CETT REGENVED FOR FILING

IN RE: PETITIONS FOR SPECIAL HEARING, *
SPECIAL EXCEPTION AND VARIANCE SE/Corner E. Joppa Road & LaSalle Road *
(8601 LaSalle Road)
9th Election District *
5th Council District

IDGAD, LLC Petitioners BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No.: 05-244-SPHX**A**

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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This matter comes before the Zoning Commissioner for consideration of Petitions for Special Exception, Special Hearing and Variance filed by the owners of the subject property, IDGAD, LLC, through its attorneys, David K. Gildea and Gildea & Schmidt, LLC. The Petitioners request a special exception to permit medical offices and clinics, pursuant to Section 210.3.B.2 of the Baltimore County Zoning Regulations ("BCZR"). Petitioners also request Special Hearing relief in order to amend the site plan and Order issued in Case No. 03-513-SPHXA. Finally, Petitioners seek variance relief from Section 210.3.B.2 of the BCZR, to permit up to 80% of the gross floor area of the project to be devoted to medical offices and clinics in lieu of the maximum permitted 25%. The subject property and requested relief are more particularly shown on Petitioner's Exhibit 1, plat to accompany Petitions for Special Exception, Special Hearing and Variance.

Appearing at the requisite public hearing held for this case was Davis C. Emory, on behalf of IDGAD, LLC, property owner/Petitioner. Also present was Karen Wastic, the professional engineer who prepared the site plan. Petitioner was represented by David K. Gildea, Esquire. Also appearing as an interested person was Helga Weschke on behalf of Baltimore County's Department of Economic Development. Ms. Weschke presented David S.

OHDER PEGENCED FOR FILING Date Control of Co Iannucci's comments and support for the requested relief and advised that Donna Spicer, on behalf of the Loch Raven Community Council, all supported the Petitioner's office use proposal.

There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property is part of a larger tract, situated on the southeast corner of the intersection of E. Joppa Road and LaSalle Road in Towson. The overall tract is an irregularly shaped parcel, approximately 6.52 acres in area, zoned SE (Service - Employment). The tract is comprised of three lots. Lot 1 is located immediately adjacent to the intersection of E. Joppa Road and LaSalle Road and is 2.39 acres in area. The lot is improved with an existing Bob Evans Restaurant building, which occupies 5,668 s.f. in area. Additionally, pursuant to the previously approved plan in Case No. 03-513-SPHXA, a second restaurant building approximately 2,520 s.f. is approved for that lot. Lot 2 is located adjacent to Lot 1 and is improved with an existing bank building known as 8603 LaSalle Road. Finally, Lot 3 is farthest removed from the intersection. Lot 3 is 2.86 acres in area and is presently unimproved. However, Lot 3 was approved for a proposed office building containing two stories and a total of 36,568 s.f. In addition to the existing and proposed buildings, the previously approved plan also shows curb cuts entering the site from both Joppa Road and LaSalle Road, as well as appropriate parking and drive aisles. Additionally, the eastern boundary of the site is landscaped to provide a buffer from the adjacent residential community known as Loch Raven Manor.

The subject of the instant Petitions relates to the proposed office building on Lot 3. As noted above, medical offices and clinics are permitted in the SE zone by Special Exception only. Thus, Special Exception relief is required. The Petitioner proposes that up to 80% of the leaseable area within the proposed two-story office building will be leased for medical offices

ORDER RECEIVED FOR FILLING Date (1992) 94 and clinics. Additionally, a zoning variance is sought in view of the percentage of medical offices. Section 210.3.B.2 of the BCZR limits medical offices and clinics to no greater than 25% of a given building. In this case, Petitioner seeks variance relief to allow up to 80% of the building to be so utilized.

Finally, Special Hearing relief is requested to amend the previously approved plan. In this regard, Special Exception, Special Hearing and Special Variance relief was previously granted in Case No. 03-513-SPHXA by then Zoning Commissioner Lawrence E. Schmidt on August 23, 2003.

Testimony and evidence was presented in support of the instant Petitions. Specifically, evidence was offered that the proposed use would not be detrimental to the health, safety and general welfare of the locale and complied with the requirements set forth in Section 502.1 of the BCZR. Similarly, evidence was offered in support of the requested Variance. In this regard, it was indicated that the leasing of the proposed building for medical offices and clinics would provide a necessary service to the nearby residential communities. Evidence was also offered that the request complies with the requirements set forth in Section 307 of the BCZR as construed in *Cromwell v. Ward*, 307 Md. 1 (1994).

Finally, testimony and evidence offered that an amendment to the plan previously approved in the prior case was appropriate and would not detrimentally impact the surrounding neighborhood.

Based upon the testimony and evidence offered, I am persuaded to grant the relief requested. In my judgment, the proposal is consistent with the surrounding locale and will not detrimentally impact the surrounding neighborhood. The proposed redevelopment of this site is appropriate and meets the spirit and intent of the Zoning Regulations.

Pursuant to the advertising, posting of the property and public hearing on these Petitions held, and for reasons set forth above, the relief requested, as amended shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of December, 2004, that the Petition for Special Exception to permit medical offices and clinics, pursuant to Section 210.3.B.2 of the Baltimore County Zoning Regulations ("BCZR"), in accordance with Petitioner's Exhibit 1 be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing relief in order to amend the site plan and Order issued in Case No. 03-513-SPHXA, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that Variance relief from Section 210.3.B.2 of the BCZR, to permit up to 80% of the gross floor area of the project to be devoted to medical offices and clinics in lieu of the maximum permitted 25%, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- The Petitioners may apply for their permits and be granted same upon receipt of this Order; however, Petitions 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.
- Except as specially modified herein, the terms and conditions of the relief granted in Case No. 03-513-SPHXA shall be incorporated herein.
- When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:bjs

OR FILING

SEDER RECE

Zoning Commissioner

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





James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

December 22, 2004

David K. Gildea, Esquire Gildea & Schmidt, LLC 300 E. Lombard Street, Suite 1440 Baltimore, Maryland 21202

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE SE/Corner E. Joppa Road and LaSalle Road

(8601 LaSalle Road)

9th Election District — 5th Council District IDGAD, LLC - Petitioners
Case No. 05-244-SPHXA

Dear Mr. Gildea:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception and Variance have 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,

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:bjs

Messrs. Davis C. Emory and Gordon Boone, IDGAD, LLC
 7250 Parkway Drive, Suite 130, Hanover, Md. 21076
 Ms. Karen Wastic, G. W. Stephens, Jr. & Associates, Inc.
 1020 Cromwell Bridge Road, Towson, Md. 21286-3396
 Ms. Donna Spicer, 8719 Eddington Road, Baltimore, Md. 21234
 Ms. Helga Weschke, Department of Economic Development
 People's Counsel; Case File



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



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at _	8601	<u>LaSalle</u>	Road
which is	presently	zoned <u>SE</u>	

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

to amend the site plan and order in Case No. 03-513-SPHXASA

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 is the subject of this Petition.	property which
	Contract Purchaser/Lesse	<u>:e:</u>	Legal Owner(s):	
			IDGAD, ILC	
	Name - Type or Print	Na	ame - Type or Pfint	
	Signature	<u> </u>	Signature	
	Address	Telephone No.	Davis C. Emory 4I Name - Type or Print	0-712-4466
	Clty	State Zlp Code	Signature	<u></u>
I	Attorney For Petitioner:	_	7250 Parkway Drive 443- Address Suite 130	-690-8891 Telephone No.
	Name - Type or Print	Esquire	Hanover, MD 21076 State Z Representative to be Contacted:	ip Code
O	Signature Gildea & Schmidt, Company	- LLC	<u>David K. Gildea, Esquire</u> Name	· · · · · · · · · · · · · · · · · · ·
FILMG	300 E. Lombard St Address 410-234-	ten to the total	300 E. Lombard Street, St Address 410-234-0070	uite 1440 Telephone No.
<u>G</u> .	Baltimore, MD 21	202 State Zlp Code	Baltimore, MD 21202 City State	Zlp Code
			OFFICE USE ONLY	
			ESTIMATED LENGTH OF HEARING	·
REC.	Cale No. 05-240	-SP-IXA	UNAVAILABLE FOR HEARING	· · · · · · · · · · · · · · · · · · ·
Œ W	REV 9/15/98	R	Reviewed By L7 Date 11/13	104
		•		!



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

Legal Owner(s):

for the property located at 8601	LaSalle Road
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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

Medical Offices and Clinics

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:

				IDGAD, LLC	
Name - Type or Print			Name - T	ype or Print	
Slgnature	······································	·	•	Signature	<u> </u>
Address	······································	Telephone No.	•	Name - Type or Print	100-712-4466
Clty	State	Zip Code	•	Signature	-
Attorney For Petitio	ner:			7250 Parkway Drive	443-690-8891
Aprild K Cilde	Esquire			Address Suite 130	Telephone No.
Name - Type or Print	17	· · · · · · · · · · · · · · · · · · ·	City	Hanover, MD 210'	7.6 Zp Code
Signature	12-		•	Representative to be Contacte	<u>d:</u>
<u>Gildea & Schmi</u> Company	dt, LLC		-	Gordon Boone Name	
BAATACC	1 Street, St	ite 1440 Telephone No.	-	7250 Parkway Drive	· · · · · · · · · · · · · · · · · · ·
Haltimore, MD	0-234-0070 21202			443-690-889 <u>Hanover, MD</u> 21076	7 Telephone No.
City	State	Zip Code	•	City	Zp Code
				OFFICE USE ONLY	
Case No. <u>05-2</u>	44-50UW	A		ESTIMATED LENGTH OF HEARING	· · · · ·
d		· <i>y</i>		UNAVAILABLE FOR HEARING	
00 10 5 100				Reviewed By L712 Da	te 11/12/0d

ORDER RECEIVED FOR FILING Date //////////



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8601 LaSalle Road		
which is presently zoned <u>SE</u>	- -	-

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

210.3B.2

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

to permit 80% of the gross floor area of project to be devoted to medical offices and clinics in lieu of required 25%.

Legal Owner(s):

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.

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:

SECENT THE SECENT

		IDGAD LLC
Name - Type or Print	Name	- Type or Print
Signature		Signature Signature
Address	Telephone No.	DAVIS C. EVECRY 4(0-7)2-4466 Name - Type or Print
Clty	Zip Code	Signature
Attorney For Petitioner:		7250 Parkway Drive, Suite 130
		Address 443-690-8891 Telephone No.
David K. Gildea Esquir		Hanover, MD 21076
1 Jan D. C. C. Commen	City	State Zp Code Representative to be Contacted:
Signature		Representative to be Contacted:
Gildea & Schmidt, LLC Company		<u>Gordon Boone</u> Name
100 E. Lombard Street, Address 410-234-0070	Suite 1440 Telephone No.	7250 Parkway Drive, Suite 230 Address 443-690-8891 Telephone No.
_Baltimore MD 21202	• •	442-630-993T reichious vo.
State	Zip Code	Hanover, MD, 21076 City State Zp Code
4/0-234-00	72	OFFICE USE ONLY
Case No. 05-244-5PL		ESTIMATED LENGTH OF HEARING
	Reviewed By	UNAVAILABLE FOR HEARING

8601 LaSalle Road LOT 3, 2.856 ACRES DESCRIPTION TO ACCOMPANY ZONING PETITION

BEGINNING for the description of a 2.856 acre parcel at a point on the westerly side of a 20-foot alley and being distant South 17 degrees 25 minutes 21 seconds West 392.88 feet measured from the intersection of the Baseline of Joppa Road (variable width) and the centerline of Mylander Lane (variable width), running thence leaving said point of beginning, binding on the westerly side of a 20-foot alley,

- South 13 degrees 42 minutes 34 seconds West 368.61 feet, running thence leaving said alley,
- 2. North 76 degrees 18 minutes 20 seconds West 508.66 feet to intersect the easterly side of La Salle Road, (70 feet wide), running thence binding on the easterly side of La Salle Road, the two following courses,
- 3. North 36 degrees 59 minutes 13 seconds East 52.55 feet and
- 4. northeasterly by a tangent curve to the left, having a radius of 1,025.00 feet for a distance of 206.59 feet, said curve being subtended by a chord bearing North 31 degrees 12 minutes 47 seconds East 206.24 feet, running thence leaving said La Salle Road, the four following courses,
- 5. by a non-radial line South 76 degrees 17 minutes 26 seconds East 342.42 feet,
- 6. North 13 degrees 42 minutes 34 seconds East 72.78 feet and
- 7. North 76 degrees 17 minutes 26 seconds West 18 feet,
- 8. North 13 degrees 42 minutes 34 seconds East 51 feet,
- 9. South 76 degrees 17 minutes 26 seconds East 101.43 feet, to the point of beginning.

Containing or 2.856 Acres (124,413 square feet), more or less.

The above bearings are based on Maryland Coordinate System, NAD83/91.

NOTE: The above description is for zoning purposes only and is not to be used for any conveyances or agreements.

#244

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: #05-244-SPHXA
8601 LaSalle Road
E/side of LaSalle Road, 392 feet +/- south of Joppa Road
9th Election District - 5th Councilmanic District
Legal Owner(s): IGDAD, LLC, Davis C. Emory
Special Hearing: to amend the site plan and order in Case No. 03-513-SPHXASA. Special Esception: to allow medical office and clinics. Variance: to permit 80% of the gross floor area of project to be devoted to medical offices and clinics in lieu of the allowed 25%.
Hearing: Wednesday, December 22, 2004 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

Avenue.

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.

JT/12/605 Dec. 7

CERTIFICATE OF PUBLICATION

129,2004
THIS IS TO CERTIFY, that the annexed advertisement was published
the following weekly newspaper published in Baltimore County, Md.,
nce in each ofsuccessive weeks, the first publication appearing
$n = \frac{12}{7},2004$
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

BALTIMORE COUNTY MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

CERTIFICATE OF POSTING

RE: Case No.: 05-244-57 Petitioner/Developer: <u>TGDAD</u> 11C Date of Hearing/Closing: 12/22/04 **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: 8601 LASALLE RD The sign(s) were posted on (Month, Day, Year) Sincerely, (Signature of Sign Poster) 05·244·3PHXA **SSG Robert Black** PHELL HEARING WILL IN HELL BY (Print Name) THE ZORBER COMMISSIONER THE THW STOPLE SHE 1508 Leslie Road TO SEE THE PARTY OF THE PARTY O (Address) Dundalk, Maryland 21222 (City, State, Zip Code) (410) 282-7940 (Telephone Number)

RECEIVED

DEC 1 0 2004

DEPT, OF PERMITS AND
DEVELOPMENT MANAGEMENT

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 22, 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: 05-244-SPHXA

8601 LaSalle Road

E/side of LaSalle Road, 392 feet +/- south of Joppa Road

9th Election District – 5th Councilmanic District

Legal Owners: IGDAD, LLC, Davis C. Emory

Special Hearing to amend the site plan and order in Case No. 03-513-SPHXASA. Special Exception to allow medical office and clinics. Variance to permit 80% of the gross floor area of project to be devoted to medical offices and clinics in lieu of the allowed 25%.

Hearing: Wednesday, December 22, 2004 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: David Gildea, 300 E. Lombard St., Ste. 1440, Baltimore, MD 21202 Davis Emory, 7520 Parkway Drive, Ste. 130, Hanover 21076 Gordon Boone, 7520 Parkway Drive, Ste. 230, Hanover 21076

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BYAN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 7, 1004.

- (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

Tuesday, December 7, 2004 Issue - Jeffersonian

Please forward billing to:

David Gildea Gildea & Schimidt, LLC 300 E. Lombard Street, Ste. 1440 Baltimore, MD 21202

410-234-0070

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: 05-244-SPHXA

8601 LaSalle Road E/side of LaSalle Road, 392 feet +/- south of Joppa Road 9th Election District – 5th Councilmanic District Legal Owners: IGDAD, LLC, Davis C. Emory

Special Hearing to amend the site plan and order in Case No. 03-513-SPHXASA. Special Exception to allow medical office and clinics. Variance to permit 80% of the gross floor area of project to be devoted to medical offices and clinics in lieu of the allowed 25%.

Hearing: Wednesday, December 22, 2004 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley 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

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.

	paper Advertising:	
Item Numb	per or Case Number 05-244, SPHXA	
Petitioner.	10GAD, LLC	
Address or	Location: 8601 LASALLE RD.	
		·
PLEASE F	ORWARD ADVERTISING BILL TO	
	ORWARD ADVERTISING BILL TO PAVID GILPEA	
Name:		
Name:	PAVID GILPEA	
	DAVID GILDEA 300 E. LOMBARD ST.	

Department of Permits a 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

December 15, 2004

David K. Gildea Gildea & Schmidt, LLC 300 E. Lombard Street, Suite 1440 Baltimore, Maryland 21202

Dear Mr. Gildea:

RE: Case Number:05-244-SPHXA, 8601 LaSalle Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 12, 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. Callibal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel IGDAD, LLC Davis C. Emory 7250 Parkway Drive, Ste. 130 Hanover 21076 Gordon Boone 7250 Parkway Drive, Ste. 230 Hanover 21076



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 November 22, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: November 22, 2004

Item No.:

244

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.

3. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

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

cc: File



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



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

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

Maryland Department of Transportation

Date: //. 22.04

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

RE:

Baltimore County

Item No. (244) LTM

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, Chief

1. 1. Smell

Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

PDM

FROM:

John D. Oltman, Jr TPO

DEPRM

DATE:

December 10, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of November 22, 2004.

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

05-227

05-229

05-230

05-232

05-233

05-234

05-235

05-238

05-239

05-240

05-241

05-242

05-243

05-245

05-246

05-247

05-248

Reviewers: Sue Farinetti, Dave Lykens

12/22

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

RECEIVED

DATE: December 9, 2004

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DEC 9 2004

ZONING COMMISSIONER

SUBJECT:

Zoning Advisory Petition(s): Case(s) 5-244

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact David Pinning in the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

MAC/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: December 7, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 29, 2004

Item Nos. 227, 228, 229, 230, 231, 232, 233, 234, 237, 238, 239, 240, 241, 242, 243, 244, 246, and 248

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

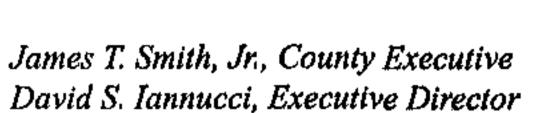
RWB:CEN:jrb

cc: File

Department of Economic Development

400 Washington Avenue Towson, Maryland 21204

Tel: 410-887-8000 • Fax: 410-887-8017





Baltimore County

One of the Best-Managed Counties in America

RECE/VED

MEMORANDUM

TO:

William J. Wiseman, III

Zoning Commissioner

FROM:

David S. Iannu

Executive Director

DATE:

December 21, 2004

RE:

8601 LaSalle Road - Case #05-244-SPHX

The Department of Economic Development supports the requested Special Exception for the above noted case. The Special Exception would increase medical office use of this building from the limit of 25 percent to up to 80 percent. The request would enable a potential employer to occupy this building and create up to 92 jobs.

The potential occupant, a medical imaging company, plans to create 64 highly technical jobs with an average salary of \$117,000. If the firm decides to locate its headquarters operation at this site, another 28 jobs with an average salary of \$97,000 would be created. This specific project would result in over \$13,000,000 in capital investment. 8601 LaSalle Road is an easily accessible location in the Towson area, ideal for medical offices. Although this site is not in the Loch Raven Commercial Revitalization District, it is adjacent. By permitting this special exception, the community and County will realize a variety of benefits including:

- strengthening the economic base of the community;
- attracting significant private investment;
- improving the physical appearance of an important commercial area; and
- generate new income and property tax revenue for the County.

If you should have any questions or concerns, please contact Helga Weschke, Business Development Representative for the Towson area at 410-887-8028.

cc: Helga Weschke



PETITION FOR SPECIAL HEARING RE: SPECIAL EXCEPTION & VARIANCE 8601 LaSalle Road; E/side LaSalle Road, 392' S Joppa Road 9th Election & 5th Councilmanic Districts

Legal Owner(s): IDGAD, LLC,

David C Emory

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

05-244-SPHXA

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

RECEIVED

NOV 2 4 2003

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 24th day of November, 2004, a copy of the foregoing Entry of Appearance was mailed to David Gildea, Esquire, , Gildea & Schmidt LLC, 300 E. Lombard Street, Suite 1440, Baltimore, MD 21202, Attorney for Petitioner(s).

People's Counsel for Baltimore County

WORKING TOGETHER

Toch Raven Business Association. P.O. Box 42083 Loch Raven, MD 21284-2083

Loch Raven Community Council P.O. Box 42115

Loch Raven, MD 21284-2115

Donna Spicer, Executive Director

TO ENHANCE BUSINESS AND COMMUNITY Phone: 410-665-4322

FAX. 410-668-0569

William Wiseman, III Zoning Commissioner Baltimore County Suite 405, County Courts Building 401 Bostey Avenue Towson, Maryland 21204

December 29, 2004

Dear Commissioner Wiseman,

This letter is to address my profound concern about the statement in your decision on case # 05-244-SPHXA attributed to Ms. Heiga Weschke

For almost eleven years, my community activity has always and diligently been ruled by the necessity to build and protect a respected reputation for myself and most importantly the organizations I have had the privilege to represent.

The Loch Raven Community Council (LRCC) is an umbrella organization with boundaries representing an area consisting of 18 community associations. Due to complications, conflicting schedules and the time of year (holiday and vacation season) the usual procedure of inclusion, dissemination of information and communication used to achieve a formal and proper position was not possible

1. Communication with residents adjacent to this project was limited but no opposition was reported.

2. An officer of the immediate area association, The Associates of Loch Raven Village, was informed of this case. No opposition was reported.

3. LRCC member representatives were informed, No position was taken but no opposition was reported.

I had multiple in depth communications with Kevin Gambrill 5th District area planner with the Office of Planning, Mr Gildea, Ms. Wastic and representatives of IDGAD, LLC. I had no communication with anyone with the Department of Economic Development concerning this case.

Please be advised that no one was given the authority to speak for me. Most certainly, no one was authorized to speak for LRCC. (See enclosed Rule 8 - written authority is required to represent LRCC if other than the President, Vice President or Executive Director.) As stated prior in this letter, there is no official LRCC position of support in this case. (Nor is there opposition)

Sincerely,

a are to

Donna Spicer



Loch Raven Community Council, Inc. P.O. Box 42115 Loch Raven, Maryland 21284-2115

Resolved: That at the May 10, 2004 meeting of the Loch Raven Community Council (LRCC) it was decided by the LRCC that responsibility for representing the position of the LRCC on issues and concerns will be the President, Vice President or Executive Director.

In the absence of the President, Vice President or Executive Director or to better represent a LRCC position, the President or Vice President shall appoint, in writing, a representative as an alternate to speak on a particular issue.

Affidavit: By affirmative vote on May 10, 2004 for the term of one year to hold the position, as President is Charles Gerhardt and Vice President is Christine Dorer

Affidavit: By affirmative vote on May 10, 2004 for the term of one year to hold the position of Executive Director is Donna Spicer.

Attest: The above statement is true.

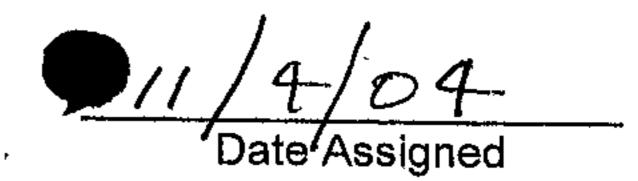
Mary Poehlman

Secretary

Charles Gerhardt

President

LJW Intake Planner



DROP-OFF PETITIONS PROCESSING CHECK-OFF

	Two Questions Answered on Cover Sheet:
<u></u>	Any previous reviews in the zoning office?
	Any current building or zoning violations on site?
' ' ' 1	•
	Petition Form Matches Plat in these areas:
	Address
	Zoning
	Legal Owner(s)
	Contract Purchaser(s)
	Request (if listed on plat)
	Petition Form (must be current PDM form) is Complete:
	Request:
	Section Numbers
	Correct Wording (must relate to the code, especially floodplain and historical standard
	wording. Variances must include the <u>request</u> in lieu of the <u>required</u> code quantities.
	Hardship/Practical Difficulty Reasons
	Legal Owner/Contract Purchaser:
	Signatures (originals)
	Printed/Typed Name and Title (if company)
	Attorney (if incorporated)
	Signature/Address/Telephone Number of Attorney
	Correct Number of Petition Forms, Descriptions and Plats
	and in a sum of the su
	200 Scale Zoning Map
	
	Check: Amount Correct? Signed?
	ZAC Plat Information:
]	Location (by Carl) SE/Con Joppa Reland La Salle Road
	(8601 La Salle Reli)
	Zoning: Acreage: Previous Hearing Listed With Decision Election District Case #
	Check to See if the Subject Site or Request is:
	CBCA
	Floodplain
	Elderly
	Historical
	Pawn Shop
	Helicopter
	*If Yes, Print Special Handling Category Here
	*If No, Print No

IN RE: PETITIONS FOR SPECIAL HEARING,

SPECIAL EXCEPTION & VARIANCE and

SPECIAL VARIANCE – SE/Corner

E. Joppa Road & LaSalle Road

(1300 E. Joppa Road)

9th Election District 5^h Council District

Joppa LaSalle Properties, LLC Petitioners

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 03-513-SPHXASA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception, Variance and Special Variance filed by the owners of the subject property, Joppa LaSalle Properties, LLC, by Alan S. Werther, Vice President of 1300 East Joppa Associates, L.P., through their attorney, Robert A. Hoffman, Esquire. The Petitioners request a special hearing, pursuant to Section 210.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit modifications of the bulk regulations and performance standards contained in Section 210.4 and 210.5 thereof as follows: 1) For Lot 2, to permit a minimum net lot area of 1.27 acres in lieu of the required 2.0, pursuant to Section 210.4.A; 2) For Lot 2, to permit a minimum area devoted to open space of 11% of the net lot area in lieu of the required 20%, pursuant to Section 210.4.B; and 3) For Lots 1, 2 and 3, to permit a driveway or drive aisle used by commercial vehicles with a gross vehicle weight of 10,000 pounds or more to be located within 67 feet of a residential zone line in lieu of the required 75 feet, pursuant to Section 210.5.D. In addition to the special hearing, the Petitioners request a special exception to permit a bank on Lot 2, pursuant to Section 210.3.B.6, and two standard restaurants on Lot 1, pursuant to Section 210.3.B.7 and variance relief from the B.C.Z.R. as follows: 1) A special variance from Section 4A02.4.G of the B.C.Z.R. to permit the development of Lots 1, 2 and 3 within the Loch Raven Boulevard/Joppa Road traffic shed; 2) from Sections 102.2, 210.4.E.1 and 307.1 to permit a separation between two principal structures of 10 feet in lieu of the required 40 feet; 3) from

Section 409.4 to permit parking spaces to be located in a vehicular travelway; 4) from Section 450.4.5.j to permit two 45.6 sq.ft. signs and one 5 sq.ft. wall-mounted enterprise sign for proposed Restaurant 1 in lieu of the one 2 sq.ft. sign permitted; 5) from Section 450.4.5.j to permit two 22 sq.ft. wall-mounted enterprise signs in lieu of the one 2 sq.ft. sign permitted for proposed Restaurant 2; 6) from Section 450.4.5.j to permit two 25 sq.ft. wall-mounted enterprise signs in lieu of the one 2 sq.ft. sign permitted for Lot 2; 7) from Section 450.4.5.j to permit a 40 sq.ft. wall-mounted enterprise sign in lieu of the one permitted 2 sq.ft. sign for Lot 3; and, from Section 450.4.7.d to permit a freestanding, joint identification sign with a maximum height of 12'8" in lieu of the maximum 12' height permitted. 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 1A.

Appearing at the requisite public hearing in support of the requests were Alan Werther, Vice President of 1300 East Joppa Associates, L.P., on behalf of Joppa/LaSalle Properties, LLC; and, Robert A. Hoffman, Esquire and Patricia Malone, Esquire, attorneys for the Petitioners. Also appearing were David Martin and Karen Watsic with G. W. Stephens, Jr. and Associates, Inc., the consultants who prepared the site plan; Mickey Cornelius on behalf of The Traffic Group; Richard Kaspar, on behalf of Bob Evans Restaurant Corporation; and Jack Cannella, of Heritage Properties, Inc. Also appearing were Robert Aumiller and Peggy Tucker. Appearing as interested citizens were Donna Spicer, a representative of the Loch Raven Community Council and Loch Raven Business Association; and, Leslea Knauff with the Loch Raven Village Association.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the southeast corner of East Joppa Road and LaSalle Road across from Towson Marketplace in Towson. The property contains a gross area of 6.52 acres, more or less, zoned S.E. and is unimproved but for macadam paving. The site has traditionally been used for employee parking by the Raytheon Corporation, which is located across Joppa Road. However, the Petitioners propose to relocate that parking area elsewhere on the Raytheon Corporation

property into three lots and developing each with a commercial use. Proposed Lot 1 will consist of 2.39 acres and be developed with two restaurants; one a Bob Evans Restaurant containing 5,668 sq.ft. in area, and a smaller restaurant building of 2,520 sq.ft., the proprietor of which is yet to be determined. Proposed Lot 2 will consist of 1.27 acres and be developed with a bank building, 4,988 sq.ft. in area. Proposed Lot 3 will consist of 2.86 acres and be developed with an office building, 25,200 sq.ft. in area. Although different uses are proposed for each lot, all parking will be connected so as to allow access from one lot to the other. Given the uses proposed on the subject property, the total number of parking spaces required is 252; however, 321 will be provided. Thus, there will be ample parking available.

Special hearing and special exception relief is requested as set forth above, due to the S.E. zoning of the property. Pursuant to Council Bill No. 21-03, freestanding banks and restaurants are now permitted by special exception in the S.E. zones. In addition, the Zoning Commissioner has been given the power to modify certain bulk regulations and performance standards.

There is no opposition to the proposed redevelopment of the property. In fact, testimony indicated that the community representatives had worked with the developer extensively and considered the proposal a positive redevelopment within the neighborhood. However, during the course of the proceedings in this matter, there was significant discussion as to the proposed design and layout of the project, specifically with regard to the location and orientation of the proposed restaurant buildings, parking layout, and entrances to the site. Moreover, the Office of Planning made several recommendations in its Zoning Plans Advisory Committee (ZAC) comments, dated July 10, 2003, to enhance the project and support the compatibility objectives of Section 26-282 of the Code. Following the hearing, the Petitioners submitted a revised plan, marked as Petitioner's Exhibit 1B, incorporating those changes and recommendations that were agreed to at the hearing and slightly amended their requests. Specifically, Item 3 of the special hearing request has been amended to allow drive aisles for commercial vehicles to be located as close as 55 feet from a residential zone line in lieu of the

required 75 feet. Additional relief is requested to allow for proposed Lot 1 an 11-foot landscape buffer along LaSalle Road in lieu of the required 20 feet, pursuant to Section 210.4.H of the B.C.Z.R.

In addition to the special hearing and special exception relief, variance relief is also requested. As noted above, the Petitioners requested a special variance to permit the proposed development in the Loch Raven traffic shed. In this regard, Petitioner's Exhibit 7 indicates that the intersection of Joppa Road and Loch Raven Boulevard is a failing or "F" level intersection. Development in the area around this intersection is prohibited unless the Zoning Commissioner finds that the impact of the proposed development would be less than that assumed by the district standard that would otherwise prohibit the development, and that the granting of the Petition will not adversely affect a person with a reserve capacity use certificate. In this regard, the testimony and evidence presented was persuasive for a finding that this standard has been met. It is clear that the B.C.Z.R. permits the proposed uses in the S.E. zone by special exception, and that there will be no detriment to the health, safety and general welfare of the surrounding locale.

Variance relief is also requested to permit a separation between two principal structures of 10 feet in lieu of the required 40 feet. This variance is necessary due to the location of the two restaurant buildings on proposed Lot 1. Testimony indicated that the two buildings were located closer to one another to promote better traffic circulation throughout the parking lot. In my view, this request is appropriate given the fact that the two restaurants will share parking. Moreover, the Bob Evans' restaurant building requires more parking spaces than the smaller restaurant building. Thus, more parking will be provided adjacent to that restaurant. In this regard, the third variance request relates to parking within a vehicular travelway. This request is necessary due to the fact that the overall parking area was designed to be connected to allow access between the three separately used lots. Thus, many of the parking spaces are located immediately adjacent to a travelway.

The remaining variance requests relate to proposed signage on the site. In this regard, the zoning of the property limits the size of any wall-mounted enterprise sign to 2 sq.ft. Thus,

variance relief is necessary in order that each business entity on the site may use its corporate sign package. It is clear that when Council Bill No. 21-03 was enacted to allow freestanding banks and restaurants in the S.E. zones, they did not anticipate the impact this would have on Section 450 of the sign regulations. Moreover, the subject property is unique in that it is a single lot that is being subdivided into three separate parcels with different uses proposed on each. In my view, the relief requested is appropriate and should be granted. In addition, the variance requested to allow a freestanding joint identification sign height of 12.8 feet will be granted. This sign will be located immediately adjacent to the intersection of Joppa Road and LaSalle Road. The height of this sign is necessary to provide sufficient notice and identification to the public of all of the uses on the site, particularly the bank and office buildings, which are setback a significant distance from Joppa Road.

Lastly, relief is requested to allow an 11-foot landscape buffer in lieu of the required 20 feet for Lot 1. This request relates only to the side yard portion of Lot 1 facing LaSalle Road and is necessitated by the fact that the restaurant buildings and parking were shifted further back on the lot in response to community concerns. I am likewise persuaded to grant this request.

Reference is made to the lengthy series of recommendations made by the Office of Planning in their ZAC comments. Some of their recommendations were not incorporated into the revised plan because they were contrary to the requests made by the community. One issue relates to a proposed right turn only into the site from Joppa Road. The Office of Planning recommended eliminating this feature; however, the Developer, the Department of Public Works, and the community representatives wanted this to remain. It was indicated that because of the difficult orientation of the intersection of Joppa Road and Mylander Lane, the right-turn only from Joppa Road would ease traffic congestion entering the site. Thus, I will allow it to remain. In addition, the Petitioners submitted elevation drawings of the proposed buildings and samples of the construction materials to be used thereon. These drawings and material samples are consistent with the Office of Planning's recommendations in terms of design and shall be incorporated as a

condition to any relief granted herein. Moreover, the Petitioners shall submit a landscape plan for review and approval by the County's Landscape Architect prior to the issuance of any permits.

After due consideration of the testimony and evidence presented, and in view of the agreement reached by and between the community representatives and the Petitioners, I am persuaded to grant the special hearing, special exception and variance requests as amended. It is clear that the Petitioners have worked hard to develop a project that will be an improvement to the area and will not cause detrimental impacts to the adjacent residential communities. In my view, the proposed redevelopment of the site is appropriate and meets the spirit and intent of the zoning regulations.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth herein, the relief requested as amended shall be granted.

this _______day of August, 2003 that the Petition for Special Hearing (as amended) seeking relief, pursuant to Section 210.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit modifications of the bulk regulations and performance standards contained in Section 210.4 and 210.5 thereof, as follows: 1) For Lot 2, to permit a minimum net lot area of 1.27 acres in lieu of the required 2.0, pursuant to Section 210.4.A; 2) For Lot 2, to permit a minimum area devoted to open space of 11% of the net lot area in lieu of the required 20%, pursuant to Section 210.4.B; and 3) For Lots 1, 2 and 3, to permit a driveway or drive aisle used by commercial vehicles with a gross vehicle weight of 10,000 pounds or more to be located within 55 feet of a residential zone line in lieu of the required 75 feet, pursuant to Section 210.5.D; and, to allow an 11-foot landscape buffer along LaSalle Road in lieu of the required 20 feet, pursuant to Section 210.4.H of the B.C.Z.R., for proposed Lot 1, in accordance with Petitioner's Exhibit 1B, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a bank on Lot 2, pursuant to Section 210.3.B.6, and two standard restaurants on Lot 1, pursuant to Section 210.3.B.7, in accordance with Petitioner's Exhibit 1B, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Variance seeking relief from Section 4A02.4.G of the B.C.Z.R. to permit the development of Lots 1, 2 and 3 within the Loch Raven Boulevard/Joppa Road traffic shed, in accordance with Petitioner's Exhibit 1B, be and is hereby GRANTED; and,

B.C.Z.R. as follows; 2) from Sections 102.2, 210.4.E.1 and 307.1 to permit a separation between two principal structures of 10 feet in lieu of the required 40 feet; 3) from Section 409.4 to permit parking spaces to be located in a vehicular travelway; 4) from Section 450.4.5.j to permit two 45.6 sq.ft. signs and one 5 sq.ft. wall-mounted enterprise sign for proposed Restaurant 1 in lieu of the one 2 sq.ft. sign permitted; 5) from Section 450.4.5.j to permit two 22 sq.ft. wall-mounted enterprise signs in lieu of the one 2 sq.ft. sign permitted for proposed Restaurant 2; 6) from Section 450.4.5.j to permit two 25 sq.ft. wall-mounted enterprise signs in lieu of the one 2 sq.ft. sign permitted for Lot 2; 7) from Section 450.4.5.j to permit a 40 sq.ft. wall-mounted enterprise sign in lieu of the one permitted 2 sq.ft. sign for Lot 3; and, from Section 450.4.7.d to permit a freestanding, joint identification sign with a maximum height of 12'8" in lieu of the maximum 12' height permitted, in accordance with Petitioner's Exhibit 1B, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their permits 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.
- 2) The proposed buildings shall be constructed substantially in accordance with the building elevation drawings reviewed and approved by the Office of Planning and the material samples submitted at the hearing.

- 3) Prior to the issuance of any permits, the Petitioners shall submit a landscape plan for review and approval by the County's Landscape Architect.
- 4) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

CASE NAME CASE NUMBER 05 - 249 DATE

PETITIONER'S SIGN-IN SHEET

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ST.	HADOUGEN MO. 21076	LUMY Dr.	DAVIS C. EMORY
48MOOM?	Bow my 21.	1020 Cupunguella Brulache	Kinnen Watsic
odde	Nd., 217	300 F. Combar O Set 1980	1 /2 (C) (C) (C) (C)
E- MAIL	CITY, STATE, ZIP	ADDRESS	NAME

		211		
Case No.:	<u> </u>	277		


Exhibit Sheet

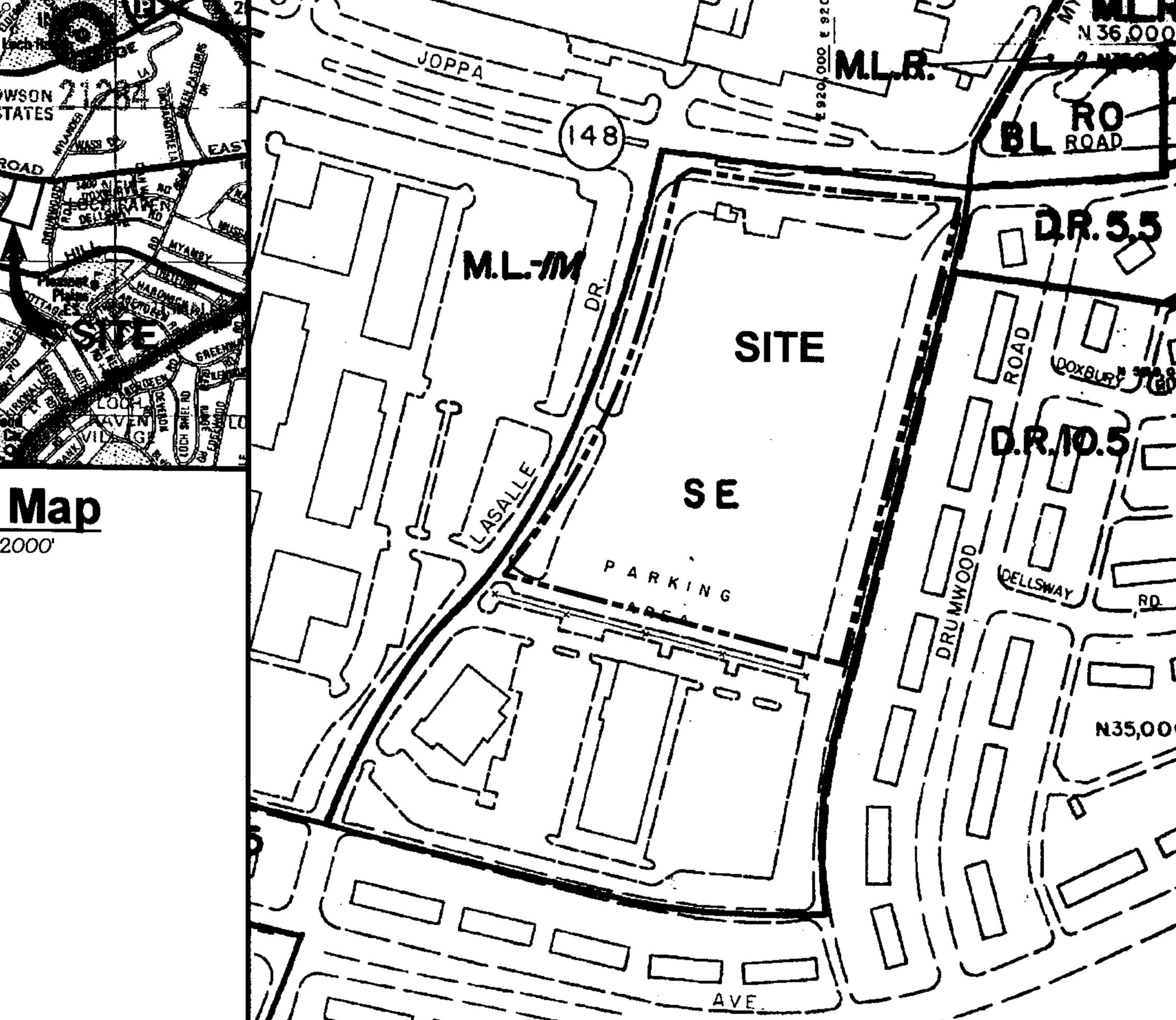
Petitioner/Developer

Protestant

		, , , , , , , , , , , , , , , , , , ,
No. 1		
	5ite PLAN	
N.I.o. 🔿		<u> </u>
No. 2		-
	ILLUSTRATIUE (ZAN	
No. 3		
	200 SCALE ZONING MAP	

No. 4	06000	
	Pictorial OF Site	
No. 5		
· · · · · · · · · · · · · · · · · · ·		·
No. 6		- -
No. 7		
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No. 8		
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No. 12		

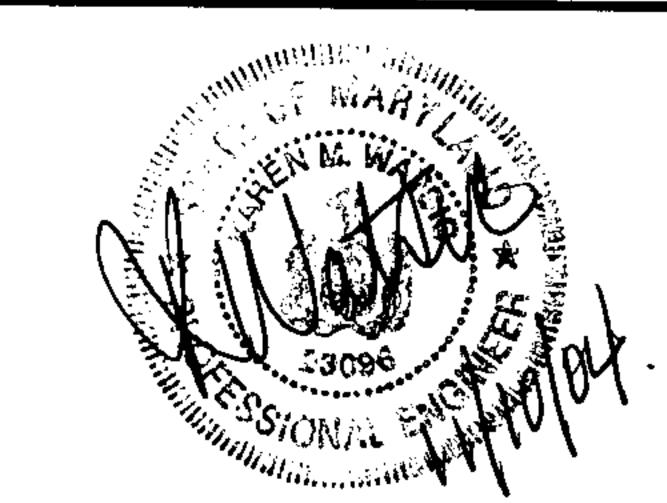




4. ALL SIGNS WILL COMPLY WITH BCZR, UNLESS OTHERWISE APPROVED

10. THE DUMPSTER ENCLOSURES SHALL BE CONSTRUCTED OF MASONRY MATERIALS
THAT ARE COMPLIMENTARY TO THE BUILDINGS. TRASH PICK UP SHALL OCCUR BETWEEN

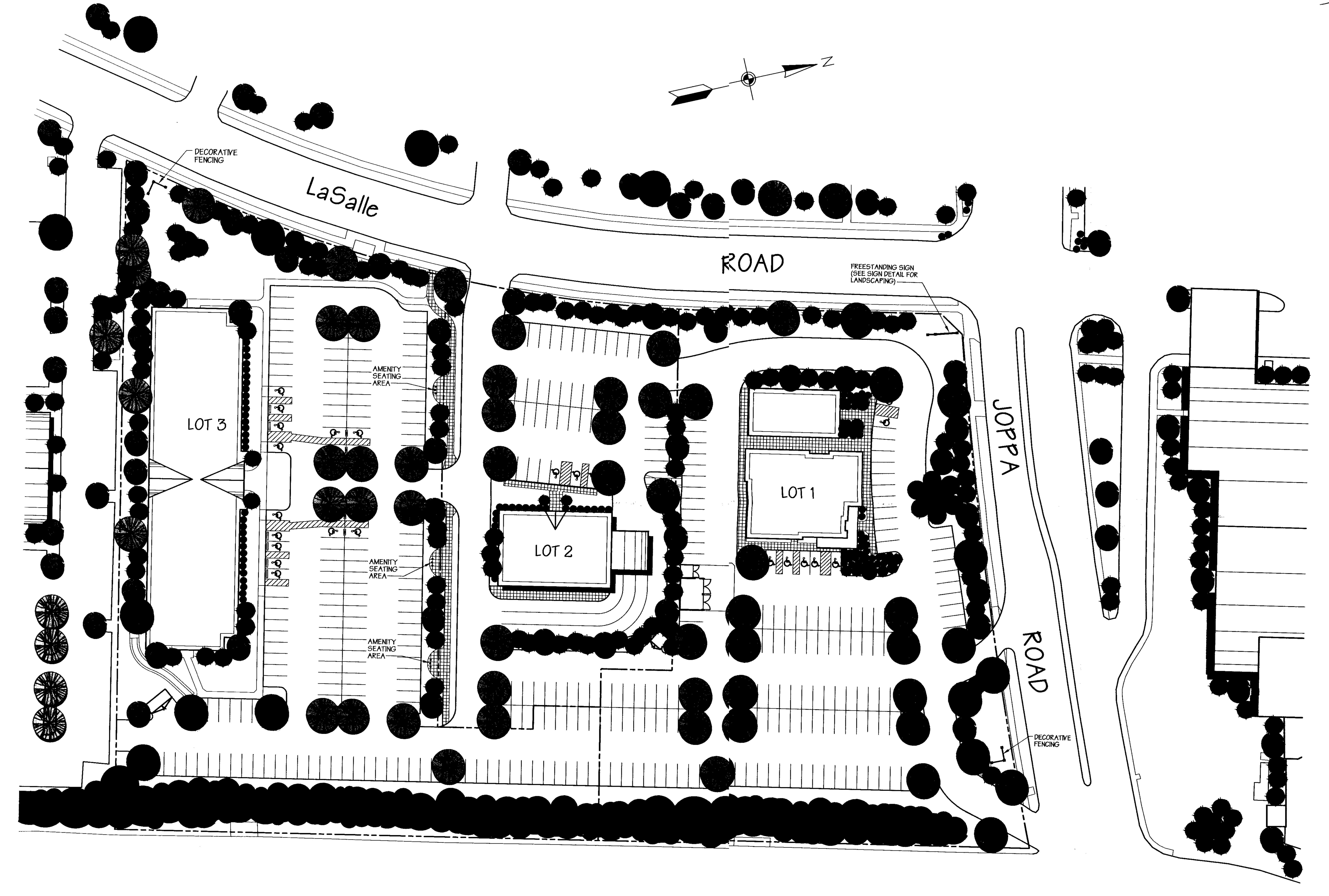
11. A LANDSCAPE AND LIGHTING PLAN FOR LOT 3 HAS BEEN REVIEWED AND APPROVED BY AVERY HARDEN.



PLAT TO ACCOMPANY ZONING PETITION 8601 LASALLE ROAD

DATE: 11/5/04

SCALE: 1" = 50'



ILLUSTRATIVE SITE PLAN SCALE: 1" = 40'



GEORGE WILLIAM STEPHENS, JR.

AND ASSOCIATES, INC.


VIL ENGINEERS & LAND SURVEYORS


1020 CROMWELL BRIDGE ROAD
TOWSON, MARYLAND 21286–3396
(410) 825–8120

SKETCH PLAN - SOUTH PARCEL FOR 1300 E. JOPPA ROAD

ATT. 10/17/04

SCALE: 1" = 40'



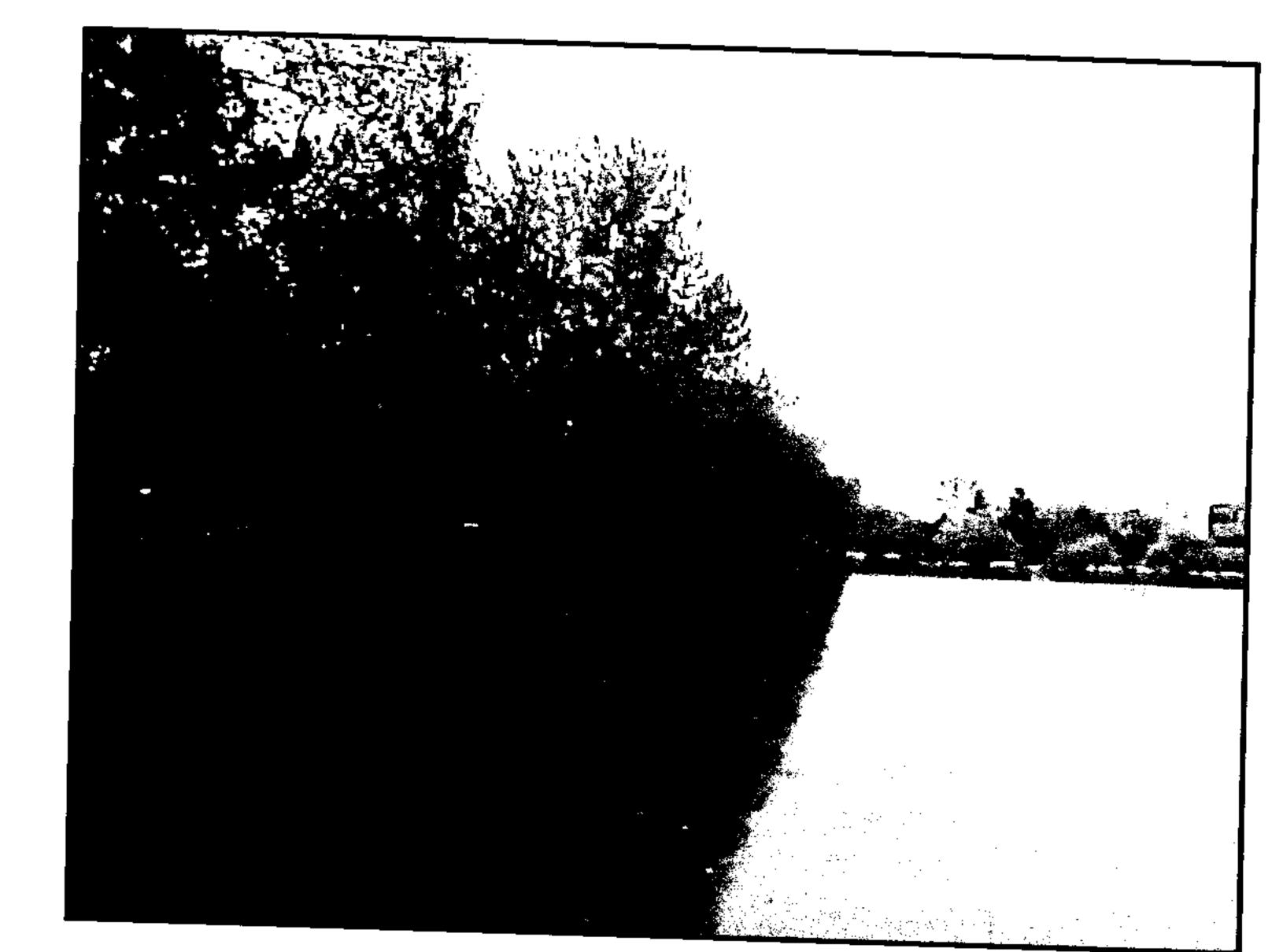




BUFFER AT NORTH PROPERTY LINE - LOOKING WEST



BUFFER AT SOUTH PROPERTY LINE- LOOKING WEST



BUFFER AT EAST PROPERTY LINE ALONG RESIDENTIAL- LOOKING SOUTH



BUFFER AT WEST PROPERTY LINE - LOOKING NORTH



EXISTING LOT FROM JOPPA - LOOKING SOUTH



EXISTING LOT FROM JOPPA - LOOKING SOUTH



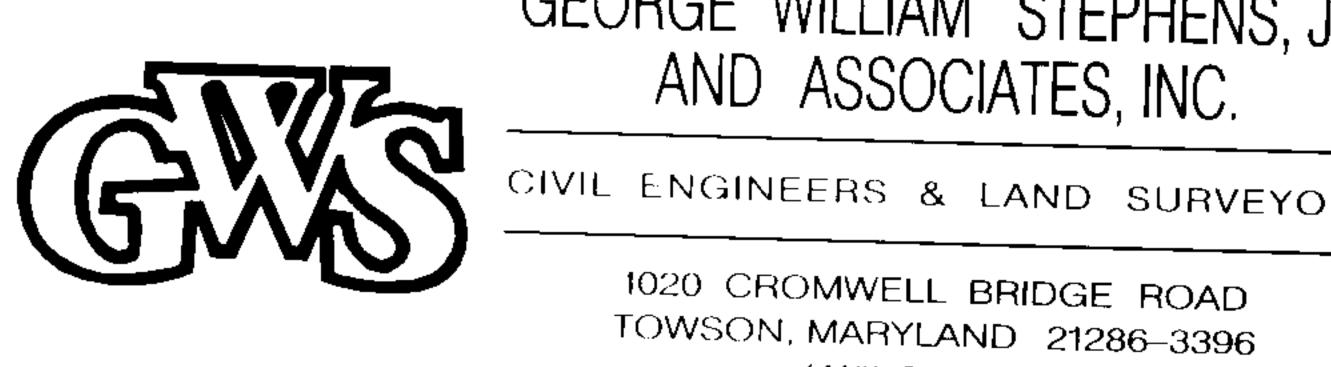
PROPERTY LINE AT JOPPA - LOOKING EAST



EXISTING OFFICES TO SOUTH



PARKING IN FRONT OF APPLEBEES ALONG JOPPA



GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.

1020 CROMWELL BRIDGE ROAD

(410) 825-8120

SITE PICTURES - SOUTH PARCEL 1300 E. JOPPA ROAD