

IN RE: PETITION FOR VARIANCE

N/E Corner of Marriot Lane and
Liberty Road (MD Rte. 26)

(8208 Liberty Road)

2nd Election District

4th Council District

8208 Liberty Road, LLC

Petitioner

BEFORE THE

ZONING COMMISSIONER

OF

ZONING COMMISSIONER

Case No. 2010-0224-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 owner of the subject property, 8208 Liberty Road, LLC, by Gerald Jones, its managing member, by and through their attorney, Diane Leigh Davison, Esquire. Petitioner requests variance relief from Sections 238.1 and 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 23 feet in lieu of the required 25 feet and a rear yard setback of 15 feet in lieu of the required 30 feet for a proposed one-story Class B Office Building. The Petitioner also seeks approval to allow a portion of access and drive aisle to be located in a narrow portion of the property zoned R-O located next to the northern property line. The subject property and requested relief are more particularly described on the amended redlined site plan¹, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request on behalf of the property owner were Errol A. Ecker, project manager, and Bernadette L. Moskunus, Vice President of Site Rite Surveying, Inc., the consultant who prepared the site plan and conducted a field survey of the property. The Petitioner was represented by Howard L. Alderman, Jr., Esquire of Levin & Gann, P.A. There were no Protestants or other interested persons present. It

¹ At the request of the Office of Planning, in its Zoning Advisory Committee (ZAC) comment, the plan was amended to reflect a right-of-way dedication to Baltimore County that runs along the western edge of the site (adjacent to Marriot Lane) for future sidewalk location.

ORDER RECEIVED FOR FILING

Date

4-26-10

By

93

is to be noted that a letter supporting the variances needed to accommodate an office building at this location was received from Peirce Macgill, a Commercial Revitalization Specialist, with the Department of Economic Development for Baltimore County. See Petitioner's Exhibit 3.

Testimony and evidence revealed the subject property is a somewhat quadrilateral shaped parcel located at the northeast corner of Liberty Road and Marriot Lane just east of Rolling Road in Randallstown. Mr. Alderman provided a detailed history of this unimproved modest corner 0.548-acre (23,882 square foot) tract split-zoned B.R.-A.S. and R-O. The predominant zoning of the property is B.R.-A.S., with a narrow strip along the northern boundary zoned R-O. This section of Liberty Road from Marriot Lane to the east is predominantly commercial and retail uses. To the west and south are the County and State roadways. Immediately adjacent to the property to the north are residential dwellings in the R-O zone. The only access available to this site is from Marriot Lane at the northwest corner some 200 feet northeast of Liberty Road. This finding is corroborated by the State Highway Administration's correspondence (February 16, 2010) contained in the file denying proposed egress/ingress points at other locations for the proposed center.

The subject of the instant petition relates to the proposed 2,196 square foot Class B – "JBL Center" – that will front Marriot Lane and require eight (8) parking spaces (11 are provided). A Class B Office Building is defined in Section 101 of the B.C.Z.R. as: "A principal building used for offices and which is not a Class A office building". A Class B Office Building is permitted in the B.R.-A.S. zone as a matter of right.² As noted above, a portion of the office building's access is proposed in a sliver of property, zoned R-O. The building and parking

² B.C.Z.R. Section 236.1.A – Business, Roadside (B.R.) references as permitted uses those found in the Business Major (B.M.) zones. Section 233.1 likewise references the Business, Local (B.L.) zones. Section 230.1.A.6 identifies as permitted uses "offices and office buildings".

spaces, however, as illustrated on the site plan (Exhibit 1) are located wholly within the B.R.-A.S. zone. While a Class B Office Building can be approved in a R-O zone, pursuant to Section 204.3 of the B.C.Z.R., no such use is proposed here. The Zoning Advisory Committee (ZAC) comments received from the State Highway Administration are clear that no access would be approved directly onto Liberty Road or on Marriot Lane in proximity to its intersection with Liberty Road. The testimony offered described the access proposed as the only other viable location given site distance considerations on Marriot Lane. Pursuant to the public hearing held on this petition, it is clear that the portion of the drive aisle can be approved in the R-O zone pursuant to the Zoning Commissioner's Policy Manual (ZCPM) Section 102.6A.4. There is no other approvable location for access to the subject property and, as depicted on the site plan, only approximately one-half of the drive aisle is located within the R-O zoning designation. In my judgment, this proposal complies with the requirements of the B.C.Z.R. and will not cause detrimental impacts to the health, safety and general welfare of the locale. In sum, roads are permitted as accessory uses in an R-O zone.

Turning next to the variance request, similar evidence was offered in support. The site is uniquely shaped, resembling an upside down "L". The southern leg along Liberty Road is 114 feet wide and then tapers to a 60 foot width in just 150 feet before reaching the northern portion of the "L" that is 50 feet wide and runs a distance of 199 feet to the east away from Marriot Lane. These inherent characteristics are illustrated on the site plan and are features not shared by other properties in the area. It is the property's shape and a 20' wide x 210' long strip of land along Marriot Lane that has been taken for future highway widening coupled with the difficulties in obtaining access to a public right-of-way that drives the need for variance relief. Suffice it to say, these characteristics create substantial and unusual architectural challenges in locating a

building on the site that will provide a reasonable and significant use. *See, Belvoir Farms v. North*, 355 Md. 259 (1999) and *White v. North*, 356 Md. 31 (1999). The building has been pushed back towards other commercial uses and designed in an "L" shaped to fit the lot with the most space (30 feet wide) at the southern end of the site near Liberty Road but then narrows or is "stepped back" at its northern terminus (22 feet wide). I find the building and parking field have been designed in such a manner as to provide for the minimum amount of zoning relief necessary. A denial of the requested relief given these facts would be an unnecessary or unwarranted hardship on the Petitioner, as the property would be so constrained that no reasonable use would be viable.

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.

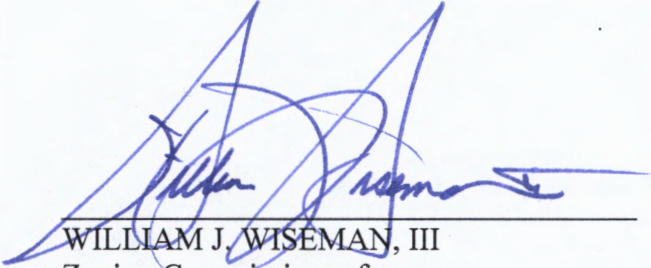
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of April 2010 that the Petition for Variance seeking relief from Sections 238.1 and 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 23 feet in lieu of the required 25 feet and a rear yard setback of 15 feet in lieu of the required 30 feet for a proposed one-story Class B Office Building, in accordance with Petitioner's Exhibit 1, be and the same is hereby GRANTED; subject to the following conditions:

1. The Petitioner is advised that they may apply for any required building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall landscape the site in accordance with the landscape plan to be prepared, reviewed and approved by the Office of Planning and the County's Landscape Architect.

3. As shown on Petitioner's Exhibit 1, the project shall proceed without the construction of sidewalk. The Petitioner shall, however, dedicate to Baltimore County an easement sufficient to permit the future construction of a sidewalk along the western edge of the property adjacent to Marriot Lane.

IT IS FURTHER ORDERED, that a determination to permit a portion of the access and two-way drive aisle located in a narrow portion of the property zoned R-O located next to the northern property line, be and is hereby APPROVED.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code (B.C.C.).



WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

ORDER RECEIVED FOR FILING

Date

4-26-10

By





BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

April 26, 2010

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, MD 21204

RE: **PETITION FOR VARIANCE**
N/E Corner of Marriot Lane and Liberty Road (MD Rte. 26)
(8208 Liberty Road)
2nd Election District - 4th Council District
8208 Liberty Road, LLC - *Petitioner*
Case No. 2010-0224-A

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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,

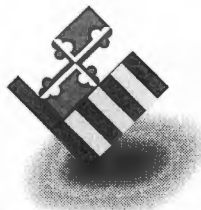
A handwritten signature in black ink, appearing to read "William J. Wiseman, III", written over a circular stamp.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Gerald Jones, 8208 Liberty Road, LLC, 8 Church Lane, Pikesville, MD 21208
Errol A. Ecker, 4403 Osborn Road, Boring, MD 21020
Bernadette L. Moskunas, Vice President, Site Rite Surveying, Inc., 200 East Joppa Road,
Room 101, Towson, MD 21286
Peirce Macgill, Department of Economic Development
People's Counsel; Office of Planning; DPR; File

BW
4-16-10



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

April 14, 2010

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

Site Rite Surveying, Inc.
Bernadette L. Moskunas

Re: Case # 2010-0224-A 8208 Liberty Road

Quick Response:

This quick response is being given to save time in answering your review request.

As per policy 102.6 page 1-42-1, Zoning Commissioner's Policy Manual, a Special Hearing or relief is required due to the fact that:

- 1) The access shown is not the only possible access and
- 2) The circulation/driveway in the R.O. is directly accessed from the street for a use not permitted in the R.O. Zone

A handwritten signature in black ink, appearing to read "W. Carl Richards".

W. Carl Richards, Supervisor

RECEIVED

APR 14 2010

ZONING COMMISSIONER



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at #8208 Liberty Road
which is presently zoned BR-AS and RO

Deed Reference: 28924 / 261 Tax Account # 0202851921 & 1600003939

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) 238.1; BCZR, TO PERMIT

A FRONT YARD SETBACK OF 23ft. IN LIEU OF THE
REQUIRED 25ft. FOR AN OFFICE BLDG. AND A REAR
YARD OF 15ft. IN LIEU OF THE REQUIRED 30ft. (238.2, B.C.Z.R.)

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

see attached

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Diane Leigh Davison, Esq.

Name - Type or Print

Signature

Law Office of Diane L. Davison

Company

1222 Glenback Avenue

Address

Baltimore

MD

Telephone No.

21208

City

State

Zip Code

Legal Owner(s): Gerald Jones

8208 Liberty Road, LLC Managing Member

Name - Type or Print

Signature

Name - Type or Print

Signature

32 Harrod Court

Address Pikesville

Reisterstown

City

MD

State

Telephone No.

21136

Zip Code

21208

Representative to be Contacted:

Site Rite Surveying, Inc.

Name

200 E. Joppa Road, Room 101 410-828-9060

Address

Towson

MD

City

State

Telephone No.

21286

Zip Code

Case No. 2010-0224-A

ORDER RECEIVED FOR FILING

REV 8/20/07

Date 4-26-10

By lsu

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by Jen Date 2.24.10

Reasons to accompany Variance Petition for #8208 Liberty Road (a.k.a #3601 Marriott Lane)

- ***This property contains three lots as shown on a record plat dated Nov. 26, 1934. There is no contiguous ownership to accommodate the current zoning requirements relative to setbacks.***
- ***The configuration of the lot restricts the ability to meet current zoning requirements; however, the request is within the spirit and intent of such regulations.***
- ***This request has been met with favorable review by the Liberty Road Business Association and Mr. David Green of the Office of Planning. The Petitioner does not feel this request will adversely impact the safety or general welfare of the surrounding community.***

ZONING DESCRIPTION
"JBL CENTER"
#8208 LIBERTY ROAD

BEGINNING at the northeast intersection of Marriotts Lane (60' R/W) and Liberty Road, MD State Road No. 26 (86' R/W); thence running and binding along Marriotts Lane N42° 22' 47"E, 210.33'; thence leaving said road and running S65°89'16"E, 199.35; thence running S24°20'44"W, 50.00'; thence running N65°39'16"W, 150.00'; thence S24°20'44"W, 150.00'; thence running N65°39'16"W, 114.47' along the right-of-way for Liberty Road to the Point of Beginning as recorded in Deed Liber 28924, folio 261. Being Lot Nos. 1 and 195 as shown on Subdivision Plat "Lagathia" as recorded in the Land Records of Baltimore County Plat Book No. 10, folio 82 and Lot Nos. 35 and 36 as shown on Subdivision Plat "Lagathia" as recorded in the Land Records of Baltimore County Plat Book NO. 7, folio 158; containing 0.548 acres of land, more or less. Also known as #8208 Liberty Road and located in the 2nd Election District, 4th Councilmanic District.



Michael V. Moskunas
Registration No. 21175

Site Rite Surveying, Inc.
200 E. Joppa Road, Suite 101
Towson MD 21286

**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: 0224
Petitioner: JBL (a.k.a. 8208 Liberty Road, LLC)
Address or Location: 8208 Liberty Road.

PLEASE FORWARD ADVERTISING BILL TO:

Name: 8208 Liberty Road, LLC
Address: 8 Church Lane
Pikesville, MD 21208
Telephone Number: Erol Becker 443-790-0955

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

No. _____

Date: _____

Rev Sub
Source/ Rev/

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount

Total: _____

Rec

From: _____

For: _____

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: 2010-0224-A

8208 Liberty Road

N/east Intersection of Marriotts Lane and Liberty Road

2nd Election District — 4th Councilmanic District

Legal Owner(s): Gerald Jones

Variance: to permit a front yard setback of 23 feet in lieu of the required 25 feet for an office building and rear yard of 15 feet in lieu of the required 30 feet.

Hearing: Friday, April 16, 2010 at 10:00 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.
04/037 April 1 234526

CERTIFICATE OF PUBLICATION

4/11, 2010

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 4/11, 2010.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No 2010-0224-A

Petitioner/Developer SITE
RITE SURVEYING

Date Of Hearing/Closing 4/14/10

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

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 8208 LIBERTY RD

This sign(s) were posted on March 30, 2010
Month, Day, Year

Sincerely,

Martin Ogle 3/30/10
Signature of Sign Poster and Date
Martin Ogle

60 Chelmsford Court
Baltimore, Md. 21220
443-629-3411

ZONING NOTICE

CASE # 2010-0224-A

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

ROOM 1016 COUNTY OFFICE BUILDING 111

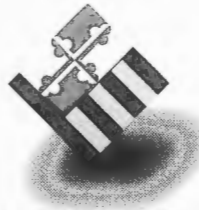
PLACE: WEST CHESAPEAKE AVENUE TOWSON 21204

DATE AND TIME: FRIDAY, APRIL 16, 2010
AT 10:00 A.M.

REQUEST: VARIANCE TO PERMIT A FRONT YARD SETBACK
OF 25 FEET IN LIEU OF THE REQUIRED 25 FEET FOR
AN OFFICE BUILDING AND REAR YARD OF 15 FEET IN LIEU
OF THE REQUIRED 30 FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONTINUE HEARING CALL 507-3301

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 Management
March 16, 2010

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: 2010-0224-A

8208 Liberty Road

N/east intersection of Marriotts Lane and Liberty Road

2nd Election District – 4th Councilmanic District

Legal Owners: Gerald Jones

Variance to permit a front yard setback of 23 feet in lieu of the required 25 feet for an office building and rear yard of 15 feet in lieu of the required 30 feet.

Hearing: Friday, April 16, 2010 at 10:00 a.m. in room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Diane Davison, Esq., 1222 Glenback Avenue, Baltimore 21208
Gerald Jones, 8 Church Lane, Pikesville 21208
Site Rite Surveying, Inc., 200 E. Joppa Road, Rm. 101, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, APRIL 1, 2010.**
- (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, April 1, 2010 Issue - Jeffersonian

Please forward billing to:

Erol Ecker
8208 Liberty Road, LLC (JBL)
8 Church Lane
Pikesville, MD 21208

443-790-0955

NOTICE OF ZONING HEARING

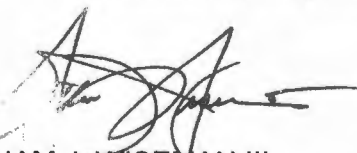
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111 West Chesapeake Avenue, Towson 21204



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

April 7, 2010

Diane Darison
Law Office of Diane L. Darison
1222 Glenback Ave.
Baltimore, MD 21208

Dear: Diane Darison

RE: Case Number 2010-0224-A, 8208 Liberty Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 24, 2010. 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Gerald Jones; 8208 Liberty Road, LLC; 8 Church Ln.; Pikesville, MD 21208
Site Rite Surveying, Inc.; 200 E. Joppa Rd. Rm. 101; Towson, MD 21286

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

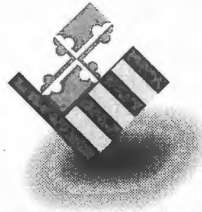
DATE: March 3, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For March 15, 2010
Item Nos. 2010-220, 221, 222, 223,
224 and 225

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

DAK:CEN:cab
cc: File
G:\DevPlanRev\ZAC -No Comments\ZAC-03152010 -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

March 8, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 1, 2010

Item Numbers: 0219, 0220, 0221, 0222, 0223, 0224 and 0225

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



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

Maryland Department of Transportation

March 4, 2009

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

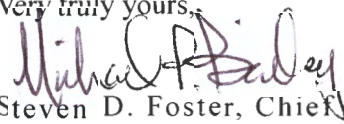
RE: Baltimore County
Item No. 2010-0224-A
MD 26 (Liberty Road)
at Marriot Lane
8208 Liberty Road
JBL Center Property
Variance- To permit a front yard setback
of 23 feet in lieu of the required 25 feet
for an office building and rear yard
setback of 15 feet in lieu of the required
30 feet

Dear Ms. Matthews:

We have reviewed the plan to accompany petition for variance request on the subject of the above captioned, which was received on March 1st. A field inspection reveals that the existing entrance onto Marriot Lane is adequate. Also, no access is permitted onto MD 26 (Liberty Road) at this location. Based on available information the State Highway Administration (SHA) has no objection to JBL Center Property at 8208 Liberty Road, Case Number 2010-0223-X approval as shown on the plan.

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 (mbailey@sha.state.md.us). Thank you for your attention.

Very truly yours,


Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

Cc: Ms. Eric Kuhn, ADE-Traffic, SHA
Mr. Michael D. Moskumas, Engineer, Siterite Surveying, Inc.
Mr. David Malkowski, District Engineer, SHA
Mr. Joseph Merrey, Dept Permits & Development Management, Baltimore County
Mr. Eric Tombs, Traffic Mgr. SHA
8208 Liberty Road, LLC, Owner

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





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

State Highway
Administration

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

Maryland Department of Transportation

February 16, 2010

Mr. Vince Moskunas, Associate
200 E. Joppa Road
Shell Building, Suite 101
Towson, MD 21286

RE: Baltimore County
MD 26 (Liberty Road)
at Marriott Lane
JBL Center
8208 Liberty Road
Mile Post 7.337

Dear Mr. Moskunas:

This is in reference to our ongoing review of the plan to accompany petition for variance associated with proposed improvements for JBL Center, which was received via email on January 18, 2010. Our District Four Traffic Engineering Office completed their review of the plan.

The following comments are offered for your consideration:

- The site plan shows a proposed 25 foot-wide driveway located directly at the northwest corner of the intersection. It should be noted that this section of MD 26 is classified as an urban "other" principal arterial and experiences heavy traffic congestion during both the morning and evening peak travel periods. Considering the corner clearance (in relationship to the proximity of the intersecting road), the proposed access point has the potential to create conflicts with motorists turning from the side road onto MD 26, as well as motorists using the existing egress/ingress point for the business located to the east.
- This section of MD 26 has heavy pedestrian traffic. Several enhancements have been incorporated as a means of reducing conflicts between pedestrians and motorists along MD 26. The proposed access point could create conflicts with pedestrians traveling within the hatched median to (and from) the refuge area located just to the east.
- Consideration should be given to utilizing/modifying the existing egress/ingress point for the proposed center.

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

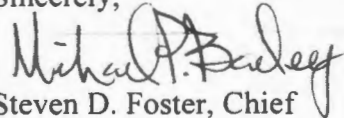
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410-545-0300 • www.marylandroads.com

Mr. Vince Moskunas
JBL Center
Page 2

In summation: The findings of this review have determined that the access point proposed for the JBL Center will adversely impact pedestrian/vehicle safety, as well as traffic operations along MD 26. Considering this information, it is our recommendation that approval of the proposed access point be denied.

If you have any questions regarding the comments, feel free to contact Michael Bailey at 410-545-5593 or our toll free number in Maryland 1-800-876-4742 extension 5593. Also, you e-mail him at mbailey@sha.state.md.us. Thank you for your attention.

Sincerely,


for¹ Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

Cc: 8208 Liberty Road, LLC, Owner
Mr. Dennis Kennedy, Bur. Development Plans Review, Baltimore County
Ms. Erin Kuhn, ADE-Traffic, SHA
Mr. David Malkowski, Metropolitan District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA
Mr. Eric G. Tombs, Sr., Traffic Manager, SHA

BW
4-16-10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

APR 12 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: April 12, 2010

SUBJECT: Zoning Item # 10-224-A
Address 8208 Liberty Road
(8208 Liberty Road, LLC Property)

Zoning Advisory Committee Meeting of March 1, 2010.

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

Reviewer: JWL

Date: 4/12/2010

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 15, 2010

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

SUBJECT: Tim Kotroco,

INFORMATION:

Item Number: 10-224

Petitioner: Timothy Kotroco,

Zoning: BR-AS and RO

Requested Action:

Variances from Section:

1. 238.1B to permit a front yard set back of 23 - feet in lieu of the required 25-feet.
2. 232.2B for a rear yard setback of 15 feet in lieu of the required 25 feet.

SUMMARY OF RECOMMENDATIONS:

An inspection of the site revealed that the proposed variances are being requested in a Master Plan designated Community Conservation Area and Commercial Revitalization District. Subsequent discussions with the petitioner's engineer revealed that the requested variances are necessary to construct any significant building on the site.

The petitioner must install a sidewalk along the western edge of the site and submit a landscape plan to the Office of Planning for approval prior to applying for a building permit.

The Office of Planning recommends approval of the requested variances provided the petitioner provides the aforementioned. For further information concerning this matters stated here in, please contact Dave Green at 410-887-3480.

Reviewed by: _____

Division Chief: _____
AFK/LL: CM

RE: PETITION FOR VARIANCE * BEFORE THE
8208 Liberty Road; NE intersection of * ZONING COMMISSIONER
Marriotts Lane and Liberty Road *
2nd Election & 4th Councilmanic Districts * FOR
Legal Owner(s): 8208 Liberty Road, LLC * BALTIMORE COUNTY
Petitioner(s) *
* 10-224-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

RECEIVED

MAR 04 2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of March, 2010, a copy of the foregoing Entry of Appearance was mailed to Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286 and Diane Davison Esquire, 1222 Glenback Avenue, Baltimore, MD 21208, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

From: Debra Wiley
To: Murray, Curtis
CC: Are, Kathy; Lanham, Lynn
Date: 4/15/2010 2:02 PM
Subject: Gentle Reminder - Comments Needed
Attachments: Comments Needed

10 AM
2010-0224-A
Missing
of

Hi Curtis,

Please see attached email as Bill needs these for tomorrow's hearings. Thanks.

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

From: Debra Wiley
To: Livingston, Jeffrey; Murray, Curtis
Date: 4/9/2010 3:32 PM
Subject: Comments Needed

Good Afternoon Gentlemen:

In reviewing case files for next week's hearings, it appears Bill needs comments for his hearing on Friday, April 16th at:

9 AM - 2010-0235-A - (need Planning & DEPRM)

10 AM - 2010-0224-A - (need Planning & DEPRM)

11 AM - 2010-0227-SPH - (need Planning & DEPRM)

As always, thanks for your usual cooperation and have a great weekend !

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

HOWARD L. ALDERMAN, JR.
halderman@LevinGann.com

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

ELLIS LEVIN (1893-1960)
CALMAN A. LEVIN (1930-2003)

April 13, 2010

William J. Wiseman, III, Zoning Commissioner
The Jefferson Building, Suite 103
105 West Chesapeake Avenue
Towson, Maryland 21204

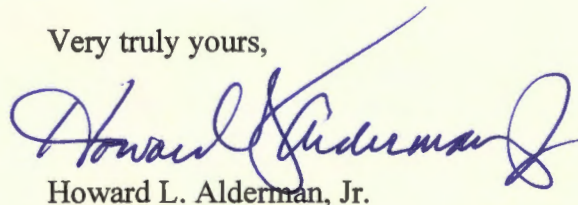
RE: Petition for Variance
8208 Liberty Road
Case No. 2010-0224-A
Entry of Appearance/Substitution of Counsel

Dear Mr. Wiseman:

Please accept for filing in the above-referenced matter the enclosed Entry of Appearance/Substitution of Counsel. Should you need any additional information in this matter, please do not hesitate to contact me.

Thank you.

Very truly yours,



Howard L. Alderman, Jr.

HLA/gk
Enclosure
c (w/encl.): 8202 Liberty Road, LLC
Diane Leigh Davison, Esquire
People's Counsel for Baltimore County

BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY

**RE: PETITION FOR VARIANCE
8208 Liberty Road**

**2nd Election District
4th Councilmanic District**

8208 Liberty Road, LLC,

Petitioner/Owner

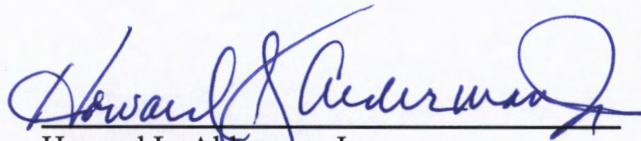
Case No.: 2010-0224-A

ENTRY OF APPEARANCE/SUBSTITUTION OF COUNSEL

Madame Clerk:

With concurrence of the Owner/Petitioner and original counsel, Diane Leigh Davison, Esquire, please enter the appearance of the undersigned as substitute counsel on behalf of the Petitioner in the above-captioned case and forward all further notices and other communications to me at the address listed below.

Thank you.



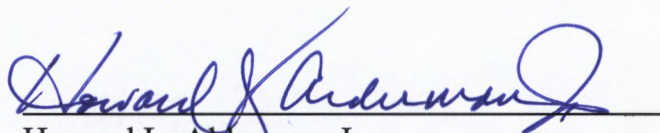
Howard L. Alderman, Jr.
Levin & Gann, P.A.
8th Floor, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204
410.321.0600 [voice]
410.296.2801 [fax]
halderman@LevinGann.com [e-mail]

Attorneys for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of April, 2010, a copy of the foregoing Entry of Appearance/Substitution of Counsel was mailed, via First-Class, United States Mail to: i) 8208 Liberty Road, LLC, c/o Gerald Jones, Member, 8 Church Lane, Baltimore, Maryland 21208; ii) Diane Leigh Davison, Esquire, 1222 Glenback Avenue, Baltimore, Maryland 21208; and iii) Peter Max Zimmerman, Esquire, People's Counsel for Baltimore County, Carole S.

Demilio, Deputy People's Counsel, 105 W. Chesapeake Avenue, Suite 204, Towson, MD 21204.



Howard L. Alderman, Jr.

Proposed Language for Consideration – CASE NO. 2010-0224-A

The proffered testimony was that the subject property is not being used residentially, nor is the Petitioner seeking approval of a subdivision or development plan for the property. While a portion of the access is proposed to be located in the narrow portion of the subject property which is zoned R-O, the buildings and parking spaces proposed are located wholly within the BR-AS zone. While a Class B Office Building can be approved in a R-O zone pursuant to BCZR § 204.3, no such use is proposed on this property. The Zoning Advisory Committee review comments from the State Highway Administration are clear that no access would be approved directly onto Liberty Road or on Marriot Lane in proximity of its intersection with Liberty Road. The testimony offered described the access proposed as the only other viable location given sight distance considerations on Marriot Lane. Pursuant to the public hearing held on this Petition, it is clear that the portion of the drive aisle can be approved in the R-O zone pursuant to *Zoning Commissioner's Policy Manual* § 102.6A.4. There is no other approvable location for the access to the subject property and, as depicted on Petitioner's Exhibit 1 only approximately ½ of the drive aisle is located within the R-O zone.

SITE RITE SURVEYING, INC.

200 East Joppa Road, Suite 101
Towson Maryland 21286
(410) 828-9060 FAX: (410) 828-9066

January 19, 2010

Mr. Carl Richards
Zoning Review
Baltimore County Office Building
111 W. Chesapeake Avenue
Towson MD 21204

**Re: JBL Center Zoning Variance Petition
#3601 Marriott Lane**

Dear Mr. Richards:

At your request, this firm has prepared a list of reasons why the proposed parking section is partially located in the RO Zoning Area of the attached plan. They are as follows:

- We are of the opinion that the RO Zoning Line should have been located along the line of division between Lot 36 and Lot 37 as shown on said plan and on the approved Development Plan (PDM File No.II-740). Therefore, had this been the case, it would not unnecessarily burden the subject property relative to zoning regulations.
- A driveway and two-way movement aisle way is not feasible along Liberty Road due to the location of the existing driveway entrance for #8204 Liberty Road and the public road bed for Marriott Lane (only 97 feet between the two). This location becomes a public safety issue relative to the close proximity of the existing ingress and egress lanes and congestion created. This location forces the building back 5' to increase the rear yard setback variance relief from 15' to 10'. It also pushes the parking away from the building and complicates the traffic circulation pattern.
- Because a driveway entrance and aisle way only allows for ingress and egress to the property until vehicles reach the rear of the lot for parking, this unnecessarily burdens the development with excess lot coverage (approximately 3200 S.F.); which becomes a Storm Water Management issue. The lot configuration, building location and Section 409, BCZR seriously restrict ability to provide parking in front of the building along the Liberty Road side of the building.

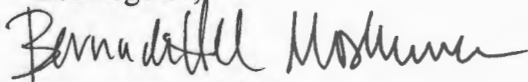
- A driveway entrance and aisle way is not feasible along the building frontage off of Marriott Lane because, as with Liberty Road, it only provides an ingress and egress until the rear of the property that accommodates the required parking spaces and also creates a safety issue for the lack of sight line distance for right turning vehicles from Liberty Road and left turning vehicles from Marriott Lane. The further away the driveway entrance, the better sight line distance conditions.
- Liberty Road and Building Frontage at Marriott Lane Driveway/Aisle Way access unnecessarily burden the property with a need for additional variances and will require the access to run contiguously with the existing 30' road.
- Although the driveway entrance and aisle way proposed can be relocated within the BR-AS Zoning, it is inevitable that a portion of the parking lot will be located in the RO Zoning. In addition, the 22' drive aisle is less invasive than the parking spaces.

As a design issue, the location of the Class B Office Building Access, is the most efficient and effective means for BCZR Compliance, Section 307, 409 to minimize ease of traffic flow, ensure public safety and general welfare, minimize zoning relief, lot coverage (per DEPRM, SWM) provide clients most direct access.

Also, please see attached, the SHA Denial of a Proposed Access Point for Liberty Road from Mr. Michael Bailey dated February 16, 2010.

Thank you for your attention to the above.

Best regards,



Bernadette L. Moskunas
Vice President

BLM/atm
Attachment

cc: JBL Center c/o Errol Ecker

2010-0224-A
02/24/25

NOTE T FILE: Bernadette from Site Rite advised that she has spoken to Carl Richards, Zoning Supervisor, who agreed that a Special Hearing or Special Exception would not be required for that portion of the parking facility located in the RO zone if she produced a letter from SHA stating that no ingress/egress would be permitted onto Liberty Road directly from the property.

JCM

CHECKLIST

Comment
ReceivedDepartmentSupport/
Oppose✓

DEVELOPMENT PLANS REVIEW

No Comment✓ Rec'd
Missing 4/9

DEPRM email sent 4-9

No Comment✓

FIRE DEPARTMENT

No CommentMissing 4/9, 4/15PLANNING email sent 4-9
email sent 4-15_____✓

STATE HIGHWAY ADMINISTRATION

S_____

TRAFFIC ENGINEERING

ZONING VIOLATION

_____✓

NEWSPAPER ADVERTISEMENT

_____✓

PEOPLE'S COUNSEL APPEARANCE

_____None

PRIOR ZONING

_____✓

SIGN POSTING

Comments, if any:

* See
Note to file from jcm* Support per. from FDC

4/16
10am

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

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

Account Identifier: District - 02 Account Number - 0202851921

Owner Information

Owner Name: 8208 LIBERTY ROAD LLC **Use:** COMMERCIAL
Mailing Address: 32 HARROD CT **Principal Residence:** NO
 REISTERSTOWN MD 21136-2426 **Deed Reference:** 1) /29175/ 364
 2)

Location & Structure Information

Premises Address **Legal Description**
 8208 LIBERTY RD LT 1,195
 COR MARRIOTT LA
 LAGATHIA

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
77	23	415					1	1	Plat Ref: 10/ 82

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		13,782.00 SF	06

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2010	07/01/2009	07/01/2010
Land	203,700	203,700		
Improvements:	0	0		
Total:	203,700	203,700	203,700	203,700
Preferential Land:	0	0	0	0

Transfer Information

Seller: JAIN ASHISH	Date: 12/02/2009	Price: \$280,000
Type: UNIMPROVED ARMS-LENGTH	Deed1: /29175/ 364	Deed2:
Seller: JLP VENTURES,LLC	Date: 09/29/2005	Price: \$210,000
Type: MULT ACCTS ARMS-LENGTH	Deed1: /22632/ 44	Deed2:
Seller: PACHINO BARRY M	Date: 05/06/2005	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /21821/ 616	Deed2: /21821/ 610

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:

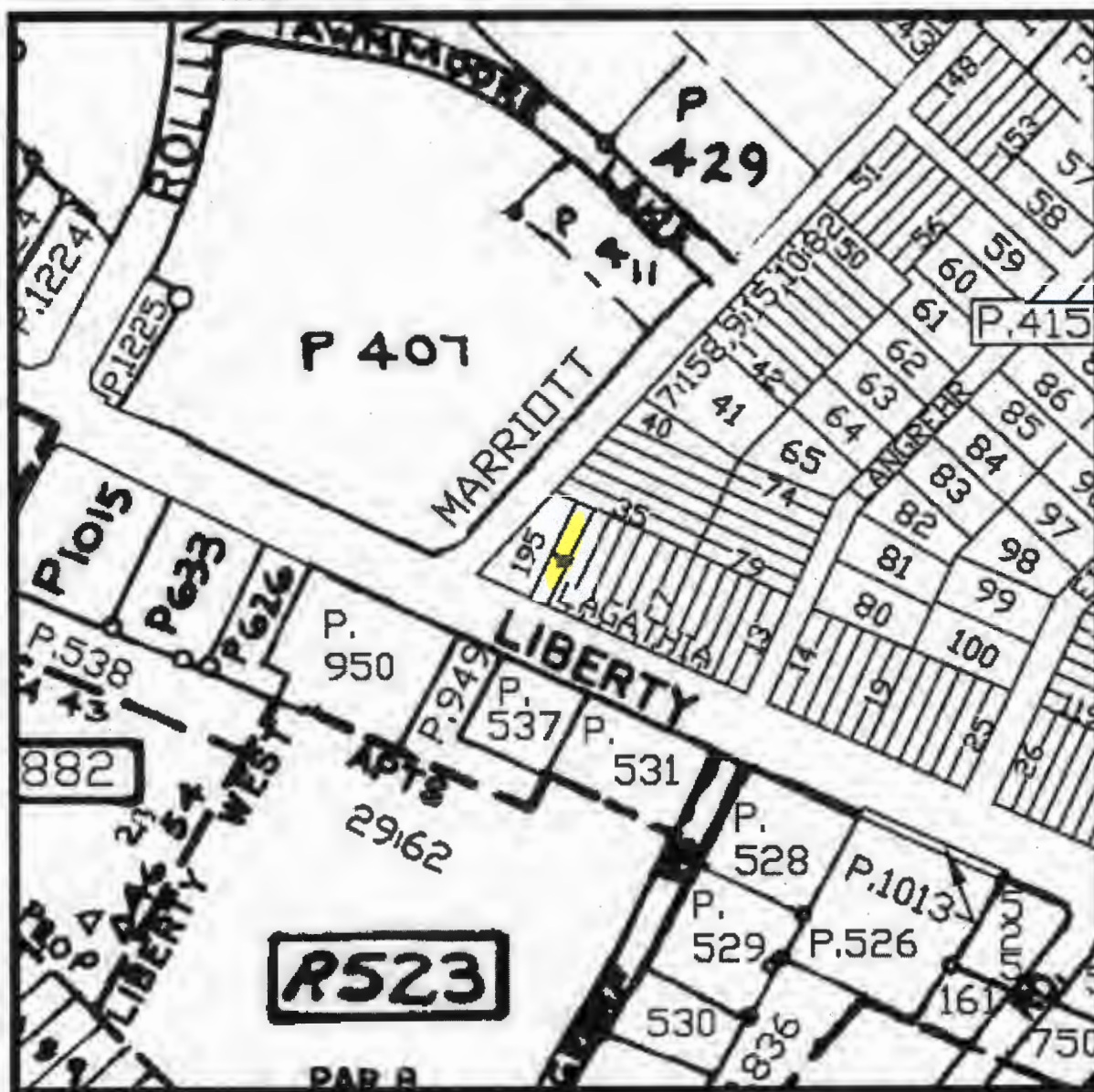
Special Tax Recapture:
 * NONE *



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

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

District - 02 Account Number - 0202851921



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2009.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

LETTER OF TRANSMITTAL

Site Rite Surveying, Inc.

DIRECT CORRESPONDENCE TO:

Shell Building, Room 101
200 East Joppa Road
Towson, Maryland 21286
410-828-9060
Fax 410-828-9066

TO: Zomny

DATE: 3/15/2010

SUBJECT: Case No 2010-0224-A

Liberty Road

ATTENTION: Carl Richards

OUR FILE: 9817

WE ARE ☒ HEREWITH ☐ UNDER SEPERATE COVER, TRANSMITTING VIA ☒ MESSENGER ☐ U.S. MAIL () THE FOLLOWING:

QUANTITY	DRAWING	DESCRIPTION AND/OR TITLE
		Carl, this package was submitted under a separate transmittal at the time of variance filing 2/24/10. I have not heard anything; therefore, I am transmitting again and will follow up with a phone call.
		The letter addresses reasons for driveway location and a denial of access from STA for Liberty Road.
		Plan attached.

TRANSMITTED AS INDICATED BELOW:

- ☐ PER AGREEMENT
☐ PER YOUR REQUEST
☐ FOR YOUR INFORMATION
☒ FOR APPROVAL
☐ FOR COMMENT

- ☐ APPROVED - DWG(S)
☐ APPROVED AS NOTED - DWG(S)
☐ RETURNED FOR CORRECTION - DWG(S)
☐ PLEASE RESUBMIT - DWG(S)
☐

COPY(S) OF _____ SENT TO _____
COPY(S) OF _____ SENT TO _____
COPY(S) OF _____ SENT TO _____

REMARKS: Upon review, please sign the line provided if this meets with your approval.

PLEASE SIGN AND RETURN ONE COPY OF THIS TRANSMITTAL AS A RECEIPT

VERY TRULY YOURS,

Site Rite Surveying, Inc.

SENT BY: Bernadette Muskunas

RECEIVED BY: _____

DATE: _____

CASE NAME 8208 Liberty Rd
CASE NUMBER 2010-0244-A
DATE 4/16/10

[illegible]

Case No.: 2010 - 0224-A 8208 Liberty Rd

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site PLAN	
No. 2	ZONING Commissioners Policy Manual - 102.6.A.4	
No. 3	Letter of Support from Economic Dev.	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

102.2 MIXED USES ON ONE PROPERTY

- A. If several uses are proposed as separate structures on one property, each use must meet the zoning requirements as if it was a separate parcel.
- B. Even if subdivision of the property is not proposed, the Zoning Commissioner may require that a line of division (i.e., lease line) between each use be shown on the plat.
 1. Conditions: The following guidelines have been formulated so that this matter can be handled consistently:
 - a. Both existing and proposed uses, as divided, must be able to meet the B.C.Z.R. requirements with respect to area, density, parking, setbacks between buildings and to the division lines as if they were property lines.
 - b. Residential density may be calculated on the overall property acreage if all uses are residential and is allowed in that zone.
 2. Interpretation: This determination may be subject to a Special Hearing at the discretion of the Zoning Commissioner.

102.6 ACCESS

A. For Heavier Uses Through Lighter Zones:

1. Access for a heavier commercial or industrial use or a heavier commercial or industrial zone through a lighter or more restrictive commercial or industrial zone is permitted. It does not have to be the only possible access that the property has.
2. Access through O-1 and O-2 for commercial and industrial uses is only permitted if it is demonstrated that it is the only possible access. If it is not the only possible access, a special hearing would be required by the Zoning Commissioner. A hearing may also be required if it is the only access.
3. Access through a residential zone (RC, DR, RAE) for a commercial or industrial use may be permitted if it is the sole access to the site. A public hearing may be required based on a determination that:
 - a. it is the only possible access from a public street;
 - b. and/or the residential land in issue is too small;
 - c. and/or the land in issue is subject to other restrictions which prevents a residential use.
4. Access through an RO zone, a public hearing would only be necessary pursuant to Section 1.C above if it is determined that the use of the land in issue at the time the subdivision and/or development plan was submitted was residential - if commercial, no hearing would be required (See M84-6 and B5-302 SPH).
5. Interior driveways that serve commercial or industrial uses through residential zones which are for circulation only with no access to the property from a public street would not require a public hearing.

- B. If property is wholly or partially zoned MI-1M, and the proposed use is located wholly or partially in the MI-1M zone with access to the site through a zone other than MI-1M, the requirements of Section 253.1.C with regard to access is not applicable.
- C. See County Attorney Opinions, dated 9/20/79; 9/19/79; 1/17/80.

*roads
Permitted
as accessory
uses in RO
Zone*

**Baltimore County Government
Department of Economic Development**



BALTIMORE COUNTY
MARYLAND

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: April 15, 2010

Re: Variance – 8208 Liberty Road, LLC (Case Number: 2010-0224-A)

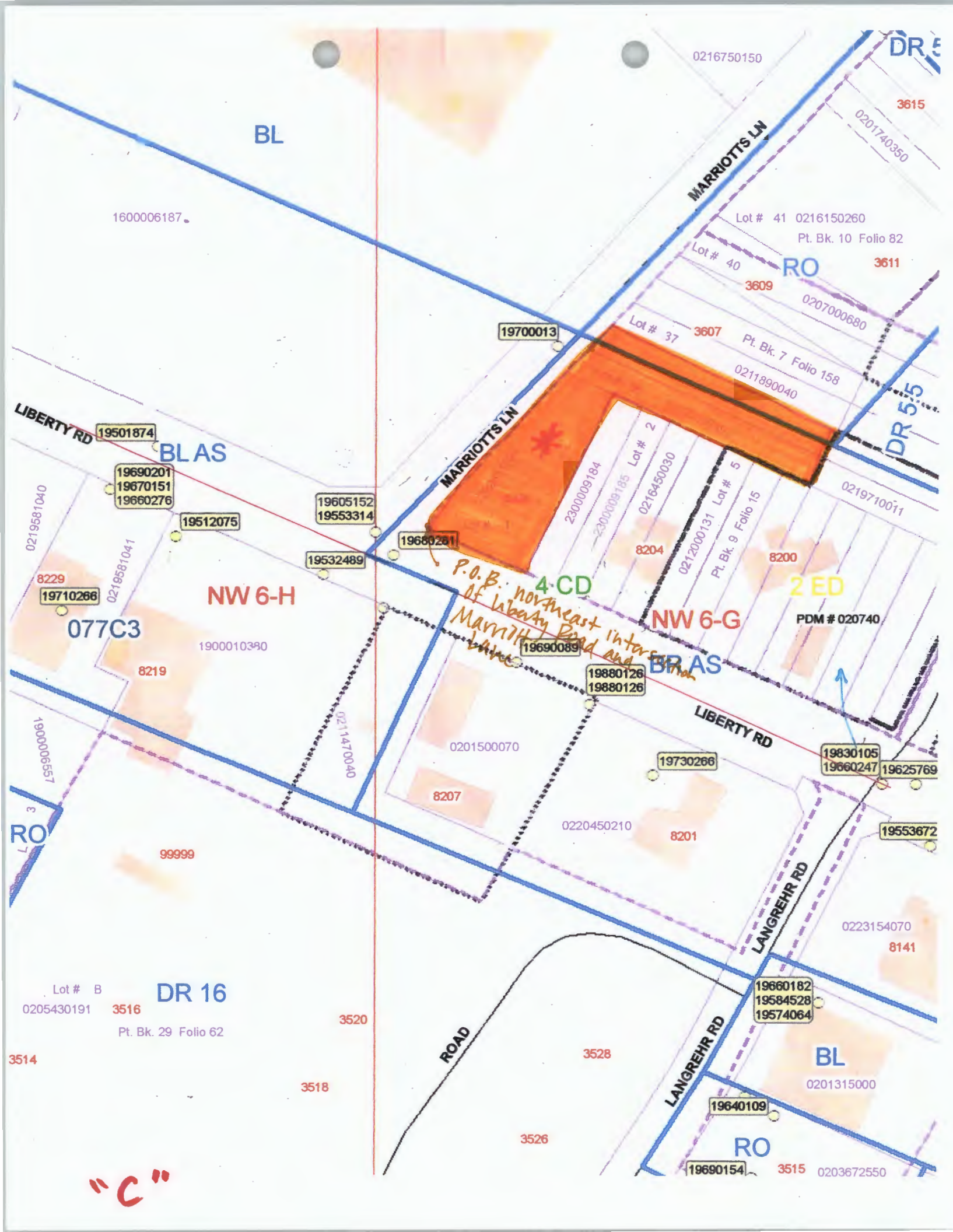
The Department of Economic Development supports the requested variances submitted by 8208 Liberty Road, LLC. 8208 Liberty Road, LLC, is requesting two setback variances for the front and rear yard of the property. The variance is needed to accommodate the proposed commercial center.

The subject property, located at the intersection of Liberty Road and Marriotts Lane, is in the Liberty Road Commercial Revitalization District. This is an area targeted by the County to receive assistance to promote economic development. The revitalization program seeks to attract new investment and improve the appearance of the County's original commercial corridors. The Department of Economic Development has worked with several parties over the past several years who have attempted to redevelop the subject property. In the past, it has often been an unkempt corner lot. The proposed commercial center will finally bring this vacant lot into commercial viability, which will develop the tax base of Baltimore County, attract new investment and jobs, and improve the appearance along Liberty Road.

Again, the Department of Economic Development supports 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: Mr. Erol Ecker





1600006187.

BL

0216750150

DR 5

3615

0201740350

Lot # 41 0216150260
Pt. Bk. 10 Folio 82

RO

3611

3609

0207000680

Lot # 37

Pt. Bk. 7 Folio 158
0211890040

19700013

MARRIOTTS LN

DR 5.5

LIBERTY RD

BLAS

19501874

19690201
19670151
19660276

19512075

19605152
19553314

19532489

19680281

NW 6-H

1900010390

077C3

8229
19710266

0219581040
0219581041

8219

P.O.B. northeast
of Liberty Road and
Marriotts Lane

4-CD

NW 6-G

2 ED

PDM # 020740

BRAS

19690089

19880126
19880126

LIBERTY RD

19730266

19830105
19660247

19553672

0201500070

8207

0220450210

8201

99999

RO

DR 16

Lot # B
0205430191 3516
Pt. Bk. 29 Folio 62

3520

3518

ROAD

3528

3526

19660182
19584528
19574064

0223154070
8141

BL

0201315000

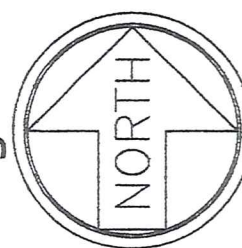
RO

19640109

19690154 3515 0203672550

"C"

nad83/1991
Bearings Only!!!



MARRIOT LANE

LIBERTY ROAD
(MD. STATE RTE NO. 26)
STATE ROAD SEE R/W #S 25139 & 25140
N 65°57'47" W

Computed Area
23881.8955 SQ. FT. ±
0.5483 ACRES ±



VICINITY MAP
SCALE: 1"=500'

GENERAL NOTES:

1. LOT AREA: 23,881.89 S.F. / 0.548 Ac +/-
2. ZONING: BR-AS AND RO
3. This property is serviced by Public Water and Sewer
4. EXISTING USE: Vacant (Although a building occupied this property at one time as shown on Public Utility Drawings)
PROPOSED USE: General Office Building (one story)
5. LOT COVERAGE: 6062 S.F. +/- + 23,887.89 S.F. = 0.25 = 25%
6. PARKING REQUIREMENTS: General Office Space 3.3 Spaces per 1000 S.F.
2196 S.F. X 3.3 ÷ 1000 = 7.24 or 8 Spaces
PARKING PROPOSED: 11 Spaces (9 Regular Spaces + 2 Handicap Spaces)
7. This property is not located within an Historic District
8. This property is not located within a 100 Year Flood Plain Area
Community Panel No. 2400100360F Zone: "X"
9. No Prior Zoning Hearing
10. Hours of Operation: Monday - Friday, 9 AM - 5 PM
11. Signed proposed must be in compliance with Section 450, B.C.Z.R.
12. Floor Area Ratio: 2,196 ÷ 30,451 = 0.072; F.A.R. Allowed = 3.0
13. There is no identifiable existing or impending failure of the Basic Service Maps
14. This property is not located within the Chesapeake Bay Critical Area
15. Lots as shown on Plat dated 1924 and 1934.

PETITIONER'S
EXHIBIT NO. 1

PLAN TO ACCOMPANY
PETITION FOR VARIANCE
"JBL CENTER"
#8208 LIBERTY ROAD
TAX MAP: 77 GRID: 23 PARCEL: 415
LOTS 1, 195, 35 AND 36
"LAGTHIA" 7/158 AND 120/82
ELECTION DISTRICT NO. 2
4TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD
JANUARY 7, 2010
SCALE: 1"=20'
JOB NO. 9817

Boundary Survey
#8208 & 8210 Liberty Road
Map: 77 Grid: 23 Parcel No.: 415
Revised Plat of LAGATHIA
10/82 & 7/158
2nd Election District
Baltimore County, Maryland
Deed Reference: 22632/44
August 26, 2009
Scale: 1"=20'
Job No. 9817

OWNER: 8208 LIBERTY ROAD, LLC
32 HARROD COURT
REISTERSTOWN, MD 21136
TAX ACCT. NOS. 0202851921 AND 1600003939
DEED REF.: 28924/261

