IN RE: PETITION FOR VARIANCE NE/Corner Reisterstown Road and Old Court Road **(1425-1437 Reisterstown Road)** 3rd Election District 2nd Council District VEI Courtyard, LLC *Petitioner*	* * * * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 05-524-A

* * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition of Variance filed by the Petitioner/legal owner of the subject property, VEI Courtyard, LLC, through its attorney, Robert A. Hoffman, Esquire. The Petitioner seeks relief from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 73 parking spaces in lieu of the required 77 spaces to serve the property to be known as "Centre Court Courtyard." The subject property and requested relief are more particularly described on the redlined site plan submitted into evidence and marked as Petitioner's Exhibit 1.

The matter was scheduled for a public hearing on May 24, 2005. Appearing at the hearing in support of the request were Leonard Weinberg, II, Managing Member on behalf of VEI Courtyard, LLC, Owners of the property, and Patrick C. Richardson, Jr., a professional engineer with Richardson Engineering, LLC, who prepared the site plan. On behalf of Mr. Hoffman, David H. Karceski, Esquire entered his appearance as attorney for Petitioner. Alan Zukerberg and Sheila Faulstich, interested citizens, also attended the hearing. There were no Protestants or other interested persons present.

Testimony and evidence offered disclosed that the subject property is located on the northeast corner of the intersection of Reisterstown Road and Old Court Road in the Pikesville

ORDER RECEIVED FOR FILING
Date 7/11/05
By

Revitalization District. The property contains a gross area of approximately 1.27 acres, zoned BL-CT (Business, Local-Commercial, Town-Center Core), and is presently improved with structures occupied by various commercial uses, which front on Reisterstown Road. Vehicular access is provided via Old Court Road with parking located toward the rear of the buildings. There is an additional parking area located northwest of the subject site.

Petitioner proposes to redevelop the site to accommodate a 15,266 sq.ft. retail center and, in doing so, plans for more than 6,300 sq.ft. of onsite amenity open space. The proposed retail structures, as shown on Petitioner's Exhibit 1, will be separated by portions of the amenity open space areas, which will provide for convenient pedestrian travel to and from Reisterstown Road, the subject property, and adjacent and other commercial properties in the vicinity of the site. An outdoor "courtyard" feature will also be constructed as part of the overall pedestrian connection layout. Mr. Karceski proffered that the property is unique in a zoning sense because it is in a revitalization district and located within one of Baltimore County's original village centers. Additional circumstances exist that are unique to the subject property, including its irregular shape and connectivity to adjacent parcels. Mr. Karceski further proffered that there will be no adverse impact on the surrounding community, which is also primarily zoned BL-CT and, consistent with that classification, commercial in nature. Testimony indicated that redevelopment of the site will actually benefit Pikesville and its residents in that it will result in the introduction of additional viable and attractive retail uses to the Pikesville Revitalization area. Additionally, the site improvements will further the goal of the 2003 Pikesville Revitalization Plan by further encouraging a high incidence of pedestrian travel. Sudbrook Park, Inc., a local community association, and the Pikesville Chamber of Commerce support the relief requested as evidenced in letters accepted into evidence as Petitioner's Exhibits. 2A and 2B.

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Date
By

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. Variance relief is necessary to accommodate the proposed improvements, which, as noted above, are favored by the community and have been designed in keeping with the goals of the 2003 Pikesville Revitalization Plan. I find that special circumstances or conditions exist that are peculiar to the subject property and that strict compliance with the zoning regulations would result in a practical difficulty and unreasonable hardship. In this regard, the variance request is minimal (the Petitioner is 4 parking spaces shy of the required number). Thus, I find that relief can be granted without detriment to the public health, safety, or general welfare.

However, I note the revised Zoning Advisory Committee ("ZAC") comment prepared by the Bureau of Development Plans Review, dated May 20, 2005. That comment has requested that the Petitioner dedicate to Baltimore County, at no cost, a right-of-way widening area along the subject property's frontage on Old Court Road from Reisterstown Road to the rear property line. The width of the right-of-way widening is shown on the diagram attached to their comment of May 2, 2005. Therefore, as a condition of approval, I will require compliance with their recommendation. However, the Petitioner may make improvements within the right-of-way area to be dedicated to accommodate redevelopment of the site, including a retaining wall and sets of stairs due to site grading conditions and sections of sidewalk.

In addition, amended ZAC comments were received from the Office of Planning, dated May 19, 2005. That comment points out that the proposed development is subject to review and recommendations of the Design Review Panel, pursuant to Sections 32-4-203 and 204 of the Baltimore County Code. Therefore, the Petitioner shall be required to submit architectural drawings, site plans and a sign package to the Office of Planning for review and approval prior to the issuance of any permits.

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Date 7/11/05
By

Pursuant to the posting of the property and the provisions of the Baltimore County Code and B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1st day of July, 2005, that the Petition for Variance seeking relief from Section 409.6.A.2 of the Baltimore County Zoning Regulations to permit 73 parking spaces in lieu of the required 77 spaces, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at its 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. Petitioner shall dedicate to Baltimore County, at no cost, an area for right-of-way widening along the subject property's frontage on Old Court Road, as shown and indicated on the diagram attached to the ZAC comment submitted by the Bureau of Development Plans Review, dated May 2, 2005. The site improvements indicated on that comment diagram shall be permitted within the right-of-way area to be dedicated.

3. Prior to the issuance of any permits, the Petitioner shall submit architectural elevation drawings, site plans and a sign package to the Office of Planning for review and approval.

4. When applying for any permits, 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

ORDER RECEIVED FOR FILING
Date
By

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

July 1, 2005

Robert A. Hoffman, Esquire
David C. Karceski, Esquire
Venable, LLP
210 Allegheny Avenue
Towson, Maryland 21204

RE: **PETITION FOR VARIANCE**
NE/Corner Reisterstown Road and Old Court Road
(1425 – 1437 Reisterstown Road)
3rd Election District – 2nd Council District
VEI Courtyard, LLC - Petitioner
Case No. 05-524-A

Dear Messrs. Hoffman & Karceski:

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

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

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. Leonard Weinberg, II, President, VEI Courtyard, LLC
1408 Bare Hills Road, Suite 210, Baltimore, Md. 21209-2001
Mr. Paul Weitz, 6 Westspring Way, Lutherville, Md. 21093
Mr. Rick Richardson, 110 Old Padonia Road, Suite 101, Cockeysville, Md. 21030
Mr. Alan P. Zukerberg, 7919 Long Meadow Road, Baltimore, Md. 21208
Ms. Sheila Faulstich, 1254 Brewster Street, Arbutus, Md. 21227
Office of Planning; Development Plans Review; People's Counsel; Case File

Printed on Recycled Paper

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1425-1437 Reisterstown Road
which is presently zoned BL-CT

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)

409.6.A.2 of the Baltimore County Zoning Regulations
to allow 73 parking spaces in lieu of the required 77.

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 determined 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.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Legal Owner(s):

VEI Courtyard, LLC
Name - Type or Print

Signature

By: Leonard Weinberg II, President
Name - Type or Print

Signature

1408 Bare Hills Road, Suite 210
Address Telephone No.

Baltimore, MD 21209-2001 410-296-1770
City State

Attorney For Petitioner:

Robert A. Hoffman
Name - Type or Print

Robert A. Hoffman/AD
Signature

Venable LLP
Company

210 Allegheny Avenue
Address Telephone No.

Towson, Maryland 21204
City State Zip Code

Representative to be Contacted:

Robert A. Hoffman
Name

210 Allegheny Avenue 410-494-6200
Address Telephone No.

Towson, MD 21204
City State Zip Code

ORDER RECEIVED FOR FILING
Date
By

Case No. 05-524-A

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 1/2 hr

UNAVAILABLE FOR HEARING
Reviewed By Date 4-14-05

Richardson Engineering, LLC

110 Old Padonia Road, Suite LC
Cockeysville, Maryland 21030

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

ZONING DESCRIPTION
1425-37 REISTERSTOWN ROAD
3RD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the East side of Reisterstown Road at the intersection of (Old) Old Court Road; running northerly along (Old) Old Court Road (1) North 46 degrees 48 minutes 53 seconds East 222.20 feet, (2) thence leaving (Old) Old Court Road, South 36 degrees 31 minutes 37 seconds East 238.97 feet, (3) South 59 degrees 45 minutes 07 seconds West 219.00 feet to the right of way on the East side of Reisterstown Road, thence binding on said right of way the following bearings and distances, (4) North 33 degrees 46 minutes 35 seconds West 102.93 feet, (5) North 41 degrees 47 minutes 02 seconds West 86.81 feet, to the place of beginning.

Containing an area of 46,200 square feet or 1.06 acres, more or less.

4/11/05

524

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Case No. 443857
05-524-A

DATE 4-14-05 ACCOUNT R-001-6150

AMOUNT $ 325.00

RECEIVED FROM: Veeable, LLC

FOR: Appeal of Zoning Violation Fee
for 1435-37 Reisterstown Rd.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	MCD
4/14/2005	4/14/2005	14:27:01	2

TID: USER1 WALKIN DEFL DWB
RECEIPT # 302300 4/14/2005 DEFLT
Rept: 5 506 ZONING VERIFICATION
CR NO. 443857
Recpt Tot $325.00
$325.00 CK $0.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

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

Case: #05-524-A
1425-1437 Reisterstown Road
S/east corner of Reisterstown Road and (Old) Old Court Road
3rd Election District
2nd Councilmanic District
Legal Owner(s): VEI Courtyard, LLC, Leonard Weinberg, II, President
Variance: to allow 73 parking spaces in lieu of the required 77.
Hearing: Tuesday, May 24, 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 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/5/650 May 10 50395

CERTIFICATE OF PUBLICATION

5/12, 2005

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 ~~successive~~ weeks, the first publication appearing on 5/10, 2005.

- ☑ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 05-524-A

Petitioner/Developer: LEONARD WEINBERG, VEI COURTYARD

Date of Hearing/Closing: MAY 24, 2005

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

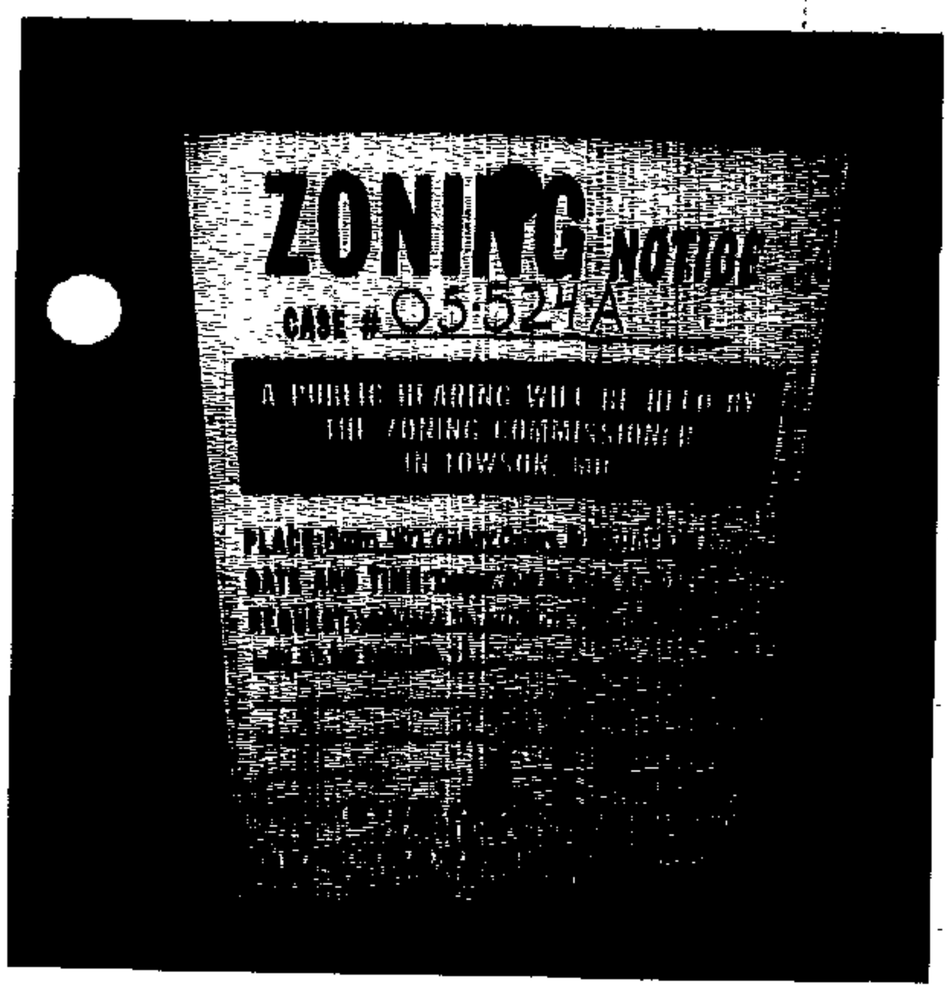
ATTN: Kristen Matthews {(410) 887-3394}

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: 1425-1437 REISTERSTOWN RD

The sign(s) were posted on 5/8/05
(Month, Day, Year)

Sincerely,



Robert Black 5/10/05
(Signature of Sign Poster) (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

RECEIVED
MAY 11 2005
DEPT. OF PENSIONS AND
ESTABLISHMENT MAIN STREET

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

April 20, 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: 05-524-A
1425-1437 Reisterstown Road
S/east corner of Reisterstown Road and (Old) Old Court Road
3rd Election District – 2nd Councilmanic District
Legal Owners: VEI Courtyard, LLC, Leonard Weinberg, II, President

Variance to allow 73 parking spaces in lieu of the required 77.

Hearing: Tuesday, May 24, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Robert A. Hoffman, Venable, 210 Allegheny Ave., Towson 21204
Leonard Weinberg, II, 1408 Bare Hills Road, Ste. 210, Baltimore 21209-2001

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MAY 9, 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.

Printed on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 10, 2005 Issue - Jeffersonian

Please forward billing to:
Amy Dontell
210 Allegheny Avenue
Towson, MD 21204

410-494-6244

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: 05-524-A
1425-1437 Reisterstown Road
S/east corner of Reisterstown Road and (Old) Old Court Road
3rd Election District – 2nd Councilmanic District
Legal Owners: VEI Courtyard, LLC, Leonard Weinberg, II, President

Variance to allow 73 parking spaces in lieu of the required 77.

Hearing: Tuesday, May 24, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J WISEMAN III
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 Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 05-524-A

Petitioner: VEI Courtyard, LLC

Address or Location: 1425 - 1437 Reisterstown Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Amy Dontell

Address: 210 Allegheny Avenue
Towson, MD. 21204

Telephone Number: (410) 494-6244

Department of Permits and 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

May 16, 2005

Robert A. Hoffman
Venable, LLP.
210 Allegheny Avenue
Towson, Maryland 21204

Dear Mr. Hoffman:

RE: Case Number: 05-524-A, 1425-1437 Reisterstown Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 14, 2005.

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

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

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
VEI Courtyard, LLC. Leonard Weinberg President 1408 Bare Hills Road, Ste. 210 Baltimore 21209

Printed on Recycled Paper

April 21, 2005

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

ATTENTION: Zoning Review Planners

Distribution Meeting of: April 25, 2005

Item No.: 517, 518, 520, 521, 522, 523, 524, 525, 526, 527, 528

Pursuant to your request, this Office has reviewed the referenced plan(s) 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.

Acting Lieutenant William F. Connolly, Jr.
Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: **Timothy M. Kotroco, Director** **DATE: May 2, 2005**
Department of Permits & Development Management

FROM: Dennis A. Kennedy DAK, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 25, 2005
Item No. 524

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

Along (old)Old Court Road, Right-of-way widening to the face of the building along the entire property frontage shall be deeded over to Baltimore County at no cost.

A 6-foot wide sidewalk at the right-of-way shall be provided along the entire property frontage *(please see the attached sketch)*.

Pavement widening of approximately 5-feet shall be provided along the entire property frontage. This widening can be narrowed where utility poles are in the way.

If the widening causes right-of-way setback and parking variances, then the requested variances shall be modified accordingly.

DAK:CEN:clw
Cc: file
ZAC-ITEM NO 524-05022005.doc

BW 5/24

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: **Timothy M. Kotroco, Director** DATE: May 20, 2005
Department of Permits & Development Management

FROM: Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting **(REVISED)**
For April 25, 2005
Item No. 524

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

Along (old)Old Court Road, Right-of-way widening to the face of the building along the entire property frontage shall be deeded over to Baltimore County at no cost.

If the widening causes right-of-way setback and parking variances, then the requested variances shall be modified accordingly.

DAK:CEN:clw
Cc: file
ZAC-ITEM NO 524-05022005.doc

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr JDO

DATE: May 24, 2005, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of April 25, 2005

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

05-423
05-518
05-521
~~05-522~~
~~05-524~~
05-527

Reviewers: Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

Rw 5/24

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 9, 2005

RECEIVED

MAY 17 2005

ZONING COMMISSIONER

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

SUBJECT: 1425-1437 Reisterstown Road

INFORMATION:

Item Number: 5-524

Petitioner: VEI Courtyard, LLC.

Zoning: BL-CT

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The subject property is located within the Pikesville Revitalization area and is a designated Urban Village. The proposal is to raze two small existing buildings and a portion of an existing building and to construct two retail buildings, 3,080 square feet and 4,078 square feet. In accordance with Section 32-4-203 and 204 of the County Code, the proposed development is subject to the review and recommendations of the Design Review Panel (DRP). It is also subject to the CMDP. A limited exemption (101804C) was requested for the proposed development and was tabled pending the DRP and variance hearing.

As of the date of these comments, submittal of architectural elevation drawings, site plans and a sign package to this office has not occurred, therefore a Design Review Panel meeting has not been scheduled.

The Office of Planning recommends that the petitioner's request be held in abeyance until the proposal is presented to the Design Review Panel for their review and recommendations. This office will submit comments pertaining to the subject request and in accordance with the recommendation of the DRP after the said meeting is held.

For further information concerning the matters stated herein, please contact Diana Itter at 410-887-3480.

Prepared by: Mark A. Cunningham

Division Chief: Lynn Larkin

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 19, 2005

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

SUBJECT: 1425-1437 Reisterstown Road

INFORMATION:

Item Number: 5-524

Petitioner: VEI Courtyard, LLC.

Zoning: BL-CT

Requested Action: Variance

Amended Comment

SUMMARY OF RECOMMENDATIONS:
The subject property is located within the Pikesville Revitalization area and is a designated Urban Village. The proposal is to raze two small existing buildings and a portion of an existing building and to construct two retail buildings, 3,080 square feet and 4,078 square feet. In accordance with Section 32-4-203 and 204 of the County Code, the proposed development is subject to the review and recommendations of the Design Review Panel (DRP). It is also subject to the CMDP. A limited exemption (101804C) was requested for the proposed development and was tabled pending the DRP and variance hearing.

As of the date of these comments, submittal of architectural elevation drawings, site plans and a sign package to this office has not occurred, therefore a Design Review Panel meeting has not been scheduled.

The Office of Planning will submit comments pertaining to the subject request and in accordance with the recommendation of the DRP to the Development Review Committee after the meeting is held. Planning staff does not oppose the applications request before the Zoning Commissioner.

4/10 821 0147

\\NCH_NW\VOL3\WORKGRPS\DEVREV\ZAC\5-524.doc

For further information concerning the matters stated herein, please contact Jeffery Long at 410-887-3213.

Deputy Director: _____

AFK/LL:MAC:

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

SHA
Driven to Excel
State Highway Administration
Maryland Department of Transportation

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

Date: 4.22.05

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

RE: Baltimore County
Item No. 524 JJS

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,

L. G. Gredlein

Steven D. Foster, Chief
Engineering Access Permits Division

RE:	PETITION FOR VARIANCE 1425-1437 Reisterstown Road; SE corner Reisterstown Road and Old Court Road 3rd Election & 2nd Councilmanic Districts Legal Owner(s): VEI Courtyard, LLC by Leonard Weinberg II President Petitioner(s)	* * * * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 05-524-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 and all documentation filed in the case.

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

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

RECEIVED

Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of April, 2005, a copy of the foregoing Entry of Appearance was mailed to, Robert A Hoffman, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

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

Case No.: 05-524 A

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	AMENDED RED LINE SITE PLAN	
No. 2	2A - Pikesville Chamber of Commerce 2B - Sudbrook Park INC	
No. 3	APPROVED CRG PLAN [SUBJECT PROPERTY to PLAT ON REGISTER OWNERS]	
No. 4	3B - AERIAL SITE LOCATION.	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

BW 5/24

Pikesville
CHAMBER OF COMMERCE

RECEIVED
MAY 23 2005
ZONING COMMISSIONER

May 20, 2005

Mr. William Wiseman, III
Zoning Commissioner
Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

RE: Centre Court Courtyard Property
1425 - 1437 Reisterstown Road
Case No. 05-524-A

Dear Mr. Wiseman:

This letter is to express our support for the zoning variance requested by VEI Courtyard, LCC owner of 1425 – 1437 Reisterstown Road. As we have done in the past, the zoning committee of the Pikesville Chamber of Commerce is in support of this request with the knowledge that there is ample adjacent parking available. The value of a project such as this to the revitalization effort of Pikesville is huge. The interesting mix of a project such as this will provide a destination and have a spill-over effect into other businesses in the area. The project is an important element of the ongoing revitalization effort and we feel that the reduction of four parking spaces should be granted. There is already a precedent for this type of request and we urge you to grant this request. Revitalization districts such as Pikesville need all of the help we can get to attract new businesses. This is good for Pikesville and good for the County.

Sincerely,

Sherrie Becker

Sherrie Becker
Executive Director

PETITIONER'S
EXHIBIT NO. 2A

7 Church Lane, Suite 14 • Pikesville, Maryland 21208
410 484-2337 • Fax 410 484-4151 • Email pikescoc@toad.net • www.pikesvillechamber.org

Sudbrook Park Inc.

709 Cliveden Road
Pikesville, MD 21208
May 22, 2005

By Fax to 410-887-3468
William J. Wiseman, III
Zoning Commissioner for Baltimore County
County Courts Building
401 Bosley Avenue
Towson, MD 21204

Re: Centre Court Courtyard Property, 1425-1437 Reisterstown Road,
Case No. 05-524-A

Dear Commissioner Wiseman:

Sudbrook Park is located southwest of and in close proximity to the above-referenced property. As such, our community has an interest in Case No. 05-524-A.

It is our understanding that VEI Courtyard, LLC, owner of 1425 through 1437 Reisterstown Road, has requested zoning relief, which, if granted would allow for a total of approximately 15,266 square feet of retail space on the property. Members of the Sudbrook Park community association have met with Leonard Weinberg, President of VEI Courtyard, LLC, to discuss the proposed site improvements and we are familiar with the variance request to permit 73 off-street parking spaces instead of 77 parking spaces to serve the property, as shown on the site plan filed in this case. We believe that the variance, if approved, would not have an adverse impact on any of the neighboring properties or the community as a whole.

We support Petitioner's request and encourage you to approve it. Thank you for your consideration of our position.

Sincerely,

Carolyn Black-Sotir

Carolyn Black-Sotir, President
Sudbrook Park, Inc.

Sudbrook Park was designed by Frederick Law Olmsted, Sr. in 1889.
Historic Sudbrook Park is on the National Register of Historic Places and is a Baltimore County Historic District.

PETITIONER'S
EXHIBIT NO. 23

PETITIONER'S

EXHIBIT NO. 3B

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 05-524-A
DATE

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Alan T. Zukerberg	7919 Long Meadow Rd	21208	
Sheila Faulstich	1254 Brewster Street	Arbutus 21227	Kickit consulting@comcast.net sprintcargal@comcast.net

PLEASE PRINT CLEARLY

CASE NAME Centre Court Courtyard
CASE NUMBER 05-524-A
DATE 5/24/05

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Leonard Weinberg	1428 Bare Hills Rd	Baltimore, MD 21209	lweinberg@vanguardegv.ties.com
Paul Weitz	6 Westspring Way	Lutherville, MD 21093	
David Karceski	210 Allegheny Ave	Towson, MD 21204	dhkarceski@verizon.com
RICK RICHARDSON	110 OLD PADONIA RD SUITE 101	COCKEYSVILLE MD 21030	RICK@RICHARDSONENGINEERING.NET

R/W line

8.5

18

14

14

PARCEL 1

PARCEL 2

BANK

RCEL #782

:550

43

-CT

EX. 23'

N 46°48'53" E

EX. 25' R/W

EX. 18"X11" SD

EX. 8"X8" SAN

EX. 20'

REMOVE EXISTING BUILDING

8.5

8 8 8

15

3" SD

12" SD

EX. 6" W (DWG#26-56)

OPE

O

72'

6' sidewalk

EX. RETAIL BUILDING

58.75'

75'

ENT BANK

PANY

PARCEL #106

1002300

33/543

BL-CT

CIAL

EX. 20' PAV.

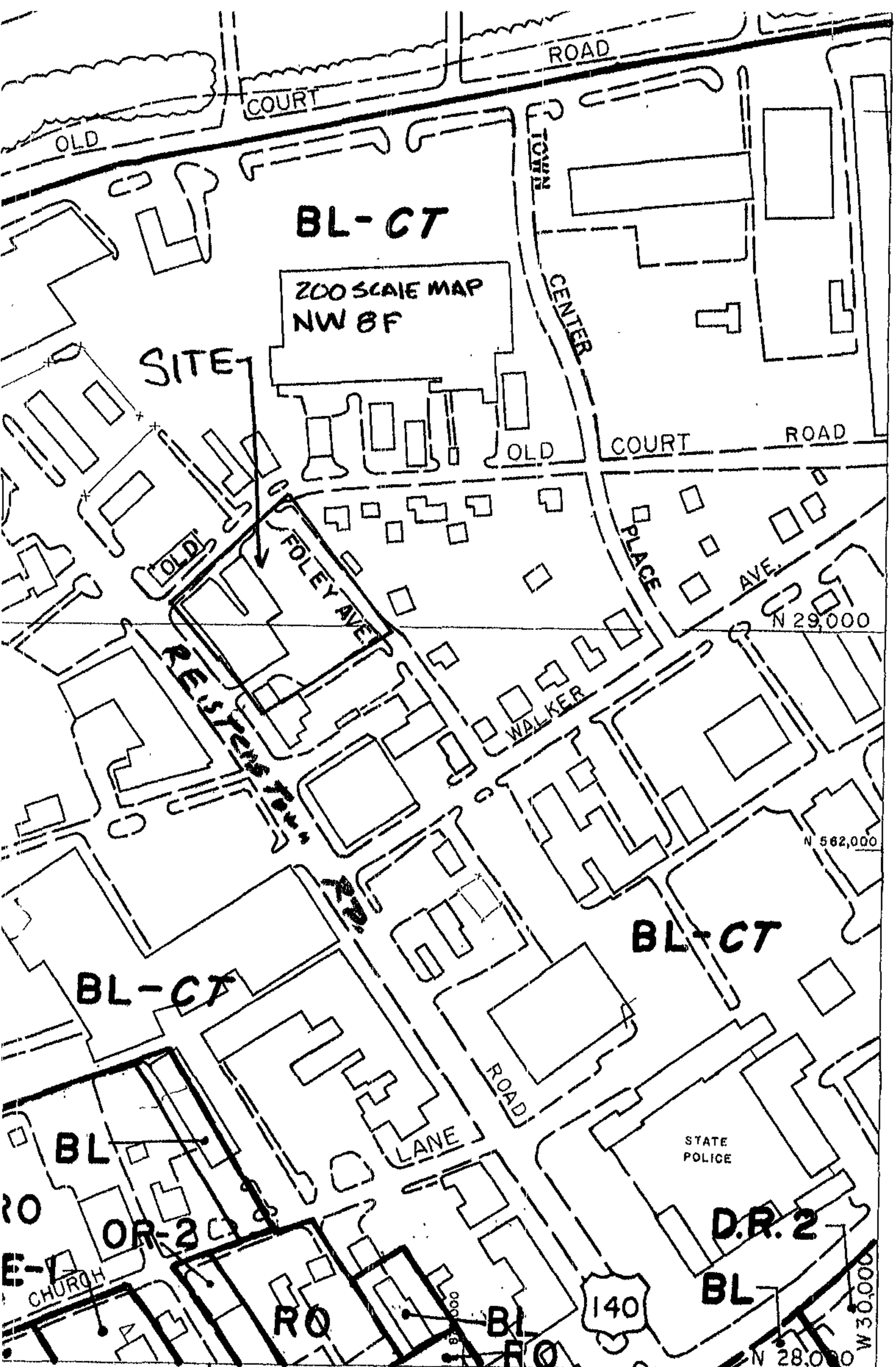
EXISTING 1 STORY RETAIL BUILDING 4,387 SF

Curb Line

R/W line

R=25'

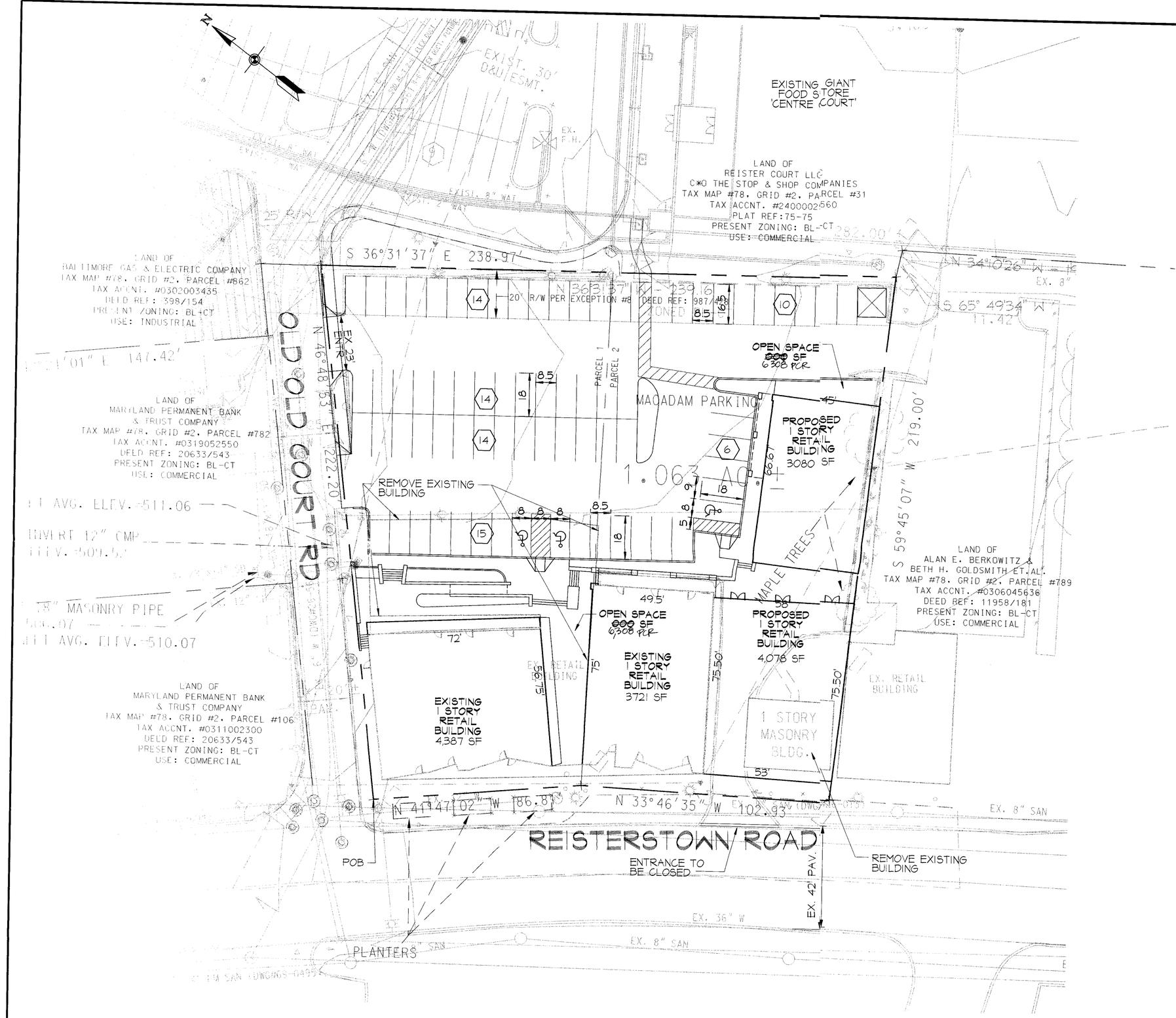
N 41°47'02" W 186.8'

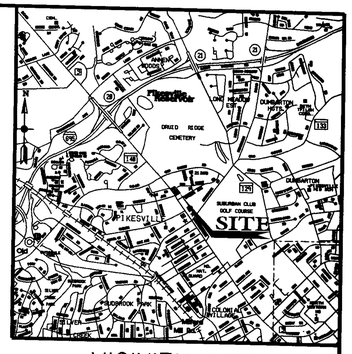


SCALE	LOCATION	SHEET
1" = 200' ±	PIKESVILLE	N. W. 8-F
DATE OF PHOTOGRAPHY		

NW 8 F

#524





VICINITY MAP
1"=2000'

GENERAL NOTES

1. OWNER/ DEVELOPER:
   VEI COURTYARD, LLC
   1408 BARE HILLS ROAD
   SUITE 201
   BALTIMORE, MARYLAND 21209-2001
2. EXISTING ZONING: BL-CT
3. TAX ACCOUNT NOS.: 0308050341 28
4. SITE AREA: NET AREA: 46,200 SF OR 1.06 AC +/-
5. SITE AREA: GROSS AREA: 55,320 SF OR 1.27 AC +/-
6. EXISTING USE: RETAIL STORES
7. PROPOSED USE: RETAIL STORES
8. EXISTING BUILDING AREA: 8,108 SF
   PROPOSED BUILDING AREA: 7,158 S.F.
9. PARKING REQUIRED: 15,266 SF @ 5/1000SF = 77 SPACES
   PARKING PROVIDED: 73 SPACES *
10. WATER: PUBLIC
    SEWER: PUBLIC
11. THERE ARE NO HISTORIC STRUCTURES ON THIS SITE
12. THERE ARE NO KNOWN UNDERGROUND FUEL OR CHEMICAL STORAGE TANKS EXISTING ON THIS PROPERTY.
13. THERE ARE NO WETLANDS ON THE SITE.
14. THERE ARE NO FLOODPLAINS ON THE SITE.
15. THERE ARE NO SIGNIFICANT PLANT OR WILDLIFE COMMUNITIES ON THIS SITE.
16. EXISTING FOREST AREA: 0 ACRES
17. THERE ARE NO HISTORICAL FEATURES ON THIS SITE.
18. TAX MAP 78 PARCEL 791
19. COUNCILMANIC DISTRICT: 2
20. FAR: 15,266/46,200 = 0.33 (MAX PERMITTED= 5.5)
21. SITE ILLUMINATION DOES NOT REFLECT INTO RESIDENTIAL LOTS OR PUBLIC STREETS.
22. VARIANCE PER SECTION 409 TO PERMIT 73 PARKING SPACES IN LIEU OF THE REQUIRED 77 SPACES.
23. SETBACKS:

	REQUIRED	PROVIDED
FRONT	10'	4.19'
SIDE	NONE	8.36'
AMENITY REAR	NONE	0'

24. OPEN SPACE:
    PCR REQUIRED: 15,266 SF. x 0.1 = 1,527 SF.
    PROVIDED: 6308 SF
25. 200 SCALE ZONING MAP NW 8-F

STATE OF MARYLAND REGISTERED PROFESSIONAL ENGINEER

4/8/05

Richardson Engineering, LLC

110 Old Padonia Road, Suite LC
Cockeysville, Maryland 21030
Phone: 410-560-1502 Fax: 410-560-0827

PETITIONER'S EXHIBIT NO. 1

PLAN TO ACCOMPANY VARIANCE PETITION

CENTRE COURT COURTYARD

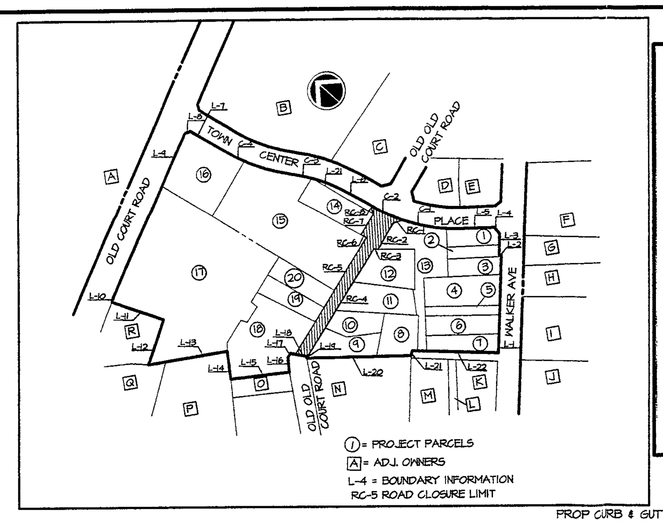
524

1425-1437 REISTERSTOWN ROAD

3RD ELECTION DISTRICT BALTIMORE CO., MARYLAND

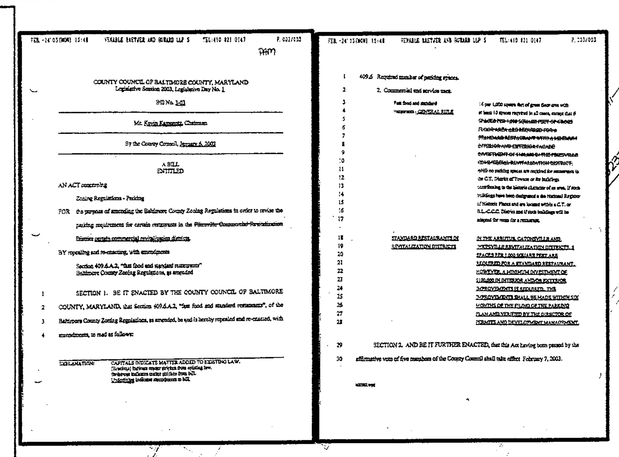
REVISIONS	DRAWN BY: PCR	DESIGNED BY: PCR	SCALE: 1" - 20'
	DATE: 03/01/2005	JOB NO.: 04045	SHEET NO.: 1 OF 1

BOUNDARY INFORMATION	
BEARING	DISTANCE
L-1 S 58° 13' 10" W	221.82'
L-2 S 34° 39' 24" W	5.16'
L-3 S 55° 46' 39" W	47.36'
L-4 S 17° 26' 28" W	19.09'
L-5 S 37° 44' 23" E	76.81'
C-1 CHD S 26° 50' 26" E	133.16'
Dist. 132.58' Rad. 350.00'	
C-2 CHD S 10° 55' 11" E	61.26'
Dist. 61.28' Rad. 300.00'	
L-6 S 05° 53' 51" E	18.97'
C-3 CHD S 16° 36' 17" E	140.16'
Dist. 139.34' Rad. 375.00'	
C-4 CHD S 14° 12' 10" E	149.62'
Dist. 163.79' Rad. 425.00'	
L-7 S 00° 05' 28" E	86.49'
L-8 S 53° 38' 32" E	13.34'
L-9 N 78° 11' 00" E	409.72'
L-10 N 68° 47' 45" E	10.76'
L-11 S 18° 42' 12" E	125.00'
L-12 S 73° 21' 35" W	106.87'
L-13 N 45° 01' 47" W	182.41'
L-14 N 46° 53' 24" E	53.87'
L-15 N 42° 21' 01" E	147.42'
L-16 N 48° 48' 53" E	31.43'
L-17 N 85° 34' 21" E	10.05'
L-18 S 36° 31' 37" E	26.33'
L-19 S 89° 32' 16" W	11.93'
L-20 N 36° 31' 37" W	238.16'
L-21 S 55° 49' 34" W	11.42'
L-22 N 34° 10' 28" W	195.58'
ROAD CLOSURE	
RC-1 N 55° 09' 25" W	23.01'
RC-2 S 84° 08' 09" W	68.12'
RC-3 N 29° 21' 13" W	11.02'
RC-4 S 88° 32' 15" W	278.81'
L-18 N 36° 31' 37" W	26.33'
RC-5 N 60° 34' 21" E	30.42'
RC-6 N 05° 05' 25" W	13.24'
RC-7 N 84° 06' 09" E	55.35'
RC-8 N 39° 05' 09" E	21.21'
L-6 S 05° 53' 51" E	18.97'
C-2 CHD S 10° 55' 11" E	61.26'
DIST. 61.28' Rad. 300.00'	



SITE INFORMATION

SCALE 1"=200'



COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2003, Legislative Day No. 1

RESOLUTION No. 122-03

Mr. Kevin Kamenetz, Chairman

By the County Council, January 6, 2003

A RESOLUTION
ENTITLED

AN ACT concerning

Zoning Regulations – Parking

FOR the purpose of amending the Baltimore County Zoning Regulations in order to revise the parking requirements for certain restaurants in the Pikesville-Reisterstown Revitalization District;

Therefore, amending certain parking ratios;

BY repealing and re-enacting, with amendments

Section 409.6.A.3, "Fast food and standard restaurants" Baltimore County Zoning Regulations, as amended

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that Section 409.6.A.3, "Fast food and standard restaurants", of the Baltimore County Zoning Regulations, as amended, be and is hereby repealed and re-enacted, with amendments, to read as follows:

EXPLANATION: CAPITALS INDICATE CODE TO BE ADDED TO THE ZONING REGULATIONS AS A RESULT OF THIS ZONING ACTION.
Underlining indicates amendment to bill.
Strikeout indicates deletion from existing law.

SECTION 2. AND BE IT FURTHER ENACTED, that this Act is to be effective the 45th day after the date it becomes law.

AS AMENDED: On motion of Councilman Gregory, seconded by Councilman Hoff, with twenty-five (25) votes required for enactment, the Resolution was adopted as follows:

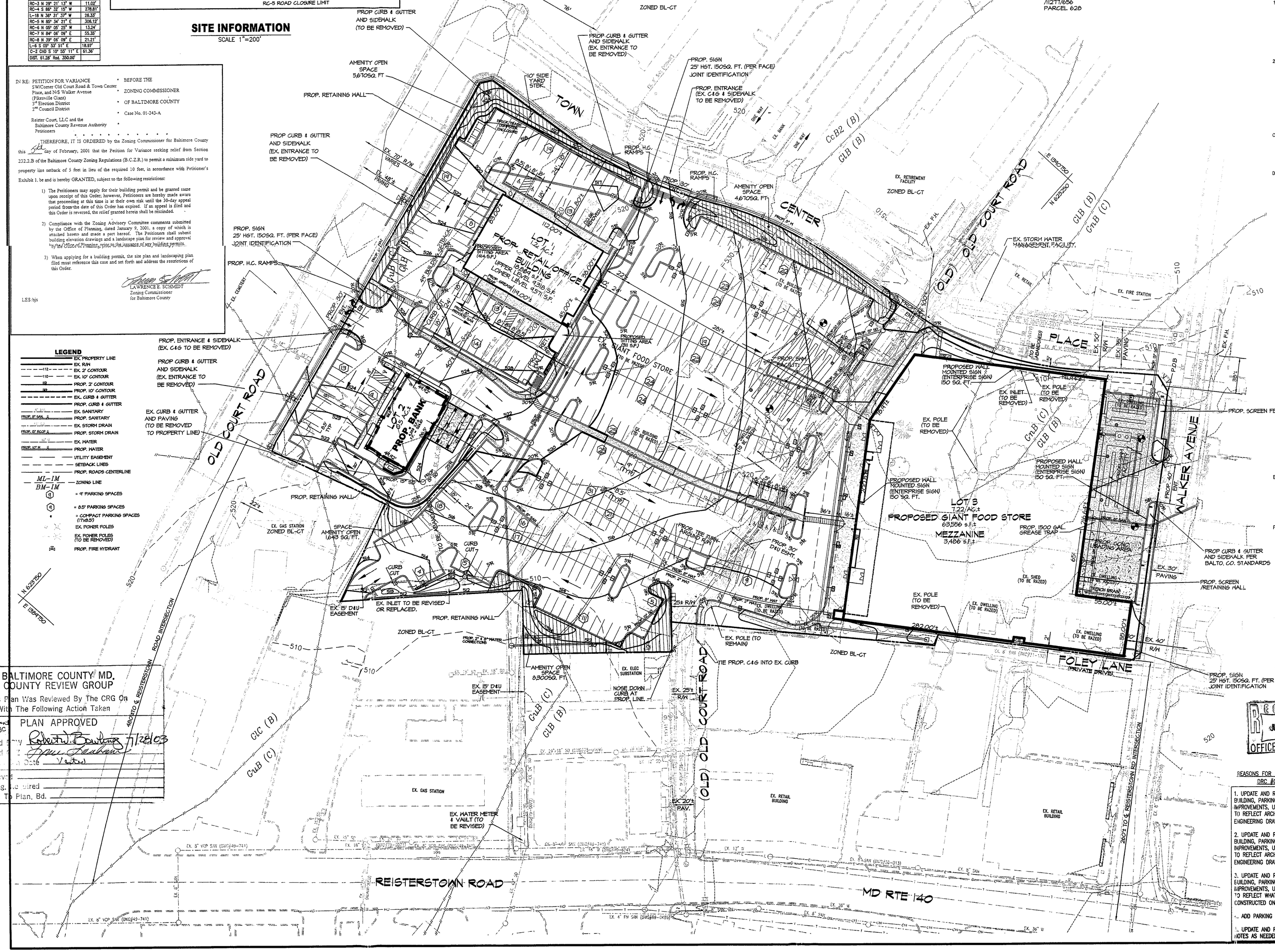
IN FAVOR: Councilmen Gregory, Hoff, Jones, Kamenetz, Kergan, Mayor Ruppersberger, Councilmen Samuel I. Stokes, Tom Toporovich, Wm. Wisnom, Jr., Wm. Wisnom, Sr., Chairman Kevin Kamenetz, Vice Chairman Vincenzo Giuliano, Vice Chairman Joseph Bartenfelder, Vice Chairman Kenneth Oles, Vice Chairman Donald Mason, Vice Chairman Thomas Peddicord, Vice Chairman Douglas Riley, Vice Chairman Michael Ertel, Vice Chairman Wayne Skinner, Vice Chairman Bryan Schuman, Vice Chairman Joe Bosley, Vice Chairman Ronald Mitchell, Vice Chairman Kevin Poole, Vice Chairman Timothy Kotroco, Vice Chairman Thomas Quirk, Vice Chairman Vincent Gardina, Vice Chairman Joseph Merrick, Vice Chairman Jim Smith, Vice Chairman Carl Anthony Wilhelm

NOT VOTING: None

ABSENT: None

ADOPTED: February 7, 2003

CLERK: Thomas Peter Gruber


PROP. CURB & GUTTER AND SIDEWALK (TO BE REMOVED)
AMENITY OPEN SPACE 5.67OSG. FT.
PROP. RETAINING WALL
PROP. CURB & GUTTER AND SIDEWALK (EX. ENTRANCE TO BE REMOVED)
PROP. SIGN 25' HGT. 150SQ. FT. (PER FACE) JOINT IDENTIFICATION
PROP. ENTRANCE (EX. C&G & SIDEWALK TO BE REMOVED)
10' SIDE YARD STBK.
TOWN CENTER PLACE
PROP. H.C. RAMPS
AMENITY OPEN SPACE 4.67OSG. FT.
EX. OFFICE/RETAIL ZONED BL-CT
EX. RETIREMENT FACILITY ZONED BL-CT
EX. STORM WATER MANAGEMENT FACILITY
PROP. RETAIL/OFFICE BUILDING
PROPOSED GIANT FOOD STORE
PROP. BANK
OLD COURT ROAD
(OLD) OLD COURT ROAD
WALKER AVENUE
FOLEY LANE (PRIVATE DRIVE)
REISTERSTOWN ROAD
MD RTE 140
PROP. SCREEN FENCE
PROP. CURB & GUTTER AND SIDEWALK PER BALTO. CO. STANDARDS
PROP. SCREEN /RETAINING WALL
PROP. SIGN 25' HGT. 150SQ. FT. (PER FACE) JOINT IDENTIFICATION
PROPOSED GIANT FOOD STORE 63,556 s.f.t.
MEZZANINE 3,406 s.f.t.
LOT 3 7.22 AC.±
PROPOSED WALL MOUNTED SIGN (ENTERPRISE SIGN) 150 SQ. FT.
PROP. 1500 GAL. GREASE TRAP
EX. GAS STATION
EX. RETAIL BUILDING
EX. WATER METER & VAULT (TO BE REVISED)
EX. ELEC. SUBSTATION
AMENITY OPEN SPACE 8.93OSG. FT.
NOSE DOWN CURB AT PROP. LINE
EX. POLE (TO REMAIN)
TIE PROP. C&G INTO EX. CURB
ZONED BL-CT
EX. 15' D&U EASEMENT
EX. INLET TO BE REVISED OR REPLACED.
EX. GAS STATION ZONED BL-CT
AMENITY OPEN SPACE 1.49 SQ. FT.
PROP. 30' D&U EASMT.
PROP. 25' R/W
EX. 40' R/W
EX. 30' PAVING
EX. DWELLING (TO BE RAZED)
EX. SHED (TO BE RAZED)
EX. POLE (TO BE REMOVED)
EX. INLET (TO BE REMOVED)
PROP. 10' POLE (TO BE REMOVED)
PROP. 20' PAVING
PROP. 40' R/W
PROP. 25' R/W
PROP. 8" PVC WATER CONNECTIONS
ROUTE 6 & REISTERSTOWN ROAD INTERSECTION
EX. 8" VCP SAN (DWG#49-741)
EX. 8" PM SAN (DWG#89-049)
EX. 36" W
EX. 12" W
EX. 8" SAN
EX. 18" SAN
EX. 24" SAN (DWG#59-013)
EX. 8" SAN (DWG#59-241)
EX. 8" SAN (DWG#59-242)
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