IN RE: **PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE -**	*	BEFORE THE
N/S East Joppa Road, 173' NW of the c/l Mason Avenue	*	ZONING COMMISSIONER
(2808 & 2810 E. Joppa Road)	*	OF BALTIMORE COUNTY
9th Election District		
5th Council District	*	**Case No. 06-598-SPHXA**
BB&N Enterprises, LLC	*	
Petitioners		

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance, filed by the owners of the subject property, BB&N Enterprises, LLC, by William J. Shade, through their attorney, J. Neil Lanzi, Esquire. The Petitioners request a special exception to allow a Class B office building in an RO zone, pursuant to Section 204.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, special hearing relief is sought, pursuant to Section 500.7 of the B.C.Z.R., to approve an amendment to the previously approved site plan in prior Case No. 89-433-XA. Lastly, variance relief is requested from the B.C.Z.R. as follows: From Section 204.4.C.3 to permit a front yard setback from the property line of 4.8' in lieu of the required 9.5' average, and from Section 204.4.C.4 to permit a side yard setback on the western property line of 0' in lieu of the minimum required 10' for the property known as 2808 East Joppa Road. In addition, relief is requested from Section 204.4.C.1 to permit a floor area ratio of 0.39 in lieu of the maximum allowed 0.33; from Section 204.4.C.9.c(2) to permit a landscape buffer of 0' on the eastern and western property lines in lieu of the required 10 feet; from Section 204.4.C.9.c(1) to permit a landscape buffer of 5' on the northern property line in lieu of the required 20'; and from Section 204.4.C.6 to permit 0% of the paved interior to be used for amenity open space in lieu of the required 7% for 2808 and 2810 East Joppa Road, respectively. 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.

ORDER RECEIVED FOR FILING
Date 8-22-06
By

Appearing at the requisite public hearing in support of the request were William J. Shade and Robert Shade, representatives of BB&N Enterprises, LLC, owners of the subject property; Stephen Hill, Architect; Bruce E. Doak, the Surveyor who prepared the site plan for this property; and J. Neil Lanzi, Esquire, attorney for the Petitioners. Ruth Baisden appeared as an interested citizen on behalf of the Greater Parkville Community Council. There were no other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the north side of East Joppa Road, between Mason Avenue and Dixon Avenue in Parkville. The property is comprised of four contiguous parcels, collectively identified on the site plan as Lots 17, 18, 19 and 20, which contain a combined gross area of 13,700 sq.ft., more or less, zoned RO. Lots 17 and 18 form the property known as 2810 E. Joppa Road, and Lots 19 and 20, the property known as 2808 E. Joppa Road. The property known as 2810 E. Joppa Road was the subject of prior Case No. 89-433-XA in which the Petitioners were granted special exception and variance relief for a two-story Class A Office Building on May 25, 1989. The subject property, known as 2808 E. Joppa Road, is improved with a 1½ story residence, which has apparently been in use as offices for some time.

The Petitioners have owned the adjacent property and the property further east of that site since 1984 and maintain the business offices of the Slade Construction Company from those premises. The Petitioners recently purchased the subject property and are desirous of utilizing the building in conjunction with an expansion of its office building on the adjacent lot. Specifically, the Petitioners propose renovating the existing residence and constructing a two-story addition between the two buildings, essentially creating a Class B Office Building. An existing front porch will be removed; however, a new porch and covered walkway providing access to the rear of the site will be added. An existing driveway that currently serves 2808 E. Joppa Road will also be removed. As shown on the site plan, additional parking will be provided to the rear of the building and connect with the existing parking area on the adjacent lot. In addition, landscaping will be provided to buffer the proposed use from the residential properties to the north and west of the site.

ORDER RECEIVED FOR FILING
Date 8-22-99
By

Special exception and special hearing relief is necessary to reflect the proposed expansion of the current use from a Class A Office building to a Class B Office building and update the site plan for this property. Due to the narrow configuration of the property and the location of existing improvements thereon, variance relief is necessary to allow a reduction of the landscape buffer areas and amenity open space requirements. In this regard, testimony and evidence presented show that the subject and adjacent buildings have existed on the site since the 1930s. Moreover, the buildings are setback a similar distance from Joppa Road as other buildings in the vicinity; however, the proposed front porch that will extend across the front of the two buildings and connect with a covered walkway to provide access to the rear parking area will result in a further reduced front setback of 4.8' in lieu of the required average 9.5'. In addition, due to the close proximity of the existing building to the western property line, a variance is requested to allow a 0-foot setback for the proposed covered walkway.

As noted above, Ruth Baisden appeared as a Board Member and Chairperson of the Zoning Committee for the Greater Parkville Community Council. While she had no objections to the proposed expansion of existing uses on the property, she raised concerns relative to the proposed illuminated identification sign. She also expressed concerns about existing landscaping and that additional screening/buffering is needed. In this regard, it is to be noted that no variance relief has been requested (nor is it required) for the proposed sign in that it complies with all Baltimore County regulations. Further testimony indicated that the design of the sign and construction materials used will be in keeping with those used to complete the proposed improvements. In addition, the sign will be situated perpendicular on the lot so as not to cause any impact to the residential homes across the street from this site.

In response to the concerns raised by Ms. Baisden, the Petitioners testified that they have spoken with all of the adjacent neighbors and no one has any objections to their plans. Indeed, they noted that this property is located within the Carney community and that they met with Ms. Meg O'Hare, President of the Carney Improvement Association on May 17, 2006 to review all of their plans. They testified that Ms. O'Hare had no objections to their proposal and

ORDER RECEIVED FOR FILING
Date 8-22-06
By

supports their request. Finally, the Petitioners noted that a preliminary landscape plan has been reviewed and approved by the County's Landscape Architect; however, a final landscape plan must be submitted.

After due consideration of the testimony and evidence presented, I am persuaded that the proposed expansion to a Class B Office Building is appropriate in this instance and that the relief requested should be granted. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency and the neighbors support the proposal. As noted above, both the subject and adjacent buildings have existed on the property since the 1930s. Moreover, within its ZAC comment, the Office of Planning noted that both the subject and adjacent buildings have been operating as office uses for several years and the conversion of the two structures into a single Class B Office Building will help to enhance the local business climate of the immediate area. Finally, I find that the requested variance relief meets the spirit and intent of the B.C.Z.R. and will not result in any detriment to the health safety and general welfare of the surrounding locale. In this regard, testimony indicated that strict compliance with the landscaping and open space area requirements would result in the loss of parking spaces. However, as a condition of approval, the Petitioners shall submit a final landscape plan for review and approval by the County's Landscape Architect.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of August 2006 that the Petition for Special Exception to allow a Class B office building in the RO zone, pursuant to Section 204.3.B of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing seeking approval to amend the previously approved site plan in prior Case No. 89-433-XA, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

RECEIVED FOR FILING
Date 8-22-06
By

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Section 204.4.C.3 to permit a front yard setback from the property line of 4.8' in lieu of the required 9.5' average, and from Section 204.4.C.4 to permit a side yard setback on the western property line of 0' in lieu of the minimum required 10' for 2808 East Joppa Road; from Section 204.4.C.1 to permit a floor area ratio of 0.39 in lieu of the maximum allowed 0.33; from Section 204.4.C.9.c(2) to permit a landscape buffer of 0' on the eastern and western property lines in lieu of the required 10 feet; from Section 204.4.C.9.c(1) to permit a landscape buffer of 5' on the northern property line in lieu of the required 20'; and from Section 204.4.C.6 to permit 0% of the paved interior to be used for amenity open space in lieu of the required 7% for both 2808 and 2810 East Joppa Road, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

2) Petitioners shall submit a final landscape plan for review and approval by the County's Landscape Architect prior to the issuance of any permits.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that except for the modifications set forth herein, the terms and conditions of the relief granted in prior Case No. 89-433-XA shall remain in full force and effect.

WJW:bjs

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

Date 8-22-06
By

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

August 22, 2006

WILLIAM J. WISEMAN III
Zoning Commissioner

J. Neil Lanzi, Esquire
409 Washington Avenue, Suite 617
Towson, Maryland 21204

RE: **PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE**
N/S East Joppa Road, between Mason Avenue & Dixon Avenue
(2808 & 2810 E. Joppa Road)
9th Election District – 5th Council District
BB&N Enterprises, LLC - Petitioners
Case No. 06-598-SPHXA

Dear Mr. Lanzi:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception 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,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Messrs. William J. Shade and Robert Shade, 2810 E. Joppa Road, Baltimore, Md. 21234
Mr. Stephen Hill, 1921 York Road, Timonium, Md. 21093
Mr. Bruce E. Doak, Gerhold, Cross & Etzel
320 E. Towsontown Boulevard, Suite 100, Towson, Md. 21286
Ms. Ruth Baisden, 7706 Oak Avenue, Baltimore, Md. 21234
Office of Planning; People's Counsel; Case File

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 28084 2810 E. JOPPA ROAD
which is presently zoned RO

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

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.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

WILLIAM J. SHADE BB & H LLC
Name - Type or Print

William J Shade
Signature

Name - Type or Print

Signature

2808 & 2810 EAST JOPPA RD 410 665-5300
Address — Telephone No

BALTIMORE MD 21234
City — State — Zip Code

Attorney For Petitioner:

J NEIL LANZI
Name - Type or Print

Signature

J NEIL LANZI, P.A.
Company

100 WASHINGTON AVE #617 410 296 0686
Address — Telephone No

TOWSON MD 21204
City — State — Zip Code

Representative to be Contacted:

Bruce Doak
Name

320 E. TOWSONTOWN BLVD 823-4470
Address — Telephone No.

TOWSON MD 21286
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JTM **Date** 05-23-06

Case No. 06-598-SPHXA

UNAVAILABLE FOR FILING
Date 8-22-06
By

Date 10/25/98

SPECIAL HEARING REQUESTED

2810 East Joppa Road

TO AMEND THE PREVIOUSLY APPROVED PLAN IN CASE NO. 89-433-XA.

96-595-SPHA.

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 2808 & 2810 E. JOPPA RD

which is presently zoned R.O.

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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

see attached

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Attorney For Petitioner:

J NEIL LANZI

Name - Type or Print

Signature

J NEIL LANZI, P.A.

Company

409 Washington Ave #617 410296 0686

Address — Telephone No.

TOWSON MD 21204

City — State — Zip Code

Legal Owner(s):

WILLIAM J. SHADE BBAN LLC

Name - Type or Print

William J. Shade

Signature

Name - Type or Print

Signature

2808 & 2810 E. JOPPA RD 665-5300

Address — Telephone No.

BALTIMORE MD 21234

City — State — Zip Code

Representative to be Contacted:

BRUCE DOAK @ G.C.&E.

Name

320 E. TOWSONTOWN BLVD 823-4470

Address — Telephone No.

TOWSON MD 21286

City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JTD Date 05-25-06

Case No. OG-398-SPHXA

UNAVAILABLE FOR FILING

Date 8-22-98

By

REV 9/15/98

SPECIAL EXCEPTION REQUESTED

2808 East Joppa Road

FOR A CLASS 'B' OFFICE BUILDING IN AN RO ZONE PER SECTION 204.3.B OF THE B.C.Z.R

06-398-SPHA

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2808 & 2810 E. JOPPA RD

which is presently zoned R.O.

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)

see attached

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

WILLIAM J. SHADE BB&N LLC
Name - Type or Print

William J. Shade
Signature

Name - Type or Print

Signature

2808 & 2810 E. JOPPA RD 665-5300
Address — Telephone No.

BALTIMORE MD 21234
City — State — Zip Code

Attorney For Petitioner:

J Neil Lanzi
Name - Type or Print

Signature

J Neil Lanzi, P.A.
Company

105 Washington Ave #601 410 296 0686
Address — Telephone No.

Towson MD 21204
City — State — Zip Code

Representative to be Contacted:

BRUCE DOAK @ GERHOLD, CROSS & ETZEL
Name

320 E. TOWSONTOWN BLVD 823-4473
Address — Telephone No.

TOWSON MD 21286
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By SDD Date 05-23-06

Case No. 06-395-SPHXA

UNDER RECEIVED FOR FILING
Date 8-22-06
By
RBA 9/15/98

VARIANCES REQUESTED

2808 East Joppa Road

A FRONT YARD SETBACK FROM THE PROPERTY LINE OF 4.8' IN LIEU OF THE REQUIRED 9.5' AVERAGE SETBACK PER SECTION 204.4.C.3 OF THE B.C.Z.R.

A SIDE YARD SETBACK ON THE WESTERN PROPERTY LINE OF 0' IN LIEU OF THE REQUIRED 10' MINIMUM SETBACK PER SECTION 204.4.C.4 OF THE B.C.Z.R.

2808 & 2810 East Joppa Road

FOR A FLOOR AREA RATIO OF 0.39 IN LIEU OF THE REQUIRED 0.33 PER SECTION 204.4.C.1 OF THE B.C.Z.R.

TO APPROVE A LANDSCAPE BUFFER OF 0' ON THE EASTERN AND WESTERN PROPERTY LINES IN LIEU OF THE REQUIRED 10' PER SECTION 204.4.C.9.c(2) OF THE B.C.Z.R.

TO APPROVE A LANDSCAPE BUFFER OF 5' ON THE NORTHERN PROPERTY LINE IN LIEU OF THE REQUIRED 20' PER SECTION 204.4.C.9.c(1) OF THE B.C.Z.R.

TO APPROVE 0% OF THE PAVED INTERIOR TO BE USED FOR AMENITY OPEN SPACE IN LIEU OF THE REQUIRED 7% PER SECTION 204.4.C.6 OF THE B.C.Z.R.

CG 595 · SPHXA

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone (410) 823-4470 • Fax (410) 823-4473 • www.gcelimited.com

May 5, 2006

ZONING DESCRIPTION
B. B. & N. ENTERPRISES PROPERTY
2808 & 2810 East Joppa Road
Baltimore County, Maryland

All that piece or parcel of land situate, lying and being in the Ninth Election District, Fifth Councilmanic District of Baltimore County, Maryland and described as follows to wit:

Beginning for the same at a point 35 feet north of the centerline of East Joppa Road, 223 feet north west from the intersection of the centerlines of Mason Avenue and East Joppa Road, thence running parallel to East Joppa Road.

1) South 79 degrees 28 minutes East 100 feet,
2) North 00 degrees 32 minutes East 137 feet,
3) North 79 degrees 28 minutes West 100 feet,
4) South 00 degrees 32 minutes West 137 feet, to the point of beginning.

Containing 13,700 sq. ft. or 0.32 Acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.

STATE OF MARYLAND
BRUCE EDWIN DOAR

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: #06-598-SPHXA
2808 & 2810 E. Joppa Road
North side of E. Joppa Road, 173 feet northwest of centerline of Mason Avenue
9th Election District — 5th Councilmanic District
Legal Owner(s): William J. Shade, BB & N, LLC

Special Hearing: to amend the previously approved plan in case no 89-433-XA. **Variance:** (2808 E. Joppa Rd.) a front yard setback from the property line of 4.8 feet in lieu of the required 9.5 feet average setback and a side yard setback on the western property line of 0 feet in lieu of the required 10 feet minimum setback. (2808 and 2810 E. Joppa Road) For a floor area ration of .039 in lieu of the required 0.33 and to approve a landscape buffer of 0 feet on the eastern and western property lines in lieu of the 10 feet and to approve a landscape buffer of 5 feet on the northern property line in lieu of the required 20 feet and to approve 0% of the paved interior parking lot to be used for amenity open space in lieu of the required 7%.

Special Exception: for a Class "B" office building on 2808 E Joppa Road in an RO Zone per Section 204.3.B of the BCZR.

Hearing: Tuesday, August 8, 2006 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.

7/187 July 20 102440

CERTIFICATE OF PUBLICATION

7/20/, 2006

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/20/, 2006.

- [X] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

06-598-A

No. 7113

DATE 05-23-06 ACCOUNT R001-006-6150

AMOUNT $ 600.00

RECEIVED FROM: GERHOLD CROSS & ETZEL

FOR: CSPEC EXCEPTION, SPEC HEARING & VARIANCE
2808 & 2810 E JOPPA RD

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CSBOA

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
5/24/2006	5/23/2006	14:31:27	4

REG NS06 WALKTN KNCH KXM
>>RECEIPT # 476734 5/23/2006 OFLN
Dept 5 570 ZONING VERIFICATION
CR NO. 007113
Recpt Tot $600.00
$600.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson Maryland 21286
Phone (410) 823-4470 • Fax (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE# 06-598-SPHXA
PETITIONER/DEVELOPER:
William J. Shade, BB&N, LLC
DATE OF HEARING: August 8, 2006

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: KRISTEN MATTHEWS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

LOCATION:
2808 & 2810 E. Joppa Road

(see page 2 for full size photo)

POSTED ON: July 20, 2006

SIGNATURE OF SIGN POSTER

John Dill

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

ZONING NOTICE

CASE # :06-598-SPHXA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE: Room 407 County Courts Building
401 Bosley Avenue, Towson, MD

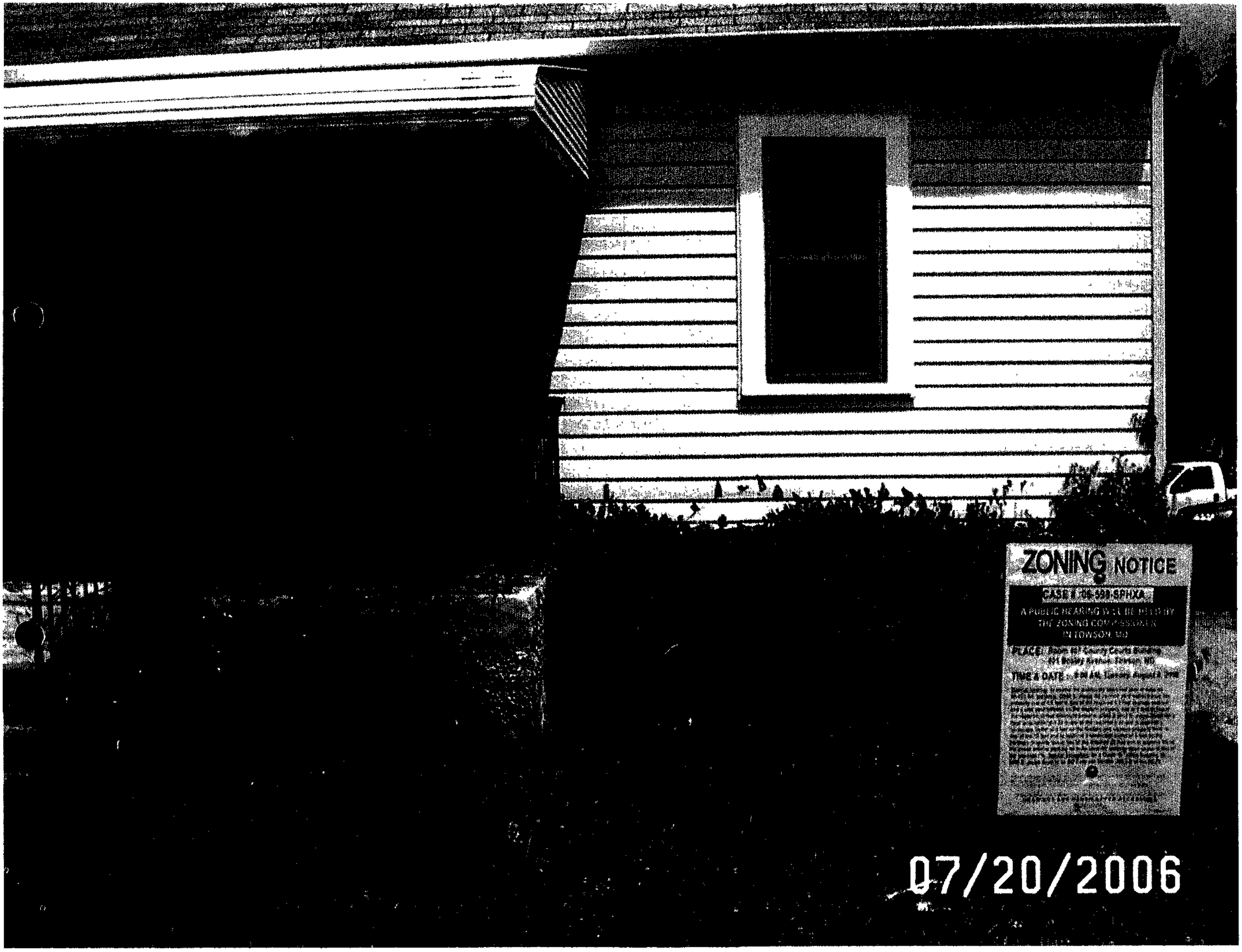
TIME & DATE : 9:00 AM, Tuesday, August 8, 2006

Special Hearing: to amend the previously approved plan in case no 89-433-XA. Variance: (2808 E. Joppa Rd.) a front yard setback from the property line of 4.8 feet in lieu of the required 9.5 feet average setback and a side yard setback on the western property line of 0 feet in lieu of the required 10 feet minimum setback. (2808 & 2810 E. Joppa Road) for a floor area ration of 0.39 in lieu of the required 0.33 and to approve a landscape buffer of 0 feet on the eastern and western property lines in lieu of the 10 feet and to approve a landscape buffer of 5 feet on the northern property line in lieu of the required 20 feet and to approve 0% of the paved interior parking lot to be used for amenity open space in lieu of the required 7%. Special Exception: for a Class "B" office building on 2808 E. Joppa Road in an RO Zone per Section 204.3.B of the BCZR.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY TO CONFIRM HEARING.
CALL 410-887-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW.
HEARINGS ARE HANDICAPPED ACCESSIBLE

07/20/2006


ZONING NOTICE
07/20/2006

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 06 598-A

Petitioner: WM L. SHADE BB & N. LLC

Address or Location: 2808 E. JOPPA RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: BILL SHADE c/o BB&N L.L.C.

Address: 2808 E. JOPPA RD.

BALT. MD 21234

Telephone Number: 410-665-5300

Revised 7/11/05 - SCJ

Department of Permits and Development Management

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

Baltimore County

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

June 12, 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: 06-598-SPHXA
2808 & 2810 E. Joppa Road
North side of E. Joppa Road, 173 feet northwest of centerline of Mason Avenue
9th Election District – 5th Councilmanic District
Legal Owner: William J. Shade, BB& N, LLC

Special Hearing to amend the previously approved plan in case no 89-433-XA. Variance (2808 E. Joppa Rd.) a front yard setback from the property line of 4.8 feet in lieu of the required 9.5 feet average setback and a side yard setback on the western property line of 0 feet in lieu of the required 10 feet minimum setback. (2808 &2810 E. Joppa Road) For a floor area ration of 0.39 in lieu of the required 0.33 and to approve a landscape buffer of 0 feet on the eastern and western property lines in lieu of the 10 feet and to approve a landscape buffer of 5 feet on the northern property line in lieu of the required 20 feet and to approve 0% of the paved interior parking lot to be used for amenity open space in lieu of the required 7%. Special Exception for a Class "B" office building on 2808 E. Joppa Road in an RO Zone per Section 204.3.B of the BCZR.

Hearing: Monday, July 31, 2006 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: J. Neil Lanzi, 409 Washington Avenue, #617, Towson 21204
William Shade, 2808 East Joppa Road, Baltimore 21234
Bruce Doak, 320 E. Towsontown Blvd., Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JULY 15, 2006.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 13, 2006 Issue - Jeffersonian

Please forward billing to:
William Shade
BB & N LLC
2808 E. Joppa Road
Baltimore, MD 21234

410-665-5300

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: 06-598-SPHXA
2808 & 2810 E. Joppa Road
North side of E. Joppa Road, 173 feet northwest of centerline of Mason Avenue
9th Election District – 5th Councilmanic District
Legal Owner: William J. Shade, BB& N, LLC

Special Hearing to amend the previously approved plan in case no 89-433-XA. Variance (2808 E. Joppa Rd.) a front yard setback from the property line of 4.8 feet in lieu of the required 9.5 feet average setback and a side yard setback on the western property line of 0 feet in lieu of the required 10 feet minimum setback. (2808 &2810 E. Joppa Road) For a floor area ration of 0.39 in lieu of the required 0.33 and to approve a landscape buffer of 0 feet on the eastern and western property lines in lieu of the 10 feet and to approve a landscape buffer of 5 feet on the northern property line in lieu of the required 20 feet and to approve 0% of the paved interior parking lot to be used for amenity open space in lieu of the required 7%. Special Exception for a Class "B" office building on 2808 E. Joppa Road in an RO Zone per Section 204.3.B of the BCZR.

Hearing: Monday, July 31, 2006 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.

Department of Permits and Development Management

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

Baltimore County

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

June 14, 2006

NEW 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: 06-598-SPHXA
2808 & 2810 E. Joppa Road
North side of E. Joppa Road, 173 feet northwest of centerline of Mason Avenue
9th Election District – 5th Councilmanic District
Legal Owner: William J. Shade, BB& N, LLC

Special Hearing to amend the previously approved plan in case no 89-433-XA. Variance (2808 E. Joppa Rd.) a front yard setback from the property line of 4.8 feet in lieu of the required 9.5 feet average setback and a side yard setback on the western property line of 0 feet in lieu of the required 10 feet minimum setback. (2808 &2810 E. Joppa Road) For a floor area ration of 0.39 in lieu of the required 0.33 and to approve a landscape buffer of 0 feet on the eastern and western property lines in lieu of the 10 feet and to approve a landscape buffer of 5 feet on the northern property line in lieu of the required 20 feet and to approve 0% of the paved interior parking lot to be used for amenity open space in lieu of the required 7%. Special Exception for a Class "B" office building on 2808 E. Joppa Road in an RO Zone per Section 204.3.B of the BCZR.

Hearing: Tuesday, August 8, 2006 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: J. Neil Lanzi, 409 Washington Avenue, #617, Towson 21204
William Shade, 2808 East Joppa Road, Baltimore 21234
Bruce Doak, 320 E. Towsontown Blvd., Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JULY 24, 2006.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 20, 2006 Issue - Jeffersonian

Please forward billing to:
William Shade
BB & N LLC
2808 E. Joppa Road
Baltimore, MD 21234

410-665-5300

CORRECTED 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: 06-598-SPHXA
2808 & 2810 E. Joppa Road
North side of E. Joppa Road, 173 feet northwest of centerline of Mason Avenue
9th Election District – 5th Councilmanic District
Legal Owner: William J. Shade, BB& N, LLC

Special Hearing *to amend the previously approved plan in case no 89-433-XA.* Variance (2808 E. Joppa Rd.) a front yard setback from the property line of 4.8 feet in lieu of the required 9.5 feet average setback and a side yard setback on the western property line of 0 feet in lieu of the required 10 feet minimum setback. (2808 &2810 E. Joppa Road) For a floor area ration of 0.39 in lieu of the required 0.33 and to approve a landscape buffer of 0 feet on the eastern and western property lines in lieu of the 10 feet and to approve a landscape buffer of 5 feet on the northern property line in lieu of the required 20 feet and to approve 0% of the paved interior parking lot to be used for amenity open space in lieu of the required 7%. Special Exception for a Class "B" office building on 2808 E. Joppa Road in an RO Zone per Section 204.3.B of the BCZR.

Hearing: Tuesday, August 8, 2006 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.

Lanscape Plant Schedule, Plant Cuts & Details

Preliminary County Review Submittal

July 22, 2006

Project for

Shade Construction

2810 East Joppa Road
Baltimore, MD 21234

Katherine Aldrich Adams, RLA
Honey Bee Hollow
Landscape Architecture, Horticulture
5125 Jolly Acres Road
Whitehall, MD 21161
410-692-0403

Stephen T. Hill, Architect
1921 York Road, Suite 2
Timonium, MD 21093
410.561.9161
fax 410.561.9162

Project for

Shade Construction

2810 East Joppa Road
Baltimore, MD 21234

Front View Looking Between Existing Building

Front View Looking East

Rear View Looking Between Existing Building

Rear View Looking Over Restaurant Fence

Stephen T. Hill, Architect
1921 York Road, Suite 2
Timonium, MD 21093
410.561.9161
fax 410.561.9162

Shade Concstruction Office - Plant List

MARK	No.	Botancial name	Common name	install size	notes
	Front				
E	3	Carpinus g. 'Fastigata'	columnar ironwood	21/2" cal.	streetscape
B	10	Hypericum 'Albury's Purple	St. John's wort	quart	
C	12	Ilex c. 'Beehive'	japense holly	3 gal. cont.	5' oc.
A	10	Liriiope 'Variegata'	Liriope	bare root	6" oc
	Rear				
G	2	Fagus sy. 'Purple Fountain'	weeping beech	2 " cal.b./b	
D	73	Ilex c. 'Sky Pencil'	sky pencil holly	3 gal.	
F	2	Ilex 'Dragon Lady'	holly	4' ht.	

Liriope

muscari 'John Burch'

Zones 5/6-10 ○◐●

Wide, yellow-margined leaf blade with a slight twist. Dense, coxcomb-shaped, lavender flower spike. Less variegation in shade. *Mature height 12" - 15".*

Bare Root *(250+)* **$.68** *(50-249)* **$.78** *(1-49)* **$1.17**

muscari 'Majestic'

Zones 5/6-10 ○◐●

Dark green 1/2" wide leaf blade. Coxcomb-shaped, lavender flower spike. Known for showy flowers.
Mature height 12" - 15".

Classic Pint® *(240+)* **$1.88** *(24-239)* **$1.98** *(1-23)* **$2.38**

muscari 'Monroe White' (Monroe's #1)

Zones 5/6-10 ●

Wide, dark green 3/8" - 1/2" leaf blade. White flower spike. Requires shade. Slightly slower growth.
Mature height 12" - 15".

Classic Pint® *(240+)* **$1.88** *(24-239)* **$1.98** *(1-23)* **$2.38**
Bare Root *(250+)* **$.68** *(50-249)* **$.78** *(1-49)* **$1.17**

muscari 'Royal Purple'

Zones 5/6-10 ○◐●

Attractive green 3/8" - 1/2" leaf blade. Deep purple flower spike. *Mature height 12" - 15".*

Classic Pint® *(240+)* **$1.08** *(24-239)* **$1.18** *(1-23)* **$1.58**
Bare Root *(250+)* **$.48** *(50-249)* **$.58** *(1-49)* **$.87**

muscari 'Silver Midget'

Zones 5/6-10 ○◐●

Dark green leaves with irregular variegation, Coxcomb-shaped lavender flower spike. Slow to multiply.
Mature height 10" - 12".

Bare Root *(250+)* **$.58** *(50-249)* **$.68** *(1-49)* **$1.02**

muscari 'Variegata'

Zones 5/6-10 ○◐●

Green with white variegation on outside of leaf. Lavender flower spike. *Mature height 10" - 15".*

Gallon **$2.88**
Classic Pint® *(240+)* **$.98** *(24-239)* **$1.08** *(1-23)* **$1.48**
2 1/4" Pot *(280+)* **$.68** *(70-279)* **$.78** *(1-69)* **$1.17**
Bare Root *(250+)* **$.38** *(50-249)* **$.48** *(1-49)* **$.72**

muscari 'Webster Wideleaf'

Zones 7-10 ○◐●

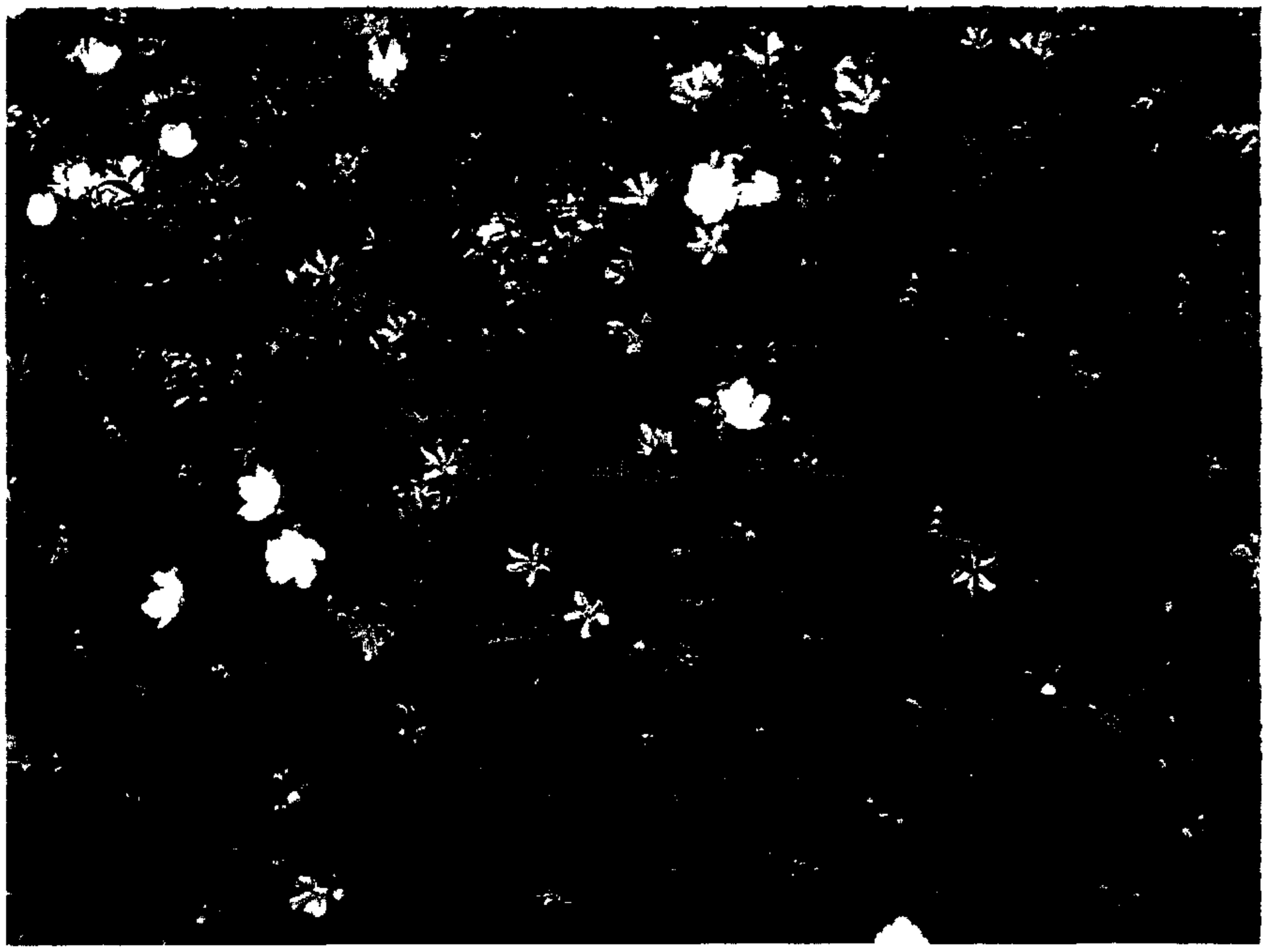
Wide 3/8" - 3/4" leaf blade. Holds color and form well. Lavender flower spike. *Mature height 12" - 15".*

Bare Root *(250+)* **$.18** *(50-249)* **$.28** *(1-49)* **$.42**

QUANTITY DISCOUNT ON ANY SINGLE ITEM:

5% OFF	7% OFF	10% OFF	15% OFF
on orders of 1,000 or more	on orders of 2,500 or more	on orders of 5,000 or more	on orders of 10,000 or more

This discount may not apply to items of limited supply.



Hypericum 'Hidcote' (habit in flower 2) St. Johnswort © Michael A. Dirr
Partial evergreen ground cover 12" ht. by 18" spread. Bright yellow flower in summer.
Cultivar Albury's Purple has purple new growth.

B

Ilex crenata 'Beehive' (habit) Japanese Holly © Michael A. Dirr
Evergreen shrub
Mature size: 12" ht. by 36" wide

C

Ilex crenata 'Sky Pencil' (habit) Japanese Holly © Michael A Dirr
evergreen shrub
Mature size: 6" wide by 12'ht.
Can be trimmed to any height.

D

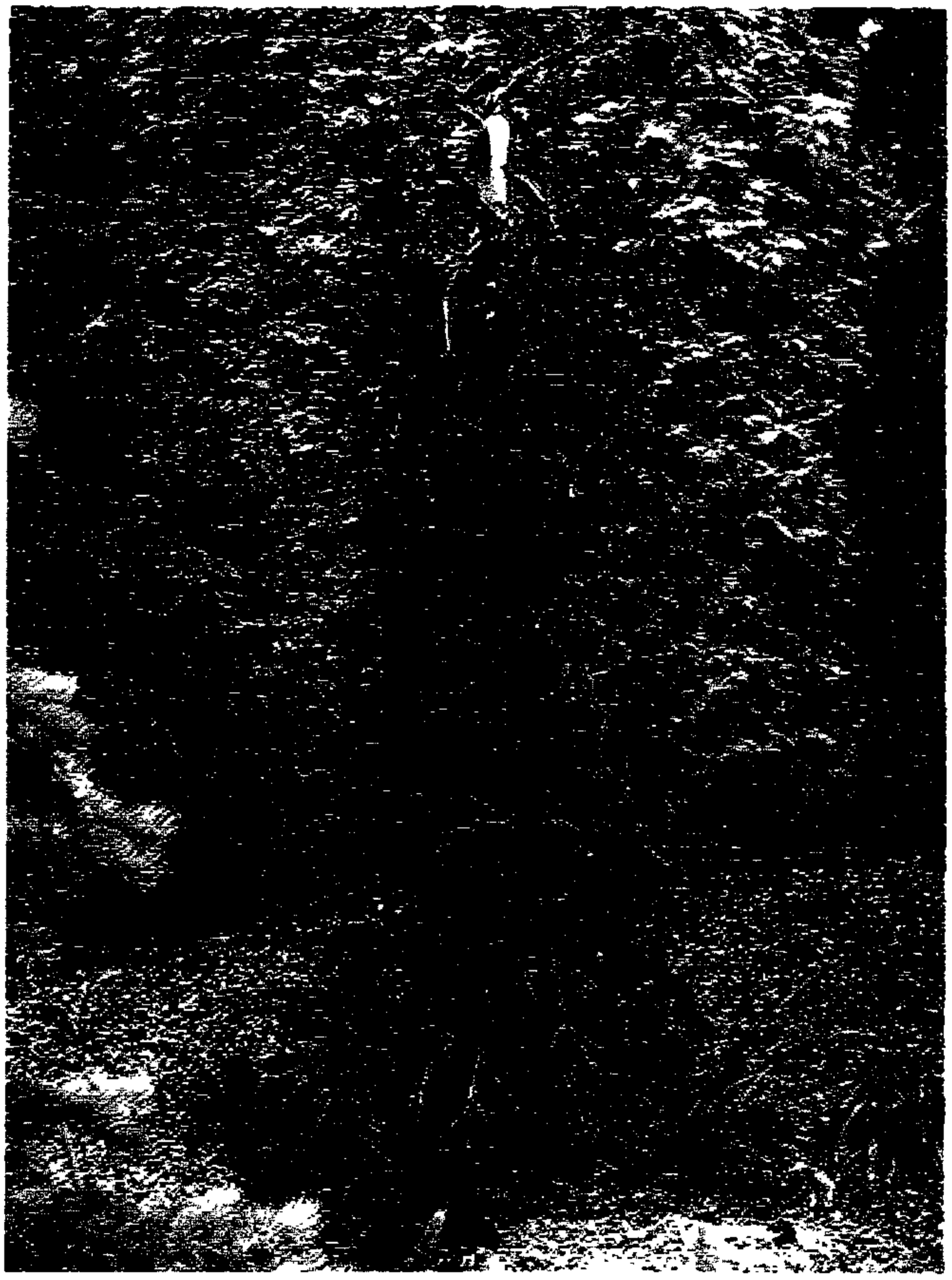
Carpinus betulus 'Fastigiata' (habit 1) European Hornbeam © Michael A. Dirr
Mature size: 8' x 30'

Excellent yellow fall color

E

Ilex x meserveae 'Dragon Lady' (habit) Meserve Hybrid Hollies © Michael A. Dirr
Evergreen small tree
Mature size 6' wide by 15' ht
Red berries late fall to early spring.

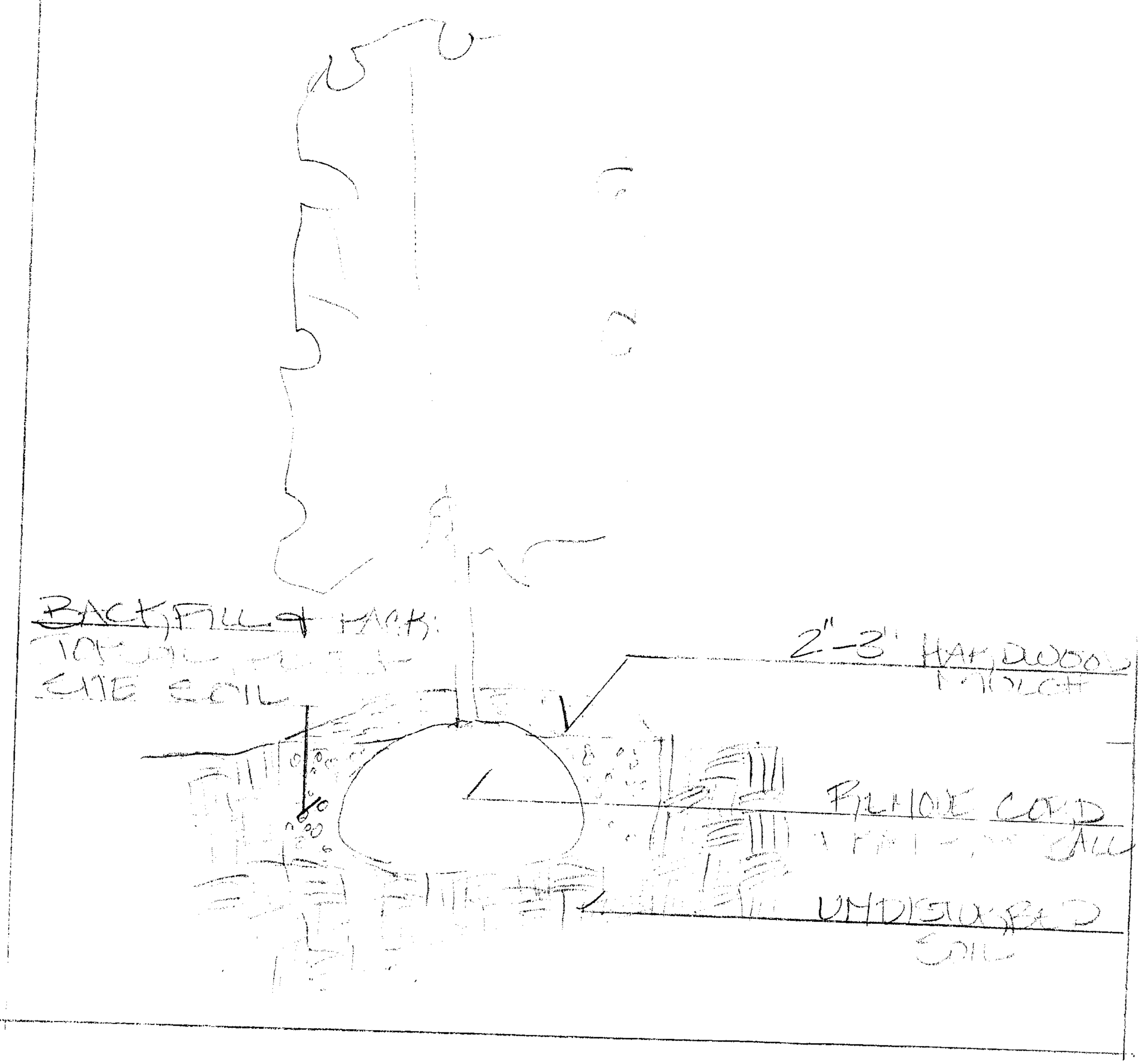
F



Fagus sylvatica 'Purple Fountain' (habit) European Beech © Michael A. Dirr
Mature size: 15' wide by 40'ht.
Rich purple red leaves with pendulous branches

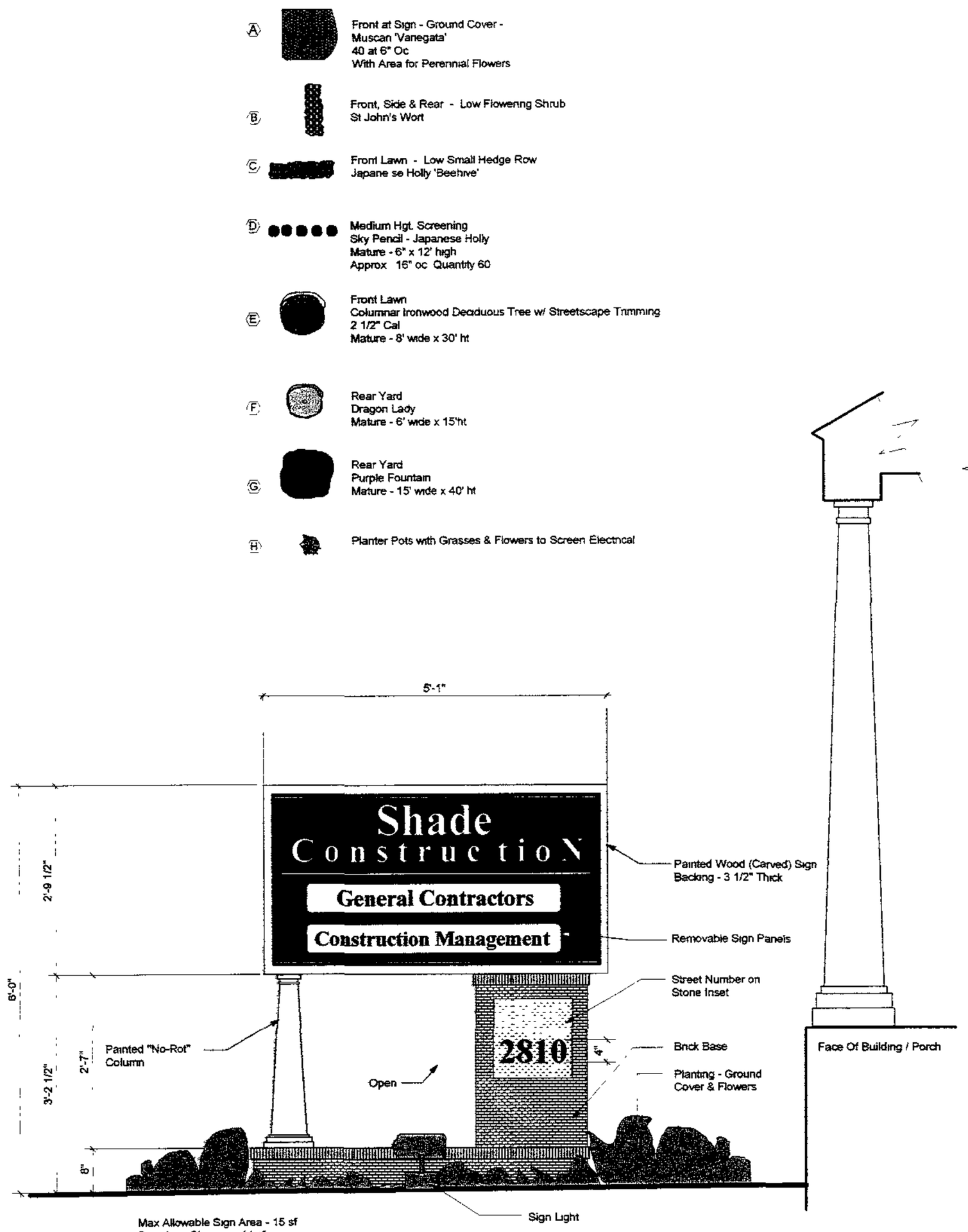
G

PLANTING TREE - WELL GROUND
MATRIX.



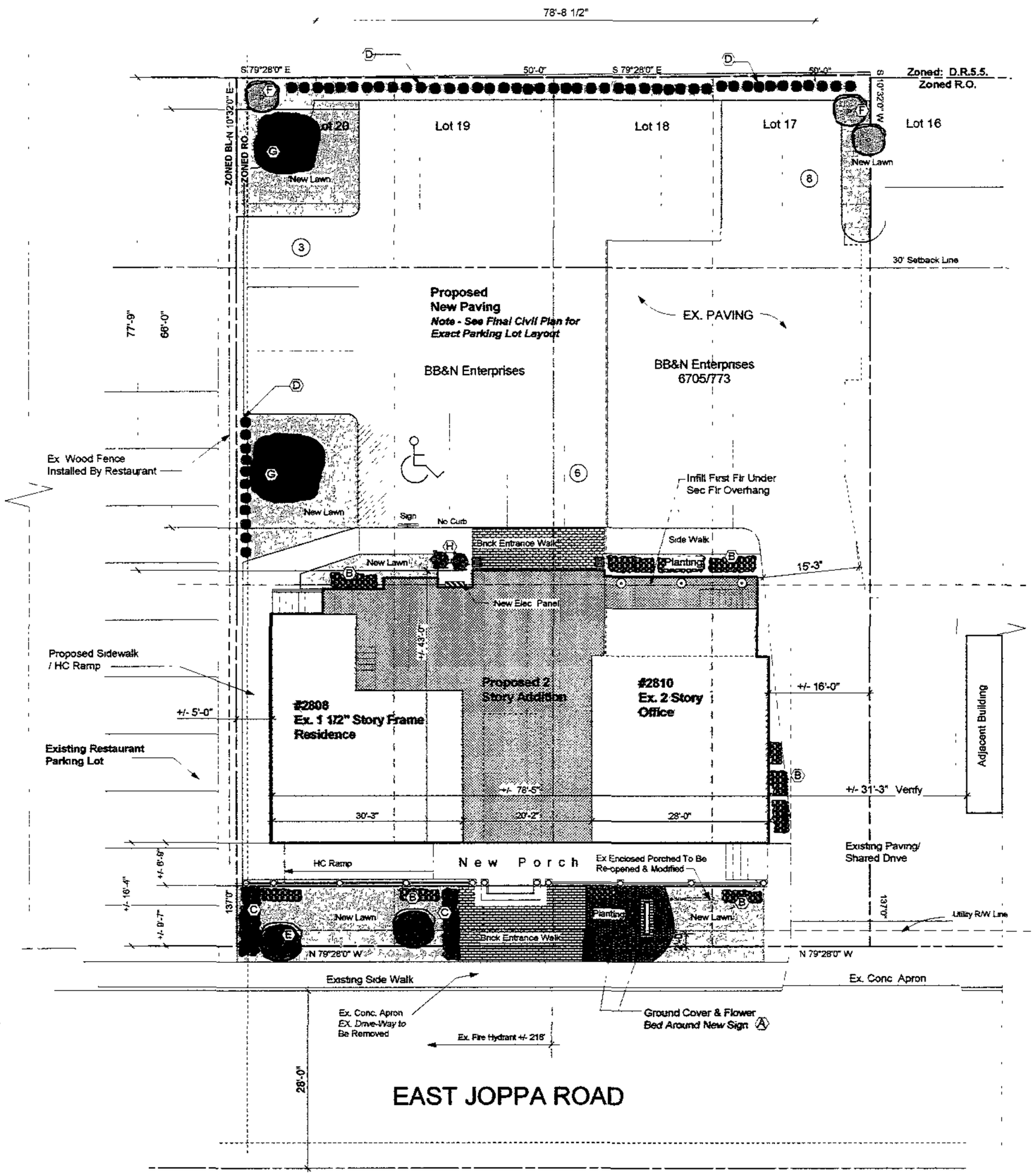
Landscape Schedule

Mark	Symbol	Description
		New Lawn
A		Front at Sign - Ground Cover - Muscan 'Vanegata' 40 at 6" Oc With Area for Perennial Flowers
B		Front, Side & Rear - Low Flowering Shrub St John's Wort
C		Front Lawn - Low Small Hedge Row Japane se Holly 'Beehive'
D		Medium Hgt. Screening Sky Pencil - Japanese Holly Mature - 6" x 12' high Approx 16" oc Quantity 60
E		Front Lawn Columnar Ironwood Deciduous Tree w/ Streetscape Trimming 2 1/2" Cal Mature - 8' wide x 30' ht
F		Rear Yard Dragon Lady Mature - 6' wide x 15'ht
G		Rear Yard Purple Fountain Mature - 15' wide x 40' ht
H		Planter Pots with Grasses & Flowers to Screen Electrical



Max Allowable Sign Area - 15 sf
Sign Area Shown - 14 sf

Proposed Sign
Scale 1" = 1'-0"



Site Plan - Proposed Design for Preliminary County Review
Scale 1" = 1'-0"

Reduced - Not To Scale

seal

"I certify that these documents were prepared or approved by me, and that I am a duly licensed architect in the State of Maryland. License Number 3836. Expiration Date 4/30/06."

STH DESIGN Associates

Stephen T. Hill, Architect
1921 York Road, Suite 2
Timonium, MD 21093
410.561 9161
fax 410 561 9162

landscape architect

Katherine Aldrich Adams, RLA
Honey Bee Hollow
Landscape Architecture Horticulture
5125 Jolly Acres Road
Whitehall, MD 21161
410-692-0403

Project Renovation

Shade Construction
2810 East Joppa Road
Baltimore, MD 21234

sheet title

Lanscape Plan & Entrance Sign

revisions

8/3/06 Zoning Presentation

date

July 22, 2006

sheet number

LA-1

Shade Construction

Shade Building

Joppa Road, Parkville

Stephen T. Hill, Architect
1921 York Road, Suite 2
Timonium, MD 21093
410.561.9161
fax 410.561.9162

Front Elevation
July 5, 2006

Rear Elevation

Shade Building

Stephen T. Hill, Architect
1921 York Road, Suite 2
Timonium, MD 21093
410.561.9161
fax 410.561.9162

Joppa Road, Parkville

Front Elevation

July 5, 2006

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and Development Management

August 1, 2006

J. Neil Lanzi
409 Washington Avenue, #617
Towson, MD 21204

Dear Mr. Lanzi:

RE: Case Number: 06-598-SPHXA, 2808 & 2810 E. Joppa Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 23, 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
William J. Shade 2808 E. Joppa Road Baltimore 21234
Bruce Doak 320 E. Towsontowne Boulevard Towson 21286

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination DWL

DATE: August 8, 2006

SUBJECT: Zoning Item # 06-598-SPHXA
Address 2808, 2810 East Joppa Road
(Shade Property)

Zoning Advisory Committee Meeting of June 5, 2006

_X_ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

____ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

____ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: J. Livingston Date: August 8, 2006

S:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2006\ZAC 06-598-SPHA.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 27, 2006

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

RECEIVED
JUN 2 9 2006

SUBJECT: 2808-2810 East Joppa Road

INFORMATION:

Item Number: 6-598

Petitioner: William J. Shade

Zoning: RO

Requested Action: **Special Exception/ Variance**

SUMMARY OF RECOMMENDATIONS:
The Office of Planning does not oppose the petitioner's request for special exception to convert the exiting two structures into a single structure for use as a class 'B' Office Building in an RO zone per section 204.3.B of the Baltimore County Zoning Regulations. Both structures currently operate as office uses and do not appear to detract from the surrounding community. Conversion of these two structures into a single structure will help to enhance the local business climate of the immediate area.

Regarding the petition for the requested variances, the Office of Planning does not oppose the petitioner's request. This is contingent upon the petitioners submitting a detailed landscape plan to the County landscape architect (Avery Harden) for approval. This plan shall include an addition to or enhancement of the existing vegetative buffer along the north side of the property to provide an adequate visual screen between the additional parking area and the rear yards of the surrounding residential uses (e.g. 9606 Mason Avenue, 9607 Dixon Avenue).

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

Prepared by: Curtis Murray

Division Chief: Lynn Lanham
AFK/LL: CM

W \DEVREV\ZAC\6-598 doc

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

SHA
State Highway Administration
Driven to Excel

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

Maryland Department of Transportation

Date: 6.5.02

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

RE: Baltimore County
Item No. 558 JRA

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,

S. F. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 20, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For June 12, 2006
Item Nos. 176, 597, 598, 599, 601, 602, 603, 604, 605, 606, 607, and 608

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-06202006

Baltimore County
Fire Department

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

June 6,2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 5, 2006

Item Numbers: Item Number 176, 598 through 608

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C)443-829-2946
MS-1102F

cc: File

RE:	PETITION FOR SPECIAL HEARING SPECIAL EXCEPTION & VARIANCE 2808 & 2810 E. Joppa Road; N/S E. Joppa Road, 173' NW c/line Mason Avenue 9th Election & 5th Councilmanic Districts Legal Owner(s): William Shade, BB&N, LLC Petitioner(s)	* * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 06-598-SPHXA

* * * * * * * * * * * * *

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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of June, 2006, a copy of the foregoing Entry of Appearance was mailed to Bruce E. Doak, Gerhold, Cross & Etzel, Ltd, 320 E Towsontown Blvd, Towson, MD 21286 and to J. Neil Lanzi, Esquire, 409 Washington Avenue, Suite 617, Towson, Maryland 21204, Attorney for Petitioner(s).

RECEIVED
0 / 2006
Per ....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Department of Permits and Development Management

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

Baltimore County

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

June 14, 2006

J. Neil Lanzi
409 Washington Avenue, Ste. 617
Towson, MD 21204

Dear Mr. Lanzi:

RE: Case Number: 06-598-SPHXA, 2808 & 2810 E. Joppa Road

The above matter, previously scheduled for July 31, 2006, has been postponed at your request. The hearing has been rescheduled and the new zoning notice is attached.

Please be advised that the responsibility of the appropriate posting of the property is with the Petitioners. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with the notice of the original hearing date, as quickly as possible after you have been notified, the new hearing date should be affixed to the sign(s).

Very truly yours,

Timothy Kotroco
Director

TK:klm

C: William Shade, BB & N, LLC, 2808 East Joppa Road, Baltimore 21234
Bruce Doak, 320 E. Towsontown Blvd., Towson 21286

Printed on Recycled Paper

J. NEIL LANZI, P.A.
ATTORNEY AT LAW
MERCANTILE BUILDING, SUITE 617
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(410) 296-0686

FAX: (410) 296-0689

E-Mail lanzilaw@cs.com

J. Neil Lanzi

OF COUNSEL
Fred L. Coover*

*Also Admitted in District of Columbia

COLUMBIA
Suite 420, Parkside Bldg
10500 Little Patuxent Parkway
Columbia, Maryland 21044-3563

Reply to Towson

June 6, 2006

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

Re: 2808 and 2810 East Joppa Road
B. B.& N. Enterprises, LLC
Shade Construction Co., Inc.
Petitions for Variance, Special Exception and Special Hearing

Dear Carl:

As requested during our meeting of Thursday, June 1, 2006, I am enclosing for the zoning file a copy of the Order of the Zoning Commissioner from Case No. 89-443-XA as referred to on the site plan and Special Hearing Petition for this property. I do not have an item number in my file but as I recall you were processing these petitions last week and providing an item number for scheduling.

Should you require anything further, please do not hesitate to contact me.

Very truly yours,

J. Neil Lanzi

JNL\mal
cc: Shade Construction, Inc.
Scott Hodgkins

Previous Zoning Hearings:

1. On 5/25/89 a Variance was Granted For Change of Occupancy, Enclosure of Front Porch, Construct New Interior Partitions for Office, & Razing. County Zoning Reference # 89-433-XA

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE N/S of Joppa Rd., 120 w of Mason Ave. (2810 E. Joppa Road) 9th Election District 6th Councilmanic District

Robert C. Shade
Petitioner

BEFORE THE
ZONING COMMISIONER
OF BALTIMORE COUNTY

Case No. 89-433-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception to permit a Class B office building in an R-0 zone, pursuant to Section 203.3B.2(A) (Regulations (B.C.Z.R.), and variances to permit a front yard setback of 7.3 feet in lieu of the required average of 18.5 feet; side yard setbacks (required 20 feet for each, and to allow landscape buffers to the extent possible in lieu of the required 20 feet, all as more particularly describ

The Petitioner, by William J. Shade, Petitioners son, appeared, testified, and was represented by Frank X. Gallagher, Esquire. Also ap Clyde F. Hinkle, Engineer with W. Duvall & Associates. There were no Protestants.

Testimony indicated that the subject property, known as 2810 E. Joppa Road, consists of 8,350 sq. ft. zone R.O., and is presently impr building. Testimony indicated that the subject building has been used for the past four years by Shade Commercial and Industrial Company Petitioners propose expanding the building with the enclosure of a first floor porch and an addition to the second floor for another office, as Testimony indicated the total floor area for the building will increase from 1,715 sq. ft. to 2,115 sq. ft. Specifically, the porch enclosure will the first floor and the second floor addition will add another 322 sq. ft. Even with the proposed additions, the floor area ratio for this buildin limits imposed by the B.C.Z.R. Testimony further indicated that there are no construction equipment or materials stored on the site and that space.

With respect to the requested variances, testimony indicated the subject property is very narrow and a reduction in the amenity open sp adequate parking for the original building. Testimony indicated that most of the site is not in compliance with the 20-foot buffer requiremen the existing structure will not have any further impact on the side or front buffer requirements. All of the testimony presented indicated the would be met by this project.

Prior to the hearing, Petitioners revised the Petition for Zoning Variance. In View of the fact that the amended Petition was not filed i posting notices, Petitioners were advised that the hearing would be continued. As such, a continued hearing on the new Petition for Varianc AM.

The new Petition for Variance requests a front yard setback of 4.8 in lieu of the required 16 feet due to the request made by the Bureau for the widening of Joppa Road at this location. Further, an amenity open space of 0% in lieu of the required 7% is being requested for the buffer variances of 0-4 on the east, 0-8 on the west, 8-17 on the north, and 0-4.8 on the south have been specified in lieu of the original requ revised to properly reflect all the new variances.

It is clear that the B.C.Z.R. permits the use proposed in a R.O. zone by special exception. It is equally clear that the proposed use wou uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standa 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would not aversely affect the public interest. The facts and circumst at the particular location described by Petitioners Exhibit 1 would have any adverse impact above and beyond that inherently associated wit irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tent to create congestion in roads inconsistent with the purposes of the propertys zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restri

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner ar Md. 205 (1978). To prove practical difficulty for an area variance, the petitioner must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, th be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 25th day of May, 1989 that the Petition for office building in an R-O zone, pursuant to Section 203.3B.2(A) of the Baltimore County Zoning Regulations (B.C.Z.R.), and the revised I front yard setback of 4.8 feet in lieu of the required average of 16 feet; side yard setbacks of 6 feet and 16 feet in lieu of the required 20 fee in lieu of the required 7% in the interior of the parking lot, and to allow landscape buffers of 0-4 on the east side, 0-8 on the west side, 8-1 side in lieu of the required 20 feet, in accordance with Petitioners Exhibit 1, Revised May 3, 1989, be and are hereby GRANTED, subject, which are conditions precedent to the relief granted:

1) The Petitioner may apply for his building permit and be grantd same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such a time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

Cm 407 8/8/06 Colgan

J. NEIL LANZI, P.A.
ATTORNEY AT LAW
MERCANTILE BUILDING, SUITE 617
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(410) 296-0686

FAX (410) 296-0689

E-Mail lanzilaw@cs.com

J. Neil Lanzi

OF COUNSEL
Fred L. Coover*

*Also Admitted in District of Columbia

COLUMBIA
Suite 420, Parkside Bldg
10500 Little Patuxent Parkway
Columbia, Maryland 21044-3563

Reply to Towson

June 13, 2006

Sent Via Facsimile: 410-887-3048

Permits and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Attn: Kristen Matthews

Re: Petition for Special Hearing, Special Exception and Variance
2808 and 2810 East Joppa Road
Case No. 06-598-SPHXA

Dear Ms. Matthews:

Please be advised that I represent the Petitioner in the above referenced zoning case. I have not received a Notice of Hearing however, it is my understanding the hearing in this case has been set for Monday, July 31, 2006 at 9:00 a.m. As I will be returning from a previously scheduled vacation, I would respectfully request the case be postponed to any day later in that same week.

Thank you for your assistance in this matter.

Very truly yours,

J. Neil Lanzi

JNL\mal
cc: Shade Construction, Inc.
Bruce Doak

PLEASE PRINT CLEARLY

CASE NAME_____
CASE NUMBER_____
DATE_____

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
RUTH BAISDEN	7706 OAK AVE, 21234 BOARD MEMBER, (PLEASE SEND	BALTO. MD 21234 GREATER PARKVILLE COPY OF ORDER).	ruthbaisden@yahoo.com COMMUNITY COUNCIL

PLEASE PRINT CLEARLY

CASE NAME_____
CASE NUMBER_____
DATE_____

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Robert Shade	2816 E Joppa Rd.	Baltimore Md 21234	RCS@ShadeConstruction.net
WILLIAM SHADE	2810 E JOPPA RD	BALTIMORE MD 21234	WJS@ShadeCONSTRUCTION.NET
STEPHEN HILL	1921 YORK ROAD	TIMONIUM MD 21093	STHDESIGN@QIS.NET
BRUCE E. DOAK	320 E. TOWSONTOWN BLVD.	TOWSON MD 21286	
GERHOLD CROSS • ETZEL			

Case No.: 06-598-SPHXA

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	Site PLAN	
No. 2	Collectively Attach Photo's	
No. 3	ELEVATION DRAWLINGS PREPARED BY STH design Assoc	
No. 4	LANDSCAPE PLAN PRELIMINARY ~~PACKAGE~~	
No. 5	Landscape Plan approved by 7/27/06 Avery Harden	
No. 6	SDAT Record 2808 1938 + 1933 structures	
No. 7	SDAT RECORD 2810	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

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 -** 09 **Account Number -** 0910001500

Owner Information

Owner Name:	B B & N ENTERPRISES LLC	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	PO BOX 28334 BALTIMORE MD 21234-8334	**Deed Reference:**	1) /22880/ 643 2)

Location & Structure Information

Premises Address
2808 JOPPA RD

Legal Description
PT LTS 19,20
2808 JOPPA RD
CARNEY VIEW

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
71	15	1112					19	2	Plat Ref: 7/ 90

Special Tax Areas **Town** **Ad Valorem** **Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1938	1,236 SF	6,850.00 SF	06

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2005	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	36,850	51,850		
Improvements:	69,130	95,710		
Total:	105,980	147,560	119,840	133,700
Preferential Land:	0	0	0	0

PETITIONER'S
EXHIBIT NO. 6

Transfer Information

Seller: JAKUM JOSEPH C	**Date:** 11/09/2005	**Price:** $195,000
Type: IMPROVED ARMS-LENGTH	**Deed1:** /22880/ 643	**Deed2:**
Seller: J L RUHL INC RE S USE-CI	**Date:** 06/08/1965	**Price:** $15,000
Type: IMPROVED ARMS-LENGTH	**Deed1:** / 4468/ 410	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments	**Class**	07/01/2005	07/01/2006

County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

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 -** 09 **Account Number -** 0902651640

Owner Information

Owner Name:	B B & N ENTERPRISES LLC	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	2810 E JOPPA RD BALTIMORE MD 21234-3020	**Deed Reference:**	1) /22265/ 493 2)

Location & Structure Information

Premises Address
2810 JOPPA RD

Legal Description
PT LTS 17,18
2810 JOPPA RD
CARNEY VIEW

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
71	15	1112					17	2	**Plat Ref:** 7/ 90

Special Tax Areas **Town** **Ad Valorem** **Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1933	1,962 SF	6,850.00 SF	06

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2005	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	63,700	68,500		
Improvements:	94,900	103,500		
Total:	158,600	172,000	163,066	167,532
Preferential Land:	0	0	0	0

PETITIONER'S
EXHIBIT NO. 7

Transfer Information

Seller: SHADE ROBERT CHARLES	**Date:** 07/28/2005	**Price:** $0
Type: NOT ARMS-LENGTH	**Deed1:** /22265/ 493	**Deed2:**
Seller: BROWN FRANCIS L	**Date:** 05/03/1984	**Price:** $53,000
Type: IMPROVED ARMS-LENGTH	**Deed1:** /11939/ 695	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments	**Class**	07/01/2005	07/01/2006

County	000	0	0
State	000	0	0
Municipal	000	0	0

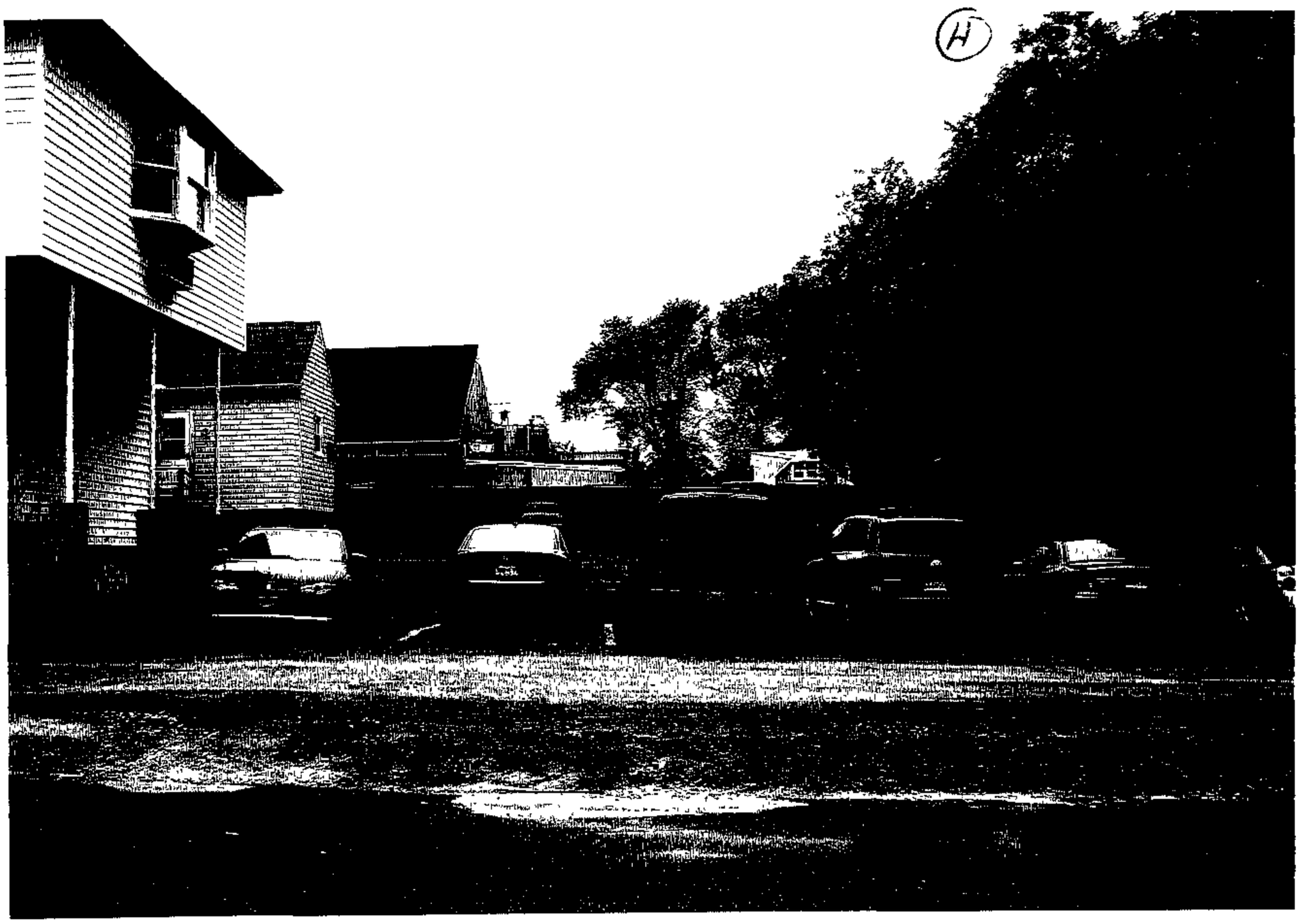
Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

G

H



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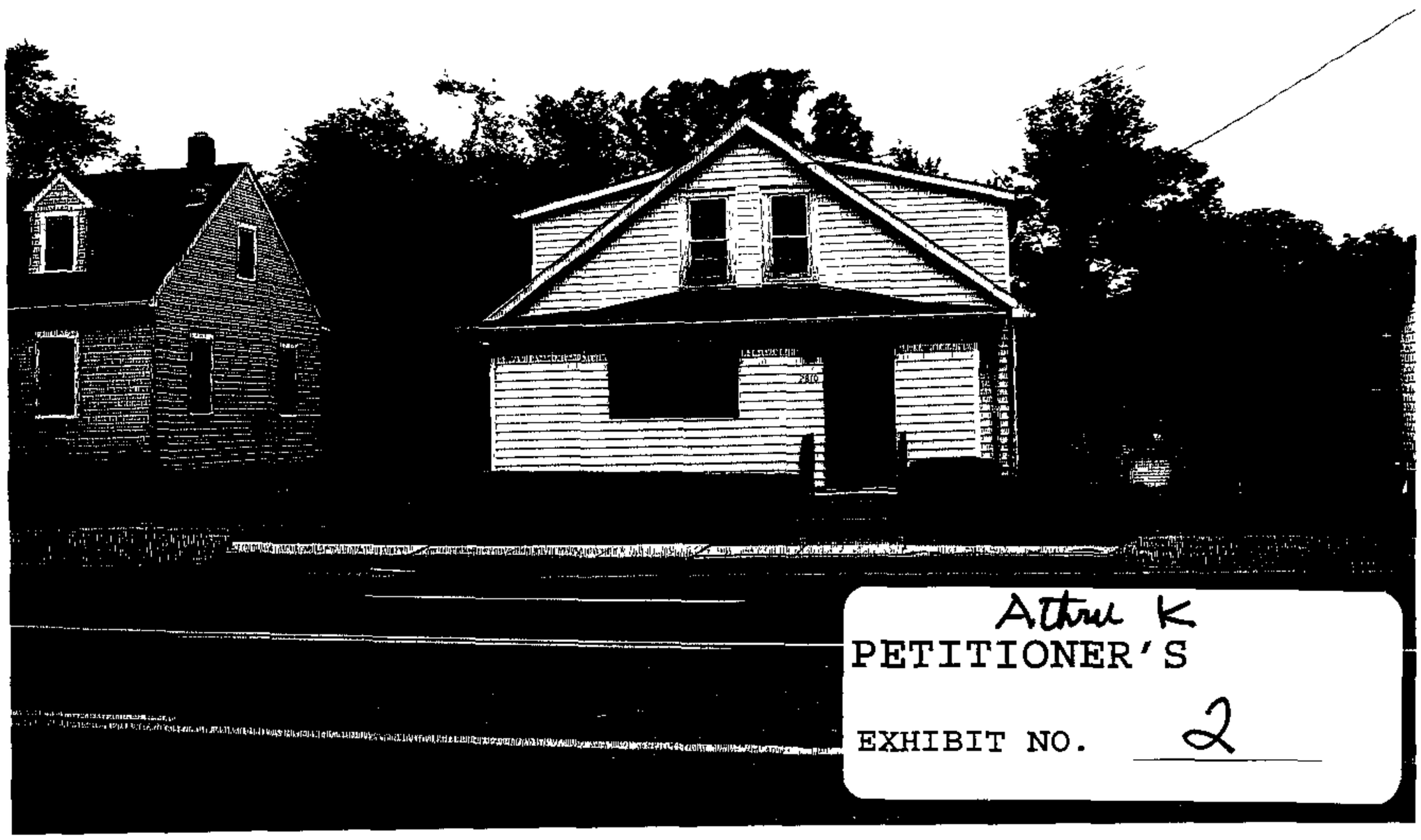


Attm K

PETITIONER'S

EXHIBIT NO. 2

(B)

D

E

(F)

SITE DATA

LOT SIZE

2808 GROSS AREA 6,850 SQ. FT.
2810 GROSS AREA 6,250 SQ. FT.
TOTAL 13,100 SQ. FT.

SITE USE

2808
EXISTING - RESIDENCE
PROPOSED - GENERAL OFFICES CLASS 'A'
2810
EXISTING - GENERAL OFFICES CLASS 'A'

PROPOSED BUILDING TOTAL AREA

BASEMENT	1,410 SQ. FT.	STORAGE
CRAWL SPACE	1,400 SQ. FT.	NOT INCLUDED
FIRST FLOOR	3,350 SQ. FT.	OFFICES
COVERED PORCH	518 SQ. FT.	NOT INCLUDED
SECOND FLOOR	2,010 SQ. FT.	OFFICES
TOTAL	5,360 SQ. FT.	

TOTAL WITH BASEMENT 6,850 SQ. FT.

FLOOR AREA RATIO

ALLOWED - 0.33
TOTAL SITE AREA 13,100 SQ. FT.
TOTAL FLOOR AREA 5,360 SQ. FT.

PROPOSED NEW FAR = 0.34

BUILDING HEIGHT

ALLOWED = 35'
EXISTING = 30'±
PROPOSED = 34'±

PARKING

REQUIRED 3.33/1,000 SQ. FT. GENERAL OFFICE
5,450 SQ. FT. = 18 REQUIRED SPACES
SPACES SHOWN = 18 (Includes one Van HC)

VARIANCES REQUESTED

2808 JOPPA ROAD

A FRONT YARD SETBACK FROM THE PROPERTY LINE OF 4.8' IN LIEU OF THE REQUIRED 9.5' AVERAGE SETBACK PER SECTION 204.4.C.3 OF THE B.C.Z.R.

A SIDE YARD SETBACK ON THE WESTERN PROPERTY LINE OF 0' IN LIEU OF THE REQUIRED 10' MINIMUM SETBACK PER SECTION 204.4.C.4 OF THE B.C.Z.R.

2808 & 2810 JOPPA ROAD

FOR A FLOOR AREA RATIO OF 0.34 IN LIEU OF THE REQUIRED 0.33 PER SECTION 204.4.C.1 OF THE B.C.Z.R.

TO APPROVE A LANDSCAPE BUFFER OF 0' ON THE EASTERN AND WESTERN PROPERTY LINES IN LIEU OF THE REQUIRED 10' PER SECTION 204.4.C.4.d.(2) OF THE B.C.Z.R.

TO APPROVE A LANDSCAPE BUFFER OF 5' ON THE NORTHERN PROPERTY LINE IN LIEU OF THE REQUIRED 20' PER SECTION 204.4.C.4.c.(1) OF THE B.C.Z.R.

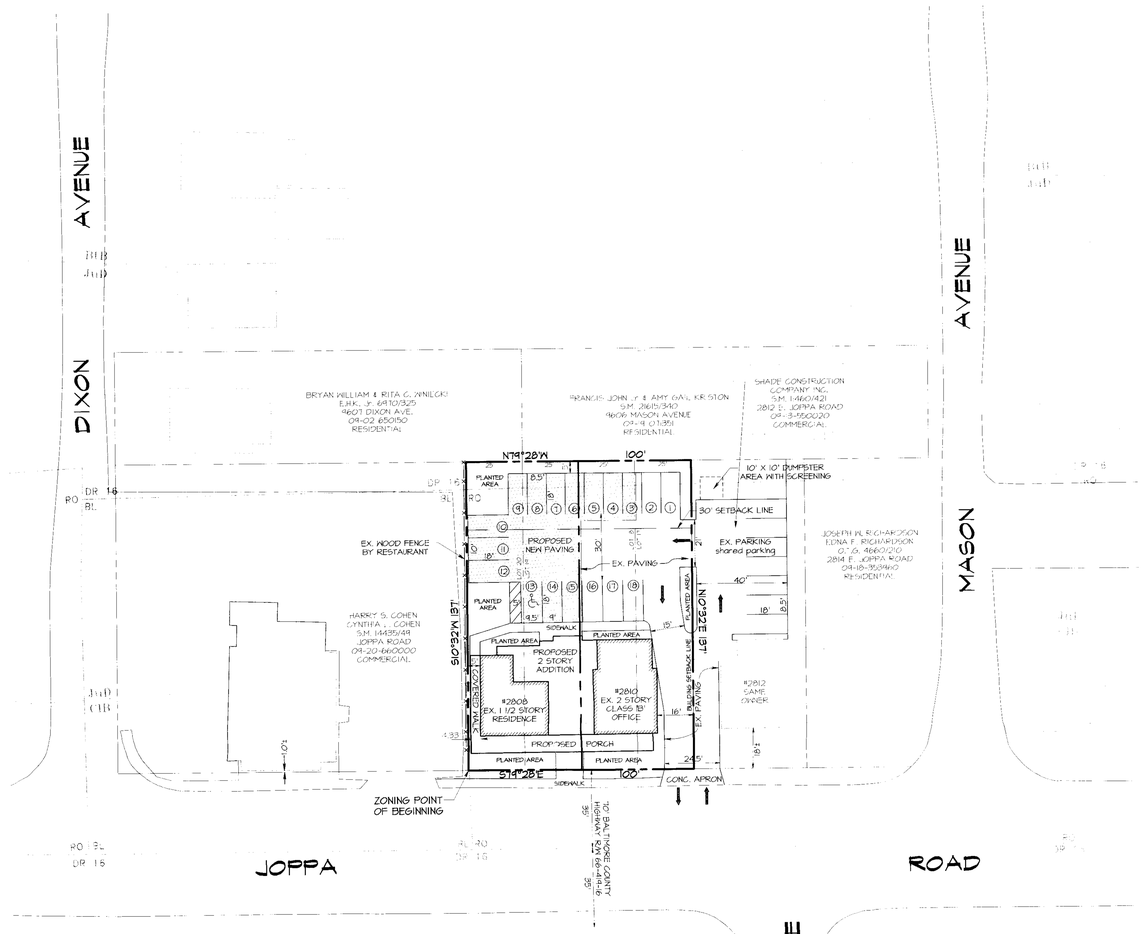
TO APPROVE 0% OF THE PAVED INTERIOR TO BE USED FOR AMENITY OPEN SPACE IN LIEU OF THE REQUIRED 7% PER SECTION 204.4.C.6 OF THE B.C.Z.R.

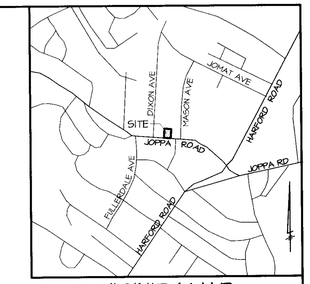
SPECIAL EXCEPTION REQUESTED

FOR A CLASS 'B' OFFICE BUILDING IN AN RO ZONE PER SECTION 204.4.B OF THE B.C.Z.R

SPECIAL HEARING REQUESTED

TO AMEND THE PREVIOUSLY APPROVED PLAN IN CASE NO. 84-433-XA AT 2810 EAST JOPPA ROAD.





VICINITY MAP
1" = 1000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM PLAT W.P.C. 7/90.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 071B2.
3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 36.
4. CENSUS TRACT 442200 REGIONAL PLANNING DISTRICT 316
   WATERSHED LOWER GUNPOWDER SUBSEWERSHED 18
   SCHOOL DISTRICT: ELEMENTARY - HARFORD HILLS E.S.; MIDDLE - PINE GROVE M.S.;
   HIGH - LOCH RAVEN H.S.
   A.D.C. MAP & GRID 28 E7
5. PRIOR ZONING CASE 84-433-XA APPROVAL TO ALLOW A CLASS B OFFICE BUILDING IN AN RO ZONE; FRONT YARD SETBACK OF 4.8', SIDE YARD SETBACKS OF 6' & 16'; OPEN SPACE OF 0%; LANDSCAPE BUFFERS OF 0'-4' ON THE EAST SIDE, 0'-8' ON THE WEST SIDE, 8'-17' ON THE NORTH SIDE, AND 0'-4.5' ON THE SOUTH SIDE.
6. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
7. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
8. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
9. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
10. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PUBLIC WATER AND SEWER SYSTEMS.
11. DUMPSTER FOR 2808 & 2810 JOPPA ROAD WILL BE LOCATED AT 2812 JOPPA ROAD. THE OWNERSHIP IS THE SAME FOR ALL THREE ADDRESSES.
12. TO THE BEST OF OUR KNOWLEDGE THERE ARE NO OUTSTANDING ZONING VIOLATIONS ON THE SUBJECT PROPERTIES.

LEGEND

PROPOSED DWELLING
EXISTING BUILDING
SOIL LINE
EXISTING PAVING
ZONING LINE
PROPERTY LINE
CONTOURS

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES W/BASEMENT	STREETS & PARKING
GIB	Slight to moderate: moderate permeability.	Slight	Moderate: slope
JuD	Slight to moderate: slope	Slight to moderate: slope	Severe: slope
BtB	Severe: slow permeability; seasonally perched water table.	Moderate: seasonally perched water table.	Moderate: seasonally perched water table, slope.

PETITIONER'S
EXHIBIT NO. 1

OWNER
B. B. & N. ENTERPRISES LLC
2808 E. JOPPA ROAD
BALTIMORE, MD 21234

DEVELOPER
SHADE CONSTRUCTION, INC.
2810 E. JOPPA ROAD
BALTIMORE, MD 21234
410-665-5300

PLAN TO ACCOMPANY A PETITION FOR A SPECIAL EXCEPTION, A SPECIAL HEARING AND A VARIANCE REQUEST ON THE

B. B. & N. ENTERPRISES LLC PROPERTIES

2808 & 2810 EAST JOPPA ROAD

#2808 Deed Ref: S.M. No. 22880 folio 643
Tax Account No.: 09-10-001500
Tax Map 71; Grid 15; Parcel 1112; Lots 19 & 20

#2810 Deed Ref: S.M. No. 22265 folio 493
Tax Account No.: 09-02-651640
Tax Map 71; Grid 15; Parcel 1112; Lots 17 & 18

Zoned R.O.; GIS Tile 071B2
9th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=30' Date: MAY 3, 2006

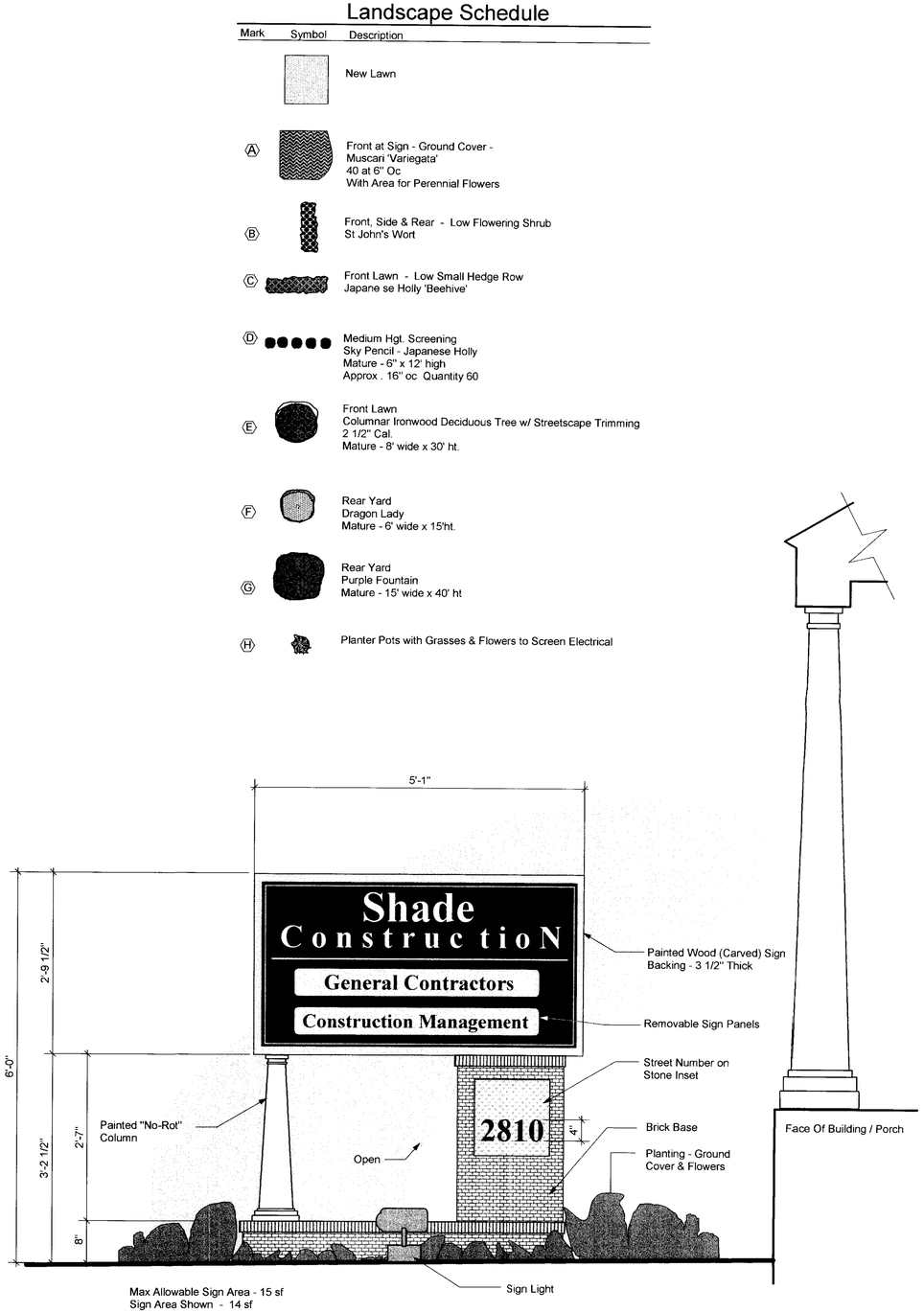
GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

REVISION	DATE
STEVE HILL'S BUILDING AND PARKING REVISIONS	5/22/06

COMPUTED:	DRAWN: SMH	CHECKED:	FILE-X:\SHADE\ZONING PLAN.pro

Landscape Schedule

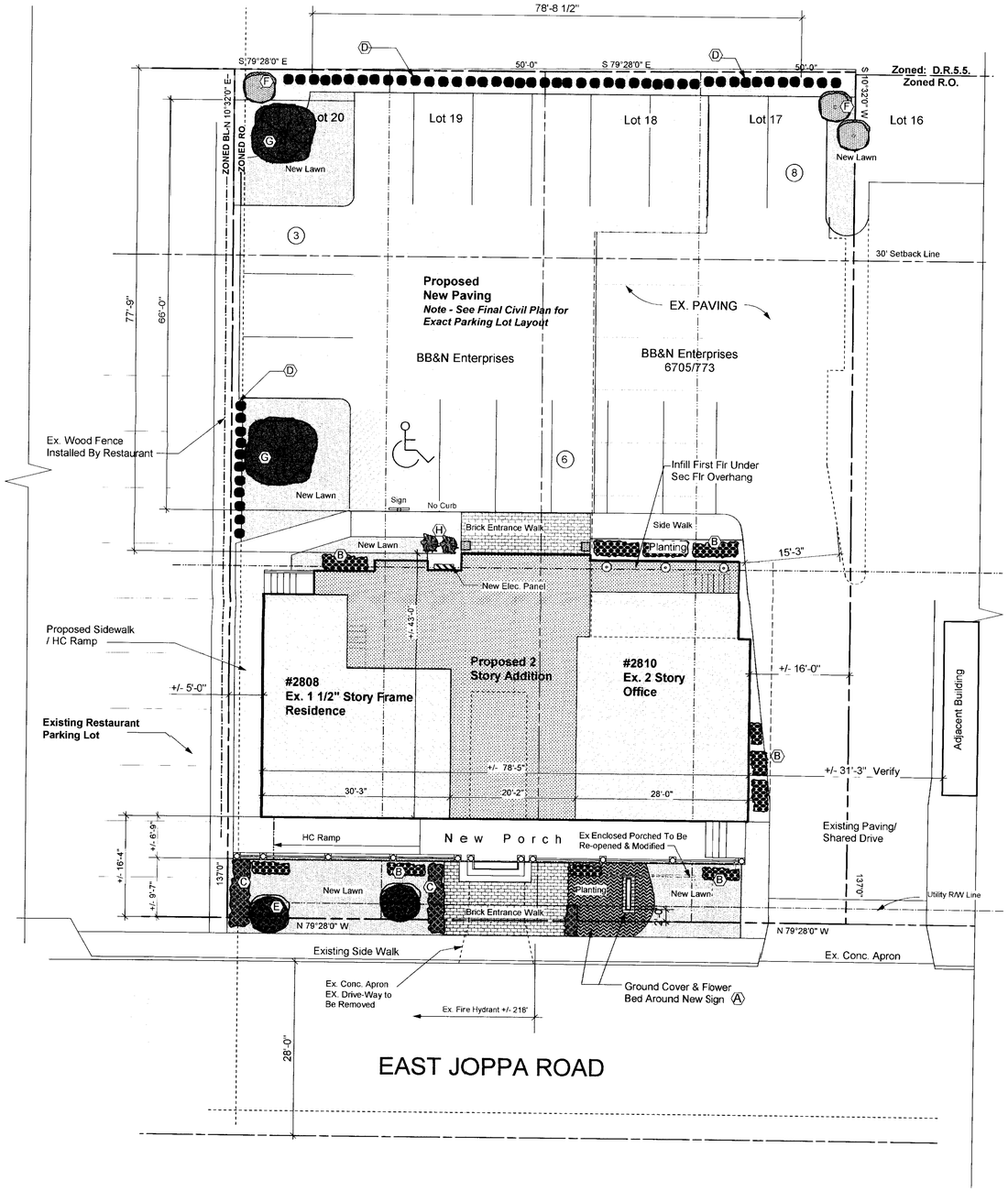
Mark	Symbol	Description
		New Lawn
A		Front at Sign - Ground Cover - Muscari 'Variegata' 40 at 6" Oc With Area for Perennial Flowers
B		Front, Side & Rear - Low Flowering Shrub St John's Wort
C		Front Lawn - Low Small Hedge Row Japane se Holly 'Beehive'
D		Medium Hgt. Screening Sky Pencil - Japanese Holly Mature - 6" x 12' high Approx . 16" oc Quantity 60
E		Front Lawn Columnar Ironwood Deciduous Tree w/ Streetscape Trimming 2 1/2" Cal. Mature - 8' wide x 30' ht.
F		Rear Yard Dragon Lady Mature - 6' wide x 15'ht.
G		Rear Yard Purple Fountain Mature - 15' wide x 40' ht
H		Planter Pots with Grasses & Flowers to Screen Electrical



Max Allowable Sign Area - 15 sf
Sign Area Shown - 14 sf

Proposed Sign

Scale: 1" = 1'-0"



Site Plan - Proposed Design for Preliminary County Review

Scale: 1" = 1'-0"

PETITIONER'S EXHIBIT NO. 4

seal

"I certify that these documents were prepared or approved by me, and that I am a duly licensed architect in the State of Maryland, License Number 3638, Expiration Date 4/30/06."

STH DESIGN Associates

Stephen T. Hill, Architect
1921 York Road, Suite 2
Timonium, MD 21093
410.561.9161
fax 410.561.9162

landscape architect

Katherine Aldrich Adams, RLA
Honey Bee Hollow
Landscape Architecture, Horticulture
5125 Jolly Acres Road
Whitehall, MD 21161
410-692-0403

Project Renovation

Shade Construction
2810 East Joppa Road
Baltimore, MD 21234

sheet title

Lanscape Plan & Entrance Sign

revisions

8/3/06 Zoning Presentation

date

July 22, 2006

sheet number

LA-1

Shade Construction

© 2006 STHDESIGNAssociates
Stephen T. Hill, Architect

Shade Building

Joppa Road, Parkville

Stephen T. Hill, Architect
1921 York Road, Suite 2
Timonium, MD 21093
410.561.9161
fax 410.561.9162

Front Elevation
July 5, 2006

Rear Elevation

Shade Building

Joppa Road, Parkville

Stephen T. Hill, Architect
1921 York Road, Suite 2
Timonium, MD 21093
410.561.9161
fax 410.561.9162

Front Elevation
July 5, 2006

PETITIONER'S
EXHIBIT NO. _____

SITE DATA

LOT SIZE

2808 GROSS AREA 6,850 SQ. FT.
2810 GROSS AREA 6,250 SQ. FT.
TOTAL 13,100 SQ. FT.

SITE USE

2808
EXISTING - RESIDENCE
PROPOSED - GENERAL OFFICES CLASS 'A'

2810
EXISTING - GENERAL OFFICES CLASS 'A'

PROPOSED BUILDING TOTAL AREA

BASEMENT	1,490 SQ. FT.	STORAGE
CRAWL SPACE	1,400 SQ. FT.	NOT INCLUDED
FIRST FLOOR	3,350 SQ. FT.	OFFICES
COVERED PORCH	314 SQ. FT.	NOT INCLUDED
SECOND FLOOR	2,010 SQ. FT.	OFFICES
TOTAL	5,360 SQ. FT.	

TOTAL WITH BASEMENT 6,850 SQ. FT.

FLOOR AREA RATIO

ALLOWED = 0.33
TOTAL SITE AREA 13,100 SQ. FT.
TOTAL FLOOR AREA 5,360 SQ. FT.

PROPOSED NEW FAR = 0.39

BUILDING HEIGHT

ALLOWED = 35'
EXISTING = 30'±
PROPOSED = 34'±

PARKING

REQUIRED 3,33/1,000 SQ. FT. GENERAL OFFICE
5,450 SQ. FT. = 18 REQUIRED SPACES
SPACES SHOWN = 18 (Includes one Van H.C.)

VARIANCES REQUESTED

2808 JOPPA ROAD

A FRONT YARD SETBACK FROM THE PROPERTY LINE OF 4.8' IN LIEU OF THE REQUIRED 9.5' AVERAGE SETBACK PER SECTION 204.4.C.3 OF THE B.C.Z.R.

A SIDE YARD SETBACK ON THE WESTERN PROPERTY LINE OF 0' IN LIEU OF THE REQUIRED 10' MINIMUM SETBACK PER SECTION 204.4.C.4 OF THE B.C.Z.R.

2808 & 2810 JOPPA ROAD

FOR A FLOOR AREA RATIO OF 0.39 IN LIEU OF THE REQUIRED 0.33 PER SECTION 204.4.C.1 OF THE B.C.Z.R.

TO APPROVE A LANDSCAPE BUFFER OF 0' ON THE EASTERN AND WESTERN PROPERTY LINES IN LIEU OF THE REQUIRED 10' PER SECTION 204.4.C.4.(2) OF THE B.C.Z.R.

TO APPROVE A LANDSCAPE BUFFER OF 5' ON THE NORTHERN PROPERTY LINE IN LIEU OF THE REQUIRED 20' PER SECTION 204.4.C.4.(1) OF THE B.C.Z.R.

TO APPROVE 0% OF THE PAVED INTERIOR TO BE USED FOR AMENITY OPEN SPACE IN LIEU OF THE REQUIRED 7% PER SECTION 204.4.C.6 OF THE B.C.Z.R.

SPECIAL EXCEPTION REQUESTED

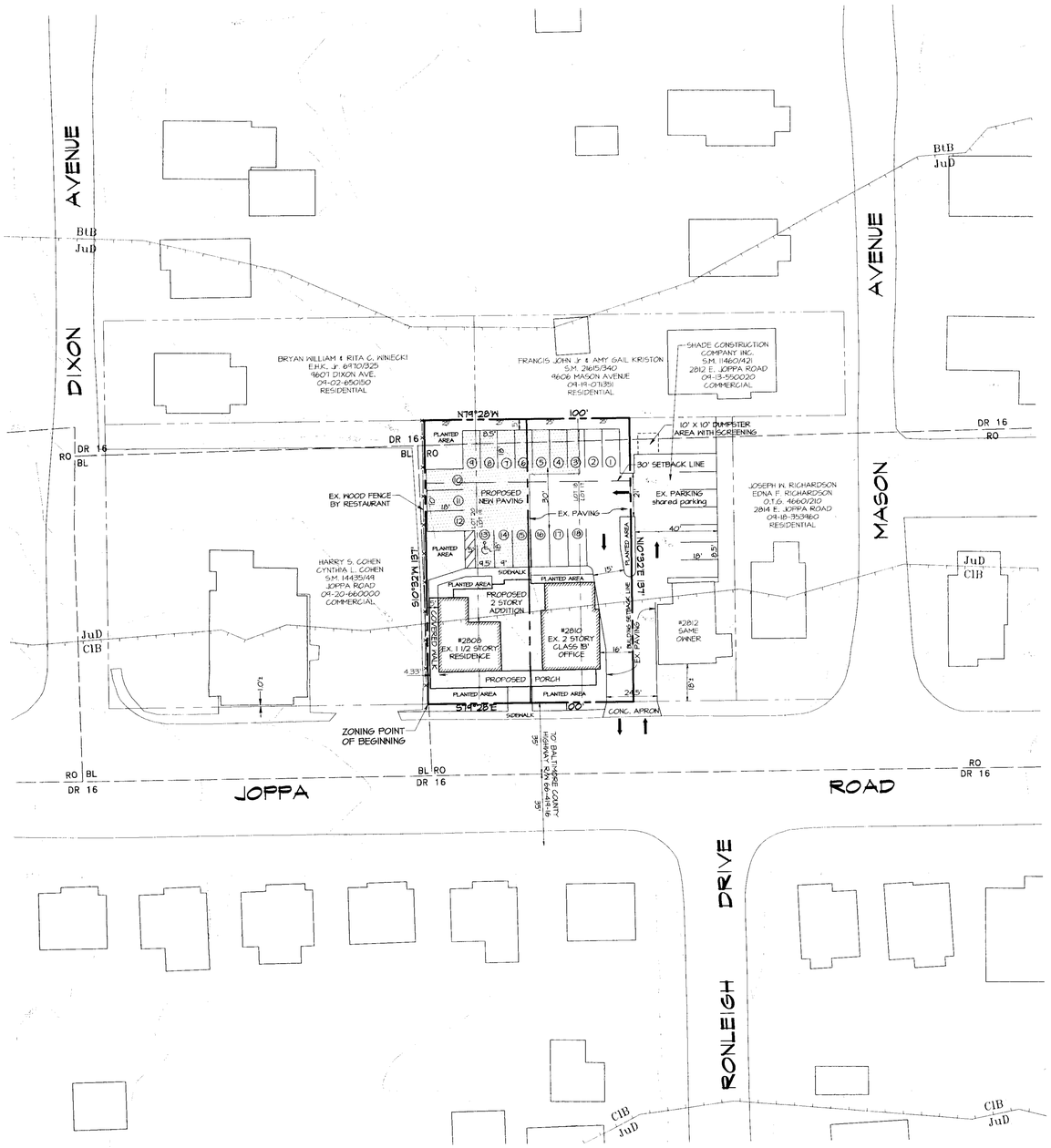
FOR A CLASS 'B' OFFICE BUILDING IN AN RO ZONE PER SECTION 204.4.B OF THE B.C.Z.R

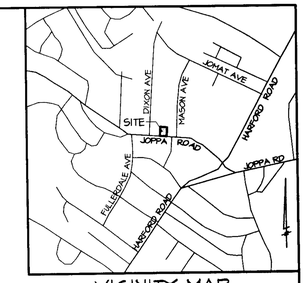
SPECIAL HEARING REQUESTED

TO AMEND THE PREVIOUSLY APPROVED PLAN IN CASE NO. 84-433-XA AT 2810 EAST JOPPA ROAD.

LEGEND

PROPOSED DWELLING
EXISTING BUILDING
SOIL LINE
EXISTING PAVING
ZONING LINE
PROPERTY LINE
CONTOURS





VICINITY MAP
1" = 1000'

PLAT MERIDIAN W.P.C. 7/90

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM PLAT W.P.C. 7190.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY 615 TILE 071B2.
3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 36.
4. CENSUS TRACT 422200 REGIONAL PLANNING DISTRICT 316
   WATERSHED LOWER GUNPOWDER SUBSEWERSHED 16
   SCHOOL DISTRICT: ELEMENTARY - HARFORD HILLS E.S.; MIDDLE - PINE GROVE M.S.; HIGH - LOCH RAVEN H.S.
   A.D.C. MAP & GRID 28 E7
5. PRIOR ZONING CASE 84-433-XA APPROVAL TO ALLOW A CLASS B OFFICE BUILDING IN AN RO ZONE; FRONT YARD SETBACK OF 4.8'; SIDE YARD SETBACKS OF 6' & 16'; OPEN SPACE OF 0%; LANDSCAPE BUFFERS OF 0'-4' ON THE EAST SIDE, 0'-8' ON THE WEST SIDE, 8'-17' ON THE NORTH SIDE, AND 0'-4.8' ON THE SOUTH SIDE.
6. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
7. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
8. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
9. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
10. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PUBLIC WATER AND SEWER SYSTEMS.
11. DUMPSTER FOR 2808 & 2810 JOPPA ROAD WILL BE LOCATED AT 2812 JOPPA ROAD. THE OWNERSHIP IS THE SAME FOR ALL THREE ADDRESSES.
12. TO THE BEST OF OUR KNOWLEDGE THERE ARE NO OUTSTANDING ZONING VIOLATIONS ON THE SUBJECT PROPERTIES.

OWNER
B. B. & N. ENTERPRISES LLC
2808 E. JOPPA ROAD
BALTIMORE, MD 21234

DEVELOPER
SHADE CONSTRUCTION, INC.
2810 E. JOPPA ROAD
BALTIMORE, MD 21234
410-665-3300

PLAN TO ACCOMPANY A PETITION FOR A SPECIAL EXCEPTION, A SPECIAL HEARING AND A VARIANCE REQUEST ON THE

B. B. & N. ENTERPRISES LLC PROPERTIES

2808 & 2810 EAST JOPPA ROAD

#2808 Deed Ref: S.M. No. 22880 folio 643
Tax Account No.: 09-10-001500
Tax Map 71; Grid 15; Parcel 1112; Lots 19 & 20

#2810 Deed Ref: S.M. No. 22265 folio 493
Tax Account No.: 09-02-651640
Tax Map 71; Grid 15; Parcel 1112; Lots 17 & 18

Zoned R.O.; GIS Tile 071B2
9th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=30' Date: MAY 3, 2006

STATE OF MARYLAND — BRUCE EDWIN DORSEY — No. 10174 — PROFESSIONAL LAND SURVEYOR — 5/25/06

SOIL TYPES & LIMITATIONS

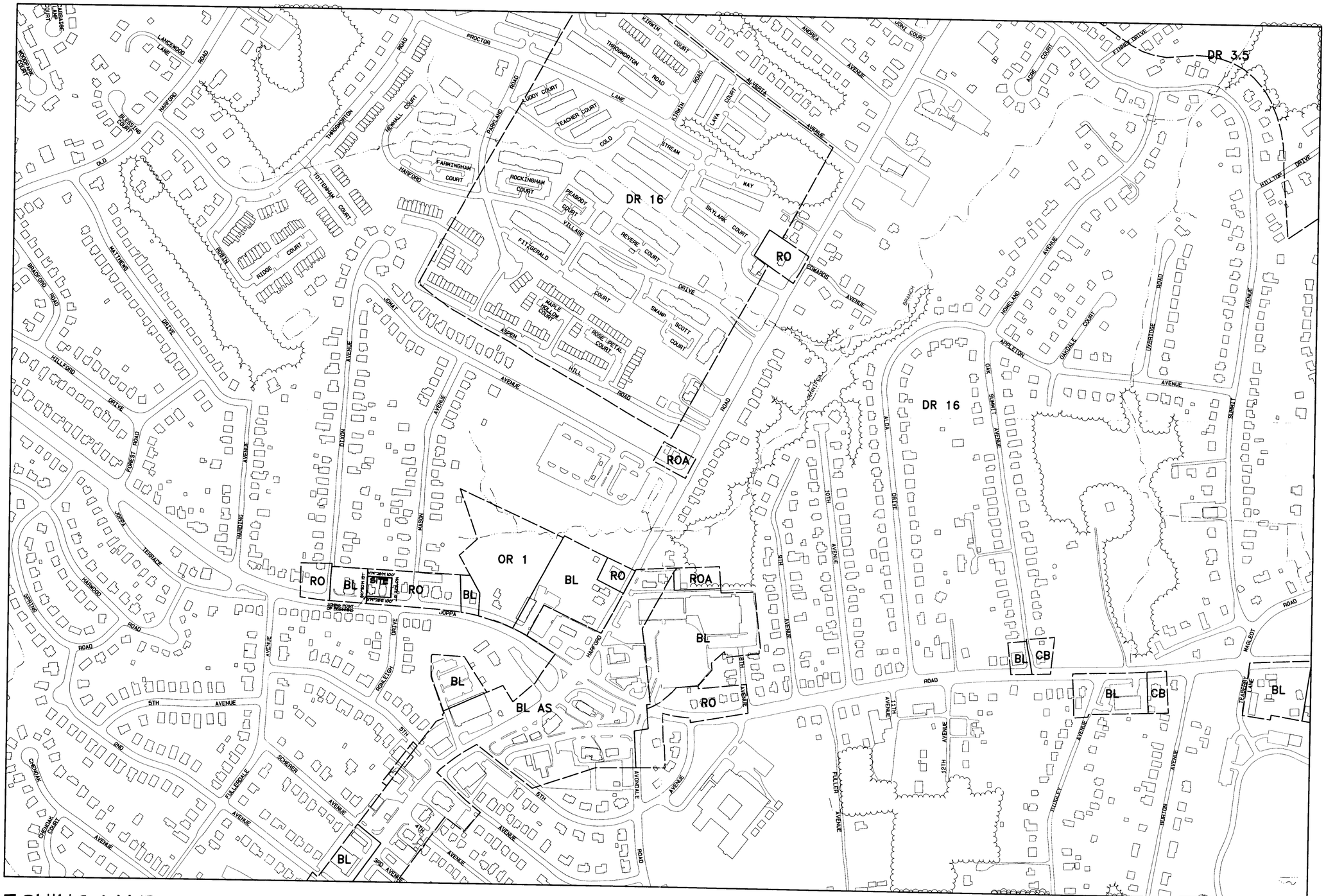
TYPE	SEPTIC FILTER FIELDS	HOMESITES W/BASEMENT	STREETS & PARKING
CIB	Slight to moderate: moderate permeability.	Slight	Moderate: slope
JuD	Slight to moderate: slope	Slight to moderate: slope	Severe: slope
BuB	Severe: slow permeability; seasonally perched water table.	Moderate: seasonally perched water table.	Moderate: seasonally perched water table, slope.

REVISION	DATE
STEVE HILL'S BUILDING AND PARKING REVISIONS	5/22/06

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

COMPUTED: | DRAWN: SMH | CHECKED: | FILE:X:\SHADE\ZONING PLAN.pro

CG 518-SPH X ref



ZONING MAP

GIS TILE: 071B2

SCALE: 1" = 200'