

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE
(10810 York Road) *
8th Election District *
4th Council District *
SS& H II, LLC, *et. al.* *
Petitioners *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2015-0265-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of the legal owners. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) to approve a modified parking plan and modified parking requirements for these contiguous uses and parcels; and (2) to approve a modification of the relief granted, certain floor areas of the listed uses and the site plat which accompanied the Petition in Case No. 2011-0209-SPH, consistent with the parking area and floor area of listed uses, all as shown on the plat which accompanies this Petition. In addition (and as an alternative to the modified parking plan special hearing request) a Petition for Variance was filed pursuant to B.C.Z.R. § 409.6.A.2 to permit 163 parking spaces in lieu of the 239 parking spaces required.

A two-sheet site plan was marked and accepted into evidence as Petitioners' Exhibit 1A & 1B. As shown thereon, the subject property is comprised of several individual parcels (Parcels 1A-1E & Parcel 2) owned by various corporate entities. Several uses are conducted on the property, including retail, restaurant, service garage and offices. Petitioners have presented a comprehensive site plan which proposes to satisfy the off-street parking requirements on an aggregate basis by way of a modified parking agreement.

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Date

7/23/15

By

SLN

Appearing at the public hearing in support of the requests was John Koutrakos, Geoffrey Schultz and Andy McIlvaine. Howard L. Alderman, Jr., Esq. appeared and represented the Petitioners. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. No protestants or interested citizens attended. Substantive Zoning Advisory Committee (ZAC) comments were submitted by the Department of Planning (DOP) and the Bureau of Development Plans Review (DPR).

PETITION FOR SPECIAL HEARING

The petition for special hearing seeks approval of a modified parking plan, as provided in B.C.Z.R. §§ 409.13 and 409.8. Mr. Schultz testified (via proffer) the Petitioners satisfied the standards set forth in the above sections, and I concur. No evidence was presented to suggest that parking at this site has been problematic or deficient in any respect. Counsel for Petitioners correctly noted that the current site plan (the approval of which is sought in the second special hearing request) in effect creates a "campus" with the various buildings and uses shown thereon, and a modified parking plan (rather than a variance) seems to be the appropriate mechanism to address a unique site such as this.

The Bureau of DPR noted in its ZAC comment a landscape plan is required, and the Order below includes such a condition. The DOP expressed concern that the State of Maryland did not sign the petition, though it is the legal owner of a small portion of the site (Parcel 2) leased by Petitioners. Counsel noted the State, while it did not support or oppose the zoning requests, did not object to the filing of the petition, and a letter from the Maryland Transit Administration (MTA) (Exhibit 3) to that effect was submitted by Petitioners. In addition, while in an ordinary case every owner must sign the petition, this case is unusual in that the State of Maryland is one of the owners. The State is not subject to county zoning laws, and for that reason also it is not necessary for that entity to sign the zoning petition.

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Date 7/23/15
By Sen

The other concern raised by the DOP related to a proposed shared-use bicycle path that would traverse a portion of the property owned by the MTA. The State leases that property to Petitioners, and the area in question is identified on the plan as Parcel 2, 0.34 acres. According to the documents submitted at the hearing, the "License Agreement" permits Petitioners to use the space for the sole purpose of customer parking. That agreement began on May 25, 2006, and the initial term expired on May 25, 2011. The agreement, absent a notice of termination, renews for "successive one-year periods." Exhibit 2. Should the plans for the bicycle path come to fruition, the State would have the ability as owner to terminate the agreement with Petitioners, assuming of course it was inclined to do so and was supportive of the bike path project.

By letter dated July 16, 2015, Michael Pierce asserts that Petitioners failed to satisfy the posting and notice requirements set forth in the County Code. Having reviewed Mr. Pierce's correspondence, I believe he has a point. The petition, sign, advertisement and all case notices provide an address of 10810 Cockeysville Road, which is incorrect. That address is in fact on York Road and Mr. Pierce notes that a sign was not placed on that road. Even so, the subject property was posted (at 18 Cockeysville Road, which is among the properties for which relief was sought) and it is not clear that the regulations would require a second sign to be posted on York Road. In these circumstances I believe Petitioners "substantially complied" with the notice requirements of the County Code, which is all the law requires. Cassidy v. Balto. Co., 218 Md. 418, 425 (1958). The caption on this Order was changed to reflect the York Road address, and Petitioners will be required to submit an amended zoning petition with the correct address.

THEREFORE, IT IS ORDERED this 23rd day of **July, 2015**, by this Administrative Law Judge, that the Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") as follows: (1) to approve a modified parking plan and modified parking requirements for these contiguous uses and parcels; and (2) to approve a modification of the relief

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Date 7/23/15
By den

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granted, certain floor areas of the listed uses and the site plat which accompanied the Petition in Case No. 2011-0209-SPH, consistent with the parking area and floor area of listed uses, all as shown on the plat (Exhibits 1A & 1B) which accompanies this Petition, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance pursuant to B.C.Z.R. § 409.6.A.2 to permit 163 parking spaces in lieu of the 239 parking spaces required, be and is hereby DISMISSED without PREJUDICE (as unnecessary).

The relief granted herein shall be subject to and conditioned upon the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners must submit for approval by Baltimore County a landscape plan for the site.
3. Petitioners must within 15 days of the date hereof submit an amended zoning petition (face page only) with the correct address for the parcel owned by SS&H II, LLC.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh

ORDER RECEIVED FOR FILING

Date 7-23-15

By slh



LEVIN & GANN, P.A.
ATTORNEYS AT LAW

Howard L. Alderman, Jr., Esquire | Principal
D: 410.321.4640 | halderman@levingann.com

July 29, 2015

HAND DELIVERED

The Honorable John E. Beverungen
Baltimore County Administrative Law Judge
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

RECEIVED

JUL 29 2015

OFFICE OF ADMINISTRATIVE HEARINGS

RE: Amended Zoning Petition
Case No. 2015-0265-SPHA

Dear Judge Beverungen:

In accordance with enumerated Condition 3 of your Opinion and Order, dated July 23, 2015, enclosed are three (3) originals of the required Amended Zoning Petition. As specified, only the face page, with original signatures, has been revised to reflect 10810 York Road.

Should you desire any additional information in this regard, please do not hesitate to contact me.

Very truly yours,

Howard L. Alderman, Jr.

HLA/gk

c: SS&H II, LLC, *et al*, Petitioners



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 10810 York Rd & as shown on Attachment

which is presently zoned BL-AS/BM-AS/ML-IM

Deed References: 15875/675 & as shown on Attachment

10 Digit Tax Account # 08-07-048050 & as shown on the Attachment

Property Owner(s) Printed Name(s) SS&H II, LLC and as shown on the Attachment

(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. xx **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED

2. **a Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

SEE ATTACHED

3. xx **a Variance** from Section(s)

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)

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:

N/A

Name- Type or Print

Signature

Mailing Address

OFFICE OF ADMINISTRATIVE HEARINGS

JUL 29 2015

RECEIVED

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Howard L. Alderman, Jr., Esq. / Levin & Gann, PA

Name- Type or Print

Signature

502 Washington Avenue, STE 800

Towson

MD

Mailing Address

City

State

21204

4103210600

halderman@levingann.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

SS&H II, LLC

See Attachment

Name #1 - Type or Print

Name #2 - Type or Print

By: John Koutanos

Barbara Koutanos

Signature #1

Signature #2

947 Walnutwood Road

Cockeysville

MD

Mailing Address

City

State

21030

(443) 935-1057

Zip Code

Telephone #

Email Address

Representative to be contacted:

Geoffrey C. Schultz, RPLS / Polaris Land Consulting, LLC

Name - Type or Print

Signature

10 Gerard Avenue, Suite 101

Lutherville

MD

Mailing Address

City

State

21093

410-252-4444

gschultz@polarisc.com

Zip Code

Telephone #

Email Address

ORDER RECEIVED FOR FILING

CASE NUMBER

Date

Filing Date

Do Not Schedule Dates:

Reviewer

By

REV. 10/4/11



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 10810 Cockeysville Rd & as shown on Attachment which is presently zoned BL-AS/BM-AS/ML-IM
Deed References: 15875/675 & as shown on Attachment 10 Digit Tax Account # 08-07-048050 & as shown on the Attachment
Property Owner(s) Printed Name(s) SS&H II, LLC and as shown on the Attachment

(SELECT THE HEARING(S) BY MARKING ☒ 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

SEE ATTACHED

2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☐ a **Variance** from Section(s)

SEE ATTACHED

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate 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)

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:

N/A

Name- Type or Print

Signature

Mailing Address

City

State

Date

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Howard L. Alderman, Jr., Esq. / Levin & Gann, PA

Name- Type or Print

Signature

502 Washington Avenue, STE 800 Towson MD

Mailing Address City State

21204 / 4103210600

Zip Code

Telephone #

Email Address halderman@levinggann.com

Legal Owners (Petitioners):

SS&H II, LLC

See Attachment

Name #1- Type or Print

Name #2 - Type or Print

By: *John K. Kott*

Signature #1

Signature #2

947 Walnutwood Road

Cockeysville

MD

Mailing Address

City

State

21030 / (443) 935-1057

Zip Code

Telephone #

Email Address

Representative to be contacted:

Geoffrey C. Schultz, RPLS / Polaris Land Consulting, LLC

Name - Type or Print

Signature

10 Gerard Avenue, Suite 101 Lutherville MD

Mailing Address

City

State

21093 / 410-252-4444

Zip Code

Telephone #

Email Address gschultz@polarisl.com

CASE NUMBER 2015-0265 SPA Filing Date 5/21/15

Do Not Schedule Dates:

Date 5/23/15

REV. 10/4/11

By Sen

**ATTACHMENT
PETITION FOR SPECIAL HEARING**

CASE NO: 2015-SPHA

Parcel 1B:

Owner: SS&H II, LLC

Address: 10810 Cockeysville Road

Signature on Petition

Zoning: BL-AS

Parcels 1A & 1C:

Owner: Spartan Foods, Inc.

Address: 10800 Cockeysville Road

18-00-007805

947 Walnutwood Road

14 Cockeysville Road

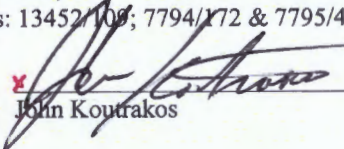
08-20-030325

Cockeysville, MD 21030

16 Cockeysville Road

08-20-030726

Deed References: 13452/108; 7794/172 & 7795/458

By: 

John Koutrakos

Zoning: BL-AS

Parcels 1D & 1E:

Owner: John & Barbara Koutrakos

Address: 10850 Cockeysville Road

08-19-077785

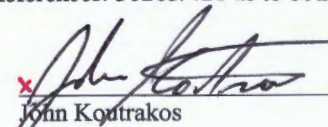
947 Walnutwood Road

18 Cockeysville Road

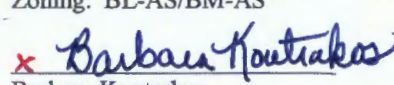
20-00-002210

Cockeysville, MD 21030

Deed References: 30263/428 as to both


John Koutrakos

Zoning: BL-AS/BM-AS


Barbara Koutrakos

Parcel 2:

Owner: Mass Transit Administration

Zoning: BM-AS/ML-IM

Maryland Department of Transportation

[p/o Railroad Avenue]

08-14-065360

Office of Real Estate

6 Saint Paul Street, 3rd Floor

Baltimore, MD 21202

Deed Reference: 8506/307

REQUESTED RELIEF:

"why the Zoning Commissioner should," utilizing all previously granted zoning relief, [1] approve, pursuant to BCZR §§409.12.B and 409.8.B.1, a modified parking plan and modified parking requirements for these contiguous uses and parcels; [2] approve a modification of the relief granted, certain floor areas of the listed uses and the site plat which accompanied the Petition in Case No. 2011-0209-SPH, consistent with the parking area and floor area of listed uses, all as shown on the plat which accompanies this Petition; and [3] such additional relief as the nature of this case as presented at the time of the hearing on this Petition may require, within the spirit and intent of the BCZR to permit the existing and proposed uses.

FOR ADDITIONAL INFORMATION ON THIS PETITION, PLEASE CONTACT:

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

(410) 321-0600

**ATTACHMENT
PETITION FOR VARIANCE**

CASE NO: 2015- -SPHA

Parcel 1B:

Owner: SS&H II, LLC

Address: 10810 Cockeysville Road

Signature on Petition

Zoning: BL-AS

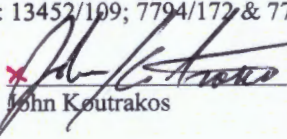
Parcels 1A & 1C:

Owner: Spartan Foods, Inc.
947 Walnutwood Road
Cockeysville, MD 21030

Address: 10800 Cockeysville Road
14 Cockeysville Road
16 Cockeysville Road

18-00-007805
08-20-030325
08-20-030726

Deed References: 13452/109; 7794/172 & 7795/458

By: 

John Koutrakos

Zoning: BL-AS

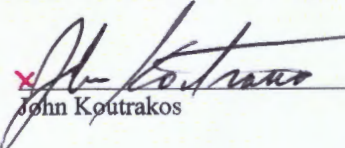
Parcels 1D & 1E:

Owner: John & Barbara Koutrakos
947 Walnutwood Road
Cockeysville, MD 21030

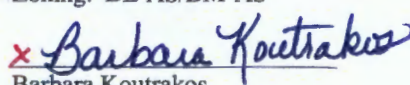
Address: 10850 Cockeysville Road
18 Cockeysville Road

08-19-077785
20-00-002210

Deed References: 30263/428 as to both


John Koutrakos

Zoning: BL-AS/BM-AS


Barbara Koutrakos

Parcel 2:

Owner: Mass Transit Administration
Maryland Department of Transportation
Office of Real Estate
6 Saint Paul Street, 3rd Floor
Baltimore, MD 21202

Zoning: BM-AS/ML-IM
[p/o Railroad Avenue]

08-14-065360

Deed Reference: 8506/307

VARIANCEREQUESTED RELIEF:

If the modified parking plan is not approved as part of the Special Hearing Petition filed herewith: [1] from BCZR § 409.6A.2 to permit the existing configuration and total of 163 parking spaces as depicted on the mixed-use, adjusted parking requirements shown on the Plat to Accompany these Petitions in lieu of the 239 parking spaces required; and [2] such additional relief as the nature of this case as presented at the time of the hearing on this Petition may require, within the spirit and intent of the BCZR to permit the existing and proposed uses.

FOR ADDITIONAL INFORMATION ON THIS PETITION, PLEASE CONTACT:

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

(410) 321-0600



**ZONING DESCRIPTION OF
KOUTRAKOS PROPERTIES
YORK AND COCKEYSVILLE ROADS
8th Election District
Baltimore County, MD**

Beginning at a point at the intersection of the West side of York Road and the North side of Cockeysville Road, running thence along the north side of Cockeysville Road 1) S 27° 06' 30" W 19.17 feet, 2) S 71° 38' 41" W 21.47 feet, 3) N 78° 17' 55" W 13.26 feet 4) N 70° 57' 19" W 87.74 feet, 5) N 71° 50' 47" W 42.20 feet, 6) N 67° 59' 02" W 72.64 feet, 7) N 67° 59' 02" W 57.12 feet, 8) S 30° 24' 47" E 3.90 feet, 9) S 86° 35' 21" W 7.00 feet and 10) N 67° 59' 02" W 42.08 feet, thence running 11) 03° 24' 47" W 60.04 feet, 12) by a curve to the right having a radius of 2876.79 feet and an arc length of 302.72 feet, 13) S 87° 23' 02" E 45.00 feet, 14) by a curve to the left having a radius of 2831.79 feet and an arc length of 115.94 feet, 15) N 74° 35' 53" E 186.30 feet to the west side of York Road, thence running along said west side 16) S 18° 54' 06" E 106.61 feet, 17) S 18° 14' 23" E 174.86 feet, 18) S 71° 04' 53" W 7.77 feet, and 19) by a curve to the left, having a radius of 3244.01 feet and an arc length of 46.64 feet to the place of beginning.

Containing 2.02 Acres of Land more or less as recorded in deeds 13452/109, 15875/675, 7794/172, 7795/458, 30263/428, and 8506/307.

2015-0265-SPAA

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

No. **125495**
 Date: **5/21/15**

PAID RECEIPT

BUSINESS ACTUAL TIME
 5/22/2015 5/21/2015 14:11:06

REC 0501 WALKIN LEAS LJR
 RECEIPT # 000235 5/21/2015

5/21/2015 5/21/2015 14:11:06
 125495

Receipt for \$1,000.00
 \$1,000.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	200	0000		10150					1000.00

Total: 1000.00

Rec From: **SS. & H LLC**

For: **18 Cockeysville Rd**

2015-0265-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

TB
/ 5-13-08

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE
N side of Cockeysville Road, 345 feet W * DEPUTY ZONING
of York Road * COMMISSIONER
8th Election District *
3rd Councilmanic District *
(10810 York Road) * FOR BALTIMORE COUNTY

SS&H II, LLC, By John Koutrakos *
Petitioner **Case No. 08-413-SPHA**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by John Koutrakos on behalf of SS&H II, LLC (Parcel 1B), Spartan Foods, Inc. (Parcels 1A and 1C), and the Maryland Department of Transportation, Mass Transit Administration (MTA) (Parcel 2), the legal owners of the subject properties. The Special Hearing request was filed in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), utilizing all previously granted zoning relief, to permit a modified parking plan and modified parking requirements for these contiguous uses and parcels pursuant to Sections 409.12.B and 409.8.B.1 of the B.C.Z.R.; and to approve an amendment to the site plan in Case No. 99-301-X consistent with the relief requested and site plan to accompany this Petition. The Variance is in the alternative in the event the modified parking plan is not approved as part of the Special Hearing request, and requests relief from Section 409.6.A.2 of the B.C.Z.R. to permit the existing configuration and total of 85 parking spaces as depicted on the mixed-use, adjusted parking requirements shown on the site plan in lieu of the 131 parking spaces required. The subject property and requested relief are more fully described 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 requested special hearing and variance relief was Petitioner John Koutrakos on behalf of SS&H II, LLC and Spartan Foods, Inc., and his attorney, Howard L. Alderman, Jr., Esquire. Also appearing in support of the requested relief was Geoffrey C. Schultz with McKee & Associates, Inc., the professional land surveyor who prepared the site plan. There were no Protestants or other interested persons in attendance at the hearing.

Testimony and evidence offered revealed that the subject properties (Parcels 1A, 1B, 1C, and 2) are irregular-shaped and consist of approximately 1.12 acres, more or less. The property owned by Petitioner (Parcels 1A, 1B, and 1C) consists of approximately .93 acre and is zoned B.L.-A.S. The property owned by the MTA (Parcel 2) consists of approximately .19 acre and is zoned B.L.-A.S. and B.M.-A.S. The property at issue in this case primarily involves Petitioner's property (Parcels 1A, 1B, and 1C) and is located at the northwest corner of York Road and Cockeysville Road in the Cockeysville area of Baltimore County. The MTA's property (Parcel 2) has peripheral relevance because the MTA and Petitioner have a long term lease and licensure agreement for Petitioner to use parking on the property.

Petitioner's property is improved with three buildings labeled on the site plan as Buildings A, B, and C. Building A is a one-story masonry building with a basement and is located primarily on Parcel 1B at the southeast corner facing York Road, with a very small portion of the building on Parcel 1A. The first floor (with an area of 2,700 square feet) is currently used as a restaurant and the basement (with an area of 2,592 square feet) is used for storage. Building B is also a one-story masonry building with a basement and is located on the east side of Parcel 1B facing York Road. The first floor (with an area of 8,167 square feet) is currently used for retail and the basement (with an area of 8,264 square feet) is used as a warehouse. There is a small area of open

space between Buildings A and B. Building C is a three-story frame building located on Parcel 1C. The first floor (with an area of 1,381 square feet) is used for retail and the second floor (with an area of 869 square feet) is used as an apartment.

Petitioner desires to expand the restaurant use on the property beyond Building A and into part of Building B. In particular, Petitioner wishes to utilize 3,190 square feet of the first floor of Building B for restaurant use. This is a permitted use in the B.L.-A.S. zone; however, the proposed restaurant use changes the overall parking requirements for the site and necessitates special hearing relief for approval of a modified parking plan. In the alternative, Petitioner requests a variance in the number of parking spaces required. In addition, Petitioner requests an amendment of the site plan in previous zoning Case No. 99-301-X in order to specifically abandon the special exception use that was granted in that case for an automotive service garage. A copy of that decision was marked and accepted into evidence as Petitioner's Exhibit 3.

As to the modified parking plan, further evidence revealed that for the current mixed uses on the property, there are 68 parking spaces on the subject property and 17 spaces on the adjacent property owned by the MTA and leased by Petitioner, for a total of 85 spaces. The 17 spaces on the MTA property are within 500 feet walking distance of the building entrance to the use that such spaces serve in accordance with Section 409.7.B.1 of the B.C.Z.R. As indicated by Petitioner and reviewed and verified by Petitioner's consultant, Mr. Schultz, the current parking configuration and allotment of spaces is more than adequate to support the current restaurant, retail, and storage uses. As indicated on the Site Tabulation of the site plan, the expansion of the current restaurant use from 2,700 square feet to 5,890 square feet (and the attendant reduction in retail use from 9,548 square feet to 6,358 square feet) requires a total of 131 spaces, with the existing 85 parking spaces provided. Mr. Schultz indicated he is very familiar with the site and

has visited the site on numerous occasions. The uses will be a mix of primarily restaurant and retail (antiques) and based on his expertise, he sees this as an overlapping of uses for parking purposes. Specifically, he indicated that although some customers will patronize the restaurant and shopping area separately, very often, customers that visit the property will patronize both the retail area and the restaurant all at once. As a practical matter, this overlapping of uses will reduce the actual number of parking spaces required to support these uses. In addition, there is available street parking on York Road along the front of Buildings A and B. In his opinion, Mr. Schultz believes the number of parking spaces provided will be sufficient to meet the needs of the uses and the modified parking plan as shown on the site plan meets the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R.

As to the alternative request for variance, the evidence revealed that the property has a number of unusual characteristics, including that it is irregular-shaped and has existing topographical constraints as shown on the site plan. In addition, the buildings located on the property are existing and have been so for a number of years, and Petitioner emphasizes that there are no new uses proposed for the property that are not permitted by the zoning regulations. Moreover, the area where the subject property is located is a heavily commercial corridor with mixed uses of retail, fast-food, carryout, and dine-in restaurants, banks, fuel service stations, carwashes, and automotive service garages. Finally, the relief requested is completely internal to the subject property and has no effect or impact on adjacent or nearby properties.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Environmental Protection and Resource Management dated March 25, 2008 which indicates that the property must comply with the Forest Conservation Regulations.

In regard to the requested special hearing, based on the testimony and evidence, I am persuaded to grant the relief and permit a modified parking plan and modified parking requirements for the planned uses on these contiguous parcels. It is evident that the current parking configuration is sufficient to meet the needs of the primarily restaurant and retail uses of the property. In my judgment, the additional restaurant use and reduced retail use will have no appreciable effect on the parking needs for these uses, and having heard no evidence to the contrary, I shall grant the special hearing relief. I shall also grant the special hearing relief to approve an amendment to the site plan in Case No. 99-301-X to specifically abandon the special exception use in Building C for an automotive service garage previously granted in that case. According to Petitioner, after obtaining the special exception, the relief was never utilized and remained as first floor retail and a second floor apartment. Although the ability to utilize the special exception from the previous case has likely expired in any event, I shall nonetheless grant the special hearing to amend the site plan in Case No. 99-301-X.

In regard to the request for variance, in granting the special hearing relief, the variance is now rendered moot; however, in assessing this request and the testimony and evidence presented, if I were to consider this case under the variance standard, I would find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. In particular, the irregular shape, the topographical constraints on the property, and the fact that the relief requested is to legitimize existing conditions leads me to find the property unique in a zoning sense. I also find that the imposition of zoning on this property would disproportionately impact the subject property as compared with other properties in the area, and that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Finally, I am persuaded that the variance relief could be

granted in strict harmony with the spirit and intent of said regulations and in a manner so as to grant relief without injury to the public health, safety and general welfare. Hence, I would grant the variance relief if not for the granting of the special hearing relief.

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 special hearing requests should be granted with conditions and that the variance request should be dismissed as moot.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 27th day of June, 2008 that Petitioner's request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), utilizing all previously granted zoning relief, to permit a modified parking plan and modified parking requirements for these contiguous uses and parcels pursuant to Sections 409.12.B and 409.8.B.1 of the B.C.Z.R.; and to approve an amendment to the site plan in Case No. 99-301-X consistent with the relief requested and site plan to accompany this Petition be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioner's alternative request for Variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the existing configuration and total of 85 parking spaces as depicted on the mixed-use, adjusted parking requirements shown on the Plat to Accompany these Petitions in lieu of the 131 parking spaces required is hereby DISMISSED as moot.

The relief granted herein is subject to the following:

1. Petitioner may apply for 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 will be required to return, and be responsible for returning, said property to its original condition.

2. Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

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

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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 legal owner/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 legal owner/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:

Case Number: 2015- 0265- SPHA
Property Address: 18 COCKEYSVILLE ROAD
Property Description: 2.02 AC. NW Corner York Road
and Cockeysville Road
Legal Owners (Petitioners): JOHN KOUTRAKOS
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: JOHN KOUTRAKOS
Company/Firm (if applicable): SPARTAN FOODS
Address: 10810 YORK ROAD
COCKEYSVILLE MD 21030
Telephone Number: 443- 935- 1057



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3369543

Sold To:

Spartan Foods - CU00451897
10810 York Rd
Cockeysville, MD 21030-2117

Bill To:

Spartan Foods - CU00451897
10810 York Rd
Cockeysville, MD 21030-2117

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Jun 23, 2015

The Baltimore Sun Media Group

By

S. Wilkinson

Legal Advertising

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: # 2015-0265-SPHA
10810 Cockeysville Road
N/s Cockeysville Road, E 75 ft. to the centerline of Railroad Avenue
8th Election District - 4th Councilmanic District
Legal Owner(s) SS, & H, LLC

Special Hearing: to approve a modified parking plan and modified parking requirements for these contiguous uses and parcels; and to approve a modification of the relief granted, certain floor areas of the listed uses and the site plat which accompanied the Petition in Case No. 2011-0209-SPH, consistent with the parking area and floor area of listed uses, all as shown on the plat which accompanies this Petition; and such additional relief as the nature of this case as presented at the time of the Hearing on the Petition may require, within the spirit and intent of the BCZR to permit the existing and proposed uses. **VARIANCE:** to permit the existing configuration and total of 163 parking spaces as depicted on the mixed-use, adjusted parking requirement shown on the Plat to accompany these Petitions in lieu of the 239 parking spaces required; and such additional relief as the nature of this case as presented at the time of the hearing on this petition may require, within the Spirit and intent of the BCZR, to permit the existing and proposed uses.

Hearing: Tuesday, July 14, 2015 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.

JT 6/823 June 23 3369543

CERTIFICATE OF POSTING

Date: June 23, 2015

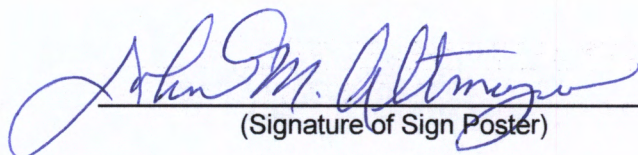
RE: Project Name: Public Hearing
Case Number /PAI Number: 2015-0265-SPHA
Petitioner/Developer: SS&H, LLC
Date of Hearing/Closing: July 14, 2015

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 10810 Cockeysville Road

The sign(s) were posted on June 23, 2015

(Month, Day, Year)

SEE ATTACHED
PHOTO


(Signature of Sign Poster)

John M. Altmeyer

(Printed Name of Sign Poster)

21722 Orwig Rd.

(Street Address of Sign Poster)

Freeland, MD. 21053

(City, State, Zip Code of Sign Poster)

410-382-6580

(Telephone Number of Sign Poster)





KEVIN KAMENETZ
County Executive
June 8, 2015

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: 2015-0265-SPHA

10810 Cockeysville Road

N/s Cockeysville Road, E 75 ft. to the centerline of Railroad Avenue

8th Election District – 4th Councilmanic District

Legal Owners: SS & H, LLC

Special Hearing to approve a modified parking plan and modified parking requirements for these contiguous uses and parcels; and to approve a modification of the relief granted, certain floor areas of the listed uses and the site plat which accompanied the Petition in Case No. 2011-0209-SPH, consistent with the parking area and floor area of listed uses, all as shown on the plat which accompanies this Petition; and such additional relief as the nature of this case as presented at the time of the Hearing on this Petition may require, within the spirit and intent of the BCZR to permit the existing and proposed uses. **Variance** to permit the existing configuration and total of 163 parking spaces as depicted on the mixed-use, adjusted parking requirement shown on the Plat to accompany these Petitions in lieu of the 239 parking spaces required; and such additional relief as the nature of this case as presented at the time of the hearing on this petition may require, within the Spirit and Intent of the BCZR, to permit the existing and proposed uses.

Hearing: Tuesday, July 14, 2015 at 1:30 p.m in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Howard Alderman, Jr., 502 Washington Avenue, Ste. 800, Towson 21204
SS & H, II, LLC, 947 Walnutwood Road, Cockeysville 21030
Geoffrey Schultz, 10 Gerard Avenue, Ste. 101, Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 24, 2015.**
- (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.

ZONING NOTICE

CASE # 10810 COCKEYSVILLE ROAD
2015-0265-SPHA

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

PLACE: ROOM 205 JEFFERSON BUILDING
105 WEST CHESAPEAKE AVE. TOWSON 21204
TUESDAY JULY 14, 2015

DATE AND TIME: AT 1:30 PM

REQUEST: VARIANCE TO PERMIT THE EXISTING
CONFIGURATION AND TOTAL OF 163 PARKING
SPACES AS DEPICTED ON THE MIXED-USE ADJUSTED
PARKING REQUIREMENT SHOWN ON THE PLAT TO ACCOMPANY
THESE PETITIONS IN LIEU OF THE 239 PARKING SPACES
REQUIRED; AND SUCH ADDITIONAL RELIEF AS THE NATURE
OF THIS CASE AS PRESENTED AT THE TIME OF THE
HEARING ON THIS PETITION MAY REQUIRE, WITHIN THE
SPIRIT AND INTENT OF THE BCZR, TO PERMIT THE
EXISTING AND PROPOSED USES.

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

DO NOT REMOVE THIS SIGN

ZONING NOTICE

CASE # 10810 COCKEYSVILLE ROAD
2015-0265-SPHA

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

PLACE: ROOM 205 JEFFERSON BUILDING
105 WEST CHESAPEAKE AVE. TOWSON 21204
TUESDAY JULY 14, 2015

DATE AND TIME: AT 1:30 PM.

REQUEST: SPECIAL HEARING TO APPROVE A MODIFIED PARKING
PLAN AND MODIFIED PARKING REQUIREMENTS FOR
FOR THESE CONTIGUOUS USES AND PARCELS AND
TO APPROVE A MODIFICATION OF THE RELIEF GRANTED, CERTAIN
FLOOR AREAS OF THE LISTED USES AND THE SITE PLAT WHICH
ACCOMPANIED THE PETITION IN CASE NO 2011-0209-SPH
CONSISTENT WITH THE PARKING AREA AND FLOOR AREA OF LISTED
USES, ALL AS SHOWN ON THE PLAT WHICH ACCOMPANIES THIS
PETITION AND SUCH ADDITIONAL RELIEF AS THE NATURE OF THIS
CASE AS PRESENTED AT THE TIME OF THE HEARING ON THIS
PETITION MAY REQUIRE, WITHIN THE SPIRIT AND INTENT
OF THE BCZR TO PERMIT THE EXISTING AND PROPOSED USES.

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

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

06/23/2015



KEVIN KAMENETZ
County Executive
June 8, 2015

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

NOTICE OF ZONING HEARING

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CASE NUMBER: 2015-0265-SPHA

10810 Cockeysville Road
N/s Cockeysville Road, E 75 ft. to the centerline of Railroad Avenue
8th Election District – 4th Councilmanic District
Legal Owners: SS & H, LLC

Special Hearing to approve a modified parking plan and modified parking requirements for these contiguous uses and parcels; and to approve a modification of the relief granted, certain floor areas of the listed uses and the site plat which accompanied the Petition in Case No. 2011-0209-SPH, consistent with the parking area and floor area of listed uses, all as shown on the plat which accompanies this Petition; and such additional relief as the nature of this case as presented at the time of the Hearing on this Petition may require, within the spirit and intent of the BCZR to permit the existing and proposed uses. **Variance** to permit the existing configuration and total of 163 parking spaces as depicted on the mixed-use, adjusted parking requirement shown on the Plat to accompany these Petitions in lieu of the 239 parking spaces required; and such additional relief as the nature of this case as presented at the time of the hearing on this petition may require, within the Spirit and Intent of the BCZR, to permit the existing and proposed uses.

Hearing: Tuesday, July 14, 2015 at 1:30 p.m in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon
Director

AJ:kl

C: Howard Alderman, Jr., 502 Washington Avenue, Ste. 800, Towson 21204
SS & H, II, LLC, 947 Walnutwood Road, Cockeysville 21030
Geoffrey Schultz, 10 Gerard Avenue, Ste. 101, Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 24, 2015.**
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- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 23, 2015 Issue - Jeffersonian

Please forward billing to:
John Koutrakos
Spartan Foods
10810 York Road
Cockeysville, MD 21030

443-935-1057

NOTICE OF ZONING HEARING

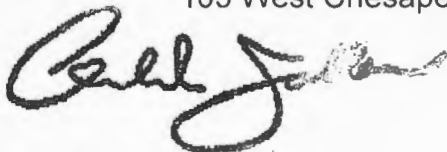
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2015-0265-SPHA

10810 Cockeysville Road
N/s Cockeysville Road, E 75 ft. to the centerline of Railroad Avenue
8th Election District – 4th Councilmanic District
Legal Owners: SS & H, LLC

Special Hearing to approve a modified parking plan and modified parking requirements for these contiguous uses and parcels; and to approve a modification of the relief granted, certain floor areas of the listed uses and the site plat which accompanied the Petition in Case No. 2011-0209-SPH, consistent with the parking area and floor area of listed uses, all as shown on the plat which accompanies this Petition; and such additional relief as the nature of this case as presented at the time of the Hearing on this Petition may require, within the spirit and intent of the BCZR to permit the existing and proposed uses. **Variance** to permit the existing configuration and total of 163 parking spaces as depicted on the mixed-use, adjusted parking requirement shown on the Plat to accompany these Petitions in lieu of the 239 parking spaces required; and such additional relief as the nature of this case as presented at the time of the hearing on this petition may require, within the Spirit and Intent of the BCZR, to permit the existing and proposed uses.

Hearing: Tuesday, July 14, 2015 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.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
10810 Cockeysville Road; N/S Cockeysville	*	OF ADMINISTRATIVE
Road, E. 75' to c/line of Railroad Avenue		
8 th Election & 4 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): SS&H II, LLC		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2015-265-SPHA

* * * * *

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

JUN 04 2015

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 4th day of June, 2015, a copy of the foregoing Entry of Appearance was mailed to Geoffrey Schultz, RPLS Polaris Land Consultants, LLC, 10 Gerard Avenue, Suite 101, Lutherville, Maryland 21093 and Howard Alderman, Esquire, Levin & Gann, P.A., 502 Washington Avenue, Suite 800, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 7, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: York Road and Cockeysville Road

INFORMATION:

Item Number: 15-265
Petitioner: SS&H II, LLC
Zoning: BL-AS, BM-AS, ML-IM
Requested Action: Special Hearing, Variance

RECEIVED

JUL 10 2015

OFFICE OF ADMINISTRATIVE HEARINGS

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for a Special Hearing to determine whether the Administrative Law Judge should approve 1) a modified parking plan and modified parking requirements for the contiguous uses and parcels subject to the request, and 2) approve the modification of the relief granted, certain floor areas of the listed uses and the site plat which accompanied the Petition in Case No. 2011-0209-SPH, consistent with parking area and floor area of listed uses as shown on the plat accompanying the petition. The Department has also reviewed the Petition for Variance to permit the existing configuration and total of 163 parking spaces in lieu of the 239 parking spaces required submitted in the alternative. No authorized person representing the MTA, Maryland Department of Transportation, a named Petitioner, has signed the petition.

The Department reserves specific comment until such time that it is satisfied the petition is properly acknowledged and signed by all legal owners. If the case goes forward, the Department respectfully requests the file remain open to afford the Department the opportunity to comment prior to the Administrative Law Judge's issuing a decision and order. The following is advisory.

The subject area accommodates multiple commercial enterprises employing a sizeable workforce. The site is within the Hunt Valley/Timonium Master Plan Area but will have no impact on the York Road frontage. Further, the proposal raises no issues with the "Cockeysville Historic Area" as identified in the Plan. Said Plan identifies connecting and creating more opportunities to utilize the Light Rail as a goal. The Baltimore County Pedestrian and Bicycle Access Plan envisions the potential use of the abandoned rail corridor now owned by the MTA for a bicycle connection between the Light Rail and the

North Central Trail (Proposed Shared Use Path Improvement List, Item No. 876, Pln. Pg. 15). This connection is also identified as a "missing link" in the Statewide Trails Plan, "*A Greener Way to Go*".

The proposed project involves the "Cockeysville Freight Depot" {MIHP # BA-0886}. The applicant is responsible for satisfying any requirements under Federal Section 106 Regulations. It is advised that the applicant contact the Maryland Historical Trust's Compliance & Review section to coordinate any necessary review in the event improvements are made. <http://mht.maryland.gov/projectreview.shtml>

Any plan for improvements to the property should include a landscape plan showing the location of dumpsters, submitted to the Baltimore County Landscape Architect for approval.

For further information concerning the matters stated herein, please contact Lloyd Moxley or Kathy Schlabach at 410-887-3480.

Division Chief: _____

Kathy Schlabach

AVA/KS

C: Wallace S. Lippincott, Jr.

Jeanette Tansey, RLA, Permits Approvals and Inspections

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For June 8, 2015
Item No. 2015-0265

DATE: June 9, 2015

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

A landscape plan is required.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 15-0265-06092015.doc

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary

Date: 6/3/15

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

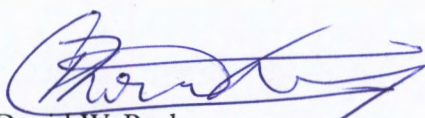
RE: Baltimore County
Item No 2015-0265-SPHA
Special Hearing Variance
SS & H II, LLC, John & BARBARA
KONTRAKOS
10810 Cockeysville Road.

Dear Ms. Lewis:

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. 2015-0265-SPHA

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-545-5598 or 1-800-876-4742 (in Maryland only) extension 5598, or by email at (rzeller@sha.state.md.us).

Sincerely,


for David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/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



KEVIN KAMENETZ
County Executive

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

July 9, 2015

SS&H LLC
947 Walnutwood Road
Cockeysville MD 21030

RE: Case Number: 2015-0565 SPHA, Address: 10810 Cockeysville Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 21, 2015. 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: jaw

Enclosures

c: People's Counsel
Howard L. Alderman, Esquire, 502 Washington Avenue, Suite 800, Towson MD 21204
Geoffrey C. Schultz, RPLS, Polaris Land Consulting LLC, 10 Gerard Avenue, Suite 101
Lutherville MD 21093



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

June 26, 2009

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

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

Re: Petitions for Special Hearing and Variance
Case No. 2008-0413-SPHA
Property: 10810 York Road

Dear Mr. Alderman:

I am in receipt of your letter dated June 11, 2009 and attachments concerning the above-referenced matter. In this matter, your client had originally requested special hearing relief (and alternatively variance relief) to essentially permit a modified parking plan and modified parking requirements for the uses and parcels that comprise the subject property. In particular, your client requested approval of a plan for 85 parking spaces in lieu of the 131 spaces required. The special hearing relief was granted pursuant to my Order dated June 27, 2008.

In your letter, you indicate that at this juncture, some of the uses on the subject property have changed slightly. The warehouse, storage, and apartment uses and square footage have remained the same; however, the restaurant and retail areas have been altered. Rather than utilizing a portion of Building "B" for restaurant use, your client has found the open patio area between Buildings "A" and "B" to be attractive to patrons dining there. As a result, the overall restaurant area, including the use of the patio, has been reduced from a planned 6,358 square feet to 4,887 square feet, and the retail area has been increased from 8,264 square feet to 9,548 square feet. According to your letter and the redlined site plan, these changes in use have not altered the 131 space parking requirement, nor the 85 available parking spaces approved in my Order. As such, you have requested a determination that the reconfigured uses are within the spirit and intent of my Order.

After reviewing your letter, the accompanying redlined site plan showing the changes, my June 27, 2008 Order, and the Zoning Advisory Committee (ZAC) comments, in my judgment the reconfigured uses are within the spirit and intent of my previous Order. While some of the square footage has changed vis-à-vis the restaurant and retail uses, the overall parking requirements and parking allocations have not. Hence, I believe the redlined site plan is within the spirit and intent of my Order.

Howard L. Alderman, Jr., Esquire
June 26, 2009
Page 2

If you have any further questions or comments concerning this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Th. H. Bostwick", written in a cursive style.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:dlw



LEVIN & GANN, P.A.
ATTORNEYS AT LAW

Howard L. Alderman, Jr., Esquire | Principal
D: 410.321.4640 | halderman@levingann.com

July 20, 2015

RECEIVED

JUL 22 2015

OFFICE OF ADMINISTRATIVE HEARINGS

The Honorable John E. Beverungen
Baltimore County Administrative Law Judge
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

RE: Response to "Request for re-hearing"
Case No. 2015-0265-SPHA

Dear Judge Beverungen:

Imagine my complete surprise when my secretary handed me a copy of a letter, dated July 16, 2015, addressed to you from Michael Pierce. Mr. Pierce, who lives between 16 and 18 miles from the subject property (depending on which route is chosen in Google Maps) claims he was denied the chance to appear at the hearing that you conducted on Tuesday, July 14th relative to the above-referenced property.

As you will recall, the evidence in the file reviewed at the outset of the hearing was sufficient for you to determine and declare that the posting and advertising requirements had been met. The Petitioners posted the sign as directed by the County requirements for the required period of time. The Petitioners paid for the legal advertising in the newspaper, which the County arranged. The addresses on the Petition (and attachment) as prepared and filed by the Petitioner were, in no particular order: 10800, 10810 and 10850 Cockeysville Road, and 14 and 16 Cockeysville Road.

Notwithstanding actual notice having been given by posting and publication, Mr. Pierce claims that the notice was not added to the County website pursuant to Baltimore County Code ("Code"). Such notice, if required, is the responsibility of the County pursuant to Code § 32-3-302(b)(1)(iii). Whether or not the hearing notice was included on the County website we will never know other than with reference to Mr. Pierce's allegations.

The Petitioner hereby requests that Mr. Pierce's request for 're-hearing' be denied. Mr. Pierce does not have standing to make the request or to even participate in the original hearing. Mr. Pierce's letter identifies his address as "7448 Bradshaw Road, Kingsville, Maryland 21087". As noted above, that address is well over 16 miles from the subject properties. As such, Mr. Pierce does not meet the minimum threshold test of living "within the sight and sound" of the subject properties. Moreover, based on information and belief, Mr. Pierce is unable to allege any special effect or distinct impact the requested relief would have on him to qualify as "plus factors" supporting specific injury that would confer standing on him as an interested person. See *Benn Ray v. Mayor and City Council of Baltimore*, 430 Md. 74, 85 (2013); *Committee for Responsible Dev. On 25th*

The Honorable John E. Beverungen
July 20, 2015
Page 2



LEVIN & GANN, P.A.
ATTORNEYS AT LAW

Street v. Mayor and City Council of Baltimore, 137 Md. App. 60, 86 (2001); *Bryniarski v. Montgomery County Board of Appeals*, 247 Md. 137 (1967). In fact, Mr. Pierce would have to leave his home and drive for approximately 20 minutes before he would be within either sight or sound of the subject properties.

Every hearing that has been held on these properties over the years has been properly advertised and posted. In the three or four hearings where the undersigned has represented the Petitioners there have never been any Protestants or other interested persons.

Please consider this letter Petitioners' request that your decision and order be issued and that the request for re-hearing be denied.

Very truly yours,

Howard L. Alderman, Jr.

HLA/gk

c: SS&H II, LLC, *et al*, Petitioners
Arnold Jablon, Director
Peter Max Zimmerman, People's Counsel
Mr. Michael Pierce

July 16, 2015

John Beverungen
Administrative Law Judge
105 E Chesapeake Ave
Towson, MD 21204

RECEIVED

JUL 16 2015

OFFICE OF ADMINISTRATIVE HEARINGS

Re: Case 2015-0265-SPHA - Request for re-hearing

Dear Mr. Beverungen,

I am writing to notify you that the subject case, heard on July 14, was not properly announced and published. The case actually involved multiple properties at 10810, 10800, 10850 York Rd and 14, 16, 18 Cockeysville Rd

1. The posting of the property showed the address as 10810 Cockeysville Rd and was placed in front of 18 Cockeysville Rd. I believe the posting requirements would also require a sign on the York Rd frontage. (photo of sign in file)
2. The announcement in the Jeffersonian on June 23 listed the case as 10810 Cockeysville Rd (clipping of ad in file)
3. It was never posted on the Baltimore County website as required by Council Bill 15-12 which added this requirement to §32-3-302 of the County Code. See attached screen shot of County online schedule for July 14 taken at 4PM July 14. (After being updated on July 16 with other cases, this one is still not listed.) In addition, it was not added to the County's MyNeighborhood website as cases regularly are well in advance of a hearing.

There were apparently no protestants at the hearing. It is unknown how many citizens besides myself may have been denied the chance to appear at this hearing because of these mistakes.

I request that this hearing be re-scheduled and reheard.

Thanks for your consideration.



Michael Pierce
7448 Bradshaw Rd
Kingsville, MD 21087

cc: Peter Max Zimmerman, People's Counsel
Howard L Alderman, Levin & Gann
Carol Taylor, Sherwood Hills Improvement Association

11:00a - 12:00p	Zoning Hearings - 1955 Joppa Road	6th Council District
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1:30p - 2:30p	Zoning Hearings - 8710 Roper Road	5th Council District
---------------	-----------------------------------	----------------------

7:00p - 8:00p	Community Input Meeting - Rehberger Property	3rd Council District
---------------	--	----------------------

Tuesday, July 14 2015

10:00a - 11:00a	Concept Plan Conference - Johns Hopkins at Green Spring Station Pavilion #3	2nd Council District
--------------------	--	----------------------

10:00a - 11:00a	Zoning Hearings - 11110 Reynolds Road	5th Council District
--------------------	---------------------------------------	----------------------

11:00a - 12:00p	Zoning Hearings - 6884 Leslie Road	6th Council District
--------------------	------------------------------------	----------------------

2:00p - 3:00p	Development Review Committee Meeting - Bross Property	3rd Council District
---------------	--	----------------------

2:00p - 3:00p	Development Review Committee Meeting - Buttton Property	7th Council District
---------------	--	----------------------

2:00p - 3:00p	Development Review Committee Meeting - Reisterstown Shopping Center	2nd Council District
---------------	--	----------------------

2:00p - 3:00p	Development Review Committee Meeting - Renaissance Square	7th Council District
---------------	--	----------------------

Wednesday, July 15 2015

9:00a - 10:00a	Development Plan Conference - Towson Row	5th Council District
----------------	--	----------------------

10:00a - 11:00a	Development Plan Conference - Wilder Joseph Family Property	2nd Council District
--------------------	--	----------------------

Case No.:

2015-0265-SHA

Exhibit Sheet

DN
7-23-15

Petitioner/Developer

DN
7-21-15

Protestants

DN
8-25-15

No. 1	Site plan IA > IB Two sheet	
No. 2	Letter from MTA	
No. 3	Feb. 11, 2015 Letter from MTA	
No. 4	2011 Site plan	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

CASE NAME 10810 Cockayneville Rd
CASE NUMBER 2015-0265-SPHA
DATE 7-14-2015

[illegible]

CASE NO. 2015- 0265-SPHA

CHECKLIST

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

6/9

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

G

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

FIRE DEPARTMENT

6/7

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

G

6/3

STATE HIGHWAY ADMINISTRATION

no Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

~~PRIOR ZONING~~

(Case No. _____)

2011-0289-SPH → couldn't FIND
2008-0413-SPHA

NEWSPAPER ADVERTISEMENT

Date: 6/23/15

SIGN POSTING

Date: 6/23/15

by Altmeier

PEOPLE'S COUNSEL APPEARANCE

Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes ☐ No ☐

Comments, if any: _____

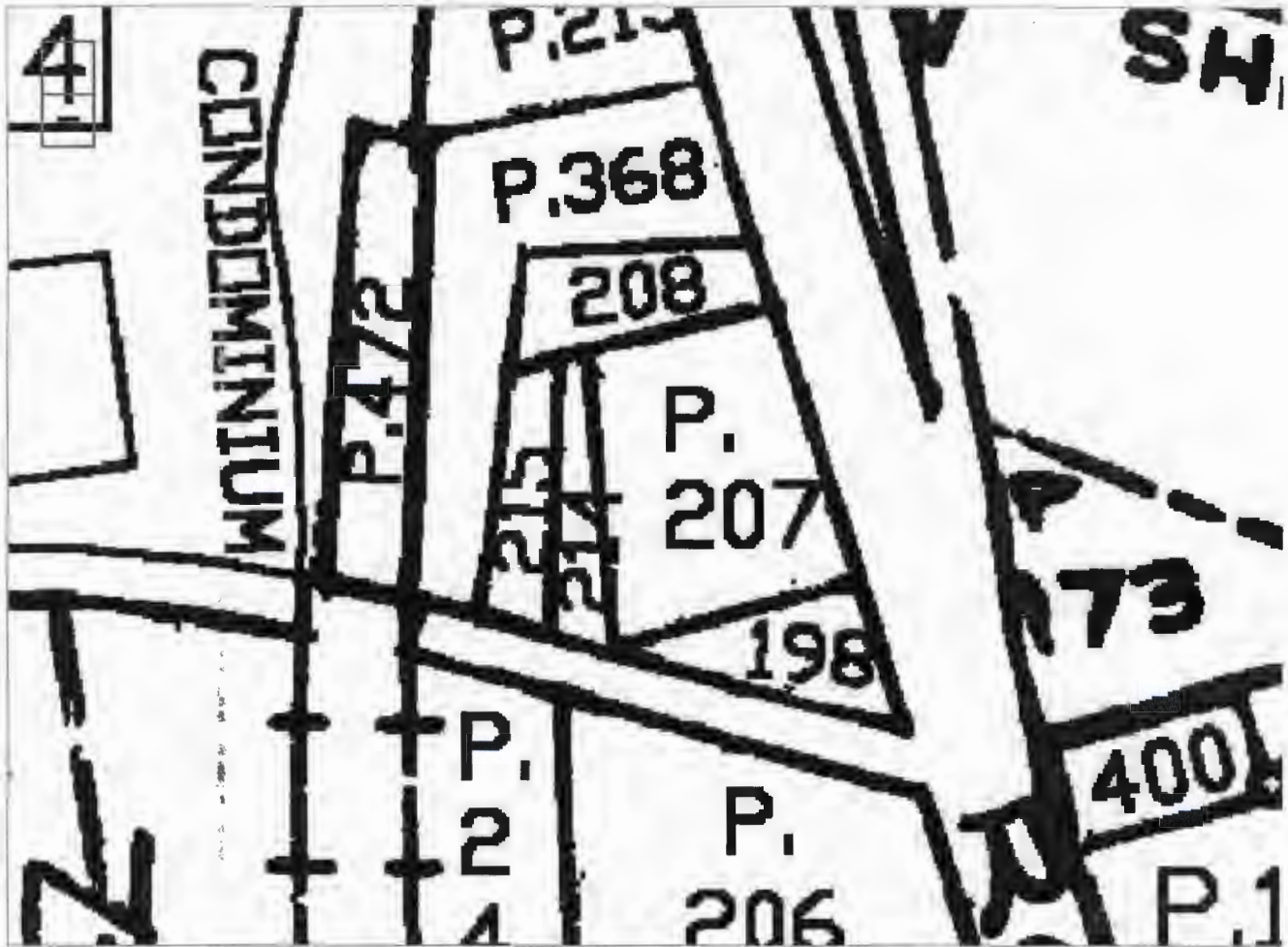
Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration					
Account Identifier:		District - 08 Account Number - 0807048050							
Owner Information									
Owner Name:		SS&H II LLC		Use: Principal Residence:		COMMERCIAL NO			
Mailing Address:		10810 YORK RD COCKEYSVILLE MD 21030-2117		Deed Reference:		/15875/ 00675			
Location & Structure Information									
Premises Address:		10810 YORK RD COCKEYSVILLE MD 21030-2117		Legal Description:		.579 AC WS YORK RD 112FT NW COCKEYSVILLE RD			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0042	0022	0207		0000				2014	Plat Ref:
Special Tax Areas:				Town: Ad Valorem: Tax Class:		NONE			
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use	
1928		9636				25,221 SF		06	
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation		
		RETAIL STORE							
Value Information									
		Base Value		Value As of 01/01/2014		Phase-in Assessments As of 07/01/2014		As of 07/01/2015	
Land:		367,700		366,800					
Improvements		349,100		378,000					
Total:		716,800		744,800		726,133		735,467	
Preferential Land:		0						0	
Transfer Information									
Seller: BARBARA L GOLDBERG		Date: 12/19/2001		Price: \$385,000					
Type: ARMS LENGTH IMPROVED		Deed1: /15875/ 00675		Deed2:					
Seller: SS&H II LLC		Date: 08/16/2001		Price: \$0					
Type: NON-ARMS LENGTH OTHER		Deed1: /15472/ 00568		Deed2:					
Seller: GOLDBERG MARVIN W,JR		Date: 11/14/2000		Price: \$350,000					
Type: NON-ARMS LENGTH OTHER		Deed1: /14807/ 00195		Deed2:					
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2014		07/01/2015			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Tax Exempt:				Special Tax Recapture:					
Exempt Class:				NONE					
Homestead Application Information									
Homestead Application Status: No Application									

Baltimore County

[New Search \(http://sdat.resiusa.org/RealProperty\)](http://sdat.resiusa.org/RealProperty)District: **08** Account Number: **0807048050**

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

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

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://lmsweb05.mdp.state.md.us/website/mosp/>)

 Loading... Please Wait. Loading... Please Wait.

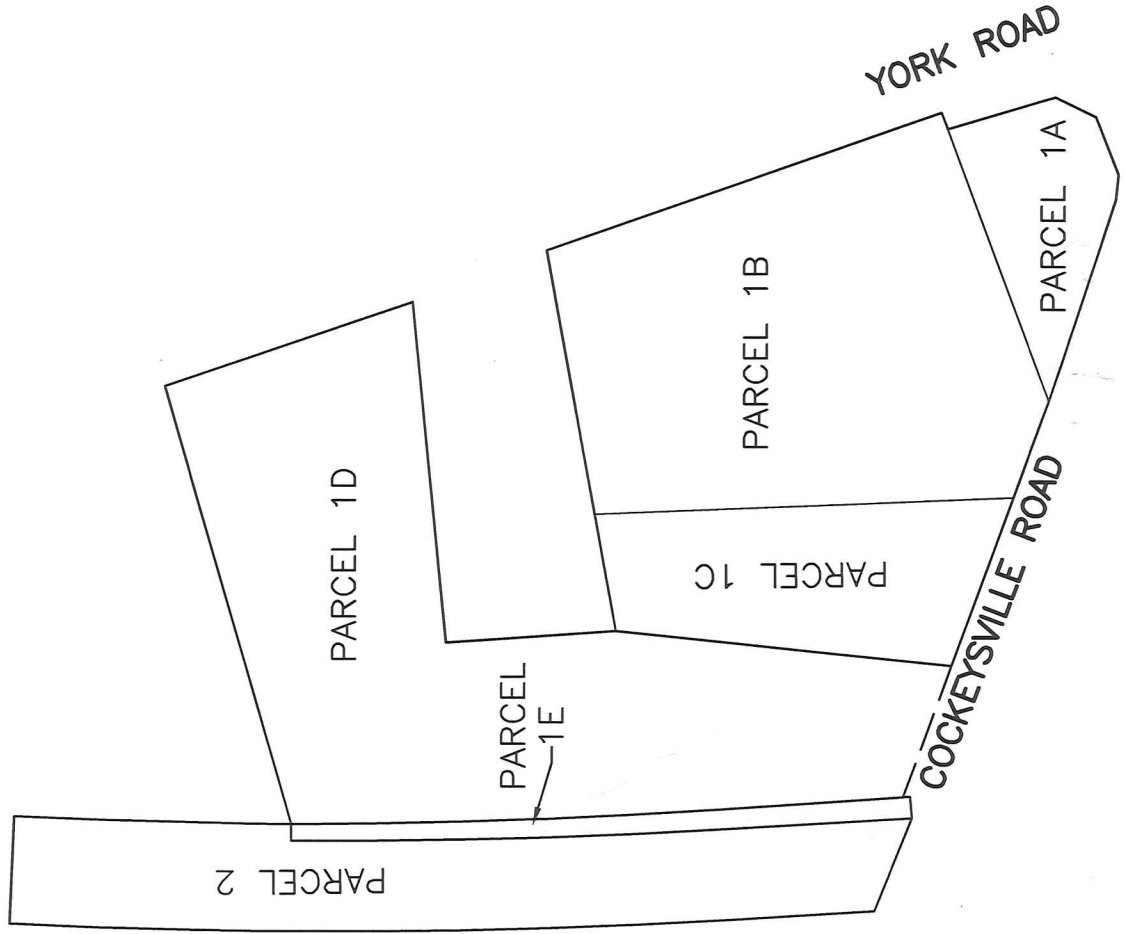
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GENERAL NOTES

- COUNCILMANIC DISTRICT: 3RD
- ELECTION DISTRICT: 8TH
- 200 SCALE ZONING MAP: 42B3
- ANY PROPOSED SIGN MUST COMPLY WITH ALL APPLICABLE ZONING REGULATIONS
- THIS PROPERTY IS NOT HISTORIC.
- THIS SITE IS SERVED BY PUBLIC WATER AND SEWERAGE SYSTEMS.
- THERE ARE NO STREAMS, WETLANDS, OR STORM WATER MANAGEMENT SYSTEMS
- EXISTING UTILITIES ARE SHOWN ON THE SITE.
- DEEDS, EASEMENTS, OR IMPENDING FAILURES OF THE BASIC SERVICES
- MAPS FOR THIS SITE.
- PREVIOUS ZONING HEARING NO. 1 - CASE NO. 99-301-X SPECIAL EXEMPTION
- APPROVED FOR PARCEL 1C (14-16 COCKEYSVILLE ROAD) TO PERMIT
- AN AUTOMOBILE SERVICE GARAGE IN A BL-AS ZONE
- (DATE OF ORDER- APRIL 7, 1999).
- ALL BUILDINGS AND PARKING AREAS SHOWN ON THIS SITE ARE EXISTING.
- ALL PARKING SPACES ARE A MINIMUM OF 8' FEET WIDE BY 18 FEET DEEP.
- ALL PARKING SPACES ARE TO BE STRIPED.
- ALL PARKING SPACES ARE WITHIN 500 FEET OF ALL BUILDING ENTRANCES.

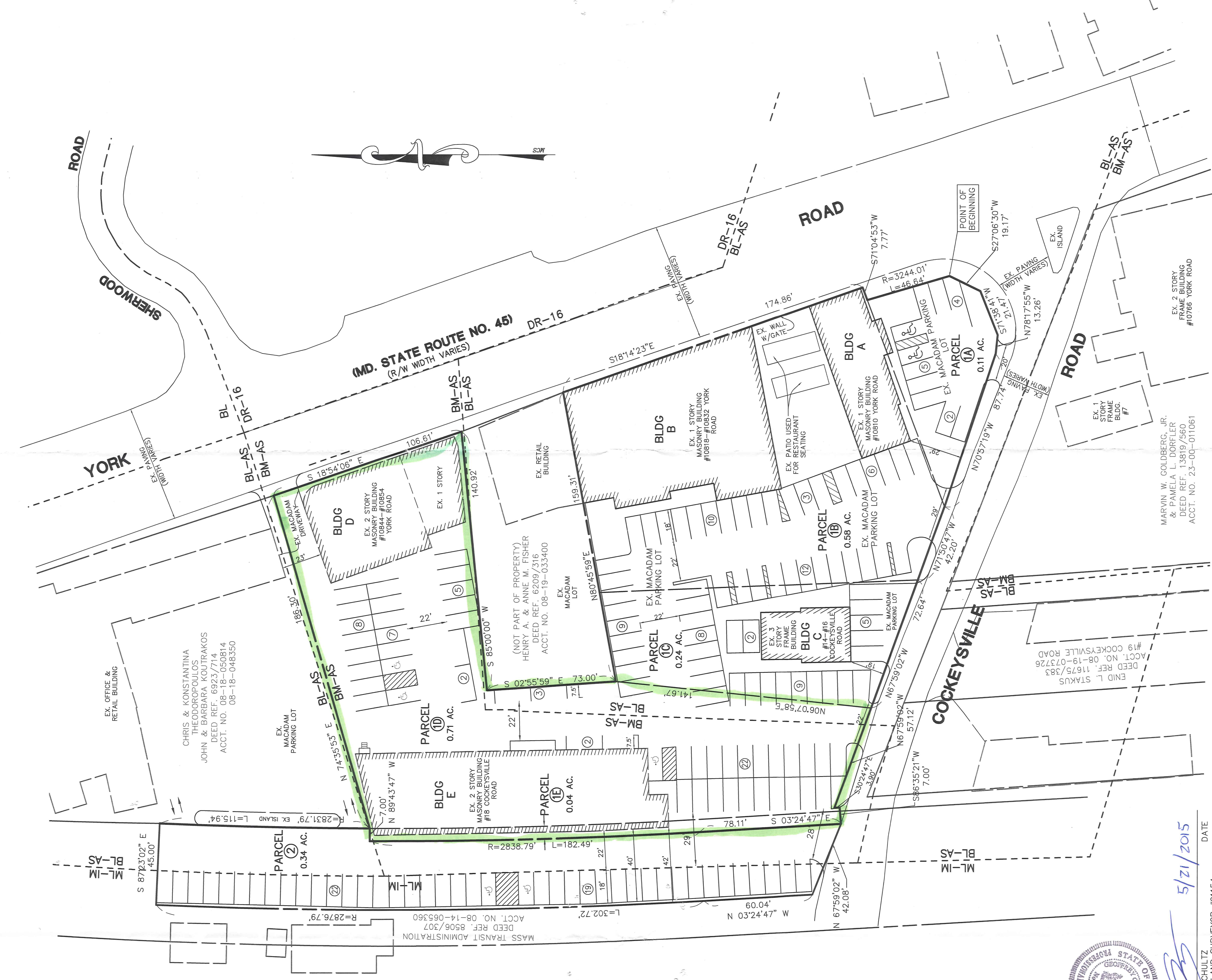
OWNERSHIP INFORMATION



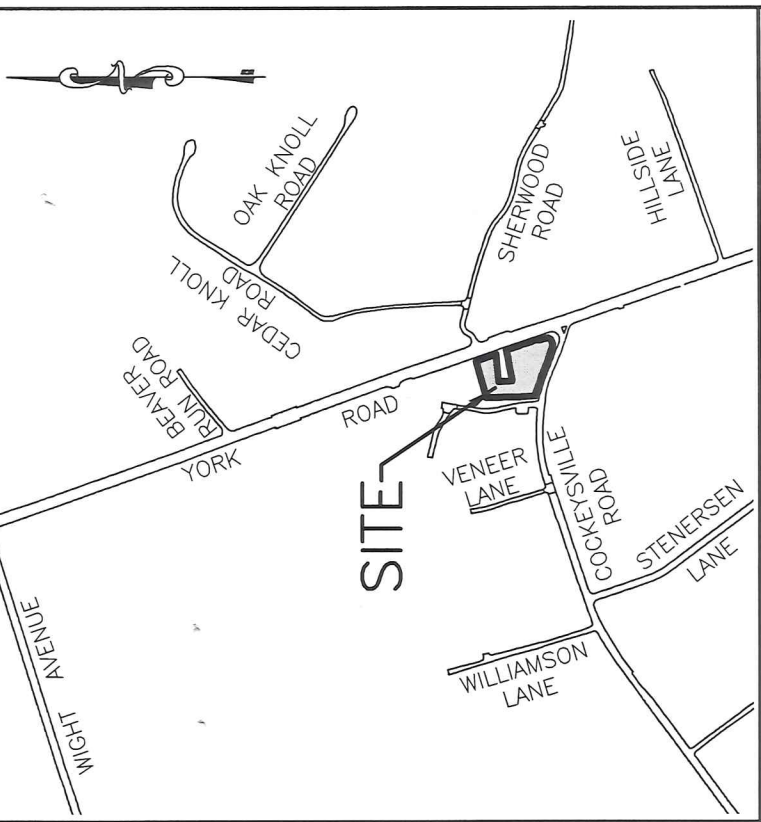
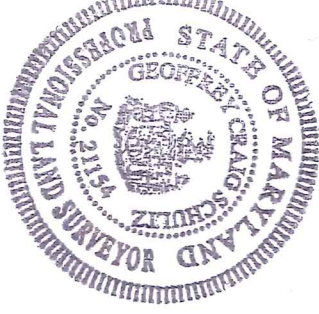
- PARCEL 1A = 0.11 AC (NET)
OWNER- SPARTAN FOODS, INC.
TAX MAP 42-GRD 22-PARCEL 198
ACCT. NO. 18-00-007805
DEED REF. 13452/109
- PARCEL 1B = 0.58 AC (NET)
OWNER- SPARTAN FOODS, INC.
TAX MAP 42-GRD 22-PARCEL 207
ACCT. NO. 08-07-048050
DEED REF. 15875/675
- PARCEL 1C = 0.24 AC (NET)
OWNER- SPARTAN FOODS, INC.
TAX MAP 42-GRD 22-PARCELS 214 & 215
ACCT. NOS. (P.214) 08-20-030325
(P.215) 08-20-030726
DEED REF. (P.215) 7795/458
- PARCEL 1D = 0.71 AC (NET)
OWNER- JOHN KOUTRAKOS & BARBARA KOUTRAKOS
TAX MAP 42-GRD 22-PARCEL 366
ACCT. NO. 08-19-077785
DEED REF. 30263/428
- PARCEL 1E = 0.04 AC (NET)
OWNER- BARBARA KOUTRAKOS
TAX MAP 42-GRD 22-PARCEL 472
ACCT. NO. 20-00-002210
DEED REF. 30263/428
- PARCEL 2 = 0.34 AC (NET)
OWNER- MASS TRANSIT ADMINISTRATION
TAX MAP 81-GRD 16-PARCEL 862
ACCT. NO. 08-14-085360
DEED REF. 8506/307

Polaris
LAND CONSULTANTS

10 GERARD AVENUE
SUITE 101
THURMOND, MD. 21093
PHONE: (410) 252-4444
FAX: (410) 252-4493
WWW.POLARISLC.COM



DATE: 5/21/2015
GCS
GEOFFREY C. SCHULTZ
PROFESSIONAL LAND SURVEYOR #21154



VICINITY MAP

SCALE: 1"=1000'

SITE TABULATION

- EXISTING ZONING BL-AS, BM-AS, & ML-IM
- GROSS AREA
BL-AS 59,460 SF= 1.36 AC. (PARCELS 1A, 1B, 1C, 1D, & 2)
BM-AS 38,789 SF= 0.89 AC. (PARCELS 1D, 1E, & 2)
ML-1M 6,894 SF= 0.16 AC. (PARCEL 2)
TOTAL 105,143 SF= 2.41 AC.
- NET AREA
BL-AS 46,964 SF= 1.08 AC. (PARCELS 1A, 1B, 1C, 1D, & 2)
BM-AS 34,493 SF= 0.79 AC. (PARCELS 1D, 1E & 2)
ML-1M 6,534 SF= 0.15 AC. (PARCEL 2)
TOTAL 87,991 SF= 2.02 AC.
- FLOOR AREAS & USES
BLDG. A RESTAURANT STORAGE 3,360 SF
TOTAL 2,592 SF
5,952 SF
BLDG. B RESTAURANT RETAIL 4,822 SF
TOTAL 3,345 SF
8,264 SF
16,431 SF
BLDG. C RETAIL APARTMENT 1,381 SF
TOTAL 869 SF
2,250 SF
BLDG. D GENERAL OFFICE RETAIL 4,388 SF
TOTAL 7,425 SF
11,813 SF
BLDG. E SERVICE GARAGE GENERAL OFFICE 6,555 SF
TOTAL 7,062 SF
13,617 SF
- USE SUMMARY
RESTAURANT 8,182 SF
SERVICE GARAGE 6,555 SF
GENERAL OFFICE 11,450 SF
RETAIL 12,151 SF
WAREHOUSE 8,264 SF
APARTMENTS(1) 869 SF
STORAGE 2,592 SF
TOTAL 50,063 SF
PARKING REQUIRED BY USE (8,182 SF/1000x16)= 131 SPACES
RESTAURANT SERVICE GARAGE (3 PER BAY = 30 SPACES) 40 SPACES
(1 PER EMPLOYEE = 10 SPACES) 38 SPACES
GENERAL OFFICE (11,450/1000x3.3)= 61 SPACES
RETAIL (12,151 SF/1000x5)= 2 SPACES
WAREHOUSE (1 PER EMPLOYEE)= 2 SPACES
APARTMENTS(1) (2 PER APARTMENT)= 0 SPACES
STORAGE (NONE REQUIRED)= 0 SPACES
(SEE MIXED USE PARKING TABLE SHEET 2 OF 2)
TOTAL PARKING REQUIRED *239 SPACES 163 SPACES
(SEE MIXED USE PARKING TABLE SHEET 2 OF 2)
TOTAL PARKING PROVIDED 163 SPACES
9. GROSS FLOOR AREA (BL-AS)
BLDG. A 5,952 SF
BLDG. B 16,431 SF
BLDG. C 2,250 SF
TOTAL 24,633 SF
10. FLOOR AREA RATIO PROPOSED (BL-AS) 24,633 SF /59,460 SF=0.42
11. MAXIMUM FLOOR AREA RATIO ALLOWED (BL-AS)=3.0
12. GROSS FLOOR AREA (BM-AS)
BLDG. D 11,813 SF
BLDG. E 13,617 SF
TOTAL 25,430 SF
13. FLOOR AREA RATIO PROPOSED (BM-AS) 25,430 SF /38,789 SF=0.66
14. MAXIMUM FLOOR AREA RATIO ALLOWED (BM-AS)=4.0

PLAT TO ACCOMPANY
PETITION FOR SPECIAL HEARING AND VARIANCE
"KOUTRAKOS PROPERTIES"

YORK ROAD AND
COCKEYSVILLE ROAD

3RD COUNCILMANIC DISTRICT
DATE: APRIL 30, 2015
BALTIMORE COUNTY, MARYLAND
8TH ELECTION DISTRICT



Floor plan of the existing building. The plan shows a rectangular building with a total width of 165' and a total depth of 46.0'. The building is divided into several sections. On the left side, there is a 'STAIR' section with a width of 9.6'. To the right of the stair is a large 'EXISTING GENERAL OFFICE' area with a total width of 155' (165' - 9.6') and a depth of 26.6'. To the right of the office area is a 'LOBBY/STAIRS' section with a width of 10.0' (46.0' - 26.6' - 9.6'). To the right of the lobby/stairs is a 'CORRIDOR' section with a width of 161.7' (165' - 9.6' - 10.0'). The total depth of the building is 46.0', and the total width is 165'.

IN RE: PETITIONS FOR SPECIAL HEARING	BEFORE THE
AND VARIANCE	DEPUTY ZONING
N side of Cockeysville Road, 343 feet W of York Road.	COMMISSIONER
8th Election District 3rd Condemnation District (10810 York Road)	FOR BALTIMORE COUNTY
SS&H II, LLC, By John Kourakos <i>Petitioner</i>	Case No. 08-413-SFHA

County, this 27th day of June, 2008 said Petitioner's request for Special Hearing relating to the petition submitted pursuant to Section 590.7 of the Baltimore County Zoning Regulations (G.O.C.R.), relating to the proposed rezoning of the subject property from C-40 to C-40B, is hereby GRANTED, and the applicant is previously granted zoning relief, to permit a modified parking plan and modified parking lot dimensions for these contiguous uses and parcels pursuant to Sections 469.4.2(a) and 469.4.3.1 of the G.O.C.R.s, and to approve an amendment to the site plan in Case No. 99-01-01 consistent with the relief requested and the plan accompany this Petition be and is hereby GRANTED, and

IT IS FURTHER ORDERED that Petitioner's alternative request for Variance from Section 409.6A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the existing configuration and total of 85 parking spaces as depicted on the mixed-use, adjusted parking requirements shown on the Plat to Accompany these Petitions in lieu of the 131 parking spaces required is hereby DISMISSED as moot.

The relief granted herein is subject to the following:

1. Petitioner may apply for 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 appeal process from this Order has expired. If for whatever reason, this Order is reversed, Petitioner will be required to return, and be responsible for returning, said property to its original condition.
2. Disposition of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

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


THOMAS H. BESTWICK
Deputy Zoning Commissioner
for Baltimore County

STAIR 9.6' x 6.3'

EXISTING SERVICE GARAGE (4 BAYS) 2,778 SF

EXISTING OFFICE PROPOSED SERVICE GARAGE (6 BAYS) 3,777 SF

LOBBY/STAIRS

46.0'

9.2'

161.7'

26.6'

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 NEW YORK ROAD *
 CROSSLAND *
 8th ELECTION DISTRICT *
 3rd CROSSLAND DISTRICT *
 10810 York Road, et al *
 SS&H I, LLC, et al *
 Petitioners *
 * * * * *

23 THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Butte County, 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047 1048

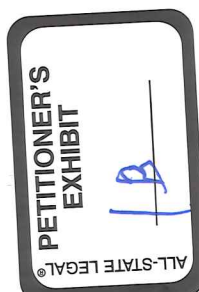
Petitioners are hereby made aware that proceeding at this time is at its own risk until such time as the thirty (30) day Appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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

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

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK/pz

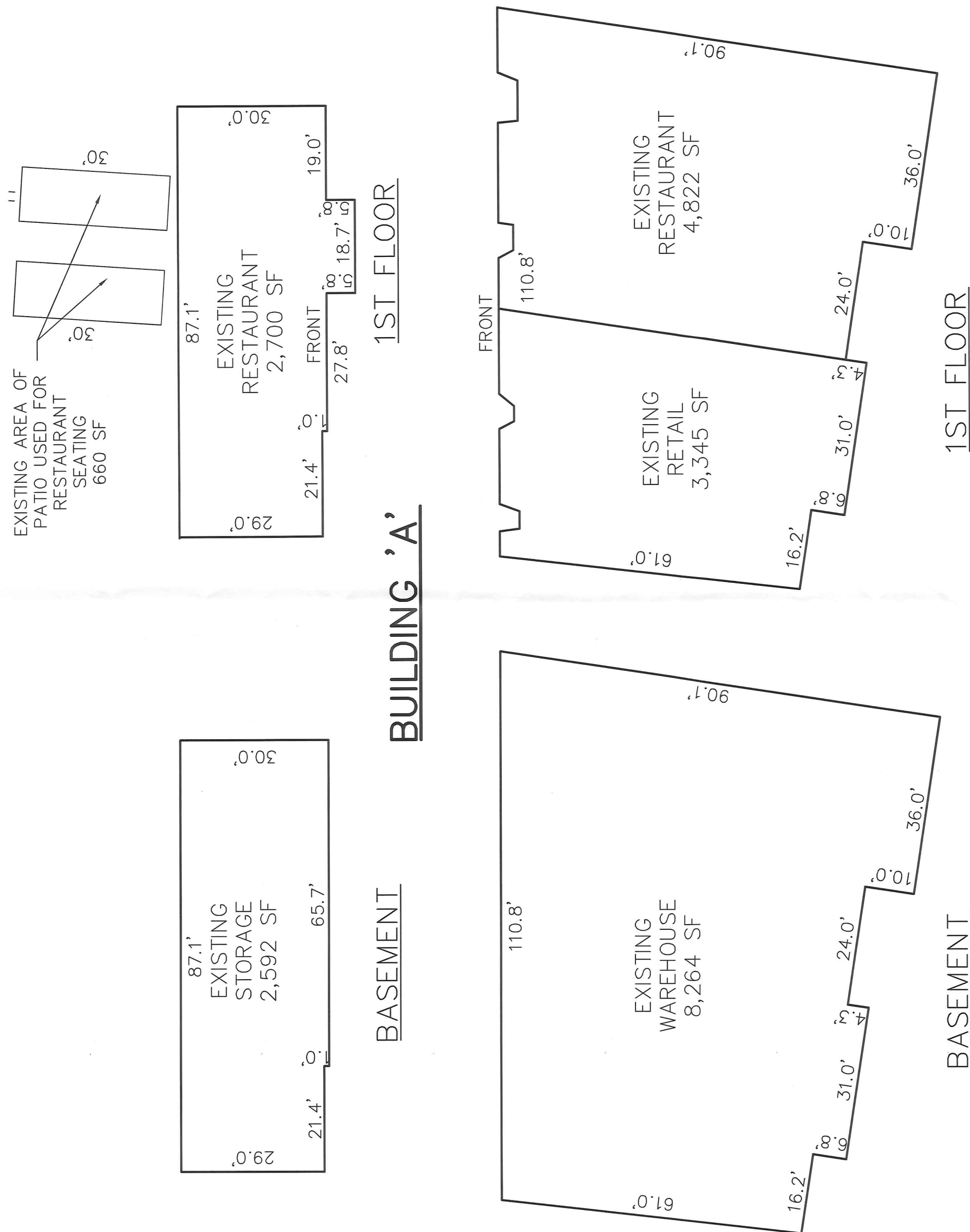


PLAT TO ACCOMPANY
PETITION FOR SPECIAL HEARING AND VARIANCE
"KOUTRAKOS PROPERTIES"

**YORK ROAD AND
COCKEYSVILLE ROAD**

3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
8TH ELECTION DISTRICT
DATE: APRIL 30, 2015
SCALE: 1"= 30'

SHEET 2 OF 2



26.4'
19.4' EXISTING 1.0' RETAIL 1,381 SF 30.6' 30.6' FRONT 28.4'

1ST FLOOR

EXISTING
RETAIL
4,298 SF

FRONT

52.5'

59.0'

7.2'

21.6'

42.4'

12.0'

5.0'

28.0'

59.0'

9.0'

16.0'

8.0'

BASEMENT

EXISTING
RETAIL
3,127 SF

52.5'
16.0' 9.0' 9.0' 15.00'
59.0'

2ND FLOOR

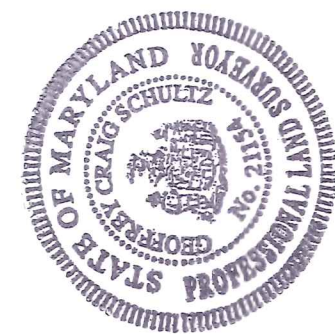
FLOOR AREAS & USES
SCALE: 1"=20'

10 GERARD AVENUE
SUITE 101
TIMONIUM, MD 21093
PHONE: (410) 252-4444
FAX: (410) 252-4493
WWW.POLARISLC.COM



Polaris
LAND CONSULTANTS

LAND SURVEYING • SUBDIVISION DESIGN • COMMERCIAL SITE DESIGN • LAND USE & PLANNING



6662

DATE	
5/21/2015	

1. COUNCILMANIC DISTRICT: 3RD
2. ELECTION DISTRICT: 8TH
3. 200 SCALE ZONING MAP: 42B3
4. ANY PROPOSED SIGN MUST COMPLY WITH ALL APPLICABLE ZONING REGULATIONS
5. THIS PROPERTY IS NOT IN THE COCKEYSVILLE ROAD CORP. ZONING DISTRICT
6. THIS SITE IS SERVED BY PUBLIC WATER AND SEWERAGE SYSTEMS
7. THERE ARE NO STREAMS, WETLANDS, OR STORM WATER MANAGEMENT SYSTEMS ON OR WITHIN 50 FEET OF THIS SITE.
8. THERE ARE NO EXISTING OR IMPENDING FAILURES OF THE BASIC SERVICES MAPS FOR THIS SITE.
9. THERE ARE NO EXISTING OR IMPENDING FAILURES OF THE BASIC SERVICES MAPS FOR THIS SITE.
10. APPROVED ZONING HEARING NO. 1 - CASE NO. 99-201-X SPECIAL EXEMPTION AN AUTOMOBILE SERVICE GARAGE IN A BL-AS ZONE
(DATE OF ORDER- APRIL 7, 1999).
11. ALL BUILDINGS AND PARKING AREAS SHOWN ON THIS SITE ARE EXISTING.
12. ALL PARKING SPACES ARE A MINIMUM OF 8'2 FEET DEEP BY 18 FEET DEEP.
13. ALL PARKING SPACES ARE TO BE STRIPED.
14. ALL PARKING SPACES ARE WITHIN 500 FEET OF ALL BUILDING ENTRANCES.

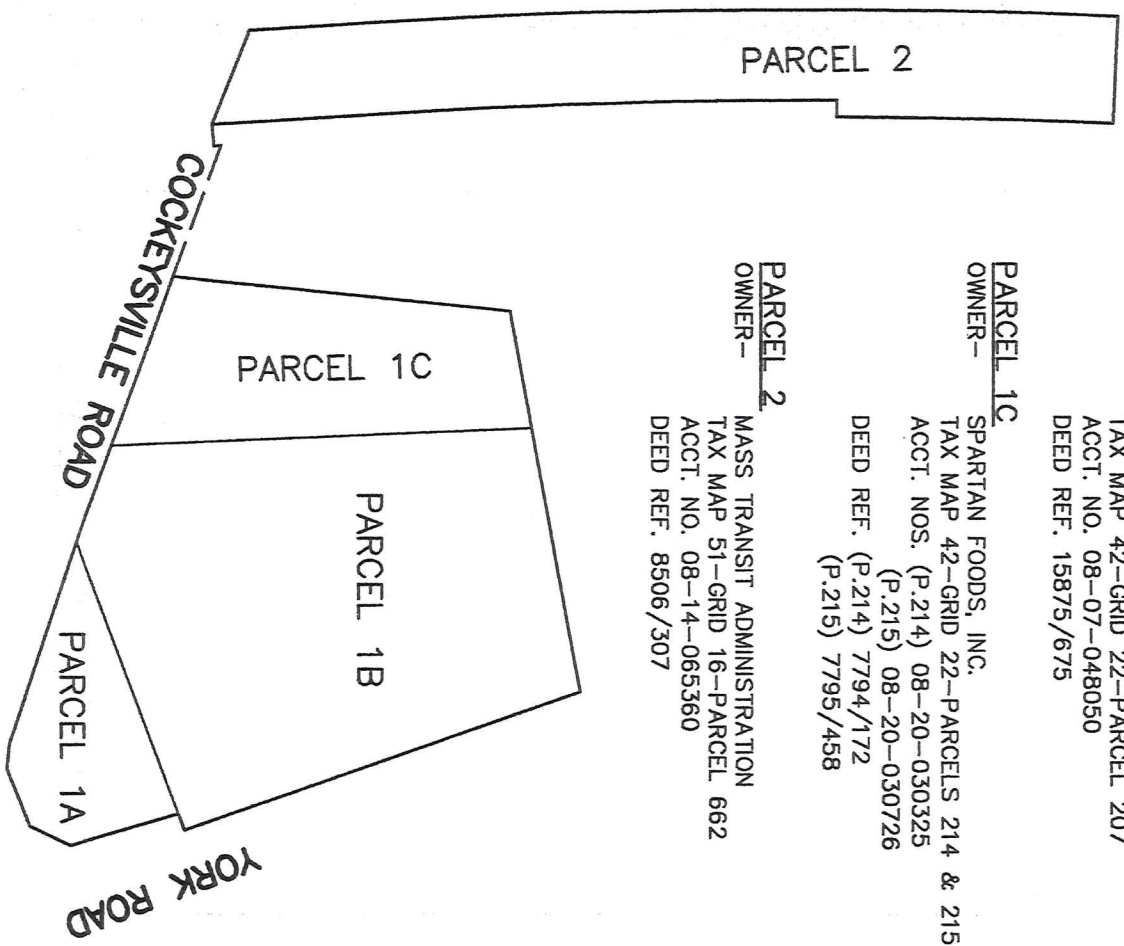
OWNERSHIP INFORMATION

PARCEL 1A
OWNER-- SPARTAN FOODS, INC.
TAX MAP 42-68D 22-PARCEL 198
DEED REF. 13452/109
DEED REF. 13452/109

PARCEL 1B
OWNER-- SSK&I II, LLC
TAX MAP 42-68D 22-PARCEL 207
DEED REF. 13452/109
DEED REF. 13452/109

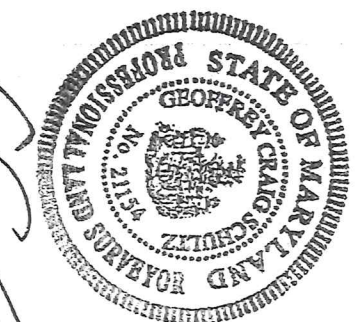
PARCEL 1C
OWNER-- SPARTAN FOODS, INC.
TAX MAP 42-68D 22-PARCELS 214 & 215
DEED NOS. (P.214) 08-20-030326
(P.215) 08-20-030726
DEED REF. (P.214) 7784/172
(P.215) 7785/158

PARCEL 2
OWNER-- MASS TRANSIT ADMINISTRATION
TAX MAP 51-68D 08-PARCEL 602
DEED NOS. 08-14-065360
DEED REF. 8506/307



SITE TABULATION

1. EXISTING ZONING	BL-AS & BM-AS
2. GROSS AREA	56,192 SF=
BL-AS	1.29 AC (PARCELS 1A, 1B, 1C & 2)
BL-AS	5,227 SF=
BL-AS	0.12 AC (PARCEL 2)
BL-AS	6,894 SF=
BL-AS	0.16 AC (PARCEL 2)
3. NET AREA	68,313 SF=
BL-AS	1.57 AC
BL-AS	4,396 SF=
BL-AS	1.01 AC (PARCELS 1A, 1B, 1C & 2)
BL-AS	4,791 SF=
BL-AS	0.11 AC (PARCEL 2)
BL-AS	6,534 SF=
BL-AS	0.15 AC (PARCEL 2)
4. FLOOR AREAS & USES	
BLDG. A RESTAURANT	3,360 SF
BLDG. B RESTAURANT	4,892 SF
BLDG. C RESTAURANT	3,545 SF
BLDG. D RESTAURANT	8,264 SF
BLDG. E RESTAURANT	16,431 SF
BLDG. F RESTAURANT	1,381 SF
BLDG. G RESTAURANT	2,260 SF
5. USE SUMMARY	
RESTAURANT	8,192 SF
RESTAURANT	4,791 SF
RESTAURANT	8,264 SF
RESTAURANT	16,431 SF
RESTAURANT	1,381 SF
RESTAURANT	2,260 SF
6. PARKING REQUIRED	2,582 SF
RESTAURANT	8,192 SF
RESTAURANT	4,791 SF
RESTAURANT	8,264 SF
RESTAURANT	16,431 SF
RESTAURANT	1,381 SF
RESTAURANT	2,260 SF
7. PARKING PROVIDED	113 SPACES
8. GROSS FLOOR AREA (BL-AS)	194.5 = 199
BLDG. A 5,992 SF	
BLDG. B 4,791 SF	
BLDG. C 8,264 SF	
BLDG. D 16,431 SF	
BLDG. E 1,381 SF	
BLDG. F 2,260 SF	
BLDG. G 2,582 SF	
9. FLOOR AREA RATIO PROPOSED (BL-AS)	24.633 SF/56,192 SF=0.44
10. MAXIMUM FLOOR AREA RATIO ALLOWED (BL-AS)=3.0	
11. FLOOR AREA RATIO PROPOSED (BL-AS)	0.577 SF=0.00
12. FLOOR AREA RATIO PROPOSED (BL-AS)	0.577 SF=0.00
13. FLOOR AREA RATIO ALLOWED (BL-AS)=4.0	



McKEE & ASSOCIATES, INC.

Engineering - Land Planning - Land Surveying
Natural Resource Planning - Real Estate Development
5 SHAWAN ROAD, Suite 1 COCKEYSVILLE, MARYLAND 21030
TELEPHONE: (410) 327-1555 FACSIMILE: (410) 527-1553

GEOFFREY C. SCHULTZ
PROFESSIONAL LAND SURVEYOR #21154

DATE 1/5/2011

MARVIN W. GOLDBERG, JR.
& PAMELA L. DORFNER
DEED REF. 13819/560
ACCT. NO. 23-00-01061

ENID L. STAKUS
DEED REF. 11675/383
ACCT. NO. 08-19-037326
#19 COCKEYSVILLE ROAD

BL-AS

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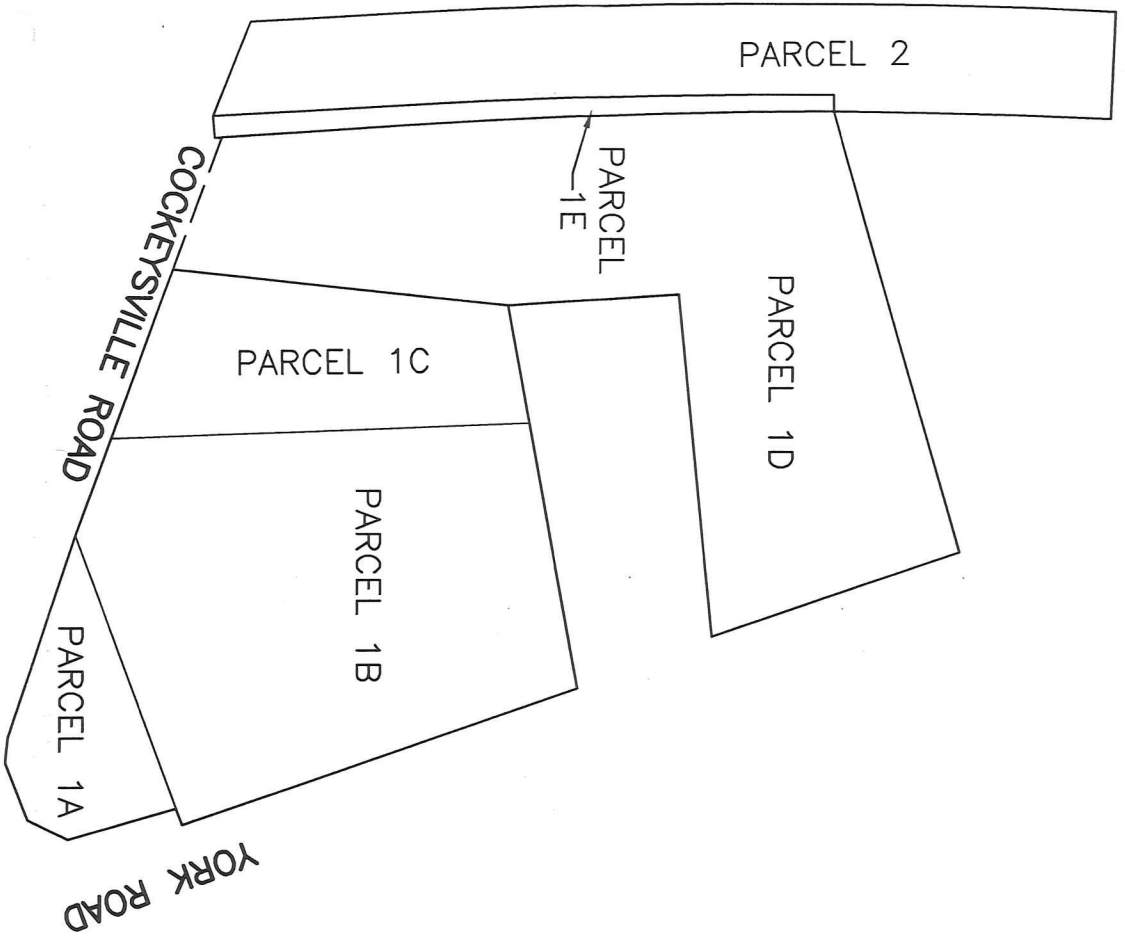
BL-AS

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BL-AS

2. 200 SCALE ZONING MAP- 42B3
3. ANY PROPOSED SIGN MUST COMPLY WITH ALL APPLICABLE ZONING REGULATIONS
4. THIS PROPERTY IS NOT HISTORIC.
5. THIS PROPERTY IS NOT IN THE CBQA.
6. THIS SITE IS SERVED BY PUBLIC WATER AND SEWERAGE SYSTEMS.
7. THERE ARE NO STREAMS, WETLANDS, OR STORM WATER MANAGEMENT SYSTEMS
8. THERE ARE NO EXISTING OR IMPENDING FAILURES OF THE BASIC SERVICES
9. THERE ARE NO EXISTING OR IMPENDING FAILURES OF THE BASIC SERVICES
10. PREVIOUS ZONING HEARING NO. 1 - CASE NO. 99-301-X SPECIAL EXEMPTION
APPROVED FOR PARCEL 1C (14-16 COCKEYSVILLE ROAD) TO PERMIT
AN AUTOMOBILE SERVICE GARAGE IN A BL-AS ZONE
(DATE OF ORDER- APRIL 7, 1999).
11. ALL BUILDINGS AND PARKING AREAS SHOWN ON THIS SITE ARE EXISTING.
12. ALL PARKING SPACES ARE TO BE STRIPED.
13. ALL PARKING SPACES ARE TO BE STRIPED.
14. ALL PARKING SPACES ARE WITHIN 500 FEET OF ALL BUILDING ENTRANCES.

OWNERSHIP INFORMATION

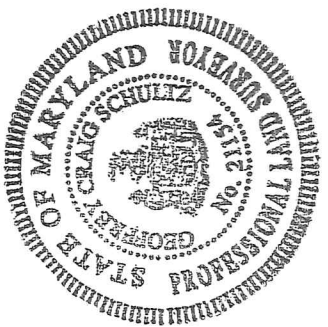


- PARCEL 1A = 0.11 AC (NET)
OWNER- JOHN KOUTRAKOS & BARBARA KOUTRAKOS
TAX MAP 42-GRD 22-PARCEL 198
ACCT. NO. 18-00-007805
DEED REF. 13452/09
- PARCEL 1B = 0.58 AC (NET)
OWNER- SS&H II, LLC
TAX MAP 42-GRD 22-PARCEL 207
ACCT. NO. 08-07-048050
DEED REF. 15875/675
- PARCEL 1C = 0.24 AC (NET)
OWNER- SPARTAN FOODS, INC.
TAX MAP 42-GRD 22-PARCELS 214 & 215
ACCT. NOS. (P 214) 08-20-003023
(P 215) 08-20-003028
DEED REF. (P 214) 7784/172
(P 215) 7795/458
- PARCEL 1D = 0.71 AC (NET)
OWNER- JOHN KOUTRAKOS & BARBARA KOUTRAKOS
TAX MAP 42-GRD 22-PARCEL 989
ACCT. NO. 08-19-077785
DEED REF. 30263/428
- PARCEL 1E = 0.04 AC (NET)
OWNER- JOHN KOUTRAKOS & BARBARA KOUTRAKOS
TAX MAP 42-GRD 22-PARCEL 472
ACCT. NO. 20-00-002210
DEED REF. 30263/428
- PARCEL 2 = 0.34 AC (NET)
OWNER- MASS TRANSIT ADMINISTRATION
TAX MAP 51-GRD 18-PARCEL 662
ACCT. NO. 08-14-065360
DEED REF. 6506/307



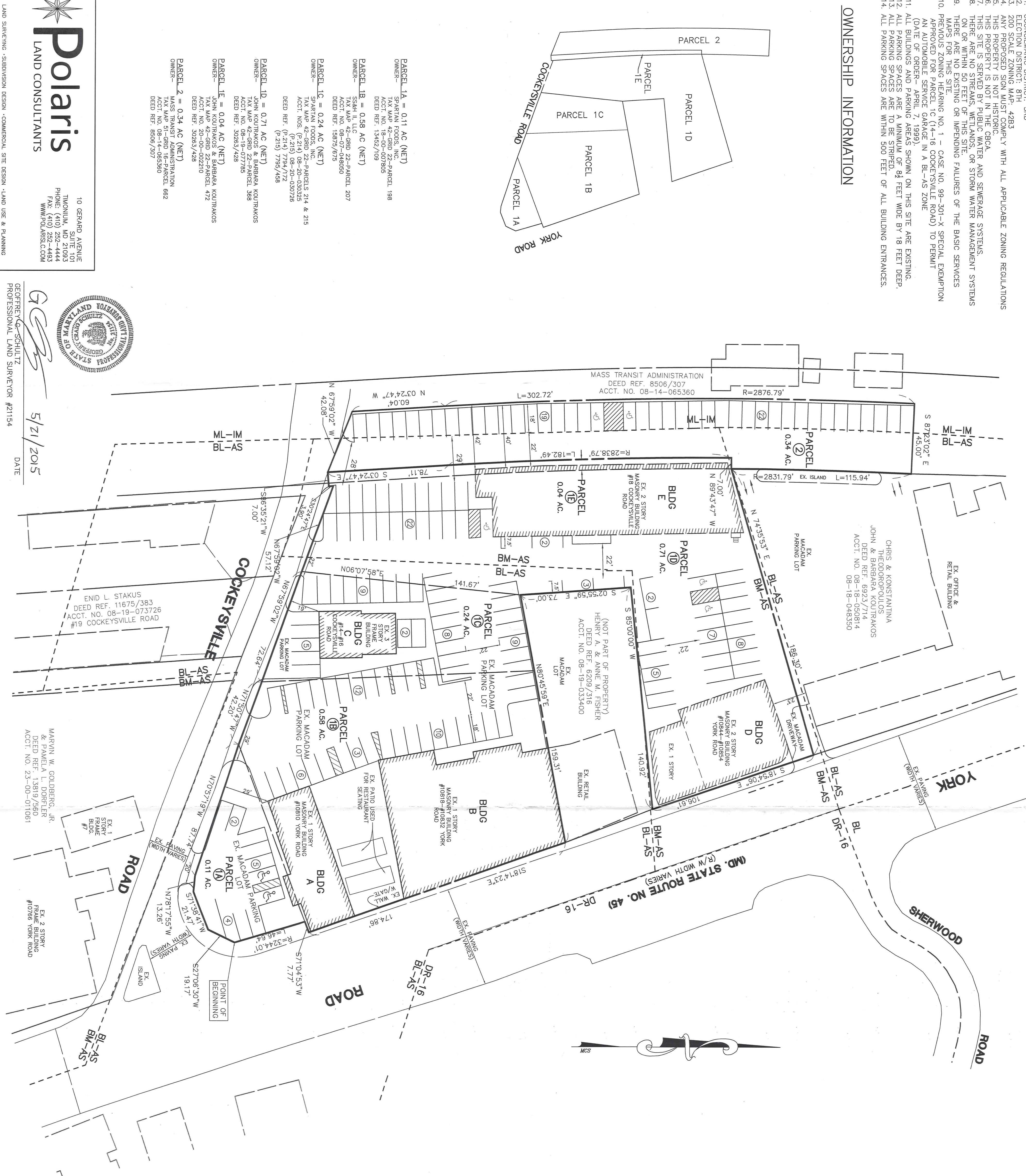
10 GERARD AVENUE
TIMONUM, MD 21783
PHONE: (410) 252-4444
FAX: (410) 252-4493
WWW.POLARIS.LC.COM

LAND SURVEYING - SUBDIVISION DESIGN - COMMERCIAL SITE DESIGN - LAND USE & PLANNING



5/21/2015
DATE

PROFESSIONAL LAND SURVEYOR #211514



SITE TABULATION	
1. EXISTING ZONING	BL-AS, BM-AS, & ML-IM
2. CROSS AREA	
BL-AS	59,460 SF= 1.36 AC. (PARCELS 1A, 1B, 1C, 1D, & 2)
BM-AS	38,789 SF= 0.89 AC. (PARCELS 1A, 1E, & 2)
ML-IM	6,894 SF= 0.16 AC. (PARCEL 2)
TOTAL	105,143 SF= 2.41 AC.
3. NET AREA	
BL-AS	46,964 SF= 1.08 AC. (PARCELS 1A, 1B, 1C, 1D, & 2)
BM-AS	34,493 SF= 0.79 AC. (PARCELS 1D, 1E & 2)
ML-IM	6,534 SF= 0.15 AC. (PARCEL 2)
TOTAL	87,991 SF= 2.02 AC.
4. FLOOR AREAS & USES	
BLDG. A	RESTAURANT
BLDG. B	RESTAURANT
BLDG. C	RETAIL
BLDG. D	GENERAL OFFICE
BLDG. E	SERVICE GARAGE
BLDG. F	GENERAL OFFICE
BLDG. G	RETAIL
BLDG. H	RETAIL
BLDG. I	RETAIL
BLDG. J	RETAIL
BLDG. K	RETAIL
BLDG. L	RETAIL
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BLDG. CU	RETAIL
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BLDG. CW	RETAIL
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BLDG. DX	RETAIL
BLDG. DY	RETAIL
BLDG. DZ	RETAIL
BLDG. EA	RETAIL
BLDG. EB	RETAIL
BLDG. EC	RETAIL
BLDG. ED	RETAIL
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BLDG. EH	RETAIL
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BLDG. GR	RETAIL
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BLDG. HK	RETAIL
BLDG. HL	RETAIL
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BLDG. HN	RETAIL
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BLDG. JL	RETAIL
BLDG. JM	RETAIL
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BLDG. KS	RETAIL
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BLDG. SR	RETAIL
BLDG. SS	RETAIL
BLDG. ST	RETAIL
BLDG. SU	RETAIL
BLDG. SV	RETAIL
BLDG. SW	RETAIL

PREVIOUS ZONING HEARING NO. 2

IN RE PETITIONS FOR SPECIAL HEARING • BEFORE THE
AND VARIANCE
N side of Cockeysville Road, 345 feet W
8th Election District
3rd Councilmanic District
(00131 194 1000)
FOR BALTIMORE COUNTY
SS&H II, LLC, by John Kozlowski
Petitioner
Case No. 08-413-SPHA

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 27th day of June, 2008 that Petitioner's request for Special Hearing relief filed pursuant to Section 200.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), utilizing all previously granted zoning relief, to permit a modified parking plan and modified parking requirements for these contiguous uses and parcel pursuant to Sections 409.12.3 and 409.13.1 of the B.C.Z.R., and to approve an amendment to the site plan in Case No. 99-30-X consistent with the relief requested and site plan to accompany this Petition be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioner's alternative request for Variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the existing configuration and total of 45 parking spaces as depicted on the attached, adjusted parking requirement shown on the Plan to Accompany these Petitions in lieu of the 131 parking spaces required is hereby DISMISSED as moot.

The relief granted herein is subject to the following:

1. Petitioner may apply for permits and be granted same upon receipt of this Order; provided that the relief granted herein shall not be construed as a guarantee of any kind, and no unit shall time as the 30-day expedite process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning said property to its original condition.

2. Development of this property must comply with the Forest Conservation Regulations (Sections 35-44.11 through 35-44.12 of the Baltimore County Code).

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

Thomas H. Bostwick
THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

PREVIOUS ZONING HEARING NO. 3

IN RE PETITION FOR SPECIAL HEARING • BEFORE THE
NW corner of York Road and
8th Election District
3rd Councilmanic District
10017 York Road, etc.
BALTIMORE COUNTY
SS&H II, LLC, et al
Petitioner
CASE NO. 2011-009-SPH

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 23rd day of February, 2011, that the Petitioner's request for Special Hearing relief, filed pursuant to Section 200.7 B.C.Z.R., utilizing all previously granted zoning relief, to approve a modification of the floor area of the listed uses and the site plan approved in Case No. 2008-413-SPH, consistent with the relief requested and the additional parking area and floor area of listed use shown on the site plan to accompany this Petition be and is hereby GRANTED, subject to the following restrictions which are conditions precedent to the relief granted herein:

1. Petitioner are hereby made aware that proceeding at this time in the use, site, and/or such time as the thirty (30) day Appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning said property to its original condition.

2. When applying for a building permit, the site plan filed must reference this Case and set forth and address the conditions and restrictions of this Order.

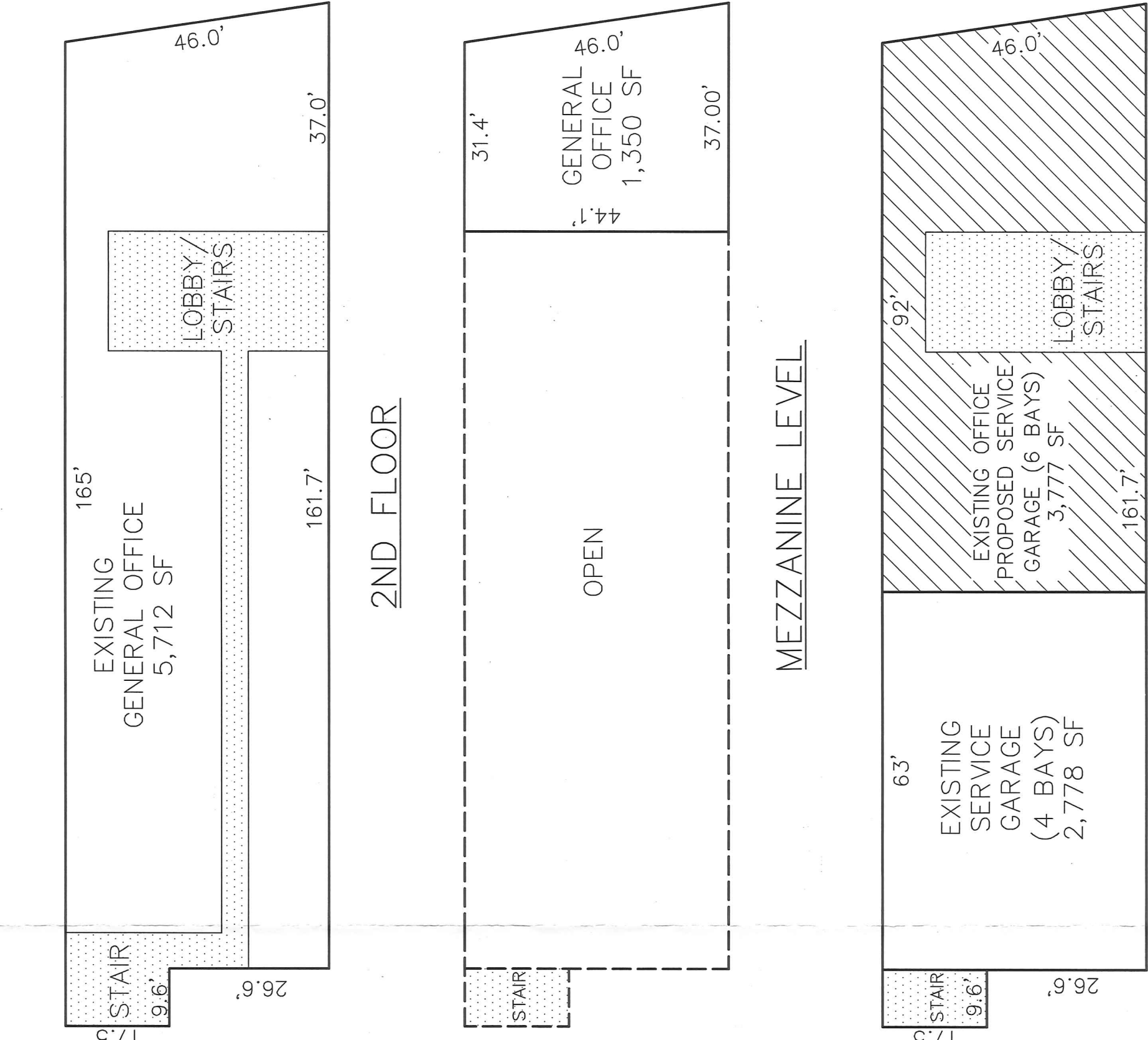
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

Timothy A. Kufrood
TIMOTHY A. KUFROOD
Administrative Law Judge
for Baltimore County

TMS/2

PLAT TO ACCOMPANY
PETITION FOR SPECIAL HEARING AND VARIANCE
"KOUTRAKOS PROPERTIES"

YORK ROAD AND
COCKEYSVILLE ROAD
3RD COUNCILMANIC DISTRICT
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
DATE: APRIL 30, 2015
SCALE: 1"= 30'



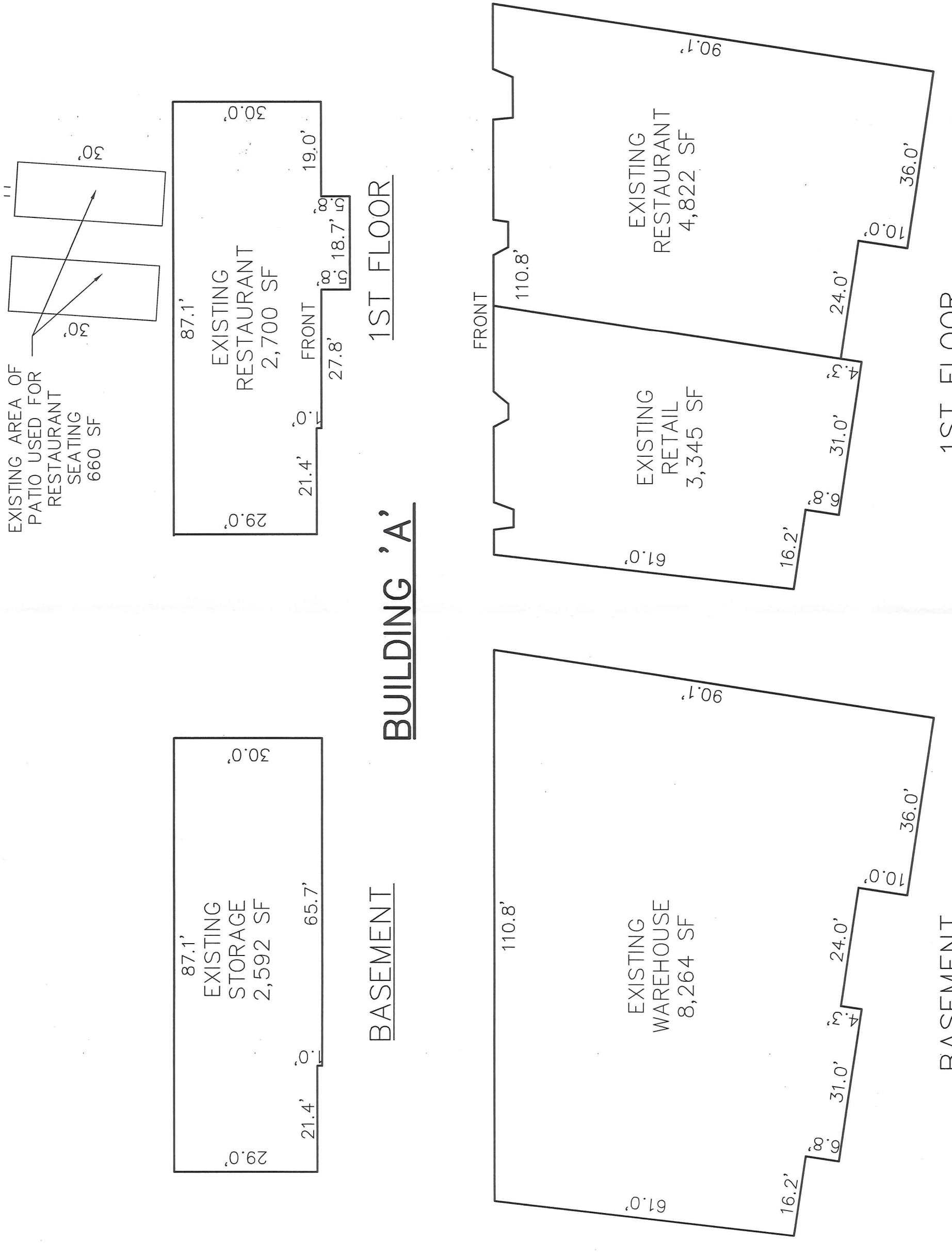
1ST FLOOR
BUILDING 'E'

FLOOR AREAS & USES
SCALE: 1"=20'

MIXED USE PARKING TABLE

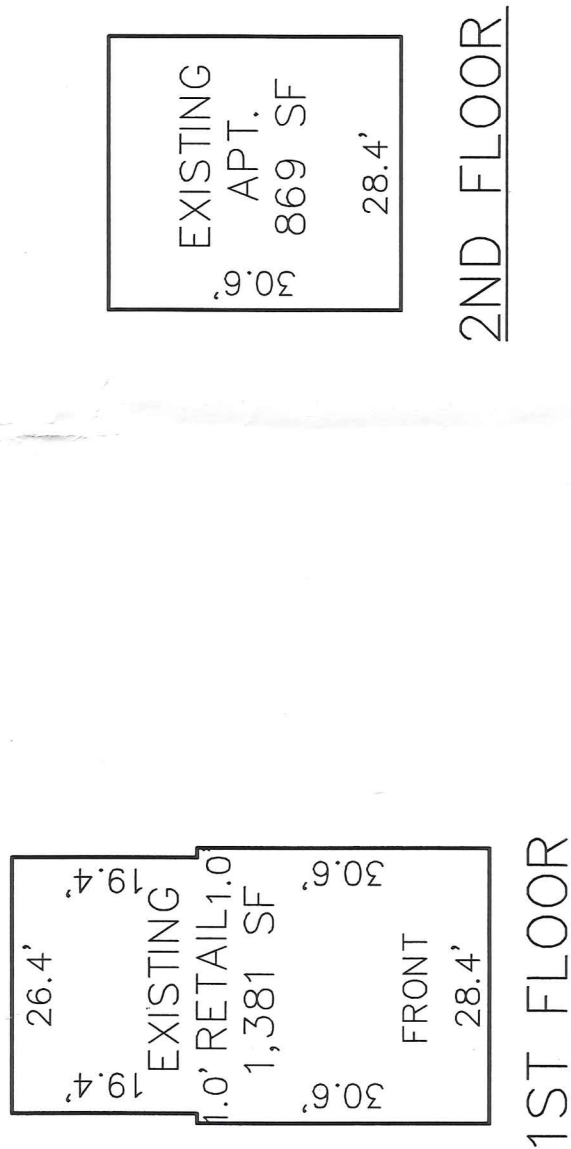
USE AND (REQUIRED SPACES)	WEEKDAY		WEEKEND		NIGHT
	DAY	EVENING	DAY	EVENING	
RESTAURANT (131)	50% = 66	100% = 131	100% = 131	100% = 131	10% = 14
SERVICE GARAGE (40)	100% = 40	100% = 40	100% = 40	100% = 40	100% = 40
RETAIL (61)	60% = 37	90% = 55	100% = 61	70% = 39	5% = 3
WAREHOUSE (4)	100% = 4	10% = 1	10% = 1	5% = 1	5% = 1
APARTMENTS (2)	100% = 2	100% = 2	100% = 2	100% = 2	100% = 2
OFFICE (38)	100% = 38	10% = 4	10% = 4	5% = 2	5% = 2
TOTAL REQUIRED	187	233	*239	215	62

*239 PEAK REQUIRED SPACES

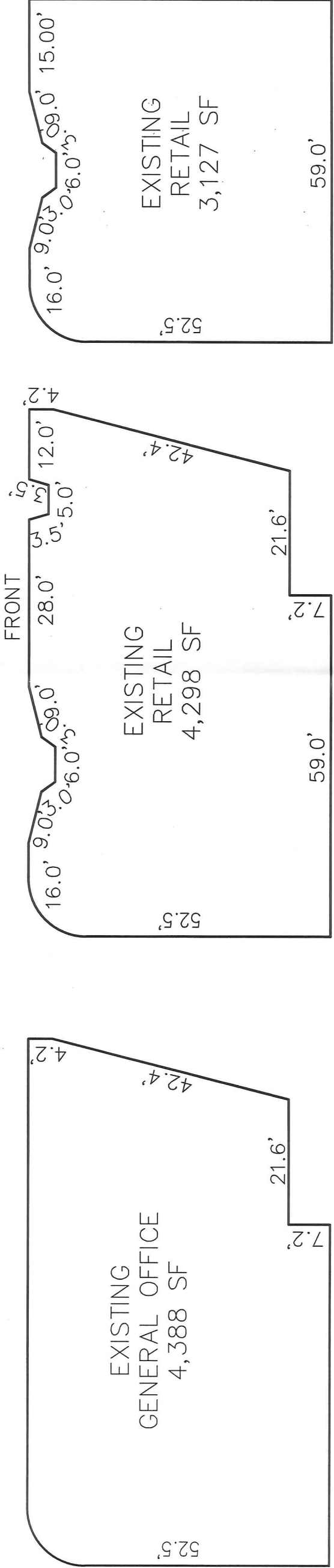


BUILDING 'A'

BUILDING 'B'



BUILDING 'C'



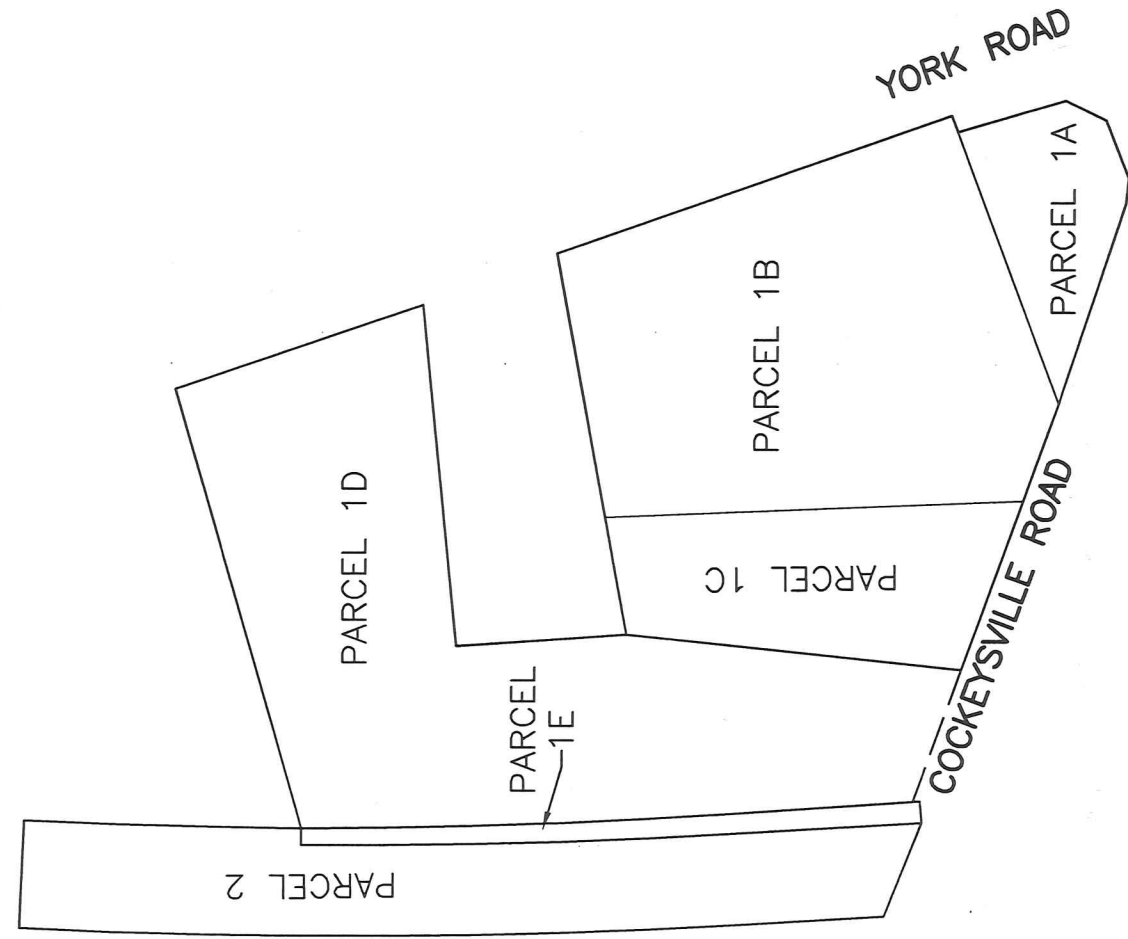
BUILDING 'D'

FLOOR AREAS & USES
SCALE: 1"=20'

GENERAL NOTES

- COUNCILMANIC DISTRICT: 3RD
- ELECTION DISTRICT: 8TH
- 200 SCALE ZONING MAP: 4283
- THIS PROPERTY IS NOT IN THE CRCA.
- THIS PROPERTY IS NOT IN THE CRCA.
- THIS SITE IS SERVED BY PUBLIC WATER AND SEWERAGE SYSTEMS.
- THERE ARE NO STREAMS, WETLANDS, OR STORM WATER MANAGEMENT SYSTEMS ON OR WITHIN 50 FEET OF THIS SITE.
- THERE ARE NO EXISTING OR IMPENDING FAILURES OF THE BASIC SERVICES MAPS FOR THIS SITE.
- PREVIOUS ZONING HEARING NO. 1 - CASE NO. 99-301-X SPECIAL EXEMPTION APPROVED FOR PARCEL 1C (14-16 COCKEYSVILLE ROAD) TO PERMIT ANY CONSUMER SERVICE PARKING IN A BL-AS ZONE
- ALL BUILDINGS AND PARKING AREAS SHOWN ON THIS SITE ARE EXISTING.
- ALL PARKING SPACES ARE A MINIMUM OF 8 1/2 FEET WIDE BY 18 FEET DEEP.
- ALL PARKING SPACES ARE TO BE STRIPED.
- ALL PARKING SPACES ARE WITHIN 500 FEET OF ALL BUILDING ENTRANCES.

OWNERSHIP INFORMATION



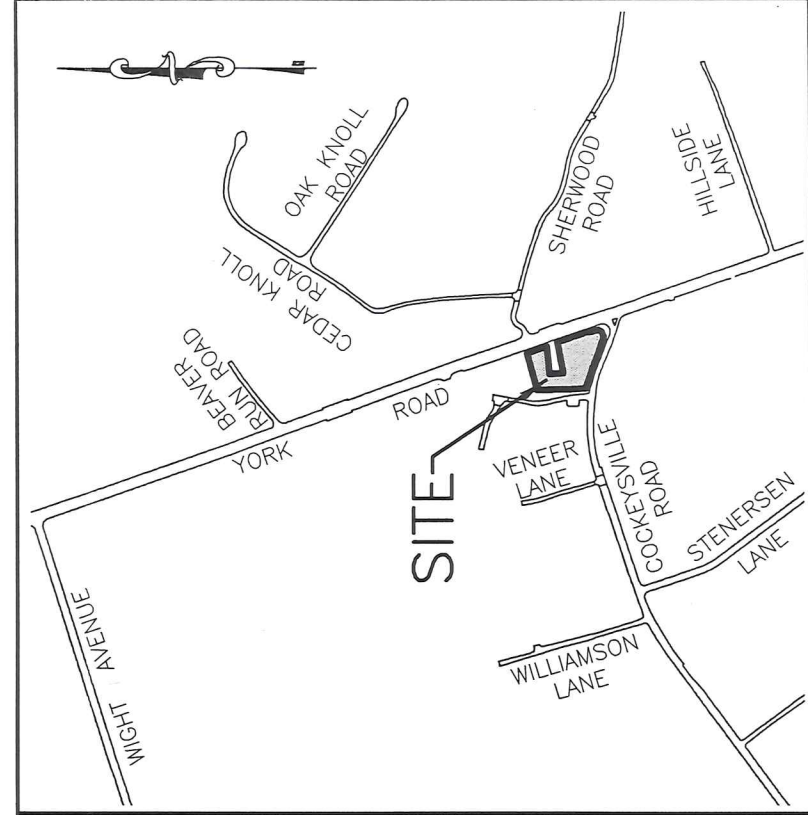
- PARCEL 1A = 0.11 AC (NET)
OWNER- SPARTAN FOODS, INC.
TAX MAP 42-GRD 22-PARCEL 198
ACCT. NO. 08-07-04650
DEED REF. 13462/109
- PARCEL 1B = 0.58 AC (NET)
OWNER- SS&H II, LLC GRD 22-PARCEL 207
TAX MAP 42-GRD 22-PARCEL 207
ACCT. NO. 08-07-04650
DEED REF. 15875/675
- PARCEL 1C = 0.24 AC (NET)
OWNER- TAX MAP 42-GRD 22-PARCELS 214 & 215
ACCT. NOS. (P-214) 08-20-030325
(P-215) 08-20-030726
DEED REF. (P-214) 7794/172
(P-215) 7795/458
- PARCEL 1D = 0.71 AC (NET)
OWNER- JOHN KOUTRAKOS & BARBARA KOUTRAKOS
TAX MAP 42-GRD 22-PARCEL 368
ACCT. NO. 08-14-065360
DEED REF. 30263/428
- PARCEL 1E = 0.04 AC (NET)
OWNER- JOHN KOUTRAKOS & BARBARA KOUTRAKOS
TAX MAP 42-GRD 22-PARCEL 472
ACCT. NO. 20-00-202210
DEED REF. 30263/428
- PARCEL 2 = 0.34 AC (NET)
OWNER- MASS TRANSIT ADMINISTRATION
TAX MAP 42-GRD 22-PARCEL 662
ACCT. NO. 08-14-065360
DEED REF. 8506/307



10 GERARD AVENUE
SUITE 101
TIMONIUM, MD 21093
PHONE: (410) 252-4444
FAX: (410) 252-4493
WWW.POLARISLAND.COM



DATE 5/21/2015
PROFESSIONAL LAND SURVEYOR #21154
GCS



VICINITY MAP
SCALE: 1"=1000'

SITE TABULATION

- EXISTING ZONING BL-AS, BM-AS, & ML-IM
- GROSS AREA
BL-AS 59,460 SF= 1.36 AC. (PARCELS 1A, 1B, 1C, 1D, & 2)
BM-AS 38,789 SF= 0.89 AC. (PARCELS 1D, 1E, & 2)
ML-IM 5,894 SF= 0.16 AC. (PARCEL 2)
TOTAL 105,143 SF= 2.41 AC.
- NET AREA
BL-AS 46,964 SF= 1.08 AC. (PARCELS 1A, 1B, 1C, 1D, & 2)
BM-AS 34,493 SF= 0.79 AC. (PARCELS 1D, 1E & 2)
ML-IM 5,534 SF= 0.15 AC. (PARCEL 2)
TOTAL 87,991 SF= 2.02 AC.
- FLOOR AREAS & USES
BLDG. A RESTAURANT STORAGE TOTAL 3,360 SF
2,592 SF
5,952 SF
BLDG. B RESTAURANT RETAIL WAREHOUSE TOTAL 4,822 SF
3,345 SF
8,264 SF
16,431 SF
BLDG. C RETAIL APARTMENT TOTAL 1,381 SF
869 SF
2,250 SF
BLDG. D GENERAL OFFICE RETAIL 4,388 SF
7,426 SF
11,813 SF
BLDG. E SERVICE GARAGE GENERAL OFFICE 6,555 SF
7,062 SF
13,617 SF
- USE SUMMARY
RESTAURANT 8,182 SF
SERVICE GARAGE 6,555 SF
GENERAL OFFICE 11,450 SF
RETAIL 12,151 SF
WAREHOUSE 8,264 SF
APARTMENTS(1) 869 SF
STORAGE 2,592 SF
TOTAL 50,063 SF
PARKING REQUIRED BY USE (8,182 SF/1000x16)= 131 SPACES
RESTAURANT SERVICE GARAGE (3 PER BAY = 30 SPACES) 40 SPACES
(1 PER EMPLOYEE = 10 SPACES)
GENERAL OFFICE (11,450/1000x3.3)= 38 SPACES
RETAIL (12,151 SF/1000x5)= 61 SPACES
WAREHOUSE (1 PER EMPLOYEE)= 2 SPACES
APARTMENTS(1) (2 PER APARTMENT)= 2 SPACES
STORAGE (NONE REQUIRED)= 0 SPACES
(SEE MIXED USE PARKING TABLE SHEET 2 OF 2)
TOTAL PARKING REQUIRED *239 SPACES
TOTAL PARKING PROVIDED 163 SPACES
GROSS FLOOR AREA (BL-AS) 59,460 SF
BLDG. A 5,952 SF
BLDG. B 16,431 SF
BLDG. C 2,250 SF
TOTAL 24,633 SF
FLOOR AREA RATIO PROPOSED (BL-AS) 24,633 SF/59,460 SF=0.42
MAXIMUM FLOOR AREA RATIO ALLOWED (BL-AS)=3.0
GROSS FLOOR AREA (BM-AS) 38,789 SF
BLDG. D 11,813 SF
BLDG. E 13,617 SF
TOTAL 25,430 SF
FLOOR AREA RATIO PROPOSED (BM-AS) 25,430 SF/38,789 SF=0.66
MAXIMUM FLOOR AREA RATIO ALLOWED (BM-AS)=4.0

PLAT TO ACCOMPANY
PETITION FOR SPECIAL HEARING AND VARIANCE
"KOUTRAKOS PROPERTIES"

YORK ROAD AND
COCKEYSVILLE ROAD

3RD COUNCILMANIC DISTRICT
DATE: APRIL 30, 2015
8TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND