

IN RE: PETITION FOR SPECIAL HEARING
AND VARIANCE

N/S Liberty Road, 205' NW of
Centerline of Offutt Road
2nd Election District
2nd Councilmanic District
(N.E. Corner of Liberty Road)

Nitvik Enterprises/Kemp Jayadeva
Gen. Partner, et al. (Legal Owners)
and
Village Builders, LP (Contract Purchaser)
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-335-SPHA

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* * * * *

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, Nitvik Enterprises/Kemp Jayadeva General Partner, et al and the contract purchaser of the subject property, Village Builders, LP. The special hearing and variance request involve property located on the northeast corner of Liberty Road and Offutt Road in the Randallstown area of Baltimore County. The Petitioners are requesting a special hearing for a use permit for parking, stacking and drive aisles for a commercial use in a residential zone, in accordance with Section 409.8.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and a variance from Section 1B01.1.B.e.5, to allow a 15 ft. RTA buffer in lieu of the required 50 ft. buffer and a 62 ft. RTA parking setback in lieu of the required 75 ft.

Appearing at the hearing on behalf of the special hearing and variance requests were Tim Madden, on behalf of Morris & Ritchie Associates, the engineers who prepared the site plan of the property, Mike Gordon, appearing on behalf of Village Properties, the developer of the site, Linda Tony and Manuel Fram, owners of the subject property and G. Scott Barhight, Esquire and Jenn

ORDER RECEIVED FOR FILING

Date

By

4/25/00

R. J. Jernigan

Busse, Esquire, attorneys at law, representing the Petitioners. Appearing in opposition to the Petitioners' request was Mr. Heise, a nearby property owner.

Testimony and evidence indicated that the property, which is the subject of this request, is located on the northeast corner of Liberty Road and Offutt Road in Randallstown. The subject property comprises approximately 2.3 acres of land, 1.4 acres of which is zoned BR-AS, .85 of which is zoned D.R.5.5 and .05 of which is zoned OR-1. The Petitioners propose to develop the site with a 15,048 sq. ft. Walgreens Pharmacy. The particulars of the development are shown on Petitioners' Exhibit 2, the site plan of the property. The developer proposes a Walgreens Pharmacy which will front on Liberty Road. However, to the rear of the property in the area of the D.R.5.5 zone the Petitioners propose to install 20 parking spaces. In order to do so the special hearing request is necessary to allow customer parking in that D.R.5.5 zone. In addition to the special hearing request, variance relief is necessary from the RTA requirements as previously indicated.

The subject property is currently improved with three separate commercial uses. The uses currently on site are automotive service uses, each of which have their own entrance to Liberty Road. The Petitioners will redevelop the site with one Walgreens pharmacy and will reduce the three entrance ways to Liberty Road to the one shown on the site plan. Furthermore, the developer proposes to install a storm water management facility on the rear of the property, as none currently exists for the businesses on the site. These will be substantial improvements to Liberty Road and also will improve the storm water runoff and drainage patterns in the neighborhood. Due to the very unique characteristics of the property, particularly its shape and split zoning, the special hearing relief and variance request are necessary.

As stated previously, Mr. Heise appeared and testified in opposition to the Petitioners' request. Mr. Heise resides in a home at the end of Edgewood Road, which is a small driveway that exists to

the rear of the site to be developed. The developer will actually improve Edgewood Road by increasing its macadam surface and adding curb and gutter. The remainder of Edgewood Road down to Mr. Heise's property will remain as a gravel road. Edgewood Road only services two residential properties, that being Mr. Heise's and his adjacent neighbor, Mr. Smith.

Mr. Heise testified that he has resided in the neighborhood for many decades. He is concerned about the development occurring along Liberty Road and particularly the new post office which is currently being constructed across Edgewood Road from his property. He is generally opposed to this proposed development.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance and special hearing are not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel.

FILED
4/25/00
By: J. R. Jemison

In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

In addition to the variance request, Petitioners have also requested a special hearing to allow commercial parking in a residential zone in accordance with Section 409.8.B.1 of the B.C.Z.R. The testimony and evidence offered at the hearing clearly demonstrated that the Petitioners have satisfied all of the design standards, as set forth in Section 409.8, particularly subsections B.2 (a-g). The parking spaces proposed in the D.R zone portion of the site are located to the rear of the store, the furthest distance from the entrance to the store. Therefore, while they are necessary to meet parking requirements, as a practical matter they will rarely be used given their distance to the front entrance. The parking spaces provided along Liberty Road will be the most used parking spaces given their close proximity to the front door. Therefore, the parking spaces located in the D.R zone portion of this property will not have any detrimental impact on the adjacent or surrounding properties. Therefore, the special hearing request shall be granted.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED this 25th day of April, 2000, by this Deputy Zoning Commissioner, that the Petitioners' request for special hearing from Section 409.8.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) for a use permit for parking, stacking and drive aisles for a commercial use in a residential zone, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners shall be required to provide a 6 ft. high wood privacy fence in addition to the proposed landscaping along the northern and western borders of the subject property.

4/25/00
By: R. J. Jenson

- IT IS FURTHER ORDERED, that the variance request from Section 1B01.1.B.e.5 of the Baltimore County Zoning Regulations, to allow a 15 ft. RTA buffer in lieu of the required 50 ft. buffer and a 62 ft. RTA parking setback in lieu of the required 75 ft., be and is hereby GRANTED.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

H. Jernsten



Baltimore County
Zoning Commissioner

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

April 25, 2000

G. Scott Barhight, Esquire
Jenn Busse, Esquire
Whiteford, Taylor & Preston, L.L.P.
210 W. Pennsylvania Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No 00-335-SPHA
Property: N.E. Corner of Liberty & Offutt Roads

Dear Mr. Barhight & Ms. Busse:

Enclosed please find the decision rendered in the above-captioned case. The Requests for Special Hearing and Variance have 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 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



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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

Copies to:

Mr. Tim Madden
Morris & Ritchie Associates
110 West Road, Suite 200
Towson, Maryland 21204

Mr. Mike Gordon
Village Properties, LP
19 E. Fayette Street, Suite 202
Baltimore, Maryland 21202

Ms. Linda Tony
4636 Dapple Court
Ellicott City, Maryland 21043

Mr. Manuel Fram
6210 Park Heights Avenue
Baltimore, Maryland 21215

Mr. A. F. Heise
3612 Edgewood Road
Randallstown, Maryland 21133



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at N.E. Corner of Liberty and Offutt

which is presently zoned BR-AS, OR-1 and D.R. 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a use permit for parking, stacking and drive aisles for commercial use in a residential zone as shown on the site plan pursuant to Section 409.8.B.1.

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: Eric Chadwick

Village Bidders, LP

Name - Type or Print

Signature

19 E. Fayette St, Suite 202 410-234-0283

Address

Baltimore

MD

Telephone No.

21202

City

State

Zip Code

Attorney For Petitioner:

G. Scott Barhight

Name - Type or Print

G. Scott Barhight 1/15

Signature

Whiteford, Taylor & Preston L.L.P.

Company

210 W. Pennsylvania Ave. (410) 832-2050

Address

Telephone No.

Towson, MD 21204

City

State

Zip Code

Legal Owner(s):

see attached

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

G. Scott Barhight

Name

Whiteford, Taylor & Preston L.L.P.

210 W. Pennsylvania Ave

City

Towson, MD 21204

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2-3hr

UNAVAILABLE FOR HEARING

Reviewed By MSK Date 2/15/05

Case No. 00-335-SPHA

22/ 9/15/98

ORDER RECEIVED FOR FILING

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. *For Parking Violation only.*

Legal Owner(s):

NITVIK ENTERPRISES / KEMP JAYADEVA GEN.
Name - Type or Print PARTNER

K Jayadeva
Signature

3713 MICHELLE WAY
Address Telephone No.

BALTIMORE MD 21208
City State Zip Code

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

Legal Owner(s):

ALEXANDRIA PROPERTIES, L.L.C.
Name - Type or Print JAMES A. TONY


Signature

4636 PAPPLE CT. 410 465-2265
Address Telephone No.

ELLICOTT CITY. MD 21043-6450
City State Zip Code



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at N.E. Corner of Liberty
and Offutt

which is presently zoned BR-AS, OR-1 and
D.R. 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a use permit for parking, stacking and drive aisles for commercial use in a residential zone as shown on the site plan pursuant to Section 409.8.B.1.

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 bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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: Eric Chadwick

Village Builders, LP

Name - Type or Print

Signature

19 E. Fayette St, Suite 202 410-234-0283

Address

Baltimore

City

MD

State

Telephone No.

21202

Zip Code

Attorney For Petitioner:

G. Scott Barhight

Name - Type or Print

G. Scott Barhight /lt

Signature

Whiteford, Taylor & Preston L.L.P.

Company

210 W. Pennsylvania Ave. (410) 832-2050

Address

Towson, MD 21204

City

State

Zip Code

Legal Owner(s):

Mollie Kraus

Name - Type or Print

Signature

Name - Type or Print

Signature

2529 Smith Avenue

Address

Baltimore, Md.

City

State

Telephone No.

21209

Zip Code

Representative to be Contacted: (410) 653-0023

G. Scott Barhight

Name

Whiteford, Taylor & Preston L.L.P.

210 W. Pennsylvania Ave

Address

Towson, MD 21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 1/2 hrs

UNAVAILABLE FOR HEARING

Reviewed By DMK Date 2-18-00

Case No. 00-335-SPH

220 1/15/97



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

N.E. Corner of Liberty
for the property located at and Offutt

which is presently zoned BR-AS, OR-1 and
D.R. 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a use permit for parking, stacking and drive aisles for commercial use in a residential zone as shown on the site plan pursuant to Section 409.8.B.1.

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 bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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: CRI-Chadwick

Village Properties, LP

Name - Type or Firm

[Signature]

Signature

19 S. Fayette St. Suite 202 410-2340283

Address

Baltimore

MD

Telephone No.

21202

City

State

Zip Code

Attorney For Petitioner:

G. Scott Barhight

Name - Type or Firm

[Signature]

Signature

Whiteford, Taylor & Preston L.L.P.

Company

210 W. Pennsylvania Ave. (410) 832-2050

Address

Towson, MD 21204

State

Zip Code

Local Owner(s):

see attached

Name - Type or Firm

[Signature]

Signature

MANUEL S. FRAM

Name - Type or Firm

JANDRA M. FRAM

Signature

[Signature]

Address

6210 Park Heights Ave. 410-358-0091

City

Baltimore

State

MD

Zip Code

Representative to be Contacted:

G. Scott Barhight

Name

Whiteford, Taylor & Preston L.L.P.

Address

210 W. Pennsylvania Ave

City

Towson, MD 21204

State

MD

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 1/2 hr.

UNAVAILABLE FOR HEARING

Reviewed By [Signature] MK Date 2-18-00

Case No. -00-335-SPH

229 W/111

ORDER RECEIVED FOR FILING

Date

By R. G. Giverson



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at N.E. Corner of Liberty and Offutt
which is presently zoned BR-AS, OR-1 and
D.R. 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) 1B01.1.B.e.5 to allow a ^{65/3/15/03} 1520 foot RTA buffer in lieu of the required 50 foot buffer, and a ^{62' 65/3/15/03} 20 foot RTA parking setback in lieu of the required 75 foot setback.

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

to be presented at the 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: Eric Chadwick

Village Builders, LP

Name - Type or Print

[Signature]

19 E. Fayette St, Suite 202 410-234-0283

Address Telephone No.

Baltimore MD 21202

City State Zip Code

Attorney For Petitioner:

G. Scott Barhight

Name - Type or Print

[Signature]

Whiteford, Taylor & Preston L.L.P.

Company

210 W. Pennsylvania Ave (410) 832-2050

Address Telephone No.

Towson, MD 21204

City State Zip Code

Legal Owner(s):

see attached

Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Representative to be Contacted:

G. Scott Barhight

Name Whiteford, Taylor & Preston L.L.P.

210 W. Pennsylvania Ave (410) 832-2050

Address Telephone No.

Towson, MD 21204

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2-3hr

UNAVAILABLE FOR HEARING

Reviewed By MTA Date 2/15/04

Case No. 00-335-SPHA

REV 9/15/98

REV 3/21/00

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. *For Renting Variation only.*

Legal Owner(s):

NITVIK ENTERPRISES / KEND JAYADEVA GEN.
Name - Type or Print PARTNER

Jayadeva
Signature

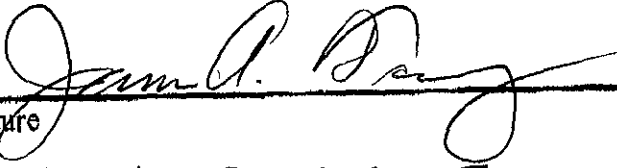
3713 MICHELLE WAY
Address Telephone No.

BALTIMORE MD 21208
City State Zip Code

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

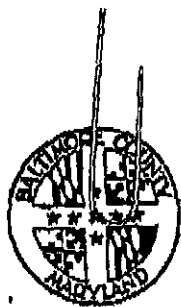
Legal Owner(s):

ALEXANDRIA PROPERTIES, L.L.C.
Name - Type or Print JAMES A. TONY


Signature

4636 PAPPLE CT. 410 465-2265
Address Telephone No.

ELLICOTT CITY. MD 21043-6450
City State Zip Code



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at N.E. Corner of Liberty and Offutt
which is presently zoned BR-AS, OR-1 and
D.R. 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) 1801.1.B.e.5 to allow a ¹⁵20 foot RTA buffer in lieu of the required 50 foot buffer, and a 20 foot RTA parking setback in lieu of the required 75 foot setback. GSB/jrn

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

to be presented at the hearing

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

Village Builders, LP

Name - Type or Print

Signature

19 E. Fayette St, Suite 202 410-234-0283

Address

Baltimore MD

Telephone No.

21202

City

State

Zip Code

Attorney For Petitioner:

G. Scott Barhight

Name - Type or Print

Signature

Whiteford, Taylor & Preston L.L.P.

Company

210 W. Pennsylvania Ave (410) 832-2050

Address

Towson, MD 21204

City

State

Zip Code

Legal Owner(s):

Mellie Kraus

Name - Type or Print

Signature

Name - Type or Print

Signature

2529 Smith Avenue

Address

Telephone No.

Baltimore, MD 21209

City

State

Zip Code

Representative to be Contacted:

(410) 653-0923

G. Scott Barhight

Name Whiteford, Taylor & Preston, L.L.P.

210 W. Pennsylvania Ave (410) 832-2050

Address

Telephone No.

Towson, MD 21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

1 1/2 hrs

UNAVAILABLE FOR HEARING

Reviewed By [Signature]

Date 2-18-00

Case No. 00-335-SPH

REV 9/15/98

REV 3/21/00



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at N.E. Corner of Liberty and Offutt
which is presently zoned BR-AS, OR-1 and
D.R. 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) 1801.1.B.e.5 to allow a ^{653/5013} 520 foot RTA buffer in lieu of the required 50 foot buffer, and a 20 foot RTA parking setback in lieu of the required 75 foot setback. ^{602/ 653/5013}

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
to be presented at the hearing

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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.

(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: Eric Chadwick
Village Properties, LP
Name - Type or Print
Signature
19 E. Fayette St., Suite 202 410-234-0283
Address Telephone No.
Baltimore MD 21202
City State Zip Code

Attorney For Petitioner:

G. Scott Barhight
Name - Type or Print
Signature
Whiteford, Taylor & Preston L.L.P.
Company
210 W. Pennsylvania Ave (410) 832-2050
Address Telephone No.
Towson, MD 21204
City State Zip Code

Legal Owner(s):
See attached MANUELS
Name - Type or Print
Signature
Manuel S. Deam

Name - Type or Print
Signature
SANDRA M. FRAM
Address
6210 Park HT
Telephone No.
City Baltimore State MD Zip Code 410-358-0091
21215

Representative to be Contacted:

G. Scott Barhight
Name Whiteford, Taylor & Preston, L.L.P.
Address 210 W. Pennsylvania Ave (410) 832-2050
Telephone No.
Towson, MD 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 1/2 hrs

UNAVAILABLE FOR HEARING
Reviewed By [Signature] Date 2-18-00

Case No. 00-335-SPH

200 9/15/97

REV 3/21/00

COPIES
4/25/00
J. J. Jones

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Description of 2.296 Acres of Land Second Election District Baltimore County, Maryland

Beginning for the same at a point on the northerly right of way of Liberty Road, MD RTE 26(80 feet wide) located 165 feet northwesterly from the westerly right of way of Offutt Road (80 feet wide) thence from the POINT OF BEGINNING so fixed with bearings and distances referred to the Maryland Coordinate System Nad 83/91 the following fourteen courses and distances viz:

1. 260.09 feet along the arc of a non-tangential curve to the left having a radius of 11499.16 feet, being subtended by a chord bearing North $58^{\circ}07'30''$ West, 260.09 feet,
2. North $30^{\circ}35'01''$ East, 188.93 feet,
3. North $59^{\circ}26'15''$ West, 120.91 feet,
4. North $30^{\circ}15'18''$ East, 107.31 feet,
5. South $59^{\circ}20'01''$ East, 326.97 feet,
6. South $08^{\circ}39'45''$ West, 87.36 feet to a point of curvature,
7. 94.35 feet along the arc of a non-tangential curve to the left having a radius of 150.00 feet, being subtended by a chord bearing South $39^{\circ}22'50''$ East, 92.81 feet.
8. South $57^{\circ}24'02''$ East, 95.40 feet,
9. South $12^{\circ}24'02''$ East, 14.14 feet,
10. South $32^{\circ}35'58''$ West, 28.00 feet,
11. South $77^{\circ}36'30''$ West, 45.16 feet,
12. North $57^{\circ}21'59''$ West, 84.48 feet,
13. South $85^{\circ}26'21''$ West, 60.10 feet,

#335

[] 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) 792-7792 (301) 775-1690
FAX (410) 792-7795

00-335-SPHA

14. South 32°21' 31" West, 84.76 feet to the POINT OF BEGINNING.

Containing 2.296 acres of land more or less.

BEING part of the Land conveyed and described in a deed from Fell's Forest Real Estate Trust to Nitvik Enterprises, dated August 8, 1988, recorded in the Land Records of Baltimore County, Maryland in Liber 7932, Folio 636,

BEING ALSO all of the Land conveyed and described in a deed from Lube Marts, Inc. to Alexandria Properties, LLC dated September 10, 1999, recorded in the aforesaid Land Records in Liber 14037, Folio 117, being also all of the Land conveyed and described in a deed from Sidney Kraus to Mollie Kraus, dated November 23, 1984, recorded in the aforesaid Land Records in Liber 6826, Folio 667,

BEING ALSO all of the Land conveyed and described in a deed from Manuel Fram to Manuel Fram, trustee, dated May 20, 1998, recorded in the aforesaid Land Records in Liber 12935, Folio 485.



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 078686

DATE 2/10/10 ACCOUNT 001-6126

AMOUNT \$ 500.00

RECEIVED FROM: Village of ...

FOR: 020-6 ...

FOR: 140-6 ...

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

00-335-SPHA

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: #00-335-SPHA

N/S Liberty Road, 205' NW of centerline Offutt Road

2nd Election District - 2nd Councilmanic District

Legal Owner(s): NITVIK Enterprises & Alexandria

Properties LLC & Mille Kraus & Manuel S. Fram &

Sandra M. Fram

Contract Purchaser: Village Builders, LP

Special Hearing: to approve a use permit for parking, stacking and drive aisles for commercial use in a residential zone. **Variance:** to allow a 20-foot RTA buffer in lieu of the required 50-foot buffer and a 20-foot RTA parking setback in lieu of the required 75-foot setback.

Hearing: Wednesday, March 20, 2000 at 9:00 a.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.

JT/3/656 March 14 C376350

CERTIFICATE OF PUBLICATION

TOWSON, MD, 3/16/, 2000

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 3/14/, 2000.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

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: #00-335-SPHA

N/S Liberty Road, 205' NW of centerline Offutt Road

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Legal Owner(s): NITVIK Enterprises & Alexandria

Proper ties LLC & Millie Kraus & Manuel S. Fram &

Sandra M. Fram

Contract Purchaser: Village Builders, LP

Special Hearing: to approve a use permit for parking, stacking and drive aisles for commercial use in a residential zone. **Variance:** to allow a 15-foot RTA buffer in lieu of the required 50-foot buffer and a 62-foot RTA parking setback in lieu of the required 75-foot setback.

Hearing: Monday, April 17, 2000 at 9:00 a.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.

3/30/00 March 30

C379954

CERTIFICATE OF PUBLICATION

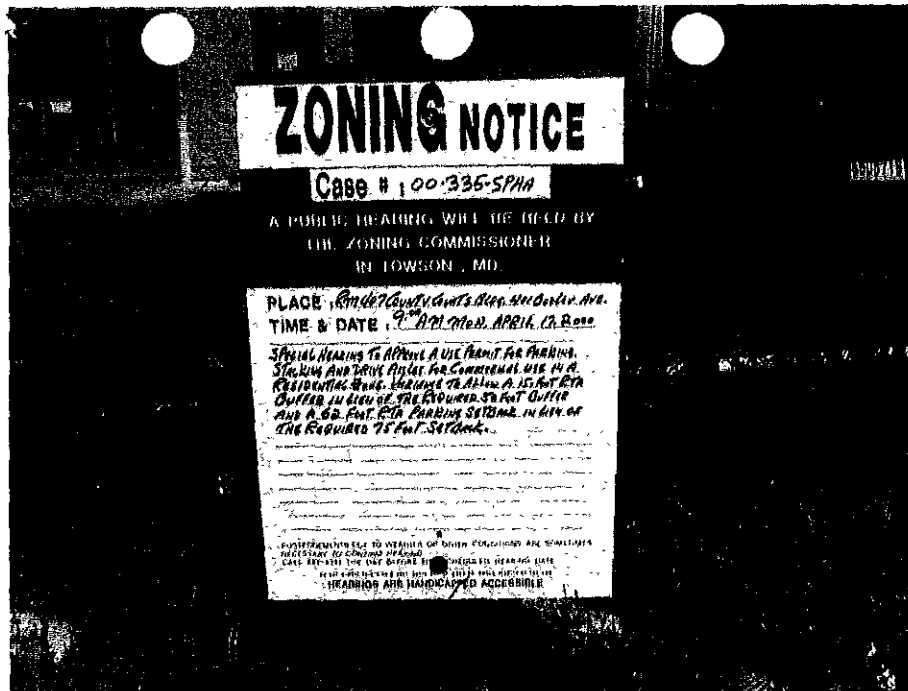
TOWSON, MD, 3/30/, 2000

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 3/30/, 2000.

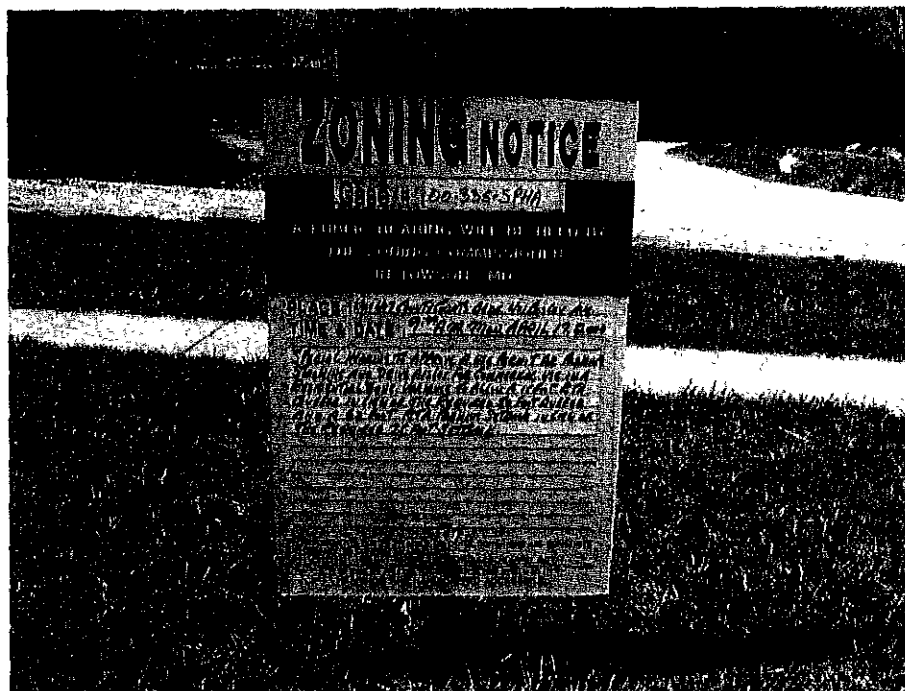
THE JEFFERSONIAN,

S. Wilkins

LEGAL ADVERTISING



Posted on Liberty Road



Posted on Offutt Road

CERTIFICATE OF POSTING

**RE: CASE # 00-335-SPHA
PETITIONER/DEVELOPER
(Village Bldgs. LP)
DATE OF Hearing
(4-17-00)**

**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
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED**

Posted on Liberty & Offutt Roads Baltimore, Maryland 21133_____

THE SIGN(S) WERE POSTED ON_____ 3-31-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____ THOMAS P. OGLE SR. _____

_____ 325 NICHOLSON ROAD _____

_____ BALTIMORE, MARYLAND 21221 _____

_____ 410-687-8405 _____
(TELEPHONE NUMBER)

RE: PETITION FOR SPECIAL HEARING
PETITION FOR BARIANCE

Liberty and Offutt Roads, N/S of Liberty Rd,
205' NW of c/l Offutt Rd
2nd Election District, 2nd Councilmanic

Legal Owner: NITVIK Enterprises &
Alexandria Properties, LLC
Contract Purchaser: Village Builders, LP
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-335-SPHA

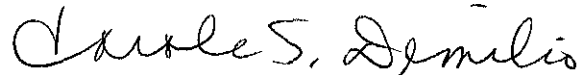
* * * * *

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 8th day of March, 2000 a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esq., Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Suite 400, Towson, MD 21204, attorney for Petitioner(s).



PETER MAX ZIMMERMAN



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

March 2, 2000

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: 00-335-SPHA

N/S Liberty Road, 205' NW of centerline Offutt Road

2nd Election District – 2nd Councilmanic District

Legal Owner: NITVIK Enterprises & Alexandria Properties LLC & Millie Kraus & Manuel S. Fram & Sandra M. Fram

Contract Purchaser: Village Builders, LP

Special Hearing to approve a use permit for parking, stacking and drive aisles for commercial use in a residential zone. Variance to allow a 20-foot RTA buffer in lieu of the required 50-foot buffer and a 20-foot RTA parking setback in lieu of the required 75-foot setback.

HEARING: Wednesday, March 29, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with the initials "SJ" written below it.

Arnold Jablon, Director

C: G. Scott Barhight, Esquire, 210 W. Pennsylvania Avenue, Towson 21204
NITVIK Enterprises, 3713 Michelle Way, Baltimore 21208
Alexandria Properties LLC, 4636 Dapple Court, Ellicott City 21043-6450
Millie Kraus, 2529 Smith Avenue, Baltimore 21209
Manuel & Sandra Fram, 6200 Park Heights, Baltimore 21215
Village Builders LP, 19 E Fayette Street, Suite 202, Baltimore 21202

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MARCH 14, 2000.
(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.



TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 14, 2000 Issue – Jeffersonian

Please forward billing to:

S. Scott Barhight 410-832-2050
Whiteford, Taylor, Preston LLP
210 W Pennsylvania Avenue
Towson MD 21204

NOTICE OF ZONING HEARING

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N/S Liberty Road, 205' NW of centerline Offutt Road

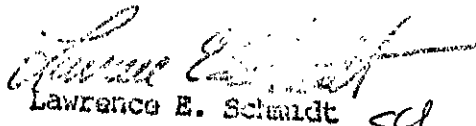
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HEARING: Wednesday, March 29, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 30, 2000 Issue – Jeffersonian

Please forward billing to:

S. Scott Barhight 410-832-2050
Whiteford, Taylor, Preston LLP
210 W Pennsylvania Avenue
Towson MD 21204

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N/S Liberty Road, 205' NW of centerline Offutt Road

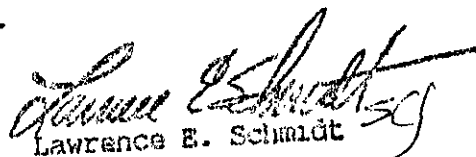
2nd Election District – 2nd Councilmanic District

Legal Owner: NITVIK Enterprises & Alexandria Properties LLC & Millie Kraus & Manuel S. Fram & Sandra M. Fram

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Special Hearing to approve a use permit for parking, stacking and drive aisles for commercial use in a residential zone. Variance to allow a 15-foot RTA buffer in lieu of the required 50-foot buffer and a 62-foot RTA parking setback in lieu of the required 75-foot setback.

HEARING: Monday, April 17, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**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: 00-335-SPHA
Petitioner: Village Builders, LP
Address or Location: Corner of NE/S + Liberty Rd and W/S + Offutt Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: S. Scott Bachright + Waterloo, Taylor, Preston, U.P.
Address: 210 W. Pennsylvania Ave
Towson MD 21204
Telephone Number: (410) 832-2050



Baltimore County
Department of Permits and
Development Management

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

April 14, 2000

Attorney G. Scott Barhight
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue
Towson MD 21204

Dear Attorney Barhight:

RE: Case Number 00-335-SPHA , NEC Liberty and Offutt Roads

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 15, 2000.

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.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr." followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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: April 10, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
for March 5, 2000
Item Nos. 333, 334, 335, 336, 337, 338,
339, 340, 342, 346, and 347

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

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

March 1, 2000

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

RECEIVED MAR 03 2000

ATTENTION: Gwen Stephens

RE: Property Owner: DANIEL J. PORECA, JR. - 337
NITVIK ENTERPRISES & ALEXANDRIA PROPERTIES, LLC - 335
MERRITT.025 LLC - 334

Location: DISTRIBUTION MEETING OF FEBRUARY 28, 2000

Item No.: 334, (335) 337

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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

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

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *plus*

DATE: March 8, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of February 28, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
333	Owings Park Apartments
334	8757 Mylander Lane
335	Liberty Road/Offut Road
338	11406 Reisterstown Road
339	12423 Eastern Avenue
340	6,8,14,16 Al-Hannah Circle
346	2749 Rolling Road
347	1055 West Joppa Road
320	14-28 Melrose Avenue

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RB*

DATE: April 10, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of April 4, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
381	1954 Catanna Avenue
382	19621 Middletown Road
383	50 Westminster Pike
384	245 Ashland Road
387	9415 Horn Avenue
388	515 Picadilly Road
389	5504 Dunrovin Lane
390	3738 Butler Road
391	115 Carolstowne Road
392	113 Carolstowne Road
393	142 Carolstowne Road
394	140 Carolstowne Road
395	11930 Jericho Road
397	Glen Arbor North
335	Liberty Road

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 13, 2000

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

SUBJECT: 9112 Liberty Road (Walgreen's)

INFORMATION:

Item Number: 00-335A
Petitioner: Eric Chadwick, Village Builders
Property Size: 2.3 acres
Zoning: BL-AS, DR 5.5 & OR-1

SUMMARY OF RECOMMENDATIONS

This site is located within a Master Plan designated Commercial Revitalization District. The aggregation of 3 existing commercial sites to accommodate this proposal presents an opportunity to enhance design elements along this portion of the Liberty Road corridor.

In an effort to mitigate the impact of allowing parking in a residential zone, the petitioner should modify the plan as follows:

1. Provide a 6-foot wood privacy fence in addition to the proposed landscaping along the northern and western borders of the property.
2. Proposed lighting should not exceed a maximum height of 14 feet and reflect away from the adjacent residential properties.
3. The Liberty road entrance to the site should be moved east, so as not to conflict with southbound traffic exiting the drive-thru lane.
4. Provide street trees and shrubbery along the Liberty Road frontage of the site.
5. Provide an ornamental wrought iron fence with masonry piers along the Liberty Road frontage.
6. Provide ground mounted signage on Liberty Road and Offutt Road

The Office of Planning supports the requested use permit and variance provided the petitioner is able to meet the conditions noted above.

Section Chief: Jeffrey M. Long

AFK:JL



**Maryland Department of Transportation
State Highway Administration**

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

Date: 3.1.00

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

RE: Baltimore County
Item No. 335 JRF

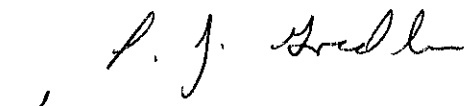
RECEIVED MAR 06 2000

Dear Ms. Jackson:

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 150 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,


1- Kenneth A. McDonald Jr., 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



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

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

Date: March 8, 2000
RE: Baltimore County
Item No. 335 (MIK)
Special Hearing
Mile Post 4.98

Dear Ms. Jackson:

This office has reviewed the referenced Item and has no objection to approval..

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

- Replacement of the existing curb, gutter and sidewalk.

Please have their representative contact this office regarding the roadway improvements conditioned to the permit.

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

Very truly yours,


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

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



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

March 21, 2000

G. Scott Barhight, Esquire
Whiteford, Taylor & Preston, L.L.P.
210 W. Pennsylvania Avenue
Towson, MD 21204

Dear Mr. Barhight:

RE: Case Number 00-335-SPHA, N/S Liberty Road, 205' NW of centerline Offutt Rd.

The above matter, previously scheduled for March 29, 2000, has been postponed at your request due to revisions. The hearing has been **rescheduled for Monday, April 17, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.** This date was confirmed with Jennifer Busse before resetting the case.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

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

Very truly yours,


Arnold Jablon
Director

AJ:scj

C: NITVIK Enterprises, 3713 Michelle Way, Baltimore 21208
Alexandria Properties LLC, 4636 Dapple Court, Ellicott City 21043-6460
Mille Kraus, 2529 Smith Avenue, Baltimore 21209
Manuel & Sandra Fram, 6200 Park Heights, Baltimore 21215
Village Builders LP, 19 E Fayette Street, Suite 202, Baltimore 21202

6210

*Please change
address.*



RECEIVED

APR 3 2000

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

335

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

30 COLUMBIA CORPORATE CENTER
10440 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044
TELEPHONE 410 884-0700
FAX 410 884-0719

JENNIFER R. BUSSE
DIRECT NUMBER
410 832-2077
jbusse@wtplaw.com

WHITEFORD, TAYLOR & PRESTON
L.L.P.

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515

410 832-2000
FAX 410 832-2015
www.wtplaw.com

1025 CONNECTICUT AVENUE, NW
WASHINGTON, D.C. 20036-5405
TELEPHONE 202 659-6800
FAX 202 331-0573

1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-5742
FAX 703 836-0265

February 14, 2000

Via Hand Delivery

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

**Re: Petitions for Special Hearing and Variance for Property located at
N.E. Corner of Liberty and Offutt Roads**

Dear Sir/Madam:

Whiteford, Taylor & Preston is the attorney for Village Builders, LP, the petitioner and Contract Purchaser for property at the N.E. Corner of Liberty and Offutt Roads. Village Builders seeks zoning relief related to its development of this property and therefore is filing, with this letter, its Petitions for Special Hearing and Variance.

There are currently four (4) property owners whose signatures are required for these zoning petitions. At the date of this filing, we have been able to obtain original signatures from two (2) of these owners and a fax copy of the signature of one other owner. Village Builders has already made arrangements to obtain the original signatures of the remaining property owners and will submit those signatures to this office's attention as soon as possible.

00-335-SPNA

Baltimore County Department of Permits and Development Management

February 14, 2000

Page 2

Thank you for your cooperation with this matter. Please do not hesitate to contact me with any concerns.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jennifer R. Busse". The signature is fluid and cursive, with the first name "Jennifer" written in a larger, more prominent script than the last name "Busse".

Jennifer R. Busse

JRB:jrb

cc: Eric Chadwick

Attachments

188593

WHITEFORD, TAYLOR & PRESTON
L.L.P.

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

30 COLUMBIA CORPORATE CENTER
10440 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044
TELEPHONE 410 884-0700
FAX 410 884-0719

JENNIFER R. BUSSE
DIRECT NUMBER
410 832-2077
jbusse@wtplaw.com

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515

410 832-2000
FAX 410 832-2015
www.wtplaw.com

1025 CONNECTICUT AVENUE, NW
WASHINGTON, D.C. 20036-5405
TELEPHONE 202 659-6800
FAX 202 331-0573

1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-5742
FAX 703 836-0265

March 21, 2000

Arnold Jablon, Director
Department of Permits and Development Management
Baltimore County Office Building
Towson, Maryland 21204

Re: Case Number : 00-335-SPHA
N/S Liberty Road, 205' NW of Centerline of Offutt Rd.

Dear Mr. Jablon:

Our client, Village Properties, the Petitioner for the above referenced matter, seeks to amend its filing of its petitions for ~~special hearing and~~ variance. Therefore, on behalf of Village Properties, we are submitting, along with this letter, revised plans to accompany the petitions for special hearing and variance. Also enclosed is a check for \$100.00 representing the fee for this amended filing.

Please set this matter in for a new hearing date. Currently, this matter is scheduled for a hearing on March 29, 2000 at 9:00 a.m. in Room 407.

Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely yours,

Jennifer R. Busse
Jennifer R. Busse

JRB:jrb

cc: Mike Gordon
Bob Capalongo
Timothy Madden

191893

DROP-OFF
NO REVIEW
3/21/00 uer

00.335-SPHA

3/21/00
per Gen Busse,
re-advertise
new changes
scj

Received 3/21/00
SC Jennings
Zoning Review

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

May 22, 2000



Baltimore County Zoning Commissioner
County Courts Building, Suite 405
401 Bosley Avenue
Towson, MD 21204

Attn: Mr. Timothy M. Kotroco
Deputy Zoning Commissioner

file *AY 2 A*

Re: Walgreens @ Liberty & Offutt
Case No. 00-335-SPHA

Dear Tim:

Morris & Ritchie Associates, Inc.(MRA) is pleased to be working on the Development Plan for the subject project. We hereby request an extension of time to comply with condition number five included in your written order, signed on April 25, 2000. Due to the fact that compliance with condition number five requires a detailed Site Plan, as well as Lighting Design by our client's lighting consultant, we request an additional thirty days of time to prepare the required Landscape and Lighting Plans.

Under the normal sequence of events in the Standard Development Process, we would not prepare and submit the Final Landscape Plan or the Lighting Plan until after the Development Plan is approved. Although we can submit the required plans prior to final development plan approval, we still need to perform detailed design work ahead of the normal sequence.

We appreciate your attention to our requests.

Very truly yours,

MORRIS & RITCHIE ASSOCIATES, INC.

Tim Madden

Timothy F. Madden, ASLA, AICP
Principal

F:\DOCS\MADDEN\Walgreens-11412\walgreens-ext.wpd

Enclosures

cc: Mr. Michael Gordon, Village Properties
Mr. Scott Barhight, Whiteford, Taylor & Preston
Mr. Bob Capalongo, Morris & Ritchie Associates

Extension Granted

6/9/00
Timothy M. Kotroco

Timothy M. Kotroco
TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

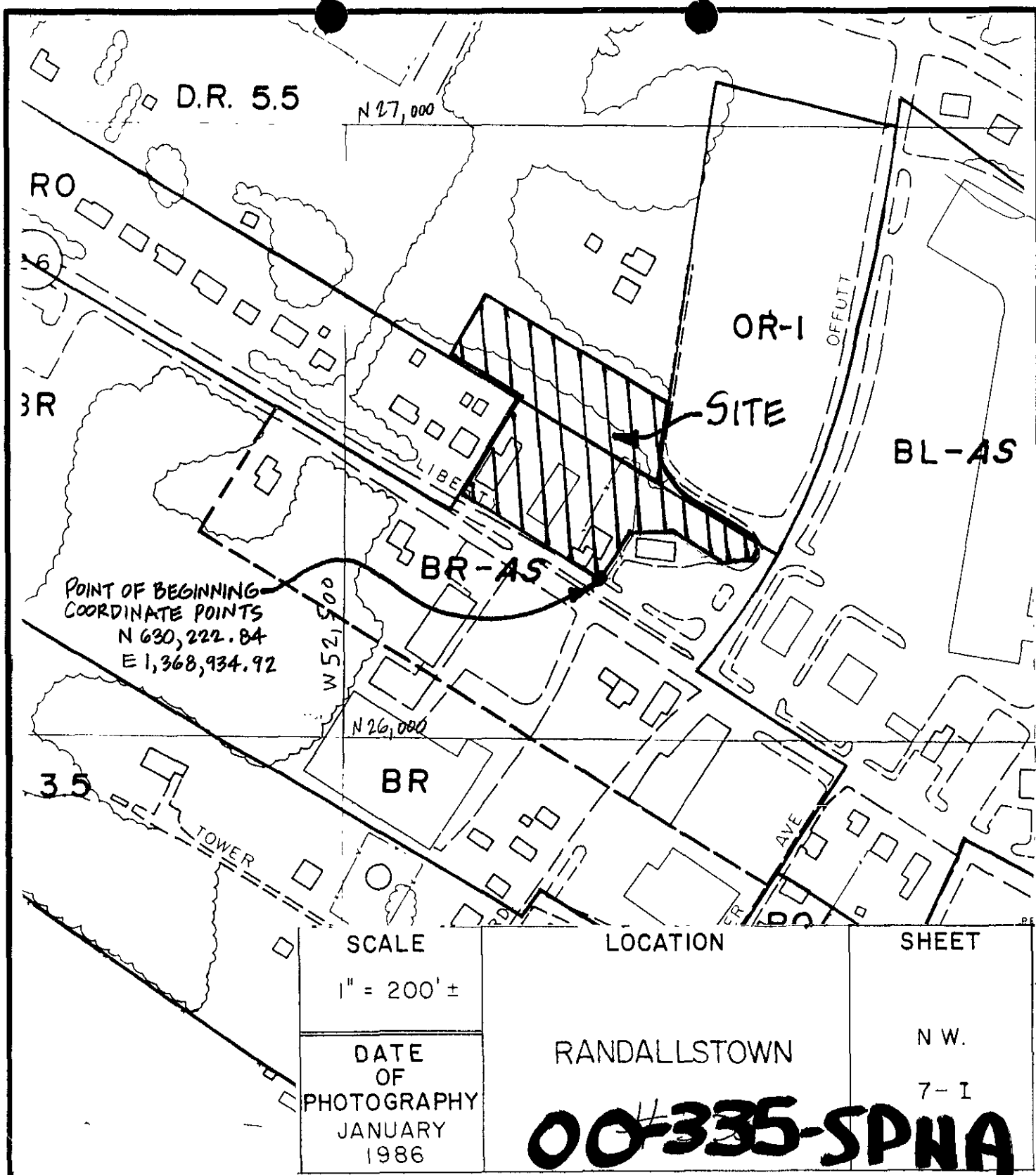
NAME

ADDRESS

Manuel S. Dean
LINDA TONY
Mike Gordon
Jenn Busse
G. Scott Barhight
Tim MADDEN

6210 Rk Ave. 21215
4636 Dapple Ct 21043
19 E Fayette ST
WTHP 210 W. Pennsylvania
Ave., Ste 400, Towson, MD 21204
MORRIS & RITCHIE ASSOC. Towson, MD.





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

**WALGREENS
AT LIBERTY & OFFUTT ROADS
ZONING MAP**

SCALE: 1"=200'

DATE: 2-2-00

DRAWN BY: BC

DESIGN BY: BC

REVIEW BY:

JOB NO. 11412

[illegible]

PLAN
SCALE: 1" = 30'

Architectural drawing of the exterior of the 'Walden' building. The drawing shows a long, low structure with a flat roof and a series of windows. A section line is labeled 'SECTION'. The title block contains the text 'WALDEN' and '1-1000 1000'.

VICINITY MAP
SCALE: 1" = 1000'
BALTIMORE COUNTY GIS POINT
CONCRETE MONUMENT WITH BRASS DISC
GS #42
ELEVATION=591.1
N 620255.77 E 1368660.60

EXTERIOR ELEVATION

Wing

Scale: 1" = 10'-0"

North Arrow

VICINITY MAP
SCALE: 1" = 1000'
BALTIMORE COUNTY GIS POINT
CONCRETE MONUMENT WITH BRASS DISC
GS #42
ELEVATION=591.1
N 620255.77 E 1368660.60

Architectural drawing of a building facade. The drawing shows a sign for "Wet & Spence and Sons" with the text "OPEN 24 HOURS" and "DRIVE THRU PHARMACY" below it. The sign is mounted on a structure with a height of 11'-0". The building has a height of 27'-0" and a width of 14'-0". The drawing includes dimensions for the sign and building, and a note indicating the sign is to be placed on the building facade.

[illegible]

Petition for Variance

to the Zoning Commissioner of Baltimore County

Architects
110 West Road, Suite 200
Towson, Maryland 21204
410-821-1690
410-821-1749 Fax

Civil/Structural Engineer
110 West Road, Suite 245
Towson, Maryland 21204
410-821-1690
410-821-1749 Fax

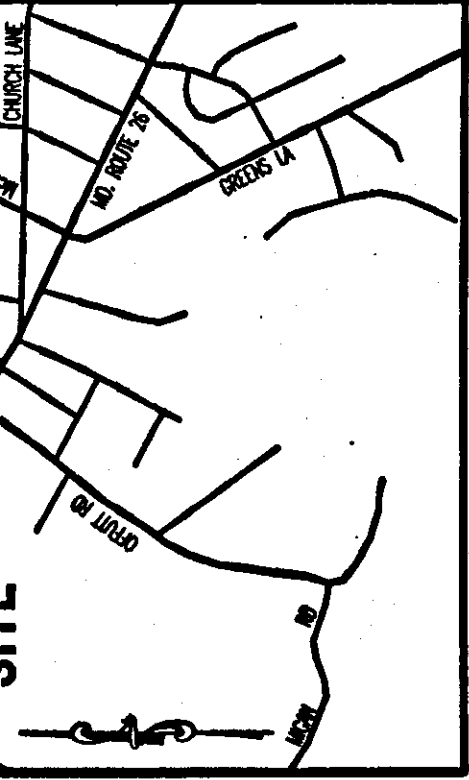
Walgreens

Walgreens Store #6265
Liberty Road & Offutt Road
Baltimore County, Maryland 21220

NO.	REVISION	DATE
11412	DRAWN 1"-30'	ISSUED 8/20/00
SHEET TITLE		

• CONTENTS OVERSIGHT 1999
 MORRIS AND BECHER, INC.
 Plot to Accompany
 A Petition For
 SPECIAL HEARING
 and VARIANCE

ST NUMBER
DE, #2



VICINITY MAP
SCALE: 1" = 1000'
BALTIMORE COUNTY GIS DATA
CONTOUR INTERVAL: 5 FEET
GS #42 ELEVATION: 591.40
N 42055.77 E 138860.60

Getz
Taylor
Architects
MORRIS & RITCHIE
ASSOCIATES, INC.

Architects
210 West Road, Suite 200
Baltimore, Maryland 21204
410-821-1800
410-821-1749 Fax
Civil/Structural Engineer
210 West Road, Suite 200
Baltimore, Maryland 21204
410-821-1800
410-821-1749 Fax

Owners
Manuel S. Fran Trust
Apt. # 201
600 Park Heights Avenue
Baltimore, Maryland 21206-5689
410-585-0981

Motiv Focus
2839 South Avenue
Baltimore, Maryland 21209
Alexandria Properties LLC
4888 Dupont Court
Baltimore, Maryland 21045-4600
410-465-3127

Nitvik Enterprises
8151 Macaulay Way
Baltimore, Maryland 21208
410-655-1690

Contract Purchaser/
Developer
Village Builders 12,
1215 Village Square
Baltimore, Maryland 21202
410-655-1690

Walgreens
Walgreens Company
200 Wilkes Mill Road
Baltimore, Maryland 21206
847-914-2776
847-914-3600 fax

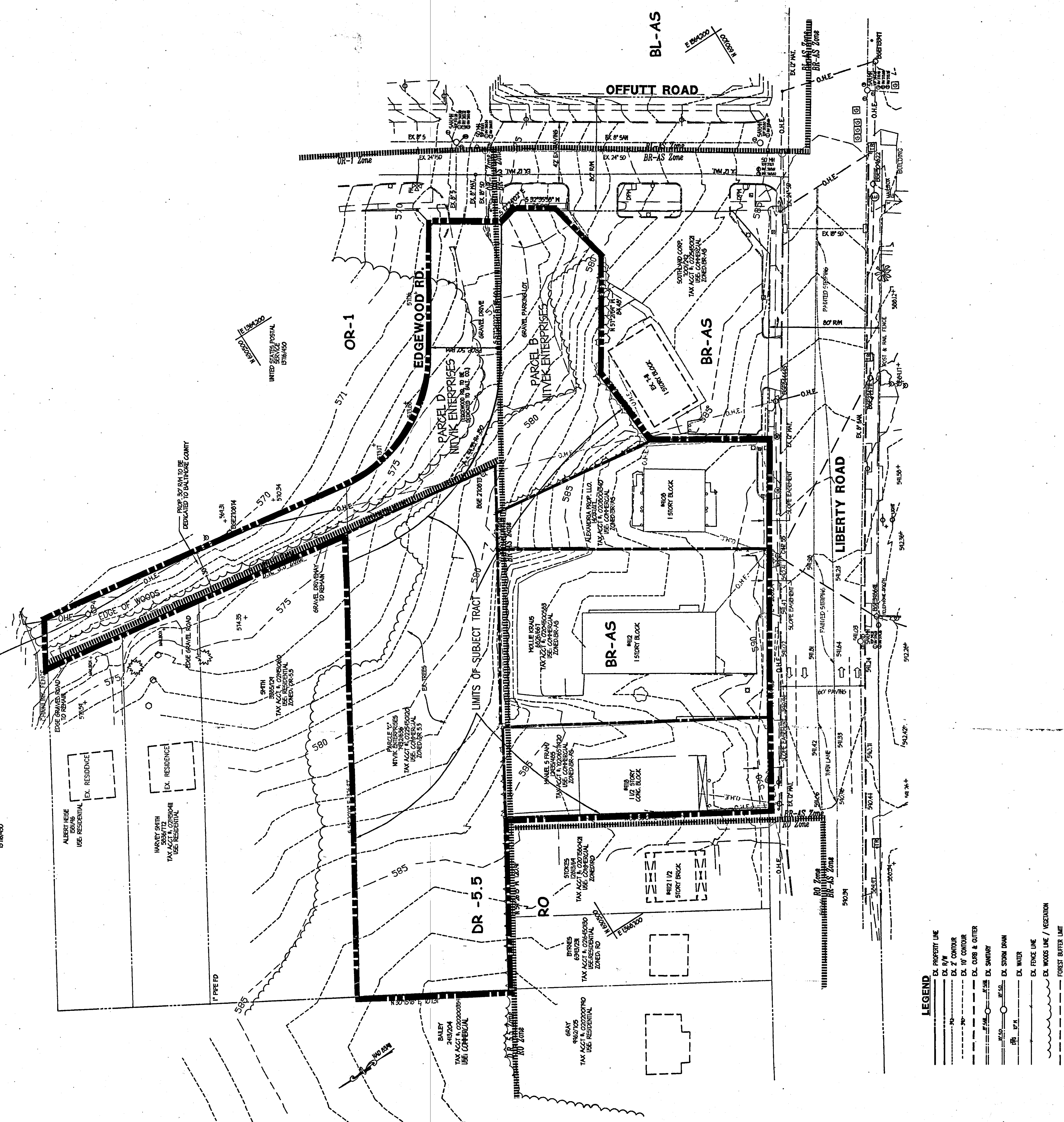
Walgreens
Walgreens Store #6265
Liberty Road & Offutt Road
Baltimore County, Maryland 21220

CONTENTS COPYRIGHT 1999 MORRIS AND RITCHIE, INC.			
NO.	REVISION	DATE	
11413	1-30	04/06/00	
SHEET TITLE			
EXISTING CONDITIONS PLAN			
SHEET NUMBER			

PDM #11-60

THIS PLAN CONSISTS OF 3 SHEETS.
THESE 3 SHEET TOGETHER AS A SET,
MAKE UP THE DEVELOPMENT PLAN.

P.E. #1



PROPERTY UNDER CONTRACT
TO BE PURCHASED
BY VILLAGE PROPERTIES

ZONING LINE

- LEGEND
- EX PROPERTY LINE
 - EX R/W
 - EX Z CONTOUR
 - EX 10' CONTOUR
 - EX CURB & GUTTER
 - EX SANITARY
 - EX STORM DRAIN
 - EX WATER
 - EX FENCE LINE
 - EX WOODS LINE / VEGETATION
 - FOREST BUFFER UNIT

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

G. F. Heise

3612 Edgewood Rd
Danville, Va
21133