

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE – W/S Rolling Road,
44.91' S of the c/l Tudsbury Road * ZONING COMMISSIONER
(2500 Rolling Road)
2nd Election District * OF BALTIMORE COUNTY
2nd Council District * Case No. 04-473-XA
Rolling Road Ventures, LLC
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owners of the subject property, Rolling Road Ventures, LLC, by Paul Harans, Member. The Petitioners request a special exception to utilize the subject property as a Class B Office Building, pursuant to Section 204.3.B.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, variance relief is requested as follows: 1) from Sections 413.1 and 204.3.C of the B.C.Z.R. to permit an additional freestanding sign with a surface area of no more than 40 sq.ft. per face in lieu of the maximum allowed 15 sq.ft. per side, and located adjacent to a residentially used frontage in lieu of the requirement that the frontage be non-residentially used; 2) from Section 204.4.C.4 to permit a minimum side yard setback of 10 feet in lieu of the required 20 feet adjacent to predominantly residentially zoned and used property; 3) from Section 204.4.C.5 to permit a minimum rear yard setback of 25 feet in lieu of the required 30 feet; 4) from Section 204.4.C.9.c(1) to permit a landscape buffer of 10 feet in lieu of the required 20 feet, which abuts property that is predominantly residentially zoned and used; and, 5) from Section 409.6.A.2 to permit the number of required off-street parking spaces for 25% medical office or clinic (4.5 per 1,000 sq.ft.) and 75% general offices (3.3 per 1,000 sq.ft.) as calculated for the proposed 7,000 sq.ft. of gross floor area Class B Office Building to be 22 parking spaces in lieu of the required 25, after allowing for the transit adjustments to general requirements, pursuant to Section 409.6.B which applies to this site. The subject property and requested relief are more

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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 If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.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) The proposed development shall comply with the recommendations made by the Office of Planning as set forth in their ZAC comments dated May 5, 2004, a copy of which is attached hereto and made a part hereof. However, the Petitioners shall not be required to install a 6-foot tall privacy fence along the property line adjoining residential uses.
- 3) When applying for any permits, the site plan/landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petitioners shall have five (5) years from the date of this Order in which to utilize the special exception relief granted.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

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