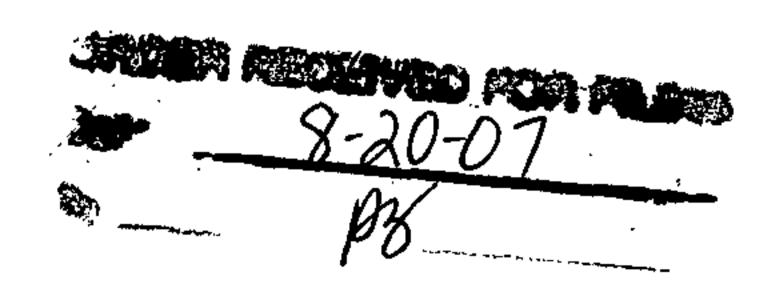
IN RE: PETITION FOR VARIANCE N/S North Point Road, 160' E c/line	*	BEFORE THE
Duke Avenue (2706 North Point Poulovord)	*	ZONING COMMISSIONER
(3706 North Point Boulevard) 15 th Election District 6 th Council District	*	OF
Moddinan IIC	*	BALTIMORE COUNTY
Maddison, LLC Petitioner	*	Case No. 07-462-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by Frank Samons, Jr., managing member of Maddison, LLC, property owner. The Petitioner seeks relief from Section 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 15 feet and a rear yard setback of 24 feet in lieu of the required 30 feet, respectively; from B.C.Z.R. Section 409.8.A.1 and "Condition F" (Landscape Manual) to approve west side and rear yard setbacks of 0 feet with no landscaping and a 5 foot setback on the east side in lieu of the required 6 foot setback with landscaping; and finally from Sections 409.8.A.1 and 409.8.A.4 of the B.C.Z.R. to approve a setback to the right-of-way of 5 feet with 5 feet of landscaping in lieu of the required 10 feet. The subject property and requested relief are more particularly described on the revised site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Frank Samons, Jr., representing Maddison, LLC, John B. Mars, with Bay State Land Services, the land planners who prepared the site plan for this property and Robert Infussi, Sr., with Expedite, LLC, who is assisting the Petitioner through the permitting process. There were no Protestants or other interested persons present.

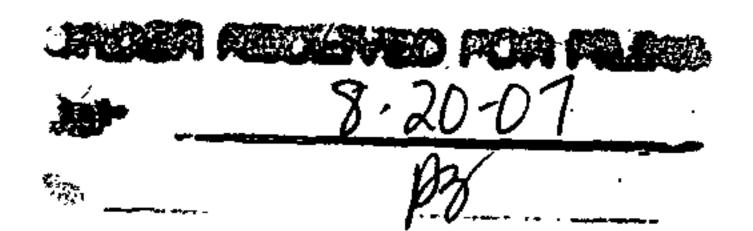
Testimony and evidence offered revealed that the subject property is a square shaped lot located on the northwest corner of North Point Boulevard and Rosebank Avenue in Dundalk.



The property contains a gross area of 0.340 acres, more or less, zoned B.R., and is improved with existing structures built in 1928 which are to be razed. Mr. Samons testified that he is a fire and water restoration contractor and proposes the construction of a 3,900 square foot building, 78' wide x 50' deep to be centrally located on the site. Mr. Samons discussed the growing needs of his business and this new building will provide for needed interior furniture storage space. In this regard, Maddison, LLC owns the property on the opposite side of Rosebank (northeast corner) known as 3800 North Point Boulevard which is similarly sized and currently improved with a 7,000 square foot building and is also used in connection with the business.

As noted above, several variances are requested. Some of which would normally be related to existing conditions if the structures were not to be razed. Specifically, the metal sheds that are integral to the existing building are located 15 feet from the side property lines. The property is generally surrounded by commercial uses and Mr. Samons is in the process of negotiating with the only abutting residential property owner, William Kuemmer, for the purchase of his property. The Kuemmer's structure is over 100 feet from the subject property line. To the east, the property is adjacent to Rosebank Avenue. Dennis A. Kennedy, P.E., of the Bureau of Development Plans Review, initially raised concerns in his Zoning Advisory Committee (ZAC) comment that the Petitioner's original proposal to build an 88 foot wide building was too large for this property. Mr. Kennedy's position to some extent was premised on the County's desire to obtain an additional 5-foot strip of the Petitioner's land (0.013 acres) fronting on Rosebank Avenue for right-of-way improvements. This ZAC comment, dated April 24, 2007, found the variance request (rear yard – north side and the west side yard) acceptable. In response to this comment, the Petitioner reduced the size of the proposed structure by 10 feet, showed the highway widening area along Rosebank Avenue and provided a 5-foot wide landscape strip running along the eastern boundary of the property.

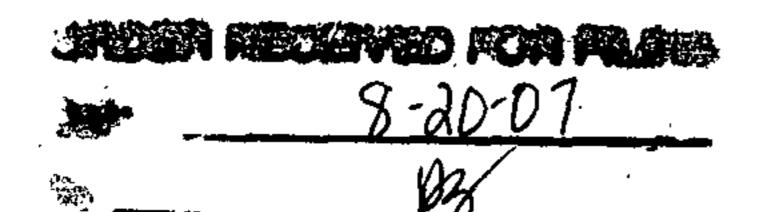
Another variance relates to the landscape screening of parking areas from the residential use property and to a lesser degree from the street right-of-way. As noted above, the



property is zoned B.R. and commercial uses predominantly exist on the north side of North Point Boulevard. Although the neighborhood is exclusively B.R. and R.O., the immediately adjacent property to the north and west is currently used residentially. The Petitioner requests variance relief from the strict requirements set forth in Section 409.8.A.1 of the B.C.Z.R.

Although no one appeared in opposition to the request, a ZAC comment was received from the Office of Planning relative to the proposed dumpster location. Although, as illustrated on the site plan, screening is provided at the corner of North Point Boulevard and Rosebank Avenue, the Office of Planning desires the dumpster to be relocated to the rear of the property and screened. Additionally, the Office of Planning requests architectural elevations to be submitted for review and approval.

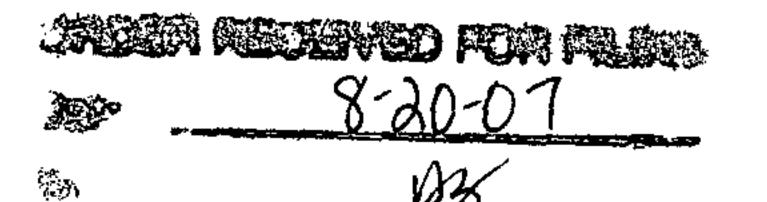
Based upon the testimony and evidence presented, I am persuaded to grant the requested relief. In my judgment, the Petitioner has satisfied the requirements of Section 307 of the B.C.Z.R. for variance relief. The B.R., B.L. and R.O. zoning in the area is a significant factor. Moreover, it is to be noted that the property has been used for manufacturing purposes for a number of years. Relief shall be granted as requested; however, the Petitioner shall be required to move the dumpster to the rear of the property and submit architectural elevations to the Office of Planning for review and approval. The property is within the Intensely Developed Area (IDA) of the Chesapeake Bay Critical Area and, therefore, must comply with these regulations. The uniqueness of this property originates from the small area of the site, its corner location and the need to provide land for right-of-way improvements, when compared to other typical B.R. zoned properties. Simply stated, strict adherence to the B.R. area requirements at issue would result in a minimal building area which would be impractical and prevent a reasonable use. These factors contribute to the "practical difficulty" finding that is required for variance relief to be granted. That is, if strict adherence to the regulations were required, the property owner would have no reasonable use of the property for the permitted purposes listed. Finally, I find that there will be no adverse impact caused by the proposed improvements upon



adjacent properties and the granting of the requested relief will be consistent with the spirit and intent of the B.C.Z.R. There is no arguable adverse impact of the storage facility use on the residential used properties of William Kuemmer and David Wilson, and the use fits in well with the other business uses in the locale.

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

- 1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, the Petitioner is made aware that proceeding is at its own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2. Compliance with the ZAC comment submitted by DEPRM relative to compliance with the Chesapeake Bay Critical Area Regulations of the Baltimore County Code as well as the Intensely Developed Area (IDA) regulations. A copy of this comment, dated July 10, 2007, is attached hereto and made a part hereof.
- 3. Prior to the issuance of any permits, the Petitioner shall submit building elevation drawings of the proposed structure to the Office of Planning for review and approval and amend its site plan to move the proposed dumpster to the rear of the property and screen it from adjacent properties.
- 4. When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



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

Order.

WJW:dlw

WILLIAMA. WISEMAN, III

Zoning Commissioner for Baltimore County



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

August 20, 2007

Robert Infussi, Sr. Expedite, LLC P.O. Box 1043 Bel Air, Maryland 21014

RE: PETITION FOR VARIANCE

N/S North Point Road, 160' E c/line Duke Avenue (3706 North Point Boulevard)

15th Election District - 6th Council District

Maddison, LLC – Petitioner

Case No. 07-462-A

Dear Mr. Infussi:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been approved with restrictions, 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.

Zoning Commissioner for Baltimore County

WJW:dlw Enclosure

Frank Samons, Jr., Maddison, LLC, 3800 North Point Boulevard,
 Baltimore, Md. 21222
 John B. Mars, Bay State Land Services, P.O. Box 853, Bel Air, Md. 21014
 Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100,
 Annapolis, Md. 21401
 DEPRM; Office of Planning; Bureau of Development Plans Review
 People's Counsel; File



FLood A-100

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3706 NORth Pout

which is presently zoned ______

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

See attached

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

to be presented at the hearing

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

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

Contract Purchaser/Lessee:	•	Legal Owner(s):	0	ı
		MA DOISE	in ccc	-
Name - Type or Print	Name -	- Type or Print	sel	
Signature	<u> </u>	Signature	<u>- </u>	
Address	Telephone No.	Name - Type or Print		
City	Zip Code	Signature	<u> </u>	
Attorney For Petitioner:	Card Brown	Address		Telephone No.
Name - Type or Print	City			Zip Code
Signature	Do-1	Representative to	NEUSSI	
Company	<u> </u>	Name		-812-223
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a N 1/1 h		ESTIMATED LENGTH OF	HEARING	_
Case No. <u>07-462-4</u>	Reviewed By	UNAVAILABLE FOR HEAR	ING	 -
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238.2 (BCZR) to permit side yard setbacks of 15 ft. and a rear yard setback of 24 ft. in lieu of the required 30 ft., respectively; Section 409.8.A.1 (BCZR) and "Condition F" (Landscape Manual) to approve side and rear yard setbacks of 0 ft. with no landscaping in lieu of the required 6 ft. setback with landscaping; and Sections 409.8.A.1 and 409.8.A.4 (BCZR) to approve a setback to the right-of-way of ft. with no landscaping in lieu of the required 10 ft. with landscaping.

238.2 (BCZR) to permit side yard setbacks of 15 ft. and a rear yard setback of 24 ft. in lieu of the required 30 ft., respectively; Section 409.8.A.1 (BCZR) and "Condition F" (Landscape Manual) to approve side and rear yard setbacks of 0 ft. with no landscaping in lieu of the required 6 ft. setback with landscaping; and Sections 409.8.A.1 and 409.8.A.4 (BCZR) to approve a setback to the right-of-way of 0 ft. with no landscaping in lieu of the required 10 ft. with landscaping.

Legal Description

BEGINNING AT A POINT in the Northeastern Right-of-Way line of New North Point Road North 49 degrees 1 minute West 30 feet from the intersection of the center line of Rosebank Avenue and the Northeastern Right-of-Way line of said North Point Road (150 feet wide), thence binding on said Northeast Right-of-Way line North 49 degrees 1 minute West 120-12/100 feet, thence North 39 degrees 10 minutes East 125 feet, thence South 49 degrees 1 minute East 150 feet, more or less, to the center line of Rosebank Avenue, thence with said center line South 39 degrees 10 minutes West 6 -30/100 feet, thence North 49 degrees 1 minute West 30 feet, thence South 39 degrees 10 minutes West 118-70/100 feet to the point and place of beginning. The improvements thereon being known as No. 3706 North Point Boulevard.

Subject to the effect of a Deed from John Page and Gladys Bell Page to the State of Maryland to Use of State Roads Commission, dated June 17, 1942 and recorded among the Land records of Baltimore County in Liber CHK No. 1236, folio 394.

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: # 07-462-A
3706 North Point Bivd.

N/side of North Point Road, 160 feet east of centerline of Duke Avenue
15th Election District - 6th Councilmanic District
Legal Owner(s): Maddison, LLC

Variance: to permit side yard setbacks of 15 feet and a rear yard setback of 24 feet in lieu of the required 30 feet prove side and rear yard setbacks of 0 feet with no land-scaping in lieu of the required 6 foot setback with land-scaping: Tuesday, July 10, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue,

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for
special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing,
Contact the Zoning Review Office at (410) 887-3391.
JT 6/746 June 26

, 200/

in the following weekly newspaper published in Baltimore County, Md., THIS IS TO CERTIFY, that the annexed advertisement was published 2001 successive weeks, the first publication n appearing

LEGAL ADVERTISIN



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

Case: #07-462-4

3706 North Point Blvd.

N/side of North Point Blvd.

N/side of North Point Road, 160 feet east of centerline of Duke Avenue
15th Election District - 6th Councilmanic District
Legal Owner(s): Maddison, LLC

Variance: to permit side yard setbacks of 15 feet and a rear yard setback of 24 feet in lieu of the required 30 feet respectively, and 'Condition F' (Landscape Manual) to approve side and rear yard setbacks of 0 feet with no landscaping in lieu of the required 6 foot setback with landscaping.

Hearing: Monday, August 6, 2007 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avg-

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.

E OF PUBLICATION

that the annexed advertisement was published successive weeks, the first publication appearing in the following weekly newspaper published in Baltimore County, Md., THIS IS TO CERTIFY each once in GO

The Jeffersonian

- Arbutus Times
- Catonsville Times J
- Towson Times
- Owings Mills Times
- NE Booster/Reporter
 - News North County

J. Willings

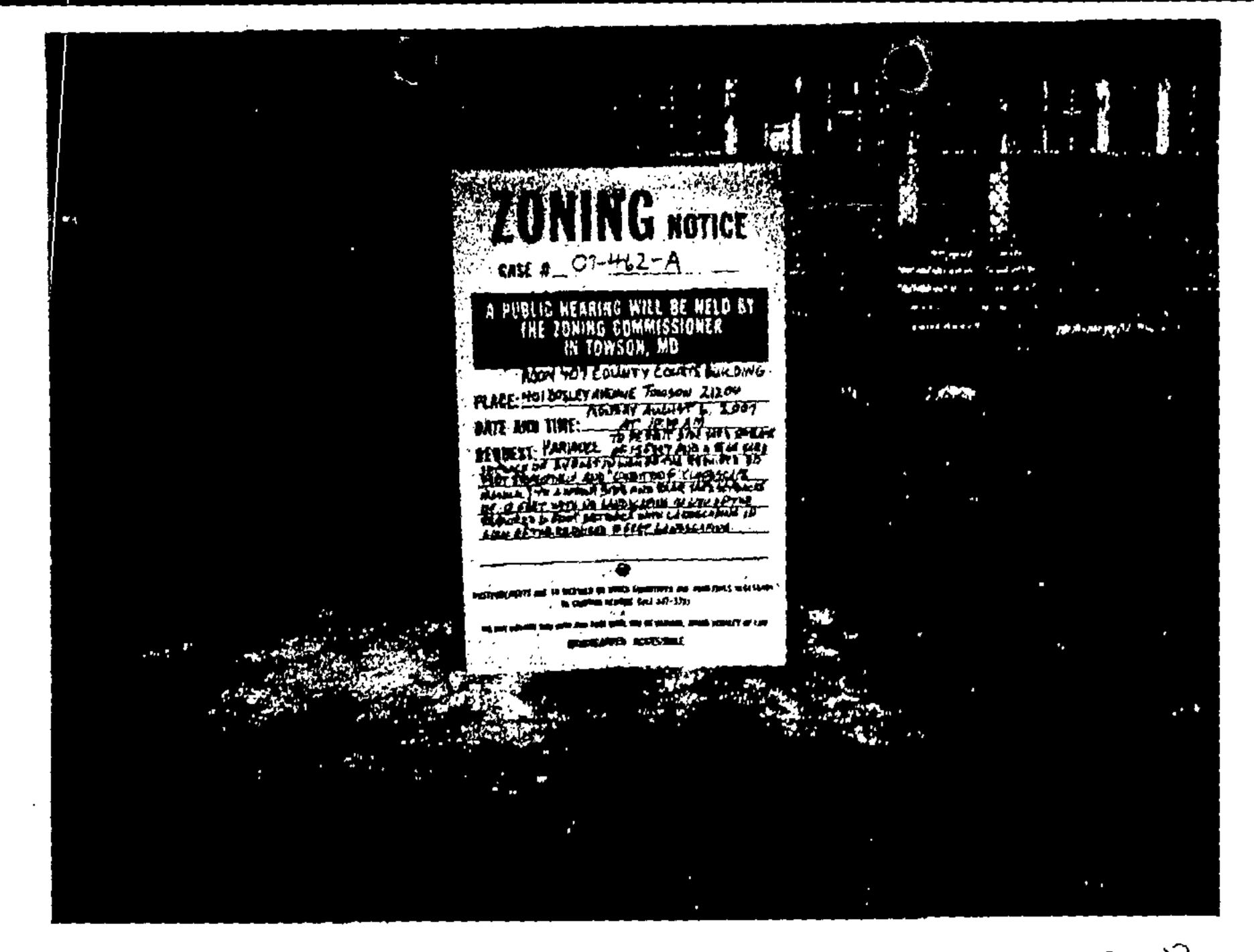
LEGAL ADVERTISING

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CERTIFICATE OF POSTING

RE: Case No: 07-46ZA

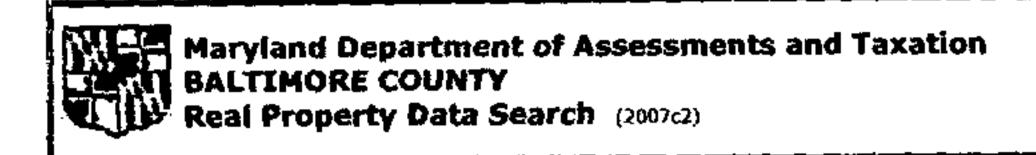
•	Petitioner/Developer: MADISSIW LLC
Ţ	Date Of Hearing/Closing: 7/21/07 - 8/6/07
Baltimore County Department of Permits and Development Manageme County Office Building, Room 111	ent
111 West Chesapeake Avenue	
Attention:	
Ladies and Gentlemen:	
This letter is to certify under the pensign(s) required by law were posted out	-
	Sincerely,
. (Sig	montin Og(c 7/2/107) gnature of sign Poster and Date)
	Martin Ogle Sign Poster
•	16 Salix Court
Ba	Address alto. Md 21220
	43-629 3411)



martin ogle July 21,200?

08-02-5001 13:14

Exempt Class:



Go Back View Map **New Search** GroundRent

District - 15 Account Number - 1516000233 **Account Identifier: Owner Information** COMMERCIAL MADDISON LLC Use: **Owner Name:** NO Principal Residence: 1) /18760/ 71 Deed Reference: **Mailing Address:** 3800 NORTH POINT BLVD 2) **BALTIMORE MD 21222-2733** Location & Structure Information **Legal Description Premises Address** 3706 NORTH POINT BLVD 3706 NORTH PNT BLVD NES 30 NW OF ROSEBANK AVC Plat No: **Sub District** Subdivision Section Block Lot **Assessment Area** Map Grid Parcel Plat Ref: 284 104 Town Ad Valorem Special Tax Areas Tax Class **Enclosed Area County Use Property Land Area Primary Structure Built** 16,875.00 SF 06 1,440 SF 1928 Exterior **Stories Basement** Type **Value Information Base Value** Value Phase-in Assessments As Of As Of As Of 01/01/2006 07/01/2006 07/01/2007 69,500 140,600 Land Improvements: 33,600 50,600 191,200 132,466 161,832 Total: 103,100 Preferential Land: **Transfer Information Price:** \$165,000 Seller: DERWART JOHN T **Date:** 09/10/2003 Type: IMPROVED ARMS-LENGTH Deed1: /18760/ 71 Deed2: Price: \$45,000 **Date:** 01/08/1979 Seller: PAGE BERNARD A Type: IMPROVED ARMS-LENGTH **Deed1:** / 5977/ 632 Deed2: Seller: Price: Date: Deed1: Deed2: Type: **Exemption Information** 07/01/2007 **Partial Exempt Assessments** Class 07/01/2006 000 County State 000 Municipal 000 Special Tax Recapture: Tax Exempt: NO

* NONE *



JAMES T. SMITH, JR. County Executive

May 24, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

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: 07-462-A

3706 North Point Blvd.

N/side of North Point Road, 160 feet east of centerline of Duke Avenue

15th Election District – 6th Councilmanic District

Legal Owners: Maddison, LLC

Tirnethaketrockor-oco

<u>Variance</u> to permit side yard setbacks of 15 feet and a rear yard setback of 24 feet in lieu of the required 30 feet respectively, and "Condition F" (Landscape Manual) to approve side and rear yard setbacks of 0 feet with no landscaping in lieu of the required 6 foot setback with landscaping in lieu of the required 10 feet with landscaping.

Hearing: Tuesday, July 10, 2007 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

TK:klm

C: Robert Infussi, P.O. Box 1043, Bel Air 21014

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JUNE 25, 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

Tuesday, June 26, 2007 Issue - Jeffersonian

Please forward billing to:

Robert Infussi P.O. Box 1043 Bel Air, MD 21014

410-812-2236

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: 07-462-A

3706 North Point Blvd.

N/side of North Point Road, 160 feet east of centerline of Duke Avenue

15th Election District – 6th Councilmanic District

Legal Owners: Maddison, LLC

<u>Variance</u> to permit side yard setbacks of 15 feet and a rear yard setback of 24 feet in lieu of the required 30 feet respectively, and "Condition F" (Landscape Manual) to approve side and rear yard setbacks of 0 feet with no landscaping in lieu of the required 6 foot setback with landscaping in lieu of the required 10 feet with landscaping.

Hearing: Tuesday, July 10, 2007 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 ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is 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: 67 - 462 - A
Petitioner: MADDISON LLC
Address or Location: 3706 NORTH POINT BLVD BALTIMORE NO 21222-2731
PLEASE FORWARD ADVERTISING BILL TO
Name: Robert Tufussi
Address: Po. Box 1043
BEL AIR MD 21014
Telephone Number: 410-812-2236



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

July 5, 2007

Robert Infussi P.O. Box 1043 Bel Air, MD 21014

Dear Mr. Infussi:

RE: Case Number: 07-462-A, 3706 North Point Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 12, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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

1500 8/6 10 Am

7/10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination שענ

DATE:

July 10, 2007

SUBJECT:

Zoning Item

07-462-A

Address

3706 North Point Boulevard

Maddison LLC property

ECETVE JUL 1 0 2007

Zoning Advisory Committee Meeting of April 23, 2007

X	_	Department of Environmental Protection and Resource Management offers llowing 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).
	_X	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:

This property is within the Intensely Developed Area (IDA) of the CBCA. Any commercial development must comply with IDA regulations and submit a 10% reduction worksheet for DEPRM approval.

Reviewer:

Kevin Brittingham

Date: 6/04/07

BW 8/6 10AM

7/10 from

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination JWL

DATE:

July 10, 2007

SUBJECT:

Zoning Item

07-462-A

Address

3706 North Point Boulevard

Maddison LLC property

DECEIVE JUL 1 0 2007 BY

Zoning Advisory Committee Meeting of April 23, 2007

<u>X</u> _	The Department of Env	ironmental Protect	ion and Resource Manage	ement offers
	the following comment	s on the above-refe	renced zoning item:	
		N . 1		

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).

<u>X</u> 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:

This property is within the Intensely Developed Area (IDA) of the CBCA. Any commercial development must comply with IDA regulations and submit a 10% reduction worksheet for DEPRM approval.

Reviewer:

Kevin Brittingham

Date: 6/04/07

8-20-07 P3

INTEROFFICE CORRESPONDENCE

DATE: July 9, 2007

TO:

Timothy Kotroco, Director

Department of Permits & . . .

Development Management

FROM:

Dennis A. Kennedy

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee

Item No. 07-462 A REVISED

Our comments on this item, dated April 24, 2007, contained a typographical error. In the next to the last sentence, we meant to say that the variances on the north and WEST sides are acceptable to us.

DAK

cc: file

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: April 24, 2007

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 30, 2007 Item No. 07-462

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

The proposed building would be too large for this property. A five-foot-wide highway widening should be shown along Rosebank Avenue and a landscape strip at least five-feet wide should be provided there also, the variances on the north and east sides are acceptable to us. This site is not in a regulated tidal flood plain.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 07-462-04242007.doc

Inter-Office Memorandum

DATE:

July 10, 2007

TO:

Kristen Matthews

Dept. of Permits & Development Mgmt.

FROM:

Patricia Zook, Secretary to

Thomas Bostwick, Deputy Zoning Commissioner

RE:

Petition for Variance

Case No. 07-462-A

The file was returned to Permits and Development Management for safekeeping. The on-site posting was not done for the scheduled hearing on Tuesday, July 10, 2007. Therefore, the hearing was not held.

You assisted us with rescheduling this case for August 6, 2007. The case can be heard by either Zoning Commissioner. The Petitioner will need to re-advertise and post for the August hearing.

Thank you for your attention and cooperation in this matter.

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 07-467-A

PETITIONER'S SIGN-IN SHEEF,

E- MAIL											
CITY, STATE, ZIP	M										
ADDRESS	40. (Say 1047										
NAME	6305 IN FUSSi										

Patricia Zook - Re: Case 07-462 @ 3706 North Point Blvd. (hearing is Tuesday July 10)

From:

Dennis Kennedy

To:

Zook, Patricia

Date:

7/9/2007 3:17 PM

Subject:

Re: Case 07-462 @ 3706 North Point Blvd. (hearing is Tuesday July 10)

Patti:

Thank you for being so diligent.

Dennis

>>> Patricia Zook 07/06/07 2:30 PM >>>

Hello Dennis -

Our new Deputy Zoning Commissioner, Tom Bostwick, starts next week and he has cases scheduled on Tuesday, July 10.

In reviewing the above case file, I noticed that he might need a bit of clarification on your comments. A portion of the comment says '...variances on the north and <u>east</u> sides...', and am wondering if the comment should say north and <u>west</u> sides....

Also, it looks like the building will have to be reduced in size to accommodate the 5 foot wide highway widening and the 5 foot wide landscape strip.

Thanks for your help, Dennis.

It was nice to meet you at Jack's reception on Friday!

Patti Zook
Baltimore County
Office of the Zoning Commissioner
410-887-3868
pzook@baltimorecountymd.gov

Patricia Zook - Case 07-462 @ 3706 North Point Blvd. (hearing is Tuesday July 10)

From:

Patricia Zook

To:

Kennedy, Dennis

Date:

7/6/2007 2:30 PM

Subject:

Case 07-462 @ 3706 North Point Blvd. (hearing is Tuesday July 10)

Hello Dennis -

Our new Deputy Zoning Commissioner, Tom Bostwick, starts next week and he has cases scheduled on Tuesday, July 10.

In reviewing the above case file, I noticed that he might need a bit of clarification on your comments. A portion of the comment says '...variances on the north and <u>east</u> sides...', and am wondering if the comment should say north and <u>west</u> sides....

Also, it looks like the building will have to be reduced in size to accommodate the 5 foot wide highway widening and the 5 foot wide landscape strip.

Thanks for your help, Dennis.
It was nice to meet you at Jack's reception on Friday!

Patti Zook
Baltimore County
Office of the Zoning Commissioner
410-887-3868
pzook@baltimorecountymd.gov

INTER-OFFICE CORRESPONDENCE

DATE: May 8, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

3706 North Point Road

INFORMATION:

Item Number:

7-462

Petitioner:

Maddison, LLC

Zoning:

BR

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and site plan. This office does not oppose the petitioner's request provided the proposed dumpster is moved to the rear of the property and screened. The location for the dumpster at the corner of North Point Boulevard and Rosebank Avenue is not desirable.

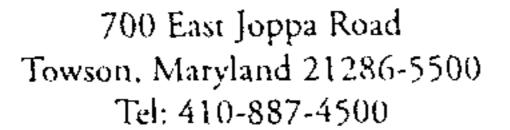
Additionally the petitioner shall submit architectural elevations to the Office of Planning for review and approval. The petitioner shall also indicate on the site plan the intended use and the respective parking calculations.

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

Division Chief:

AFK/LL: CM

Fire Department





Baltimore County

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

April 24, 2007

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

ATTENTION: Zoning Review planners

Distribution Meeting of: April 23,2007

Item No.: 454, 455, 456, 457, 458, 459, 460, 461, 462, 464, 465, 466, 467, 468, 469, 470, 471, and 472.

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

Acting Lieutenant Don W. Muddiman Fire Marshal's Office (0)410-887-4880 MS-1102F

cc: File



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

State Highway
Administration 8

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

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

Maryland Department of Transportation

Date: 4/24/2007

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

RE: Baltimore County

Item No. 7-462-A

3706 NOOTH POINT BLVD SIMONS PROPERTY

VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 7-46z.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 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, Ch

Engineering Access Permits

Division

SDF/MB

RE: PETITION FOR VARIANCE

3706 North Point Blvd; N/S North Point Road

160' E c/line Duke Avenue

15th Election & 6th Councilmanic Districts

Legal Owner(s): Maddison LLC

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

07-462-A

ENTRY OF APPEARANCE

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

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of April, 2007, a copy of the foregoing Entry of Appearance was mailed Robert Infussi, P.O. Box 1043, Bel Air, MD 21014, Representative for Petitioner(s).

RECEIVED

APR 2 7 2007

WE BOTH STORY

Per.....

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Debra Wiley - Re: Fwd: Maddison, LLC - 3706 North Point Blvd. - Case No. 07-462-A

From:

<expedite.llcrinfussi@comcast.net>

To:

"Debra Wiley" <dwiley@baltimorecountymd.gov>

Date:

08/14/07 12:00 PM

Subject:

Re: Fwd: Maddison, LLC - 3706 North Point Blvd. - Case No. 07-462-A

Deb:

I got the email and also I spoke to John and we will make all adjustments needed to comply with the order.

Thanks,

Bob

```
----- Original message -----
From: "Debra Wiley" <dwiley@baltimorecountymd.gov>
> Debbie Wiley
> Legal Administrative Secretary
> Office of the Zoning Commissioner
> 401 Bosley Avenue, Room 405
> Towson, Md. 21204
> 410-887-3868
> 410-887-3468 (fax)
> dwiley@baltimorecountymd.gov
>
>>> Debra Wiley 08/13/07 4:03 PM >>>
> John,
> Bill asked that I send you this first draft of the Order regarding Mr.
> Samons* proposal. He would appreciate any advice you deem
> appropriate. Additionally, the Office of Planning noted that they
> wanted the site plan to reflect the intended use and the respective
> parking calculations. This information is not on the revised plan of
> August 6, 2 007 and, therefore, may cause a problem down the road.
> We would appreciate any input you have in this regard.
 > Thanks and have a great day!
> Debbie Wiley
 > Legal Administrative Secretary
 > Office of the Zoning Commissioner
> 401 Bosley Avenue, Room 405
```

From:

Debra Wiley

To:

john@baystatelandservices.com

Date:

08/13/07 4:03:16 PM

Subject:

Maddison, LLC - 3706 North Point Blvd. - Case No. 07-462-A

John,

Bill asked that I send you this first draft of the Order regarding Mr. Samons' proposal. He would appreciate any advice you deem appropriate. Additionally, the Office of Planning noted that they wanted the site plan to reflect the intended use and the respective parking calculations. This information is not on the revised plan of August 6, 2007 and, therefore, may cause a problem down the road.

We would appreciate any input you have in this regard.

Thanks and have a great day!

Debbie Wiley Legal Administrative Secretary Office of the Zoning Commissioner 401 Bosley Avenue, Room 405 Towson, Md. 21204 410-887-3868 410-887-3468 (fax) dwiley@baltimorecountymd.gov

CC:

expedite.llcinfussi@comcast.net

Case No.: 07-462 A 3706 NORTH TOINT RD

Exhibit Sheet

Petitioner/Developer

Protestant

	MARGAINEN	1
No. 1	Sitz PLAN	
	(Revised 8/67)	
No. 2		
	acrial Photo Expisting uses	
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NT 44		
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Copyright (C) 2005 Balance County, Maryland

XHIBIT NO.

PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER DATE

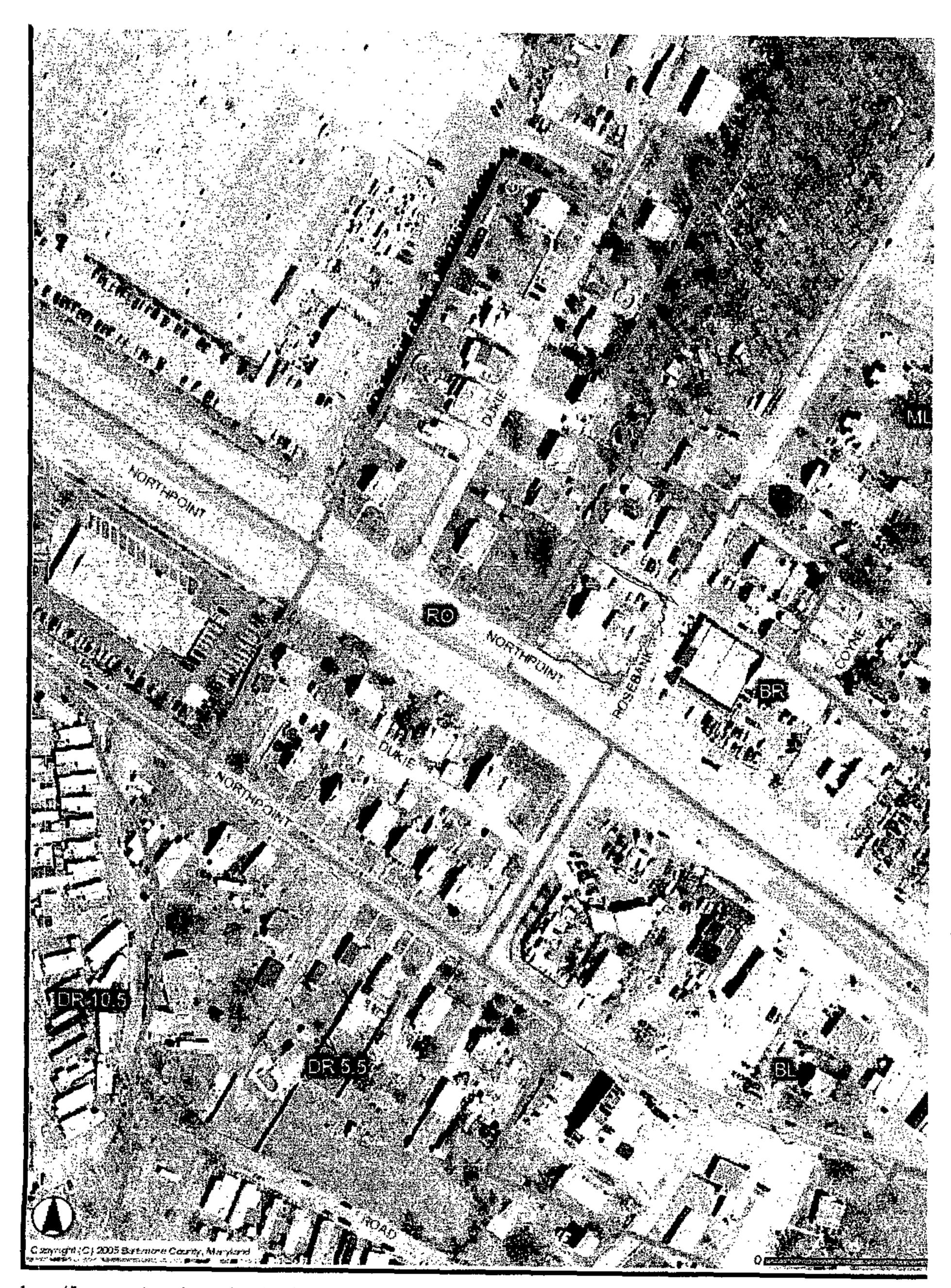
PETITIONER'S SIGN-IN SHEE'

E- MAIL 21014 21014 22217 STATE, ZIP 2 72 202 412 ADDRESS 701 3800 Sob INTUS

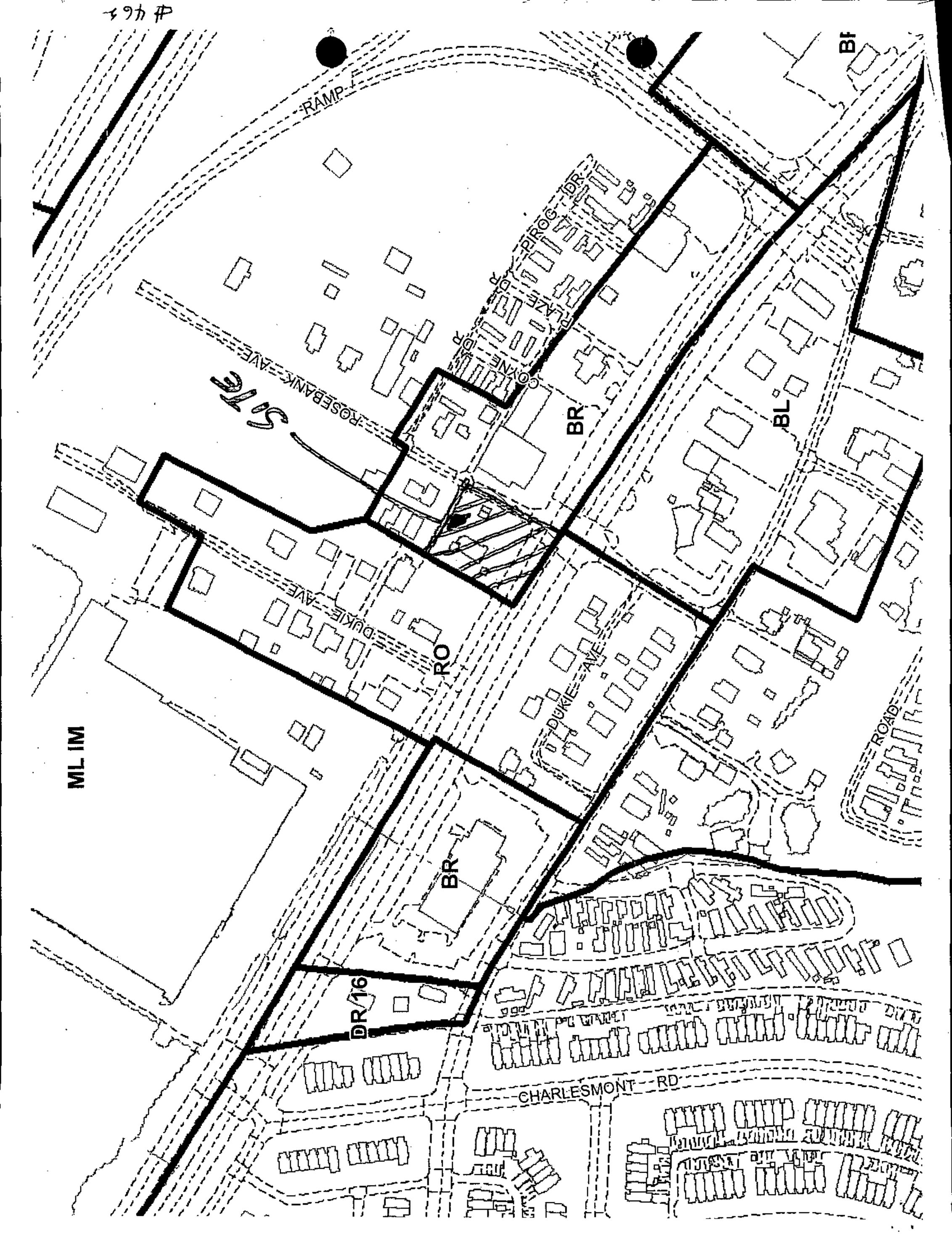
WAME

FRANK SAMOL

F



http://bamaps1.co.ba.md.us/arcims_path/bcgims?ServiceName=Zoning_ClientVersion=... 10/27/2006



CERTIFICATE OF POSTING

	RE: Case No: 07-462A
	Petitioner/Developer:
	Date Of Hearing/Closing: 7/21/07 - 8/6/07
Baltimore County Department of Permits and Development Manage County Office Building,Room 111 111 West Chesapeake Avenue	
Attention:	
Eadies and Gentlemen:	
This letter is to certify under the paign(s) required by law were posterat	cenalties of perjury that the necessary ed conspicuously on the property
This sign(s) were posted on .	
This sign(s) were posted on	(Month, Day, Year)
•	Sincerely,
	MUMIN OGU (Signature of sign Poster and Date)
	(Signature of sign Poster and Date) Martin Ogle
	Sign Poster
	16 Salix Court
	Address
	Balto. Md 21220
	(443-629 3411)
	•

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OP - (tasses)

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