S in r

IN RE: PETITIONS FOR SPECIAL HEARING and * BEFORE THE

VARIANCE - W/S Philadelphia Road,

427' N of the c/l White Marsh Boulevard * ZONING COMMISSIONER

(10522 Philadelphia Road)

11th Election District * FOR

5th Council District * BALTIMORE COUNTY

Honeygo Run Holdings, LLC

Petitioner * Case No. 06-377-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner for consider of Petitions for Special Hearing and Variance filed by the owner of the subject property, Honeygo Run Holdings, LLC, through its attorneys Jennifer R. Busse, John B. Gontrum and Whiteford, Taylor & Preston, LLP. The Petitioner requests a Special Hearing to permit passenger vehicle parking for a business/industrial use in a residential zone, pursuant to Section 409.8.B of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, a series of variances are requested from the B.C.Z.R. as follows: 1) from Section 250.4 to allow a setback from a residential boundary of 90 feet in lieu of the required 100 feet for an existing building in a M.L.R. zone; 2) from Section 250.6 to allow parking in an M.L.R. zone within 0 feet of a residential boundary line in lieu of the required 25 feet; and, 3) from Section 1B01.B.1.e.(5) to allow a parking lot with a buffer of 10 feet and a setback of 10 feet, in lieu of the required 50-foot buffer and 75-foot setback. The subject property and requested relief are more particularly described on the color-rendered site plan, which was submitted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing on behalf of the Petitioner were Murray DeMuth, representative of Honeygo Run Holdings, LLC, property owner/Petitioner, James E. Matis, P.E. of Matis, Warfield Consulting Engineers, the consultant who prepared the site plan, and John B. Gontrum, Esquire, attorney for the Petitioner. Mr. William Jones of the Baltimore County Department of Economic Development also appeared in support of the Petitions. There were no Protestants or other interested persons present and the hearing proceeded on a proffer from counsel for Petitioners, John B. Gontrum, Esquire, supplemented by comments from Mr. Jones.

Testimony and evidence offered disclosed that the subject property is located on the north side of Philadelphia Road approximately 420 feet northeast of Maryland Route 43 and across Philadelphia Road from the entrance ramp to Maryland Route 43. To the rear and north side of the site is the rubble landfill operated by Honeygo Run Reclamation Company, and property located in front of a portion of the site along Philadelphia Road is zoned M.L. and M.L.R. The property directly across Philadelphia Road from the subject property is zoned D.R. 5.5, but is vacant and is owned either by the State of Maryland or by Baltimore County as part of the access to Maryland Route 43. The property directly to the south of the subject site is zoned M.L.R. and D.R. 5.5. The D.R. 5.5 zoned property, however, is owned by the State of Maryland and used as a construction staging and storage area for the Department of Transportation. See Petitioner's Exhibits 1 and 2.

The property itself consists of 6.8 acres of ground. Approximately 6 acres is zoned M.L.R. and the balance along the Philadelphia Road frontage is zoned D.R. 5.5. The property is improved by a building, which serves as an office, manufacturing and warehouse facility for the tenant Rockwell Collins, a noted defense contractor. The additional parking is requested to accommodate the tenant's desire to expand. A copy of a memorandum from Mr. David Ianucci, the Director of the Baltimore County Director of Economic Development was submitted as Petitioner's Exhibit 3 in support of this expansion and the Petitioner's requests. Mr. William Jones further commented on the importance of this industry to Baltimore County and in support of the desired expansion.

The Petitioner proposes to locate a parking area in front of its building in both the M.L.R. and D.R. 5.5 zones. The first variance to be addressed is the variance from Section 250.4 of the B.C.Z.R. to permit the existing building to be setback ninety (90') feet in lieu of the required one hundred feet (100') from the D.R. 5.5 zoning line. The zoning regulations are clear that the setback is from the zoning line and not from a lot line. In this case, however, the setback is purely from the internal zoning line as shown on Petitioner's Exhibit 1. The building is located more than one hundred feet (100') from any other residentially zoned property.

Apparently this setback issue arose as a result of the digital mapping that occurred during the 2004 Comprehensive Zoning Map process. Prior to that time, zoning maps were not drawn by computers but by human hand on a 200' to 1" scale map. It should be

noted that ten feet (10') on such a map would be one-twentieth (1/20th) of an inch, barely the width of a pencil line. There appears to have been no intent to violate the setback regulations when the building was placed on the lot; it is just that the accurate digital zoning maps have created a precise location of the zoning lines.

In any event it is clear that the residential zone line in this particular instance has lost much of its significance. It is indeed a unique situation to have a property where the residential zone line does not indicate any residential usage. The placement of the line simply creates a situation where this property would, but for the variances, be treated differently from all of the surrounding properties, which are either zoned for industrial purposes or are zoned residential and used by governmental entities for transportation and storage yard uses.

Similarly, the variance request from Section 250.6 of the B.C.Z.R. to permit parking within zero (0) feet of a residential boundary line in lieu of the required twenty-five (25) feet also seems purely driven by the location of the zoning line within the boundaries of the subject property. No property on either side of this one site is impacted, based on the zoning and uses of those sites. It would make little sense to grant the special hearing request to allow parking in the residential zone to support the building in the M.L.R. zone and then set back the parking in the M.L.R. zone twenty-five (25) from the residential parking.

Based on the proffered testimony and the exhibits I find that the property does indeed have unique characteristics which create a practical difficulty in the strict adherence to the setback requirements stated above. The zoning requests are generated by a zoning line that makes no difference to the usage of surrounding properties, for they are already used for non-residential purposes, yet based on its positioning within the subject property only impacts the usage of this one property. The location of the zoning line within the property and the relationship of the proposed uses and the zoning line to other properties creates a situation where the strict imposition of the zoning regulations on this site would provide results different from that in other similarly zoned properties. The creation of a practical difficulty unwarranted by the surrounding conditions and the impact on adjacent properties, or lack thereof, justifies the granting of the variances.

The third variance requested is from the residential transition area requirements of the B.C.Z.R. A residential transition area is created if there are certain types of dwellings within 150 feet of the tract boundary or if there is an adjacent vacant lot less than two (2) acres in size that could sustain a dwelling (B.C.Z.R. Section 1B01B.1.b.). In this case the residential transition area is generated by the state owned parcels across Philadelphia Road from the subject site and also by the State Highway Commission property located to the southwest of the subject site. None of the properties is in residential use, and indeed, the State Highway Commission property is being used as a contractor's site. The Office of Hanning in its comments concurs that there is no need to impose a residential transition

area buffer or setback on the property provided landscaping in accordance with the Baltimore County Landscape Manual and approved by the Baltimore County Landscape Architect is provided on the site. Subject to the imposition of the requested conditions this variance also is justified and is not injurious to the public health, safety or general welfare.

Finally, as indicated above, the testimony and exhibits amply justify the granting of the special hearing request for parking in the D.R. 5.5 zone to support the building in the M.L.R. zone. The proposal meets all the requirements of Section 409.8.B.2 of the B.C.Z.R. These requirements are specifically addressed by Petitioner's Exhibit 1. There can be no doubt that granting the special hearing request would not be injurious to the health, safety or general welfare of the surrounding locale.

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 March, 2006, that the Petition for Special Hearing to permit passenger vehicle parking for a business/industrial use in a residential zone, pursuant to Section 409.8.B of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Saltimore County Zoning Regulations as follows: 1) from Section 250.4 to allow a setback

from a residential boundary of 90 feet in lieu of the required 100 feet for an existing building in a M.L.R. zone; 2) from Section 250.6 to allow parking in an M.L.R. zone within 0 feet of a residential boundary line in lieu of the required 25 feet; and, 3) from Section 1B01.B.1.e.(5) to allow a parking lot with a buffer of 10 feet and a setback of 10 feet, in lieu of the required 50-foot buffer and 75-foot setback, in accordance with the site plan marked as Petitioner's Exhibit 1, be and are 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) Vegetative screening shall be provided between the proposed parking lot expansion and the Philadelphia Road frontage. The Petitioner shall submit a landscape plan complying with the goals and objectives of the Landscape Manual to Avery Harden, Baltimore County Landscape Architect, for his approval prior to applying for any building permit.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order

Any appeal of this decision must be taken in accordance with Section 32-3-01 of the

Baltimore County Code.

WILLIAM J. WISEMAN, III

Zoning Commissioner For Baltimore County



JAMES T. SMITH, JR. County Executive

March 23, 2006

WILLIAM J. WISEMAN III Zoning Commissioner

Jennifer R. Busse, Esquire John B. Gontrum, Esquire Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE W/S Philadelphia Road, 427' N of the c/l White Marsh Boulevard (10522 Philadelphia Road)

11th Election District – 5th Council District Honeygo Run Holdings, LLC - Petitioners Case No. 06-377-SPHA

Dear Ms. Busse & Mr. Gontrum:

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.

Very truly yours,

Zoning Commissioner for Baltimore County

WJW:bjs

Mr. Murray DeMuth, Honeygo Run Holdings, LLC
100 W. Pennsylvania Avenue, Towson, Md. 21204
Mr. James S. Matis, Matis-Warfield, 10540 York Road, Suite M, Hunt Valley, Md. 21030
Mr. William Jones, Department of Economic Development
People's Counsel; Case File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 10552 Philadelphia Road which is presently zoned MLR. DR 5.5

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

See Attached

REV 1/15/98

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): Contract Purchaser/Lessee: Honeygo Run Holdings, LLC Name - Type or Printy Name - Type or Print By: Signature Vide President Charles McMahon, Name - Type or Print Telephone No. Address Signature Zip Code City State 410 825-0545 100 W. Pennsylvania Ave Attorney For Petitioner: Address Telephone No. Towson, MD 21204 Jennifer R. Busse Zip Code Name - Type or Print State Representative to be Contacted: Signature Jennifer R. Busse Whiteford, Taylor & Preston Name Company 410 832-2077 210 W. Pennsylvania Ave. 410 832-2077 W. Pennsylvania Ave Telephone No. Telephone No. Address Address Towson, MD 21204 Towson, MD 21204 Zip Code City State Zip Code State OFFICE USE ONLY ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

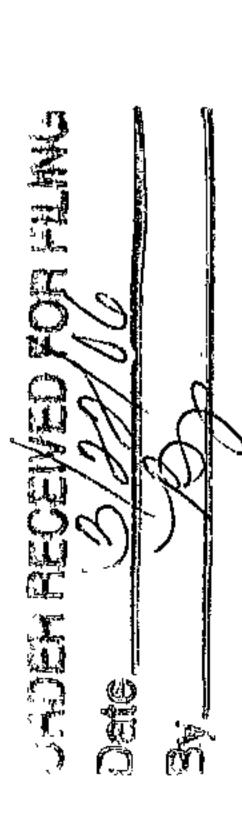
Attachment to Petition for Special Hearing

10552 Philadelphia Road
11th Election District
5 Character Councilmanic District

Requested Relief:

To permit passenger vehicle parking for a business/industrial use in a residential zone pursuant to BCZR §409.8B.

354216





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10552 Philadelphia Rd

which is presently zoned MLR, DR 5.5

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)

See Attached

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 demonstrated 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.

> 1/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:	<u>Legal Owner(s):</u>
2 1	Honeygo Run Holdings, LLC
Signature	Signature
Address Telephone No.	Charles McMahon, Vice President Name-Type or Print
City State Zip Code	Signature
Attorney For Petitioner:	100 W. Pennsylvania Ave 410 825-0545 Address Telephone No.
Jennifer R. Busse June (athel)	Towson, MD 21204
Name - Type or Arint Signature City	State Zip Code Representative to be Contacted:
Whiteford, Taylor & Preston	Jennifer R. Busse
Company	Name
210 W. Pennsylvania Ave 410 832-2077 Address Telephone No.	210 W. Pennsylvania Ave 410 832-2077 Address Telephone No.
	Towson, MD 21204
City State Zip Code	City State Zip Code
	OFFICE USE ONLY
160 20 SPHA	ESTIMATED LENGTH OF HEARING 2HPS
Reviewed By	UNAVAILABLE FOR HEARING 120306

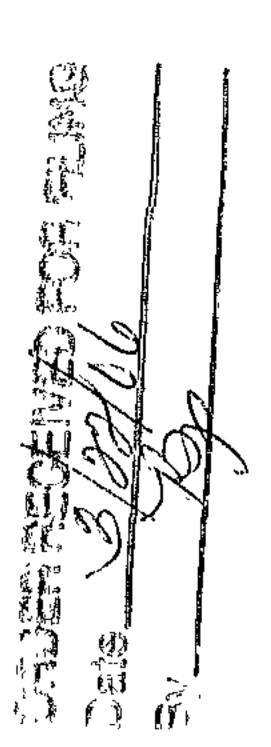
Attachment to Petition for Variance

10552 Philadelphia Road
11th Election District

5 th Councilmanic District

Requested Variance Relief:

- 1. A variance from BCZR §250.4 to permit an existing building within ninety (90) feet of a residential zone boundary in lieu of the required one hundred (100) feet.
- 2. A variance from BCZR §250.6 to permit parking within zero (0) feet of a residential boundary line in lieu of the required twenty five (25) feet.
- 3. A variance from BCZR §1B01B.1.e.(5) to permit a parking lot with a ten (10) foot buffer and a ten (10) foot setback in lieu of the required fifty (50) foot buffer and seventy five (75) foot setback.



Musicial VVarfield

consulting engineers

February 9, 2006

Description To Accompany Zoning Petition of DR 5.5 Zoned Portion of Property Located at NO.10552 Philadelphia Road Baltimore County, Maryland Election District No. 11

Beginning for the same at a point located on the west side of Philadelphia Road, Route 7, at a point distant North 36° 47' East 420 feet +/- from the intersection of the centerlines of Philadelphia Road, Route 7 and White Marsh Boulevard, Route 43 thence leaving Philadelphia Road and running thence,

- 1) North 88° 43' 26" West 58.96 feet, to a point, thence
- 2) North 47° 13' 48" West 67.30 feet, to a point, thence
- 3) by a curve to the left having a radius of 82.00 feet for an arc length of 53 feet, more or less, to a point, thence
- 4) North 43° 36' East 246 feet, more or less to a point, thence
- 5) South 41° 27' 19" East 159 feet, more or less, to a point on the west side of Philadelphia Road, Route 7, running thence and binding along the west side of Philadelphia Road, Route 7
- 12) South 43° 19' 22" West 173.93 feet, to the place of beginning

Containing 0.80 acres of land, more or less.

This description is intended for zoning purposes only and is not

for use in conveyance of land.

Matis Warfield, Inc. 10540 york road • suite m hunt valley, maryland 21030 phone 410-683-7004 • fax 410-683-1798

Mains Warfield

consulting engineers

Rev. February 9, 2006

Description to Accompany Zoning Petition of property located at NO.10552 Philadelphia Road Baltimore County, Maryland Election District No. 11

Beginning for the same at a point located on the west side of Philadelphia Road, Route 7, at a point distant North 36° 47' East 420 feet +/- from the intersection of the centerlines of Philadelphia Road, Route 7 and White Marsh Boulevard, Route 43 thence leaving Philadelphia Road and running thence,

- 1) North 88° 43' 26" West 58.96 feet, to a point, thence
- 2) North 47° 13' 48" West 67.30 feet, to a point, thence
- 3) by a curve to the left having a radius of 82.00 feet for an arc length of 119.10 feet, to a point, thence
- 4) North 48° 27' 28" West 350.00 feet, to a point, thence
- 5) North 41° 32' 32" East 547.00 feet, to a point, thence
- 6) North 74° 17' 33" West 251.41 feet, to a point on the south side of Silver Spring Road, thence binding along the south side of Silver Spring Road the two following courses viz:
- 7) by a curve to the right having a radius of 640.00 feet for an arc length of 243.83 feet, to a point, and
- 8) South 12° 41' 20" East 65.13 feet, to a point, thence leaving said Silver Spring Road and running thence
- 9) South 54° 27' 51" West 181.65 feet, to a point, thence
- 10) South 49° 02' 12" West 136.94 feet, to a point, thence

Matis Warfield, Inc.
10540 york road • suite m
hunt valley, maryland 21030
phone 410-683-7004 • fax 410-683-1798

- 11) South 41° 27' 19" East 201.85 feet, to a point on the west side of Philadelphia Road, Route 7, running thence and binding along the west side of Philadelphia Road, Route 7
- 12) South 43° 19' 22" West 173.93 feet, to the place of beginning

Containing 6.80 acres of land, more or less.

This description is intended for zoning purposes only and is not for use in conveyance of land.



Matis Warfield, Inc.
10540 york road • suite m
hunt valley, maryland 21030
phone 410-683-7004 • fax 410-683-1798

OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	
DATE 2109/06 ACCOUNT 201 006 6150	
AMOUNT \$ 6000	
RECEIVED WHILLY TOUR IN THE CENTER	
FOR: MONING SPAH	
10562 MURRINGARA	

CASHIER'S VALIDATION

YELLOW - CUSTOMER

PINK - AGENCY

DISTRIBUTION WHITE - CASHIER

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 <u>Towson, Maryland</u> on the property identified herein as follows:

Case: #06-377-SPHA

10552 Philadelphia Road

West side of Philadelphia Road, 427 feet north of White Marsh Boulevard

11th Election District - 5th Councilmanic District

Legal Owner(s): Honeygo Run Holdings, LLC, by Charles McMahon, Vice-President

Special Hearing: to permit passenger vehicle parking for a business/industrial use in a residential zone. Variance: to permit an existing building within ninety feet of a residential zone boundary in fleu of the required one hundred feet and to permit parking within zero feet of a residential boundary line in fleu of the required twenty-five feet and to permit a parking lot with a ten foot buffer and a ten foot setback in fleu of the required fifty foot buffer and seventy-five foot setback.

Hearing: Friday, March 17, 2006 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

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) 887-3868.

(2) For Information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

3/029 Mar. 2 85996

CERTIFICATE OF PUBLICATION

$3\sqrt{2}$, 20
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 32 , 2006 .
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. Wilking.

DESTINING

TO: PATUXENT PUBLISHING COMPANY

Thursday, March 2, 2006 Issue - Jeffersonian

Please forward billing to:

Jen Busse, Esq.

(410-832-2000)

Whiteford, Taylor & Preston 210 W. Pennsylvania Avc.

Towson, MD 21204

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: 06-377-SPHA

10552 Philadelphia Road

West side of Philadelphia Road, 427 feet north of White Marsh Boulevard

11th Election District, 5th Councilmanic District

Legal Owners: Honeygo Run Holdings, LLC, by Charles McMahon, Vice-President

Special Hearing to permit passenger vehicle parking for a business/industrial use in a residential zone.

Variance to permit an existing building within ninety feet of a residential zone boundary in lieu of the required one hundred feet and to permit parking within zero feet of a residential boundary line in lieu of the required twenty-five feet and to permit a parking lot with a ten foot buffer and a ten foot setback in lieu of the required fifty foot buffer and seventy-five foot setback.

Hearing: Friday, March 17, 2006 @ 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, MD 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 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Department of Permits and Development Management

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



Baltimore County

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

February 21, 2006

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: 06-377-SPHA

10552 Philadelphia Road

West side of Philadelphia Road, 427 feet north of White Marsh Boulevard

11th Election District, 5th Councilmanic District

Legal Owners: Honeygo Run Holdings, LLC, by Charles McMahon, Vice-President

Special Hearing to permit passenger vehicle parking for a business/industrial use in a residential zone.

Variance to permit an existing building within ninety feet of a residential zone boundary in lieu of the required one hundred feet and to permit parking within zero feet of a residential boundary line in lieu of the required twenty-five feet and to permit a parking lot with a ten foot buffer and a ten foot setback in lieu of the required fifty foot buffer and seventy-five foot setback.

Hearing: Friday, March 17, 2006 @ 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, MD 21204

Timothy Kotroco

Director

TK:raj

c: Jennifer R. Busse, Esq., Whiteford, Taylor & Preston, 210 W. Pennsylvania Ave., Towson, MD 21204 Honeygo Run Holdings, LLC, c/o Charles McMahon, Vice-Pres., 100 W. Pennsylvania Ave., Towson, MD 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MARCH 2, 2006.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is ubject 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: 06 377 SPIAA
Petitioner: Honerage Run Holdmas LLC
Address or Location: 10552 Philadelphia Rd
PLEASE FORWARD ADVERTISING BILL TO:
Name: Whilefood Touylow A reston atty Jew Dusse
Address: 20 West Pennsylvania ave Touson Md 21204
Tousani Md 21204
i
Telephone Number: 40 832 2000

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

March 6, 2006

Jennifer R. Busse Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Towson, MD 21204

Dear Ms. Busse:

RE: Case Number: 06-377-SPHA, 10552 Philadelphia Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 3, 2006.

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:amf

Enclosures

c: People's Counsel
Honeygo Run Holdings, LLC Charles McMahon 100 W. Pennsylvania Ave. Towson 21204



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



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 February 24,2006

ATTENTION: Zoning Review planners

Distribution Meeting of: February 20, 2006

Item No.: Item Numbers 375 through 386

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

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

LT. Roland P. Bosley Jr. Fire Marshal's Office PHONE 887-4881 MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: February 27, 2006

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for February 27, 2006

Item Nos. 375, 376, 377, 378, 379, 380,

381, 382, 384, 385, and 386

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-02272006.doc

100

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: March 6, 2006

Department of Permits and Development Management

FROM:

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

SUBJECT:

10522 Philadelphia Road

INFORMATION:

Item Number:

6-377

Petitioner:

Honeygo Run Holdings, LLC

Zoning:

MLR and DR 5.5

Requested Action:

Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioners request provided the following conditions are met:

- 1. Vegetative screening shall be provided between the proposed parking lot expansion and the Philadelphia Road frontage.
- 2. Strict compliance with provisions "A" and "B" of the Baltimore County Landscape Manual.
- 3. A final landscape plan shall be submitted to Avery Harden for review and approval prior to the issuance of any building permits.

For further information concerning the matters stated here in, please contact Kevin Gambrill at 410-887-3480.

Prepared by:

Division Chief:

AFK/LL: CM

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

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

Maryland Department of Transportation

Date: 2.17.07

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

RE:

Baltimore County

Item No. 377

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

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

Very truly yours,

Steven D. Foster, Chief

J. J. Soult

Engineering Access Permits Division

RE: PETITION FOR SPECIAL HEARING

AND VARIANCE

10552 Philadelphia Road; W/S Philadelphia

Road, 427' N White Marsh Blvd

11th Election & 5th Councilmanic Districts

Legal Owner(s): Honeygo Run Holdings, LLC

Petitioner(s) *

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

06-377-SPHA

ENTRY OF APPEARANCE

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 27th day of February, 2006, a copy of the foregoing Entry of Appearance was mailed Jennifer R. Busse, Esquire, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

FEB 2 7 2006

Per

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

WHITEFORD, TAYLOR & PRESTON L.L.P.

SEVEN SAINT PAUL STREET BALTIMORE, MARYLAND 21202-1626 TELEPHONE 410 347-8700 FAX 410 752-7092

20 COLUMBIA CORPORATE CENTER 10420 LETTLE PATUXENT PARKWAY COLUMBIA, MARYLAND 21044-3528 TELEPHONE 4 to 884-0700 FAX 410 884-0719

JENNIFER R. BUSSE

DIRECT NUMBER 410 832-2077 jbusse@wtplaw.com

210 WEST PENNSYLVANIA AVENUE Towson, Maryland 21204-4515 410 832-2000 FAX 410 832-2015

www.wtplaw.com

1025 CONNECTICUT AVENUE, NW WASHINGTON, D.G. 20036-5405 TELEPHONE 202 659-6800 FAX 202 331-0573

1317 KING STREET ALEXANDRIA, VIRGINIA 22314-2928 TELEPHONE 703 836-5742 PAX 703 856-0265

January 30, 2006

16-317-SPH1

DELIVERY BY HAND

Mr. W. Carl Richards Jr. Department of Permits and Development Management 111 W. Chesapeake Avenue Towson, Maryland 21204

> 10552 Philadelphia Road: Petition for Variance & Re: Petition for Special Hearing

Dear Mr. Richards:

Enclosed please find a filing package for the above-referenced property. Specifically enclosed are:

- Our check in the amount of \$650.00; 1.
- Three executed copies of the Petition for Variance; 2.
- Three executed copies of the Petition for Special Hearing; 3.
- One zoning map; 4.
- Three legal descriptions; and 5.
- Twelve Plans to Accompany Zoning Petition for Variance. 6.

Please contact me with any questions or concerns. Thank you for your cooperation in this matter.

Sincerely,

Jennifer R. Busse Audra T. Cathell

JRB:sll Enclosures

cc:

Mr. Charles E. McMahon James E. Matis, P.E.

354214

To Ideaning Office

DROP OFF PETITION

06-377 SPHA

ADDRESS SECTION 250.5, 250.6, 250.7, SECTION 252 (SITE DEVELOPMENT PLAN REQUIREMENTS) INCLUDE BCZR SECTION IN NOTES

WCR

Pakeri chareform + materials | the Jopen to make photography | proposed use | amplitudes | the Jopen to make proposed use | proposed use | materials | the Jopen to make proposed use | materials | the Jopen to make proposed use | materials | the Jopen to make proposed use | materials | the Jopen to make proposed use | materials | the Jopen to make proposed use | materials | the Jopen to make proposed use | materials | the Jopen to make proposed use | materials | material

Stem 377

FREQUENT FLYER ATTORNEYS
DROP OFF ZONING PETITIONS
POLICY PROCEDURES

HESPING-

The following zoning policy is related to the filing of zoning petitions and is aimed at expediting the petition filing process with this office:

- 1. The Director of the Office of Permits and Development Management (PDM) allows zoning attorneys who frequently file for zoning hearings and who are capable of filing petitions that comply with all technical aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of an appointment for review by zoning personnel.
- Any attorney using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. In the event that the petition has not been filed correctly, there is the possibility that another hearing will be required or the zoning commissioner may deny the petition due to errors or incompleteness. All petitions filed in this manner will receive a cursory review and if necessary they will be commented on by zoning personnel prior to the hearing. A corrective memo by zoning review may be placed in the hearing file to be considered by the Hearing Officer.
- 3. When a petition has been dropped off by the attorney, it will only be reviewed for very basic necessary input, logging, and distribution information.

3/22/05 JLL/rjc Case No.: 06-377 SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

3.7 1		·
No. 1		
	Site PLAN	
No. 2	ARRIAL OF LOCATION	
No. 3	Economic Development Memorandum - 3/10/06	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



MEMORANDUM

TO:

J. Joseph Credit, President & CEO, Nottingham Properties

FROM:

David Iannucci, Executive Director, Di

RE:

Nottingham Properties/Rockwell Collins Special Hearing and Variance

requests

DATE:

March 10, 2006

Whiteford, Taylor & Preston, LLC has contacted our department on your behalf concerning the zoning requests for this project. We understand that Nottingham Properties seeks to expand the employee parking area at 10552 Philadelphia Road onto property contiguous to their existing facility. The case information is:

CASE NUMBER: 06-377-SPHA Location: West side of Philadelphia Road, 427 feet north of White Marsh Boulevard. 11th Election District Legal Owners: Honeygo Run Holdings, LLC.

Our department endorses Nottingham Properties' request to increase parking spaces for this site. The location at Philadelphia Road and Maryland Route 43 is an industrial and commercial area. Existing businesses near the site include construction, manufacturing, industrial and office facilities. Rockwell Collins is the sole tenant at this facility.

Rockwell Collins is a publicly traded manufacturer of signal intelligence equipment for the Department of Defense, NASA, the Department of Homeland Security, and the NSA. Rockwell is a certified contractor for the Fort Monmouth/Aberdeen Proving Grounds Base Realignment and Closure (BRAC) project. Existing BRAC contractors like Rockwell increase the opportunity of attracting additional military and government-related businesses to White Marsh, Baltimore Crossroads@95, and Windlass Run Business Parks. 175 workers are currently employed at this facility.

CC: Jennifer R. Busse, Esquire, Whiteford, Taylor & Preston, LLC.

400 Washington Avenue Mezzanine Towson MD 21204-4665 phone 410.887.8000 fax 410-887-8017 www.baltimorecountyonline.info/business

PLEASE PRINT CLEARLY

CASE NAME LESTING LAND
CASE NUMBER GG - 322
DATE 3/5/06

COUNTY REPRESENTATIVE'S SIGN-IN SHEET


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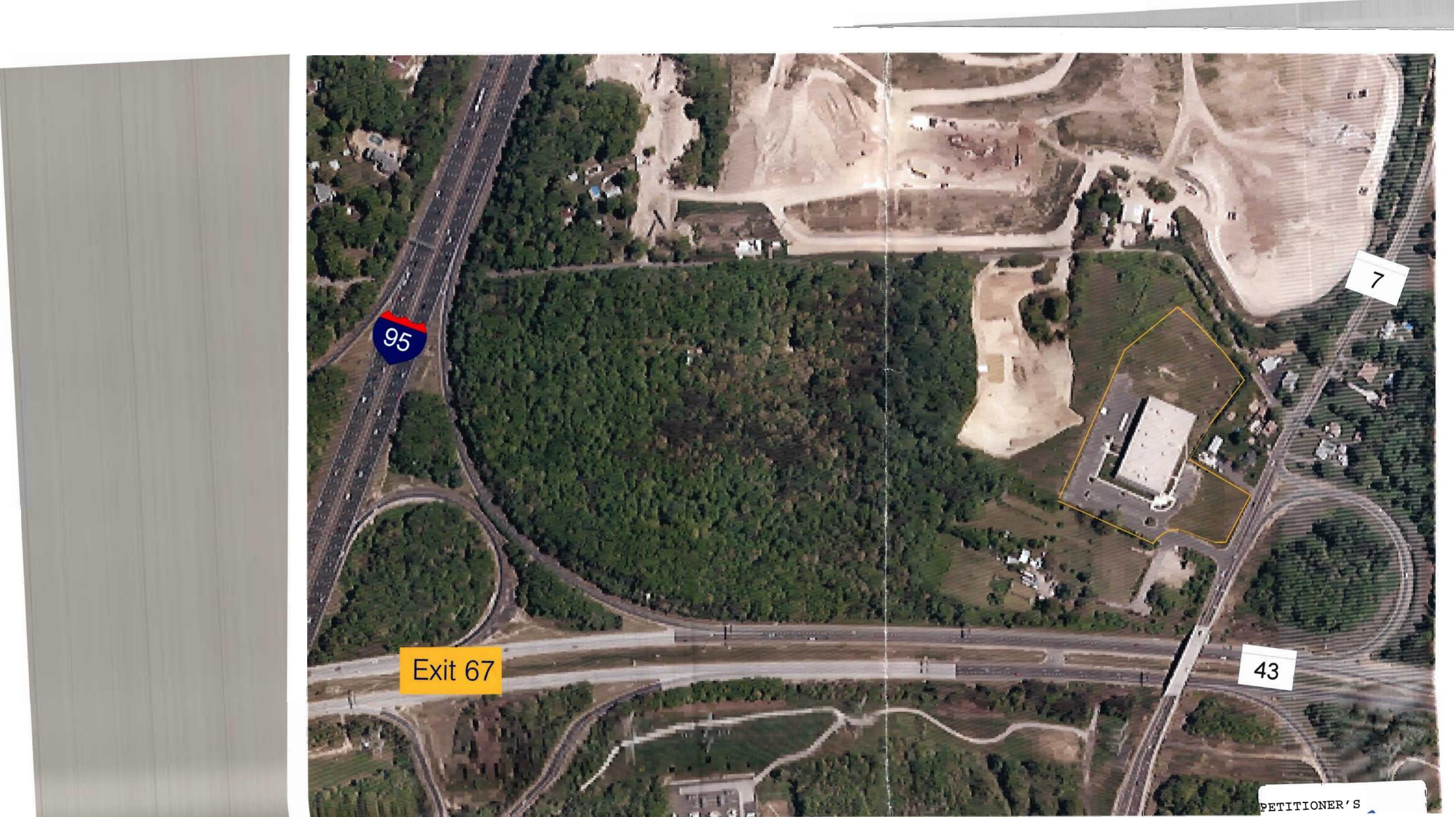
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
CASE NAME LOSTING LOSS
CASE NUMBER OG-3>>
DATE 3/>/OC

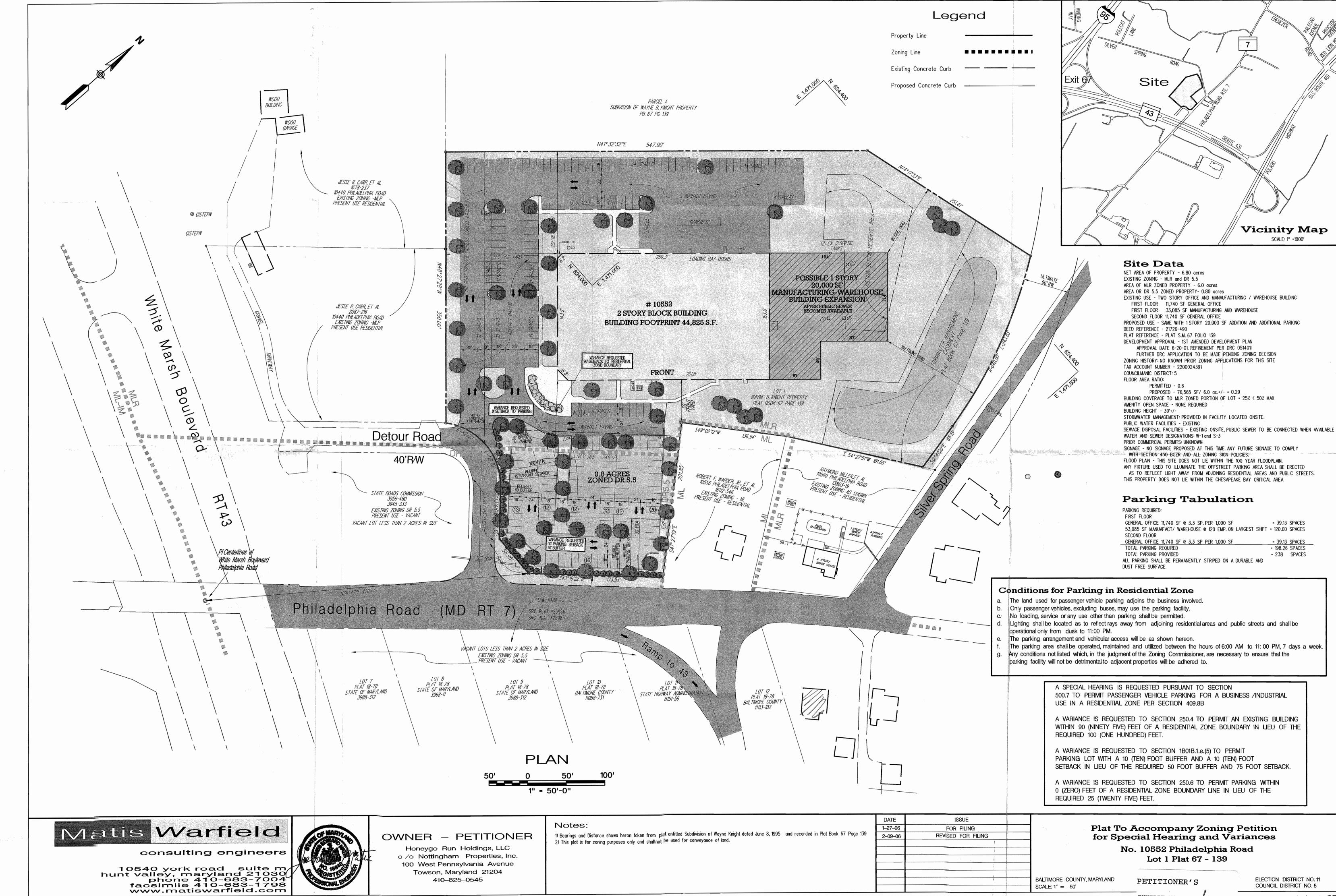
ETITIONER'S SIGN-IN SHEET

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NAME	MISMUSS	1 1 2 2 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3								









2006-0377-56

EXHIBIT NO.