IN RE: PETITION FOR SPECIAL HEARING S/S of Security Boulevard, 55 ft. SE centerline of Brookdale Road 1st Election District 1st Councilmanic District (7101-7175 Security Boulevard)

> Chadwick Manor, LLC Petitioners

**BEFORE THE** 

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 04-314-SPHA

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, Chadwick Manor, LLC. The Petitioner is requesting special hearing relief for property they own at 7101-7175 Security Boulevard. The special hearing request is filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve parking in a residential zone (DR 5.5). In addition, the Petitioner is requesting a variance from Section 1B01.1.B.1.e of the B.C.Z.R., to allow a RTA buffer and tract boundary setback a minimum of 20 ft. in lieu of the required 50 ft. buffer and 75 ft. setback.

The property was posted with Notice of Hearing on February 29, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on March 2, 2004 to notify any interested persons of the scheduled hearing date.

Notice is taken that the property, which is the subject of this special hearing request, is zoned DR 5.5 and BL-AS.

### Applicable Law

Section 500.7 of the B.C.Z.R. Special Hearings



The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

Section 307 of the B.C.Z.R. – Variances.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted. as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

### **Zoning Advisory Committee Comments**

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Office of Planning dated February 9, 2004 which recommended denial of the Petitioner's requests. However, the Planning Office issued a revised recommendation of March 9, 2004, in which the Planning Office recommended approval subject to certain conditions. Copies of both recommendations are attached hereto and made a part hereof. The Office of Planning supports the Petitioner's request subject to the review and approval of lighting and landscape plans by the Director of Planning prior to the issuance of permits.

# SAN THEOREM FOR FILLING

### **Interested Persons**

Appearing at the hearing on behalf of the requested special hearing and variance was Steve Warfield, the civil engineer who prepared the plan to accompany the petition, Arthur Adler, and Sally Malena, appearing on behalf of the Petitioner. David Karceski Esquire and Arnold Jablon, Esquire appeared as co-counsel at the hearing to represent the Petitioner. Donald Seiss and Joyce Hall appeared at the hearing as citizens. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

### **Testimony and Evidence**

The attorneys for the Petitioner proffered that this property is the location of a shopping center located at the intersection of N. Rolling Road and Security Boulevard and is zoned DR 5.5 and BL-AS. The center has a long zoning history involving variances for parking in which the center was permitted to offer as low as 707 parking spaces in lieu of the required 938. At the time, the center was anchored by a large food store with assorted retail stores and restaurants. The center then fell on hard times as a retail outlet center and much of the leaseable area was vacant.

Two years ago, the present owner purchased the property and has invested substantially to change its character from a retail center to an office complex with associated retail and restaurant uses. Among the new tenants is Kaiser Permanente, which offers health care services in support of the large governmental agencies in the Woodlawn area. The primary purpose of the subject requests is to provide more parking in the area of Kaiser Permanente's front door. This area adjoins a residential area of single-family homes on Newcastle and Brookdale Roads. Consequently, the issue raised is how to buffer these homes from the expanded parking area.

The Petitioner proffered that by redesigning the existing parking lot at North Rolling Road and Security Boulevard it was able now to offer 873 spaces (up from 707). However, these spaces were on the opposite side of the center from the Kaiser Permanente front door and are not where this tenant and its guests ordinarily would look to park. The proposal is to provide one more aisle of parking in the DR 5.5 zoned area, which has been used for parking for the center for many years. At present there are 141 spaces in this area. The Petitioner would like to increase this to 274 spaces. To reduce traffic on the adjacent residential streets, the Petitioner will add a new access roadway across the median of Security Boulevard aligned with the existing entrance to the center and provide a left turn lane leading to this new entrance.

The citizens attending the hearing were primarily concerned about improving the existing buffer area between their homes and the parking lot. They also wanted to add fencing to the buffer area to prevent foot traffic across their property to the center and to improve drainage by the center. The Petitioner's landscape architect presented several landscape plans which apparently more than satisfied the adjacent property owners. This would include dense planting of evergreen trees and the requested fence within the 20 ft. buffer area. They were also assured the drainage would be improved as requested. Although the plans submitted were focussed on the subject parking area, the landscape architect testified that this was part of a new landscape plan for the whole center in which the owner had invested over \$15 million. William Jones, from the Baltimore County Economic Development Office, appeared in support of the requests attesting to the considerable investment and improvement the owner had contributed to the center and this area of the County.

Counsel for the Petitioner proffered that the property was unique in that is was built out and, therefore, did not allow parking improvements without these requests. The owner had already redesigned the parking lot to increase parking in that area to its maximum potential. The fact that the property was split zoned added a special burden not imposed on nearby commercial properties. The odd shape of the lot added to this problem. Being surrounded by roads restricts the owner from acquiring more property to alleviate the parking situation. They proffered that to deny the requests would result in a hardship and that granting the requests would not adversely impact the neighborhood. In fact, they argued that the buffer would be substantially improved by the new landscape plan even though the width would be reduced to 20 ft.

### Findings of Fact and Conclusions of Law

I find that the reduction of the buffer zone will not adversely impact the residential community adjacent to the parking area. In fact, it appears from the testimony and evidence submitted that the buffering will be improved over what is presently available to the community. I further find that the special hearing to allow business parking in a residential zone should be granted as the parking facility will not be detrimental to the health, safety or welfare of the community. I will require the Petitioner to follow the March 9, 2004 comment from the Planning Office regarding lighting and landscaping.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and for the reasons given above, the special hearing request and variance request shall be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this <u>\(\sigma\)</u> day of March, 2004, that the Special Hearing request filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve parking in a residential zone (DR 5.5), be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the Petitioner's request for variance from Section 1B01.1.B.1.e of the B.C.Z.R., to allow a RTA buffer and tract boundary setback a minimum of 20 ft. in lieu of the required 50 ft. buffer and 75 ft. setback, be and is hereby APPROVED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. Compliance with the ZAC comments made by the Office of Planning dated March 9, 2004, a copy of which is attached hereto and made a part hereof.

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

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj

### 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

March 18, 2004

David Karceski Esquire Arnold Jablon, Esquire Venable, Baetjer & Howard, LLP 210 Allegheny Avenue Towson, Maryland 21204

> Re: Petition for Special Hearing Case No. 04-314-SPHA Property: 7101-7175 Security Boulevard

Dear Messrs. Karceski & Jablon:

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,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure



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

### Copies to:

Steve Warfield Matis/Warfield, Inc. 10540 York Road, Suite M Hunt Valley, MD 21030

Arthur Adler 100 Painters Mill Road, Suite 900 Owings Mills, MD 21117

Sally Malena 512 Virginia Avenue Towson, MD 21204

Donald Seiss 1928 Brookdale Road Baltimore, MD 21244

Joyce Hall 1923 Brookdale Road Baltimore, MD 21244

### Copies to:

Steve Warfield Matis/Warfield, Inc. 10540 York Road, Suite M Hunt Valley, MD 21030

Arthur Adler 100 Painters Mill Road, Suite 900 Owings Mills, MD 21117

Sally Malena 512 Virginia Avenue Towson, MD 21204

Donald Seiss 1928 Brookdale Road Baltimore, MD 21244

Joyce Hall 1923 Brookdale Road Baltimore, MD 21244



# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7101-7175 Security Boulevard which is presently zoned DR5.5 and BI 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Business parking in a residential zone (DR5.5).

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:	Legal Owner(s):								
	CHADWICK MANOR, LLC								
Name - Type or Print	Name - Type or Print								
Signature	Signature By: Howard Brown Manager								
Address Telephone No.	Name - Type or Print								
City State Zip Code	Signature								
Attorney For Petitioner:	100 Painters Mill Road, S-900 (410) 363-343								
	Widipas								
Robert A. Hoffman	Owings Mills, Maryland 21117 City State Zp Code								
Name - Type or Frink A Holler Jahr	Representative to be Contacted:								
Signature Venable LLP									
	Robert A. Hoffman Name								
Company 210 Allegheny Avenue (410) 494-6200	210 Allegheny Avenue (410) 494-6200								
210 Allegheny Avenue (410) 494-6200 Address) Telephone No.	Address Talephone No.								
Towson, Maryland 21204 Zip Code	Towson, Maryland 21204 City State Zip Code								
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	OFFICE USE ONLY								
2 ( )	ESTIMATED LENGTH OF HEARING								
Mcase No. 04-31458HA	UNAVAILABLE FOR HEARING								
Case No.	1, 7.64								
R	eviewed By Cont Date								

220 9115198



# Petition for Variance

### to the Zoning Commissioner of Baltimore County

for the property located at 7101-7175 Security Boulevard which is presently zoned DR5.5 and BL-AS

IMVe do solemnly declare and affirm, under the penalties of

perjury, that I/we are the legal owner(s) of the property which

This Patition 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)

Variance from Section 1801.1.8.1.e of the Baltimore County Zoning Regulations to allow a RTA buffer and tract boundary setback a minimum of 20 feet in lieu of the required 50 foot buffer and 75 foot seback.

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

To be determined at hearing. .

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

It 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.

	is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
Name - Type or Print	CHADWICK MANOR, LLC Name - Type or Print
Signature	Signature By: Howard Brown Manager
Address Telephone No.	Name - Type or Print
City State Zip Code	Name - Type or Print Signature
Attorney For Petitioner:	100 Painters Mill Road, S-900 410-363-3434 Address
Robert A. Hoffman	Owings Mills. Maryland 21117
Name - Type of Print / Mulle Signature	Representative to be Contacted:
Venable LLP Company	Robert A. Hoffman
210 Allegheny Avenue (410) 494-6200 Address Telephone No.	210 Allegheny Avenue (410) 494-6200 Address Address
Towson, Maryland 21204	Towson, Maryland 21204 Zip Coce
City Zip Code	OFFICE USE ONLY
· 14-21450HA.	ESTIMATED LENGTH OF HEARING
Case No. 7	UNAVAILABLE FOR HEARING Date 1.2.04

### Matis Warfield

consulting engineers

## ZONING DESCRIPTION to Accompany Petition For Special Hearing and Variance Request

Beginning at a point on the south side of Security Boulevard which is 120-feet wide at the distance of 55-feet southeast of the centerline of the nearest improved intersecting street, Brookdale Road, which is 60-feet wide. Thence the following courses and distances:

S 75° 14' 20" E 618.94'; ARC WITH A RADIUS OF 239.00' LENGTH: 214.43'; S 14° 44' 40" E 124.41'; S 75° 15' 20" W 172.05'; S 16° 04' 00" E 170.34'; ARC WITH A RADIUS OF 735.00' LENGTH: 346.43'; S 84° 21' 40" W 35.33'; N 50° 41' 30" W 95.00'; ARC WITH A RADIUS OF 180.00' LENGTH: 282.74'; S 39° 18' 30" W 171.89'; ARC WITH A RADIUS OF 168.85' LENGTH: 47.84'; N 34° 27′ 30″ W 112.46′; N 86° 57' 00" W 62.39'; N 59° 21' 50" W 175.00'; N 30° 38′ 10" E 123.54'; N 07° 06' 00" W 105.55'; ARC WITH A RADIUS OF 290.00' LENGTH: 344.88'; N 14° 45' 40" E 358.61'; N 59° 45' 40" E 35.36'; To the point of beginning, As recorded in Plat Book 75, Page 113 Containing 14.6596-acres±. Also known as Boulevard Place (A.K.A. Chadwick Manor Shopping Center), and located in the 1st Election District.

THIS DESCRIPTION COMPILED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCES OR AGREEMENTS



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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: #04-314-SPHA 7101-7175 Security Boulevard S/west corner of Security Boulevard and Rolling Road 1st Election District 1st Councilmanic District Legal Owner(s): Chadwick Manor, LLC Howard Brown, Manager Special Hearing: to permit business parking in a residential zone. Variance: to permit a RTA buffer and tract boundary setback a minimum of 20 feet in lieu

minimum of 20 feet in lieu of the required 50 foot buffer and 75 foot setback.

Hearing: Tuesday, March 16, 2004 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Ave-

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) 887-3301

3391. JT/3/601 Mar. 2 C652119

### CERTIFICATE OF PUBLICATION

3/4,2004
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 32,2004.
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. Wilkingan

LEC.'L ADVERTISING

### CERTIFICATE OF POSTING

RE: Case No.: 04-314-9PHA

Petitioner/Developer: CHADWLC MANDR

HOWARD BROWN, MANAGER

Date of Hearing/Closing: 3/16/04

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

**ATTN: Kristen Matthews {(410) 887-3394}** 

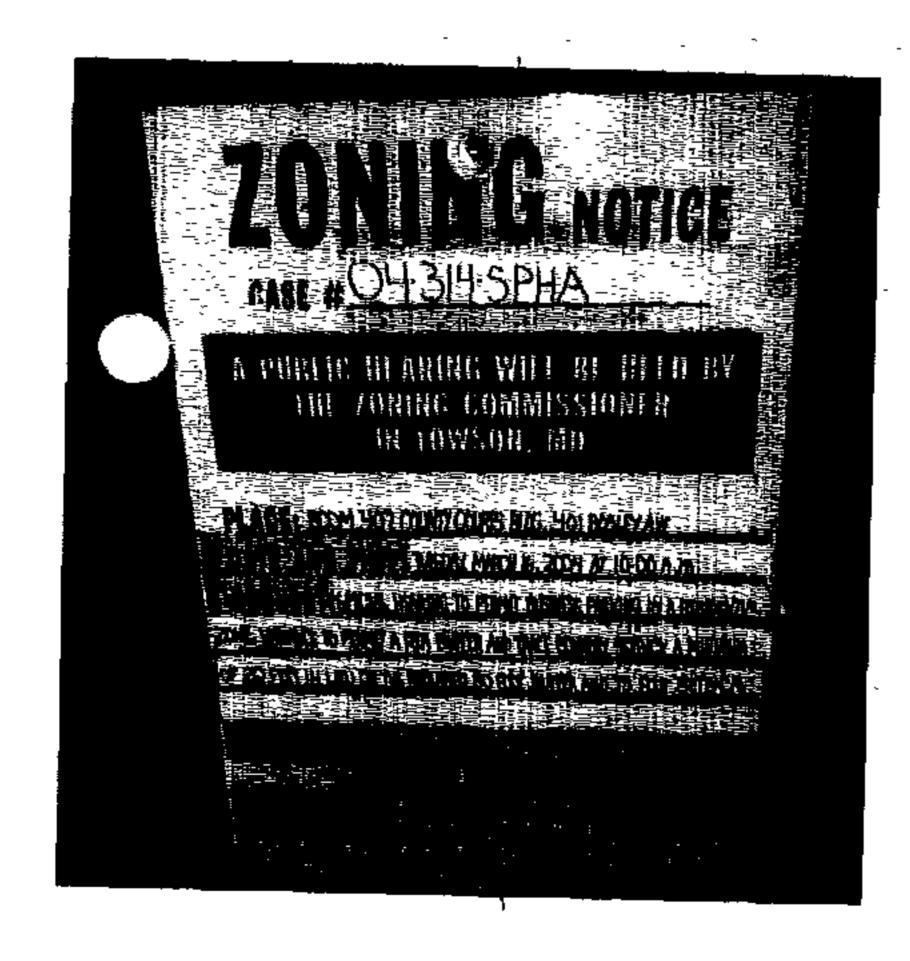
Ladies and Gentlemen:

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:

7101-7175 SECURITY BOXLEVARD

The sign(s) were posted on 2/29/04 (Month, Day, Year)

Sincerely,



Robert Black 2/29/04 (Signature of Sign Poster) (Date)	
SSG Robert Black	
(Print Name)	
1508 Leslie Road	
(Address)	
Dundalk, Maryland 21222	
(City, State, Zip Code)	
(410) 282-1940 RECEIVED	
(Telephone Number)	
MAR " 5 2004	1
	- {
DEPT. OF PERMITS AND DEVELOPMENT MANAGEMEN	

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE
AND VARIANCE
7101-7175 Security Boulevard; SW/corner \* ZONING COMMISSIONER
of Security Boulevard & Rolling Road
1st Election & 1st Councilmanic Districts \* FOR
Legal Owner(s): Howard Brown, Manager,
Chadwick Manor, LLC \* BALTIMORE COUNTY
Petitioner(s)

\* \* \* \* \* \* \* \* \*

### 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

04-314-SPHA

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28<sup>th</sup> day of January, 2004, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, Md 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY

Tuesday, March 2, 2004 Issue - Jeffersonian

Please forward billing to:

Amy Dontell

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: 04-314-SPHA

7101-7175 Security Boulevard

S/west corner of Security Boulevard and Rolling Road

1<sup>st</sup> Election District – 1<sup>st</sup> Councilmanic District

Legal Owner: Chadwick Manor, LLC, Howard Brown, Manager

<u>Special Hearing</u> to permit business parking in a residential zone. <u>Variance</u> to permit a RTA buffer and tract boundary setback a minimum of 20 feet in lieu of the required 50 foot buffer and 75 foot setback.

Hearing: Tuesday, March 16, 2004, 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 ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S

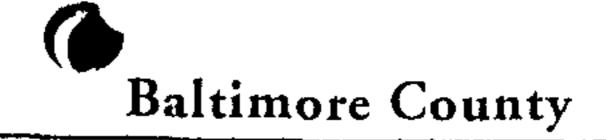
OFFICE AT 410-887-4386.

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

## Department of Permits an Development Management

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708





James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

January 23, 2004

### 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: 04-314-SPHA

7101-7175 Security Boulevard
S/west corner of Security Boulevard and Rolling Road

1<sup>st</sup> Election District – 1<sup>st</sup> Councilmanic District
Legal Owner: Chadwick Manor, LLC, Howard Brown, Manager

<u>Special Hearing</u> to permit business parking in a residential zone. <u>Variance</u> to permit a RTA buffer and tract boundary setback a minimum of 20 feet in lieu of the required 50 foot buffer and 75 foot setback.

Hearing: Tuesday, March 16, 2004, at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: Robert Hoffman, Venable, 210 Allegheny Avenue, Towson 21204 Chadwick Manor, Howard Brown, 100 Painters Mill Road, Owings Mills 21117

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 1, 2004.

- (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.



### 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 Newspape	<u>r Advertising:</u>		211		
Item Number o	Case Number:	•	<u>5/T</u>	<del></del>	
Petitioner:	CHADY	MCK/	MANOIZ,	cumy Bo	
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### Department of Permits and Development Management

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



### Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

March 9, 2004

Robert A. Hoffman Venable, LLP 210 Allegheny Avenue Towson, Maryland 21204

Dear Mr. Hoffman:

RE: Case Number: 04-314-SPHA, 7101-7175 Security Boulevard

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 7, 2004.

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. Call Rihall

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

People's Counsel

Chadwick Manor, LLC Howard Brown 100 Painters Mill Road Owings Mills 21117



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



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

January 20, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of:

January 20, 2004

Item No.:

311-320

Dear Ms. Hart:

6. 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

DATE: February 10, 2004

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor
Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 26, 2004
Item Nos. 311, 312, 313, 314, 315, 316;
317, 319, and 320

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

RWB:CEN:jrb

cc: File

3/16°

### BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

R. Bruce Seeley////

DATE:

January 26, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of January 20, 2004

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-311

(04-312

(04-313

04-314

04-315

04-317

04-320

Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

m/3/16

**DATE:** February 9, 2004

RECEIVED

MING COMMISSIONET

### 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:** 

7101-7175 Security Blvd.

**INFORMATION:** 

**Item Number:** 

4-314

Petitioner:

Chadwick Manor. LLC.

Zoning:

DR 5.5 and BL-AS

Requested Action:

Special Hearing/Variance

### SUMMARY OF RECOMMENDATIONS:

The Office of Planning recommends that the petitioner's request be **DENIED** as there does not appear to be any practical difficulty or unreasonable hardship to justify the requested variances.

Furthermore, the expansion of this parking lot will adversely impact the adjacent residential properties. It will place business parking in close proximity to several single family detached dwellings. In addition, the proposed expansion will result in the removal of the existing tree line that serves as a natural buffer between the residential and commercial uses (see attached orthophoto). The wooded buffer is also an attractive feature of this site and the neighborhood.

Prepared by:

Section Chief: Cany Schlabouch

AFK/LL:MAC:

3/16

**DATE:** March 9, 2004

a COMMISSIO

### 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:** 

7101-7175 Security Blvd.

**INFORMATION:** 

**Item Number:** 

4-314

Petitioner:

Chadwick Manor. LLC.

Zoning:

DR 5.5 and BL-AS

Requested Action:

Special Hearing/Variance

### SUMMARY OF RECOMMENDATIONS:

The Office of Planning recommends that the petitioner's request be granted subject to review and approval of a lighting and landscaping plan by the Director of Planning prior to the issuance of permits.

Prepared by:

**Section Chief:** 

AFK/LL:MAC:

MONINCEN LEGISCED EX



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

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

1 cm

### MARYLAND DEPARTMENT OF TRANSPORTATION

RE:

Date: 1.20.09

Baltimore County

Item No. 314

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

Dear Ms. Hart:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

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,

f. f. stoul

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

PLEASE PRINT CLEARLY

CASE NAME TSOMBERS PLACED PLACES PARA A-314 - SMA

# PETITIONER'S SIGN-IN SHEET

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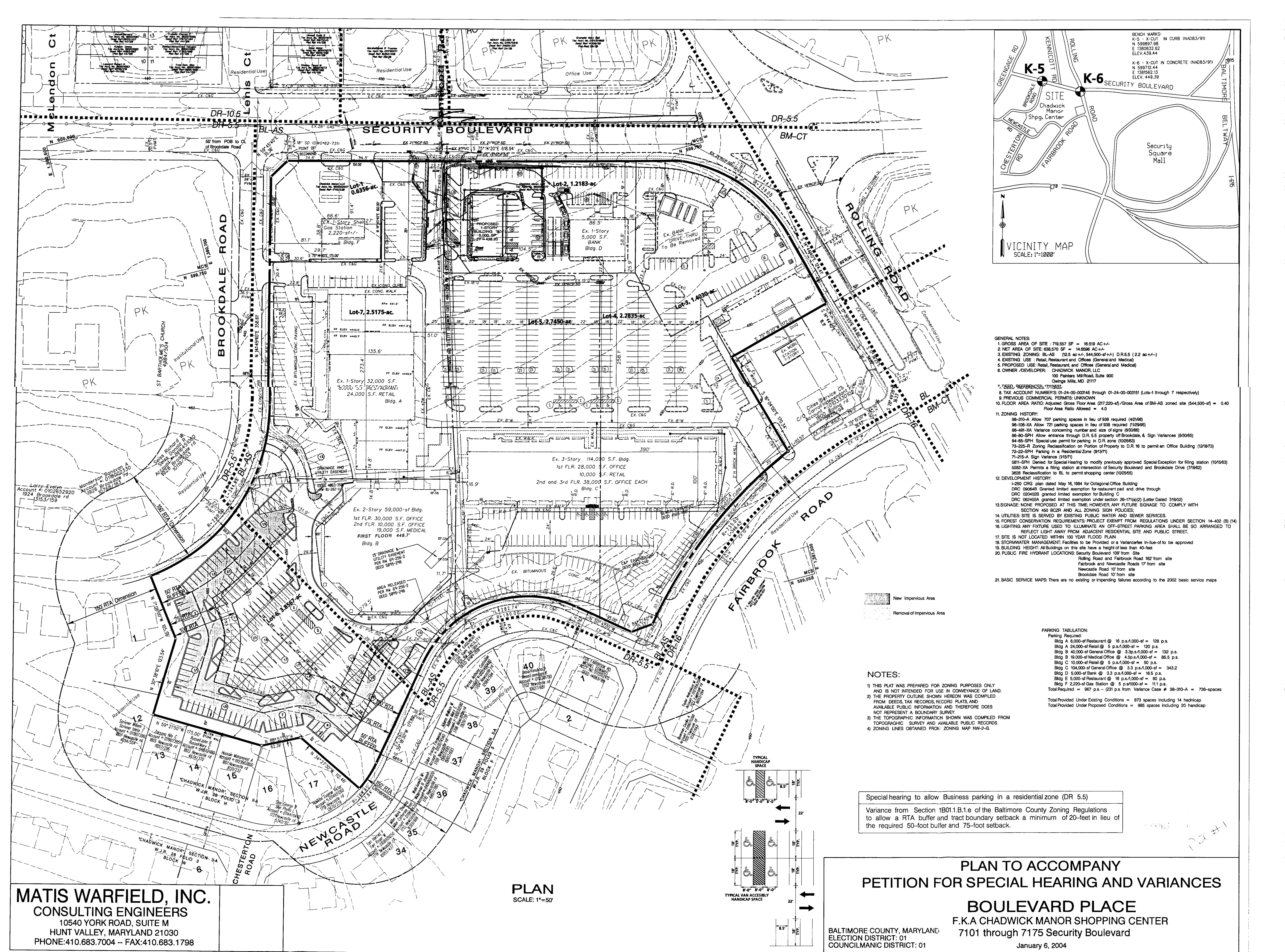
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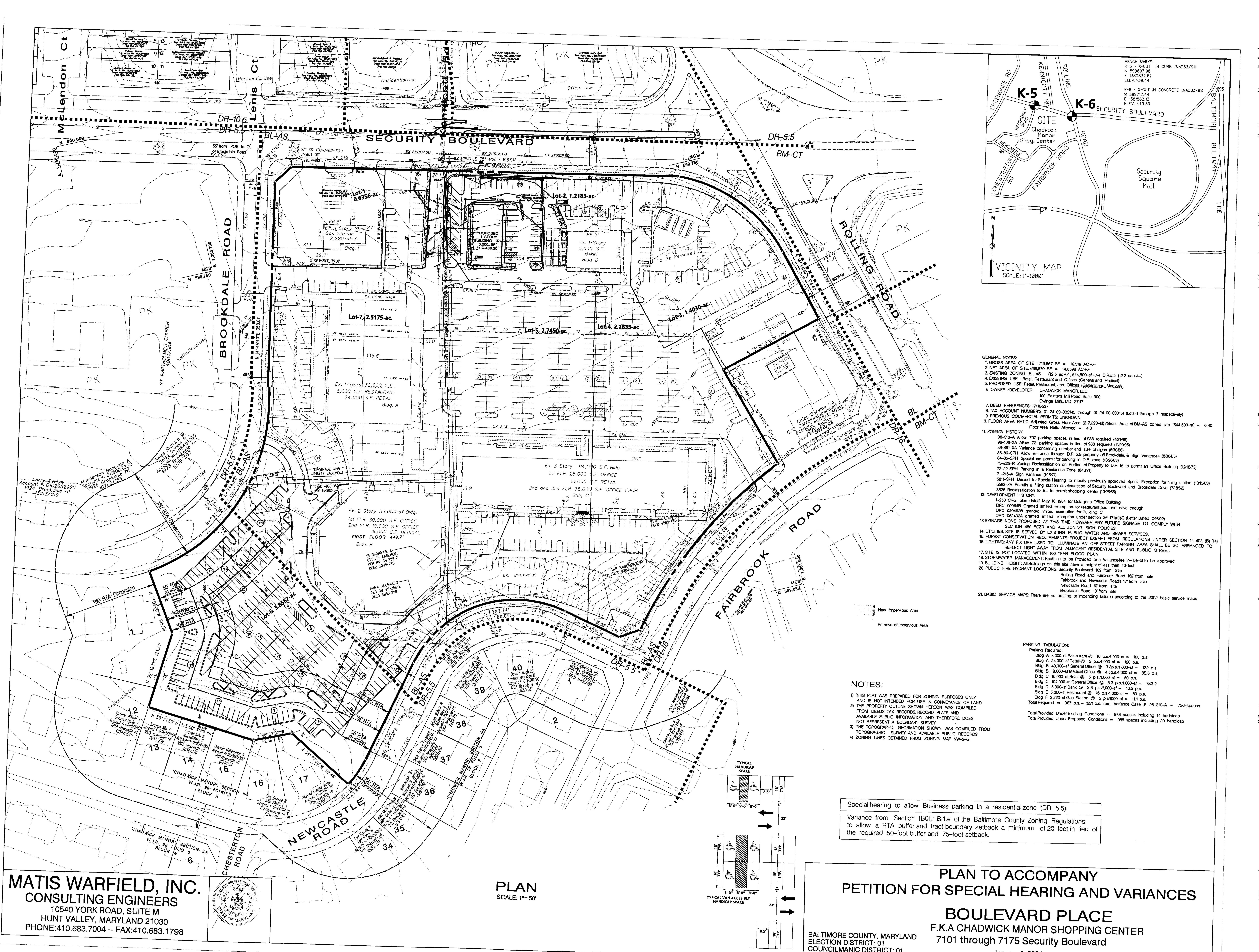
# CITIZEN'S SIGN-IN SHEET

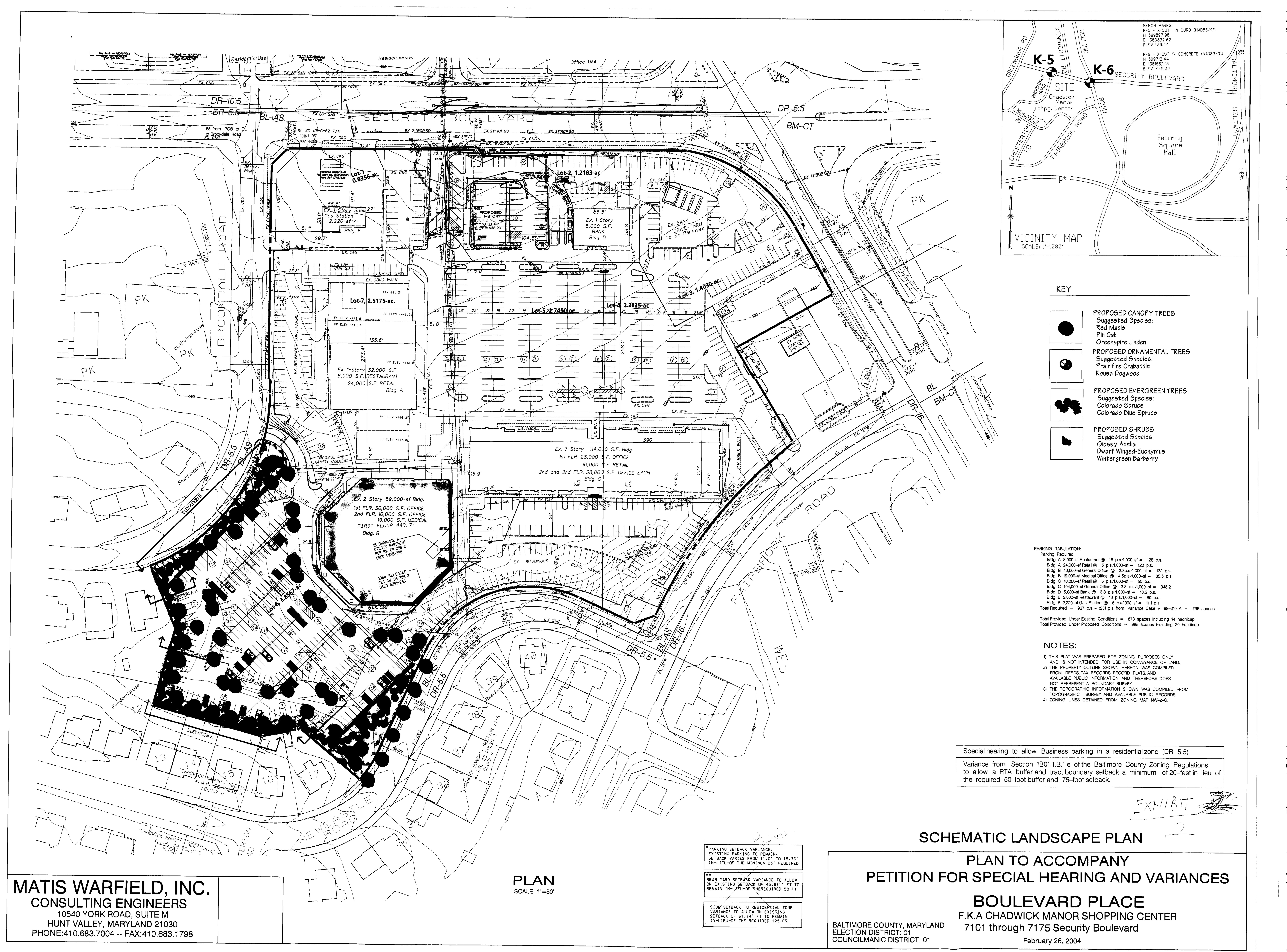
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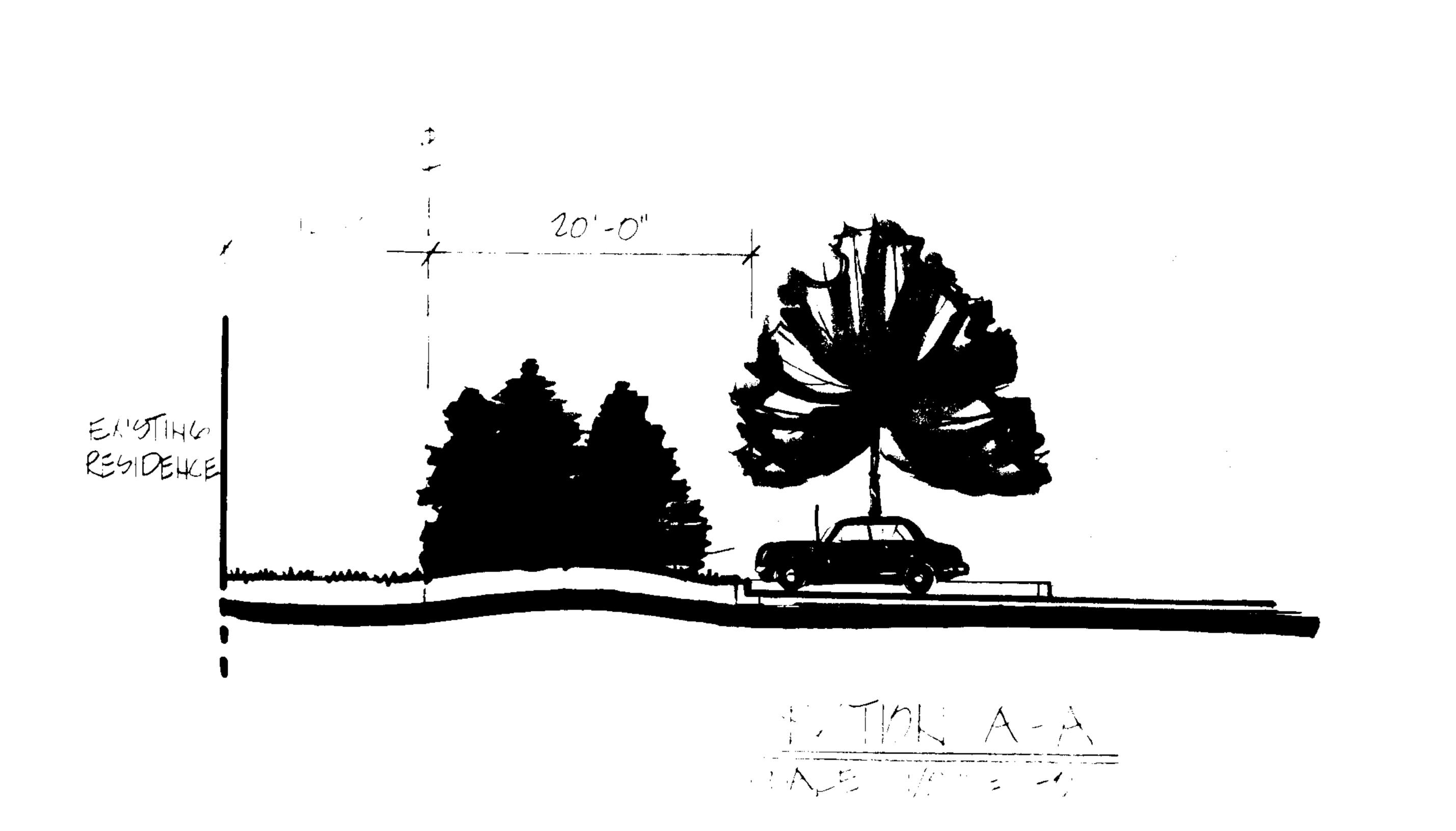
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