

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE
S/S Cedarmere Road, 203' W from c/line of
Reisterstown Road
(3 Cedarmere Road)
4th Election District
4th Council District

Win Win Ventures, LLC, Legal Owner;
Tony & Ritas, LLC, Contract Purchaser
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

Case No. 2008-0552-SPHA

* * * * *

ORDER OF DISMISSAL

This matter was scheduled for a public hearing before the undersigned Zoning Commissioner on August 1, 2008 and September 4, 2008 for consideration of Petitions for Special Hearing and Variance filed by the legal owner of the property, Win Win Ventures, LLC and the contract purchaser, Tony & Ritas, LLC, by and through their attorney, Vernon Boozer, Esquire with Covahey & Boozer. The Petitioners sought special hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve a commercial parking area in a residential zone pursuant to B.C.Z.R. Section 409.8.B and a variance from Section 1B01.1B.1(e)(5) of the B.C.Z.R. from the Residential Transition Area (RTA) regulations to allow commercial parking within the 75' and 50' RTA Buffers.

Appearing at the initial requisite public hearing held on August 1, 2008 in support of the request were Vernon Boozer, Esquire, attorney for Petitioners, Antony Voskovsky, managing member with Tony & Ritas, LLC, and Joseph L. Larson, a principal with Spellman, Larson & Associates, Inc., the consultants who prepared the site plans. Appearing in opposition were adjacent and nearby neighbors of the Cedarmere Road community including David Mullen and his wife, Keri Mullen (9 Cedarmere Road), Hazel Mays (10 Cedarmere), also the police liaison with the Cedarmere Association, Ryan and Angela Ginter (5 Cedarmere), Chuck W. Talbert, (102 Cedarmere), and Susan L. Douglas (4 Cedarmere). It is to be noted that letters in opposition to the request were received from Peter Max Zimmerman, People's Counsel for Baltimore County, Stephen E. Weber, Chief, Division of Traffic Engineering with the Department of Public Works, Mr. and Mrs. Charles Decker (130 Cedarmere Road) and George Harman,

RECEIVED FOR FILING
Date 9-12-08
By [Signature]

President, Reisterstown-Owings Mills-Glyndon Coordinating Council (ROG). Electronic mail correspondence was also received from Steven Daniller, Ellen Stoner, Laura Novobilsky, Harriet Siebert and Margaret W. Stuhler.

At the outset of the initial hearing, Mr. Boozer moved for a continuance to allow additional time to address adverse comments received from both County reviewing agencies, the Office of People's Counsel and the Reisterstown-Owings Mills-Glyndon (ROG) Coordinating Council. This request was met with opposition by those seven (7) Protestants and nearby residents in attendance. Since there appeared to be some confusion as to how the subject property was to be used, Messrs. Boozer and Larson stated their intention to meet with community associations, Office of People's Counsel, and Office of Planning in order to explain their proposal in hopes of obtaining amended Zoning Advisory Committee (ZAC) comments. On August 21, 2008, a letter was forwarded to community members and others who appeared and participated at the August 1, 2008 hearing advising that the matter was to be rescheduled for further proceedings on September 4, 2008.

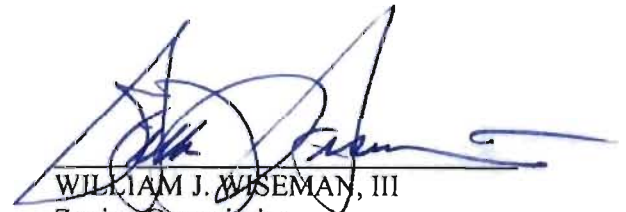
Appearing at the continued public hearing held on September 4, 2008 in support of the request were Frank V. Boozer, Jr., Esquire, attorney for Petitioners, Antony Voskovsky, managing member with Tony & Ritas, LLC, and Joseph L. Larson. Appearing in opposition were adjacent and nearby neighbors of the Cedarmere Road community including David Mullen and his wife, Keri Mullen (9 Cedarmere Road), Hazel Mays (10 Cedarmere), also the police liaison with the Cedarmere Association, Chuck W. Talbert, (102 Cedarmere), Susan L. Douglas (4 Cedarmere), Harold & Patricia Warner and William O. Haught (6 Cedarmere), Sandra Sales (5 Cedarmere), Cindy Sigal (21 Cedarmere), Michelle and Thomas Wild (14 Cedarmere), Jean Mulligan (24 Cedarmere), Jean Southard (7 Cedarmere), Ruth Sedicum (132 Cedarmere), Laurie Bornman (112 Cedarmere), Nada Bollinger (22 Cedarmere), Mark Sunshine (26 Cedarmere), and Kevin Kelch (11 Cedarmere). Appearing as an interested person was Bryna Zumer with the Owings Mills Times.

At the outset of the continued hearing, Mr. Boozer, counsel for the Petitioners, advised that they were withdrawing the special hearing and variance petitions. Thus, the matter was dismissed.

By _____
Date 9-12-08
DO NOT REOPEN FOR FILING

NOW, THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 12th day of September 2008, that the Petition for Special Hearing, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve a commercial parking area in a residential zone pursuant to B.C.Z.R. Section 409.8.B, in accordance with Petitioners' Exhibit 1, be and is hereby DISMISSED without prejudice; and

IT IS FURTHER ORDERED, that the Petition for Variance pursuant to Section 1B01.1B.1(e)(5) of the B.C.Z.R. to permit from the Residential Transition Area (RTA) regulations to allow commercial parking within the 75' and 50' Residential Transition Buffer (RTA), in accordance with Petitioners' Exhibit 1, be and is hereby DISMISSED without prejudice.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

- c: Vernon Boozer, Esquire, Covahey & Boozer, 614 Bosley Avenue, Towson, MD 21204
Joseph L. Larson, Spellman, Larson & Associates, Inc., 222 Bosley Avenue, Suite B-3,
Towson, Maryland 21204
Antony Voskovsky, Managing Member, Tony & Ritas, LLC, 3215 Hunting Tweed Drive,
Owings Mills, MD 21117
David Boteach, Win Win Ventures, LLC, 304 Bonnie Meadow Circle,
Reisterstown, MD 21136-6202
Charles W. Talbert, Jr., 102 Cedarmere Road, Owings Mills, MD 21117
Susan L. Douglas, 4 Cedarmere Road, Owings Mills, MD 21117
Hazel M. Mays, 10 Cedarmere Road, Owings Mills, MD 21117
David and Keri Mullen, 9 Cedarmere Road, Owings Mills, MD 21117
Ryan and Angela Ginter, 5 Cedarmere Road, Owings Mills, MD 21117
George Harman, President, Reisterstown-Owings Mills-Glyndon Coordinating Council,
P.O. Box 117, Reisterstown, MD 21136
Ellen Stoner, 20 Cedarmere Road, Owings Mills, MD 21117
Laura Novobilsky, 38 Cedarmere Road, Owings Mills, MD 21117
Harriet Siebert, 216 Cedarmere Road, Owings Mills, MD 21117
Margaret W. Stuhler, 105 Cedarmere Road, Owings Mills, MD 21117
Mr. and Mrs. Charles Decker, 130 Cedarmere Road, Owings Mills, MD 21117
Harold & Patricia Warner and William O. Haught, 6 Cedarmere Road,
Owings Mills, MD 21117
Sandra Sales, 5 Cedarmere Road, Owings Mills, MD 21117
Cindy Sigal, 21 Cedarmere Road, Owings Mills, MD 21117
Michelle and Thomas Wild, 14 Cedarmere Road, Owings Mills, MD 21117
Jean Mulligan, 24 Cedarmere Road, Owings Mills, MD 21117

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Date 9-12-08
By [signature]

Jean Southard, 7 Cedarmere Road, Owings Mills, MD 21117
Susan Douglas, 4 Cedarmere Road, Owings Mills, MD 21117
Ruth Sedicum, 132 Cedarmere Road, Owings Mills, MD 21117
Laurie Bornman, 112 Cedarmere Road, Owings Mills, MD 21117
Nada Bollinger, 22 Cedarmere Road, Owings Mills, MD 21117
Mark Sunshine, 26 Cedarmere Road, Owings Mills, MD 21117
Kevin Kelch, 11 Cedarmere Road, Owings Mills, MD 21117
Bryna Zumer, Owings Mills Times, c/o Patuxent Publishing Company,
409 Washington Avenue, Towson, MD 21204
People's Counsel; Office of Planning; File
Stephen E. Weber, Chief, Division of Traffic Engineering, DPW

RECEIVED FOR FILING
Date 9-12-08
By 1023



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 3 Cedarmere Road
which is presently zoned DR 3.5

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

A commercial parking area in a residential zone.

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: Tony & Ritas LLC

Antony Voskovsky, Managing Member

Name - Type or Print

Signature

3215 3915 Hunting Tweed Drive 410-802-3217

Address

Telephone No.

Owings Mills

MD

21117

City

State

Zip Code

Attorney For Petitioner:

Vernon Boozer, Esq.

Name - Type or Print

Signature

Covahey & Boozer

Company

614 Bosley Avenue

410-828-9441

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s): Win Win Ventures LLC

David Botach

Name - Type or Print

Signature

Name - Type or Print

Signature

#3 CEDARMERE RD

Address

Owings Mills

MD

City

State

Telephone No.

21117

Zip Code

Representative to be Contacted:

Joseph L. Larson

Name

222 Bosley Ave. Ste. B-3

410-823-3535

Address

Towson

MD

City

State

Telephone No.

21204

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Case No. 2008-0552-SPHA

Reviewed By

Date

REV 9/15/98

LISTEN RECORDING FOR FILING

Date

9-12-08

By

DW



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3 Cedarmere Road
which is presently zoned DR 3.5

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)

A complete argument to support the Variance and document hardship and practical difficulty to be presented at the Zoning 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: Tony & Ritas LLC

Antony Voskovsky, Managing Member

Name - Type or Print

Antony Voskovsky

Signature

3215 Hunting Tweed Drive 410-802-3217

Address Telephone No.

Owings Mills MD 21117

City State Zip Code

Attorney For Petitioner:

Vernon Boozer, Esq.

Name - Type or Print

Signature

Covahey & Boozer

Company

614 Bosley Avenue 410-828-9441

Address Telephone No.

Towson MD 21204

City State Zip Code

Legal Owner(s): Win Win Ventures LLC

David Boteach

Name - Type or Print

Signature

Name - Type or Print

Signature

304 Bonnie Meadow Circle

Address Telephone No.

Reisterstown MD 21136-6202

City State Zip Code

Representative to be Contacted:

Joseph L. Larson

Name

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

Address Telephone No.

Towson MD 21204

City State Zip Code

OFFICE USE ONLY

Case No. 2008-0552-A

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

REV 9/15/98

Date

9-12-08

Reviewed By

[Signature]

Date

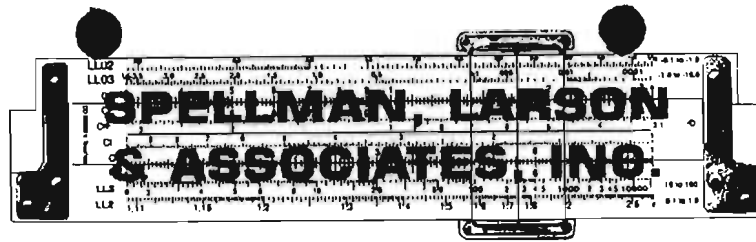
5-29-08

By

[Signature]

This Petition is to permit a Variance from the Residential Transition Area to allow commercial parking within the 75' and 50' Residential Transition Area Buffers per Section 1B01B.1.e(5) of the BCZR.

1B01.1B.1



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

CIVIL ENGINEERS AND LAND SURVEYORS
222 BOSLEY AVENUE, SUITE B-3
TOWSON, MARYLAND 21204
TEL (410) 823-3535 / FAX (410) 825-5215

LEGAL DESCRIPTION FOR SPECIAL HEARING & VARIANCE 3 CEDARMERE ROAD

BEGINNING for the same at a point on the south side of Cedarmere Road said point being 203' westerly from the center line of Reisterstown Road thence running for a line of division south 38 degrees 30 minutes 00 seconds east 118.16 feet thence south 52 degrees 15 minutes 00 seconds west 96.30 feet thence north 28 degrees 36 minutes 13 seconds west 126.60 feet to a point on the south side of Cedarmere Road thence running along the south side of Cedarmere Road by a curve to the left with a radius of 550.00 feet a length of 75.00 feet to the place of beginning.

SAID property also being known as Lot No. 3 on the Plat of Section A Cedarmere recorded in Plat Book 19 Folio 100.

CONTAINING 0.238 acres of land more or less.

File#D03190801



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. 1535

PAID RECEIPT

Date: 5-29-8

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount

Total: _____

Rec

From: _____

For: _____

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

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: #2008-0552-A

3 Cedarmere Road

S/side of Cedarmere Road, 203 +/- feet west from c/line of Reisterstown Road

4th Election District - 4th Councilmanic District

Legal Owner(s): Win Win Ventures, LLC, David Boteach

Contract Purchaser: Tony & Ritas, LLC, Antony Voskovsky, Member

Variance: from the residential transition area to allow commercial parking within the 75' and 50' residential transition area buffers per Section 1801B.1.e(5) of the BCZR. Special Hearing: for a commercial parking area in a residential zone.

Hearing: Friday, August 1, 2008 at 10:00 a.m. in the Jefferson Building, 1st Floor, 105 W. Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

7/17/08 July 17

178464

CERTIFICATE OF PUBLICATION

7/17/2008

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 7/17/2008.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 07/17/08

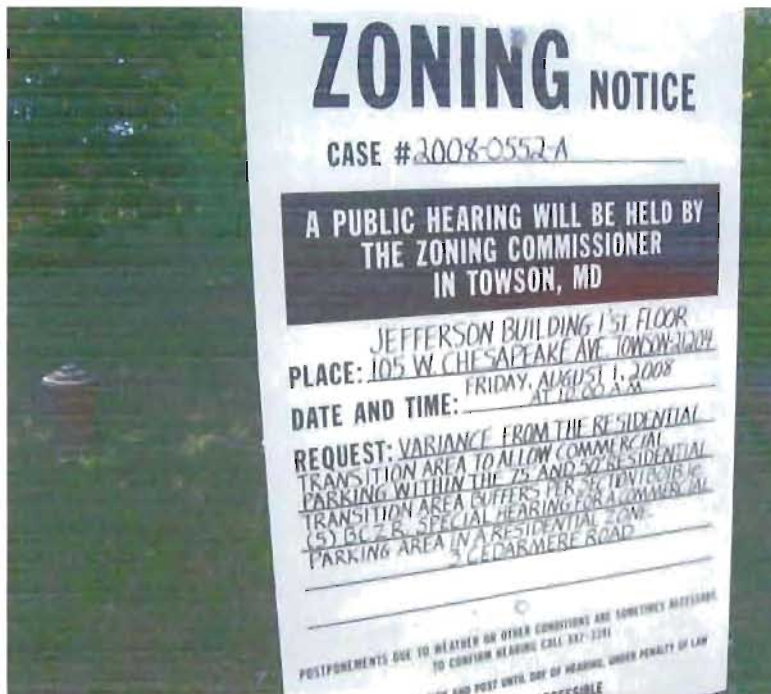
Case Number: 2008-0552-A

Petitioner / Developer: VERNON BOOZER, ESQ.~ANTHONY VOSKOVSKY~DAVID BOTEACH~JOSPEH LARSON

Date of Hearing (Closing): AUGUST 1, 2008

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:
3 CEDARMERE ROAD

The sign(s) were posted on: JULY 15, 2008



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)

CERTIFICATE OF POSTING

Baltimore County Dept. of Permits &
Development Management
111 W. Chesapeake Avenue, Rm. 111
Towson, MD 21204

Date: SEPT. 2, 2008

Attention Mrs. Kristen Matthews:

RE: Case Number 2008-0552-A
Petitioner/Developer: TENY & KITAS, LLC,
ANTONY VOSKOVSKY, MEMBER
Date of Hearing/Closing: SEPT. 4, 2008

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 3 CEDARMERE ROAD
OWINGS MILLS, MD 21117

The sign(s) were posted on AUGUST 29, 2008
(Month, Day, Year)

William D. Gulick
(Signature of Sign Poster)

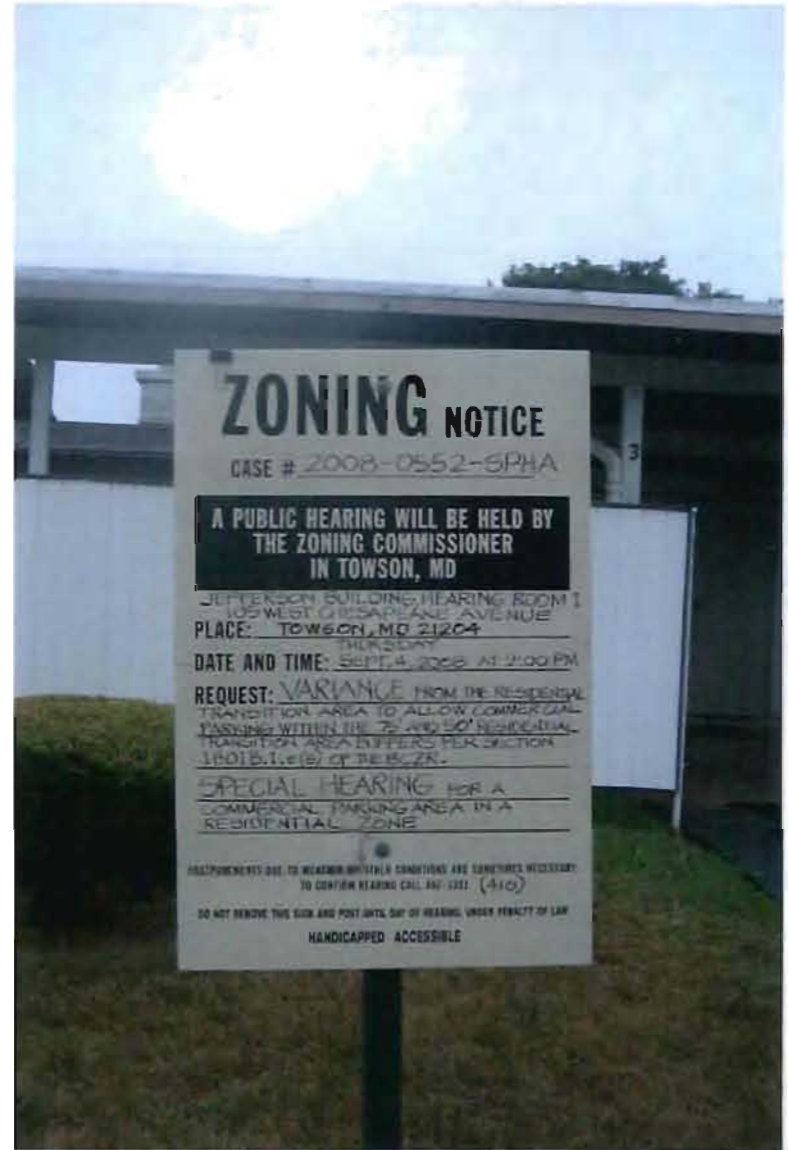
WILLIAM D. GULICK, JR
(Printed Name of Sign Poster)

2944 EDEEWOOD AVE.
(Street Address of Sign Poster)

PARKVILLE, MD 21234
(City, State, Zip Code of Sign Poster)

(410) 530-6293
(Telephone Number of Sign Poster)

**SEE
ATTACH PHOTOGRAPH OF
SIGN POSTED ON PROPERTY**



WILLIAM D. GULICK, JR
Baltimore County Approved Sign Poster

410-530-6293

2944 Edgewood Avenue
Baltimore, MD 21234

DATE: SEPT. 2, 2008

TO: BALTO. COUNTY
ZONING OFFICE

Re: CASE NO. 2008-0552-A
3 CEDARMERE ROAD

ATTENTION: MRS. KRISTEN MATTHEWS

☒ We are submitting () We are returning () We are forwarding

() Herewith () Under separate cover

RECEIVED
SEP 02 2008

BY:

No.	Description
1	CERTIFICATE OF POSTING
2	SITE PHOTOS

☒ For processing () For your use () For your review

() Please call when ready () Please return to this office () In accordance with your request

Remarks :

For further information, please contact the writer at this office.

Very truly yours,

CC. ANTONY VOSKOVSKY
SPELMAN, LARSON
& ASSOC. INC.

William D. Gulick, Jr.
WILLIAM D. GULICK, JR.

BW 94
2pm
2008-0552-A

**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.

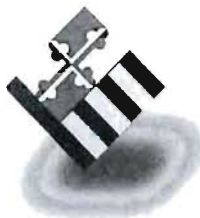
For Newspaper Advertising:

Item Number or Case Number: 0552
Petitioner: ANTONY VOSKOVSKY
Address or Location: 3 CEDARMERE RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: ANTONY VOSKOVSKY
Address: 3215 HUNTING TWEED DRIVE
DWINGS MILLS, MD. 21117
Telephone Number: 410.802.3217

Revised 2/20/98 - SCJ



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

June 18, 2008
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: 2008-0552-A

3 Cedarmere Road

S/side of Cedarmere Road, 203 +/- feet west from c/line of Reisterstown Road

4th Election District – 4th Councilmanic District

Legal Owners: Win Win Ventures, LLC, David Boteach

Contract Purchaser: Tony & Ritas, LLC, Antony Voskovsky, Member

Variance from the residential transition area to allow commercial parking within the 75' and 50' residential transition area buffers per Section 1B01B.1.e(5) of the BCZR. Special Hearing for a commercial parking area in a residential zone.

Hearing: Friday, August 1, 2008 at 10:00 a.m. in the Jefferson Building, 1st Floor,
105 W Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Vernon Boozer, Covahey & Boozer, 614 Bosley Avenue, Towson 21204
Antony Voskovsky, 3215 Hunting Tweed Drive, Owings Mills 21117
David Boteach, Win Win Ventures, LLC, 304 Bonnie Meadow Circle, Reisterstown 21136
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 THURSDAY, JULY 17, 2008.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 17, 2008 Issue - Jeffersonian

Please forward billing to:
Antony Voskovsky
3215 Hunting Tweed Drive
Owings Mills, MD 21117

410-802-3217

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: 2008-0552-A

3 Cedarmere Road

S/side of Cedarmere Road, 203 +/- feet west from c/line of Reisterstown Road

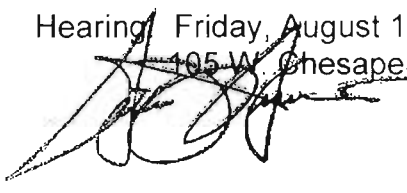
4th Election District – 4th Councilmanic District

Legal Owners: Win Win Ventures, LLC, David Boteach

Contract Purchaser: Tony & Ritas, LLC, Antony Voskovsky, Member

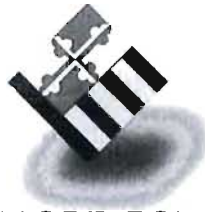
Variance from the residential transition area to allow commercial parking within the 75' and 50' residential transition area buffers per Section 1B01B.1.e(5) of the BCZR. Special Hearing for a commercial parking area in a residential zone.

Hearing: Friday, August 1, 2008 at 10:00 a.m. in the Jefferson Building, 1st Floor,
105 W. Chesapeake 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
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive
Vernon Boozer
Covahey & Boozer
614 Bosley Ave.
Towson, MD 21204

TIMOTHY M. KOTROCO, *Director*
Department of Permits and Development Management
July 28, 2008

Dear: Vernon Boozer

RE: Case Number 2008-0552-A, Address: 3 Cedarmere Rd.

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, 2008. 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:lnw

Enclosures

c: People's Counsel
David Boteach, 304 boonie Meadow cir., Reisterstown, MD, 21136
Joseph L. Larson, 222 Bosley Ave. Ste. B-3, Towson, MD, 21204
Antony Voskovsky, 3215 Hunting Tweed Dr., Owings Mill, MD 21117



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

June 16, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 09, 2008

Item Number: 0527A, 0549A, 0550A, 0551SPH, 0552SPHA, 0553X, 0554A, 0555A, 0556A, 0557SPH

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

BW 8/1
10 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 25, 2008

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

SUBJECT: 3 Cedarmere Road

INFORMATION:

Item Number: 8-552

Petitioner: Antony Voskosky

Zoning: DR 3.5

Requested Action: Special Hearing

RECEIVED
JUN 30 2008

BY:.....

SUMMARY OF RECOMMENDATIONS:

The proposed parking appears to be encroaching into an existing residential community to satisfy parking requirements for a new constructed or newly proposed buildings on Reisterstown Road. Both buildings were the subject of a zoning variance request for setbacks and parking. The Office of Planning recommends denial of the requested commercial parking and variance in a residential zone.

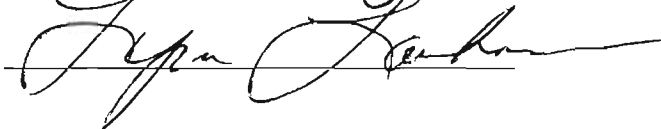
For further information concerning the matters stated here in, please contact Dave Green at 410-887-3480.

Reviewed by:



Division Chief:

AFK/LL: CM



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 10, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For June 16, 2008
Item Nos. 08-0548, 0549, 0550, 0551,
0552, 0553, 0554, 0555, 0556, and 0557

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

DAK:CEN:lrk

cc: File

ZAC-06102008-NO COMMENTS



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

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

Maryland Department of Transportation

Date: 6/20/2008

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

RE: Baltimore County
Item No 2008-0552-SPHA
3 CEDARMERE ROAD
BOTEACH PROPERTY
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. 2008-0552-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,


For Steven D. Foster, Chief
Engineering Access Permits
Division

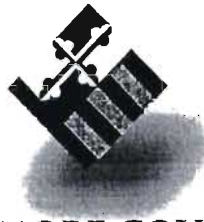
SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com





BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

9-4-08
21M
H.R.#1

WILLIAM J. WISEMAN III
Zoning Commissioner

August 21, 2008

Vernon Boozer, Esquire
Covahey & Boozer
614 Bosley Avenue
Towson, MD 21204

Joseph L. Larson
Spellman, Larson & Associates, Inc.
222 Bosley Avenue, Suite B-3
Towson, Maryland 21204

RE: **PETITION FOR SPECIAL HEARING AND VARIANCE**
S/S Cedarmere Road, 203' W from c/line of Reisterstown Road
(3 Cedarmere Road)
4th Election District – 4th Council District
Win Win Ventures, LLC, David Boteach – Legal Owner; Tony & Ritas,
LLC, Antony Voskovsky – Contract Purchaser - Petitioners
Case No. 2008-0552-SPHA

Dear Messrs. Boozer and Larson:

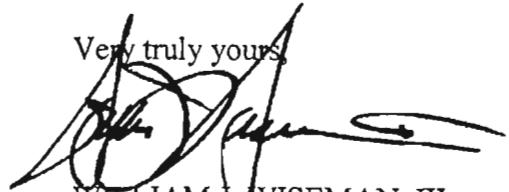
This letter is to confirm that the above-captioned matter has been scheduled for further proceedings on Thursday, September 4, 2008, at 2:00 P.M., in Hearing Room 1, of the Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland 21204. By copy of this letter, I am informing community members and others who appeared and participated at the August 1, 2008 hearing of this new date.

By way of background, counsel for the contract purchaser, Tony & Ritas, LLC, moved for a continuance to allow additional time to address adverse comments received from both County reviewing agencies, the Office of People's Counsel and the Reisterstown-Owings Mills-Glyndon (ROG) Coordinating Council. This request met with opposition by those seven (7) Protestants and nearby neighbors in attendance. It is obvious that there is some confusion as to how the subject property is to be used. Messrs. Boozer and Larson stated that they intend to meet with community associations, Office of People's Counsel, and Office of Planning in order to explain their proposal and hope to obtain amended Zoning Advisory Committee (ZAC) comments. The Petitioner is to re-post the property by placing upon the existing sign the date, time and place of the new hearing and evidence of this should be brought to the hearing.

Vernon Boozer, Esquire
Joseph L. Larson
August 21, 2008
Page 2

Should anyone have any questions on the subject, please do not hesitate to call me.

Very truly yours,



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

- c: Antony Voskovsky, Managing Member, Tony & Ritas, LLC, 3215 Hunting Tweed Drive,
Owings Mills, MD 21117
David Boteach, Win Win Ventures, LLC, 304 Bonnie Meadow Circle,
Reisterstown, MD 21136-6202
Charles W. Talbert, Jr., 102 Cedarmere Road, Owings Mills, MD 21117
Susan L. Douglas, 4 Cedarmere Road, Owings Mills, MD 21117
Hazel M. Mays, 10 Cedarmere Road, Owings Mills, MD 21117
David and Keri Mullen, 9 Cedarmere Road, Owings Mills, MD 21117
Ryan and Angela Ginter, 5 Cedarmere Road, Owings Mills, MD 21117
George Harman, President, Reisterstown-Owings Mills-Glyndon Coordinating Council,
P.O. Box 117, Reisterstown, MD 21136
People's Counsel; Office of Planning; Kristen Matthews, DPDM; File



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

September 2, 2008

HAND DELIVERED

William J. Wiseman, III, Zoning Commissioner
County Courts Building
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

RECEIVED
SEP 02 2008

BY:.....

Re: PETITION FOR SPECIAL HEARING & VARIANCE
Win Win Ventures, LLC – Legal Owners
3 Cedarmere Road
Case No: 08-552-SPHA

Dear Mr. Wiseman,

Thank you for your letter dated August 21, 2008. Your letter notes some confusion as to the proposed use of the property. Initially, we assumed the proposed use was related to the nearby automobile sales use. Since then, it has come to our attention that the proposed business parking relates to other business uses on the adjacent property.

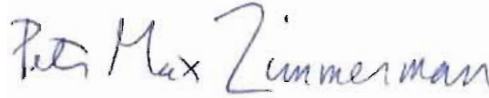
While the proposed use differs in this respect, the concerns remain the same. We see no basis for business parking encroachment into this single-family home area stretching along Cedarmere Road. The combined request for residential transition area variances highlights the inappropriateness of the proposal. The subject property has a longstanding residential use. As long as this property is zoned residential, that is the available and appropriate use.

ROG, the Cedarmere Civic Association, and adjacent or nearby property owners Sandra Sales and David Mullen have corroborated our concerns. In this connection, attention should be paid to George Harman's thorough correspondence dated September 2, 2008.

We appreciate your usual careful consideration of this matter.

William J. Wiseman, III, Zoning Commissioner
September 2, 2008
Page 2

Sincerely,

A handwritten signature in blue ink that reads "Peter Max Zimmerman". The signature is written in a cursive style with a large, stylized "Z".

Peter Max Zimmerman
People's Counsel for Baltimore County

PMZ/rmw

cc: Vernon Boozer, Esquire
Stephen Weber, Traffic Engineering
George Harman, President, Reisterstown-Owings Mills Glyndon Coordinating Council
David Mullen, President, Cedarmere Community Association
Sandra Sales

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
3 Cedarmere Road; S/S Cedarmere Road, * ZONING COMMISSIONER
203' W from c/line of Reistertown Road *
4th Election & 4th Councilmanic Districts * FOR
Legal Owner(s): David Boteach *
Contract Purchaser: Anthony Voskovsky * BALTIMORE COUNTY
Petitioner(s) *
08-552-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
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of June, 2008, a copy of the foregoing Entry of Appearance was mailed to Joseph Larson, 222 Bosley Avenue, Suite B-3, Towson, Maryland 21204 and Vernon Boozer, Esquire, Covahey, Boozer, Devan & Dore, P.A., 614 Bosley Avenue, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

From: Debra Wiley
To: yoshiglass@yahoo.com
Date: 08/21/08 3:09:44 PM
Subject: 3 Cedarmere Road - Case No. 2008-0552-SPHA

Per our telephone conversation earlier today, please find attached a copy of the hearing notice regarding the further proceedings for the above-reference matter. As promised, I have also put a copy in the mail to you.

Thanks and have a great day.

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

David Mullen
9 Cedarmere Rd.
Gwings Mills, Md. 21117



Residents of Cedarmere Road say they must be continually on guard

Homeowners worry about encroaching business

By Bryna Zumer
bzumer@patuxent.com

Posted 9/10/08

The residents of Owings Mills' Cedarmere Road have won their battle against a plan to level a house for a commercial parking lot, but they remain skeptical about winning the war against what they see as business encroachment into their street.

About 20 residents showed up to a special county hearing Sept. 4, a continuation of an earlier hearing that got stretched out after community protests.

The hearing was spearheaded by Antony Voskovsky, owner of Antony Jewelers at the corner of Reisterstown and Cedarmere roads, who requested a zoning variance so he could put a commercial, 22-space parking lot in place of a house at 3 Cedarmere Road.

At the new hearing, Voskovsky's lawyer, Frank Boozer, asked to withdraw the petition because of traffic concerns raised by the county's highway division.

After zoning commissioner William J. Wiseman III observed that the community had won, several residents responded, "For now."

Many seemed to feel that future battles with businesses would go on.

Sandra Sales, who lives next door to 3 Cedarmere, said she thinks development is likely to progress down the street.

"If we don't stay on top of it, it absolutely is going to happen," she said. "Are we concerned about (the homes nearest to Reisterstown Road) staying residential? Absolutely, because that is the entry to our community."

Commercial development on the residential street would be "totally inappropriate," she said, and added that she believes her property value could decrease by up to 25 percent if the lot at 3 Cedarmere became a commercial property.

3 Cedarmere Road

Location: S side of Cedarmere Road, 203 +/- feet W c/l of Reisterstown Road.

4th Election District, 4th Council District

Legal Owner(s): David Boteach

Contract Purchasers: Antony Voskovsky

SPECIAL HEARING to allow a commercial parking area in a residential zone.

VARIANCE From the residential transition area to allow commercial parking within the 75' and 50' residential transition area buffers per Section 1B01B.1.e (5) of the BCZR.

Hearing: Thursday, 9/4/2008 at 2:00 PM, Jefferson Building, 105 West Chesapeake Avenue, Hearing Room 1, Towson

OPPOSE	FAVOR
George Harman, President Reisterstown-Owings Mills-Glyndon Coordinating Council (ROG) P.O. Box Reisterstown, MD 21136 (Letters (2) dated 9/2/08 & 7/21/08)	
Steven Daniller (via e-mail) SDaniller@cbmove.com Coldwell Banker Realtors (Letter dated 8/26/08) <i>No action</i>	
Ellen Stoner (via fax) 20 Cedarmere Road ✓ Owings Mills, MD 21117 (Letter dated Sat., 8/30/08, Rec'd 9/2/08)	
Laura Novobilsky (via e-mail) 38 Cedarmere Road ✓ Owings Mills, MD 21117 (Letter dated 9/2/08)	
Harriet Siebert (via e-mail) 216 Cedarmere Circle ✓ Owings Mills, MD 21117 (Ltr. dated 9/3/08)	
Margaret W. Stuhler (via e-mail) 105 Cedarmere Road ✓ Owings Mills, MD 21117 (Ltr. dated 9/3/08)	

09/03/08



Reisterstown~Owings Mills~ Glyndon
Coordinating Council

P.O. Box 117
Reisterstown, MD 21136

September 2, 2008

Office of the Zoning Commissioner
William J. Wiseman, III, Zoning Commissioner
Thomas H. Bostwick, Deputy Zoning Commissioner
Courthouse
400 Washington Avenue
Towson, Maryland 21204

RECEIVED
SEP 04 2008

BY:.....

RE: Case # 2008-552-SPHA
3 Cedarmere Road

Dear Messrs. Wiseman and Bostwick:

The Reisterstown-Owings Mills-Glyndon Coordinating Council, Inc. (ROG) has voted at its July 7, 2008 general meeting to oppose case number 2008-552-SPHA at the Hearing Officer level and any subsequent appeals. Various officers, including myself as President, are authorized to offer written or oral testimony in opposition at any and all legal proceedings regarding this matter. Rule 8 authorization is being prepared and will be presented as necessary should this matter be appealed.

ROG was somewhat misinformed in its previous correspondence on the matter dated July 21, 2008. It had been assumed that an adjacent car dealer was seeking the property at 3 Cedarmere Road for commercial parking. After consultation with the managing member of the petitioner, Tony and Ritas, LLC and his site engineer, the plan was made clear. Contact was also made with Mr. David Mullen, the President of the newly reactivated Cedarmere Community Association and several community members.

It is now clear that Anthony Jewelers is the applicant and it is they that wish to purchase 3 Cedarmere Road and convert it into a parking lot for their businesses. The plural for business is used because the applicant reported that he rents the basement to another business and wants to rent the second floor to a third business, with the jewelry store occupying the first floor.

The situation is clear to the community. The petitioner constructed a building with no usable backyard, no side setbacks, and with the entire front of the parcel paved and converted to parking. While the parking may have been adequate for one or two business, each having only a couple of employees, the current arrangement that has approximately eight employees in the basement, plus those in the jewelry store prevents adequate parking for customers. The condition can certainly not support a third business on the second floor.

Most of the first two blocks of Cedarmere Road are used for commercial parking associated of Len Stoler car dealership employees, and some by Heritage Autopark. The car dealers apparently do



Reisterstown~Owings Mills~ Glyndon
Coordinating Council

not provide onsite parking for their employees. While this is a separate zoning issue, it needs to be mentioned because this parking greatly challenges the community residents and makes travel on Cedarmere Road difficult, and access onto or from Reisterstown Road very dangerous, especially during high volume traffic periods. The proposed commercial parking lot being suggested for 3 Cedarmere Road would further exacerbate the safety of the traffic on Cedarmere Road. The petitioner states that the lot will help reduce parking on the street by eliminating his customers and workers use of the street for parking. First, his workers and customers should be using the parking allowed for his business on his existing lot. It is not the responsibility of the community to offer residential streets for commercial parking. It is the responsibility of a business to properly plan for parking before construction. Had the County been informed of the plan for the existing building to be used for three businesses with the number of employees now utilizing the building, it would have never approved the construction. A more modest building should have been planned for the site so that adequate parking could have been established on the site.

ROG continues to oppose the petition to use residential property for commercial purposes unless there are extenuating circumstances and the immediately adjacent community supports the action. In this case, the local community is opposed and ROG supports that opposition. Except for the incorrect assumption in our first letter regarding the identity of the petitioner, ROG's opposition remains firm.

ROG continues to hope for time to appear and provide oral testimony, but if not because of work commitments, this letter is offered for your consideration to deny the petition.

For any matters relating to this letter, I may be reached by phone during the day at 410-537-3856 or at home at 410-429-6035.

Sincerely,

George Harman, President

copy via email: Peter Max Zimmerman, Esq., Office of People's Counsel
David Mullen



Reisterstown~Owings Mills~ Glyndon
Coordinating Council

P.O. Box 117
Reisterstown, MD 21136

July 21, 2008

Office of the Zoning Commissioner
William J. Wiseman, III, Zoning Commissioner
Thomas H. Bostwick, Deputy Zoning Commissioner
Courthouse
400 Washington Avenue
Towson, Maryland 21204

13W 8/1
10 A.M.

RECEIVED
JUL 24 2008

BY:.....

RE: Case # 2008-552-SPHA

Dear Messrs. Wiseman and Bostwick:

The Reisterstown-Owings Mills-Glyndon Coordinating Council, Inc. (ROG) has voted at its July 7, 2008 general meeting to oppose case number 2008-552-SPHA at the Hearing Officer level and any subsequent appeals. Various officers, including myself as President, are authorized to offer written or oral testimony in opposition at any and all legal proceedings regarding this matter. Rule 8 authorization is being prepared and will be presented as necessary should this matter be appealed.

ROG is a support organization for the many local community organizations that represent the residents generally defined as living within the two primary zip codes (21117 and 21136) that define the geographical extent of the area. The community organizations are wholly staffed by volunteers that attempt to track changes in zoning and permitting that would tend to reduce the value of the residential property. ROG has routinely argued for the protection of residential property against incursions by commercial entities. This petition for a special hearing under BCZR Sec. 409.8.B that is seeking permission for business parking in a residential zone is similar to many other petitions and CZMP actions that would permit parking in residential zones. Such actions are generally opposed by the organization. ROG believes that the applicant must provide a demonstrated need that would justify the intrusion into residential property. In addition, there are requirements for Residential Transition Area parking and buffer area setbacks under BCZR Sec. 1B01.1.B, which are major and substantial. ROG also generally opposes petitions for variances in these situations because of their negative influence on adjoining residential property.

Documentation for those actions goes back at least ten to twelve years. Memories of the more seasoned members extend beyond that time horizon. A key zoning challenge in this regard occurred on the opposite side of Reisterstown Road across from Cedarmere Rd. when a car dealer began purchasing and/or leasing residential properties to be used for the expansion of his business interests. This process had a clear and defined negative effect on the community (Kingsley Park). The community and ROG rose to the occasion and successfully challenged those actions. The Board of



Reisterstown~Owings Mills~ Glyndon
Coordinating Council

Appeals denied the petition by Len Stoler Automotive for the allowance of parking on residential property and the Circuit Court affirmed that decision.

The proposed activities in this case would begin the same type of process. The community again recognizes that the faulty business plan of the car dealer (inadequate space planning) is at the heart of the proposed action. It is further recognized that the current encroachment would be equivalent to a "taking" of residential community values for commercial purposes. This case is equivalently egregious to that of the aforementioned case, and could set in motion actions that would result in the loss of value and resale potential for a number of residential property owners.

Encroachments of the nature being sought in this case bring with them the potential for cascading negative influences on the community. Excessive noise, light, and human activity remove the quality, especially tranquility, of life generally desired by everyone. Just because a business wishes to expand its operations is inadequate justification for the residents to suffer. If a business finds that it is overly constrained by the configuration or size of its property, it should first look and consider alternative locations where the operations can be accommodated. There are numerous other commercial parcels in the general area that would probably meet the needs of the business, but those options have been ignored, probably for cost reasons. The negative burden on the adjacent community should not be assumed to fall on the adjoining residents.

Any such encroachment on the residential owners should be undertaken through the Comprehensive Zoning Management Process and not through the seeking of variances in a hearing where individuals need to challenge large corporate entities with lawyers and expert witnesses. This process, where a segment of the community will be negatively affected, should be handled in a forum allowing parity between the contesting parties. It is recognized that hearings before the Zoning Commissioner are public, and testimony can be both written and oral, but the more persuasive oral testimony requires individuals to take time off from work to appear and testify.

It is hoped that this plea for consideration of denial can be amplified by oral testimony, but if not because of work commitments, ROG offers this letter for your consideration. We are also offering this letter to the People's Counsel and would seek their support for this any subsequent actions, should they be necessary.

For any matters relating to this letter, I may be reached by phone during the day at 410-537-3856 or at home at 410-429-6035.

Sincerely,

George Harman, President

copy via email: Peter Max Zimmerman, Esq., Office of People's Counsel

From: "Daniller, Steven" <SDaniller@cbmove.com>
To: <wwiseman@baltimorecountymd.gov>
Date: 08/26/08 12:38:43 PM
Subject: case # 2008-552-SPHA

08/25/08

Dear Mr. Wiseman,

My name is Steven Daniller I have been a realtor with Coldwell Banker Realtors for over 12 years in addition to several years with a smaller broker in the Owings Mills / Reisterstown area. A few years ago I had the pleasure of assisting a young couple David and Carrie Mullen with the purchase of their first home. After viewing many properties the Mullens fell in love with the home located on Cedarmere Circle in Owings Mills. It was a struggle for them to obtain the cash and financing needed to pursue this home however with much perseverance they were able to purchase the house. Shortly after the market began to turn sour and the Mullens watched as their value declined. Even so they have hopes and plans of selling this home on Cedarmere in order to buy a larger home to raise their family.

Now there is even a larger concern. The proposed razing and turning into a parking lot of the property at 3 Cedarmere Circle located only three doors from the Mullen's property will in no doubt devalue the property in addition to making it a much longer and harder sale for them. They purchased this property thinking they were buying in a residential neighborhood. This proposed parking lot will expose them to the noise traffic and inconvenience of living in a commercial area. They like most of the families on this street are very worried about traffic congestion as well as the safety of any small children in the neighborhood. A parking lot on their street will only bring in noise congestion and possible safety related issues.

When the business planning on creating the parking lot was first given a permission to operate their their should have been adequate parking designated at that time. There is no reason Baltimore County residential home owners should be forced to suffer in order to supply more parking for a commercial business. With the recent property tax increase, the struggling economy, lower home values and higher prices it seems that allowing this parking lot to pass and therefore devaluing the worth of these properties would be only one more unfair burden placed on the taxpayers.

I hope you will consider these concerns and if I can be of any help please feel free to call me anytime at 443-250-0181. Thank you.

Sincerely,
Steven Daniller
Coldwell Banker Realtors

Bill Wiseman - Zoning Variance for 3 Cedarmere Road

From: Laura Novobilsky <lauramnovo@verizon.net>
To: <wwiseman@baltimorecountymd.gov>
Date: 09/02/08 2:42 PM
Subject: Zoning Variance for 3 Cedarmere Road

Hello Mr. Wiseman,

I have learned of the proposal by Anthony Jewelers to turn 3 Cedarmere Road, Owings Mills, MD 21117 into a parking lot for the business. Unfortunately, I cannot attend the zoning hearing scheduled for Sept. 4th at 2 pm. However, as a resident of Cedarmere Road, I am writing to you to urge you **not** to approve the necessary zoning variance.

Currently, it is often quite difficult to make the turn onto Cedarmere Road from Reisterstown Road. With numerous cars parking on either side of Cedarmere Road near the entrance to our neighborhood, a driver must be very cautious navigating that first block. There is just barely room for two cars to pass in opposite directions as they enter or leave the neighborhood. I cannot imagine how dangerous it would be once the proposed parking lot is added. Not only would drivers have to carefully pass each other amongst the parked cars on the street, but now they'd also have to deal with additional cars turning to enter or exit the parking lot!

In addition, the proposed variance would encroach on the quiet neighborhood that we sought out when we chose to buy our homes. My neighbors and I enjoy our quiet streets tucked away from the hustle and bustle of Reisterstown Road. By demolishing one of neighbor's homes to put in a commercial parking lot, that hustle and bustle is one step closer to our doorsteps!

Again, I strongly urge you to **not** approve this zoning variance!

Many thanks,

Laura Novobilsky
38 Cedarmere Road
Owings Mills, MD 21117

Bill Wiseman - Variance sought by Anthony's Jewlers

From: "Harriet Siebert" <harriet@madow.com>
To: <wwiseman@baltimorecountymd.gov>
Date: 09/03/08 1:02 PM
Subject: Variance sought by Anthony's Jewlers

Mr. Wiseman,

I am adamantly against the variance sought by Anthony's Jewelers to turn 3 Cedarmere Rd. into a parking lot! The county developers are turning this area of Owings Mills from a nice safe residential area into a very un-safe and unsightly place to be.

I think one of the county executives should live next to that "Parking Lot" and see how they like it.

Thank you very much! Harriet Siebert



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vvw3.1)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 04 **Account Number -** 1600008576

Owner Information

Owner Name:	SIEBERT IVAN S SIEBERT HARRIET P	Use:	RESIDENTIAL
Mailing Address:	216 CEDARMERE CIR OWINGS MILLS MD 21117	Principal Residence:	YES
		Deed Reference:	1) / 5478/ 737 2)

Location & Structure Information

Premises Address
216 CEDARMERE CIR

Legal Description

615 S CHURCH ROAD
REISTERSWOOD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
57	12	477			1	C	10	1	Plat Ref: 36/ 14

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1974	1,160 SF	2,265.00 SF	04
Stories	Basement	Type	Exterior
2	YES	CENTER UNIT	FRAME

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2007	07/01/2008	07/01/2009
Land	30,000	68,000		
Improvements:	68,050	140,860		
Total:	98,050	208,860	171,922	208,860
Preferential Land:	0	0	0	0

Transfer Information

Seller: ELLWOOD BUILDING CORPORATION	Date: 09/20/1974	Price: \$31,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 5478/ 737	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

Bill Wiseman - Re-Zoning in Cedarmere, Owings Mills, MD

From: "Marge Stuhler" <mstuhler@verizon.net>
To: <wwiseman@baltimorecountymd.gov>
Date: 09/03/08 5:43 PM
Subject: Re-Zoning in Cedarmere, Owings Mills, MD

As a resident of 53 years in Cedarmere, I strongly oppose the parking lot as requested by Anthony's Jewelers. The congestion at that section of road is 'TAKE YOUR LIFE IN YOUR HANDS'. We do not want another problem added to it.

This is a residential community and we prefer it kept that way.

MARGARET W. STUHLER
105 Cedarmere Rd
Owings Mills, MD 21117
410-356-7216

9/3/08

To: Commissioner Wiseman, III

We've lived at 130 Cedarvale Rd for more than 50 yrs + we cannot see any reason to bring commercial businesses any closer than you already have.

The streets are already congested to the point it's difficult for two lane traffic to exist. Turning another home into a parking lot will only encourage more traffic + more intrusion into our neighborhood of families.

We've noted few cars parking on Anthony's parking lot as it is. Please consider the residents opinions + neighborhood needs.

Mr & Mrs. Charles Decker
130 CEDARVALE RD
OWINGS MILLS, MD 21117
TEL. 410-356-5449

30 Cedarmore Rd ✓
Orange Mills Md 21119
August 30, 2008

William Wiseman III
Baltimore County
Zoning Commission Office
105 W. Chesapeake Ave Suite 103
Towson, Md 21204

Dear Mr Wiseman:

I am writing this letter concerning the zoning hearing on Thursday, September 4 at 2:00 pm concerning the variance sought by Anthony's Jewelers to turn 3 Cedarmore Rd. into a parking lot.

We very definitely do not need another parking lot in our neighborhood especially when it is not attached to a house. Ours is a residential neighborhood and we want to keep it this way.

Thank you for considering our request.

Sincerely
Ellen Storms
above address

BALTIMORE COUNTY ZONING REGULATIONS 1998 Edition Updated 02-25-2008, v19

THE REGULATIONS

ARTICLE 1B, DENSITY RESIDENTIAL (D.R.) ZONES [Bill No. 100-1970]

Section 1B01, Regulations With Respect to D.R. Zones in General

- f. Signs, subject to Section 450. [Bill No. 89-1997]
 - g. Swimming pools, tennis courts, garages, utility sheds, satellite receiving dishes (subject to Section 429) or other accessory structures or uses (all such accessory structures or uses subject to the height and area provisions for buildings as set forth in Section 400). [Bill No. 71-1987]
19. Commercial film production, subject to Section 435. [Bill No. 57-1990]
- B. Dwelling-type and other supplementary use restrictions based on existing subdivision and development characteristics. [Bill No. 124-1981]
1. Residential transition areas and uses permitted therein. [Bill No. 2-1992]
 - a. Definitions and purpose. [Bill No. 2-1992]
 - (1) The residential transition area (RTA) is a one-hundred-foot area, including any public road or public right-of-way, extending from a D.R. zoned tract boundary into the site to be developed.
 - (2) The purpose of an RTA is to assure that similar housing types are built adjacent to one another or that adequate buffers and screening are provided between dissimilar housing types.
 - b. Generation of residential transition area. An RTA is generated if the property to be developed is zoned D.R. and lies adjacent to land zoned D.R.1, D.R.2, D.R.3.5, D.R.5.5 or R.C. which: [Bill Nos. 2-1992; 8-2004]
 - (1) Contains a single-family detached, semi-detached or duplex dwelling within 150 feet of the tract boundary; or
 - (2) Is vacant, less than two acres in size, and contains a buildable area at least 20 feet by 30 feet on which a dwelling meeting all required setbacks can be erected.
 - c. Variance of RTA. [Bill No. 2-1992]
 - (1) Notwithstanding the provisions of Section 307, the hearing officer, upon the recommendation of Public Works, Planning, Environmental Protection and Resource Management, Permits and Development Management, Recreation and Parks, Community Development or the Economic Development Commission, may determine the amount of RTA in cases where a single tract is more than two acres, is vacant, or contains no more than one single-family detached, semidetached or duplex dwelling.
 - (2) The RTA for a tract may be modified as directed by findings pursuant to § 32-4-402 and the hearing officer's hearing under Article 32, Title 4, Subtitle 2 of the Baltimore County Code. However, the hearing officer may not reduce the amount of RTA unless the officer specifically finds and determines that such a reduction will not adversely impact the residential community or development on the land adjacent to the property to be developed. [Bill No. 137-2004]
 - d. A residential transition use is any use: [Bill No. 2-1992]

BALTIMORE COUNTY ZONING REGULATIONS 1998 Edition Updated 02-25-2008, v19**THE REGULATIONS****ARTICLE 1B, DENSITY RESIDENTIAL (D.R.) ZONES [Bill No. 100-1970]****Section 1B01, Regulations With Respect to D.R. Zones in General**

- (1) Permitted as of right under Section 1B01.1.A; or
- (2) Any use permitted by special exception under Section 1B01.1.C, except an accessory use permitted only by special exception; or
- (3) Any parking area permitted under Section 409.8.B, subject to the approval of a specific landscape plan for the buffer area which must meet the requirements for a Class A plan.

e. Conditions in residential transition areas. [Bill No. 2-1992]

- (1) The RTA may contain single-family detached, semidetached or duplex dwellings.
- (2) Group-house, back-to-back group houses, multifamily building and parking lots shall be set back from the tract boundary 75 feet and provide a fifty-foot RTA buffer.
- (3) The fifty-foot RTA buffer shall remain an upgraded, uncleared, landscaped buffer unless otherwise directed by the hearing officer, based upon recommendations of the county. It shall not contain cleared drainage areas, stormwater management ponds or accessory structures, but it may be bisected by roads, paths and trails that are designed to connect to adjoining developments.
- (4) The maximum height of any lighting fixtures in an RTA buffer area shall be 16 feet, except for public utility uses which must be of reasonable height. The fixtures shall be designed and placed so as to prevent the spillage of light into any adjoining dwelling or lot. The intensity of the fixture shall not exceed 0.2 candle at the tract boundary.
- (5) Parking lots or structures, either as principal or accessory use, whether permitted by right, special exception or pursuant to Section 409.8.B, shall provide a fifty-foot buffer and seventy-five-foot setback, and a height not to exceed 35 feet within the one-hundred-foot transition area.

f. Any subdivision of land or PUD that has received CRG approval or reclamation plan approval or has been accepted for filing prior to the date of adoption of Bill No. 2-92 or 3-92 is subject to the laws in effect at the time of the approval or filing. [Bill No. 2-1992]

g. Exceptions to residential transition. The restrictions contained in Paragraphs a through e above, of this Subsection B.1, do not apply to: [Bill Nos. 109-1982; 40-1992]

- (1) A proposed dwelling to be placed in a RTA containing existing dwellings of the same type, or, if two or more types of dwellings exist, a proposed dwelling of the same type as the existing dwelling with the fewest number of dwelling units. Such dwellings shall be governed by the applicable laws, zoning regulations and policies otherwise applicable. As used herein, a "dwelling of the same type" means a dwelling which has the same or lesser number of dwelling units and party walls as the existing dwelling units. [Bill Nos. 109-1982; 40-1992]
- (2) Public utility uses (except public utility service centers and storage yards). Such uses shall be governed by the provisions of Sections 411 and 502 and such other applicable sections of these regulations. [Bill 40-1992]

- (3) Notwithstanding the provisions of Section 104, the reconstruction of an existing church,



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3)

[Go Back](#)
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Account Identifier: District - 04 **Account Number -** 0423075328

Owner Information

Owner Name: WIN WIN VENTURES LLC **Use:** RESIDENTIAL
Principal Residence: NO
Mailing Address: 304 BONNIE MEADOW CIRCLE **Deed Reference:** 1) /23285/ 266
 REISTERSTOWN MD 21136-6202 2)

Location & Structure Information

Premises Address

3 CEDARMERE RD

Legal Description

3 CEDERMERE RD
 CEDARMERE RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
58	7	86			A	B	3	1	Plat Ref: 19/ 100

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1954	1,050 SF	10,370.00 SF	04

Stories	Basement	Type	Exterior
1	NO	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2007	07/01/2007	07/01/2008
Land	41,590	86,340		
Improvements:	53,820	103,610		
Total:	95,410	189,950	126,923	158,436
Preferential Land:	0	0	0	0

Transfer Information

Seller: BOTEACH DAVID	Date: 01/26/2006	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /23285/ 266	Deed2:
Seller: OLAND MICHAEL C	Date: 12/05/1989	Price: \$82,500
Type: IMPROVED ARMS-LENGTH	Deed1: / 8342/ 680	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

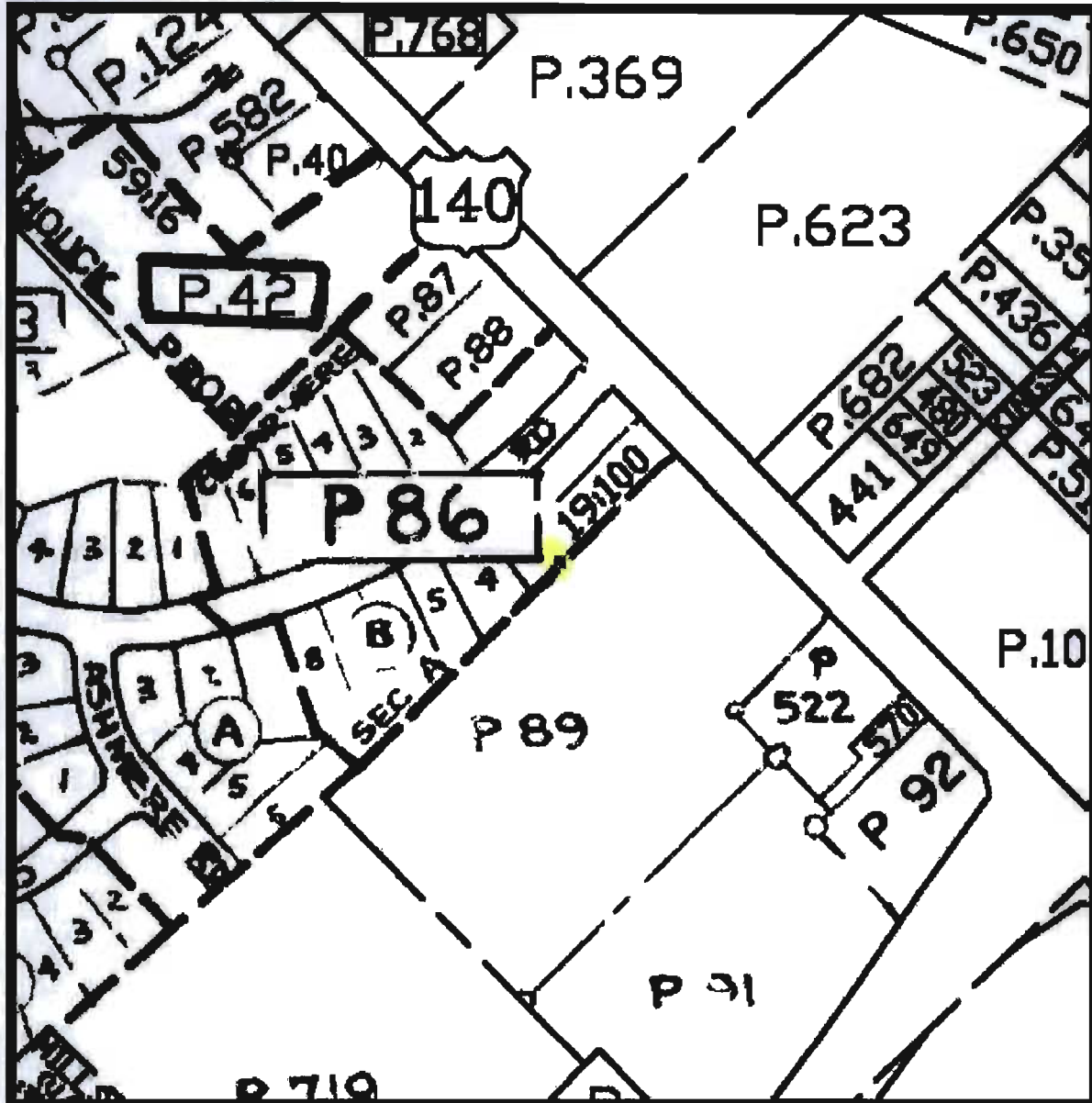
Special Tax Recapture:
 * NONE *



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

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District - 04 Account Number - 0423075328



Property maps provided courtesy of the Maryland Department of Planning ©2004.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web
 site at www.mdp.state.md.us/tax_mos.htm



PLEASE PRINT CLEARLY

CASE NAME 3 Cedarmere Rd.
CASE NUMBER 2008-0552-SPHA
DATE 9-4-08

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
David May	10 Cedarmere Rd	Owings Mills, MD	21117
Harold Warner	6 Cedarmere Rd	Owings Mills, Md.	21117
Sandra Soles	1732 Linden Ave	Betho MD	21217
Patricia Warner	6 Cedarmere Rd	Owings Mills, MD	21117
William O. Haught	6 Cedarmere Rd	Owings Mills, MD	21117
Cindy Sigal	21 Cedarmere Rd	Owings Mills MD	21117
Charles W. Jellat	102 Cedarmere Rd	Owings Mills MD	21117
Michelle Wild	14 Cedarmere Rd.	Owings Mills, MD 21117	wild110400@yahoo.com
Thomas Wild	14 Cedarmere Rd.	Owings Mills, MD 21117	
Jean Mulligan	24 Cedarmere Rd.	O.M. MD 21117	
JEAN Southard	7 Cedarmere Rd	O.M. Md 21117	
Susan Douglas	4 Cedarmere Rd	O.M. Md 21117	dougsyga@comcast.net
Ruth Sedicum	132 Cedarmere Rd.	O. Mills MD 21117	
Laurie Bormann	112 Cedarmere Rd	Owings Mills, MD 21117	
M. Bollinger	22 Cedarmere Rd.	Owings Mills Md. 21117	
Mark Sunshine	26 Cedarmere Rd.	Owings Mills MD. 21117	
David Miller	9 Cedarmere Rd	Owings Mills MD 21117	jashiglass@yahoo.com
Keri Mullen	9 Cedarmere Rd	Owings Mills MD 21117	
KEVIN KETCH	11 Cedarmere Rd	Owings Mills Rd 21117	
Bryna Zumer	Owings Mills Tins		bzumer@putxent.com

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

*Prior case
Tony & Ritas*

* * * * *

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

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.

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

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 _____ 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

Case No.: 2008-0552-SPHA 3 CEDARMERE RD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1		Aerial ZONING MAP
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

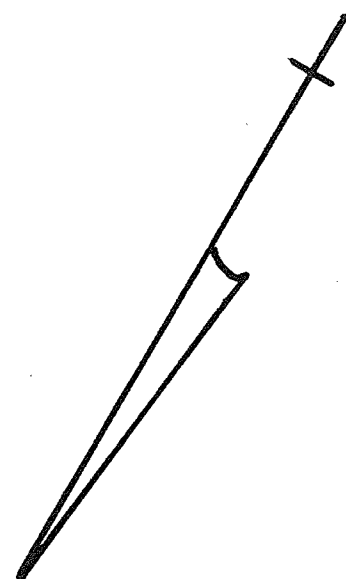


PROTESTANT' S

EXHIBIT NO. 1

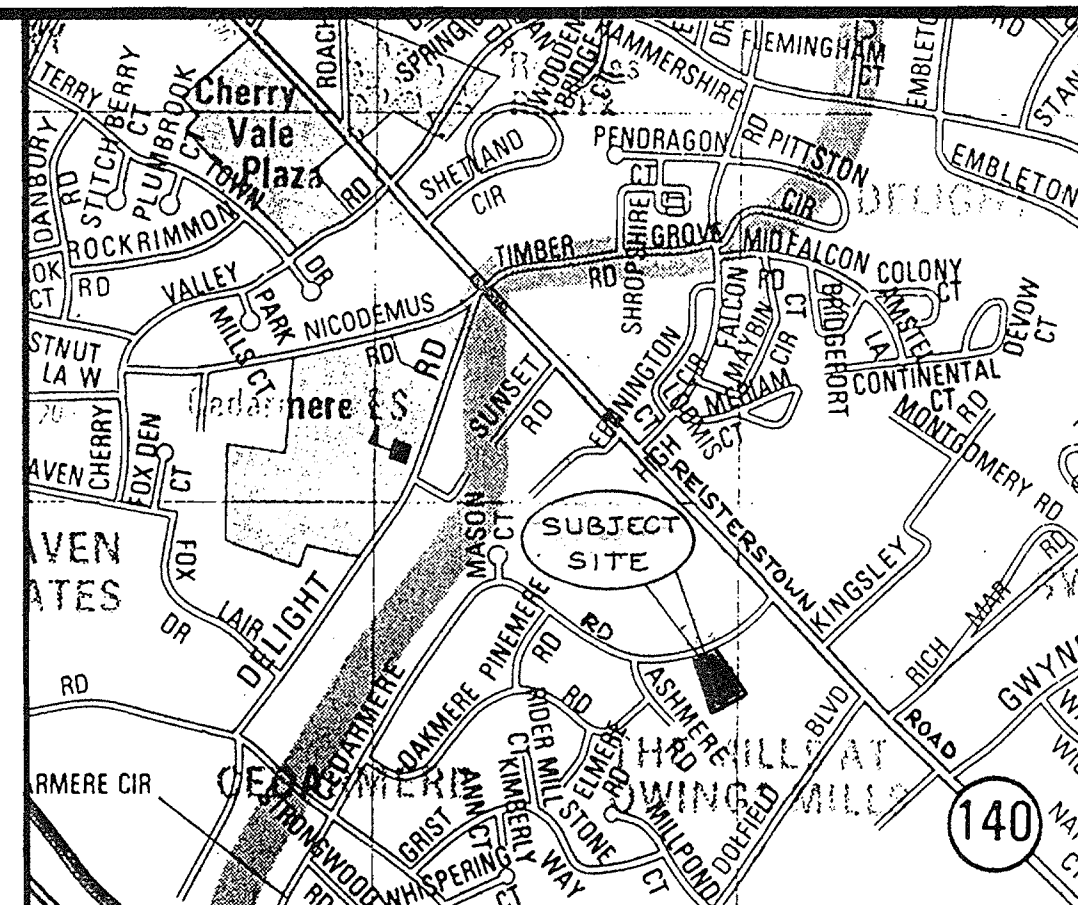
GENERAL NOTES

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. 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 SUBJECT PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN.



OWINGS MILLS AUTO PARK
LIMITED PARTNERSHIP
7372-130
TAX NO. 0416045440
(COMMERCIAL USE)

BM



VICINITY MAP

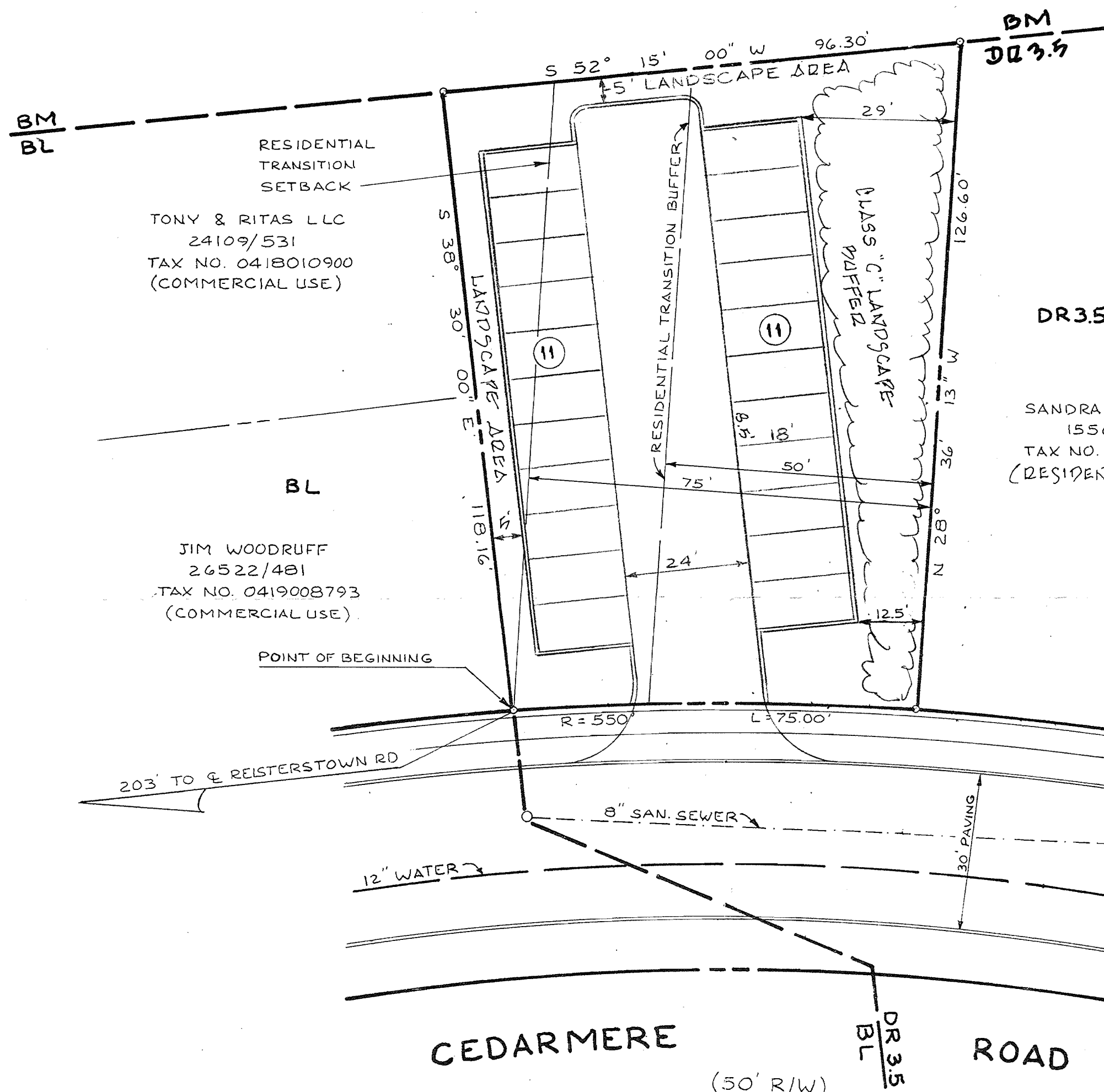
SCALE: 1" = 1000'

SITE DATA

SITE AREA 10,370 SQ. FT./0.238 AC.
EXIST. ZONING DR 3.5
COUNCILMANIC DISTRICT 4TH
ZONING MAP 058A2
DEED REFERENCE 23285/266
TAX MAP/GRID/PARCEL 58/7/86
TAX ACCOUNT NO. 0423075328

DR3.5

SANDRA J. SALES
15562/690
TAX NO. 0407029650
(RESIDENTIAL USE)



SPELLMAN, LARSON
& ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
222 BOSLEY AVENUE, SUITE B-3
TOWSON, MARYLAND 21204
PHONE: 410-823-3535
FAX: 410-825-5215

OWNER INFORMATION

WIN WIN VENTURES LLC
304 BONNIE MEADOW CIRCLE
REISTERSTOWN, MD. 21136-6202

REVISIONS
NO. DATE DESCRIPTION
1 4-10-08 REV. PER FILING CONFERENCE

**SPELLMAN, LARSON
&
ASSOCIATES, INC.**
CIVIL ENGINEERS AND LAND SURVEYORS
222 BOSLEY AVENUE SUITE B-3 TOWSON, MD 21204
PHONE: 410-823-3535

PLAT TO ACCOMPANY
PETITION FOR SPECIAL HEARING
VARIANCE
3 CEDARMERE ROAD
(PROPOSED PARKING PLAN)
4TH ELECTION DISTRICT BALTIMORE COUNTY

SCALE: 1" = 20' DES. BY: SHT. 2 OF 2
DATE: MAR 21, 2008 DRN. BY: TC

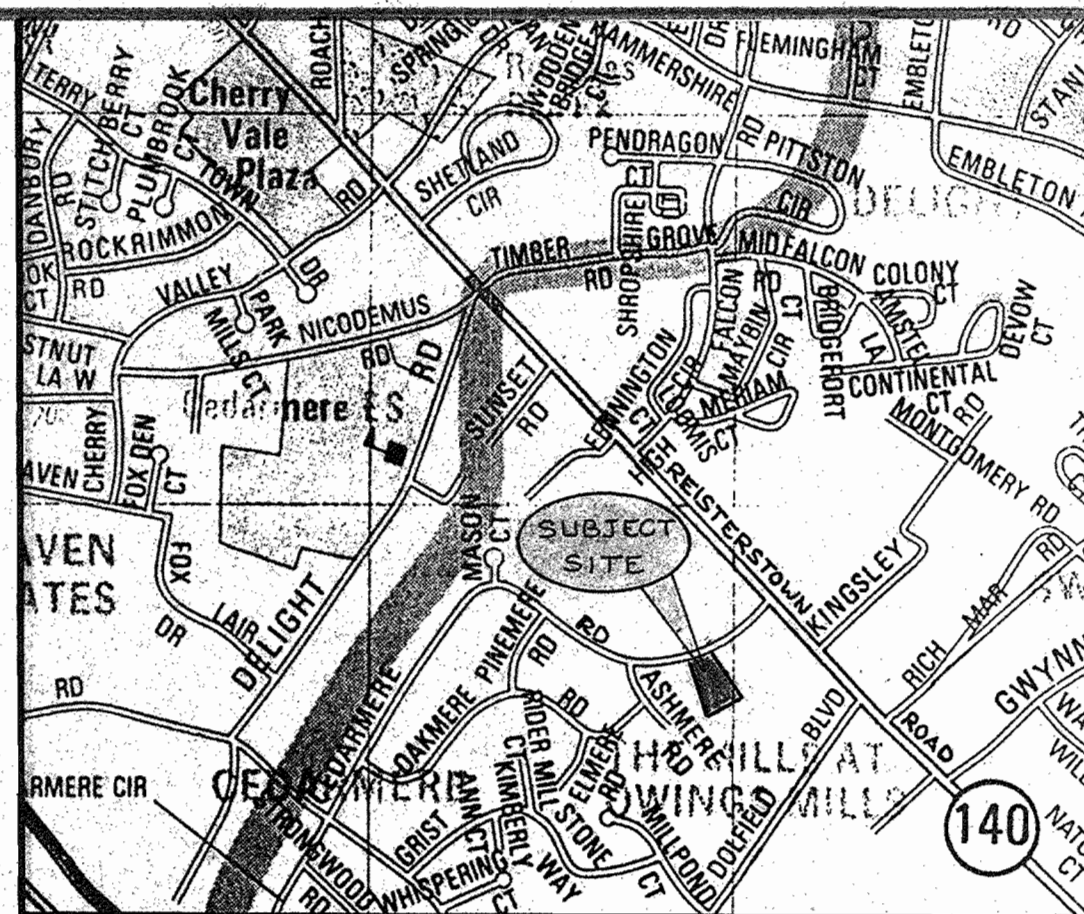
208016

GENERAL NOTES

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2. THERE ARE NO STREAMS, BODIES OF WATER, OR SPRINGS ON OR ADJACENT TO THE SUBJECT SITE.
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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 SUBJECT PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN.
8. ALL IMPROVEMENTS SHOWN HEREON ARE TO BE RAZED.

OWINGS MILLS AUTO PARK
LIMITED PARTNERSHIP
7372-130
TAX NO. 0416045440
(COMMERCIAL USE)

BM



VICINITY MAP

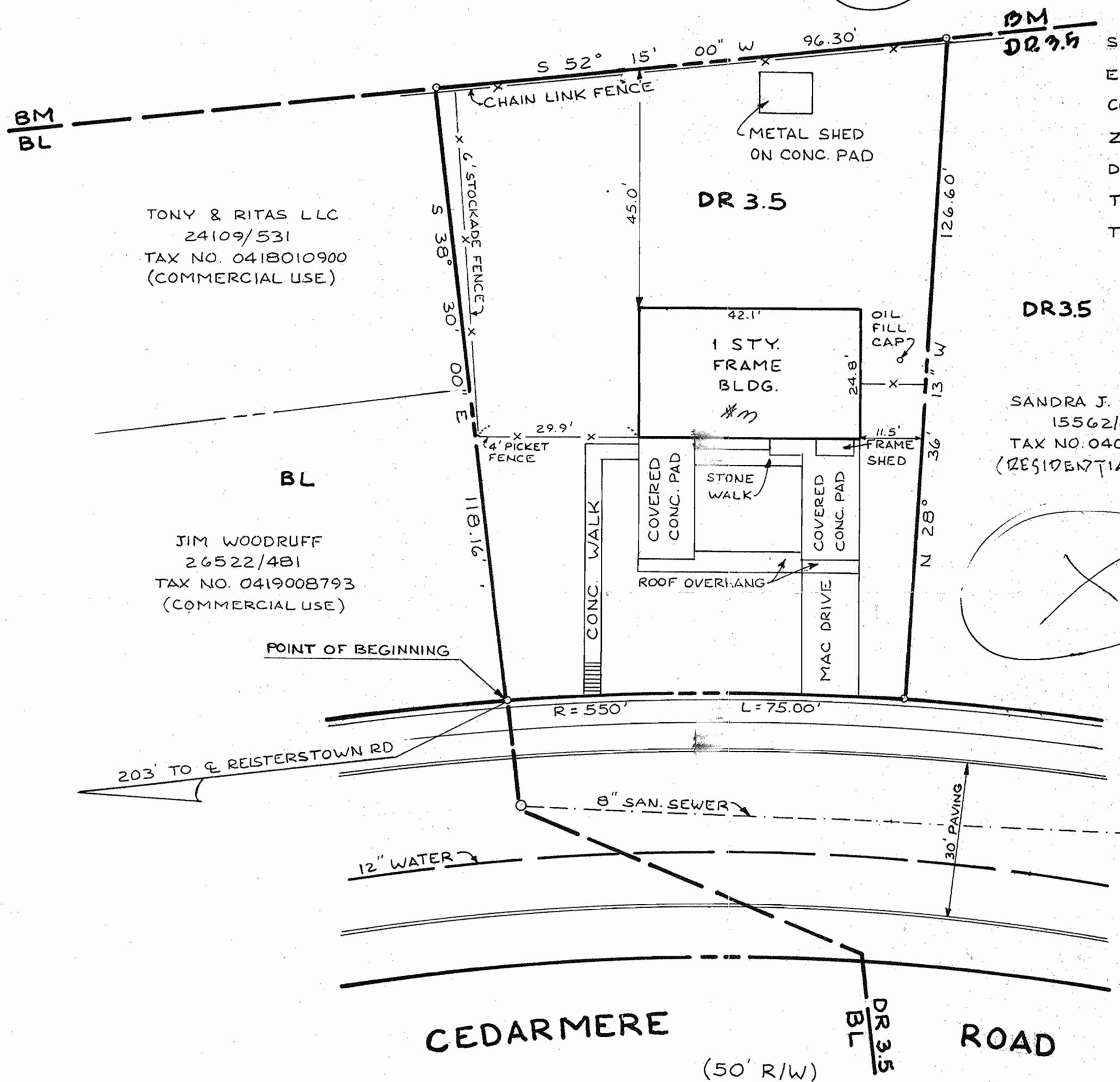
SCALE: 1" = 1000'

SITE DATA

SITE AREA	10,370 SQ. FT./0.238 AC.
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COUNCILMANIC DISTRICT	4TH
ZONING MAP	058A2
DEED REFERENCE	23285/266
TAX MAP/GRID/PARCEL	58/7/86
TAX ACCOUNT NO.	0423075328

DR3.5

SANDRA J. SALES
15562/690
TAX NO. 0407029650
(RESIDENTIAL USE)



ZONING NOTE

THIS PLAN WILL ACCOMPANY A PETITION FOR SPECIAL HEARING TO ALLOW A COMMERCIAL PARKING AREA IN A RESIDENTIAL ZONE AND A PETITION FOR VARIANCE FROM THE RESIDENTIAL TRANSITION AREA TO ALLOW COMMERCIAL PARKING WITHIN THE 75' RESIDENTIAL TRANSITION SETBACK AND 50' RESIDENTIAL TRANSITION BUFFER PER SECTION 1B01B.1e(5) OF THE BCZR.

SPELLMAN, LARSON
& ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
222 BOSLEY AVENUE, SUITE B-3
TOWSON, MARYLAND 21204
PHONE: 410-823-3535
FAX: 410-825-5215

OWNER INFORMATION

WIN WIN VENTURES LLC
304 BONNIE MEADOW CIRCLE
REISTERSTOWN, MD. 21136-6202

REVISIONS	
NO.	DESCRIPTION
1.	4-10-08 REV PER FILING CONFERENCE

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
222 BOSLEY AVENUE SUITE B-3 TOWSON, MD 21204
PHONE: 410-823-3535

**PLAT TO ACCOMPANY
PETITION FOR SPECIAL HEARING
+ VARIANCE
3 CEDARMERE ROAD
(EXISTING CONDITIONS PLAN)**
4TH ELECTION DISTRICT BALTIMORE COUNTY

SCALE: 1" = 20'
DATE: MAR 21, 2008
DES. BY: TC
SHT. 1 OF 2

208016