

IN RE: PETITION FOR VARIANCE

N side of South Dolfield Road, 244 feet
E of intersection of Owings Mills Court
4th Election District
4th Councilmanic District
(10227 South Dolfield Road)

Donald H. Kirk, Jr.
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* CASE NO. 2009-0097-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, Donald H. Kirk, Jr. Petitioner is requesting variance relief from Section 255.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side and rear setback of 3 +/- feet in lieu of required 30 feet and a front yard setback of 21 +/- in lieu of required 25 feet from property line.¹ The subject property and requested relief are more fully depicted on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the variance requests was Petitioner Donald H. Kirk, Jr., along with Rick Richardson of Richardson Engineering, LLC, the professional engineer who prepared the site plan, and Gary Cearfoss, the builder retained by Petitioner. John B. Gontrum, Esquire, appeared and represented Petitioner. There were no Protestants or other interested persons in attendance at the hearing.

Testimony and evidence revealed that the subject property is a rectangular-shaped lot containing approximately 1.221 acres of land zoned M.L.-I.M. The property is located on the

¹ At the outset of the hearing, the Petitioner made two minor amendments to the Petition, which were marked on the site plan. First, the site plan was amended to show that the one-story proposed addition marked as a "warehouse" is actually a proposed "office." Second, a note, which was only intended for use by Mr. Richardson, the engineer who prepared the site plan, was removed from the plan accepted into evidence. Petitioner was permitted to proceed on the amended request since the changes were minor and had no effect on the relief requested in the Variance petition.

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north side of South Dolfield Road between Painter's Mill Road and Gwynn Mill Court in the Owings Mills area of Baltimore County. Petitioner submitted an aerial photograph of the subject property that was marked and accepted into evidence as Petitioner's Exhibit 2. The photograph reveals that the property is improved with three buildings, the first of which is a 10,000 square foot one-story office and warehouse building with a covered paving and parking area toward the rear of the property. There are also two existing pole barns in the northwest corner of the property.

Further evidence demonstrated that Windsor Electric Company operates its business out of the existing office/warehouse building. The company is proposing to remove the covered paving and parking areas on the north side of the existing building as well as the two pole barns in the northwest section of the property. In place of these structures, Petitioner proposes to build an addition to the east side of the office/warehouse building that will serve as new office space, as well as a two-story warehouse addition to the rear of the building that will primarily serve as storage for Windsor Electric.

Petitioner submitted several photographs that shed additional light on the layout of the property and request for variance. The photographs were marked and accepted into evidence as Petitioner's Exhibits 3A through 3F. Exhibit 3A shows the front of the existing office/warehouse building, which is a one-story brick building located 21 feet from the front boundary of the property. Petitioner is first requesting a variance to legitimize this existing 21-foot setback, which does not meet the minimum 25-foot setback in the M.L. Zone. Exhibits 3B through 3E show the east side of the existing building, which is currently used as a fenced in storage area for Windsor Electric Company. As the photographs reveal, the area is currently used as a contractor's storage yard and is surrounded by a fence lined with barbwire to protect large, expensive items such as drums and trailers. Exhibit 3F shows the north side of the existing

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building where the existing paving and parking area will be removed and replaced with a two-story warehouse addition. Petitioner also submitted a rendering of the proposed addition that was marked and accepted into evidence as Petitioner's Exhibit 4.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated November 3, 2008 which indicate the site is located in a Master Plan designated Growth Area (Owings Mills) and is surrounded by other industrial uses. Discussion with Petitioner's attorney revealed that Petitioner owns the adjacent property. The Planning Office also indicated it has no comment on the requested variance. Comments were also received from the Department of Environmental Protection and Resource Management dated November 6, 2008, which indicate that the property must comply with the Forest Conservation Regulations. The proposed subdivision would require that the entire property to be subdivided comply with Baltimore County's Forest Conservation Regulations unless it can be demonstrated that the redevelopment is exempt per Section 33-6-103(b) of the Baltimore County Code.

Further comment was received from Rick Cobert with the Baltimore County Department of Economic Development. Mr. Cobert indicated that his Department supports the Petition for Variance and noted that Petitioner is an electrical contractor that has been very successful and has created a number of jobs over the years in growing his business. Petitioner began his business with approximately 30 employees and now has approximately 170. The Department of Economic Development supports Petitioner's efforts to continue to responsibly grow and improve his business.

Considering of all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requests. In particular, the property was subdivided and recorded in 1963, prior to the latest

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iteration of the B.C.Z.R. The layout of the existing structures places unusual restrictions on Petitioner's ability to expand for office and storage space. Since the existing building was placed on the property 40 to 50 years ago, and in a manner that restricts Petitioner's options for modernizing the workspace of Windsor Electric, I find that the imposition of zoning on this property disproportionately impacts the subject property as compared to others in the zoning district. Indeed, part of the request for variance seeks to legitimize the front setback of the existing building, which does not meet the minimum requirements in an M.L. Zone.

I further find that this variance request can be granted in strict harmony with the spirit and intent of the B.C.Z.R., and in such a manner as to grant relief without injury to the public health, safety and general welfare. I am convinced that the proposed additions will have no negative effect on the surrounding locale, particularly in light of the fact that Petitioner owns the adjacent property and is in favor of reducing the setbacks between the side and rear lines that separate his properties. The variance requests will also improve the appearance of the east side of the existing structure, which is currently used as a contractor's storage yard that is lined with an unsightly barbwire fence. If the petition for variance is granted, Petitioner will build an addition that will store all of the contractor's equipment inside newly constructed warehouse space and out of the view of the public. This will have a positive effect on the aesthetics of the property and surrounding area, and will permit Petitioner to store his equipment in a safer manner. These factors, along with the Department of Economic Development's comment that it supports Petitioner's attempt to modernize his business, lead me to find that the variance can be granted within the spirit and intent of the B.C.Z.R.

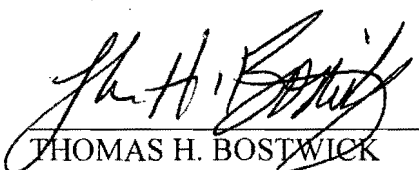
Pursuant to the advertisement, posting of the property, and public hearing on this amended petition held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's variance requests should be granted.

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THEREFORE, IT IS ORDERED this 23rd day of December, 2008 by this Deputy Zoning Commissioner, that Petitioner's variance relief request from Section 255.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side and rear setback of 3 +/- feet in lieu of required 30 feet and a front yard setback of 21 +/- feet in lieu of required 25 feet from property line be and are hereby GRANTED. The relief granted herein shall be subject to the following:

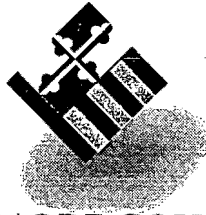
1. Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

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

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BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

December 23, 2008

JOHN B. GONTRUM, ESQUIRE
WHITEFORD TAYLOR & PRESTON LLP
1 WEST PENNSYLVANIA AVENUE, SUITE 300
TOWSON MD 21204

Re: Petition for Variance
Case No. 2009-0097-A
Property: 10227 South Dolfield Road

Dear Mr. Gontrum:

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: Donald H. Kirk, Jr., PO Box 549, Owings Mills MD 21117-0549
Rick Richardson, Richardson Engineering LLC, 30 East Padonia Road, Suite 500, Timonium MD 21093
Gary Cearfoss, Steel Building Specialists Inc., 3928 Washington Blvd., Halethorpe MD 21227-4131



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property located at 10227 S. Dolfield Road which is presently zoned M.L. I.M.

Deed Reference: 06488 / 305 Tax Account # 0416002250

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)

255.1 to permit side ^{and rear} yard setback of 3'± in lieu of required 30' and a front yard set back of 21'± in lieu of required 25' from property line.

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

Expansion of existing building for warehouse brings it within 3' of property owned by related entity. Extending building to rear creates issue with storm water management and for such other reasons as will be presented at hearing.

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

John B. Gontrum
Name - Type or Print

Signature

Whiteford, Taylor & Preston LLP

Company

1 W. Pennsylvania Ave., Towson Commons, St. 300 410-832-2000

Address Telephone No.

Towson, Maryland 21204-5025

City State Zip Code

Legal Owner(s):

Donald H. Kirk, Jr.

Name - Type or Print

Signature

Name - Type or Print

Signature

P.O. Box #549 410-363-2300

Address Telephone No.

Owings Mills, Maryland 21117-0549

City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

Case No. 2009-0097-A

REV 8/20/07

12-23-08
[Signature]

Office Use Only

Estimated Length of Hearing _____
Unavailable For Hearing _____

Reviewed by [Signature] Date 10/8/08

30 East Padonia Road, Suite 500
Timonium, Maryland 21093

410-560-1502, fax 443-901-1208

**ZONING DESCRIPTION
10227 SOUTH DOLFIELD ROAD
4TH ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the North side of South Dolfield Road, 70 feet wide; at a distance of 244 feet, more or less, as measured easterly along said north side of South Dolfield Road from its intersection with the center line of Owings Mills Court; and running the following courses and distances, (1) North 33 degrees 51 minutes 34 seconds East 268.39 feet, (2) North 33 degrees 51 minutes 34 seconds East 50.00 feet, (3) South 56 degrees 08 minutes 26 seconds East 167.00 feet, (4) South 33 degrees 51 minutes 34 seconds 50.00 feet, (5) South 33 degrees 51 minutes 34 seconds West 268.39 feet to a point on the north side of South Dolfield Road thence, (6) North 56 degrees 08 minutes 26 seconds West 167.00 feet to the point of beginning. Also known as 10227 South Dolfield Road, containing a net area of 1.221 acres of land, more or less.



2009-0097-A

**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: #2009-0097-A
10227 S. Dolfield Road
N/side of S. Dolfield Road, 244 feet east of the intersection of Owings Mills Court
4th Election District
4th Councilmanic District
Legal Owner(s): Donald H. Kirk, Jr.
Variance: to permit side and rear setback of 3 +/- feet in lieu of the required 30 feet and a front yard setback of 21 +/- feet in lieu of the required 25 feet from property line.
Hearing: Monday, December 8, 2008 at 9:00 a.m. in Room 104, Jefferson Building, 105 West 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.
11/203 Nov. 20 188937

CERTIFICATE OF PUBLICATION

11/20/2008

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 11/20/2008.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 2009-0097-A

Petitioner/Developer: _____

Donald H. Kirk, jr.

Date of Hearing/Closing: Dec 8,08

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTN: Kristin Matthews

Ladies and Gentlemen:

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

10227 S. Dolfield Road

The sign(s) were posted on _____ Nov 22,08
(Month, Day, Year)

Sincerely,

08

Robert Black Nov 24, 08

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

ZONING NOTICE

CASE # 2009-0097-A

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

Room 104 JEFFERSON BUILDING
PLACE: 105 W CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: MONDAY, DECEMBER 8, 2008 AT 9:00 A.M.

REQUEST: VARIANCE TO PERMIT SIDE AND REAR SETBACK OF
3'-7" FEET IN LIEU OF THE REQUIRED 30 FEET AND A FRONT
YARD SETBACK OF 21'-7" FEET IN LIEU OF THE REQUIRED 25 FEET
FROM THE PROPERTY LINE.

DISPONENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
Thursday, November 20, 2008 Issue - Jeffersonian

Please forward billing to:

John Gontrum
Whiteford, Taylor & Preston
1 W. Pennsylvania Avenue, Ste. 300
Towson, MD

410-832-2055

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: 2009-0097-A

10227 S. Dolfield Road

N/side of S. Dolfield Road, 244 feet east of the intersection of Owings Mills Court

Legal Owner: Donald H. Kirk, Jr.

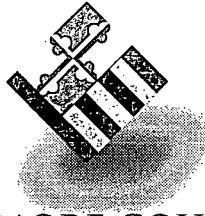
Variance to permit side and rear setback of 3+/- feet in lieu of the required 30 feet and a front yard setback of 21 +/- feet in lieu of the required 25 feet from property line.

Hearing: Monday, December 8, 2008 at 9:00 a.m. in Room 104, Jefferson Building,
105 West 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

October 29, 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: 2009-0097-A

10227 S. Dolfield Road

N/side of S. Dolfield Road, 244 feet east of the intersection of Owings Mills Court

Legal Owner: Donald H. Kirk, Jr.

Variance to permit side and rear setback of 3+/- feet in lieu of the required 30 feet and a front yard setback of 21 +/- feet in lieu of the required 25 feet from property line.

Hearing: Monday, December 8, 2008 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

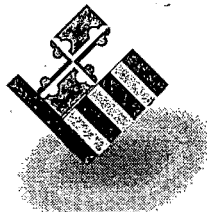
A handwritten signature in cursive script that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: John Gontrum, 1 W. Pennsylvania Avenue, Ste. 300, Towson 21204-5025
Donald Kirk, P.O. Box 549, Owings Mills 21117-0549

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., NOVEMBER 22, 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.



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
December 4, 2008

John B. Gontrum
Whiteford, Taylor & Preston LLP
1 W. Pennsylvania Ave. Ste.300
Towson, MD, 21204

Dear: John B. Gontrum

RE: Case Number 2009-0097-A, 10227 S. Dolfield Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 8, 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Donald H. Kirk Jr., P.O. Box # 549, Owings Mills, MD 21117

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: October 22, 2008

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For October 27, 2008
Item Nos. 09-047, 080, 091, 092, 093,
094, 095, 096, ~~097~~, 098 & 099

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

DAK:CEN:cab
cc: File
ZAC-10272008-NO COMMENTS



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

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

Maryland Department of Transportation

Date: Oct. 20, 2009

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

RE: Baltimore County
Item No. ~~2009-0097-A~~
10227 S. DOLEFIELD RD
KIRK PROPERTY
VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2009-0097-A

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,

Foa¹ Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



BW 11/13
10AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 3, 2008

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

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NOV 03 2008

SUBJECT: 10227 South Dolfield Road

BY:.....

INFORMATION:

Item Number:

91
9-079

Petitioner:

Donald Kirk

Zoning:

ML-IM

Requested Action:

Variance from Section 255.1 to permit a side and rear yard setback of 3' in lieu of the required 30' and front yard set back of 21' in lieu of the required 25' from the property line.

SUMMARY OF RECOMMENDATIONS:

The site is located in a Master Plan designated Growth Area (Owings Mills) and is surrounded by other industrial uses. Discussion with the petitioner's attorney revealed that the petitioner owns the adjacent property.

The Office of Planning has no comment on the requested variance.

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

Division Chief:
AFK/LL



BALTIMORE COUNTY, MARYLAND**Inter-Office Correspondence****RECEIVED**
NOV 07 2008

BY:

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: November 6, 2008
SUBJECT: Zoning Item # 09-097-A
Address 10227 South Dolfield Road
(Kirk Property)

Zoning Advisory Committee Meeting of October 20, 2008

The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

The proposed subdivision would require that the entire property to be subdivided comply with Baltimore County's Forest Conservation Regulations unless it can be demonstrated that the redevelopment is exempt per Section 33-6-103(b).

Reviewer: Glenn Shaffer

Date: October 28, 2008

RE: PETITION FOR VARIANCE
10227 S Dolfield Road; N/S S. Dolfield
Road, 244' E of Owings Mills Court
4th Election & 4th Councilmanic Districts
Legal Owner(s): Donald H. Kirk, Jr.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 09-097-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

OCT 28 2008

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of October, 2008, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, Whiteford, Taylor & Preston, LLP, One W Pennsylvania Avenue, Suite 300, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Case No.: 2009-0097-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	
No. 2	AERIAL PHOTO	
No. 3 A-F	Photos	
No. 4	RENDERING	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



Copyright (C) 2005 Baltimore County, Maryland

PETITIONER'S

EXHIBIT NO.

2



PETITIONER'S
EXHIBIT NO. 3-A-F

A

FRONT OF BUILDING 10227 S. DOLFIELD



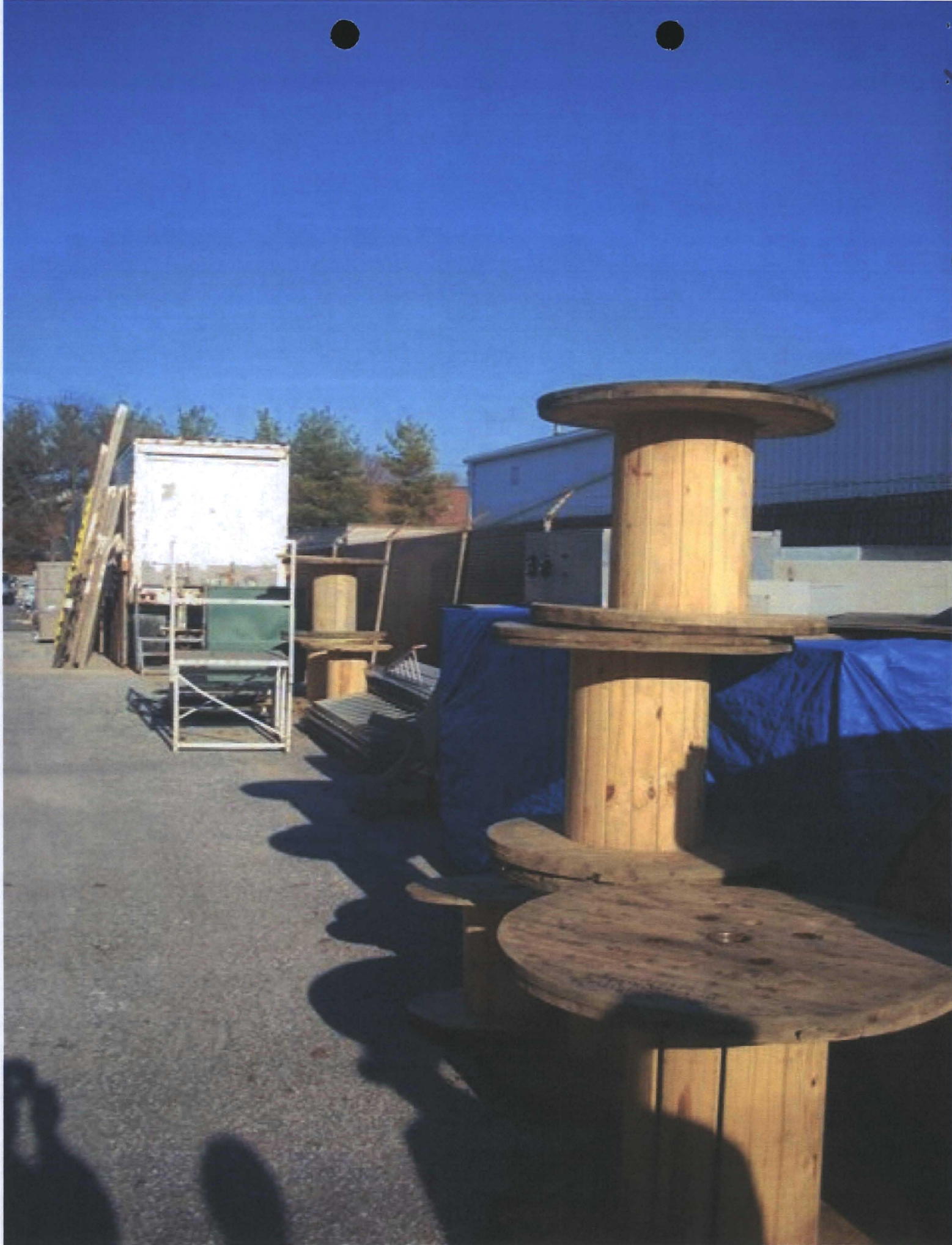
B

- site of proposed addition on side



C

s. side of property



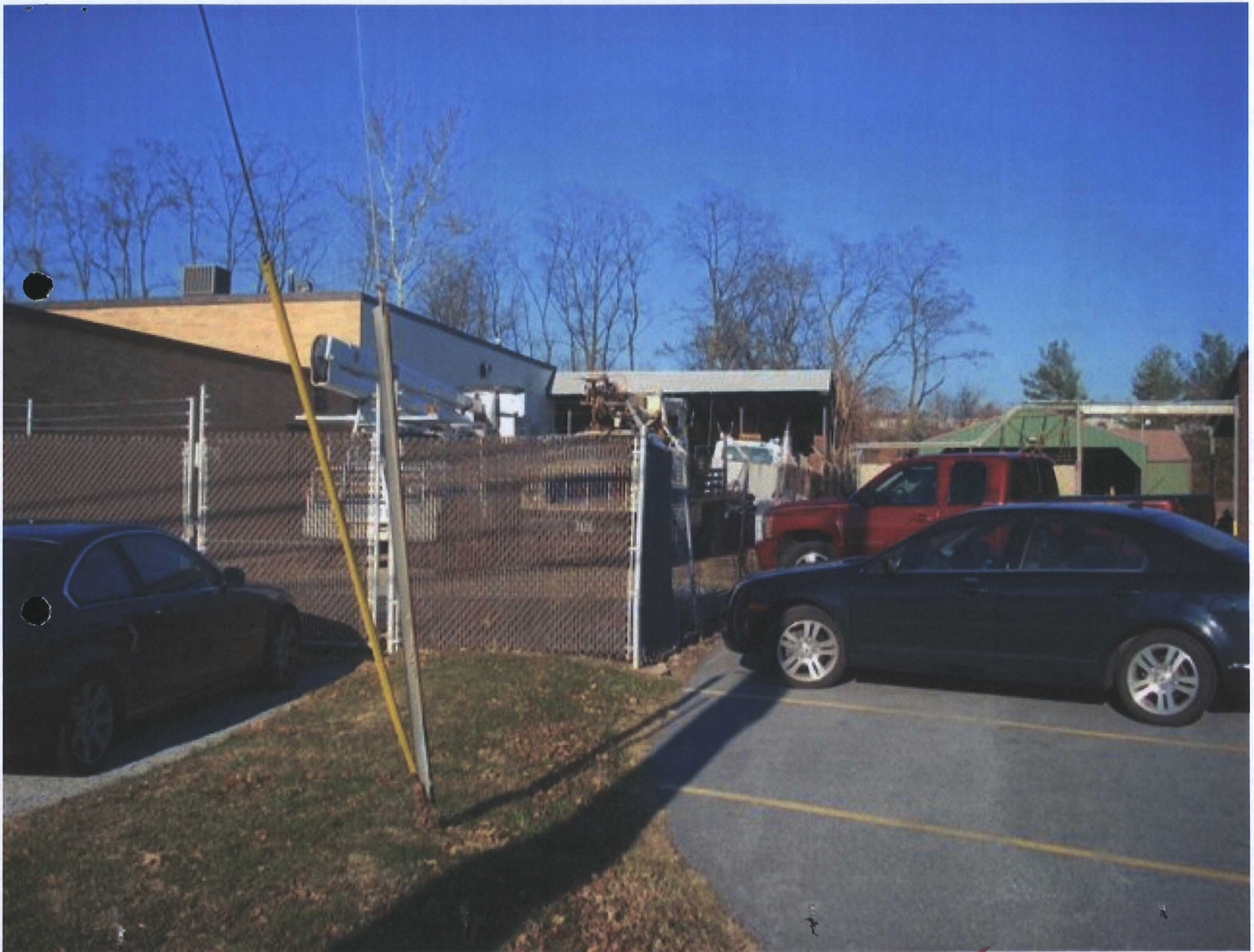
-outside storage to be removed

D



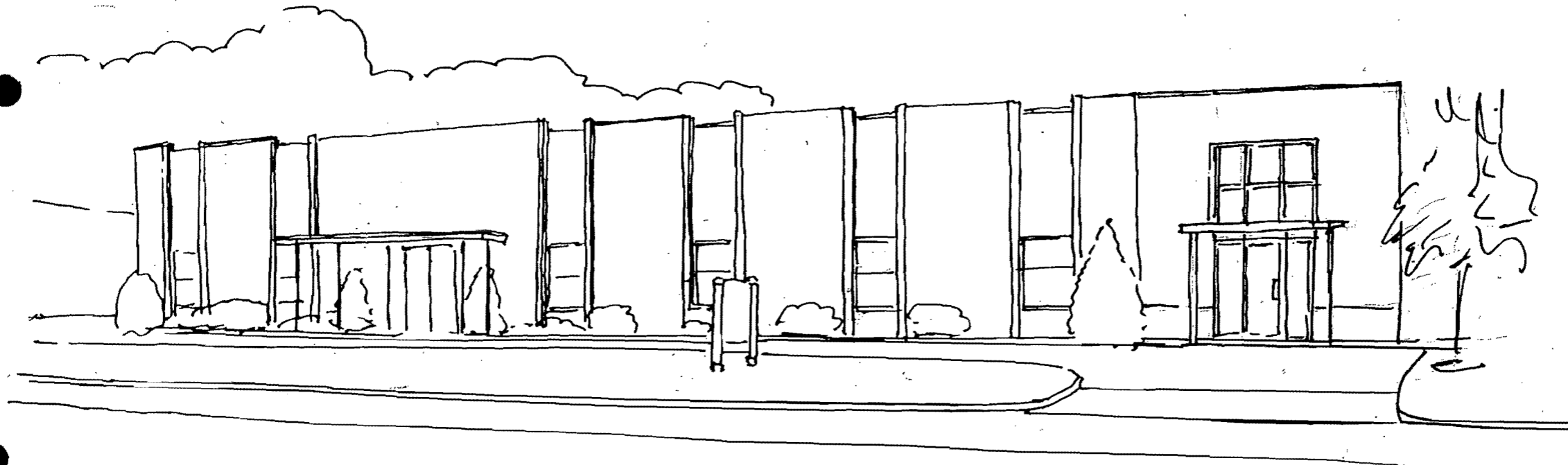
E

existing storage to be removed



F

W. side of property



NEW
30' SIDE ADDITION

PETITIONER'S
EXHIBIT NO. 4



LOCATION MAP
SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: DONALD H. KIRK JR.
P.O. BOX #549
OWINGS MILLS, MD 21117-0549
- PROPOSED AREA OF SITE:
GROSS: 58,181 Sq.Ft. or 1.336 Ac.±
NET: 53,171 Sq.Ft. or 1.221 Ac.±
- BUILDING AREA:
EXISTING (1 STORY): 15,769 Sq.Ft.
(1,584 Sq.Ft. TO BE REMOVED)
PROPOSED (1 & 2 STORY): 9,500 Sq.Ft.
TOTAL: 23,685 Sq.Ft.
- UTILITIES:
WATER: PUBLIC
SEWER: PUBLIC
- NO 100 YR FLOODPLAINS ON SITE
- PARKING:
REQUIRED=
-WAREHOUSE: 1 SPACE PER EMPLOYEE AT THE LARGEST SHIFT (5 EMPLOYEES AT LARGEST SHIFT) = 5 SPACES
-OFFICE: 3.3 SPACES PER 1,000 GROSS FLOOR AREA (7,100 Sq.Ft. FLOOR AREA) = 23 SPACES.
-TOTAL: 28 SPACES
PROVIDED=31 SPACES (1 HANDICAPPED, 30 REGULAR)
- SETBACKS:
REQUIRED PROVIDED
FRONT 25' 21'±
SIDE 30' 3'±
REAR 30' 3'±
- HEIGHT OF STRUCTURE:
MAX. PERMITTED: N/A
PROVIDED: 35'
- DEED REF: 6488/305
- TAX ACCOUNT: #0416002250
- COUNCILMANIC DISTRICT: 4th
- REGIONAL PLANNING DISTRICT: 306B
- CENSUS TRACT: 4041
- WATERSHED: GWYNNNS FALLS
- ZONING: ML-IM
(PER 1"=200' ZONING MAP 067B1)
- TAX MAP #67, PARCEL #267
- PLAT REF: 29-14 "OWINGS MILLS INDUSTRIAL PARK"
- NO PREVIOUS ZONING CASES ON FILE.
- NO PREVIOUS PERMITS ON FILE
- FLOOR AREA: PERMITTED: 2.0
EXISTING: 13,714 + 49,831 = .28
PROPOSED: 30,485 + 58,181 = .52
- ANY PROPOSED SIGNS ARE TO CONFORM TO BCZR.

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER 16597, EXPIRATION DATE: 08-01-2009



Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

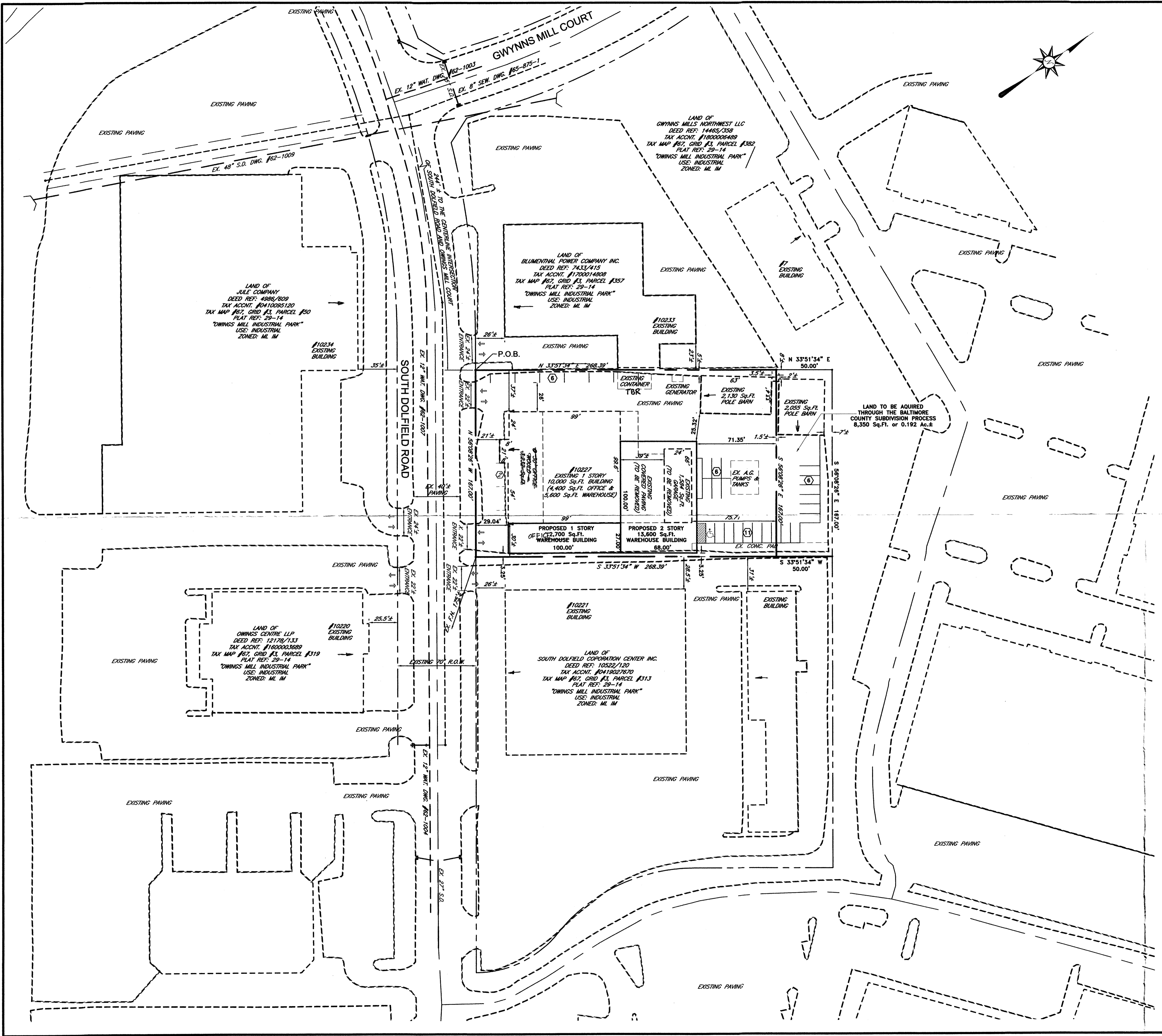
2009-0097-A

PLAN TO ACCOMPANY
ZONING PETITION FOR

**WINDSOR ELECTRIC
COMPANY, INC.**
10227 SOUTH DOLFIELD ROAD

4TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS	PETITIONER'S	DRAWN BY: CND	DESIGNED BY: PCR	SCALE: 1" = 40'
	EXHIBIT NO. 1	DATE: 10-01-08	JOB NO.: 08076	SHEET NO.: 1 OF 1



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