#### IN RE: PETITION FOR VARIANCE

SW side of Reisterstown Road, at corner of NW side of Old Court Road (1512/14 Reisterstown Road)

3<sup>rd</sup> Election District

2<sup>nd</sup> Councilmanic District

Meisel Capital Partners 1514 LLC Petitioner

- \* BEFORE THE
- \* DEPUTY ZONING
- \* COMMISSIONER
- \* FOR BALTIMORE COUNTY
- \* Case No. 07-518-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, Meisel Capital Partners 1514 LLC. Petitioner is requesting variance relief for the property as follows:

- From Section 232.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a minimum front yard setback of 2.5 feet in lieu of 10 feet; and
- From Section 232.2.B to of the Baltimore County Zoning Regulations (B.C.Z.R.) permit a minimum side yard setback on street side of corner lot of 2.5 feet in lieu of 10 feet; and
- From the Baltimore County Landscape Manual (B.C.L.M.) to eliminate 6 foot landscape strip; and
- From the B.C.L.M. to eliminate 7% of parking lot area for interior landscaping.

The subject property and requested relief are more particularly described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1, and the design review plans which were marked and accepted into evidence as Petitioner's Exhibits 4A through 4C.

Appearing at the requisite public hearing in support of the variance requests were Jeffrey M. Litman on behalf of Meisel Capital Partners 1514 LLC, their attorney, Arnold Jablon, Esquire, and Burton English, Jr., the consultant who prepared the site plan. There were no Protestants or other interested persons in attendance at the hearing.

8-22-07 Marie 193 Testimony and evidence offered revealed that the subject property is a rectangular-shaped parcel approximately 70 feet ± wide by 210 feet ± long, consisting of approximately 15,041 square feet, or .399 acre, more or less, and zoned B.L. The property address is known as 1512/1514 Reisterstown Road, though as a practical matter, 1512 no longer exists and the property is referred to as 1514 Reisterstown Road. The lot is improved with an existing two-story framed/masonry brick building and is located at the northwest corner of Reisterstown Road and Old Court Road in the Pikesville area of Baltimore County. The dwelling was originally constructed in 1944 as a single-family residence and used as such during prior zoning, though it has been used as a commercial dwelling for the last 25 – 30 years, and is currently zoned for commercial use. The dwelling is known as the "Sheridan Building" and contains several commercial enterprises that rent space there.

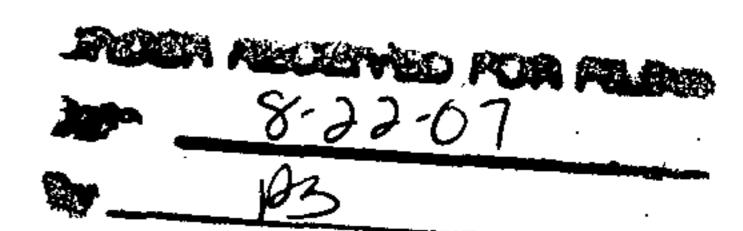
Petitioner purchased the property in 2005 and desires to raze the existing building and replace it with a new 4000 square foot, one-story masonry building for office or retail use, in order to utilize the building at its highest use, and in conformance with the property's current B.L. zoning. Parking on the site will meet the 20 spaces required, with 19 typical spaces, one handicapped space, and one loading space. In addition, the parking will be moved to the rear of the site and be screened along Old Court Road by a proposed retaining wall.

In order to accommodate parking and the desired size of the building, and to address the slopes associated with the property at the corner, the proposed building will be moved forward on the site, closer to the street. Due to the building being moved forward to the corner, Petitioner desires variances from the required minimum front and rear setbacks of 10 feet in order to allow setbacks on each side of 2.5 feet.

In support of the requests, Petitioner notes that the subject property is located in the area that comprises the Pikesville Revitalization Plan. Part of that plan encourages redevelopment

sites to place new structures close to the street edge to reinforce a cohesive development pattern. Petitioner also views the property as unique in a zoning sense because of its location at a busy corner that is at the center of revitalization. In that vein, Petitioner recognizes that it could leave the property as it is -- as a Class A office that is out of character with the current development trend in the area -- or develop the property in a manner preferred by the Revitalization Plan. In addition, the area has seen similar development and revitalization. This includes an Office Depot store located two blocks north of the subject property on Reisterstown Road and a Staples store located directly across the street from the subject property at the southwest corner of Reisterstown Road and Old Court Road. There are also several commercial buildings opposite the subject property at the southeast corner of Reisterstown Road and Old Court Road. One of those buildings directly abuts the sidewalk and is situated very close to the corner. The subject property, as well as the nearby properties are shown in photographs, which were marked and accepted into evidence as Petitioner's Exhibits 9A through 9G.

In further support of the variance requests, Petitioner offered a number of documents. This included a copy of the Baltimore County Design Review Comment from the Design Review Panel dated March 19, 2007, which was marked and accepted into evidence as Petitioner's Exhibit 5. The comment described the project proposal in some detail, and the need for variance relief from the setback requirements and from the six foot planting strip requirement in the Baltimore County Landscape Manual, and recommended approval. Marked and accepted into evidence as Petitioner's Exhibit 6 was the Zoning Advisory Committee (ZAC) comment from the Office of Planning dated May 31, 2007. The comment supports Petitioner's requests and refers to the aforementioned Design Review Panel's approval of the project, and the Panel's recommendations that the proposal follow the guidelines of the Pikesville Revitalization Plan,



move the proposed building closer to the street, use a higher quality of building materials, and involve more community input.

Petitioner also introduced a letter from the State Highway Administration (SHA) dated July 30, 2007 offering its comments to the proposed project, which was marked and accepted into evidence as Petitioner's Exhibit 8. The letter indicates that the SHA has no objection to the proposed building location provided that Petitioner upgrade the existing entrance onto Reisterstown Road and provide sidewalk and handicapped ramps consistent with Americans with Disabilities Act guidelines. It also states that a permit must be obtained for the improvement within the public right-of-way. Finally, the ZAC comment received from the Bureau of Development Plans Review dated May 24, 2007 initially required that the retaining wall at the western-most end of the parking area be moved away from the right-of-way line a distance equal to the wall height. However, upon further consideration of the plan for the proposed retaining wall, Development Plans Review submitted a revised comment dated July 30, 2007 where it stated that the previous comment had been satisfied. Due to the fact the retaining wall would not be supporting the public road or the building, the wall could be built closer to the right-of-way than is standard. It was also noted that the retaining wall would be built using reinforced concrete or reinforced masonry.

In sum, Petitioner noted the conditions peculiar to the subject lot, including the very steep slopes from Reisterstown Road to Old Court Road; the guidelines for the placing new structures close to the street edge as set forth in the Pikesville Revitalization Plan; approval of the proposed building by the Chamber of Commerce and the business community -- encouraging business development and redevelopment; and the fact that the area is continually evolving in a business and economic development sense. Petitioner, through its engineering consultant, also offered an expert opinion that the proposed development would not impact or be detrimental to adjacent

property owners or the surrounding locale, and that literal enforcement of the zoning regulations would result in practical difficulty and substantial hardship.

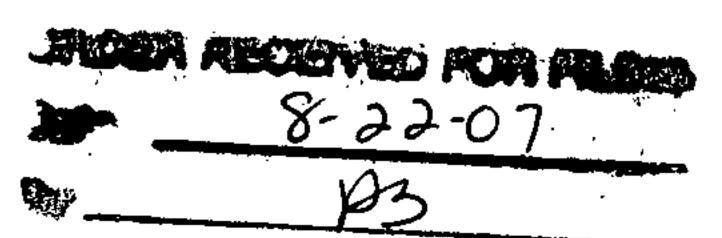
Considering all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requests. These are the kind of peculiar circumstances that make the regulations impact this property disproportionately compared to others in the district. Therefore I find the property unique in a zoning sense. I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. In fact, strict compliance with the Zoning Regulations in this case would be at odds with the mission and guidelines of the Pikesville Revitalization Plan, which was adopted by resolution and incorporated into the Baltimore County Master Plan 2010 by the County Council on October 7, 2003.

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.

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 should be granted with conditions.

THEREFORE, IT IS ORDERED this <u>Jand</u> day of August, 2007 by this Deputy Zoning Commissioner that Petitioner's variance requests:

- From Section 232.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit minimum front yard setback of 2.5 feet in lieu of 10 feet; and
- From Section 232.2.B to of the Baltimore County Zoning Regulations (B.C.Z.R.) permit minimum side yard setback on street side of corner lot of 2.5 feet in lieu of 10 feet; and



From the Baltimore County Landscape Manual (BCLM) to eliminate 6 foot landscape strip;
 and

• From the BCLM to eliminate 7% of parking lot area for interior landscaping;

are hereby GRANTED subject to the following:

- 1. Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2. In accordance with the ZAC comment dated July 30, 2007 from the State Highway Administration, Petitioner shall upgrade the existing entrance onto Reisterstown Road and provide sidewalk and handicapped ramps consistent with Americans with Disabilities Act guidelines. Petitioner shall also obtain a permit for the improvement within the public right-of-way.
- 3. In accordance with the ZAC comment dated July 30, 2007 from the Bureau of Development Plans Review, the retaining wall at the western-most end of the parking area may be built closer to the right-of-way than is standard. In addition, the retaining wall is to be built using reinforced concrete or reinforced masonry.
- 4. The proposed building shall be designed and constructed consistent with the approval granted by the Design Review Panel, pursuant to its comments dated March 19, 2007, and any subsequent approvals granted by the Design Review Panel.

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

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

8-22-07 12-23-07



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

August 22, 2007

ARNOLD JABLON, ESQUIRE VENABLE LLP 210 ALLEGHENY AVENUE TOWSON, MD 21204

Re: Petition for Variance
Case No. 07-518-A
Property: 1512/14 Reisterstown Road

Dear Mr. Jablon:

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,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: Jeffrey Litman, Meisel Capital Partners 1514 LLC, 4 Park Center Court, Suite 202, Owings Mills MD 21117 Barton English, Jr., 416 Lyman Avenue, Baltimore MD 21212

	CASHIER'S VALIDATION	
BALTIMORE COUNTY, MARYLAND  OFFICE OF BUDGET & FINANCE  MISCELLANEOUS RECEIPT  DATE  DATE  OATE  OATE  OATE  OATE  FEGEIVED  RECEIVED  RECEIVED	POR. O) - FIRANCE CAPTAIN CONTRACTOR STALLS  DISTRIBUTION WHITE CASHER MINK AGENCY YELLOW CUSTOMER	

The Zoning Chambell HEARING

The Zoning Chambell HEARING

Thority of the Zoning Act and Listions of Balting
County will hold a public hearing the byson, Maryland on
the property identified herein as follows:

Case: # 07-518-A

1512/14 Relateratown Road

S/west side of Reisterstown Road, at corner of northwest side of Old Court Road

3rd Election District — 2nd Councilmanic District

Legal Owner(s): Melsel Capital Partners, 1544, LLC

Variance: to permit minimum from yard setback of 2.5
feet in lieu of 10 feet and to permit minimum side yard
setback on street side corner lot of 2.5 feet in lieu of 10
feet and from the Baltimore County Landscape Manual, to
eliminate 6 foot landscape strip and from the BCLM, to
eliminate 7% of parking lot area for interior landscaping.

Hearing: Tuesday, July 31, 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.

JT 7/686 July 17

☐ The Jeffersonian ☐ Arbutus Times ☐ Catonsville Times ☐ Towson Times ☐ Owings Mills Times ☐ NE Booster/Reporter ☐ North County News	THIS IS TO CERTIFY, that the annexed advertisement was publishing the following weekly newspaper published in Baltimore County, Md once in each of
--	--

Williams LEGAL ADVERTISE



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1512/14 Reisterstown Rd

Legal Owner(s):

ESTIMATED LENGTH OF HEARING \_

which is presently zoned BL

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)

- l. Section 232.1, to permit minimum front yard setback of 2.5' in lieu of 10'
- 2. Section 232.2B, to permit minimum side yard setback on street side of corner lot of 2.5' in lieu of 10'
- 3. Baltimore County Landscape Manual, to eliminate 6' landscape strip of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
- 4. BCLM, to eliminate 7% of parking lot area for interior landscaping

reasons to be explained at hearing

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

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

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:

Case No.

Meisel Capital Partners 1514 LLC Name - Type or Print Name - Type or Print Signature Signature Name - Type or Print Telephone No. Address Zip Code Signature City State <u> 4 Park Center Ct.. Suite 202</u> Attorney For Petitioner: Telephone No. Address Owings Mills, Md 21117 Arnold Jablon Zip Code State City Name - Type or Print Representative to be Contacted: Signature TP<u>Venable</u> Arnold Jablon Name Company ` 210 Allegheny Ave 410 494 6298 Allegheny Ave 410 494 6298 Telephone No. Address Telephone No. Address 21204 Towson, Md 21204 Towson, Maryland City Zip Code Zip Code State City State OFFICE USE ONLY

PROPOFF-NO

8-22-07 192

# CERTIFICATE OF POSTING

RE: Case No.: 07-518-A

Petitioner/Developer: ME15EL

CAPITAL PARTNERS, 1514, UCC

Date of Hearing/Closing: 2-31-07

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:

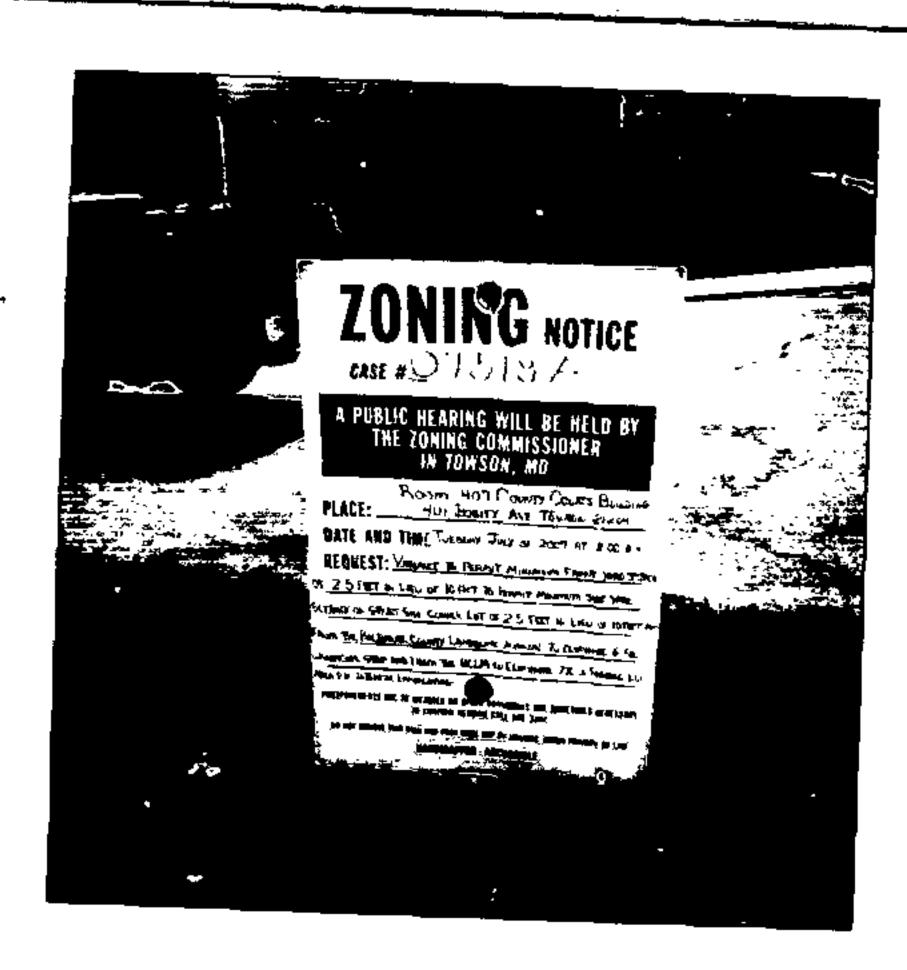
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

1512/14 REISTERSTOWN RD

The sign(s) were posted on

7-16:07 (Month, Day, Year)

Sincerely,



Dobeit Black 7-18-0
(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)

PETITION FOR VARIANCE RE:

BEFORE THE

1512/14 Reisterstown Road; SW/S Reisterstown Rd, Corner of NW/S Old Court Rd

ZONING COMMISSIONER

3<sup>rd</sup> Election & 2<sup>nd</sup> Councilmanic Districts

Legal Owners: Meisel Capital Partners 1514 LLC\* FOR

Petitioner(s)

**BALTIMORE COUNTY** 

07-518-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 22nd day of May, 2007, a copy of the foregoing Entry of Appearance was mailed Arnold Jablon, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

MAY 2 3 2007

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



JAMES T. SMITH, JR. County Executive

June 13, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
NG
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: 07-518-A 1512/14 Reisterstown Road

S/west side of Reisterstown Road, at corner of northwest side of Old Court Road

3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Meisel Capital Partners, 1514, LLC

Variance to permit minimum front yard setback of 2.5 feet in lieu of 10 feet and to permit minimum side yard setback on street side corner lot of 2.5 feet in lieu of 10 feet and from the Baltimore County Landscape Manual, to eliminate 6 foot landscape strip and from the BCLM, to eliminate 7% of parking lot area for interior landscaping.

Hearing: Tuesday, July 31, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotrot Director

TK:klm

C: Arnold Jablon, 210 Allegheny Avenue, Towson 21204
Meisel Capital Partners, 4 Park Center Ct., Ste. 202, Owings Mills 21117

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JULY 16, 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, July 17, 2007 Issue - Jeffersonian

Please forward billing to:

Amy Dontell Venable, LLP 210 Allegheny Avenue Towson, MD 21204

410-494-6244

### NOTICE OF ZONING HEARING

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3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District

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Hearing: Juesday, July 31, 2007 at 11:00 a.m. in Room 407, County Courts Building,

Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III ZONING COMMISSIONER FOR BALTIMORE COUNTY

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Zoning Office
Department of Permits and Development
111 West Chesapeake Ave
Towson, Maryland 21204

## Zoning Office:

Meisel Capital Partners 1514 LLC (owner)

Michael Meisel Managing member

 $\frac{1300}{100}$  (Date)

4 Park Circle Court, Suite 202, Owings Mills, Md 21117 address

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wo volutors
wo review

PROPOFF-NOREVIEW BY 07-518-A

# 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: 07-518-A OR OP OFF-NO REVIEW BY PLANNER
Petitioner: MEISEL CAPITAL PARTUEN 1574 UC
Address or Location: 15/2/14 Reisterstand RD
PLEASE FORWARD ADVERTISING BILL TO:  Name: Amy Contell
Address: 210 Alegheny Avenue
Tauson 40. 21204
Telephone Number: (410) 494 - 10 244



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1512/14 Reisterstown Rd which is presently zoned \_\_\_BL

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	property situate				the descri	ption an	d plat	attached	hereto
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- BCLM, to eliminate 7% of parking lot area for interior landscaping

reasons to be explained at hearing

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

> 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.

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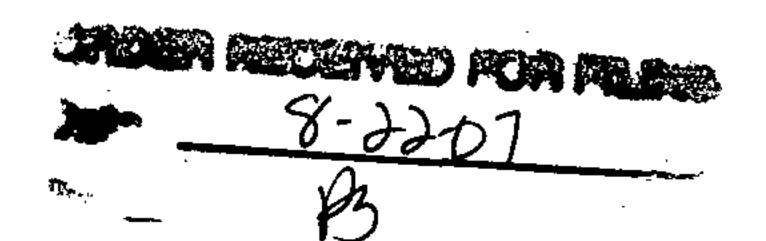
#### Legal Owner(s):

Meisel Capital Partners 1514 LLC Name - Type or Print Name - Type or Print Signature Signature Telephone No. Name - Type or Print Address Zip Code State Signature City **Attorney For Petitioner:** 4 Park Center Ct. Suite 202 Address Telephone No. Owings Mills, Md 21117 <u>Arnold Jablon</u> Zip Code Name - Type or Print City State Representative to be Contacted: Signature Arnold Jablon Venable.  $\mathbf{L}\mathbf{L}\mathbf{P}$ Company' 410 494 6298. 210 Allegheny Ave 210 Allegheny Ave 410 494 6298 Address Telephone No. Address Telephone No. Towson, Md 21204 Towson, Maryland 21204 Zip Code City City Zip Code State State OFFICE USE ONLY \* ~ ~ ~ \* ESTIMATED LENGTH OF HEARING

REV 9/15/98

Case No.

Reviewed By WATLABLE FOR HEARING DROP OFF-NO REVIEW BYPLANNER





REV 9/15/98

# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1512/14 Reisterstown Rd which is presently zoned \_\_\_BL

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> 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.

> > THE ROPE COVERNMENT REPORTS

#### Legal Owner(s): Contract Purchaser/Lessee: Meisel Capital Partners 1514 LLC Name - Type or Print Name - Type or Print Signature Signature Telephone No. Name - Type or Print Address Zip Code Signature State City 4 Park Center Ct. Suite 202 **Attorney For Petitioner:** Address Telephone No. Owings Mills, Md 21117 Arnold Jablon Zip Code State City Name - Type or Print Representative to be Contacted: Signature Arnold Jablon Venable. $^{1}$ LP Company 210 Allegheny Ave 410 494 6298. 210 Allegheny Ave 410 494 6298 Telephone No. Address Telephone No. Address Towson, Maryland 21204 Towson, Md 21204 City Zip Code State Zip Code State City OFFICE USE ONLY ESTIMATED LENGTH OF HEARING Case No. Reviewed By JNP FOR INCR Date 5 11/02 DROP OFF - NO REVIEW BY PLANNER

#### ZONING DESCRIPTION 1512-1514 REISTERSTOWN ROAD

Beginning at the point of intersection of the southwest side of Reisterstown Road (Maryland Route 140), which is 66 feet wide, and the north side of Old Court Road, which is of variable width, as shown on Baltimore County Highway Right-of-Way Plat No. RW 64-284-16, approximately 150 feet northwesterly from the centerline of Old Court Road. Thence the following courses and distances:

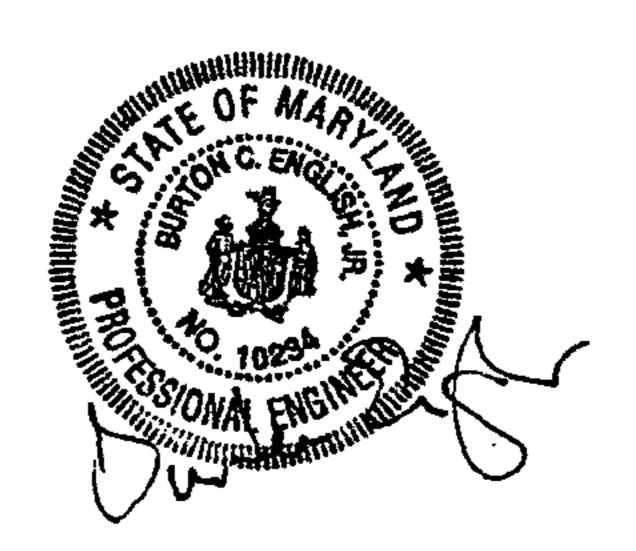
1) South 31° 27' 07" East 34.09 feet; 2) Southwesterly by a curve to the right with a radius of 64.00 feet, 114.64 feet long (chord South 09° 43' 05" West, 99.92 feet): 3) Southwesterly by a curve to the right with a radius of 1,761.00 feet, 130.33 feet long (chord South 63° 09' 13" West, 130.30 feet): 4) North 41° 35' 43" West 66.94 feet; and 5) North 49° 31' 16" East, 210.04 feet to the place of beginning as recorded in Deed Liber SM 21878, Folio 287, containing 17,366 square feet or 0.3987 acres, more or less.



#### ZONING DESCRIPTION 1512-1514 REISTERSTOWN ROAD

Beginning at the point of intersection of the southwest side of Reisterstown Road (Maryland Route 140), which is 66 feet wide, and the north side of Old Court Road, which is of variable width, as shown on Baltimore County Highway Right-of-Way Plat No. RW 64-284-16, approximately 150 feet northwesterly from the centerline of Old Court Road. Thence the following courses and distances:

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JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

July 26, 2007

Arnold Jablon Venable, LLP 210 Allegheny Avenue Towson, MD 21204

Dear Mr. Jablon:

RE: Case Number: 07-518-A, 1512/14 Reisterstown Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 11, 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

u. Callibal D

WCR:amf

Enclosures

c: People's Counsel

Meisel Capital Partners 1514 LLC 4 Park Center Court, Suite 202 Owings Mills 21117

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

**DATE:** July 30, 2007

TO:

Timothy Kotroco, Director Department of Permits &

Development Management

Dark

FROM:

Dennis A. Kennedy

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee

Item No. 07-518 A REVISED

Our comment on this item, dated May 24, 2007 has now been satisfied. The Director of Public Works has seen the plan for the proposed retaining wall and since it will not be supporting the public road and will not be supporting the building, he is willing to allow the wall to be closer to the right-of-way than standard. He notes that the wall will be built using reinforced concrete or reinforced masonry.

DAK

cc: file



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

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

#### Maryland Department of Transportation

July 30, 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. 07-518-A

MD 140 (Reisterstown Road)

at Old Court Road

1512/14 Reisterstown Road

Commercial Building Case No. 07-518-A

Dear Ms. Matthews:

This is in follow-up to our letter dated May 25, 2007 (Foster to Matthews) on the subject of the above captioned. In our comments the State Highway Administration (SHA) did not support the variance request because of the potential corner clearance and site line at this location. However, this office received a letter from Farrand & English, Inc., applicant's consultant engineer dated July 5, 2007, which clarifies the proposed building foot print as shown on the Plan to Accompany Variance Hearing for Case No. 07-518-A.

Based upon further review of the site plan, proposed improvements as well as the detailed explanation offered by the applicant's consultant, this office has no objection to the proposed building location. The SHA will require that the owner/developer upgrade the existing entrance onto MD 140 and provide side walk and handicap ramps consistent with Americans with Disabilities Act (ADA) guidelines. A permit must be obtained for the improvement within the public right-of-way.

In summation, this office recommends that Meisel Capital Partners, 1514 LLC applicant be required to comply with the above comments as condition of Case Number 7-518-A approval.

If you have any questions or need clarifications regarding this matter, please feel free to 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,

A Steven D. Foster, Chief For Engineering Access Permits

Division

Ms. Kristin Matthews July 30, 2007

#### SDF/MB

Cc: Meisel Capital Partners 1514 LLC, Applicants

Mr. Burton C. English, Consultant Engineer, Farrand & English, Inc. Mr. Dennis A. Kennedy, Permits & Plans Review, Baltimore County

Mr. Erin Kuhn, ADE-Traffic, SHA

Mr. Joe Merrey, Permits & Development Management, Balto. Co.

Mr. David Malkowski, District Engineer, SHA

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

**DATE:** May 31, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

1512/14 Reisterstown Road

INFORMATION:

Item Number:

7-518

Petitioner:

Meisel Capital Partners 1514 LLC

Zoning:

BL

Requested Action:

Variance

#### SUMMARY OF RECOMMENDATIONS:

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

Reviewed by:

Division Chief:

AFK/LL: CM

TB

Maryland State Highway Administration
Engineering Access Permits Division
707 North Calvert Street
Mailstop C-302
Baltimore, MD 21202

11:00

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

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

Maryland Department of Transportation

July 30, 2007

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

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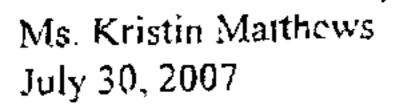
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Fre Engineering Access Permits

Division





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Mr. Erin Kuhn, ADE-Traffic, SHA

Mr. Joe Merrey, Permits & Development Management, Balto. Co.

Mr. David Malkowski, District Engineer, SHA

410-435-3400 COMPREHENSIVE SITE ENGINEERING 416 LYMAN AVENUE BALTIMORE, MARYLAND 21212

FAX 410-435-9029 LANDSCAPE ARCHITECTURE

July 5, 2007

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

RE: Baltimore County Item No. 07-518-A

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1512/14 Reisterstown Road

Commercial Building Case No. 07-518-A

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1512/14 Reisterstown Road
Baltimore County Item No. 07-518-A
July 5, 2007
Page Two

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In light of the above, we are asking you reconsider your previous comments and support the requests for reduced yard setbacks in Case Number 7-518-A.

Sincerely,

Farrand & English, Inc.

Burton English, Jr. P.E.

Vice President

cc: Ms. Kristen Matthews, Balto. Co. Permits & Development Management

Mr. Dennis A. Kennedy, Balto. Co. Development Plans Review

Mr. Joe Merrey, Balto. Co. Permits & Development Management

Mr. Michael Bailey, SHA

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

**DATE:** May 31, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

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**INFORMATION:** 

Item Number:

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Meisel Capital Partners 1514 LLC

Zoning:

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Requested Action:

Variance

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Reviewed by:

**Division Chief:** 

AFK/LL: CM



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

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

#### Maryland Department of Transportation

May 25, 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. 07-518-A

MD 140 (Reisterstown Road)

at Old Court Road

1512/14 Reisterstown Road

Commercial Building Case No. 07-518-A

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Very truly yours,

Steven D. Foster, Chie

Engineering Access Permits

Division

 Ms. Kristin Matthews May 25, 2007

#### SDF/MB

Cc:

Meisel Capital Partners 1514 LLC, Applicants

Mr. Burton C. English, Consultant Engineer, Farrand & English, Inc. Mr. Dennis A. Kennedy, Permits & Plans Review, Baltimore County Mr. Joe Merrey, Permits & Development Management, Balto. Co.

Mr. David Malkowski, District Engineer, SHA

Mr. Randal Scott, ADE-Traffic, SHA

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** May 24, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For May 28, 2007 Item No. 07-518

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

At the westernmost end of the proposed parking area along Old Court Road, the retaining wall must be moved away from the right-of-way line a distance equal to the wall height.

DAK:CEN:clw

cc: File ZAC-ITEM NO 07-518-05242007.doc

## 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 May 24,2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 21, 2007

51

Item Number: 512 through 529 and 522 and 523

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

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

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

cc: File



Case No.: 07-518-A

# **Exhibit Sheet**

# Petitioner/Developer

### Protestant

No. 1	Eto Plan	
No. 2	Zoning Map	
No. 3	Acreal Photograph	
No. 4		
A-C	set of plans for building	
No. 5		
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Maryland State Highway Administration
Engineering Access Permits Division
707 North Calvert Street
Mailstop C-302
Baltimore, MD 21202

11:00

# FAX TRANSMITTAL

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410-435-3400 COMPREHENSIVE SITE ENGINEERING 416 LYMAN AVENUE BALTIMORE, MARYLAND 21212

FAX 410-435-9029 LANDSCAPE ARCHITECTURE

July 5, 2007

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

RE: Baltimore County Item No. 07-518-A

MD 140 (Reisterstown Road) at Old Court Road

1512/14 Reisterstown Road

Commercial Building

Case No. 07-518-A

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1512/14 Reisterstown Road
Baltimore County Item No. 07-518-A
July 5, 2007
Page Two

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Sincerely,

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Burton English, Jr. P.E.

Vice President

Ms. Kristen Matthews, Balto. Co. Permits & Development Management

Mr. Dennis A. Kennedy, Balto. Co. Development Plans Review

Mr. Joe Merrey, Balto. Co. Permits & Development Management

Mr. Michael Bailey, SHA



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

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

Maryland Department of Transportation

May 25, 2007

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

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Division

 Ms. Kristin Matthews May 25, 2007

### SDF/MB

Cc: Meisel Capital Partners 1514 LLC, Applicants

Mr. Burton C. English, Consultant Engineer, Farrand & English, Inc. Mr. Dennis A. Kennedy, Permits & Plans Review, Baltimore County Mr. Joe Merrey, Permits & Development Management, Balto. Co.

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### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Timothy Kotroco, Director Department of Permits & Development Management

**DATE:** July 30, 2007

FROM:

Dennis A. Kennedy

Bureau of Development Plans Review

SUBJECT:

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4102095026



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Mr. David Malkowski, District Engineer, SHA

401 Bosley Avenue, Suite 406 Towson, Maryland 21204 Tel: 410-887-3480 • Fax: 410-887-5862



# Baltimore County

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

# BALTIMORE COUNTY, MARYLAND

# INTER-OFFICE CORRESPONDENCE

# DESIGN REVIEW COMMENTS

TO:

Timothy M. Kotroco, Director

DATE: March 19, 2007

Department of Permits and-Development Management

FROM:

Lynn Lanham

Design Review Panel

SUBJECT:

Design Review Panel Meeting (March 14, 2007)

APPROVAL LETTER

PROJECT NAME: 1512-1514 Reisterstown Road

PROJECT: DRP # 477

PROJECT TYPE: Commercial, Pikesville

# DESIGN REVIEW PANEL MEMBERS IN ATTENDANCE:

Geoffrey Glazer, Dean Hoover, Thomas Repsher, Christopher Parts, Donald Kann

# PROJECT DESCRIPTION:

Site Engineer, Burton English, and architect, Jonathan McGowan presented the revised project to the panel. The applicants have acquired the commercial property at the northwest corner of Reisterstown Road and Old Court Road, formerly known as the Sheridan Building. The existing building on the site will be razed to construct a new 4,000 square foot, one story masonry building for office or retail use in conformance with the current BL zoning. Parking on the site will meet the 20 spaces required, with 19 typical spaces, 1 handicapped space and 1 loading space. All parking will be moved to the rear of the site and screened along Old Court Road by a proposed retaining wall. An existing 24' entrance to the site from Reisterstown Road will be retained for access in and out of the site, with right turns only permitted when exiting the site. Pedestrian access will be provided between the transit stop on Old Court Road and the building entrances.

The proposed building has been moved forward on the site to address the corner and comply with locating the building closer to the street. Materials and building design have been re-worked to coordinate with the Pikesville Design Guidelines. The proposed building will be constructed of brick with aluminum frame windows and awnings. Due to the building being moved forward to the corner, a variance will be needed to allow a 10' building setback. A variance to the



Subject: Approval Letter (Design Review Panel Meeting)

Project Name: 1512-1514 Reisterstown Road Project #: DRP 477

Landscape Manual will also be requested to allow for a six foot planting strip, due to the odd shape of the site and existing sloped topography.

This is the second review for this project. At the previous review of this project, which was held on October 13, 2006, the panel asked the applicant to adhere more to the Pikesville Guidelines and to work more with the local community groups to gain feedback on the proposal. After meeting with the community the applicant came up with two designs for the building including one with a semi-circular element and one with a rectangular element that was the center point of the building. Both designs were presented to the panel at the meeting.

### **DISPOSITION:**

A motion was made by Mr. Parts to approve the project as submitted with the semi-circle element. The motion was seconded by Mr. Repsher and approved by acclamation.

Mr. Kann recused himself from the panel for this project,

Lynn Lanham

KP:File

CC: DRP members in attendance

Jeffrey Litman, Meisel Capital Partners

Burton English, Jr., Farrand & English Inc.

Jonathan McGowan, Architect, Kann & Associates, Inc.

Alan Zuckerburg, Pikesville Communities Corporation

Sherrie Becker, Pikesville Chamber of Commerce

Melanie Anson, Revitalization Subcommittee/Sudbrook Park

# BALTIMORE COUNTY, MARYLAND

# INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

**DATE:** May 31, 2007

FROM:

Amold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

1512/14 Reisterstown Road

INFORMATION:

Item Number:

7-518

Petitioner:

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Zoning:

BL

Requested Action:

Variance

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The Office of Planning has reviewed the petitioner's request and site plan. This Office supports the petitioner's request. The subject proposal went before the Design Review Panel (DRP) on March 19, 2007. The panel reviewed the project after first reviewing it in October 2006. The petitioner agreed to the recommendations of the panel, resulting in an approval of the project.

The recommendations were that the proposal follows the design guidelines of the Pikesville Revitalization Plan. This involved moving the proposed building closer to the street, using a higher quality of building materials and the involvement of more community input.

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

Reviewed by:

Division Chief:

AFK/LL: CM

PETITIONER'S EXHIBIT

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

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

Maryland Department of Transportation

May 25, 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. 07-518-A

MD 140 (Reisterstown Road)

at Old Court Road

1512/14 Reisterstown Road

Commercial Building Case No. 07-518-A

Dear Ms. Matthews:

This is in reference to our ongoing review of the plat to accompany building permit on the subject of the above captioned. We understand that this plan illustrates a proposal for a 4,000 square foot commercial building with surface parking for 19 vehicles.

We have completed a review of the site plan and proposed improvements. Based on available information this office determined that the proposed building foot print presents some problems from a traffic safety operations perspective. The requested 2.5' set back in lieu of the required 10' along MD 140 (Reisterstown Road) and Old Court Road is in consistent with State Highway Administration (SHA) preferred building location for adequate sight distance. This in particular may be considered problematic at intersections similar to MD 140/Old Court Road. The SHA will require that the owner/developer upgrade the existing entrance onto MD 140 and provide side walk and handicap ramps consistent with Americans with Disabilities Act (ADA) guidelines. A permit must be obtained for the improvement within the public right-of-way.

In summation, this office recommends that as condition of approval the applicant be required to revise the site development plan reflecting our comments. This office is not supportive of Case Number 7-518-A approval at this time.

If you have any questions or need clarifications regarding this matter, please feel free to 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.

PETITIONER'S EXHIBIT 7

\_7:

Very truly yours,

Steven D. Foster, Chieo Engineering Access Permits

Division

 Ms. Kristin Matthews May 25, 2007

### SDF/MB

Cc: Meisel Capital Partners 1514 LLC, Applicants

Mr. Burton C. English, Consultant Engineer, Farrand & English, Inc. Mr. Dennis A. Kennedy, Permits & Plans Review, Baltimore County Mr. Joe Merrey, Permits & Development Management, Balto. Co.

Mr. David Malkowski, District Engineer, SHA

Mr. Randal Scott, ADE-Traffic, SHA



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

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

Maryland Department of Transportation

July 30, 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. 07-518-A MD 140 (Reisterstown Road) at Old Court Road 1512/14 Reisterstown Road Commercial Building Case No. 07-518-A

Dear Ms. Matthews:

This is in follow-up to our letter dated May 25, 2007 (Foster to Matthews) on the subject of the above captioned. In our comments the State Highway Administration (SHA) did not support the variance request because of the potential corner clearance and site line at this location. However, this office received a letter from Farrand & English, Inc., applicant's consultant engineer dated July 5, 2007, which clarifies the proposed building foot print as shown on the Plan to Accompany Variance Hearing for Case No. 07-518-A.

Based upon further review of the site plan, proposed improvements as well as the detailed explanation offered by the applicant's consultant, this office has no objection to the proposed building location. The SHA will require that the owner/developer upgrade the existing entrance onto MD 140 and provide side walk and handicap ramps consistent with Americans with Disabilities Act (ADA) guidelines. A permit must be obtained for the improvement within the public right-of-way.

In summation, this office recommends that Meisel Capital Partners, 1514 LLC applicant be required to comply with the above comments as condition of Case Number 7-518-A approval.

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

A. Steven D. Fostor, Chief | Fax Engineering Access Permits

Division

Ms. Kristin Matthews July 30, 2007

## SDF/MB

Cc:

Meisel Capital Partners 1514 LLC, Applicants

Mr. Burton C. English, Consultant Engineer, Farrand & English, Inc. Mr. Dennis A. Kennedy, Permits & Plans Review, Baltimore County

Mr. Erin Kuhn, ADE-Traffic, SHA

Mr. Joe Merrey, Permits & Development Management, Balto. Co.

Mr. David Malkowski, District Engineer, SHA

# BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** May 24, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 28, 2007 Item No. 07-518

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

At the westernmost end of the proposed parking area along Old Court Road, the retaining wall must be moved away from the right-of-way line a distance equal to the wall height.

DAK:CEN:clw cc: File

ZAC-ITEM NO 07-518-05242007.doc

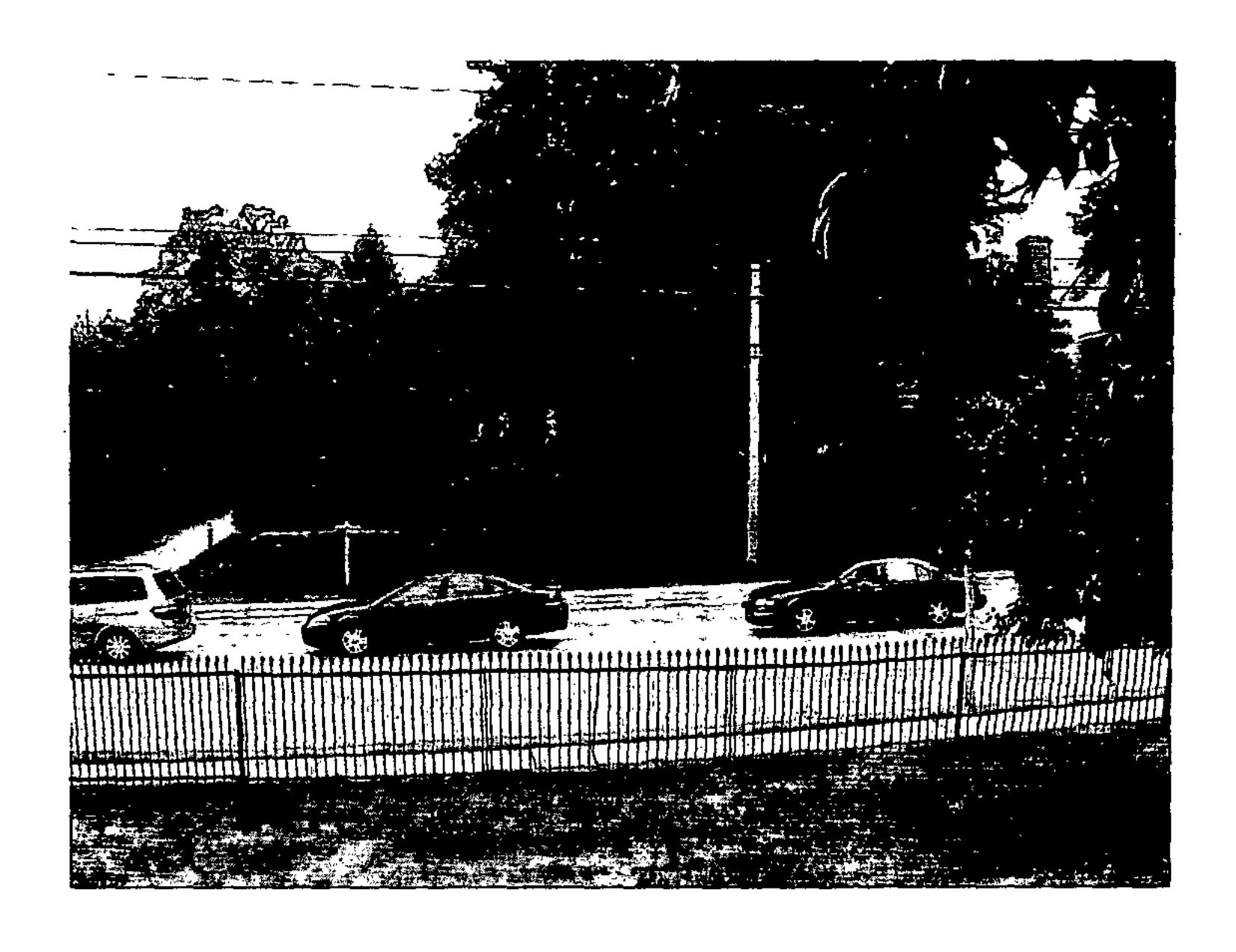
PETITIONER'S EXHIBIT\_9



FRONT OF EXISTING BUILDING

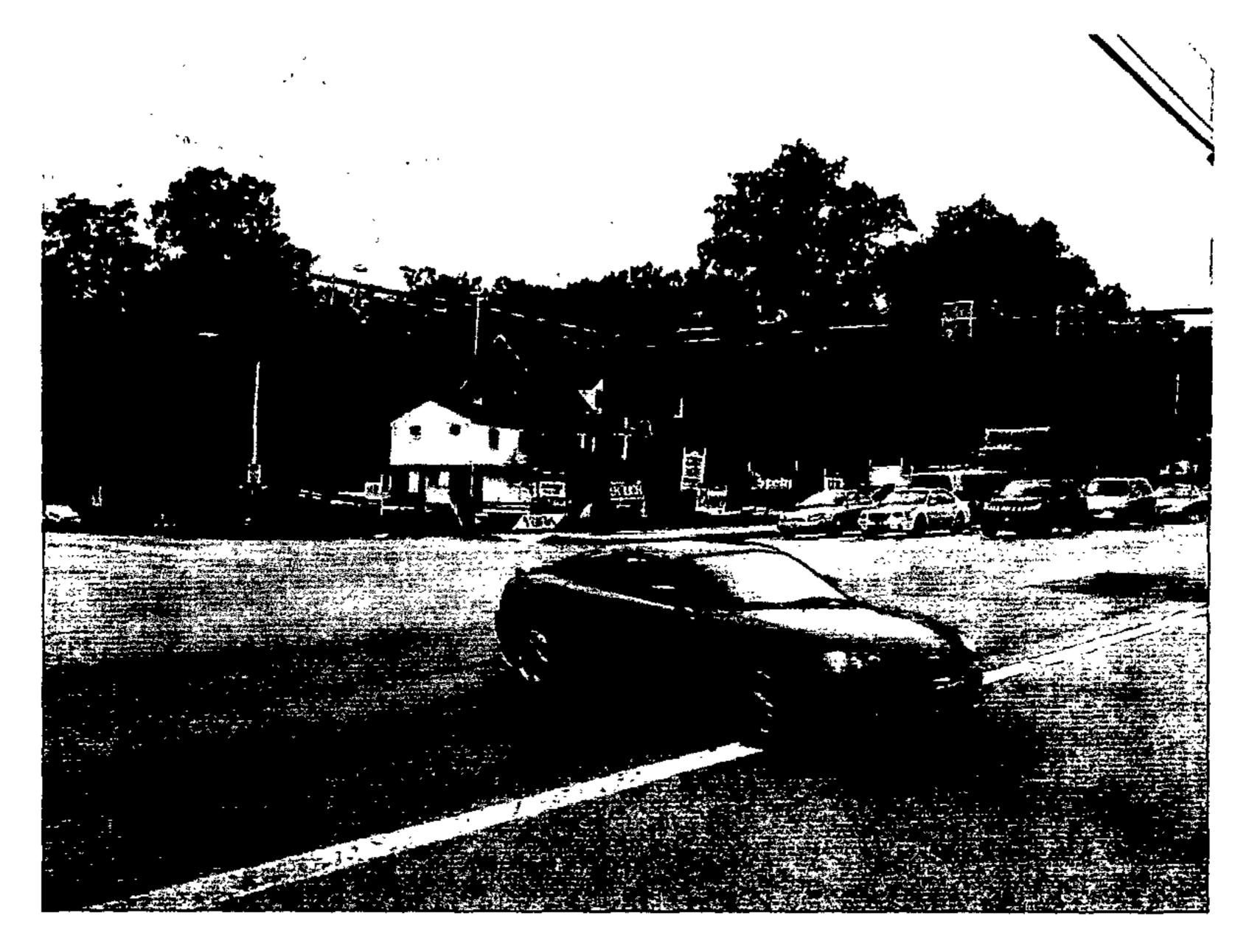


REAR OF EXISTING BUILDING





VIEWS FROM EAST SIDE OF REISTERSTOWN ROAD SHOWING EXIT FROM ST. MARK'S CHURCH PROPERTY



VIEW OF SITE FROM CORNER OF REISTERSTOWN ROAD AND OLD COURT ROAD



VIEW OF SITE FROM ACROSS REISTERSTOWN ROAD – ENTRANCE TO ST. MARKS CHURCH ON RIGHT



VIEW OF OLAD COURT ROAD SIDE OF PROPERTY SHOWING EXISTING GRADES \_\_\_\_



LOOKING SOUTH FROM SITE ALONG REISTERSTOWN ROAD








VIEWS SHOWING EXISTING RETAINING WALL

EXISTING RETAINING WALL AT REAR OF PROPERTY ADJACENT TO ST. MARK'S CHURCH

PETITIONER'S EXHIBIT



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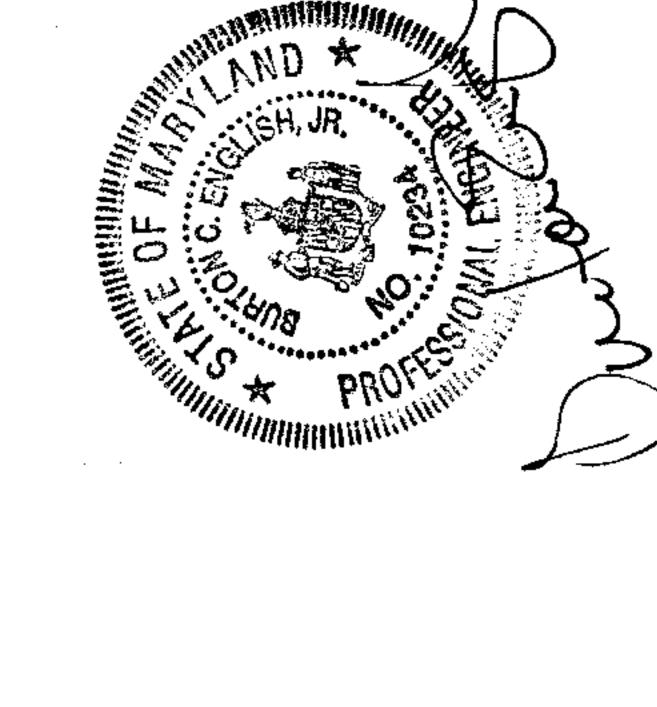
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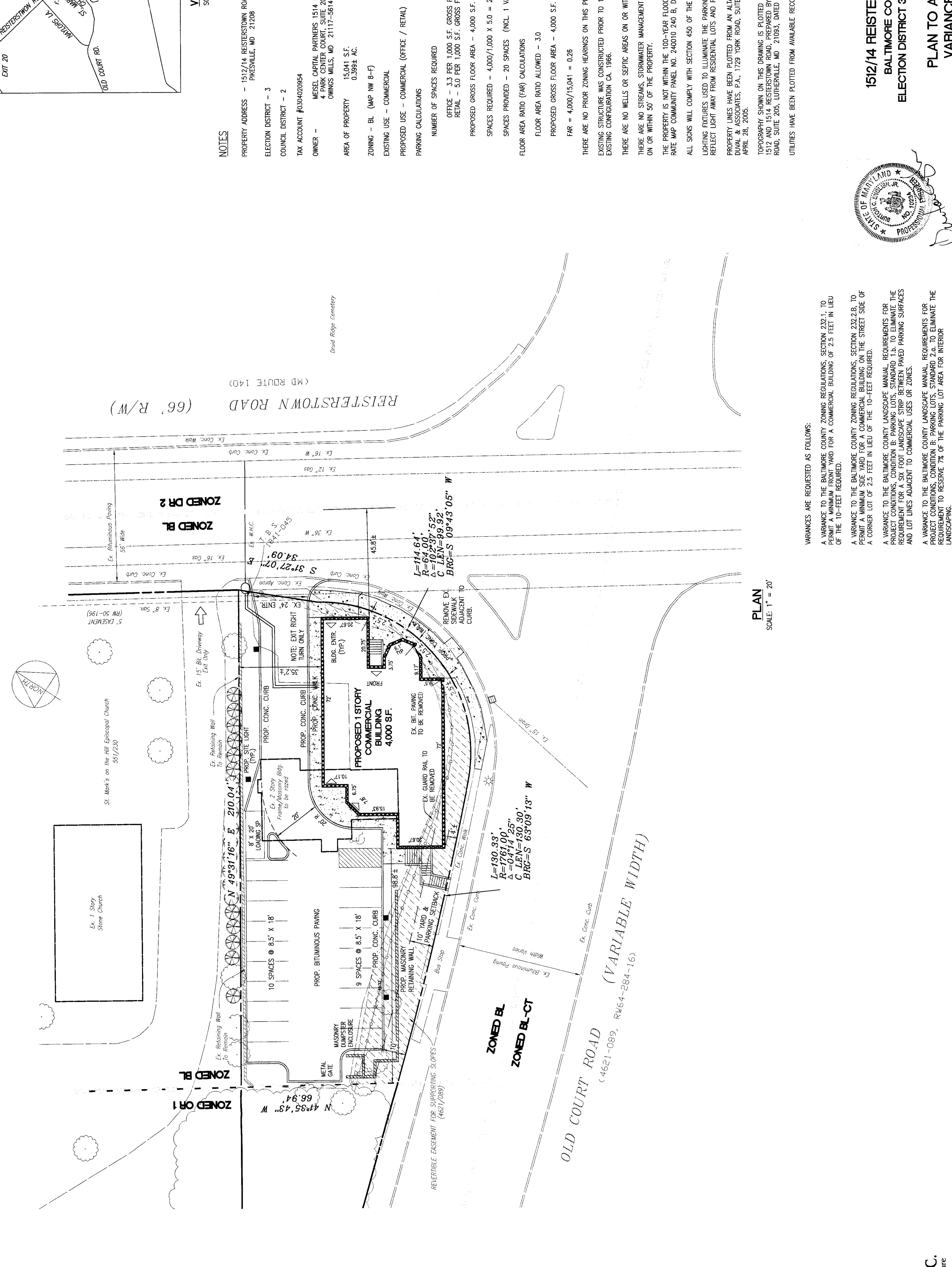
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
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
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






PROPERTY LINE ト <del>- - - - -</del> -|- - - -SITE SECTION · - - - W \_\_\_\_\_\_





ARRAND & ENGLISH, INC.

And Engineering Landscape Architecture

416 LYMAN AVENUE

BALTIMORE, MD 21212

CZ JINIK ZJ