ORDER RECEIVED FOR FILING

 $\hat{\omega}$

IN RE: PETITION FOR VARIANCE

S/S Sulphur Spring Road, 132' E of the c/l

Link Avenue

(1327 Sulphur Spring Road)

13th Election District

1st Council District

Arthur E. Vail, DDS

Petitioner

* PEFORE THE

* ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 04-038-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Arthur E. Vail, DDS, through his attorney, Benjamin Bronstein, Esquire. The Petitioner seeks relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 232.A.2 to permit a distance between an apartment window facing a property line to be as little as 8.6 feet in lieu of the required 25 feet; from Section 409 to permit 0 parking spaces in lieu of the required 8; from Section 238.A.4 to permit amenity open space area of 0 sq.ft. in lieu of the required 1,018 sq.ft.; and, from Section 232.3.B to permit a rear yard setback of 19 feet in lieu of the required 20 feet for a proposed addition. 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 in support of the request were Dr. Arthur E. Vail, property owner, Fred Thompson, the Professional Engineer who prepared the site plan for this property, and Benjamin Bronstein, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the south side of Sulphur Spring Road, just west of Carville Avenue and across from Birch Avenue in Halethorpe. The property contains a gross area of 0.12 acres, more or less, zoned B.L.-CCC and is improved with a two-story building which features a dentists' office

on the first floor and a second floor apartment which is leased to a tenant. Testimony indicated that the building has been used as a dentist office for nearly 50 years and that Dr. Vail has operated his practice from this location for the past 20 years. The Petitioner proposes constructing an L-shaped addition to the rear of the building to provide additional office and storage space. Currently, there are three dental chairs/rooms in which to see patients; however the proposed addition will provide two additional chairs as well as storage space. It is not anticipated that the practice will grow substantially in that Dr. Vail employs only a part-time dentist and a full-time hygienist and there are no plans to increase staffing. He indicated that the additional chairs would allow more patients to be seated and prepared for dental services. Due to the proposed expansion, however, the requested variance relief is necessary.

Three of the variance requests are necessary to legitimize existing conditions on the property and permit the proposed addition. As shown on the site plan, the existing building is located 8.6' from the side property line and the proposed addition will be located a similar distance away. A minimum distance of 25 feet is required from the side property line. Thus, variance relief is necessary to legitimize the location of the existing building and apartment window and allow the proposed addition. Moreover, the proposed addition will be located 19 feet from the rear property line and a 20-foot setback is required. It is to be noted that the properties on either side of the subject lot have sheds in the rear and it appears that the proposed addition is not inappropriate or too large and is consistent with surrounding conditions.

The Petitioner also seeks relief from amenity open space requirements. In this regard, an amenity open space area of 0 sq.ft. will be provided in lieu of the required 1,018 sq.ft. In that the subject lot is undersized and given the use and character of the neighborhood, it is not practical nor possible to provide amenity open space on this lot. Thus, I am persuaded to grant this request.

The Petitioner also requests a parking variance of 0 spaces in lieu of the required 8. In this regard, it is to be noted that the area between the rear of the proposed addition and the rear property line will be paved. Although this area is not sufficiently sized under the regulations, there is apparently room for parking two vehicles. Testimony revealed that access to the rear of the site

ORDER RECEIVED/FOR FILING Date 10/10/2 is by way of an alley that leads from Link Avenue. Although the Petitioner has not claimed as credit these two parking spaces, testimony indicated that Dr. Vail and an employee typically park in that area. This appears to be a practical and workable parking arrangement in that Dr. Vail and his employee usually park there in the morning and do not leave until the end of the business day. Thus, there is not a lot of traffic to and from the site. Dr. Vail also testified that there is public parking available on Sulphur Spring Road and on other streets in the area. As noted above, he has been located at the site for over 20 years and has never had a parking problem. As shown on the site plan, there is a funeral home located across the street from this site, and there are other commercial uses in the vicinity. Thus, there appears to be sufficient on-street parking in the area. Additionally, there is a public metered parking lot owned by the County's Revenue Authority located a short distance away.

In this regard, a Zoning Plans Advisory Committee (ZAC) comment was received from the Office of Planning indicated that they would have conditional support for the parking variance if Dr. Vail obtained off-street parking through a long term lease agreement. At the hearing, Dr. Vail submitted a tentative lease with the Director of Parking and Facilities for the Revenue Authority to lease five spaces on that public lot. This lot is located nearby and within walking distance of the subject property.

After due consideration of this issue, it does not appear appropriate at this time to require the Petitioner to lease parking spaces. Obviously, metered parking is available on the public lot, however, it appears, based upon the long-term use of this property that parking is not an issue and there is sufficient on-street parking in the area. In my view, Dr. Vail's practice would suffer if his patients were unable to conveniently park and access his property. He indicated that if there was a change in the character of the area and he needed to lease five spaces in the County Revenue Authority lot, he would do so; however, it does not seem necessary at this time. The Revenue Authority has given him the option to defer on this lease and he may enter into it on a future date. At such time as he does lease space, the Revenue Authority indicated it will designate five of the metered spaces as reserved parking only for Dr. Vail's dental office.

Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

October 10, 2003

Benjamin Bronstein, Esquire 29 W. Susquehanna Avenue, Suite 205 Towson, Maryland 21204

RE: PETITION FOR VARIANCE
S/S Sulphur Spring Road, 132' E of the c/l Link Avenue
(1327 Sulphur Spring Road)
13th Election District – 1st Council District
Arthur E. Vail, DDS - Petitioner
Case No. 04-038-A

Dear Mr. Bronstein:

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:

Dr. Arthur E. Vail

1327 Sulphur Spring Road, Baltimore, Md. 21227

Mr. Fred Thompson, Gower Thompson, Inc.

429 E. Lake Avenue, Baltimore, Md. 21212

Office of Planning; People's Counsel; Case File



Visit the County's Website at www.baltimorecountyonline.info



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1327 Sulphur Spring Road

which is presently zoned BL CCC

I/We do solemnly declare and affirm, under the penalties of

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)

- 1. Section 232.A2 to permit apartment window facing a property line to be as little as 8.6 ft in lieu of the required 25 ft;
- 2. Section 409 to permit 0 parking spaces in lieu of the required 8 spaces; 1019 BB
- 3. Section 238A.4 to permit amenity open space of 0 in lieu of the required 4962 sq ft.; and
- 4. Section 232.3B to permit a rear yard setback of 19 ft in lieu of the required 20 ft.

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

- 1. The configuration of the property;
- 2. The topography of the property; and
- 3. For such other and further reasons as may be demonstrated at the time of hearing.

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			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			Legal Owner(s):		
			Arthur E. Vail Name - Type or Print		
Signature	- 		Signature	717 7	
Address	<u>,,,,,,,</u>	Telephone No.	Name - Type or Print	<u></u>	
City	State	Zip Code	Signature	P	
Attornev	For Petitioner:		1327 Sulphur Spring Road		410-242-5111
<u> </u>			Address		Telephone No.
Benjamin B	Bronstein /		Baltimore	Maryland	21227
Name - Type	or Print Sley and S		City Representative to be C	State Contacted:	Zip Code
Signature			Fred Thompson, P.E. Gov	wer Thompson, Inc	,
Company			Name		
29 West St	usquehanna Avenue, Suite 205	410-296-0200	429 East Lake Avenue		410-532-0101
Address		Telephone No.	Address		Telephone No.
Towson	Maryland	21204	Baltimore	Maryland	21212 Zip Code
	State	Zip Code	City OFFICE U ESTIMATED LENGTH C	State USE ONLY	•
	(1)4 (38) A	•	COLTWALED FEIGHT	N. HEVETIAN	
	·	-	UNAVAILABLE FOR HE	ARING	7/24/03
2 2 918 98 Care Date Date Date Date Date Date Date Dat					

ZONING DESCRIPTION DR. ARTHUR E. VAIL PROPERTY 1327 SULPHUR SPRING ROAD

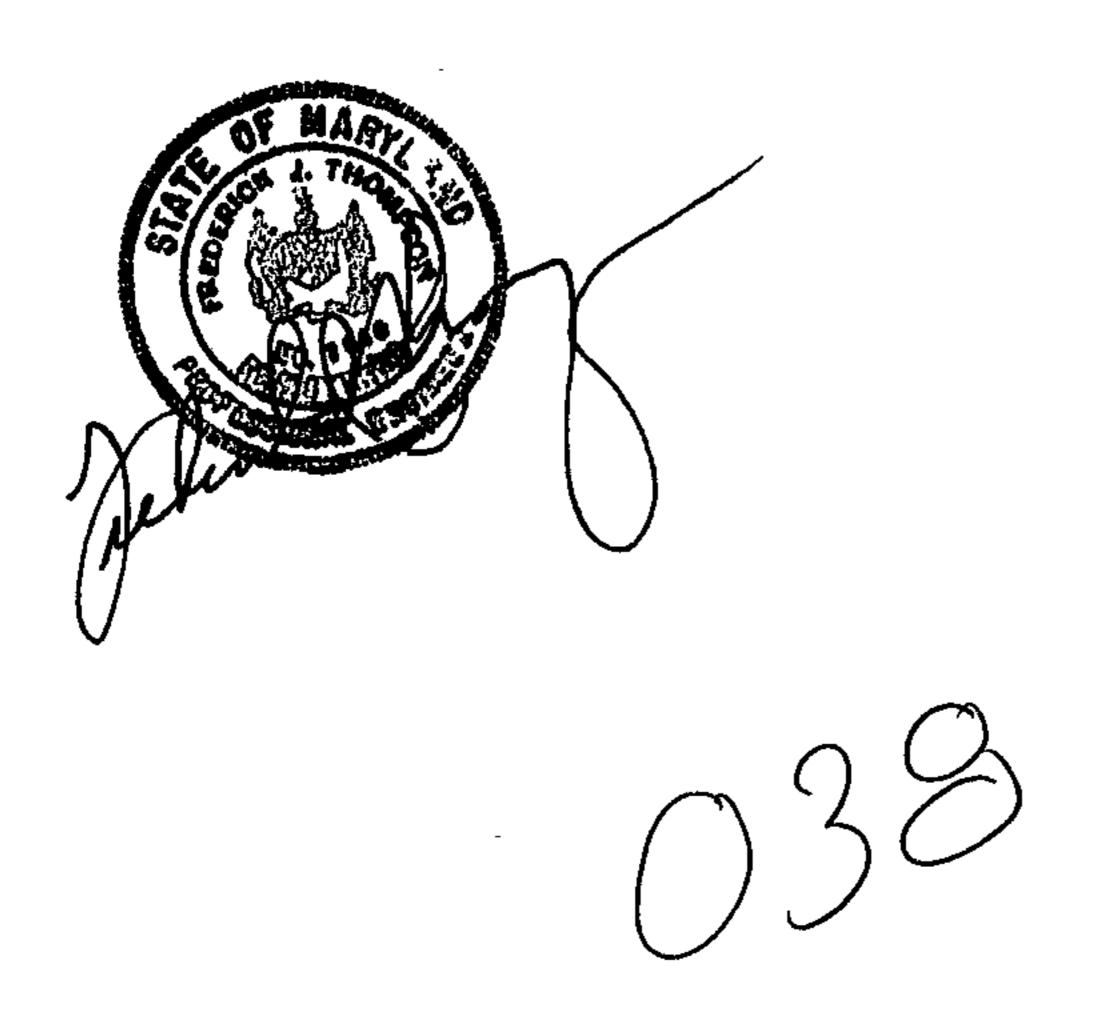
BEGINNING AT A POINT ON THE SOUTH SIDE OF SULPHUR SPRING ROAD (54 FEET RIGHT OF WAY) 132 FEET, PLUS OR MINUS, EAST OF THE INTERSECTION OF THE CENTERLINE OF LINK AVENUE AND THE SOUTHERN RIGHT-OF-WAY LINE OF SULPHUR SPRING ROAD. THENCE EXTENDING THE FOLLOWING 4 COURSES AND DISTANCES:

- 1. SOUTH 89 DEGREES 00 MINUTES 01 SECONDS EAST, 46.72 FEET;
- 2. SOUTH 00 DEGREES 32 MINUTES 42 SECONDS WEST, 108.94 FEET;
- 3. NORTH 89 DEGREES 00 MINUTES 01 SECONDS WEST, 46.72 FEET, AND;
- 4. NORTH 00 DEGREES 32 MINUTES 42 SECONDS EAST, 108.94 FEET TO THE PLACE OF BEGINNING.

BEING A PORTION OF NORTH HALETHORPE, PLAT 2, RECORDED IN 7/140

CONTAINING 0.12 ACRES MORE OR LESS.

ALSO KNOWN AS 1327 SULPHUR SPRING ROAD AND LOCATED IN THE 1ST ELECTION DISTRICT.



BALTIMORE CO	DUNTY, MAF	YLAND	6 No.	23816				
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NOTICE OF ZONING HEARING

The Zoning Commissioner of Baitimore 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 Case: #04-038-A 1327 Sulphur Spring Road S/side of Sulpher Spring Road. 132 feet east of Link Avenue 1st Election District — 13th Councilmanic District Legal Owner(s): Arthur E. Vail Variance: to permit apartment window facing a property line to be as little as 8.6 feet in lieu of the required 25 feet. To permit 0 parking spaces in lieu of the required 8 spaces. To permit amenity open space of 0 feet in lieu the required 1,018 square feet and to permit a rear yard setback of 19 feet in lieu of the required 20 feet. Hearing(s): Tuesday, September 23, 2003 at 9:00 a.m. In Room 407, County Courts Building, 401 Bostey 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.

9/105 Sep 4

CERTIFICATE OF PUBLICATION

i í
95,2003
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once 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. Wilking
LEGAL ADVERTISING

CERTIFICATE OF POSTING

	RE: Case No.: (4-038-H)
	Petitioner/Developer: PRTHUR E
	VAIL
	Date of Hearing/Closing: 9/23/03
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204	
ATTN: Becky Hart {(410) 887-3394}	
Ladies and Gentlemen:	ī
This letter is to certify under the penalties of perposted conspicuously on the property located at:	jury that the necessary sign(s) required by law were
	R SPRING RD
The sign(s) were posted on	9/6/03 (Month, Day, Year)
	Sincerely,
	·
ZONING NOTICE	(Signature of Sign Poster) 7603 (Date)
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER	SSG Robert Black
IN TOWSON, MD	(Print Name)
ACE: BOOM HOLLOLANY COURTS BY LAND BLADY AM. TE AND TIME: LIVE SIZE PROPERTY ZO ZOBAR PODAM.	1508 Leslie Road
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THE CONTRACTOR OF THE CONTRACTOR AND SOURTIMES MESTIFIALLY.	(City, State, Zip Code)
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	(Telephone Number)

RE: PETITION FOR VARIANCE
1327 Sulpher Spring Rd; S/side Sulpher
Spring Rd, 132' E Link Avenue
1st Election & 13th Councilmanic Districts
Legal Owner(s): Arthur E Vail

- BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * 04-038-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 8th day of August, 2003, a copy of the foregoing Entry of Appearance was mailed to, Fred Thompson,PE, Gower Thompson Inc, 429 E Lake Avenue, Baltimore, MD 21212, & to Benjamin Bronstein, 29 W Susquehanna Avenue, Suite 205, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED AUG O B TOTA

PETER MAX ZIMMERMAN

Peter Service County

People's Counsel for Baltimore County

PATUXENT PUBLISHING COMPANY TO: Thursday, September 4. 2003 Issue - Jeffersonian

Please forward billing to: Benjamin Bronstein 29 W. Susquehanna Ave., Ste. 205 Towson, MD 21204

410-296-0200

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: 04-038-A 1327 Sulphur Spring Road S/side of Sulphur Spring Road, 132 feet east of Link Avenue 1st Election District – 13th Councilmanic District Legal Owner: Arthur E. Vail

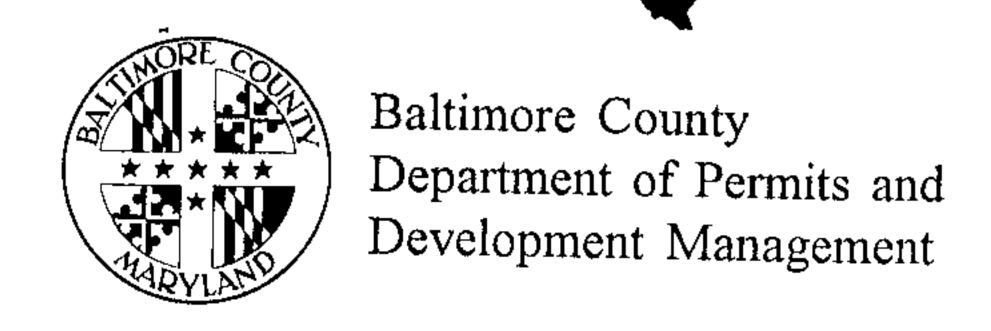
Variance to permit apartment window facing a property line to be as little as 8.6 feet in lieu of the required 25 feet. To permit 0 parking spaces in lieu of the required 8 spaces. To permit amenity open space of 0 feet in lieu the required 1, 018 square feet and to permit a rear yard setback of 19 feet in lieu of the required 20 feet. Hearings: Tuesday, September 23, 2003, at 9:00 a.m. in Room 407, County Courts

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S

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



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

Fax: 410-887-5708

August 7, 2003

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: 04-038-A

1327 Sulphur Spring Road

S/side of Sulphur Spring Road, 132 feet east of Link Avenue Legal Owner: Arthur E. Vail

Mutty Kotroco

Variance to permit apartment window facing a property line to be as little as 8.6 feet in lieu of the required 25 feet. To permit 0 parking spaces in lieu of the required 8 spaces. To permit amenity open space of 0 feet in lieu the required 1, 018 square feet and to permit a rear yard setback of 19 feet in lieu of the required 20 feet.

Hearings:

Tuesday, September 23, 2003, at 9:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: Benjamin Bronstein, 29 W. Susquehanna Ave., Ste. 205, Towson 21204 Arthur Vail, 1327 Sulphur Spring Rd., Baltimore 21227 Fred Thompson, Gower Thompson, Inc., 429 E. Lake Ave., Baltimore 21212

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, SEPTEMBER 8, 2003.

(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.

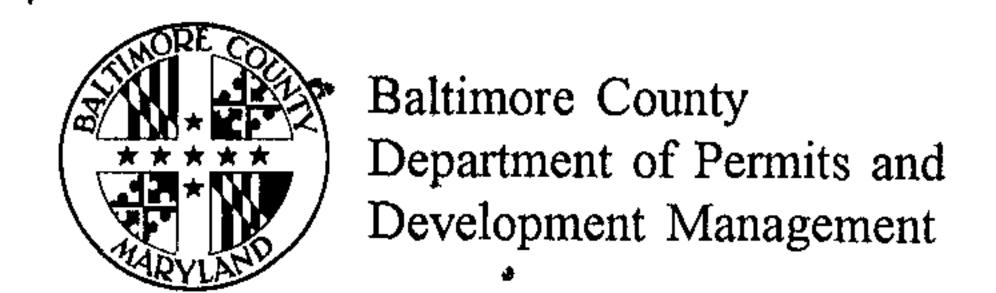
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

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.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

September 18, 2003

Benjamin Bronstein 29 West Susquehanna Ave., Ste. 205 Towson, MD 21204

Dear Mr. Bronstein:

RE: Case Number: 04-038-A, 1327 Sulphur Spring Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 24, 2003.

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. Supervisor, Zoning Review

U. Callibal)

WCR:klm

Enclosures

c: People's Counsel Arthur Vail, 1327 Sulphur Spring Road, Baltimore 21227 Fred Thompson, Gower Thompson, Inc., 429 E. Lake Avenue, Baltimore 21212



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 August 6, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: August 4, 2003

Item No.:

034, 036-045 638

Dear Ms. Hart:

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.

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

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM: Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT: Zoning Advisory Committee Meeting

For August 11, 2003

Item No. 038

The Bureau of Development Plans Review has reviewed the subject-zoning item.

DATE: September 25, 2003

The issue of on-site parking shall be addressed.

RWB:CEN:jrb

cc: File

JA 123

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case 04-038

The Office of Planning supports the petitioner's request contingent upon the location of the offsite parking to be provided by a long-term lease agreement is noted on the petitioner's site plan.

The Zoning Commissioner should determine whether the off-site parking complies with the location requirement specified in Section 409.7.B.1 of the BCZR and whether there is a satisfactory guarantee for the provision of this parking.

Prepared by:

Section Chief:

AFK/LL:MAC

KECEIVED

DATE: August 26, 2003

AUG 2 9 2003

ZONING COMMISSIONER



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

別は20mmには DepignMENT OF TRANSPORT เขาว่า

Date: 8.5.03

Baltimore County

Item No. 738

RE:

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

Towson, Maryland 21204

Dear. Ms. Hart:

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

SURFACE LOT PARKING AGREEMENT

It is my understanding that Arthur Vail, DDS, PA (Lessee) located at 1327 Sulphur Spring Road, Baltimore, Maryland 21227 wishes to lease five (5) parking spaces annually on the Revenue Authority's metered parking lot located at 5500 Selma Ave. in Arbutus, Maryland starting on Tuesday, April 1, 2003.

It is agreed that the Authority will provide "Reserved Parking Only" signs at each space to be utilized by the Lessee. The exact wording of the signage will be subject to Lessee's approval.

The Lessee agrees to pay twenty dollars (\$20.00) per space per month. Payments are due in advance by the first day of each month. This agreement is on an annual basis and is renewable and assignable to new building owners. The Revenue Authority reserves the right to increase parking fees being charged provided such increases do not exceed monthly parking fees being charged for similar parking on similar Revenue Authority lots, and with at least 1 month notification to the Lessee prior to annual renewal. Additionally, this lease can be amended from time to time to adjust the total number of spaces leased as may be agreed by both parties with at least 1 month prior notification to the Lessor of such intent. Additional discounts may be applied at the total quantity levels of 10, 15 and 20 spaces.

The undersigned agrees that the Baltimore County Revenue Authority is providing parking privileges only and is not a bailee of any vehicle or its contents, and is not responsible for any loss or damage by fire, theft or any other cause to any vehicle or part thereof, or the contents of any vehicle on its premises. The Lessor agrees to maintain the lot inclusive of lighting and snow removal. Parking enforcement falls under the control of the local police precinct or county parking control agent, not specifically the Lessor.

If you are in agreement with the terms stated above, please sign below and return this agreement at your earliest convenience.

Sincerely,

WE ALLE

Wayne W. Rice,

Director of Parking & Facilities

ACCEP	TANCE	OF A	AGREE	EMENT


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(Printed Name)	(Date)	

PLl	EASE	PRINT	CLEARLY	۳
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CASE NAME	
CASE NUMBER	
DATE	

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Sen Fronste	29 W Susquehama Avg	Tawon Md Hzo4	Sentronsferre au - con 2011/20 erols. Com
ARTHER VAIL	1327 SUPHER SPRING RD GOWER THOMPSON INC 429 E. LAKE ME	ARBUTUS, ND 21227	artuail@erols.com
FRED THOMPSON	GOWER THOMPSON INC 429 E. LAKE AVE	BATTIMORE 21212	SOUTH THOMP (AOL. COM
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Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ______ day of October 2003 that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 232.A.2 to permit a distance between an apartment window facing a property line to be as little as 8.6 feet in lieu of the required 25 feet; from Section 238.A.4 to permit amenity open space area of 0 sq.ft. in lieu of the required 1,018 sq.ft.; from Section 232.3.B to permit a rear yard setback of 19 feet in lieu of the required 20 feet for a proposed addition; and, from Section 409 to permit 2 parking spaces (as amended) in lieu of the required 8, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at his 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.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs