IN RE: PETITIONS FOR SPECIAL HEARING & *

VARIANCE – W/S Greenspring Drive, 335' S of the c/l Business Park Drive

(1930 & 1928 Greenspring Drive)

8th Election District 3rd Council District

Mariner Verrone

BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 05-648-SPHA

*

Murray Kovens
Petitioner

ENIDNICS OF FACT AND CONCLUSIONS OF LAW

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Murray R. Kovens and his brother, Edward B. Kovens, who by deed dated December 12, 2003, transferred their interest to 1930 Greenspring Drive, LLC. Lawrence F. Haislip, Esquire, attorney for Murray Kovens, the managing member of the LLC, requested leave to amend the instant Petitions in open hearing to reflect the proper legal entity of the owners of the subject property. Mr. Haislip also provided the deed recorded in the Land Records of Baltimore County evidencing the change in ownership. The Petitions were filed, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.). Therein, the Petitioners seek approval of an amendment to the site plan, a modified parking plan, and a reduction of the area of the special exception approved in prior Case No. 02-571-X for the building known as 1930 Greenspring Drive. In addition, variance relief is requested from Section 255.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 12.5 feet in lieu of the required 25 feet for the building known as 1928 Greenspring Drive, and a rear yard setback of 12.5 feet in lieu of the required 30 feet for the building known as 1930 Greenspring Drive. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing were Lawrence F. Haislip, Esquire, attorney for the Petitioner, and Joseph L. Larson, a Registered Property Line Surveyor with Spellman,



Larson & Associates, who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the west side of Greenspring Drive, just south of that road's intersection with Business Park Drive in Timonium. The property consists of two separate parcels, which contain a combined gross area of 1.746 acres, more or less, zoned M.L.-I.M., and is improved with two commercial buildings, identified as 1928 and 1930 Greenspring Drive. The Petitioners have owned the property since 1960 and have used the buildings separately since that time.

At issue in the instant case is the location of the lot line between the two parcels. As shown on the site plan marked as Petitioner's Exhibit 2, the lot line begins at the southwest corner of the site and runs in a northerly direction through both buildings, thus, forming a very narrow, triangular shaped parcel in the western portion of the tract. For reasons that are not clear, the prior owners never sought approval to readjust the lot lines to make them coincident with the building locations. In 1981, the Petitioners obtained variance relief under Case No. 81-156-A to allow reduced rear and side yard setbacks for 1928 Greenspring Drive, and to accommodate the distance between the two buildings. In this regard, the site plan shows that the building known as 1928 Greenspring Drive, is an "L" shaped structure located immediately adjacent to the rear (western) property line and 20 feet from the (south) side property line. The rear wall of the building known as 1930 Greenspring Drive is located in the northern portion of the property, and is 25 feet at its closest point from the other building. Again, for reasons that are not clear, not all the necessary variances to resolve the issues relative to these two parcels and the existing improvements thereon were requested. Most recently, the Petitioners filed for special exception relief for the building known as 1930 Greenspring Drive under Case No. 02-571-X. In that matter, then Deputy Zoning Commissioner Timothy M. Kotroco granted Edward Kovens a special exception to operate a commercial recreational facility (rock climbing wall) within a portion of the existing building, pursuant to his Order dated August 7, 2002. In addition, Deputy Commissioner Kotroco approved a sales shop within the building to sell climbing gear, and the parking design and layout for the

O LILEY

ONDER HEG

OFDER RECEIVED FOR FILING

overall tract as it existed at that time. The area of the building dedicated for the special exception use was apparently not specifically identified on the originally approved site plan. As more particularly shown on Petitioner's Exhibit 3, the building features a one-story warehouse, a two-story machine shop, and a two-story office use. The special exception use occupies a 99' x 120' area within the main portion of the building.

In any event, the Petitioners are now desirous of selling the building known as 1928 Greenspring Drive and seek relief as set forth above in order to legitimize existing conditions on the property. Moreover, an amendment to the previously approved site plan and special exception area for the building known as 1930 Greenspring Drive is necessary. Essentially, the Petitioners propose a lot line adjustment to more accurately define and designate the uses on the property. The proposed new lot line between the two parcels is more particularly shown on the site plan marked as Petitioner's Exhibit 1. As shown on that plan, a roughly square-shaped parcel in the northern portion of the property will contain 0.272 acres in area and the building known as 1930 Greenspring Drive. An "L" shaped parcel has been created in the southern portion of the tract. That parcel will contain the building known as 1928 Greenspring Drive and 1.474 acres in area. In addition, a new parking layout is proposed which has been designed in keeping with the newly formed lot lines. It is to be noted that there is no new construction proposed, nor are there any changes proposed to the use of the buildings.

After due consideration of the testimony and evidence presented, I find that the Petitions for Special Hearing and Variance should be granted. Given the current location of the lot line and its relationship to the existing buildings, the proposed adjustment and amendments to the previously approved site plan are necessary to accurately reflect conditions on the property. Moreover, I find that requested variances are appropriate in this instance and that a practical difficulty would result if strict compliance with the zoning regulations were required. As noted above, the two buildings have existed on the property where located for over 40 years. There were no adverse comments submitted by any County reviewing agency and no one voiced any objection

to the proposal. Thus, I find that there will be no detriment to the health, safety or general welfare of the surrounding locale and that the relief requested should be granted.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22 day of August 2005 that the Petition for Special Hearing to approve an amendment to the site plan, approval of a modified parking plan, and a reduction of the area of the special exception approved in prior Case No. 02-571-X for the building known as 1930 Greenspring Drive, in accordance with Petitioner's Exhibits 1 and 3, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 255.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 12.5 feet in lieu of the required 25 feet for the building known as 1928 Greenspring Drive, and a rear yard setback of 12.5 feet in lieu of the required 30 feet for the building known as 1930 Greenspring Drive, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) In accordance with the applicable provisions of law, any appeal from this Order shall be filed within thirty (30) days of the date of this Order.
- 2) The special exception relief granted in prior Case No. 02-571-X shall be limited to the 99' x 120' area of the building known as 1930 Greenspring Drive, as shown on Petitioner's Exhibit 3.

IT IS FURTHER ORDERED that except as modified herein, the terms and conditions of the Orders issued in prior Cases Nos. 81-156-A and 02-571-X, shall remain in full force and

effect.

WJW:bjs

QUOTE CITY

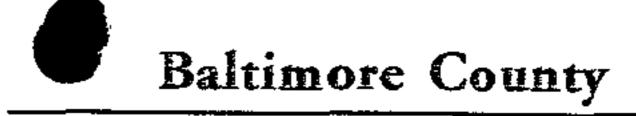
WILLIAM J. WISEMAN, III
Zoning Commissioner

for Baltimore County

Zoning Commissione

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

August 22, 2005

Lawrence F. Haislip, Esquire Miles & Stockbridge One West Pennsylvania Avenue, Suite 900 Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE W/S Greenspring Drive, 335' S of the c/l Business Park Drive (1930 & 1928 Greenspring Drive)

8th Election District – 3rd Council District 1930 Greenspring Drive, LLC - Petitioners Case No. 05-648-SPHA

Dear Mr. Haislip:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted, in accordance with the attached Order.

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

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

Very July yours!

WJW:bjs

cc: Mr. Murray Kovens

18-B W. Pennsylvania Avenue, Stewartstown, Pa. 17363-0819 Mr. Joseph Larson, 105 W. Chesapeake Avenue, Towson, Md. 21204 People's Counsel; Case File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at_	1930 &	1928	Greenspring	Drive
which is	presentl	y zone	d ML-1M	

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

an amendment to a previously approved Zoning Plat from Case No. 02-571 X and.... to approve a modified parking plan

Further to reduce the area of the Special Exception parcel as previously granted by Case No. $02-571\ X$

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted purcuant to the zoning law for Baltimore County.

Contract Purchaser/Lessee:

	NA	- •	·
Name - Type o	or Print		
	NA		<u> </u>
Signature		•	·
	NA		•
Address			Telephone No.
	NA		•
City		State	Zip Code
Attorney I	or Petition	er:	
	-	-	-
Name - Type o	r Print		<u> </u>
Signature			•
Company	<u> </u>	,	<u></u>
Addless	 		Telephone No.
M	······································	State	Zlp Code

Tase No. 05-648-SPHA

OCOUR EN

PU 9 5 198

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.

Legal Owner(s):

Murray Kovens	-		
Name - Type or Rrint			
Mes	02-0		
Signature			
Name - Type or Print			
Cloneture	<u> </u>		
Signature		PO Box 819	_
18-B W. Pennsylvania	Ave.	1-800-270-8363	3
Address		Telephone N	O.
Stewartstown	· P.		
City	State	e Zip Cod	le
Representative to be C	ontacte	<u>d:</u>	
Joseph L. Larson		<u> </u>	
Name			
105 W. Chesapeake Av Address	е	410-823-35	<u>3</u> 5
Address		Telephone No	
Towson	MD	21204	
City	State	Zip Code	2
• •		_	

OFFICE USE ONLY

ESTIN	LATED LENG	TH OF HEARING	
		R HEARING	
Reviewed By_	D.T.	Date 6/7/05	



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1928 Greenspring Drive

which is presently zoned ML-IM

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) 255.1

to allow a frontyard of 12.5' in lieu of the required 25'

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

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

If 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 declar perjury, that I/we are the is the subject of this Per	e legal owner(s)	nder the penalties of) of the property which
Contract Purchaser/	Lessee:		Legal Owner(s):		
Name - Type or Print	<u></u>	<u> </u>	Murray Kovens Name - Type or Print		
Signature		······································	Signature	<u>La</u>	
Address		Telephone No.	Name - Type or Print		
City	State	Zip Code	Signature	, , ,_,_,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	PO Box 819
Attorney For Petition	ier:		18-B W. Pennsylv	<u>ania Ave</u>	1-800-270-8363
-			Address Stewartstown	PA	Telephone N 17363-0819
Name - Type or Print			City	Sta	te . Zip Cod
			Representative to	be Contacte	ed:
Signature	•		Joseph L. L		
Company			Name		
	<u></u>	•	105 W. Chesapeake	Ave.	410-823-3535
Addiess		Telephone No.	Address	M	Telephone No
City	State	Zip Code	Towson	MD Stat	21204 e Zip Code
City	State	zip Code	City		•
		_ •		CE USE ONL	<u>.y</u>
	مادة حاصتاه		ESTIMATED LENGT	'H OF HEAR	ING
Se No	48-SPHA		UNAVAILABLE FOR Reviewed By	HEARING	ate 10 7 OC



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1.930 Greenspring Drive which is presently zoned ML-IM

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) 255.1

to allow a rear yard of 12.5' in lieu of the 30' required

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

Reasons to be presented at the Zoning 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.

		•	IWe do solemnly perjury, that I/we a is the subject of the	are the legal owner(s)	nder the penalties of) of the property which
Contract Purchase	r/Lessee:		Legal Owner(s	<u>s):</u>	
		- 	Murray Koven		
Name - Type or Print			Name - Type or Prin	1	
Signature	•	•	Signature		
Address		Telephone No.	Name - Type or Print	<u>t</u>	<u></u>
City	State	Zip Code	Signature	<u></u>	PO Box 819
Attorney For Petitic	oner:	•	18-B W. Penn	sylvania Ave.	1-800-270-8363
			Address		Telephone No.
			Stewartstown		17363-0819
Name - Type or Print			City	Stat	te . Zip Code
			Representativ	e to be Contacte	ed:
Signature	<u> </u>		<u> </u>		
			Joseph L. La	rson	
Company			Name	-	
		• •	105 W. Chesa	peake Ave.	· 410-823-3535
Address	······································	Telephone No.	Address	<u></u>	Telephone No.
4	•	•	Towson	· MD	21204
City	State	Zip Code	City	Stat	e - Zip Code
•		. •	~~~	OFFICE USE ONL	<u>.Y</u>
Case No 05-	1.10 - Coila		ESTIMATED LE	NGTH OF HEAR	ING
Case 140	UTO - OTH		UNAVAILABLE Reviewed By	FOR HEARING	ate 6705
REV 9 15 98					4 /





ROBERT E SPELLMAN PLS JOSEPH L LARSON

CIVIL ENGINEERS AND LAND SURVEYORS 105 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 TEL (410) 823-3535 / FAX (410) 825-5215

DESCRIPTION TO ACCOMPANY ZONING PETITION 1928 GREENSPRING DRIVE 8TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING for the same on the westernmost side of Greenspring Drive 335 feet south of the center line extension of Business Park Drive thence continuing along the westernmost side of Greenspring Drive south 6 degrees 12 minutes 40 seconds west 25.37 feet thence continuing along the westernmost side of Greenspring Drive with a curve to the right with a radius of 1370 feet 111.80 feet thence leaving the westernmost side of Greenspring Drive and continuing south 80 degrees 31 minutes 48 seconds west 198.10 feet thence north 9 degrees 32 minutes 42 seconds west 311.72 feet thence north 80 degrees 31 minutes 48 seconds east 42.5 feet thence for a line of division between 1930 and 1928 Greenspring Drive south 9 degrees 32 minutes 42 seconds east 181 feet thence continuing on a line of division as aforesaid north 80 degrees 31 minutes 48 seconds east 197.21 feet to the place of beginning.

SAID property being known as 1928 Greenspring Drive and containing 0.837 acres of land more or less.

May 2, 2005

الرام المستري المرامية والمستريد والمستريخ المستريد المستريد المستريد المستريد المستريد والمستريد والمستري

AID MICEIP

STANDAL WAR NOTE: STANDAL THE STANDAL STANDAL

T R 33 6228 A 181/2005

S SCH AWARD WERFICATION

646-320

LILLING.

Deflication Liverial control of the Colors o

ASHIER'S VALIDATION

And the second of the

DISTRIBUTION
WHITE - CASHIER

PINK

AGENCY

YELLOW - CUSTOMER

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

Case: #05-648-SPHA

1930 & 1928 Greenspring Drive.
W/Side of Greenspring Drive, 150 feet south of Business Park Drive

8th Election District - 3rd Councilmanic District

Legal Owner(s): Murray Kovens

Special Hearing: to amend previously approved zoning plat from Case No. 02-571-X and to reduce the area of the Special Exception parcel as previously granted by Case No. 02-571-X. Variance: to allow a front yard of 12.5 feet in lieu of the required 25 feet.

Hearing: Wednesday, August 3; 2005 at 9:00 a.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 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.

59339

CERTIFICATE OF PUBLICATION

$\frac{720}{2005}$
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on $\frac{719}{2005}$
The Jeffersonian Arbutus Times Catonsville Times Towson Times Owings Mills Times NE Booster/Reporter North County News

J. Willing

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION:	KRISTEN MATTHEWS
MITENIUN.	KKISIENITI

Date JULY 18, 2005

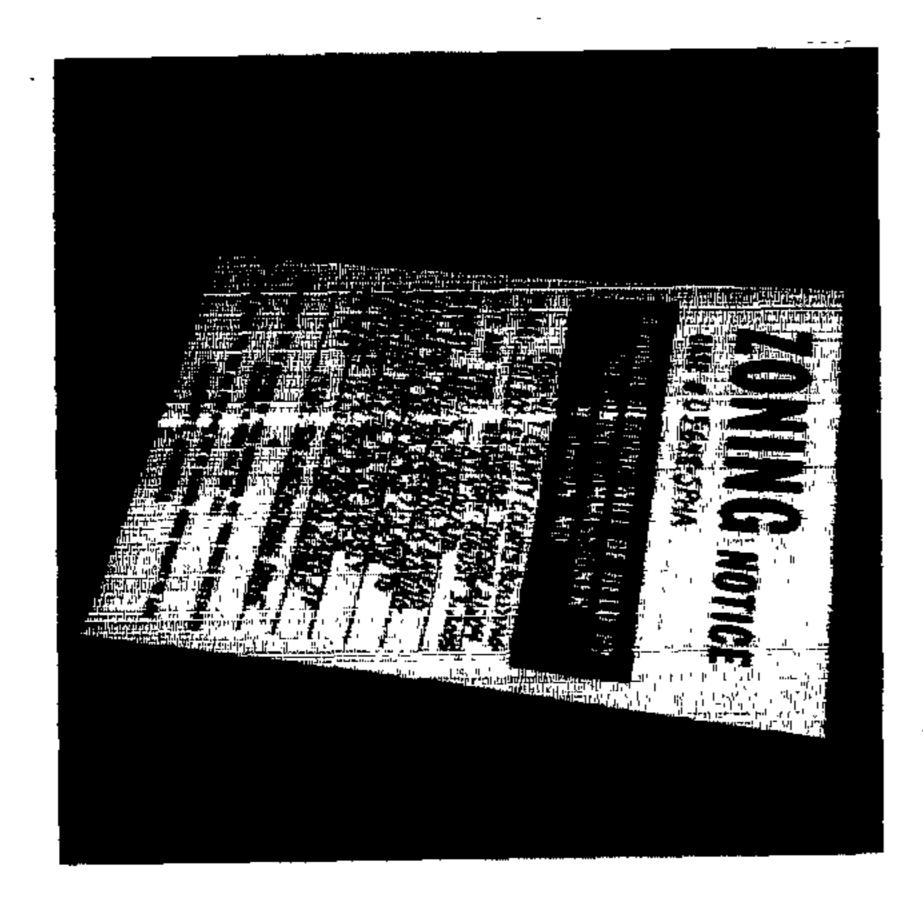
RE:

Petitioner/Developer: MURRAY KOVENS/JOSEPHHARSON
Date of Hearing/Closing. AUGUST 3, 2005

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 1930 + 1928 GREENSPRING D

The sign(s) were posted on

JULY 18, 2005



(Signature of Sign Poster)

INDA O'KEEFE (Printed Name of Sign Poster)

- - 523 PENNY LANE (Street Address of Sign Poster)

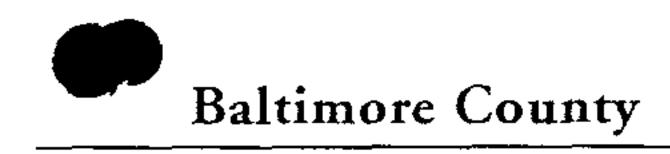
HUNT VALLEYMD 21030 (City, State, Zip Code of Sign Poster)

0-666-5366 (Telephone Number of Sign Poster)

Department of Permits a Development Management

Director's Office County Office Building 111 W Chesapeake Avenue Towson, Maryland 21204 Tel: 410-887-3353 • Fax: 410-887-5708





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

June 16, 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: 05-648-SPHA

1930 & 1928 Greenspring Drive

W/Side of Greenspring Drive, 150 feet south of Business Park Drive

8th Election District – 3rd Councilmanic District

Legal Owners: Murray Kovens

Special Hearing to amend previously approved zoning plat from Case No. 02-571-X and to reduce the area of the Special Exception parcel as previously granted by Case No. 02-571-X. Variance to allow a front yard of 12.5 feet in lieu of the required 25 feet.

Hearing: Wednesday, August 3, 2005 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Murray Kovens, 18-B W. Pennsylvania Avenue, P.O. Box 819, Stewartstown PA 17363-0819 Joseph Larson, 105 W. Chesapeake Avenue, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 19, 2005.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE

(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



Tuesday, July 19, 2005 Issue - Jeffersonian

Please forward billing to:

Murray Kovens 18-B W. Pennsylvania Avenue P.O. Box 819 Stewartstown, PA 17363-0819

1-800-270-8363

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: 05-648-SPHA

1930 & 1928 Greenspring Drive W/Side of Greenspring Drive, 150 feet south of Business Park Drive

8th Election District – 3rd Councilmanic District

Legal Owners: Murray Kovens

Special Hearing to amend previously approved zoning plat from Case No. 02-571-X and to reduce the area of the Special Exception parcel as previously granted by Case No. 02-571-X. Variance to allow a front yard of 12.5 feet in lieu of the required 25 feet.

Hearing: Wednesday, August 3, 2005 at 9:00 a.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.



<u>ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS</u>

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: 05-648-SPHA				
Petitioner: KOVENS				
Address or Location: 1928 + 1930 GREENSPRING DRIVE				
PLEASE FORWARD ADVERTISING BILL TO:				
Name: MR. MURRAY KOVENS				
Address: 18-13 W. PENNSYLVANIA AVE.				
P.O. 130X 819				
STEWARTS TOWN PA 17363-0819				
Telephone Number: 1-800 - 270 - 8363				

Department of Permits an Development Management

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





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

July 25, 2005

Murray Kovens 18 B W. Pennsylvania Avenue Stewartstown, PA 17363-0819

Dear Mr. Kovens:

RE: Case Number: 05-648-SPHA, 1930 & 1928 Greenspring Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 7, 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.

W. Carl Aills Of

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Joseph Larson 105 W. Chesapeake Avenue Towson 21204



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

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

June 20,2005

ATTENTION: Zoning Review Planners

Distribution Meeting of April 4, 2005

Item No. 633,639,643,644,645,646,647.648,649,650,651,652,653,654,655,656,657, 658,659,660 and 661

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

The Fire Department has no comments at this time.

If you have any questions contact my office.

Acting Lt. Warren T. Moffitt Fire Marshal's Office 410-887-4880 MS-1102F

Cc:file

Robert L. Ehrlich, Jr., Governor



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

Michael S. Steele, Lt. Governor

Maryland Department of Transportation

Date: 6.20.05

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

RE:

Baltimore County

Item No (648)

Dear. Ms. Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

P. J. Hall

Engineering Access Permits Division

BW By3

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management DATE: July 27, 2005

JUL 2 9 2005

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

EDING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-648- Variance and Special Hearing

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Bill Hughey in the Office of Planning at 410-887-3480.

Prepared By

Division Chief:

CM/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: June 28, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Acting Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 27, 2005

Item No. 633, 639, 643, 645, 647 (648, 649, 652, 653, 654, 656, 658, 660, 661

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

DAK:CEN:clw cc: File ZAC-NO COMMENTS-06282005.doc



RE: PETITION FOR SPECIAL HEARING AND VARIANCE 1928 & 1930 Greenspring Drive; W/side

Greenspring Drive, 150' S of Business Park Dr 8th Election & 3rd Councilmanic Districts

Legal Owner(s): Murray Kovens

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

05-648-SPHA

* * * * * * * * * *

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 Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of June, 2005, a copy of the foregoing Entry of Appearance was mailed to Joseph L Larson, 105 W. Chesapeake Avenue, Towson, MD 21204, Representative for Petitioner(s).

RECEIVED

JUN 1 6 2015

Per.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

RECEIVED

AUG - 2 2005

RE: PETITION FOR SPECIAL HEARING AND VARIANCE

1928 & 1930 Greenspring Drive

Legal Owner: 1930 GREENSPRING

DRIVE, LLC

REENSPRING

Petitioner

**

BEFORE THE

ZONING COMMISSIONER

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

05-648-SPHA

Entry of Appearance

Please enter the appearance of the undersigned as counsel for the Petitioner in the above-captioned matter.

August 2, 2005

Lawrence F. Haislip

Miles & Stockbridge P.C. Suite 900 One West Pennsylvania Avenue Towson, Maryland 21204 (410) 823 8234

Attorney for Petitioner

Certificate of Service

I HEREBY CERTIFY that on this 2nd day of August, 2005, a copy of the foregoing entry of appearance was mailed to Peter Max Zimmerman, People's Counsel for Baltimore County, and to Carole S. DeMilio, Deputy People's Counsel, Old Courthouse, Room 47, 400 Washington Avenue, Towson, Maryland 21204.

Lawrence F. Haislip

JK 8/5

IN RE: PETITION FOR SPECIAL EXCEPTION

W/S Greenspring Drive, 145' S centerline of Business Park Drive 8th Election District 4th Councilmanic District

(1930 Greenspring Drive)

Edward B. Kovens, Legal Owner and Earth Treks Climbing Center, Lessee Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NØ. 02-571-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owner of the subject property, Edward Kovens and the lessee, Earth Treks Climbing Center. The special exception request is to approve a commercial recreational facility in a ML-IM zone. The property, which is the subject of this special exception request, consists of 1.74 acres, more or less, and is located at 1930 Greenspring Drive in Timonium.

Appearing at the hearing on behalf of the special exception request were Chris Warner and Scot Heidtman, appearing on behalf of Earth Treks Climbing Center, Donald Hicks, representing Hicks Engineering, and Eugene Lipman, representing the owner of the property. John B. Gontrum, attorney at law, appeared representing the Petitioner. There were no protestants in attendance.

Testimony and evidence indicated that Earth Treks Climbing Center wishes to open a climbing center at this location on Greenspring Drive. The Petitioner proposes to renovate and modify an existing warehouse building wherein their commercial recreational facility is proposed to be located. The parking design for the building and use in question, as represented on Petitioner's Exhibit No. 1, the site plan submitted into evidence, is sufficient to accommodate the parking needs for this use. In order to proceed with the use of the subject property, the

special exception request is necessary. In addition to providing climbing apparatus, the Petitioner will also have a small retail shop wherein climbing gear and accessories will be offered for sale to the patrons who utilize this facility. Furthermore, the Petitioners propose to provide birthday parties for their patrons and also intend to work closely with the surrounding public school system to provide climbing classes.

It is clear the Baltimore County Zoning Regulations permits the Petitioners' use in a ML-IM zone by special exception. It is equally clear that the proposed use is not detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioners had the burden of adducing testimony and evidence which shows that the use meets the prescribed standards and requirements set forth in Section 502.1 of the Baltimore County Zoning Regulations. The Petitioners have shown that the use is conducted without real detriment to the neighborhood and does not adversely affect the public interest. The facts and circumstances do not show that the use at this particular location described by Petitioners' Exhibit No. 1 has any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The use is not detrimental to the health, safety, or general welfare of the locality, nor tends to create congestion in roads, streets, or alleys therein, nor is it inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertising, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief request in the special exception shall be granted.

THEREFORE, IT IS ORDERED this 1/2 day of August, 2002, by this Deputy Zoning Commissioner, that the Petitioners' Request for Special Exception, to approve a commercial recreational facility in a ML-IM zone, be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the parking layout and design as represented on Petitioners' Exhibit No. 1 is appropriate and shall be APPROVED.

IT IS FURTHER ORDERED, that the Petitioners shall be permitted to provide a sales shop within the building in order to sell climbing gear and accessories to their patrons.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

CASE NAME 1970 & 1928 Greensport
CASE NUMBER 05-648 SPHA
DATE

PETITIONER'S SIGN-IN SHEET

										LOSEPH LARSON	NAME
										105 W. Chesapealo Ave	ADDRESS
										Towcon, Md 21204	CITY, STATE, ZIP
											E- MAIL

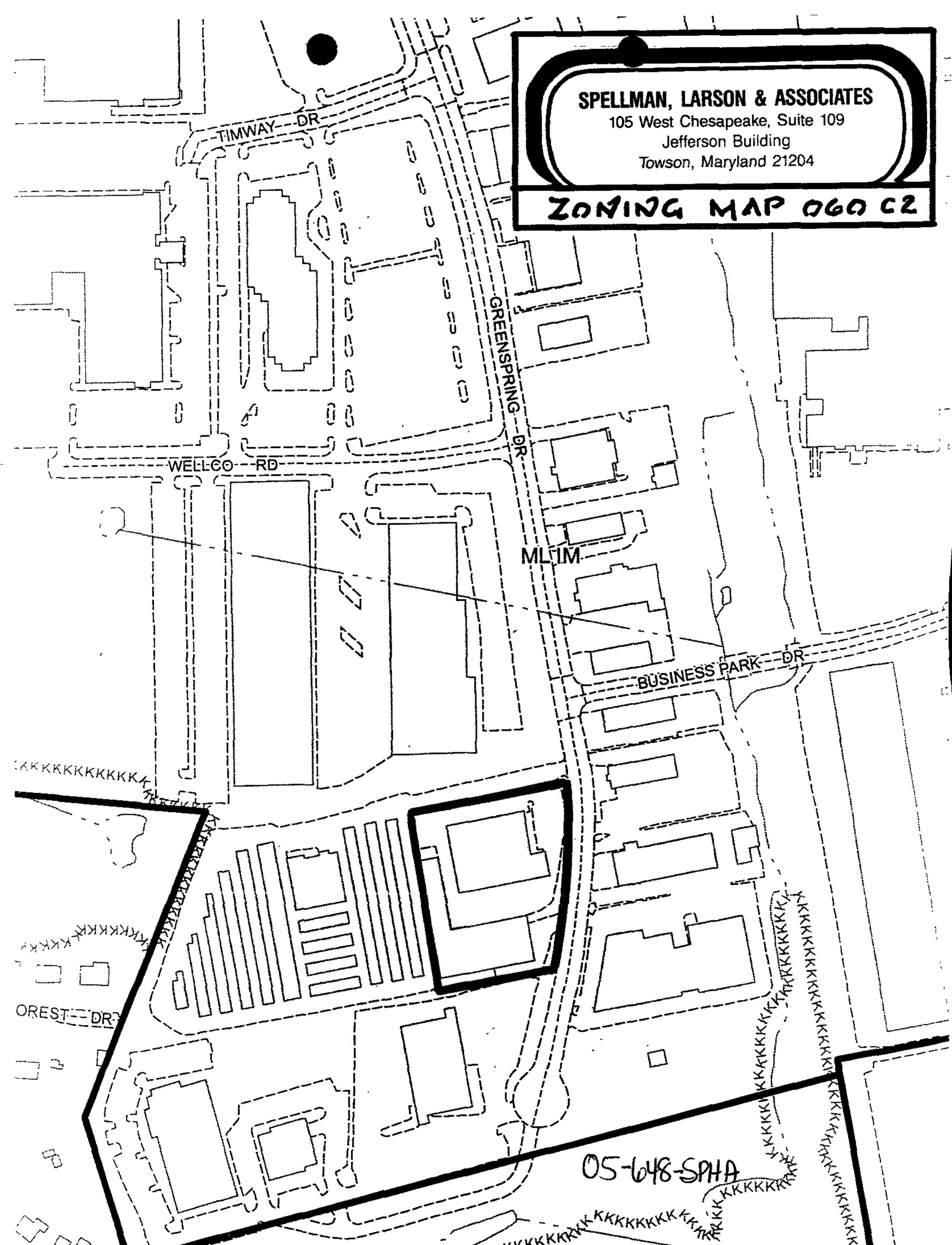
Case No.:	(0)5-648	SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

12-		
No. 1	SITE PLAN	
No. 2	ZONING PLAT - LOT LINE ADJUSTMENT	
No. 3	PLATIN 02-571X	
No. 4	Copy of PLAT APPLICATION FOR BLDG FERM, T	
No. 5	DEED - Greenpring DRIVE	"
No. 6		
No. 7		
No. 8		
No. 9	*-	
No. 10		
No. 11		
No. 12		
<u>.</u>	<u> </u>	



S APPROVED
OF FLANNING & ZONING
OF THE NITTON ISTICK ZOVE 37.76 CATION E: OF PARPER GENERAL 235 81-156-A C-375-81 SERICE I VIARBILOUGE eaw. WT.IM ML.-IM 1. 076 AC =

20 MO.

YE T

3019363 238,

DEED

THIS DEED is made as of this 12th day of December, in the year Two Thousand Three, from MURRAY R. KOVENS and EDWARD B. KOVENS, as tenants in common, Grantors, to 1930 GREENSPRING DRIVE, LLC, a Maryland limited liability company, Grantee.

Explanatory Statement

- A. The Grantors, as tenants in common, are the owners in fee simple of all those two lots or parcels of ground described in and conveyed by deed dated May 27, 1992, from Edward B. Kovens and Sheldon G. Dagurt, Personal Representatives of the Estate of Irvin Kovens, to Murray R. Kovens and Edward B. Kovens, as tenants in common, recorded among the land records of Baltimore County, Maryland in Liber SM No. 9205, folio 261. The improvements on such parcels are known as 1930 Greenspring Drive, Timonium, Maryland 21093.
- B. The Grantors have acquired the real property as a proprietorship, for the purpose and intent of holding, leasing, managing and selling the same for the production of income.
- C. The Grantors have caused the Grantee to be formed as a limited liability company under and by virtue of the laws of the State of Maryland.
- D. The Grantors hold One Hundred Percent of the ownership interest in and to the Grantee limited liability company.
- E. The Grantors' relative allocation of the profits and losses of the Grantee limited liability company is identical to the Grantors' relative allocation of profits and losses as sole proprietors of the real property.

Catharens Catha

0019363 239

- F. This Deed is made by the Grantors for the purpose of terminating their real estate enterprise (as that term is defined in Section 12-108(bb) of the Tax-Property Article of the Annotated Code of Maryland).
- G. This Deed represents the conveyance of all real property owned by the Grantors and used in the conduct of their real estate enterprise.

Grant

NOW THEREFORE, THE GRANTORS, for no consideration, and in accordance with the provisions of Sections 12-108(bb) and 13-207(a)(18) of the Tax-Property Article of the Annotated Code of Maryland do grant convey and assign, to the Grantee, in fee simple, the real property described above.

TOGETHER with the buildings and improvements thereupon; and the rights, alleyways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the real property unto the Grantee, its successors and assigns, in fee simple forever.

[signatures and acknowledgements follow on next two pages]

0019363 240

WITNESS the hands and seal of the Grantor.

WITNESS:

GRANTOR:

MURRAYR

_(seal)

Acknowledgement

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this ______ day of December, 2003 before me, the subscriber, a Notary Public of the State of Maryland personally appeared MURRAY R. KOVENS, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, who signed the same in my presence and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: / - /- 0.

0019363 241,

WITNESS the hands and seal of the Grantor.

WITNESS:

GRANTOR:

(seal)

EDWARD B. KOVENS

Acknowledgement

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this <u>19h</u> day of October, 2003 before me, the subscriber, a Notary Public of the State of Maryland personally appeared EDWARD B. KOVENS, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, who signed the same in my presence and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires:

2/1/0

0019363.2421

Attorney Certification

THE UNDERSIGNED, an attorney admitted to practice before the Court of Appeals of the State of Maryland, certifies that the foregoing instrument was prepared by him or under his supervision.

Lawrence F. Haislip

OC! 10 CARO RD-24 LK MAK DELIFEMENT DEKA (RODEODO) (10 14180COOTRIL

Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate Affidavit of Residence or Principal Residence

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

	1. Transferor Information
Name of Transfero	
Murray	R. Kovens and Edward B. Kovens
······································	7 Decrease for English
Resident	2. Reasons for Exemption
Status	I, Transferor, am a resident of the State of Maryland.
	Transferor is a resident entity under § 10-912(A)(4) of the Tax-General Article of the Annotated Code of Maryland, I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.
Principal	Althonigh I am no longer a recident of the Ctore of the Core
Residence	principal residence as defined in IRC §121.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

Witness	3a. Individual	Name Mustage Kovens
Witness		Section Edward B. Kovens
	3b. Entity	
	Transferors	
incss/Attest	······································	Name of Entity
		By
		Name

3019363. 244

AFFIDAVIT AS TO TOTAL PAYMENT

THE undersigned certify under the penalties of perjury, that the following is true to the best of my/our knowledge, information and belief, in accordance with Section 10-912(b)(2) of the Tax-General Article of the Annotated Code of Maryland (the "Withholding Law"):

- 1. That I am/we are the transferor(s) (or agent of the transferor(s) if so indicated), of that real property described in the accompanying deed.
- 2. The amount of total payment for the purpose of the Withholding Law is \$_0.00.

DATED this 12	day of DECEMBER	, 2003.
		, 4003.

WITNESS:

GRANTOR:

Murray R. Kovens

B. Kovens

TOW801:7101344v1|000001-004325[11/7/2003

9/012

3019363.245

for the first on the westernmost edge of the proposed extension of Greenspring Drive (60 feet wide) said point of beginning being South 84 degrees 42 minutes 05 seconds West 30.00 feet from a point in the third or 198.76 foot line of the land which by Deed dated March 21, 1962 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3997, folio 78, was conveyed by Crowther, Inc., to F. Christian Anderson, et al., and at a distance of said third line of 52.22 feet from the beginning thereof, running thence from the point of beginning and binding on the westernmost edge of proposed Greenspring Drive the three following courses and distances: (1) by a curve to the right with a radius of 699.94 feet for a distance of 140.51 feet (the chord of said are being South 0 degrees 27 minutes 23 seconds West 140.26 feet); (2) South 6 degrees 12 minutes 40 seconds West 69.87 feet; (3) by a curve to the right with a radius of 1370 feet for a distance of 111.80 feet (the chord of said are being South 8 degrees 33 minutes 56 seconds West 111.76 feet) thence leaving the aforesaid proposed road and running for lines of division the three following courses and distances, as now surveyed (1) South 80 degrees 31 minutes 48 seconds West 198.10 feet); (2) North 4 degrees 11 minutes 10 seconds East 320.79 feet; (3) North 80 degrees 31 minutes 48 seconds East 200.00 feet to the place of beginning. Containing 1.474 acres of land more or less.

Beginning for the second at a point at the beginning of the fourth or South 4 degrees 11 minutes 10 seconds West 320.79 foot line of the land which by Deed dated July 2, 1964 and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 84330, folio 457, was conveyed by F. Christian Anderson, et al., to Good Humor Corporation, said point of beginning being also at the northwest corner of the parcels of land which by Deed dated July

FEDDER AND GARTEN
PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
BALTIMORE, MARYLAND 21201

RECEIVED FOR TRANSFER
Strains & Taxation
Assection & County

101 Litimore County

Date 6.3-92 Sec. 33-139 C

0019363.246

SER 9 2 0 5 PAGE 2 6 7

Liber R.R.G. No. 4177, folio 101, was conveyed by F. Christian Anderson, et al., to Vincent Polvinale and wife, running thence on the division line between the said Vincent Polvinale and the said Good Humor Corporation tract and binding on the fourth line of the degrees 11 minutes 10 seconds West 320:79 feet to a point, thence leaving the outline and running for lines of division through the distances, viz: (1) North 9 degrees 32 minutes 42 seconds West 311.72 feet; (2) North 80 degrees 31 minutes 48 seconds East 76.15 more or less.

Being the same lots of ground described in a Deed dated the May 16, 1975; and recorded among the Land Records of Baltimore County, Maryland in Liber No. EHK, Jr. 5531 Folio 564, from Irvin Kovens to Irvin Kovens and Jean Kovens, as tenants by the left this life on the 23rd day of September 1981.

Real Property Search - Individual Report

Page 1 of 1

Click here for a plain text ADA compliant screen.



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

Go Back View Map New Search **Ground Rent**

Account Identifier:

District - 08 Account Number - 0816062190

Owner Information

Owner Name:

1930 GREENSPRING DRIVE LLC

Use:

INDUSTRIAL

Principal Residence:

NO

Mailing Address:

4412 FOX CHASER LN WHITE HALL MD 21161-9325

Deed Reference:

1) /19363/ 238

Location & Structure Information

Premises Address

1930 GREENSPRING DR

Legal Description

1.474 AC

1930 GREENSPRING OR WS

2360 SW TIMONIUM RD

Map Grid Parcel **Sub District** Subdivision Section Błock Lot Assesment Area Plat No: OU 11 61*5* Plat Ref: Town

Special Tax Areas

Ad Valorem

Tax Class **Primary Structure Built Enclosed Area Property Land Area** County Use 1967 <u>35</u>,139 SF 1.47 AC 07 **Stories Basement** Type Exterior

Value Information

Base Value Phase-in Assessments Value As Of As Of As Of 01/01/2005 07/01/2004 07/01/2005 Land: 307,900 606,600 Improvements: 1,040,000 1,115,200 Total: 1,347,900 1,721,800 1,347,900 1,472,533 Preferential Land:

Transfer Information

Seller: KOVENS EDWARD B Date: 12/30/2003 Price: \$0 NOT ARMS-LENGTH Type: Deed1: /19363/ 238 Deed2: Seller: KOVENS IRVIN Date: 06/04/1992 Price: \$0 NOT ARMS-LENGTH Type: Deed1: / 9205/ 261 Deed 2: Seller: Date: Price:

Type: Deed1:

Exemption Information

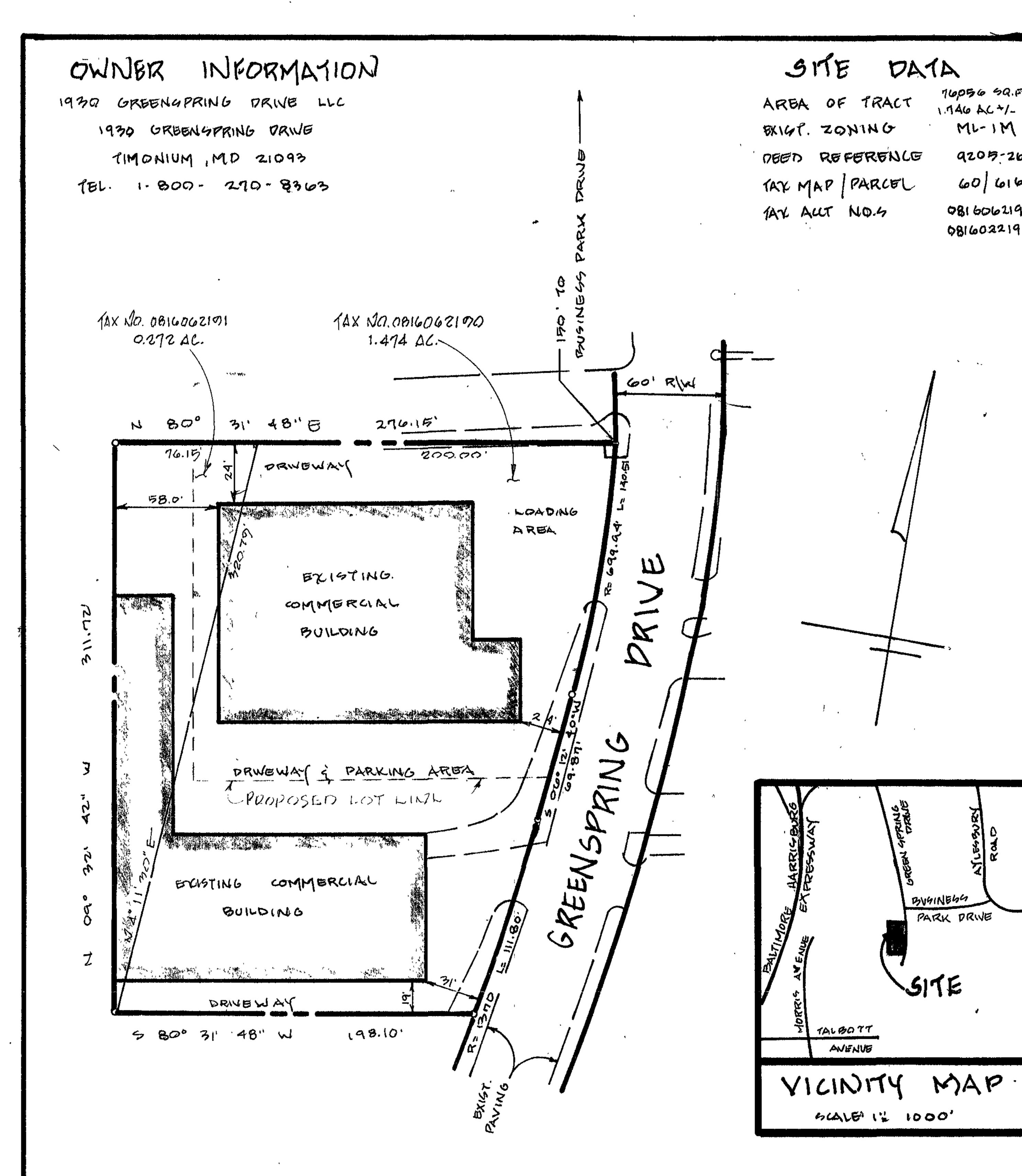
Partial Exempt Assessments Class 07/01/2004 07/01/2005 County 000 State QOQ Municipal 000

Tax Exempt: Exempt Class: NO

Special Tax Recapture:

Deed2:

* NONE *



ZONING NOTE:

1415 PLAT & CCOMPANIES THE ZONDING PETITIONS FOR LASE NO. 05-648 SPHA

ZONING PLAT

LOT LINE ADJUSTMENT

AREENSPRING DRIVE 1928 1930 GREENGPRING DRIVE

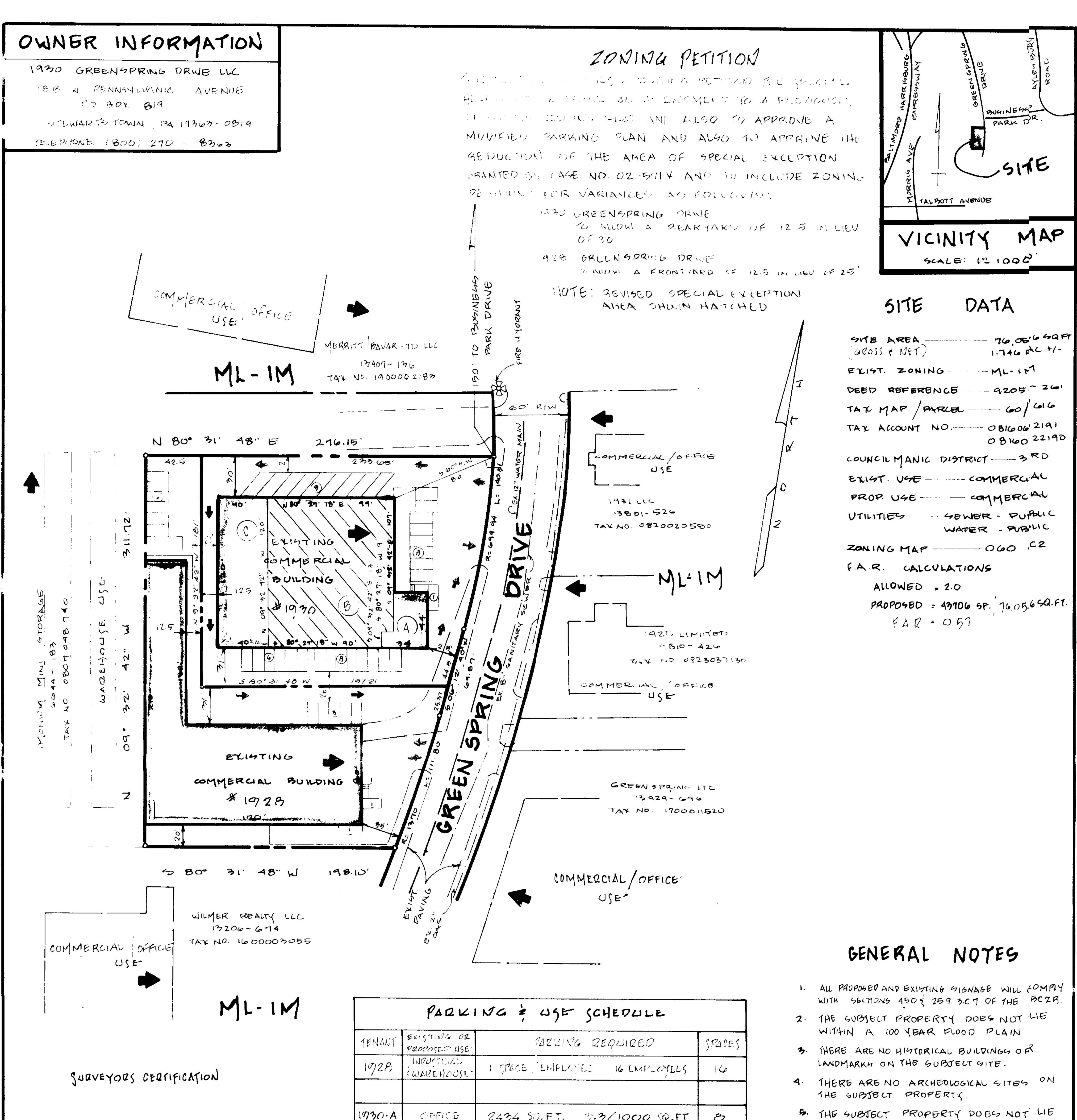
3RD COUNCILMANIC DISTRICT 814 ELECTION DIGT. BALTIMORE (O. MO

PETITIONER'S O5.648

GENERAL NOTE

PURPOSE OF THIS PLAN 19 TO ACCOMPANY A REQUEST FOR A LOT LINE ADJUGT MENT. NO IMPROVEMENTS ARE CONTEMPLATED AT THIS TIME.

SPELLMAN, LARSON & ASSOCIATES, INC. CIVIL ENGINEERS AND LAND SURVEYORS SUITE 408. JEFFERSON BUILDING



1730-A CHARGE

2434 SQ.FT. 3.3/1000 SQ.FT GLIMBING SEE CASE NO 02-571-X 1930-13 40 CENTER INDUSTRIAL 1930-C SPACE/EMPLOYEE 3 EMPLOYEES & WAREHOUSE TOTAL 67

PLAT TO ACCOMPANY ZONING PETITION

1928 GREENGPRING DRIVE

3RD COUNCILMANK DISTRIKT

8TH ELECTION DIGT.

BAUTIMORE CO, MD

46ALB: 1' 50'

ACL LINE OF LIKELY

MAY 21,2004 BEY, WOLY 28, 2004 DEV. APRIL 1,2005 ZEV. MAY 2,2005

SHARED PARKING SCHEPULE				
	WEEKDAY		WEE	KENT
	6:00 P.M.)	EVENING (6:00 P.M.TO MIDNIGHT)	DAYTIME (6:00 A. M.TO 6:00 PM.)	EVENING (G:00P.M. TO MIDNIGHT)
OFFICE OR	100% = 275 PACES	10 % = 3 SPACES	10% = 35PACES	5 % = 2 SPACES
COMMERCIAL RECREATION?	40 % = 16 5PACES	100%. : 40 SPACES	80% = 325BACES	100% = 40 SPACES

PARILINIG REQUID: 47 (PACES

PARKING PROVIDED = 46 SPACES

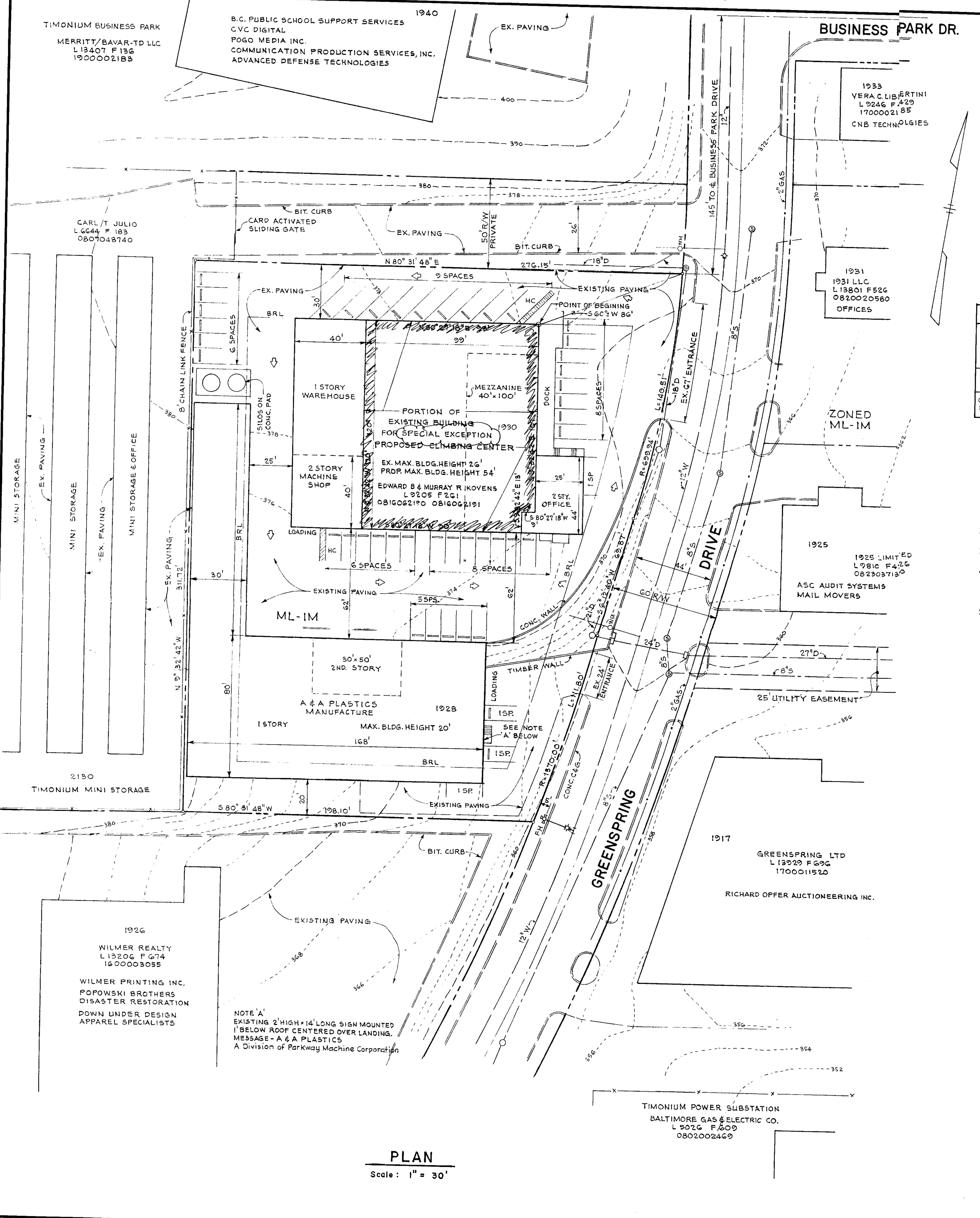
(THIS PARKING METHODOLOGY WAS APPROVED BY CASE * 02-571-X)

- IN THE CHEGAPEAKE BAY CRITKAL AREA 6. THERE ARE NO ZONING LINES WITHIN
- 200 FEET OF THE SUBJECT PROPERTY 7. THERE ARE 2 PREVIOUS ZONING PETITIONS
- THAT AFFECT THE SUBJECT PROPERTY

CASE NO. B1-156 A FEB. 27 1981 VARIANCES GRANTED TO PERMIT A REAR YARD SETBACK OF O' IN LIEU OF MO! A SIDEYARD SETDACK OF 20' IN LIEU OF MO & A DISTANCE BETWEEN POLDES. OF 25' IN LIEU OF 60'.

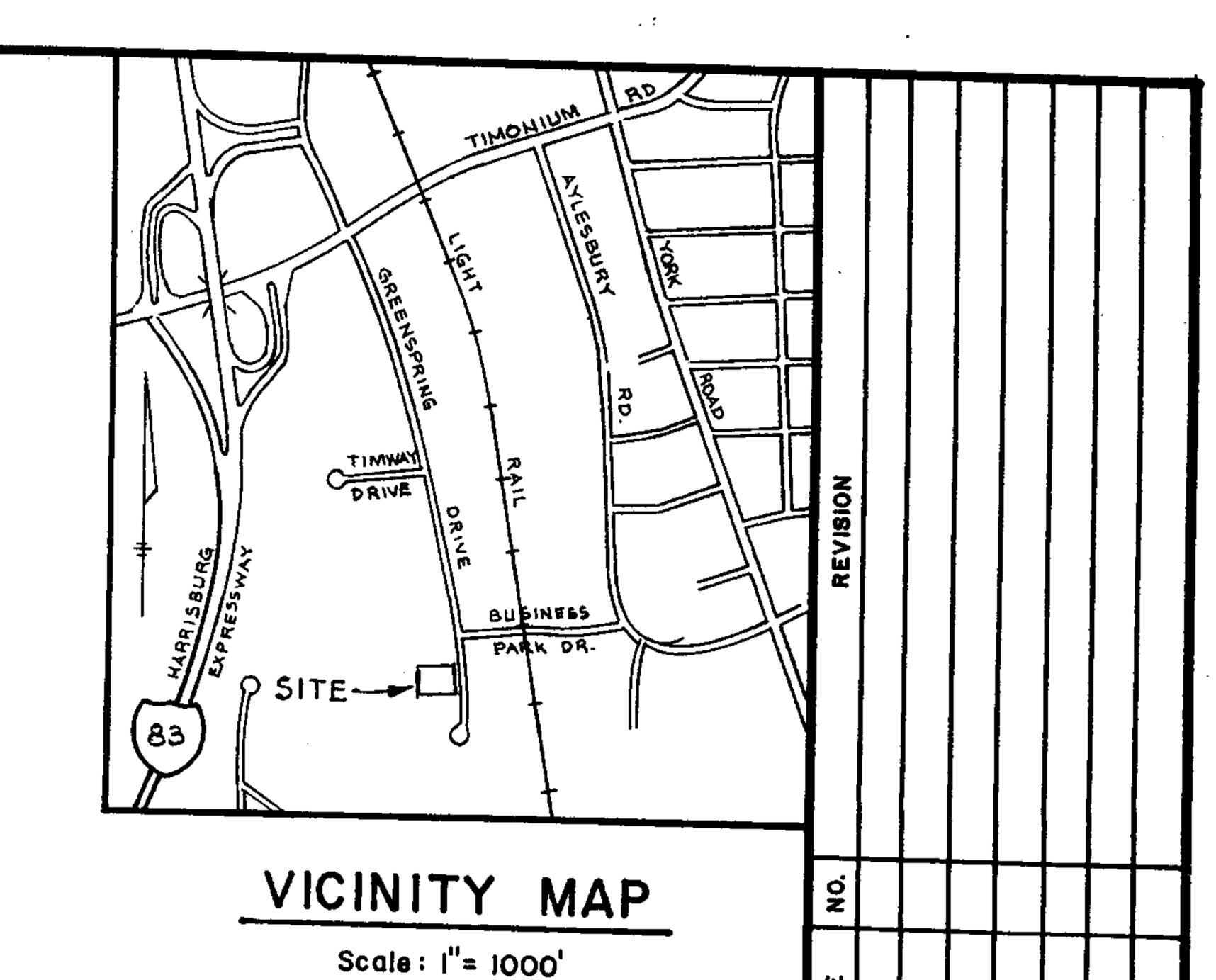
LASE NO. 02-571 X A44 7 2002 SPECIAL EXCEPTION GRANTED TO ALLOW A CONMERCIAL RECREATIONAL FACILITY IN A MLZONE 10 APPROVE A PARKING DESIGN & LAYOUT AS SHOWN ON THE SITE PLAN & TO DILLOW A SALES SHOP WITHIN THE BUILDING TO SELL CLIMBING GEAD.

> SPELLMAN, LARSON & ASSOCIATES, INC. CIVIL ENGINEERS AND LAND SURVE YORS SUITE 406, JEFFERSON BUILDENG TOWSON, MARYLAND 21204 PHONE: 410-823-3535 FAX: 410-825-5215



	PARKING TABULATIO	N. P.	
PRESENT USE OF LEASED SPACE		SQUARE	SPACES
A & A PLASTICS INDUSTRIAL	1 SPACE PER EMPLOYEE ON LARGEST SHIFT	FEET	REQUIRED
MACHINE SHOP	1 SPACE PER EMPLOYEE ON LARGEST SHIFT	N/A	2
WAREHOUSE	I SPACE PER EMPLOYEE ON LARGEST SHIFT	N/A	-
OFFICE	3.3 SPACES PER 1000 SQUARE FEET	2,376	8
<u> </u>			27 TOTAL
PROPOSED USE OF			
EARTH TREKS CLIMBING CENTER COMMERCIAL RECREATION	SECTION 409 OF THE SPECIAL REGULATIONS DOES NOT ADDRESS THIS SPECIFIC USE. PARKING IS SUGGESTED BY HISTORY AT EARTH TREKS COLUMBIA, MD FACILITY AS I SPACE PER ROPE DURING PEAK HOURS.	N/A	40 MAX.





SHARED PARKING ADJUSTMENT MEEKEND

	WEEKDAY		WEEKEND	
	DAYTIME	EVENING	DAYTIME	EVENING
	(6:00 A.M. TO	(6:00 P.M. TO	(6:00 A.M.TO	(6:00 P.M. TO
	6:00 P.M.)	MIDNIGHT)	6:00 P.M.)	MIDNIGHT)
FFICE OR	100%	10 %	10 %	5 %
NDUSTRIAL	= 275PACE5	= 3 SPACES	= 3 SPACES	2 SPACES
MMERCIAL	40 %	100 %	80%	100 %
	= 16 SPACES	= 40 SPACES	= 32 SPACES	= 405PACES

PARKING NOTES

- 1. TOTAL ON SITE PARKING SPACES=46 INCLUDING 2 RESERVED SPACES.
- 2. CLIMBING CENTER BUSINESS HOURS 3:00 P.M. TO 10:00 P.M.
- 3. PEAK HOURS OF USE 6:00 P.M. TO 8:00 P.M.
- 4. SPACES AVAILABLE DURING PEAK HOURS = 46 -3 = 43 SPACES (40 REQ'D)
- 5. SPACES AVAILABLE DURING OFF HOURS = 16 LEAVING 30 SPACES FOR INDUSTRIAL AND OFFICE USE.

SITE DATA

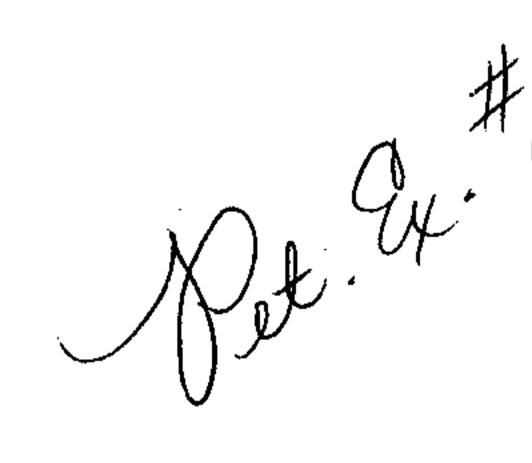
- EXISTING ZONING ML-1M, ZONING MAP NO. N.W. 13-A
- PROPERTY DATA:

PAP.CEL NO. 616, TAX MAP 60, GRID 11 ACCOUNT NUMBER 0816062190 & 0816062191 AREA OF PARCEL 1.74 ACRES = 76,056 SQ. FT. GROSS SITE AREA = 85,722 SQ. FT. OWNER - EDWARD B. & MURRAY R. KOVENS P.O. BOX 277 LUTHERVILLE TIMONIUM, MD. 21094-0277 DEED REFERENCE LIBER 9205 FOLIO 261

PROPOSED USER: EARTH TREKS CLIMBING CENTER CHRIS WARNER 7125-C COLUMBIA GATEWAY DRIVE COLUMBIA, MD. 21046 (410) 872-0060

PREVIOUS COMMERCIAL PERMITS

- NO 237-65 OFFICE & WARHOUSE NO.587-66 WAREHOUSE & OFFICE ADDITION NO.181-67 ADD OFFICE & WAREHOUSE NO.163-75 ALTERATIONS NO.1159-77 CONSTRUCT STORAGE AREA ON REAR OF EXISTING BLDG. NO 375-81 BUILDING ADDITION NO 1190-81 CHANGE OF USE FROM VENDING & WAREHOUSE TO VENDING & MANUFACTURING NC.1198-81 ALTERATIONS
- PREVIOUS ZONING HEARINGS: CASE NO. 65277A, APRIL 12, 1965, GRANT VARIANCE FOR SIDE AND REAR
- PREVIOUS CRG HEARINGS OR WAIVERS NONE
- HEIGHT REGULATIONS: BUILDING HEIGHT UNLIMITED PROPOSED MODIFIED EXISTING BUILDING HEIGHT 54 FEET
- AREA REGULATIONS: FRONT YARD 25 FEET, REAR & SIDE YARDS 30 FEET FLOOR AREA RATIO 2.0 ALLOWED PROPOSED FLOOR AREA RATIO = 43,706 S.F/85,722 S.F = 0.51
- TRAFFIC: THIS SITE IS NOT IN A TRAFFIC DEFICIENT AREA ON THE 2002 MAPS. THE GOVERNING LEVEL OF SERVICE FOR THIS AREA IS C.
- THE BALTIMORE COUNTY PROPOSED STREETSCAPE PROGRAM HAS NO IMPACT ON THIS SITE.
- WATER & SEWER: THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER WATER AND SEWER SERVICE DESIGNATION W-1 AND S-1. THIS PROPERTY IS WITHIN THE BALTIMORE COUNTY METROPOLITAN DISTRICT.
- 12. ALL ON SITE PAVED AREAS ARE BITUMINOUS CONCRETE.



C-I of

PETITIONER'S