

IN RE: PETITION FOR VARIANCE
(2066 York Road)
11th Election District
3rd Councilman District
2066 York Road Partnership
Petitioner

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2014-0188-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Phyllis C. Friedman, Esquire, on behalf of the legal owner of the subject property. The Petitioner is requesting variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.), as follows:

1. 450.4 Attachment 1 #7 (b) for an existing free-standing sign of 150 sq. ft. in lieu of the permitted 100 sq. ft.;
2. 450.4 Attachment 1 #5 (d) for 2 Enterprise wall signs in lieu of the permitted 1;
3. 450.4 Attachment 1 #5(d) for a sign area of 52.5 sq. ft. in lieu of the permitted 48 sq. ft.
4. 409.6.2 for 60 parking spaces in lieu of the required 80;
5. 409.8.A.4 for a parking bay setback to a R/W of 8 ft. in lieu of 10 ft.;
6. 409.8.A.1 for a parking space setback to a building of 0 ft. in lieu of 6 ft.; for a setback for a paved surface to a lot line of 0' in lieu of 6' ; and for a parking lot median of 5 ft. ± in lieu of the permitted 9 ft.; and
7. 450.4 Attachment 1 #5(d) for an enterprise sign of 32 sq. ft. on a wall without a customer entrance in lieu of a wall with a customer entrance.

The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the request was David Thaler, a Professional Engineer whose firm prepared the site plan. Phyllis C. Friedman, Esquire with Friedman & Friedman, LLP represented the Petitioner. The Petition was advertised and posted

ORDER RECEIVED FOR FILING

Date. 5/19/14

By Sen

as required by the B.C.Z.R. There were no Protestants in attendance and the file does not contain any letters of opposition.

Zoning Advisory Committee (ZAC) comments were received from the Bureau of Development Plans Review (DRP) dated March 21, 2014, indicating that a landscape plan is required and the existing parking setback along York Road must be maintained. The Department of Planning (DOP) submitted a comment dated April 7, 2014, expressing support for the Petitioner's request.

Testimony and evidence revealed that the subject property is approximately 1.3 acres and is zoned BL. The property is improved with two commercial buildings which front on York Road and Aylesbury Road, respectively. The buildings were constructed in 1978, and the existing signage and parking configuration have been in place for many years. The variance petition essentially seeks to "legitimize" the existing site conditions; no construction or improvements are proposed.

To obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioner has met this test. The property has frontage along two busy commercial thoroughfares, and is therefore unique. If the B.C.Z.R. were strictly interpreted, the Petitioner would suffer a practical difficulty, given it would be unable to retain its signage and parking lots as currently configured. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public

ORDER RECEIVED FOR FILING

Date

5/19/14

By

Sen

health, safety, and general welfare. This is demonstrated by the lack of community and/or County agency opposition.

With respect to the Bureau of DPR's ZAC comment, Mr. Thaler noted that the only possible area for landscaping on the site would be along the York Road frontage. As shown on the plan, there are existing sidewalks along both York and Aylesbury Roads. I believe that landscaping along either road frontage could cause a visibility problem for both motorists and pedestrians. The site is and has been for many years well maintained and attractive. As such, I will not require the Petitioner to submit a landscape plan for the site. I will however require the Petitioner to maintain the 9' parking setback along York Road, as also discussed in DPR's ZAC comment.

Pursuant to the advertisement, posting of the property and public hearing on this Petition, and for the reasons set forth above, the variance relief requested shall be granted.

THEREFORE, IT IS ORDERED, this 19th day of May, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief as follows:

1. 450.4 Attachment 1 #7 (b) for an existing free-standing sign of 150 sq. ft. in lieu of the permitted 100 sq. ft.;
2. 450.4 Attachment 1 #5 (d) for 2 enterprise wall signs in lieu of the permitted 1;
3. 450.4 Attachment 1 #5(d) for a sign area of 52.5 sq. ft. in lieu of the permitted 48 sq. ft.
4. 409.6.2 for 60 parking spaces in lieu of the required 80;
5. 409.8.A.4 for a parking bay setback to a R/W of 8 ft. in lieu of 10 ft.;
6. 409.8.A.1 for a parking space setback to a building of 0 ft. in lieu of 6 ft.; for a setback for a paved surface to a lot line of 0' in lieu of 6'; for a parking lot median of 5 ft. $\pm$ in lieu of the permitted 9 ft.; and
7. 450.4 Attachment 1 #5(d) for an enterprise sign of 32 sq. ft. on a wall without a customer entrance in lieu of a wall with a customer entrance,

be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

ORDER RECEIVED FOR FILING

Date

5/19/14

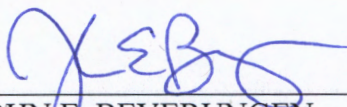
By

Sen

- Petitioner may apply for appropriate permits 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.
- Petitioner shall not reduce or alter the existing parking bay setbacks of 9 feet (along the York Road frontage) and 8 feet (along the Aylesbury Road frontage), as shown on the site plan.

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

JEB:sln



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 5/19/14

By sln

KEVIN KAMENETZ
County Executive



LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

May 19, 2014

Phyllis C. Friedman, Esq.
409 Washington Avenue
Suite 900
Towson, Maryland 21204

RE: Petition for Variance
Property: 2066 York Road
Case No.: 2014-0188-A

Dear Counsel:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal line extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 2066 York Road Lutherville, MD 21093 which is presently zoned BL
 Deed References: 28323/00261 10 Digit Tax Account # 08 18 00 01 36 41
 Property Owner(s) Printed Name(s) 2066 York Road Partnership

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a Variance from Section(s) 1.) 450.4 Attachment 1 #7(b) for an existing free-standing sign of 150 square feet in lieu of the permitted 100 square feet; 2.) 450.4 Attachment 1 #5(d) for 2 Enterprise wall signs in lieu of the permitted 1; 3.) 450.4 Attachment 1 #5(d) for a sign area of 52.5 sf in lieu of the permitted 48 sf; 4.) 409.6.2 for 60 parking spaces in lieu of the required 80; 5.) 409.8.A.4 for a parking bay setback to a R/W of 8' in lieu of 10'; 6.) 409.8.A.1 for a parking space setback to a building of 0' in lieu of the permitted 6'; for a setback for a paved surface to a lot line of 0' in lieu of 6' and for a parking lot median of 5' +/- CONT'D of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

Cont'd ... in lieu of the permitted 9' 4. 450.4 attachment 1 #5d for an enterprise sign of 52 sq. ft on a wall/a customer entrance in lieu of a wall with a customer entrance.
"TO BE PRESENTED AT HEARING"

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print _____
 Signature _____
 Mailing Address _____
 Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Phyllis C. Friedman, Esq.
 Name- Type or Print Phyllis C. Friedman
 Signature _____
 409 Washington Ave. Suite 900 Towson, MD
 Mailing Address _____ City _____ State _____
 21204 / 410-494-0100 / pfriedman@fandf-law.com
 Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

Bette Miller Sherman, Partner
 2066 York Road Partnership
 Name #1 - Type or Print _____ Name #2 - Type or Print _____
 Signature #1 Bette Sherman Signature #2 _____
 C/O Friedman & Friedman, LLP
 409 Washington Ave. Suite 900 Towson, MD
 Mailing Address _____ City _____ State _____
 21204 / 410-494-0100
 Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Louis F. Friedman, Esq.
 Name - Type or Print _____
 Signature Louis F. Friedman
 409 Washington Ave. Towson, MD
 Mailing Address _____ City _____ State _____
 21204 / 410-494-0100 / lfriedman@fandf-law.com
 Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2014-0188-A Filing Date 3/13/2014 Do Not Schedule Dates: _____ Reviewer Zh

November 15, 2013

ZONING DESCRIPTION

2066 YORK ROAD

Beginning for the same on the west side of York Road approximately 42 feet northerly of its intersection with the centerline of Oakway Road extended, thence running the following courses and distances, all bearings referenced to the Maryland Coordinate System, NAD 83/91,

1. North $18^{\circ}57'52''$ West 140.87 feet, more or less, to a point; thence,
2. South $69^{\circ}54'56''$ West 194.67 feet, more or less, to a point; thence,
3. South $69^{\circ}41'04''$ West 167.56 feet, more or less, to a point; thence,
4. Southeasterly 140.52 feet, more or less, by a curve to the right, having a radius of 1330.00 feet and a chord bearing South $25^{\circ}20'38''$ East 140.46 feet, more or less, to a point; thence,
5. North $69^{\circ}57'56''$ East 346.60 feet, more or less, to the point of beginning.

Containing 49,636 square feet or 1.13 acres of land, more or less.

Located in the Third Councilmanic District and the Eighth Election District of Baltimore County, Maryland.



LICENSE EXPIRES 1/28/15

2014-0188-A

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: 2014-0188-A
Petitioner: 2066 York Road Partnership LLP
Address or Location: 2066 York Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: 2066 York Road Partnership
Address: 90 Friedman & Friedman, LLP
409 Washington Ave. Ste 900
Towson, MD 21204
Telephone Number: 410-494-0100

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

No. 108136

Date: 3/13/14

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	506	0000		6150					500.00

Total: 500.00

Rec From: 2066 York Rural Partnership LLP

For:

2014-0188-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

No. 105534
Date: 11/4/13

BUSINESS	ACTUAL	TIME	TRN
1/05/2013	11/04/2013	13:33:46	9

REC-1604 MALETH SHIL SAN
 >>RECEIPT # 599698 11/04/2013 OFLN
 Dept. 5 500 MISCELLANEOUS - IN
 CR NO. 105534

Receipt Tot	\$1.50	
1.00 CK	\$1.50	CA
Baltimore County, Maryland		

[illegible]

Total: 1.50

Rec From: DS Thaler

For: 2506 York Rd.
Lanhamville TIMONUM, MD 21093

FA 0075057

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

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

2014-0188-A

RE: Case No.: _____

Petitioner/Developer: _____

2066 York Road, Partnership

May 15, 2014

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: _____

2066 York Rd

April 25, 2014

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



Sincerely,

April 25, 2014

(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)



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

April 24, 2014

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on April 24, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: # 2014-0188-A

2066 York Road

S/w York Road, 42 ft. n/w centerline of Oakway Road

11th Election District - 3rd Councilmanic District

Legal Owner(s): 2066 York Road, Partnership

Variance: for an existing free-standing sign of 150 sq. ft. in lieu of the permitted 100 sq. ft.; for 2 enterprise wall signs in lieu of the permitted 1 and for a sign area of 52.5 sq. ft. in lieu of the permitted 48 sq. ft. and for 60 parking spaces in lieu of the required 80; for a parking bay setback to a R/W of 8 ft. in lieu of 10 ft. and for a parking space setback to a building of 0 ft. in lieu of the permitted 6 ft.; and for a parking lot median of 5 ft. +/- in lieu of the permitted 9 ft.; for a enterprise sign of 32 sq. ft. on a wall without a customer entrance in lieu of a wall with a customer entrance.

Hearing: Thursday, May 15, 2014 at 1:30 p.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.

4/412 Apr. 24

976812



KEVIN KAMENETZ
County Executive
March 31, 2014

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

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: 2014-0188-A

2066 York Road
S/w York Road, 42 ft. n/w centerline of Oakway Road
11th Election District – 3rd Councilmanic District
Legal Owners: 2066 York Road, Partnership

Variance for an existing free-standing sign of 150 sq. ft. in lieu of the permitted 100 sq. ft.; for 2 enterprise wall signs in lieu of the permitted 1 and for a sign area of 52.5 sq. ft. in lieu of the permitted 48 sq. ft. and for 60 parking spaces in lieu of the required 80; for a parking bay setback to a R/W of 8 ft. in lieu of 10 ft. and for a parking space setback to a building of 0 ft. in lieu of the permitted 6ft; and for a parking lot median of 5 ft. +/- in lieu of the permitted 9 ft.; for a enterprise sign of 32 sq. ft. on a wall without a customer entrance in lieu of a wall with a customer entrance.

Hearing: Thursday, May 15, 2014 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: Phyllis Friedman, 409 Washington Avenue, Ste. 900, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, APRIL 25, 2014.**
- (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, April 24, 2014 Issue - Jeffersonian

Please forward billing to:

2066 York Road, Partnership
c/o Friedman & Friedman, LLP
409 Washington Avenue, Ste. 900
Towson, MD 21204

410-494-0100

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2014-0188-A

2066 York Road

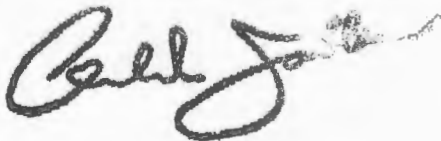
S/w York Road, 42 ft. n/w centerline of Oakway Road

11th Election District – 3rd Councilmanic District

Legal Owners: 2066 York Road, Partnership

Variance for an existing free-standing sign of 150 sq. ft. in lieu of the permitted 100 sq. ft.; for 2 enterprise wall signs in lieu of the permitted 1 and for a sign area of 52.5 sq. ft. in lieu of the permitted 48 sq. ft. and for 60 parking spaces in lieu of the required 80; for a parking bay setback to a R/W of 8 ft. in lieu of 10 ft. and for a parking space setback to a building of 0 ft. in lieu of the permitted 6ft; and for a parking lot median of 5 ft. +/- in lieu of the permitted 9 ft.; for a enterprise sign of 32 sq. ft. on a wall without a customer entrance in lieu of a wall with a customer entrance.

Hearing: Thursday, May 15, 2014 at 1:30 p.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.

M E M O R A N D U M

DATE: June 20, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0188-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 18, 2014. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c:  Case File
Office of Administrative Hearings

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
2066 York Road; SW/S of York Road, 42'		
N/W of c/line of Oakway Road	*	OF ADMINSTRATIVE
11 th Election & 3 rd Councilmanic Districts		
Legal Owner(s): 2066 York Road Partnership	*	HEARINGS FOR
by Bette Miller Sherman		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2014-188-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

MAR 24 2014

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of March, 2014, a copy of the foregoing Entry of Appearance was mailed to Phyllis Friedman, Esquire, 409 Washington Avenue, Suite 900, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

3/21/14

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

C

DEPS

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

FIRE DEPARTMENT

4/7/14

PLANNING

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

C

3/21/14

STATE HIGHWAY ADMINISTRATION

NO City

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

4/24/14

SIGN POSTING

Date:

4/25/14

by

Black

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____



Department of Permits, Approvals & Inspections Code Enforcement Inspectors Daily ToDo Report

Report Criteria:

Employee(s): EE0000017 to EE0000017
Scheduled Date(s): 05/31/2012 to 05/31/2012
PE Range: BI01 to EN06

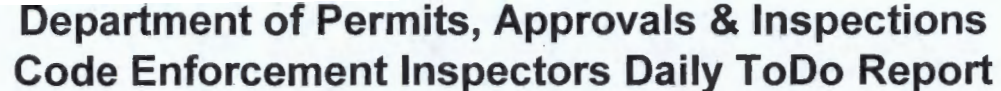
Complaint Record ID: CO0111454

<u>Facility</u> FA0073057 PDM 1800013641 2066 YORK RD LUTHERVILLE TIMONIUM MD 21093	<u>Owner</u> 2066 YORK ROAD PARTNERSHIP LLP C/O FRIEDMAN & FRIEDMAN, LLP 409 WASHINGTON AVE STE 900 BALTIMORE MD 21204	<u>Complainant</u> PATRICK LALLY HOME:4436954476;	<u>Number of Complaints</u> 2	<u>Land Area (Sq Ft)</u> 42,558				
<u>AS/400 Case</u>	<u>Assigned To</u> Cohen, Paul	<u>Assigned Date</u> 05/22/2012	<u>Scheduled Time</u>	<u>Received By</u> Palmer, Constance	<u>Received Date</u> 05/22/2012	<u>Status</u> Open - Normal	<u>Hearing Date</u>	<u>ADC Grid</u> 19A12
<u>Record ID</u> CO0111454	<u>Complaint Description</u> 9-10 SIGNS ADVERTISING SLEEPY'S MATTRESSES							<u>Date Received</u> 05/22/2012
<u>Comments</u> 5/29/12 WARNING NOTICE FOR SIGNS LEFT WITH STORE MGR POP UP 5/31/12 PC							<u>Inspector</u> PCOHN	<u>Date Entered</u> 05/29/2012
History								
<u>Record ID</u> CO0044572	<u>Complaint Description</u> SIGN LARGER THEN PERMITTED							<u>Date Received</u> 04/30/2008
<u>Comments</u> AS/400: ***5/5/08 SIGN APPEARS CORRECT. CLOSE, JG/AJW*** Owner Information: 2066 YORK RD PARTNERSHIP C/O FRIEDMAN & FRIEDMAN, LLP, 409 WASHINGTON AVE, STE 900, 21204							<u>Inspector</u> sa sa	<u>Date Entered</u> 09/13/2008 09/13/2008

6-7-12 S. L. M. 125 MARK CLOSE



#11454 2012 7/11/12 12:43



Report Criteria:
Employee(s): EE0000017 to EE0000017
Scheduled Date(s): 05/21/2012 to 05/22/2012
PE Range: BI01 to EN06

Complaint Record ID: CO0111454

History

Comments	Inspector	Date Entered
AS/400: ***5/5/08 SIGN APPEARS CORRECT. CLOSE, JG/AJW***	sa	09/13/2008
Owner Information: 2066 YORK RD PARTNERSHIP C/O FRIEDMAN & FRIEDMAN, LLP, 409 WASHINGTON AVE, STE 900, 21204	sa	09/13/2008

0-2 g. 2H1011M6 NTC

2014-028-A

2011-05-29 11:34 AM 2011-05-29 11:34 AM 2011-05-29 11:34 AM 2011-05-29 11:34 AM





KEVIN KAMENETZ
County Executive

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

May 8, 2014

Bette Miller Sherman
2066 York Road Partnership
C/O Friedman & Friedman, LLP
409 Washington Avenue, Suite 900
Towson MD 21204

RE: Case Number: 2014-0188 A, Address: 2066 York Road

Dear Ms. Sherman:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 13, 2014. 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 that reads "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Phyllis C. Friedman, Esquire, 409 Washington Avenue, Suite 900, Towson MD 21204
Louis F. Friedman, Esquire, 409 Washington Avenue, Suite 900, Towson MD 21204

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 3/21/14

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

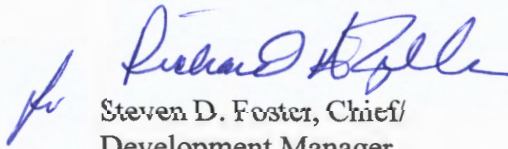
RE: Baltimore County
Item No. 2014-0188-A
Variance
Bette Miller Sherman
Partner, York Road
Partnership
2066 York Road
MD 45

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 3/19/14. A field inspection and internal review reveals that an entrance onto MD45 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2014-0188-A.

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

Sincerely,


Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

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 March 24, 2014
Item No. 2014-0188

DATE: March 21, 2014

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment.

A landscape plan is required. The existing parking setback along York Road appears to be 9'. That should remain and not be reduced.

DAK: CEN.
Cc: file.
ZAC-ITEM NO 14-0188-03242014.doc

5/15/14

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 7, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 2066 York Road

INFORMATION:

Item Number: 14-188

Petitioner: Bette Miller Sherman, Partner

Zoning: BL

Requested Action: Variance

RECEIVED

APR 09 2014

OFFICE OF ADMINISTRATIVE HEARINGS

SUMMARY OF RECOMMENDATIONS:

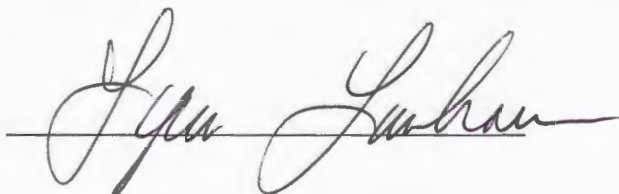
See Attached.

The Department of Planning supports the petitioner's request for variance. These signs are already on the property and this variance will allow the petitioner to keep their existing signage as well as update it. Since the site is already developed with two buildings it would be virtually impossible for the petitioner to add another 20 parking spaces into the site.

This Department is of the opinion that the existing signage is not excessive and does not detract from the visual appearance of the York Road commercial corridor.

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

Division Chief:
AVA/LL



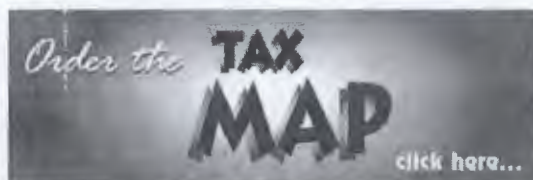
Real Property Data Search (w4)

Our feed back is important to us. [Please take our short survey.](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Register
Account Identifier:	District - 08 Account Number - 1800013641	
Owner Information		
Owner Name:	2066 YORK ROAD PARTNERSHIP LLP	Use: COMMERCIAL
	C/O FRIEDMAN & FRIEDMAN, LLP	Principal Residence: NO
Mailing Address:	409 WASHINGTON AVE STE 900	Deed Reference: 1) /28323/ 0
	BALTIMORE MD 21204-4905	2)
Location & Structure Information		
Premises Address:	2066 YORK RD 0-0000	Legal Description: .977 AC 2066 YORK RD 500 SW TII
Map: 0060	Grid: 0012	Parcel: 0196
Sub District:	Subdivision: 0000	Section:
Block:	Lot:	Assessment Year: 2014
Special Tax Areas:	Town: NONE	Ad Valorem:
	Tax Class:	
Primary Structure Built 1978	Above Grade Enclosed Area 20995	Finished Basement Area
		Property Land Area 42,558 SF
Stories	Basement	Type
		Exterior
		Full/Half Bath
		Garage
		Last Major Renovation
	RETAIL STORE	
Value Information		
	Base Value	Value
		As of
		01/01/2014
Land:	1,435,600	1,435,600
Improvements	587,700	933,400
Total:	2,023,300	2,369,000
Preferential Land:	0	0
		Phase-in Assessments
		As of
		07/01/2013
		As of
		07/01/2014
		2,023,300
		2,138,000
		0
		0
Transfer Information		
Seller: 2066 YORK ROAD PARTNERSHIP	Date: 06/29/2009	Price:
Type: NON-ARMS LENGTH OTHER	Deed1: /28323/ 00261	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:		0.00 0.00
Exempt Class:	Special Tax Recapture:	
	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

New Search (<http://sdat.resiusa.org/RealProperty>)



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

Loading... Please Wait.

Case No.:

2014-0188-A

Exhibit Sheet

Petitioner/Developer

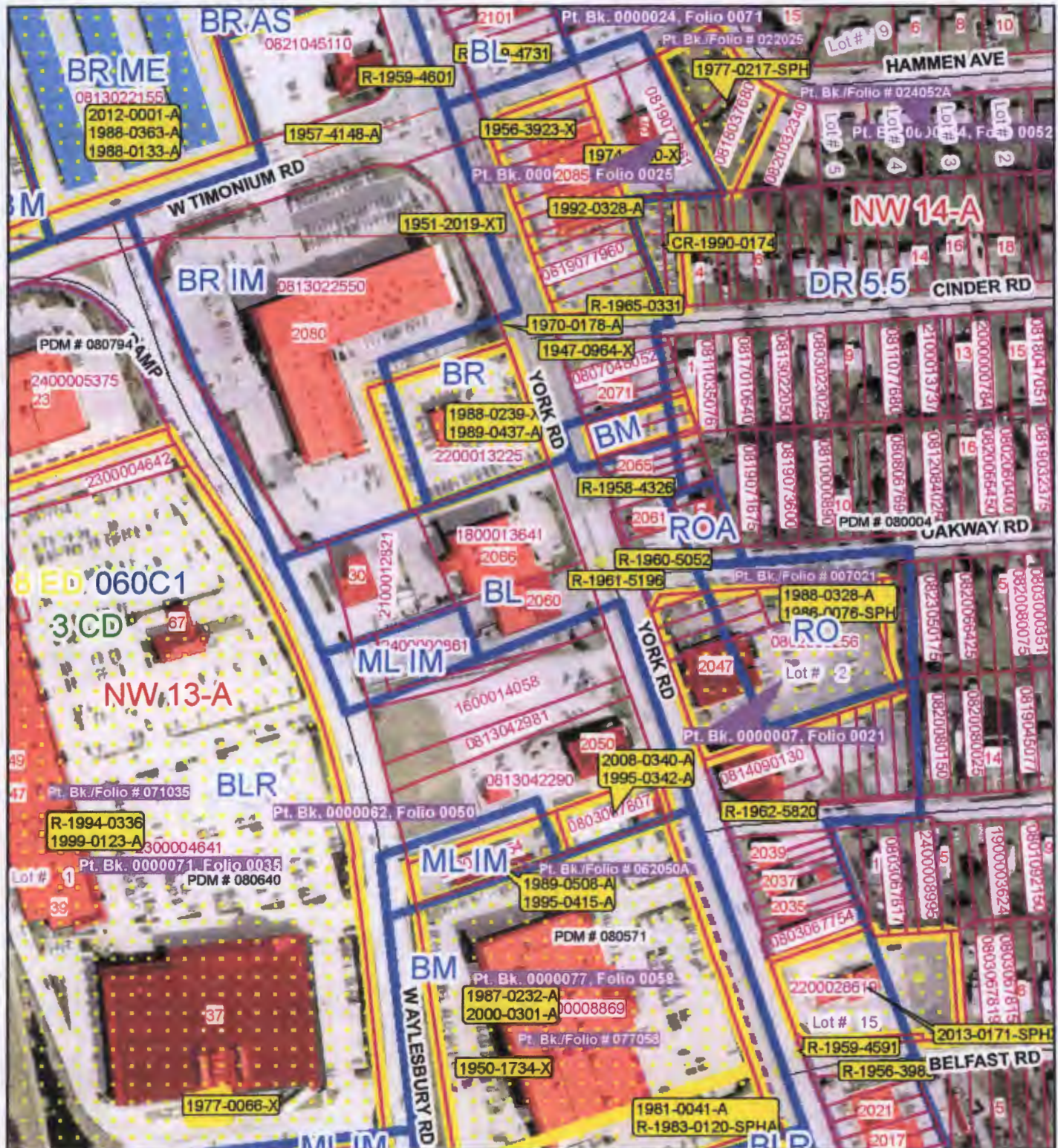
DW
6-2-14

Protestant

Sen
5-19-14

No. 1	Site plan	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

2066 York Road



Publication Date: 11/26/2013

2014-0188-A

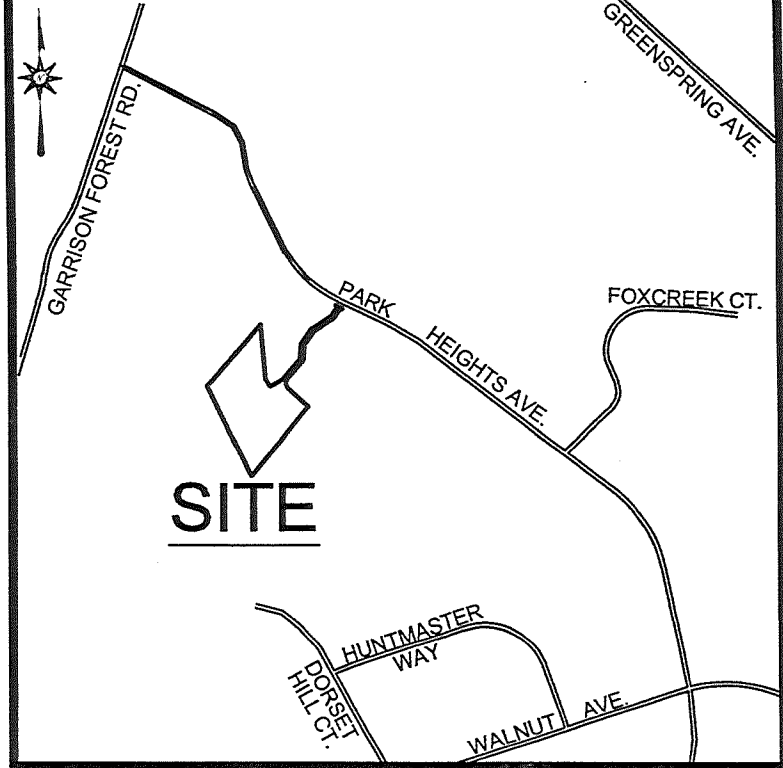
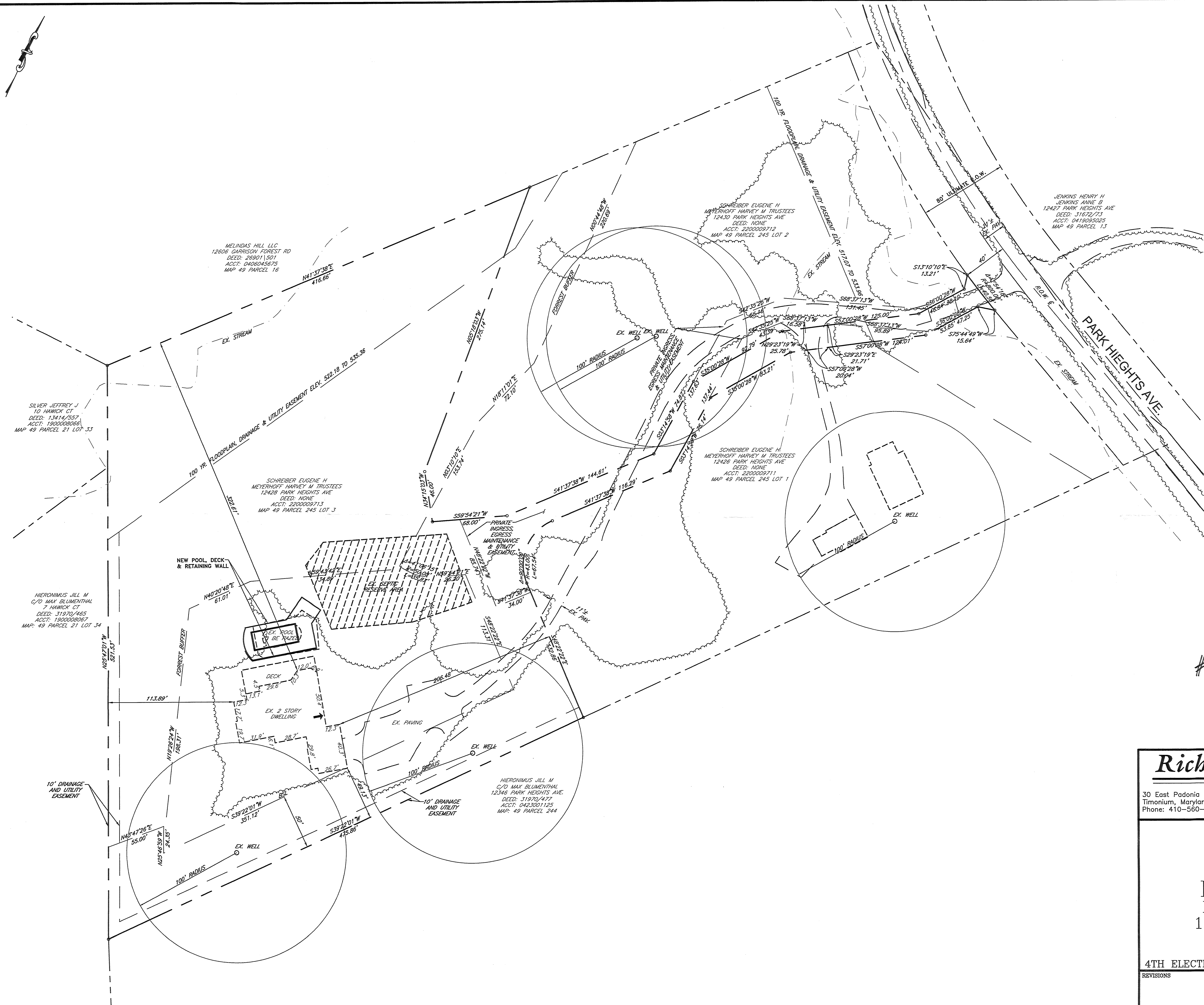


Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 50 100 200 300 400 Feet

1 inch = 200 feet



VICINITY MAP
SCALE: 1" = 1000'

SITE DATA

- OWNER: EUGENE H SCHREIBER MEYERHOFF HARVEY M TRUSTEES 7 ST. PAUL ST. SUITE 910 BALTIMORE, MD 21202
- ADDRESS: 12428 PARK HEIGHTS AVE.
- SITE AREA: 192,535 SF OR 4.42 Ac.±
- DEED REF: NONE
- PLAT REF: 65-120 RESUBDIVISION OF PARKSYDE WOODS
- TAX MAP #49, GRID #11, PARCEL #245, LOT 3
- PRESENT ZONING: RC 5 (PER 1"=200' ZONING MAP 049C2)
- USES: RESIDENTIAL
- UTILITIES: PRIVATE WELL & PRIVATE SEPTIC
- TAX ACCOUNT: 2200009713
- COUNCILMANIC DISTRICT: 2ND
- SITE LIES ENTIRELY WITHIN ZONE "X" OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #2400100210F PANEL 210 OF 580 DATED 09/26/2008.
- NO KNOWN PREVIOUS ZONING CASES EXIST ON FILE.
- NO KNOWN PREVIOUS PERMITS EXIST ON FILE.
- SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE PROPERTY AND THE STRUCTURES ARE NOT HISTORIC.
- WATERSHED: LOCK RAVEN RESERVOIR.
- SETBACKS:
 - FRONT: 50'
 - SIDE: 50'
 - REAR: 50'

#2014-0184-A

R.D.

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

ZONING PLAN
FOR

RESIDENTIAL POOL
HIERMONIMUS RESIDENCE
12428 PARK HEIGHTS AVE.

4TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

REVISIONS

DRAWN BY:	DESIGNED BY:	SCALE:
CLB	CLB	1" = 40'
DATE:	JOB NO.:	SHEET NO.:
FEB. 27, 2014	14004	1 OF 1

Pat. Exa 1

[illegible][illegible]

VICINITY MAP

SCALE: 1"=500'

[illegible]

- [illegible]

PROJECT NAME: 2066 YORK ROAD	REVISIONS:
PLAN TITLE: PLAT TO ACCOMPANY ZONING VARIANCE	
CONCILIANTIC DIST.: 3rd ELECTION DIST.: 8th	
OWNER/APPLICANT: 2066 YORK ROAD PARTNERSHIP, LLP C/O FRIEDMAN & FRIEDMAN, LLP 409 WASHINGTON AVE., SUITE 900 BALTIMORE, MD. 21204-4905 410-444-0100	2014-0188-A

2066 YORK ROAD

PLAT TO ACCOMPANY ZONING VARIANCE

