

IN RE: **PETITION FOR VARIANCE**

W/S Reisterstown Road, (MD Rt. 40) SW

Corner of Reisterstown & Sudbrook Lane

(1114-1116 Reisterstown Road)

3rd Election District

2nd Council District

LAT, LLC

Owner/Petitioner

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2009-0305-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by Timur Yusuf, managing member of the property owner, LAT, LLC, by and through their attorney, Deborah C. Dopkin, Esquire. The Petitioner requests variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: (1) Section 232.1, to permit a front yard setback of zero (0) feet in lieu of 10 feet required; (2) Section 232.2.B, to permit a side yard setback on a street corner side of zero (0) feet in lieu of 10 feet required; (3) Sections 409.6.A.2 and 409.6.B.3, to permit 25 parking spaces in lieu of 36 required; (4) Section 409.8.A.4, to permit a setback of 1 foot from a parking space to the right-of-way line of a public street in lieu of 10 feet required; (5) Section 409.B.A.1, and Condition B, Item B.1.b of the Baltimore County Landscape Manual, to permit a zero (0) foot landscape buffer between adjoining paved surfaces in lieu of 6 feet required. The property and requested relief are more particularly described on the amended site plan marked and accepted into evidence as Petitioner's Exhibit 2.

Appearing at the requisite public hearing in favor of the variance requests on behalf of the Petitioner were Timur Yusuf and Jeffrey Neuman; Kenneth J. Colbert, P.E., land planner and engineer with Colbert, Matz, Rosenberg, Inc., who prepared the site plan for this property.

UNDER RECORDED FOR FILING
Date 8-17-09
By [Signature]

Also appearing in favor of the requests were Deborah C. Dopkin, Esquire, attorney for Petitioner, John P. Chalk, the licensed architect who prepared the architectural details; Sherrie Becker, Executive Director of the Pikesville Chamber of Commerce, and Diane Itter, the Senior Planner for the 2nd District with the Office of Planning. It should be noted that there were no adverse Zoning Advisory Committee (ZAC) comments received from any of the County reviewing agencies.

Appearing in opposition to the request were Isaac and Mary Lacotti, nearby neighbors, Sara Glik, Secretary of the Ralston Community Association, and Lorna Diaz, President of the Ralston Association. There were no other interested persons in attendance.

The Petitioner's counsel, Ms. Dopkin, offered Kenneth J. Colbert, a registered professional engineer, as an expert and had him introduce the site plan. Testimony and evidence offered revealed that the subject property consists of two parcels (Parcel 100 is 9,859 square feet in area and Parcel 101 is 7,140 square feet) forming a rectangular shaped lot with frontage on the southern corner of Reisterstown Road and Sudbrook Lane and Sudbrook Lane and Derisio Lane bordering the rear of the property in Pikesville. The intersection of Reisterstown Road and Sudbrook Lane is a signalized intersection. The combined properties contain a gross area of 0.39 acres, more or less, zoned B.L. The property is currently improved with existing commercial buildings that have served the area as various restaurant and retail uses. Most recently, the Backfin restaurant operated at this location. The property is served by public utilities and transportation.

Further testimony disclosed that the property is located in the heart of the Pikesville Revitalization Area and thus subject to the requirements of the Pikesville Commercial Revitalization Guidelines, an excerpt of which was accepted into evidence as Petitioner's Exhibit

7. Moreover, the properties improvements are subject to review by the Design Review Panel (DRP). The DRP reviewed and approved the proposed construction of a two-story building for retail (ground floor) and offices (second floor) on July 8, 2009, and noted that the plan is consistent with the requirements of the Pikesville Commercial Revitalization Guidelines. It is important to note that this Hearing Officer is bound by the recommendations and design approvals of the DRP.

Prior to introducing the proposed architectural details and explaining the requested variance relief, Mr. Colbert indicated that since these variance requests are substantially driven by the property's location in the Pikesville Revitalization Area, it was important to understand the overwhelming commercial nature of this stretch of Reisterstown Road. Photo exhibits submitted into evidence as Petitioner's Exhibits 4A-C depicts these surrounding uses. These photos confirm this strip of Reisterstown Road to be comprised of restaurants, retail uses, and public facilities such as a public library, state police barracks, crime lab, a golf course, a local bank branch, a dry cleaner, and numerous other retail stores and restaurants. The aerial photo exhibit submitted as Petitioner's Exhibit 3 further corroborates the 'Main Street' commercial atmosphere of the area surrounding the subject property. Mr. Colbert, pointing to Petitioner's Exhibit 3, noting that the closest residence to the subject property is approximately 180 feet away.

The Petitioner proposes to raze the existing commercial buildings known as 1114 and 1116 Reisterstown Road and construct a two-story, retail and office building (100' x 52'). The new building will contain 5,578 square feet for each respective floor. As indicated, the first floor of the building will be for retail purposes and the second floor will serve as offices. Mr. Colbert indicated that the only contract lessee for the property so far is a local pharmacy for the

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Date 8-11-09
By [Signature]

bottom/retail floor. Mr. Colbert stated that this property was designed based on the Pikesville Revitalization Guidelines and the recommendations of the Design Review Panel. These guidelines and recommendations included closing the entrance to the property on Reisterstown Road, thereby making the sole ingress/egress for the property on Derisio Lane. Further, the DRP requested that the building façade be made even with the sidewalk along the length of the property's Reisterstown Road frontage and 64 feet of the property's Sudbrook Lane frontage pursuant to the purpose of the Pikesville Revitalization Guidelines, invigorating the Pikesville Area by establishing a 'Main Street' feel along Reisterstown Road. Sidewalks will be installed surrounding the property thereby making the property pedestrian accessible. The developer further plans to provide ample streetscape plantings and landscaping that will be maintained by the Pikesville Chamber of Commerce. The landscape plan for the property was accepted into evidence as Petitioner's Exhibit 5. Mr. Colbert opined that this plan meets the aforementioned standards by enhancing the commercial vitality of the community and helping to create an inviting urban environment.

Mr. Colbert opined that if this property were not subject to the Pikesville Revitalization Area Guidelines or the mandated recommendations of the DRP, the property could be designed without variance relief. However, since the property is subject to these aforementioned requirements, variance relief is necessary. Mr. Colbert explained the shared parking calculations and noted the pertinent setback distances to the property line and right-of-way lines. The shared parking tabulation is located on the site plan accepted into evidence as Petitioner's Exhibit 2.

Testifying in support of the variance requests, Diane Itter, Senior Planner for the 2nd District, opined that this plan is compliant and in accordance with the guidelines for the Pikesville Commercial Revitalization Area, an urban village along the 800-1400 blocks of

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Reisterstown Road. Ms. Itter, who has been with the Office of Planning for 34 years, noted that these guidelines are very specific and were established after significant community input in order to establish a 'walkable,' more inviting Pikesville. The overall goal of the revitalization plan was to bring more people to the 'Main Street' core of Pikesville thereby enabling customer and revenue sharing. Ms. Itter stated that the proposed building plan perpetuates these said purposes and initiatives.

Also testifying for the Petitioner was John Chalk, the licensed architect who designed the proposed building. Mr. Chalk opined that the design of the building meets the Pikesville Commercial Revitalization Guidelines for architecture and the comments and recommendations of the DRP. The Petitioner submitted into evidence a front and rear rendering of the proposed building as Petitioner's Exhibits 8 and 9 respectively. The Petitioner offered that these renderings as well as the architectural elevations submitted into evidence as Petitioner's Exhibit 10, depict a visually pleasing building that will add to the aesthetics of the Pikesville 'Main Street' area.

The Petitioner concluded by saying that the subject property's location along Reisterstown Road in the designated revitalization area renders the property unique. It is due to this location that mandated compliance with the Pikesville Commercial Revitalization Guidelines and the recommendations of the DRP is necessary. Otherwise, the subject property could be designed to strictly comply with the zoning regulations. Further, the corner site location of the subject property contributes to the property's uniqueness in a zoning sense. Moreover, if the requested relief is not granted and strict compliance with the zoning regulations is required, the Petitioner would suffer practical difficulty and unreasonable hardship. Without variance relief for the requested setbacks and parking plan, the property could not comply with the mandated guidelines of the Pikesville Commercial Revitalization area and the Petitioner would not receive

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Date 8-17-09
By [Signature]

the use of its property to which it is legally entitled. Counsel for Petitioner closed by saying that proposed building will bring more people to the 'Main Street' core of Pikesville, thereby furthering the objective of the Pikesville Commercial Revitalization Guidelines. This position was corroborated by the County's Department of Economic Development as indicated by Peirce Macgill. See Petitioner's Exhibit 11.

The main issue of the Protestants involves the subsequent safety of drivers and pedestrians alike if the variance requests are granted. Their concern was that the sight lines currently are extremely hazardous and that the proposed location of the building would only exacerbate these conditions. Petitioner's engineer stated that the proposed sight lines comply with the applicable regulations and had been reviewed and approved by the State Highway Administration. Further, the Petitioner noted that the proposed building improves the current conditions at the intersection by eliminating the ingress/egress on Reisterstown Road and adding pedestrian sidewalks. Moreover, the deck of the existing restaurant at the subject property actually extends much further towards the right-of-way of MD Rt. 140 than the proposed building. The Petitioner stated that these improvements alleviate the existing hazards at the intersection. Moreover, the Petitioner reiterated that but for the Pikesville Commercial Revitalization Guidelines the proposed building could meet the requisite setback requirements delineated in the B.C.Z.R.

Based upon testimony and evidence offered, I find that the Petitioner has satisfied the requirements of Section 307.1 of the B.C.Z.R., as established in *Cromwell v. Ward*, 102 Md. App. 691 (1995), for relief to be granted. The property's location between the 800-1400 blocks of Reisterstown Road renders the property subject to the overriding mandates of the Pikesville Commercial Revitalization Guidelines and thereby unique. The property's corner site location

DATE RECEIVED FOR FILING
Date: 8-17-09
By: [Signature]

further constrains development. These special circumstances and conditions drive the need for variance relief. Strict application of the zoning regulations would result in practical difficulty and unreasonable hardship for the Petitioner as refusal of the variance requests would render the Petitioner unable to develop its property. I find that the requested relief can be granted without injury to the nearby residential community and that the proposed building will benefit the long-term goals for the revitalization of the Pikesville commercial area. This building was designed in accordance with requisite guidelines and was approved by the DRP. As mentioned, this hearing officer is bound by the recommendations and decisions of the DRP. Although I appreciate the concerns of the citizens in attendance, the variance requests are driven by conditions, the revitalization guidelines, which the Pikesville community itself created. By adding sidewalk and removing the Reisterstown Road ingress/egress, the building plan enhances the 'Main Street' feel desired and alleviates some of the hazards alluded to by the interested citizens. Therefore, I find that the building as proposed, will be a benefit to the surrounding neighborhood and the economic development goals of Pikesville and the County. Accordingly, the requested relief is considered as being within the spirit and intent of the B.C.Z.R.

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 17th day of August 2009 that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: (1) Section 232.1, to permit a front yard setback of zero (0) feet in lieu of 10 feet required; (2) Section 232.2.B, to permit a side yard setback on a street corner side of zero (0) feet in lieu of 10 feet required; (3) Sections 409.6.A.2 and 409.6.B.3, to permit 25 parking spaces in lieu of 36 required; (4) Section 409.8.A.4, to

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Date 8-17-09
By [Signature]

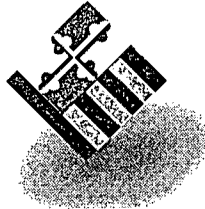
permit a setback of 1 foot from a parking space to the right-of-way line of a public street in lieu of 10 feet required; (5) Section 409.B.A.1, and Condition B, Item B.1.b of the Baltimore County Landscape Manual, to permit a zero (0) foot landscape buffer between adjoining paved surfaces in lieu of 6 feet required, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED subject to the following:

1. The Petitioner may apply for its building permit(s) and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at its own risk until the thirty (30) day appeal period from the date of this Order has expired. If, for whatever reason this Order is reversed, the relief granted herein shall be rescinded.
2. The schematic landscape plan must be approved by the County Landscape Architect, Avery Harden, and the Office of Planning.
3. Petitioner must obtain State Highway Administration (SHA) Access Permit approval prior to ingress/egress improvements and abide by the SHA comments dated June 4, 2008.
4. Special Hearing relief is required for the occupancy of the proposed office building tenant spaces for medical office(s) as such a use would adversely impact available parking approved by this Order.

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


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw/esl



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

August 17, 2009

Deborah C. Dopkin, Esquire
409 Washington Avenue
Towson, MD 21204

RE: **PETITION FOR VARIANCE**
W/S Reisterstown Road, (MD Rt. 40) SW Corner of Reisterstown & Sudbrook Lane
(1114-1116 Reisterstown Road)
3rd Election District - 2nd Council District
LAT, LLC - Owner/Petitioner
Case No. 2009-0305-A

Dear Mrs. Dopkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted with conditions, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman III", written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Timur Yusuf, 1503 Bedford Avenue, Pikesville, MD 21208
Jeffrey Neuman, P.O. Box 580, Stevenson, MD 21153
Kenneth J. Colbert, P.E., Colbert, Matz, Rosenberg, Inc., 2835 Smith Avenue, Suite G,
Baltimore, MD 21209
John P. Chalk, 9738 Briarcliffe Lane, Ellicott City, MD 21042
Sherrie Becker, Executive Director, Pikesville Chamber of Commerce, 7 Church Lane,
Pikesville, MD 21208
Isaac and Mary Lacotti, 111 Clarendon Avenue, Pikesville, MD 21208
Sara Glik, Secretary, Ralston Community Association, 8 Brightside Avenue, Ralston, MD 21208
Lorna Diaz, President of the Ralston Association, 21 Sherwood Avenue, Pikesville, MD 21208
Diane Itter, Office of Planning; Peirce Macgill, Department of Economic Development
People's Counsel; File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1114-1116 Reisterstown Road

which is presently zoned BL

Deed Reference 16541 / 708 Tax Account # 0302022001

Deed Reference 28069 / 095 Tax Account # 0303048826

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 of thereof, hereby petition for a Variance from Section(s)

See Attached.

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

Reasons to be presented at the hearing.

Property 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:

Deborah C. Dopkin, Esq.

Name - Type or Print

Signature

Law Office of Deborah C. Dopkin, P.A.

Company

409 Washington Avenue, Suite 1000

410-821-0200

Address

Telephone No.

Towson

MD 21204

City

State Zip Code

Legal Owner(s):

LAT, LLC

by 1114 Reisterstown Road, LLC

by Tim Yusufov, Managing Member

Name - Type or Print

Tim Yusufov

Signature

Name - Type or Print

Signature

3507 Englemeade Road

410-654-0872

Address.

Telephone No.

Baltimore

MD 21208

City

State Zip Code

Representative to be Contacted:

Kenneth J. Colbert, P.E.

COLBERT MATZ ROSENFELT, INC

2835 Smith Avenue, Suite G

410-653-3838

Address

Telephone No.

Baltimore

MD 21209

City

State Zip Code

Case No. 2009-0305-A

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

~~UNDER REVIEW FOR FILING~~ FOR HEARING

Date

8-17-09

Reviewed By

A. TSUI

Date 08/22/2009

By

(Signature)

"Revised"

ATTACHMENT – VARIANCE PETITION – 1114-1116 REISTERSTOWN ROAD

From Sec. 232.1, BCZR, to permit a front yard setback of 0 feet in lieu of 10 feet required.

From Sec. 232.2.B, BCZR, to permit a side yard setback on a street corner side of 0 feet in lieu of 10 feet required.

From Sec. 409.6.A.2 and Sec. 409.6.B.3, BCZR to permit 25 parking spaces in lieu of 36 required.

From Sec. 409.8.A.4, BCZR, to permit a setback of 1 foot from a parking space to the right-of-way line of a public street in lieu of 10 feet required.

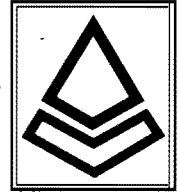
From Sec. 409.B.A.1, BCZR, and Condition B, Item B.1.b of the Baltimore County Landscape Manual, to permit a 0-foot landscape buffer between adjoining paved surfaces in lieu of 6 feet required.

And for such other relief as may be consistent with the requirements of the Design Review Panel.



Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

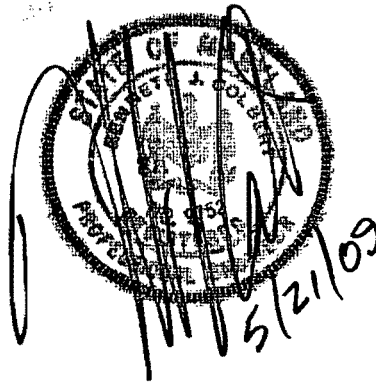


ZONING DESCRIPTION – 1114-1116 REISTERSTOWN ROAD

Beginning at a point on the west side of Reisterstown Road, which is 66 feet wide, at a point 30 feet south of the centerline of Sudbrook Lane, which is 60 feet wide, thence the following courses and distances:

S 34°24'16" E, 42.00 ft.;
S 34°24'19" E, 58.00 ft.;
S 55°20'34" W, 167.02 ft.;
N 34°40'05" W, 71.69 ft.;
N 14°25'18" E, 15.23 ft., thence
N 55°23'39" E, 156.33 ft. to the Point of Beginning.

As recorded in Deeds Liber 16541, folio 708 and Liber 28069, folio 095 and containing 16,999 square feet (0.39 acre). Also known as 1114 and 1116 Reisterstown Road and located in the 3rd Election District, 2nd Councilmanic District.



J:\2007\2007\2007177 zoning description

2009-0305-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 39812

Date:

05/22/09

PAID RECEIPT

RECEIVED BY: [blank] DATE: [blank]
CASHIER: [blank] AMOUNT: [blank]
[blank] [blank] [blank] [blank] [blank] [blank]

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	206	0000		6750					3.00

Total: 11.925

Rec From:

HEALTHWAY PHARMACY, INC

For:

1114-1116 REISTERSTOWN RD

2009-0305-A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

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: # 2009-0305-A

1114-1116 Reisterstown Road

W/side of Reisterstown Road, S/west corner of Reisterstown Road & Sudbrook Lane

3rd Election District — 2nd Councilmanic District

Legal Owner(s): LAT, LLC, Tim Yusuf, Managing Member

Variance: to permit a front yard setback of 0 feet in lieu of the 10 feet required; To permit a side yard setback on a street corner side of 0 feet in lieu of 10 feet required; To permit 25 parking spaces in lieu of 33 required; To permit a setback of 1 foot from a parking space to the right-of-way line of a public street in lieu of 10 feet required; and for such other relief as may be consistent with the requirement of the Design Review Panel.

Hearing: Friday, July 17, 2009 at 11:00 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.

7/026 July 2

204805

CERTIFICATE OF PUBLICATION

7/21, 2009

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 7/21, 2009.

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

J. Wilkinson

LEGAL ADVERTISING

NOTICE OF ZONING HEARING

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Case: # 2009-0305-A

1114-1116 Reisterstown Road

W/side of Reisterstown Road, S/west corner of Reisterstown Road & Sudbrook Lane

3rd Election District — 2nd Councilmanic District

Legal Owner(s): LAT, LLC, Tim Yusufov, Managing Member

Variance: to permit a front yard setback of 0 feet in lieu of the 10 feet required. To permit a side yard setback on a street corner side of 0 feet in lieu of 10 feet required. To permit 25 parking spaces in lieu of 36 required. To permit a setback of 1 foot from a parking space to the right-of-way line of a public street in lieu of 10 feet required. To permit a 0-foot landscape buffer between adjoining paved surfaces in lieu of the 6 feet required. And for such other relief as may be consistent with the requirements of the Design Review Panel.

Hearing: Thursday, August 6, 2009 at 11:00 a.m. in Room 106, County Office Building, 111 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.

JT 7/7/39 July 21

206139

CERTIFICATE OF PUBLICATION

7/23/, 2009

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 7/21/, 2009.

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

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **43323**

Date: **7/13/09**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 7/14/2009 7/13/2009 14:45:38 2

REG MS02 MAIL JEVA JEE
 >> RECEIPT # 641640 7/13/2009 OFLN

Fund	Dept	Unit	Sub Unit	Rev. Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	206	0000		6150				100.00

5 528 ZONING VERIFICATION
 NO. 043323

Recpt Tot \$100.00
 \$100.00 CK \$.00 CA
 Baltimore County, Maryland

Total: **100.00**

Rec From: **Colbert Matz Rosenfield**

For: **Revision - 2009-0305-A**
Riverview Rd.

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

COLBERT MATZ ROSENFELT, INC.

Baltimore County

2007-177

7/9/2009

20033

100.00

Wachovia Bank - Che Zoning Revision Fee

100.00

**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: 2009-0305-A
Petitioner: LAT, LLC
Address or Location: 1114-1116 Reisterstown Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Tim Yusufov
Address: 3507 Englemeade Rd.
Baltimore, Md. 21208
Telephone Number: 410-654-0872

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 07/21/09

Case Number: 2009-0305-A

Petitioner / Developer: DEBORAH DOPKIN, ESQ. ~TIM YUSUFOV
KENNETH COLBERT, COLBERT, MATZ & ROSENFELT

Date of Hearing (Closing): AUGUST 6, 2009

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:
1114-1116 REISTERSTOWN ROAD, (ON-SITE) & CORNER OF
SUDBROOK LANE AND DeRISIO LANE (ON-SITE)

The sign(s) were posted on: JULY 21, 2009



1114-1116 REISTERSTOWN RD.
(ON-SITE)

Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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

ZONING NOTICE

CASE # 2009-0305-A

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

ROOM 106, COUNTY OFFICE BUILDING
PLACE: 111 WEST CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: THURSDAY, AUGUST 6, 2009
AT 11:00 A.M.

REQUEST: VARIANCE TO PERMIT A FRONT YARD
SETBACK OF 0 FEET IN LIEU OF THE 10
FEET REQUIRED TO PERMIT A SIDE YARD SET-
BACK ON A STREET CORNER SIDE OF 0 FEET IN
LIEU OF 10 FEET REQUIRED TO PERMIT 25
PARKING SPACES IN LIEU OF THE 36 REQUIRED
TO PERMIT A SETBACK OF 1 FOOT FROM A
PARKING SPACE TO THE RIGHT OF WAY LINE OF
A PUBLIC STREET IN LIEU OF 10 FEET REQUIRED

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFORM HEARING CALL 410-5191

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

ZONING NOTICE

CASE # 2009-0305-A

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

ROOM 106, COUNTY OFFICE BUILDING
PLACE: 111 W. CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: THURSDAY, AUGUST 6, 2009
AT 11:00 A.M.

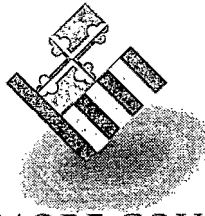
REQUEST: TO PERMIT A 0-FOOT LANDSCAPE
BUFFER BETWEEN ADJOINING
PAVED SURFACES IN LIEU OF THE 6 FEET
REQUIRED AND FOR SUCH OTHER RELIEF AS
MAY BE CONSISTENT WITH THE REQUIREMENTS
OF THE DESIGN REVIEW PANEL

1114-1116 REISTERSTOWN ROAD

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFORM HEARING CALL 410-5191

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

CORNER OF SUDBROOK LANE + PERISIO LANE
(ON-SITE)



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

June 18, 2009
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: 2009-0305-A

1114-1116 Reisterstown Road

W/side of Reisterstown Road, S/west corner of Reisterstown Road & Sudbrook Lane

3rd Election District – 2nd Councilmanic District

Legal Owners: LAT, LLC, Tim Yusufov, Managing Member

Variance to permit a front yard setback of 0 feet in lieu of the 10 feet required. To permit a side yard setback on a street corner side of 0 feet in lieu of 10 feet required. To permit 25 parking spaces in lieu of 33 required. To permit a setback of 1 foot from a parking space to the right-of-way line of a public street in lieu of 10 feet required; and for such other relief as may be consistent with the requirement of the Design Review Panel.

Hearing: Friday, July 17, 2009 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Deborah Dopkin, 409 Washington Ave., Ste. 1000, Towson 21204
Tim Yusufov, LAT, LLC, 3507 Englemeade Road, Baltimore 21208
Kenneth Colbert, Colbert, Matz, Rosenfelt, 2835 Smith Ave., Ste. G, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JULY 2, 2009.**
- (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 2, 2009 Issue - Jeffersonian

Please forward billing to:
Tim Yusufov
3507 Englemeade Road
Baltimore, MD 21208

410-654-0872

NOTICE OF ZONING HEARING

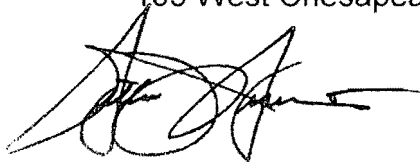
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CASE NUMBER: 2009-0305-A

1114-1116 Reisterstown Road
W/side of Reisterstown Road, S/west corner of Reisterstown Road & Sudbrook Lane
3rd Election District – 2nd Councilmanic District
Legal Owners: LAT, LLC, Tim Yusufov, Managing Member

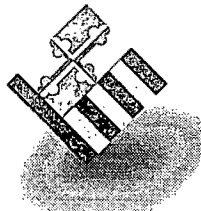
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Hearing: Friday, July 17, 2009 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

June 18, 2009
TIMOTHY M. KOTROCO, *Director*
*Department of Permits and
Development Management*

CORRECTED NOTICE OF ZONING HEARING

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

CASE NUMBER: 2009-0305-A

1114-1116 Reisterstown Road

W/side of Reisterstown Road, S/west corner of Reisterstown Road & Sudbrook Lane

3rd Election District – 2nd Councilmanic District

Legal Owners: LAT, LLC, Tim Yusuf, Managing Member

Variance to permit a front yard setback of 0 feet in lieu of the 10 feet required. To permit a side yard setback on a street corner side of 0 feet in lieu of 10 feet required. To permit 25 parking spaces in lieu of the 36 required. To permit a setback of 1 foot from a parking space to the right-of-way line of a public street in lieu of 10 feet required. To permit a 0-foot landscape buffer between adjoining paved surfaces in lieu of the 6 feet required. And for such other relief as may be consistent with the requirements of the Design Review Panel.

Hearing: Thursday, August 6, 2009 at 11:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Deborah Dopkin, 409 Washington Ave., Ste. 1000, Towson 21204
Tim Yusuf, LAT, LLC, 3507 Englemeade Road, Baltimore 21208
Kenneth Colbert, Colbert, Matz, Rosenfelt, 2835 Smith Ave., Ste. G, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 22 2009.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 21, 2009 Issue - Jeffersonian

Please forward billing to:
Tim Yusufov
3507 Englemeade Road
Baltimore, MD 21208

410-654-0872

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: 2009-0305-A

1114-1116 Reisterstown Road

W/side of Reisterstown Road, S/west corner of Reisterstown Road & Sudbrook Lane

3rd Election District – 2nd Councilmanic District

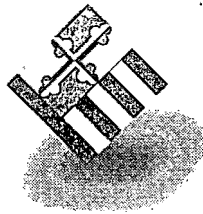
Legal Owners: LAT, LLC, Tim Yusufov, Managing Member

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Hearing: Thursday, August 6, 2009 at 11:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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- (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

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

July 29, 2009

Deborah C. Dopkin, Esq.
Law Office of Deborah C. Dopkin, P.A.
409 Washington Ave. Ste. 100
Towson, MD 21204

Dear: Deborah C. Dopkin

RE: Case Number 2009-0305-A, 1114- 1116 Reisterstown 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 22, 2009. 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,

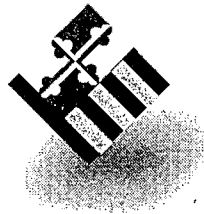
A handwritten signature in black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Tim Yusuf: LAT, LLC; 3507 Englemeade Rd.; Baltimore, MD 21208
Kenneth Colbert: Colbert Matz Rosenfelt, INC; 2835 Smith Ave. Ste. G; Baltimore, MD 21209



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

ARNOLD F. 'PAT' KELLER, III
Director, Office of Planning

INTER-OFFICE CORRESPONDENCE

DESIGN REVIEW COMMENTS

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

DATE: July 9, 2009

FROM: Lynn Lanham
Design Review Panel

SUBJECT: Design Review Panel
Minutes – July 8, 2009 Meeting

PROJECT NAME: 1114-1116 Reisterstown Road

PROJECT : DRP # 509

PROJECT TYPE: Commercial, Pikesville

DESIGN REVIEW PANEL MEMBERS IN ATTENDANCE:

William Monk, Magda Westerhout, Scott Rykiel, Betsy Boykin

PROJECT DESCRIPTION:

Judy Floam, of Colbert Matz Rosenfelt, Inc. presented the project to the panel. Architect, John Chalk presented the architectural details. The existing property is currently comprised of two adjoining lots, each developed with a one-story commercial building, which are both to be removed. The combined area of the properties is .39 acres, zoned BL. The property has frontage on Reisterstown Road, Sudbrook Lane, and DeRisio Lane.

The proposed development is a two-story building (approximately 100 by 52 ft.) facing Reisterstown Road, with retail uses on the ground floor and offices on the second floor. Parking will be provided at the rear of the building, with access from DeRisio Lane. Each retail space will have a separate entrance on Reisterstown Road. Access to the retail uses will also be available from the parking area at the rear of the building. The offices on the second floor will be accessed from an outdoor corridor at the rear of the building. Materials for the building include a primarily brick base with smooth and split face accents. The corner element will be primarily split face. The windows are to be black metal bays along with awnings, which will be used for signage.

Subject: Minutes (Design Review Panel Meeting)

Project Name: 1114-1116 Reisterstown Road

Project #: DRP 509

The applicant is requesting 0' front and side yard setback variances which are consistent with the Pikesville Commercial Revitalization Guidelines, as they bring the building forward on the site to the street wall. A parking variance was also requested for 25 parking spaces in lieu of 36 parking spaces and a setback of 1' from a parking space to the right of way in lieu of the required 10'. The zoning hearing is scheduled to take place on July 28, 2009.

The landscaping is proposed to be provided on site as well as the streetscape along Reisterstown Road. The Pikesville Chamber of Commerce has implemented planters along Reisterstown Road and the applicant intends to continue with implementation of the planters at this location as well. Trees and shrubs will be provided along Sudbrook and DeRisio Lanes. Ornamental trees are proposed within the parking lot. Ms. Floam stated that they would like to use a mix of grasses, perennials, and trees such as magnolias, dogwoods, evergreens, and ginkos.

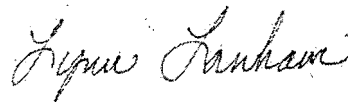
DISPOSITION:

A motion was made by Ms. Westerhout to have the project approved as submitted with the following conditions:

1. Revise building design – Front façade (first floor retail windows, awning scale), Rear façade (provide more details – windows, masonry, etc.)
2. Revise streetscape plans – Coordinate with Pikesville Chamber of Commerce and define exact tree types, planter box materials, and possible paving textures and determine who is responsible for installation.
3. Revise Sudbrook Lane entrance to rear stair tower
4. Revise landscape plans – provide streetscape details as well as plant types and size in planter beds along Sudbrook Lane. Revise ornamental tree type for parking area.

The applicants are to coordinate revisions with the Planning Office as well as the Pikesville Community prior to the zoning hearing. All final plans are to be submitted to the Office of Planning for final review and approval.

The motion was seconded by Ms. Boykin and approved by acclamation at 7:08 p.m.



Lynn Lanham

KP:File

CC: DRP members in attendance

Ken Colbert, Colbert Matz Rosenfelt, Inc.

Judy Floam, Colbert Matz Rosenfelt, Inc.

John Chalk, Architect

Jeff Neuman, Mazel Inc.

Tim Yusufor, Property Owner

For complete Design Review Panel minutes visit

<http://www.baltimorecountymd.gov/Agencies/planning/DRP/meetings.html>.

W:\DEVREV\DRP\Individual Minutes\DRP# 509 1114-1116 Reisterstown Road\1114-1116 Reisterstown Road 070809.doc

Subject: Minutes (Design Review Panel Meeting)

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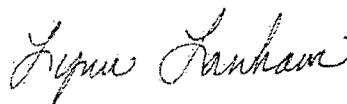
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Lynn Lanham

KP:File

CC: DRP members in attendance

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Judy Floam, Colbert Matz Rosenfelt, Inc.

John Chalk, Architect

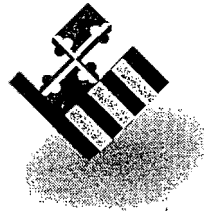
Jeff Neuman, Mazel Inc.

Tim Yusufor, Property Owner

For complete Design Review Panel minutes visit

<http://www.baltimorecountymd.gov/Agencies/planning/DRP/meetings.html>.

W:\DEVREV\DRP\Individual Minutes\DRP# 509 1114-1116 Reisterstown Road\1114-1116 Reisterstown Road 070809.doc



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

ARNOLD F. 'PAT' KELLER, III
Director, Office of Planning

INTER-OFFICE CORRESPONDENCE

DESIGN REVIEW COMMENTS

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

DATE: July 9, 2009

FROM: Lynn Lanham
Design Review Panel

SUBJECT: Design Review Panel
Minutes – July 8, 2009 Meeting

PROJECT NAME: 1114-1116 Reisterstown Road

PROJECT : DRP # 509

PROJECT TYPE: Commercial, Pikesville

DESIGN REVIEW PANEL MEMBERS IN ATTENDANCE:

William Monk, Magda Westerhout, Scott Rykiel, Betsy Boykin

PROJECT DESCRIPTION:

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BW 8/6 11am BW 7/17 11am
P/P

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 9, 2009

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

RECEIVED

SUBJECT: 1114-1116 Reisterstown Road

JUL 16 2009

INFORMATION:

ZONING COMMISSIONER

Item Number: 9-305

Petitioner: LAT LLC

Zoning: BL

Requested Action: Variance

The property in question is on the southwest corner of Reisterstown Road and Sudbrook Lane in the heart of the Pikesville Revitalization District. It is the former location of the Back Fin restaurant. The petitioner plans to raze the existing building and construct a new 2-story masonry multi-tenant retail and office building with main entrances on the front and secondary entrances on the rear. Paving will be removed to establish a landscaped area along Sudbrook Lane.

The petitioner requests 0' front and side yard setback variances which is consistent with the Pikeville Commercial Revitalization Guidelines as it brings the building forward on the site. A parking variance is requested for 25 parking spaces in lieu of 33 parking spaces and a setback of 1' from a parking space to the right of way in lieu of 10'

SUMMARY OF RECOMMENDATIONS:

The Design Review Panel (DRP) met on July 8, 2009 to discuss the proposed new construction. The DRP comments are binding upon the hearing officer and are attached hereto.

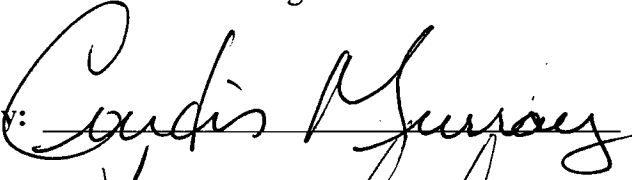
The Office of Planning supports the requested variances as they result in a building footprint that is in keeping with the Pikesville Commercial Revitalization Guidelines. The following should be addressed.

1. The schematic landscape plan should be refined with the input from the County Landscape Architect, Avery Harden to look at the spacing of the trees along Sudbrook Lane, proximity of plant materials to the corner of De Risio Lane and Sudbrook, appropriate planting for the planters along Reisterstown Road due to the overhead power lines.
2. Compliance with the comments of the Baltimore County Design Review Panel.
(see attached)

3. The petitioner indicated 33 parking spaces are required according to the BCZR. The required space count for this proposal is actually 36. The petitioner's request should be amended accordingly.

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

Prepared by:

A handwritten signature in black ink, appearing to read "Curtis Murray", written over a horizontal line.

Division Chief:

AFK/LL: CM

Attachment

A handwritten signature in black ink, appearing to read "Yvonne Lankar", written over a horizontal line.



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 4, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 1, 2009

Item Numbers 0302, 0303, 0304, 0305, 0306, 0308, 0309, 0310

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

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

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

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For June 8, 2009
Item Nos. 2009-302, 303, 304, 305,
306, 308, 309 and 310

DATE: June 10, 2009

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

DAK:CEN:cab
cc: File
ZAC-06082009 -NO COMMENTS



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

Beverley K. Swaim-Staley, Acting Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

June 4, 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. 2009-0305-A
MD 140 (Reisterstown Road)
at Sudbrook Lane
1114-1116 Reisterstown Road
Variance

Dear Ms. Matthews:

Thank you for the opportunity to review the ZAC Agenda Case Number 2009-0305-A for the above captioned, which was received on June 3, 2009. We understand that his application illustrates a proposal to redevelop an existing site to a commercial use with surface parking for twenty four (24) vehicles as depicted on the plan to accompany variance petition dated May 22, 2009.

We have completed a review of the referenced plan and as well as a field inspection. The results of the review reveal that a permit is required for improvements along the subject property fronting MD 140 (Reisterstown Road). Therefore, this office requests that the County require the applicant to obtain a State Highway Administration (SHA) - Access Permit as a condition of Zoning Variance Case No. 2009-0305-A approval for 1114- 1116 Reisterstown Road property.

At a minimum the following improvements may be necessary:

- Provide sidewalk and sidewalk ramps consistent with current SHA guidelines.
- Close existing entrance along MD 140 and replace with sidewalk, curb and gutter consistent with SHA guidelines and standards.
- Proposed building foot print (location) needs to consistent adequate corner clearance guidelines for eastbound traffic on Sudbrook Lane approach to MD 140.
- Site plan improvements are subject to review and comment by Highway Hydraulics Division and Cultural Resources- Project Planning Division within the SHA.

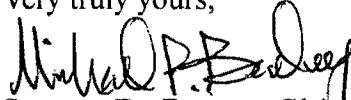
Please include our comments in staff report to the Zoning Hearing Officer. Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us). Thank you for your attention.

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

Ms. Kristen Matthews
Case Number 2009-0305-A
Page Two

Very truly yours,



*Fors*¹ Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

Cc: LAT, LLC, Owner
Mr. Kenneth J. Colbert, Engineer, Colbert Matz Rosenfelt, Inc.
Ms. Erin Kuhn, ADE-Traffic, SHA
Mr. David Malkowski, District Engineer, SHA
Mr. Joseph Merrey, Department of Permits & Development Management, Baltimore
County
Mr. John Vananzo, Traffic Manager, SHA

RE: PETITION FOR VARIANCE * BEFORE THE
1114-1116 Reisterstown Road; W/S of
Reisterstown Rd, SW corner of Reisterstown* ZONING COMMISSIONER
& Sudbrook Lane
3rd Election & 2nd Councilmanic Districts * FOR
Legal Owner(s): LAT, LLC
Petitioner(s) * BALTIMORE COUNTY
* 09-305-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of June, 2009, a copy of the foregoing Entry of Appearance was mailed to Kenneth Colbert, P.E., Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209 and Deborah C. Dopkin, Esquire, 409 Washington Avenue, St 1000, Towson, MD, 21204, Attorney for Petitioner(s).

RECEIVED

JUN 10 2009

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Baltimore County Government
Department of Economic Development



BALTIMORE COUNTY
MARYLAND

RECEIVED

AUG 06 2009

ZONING COMMISSIONER

400 Washington Avenue
Towson, MD 21204

(410) 887-8000
Fax (410) 887-8017

MEMORANDUM

To: Zoning Commissioner
Zoning Commissioner's Office

From: Peirce Macgill
Commercial Revitalization Specialist

Date: August 4, 2009

Re: Variance – LAT, LLC (Case Number: 2009-0305-A)

The Department of Economic Development strongly supports the requested variances submitted by LAT, LLC. LAT, LLC is requesting several variances in connection with the construction of a new two story retail and office building at 1114-1116 Reisterstown Road. Specifically, LAT is requesting variances to permit a front yard setback of 0 feet in lieu of 10 feet required; a side yard setback on a street corner side of 0 feet in lieu of 10 feet required; 25 parking spaces in lieu of 33 required; and a setback of 1 foot from a parking space to the right-of-way line of a public street in lieu of 10 feet required.

The subject property is located in the Pikesville Commercial Revitalization District. Baltimore County places special emphasis and offers specific incentives for development in these districts. This project would further the County's goal of revitalizing older commercial areas. Redevelopment is vital to the future prosperity of Baltimore County, as the County limits development outside the current Urban Rural Demarcation Line. This development entails a major investment by LAT in the Pikesville Revitalization District. The Department of Economic Development has been working with Mr. Tim Yusufov, partner in LAT, LLC, for the past year. The County has encouraged Mr. Yusufov to construct the two story retail and office building right up to the sidewalk to further the pedestrian and main street atmosphere of Pikesville.

The Department of Economic Development views this as a critical project for downtown Pikesville. The project will visually complement an existing retail and office building, located at

1100 Reisterstown Road. The project would achieve three primary goals of the Commercial Revitalization Program in Pikesville. First, the appearance of the area will be improved with the demolition of two old, outdated buildings and the construction of a new building that adheres to the Pikesville design guideline standards. Second, new businesses, both retail and office uses, will be attracted to downtown Pikesville. The additional office space in downtown Pikesville is essential as these daytime employees will support the surrounding businesses. These potential customers are especially important to the viability of the six restaurants in the 1000 block of Reisterstown Road. Third, the development would create accessible employment opportunities for local residents.

Again, the Department of Economic Development is strongly committed to the proposed project and encourages the approval of the requested variances. Thank you for your time and attention to this matter. If you have any questions, please feel free to contact me at extension 2589.

cc: Ms. Deborah C. Dopkin, P.A.

CASE NAME Int LLC
CASE NUMBER 2009-0305-A
DATE 8-6-09

[illegible]

CASE NAME Lat, LLC
CASE NUMBER 2009-0305-A
DATE Aug 6, 2009

E-MAIL

[illegible]

CASE NAME LAT, LLC
CASE NUMBER 2009-0305-A
DATE 8-6-09

[illegible]

Bill Wiseman - FW: County Design Review Panel/ SW corner of Reisterstown Rd and Sudbrook Lane (1114-1116 Reisterstown Rd-formerly BackFin Restaurant and other buildings)

From: "Alan Zukerberg" <apzuk@verizon.net>
To: <jnugent@baltimorecountymd.gov>
Date: 8/1/2009 7:54 AM
Subject: FW: County Design Review Panel/ SW corner of Reisterstown Rd and Sudbrook Lane (1114-1116 Reisterstown Rd-formerly BackFin Restaurant and other buildings)
CC: "Adele Kass" <akass@baltimorecountymd.gov>, "Sharon Paul" <spaul@baltimorecountymd.gov>, "Wiseman William" <wwiseman@baltimorecountymd.gov>, "TBostwick" <tbostwick@baltimorecountymd.gov>

We are forwarding our response to other addressees noted in our first email

Pikesville Communities Corporation
 Alan P. Zukerberg, President

From: Alan Zukerberg [mailto:apzuk@verizon.net]
Sent: Saturday, August 01, 2009 7:49 AM
To: 'Jenifer Nugent'
Cc: 'Diana Itter'; 'Lynn Lanham'; 'Pat Keller'; bccdistrict2@comcast.net; Thomas Peddicord (tpeddicord@baltimorecountymd.gov)
Subject: RE: County Design Review Panel/ SW corner of Reisterstown Rd and Sudbrook Lane (1114-1116 Reisterstown Rd-formerly BackFin Restaurant and other buildings)

M's Nugent:

Thank you for your clarifications. we will circulate your email below and this response to the list of persons to whom the email was originally sent. However, while it is not you or your department's procedure, and it is the law put in place by the Council, the procedure and the law passed by the Council does not seem balanced. We believe that communities should have the benefit of advance discussions and meetings with the Planning Department and that as a matter of course the Planning Department should reach out to us-those volunteer entities, in the future.. The Council should not expect communities to come to Design Review Panel hearing and be prepared to discuss the designs when there is no requirement to provide them in advance or to have the Planning Department assist the communities in these matters.

As I stated in my email, I "perceived" that the contact was made in advance between the Chamber and the Planning Department. It is extremely difficult to be studying plans presented 10 minutes before the hearing begins, and at the same time be listening to testimony. In our opinion this process should require planning department assistance to the communities. It seems to us that the law only requires that the applicant give a "site" plan, and we assume that is what you refer to as a "plan document." A site plan hardly shows what is being planned. M's Diaz advises that she did not receive a letter from the applicant.

We would appreciate the Department's comments about the following:

1. You state that "typically we [the Planning Department] do not contact the community organizations..." [emphasis supplied]. Does "typically" mean that there are times when the Planning Department does or has contacted community organizations/Chambers or other business groups to review plans? If so, please let us know if that has happened and under what circumstances.
2. May I assume the Planning Department had the architectural drawings or most of them days in advance of the hearing? If so, how long.
3. Are we correct in assuming that the Planning Department is well aware of the Pikesville Communities' interest in the architectural designs for anything that occurs in the Pikesville Commercial Corridor?
4. What action will it take to have the Planning Department contact PCC, for any future DRP submission and consult

with our representatives well enough in advance of the DRP hearing?

5. May we assume that the applicant, and/or its agents, attorney(s) in this "Backfin" matter consulted with the Planning Department about the designs, variances, setbacks, etc., in advance of the DRP? If so, when was that and did the Planning Department advise the applicant that the same were acceptable to the Planning Department?

6. Are we correct when we say that the Chair of that DRP hearing noted that the panel had received the applicants' documents well in advance of the hearing?

We are copying Councilman Kamenetz and Mr. Peddicord to advise him and the rest of the Council, to suggest that the "law" regarding the DRP perhaps should be reviewed to give more assistance to communities in this Design Review Panel process.

Notwithstanding the status of the law, we would appreciate the Planning Department's cooperation by notifying PCC of any future DRP filings and timely inviting us to meet for comments and explanations of any matters that the Department reviews dealing with the Pikesville Commercial Revitalization Area.

We thank the Planning Department for its response.

Pikesville Communities Corporation
Alan P. Zukerberg, President.

cc: CAN and others

From: Jenifer Nugent [mailto:jnugent@baltimorecountymd.gov]

Sent: Tuesday, July 28, 2009 4:48 PM

To: Alan Zukerberg

Cc: Diana Itter; Lynn Lanham; Pat Keller

Subject: Re: County Design Review Panel/ SW corner of Reisterstown Rd and Sudbrook Lane (1114-1116 Reisterstown Rd-formerly BackFin Restaurant and other buildings)

Lynn Lanham asked if I would address some of the comments of your email.

The minutes of the Design Review Panel remain in DRAFT form until the following meeting of the DRP at which time the minutes are voted to be approved. It is only after that vote that the minutes become "official". I believe it is the same procedure as the Planning Board meeting minutes.

At the meeting, the applicant stated that they had met with the Pikesville Chamber of Commerce in regards to the streetscape along Reisterstown Road.

We did not state, nor did we contact ahead of time, the Chamber to inform them specifically of this project.

Typically we do not contact the community organizations with regard to the DRP, as is stated in the law and CMDP, the applicant is required to send notice of the meeting and a plan document to all surrounding property owners and the community and business organizations. The district planner provides the list of the appropriate organizations to be notified.

DRP meetings are recorded. They are recorded on the Court Smart system, a regular tape recording and hand recorded notes by Office of Planning staff.

The court smart recording is recorded directly onto a cd but it is not transcribed.

Ms. Lorna Diaz was mailed a copy of the notification as was certified by the applicant dated June 17, 2009 in a letter to the office of planning which included the comprehensive that office of planning provided to the applicant as to which organizations were to be mailed.

Jenifer German Nugent

Community Designer, Development Review Section
 Baltimore County Office of Planning
 105 W. Chesapeake Avenue, Suite 101
 Towson, MD 21204
 (410) 887-3480 - phone
 (410) 887-5862 - Fax

jnugent@baltimorecountymd.gov

Please consider the environment before printing this email.

>>> "Alan Zukerberg" <apzuk@verizon.net> 7/24/2009 10:06 PM >>>

Dear Councilman Kamenetz and Department of Planning Director Keller:

On behalf of the Pikesville Communities Corporation, I attended the Design Review Panel ("DRP") hearing on the evening of July 8, 2009 regarding the above-noted property. This property is also the subject of a zoning hearing. We understand that the zoning hearing, originally scheduled for July 17, 2009, was postponed. I note from viewing the County's website at <http://www.baltimorecountymd.gov/Agencies/planning/DRP/meetings.html>, that the minutes noted from that DRP hearing are marked as "DRAFT" as late as 9:36 pm, July 24, 2009.

From the testimony given at the DRP by the Planning Department's representative, I perceived that a Planning Department representative communicated [in advance] of the DRP hearing with the Pikesville Chamber of Commerce regarding to educate the Chamber, and seek its input about the proposed design for the buildings to replace the "Backfin" restaurant and adjacent buildings.

The Planning Department did not contact the Pikesville Communities Corporation or Lorna Diaz, President of The Ralston Association in advance of the hearing to discuss the proposed design plans, educate these entities about the plan, or seek PCC's or Ralston's input, had we had a reasonable time to review same.

This incident raises major concerns about the County's treatment of community groups. As you know, PCC and Ralston are registered with Baltimore County, and the County and the Planning Department are aware that a major concern to both of these groups is the growth, or lack thereof of the Pikesville Commercial Revitalization District, wherein the property in question is located.

Additionally, we do not understand why the DRP does not extend the same courtesies to organizations like PCC during the hearing, as it does for the applicant. For example, the applicant's representatives and the County representatives had an opportunity to speak thereafter, PCC then had its opportunity to speak, (to the extent one dares comment on the documents and drawings given 10 minutes in advance) and thereafter, the panel again asked questions of the applicant's representatives. When PCC wanted to add something else to the hearing the DRP Chairman, in refusing to allow same, replied: "You had your chance."

This incident raises the following questions that we would ask both the Councilman and Director of Planning to address:

1. Is there a policy "formal or informal" whereby the Planning Department is advised to: contact the chamber of commerce of any business district/or nearby businesses to be affected by the Design Review Panel proceeding, in order to review the proposal, discuss same and seek its input in advance of the hearing? I understand that this occurred in the above-referenced matter. If applicable law/regulation does not require such contact in advance of a Design Review Panel hearing, who makes the decision for such contact, and under what circumstances?
2. With regard to number 1, above, is there a similar policy to contact nearby communities like Ralston, or coalitions of communities like PCC for the same purposes as stated above? If so, please set it out in detail. If not, why not, if such a policy exists for the Chamber(s) or nearby businesses?
3. Is the DRP proceeding recorded or transcribed, and if so, what is required to obtain a copy of same?

We are copying the County Council, by way of copy to Mr. Peddicord and various community leaders to advise them of this experience. Additionally, we want the Council know that, after reviewing the *Commercial Review Package* "CRP" posted on the County's website, I note the *total absence* of any requirement to supply communities with any and all documents, except the applicant's obligation to supply the "site" plan. Page 2 of the CRP no. 4, requires the Planning office (Department) staff to submit a contact list of community/business associations to the applicant and 5

(b) requires a certification from the applicant of notice to those entities. I am advised by Lorna Diaz, the president of Ralston, that she did not receive such notice. She was advised by me of the hearing date.

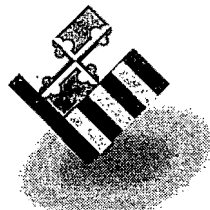
It seems that Baltimore County considers community associations and coalitions as minor players in these matters, otherwise it would have enacted Section 32-4-203 of the Baltimore County Code 2004 to require all relevant copies of documents to communities well in advance of such hearings, along with a mandate that the Planning Department seek them out for guidance, education of the matter and input as well as convenience of hearing dates for community representatives. In the case of the "BackFin Restaurant" we were handed documents 10 minutes prior to the commencement of the hearing by the builder/developer. We are not architect/landscape, etc., experts and for County Government to think that the above process is "fair" is misguided. Further, while communities would like to cooperate with applicants on these types of matters, it is apparent that the process is front loaded for the applicant and discourages participation by communities.

I also note failure of the law to require a written copy of the minutes to be mailed to the communities, but only that same be posted on the county's website.

We would appreciate a response to the above at your earliest conveniences as well as notification of the new zoning hearing date. In fact, we would like to be consulted in advance for our input as to what is a convenient date for us.

Pikesville Communities Corporation
Alan P. Zukerberg, President

cc: Board and various lists
Sharon Paul, Constituent Services Coordinator, County Executive Offices
Wm Wiseman, Zoning Commissioner



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 30, 2009

Mr. Kenneth J. Colbert, P.E.
Colbert Matz Rosenfelt, Inc.
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209

Dear Mr. Colbert:

RE: 1114-1116 Reisterstown Road, Spirit and Intent Case No. 2009-0305-A

Your December 16, 2009 letter addressed to the Director of Permits and Development Management has been referred to this Office for reply.

Pursuant to your provided information and plan you are requesting a zoning S&I "Spirit and Intent" verification for compliance in Zoning Case #2009-0305-A at the above referenced location. In your letter, you requested that you intend to add a 5,000 square foot basement floor area for storage only under the proposed commercial building.

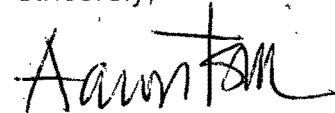
1. Your request to add a 5,000 square foot basement floor area is found within the Spirit and Intent of Zoning Case#2009-0305-A provided that the basement storage area is for the exclusive use by the tenants occupying the subject commercial building i.e. not for public storage, rental or leasing.
2. Please coordinate with Building Plans Review division regarding building and fire codes requirements for the basement floor addition. Should the layout of the plan be revised for the required additional fire escape stairs, the plan must be re-submitted for County agencies' approvals before building permits. The Zoning order must also be amended for any change in the approved parking ratio or layout.
3. Pursuant to your proposed plan, the 1st floor is designed for general retail area (5 parking spaces/1,000 GFA; no standard or fast-food restaurants) and the 2nd floor is designed for general office uses (3.3 parking spaces/1,000 SF; no medical offices); any change of uses affecting the parking spaces approved by the subject Zoning order would require a Special Hearing pursuant to Section 500.7 of Baltimore County Zoning Regulations (BCZR).

4. The original Floor Area Ratio calculation per item 7 of the General Notes is correct. Per Section 101 of BCZR, the adjusted GFA should exclude storage space in the basement floor.

The foregoing is merely an informal opinion. It is not an expert or legal opinion. It is not intended to be relied on as expert or legal advice, and is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions please do not hesitate to contact the Office of Zoning Review at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read 'Aaron Tsui', with a stylized flourish at the end.

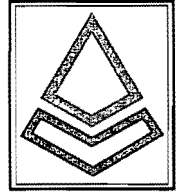
Aaron Tsui
Planner II, Zoning Review

File:09-326

c.c. File- Zoning Case no.09-0305-A

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



December 16, 2009

Mr. Timothy Kotroco, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, Md. 21204

Attn: Carl Richards

Re: Spirit and Intent Request
Zoning Case No. 2009-0305-A
1114-1116 Reisterstown Road

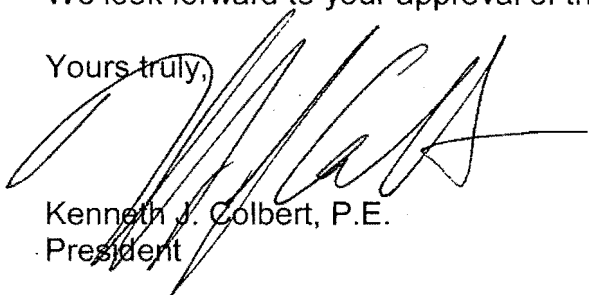
Dear Mr. Kotroco,

In the above-referenced zoning case, a new 2-story building was approved on this site with variances for parking, parking setbacks, building setbacks and a landscape buffer strip. The owner wishes to add a basement storage area which will have 5,000 square feet of floor area. This would be used exclusively for storage and therefore would not be included in the "gross floor area" calculated for off-street parking, as stipulated in the definition of "Floor Area, Gross" in BCZR Section 101.1.

We are requesting Spirit and Intent approval to amend the plan approved in this case, as shown on the attached redline plan.

We look forward to your approval of this request.

Yours truly,


Kenneth J. Colbert, P.E.
President

RECEIVED

DEC 18 2009

09-326-7

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



July 6, 2009

Mr. Aaron Tsui
Baltimore County Zoning Office
111 W. Chesapeake Avenue
Towson, Md. 21204

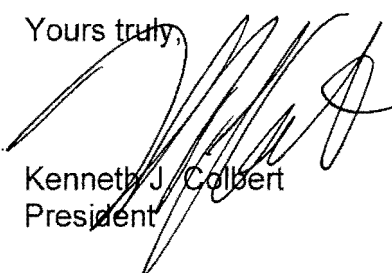
Re: Zoning Case No. 2009-0305-A
1114-1116 Reisterstown Road

Dear Mr. Tsui,

~~This is a request to modify the variance request in the above-referenced zoning case. We would like to change the parking variance request from "...26 spaces in lieu of 33 required" to "...26 spaces in lieu of 36 required". The hearing has been scheduled for Tuesday, July 28th.~~

A check for \$100.00 for the revision fee is enclosed. Thank you for your assistance in this matter.

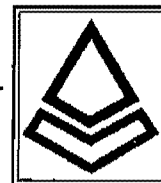
Yours truly,


Kenneth J. Colbert
President

*This request is
superseded by
another charges
on 7/10/09.
Check returned to
Engineer by
Rose
7/13/09
A. Tsui*

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



June 24, 2009

Mr. Timothy Kotroco, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, Md. 21204

*To Kristen:
OK to postpone
Tim K.*

Re: Zoning Case No. 2009-0305-A
1114-1116 Reisterstown Road

Dear Mr. Kotroco,

This case has been scheduled for July 17, 2009. However, I will be out of town on that date. We hereby request that the case be rescheduled for the earliest possible date after July 17th.

Yours truly,

Kenneth J. Colbert, P.E.



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw5.1)

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[New Search](#)

Account Identifier: District - 03 Account Number - 0303048826 ✓ (1062)

Owner Information

Owner Name: LAT LLC **Use:** COMMERCIAL
Mailing Address: 3507 ENGLEMEADE RD **Principal Residence:** NO
 BALTIMORE MD 21208-1506 **Deed Reference:** 1) /28069/ 95
 2)

Location & Structure Information

Premises Address **Legal Description**
 1116 REISTERSTOWN RD .16 AC
 1116 REISTERSTOWN RD WS
 COR SUDBROOK AVE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
78	3	100						1	Plat Ref:

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000	4,577 SF	7,140.00 SF	23

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2007	07/01/2008	07/01/2009
Land	142,800	178,500		
Improvements:	190,400	244,400		
Total:	333,200	422,900	393,000	422,900
Preferential Land:	0	0	0	0

Transfer Information

Seller: NEWELL LAURA A	Date: 05/12/2009	Price: \$600,000
Type: IMPROVED ARMS-LENGTH	Deed1: /28069/ 95	Deed2:
Seller: NEWELL DOROTHY A TRUSTEE	Date: 03/26/2002	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /16246/ 123	Deed2:
Seller: NEWELL FRANK H,3RD	Date: 02/28/2000	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /14327/ 718	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:

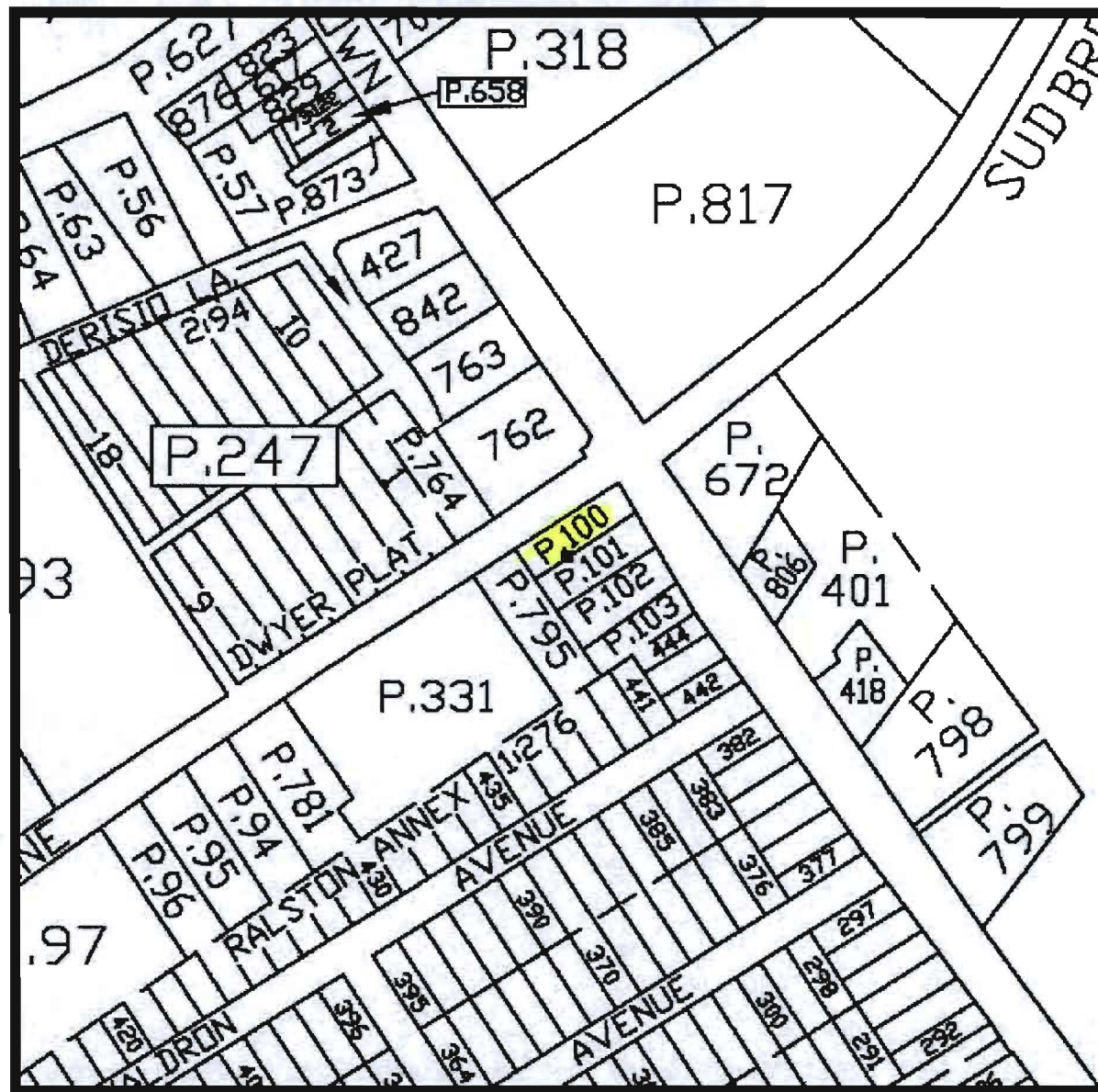
Special Tax Recapture:
 * NONE *



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

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District - 03 Account Number - 0303048826



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For more information on electronic mapping applications, visit the Maryland
Department of Planning web site at www.mdp.state.md.us/webcom/index.html



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw5.1)

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

Account Identifier: District - 03 Account Number - 0302022001 ✓ (212)

Owner Information

Owner Name: LAT LLC **Use:** COMMERCIAL
Mailing Address: 3507 ENGLEMEADE RD **Principal Residence:** NO
 BALTIMORE MD 21208-1506 **Deed Reference:** 1) /16541/ 708
 2)

Location & Structure Information

Premises Address **Legal Description**
 1114 REISTERSTOWN RD LT WS REISTERSTOWN R
 1114 REISTERSTOWN RD
 42 S OF SUDBROOK AVE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
78	3	101						1	Plat Ref:

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1973	3,244 SF	9,859.00 SF	06

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2007	07/01/2008	07/01/2009
Land	147,800	246,400		
Improvements:	114,400	117,000		
Total:	262,200	363,400	329,666	363,400
Preferential Land:	0	0	0	0

Transfer Information

Seller: GREENBERG GERTRUDE C	Date: 06/21/2002	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /16541/ 708	Deed2:
Seller: KAUFMAN G ARNOLD GREENBERG PAUL	Date: 05/15/2002	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /16413/ 56	Deed2: /16413/ 52
Seller: BEHREND ALVIN A	Date: 01/22/1981	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 6253/ 485	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:

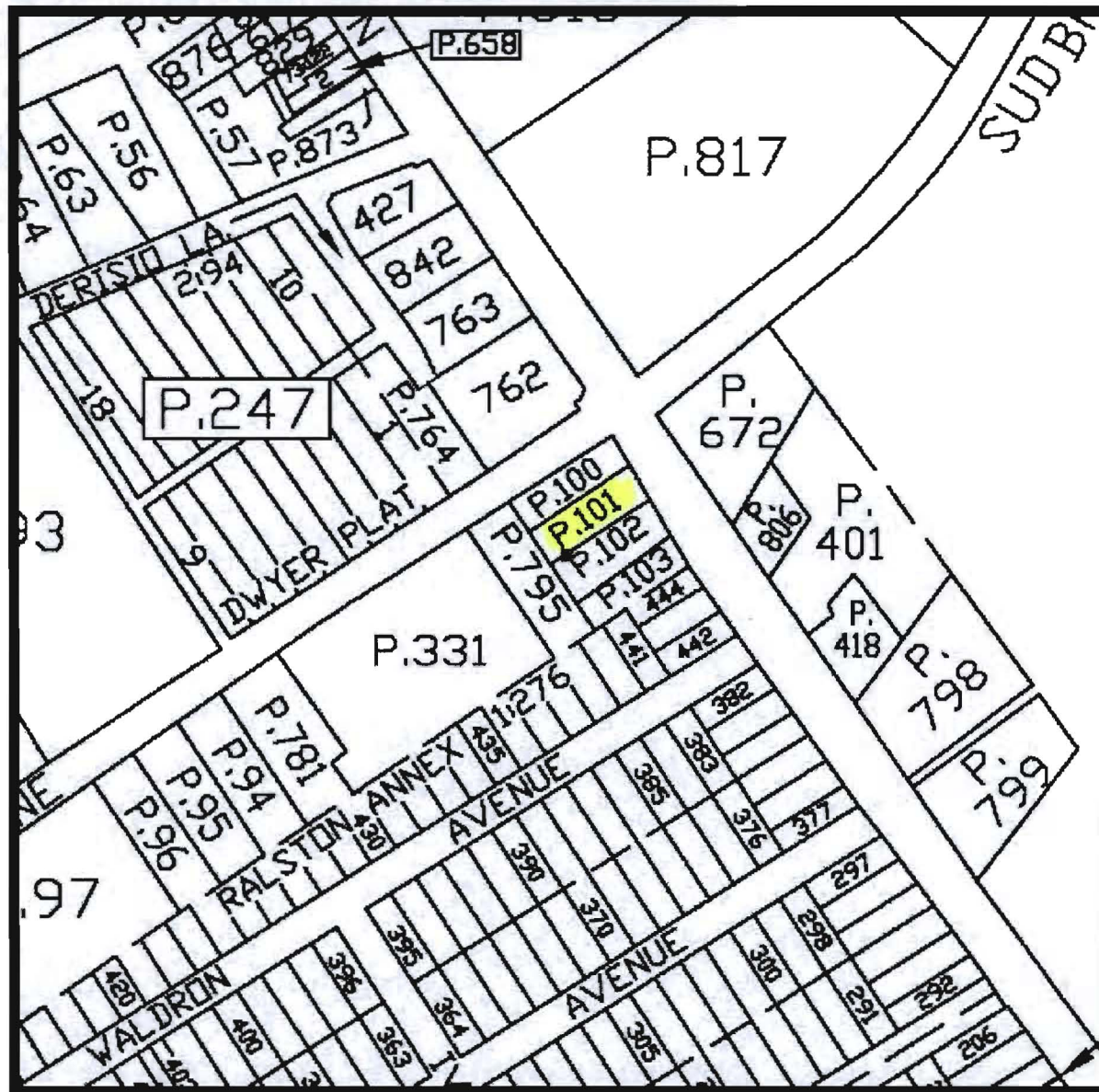
Special Tax Recapture:
 * NONE *



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and Taxation
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District - 03 Account Number - 0302022001



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For more information on electronic mapping applications, visit the Maryland
Department of Planning web site at www.mdp.state.md.us/webcom/index.html

Case No.: 2009-0305-A

Exhibit Sheet - Continued

Petitioner/Developer

Protestant

No. 13 1	Resume of Kenneth J. Gilbert	Petition opposing Variance Requests
No. 14 2	Amended Site Plan	
No. 15 3	Aerial Photo of Subject Property and Surrounding Area	
No. 16 4	A - Photos looking at Property B - Photos looking away from Property C - Photos of Block to the North	
No. 17 5	Landscape Plan of Site	
No. 18 6	Shared Parking Adjustment from B.C.Z.R	
No. 19 7	Excerpts from Pikesville Revitalization plan (p. 18-20)	
No. 20 8	* Front Rendering of Building	
No. 21 9	Rear Rendering of Building	
No. 22 10	Architectural Renderings + Elevations	
No. 23 11	Comments supporting Relief from Economic Development	
No. 24		

RESUME

PROFESSIONAL BACKGROUND AND EXPERIENCE

KENNETH J. COLBERT
2835 SMITH AVENUE, SUITE G
BALTIMORE, MD 21209

PROFESSIONAL STATUS: Professional Engineer, Maryland, PE No. 9752

EDUCATION: University of Missouri-Rolla
Rolla, Missouri
B.S. in Civil Engineering

PETITIONER' S

EXHIBIT NO. 1

PROFESSIONAL BACKGROUND AND EXPERIENCE:

Practiced in the field of Civil Engineering and Site Planning for Land Development projects since 1968.
Accepted as an expert in those areas, and testified before the following:

Anne Arundel County Administrative Hearing Officer
Anne Arundel County Board of Appeals
City of Annapolis City Council
City of Annapolis Planning Commission
Baltimore County Board of Appeals
Baltimore County Zoning Commissioner
Baltimore City Board of Municipal Zoning Appeals
Cecil County Board of Appeals
City of Elkton Planning Board
City of Elkton City Council
City of Gaithersburg Planning Board
City of Gaithersburg City Council
Harford County Board of Appeals
Howard County Hearing Examiner
Howard County Board of Appeals
Montgomery County Planning Board
Montgomery County Hearing Examiner
Montgomery County Board of Appeals
City of Rockville Planning Commission
City of Rockville Board of Appeals
City of Westminster Planning Board

Testified as an expert witness in the field of Civil Engineering for Land Development in the District Courts of Baltimore County and Howard County.

PROFESSIONAL EXPERIENCE:

April, 1987 – Present Colbert Engineering, Inc. / Colbert Matz Rosenfelt, Inc.
Consulting Civil Engineers & Surveyors
Baltimore, Maryland

Established a private consulting firm for design and construction management of land development projects. Primary services include site design and preparation of plans for commercial and residential land development projects, as well as complete survey and construction stakeout services.

In September 1994 Colbert Engineering, Inc. merged its operations with another consulting engineering firm to form Colbert Matz Rosenfelt, Inc. This merger enabled the new firm to expand its client base and to better, and more effectively serve its existing clients.

Mr. Colbert is the managing partner of the company while maintaining project management responsibilities. In addition, he is the principal responsible for operation of the Survey Department.

Jan., 1986 – Apr., 1987 Security Management Corporation
Builders and Developers
Baltimore, Maryland

Employed by Security Management Corporation as Engineering Manager for Land Development activities with responsibility for budgeting, management and supervision of the land development phases for all projects. Projects included single family and multi-family developments ranging in size from 50 units to 1500 units in four governmental jurisdictions.

Nov., 1978 – Jan., 1986 Colbert Engineering, Inc. / CDH Engineering Corp. / Kidde Consultants
Consulting Civil Engineers and Surveyors
Glen Burnie, Maryland

Established a private consulting firm for design and construction management of land development projects. Services included site design and preparation of site development plans for residential and commercial developments.

In June 1982, Colbert Engineering, Inc. merged its operation with that of another consulting engineering firm to form CDH Engineering Corporation. This merger enabled the new firm to expand its engineering and surveying capabilities, and grow to maintain a staff of approximately 20 people. As engineering and managing partner, duties and responsibilities continued as before but on an expanded basis

CDH Engineering Corporation was purchased by Kidde Consultants, Inc., a top 500 engineering company, in June 1984. The office became one of eight branch offices spread throughout Maryland, Virginia, Delaware and Pennsylvania. As Branch Office Manager, duties and responsibilities continued to include engineering for land development projects of various types and sizes, as well as interaction with the main office on management, marketing and budget matters.

Mar., 1976 – Nov., 1978 Anne Arundel County, Maryland
Department of Public Works
Annapolis, Maryland

Employed by Anne Arundel County as a Senior Engineer responsible for the Engineering Review Section of the Development Services Division, Department of Public Works. This Section, which had a complement of four engineers, reviewed the engineering plans for all Land Development activities within the County. Promoted to Chief of the Development Services Division. The Division staff consisted of 13 Engineers, Engineering Technicians, Construction Inspectors and Clerical personnel. The function of this Division was the review and processing of all private construction within the County.

May, 1973 – Mar., 1976 Purdum & Jeschke
Consulting Engineers & Surveyors
Baltimore, Maryland

Employed by Purdum & Jeschke as a Design Engineer with prime areas of responsibilities being design of Storm Drainage Systems and Site Grading for various land development projects. Advanced to Project Engineer responsible for residential and commercial development projects.

Sept., 1971 – May, 1973 Mathews-Phillips, Inc.
Builders and Developers
Silver Spring, Maryland

Employed by Mathews-Phillips, Inc. as an Assistant Construction Superintendent for Garden Apartment and Townhouse Projects. Prime area of responsibility was for installation of Underground Utilities, Storm Drainage, Site Grading and Paving.

July, 1970 – Sept., 1971 Richard P. Browne Associates
Consulting Engineers and Surveyors
Columbia, Maryland

Employed by Richard P. Brown Associates as a Design Engineer with prime responsibility being design of Storm Drain Systems and Site Grading

for various land development projects including single family residential and multi-family sites

June, 1968 – July, 1970 Clayton Surveying and Engineering Company
Consulting Engineers and Surveyors
St. Louis, Missouri

Joined Clayton Surveying and Engineering Company immediately following graduation from college as a Design Engineer working primarily on the design of Road Systems, Storm Drains and Sanitary Sewer Systems for residential subdivisions and commercial sites.

I:\RESMES\RESUME.KEN.ZONING

3. Shared parking adjustment. Two or more uses shall be permitted to share their off-street parking spaces in a common parking facility if the hours or days of peak parking for the uses are so different that a lower total will provide adequately for all uses served by the facility, without conflict or encroachment. To assure that no conflict or encroachment occur, shared parking spaces for such uses shall be provided according to the following table. The shared parking adjustment shall not apply to uses in the C.T. District of Towson, except for theater uses and office or industrial uses. [Bill No. 5-1989]

	Weekday		Weekend		
	Daytime (6:00 a.m. to 6:00 p.m.)	Evening (6:00 p.m. to midnight)	Daytime (6:00 a.m. to 6:00 p.m.)	Evening (6:00 p.m. to midnight)	Nighttime (Midnight to 6:00 a.m.)
Church, house of worship or place of religious assembly*					
Hotel or motel	75%	100%	75%	100%	75%
Office or industrial	100% ✓	10% ✓	10%	5%	5%
Restaurant	50%	100%	100%	100%	10%
Retail	60% ✓	90% ✓	100%	70%	5%
Shopping center with 100,000 square feet or more of GLA	60%	90%	100%	70%	5%
Theater, commercial recreation, night-club or tavern	40%	100%	80%	100%	10%
Other uses	100%	100%	100%	100%	100%

*The Director of the Department of Permits and Development Management shall determine the percentage of parking spaces required for each of the five time periods on a case-by-case basis, depending on the existing and planned weekday and weekend activities. [Bill No. 144-1997]

a. Method of calculation.

Step I -- For each of the five time periods, multiply the minimum number of parking

PETITIONER'S

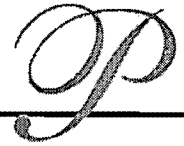
EXHIBIT NO.

7

Pikesville

Pikesville Commercial Revitalization Guidelines

Table of Contents



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USE OF THIS MANUAL

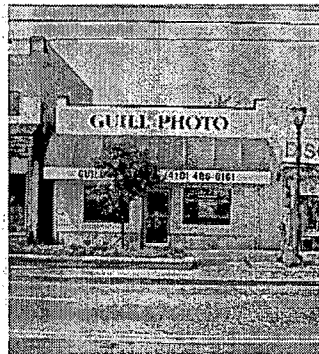
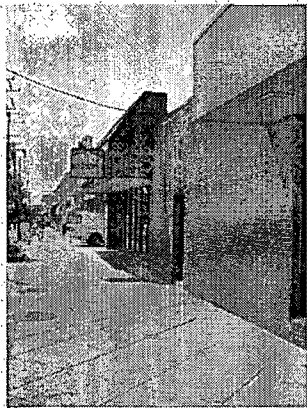
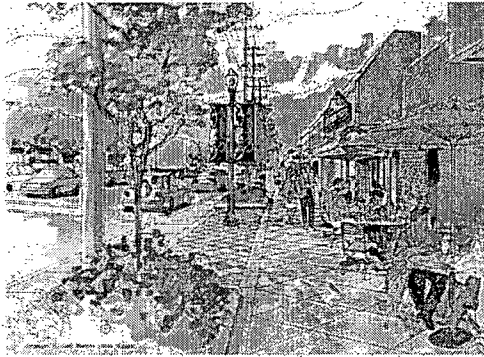
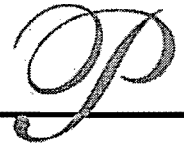
The Pikesville Design Guidelines provide a higher level of detail than the existing Comprehensive Manual of Development Policies (CMDP). Planning staff and the Design Review Panel shall use the Pikesville Design Guidelines in addition to the Commercial Corridors section of the CMDP in their review.

The major building elements (streetscape, architecture, signage, lighting) listed in the Table of Contents have been divided into two components (Required, Prohibited). When applications are reviewed by the Baltimore County Design Review Panel and by Office of Planning staff, the applicants' proposal will be evaluated for compliance with this manual. All of the elements that are listed as Required do not necessarily have to be provided. However, if they are provided, e.g. awnings, then they shall conform with the manual. The Design Review panel and/or Planning staff shall ask the following questions:

Required - Is this element provided? Does it meet the requirements?

Prohibited - Is a prohibited element being provided? If so, the element shall be removed.

Introduction



PURPOSE

Reisterstown Road is a major thoroughfare for commuters in the north-west Baltimore metropolitan area. Once a vibrant retail downtown, Pikesville's current pass-through issue is hurting retailers and local businesses. In order to correct this pass-through mentality, the community needs to make a concerted effort to create an inviting environment that causes people to slow down and experience Pikesville. Many main streets possess a variety of architecture and quality materials that encourage opportunities like café seating, window-shopping and people watching for the pedestrian.

Main Streets in America have developed over decades of planning, building and preservation. As towns grew from their original small patents and parcels, many main streets contained scores of small unique and varied buildings. This natural variety created a rich visual experience for the pedestrian and shopper. Some communities, through Historic Preservation efforts, have saved this unique element in their downtowns.

Currently, much of the existing retail architecture in Pikesville is lacking variety and detail. Existing blocks contain one or two strips of retail buildings that are automobile-oriented and do not relate to the pedestrian shopper. Effective storefronts should be located on the sidewalk. By creating variety, encouraging unique architecture and maintaining the existing streetscape program, Pikesville can once again become an inviting and stimulating downtown environment.

GOALS

- i. To ensure the continued revitalization of the Reisterstown Road Corridor through Pikesville.
- ii. To ensure the creation and maintenance of a high quality built environment and streetscape.
- iii. To ensure architectural variety among the existing streetscape and built environment.
- iv. To ensure a cohesive streetscape through the implementation of a banner program, and maintenance of existing street furniture, lamps and planting beds.

These are guidelines that are recommendations to positively reinforce the Main Street vision of Pikesville.

P Streetscape

Sidewalks/Crosswalks

The street is the primary conduit of traffic that feeds any downtown main street. Traffic in the street and pedestrians on the sidewalk create the vitality that retail districts require and help to create inviting urban environments.

REQUIRED

Sidewalks shall be paved in a manner that adds texture, color and variety to the pedestrian's experience. In addition to serving as the pedestrian's highway, sidewalks create opportunities for people-watching, café seating, and impromptu encounters which add to the vitality of a Main Street environment.

In addition, crosswalks shall be paved in a manner that adds texture and visually sets itself apart from the street paving. Whenever possible, crosswalks shall be slightly raised from the surround paving to help slow crossing vehicular traffic.

When new construction disturbs the existing sidewalk, projects shall provide for new sidewalk consistent with existing scoring, landscaping and decorative elements. This sidewalk and other elements shall be approved prior to an issuance of a permit.

Walkways must be provided from all parking lots to allow safe and convenient pedestrian access to the building entrance.

Recommended materials for all sidewalks (public and private) and crosswalks include:

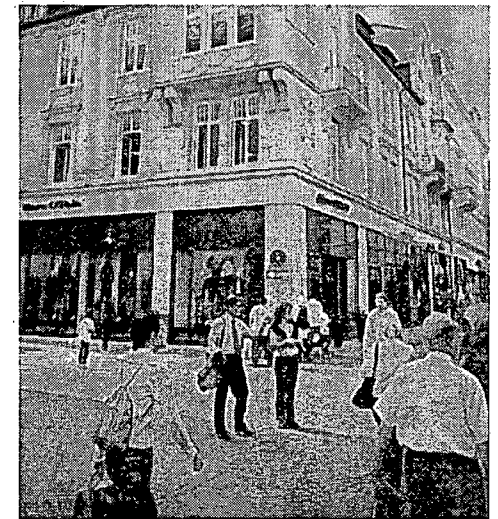
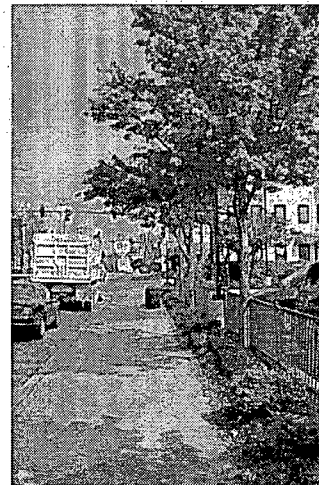
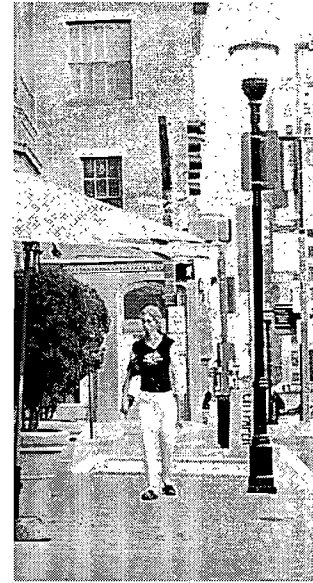
- Brick
- Textured/Stamped Concrete
- Colored Concrete
- Decorative Pavers
- Stone, Cobblestone

PROHIBITED

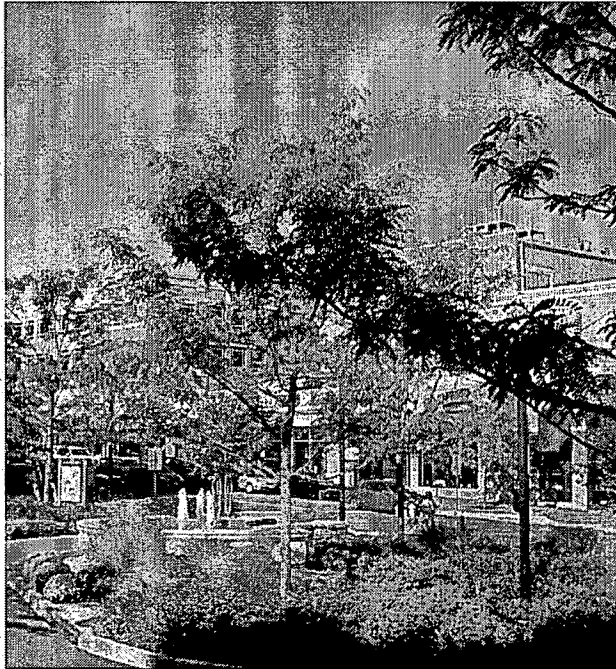
Walks that are unlevel or present a tripping hazard.

Asphalt, gravel or loose earthen paving.

Sidewalks shall not be paved in a monotonous, unvaried manner.



Landscaping/Trees



REQUIRED

Street trees help to define the street, enhance the pedestrian's experience and reduce the urban heat island effect. In addition, trees help to create a visual buffer between pedestrian and automobile traffic. Selection of street trees shall be based on their foliage, longevity, and flowering characteristics.

Planting beds, flower pots and other landscaping elements likewise add character and beauty to the sidewalk. Planting beds should be maintained during the warm planting season. When plantings or trees die, it is important to replace these elements as soon as it is feasible. Flower pots and planter boxes should be in proportion and be of an appropriate scale to the pedestrian.

Fencing, when visible from Reisterstown Road, shall be of high-quality materials, be of a visually open nature and be limited in height. When fencing occurs directly on Reisterstown Road, it shall be setback from the sidewalk and be low (less than four feet in height). Acceptable materials include: painted or stained wood, decorative metal, or masonry garden walls.

PROHIBITED

Flower beds not properly maintained through weeding, mulching or replanting

Chain-link, stockade or split rail fencing, or concrete masonry unit (CMU) garden walls.

Flower pots or boxes that are not of an appropriate scale or are not in keeping with the surround buildings.

Unacceptable fencing materials include: wooden vertical board, tightly spaced wooden pickets.

Fencing shall not be at a height that blocks views beyond the fence (42" above surrounding grade.)

P Streetscape

Lighting/Street Furniture

Lighting will help “extend day into night” and create an active evening environment along Reisterstown Road. Street lamps, tree lights and storefront facade lighting help to produce a safer, well-lit shopping environment. Utility poles, telephone, data or electrical wires and associated utility lines should not be visible from the Main Street. Whenever possible, these elements should be buried or relocated out of view from the pedestrian.

REQUIRED

In addition to existing street lamps, tree lighting through up-light landscape lighting is encouraged for Reisterstown Road.

Street furnishing, shall be of a durable high quality construction and finish.

Additional public area lighting may be provided either as building facade mounted lighting or bollard/landscape lighting. It should be designed to augment the existing street lighting.

Wall packs located on the side and rear elevations of buildings are permissible if equipped with cut-off devices and lighting is directed away from the roadway and nearby residences.

PROHIBITED

Plastic, folding, or other non-durable street furnishing.

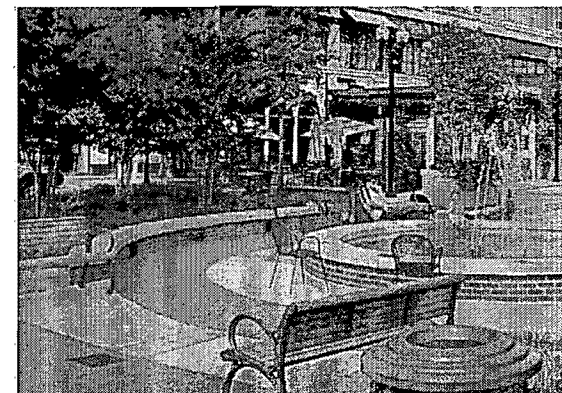
Wall packs/cobra type lighting visible from Reisterstown Road.

Inappropriate street lights include cobra-type highway lamps.

Sodium or mercury lamps should be avoided since they do not render colors in a true manner.

Street lighting that causes glare for drivers and pedestrians.

Street furniture that is not in keeping with other street elements.



Parking Lots/Service Areas

Adequate and convenient parking are important to allow shoppers to experience downtown Pikesville. Realizing this important aspect of modern life, elements such as Parking Lots and Garages should be regulated for reasons of design. In addition, Pikesville should encourage parking lot sharing amongst existing tenants. This will help ease parking demand for shoppers in certain locations along Reisterstown Road.

REQUIRED

Parking lots shall be provided at the side or rear of the buildings.

When parking lots are located adjacent to road, a minimum ten-foot (10'-0") wide landscaping buffer between the sidewalk and parking lot pavement shall be provided.

Buffer must contain shrubbery of at least 42" high and/or a garden wall or fence of the same height. These elements are intended to screen the parking lot from the main street.

Adequate tree plantings in the parking lot shall be provided in accordance with the Landscape Manual (but should not be less than 1 tree per 7-1/2 spaces).

Lighting in parking lots shall be pole-type fixtures that do not exceed 25'. These fixtures shall be similar in design to the street lamps on Reisterstown Road.

Paving: alternate paving materials are encouraged. These materials include brick and concrete pavers. Striping can be achieved through the use of two colors of paving materials.

Walkways must be provided from all parking lots to allow for safe and convenient pedestrian access to the building's entrance.

Service and dumpster areas shall be adequately screened from public view.

PROHIBITED

Use of cobra-type highway lamps for parking lot lighting.

Service/dumpster areas visible from public streets.

Parking lots that are located on Reisterstown Road without the prescribed buffer.

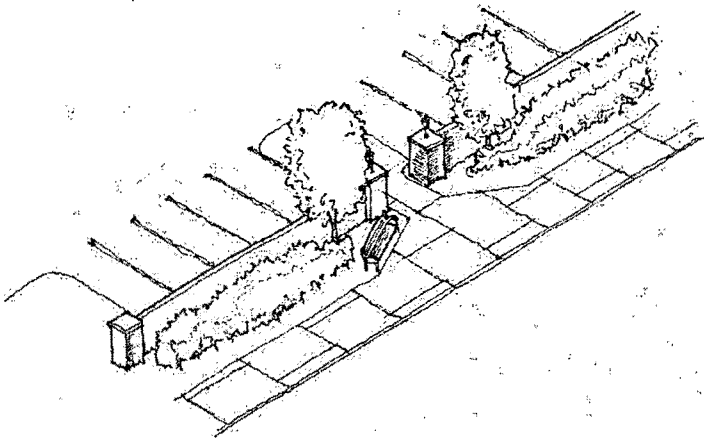


Illustration of 10' landscape buffer and garden wall in front of a parking lot.

P Streetscape

Café Seating

Restaurants have a unique opportunity along Reisterstown Road to spill out onto the sidewalk. Café seating brings life and activity to the street which helps further the pedestrian experience.

REQUIRED

Café seating shall be located directly against the restaurant's facade and not prohibit the passing pedestrian walk area.

Planters, flower pots, or other landscaping elements shall be used as demarcating buffers between the pedestrian traffic and seating area.

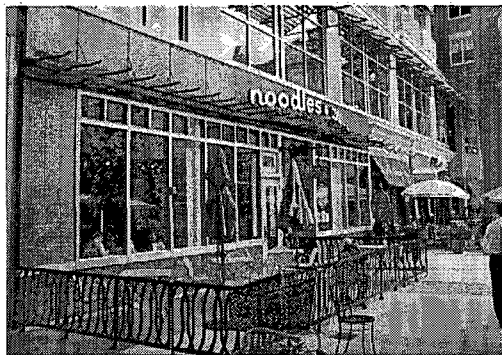
Café seating shall be of a high-quality and may utilize large umbrellas if desired (see street furniture requirements).

Landscaping elements such as planters, boxes or flowerpots must be professionally maintained.

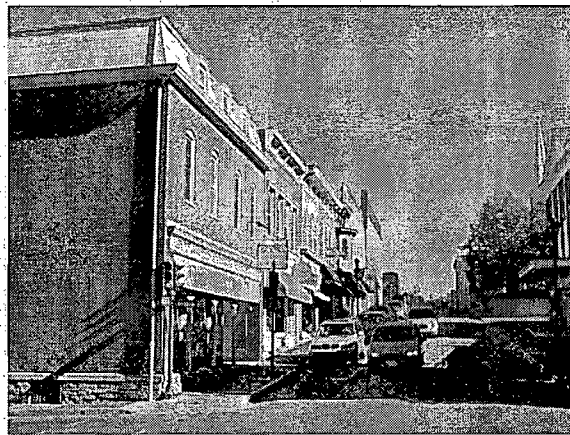
PROHIBITED

Café seating which blocks passing pedestrian traffic.

Service or preparation areas in the seating area.



Creating A Unique Environment: Variety



Unique built environments are not something that simply sprout up overnight. Many Main Streets have grown over decades of building, remodeling and re-building. Creating a built environment with variety adds to the unique characteristics of a town. Pikesville, however, suffers from run-of-the-mill architecture that does not create a unique collection of buildings or a memorable place.

REQUIRED

When a renovation to an existing storefront occurs, the proposed architecture shall not directly or overtly copy neighboring details, signage types or other architectural elements.

Renovation proposals shall be individualistic and original in design to help add variety to the existing Main Street character.

When renovation occurs to an existing bank of storefronts (similar in nature), the architecture proposed shall encourage variety in detailing, signage and other architectural elements, to help make the project seem like individual units (not a collection of similar storefronts).

Rear facades of buildings should be designed with the same intent as the front facades. Details, elements and materials of both facades should be compatible with each other.

PROHIBITED

Overtly copying surrounding detailing.

Taking a block of dissimilar storefronts and proposing to unify the collection by means of similar detailing, architectural elements or signage.

P Architecture

High quality materials enhance any built environment. Generally more durable than cheaper alternatives, the palette of quality material available helps to create visual interest and exquisite architectural detail. Facades that face Reisterstown Road shall use quality materials, such as brick, to further enhance the Main Street experience. The general goal is to provide masonry in new construction and to establish more consistent materials and theme along Reisterstown Road.

MASONRY

Brick masonry is the preferred building material. Brick detailing allows for variety and interest in storefront facades. Other materials like decorative concrete masonry units, cast stone/pre-cast concrete, terra cotta (tiles or decorative pieces), or stone or porcelain tile are encouraged as accents.

WOOD

Wood in the form of siding, miscellaneous painted trims such as cornices and moldings, and decorative elements like surrounds and entablatures are permissible.

GLASS

Clear storefront/plate glass for display windows and entry doors. Tinted glass is permissible in transom frames. Etching of glass is allowed for signage purposes.

METAL

Metals such as brass, copper, bronze, clear anodized aluminum, painted metals and cast iron are acceptable.

STONE

Stones such as marble, granite, limestone, slate are acceptable. Soft stones such as sandstone should be avoided.

HIGH QUALITY DURABLE MATERIALS - LIMITED USE

In certain instances, the Design Review Panel and/or Planning staff may allow the substitution of high quality durable materials only in the form of trims such as cornices, end moldings and decorative elements like surrounds and entablatures provide the following occurs:

- It is demonstrated that these materials will be indistinguishable from wood and
- They enhance the overall building's design
- They meet the spirit and intent of the guidelines

WINDOWS - NOT INCLUDING DISPLAY WINDOWS

Windows may be wood, aluminum-clad wood, vinyl-clad wood or be made of other high quality durable material, which shall have the appearance of a wooden window. Windows made primarily of vinyl or vinyl based products are prohibited. Windows shall have true divided lites or simulated divided lites, which shall have the appearance of true divided lites when seen from the exterior.

Recommended Materials



Acceptable materials such as decorative masonry block, brick and glazing can create an attractive environment. It should be noted that the cornices on these storefronts are made of EIFS.

Unacceptable Materials

UNFINISHED MATERIALS

Unpainted/unfinished materials such as bare finish wood, exposed building wrap, or exposed structural elements like wood or metal studs are unacceptable.

PLYWOOD

Under no circumstances shall plywood, textured plywood, or T-11 siding be used on exteriors of buildings.

MAN-MADE PRODUCTS

Vinyl products including windows, siding, plastic composite lumber (commonly known as PVC lumber) and similar man-made products, used in exposed locations.

EIFS (Exterior Insulation Finishing System)

EIFS may only be used for a building's cornice or entablature. It may not be used as a dominant form of cladding on a wall. EIFS use is prohibited below 12'-0" above the sidewalk.

OTHER MATERIALS

Mill finished aluminum, polycarbonate glazing (commonly known as Plexiglas), wired glass, artificial versions of wood or other material, highly textured paint, gray concrete masonry units (non-decorative), etc.

P Architecture

Anatomy of a Store Front

STOREFRONT

The quintessential element that defines any commercial storefront: the display window.

ENTRANCES

Historically, entries have been recessed to allow for more display window area and for protection of the pedestrian from the elements.

PIERS

Solid planer elements located on either side of the display window that help to define the storefront opening.

BULKHEAD

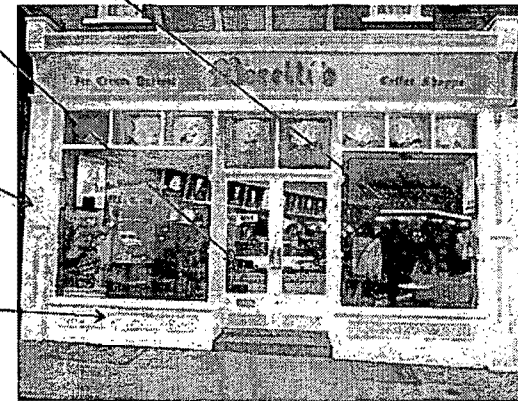
The bulkhead occurs below the display window.

TRANSOM

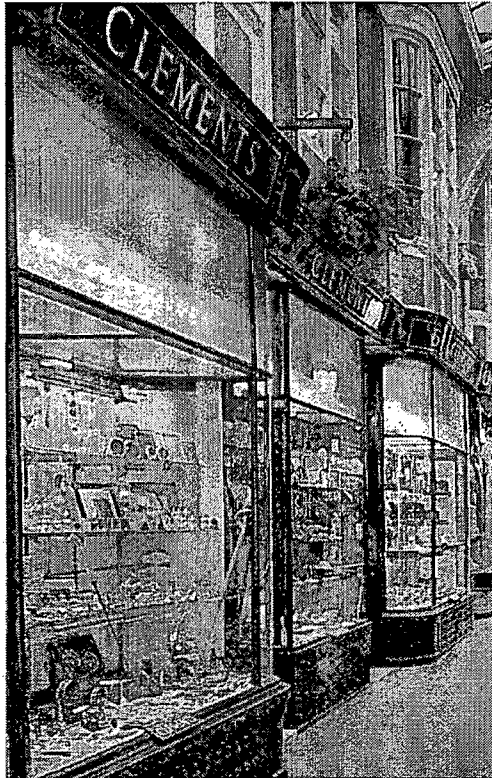
Usually multi-divided lites, the transom helps to get sunlight deep into the store.

AWNINGS

Generally used to shield the pedestrian from the elements, awnings also shield the display window from harsh sunlight.



Display Windows



REQUIRED

Provide display windows in order to invite shoppers to capture a glimpse of the store while promoting specific merchandise. As such, windows should always be kept clear of extraneous signage. There should always be a clear, unobstructed view into the retail store.

The name of the business establishment may be etched on the glass if so desired.

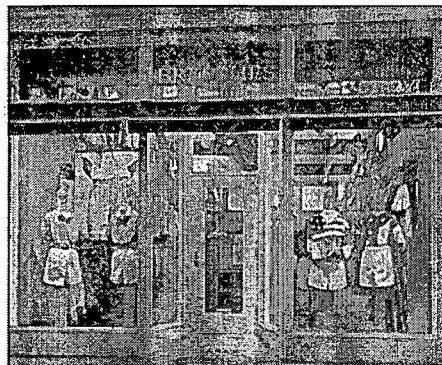
PROHIBITED

Empty or undesigned storefront windows.

Flashing or moving displays.

Temporary signage of a handwritten or non-professional character.

Replacement of glazing with any material other than glass is prohibited. Wood panels, metal panels, glass block and stained glass are never to be used in the display window.



REQUIRED

Entries into a store shall always be from Reisterstown Road.

Entry doors shall be clearly identifiable and allow for viewing into the store.

Recessed entries shall be lit from either a recessed fixture, or a decorative hanging fixture that complements the existing/proposed architecture.

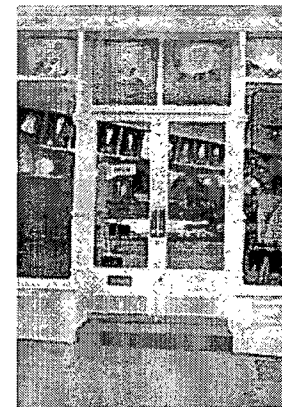
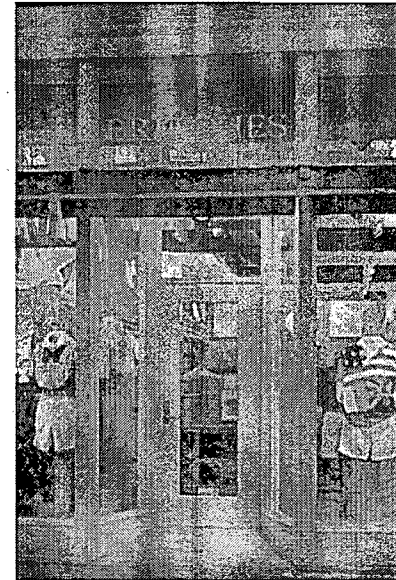
Transoms above the entry door may have the address etched/painted onto the glass, if so desired.

Entrance doors may also have the title of the establishment etched/painted on glass.

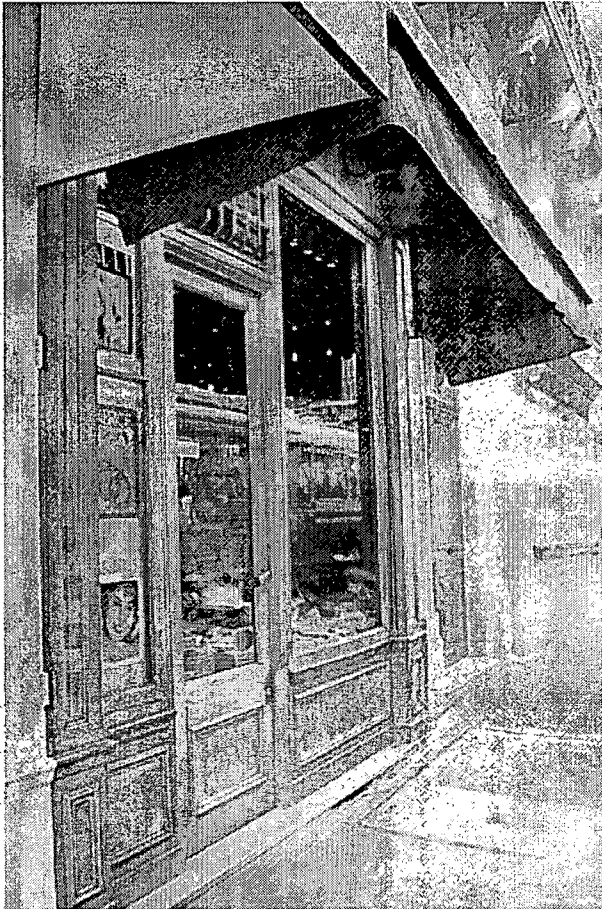
PROHIBITED

Under NO circumstances shall a main entrance to an establishment be from the rear or sides of a building. If two or more entries exist, the main entry shall ALWAYS be from Reisterstown Road. Main store entries located at the rear of the building will destroy the Main Street character that is Reisterstown Road.

Solid wooden or metal doors and doors with high small lites shall not be allowed as storefront entries. Extraneous paper signage shall not be allowed.



Lower Bulkhead



REQUIRED

Bulkheads shall be made of painted wood, metal, brick, stone, terra cotta, or spandrel glazing, or other suitable durable materials.

Bulkheads shall be suitable for all seasonal weather conditions and not inhibit snow removal or other maintenance activities.

Non-illuminated board signs may be placed in the bulkhead.

PROHIBITED

Using EIFS as a bulkhead material.

Placing illuminated signage on the bulkhead.

Placing mechanical louvers or equipment on the bulkhead.

P Architecture

Transoms, Piers, Cornice

REQUIRED

Transoms should be multi-divided lites or panes of glass set in aluminum or wood frames or other high-quality durable material.

Operable transoms are permissible for ventilation purposes.

Enclosing Piers shall be made from approved materials, brick if possible. Renovations to existing storefronts shall not cut into existing architectural piers. If it is desired to widen a storefront, new enclosing piers shall be designed.

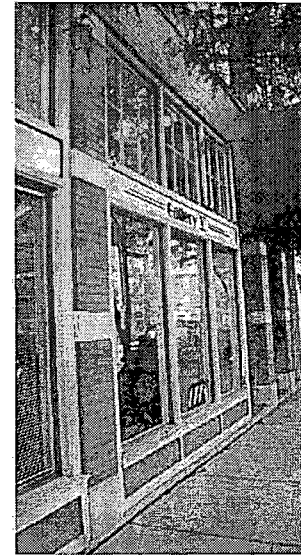
Above the storefront opening, an architectural cornice, lintel or articulated facade shall be provided.

PROHIBITED

Transoms shall not be infilled with wood or metal panels, contain through-window air conditioning units or contain louvers for ventilation fans.

Piers shall not be made from EIFS.

Cornices that appear too small for the opening they are above.



Awnings



REQUIRED

Awnings should be as wide as the openings they serve.

Awnings should be 8'-10' above the plane of the sidewalk.

Awnings may contain valances.

Colors of awnings should relate to the colors on the existing facade. However, variety in awning colors are recommended between surrounding buildings.

Permissible materials include fire retardant duck canvas or acrylic.

Visible frames for awnings should be clean and painted.

Closed or open valance awnings are acceptable.

PROHIBITED

Internally illuminated awnings are not recommended under any circumstances.

Vinyl is unacceptable material.

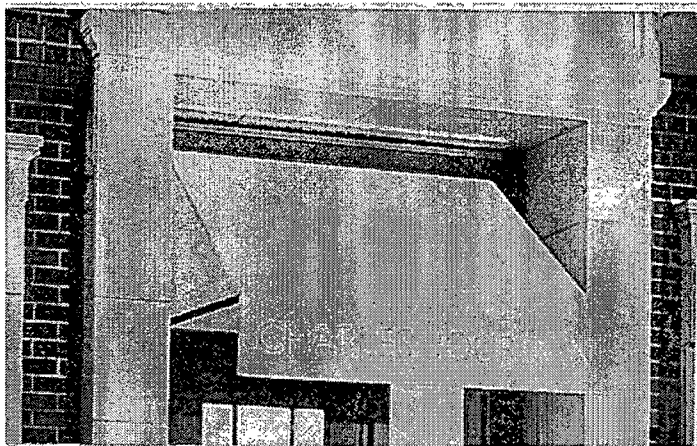
Awnings may not be supported from the sidewalk.

Unfinished visible frames are not permitted.

Retractable awnings.

Awnings shall not cover hanging or other signage.

Awnings that have varied patterns are prohibited.



New Construction-Site Features/Landscaping

REQUIRED

New walks shall be paved with paving materials such as brick, concrete paving units, patterned concrete or stone.

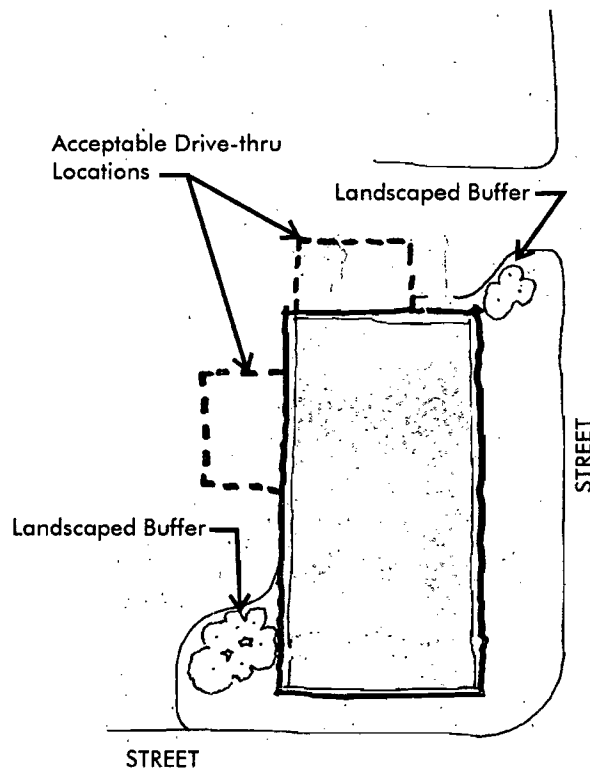
Mechanical equipment: Any type of mechanical equipment should be screened by building elements such as parapet roofs, garden walls or penthouses.

PROHIBITED

Under no circumstances shall mechanical equipment be visible from Reisterstown Road. Through-window units, ventilation louvers and fans, and other wall penetrations for mechanical systems shall not occur on the Reisterstown Road facades.

Asphalt walks are unacceptable.

Drive-thrus shall not be allowed on streets since they detract from the true character of a main street environment. If drive-thrus are required, they should be located at the rear or the non-street side of the proposed building. Whenever possible, drive-thrus shall be located as far towards the rear of the proposed buildings as possible. Adequate landscape buffers should be located between the drive-thru and the main street for screening purposes. Buffers must comply with the Baltimore County Landscape Manual.



Drive-thru locations may only happen on non-street sides of buildings and shall be accompanied by landscaped buffers.

New Construction-Setbacks

A building's setback is the distance it is located inside the property lines. Generally, commercial buildings do not have a front setback, and very small rear setbacks. Main Streets in many communities have no front setbacks, which places the retail buildings directly on the sidewalk and close to the street.

REQUIRED

Buildings shall be set on the street at the existing sidewalk in order to create a Main Street environment. This requirement takes precedence over Section 303.2 of the Baltimore County Zoning Regulations which states in commercial zones, the front setback is an average of the front setback of commercial buildings within 100 feet of the joint side property lines.

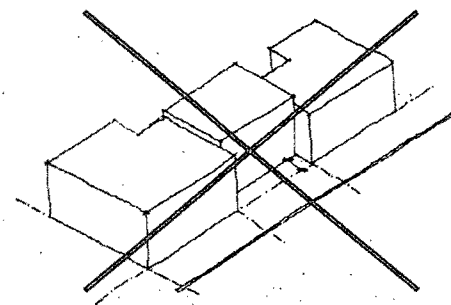
If zero lot lines are required, the new construction should have the same setbacks as the neighboring structures, so that blank side facades are not visible.

PROHIBITED

Forcing buildings too close to the street, or too far back is not advised. An uneven street wall will hinder the creation of a quality Main Street environment.

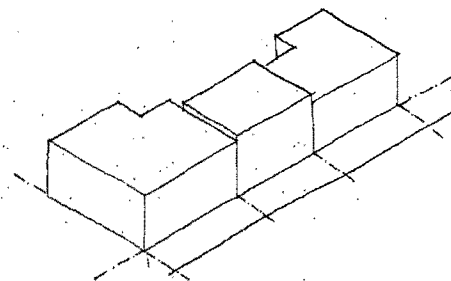
Buildings shall not create an uneven street wall which will hinder the creation of a quality Main street environment.

Blank side facades shall not be visible from Main Street.



PROHIBITED

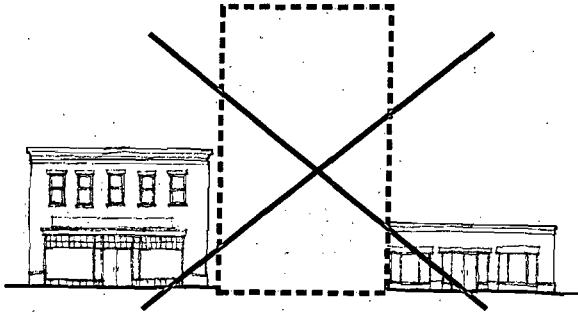
With center building set back from the existing buildings, a jog is created in the street wall exposing the side party-wall facades of the neighboring buildings. This will not create a cohesive street environment.



REQUIRED

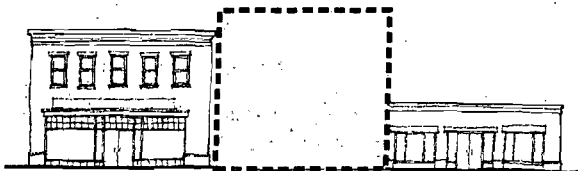
Pull all proposed buildings to the sidewalk, and have the new building's setback match that of its neighbors.

New Construction-Height



PROHIBITED

The height of the center building is entirely too high for the surrounding context. This building will seem out of place along the street.



REQUIRED

The center building is of an appropriate height - it closely follows the heights of its neighbors. While following the existing heights, new construction can still be slightly higher or lower than its context. This will add variety along the street.

Main Street architecture in many urban environments have multi-level buildings. Not only does this help to create a strong, vertical street wall, but it enables a mixture of uses to occur along the street. Offices and residential units help to keep retailers busy throughout the day and evening - not just on the weekend.

REQUIRED

Heights of new construction along Reisterstown Road should relate to the pre-existing heights of the surrounding buildings.

Buildings of two, or three, stories are encouraged to allow for a mixture of uses along the street. Offices or residential units can occur above the store front.

When a building's proposed height exceeds its neighboring buildings by more than a story, a massing strategy must be employed that sets the upper stories back from the main lower facade. This will help to minimize the scale of the new building from the street. Please see illustrated example on page 20.

PROHIBITED

Buildings that do not respect the heights of surrounding buildings.

Removing floors from an existing building.

JP Architecture

Scale is the relative size of a building in relation to its surrounding neighbors. Scale is also comparative amongst building elements such as windows, doors, and other elements. Many commercial buildings and Main Street environments have a scale that is closely associated with humans. These buildings and environments are said to have a human scale. Monumental scaled buildings, those seeming larger than life, are historically public structures and sometimes banking institutions.

REQUIRED

New or proposed buildings should maintain a scale in keeping with the pedestrian and the scale of surrounding buildings.

PROHIBITED

Monumental scale should be avoided for commercial/retail buildings.

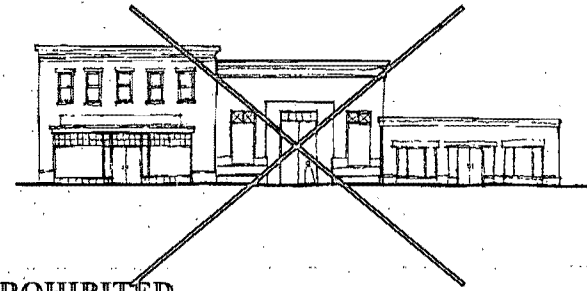
A building's massing is the articulation of the overall building form through the use of upper level setbacks, towers, dormers, roofs, balconies and other elements that project or recess. All of these architectural elements add to the quality of the streetscape.

REQUIRED

Buildings shall be massed in such a way that is compatible with the existing fabric.

Larger commercial projects shall be broken down into smaller elements to encourage variety in the street facade.

New Construction- Scale



PROHIBITED

The center building contains architectural elements that are too large in comparison to the surrounding buildings and to the pedestrian walking down the street.

New Construction-Massing



REQUIRED

The center building illustrates how a four-story building can be placed in a streetscape that contains lower-rise buildings. By the use of belt courses and cornices, the scale of the building is kept low. In addition, the massing of the structure allows a fourth floor to be set back from the three-story mass. The scale and proportions of the new building are appropriate for the surrounding context.

New Construction- Proportions/Facade Openings

Proportion is the dimensional ratio of architectural components that make up a building's facade.

REQUIRED

- Elevations of proposed construction shall contain elements that are proportionally harmonious with surrounding buildings.

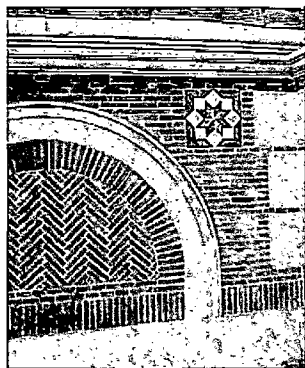
Historically, multi-level Main Street architecture has exhibited vertically oriented openings.

All new development shall be a minimum of 2 stories in height. Facades will contain two stories including a storefront level and an upper story. The upper story should have a strong cornice line; enclosing piers that frame the storefront below and appropriately proportioned window openings. The storefront below shall be framed by the enclosing piers and a strong lintel or cornice.

New Construction- Details



The rusticated watertable, wooden storefront and brick detailing add interest to the pedestrians experience.

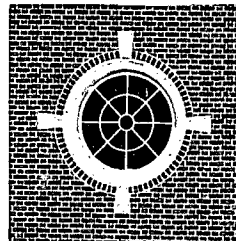


Brick and other masonry elements lend themselves to exquisite details. Blank walls should not be unarticulated, but have interest through coursing and materiality.

Details on buildings create a varied close-up experience for the pedestrian. Watertables, brick detailing, and hardware are all details that the pedestrian can examine through sight and touch.

REQUIRED

New construction shall contain human-scaled details that add interest, texture and shadow to the building's facade.



**Baltimore County Government
Department of Economic Development**



400 Washington Avenue
Towson, MD 21204

(410) 887-8000
Fax (410) 887-8017

MEMORANDUM

To: Zoning Commissioner
Zoning Commissioner's Office

PETITIONER'S

From: Peirce Macgill
Commercial Revitalization Specialist

EXHIBIT NO.

11

Date: August 4, 2009

Re: Variance – LAT, LLC (Case Number: 2009-0305-A)

The Department of Economic Development strongly supports the requested variances submitted by LAT, LLC. LAT, LLC is requesting several variances in connection with the construction of a new two story retail and office building at 1114-1116 Reisterstown Road. Specifically, LAT is requesting variances to permit a front yard setback of 0 feet in lieu of 10 feet required; a side yard setback on a street corner side of 0 feet in lieu of 10 feet required; 25 parking spaces in lieu of 33 required; and a setback of 1 foot from a parking space to the right-of-way line of a public street in lieu of 10 feet required.

The subject property is located in the Pikesville Commercial Revitalization District. Baltimore County places special emphasis and offers specific incentives for development in these districts. This project would further the County's goal of revitalizing older commercial areas. Redevelopment is vital to the future prosperity of Baltimore County, as the County limits development outside the current Urban Rural Demarcation Line. This development entails a major investment by LAT in the Pikesville Revitalization District. The Department of Economic Development has been working with Mr. Tim Yusuf, partner in LAT, LLC, for the past year. The County has encouraged Mr. Yusuf to construct the two story retail and office building right up to the sidewalk to further the pedestrian and main street atmosphere of Pikesville.

The Department of Economic Development views this as a critical project for downtown Pikesville. The project will visually complement an existing retail and office building, located at

1100 Reisterstown Road. The project would achieve three primary goals of the Commercial Revitalization Program in Pikesville. First, the appearance of the area will be improved with the demolition of two old, outdated buildings and the construction of a new building that adheres to the Pikesville design guideline standards. Second, new businesses, both retail and office uses, will be attracted to downtown Pikesville. The additional office space in downtown Pikesville is essential as these daytime employees will support the surrounding businesses. These potential customers are especially important to the viability of the six restaurants in the 1000 block of Reisterstown Road. Third, the development would create accessible employment opportunities for local residents.

Again, the Department of Economic Development is strongly committed to the proposed project and encourages the approval of the requested variances. Thank you for your time and attention to this matter. If you have any questions, please feel free to contact me at extension 2589.

cc: Ms. Deborah C. Dopkin, P.A.

August 4, 2009

Baltimore County Office of the Zoning Commissioner
Attn: William J. Wiseman, III, Zoning Commissioner
111 West Chesapeake Avenue
Towson, MD 21204

We, the undersigned, are opposed to the following variances requested by LAT, LLC, the legal owners of the property located at 1114-1116 Reisterstown Road.

1. Variance to permit a front yard setback of 0 (zero) feet in lieu of the 10 feet required.
2. Variance to permit a side yard setback on a street corner side of 0 (zero) feet in lieu of 10 feet required.
3. Variance to permit 25 parking spaces in lieu of the 36 required spaces.
4. Variance to permit a setback of 1 (one) foot from a parking space to the right-of-way line of a public street in lieu of the 10 feet required.
5. Variance to permit a 0 (zero) foot landscape buffer between adjoining paved surfaces in lieu of the 6 feet required.
6. Such other relief as may be consistent with the requirements of the design review panel.

NAME	ADDRESS
Kathleen S. Sibbald Kathleen S. Sibbald	1 1/2 Brightside Ave Pikesville, MD 21208
Jimmy Laro Jimmy Laro	16 Brightside Ave. Baltimore MD 21208
Maria Powers	124 Clarendon Ave Pikesville MD 21208
Mary LaCetti	111 Clarendon Ave
Isaac LaCetti	111 Clarendon Ave.

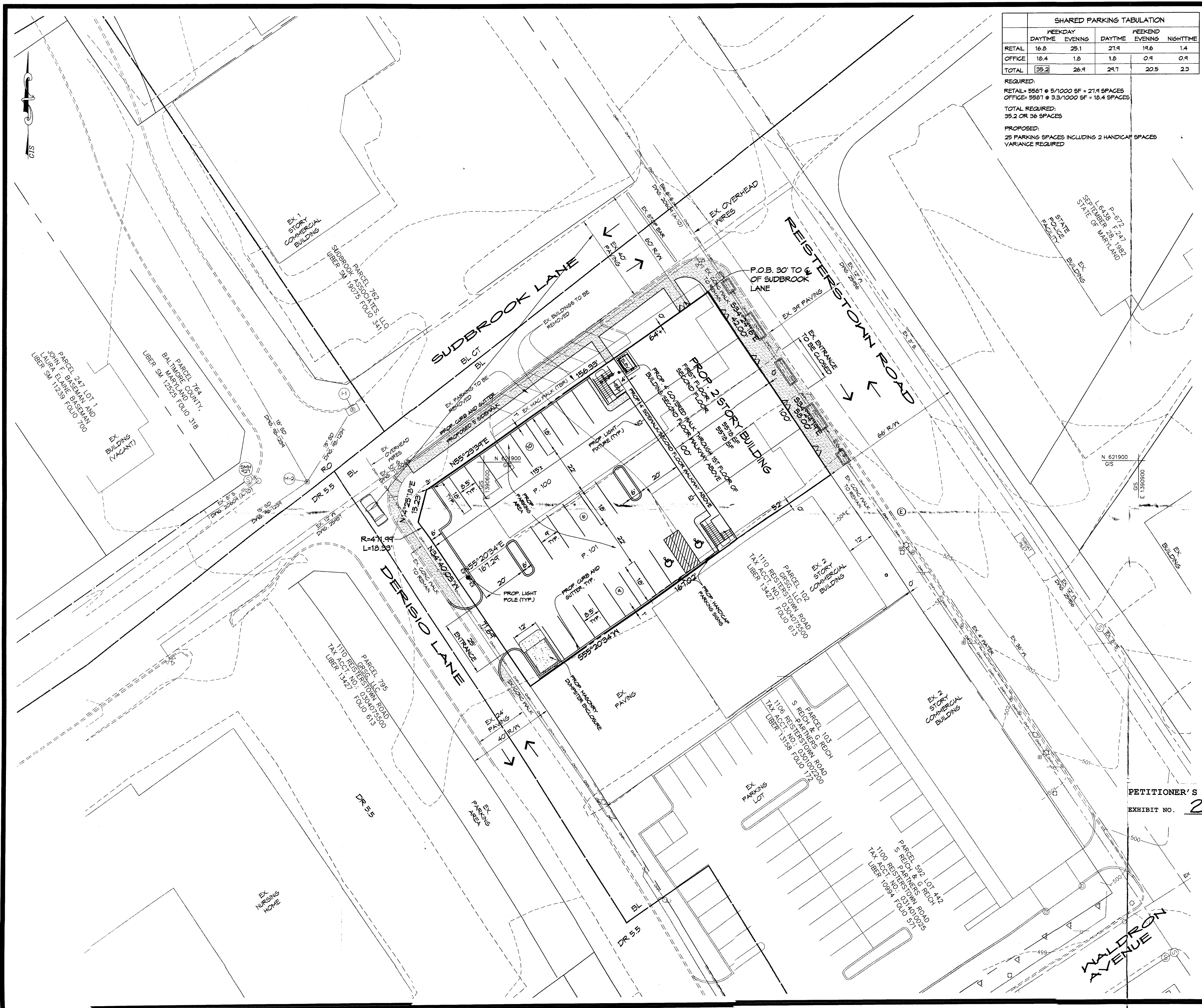
Sara Glik

8 Brightside Ave

PROTESTANT'S

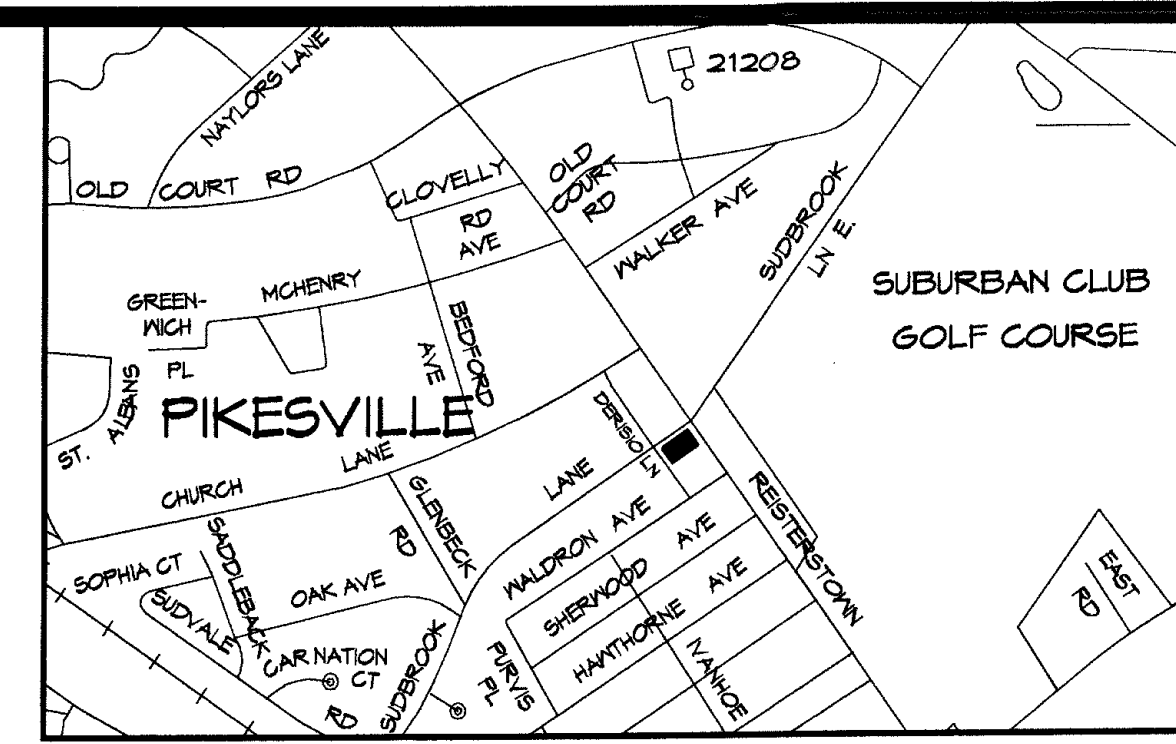
EXHIBIT NO. 1

NAME	ADDRESS
Sandy Kelman	210 Brightside, 21208
Paula Rea	13 Sherwood 21208
Jim Rea	13 Sherwood 21208
LYNN LOGAN	7 Sherwood Ave 21208
Toni Allegra	11 Sherwood Ave 21208
Allyson E. Peltier	12 Brightside Ave 21208
Susan Weinstein	120 Hawthorne Ave 21208
John Miller	12 Brightside Ave 21208
John Rader	11 Clarendon 21208
Bernard A. Silverman	17 Brightside Ave. 21208
Melinda A. Hipsley	104 Sherwood Ave 21208
Sonya Saguma	13 Hawthorn Ave 21208
Sally O'Neill	10 Hawthorne Ave 21208
Ellen Sack	27 Brightside Ave 21208
John	25 Sherwood Ave 21208
J. Morrison	22 Sherwood Ave 21208
Kathleen Powell	13 Clarendon Ave 21208



SHARED PARKING TABULATION					
	WEEKDAY		WEEKEND		
	DAYTIME	EVENING	DAYTIME	EVENING	NIGHTTIME
RETAIL	16.8	25.1	21.4	19.6	1.4
OFFICE	18.4	1.8	1.8	0.9	0.9
TOTAL	35.2	26.9	23.1	20.5	2.3

REQUIRED:
RETAIL = 5581 @ 5/1000 SF = 21.4 SPACES
OFFICE = 5581 @ 3.3/1000 SF = 18.4 SPACES
TOTAL REQUIRED:
39.8 OR 36 SPACES
PROPOSED:
25 PARKING SPACES INCLUDING 2 HANDICAP SPACES
VARIANCE REQUIRED



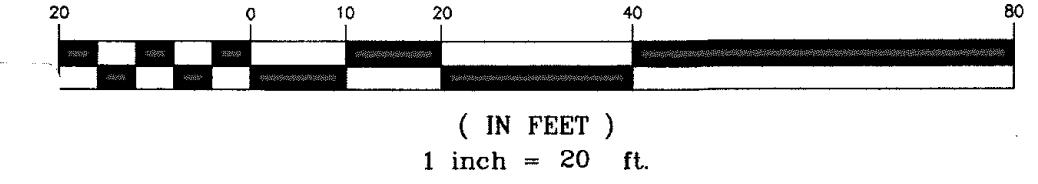
VICINITY MAP
SCALE: 1"=1000'

- OWNER: LAT LLC
3507 ENGLEHEADE ROAD
BALTIMORE MD, 21208-1506
 - SITE DATA
PARCEL 100
TAX MAP 78
TAX ACCOUNT NO. 0303048826
DEED REFERENCE: 28064/078
SITE AREA: 1.894 SQ. FT. (0.22 ACRES)
PARCEL 101
TAX MAP 78
TAX ACCOUNT NO. 0302022001
DEED REFERENCE: 16841/708
SITE AREA: 1.140 SQ. FT. (0.16 ACRES)
 - TOTAL SITE AREA: 16,999 SQ. FT. (0.34 ACRES)
 - ZONED BL, ZONING MAP 78-B1
 - REQUIRED/PROPOSED SETBACKS:
FRONT - 10 FT. REQUIRED 0 FT. PROPOSED - VARIANCE REQUESTED
SIDE - 0 FT. REQUIRED 0 FT. PROPOSED
REAR - 0 FT. REQUIRED 115 FT. PROPOSED
 - EXISTING USE: COMMERCIAL BUILDINGS TO BE REMOVED
PROPOSED USE: 2-STORY BUILDING
5,578 SQ. FT. 1ST FLOOR (RETAIL)
5,578 SQ. FT. 2ND FLOOR (OFFICE)
 - FLOOR AREA RATIO:
MAXIMUM PERMITTED - 3.0
PROPOSED - 11,156 SF / 16,999 SF = 0.66
 - PARKING SURFACE WILL BE DURABLE, DUSTLESS AND PERMANENTLY STRIPED.
 - THERE ARE NO PREVIOUS COMMERCIAL PERMITS CURRENTLY ON FILE.
 - ANY SIGNS TO BE ERECTED IN CONJUNCTION WITH THIS DEVELOPMENT WILL MEET ALL REQUIREMENTS OF SECTION 450, BC2R AND ANY REQUIREMENTS OF THE DESIGN REVIEW PANEL.
 - THERE IS NO ZONING HISTORY FOR THIS SITE.
 - THE SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA OR A 100 YEAR FLOOD PLAIN.
 - THE SITE IS NOT IN A HISTORIC DISTRICT AND THERE ARE NO HISTORICAL BUILDINGS ON SITE.
 - THIS SITE IS IN THE PIKEVILLE DESIGN REVIEW DISTRICT. PROPOSED DEVELOPMENT WAS REVIEWED BY THE DESIGN REVIEW PANEL ON JULY 8, 2009.
 - STORMWATER MANAGEMENT WILL BE REQUIRED FOR THIS PROJECT.
 - A LIMITED EXEMPTION REQUEST WAS HEARD BY THE DRC (DRC NO. 0601094). THE REQUEST WAS TABLED TO THE ZONING HEARING.
- VARIANCES REQUESTED
- 1 FT. SETBACK FROM PARKING LOT TO RIGHT-OF-WAY LINE
 - 0 FT. SETBACK FROM BUILDING TO FRONT RIGHT-OF-WAY LINE
 - 0 FT. SETBACK FROM BUILDING TO STREET CORNERSIDE RIGHT-OF-WAY LINE
 - 25 PARKING SPACES IN LIEU OF 36 SPACES REQUIRED.
 - 0 FT. LANDSCAPE STRIP BETWEEN ADJOINING PAVED SURFACES IN LIEU OF 6 FT. REQUIRED.

PLAN TO ACCOMPANY VARIANCE PETITION
1114-1116 REISTERSTOWN ROAD

3RD ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE



PETITIONER'S
EXHIBIT NO. 2

Colbert Matz Rosenfelt, Inc.
Engineers • Surveyors • Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

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 No. **9752** Expiration Date: **2-28-10**

SCALE: 1"= 20'
DATE: JULY 7, 2009
JOB NO.: 2007-177
DESIGNED:
DRAWN: AKC
CHECKED: CMR
FILE: 2007177 VARIANCE.dwg
DRAWING NUMBER:
SIT-1

NO.	DATE	REVISIONS:	BY	SHEET 1 OF 1



1



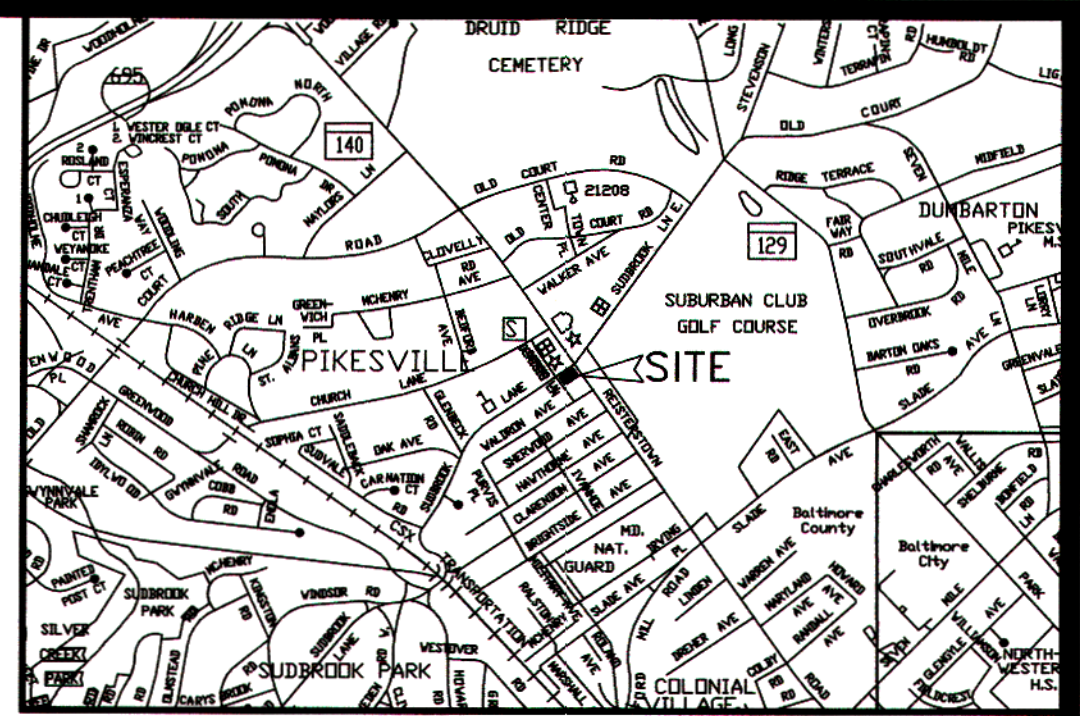
2



3



4



VICINITY MAP
SCALE: 1"=2000'



5



6



7



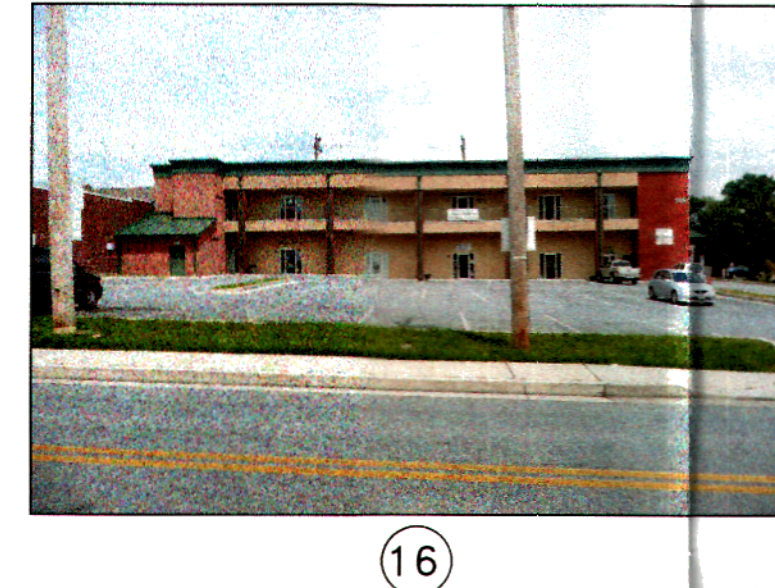
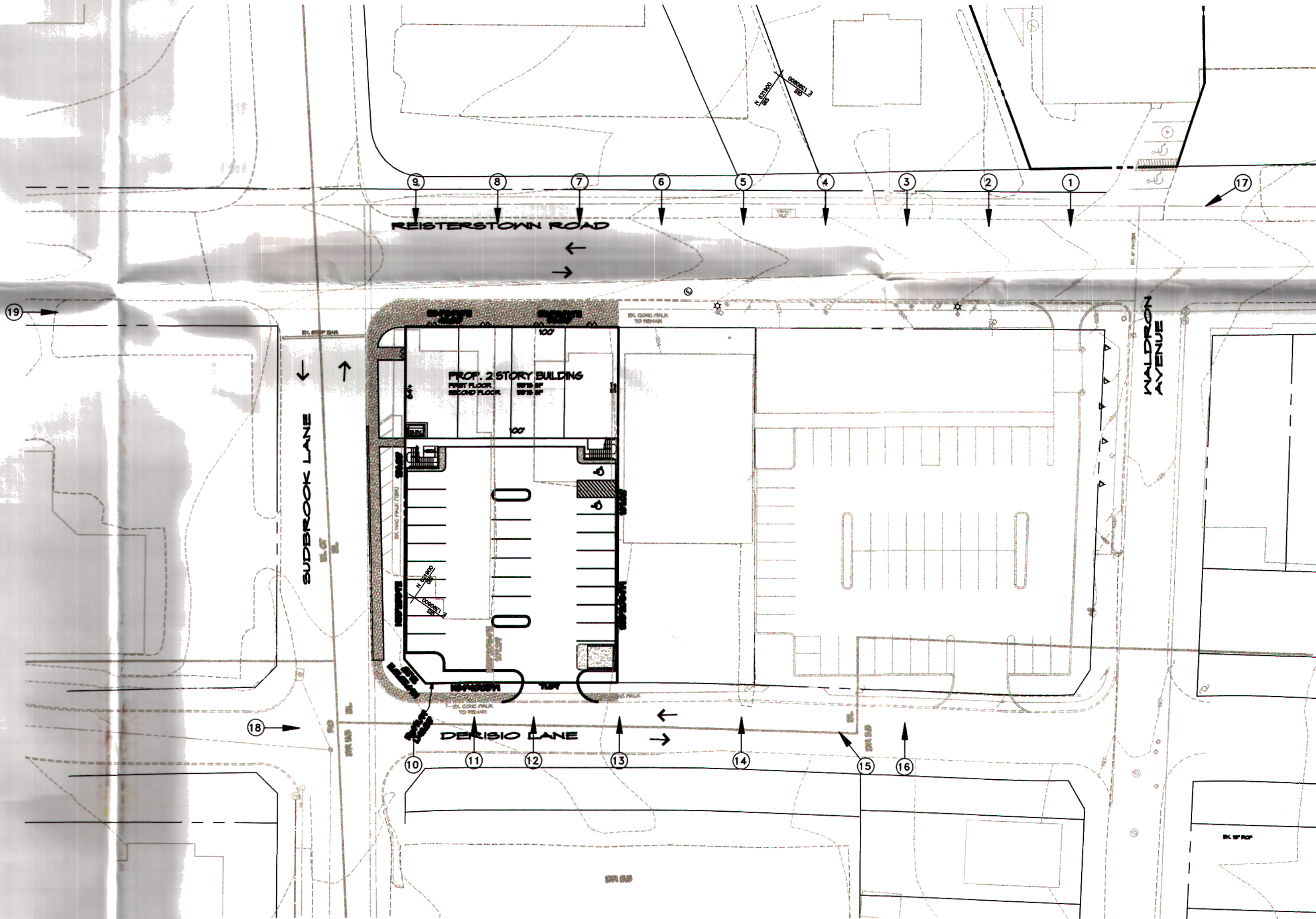
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9



17



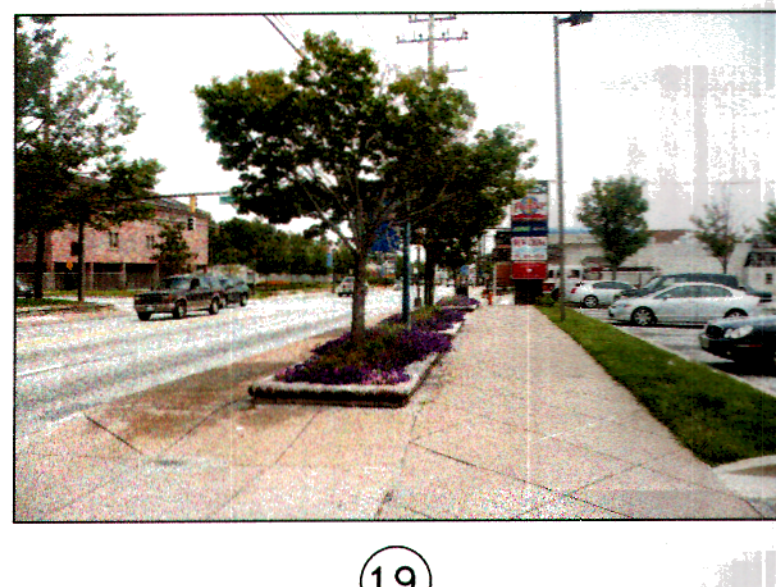
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18



15



19



14



10



11



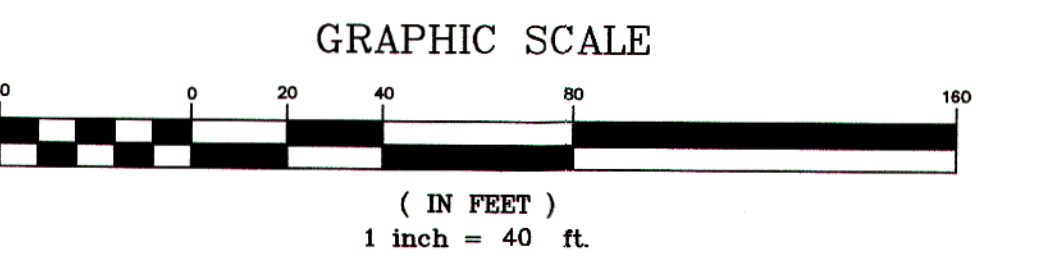
12



13

PHOTO EXHIBIT 1114-1116 REISTERSTOWN ROAD

3RD ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

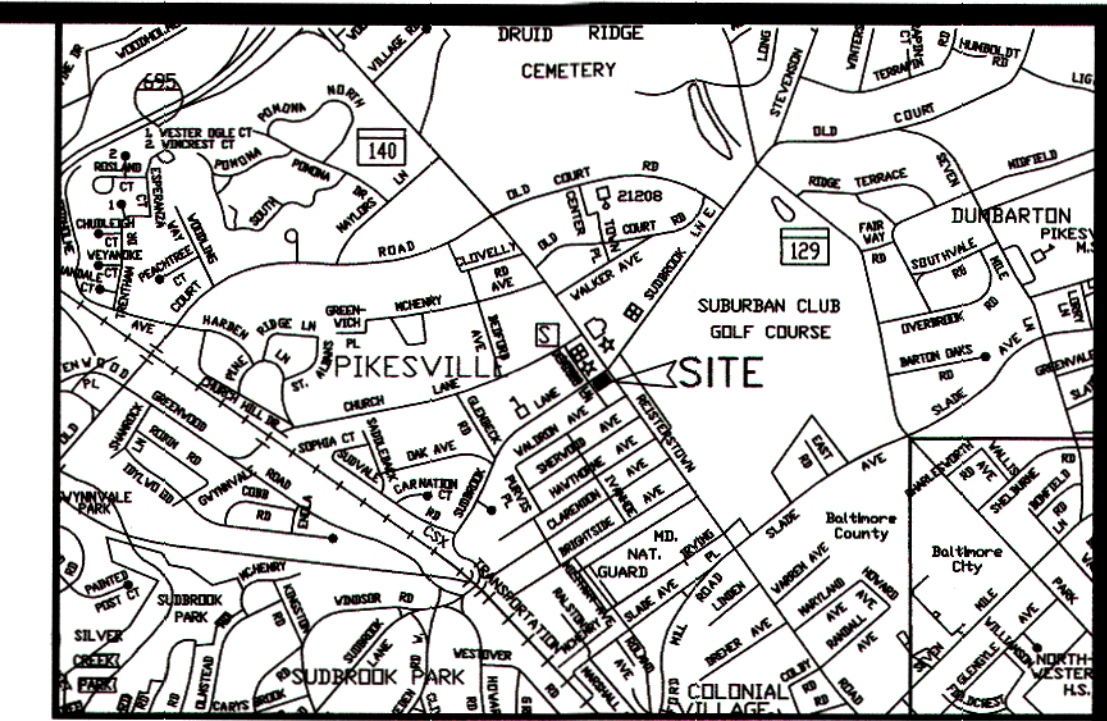


Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

PETITIONER'S
EXHIBIT NO. 4A

NO.	DATE	REVISIONS:	BY	SHEET	OF
1				1	2



VICINITY MAP
SCALE: 1"=2000'

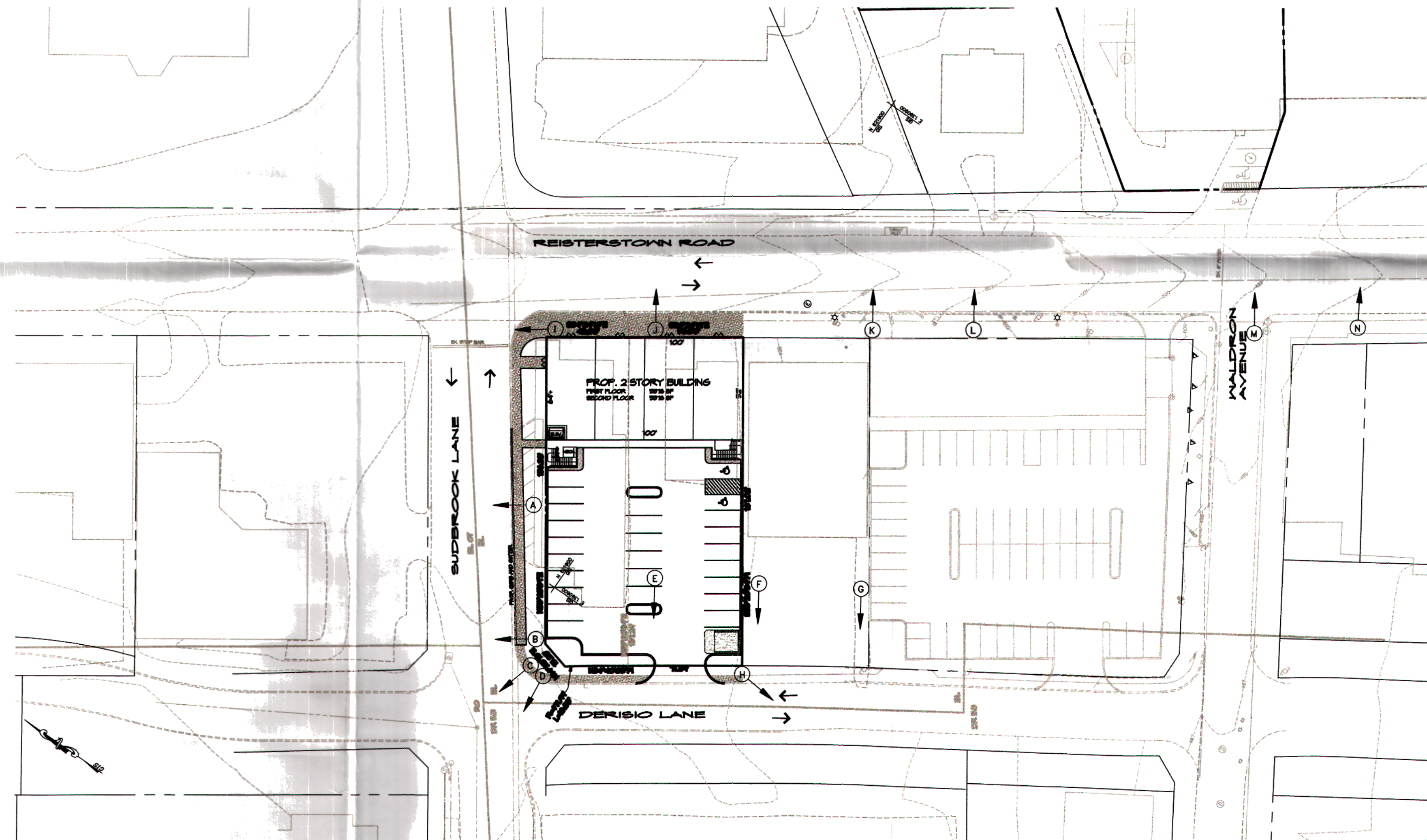
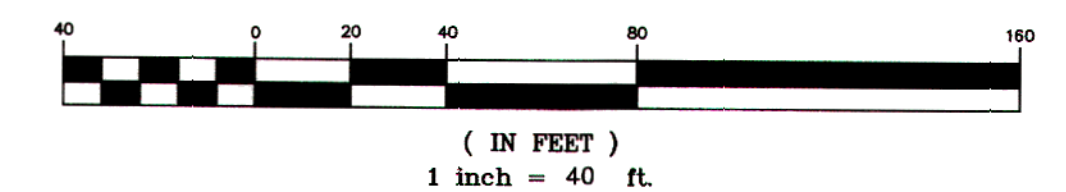


PHOTO EXHIBIT

1114-1116 REISTERSTOWN ROAD

3RD ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

PETITIONER'S
EXHIBIT NO. 4

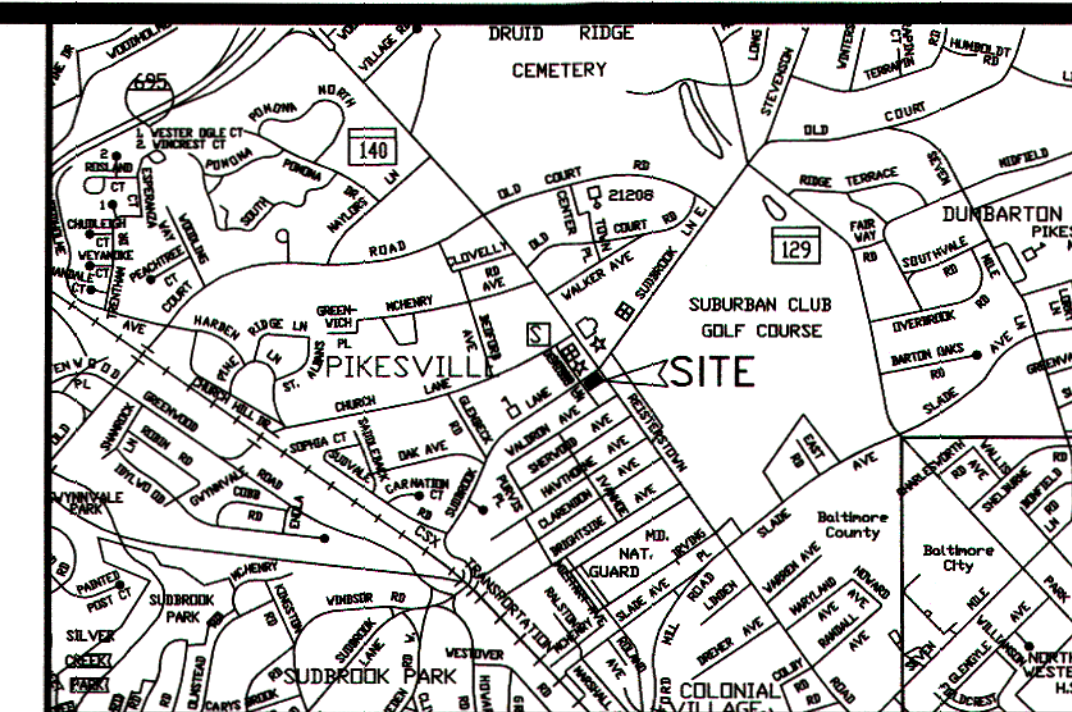
Colbert Matz Rosenfelt, Inc.

*Engineers * Surveyors * Planners*
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



SCALE: 1"= 40'
DATE: JUNE 17, 2009
JOB NO.: 2007-177
DESIGNED:
DRAWN: AKC
CHECKED: CMR
FILE: 2007177 PHOTO.dwg
DRAWING
NUMBER: PHOTO-2

NO.	DATE	REVISIONS:	BY	SHEET 2 OF 3
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VICINITY MAP
SCALE: 1"=2000'

SCALE: 1"=200'

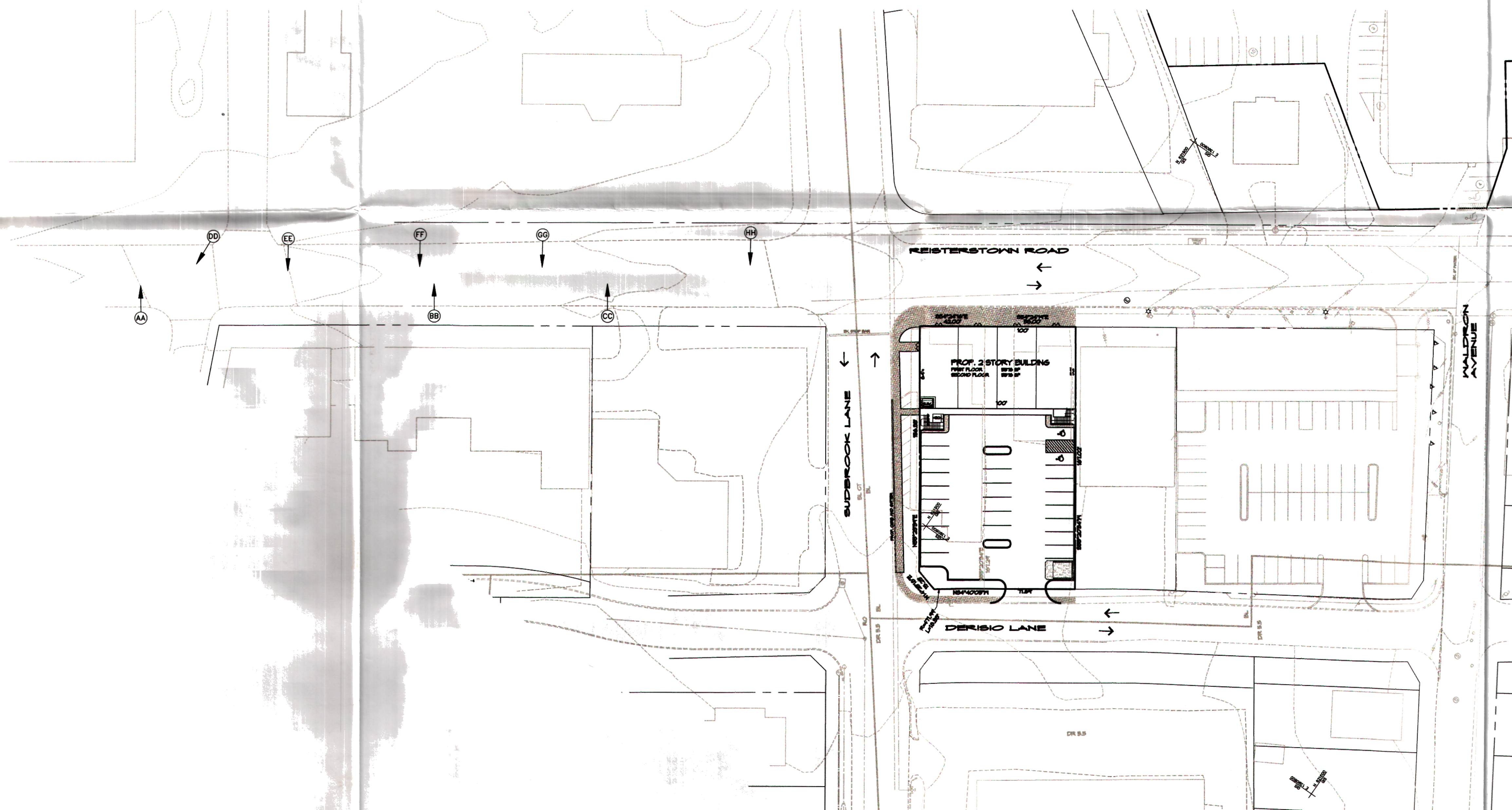
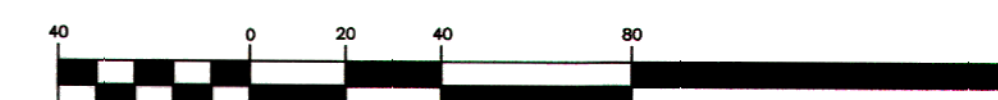


PHOTO EXHIBIT

1114-1116 REISTERSTOWN ROAD

3RD ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

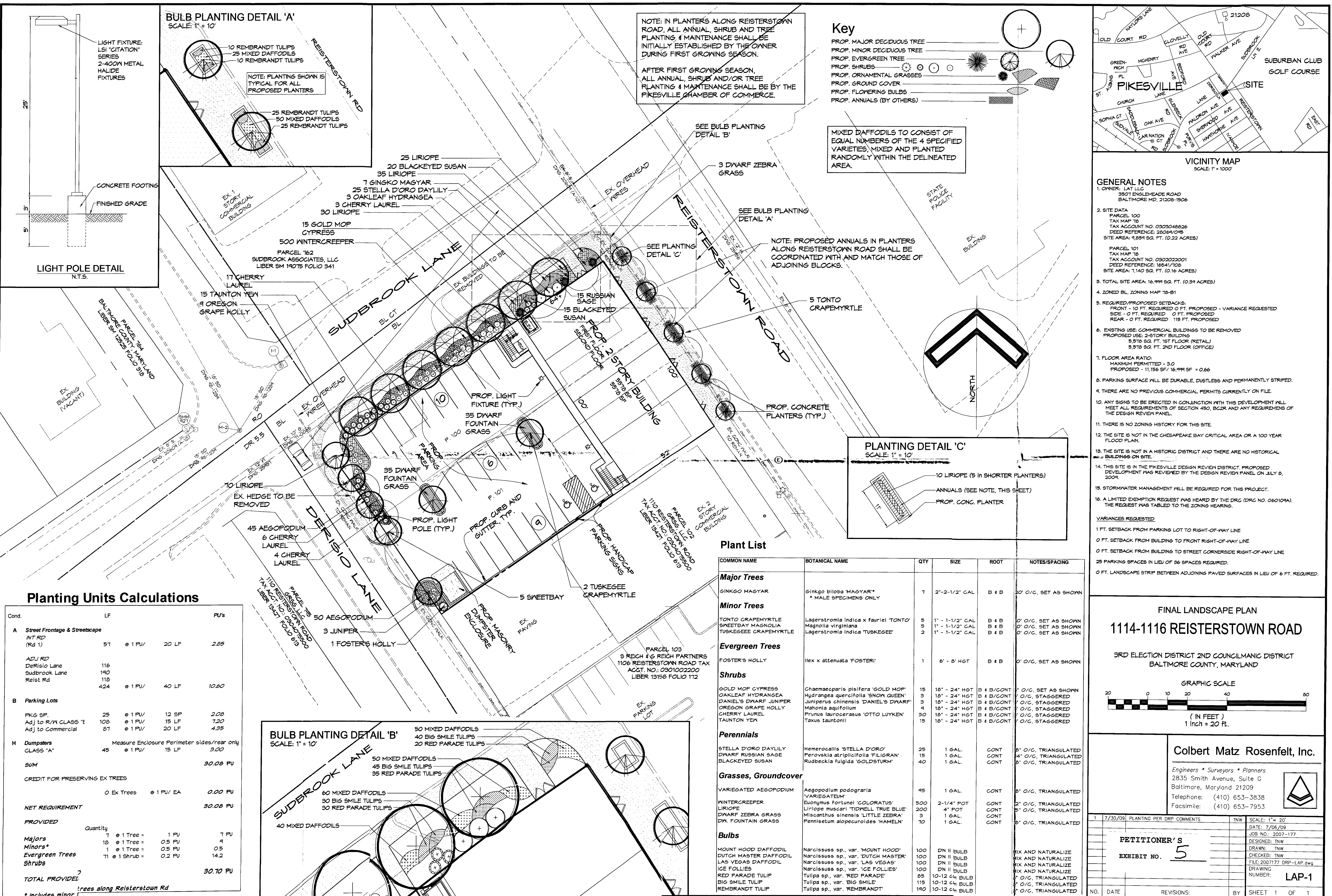
PETITIONER'S
EXHIBIT NO. 4

Colbert Matz Rosenfelt, Inc.

*Engineers * Surveyors * Planners*
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
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					SCALE: 1" = 40'
					DATE: JUNE 17, 2009
					JOB NO.: 2007-177
					DESIGNED:
					DRAWN: AKC
					CHECKED: CMR
					FILE: 2007177 PHOTO.dwg
					DRAWING
					NUMBER: PHOTO-3
NO.	DATE		REVISIONS:	BY	SHEET 3 OF 3



Planting Units Calculations				
Cond.	LF		PU's	
A Street Frontage & Streetscape				
INT RD (Rd 1)	57	@ 1 PU/	20 LF	2.85
ADJ RD				
Derisio Lane	116			
Sudbrook Lane	140			
Reist Rd	110			
	424	@ 1 PU/	40 LF	10.60
B Parking Lots				
PKG SP	25	@ 1 PU/	12 SP	2.08
Adj to R/W CLASS "E"	108	@ 1 PU/	15 LF	7.20
Adj to Commercial	87	@ 1 PU/	20 LF	4.35
H Dumpsters				
CLASS "A"	45	@ 1 PU/	15 LF	3.00
SUM				30.08 PU
CREDIT FOR PRESERVING EX TREES				
	0 Ex Trees	@ 1 PU/ EA		0.00 PU
NET REQUIREMENT				30.08 PU
PROVIDED				
Quantity	7	@ 1 Tree =	1 PU	7 PU
Majors	18	@ 1 Tree =	0.5 PU	9
Minors*	1	@ 1 Tree =	0.5 PU	0.5
Evergreen Trees	71	@ 1 Shrub =	0.2 PU	14.2
Shrubs				
TOTAL PROVIDED				30.10 PU
* Includes minor trees along Reisterstown Rd				

Plant List					
COMMON NAME	BOTANICAL NAME	QTY	SIZE	ROOT	NOTES/SPACING
Major Trees					
GINKGO MAGYAR	Ginkgo biloba 'MAGYAR'*	1	2"-2-1/2" CAL	B & B	20' O/C, SET AS SHOWN
Minor Trees					
TONTO GRAPEMYRTLE	Lagerstromia indica x fauriei 'TONTO'	5	1" - 1-1/2" CAL	B & B	0' O/C, SET AS SHOWN
MAGNOLIA VIRGINIANA	Magnolia virginiana	5	1" - 1-1/2" CAL	B & B	0' O/C, SET AS SHOWN
TUSKEGEE GRAPEMYRTLE	Lagerstromia indica 'TUSKEGEE'	2	1" - 1-1/2" CAL	B & B	0' O/C, SET AS SHOWN
Evergreen Trees					
FOSTER'S HOLLY	Ilex x attenuata 'FOSTER'	1	6' - 8' HGT	B & B	0' O/C, SET AS SHOWN
Shrubs					
GOLD MOP CYPRESS	Chaemaecyparis pisifera 'GOLD MOP'	15	18" - 24" HGT	B & B/CONT	0' O/C, SET AS SHOWN
OAKLEAF HYDRANGEA	Hydrangea quercifolia 'SNOW QUEEN'	3	18" - 24" HGT	B & B/CONT	0' O/C, STAGGERED
DANIEL'S DWARF JUNIPER	Juniperus chinensis 'DANIEL'S DWARF'	3	18" - 24" HGT	B & B/CONT	0' O/C, STAGGERED
OREGON GRAPE HOLLY	Mahonia aquifolium	4	18" - 24" HGT	B & B/CONT	0' O/C, STAGGERED
CHERRY LAUREL	Prunus laurocerasus 'OTTO LUYKEN'	30	18" - 24" HGT	B & B/CONT	0' O/C, STAGGERED
TAUNTON YEW	Taxus tauntonii	15	18" - 24" HGT	B & B/CONT	0' O/C, STAGGERED
Perennials					
STELLA D'ORO DAYLILY	Hemerocallis 'STELLA D'ORO'	25	1 GAL.	CONT	8" O/C, TRIANGULATED
DWARF RUSSIAN SAGE	Perovskia atriplicifolia 'FILIGRAN'	15	1 GAL.	CONT	24" O/C, TRIANGULATED
BLACKKEYED SUSAN	Rudbeckia fulgida 'GOLDSTURM'	40	1 GAL.	CONT	8" O/C, TRIANGULATED
Grasses, Groundcover					
VARIEGATED AEGOPODIUM	Aegopodium podagraria 'VARIEGATUM'	45	1 GAL.	CONT	8" O/C, TRIANGULATED
WINTERCREEPER	Euzomyia fortunei 'COLORATUS'	500	2-1/4" POT	CONT	2" O/C, TRIANGULATED
LIRIOPE	Liriope muscari 'TIDWELL TRUE BLUE'	200	4" POT	CONT	5" O/C, TRIANGULATED
DWARF ZEBRA GRASS	Miscanthus sinensis 'LITTLE ZEBRA'	3	1 GAL.	CONT	8" O/C, TRIANGULATED
DW. FOUNTAIN GRASS	Pennisetum alopecuroides 'HAEMEL'	70	1 GAL.	CONT	8" O/C, TRIANGULATED
Bulbs					
MOUNT HOOD DAFFODIL	Narcissus sp., var. 'MOUNT HOOD'	100	DN II BULB		MIX AND NATURALIZE
DUTCH MASTER DAFFODIL	Narcissus sp., var. 'DUTCH MASTER'	100	DN II BULB		MIX AND NATURALIZE
LAS VEGAS DAFFODIL	Narcissus sp., var. 'LAS VEGAS'	100	DN II BULB		MIX AND NATURALIZE
ICE FOLLIES	Narcissus sp., var. 'ICE FOLLIES'	100	DN II BULB		MIX AND NATURALIZE
RED PARADE TULIP	Tulipa sp., var. 'RED PARADE'	85	10-12 CM BULB		0' O/C, TRIANGULATED
BIG SMILE TULIP	Tulipa sp., var. 'BIG SMILE'	115	10-12 CM BULB		0' O/C, TRIANGULATED
REMBRANDT TULIP	Tulipa sp., var. 'REMBRANDT'	140	10-12 CM BULB		0' O/C, TRIANGULATED

VICINITY MAP
SCALE: 1" = 1000'

GENERAL NOTES

- OWNER: LAT LLC
3507 ENGLEMEADE ROAD
BALTIMORE MD, 21208-1506
- SITE DATA
PARCEL 100
TAX MAP 78
TAX ACCOUNT NO. 0303048826
DEED REFERENCE: 28064/015
SITE AREA: 4,994 SQ. FT. (0.22 ACRES)
- PARCEL 101
TAX MAP 78
TAX ACCOUNT NO. 0302022001
DEED REFERENCE: 16541/108
SITE AREA: 1,140 SQ. FT. (0.16 ACRES)
- TOTAL SITE AREA: 16,994 SQ. FT. (0.39 ACRES)
- ZONED BL, ZONING MAP 78-B1
- REQUIRED/PROPOSED SETBACKS:
FRONT - 10 FT. REQUIRED - 0 FT. PROPOSED - VARIANCE REQUESTED
SIDE - 0 FT. REQUIRED - 0 FT. PROPOSED
REAR - 0 FT. REQUIRED - 115 FT. PROPOSED
- EXISTING USE: COMMERCIAL BUILDINGS TO BE REMOVED
PROPOSED USE: 2-STORY BUILDING
5,576 SQ. FT. 1ST FLOOR (RETAIL)
5,576 SQ. FT. 2ND FLOOR (OFFICE)
- FLOOR AREA RATIO:
MAXIMUM PERMITTED - 3.0
PROPOSED - 11,156 SF / 16,994 SF = 0.66
- PARKING SURFACE WILL BE DURABLE, DUSTLESS AND PERMANENTLY STRIPED.
- THERE ARE NO PREVIOUS COMMERCIAL PERMITS CURRENTLY ON FILE.
- ANY SIGNS TO BE ERRECTED IN CONJUNCTION WITH THIS DEVELOPMENT WILL MEET ALL REQUIREMENTS OF SECTION 450, BCZR AND ANY REQUIREMENTS OF THE DESIGN REVIEW PANEL.
- THERE IS NO ZONING HISTORY FOR THIS SITE.
- THE SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA OR A 100 YEAR FLOOD PLAIN.
- THE SITE IS NOT IN A HISTORIC DISTRICT AND THERE ARE NO HISTORICAL BUILDINGS ON SITE.
- THIS SITE IS IN THE PIKEVILLE DESIGN REVIEW DISTRICT. PROPOSED DEVELOPMENT WAS REVIEWED BY THE DESIGN REVIEW PANEL ON JULY 8, 2009.
- STORMWATER MANAGEMENT WILL BE REQUIRED FOR THIS PROJECT.
- A LIMITED EXEMPTION REQUEST WAS HEARD BY THE DRG (DRG NO. 0601094). THE REQUEST WAS TABLED TO THE ZONING HEARING.

VARIANCES REQUESTED

- 1 FT. SETBACK FROM PARKING LOT TO RIGHT-OF-WAY LINE
- 0 FT. SETBACK FROM BUILDING TO FRONT RIGHT-OF-WAY LINE
- 0 FT. SETBACK FROM BUILDING TO RIGHT CORNERSIDE RIGHT-OF-WAY LINE
- 25 PARKING SPACES IN LIEU OF 36 SPACES REQUIRED.
- 0 FT. LANDSCAPE STRIP BETWEEN ADJOINING PAVED SURFACES IN LIEU OF 6 FT. REQUIRED.

FINAL LANDSCAPE PLAN
1114-1116 REISTERSTOWN ROAD
3RD ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE
20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

Colbert Matz Rosenfelt, Inc.
Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

PETITIONER'S
EXHIBIT NO. 5

1	7/30/09	PLANTING PER DRP COMMENTS	TNW
DATE: 7/30/09			
JOB NO.: 2007-177			
DESIGNED: TNW			
DRAWN: TNW			
CHECKED: TNW			
FILE: 2007177 DRP-LAP.dwg			
DRAWING NUMBER: LAP-1			
NO.	DATE	REVISIONS:	BY
SHEET 1 OF 1			

N:\42\project\2007\2007177\Project Directories\CMR\Concept-Prelim-SPRC (CURRENT)\2007177 DRP-LAP (CURRENT).dwg, 8/5/2009 8:15:17 AM, ACrawford

PETITIONER' S

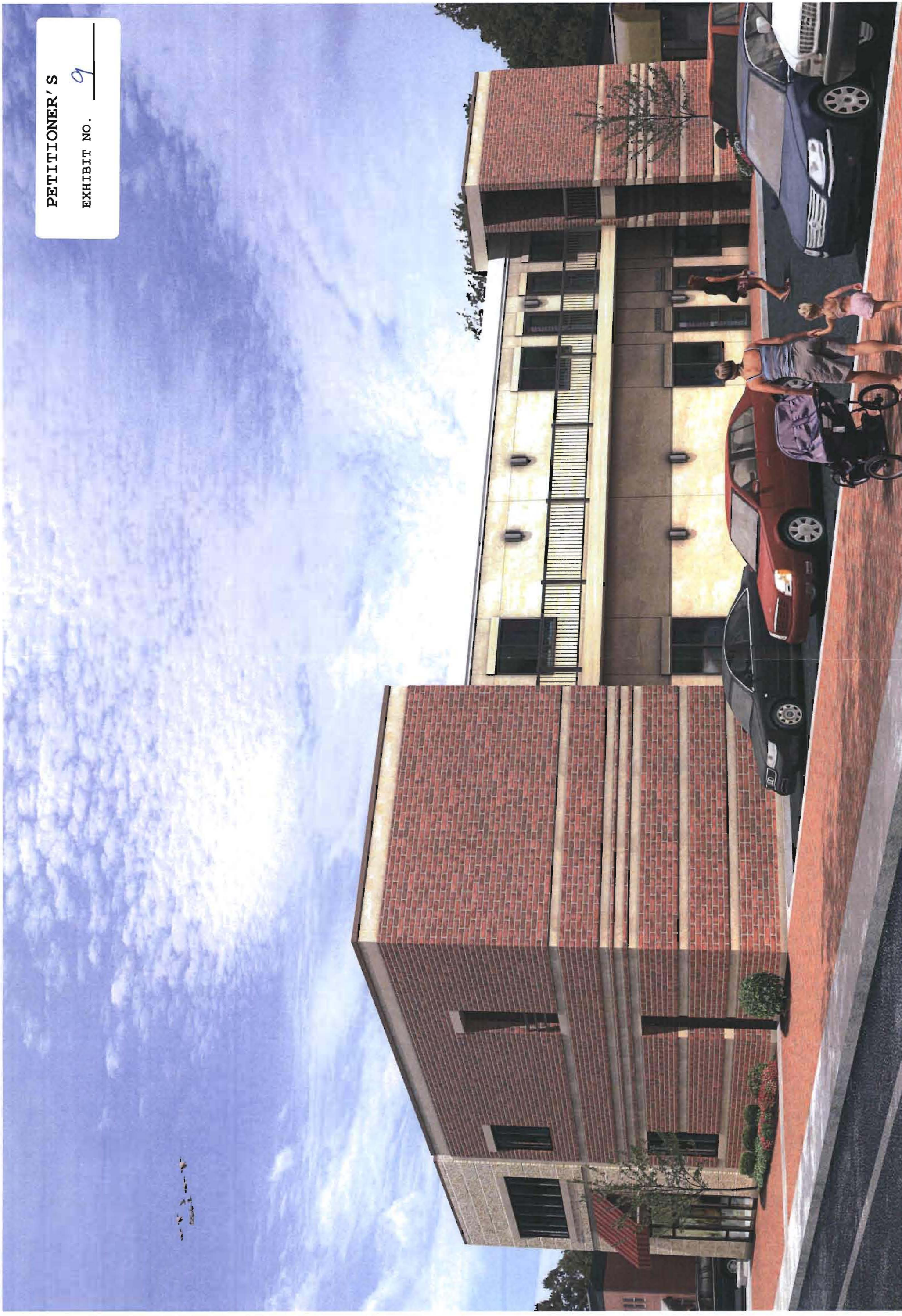
EXHIBIT NO. 8

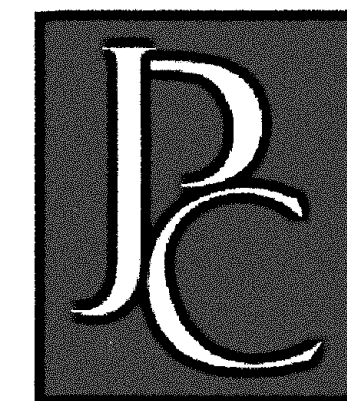


PETITIONER'S

EXHIBIT NO. _____

9





ARCHITECTS

9738 Briarcliffe Lane . Ellicott City, Maryland 21042
410.730.4300 Fax 443.472.4926 E-Mail JPCArchitects@verizon.net

Professional Certification:
I certify that these documents were prepared and approved by me, and that I am a duly licensed Architect under the laws of the State of Maryland, License Number #5297-A, Expiration Date 6/23/2009.



Professional Seal and Signature

Proposed Office . Retail Building

1114-1116 Reisterstown Road
Pikesville, Maryland 21215

Revisions		
Number	Description	Date

Sheet Title:
PROPOSED ELEVATIONS

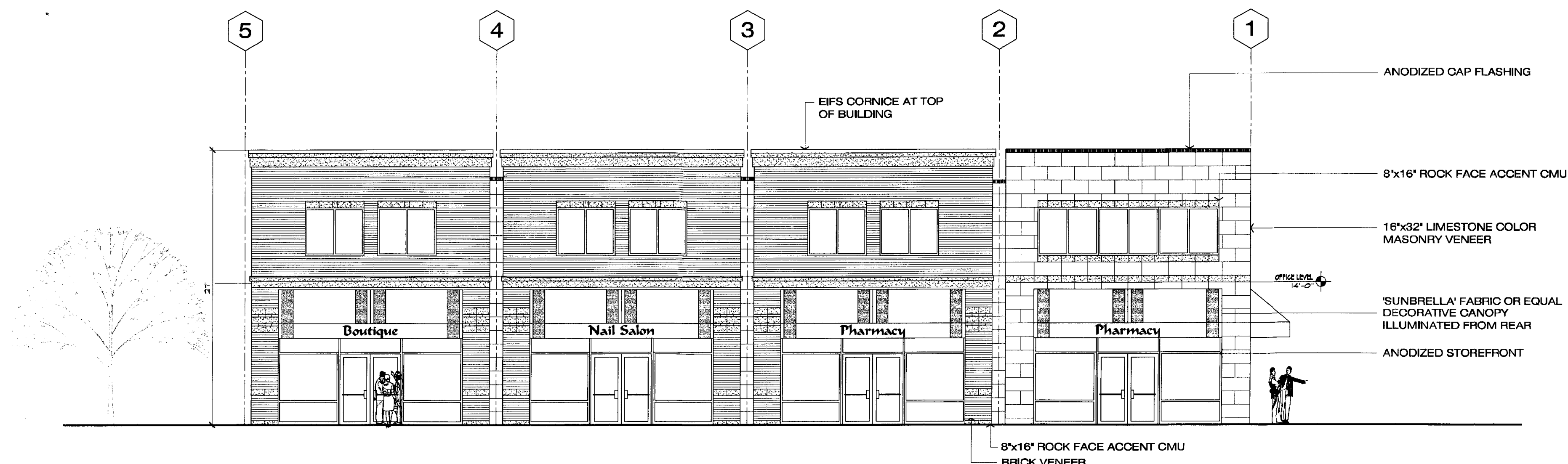
PETITIONER'S
EXHIBIT NO. 10

Scale: 1/8" = 1'-0"
Date: JULY 7, 2009
Project Number: 2009.30
Drawn By: JPC
Sheet Number:

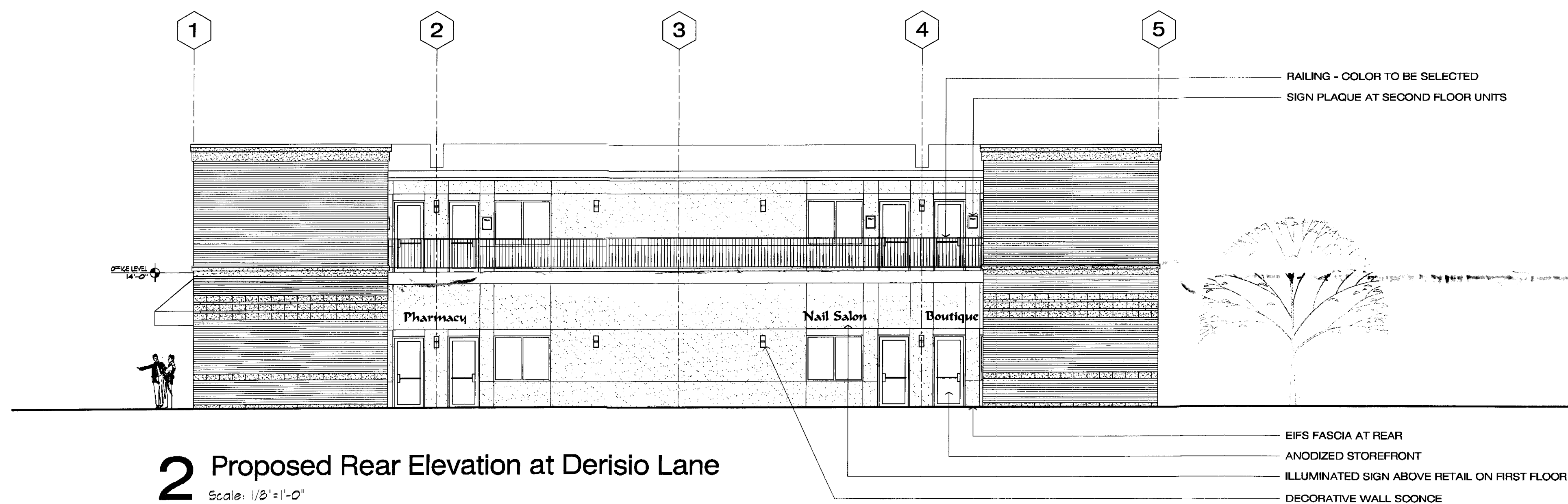
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Total Sheets This Project:

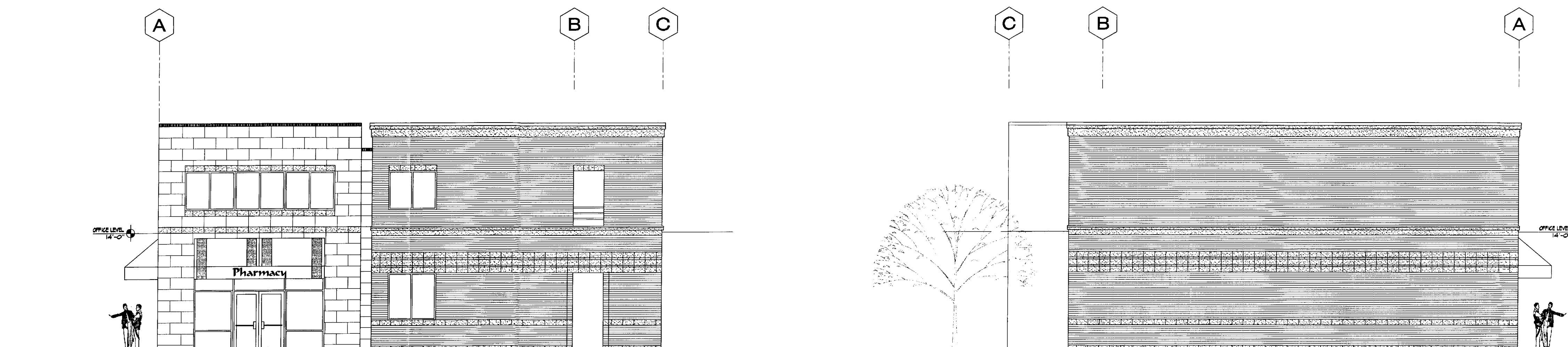
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1 Proposed Reisterstown Road Elevation
Scale: 1/8" = 1'-0"

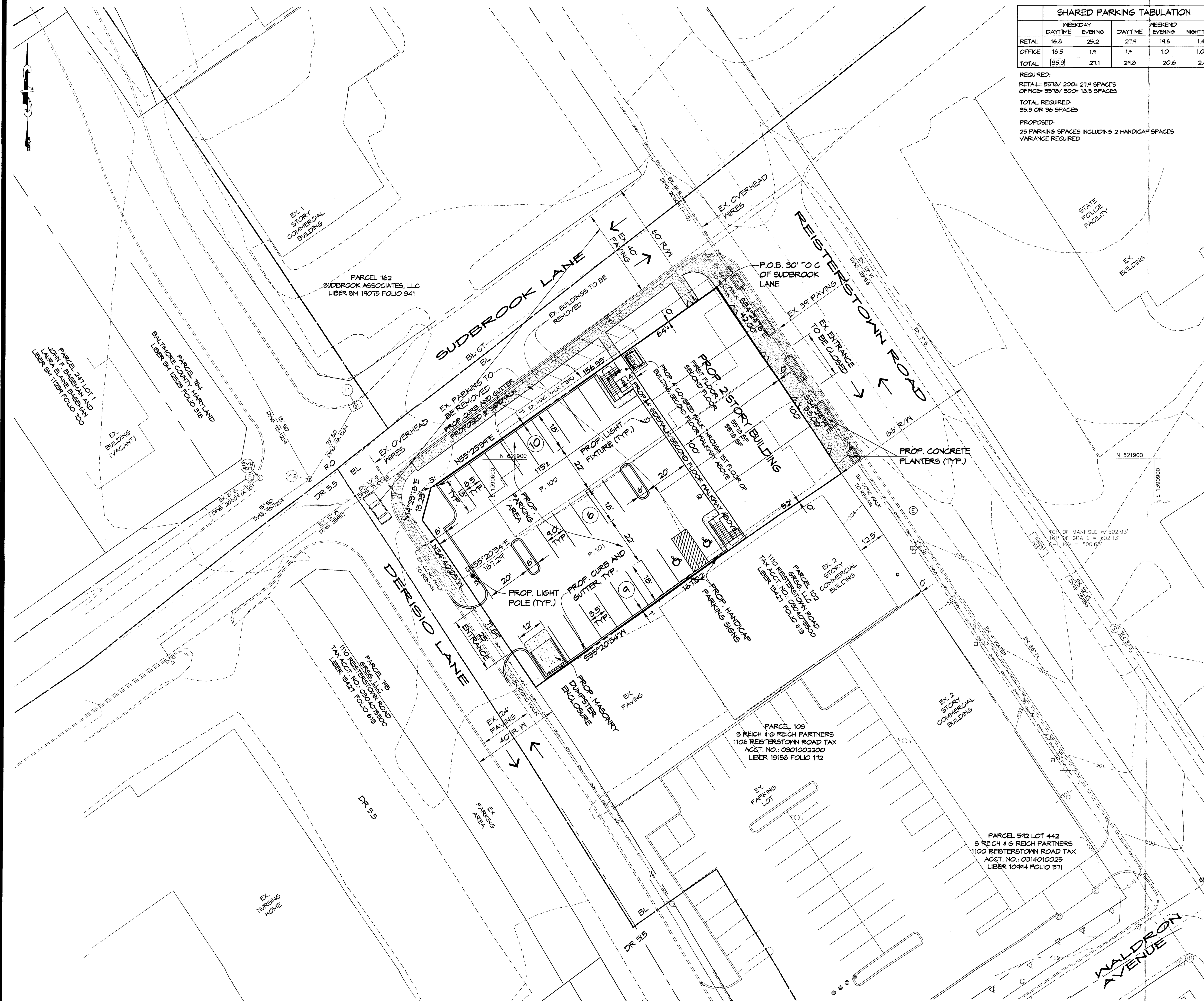


2 Proposed Rear Elevation at Derisio Lane
Scale: 1/8" = 1'-0"



3 Proposed Sudbrook Lane Elevation
Scale: 1/8" = 1'-0"

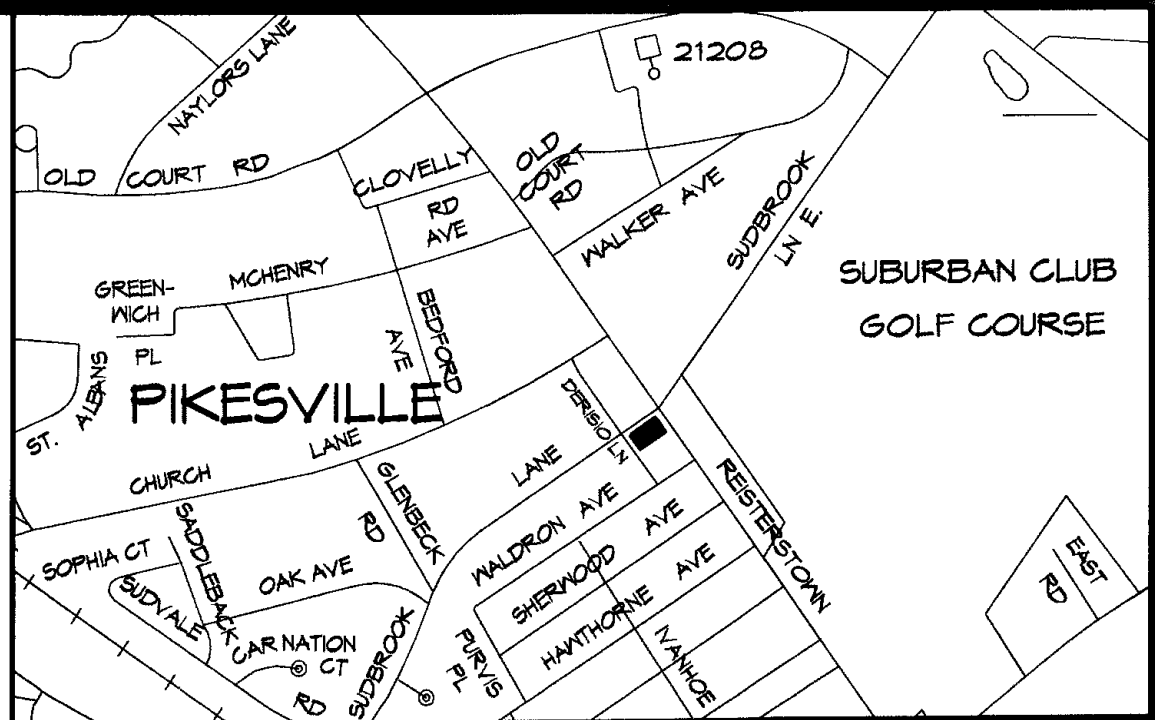
4 Proposed Elevation Along South Property Line
Scale: 1/8" = 1'-0"



SHARED PARKING TABULATION					
	WEEKDAY		WEEKEND		
	DAYTIME	EVENING	DAYTIME	EVENING	NIGHTTIME
RETAIL	16.8	25.2	27.9	19.6	1.4
OFFICE	18.5	1.9	1.9	1.0	1.0
TOTAL	35.3	27.1	29.8	20.6	2.4

REQUIRED:
RETAIL= 5578/ 200= 27.9 SPACES
OFFICE= 5578/ 300= 18.5 SPACES
TOTAL REQUIRED:
55.3 OR 36 SPACES

PROPOSED:
25 PARKING SPACES INCLUDING 2 HANDICAP SPACES
VARIANCE REQUIRED



VICINITY MAP
SCALE: 1"=2000'

- OWNER: LAT LLC
3807 ENGLEMADE ROAD
BALTIMORE MD, 21208-1508
 - SITE DATA
PARCEL 100
TAX MAP 78
TAX ACCOUNT NO. 0303048826
DEED REFERENCE: 2806A/045
SITE AREA: 9,854 SQ. FT. (0.22 ACRES)
 - PARCEL 101
TAX MAP 78
TAX ACCOUNT NO. 0302022001
DEED REFERENCE: 16541/109
SITE AREA: 1,140 SQ. FT. (0.16 ACRES)
 - TOTAL SITE AREA: 16,994 SQ. FT. (0.34 ACRES)
 - ZONED BL, ZONING MAP 78-B1
 - REQUIRED/PROPOSED SETBACKS:
FRONT - 10 FT. REQUIRED 0 FT. PROPOSED - VARIANCE REQUESTED
SIDE - 0 FT. REQUIRED 0 FT. PROPOSED
REAR - 0 FT. REQUIRED 115 FT. PROPOSED
 - EXISTING USE: COMMERCIAL BUILDINGS TO BE REMOVED
PROPOSED USE: 2-STORY BUILDING
5,578 SQ. FT. 1ST FLOOR (RETAIL)
5,578 SQ. FT. 2ND FLOOR (OFFICE)
 - FLOOR AREA RATIO:
MAXIMUM PERMITTED - 3.0
PROPOSED - 11,156 SF / 16,994 SF = 0.66
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 - ANY SIGNS TO BE ERECTED IN CONJUNCTION WITH THIS DEVELOPMENT WILL MEET ALL REQUIREMENTS OF SECTION 450, B&E, AND ANY REQUIREMENTS OF THE DESIGN REVIEW PANEL.
 - THERE IS NO ZONING HISTORY FOR THIS SITE.
 - THE SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA OR A 100 YEAR FLOOD PLAIN.
 - THE SITE IS NOT IN A HISTORIC DISTRICT AND THERE ARE NO HISTORICAL BUILDINGS ON SITE.
 - THIS SITE IS IN THE PIKESVILLE DESIGN REVIEW DISTRICT. PROPOSED DEVELOPMENT TO BE REVIEWED BY THE DESIGN REVIEW PANEL.
 - STORMWATER MANAGEMENT WILL BE REQUIRED FOR THIS PROJECT.
 - A LIMITED EXEMPTION REQUEST HAS BEEN SUBMITTED TO THE DRC.
- VARIANCES REQUESTED
- 1 FT. SETBACK FROM PARKING LOT TO RIGHT-OF-WAY LINE
 - 0 FT. SETBACK FROM BUILDING TO FRONT RIGHT-OF-WAY LINE
 - 0 FT. SETBACK FROM BUILDING TO STREET CORNERSIDE RIGHT-OF-WAY LINE
 - 25 PARKING SPACES IN LIEU OF 36 SPACES REQUIRED.
 - 0 FT. LANDSCAPE STRIP BETWEEN ADJOINING PAVED SURFACES IN LIEU OF 6 FT. REQUIRED.

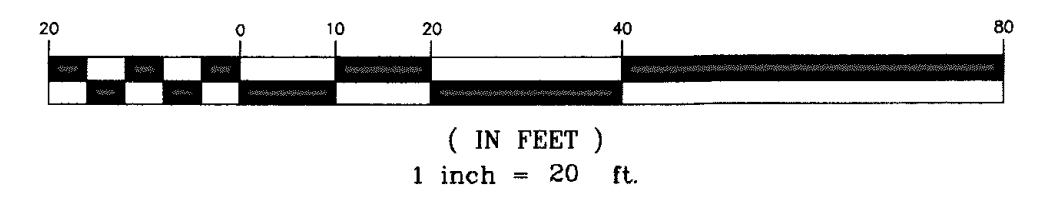
Revised 7-10
2009-0305-A

PLAN TO ACCOMPANY VARIANCE PETITION

1114-1116 REISTERSTOWN ROAD

3RD ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE



Colbert Matz Rosenfelt, Inc.

Engineers • Surveyors • Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

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.		SCALE: 1"= 20'	
License No. 12311		DATE: JULY 7, 2009	
Expiration Date: 02-04-11		JOB NO.: 2007-177	
		DESIGNED:	
		DRAWN: AKC	
		CHECKED: CMR	
		FILE: 2007177 VARIANCE.dwg	
		DRAWING NUMBER: SIT-1	
NO.	DATE	REVISIONS:	BY
			SHEET 1 OF 1