

IN RE: PETITION FOR VARIANCE
7801 York Road
E/side of York Road at the northeast
corner of Terrace Dale Avenue

9th Election District
5th Council District

York Dale Limited Partnership
Petitioner

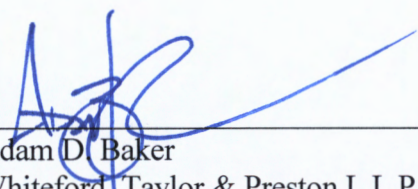
* * * * *

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No: 2012-0023-A

*

NOTICE OF WITHDRAWAL OF ZONING PETITION

The Petitioner, York Dale Limited Partnership, by and through its counsel, Adam D. Baker and Whiteford, Taylor & Preston, L.L.P., by this Notice hereby withdraws its petition for Variance without prejudice.

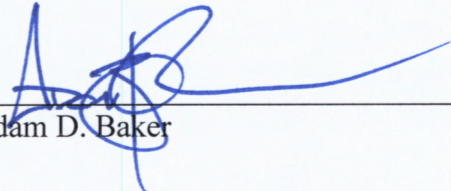


Adam D. Baker
Whiteford, Taylor & Preston L.L.P.
Towson Commons, Suite 300
One West Pennsylvania Avenue
Towson, Maryland 21204-5025
(410) 832-2000
Attorneys for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of October, 2011, a copy of the foregoing
Notice of Withdrawal of Zoning Petition was mailed to:

Office of the People's Counsel of Baltimore County
508 Fairmont Avenue
Towson, Maryland 21286



Adam D. Baker

WHITEFORD, TAYLOR & PRESTON L.L.P.

ADAM D. BAKER
DIRECT LINE (410) 832-2052
DIRECT FAX (410) 339-4028
ABaker@wtplaw.com

TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
FACSIMILE (410) 832-2015

BALTIMORE, MD
COLUMBIA, MD
FALLS CHURCH, VA
TOWSON, MD
WASHINGTON, DC
WILMINGTON, DE*

WWW.WTPLAW.COM
(800) 987-8705

October 18, 2011

VIA HAND DELIVERY

The Honorable Lawrence M. Stahl
Managing Administrative Law Judge
Office of Administrative Hearings
The Jefferson Building
105 E. Chesapeake Avenue, First Floor
Towson, Maryland 21204

RECEIVED

OCT 18 2011

OFFICE OF ADMINISTRATIVE HEARINGS

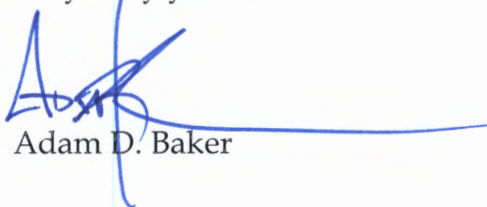
**Re: 7801 York Road
Case No. 2012-0023-A**

Dear Judge Stahl:

Please accept this letter with respect to the above-referenced matter. This matter has been scheduled for a hearing on October 24, 2011 at 10:00 a.m. For a variety of reasons we are respectfully withdrawing our Petition for Variance. Enclosed please find an original and one copy of the Notice of Withdrawal of Zoning Petition. Please date stamp the copy and return it with the messenger.

Thank you for your kind consideration in this matter. Should you have any questions, please do not hesitate to contact me.

Very truly yours,


Adam D. Baker

ADB:lsp
Enclosures

• The Honorable Lawrence M. Stahl
October 18, 2011
Page 2

cc: The Honorable John E. Beverungen
Brendan Gill
James E. Matis, P.E.
Paul Hartman
People's Counsel

423874

MEMORANDUM

TO: Kristen Lewis
Office of Zoning Review

FROM: Lawrence M. Stahl, Managing Administrative Law Judge
Office of Administrative Hearings

DATE: October 3, 2011

SUBJECT: Case No. 2012-0023-A (Scheduled for October 3, 2011)
7801 York Road



The above-referenced case was scheduled before the undersigned on October 3, 2011 at 10:00 AM in Room 205 of the Jefferson Building. It had been properly posted and advertised prior to the hearing. Adam D. Baker, Esquire, attended on behalf of the Petitioner. The hearing was opened and continued in order to allow Mr. Baker as well as the community association time to review the most current/revised site plan in response to the Office of Planning's Zoning Advisory Committee (ZAC) comment. Counsel was advised that the Petitioner does not need to re-post and/or re-advertise.

The following citizens attended and would like notification when this matter is rescheduled. Please send a copy of the hearing notice to:

Mr. Paul Hartman
Aigburth Manor Association, Inc.
18 ½ Cedar Avenue
Towson, MD 21286

Mary Carol Bruff
15 Hillside Avenue
Towson, MD 21286

I am therefore returning the case file for rescheduling and processing. Thanks.

LMS:dlw

c: File

WHITEFORD, TAYLOR & PRESTON L.L.P.

ADAM D. BAKER
DIRECT LINE (410) 832-2052
DIRECT FAX (410) 339-4028
ABaker@wtplaw.com

TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
FACSIMILE (410) 832-2015

BALTIMORE, MD
COLUMBIA, MD
FALLS CHURCH, VA
TOWSON, MD
WASHINGTON, DC
WILMINGTON, DE*
DEARBORN, MI

WWW.WTPLAW.COM
(800) 987-8705

August 26, 2011

Via Hand Delivery

The Honorable John E. Beverungen
Administrative Law Judge
Baltimore County Office of Administrative Hearings
105 W. Chesapeake Avenue
Towson, Maryland 21204

RECEIVED

AUG 26 2011

OFFICE OF ADMINISTRATIVE HEARINGS

Re: Case No. 2012-0023-A
7801 York Road

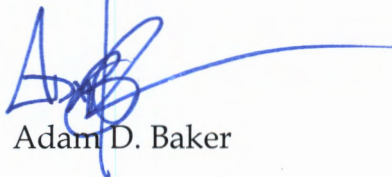
Dear Mr. Beverungen,

Please accept this letter as York Dale Limited Partnership's formal request for a postponement of the hearing set in this matter for Monday, August 29, 2011 at 10:00 a.m., pursuant to Rule 4.G of Appendix G of the Baltimore County Zoning Regulations.

As you may be aware, the Office of Planning issued a negative Zoning Advisory Committee comment regarding the requested variance. Planning's comment was first brought to our attention on Wednesday evening. I met with Lynn Lanham and Curtis Murray from the Office of Planning this morning to discuss Planning's concerns. As a result of this discussion, we are revising the design of the sign in an effort to address Planning's concerns. Because of the short timing, however, we are unable to have a finalized design proposal in time for Monday's hearing. Therefore, York Dale respectfully requests that a postponement be granted.

Thank you for your kind consideration in this matter. Should you have questions or concerns, please feel free to contact me.

Sincerely,



Adam D. Baker

AB:adb

The Honorable John E. Beverungen
August 26, 2011
Page 2

Cc: Brendan O. Gill
James E. Matis
Peter M. Zimmerman, Esq.
Lynn Lanham
Donnell T. Ziegler
Curtis Murray
Paul Hartman

1967419

RE: PETITION FOR VARIANCE
7801 York Road; E/S of York Road, NE corner
Of Terrace Dale Avenue
9th Election & 5th Councilmanic Districts
Legal Owner(s): York Dale Limited Partnership*
Petitioner(s)

BEFORE THE
ADMINISTRATIVE LAW
JUDGE FOR
BALTIMORE COUNTY
2012-023-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

AUG 02 2011

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 2nd day of August, 2011, a copy of the foregoing Entry of Appearance was mailed to Adam Baker, Esquire, Whiteford, Taylor & Preston, LLP, 1 W Pennsylvania Avenue, Suite 300, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



Petition for Variance

to the **Zoning Commissioner of Baltimore County** for the property
located at 7801 York Road

which is presently zoned OR-1 and DR 5.5

Deed Reference: 6327 / 520 Tax Account # 0925450764

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)

From §§ 450.4 Attachment 1.5.(k) of the BCZR to permit one double faced, free-standing enterprise sign of 105 square feet of maximum area per face in lieu of the four permitted, (1 per frontage) double faced, freestanding enterprise signs of 25 square feet each maximum area per face;

and

From §§ 450.4 Attachment 1.5.(k) of the BCZR to permit a double faced, free-standing enterprise sign of 20 feet in height in lieu of the maximum permitted 6 feet in height.

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:

Adam D. Baker, Esquire

Name - Type or Print

Signature

Whiteford Taylor & Preston, LLP

Company

One West Pennsylvania Avenue Suite 300

Address

Telephone No.

Towson, Maryland 21204-4515 (410) 832-2000

City

State

Zip Code

Legal Owner(s):

YORK DALE LIMITED PARTNERSHIP

Name - Type or Print

Signature

by:

Name - Type or Print

Signature

2328 W JOPPA RD SUITE 200 410-821-8585

Address

Telephone No.

LUTHERVILLE TIMONIUM

MD 21093-4623

City

State

Zip Code

Representative to be Contacted:

Adam D. Baker, Esquire

Name

One West Pennsylvania Avenue Suite 300

Address

Telephone No.

Towson, Maryland 21204-4515

(410) 832-2000

City

State

Zip Code

Case No. 2012 - 0023-A

Office Use Only

Estimated Length of Hearing

Unavailable For Hearing

Reviewed by

Date

REV 8/20/07

two 410 339-4024

7/28/11

PETITION FOR VARIANCE
7801 York Road

Practical Difficulty:

The sign variance is to provide for appropriate signage to adequately identify the tenants of the York at Terrace Dale office park. Failure to grant the variance would create a practical difficulty by creating inadequate signage for the tenants of the York at Terrace Dale office park.

Other good and sufficient reasons will be presented at the hearing on the variance request.

1960672

0023A

July 27, 2011

Description to Accompany Zoning Petition For Variance
7801 York Road
Election District 9
Baltimore County, MD

Beginning for the same at a point on the east side York Road, State Route 45, said point distant North 43° East 64 feet more or less from the point of intersection of the centerlines of York Road and Terrace Dale Avenue, running thence and binding along the east side of York Road:

1. North 12° 20' 10" East 328.75 feet to a point at the beginning of the cutoff leading to Hillside Avenue, thence binding on said cutoff
2. North 56° 39' 17" East 21.46 feet to a point on the north side of Hillside Avenue, running thence and binding along the north side of Hillside Avenue the five following courses viz:
 3. South 79° 01' 35" East 59.26 feet to a point, thence
 4. by a curve to the left having a radius of 2,920.00 feet for an arc length of 101.48 feet to a point, thence
 5. South 81° 01' 03" East 177.72 feet to a point, thence
 6. by a curve to the right having a radius of 450.54 feet for an arc length of 207.75 feet to a point, thence
 7. South 54° 35' 54" East 112.79 feet to a point, thence to a point at the beginning of the cutoff leading to Cedar Avenue, thence binding on said cutoff
 8. South 01° 59' 54" West 15.89 feet to a point on the west side of Cedar Avenue, thence binding along the west side of Cedar Avenue the two following courses viz:
 9. South 50° 36' 06" West 82.38 feet to a point, thence
 10. by a curve to the left having a radius of 620.00 feet for an arc length of 102.18 feet to a point, thence leaving said west side of Cedar Avenue and running thence the six following courses viz:
 11. North 66° 24' 09" West 224.23 feet to a point, thence
 12. South 21° 19' 58" East 183.86 feet to a point, thence
 13. South 68° 32' 58" East 53.17 feet to a point, thence
 14. South 37° 34' 23" West 55.30 feet to a point, thence
 15. South 65° 31' 37" East 5.30 feet to a point, thence
 16. South 41° 24' 23" West 39.50 feet to a point on the north side of Terrace Dale Avenue, running thence and binding along the north side of Terrace Dale Avenue the seven following courses viz:

Description to Accompany Zoning Petition For Variance
7801 York Road
Election District 9
Baltimore County, MD
July 27, 2011
-2-

17. by a curve to the left having a radius of 480.00 feet for and arc length of 19.92 feet to a point, thence
18. North 70° 55' 10" West 93.91 feet to a point, thence
19. North 26° 08' 06" West 29.60 feet to a point, thence
20. North 21° 19' 58" East 32.72 feet to a point, thence
21. North 72° 18' 42" West 49.85 feet to a point, thence
22. by a curve to the left having a radius of 300.00 feet for an arc length of 81.49 feet to a point, thence
23. North 72° 18' 42" West 53.25 feet to a point, at the beginning of the cutoff extending to York Road, thence binding along said cutoff
24. North 29° 59' 16" West 22.18 feet to the place of beginning.

Containing 194,358 square feet or 4.46 acres of land, more or less.

This description is intended for zoning purposes only and is not for use in conveyance of land or establishing property lines



9c5

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
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: 2012-0023-A

Petitioner: YORK DALE LIMITED PARTNERSHIP

Address or Location: 7301 YORK ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: ADAM BAKER

Address: 1 W. PENNSYLVANIA AVE, STE. 300
TOWSON, MD 21204

Telephone Number: 410.532.2200

Revised 2/17/11 DT

NOTICE OF ZONING HEARING

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

Case: # 2012-0023-A

7801 York Road

E/side of York Road at the northeast corner of Terrace Dale Avenue

9th Election District - 5th Councilmanic District

Legal Owner(s): York Dale Limited Partnership

Variance: to permit one double faced, free-standing enterprise sign of 105 square feet of maximum area per face in lieu of the four permitted, (1 per frontage) double faced, freestanding enterprise signs of 25 square feet each maximum area per face; to permit a double faced, free-standing enterprise sign of 20 feet in height in lieu of the maximum permitted 6 feet in height.

Hearing: Monday, October 3, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

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

09/13/2011 September 15, 2011

CERTIFICATE OF PUBLICATION

9/15, 2011

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 9/15, 2011.

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

J. Wilkinson

LEGAL ADVERTISING

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: # 2012-0023-A

7801 York Road
E/side of York Road at the northeast corner of
Terrace Dale Avenue
9th Election District - 5th Councilmanic District
Legal Owner(s): York Dale Limited Partnership

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Hearing: Monday, August 29, 2011 at 10:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS
AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

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

8/09/2 Aug. 11

263504

Hearing 8/29
CERTIFICATE OF PUBLICATION

8/11/, 2011

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 8/11/, 2011.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2012-0023-A

RE: Case No.: _____

Petitioner/Developer: _____

York Dale Limited Partnership

August 29, 2011

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

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: _____

7801 York Road

August 13, 2011

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,

August 15, 2011



(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 2012-0023-A

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

Room 104, JEFFERSON BUILDING
105 WEST CHESAPEAKE AVE TOWSON 21204

PLACE

DATE AND TIME: MONDAY, AUGUST 29, 2011 AT 10:00 AM

REQUEST: VARIANCE TO PERMIT ONE DOUBLE Faced, FREE-
STANDING ENTERPRISE SIGN OF 105 SQUARE FEET OF MAXIMUM
AREA PER FACE IN LIEU OF THE FOUR PERMITTED (1 PER FRONTAGE)
DOUBLE Faced, FREE STANDING ENTERPRISE SIGNS OF 25 SQUARE
FEET EACH MAXIMUM AREA PER FACE TO PERMIT A DOUBLE Faced,
FREE STANDING ENTERPRISE SIGN OF 20 FEET IN HEIGHT IN LIEU OF
THE MAXIMUM PERMITTED 6 FEET IN HEIGHT

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING CALL 887-5301

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

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 11, 2011 Issue - Jeffersonian

Please forward billing to:

Adam Baker
Whiteford, Taylor & Preston
One West Pennsylvania Avenue, Ste. 300
Towson, MD 21204

410-832-2000

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0023-A

7801 York Road

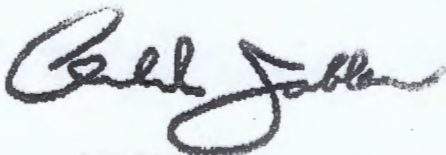
E/side of York Road at the northeast corner of Terrace Dale Avenue

9th Election District – 5th Councilmanic District

Legal Owners: York Dale Limited Partnership

Variance to permit one double faced, free-standing enterprise sign of 105 square feet of maximum area per face in lieu of the four permitted, (1 per frontage) double faced, freestanding enterprise signs of 25 square feet each maximum area per face; to permit a double faced, free-standing enterprise sign of 20 feet in height in lieu of the maximum permitted 6 feet in height.

Hearing: Monday, August 29, 2011 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

August 3, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judges 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:

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Hearing: Monday, August 29, 2011 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Adam Baker, One West Pennsylvania Avenue, Ste. 300, Towson 21204
York Dale Ltd. Partnership, 2328 W. Joppa Road, Ste. 200, Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, AUGUST 13, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, September 15, 2011 Issue - Jeffersonian

Please forward billing to:

Adam Baker
Whiteford, Taylor & Preston
One West Pennsylvania Avenue, Ste. 300
Towson, MD 21204

410-832-2000

NOTICE OF ZONING HEARING

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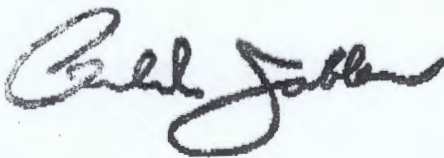
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9th Election District – 5th Councilmanic District

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Hearing: Monday, October 3, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

September 6, 2011

NEW NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0023-A

7801 York Road

E/side of York Road at the northeast corner of Terrace Dale Avenue

9th Election District – 5th Councilmanic District

Legal Owners: York Dale Limited Partnership

Variance to, permit one double faced, free-standing enterprise sign of 105 square feet of maximum area per face in lieu of the four permitted, (1 per frontage) double faced, freestanding enterprise signs of 25 square feet each maximum area per face; to permit a double faced, free-standing enterprise sign of 20 feet in height in lieu of the maximum permitted 6 feet in height.

Hearing: Monday, October 3, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Adam Baker, One West Pennsylvania Avenue, Ste. 300, Towson 21204
York Dale Ltd. Partnership, 2328 W. Joppa Road, Ste. 200, Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, SEPT. 17, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

August 19 2011

Yorkdale Limited Partnership
2328 W. Joppa Road, Suite 200
Towson, MD 212093-4623

RE: Case Number 2012-0023-A, 7801 York Road

Dear To Whom It May Concern,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 28, 2011. 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:mcn

Enclosures

c: People's Counsel
Adam D. Baker, Whiteford, Taylor & Preston, LLP, One W. Pennsylvania Avenue Suite 300,
Towson, MD 21204-4515



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

August 1, 2011

County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Zoning Review

Distribution Meeting of: **August 1, 2011**

Item No.:

Administrative Variance: 2012-0024A.

Variance: 2012-0020-XA, 2012-0022-SPHA, **2012-0023A**, 2012-0025A.

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
drnuddiman@baltimorecountymd.gov
cc: File

8/29 10 AM
604

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: August 22, 2011

FROM: Andrea Van Arsdale
Director, Office of Planning

RECEIVED

AUG 24 2011

OFFICE OF ADMINISTRATIVE HEARINGS

SUBJECT: 7801 York Road

INFORMATION:

Item Number: 12-023

Petitioner: York Dale Limited Partnership

Zoning: OR-1 & DR 5.5

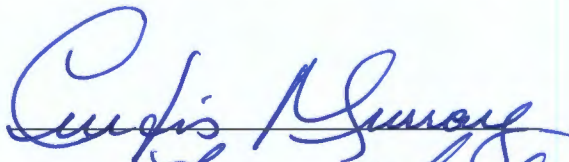
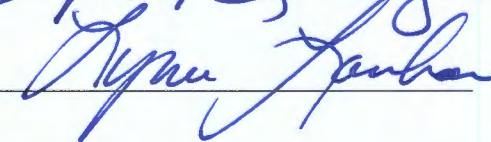
Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. The Office of Planning recommends **denial** of the petitioner's request for a freestanding enterprise sign of 20 feet in height in lieu of the maximum permitted 6 feet. A 20-foot sign would be out of character for this neighborhood, wherein many enterprise signs exist for various establishments. A 20-foot sign would be larger than the signs for both Towson University and St. Joseph's Hospital, which are major regional institutional landmarks. Furthermore, the medical office complex is located on the east side of York Road in a section that is primarily residential in character.

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

Prepared by:

Division Chief:
AVA/LL: CM

8/29/11
JTB
#104

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

AUG 22 2011

OFFICE OF ADMINISTRATIVE HEARINGS



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: August 22, 2011

SUBJECT: DEPS Comment for Zoning Item # 12-023-A
Address 2328 West Joppa Road, Suite 200
(York Dale Limited Partnership Property)

Zoning Advisory Committee Meeting of August 1, 2011.

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

Reviewer: *Jeff Livingston; Development Coordination*

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



Beverley K. Swaim-Staley, Secretary
Darrell B. Mobley, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 8-1-11

Ms. Kristen Matthews
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0023-A
Variance -
York-Dale Limited Partnership
2328 W. Joppa Road Suite 200

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2012-0023-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us). Thank you for your cooperation.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief
Access Management Division

SDF/rz

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.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

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

SUBJECT: Zoning Advisory Committee Meeting
For August 15, 2011
Item Nos. 2012-020, 021, 023, 024
And 025

DATE: August 9 , 2011

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

DAK:CEN

cc: File

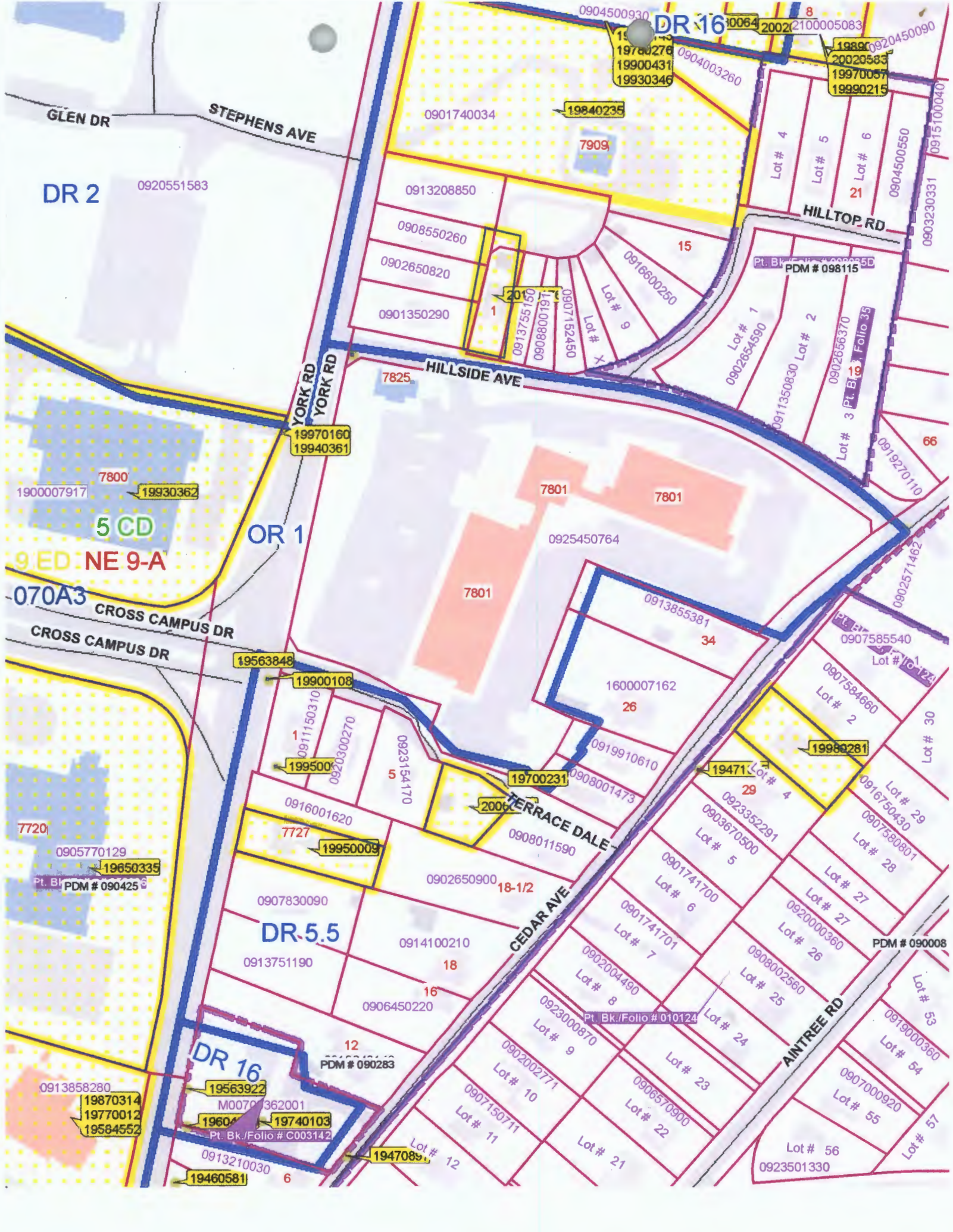
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CASE NAME 7801 York Rd.
CASE NUMBER 2012-0023-A
DATE 10-3-11

[illegible]

CASE NAME 7801 York Rd.
CASE NUMBER 2012-0023-A
DATE 10/3/11

[illegible]



DR 2

DR 16

OR 1

DR 5.5

DR 16

5 CD

9 ED NE 9-A

070A3

CROSS CAMPUS DR

STEPHENS AVE

HILLSIDE AVE

CEDAR AVE

AINTREE RD

HILLTOP RD

GLEN DR

YORK RD

TERRACE DALE

7720

7800

7801

7801

7801

0901740034

0913208850

0908550260

0902650820

0901350290

1900007917

19930362

19970160
19940361

19563848

19900108

0911150310

0920300270

19950009

0916001620

7727

19950009

0907830090

0913751190

0914100210

0906450220

12

PDM # 090283

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19563922

M0070362001

196040103

Pt. Bk./Folio # C003142

0913210030

19460581

1947088

19700231

2006

0908011590

0902650900

18-1/2

0919910610

0908001473

1600007162

26

0913855381

34

0907585540

Lot # 10-124

0907584660

Lot # 2

19980281

0916750430

Lot # 29

0907580801

Lot # 28

0920000360

Lot # 27

0908002560

Lot # 26

0901741700

Lot # 6

0901741701

Lot # 7

0902004490

Lot # 8

0923000870

Lot # 9

0902002771

Lot # 10

0907150711

Lot # 11

0906570900

Lot # 22

0901741700

Lot # 24

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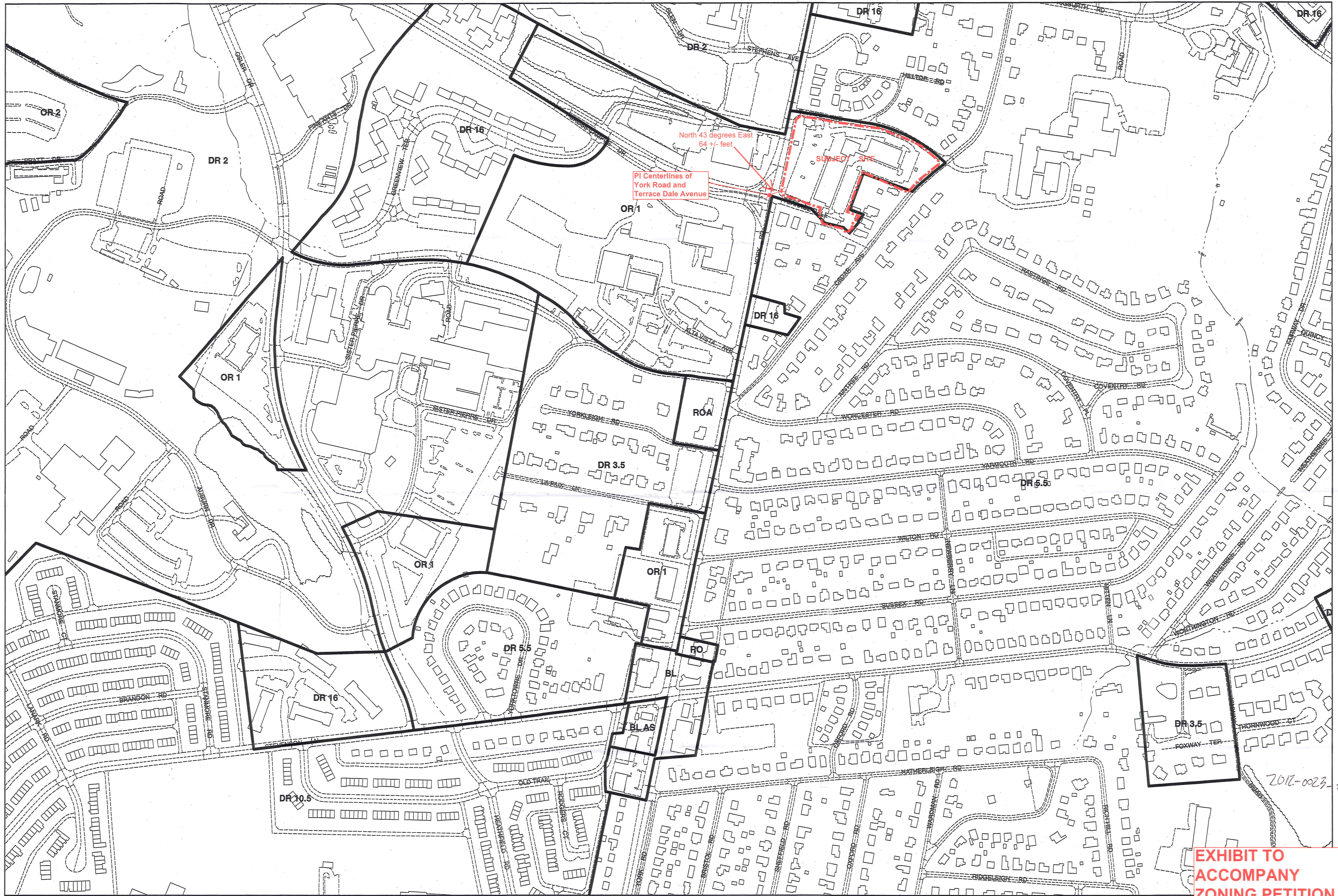
Lot # 98

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Lot # 99

0901741701

Lot # 100



**EXHIBIT TO
ACCOMPANY
ZONING PETITION**

Plan Sheet: 070A3

Note:
The zoning depicted in this application incorporates the actions associated with 2008 Comprehensive Zoning Map Process, zoning changes associated with an adopted Community Plan and Baltimore County Board of Appeals actions through December 31, 2006.

Legend

- Buildings
- Streams
- Vegetation
- Zoning
- Roads
- Rail Lines

**Baltimore County
Office of Planning and Zoning
Official Zoning Map**

069B2	069C2	070A2	070B2	070C2
069B3	069C3	070A3	070B3	070C3
079B1	079C1	080A1	080B1	080C1

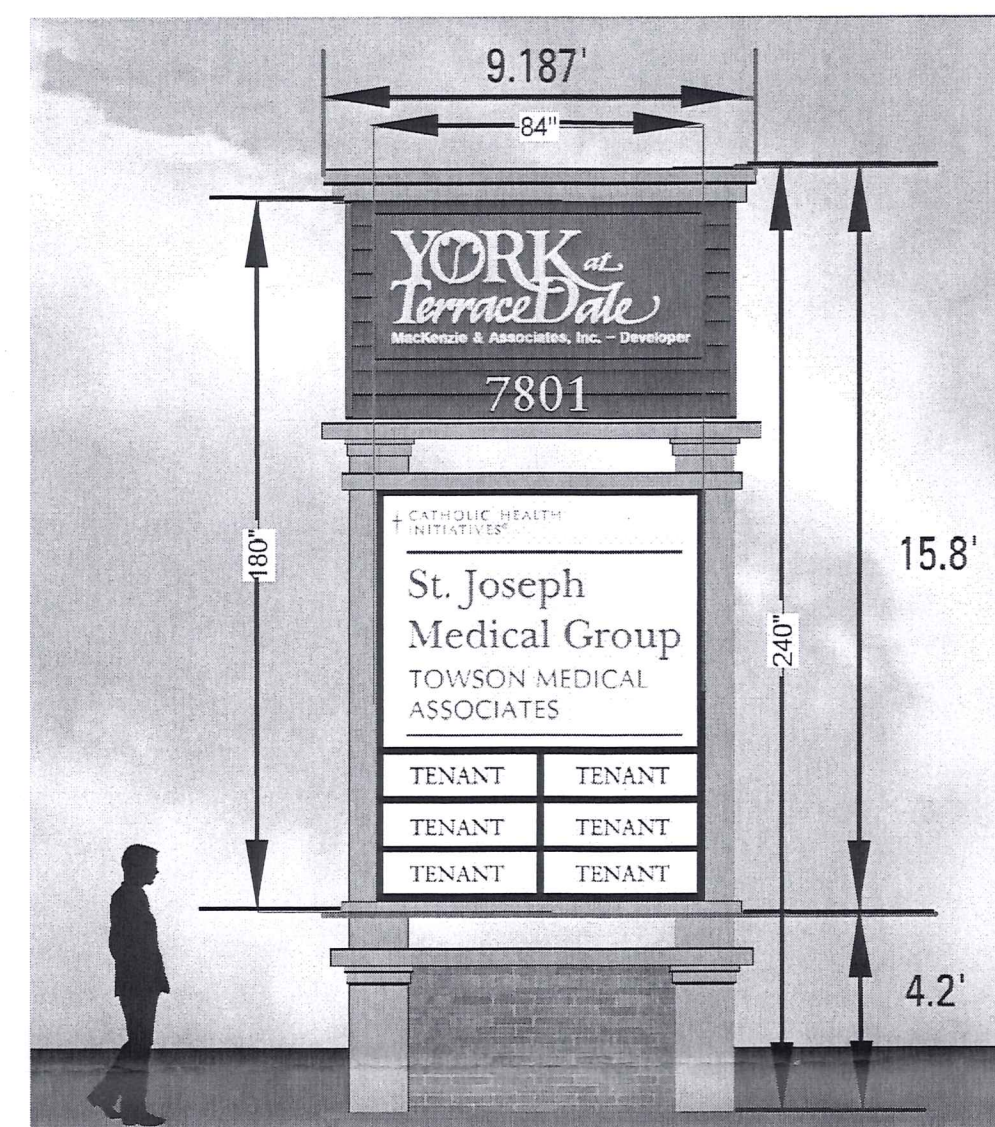
Scale
1" = 200'
0 100 200 400 Feet



Data Sources:
Planimetric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2008

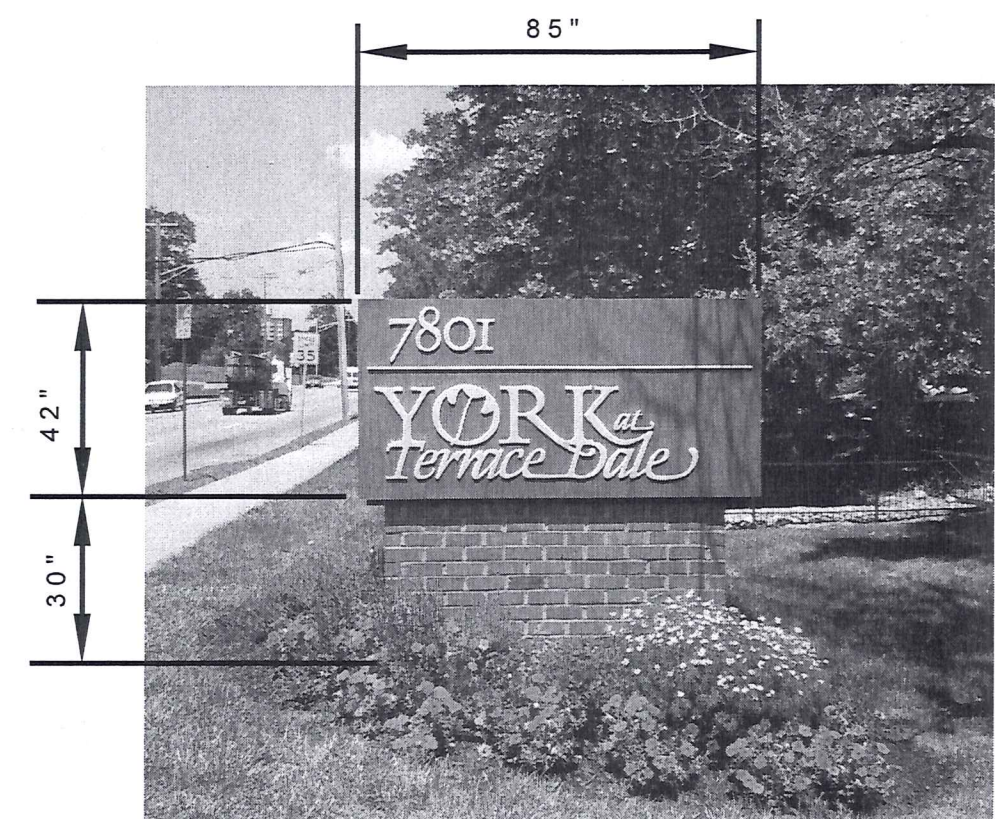


PERSPECTIVE OF PROPOSED SIGN FROM YORK ROAD LOOKING SOUTH



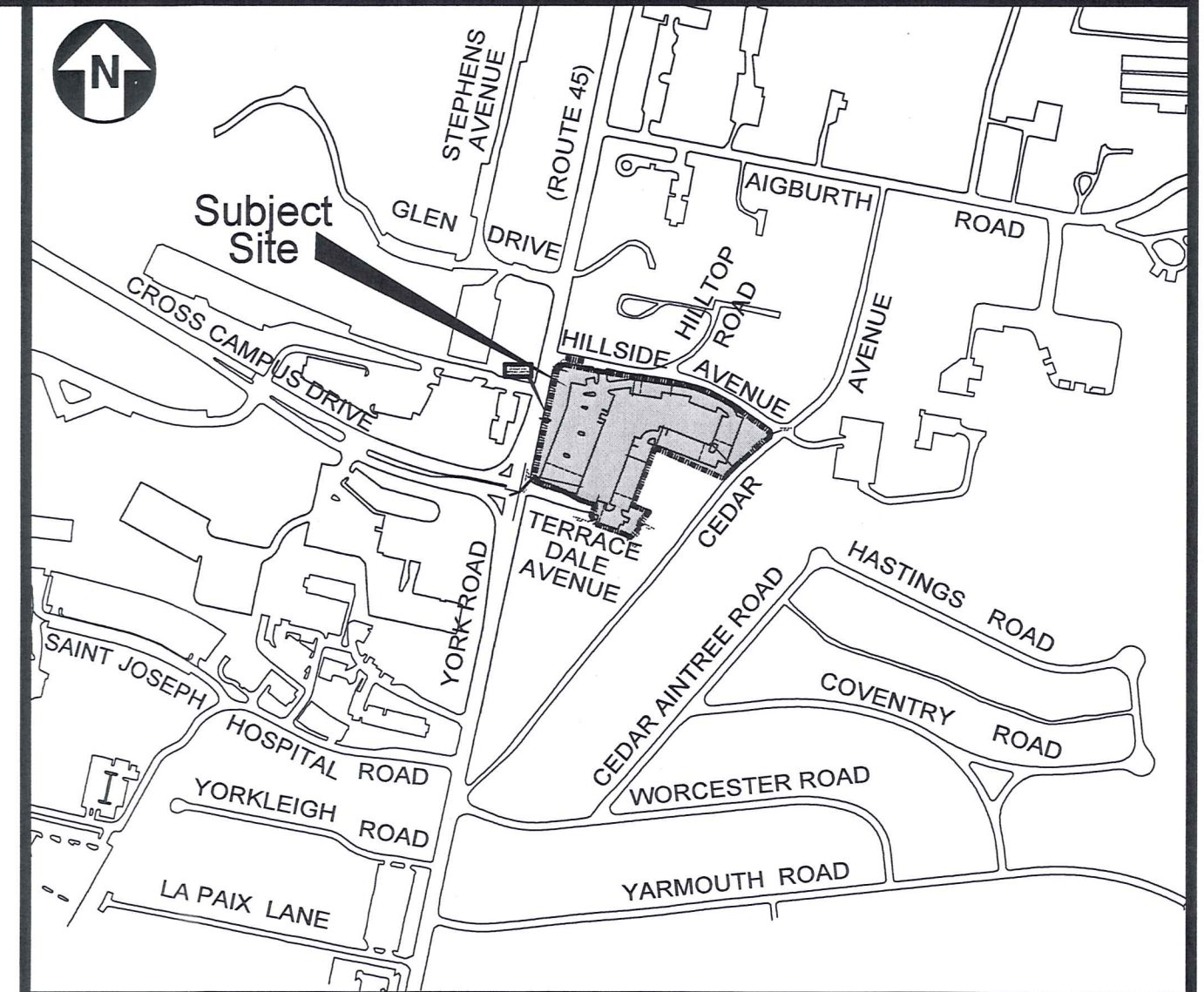
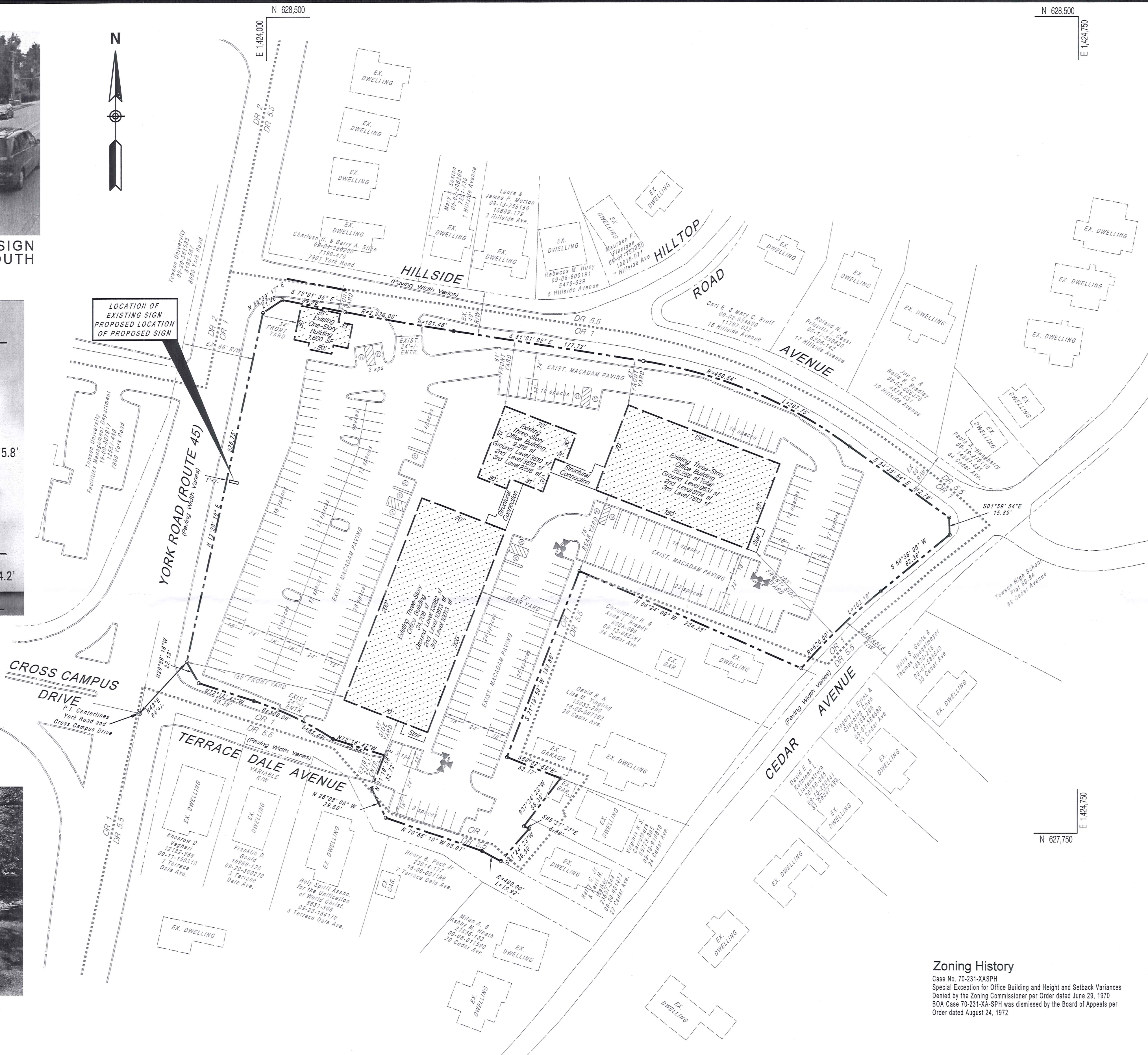
PROPOSED SIGN DETAIL

Enterprise Sign
Internally Illuminated
105 SF per Face (84" X 180")
Sign is Double-Faced
Not To Scale



EXISTING SIGN DETAIL

25 SF per Face
Sign to be removed
Double faced sign
Not To Scale



Vicinity Map Scale 1" = 500'

Legend

- Existing Paving Edge
- Existing Curb
- Existing Zoning Line
- Existing Fire Hydrant
- Property Line

Site Data

NET AREA OF PROPERTY = 4.46+/- ACRES OR 194,358 SF
GROSS AREA OF PROPERTY = 5.34+/- ACRES (INCLUDES 1/2 OR UP TO 30' OF ADJOINING ROADWAYS)
EXISTING ZONING - OR 1 and DR 5.5
EXISTING USE - THREE 3-STORY BUILDINGS AND ONE 1-STORY BUILDING (GENERAL AND MEDICAL OFFICE USE)
PROPOSED USE - SAME WITH PROPOSED REPLACEMENT SIGN
DEED REFERENCE - 6327-520
TAX MAP 0070 PARCEL NO. 0423
PLAT REFERENCE - NA
PRIOR DEVELOPMENT APPROVALS - NONE
PRIOR COMMERCIAL PERMITS - UNKNOWN
TAX ACCOUNT NUMBER - 09-25-450764
FLOOR AREA RATIO PERMITTED - 0.50
FLOOR AREA RATIO EXISTING - 0.32 (70,884 sf / 223,740 sf Gross OR-1)
MAXIMUM BUILDING HEIGHT PERMITTED FOR CLASS B BUILDINGS - 60 FEET
EXISTING BUILDING HEIGHTS - 35 feet +/- (THREE STORY) and 18 feet +/- (ONE STORY)
ADJUSTED GROSS FLOOR AREA = 70,884 SF
AMENITY OPEN SPACE REQUIRED = 25% OF NET LOT OR 48,590 SF
AMENITY OPEN SPACE EXISTING = 48,500 SF (INCLUDES ONLY AREA ZONED OR-1)
STORMWATER MANAGEMENT: EXISTING OPERATIONAL SYSTEMS
THE SITE DOES NOT LIE WITHIN THE 100 YEAR FLOODPLAIN-SEE FEMA FIRM 2400100265F DATED 9-26-08
THIS SITE DOES NOT LIE IN THE CRITICAL AREA
LIGHTING - ANY FIXTURE USED TO ILLUMINATE THE OFFSTREET PARKING AREA HAS BEEN ERRECTED
AS TO REFLECT LIGHT AWAY FROM ADJOINING PREMISES AND PUBLIC STREETS.
ACCESSORY COMMERCIAL USES- NO MORE THAN 7.5% OF THE ADJUSTED GROSS FLOOR AREA MAY BE DEVOTED TO ACCESSORY COMMERCIAL USES.
BASIC SERVICES- THERE IS NO WATER OR SEWER MORATORIUM AFFECTING THIS PROPERTY. THE SITE LIES WITHIN THE TRAFFIC SHED OF THE YORK ROAD/ BURKE AVENUE INTERSECTION WHICH HAS A RATED LEVEL OF SERVICE 'F'
THIS SITE DOES NOT CONTAIN ANY HISTORIC BUILDINGS
ZONING MAP 070A3

Parking Tabulation

PARKING REQUIRED:
GENERAL OFFICE
70,884 SF OF OFFICE SPACE
35,000 sf of Medical Office @ 4.5 spaces/1000 sf = 158 spaces
35,884 sf of General Office @ 3.3 spaces/1000 sf = 119 spaces
Total Parking Required = 277 spaces

EXISTING PARKING SHOWN: = 278 spaces*
*Includes 264 Standard Spaces and 12 Handicap Spaces

Standard Parking at 8.5' x 18' Typ.
Handicap Spaces at 12' x 18' Typ.
Van Accessible Spaces @ 24' x 18' (Two Side by Side)

All parking spaces shown hereon are permanently striped and are on a durable and dustless surface

Zoning History

Case No. 70-231-XASPH
Special Exception for Office Building and Height and Setback Variances
Denied by the Zoning Commissioner per Order dated June 29, 1970
BOA Case 70-231-XA-SPH was dismissed by the Board of Appeals per Order dated August 24, 1972

Variances are requested pursuant to Section 307 BCZR to permit

From §§ 450.4 Attachment 1.5.(K) of the BCZR to permit one double faced, free-standing enterprise sign of 105 square feet of maximum area per face in lieu of the four permitted, (1 per frontage) double faced, freestanding enterprise signs of 25 square feet each maximum area per face;

and
From §§ 450.4 Attachment 1.5.(K) of the BCZR to permit a double faced, free-standing enterprise sign of 20 feet in height in lieu of the maximum permitted 6 feet in height.

MATISWARFIELD
Consulting Engineers

10540 York Road Suite M Hunt Valley, Maryland 21030
410.683.7004 PHONE 410.683.1798 FAX
www.matiswarfield.com



Plan

50' 0 50' 100'
1" = 50'-0"

Owner

York Dale Limited Partnership
2328 West Joppa Road, Suite 200
Timonium, Maryland 21093-4623
410-821-8585 Phone 410-821-5327 Fax
www.mackenziecommercial.com

DATE	ISSUE
7-28-11	FILE ZONING PETITION

Plan To Accompany Zoning Petition
for Variance
7801 York Road
York at Terrace Dale

Baltimore County, Maryland
Election District No. 9
Councilmanic District No. 5

CASE 2012-0023A