IN RE: **PETITION FOR VARIANCE** S/S Reisterstown Road, 85' SE Cedarmere Road **(11238 Reisterstown Road)** 4th Election District 4th Council District Tony & Ritas, LLC Petitioner	* * * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY **Case No. 07-539-A**

* * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Tony & Ritas, LLC, by Antoly Voskovsky, through their attorney, Frank V. Boozer, Jr., Esquire. The Petitioner seeks relief from Section 409.6A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow 19 parking spaces in lieu of the required 22 spaces. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Antoly Voskovsky, managing member of Tony & Ritas, LLC, property owner, Joseph L. Larson, of Spellman, Larson & Associates, Inc., the consultant who prepared the site plan for this property, and Frank V. Boozer, Jr., Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present.

Testimony and evidence offered disclosed that the subject property is located on the south side of Reisterstown Road (MD 140), north of Dolfield Road and just south of Cedarmere Road in Owings Mills. The property contains a gross area of 0.23 acres, more or less (10,030 square feet), zoned B.L., and for many years the improvements thereon were used as the Reisterstown Professional Centre. The Petitioner acquired the property in June 2006 and has invested over $1 million clearing the property, hauling away debris and now proposes razing the

ORDER RECEIVED FOR FILING
Date 8-7-07
By

existing office building and erecting a new 2-story retail/office building towards the rear of the lot with 19 parking spaces. These spaces are essentially grouped on either side of a 22-foot wide drive aisle centrally located on the lot. Mr. Voskovsky and his wife reside in the Owings Mills area and believe the site, which is surrounded by commercial uses, to be well suited for their jewelry business. As shown on the site plan, the first floor encompasses 1,986 square feet and will be used by Anthony's Jeweler's for retail sales. The second floor, of equal size, will provide for office space. The building also features a below-grade basement. Building elevations and the floor plan drawings were submitted for review at the hearing which show that the building will be an attractive structure and that the basement level will serve primarily for storage but with a potential for office use. The amount of parking required is somewhat skewed by the basement area, which contributes to the square footage of the building but does not contain the retail or office space of the two floors above. (Each floor contains 1,986 square feet). It is also to be pointed out as illustrated by Petitioner's Exhibit 2 that the proposal has been reviewed by the Development Review Committee and received Development Plan approval on March 2, 2007 (DRC #071006G).

As noted above, a variance is needed as it relates to the number of parking spaces; specifically, that there are 19 spaces provided in lieu of the 22 required. Section 409 of the B.C.Z.R. calculates the number of parking spaces required, based on the square footage of the building (i.e., 5 spaces/1,000 square feet for retail and 3.3 spaces/1,000 square feet for office). As shown on the site plan, the two floors designated for office use require 12 spaces and the one floor for retail requires 10 spaces.

Variances may be granted only in accordance with the provisions of B.C.Z.R Section 307, as have been interpreted by the Court of Appeals in *Cromwell v. Ward*, 102 Md. 691 (1995). In order for a variance to be granted, it must be determined that the property at issue is unique.

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At first blush, it may seem that this rectangularly shaped property (170′ x 60′) is not unique, but upon closer inspection and consideration, it nevertheless is. I explain.

As noted above, the property is zoned B.L., a classification which permits fast food restaurants, drug stores, department stores and similar uses including office buildings (*See* BC.Z.R. Section 230). The uniqueness of this property originates from the small area of the site when compared to other typical B.L. zoned properties. Simply stated, the Cedarmere subdivision plat when originally filed provided for large residential homes on rectangular shaped lots. When the zoning was changed to B.L. for commercial uses on these relatively narrow lots, as compared to other typical B.L. zoned property, the area requirements at issue result in a minimal area and site constraints such if strict adherence to the regulations were required, the property owner would have no reasonable use of the property for the permitted purposes listed. These factors contributed to the "practical difficulty" finding that is required for variance relief to be granted.

Based on the testimony and evidence offered, I am persuaded to grant the requested relief. I find that there will be no adverse impact caused by the proposed improvements upon adjacent property owners and that the granting of the requested relief will be consistent with the spirit and intent of the B.C.Z.R. Moreover, I find that the proposed use is appropriate for this site and is compatible with the character of the surrounding neighborhood. Thus, I find that the relief can be granted without detrimental impact to adjacent properties or the surrounding locale. However, within its Zoning Advisory Committee (ZAC) comment, the State Highway Administration requested that I consider potential operational problems for vehicles parking in the two parking spaces near the entrance. Michael Bailey, on behalf of the Administration, wanted to see parking movements involving these two spaces minimized as they are located at the nearest point to Reisterstown Road. In response to these comments, the Petitioner agreed

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Date 8-17-07
By

that he would limit the use of these spaces to himself and his wife or for employee parking only. In this way, he gave assurances that cars would not be moved between the hours of 9 AM and 8 PM. The Petitioner also indicated a willingness to condition approval on not leasing any office space for medical or clinic office use.

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.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of August 2007 that the Petition for Variance seeking relief from Section 409.6A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow 19 parking spaces in lieu of the required 22 spaces, in accordance with Petitioner's Exhibit 1, be and the same is hereby GRANTED, subject to the following restrictions:

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

2. The two parking spaces near the entrance (ingress/egress) with Reisterstown Road (MD 140) shall be posted "Employee Parking Only" in order to reduce potential impacts caused by vehicle parking movements at this location.

3. There shall be no leasing of space on the premises for medical office or clinical use by the Petitioner or its successors and assigns without first receiving approval through the filing of a Petition for Special Hearing with this Commission.

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

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 8-7-07
By

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

August 7, 2007

Frank V. Boozer, Jr., Esquire
Covahey, Boozer, Devan & Dore, P.A.
614 Bosley Avenue
Towson, Maryland 21204

RE: **PETITION FOR VARIANCE**
S/S Reisterstown Road, 85' SE Cedarmere Road
(11238 Reisterstown Road)
4th Election District - 4th Council District
Tony & Ritas, LLC - Petitioner
Case No. 07-539-A

Dear Mr. Boozer:

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

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Joseph L. Larson, Spellman, Larson & Associates, Inc., 222 Bosley Avenue, Suite B3, Towson, Md. 21204
Antoly Voskovsky, 3915 Hunting Tweed Drive, Owings Mills, Md. 21117
Michael Bailey, State Highway Administration, Maryland Department of Transportation, 707 North Calvert Street, Baltimore, Md. 21202
People's Counsel; Development Plans Review; File

ORIGINAL

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11238 Reisterstown Road

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)

to allow 19 parking spaces in lieu of the reqired 22 spaces.

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

argument in support of variance and explanation of undue hardship and practical difficulty to be presented 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:

Name - Type or Print

Signature

Not applicable

Address — Telephone No.

City — State — Zip Code

Legal Owner(s): Tony & Ritas LLC

Anatoly Voskovsky President
Name - Type or Print

Anatoly Voskovsky
Signature

Name - Type or Print

Anatoly
Signature

3215 Hunting Tweed Drive 410-802-3217
Address — Telephone No.

Owings Mills MD 21117-1534
City — State — Zip Code

Attorney For Petitioner:

Name - Type or Print Bill spoke to Anat. Voskovsky & he's changed his name to "Anatoly"

Signature

Company

Address — Telephone No.

City — Zip Code

Representative to be Contacted:

Joseph Larson Spellman, Larson & Assoc.
Name

222 Bosley Avenue, Ste. B-3 410-823-3535
Address — Telephone No.

Towson MD 21204
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hr.

UNAVAILABLE FOR HEARING —

Case No. 07-530 A

ORDER RECEIVED FOR FILING
Date 8-7-07
By

Reviewed By JL Date 5.29.07

REV 9/15/98

SPELLMAN, LARSON & ASSOCIATES, INC.

CIVIL ENGINEERS AND LAND SURVEYORS
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535 / FAX (410) 825-5215

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON

539

Legal Description to Accompany Zoning Petition

11238 Reisterstown Road

4th Election District

Beginning for the same, at a point on the south side of Reisterstown Road 66' wide being 85 feet more or less from the center line of Cedarmere Road and running along the south side of Reisterstown Road South 38 degrees, 30 minutes East 60.01 feet to a point on the south side of Reisterstown Road thence continuing for a line of division North 52 degrees, 15 minutes East 170.02 feet thence North 38 degrees, 30 minutes West 57.78 feet and South 51 degrees, 30 minutes West 170.00 feet to the place in beginning. The subject property containing 0.23 acres of land more or less.

Subject property also being known as Lot #2 on the Plat of Cedarmere recorded in Plat Book 19 Folio 100.

File #D04300701

STATE OF MARYLAND
EDWIN J. KIRBY, JR.
No. 5491
REGISTERED
PROFESSIONAL LAND SURVEYOR

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

VL #539 No. 27952

DATE 5/29/07

ACCOUNT 001.006.6150

AMOUNT $ 325.00

RECEIVED FROM: S. Bollinger & Lawson

FOR: Case # VAR 11238 Reisterstown Rd

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS DATE	ACTUAL TIME	RECEIPT
5/30/2007	5/29/2007 11:33:07	2

REG USO2 HAUL JOHN JOE
>>RECEIPT # 518171 5/29/2007 OPEN
Dept 5 328 ZONING VERIFICATION
CR NO. 027952
Recpt tot $325.00
$325.00 CK $.00 CA
Baltimore County, Maryland

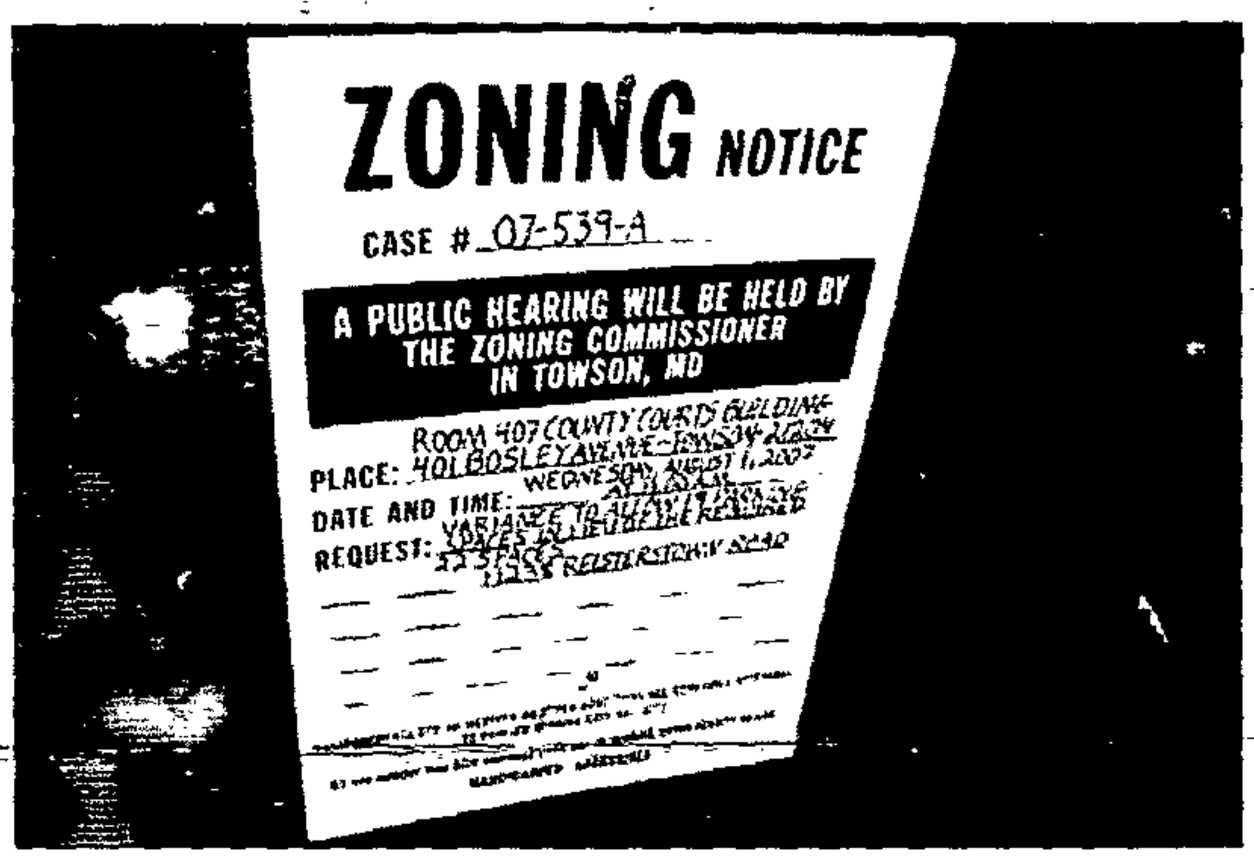
CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS
DATE: 07/14/07
Case Number: 07-539-A
Petitioner / Developer: ANATOLY VOSKOVSKY~JOSEPH LARSON
Date of Hearing (Closing): AUGUST 1, 2007

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
11238 REISTERSTOWN ROAD

The sign(s) were posted on: 07/12/07



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 – 666 – 5366
(Telephone Number of Sign Poster)

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: # 07-539-A
11238 Reisterstown Road
S/side of Reisterstown Road, 85 feet s/east of Cedarmere Road
4th Election District - 4th Councilmanic District
Legal Owner(s): Tony & Ritas, LLC, Anatoly Voskovsky, Pres.

Variance: to allow 19 parking spaces in lieu of the required 22 spaces.

Hearing: Wednesday, August 1, 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) 887-3868.
(2) For Information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 7/691 July 17 142197

CERTIFICATE OF PUBLICATION

7/19/, 2007

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/17/, 2007.

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

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY

MARYLAND

JAMES T. SMITH, JR.
County Executive

June 26, 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:

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11238 Reisterstown Road
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Hearing: Wednesday, August 1, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: Anatoly Voskovsky, 3215 Hunting Tweed Drive, Owings Mills 21117
Joseph Larson, 222 Bosley Avenue, Ste. B-3, Towson 21204

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 17, 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:
Anatoly Voskovsky 410-802-3217
3215 Hunting Tweed Drive
Owings Mills, MD 21117-1534

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: 07-539-A
11238 Reisterstown Road
S/side of Reisterstown Road, 85 feet s/east of Cedarmere Road
4th Election District – 4th Councilmanic District
Legal Owners: Tony & Ritas, LLC, Anatoly Voskovsky, Pres.

Variance to allow 19 parking spaces in lieu of the required 22 spaces.

Hearing: Wednesday, August 1, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 07-539A

Petitioner: Anatoly Voskovsky

Address or Location: 11238 Reisterstown Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: ANATOLY VOSKOVSKY

Address: 3215 Hunting Tweed Dr.
Owings Mills Md 21117-1534

Telephone Number: 410.802.3217

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

July 26, 2007

Tony & Ritas LLC
Anatoly Voskovsky, President
3215 Hunting Tweed Drive
Owings Mills, MD 21117-1534

Dear Mr. Voskovsky:

RE: Case Number: 07-539-A, 11238 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 29, 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
Joseph Larson Spellman, Larson & Associates 222 Bosley Avenue, Suite B-3 Towson 21204

IB
BW 8/1
11AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 15, 2007

RECEIVED
JUN 25 2007
BY:

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 07-539- Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Dave Green in the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

CM/LL

W:\DEVREV\ZAC\7-539.doc

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

SHA State Highway Administration

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

Maryland Department of Transportation

June 8, 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. 07-539-A
MD 140 (Reisterstown Road)
south of Cedarmere Road
11238 Reisterstown Road
Commercial Building
Case No. 07-539-A

Dear Ms. Matthews:

Thank you for the opportunity to review of the plat to accompany zoning petition and proposed improvements on the subject of the above captioned, which was received June 4th. We understand that this plan illustrates a proposal to develop a 2-story retail/office building with 19 parking spaces.

We have completed a cursory review of the site plan as well as existing conditions. Access onto the property is to be served by one full movement entrance onto Reisterstown Road. The State Highway Administration (SHA) has determined that the proposed entrance is adequate for the intended use. Based on our guidelines and requirements we find proposed improvements for the 11238 Reisterstown Road property acceptable. However, we would like to state for the record a concern that the two parking spaces near the entrance may present some operational problems. The potential for vehicle impacts is highly probable when parking movements occur at the point of ingress/egress.

In summation, this office requests that the Zoning Reviewer Planner consider our comments as a condition of approval in the matter of Case Number 7-518-A.

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,

Michael P. Bailey

For Steven D. Foster, Chief
Engineering Access Permits
Division

Ms. Kristin Matthews
June 8, 2007

SDF/MB

Cc: Mr. Joseph L. Larson, Consultant Engineer, Spellman, Larson & Associates, 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
Department of Permits & Development Management

DATE: June 7, 2007

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

SUBJECT: *Zoning Advisory Committee Meeting*
For June 11, 2007
Item No. 07-539

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

We have no objection to the variance; however, the petitioner is reminded that the development plan has not been approved. There are comments which have not been addressed.

DAK:CEN:clw
cc: File
ZAC-ITEM NO 07-539-06072007.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

June 14, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 04, 2007

S39

Item Number: 526 Through 541

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 15, 2007

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 07-539- Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Dave Green in the Office of Planning at 410-887-3480.

Prepared By: _____

Division Chief: _____

CM/LL

W:\DEVREV\ZAC\7-539.doc

RE:	PETITION FOR VARIANCE 11238 Reisterstown Road; S/S Reisterstown Rd, 85' SE Cedarmere Road 4th Election & 4th Councilmanic Districts Legal Owner(s): Tony & Ritas LLC Petitioner(s)	* * * * * *	BEFORE THE BOARD OF APPEALS FOR BALTIMORE COUNTY 07-539-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 all documentation filed in the case.

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

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

RECEIVED
JUN 07 2007
Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of June, 2007, a copy of the foregoing Entry of Appearance was mailed to, Joseph Larson, 222 Bosley Avenue, Suite B-3, Towson, MD 21204, Representative for Petitioner(s).

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

PLEASE PRINT CLEARLY

CASE NAME 11238 Reisterstown Rd
CASE NUMBER 07-539 A
DATE 8-1-07

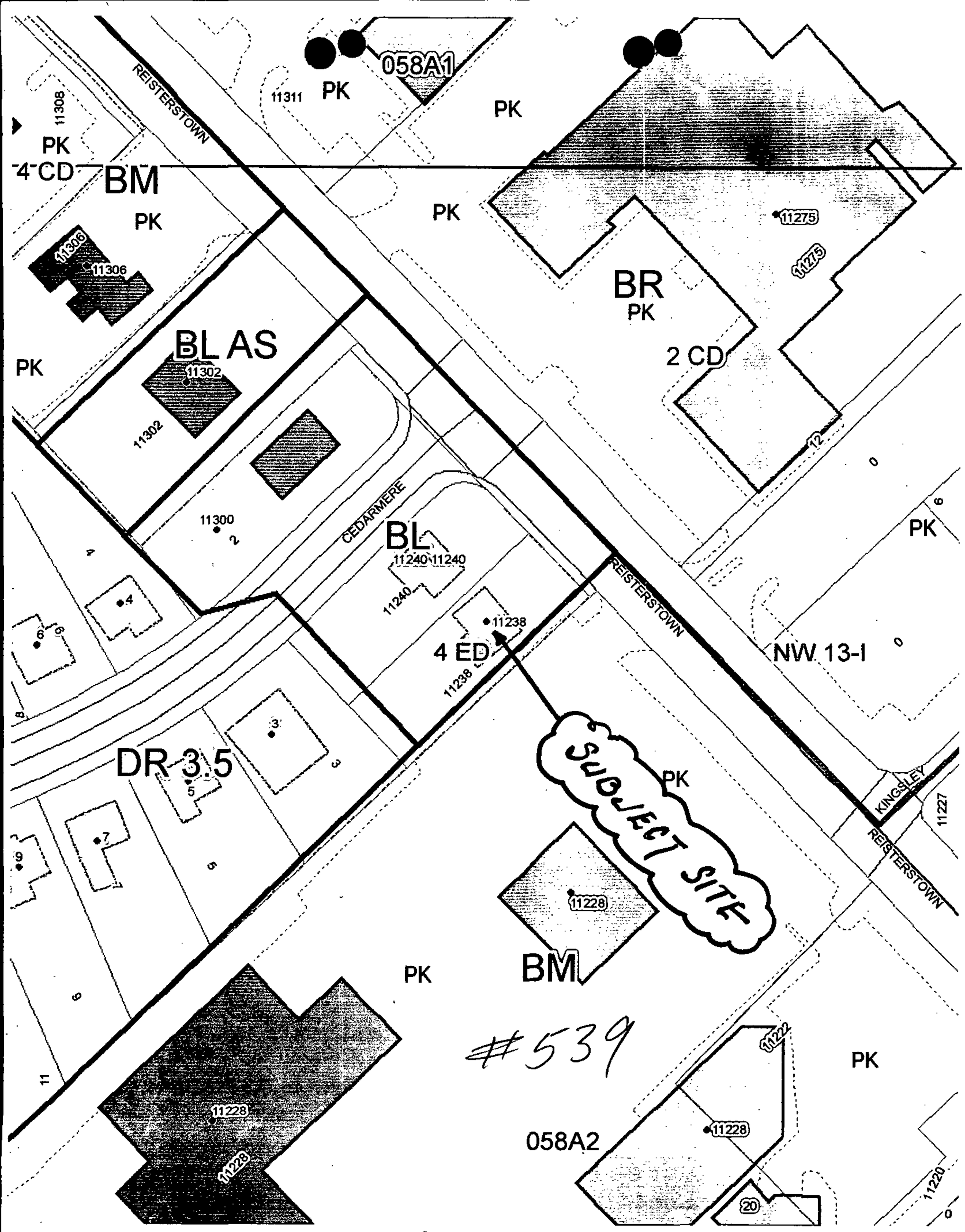
PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
JOSEPH LARSON	222 Bosley Ave Ste B.3	Towson Md 21204	
Antoni Voskovsky	3215 Hunting Tweed	Owings Mill MD 21117	
FRANK V. BOWER JR.	614 BOSLEY AVE	TOWSON MD 21204	fbower@cablaw.com

Case No.: 07-539 A 11238 Reisterstown RD

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	Site Plan	
No. 2	Certified Approved Development Plan 3/2/07	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



BALTIMORE COUNTY ZONING MAP

Click here for a plain text ADA compliant screen.

Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

Go Back
View Map
New Search
Ground Rent

Account Identifier: **District** - 04 **Account Number** - 2000009502

Owner Information

Owner Name:	VOSKOVSKY ANATOLY VOSKOVSKY MARGARITA	**Use:**	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	3215 HUNTING TWEED DR OWINGS MILLS MD 21117	**Deed Reference:**	1) /10067/ 354 2)

Location & Structure Information

Premises Address
3215 HUNTING TWEED DR

Legal Description
1.325 AC
3215 HUNTING TWEED DR SS
HUNTINGTON

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
58	5	552			2		11	1	Plat Ref: 55/ 13

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1994	4,508 SF	1.32 AC	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	STUCCO

Value Information

	Base Value	Value As Of 01/01/2007	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land:	309,600	288,960		
Improvements:	463,660	667,470		
Total:	773,260	956,430	773,260	834,316
Preferential Land:	0	0	0	0

Transfer Information

Seller:	ULANOW ROBIN M	**Date:**	10/13/1993	**Price:**	$125,000
Type:	IMPROVED ARMS-LENGTH	**Deed1:**	/10067/ 354	**Deed2:**	
Seller:	ROSENTHAL MARK S	**Date:**	09/01/1992	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/ 9344/ 647	**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**Deed2:**	

Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

** NONE **

Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007b)

Go Back
View Map
New Search
GroundRent

Account Identifier: **District** - 04 **Account Number** - 0418010900

Owner Information

Owner Name:	TONY & RITAS LLC C/O ANATOLY VOSKOVSKY	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	3215 HUNTING TWEED DRIVE OWINGS MILLS MD 21117-1534	**Deed Reference:**	1) /24109/ 531 2)

Location & Structure Information

Premises Address
11238 REISTERSTOWN RD

Legal Description
11238 REISTERSTOWN RD
CEDARMERE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
58	7	86			A	B	2	2	Plat Ref: 19/ 100

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		10,030.00 SF	06

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2005	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land	83,600	139,300		
Improvements:	0	0		
Total:	83,600	139,300	169,900	139,300
Preferential Land:	0	0	0	0

Transfer Information

Seller: REISTERSTOWN PROFESSIONAL CENTRE	**Date:** 06/29/2006	**Price:** $393,750
Type: IMPROVED ARMS-LENGTH	**Deed1:** /24109/ 531	**Deed2:**
Seller: AZMAN ABRAHAM AZMAN THOMAS	**Date:** 04/09/1998	**Price:** $130,000
Type: IMPROVED ARMS-LENGTH	**Deed1:** /12780/ 497	**Deed2:**
Seller: RESNICK MILTON	**Date:** 01/06/1986	**Price:** $160,000
Type: IMPROVED ARMS-LENGTH	**Deed1:** / 7076/ 622	**Deed2:**

Exemption Information

Partial Exempt Assessments	**Class**	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
* NONE *

21117

GENERAL NOTES

1. THERE ARE NO ARCHEOLOGICAL SITES, HAZARDOUS MATERIAL, ENDANGERED SPECIES HABITATS, CRITICAL AREAS OR HISTORIC BUILDINGS ON THE SUBJECT SITE.
2. THERE ARE NO STREAMS, BODIES OF WATER, OR SPRINGS ON OR ADJACENT TO THE SUBJECT SITE.
3. THERE ARE NO UNDERGROUND STORAGE TANKS ON THE SUBJECT SITE.
4. THE SUBJECT SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
5. ALL PROPOSED SIGNAGE WILL COMPLY WITH SECTIONS 450 & 259.3.C.1 OF THE BCZR.
6. THE SUBJECT PROPERTY HAS NO PREVIOUS ZONING CASE HISTORY.
7. THE PARKING LOT LIGHTING WILL NOT REFLECT ONTO ADJACENT RESIDENTIAL LOTS.
8. ALL PARKING SPACES SHALL BE PERMANENTLY STRIPED.
9. THE PARKING LOT SHALL BE PAVED WITH AN APPROVED DUSTLESS AND DURABLE SURFACE.
10. HANDICAP PARKING SPACES SHALL BE PROVIDED IN ACCORDANCE WITH STANDARD A.D.A. REGULATIONS.
11. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN.
12. THERE ARE NO WELLS OR SEWAGE DISPOSAL SYSTEMS ON OR AROUND THE SUBJECT SITE.
13. THE STORM WATER MANAGEMENT REQUIREMENTS FOR THIS PROJECT WILL BE ADDRESSED BY PAYING A "FEE IN LIEU OF."
14. THERE WILL BE NO DUMPSTER FOR THIS PROJECT. TRASH WILL BE COLLECTED STREET SIDE.
15. THE PROPOSED BUILDING SHALL BE DESIGNED AND CONSTRUCTED SO AS TO MEET THE APPLICABLE PROVISIONS OF THE BALTIMORE COUNTY FIRE PREVENTION CODE.
16. THE DEVELOPER MUST PROVIDE NECESSARY DRAINAGE FACILITIES (TEMPORARY OR PERMANENT) TO PREVENT CREATING ANY NUISANCES OR DAMAGES TO ADJACENT PROPERTIES, ESPECIALLY BY THE CONCENTRATION OF SURFACE WATERS. CORRECTION OF ANY PROBLEM, WHICH MAY RESULT DUE TO IMPROPER GRADING OR IMPROPER INSTALLATION OF DRAINAGE FACILITIES, WILL BE THE FULL RESPONSIBILITY OF THE DEVELOPER.
17. ALL SITE RUNOFF MUST BE CONVEYED TO A SUITABLE OUTFALL WITHOUT IMPOSING ANY ADVERSE IMPACT TO THE RECIEVING WATERCOURSE.
18. IN ACCORDANCE WITH BALTIMORE COUNTY COUNCIL GRADING, SEDIMENT CONTROL AND FOREST MANAGEMENT ORDINANCE (BILL NO. 33-88), A GRADING PLAN SHALL BE APPROVED AND A PERFORMANCE BOND POSTED PRIOR TO ISSUANCE OF A GRADING PERMIT.

SOILS LIMITATION CHART

SYMBOL	SERIES	W/ BASEMENT	W/O BASEMENT	PARKING & STREETS
GEB2	GLENELG	SLIGHT	SLIGHT	MODERATE

PARKING CALCULATIONS

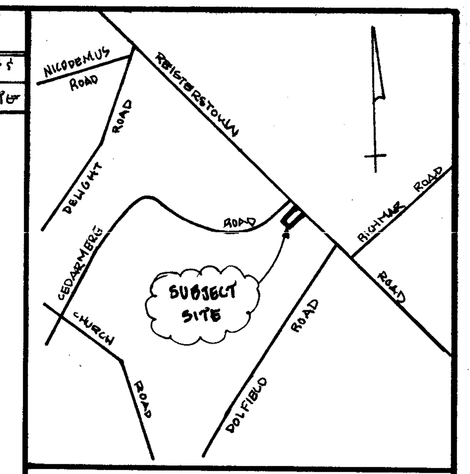
1ST FLOOR RETAIL: 1986 SQ.FT. @ 5/1000
5 x 1.99 = 10 SPACES

2ND FLOOR OFFICE = 1986 SQ.FT. @ 3.3/1000
3.3 x 1.99 = 6 SPACES

BASEMENT OFFICE = 1986 SQ.FT. @ 3.3/1000
3.3 x 1.99 = 6 SPACES

NOTE: ALL OFFICE SPACE IS GENERAL OFFICE, NOT MEDICAL.

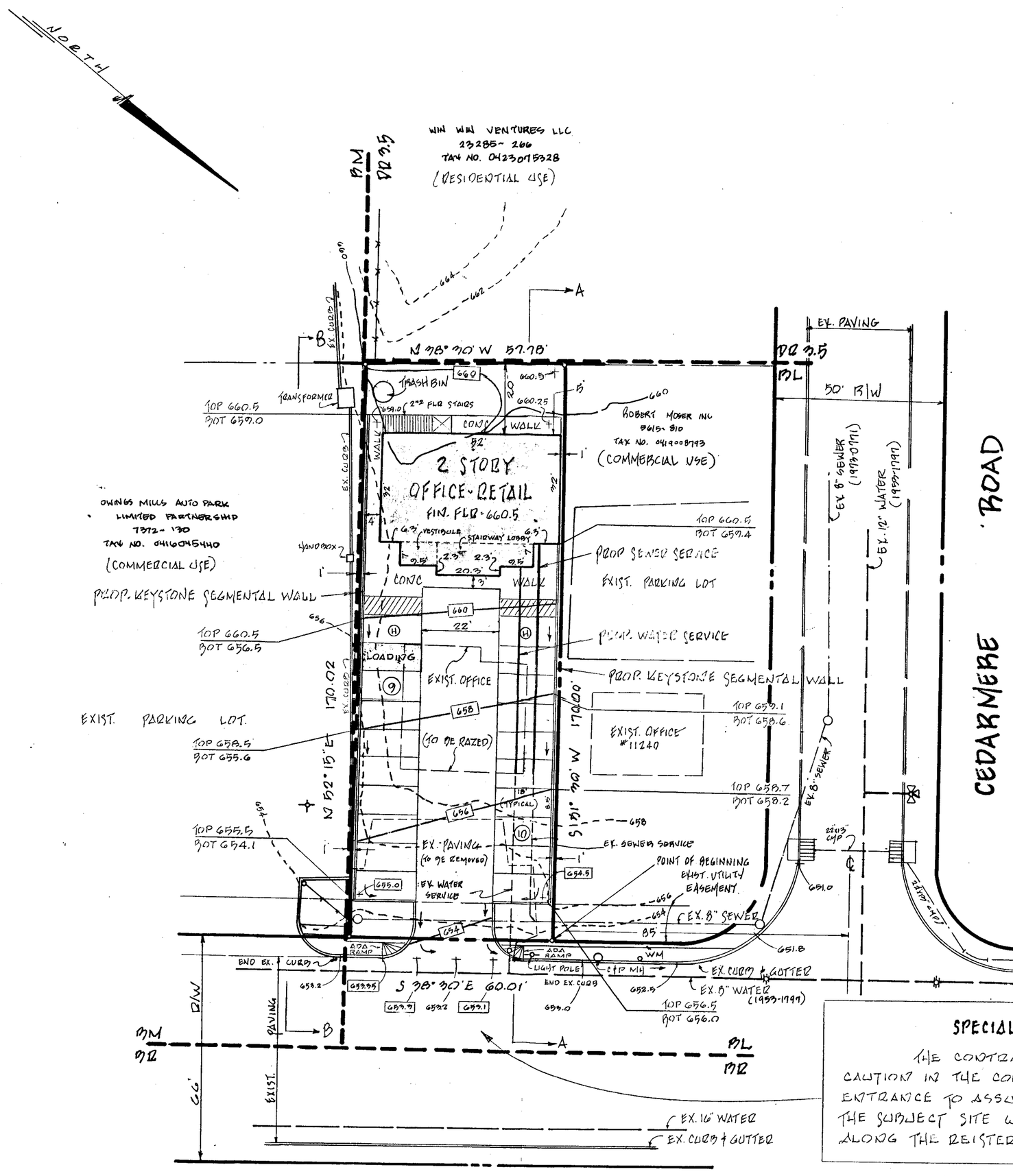
PARKING REQUIRED = 22 SPACES
PARKING PROVIDED = 17 SPACES



VICINITY MAP
SCALE: 1" = 1000'

SITE DATA

SITE AREA	0.23 AC+-, 10012 SQ.FT.
ZONING MAP	058A2
EXIST. ZONING	BL
EXIST. USE	OFFICE
COUNCILMANIC DIST.	4TH
PROPOSED USE	RETAIL & OFFICE
DEED REFERENCE	12780-497
TAX MAP / GRID / PARCEL	58/7/86
TAX ACCOUNT NO.	0418010900
UTILITIES	EXIST SEWER - PUBLIC EXIST WATER - PUBLIC
PLAT REFERENCE	S.L.B. 19 FOLIO 100
CENSUS TRACT	404100
WATERSHED	GWYNNS FALLS
SUBSEWERSHED	67
REGIONAL PLANNING DIST.	306



SPECIAL ENTRANCE NOTE

THE CONTRACTOR IS TO EXERCISE EXTREME CAUTION IN THE CONSTRUCTION OF THE PROPOSED ENTRANCE TO ASSURE POSITIVE DRAINAGE FROM THE SUBJECT SITE WILL BE DIRECTED NORTHERLY ALONG THE REISTERSTOWN RD GUTTER LINE.

REISTERSTOWN ROAD

MD ROUTE NO. 140

DEVELOPMENT REVIEW COMMITTEE

THE SUBJECT PROPERTY WAS APPROVED FOR A (5)(B) LIMITED EXEMPTION ON JULY 10, 2006 IN ACCORDANCE WITH SECTION 32-4-106(5)(B) OF THE BALTIMORE COUNTY DEVELOPMENT REGULATIONS DRC NO. 071006G

REFER TO BLDG. PERMIT NO. B657733

SURVEYORS CERTIFICATION

EDWIN J. KIRBY, JR. PLS # 5481

LEGEND

EXIST. GRADE ---- 660 ----
PROP. GRADE —— 660 ——
EXIST. SPOT ELEV. 660 —+
PROP. SPOT ELEV. 660 —+
PROP. DRAINAGE FLOW → → →
WALL ELEVATIONS —— TOP 660.0 / BOT 658.0

539

DRC # 071006G

OWNER - DEVELOPER
TONY & RITA'S LLC
ANTONY VOSKOVSKY Member
3213 HUNTING TWEED RD.
OWINGS MILLS, MD 21117

REVISIONS		
NO.	DATE	DESCRIPTION

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 406, JEFFERSON BLDG., TOWSON, MD 21204
PHONE: 823-3535

PLAT TO ACCOMPANY
ZONING PETITION
"ANTONY'S JEWELERS"

11298 REISTERSTOWN RD.
OWINGS MILLS

PDM NO. 04-679

4TH ELECTION DISTRICT BALTIMORE CO. MD

SCALE 1" = 20'	DES. BY:	SHT. 1 OF 1
DATE MAY 15, 2007	DRN. BY: A.J.K.	

206040

GENERAL NOTES

1. THERE ARE NO ARCHEOLOGICAL SITES, HAZARDOUS MATERIAL, ENDANGERED SPECIES HABITATS, CRITICAL AREAS OR HISTORIC BUILDINGS ON THE SUBJECT SITE.
2. THERE ARE NO STREAMS, BODIES OF WATER, OR SPRINGS ON OR ADJACENT TO THE SUBJECT SITE.
3. THERE ARE NO UNDERGROUND STORAGE TANKS ON THE SUBJECT SITE.
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5. ALL PROPOSED SIGNAGE WILL COMPLY WITH SECTIONS 450 & 259.3.C.1 OF THE BCZR.
6. THE SUBJECT PROPERTY HAS NO PREVIOUS ZONING CASE HISTORY.
7. THE PARKING LOT LIGHTING WILL NOT REFLECT ONTO ADJACENT RESIDENTIAL LOTS.
8. ALL PARKING SPACES SHALL BE PERMANENTLY STRIPED.
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10. HANDICAP PARKING SPACES SHALL BE PROVIDED IN ACCORDANCE WITH STANDARD A.D.A. REGULATIONS.
11. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN.
12. THERE ARE NO WELLS OR SEWAGE DISPOSAL SYSTEMS ON OR AROUND THE SUBJECT SITE.
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SOILS LIMITATION CHART

SYMBOL	SERIES	W/ BASEMENT	W/O BASEMENT	PARKING & STREETS
GcB2	GLENELG	SLIGHT	SLIGHT	MODERATE

PARKING CALCULATIONS

1ST FLOOR RETAIL - 1986 SQ.FT. @ 5/1000
5 × 1.99 = 10 SPACES

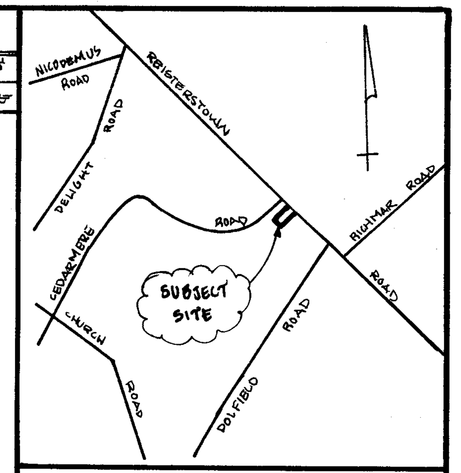
2ND FLOOR OFFICE = 1986 SQ.FT. @ 3.3/1000
3.3 × 1.99 = 6 SPACES

BASEMENT OFFICE = 1986 [illegible] 3.3/1000
3.3 × 1.99 = 6 SPACES

NOTE: ALL OFFICE SPACE IS GENERAL OFFICE, NOT MEDICAL.

PARKING [illegible] 22 SPACES

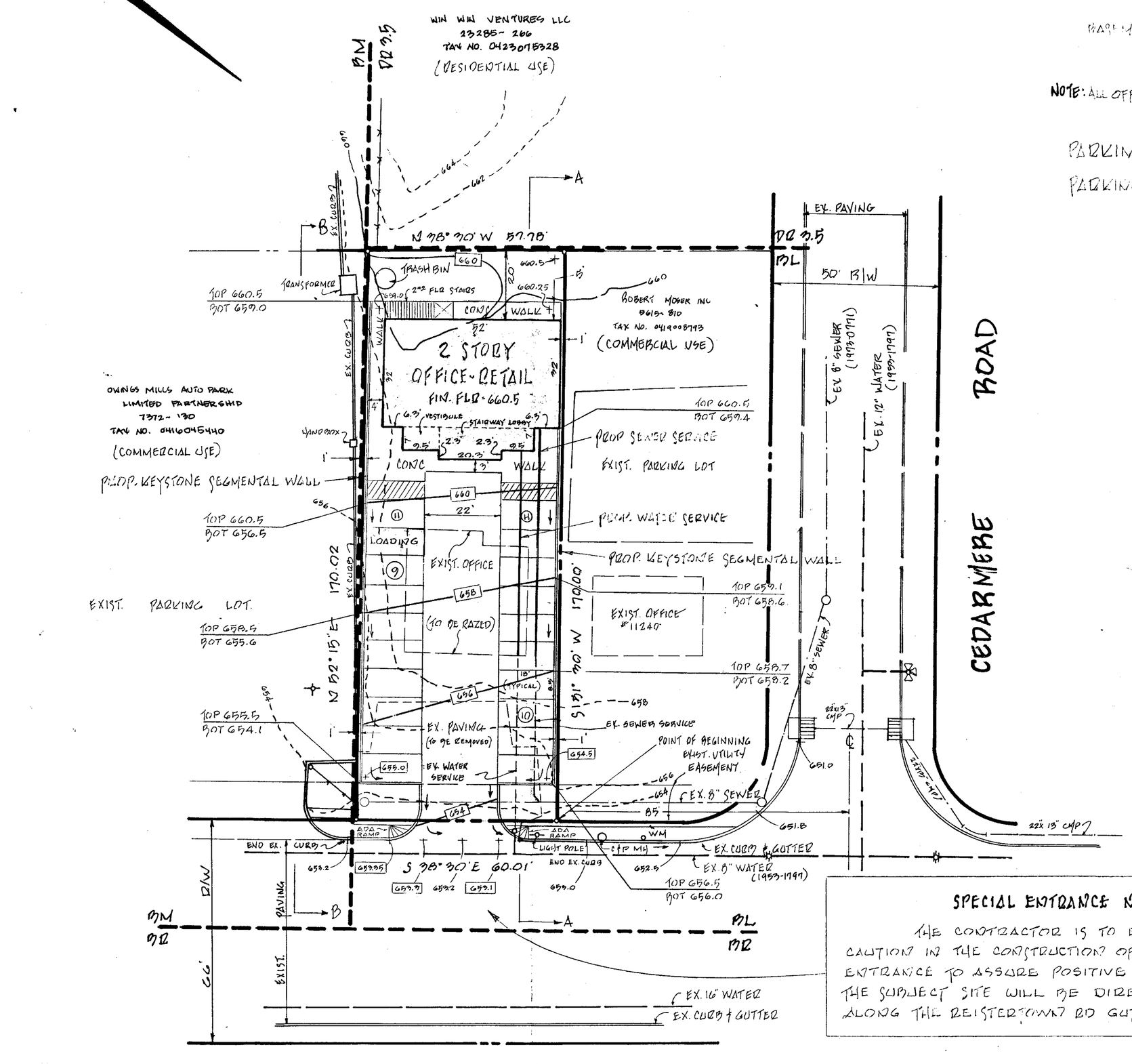
PARKING PROVIDED = 17 SPACES



VICINITY MAP
SCALE: 1" = 1000'

SITE DATA

SITE AREA	0.23 AC(+-) 10012 SQ.FT.
ZONING MAP	058A2
EXIST. ZONING	BL
EXIST. USE	OFFICE
COUNCILMANIC DIST.	4TH
PROPOSED USE	RETAIL & OFFICE
DEED REFERENCE	12780-497
TAX MAP / GRID / PARCEL	58 / 7 / 86
TAX ACCOUNT NO.	0418010900
UTILITIES	EXIST SEWER - PUBLIC EXIST WATER - PUBLIC
PLAT REFERENCE	E.H.B. 19 FOLIO 100
CENSUS TRACT	404100
WATERSHED	GWYNNS FALLS
SUBWATERSHED	67
REGIONAL PLANNING DIST.	306



SPECIAL ENTRANCE NOTE

THE CONTRACTOR IS TO EXERCISE EXTREME CAUTION IN THE CONSTRUCTION OF THE PROPOSED ENTRANCE TO ASSURE POSITIVE DRAINAGE FROM THE SUBJECT SITE WILL BE DIRECTED NORTHERLY ALONG THE REISTERSTOWN RD GUTTER LINE.

DEVELOPMENT REVIEW COMMITTEE

THE SUBJECT PROPERTY WAS APPROVED FOR A (b)(8) LIMITED EXEMPTION ON JULY 10, 2006 IN ACCORDANCE WITH SECTION 32-4-106(b)(8) OF THE BALTIMORE COUNTY DEVELOPMENT REGULATIONS DRC NO. 071006G

REFER TO BLDG. PERMIT NO. B657733

SURVEYORS CERTIFICATION

EDWIN J. KIRBY, JR. PLS # 5481

LEGEND

EXIST. GRADE ----660----
PROP. GRADE ——660——
EXIST. SPOT ELEV. 660 +
PROP. SPOT ELEV. 660 +
PROP. DRAINAGE FLOW → → →
WALL ELEVATIONS TOP 660.0 / BOT 658.0

DRC # 071006G

OWNER - DEVELOPER
TONY & RITA'S LLC
ANTONY VOSLOVSKY Member
9215 HUNTING TWEED DR.
OWINGS MILLS, MD 21117

REVISIONS		
NO.	DATE	DESCRIPTION

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 406, JEFFERSON BLDG., TOWSON, MD 21204
PHONE: 823-3535

PLAT TO ACCOMPANY
ZONING PETITION
"ANTONY'S JEWELERS"

11238 REISTERSTOWN RD.
OWINGS MILLS

PDM NO. 04-679

4TH ELECTION DISTRICT BALTIMORE CO. MD

SCALE 1" = 20' | DES. BY: | SHT. 1 OF 1
DATE MAY 18, 2007 | DRN. BY: F.T.R.

539

206040

GENERAL NOTES

1. THERE ARE NO ARCHEOLOGICAL SITES, HAZARDOUS MATERIAL, ENDANGERED SPECIES HABITATS, CRITICAL AREAS OR HISTORIC BUILDINGS ON THE SUBJECT SITE.
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SOILS LIMITATION CHART

SYMBOL	SERIES	W/ BASEMENT	W/O BASEMENT	PARKING & STREETS
GcB2	GLENELG	SLIGHT	SLIGHT	MODERATE

PARKING CALCULATIONS

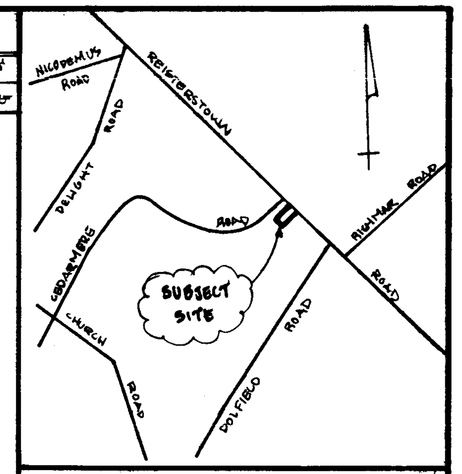
1ST FLOOR RETAIL - 2018 SQ.FT. @ 5/1000
5 × 2.02 = 11 SPACES

2ND FLOOR OFFICE = 2018 SQ.FT. @ 3.3/1000
3.3 × 2.02 = 7 SPACES

TOTAL PARKING REQUIRED = 18 SPACES

TOTAL PARKING PROVIDED = 19 SPACES

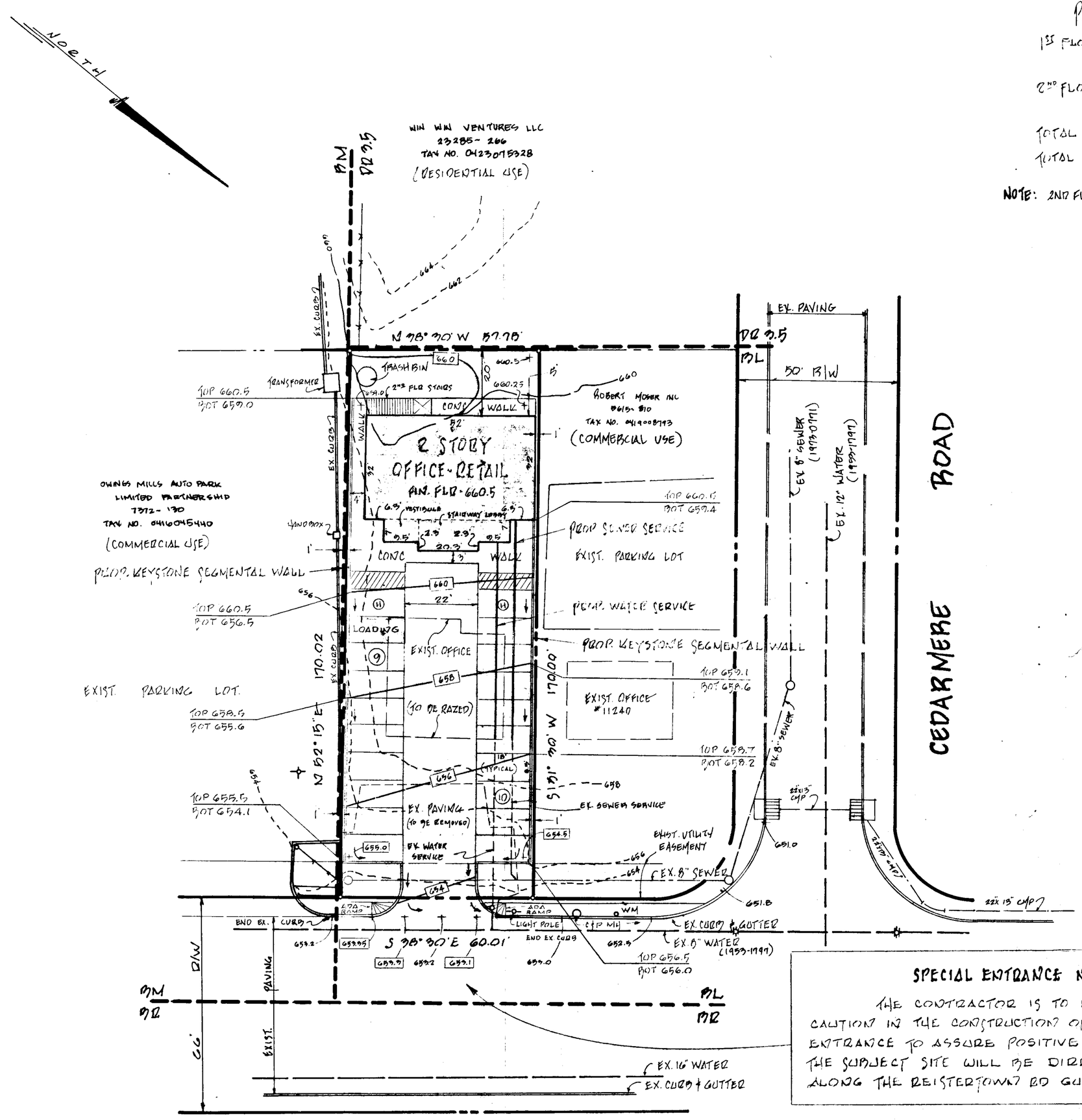
NOTE: 2ND FLOOR OFFICE IS GENERAL OFFICE, NOT MEDICAL.



VICINITY MAP
SCALE: 1" = 1000'

SITE DATA

SITE AREA	0.23AC(+-) 10012 SQ.FT.
ZONING MAP	058A2
EXIST. ZONING	BL
EXIST. USE	OFFICE
COUNCILMANIC DIST.	4TH
PROPOSED USE	RETAIL & OFFICE
DEED REFERENCE	12780-497
TAX MAP / GRID / PARCEL	58 / 7 / 86
TAX ACCOUNT NO.	0418010900
UTILITIES	EXIST SEWER - PUBLIC EXIST WATER - PUBLIC
PLAT REFERENCE	B.L.B. 19 FOLIO 100
CENSUS TRACT	404100
WATERSHED	GWYNNS FALLS
SUBSEWERSHED	67
REGIONAL PLANNING DIST.	306



DEVELOPMENT REVIEW COMMITTEE

THE SUBJECT PROPERTY WAS APPROVED FOR A (b)(B) LIMITED EXEMPTION ON JULY 10, 2006 IN ACCORDANCE WITH SECTION 32-4-106(b)(B) OF THE BALTIMORE COUNTY DEVELOPMENT REGULATIONS DRC NO. 071006G

SPECIAL ENTRANCE NOTE

THE CONTRACTOR IS TO EXERCISE EXTREME CAUTION IN THE CONSTRUCTION OF THE PROPOSED ENTRANCE TO ASSURE POSITIVE DRAINAGE FROM THE SUBJECT SITE WILL BE DIRECTED NORTHERLY ALONG THE REISTERTOWN RD GUTTER LINE.

SURVEYORS CERTIFICATION

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE SITE DEVELOPMENT COMMENTS DATED JULY 2006 AND HAVE PREPARED WITH DUE DILIGENCE THIS SITE DEVELOPMENT PURSUANT TO SAID COMMENTS.

LEGEND

EXIST. GRADE ------ 660 ------
PROP. GRADE ——— 660 ———
EXIST. SPOT ELEV. 660 —+
PROP. SPOT ELEV. 660 —+
PROP. DRAINAGE FLOW → → →
WALL ELEVATIONS TOP 660.0 / BOT 658.0

DELINQUENT ACCOUNTS CERTIFICATION

I, WE, REISTERSTOWN PROFESSIONAL CENTRE, LLC, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

PETITIONER'S EXHIBIT NO. 2
07-539 A

RECEIVED
MAR 02 2007
DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

NO.	DATE	DESCRIPTION
8	2-15-07	REV. PER SHA COMMENTS
7	2-1-07	REV. PER SHA COMMENTS
6	1-29-07	REV. PER DPR COMMENTS

BALTIMORE COUNTY DEPT. OF PDM
Project No. IV-679 #071006G
BALTIMORE COUNTY CODE
Section 32-4-106B
CERTIFICATION DEVELOPMENT Plan Approval
By: [signature] Date: 3/2/07
This plan approval shall expire four (4) years from this approval date.

DRC # 071006G

OWNER - DEVELOPER
ANTONY VOSKOVSKY
9213 HUNTING TWEED DR.
OWINGS MILLS, MD 21117

NO.	DATE	DESCRIPTION
1	9-13-06	REVISED PER AGENCY COMMENTS
2	10-2-06	SWM COMMENTS
3	12-6-06	SWM COMMENTS
4	12-13-06	SWM COMMENTS
5	1-24-07	REV. PER DPR COMMENTS

REVISIONS

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 406, JEFFERSON BLDG., TOWSON, MD 21204
PHONE: 823-3535

SITE DEVELOPMENT PLAN

"ANTONY'S JEWELERS"

11298 REISTERSTOWN RD.
OWINGS MILLS

PDM NO. 04-679

4TH ELECTION DISTRICT BALTIMORE CO., MD

SCALE: 1" = 20' DES. BY: DRN. BY: T.T.R. SHT. ___ OF ___
DATE: 8-1-06

296040

GENERAL NOTES

1. THERE ARE NO ARCHEOLOGICAL SITES, HAZARDOUS MATERIAL, ENDANGERED SPECIES HABITATS, CRITICAL AREAS OR HISTORIC BUILDINGS ON THE SUBJECT SITE.
2. THERE ARE NO STREAMS, BODIES OF WATER, OR SPRINGS ON OR ADJACENT TO THE SUBJECT SITE.
3. THERE ARE NO UNDERGROUND STORAGE TANKS ON THE SUBJECT SITE.
4. THE SUBJECT SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
5. ALL PROPOSED SIGNAGE WILL COMPLY WITH SECTIONS 450 & 259.3.C.7 OF THE BCZR.
6. THE SUBJECT PROPERTY HAS NO PREVIOUS ZONING CASE HISTORY.
7. THE PARKING LOT LIGHTING WILL NOT REFLECT ONTO ADJACENT RESIDENTIAL LOTS.
8. ALL PARKING SPACES SHALL BE PERMANENTLY STRIPED.
9. THE PARKING LOT SHALL BE PAVED WITH AN APPROVED DUSTLESS AND DURABLE SURFACE.
10. HANDICAP PARKING SPACES SHALL BE PROVIDED IN ACCORDANCE WITH STANDARD A.D.A. REGULATIONS.
11. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN.
12. THERE ARE NO WELLS OR SEWAGE DISPOSAL SYSTEMS ON OR AROUND THE SUBJECT SITE.
13. THE STORM WATER MANAGEMENT REQUIREMENTS FOR THIS PROJECT WILL BE ADDRESSED BY PAYING A "FEE IN LIEU OF."
14. THERE WILL BE NO DUMPSTER FOR THIS PROJECT. TRASH WILL BE COLLECTED STREET SIDE.
15. THE PROPOSED BUILDING SHALL BE DESIGNED AND CONSTRUCTED SO AS TO MEET THE APPLICABLE PROVISIONS OF THE BALTIMORE COUNTY FIRE PREVENTION CODE.
16. THE DEVELOPER MUST PROVIDE NECESSARY DRAINAGE FACILITIES (TEMPORARY OR PERMANENT) TO PREVENT CREATING ANY NUISANCES OR DAMAGES TO ADJACENT PROPERTIES, ESPECIALLY BY THE CONCENTRATION OF SURFACE WATERS. CORRECTION OF ANY PROBLEM, WHICH MAY RESULT DUE TO IMPROPER GRADING OR IMPROPER INSTALLATION OF DRAINAGE FACILITIES, WILL BE THE FULL RESPONSIBILITY OF THE DEVELOPER.
17. ALL SITE RUNOFF MUST BE CONVEYED TO A SUITABLE OUTFALL WITHOUT IMPOSING ANY ADVERSE IMPACT TO THE RECIEVING WATERCOURSE.
18. IN ACCORDANCE WITH BALTIMORE COUNTY COUNCIL GRADING, SEDIMENT CONTROL AND FOREST MANAGEMENT ORDINANCE (BILL NO. 33-88), A GRADING PLAN SHALL BE APPROVED AND A PERFORMANCE BOND POSTED PRIOR TO ISSUANCE OF A GRADING PERMIT.

SOILS LIMITATION CHART

SYMBOL	SERIES	W/ BASEMENT	W/O BASEMENT	PARKING & STREETS
GcB2	GLENELG	SLIGHT	SLIGHT	MODERATE

PARKING CALCULATIONS

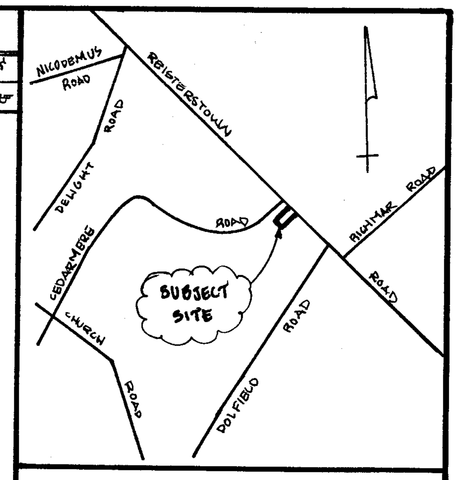
1ST FLOOR RETAIL - 1986 SQ.FT. @ 1/1000
3 x 1.99 = 10 SPACES

2ND FLOOR OFFICE = 1986 SQ.FT. @ 3.3/1000
3.3 x 1.99 = 6 SPACES

BASEMENT OFFICE = 1986 SQ.FT. @ 3.3/1000
3.3 x 1.99 = 6 SPACES

NOTE: ALL OFFICE SPACE IS GENERAL OFFICE, NOT MEDICAL.

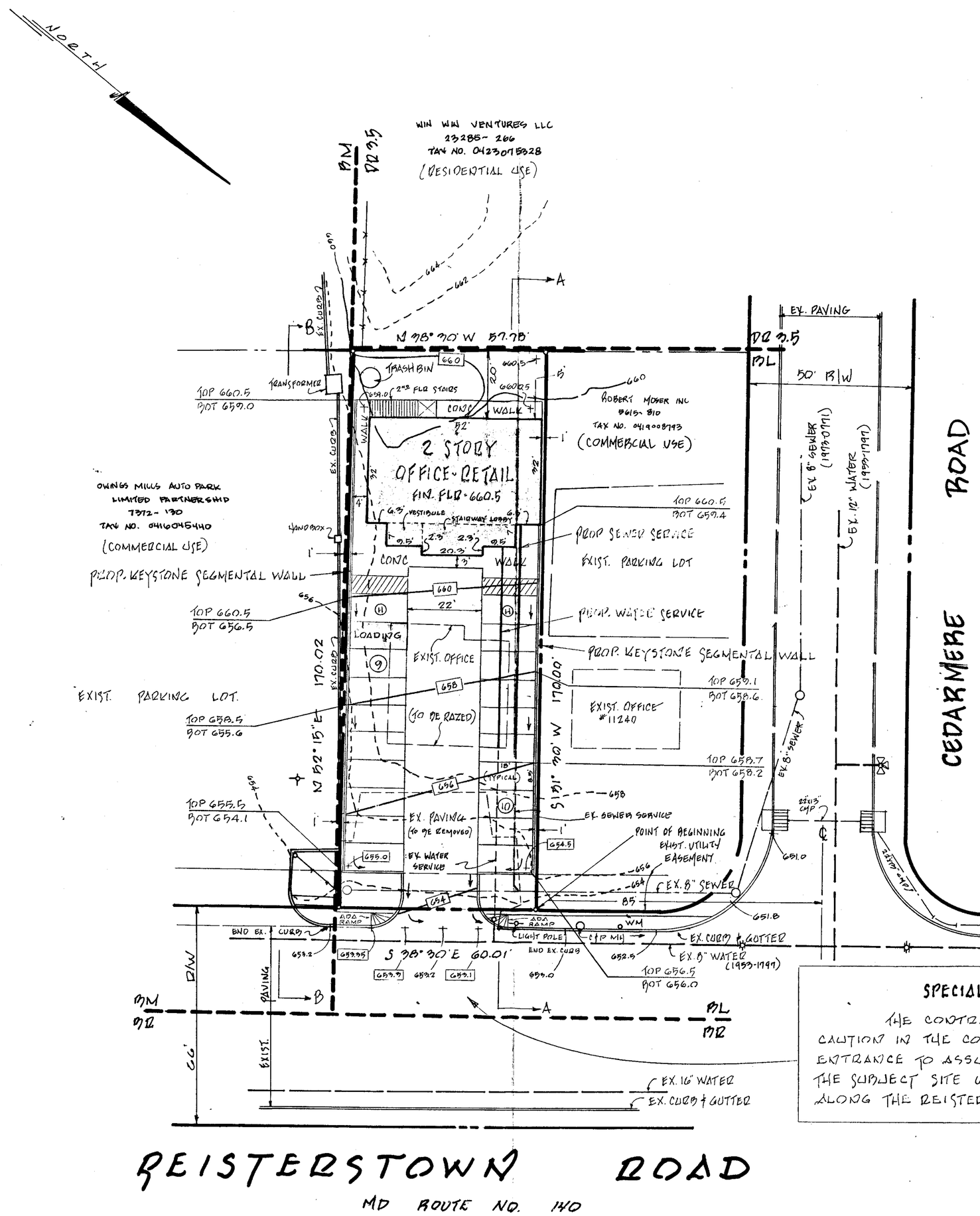
PARKING REQUIRED = 22 SPACES
PARKING PROVIDED = 19 SPACES



VICINITY MAP
SCALE: 1" = 1000'

SITE DATA

SITE AREA	0.23 AC(+-) 10012 SQ.FT.
ZONING MAP	058A2
EXIST. ZONING	BL
EXIST. USE	OFFICE
COUNCILMANIC DIST.	4TH
PROPOSED USE	RETAIL & OFFICE
DEED REFERENCE	12780-497
TAX MAP / GRID / PARCEL	68 / 7 / 86
TAX ACCOUNT NO.	0418010900
UTILITIES	EXIST SEWER - PUBLIC EXIST WATER - PUBLIC
PLAT REFERENCE	G.L.B. 19 FOLIO 100
CENSUS TRACT	404100
WATERSHED	GWYNNS FALLS
SUBSEWERSHED	67
REGIONAL PLANNING DIST.	306



SPECIAL ENTRANCE NOTE

THE CONTRACTOR IS TO EXERCISE EXTREME CAUTION IN THE CONSTRUCTION OF THE PROPOSED ENTRANCE TO ASSURE POSITIVE DRAINAGE FROM THE SUBJECT SITE WILL BE DIRECTED NORTHERLY ALONG THE REISTERTOWN RD GUTTER LINE.

DEVELOPMENT REVIEW COMMITTEE

THE SUBJECT PROPERTY WAS APPROVED FOR A (b)(8) LIMITED EXEMPTION ON JULY 10, 2006 IN ACCORDANCE WITH SECTION 32-4-106(b)(8) OF THE BALTIMORE COUNTY DEVELOPMENT REGULATIONS
DRC NO. 071006G

REFER TO BLDG. PERMIT NO. B057733

DRC # 071006G

OWNER - DEVELOPER
TONY & RITA'S LLC
ANTONY VOSKOVSKY Member
9215 HUNTING TWEED DR.
OWINGS MILLS, MD 21117

REVISIONS		
NO.	DATE	DESCRIPTION

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 406, JEFFERSON BLDG., TOWSON, MD 21204
PHONE: 823-3535

PLAT TO ACCOMPANY
ZONING PETITION
"ANTONY'S JEWELERS"

11238 REISTERSTOWN RD.
OWINGS MILLS

PDM NO. 04-679

4TH ELECTION DISTRICT BALTIMORE CO. MD

SCALE: 1" = 20' | DES. BY: | SHT. 1 OF 1
DATE: MAY 18, 2007 | DRN. BY: KJR

SURVEYORS CERTIFICATION

EDWIN J. KIREY, JR. PLS # 5481

LEGEND

EXIST. GRADE ------ 660 ----
PROP. GRADE ——— 660 ———
EXIST. SPOT ELEV. 660 —+
PROP. SPOT ELEV. 660 —+
PROP. DRAINAGE FLOW → → →
WALL ELEVATIONS TOP 660.0 / BOT 658.0

539

PETITIONER'S EXHIBIT NO. 1

206040