

IN RE: PETITION FOR SPECIAL HEARING AND VARIANCE	*	BEFORE THE
SE/S Harford Road, 65.43' NE	*	DEPUTY ZONING COMMISSIONER
centerline of Linwood Avenue	*	
14th Election District	*	OF BALTIMORE COUNTY
6th Councilmanic District	*	
(8005-8009 & 8013-8017 Harford Road)	*	CASE NO. 99-516-SPHA
8005, LLC	*	
Petitioner		

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

WHEREAS, this matter came before this Deputy Zoning Commissioner by way of a special hearing and variance filed by the legal owner of the subject property, 8005, LLC. The case was heard on August 2, 1999, wherein the special hearing and variance was granted by Order dated the 9th day of August, 1999. By way of that Order, the property owner was required to tear down and remove the old chain link and barbed wire fence around the perimeter of the parking lot and replace same with an attractive board on board fence. The Petitioner was required to replace the old fence within 90 days of my previous Order.

Within 30 days from the date of my Order, the Petitioner filed a motion for reconsideration requesting that I reconsider the installation of the board on board fence for reasons stated within the motion for reconsideration. The Petitioner is concerned about installing a board on board fence due to the amount of graffiti that has occurred on his property. Furthermore, based on conversations with the Baltimore County Police Department, the Petitioner is concerned that a board on board fence would cause the parking lot to become unsafe by virtue of individuals being able to hide on either side of the fence itself. The Petitioner requests in their motion for reconsideration that they remove the barbed wire from the existing fence and replace the slats therein.

I made a site visit to the property with James Thompson, Supervisor of Zoning Enforcement, to consider what, if anything, should be done regarding the fence around the perimeter of the parking lot.

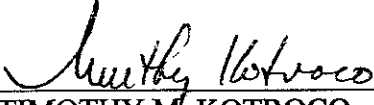
2/23/01
 [Handwritten signature and illegible text]

After visiting the site, it was obvious that the existing fence has become an eyesore and must be upgraded or completely replaced. Mr. Thompson brought to my attention a new style of fencing that is being used by Mr. Avery Harden, the Landscape Architect for Baltimore County, which provides an appropriate amount of screening from adjacent properties while maintaining a safe environment.

Therefore, I believe it is appropriate to refer this matter to Mr. Avery Harden, Landscape Architect for Baltimore County, for his review and his determination as to what type of fencing would be appropriate for the perimeter of this parking lot. It shall be within his complete discretion as to whether the existing fence can remain with new slatting and removal of barbed wire, or whether the fence would have to be entirely or partially removed with new slatting. In any event, the fence that currently exists on the property is certainly inappropriate and must be upgraded.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23rd day of February, 2001, that after considering the motion for reconsideration and my site visit to the property, the issue regarding the replacement or upgrading of the fence around the perimeter of the Petitioner's parking lot be referred to Avery Harden, Landscape Architect for Baltimore County. Mr. Harden shall determine the type of fence to be installed on the property, and whether the existing fence can remain or has to be replaced. Once the type of fencing is determined by Mr. Harden, the Petitioners shall have 30 days to install the new fence.

IT IS FURTHER ORDERED, that any appeal of this decision must be filed within thirty (30) days from the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

FILED
2/23/01
Avery Harden

TMK:raj



Baltimore County
Zoning Commissioner

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

February 23, 2001

Stuart D. Kaplow, Esquire
15 E. Chesapeake Avenue
Towson, Maryland 21286

Re: Order on Motion for Reconsideration
Case No. 99-516-SPHA
Property: 8005-8009 & 8013-8017 Harford Road

Dear Mr. Kaplow:

Enclosed please find the decision rendered in the above-captioned case.

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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Copies to:

Mr. Richard E. Bechtold
8005, LLC
515 Fairmount Avenue
Towson, MD 21286

Ms Ruth Baisden
Greater Parkville Community Council
7706 Oak Avenue
Baltimore, MD 21234

Mr. Gary Schauber
8007 Jacqueline Lane
Baltimore, MD 21234

Ms. Renee Miller
8005 Jacqueline Lane
Baltimore, MD 21234

AUG 19 1999

IN RE: PETITION FOR VARIANCE
S E/S Harford Road, 65.43' NE
Of centerline of Linwood Avenue
(8005-8009 & 80013-8017 Harford Road)
14th Election District
6th Councilmanic District

8005, LLC
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-516-SPHA

* * * * *

MOTION FOR RECONSIDERATION

8005, LLC, a Maryland limited liability company, by and through its undersigned counsel, hereby file this Motion For Reconsideration, and for cause say:

1. This matter came before the Deputy Zoning Commissioner by way of a Petition For Special Hearing to approve continuation of a non-conforming use, that is to approve the existing 88 business parking spaces located within a residential zone.

2. That by an Order dated August 9, 1999 the Deputy Zoning Commissioner granted the relief requested "conditioned upon the petitioner tearing down the old chain link and barbed wire fence around the perimeter of the parking lot and replacing it with an attractive board on board 8 ft. tall fence."

3. That the type and size and location of fence required by the said Order is violative of the provisions of both the County Code and Baltimore County Zoning Regulations. That is, in a rear yard that faces the front yard, there are height limitations that would restrict the height limit of a new fence to 48 inches

4. Moreover, this is the very type of fence is the type of fence that was opposed by the local Police Department representative both out of concern for the crime that will occur behind the wall as

well as the graffiti that will be drawn to the wall, all as described by Richard Bechtold at the hearing.


5. That the barbed wire can be removed and inserted color slats can be replaced such to create an effective and an attractive fence both with security concerns in mind and in keeping with the goal of an attractive screening fence, all without removing the existing grandfathered fence.

WHEREFORE, the Petitioner respectfully requests that the Deputy Zoning Commissioner:

A. Extend the time to comply to ninety (90) days from the date of the new Order;

B. Clarify that the fence be rehabilitated such that the barbed wire is removed and new colored screening slats be inserted, in a manner so that the slats are not blown out by the wind and so that the slats do not harmonize, in an objectionable manner, in the wind, in accordance with a plan to be submitted by the Petitioner to the Deputy Zoning Commissioner; and

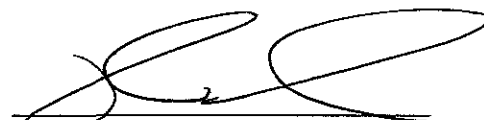
C. For such other and further relief as the nature of this cause may require.



Stuart D. Kaplow, Esquire
STUART D. KAPLOW, P.A.
15 East Chesapeake Avenue
Towson, Maryland 21286-5306
410-339-3910
Attorneys for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19 day of August, 1999, a copy of the foregoing Request was mailed, via first class mail, postage prepaid, to: Ms. Ruth Baisden c/o Greater Parville Community Council, 7706 Oak Avenue, Baltimore, Maryland 21234, Mr. Gary Schaubert, 8007 Jacqueline Lane, Baltimore, Maryland 21234; and Ms. Renee Miller, 8005 Jacqueline Lane, Baltimore, Maryland 21234.



Stuart D. Kaplow, Esquire

IN RE: PETITION FOR VARIANCE
SE/S Harford Road, 65.43' NE
of centerline of Linwood Avenue
14th Election District
6th Councilmanic District
(8005-8009 & 8013-8017 Harford Road)

8005, LLC
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 99-516-SPHA
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for special hearing and variance filed by the legal owners of the subject property, 8005, LLC, by Richard Bechtold, its managing partner. The special hearing and variance request is for property located at 8005 Harford Road in the Parkville area of Baltimore County. The subject property is currently split-zoned B.L. and D.R.5.5. The special hearing request is to approve the continuation of a non-conforming use, that is to approve the existing 88 business parking spaces in a residential zone district or, in the alternative, a special hearing to approve a use permit pursuant to Section 409.8.B for 88 business parking spaces in a residential district. In addition to the special hearing request, a variance is requested pursuant to Section 1B01.1.B.1.c of the Baltimore County Zoning Regulations to modify a residential transition area to permit existing business parking with a 0 ft. buffer and 0 ft. setback in lieu of the 50 ft. buffer and 75 ft. setback as required. The variance request is only being filed in the event the special hearing for the non-conforming use is denied.

Appearing at the hearing on behalf of the request were Richard Bechtold, managing partner of 8005, LLC and Stuart D. Kaplow, attorney representing the Petitioner. Deborah Hettleman also appeared on behalf of the Petitioner. Appearing as interested citizens in the matter were: Gary Schauber and Renee Miller, adjacent property owners, and Ruth Baisden, who appeared on behalf of the Greater Parkville Community Council.

ORDER RECEIVED FOR FILING
Date 8/9/99
By R. Johnson

Testimony and evidence indicated that the property, which is the subject of this request, is located along Harford Road near the intersection of Harford Road and Linwood Avenue. The subject property is improved with a two-story office building which was recently renovated by the Petitioner. The office building is currently leased and is being utilized as general office space. Associated with this office building is a parking lot situated to the rear of the subject property wherein parking is provided for the commercial building. The subject parking lot is located within a D.R.5.5 zoning district and is adjacent to the homes of the residents who appeared at the hearing.

The Petitioners primary request is to demonstrate that the parking lot itself is a non-conforming use which has existed on the property and served the parking needs of this commercial building from 1950 until the present date. The historical testimony offered by the Petitioner demonstrated that the subject building was originally constructed as a super market which catered to the needs of the surrounding Parkville community. The lower level of the building was utilized as a bowling alley. The subject building was constructed in 1950. Further historical documentation demonstrated that to the rear of the subject property existed a parking lot which was constructed in 1950 and has been used in conjunction with the commercial uses along Harford Road since that time up until the present date. During the course of the renovation of the office building, the parking lot was upgraded with new lighting, paving and striping.

The citizens in attendance appreciated the efforts of this developer to renovate this building and parking lot which is now a viable commercial entity. However, the citizens take issue with a chain link fence which was not upgraded or replaced during the renovation of the site. Photographs of the fence itself shows it to be in need of repair. The chain link fence itself utilizes plastic green slats for screening purposes. The fence also contains barbed wire along its top. The plastic slatting has become broken, dislodged and is very unattractive in appearance. The citizens were hoping that the developer would replace the old fence with a board on board fence during the renovation of the

ORDER RECEIVED FOR FILING
Date 5/19/99
By J.R. Johnson

site. They support the redevelopment of the building and the continued parking on the parking lot, however, ask that the fence be upgraded to a more attractive and appropriate fence.

Mr. Bechtold, testifying on behalf of the developer, indicated that during the renovation of the building and the parking lot, the developer contemplated replacing the chain link slatted fence. However, after consultation with Officer Volk of the Parkville Police Precinct, it was determined that the chain link fence should remain in that it would not attract graffiti, and given its transparent nature, would enable pedestrians to see if anyone was hiding on either side of the fence itself. For safety reasons and to reduce vandalism, the decision was made to leave the fence as is.

After considering the testimony and evidence offered by the citizens who reside adjacent to this parking lot and fence, and after reviewing the many photographs submitted into evidence, I find that the fence itself is in need of replacement. The chain link and barbed wire fence should be taken down and replaced with an attractive board on board fence, which would be more aesthetically pleasing to the neighbors and provide a better buffer from the commercial parking on this parking lot.

As to the special hearing request, I find that the Petitioner has in fact proven that the commercial parking that has occurred on this parking lot is in fact a non-conforming use. The uncontradicted testimony and evidence demonstrated that commercial parking has occurred on this parking lot since 1950 up until the present date. The parking has been continuous and uninterrupted each and every year and therefore is non-conforming.

As with all nonconforming use cases, the first task is to determine whether a lawful nonconforming use existed on the subject property prior to the year in which a change in the zoning regulations caused the use of the property to become illegal. The controlling year in this case is 1955.

ORDER RECEIVED FOR FILING

Date 8/19/99

By R. J. Johnson

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is a different use, and therefore, breaks the continued nature of the nonconforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered nonconforming. See McKemy v. Baltimore County, MD., 39 Md. App. 257, 385 A.2d 96 (1978).

When the claimed nonconforming use has changed, or expanded, then the Deputy Zoning Commissioner must determine whether or not the current use represents a permissible intensification of the original use or an actual change from the prior legal use. In order to decide whether or not the current activity is within the scope of the nonconforming use, the Zoning Commissioner should consider the following factors:

- (a) To what extent does the current use of these lots reflect the nature and purpose of the original nonconforming use;
- (b) Is the current use merely a different manner of utilizing the original nonconforming use or does it constitute a use different in character, nature and kind;
- (c) Does the current use have a substantial different effect upon the neighborhood;
- (d) Is the current use a "drastic enlargement or extension" of the original nonconforming use."

McKemy v. Baltimore County, MD., supra.

After due consideration of the testimony and evidence presented, it is clear that the subject property has been used continuously and without interruption as a parking lot since 1955 and as such enjoys a legal nonconforming use.

ORIGINAL RECEIVED FOR FILING

Date 8/9/99

By R. J. Johnson

Inasmuch as the request for special hearing to approve the non-conforming use business parking in a residential zone has been granted, it is not necessary to entertain the request to approve a use permit for parking in a residential district. In addition, it is not necessary to entertain the variance request from the setback requirements for the parking lot, given its non-conforming use status. Therefore, the special hearing for use permit and the variance request shall be dismissed as moot.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition for Special Hearing to approve the non-conforming use for business parking held, and for the reasons given above, the petition should be granted.

THEREFORE, IT IS ORDERED this 9th day of August , 1999, by this Deputy Zoning Commissioner, that the Petitioner's special hearing request to approve the continuation of a nonconforming use pursuant to Section 104.1 to allow the existing 88 business parking spaces in a residential zoning district, be and is hereby APPROVED.

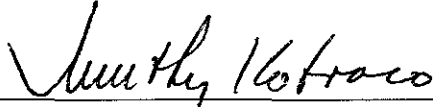
IT IS FURTHER ORDERED, that the special hearing to approve a use permit for commercial parking in a residential district be and is hereby dismissed as moot.

IT IS FURTHER ORDERED, that the variance request to modify a residential transition area to allow an existing business parking lot with a 0 ft. buffer and 0 ft. setback in lieu of the 50 ft. buffer and 75 ft. setback be and is hereby dismissed as moot.

ORIGINAL RECEIVED FOR FILING

Date 8/9/99
By J.R. Gammeter

AND IT IS FURTHER ORDREED, that the relief granted herein is conditioned upon the Petitioner tearing down the old chain link and barbed wire fence around the perimeter of the parking lot and replacing it with an attractive board on board 8 ft. tall fence. The installation of this new fence shall be accomplished within ninety (90) days from the date of this Order. The Petitioner shall be required to maintain and keep the new board on board fence in good repair once it is installed.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 8/9/99
BY R. J. Garrison



Baltimore County
Zoning Commissioner

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

August 9, 1999

Stuart D. Kaplow, Esquire
15 E. Chesapeake Avenue
Towson, Maryland 21286

Re: Petition for Special Hearing
Case No. 99-516-SPHA
Property: 8005-8009 & 8013-8017 Harford Road

Dear Mr. Kaplow:

Enclosed please find the decision rendered in the above-captioned case. The Request for Special Hearing has been granted in accordance with the enclosed 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 from 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 410-887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. Richard E. Bechtold
c/o 8005, LLC
515 Fairmount Avenue
Towson, Maryland 21286

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



Printed with Soybean Ink
on Recycled Paper

Ms. Ruth Baisden
C/o Greater Parkville Community Council
7706 Oak Avenue
Baltimore, Maryland 21234

Mr. Gary Schauber
8007 Jacqueline Lane
Baltimore, Maryland 21234

Ms. Renee Miller
8005 Jacqueline Lane
Baltimore, Maryland 21234



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8005 Harford Road
which is presently zoned BL/DR5.5

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 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 approve the continuation of a nonconforming use, pursuant to BCZR Sec. 104.1, that is to approve the existing 88 business spaces in a residential zoning district.

88 parking

Or, in the alternative,

Special Hearing to approve a use permit, pursuant to BCZR Sec. 409.8.B, for 88 business parking spaces in a residential district.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, 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:

Legal Owner(s):

ORIGINAL RECEIVED FOR FILING

8/19/99

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

8005, LLC		
Name - Type or Print		
By: <i>[Signature]</i>		
Signature		
Richard E. Bechtold, Managing Partner		
Name - Type or Print		
Signature		

Attorney For Petitioner:

515 Fairmount Ave.		410-769-6100
Address		Telephone No.
Towson	MD	21286
City	State	Zip Code

Stuart D. Kaplow		
Name - Type or Print		
Signature		

Representative to be Contacted:

Stuart D. Kaplow, P.A.		
Company		
15 E. Chesapeake Ave.		410-339-3910
Address		Telephone No.
Towson	MD	21286
City	State	Zip Code

Stuart D. Kaplow		
Name		
15 E. Chesapeake Ave.		410-339-3910
Address		Telephone No.
Towson	MD	410-339-3910
City	State	Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 99-516-SPHA

Reviewed By KA Date 6-18-99

REC 9/15/98

DROP OFF

NO REVIEW



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8005 Harford Road
which is presently zoned BL/DR.5.5

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)

See Attached "A"

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

See Attached "B"

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.

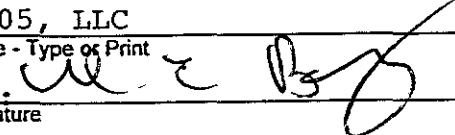
Contract Purchaser/Lessee:

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

Attorney For Petitioner:

Stuart D. Kaplow
Name - Type or Print _____
Signature _____
Stuart D. Kaplow, P.A.
Company _____
15 E. Chesapeake Ave. 410-339-3910
Address _____ Telephone No. _____
Towson MD 21286
City _____ State _____ Zip Code _____

Legal Owner(s):

8005, LLC
Name - Type or Print _____
By: 
Signature _____
Richard E. Bechtold, Managing Partner
Name - Type or Print _____
Signature _____
515 Fairmount Ave. 410-769-6100
Address _____ Telephone No. _____
Towson MD 21286
City _____ State _____ Zip Code _____

Representative to be Contacted:

Stuart D. Kaplow
Name _____
15 E. Chesapeake Ave. 410-339-3910
Address _____ Telephone No. _____
Towson MD 21286
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING
Reviewed By UC Date 6-18-99

Case No. 99-516-SPHA

220 9115198

DROP-OFF

NO REVIEW

Attachment A

If a use permit is required,

A variance pursuant to section 1B01.1.B.1.c of the Baltimore County Zoning Regulations to modify a residential transition area to permit an existing business parking lot, with a 0 foot buffer and a 0 foot setback in lieu of the 50 foot buffer and 75 foot setback, as required by section 1B01.1.B.1.e(5).

Attachment B

For the following reasons,

The property, the structures therein, and the uses conducted thereon, are, in and of themselves, *unique and unusual, in a manner different from the nature of the surrounding properties, such that the peculiarity of the property (i.e., its shape, topography, subsurface conditions, and environmental factors) causes the zoning regulations to impact disproportionately upon the property, such that a practical difficulty results from that disproportionate impact of the ordinance, all as will be described at the hearing.*



PURDUM and JESCHKE, LLC

The Professional Engineering Center
8005 Harford Road
Baltimore, Maryland 21234

*Consulting Engineers and Land Surveyors
Civil • Structural • Environmental*

Phone: 410-668-8800
Fax: 410-668-8801

**Description of 1.362 Acres of land, more or less
8005- 8009 & 8013-8017 Harford Road
Baltimore County, Maryland
Parcels 1 through 4
Lands of 8005, LLC, a Maryland Limited Liability Company**

May 4, 1999

BEGINNING FOR THE SAME at a point along the southeasternmost side of Harford Road at the intersection of the division line between the herein described lands and the lands now or formerly of John A. Gangi (see 6465-253). Said beginning point being located *North 44°41'41" East 50.43 feet* from the northeasternmost intersection of the said Harford Road with Linwood Avenue. Said beginning point further being the northwesternmost corner of the herein described parcel of land.

THENCE leaving the lands of John A. Gangi and binding with the southeasternmost side of Harford Road

1. North 44°41'41" East 150.45 feet to a point at the northwesternmost corner of the lands now or formerly of Charles E. & Julia M. Dengler (see 7683-626);

THENCE leaving Harford Road and binding with the southernmost outline of the said Dengler lands the four (4) following courses and distances.

2. South 41°23'51" East 183.14 feet to a point,

3. North 48°33'40" East 4.33 feet to a point,

4. North 33°08'16" East 148.89 feet to a point, and

5. North 52°26'16" East 6.42 feet to a point at or near the southwesternmost corner of the lands now or formerly of Ellen K. & Paul Leo Morrison, (see 5116-247);

THENCE leaving the Dengler lands and binding with the southwesternmost outline of the Morrison lands, the lands now or formerly of Ehor S. & Jody J. Hadzman (see 8191-667), the lands now or formerly of Earl R. & Marie R. Chason (see 1134-136) and the lands now or formerly of Viola F. Durgin (see 945-371)

6. South 40°42'21" East 194.24 feet to a point along the northwesternmost side of an existing 30' wide alley;



American Consulting Engineers Council Member
Supporting Excellence in Engineering

99-516-SPHA

THENCE leaving the Durgin lands and binding with said alley

7. **South 54°02'05" West 203.00 feet** to a point along the northeasternmost outline of the lands now or formerly of Margaret Rassa, (see 5413-1254);

THENCE leaving the alley and binding with the northernmost outlines of the Rassa lands the two (2) following courses and distances:

8. **North 41°19'13" West 135.70 feet** to a point, and

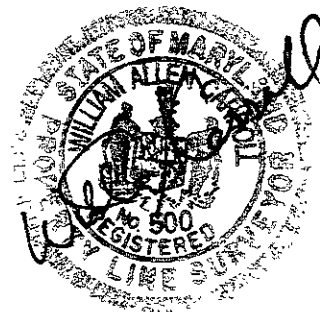
9. **South 48°34'00" West 100.29 feet** to a point at the southeasternmost corner of the aforementioned lands of John A. Gangi;

THENCE leaving the Rassa lands and binding with northeasternmost outline of the Gangi lands

10. **North 41°19'41" West 172.98 feet** to the point and place of beginning.

CONTAINING in all, **1.362 Acres of land**, more or less, as described this 4th day of May, 1999 by Purdum & Jeschke, LLC.

BEING or intending to be all of those lands conveyed to 8005, LLC, a Maryland Limited Liability Company, from Helene K. Miller, sole surviving successor Trustee for the benefit of Ethel Chertkaf Posnick and her descendants under a Revocable Trust AGREEMENT DATED February 9, 1969 (the Posnick Family Trust Share), by deed dated March 6, 1997 and recorded among the Land Records of Baltimore County, Maryland in Deed liber 12087, folio 579.



**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. **067094**

DATE 6/18/99 ACCOUNT 001-6150

AMOUNT \$ 500.00 (WCR)

RECEIVED FROM: 3005 LLC & Pennsylvania LLC

FOR: Case #99-516-SPHA Drop-Off/No Review

8005 Harford Road

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCES	ACTUAL	TIME
4/29/1999	6/28/1999	15:16:16
REN #805	CASHIER KIMM KIM DRAWER	4
Dept 5	528 ZONING VERIFICATION	
Receipt #	07353	OPEN
CR NO.	067094	

Receipt Tot 500.00
500.00 OK
Baltimore County, Maryland

CASHIER'S VALIDATION

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: #99-516-SPHA
8005-8009 & 8013-8017 Harford Road
SES Harford Road, 65.43' NE of centerline Linwood Avenue
14th Election District - 6th Councilmanic District
Legal Owner(s): 8005, LLC

Special Hearing: to approve the continuation of a nonconforming use (88 business parking spaces in a residential zoning district) OR, in the alternative, to approve a use permit for 88 business parking spaces in a residential zone. **Variance:** to modify a Residential Transition Area requirement to permit an existing business parking lot with a zero foot buffer and a zero foot setback in lieu of the 50-foot buffer and 75-foot setback.

Hearing: Monday, August 2, 1999 at 10:00 a.m. in Room 407, County Courts Bldg., 481 Bosley 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) 887-4366.

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

7/26/99 July 15

C325540

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/15/, 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 7/15/, 1999.

THE JEFFERSONIAN,



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: CASE # 99-516-SPHA
PETITIONER/DEVELOPER:
(8005 LLC)
DATE OF Hearing
(Aug. 2, 1999)

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

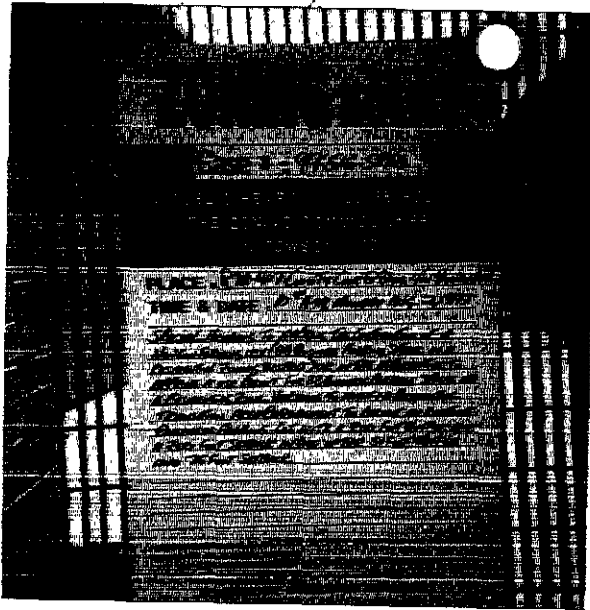
Pet Ex 2A

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
8005-8009 & 8013-8017 Harford Road Baltimore , Maryland 21234

The sign(s) were posted on 7-17-99
[Month, Day, Year]



Sincerely,

Thomas P. Ogle, Sr. 7/17/99
(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

July 8, 1999

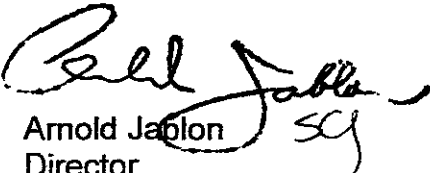
NOTICE OF ZONING HEARING

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: 99-516-SPHA
8005-8009 & 8013-8017 Harford Road
SE/S Harford Road, 65.43' NE of centerline Linwood Avenue
14th Election District – 6th Councilmanic District
Legal Owner: 8005, LLC

Special Hearing to approve the continuation of a nonconforming use (88 business parking spaces in a residential zoning district) OR, in the alternative, to approve a use permit for 88 business parking spaces in a residential zone. Variance to modify a Residential Transition Area requirement to permit an existing business parking lot with a zero foot buffer and a zero foot setback in lieu of the 50-foot buffer and 75-foot setback.

HEARING: Monday, August 2, 1999 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Arnold Jablon
Director

c: Stuart D. Kaplow, Esquire
8005, LLC
Chris McCullough
Gary Schauber

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JULY 18, 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
July 15, 1999 Issue – Jeffersonian

Please forward billing to:

Stuart D. Kaplow, Esquire 410-339-3910
15 E. Chesapeake Avenue
Towson, MD 21204


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: 99-516-SPHA
8005-8009 & 8013-8017 Harford Road
SE/S Harford Road, 65.43' NE of centerline Linwood Avenue
14th Election District – 6th Councilmanic District
Legal Owner: 8005, LLC

Special Hearing to approve the continuation of a nonconforming use (88 business parking spaces in a residential zoning district) OR, in the alternative, to approve a use permit for 88 business parking spaces in a residential zone. Variance to modify a Residential Transition Area requirement to permit an existing business parking lot with a zero foot buffer and a zero foot setback in lieu of the 50-foot buffer and 75-foot setback.

HEARING: Monday, August 2, 1999 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt *sq*

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.

File 8/2/99 ✓



Baltimore County
Fire Department

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

July 21, 1999

Arnold Jablon, Director
Jobing Administration and Development Management
Baltimore County Office Building
Towson, MD 21201
MAIL STOP-1105

Re: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JULY 1, 1999

Item No.: SEE BELOW Pending Agenda:

Re: Item:

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.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS AT THIS TIME REGARDING THE FOLLOWING ITEM NUMBERS:

- 501, 502, 514, 506, 507, 508, 510, 511, 512, 513, 514,
- 515, 516, 517, 518, 520, 521, 522,

REVIEWER: LT. ROBERT P. SAUERWALL
Fire Marshal Office, PHONE 807-4801, MC-1102F

cc: File

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: July 13, 1999

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

SUBJECT: Zoning Advisory Committee Meeting
for July 12, 1999
Item Nos. 501, 502, 503, 504, 505,
507, 508, 509, 510, 511, 512, 513,
514, 516, 518, 519, 520, 521, 522,
523, 524,

and

Case Number 99-477-SPHA
Windsor Commons

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

RWB:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: June 30, 1999

TO: Larry E. Schmidt
Zoning Commissioner

FROM: James H. Thompson - RC
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 516
PETITIONER: 8005, LLC

VIOLATION CASE NO.: 97-4156

LOCATION OF VIOLATION: 8005 Harford Road
SE/S Harford Road, 65.43' NE of centerline
Linwood Avenue

DEFENDANT(S): 8805, LLC

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

<u>NAME</u>	<u>ADDRESS</u>
Gary Schaubert	8007 Jacqueline Lane Baltimore, MD 21234

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/rc/lmh

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 13, 1999

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

SUBJECT: 8005 Harford Road

INFORMATION:

Item Number:

516

Petitioner: 8005 Harford Road

Zoning: BL and DR 5.5

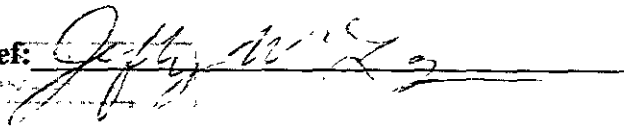
Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The existing parking lot is bordered on three sides by a 6-foot high slatted chain link fence that is topped with barbed wire. This fence, which abuts the residential community, is unattractive due to the poor condition of the metal slats and the barbed wire treatment.

The fence should be replaced with an attractive wooden fence or, in the alternative, the metal slats should be replaced and the barbed wire should be removed. Should this condition be met, the Office of Planning recommends that the applicant's request be granted.

Section Chief:



RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
8005-8009 & 8013-8017 Harford Road, SE/S Harford Rd,
65.43' NE of c/l Linwood Ave
14th Election District, 6th Councilmanic

Legal Owner: 8005, LLC
Petitioner(s)

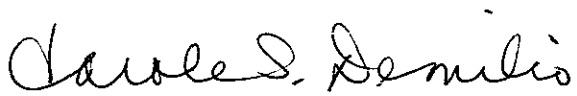
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 99-516-SPHA

* * * * *

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 or other proceedings in this matter and of the passage of any preliminary or final Order.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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 day of July, 1999 a copy of the foregoing Entry of Appearance was mailed to Stuart D. Kaplow, Esq., 15 E. Chesapeake Avenue, Towson, MD 21286, attorney for Petitioners.


PETER MAX ZIMMERMAN

Baltimore County Government
Department of Economic Development



400 Washington Avenue
Towson, MD 21204

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

7/28/99
JO y/c
8/2 TK

MEMORANDUM

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

From: Andrea Van Arsdale
Revitalization Director

Date: July 27, 1999

Re: 8005-8009 & 8013-8017 Harford Road- Case # 99-516-SPHA

The Department of Economic Development supports the requested variance for the above noted case. The request would enable a key redevelopment project in the Parkville Revitalization District to continue using a parking lot that has long been used as such and which is critical to the successful leasing of the building.

The site is located within the County designated Parkville Commercial Revitalization District, which is a target for business revitalization efforts. The Department of Economic Development actively promoted the acquisition and renovation of this formerly vacant grocery store and associated parking lot. Public financial assistance of \$250,000 from the County's Small Business Loan Fund and \$500,000 from the State's Neighborhood Revitalization Loan Program leveraged over \$2 million in private investment. EBL Engineering and Purdum & Jesche LLC relocated here along with a bank and physical therapist. The property is now fully leased and the four new businesses employ over 80 people. The project has also generated new income and property tax revenues and strengthened the economic viability of Parkville.

Parking is one of the most important factors in redeveloping older areas. Off-street parking is very important to the success of this and other redevelopment projects. In this case, the parking lot was used as such for many years, it was not enlarged, and it has been upgraded which improved the overall appearance.

If you have any questions, please call Abigail Byers of Commercial Revitalization Representative on extension 3990.

99-1983



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

July 23, 1999

Stuart D. Kaplow, Esq.
15 E. Chesapeake Avenue
Towson, MD 21286

Dear Mr. Kaplow:

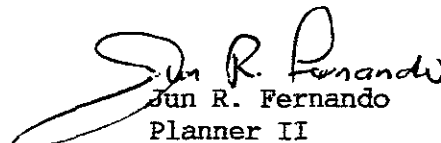
RE: Drop-Off Petition Review, Case Number: 99-516-SPHA

At the request of the attorney/petitioner, the above referenced petition was 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.

Currently there are two outstanding violations with regard to this property. They are case numbers 98-5802 and 97-4156.

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

Sincerely,


Jun R. Fernando
Planner II
Zoning Review

JRF:ggs

Enclosure (receipt)

c: Zoning Commissioner

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



There are no violations on this property. And be aware that while no one in your office has seen this plan, this development project was reviewed within the last several years.

Thank you in advance for your courtesies. If there are any problems with this request, please have Sophie give me a call.

Michael (on) W...
10/17/99

Sincerely,



Stuart D. Kaplow

SDK:tbm

cc: Mr. Richard Bechtold, Heritage Properties, Inc.
Ms. Debra Hettleman

DROP. OFF **6/18/99** **99-516-SPHA**
NO REVIEW **kel**



F A C S I M I L E T R A N S M I T T A L S H E E T

TO: <u>Tim Kotroco</u>	FROM: <u>Rick Bechtold</u>
COMPANY:	DATE: <u>11-16-00</u>
FAX NUMBER: <u>410-887-3468</u>	TOTAL NO. OF PAGES INCLUDING COVER: <u>4</u>
PHONE NUMBER:	FAX NUMBER: <u>(410) 321-4468</u>
RE:	

- URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

WILL SEND ORIGINAL WHEN I
RECEIVE IT.

PLEASE NOTE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE AND OTHERS WHO HAVE BEEN SPECIFICALLY AUTHORIZED TO RECEIVE IT. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, OR IF ANY PROBLEMS OCCUR WITH THIS TRANSMISSION, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE. THANK YOU.

NO PLASTIC BAGS FOR USA SUPPLIES (800) 735-3811

Commercial Proposal
(410) 793-0600
MFG 0615-01



Order No. _____
Date 11-3-00

P.O. Box 3697 • 1114 MD Rt 2 North, Crofton, MD 21114-3697
(301) 261-9444 (Washington Area) • 1-800-296-LONG • Fax (301) 261-0648
www.long-fence.com

SUPPLIER: A.R. Marani ATTENTION: Lisa Marani
STREET: 7122 Harford Rd OFF: Baltimore STATE: MD ZIP: 21284
JOB NAME: Professional Engineering Building TEL: 410-426-3690 FAX: 410-426-4229
ADDRESS: 8005 Harford Rd COUNTY: Baltimore

Long Fence Company, Inc., herein referred to as Seller, proposes to furnish and install:

- ① Replace approx. 530 Ft. of six foot high chain link fence with top-rail and three strands of barb-wire. New fence to be extruded vinyl coated black.
Replace approx. 245 Ft. of four foot high chain link fence with top-rail. New fence extruded vinyl coated black.
All posts to be galvanized. Price for this job: 2335.00
- ② Remove existing and install new extruded black with vinyl coated posts and fittings. Price for this job: 8524.00
- ③ Remove existing six foot high fence and replace with extruded black vinyl and galvanized posts. Remove fabric only. From four ft. high fence. Install extruded black fabric. Re-use posts, top-rail, loop caps, and tension wire.
Price for this job: 8325.00 Note: option ③ includes removal.
Price to remove fence: 440.00 - only applicable with options ① or ②
Please call if you have any questions. Thanks, Ken

Seller proposes to furnish labor, equipment and materials — complete in accordance with the above specifications for the net cost of _____ in sum of: _____
\$ _____) deposit with order, net cash balance of \$ _____) due on date of substantial completion.

Buyer to provide engineering, control points for elevation, horizontal and vertical alignment, determination of property lines, access to work in vicinity of finished grade, re-survey, on-site electrical sites for lighting, on-site setting of markers. Location of underground utilities or structures to be identified through the local one-call service are to be marked by Buyer. Seller is liable for any and all damages to utility lines or structures to be identified through the local one-call service. The work will be performed in compliance with industry standards and guaranteed against defects in materials and workmanship for one year. This contract includes the entire understanding between the parties. There are no verbal agreements or conditions in addition to the contract. Estimate good for 90 days. Any alterations from the above specifications or estimated quantities involving additional costs are to be agreed upon in writing. All materials shall remain property of Seller until the contract is paid in full. If balance is not paid in accordance with this agreement, Buyer agrees to all costs of collection including court costs and reasonable attorney's fees. Cost of permit is not included in the price.

LONG FENCE COMPANY, INC. by Ken Lehman License No. _____

Acceptance of Proposal

The above price, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Day _____ next will be made as outlined above.

Signature: X Date: _____
Print Name and Title: _____ Purchase Order No.: _____

DISTRIBUTION: White - Original Copy • Yellow - Customer's Copy • Pink - Office Copy

Over 30 Years of Excellence

Form # 001



Fence Masters, Inc.

8005 KENWOOD AVE. P.O. BOX 70082 BALTIMORE, MD 21237
(410) 681-8730 Fax (410) 685-0766

PROPOSAL & ACCEPTANCE

Specialists In

Security Fence Systems

DATE: Nov. 15, 2000

JOB#

JOB NAME: E-B-I. Engineers, Inc.

SITE ADDRESS: 8005 Harford Rd. / Balto., MD 21234

MAILING ADDRESS: A.R. Marani / 7122 Harford Rd. / Balto., MD 21234

PHONE: 410-426-3696

Fax: 410-

Attn: Lisa

SPECIFICATIONS

We hereby submit specifications and estimate for Chain Link Fence Replacement. Thank you for calling on Fence Masters for your fencing needs. As per your request and my inspection of your site, we propose to replace 523' of 6' and 214' of 4', using the following materials:

Fabric to be a 2" mesh, 9 gauge, extruded PVC coated over galvanized steel wire. Line post shall be 2-1/2" O.D. for the 6' high and 2" O.D. for the 4' high, SS-40 pipe. Post shall be set in concrete embeddings not over 10" on center. Fence fabric shall be supported along the top using a 1-5/8", SS-40 top rail and a #7 gauge spring type tension wire along the bottom. Corner & End post shall be SS-40 pipe, 3" O.D. for the 6' and 2-1/2" O.D. for the 4'. The terminal post for the 6' high fence shall be milled and braced as per our industry standards. **BASE BID \$7,078.00**

Alternate # 1- change galvanized frame work to a full vinyl system. **BID- \$8,136.00**

Alternate #2- add barb wire to the 6' fencing - **ADD \$700.00**

Alternate #3- take down and removal of existing fence **ADD- \$1,100.00**

Payment to be made as follows: Net 10 days upon completion of work.
Sincerely,

Anthony G. Topper, Jr.
Estimator

ACCEPTANCE OF PROPOSAL-The above price & specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

SIGNATURE _____ DATE _____

Manufacturers & Distributors of

* Chain Link Fencing

* PVC Vinyl Fencing

* Wood Fencing

* Ornamental Fencing

* Temporary Fence Panels

FENCE MASTERS, INC.
5905 KENWOOD AVE. / BALTO., MD 21237
(410)-661-8730 FAX-(410)-665-0765

WORK SHEET

DATE: 10/31/00

JOB #20010BC

NAME: A.R. Marani / Attn: Lisa

ADDRESS: 7122 Harford Rd. / Balto., MD 21234

JOB SITE: E-R-L Engineers, Inc. / 5025 Harford Rd. / Balto., MD 21234

PHONE #410-4263690

SPECIFICATIONS

HEIGHT, FOOTAGE, & TYPE: 52" of 4" & 22" of 4" Chain Link Fencing

GATES -no

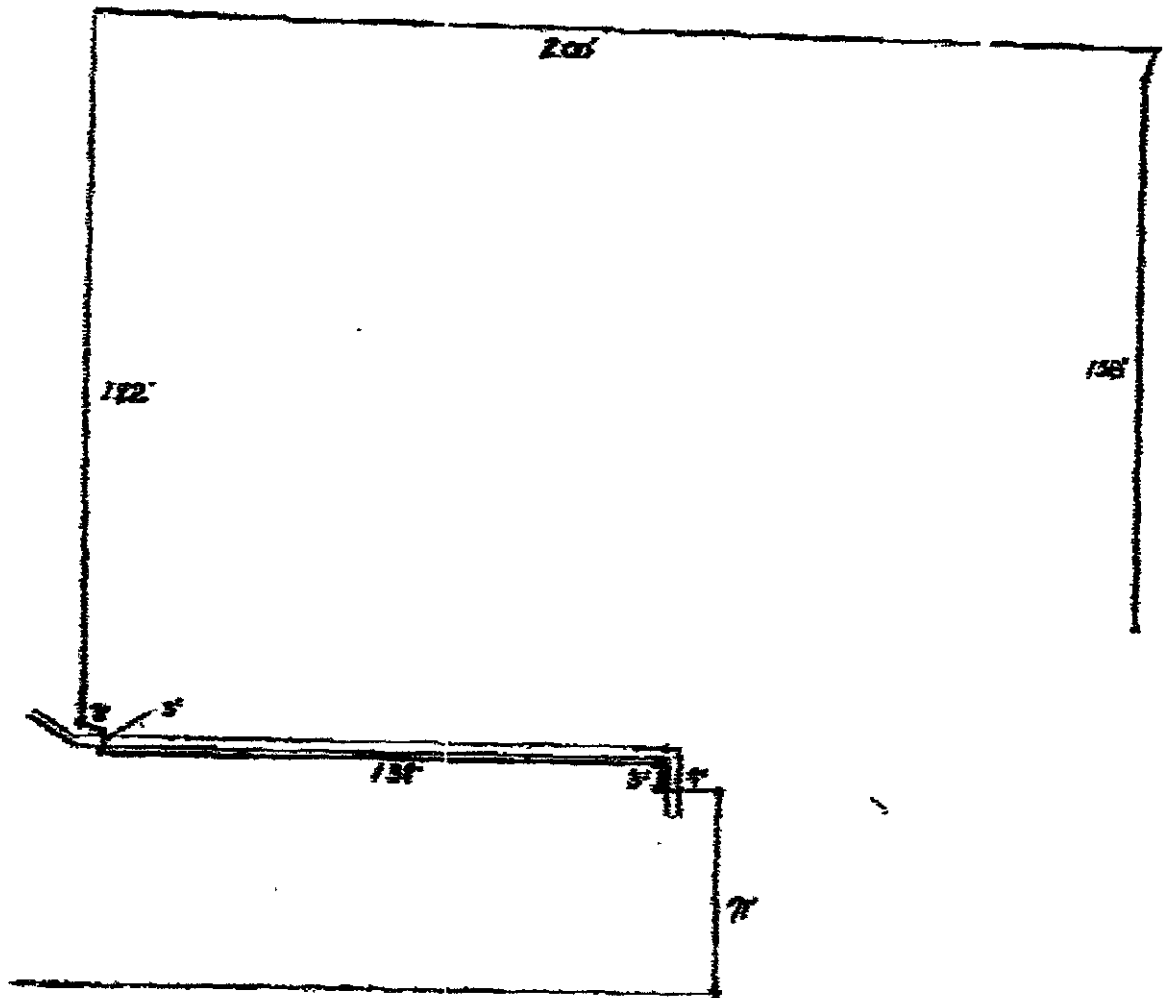
PERMIT -no

M-SCORE -yes

Option A- Full Black Vinyl System / Option B- Black Vinyl on Galv. Framework

Option C- Takedown and removal of existing fence

DIAGRAM





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

July 30, 1999

Stuart D. Kaplow, Esquire
15 E. Chesapeake Avenue
Towson, MD 21286

Dear Mr. Kaplow:

RE: Case Number 99-516-SPHXA, 8005 Harford Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on June 18, 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 the 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 that reads "W. Carl Richards, Jr." with a small "scj" written below the signature.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

Enclosures

C: 8005, LLC

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



Printed with Soybean Ink
on Recycled Paper

STUART D. KAPLOW, P.A.

ATTORNEYS AT LAW
15 EAST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21286-5306
TELEPHONE 410-339-3910
FACSIMILE 410-339-3912
E-MAIL STUKAPLOW@AOL.COM

STUART D. KAPLOW

August 21, 1999

Via Facsimile 410-887-3468

Timothy M. Kotroco, Deputy Zoning Commissioner
401 Bosley Avenue
Towson, Maryland 21204

Re: **Case 99-516-SPHA**
Motion for Reconsideration

Dear Tim:

Rick Bechtold asked that I drop you a note to follow up the Motion For Reconsideration that I caused to be filed last week in behalf of the petitioner, 8005, LLC, in the 'business parking in a residential zone' case noted above.

While the client is appreciative of the relief requested, he is genuinely concerned about the costs of the condition that he install an 8 feet high board on board fence. Such a fence would cost in excess of \$20,000 to install and would have significant ongoing costs because of almost certain graffiti.

As my motion indicates we will come up with an alternate proposal and present it to you (and apprise the neighbors of our intentions).

Thank you in advance for your courtesies, I will be in contact with your office during this next week.

Sincerely,


Stuart D. Kaplow

SDK:tbm

cc: Mr. Richard Bechtold

STUART D. KAPLOW, P.A.

ATTORNEYS AT LAW
15 EAST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21286-5306
TELEPHONE 410-339-3910
FACSIMILE 410-339-3912
E-MAIL STUKAPLOW@AOL.COM

STUART D. KAPLOW

FACSIMILE TRANSMITTAL

DATE: AUGUST 21, 1999

TO: **TIMOTHY M. KOTROCO,
DEPUTY ZONING COMMISSIONER**

SENT TO TELEPHONE NUMBER: **410-887-3468**

FROM: STUART D. KAPLOW, ESQUIRE

TOTAL NUMBER OF PAGES **2** (INCLUDING THIS PAGE)

OUR TELECOPIER TELEPHONE NUMBER IS 410-339-3912

IF YOU DO NOT RECEIVE ALL PAGES OR HAVE ANY PROBLEM WITH RECEIVING, PLEASE
CALL LINDA AT 410-339-3910

MESSAGE:

HARD COPY TO FOLLOW: NO

CONFIDENTIALITY NOTICE

The information in this transmission is intended only for the individual or entity named above. It may be legally privileged and confidential. If you have received this information in error, please notify us immediately and send the original transmission to us by mail. Return postage is guaranteed. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of this communication or its contents is strictly prohibited.

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

RUTH BASDEN (Greater Parkville Community Center) 7706 Oak Ave
Balto. MD 21234
410 668-2580

Gary Schaubert

Renee L. Miller

8007 Jacqueline Lane 21234

8005 Jacqueline Lane 21234



Temp
8/2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 13, 1999

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

Pet Ex 3A

SUBJECT: 8005 Harford Road

INFORMATION:

Item Number: 516

Petitioner: 8005 Harford Road

Zoning: BL and DR 5.5

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The existing parking lot is bordered on three sides by a 6-foot high slatted chain link fence that is topped with barbed wire. This fence, which abuts the residential community, is unattractive due to the poor condition of the metal slats and the barbed wire treatment.

The fence should be replaced with an attractive wooden fence or, in the alternative, the metal slats should be replaced and the barbed wire should be removed. Should this condition be met, the Office of Planning recommends that the applicant's request be granted.

Section Chief:



Baltimore County Government
Department of Economic Development



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

From: Andrea Van Arsdale
Revitalization Director

Date: July 27, 1999

Re: 8005-8009 & 8013-8017 Harford Road- Case # 99-516-SPHA

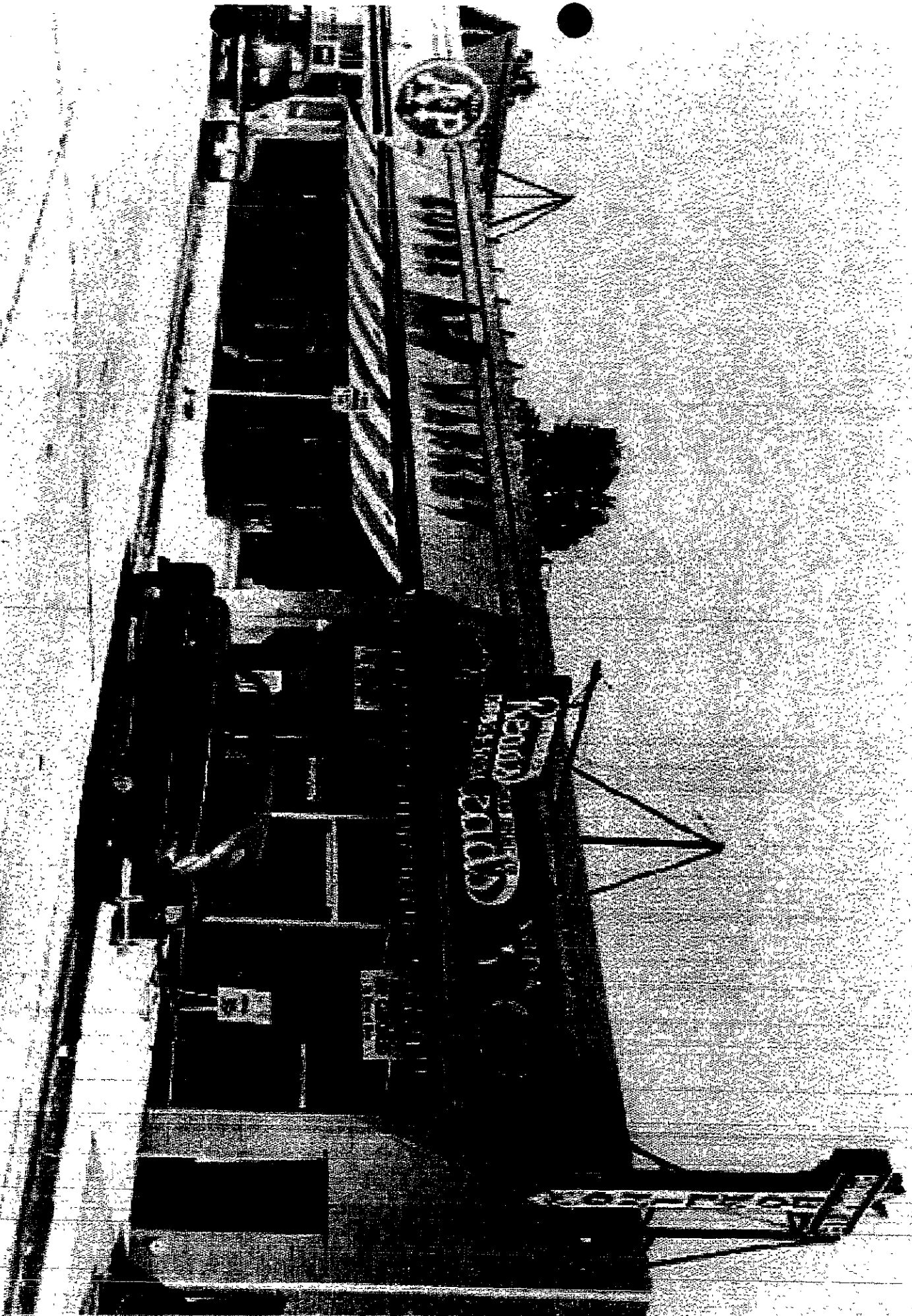
The Department of Economic Development supports the requested variance for the above noted case. The request would enable a key redevelopment project in the Parkville Revitalization District to continue using a parking lot that has long been used as such and which is critical to the successful leasing of the building.

The site is located within the County designated Parkville Commercial Revitalization District, which is a target for business revitalization efforts. The Department of Economic Development actively promoted the acquisition and renovation of this formerly vacant grocery store and associated parking lot. Public financial assistance of \$250,000 from the County's Small Business Loan Fund and \$500,000 from the State's Neighborhood Revitalization Loan Program leveraged over \$2 million in private investment. EBL Engineering and Purdum & Jesche LLC relocated here along with a bank and physical therapist. The property is now fully leased and the four new businesses employ over 80 people. The project has also generated new income and property tax revenues and strengthened the economic viability of Parkville.

Parking is one of the most important factors in redeveloping older areas. Off-street parking is very important to the success of this and other redevelopment projects. In this case, the parking lot was used as such for many years, it was not enlarged, and it has been upgraded which improved the overall appearance.

If you have any questions, please call Abigail Byers of Commercial Revitalization Representative on extension 3990.

3B



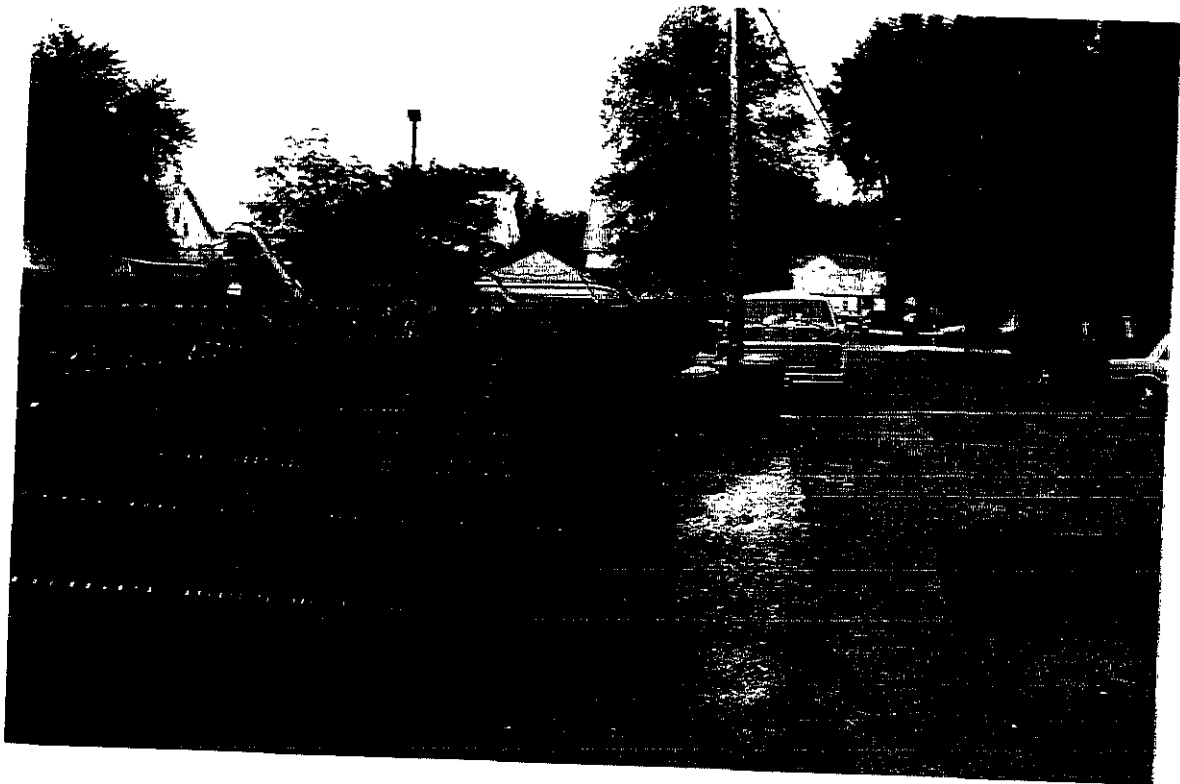
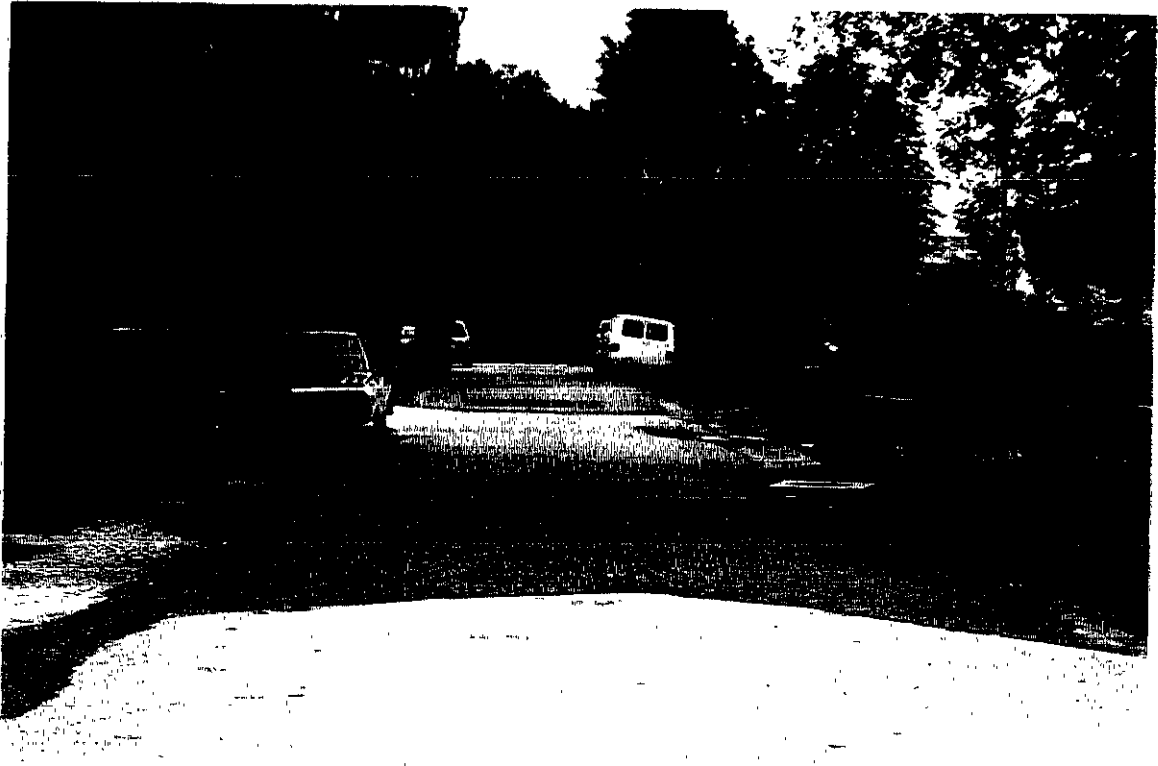
Ref Ex 4

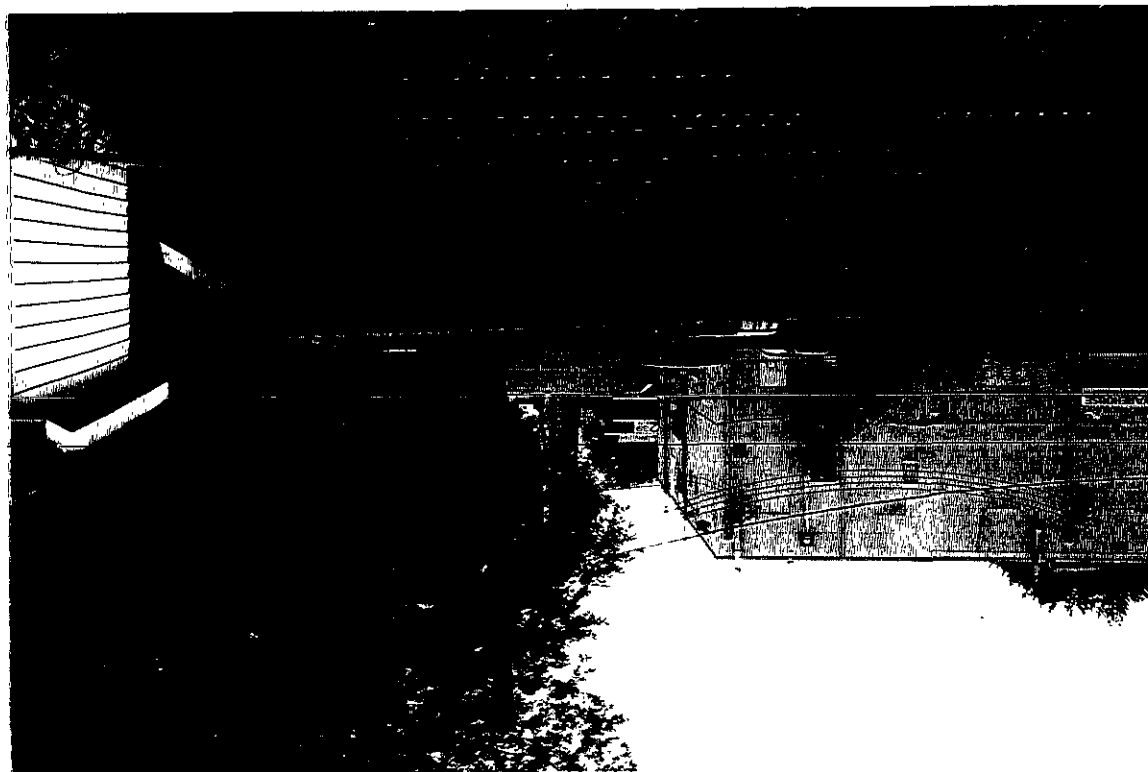
1950



Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

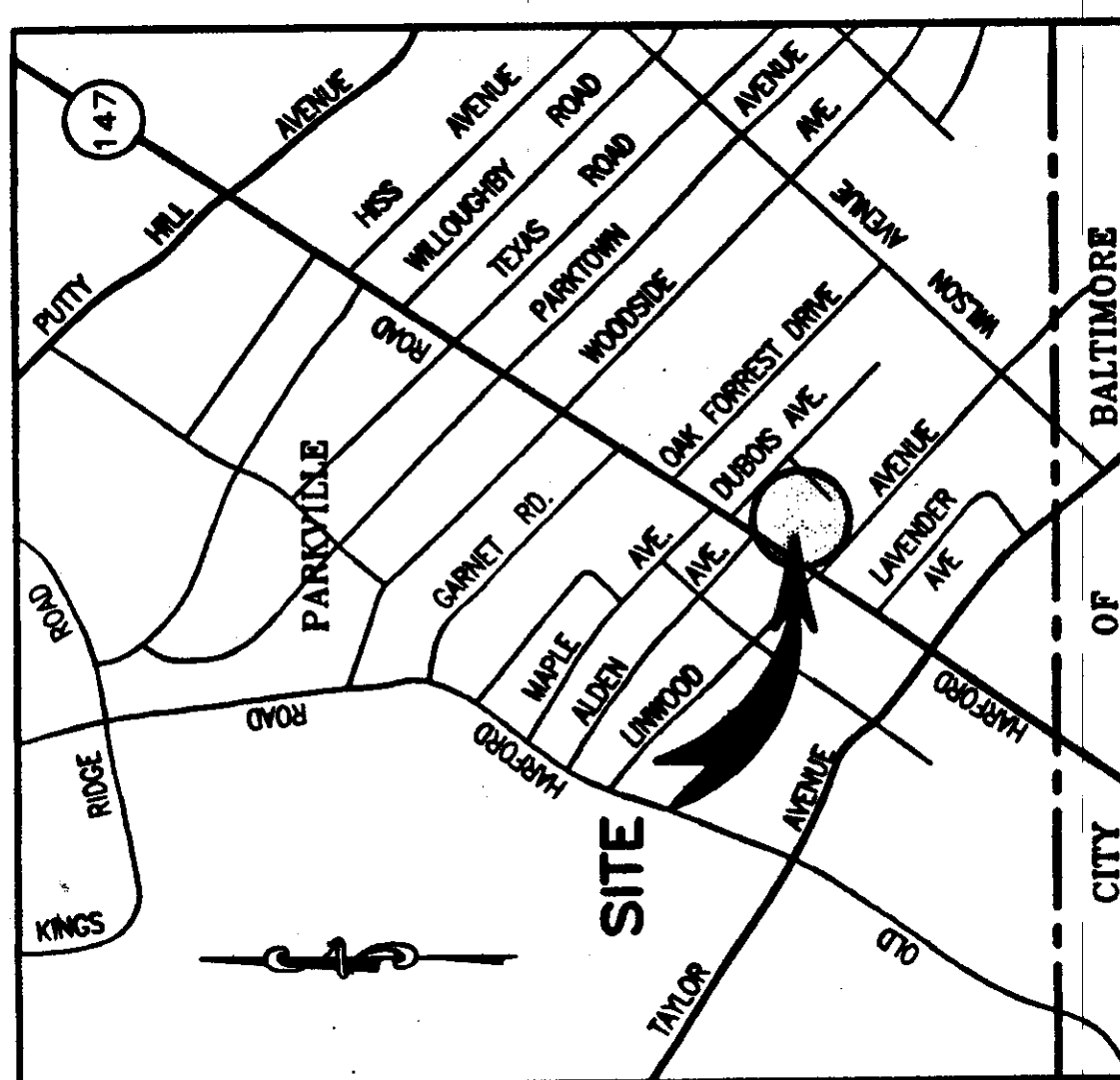
*Photographs
99-516-SPHA*











VICINITY MAP
SCALE: 1"=1000'

ZONED BL-CCC

ZONED BM

ZONED DR-55

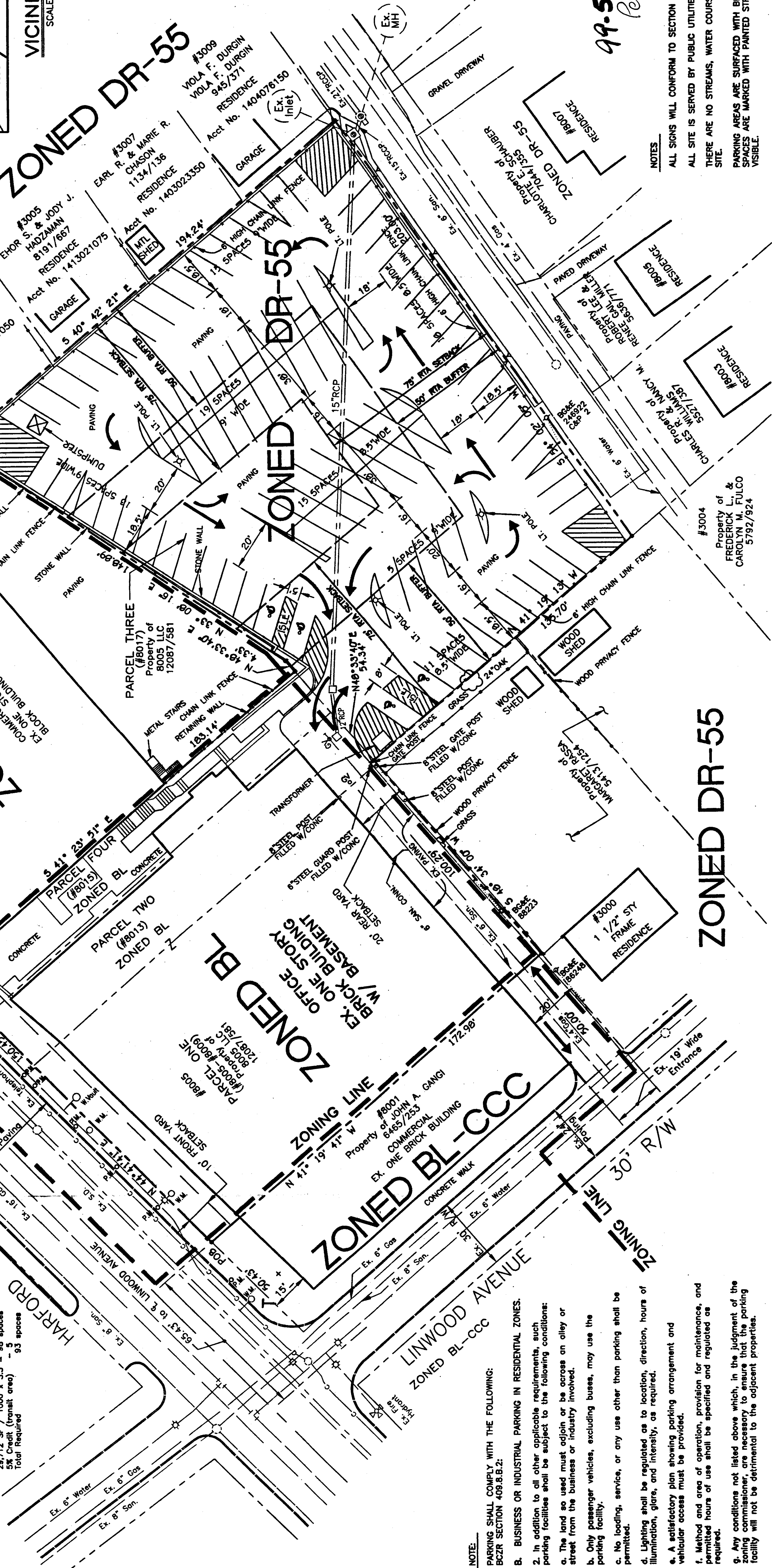
ZONED DR-55

ZONED BL

ZONED BL-CCC

ZONED DR-55

SITE DATA
 Property Address: 8005 Harford Road
 Owner: 8005 LLC
 8005 Harford Road
 Baltimore, MD 21234
 Site Area:
 Parcel #1 Area 0.405 Ac.
 #2 BL 0.112 Ac.
 #3 DR-5.5 0.748 Ac.
 #4 BL 0.007 Ac.
 Election District 14-C6
 Tax Map: #B1 Parcel 682 & 436
 Tax Account No: 1423001653 & 1407029850
 Zoning Map: 8D - N.E.
 Previous Commercial Permit:
 Existing Use: Office
 Proposed Use: Office
 Floor Area Ratio: 33,512 SF Blg/55,408 SF Site = 0.605 FAR
 Parking: Required: 3.3 Spaces per 1,000 SF Gross Bldg. Area
 28,712 SF / 1,000 x 3.3 = 95 spaces
 Total Required 93 spaces

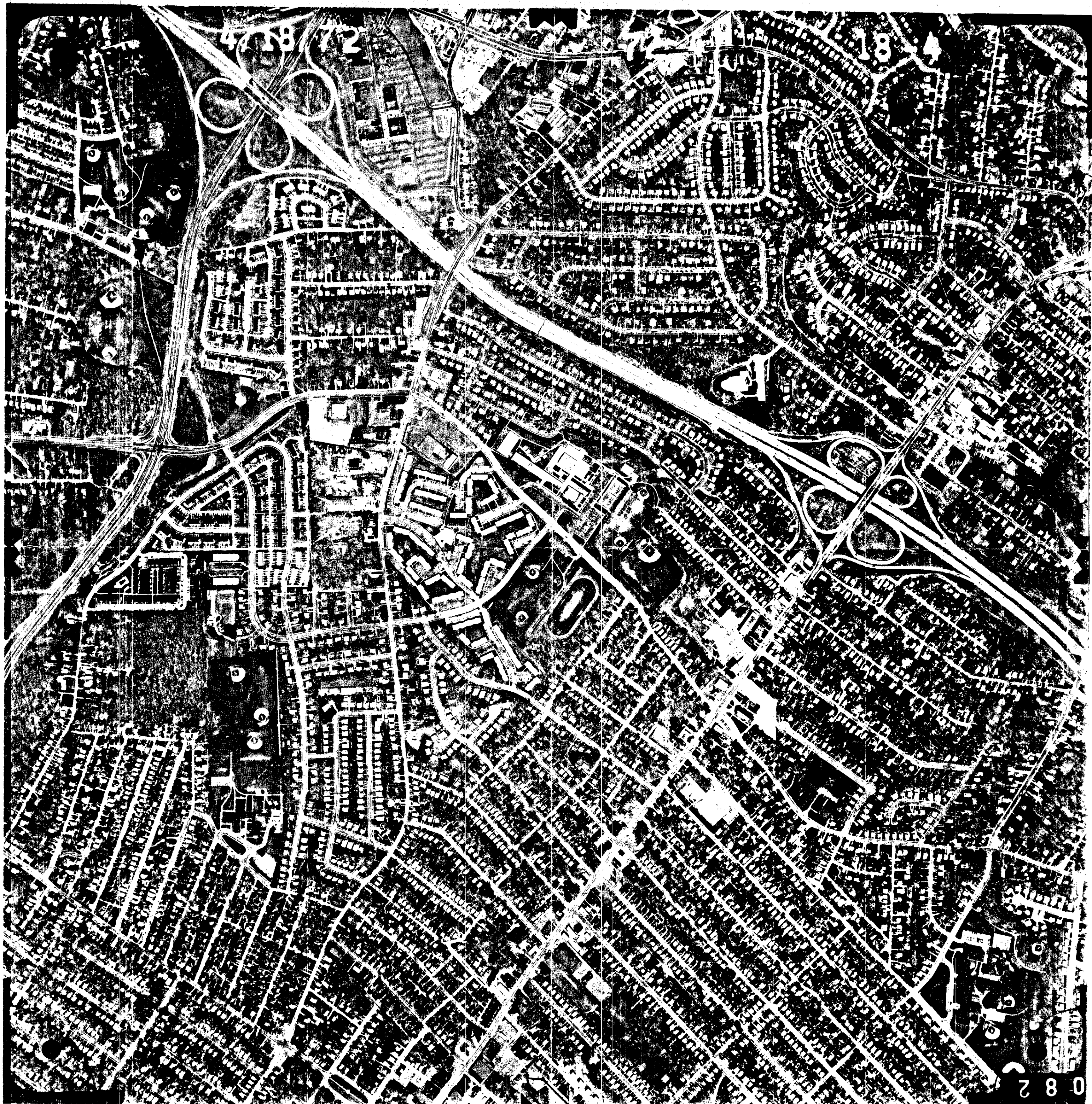


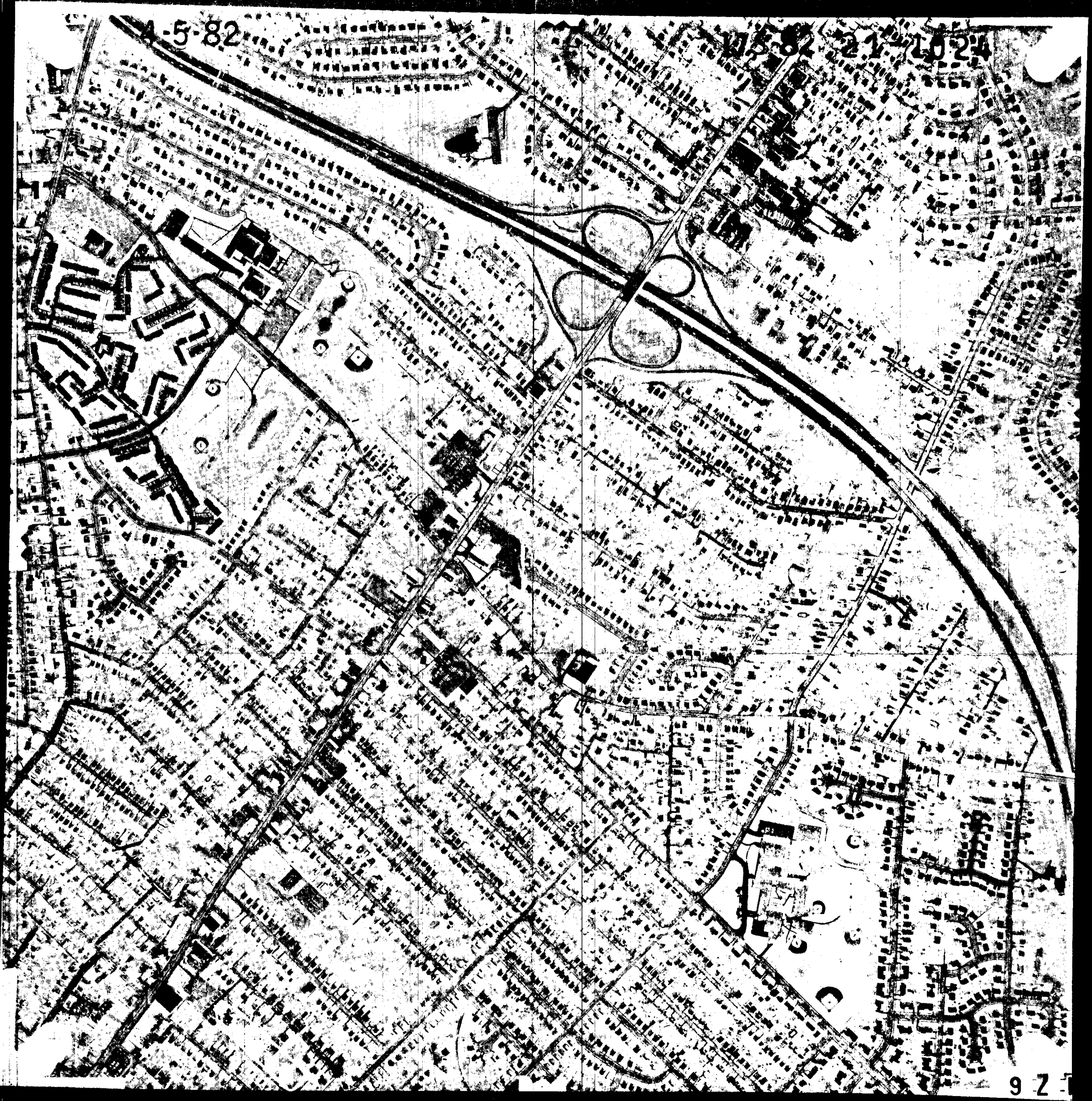
NOTE:
 PARKING SHALL COMPLY WITH THE FOLLOWING:
 BCZR SECTION 408.8.5.2:
 B. BUSINESS OR INDUSTRIAL PARKING IN RESIDENTIAL ZONES.
 2. In addition to all other applicable requirements, such parking facilities shall be subject to the following conditions:
 a. The land so used must adjoin or be across an alley or street from the business or industry involved.
 b. Only passenger vehicles, excluding buses, may use the parking facility.
 c. No loading, service, or any use other than parking shall be permitted.
 d. Lighting shall be regulated as to location, direction, hours of illumination, glare, and intensity, as required.
 e. A satisfactory plan showing parking arrangement and vehicular access must be provided.
 f. Method and area of operation, provision for maintenance, and permitted hours of use shall be specified and regulated as required.
 g. Any conditions not listed above which, in the judgment of the zoning commissioner, are necessary to ensure that the parking facility will not be detrimental to the adjacent properties.

99-516-SPHA
 Ref Ex #1

NOTES
 ALL SIGNS WILL CONFORM TO SECTION 415 OF THE BCZR.
 ALL SITE IS SERVED BY PUBLIC UTILITIES (WATER, SANITARY, STORM).
 THERE ARE NO STREAMS, WATER COURSES, OR FLOODPLAINS ON THIS SITE.
 PARKING AREAS ARE SURFACED WITH BITUMINOUS PAVEMENT AND ALL SPACES ARE MARKED WITH PAINTED STRIPES, MAINTAINED TO REMAIN VISIBLE.

	Purdum and Jeschke, LLC Consulting Engineers and Land Surveyors Civil Structural Environmental The Professional Engineering Center 8005 Harford Road, Baltimore, Maryland 21234 Phone: 410-668-9800 Fax: 410-668-8801	OWNER/DEVELOPER 8005 L L C 8005 Harford Road Baltimore, Maryland 21234-5701	PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING 8th COUNCILMANIC DISTRICT BALTIMORE COUNTY, MD. DATE: 3/25/1999 SCALE: 1"=20'
	SHEET 1 OF 1 DES: BE DRAWN: PWR CHK: CHL DATE: 3/25/1999 SCALE: 1"=20'		





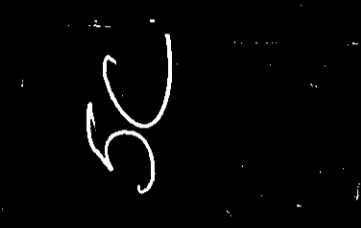


SCALE
1" = 200' ±

DATE OF PHOTOGRAPHY
JANUARY 1986

LOCATION
PARKVILLE

SHEET
N.E.
8-D



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

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401