IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE	*	BEFORE THE
SW corner of Cranbrook Road and Malcolm Circle	*	DEPUTY ZONING
8th Election District	*	COMMISSIONER
3rd Councilmanic District		
(599 Cranbrook Road)	*	FOR BALTIMORE COUNTY
Briarcliff Apartments East Limited Partnership; Alan Gebhart	*	
Legal Owner	*	**Case No. 08-011-SPHA**

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the legal owner of the subject property, Alan Gebhart on behalf of Briarcliff Apartments East Limited Partnership. The Special Hearing request was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) for approval of the following: an amendment to a previously approved Site Plan from Case No. 75-98-XA; an amendment to a previously approved Special Exception from Case No. 75-98-XA to embrace the entire Recreational Facilities Easement; an amendment to a previously approved Special Exception Petition from Case No. 75-98-XA to convert the office/recreational facility as shown on the attached site plan for private use by apartment tenants; and for a modified parking plan. The Variance request is from Section 1B01.2.C.1 of the B.C.Z.R. to permit a side yard setback of 17 feet in lieu of the required 25 feet. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 2.

Appearing at the requisite public hearing in support of the requested special hearing and variance relief was Paul Boettcher on behalf of Petitioner Briarcliff Apartments East Limited

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Date 9-28-07
By PM

Partnership, his attorney, Charles E. Brooks, Esquire, and Joseph Larson with Spellman, Larson & Associates, Inc., the consultant who prepared the site plan. There were no Protestants or other interested persons in attendance at the hearing.

Testimony and evidence offered revealed that the entire subject property contains approximately 38.89 acres and is used as an apartment complex, with attendant administrative offices and recreation areas. The "focus" area that is the subject of the requests for relief contains approximately 2.455 acres. It is located at the southwest corner of Cranbrook Road and Malcolm Circle, directly across from Ridgland Road in the Cockeysville area of Baltimore County. It is improved with an existing building which contains a community center and office space, an in-ground swimming pool and in-ground wading pool, and a recreational facilities easement. There are also a number of parking spaces in the immediate vicinity.

In order to give context to the instant matter, it is helpful to review some historical background information on the subject property. The property was the subject of a previous zoning case heard before Deputy Zoning Commissioner James E. Dyer in 1974, Case No. 75-98-XA (Item No. 39). In that case, Petitioner requested a special exception to expand the use of a community building and swimming pool to include non-members of the apartment complex, together with a request for variances from minimum parking requirements, and from front, side, and rear yard setbacks. The special exception and variance requests were granted pursuant to an Order dated November 12, 1974. The Order, which also contained the Petitions, the site plan, and comments from the Office of Planning and the Department of Public Works, was marked and accepted into evidence as Petitioner's Exhibit 1.

Fast-forwarding to the present time, Petitioner now desires to make two changes which will affect the previously granted special exception and variance. First, Petitioner wishes to

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Date 9-28-01
By PM

convert the use of the office/recreational facility from semi-private to use by apartment complex tenants only. Petitioner indicates that although the previous special exception authorized use of the facility by non-residents, in fact, the facility has largely been used over the years by tenants of the apartment complex only. Second, Petitioner also desires to construct an office addition to the north side of the existing community center and office building. Petitioner indicates the building addition is necessary due to the expanding needs of the company. In particular, Petitioner owns and operates several other properties, including shopping centers and other apartment complexes, all from the subject location. Hence, Petitioner requires additional in-house office space.

The proposed addition will impact the existing driveway and parking areas for this facility because along with requiring additional spaces for the new floor area, the facility will lose spaces due to the expansion of the building addition. Moreover, the concept of changing the use of the facility from semi-private to private will revise the parking requirements as well, whereby parking will no longer be required for the recreational use since it will no longer be a "public" operation. In considering the new parking calculations based on a "private" facility, along with the added parking requirements for the additional floor area stemming from the building addition, and the attendant loss of existing spaces due to the building addition, Petitioner indicates this will result in a deficit of four parking spaces. Thus, Petitioner filed the request for Special Hearing to amend the previous special exception in order to formalize the private use that has taken place during the 30-plus years since the special exception was granted for semi-private use, to incorporate the proposed building addition into the area delineated by the previous special exception, and to modify the parking plan on the property to permit the deficit of four spaces.

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Date 9-28-07
By PB

Petitioner's parking evaluation is set forth as follows:

- Previous Zoning Case No. 75-98-XA
  (for a semi-private community building)

  Parking Required – 1 Space for 6 Members

  500 Members = 84 Spaces Required
  6

  * Variance granted to allow 47 spaces in lieu of required 84 spaces
    (37 space variance)

- Current Parking Requirements
  (for a private community building/office complex)

  Parking Required – 3.3 Spaces/1,000 Square Feet

  Existing Floor Area = 17,680 Square Feet
  Building Addition Area = 5,728 Square Feet
  Total Floor Area = 23,408 Square Feet

  3.3 x 23.4 = 77 Spaces Required
  Previous Parking Space Variance = 37 Spaces
  Parking Required if Previous Space Variance Followed = 40 Spaces

Required Parking Surplus Per Zoning Office Policy = 10% x 40 = 4 Spaces – Results in deficit of 4 spaces

As to the request for variance, the proposed building addition will face Malcolm Circle to the east with a side yard setback there of 17 feet. Although Petitioner believes the necessity of a variance is questionable given that the addition is not adjacent to a public road or a private road and/or property line, but rather is adjacent to a driveway within an apartment community, Petitioner indicated that it was advised by the Zoning Office that a variance should be requested in order to cover any potential uncertainty with regard to the 25 foot setback requirement.

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9-28-01
PB

The Zoning Advisory Committee (ZAC) comment received from the Office of Planning dated July 26, 2007 indicates that it does not object to the requested variance or special hearing provided that the style of the proposed building addition is consistent with the existing structure.

In regard to the requested special hearing, I find that the use of the community/ recreational facility has evolved in the 30-plus years since the previous special exception was granted -- from what was anticipated to be a semi-private use, to in reality a private use. That, combined with the need for the new building addition, persuades me to grant the special hearing relief requested.

In regard to the request for variance, considering all the testimony and evidence presented, I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Therefore I find the property unique in a zoning sense. I also find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

Finally, I find that this variance can be granted in strict harmony with the spirit and intent of said regulations and in a manner so 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 Petitioner, I find that Petitioner's special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 28th day of September, 2007, that Petitioner's request for Special Hearing filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) for an amendment to the previously approved Special Exception from Case No. 75-98-XA to embrace

PLEASE RECEIVED FOR FILING
Date 9-28-07
By BM

the entire Recreational Facilities Easement, specifically including the proposed building addition; for an amendment to the previously approved Special Exception from Case No. 75-98-XA to convert the office/recreational facility for private use by apartment tenants only; for an amendment to the previously approved site plan from Case No. 75-98-XA to incorporate the aforementioned special hearing requests; and for a modified parking plan, be and are hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioner's request for Variance from Section 1B01.2.C.1 of the B.C.Z.R. to permit a side yard setback of 17 feet in lieu of the required 25 feet be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for permits 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. The style of the proposed building addition shall be consistent with the existing structure.

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

ORDER RECEIVED FOR FILING
Date 9-28-07
By

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

September 26, 2007

CHARLES E. BROOKS, ESQUIRE
610 BOSLEY AVENUE
TOWSON MD 21204

Re: Petition for Special Hearing and Variance
Case No. 08-011-SPHA
Property: 599 Cranbrook Road

Dear Mr. Brooks:

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: Paul Boettcher, 10316-B Malcolm Circle, Cockeysville MD 21030
Mary Carey, 610 Bosley Avenue, Towson MD 21204
Joseph Larson, 222 Bosley Avenue, Suite B3, Towson MD 21204

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 599 Cranbrook Road

which is presently zoned DR-16

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)

Refer to attached sheet.

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

Complete argument and specific hardship documentation to be presented at the Hearing.

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Not applicable

Signature

Address — Telephone No.

City — State — Zip Code

Attorney For Petitioner:

Charles E. Brooks, Esq.

Name - Type or Print

Signature

Company

610 Bosley Avenue 410-296-2600

Address — Telephone No.

Towson, MD 21204

City — State — Zip Code

Legal Owner(s): Briarcliff Apts. East Limited Partnership

Alan Gebhart

Name - Type or Print

Signature

Name - Type or Print

Signature

599 Cranbrook Road 410-666-3400

Address — Telephone No.

Cockeysville, MD 21030

City — State — Zip Code

Representative to be Contacted:

Joseph Larson

Name

222 Bosley Ave., Ste. B-3 410-823-3535

Address — Telephone No.

Towson, MD 21204

City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 08-011-SPHA

PLEASE RECEIVED FOR FILING

Reviewed By JNP Date 7/5/07

REV 9/15/98

9-28-07

pm

ZONING VARIANCE PETITION

599 CRANBROOK ROAD

This Zoning Petition is for a Variance from Section 1B01.2C.1.A to allow a side yard setback of 17 feet in lieu of the required 25 feet.

File No. M06220701

08-011-SPHA

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 599 Cranbrook Road

which is presently zoned DR-16

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Refer to attached sheet.

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Not applicable

Signature

Address — Telephone No.

City — State — Zip Code

Attorney For Petitioner:

Charles E. Brooks, Esq.

Name - Type or Print

Signature

Company

610 Bosley Ave. 410-296-2600

Address — Telephone No.

Towson, MD 21204

City — State — Zip Code

Legal Owner(s): Briarcliff Apts. East Limited Partnership

Alan Gebhart

Name - Type or Print

Signature

Name - Type or Print

Signature

599 Cranbrook Rd. 410-666-3400

Address — Telephone No.

Cockeysville, MD 21030

City — State — Zip Code

Representative to be Contacted:

Joseph Larson

Name

222 Bosley Ave., Ste. B-3 410-823-3535

Address — Telephone No.

Towson, MD 21204

City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 7/5/07

Case No. 08-011-SPH

RECEIVED FOR FILING

Date 9-28-07

By DZ

REV 9/15/98

ZONING SPECIAL HEARING PETITION

599 CRANBROOK ROAD

This Zoning Petition for Special Hearing is for the approval of

An amendment to a previously approved Site Plan from Case No. 75-98 XA

An amendment to a previously approved Special Exception from Case No. 75-98 XA to embrace the entire Recreational Facilities Easement

An amendment to a previously approved Special Exception Petition from Case No. 75-98 XA to convert the office/recreational facility as shown on the attached Site Plan for private use only by apartment tenants.

A Modified Parking Plan.

File No. M06220702

08-011-SPHA

SPELLMAN, LARSON & ASSOCIATES, INC.

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

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

DESCRIPTION TO ACCOMPANY ZONING PETITION

BRIARCLIFF EAST APARTMENTS

599 CRANBROOK ROAD

8TH ELECTION DISTRICT

Beginning for the same at the southwest corner of Cranbrook Road a 70 foot wide public road and Malcolm Circle a 24 foot wide private road and running thence along the south side of Cranbrook Road North 65 degrees 47 minutes 22 seconds West 69.98 feet thence still binding on the southernmost side of said road westerly by a line curving to the south with a radius of 1340.09 feet for a distance of 191.23 feet (the chord of said arc being North 69 degrees 52 minutes 39 seconds West 191.07 feet) thence leaving the southernmost side of said Cranbrook Road and running for a line a division South 23 degrees 56 minutes 53 seconds West 410.00 feet thence running for a line of division South 66 degrees 33 minutes 30 seconds East 230.94 feet to a point on the west side of Malcolm Circle and running along the west side of Malcolm Circle the two following courses and distances, northeasterly by a line curving to the west with a radius of 680.50 feet for a distance of 195.05 feet (the chord of said are being North 32 degrees 25 minutes 19 seconds East 194.39 feet) and North 24 degrees 12 minutes 38 seconds East 228.14 feet to the place of beginning.

Containing 2.455 acres of land more or less.

File No. D06220701

STATE OF MARYLAND
EDWIN J. KIRBY, JR.
NO. 5481
REGISTERED
PROFESSIONAL LAND SURVEYOR

08-011-SPHA

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: #08-011-SPHA
599 Cranbrook Road
S/west corner of Cranbrook Road and Malcolm Circle
8th Election District - 3rd Councilmanic District
Legal Owner(s): Alan Gebhart, Briarcliff Apts., East Limited Partnership

Special Hearing: *for an amendment to a previously approved Site Plan from Case No. 75-98-XA and an amendment to a previously approved Special Exception from Case No. 75-98-XA to embrace the entire Recreational Facilities Easement and an amendment to a previously approved Special Exception Petition from Case No. 75-98-XA to convert the office/recreational facility as shwon on the attached Site Plan for private use by apartment tenants and a modified parking plan.* **Variance:** to permit a side yard setback of 17 feet in lieu of the required 25 feet.
Hearing: Tuesday, September 18, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special 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/9/616 Sept. 4 147632

CERTIFICATE OF PUBLICATION

9/6/, 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 9/4/, 2007.

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

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. 00859

Date: 7/5/07

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6150				650.00
							Total:	650.00

Rec From: Briarcliff Apartments East Limited Partnership

For: Special Hearing/Variance - 599 Crawbrook Road
08-011-SPHA (Briarcliff Apartments East Limited Partnership

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
7/05/2007	7/05/2007	14:13:39	4

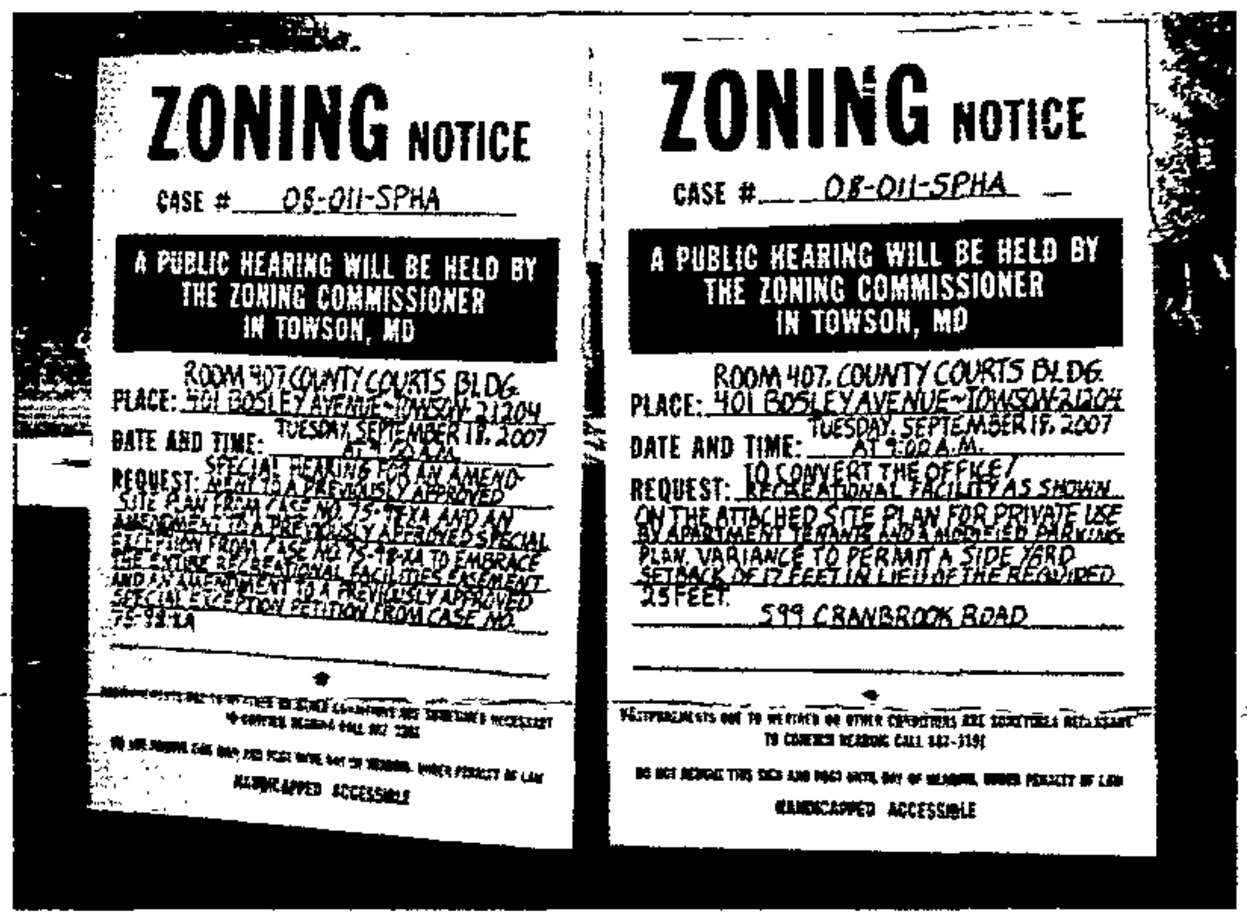
036 WALKIN KHOK KOH
>>RECEIPT # 579702 7/05/2007 UPLO
Dept 5 529 ZONING VERIFICATION
Ck #: 000859
Recpt Tot $650.00
$650.00 CK $0.00 CA
Baltimore County, Maryland

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS
DATE: 09/04/07
Case Number: 08-011-SPH
Petitioner / Developer: CHARLES BROOKS, ESQ.~ALAN GEBHART~ JOSEPH LARSON
Date of Hearing (Closing): SEPTEMBER 18, 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: 599 CRANBROOK ROAD

The sign(s) were posted on: 08/31/07



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)

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: 08-011-SPHA

Petitioner: Briarcliff Apartments East Limited Partnership

Address or Location: 599 Cranbrook Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mr. Alan Gebhart

Address: 599 Cranbrook Road

Cockeysville, MD 21030

Telephone Number: 410-666-3400

Revised 7/11/05 - SCJ

BALTIMORE COUNTY

MARYLAND

JAMES T. SMITH, JR.
County Executive

August 9, 2007

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

NEW NOTICE OF ZONING HEARING

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

CASE NUMBER: 08-011-SPHA
599 Cranbrook Road
S/west corner of Cranbrook Road and Malcolm Circle
8th Election District – 3rd Councilmanic District
Legal Owners: Alan Gebhart, Briarcliff Apts., East Limited Parntership

Special Hearing for an amendment to a previously approved Site Plan from Case No. 75-98-XA and an amendment to a previously approved Special Exception from Case No. 75-98-XA to embrace the entire Recreational Facilities Easement and an amendment to a previously approved Special Exception Petition from Case No. 75-98-XA to convert the office/recreational facility as shown on the attached Site Plan for private use by apartment tenants and a modified parking plan. Variance to permit a side yard setback of 17 feet in lieu of the required 25 feet.

Hearing: Tuesday, September 18, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: Charles Brooks, Esq., 610 Bosley Avenue, Towson 21204
Alan Gebhart, 599 Cranbrook Road, Cockeysville 21030
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 MONDAY, SEPTEMBER 3, 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, September 4, 2007 Issue - Jeffersonian

Please forward billing to:
Alan Gebhart
599 Cranbrook Road
Cockeysville, MD 21030

410-666-3400

CORRECTED NOTICE OF ZONING HEARING

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

CASE NUMBER: 08-011-SPHA
599 Cranbrook Road
S/west corner of Cranbrook Road and Malcolm Circle
8th Election District – 3rd Councilmanic District
Legal Owners: Alan Gebhart, Briarcliff Apts., East Limited Parntership

Special Hearing for an amendment to a previously approved Site Plan from Case No. 75-98-XA and an amendment to a previously approved Special Exception from Case No. 75-98-XA to embrace the entire Recreational Facilities Easement and an amendment to a previously approved Special Exception Petition from Case No. 75-98-XA to convert the office/recreational facility as shown on the attached Site Plan for private use by apartment tenants and a modified parking plan. Variance to permit a side yard setback of 17 feet in lieu of the required 25 feet.

Hearing: Tuesday, September 18, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

July 30, 2007

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

NOTICE OF ZONING HEARING

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

CASE NUMBER: 08-011-SPHA
599 Cranbrook Road
S/west corner of Cranbrook Road and Malcolm Circle
8th Election District – 3rd Councilmanic District
Legal Owners: Alan Gebhart, Briarcliff Apts., East Limited Parntership

Special Hearing for an amendment to a previously approved Site Plan from Case No. 75-98-XA and an amendment to a previously approved Special Exception from Case No. 75-98-XA to embrace the entire Recreational Facilities Easement and an amendment to a previously approved Special Exception Petition from Case No. 75-98-XA to convert the office/recreational facility as shown on the attached Site Plan for private use by apartment tenants and a modified parking plan. Variance to permit a side yard setback of 17 feet in lieu of the required 25 feet.

Hearing: Tuesday, September 11, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: Charles Brooks, Esq., 610 Bosley Avenue, Towson 21204
Alan Gebhart, 599 Cranbrook Road, Cockeysville 21030
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 MONDAY, AUGUST 27, 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, August 28, 2007 Issue - Jeffersonian

Please forward billing to:
Alan Gebhart
599 Cranbrook Road
Cockeysville, MD 21030

410-666-3400

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: 08-011-SPHA
599 Cranbrook Road
S/west corner of Cranbrook Road and Malcolm Circle
8th Election District – 3rd Councilmanic District
Legal Owners: Alan Gebhart, Briarcliff Apts., East Limited Parntership

Special Hearing for an amendment to a previously approved Site Plan from Case No. 75-98-XA and an amendment to a previously approved Special Exception from Case No. 75-98-XA to embrace the entire Recreational Facilities Easement and an amendment to a previously approved Special Exception Petition from Case No. 75-98-XA to convert the office/recreational facility as shown on the attached Site Plan for private use by apartment tenants and a modified parking plan. Variance to permit a side yard setback of 17 feet in lieu of the required 25 feet.

Hearing: Tuesday, September 11, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

September 12, 2007

Charles E. Brooks, Esquire
610 Bosley Avenue
Towson, Maryland 21204

Dear Mr. Brooks:

RE: Case Number: 08-011-SPHA, 599 Cranbrook Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 5, 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
Briarcliff Apts. East, Limited Partnership Alan Gebhart 599 Cranbrook Road Cockeysville 21030
Joseph Larson 222 Bosley Avenue, Suite B-3 Towson 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 26, 2007

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

SUBJECT: 599 Cranbrook Rd

INFORMATION:

Item Number: 08-011
Petitioner: Briarcliff Apts. East Limited Partnership; Alan Gebhart
Property Size: 2.45 acres
Zoning: DR16
Requested Action: Variance and Special Hearing
Hearing Date:
The petitioner requests a variance from Section 1B01.2C.1A of the BCZR. To permit a side yard setback of 17 feet in lieu of the required 25 feet and a special hearing to allow an amendment to a previously approved Special Exception and Site Plan from Case No. 75-98 XA to embrace the entire facilities easement and for a modified parking plan.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not object to the requested variance to permit a side yard setback of 17 feet in lieu of the required 25 feet, or to the special hearing to allow an amendment to a previously approved Special Exception and Site Plan from Case No. 75-98 XA to embrace the entire facilities easement and for a modified parking plan, provided that the style is consistent with the existing structure.

Prepared By: Cindy Murray

Section Chief: Lyn Lanham
AFK:jb

S:\COMPLAN\Jessie\ZACs\08-011-SPHA.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

July 17, 2007

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

ATTENTION: Zoning Review planners

Distribution Meeting of: July 16, 2007

Item No.: 001, 003, 004, 007, 008, 009, 010, 011, 012, 013, 014, 016, 017, 018, 019

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

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.

Acting Lieutenant William F. Connolly Jr.
Fire Marshal's Office
(O)410-887-4881 (C)443-829-29
MS-1102F

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: July 18, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For July 20, 2007
Item Nos. 07-470, 08-001, 002, 003, 004, 005, 006, 007, 008, 009, 011, 012, 013, 014, 015, 016, 017, 018 and 019

The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comments.

DAK:CEN:cab
cc: File
ZAC-NO COMMENTS-07202007.doc

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

State Highway Administration
Maryland Department of Transportation

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

Date: July 16, 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. 8-11-SPHA
599 Cranbrook Rd
Briarcliff Apartments
Special Hearing &
Variance

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-11-SPHA.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Michael P. Bailey

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

SPELLMAN, LARSON & ASSOCIATES, INC.

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

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

Ms. Kristen Matthews
Office of Zoning
Baltimore County

August 6, 2007

Re: Briarcliff Apartments East
Zoning Case No. 08-011SPHA
Job No. 206059

"Hand Delivered"

Dear Kristen,

We are in receipt of your Zoning Notice scheduling the Hearing for the abovecaptioned Zoning Case and unfortunately we have to request a rescheduling of that Hearing due to a Court conflict with another matter that the attorney of record Mr. Charles E. Brooks has already set.

Pursuant to our telephone conversation we are at this point now confirming that the rescheduled Hearing date is Tuesday, September 18th at 9:00am.

I trust that this letter confirms the rescheduling and we will be receiving a new Notice timely.

Very truly yours,

Joseph L. Larson, President

cc: Charles Brooks

RE: PETITION FOR SPECIAL HEARING AND VARIANCE	*	BEFORE THE
599 Cranbrook Road; SW corner of Cranbrook Road and Malcolm Circle	*	ZONING COMMISSIONER
8th Election & 3rd Councilmanic Districts	*	FOR
Legal Owner(s): Briarcliff Apartments East Limited Partnership, Alan Gebhart	*	BALTIMORE COUNTY
Petitioner(s)	*	08-011-SPHA

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

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of July, 2007, a copy of the foregoing Entry of Appearance was mailed Joseph Larson, 222 Bosley Avenue, Suite B-3, Towson, MD 21204 and Charles Brooks, Esquire, 610 Bosley Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED
JUL 26 2007
Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME CRANBROOK RD.
CASE NUMBER 08-011 SPHA
DATE Sept. 18 2007

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
JOSEPH LARSON	222 BOSLEY AVE	TOWSON MD 21204	Spelarson@Verizon.net
Mary Carey	610 Bosley Ave.	Towson MD 21204	Cebrooksesq@Comcast.com
Paul Boettcher	10316-B Malcolm Circle	Cockeysville, MD 21030	paul@gebhartproperties
CHARLES E BROOKS	610 BOSLEY AVE	TOWSON MD 21204	CEBROOKS ESQ@ COMCAST.NET

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Briarcliff Apts. East, Inc. legal owner 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an ..... zone to an ..... zone; for the following reasons:

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for Community Building and swimming pool as provided by Section 1B01 c 6

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Briarcliff Apts. East, Inc., By:

Jerome [illegible] President

Contract purchaser

Legal Owner

Address 599 Cranbrook Road

Cockeysville, Maryland 21030

Charles E. Brooks

Brooks & Turnbull

Petitioner's Attorney

Protestant's Attorney

Address 610 Bosley Avenue

Towson, Maryland 21204 296-2600

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of September, 197 4, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 30th day of October, 197 4, at 1:00 o'clock P.M.

Zoning Commissioner of Baltimore County.

(over)

PETITIONER'S

EXHIBIT NO. 1

November 12, 1974

Charles E. Brooks, Esquire
111 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Special Exception and Variances
SW/corner of Crashbrook Road and Malcolm Circle - 8th District
Briarcliff Apartments, East, Inc. - Petitioner
NO. 75-96-XA (Item No. 39)

Dear Mr. Brooks:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

JAMES E. DYER
Deputy Zoning Commissioner

JEDyer:mc

Attachments

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO S. Eric DiNenna, Zoning Commissioner Date October 25, 1974

FROM William D. Fromm, Director of Planning

SUBJECT Petition #75-98-XA. Southwest corner of Cranbrook Road and Malcolm Circle.
Petition for Special Exception for a Community Building and Swimming Pool.
Petition for Variance for Parking, Front, Side and Rear Yards.
Petitioner - Briarcliff Apartments, East, Inc.

8th District

HEARING: Wednesday, October 30, 1974 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comments to offer.

The concept of a community building and swimming pool at this location is consistent with planning goals and objectives stated in the 1980 Guideplan as well as other documents previously published by the Planning Board.

The staff is however concerned about the impact of the proposed conversion of this existing facility from its present status to a commercial use open to all, on the parking facilities.

The petitioner has not furnished sufficient data to estimate increase of non-apartment users which would drive to this facility, therefore requiring more parking space than now provided.

The only spaces available to accommodate the overflow appear to be in the Briarcliff development, the shopping center across the street, or on Cranbrook Road itself.

None of these alternatives is desirable.

William D. Fromm
Director of Planning

WDF:NE Gaw

Baltimore County, Maryland
Department Of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Bureau of Engineering
ELLSWORTH N. DIVER, P. E. CHIEF

September 11, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #39 (1974-1975)
Property Owner: Briarcliff Apts. East, Inc.
S/E cor. Valcolm Dr. & Crankbrook Rd.
Existing Zoning: R.C. 16
Proposed Zoning: Variance from Section 409.2-b1 to permit 47 parking spaces rather than 54 parking spaces as provided in Section 409.2-b1. Special Exception for Community Building and Swimming Pool as provided by Section 1501 c 6.
No. of Acres: 1.11 District: 8th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County utilities and highway improvements are not involved. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #39 (1974-1975).

Very truly yours,

ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

West Key Sheet
63 & 64 NW 1 & 2 Pos. Sheets
NW 16 A Topo
Tax Map

RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCES SW/corner of Cranbrook Road and Malcolm Circle - 8th District Briarcliff Apartments, East, Inc. - Petitioner NO. 75-98-XA (Item No. 39)	:	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

::: ::: :::

This Petition represents a Special Exception request for a community building and swimming pool, together with a request for parking Variances and Variances to front, side and rear yard setbacks. The subject property is situated on the southwest corner of Cranbrook Road and Malcolm Circle in the Eighth Election District of Baltimore County.

Testimony and evidence was presented on behalf of the Petitioner's request by the Petitioner, the civil engineer, who prepared the site plans, and a real estate expert. There were no Protestants present at the hearing.

Testimony established that the subject property is presently improved with a 47 space macadam paved parking area, swimming pool, community building and gymnasium. The improvements were described as having been designed to accommodate 1,500 resident apartment units that were originally proposed in the Petitioner's overall development project. However, several acres originally intended for apartment use, were sold or diverted to shopping center use which has resulted in the facilities not being used to their fullest potential.

At the present time, approximately 600 units in the Petitioner's apartment development have membership rights to the facilities. If the Special Exception is granted, the membership could be open to residents who live nearby, but not within his apartment development. It would be expanded to include 300 new memberships bringing the total to 900 units.

The Petitioner, who has many years of experience in the apartment development field, and his real estate expert felt that many new members, who would live in the adjoining apartment development, would walk to the premises and that the required number of parking spaces would not represent a realistic evaluation of the actual parking needs. Parking was also described as being available on the opposite side of Cranbrook Road and could be specifically designated for pool use should the need arise.

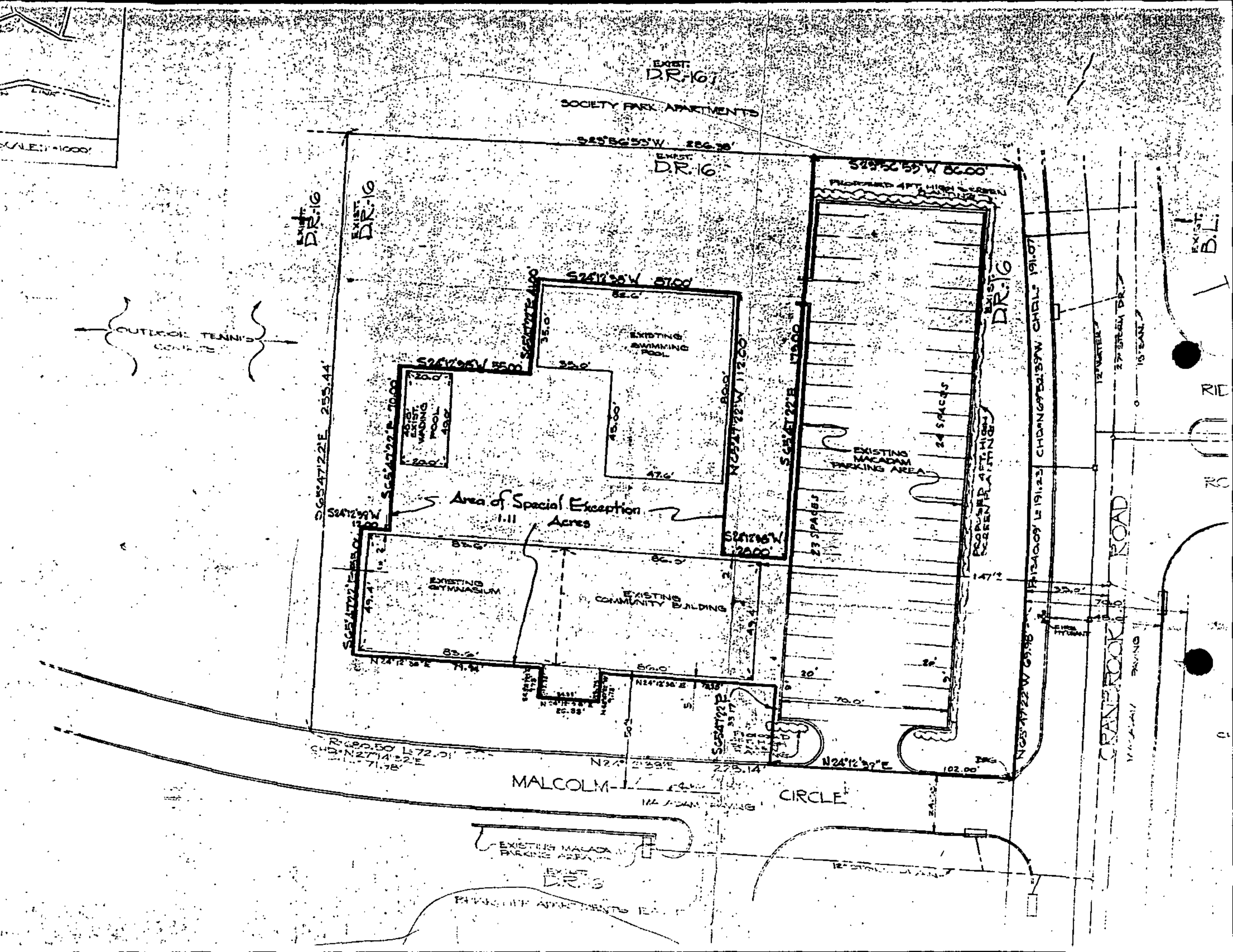
The facilities were described as being built into a hillside which all but eliminated any possibility of any usable setback areas. The Petitioner felt that projected year-round recreational needs of the community would require that the swimming pool be enclosed and requested that this use be considered in the granting of the Special Exception.

Without reviewing all the testimony and evidence presented but based on all such testimony and evidence and an on-site field inspection of the subject property, it is the opinion of the Deputy Zoning Commissioner that the existing use and the proposed expansion of said use will meet the requirements of Section 502.1 of the Baltimore County Zoning Regulations and that the Special Exception should be granted. The requested Variances, with certain restrictions, can also be granted without being detrimental to the health, safety, and general welfare of the community.

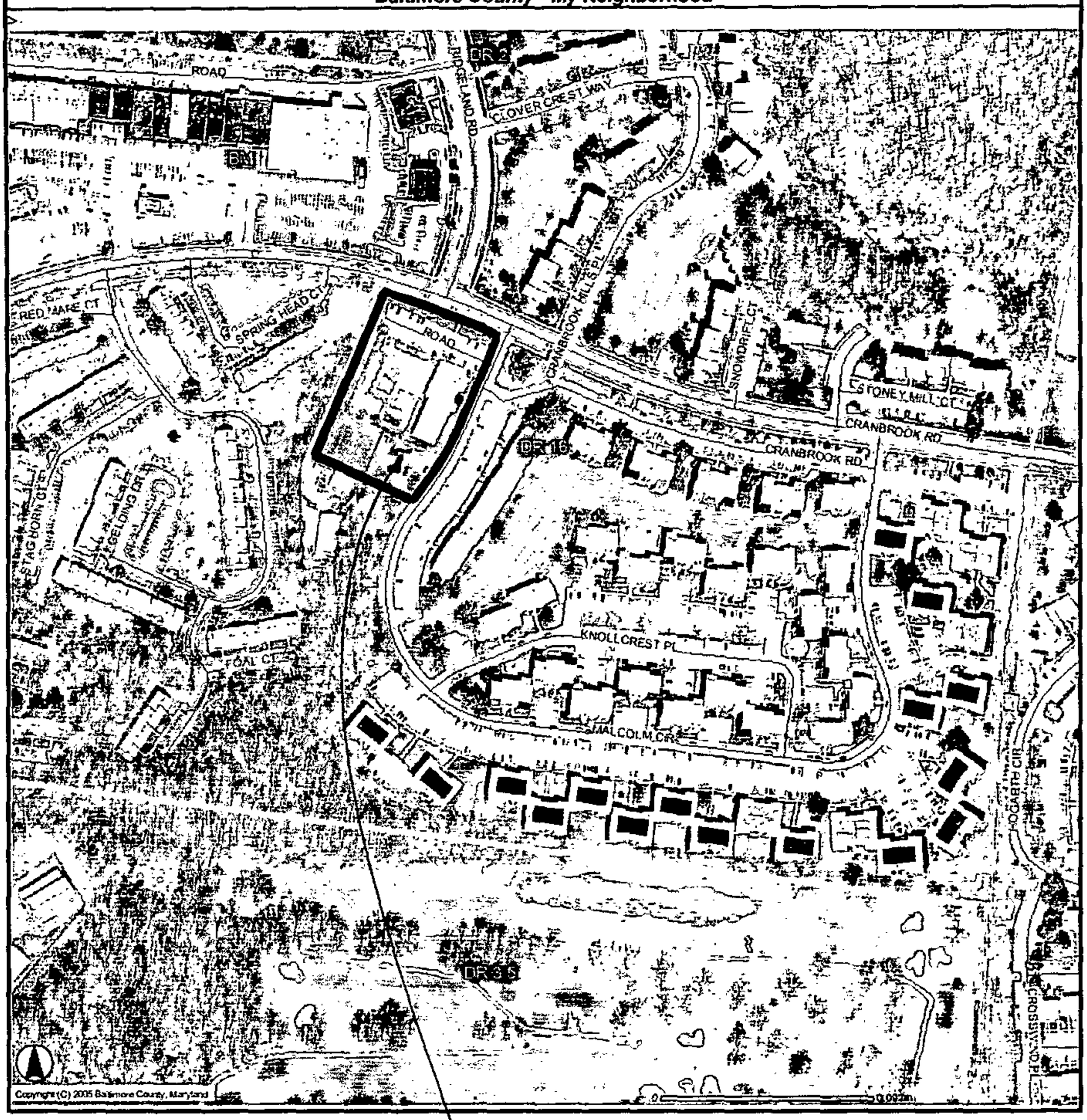
Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 12TH day of November, 1974, that the herein requested Special Exception for a community building and swimming pool should be and the same is hereby GRANTED. The requested side, front, and rear yard Variances of five feet in lieu of the required twenty-five feet and thirty feet, respectively, and the requested Variance to permit forty-seven parking spaces in lieu of the required eighty-four spaces, should be and the same are hereby GRANTED. Said Special Exception and Variances shall be

subject, however, to the approval of a site plan indicating the existing improvements, together with available overflow parking areas on adjoining property owned by the Petitioner.

Deputy Zoning Commissioner of
Baltimore County


EXIST. D.R.-16
SOCIETY PARK APARTMENTS
EXIST. D.R.-16
EXIST. D.R.-16
EXIST. D.R.-16
EXIST. D.R.-16
EXISTING SWIMMING POOL
EXIST. WADING POOL
Area of Special Exception
1.11 Acres
EXISTING GYMNASIUM
EXISTING COMMUNITY BUILDING
EXISTING MACADAM PARKING AREA
24 SPACES
23 SPACES
PROPOSED 4 FT. HIGH SCREEN PLANTING
OUTDOOR TENNIS COURTS
MALCOLM CIRCLE
CRANBROOK ROAD
EXIST. B.L.
EXISTING MACADAM PARKING AREA
EXIST. D.R.-16
PARKWOOD APARTMENTS

Baltimore County - My Neighborhood



SUBJECT SITE

08-011-SPHA

ZONING CASE NO. 08-011 SPHA
599 CRANBROOK ROAD

PARKING EVALUATION

REFER TO PREVIOUS ZONING CASE NO. 75-98-XA
(Based on semi-private community building)

Parking required= 1 Space for 6 Members

$\frac{500 \text{ Members}}{6}$ = 84 spaces required

Variance granted to allow 47 Spaces
in lieu of the required 84 Spaces
(37 Space Variance)

Parking provided= 47 Spaces

CURRENT PARKING REQUIREMENTS
(Based on private community building/office complex)

Existing Floor Area= 17680 Sq. ft.
Building Addition= 5728 Sq. ft.
Total Floor Area= 23,408 Sq. ft.

Parking required 3.3 Spaces/1000 Sq. ft.= 3.3x23.4= 77 Spaces
Previous Variance= 37 Spaces
Parking required= 40 Spaces
(By BCZR)
Parking provided= 40 Spaces

Arbitrary surplus per Zoning Policy
10%x40= 4 Spaces

File#M09180701

SITE DATA

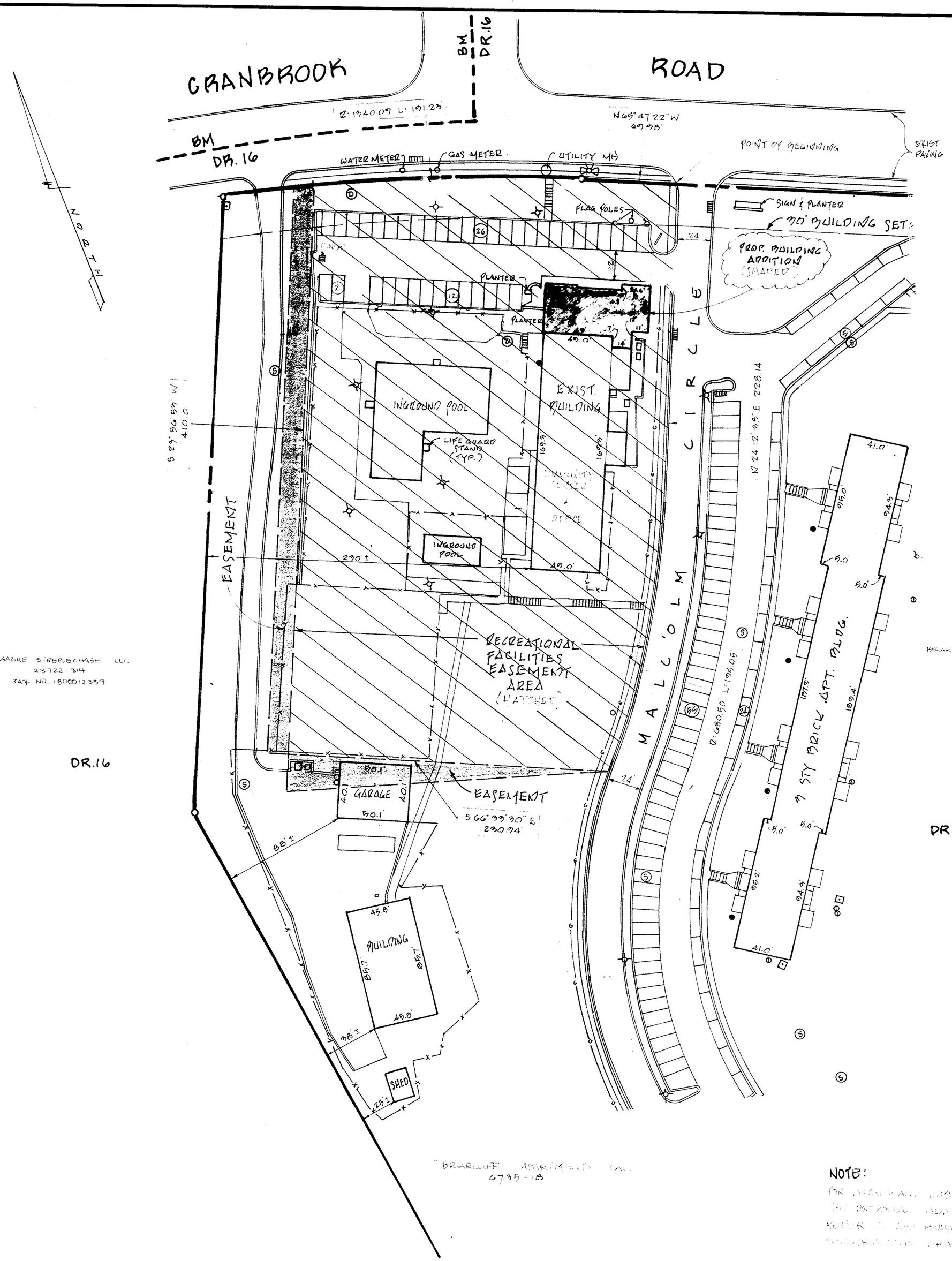
SITE AREA	38.891 AC+/- (ENTIRE PROPERTY)
EXIST. ZONING	DR.16
EXIST. FOCUS AREA	2.455 AC +/- (RECREATIONAL EASEMENT) (SHOWN HATCHED)
EXIST. USE	APARTMENTS -- ADMIN OFFICE -- RECREATION AREA
PROP. USE	BLDG ADDITION (UPPER COMMUNITY BLDG)
DEED REFERENCE	6795/18
TAX NO.	1900013070
COUNCILMANIC DISTRICT	3rd
ZONING MAPS	09IC1, 09IC2, 05ZA1, 05ZA2
TAX MAP | GRID | PARCEL	81 | 12 | 292
UTILITIES	EX. WATER - PUBLIC EXIST. SEWER - PUBLIC

PARKING REQUIREMENTS
(EXISTING BUILDING)

REFER TO ZONING CASE NO. 75-98XA WHICH ALLOWED 41 PARKING SPACES IN LIEU OF THE REQUIRED 84 SPACES.

(PROPOSED ADDITION)

DUE TO THE CIRCUMSTANCES RELATED TO THE SPECIFIC USE OF THE RECREATION FACILITY AND THE ORDER GRANTED IN CASE NO. 75-98 XA ALONG WITH THE SPECIAL HEARING REQUEST NOW BEING PROPOSED REGARDING USE THE PARKING ISSUE WILL BE RESOLVED BY A SPECIAL HEARING REQUEST FOR A MODIFIED PARKING PLAN.



MAGAZINE STREET CLUB LLC
23722/314
TAX NO. 1800012339

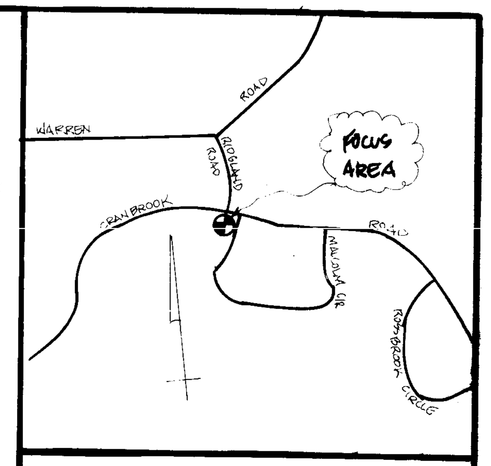
BRIARCLIFF APARTMENTS EAST
6795-18

BRIARCLIFF APARTMENTS EAST
6795-18

NORTH

ZONING HISTORY

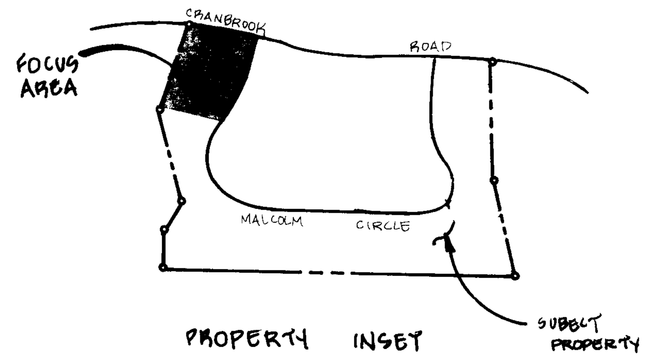
CASE NO. 75-98-XA
12 NOVEMBER, 1974 SPECIAL EXCEPTION FOR A COMMUNITY BUILDING AND SWIMMING POOL IS GRANTED WITH A SIDE, FRONT AND REAR YARDS OF 5FT IN LIEU OF THE REQUIRED 25 FT AND 35FT RESPECTIVELY. ALSO TO PERMIT 41 PARKING SPACES IN LIEU OF THE REQUIRED 84 PARKING SPACES SUBJECT TO THE APPROVAL OF A SITE PLAN INDICATING THE EXISTING IMPROVEMENTS TOGETHER WITH AVAILABLE OVERFLOW PARKING AREA ON ADJOINING PROPERTY OWNED BY PETITIONER



VICINITY MAP
SCALE: 1"= 1000'

OWNER INFORMATION

BRIARCLIFF APARTMENTS EAST LIMITED PARTNERSHIP
500 CRANBROOK RD.
COCKEYSVILLE MD.
21030



PROPERTY INSET
NOT TO SCALE

GENERAL NOTES

1. THERE ARE NO ARCHEOLOGICAL SITES, HAZARDOUS MATERIALS, 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. THE SUBJECT PROPERTY DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA
4. ALL PROPOSED & EXISTING SIGNAGE WILL COMPLY WITH SECTIONS 450 & 259.3.C.1 OF THE BCZR
5. ALL PROPOSED PARKING SPACES SHALL BE PERMANENTLY STRIPED
6. THE PARKING LOT SHALL BE PAVED WITH A DUSTLESS AND DURABLE SURFACE.
7. HANDICAP PARKING SPACES SHALL BE PROVIDED IN ACCORDANCE WITH STANDARD ADA REGULATIONS.
8. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN.

NOTE:
FOR OVERALL DIMENSIONS OF THE PROPOSED ADDITION REFER TO THE BUILDING ELEVATION DRAWINGS.

PETITIONER'S EXHIBIT NO. 2

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

PLAT TO ACCOMPANY ZONING PETITION FOR VARIANCE & SPECIAL HEARING

BRIARCLIFF APARTMENTS EAST

COMMUNITY BUILDING & GENERAL OFFICES

8TH ELECTION DISTRICT
SCALE 1" = 40'

BALTIMORE CO., MD
JUNE 27, 2007

SITE DATA

GROS AREA	38.8716 AC +- (ENTIRE PROPERTY)
EXIST ZONING	DR 16
EXIST FOCUS AREA	2.455 AC +- (RECREATIONAL EASEMENT) (SHOWN HATCHED)
EXIST. USE	APARTMENTS -- ADMIN OFFICE -- RECREATION AREA
PROP. USE	BLDG ADDITION (OFFICE & COMMUNITY BLDG.
DEED REFERENCE	6735 - 18
TAX NO.	1900018010
COUNCILMANIC DISTRICT	7th
ZONING MAPS	0816, 0816, 0524, 0524
TAX MAP | GRID | PARCEL	81 | 12 | 272
UTILITIES	EX. WATER - PUBLIC EXIST SEWER - PUBLIC

PARKING REQUIREMENTS
(EXISTING BUILDING)

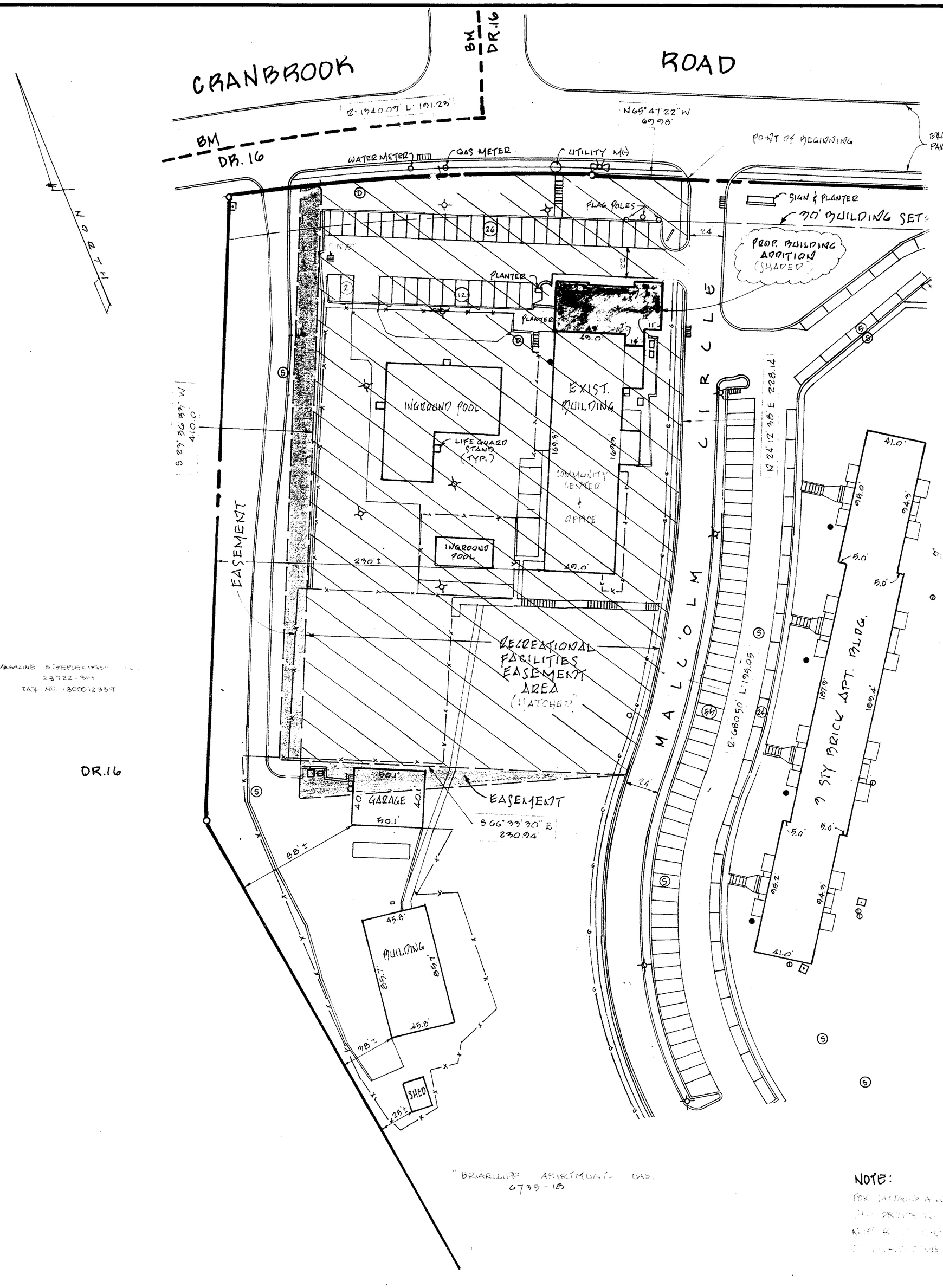
REFER TO ZONING CASE NO. 75-98XA WHICH ALLOWED 47 PARKING SPACES IN LIEU OF THE REQUIRED 84 SPACES.

(PROPOSED ADDITION)

DUE TO THE CIRCUMSTANCES RELATED TO THE SPECIFIC USE OF THE RECREATION FACILITY AND THE ORDER GRANTED IN CASE NO 75-98 XA ALONG WITH THE SPECIAL HEARING REQUEST NOW BEING PROPOSED REGARDING USE THE PARKING ISSUE WILL BE RESOLVED BY A SPECIAL HEARING REQUEST FOR A MODIFIED PARKING PLAN.

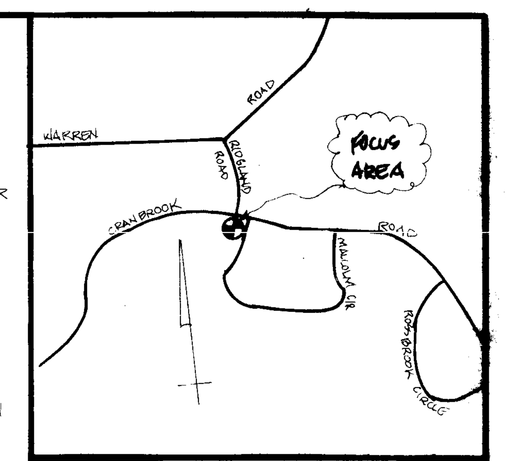
GENERAL NOTES

1. THERE ARE NO ARCHEOLOGICAL SITES, HAZARDOUS MATERIALS, 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. THE SUBJECT PROPERTY DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA
4. ALL PROPOSED & EXISTING SIGNAGE WILL COMPLY WITH SECTIONS 450 & 259.3.C.7 OF THE BCZR
5. ALL PROPOSED PARKING SPACES SHALL BE PERMANENTLY STRIPED
6. THE PARKING LOT SHALL BE PAVED WITH A DUSTLESS AND DURABLE SURFACE.
7. HANDICAP PARKING SPACES SHALL BE PROVIDED IN ACCORDANCE WITH STANDARD ADA REGULATIONS.
8. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN.



ZONING HISTORY

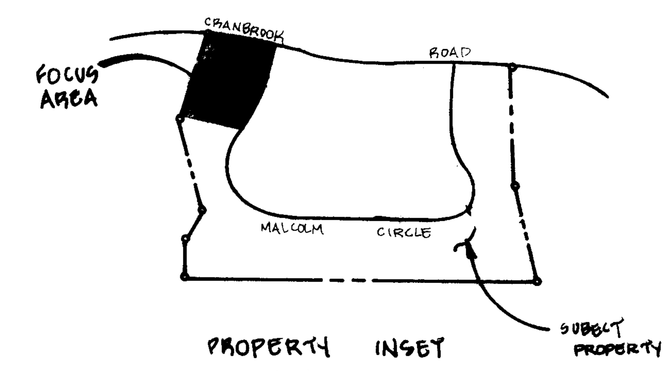
CASE NO. 75-98-XA
12 NOVEMBER, 1974 SPECIAL EXCEPTION FOR A COMMUNITY BUILDING AND SWIMMING POOL IS GRANTED WITH A SIDE, FRONT AND REAR YARDS OF 5 FT IN LIEU OF THE REQUIRED 25 FT AND 35 FT RESPECTIVELY, ALSO TO PERMIT 47 PARKING SPACES IN LIEU OF THE REQUIRED 84 PARKING SPACES SUBJECT TO THE APPROVAL OF A SITE PLAN INDICATING THE EXISTING IMPROVEMENTS TOGETHER WITH AVAILABLE OVERFLOW PARKING AREA ON ADJOINING PROPERTY OWNED BY PETITIONER



VICINITY MAP
SCALE: 1" = 1000'

OWNER INFORMATION

BRIARCLIFF APARTMENTS EAST
LIMITED PARTNERSHIP
509 CRANBROOK RD.
COCKEYSVILLE MD.
21030



PROPERTY INSET
NOT TO SCALE

NOTE:
FOR DETAILS AND DIMENSIONS OF THE PROPOSED ADDITION REFER TO THE ARCHITECTURAL PLANS.

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

PLAT TO ACCOMPANY ZONING PETITION FOR VARIANCE & SPECIAL HEARING

BRIARCLIFF APARTMENTS EAST

COMMUNITY BUILDING & GENERAL OFFICES

8TH ELECTION DISTRICT
SCALE 1" = 40'

BALTIMORE CO., MD
JUNE 27, 2007

08-011-SPHA