

Denied/ 8/21/00
follow, appealed.
P.M.
and

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
NEC of York Road and Main Boulevard *
8th Election District * DEPUTY ZONING COMMISSIONER
4th Councilmanic District *
(2401 & 2401A York Road) * OF BALTIMORE COUNTY

Armando Cignarelli, Authorized Member * CASE NO. 00-506-SPHA
2401 York Road, LLC *
Petitioners *
* * * * *

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE *
N/S of Main Boulevard, 105' +/- * DEPUTY ZONING COMMISSIONER
from E/S of York Road *
8th Election District * OF BALTIMORE COUNTY
4th Councilmanic District *
(2401A York Road) * CASE NO. 00-507-XA

Armando Cignarelli, Authorized Member *
2401 York Road, LLC *
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing, Special Exception and Variance filed by the legal owner of the subject property, Armando Cignarelli, on behalf of 2401 York Road, LLC. The Petitioners are requesting a Special Exception to allow a Class B office building in a R.O. zone. In addition, a special hearing is requested to amend the previously approved special exception in Case No. 98-146-SPHX. Finally, the following variances are requested:

1. A variance from Section 204.4.C.3 to allow a front yard setback of 22 ft. in lieu of the minimum required 25 ft.;
2. A variance from Section 204.4.C.4 to allow a side yard setback to an adjacent residential street of 5 ft. in lieu of the minimum required 20 ft.;

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Date

8/21/00

By

J. J. Jamison

3. A variance from Section 204.4.4.C.5 to allow a rear yard setback to 12 ft. in lieu of the minimum required 30 ft.;
4. A variance from Section 204.4.C.6 to allow an amenity open space of 0% of the interior of the parking lot in lieu of the minimum required 7%;
5. A variance from Section 204.4.C.9.c.(1) to allow a 12 ft. wide landscape buffer (rear) adjacent to a residentially used and zoned property in lieu of the minimum required 20 ft., and a 5 ft. wide landscape buffer adjacent to a residential street in lieu of the minimum required 20 ft.; and
6. A variance from Section 204.4.C.9.c.(2) to allow a 2 ft. wide landscape buffer to a non-residentially zoned property (adjacent to the north) in lieu of the minimum required 10 ft., and a 0 ft. wide landscape buffer to a non-residentially zoned property (#2401 York Road) in lieu of the minimum required 10 ft.

Appearing at the hearing on behalf of the requests were Armando Cignarelli, Joe Maranto and Thomas Faust, on behalf of 2401 York Road, LLC, and Geoffrey Schultz from McKee & Associates, Inc., the engineering firm who prepared the site plan of the property. The Petitioners were represented by John Gontrum, attorney at law.

Appearing in opposition to the Petitioners' request were many residents of the surrounding community, all of whom signed in on the Protestants' Sign-In Sheet.

Testimony and evidence indicated that the property, which is the subject of this request, is a rectangularly shaped parcel of property located on the northeast corner of the intersection of York Road and E. Main Boulevard in the Timonium area of Baltimore County. The subject property is approximately 64 ft. x 169 ft. in size. It is split-zoned RO/DR 3.5. The subject property is currently improved with an existing one-story office building wherein the Petitioner, Armando Cignarelli, maintains his office. The purpose of this request is to allow the Petitioner to construct an additional one-story office building consisting of 1,200 sq. ft. on the rear of the property as shown on Petitioners' Exhibit No. 1, the site plan submitted. The property already has sufficient parking to meet the needs of not only the existing office building, but also the one

proposed to the rear of the site. Therefore, the only construction proposed at this time is a 1,200 sq. ft., one-story office building which is intended to be occupied by the Petitioner. In order to proceed with the construction of this one-story office building, the special exception, special hearing and variance requests are necessary.

It should be noted that the Petitioner was given approval to construct a second story onto the existing office building which currently fronts on York Road. That approval was granted in Case No. 98-146-SPHX. In that case, the Petitioner was granted approval to add an additional 2,000 sq. ft. of office space by way of a second story addition on the existing building. However, the Petitioner's plans have changed and he is now desirous of constructing a smaller one-story building on the rear of the property which would result in 2 one-story buildings on the property as opposed to a two-story building on the front of the site. Mr. Cignarelli believed that constructing two separate buildings would provide for a better design of the site. Mr. Cignarelli indicated that he would construct the second story addition consisting of 2,000 sq. ft. in the event his alternative proposal is denied herein.

Appearing in staunch opposition to the construction of a second office building on the property were several residents of the surrounding neighborhood. All of the residents testified that they are opposed to the construction of this second office building and would prefer to see the second story constructed on the existing building. They appreciate the open space that currently exists to the rear of this site and would like to see that area of the property remain undisturbed. This neighborhood already suffers from commercial encroachment by virtue of the 2 three-story office buildings that currently exist on either side of this property. Therefore, they ask that the Petitioners' request be denied and that he build the second story addition according to his previous approvals.

After considering the testimony and evidence offered at the hearing, I find that the Petitioners' request should be denied. While I agree with Mr. Cignarelli that the construction of a smaller one-story building may be a better design of the property, it is requested more as a preference than necessity. The Petitioner already has approval to construct an additional 2,000 sq. ft. of office space on the property. Therefore, there is no necessity presented in this case to justify the second building being constructed to the rear of the property, even though it is proposed to be constructed with a lesser amount of square footage. The Petitioner can simply proceed with the construction of the second story addition and thereby meet his needs for additional office space. Accordingly, the Petitions for Special Exception, Special Hearing and Variance shall be denied.

THEREFORE, IT IS ORDERED this 21st day of August, 2000, by this Deputy Zoning Commissioner, that the Petitioner's Request for Special Exception, to allow a Class B office building in a R.O. zone, be and is hereby DENIED.

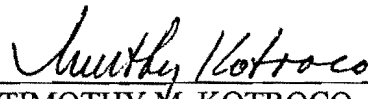
IT IS FURTHER ORDERED that the Petitioner's Request for Special Hearing, to amend the previously approved special exception in Case No. 98-146-SPHX, be and is hereby DENIED.

IT IS FURTHER ORDERED that the Petitioner's Request for Variances: 1) from Section 204.4.C.3 to allow a front yard setback of 22 ft. in lieu of the minimum required 25 ft.; 2) from Section 204.4.C.4 to allow a side yard setback to an adjacent residential street of 5 ft. in lieu of the minimum required 20 ft.; 3) from Section 204.4.4.C.5 to allow a rear yard setback to 12 ft. in lieu of the minimum required 30 ft.; 4) from Section 204.4.C.6 to allow an amenity open space of 0% of the interior of the parking lot in lieu of the minimum required 7%; 5) from Section 204.4.C.9.c.(1) to allow a 12 ft. wide landscape buffer (rear) adjacent to a residentially used and zoned property in lieu of the minimum required 20 ft., and a 5 ft. wide landscape buffer adjacent

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Date 8/21/00
By J.R. Johnson

to a residential street in lieu of the minimum required 20 ft.; and 6) from Section 204.4.C.9.c.(2) to allow a 2 ft. wide landscape buffer to a non-residentially zoned property (adjacent to the north) in lieu of the minimum required 10 ft., and a 0 ft. wide landscape buffer to a non-residentially zoned property (#2401 York Road) in lieu of the minimum required 10 ft., be and they are hereby DENIED.

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


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

Date

8/21/00

By

J. H. Jameson



Baltimore County
Zoning Commissioner

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

August 21, 2000

John B. Gontrum, Esquire
Romadka, Gontrum & McLaughlin
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petitions for Special Exception, Special Hearing
and Variances
Case Nos. 00-506-SPHA and 00-507-XA
Property: 2401 & 2401 A York Road

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above-captioned cases. The Petitions for Special Exception, Special Hearing and Variances have been denied 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 Office 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,

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

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Copies to:

Mr. Armando Cignarelli
c/o 2401 York Road, LLC
2401 York Road
Lutherville, Maryland 21093-2220

Mr. Thomas Faust
c/o 2401 York Road LLC
2401 York Road
Lutherville, Maryland 21093-2220

Joseph Maranto, Esquire
2401 York Road
Lutherville, Maryland 21093-2220

Mr. Geoffrey C. Schultz
5 Shawan Road
Hunt Valley, Maryland 21030

Mr. Lou Miller
c/o Greater Timonium Community Council, Inc.
44 E. Timonium Road
Timonium, Maryland 21093

Mr. John W. Schaller
3 Barnaby Court
Timonium, Maryland 21093

Mr. Dan Bynion
7 E. Main Boulevard
Timonium, Maryland 21093



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2401 and 2401 A York Road

which is presently zoned RO/DR-3.5

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

An amendment to previously approved Special Exception No. 98-146-SPHX

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:

John B. Gontrum, Esq.

Name - Type or Print

Signature

Romadka, Gontrum & McLaughlin
Company

814 Eastern Blvd. (410) 686-8274

Address

Telephone No.

Baltimore, MD

21221

City

State

Zip Code

Legal Owner(s):

Armando Cignarelli, Authorized Member
2401 York Road, LLC

Name - Type or Print

Signature

Name - Type or Print

Signature

2401 York Road (410) 561-4901

Address

Telephone No.

Lutherville, MD 21093-2220

City

State

Zip Code

Representative to be Contacted:

Geoffrey C. Schultz, Vice President
McKee & Associates, Inc.

Name

5 Shawan Road, Suite 1 (410) 527-1555

Address

Telephone No.

Cockeysville, MD

21030

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By SLM Date 5-31-00

Case No. 00-506 SPHA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2401 York Road

which is presently zoned RO

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

* SEE ATTACHED

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

* SEE ATTACHED

a) *interior lot line*
s) *Further reasons to be supplied at hearing* *PH*

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:

John B. Gontrum, Esq.
Name - Type or Print

Signature

Romadka, Gontrum & McLaughlin
Company

814 Eastern Blvd. (410) 686-8274

Address

Telephone No.

Baltimore, MD

21221

City

State

Zip Code

Legal Owner(s):

Armando Cignarelli, Authorized Member
2401 York Road, LLC

Name - Type or Print

Signature

Name - Type or Print

Signature

2401 York Road (410) 561-4901

Address

Telephone No.

Lutherville, MD

21093-2220

City

State

Zip Code

Representative to be Contacted:

Geoffrey C. Schultz, Vice President
McKee & Associates, Inc.

Name

5 Shawan Road, Suite 1 (410) 527-1555

Address

Telephone No.

Cockeysville, MD

21030

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By *[Signature]* Date 5-31-00

Case No. 00-506SP1HA

2400 YORK ROAD
REQUESTED ZONING VARIANCE

- 1) Variance to Section 204.4C.9.c. (2) to allow a 0-foot wide landscape buffer to a non-residentially zoned property (#2401 A York Road) in lieu of the minimum required 10 feet.

506

**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/neighbor 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: 506, 507
Petitioner: ARMANDO CIGNARELLI
Address or Location: 202401/402K Rd.
2401A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Geoffrey Schultz; McKee & Assoc., Inc.
Address: 5 SHAWAN Rd. Suite 1.
(410) 561-4901
Telephone Number: (410) 561-4901

~~800~~ 507

Revised 2/20/98 - SCJ

00-507-XA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

506,507
No. 081414

DATE 5-31-00 ACCOUNT Pool-6150

AMOUNT \$ 650.00

RECEIVED
FROM:

FOR:

(020) ~~250.00~~ VAL

(040) SDH

(050) X.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Jam

PAID RECEIPT

PAYMENT ACTUAL TIME
5/31/2000 5/31/2000 08:59:34

REG #503 CASHIER LWL LWA DRAWER 3

Dept 5 528 ZONING VERIFICATION

Receipt # 125141 OFL

CR NO. 081414

Receipt Tot 650.00

650.00 OK .00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

1 Receipt, \$ 650.00 MAX.

FOR BOTH FILES per WCR

(ORIGINAL IN file 00-506 SPH-A)

~~506~~ 507

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
2401 and 2401A York Road, NE/Cor intersection
York Rd and Main Blvd
8th Election District, 4th Councilmanic

Legal Owner: Armando Cignarelli
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-506-SPHA

* * * * *

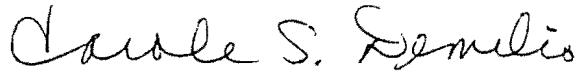
ENTRY OF APPEARANCE

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.

All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.



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 23rd day of June, 2000 a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esq., Romadka, Gontrum & McLaughlin, 814 Eastern Blvd., Baltimore, MD 21221, attorney for Petitioner(s).



PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

and note opposition
PMZ

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

DATE: July 6 2000

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

SUBJECT: 2401 & 2401A York Road.

INFORMATION:

Item Number: 00-506-SPHA & 507-SPHXA

Petitioner: 2401 York Road, LLC.

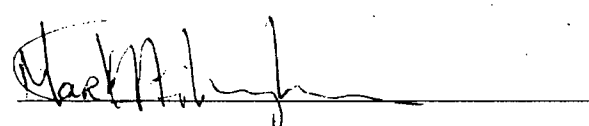
Zoning: DR 3.5 & RO

Requested Action: Variance

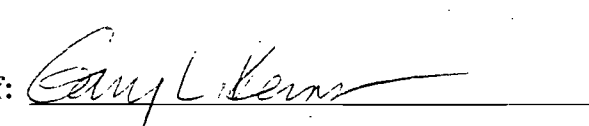
SUMMARY OF RECOMMENDATIONS:

The Office of Planning opposes this request. The number of setback variances and waivers of the landscape buffer requirements necessitated by the proposed development indicate that the site is not adequate for additional development of this scale. Additionally, the fact that the proposed office structure extends into the residentially zoned community does not comply with the intent of the RO zoning classification which provides for the conversion of residential structures to office use, and/or the construction of Class B office buildings where adequate buffers exist. It is the determination of this office that the site is currently developed to its capacity, and that any further development could jeopardize the adequacy of traffic circulation, parking, and sufficient buffers, ultimately affecting the stability of the adjacent residential community.

Prepared by:



Section Chief:



AFK:MAC:



Baltimore County
Fire Department

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

June 16, 2000

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: THOMAS & PATRICIA MORRIS – 505
ARMANDO CIGNARELLI – 506
ARMANDO CIGNARELLI – 507
MIDDLE RIVER SELF STORAGE, LLC – 514 **

Location: DISTRIBUTION MEETING OF June 12, 2000

Item No.: 505, 506, 507 & 514

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.

** FOR 514 ONLY: IN ADDITION TO COMMENTS 4 & 5 ABOVE THE FOLLOWING APPLIES – A FIRE LANE IS REQUIRED TO BE A MINIMUM OF 18' ON THE SOUTH SIDE OF BUILDING "J".

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 *(RBS)*

DATE: July 13, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of June 12, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
503	2100 Gwynn Oak Avenue
506	2401 and 2401A York Road
507	2401A York Road
508	519 Rest Avenue
511	10643 Anglohill Road
514	Middle River Road
515	49 Wiltshire Road

GREATER TIMONIUM COMMUNITY COUNCIL, INC.

98 RIDGELY RD, TIMONIUM, MD. 21093
LOUIS W. MILLER, PRESIDENT
44 E. TIMONIUM RD., TIMONIUM, MD. 21093

WEB ADDRESS: [HTTP://GTCC.HYPERMART.NET/GTCC.HTML](http://GTCC.HYPERMART.NET/GTCC.HTML)
EMAIL: LEABO@AOL.COM PHONE: 410-252-3444

July 13, 2000

Zoning Commissioner, Baltimore County
Room 407, Courts Building
Towson, Md. 21204

Re: Case numbers 00-506spha & 00507spha

Gentlemen:

We are opposed to the granting of a Special Exception and Variances relating to these two cases.

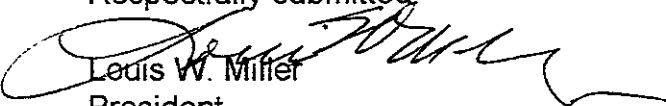
The proposed plans overload the land, violates all zoning regulations as to buffer zones, parking, and intrusion into DR 3.5 zoned land.

Since case 98-146-sphx was never acted upon, to now ask for an A7 exemption thereon is, in our opinion, not feasible under the codes.

In addition, the owners sold the DR 3.5 lot adjacent to the rear of the property as a residential occupied property in 1996, thus limiting their ability to ask for zoning changes in the Comprehensive Zoning processes. Now it appears they want to circumvent that process by asking for Special Exceptions and major Variances.

Both requests should be denied as not in the public interest.

Respectfully submitted:



Louis W. Miller
President

CC: GTCC Secretary File

File: GTCC2401 York Rd.

#506
#507

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

GEORGE C SCHULTZ

5 SHAWAN RD 21030

ARMANDO ALVARADO

2401 YORK 21093

THOMAS FAUST

2401 YORK RD 21093

JOE MARMATO

2401 YORK ROAD 21093



#506
#507

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

Mail
to
these → X
↓ X
↓ X

NAME

ADDRESS

Leo Miller

44 E. TIMONIUUM RD 21093

John W. Schaller

3 Barnaby Ct. Timoniuum Hld 210

DAN BYNION

7 E. MAIN BLVD 21093

Mark Cunningham

OFFICE OF PLANNING

DEBORAH FIELDS

6 E. MAIN BLVD 21093

Dawn Booth

5 E MAIN Blvd 21093

Mabel Dilworth

16 E Main Blvd 21093

Ellen T. O'Brien

12 East Main Blvd. 21093

Amy Kroh

10 East Main Blvd 21093

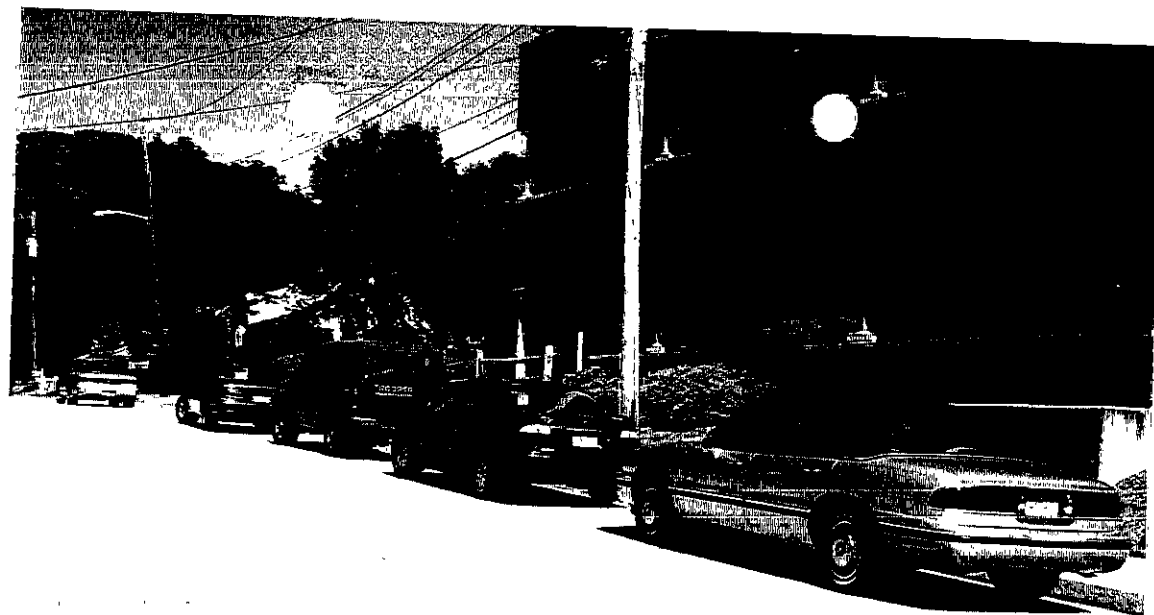


#506
#507

P-107 #1

This petition is in opposition to the proposed building of a 1200 square foot office building at 2401A York Road. Community concerns include but are not limited to: the current parking situation at the entrance and continuing up East Main Boulevard, extra traffic on East Main Boulevard and child safety, loss of landscaping and trees as a sound barrier between York Road and homes, and their aesthetic contribution to the community, potential drop in real estate values for homeowners, and the ability to maintain the existing quality of the neighborhood.

Name	Address	Phone
Daniel Bynion	7 E MAIN BLVD	560-0774
Amy Kroh	10 East Main Blvd	561-7720
Ollen O'Brien	12 East Main Blvd.	308-1289
Mabel Schwartz	16 E Main Blvd	252-2948
Ruth M. Hearnan	13 E. MAIN BLVD	560-1543
Karen J. Shearon	13 E Main Blvd	560-1543
C. F. M. M. M.	4 E. MAIN BLVD	252-6926
M. Elizabeth (Hickox)	9 E. Main Blvd.	252-7940
Melvin Chilcote	9 E Main Blvd	252-7940
David M. Murphy	8 E Main Blvd	453-6214
Thomas Field	2 E Main Blvd	308-0392
Deborah A. Fields	6 E. MAIN BLVD	308-2708
David Booth	16 E. Main BLVD	308-2708
Angela Booth	5 E MAIN BLVD	252-1228
John P. Anderson	5 E. Main Blvd	252-1228
Cedric M. Mader	4 E. Main Blvd	276-5246
Wendy Bynion	4 E. MAIN BLVD.	252-4360
	7 East Main Blvd	560-0774



THEFORE, IT IS ORDERED by the Deputy zoning Commissioner for Baltimore County this 16th day of January, 1990 that the Petition for Special Hearing seeking approval of an amendment to the previously approved site plan in prior Case No. 94-272-BA to reflect the proposed modifications, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

2) The proposed second floor addition to the existing building shall be constructed of similar materials and be of the same design as the existing building.

3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the terms and restrictions of the Order issued March 4, 1994 in prior Case No. 94-772-SA shall remain in full force and affect.

IT IS FURTHER ORDERED that the Petition for Special Exception for a Class B Office Building, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

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

WHEREFORE, it IS ORDERED by the Zoning Commissioner of Baltimore County this 4th day of March, 1994 that, pursuant to the Petition for Special Exception, approval for use of the property as a Class B office building in an R.O. zone, pursuant to Section 203.3.2.3(a) of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 203.4.C.3 of the S.C.S.R. to permit a front yard setback of 16 ft. in lieu of the minimum required 25 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 203.4.C.4 of the S.C.R. to permit a side yard setback of 5 ft. in lieu of the minimum required 10 ft., and a side yard setback adjacent to a residential street setback of 5 ft. in lieu of the minimum required 20 ft., be and is hereby GRANTED; and.

IT IS FURTHER ORDERED that a variance from Section 203.4.C.6 to permit 80 amenity open space for the parking lot interior in lieu of the minimum required 70, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 201.4.C.8.C.1 to permit a 4 ft. wide landscaped buffer adjacent to a residentially used property in lieu of the minimum required 20 ft., and a 0 ft. wide landscaped buffer adjacent to a residential street in lieu of the minimum required 20 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 203.4.C.8.C.2 to permit a 3 ft. wide landscaped buffer adjacent to a non-residentially zoned property in lieu of the minimum required 10 ft., be and is hereby GRANTED; and,

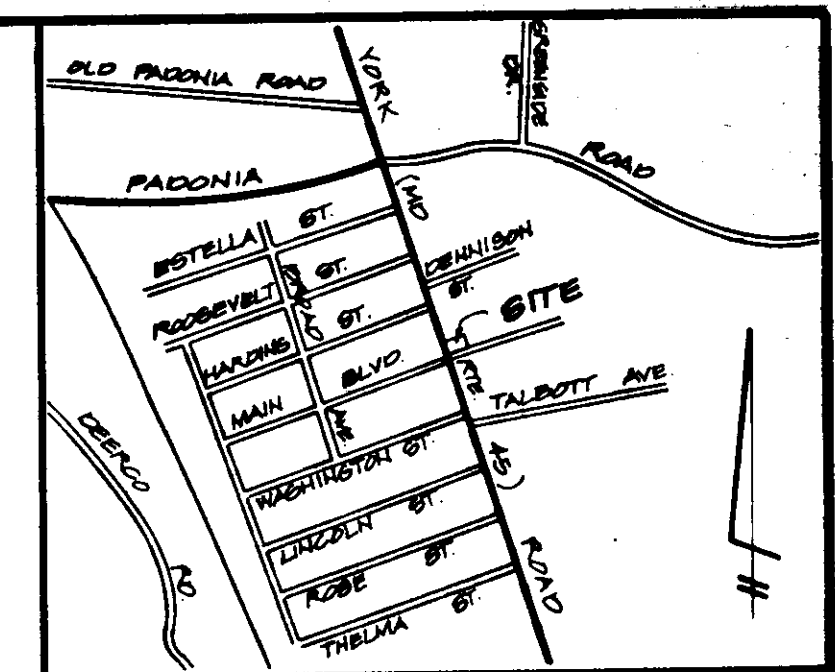
IT IS FURTHER ORDERED that a variance from Section 409.B.A.4 to permit a non-residential parking space setback of 3 ft. to a right of way line of a public street in lieu of the minimum required 10 ft., be and is hereby GRANTED; and.

IT IS FURTHER ORDERED that a variance from Section 409.8.A.5 to permit a deadend aisle with no turn-around area, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 203.3.C.1 to permit two illuminated signs with a total area of 24 sq. ft. in lieu of the maximum permitted 8 sq. ft. non-illuminated sign, be and is hereby GRANTED. Subject, however, to the following restrictions which are conditions precedent to the relief granted:

3. The Petitioner is hereby made aware that proceeding at this time is at its own risk until the time of the 10:00 P.M. deadline. If this Order has expired, if for whatever reason, this Order is reversed, or if the Petitioner is not approved, he/she will be responsible for returning said property to its original condition.
4. The Petitioner shall prepare and submit to the Planning Commission a site plan, showing the development plan which reflects and incorporates the terms, conditions and restrictions. If any of the above conditions are not met, the Petitioner shall be responsible for returning the property to its original condition.
5. The Petitioner shall relocate the entrance to the side of the building in order to save the existing front entrance and to be in accordance with the Landscape Manual, to the greatest extent possible, in accordance with the Petitioner's Exhibit No. 2.
6. The Petitioner shall not allow the illumination of the signage to reflect into the roadway. The signage shall be illuminated between the hours of 10:00 P.M. and 7:00 A.M.
7. The Petitioner shall increase the height of the fence on the rear of the property from 5 ft. to 6 ft. The fence line should further be buffered with a row of evergreen trees such as Island Cypress.
8. Prior to the issuance of any building permit, the Petitioner shall submit the final site plan for approval by Saltines County's Landscape Architect, consistent with the comments and restrictions of the Landscape Architect.

Lawrence E. Schmidt
 LAWRENCE E. SCHMIDT
 Zoning Commissioner for
 Baltimore County



VICINITY MAP
SCALE: 1" = 1000'

- 1) This site lies within the 4th Councilmanic District
- 2) Previous Hearings
94-272-XA (See Commissioners Order)
98-146-SPHX (See Commissioners Order)
- 3) Previous DRC requests
DRC No. 12133K (12-13-93) A-7 Limited Exemption
DRC No. 07086H (7-8-96) Lot Line Adjustment #2401 A
- 4) Previous Building Permits
B 216202-original building construction
- 5) Existing use of property: General Offices
- 6) Prop. Use of property: General Offices
- 7) Zoning Map No: NW 15A
- 8) This site is exempt from the Forest Conservation regulations
- 9) To the best of our knowledge, there are no streams, wetlands, critical areas, 100-year flood plains, archeological sites, endangered species habitats, historical areas, or underground fuel tanks on this site
- 10) This site operates on public water and sewer
- 11)Property information:
#2401 York Road
Owner: 2401 York Road, LLC
2401 York Road
Timonium, Maryland 21093-2220
(410) 561-4901
Account No.: 08-19-058100
Deed Reference: 10968/261

#2401 A York Road
Owner: 2401 York Road, LLC
Account No.: 08-03-047525
Deed Reference: 11714/413
- 12) An ingress, egress, and parking easement will be recorded for common use of the parking area between the two properties

	R240	RD & DR-3.5
1) Existing Zoning	RO	RD & DR-3.5
2) Gross Area (by Zoning)	11441 SF = 0.263 ac. Gross: RC 3.5 0 SF = 0.00 ac.	5424 SF = 0.125 ac. 5085 SF = 0.117 ac. 339 SF = 0.008 ac.
3) Gross Area (by Deed)	6799 SF = 0.156 ac.	4144 SF = 0.095 ac.
4) Highway Widening Area	709 SF = 0.016 ac.	320 SF = 0.007 ac.
5) Net Area of Site	6090 SF = 0.140 ac.	3824 SF = 0.088 ac.
6) Proposed Floor Area	1897 SF	1200 SF
7) Proposed Use	General Office (Class B)	General Office (Class B)
8) Parking Required	(1897 SF/1000 x 3.3) = 6.26 Spaces 5% Transit Adjustment = 0.31 Spaces Total Required = 5.95 Spaces	1200 SF/1000 x 3.3 = 3.96 0.20 3.76 x 4 Spaces
9) Parking Proposed	6 Spaces	6 Spaces
10) Maximum Floor Area Ratio Permitted	0.33	0.33
11) Proposed Floor Area Ratio	(1897 SF/11441 SF) = 0.17	(1200 SF/5085 SF) = 0.24
12) Amenity Open Space Required	7% of Parking Lot	7% of Parking Lot
13) Amenity Open Space Provided	0%	0%

8TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
SCALE : 1' = 20' DATE : 05 / 23 / 2000
REV : 05 / 26 / 2000

OWNER
2401 YORK ROAD LLC
c/o THOMAS J. FAUST
2401 YORK ROAD
TIMONIUM, MD 21093
(410) 560-1182

PART OF LOT 7 SECTION C "WAYSIDE" Δ 8/66

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030
(410) 527-1555

Computed by: <u>B.N.H.</u>	 James W. McKee Date <u>5-23-00</u> (Maryland Registered No 9012)
Drawn by: <u>B.A.D.</u>	
Checked by: <u>G.C.G.</u>	
Job Number: <u>97-95</u>	



~~00-507-XA~~