

IN RE: **PETITION FOR VARIANCE**
E/S York Road (MD Rte. 45), 270' S of
Greenridge Road
(1209 York Road)

9th Election District
3rd Council District

Greenridge M-10, LLC, *Owner*
Advanced Radiology, *Lessee*
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF
* BALTIMORE COUNTY
* **Case No. 2010-0006-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, Greenridge M-10, LLC, through its attorney, Joseph C. LaVerghetta, Esquire and Sebastian A. Cross, Esquire, and Ken Ames on behalf of the Lessee, Advanced Radiology. Petitioners request a variance from Section 450.4.5(m) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two (2) 115 square foot wall mounted enterprise signs in lieu of the permitted 8 square feet and to permit 4 signs per premises in lieu of 1 allowed, and to permit a total square footage for four (4) signs of 588.81 square feet in lieu of 8 square feet *[358.81 square feet previously approved in Case No. 07-427-A that permitted 2 wall-mounted signs of 133.13 square feet and 225.68 square feet in lieu of the permitted 8 and to allow 2 signs on the premises in lieu of the 1 allowed]*. The subject property and requested relief are more particularly described on the colorized sign detail and the two-page site plan which were submitted into evidence and marked as Petitioners' Exhibits 7 and 8, respectively.

Appearing at the requisite public hearing in support of the request were Joseph C. LaVerghetta, Esquire on behalf of the Mangione family and Greenridge M-10, LLC, property owner; Ken Ames, Vice President, of Advanced Radiology, and Wayne Belsinger, of the

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Date 11-25-09

By [Signature]

Belsinger Sign Group. Sebastian A. Cross, Esquire, appeared on behalf of Petitioner, Advanced Radiology. There were no Protestants. Todd Huff, President, and Maxwell R. Collins, II, Esquire, of the Dulaney Valley Improvement Association, Inc., appeared and participated at the hearing.

The testimony and evidence establishes that the specific need for the variance is generated by the uniqueness of the property. The 2.5-acre parcel at issue is zoned R.O. and located in Lutherville/Timonium on the east side of York Road just north of the Baltimore Beltway (I-695) exit for northbound traffic on York Road (Exit 26). The site is improved by a three-story, Class B Office Building known as 1209 York Road. *See* Case No. 05-583-SPHXA (Petitioners' Exhibit 3) for the historical circumstances leading to the development of the site that consists of a three-lot assemblage of 5.70 acres with an adjacent four-story office building fronting on York Road known as 1205 York Road. An aerial photograph, submitted as Petitioners' Exhibit 1, helps to demonstrate the irregular shape of the property and its unique positioning at the southeast corner of the intersection of Greenridge Road and York Road in the heart of Lutherville.

The requested variance relief pertains to Advanced Radiology who leases space in the three-story office building and would like to erect two wall mounted identification signs as shown on Petitioners' Exhibit 7. This Commission approved similar relief to the Katzen Eye Group in Case No. 07-427-A ¹, *See* Petitioners' Exhibits 3 and 4. Messrs. Cross, Collins and Huff indicated that Petitioners have worked in concert with the Dulaney Valley Improvement Association over the years to allow medical offices, the new building and signage shown on

¹ The Findings of Fact and Conclusions of Law set forth by then Deputy Zoning Commissioner John V. Murphy in his Order, dated May 29, 2007, and the visual studies performed by Dr. Richard Edlow are adopted by reference and incorporated herein. At the very least, Case No. 07-427-A creates a presumption of correctness as to the signage issues that are essentially the same as in this case.

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Date 11-25-09
By [signature]

photographic exhibits collectively submitted as Petitioners' Exhibit 6. Advanced Radiology proposes to erect two (2) signs matching the Katzen Eye Group signs in both size and scale. One will be installed on the west façade below the Katzen sign and face York Road providing identification and location for travelers on York Road which is heavily traveled with a speed limit of 40 miles per hour. It is significant to note that the building in question is set back from York Road and behind and to the side of the SEBCO Credit Union Building. The second sign will be on the building's east façade and will identify the building for travelers coming off York Road via Greenridge Road and into the large parking field in front of the building. Both signs will be illuminated, however, the sign facing east - towards the residential community - will be illuminated only during office hours, which Mr. Ames indicated were as late as 9:00 PM. As in the Katzen Eye Group case, the Dulaney Valley Improvement Association wanted any approval conditioned on a restriction that assured the east façade sign(s) would only be illuminated during building office hours and no later than 8:00 PM. On behalf of Advanced Radiology, Mr. Ames agreed.

On behalf of Petitioners, Mr. Cross opined that the property was unique from a zoning standpoint due to its "L" shape and the location of the new office building which, as noted, is located 304 feet off York Road behind the Credit Union building. He indicated that the letter size proposed for the sign facing York Road had been calculated based on (1) the distance from the roadway to the sign, (2) the height of the sign from ground level, (3) minimum eyesight for driving, and (4) speed of travel on York Road. The letter size is needed to safely identify Advanced Radiology's building location for travelers along heavily traveled York Road. Having identified the building from York Road, those desiring to find the offices would see the second sign as they enter the parking lot off Greenridge Road. The size is commensurate with its location on the first floor of the building.

Mr. Cross noted that Case No. 05-583-SPHXA allowed a three story office building in this R.O. zone but that the sign regulations of Section 450.4.I.5(m) allowed only signs of 8 square feet. This size sign may be reasonable for the conversion of a residential dwelling into a Class A office as envisioned in the R.O. zone but does not adequately provide for the larger new Class B office building which is also allowed in this zone. Again, he noted that one sign is adequate for the typical residential to office conversion but not adequate for the case as here where travelers are coming from two directions.

At first glance one may find this to be a difficult request to grant. The Petitioners propose signs some twenty times larger than the regulations allow. As stated, Mr. Cross and Mr. Belsinger emphasize that the 8 square foot sign size was intended for the conversion of dwellings to offices, not for a three-story office building. I agree with Messrs. Cross and Belsinger that there may well have been an oversight in the sign regulations in cases in which new Class B offices are allowed by special exception. The maximum size for wall-mounted signs in office zones is 150 square feet. In Case No. 07-427-A, Dr. Richard Edlow's calculations were accepted by this Commission establishing that the minimum letter size that can be safely read from York Road is 22 inches considering the large setback from York Road, the speed of travel, minimum sight for driving etc.

I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. *Cromwell v Ward*, 102 Md App 691 (1995) indicates that there must be something unique about the property before a zoning variance can be granted. The Court of Special Appeals indicated that the subject property must be peculiar, unique or unusual when compared to other properties in the neighborhood such that the regulations impact the subject property differently than the regulation impacts other properties in the neighborhood. The Court directed that the subject property have inherent characteristics not

NOT RECORDED FOR FILE
Date 11-25-09
By [signature]

shared by other properties in the neighborhood, such as shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, *practical restrictions imposed by abutting properties (such as obstructions)* or similar restrictions (emphasis added). The unusual condition does not have to be on site but rather can be on abutting properties. Obstructions are specific examples of off-site circumstances or conditions, which show uniqueness. In the subject case, the new building which needs to be identified by the public from York Road physically sits 304 feet off York Road and is behind the SEBCO building of York Road. The existing four story office which fronts on York Road also blocks the view of the new building for travelers coming off the Beltway.

In addition, the subject property is "L" shaped and the newer Class B Office Building located in the rear portion of the property is on Lot 2. Together with the noted obstructions, I find the configuration of the property and abutting obstructions qualify the property as unique. Strict compliance with the Zoning Regulations would result in practical difficulty and an unreasonable hardship. The hardship will be on the public who needs to find the new medical facility if a sign of only eight square feet is allowed.

Finally, I find this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. The Dulaney Valley Improvement Association is content with the proposed signs although they request a condition on approval regarding the time the sign facing the residential community will be lit. I find this request most reasonable and will impose this condition.

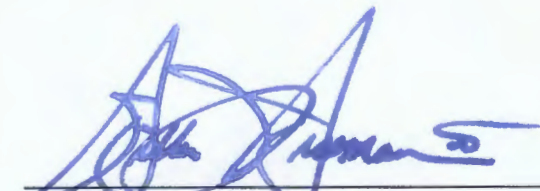
Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

RECEIVED FOR FILING
Date 11-25-09
By [signature]

THEREFORE, IT IS ORDERED, this 25th day of November 2009 by the Zoning Commissioner of Baltimore County, that the Petition for Variance seeking relief from Section 450.4.5(m) to permit two (2) 115 square foot wall mounted enterprise signs in lieu of the permitted 8 square feet and permit 4 signs per premises in lieu of 1 allowed; and to permit a total square footage for four (4) signs of 588.81 square feet in lieu of 8 square feet [358.81 square feet previously approved in Case No. 07-427-A that permitted 2 wall-mounted signs of 133.13 square feet and 225.68 square feet in lieu of the permitted 8 and to allow 2 signs on the premises in lieu of the 1 allowed], in accordance with Petitioners' Exhibits 7 and 8, is hereby GRANTED subject to the following conditions:

1. The Petitioners may apply for their permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The east façade elevation sign facing the residential community (Petitioners' Exhibit 7B) may be illuminated only during building office hours or until 8:00 PM, whichever is first to occur.

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

ORDER RECEIVED FOR FILING
Date 11-25-09
By 193



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

November 25, 2009

Sebastian A. Cross, Esquire
Gildea & Schmidt, LLC
600 Washington Avenue, Ste. 200
Towson, MD 21204

RE: PETITION FOR VARIANCE

E/S York Road (MD Rte. 45), 270' S of Greenridge Road
(1209 York Road)
9th Election District - 3rd Council District
Greenridge M-10, LLC, *Owner*; Advanced Radiology, *Lessee - Petitioners*
Case No. 2010-0006-A

Dear Mr. Cross:

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,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

- c: Joseph C. LaVergetta, Esquire, 1205 York Road, Lutherville, MD 21093
Louis Mangione, Greenridge M-10, LLC, 1205 York Road, Penthouse, Lutherville, MD 21093
Ken Ames, Vice President, Advanced Radiology, 1209 York Road, Lutherville, MD 21093
Wayne Belsinger, Belsinger Sign Group, 1300 Bayard Street, Baltimore, MD 21230
Todd Huff, President, Dulaney Valley Improvement Association, 7 Felton Road,
Lutherville, MD 21093
Maxwell R. Collins, II, Esquire, 40 West Chesapeake Avenue, Towson, MD 21204
People's Counsel; Office of Planning; File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at: 1209 York Road

which is presently zoned: R.O.

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s):

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)

To be presented at hearing

Property is to be posted and advertised as prescribed by the zoning regulations.

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

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

Contract Purchaser/Lessee:

Advanced Radiology
Name - Type or Print
Signature By: Kenny Ames
7253 Ambassador Road 443-436-1404
Address Telephone No.
Baltimore MD 21244
City State Zip Code

Attorney For Petitioner:

Sebastian A. Cross, Esquire
Name - Type or Print
Signature
Gildea & Schmidt, LLC
Company
600 Washington Avenue, Suite 200 (410) 821-0070
Address Telephone No.
Towson MD 21204
City State Zip Code

Legal Owner(s):

Greenridge M-10, LLC
Name - Type or Print
Signature
Louis Mangione, Agent
Name - Type or Print
Signature
1205 York Road, Penthouse (410) 825-8400
Address Telephone No.
Lutherville MD 21093
City State Zip Code

Representative to be Contacted:

Sebastian A. Cross, Esquire
Name
600 Washington Avenue, Suite 200 (410) 821-0070
Address Telephone No.
Towson MD 21204
City State Zip Code

OFFICE USE ONLY

Case No. 2010-0006-A

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By D.T. Date 7/7/09

Attachment to Petition for Variance

Zoning Relief Requested

1. From Section 450.4 #5 (m) to permit one 115 square foot wall mounted sign and one 76 square foot wall mounted sign in lieu of the permitted 8 sq. ft. and to permit 4 per premises in lieu of 1.
2. To permit a total square footage for four signs of 549.81 sq. ft. in lieu of 8 sq. ft. (358.81 sq. ft. previously approved in Case No. 07-427-A that permitted 2 wall-mounted signs of 133.13 sq. ft. and 225.68 sq. ft in lieu of the permitted 8 and to allow 2 signs on the premises in lieu of the 1 allowed).

REVISED 9/18/09
2010-006-A

Attachment to Petition for Variance

Zoning Relief Requested

1. From Section 450.4 #5 (m) to permit two 115 square foot wall mounted signs in lieu of the permitted 8 sq. ft. and to permit 4 per premises in lieu of 1.
2. To permit a total square footage for four signs of 588.81 sq. ft. in lieu of 8 sq. ft. (358.81 sq. ft. previously approved in Case No. 07-427-A that permitted 2 wall-mounted signs of 133.13 sq. ft. and 225.68 sq. ft in lieu of the permitted 8 and to allow 2 signs on the premises in lieu of the 1 allowed).

check w/ Donna
about these changes

Permit fee?



McCune-Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,
Landscape Architects,
Golf Course Architects,
Engineers, Surveyors &
Environmental Professionals

Description

To Accompany Special Hearing

5.70 Acre Parcel

South Side of Greenridge Road

West Side of Tenbury Road

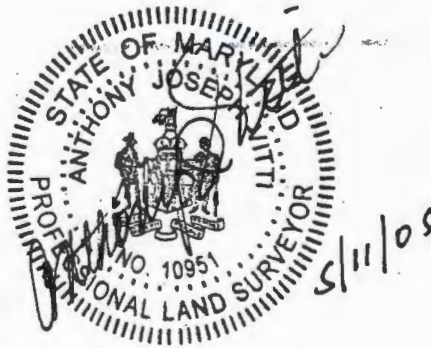
^{9th}
~~Third~~ Election District, Baltimore County, Maryland

Beginning for the same at the end of the second of the two following courses and distances measured from the intersection of the centerline of Greenridge Road (50 feet wide) and the centerline of Tenbury Road (50 feet wide), (1) Southeasterly along the centerline of Tenbury Road 45 feet, more or less, (2) Southwesterly 25 feet, more or less, to the point of beginning, thence leaving said point of beginning and running the following sixteen courses and distances: (1) South 22 degrees 03 minutes 16 seconds East 150.93 feet, thence (2) Southeasterly by a line curving to the right, having a radius of 929.93 feet, for a distance of 157.34 feet (the arc of said curve being subtended by a chord bearing South 17 degrees 12 minutes 26 seconds East 157.15 feet), thence (3) Southeasterly by a line curving to the left, having a radius of 979.93 feet (the arc of said curve being subtended by a chord bearing South 16 degrees 51 minutes 15 seconds East 153.64 feet), thence (4) South 21 degrees 21 minutes 10 seconds East 33.88 feet, thence (5) South 68 degrees 37 minutes 31 seconds West 551.42 feet, thence (6) North 32 degrees 04 minutes 24 seconds West 10.27 feet, thence (7) North 30 degrees 56 minutes 44 seconds West 50.01 feet, thence (8) North 32 degrees 05 minutes 29 seconds West 100.00 feet, thence (9) North 30 degrees 56 minutes 45 seconds West 19.05 feet, thence (10) Northwesterly by a line curving to the right, having a radius of 2800.00 feet, for a

distance of 89.49 feet (the arc of said curve being subtended by a chord bearing North 29 degrees 20 minutes 46 seconds West 89.48 feet), thence (11) North 67 degrees 56 minutes 11 seconds East 259.84 feet, thence (12) North 21 degrees 55 minutes 29 seconds West 265.94 feet, thence (13) North 68 degrees 04 minutes 31 seconds East 206.79 feet, thence (14) South 22 degrees 03 minutes 16 seconds East 23.62 feet, thence (15) North 67 degrees 48 minutes 35 seconds East 133.05 feet, thence (16) South 67 degrees 07 minutes 20 seconds East 28.19 feet to the place of beginning; containing 5.70 acres of land, more or less.

May 11, 2005

Project No. 94021.D (L94021.D-1)



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

No. 45737

Date: 9/18/09

PAID RECEIPT

BUSINESS ACTUAL TIME AM
9/18/2009 9/18/2009 14:21:50 2
REV 1005 MONTH WORK ORD
RECEIPT # 505461 9/18/2009 10/18

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0000		0150				200.00

Total: 200.00

Rec From: GILDEA + SCHMIDT LLC

For: 2010-006-A AMENDED PETITION

D. THOMPSON

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

5 528 ZONING VERIFICATION
CR NO. 045737

Recpt Tot: 4200.00
4200.00 CF 4.00 GS
Baltimore County, Maryland

CASHIER'S
VALIDATION

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

No. **39291**

Date: **7/7/09**

PAID RECEIPT

BUSINESS ACTUAL TIME OF
 7/07/2009 7/07/2009 14:17:52

REG WSO1 WALKIN JRIC JWR
 >RECEIPT # 423022 7/07/2009 OF
 Dept 5 528 ZONING VERIFICATION
 CR NO. 039291

Recpt Tot \$325.00
 \$325.00 CK \$.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				325. ⁰⁰

Total: **325.⁰⁰**

Rec From: **MRI AT ST. JOSEPH MEDICAL CTR. LLC**

For: **2010-0006-A**
1209 YORK RD.

D. THOMPSON

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: # 2010-0006-A

1209 York Road

E/side of York Road, 270 feet south of Greenridge Road

9th Election District — 3rd Councilmanic District

Legal Owner(s): Greenridge M-10, LLC

Contract Purchaser: Advanced Radiology

Variance: to permit two 115 square foot wall mounted signs in lieu of the permitted 8 square feet and to permit 4 per premises in lieu of 1. To permit a total square footage for four signs of 588.81 square feet in lieu of 8 square feet (358.81 sq. ft. previously approved in Case 07-427-A that permitted 2 wall-mounted signs of 133.13 sq. ft. and 225.68 sq. ft. in lieu of the permitted 8 and to allow 2 signs on the premises in lieu of the 1 allowed).

Hearing: Friday, November 20, 2009 at 9:00 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.

11/05/09 November 5

220160

CERTIFICATE OF PUBLICATION

11/5/, 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 11/5/, 2009.

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

J. Wilkinson

LEGAL ADVERTISING

Petitioner/Developer:_____

Date of Hearing/closing: November 26, 2009

Attn; Kristin Matthews;

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at, _____
1209 York Road

Sincerely,

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2010-0006-A

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

Room 104, Jefferson Building
105 West Chesapeake Ave Towson 21204

PLACE:

DATE AND TIME: Friday, November 20, 2009 at 9:00 a.m.

REQUEST: Variance To Permit Two 115 Square Foot Wall Mount-
ed Signs in lieu of the Permitted 8 Square Feet and To Permit 4 Per
premises in lieu of 1. To Permit A Total Square Footage for Four Signs
of 588.81 Square Feet in lieu of 8 Square Feet (358.81 sq ft
Previously approved in case 07-427-A that Permitted 2 Wall-
mounted Signs of 155.13 sq ft and 225.68 sq ft in lieu of the
Permitted 8 and To Allow 2 Signs on the Premises in lieu of the
1 Allowed).

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

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



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
~~October 20, 2009~~

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: 2010-0006-A

1206 York Road

E/side of York Road, 270 feet south of Greenridge Road

9th Election District – 3rd Councilmanic District

Legal Owners: Greenridge M-10, LLC

Contract Purchaser: Advanced Radiology

Variance to permit two 115 square foot wall mounted signs in lieu of the permitted 8 square feet and to permit 4 per premises in lieu of 1. To permit a total square footage for four signs of 588.81 square feet in lieu of 8 square feet (358.81 sq. ft. previously approved in Case 07-427-A that permitted 2 wall-mounted signs of 133.13 sq. ft. and 225.68 sq. ft. in lieu of the permitted 8 and to allow 2 signs on the premises in lieu of the 1 allowed).

Hearing: Monday, November 20, 2009 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Sebastian Cross, Gildea & Schmidt, 600 Washington Ave., Ste. 200, Towson 21204
Louis Mangione, Greenridge M-10, LLC, 1205 York Road, Lutherville 21093
Advanced Radiology, 7253 Ambassador Road, Baltimore 21244

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, NOVEMBER 5, 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, November 5, 2009 Issue - Jeffersonian

Please forward billing to:
Sebastian Cross
Gildea & Schmidt
600 Washington Ave, Ste. 200
Towson, MD 21204

410-821-0070

NOTICE OF ZONING HEARING

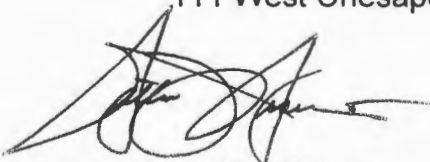
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2010-0006-A

1206 York Road
E/side of York Road, 270 feet south of Greenridge Road
9th Election District – 3rd Councilmanic District
Legal Owners: Greenridge M-10, LLC
Contract Purchaser: Advanced Radiology

Variance to permit two 115 square foot wall mounted signs in lieu of the permitted 8 square feet and to permit 4 per premises in lieu of 1. To permit a total square footage for four signs of 588.81 square feet in lieu of 8 square feet (358.81 sq. ft. previously approved in Case 07-427-A that permitted 2 wall-mounted signs of 133.13 sq. ft. and 225.68 sq. ft. in lieu of the permitted 8 and to allow 2 signs on the premises in lieu of the 1 allowed).

Hearing: Monday, November 20, 2009 at 9:00 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 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

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
October 20, 2009

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: 2010-0006-A

1209 York Road

E/side of York Road, 270 feet south of Greenridge Road

9th Election District – 3rd Councilmanic District

Legal Owners: Greenridge M-10, LLC

Contract Purchaser: Advanced Radiology

Variance to permit two 115 square foot wall mounted signs in lieu of the permitted 8 square feet and to permit 4 per premises in lieu of 1. To permit a total square footage for four signs of 588.81 square feet in lieu of 8 square feet (358.81 sq. ft. previously approved in Case 07-427-A that permitted 2 wall-mounted signs of 133.13 sq. ft. and 225.68 sq. ft. in lieu of the permitted 8 and to allow 2 signs on the premises in lieu of the 1 allowed).

Hearing: Friday, November 20, 2009 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Handwritten signature of Timothy Kotroco in cursive script.
Timothy Kotroco
Director

TK:klm

C: Sebastian Cross, Gildea & Schmidt, 600 Washington Ave., Ste. 200, Towson 21204

Louis Mangione, Greenridge M-10, LLC, 1205 York Road, Lutherville 21093

Advanced Radiology, 7253 Ambassador Road, Baltimore 21244

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, NOVEMBER 5, 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, November 5, 2009 Issue - Jeffersonian

Please forward billing to:

Sebastian Cross
Gildea & Schmidt
600 Washington Ave, Ste. 200
Towson, MD 21204

410-821-0070

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: 2010-0006-A

1209 York Road

E/side of York Road, 270 feet south of Greenridge Road

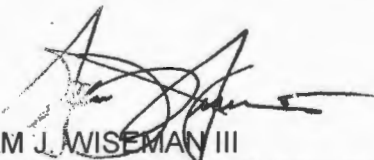
9th Election District – 3rd Councilmanic District

Legal Owners: Greenridge M-10, LLC

Contract Purchaser: Advanced Radiology

Variance to permit two 115 square foot wall mounted signs in lieu of the permitted 8 square feet and to permit 4 per premises in lieu of 1. To permit a total square footage for four signs of 588.81 square feet in lieu of 8 square feet (358.81 sq. ft. previously approved in Case 07-427-A that permitted 2 wall-mounted signs of 133.13 sq. ft. and 225.68 sq. ft. in lieu of the permitted 8 and to allow 2 signs on the premises in lieu of the 1 allowed).

Hearing: Friday, November 20, 2009 at 9:00 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 ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2010-0006-A

Petitioner: ADVANCED RADIOLOGY

Address or Location: 1209 YORK RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: SEBASTIAN A. CROSS, ESQ.

Address: GILDEA + SCHMIDT, LLC

600 WASHINGTON AVE., SUITE 200

TOWSON, MD 21204

Telephone Number: 410-821-0070



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

September 4, 2009

Sebastian A Cross
600 Washington Ave. Ste. 200
Towson, MD 21204

Dear: Sebastian A Cross

RE: Case Number 2010-0006-A, 1209 York Rd.

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

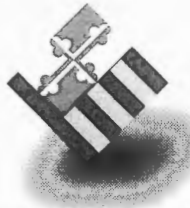
Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Louis Mangione; Greenridge M-10, LLC; 1205 York Rd.; Lutherville, MD 21093
Advance Radiology; 7253 Ambassador Rd.; Baltimore, MD 21244



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

November 12, 2009

Sebastian A. Cross
Gildea & Schmidt, LLC
600 Washington Ave. Ste. 200
Towson, MD 21204

Dear: Sebastian A. Cross

RE: Case Number 2010-0006-A, 1209 York Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 7, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Louis Mangione: Greenridge M-10, LLC; 1205 York Rd.; Lutherville, MD 21093
Advance Radiology; 7253 Ambassador Rd.; Baltimore, MD 21244

BW 11/20
9AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 4, 2009

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

SUBJECT: 1209 York Road

RECEIVED

INFORMATION:

Item Number: 10-006

AUG 05 2009

Petitioner: Greenridge M-10, LLC

Zoning: RO

ZONING COMMISSIONER

Requested Action: Variance

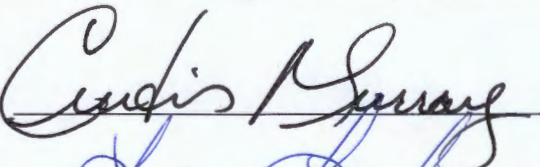
SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. The Office of Planning does not oppose the requested variance. Despite the fact that the proposed sign exceeds the permitted 8 square feet allowed for a sign in a RO zone, the signage will be located underneath the existing sign on the rear of the building and will be of similar size and style. Thus making the visual impact minimal. The sign will face York Road, not the residential neighborhood to the east.

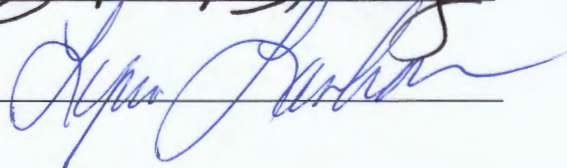
The new sign will be appropriate considering the size and use of the building, regardless of it being located in a RO zone. The appropriateness is further supported by the fact that the new sign will be facing a busy commercial corridor and not a residential community.

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

Prepared by:



Division Chief:
AFK/LL: CM



BW 11/20
9 AM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED



SEP 09 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: September 9, 2009
SUBJECT: Zoning Item # 10-006-A
Address 1209 York Road
(Greenridge M-10, LLC)

Zoning Advisory Committee Meeting of July 20, 2009

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

Reviewer: JWL

Date: 9/9/09

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: July 27, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For July 27, 2009
Item Nos. 2010-001, 003, 004, 005, 006,
007, 008, 009, 010, 011, 013, 016, 017,
018 and 019

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

DAK:CEN:hta
cc: File
ZAC-072709-NO COMMENTS

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 9, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For October 19, 2009
Item Nos. 10-006, 034, 096, 097, 098, 099, 100, 101,
102, 103, 104, 105, 106, 107, 108, 109, 113 and 115

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

DAK:CEN:kmt
cc: File
G:\DevPlanRev\ZAC -No Comments\ZAC-10192009.b -NO COMMENTS.doc



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

October 8, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 5. 2009

ItemNumbers

0006, 0034, 0088, 0096, 0097, 0098, 0099, 0100, 0102, 0103, 0104, 0106, 0107, 0108, 0109, 0111, 0113 and 0115

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



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

State Highway
Administration

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

Maryland Department of Transportation

Date: August 3, 2009

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

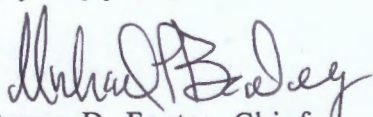
RE: Baltimore County
Item No. 2010-0006-A
MD 45 (York RD)
1209 York RD
GREENRIDGE M-10, LLC
VARIANCE -

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 7/21. A field inspection and internal review reveals that the existing entrance onto MD 45 is consistent with current State Highway Administration requirements. Therefore, this office has no objection to ADVANCE RADIOLOGY, Case Number 2010-0006-A approval.

Should you have any questions regarding this matter feel free to contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (m Bailey@sha.state.md.us). Thank you for your attention.

Very truly yours,


For ¹ Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: OCTOBER 7, 2009

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

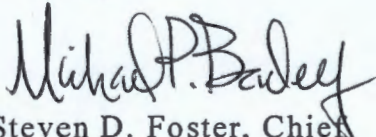
RE: Baltimore County
Item No. 2010-0006A
MD 45
1209 YORK RD
GREENRIDGE-M10, LLC
VARIANCE -

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 10/06/09. A field inspection and internal review reveals that an entrance onto MD45 is consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for GREENRIDGE M10, Case Number 2010-0006 A.

Should you have any questions regarding this matter feel free to contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may email him at (m Bailey@sha.state.md.us). Thank you for your attention.

Very truly yours,

For 
Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA

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.sha.maryland.gov

CASE NAME 1209 York Rd.
CASE NUMBER 2010-0006-N
DATE 11-20-04

✓ Pending

[illegible]

CASE NAME 1209 York Rd.
CASE NUMBER 2010-0006-A
DATE 11-20-09

61 19 98

CITIZEN'S SIGN-IN SHEET

[illegible]

RE: PETITION FOR VARIANCE * BEFORE THE
1209 York Road; E/S York Road, 270' S *
of Greenridge Road * ZONING COMMISSIONER
9th Election and 3rd Councilmanic Districts *
Legal Owner(s): Greenridge M-10, LLC * FOR
Contract Purchaser(s): Advanced Radiology *
Petitioner(s) * BALTIMORE COUNTY
* 2010-006-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.

RECEIVED

JUL 28 2009

.....

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 28th day of July, 2009, a copy of the foregoing Entry of Appearance was mailed to Sebastian A. Cross, Esquire, Gildea & Schmidt LLC, 600 Washington Avenue, Suite 200, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

GILDEA & SCHMIDT, LLC

600 WASHINGTON AVENUE

SUITE 200

TOWSON, MARYLAND 21204

TELEPHONE 410-821-0070

FACSIMILE 410-821-0071

www.gildeallc.com

DAVID K. GILDEA

LAWRENCE E. SCHMIDT

D. DUSKY HOLMAN

SEBASTIAN A. CROSS

CHARLES B. MAREK, III

JASON T. VETTORI

July 1, 2009

Via Hand Delivery

Ms. Donna Thompson

Zoning Review

111 W. Chesapeake Ave.

Towson, MD 21204

Re: Advanced Radiology/ 1209 York Road

Dear Ms. Thompson:

Attached please find the drop off petition for the sign variance at the above referenced property previously the subject of filing appointments on June 17 and 24, 2009. Included are (3) copies of the Petition for Variance, twelve (12) copies of the site plan with attached elevations, three (3) copies of the metes and bounds description, one (1) copy of the official zoning map and a check for the filing fees.

Please feel free to contact me with any additional information you may require. With kind regards, I am

Very truly yours,



Sebastian A. Cross

SAC: sf

Enclosure

CC: Kenny Ames, Advanced Radiology

Wayne Belsinger, Belsinger Sign Works

2010-0006-A

GILDEA & SCHMIDT, LLC

600 WASHINGTON AVENUE

SUITE 200

TOWSON, MARYLAND 21204

TELEPHONE 410-821-0070

FACSIMILE 410-821-0071

www.gildeallc.com

DAVID K. GILDEA

LAWRENCE E. SCHMIDT

D. DUSKY HOLMAN

SEBASTIAN A. CROSS

CHARLES B. MAREK, III

JASON T. VETTORI

September 15, 2009

Via Hand Delivery

Ms. Donna Thompson
Zoning Review
111 W. Chesapeake Ave.
Towson, MD 21204

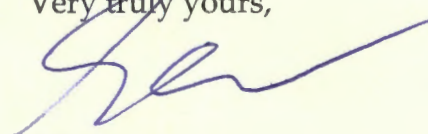
Re: Advanced Radiology/ 1209 York Road

Dear Ms. Thompson:

Attached please find amended language for the above referenced variance request, which was filed as Case No. 2010-006-A. Advanced Radiology is now seeking approval of one 115 square foot sign and one 76 square foot sign for a total of four signs on the building, in lieu of one. The previous request was for three signs. This amended request increases the total square footage of the signs by 76 feet. Please incorporate this language into the file and on the advertisements for this matter.

Enclosed is the \$200.00 check for this revision. Please advise as to any additional information you may require. With kind regards, I am

Very truly yours,



Sebastian A. Cross

SAC: sf

Enclosure

CC: Kristen Matthews, Department of Permits and Development Management
Kenny Ames, Advanced Radiology
Wayne Belsinger, Belsinger Sign Works

Kristen Matthews - Advanced Radiology - 1209 York Road

From: "Sebastian Cross" <scross@gildeallc.com>
To: <kmatthews@baltimorecountymd.gov>
Date: 8/6/2009 12:19 PM
Subject: Advanced Radiology - 1209 York Road
CC: <dthompson@baltimorecountymd.gov>, <signs@belsinger.com>, <kenny.ames@radnet.com>
Attachments: Amended Attachment to Variance.doc

Kristen,

Attached please find amended language for the above referenced variance request which was filed as Case No. 2010-006-A. Basically we are now seeking two 115 foot signs instead of one so changes were made to ask for 2 signs, a total of 4 on the building in lieu of 1 (previously requested 3) and increased the total square footage by 115 feet. Please let me know if this language can be incorporated into the file and advertising. If you need it submitted in a different form please let me know.

Donna assuming this amendment is acceptable we can either supplement the file with plans reflecting this language now or at the hearing. Please advise as how you desire for us to proceed.

Sebastian A. Cross, Esq.
Gildea & Schmidt, LLC
600 Washington Ave., Suite 200
Towson, MD 21204
Phone: 410-821-0070
Fax: 410-821-0071

This transmission contains information from the law firm of Gildea & Schmidt, LLC which may be confidential and/or privileged. The information is intended to be for the exclusive use of the individual or entity named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this email in error, please notify Gildea & Schmidt, LLC by telephone immediately.

Case No.: 2010-0006-A 1209 York Road

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Aerial Photo's Commercial Nature of neighborhood	
No. 2	PHoto of Subject Bldg Katzen Eye - Added subsequent	
No. 3	ORDER 05-583 SP4A ORDER FOR NEW BLDG	
No. 4	4A - Katzen Eye Group 4B	
No. 5	07-427-A Prior ORDER - SIGNS	
No. 6	PHoto's - Existing CONDITIONS	
No. 7	SIGN DETAIL	
No. 8	2 Page Site PLAN	
No. 9		
No. 10		
No. 11		
No. 12		

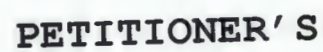
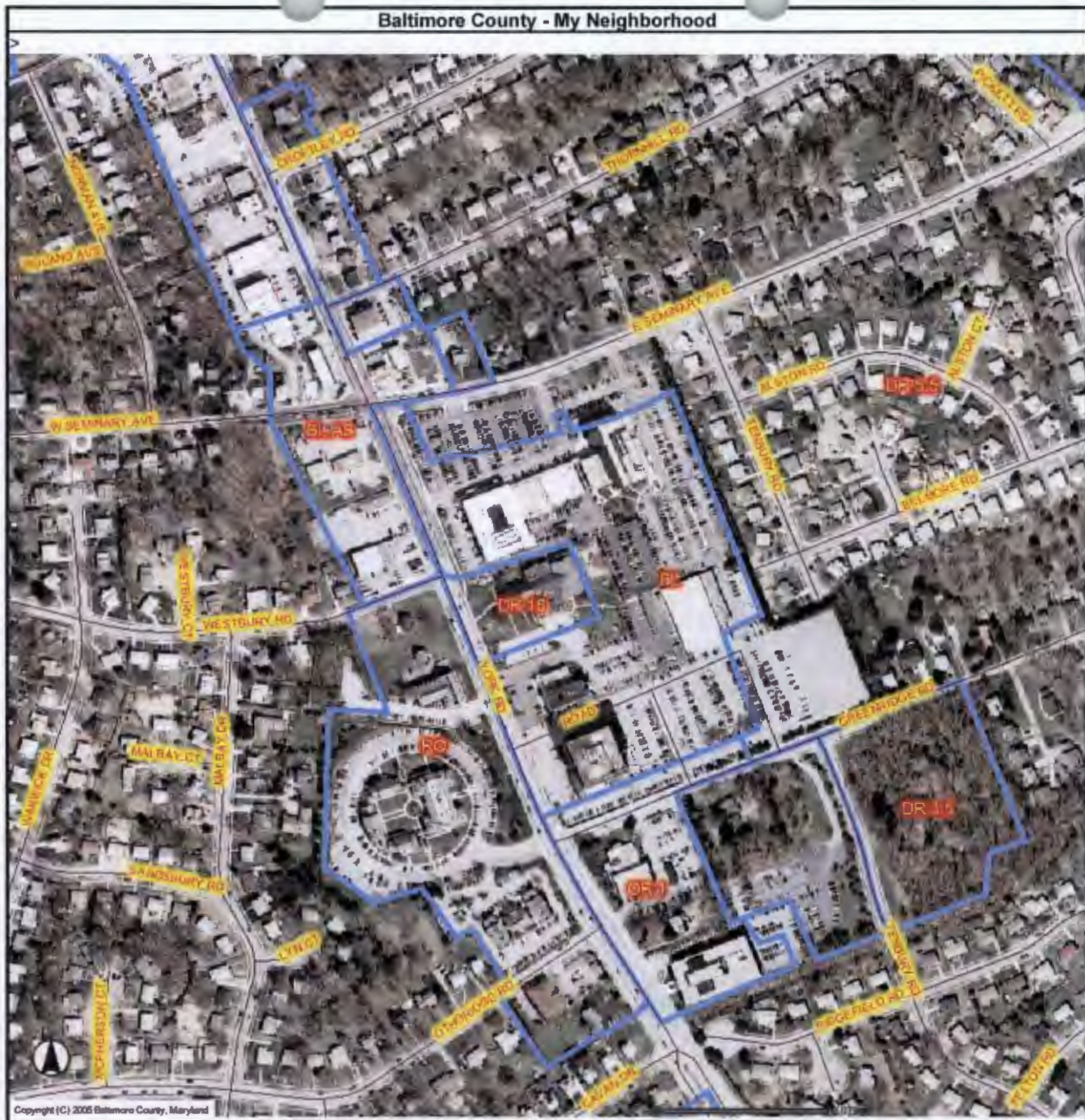
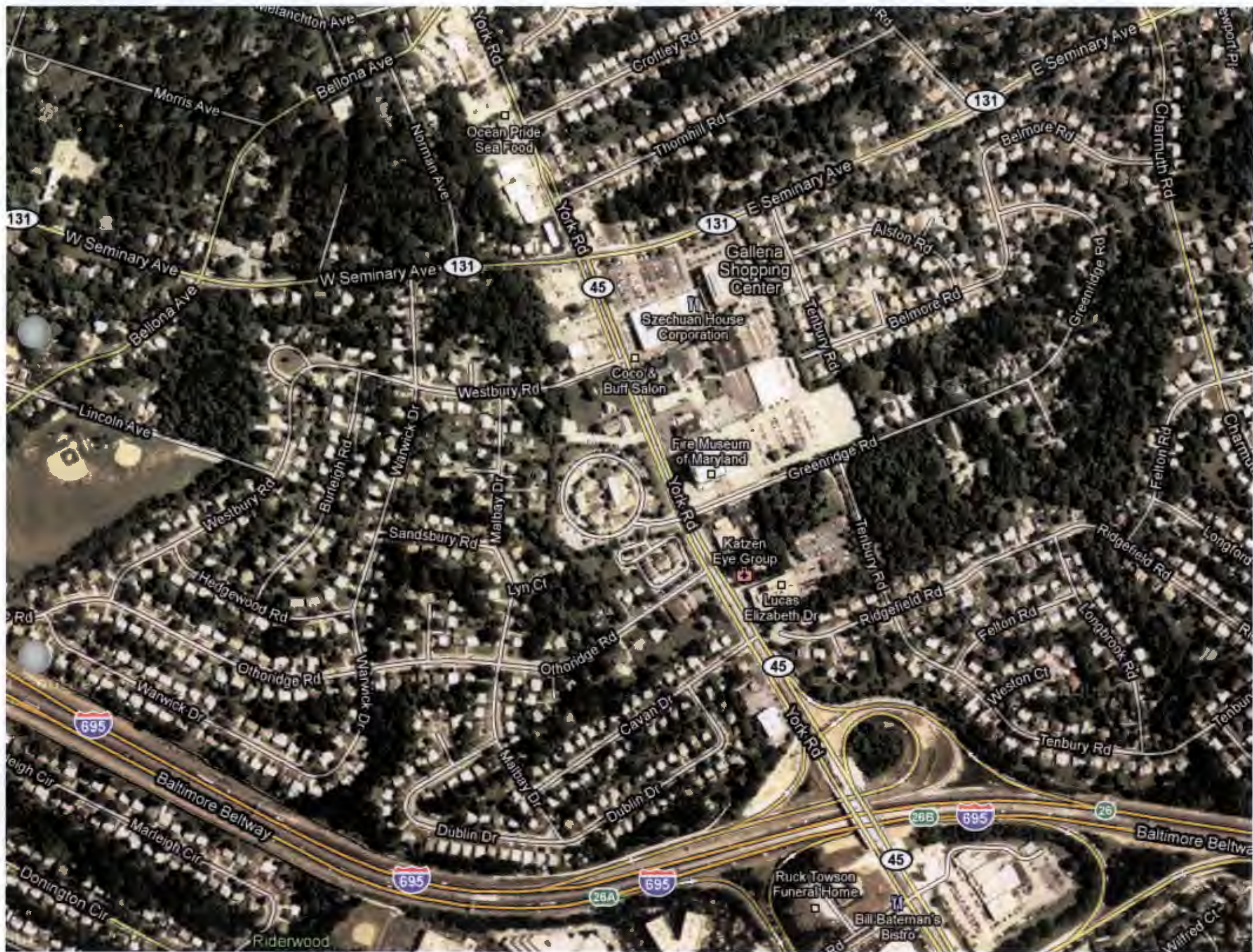


EXHIBIT NO.





Bing Maps

 1209 York Rd, Lutherville, MD 21093-6207

My Notes

 **FREE!** Use Live Search 411 to find movies, businesses & more: 800-CALL-411.



Pet Ex 2



PETITIONER'S

EXHIBIT NO. 2

BW 11/20 9AM



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

Go Back
View Map
New Search

Account Identifier: District - 09 Account Number - 0919270910

Owner Information

Owner Name: MANGIONE NICHOLAS B
MANGIONE MARY C
Use: COMMERCIAL
Principal Residence: NO
Mailing Address: 1205 YORK RD/PENTHOUSE
LUTH-TIMONIUM MD 21093-6247
Deed Reference: 1) / 6913/ 324
2)

Location & Structure Information

Premises Address 1209 YORK RD
Legal Description PT LT 3
270 S GREENRIDGE RD
GREEN RIDGE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
61	19	216			A			2	Plat Ref: 5/ 85

Special Tax Areas Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		21,420.00 SF	06
Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2008	Phase-in Assessments As Of 07/01/2009	As Of 07/01/2010
Land	321,300	642,600		
Improvements:	32,200	37,900		
Total:	353,500	680,500	571,500	680,500
Preferential Land:	0	0	0	0

Transfer Information

Seller: SEEDS GEORGE, JR	Date: 05/10/1985	Price: \$177,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 6913/ 324	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
* NONE *

pet ex 3

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
SPECIAL EXCEPTION & VARIANCE

S/S Greenridge Road, E/S York Road
(1205 and 1209 York Road)

9th Election District
3rd Council District

Louis Mangione, et al
Petitioners

* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 05-583-SPHXA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance relief, filed by the owners of the subject property, Louis Mangione and Rosemary Mangione Juras, by their attorney, Joseph C. LaVerghetta, Esquire. The Petitioners request a special exception to allow a Class B office building in the Residential-Office (R-O) zone, pursuant to Section 204.3.B.2 of the B.C.Z.R. In addition, special hearing relief is sought, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve: 1) 100% medical offices in lieu of the maximum allowed 25% (Lot 2), and 2) an amendment of all prior zoning relief and associated site plans and confirmation that a Residential Transition Area (RTA) is not applicable (Lots 1A, 1B and 2). Petitioners also request confirmation that the parking on Lot 1B is permitted and accessory to the two office buildings and that a use permit is not required for parking in a residential zone R-O and the Office Building-Residential (OR-1) zone for Lots 1A, 1B and 2. In the alternative, Petitioners request approval of a Use Permit for parking in a R-O zone and the OR-1 zone, pursuant to Sections 204.3.C.2 and 409.8.B of the B.C.Z.R. for Lots 1A, 1B and 2. Lastly, variance relief is requested from the B.C.Z.R. as follows: 1) From Section 204.3.B.2.a to permit up to 100% medical offices in lieu of the maximum allowed 25% for the proposed building on Lot 2; 2) from Section 204.3.C.2 to permit the parking on Lot 1B as accessory to the two office buildings and confirm that a Use Permit is not required for parking in a R-O and the OR-1 zones (Lots 1A, 1B,

PETITIONER' S

EXHIBIT NO. 3

pet 5

IN RE: PETITION FOR VARIANCE

S side Greenridge Road, at corner of the
W side of Tenbury Road
9th Election District
3rd Councilmanic District
(1209 York Road)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY

*
Greenridge M-10, LLC; John D. Mangione, Agent
Legal Owners
Katzen Eye Group; Richard Edlow, Authorized Person
Lessee

* CASE NO. 07-427-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Greenridge M-10, LLC; John D. Mangione, Agent, and Katzen Eye Group; Richard Edlow, Authorized Person, lessee. The Petitioners are requesting variance relief for property located at 1209 York Road. The variance request is from Section 450.4.I.5(m) to permit a 133.13 square foot and a 225.68 square foot wall mounted sign in lieu of the permitted 8 square feet each and to permit 2 signs per premises in lieu of 1 allowed.

The property was posted with Notice of Hearing on May 15, 2007 for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief and time and date of the public hearing. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on May 15, 2007 to notify any interested persons of the scheduled hearing date and relief requested.

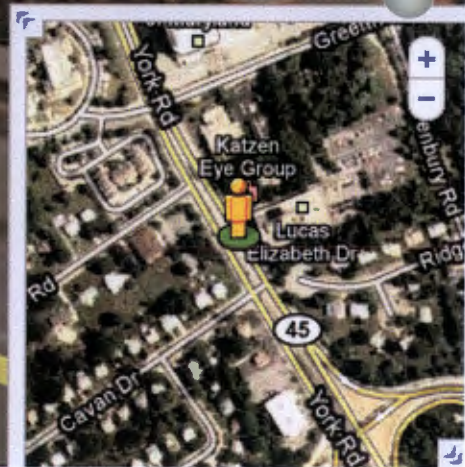
Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

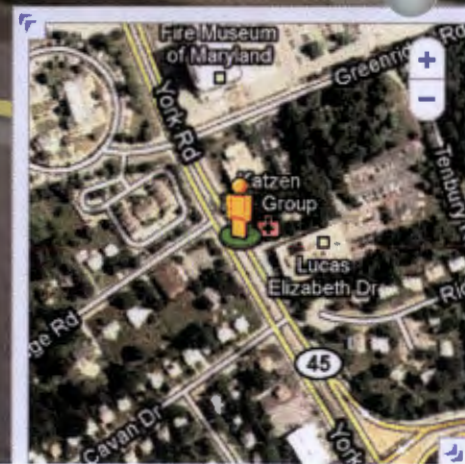
"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the

PETITIONER'S

EXHIBIT NO. **5**

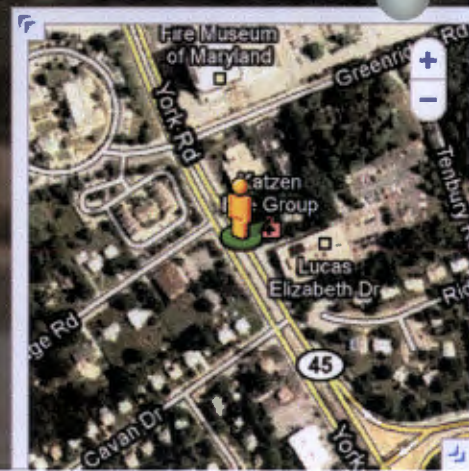


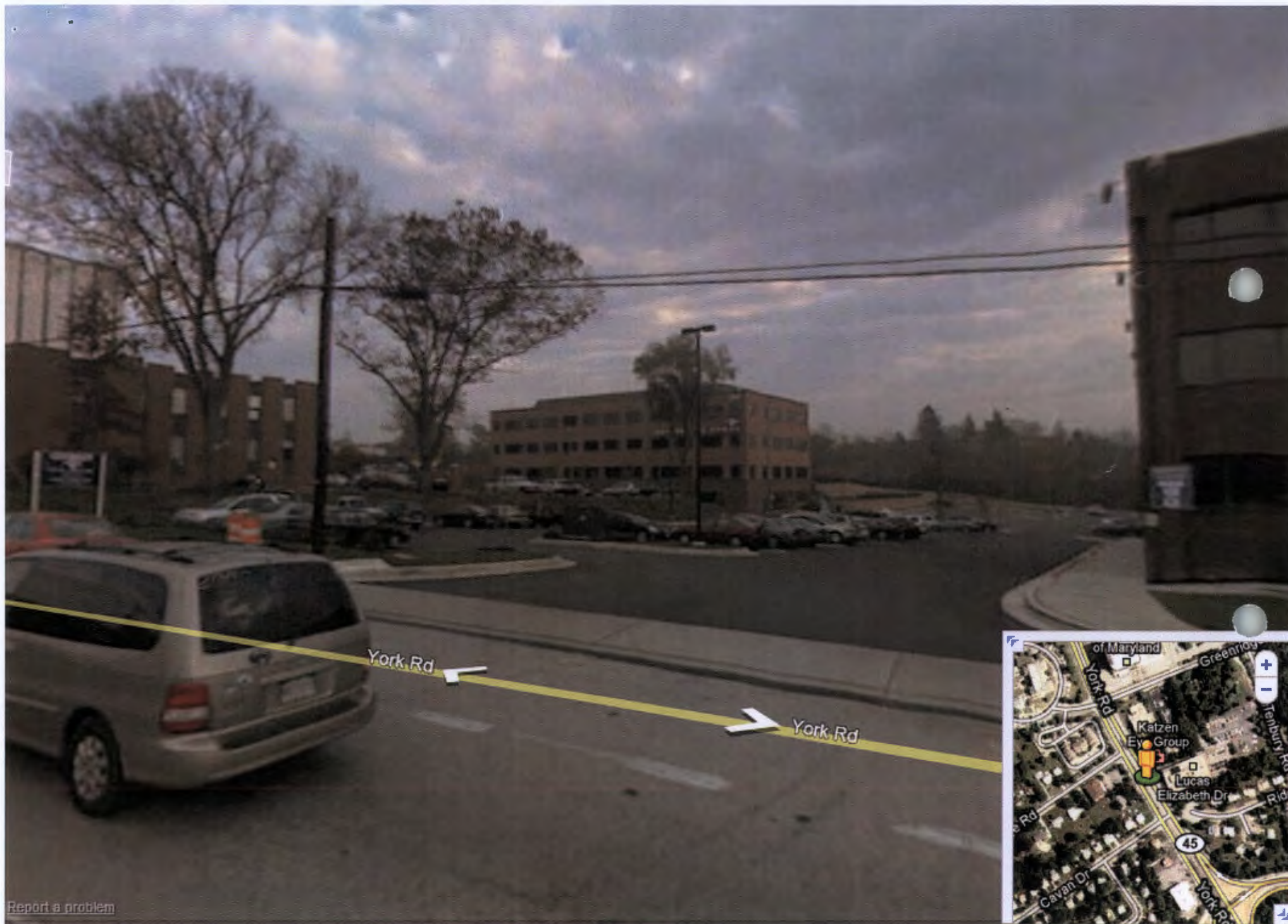
[Report a problem](#)

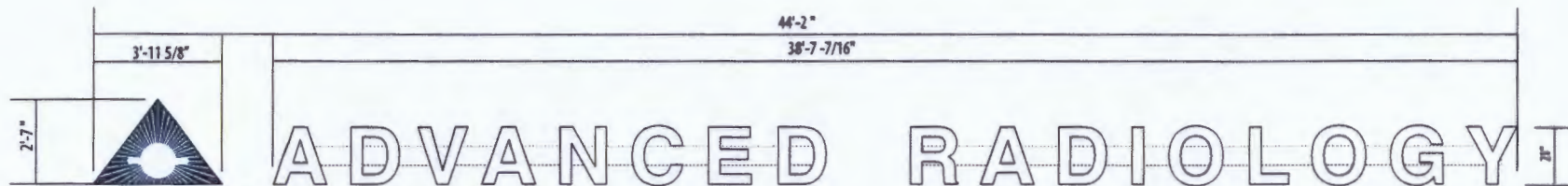


PETITIONER'S

EXHIBIT NO. 6







OPTION C
LAYOUT OF INTERNALLY ILLUMINATED LOGO & LETTERING - LOCATE @ REAR ELEVATION
 1/4"=1'-0"

LOGO -
 WHITE #7328 ACRYLIC FACE w/ PRECISION CUT TRANSLUCENT GRAPHICS
 APPLIED TO FIRST SURFACE - STANDARD COLOR TO BE SELECTED BY CLIENT
 BLACK TRIM CAP
 ALUMINUM RETURNS FINISHED BLACK
 INTERNALLY ILLUMINATED w/ WHITE NEON TUBING

LETTERING -
 WHITE #7328 ACRYLIC FACE
 BLACK TRIM CAP
 ALUMINUM RETURNS FINISHED BLACK
 INTERNALLY ILLUMINATED w/ WHITE NEON TUBING
 MOUNTED TO RACEWAY
 FINISHED TO MATCH BRICK COLOR

SQUARE FOOTAGE OF PROPOSED SIGNAGE ON REAR ELEVATION-2.583' x 44.167'=114.08 SQ. FT.
SQUARE FOOTAGE OF PROPOSED SIGNAGE ON FRONT ELEVATION-2.104' x 35.922'=75.58 SQ. FT.

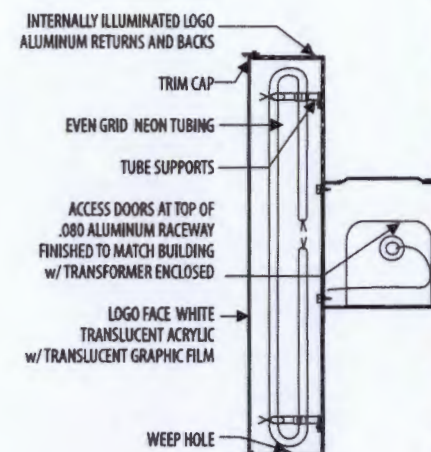
Attachment to Petition for Variance

Zoning Relief Requested

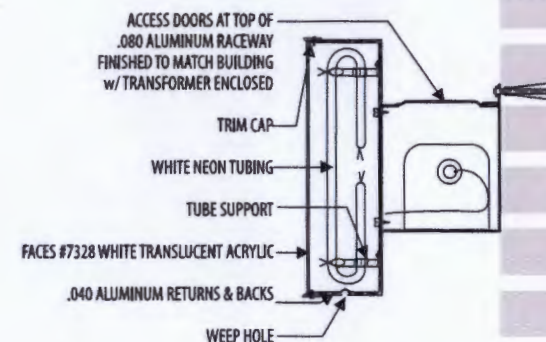
1. From Section 450.4 #5 (m) to permit a one 115 square foot wall mounted sign and one 76 square foot wall mounted sign in lieu of the permitted 8 sq. ft. and to permit 4 per premises in lieu of 1.
2. To permit a total square footage for three signs of 549.81 sq. ft. in lieu of 8 sq. ft. (358.81 sq. ft. previously approved in Case No. 07-427-A that permitted 2 wall-mounted signs of 133.13 sq. ft. and 225.68 sq. ft. in lieu of the permitted 8 and to allow 2 signs on the premises in lieu of the 1 allowed).



REAR ELEVATION - SHOWING OPTION C
 1/16"=1'-0"

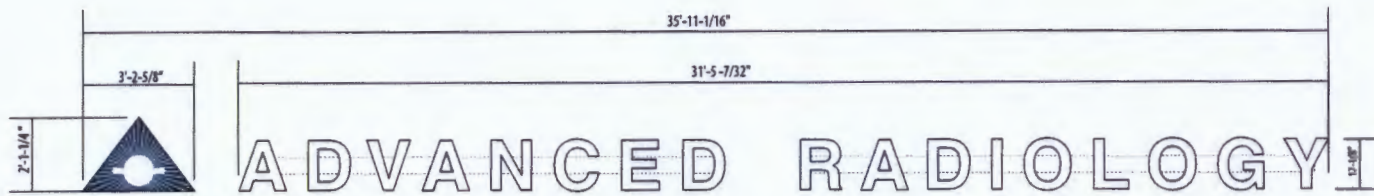


SECTION THROUGH LOGO
 NTS



TYPICAL SECTION THROUGH LETTER
 NTS

REVISED ATTACHMENT 2010

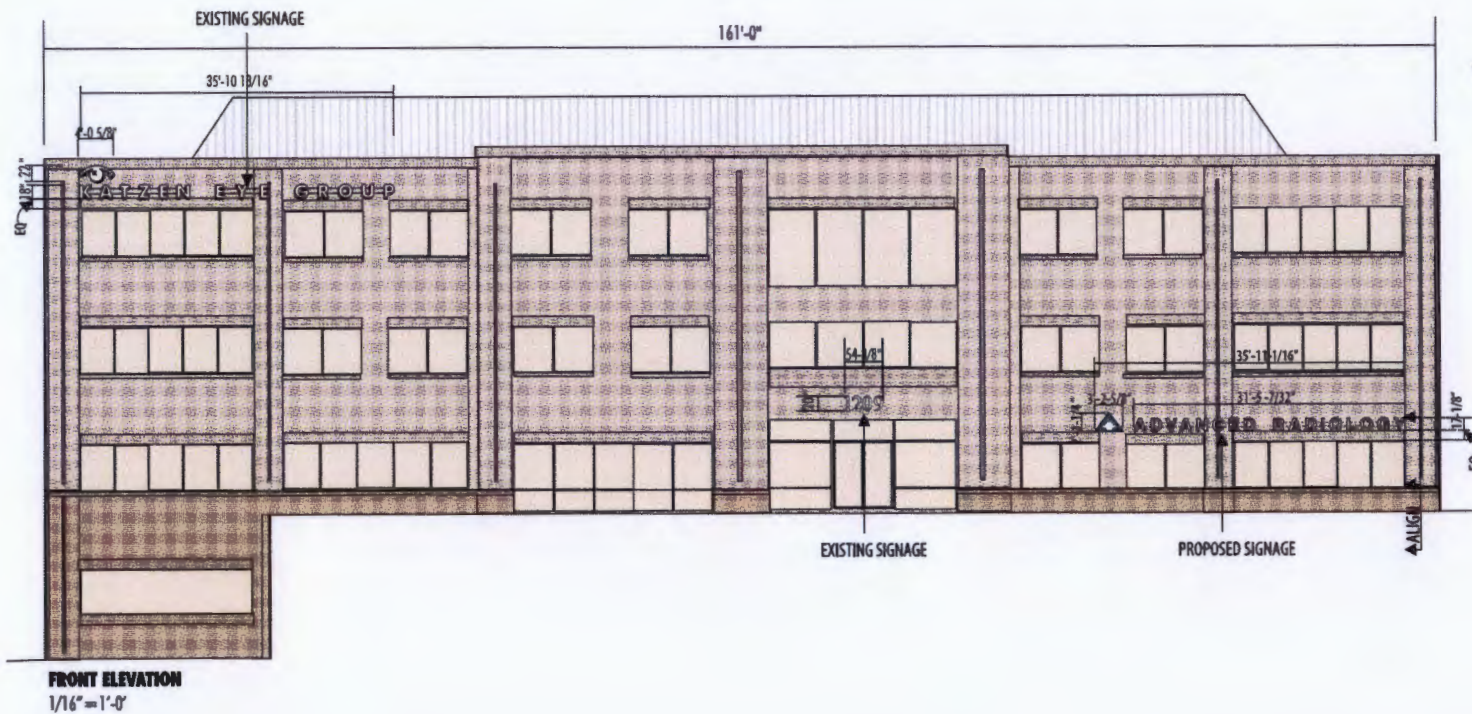
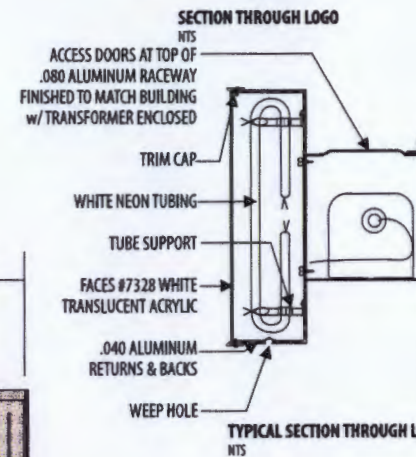
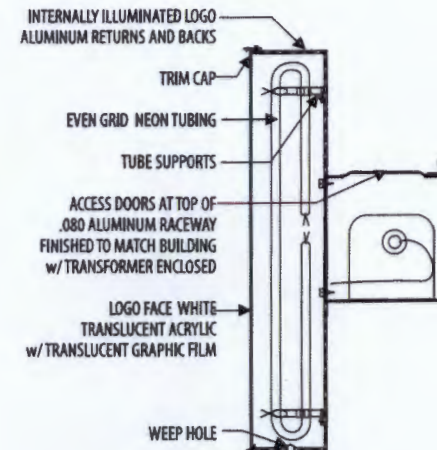


LAYOUT OF INTERNALLY ILLUMINATED LOGO & LETTERING - LOCATE @ FRONT ELEVATION
1/4" = 1'-0"

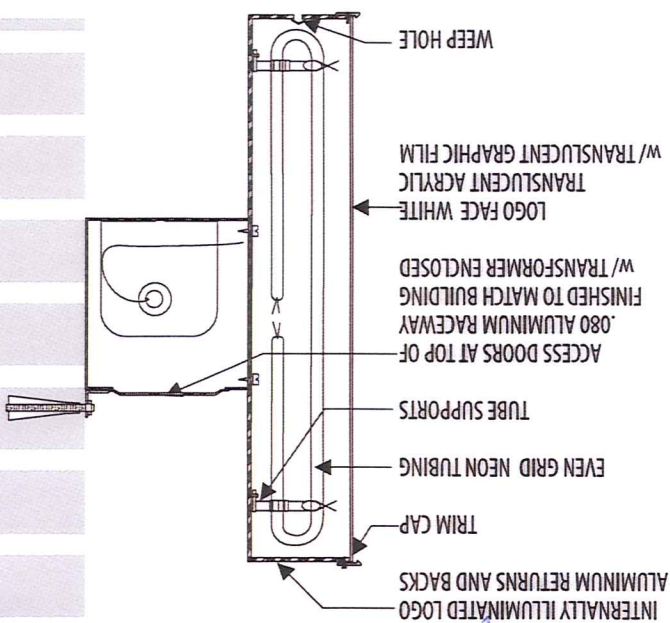
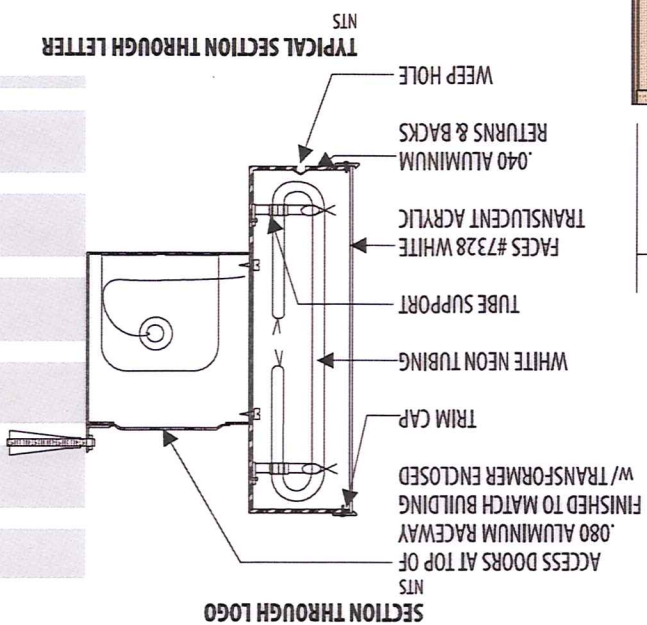
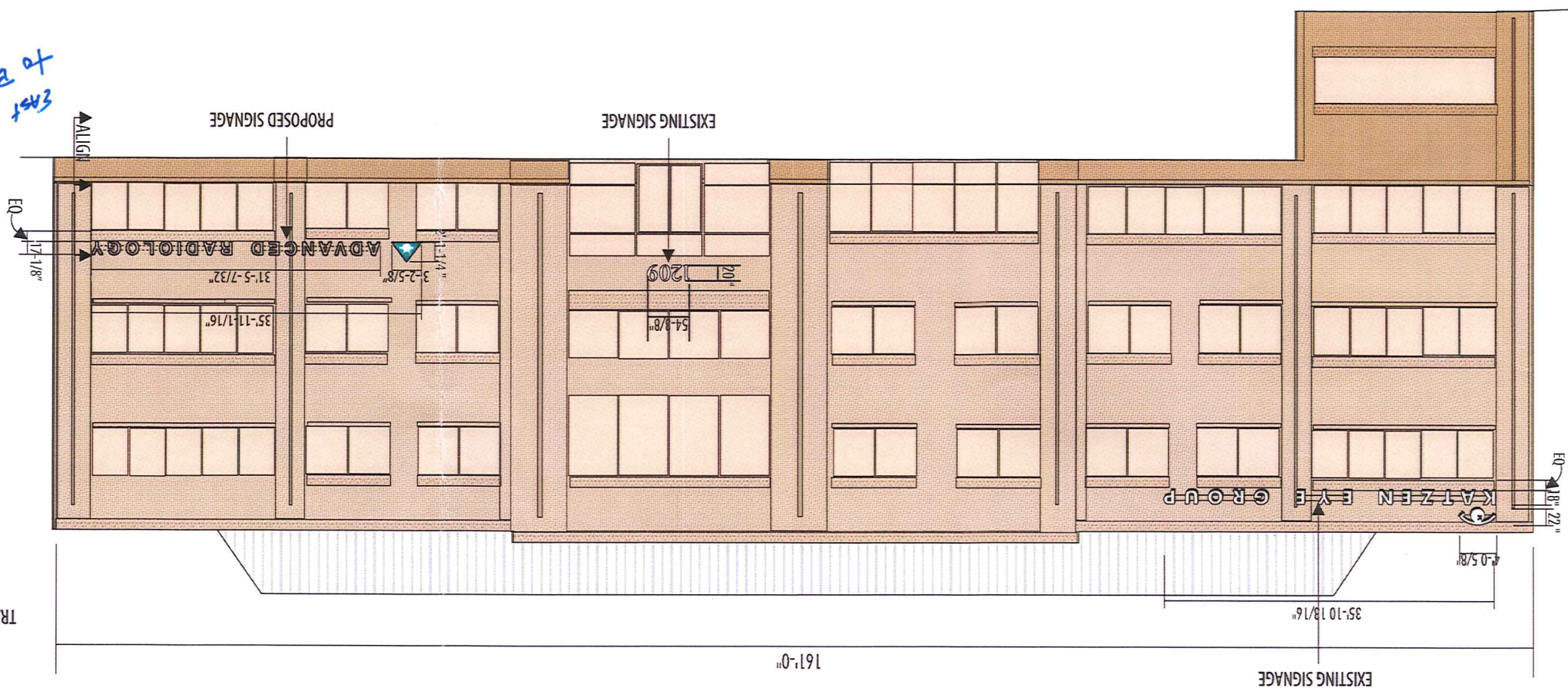
LOGO -
WHITE #7328 ACRYLIC FACE w/ PRECISION CUT TRANSLUCENT GRAPHICS
APPLIED TO FIRST SURFACE - STANDARD COLOR TO BE SELECTED BY CLIENT
BLACK TRIM CAP
ALUMINUM RETURNS FINISHED BLACK
INTERNALLY ILLUMINATED w/ WHITE NEON TUBING

LETTERING -
WHITE #7328 ACRYLIC FACE
BLACK TRIM CAP
ALUMINUM RETURNS FINISHED BLACK
INTERNALLY ILLUMINATED w/ WHITE NEON TUBING

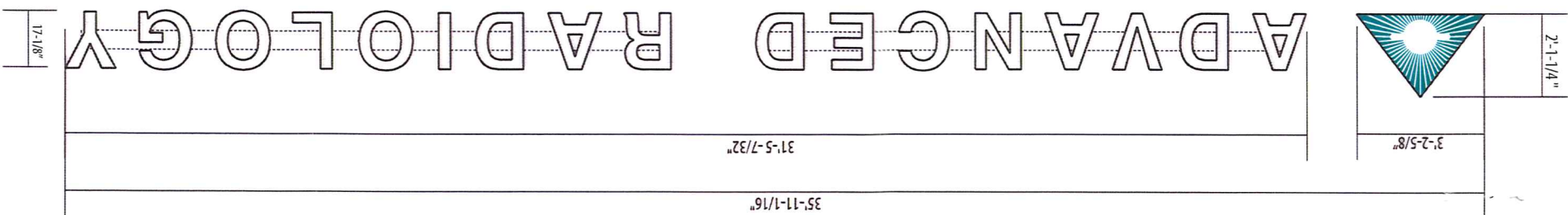
MOUNTED TO RACEWAY
FINISHED TO MATCH BRICK COLOR



FRONT ELEVATION
1/16" = 1'-0"

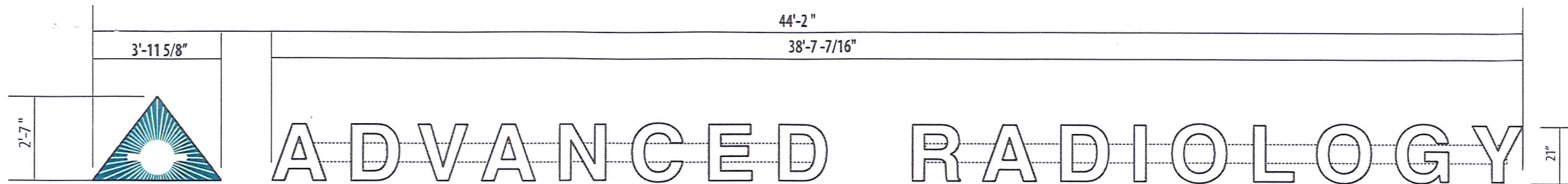


LAYOUT OF INTERNALLY ILLUMINATED LOGO & LETTERING - LOCATE @ FRONT ELEVATION 1/4"=1'-0"



1060 -
WHITE #7328 ACRYLIC FACE w/ PRECISION CUT TRANSLUCENT GRAPHICS
APPLIED TO FIRST SURFACE - STANDARD COLOR TO BE SELECTED BY CLIENT
BLACK TRIM CAP
ALUMINUM RETURNS FINISHED BLACK
INTERNALLY ILLUMINATED w/ WHITE NEON TUBING

LETTERING-
WHITE #7328 ACRYLIC FACE
BLACK TRIM CAP
ALUMINUM RETURNS FINISHED BLACK
INTERIALLY ILLUMINATED w/ WHITE NEON TUBING
MOUNTED TO RACEWAY
FINISHED TO MATCH BRICK COLOR



pet 7

OPTION C
LAYOUT OF INTERNALLY ILLUMINATED LOGO & LETTERING - LOCATE @ REAR ELEVATION
 1/4"=1'-0"

LOGO -
 WHITE #7328 ACRYLIC FACE w/ PRECISION CUT TRANSLUCENT GRAPHICS
 APPLIED TO FIRST SURFACE -STANDARD COLOR TO BE SELECTED BY CLIENT
 BLACK TRIM CAP
 ALUMINUM RETURNS FINISHED BLACK
 INTERNALLY ILLUMINATED w/ WHITE NEON TUBING

LETTERING-
 WHITE #7328 ACRYLIC FACE
 BLACK TRIM CAP
 ALUMINUM RETURNS FINISHED BLACK
 INTERNALLY ILLUMINATED w/ WHITE NEON TUBING

MOUNTED TO RACEWAY
 FINISHED TO MATCH BRICK COLOR

SQUARE FOOTAGE OF PROPOSED SIGNAGE ON REAR ELEVATION-2.583' x 44.167'=114.08 SQ. FT.
SQUARE FOOTAGE OF PROPOSED SIGNAGE ON FRONT ELEVATION-2.104' x 35.922=75.58 SQ. FT.

Attachment to Petition for Variance

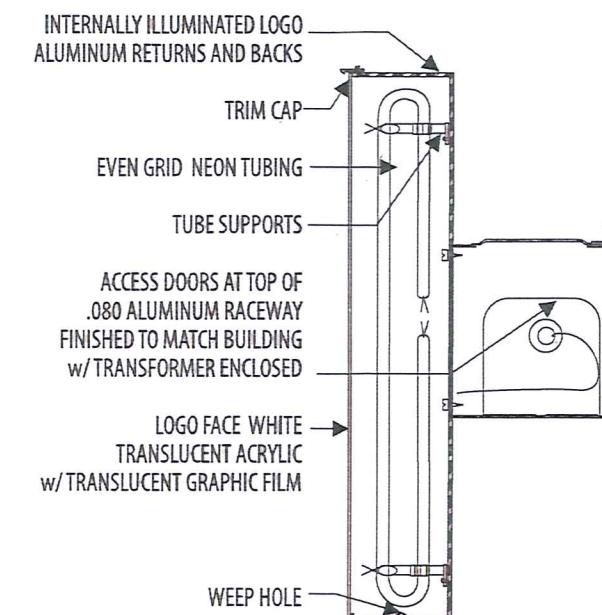
Zoning Relief Requested

1. From Section 450.4 #5 (m) to permit a ^{two} 115 square foot wall mounted sign and one 76 square foot wall mounted sign in lieu of the permitted 8 sq. ft. and to permit 4 per premises in lieu of 1.

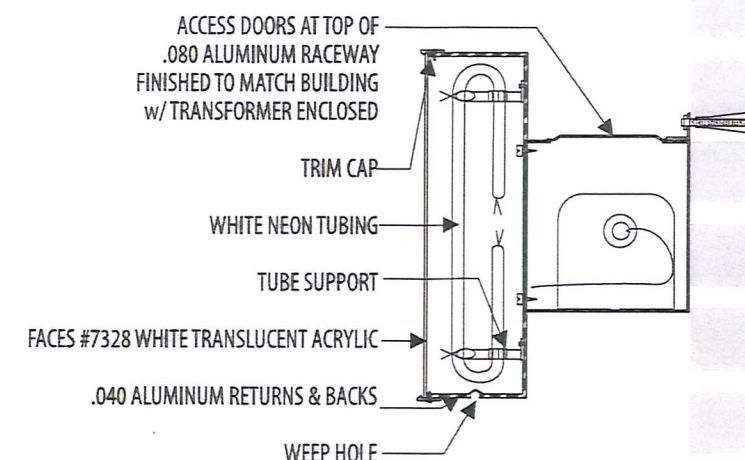
2. To permit a total square footage for ^{four} 588.81 signs of 549.81 sq. ft. in lieu of 8 sq. ft. (358.81 sq. ft. previously approved in Case No. 07-427-A that permitted 2 wall-mounted signs of 133.13 sq. ft. and 225.68 sq. ft. in lieu of the permitted 8 and to allow 2 signs on the premises in lieu of the 1 allowed).



REAR ELEVATION -SHOWING OPTION C
 1/16"=1'-0"



SECTION THROUGH LOGO
 NTS



TYPICAL SECTION THROUGH LETTER
 NTS

PETITIONER' S

EXHIBIT NO. 7A

Project

BUILDING SIGNAGE

Title

DESIGN CONCEPT C

Client

ADVANCED RADIOLOGY

Location

ADVANCED RADIOLOGY
 1209 YORK RD
 BALTIMORE COUNTY

Drawing

Scale NOTED

Drawn By V.MYERS

Checked By

Date 4-20-09

This drawing is for contour only unless dimensioned.
 Colors incorporated in design are for illustrative purposes.

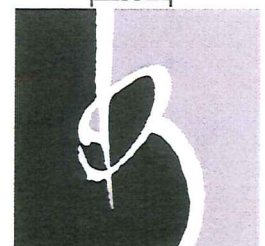
Revisions

Drawn By Checked By Date

		5-05-09 (2)
		5-20-09 (2)
		6-16-09
		6-28-09
		6-30-09
		9-15-09

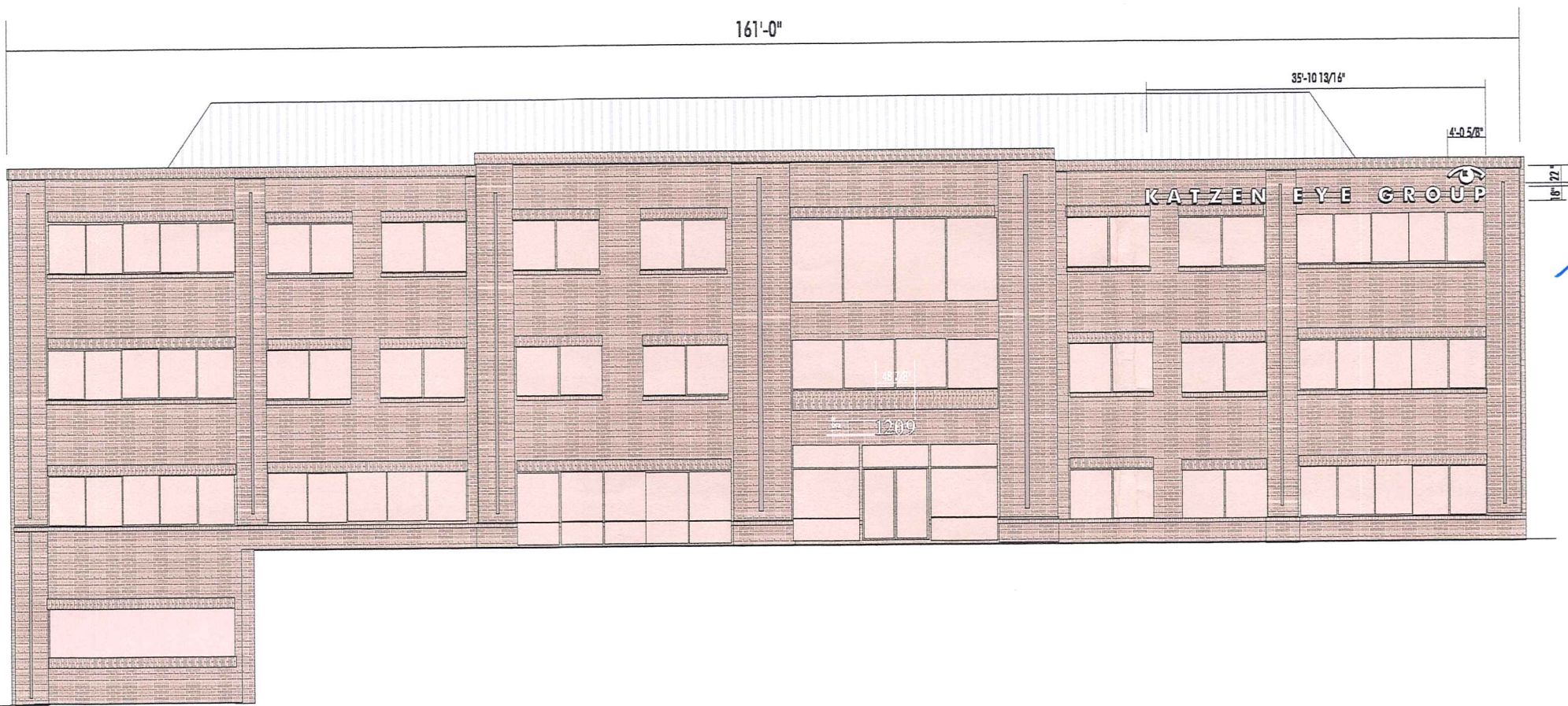
Drawing No. Sheet No. Job No.

09060 1 of 2

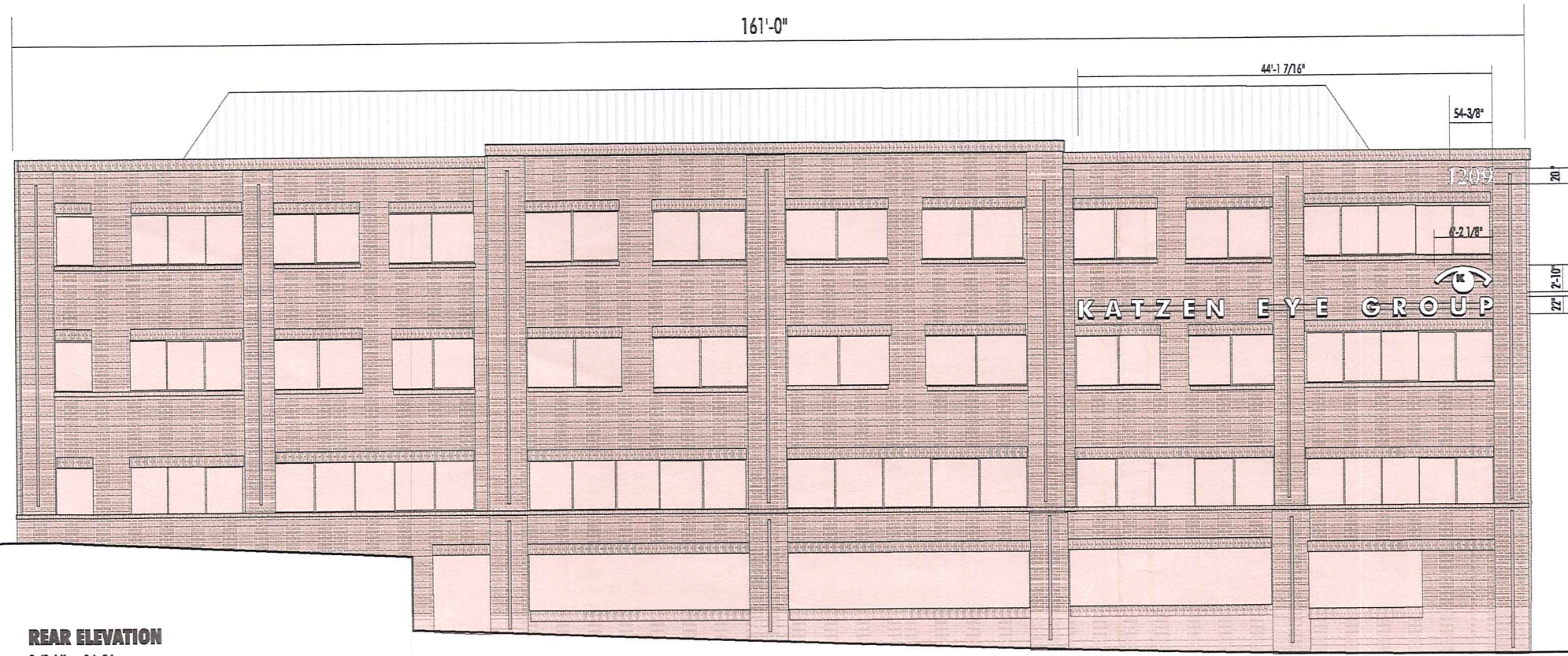


BELSINGER GROUP
 90 YEARS OF SERVICE

1300 Bayard Street
 Baltimore, MD 21230
 P: 410.837.2700
 F: 410.837.6550



FRONT ELEVATION
1/16" = 1'-0"



REAR ELEVATION
1/16" = 1'-0"

PETITIONER'S

EXHIBIT NO. 4

Project
BUILDING LETTERING

Title
LAYOUT

Client
KATZEN EYE GROUP

Location
1209 YORK RD
BALTIMORE COUNTY

Drawing
Scale NOTED
Drawn By V. MYERS
Checked By
Date 12-4-06

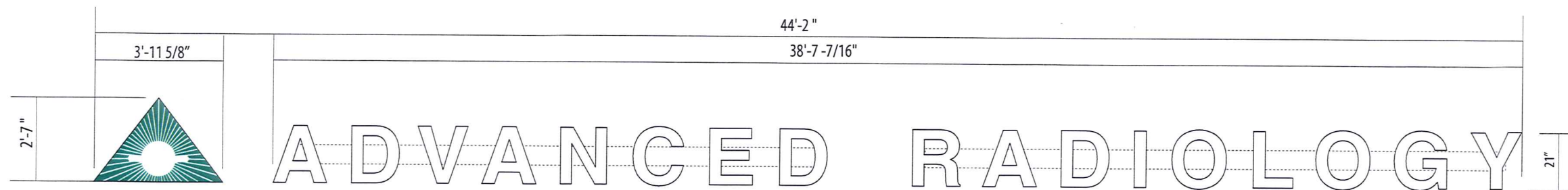
This drawing is for contour only unless dimensioned.
Colors incorporated in design are for illustrative purposes only.

Revisions		
Drawn By	Checked By	Date
		1-24-07

Drawing No.	Sheet No.	Job No.
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06332 2 of

Belsinger
SIGN WORKS INC.
1300 Bayard Street
Baltimore, MD 21230
410-837-2700
1-800-428-8848
FAX-410-837-6550



OPTION C
LAYOUT OF INTERNALLY ILLUMINATE LOGO & LETTERING - LOCATE @ REAR ELEVATION
 1/4"=1'-0"

LOGO -
 WHITE #7328 ACRYLIC FACE w/ PRECISION CUT TRANSLUCENT GRAPHICS
 APPLIED TO FIRST SURFACE -STANDARD COLOR TO BE SELECTED BY CLIENT
 BLACK TRIM CAP
 ALUMINUM RETURNS FINISHED BLACK
 INTERNALLY ILLUMINATED w/ WHITE NEON TUBING

LETTERING-
 WHITE #7328 ACRYLIC FACE
 BLACK TRIM CAP
 ALUMINUM RETURNS FINISHED BLACK
 INTERNALLY ILLUMINATED w/ WHITE NEON TUBING

 MOUNTED TO RACEWAY
 FINISHED TO MATCH BRICK COLOR

OVERALL SQUARE FOOTAGE OF PROPOSED SIGNAGE-2.583' x 44.167'=114.08

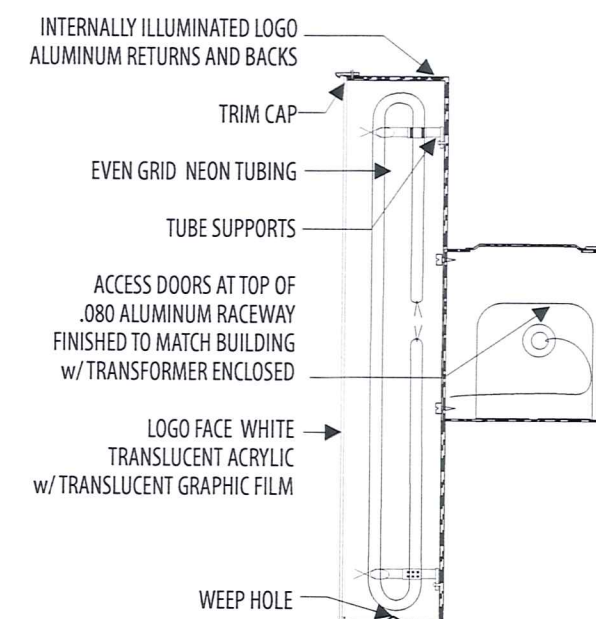
Attachment to Petition for Variance

Zoning Relief Requested

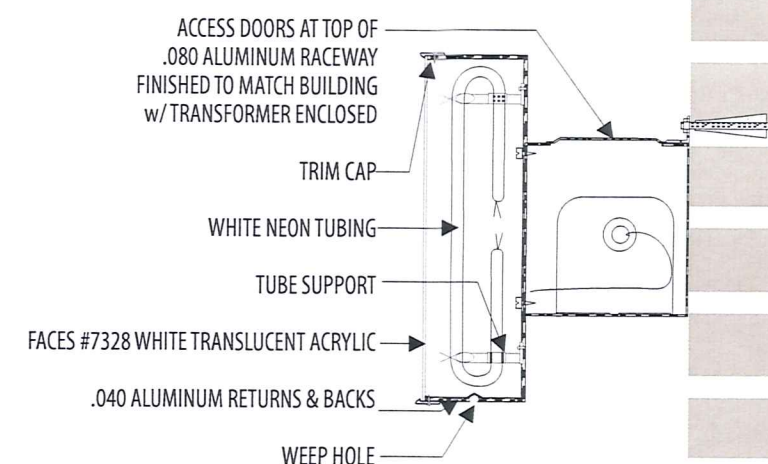
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2. To permit a total square footage for three signs of 473.81 sq. ft. in lieu of 8 sq. ft. (358.81 sq.ft. previously approved in Case No. 07-427-A that permitted 2 wall-mounted signs of 133.13 sq. ft. and 225.68 sq. ft. in lieu of the permitted 8 and to allow 2 signs on the premises in lieu of the 1 allowed).



REAR ELEVATION -SHOWING OPTION C
 1/16"=1'-0"



SECTION THROUGH LOGO
 NTS



TYPICAL SECTION THROUGH LETTER
 NTS

Project
 BUILDING SIGNAGE

Title
 DESIGN CONCEPT C

Client
 ADVANCED RADIOLOGY

Location
 ADVANCED RADIOLOGY
 1209 YORK RD
 BALTIMORE COUNTY

Drawing
 Scale NOTED
 Drawn By V. MYERS
 Checked By
 Date 4-20-09

This drawing is for contour only unless dimensioned.
 Colors incorporated in design are for illustrative purposes.

Revisions		
Drawn By	Checked By	Date
		5-05-09 (2)
		5-20-09 (2)
		6-16-09
		6-29-09
		6-30-09
Drawing No/Sheet No. Job No.		

09060 1 of 1

BELSINGER GROUP
 1300 Bayard Street
 Baltimore, MD 21230
 P: 410.837.2700
 F: 410.837.6550

GENERAL NOTES

1. Owners:

Bela-Road Associates, LTD Partnership
1205 York Road, Suite 10
Lutherville, MD 21093
Mr. Robert K. Johnson

York Road Associates
1205 York Road, Penthouse Suite
Lutherville, MD 21093
Mr. Nicholas B. Mangione

Nicholas B. and Mary C. Mangione
1205 York Road, Penthouse Suite
Lutherville, MD 21093
Mr. Nicholas B. Mangione

Louis and Juras K. Mangione
1205 York Road, Penthouse Suite
Lutherville, MD 21093
Mr. Louis Mangione

2. Developer:

Commercial Contractors, Inc.
1205 York Road, Penthouse Suite
Lutherville, MD 21093
Attn: Mr. John Mangione

3. Preparer of Plan:

DMW, Inc.
200 East Pennsylvania Avenue
Towson, MD 21206

4. Tax Account Numbers & Deed References:

Map	Parcel	Tax Account Number	Deed Reference
Map 61, Parcel 216	09-03000010	12710253, 16733715, 14702146, 12233762	
Map 61, Parcel 217	09-03000011	12710253, 16733715, 14702146, 12233762	
Map 61, Parcel 218	09-03000012	12710253, 16733715, 14702146, 12233762	
Map 61, Parcel 219	09-03000013	12710253, 16733715, 14702146, 12233762	
Map 61, Parcel 220	09-03000014	12710253, 16733715, 14702146, 12233762	
Map 61, Parcel 221	09-03000015	12710253, 16733715, 14702146, 12233762	
Map 61, Parcel 222	09-03000016	12710253, 16733715, 14702146, 12233762	
Map 61, Parcel 223	09-03000017	12710253, 16733715, 14702146, 12233762	
Map 61, Parcel 224	09-03000018	12710253, 16733715, 14702146, 12233762	
Map 61, Parcel 225	09-03000019	12710253, 16733715, 14702146, 12233762	

5. Plat References:

N/A

6. Gross Area: ±6.2 Acres, Net Area: ±5.7 Acres

7. Zoning: RQ, R-1, DR 5.5 (as of the 2004 CZM)

8. Councilmanic Districts:

3

9. Regional Planning Districts:

4902

10. School Districts:

Hampton Elementary School

11. Watersheds:

10 - Loch Raven Reservoir

12. The site is not included in a Historic District, registered, or listed on a Historic Inventory, as determined by the Landmark Preservation Commission.

13. All soils are C&B2 - Capitla, JUD - Joppa and S&B - Basseas, as shown on the Baltimore County Soil Survey.

14. PRIOR ZONING HISTORY:

Case No. 73-4-RVA Zoning Reclassification from a DR 5.5 to DR 16, Special Exception for an Office Building, and a variance to permit a 15-ft setback in lieu of 75 ft, granted on September 23, 1972 with the following restrictions:

- Size not to exceed 40 ft. by 100 ft. and no more than two stories.
- Proper screening must be approved by the Office of Planning and Zoning.
- Height limit for parking lot lights is 8 ft.
- Drainage facilities installed so that run-off drains to the flood control strip meets the Department of Public Works standard.
- The Site Plan must be approved by the State Highway Administration, Bureau of Public Services, and the Office of Planning and Zoning.

Case No. 73-146 XSPH Petition for Special Exception for an Office Building, a Special Hearing for a Use Permit for off-street parking in a residential zone, and a Special Hearing to amend the Special Exception in Case No. 73-4-RVA (December 1972) granted subject to the following:

- The size of the proposed office building shall not exceed four stories or 40 feet in height, whichever is greater.
- Proper screening, as approved by the Office of Planning and Zoning, be erected.
- The height limitation for lighting of parking lot, etc. being limited to 8 ft.
- Proper drainage facilities be installed so that run-off drains to flood control strip adjoining said property meet the requirements of Baltimore County Department of Public Works.
- The approval of the Site Plan by the State Highway Administration, Bureau of Public Services, and the Office of Planning and Zoning.

Case No. 76-150-X Petition for Special Exception for Convalescent Home (currently not utilized).

Case No. 84-122 SPH Petition for Special Hearing of a Use Permit for Business Parking in a residential (R-10) zone in accordance with Section 403.4 of the B.C.Z.R. and determination by way of an interpretation, of whether or not the site serving the parking spaces can be located partially in a DR 5.5 transition area. Granted January 28, 1981, subject to a revised Site Plan indicating the spaces which meet the 300-square foot requirement, being submitted for approval by the Department of Public Works and the Office of Planning and Zoning. It is further ordered, that a Use Permit for business parking in a residential zone for those parking spaces which do not meet the 300-square foot requirement without encroaching upon the DR 5.5 Zoned portion of the property and the same, is denied.

Case No. 86-283-SPH Petition for a Use Permit for off-street parking on a residentially zoned property should not be approved and the Petition for the Site Plan is denied, February 20, 1986, subject to the following:

The petition shall comply with the Site Plan approved in Case No. 73-146-SPH by reducing the number of medical offices in the office building to provide an overall composition of medical and general office use to 55-parking spaces within 20 days of the date of this order.

Case No. 87-335-SPH Petition for Special Hearing to approve a Use Permit for off-street parking on three parcels and to amend the Site Plan filed in Case No. 73-146-SPH and a determination of the applicable RTA.

Case No. 94-466-SPH Petition for Special Hearing, the design of the access road from the parking area on Parcel D to Greenridge Road, approved in accordance with Petitioner's Exhibit No. 1 (Reconsideration Hearing), subject to the following:

- The petitioners are hereby made aware that proceeding at this time, as the 30 day appeal process for this order has expired, if for whatever reason, the order is reversed, the petition would be required to return the said property to its original condition.
- All restrictions in prior zoning decisions by this office and the County Board of Appeals shall remain in full force and effect, except as expressly amended.
- The petitioner shall submit a landscape plan for approval to the County's landscape architect, so as to provide adequate and consistent buffering on the western side of this property, specifically including the proposed access road.

Case No. 05-583-SPHVA Petition for Special Hearing, Special Exception, and Variance.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of July 2005 that the Petition for Special Exception to allow a Class B office building in the R-O zone, pursuant to Section 204.3.5.2 of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, and:

IT IS FURTHER ORDERED that the Petition for Special Hearing seeking relief, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve 100% medical offices in lieu of the maximum allowed 25% (Lot 2) and 2) an amendment of all prior zoning relief and associated site plans and confirmation that RTA is not applicable (Lots 1A, 1B and 2), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, and:

IT IS FURTHER ORDERED that the Petition for Special Hearing seeking confirmation that parking on Lot 1B is permitted and accessory to the two office buildings and that a use permit is not required for parking in a residential zone R-O and the OR-1 zone for Lots 1A, 1B and 2, be and is hereby GRANTED, and:

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows:

- from Section 204.3.5.2 to permit the parking on Lot 1B as accessory to the two office buildings and confirm that a Use Permit is not required for parking in a residential zone R-O and the OR-1 zone (Lots 1A, 1B and 2) from Section 204.4.6.5 to permit a rear yard setback of 15 feet in lieu of the required 20 feet (Lot 2) and 2) from Section 204.4.6.7 to permit 2.25-acre lot size in lieu of the maximum allowed 1.0 acre (Lot 2) and 3) from Section 204.4.6.9(1) to permit a 10 foot side landscape buffer in lieu of the required 20 feet (Lot 2) and 4) from Section 204.3.5.2 to permit parking in the front yard in lieu of the side and rear yard (Lot 2) and 5) from Section 204.4.6.2 to permit a building height of 42'-6" in lieu of the maximum allowed 35' (Lot 2), in accordance with Petitioner's Exhibits 1 and 3, be and is hereby GRANTED, subject to the following restrictions:

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

2) Compliance with all the terms and conditions set forth in the Agreement entered into by and between the Petitioners and the Dulany Valley Improvement Association, dated August 24, 2004 (Petitioner's Exhibit 6) and Amendment No. 1, dated June 24, 2005 (Petitioner's Exhibit 7). Copies of the Agreement and Amendment No. 1 have been incorporated into the record of this case and made a part of this Order.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the alternative special hearing relief seeking approval or a Use Permit for parking in a residential zone and the OR-1 zone, pursuant to Sections 204.3.5.2 and 403.5.2 of the B.C.Z.R. for Lots 1A, 1B and 2, be and is hereby DENIED AS MOOT, and:

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from 1) Section 204.3.5.2, a to permit up to 100% medical offices in lieu of the maximum allowed 25% for the proposed building on Lot 2, as well as that portion of 7) from Section 204.4.6.2 pertaining to a building height of 42'-6" which is deemed not necessary, be and is hereby DENIED AS MOOT.

IT IS FURTHER ORDERED that any appeal of this decision must be entered within thirty (30) days of the date hereof.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

15. To the best of our knowledge, there are no hazardous materials on this site.

16. This site is not located within a floodplain, as shown on FIRM (Flood Insurance Rate Map) Number 24001 0265 B for Baltimore County.

17. There are no regulated wetlands or streams on this site.

18. All signs will comply with Section 450 of the Baltimore County Zoning Regulations, unless a zoning variance is granted.

19. The site does not include any designated areas of Critical State Concern.

20. Forest Conservation Act afforestation obligations will be satisfied through purchase of off-site forest retention credits.

21. Applications have been submitted requesting environmental variances for continued use of existing structures and proposed improvements in the Forest Buffer.

22. All outdoor dumpsters will be in compliance with Section 204.4.6.9.a and Section 204.4.6.9.b of the Baltimore County Zoning Regulations.

23. All curb cuts at this ingress/egress points on this site will be concrete curb and gutter entrances.

24. There have not been any new Building Permits for the subject property within the last 5 years, prior to Development Plan 1-P-100-1.

25. Mass Transit Services are provided by a bus stop located in front of Heaver Plaza, approximately 300' north of the site on northbound York Road.

26. Bureau of Traffic Engineering and Transportation Planning has confirmed that the subject site is not within a traffic deficient area (Basic Services Transportation Map, 2005). A Level "D" Service Area is identified for the York and Seminary Road intersection.

FOREST BUFFER EASEMENT NOTES

Standard Nondisturbance Note

"There shall be no clearing, grading, construction, or disturbance of vegetation in the Forest Buffer Easement except as permitted by the Baltimore County Department of Environmental Protection and Resource Management."

Protective Covenants Note

"Any Forest Buffer Easement shown herein is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas."

Access Note

Access to the Forest Buffer and Forest Conservation Easement shall be directly from York Road and Tenbury Road.

A variance was granted by the Baltimore County Department of Environmental Protection and Resource Management from Article 33, Title 3, Protection of Water Quality, streams, wetlands and floodplains. The forest buffer shown on Lot 1A and 1B was reduced to allow the continued use of the existing office building and parking lot. Mitigative measures were required to reduce water quality impacts.

COUNTY ADOPTED PLANS				
EXISTING	NOT EXISTING	IN CONFORMANCE		
X		X	Baltimore County Master Plan 1998-2000	
	X		Community or Reutilization Plan(s)	
	X		Recreation and Parks Plan	
	X		Streetscape Plan	
	X		Other: _____	

ENVIRONMENTAL INFORMATION				
EXISTING	NOT EXISTING	FIELD DELINEATED	FIELD VERIFIED	
X		X		Topography and street grades (min. 5 ft. contour appropriately labeled)
X		X		Slopes greater than 25%
	X			100 yr. floodplain
X				Soils mapped according to Soil Survey, Baltimore County, MD
X				Streams, seeps, ponds or other water bodies shown on site and within 200 ft. of site boundaries
	X			Wetlands
X		X		Forest Buffer limits including adjustments for steep slopes and/or erodible soils
X				Land cover on and within 200 ft. of site
	X			Significant regulated plant or wildlife communities
	X			Wells on site and within 100 ft. of site
	X TWO (2) PROPERTY PLANS A REVIEWED			Septic on site and within 100 ft. of site
	X			Underground fuel tanks on site and within 100 ft. of site
	X			Soil evaluation tests (peru tests) performed YES NO DATE

EXISTING BUILT CONDITIONS		
EXISTING	NOT EXISTING	
X		Locations of existing buildings within 200 ft. of site boundaries
X		Location of existing roads within 200 ft. of site boundaries
	X	Designated historic sites
	X	Designated archeological sites
	X	Significant views
	X	Significant features (specimen trees, buildings, streetscapes, etc.)
X		Land uses on and within 200 ft. of site
X		Road right-of-way and easements

IN RE: PETITION FOR VARIANCE * BEFORE THE
S side Greenridge Road, at corner of the * DEPUTY ZONING COMMISSIONER
W side of Tenbury Road
9th Election District
3rd Councilmanic District
(1209 York Road)

Greenridge M-10, LLC; John D. Mangione, Agent
Legal Owners
Katzan Eye Group; Richard Edlow, Authorized Person
Lessee

* CASE NO. 07-427-A

THEREFORE, IT IS ORDERED, this 29th day of May, 2007 by this Deputy

Zoning Commissioner, that the Petitioner's variance request from Section 450.4.1.5(n) to permit

a 133.13 square foot and a 225.68 square foot wall mounted sign in lieu of the permitted 8 square

feet each and to permit 2 signs per premises in lieu of 1 allowed is hereby GRANTED subject to

the following conditions:

- The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be

required to return, and be responsible for returning, said property to its original condition. The Petitioner's accepted the condition of approval that they could not obtain a building permit until the public sewer line was operational at their property; and

- Sign B facing the residential community (front) may be illuminated only during building office hours or to 8 PM which ever is sooner.

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

Order.

John V. Murphy
JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ADJACENT PROPERTY OWNERS					
PARCEL NO.	LOT NO.	MAILING ADDRESS	OWNER	TAX ACCOUNT NO.	DEED REF.
357	1	2 Ridgefield Road Lutherville, MD 21093	Roman Kulikovskiy Debbie R. Dupler-Kulikovskiy	09-2400001953	21877105
357	2	4 Ridgefield Road Lutherville, MD 21093	Robert L. and Octavia Spakman	09-0919640620	30761333
357	3	6 Ridgefield Road Lutherville, MD 21093	Joan Schmitt	09-0302470840	780711671
357	4	8 Ridgefield Road Lutherville, MD 21093	Amy Jo Lovely	09-0919610240	193331115
357	5	10 Ridgefield Road Lutherville, MD 21093	Andrea M. Alcares	09-0301351230	N/A
124	N/A	1205 York Road Penthouse Suite Lutherville, MD 21093	Nicholas B. and Mary C. Mangione	09-0903000120	7743704
79	1 & 2	1301 York Road Suite 707 Lutherville, MD 21093	Heaver Plaza II, LLC	09-2300011304 and 09-2300011305	15181168 and 15181152
435	N/A	1215 York Road Lutherville, MD 21093	BBDO Federal Credit Union	09-0919274221	514911620

SOILS CHART (Based on USDA Soil Survey for Baltimore County)									
SOILS SERIES	SEPTIC SYSTEM LIMITATIONS	HOME SITE LIMITATIONS WITH BASEMENT	WITHOUT BASEMENT	LIMITATIONS STREETS AND PARKING LOTS	HYDRO SOIL	SOIL GROUP	SOIL PROBABILITY K FACTOR	SLOPES	
C&B2	Severe	Moderate	Slight	Moderate	No	C	0.43	3%-8%	
JUD	Slight to Moderate	Slight to Moderate	Slight to Moderate	Severe	No	B	0.28	5%-15%	
S&B	Slight	Slight	Slight	Moderate	No	B	0.10	0%-5%	

SITE DATA				
ZONED	ACRES (NET)	UNITS ALLOWED	DENSITY UNITS	UNITS PROPOSED
DR-5.5	±0.41			
OR-1	±1.73			
RO	±3.56			
TOTAL	±5.70			

SITE DEVELOPMENT PROPOSAL											
PROPOSED LAND USE											
LOT	EXISTING LAND USE	GROSS SITE	NET SITE	USE	FAR**	AOF***	Parking Required	Parking Provided	Average Daily Trips (ADT)	Development Schedule	
1A*	Office Bldg.	±1.0 Ac.	±1.6 Ac.		Unchanged	Unchanged	204 PS (4.5 PS/1,000 SF)	316 PS (4.5 PS/1,000 SF****)	2,334	Existing	
1B*	Structural Commercial Use	±1.9 Ac.	±1.9 Ac.	Office Bldg. with Parking (Continued Use)							
2	Residential Structure Use	±2.5 Ac.	±2.2 Ac.	36,040 SF Office Bldg. with Parking	0.33	Provided 3,480 SF	Required 5,913 SF	Provided 162 PS (4.5 PS/1,000 SF)	193 PS (5.0 PS/1,000 SF)	1,224	2005/2006

* Lots 1A and 1B combined serve to the existing office building. The developer plans for continued use on these lots. Together, these lots provide the required FAR, Amenity Open Space, Parking, and Stormwater Management for the existing 72,000 office building.

** 36,000 SF / 103,440 SF (LOT 2)

*** REQ. = 49,695 SF x 0.07 = 3,480 SF

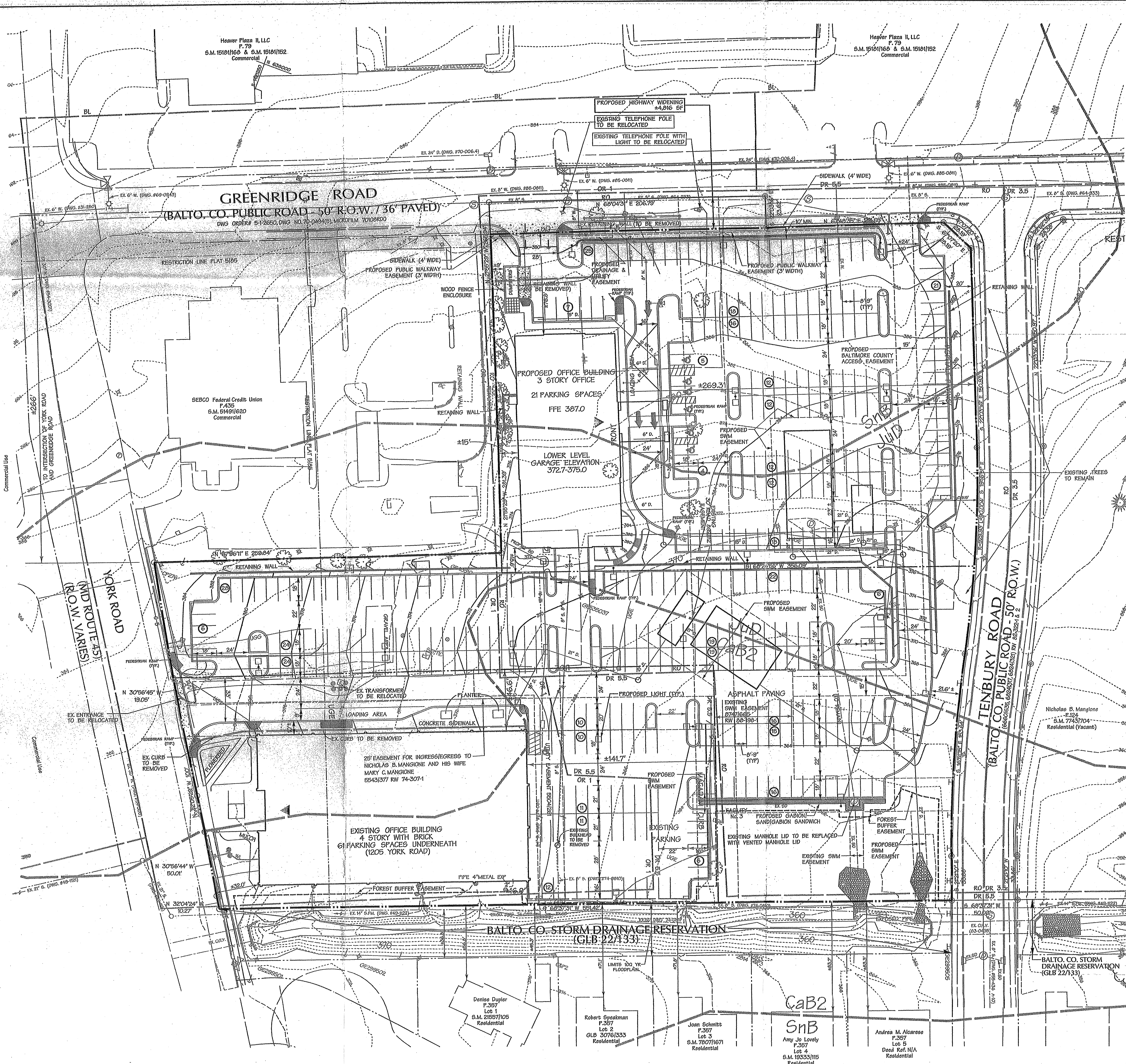
**** 324 + 162 = 486 Required 316 + 193 = 499 Provided
Lots 1A, 1B, and 2 will have cross-parking easements

STORMWATER MANAGEMENT FACILITY TABLE						
Facility #	Facility Type	Rev.	WQ.	WQ. Discharge	Cp	Cp. Discharge
1	Storm Vault	NA	NA	NA	NA	NA
2	Storm Vault	NA	3276 c.f.	1.30 c.f.s.	7609 c.f.	0.16 c.f.s.
3	Gabion Sand-Gabion Sandfill	NA	6059 c.f.	2.00 c.f.s.	8950 c.f.	0.13 c.f.s.
	Total Provided	NA	6115 c.f.*	3.30 c.f.s.	17,559 c.f.	0.29 c.f.s.*
	Total Required	NA	757007 ±265**	3.30 c.f.s.	21,736 c.f.	0.60 c.f.s.

*Channel Protection Volume (Cp) and flow are both less than required, based on the proposed TR-20, the Cp provided meets the intent of the regulations.

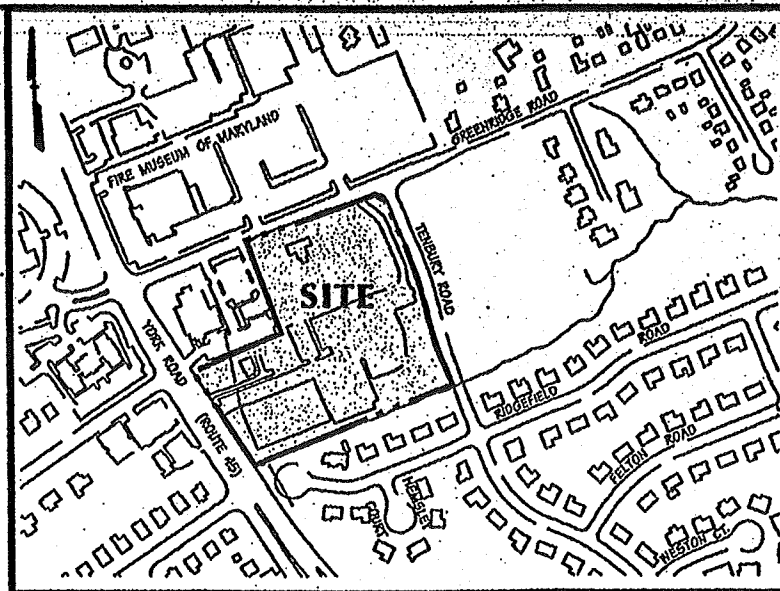
** (2000 Maryland Stormwater Management Design Manual, Section 3.4, pg. 3.39) "The entire treatment system (including pretreatment) shall temporarily hold at least 75% of the WQ, prior to filtration."

CERTIFICATION AS TO DELINQUENT ACCOUNTS



NOTES

1. See Architectural plans for Utility Tie-ins to Proposed 3 Story Office Building.

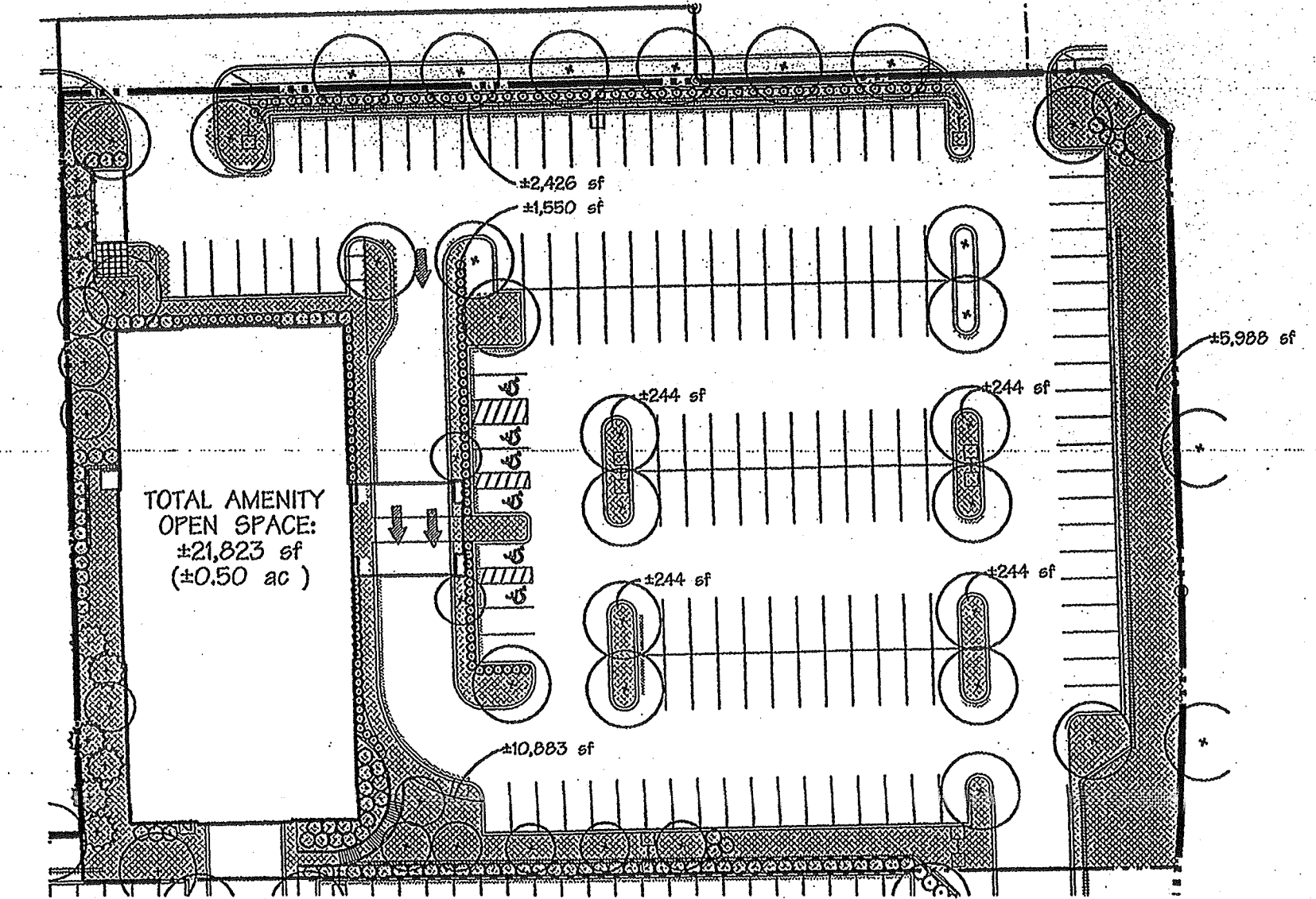


VICINITY MAP

SCALE: 1"=500'

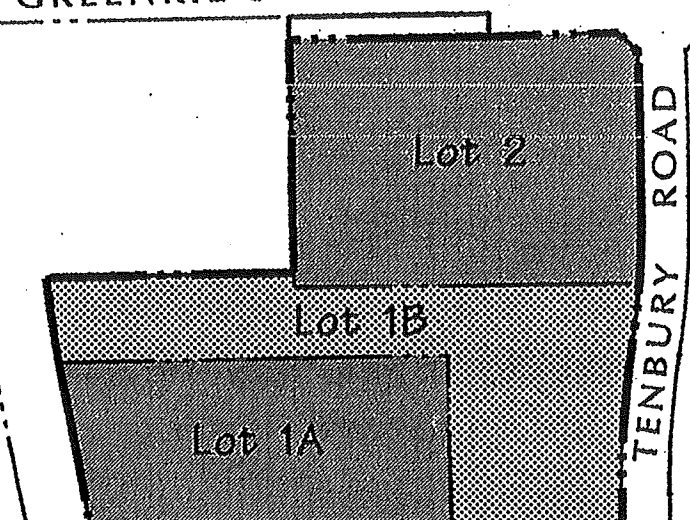
AMENITY OPEN SPACE EXHIBIT

SCALE: 1"=50'



LOT AREA EXHIBIT

GREENRIDGE ROAD



LOT#	GROSS AREA	NET AREA
1A	11.8 Ac.	11.6 Ac.
1B	11.80 Ac.	11.9 Ac.
2	12.50 Ac.	12.2 Ac.
TOTAL	46.2 Ac.	45.7 Ac.

* See KEY for lot locations

LEGEND

Adjacent property line	Ex. stream
Subject property line	Ex. retaining wall
Ex. minor contour (1')	Zoning line
Ex. major contour (5')	Setback line
Ex. curb/edge of walk or paving	Ex. fence
Ex. utility line (OH - overhead)	Ex. structure
UG - underground	Ex. storm drain
DR 5.5	Ex. water main
CaB2	Ex. curb & gutter
Ex. edge of paving	Ex. edge of paving
Ex. trees/tree line	Prop. tree line
Prop. tree line	Prop. curb & gutter
Prop. curb & gutter	Prop. storm drain
Prop. storm drain	Prop. sanitary sewer
Prop. sanitary sewer	Prop. water main
Prop. water main	Prop. Tee, Valve and Fire Hydrant
Prop. Tee, Valve and Fire Hydrant	Prop. minor contour
Prop. minor contour	Prop. major contour
Prop. major contour	Guardrail
Guardrail	Prop. light fixture
Prop. light fixture	Front building entry

BENCHMARK

1. Coordinates and bearings shown on this plan are referred to the system of coordinates established in the Maryland Coordinate System - NAD 83(89), and are based upon the following National Spatial Reference System Control Designation North (NAD 83) East (E) FID
WM MALL 62058137 1464674.60 JVE936
AIRPORT 63365744 1475752.12 JVE940

2. Elevations shown on this plan are referred to the North American Vertical Datum 1988 (NAVD 88) with local reference to the following National Geodetic Survey Designation ELEVATION FID
WM MALL 95.85 JVE936

3. All utilities shown hereon are based solely on field location. No comparison to, or enhancement has been made from any utility drawings. The location of any underground utility shown hereon is approximate and must be verified prior to the commencement of any construction activity.

4. The direction of underground pipes shown hereon are approximate and, therefore, 5. The date of the latest field work performed by DMW is 1-12-04.

DATA SOURCES

Boundary shown hereon is from a Boundary Worksheet prepared by DMW, Inc. dated March 15, 2005.

Topography shown hereon is from a field-run survey by DMW, Inc. and supplemented with Baltimore County Office of Information Technology - G.L.S. Division topography.

DMW
Daft-McCune-Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21206
(410) 286-3933
Fax 286-4705

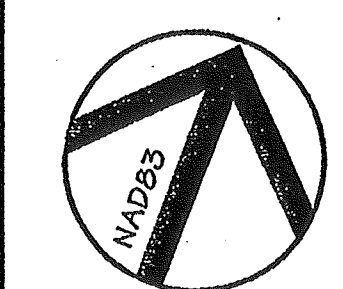
A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

ZONING VARIANCE PLAN

1209 York Road
MANGIONE PROPERTY
1205 and 1209 York Road
Baltimore County, Maryland

Ninth Election District

Third Councilmanic District



DATE	BY	REVISIONS
12/02/05	SHI	PER COUNTY COMMENTS

REVIEW:	8/2/05
PERMIT:	
CONSTRUCTION:	
BASE:	MSS
DRAWN:	MSS
DESIGNED:	LOHICRW
CHECKED BY:	
DATE CHECKED:	
SCALE:	1"=30'
PROJECT NO.:	94021F
DRAWING:	

BALTIMORE COUNTY DEPT. OF PDM
Project No. 09-781, DR# 241105B
BALTIMORE COUNTY CODE
Section 32-4-106B
CERTIFICATION DEVELOPMENT Plan Approval
By: [Signature] Date: 8/31/06
This plan approval shall expire four (4) years from this approval date.

PDM FILE # 09-781
DRC # 041105B