

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE – W/S Reisterstown Road,
240' SE of Gwynnbrook Avenue * ZONING COMMISSIONER
(11118 – 11134 Reisterstown Road)
4th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District *
Case No. 00-095-SPHA
GH Reisterstown Road, LLC
Petitioners *

* * * * *

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, GH Reisterstown Road, LLC, by Timothy C. Harrison, Managing Member, through their attorney, Robert A. Hoffman, Esquire. The Petitioners request a special hearing to approve an amendment to the previously approved site plan and parking variance granted in prior Case No. 98-459-A, and variance relief from Sections 409.3 and 409.4, respectively, of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 15 of the 305 parking spaces provided to be small car parking spaces with a dimension of 16' x 7.5' in lieu of the minimum required 18' x 8.5', and to allow access to parking spaces through a vehicular travelway. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing held in support of the requests were Timothy Madden, Landscape Architect with Morris & Ritchie Associates, Inc., the consulting firm which prepared the site plan for this property; Geoff Glazer, Architect with Kann & Associates, Inc.; and, Robert A. Hoffman, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Checked by _____
Date 11/19/09
By [Signature]

As noted above, this property was the subject of prior zoning Case No. 98-459-A in which the Petitioners were granted variance relief to allow 305 parking spaces in lieu of the required 369 for the subject site. As noted in that case, the property consists of a gross area of 9.6 acres, more or less, zoned B.M. and is proposed for development with a 58,200 sq.ft. grocery store and a 13,300 sq.ft. retail building. In fact, the retail building is now under roof and construction is continuing.

The Petitioners now come before me seeking an amendment to the previously approved site plan and variance relief from Section 409.3 of the B.C.Z.R. That Section requires that parking spaces be a minimum 18' x 8.5' in dimension. For 15 of the proposed parking spaces immediately adjacent to the retail building, the Petitioner seeks approval to provide smaller parking spaces with a dimension of 16' x 7.5' each. It was indicated that smaller spaces at the location shown on the site plan would promote a better flow of traffic within the site and provide easier access to the retail building. A second variance is requested, if necessary, from Section 409.4 of the B.C.Z.R. That Section prohibits parking spaces from having direct access to "vehicular travelways," and requires instead the use of "vehicular aisles" to provide direct access to adjacent parking spaces. Unfortunately, neither Section 409 or Section 101 of the B.C.Z.R. defines "vehicular travelways" or "vehicular aisles." However, it is assumed that vehicular travelways are those areas of an off-street parking lot which provide means for traffic flow, circulation and access to the adjacent public streets. Vehicular aisles, on the other hand, are those parts of a parking lot with no such direct access to a public street and are typically located within the interior of a parking lot.

In my judgment, the proposed compact car spaces are located adjacent to a vehicular travelway and as such, require variance relief. It is to be noted that the plan has not changed in this

ORDER RECEIVED FOR FILING
Date 11/19/09
By [Signature]

respect from that approved in prior Case No. 98-459-A. However, in that the matter is now under consideration pursuant to the instant Petitions, appropriate relief should be granted.

Based upon an analysis of the facts presented in this case to the requirements of Section 307 of the B.C.Z.R., I am persuaded that variance relief should be granted. I specifically find that the Petitioner has met the requirements of that Section, including a finding that the property is unique and that practical difficulty would be sustained if relief were denied. Thus, variance relief shall be granted to approve smaller parking spaces, pursuant to Section 409.3 of the B.C.Z.R., and to allow direct access by those parking spaces to a vehicular travelway, pursuant to Section 409.4 thereof.

The Petition for Special Hearing is essentially required to amend the previously approved plan. The nature of the amendments is as set out above. I find that the amendments are appropriate and compatible with the use of the property and surrounding locale. I find no detrimental impact to the surrounding locale caused by these amendments.

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

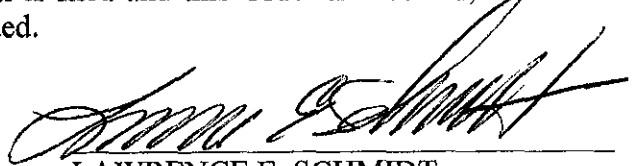
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of November, 1999 that the Petition for Special Hearing to approve an amendment to the previously approved site plan and parking variance granted in prior Case No. 98-459-A, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 409.3 and 409.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 15 of the 305 parking spaces provided to be small car parking spaces with a dimension of 16' x 7.5' in lieu of the minimum required 18' x 8.5', and to allow access to parking spaces through a vehicular travelway,

URGENT REQUEST FOR FILING
Date 11/9/99
By [Signature]

in lieu of no access, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED,
subject to the following restriction:

- 1) The Petitioners may apply for their 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

CERT. RECEIVED FOR FILING
Date 11/9/99




Baltimore County
Zoning Commissioner

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

November 8, 1999

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

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE
W/S Reisterstown Road, 240' SE of Gwynnbrook Avenue
(11118-11134 Reisterstown Road)
4th Election District - 3rd Councilmanic District
GH Reisterstown Road, LLC - Petitioners
Case No. 00-095-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 cursive script, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Timothy C. Harrison, Managing Member
GH Reisterstown LLC, 20 Erford Road, S-212, LeMoyne, PA 17043-1163
Mr. Timothy Madden, Morris & Ritchie Associates
110 West Road, Towson, Md. 21204
Mr. Geoff Glazer, Kann & Associates
207 E. Redwood Road, Baltimore, Md. 21202
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

for the property located at 1118-11134 Reisterstown Road
which is presently zoned B.M.

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

to amend the parking variance previously approved in
Case No. 98-459-A

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:

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 & Howard
Company _____
210 Allegheny Avenue (410) 494-6200
Address _____ Telephone No. _____
Towson MD 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

GH Reisterstown Road, LLC
Name - Type or Print _____
By: Timothy C. Harrison
Signature _____
Timothy C. Harrison
Managing Member
Name - Type or Print _____
Signature _____
20 Erford Road, S-212 (717) 737-7800
Address _____ Telephone No. _____
LeMoyne, PA 17043-1163
City _____ State _____ Zip Code _____

Representative to be Contacted:

Robert A. Hoffman
Name _____
210 Allegheny Avenue (410) 494-6200
Address _____ Telephone No. _____
Towson MD 21204
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 Hr.

UNAVAILABLE FOR HEARING _____

Reviewed By SPD Date 9-1-99

Case No. 00-95-SPWA

220 9/15/98

ORDER RECEIVED FOR FILING
Date 11/9/99
By [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1118-11134 Reisterstown Road

which is presently zoned B.M.

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)

409.3 to allow 15 of the 305 parking spaces provided to be small car parking spaces with a dimension of 16' x 7.5' in lieu of the required 18' x 8.5'. *and variance 409.4 to allow access to parking spaces through a vehicular travelway.*

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 & Howard

Company

210 Allegheny Avenue

(410) 494-6200

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s):

GH Reisterstown Property, LLC

Name - Type or Print

By:

Signature Timothy C. Harrison

Managing Member

Name - Type or Print

Signature

20 Erford Road, S-212 (717) 737-7800

Address

Telephone No.

Lemoyne, PA 17043-1163

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue

(410) 494-6200

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hr.

UNAVAILABLE FOR HEARING

Reviewed By 807

Date 9-1-99

Case No. 00-95-SP4D

RSO 9/15/98

REVISED 9/22/99

ORDER RECEIVED FOR FILING
Date 11/9/99

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Description of 9.612 Acres of Land

Beginning for the same at a pipe found on the westerly side of Reisterstown Road (Maryland Route 140) the said pipe being the end of the first line of a Deed to Margaret C. Nelson dated September 10, 1907 and recorded in the Land Record of Baltimore County, Maryland in Liber W.P.C. 319 at folio 336, thence from the POINT OF BEGINNING so fixed, and binding on the said westerly right of way of Reisterstown Road the following three courses and distances viz:

1. South 44°06' 31" East, 159.72 feet, to a pipe found,
2. South 43° 40' 47" East, 101.60 feet, to a pipe found,
3. South 43°05' 58" East, 361.94 feet, thence leaving the said right of way of Reisterstown Road and binding on the northerly lines of a Plat entitled "First Amended Plat 1 of 4, Pleasant Hills" recorded in the aforementioned Land Records in Plat book S.M. 61, folio 54,
4. South 45°44' 04" West, 767.15 feet, thence leaving the said Plat 1 of 4 and binding on the easterly line of a Plat entitled "First Amended Plat 3 of 4, Pleasant Hills" recorded in the aforementioned Land Records in Liber S.M. 61, folio 123,
5. North 43°12' 12" West, 469.38 feet, thence leaving the said Plat and binding reversely on part of the third line of a Deed to Harry H. Nelson, dated May 29, 1877 and recorded in the aforementioned Land Records in Liber JB 101 at folio 562,
6. North 46°09' 57" East, 385.54 feet to a 2" pipe found, thence binding reversely on the third line of deed to Jacob B. Hunt and Ella R. Hunt, dated July 15, 1922 and recorded in the aforementioned Land Records in Liber W.P.C. 560, at folio 255,
7. North 43°33' 04" West, 159.62 feet to a pipe found, thence binding reversely on the second line of a Deed to Elmer C. Wilmer and Artie M. Wilmer dated July 15, 1919 and recorded in the aforesaid Land Records in Liber W.P.C. 513 at folio 478,
8. North 46°09' 48" East, 379.78 feet to the POINT OF BEGINNING.

☐ 139 N. MAIN STREET SUITE 200
BEL AIR, MARYLAND 21014
(410) 879-1690 (410) 836-7560
FAX (410) 879-1820

☐ 110 WEST ROAD, SUITE 245
TOWSON, MARYLAND 21204
(410) 821-1690
FAX (410) 821-1748

☐ 9090 JUNCTION DRIVE, SUITE 9
ANNAPOLIS JUNCTION, MARYLAND 20701
(410) 792-9792 (301) 776-1690
FAX (410) 792-7395

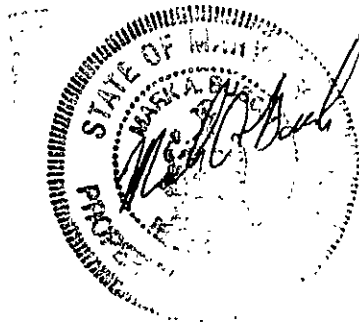
0095-SP147

Containing 418,700 square feet or 9.612 acres of Land more or less.

Being seven parcels on land in Baltimore County Maryland, recorded in the Land Records of Baltimore County as follows:

1. Liber 12772, Folio 705, March 19, 1998 conveyance from Louis E. Fritz and Mary Jane Fritz to G-H Reisterstown Properties, LLC.
2. Liber 12772, Folio 432, March 19, 1998 conveyance from Louis E. Fritz and Mary Jane Fritz to G-H Reisterstown Properties, LLC.
3. Liber 12772, Folio 705, March 19, 1998 conveyance from Louis E. Fritz and Mary Jane Fritz, to G-H Reisterstown Properties, LLC.
4. Liber 12772, Folio 701, March 19, 1998 conveyance from Louis E. Fritz, Sr. and Mary Jane Fritz to G-H Reisterstown Properties, LLC.
5. Liber 12841, Folio 262, April 24, 1998 conveyance from Jerry Lee Watson to G-H Reisterstown Properties, LLC.
6. Liber 12912, Folio 286, May 15, 1998 conveyance from Kathleen DuChane, Marcene Dolgoff, Dorothy Featherston and Carey Witte to G-H Reisterstown Properties, LLC.
7. Liber 12912, Folio 296, May 13, 1998 conveyance to Ko-Pen Wang and Shu-Lian Wang to G-H Reisterstown Properties, LLC.

Subject to Covenants and Restrictions set forth by Declaration on October 4, 1996, by the above listed owners and recorded in the aforementioned Land Records in Liber 11896, at folio 596, also recorded in Liber 11910, at folio 702.



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

00-95-SP47.

No. 069868

DATE 9.1.99. ACCOUNT 0016150

AMOUNT \$ 500⁰⁰

RECEIVED
FROM:

V.B.H.

FOR:

C. SPEC HEARINGS \$500
TOTAL \$500

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JDA

PAID RECEIPT

PROCESS ACTUAL TIME
9/01/1999 9/01/1999 10:27:30

REG 001 CASHIER JRIC JMR DRAWER 1
Dept 5 529 ZONING VERIFICATION
Receipt # 115177 OFLN
CR NO. 069868

Receipt Tot 500.00
500.00 OK .00 OK
Baltimore County, Maryland

00-095-SPHA

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 072257

DATE 9/22/100 ACCOUNT 001-6150

AMOUNT \$100.00 (WCR)

RECEIVED FROM: Venable, Baetjer & Howard

FOR: 00-095-SPHA 1118-11134
Revised Petitions
Disg-off - No Return
Reist Rd

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS	ACTUAL	TIME
9/27/1999	9/24/1999	15:16:25
PEG WS05	CASHIER MSTE MES	TAMMER
Dept 5	528 ZONING VERIFICATION	
Receipt #	124347	OFF N
CR NO.	072257	

Receipt Tot 100.00
100.00 OK .00 Tax
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 NUMBER: 00-095-SPHA
1118-11134 Reisterstown Road
W/S Reisterstown Road, 60' S of Gwynnbrook Avenue
4th Election District - 3rd Councilmanic District
Legal Owner: GH Reisterstown Road, LLC

Special Hearing: to amend the parking variance previously approved in case number 98-459-A. **Variance:** to allow 15 of the 305 parking spaces provided to be small car parking spaces with a dimension of 16 feet x 7.5 feet in lieu of the required 18 feet x 8.5 feet and to allow access to parking spaces through a vehicular travelway.

Hearing: Wednesday, October 20, 1999 at 3:00 p.m. in Room 407, County Courts Building, 401 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) 887-4386.

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

JRU/10/614 October 5

C343806

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/8, 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 Tues 10/5, 1999.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE Case No 00-095-SPHA

Petitioner/Developer: METRO, ETAL
40 R. HOFFMAN, ESQ

Date of Hearing/Closing 10/20/99

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 #1118-1134
KEISTERSTOWN RD.

The sign(s) were posted on 10/3/99

(Month, Day, Year)

Sincerely,

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

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

ZONING NOTICE ²

Case #: 00-095-SPHA

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

PLACE: Room 407, COUNTY COURTS BUILDING
401- BOSLEY AVENUE

TIME & DATE: WEDNESDAY, OCTOBER 20, 1999 3:00 PM

SPECIAL HEARING TO AMEND THE PARKING
VARIANCE PREVIOUSLY APPROVED IN CASE NO 98-459-A
VARIANCE TO ALLOW 15 OF THE 305 PARKING SPACES
PROVIDED TO BE SMALL CAR PARKING SPACES WITH A DIMENSION
OF 16 FEET X 7.5 FEET IN LIEU OF THE REQUIRED 18 FEET X
8.5 FEET AND TO ALLOW ACCESS TO PARKING THROUGH A
VEHICULAR TRAVELWAY
(#1118-1134 REISTERSTOWN RD.)

POSTPONEMENTS DUE TO WEATHER
NECESSARY TO CONFIRM HEARING
CALL 887-3391 THE DAY BEFORE

WE WILL POSTER THE SIGN AND WILL BE IN HEARING AREA PRIOR TO THE HEARING
HEARINGS ARE HANDICAPPED ACCESSIBLE

HEARINGS ARE HANDICAPPED ACCESSIBLE

ZONING NOTICE ²

Case #: 00-095-SPHA

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

PLACE: Room 407, COUNTY COURTS BUILDING
401- BOSLEY AVENUE

TIME & DATE: WEDNESDAY, OCTOBER 20, 1999 3:00 PM

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(#1118-1134 REISTERSTOWN RD.)

POSTPONEMENTS DUE TO WEATHER
NECESSARY TO CONFIRM HEARING
CALL 887-3391 THE DAY BEFORE

WE WILL POSTER THE SIGN AND WILL BE IN HEARING AREA PRIOR TO THE HEARING
HEARINGS ARE HANDICAPPED ACCESSIBLE

Jep
10/20

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

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

Date: September 21, 1999

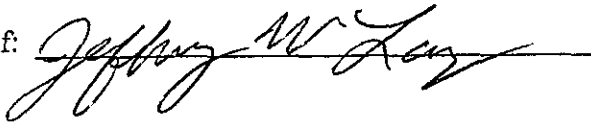
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 073, 090, 091, and 095

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

CERTIFICATE OF POSTING

RE Case No 00-095-SPHA

Petitioner/Developer: METRO, ETAL
% R. HOFFMAN, ESQ

Date of Hearing/Closing 10/20/99

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 #11118-11134

REISTERSTOWN RD.

The sign(s) were posted on

10/3/99

(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 10/12/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

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

ZONING NOTICE

Case #: 00-095-SPHA

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

PLACE: ROOM 401, COUNTY COURTS BUILDING
401 BOSLEY AVENUE

TIME & DATE: WEDNESDAY, OCTOBER 20, 1999 @ 3:00 PM

**SPECIAL HEARING TO AMEND THE PARKING
VARIANCE PREVIOUSLY APPROVED IN CASE NO. 98-459-A
VARIANCE TO ALLOW 15 OF THE 305 PARKING SPACES
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8.5 FEET AND TO ALLOW ACCESS TO PARKING THROUGH A
VEHICULAR TRAVELWAY.
(#11118-11134 REISTERSTOWN RD.)**

POSTPONEMENTS DUE TO WEATHER
NECESSARY TO CONFIRM HEARING
CALL 410-3301 THE DAY BEFORE

CONDITIONS ARE SOMETIMES
D HEARING DATE

DO NOT REMOVE THIS SIGN A POST UNTIL DAY OF HEARING UNDER PENALTY OF FINE
HEARINGS ARE HANDICAPPED ACCESSIBLE

ZONING NOTICE

Case #: 00-095-SPHA

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

PLACE: ROOM 401, COUNTY COURTS BUILDING
401 BOSLEY AVENUE

TIME & DATE: WEDNESDAY, OCTOBER 20, 1999 @ 3:00 PM

**SPECIAL HEARING TO AMEND THE PARKING
VARIANCE PREVIOUSLY APPROVED IN CASE NO. 98-459-A
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(#11118-11134 REISTERSTOWN RD.)**

POSTPONEMENTS DUE TO WEATHER
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CALL 410-3301 THE DAY BEFORE

CONDITIONS ARE SOMETIMES
D HEARING DATE

DO NOT REMOVE THIS SIGN A POST UNTIL DAY OF HEARING UNDER PENALTY OF FINE
HEARINGS ARE HANDICAPPED ACCESSIBLE

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
11118-11134 Reisterstown Road, W/S Reisterstown Rd,	*	ZONING COMMISSIONER
60' S of Gwynnbrook Ave		
4th Election District, 3rd Councilmanic	*	FOR
Legal Owner: GH Reisterstown Property, LLC	*	BALTIMORE COUNTY
Petitioner(s)	*	Case No. 00-95-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 16th day of September, 1999 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

September 22, 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: 00-095-SPHA
1118-11134 Reisterstown Road
W/S Reisterstown Road, 60' S of Gwynnbrook Avenue
4th Election District – 3rd Councilmanic District
Legal Owner: GH Reisterstown Road, LLC

Special Hearing to amend the parking variance previously approved in case number 98-459-A. Variance to allow 15 of the 305 parking spaces provided to be small car parking spaces with a dimension of 16 feet x 7.5 feet in lieu of the required 18 feet x 8.5 feet and to allow access to parking spaces through a vehicular travelway.

HEARING: Wednesday, October 20, 1999 at 3:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: Robert A. Hoffman, Esquire, 210 Allegheny Avenue, Towson 21204
GH Reisterstown Road, LLC, 20 Erford Road, S-212, LeMoyne, PA 17043-1163

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY OCTOBER 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.



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: 00-95-SPHA

Petitioner: GH Reisterstown Road

Address or Location: 1118-11134 Reisterstown Road

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

0095-SPHA



Baltimore County
Department of Permits and
Development Management

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

October 15, 1999

Mr. Robert Hoffman, Esq.
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, MD 21204

Dear Mr. Hoffman:

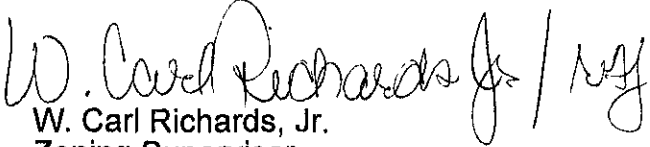
RE: 00-095-SPHA , 1118-1134

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

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, please do not hesitate to contact the commenting agency.

Very truly yours,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:rsj

Enclosures





Baltimore County
Fire Department

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

September 27, 1999

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF September 13, 1999

Item No.: See Below

Dear Ms. Stephens:

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.

8. The Fire Marshal's Office has no comments at this time;
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

069, 070, 071, 072, 073, 074, 075, *077, *079, 080, 081, 082,
083, 084, 085, 086, 087, 088, 089, 090, 091, 092, 093, 094,
095, 096, 097, and 098

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

*Break in sequence.

cc: File

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



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: September 20, 1999

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

SUBJECT: Zoning Advisory Committee Meeting
 for September 20, 1999
 Item No. 095

 The Bureau of Development Plans Review has reviewed the subject
zoning item. A special hearing is needed to allow parking along driveways.

RWB:HJO:jrb

cc: File

ZAC09209.095

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: September 21, 1999

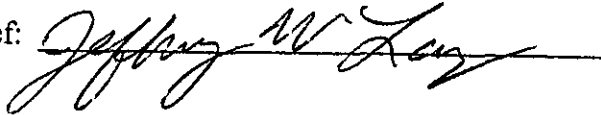
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 073, 090, 091, and 095

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



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 9.13.99

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

RE: Baltimore County
Item No. 095 JRA

Dear Ms. Stephens:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 140 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

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

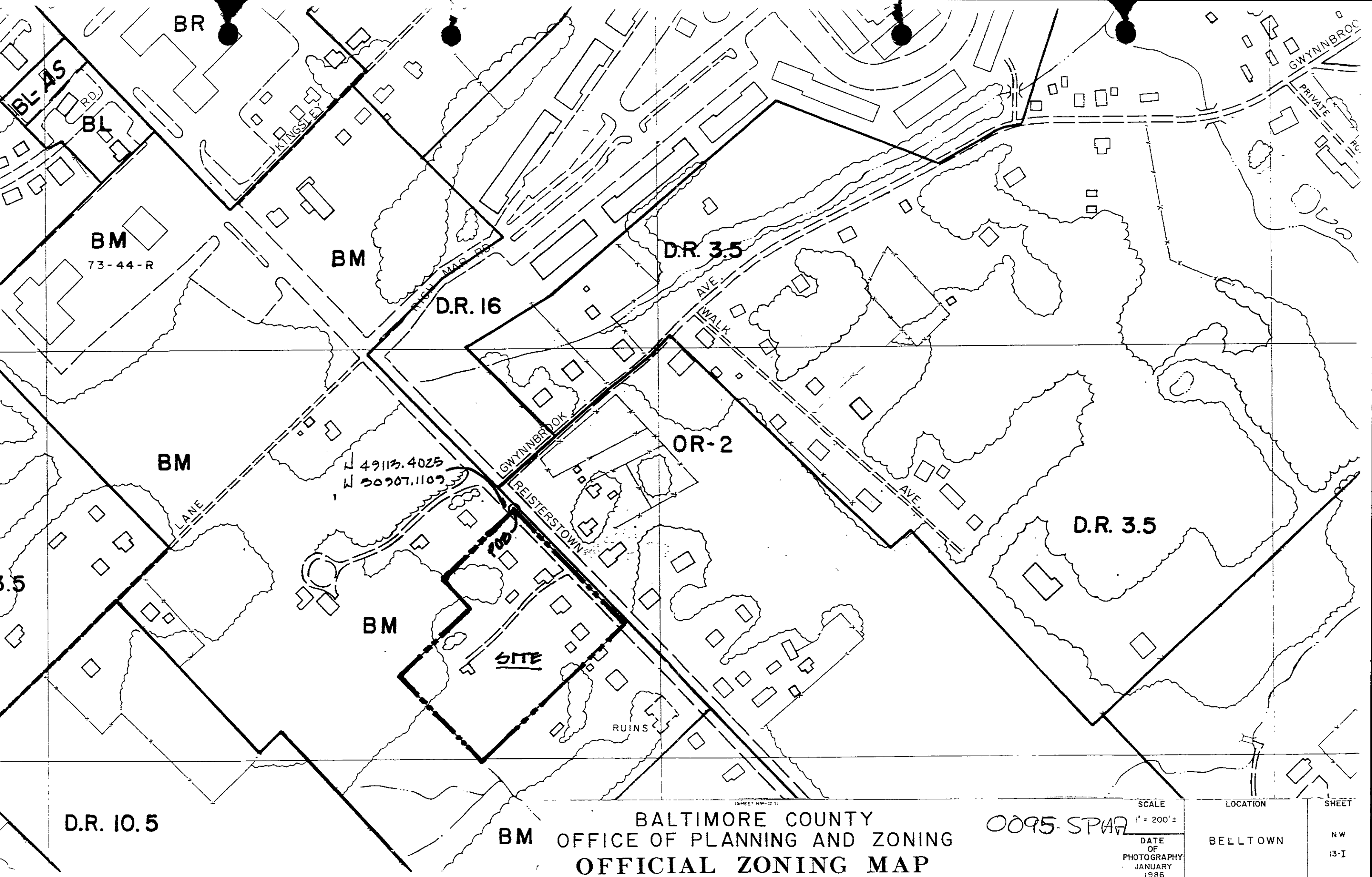
Very truly yours,

1a Kenneth A. McDonald Jr.
Acting 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



D.R. 10.5

BM

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

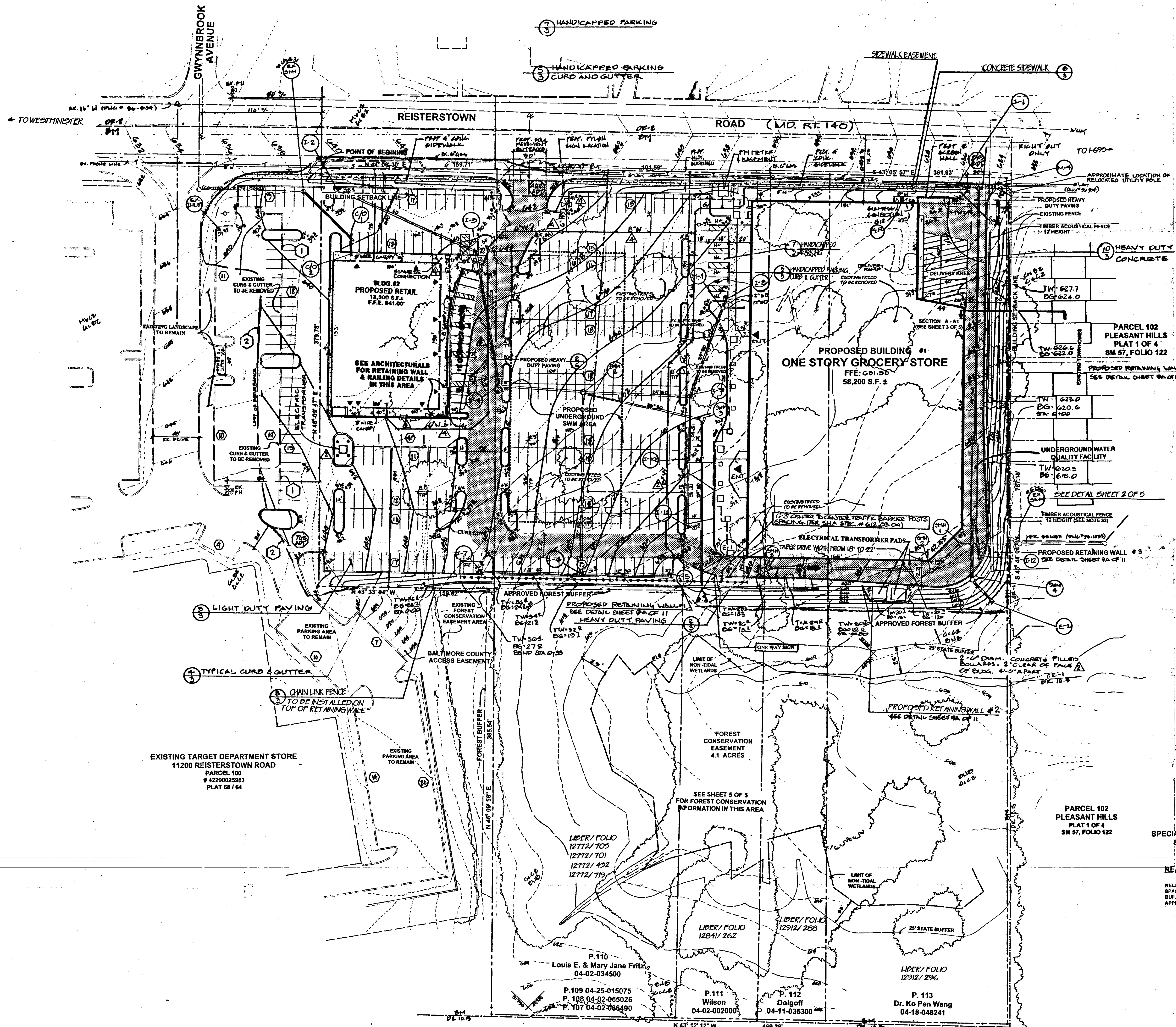
0095-SPAR

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
BELLTOWN

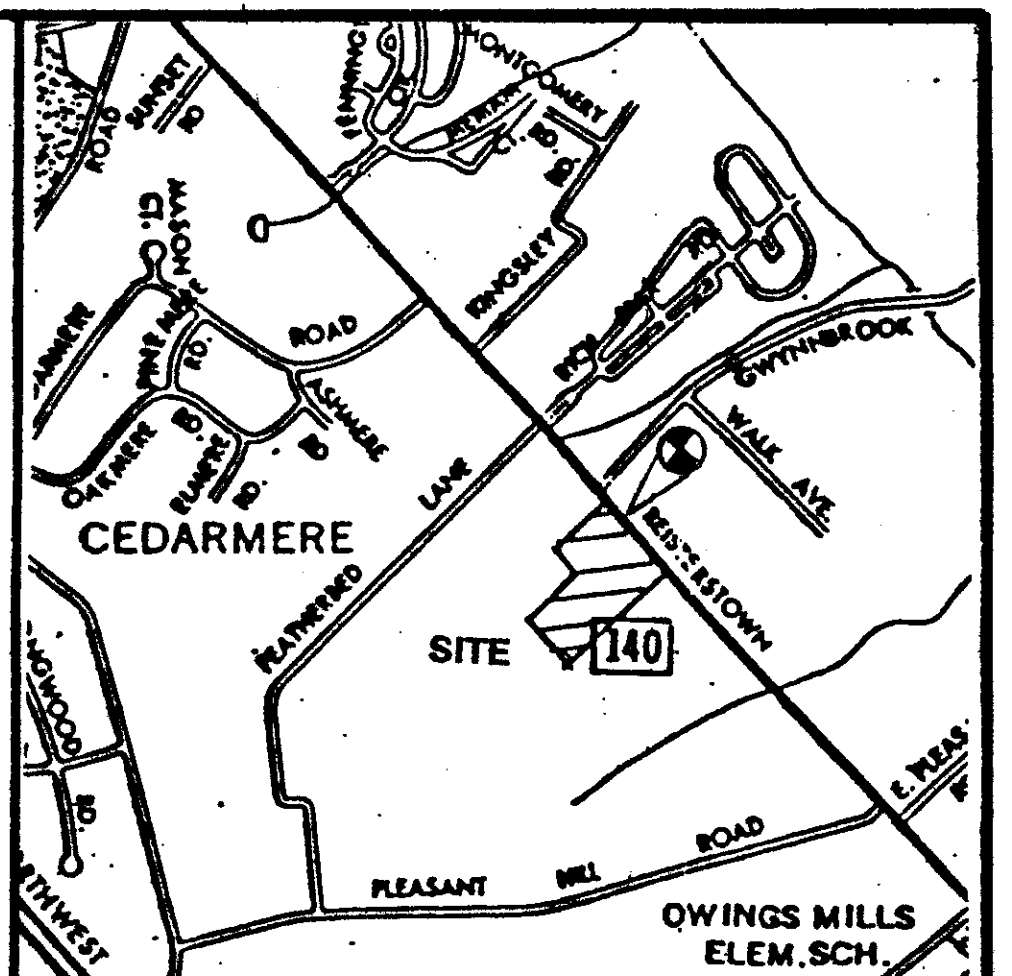
SHEET
NW
13-I

SEE SHIMPROVEMENT PLAN FOR
REISTERSTOWN ROAD IMPROVEMENTS



GENERAL NOTES

1. Contact Purchaser:	Harrison & Grass
2. Plan prepared by:	Morris & Ritchie Associates, Inc.
3. Site Data:	
Green area:	9.6 Acres ±
Net Buildable Area:	5.5 Acres ±
Existing Zoning:	BM (Business Major)
Election District:	4
Councilmanic District:	3
County:	4041
Waterbed:	Gwynns Falls
Zoning Map:	NW 13-6
The Map:	851 grid 7 & 8



1. Parking required: 73,700 SF @ 5.0 ps/1000 SF = 369 P.S.
Parking proposed: 36 spaces (new parking spaces, not counted as provided spaces)
TOTAL ON SITE PARKING PROVIDED: 341
2. BM Zone Setback Requirements: The front of the proposed building faces north, towards the Target site and the side yard faces Rte. 140.
3. Front yard: 15' minimum building front to property line
(40' minimum building front to street centerline)
4. Side yard: 0' building to corner property line
10' building to corner property line
40' min. Building to street centerline
- NOTE: The building facade facing Route 140 is the side yard
5. Rate yard: (adjacent to a residential zone) 20' building to property line
F.A.R. permitted: 4.0
F.A.R. proposed: 71,500 SF / 7.0 Gross Acres = 23 F.A.R.
6. Proposed development: A \$8200 SF Grocery store and a 13,300 SF retail space with off-street parking and associated utilities to be proposed on this BM zoned property. The proposed buildings will be one story (less than 40' in height).
7. There are no 100-year F.E.M.A. floodplains on this site (Parcel No. 240010 0220 C).
8. The survey established location of field delineated non-tidal wetland (72'-wide) is shown on the plan.
9. There are no known regulated plant or wildlife communities associated with this site.
10. The four known sewage disposal systems have been properly filled and abandoned. Existing public sanitary sewer is on the adjoining Pleasant Mills side and the property line of the Target Store; public water is located in Reisterstown Road. There are no known wells on site. The existing dwellings were all served by public water.
11. There are no known archeological sites on this property.
12. Boundary and topographic information shown on this plan is by Morris and Ritchie Associates.
13. The approved forest buffer has been shown on the plan. A special variance was received from DEPRM by letter dated 10/04/06.
14. Access: One new full movement access is proposed 220' south of the existing Target Entrance. A truck exit is also proposed along Reisterstown Road. The new ingress and egress will meet the criteria required by the State Highway Administration for highway widening.
15. All signage will be in accordance with Section 450 of the B.C.Z.R. A free standing joint identification sign 22 ft. in height, double faced sign with sign along Reisterstown Road of 15 ft. in height. None, if needed, users require additional signage a sign variance will be requested at a future date.
16. Utilities: All water and sewer to be public.
17. The proposed building will meet all building and fire code requirements.
18. Landscaping has been designed in accordance with the Baltimore County Landscape Manual. See approved Final Landscape Plan.
19. OWNER'S DEVELOPER'S CERTIFICATION - GRADING:
I/We certify that all grading in this site will be done in accordance with the current grading requirements as set forth by the Baltimore County Department of Environmental Protection and Resource Management and with the requirements specified in Title 14, Article VI of the Baltimore County Code.
20. OWNER'S DEVELOPER'S CERTIFICATION - AIR QUALITY:
I/We certify that I am responsible under the Code of Maryland Regulations (26.10.02) to provide certification matter from burning activities due to grading, land clearing, excavation, or other related activities. I have received a copy of "Guidelines to the Air Pollution Regulations for Construction Activities" and I have included a copy of the same in the report for payment specifications.
21. SPECIAL HEARING REQUEST:
Special hearing to amend the site plan previously approved in Case No. 459-A
22. REASON FOR VARIANCE REQUEST:
RELIEF IS REQUESTED FROM SECTION 408.3 OF THE BCZ.R. TO ALLOW 15 SMALL CAR PARKING SPACES, EACH WITH A DIMENSION OF 18'X7' ADJACENT TO THE NEW 13,300 SF RETAIL BUILDING IN LIEU OF THE REQUIRED STANDARD 18'X12' PARKING SPACES SHOWN ON THE APPROVED AMENDED DEVELOPMENT PLAN.
23. DRC #12078 F
DRC # WANG 10207L & FRITZ 09027J

LEGEND

EXISTING CONTOUR	PROPOSED CONTOUR
EXISTING VEGETATION	PROPOSED VEGETATION
EXISTING IMPROVED ROAD	PROPOSED IMPROVED ROAD
PROPERTY LINE	PROPERTY LINE
PROPOSED STORM DRAIN	PROPOSED STORM DRAIN
EXISTING SANITARY SEWER	PROPOSED SANITARY SEWER
PROPOSED WATER LINE	PROPOSED WATER LINE
PROPOSED FIRE HYDRANT	PROPOSED FIRE HYDRANT
NUMBER OF PARKING SPACES	NUMBER OF PARKING SPACES
NUMBER OF CONCRETE DRIVEWAYS	NUMBER OF CONCRETE DRIVEWAYS
PROPOSED TRUCK DRIVEWAY	PROPOSED TRUCK DRIVEWAY
PROPOSED MAJOR DECIDUOUS TREE	PROPOSED MAJOR DECIDUOUS TREE
PROPOSED MINOR DECIDUOUS TREE	PROPOSED MINOR DECIDUOUS TREE
PROPOSED EVERGREEN TREE	PROPOSED EVERGREEN TREE
PROPOSED BIRCH	PROPOSED BIRCH
WETLAND LIMITS	WETLAND LIMITS
FLOODPLAIN	FLOODPLAIN
PROPERTY EASEMENT	PROPERTY EASEMENT
HEAVY DUTY FENCE	HEAVY DUTY FENCE
EXISTING BUILDING TO BE DEMOLISHED	EXISTING BUILDING TO BE DEMOLISHED
NUMBER OF PARKING SPACES/SECTION	NUMBER OF PARKING SPACES/SECTION
EXISTING CURB & GUTTER	EXISTING CURB & GUTTER
TO BE REMOVED	TO BE REMOVED
LIMIT OF CONSTRUCTION	LIMIT OF CONSTRUCTION
CONTRACTOR TO MATCH EX. EASEMENT LINE & GRADE. SEE GEOTECH REPORT FOR PAYMENT SPECIFICATIONS.	CONTRACTOR TO MATCH EX. EASEMENT LINE & GRADE. SEE GEOTECH REPORT FOR PAYMENT SPECIFICATIONS.
DETAIL #2 ON SHEET 5 OF 6 SET.	DETAIL #2 ON SHEET 5 OF 6 SET.
LIMIT OF DISTURBANCE	LIMIT OF DISTURBANCE
REVERSE SLOPE CURB AND GUTTER	REVERSE SLOPE CURB AND GUTTER
STANDARD SLOPE CURB AND GUTTER	STANDARD SLOPE CURB AND GUTTER
TW - DENOTES TOP OF WALL	TW - DENOTES TOP OF WALL
EG - DENOTES BOTTOM GRADE	EG - DENOTES BOTTOM GRADE

IN RE: PETITION FOR VARIANCE
11116-11134 Reisterstown Road
East of Gwynns Falls Avenue
4th Election District
3rd Councilmanic District
G.H. Reisterstown Properties, LLC, Contact Purchaser

BEFORE THE DEPUTY
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No.: 96-459-A

THEREFORE, I/We certify that the Deputy Zoning Commissioner for Baltimore County, on July 15, 1996, that the Petition for Variance, seeking to allow for a reduction in parking of 64 spaces to 305 spaces in lieu of the 369 total parking spaces required is hereby GRANTED without restriction.

Timothy M. Korman,
Deputy Zoning Commissioner for Baltimore County

THIS PLAN IS SEALED & CERTIFIED AS BEING IN ACCORDANCE WITH THE APPROVED FIRST AMENDED DEVELOPMENT PLAN.

MRA
MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS
110 West Road, Suite 245
Towson, Maryland 21204
Tel: (410) 821-1690
Fax: (410) 821-1748

PLAT TO ACCOMPANY PETITION FOR VARIANCE
AND SPECIAL HEARING FOR
METRO SQUARE
FORMERLY KNOWN AS
FRITZ / WANG PROPERTIES

4TH ELECTION DISTRICT BALTIMORE COUNTY MARYLAND
SITE ADDRESS: 11120 & 11130 REISTERSTOWN ROAD

DATE	REVISIONS	JOB NO.
		10208
		SCALE: 1" = 40'
		DATE: 8-24-99
		DRAWN BY: TDD
		DESIGN BY: MPS
		REVIEW BY: DAA
		SHEET 1 OF 1

3507 0095 SP 147

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 5, 1999 Issue – Jeffersonian

Please forward billing to:

Barbara W. Ormord, Legal Assistant 410-494-6201
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21204

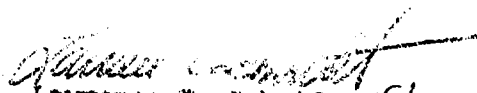
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Lawrence E. Schmidt SC

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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