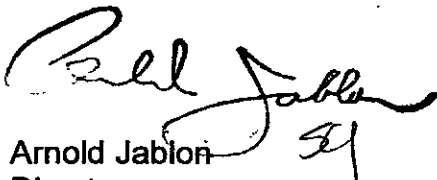
NE/S Reisterstown Road between Rosewood Lane and Owings Mills Boulevard

4th Election District – 3rd Councilmanic District

Legal Owner: Garrison Forest Associates Limited Partnership

Special Hearing to abandon the previously approved special exception use and to amend the site plan approved in case number 94-187-X. Variance to permit 575 parking spaces in lieu of the 719 spaces required.

HEARING: Thursday, May 20, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Arnold Jablon
Director

c: Robert A. Hoffman, Esquire
Garrison Forest Associates Limited Partnership

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MAY 5, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW 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
April 29, 1999 Issue – Jeffersonian

Please forward billing to:

Barbara W. Ormord, Legal Assistant
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

410-494-6201

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: 99-391-SPHA

Garrison Forest Plaza

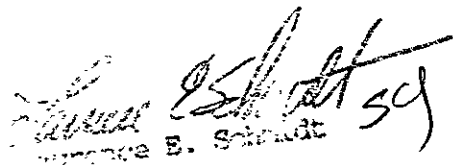
NE/S Reisterstown Road between Rosewood Lane and Owings Mills Boulevard

4th Election District – 3rd Councilmanic District

Legal Owner: Garrison Forest Associates Limited Partnership

Special Hearing to abandon the previously approved special exception use and to amend the site plan approved in case number 94-187-X. Variance to permit 575 parking spaces in lieu of the 719 spaces required.

HEARING: Thursday, May 20, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 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

April 2, 1999

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

Dear Mr. Hoffman:

RE: Drop-Off Petitions, Case No. 99-391-SPHA (Garrison Forest Plaza) & Case No. 99-393-X (8101 Rossville Boulevard)

At the request of the attorney/petitioner, the above referenced petitions were accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearings).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper form pertaining to this. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to this office.

If you have any questions regarding the above, please do not hesitate to contact Sophia Jennings at or myself 410-887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "wcr/scj".

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

Enclosures

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



Printed with Soybean Ink
on Recycled Paper

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.: 99-391-SPHA

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

PLACE: _____

DATE AND TIME: _____

REQUEST: SPECIAL HEARING TO ABANDON THE
PREVIOUSLY APPROVED SPECIAL EXCEPTION
USE AND TO AMEND THE SITE PLAN
APPROVED IN CASE NO. 94-187-X. VARIANCE
TO PERMIT 576 PARKING SPACES IN LIEU

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

→ OF THE 719 SPACES REQUIRED.

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: Garrison Foust Associates Limited Partnership

Address or Location: NW Corner of Owings Mills Blvd and Reisterstown Road (Garrison Foust Plaza)

PLEASE FORWARD ADVERTISING BILL TO:

Name: BARBARA W. ORMORD, LEGAL ASSISTANT

Address: VENABLE, BAETJER & HOWARD, LLP
210 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

Telephone Number: 410-494-6201

Revised 2/20/98 - SCJ

99.391-SP14A



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

May 14, 1999

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

RE: Case No.: 99-391-SPHA
Petitioner: Garrison Forest
Associates
Location: Garrison Forest Plaza

Dear Mr. Hoffman:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on April 2, 1999.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

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





**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

April 14, 1999

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

RE: PROPERTY OWNER: GARRISON FOREST ASSOCIATES LIMITED PARTNERSHIP
191

SUBJECT: DISTRIBUTION MEETING OF APRIL 12, 1999

Item No.: 191

Zoning Agency:

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.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. CAUERWALD
Fire Marshal Office, PHONE 807-4081, MS-1102F

cc: File

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



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on Recycled Paper

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: April 22, 1999

FROM:  Robert W. Bowling, Supervisor
 Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for April 19, 1999
 Item Nos. 380, 383, 385, 387, 389,
 390, 391, 392, and 393

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

RWB:HJO:jrb

cc: File

425
5/20

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: June 1, 1999

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

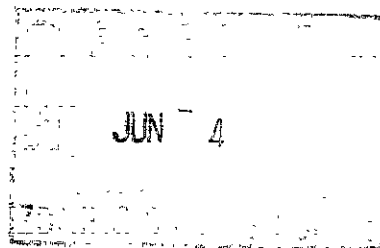
SUBJECT: Zoning Advisory Committee Meeting
for June 1, 1999
Case Number 99-391-SPHA
(Garrison Forest Plaza)

The Bureau of Development Plans Review has reviewed the subject zoning item, and we have no comment.

RWB:HJO:jrb

cc: File

ZCS99391.699



Les
5/20

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

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

Date: April 20, 1999

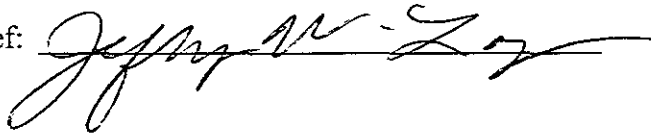
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):
Item No (s): 383, 386, 391, 395, 397, 400, 401 and 402

If there should be any questions or this office can provide additional information, please
contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL

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

TO: Arnold Jablon, Director
Permits and Development Management

DATE: _____

FROM: R. Bruce Seeley, Project Manager
Development Coordination
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date: 4/12/99

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

Item #'s: 381
382
384
385
386
387
388
391
392



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

April 19, 1999

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

RE: Baltimore County
Item No. 391 (WCR)
Special Hearing
Garrison Forest Assoc. L.P.
MD 140
Mile Post 5.35

Dear Ms. Stephens:

We have reviewed the referenced item and have no objection to approval of the Variance.

However, we will require the owner to obtain an access permit and as a minimum require the following:

- Final design approval of the proposed entrance to the Garrison Forest Shopping Plaza opposite MD 940.
- Highway modifications to MD 140 and conditioned to the access permit.

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,

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



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: May 24, 1999

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

RE: Baltimore County
Item No. 391 Revised
Garrison Forest Assoc. L.P.
MD 140
Milr Post 5.35

Dear Ms. Stephens:

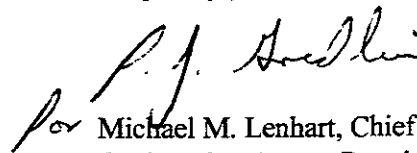
This office has reviewed the referenced item and we have no objection to approval.

However we will require the owner to obtain an access permit and as a minimum the following will be conditioned to the permit.

- Final Design approval of the proposed entrance to the Garrison Forest Shopping Plaza opposite MD 940.
- Highway modifications to MD 140 and conditioned to the permit.

Should any additional information be required please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


Michael M. Lenhart, Chief
Engineering Access Permits Division

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
Garrison Forest Plaza, NE/S Reisterstown Rd betw.
Rosewood Ln and Owings Mills Blvd, 4th Election
District, 3rd Councilmanic

Legal Owners: Garrison Forest Associates L.P.

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-391-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 15th April day of ~~March~~, 1999, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, P.O. Box 5517, 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
pdmlandacq@co.ba.md.us
410-887-3391

April 29, 1999

Ms. Barbara Ormond
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
P. O. Box 5517
Towson, Maryland 21285-5517

Dear Ms. Ormond:

RE: Drop-Off Revision Review, Case # 99-391-SPHA), (Garrison Forest Plaza)

At the request of the attorney/petitioner, the above referenced revisions were accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. See attached sheet for corrections to be made
2. Variance form should also be corrected to reflect the change made
"409.6 to permit 576 parking spaces in lieu of the
714 spaces required."

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Bruno Rudaitis
Planner II
Zoning Review

BR:cjs

Enclosure (receipt)

c: Zoning Commissioner

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



VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Writer's Direct Number:
410-494-6201

May 6, 1999

HAND DELIVERED

Mr. W. Carl Richards
Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Zoning Case No.: 99-391-SPHA
Petitioner: Garrison Forest Limited Partnership

Dear Mr. Richards:

Enclosed please find three revised Variance Petitions and 13 revised site plans which address Bruno Rudaitis' comments dated April 29, 1999 (copy attached). Also enclosed is our check in the amount of \$100.00 to cover the revision fee.

If you have any questions, please give me a call.

Sincerely,



Barbara W. Ormord
Legal Assistant

BWO
Enclosures
cc: Robert A. Hoffman, Esquire
TO1DOCS1/Baw01/#82892 v1

VENABLE, BAETJER AND HOWARD, LLP
including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Writer's Direct Number:
410-494-6201

VENABLE
ATTORNEYS AT LAW

March 25 1999

HAND DELIVERED

Mr. W. Carl Richards
Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Petition for Variance and Special Hearing
Petitioner: Garrison Forest Limited Partnership
Location: Garrison Forest Plaza
NW Corner of Owings Mills Blvd. & Reisterstown Rd.

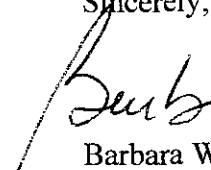
Dear Mr. Richards:

I am drop filing the enclosed Petition for Variance and Special Hearing for the above-referenced property. This request has been previously reviewed by Bruno Rudaitis of your office. This property is not in violation of any zoning laws. With this letter, I have enclosed the following documents:

1. Petition for Variance (3)
2. Petition for Special Hearing (3)
2. Zoning Description (3)
3. Site Plan (12)
4. 200' Scale Zoning Map (1)
5. Newspaper advertising form (1)
6. Two checks totaling \$500.00

If you have any questions or concerns regarding this filing, please give me a call.

Sincerely,


Barbara W. Ormord
Legal Assistant

BWO
Enclosures
cc: Robert A. Hoffman, Esquire
TO1DOCS1/Baw01/#80777 v1

99.391.SPHA

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Rob Hoffman

Ed Haile

John Seefried

Bruce Levine

WES GURBERT

210 Allegheny Ave 21204

DMW 200 E Penna

n n

25 Hooks Lane 21208 Suite 312
Garrison Forest Assoc.

40 W. CHESAPEAKE AVE.
TOWSON 21204



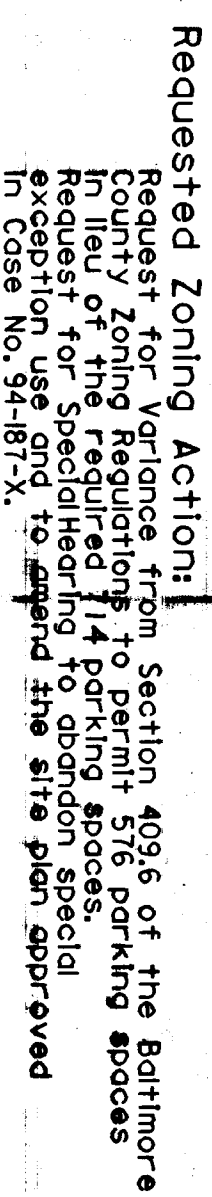
99-391 JPHA

BL-AS

P205. # 96093.B

[illegible]

- GARRISON FOREST APARTMENTS
AND TOWNHOUSES
FLAT 0.T.G. 35-36**



PARKING TABULATION				
BANK B/LA	3,822 SF	X	3,3 SPACES/ 1,000 SF	= 10 SPACES
TOTAL RETAIL B/LA	80,535 SF	X	5 SPACES/ 1,000 SF	= 452 SPACES
OFFICE SPACE B/LA	14,600 SF	X	3,3 SPACES/ 1,000 SF	= 49 SPACES
REQUIRED PARKING SPACES				= 774 SPACES
PROPOSED PARKING SPACES				= 516 SPACES

DATA SOURCES:
TOPO FROM AERIAL BY AIR SURVEY CORP.
- NOV. 1966 & FIELD SURVEY BY DMW, JAN. 1967
BOUNDARY PER ALTA SURVEY BY DMW, 10-12-66
BUILDING CANOPY PER AERIAL TOPOGRAPHY.
FRONT BUILDING FOOTPRINT PER D.S. THALER
& ASSOC. SURVEY DATED 11/69, REV. 11/80.

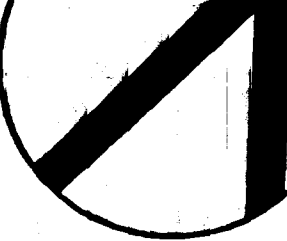
DMW

Duke McCasque Walsh, Inc.
 200 East Pennsylvania Avenue
 40099, Leesport, PA 19359
 Fax 286-4705

PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING AND VARIANCE

GARRISON FOREST PLAZA

PARKING VARIANCE




FOURTH DISTRICT

BALTIMORE COUNTY, MD

**A Team of Local Planners,
 Landscape Architects,
 Engineers, Surveyors &
 Environmental Professionals**

ISSUE DATES

PRELIM: 5/16/92

FINAL: _____

CONSTRUCTION: _____

BASE: _____

GRANIN: _____

DESIGNED BY: _____

CHECKED BY: _____

DRAWN: _____

DATE CHECKED: _____

SCALE: _____

1" = 50'

