OF FLING THE REPORT

IN RE: PETITION FOR VARIANCE

W/S Middle River Road, 125' S of the c/l

Bird River Road

(836 Middle River Road)

15th Election District 6th Council District

834 Middle River Road, LLC Petitioners

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 05-257-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, 834 Middle River Road, LLC, by and through Andrew Johns, Member. The Petitioners request a variance from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 229.6.C to permit a side yard setback of 0 feet in lieu of the required 20 feet; from Section 229.6.B to permit a front yard setback of 18 feet in lieu of the required 27.5 feet, and from Section 229.6.C to allow parking to be set back 10 feet from the ultimate right-of-way in lieu of the required 20 feet. The subject property and requested relief are more, particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Andrew Johns, Member and Principal in the 834 Middle River Road, LLC, owners of the subject property, and Patrick Richardson, Jr., the Professional Engineer who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence presented revealed that the subject property is a rectangular shaped parcel located on the west side of Middle River Road, just south of Bird River Road in Middle River. The property contains a gross area of 2.505 acres, more or less, split zoned B.L.R. and D.R.5.5, and is presently improved with a two-story dwelling, which has been vacant for some time. The Petitioners recently purchased the property and are desirous of redeveloping same with a one-story setail building. As shown on the site plan, a 40' x 80' building containing 3,520 sq.ft. is proposed to be

constructed in the B.L.R. zoned portion of the site, with accessory parking for up to 19 vehicles. Variance relief is necessitated due to the narrow width and irregular shape of the property and the site constraints associated therewith. In this regard, testimony indicated that the building could not be located further north on the property due to the existence of a 20-foot wide storm drain and utility easement which runs along the northern boundary. In addition, a stream runs along the rear, southern boundary of the property and extends into the center portion of the site. Thus, the Petitioner will extend the existing storm drain/utility easement an additional 50 feet towards the stream channel and center of the property to provide the required additional parking to the rear of the proposed building.

Zoning Advisory Committee (ZAC) comments were received from the Office of Planning. That agency recommended that the proposed structure be located a minimum of 10 feet from the southern property line so as to avoid encroachment onto the adjacent property and to allow for on-site maintenance and screening of the proposed building. Their comment also indicates that the performance standards set forth in the B.L.R. zone need be met. Other recommendations were made as to landscaping and screening of the property and design characteristics of the proposed building. In this regard, it is to be noted that the property immediately south of the subject site is owned by the Board of Education and is heavily wooded. Thus, the proposed building will be sufficiently screened from view.

ZAC comments were also received from the Department of Public Works. In this regard, that agency has requested that the Petitioner convey a public right-of-way for the drain extension and open stream along the entire site to Baltimore County and record an agreement that the County has the right to remove improvements in order to perform maintenance on its public facilities. The owner shall be responsible for the repair and replacement of all private improvements at no cost to the County.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. As noted above, the site constraints associated with this property necessitate the need for variance relief. It is clear that strict compliance with the zoning regulations would result in a practical difficulty and unreasonable hardship for the Petitioners. The subject property is located along a commercialized corridor and was rezoned to B.L.R. during the last cycle. Thus, the use proposed is appropriate and consistent with adjacent uses and will provide a needed benefit to the community. No

PROFINE FOR FILING

one appeared in opposition to the request and but for the Office of Planning's objections to the 0-foot side setback, there were no adverse ZAC comments submitted by any County reviewing agency. Thus, I am persuaded that relief can be granted without detriment to the health, safety and general welfare of the surrounding locale.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of February 2005 that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 229.6.C to permit a side yard setback of 0 feet in lieu of the required 20 feet; from Section 229.6.B to permit a front yard setback of 18 feet in lieu of the required 27.5 feet, and from Section 229.6.C to allow parking to be set back 10 feet from the ultimate right-of-way in lieu of the required 20 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) With the exception of Item 5, the Petitioner shall comply with all of the performance standards set forth in the ZAC comments submitted by the Office of Planning, dated January 18, 2005, a copy of which is attached hereto and made a part hereof.
- 3) Within sixty (60) days of the date hereof, the Petitioner shall record in the Land Records of Baltimore County an Agreement that the County has the right to remove private improvements that are located within public drainage and utility easement areas in order to perform maintenance on public utilities, including but not limited to, paved parking areas. The owner shall be responsible for the repair or replacement of private improvements at no cost to the County.

4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

WJW:bjs

WILLIAM J. WISEMAN, III Zoning Commissioner

for Baltimore County

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

February 4, 2005

Mr. Andrew Johns 2239 Old Emmorton Road Bel Air, Maryland 21015-6105

PETITION FOR VARIANCE RE: W/S Middle River Road, 125' S of the c/l Bird River Road (836 Middle River Road) 15th Election District – 6th Council District 834 Middle River Road, LLC - Petitioners Case No. 05-257-A

Dear Mr. Johns:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

H. WISEMAN, III Zoning Commissioner

for Baltimore County

Mr. Patrick C. Richardson, Jr. cc:

WJW:bjs

730 W. Padonia Road, Suite 101, Cockeysville, Md. 21030 Office of Planning; Department of Public Works; People's Counsel; Case File



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



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 836 MIDDLE RIVER RD which is presently zoned BLR 4 DR 9.5

FLood

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)

Variance per section 229.6.C for a side yard setback of 0' in lieu of the required 20', 229.6.B for a front yard setback of 18' in lieu of the required 27.5', and per section 229.6.D for parking to be set back 10' from the ultimate right of way in lieu of the required 20'.
of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

The property is split zoned. The irregular and narrow width of the site and the existing storm drain and easement would make development of a serviceable building impossible. Other such information that may be introduced at the hearing.

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

<u>Legai Owner(s):</u>

ESTIMATED LENGTH OF HEARING ...

UNAVAILABLE FOR HEARING

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:

05-257-A

Name - Type or Print Name - Type or P Signature Signature Address Telephone No. Name - Type or Print City Zip Code Signature State OLD EMMORTON **Attorney For Petitioner:** Address Telephone No. BEL AIR Name - Type or Print City Representative to be Contacted: Signature Company 730 W. PADUNIA RD SUITE IOI Address Address Telephone No. 'elephone No. 21030 DCKEYSVILLE Zip Code State Zip Code State OFFICE USE ONLY

1311

Reviewed By

OR FILING

Case No. REX 9/15/98 ORDER RE Date

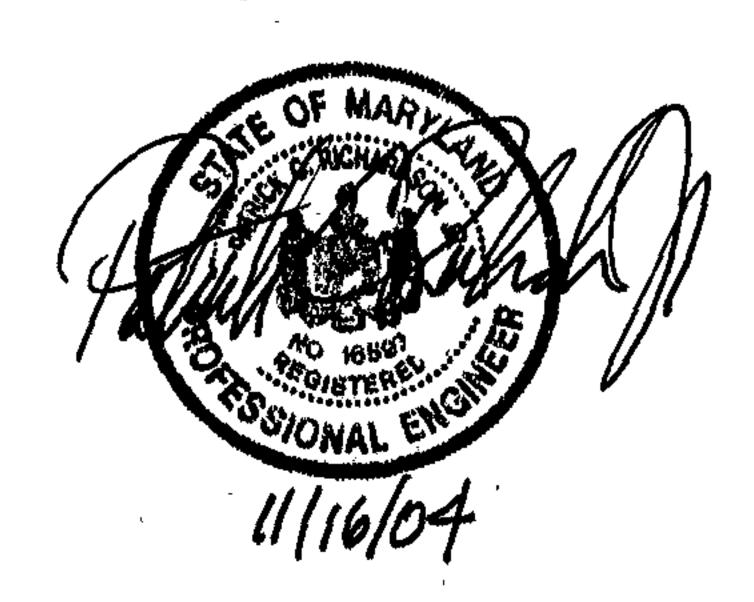
730 W. Padonia Road, Suite 101 Cockeysville, Maryland 21030

410-560-1502, fax 410-560-0827

ZONING DESCRIPTION 834 MIDDLE RIVER ROAD, LLC 836 MIDDLE RIVER ROAD 15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point in the centerline of Middle River Road approximately 215 feet south of the intersection of Bird River Road and Middle River Road, thence running and binding on the centerline of Middle River Road, (1) South 09 degrees 48 minutes 00 seconds East 125.17 feet to a point in the centerline of said road, (2) South 34 degrees 48 minutes 03 seconds West 45.39 feet, (3) South 45 degrees 30 minutes 00 seconds West 685.00 feet, (4) North 44 degrees 30 minutes 00 seconds West 172.25 feet, (5) North 49 degrees 51 minutes 00 seconds East 803.17 feet to the point of beginning;

Containing a net area of 104,828 square feet, or 2.407 acres of land, more or less.



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ROTICE OF ZOMBIG HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #05-257-A

836 Middle River Road

W/side of Middle River Road, 130 feet s/of centerline Bird River. Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Andrew Johns

Variance: to permit a side yard setback of 0 feet in lieu of the required 20. To permit a front yard setback of 18 feet in lieu of the required 20. To permit a front yard setback of 18 feet from the ultimate right of way in lieu of the required 20 feet.

Hearing: Tuesday, January 18, 2005 at 2:09 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21284.

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 concentring the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/1/608 Jan. 4. 34537.

J. 2005

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

🗡 The Jeffersonian

- Catonsville Times Arbutus Times

 - Towson Times
- NE Booster/Reporter Owings Mills Times
- North County News

Weller Son

LEGAL ADVERTISING

CERTIFICATE OF POSTING

	RE: Case No.: 05-257-A
, , *	Petitioner/Developer: AUDREW
•	JOHNS
	Date of Hearing/Closing: 1/18/05
Baltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapeake Avenue Fowson, Maryland 21204 ATTN: Kristen Matthews ((410) 887-33	
Ladies and Gentlemen:	
	ies of perjury that the necessary sign(s) required by law were
posted conspicuously on the property loc	
836	MIDDLE RIVER RD
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	
The sign(s) were posted on	1/3/05
	(Month, Day, Year)
-	Sincerely,
	Robert Start 1/4/05 (Signature of Sign Poster) (Date)
	SSG Robert Black
置き合物の形式を発表がある。 ************************************	(Print Name)
	1508 Leslie Road
	(Address)
	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)
	( ~ * · · · · · · · · · · · · · · · · · ·

Total Market in the Contraction

JAN - 6 2005

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TO: PATUXENT PUBLISHING COMPANY

Tuesday, January 4, 2005 Issue - Jeffersonian

Please forward billing to:

Andrew Johns 2239 Old Emmorton Road Bel Air, MD 21015

410-977-7866

### **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: 05-257-A

836 Middle River Road
W/side of Middle River Road, 130 feet s/of centerline Bird River Road
15th Election District – 6th Councilmanic District
Legal Owner: Andrew Johns

<u>Variance</u> to permit a side yard setback of 0 feet in lieu of the required 20. To permit a ront yard setback of 18 feet in lieu of the required 27.5 and for parking to be setback 10 feet from the ultimate right of way in lieu of the required 20 feet.

Hearing: Tuesday, January 18, 2005 at 2:00 p.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

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

December 2, 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: 05-257-A

836 Middle River Road

W/side of Middle River Road, 130 feet s/of centerline Bird River Road

15th Election District – 6th Councilmanic District

Legal Owner: Andrew Johns

Variance to permit a side yard setback of 0 feet in lieu of the required 20. To permit a front yard setback of 18 feet in lieu of the required 27.5 and for parking to be setback 10 feet from the ultimate right of way in lieu of the required 20 feet.

Hearing: Tuesday, January 18, 2005 at 2:00 p.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Andrew Johns, 2239 Old Emmorton Rd., Bel Air 21015
Patrick Richardson, 730 W. Padonia Rd., Ste. 101, Cockeysville 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JANUARY 3, 2005.

- (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

### 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.

For Newspaper Advertising:
Item Number or Case Number: <u>05 - 257 - A</u>
Petitioner: ANDREW JOHNS
Address or Location: 836 MIDDLE RIVER RD
PLEASE FORWARD ADVERTISING BILL TO:
Name: ANDREW VOHWS
Address: 2239 Ob Emmatar RD.
72 /AM MO 21015
Telephone Number: 410.917-2865

### Department of Permits and Development Management

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





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

January 12, 2005

Andrew Johns 2239 Old Emmorton Road Bel Air, Maryland 21015

Dear Mr. Johns:

RE: Case Number: 05-257-A, 836 Middle River Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 14, 2004.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours.

U. Call Rill.

Obs.

Ob

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Patrick C. Richardson 730 W. Padonia Road Cockeysville 21030



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 24, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: November 29, 2004

Item No.:

251, 253, 255-266

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

6. The Fire Marshal's Office has no comments at this time.

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

cc: File



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

### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

DATE: December 9, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 6, 2004

Item Nos. 251, 253, 255, 256, 257, 258, 259, 260, 261, 263, 264, 265,

and 266

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

RWB:CEN:jrb

cc: File

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**DATE:** January 18, 2005

JAN 1 8 2005

ZONING COMMISSIONER

**SUBJECT:** 

836 Middle River Road

INFORMATION:

Item Number:

5-257

Petitioner:

Andrew Johns

Zoning:

BLR

Requested Action:

Variance

### SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not support the petitioner's request to construct the proposed structure with a 0-foot side yard setback. The proposed structure shall setback at least 10 feet from the southern side property line so as to avoid encroachment on the adjoining Board of Education property during construction.

This office does not oppose any other requested relief. However, the following performance standards set forth in the BLR zone shall apply:

1. "Service and loading areas shall not be visible from public streets and adjacent residential properties. All service areas shall be screened from the view of any pedestrian or vehicular path." The petitioner shall provided elevations of fencing/screening materials that will be used to screen the proposed dumpster pad and rear loading area from the adjacent residential property and Middle River Road.

"Within 50 feet of a residential zone or use, lighting of parking areas shall be on standards which have a maximum height of 20 feet." The petitioner shall provide a lighting plan in accordance with IESNA standards that shows light fixture locations, heights, and light levels.

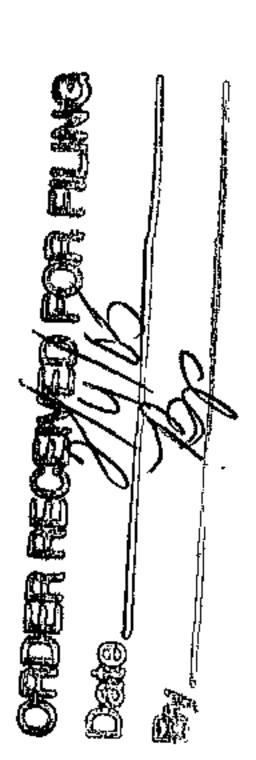
"Whenever possible, neighborhood access via pedestrian walkways and bike paths should be provided." Provide a continuous 4-foot sidewalk, 6-foot planting area, and curb and gutter

- along the entire frontage of the property facing Middle River Road and also link it directly to the 6-foot walkway that runs along the front of the building.
- 4. "All signage within a commercial development shall be compatible in design, color, materials and location." Provide signage package for review.
- 5. Set the building back 10 feet from the residential property line to provide for on site maintenance and screening.
- 6. Provide a tree location survey, which shows the location and size of existing trees in relation to the proposed development. The site is heavily forested with mature trees. These are considered an amenity and care should be taken to disturb only the absolute minimum for construction.
- 7. Provide architectural elevations (all sides) of all proposed structures to include building materials and colors.
- 8. Submit a landscape plan to Avery Harden, Baltimore County Landscape Architect for review and approval prior to the issuance of any permits. A copy of the landscape plan shall also be submitted to this office.

Prepared by:

**Division Chief:** 

AFK/LL:MAC:





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

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

Maryland Department of Transportation

Date: 11.26.04

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

RE:

**Baltimore County** 

Item No. 25

BPR

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

J. Joel L

Engineering Access Permits Division

### BALTIMORE COUNTY, MARYLAND

### INTER OFFICE CORRESPONDENCE

WWK

TO:

Timothy Kotroco, Director,

Permits & Development Management

ATTN:

Kristen Matthews

MS 1105

FROM:

Edward Adams, Director, Public Works

DATE:

December 6, 2004

SUBJECT:

Case No. 05-257 A (Variance indicated as floodplain)

Johns Property 836 Middle River Road

Section 32-8-303 (c) of the Baltimore County Code concerning waivers to the floodplain regulations says, "In considering a waiver action, comments from the state coordinating office and the County Department of Public Works shall be taken into account and maintained with the permit file." This memo is the comment from the Department of Public Works for the subject waiver.

This waiver involves construction of a new single story 3520 sq. ft. retail building on the site of an existing 2 sty. building to be removed. There is a public storm drain on site. This storm drain will need to be extended as required under a Utility or Right of Way Improvement Agreement as reviewed and approved by Developers Plan Review Bureau of PDM. Public right of way will need to be conveyed for the drain extension and open stream along the entire site. Owner must record agreement that the County has the right to remove improvements including but not limited to paved parking within public drainage and utility easement area in order to perform maintenance on public facilities, and owner is responsible to repair or replace private improvements at no cost to the County.

Since the drainage area to the outfall of the pipe is less than 30 acres (Dwg 1961-0122 indicates 13.75 acres to the pipe discharge point), this is not a regulated floodplain. Requirements of Design Manual Plate D-19, as applicable, must be observed. Subject to the above, this department recommends approval of the waiver.

ECA/DLT/s

Attachments: Petitioner site plan. CC: Bob Bowling, John Frisk

RE: PETITION FOR VARIANCE

836 Middle River Road, W/side Middle

River Road, 130' S c/line of Bird River Road*

15th Election & 6th Councilmanic Districts

Legal Owner(s): Andrew Johns

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

**FOR** 

**BALTIMORE COUNTY** 

05-257-A

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent documentation filed in the case.

PETER MAX ZIMMERMAN

Reople's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of December, 2004, a copy of the foregoing Entry of Appearance was mailed to, Patrick C Richardson, Jr., 730 W Padonia Road, St 101, Cockeysville, Md 21030, Representative for Petitioner(s).

RECEIVED

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per.....

CASE NAME 05-257-A
CASE NUMBER 836 MODLE RIVERD
DATE 1/18/05

# PETITIONER'S SIGN-IN SHEET

								Hall us a claff	MARCH FICHMEDSON)	NAME
								5 2239 OB EMMORIAN 19	10 OLD PARONIA BO SUITELE	ADDRESS
								15c/ma mi 21015	Cockersville MD 21030	CITY, STATE, ZIP
									RENGEHIESTONES.COM	E- MAIL

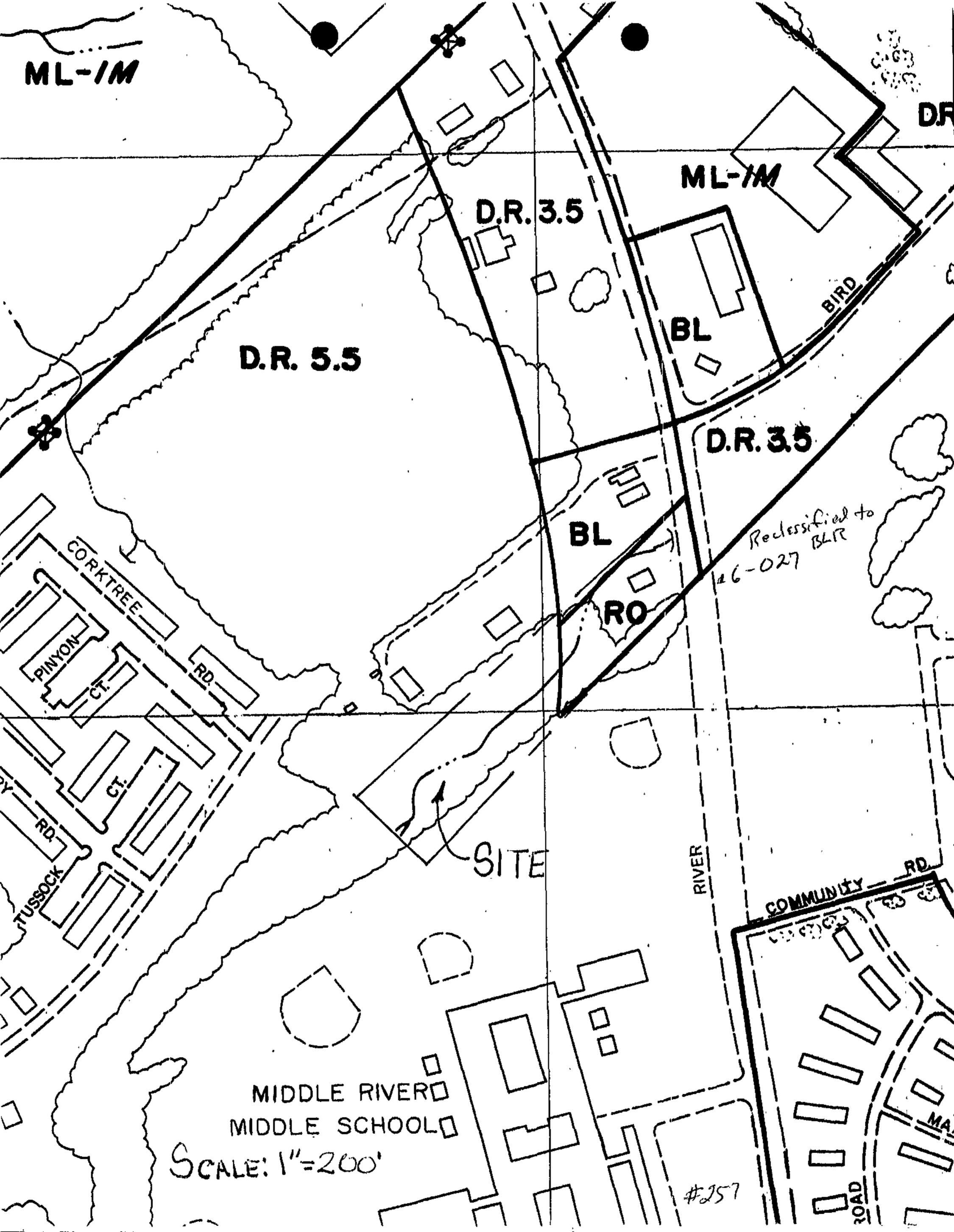
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Case No.:	 170	<u>ر ہے۔</u>	//	<u> </u>	<del> </del>	


### **Exhibit Sheet**

### Petitioner/Developer

### **Protestant**

No. 1	Site	PLAN		·····	-
No. 2					
No. 3					
No. 4					· · · · · · · · · · · · · · · · · · ·
No. 5					
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STED PER SECTION 229.6.U.
T AREAS TO BE 10' FROM THE OF-YAY IN LIEU OF THE CHROM NON RES.

JOHLIC MATER & SEMER.

JAR FLOODPLAIN ON SITE.

NIDDLE RIVER

ALE ZONING MAP; NE 5-H

REQUESTED PER SECTION 229.6.C.

TARD SETBACK OF O' IN LIEU

QUIRED 20'.

REQUESTED PER SECTION 229.6.B.

NIT YARD SETBACK OF IS' IN LIEU

REQUESTED PER SECTION 229.6.B.

NIT YARD SETBACK OF IS' IN LIEU

REQUESTED PER SECTION 229.6.B.

JEQUESTED PER SECTION 229.6.B.

JEGUIRED 27.5'.

JEGUIRED 27.5'. **IO9,099 Sq.Ft. or 2.505 Ac.±
24,828 Sq.Ft. or 2.407 Ac.±
COUNT #1502200230
AP #90, GRID #4, PARCEL #1121
EF: 18868 / 325
AT ZONING: BLR
AL PLANNING DISTRICT: 327.
COUNCIL DISTRICT: 6.
JS COMMERCIAL PERMIT: N/A
5 ZONING HEARINGS: N/A
5 USE: VACANT HOUSE
ED USE: RETAIL
'ACE: N/A
1: 5 SPACES PER 1000 Sq.Ft.
R AREA.
2: 19 SPACES.
AREAS: ひに成と、一 EAS: 343 Sq.Ft. 3,520 Sq.Ft. (HEIGHT 18.) 120-9 ENVER ROAD LLC ENTARTON ROAD ARYLAND 21015-6105 **の** の でなったのと ITIES: FRONT: の記しの表の記念  $\omega, 4, \eta, 0, \mu, 0, 0, \overline{0}, \overline{-1}, \overline{0}, \overline{0}, \overline{4}, \overline{0}, \overline{0}$ <1.52₁ ONING TEXT ***691.8G MATER SMO 405 ·SI.SE/#> 3.00.8x.60s TO THE STATE OF TH 50.39 A STATE OF THE PARTY OF THE PAR TOPON SAM. 8.5' (TYP.) හ' KHRO 不 22' 6' WALK 88' 28, 34'± more more servered ×. BUE.7° 88' · where a work ? STORM 685 1997 SETBACK 20' 30,00 SIDE

# GEL

\$ \$

# 

Suite 21030 Maryland -560-150; ille, 110-730 W. Cockey Phone: