

IN RE: PETITION FOR VARIANCE
N/S of Hillside Avenue, a distance of
200' E side of York Road
8th Election District
3rd Councilmanic District
(8 & 14 Hillside Avenue)

Norma J. Stremmel Revocable Living Trust,
Legal Owner **and**
A & L Real Estate Limited Partnership,
Lessee
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-506-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owner of the subject property, The Norma J. Stremmel Revocable Living Trust and the lessee of the site, A & L Real Estate Limited Partnership. The special hearing request is for a modification of Restriction No. 7 of my prior Order dated April 18, 2001, to allow a temporary parking lot to remain on the subject property until October 1, 2002. The special hearing request involves property located at #8 and #14 Hillside Avenue, in the Cockeysville area of Baltimore County.

Appearing at the hearing on behalf of the special hearing request were Brian Burr, representing A & L Real Estate Limited Partnership, Debbie Cleaver, appearing on behalf of the owner of the property, Geoffrey Schultz, representing the engineering firm who prepared the site plan of the property and Patricia A. Malone, attorney at law, representing the Petitioner. Ann H. Heaton, President of the Sherwood Hill Improvement Association also attended the hearing. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of the special hearing request, was approved for use as a temporary parking lot to support the business known as Advance Business Systems pursuant to my Order dated April 18, 2001. Advance Business

ORDER RECEIVED FOR FILING

Date

By

7/16/02

R. Quast

Systems is located adjacent to the subject property and is currently undergoing major renovations. The purpose of the installation of this temporary parking lot was to create an area for employees to park their vehicles during this period of reconstruction. The original case was heard and the relief was granted to allow this temporary parking lot to be installed.

As a result of construction delays, the Petitioners are desirous of extending the time within which they were permitted to use this temporary parking lot until October 1, 2002. These construction delays were beyond the control of the Petitioners and have occurred through no fault of their own. Ms. Ann Heaton, appearing on behalf of the community association, indicated that the residents of the area have had no problems with the Petitioners' use of this temporary parking lot. Mr. Brian Burr and Advance Business Systems have been very responsive to any complaints or problems that have arisen during this period of reconstruction. The relationship between this business owner and the surrounding community has been excellent and the use of the temporary parking lot has worked well. Mr. Burr assured this Deputy Zoning Commissioner that he would continue to be responsive to the needs of his neighbors and that the continuation of the use of this parking lot would be without any detriment to the surrounding residents. Ms. Heaton, speaking on behalf of the Sherwood Hill Improvement Association, indicated that they support the Petitioners in their extension of this use. After considering the testimony and evidence offered at the hearing, I find that the special hearing should be granted and that Restriction No. 7 of my previous Order should be modified to allow the Petitioners to continue to utilize the parking lot in question until October 1, 2002.

THEREFORE, IT IS ORDERED, this 10th day of July, 2002, by the Deputy Zoning Commissioner for Baltimore County, that the Special Hearing Request to modify Restriction No. 7 of my previous Order dated April 18, 2001, shall be GRANTED.

IT IS FURTHER ORDERED, that the Petitioners shall be permitted to continue to utilize the temporary parking lot until October 1, 2002.

IT IS FURTHER ORDERED, that the Petitioners shall remove the temporary parking lot and return the subject property to its original turf grass condition commencing October 1, 2002

IT IS FURTHER ORDERED, that all other conditions and restrictions imposed by my previous Order shall remain in full force and effect.

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

7/10/02

By





Baltimore County
Zoning Commissioner

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

July 10, 2002

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

Re: Petition for Special Hearing
Case No. 02-506-SPH
Property: 8 & 14 Hillside Avenue

Dear Mr. Hoffman & Ms. Malone:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the 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,

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

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



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on Recycled Paper



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8 and 14 Hillside Avenue

which is presently zoned BL-AS and 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 Special Hearing to modify Restriction No. 7 of the Deputy Zoning Commissioner's Order dated April 18, 2001, to allow the temporary parking lot to remain until July 31, 2002.

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:

A & L Real Estate Limited Partnership

Alan I. Elkin, General Partner

Name - Type or Print

Signature

10755 York Road (410) 252-4800

Address

Telephone No.

Cockeysville, Maryland 21030

City

State

Zip Code

Attorney For Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer and Howard, LLP

Company

210 Allegheny Avenue (410) 494-6200

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

Legal Owner(s):

Norma J. Stremmel Revocable Living Trust

Agreement

Name - Type or Print

Signature

Deborah Cleaver, Trustee

Name - Type or Print

Signature

5928 Deer Park Road (410) 833-6897

Address

Telephone No.

Reisterstown, Maryland 21136

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue (410) 494-6200

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JRF Date 5/10/02

REV 9/15/98

ORDER RECEIVED FOR FILING

Date 7/10/02
By R. Hoffman

Case No. 02-506-SPH

McKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

February 5, 2001



**ZONING DESCRIPTION OF
#8 AND #14 HILLSIDE AVENUE
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING for the same at a point on the north side of Hillside Avenue (40 feet wide) said point being located 200.00 feet east of the east side of York Road (66 feet wide); thence running North 14 degrees 15 minutes 00 seconds West, 197.00 feet, North 75 degrees 15 minutes 00 seconds East, 450.00 feet, South 14 degrees 15 minutes 00 seconds East, 197.00 feet and South 75 degrees 15 minutes 00 seconds West, 450.00 feet to the place of beginning.

CONTAINING 88,650 square feet or 2.035 acres of land, more or less as recorded in Deeds 12588/395 and 12590/424 lying in the 8th Election District and 3rd Councilmanic District of Baltimore County, Maryland.

#506

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 12773

DATE 5-8-02 ACCOUNT 001-006-6150

AMOUNT \$ 250.00

RECEIVED FROM: Advance Business Systems

8 and 14 Hillside Ave.

FOR: 04 - SPH

ITEM # 50e
TAKEN BY: JRF

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

DATA RECEIPT
PAID RECEIPT

BUSINESS ACTUAL TIME
5/10/2002 5/10/2002 09:01:27

REG WS04 WALKIN DOOL DWD DRAWER 2

>>RECEIPT # 182236 5/10/2002 OFLN

Dept 5 528 ZONING VERIFICATION

CR NO. 012773

Recpt Tot \$250.00

250.00 CK .00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

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

Case: #02-506-SPH

8 and 14 Hillside Avenue

N/side of Hillside Avenue at the distance of 200 feet east side of York Road

8th Election District - 3rd Councilmanic District

Legal Owner(s): Norma J. Stremmel Revocable Living Trust,

Deborah Cleaver, Trustee

Contract Purchaser: A & L Real Estate Limited Partnership,

Alan I. Elkin

Special Hearing: to modify Restriction No. 7 of the Deputy Zoning Commissioner's Order, Case No. 01-319-SPHA, dated April 18, 2001 to allow the temporary parking lot to remain until July 31, 2002.

Hearing: Wednesday, July 10, 2002 at 10:00 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/6/812 June 25

C546956

CERTIFICATE OF PUBLICATION

6/28/, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/25/, 2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE C

RE: Case No.: 02-506-SPH

Petitioner/Developer: A.L. REAL

ESTATE ALAN I. ELKIN

Date of Hearing/Closing: 7/10/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 8 AND 14 HILLSIDE
AVE

The sign(s) were posted on

6/21/02
(Month, Day, Year)

Sincerely,

[Signature] 6/21/02
(Signature of Sign Poster and Date)

SEC ROBERT BLACK

(Printed Name)

1508 Leulin Rd

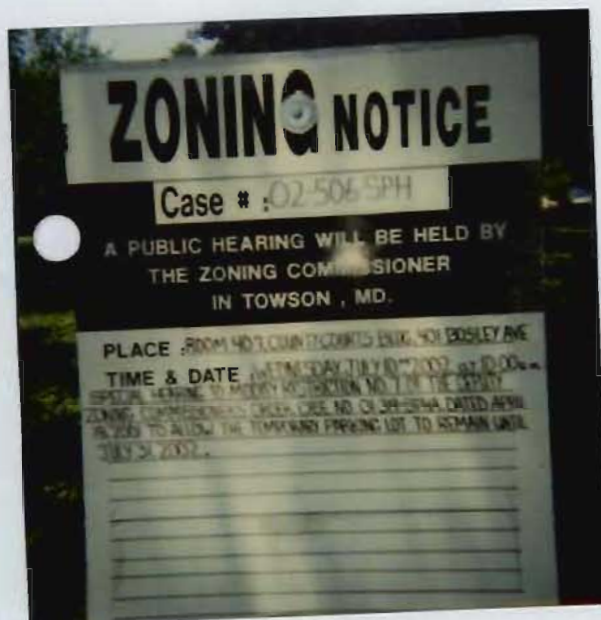
(Address)

Bondville, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



**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: 02-506-3PH

Petitioner: Advanced Business Systems

Address or Location: 8 and 14 Hillside Ave

PLEASE FORWARD ADVERTISING BILL TO:

Name: Amy Dantell

Address: 210 Allegheny Ave
Towson, Maryland 21204

Telephone Number: 410-484-6244

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 25, 2002 Issue – Jeffersonian

Please forward billing to:
Amy Dontel
210 Allegheny Avenue
Towson, MD 21204

410-494-6244

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: 02-506-SPH

8 and 14 Hillside Avenue

N/side of Hillside Avenue at the distance of 200 feet east side of York Road

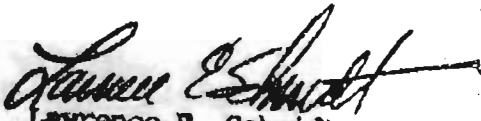
8th Election District – 3rd Councilmanic District

Legal Owner: Norma J. Stremmel Revocable Living Trust, Deborah Cleaver, Trustee

Contract Purchaser: A & L Real Estate Limited Partnership, Alan I. Elkin

Special Hearing to modify Restriction No. 7 of the Deputy Zoning Commissioner's Order, Case No. 01-319-SPHA, dated April 18, 2001 to allow the temporary parking lot to remain until July 31, 2002.

HEARING: Wednesday, July 10th, 2002, at 10:00 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.



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

June 4, 2002

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: 02-506-SPH

8 and 14 Hillside Avenue

N/side of Hillside Avenue at the distance of 200 feet east side of York Road

8th Election District – 3rd Councilmanic District

Legal Owner: Norma J. Stremmel Revocable Living Trust, Deborah Cleaver, Trustee

Contract Purchaser: A & L Real Estate Limited Partnership, Alan I. Elkin

Special Hearing to modify Restriction No. 7 of the Deputy Zoning Commissioner's Order, Case No. 01-319-SPHA, dated April 18, 2001 to allow the temporary parking lot to remain until July 31, 2002.

HEARING: Wednesday, July 10th, 2002, at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

C: Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, LLP, 210 Allegheny Avenue, Towson 21204
Norma J. Stremmel Revocable Living Trust Agreement, Deborah Cleaver, Trustee, 5928 Deer Park Road, Reisterstown 21136
A & L Real Estate Limited Partnership, Alan I. Elkin, 10755 York Road, Cockeysville 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JUNE 25, 2002**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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





Baltimore County
Department of Permits and
Development Management

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

July 5, 2002

Robert A Hoffman Esquire
Venable Baetjer & Howard
210 Allegheny Avenue
Towson MD 21204

Dear Mr. Hoffman:

RE: Case Number: 02-506-SPH, 8 & 14 Hillside Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 10, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. G D Z
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Norma J Stremmel, Revocable Living Trust Agreement, Deborah Cleaver, Trustee,
5928 Deer Park Road, Reisterstown 21136
A & L Real Estate Limited Partnership, Alan I Elkin, General Partner, 10755 York
Rd, Cockeysville 21030
People's Counsel

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





Baltimore County
Fire Department

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

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

May 22, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 28, 2002

Item No.: See Below

Dear Mr. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

491, 501-504, 506-510

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

cc: File

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



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on Recycled Paper

Jim
7/10

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. DATE: July 8, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For June 3, 2002
Item Nos. 491, 502, 503, 504, 505,
506, 507, 508, 509, and 510

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

RWB:HJO:jrb

cc: File

ju
7/10

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RS/TBT*

DATE: July 9, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of May 28, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

491,502, 505, 506, 507, 508, 509, 510

June
7/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 23, 2002

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-498, & 02-506

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A. Cunningham

Section Chief: Arnold F. Keller, III

AFK/LL:MAC

MAY 24 2002



**Maryland Department of Transportation
State Highway Administration**

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

Date: 5.23.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 506

JRF

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration 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,

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

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

02-506-SPH

7/10/02

NAME

ADDRESS

Ann H. Heaton, Sheppard Hill Improve 10599 Topsfield Dr.
Assoc'n. Cockeysville MD 21030



02-506-SPH
7/10/02

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Patricia A. Malone

210 Allegheny Ave 21204

BRIAN C BURA

10755 YORAK RD. COCKEYSVILLE 21030

Debbie Cleaver

5928 Deer Park Rd 21136

GEORGEY SCHULTZ

5 SHAWAN RD 21030



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on Recycled Paper



Baltimore County
Zoning Commissioner

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

April 18, 2001

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21214

Re: Petition for Special Hearing
Case No. 01-319-SPHA
Property: Nos. 8 and 14 Hillside Avenue

Dear Mr. Hoffman:

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



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on Recycled Paper

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

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE

N/S Hillside Avenue, 200' E
Centerline of York Road
8th Election District
3rd Councilmanic District
(8 and 14 Hillside Avenue)

Norma J. Stremmel Revocable Living
Trust - Deborah Cleaver, Trustee,
Legal Owner and
A & L Real Estate Limited Partnership,
Contract Purchaser
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-319-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owner of the subject property, the Norma J. Stremmel Revocable Living Trust, by and through Deborah Cleaver, its Trustee. The Petition for Special Hearing involves property located at Nos. 8 and 14 Hillside Avenue, located in the Cockeysville area of Baltimore County. The special hearing request is to permit temporary commercial parking in a residential zone and the variance relief is to permit a two-way driveway with the width of 10 ft. in lieu of 20 ft., to allow a stone parking lot in lieu of the required durable and dustless surface, and to allow the parking lot to be non-striped.

Appearing at the hearing on behalf of the requests were Brian Burr of Advance Business Systems, Debbie Cleaver on behalf of the Norma J. Stremmel Revocable Living Trust, Geoff Schultz, appearing on behalf of McKee & Associates, the engineers who prepared the site plan of the property and Robert Hoffman, attorney at law, representing the Petitioners. Appearing in opposition to the Petitioners' request were several residents of the surrounding

community, namely Ann Heaton, appearing on behalf of the Sherwood Hills Improvement Association, Anna Niemczyk, Henry Niemczyk, Nancy Goodman and Blaise Lachowicz.

Testimony and evidence indicated that the property, which is the subject of this special hearing and variance request, consists of 2.242 acres, more or less, zoned at this time DR 1. The subject property is improved with two single-family residential dwellings. The property is a large lot of ground located on the north side of Hillside Avenue, east of its intersection with York Road. The site plan of the property depicts the location of the two residential dwellings located on the property. At this time, a special hearing request is being made by Advance Business Systems to use the rear portion of the property in question as a temporary parking lot for their employees. Testimony demonstrated that Advance Business Systems is in the process of upgrading and renovating their business. They propose to install a parking deck on their property for the convenience of their customers and employees. The Petitioner is in the process of locating alternative parking for their employees during the construction phase of their renovations. They have negotiated an agreement with the owner of the property, which is the subject of this hearing, in an effort to install 30 temporary stone parking spaces on the rear of this property. The design and layout of the parking lot is shown on the site plan submitted into evidence. It should also be noted that the parking lot is situated only 10 ft. from the property owned by Advance Business Systems. Therefore, these employees can easily walk from the temporary parking lot to their place of employment.

Mr. Brian Burr, the Chief Financial Officer of Advance Business Systems, appeared and testified at the hearing. He testified that his company is excited about the renovations and improvements they are proposing to make to their existing business. However, it has been difficult for Mr. Burr and his company to secure temporary parking for their employees

during their anticipated renovations. They have sought many alternatives to solve their parking problems. After a long and exhaustive search for temporary parking, the Petitioner feels that the plan as presented before me is their best alternative to provide parking spaces for these employees. Mr. Burr testified that each of the parking spaces, as shown on this plan, will be assigned to a particular employee. These employees will be the only people entitled to park in these new parking spaces. These employees come to work in the morning and leave in the evening. The parking lot will not be used for any customers or any employees that come and go on a regular basis during the day. Therefore, the impact on the residents who live on Hillside Avenue would only be during the morning hours when the employees arrive at work and at the end of the day when they leave to go home. In addition, Mr. Burr testified that the temporary parking lot would be used for no longer than 9 months, once construction begins at their business. He testified that they will completely restore the subject property to its grassy condition once the need for the parking terminates. In order to proceed with the installation of this temporary parking field, the special hearing and variances are necessary.

Appearing in opposition to the Petitioner's request were several residents from the surrounding Hillside community. The residents are concerned that the use of the subject property, even on a temporary basis, for commercial parking could set a bad precedent for this property. They are also concerned that the construction of this parking lot will impose upon the peace and tranquility of their neighborhood, given that Hillside Avenue is a dead end street. They also believe that the additional 30 cars coming and going to this parking lot will cause traffic problems when trying to exit onto York Road from Hillside Avenue. It is difficult to exit Hillside Avenue onto York Road, particularly headed in a southerly direction.

The concerns of the Sherwood Hill Improvement Association were documented in a letter which was submitted into evidence at the hearing before me.

After considering the testimony and evidence offered by the Petitioners, as well as the residents who attended the hearing, I find that the petition for special hearing for a temporary parking lot on this property and the accompanying variances should be granted. However, this relief can only be granted with the imposition of conditions and restrictions to ensure that the temporary use of this parking lot will have as little detrimental impact on these residents as possible. Therefore, as a condition of approval, I shall impose a series of restrictions upon this Petitioner to help to mitigate the concerns raised by the citizens who attended the hearing.

As to the special hearing and variance relief, it is clear that practical difficulty or unreasonable hardship would result if the special hearing and variances were not granted. It has been established that the requirements from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property and public hearing held on the Petition and for the reasons given above, the special hearing and variance requests should be granted.

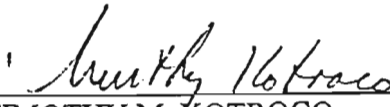
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of April, 2001, that the Petitioners' Request for Special Hearing from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit temporary commercial parking in a residential zone, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the Petitioners' variance requests: (a) from Section 409.4.A (B.C.Z.R.), to allow a two-way driveway width of 10 ft. in lieu of the minimum required 20 ft.; (b) from Section 409.8.A.2 (B.C.Z.R.), to allow a stone parking lot in lieu of the required durable and dustless surface; and (c) from Section 409.8.A.6, to allow a non-striped parking lot, be and are hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for their permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The construction of the parking lot in question shall not commence until such time as a building permit is issued for the expansion of the Advance Business Systems existing parking lot.
3. The Petitioner shall be required to install a landscape screen around the perimeter of the proposed parking lot, in order to screen the temporary parking lot from surrounding residential properties. Therefore, the Petitioner shall submit to Mr. Avery Harden, Landscape Architect for Baltimore County, a landscape screening plan depicting the manner in which the parking lot will be screened from adjacent properties.
4. The hours of use for the parking lot in question shall be Monday through Friday, from 7:00 a.m. to 6:00 p.m. The Petitioner shall not be permitted to install any parking lot lighting on the subject lot.
5. The subject parking lot shall be utilized by employees of Advance Business Systems only. No other person shall be permitted to utilize the parking lot.
6. No employee or service representative of Advance Business Systems shall be permitted to park along Hillside Avenue.
7. The Petitioner shall be permitted to utilize this temporary parking lot for a period of 9 months, which time period shall commence on the date that a permit is issued by Baltimore County for the construction of the parking lot itself. At the end of this 9 month period, or sooner if the new parking lot is completed, the Petitioner shall immediately commence the restoration of the subject property to its original turf

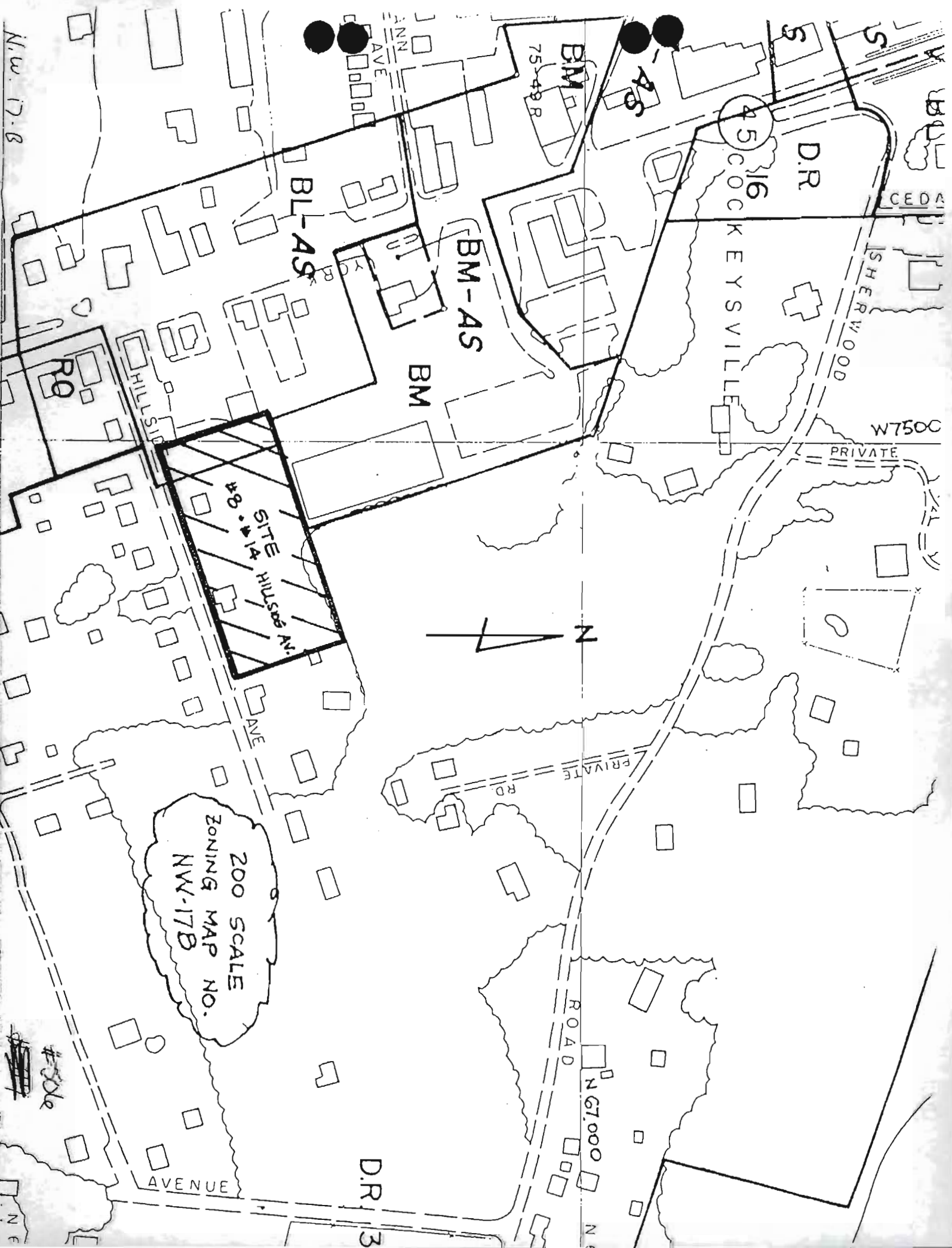
grass condition. The restoration of the parking lot to grass shall be at the discretion of Avery Harden, Landscape Architect for Baltimore County.

8. Mr. Brian Burr, the chief financial officer for Advance Business Systems, shall make a phone number available so that he may be contacted 7 days a week, 24 hours a day, in the event a problem arises concerning the use of this temporary parking lot by the employees of his company. Said telephone number shall be provided to Ann Heaton, the President of the Sherwood Hill Improvement Association. Mr. Burr or his representative shall be available to handle any and all disputes that may occur regarding the use of this parking lot during this temporary situation.
9. The employees utilizing the parking lot in question shall, at all times, be courteous and considerate to the residents of Hillside Avenue when coming and going to the subject parking lot.
10. The driveway leading to the parking lot shall be regularly maintained so as not to cause any mud or sediment to be carried onto Hillside Avenue by the employees who use the parking lot.
11. Mr. Brian Burr or his representative shall regularly update the Sherwood Hill Improvement Association as to the status of the construction project, so that they may be aware when the use of the parking lot might begin and when it will terminate.
12. The subject parking lot shall be posted with signage indicating that the parking spaces are to be utilized by employees of Advance Business Systems and that all other persons using the parking lot will be towed.
13. The use of the subject property as a temporary parking lot for employees of Advance Business Systems shall in no way be considered as a precedent to any future use of the subject property.
14. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

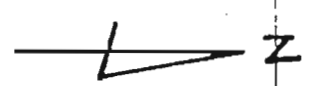

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

N.W. 17.8



200 SCALE
ZONING MAP NO.
NW-17B



#306

N.E

GENERAL NOTES

1. THERE ARE NO KNOWN PRIOR ZONING CASES OR COMMERCIAL PERMITS FOR THE PROPERTY.
2. NO SIGNS ARE PROPOSED.
3. EXISTING DWELLINGS OPERATE ON PUBLIC WATER AND SEWER.
4. THERE ARE NO STREAMS, STORM WATER MANAGEMENT SYSTEMS, OR PIPE SYSTEMS WITHIN 50' OF THE PROPERTY.
5. THIS SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
6. EXISTING USE OF PROPERTY IS RESIDENTIAL.

SITE DATA

EXISTING ZONING DR-3.5 & BL-AS
GROSS AREA OF SITE= DR-3.5 84,196 SF= 1.933 AC±
BL-AS 13,454 SF= 0.309 AC±
TOTAL 97,650 SF= 2.242 AC±

NET AREA OF SITE = DR-3.5 76,436 SF= 1.755 AC±
NET AREA OF SITE = BL-AS 12,214 SF= 0.280 AC±
TOTAL 88,650 SF= 2.035 AC±

DEED REFERENCES: 12588/395
12590/424

TAX ACCOUNT NOS.: 08-18-001720
08-19-076723

TAX MAP 51, GRID 4, PARCEL NOS. 163 & 164
ELECTION DISTRICT 8TH
200 SCALE ZONING MAP NO. NW-17B
COUNCILMANIC DISTRICT: 3RD

COMPLIANCE WITH SECTION 409.8B.2 (BCZR)

- a. TEMPORARY PARKING FOR USE BY ADVANCE BUSINESS SYSTEMS ADJACENT TO SITE TO THE NORTH.
- b. PARKING IS RESTRICTED TO PASSENGER VEHICLES ONLY.
- c. NO LOADING, SERVICE, OR ANY OTHER USE OTHER THAN PARKING IS PERMITTED.
- d. NO PROPOSED LIGHTING.
- e. PARKING ARRANGEMENT AND VEHICULAR ACCESS WILL BE AS SHOWN ON PLAN.
- f. HOURS OF OPERATION: MONDAY THRU FRIDAY 7 AM TO 6 PM
- g. OTHER CONDITION OF PARKING, IF ANY, TO BE DETERMINED AT HEARING.

PREVIOUS ZONING HEARING

IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
N/S Hillside Avenue, 200' E
Centerline of York Road
8th Election District
3rd Councilmanic District
(8 and 14 Hillside Avenue)
Norma J. Stremmel Revocable Living Trust - Deborah Cleaver, Trustee,
Legal Owner and
A&L Real Estate Limited Partnership,
Contract Purchaser
Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 01-319-SPHA

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 1st day of April, 2001, that the Petitioners' Request for Special Hearing from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit temporary commercial parking in a residential zone, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the Petitioners' variance requests: (a) from Section 409.4.A (B.C.Z.R.), to allow a two-way driveway width of 10 ft. in lieu of the minimum required 20 ft.; (b) from Section 409.8.A.2 (B.C.Z.R.), to allow a stone parking lot in lieu of the required durable and dustless surface; and (c) from Section 409.8.A.6, to allow a non-striped parking lot, be and are hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for their permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
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14. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

THOMAS M. KOTROOD
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

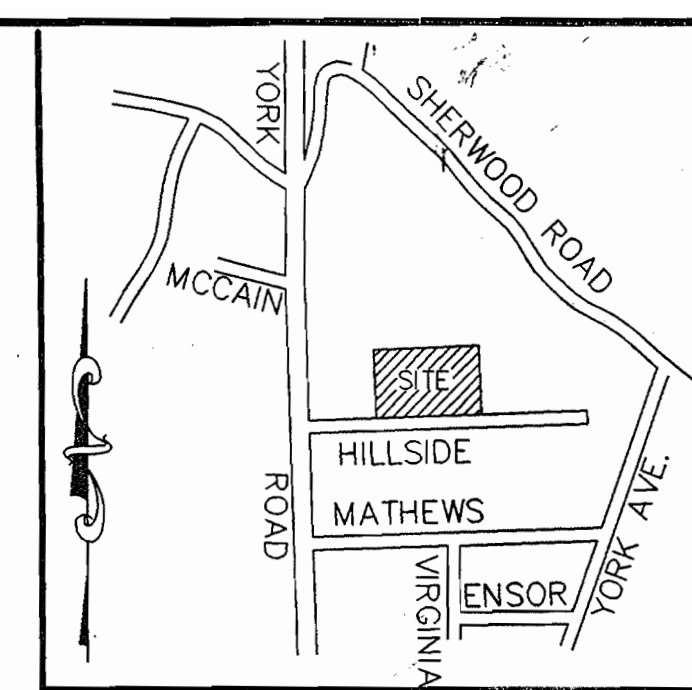
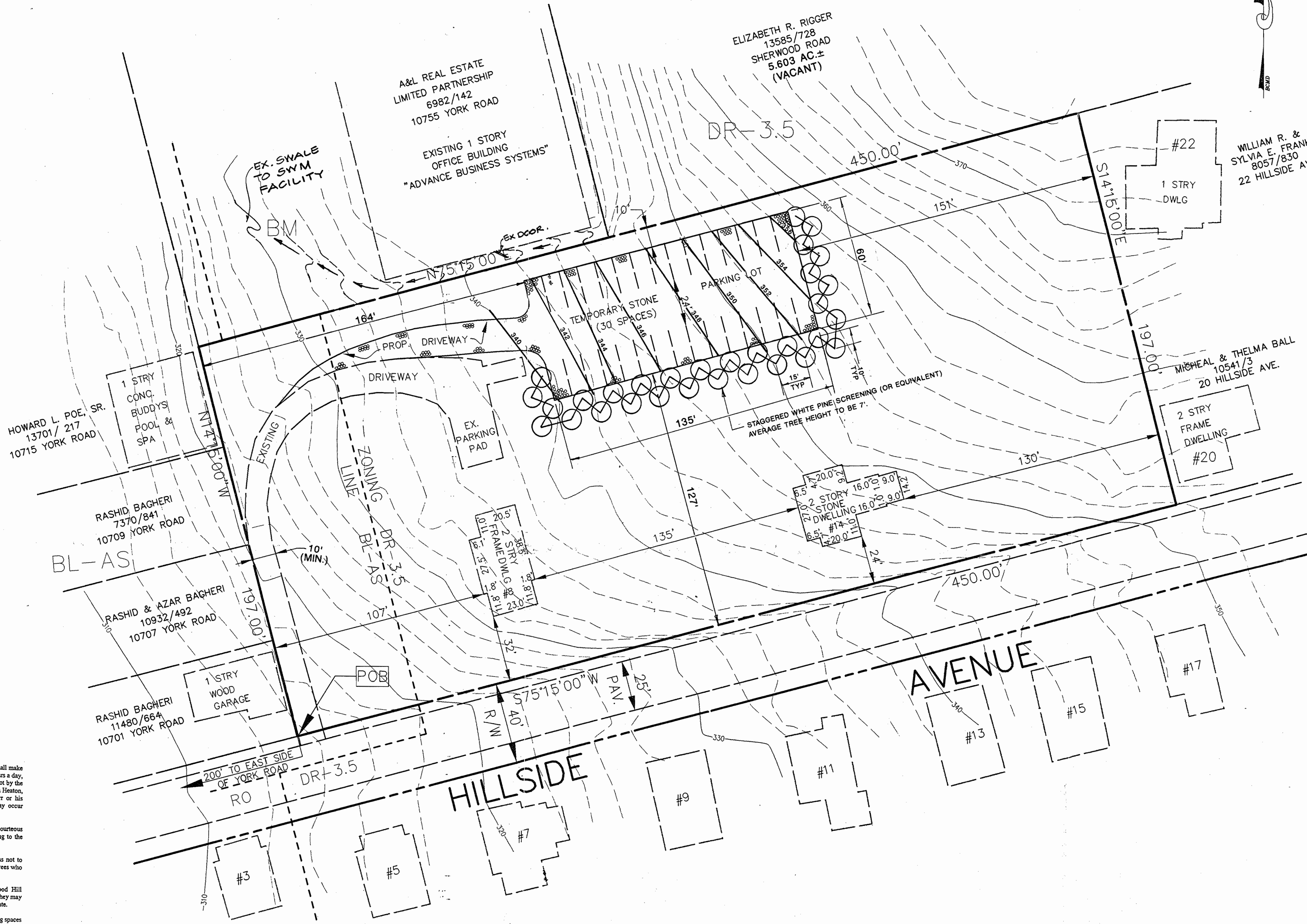


JAMES W. MCKEE
MARYLAND REG. NO. 9012

2/4/01
DATE

MCKEE & ASSOCIATES, INC.
Engineering - Land Planning - Land Surveying

Natural Resource Planning - Real Estate Development
5 SHAWAN ROAD, Suite 1 COCKEYSVILLE, MARYLAND 21030
TELEPHONE: (410) 527-1555 FACSIMILE: (410) 527-1563



VICINITY MAP
SCALE: 1" = 1000'

OWNER

NORMA J. STREMMEL REVOCABLE
LIVING TRUST AGREEMENT
DEBORAH CLEAVER, TRUSTEE
5928 DEER PARK ROAD
REISTERSTOWN, MD 21136

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING

#8 AND #14 HILLSIDE AVENUE

8TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 30'

DATE: 04/30/2002