ONDER MECHANIC FOR FILMS

IN RE: PETITION FOR SPECIAL EXCEPTION N/S Greenspring Valley Road, 23' NW centerline of Turnlee Avenue

3rd Election District

3rd Councilmanic District (8 Greenspring Valley Road)

Gordon K. Harden, Jr. & Mark E. Green

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 00-154-X

Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owners of the subject property, Gordon K. Harden, Jr. and Mark E. Green. The Petitioners are requesting a special exception to construct a Class 'B' Office Building in accordance with Section 204.3B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.). The property which is the subject of this request is located at 8 Greenspring Valley Road and is zoned RO. The subject property comprises 1.47 acres and is currently improved with an old two-story residential dwelling.

Appearing at the hearing on behalf of the request were Mark Green and Gordon Harden, the current owners of the property. Mr. Dwight Little appeared as the engineer who prepared the site plan and Jeffrey Long, a representative of the Office of Planning, appeared in support of the Petitioners' request. There were no protestants in attendance.

The property which is the subject of this request has been in Mr. Harden's family for many years. The Petitioner is now desirous of tearing down the old family home which is in a state of disrepair at this time. In place thereof he intends to construct a small two-story medical office building as shown on Petitioners' Exhibit No. 1. Mr. Harden has worked closely with the Office of Planning as to their review of the design of these office buildings, as well as the overall development of the property. He has also worked with the Valleys Planning Council and made them aware of his plans to develop this site. The Planning Office recommends approval of his

special exception request conditioned upon a landscaping plan being submitted for their review.

After considering the testimony and evidence offered at the hearing, I find that the Petitioners' special exception request should be granted.

It is clear the Baltimore County Zoning Regulations (B.C.Z.R.) permits the use proposed in an RO zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioners had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the Baltimore County Zoning Regulations. The Petitioners have shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioners' Exhibit No. 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

The Petitioners have provided landscaping strips around the perimeter of the site. The landscaping strip along Harden Avenue comprises 20 ft. in width in some areas and 10 ft. in width in others. This landscaping strip is more than adequate to properly buffer the proposed development from surrounding properties and meets the applicable provisions of the Baltimore County Zoning Regulations. However, the Petitioners shall be required to submit a landscape plan

0360 11/8/92 Date on 11/18/92

for review and approval by Mr. Avery Harden, Landscape Architect for Baltimore County, as to the type and location of the plantings to be installed.

Pursuant to the advertising, posting of the property, and public hearing held, and for the reasons given above, the relief requested in the special exception shall be granted.

THEREFORE, IT IS ORDERED this __/8** day of November, 1999, by this Deputy Zoning Commissioner, that the Petitioners' Special Exception Request to construct a Class 'B' Office Building in accordance with Section 204.3B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.)., be and is hereby APPROVED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- The Petitioners may apply for their building permit and be granted same upon receipt of
 this Order; however, Petitioners are hereby made aware that proceeding at this time is at
 their own risk until such time as the 30 day appellate process from this Order has
 expired. If, for whatever reason, this Order is reversed, the Petitioners would be
 required to return, and be responsible for returning, said property to its original
 condition.
- 2. The Petitioners shall be required to submit a landscape plan to Mr. Avery Harden, Landscape Architect for Baltimore County, for his review and approval prior to the issuance of building permits. In addition, a copy of the landscape plan shall be provided to the Office of Planning.
- 3. When applying for a building permit, the site plan/landscape plan filed must reference this case and set forth and address the restrictions of this Order.

ТМОТНУ M. КОТКОСО

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



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

Fax: 410-887-3468

November 18, 1999

Mr. Gordon K. Harden, Jr. Mr. Mark E. Green 12407 Wilson Road Reisterstown, Maryland 21136

> RE: Petition for Special Exception Case No. 00-154-X Property: 8 Greenspring Valley Road

Dear Messrs. Harden & Green:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Special Exception 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,

Timothy M. Kotroco

Deputy Zoning Commissioner

Sunthy Kotroco

TMK:raj Enclosure

c: Mr. Dwight Little
 c/o W. Duvall & Associates, Inc.
 530 E. Joppa Road
 Towson, Maryland 21286



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 8 Greenspring Valley Road

which is presently zoned RO

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, least 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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

> A class 'B' Office Building in accordance with Section 204.3B.2. of the Baltimore County Zoning Regulations

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

Contract Purchaser/Lessee:			Legal Owner(s):		
Name - Type or Print			(r <u>Gordon K. Handen, Jr. (w</u> Name Type or Frint		
Signature	· · · · · · · · · · · · · · · · · · ·		Signature		
Address		Telephone No.	Marik E. Green Name - Type or Print		
City	State	Zip Code	Signature ()		
Attorney For Petitio	ner:		12407 Wilson Road (w		
•			Address		
To Be Determined			Reisterstown M		
Name - Type or Print			City		
, production (1)			Representative to be C		
Signature	· · · · · · · · · · · · · · · · · · ·		George McCubbin		
			c/o W. Duvall & Associat		
X impany			Name		
3:			530 E. Joppa Road		
Address		Telephone No.	Address		
			Towson,		
	State	Zip Code	City		
			OFFICE L		
Case No. <u>60 - 1</u>	54-X		ESTIMATED LENGTH OUNAVAILABLE FOR HEAD		
			Reviewed By MJK		

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.

	(h) 410-8	33-7848	
Gorđan K. Harden, Jr.	(w) 410-3	63-1633	
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fark E. Green			
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12407 Wilson Road	(w) 410-8	89-4300	
idress			Telephone No.
Reisterstown	MD		21136
ity	St	ate	Zip Code
epresentative to b	e Contact	ed:	
George McCubbin			
c/o W. Duvall & Assoc	iates, Inc	:•	
ame			
530 E. Joppa Road		410-583	-9571
ddress			Telephone No.
lowson,	MD		21286
ity	St	ate	Zip Code

OF HEARING 2-3h

Date 10/15/11



Engineers • Surveyors • Land Planners



530 East Joppa Road Towson, Maryland 21286 Telephone: (410) 583-9571

Fax: (410) 583-1513

January 25, 1999

ZONING DESCRIPTION FOR #8 GREENSPRING VALLEY ROAD

Beginning at a point on the north side of Greenspring Valley Road which is 30 feet wide at the distance of 23 feet northwesterly of the centerline intersection of the nearest improved intersecting street, Turnlee Avenue, which is 30 feet wide; thence

- 1) South 86 degrees 40 minutes 00 seconds West 170.00 feet; thence
- 2) North 03 degrees 50 minutes 00 seconds West 46.25 feet; thence
- 3) North 54 degrees 06 minutes 00 seconds West 123.18 feet; thence
- 4) North 03 degrees 26 minutes 00 seconds West 99.83 feet; thence
- 5) North 86 degrees 34 minutes 00 seconds East 265.40 feet; thence
- 6) South 03 degrees 29 minutes 00 seconds East 224.45 feet to the place of beginning.

Containing 1.113 acres of land, more or less, as recorded in the Land Records of Baltimore County in Liber E.H.K., Jr. 5656 folio 278. Also known as #8 Greenspring Valley Road and located in the 3rd Election District, 3rd Councilmanic District.

154

NOTICE OF ZONING HEARING

The Zoning Commissioner of Battimore County: by authority of the Zoning Act and Regulations of Battimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #00-154-X 8 Greenspring Valley Road N/S Greenspring Valley Road, 23 NW of cal Turn ice Avenue 3rd Election District 3rd Councilmanic District Legal Owner(s): Mark E. Green and Mark E. Green and
Gordon K. Harden, Jr.
Special Exception: For a
Class "B" office building.
Hearing: Wednesday, November 17, 1999 at 11:00
a.m. in Room 407, County
Courts Btdg., 401, Bosley
Avenue. 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 of Commissioner's Office at (410) 887-4386.

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

10/265 Oct. 28 C349596

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10 28 , 19 99
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 successive
weeks, the first publication appearing on $\frac{10/36}{30}$, 19 $\frac{99}{30}$
THE JEFFERSONIAN,
J. Wilking
LEGAL ADVERTISING

BALTIMORE COUNTY, MAPY AND No. 073221 OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT THE /15/1999 10/15/1999 10:49:05 DATE 10/15/99 ACCOUNT 001 - 6150 NOCA CHAHLER JKAR JLK IRAKEP THEORY 154

RECEIVED 8 Greenson bally It bentie - 8 Greens Valley Fill

FOR: 050- Rt. for Special Eacy In - \$300. 5 528 ZONING VERIFICATION Receipt # (P.B.) ELN . (R.W. 073221 Rest Tot 99.KE 300.00 EX .00 De Bultimore County, Waryland DISTRIBUTION **CASHIER'S VALIDATION** WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CERTIFICATE OF POSTING

RE: CASE # 00-154X
PETITIONER/DEVELOPER:
(Mark E. Green)
DATE OF Hearing
(Nov. 17, 1999)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 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
8 Greenspring Valley Road Baltimore, Maryland 21117__

The sign(s) were posted on ______ 11-2-99 ______

[Month, Day, Year]

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Sincerely,
Ohomo Doldity
(Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405 (Telephone Number)

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFOR
8 Greenspring Valley Road, N/S Greenspring 23' NW of Valley Rd, c/l Turn Ice Ave	*	ZONIN
3rd Election District, 3rd Councilmanic	*	FOR
Legal Owner: Gordon K. Harden, Jr. and Mark E. Green Petitioner(s)	+	BALTII

RE THE

IG COMMISSIONER

IMORE COUNTY

Case No. 00-154-X

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

arole S. Domilio

CAROLE S. DEMILIO

Deputy People's Counsel

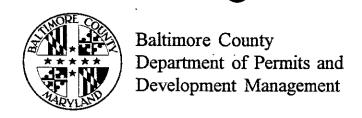
Old Courthouse, Room 47 400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day of October, 1999 a copy of the foregoing Entry of Appearance was mailed to George McCubbin, W. Duvall & Assoc., Inc., 530 E. Joppa Road, Towson, MD 21286, representative for Petitioners.



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

Fax: 410-887-5708

October 25, 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: 00-154-X
8 Greenspring Valley Road
N/S Greenspring Valley Road, 23' NW of c/l Turn Ice Avenue
3rd Election District - 3rd Councilmanic District
Legal Owner(s): Mark E. Green and Gordon K. Harden, Jr.

SPECIAL EXCEPTION: For a Class "B" office building.

HEARING: WEDNESDAY, NOVEMBER 17, 1999 AT 11:00 A.M. IN ROOM 407 COUNTY COURTS BUILDING, 401 BOSLEY AVENUE.

Arnold Jablon Director

cc:

Mark Green and Gordon Harden, Jr. George McCubbin

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY NOVEMBER 2, 1999.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CONTACT 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.

TO: PATUXENT PUBLISHING COMPANY

October 28, 1999 Issue - Jeffersonian

Please forward billing to:

Mr. Mark Green 3200 Elm Avenue Baltimore, MD 21211 410-889-4300

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:

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LAWRENCE E SCHMIDIOT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

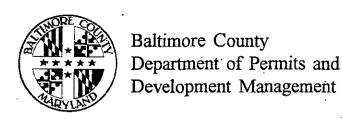
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 154 Petitioner: MARK GREEN GORDOW HARDEN JR
Address or Location: 8 GREEN SPRING VALLEY RD 8 WINGS MILLS MD 21/17
OWINGS MILLS MD 2/117
PLEASE FORWARD ADVERTISING BILL TO:
Name: MARK GREEN
Address: 3200 ELM AVE BACTIMORE MD 2/2//
Telephone Number: 410 - 889 - 4300



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

November 12, 1999

Mr. George McCubbin W. Duvall & Associates, Inc. 530 E. Joppa Road Towson, MD 21286

Dear Mr. McCubbin:

RE: 00-154-X . 8 Greensping Valley Road

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:rsi

Enclosures











BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: November 4, 1999

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

for November 1, 1999

Item Nos. 130, 131, 132, 133, 134, 135, 136, 137, 138, 140, 141, 142, 144, 145, 146, 148, 149, 150, 152,

153, and 154/

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

RWB:HJO:jrb

cc: File

11/17

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: November 3, 1999

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT:

8 Greenspring Valley Road

INFORMATION:

Item Number:

154

Petitioner:

Gordon K. Harden / Mark E. Green

Zoning:

RO

Requested Action:

Special Exception

SUMMARY OF RECOMMENDATIONS:

It is the understanding of this office that the applicant has worked closely with the Valleys Planning Council in the development of the plat accompanying the Petition for Special Exception. In addition, the applicant met with several County agencies, including this office, in the early planning stages of the proposed Class B Office Building.

Based upon the information provided and analysis conducted, the Office of Planning recommends that the petitioner's request be granted subject to the following condition: A landscape plan and building elevations should be submitted to Office of Planning for review and approval prior to the issuance of any building permits.

fy W Lay

Section Chief: (

AFK/JL



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

Date: October 25, 1999

Ms. Gwen Stephens Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204 RE: Baltimore County Item No. 154 (MJK)

8 Greenspring Valley Road

MD 130 Mile Post 0.04

Dear Ms. Stephens:

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

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

- Highway widening dedication.
- Final grading to accommodate the road widening section.

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

Very truly yours,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

1. J. Soulle

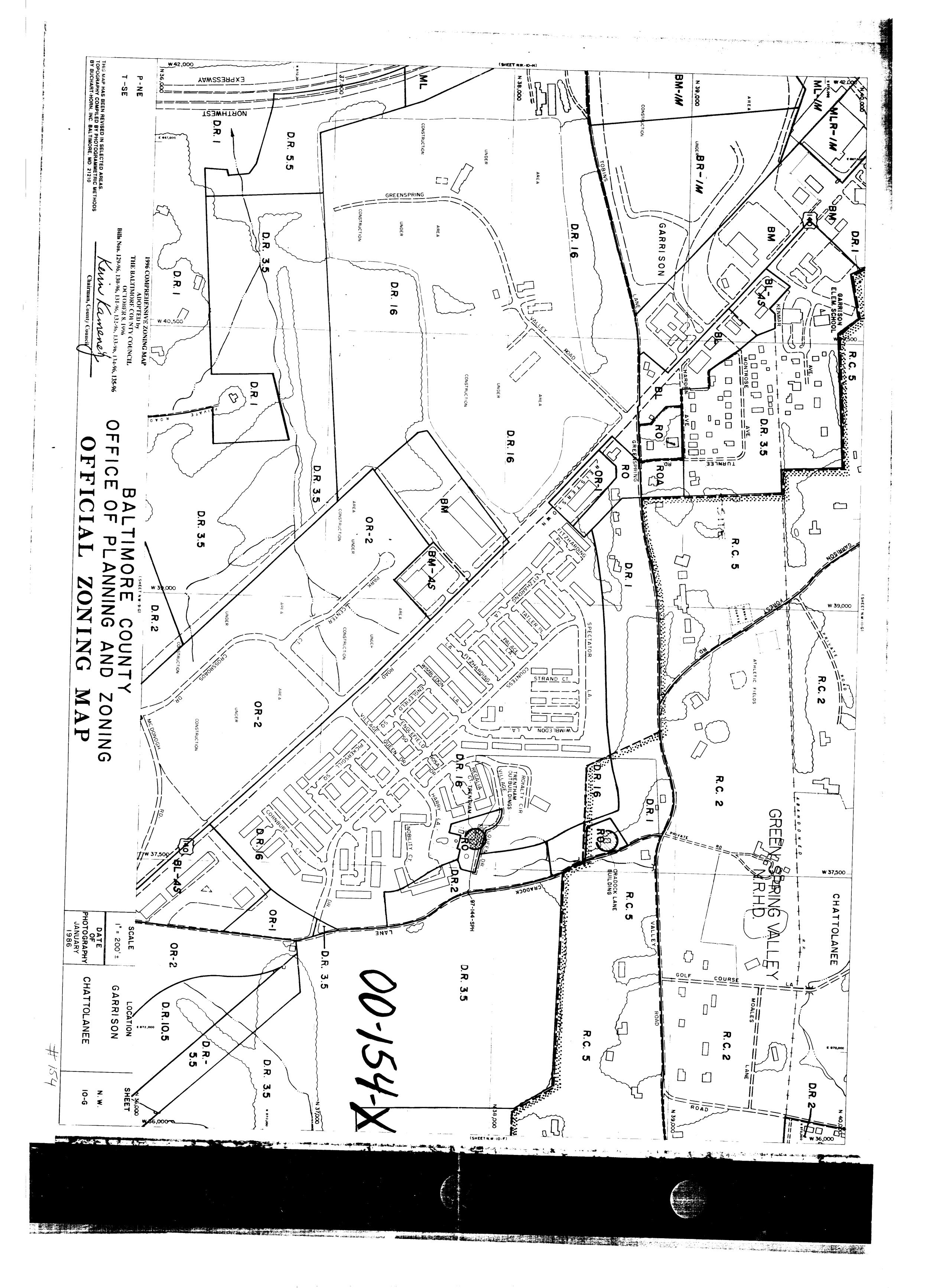
Baltimore County Zoning Commissioner Office of Planning Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204

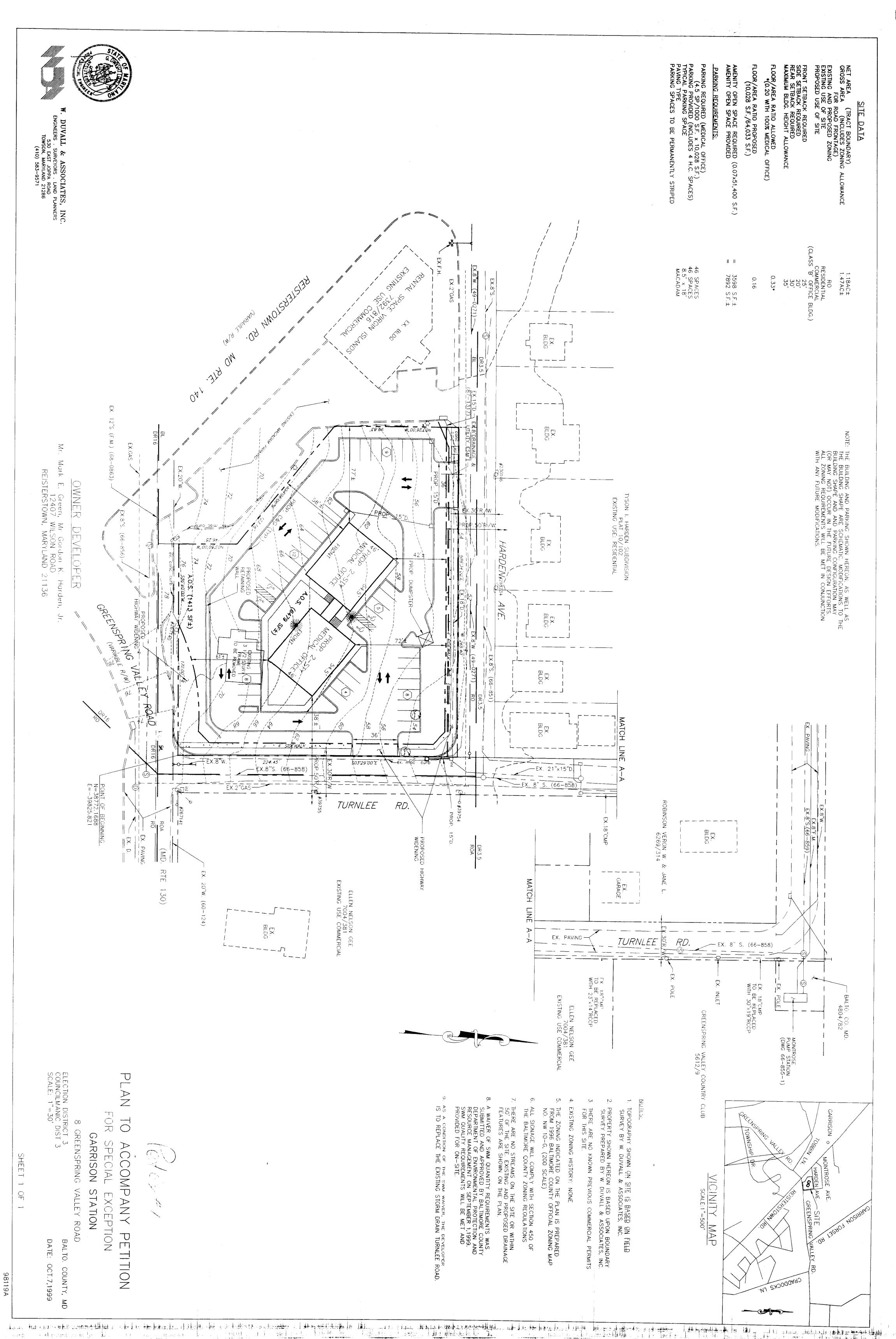
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