IN RE: PETITION FOR VARIANCE

W/S Gilroy Road, 1440' S of the c/l

Beaver Dam Road
(10710 Gilroy Road)
8<sup>th</sup> Election District
3<sup>rd</sup> Council District

- \* BEFORE THE
- \* ZONING COMMISSIONER
- \* OF BALTIMORE COUNTY
- \* Case No. 05-071-A

Commercial Properties, LLC, Owners; Century Engineering, Inc., Contract Purchasers

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, Commercial Properties, LLC, and the Contract Purchasers, Century Engineering, Inc., by their attorney, Matthew L. Kimball, Esquire. The Petitioners request variance relief from Sections 255.2, 243.1 and 243.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front or side yard setback of 31' in lieu of the required 75' or 50' (whichever is applicable); a side yard setback of 0' in lieu of the required 50' for a proposed parking deck; and, a distance between the proposed building and parking deck of 60' in lieu of the required 100'. 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 Francis Smyth, President of Century Engineering, Inc., Contract Purchasers, Paul Lee, a Professional Engineer who prepared the site plan for this property, and Matthew Kimball, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped unimproved parcel located with frontage on the western end of Gilroy Road, a cul-de-sac just west of Beaver Dam Road, and abuts the right-of-way for the Baltimore Harrisburg Expressway (I-83). The property is also known as Lot 53 of the Hunt Valley Business

Community, and contains a gross area of 2.394 acres, more or less, zoned M.L.-I.M. The property is presently unimproved; however, has been used as a parking area for the adjacent lot (Lot 53), which is improved with a commercial/industrial building.

The Petitioners propose the construction of a four-story office building for Century Engineering, Inc. The total internal square footage of the building will be 50,000 sq.ft., including the basement level. In addition to the freestanding building, the Petitioners also propose a two-level parking deck (garage), which will be located between the proposed building and the existing building on the adjacent lot. It is anticipated that both buildings will utilize the parking spaces that will be provided by the garage. In addition to the garage, a portion of the site will be used to provide outside parking.

Three variances are requested in order to approve the site plan as submitted. The first is to allow a setback of 31 feet from the front corner of the building to the right-of-way for Gilroy Road. A question was raised within the Petition as to whether the setback required is from the front yard requirements (75 feet) or side yard requirements (50 feet). In examining the site plan, it is my judgment that relief need be requested from the side yard setback requirements. It is clear that given the unique shape of the lot, this dimension is measured from the side corner of the building towards the right-of-way for Gilroy Road. Thus, relief is requested to permit a 31-foot side yard setback in lieu of the required 50 feet.

The second variance relates to the parking deck. The proposed deck will immediately abut the property line between the subject lot and the adjacent Lot 53. As noted above, the parking deck will be a shared facility between these two lots. Thus, it appears appropriate that the garage abut the adjacent lot as there will be internal traffic circulation between the two lots.

Finally, variance relief is requested to permit a distance of 60 feet between the proposed building and parking deck in lieu of the required 100 feet. This 100 feet is computed by doubling the required 50-foot side yard setback. This variance appears warranted due to the fact that the garage will serve the proposed building and thus should be located within reasonable proximity of same.

ORDER REGENEDIFOR FILENCE.

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Based upon the testimony and evidence offered, I am easily persuaded to grant the variances. The proposed improvements are consistent with the Hunt Valley Business Community and are appropriate. Further, I find that the Petitioners have complied with the requirements of Section 307 of the B.C.Z.R. The uniqueness of the property is driven by the unusual shape, which is caused by the cul-de-sac terminus of Gilroy Road. Secondly, a denial of the requested relief would result in a practical difficulty upon the Petitioners. Finally, I find that the proposed improvements are entirely consistent with the surrounding locale and will not cause detrimental impact to any adjacent property. In fact, the parking lot will provide an appropriate amenity to the existing building on the adjacent lot.

As noted above, there were no Protestants present and no adverse Zoning Advisory Committee (ZAC) comment submitted by any review agency. However, the Office of Planning has recommended that building elevation drawings and a landscape plan be submitted to that agency for review and approval. This appears to be an appropriate restriction and will be incorporated herein.

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 September, 2004 that the Petition for Variance seeking relief from Sections 255.2, 243.1 and 243.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 31' in lieu of the required 50'; a side yard setback of 0' in lieu of the required 50' for a proposed parking deck; and, a distance between the proposed building and parking deck of 60' in lieu of the required 100', 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.

TOER RECEIVED FOR FILING

- 2) The Petitioners shall submit building elevation drawings of the proposed structure and a landscape plan to the Office of Planning for review and approval.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from relief from Sections 255.2, 243.1 and 243.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 31' in lieu of the required 75', be and is hereby DISMISSED AS MOOT.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

## 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

September 29, 2004

Matthew L. Kimball, Esquire Niles, Barton & Wilmer 1400 Legg Mason Tower 111 S. Calvert Street Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE

W/S Gilroy Road, 1440' S of the c/l Beaver Dam Road

(10710 Gilroy Road)

8<sup>th</sup> Election District – 3<sup>rd</sup> Council District

Commercial Properties, LLC, Owners; Century Engineering, Inc., Contract Purchasers

Case No. 05-071-A

Dear Mr. Kimball:

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. Wayne Christmann, V.P., Commercial Properties, LLC c/o The Rouse Company, 10275 Little Patuxent Parkway, Columbia, Md. 21044-3412 Mr. Francis Smyth, President, Century Engineering, Inc.

32 West Road, Towson, Md. 21204

Office of Planning; People's Counsel; Case File



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



# Fetition for Variance

# to the Zoning Commissioner of Baltimore County

for the property located at 10710 GILROY ROAD which is presently zoned ML-IM

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

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

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, lega: 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) 255.2 & 243.1, 243.2 OF THE BCZR TO PERMIT A FRONT YARD OR SIDE YARD SETBACK OF 31'+ (WHICHEVER IS APPLICABLE) IN LIEU OF THE REQUIRED 75' OR 50'; A SIDE YARD SETBACK OF O' IN LIEU OF THE REQUIRED 50' FOR A PROPOSED PARKING DECK; AND A DISTANCE OF 60' BETWEEN THE PROPOSED BUILDING AND PARKING DECK IN LIEU OF THE REQUIRED 100' (VARIANCES OF 45' OR 19' WHICHEVER IS APPLICABLE, 50' AND 40').

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 ADDRESSED AT 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.

	•		is the subject of this Pe	tition.	i -
Contract Purchaser/Lessee:			Legal Owner(s):		
CENTURY ENGINEER	CENTURY ENGINEERING, INC.		COMMERCIAL PROPERTIES, LLC		
Name - Type or Print	tuting		Name - Type or Right		
Signature			Signature		
32 WEST ROAD		410-823-8070	WAYNE CHRISTMAN	N, VICE PRESIDE	TV
Address		Telephone No.	Name - Type or Print		•
TOWSON	MARYLAND	21204			
City	State	Zip Code	Signature c/o THE RO	USE COMPANY 4	10-992-6000
Attorney For Petitic	ner:		10275 LITTLE	E PATUXENT PARKW	AY
	<del>21.1.2.2.1.</del>		Address		Telephone No.
MATTHEW L. KIMBA	LL		COLUMBIA	MARYLAND	21044-3412
Name - Type or Print			City	State	Zip Coae
Me-1-1400			Representative to	he Contacted:	
Signature	<u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>		Webi eachtania to	<u> </u>	
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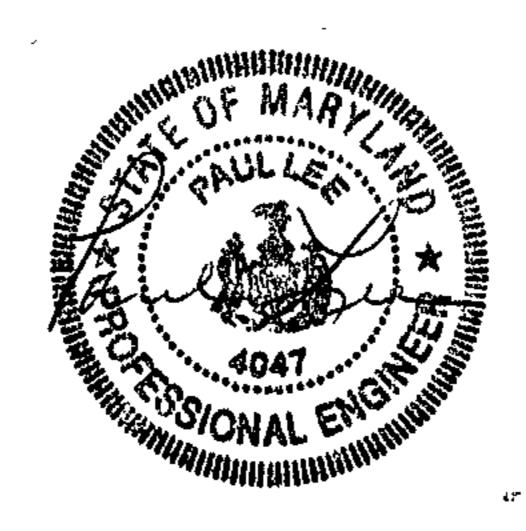
# DESCRIPTION 10710 GILROY ROAD ELECTION DISTRICT 863 BALTIMORE COUNTY, MD

BEGINNING FOR THE SAME at a point on the West side of Gilroy Road, said point also being located at the northeast corner of Lot 54 and southerly 1440'± from the center of Beaver Dam Road; thence running with and binding on said West side, the five following courses and distances:

- 1) South  $08^{\circ} 45' 00'' E 52.42'$
- 2) By a curve to the right R = 370.00, arc length = 185.62
- 3) South 19° 59' 40" W 95.64'
- 4) By a curve to the right R = 85.00; arc length = 102.86'
- By a curve to the left R = 85.00; arc length = 145.49' thence leaving said West side of Gilroy Road
- South 81° 15' 00" W 40.00 to intersect the southwest corner of Lot 54 and the East right-of-way line of the Baltimore-Harrisburg Expressway; thence running with and binding on said right-of-way line
- 7) North 08° 45' 00" W -- 441.64' to the northwest corner of Lot 54, thence leaving said right-of-way and running with and binding on the North boundary of Lot 54
- North 81° 15' 00" E 315.00' to the West side of Gilroy Road and point of beginning.

Containing 2.3924 acres of land more or less and as recorded as Lot 54 on Plat 7 "Hunt Valley Business Community" in Plat Book E.H.K. JR. 47-53.

Wtilest.ogin2sLand-DevsLD04sdescsOrtroyRd-pl-8-5-04



#### 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: #05-071-A

10710 Gilroy Road West side of Gilroy Road, 1,440 feet south of Beaver Dam Road

Dam Road . 8th Election District - 3rd Councilmanic District Legal Owner(s): Commercial Properties, LLC. Wayne Christmann, VP.

Variance: to permit a front yard or side yard setback of 31 feet 4/- (which ever is applicable) in lieu of the required 76' or 50', a side yard setback of 0' in lieu of the required 50' for a proposed parking deck; and a distance of 60' between the proposed building and parking deck in fleu of the required 100 feet (variances of 45 feet or 19 feet which proposed building and parking deck in the required 100 feet (variances of 45 feet or 19

feet whichever is applicable, 50 feet or 40 feet.)
Hearing: Monday, September 13, 2004 at 2:00 p.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) 887-3391.

8/335 Aug. 26

# CERTIFICATE OF PUBLICATION

8/26/2004
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 826,2004.
The Jeffersonian
☐ Arbutus Times
Catonsville Times
Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND	
BALTIMORE COUNTY, MARYLAND OFFICE DE BUDGET & FINANCE MISCELLANEOUS RECEIPT  A COUNTY MARYLAND NO. 3 9 1 UZ  MISCELLANEOUS RECEIPT  A COUNTY MARYLAND NO. 3 9 1 UZ  MISCELLANEOUS RECEIPT  A COUNTY MARYLAND NO. 3 9 1 UZ  MISCELLANEOUS RECEIPT  A COUNTY MARYLAND NO. 3 9 1 UZ  MISCELLANEOUS RECEIPT  A COUNTY MARYLAND NO. 3 9 1 UZ  MISCELLANEOUS RECEIPT  A COUNTY MARYLAND NO. 3 9 1 UZ  MISCELLANEOUS RECEIPT  A COUNTY MARYLAND MISCELLANEOUS RECEIPT	
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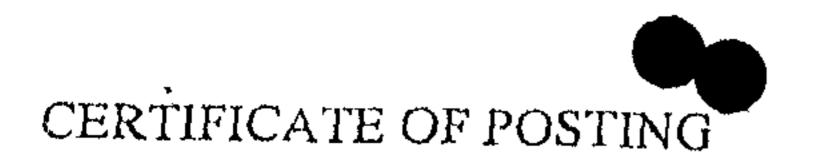
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RE: Case No.: 05-071-A

	Petitioner/Developer: COMMERCIAL PROPERTIECY LLC,
•	Date of Hearing/Closing: SEPT, 13, 2004
Baltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapeake Avenue Towson, MD 21204	
Attention: Becky Hart	
adies and Gentlemen: This letter is to certify under the	penalties of perjury that the necessary sign(s) required by
aw were posted conspicuously on the property located a	# 10710 CTILROY ROAD
The sign(s) were posted on \( \square \O(\), \( \frac{7}{2} \) (Mon	, 7004 th, Day, Year)
<b>♥</b>	Sincerely,
	Signature of Sign Poster and Dato)
	GARLANDE. Mooro (Printed Name)
	3225 RYERSON CIRCLES (Address)
4	PAUT INIARE, MD. 21227 (City, State, Zip Code)
•	(Telephone Number)

# Department of Permits and Development Management

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



# **Baltimore County**

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

August 16, 2004

# CORRECTED 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: 05-071-A

10710 Gilroy Road West side of Gilroy Road, 1,440 feet south of Beaver Dam Road 8<sup>th</sup> Election District—3<sup>rd</sup> Councilmanic District Legal Owners: Commercial Properties, LLC. Wayne Christmann, VP.

<u>Variance</u> to permit a front yard or side yard setback of 31 feet +/- (which ever is applicable) in lieu of the required 75' or 50', a side yard setback of 0' in lieu of the required 50' for a proposed parking deck; and a distance of 60' between the proposed building and parking deck in lieu of the required 100 feet (variances of 45 feet or 19 feet whichever is applicable, 50 feet or 40 feet.)

Hearing: Monday, September 13, 2004, 2004 at 2:00 p.m. in Room 407, County Courts Building 401 Bosley Avenue.

With Kofroco

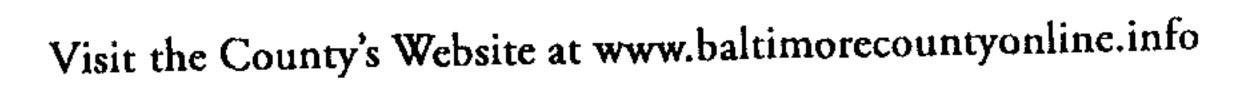
Timothy Kotroco Director

TK:klm

C: Matthew L. Kimball Niles, Barton & Wilmer 1400 Legg Mason Towson 111 S. Calvert Street, Baltimore 21202 Century Engineering, LLC. 32 West Road Towson 21204 Commercial Properties, LLC. Wayne Christmann c/o The Rouse Co. 10275 Little Patuxent Parkway, Columbia 21044-3412

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, AUGUST 28, 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.





PATUXENT PUBLISHING COMPANY TO:

Thursday, August 26, 2004 Issue - Jeffersonian

Please forward billing to:

Century Engineering, Inc.

32 West Road

Towson, Maryland 21204

410-823-8070

## 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: 05-071-A

10710 Gilroy Road

West side of Gilroy Road, 1,440 feet south of Beaver Dam Road

8<sup>th</sup> Election District—3<sup>rd</sup> Councilmanic District

Legal Owners: Commercial Properties, LLC. Wayne Christmann, VP.

Variance to permit a front yard or side yard setback of 31 feet +/- (which ever is applicable) in lieu of the required 75' or 50', a side yard setback of 0' in lieu of the required 50' for a proposed parking deck; and a distance of 60' between the proposed building and parking deck in lieu of the required 100 feet (variances of 45 feet or 19 feet whichever is applicable, 50 feet or 40 feet.)

Hearing: Monday, September 13, 2004, at 2:00 p.m. in Room 407, County Courts Building

401 Bosley\_Avenue

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

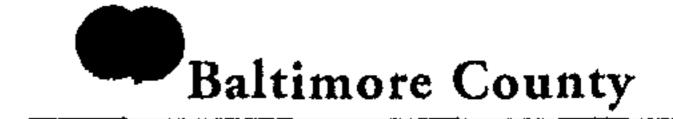
OFFICE AT 410-887-4386.

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

# Department of Permits and Development Management

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





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

August 12, 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: 05-071-A

10710 Gilroy Road

West side of Gilroy Road, 1,440 feet south of Beaver Dam Road

8th Election District—3rd Councilmanic District

Legal Owners: Commercial Properties, LLC. Wayne Christmann, VP.

Variance to permit a front yard or side yard setback of 31 feet +/- (which ever is applicable) in lieu of the required 75' or 50', a side yard setback of 0' in lieu of the required 50' for a proposed parking deck; and a distance of 60' between the proposed building and parking deck in lieu of the required 100 feet (variances of 45 feet or 19 feet whichever is applicable, 50 feet or 40 feet.)

Hearing: Friday, October 1, 2004 at 11:00 a.m. in Room 407, County Courts Building 401 Bosley Avenue.

Timothy Kotroco Director

TK: clb

C: Matthew L. Kimball Niles, Barton & Wilmer 1400 Legg Mason Towson 111 S. Calvert Street Baltimore 21202

Century Engineering, LLC. 32 West Road Towson 21204

Commercial Properties, LLC. Wayne Christmann c/o The Rouse Co. 10275 Little Patuxent Parkway Columbia 21044-3412

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY.THURSDAY SEPTEMBER 16, 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.



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

TO: PATUXENT PUBLISHING COMPANY

Thursday September 16, 2004 Issue - Jeffersonian

Please forward billing to:

Century Engineering, Inc.

32 West Road

Towson, Maryland 21204

410-823-8070

## **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: 05-071-A

10710 Gilroy Road

West side of Gilroy Road, 1,440 feet south of Beaver Dam Road

8<sup>th</sup> Election District—3<sup>rd</sup> Councilmanic District

Legal Owners: Commercial Properties, LLC. Wayne Christmann, VP.

Variance to permit a front yard or side yard setback of 31 feet +/- (which ever is applicable) in lieu of the required 75' or 50', a side yard setback of 0' in lieu of the required 50' for a proposed parking deck; and a distance of 60' between the proposed building and parking deck in lieu of the required 100 feet (variances of 45 feet or 19 feet whichever is applicable, 50 feet or 40 feet.)

Hearing: Friday, October 1, 2004 at 11:00 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 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.

<u>For Newspaper Advertising:</u>	
Item Number or Case Number: 05-071-4	
Petitioner: CAMMERCIAL PROPERTIES LLC	
Address or Location: 1877.5 LITTLE PATUXENT PARLINAY 10710 GILROY ROL	4 L
COLUMBIA, MD, 21044-3412	
PLEASE FORWARD ADVERTISING BILL TO:	
Name: CENTURY ENGINEERING, INC.	
Address: 32 WEST ROAD	
Towson, MD 2/204	
Telephone Number: 410-823-8070	

# Department of Permits Development Management

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





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

September 7, 2004

Matthew L. Kimball Niles, Barton & Wilmer 1400 Legg Mason Tower 111 S. Calvert Street Baltimore, Maryland 21202

Dear Mr. Kimball:

RE: Case Number: 05-071-A, 10710 Gilroy Road

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

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W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Commercial Properties, Inc. Wayne Christmann c/o The Rouse Company 10275 Little
Patuxent Parkway Columbia 21044
Century Engineering 32 West Road Towson 21204



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

## Fire Department

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



# Baltimore County

James T Smith, Jr., County Executive John J. Hohman, Chief

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

August 24, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: August 16, 2004

Item No.:

061-069, (71/)072, 074, 076-080

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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





Robert L. Ehrlich, Jr., Governor



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

Michael S. Steele, Lt. Governor

Maryland Department of Transportation

Date:

8.13.04

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

RE:

**Baltimore County** 

Item No. 071

JLL

Dear. Ms. Matthews:

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,

Steven D. Foster, Acting Chief Engineering Access Permits Division

1. J. Hell

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

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr (

(mò)

DATE:

September 3, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of August 16, 2004

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

05-061

04-062

04-063

04-065

04-067

04-068

04-069

 $\sqrt{4-071}$ 

04-072

04-077

04-079

04-080

04-081

Reviewers:

Sue Farinetti, Dave Lykens

Jp 9/13

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: September 9, 2004

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

101710 Gilroy Road

**INFORMATION:** 

Item Number:

5-071

Petitioner:

Commercial Properties, LLC.

Zoning:

ML-IM

Requested Action:

Variance

#### SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided the proposal is constructed in accordance with the Hunt Valley Timonium Master Plan design guidelines. The petitioner should submit building elevations (all sides), sign elevations, and a landscape plan to this office for review and approval.

For more information concerning this issue, please contact Bill Hughey at 410-887-3480.

Prepared by:

Division Chief:

AFK/LL:MAC:

RECEIVED

SEP - 9 2004

ZONING COMMISSIONER

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: September 1, 2004

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 23, 2004

Item No. 071)

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

Remove existing entrance and replace with curb and gutter and sidewalk.

RWB:CEN:jrb

cc: File



90

RE: PETITION FOR VARIANCE

10710 Gilroy Road; W/side Golroy Road,

1,440' S of Beaver Dam Road1

8<sup>th</sup> Election & 3<sup>rd</sup> Councilmanic Districts

Legal Owner(s): Commercial Properties,

LLC, Wayne Christmann, VP

Contract Purchaser(s): Century Engineering \*

, Inc, Kenneth M. Stratemeyer

\*

Petitioner(s)

**BEFORE THE** 

ZONING COMMISSIONER

**FOR** 

**BALTIMORE COUNTY** 

05-071-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 19<sup>th</sup> day of August, 2004, a copy of the foregoing Entry of Appearance was mailed to, Matthew L Kimball, Esquire, Niles, Barton & Wilmer, 1400 Legg Mason Tower, 111 S. Calvert Street, Baltimore, MD 212202, Attorney for Petitioner(s).

RECEIVED

AUG 1 9 2004

PETER MAX ZIMMERMAN

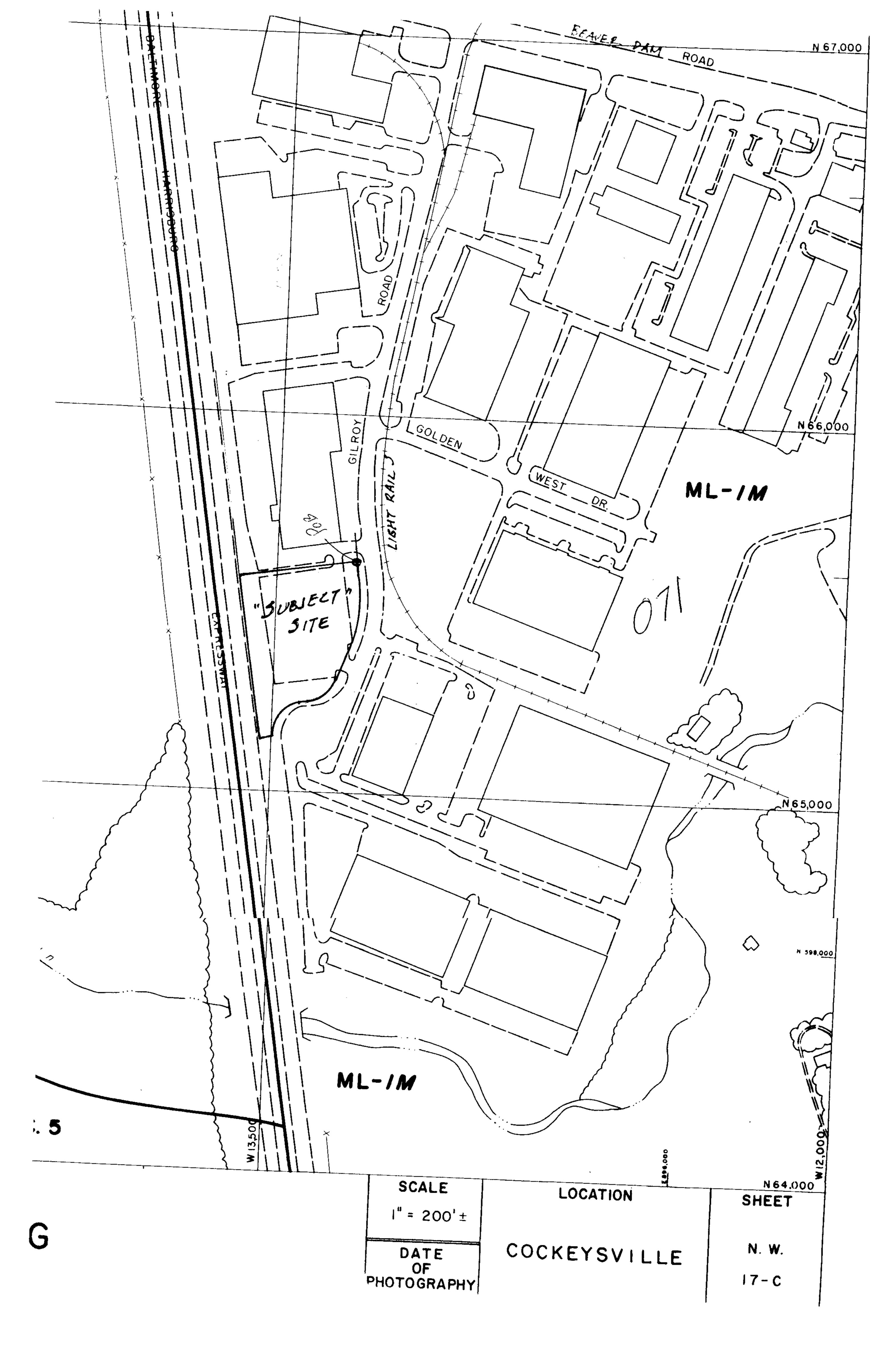
People's Counsel for Baltimore County

Per.....

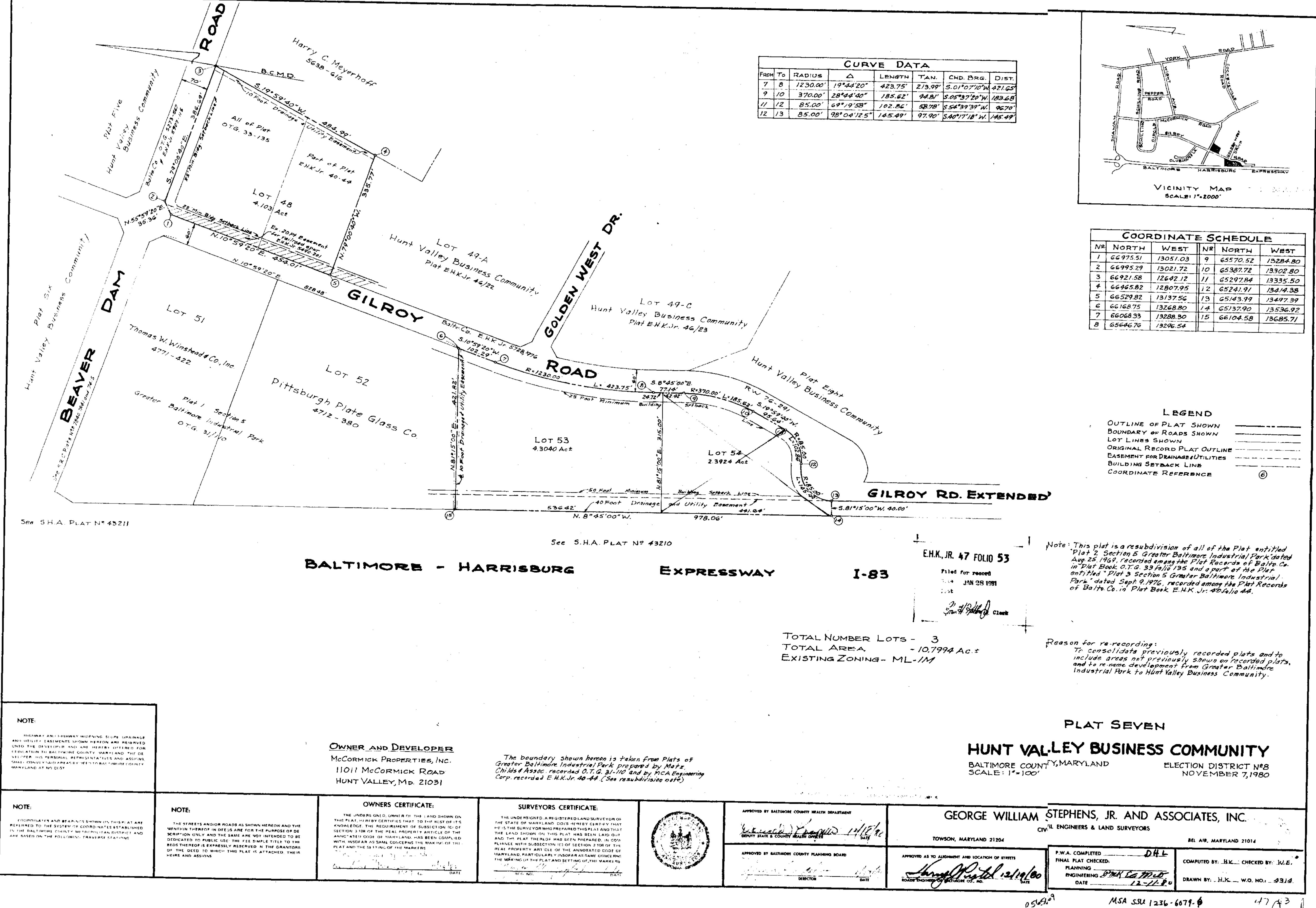
CASE NAME_	
CASE NUMBER	05-07/A
DATE	

# PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL	
Matthew Linell	Niks Baston Huilum	Baltimor MD 21212	m/Kimball e niles - law.com	
Francis Smyth Gral Die	Century Engineering	Tourson MD 2:204	fringthe Contaryeng.com	
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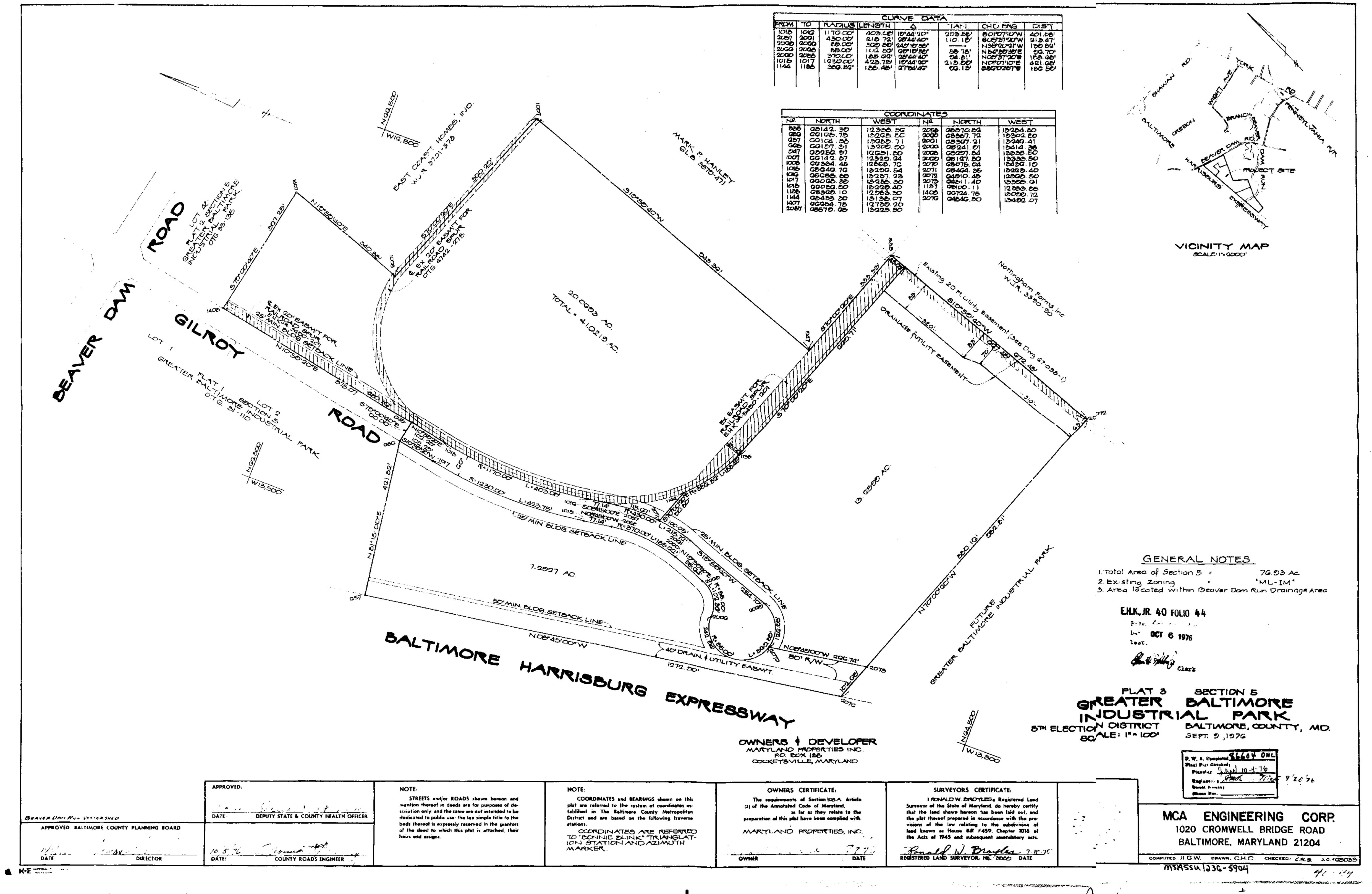


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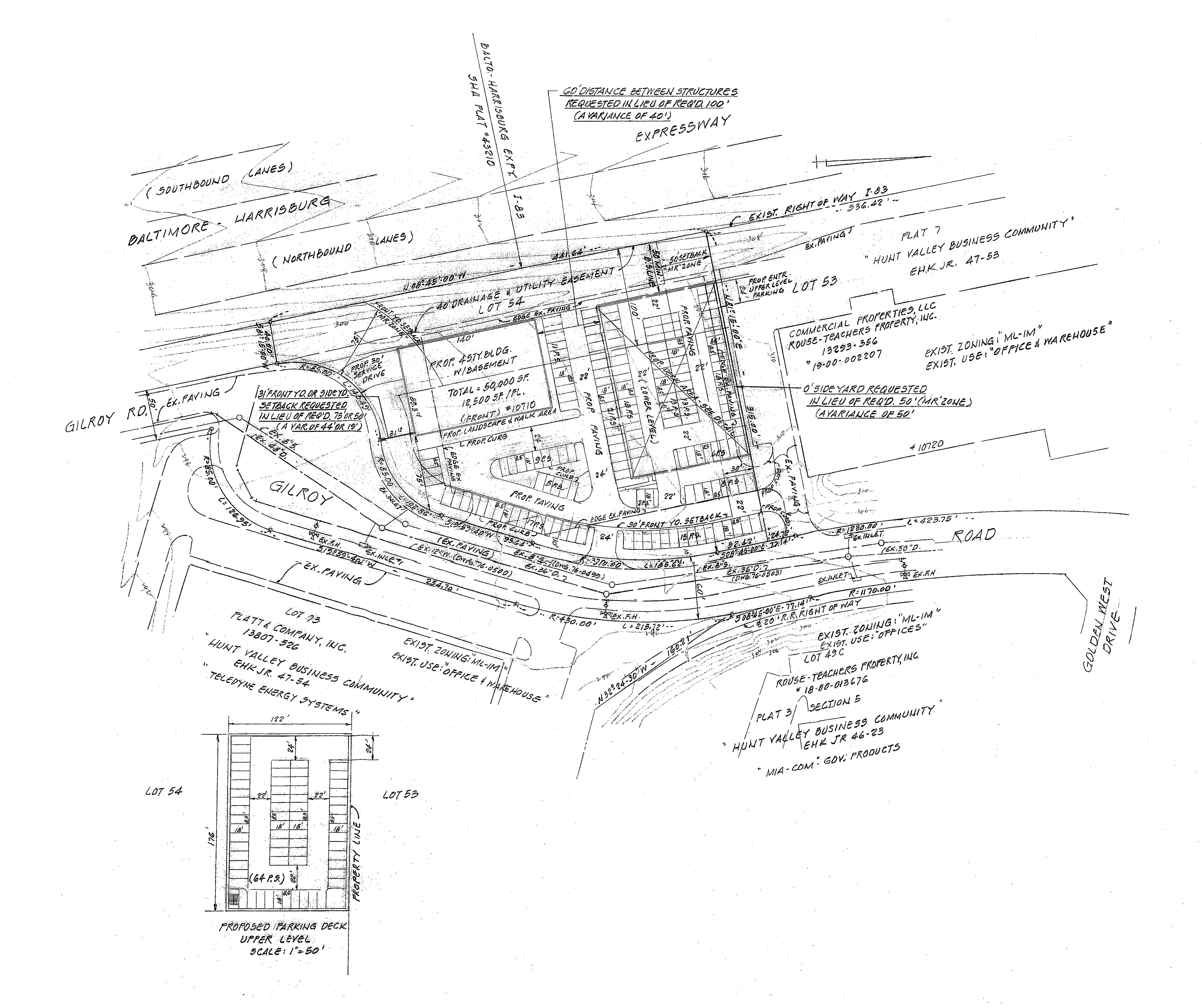


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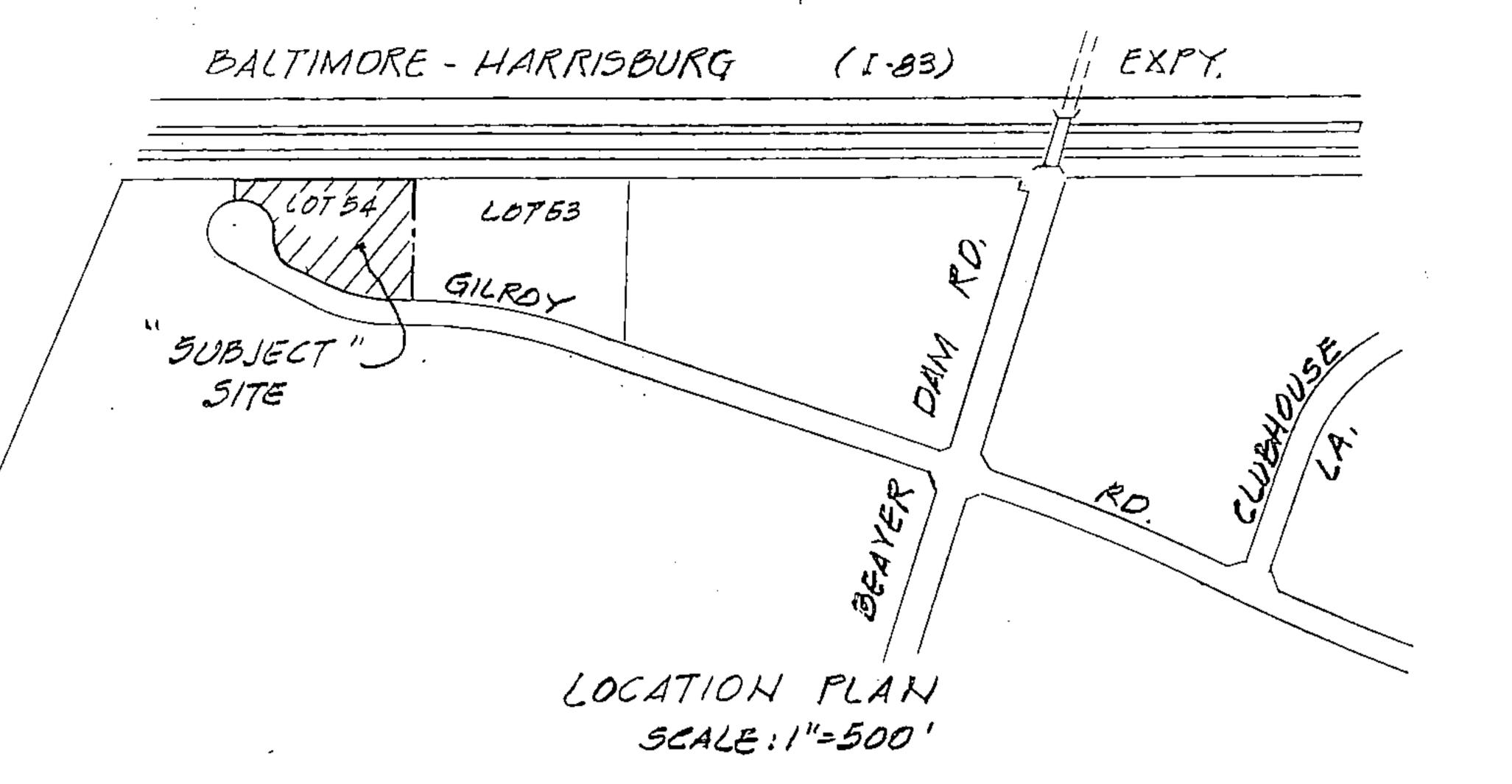


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OWNERS:

COMMERCIAL PROPERTIES, LLC (ROUSE-TEACHERS PROPERTIES, INC.) % THE ROUSE COMPANY 10275 LITTLE PATUXENT PKWY. COLUMBIA, MARYLAND 21044-3412



# GENERAL NOTES:

- AREA OF PROPERTY (LOT 54) = 2.394 AC± (GROSS = 2.795 AC±)
- EXISTING ZONING OF PROPERTY = "ML-IM"
- EXISTING USE OF PROPERTY "VACANT (PARKING AREA)"
- PROPOSED ZONING OF PROPERTY = "ML-IM"
- PROPOSED USE OF PROPERTY = OFFICE BUILDING (140' X 86.5') REQUIRED OFF STREET PARKING:
- PROP. 4 STORY BUILDING WITH BASEMENT (12110 S.F./FL.) 12,110 S.F. @ 3.3/1000 = 40 X 4 FLRS. = 160 P.S.
- 12,110 S.F. BASEMENT (STORAGE & UTILITY & MAINTENANCE) = 0
- TOTAL NO. PARKING SPACES REQ'D = 160 P.S. PROPOSED PARKING SHOWN:
- GROUND LEVEL = 157
- PROPOSED DECK (UPPER LEVEL) = 64
- TOTAL NO. PARKING SPACES SHOWN = 221
- PUBLIC UTILITIES EXISTING AT PROPERTY
- PROPERTY LOCATED ON BCMD MAP NW17C- SCALE 1"=200'
- ZONING HISTORY ON PROPERTY NONE
- PETITIONER REQUESTING A VARIANCE TO SECT. 255.2 AND SECT. 243.1, 243.2 OF THE BCZR TO PERMIT A FRONT YARD OR SIDE YARD SETBACK OF 31'± (WHICHEVER IS APPLICABLE) IN LIEU OF THE REQ'D 75' OR 50'; A SIDE YARD SETBACK OF 0' IN LIEU OF THE REQ'D 50' FOR A PROPOSED PARKING DECK; AND A DISTANCE OF 60' BETWEEN THE PROPOSED BUILDING & PARKING DECK IN LIEU OF THE REQ'D 100' (VARIANCES OF 45' OR 19' WHICHEVER IS APPLICABLE, 50' AND 40').
- AN EASEMENT WILL BE REQUIRED FROM LOT 53 OVER THE EXISTING ENTRANCE AND DRIVEWAY IN ORDER TO ENTER THE UPPER LEVEL PARKING AREA. BOTH LOTS 53 & 54 ARE OWNED BY ROUSE-TEACHERS PROPERTY, INC.
- 13. PERMITTED F.A.R. = 0.40 (SECT. 243.5) = 2.795 ac (0.40) = 48,697 S.F. PROPOSED F.A.R. = 48440/121743.54 = 0.398
- 14. LOTS 53 & 54 ARE RECORDED ON PLAT 7 "HUNT VALLEY BUSINESS COMMUNITY" IN E.H.K.JR. 47-53, JAN. 28, 1981.
- ANY NEW SIGNS WILL COMPLY WITH SECT. 450 OF THE BCZR AND ANY EXISTING POLICIES.

PLAT TO ACCOMPANY PETITION

VARIANCES \*10710 GILROY ROAD- LOT 54

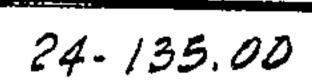
HUNT VALLEY BUSINESS COMMUNITY

ELECT. DIST. 8C3

BALTO. COUNTY, MD.

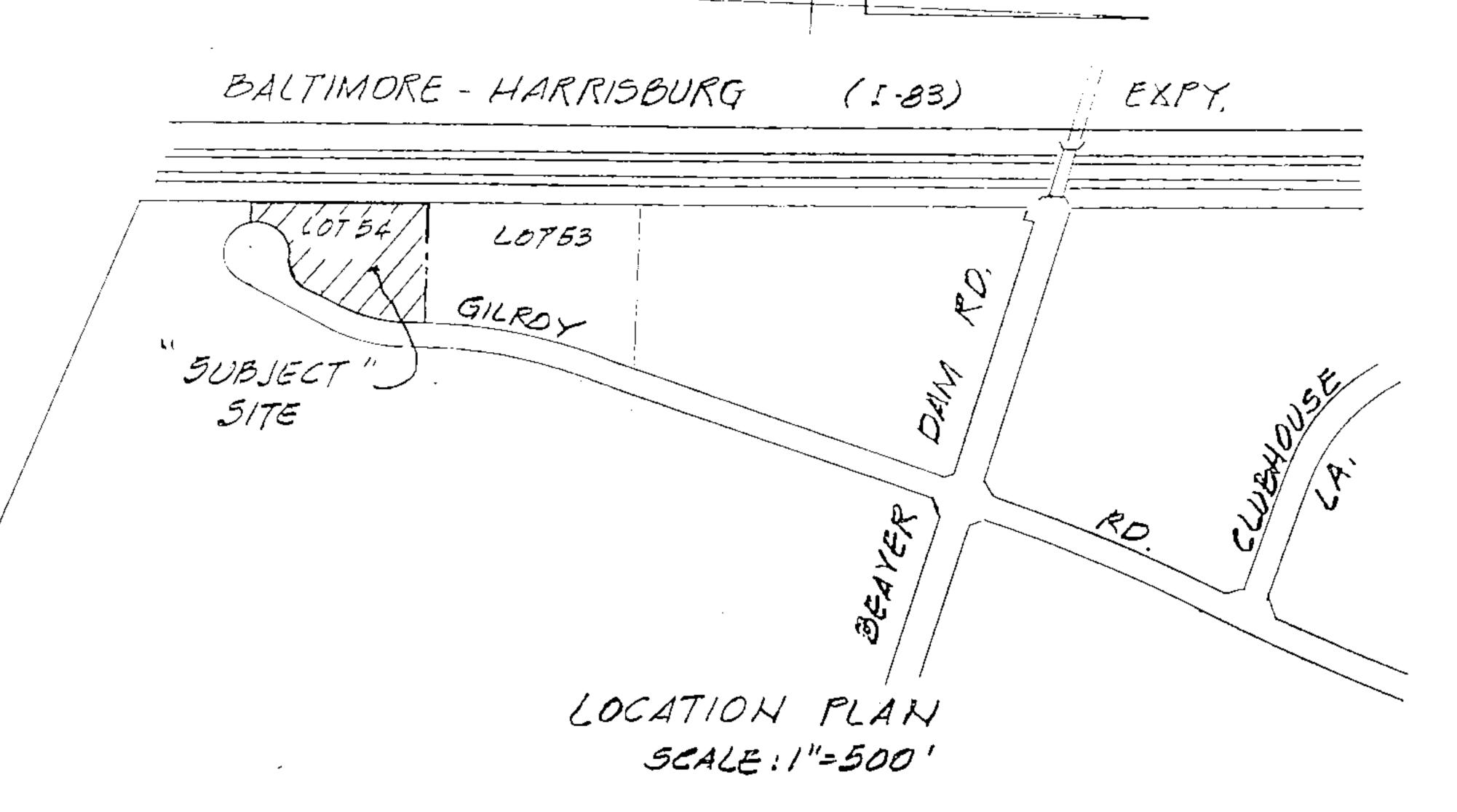
SCALE: 1'= 50'

(410) 823-8070



REQUESTED IN LIEU OF RED'D. 100' (SOUTHBOUND (ANES) BALTIMORE - HARRISBURG (NORTHBOULD ELANES) EH.K.JR. 47-53 EXIST. USE: "OFFICE & WAREHOUSE" 13293-356 GILROY ROISTEX. PAYING 31 FRONT YO. OR 910EYD. O'SIDE YARD REQUESTED SETBACK REQUESTED IN LIEU OF REQ'D. 50 (MR'ZONE) (AYARIANCE OF 50' A YAR. OF 44'OR 19') F/LROY - EX PAVILLES EX.F.H PLATTE COMPANY, INC. 6 = 215,721 --EX157. ZONING! ME-11/11 EXIST. USE: " PEICE & WAKE HOUSE". ROUSE-TEACHERS PROPERTY, ING. TELEDYNE ENERGY SYSTEMS 12 LOT 54 LOT 53 PROPOSED PARKING DECK UPPER LEVEL 5 CALE: 1"=50'

COMMERCIAL PROPERTIES, LLC (ROUSE-TEACHERS PROPERTIES, INC.) % THE ROUSE COMPANY 10275 LITTLE PATUXENT PKWY. COLUMBIA, MARYLAND 21044-3412



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VARIANCES \*10710 GILROY ROAD- LOT 54

HUNT VALLEY BUSINESS COMMUNITY ELECT. DIST. 8C3

BALTO. COUNTY, MD.

SCALE: 1'= 50'

JULY 29,2004

ENGINEER:

32 WEST ROAD TOWSON, MARYLAND 21204

(410) 823-8070

