IN RE: PETITION FOR VARIANCE
W/S of York Road, 52 ft. N
centerline of Crowther Avenue
8th Election District
3rd Councilmanic District

(2000 York Road)

B.K. Realty Company By: Philip M. Hoag, President Petitioners * BEFORE THE

* DEPUTY ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* CASE NO. 05-318-A

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before this Deputy Zoning Commissioner as a Motion for Reconsideration filed by Louis W. Miller, President of the Greater Timonium Community Council, Inc. by letter dated March 7, 2005. The motion was officially accepted by this office for filing on March 8, 2005.

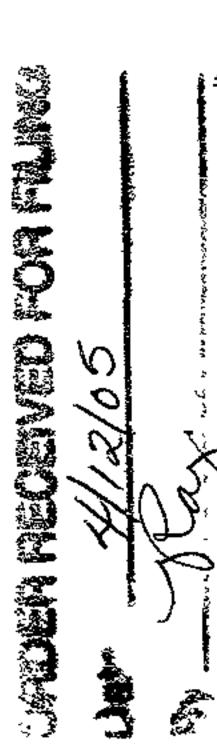
Mr. Miller requests that I change my Findings of Fact and Conclusions of Law dated February 24, 2005 concerning testimony in regard to placement of handicap parking spaces at the Burger King restaurant located at 2000 York Road. He would like the record to show that Mr. Hoag testified that 50% of customers would use the drive thru and bypass lanes in the rear of the building, which Mr. Miller holds is hardly a minimal volume.

On March 15, 2005, this office received a response filed by the Petitioner's attorney asking that Mr. Miller's Motion for Reconsideration be denied, after summarizing the testimony of various witnesses regarding the traffic going past the handicapped spaces.

Applicable Law

Appendix G, Rule 4 K

K. Motion for reconsideration. A party may file a motion for reconsideration of an order issued by the Zoning Commissioner. Such a motion must be made in writing, within 30 days of the date of the original order. The motion must state, with specificity, the grounds and reasons for the request. The filing of a motion for reconsideration shall stay all further proceedings in the matter, including the time limits/deadlines for the filing of





an appeal. The Zoning Commissioner shall rule on the motion within 30 days from the date which the motion is accepted for filing. A ruling by the Zoning Commissioner on the motion for reconsideration shall be considered the final decision in accordance with Section 26-209 or 26-132 of the Baltimore County Code. At his discretion, the Zoning Commissioner may convene a hearing to receive testimony and/or argument on the motion. Each party shall be limited to that which is the subject matter of the motion.

I am not quite sure what Mr. Miller would like me to do. He has certainly made his point that there is a dispute of fact among the witnesses as to the impact drive-thru and bypass traffic will have on those using the handicapped parking spaces. He believes Mr. Hoag testified that 50% of customers would use the drive-thru/bypass lanes, which he indicates is hardly minimal.

Perhaps this is a problem of definition. In my view, considering all the traffic coming onto the site from the two entrances on York Road and one entrance on Crowther Avenue, a large portion of the total traffic will park in the spaces provided, go into the restaurant and leave the site without ever using the drive-thru/bypass lanes in the rear. I believe Mr. Hoag was trying to indicate the drive-thru/ bypass traffic would be minimal when compared to the total traffic on site. I believe his reference to 50% was to indicate that of the traffic coming into the south entrance on York Road perhaps 50% would use the rear lanes. Again, this traffic is a small portion of the overall traffic on site.

In any case, if Mr. Miller simply wanted to make his point once again that he disagrees with the location of the handicapped spaces he has accomplished his purpose by his Motion.

After a review of my Order dated February 24, 2005 and Mr. Miller's Motion for Reconsideration, I find that the changes requested by Mr. Miller should be denied and that my previous Order shall remain in full force and effect.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 12 day of April, 2005, that the Motion for Reconsideration filed by Mr. Louis W. Miller, President of the Greater Timonium Community Council, Inc. dated March 7, 2005, be and is hereby DENIED.

IT IS FURTHER ORDERED, that all the terms and conditions of the February 24, 2005 decision shall remain in full force and effect.

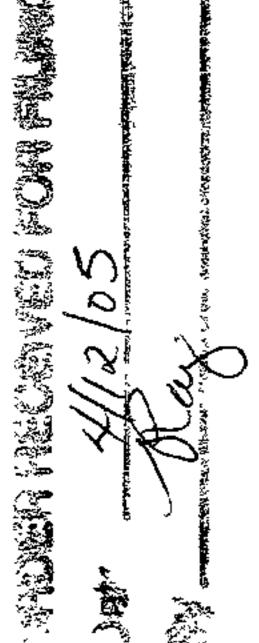
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHNW. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM: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

April 12, 2005

Mr. Louis Miller Greater Timonium Community Council 44 E. Timonium Rd. Timonium, MD 21093

Lawrence E. Schmidt, Esquire Gildea & Schmidt, LLC 300 E. Lombard Street, Ste. 1440 Baltimore, MD 21202-3228

> Re: Motion for Reconsideration Case No. 05-318-A Property: 2000 York Road

Dear Messrs. Miller & Schmidt:

Enclosed please find the decision rendered in connection with the motion for reconsideration filed 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: Phillip Hoag & Charlotte Weisheit, 1937 Greenspring Dr., Timonium, MD 21093
Thomas A. Church, P.E., Development Eng. Consultants, 6603 York Road, Baltimore, MD 21212



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

IN RE: PETITION FOR VARIANCE W/S of York Road, 52 ft. N centerline of Crowther Avenue 8th Election District 3rd Councilmanic District (2000 York Road)

> B.K. Realty Company By: Philip M. Hoag, President **Petitioners**

- BEFORE THE
- DEPUTY ZONING COMMISSIONER *
- FOR *
- **BALTIMORE COUNTY** *
- CASE NO. 05-318-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by B. K. Realty Company, by Philip M. Hoag, President. The Petitioners are requesting variance relief for property located at 2000 York Road in the Timonium area of Baltimore County. Variance relief is requested from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows:

- from Section 229.6.D, to allow 4 ft. in lieu of the required 20 ft. from street right-ofway and 4 ft. in lieu of the required 8 ft. from properties with non-residential use;
- 2. from Section 229.3.A.1, to allow 2 points of roadway access on a single road in lieu of the maximum 1 permitted;
- 3. from Section 229.3.A.2, to allow accessory storage to be located outside of a completely enclosed building;
- 4. from Section 409.11, to provide zero loading spaces in lieu of the required 1; and
- 5. from Section 409.4, to allow driveways with direct access to parking spaces.

The property was posted with Notice of Hearing on January 22, 2005, 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 January 25, 2005 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 307 of the B.C.Z.R. - Variances.



"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, offstreet parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Business Local Restricted Zone. The primary purpose of the Business Local Restricted Zone (B.L.R.) is to provide for a range of retail and service uses, some of which may be of a larger scale, such as supermarkets. The B.L.R. Zone also requires performance standards, which protect adjacent communities from excessive vehicular congestion, use intensity and noise.

C. It is intended that no use in either the C.B. or the B.L.R. Zone create a nuisance due to noise, traffic or hours of operation and that no use be permitted which would likely cause disruption of the peace and quiet enjoyment of property in neighboring communities.

The zoning regulations are inclusive in that only those uses which are listed are permitted either by right or by special exception. Uses not listed are not permitted as contrary to the purposes of the performance based business zones, particularly after-hours clubs, bail bondsman (as defined by state law), nightclubs, pawnshops, striptease businesses and taverns. [Bill No. 180-1995]

229.2 Procedure for petitioning for a new Community Business or Business Local Restricted Zone. [Bill No. 180-1995]

If a petition for a Community Business or Business Local Restricted Zone is submitted pursuant to Section 2-356 of the Baltimore County Code, 1988 Edition, as revised, the petition shall be accompanied by documentation, as described in Section 2-356(l) and by architectural renderings and elevations. After approval, the development plan may only be changed subject to Title 26, Article V, of the Baltimore County Code.

229.3 Performance standards for C.B. and B.L.R. Zones. [Bill No. 180-1995]

These regulations are intended to ensure the compatibility of C.B. and B.L.R. Zones with surrounding residential neighborhoods in conformance with the Comprehensive Manual of Development Policies (CMDP) guidelines. A concept plan, pursuant to the development regulations, Section 26-202 of the Baltimore County Code, 1988 Edition, as revised, or the building permit application if no such plan is required, shall include information demonstrating that the proposed development meets the performance standards below. The Director of the Office of Planning shall submit written recommendations to the hearing officer if a hearing is required or to the Director of Permits and Development Management if a hearing is not required as to whether the proposed development will meet the standards.

A. Site design.

1.Access onto roadways shall be limited to no more than two locations. Commercial developments which front on more than one street may have only one roadway access from each street frontage. A driveway used solely for the purpose of trucks and other servicing vehicles shall

not be counted towards the total. Additional access must be approved by the Bureau of Traffic Engineering.

- 2.All permitted uses, accessory activities and storage shall be confined within completely enclosed buildings with the exception of accessory off-street parking spaces, off-street loading berths, dumpsters, the outdoor display of merchandise and outdoor tables at restaurants.
- 3. 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.
- 4. 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.
- 5.Rear and sides of buildings which abut residential properties shall be finished with materials that resemble the front of the building in color and texture. All rooftop equipment shall be screened so that it is not visible from the ground floor window level of adjoining residential properties.
- 6.The development of property in a C.B. or B.L.R. Zone shall, to the greatest extent practicable, conserve and integrate existing architecturally or historically significant buildings or structures, including their settings, as identified in the Maryland Historical Trust Inventory. Any building or structure officially included on the preliminary or final list of the Landmarks Preservation Commission, or located within a county historic district, is also subject to Article X, Title 26, of the Baltimore County Code, 1988 Edition, as revised. The Director of Planning shall determine whether a historically or an architecturally significant building has been successfully integrated into the proposed site plan.
- 7. Whenever possible, neighborhood access via pedestrian walkways and bike paths should be provided.
- 8.All proposed projects or site developments should be in accord with the general intent of the approved community plan for the area.
- 9.All signage within a commercial development shall be compatible in design, color, materials and location.
- 10.Uses may be located in separate freestanding buildings, provided the style and building materials used create a uniform architectural theme.
- B. Public spaces. Commercial developments greater than two acres shall provide public spaces that include such features as shade trees, lawns and, where appropriate, benches and tables. The public space shall have a total area of no less than 500 square feet, which may be broken down into two-hundred-fifty-square-foot areas; be conveniently located; and linked to existing and future pedestrian pathways.

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 lated February 4, 2005 in support of Petitioners' request, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the variance requests were Phillip Hoag and Charlotte Weisheit, for the corporate Petitioner. Thomas A. Church, P.E. of Development Engineering Consultants also attended the hearing on behalf of the Petitioners. Lawrence E. Schmidt, Esquire, represented the Petitioners. Louis Miller, representing the Greater Timonium Coordinating Council attended the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony was proffered by Mr. Schmidt that the subject property is a 0.9 acre parcel zoned BLR and improved with a Burger King Restaurant which has been at this location for the past 35 years. The property is located on heavily traveled York Road at its intersection with Crowther Avenue. The present Burger King has indoor seating as well as a drive-thru window.

Burger King would like to raze the existing restaurant and replace it with a slightly smaller, more modern version, which will physically be located further from York Road. This proposed location would allow drainage improvements that the present restaurant now lacks. The restaurant presently suffers in heavy rains because the property now slopes to the west away from York Road. As a result, storm water floods the front of the existing building. This smaller footprint will have less impervious surface leading towards the goal to change the site from completely paved to one having 20% pervious surface. This location will also align the building with buildings on adjoining properties to a greater extent. The Petitioners will be making an \$800,000 investment on the property.

In regard to the drive-thru, the plan to accompany shows that there will be space for five vehicles behind the order board that is currently located prior to the pick-up window. Forty-seven (47) parking spaces are required and proposed so that no zoning variance is being requested for

number of parking spaces. Handicapped parking will be closest to the entrance and the building will be ADA accessible. Mr. Schmidt noted that two entrances presently exist now on York Road for the existing restaurant and two entrances on York Road are proposed for the new design along with an entrance of Crowther Avenue. He pointed out that York Road is State Route 45 and that the SHA had no objection to continuing this arrangement.

The first variance request is from Section 229.6.D, to allow a parking lot 4 ft. in lieu of the required 20 ft. from street right-of-way. In this case, the parking lot would be 4 ft. from the rightof-way of Crowther Avenue and 4 ft. in lieu of the required 8 ft. from the adjacent Smyth Jeweler property to the north. The remaining parking lots will be 10 ft. from the road right-of- way in lieu This request arises from the need to park 47 vehicles on this rather small of the required 20 ft. parcel. The second variance stems from the site design standards imposed by BLR which allow only one entrance per road. As mentioned above, two entrances now exist on York Road and the Petitioner would like to keep both. Section 229.3.A.2 requires all storage and accessory uses to be located in a completely enclosed building. As shown on Petitioner's Exhibit 1, the Petitioner would like to locate a freezer, washing area and dumpster within an opaque fence but not within a building. Mr. Schmidt noted that the proposal would improve the property as the dumpster presently is not enclosed. The fourth request is a variance from Section 409.11, to provide zero loading spaces in lieu of the required one. Mr. Hoag noted that tractor trailers make all Burger King deliveries between midnight and 5 AM which is obviously after the restaurant is closed. Consequently, no loading space is needed. Finally, the Petitioner requests to allow parking spaces with direct access to driveways such as the 6 parking spaces on the north side of the building. Mr. Schmidt noted that there simply is not enough room on this small lot to have the parking spaces with direct access to an aisle and then to a driveway as required by the regulations.

In support of these requests Mr. Schmidt indicated that the property was unique in a zoning sense due to the steep slope from York Road, the small size, and narrow configuration of the lot. Mr. Church noted that it would be impractical to level the lot as there would then be a need for retaining walls to hold back the soil. He indicated that if the variances were denied, the lot would not be considered for a new restaurant as the new and improved layout could not be squeezed into this small space. He also opined that the new restaurant would enhance the neighborhood rather than be a detriment.

Under questioning by Mr. Miller, Mr. Church admitted that achieving a 20% pervious surface on this site was possible but not a hard guarantee because the storm water management system had not yet been designed. Landscaping will be added, however, along the perimeter of the property which will be a substantial improvement over the present arrangement.

Mr. Hoag acknowledged that the plan to accompany would mean that cars backing out of the six spaces on the north side of the restaurant would do so into the driveway which handles circular traffic, but felt this was a better design as handicapped parking would have immediate access to the front entrance.

Mr. Miller from the Greater Timonium Coordinating Council disagreed. He indicated that a far superior design would be to recognize that more stacking spaces were needed for the drive-thru which requires moving the handicapped parking now shown on the north of the building to the front of the building. This would eliminate the need for customers using the north spaces to back out into traffic circling the restaurant. However, Mr. Miller supported the Petition otherwise.

Mr. Hoag disagreed with this suggestion and noted the long distance that handicapped customers would have to go from the front door to the area in the restaurant where orders are placed and food is served. See internal floor layout shown as Petitioner's Exhibit 2. He indicated that there would be only a fraction of vehicles actually going to the drive-thru or bypass lane in the rear

of the site so the danger to drivers backing out into traffic from the 6 spaces on the north side was minimal.

The Office of Planning, in accord with the requirements of Section 229.3 of the Baltimore County Zoning Regulations, submitted comments dated February 4, 2005 (but not available at the time of the hearing) which indicated their support for the proposal. The Planning Office indicated that the site plan was in accord with the Hunt Valley/Timonium Master Plan.

Findings of fact and conclusions of law

Mr. Miller and the representative of the owner disagreed as to the best place to locate the handicapped parking and the danger, if any, to drivers backing out into traffic from the 6 spaces along the north face of the building. I agree with Mr. Hoag, that locating the handicapped spaces next to the north entrance is the best location for these spaces. I acknowledge Mr. Miller's point, that having drivers back directly into traffic from these 6 spaces is not a good idea. However on balance and based upon Mr. Hoag's projection of the likely traffic flow around the back of the building, I find the proposed layout to be the best of obviously several compromises. The site is very small but has operated for many years as a Burger King restaurant. Everything about the new design shows improvement in traffic flow, storm water management and handicapped accessibility.

I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The property slopes from York Road causing flooding problems that can be corrected by moving the building westward. I also find strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. The property is narrow and relatively small compared to other fast food restaurant locations. It would be practically difficult to have such a restaurant at this location, especially one with a new more modern design. Furthermore, I find that these variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without

injury to the public health, safety and general welfare. The site now has two entrances on York Road. The uses around the site are heavily commercial. I find that these requests will not adversely affect the neighborhood.

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 Petitioners, I find that the Petitioners' variance requests should be granted.

THEREFORE, IT IS ORDERED, this Add day of February, 2005, by this Deputy Zoning Commissioner, that the Petitioners' request for variances from the Baltimore County Zoning Regulations as follows:

- 1. from Section 229.6.D, to allow 4 ft. in lieu of the required 20 ft. from street right-of-way and 4 ft. in lieu of the required 8 ft. from properties with non-residential use;
- 2. from Section 229.3.A.1, to allow 2 points of roadway access on a single road in lieu of the maximum 1 permitted;
- from Section 229.3.A.2, to allow accessory storage to be located outside of a completely enclosed building;
- 4. from Section 409.11, to provide zero loading spaces in lieu of the required 1; and
- 5. from Section 409.4, to allow driveways with direct access to parking spaces.

be and they are hereby GRANTED subject to the following condition:

1. The Petitioner shall submit a lighting and landscape plan to the Baltimore County Landscape Architect for review and approval.

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

Д/М:гај

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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

February 24, 2005

Lawrence E. Schmidt, Esquire Gildea & Schmidt, LLC 300 E. Lombard Street, Ste. 1440 Baltimore, MD 21202-3228

> Re: Petition for Variance Case No. 05-318-A Property: 2000 York Road

Dear Mr. Schmidt:

Enclosed please find the decision rendered in the above-captioned case. The petition for variance has been granted in accordance with the enclosed Order.

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: Phillip Hoag & Charlotte Weisheit, 1937 Greenspring Dr., Timonium, MD 21093
Thomas A. Church, P.E., Development Eng. Consultants, 6603 York Road, Baltimore, MD 21212
Louis Miller, Greater Timonium Community Council, 44 E. Timonium Rd., Timonium, MD 21093





CADER RECE

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2000 York Road

which is presently zoned BLR/BM

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)

Please see attachment.

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

To be presented at hearing.

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

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

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.

	is the subject of this Petition.	ine property which
Contract Purchaser/Lessee:	Legal Owner(s):	
N/A	B.K. Realty Company	
Name - Type or Print		1
realite -	Type or Print	
Signature	Signature Philip M. Hoag, Presid	ent
Address Telephone No.	Name - Type or Print	<u> </u>
City State Zip Code	Signature	
Attorney For Petitioner:	1937 Greenspring Drive	(410)561-3100
Lawrence E. Schmidt Name-Fyge or Print	Address Timonium, MD	Telephone No. 21093
City	State	Zip Code
Signature Signature	Representative to be Contacted:	
Gildea & Schmidt, LLC	Thomas A. Church, P.E.	#6479
Company	Name Development Engineering	Consultants
300 E. Lombard Street, Suite 1440 Address Telephone No.	6603 York Road	(410)377-260
Tachrone No.	Address	Telephone No.
Baltimore, MD 21202 (410)234-0070 City State 75 Code	Baltimore, MD	21212
State Zip Code	City	Zip Code
	OFFICE USE ONLY	
Case No	ESTIMATED LENGTH OF HEARING	
Davidana d O .	UNAVAILABLE FOR HEARING Date 12/27/04	
REVIEWED By	Date 12/21/09	

Attachment for Petition for Variance

- 1. From Section 229.6.D to allow 4 feet in lieu of the required 20 feet from street right-ofway and 4 feet in lieu of the required 8 feet from properties with non residential use.
- 2. From Section 229.3.A.1 to allow 2 points of roadway access in lieu of maximum 1 permitted.
- 3. From Section 229.3.A.2 to allow accessory storage to be located outside of a completely enclosed building.
- 4. From Section 409.11 to provide zero loading spaces in lieu of the required 1.
- 5. From Section 409.4 to allow driveways with direct access to parking spaces.



Site Engineers & Surveyors

6603 York Road Baltimore, Maryland 21212 (410) 377-2600 (410) 377-2625 Fax

ZONING DESCRIPTION FOR 2000 YORK ROAD

BEGINNING at a point on the West side of York Road, which is 80 feet wide, at the distance of 52 feet North of the center line of the nearest improved intersecting street Crowther Avenue, which is 50 feet wide. Thence the following courses and distances: 1) South 23 degrees 20 minutes 58 seconds West 32.57 feet, 2) South 73 degrees 38 minutes 23 seconds West 266.00 feet, 3) North 19 degrees 43 minutes 13 seconds West 130.17 feet, 4) North 71 degrees 11 minutes 10 seconds East 288.61 feet, 5) a curve to the left with a radius of 21,065.62 feet and arc length of 117.42 feet with a chord of South 19 degrees 19 minutes 37 seconds East 117.42 feet to the place of beginning and is recorded in Deeds, Liber 6041, Folio 462 and Liber 6535, Folio 087.

CONTAINING 38,998 square feet (0.895 acres), more or less.

ALSO known as 2000 York Road and located in the 8th Election District.



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NOTICE OF ZONING HEARING

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

Case: #05-318-A

Legal Owner(s): B.K. Realty Company.

Philip M Hoad, Prezident

Variance: to allow 4 feet in lieu of the required 20 feet from street right-of-way and 4 feet in fleu of the required 8 feet from properties with non residential use. To allow 2 points of readway access on a single road in lieu of the maximum I permitted. To allow accessory storage to be located outside of a completely enclosed building. To provide zero loading spaces in lieu of the required 1. To allow driveways with direct access to parking spaces.

Hearing: Tuesday, February 8, 2005 at 11:00 a.m. in Room 106, County Office Building, 111 W. ChesapeakeAvenue, 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 concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391. 3701G

... JJ/1/746 Jan. 25

CERTIFICATE OF PUBLICATION

	214 2005
THIS IS TO CERTIFY, that	the annexed advertisement was published
in the following weekly newspap	per published in Baltimore County, Md.,
once in each ofsuccess on	ive weeks, the first publication appearing
The Jeffersonian	
The Jeffersonian Arbutus Times	-
☐ Catonsville Times	\$
☐ Towson Times	
Owings Mills Tim	nes
☐ NE Booster/Repo	orter
☐ North County Ne	WS



RE: Case No.: 05-318-4. Petitioner/Developer: B.K. REAZTY
CO Philip M. HOAG, PRES. Date of Hearing/Closing: 2/8/05 **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: The sign(s) were posted on (Month, Day, Year) Sincerely, (Signature of Sign Poster) SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222 (City, State, Zip Code) (410) 282-7940 (Telephone Number)

5.00 S.00

JAN 26 2005

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

January 5, 2005

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: 05-318-A

2000 York Road

W/side of York Road, 52 feet north of Crowther Avenue

8th Election District – 3rd Councilmanic District

Legal Owners: B.K. Realty Company, Philip M. Hoag, President

<u>Variance</u> to allow 4 feet in lieu of the required 20 feet from street right-of-way and 4 feet in lieu of the required 8 feet from properties with non residential use. To allow 2 points of roadway access on a single road in lieu of the maximum 1 permitted. To allow accessory storage to be located outside of a completely enclosed building. To provide zero loading spaces in lieu of the required 1. To allow driveways with direct access to parking spaces.

Hearing: Tuesday, February 8, 2005 at 11:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Lawrence Schmidt, Gildea & Schmidt, 300 E. Lombard St., Ste.1440, Baltimore 21202 Philip Hoag, 1937 Greenspring Drive, Timonium 21093 Thomas A. Church, 6603 York Road, Baltimore 21212

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JANUARY 24, 2005.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPÉCIAL 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, January 25, 2005 Issue - Jeffersonian

Please forward billing to:

Lawrence E. Schmidt Gildea & Schmidt 300 East Lombard St., 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: 05-318-A

2000 York Road

W/side of York Road, 52 feet north of Crowther Avenue

8th Election District – 3rd Councilmanic District

Legal Owners: B.K. Realty Company, Philip M. Hoag, President

<u>Variance</u> to allow 4 feet in lieu of the required 20 feet from street right-of-way and 4 feet in lieu of the required 8 feet from properties with non residential use. To allow 2 points of roadway access on a single road in lieu of the maximum 1 permitted. To allow accessory storage to be located outside of a completely enclosed building. To provide zero loading spaces in lieu of the required 1. To allow driveways with direct access to parking spaces.

Hearing: Tuesday, February 8, 2005 at 11:00 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

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 $05-318-A$
Petitioner. B. K. Realty Company
Address or Location: 2000 York Road.
PLEASE FORWARD ADVERTISING BILL TC
Name. LAWRONCE E SchMIDT
Address \$ 300 EAST COMBAND ST
50,Te 1440
BALTIMONE MA Z1202
Telephone Number 410-234-0070

Department of Permits Development Management

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





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

February 2, 2005

Lawrence E. Schmidt Gildea & Schmidt 300 E. Lombard Street, Ste. 1440 Baltimore, Maryland 21202

Dear Mr. Schmidt:

RE: Case Number: 05-318-A, 2000 York Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 27, 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)

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
 B.K. Realty Company 1937 Greenspring Drive Timonium 21093
 Thomas A. Church Develop. Engineering Consultants 6603 York Rd. Baltimore 21212



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

January 4, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: January 10, 2005

Item No.:

305,306,308-309,311-318

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.

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

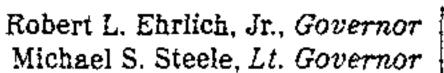
Lieutenant Franklin J. Cook Fire Marshal's Office (0)410-887-4881 (C)443-829-2946 MS-1102F

cc: File



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







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

コイア

Maryland Department of Transportation

Date: / . 5 . 0 5

RE:

Baltimore County

Item No. 318

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

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,

Steven D. Foster, Chief

- J. Lordlein

Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: February 4, 2005

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

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

SUBJECT:

2000 York Road

INFORMATION:

Item Number:

5-318

Petitioner:

B. K. Realty Company

Zoning:

BLR/BM

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning reviewed the site plan, building elevations, and landscape plan that were submitted by the petitioner and has determined that the proposal is in accordance with Section 229.3 of the BCZR. This office also finds that the proposal is consistent with the site design recommendations of the Hunt Valley/Timonium Master Plan. As such, the Office of Planning recommends the petitioner's request be approved.

Prepared by:

Yest A Cum

Division Chief: | all of hum

By. Dr.

AFK/LL:MAC:

MILE RECEIVED FOR FILMS

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits &

DATE: January 21, 2005

Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 10, 2005

Item Nos. 305, 306, 308, 309, 310, 311, 313, 314, 315, 316, 317, and (318)

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

RWB:CEN:jrb

cc: File





RE: PETITION FOR VARIANCE

2000 York Road; W/side York Road,

RECEIVED

52' N Crowther Avenue

8th Election & 3rd Councilmanic Districts Legal Owner(s): B.K. Realty Company,

Philip M. Hoag, President

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

* FOR

BALTIMORE COUNTY

* 05-318-A

* * * * * * * * *

ENTRY OF APPEARANCE

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

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counse

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 7th day of January, 2005, a copy of the foregoing Entry of Appearance was mailed to, Thomas A. Church, P.E., Development Engineering Consultants, 6603 York Road, Baltimore, MD 21212 and Lawrence E. Schmidt, Esquire, , Gildea & Schmidt LLC, 300 E. Lombard Street, Suite 1440, Baltimore, MD 21202, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

GILDEA & SCHMIDT, LLC

DAVID K. GILDEA DAVIDGILDEA@GILDEALLCCOM

LAWRENCE E. SCHMIDT LSCHMIDT@GILDEALLC.COM

SEBASTIAN A. CROSS SCROSS@GILDEALLC.COM

JOSEPHR WOOLMAN.III JWOOLMAN@GILDEALLC.COM

D. DUSKY HOLMAN DHOLMAN@GILDEALLCCOM 300 EAST LOMBARD STREET

SUITE 1440

BALTIMORE, MARYLAND 21202

TELEPHONE 410-234-0070 FACSIMILE 410-234-0072 www.gildeallc.com

TOWSON. MID OFFICE 220 BOSLEY AVENUE TOWSON, MARYLAND 21204

MAR I 5 2005

March 14, 2005

Honorable John V. Murphy Deputy Zoning Commissioner **Baltimore County** 401 Bosley Avenue, 4th Floor Towson, MD 21204

> Case No. 05-318-A Re:

> > Property: 2000 York Road

Dear Honorable John V. Murphy:

I received, through your office, a copy of Mr. Miller's letter dated March 7, 2005. I have also been advised that you are treating this correspondence as a Motion for Reconsideration, pursuant to the Rules of Practice and Procedure before the Zoning Commissioner/Hearing Officer of Baltimore County, contained in Appendix G the Baltimore County Zoning Regulations ("BCZR"). Specifically, Rule K permits a party to file a Motion for Reconsideration of an Order issued by the Deputy Zoning Commissioner within 30 days of the date of the original Order.

I find Mr. Miller's letter inconsistent. He initially states in paragraph two that he does not "want to quibble" about the Order and then sets out his objections to the decision. Moreover, I am not quit certain what the historical and legal basis he is referring to in the last paragraph.

In any event, I believe your summary of the testimony and evidence offered in this case is accurate. As to the location of the handicap spaces, testimony and evidence was offered in support of the plan by both Mr. Church and Mr. Hoag. Mr. Church, who is a professional engineer, opined that the proposed location of the handicap spaces was appropriate and that there would not be a danger to public safety. He also testified that he had reviewed the site plan with Rahee Famili. As you are aware, Mr. Famili is a traffic engineer employed in the Baltimore County Department of Permits and Development Management. Mr. Famili did not object to the proposed parking configuration.

Honorable John V. Murphy March 14, 2005
Page 2

I do recall that Mr. Hoag indicated there would be a mix of both dine-in and carry-out traffic at the site. However, as it is more particularly shown on the site plan, the drive-thru adjacent to the handicap spaces is of sufficient width (22 feet) to safely accommodate vehicular movement in that area of the property. In sum, I concur with your finding that the proposed layout is the "best of obviously several compromises." This is a unique site, given its grade and narrow width. Obviously Mr. Hoag, as property owner, and Mr. Church, a professional engineer, want to provide a safe environment for future customers of the Burger King. Their respective lay and expert testimony was that the proposal is safe and reasonable given the constraints associated with the property. Indeed, I believe that the proposal represents a significant upgrade from existing conditions which have been present for many years.

I respectfully request that you deny Mr. Miller's request for Reconsideration of your Opinion and Order and reinstate the Decision previously issued. With kind regards, I am

Very truly yours,

Lawrence E. Schmidt

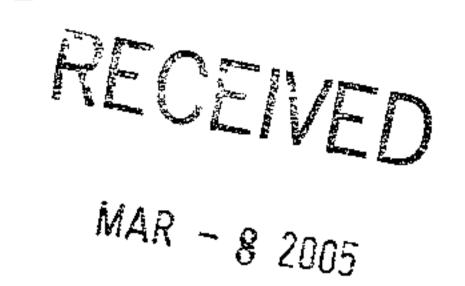
LES: dls

Cc: Louis Miller, Greater Timonium Community Council

Phil Hoag, KB of Baltimore, Inc.

Thomas A. Church, P.E., Development Engineering Consultants

Greater Timonium Community Council, Inc. c/o 44 E. Timonium Rd. Timonium, Md. 21093



March 7, 2005

Mr. John V. Murphy Deputy Zoning Commissioner Baltimore County 410 Bosley Ave. Suite 405, County Courts Bldg. Towson, Md. 21204 ZONING COMMISSIONER

Ref: Case No. 05-318-A, Order Dated Feb. 24, 2005-Burger King

Dear Mr. Murphy:

Following our brief conversation of March 7, 2005 on another case, I wish to make the following information for you on the above case.

While I do not want to quibble about your final determination of the Case 05-318-A, I do find that there is an oversight in your order.

Basically, as stated by me during the hearing, Burger King has turned the building 180 degree for placement on the small property. Using that as the basis for placing the handicap two spaces to the north driveway side does not seem to me to be feasible from a safety of the disabled persons. They have to back out into the main driveway for bypass and drive thru customers. To place those two disable spaces at the south east side in front of the new building would provide for safety. It is only approximately 20 feet to the front door on an 11 foot walkway.

Refer to page 6, last sentence, "He (Mr. Hoag) indicated that there would be only a fraction of vehicles actually going to the drive-thru and bypass lanes in the rear of the site to the danger to drivers backing out into traffic from the 6 spaces on the north side was minimal."

Mr. Hoag did not state that volume would be minimal. He said that 50% of the customers would use the drive-thru and bypass lanes. 50% is not minimal and thus any reasonable individual would not provide for such unsafe parking for the disable individual.

While we have no other problems with the proposed new building, this issue must be corrected in your order for both historical and legal basis if your order is to stand. May we have a corrected Order of this case?

Sincerely yours, ____

Louis W. Miller, President

GTCC, Inc.

File: GTCC Burger King 05-318-A

From:

"Larry Schmidt" < lschmidt@gildeallc.com>

To:

<jmurphy@ba.co.md.us>, <Leabo@aol.com>

Date: Subject:

3/16/2005 9:50:55 AM Burger King, Timonium,

Mr. Murphy: I recently sent to you via regular mail a written reply to Mr. Miller's recent letter that was accepted by you as a Motion for Reconsideration. In speaking with Robin in your office this morning, I understand that my letter may not have as of yet found its way through the County mail system and to your office. I am attaching a copy to this e-mail although I am certain that you will eventually receive the original. As a supplement to my letter, I also wanted to advise you that Mr. Church (Burger King's engineer) has spoken to Hunter Rowe in the Code Enforcement Division of the Department of Permits and Development Management. I understand that Mr. Rowe handles ADA (Americans With Disabilities Act) compliance for that Department. Mr. Rowe has reviewed our plan and found it preferable to Mr. Miller's alternative. Mr. Rowe stressed the importance of placing the handicap spaces as close as possible to the primary entrance. For this additional reason, as well as those comments contained in my letter, I again ask that you deny Mr. Miller's Motion. I sincerely appreciate his well meaning advice and input, however, respectfully believe his suggestions are not appropriate for this redevelopment. Thank you for your attention to this matter. (P.S. Ms. Jameson: Kindly acknowledge receipt of this e-mail, Thanks.)

Lawrence E. Schmidt Gildea & Schmidt, LLC 300 E. Lombard Street Suite 1440 Baltimore,MD 21202 Telephone: 410 234-0070 Fax:410-234-0072

This email contains information from the law firm of Gildea & Schmidt, LLC which may be confidential and/or privileged. The information is intended to be for the exclusive use of the individual or entity named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this email in error, please notify Gildea & Schmidt, LLC by telephone immediately.

cc: <RJameson@co.ba.md.us>

March 14, 2005

Honorable John V. Murphy Deputy Zoning Commissioner Baltimore County 401 Bosley Avenue, 4th Floor Towson, MD 21204

Re: Case No. 05-318-A

Property: 2000 York Road

Dear Honorable John V. Murphy:

I received, through your office, a copy of Mr. Miller's letter dated March 7, 2005. I have also been advised that you are treating this correspondence as a Motion for Reconsideration, pursuant to the Rules of Practice and Procedure before the Zoning Commissioner/Hearing Officer of Baltimore County, contained in Appendix G the Baltimore County Zoning Regulations ("BCZR"). Specifically, Rule K permits a party to file a Motion for Reconsideration of an Order issued by the Deputy Zoning Commissioner within 30 days of the date of the original Order.

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Honorable John V. Murphy March 14, 2005 Page 2

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I respectfully request that you deny Mr. Miller's request for Reconsideration of your Opinion and Order and reinstate the Decision previously issued. With kind regards, I am

Very truly yours,

Lawrence E. Schmidt

LES: dis

Cc: Louis Miller, Greater Timonium Community Council

Phil Hoag, KB of Baltimore, Inc.

Thomas A. Church, P.E., Development Engineering Consultants

Roberta Jameson - Fwd: GTCC Ltr, Burger King 05-318-A

From:

<LeaBo@aol.com>

To:

<RJameson@co.ba.md.us>

Date:

3/16/2005 3:44 PM

Subject: Fwd: GTCC Ltr, Burger King 05-318-A

Dear Mrs. Jameson:

My email to Mr. Murphy did not take so I have sent this message to you to give to him. Please do.

Thanks,

Louis W. Miller, President GTCC Inc. Leabo@aol.com

Roberta Jameson - Fwd: GTCC Ltr, Burger King 05-318-A

From: <Leal

<LeaBo@aol.com>

To:

<jmurphy@ba.co.md.us>

Date:

3/16/2005 3:39 PM

Subject: Fwd: GTCC Ltr, Burger King 05-318-A

Dear Mr. Murphy:

Please see my email to Mr. Schmidt relating to this case 05-318-A.

My concern is the facts as stated on the traffic in those lanes. My other comments are explained in my email to Mr. Schmidt. I intend talking to Mr. Hunter Rowe about this site plan Monday.

An amendment to your order with the traffic facts will satisfy my concerns, as stated in my email.

Louis W. Miller, President GTCC, Inc. Leabo@aol.com





Subj:

GTCC Burger King Project

Date:

1/24/2005 4:46:33 PM Eastern Standard Time

From:

LeaBo

To:

lschmidt@gildeallc.com

Larry,

GTCC Executive Committee members were glad to discuss this project the other evening with you. We appreciated your comments about your career and how now you are on the "green side" and feel it was the right move. I think we all agree. Congratulations again.

Suggestion 1.

Move the north side handicap spaces to the south east area in front of the new building. It seems that there would be less traffic coming east from the drive up pick up line on that east flow. Most would go out the Crowther Rd. exit. Thus, eliminates danger to handicap persons. You would lose 2 8.5 spaces but gain 2 handicap spaces with the aisle between, thus only 1 parking space lost there.

Suggestion 2.

The closeness of the Order Board, Pay window, and Pick up on the site plan are too close. Why not move the Order Board to the location on the northwest corner of the term "Parcel 181," approximately the back center of the new building?

Sugestion 3.

The remaining parking on the north side of the building could be angled and get 4 or 5 spaces based on the angle and the location of the "D" dumpster location in the back area. You may lose 1 or 2 parking spaces there, thus a loss of 3 to the current plan. We would not argue that variance for a new building.

Suggestion 4.

The other variances do not concern us since there is no residential property close to that site.

Hope to see your revised plan before the Feb. hearing.

Louis W. Miller, President GTCC, Inc. Leabo@aol.com www.gtccinc.com 410-252-3444

WW X

Monday, January 24, 2005 America Online: LeaBo

PLEASE PRINT CLEARLY

SE NAME	SE NUMBER	TE 2/6/05
CASE	CASE /	DATE

CITIZEN'S SIGN-IN SHEET

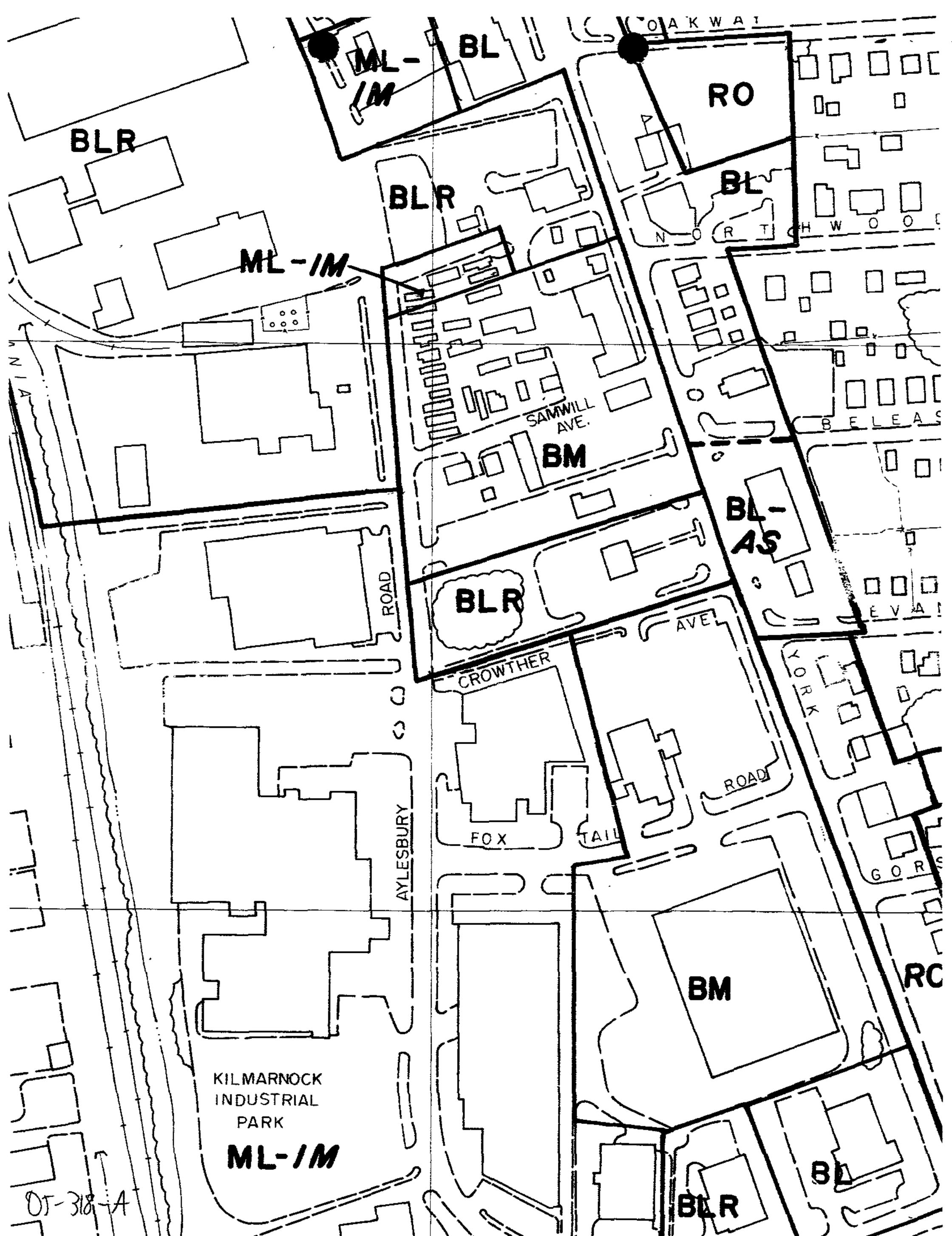
E- MAIL	LEN BORGOR									
CITY, STATE, ZIP	71W. MD. 21093									
ADDRESS	446. TIMONINUM DE									
NAME	LOUISWIN WILLER									


PLEASE PRINT CLEARLY

CASE NAME JUMBER OFFININBER OSS-318-4

PETITIONER'S SIGN-IN SHEET

2 WETSHETT KBOF BAUTING				
CITY, STATE, ZIP SACTO MID 21202 SINT, MID, 21093 Timodium MD 21093 MANILL MID, 21093				
ADDRESS 220 E Combino ST 1987, Grandon Du. 1989, Grandon Du.				
MAME L'Shim IDT MULOURE L'SCHIMITE CHARLOTTE WEISHEIT				





CASE 2005-918

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PLAT TO ACCOMPANY PETHON FOR VARIAN

