IN RE: PETITIONS FOR SPECIAL EXCEPTION AND SPECIAL HEARING	*	BEFORE THE
W/S of Harford Road, 72 ft. SW centerline of Emerald Avenue	*	DEPUTY ZONING COMMISSIONER
9th Election District	*	OF BALTIMORE COUNTY
6th Councilmanic District		
(8208 Harford Road)	*	CASE NO. 05-169-XA ?
Byong Gook Lee *Petitioner*	*	

* * * * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as Petitions for Special Exception and Special Hearing filed by the legal owner of the subject property, Byong Gook Lee. The Petitioner is requesting special exception and special hearing relief for property located at 8208 Harford Road in Baltimore County. The special exception request is to allow a dental laboratory pursuant to Section 230.13(BL) of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, special hearing relief is requested to approve a modified parking plan (Section 409.12.b) which will allow parking spaces without a turn-around area and to allow a driveway width of 10 ft. for two-way movement.

The property was posted with Notice of Hearing on November 4, 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 November 4, 2004 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 502.1 of the B.C.Z.R. - *Special Exceptions*

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

A. Be detrimental to the health, safety or general welfare of the locality involved;
B. Tend to create congestion in roads, streets or alleys therein;
C. Create a potential hazard from fire, panic or other danger;
D. Tend to overcrowd land and cause undue concentration of population;

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Date 11/29/04
By RJ

E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
F. Interfere with adequate light and air; [Bill No. 45-1982]
G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the sprit and intent of these Zoning Regulations; [Bill No. 45-1982]
H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]
I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 zone. [Bill No. 74-2000]

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.

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 November 16, 2004, a copy of which is attached hereto and made a part hereof. In addition, a facsimile was received from the Fire Department on November 16, 2004, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the special hearing and special exception requests were David Billingsley, from Central Drafting and Design Inc. and Byong Gook Lee, Petitioner. Ralph K. Rothwell, Jr., Esquire represented the Petitioner. Ruth Baisden, representing the Greater Parkville Community Council, attended the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

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Date 11/29/04
By Rej

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 7,110 sq. ft. and is zoned BL-AS. The property is improved by an existing garage and main building, which apparently had been used as a residence and perhaps sometime in the past as an antique shop. See Petitioner's Exhibit 1 and note that the principal building is not aligned with the property lines but rather is set somewhat at an angle to these lines. The Petitioner would like to operate a dental laboratory in the main building, which is allowed by special exception in this BL zone. The business would be conducted by technicians who manufacture false teeth for area dentists. As such, no customers come to the property but rather the Petitioner's courier picks up orders and delivers product. This procedure extends to the courier picking up dental supplies from which the teeth are made at dental supply distributors rather than UPS or the like deliveries to the property. There is one customer who uses the Postal Service for deliveries. This method of operation has proved so successful at the Petitioner's present location that he proposes to expand his business at this new location. He now has two employees but would like hire two more in the near future. The Plat to Accompany shows parking for up to six employees.

Mr. Billingsley indicated that the parking required for a building of this size is seven spaces. The Plat shows that eight spaces are provided. However, two spaces located on the rear next to the Gun Shop have no access to a turn-around as required by the regulations. In addition, the curb cut on Harford Road is only 10 ft. wide while the regulations require 20 ft. wide for two-way traffic. Testimony indicated that because of the relatively small amount of traffic in and out of the site, actual two way traffic would be quite rare. He also indicated that the use of the property as a dental laboratory would not be detrimental to the health, safety and welfare of the community and would not violate any of the criteria of Section 502.1 of the B.C.Z.R.

Ms. Baisden, representing the Greater Parkville Community Council, welcomed the Petitioner to the area as a new business. She gave a brief history of the efforts the County is making to revitalize this older area of businesses along Harford Road, including a substantial streetscape that is planned to be implemented shortly. She emphasized attempts to have businesses along the road add landscaping to their frontage along Harford Road and also in the rear of these businesses to screen the adjacent residences from the business uses. Specifically, she asked that the Petitioner give up one parking space shown in the front of the main building to allow room for landscaping the front along Harford Road.

Mr. Billingsley clarified that the Plat to Accompany shows only one parking space in the front because the County regulations require parking 10 ft. from the property line. However, he noted the fact that the area is paved so that two vehicles could actually park in front.

Mr. Rothwell strenuously objected to giving up any parking spaces in front or to provide any landscaping thereon and cited the burdens he experiences at his own office on Eastern Avenue in similar circumstances. He noted that he was required not only to plant but maintain the plantings at great expense to himself without benefit to the community. He also note that there is an existing privacy fence in the rear which screens the adjacent residences from this business so that further landscaping is not required.

Ms Baisden noted that the County was trying to improve the neighborhood, which improvements will benefit all owners with rising property values and business income. She requested that the special exception be granted for this owner only and not the property, so that when a new owner arrives in the future the community can review its plans for compatibility.

Findings of Fact and Conclusions of Law

Special Exception

It is clear from the evidence that the use of the property as a dental laboratory would not be detrimental to the health, safety and welfare of the community. The very limited traffic

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Date 11/29/04
By

generated by this use will not create congestion on roads either interior to the property or on Harford Road. As mentioned at the hearing, there appears to be no practical turn-around for large trucks entering the property and the thought of such vehicles backing out onto heavily traveled Harford Road is frightening. The Petitioner assures me that this will not happen and I accept his word. However, because another owner of the dental laboratory in the future may not operate the same way as the Petitioner, I will grant the special exception to this owner only and require future owners to return for public hearing on the issue of traffic as well as other special exception criteria.

Special Hearing

I will also grant the special hearing relief requested to allow a modified parking plan on the property pursuant to Section 409.12.b, which will allow parking spaces without a turn-around area and to allow a driveway width of 10 ft. for two-way movement. I find that it would be a hardship on the Petitioner to comply with all parking regulations as this is a small lot with existing structures on it.

I note that the building is not aligned with the property lines but sits askew to some degree. This means that vehicles going to the parking in the rear must traverse a 12 ft. wide driveway width. No one is proposing to remove a corner of the building to widen the driveway for two-way traffic. Consequently, simply widening the curb cut would not alleviate the smaller than required driveway width. I also appreciate that Mr. Billingsley has attempted to bring the parking plan up to code to the extent reasonable under the circumstances. Other such requests have too often assumed that nothing could be done to upgrade the parking. Here we have handicapped parking and full width spaces.

I will grant the modified parking plan, however, with the condition that the area between the parking space in the front of the building and the right-of-way of Harford Road be made available to the County to landscape the front of the property consistent with the streetscape plan.

ORDER RECEIVED FOR FILING
Date 11/29/04
By RJ

I am not requiring any specific planting or landscaping plan at this time because whatever is done should be consistent with the overall plan. Said another way, landscaping should not be done twice on this property. I am requiring that when the County is ready the macadam should be removed and this area should be available to landscape the front of the property along Harford Road without cost to the County for the land. Cost of the landscaping shall be in accord with the streetscape plan.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's requests for special exception and special hearing should be granted with conditions.

THEREFORE, IT IS ORDERED, this 29 day of November, 2004, by the Deputy Zoning Commissioner, that the Petition for Special Exception requested to allow a dental laboratory pursuant to Section 230.13(BL) of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the special hearing relief requested to approve a modified parking plan (Section 409.12.b) which will allow parking spaces without a turn-around area and to allow a driveway width of 10 ft. for two-way movement, be and it is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. That the area between the parking space in the front of the building and the right-of-way of Harford Road be made available to the County to landscape the front of the property consistent with the streetscape plan. No specific planting or landscaping plan is required of the Petitioner at this time. However, when the County is ready to implement the streetscape, the macadam should be removed at the cost of this Petitioner and this area shall be made available to landscape the front of the property along Harford Road without cost to the County for the land. Cost of the landscaping shall be in accord with the streetscape plan.

2. The Petitioner must be in compliance with the ZAC comments received by facsimile from the Fire Department dated November 16, 2004, a copy of which is attached hereto and made a part hereof.

ORDER RECEIVED FOR FILING
Date 11/29/04
By

3. When applying for a permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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

ORDER RECEIVED FOR FILING
Date 11/29/04
By 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
William J. Wiseman III, Zoning Commissioner

November 29, 2004

Ralph K. Rothwell, Jr., Esquire
Maslan, Maslan & Rothwell, P.A.
7508 Eastern Avenue
Baltimore, Maryland 21224

Re: Petitions for Special Hearing & Special Exception
Case No. 05-169-XA
Property: 8208 Harford Road

Dear Mr. Rothwell:

Enclosed please find the decision rendered in the above-captioned case.

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

c: Byong Lee, 8521 Westerman Cir., Baltimore, MD 21236
David Billingsley, 601 Charwood Ct., Edgewood, MD 21040
Ruth Baisden, Greater Parkville Community Council,
7706 Oak Ave., Baltimore, MD 21234

Printed on Recycled Paper

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8208 Harford Road, Parkville
which is presently zoned BL

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

a modified parking plan (section 409.12.b) which will allow parking spaces without a turn around area and to allow a driveway width of ~~12'~~ 10' for two way movements.

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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Legal Owner(s):

Byong Gook Lee
Name - Type or Print

Signature

Kyong Hye Lee
Name - Type or Print

Signature

8521 Westerman Circle 410-256-2300
Address Telephone No.

Baltimore, MD 21236
State Zip Code

Attorney For Petitioner:

Ralph K. Rothwell, Jr.
Name - Type or Print

Signature

Maslan, Maslan & Rothwell, P.A.
Company

7508 Eastern Avenue 410-282-2700
Address Telephone No.

Baltimore, Maryland 21224
City State Zip Code

Representative to be Contacted:

Ralph K. Rothwell, Jr.
Name

7508 Eastern Avenue 410-282-2700
Address Telephone No.

Baltimore, MD 21224
City State Zip Code

ORDER RECEIVED FOR FILING
Date 10/29/04
By RLR

REV 9/15/98

Case No. 05 169 XA

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1HR

UNAVAILABLE FOR HEARING —

Reviewed By JL Date 10/01/04

Please call Attorney to confirm date

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 8208 Harford Road, Parkville

which is presently zoned BL

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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

dental laboratory. Special exception is allowable under Baltimore County Zoning Regulations Section 230.13(BL) for a laboratory.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Exception, 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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Legal Owner(s):

Byong Gook Lee
Name - Type or Print

Signature

Kyong Hye Lee
Name - Type or Print

Signature

8521 Westerman Circle 410 256 2300
Address Telephone No.

Baltimore, MD 21236
City State Zip Code

Attorney For Petitioner:

Ralph K. Rothwell, Jr.
Name - Type or Print

Signature

Maslan, Maslan & Rothwell, P.A.
Company

7508 Eastern Avenue 410-282-2700
Address Telephone No.

Baltimore, MD 21224
City State Zip Code

Representative to be Contacted:

Ralph K. Rothwell, Jr.
Name

7508 Eastern Avenue 410-282-2700
Address Telephone No.

Baltimore, MD 21224
City State Zip Code

ORDER RECEIVED FOR FILING
Date 11/29/04
By RBC
REV 09/15/98

Case No. 05 169 XA

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1HR

UNAVAILABLE FOR HEARING

Reviewed By JL Date 10/01/04

Please call to Confirm Date

DESCRIPTION TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION AND SPECIAL HEARING 8208 HARFORD ROAD

Beginning for the same at a point on the west side of Harford Road, Md. Rte 147 (60 feet wide) distant southwesterly 72 feet from it's intersection with the center of Emerald Avenue (40 feet wide), thence (1) S 33 50' W 50.91 feet, thence (2) N 45 24' W 146.97 feet, thence (3) N 44 38' E 50.00 feet, thence (4) S 45 24' E 137.46 feet to the place of beginning. Containing 7,110 square feet or 0.163 acre of land, more or less.

Being known as 8208 Harford Road. Located in the 9th Election District, 6th Councilmanic District of Baltimore County, Maryland.

169

STATE OF MARYLAND
GEOFFREY A. TIZARD II
NO. 15453
REGISTERED
PROFESSIONAL ENGINEER

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 40324

DATE 10/01/04

ACCOUNT 001 006 6150

AMOUNT $ 705.00

RECEIVED FROM: MASLAN, MASLAN + ROTHBLUM PA

FOR: Special exception / Variance
8308 Harford Rd

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
ADDRESS ACTUAL TIME
10/01/2004 10/01/2004 07:29:28
REG WORK MARYLAN KAREN KAM
RECEIPT # 2004 10/01/2004
Dept 3 328 ZONING VERIFICATION
DK NO. 00034
Rcpt Tot $705.00
$705.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

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: #06-169-XA
8208 Harford Road
W/side of Harford Road, 72 feet s/west of Emerald Avenue
9th Election District - 6th Councilmanic District
Legal Owner(s): Byong Gook and Kyong Hye Lee

Special Exception: to allow a dental laboratory. **Special Hearing:** to allow a modified parking plan, which will allow parking spaces without a turn around area and to allow a driveway of 10 feet for two-way movements.

Hearing: Friday, November 19, 2004 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204.

WILLIAM WISEMAN
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.

11/010 Nov. 4 28373

CERTIFICATE OF PUBLICATION

11/4/, 2004

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/4/,2004.

- [X] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 05-169-XA

Petitioner/Developer: BYONG GOOK

v KYONG HYE LEE

Date of Hearing/Closing: 11/19/04

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}

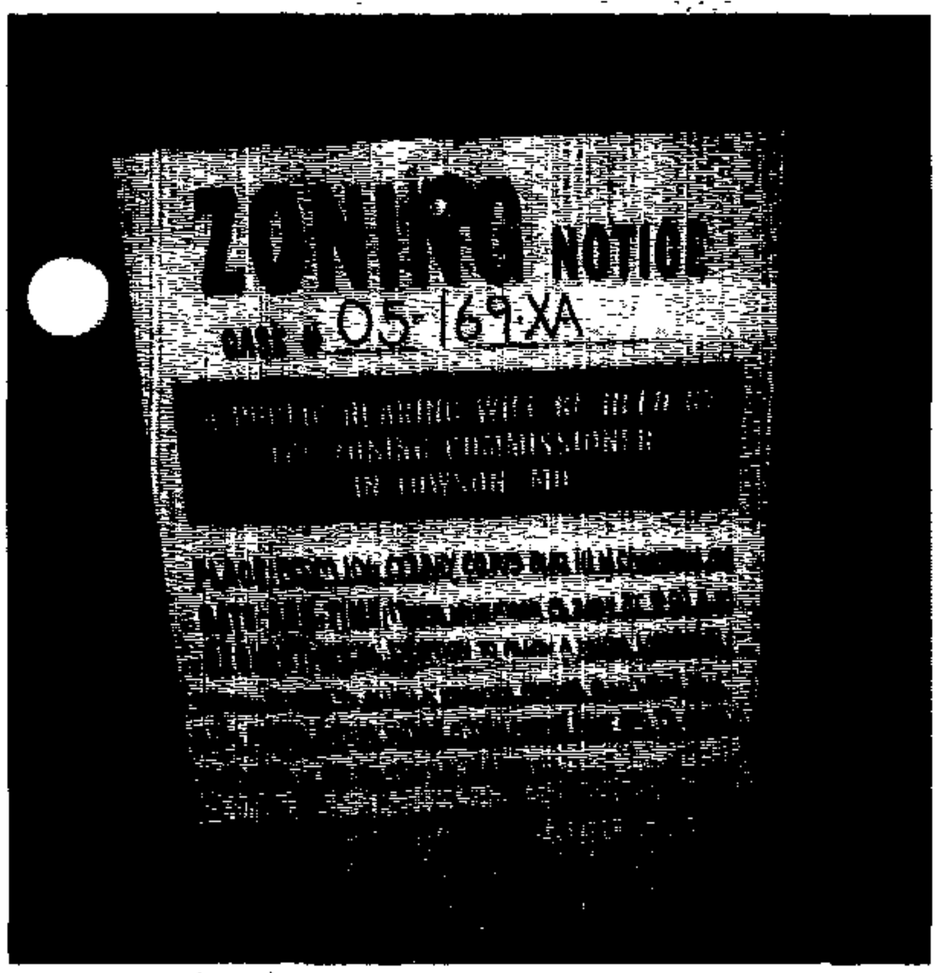
Ladies and Gentlemen:

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:

8208 HALFORD RD

The sign(s) were posted on 11/4/04
(Month, Day, Year)

Sincerely,



Robert Black 11/9/04
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

TO: PATUXENT PUBLISHING COMPANY
Thursday, November 4, 2004 Issue - Jeffersonian

Please forward billing to:
Ralph Rothwell
Maslan, Maslan, & Rothwell
7508 Eastern Avenue
Baltimore, MD 21224

410-282-2700

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: 05-169-XA
8208 Harford Road
W/side of Harford Road, 72 feet s/west of Emerald Avenue
9th Election District – 6th Councilmanic District
Legal Owners: Byong Gook and Kyong Hye Lee

Special Exception to allow a dental laboratory. Special Hearing to allow a modified parking plan, which will allow parking spaces without a turn around area and to allow a driveway of 10 feet for two-way movements.

Hearing: Friday, November 19, 2004, at 9:00 a.m. in Room 106, County Office Building,
111 W. Chesapeake Avenue, Towson 21204

WILLIAM WISEMAN
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

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

October 18, 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: 05-169-XA
8208 Harford Road
W/side of Harford Road, 72 feet s/west of Emerald Avenue
9th Election District – 6th Councilmanic District
Legal Owners: Byong Gook and Kyong Hye Lee

Special Exception to allow a dental laboratory. Special Hearing to allow a modified parking plan which will allow parking spaces without a turn around area and to allow a driveway of 10 feet for two-way movements.

Hearing: Friday, November 19, 2004, at 9:00 a.m. in Room 106, County Office Building,
111 W. Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Ralph Rothwell, Jr., 7508 Eastern Ave., Baltimore 21224
Byong & Kyong Lee, 8521 Westerman Circle, Baltimore 21236

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, NOVEMBER 4, 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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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 Newspaper Advertising:

Item Number or Case Number: 05-169-XA

Petitioner: Byong Gook Lee & Kyong Hye Lee

Address or Location: 8208 Hanford Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Ralph Rothwell

Address: 7508 Eastern Ave

Balto., Md 21224

Telephone Number: 410-282-2700

Revised 2/20/98 - SCJ

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

November 10, 2004

Ralph K. Rothwell, Jr.
Maslan, Maslan & Rothwell
7508 Eastern Avenue
Baltimore, Maryland 21224

Dear Mr. Rothwell:

RE: Case Number: 05-169-XA, 8208 Harford Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 1, 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,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Byong Gook and Kyong Hye Lee 8521 Westerman Circle Baltimore 21236

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: November 16, 2004

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 8208 Harford Road

INFORMATION:

Item Number: 5-169

Petitioner: Byong Gook Lee

Zoning: BL

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's exception subject to the following conditions:

1. Replace the existing paving in front of the house, between the right-of-way and the front steps of the subject dwelling (to include the 1 space shown) with a landscaped area.
2. As an alternative to the above, the petitioner may retain the existing parking space and remove the portion of the paving between said parking space and the right-of-way if the Hearing Officer determines that removal of the parking space would result in unnecessary hardship.

ORDER RECEIVED FOR FILING
Date 11/29/04
By DAY

Prepared by: Mark A Cunningham

Division Chief: AFK/LL:MAC: Mark A Cunningham By D.R.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: November 3, 2004

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For October 18, 2004
Item Nos. 156, 158, 159, 161, 164,
165, 166, 168, and 169

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

RWB:CEN:jrb

cc: File

ZAC-10-18-2004-ITEM NOS 156-169-11032004

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr JDO

DATE: October 27, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of October 11, 2004.

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

05-158
04-160
04-161
04-162
04-163
04-165
04-166
04-168
05-169

Reviewers: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: November 16, 2004

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 8208 Harford Road

INFORMATION:

Item Number: 5-169

Petitioner: Byong Gook Lee

Zoning: BL

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's exception subject to the following *conditions:*

1. Replace the existing paving in front of the house, between the right-of-way and the front steps of the subject dwelling (to include the 1 space shown) with a landscaped area.
2. As an alternative to the above, the petitioner may retain the existing parking space and remove the portion of the paving between said parking space and the right-of-way if the Hearing Officer determines that removal of the parking space would result in unnecessary hardship.

Prepared by: Mark A Cunph

Division Chief: Mark A Cunph By Dir.

AFK/LL:MAC:

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

SHA
Driven to Excel
State Highway Administration
Maryland Department of Transportation

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

Date: 10.13.04

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

RE: Baltimore County
Item No. 169 JLL

Dear Ms. Matthews:

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,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

RE:	PETITION FOR SPECIAL EXCEPTION AND VARIANCE	*	BEFORE THE
	8208 Harford Road; W/side of Harford Rd 72' SW of Emerald Avenue	*	ZONING COMMISSIONER
	9th Election & 6th Councilmanic Districts	*	FOR
	Legal Owner(s): Byong Gook Lee Petitioner(s)	*	BALTIMORE COUNTY
		*	05-169-XA

* * * * * * * * * * * * *

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
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED
OCT 19 2004
Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of October, 2004, a copy of the foregoing Entry of Appearance was mailed to Ralph K. Rothwell, Jr, Esquire, 7508 Eastern Avenue, Baltimore, MD 21224, Attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BALTIMORE COUNTY FIRE DEPARTMENT
EASTERN FIRE MARSHAL OFFICE

9325 Bel Air Road
Perry Hall, MD 21236

(410) 887-5178
FAX: (410) 887-5180

FAX TRANSMISSION COVER SHEET

Date: 11/15/04

To: Robin

Fax Number: 3468

Re: Case # 05-169-XA

Sender: Fire Marshal Files

BALTIMORE COUNTY FIRE DEPARTMENT
INVESTIGATIVE SERVICES
FIRE INSPECTION REPORT

Date	Box	Occ	Hi-rise	C/sr/permit	Units	Page 1 of
11/12/04	10	590				1

Address	Dir	Street	Suite/apt	Zip
8208		Harford Rd.		

Occupancy: Apt. on top with Business on 1st Floor.	Phone: 443-286-2803
Owner/rep: Byong Lee	Bldg owner name & address
Business owner name & address	Former occupant

Code #	Action required	Location	comp
	- need a 1 hour fire rated door - the rear door of the 1st Floor		
	- The window next to the door needs to be fire rated glass (1st Floor rear)		
NFPA 25	Is building equipped with sprinklers (Yes)_____ (No)_____ (indicate with an X)	Sprinkler service date ____/____/____ (attach copy of sprinkler co. service report)	
NFPA 72	Is building equipped with an alarm (Yes)_____ (No)_____ (indicate with an X)	Alarm service date ____/____/____ (attach copy of alarm co. service report)	

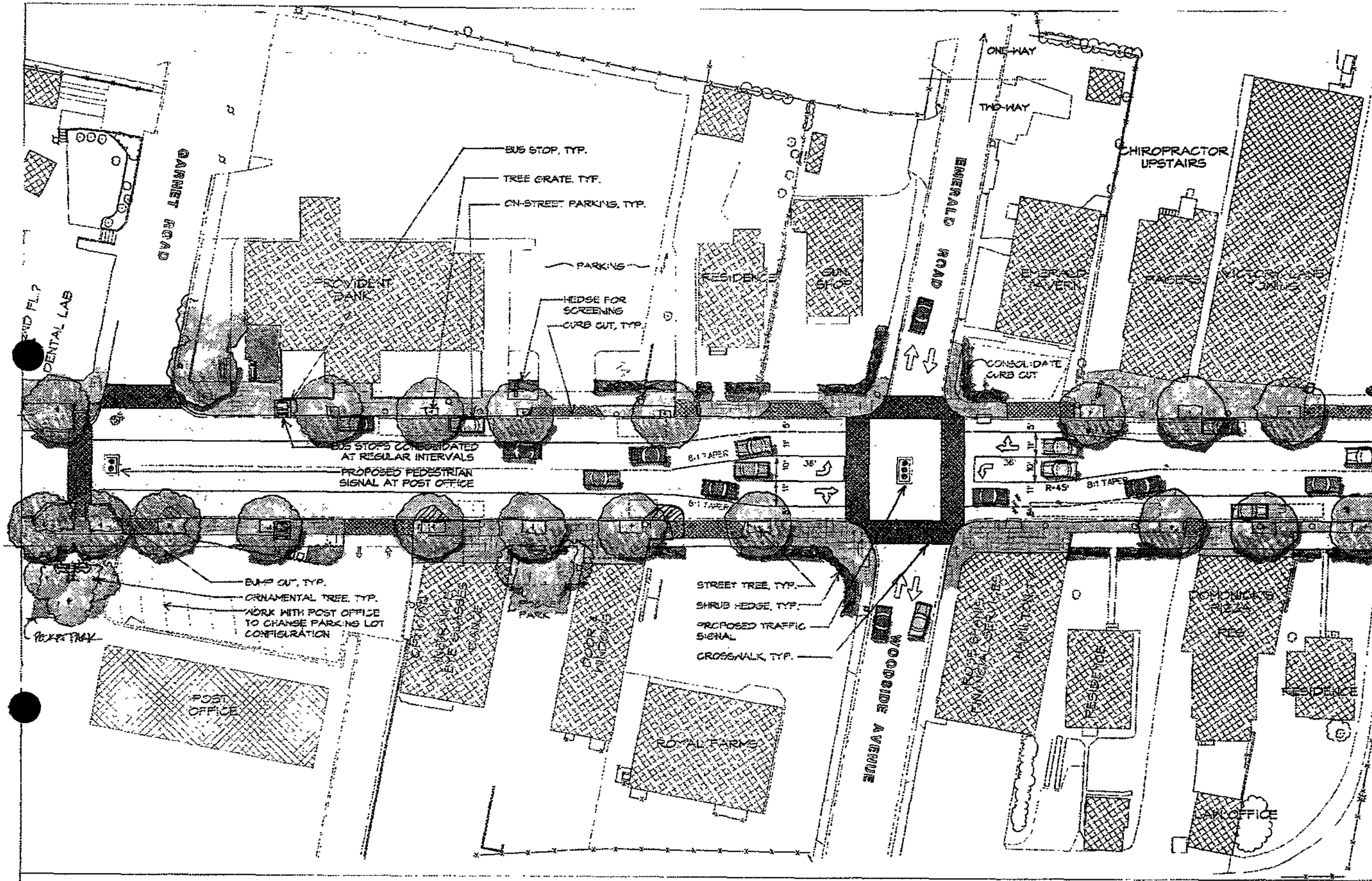
REINSPECTION

Re-insp date 12/2/04	Insp. name	Date Completed
Re-insp date	Insp. name	Date Completed
Re-insp date	Insp. name	Date Completed

Inspected by C.A. Riley	Received by: refused to sign	REFERRAL APPROVED BY:
Signature	Completed	Capt. Date:
COURT ACTION	COURT DATE:	B.C. Date:

Station	Phone	Fire prev off.	FP# 42	Phone 410-887-517

145-FP REV.3/93 white-master file yellow-section file pink-occupant



CONCEPT PLAN ENLARGEMENT SCALE: 1" = 20'

TRAFFIC LIGHT @ EMERALD RD. & WOODSIDE AVE.

LEGEND

4	PARKING METERED		BUS STOP
	OFF-STREET PARKING	(R)	NO PARKING ANY TIME
(2)	2 HOUR PARKING; 8AM - 6PM, EXCEPT SUN.		
(2W)	2 HOUR PARKING; 8AM - 4PM, WEEKDAYS		
(R)	NO PARKING 7-9AM & 4-6PM, EXCEPT SUN.		
(U)	UNREGULATED PARKING		

Plate #1

GPCC

7706 Oak Avenue
Parkville, MD 23234

410 668-2580

INTIATIVES & ACCOMPLISHMENT

COMMUNITY OUTREACH AND EDUCATION
Provide a newsletter to keep residents of the community informed. Conduct monthly membership meeting.

COMMUNITY PLANNING
Developing Parkville, Carney Community Plan and E. Joppa Road Corridor Study to serve as an effective way of identifying and addressing community concerns and prioritize capital improvements and enhancement projects.

COMMUNITY ENHANCEMENT PROJECTS
Developed conceptual plans and advanced for funding projects such as: Harford Road Streetscape Enhancement Project, Bus Stop Enhancement Project, Christmas Decorations on Harford Road, and Parkville Park Historic Monument and Garden Project.

CAPITAL IMPROVEMENT PROJECTS
Advocated for needed capital improvements and requested funding for improvements at annual County and State budget hearings such as: sidewalks on arterial roads to allow safe access to schools and shopping areas; repair aging storm drains; stream restorations; sound barrier walls at the beltway; Harford Road and E. Joppa Road Streetscape & Revitalization Projects; return of Parkville Police Command and improvements to Parkville Police Station; NeighborSpace; Neighborhood Traffic Management Program; funding for parks, playgrounds, additional ball fields, and library.

ZONING RECOMMENDATIONS
Developed recommendations for the Comprehensive Zoning process. Recommendations will help preserve our existing residential and commercial districts. Represented the community on local zoning issues and variances.

COUNTY WIDE INITIATIVES
Participated in County-wide groups. Worked on initiatives which address concerns in community conservation areas such as: Public Notification of Zoning issues, Preservation of Neighborhood Open Space, Neighborhood Traffic Management Program, Baltimore County Community Conservation Conference.

GREATER PARKVILLE COMMUNITY COUNCIL

Working to Preserve the Quality of Life in Parkville, Carney, and Cub Hill.

GPCC

2004

What is the Greater Parkville Community Council (GPCC)?

The Greater Parkville Community Council (GPCC) is an umbrella organization representing the communities of Parkville, Carney, and Cub Hill. Its membership includes community associations, civic groups, and individual residents residing within these communities.

Background

The GPCC was originally established June 1952, following World War II when an increasing number of families made the Greater Parkville area their home. The purpose of the GPCC was to protect the welfare of the community that was rapidly expanding. They were instrumental in brining capital improvements to our neighborhoods by providing practical suggestions in the County's planning process. However, they became inactive during the mid 80's.

During the mid 90's, it was felt by community leaders that our area was not receiving its fair share of tax dollars and community issues were not always being addressed appropriately. Realizing the need to reestablish a community council for the area, the GPCC was officially reactivated March of 1997, receiving its incorporation. The boundaries remain the same (south: city / county line, west: Oakleigh Road, north: Cub Hill Road, east: Simms Avenue), but our purpose and goals are more clearly defined.

GPCC Purpose and Goals

To take an active role in bringing County and State tax dollars to the area, especially at a time when resources are limited and other areas are competing for the same funds.

To give the community more unity and influence (having strength in numbers) to address community concerns and issues.

To focus on preservation and enhancement of the quality of our community and to keep the community an attractive, desirable place to live, shop, and raise a family.

Benefits of Community Council

The GPCC recognizes that each neighborhood within our boundaries is unique. We wish for each neighborhood to retain its own identity. Some of our neighborhoods have community associations, others may have active individuals where community associations do not exist. The benefit of a council is that it unites these associations and individuals so they can effectively advocate for the area to the County and State.

The GPCC works with other councils on County and State legislation, advisory boards, and special projects for the betterment of our communities. Like other community councils we are active in community planning for the area, developing community enhancement projects, and regularly represent the area in the County zoning and planning processes.

The Stability of Our Community is No Accident

The GPCC is stepping up to the challenge of actively participating and planning the future of the community instead of only reacting to issues as they arise. Over the years, we have made great progress in fulfilling our purpose and goals as a community council. In order to better represent the area, we need your involvement and to hear your ideas and concerns. Residents are encouraged to become a member of the GPCC and attend monthly membership meetings.

GPCC Meetings

GPCC general meetings are held on the second Thursday of each month (except July and August), 7:00 PM, at Morningside House Assisted Living Facility, 8800 Old Harford Road, (south of Joppa Road). Each month an informative guest speaker will present their role in maintaining a quality community. Meetings are educational and your input on agenda topics is appreciated. For more information call Ruth Baisden at 410 668-2580.

Help maintain the quality of our community by becoming a member of the **GPCC.**

Membership Apllication

To become a member of the Greater Parkville Community Council (GPCC). Please fill out the information below and mail with check to:

GPCC
7706 Oak Avenue
Parkville, MD 21234.

Name:

Address:

Phone Number:

Email:

Check Membership Type

- ☐ Individual Member $10.00
- ☐ Senior over 65 years of age $7.00
- ☐ Community Association $15.00
- ☐ Associate (Businesses, etc.) $25.00

☐ Yes, I would like to help deliver GPCC's "Neighborhoods" newsletter in my area.

☐ Yes, I would like to volunteer in community projects.

Thank You For Your Support!

PLEASE PRINT CLEARLY

CASE NAME 8208 Hanford Rd
CASE NUMBER 05-169-XA
DATE 11/19/04

CITIZEN'S SIGN-IN SHEET

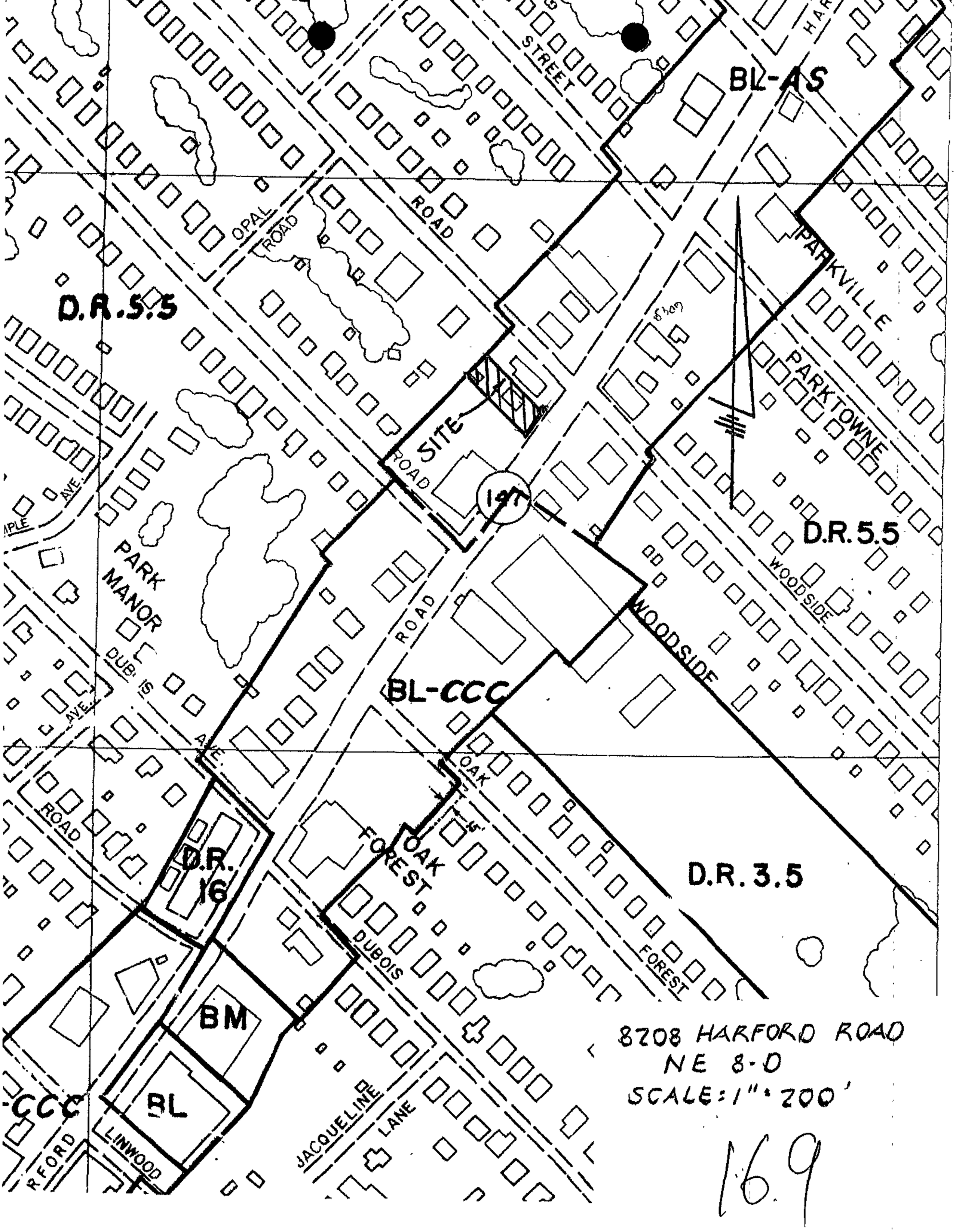
NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Ruth Baisden	7706 Oak Ave Create Parkville Com. Cn.	Balto. MD 21234 4106682580	ruthbaisden@yahoo.com please mail order

PLEASE PRINT CLEARLY

CASE NAME 8208 HARFORD RD
CASE NUMBER 05-169-XA
DATE 11/19/04

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
DAVID BILLINGSLEY	601 CHARWOOD CT.	EDGEWOOD, MD 21040	
R. R=Thwell	7508 Eastern Ave	Balto., Md. 21224	
Byong Lee	8121 Westerman CiR	Balto, MD 21236	
Regina Kyoo Lee	5913 Bethlehem CT	Derwood, MD 20855	


BL-AS
D.R.5.5
PARKVILLE
PARKTOWNE
SITE
OPAL ROAD
ROAD
STREET
D.R.5.5
WOODSIDE
PARK MANOR
DUBOIS
AVE.
ROAD
BL-CCC
OAK FOREST
D.R. 16
D.R.3.5
FOREST
BM
BL
JACQUELINE
LANE
LINWOOD
8708 HARFORD ROAD
NE 8-D
SCALE: 1" = 200'
169

Click here for a plain text ADA compliant screen.

Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

Go Back
View Map
New Search
Ground Rent

Account Identifier: **District -** 09 **Account Number -** 0912400420

Owner Information

Owner Name: LEE BYONG GOOK
LEE KYONG HYE

Mailing Address: 8521 WESTERMAN CIR
BALTIMORE MD 21236-2977

Use: COMMERCIAL

Principal Residence: NO

Deed Reference: 1) /20487/ 305
2)

Location & Structure Information

Premises Address
8208 HARFORD RD

Legal Description

8208 HARFORD RD
CANTON COMPANY PLAT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Group	Plat No:
81	2	675					8	81	Plat Ref:

Special Tax Areas **Town** **Ad Valorem** **Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1915	1,686 SF	7,050.00 SF	06

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2002	Phase-in Assessments As Of 07/01/2004	As Of 07/01/2005
Land:	28,050	28,050		
Improvements:	75,490	75,490		
Total:	103,540	103,540	103,540	NOT AVAIL
Preferential Land:	0	0	0	NOT AVAIL

Transfer Information

Seller:	AQUILANO DONALD,JR	**Date:**	08/04/2004	**Price:**	$315,000
Type:	NOT ARMS-LENGTH	**Deed1:**	/20487/ 305	**Deed2:**	
Seller:	SIMMS HARRY V,JR	**Date:**	09/20/2001	**Price:**	$160,000
Type:	IMPROVED ARMS-LENGTH	**Deed1:**	/15587/ 140	**Deed2:**	
Seller:	SIMMS HARRY V,JR	**Date:**	03/22/1999	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/13612/ 261	**Deed2:**	

Exemption Information

Partial Exempt Assessments	Class	07/01/2004	07/01/2005
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

Pet #2

American Home Title, Inc.
File No. **04-503**
Tax ID # **09 0912400420**

This Deed, made this 21st day of June, 2004, by and between Donald Aquilano, Jr. and Jennifer Aquilano, parties of the first part, Grantors; and Byong Gook Lee and Kyong Hye Lee, parties of the second part, Grantees.

- Witnesseth -

That for and in consideration of the sum of Three Hundred Fifteen Thousand And 00/100 Dollars ($315,000.00), the receipt whereof is hereby acknowledged, the said Grantors do grant and convey to the said Byong Gook Lee and Kyong Hye Lee, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

BEGINNING for the same on a line parallel to and ten feet northwesterly from the northwest side of Harford Road, at the distance of 203-58/100 feet northeasterly from the intersection of said line with the northeast side of Garnet Road; and running thence parallel to Garnet Road North 45 degrees 24 minutes West 146-97/100 feet; thence North 44 degrees and 36 minutes East 50 feet; thence South 45 degrees and 24 minutes East 137-46/100 feet to intersect said line 10 feet northwesterly from the northwest side of Harford Road; and thence parallel to Harford Road South 33 degrees and 50 minutes West 50-91/100 feet to the place of beginning. Comprising Lot No. Eight on the Plat of the subdivision No. 1, of the land here belonging to the Canton Company of Baltimore. The space of ten feet wide between lot above described and the Harford Road to be used as a sidewalk for joint use.

BEING the fee simple property which, by Fee Simple Deed dated September 13, 2001, and recorded in the Land Records of the County of Baltimore, Maryland, in Liber 15587, Folio 140, was granted and conveyed by Harry V. Simms, Jr. and Dorothy Ellen Simms unto Donald Aquilano, Jr. and Jennifer Aquilano.

Property Address: 8208 Harford Road, Parkville, MD 21234

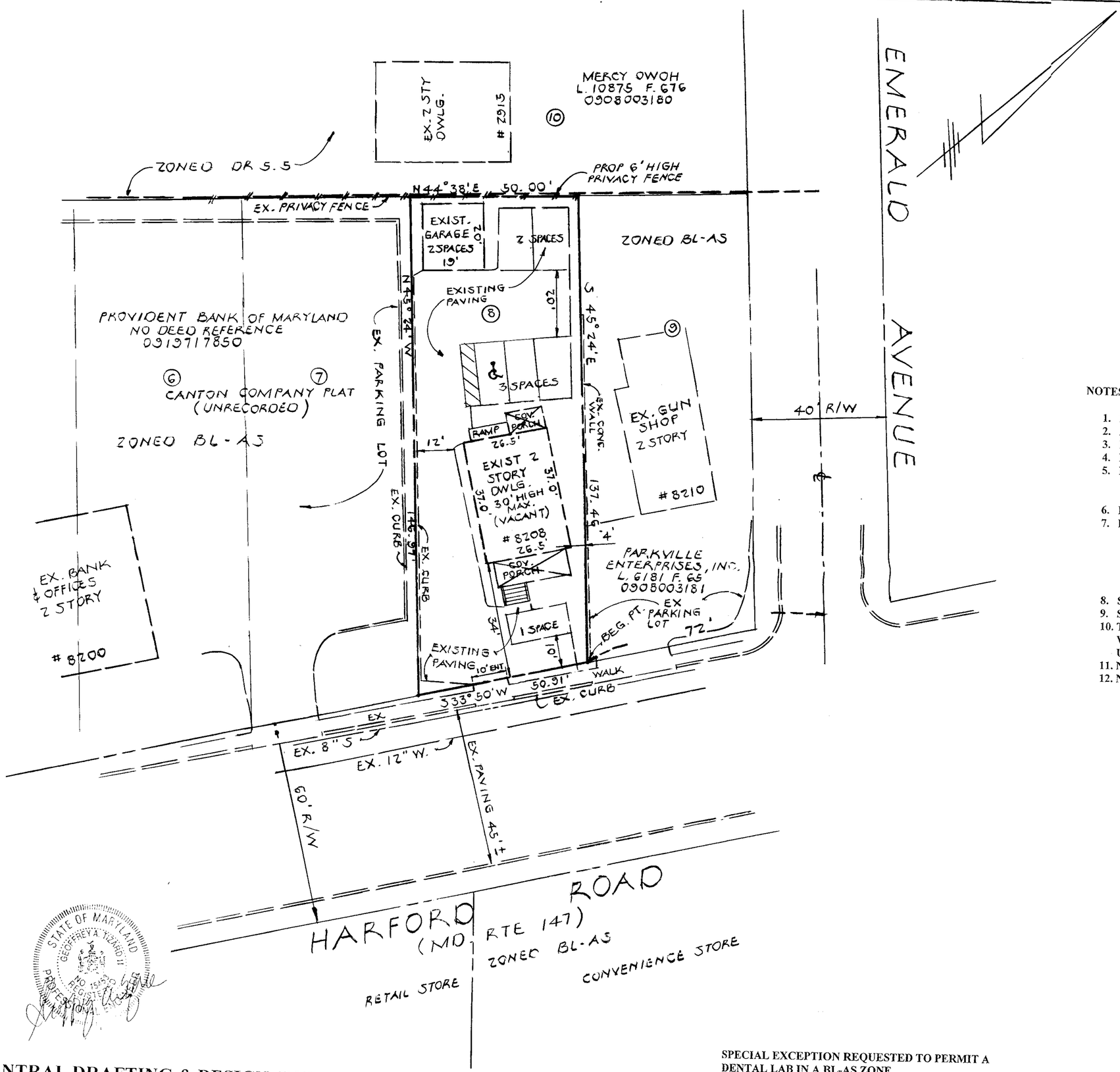
Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

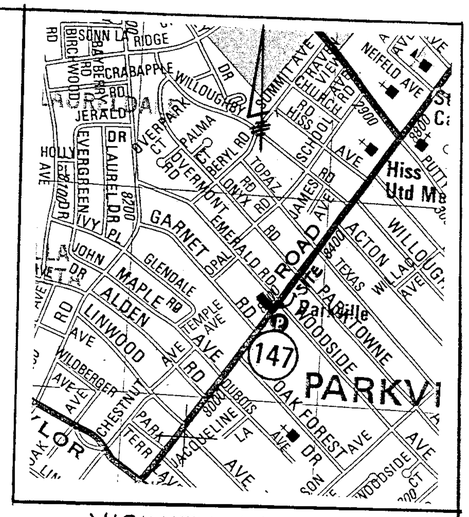
To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Byong Gook Lee and Kyong Hye Lee, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

SIGNATURE AND NOTARY ON NEXT PAGE

Pet #3





VICINITY MAP
SCALE 1" = 1000'

NOTES:

1. ZONING.....BL-AS (NE 8-D)
2. AREA.....7,110 S.F. = 0.163 ACRE
3. EXISTING USE.....RESIDENTIAL (VACANT)
4. PROPOSED USE.....DENTAL LAB
5. BUILDING AREA.....1ST FL.....981 S.F.
   2ND FL.....981 S.F.
   TOTAL.....1,962 S.F.
6. F.A.R.....0.28
7. PARKING DATA
   REQUIRED....6 EMPLOYEES @ 1 SP/EMPLOYEE = 6 SPACES
   OR
   1,962 S.F. @ 3.3 SP/1000 S.F. = 7 SPACES
   PROVIDED....6 SPACES PLUS 2 GARAGE SPACES = 8 SPACES
   ALL SPACES MINIMUM 8.5 FT X 18 FT
8. SITE IS NOT LOCATED IN THE CBCA OR 100 YEAR FLOOD PLAIN
9. SITE IS SERVICED BY PUBLIC WATER AND SEWER
10. TO THE PREPARERS KNOWLEDGE, NO HISTORIC BUILDINGS, WELLS, SEPTIC SYSTEMS, ARCHEOLOGICAL SITES, UNDERGROUND STORAGE TANKS OR WETLANDS EXIST.
11. NO SIGNS OR LIGHTING ARE PROPOSED
12. NO ZONING HISTORY

OWNER

BYONG GOOK LEE
KYONG HYE LEE
8521 WESTERMAN CIRCLE
BALTIMORE, MARYLAND 21236
(410) 256-2300
PROPERTY ACCT. NO. 0912400420

169

PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION AND SPECIAL HEARING
8208 HARFORD ROAD
ELECTION DISTRICT 9,C6
BALTIMORE COUNTY, MARYLAND
SCALE: 1 INCH = 20 FEET
AUGUST 24, 2004

Petit

STATE OF MARYLAND
GEOFFREY A. TIZARD II
NO. 15520
REGISTERED
PROFESSIONAL LAND SURVEYOR

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

SPECIAL EXCEPTION REQUESTED TO PERMIT A DENTAL LAB IN A BL-AS ZONE

SPECIAL HEARING TO APPROVE A MODIFIED PARKING PLAN (SECTION 409.12.B.) WHICH WILL ALLOW PARKING SPACES WITHOUT A TURN-AROUND AREA AND ALLOW A DRIVEWAY WIDTH OF 12 FEET FOR TWO-WAY MOVEMENTS