

IN RE: PETITION FOR VARIANCE

E side of York Road; NW corner of
York Road and Ridgely Road
8th Election District
3rd Councilmanic District
(1801 York Road)

1801 YR, LLC
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **CASE NO. 2010-0297-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by Lou Cohen, Managing Member, on behalf of the legal owner of the subject property, 1801 YR, LLC. Petitioner is requesting Variance relief from Sections 238.2 and 102.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow a building-to-building setback of 32 feet in lieu of the required 60 feet. The subject property and requested relief is more fully depicted on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the variance request was Marc Cohen on behalf of Petitioner 1801 YR, LLC and David H. Karceski, Esquire, attorney for Petitioner. Also appearing in support of Petitioner's request for relief were Kevin Small, registered landscape architect, and Dave Rudisill, a civil engineer, both with Frederick Ward Associates, Inc., the firm that prepared the site plan and is managing Petitioner's proposed development. Appearing as an interested citizen was Eric Rockel, President of the Greater Timonium Community Council. There were no Protestants or other interested persons in attendance.

Testimony and evidence offered revealed that the subject property is rectangular in shape and consists of approximately 2.72 acres, more less, zoned B.R. The property is located in the Lutherville area of Baltimore County, at the northeast corner of the intersection of York Road and

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Date 7-13-10

Bv P3

Ridgely Road, with ingress/egress from both public roads. The subject property sits along the heavily traveled commercial corridor of York Road, north of Towson and south of Cockeysville/Hunt Valley, and is bordered by a shopping center -- zoned D.R.3.5 -- that wraps around the subject property to the north and east. The rest of the area surrounding the subject property contains a mix of commercial and residential zoning districts. The Ridgely Road residential subdivision, zoned D.R.5.5, is located on the opposite side of Ridgely Road to the south of the subject property. The zoning makeup of the area surrounding the subject property can be seen in the zoning map that was marked and accepted into evidence as Petitioner's Exhibit 2. Several shopping centers also exist near the subject property. The size of the parcels in this area of York Road are extremely varied, as seen in the tax map of the area that was marked and accepted into evidence as Petitioner's Exhibit 3.

As background to the request at hand, Petitioner noted the recent development history of the subject property. It was revealed that the subject property was previously occupied by the Dulaney Lincoln-Mercury car dealership. The remnants of this prior use can be seen in the photographs that were marked and accepted into evidence as Petitioner's Exhibits 4A through 4E. Mr. Karceski proffered that the subject property was purchased in 2008 and that it was soon determined thereafter that its continued use as a car dealership was no longer viable considering the economic climate.¹ Mr. Cohen testified that redevelopment of the property was pursued and it was determined that a retail-office use for the subject property would be consistent with the commercial nature of this area of York Road. The subject property went through the development process, appearing before the Development Review Committee ("DRC") and receiving approval.

¹ The subject property was purchased from Branco, Inc. in the Deed recorded as Liber-Folio 27143-676.

This initial plan was for the construction of a Walgreens store and a pad site for a proposed bank. The approved plan did not necessitate variance relief. The existing one-story building shown on the site plan consisting of 16,500 square feet, more or less, is nearing completion and will be occupied by the aforementioned Walgreens store. However, due to the struggling economy and the continuing decline of the current banking market, a lessee for the potential banking pad site has not come to fruition. As such, at this juncture, Petitioner proposes to construct a one-story commercial building containing 7,800 square feet, more or less, to be used for retail or office space. Mr. Cohen and Mr. Karceski indicated that no restaurant or fast food establishment is intended for the location. Access to the property is two-fold: a full exit and right-turn entrance is available from Ridgely Road and a full entrance and right-turn exit is available from York Road.

The proposed development meets all external setback requirements and parking requirements. Mr. Karceski stated that variance relief is requested for a building-to-building setback of 32 feet in lieu of 60 feet pursuant to Section 238.2 of the B.C.Z.R. This section requires a 30 foot setback; however, Section 102.2 of the B.C.Z.R. states that "[n]o yard space or minimum area required for a building or use shall be considered as any part of the yard space or minimum area for another building or use." Although the distance between the buildings is internal to the property and the affected area is between the two proposed buildings shown on the site plan, the Zoning Review Office has interpreted this section to require a 60 foot setback, so that each building has its own 30 foot setback for a total of 60 feet; hence, the requested variance relief.

In support of the variance request, Mr. Karceski proffered the testimony of Petitioner's design and engineering consultants that the property is constrained by unique circumstances that would render strict compliance with the Zoning Regulations impracticable. Mr. Karceski

ORDER RECEIVED FOR FILING

Date 7-13-10

3

By mg

explained that the property line to the north and east shared with Grand York Plaza has an extremely steep grade. Moreover, the entire property sits at an angle on York Road. The steep grading of the subject property and its configuration can be seen in the photographs that were marked and accepted into evidence as Petitioner's Exhibit's 4A through 4E and 5A through 5I. Additionally, Mr. Karceski cited the fact that the Grand York Plaza shopping center wraps around the subject property and the subject property's location at the intersection of York Road and Ridgely Road as special circumstances affecting the placement of improvements on the property. It is the totality of these circumstances that render this property unique in a zoning sense and drive the need for variance relief.

Further, since a retail commercial use is consistent with the spirit and intent of the zoning classification for this site, compelling Petitioner to strictly comply with the Zoning Regulations would cause unreasonable hardship and practical difficulty by denying Petitioner the right to use the subject property as permitted by these Regulations. Mr. Karceski added that this relief could be granted without detriment to the community and conversely, that Petitioner's improvements would increase the curb appeal and aesthetics of the property and would provide needed redevelopment of an important commercial site to this area of Lutherville. Additional testimony was proffered that if called to testify, Mr. Small would indicate the significant landscaping provided for in the plan in order to increase the aesthetics and positive impact on the surrounding community. Mr. Small's resume was marked and accepted into evidence as Petitioner's Exhibit 7 and an approved landscape plan was marked and accepted into evidence as Petitioner's Exhibit 6.

Appearing as an interested citizen, Eric Rockel, President of the Greater Timonium Community Council, questioned Petitioner's consultants and Mr. Cohen and expressed some concerns about the proposed development of the property. The majority of these concerns

ORDER RECEIVED FOR FILING

Date 7-13-10

4

By ms

centered on traffic flow within the property itself and between the Walgreens and the proposed commercial building. Mr. Rockel inquired as to the possibility that a second drive aisle lane could be placed between the two buildings. Mr. Rudisill, whose resume was marked and accepted into evidence as Petitioner's Exhibit 8, testified that the proposed internal traffic flow, with proper signage, could safely and adequately serve the subject property. Mr. Cohen also indicated that directional signage could be provided for and that the safety of patrons is a primary concern in this proposal. Mr. Rockel also expressed concerns about parking. Mr. Rudisill noted that the proposed parking plan was in compliance with the Regulations. However, Mr. Cohen stated that potential lessees would be encouraged to have their employees park in the rear of the site, to the east of the proposed commercial building, leaving closer and more desirable spaces for customers.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments received from the Office of Planning dated June 7, 2010 indicate no opposition to the variance request provided that Petitioner submits building elevations for review and approval to the Office of Planning prior to the application of building permit. Mr. Karceski indicated that Petitioner has no objection to this condition and commented that additional review and approval by the DRC is still necessary prior to this continued development.

The determination of a variance request from the Zoning Regulations is governed by Section 307.1 of the B.C.Z.R., as interpreted by the Court of Special Appeals of Maryland in *Cromwell v. Ward*, 102 Md. App. 691 (1995). As indicated by the Court in *Cromwell*, "The general rule is that variances and exceptions are to be granted sparingly, only in rare instances and under peculiar and exceptional circumstances." 102 Md.App. at 700. The two part variance test involves finding that a property is unique and unusual and that if strict adherence to the regulations were required absent relief, an unreasonable hardship or practical difficulty would

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Date 7-13-10

5

By [Signature]

result. Self-inflicted or created hardship is not considered proper grounds for a variance. *Id.* at 707.

Considering all of the testimony and evidence presented, I am persuaded to grant the requested variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Specifically, I find that the steep grade of the property resulting from its location on the decline of a hill, the fact that the property is located at an intersection with significant road frontage, and the location of the adjacent shopping center parcel that wraps around the subject property, combine to render the property unique. Further, I find that strict compliance with the Zoning Regulations would create a hardship that would result in a denial of a reasonable and sufficient use of the property. *See, Belvoir Farms v. North* 355 Md. 259 (1999). Thus, refusing to grant the variance would result in unreasonable hardship and practical difficulty. I also find this variance request can be granted in strict harmony with the spirit and intent of Section 307.1 of the B.C.Z.R., as interpreted in *Cromwell*, and in such a manner as to grant relief without injury to the public health, safety and general welfare.

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

THEREFORE, IT IS ORDERED this 13th day of July, 2010 by this Deputy Zoning Commissioner, that Petitioner's Variance relief from Sections 238.2 and 102.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow a building-to-building setback of 32 feet in lieu of the required 60 feet be and is hereby **GRANTED**. The relief granted herein shall be subject to the following:

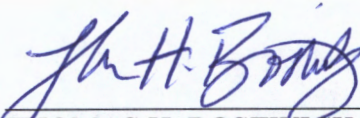
ORDER RECEIVED FOR FILING

Date 7-13-10

By [Signature]

1. Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is 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, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioner shall submit building elevations to the Office of Planning for review and approval prior to the application of building permit.
3. Petitioner shall place directional signage at the appropriate locations on the property so as to promote efficient traffic circulation within the property.
4. Petitioner shall direct lessees and/or tenants to encourage employees to park at the northeast portion of the subject property, behind the proposed commercial building, so as to provide customers with more desirable parking near the buildings to the west and south on the property.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

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Date 7.13.10

By pm



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

July 13, 2010

DAVID KARCESKI, ESQUIRE
VENABLE, LLP
210 WEST PENNSYLVANIA AVENUE
SUITE 500
TOWSON, MD 21204

Re: Petition for Variance
Case No. 2010-0297-A
Property: 1801 York Road

Dear Mr. Karceski:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "John H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

Enclosure

- c: Marc Cohen, 1801 YR LLC, 700 Kenilworth Drive, Towson MD 21204
Kevin Small and Dave Rudisill, Frederick Ward Associates, Inc., PO Box 727, 5 Main Street, Bel Air MD 21014-0727
Eric Rockel, 1610 Riderwood Drive, Lutherville MD 21093



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 1801 York Road
which is presently zoned BR

Deed Reference: 27143 / 676 Tax Account # 1600005846

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)

238.2 and 102.2 of the Baltimore County Zoning Regulations to allow a building to building setback a minimum of 32 feet in lieu of the required 60 feet.

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 determined at hearing.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

David H. Karceski

Name - Type or Print

Signature

Venable, LLP

Company

210 W. Pennsylvania Avenue 410-494-6285

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s):

1801 YR, LLC

Name - Type or Print

Signature

Lou Cohen, Managing Member

Name - Type or Print

Signature

700 Kenilworth Drive

410-296-7900

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Representative to be Contacted:

David H. Karceski

Name

210 W. Pennsylvania Avenue 410-494-6285

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Case No. 2010-0297-A

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by A. TSUI Date 5/3/10

REV 8/20/07

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Date

7-13-10

By

[Signature]



FREDERICK WARD ASSOCIATES

ARCHITECTS

ENGINEERS

PLANNERS

SURVEYORS

P.O. Box 727, 5 South Main Street
Bel Air, Maryland 21014-0727
410-879-2090
410-893-1243 fax

www.frederickward.com

ZONING DESCRIPTION – 1801 York Road

April 21, 2010

BEGINNING at a point on the northerly right of way line of Ridgely Road, an eighty foot wide right of way, at the southeasterly end of a right of way intersection fillet connecting the north side of Ridgely Road with the easterly right of way line of Maryland Route 45, York Road a 93.5 feet wide right of way. Thence, binding on said fillet and right of way,

- 1) North 72°30'24" West 69.47 feet,
- 2) North 20°24'21" West 246.65 feet. Thence, leaving said right of way,
- 3) North 63°26'39" East 418.41 feet,
- 4) South 20°24'21" East 283.52 feet to the said northerly right of way line of Ridgely Road,
- 5) South 63°26'39" West 96.59 feet,
- 6) by a curve to the left in a southwesterly direction of radius 3040.00 feet, an arc distance of 268.28 feet and subtended by a chord; South 60°57'25" West 268.19 feet to the place of beginning as recorded in Liber SM 27143, folio 676.

BEING a part of Parcel 3 as shown on the "Final Plat, Property of Archbishop of Baltimore and Ford Leasing Development Company" as recorded in Baltimore County Plat Book OTG 34, folio 117, containing 118278 square feet or 2.7153 acres of land more or less. Also known as 1801 York Road in the Eighth Election District, Baltimore County, Maryland.



2010-0297-A

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2010-0297-A
Petitioner: 1801 YR, LLC
Address or Location: 1801 York Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kedrick Whitmore
Address: 210 Pennsylvania Ave, Suite 500
Purser MD 21204
Telephone Number: 410 494-6204

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

No. 58223

Date:

5/3/10

PAID RECEIPT

BALTIMORE COUNTY OFFICE OF BUDGET AND FINANCE

1001 YORK RD BALTIMORE, MD 21201-1001

TEL: 410-386-7000 FAX: 410-386-7001

WWW.BALTIMORECOUNTY.MD

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	506	0000		850				1132

Total:

1132

Rec

From:

For:

1901 YORK RD

2010-0547-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

**NOTICE OF ZONING
HEARING**

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

Case: # 2010-0297-A

1801 York Road
E/side of York Road, n/east
corner of York Road and
Ridgely Road
8th Election District
3rd Councilmanic District
Legal Owner(s):
1801 YR, LLC

Variance: to allow a building to building setback a minimum of 32 feet in lieu of the required 60 feet.

Hearing: Wednesday, July 7, 2010 at 10:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

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

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

JT 6/901 June 22 244550

CERTIFICATE OF PUBLICATION

6/24/ 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 6/22/ 2010.

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

J. Wilkinson

LEGAL ADVERTISING

+ - CERTIFICATE OF POSTING

2010-0297-A

RE: Case No.: _____

Petitioner/Developer: _____

1801 YR, LLC

July 7 2010

Date of Hearing/Closing: _____

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

Attn: Kristin Matthews

Ladies and Gentlemen:

**This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were
posted conspicuously on the property located at: _____
1801 York Road**

**The sign(s) were posted on _____ June22 2010
(Month, Day, Year)**

Sincerely,

***Robert Black* June24 2010
(Signature of Sign Poster) (Date)**

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2010-0297-A

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

PLACE ROOM 104, JEFFERSON BUILDING
105 WEST CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME WEDNESDAY, JULY 7 2010 AT 10:00 A.M.

REQUEST VARIANCE TO ALLOW A BUILDING TO BUILDING
SETBACK A MINIMUM OF 32 FEET IN LIEU OF THE REQUIRED
60 FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING. CALL 887-1391

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

HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 22, 2010 Issue - Jeffersonian

Please forward billing to:
Kedrick Whitmore
210 Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6204

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: 2010-0297-A

1801 York Road

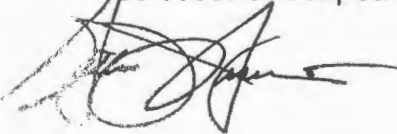
E/side of York Road, n/east corner of York Road and Ridgely Road

8th Election District – 3rd Councilmanic District

Legal Owners: 1801 YR, LLC

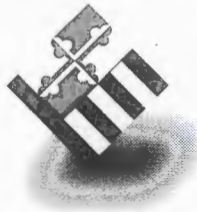
Variance to allow a building to building setback a minimum of 32 feet in lieu of the required 60 feet.

Hearing: Wednesday, July 7, 2010 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
June 2, 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: 2010-0297-A

1801 York Road

E/side of York Road, n/east corner of York Road and Ridgely Road

8th Election District – 3rd Councilmanic District

Legal Owners: 1801 YR, LLC

Variance to allow a building to building setback a minimum of 32 feet in lieu of the required 60 feet.

Hearing: Wednesday, July 7, 2010 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:kll

C: David Karceski, 210 W. Pennsylvania Ave, Towson 21204
Lou Cohen, 1801 YR, LLC, 700 Kenilworth Drive, Towson 21204

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



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

July 2, 2010

David Karceski
Venable, LLP
210 W. Pennsylvania Ave.
Towson, MD 21204

Dear: David Karceski

RE: Case Number 2010-0297-A, 1801 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 May 03, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Lou Cohen: 1801 YR, LLC; 700 Kenilworth Dr.; Towson, MD 21204



BALTIMORE COUNTY
MARYLAND

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

May 27, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 17th, 2010

Item Numbers: 0176, 0230, 0295, 0296, 0297, 0298, 0299, 0300, 0301, 0303, 0304, 0306
and 0307-0312

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

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

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

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For May 31, 2010
Item Nos. 2010- 176, 230, 295, 296,
297, 298, 299, 301, 303, 304, 306, 307
311 & 312

DATE: May 18, 2010

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

DAK:CEN:elm

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-05312010 -NO COMMENTS.doc

TB 7-7-10
(okm)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 7, 2010

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

SUBJECT: 1801 York Road

INFORMATION:

Item Number: 10-297

Petitioner: 1801 YR, LLC

Zoning: BR

Requested Action: Variance

RECEIVED

JUN 14 2010

ZONING COMMISSIONER

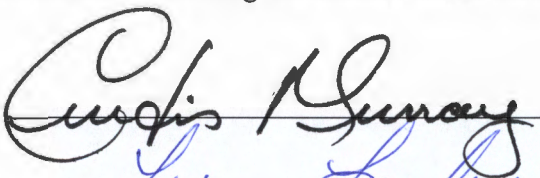
The petitioner requests a variance from Section 238.2 and 102.2 of the BCZR to allow a building-to-building setback a minimum of 32 feet in lieu of the required 60 feet.

SUMMARY OF RECOMMENDATIONS:

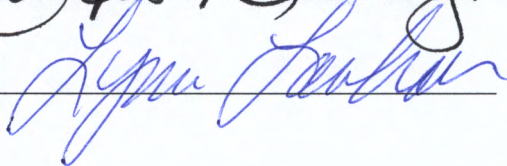
The Office of Planning does not oppose the petitioner's request for a variance, provided that the petitioner submits building elevations for review and approval to the Office of Planning prior to the application of building permit.

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

Prepared by:



Division Chief:
AFK/LL: CM



TB
7-7-10
10 AM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: June 11, 2010
SUBJECT: Zoning Item # 10-297-A
Address 1801 York Road
(1801 YR, LLC Property)

Zoning Advisory Committee Meeting of May 17, 2010.

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

Reviewer: JWL Date: 6/11/10

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



MARYLAND DEPARTMENT OF TRANSPORTATION

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

Date: MAY 19, 2010

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

RE: Baltimore County
Item No. 2010-0297-A
MD 45 (York RD)
1801 YORK ROAD
1801 YR, LLC PROPERTY
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 05/17/2010. A field inspection and internal review reveals that an entrance onto MD 45 is consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for 1801 YR, LLC, Case Number 2010-0297-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,

A handwritten signature in dark ink, appearing to read "Michael P. Bailey".

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

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

RE: PETITION FOR VARIANCE * BEFORE THE
1801 York Road; E/S York Road, NE corner * ZONING COMMISSIONER
of York Road & Ridgely Road *
8th Election & 3rd Councilmanic Districts *
Legal Owner(s): 1801 YR, LLC * FOR
Petitioner(s) * BALTIMORE COUNTY
* 10-297-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

MAY 21 2010

.....

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 21st day of May, 2010, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, Venable, LLP, 210 West Pennsylvania Avenue, Suite 500, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw3.1e)

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

Account Identifier: District - 08 **Account Number -** 1600005846

Owner Information

Owner Name: 1801 YR LLC **Use:** COMMERCIAL
Mailing Address: 700 KENILWORTH DR **Principal Residence:** NO
TOWSON MD 21204-2427 **Deed Reference:** 1) /27143/ 676
2)

Location & Structure Information

Premises Address **Legal Description**
1801 YORK RD 2.717 AC PARCEL 3
1801 YORK RD
ARCHBISHOP OF BALTIMORE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
60	12	758						2	Plat Ref: 34/ 117

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		2.72 AC	22

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value	Phase-in Assessments		
		As Of	As Of	As Of	
		01/01/2008	07/01/2009	07/01/2010	
Land	1,734,000	2,196,400			
Improvements:	0	0			
Total:	1,734,000	2,196,400	2,042,266	2,196,400	
Preferential Land:	0	0	0	0	

Transfer Information

Seller: BRANCO INC	Date: 06/30/2008	Price: \$9,000,000
Type: IMPROVED ARMS-LENGTH	Deed1: /27143/ 676	Deed2:
Seller: FORD LEASING DEV ELOPMENT CO	Date: 08/11/1975	Price: \$741,536
Type: IMPROVED ARMS-LENGTH	Deed1: / 5555/ 306	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 *

CHECKLISTComment
ReceivedDepartmentSupport/Oppose
No Comment5-18-10

DEVELOPMENT PLANS REVIEW

nc6-11-10

DEPRM

nc5-27-10

FIRE DEPARTMENT

nc6-7-10

PLANNING

(if not received, date e-mail sent _____)

5-ldg elevations5-19-10

STATE HIGHWAY ADMINISTRATION

nc

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. -)

PRIOR ZONING

(Case No. 72-153-A)

NEWSPAPER ADVERTISEMENT

Date: 6-22-10

SIGN POSTING

Date: 6-22-10

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

CASE NAME 1801 York Rd
CASE NUMBER 2010-297-A
DATE 7/7/10

[illegible]

CASE NAME 2010-01801 York Rd
CASE NUMBER 2010-0297
DATE July 7, 2010

[illegible]

Case No.:

2010-0297-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Red/Blue lined Site Plan	
No. 2	zoning map/photograph	
No. 3	Fax map	
No. 4 A-E	Photographs of Prior Development	
No. 5 A-1	Photographs of current Improvements	
No. 6	Approved Landscape Plan	
No. 7	Resume of Kevin Small	
No. 8	Resume of David Rudisill	
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER' S

2



PETITIONER'S

EXHIBIT NO. 4A-E

A





C







PETITIONER' S
EXHIBIT NO. 5A-I

A



**1 ACRE
PAD SITE
ON YORK ROAD
FOR LEASE**

KLNBretail
Commercial Real Estate Services

410-321-4905

klnbretail.com





**1 ACRE
PAD SITE
ON YORK ROAD
FOR LEASE**

KLNBretail
Commercial Real Estate Services

410-321-4905
retail.com

FM
WEATHERS YOUR BUSINESS











Kevin L. Small, RLA, AICP
FREDERICK WARD ASSOCIATES, INC.
5 South Main Street
Bel Air, Maryland 21014

EDUCATION

Bachelor of Landscape Architecture, Kansas State University, 1987

PROFESSIONAL REGISTRATION

Registered Landscape Architect, State of Maryland, No. 1071
Registered Landscape Architect, State of Delaware, No. SIORLA236
Registered Landscape Architect, Commonwealth of Virginia, No. 406000589
Registered Landscape Architect, State of Kansas, No. 496
Registered Landscape Architect, State of Pennsylvania, No. LA001688
American Institute of Certified Planners, No. 015743
Council of Landscape Architectural Registration Boards, No. 2409

PROFESSIONAL ACTIVITIES

American Society of Landscape Architects, Member and Past Chapter President
American Planning Association, Member
Adjunct Faculty, Baltimore County Community College at Catonsville
Minor Engineering I – Zoning Subdivision and Road Design
Harford Leadership Academy

EXPERIENCE

July 1993 to Present **Frederick Ward Associates, Inc., Bel Air, MD**
Associate, Manager of Landscape Architecture/Planning Department

Responsibilities include site inventory and analysis, design development feasibility and environmental analysis. His projects have incorporated the coordination of consultants, client relations, proposal writing, presentations, and overall project development. He is responsible for initial design conceptualization, land planning, site scale design and construction documentation; project management and direction of work on site development and land use master plans, office/industrial parks and design guidelines.

1987 - 1993 **LDR International, Inc., Columbia, MD**
Landscape Architect

EXPERT TESTIMONY - LANDSCAPE ARCHITECTURE/PLANNING

Harford County	2007 Village at Forest Lakes Special Development for a Shopping Center
	2008 Thomas Run Tree Service – Construction Services Special Exception to permit Construction Services in an AG zone
Aberdeen	2004 Breath of God Christian Fellowship Variance to allow off-site parking and reduction in parking requirement
Baltimore County	2003 Wawa Stores, Inc. - Convenience/Gas Special Exception to permit a Gas Station
Bel Air, MD	2007 WSMT Insurance Special Exception & Variance for Office in transition zone
Havre de Grace, MD	2007 Heron Harbor Condominiums Conditional Use to permit a five-story Apartment Building Special Exception to build within 100-year Floodplain

PETITIONER'S

EXHIBIT NO. 7

**David A. Rudisill
FREDERICK WARD ASSOCIATES, INC.
5 South Main Street
Bel Air, Maryland 21014**

EDUCATION

Industrial Management Institute: Architectural Design & Drafting Technology

PROFESSIONAL REGISTRATION

Erosion & Sediment Control Certification, MD DNR, No. 1121

EXPERIENCE

March 1988 to Present Frederick Ward Associates, Inc., Bel Air, MD
Associate, Senior Project Manager

Responsibilities include planning, costing, project management, engineering and design, preparation of contract documents and construction administration for site related work for commercial, industrial, and residential development.

August 1987 to March 1988 St. Onge, Ruff & Associates, York, PA
Civil Engineer

Responsibilities included planning, costing, project management, engineering and design and preparation of contract documents for site related work for commercial and industrial development.

May 1982 to July 1987 Self Employed Designer/Builder, York, PA

Services provided for design and/or construction of residential and commercial improvements. Performances included planning, costing, project management, design and preparation of contract documents and construction administration for all aspects for new residences and commercial improvements and restorations.

June 1981 to May 1982 Fargo Construction, Dallastown, PA
Project Manager

Responsibilities included planning, costing, project management, design and preparation of contract documents and construction administration for all aspects for residential, commercial and industrial development for design/build general contracting firm.

June 1980 to May 1981 John Roth Builders, York, PA
Project Manager

Responsibilities included planning, costing, project management, design and preparation of contract documents and construction administration for predominantly residential and light commercial development for a general contractor.

November 1979 to July 1980 City of York, PA
Civil Engineer

PETITIONER' S

EXHIBIT NO. 8

Responsibilities included development review and planning, costing, project management, engineering and design, preparation of contract documents and construction administration for architectural and site related work for city-owned projects.

September 1976 to November 1979 Dennis B. Henry, PE, Consulting Eng.
York, PA
Associate of Imagineering

Responsibilities included planning, costing, project management, engineering and design, preparation of contract documents and construction administration for architectural and site related work for commercial, industrial and residential development.

November 1973 to September 1976 Wm. E. Sacra & Assoc, Consulting Eng.
York, PA
Project Engineer

Responsibilities included planning, costing, project management, engineering and design, preparation of contract documents and construction administration for architectural and site related work for commercial, industrial and residential development.

EXPERT TESTIMONY – LAND DEVELOPMENT

Harford County, MD 1992 Board of Child Care - Reckord Road Campus - Special Exception to permit use within Agricultural District.

2001 ADA Properties - Wingate Inn - Zoning Variance to permit sign beyond setback limit.

2002 Mountain Christian Church – Zoning Variance to permit outdoor recreation and parking lot extending into Natural Resource District.

2002 Hill Management Services – Zoning Variance to permit sign beyond setback limit in Town of Bel Air.

2003 Lutheran Church of the Good Shepherd – Zoning Variance to permit building and parking lot in use setback from adjacent residences and to permit sign beyond setback limit.

2005 Pais Properties – Zoning Variance to permit enlargement of non-conforming use.

2006 Hill Management Services – Zoning Variance to permit sign heights to exceed height limitations in Town of Bel Air.

2006 Pais Properties – Zoning Variance to permit disturbance within Chesapeake Bay Critical Area Buffer.

2006 Damon's Grill of Maryland – Special Development to permit restaurant with a bar in Town of Bel Air.

2006 Point Breeze Credit Union - Special Development to permit bank with a drive through in Town of Bel Air.

David A. Rudisill
Frederick Ward Associates
Page 3

Baltimore County, MD 2005 Goodwin Realty – Zoning Variance to permit building beyond setback limit.

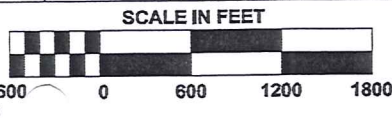
Cecil County, MD 1992 Flying J Travel Plazas – Special Development to permit "Travel Plaza" in
Town of North East.

York County, PA 2006 Hill Management Services – Zoning Variance to permit Mini Warehousing use and
Special Exception to permit Retail Strip Center use within Commercial Shopping District in
York Township.



PETITIONER'S
EXHIBIT NO. 3

BALTIMORE COUNTY,
MARYLAND



COMPILED BY
MARYLAND DEPARTMENT OF PLANNING
PROPERTY MAPPING SECTION

The information shown on this map has been compiled from deed
recorders and other public records and is not an actual survey. It should not be
used for legal descriptions. Users needing more information are urged to consult
the Maryland Department of Planning, Property Mapping Section,
Room 1161, 201 St. Paul Street, Baltimore, MD 21201-4205.

PROPERTY LINE
BORDERING BOUNDARY
TOWN BOUNDARY
PRIVATE ROAD
STREAM LINE

CONTINUING OVERLAP -
FUTURE PLANNING - PLANNED TO IDENTIFY OWNERSHIP, MUST BE PRECISED BY
A MAP NUMBER.

SCALE 1"=600' (RF 1:7200)

REVISED TO:	DATE	BY	USER	LAST P. NO.	QUARTER-QUADRANGLE	DATE OF PHOTO	SHA/C
	JUNE '09	ML					



DR 3.5

PETITIONER'S

EXHIBIT NO.

2

Pt. Bk./Folio # 034117

1600005844

Pt. Bk. 34, Folio 117

PDM # 080878

BR

3 CD

8' ED

060C2

NW 13-A

0825045300

1600005846

1801

Pt. Bk./Folio # MP09005

19660226

19720153

19680029
19594619

19605064

19970102
19830157
19553307

PDM # 080031

DR 5.5

Lot # 7

Pt. Bk. 20, Folio 47

0818037280

0813077310

Lot # 6

Lot # 5

Lot # 8 1'

2'

Lot # 9

Lot # 1

0801074740

Lot # 33

0802059570

6

Lot # 32

8

Lot # 31

Lot # 2

9

0808006260

ATHERTON RD

DELLCREST GRTH

W RIDGELY RD

19870513

0808055554

0802004540

YORK RD

19800142

19700070

1600006514

1821

1819

1819

1815

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1815

1813

1811

BL CCC

PARKING

1800

0819035720

2010-0297-A

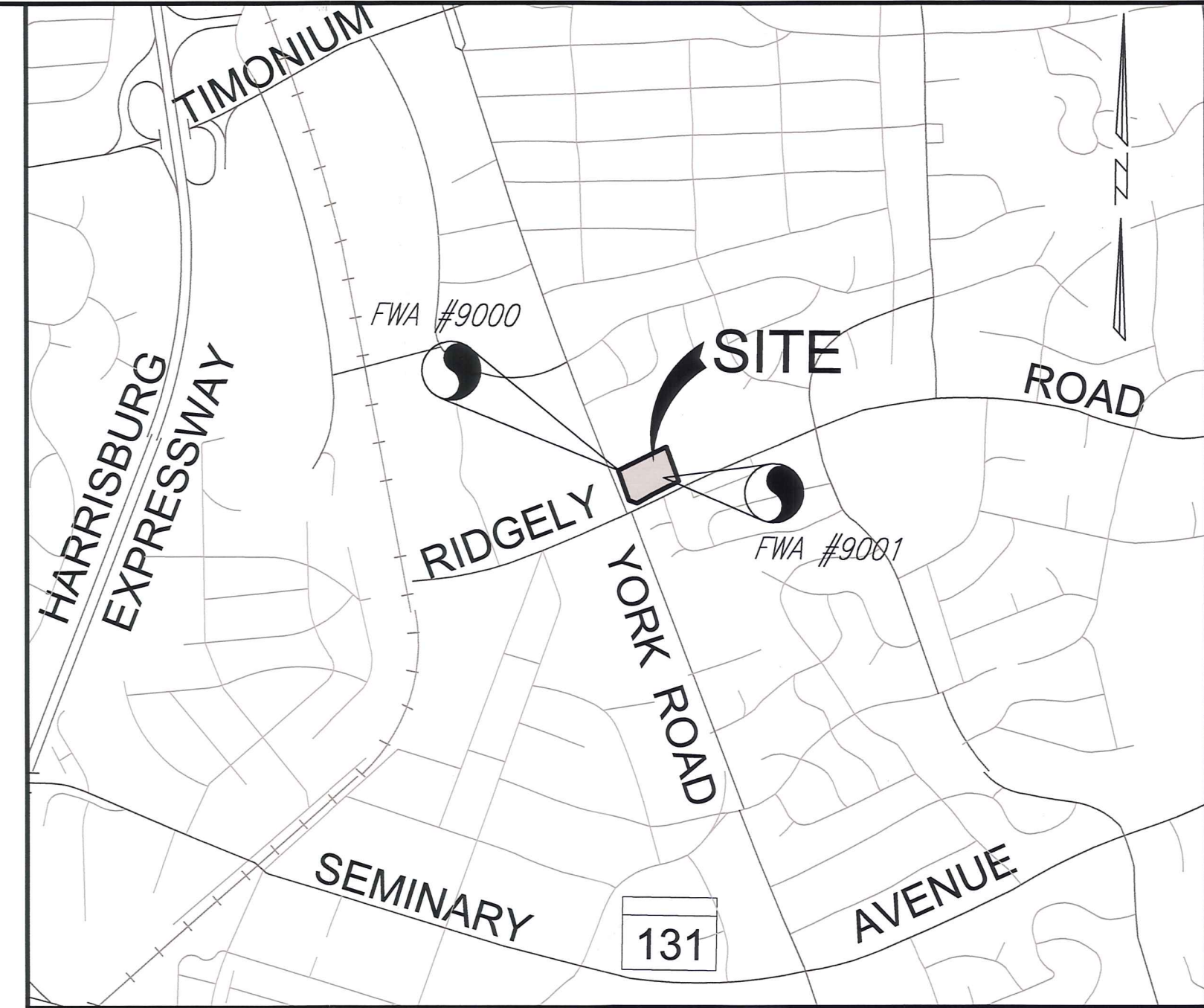
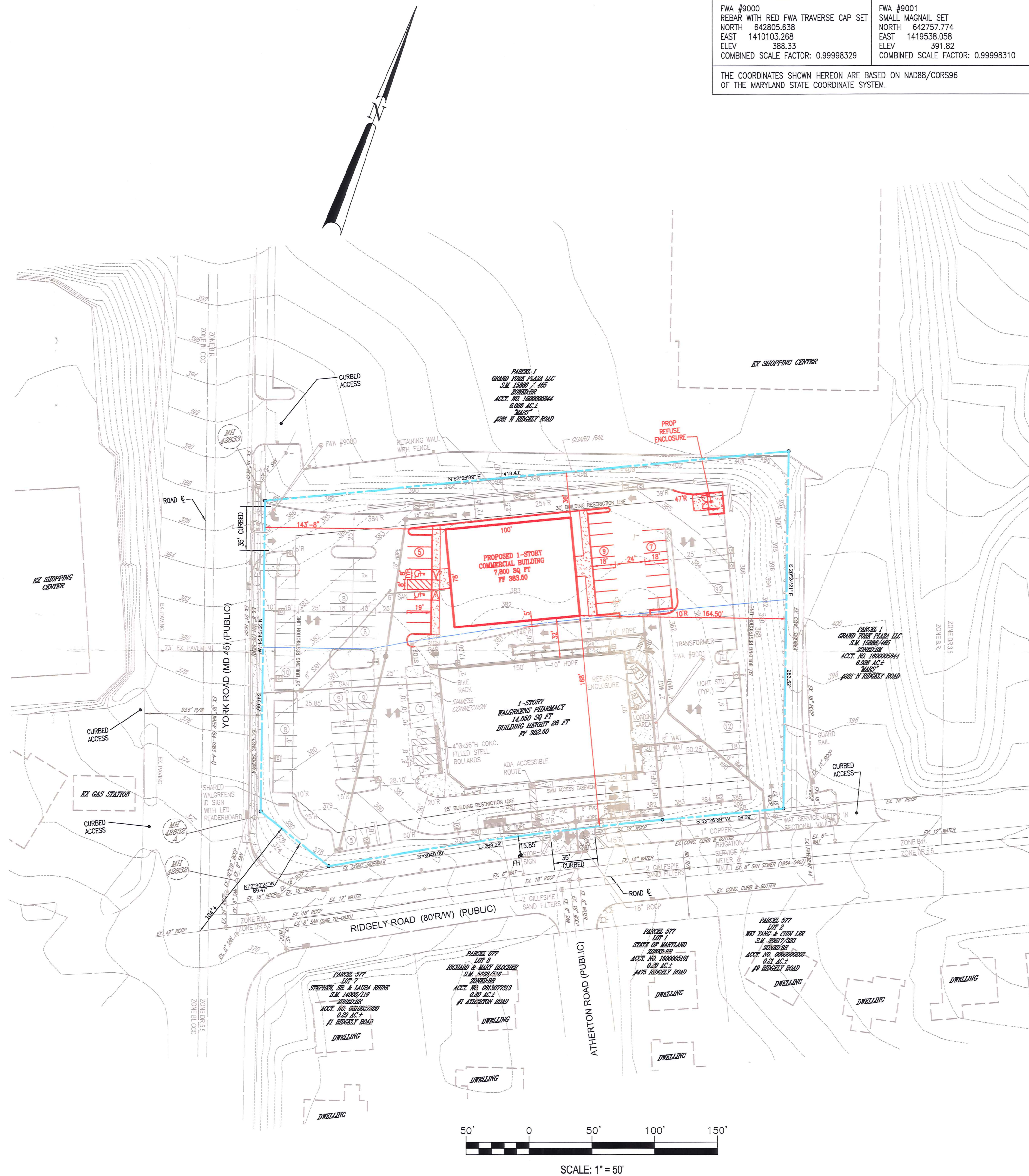
SITE & DEVELOPMENT DATA

- OWNER: 1801 YR, LLC
700 KENILWORTH DRIVE
TOWSON, MARYLAND 21204-2427
- PLAN PREPARED BY: FREDERICK WARD ASSOCIATES, INC.
5 S. MAIN STREET
P.O. BOX 727
BEL AIR, MARYLAND 21014
- SITE DATA:
TOTAL SITE AREA: 2.72 ACRES (118,270 SQ. FT.)
EXISTING ZONING: BR
ELECTION DISTRICT: 8
COUNCILMANIC DISTRICT: 3
CENSUS TRACT: 408601
SUB-SEWERSHED: 57 N
WATERSHED: JONES FALLS OF PATAPSCO RIVER AREA (02-13-09)
ZONING MAP: 080C2
TAX MAP: 60
GRID: 12
PARCEL: 758
TAX ACCOUNT NO.: 1600005846
DEED REFERENCE: 27143/676
A PEAK ADT: 1,280
- BUILDING COVERAGE: A. ALLOWED = 236,540 SF± (F.A.R. = 2.0)
B. TOTAL PROPOSED = (2 ONE STORY BLDGS) = 22,350 SF± (F.A.R. = 0.19)
- ZONING & PERMIT INFORMATION:
A. ZONING CASE # 72-153-A, ORDER ON 6-5-1972, GRANTING A VARIANCE TO SIGN AREA AND HEIGHT FOR FREESTANDING SIGN.
B. PDM # = 08-878
C. DRO #102008K = LIMITED EXEMPTION GRANTED 11/17/08 PURSUANT TO SECTION 32-4-106(B)(8) OF THE COUNTY CODE. DEVELOPMENT PLAN APPROVED 04/01/09.
D. SWM PERMIT #B714277
E. GRADING PERMIT #B716766
F. BUILDING PERMIT #B716766
G. RETAINING WALL PERMIT #B714282
H. UTILITY CONTRACT #09112
I. MDE NOI PERMIT #0910172
- PARKING REQUIREMENTS AND PROPOSAL:
A. REQUIRED: 112
PROPOSED:
PHARMACY: 14,550 SQ. FT. 5.0/1000 = 73
RETAIL: 7,800 SQ. FT. 5.0/1000 = 39
B. PROVIDED:
TOTAL SPACES: 112
HANDICAP PARKING SPACES SHALL BE PROVIDED IN ACCORDANCE WITH THE MARYLAND CODE FOR HANDICAPPED, COMAR 05-02.02.
- SETBACK REQUIREMENTS (BR ZONING DISTRICT)
YORK ROAD SHALL BE THE FRONT YARD. RIDGELY ROAD SHALL BE THE SIDE YARD.
FRONT YARD: 25' MIN. BUILDING FRONT TO PROPERTY LINE
(40' MIN. BUILDING TO STREET CENTERLINE)
SIDE YARD: 30' BUILDING TO INTERIOR PROPERTY LINE
REAR YARD: 30' BUILDING TO INTERIOR PROPERTY LINE
- THERE ARE NO 100-YR F.E.M.A. FLOODPLAINS ON THIS SITE (PANEL NO. 240010 0220C). SITE IS LOCATED IN FLOOD ZONE C.
- THERE ARE NO NON-TIDAL WETLANDS LOCATED ON THIS SITE.
- THERE ARE NO KNOWN REGULATED PLANT OF WILDLIFE COMMUNITIES ASSOCIATED WITH THIS SITE.
- THERE ARE NO KNOWN ARCHEOLOGICAL SITES ON THIS PROPERTY.
- PROPOSED USES ON THE SITE WILL BE SERVICED BY BOTH PUBLIC WATER AND SEWER. THERE ARE NO KNOWN WELLS OR STORAGE TANKS ON THE SITE.
- BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAN IS BY G.W. STEPHENS, JR. AND ASSOCIATES, INC. (JANUARY 2008).
- ANY PROPOSED SIGNAGE WILL BE ACCORDING TO SECTION 450 OF THE B.C.Z.R., OR A VARIANCE WILL BE REQUESTED.
- ALL PROPOSED BUILDINGS SHALL MEET ALL BUILDING AND FIRE CODE REQUIREMENTS.
- SITE IMPERVIOUSNESS: EXISTING - 2.34 ACRES (102,062.9 SF±)
PROPOSED - 2.07 ACRES (89,976.0 SF±)
- FOREST CONSERVATION FOR THIS SITE WAS WAIVED BY DEPDM ON FEBRUARY 5, 2009. THE TRACKING NUMBER IS 03-08-807
- "BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING" HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.
- STORMWATER MANAGEMENT REQUIREMENTS:
QUANTITY - PROPOSED IS A 9.2% REDUCTION IN RUNOFF AND THEREFORE IS NOT REQUIRED FOR THE REDEVELOPMENT OF THIS SITE. (0% EXISTING CONDITIONS = 16.22 CFS & 0% PROPOSED CONDITIONS = 14.73 CFS)
QUALITY - SITE IMPERVIOUS REDUCED BY 11.85%. THE REMAINING 8.15% OF THE 20% REDUCTION OF IMPERVIOUS AREA WILL BE TREATED BY SAND FILTERS.

BENCHMARK DATA

FWA #9000 REBAR WITH RED FWA TRAVERSE CAP SET NORTH 642805.638 EAST 1410103.268 ELEV 388.33 COMBINED SCALE FACTOR: 0.99998329	FWA #9001 SMALL MAGNAIL SET NORTH 642757.774 EAST 1419536.058 ELEV 391.82 COMBINED SCALE FACTOR: 0.99998310
--	--

THE COORDINATES SHOWN HEREON ARE BASED ON NAD88/CORS96 OF THE MARYLAND STATE COORDINATE SYSTEM.



VICINITY MAP

1"=1000'

P.O. Box 727, 5 South Main Street
Bel Air, Maryland 21014 - 0727
410-838-7900
410-893-1243 fax

www.frederickward.com



FREDERICK WARD ASSOCIATES
ARCHITECTS | ENGINEERS | PLANNERS | SURVEYORS

REVISIONS

DESCRIPTION

DATE

REV#

OWNER/DEVELOPER:

1801 YR, LLC
700 KENILWORTH DRIVE
TOWSON, MD 21204-2427

SITE PLAN TO ACCOMPANY
VARIANCE REQUEST

1801 YORK ROAD

3RD COUNCILMANIC DISTRICT BALTIMORE COUNTY, MD



PETITIONER'S

EXHIBIT NO. 1

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

LICENSE NO. 17299, EXPIRATION DATE: 03/30/11

SIGNATURE: TORRENCE M. PIERCE DATE: 4/22/11

DATE

04/27/10

SCALE

1" = 50'

DESIGNED BY

BWL/DAR

DRAWN BY

BWL/BMF

DRAWING NO.

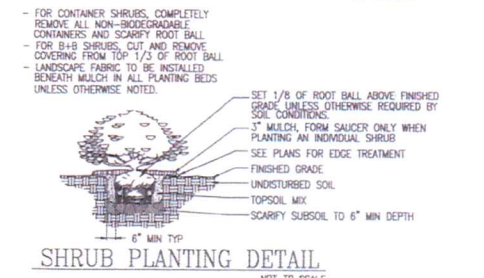
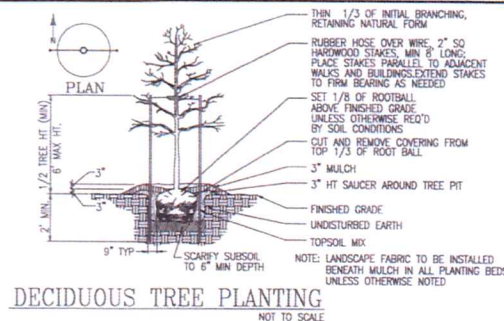
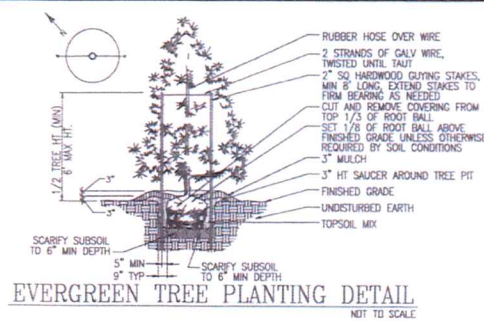
SP1

SHEET 1 OF 1

FWA JOB NUMBER

2081158.00

2010-0297-A



LANDSCAPE CALCULATIONS

CONDITION A: STREET FRONTAGE AND STREETScape
 ADJACENT ROAD: 1 PU PER 40 LF
 INTERIOR ROAD: 1 PU PER 20 LF
 10' LANDSCAPE BUFFER REQUIRED

CONDITION B: PARKING LOTS
 MIN. OF 50% PU ARE REQUIRED TO BE MAJOR TREES
 PERIMETER SCREENING: 1 PU PER 15 LF OF PARKING PERIMETER
 MIN. OF 7% INTERIOR LOT AREA FOR LANDSCAPING:
 1 PU PER 12 PARKING SPACES

CONDITION F: SERVICE LANES
 1 PU PER 15 LF OF PAVING PERIMETER

CONDITION J: SLOPES, EMBANKMENTS, AND RETAINING WALLS
 SLOPES 2:1 OR GREATER, EXCEEDING 5' IN HEIGHT; AND RETAINING WALLS
 EXCEEDING 5' IN HEIGHT:
 1 PU PER 15 LF MEASURED AT THE TOE OF THE SLOPE
 PROVIDE A 10' WIDE LANDSCAPE STRIP AT THE BASE OF RETAINING
 WALLS GREATER THAN 5' IN HEIGHT

SYMBOL	REQUIRED	LINEAR FEET	TOTAL (PU)
A	ADJACENT ROAD: 1 PU PER 40 LF	681'	17
B	INTERIOR ROAD: 1 PU PER 20 LF	539'	27
C	PERIMETER SCREEN: 1 PU PER 15 LF	236'	16
D	INTERIOR LANDSCAPE: 1 PU PER 12 PS	34 (SPACES)	3
E	SERVICE LANES: 1 PU PER 15 LF	235'	16
F	SLOPES 2:1: 1 PU PER 15 LF	237'	16
G	RETAINING WALL >5': 1 PU PER 15 LF	307'	21
TOTAL PLANTING UNITS REQUIRED:			116
TOTAL PLANTING UNITS PROVIDED:			117

GENERAL PLANTING NOTES

1. ALL PLANT MATERIAL SHALL CONFORM TO THE SIZES GIVEN IN THE PLANT LIST AND SHALL BE NURSERY GROWN IN ACCORDANCE WITH THE "USA STANDARD FOR NURSERY STOCK," LATEST EDITION.
2. ALL PLANTING SHALL BE IN ACCORDANCE WITH STANDARD AMERICAN ASSOCIATION OF NURSEYMEN PROCEDURES AND SPECIFICATIONS.
3. CONTRACTOR AND OWNER'S REPRESENTATIVE SHALL VERIFY THE CORRECT LOCATION OF ALL UNDERGROUND UTILITIES IN THE FIELD PRIOR TO INSTALLATION OF ANY PLANT MATERIALS.
4. PLANT MATERIAL LOCATION TO BE STAKED IN THE FIELD AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO PLANTING.
5. ALL PLANT BEDS AND PLANTING AREAS TO BE MULCHED TO A DEPTH OF 3" SHREDDED HARDWOOD BARK UNLESS OTHERWISE NOTED ON DRAWINGS OR SPECIFICATIONS.
6. ALL AREAS DISTURBED BY PLANTING OPERATIONS SHALL BE FINE GRADED AND SEEDED.
7. OBTAIN APPROVAL FROM OWNER'S REPRESENTATIVE BEFORE MAKING ANY SUBSTITUTIONS OR CHANGES.
8. ALL PLANT BEDS SHALL BE CONTAINED WITH A SPADED EDGE UNLESS OTHERWISE NOTED ON DRAWINGS.
9. QUANTITIES SHOWN ON PLANT LIST ARE FOR THE CONTRACTORS CONVENIENCE ONLY AND ARE NOT GUARANTEED TO BE ACCURATE. IN THE EVENT OF A DISCREPANCY BETWEEN QUANTITIES SHOWN ON THE PLAN AND QUANTITIES SHOWN ON THE PLANT LIST, THE QUANTITIES ON THE PLAN SHALL APPLY.
10. THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF BALTIMORE COUNTY.
11. GENERAL CONTRACTOR IS TO PROVIDE ALL MATERIALS AND LABOR INCLUDING PLANTS, PLANTER FILL MATERIALS, MULCHES, SOIL PREPARATION, DECORATIVE ITEMS, INSPECTION, AND TRANSPORTATION.
12. TOPSOIL TO A DEPTH OF 4" IN ALL AREAS TO BE SEEDED OR SOODED.
13. EACH PLANTING BED AREA IS TO RECEIVE A MINIMUM OF 6" OF PREPARED SOIL CULTIVATED TO A 12" DEPTH. PREPARED SOIL SHALL BE MIXED AS FOLLOWS: 2/3 SANDY LOAM TOPSOIL FREE OF ROOTS, ROCKS, WEEDS, AND OTHER DEBRIS AND 1/3 PEAT MOSS OR APPROVED ORGANIC MULCH.
14. SOIL ADDITIVES TO BE GRANULAR FERTILIZER OF A 1:2:1 RATIO. SOIL OUTSIDE RANGE OF 5.0 - 7.0 pH SHALL BE TREATED APPROPRIATELY TO CORRECT FOR HIGH ALKALINITY OR ACIDITY.
15. THE USE OF ON-SITE TOPSOIL MUST BE APPROVED IN ADVANCE BY LANDSCAPE ARCHITECT.
16. ALL BEDS TO BE TREATED WITH GRANULAR PREEMERGENT WEED CONTROL PER MANUFACTURER'S SPECIFICATIONS. LANDSCAPE FABRIC TO BE INSTALLED BENEATH MULCH IN ALL PLANTING BEDS EXCLUDING GROUND-COVER AND PERENNIAL AREAS. USE TREFLAN OR EQUAL AS APPROVED BY LANDSCAPE ARCHITECT.
17. SOODED AND SEEDED AREAS SHALL BE PROPERLY PREPARED, FINISH GRADED AND HAND ROLLED PRIOR TO SOO PLACEMENT OR SEEDING. SEEDED AREAS SHALL BE RE-SEEDED AS NECESSARY TO PROVIDE AN EVEN STAND OF GRASS.
18. PROVIDE A WARRANTY ON ALL WORK FOR A MINIMUM OF ONE YEAR INCLUDING ONE CONTINUOUS GROWING SEASON. COMMENCE WARRANTY ON THE DATE IDENTIFIED IN THE CERTIFICATE OF SUBSTANTIAL COMPLETION. WARRANTY TO INCLUDE COVERAGE OF PLANTS FROM DEATH OR UNHEALTHY CONDITIONS. REPLACEMENT PLANTS SHALL BE THE SAME SIZE AND SPECIES AS SPECIFIED, PLANTED IN THE NEXT GROWING SEASON WITH A NEW WARRANTY COMMENCING WITH THE DATE OF THE REPLACEMENT.
19. MAINTAIN PLANT LIFE IMMEDIATELY AFTER PLACEMENT AND CONTINUE MAINTENANCE UNTIL TERMINATION OF WARRANTY. MAINTENANCE TO INCLUDE WEEDING, APPLICATIONS OF PESTICIDES, WATERING, TRIMMING AND PRUNING, DISEASE CONTROL, AND MAINTENANCE OF PLANT BRACING EQUIPMENT.
20. TOPSOIL MOVED DURING THE COURSE OF CONSTRUCTION SHALL BE REDISTRIBUTED ON ALL REGRADED SURFACES PROVIDING A MINIMUM OF 4" OF EVEN COVER TO ALL DISTURBED AREAS. SUCH AREAS SHALL BE STABILIZED THROUGH SEEDING AS SHOWN.

PETITIONER'S

EXHIBIT NO.

LANDSCAPE SCHEDULE

SYMBOL	QTY.	BOTANICAL/COMMON NAME	SIZE	REMARKS
	11	<i>Quercus velutina</i> Pin Oak	12-14' HT. 2-2 1/2" CAL.	B & B FULL 30" O.C.
	14	<i>Quercus rubra</i> Northern Red Oak	12-14' HT. 2-2 1/2" CAL.	B & B FULL 30" O.C.
	4	<i>Zelkova serrata</i> Japanese Zelkova	12-14' HT. 2-2 1/2" CAL.	B & B FULL 30" O.C.
	3	<i>Acer saccharum</i> Sugar Maple	12-14' HT. 2-2 1/2" CAL.	B & B FULL 30" O.C.
	10	<i>Cercis canadensis</i> Eastern Redbud	8-10' HT. MULTI-STEM	B & B HEAVY 15" O.C.
	5	<i>Tsuga canadensis</i> Canadian Hemlock	6-7' HT.	B & B HEAVY 12" O.C.
	16	<i>Ilex x glauca</i> "Foster" Foster Holly	6-7' HT.	B & B HEAVY 12" O.C.
	62	<i>Viburnum x pragnum</i> Progne Viburnum	2-3' HT. 2-3" SPD.	B & B FULL 5" O.C.
	59	<i>Viburnum x juddii</i> Judd Viburnum	2-3' HT. 2-3" SPD.	CONT. FULL 5" O.C.
	44	<i>Juniperus chinensis</i> "Pfitzeriana Compacta" Compact Pfitzer Juniper	18-24" HT. 2-2 1/2" SPD.	CONT. FULL 5" O.C.
	77	<i>Taxus baccata</i> "Repandens" Spreading English Yew	18-24" HT. 18-24" SPD.	CONT. 4" O.C.
	86	<i>Berberis thunbergii</i> var. <i>atropurpurea</i> Crimson Pyramy Crimson Pyramy Barberry	15-18" HT. 15-18" SPD.	CONT. FULL 3" O.C.
	350	<i>Ligustrum lucidum</i> "Big Blue" Big Blue Lilyturf	1 OT.	CONT. FULL 18" O.C.
	180	<i>Salvia superba</i> "May Night" Violet Sage	1 OT.	CONT. FULL 18" O.C.

NOTE: ALL SUBSTITUTIONS MUST BE APPROVED BY LANDSCAPE ARCHITECT

RECEIVED
 MAY 15 2009
 DEPT. OF PERMITS AND
 DEVELOPMENT MANAGEMENT

BALTIMORE COUNTY
 DEPT. OF PERMITS & DEV. MGMT.
 LANDSCAPE PLAN APPROVED
 E. Avery Harden
 County Landscape Architect
 Date: 5-19-09

OWNER/DEVELOPER:

1801 YR, LLC
 700 KENILWORTH DRIVE
 TOWSON, MD 21204-2427

LANDSCAPE PLAN

1801 YORK ROAD

8TH ELECTION DISTRICT BALTIMORE COUNTY, MD

FINAL LANDSCAPE PLAN
 OWNER CERTIFICATION FORM

I CERTIFY THAT I HAVE REVIEWED THIS FINAL LANDSCAPE PLAN; THAT I AM AWARE OF THE REGULATIONS PRESENTED IN THE BALTIMORE COUNTY LANDSCAPE MANUAL; AND I AGREE TO COMPLY WITH THESE REGULATIONS AND ALL APPLICABLE POLICY, GUIDELINES, AND ORDINANCES. I AGREE TO CERTIFY THE IMPLEMENTATION OF THIS APPROVED FINAL LANDSCAPE PLAN UPON COMPLETION OF THE LANDSCAPE INSTALLATION PRIOR TO FINAL CLOSURE IF APPLICABLE OR NOT LATER THAN ONE (1) YEAR FROM THE DATE OF APPROVAL OF THIS PLAN TO THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, DEVELOPMENT PLANS REVIEW, ROOM 207, COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, TOWSON, MD 21204.

APPLICANT SIGNATURE: DATE: 5/15/09
 1801 YR, LLC
 ADDRESS (PRINT): 700 KENILWORTH DRIVE
 TOWSON CITY: MD STATE: 21204 ZIP: 72P

PMF: 8-878 PERMIT #

FINAL LANDSCAPE PLAN
 LANDSCAPE ARCHITECT CERTIFICATION FORM

IT IS CERTIFIED THAT THIS LANDSCAPE PLAN IS IN COMPLIANCE WITH ALL PLANS PREVIOUSLY APPROVED BY BALTIMORE COUNTY AND THE BALTIMORE COUNTY COMMENTS ATTENDANT THERETO.

SIGNATURE: KEVIN SMALL
 PRINT NAME: KEVIN SMALL

DATE: 5/15/09

STATE OF MARYLAND
 BALTIMORE COUNTY
 DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
 AFFI

DATE: 05/13/09
 SCALE: 1" = 30'
 DESIGNED BY: KLS
 DRAWN BY: JRW
 SHEET 1 OF 1
 FMA JOB NUMBER: 2081158.00

L01