IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE	*	BEFORE THE
SE side of Butler Road, 341 feet NE Of c/l of Railroad Avenue	*	DEPUTY ZONING COMMISSIONER
4th Election District	*	OF BALTIMORE COUNTY
3rd Councilmanic District		
(4825 Butler Road)	*	
Robert Freeze, Jr. *Legal Owner*	*	CASE NO. 07-260-XA

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as Petitions for Special Exception and Variance filed by Glyndon Square LLC by Robert Freeze, Jr., Member. The requests are for property located at 4825 Butler Road. A Special Exception is to permit a bank with 2 drive-through lanes pursuant to Section 229.4.B of the Baltimore County Zoning Regulations (B.C.Z.R.). The Variance requests are as follows from Section 229.6.D of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an 8 foot setback for a parking lot area from a property predominantly zoned for residential use in lieu of the required 20 foot setback; and to permit a parking lot area 0 feet from the ultimate street right of way in lieu of the required 20 feet.

The property was posted with a notice of the public hearing date and time on January 18, 2007 and notice given to the general public by publication in the "Jeffersonian" Newspaper on January 18, 2007.

Interested Persons

Appearing at the hearing on behalf of the variance request were Jim Herman, from Morris & Ritchie Associates, Inc., and Robert Freeze, Jr., member for Glyndon Square LLC. D. Dusky Holman, Esquire, represented the Petitioner. Caren Hoffberger, from the Office of

ORDER RECEIVED FOR FILING
Date 2-6-07
By B

Planning, appeared at the hearing in support of the requests. There were no protestants or citizens at the hearing. Peter Max Zimmerman, People's Counsel, entered his appearance in this case.

Zoning Advisory Committee

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received from the Office of Planning dated January 22, 2007, a copy of which is incorporated herein and made a part hereof the file.

Applicable Law

Section 307 of the B.C.Z.R. – *Variances.*

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

Section 502.1 of the B.C.Z.R. - *Special Exceptions*

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

A. Be detrimental to the health, safety or general welfare of the locality involved;
B. Tend to create congestion in roads, streets or alleys therein;
C. Create a potential hazard from fire, panic or other danger;
D. Tend to overcrowd land and cause undue concentration of population;
E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
F. Interfere with adequate light and air; [Bill No. 45-1982]

G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the sprit and intent of these Zoning Regulations; [Bill No. 45-1982]
H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]
I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 zone. [Bill No. 74-2000]

Testimony and Evidence

The subject property contains 2.66 acres zoned CB and is improved by two historic buildings, the historic hotel known as the Townsend-Reter House and general store known as the Wheeler-Reter Store. Both are contributing structures to the Glyndon National Register Historic District. The Petitioners previously requested and were allowed to raze another structure on the site in Case No. 07-015 so as to redevelop the property while preserving the two historic structures.

The subject case provides further definition of what the redeveloped site will look like as shown on exhibit 1. As indicated the two historic structures will be joined by two new buildings which will house mixed use commercial and office uses. All required parking will be provided by 92 parking spaces on site; 85 parking spaces are required.

The need for variance arises because the parking field is placed to the side and towards the rear in conformance with Section 229.1A1. In order to provide the required number of parking spaces, the parking field turned out to be 8 feet from the property line. 20 foot setback is required.

However as Mr. Holman pointed out this variance might not be needed as Section 229.6.D specifies 20 foot setback from property predominantly zoned residential. Otherwise the setback is 8 feet which the plan provides. In support of this contention the Petitioner presented a second site plan which shows the property boundaries in green and the CB zoning line in orange.

He noted the parking field to the south east of the site which is 8 feet from the property line but that the property line abuts only CB zoned property.

The second variance request is to document the seven existing parking spaces on the front of the general store as shown in photograph 3. He proffered that these spaces have existed in this configuration for many years to serve the historic general store. As such the edge of the parking spaces is right on the right of way for Railroad Avenue. The required setback is 20 feet. He noted that having parking in front of the store allows the Petitioner to provide better handicapped parking with much shorter distances to travel as compared to having such spaces on the parking field to the southeast.

He opined that the subject property is unique from a zoning standpoint due to its irregular shape, and the existence of two historic structures on the premises which must be specially accommodated in any redevelopment. He indicated that the there is 270 feet to the nearest residence and consequently granting the requested variances would not adversely affect the community. He opined that having the parking on the south east side of the property and significant pedestrian friendly features complies with the spirit and intent of the CB regulations but again this causes the need for setback variance. Finally he noted that the proposed uses will be screened from nearby residences as shown on the plan and the Petitioner agrees to further architectural review by the Planning Office.

In regard to the special exception, he noted that all banks require drive-thru facilities today, that the proposed drive through provides all required stacking spaces and as located will not cause traffic congestion or parking problems. He opined that the two lane drive-thru meets all criteria of Section 502.1 of the BCZR, will not adversely impact the community and is within the spirit and intent of the CB regulations.

2-6-07

Ms. Hoffberger indicated that the community is very happy with this plan which will redevelop a down trodden property, the requests were approved by the Landmarks Preservation Commission and the Planning Office finds the plan meets the performance standards of Section 229.3.

Findings of Fact and Conclusions of Law

While I read Section 229.6.D somewhat differently from Mr. Holman, I agree that based on Petitioner's exhibit 2, the subject site does not adjoin a residentially zoned property and that the parking field to the south and east are at least 30 feet from the residentially zoned property. As such the site plan meets the requirements of Section 229.6D and no variance is needed for this setback. Therefore I will deny the variance request for parking field setback as unnecessary.

In regard to the variance request for the seven parking spaces along Railroad Avenue in front of the historic general store, these spaces have existed many years before the CB zoning regulations were imposed. In addition the property is irregularly shaped, and there are two historic structures on the property which have to be accommodated for any redevelopment. Therefore I find the property is disproportionately impacted by the CB zoning regulations and is therefore unique from a zoning perspective.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. These parking spaces are existing conditions and moving them to another location will be more difficult for handicapped persons wanting to use the general store.

Finally, I find this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. Again these spaces have served customers of the store for generations.

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Date 2-6-07
By B

In regard to the request for special exception, I find the two lane drive-thru for the bank meets the criteria of Section 502.1 of the BCZR, will not adversely impact the community and is within the spirit and intent of the regulations. All stacking spaces are provided. There is a bank with identical drive-thru nearby.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request for parking next to the right of way and special exception should be granted. However I will deny the request for variance for the parking field as unnecessary.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 6th day of February, 2007 that the Petitioner's request for Variance Section 229.6.D of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a parking lot area 0 feet from the ultimate street right of way in lieu of the required 20 feet is hereby GRANTED and

IT IS FURTHER ORDERED that the Petitioner's request to permit an 8 foot setback for a parking lot area from a property predominantly zoned for residential use in lieu of the required 20 foot setback is DENIED as unnecessary; and

IT IS FURTHER ORDERED that the Petitioner's Special Exception to permit a bank with 2 drive-through lanes pursuant to Section 229.4.B of the of the Baltimore County Zoning Regulations (B.C.Z.R.) is hereby GRANTED subject, however, to the following conditions:

1. The Petitioner may apply for any permits required and be granted same upon receipt this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such 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.
2. Prior to the issuance of any building permits, building elevations, including proposed building materials, be submitted to the Office of Planning for review and approval.

ORDER RECEIVED FOR FILING
Date 2-6-07
By B

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

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

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Date 2/6/07
By B

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 4825 Butler Road

which is presently zoned C.B.

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

a bank with two drive-through lanes pursuant to BCZR Section 229.4.B.

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

Legal Owner(s):

Glyndon Square, LLC

Name - Type or Print

Robert F. Freeze, Jr.

Signature

By: Robert F. Freeze, Jr., Member

Name - Type or Print

Signature

101 North Main Street, Suite B

Address Telephone No.

Bel Air, Maryland 21014

City State Zip Code

Attorney For Petitioner:

D. Dusky Holman

Name - Type or Print

D. Dusky Holman

Signature

Gildea & Schmidt, LLC

Company

300 E. Lombard Street, Suite 1440 410-234-0070

Address Telephone No.

Baltimore, Maryland 21202

City State Zip Code

Representative to be Contacted:

D. Dusky Holman

Name

300 E. Lombard Street, Suite 1440 410-234-0070

Address Telephone No.

Baltimore, Maryland 21202

City State Zip Code

Case No. 07-260-XA

REV 09/15/98

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By D.T. Date 12/6/06

[illegible] RECEIVED FOR FILING

Date 2-6-07

By PM

Attachment to Petition for Variance

1. Variance from BCZR Section 229.6.D – to permit an eight foot (8') setback for a parking lot area from a property predominantly zoned for residential use in lieu of the required twenty foot (20') setback.

07-260-XA

Attachment to Petition for Variance

1. Variance from BCZR Section 229.6.D – to permit an eight foot (8') setback for a parking lot area from a property predominantly zoned for residential use in lieu of the required twenty foot (20') setback.
2. Variance from BCZR Section 229.6.D – to permit a parking lot area zero feet (0') from the ultimate street right of way in lieu of the required twenty feet (20').

Amended
87-260-XA

AMENDED

PETITION FOR VARIANCE

07-260-XA

1/15/07 AGENDA

Andrea,
Don accepted this amendment for this case (07.260-XA) Please send this out w/ new agenda. #2 was added. All other wording remains the same.

2607
B

Attachment to Petition for Variance

1. Variance from BCZR Section 229.6.D – to permit an eight foot (8') setback for a parking lot area from a property predominantly zoned for residential use in lieu of the required twenty foot (20') setback.
2. Variance from BCZR Section 229.6.D – to permit a parking lot area zero feet (0') from the ultimate street right of way in lieu of the required twenty feet (20').

2602

Amended
07-260-XA

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

November 14, 2006

ZONING DESCRIPTION

Beginning at a point on the southeasterly right of way line of Butler Road, Maryland Route 128, fifty feet wide, which has a curbed paving width of thirty six feet at the distance of 341 feet northeasterly of the centerline of the nearest street, Railroad Avenue, which has a curbed paving width of 30 feet , thence the following courses and distances, viz;

South 23°24'14" East 1.92 feet; South 23°24'14" East 200.29 feet; North 66°35'46" East 68.14 feet; South 23°55'09" East 109.66 feet; South 60°39'03" West 69.50 feet; South 60°18'56" West 0.98 feet; South 60°18'56" West 108.56 feet; North 28°17'27" West 59.49 feet; South 44°57'55" West 108.69 feet; North 38°16'33" West 93.82 feet; South 55°12'15" West 73.64 feet; North 45°06'07" West 16.92 feet; North 24°53'25" West 26.64 feet; North 24°53'25" West 178.44 feet; North 14°35'20" East 43.35 feet; North 70°18'13" East 296.77 feet to the point of beginning, having an address of 4825 Butler Road and being located along the southeasterly side of said Butler Road.

Containing an area of 102,032 square feet or 2.3423 acres of land, more or less, and being located in the Fourth Election District, third Councilmanic District. Baltimore County, Maryland.

James E. Catron
Property Line Surveyor No. 121

STATE OF MARYLAND
JAMES E. CATRON
No. 121
PROPERTY LINE SURVEYOR

07-260-XA

P:\14784\Survey\Descriptions\Zoning Description 11-14-06.doc

1220-C East Joppa Road, Suite 505, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

Abingdon, MD (410) 515-9000 + Laurel, MD (410) 792-9792 + Towson, MD (410) 821-1690 + Georgetown, DE (302) 855-5734 + Wilmington, DE (302) 326-2200 + York, PA (717) 751-6073

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: #07-260-XA

4825 Butler Road

Southeast side of Butler Road, 314 feet northeast of centerline of Railroad Avenue

4th Election District - 3rd Councilmanic District

Legal Owner(s): Robert Freeze, Jr.

Special Exception: to permit a bank with two drive-through lanes pursuant to BCZR Section 229.4.B. **Variance:** to permit an eight (8) foot setback for a parking lot area from a property predominantly zoned for residential use in lieu of the required twenty (20) foot setback. To permit a parking lot area zero feet from the ultimate street right of way in lieu of the required twenty feet.

Hearing: Friday, February 2, 2007 at 11:00 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.

1/189 Jan. 18 121842

CERTIFICATE OF PUBLICATION

1/18/, 2007

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 1/18/, 2007.

- [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

No. 22997

DATE 12/6/06 ACCOUNT 001006060150

AMOUNT $ 705.00

RECEIVED FROM: MORRIS & RITCHIE

FOR: ITEM #2120 07-2060-XA

4825 BUTLER RD. D. THOMPSON

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 07-260-XA

Petitioner/Developer: ROBERT FREEZE JR.

Date of Hearing/Closing: 2-2-07
FEB 2-2007

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

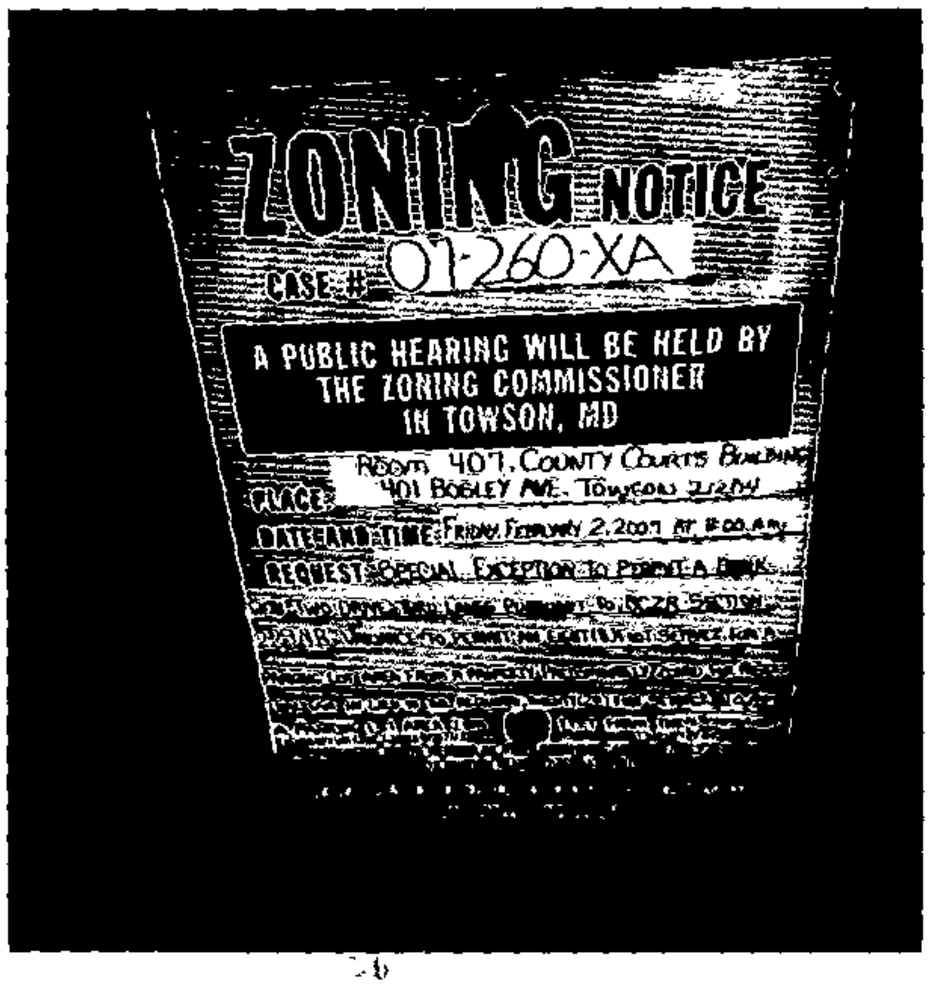
ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

4825 BUTLER RD

The sign(s) were posted on 1-18-07
(Month, Day, Year)



Sincerely,

Robert Black 1-23-07
(Signature of Sign Poster) (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

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

(410) 282-7940
(Telephone Number)

RE:	PETITION FOR SPECIAL EXCEPTION AND VARIANCE	*	BEFORE THE
	4825 Butler Road; SE/S Butler Road, 341' NE c/line Railroad Avenue	*	ZONING COMMISSIONER
	4th Election & 3rd Councilmanic Districts	*	FOR
	Legal Owner(s): Glyndon Square, LLC Petitioner(s)	*	BALTIMORE COUNTY
		*	07-260-XA

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

ENTRY OF APPEARANCE

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

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

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

RECEIVED
DEC 19 2006
Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of December, 2006, a copy of the foregoing Entry of Appearance was mailed to D. Dusky Holman, Esquire, Gildea & Schmidt LLC, 300 E. Lombard Street, Suite 1440, Baltimore, MD 21202, Attorney for Petitioner(s).

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

BALTIMORE COUNTY

MARYLAND

JAMES T. SMITH, JR.
County Executive

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

December 29, 2006

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: 07-260-XA
4825 Butler Road
Southeast side of Butler Road, 341 feet northeast of centerline of Railroad Avenue
4th Election District – 3rd Councilmanic District
Legal Owners: Robert Freeze, Jr.

Special Exception to permit a bank with two drive-through lanes pursuant to BCZR Section 229.4.B. Variance to permit an eight (8) foot setback for a parking lot area from a property predominantly zoned for residential use in lieu of the required twenty (20) foot setback. To permit a parking lot area zero feet from the ultimate street right of way in lieu of the required twenty feet.

Hearing: Friday, February 2, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: D. Dusky Holman, 300 E. Lombard Street, Ste. 1440, Baltimore 21202
Robert Freeze, 101 North Main Street, Ste. B, Bel Air 21014

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JANUARY 18, 2007.**
(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, January 18, 2007 Issue - Jeffersonian

Please forward billing to:
D. Dusky Holman
Gildea & Schmidt, LLP
300 E. Lombard Street, Ste. 1440
Baltimore, MD 21202

410-234-0070

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:

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4825 Butler Road
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WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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BALTIMORE COUNTY

MARYLAND

JAMES T. SMITH, JR.
County Executive

December 29, 2006

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

NOTICE OF ZONING HEARING

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4825 Butler Road
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Hearing: Friday, February 2, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: D. Dusky Holman, 300 E. Lombard Street, Ste. 1440, Baltimore 21202
Robert Freeze, 101 North Main Street, Ste. B, Bel Air 21014

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JANUARY 18, 2007.**
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(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 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: 07-260-XA

Petitioner: GLYNDON SQUARE, LLC

Address or Location: 4825 BUTLER RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: D. DUSKY HOLMAN

Address: GILDEA + SCHMIDT, LLC
300 E. LOMBARD ST., SUITE 1440
BALTO. MD 21202

Telephone Number: 410-234-0070

Revised 7/11/05 - SCJ

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

January 25, 2007

D. Dusky Holman
Gildea & Schmidt, LLC
300 E. Lombard Street, Suite 1440
Baltimore, MD 21202

Dear Mr. Holman:

RE: Case Number: 07-260-XA, 4825 Butler Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 6, 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.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Glyndon Square, LLC Robert F. Freeze, Jr. 101 North Main Street, Suite B Bel Air 21014

Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500

Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

December 12, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: December 11,2006

Item No.: 260

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

The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

Acting Lieutenant Don W. Muddiman
Fire Marshal's Office
410-887-4880
MS-1102F

Printed on Recycled Paper

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

State Highway Administration
Driven to Excel

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

Maryland Department of Transportation

December 13, 2006

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

RE: Baltimore County
Item No. 07-260-XA
MD 138 (Butler Road)
4825 Butler Road
Special Exception- Permit Bank w/
(2) two drive thru lanes
Variance- permit an eight (8) setback
for a parking lot area in lieu of the
required twenty (20) feet

Dear Ms. Matthews:

Thank you for the opportunity to review your referral ZAC Agenda site plan submitted by Glyndon Square, LLC, which was received on December 11th. We understand that this plan illustrates a proposal for a commercial bank and retail center with 85 parking spaces.

We have completed a cursory review of the development plan under consideration. Based on available information the developer/owner must obtain a permit to construct improvements within the MD 138 (Butler Road) public right of way. Coordination with SHA-Engineering Access Permits Division is necessary to determine required improvements consistent with current guidelines. We recommend that the above be a condition of Item No. 07-260-XA approval. Please include our comments in staff report to the Zoning hearing Examiner.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us). Thank you for your attention.

Very truly yours,

Michael P. Bailey

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB
Cc: Mr. Bob Hockaday, Applicant, Glyndon Square, LLC
Mr. Jonathan Kraft, Consultant Engineer, MRA, Inc.
Mr. David Malkowski, District Engineer, SHA

jm 2/2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 22, 2007

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

SUBJECT: 4825 Butler Road

INFORMATION:

Item Number: 7-260

Petitioner: Glyndon Square, LLC

Zoning: CB

Requested Action: **Special Exception**

SUMMARY OF RECOMMENDATIONS:

The petition involves the redevelopment of a site that contains contributing structures in the Glyndon National Register Historic District. Two of the contributing structures will be rehabilitated and one has been demolished. The demolition followed the approval of a waiver from the "must be preserved" status of the structure (Pennington-Bay House).

Prior to the waiver hearing, the Baltimore County Landmarks Commission reviewed and recommended approval of the proposed development (including the demolition of the Pennington-Bay House). As the minutes of the February 9, 2006 meeting of the Landmarks Commission indicate, the developer offered and the Commission endorsed that "distinctive features of the Townsend-Reter House and the Wheeler-Reter Store would be incorporated into the two proposed buildings".

In keeping with the Landmarks Preservation Commission's finding as well as the demolition waiver approval, it is recommended that prior to issuance of building permits building elevations, including proposed building materials, be submitted to the Office of Planning for review and approval.

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

Reviewed by: Lewis K. Lerner

Division Chief: Ryan Tuhan
AFK/LL: CM

W:\DEVREV\ZAC\7-260.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: December 15, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For December 18, 2006
Item Nos. 07-252, 253, 257, 258, 260, 261, 262, 263, 264, and 265

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-12132006.doc

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

February 2, 2007

ROBERT FREEZE, JR.
GLYNDON SQUARE LLC
101 NORTH MAIN STREET, SUITE B
BEL AIR MD 21014

Re: Petitions for Special Exception & Variance
Case No. 07-260-XA
Property: 4825 Butler Road

Dear Mr. Freeze:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

Enclosure

c: Dusky Holman, Esquire, Gildea & Schmidt, LLC, 300 E. Lombard Street, Suite 1440, Baltimore, MD 21202-3228
Jim Herman, Morris & Ritchie Associates, Inc., 1220-C East Joppa Road, Suite 505, Towson MD 21286
Caren Hoffberger, Office of Planning

JM

Martin O'Malley, *Governor*
Anthony Brown, *Lt. Governor*

SHA
State Highway Administration
Driven to Excel
Maryland Department of Transportation

John D. Porcari, *Secretary designate*
Neil J. Pedersen, *Administrator*

RECEIVED
MAR - 5 2007
ZONING COMMISSIONER

February 21, 2007

Ms. Caren B. Hofberger,
Chief
Baltimore County
Office Of Planning- Preservations Services
401 Bosely Avenue, Suite 406
Towson, Maryland 21204

RE: Baltimore County
MD 128 (Butler Road)
@ Rail Road Avenue
DPM No.: IV-515
DRC No. : 081406B
4825 Butler Road
Glyndon Square, LLC

Dear Ms. Hofberger:

Thank you for your letter, regarding concerns about the planned development of the Glyndon Square property along MD 128 (Butler Road). I appreciate the opportunity to respond.

While we understand and share the County's concerns regarding developer related improvements required by State Highway (SHA) that impact designated historic districts, the law allows the State to impose conditions so that traffic movements are controlled to promote public safety. These restrictions are expressed in terms and conditions of the access permit, which the State Highway Administration (SHA) issues and which ensures that the access complies with SHA's procedures and engineering standards.

In order to address the comments stated in our November 30, 2006 letter (Foster to Smith) representatives of SHA's District Four Traffic Engineering Office and Engineering Access Permits Division met with the developer of the Glyndon Square, LLC property on January 31, 2007. I am pleased to report that we were able to negotiate a safe access for the new development. Also, they were able to provide a new westbound, left turn lane for access into the proposed development. It was agreed to provide an acceleration lane and deceleration lane along the property fronting MD 128. In light of your appeal regarding concerns by the residents of the Glyndon community this office has decided to not to pursue requiring construction of the acceleration and deceleration lane. The improvements absent the acceleration and deceleration will be constructed at the developer's expense, when the development proceeds to construction.

Thank you again for your letter. I trust that this letter satisfies your concerns with regard to the addition of acceleration and deceleration lanes at this location. Should you have any questions, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief
Engineering Access Permits
Division

Ms. Caren B. Hoffberger
February 21, 2007

SDF/MB

Cc: Charlie Adams, Director Office Environmental Design, State Highway Administration
Edward C. Adams, Director, Public Works
Karin Brown, Historic Planner, Office of Planning
Gregory Cooke, ADC-Access Permits, State Highway Administration
Councilman Bryan McIntire
Bob Hockaday, Applicant, Glyndon Square, LLC
D. Dusky Hollman, esquire, Gildea & Schmidt, LLC
Arnold F. 'Pat' Keller, III, Director, Office of Planning
Jonathan Kraft, Consultant Engineer, MRA, Inc.
Erin Kuhn, D-4 Traffic, State Highway Administration
Jeffery Long, Deputy Director, Office of Planning
Lynn Lanham, Chief of Development review, Office of Planning
Terry Maxwell, Landscape Architecture Division, State Highway Administration
John J. Murphy, Deputy Zoning Commissioner
David Malkowski, District Engineer, State Highway Administration
Walter Smith, Development manager, Permits and Development Management
Randall Scott, ADE-Traffic, State Highway Administration
William J. Wiseman, III, Zoning Commissioner

RECEIVED
MAR 2 2007

RECEIVED
MAR 19 2007
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

Office of Planning

401 Bosley Avenue, Suite 406
Towson, Maryland 21204
Tel: 410-887-3211 • Fax: 410-887-5862
E-mail: planning@co.ba.md.us

Baltimore County

James T. Smith, Jr., County Executive
Arnold F. 'Pat' Keller, III, Director

January 24, 2007

Mr. Steven D. Foster, Chief Engineering Access Permits Division, SHA
Mr. Michael Bailey, SHA
State Highway Administration
707 North Calvert Street
Baltimore, MD 21202

Re: 4825 Butler Road, Glyndon Square, LLC #07-260-XA

Dear Sirs,

The Preservation Services Section of the Baltimore County Office of Planning has reviewed the State Highway Administrations' comments regarding the proposed plan for a retail/office development to be constructed at 4825 Butler Road in Glyndon, Baltimore County, Maryland. SHA's correspondence dated November 30, 2006 addressed to Walter Smith of the Department of Permits and Development Management indicates that the developer "may" be required to provide an acceleration and deceleration lane along the site's frontage as a prerequisite to obtaining its access permit.

The subject site is the gateway into the Baltimore County Historic District of Glyndon and is within the Glyndon National Register Historic District. It contains structures contributing to the historic nature and quality of the district. The Baltimore County Office of Planning has worked and continues to work closely with the developer of the site and the community to ensure that the proposed development does not detract from the distinct historic character of Glyndon and that it creates a synergy between what exists and what is proposed. The developer has committed to this goal. The addition of an acceleration and deceleration lane at this location will defeat what we the County have accomplished through these collaborative efforts.

From a public safety perspective, the acceleration and deceleration lanes will increase motorist speed rather than accommodating what will likely be only a marginal increase in vehicular traffic. The Glyndon community is very sensitive to traffic concerns, and are likely to vociferously oppose the widening of Butler Road through the addition of the acceleration and deceleration lanes. From an historic preservation perspective, the acceleration and deceleration lanes will transform what is otherwise a rural byway into more of a throughway, ultimately diminishing the historic fabric of this unique village. It is the desire of the Office of Planning to preserve the "small town" character of this historic district while promoting high-quality projects sensitive to these historic issues. While the State's interest in implementing traffic-calming measures is appreciated, the acceleration and deceleration lanes are contrary to the goal of historic preservation.

W:\LANDMARK\Caren\4825 Butler Road SHA.doc

3/15

Buster-
Please add the
attached to the
case file.
Thanks.
Patti

It is my understanding that the developer has requested an onsite meeting to discuss and address the comments made in SHA's correspondence of November 30, 2006. Please strongly consider the historic preservation issues when contemplating the final conditions to be imposed upon the developer prior to the issuance of a SHA access permit for the site. It is our understanding that a review of the proposed Development Plan will be conducted by SHA's Office of Project Planning and Office of Environmental Design, and staff would appreciate your sharing the Baltimore County Office of Planning's concerns about the addition of the acceleration and deceleration lanes at this location with them as well.

Should you have any questions, comments or concerns, please do not hesitate to contact me.

Sincerely,

Caren B. Hoffberger

Caren B. Hoffberger
Chief, Preservation Services

CBH:vkn

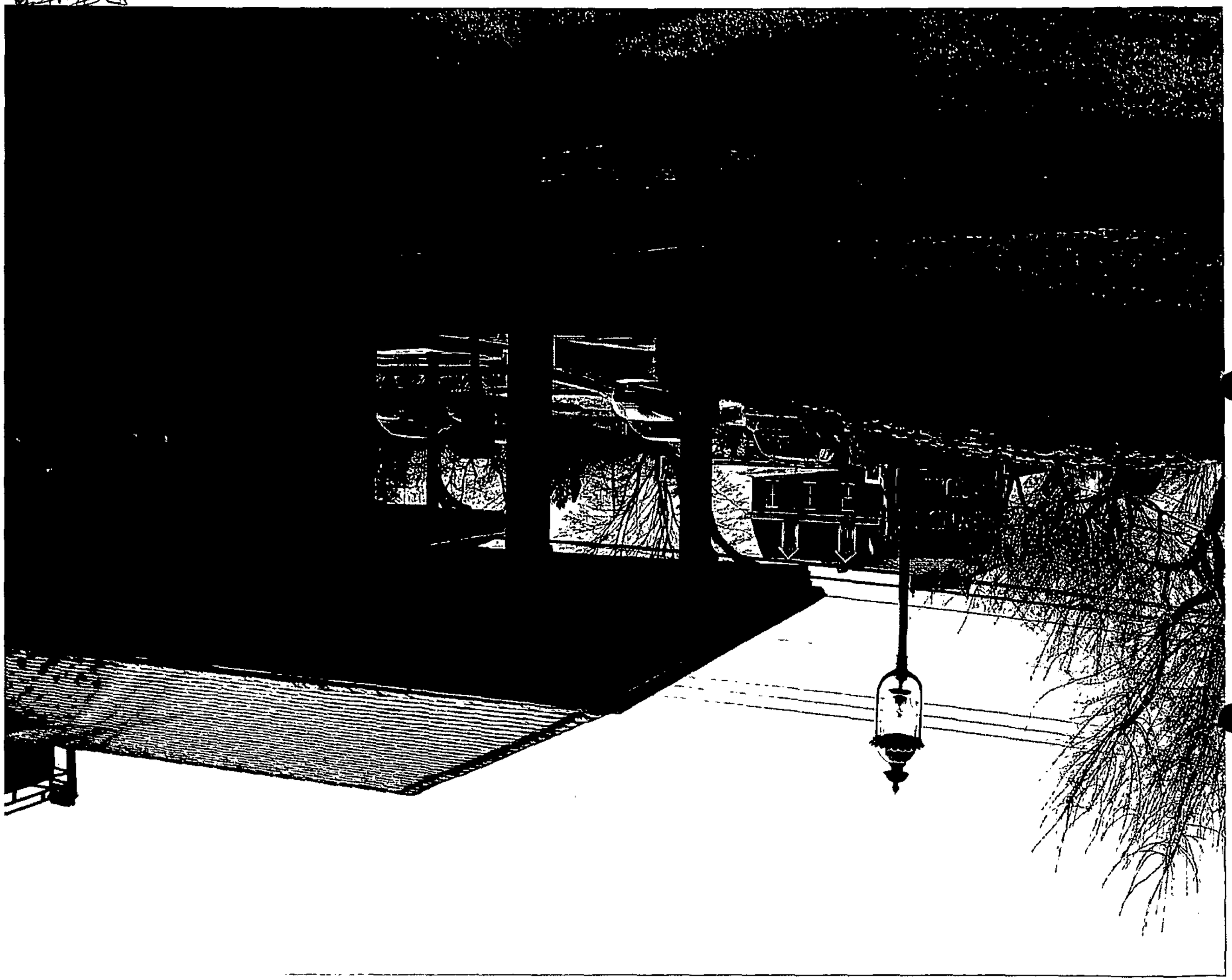
c. Councilman Bryan McIntire
Arnold F. 'Pat' Keller, III, Director, Office of Planning
Edward C. Adams, Director, Public Works
William J. Wiseman, III, Zoning Commissioner
John V. Murphy, Deputy Zoning Commissioner
Jeffrey Long, Deputy Director, Office of Planning
Lynn Lanham, Chief of Development Review, Office of Planning
Walter Smith, Development Manager, Permits and Development Management
Karin Brown, Historic Planner, Office of Planning
D. Dusky Hollman, Esquire, Gildea & Schmidt, LLC

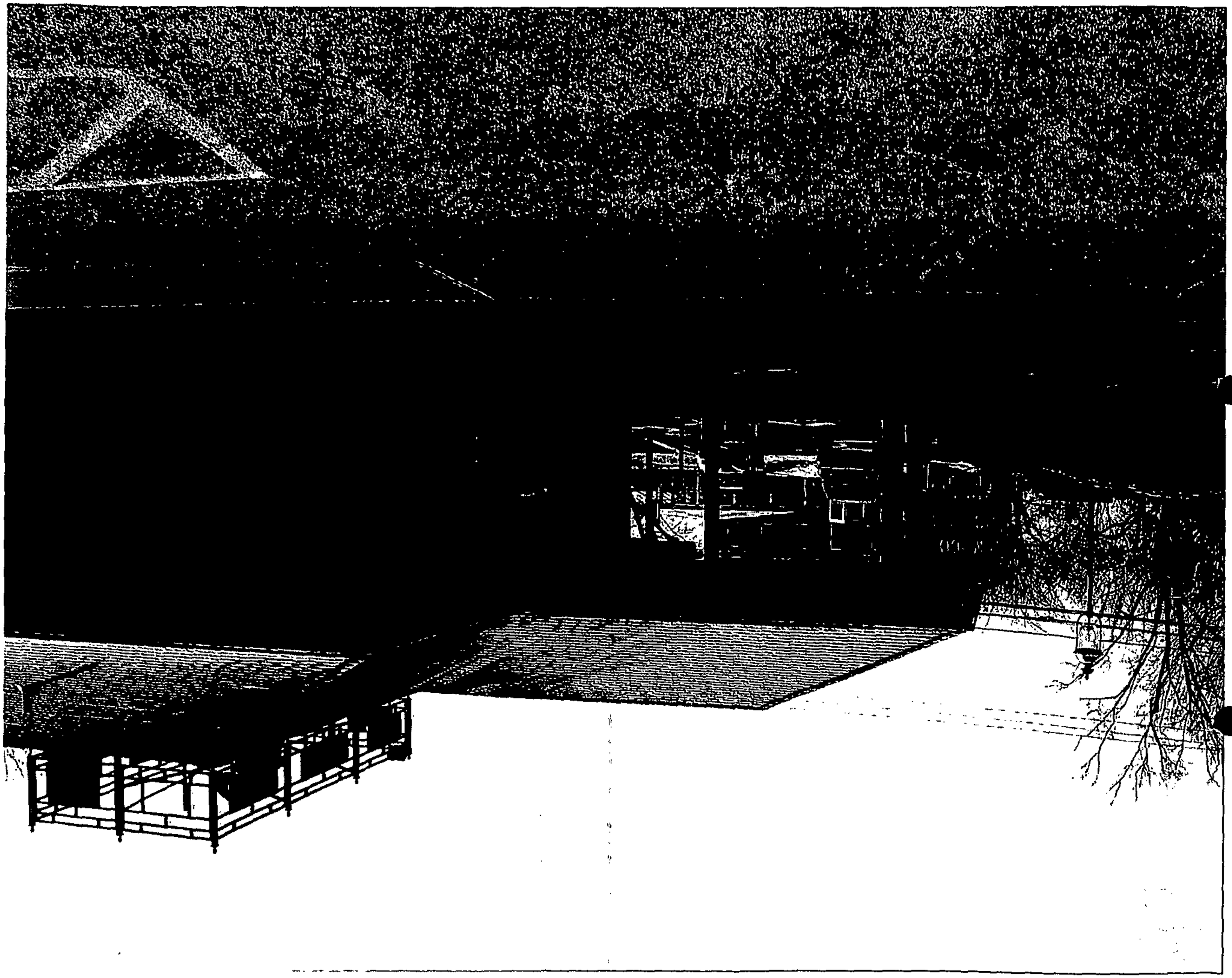
PLEASE PRINT CLEARLY

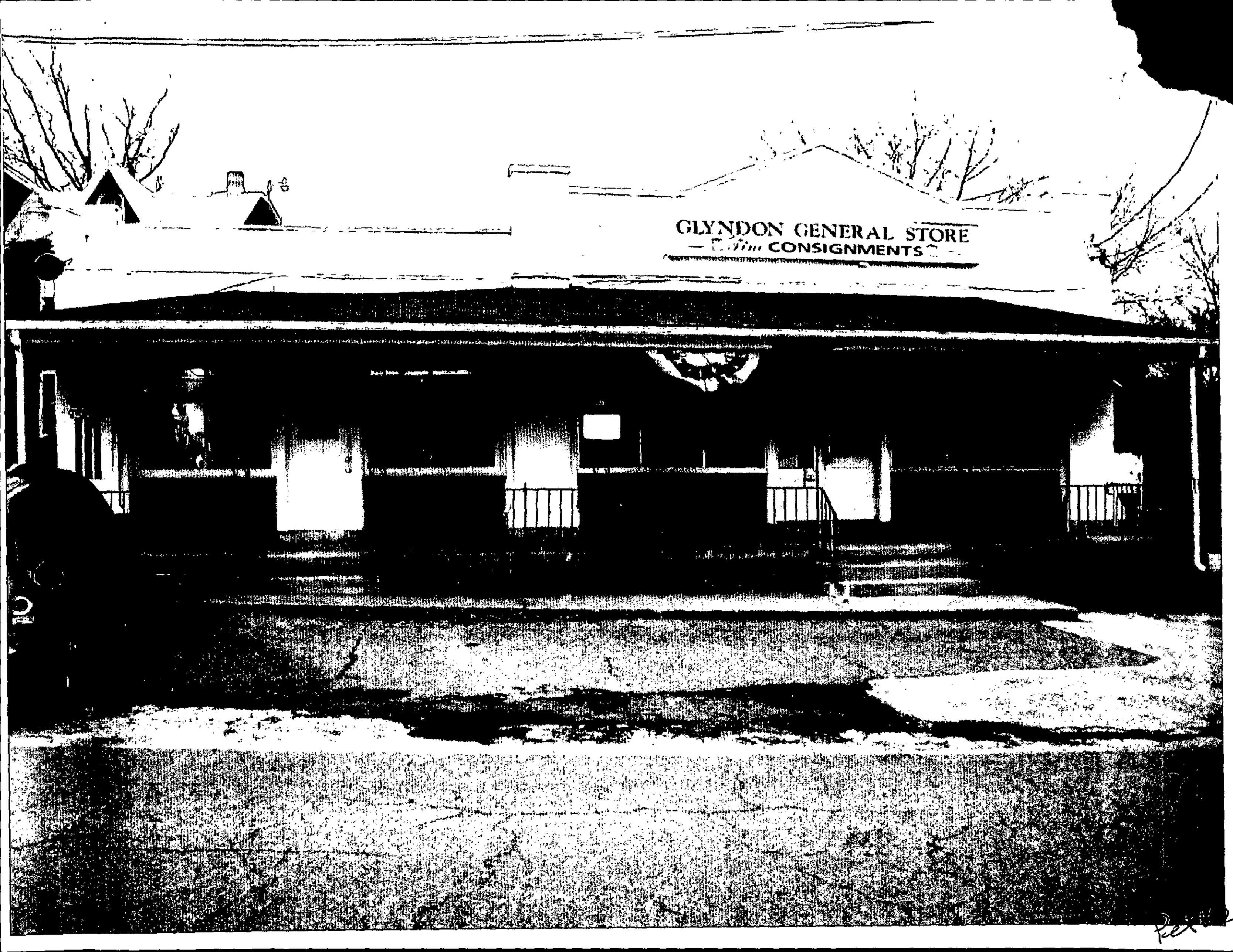
CASE NAME _____
CASE NUMBER _____
DATE _____

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
CAREN B. HOFFBERGER	OFFICE OF PLANNING	TOWSON, MD 21204	choffberger@baltimorecountymd.gov
D. Dudley Holahan	600 Washington Ave.	Towson 21204	dholahan@gildeallc.com
Jim Hermann	1895 Eden Mill Road	Pylesville MD 21132	jhermann@mragta.com
Robert F Freeze, II	6 Halbright Ct	Timonium Md 21093	BC Freeze@Aol.Com






GLYNDON GENERAL STORE
CONSIGNMENTS

OWNER / DESIGN CONSULTANT:

1. PROPERTY OWNER:

   GLYNDON SQUARE, LLC
   101 NORTH MAIN STREET, SUITE B
   BEL AIR, MD 21014

2. DEVELOPER / CONTRACT PURCHASER / APPLICANT:

   GLYNDON SQUARE, LLC
   101 NORTH MAIN STREET, SUITE B
   BEL AIR, MD 21014
   ATTN: MR. BOB HOCKADAY

3. PLAN PREPARED BY:

   MORRIS & RITCHIE ASSOCIATES, INC. (MRA)
   1220-C EAST JOPPA ROAD
   SUITE 505
   TOWSON, MD 21286
   TEL.: 410-821-1690
   ATTN: MR. JONATHAN H. KRAFT, RLA

4. PREMISES ADDRESS:

   4825 BUTLER ROAD
   GLYNDON, MARYLAND 21071

SITE DATA / GENERAL NOTES:

1. ACREAGE:
   A. GROSS ACREAGE

PARCEL 599:	2.48 AC± (108,286 SF±)
PORTION OF PARCEL 975:	0.18 AC± (7,774 SF±)
TOTAL:	2.66 AC± (116,060 SF±)

   B. NET ACREAGE

PARCEL 599:	2.16 AC± (94,258 SF±)
PORTION OF PARCEL 975:	0.18 AC± (7,774 SF±)
TOTAL:	2.34 AC± (102,032 SF±)

2. EXISTING ZONING: CB-COMMUNITY BUSINESS
3. EXISTING LAND USE: COMMERCIAL
4. PROPERTY INFORMATION
   a. TAX ACCOUNT NUMBER: 1700001191
   b. DEED REFERENCE: 23961/549 & 23961/544
   c. COUNCILMANIC DISTRICT: 3
   d. ELECTION DISTRICT: 4
   g. ZONING MAP REFERENCES: 048C1
   h. TAX MAP: 48
   i. PARCEL: 599 & 975
5. THIS PROJECT WAS RECOMMENDED FOR A LIMITED EXEMPTION UNDER SECTION 32-4-106(b)(8) AT THE DRC MEETING HELD ON AUGUST 14, 2006. THIS RECOMMENDATION WAS ADOPTED ON AUGUST 31, 2006.
6. SIGNAGE:
   PROPOSED SIGNAGE SHALL BE IN COMPLIANCE WIL B.C.Z.R. SECTION 450.
7. THERE ARE NO STREAMS, WETLANDS, OR FOREST BUFFERS ON THIS SITE.
8. THERE ARE NO 100-YEAR FLOODPLAINS ON THIS PROPERTY ACCORDING TO FEMA MAP PANEL 240010 0205 B.
9. PER BALTIMORE COUNTY BUREAU OF LAND ACQUISITION NO EXISTING RIGHT OF WAY EXISTS ON RAILROAD AVENUE.
10. FLOOR AREA RATIO (F.A.R.):

    MAXIMUM ALLOWED: 0.33
    PROPOSED: 0.23

11. STACKING SPACES (BANK);
    REQUIRED: 7 SPACES
    *PROVIDED: 7 SPACES (9' WIDE x 20' LONG)

    *THE STACKING SPACES PROVIDED DO NOT INCLUDE THE SPACE NEXT TO THE TRANSCATION STATION.

12. THIS DEVELOPMENT PLAN PROPOSES THE USE OF THE SHARED PARKING ADJUSTMENT CALCULATIONS PURSUANT TO B.C.Z.R. SECTION 409.6.B.3.

PARKING CALCULATIONS:

STANDARD PARKING CALCULATION

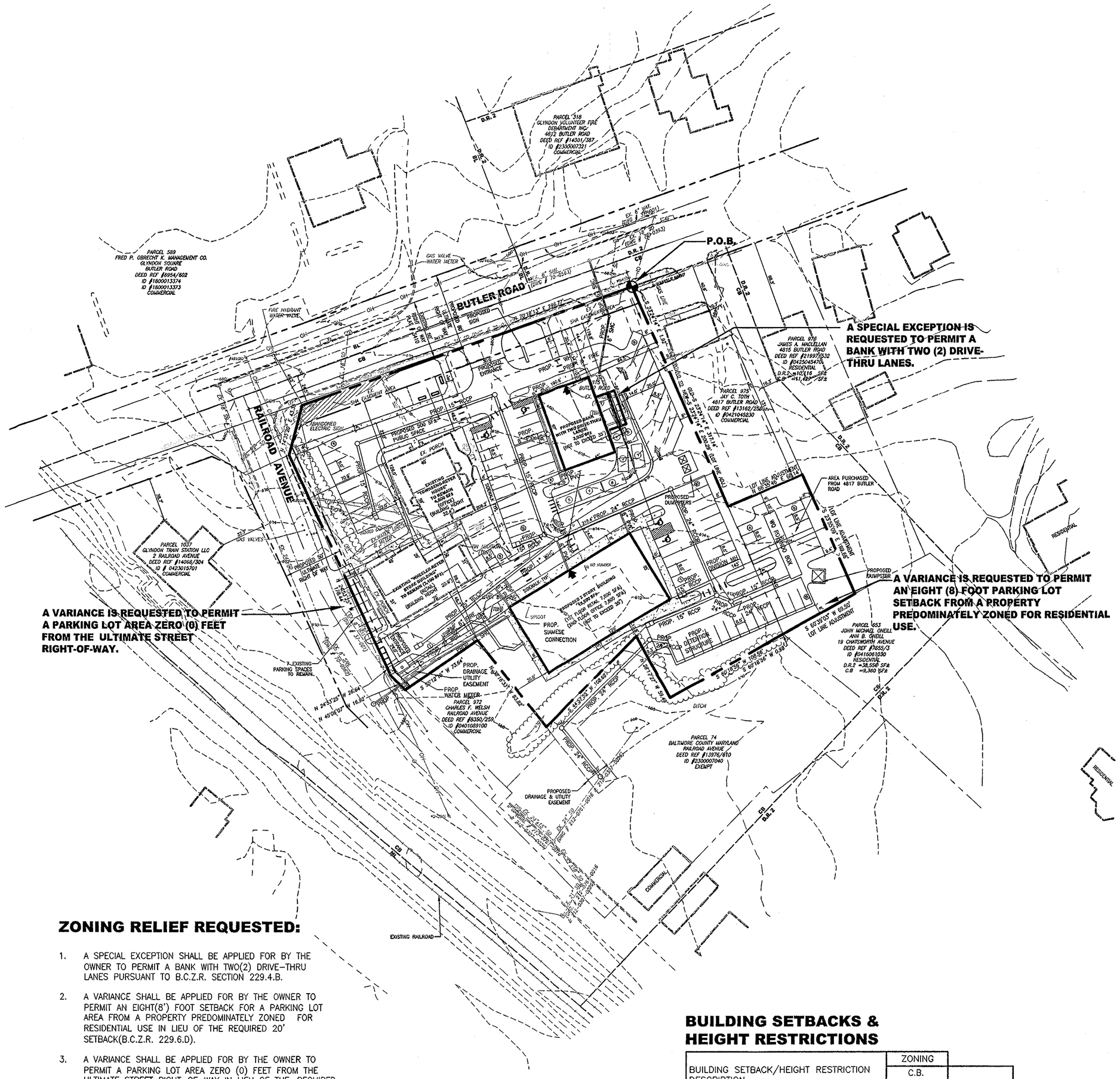
NO.	DESCRIPTION	PARKING SPACES
1.	OFFICE (12,600 SF± @3.3/1,000)	42 P.S.
2.	RETAIL (10,900 SF± @5/1,000)	55 P.S.
3.	OTHER (BANK) (3,030 SF± @3.3/1,000)	10 P.S.

SHARED ADJUSTMENT PARKING CALCULATIONS

WEEKDAY			
DAYTIME		EVENING	
OFFICE (@100%)	=42 P.S.	OFFICE (@10%)	=5 P.S.
RETAIL (@60%)	=33 P.S.	RETAIL (@90%)	=50 P.S.
OTHER (@100%)	=10 P.S.	OTHER (@100%)	=10 P.S.
TOTAL	=85 P.S.	TOTAL	=65 P.S.

WEEKEND					
DAYTIME		EVENING		NIGHTTIME	
OFFICE (@10%)	=5 P.S.	OFFICE (@5%)	=3 P.S.	OFFICE (@5%)	=3 P.S.
RETAIL (@100%)	=55 P.S.	RETAIL (@70%)	=39 P.S.	RETAIL (@5%)	=3 P.S.
OTHER (@100%)	=10 P.S.	OTHER (@100%)	=10 P.S.	OTHER (@100%)	=10 P.S.
TOTAL	=70 P.S.	TOTAL	=52 P.S.	TOTAL	=16 P.S.

TOTAL MAXIMUM REQUIRED PARKING SPACES(INCLUDING HANDICAPPED) =85 P.S.
TOTAL PARKING SPACES PROVIDED (INCLUDING HANDICAPPED) =92 P.S.



ZONING RELIEF REQUESTED:

1. A SPECIAL EXCEPTION SHALL BE APPLIED FOR BY THE OWNER TO PERMIT A BANK WITH TWO(2) DRIVE-THRU LANES PURSUANT TO B.C.Z.R. SECTION 229.4.B.
2. A VARIANCE SHALL BE APPLIED FOR BY THE OWNER TO PERMIT AN EIGHT(8') FOOT SETBACK FOR A PARKING LOT AREA FROM A PROPERTY PREDOMINATELY ZONED FOR RESIDENTIAL USE IN LIEU OF THE REQUIRED 20' SETBACK(B.C.Z.R. 229.6.D).
3. A VARIANCE SHALL BE APPLIED FOR BY THE OWNER TO PERMIT A PARKING LOT AREA ZERO (0) FEET FROM THE ULTIMATE STREET RIGHT-OF-WAY IN LIEU OF THE REQUIRED 20' SETBACK (B.C.Z.R. 229.6.D).

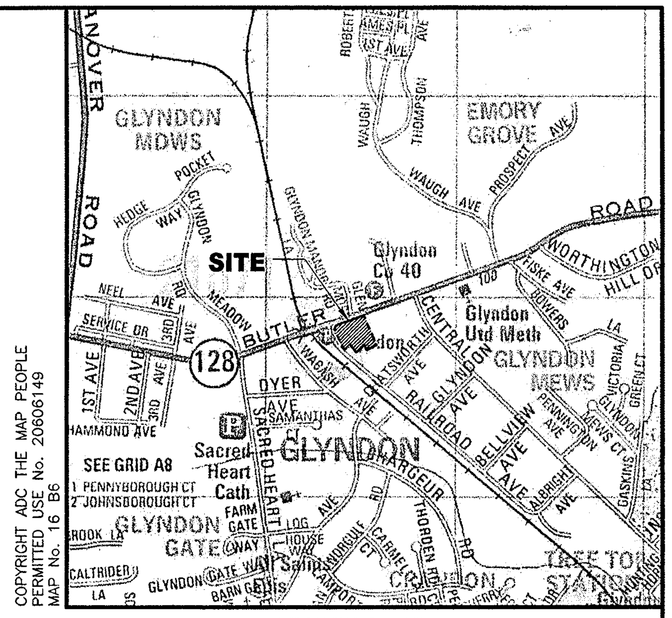
PREVIOUS ZONING HEARINGS:

1. CASE NUMBER: 95-111-XA
   DATE: APRIL 21, 1998
   ORDER REQUEST DISMISSED:
   REQUEST FOR SPECIAL EXCEPTION RELIEF FOR A FUEL STATION AND FIVE VARIANCES FROM SECTIONS 405.4.a.1, 405.4.a.2.a, 405.4.a.2.c, 405.4.a.3.d.1 AND 405.4.b OF THE BALTIMORE COUNTY ZONING REGULATIONS.
2. CASE NUMBER: 07-015-SPH
   DATE: SEPTEMBER 18, 2006
   ORDER REQUEST GRANTED:
   REQUEST RELIEF FOR PROPERTIES 4819 BUTLER ROAD AND 13-15 RAILROAD AVENUE FOR A WAIVER PURSUANT TO SECTIONS 32-4-107(b) AND 32-4-416(a)(2) TO PERMIT RAZING THE STRUCTURE KNOWN AS 4819 BUTLER ROAD AND TO REMOVE THE CORRUGATED TIN ADDITION FROM THE STRUCTURE KNOWN AS 13-15 RAILROAD AVENUE, BOTH OF WHICH ARE ON THE MARYLAND HISTORIC INVENTORY LIST (M.H.T. #BA-755). THIS REQUEST WAS GRANTED ON SEPTEMBER 29, 2006.

BUILDING SETBACKS & HEIGHT RESTRICTIONS

BUILDING SETBACK/HEIGHT RESTRICTION DESCRIPTION	ZONING	
	C.B. COMMERCIAL BUSINESS	PROVIDED
FROM FRONT BUILDING FACE TO: PUBLIC STREET R/W OR PROPERTY LINE	25'	44' MIN
FROM REAR AND SIDE BUILDING FACE TO: PROPERTY LINE OF RESIDENTIALLY ZONED PROPERTY	20'	143' MIN
FROM REAR AND SIDE BUILDING FACE TO: PROPERTY LINE OF NON-RESIDENTIALLY ZONED PROPERTY	10'	12.5' MIN
FROM SERVICE AREAS, PARKING LOTS, AND INTERIOR DRIVES TO: PUBLIC STREET R/W	20'	20' MIN
FROM SERVICE AREAS, PARKING LOTS, AND INTERIOR DRIVES TO: PROPERTIES NOT PREDOMINATELY ZONED FOR RESIDENTIAL	8'	8' MIN
MAXIMUM BUILDING HEIGHT	35'	NOT TO EXCEED 35'

NORTH



COPYRIGHT ADC THE MAP PEOPLE
PERMITTED USE No. 20606149
MAP No. 16 B6

VICINITY MAP
SCALE: 1"=1,000'

NORTH

LEGEND:

- EXISTING PROPERTY LINE
- EXISTING RIGHT OF WAY LINE
- EXISTING LOT LINE
- EXISTING EASEMENT
- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- EXISTING PAVEMENT
- EXISTING BUILDING
- EXISTING WATER LINE
- EXISTING SANITARY SEWER LINE
- EXISTING GAS LINE
- EXISTING OVERHEAD
- EXISTING STORM DRAIN LINE
- CB / CG — EXISTING ZONING
- TBR — TO BE REMOVED
- EXISTING SIDEWALKS
- EXISTING VEGETATION
- EXISTING RAILROAD
- AREA PURCHASED FROM 4817 BUTLER ROAD
- PROPOSED CURB/ PAVEMENT/ SIDEWALK
- PROPOSED RIGHT OF WAY LINE
- PROPOSED LOT LINE
- PROPOSED EASEMENT
- PROPOSED BUILDING ENVELOPE/ FRONT ORIENTATION
- PROPOSED WATER
- PROPOSED SANITARY SEWER
- PROPOSED STORM DRAIN
- PROPOSED SIDEWALKS
- GLYNDON HISTORIC DISTRICT LIMITS
- LIMIT OF DISTURBANCE
- EXISTING GAS VALVE
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE
- EXISTING STORM DRAIN MANHOLE
- EXISTING SANITARY SEWER MANHOLE
- PROPOSED 6' BENCH

MRA
MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX: (410) 821-1748
MRAGTA.COM

STATE OF MARYLAND — JONATHAN HOWARD KRAFT — No. 9374 — LICENSED LANDSCAPE ARCHITECT — 1-10-07

PLAN TO ACCOMPANY COMBINED
VARIANCE AND SPECIAL EXCEPTION HEARING

4825 BUTLER ROAD
BALTIMORE COUNTY, MARYLAND

Amended 07-260-XA

4TH ELECTION DISTRICT — 3RD COUNCILMANIC DISTRICT

DATE	REVISIONS		
		JOB NO.:	14784.03
		SCALE:	1"=50'
		DATE:	01/09/07
		DRAWN BY:	TJH
		DESIGN BY:	JHK
		REVIEW BY:	WM
		SHEET:	1 OF 1

P:\14784-03\DRAWINGS\DPR\SPECIAL EXCEPTION\14784-03-SPECIAL-EXCEPTION.dwg, layout1, 1/10/2007 2:07:31 PM

Plan Sheet: *048C1*

Note:
The zoning depicted in this application incorporates the actions associated with County Council Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04 adopted by the County Council on August 31, 2004. The action associated with County Council Bill 130-04 adopted on December 6, 2004 is also depicted. In addition, County Board of Appeals actions from MC 05-01, MC 05-02, MC 05-03, and MC 05-04 on February 9, 2005 are represented in this application.

Legend

Buildings — Streams — Vegetation
Zoning — Roads — Rail Lines

Baltimore County
Office of Planning and Zoning
Official Zoning Map

039A3	039B3	039C3	040A3	040B3
048A1	048B1	048C1	049A1	049B1
048A2	048B2	048C2	049A2	049B2

Scale

1" = 200'

0 100 200 400 Feet

1

Data Sources:
Planametric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004

07-260-XA

OWNER / DESIGN CONSULTANT:

1. PROPERTY OWNER:
   GLYNDON SQUARE, LLC
   101 NORTH MAIN STREET, SUITE B
   BEL AIR, MD 21014
2. DEVELOPER / CONTRACT PURCHASER / APPLICANT:
   GLYNDON SQUARE, LLC
   101 NORTH MAIN STREET, SUITE B
   BEL AIR, MD 21014
   ATTN: MR. BOB HOCKADAY
3. PLAN PREPARED BY:
   MORRIS & RITCHIE ASSOCIATES, INC. (MRA)
   1220-C EAST JOPPA ROAD
   SUITE 505
   TOWSON, MD 21286
   TEL.: 410-821-1690
   ATTN: MR. JONATHAN H. KRAFT, RLA
4. PREMISES ADDRESS:
   4825 BUTLER ROAD
   GLYNDON, MARYLAND 21071

SITE DATA / GENERAL NOTES:

1. ACREAGE:
   A. GROSS ACREAGE
      PARCEL 599: 2.48 AC± (108,286 SF±)
      PORTION OF PARCEL 975: 0.18 AC± (7,774 SF±)
      TOTAL: 2.66 AC± (116,060 SF±)
   B. NET ACREAGE
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      PORTION OF PARCEL 975: 0.18 AC± (7,774 SF±)
      TOTAL: 2.34 AC± (102,032 SF±)
2. EXISTING ZONING: CB-COMMUNITY BUSINESS
3. EXISTING LAND USE: COMMERCIAL
4. PROPERTY INFORMATION
   a. TAX ACCOUNT NUMBER: 1700001191
   b. DEED REFERENCE: 23961/549 & 23961/544
   c. COUNCILMANIC DISTRICT: 3
   d. ELECTION DISTRICT: 4
   g. ZONING MAP REFERENCES: 048C1
   h. TAX MAP: 48
   i. PARCEL: 599 & 975
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PARKING CALCULATIONS:

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SHARED ADJUSTMENT PARKING CALCULATIONS

WEEKDAY			
DAYTIME		EVENING	
OFFICE (@100%)	=42 P.S.	OFFICE (@10%)	=5 P.S.
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WEEKEND					
DAYTIME		EVENING		NIGHTTIME	
OFFICE (@10%)	=5 P.S.	OFFICE (@5%)	=3 P.S.	OFFICE (@5%)	=3 P.S.
RETAIL (@100%)	=55 P.S.	RETAIL (@70%)	=39 P.S.	RETAIL (@5%)	=3 P.S.
OTHER (@100%)	=10 P.S.	OTHER (@100%)	=10 P.S.	OTHER (@100%)	=10 P.S.
TOTAL	=70 P.S.	TOTAL	=52 P.S.	TOTAL	=16 P.S.

TOTAL MAXIMUM REQUIRED PARKING SPACES(INCLUDING HANDICAPPED) =85 P.S.
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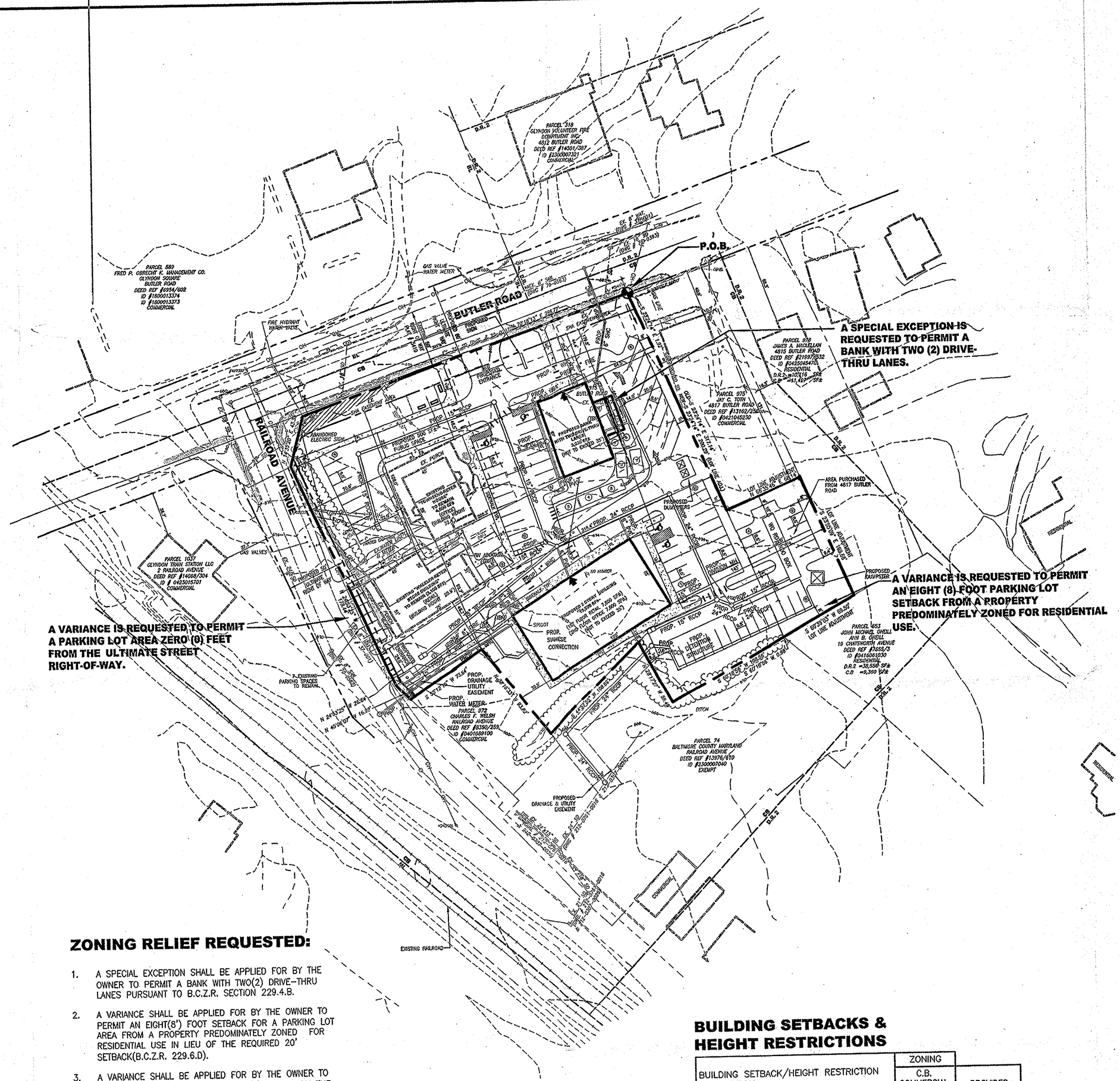

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PREVIOUS ZONING HEARINGS:

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   REQUEST FOR SPECIAL EXCEPTION RELIEF FOR A FUEL STATION AND FIVE VARIANCES FROM SECTIONS 405.4.a.1, 405.4.a.2.a, 405.4.a.2.c, 405.4.a.3.d.1 AND 405.4.b OF THE BALTIMORE COUNTY ZONING REGULATIONS.
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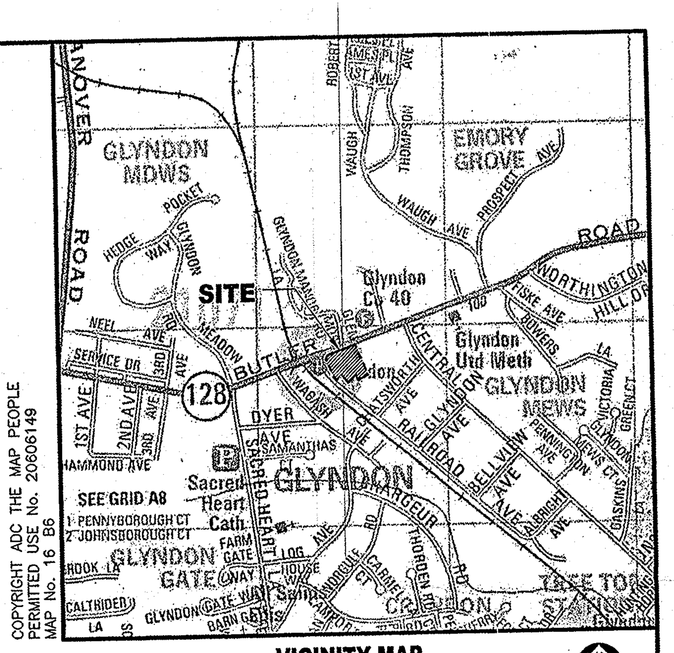
BUILDING SETBACKS & HEIGHT RESTRICTIONS

BUILDING SETBACK/HEIGHT RESTRICTION DESCRIPTION	ZONING C.B. COMMERCIAL BUSINESS	PROVIDED
FROM FRONT BUILDING FACE TO: PUBLIC STREET R/W OR PROPERTY LINE	25'	44' MIN
FROM REAR AND SIDE BUILDING FACE TO: PROPERTY LINE OF RESIDENTIALLY ZONED PROPERTY	20'	143' MIN
FROM REAR AND SIDE BUILDING FACE TO: PROPERTY LINE OF NON-RESIDENTIALLY ZONED PROPERTY	10'	12.5' MIN
FROM SERVICE AREAS, PARKING LOTS, AND INTERIOR DRIVES TO: PUBLIC STREET R/W	20'	20' MIN
FROM SERVICE AREAS, PARKING LOTS, AND INTERIOR DRIVES TO: PROPERTIES NOT PREDOMINATELY ZONED FOR RESIDENTIAL	8'	8' MIN
MAXIMUM BUILDING HEIGHT	35'	NOT TO EXCEED 35'

NORTH



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PERMITTED USE No. 20606149
MAP No. 16 B6

VICINITY MAP
SCALE: 1"=1,000'

NORTH

LEGEND:

- EXISTING PROPERTY LINE
- EXISTING RIGHT OF WAY LINE
- EXISTING LOT LINE
- EXISTING EASEMENT
- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- EXISTING PAVEMENT
- EXISTING BUILDING
- EXISTING WATER LINE
- EXISTING SANITARY SEWER LINE
- EXISTING GAS LINE
- EXISTING OVERHEAD
- EXISTING STORM DRAIN LINE
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MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX: (410) 821-1748
MRAGTA.COM

STATE OF MARYLAND — JONATHAN HOWARD KRAFT — No. 9374 — LICENSED LANDSCAPE ARCHITECT — 1-10-07

PLAN TO ACCOMPANY COMBINED
VARIANCE AND SPECIAL EXCEPTION HEARING

4825 BUTLER ROAD

BALTIMORE COUNTY, MARYLAND

4TH ELECTION DISTRICT — 3RD COUNCILMANIC DISTRICT

DATE	REVISIONS

JOB NO.:	14784.03
SCALE:	1"=50'
DATE:	01/09/07
DRAWN BY:	TJH
DESIGN BY:	JHK
REVIEW BY:	WM
SHEET:	1 OF 1

Pet #2

OWNER / DESIGN CONSULTANT:

1. PROPERTY OWNER:

   GLYNDON SQUARE, LLC
   101 NORTH MAIN STREET, SUITE B
   BEL AIR, MD 21014

2. DEVELOPER / CONTRACT PURCHASER / APPLICANT:

   GLYNDON SQUARE, LLC
   101 NORTH MAIN STREET, SUITE B
   BEL AIR, MD 21014
   ATTN: MR. BOB HOCKADAY

3. PLAN PREPARED BY:

   MORRIS & RITCHIE ASSOCIATES, INC. (MRA)
   1220-C EAST JOPPA ROAD
   SUITE 505
   TOWSON, MD 21286
   TEL.: 410-821-1690
   ATTN: MR. JONATHAN H. KRAFT, RLA

4. PREMISES ADDRESS:

   4825 BUTLER ROAD
   GLYNDON, MARYLAND 21071

SITE DATA / GENERAL NOTES:

1. ACREAGE:
   - A. GROSS ACREAGE
     - PARCEL 599: 2.48 AC± (108,286 SF±)
     - PORTION OF PARCEL 975: 0.18 AC± (7,774 SF±)
     - TOTAL: 2.66 AC± (116,060 SF±)
   - B. NET ACREAGE
     - PARCEL 599: 2.16 AC± (94,258 SF±)
     - PORTION OF PARCEL 975: 0.18 AC± (7,774 SF±)
     - TOTAL: 2.34 AC± (102,032 SF±)
2. EXISTING ZONING: CB-COMMUNITY BUSINESS
3. EXISTING LAND USE: COMMERCIAL
4. PROPERTY INFORMATION
   - a. TAX ACCOUNT NUMBER: 1700001191
   - b. DEED REFERENCE: 23961/549 & 23961/544
   - c. COUNCILMANIC DISTRICT: 3
   - d. ELECTION DISTRICT: 4
   - g. ZONING MAP REFERENCES: 048C1
   - h. TAX MAP: 48
   - i. PARCEL: 599 & 975
5. THIS PROJECT WAS RECOMMENDED FOR A LIMITED EXEMPTION UNDER SECTION 32-4-106(b)(8) AT THE DRC MEETING HELD ON AUGUST 14, 2006. THIS RECOMMENDATION WAS ADOPTED ON AUGUST 31, 2006.
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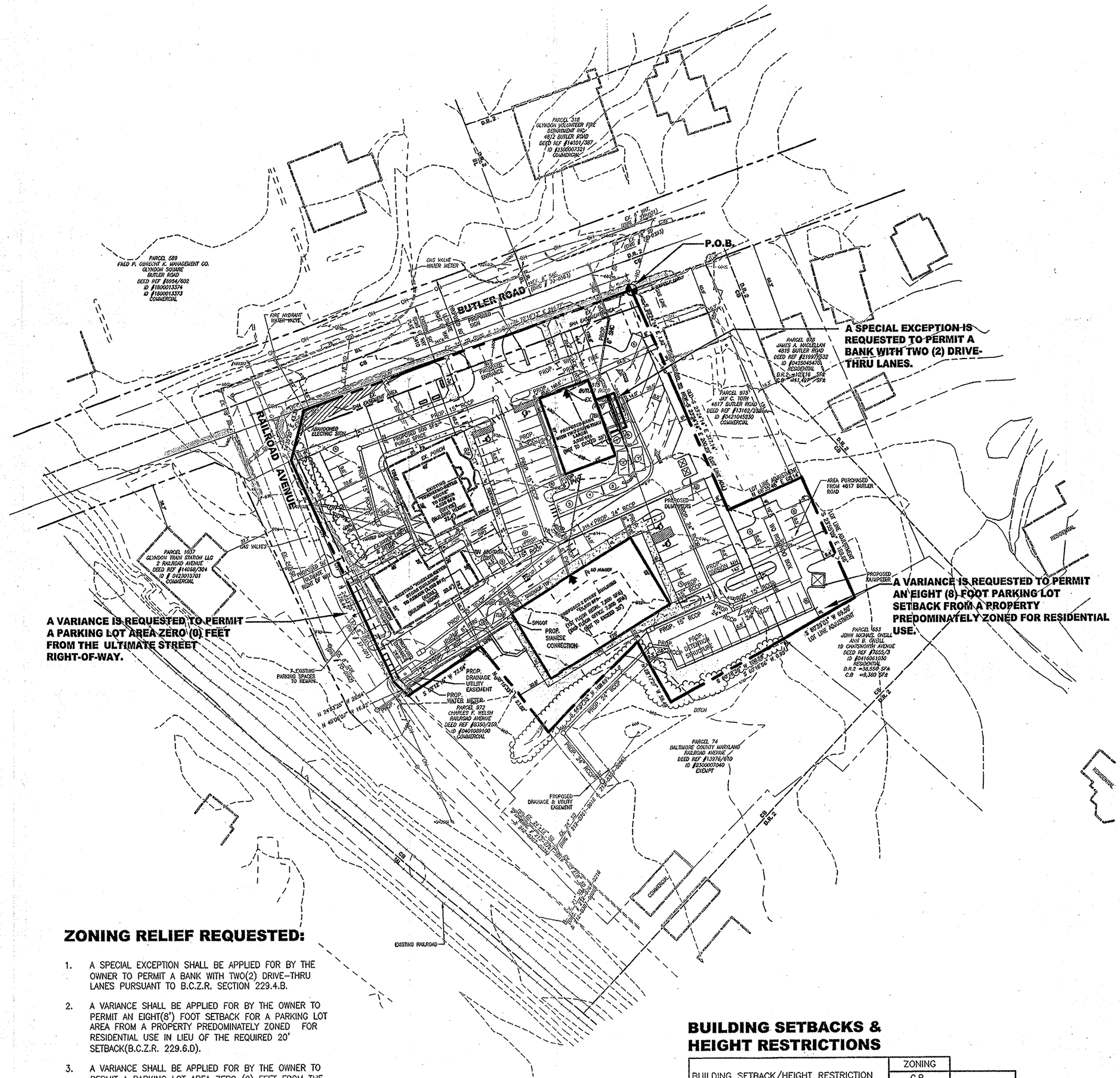

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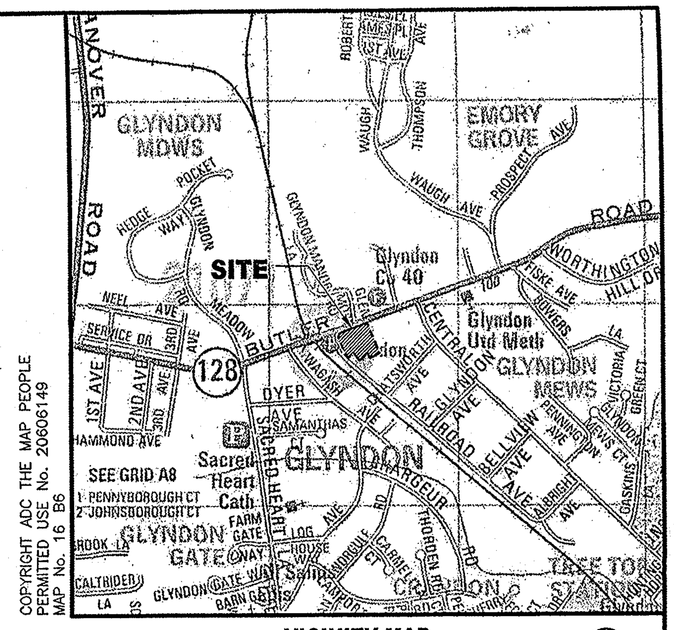

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PERMITTED USE No. 20606149
MAP No. 16 B6

VICINITY MAP
SCALE: 1"=1,000'

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STATE OF MARYLAND — JONATHAN HOWARD KRAFT — No. 3374 — LICENSED LANDSCAPE ARCHITECT — 1/10/07

PLAN TO ACCOMPANY COMBINED
VARIANCE AND SPECIAL EXCEPTION HEARING

4825 BUTLER ROAD
BALTIMORE COUNTY, MARYLAND

Petit #1

4TH ELECTION DISTRICT — 3RD COUNCILMANIC DISTRICT

DATE	REVISIONS		
		JOB NO.:	14784.03
		SCALE:	1"=50'
		DATE:	01/09/07
		DRAWN BY:	TJH
		DESIGN BY:	JHK
		REVIEW BY:	WM
		SHEET:	1 OF 1

P:\14784.03\Planning\DOT\SPECIAL EXCEPTION\14784.03-SPECIAL-EXCEPTION.dwg, layout1, 1/10/2007 3:09:33 PM

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 18, 2007 Issue - Jeffersonian

Please forward billing to:
D. Dusky Holman
Gildea & Schmidt, LLP
300 E. Lombard Street, Ste. 1440
Baltimore, MD 21202

410-234-0070

NOTICE OF ZONING HEARING

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

CASE NUMBER: 07-260-XA
4825 Butler Road
Southeast side of Butler Road, 341 feet northeast of centerline of Railroad Avenue
4th Election District – 3rd Councilmanic District
Legal Owners: Robert Freeze, Jr.

Special Exception to permit a bank with two drive-through lanes pursuant to BCZR Section 229.4.B. Variance to permit an eight (8) foot setback for a parking lot area from a property predominantly zoned for residential use in lieu of the required twenty (20) foot setback.

Hearing: Friday, February 2, 2007 at 11:00 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.