IN RE: PETITION FOR VARIANCE

SW/S Wilson Point Road, 25' NW of c/l

Cypress Drive

(1006 – 1014 Wilson Point Road)

15th Election District

5th Council District

Stansbury Associates, LLP Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

Case No. 03-177-A

*

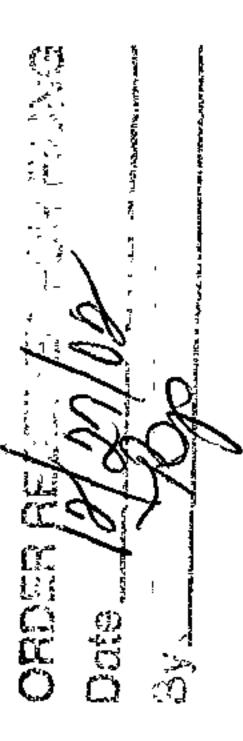
PRIOCORDA OF ANTRONIO OF ANT

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Stansbury Associates, LLP, though Phillip E. Ratcliffe, General Partner. The Petitioners request a variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 30 parking spaces in lieu of the required 50 for an existing retail shopping center. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing on behalf of the Petitioners was Thomas A. Church, Professional Engineer who prepared the site plan for this property. There were no Protestants or other interested persons present.

The subject property is a rectangular shaped parcel located on the northwest corner of Wilson Point Road and Cypress Drive, across from the Glenn L. Martin State Airport in Middle River. The property contains a gross area of 1.62 acres, more or less, zoned B.L.-A.S. and is improved with a one-story retail shopping center containing 9,845 sq.ft. in area. The building is quite old, having been constructed prior to 1945, and has been leased to a variety of tenants over the years. Currently there are four stores leasing space therein, including a liquor store, laundry facility, and a carryout restaurant. The front portion of the site contains a macadam parking lot that provides 30 parking spaces for the center.



ORDER THE THING Date WAS BY TO THE FRING

The property is located immediately adjacent to an apartment complex, known as the Stansbury Manor Apartments, which also fronts Wilson Point Road. The Petitioners have entered into an agreement with that property owner to construct two garages to the rear of the subject retail center. Their location and configuration are more particularly shown on the site plan. It is anticipated that units within these garages will be leased to tenants of the Stansbury Manor Apartments for storage purposes. The garages will be large enough to accommodate automobiles, boats, and household items.

Zoning relief is not required for the proposed garage construction; however, during the course of the permit application for those buildings, it was discovered that the number of parking spaces required for the retail shopping center is insufficient under Section 409 of the B.C.Z.R. The parking regulations therein require a certain number of parking spaces be provided, based upon the square footage of the building. For example, 5 parking spaces are required for each 1,000 sq.ft. of floor space. In this case, 50 spaces are required, given the size of the building. As noted above, only 30 spaces are provided.

Mr. Church indicated that the property is configured so that only 30 spaces can be provided on-site. He also noted that the building has been used for retail purposes for many years and apparently does not generate more traffic than can be accommodate by the existing parking lot. The absence of any Protestants at the hearing was persuasive to a finding that there is not a problem with traffic overflow onto adjacent properties or public streets.

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Variance. I am satisfied that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. for relief to be granted. However, in so granting, it is to be noted that several Zoning Advisory Committee (ZAC) comments were received regarding the proposal. The Office of Planning supports the variance but requests that the property owner screen the existing dumpsters by way of a board-on-board fence or masonry wall. Mr. Church indicated that such a requirement was acceptable. Additionally, the Department of Environmental Protection and Resource Management (DEPRM) noted that the property is located within the Chesapeake Bay Critical

Areas, and therefore, subject to those regulations. Thus, as a condition to the relief granted herein, the Petitioners shall comply with these requirements.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of December, 2002 that the Petition for Variance seeking relief from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 30 parking spaces in lieu of the required 50 for an existing retail shopping center, 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.
- 2) Petitioners shall screen the dumpsters on the subject property from the adjacent residential uses with a board-on-board fence or masonry wall.
- 3) Petitioners shall comply with the ZAC comment submitted by the Department of Environmental Protection and Resource Management, dated November 15, 2002, a copy of which is attached hereto and made a part hereof.

4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bis



December 27, 2002

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

Fax: 410-887-3468

Mr. Phillip E. Ratcliffe Stansbury Associates, LLP 2613 Cabover Drive Hanover, Md. 21076

RE: PETITION FOR VARIANCE

SW/S Wilson Point Road, 25' NW of the c/l Cypress Drive

(1006-1014 Wilson Point Road)

15th Election District – 5th Council District Stansbury Associates, LLP - Petitioners

Case No. 03-177-A

Dear Mr. Ratcliffe:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc: Mr. Thomas A. Church, Development Engineering Consultants, Inc.

6603 York Road, Baltimore, Md. 21212

Office of Planning; DEPRM; People's Counsel; Case File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at #1006-1014 WILSON POINT ROAD which is presently zoned BL-AS

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 409.6.A.2 - TO ALLOW 30 PARKING SPACES

FOR THE EXISTING RETAIL BUILDING IN LIEU OF THE REQUIRED 50.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) EXISTING RETAIL BUILDING EXISTED PRIOR TO 1945, AND NO CHANGES TO EXISTING RETAIL BUILDING ARE PROPOSED. THE CURRENT NUMBER OF PARKING SPACES (30) HAS PROVED SUFFICIENT FOR THE BUILDINGS USE, AND ADDITIONAL SPACES ARE NOT REQUIRED. GARAGES WERE APPROVED BY BALTIMORE COUNTY D.R.C. WITHOUT CONSIDERATION GIVEN PARKING FOR EXISTING RETAIL BUILDING.

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.

Contract Purchaser/Lessee:

| N/A | L | | |
|------------------------|--------------|-------|---------------|
| Name - Type or Print | | | |
| Signature | \ | | |
| Address | | | Telephone No. |
| City | | State | Zip Code |
| Attorney For Pe N/A | | | |
| Name - Type or Print | · | | |
| Signature | | | |
| Company | | | |
| Address | | | Telephone No. |
| ety S | | State | Zip Code |
| Pase No. <u>D3</u> | 7-177 | -4 | |

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):

| STANSBURY ASSOCIATES, | LLP | | |
|--|---------|-------------------|--|
| Name - Type or Print | | | |
| \sim \sim | | <u> </u> | |
| Signature | | | |
| PHILIMP LE. RATCHIEFE | GENERAL | PARTNER | |
| Name - Type or Print | | | |
| Signature William CT ARTIC | | | |
| STANSBURY ASSOCIATES 2613 CAROVER DRIVE | | 410-553-0070 | |
| Address | | Telephone No. | |
| HANOVER, | MD | 21076 | |
| City | State | Zip Code | |
| Representative to be Con | tacted: | | |
| THOMAS A. CHURCH, P.E. | #6479 | | |
| DEVELOPMENT ENGINEERING | CONSU | LTANTS, INC. | |
| Name | | | |
| 6603 YORK ROAD | | 410/377-2600 | |
| Address | | Telephone No. | |
| BALTIMORE, | MD | 21212 Zip Code | |
| City | State | Zip Code | |
| OFFICE USE ONLY | | | |
| ESTIMATED LENGTH OF HEARING 2 - 1/2/2 | | | |

Date 10 -08

UNAVAILABLE FOR HEARING

Reviewed By

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road Baltimore, Maryland 21212 (410) 377-2600 (410) 377-2625 Fax

ZONING DESCRIPTION

FOR

#1006 - 1014 WILSON POINT ROAD

Beginning at a point on the southwest side of Wilson Point Road, which is 100 feet wide at the distance of 25 feet, more or less, northwest of the centerline of the nearest improved intersecting street, Cypress Drive which is 50 feet wide, thence the following courses and distances: 1) South 59 degrees 33 minutes 15 seconds West 350.00 feet, 2) North 31 degrees 00 minutes 00 seconds West 161.00 feet, 3) North 59 degrees 33 minutes 15 seconds East 145.38 feet, 4) North 30 degrees 26 minutes 45 minutes West 4.00 feet, 5) North 59 degrees 33 minutes 15 seconds East 206.62 feet, 6) curve to the left with a radius of 799.94 feet for 165.28 feet to the place of the beginning.

Shown on the subdivision plat entitled "1st Amended Plat, Stansbury Manor Apartments", and recorded in the Land Records of Baltimore County in Plat Book S.M. 68, Folio 36.

Being also known as #1006 through #1014 Wilson Point Road and located in the 15th Election District.

Containing 56,863 square feet or 1.305 acres of land, more or

less.

89-170

September 23, 2002



111

| | § |
|--|---|
| BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT #3-177-4 | |
| DATE 16.68.62 ACCOUNT 2 61-6126 6136 MI | (新) (16) (17) (15) (16) (16) (16) (16) (16) (16) (16) (16 |
| AMOUNT \$ 550 56 | 提出年代29年49年1030年2002年 16月日 |
| FROM: Tierelogine, Togine, Togine, Control Control | Perist int \$170.00 Tel.00 G Coltinore County, Haryland |
| FOR: Commercial Verrier follogies 1006-14 Wilson Fright Fel. | |
| DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER | CASHIER'S VALIDATION |
| Land to the same of the second of the same of the second o | N |

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NOTICE OF ZONING HEARING

The Zoring 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 dentified herein as follows: Case: #03-177-A 1006-1014 Wilson Point Rd. S/west side Wilson Point Road, 25 feet north west of assisterline of Cypress Drive stant Election District (Strict Strict) Padyal Owner(s) Phillip E.
- Stansbury, GenListel Partner, Stansbury As-Asomates, LLP

Mariance: to allow 30 nshiking spaces for the ex-isting retail building in lieu of the required 50 thearing: Tuesday, Novem-thearing: Tuesday, Novem-thearing: Tuesday, Novem-thearing: Tuesday, Novem-thearing: Tuesday, Augustian thearing: Tuesday, Novem-thearing: Tuesd Deg Avenue. **DUNWRENCE E. SCHMIDT** Zoning Commissioner for *Baltimore County
-ONOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning Commissioner's Office at (410) 887-4386.
St(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391. JT/11/669 Nov 12 C573882

CERTIFICATE OF PUBLICATION

| The state of the s |
|--|
| 11/14,2002 |
| THIS IS TO CERTIFY, that the annexed advertisement was published |
| n the following weekly newspaper published in Baltimore County, Md., |
| nce in each ofsuccessive weeks, the first publication appearing on |
| The Jeffersonian |
| Arbutus Times |
| ☐ Catonsville Times |
| ☐ Towson Times |
| Owings Mills Times |
| ☐ NE Booster/Reporter |
| ☐ North County News |
| S. Wilkings |

LEGAL ADVERTISING

CERTIFICATE OF POSTING

Towson, MD 21204

Ladies and Gentlemen:

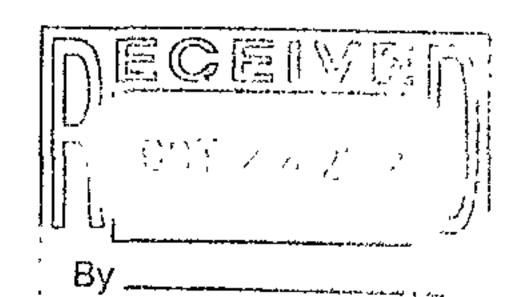
IN TOWSON, MO

documentation filed in the case.

RE: Case No.: 03.177-A Petitioner/Developer: STANSBUTD/ ASSOC. LLP Date of Hearing/Closing: 11/26/02 **Baltimore County Department of** Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Attention: Ms. Gwendolyn Stephens 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 1006-1014 WILSON The sign(s) were posted on (Month, Day, Year) Sincerely, (Signature of Sign Poster and Date) A PUBLIC HEARING WILL BE HELD BY SSG BOBERT BLACK THE LONING COMMISSIONER (Printed Name) PLACE: STORY VOTE OF ANY COLUMN PLACE. POR STORE AND ANY 1508 Leslie Rd BATE AND THE DESK WOOD IS NOT A 200 FOR (Address) Dundalk, Maryland 21222 (City, State, Zip Code) (410) 282-7940 (Telephone Number) brammand or than Orani via barana anoma soble a cominer on an an actionhomacine som 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 22nd day of October, 2002, a copy of the foregoing Entry of Appearance was mailed to Thomas A. Church, P.E., #6479, Development Engineering Consultants, Inc., 6603 York Road, Baltimore, MD 21212 Representative for Petitioner(s).



People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY

Tuesday, November 12, 2002 Issue – Jeffersonian

Please forward billing to:

Thomas A. Church, P.E.
Development Engineering Consultants, Inc.
6603 York Road
Baltimore, MD 21212

410-377-2600

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: 03-177-A 1006-1014 Wilson Point Road

S/west side Wilson Point Road, 25 feet north west of centerline of Cypress Drive 15th Election District – 5th Councilmanic District

Legal Owner: Phillip E. Ratcliffe, Stansbury, General Partner, Stansbury Associates, LLP

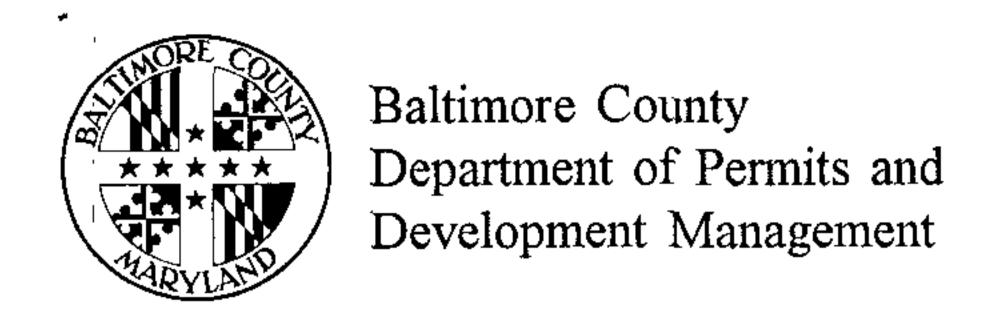
Variance to allow 30 parking spaces for the existing retail building in lieu of the required 50.

HEARING: Tuesday, November 26, 2002 at 2:00 p.m. in Room 407, County Courts' Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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.



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

October 23, 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: 03-177-A 1006-1014 Wilson Point Road

S/west side Wilson Point Road, 25 feet north west of centerline of Cypress Drive 15th Election District – 5th Councilmanic District

Legal Owner: Phillip E. Ratcliffe, Stansbury, General Partner, Stansbury Associates,

Variance to allow 30 parking spaces for the existing retail building in lieu of the required 50.

HEARING: Tuesday, November 26, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon Director

AJ:rlh

C: Phillip E. Radcliffe, General Partner, Stansbury Associates, LLP, 2613 Cabover Drive, Baltimore 21212
Thomas A. Church, P.E., Development Engineering Consultants, Inc., 6603 York Road, Baltimore 21212

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, NOVEMBER 11, 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.

Printed with Soybean Ink on Recycled Paper

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

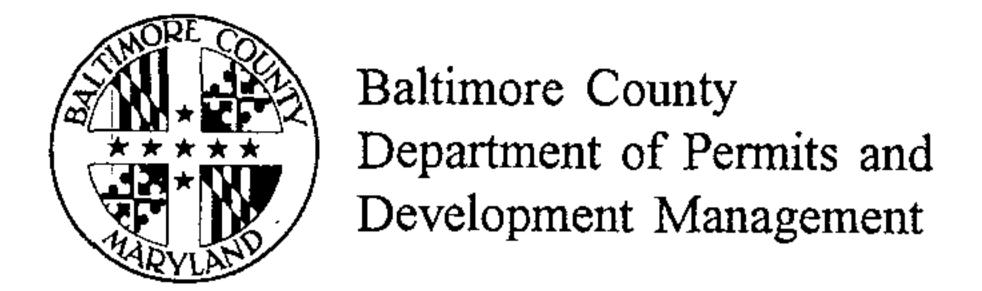
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

| For News | spaper Advertising: |
|------------|---|
| Item Num | ber or Case Number: 03-177-2 |
| Petitioner | : Stansbury Associates |
| Address o | or Location: #1006 - 1014 Wilson Point Road |
| | FORWARD ADVERTISING BILL TO: homas A. Church, P.E. |
| | Development Engineering Consultants, Inc. |
| | 6603 York Road |
| | Baltimore, MD 21212 |
| Telephone | Number: 410/377-2600 |

Revised 2/20/98 - SCJ



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

November 26, 2002

Stansbury Associates, LLP Phillip E. Ratcliffe, General Partner 2613 Cabover Drive Hanover, MD 21076

Dear Mr. Ratcliffe:

RE: Case Number: 03-177-A, 1006-1014 Wilson Point Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 8, 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,

u. Calliball

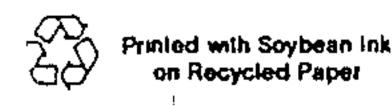
W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel
Thomas A. Church, Development Engineering Consultants, Inc., 6603 York Road,
Baltimore 21212

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





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

October 22, 2002

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

ATTENTION: George Zahner

Property Owner:

Location:

Item No.:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items: 171-179, 181

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: November 14, 2002

TO:

Arnold Jablon, Director Department of Permits &

Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 28, 2002 Item Nos.171, 173, 174, 175, 176, 177,

180, and 181

and

Item No. marked: "Use Permit Posting"

(111 Hanover Pike)

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

| TO: | Arnold Jablon |
|---------------|---|
| FROM: | R. Bruce Seeley ROS/TGT |
| DATE: | November 15, 2002 |
| SUBJECT: | Zoning Item 177 Address 1006-1014 Wilson Point Road (Stansbury Property) |
| Zoning | g Advisory Committee Meeting of October 21, 2002 |
| | epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item. |
| an exte | epartment of Environmental Protection and Resource Management requests ension for the review of the above-referenced zoning item to determine the to which environmental regulations apply to the site. |
| | epartment of Environmental Protection and Resource Management offers lowing comments on the above-referenced zoning item: |
| | Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code). |
| | Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code). |
| X | Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code). |
| X | Additional Comments: |
| This proposal | has complied with the "10% rule!" |
| Reviev | wer: John Russo Date: 10/29/02 |

Les?

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: October 24, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

* } <u>.</u> .

SUBJECT:

1006-1014 Wilson Point Raod

INFORMATION:

Item Number:

03-177

Petitioner:

Variance

Zoning:

BL-AS

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to allow 30 parking spaces in lieu of the minimum required 50 spaces, provided the existing dumpsters will be screened from view via a board-on-board fencing or a masonry wall. In addition, the petitioner should submit building elevations (including proposed materials and color schemes) and, a landscape plan to this office for review and approval prior to the issuance of any building permit.

Prepared by:

Section Chief:

AFK/LL:MAC:



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 10.22.02

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

RE: Baltimore County

Item No. 177 JJS

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,

~ K

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



Parris N. Glendening Governor Kathleen Kennedy Townsend Lt. Governor

Roy W. Kienitz
Secretary
Mary Abrams
Deputy Secretary

October 22, 2002

Mr. George Zahner 111 West Chesapeake Avenue County Office Building, Room 111 Mail Stop # 1105 Towson MD 21204

Re:

Zoning Advisory Committee Agenda, October 28, 2002

Case numbers 03-171-A, 03-173-SPH, 03-174-SPHA, 03-175-A, 03-176-A, 03-177-A 03-178-A, 03-179-SPH, 03-180-SPHA, 03-181-SPH, and 111 Hanover Pike Property

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 10/21/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto

Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: Mike Nortrup

RECEIVED

OCT 2 4 2002

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMERY



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

August 4, 2003

Mark R. Millstein Law Offices of Millstein & Shin 110 East Lexington Street, Suite 220 Baltimore, MD 21202

RE: Zoning Verification-Lori's K-9 Design Pet Store, 1006-B Wilson Point Road, Baltimore, MD 21220, 15th Election District

Dear Mr. Millstein.

Your recent letter to the director was forwarded to me for reply. Based on the information provided therein and my review of the available zoning records, the following has been determined.

- The above referenced property has the current zoning classification of BL-AS (Business Local-Automotive Service) according to the official Baltimore County zoning map NE J-3
- The proposed pet shop is a use permitted by right in the BL-AS zone subject to compliance with the 200 feet setback requirement of Section 421.2, BCZR and all other zoning standards
- Since it appears that you do not meet the 200 feet setback requirement, you will need to obtain a variance (forms and checklist enclosed) prior to final use and occupancy. In addition, you will need a special hearing (forms and checklist enclosed) to amend the order and site plan in prior zoning case # 03-177-A.
- Regarding the proposed accessory use of the property as a dog grooming facility and based on the site plan and floor plan submitted with your letter, it is the determination of this office that the dog grooming facility is a separate distinct principle use. Since dog grooming facilities are not listed as a permitted principle use in the BL-AS zone, said use would be prohibited.
- If you do not agree with the determination of this office regarding the accessory status of the dog grooming facility, you may want to petition the zoning commissioner to make a determination as part of the required special hearing to amend case # 03-177-A.
- This zoning verification is as to the "use" of the property only. Prior to any final zoning approvals relative to use and occupancy, a revised site plan and floor plan must be submitted that delineates and confirms compliance with all zoning standards, including setbacks and parking and said site plan/floor plan must include a verbatim copy of any new orders issued by the zoning commissioner
- Please be aware that this response applies to the Baltimore County Zoning Regulations (BCZR) and policies only and does not apply to regulations enforced by other Baltimore County or State agencies

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

∀effrey'N. Perlow, Planner II

Zoning Review

JNP Enclosures

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



MEMO TO FILE

To:

Larry Schmidt, Zoning Commissioner

Tim Kotroco, Deputy Zoning Commissioner

From: John J, Sullivan, Planner

Subject: Variance Petition # 03-177-A


I informed the petitioner's engineer, Tim Browne of Development Engineering Consultants Inc. that since the owner of this site is Stansbury Associates, LLP an attorney is required as it is incorporated. Mf. Browne stated that he did not believe that the ownership was incorporated. I informed him that I would state same in a memo to the file.

| PLEASE | PRINT | CLEARLY |
|--------|-------|---------|
|--------|-------|---------|

| CASE NAME | |
|-------------|--|
| CASE NUMBER | |
| DATE | |

PETITIONER'S SIGN-IN SHEET

| NAME, | ADDRESS | GITY, STATE, ZIP | E- MAIL |
|-----------|---------------|------------------|---------------------------------------|
| Tom Murch | 6603 York Rd. | 12atto 1110. 212 | 12 |
| L1. E. C. | | | |
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RE: PETITION FOR VARIANCE

1006-1014 Wilson Point Road
S/west side of Wilson Point, 25' NW

of ctrl of Cypress Drive
15th Election District 5th Councilmanic
District
Legal Owner: Phillip E. Ratcliffe, General
Partner Stansbury Assoc., LLP
Petitioner(s)

*

* BEFORE THE

ZONING COMMISSIONER

* FOR

BALTIMORE COUNTY

* 03-177-A

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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 22nd day of October, 2002, a copy of the foregoing Entry of Appearance was mailed to Thomas A. Church, P.E., #6479, Development Engineering Consultants, Inc., 6603 York Road, Baltimore, MD 21212 Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County