

M E M O R A N D U M

DATE: July 6, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0133-SPHXA – Appeal Period Expired

The appeal period for the above-referenced case expired on July 5, 2016. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: *Case File*
Office of Administrative Hearings



KEVIN KAMENETZ
County Executive

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

June 2, 2016

Andrew L. Jiranek, Esq.
16 Willow Avenue
Towson, Maryland 21286

Carole S. Demilio, Esq.
Deputy People's Counsel
Jefferson Building, Room 205
105 West Chesapeake Avenue
Towson, Maryland 21204

RE: Petitions for Special Hearing, Special Exception and Variance
Case No. 2016-0133-SPHXA
Property: 16 & 18 Willow Avenue

Dear Counsel:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

IN RE: **PETITIONS FOR SPECIAL HEARING *
AND VARIANCE**

(16 & 18 Willow Avenue) *

9th Election District *

5th Council District *

16 Willow Avenue, LLC, *Owner* *

Petitioner *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2016-0133-SPHXA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of an amended Petition for Special Hearing, Special Exception and Variance filed on behalf of 16 Willow Ave. LLC, legal owner ("Petitioner"). A hearing was conducted originally in this case on March 3, 2016. At the conclusion of that hearing Petitioner determined it needed to file an amended zoning petition containing a request for a special exception in addition to the special hearing and variance requests filed in the original petition. A hearing on the amended petition was held on May 27, 2016.

The amended zoning petition seeks Special Hearing relief pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) to allow business parking in a residential zone; and (2) to confirm the parking as indicated and approved on the 3rd Refined Development Plan for Towson Manor PUD (PAI #9-805). In addition, Petitioner seeks the following variances: (1) to allow no screening for the existing parking area next to a residential zone; (2) to allow existing off street parking to be partially located on an adjacent property; (3) to allow a minimum setback for an existing paved surface to a lot line of 0 ft. in lieu of the 6 ft.; (4) to allow a minimum 0 ft. existing landscape buffer in lieu of 20 ft.; (5) to allow a minimum parking space setback to an existing building of 3 ft. in lieu of the permitted 6 ft.; (6) to allow existing

ORDER RECEIVED FOR FILING

Date

6-2-16

By

Sen

parking to remain at a distance of 0 ft. to the ultimate right-of-way of an existing road in lieu of 10 ft. ; (7) to allow a landscape buffer next to residential zoned property of a minimum of 5 ft. in lieu of 20 ft.; (8) to allow a landscape buffer next to any non-residentially zoned property of 0 ft. in lieu of 10 ft.; (9) to allow an amenity open space area of 0 sq. ft. in lieu of the required 7% (108 sq. ft. +/-) of the existing interior parking lot located within the RO zone; (10) to allow the existing building of 6,320 sq. ft. more or less (FAR 0.158) in lieu of 4,024.9 sq. ft. (FAR 0.33); (11) to allow existing off street parking to be allowed in the front yard; (12) to allow an existing front building setback of 21 ft. in lieu of 25 ft.; (13) to allow an existing side yard setback of 0 ft. in lieu of 10 ft.; and (14) to allow an existing rear yard setback of 18 ft. in lieu of 30 ft.

Finally, the petition for special exception seeks: (1) to use the herein described property for Class "B" Office Building (principal building and accessory parking spaces on Parcel "A"); and (2) to use the herein described property for Class "B" Office Building (accessory parking spaces on Parcel "B"). An amended site plan was marked and accepted into evidence as Petitioner's Exhibit 2.

Appearing at the public hearing in support of the requests was professional engineer David Thaler. Andrew L. Jiranek, Esq. represented the Petitioner. Several neighbors attended the hearing to obtain additional information and to express concerns regarding the requests. The original and amended Petitions were advertised and posted as required by the Baltimore County Code and B.C.Z.R. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Bureau of Development Plans Review (DPR).

The subject property is approximately 0.46 acres and is split-zoned RO, DR 5.5 and DR 16. The property is comprised of two distinct tax parcels known as Parcel 670 & Parcel 363. For purposes of this case the Petition and site plan reference "Parcel A" (approximately 0.45 acres) which is improved with a commercial office building and "Parcel B" (approximately 0.01 acres)

ORDER RECEIVED FOR FILING

which is an unimproved sliver of land which would be used for off-street parking in conjunction with the Towson Manor PUD project.

SPECIAL HEARING

The first special hearing request seeks to permit business parking in a residential zone. The parking proposed would be located on Parcel "A," which is zoned RO. The spaces would be used by clients and employees of Mr. Jiranek's law firm, which is located within the commercial building existing on Parcel "A." Mr. Jiranek explained that he acquired 18 Willow Ave. (corresponding to tax Parcel 363) in the last few years, and that he razed a dilapidated dwelling located thereon that had been used as a dormitory and fraternity for college students. Petitioner would create 14 off-street parking spaces on this parcel. Having heard the testimony and reviewed the plans, I find Petitioner has complied with the requirements set forth at B.C.Z.R. §409.8.B. To ensure the parking facility does not create an adverse impact upon the adjoining residential properties, conditions governing the use, hours of operation, landscaping and other requirements will be included in the final order, as contemplated by B.C.Z.R. §409.8.

The second special hearing request concerns certain off-street parking shown on the site plan and the PUD plan (Petitioner's No. 3) for the adjoining Towson Manor community. The plans show nine (9) spaces located in this area, which adjoins a private alley. These parking spaces already exist and the Petition merely seeks confirmation of the arrangement shown on the aforementioned plans, which will be granted.

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. Schultz v. Pritts, 291 Md. 1 (1981). The Schultz standard was revisited in People's Counsel v. Loyola College, 406 Md. 54 (2008), where the court

emphasized that a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use. Mr. Thaler testified that in his opinion the Petitioner satisfies all requirements set forth in B.C.Z.R. §502.1 and the cases interpreting that regulation.

One neighbor (Cindy Bothwell) objected to the requests and testified that granting the relief would result in the loss of green space and create additional traffic and pollution. While these concerns may be well-founded, I believe they are the type of impacts that are inherent in the operation of any commercial office building and are not unique to, or more pronounced at, this location. As such, I do not believe this testimony can override the presumption in favor of the special exception.

VARIANCES

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioner has met this test. The site is irregularly shaped and Petitioner must contend with long-existing site conditions. As such it is unique. Petitioner would experience practical difficulty if the regulations were strictly interpreted because it could not provide adequate parking for its business. Finally, I find that the variances (the bulk of which are sought to legitimize existing site conditions) can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare.

ORDER RECEIVED FOR FILING

Date

6-2-16

By

sln

THEREFORE, IT IS ORDERED this 2nd day of **June, 2016**, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R): (1) to allow business parking in a residential zone (Parcel "A"); and (2) to confirm the parking (i.e., nine (9) spaces) as indicated and approved on the 3rd Refined Development Plan for Towson Manor PUD (PAI #9-805) (Parcel "B"), be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Special Exception: (1) to use the herein described property for Class "B" Office Building (principal building and accessory parking spaces on Parcel "A"); and (2) to use the herein described property for Class "B" Office Building (accessory parking spaces on Parcel "B"), be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance: (1) to allow no screening for the existing parking area next to a residential zone; (2) to allow existing off street parking to be partially located on an adjacent property; (3) to allow a minimum setback for an existing paved surface to a lot line of 0 ft. in lieu of the required 6 ft.; (4) to allow a minimum 0 ft. existing landscape buffer in lieu of 20 ft.; (5) to allow a minimum parking space setback to an existing building of 3 ft. in lieu of the permitted 6 ft.; (6) to allow existing parking to remain at a distance of 0 ft. to the ultimate right-of-way of an existing road in lieu of 10 ft.; (7) to allow a landscape buffer next to residential zoned property of a minimum of 5 ft. in lieu of 20 ft.; (8) to allow a landscape buffer next to any non-residentially zoned property of 0 ft. in lieu of 10 ft.; (9) to allow an amenity open space area of 0 sq. ft. in lieu of the required 7% (108 sq. ft. +/-) of the existing interior parking lot located within the RO zone; (10) to allow the existing building of 6,320 sq. ft. more or less (FAR 0.158) in lieu of 4,024.9 sq. ft. (FAR 0.33); (11) to allow existing off street parking to be allowed in the front yard; (12) to allow an existing front building setback of 21 ft. in

ORDER RECEIVED FOR FILING

Date

6-2-16

By

sen

lieu of 25 ft.; (13) to allow an existing side yard setback of 0 ft. in lieu of 10 ft.; and (14) to allow an existing rear yard setback of 18 ft. in lieu of 30 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its 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, Petitioner would be required to return the subject property to its original condition.
2. Petitioner shall construct a gate to block driveway access to 18 Willow Avenue for evenings no later than 8pm, and during weekends; except the occupants and customers/clients of 16 Willow Avenue shall have access to said parking spaces.
3. The parking spaces at 18 Willow Avenue shall be limited to employees, tenants and customers/clients of the occupants at 16 Willow Avenue, or such office building on site, and shall not be leased, rented, donated or used by any others except residents of Towson Green via written agreement.
4. Petitioner shall construct a retaining wall and fence atop the retaining wall on the southern, northern, and eastern boundaries of 18 Willow Avenue as shown on Petitioner's site plan marked as Exhibits #1 and #2; said fence to be the same style, height and material to match the existing fence at 16 Willow Avenue; provided, however, that Petitioner shall reasonably accommodate the resident at 20 Willow Avenue regarding his view scape.
5. Petitioner will post a sign designating left turn only for motorists exiting the parking area at 18 Willow Avenue.
6. Petitioner will mount a security camera on the eastern side of the building at 16 Willow Avenue for surveillance of the parking area on 18 Willow Avenue; lighting on 16 Willow Avenue will be positioned and shaded as necessary to prevent lighting from being directed to the adjoining residential properties.

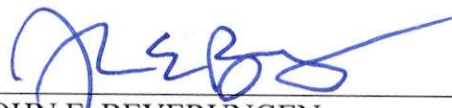
ORDER RECEIVED FOR FILING

Date 6-2-16

By Sen

7. If 16 and 18 Willow Avenue and after acquired property, if any, at 14 Willow Avenue, is zoned Residential Office or any other Residential Office, Office, Business, Commercial, or Manufacturing Zone (that is, any zone other than Residential) or District overlay, development and uses on such properties shall be limited to a Class B office building under the Residential Office (R.O.) Zone regulations and requirements in effect as of the date of this Order; this shall not preclude Petitioner from seeking variances or waivers for the construction of the Class B office building, as provided in Baltimore County zoning and development regulations and under the procedures in effect for obtaining the same, including public notice and public hearings as required.
8. Petitioner shall notify Baltimore County agencies and Councilman David Marks that it wishes to amend its request to rezone its property to request only a rezoning of 18 Willow to R.O. As is its right, Petitioner reserves the right to later seek an amendment and modification of these conditions based on subsequent developments and the unique characteristics of its properties vis a vis adjoining properties and the development of Towson Green. These conditions are without prejudice to Petitioner or any other party to seek a further rezoning of the properties at issue. The parties recognize that these properties are in a transitional area bounded by a newly created PUD and Towson commercial properties, and shall strive to work together to accommodate their respective uses, while at the same time promoting harmonious and considerate relations with one another.
9. Prior to issuance of permits, Petitioner must submit for approval by Baltimore County landscape and lighting plans for the site.

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 6-2-16

By slh



AMENDED

PARCEL "A"
PETITION FOR ZONING HL. REQ(S)

SITE PLAN DOES NOT CHANGE

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 16 & 18 Willow Avenue, Towson, MD 21286 which is presently zoned RO, DR 5.5, R16

Deed References: Liber 21307 Folio 134 10 Digit Tax Account # 09 13 203202

Property Owner(s) Printed Name(s) 16 Willow Avenue, LLC and 0911000250

Liber 35167 Folio 00455

(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:

AMENDED PETITION FOR PARCEL "A". SITE PLAN DOES NOT CHANGE!

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 Exhibit attached hereto.

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

Class "B" Office Building (principal building and accessory parking spaces on Parcel "A")

3. ☒ a Variance from Section(s)

See Exhibit attached hereto

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:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

16 Willow Avenue, LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Andrew L Jiranek, ESQ

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER

2016-0133 SP11A

Filing Date

11/25/2015

Do Not Schedule Dates:

Reviewer JNP

PARCEL 'A':

VARIANCE REQUESTS:

- ① TO ALLOW NO SCREENING FOR THE EXISTING PARKING AREA NEXT TO A RESIDENTIAL ZONE REQUIRED BY SECTION 204.4.C.9.a. (BCZR).
- ② TO ALLOW EXISTING OFF STREET PARKING TO BE PARTIALLY LOCATED ON AN ADJACENT PROPERTY REQUIRED BY SECTION 409.7.B.2. (BCZR) AND SECTION 204.3.C.2. (BCZR)
- ③ TO ALLOW A MINIMUM SETBACK FOR AN EXISTING PAVED SURFACE TO A LOT LINE OF 0 FEET IN LIEU OF 6 FEET REQUIRED BY SECTION 409.8.A.1 (BCZR).
- ④ TO ALLOW A MINIMUM 0 FOOT EXISTING LANDSCAPE BUFFER IN LIEU OF 20 FEET REQUIRED BY SECTION 204.4.C.9.c.(1) (BCZR)
- ⑤ TO ALLOW A MINIMUM PARKING SPACE SETBACK TO AN EXISTING BUILDING OF 3 FEET IN LIEU OF THE PERMITTED 6 FEET REQUIRED BY SECTION 409.8.A.1 (BCZR).
- ⑥ TO ALLOW EXISTING PARKING TO REMAIN AT A DISTANCE OF 0 FEET TO THE ULTIMATE RIGHT-OF-WAY OF AN EXISTING ROAD IN LIEU OF 10 FEET REQUIRED BY SECTION 409.8.A.4. (BCZR).
- ⑦ TO ALLOW A LANDSCAPE BUFFER NEXT TO RESIDENTIAL ZONED PROPERTY OF A MINIMUM OF 5 FEET IN LIEU OF 20 FEET REQUIRED BY SECTION 204.4.C.9.c.(1) (BCZR).
- ⑧ TO ALLOW A LANDSCAPE BUFFER NEXT TO ANY NON RESIDENTIALLY ZONED PROPERTY OF A 0 FOOT IN LIEU OF 10 FEET REQUIRED BY SECTION 204.4.C.9.c.(2) (BCZR).
- ⑨ TO ALLOW AN AMENITY OPEN SPACE AREA OF 0 SF IN LIEU OF THE REQUIRED 7% (108 SF+) OF THE EXISTING INTERIOR PARKING LOT LOCATED WITH THE RO ZONE REQUIRED BY SECTION 204.4.C.6. (BCZR)
- ⑩ TO ALLOW THE EXISTING BUILDING OF 6320 SF MORE OR LESS (FAR 0.518) IN LIEU OF 4,024.9 SF (FAR 0.33) REQUIRED BY SECTION 204.4.C.1. (BCZR)
- ⑪ TO ALLOW EXISTING OFF STREET PARKING TO BE ALLOWED IN THE FRONT YARD REQUIRED BY SECTION 204.3.C.2. (BCZR).
- ⑫ TO ALLOW AN EXISTING FRONT BUILDING SETBACK OF 21 FEET IN LIEU OF 25 FEET REQUIRED BY SECTION 204.4.C.3. (BCZR).
- ⑬ TO ALLOW AN EXISTING SIDE YARD SETBACK OF 0 FEET IN LIEU OF 10 FEET REQUIRED BY SECTION 204.4.C.4. (BCZR).
- ⑭ TO ALLOW AN EXISTING REAR YARD SETBACK OF 18 FEET IN LIEU OF 30 FEET REQUIRED BY SECTION 204.4.C.5. (BCZR).

SPECIAL HEARING:

TO ALLOW BUSINESS PARKING IN A RESIDENTIAL ZONE AS PER SECTION 409.8.B. (BCZR).

2016-0133-SPHA

PARCEL "B"

SITE PLAN DOES NOT CHANGE



AMENDED 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: 16 Willow Avenue, Towson, MD which is presently zoned DR16 and

Deed References: _____

10 Digit Tax Account # _____

Property Owner(s) Printed Name(s) _____

BA Towson Green, LLC

(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:

AMENDED PETITION FOR PARCEL "B". SITE PLAN DOES NOT CHANGE!

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
Class "B" Office Building (accessory parking spaces on Parcel "B")

3. _____ 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)

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 16 Willow Avenue, LLC

Name - Type or Print

Andrew L Jiraneck

Signature

16 Willow Avenue Towson MD

Mailing Address

City

State

21286

410 769 9070

ajiraneck@jiraneckcompany.com

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name - Type or Print

Andrew L Jiraneck

Signature

16 Willow Avenue Towson MD

Mailing Address

City

State

21286

410 769 9070

ajiraneck@jiraneckcompany.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

BA Towson Green, LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

7850 Walker Ave, Suite 400, Greenbelt, MD 20770

BA Towson Green, LLC

Mailing Address

City

State

20770

410 769 9070

ajiraneck@jiraneckcompany.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Andrew L Jiraneck, ESQ

Name - Type or Print

Andrew L Jiraneck

Signature

16 Willow Avenue Towson MD

Mailing Address

City

State

21286

410 769 9070

ajiraneck@jiraneckcompany.com

Zip Code

Telephone #

Email Address

CASE NUMBER

2016-0133-SPHA

Filing Date

11/25/2015

Do Not Schedule Dates: _____

Reviewer

JNP

PARCEL 'B':

SPECIAL HEARING:

TO CONFIRM THE PARKING AS INDICATED AND APPROVED
ON THE 3RD REFINED DEVELOPMENT PLAN FOR TOWSON
MANOR FUD (PAI #4-805) AND AS NOTED PER THE
DEVELOPMENT PLAN REVIEW NOTE #21.

2016-0133-SPHA



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 16 & 18 Willow Avenue, Towson, MD 21286 which is presently zoned RO, DR5.5, M16

Deed References: Liber 0029307 Folio 134 10 Digit Tax Account # 09 1 3 2 0 3 2 0 2

Property Owner(s) Printed Name(s) 16 Willow Avenue, LLC and 0911000250

Liber 35167 Folio 00455

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

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

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

See Exhibit attached hereto.

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 Exhibit attached hereto

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)

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

16 Willow Avenue, LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

16 Willow Avenue Towson MD

Mailing Address City State

21286, 410 769 9070 ajiranek@jiranekcompany.com

Zip Code Telephone # Email Address

Representative to be contacted:

Andrew L Jiranek

Name - Type or Print

Signature

16 Willow Avenue Towson MD

Mailing Address City State

21286, 410 769 9070 ajiranek@jiranekcompany.com

Zip Code Telephone # Email Address

CASE NUMBER 2016-0133-SPHA Filing Date 11/25/2015

Do Not Schedule Dates:

Reviewer JNP

PARCEL 'A':

VARIANCE REQUESTS:

- ① TO ALLOW NO SCREENING FOR THE EXISTING PARKING AREA NEXT TO A RESIDENTIAL ZONE REQUIRED BY SECTION 204.4.C.9.a. (BCZR).
- ② TO ALLOW EXISTING OFF STREET PARKING TO BE PARTIALLY LOCATED ON AN ADJACENT PROPERTY REQUIRED BY SECTION 409.7.B.2. (BCZR) AND SECTION 204.3.C.2. (BCZR)
- ③ TO ALLOW A MINIMUM SETBACK FOR AN EXISTING PAVED SURFACE TO A LOT LINE OF 0 FEET IN LIEU OF 6 FEET REQUIRED BY SECTION 409.8.A.1 (BCZR).
- ④ TO ALLOW A MINIMUM 0 FOOT EXISTING LANDSCAPE BUFFER IN LIEU OF 20 FEET REQUIRED BY SECTION 204.4.C.9.c.(1) (BCZR)
- ⑤ TO ALLOW A MINIMUM PARKING SPACE SETBACK TO AN EXISTING BUILDING OF 3 FEET IN LIEU OF THE PERMITTED 6 FEET REQUIRED BY SECTION 409.8.A.1 (BCZR).
- ⑥ TO ALLOW EXISTING PARKING TO REMAIN AT A DISTANCE OF 0 FEET TO THE ULTIMATE RIGHT-OF-WAY OF AN EXISTING ROAD IN LIEU OF 10 FEET REQUIRED BY SECTION 409.8.A.4. (BCZR).
- ⑦ TO ALLOW A LANDSCAPE BUFFER NEXT TO RESIDENTIAL ZONED PROPERTY OF A MINIMUM OF 5 FEET IN LIEU OF 20 FEET REQUIRED BY SECTION 204.4.C.9.c.(1) (BCZR).
- ⑧ TO ALLOW A LANDSCAPE BUFFER NEXT TO ANY NON RESIDENTIALLY ZONED PROPERTY OF A 0 FOOT IN LIEU OF 10 FEET REQUIRED BY SECTION 204.4.C.9.c.(2) (BCZR) .
- ⑨ TO ALLOW AN AMENITY OPEN SPACE AREA OF 0 SF IN LIEU OF THE REQUIRED 1% (108 SF±) OF THE EXISTING INTERIOR PARKING LOT LOCATED WITH THE RO ZONE REQUIRED BY SECTION 204.4.C.6. (BCZR)
- ⑩ TO ALLOW THE EXISTING BUILDING OF 6,320 SF MORE OR LESS (FAR .0518) IN LIEU OF 4,024.9 SF (FAR 0.33) REQUIRED BY SECTION 204.4.C.1. (BCZR)
- ⑪ TO ALLOW EXISTING OFF STREET PARKING TO BE ALLOWED IN THE FRONT YARD REQUIRED BY SECTION 204.3.C.3. (BCZR).
- ⑫ TO ALLOW AN EXISTING FRONT BUILDING SETBACK OF 21 FEET IN LIEU OF 25 FEET REQUIRED BY SECTION 204.4.C.3. (BCZR).
- ⑬ TO ALLOW AN EXISTING SIDE YARD SETBACK OF 0 FEET IN LIEU OF 10 FEET REQUIRED BY SECTION 204.4.C.4. (BCZR) .
- ⑭ TO ALLOW AN EXISTING REAR YARD SETBACK OF 18 FEET IN LIEU OF 30 FEET REQUIRED BY SECTION 204.4.C.5. (BCZR).

SPECIAL HEARING:

TO ALLOW BUSINESS PARKING IN A RESIDENTIAL ZONE AS PER SECTION 409.8.B. (BCZR).

2016-0133-SAKA

PARCEL "1"

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: 16 Willow Avenue, Towson, MD which is presently zoned DR16 and

Deed References: _____

10 Digit Tax Account # _____

Property Owner(s) Printed Name(s) _____

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT 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)

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)

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 16 Willow Avenue, LLC

Name - Type or Print

Andrew L. Jiraneck

Signature

16 Willow Avenue Towson MD

Mailing Address

City

State

21286, 410 769 9070, ajiraneck@ajiraneckcompany.com

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

BA Towson Green, LLC

Name #1 - Type or Print

Name #2 - Type or Print

Andrew L. Jiraneck

Pres. and, Rosendo

Signature #1

Signature #2

7850 Walker Ave, Suite 400, Greenbelt, MD 20770

Mailing Address

City

State

20770, 410 769 9070, ajiraneck@ajiraneckcompany.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Andrew L. Jiraneck

Name - Type or Print

Signature

16 Willow Avenue Towson MD

Mailing Address

City

State

21286, 410 769 9070, ajiraneck@ajiraneckcompany.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2016-0133-SPHA Filing Date 11/25/2015 Do Not Schedule Dates: _____

Reviewer JNP

REV. 10/4/11

PARCEL 'B':

SPECIAL HEARING:

TO CONFIRM THE PARKING AS INDICATED AND APPROVED
ON THE 3RD REFINED DEVELOPMENT PLAN FOR TOWSON
MANOR FUD (PAI #4-805) AND AS NOTED PER THE
DEVELOPMENT PLAN REVIEW NOTE #21.

OLD

2016-0133-SAH

August 12, 2015

16-18 Willow Avenue (parcel 'A')
(Description for Zoning purposes only)

Beginning for a point located approximately 91 feet west of the centerline intersection of Willow Avenue and Meridian Lane, thence running the following eight (8) courses and distances:

1. South 00°04'51" East 178.71 feet to a point thence;
2. South 84°06'10" West 142.34 feet to a point thence;
3. North 01°14'31" East 53.76 feet to a point thence;
4. North 87°46'25" West 6.00 feet to a point thence;
5. North 01°14'31" East 19.00 feet to a point thence;
6. South 87°46'25" East 55.50 feet to a point thence;
7. North 00°10'14" East 122.38 feet to a point thence;
8. North 89°55'09" East 89.93 feet to a point of beginning.

Containing 0.46 acres of land, more or less.

Located within the Fifth Councilmanic District and Ninth Election District of Baltimore County, Maryland.



2016-0133-JAH4

November 19, 2015

South of
16 Willow Avenue (parcel 'B')
(Description for Zoning purposes only)

Beginning for a point located approximately 149 feet west of the centerline intersection of an Alley and Meridian Lane, thence running the following four (4) courses and distances:

1. South 85°59'33" West 97.29 feet to a point thence;
2. North 01°14'31" East 5.34 feet to a point thence;
3. North 84°06'10" East 96.86 feet to a point thence;
4. South 04°00'27" East 8.51 feet to a point of beginning.

Containing 0.01 acres of land, more or less.

Located within the Fifth Councilmanic District and Ninth Election District of Baltimore County, Maryland.

II:\CORRESPONDENCE\PROJECTS\WILLOW AVENUE\ZONING DESCRIPTION-BOZZUTO.DOCX



2016-0133-SPHA



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 4152486

Sold To:

Andrew Jiranek - CU00511866
16 Willow Ave
Towson, MD 21286-5201

Bill To:

Andrew Jiranek - CU00511866
16 Willow Ave
Towson, MD 21286-5201

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

May 05, 2016

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: # 2016-0133-SPHA

16 & 18 Willow Avenue

Parcel A S/s Willow Avenue, 91 ft. w/of Meridian Lane,
Parcel B 178 ft. s/of Willow Avenue w/of Meridian Ln.

9th Election District - 5th Councilmanic District

Legal Owner(s) 16 Willow Avenue, LLC

VARIANCE: Parcel "A" 1. To allow no screening for the existing parking area next to a residential zone; 2. To allow existing off street parking to be partially located on an adjacent property; 3. To allow a minimum setback for an existing paved surface to a lot line of 0 ft. in lieu of the 6 ft.; 4. To allow a minimum 0 ft. existing landscape buffer in lieu of 20 ft.; 5. To allow a minimum parking space setback to an existing building of 3 ft in lieu of the permitted 6 ft.; 6. To allow existing parking to remain at a distance of 0 ft. to the ultimate right-of-way of an existing road in lieu of 10 ft.; 7. To allow a landscape buffer next to residential zoned property of a minimum of 5 ft. in lieu of 20 ft.; 8. To allow a landscape buffer next to any non-residentially zoned property of a 0 ft. in lieu of 10 ft.; 9. To allow an amenity open space area of 0 sq. ft. in lieu of the required 7% (108 sq. ft. +/-) of the existing interior parking lot located with the RO zone; 10. To allow the existing building of 6,320 sq. ft. more or less (Far 0.158) in lieu of 4,024.9 sq. ft. (Far 0.33); 11. To allow existing off-street parking to be allowed in the front yard; 12. To allow an existing front building setback of 21 ft. in lieu of 25 ft.; 13. To allow an existing side yard setback of 0 ft. in lieu of 10 ft.; 14. To allow an existing rear yard setback of 18 ft. in lieu of 30 ft. **SPECIAL HEARING:**

Parcel "A" 1. To allow business parking in a residential zone. Parcel "B" 1. To confirm the parking as indicated and approved on the 3rd Refined Development Plan for Towson Manor PUD (PAI #9-805) and as noted per the Development Plan Review Note #21.

SPECIAL EXCEPTION: Parcel "A" 1. To use the herein described property for Class "B" Office Building (principal building and accessory parking spaces on Parcel "A") Parcel "B" 1. To use the herein described property for Class "B" Office Building (accessory parking spaces on Parcel "B").

Hearing: Friday, May 27, 2016 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.

5/032 May 5

4152486

The Baltimore Sun Media Group

By

S. Wilkinson

Legal Advertising

CERTIFICATE OF POSTING

2016-0133-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

16 Willow Ave LLC

May 27, 2016

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

16 & 18 Willow Ave

May 7, 2016

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

Sincerely,



(Signature of Sign Poster)

May 7, 2016

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





KEVIN KAMENETZ
County Executive

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

NEW NOTICE OF ZONING HEARING

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

CASE NUMBER: 2016-0133-SPHA

16 & 18 Willow Avenue

Parcel A S/s Willow Avenue, 91 ft. w/of Meridian Lane, Parcel B 178 ft. s/of Willow Avenue w/of Meridian Ln.

9th Election District – 5th Councilmanic District

Legal Owners: 16 Willow Avenue, LLC

Variance Parcel "A" 1. To allow no screening for the existing parking area next to a residential zone; 2. To allow existing off street parking to be partially located on an adjacent property; 3. To allow a minimum setback for an existing paved surface to a lot line of 0 ft. in lieu of the 6 ft.; 4. To allow a minimum 0 ft. existing landscape buffer in lieu of 20 ft.; 5. To allow a minimum parking space setback to an existing building of 3 ft. in lieu of the permitted 6 ft.; 6. To allow existing parking to remain at a distance of 0 ft. to the ultimate right-of-way of an existing road in lieu of 10 ft.; 7. To allow a landscape buffer next to residential zoned property of a minimum of 5 ft. in lieu of 20 ft.; 8. To allow a landscape buffer next to any non-residentially zoned property of a 0 ft. in lieu of 10 ft.; 9. To allow an amenity open space area of 0 sq. ft. in lieu of the required 7% (108 sq. ft. +/-) of the existing interior parking lot located with the RO zone; 10. To allow the existing building of 6,320 sq. ft. more or less (Far 0.158) in lieu of 4,024.9 sq. ft. (Far 0.33); 11. To allow existing off street parking to be allowed in the front yard; 12. To allow an existing front building setback of 21 ft. in lieu of 25 ft.; 13. To allow an existing side yard setback of 0 ft. in lieu of 10 ft.; 14. To allow an existing rear yard setback of 18 ft. in lieu of 30 ft. **Special Hearing** Parcel "A" 1. To allow business parking in a residential zone. Parcel "B"

1. To confirm the parking as indicated and approved on the 3rd Refined Development Plan for Towson Manor PUD (PAI #9-805) and as noted per the Development Plan Review Note #21. **Special Exception** Parcel "A"

1. To use the herein described property for Class "B" Office Building (principal building and accessory parking spaces on Parcel "A") Parcel "B" 1. To use the herein described property for Class "B" Office Building (accessory parking spaces on Parcel "B").

Hearing: Friday, May 27, 2016 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204.

Arnold Jablon
Director

AJ:kl

C: Andrew Jiranek, 16 Willow Avenue, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 7, 2016.

(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 Review | County Office Building

111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048

www.baltimorecountymd.gov

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 5, 2016 Issue - Jeffersonian

Please forward billing to:
Andrew Jiranek
16 Willow Avenue
Towson, MD 21286

410-769-9070

CORRECTED 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: 2016-0133-SPHA

16 & 18 Willow Avenue

Parcel A S/s Willow Avenue, 91 ft. w/of Meridian Lane, Parcel B 178 ft. s/of Willow Avenue w/of Meridian Ln.

9th Election District – 5th Councilmanic District

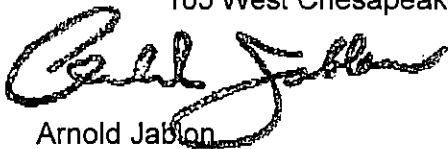
Legal Owners: 16 Willow Avenue, LLC

Variance Parcel "A" 1. To allow no screening for the existing parking area next to a residential zone; 2. To allow existing off street parking to be partially located on an adjacent property; 3. To allow a minimum setback for an existing paved surface to a lot line of 0 ft. in lieu of the 6 ft.; 4. To allow a minimum 0 ft. existing landscape buffer in lieu of 20 ft. ; 5. To allow a minimum parking space setback to an existing building of 3 ft. in lieu of the permitted 6 ft.; 6. To allow existing parking to remain at a distance of 0 ft. to the ultimate right-of-way of an existing road in lieu of 10 ft. ; 7. To allow a landscape buffer next to residential zoned property of a minimum of 5 ft. in lieu of 20 ft.; 8. To allow a landscape buffer next to any non-residentially zoned property of a 0 ft. in lieu of 10 ft.; 9. To allow an amenity open space area of 0 sq. ft. in lieu of the required 7% (108 sq. ft. +/-) of the existing interior parking lot located with the RO zone; 10. To allow the existing building of 6,320 sq. ft. more or less (Far 0.158) in lieu of 4,024.9 sq. ft. (Far 0.33); 11. To allow existing off street parking to be allowed in the front yard; 12. To allow an existing front building setback of 21 ft. in lieu of 25 ft.; 13. To allow an existing side yard setback of 0 ft. in lieu of 10 ft.; 14. To allow an existing rear yard setback of 18 ft. in lieu of 30 ft. **Special Hearing** Parcel "A" 1. To allow business parking in a residential zone. Parcel "B"

1. To confirm the parking as indicated and approved on the 3rd Refined Development Plan for Towson Manor PUD (PAI #9-805) and as noted per the Development Plan Review Note #21. **Special Exception** Parcel "A"

1. To use the herein described property for Class "B" Office Building (principal building and accessory parking spaces on Parcel "A") Parcel "B" 1. To use the herein described property for Class "B" Office Building (accessory parking spaces on Parcel "B").

Hearing: Friday, May 27, 2016 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.

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: March 15, 2016

TO: Kristen Lewis, Office of Zoning Review
Department of Permits, Approvals & Inspections (PAI)

FROM: Debbie Wiley 
Office of Administrative Hearings

RE: Petitions for Special Hearing and Variance
Case No. 2016-0133-SPHA – 16 & 18 Willow Avenue, 21286

As you may be aware, the above-referenced case was scheduled for Thursday, March 3, 2016 at 1:30 PM; however, after much discussion with counsel, it appears that the Petitioner will file an amended zoning petition.

The property must be posted with the date of the new hearing, but it is not necessary for Petitioner to again publish in the newspaper.

Please refer to Judge Beverungen's email on March 14, 2016 for specific details.

Our office is returning the file to you for further processing.

Thanks.

c: Office of People's Counsel

Debra Wiley

From: John E. Beverungen
Sent: Monday, March 14, 2016 2:19 PM
To: ajiranek@jiranekcompany.com; caroledemilio@verizon.net
Cc: Debra Wiley; Sherry Nuffer; Kristen L Lewis
Subject: Case No. 2016-0133-SPHA

Counsel,

Thanks for sending me the status update on the above case. If I understand correctly, Petitioner will file an **amended** zoning petition in this case wherein special exception (for Class B Office bldg.), variance and/or special hearing (commercial parking in a residential zone) relief is sought.

As such, I will take no action on the current petition and return the file to the Department of PAI, so that they can reschedule the case for a hearing on the amended petition. The property must be posted with the date of the new hearing, but it is not necessary for Petitioner to again publish the hearing date in the newspaper.

John Beverungen
ALJ

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

No. **136547**
 Date: **3/18/2016**

PAID/RECEIPT

BUSINESS ACTION TIME DAY
 3/21/2016 3/18/2016 14:28:43 1
 MD 8501 WALKIN LEYS LIR
 RECEIPT # 445403 3/18/2016 0812
 Det 5 520 20010 VERIFICATION
 NO. 136547

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
1001	806	0000		6150				250.00

Recpt Tot. 1250.00
 \$250.00 LI 4.00 CA
 Baltimore County, Maryland

Total: **250.00**

Rec From: **16 Willow Avenue, LLC**

For: **Amended Petition - 16-18 Willow Ave.**
2016-0133-SPHMA (16 WILLOW AVENUE, LLC)

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

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

No. **132579**

Date: **11/25/2015**

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Sub Obj	Dept Obj	BS Acct	Amount
001	206	0000		6150				1000.00

Total: **1000.00**

Rec From: **16 WILLOW AVE. UNIT 111 / 84 TOWSON GREEN LLC**

For: **Special Planning & Dev. - 11-18 Willow Ave
 2016-013-SPED (11-18-15) Willow Ave Unit 111 / 84 TOWSON GREEN LLC**

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME ORN
 11/25/2015 11/25/2015 11:04:24 2
 16 0002 WALKER DEVA JEE
 RECEIPT # 949077 11/25/2015 OFLI
 5 528 ZONING VERIFICATION
 132579
 Recpt Tot \$1,000.00
 \$1,000.00 CR \$1.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**



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 3945174

Sold To:

Andrew Jiranek - CU00511866
16 Willow Ave
Towson, MD 21286-5201

Bill To:

Andrew Jiranek - CU00511866
16 Willow Ave
Towson, MD 21286-5201

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

Feb 11, 2016

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: # 2016-0133-SPHA

16 & 18 Willow Avenue
Parcel A S/s Willow Avenue, 91 ft. w/of Meridian Lane,
Parcel B 178 ft. s/of Willow Avenue w/of Meridian Ln.
9th Election District - 5th Councilmanic District
Legal Owner(s) 16 Willow Avenue, LLC

Special Hearing: Parcel "A" to allow business parking in a residential zone; Parcel "B" to confirm the parking as indicated and approved on the 3rd Refined Development Plan for Towson Manor PUD (PAI #9-805) and as noted per the Development Plan Review Note #21.

Variance: Parcel "A" to allow no screening for the existing parking area next to a residential zone; and to allow existing off street parking to be partially located on an adjacent property; and to allow a minimum setback for an existing paved surface to a lot line of 0 ft. in lieu of the 6 ft.; and to allow a minimum 0 ft. existing landscape buffer in lieu of 20 ft.; and to allow a minimum parking space setback to an existing building of 3 ft. in lieu of the permitted 6 ft.; and to allow existing parking to remain at a distance of 0 ft. to the ultimate right-of-way of an existing road in lieu of 10 ft.; and to allow a landscape buffer next to residential zoned property of a minimum of 5 ft. in lieu of 20 ft.; and to allow a landscape buffer next to any non-residentially zoned property of a 0 ft. in lieu of 10 ft.; and to allow an amenity open space area of 0 sq. ft. in lieu of the required 7% (108 sq. ft. +/-) of the existing interior parking lot located with the RO zone; and to allow the existing building of 6,320 sq. ft. more or less (Far 0.158) in lieu of 4,024.9 sq. ft. (Far 0.33); and to allow existing off street parking to be allowed in the front yard; and to allow an existing front building setback of 21 ft. in lieu of 25 ft.; and to allow an existing side yard setback of 0 ft. in lieu of 10 ft.; and to allow an existing rear yard setback of 18 ft. in lieu of 30 ft.

Hearing: Thursday, March 3, 2016 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.

2/074 February 11

3945174

The Baltimore Sun Media Group

By

S. Wilkinson

Legal Advertising

CERTIFICATE OF POSTING

2016-0133-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

16 Willow Avenue, LLC

March 3, 2016

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

16 & 18 Willow Ave

February 12, 2016

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

Sincerely,

 February 12, 2016

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

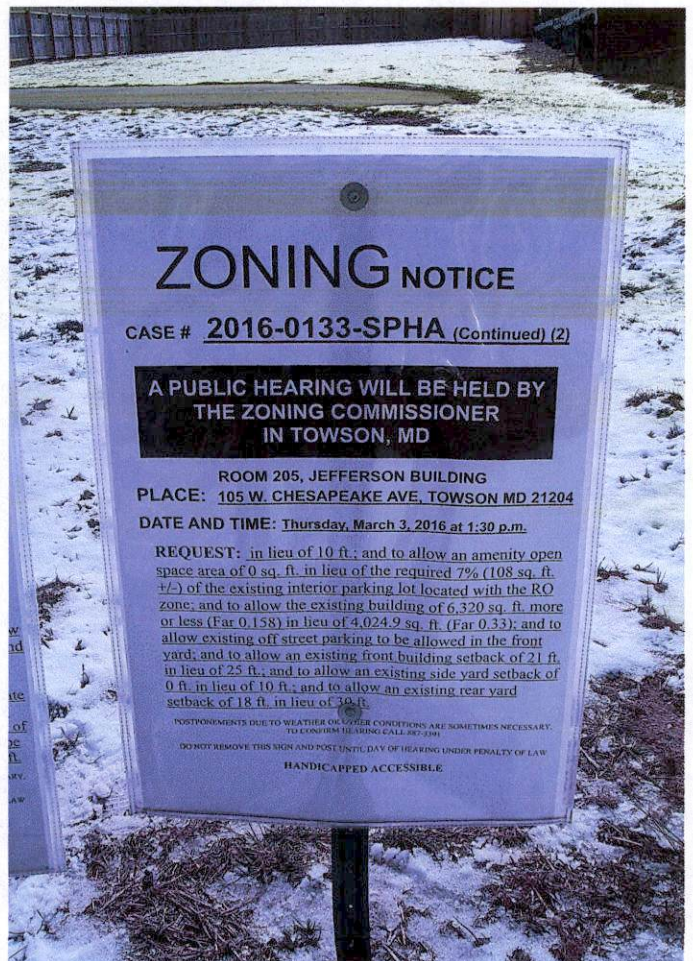
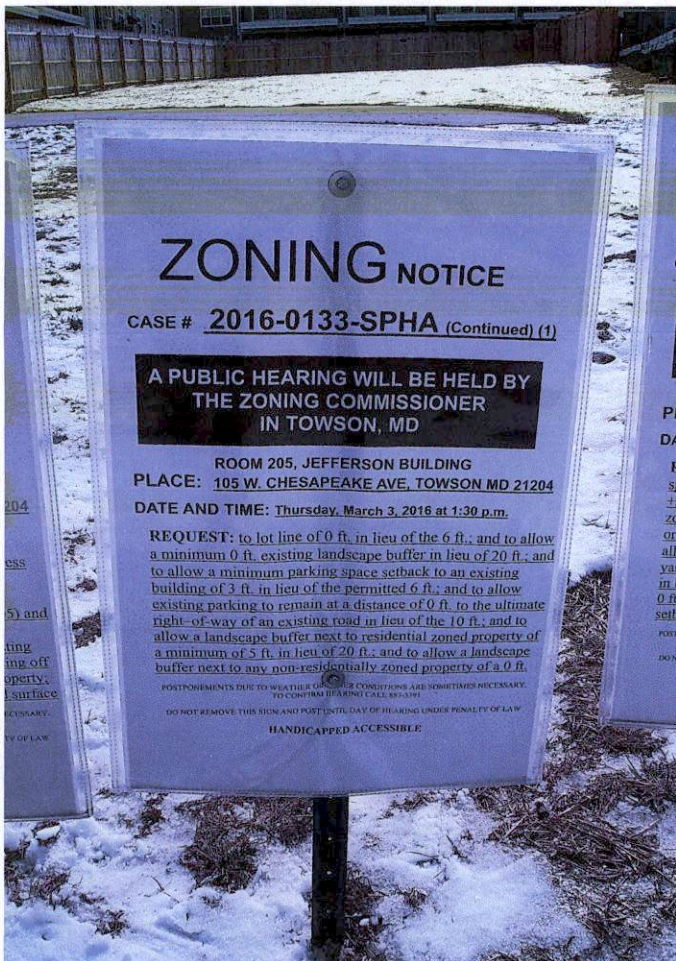
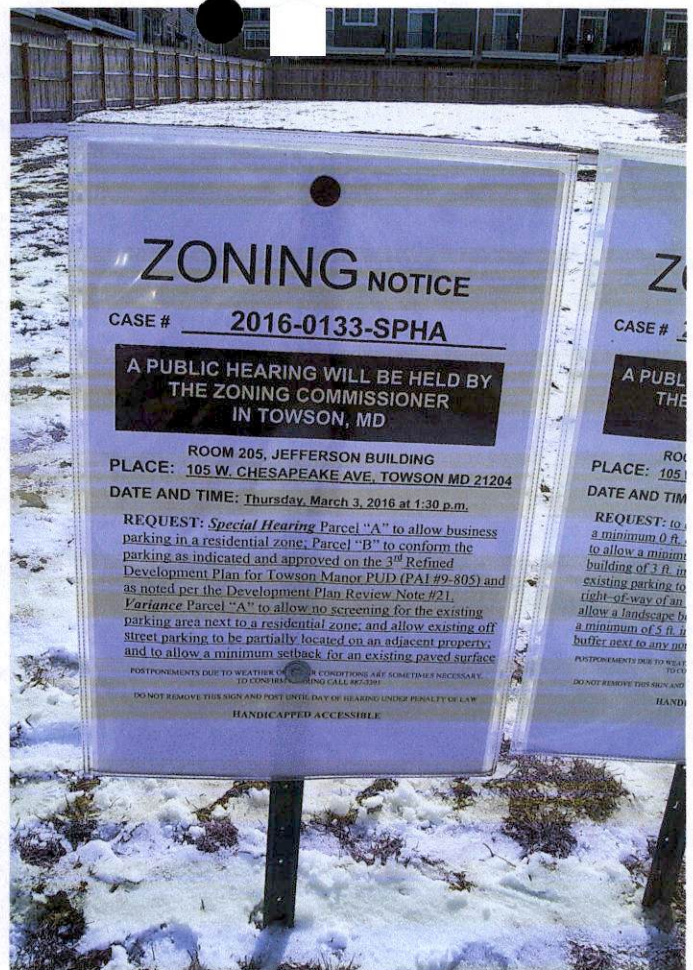
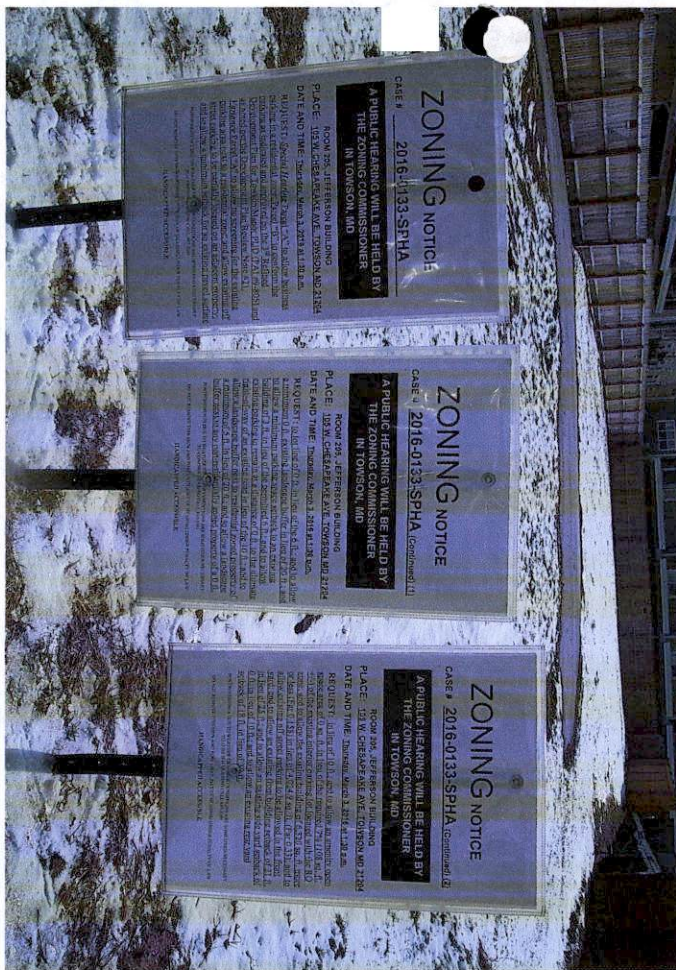
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



TO: PATUXENT PUBLISHING COMPANY
Thursday, February 11, 2016 Issue - Jeffersonian

Please forward billing to:
Andrew Jiranek
16 Willow Avenue
Towson, MD 21286

410-769-9070

CORRECTED 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: 2016-0133-SPHA

16 & 18 Willow Avenue

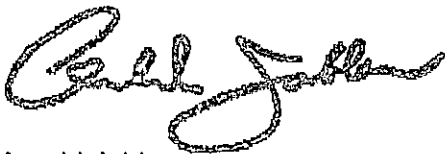
Parcel A S/s Willow Avenue, 91 ft. w/of Meridian Lane, Parcel B 178 ft. s/of Willow Avenue w/of Meridian Ln.

9th Election District – 5th Councilmanic District

Legal Owners: 16 Willow Avenue, LLC

Special Hearing Parcel "A" to allow business parking in a residential zone; Parcel "B" to confirm the parking as indicated and approved on the 3rd Refined Development Plan for Towson Manor PUD (PAI #9-805) and as noted per the Development Plan Review Note #21. **Variance** Parcel "A" to allow no screening for the existing parking area next to a residential zone; and to allow existing off street parking to be partially located on an adjacent property; and to allow a minimum setback for an existing paved surface to a lot line of 0 ft. in lieu of the 6 ft.; and to allow a minimum 0 ft. existing landscape buffer in lieu of 20 ft.; and to allow a minimum parking space setback to an existing building of 3 ft. in lieu of the permitted 6 ft.; and to allow existing parking to remain at a distance of 0 ft. to the ultimate right-of-way of an existing road in lieu of 10 ft. ; and to allow a landscape buffer next to residential zoned property of a minimum of 5 ft. in lieu of 20 ft.; and to allow a landscape buffer next to any non-residentially zoned property of a 0 ft. in lieu of 10 ft.; and to allow an amenity open space area of 0 sq. ft. in lieu of the required 7% (108 sq. ft. +/-) of the existing interior parking lot located with the RO zone; and to allow the existing building of 6,320 sq. ft. more or less (Far 0.158) in lieu of 4,024.9 sq. ft. (Far 0.33); and to allow existing off street parking to be allowed in the front yard; and to allow an existing front building setback of 21 ft. in lieu of 25 ft.; and to allow an existing side yard setback of 0 ft. in lieu of 10 ft.; and to allow an existing rear yard setback of 18 ft. in lieu of 30 ft.

Hearing: Thursday, March 3, 2016 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.



KEVIN KAMENETZ
County Executive

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

December 30, 2015

NEW NOTICE OF ZONING HEARING

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

CASE NUMBER: 2016-0133-SPHA

16 & 18 Willow Avenue

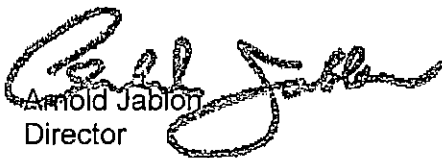
Parcel A S/s Willow Avenue, 91 ft. w/of Meridian Lane, Parcel B 178 ft. s/of Willow Avenue w/of Meridian Ln.

9th Election District – 5th Councilmanic District

Legal Owners: 16 Willow Avenue, LLC

Special Hearing Parcel "A" to allow business parking in a residential zone; Parcel "B" to confirm the parking as indicated and approved on the 3rd Refined Development Plan for Towson Manor PUD (PAI #9-805) and as noted per the Development Plan Review Note #21. **Variance** Parcel "A" to allow no screening for the existing parking area next to a residential zone; and to allow existing off street parking to be partially located on an adjacent property; and to allow a minimum setback for an existing paved surface to a lot line of 0 ft. in lieu of the 6 ft.; and to allow a minimum 0 ft. existing landscape buffer in lieu of 20 ft.; and to allow a minimum parking space setback to an existing building of 3 ft. in lieu of the permitted 6 ft.; and to allow existing parking to remain at a distance of 0 ft. to the ultimate right-of-way of an existing road in lieu of 10 ft. ; and to allow a landscape buffer next to residential zoned property of a minimum of 5 ft. in lieu of 20 ft.; and to allow a landscape buffer next to any non-residentially zoned property of a 0 ft. in lieu of 10 ft.; and to allow an amenity open space area of 0 sq. ft. in lieu of the required 7% (108 sq. ft. +/-) of the existing interior parking lot located with the RO zone; and to allow the existing building of 6,320 sq. ft. more or less (Far 0.158) in lieu of 4,024.9 sq. ft. (Far 0.33); and to allow existing off street parking to be allowed in the front yard; and to allow an existing front building setback of 21 ft. in lieu of 25 ft.; and to allow an existing side yard setback of 0 ft. in lieu of 10 ft.; and to allow an existing rear yard setback of 18 ft. in lieu of 30 ft.

Hearing: Thursday, March 3, 2016 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: Andrew Jiranek, 16 Willow Avenue, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, FEBRUARY 12, 2016**
- (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 Review | County Office Building

111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048

www.baltimorecountymd.gov



KEVIN KAMENETZ
County Executive

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

December 7, 2015

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: 2016-0133-SPHA

16 & 18 Willow Avenue

Parcel A S/s Willow Avenue, 91 ft. w/of Meridian Lane, Parcel B 178 ft. s/of Willow Avenue w/of Meridian Ln.

9th Election District – 5th Councilmanic District

Legal Owners: 16 Willow Avenue, LLC

Special Hearing Parcel "A" to allow business parking in a residential zone; Parcel "B" to confirm the parking as indicated and approved on the 3rd Refined Development Plan for Towson Manor PUD (PAI #9-805) and as noted per the Development Plan Review Note #21. **Variance** Parcel "A" to allow no screening for the existing parking area next to a residential zone; and to allow existing off street parking to be partially located on an adjacent property; and to allow a minimum setback for an existing paved surface to a lot line of 0 ft. in lieu of the 6 ft.; and to allow a minimum 0 ft. existing landscape buffer in lieu of 20 ft.; and to allow a minimum parking space setback to an existing building of 3 ft. in lieu of the permitted 6 ft.; and to allow existing parking to remain at a distance of 0 ft. to the ultimate right-of-way of an existing road in lieu of 10 ft. ; and to allow a landscape buffer next to residential zoned property of a minimum of 5 ft. in lieu of 20 ft.; and to allow a landscape buffer next to any non-residentially zoned property of a 0 ft. in lieu of 10 ft.; and to allow an amenity open space area of 0 sq. ft. in lieu of the required 7% (108 sq. ft. +/-) of the existing interior parking lot located with the RO zone; and to allow the existing building of 6,320 sq. ft. more or less (Far 0.158) in lieu of 4,024.9 sq. ft. (Far 0.33); and to allow existing off street parking to be allowed in the front yard; and to allow an existing front building setback of 21 ft. in lieu of 25 ft.; and to allow an existing side yard setback of 0 ft. in lieu of 10 ft.; and to allow an existing rear yard setback of 18 ft. in lieu of 30 ft.

Hearing: Tuesday, January 26, 2016 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 the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Andrew Jiranek, 16 Willow Avenue, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JANUARY 6, 2016**
- (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 Review | County Office Building

111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048

www.baltimorecountymd.gov

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 5, 2016 Issue - Jeffersonian

Please forward billing to:
Andrew Jiranek
16 Willow Avenue
Towson, MD 21286

410-769-9070

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: 2016-0133-SPHA

16 & 18 Willow Avenue

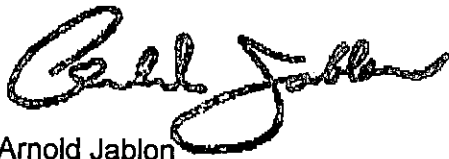
Parcel A S/s Willow Avenue, 91 ft. w/of Meridian Lane, Parcel B 178 ft. s/of Willow Avenue w/of Meridian Ln.

9th Election District – 5th Councilmanic District

Legal Owners: 16 Willow Avenue, LLC

Special Hearing Parcel "A" to allow business parking in a residential zone; Parcel "B" to confirm the parking as indicated and approved on the 3rd Refined Development Plan for Towson Manor PUD (PAI #9-805) and as noted per the Development Plan Review Note #21. **Variance** Parcel "A" to allow no screening for the existing parking area next to a residential zone; and to allow existing off street parking to be partially located on an adjacent property; and to allow a minimum setback for an existing paved surface to a lot line of 0 ft. in lieu of the 6 ft.; and to allow a minimum 0 ft. existing landscape buffer in lieu of 20 ft.; and to allow a minimum parking space setback to an existing building of 3 ft. in lieu of the permitted 6 ft.; and to allow existing parking to remain at a distance of 0 ft. to the ultimate right-of-way of an existing road in lieu of 10 ft. ; and to allow a landscape buffer next to residential zoned property of a minimum of 5 ft. in lieu of 20 ft.; and to allow a landscape buffer next to any non-residentially zoned property of a 0 ft. in lieu of 10 ft.; and to allow an amenity open space area of 0 sq. ft. in lieu of the required 7% (108 sq. ft. +/-) of the existing interior parking lot located with the RO zone; and to allow the existing building of 6,320 sq. ft. more or less (Far 0.158) in lieu of 4,024.9 sq. ft. (Far 0.33); and to allow existing off street parking to be allowed in the front yard; and to allow an existing front building setback of 21 ft. in lieu of 25 ft.; and to allow an existing side yard setback of 0 ft. in lieu of 10 ft.; and to allow an existing rear yard setback of 18 ft. in lieu of 30 ft.

Hearing: Tuesday, January 26, 2016 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 *
 Parcel A- 16-18 Willow Ave & Parcel B-S of * OF ADMINISTRATIVE
 16 Willow Ave; "A" S/S Willow Ave, 91' W of *
 Meridan Ln; "B" 178' to S of Willow Ave, * HEARINGS FOR
 149' W of Meridan Ln *
 9th Election & 5th Councilmanic Districts * BALTIMORE COUNTY
 Legal Owner(s): 16 Willow Avenue, LLC -"A" *
 & BA Towson Green, LLC - "B" * 2016-133-SPHA

Petitioner(s)

* * * * *

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

DEC 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 December, 2015, a copy of the foregoing Entry of Appearance was mailed to Andrew Jiranek, 16 Willow Avenue, Towson, Maryland 21286, Petitioner(s).

Peter Max Zimmerman
 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2016-0133-SPHA

Petitioner: 16 WILLOW AVENUE, LLC / BA TOWSON GREEN LLC

Address or Location: 16-18 WILLOW AVE.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Andrew J. Jiraneck

Address: 16 Willow Avenue

Towson, MD 21286

Telephone Number: 410-769-9070



KEVIN KAMENETZ
County Executive

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

February 23, 2016

16 Willow Avenue LLC
Andrew Jiranek
16 Willow Avenue
Towson MD 21286

RE: Case Number: 2016-0133 SPHA, Address: 16 & 18 Willow Avenue

Dear Mr. Jiranek:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 25, 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 stylized with a large, looped "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 12/3/15

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

RE: Baltimore County

Item No. 2016-0133-SPHA.

Variance Special Hearing

Parcel A' 16 Willow Avenue, LLC, Andrew I. Feranelli
Parcel B' BA Towson Green LLC
A' 16 & 18 "A" Willow Avenue

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. 2016-0133-SPHA

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in black ink, appearing to read "David W. Peake".

David W. Peake
Metropolitan District Engineer – District 4
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: 320 West Warren Road • Hunt Valley, Maryland 21030 • Phone 410-229-2300 or 1-866-998-0367 • Fax 301-527-4690

www.roads.maryland.gov

JB 3-3-16
1:30 PM

was
1/26
(PP)

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-133

DATE: January 7, 2016

INFORMATION:

Property Address: 16 and 18 Willow Avenue
Petitioner: Andrew Jiranek
Zoning: RO, DR 16, DR 5.5
Requested Action: Variance, Special Hearing

RECEIVED

JAN 11 2016

OFFICE OF ADMINISTRATIVE HEARINGS

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve business parking in a residential zone and to confirm the parking as approved on the 3rd Refined Development Plan for Towson Manor PUD. The Department also reviewed the petition for variance to permit the 14 specific variance actions as listed on the exhibit attached thereto.

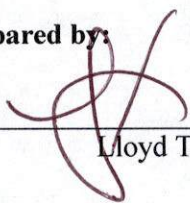
A site visit was conducted on December 11, 2015. This property is currently the subject of 2016 Comprehensive Zoning Map Process Issue 5-003.

The Department recommends granting the petitioned zoning relief conditioned upon the following:

- Provide a minimum 6' tall wood screening fence along the east and south tract boundaries of the same style and materials as the wood screening fence adjacent to the existing parking on the south tract boundary that is to remain.

For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Laurie Hay
Andrew L. Jiranek
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For December 7, 2015
Item No. 2016-0133

DATE: December 1, 2015

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

The adjacent Towson Green Residential Development was designed to revitalize this area. As such, parking setbacks and screening per landscape manual requirements should be provided to the extent possible. Landscape and Lighting plans will be required to be approved prior to any permits being issued.

*

*

*

*

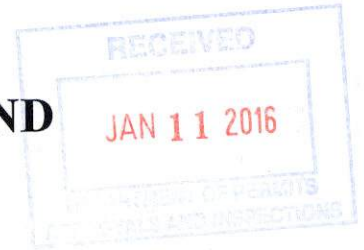
*

*

DAK
cc:file

ZAC-ITEM NO 16-0133-11302015.doc

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



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

DATE: January 7, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-133

INFORMATION:

Property Address: 16 and 18 Willow Avenue
Petitioner: Andrew Jiranek
Zoning: RO, DR 16, DR 5.5
Requested Action: Variance, Special Hearing

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve business parking in a residential zone and to confirm the parking as approved on the 3rd Refined Development Plan for Towson Manor PUD. The Department also reviewed the petition for variance to permit the 14 specific variance actions as listed on the exhibit attached thereto.

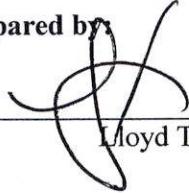
A site visit was conducted on December 11, 2015. This property is currently the subject of 2016 Comprehensive Zoning Map Process Issue 5-003.

The Department recommends granting the petitioned zoning relief conditioned upon the following:

- Provide a minimum 6' tall wood screening fence along the east and south tract boundaries of the same style and materials as the wood screening fence adjacent to the existing parking on the south tract boundary that is to remain.

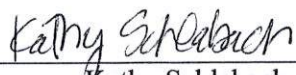
For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Laurie Hay
Andrew L. Jiranek
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: March 15, 2016

TO: Kristen Lewis, Office of Zoning Review
Department of Permits, Approvals & Inspections (PAI)

FROM: Debbie Wiley 
Office of Administrative Hearings

RE: Petitions for Special Hearing and Variance
Case No. 2016-0133-SPHA – 16 & 18 Willow Avenue, 21286

As you may be aware, the above-referenced case was scheduled for Thursday, March 3, 2016 at 1:30 PM; however, after much discussion with counsel, it appears that the Petitioner will file an amended zoning petition.

The property must be posted with the date of the new hearing, but it is not necessary for Petitioner to again publish in the newspaper.

Please refer to Judge Beverungen's email on March 14, 2016 for specific details.

Our office is returning the file to you for further processing.

Thanks.

c: Office of People's Counsel

Debra Wiley

From: John E. Beverungen
Sent: Monday, March 14, 2016 2:19 PM
To: ajiranek@jiranekcompany.com; caroledemilio@verizon.net
Cc: Debra Wiley; Sherry Nuffer; Kristen L Lewis
Subject: Case No. 2016-0133-SPHA

Counsel,

Thanks for sending me the status update on the above case. If I understand correctly, Petitioner will file an **amended** zoning petition in this case wherein special exception (for Class B Office bldg.), variance and/or special hearing (commercial parking in a residential zone) relief is sought.

As such, I will take no action on the current petition and return the file to the Department of PAI, so that they can reschedule the case for a hearing on the amended petition. The property must be posted with the date of the new hearing, but it is not necessary for Petitioner to again publish the hearing date in the newspaper.

John Beverungen
ALJ

CASE NAME 16 + 18 Willow Ave.
CASE NUMBER 2016-A33-SMA.
DATE 3-3-16

[illegible]

CASE NAME 16 + 18 W. 2nd Ave.
CASE NUMBER 2016-133
DATE 3-3-

[illegible]

Debra Wiley

3-3
1:30 PM
Rm. 205

From: fred engesser <fred_linda@cavtel.net>
Sent: Wednesday, March 02, 2016 12:26 AM
To: Administrative Hearings
Cc: June Wisnom
Subject: Zoning Notice Case # 2016-0133-SPHA

To the Office of Administrative Hearings for Baltimore County,

As a resident of the Towson Manor Village Community Association which incorporates homes in Towson Green, I write to express my concerns regarding the referenced Zoning Notice Case. Per the Petition for Zoning Hearing(s) - Parcel A (addresses 16 and 18 Willow Ave., Towson, MD 21286) numerous variances to existing zoning requirements are being requested.

The requested variances, I believe, are reasonable for the property located at 16 Willow Ave. which is an existing 1-story office building. However, the variances as requested, will also apply to 18 Willow Ave. which is a vacant unimproved lot at the present time. I am opposed to the requested variances being extended to the vacant property at 18 Willow Ave. It would be premature to do so in the absence of a plan for development on 18 Willow Ave. which should be properly presented first for public/community comment and input. In view of the Zoning Change Requested per CZMP 5-003 for the subject property and scheduled for hearing on March 22, 2016, it is more prudent and ethical that Zoning Notice Case # 2016-0133-SPHA be postponed to a date after the requested Zoning Change hearing.

I am providing my comments for consideration by the administrative law judge who will be conducting the hearing on this case. Please accept my comments via email as I am unable to attend the hearing in person. Thank you.

Fred J. Engesser
120 E. Susquehanna Ave.
Towson, MD 21286

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment12/1DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)CDEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

1/7PLANNING
(if not received, date e-mail sent _____)C12/3

STATE HIGHWAY ADMINISTRATION

no obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

3/2/16Fred Engesser

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

2/11/16

SIGN POSTING

Date:

2/12/16

by

SSG Black

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

Real Property Data Search (w4)

Guide to searching the database

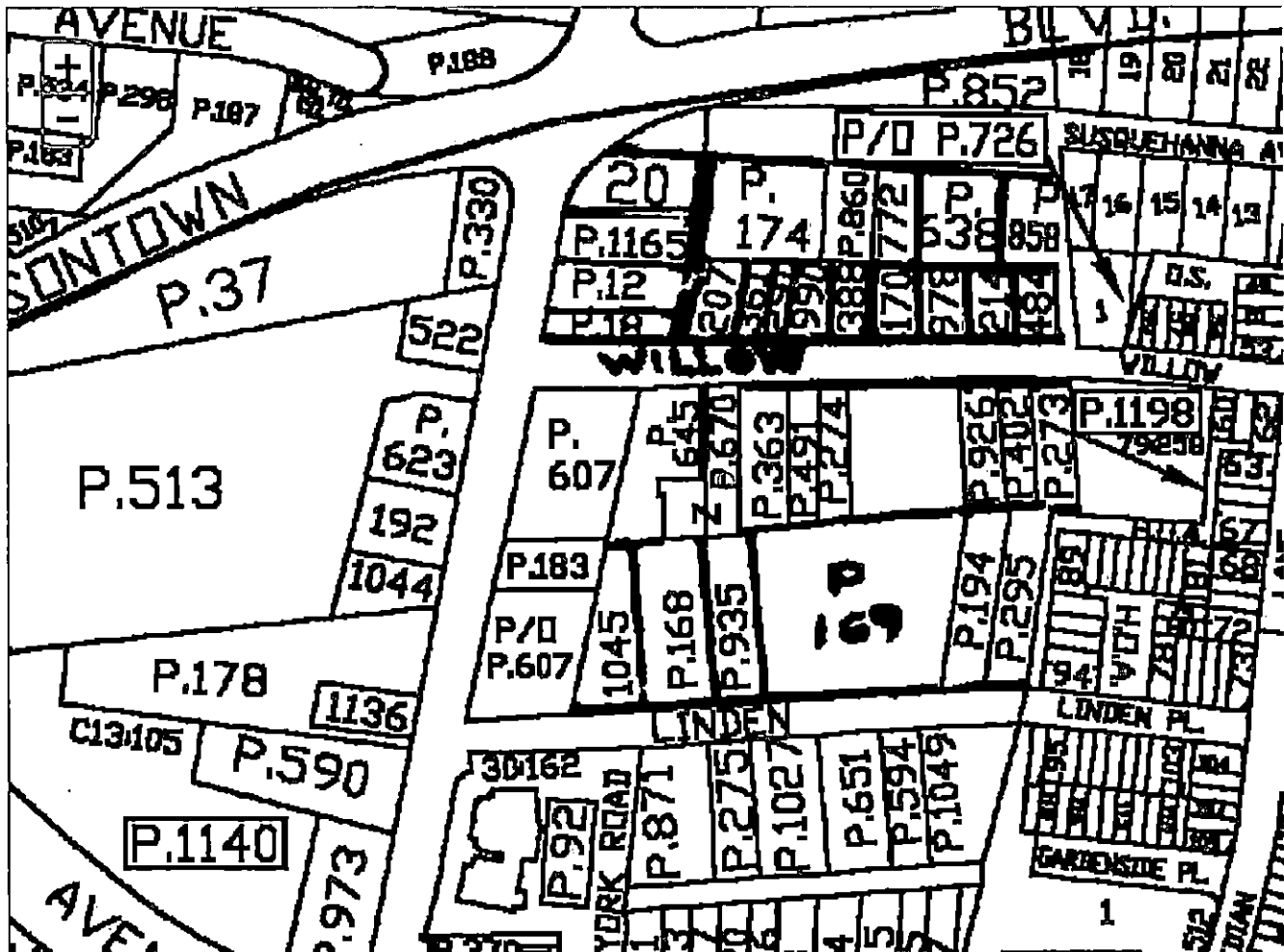
Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 09 Account Number - 0913203202			
Owner Information					
Owner Name:	16 WILLOW AVENUE LLC		Use:	COMMERCIAL	
Mailing Address:	16 WILLOW AVE 10426 FALLS RD TOWSON MD 21286-5201		Principal Residence:	NO	
			Deed Reference:	/27307/ 00134	
Location & Structure Information					
Premises Address:		16 WILLOW AVE BALTIMORE MD 21206-1137		Legal Description:	.269AC 16 WILLOW AVE 210FT E OF YORK RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0070	0014	0670		0000	
Assessment Year:				Plat No: Plat Ref:	
2014					
Special Tax Areas:			Town:	NONE	
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1930	4294		11,238 SF	06	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		OFFICE BUILDING			
Value Information					
	Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2015 As of 07/01/2016		
Land:	322,300	322,300			
Improvements	159,300	181,800			
Total:	481,600	504,100	496,600	504,100	
Preferential Land:	0			0	
Transfer Information					
Seller: STARK PROPERTIES LLC		Date: 09/08/2008		Price: \$480,000	
Type: ARMS LENGTH IMPROVED		Deed1: /27307/ 00134		Deed2:	
Seller: WILLOW ASSOCIATES LLC		Date: 09/22/2004		Price: \$520,080	
Type: ARMS LENGTH IMPROVED		Deed1: /20726/ 00560		Deed2:	
Seller: WILLOW ASSOCIATES		Date: 02/10/2003		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /17514/ 00747		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2015		07/01/2016	
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.dat.maryland.gov/RealProperty>)

District: 09 Account Number: 0913203202



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.

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>).

CASE NAME 2. 16 & 18 Willow Ave
CASE NUMBER 2016-133-SPHA
DATE 5-27-16

[illegible]

PLEASE PRINT CLEARLY

CASE NAME _____
CASE NUMBER _____
DATE _____

PETITIONER'S SIGN-IN SHEET

[illegible]



KEVIN KAMENETZ
County Executive

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

NEW NOTICE OF ZONING HEARING

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

CASE NUMBER: 2016-0133-SPHA

16 & 18 Willow Avenue

Parcel A S/s Willow Avenue, 91 ft. w/of Meridian Lane, Parcel B 178 ft. s/of Willow Avenue w/of Meridian Ln.

9th Election District – 5th Councilmanic District

Legal Owners: 16 Willow Avenue, LLC

Variance Parcel "A" 1. To allow no screening for the existing parking area next to a residential zone; 2. To allow existing off street parking to be partially located on an adjacent property; 3. To allow a minimum setback for an existing paved surface to a lot line of 0 ft. in lieu of the 6 ft.; 4. To allow a minimum 0 ft. existing landscape buffer in lieu of 20 ft.; 5. To allow a minimum parking space setback to an existing building of 3 ft. in lieu of the permitted 6 ft.; 6. To allow existing parking to remain at a distance of 0 ft. to the ultimate right-of-way of an existing road in lieu of 10 ft.; 7. To allow a landscape buffer next to residential zoned property of a minimum of 5 ft. in lieu of 20 ft.; 8. To allow a landscape buffer next to any non-residentially zoned property of a 0 ft. in lieu of 10 ft.; 9. To allow an amenity open space area of 0 sq. ft. in lieu of the required 7% (108 sq. ft. +/-) of the existing interior parking lot located with the RO zone; 10. To allow the existing building of 6,320 sq. ft. more or less (Far 0.158) in lieu of 4,024.9 sq. ft. (Far 0.33); 11. To allow existing off street parking to be allowed in the front yard; 12. To allow an existing front building setback of 21 ft. in lieu of 25 ft.; 13. To allow an existing side yard setback of 0 ft. in lieu of 10 ft.; 14. To allow an existing rear yard setback of 18 ft. in lieu of 30 ft. **Special Hearing** Parcel "A" 1. To allow business parking in a residential zone. Parcel "B" 1. To confirm the parking as indicated and approved on the 3rd Refined Development Plan for Towson Manor PUD (PAI #9-805) and as noted per the Development Plan Review Note #21. **Special Exception** Parcel "A" 1. To use the herein described property for Class "B" Office Building (principal building and accessory parking spaces on Parcel "A") Parcel "B" 1. To use the herein described property for Class "B" Office Building (accessory parking spaces on Parcel "B").

Hearing: Friday, May 27, 2016 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 the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Andrew Jiranek, 16 Willow Avenue, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 7, 2016.**
(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.

TX Result Report

P 1

04/22/2016 08:07

Serial No. A2WV011000156

TC: 1152322

Addressee	Start Time	Time	Prints	Result	Note
94102827940	04-22 08:06	00:01:17	002/002	OK	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX, MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax, BND: Double-Sided Binding Direction, SP: Special original, FCODE: F-code, RTX: Re-TX, RLY: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax, I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF, TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer, Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full, LOVR: Receiving length over, POUVR: Receiving page over, FIL: File Error, DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error, PRINT: Compulsory Memory Document Print, DEL: Compulsory Memory Document Delete, SEND: Compulsory Memory Document Send.

Jiranek & Company, P.A.

16 WILLOW AVENUE, BALTIMORE, MARYLAND 21286
TEL: 410.769.9070 · FAX 410.825.2583 · ajiranek@jiranekcompany.com

FACSIMILE

To: Sgt. Robert Black
Date: 4/22/2016
Fax No: 410-282-7940
From: Andrew L. Jiranek
16 Willow Avenue
Matter: *NEW Zoning Hearing for 16 & 18 Willow Avenue, Towson, 21286*
Number of pages including cover sheet: 2
NOTE: If you do not receive all pages, please call (410) 769-9070

Please see enclosed. Thank you.

The information contained in this facsimile message is information intended only for the use of the individual or entity named above, and may be attorney/client privileged and confidential. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you... Jiranek & Company, P.A.

Jiranek & Company, P.A.

16 WILLOW AVENUE, BALTIMORE, MARYLAND 21286
TEL: 410.769.9070 · FAX 410.825.2583 · ajiranek@jiranekcompany.com

FACSIMILE

To: Sgt. Robert Black

Date: 4/22/2016

Fax No: 410-282-7940

From: Andrew L. Jiranek
16 Willow Avenue

Matter: *NEW Zoning Hearing for 16 & 18 Willow Avenue, Towson, 21286*

Number of pages including cover sheet: 2

NOTE: If you do not receive all pages, please call (410) 769-9070

Please see enclosed. Thank you.

The information contained in this facsimile message is information intended only for the use of the individual or entity named above, and may be attorney/client privileged and confidential. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you... Jiranek & Company, P.A.

John E. Beverungen

From: Andrew Jiranek <ajiranek@jiranekcompany.com>
Sent: Wednesday, June 01, 2016 10:53 AM
To: John E. Beverungen; Carole Demilio
Subject: RE: Case No. 2016-133-SPHXA
Attachments: mark-up Towson Manor.pdf

Please see responses below in red and attachment. I will try to send another attachment by subsequent e-mail.

From: John E. Beverungen [<mailto:jbeverungen@baltimorecountymd.gov>]
Sent: Tuesday, May 31, 2016 3:53 PM
To: Carole Demilio <cdemilio@baltimorecountymd.gov>; ajiranek@jiranekcompany.com
Subject: Case No. 2016-133-SPHXA

Counsel,

In reviewing Petitioner's exhibits, I noticed some issues on which I'd like your input.

1. Note 6 (Parking Calculation) on the zoning plan (Ex. 2) shows 13 existing parking spaces and 13 proposed spaces for a total of 27, which is obviously not the sum of those numbers. But the plan itself shows 14 proposed spaces on 18 Willow, which would equal 27 total spaces. If I am correct Note 6 should be amended.

You are correct in your observation. Could you please note the discrepancy in your decision?

2. On the Plan (Ex. 2), there are 9 spaces shown on Parcel "B". This is the same number of spaces shown on the 3rd Refined Towson Manor PUD plan (Ex. 3). But, the PUD plan (to which reference is made in the petition for special hearing) has a note stating "11 spaces provided for adjacent property owner," with an arrow pointing to the spaces in question. How should this discrepancy be handled? If you are in agreement, the Order could simply indicate that 9 spaces are provided at the rear alley area (Parcel "B"), despite the note to the contrary on the PUD plan indicating 11 such spaces.

Yes, the reference to the 11 spaces was a mistake on the PUD plan. We are in agreement that the spaces to the rear of our building, which are partially across the zoning line (not the same thing as the property line), on what is referred to as Parcel "B," are 9 spaces, not 11 spaces. The note is incorrect, the 3d revised plan, showing 9 spaces, is correct. We agree the Order can make this notation.

3. The amended zoning petition seeks special hearing relief for business parking in a residential zone only with respect to Parcel "A." But isn't Parcel "B" in part zoned DR16, so that such relief is needed for that parcel as well? If so, I would include that as an element of Special Hearing relief in the Order.

In the special hearing relief, we were referring back to the PUD approval, wherein the shared parking arrangement was incorporated (note 21 discussed below). Its ok with us to notate that the special hearing relief extends to Parcel "B."

4. The petition for special hearing seeks to confirm the parking on Parcel "B" as shown on the Towson Manor PUD plan. But the request also reads: "as noted per the development plan review note #21." That note is not on the PUD plan admitted as Petitioner's #3. What does the note concern? Can the order just refer to the 3rd refined plan and not reference the note?

The PUD plan was refined 3 times. The 3d revised plan contained a note #21 that addresses this point. Please see attached. We are ok with however you want to handle this point. You don't have to reference the note if you prefer.

John Beverungen

ALJ



CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

John E. Beverungen

From: Carole Demilio
Sent: Wednesday, June 01, 2016 10:02 AM
To: John E. Beverungen
Subject: RE: Case No. 2016-133-SPHXA

John,

I am at PC and can meet with you this afternoon on this. Let me just try to respond to your inquiries based on your numbered paragraphs:

1. I count 14 spaces proposed on 18 Willow Avenue and 14 wheel stops. I believe the space with "8.5 TYP" is a space but it shows typical width of the spaces. I think Note 6 means 13 existing – 9 shared under the PUD and 4 on Willow and 14 proposed – see my answer for 14 above. I agree Note 6 is misleading – I think he skipped a line.
2. I am in agreement to indicate 9 spaces. See Note 6 which indicates 9.
3. Parcel B is shared parking and part of a PUD so I don't believe zoning relief is required.
4. I would agree to reference the plan.

I will see you at 1:30 on the Rosedale case – I don't think anyone opposed will show up.

Thank you.
Carole

From: John E. Beverungen
Sent: Tuesday, May 31, 2016 3:53 PM
To: Carole Demilio <cdemilio@baltimorecountymd.gov>; ajiranek@jiranekcompany.com
Subject: Case No. 2016-133-SPHXA

Counsel,

In reviewing Petitioner's exhibits, I noticed some issues on which I'd like your input.

1. Note 6 (Parking Calculation) on the zoning plan (Ex. 2) shows 13 existing parking spaces and 13 proposed spaces for a total of 27, which is obviously not the sum of those numbers. But the plan itself shows 14 proposed spaces on 18 Willow, which would equal 27 total spaces. If I am correct Note 6 should be amended.
2. On the Plan (Ex. 2), there are 9 spaces shown on Parcel "B". This is the same number of spaces shown on the 3rd Refined Towson Manor PUD plan (Ex. 3). But, the PUD plan (to which reference is made in the petition for special hearing) has a note stating "11 spaces provided for adjacent property owner," with an arrow pointing to the spaces in question. How should this discrepancy be handled? If you are in agreement, the Order could simply indicate that 9 spaces are provided at the rear alley area (Parcel "B"), despite the note to the contrary on the PUD plan indicating 11 such spaces.
3. The amended zoning petition seeks special hearing relief for business parking in a residential zone only with respect to Parcel "A." But isn't Parcel "B" in part zoned DR16, so that such relief is needed for that parcel as well? If so, I would include that as an element of Special Hearing relief in the Order.
4. The petition for special hearing seeks to confirm the parking on Parcel "B" as shown on the Towson Manor PUD plan. But the request also reads: "as noted per the development plan review note #21." That note is not on the PUD plan admitted as Petitioner's #3. What does the note concern? Can the order just refer to the 3rd refined plan and not reference the note?

Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 09 Account Number - 0913203202			
Owner Information					
Owner Name:		16 WILLOW AVENUE LLC		Use:	COMMERCIAL
Mailing Address:		16 WILLOW AVE 10426 FALLS RD TOWSON MD 21286-5201		Principal Residence:	NO
				Deed Reference:	/27307/ 00134
Location & Structure Information					
Premises Address:		16 WILLOW AVE BALTIMORE MD 21206-1137		Legal Description:	.269AC 16 WILLOW AVE 210FT E OF YORK RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0070	0014	0670		0000	2014
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1930	4294		11,238 SF	06	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		OFFICE BUILDING			
Value Information					
	Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2015 As of 07/01/2016		
Land:	322,300	322,300			
Improvements	159,300	181,800			
Total:	481,600	504,100	496,600	504,100	
Preferential Land:	0			0	
Transfer Information					
Seller: STARK PROPERTIES LLC		Date: 09/08/2008		Price: \$480,000	
Type: ARMS LENGTH IMPROVED		Deed1: /27307/ 00134		Deed2:	
Seller: WILLOW ASSOCIATES LLC		Date: 09/22/2004		Price: \$520,080	
Type: ARMS LENGTH IMPROVED		Deed1: /20726/ 00560		Deed2:	
Seller: WILLOW ASSOCIATES		Date: 02/10/2003		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /17514/ 00747		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2015	07/01/2016		
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					

Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 09 Account Number - 0911000250			
Owner Information					
Owner Name:		16 WILLOW AVENUE LLC		Use: RESIDENTIAL	
Mailing Address:		16 WILLOW AVE BALTIMORE MD 21286-		Principal Residence: NO Deed Reference: /35167/ 00455	
Location & Structure Information					
Premises Address:		18 WILLOW AVE 0-0000		Legal Description: LT SS WILLOW AV 18 WILLOW AVE 104 E YORK RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0070	0014	0363		0000	2014
Special Tax Areas:			Town: NONE Ad Valorem: Tax Class:		
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area	
1920		1,560 SF		Property Land Area 8,477 SF	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	YES	STANDARD UNIT	FRAME	1 full	
Value Information					
Base Value		Value As of 01/01/2014		Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		102,300		87,300	
Improvements		94,200		97,900	
Total:		196,500		185,200	
Preferential Land:		0		185,200 0	
Transfer Information					
Seller: MCLEAN STEWART HENDERSON JR		Date: 07/17/2014		Price: \$232,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /35167/ 00455		Deed2:	
Seller: KATSAFANAS PETER PAUL		Date: 06/07/1995		Price: \$75,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /11073/ 00585		Deed2:	
Seller: KATSAFANOS PAUL		Date: 09/20/1977		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /05804/ 00418		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2015 07/01/2016	
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					

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

DEVELOPMENT PLANS REVIEW

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

DEPS

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

FIRE DEPARTMENT

PLANNING

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

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

5/5/14

SIGN POSTING

Date:

5/7/14

by

SSG Black

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 09 Account Number - 0913203202			
Owner Information					
Owner Name:	16 WILLOW AVENUE LLC		Use:	COMMERCIAL	
Mailing Address:	16 WILLOW AVE 10426 FALLS RD TOWSON MD 21286-5201		Principal Residence:	NO	
			Deed Reference:	/27307/ 00134	
Location & Structure Information					
Premises Address:		16 WILLOW AVE BALTIMORE MD 21206-1137		Legal Description:	.269AC 16 WILLOW AVE 210FT E OF YORK RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0070	0014	0670		0000	
					Assessment Year:
					2014
					Plat No:
					Plat Ref:
Special Tax Areas:			Town:	NONE	
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1930	4294		11,238 SF	06	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
		OFFICE BUILDING			
Value Information					
	Base Value	Value As of	Phase-in Assessments		
		01/01/2014	As of	As of	
			07/01/2015	07/01/2016	
Land:	322,300	322,300			
Improvements	159,300	181,800			
Total:	481,600	504,100	496,600	504,100	
Preferential Land:	0			0	
Transfer Information					
Seller: STARK PROPERTIES LLC		Date: 09/08/2008	Price: \$480,000		
Type: ARMS LENGTH IMPROVED		Deed1: /27307/ 00134	Deed2:		
Seller: WILLOW ASSOCIATES LLC		Date: 09/22/2004	Price: \$520,080		
Type: ARMS LENGTH IMPROVED		Deed1: /20726/ 00560	Deed2:		
Seller: WILLOW ASSOCIATES		Date: 02/10/2003	Price: \$0		
Type: NON-ARMS LENGTH OTHER		Deed1: /17514/ 00747	Deed2:		
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2015	07/01/2016		
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					

New Search (<http://sdat.dat.maryland.gov/RealProperty>)

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>).



KEVIN KAMENETZ
County Executive

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

May 18, 2016

16 Willow Avenue LLC
Andrew Jiranek
16 Willow Avenue
Towson MD 21286

RE: Case Number, Address: 2016-0133 SPHXA, Address: 16 & 18 Willow Avenue

Dear Mr. Jiranek:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 25, 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 fluid and cursive.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel



Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 3/28/10

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2016-0133-SPHXA

*Variane Special Hearing Special Exception
Parcel 'A' 16 Willow Avenue LLC, Andrew J. Ivanell,
'A' 16 - 18 Willow Avenue*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

David W. Peake
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: April 28, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-133 (amended)

RECEIVED

MAY 02 2016

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Property Address: 16 and 18 Willow Avenue
Petitioner: Andrew Jiranek
Zoning: RO, DR 16, DR 5.5
Requested Action: Variance, Special Hearing

The Department of Planning has reviewed the amended petition for a special exception to use the property for a Class "B" office building and the petition for special hearing to determine whether or not the Administrative Law Judge should approve business parking in a residential zone and to confirm the parking as approved on the 3rd Refined Development Plan for Towson Manor PUD. The Department also reviewed the petition for variance to permit the 14 specific variance actions as listed on the exhibit attached thereto.

A site visit was conducted on December 11, 2015. This property is currently the subject of 2016 Comprehensive Zoning Map Process Issue 5-003.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- Provide a minimum 6' tall wood screening fence along the east and south tract boundaries of the same style and materials as the wood screening fence adjacent to the existing parking on the south tract boundary that is to remain.

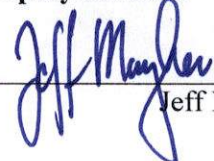
For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Deputy Director



Jeff Mayhew

AVA/KS/LTM/ka

c: Laurie Hay
Andrew L. Jiranek
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



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

DATE: April 28, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-133 (amended)

INFORMATION:

Property Address: 16 and 18 Willow Avenue
Petitioner: Andrew Jiranek
Zoning: RO, DR 16, DR 5.5
Requested Action: Variance, Special Hearing

The Department of Planning has reviewed the amended petition for a special exception to use the property for a Class "B" office building and the petition for special hearing to determine whether or not the Administrative Law Judge should approve business parking in a residential zone and to confirm the parking as approved on the 3rd Refined Development Plan for Towson Manor PUD. The Department also reviewed the petition for variance to permit the 14 specific variance actions as listed on the exhibit attached thereto.

A site visit was conducted on December 11, 2015. This property is currently the subject of 2016 Comprehensive Zoning Map Process Issue 5-003.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- Provide a minimum 6' tall wood screening fence along the east and south tract boundaries of the same style and materials as the wood screening fence adjacent to the existing parking on the south tract boundary that is to remain.

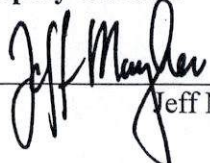
For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Deputy Director



Jeff Mayhew

AVA/KS/LTM/ka

c: Laurie Hay
Andrew L. Jiranek
Office of the Administrative Hearings
People's Counsel for Baltimore County

JB 3-3-16
1:30 PM

Debra Wiley

From: John E. Beverungen
Sent: Thursday, March 03, 2016 3:21 PM
To: Debra Wiley; Sherry Nuffer
Subject: 2016-133-SPHA

The hearing was held for this case and it has concluded. At the end of the hearing the attorneys (Andrew Jiranek and Carole Dimilio) requested that I hold off issuing an order for no longer than 2 weeks, to allow discussions to continue between the parties. I agreed to do so. Please diary accordingly. Thanks, John.

John-

See email from JW Jiranek +
Dimilio (attached).

Deb

Debra Wiley

From: Andrew Jiranek <ajiranek@jiranekcompany.com>
Sent: Wednesday, March 09, 2016 8:52 PM
To: Carole Demilio
Cc: Administrative Hearings
Subject: RE: Zoning Case # 2016-0133-SPHA; Hearing was Thursday, March 3, 2016, at 1:30 pm

Ok, I will amend the petitions to request a special exception.

From: Carole Demilio [mailto:caroledemilio@verizon.net]
Sent: Wednesday, March 09, 2016 6:43 PM
To: Andrew Jiranek <ajiranek@jiranekcompany.com>
Cc: administrativehearings@baltimorecountymd.gov
Subject: Re: Zoning Case # 2016-0133-SPHA; Hearing was Thursday, March 3, 2016, at 1:30 pm

Andrew

I cannot agree to the parking on the adjoining lot and variances if you do not ask for a special exception

Sent from my iPad

On Mar 9, 2016, at 4:52 PM, Andrew Jiranek <ajiranek@jiranekcompany.com> wrote:

Dear Judge Beverungen:

I am writing for the Petitioner in the subject zoning case. The petitions at issue in the case related to a commercial office building located at 16 Willow and a vacant lot located at 18 Willow.

Ms. Demilio has raised an issue and I have had further discussions about it with Jeff Perlow. The issue involves the use of the commercial office building at 16 Willow. The Petitioner uses it as a Class "B" commercial office building. This was a permitted use for this property when it was zoned as B-L. Subsequently, however, at some point, the property was rezoned RO, and that is its current zoning. As a result of this change in zoning, the Class "B" use became a non-conforming use.

I am working with Ms. Demilio on a submission for you regarding the conditions we agree upon for the requested variances and requested special hearing specified in the petitions. As part of this submission, we are trying to clarify: (i) should the petitions be amended to also seek a special exception for use of the commercial office building as a Class "B" office building (such use being permitted by special exception in a RO zone); or (ii) can you simply grant the variances in accordance with my joint submission with Ms. Demilio, presuming that our use of the commercial office building at 16 Willow continues as a non-conforming use.

If we do the latter, I suppose, we can also later file another, separate petition for special exception to use the building at 16 Willow as a Class "B" office building. This would transform the non-conforming use into an authorized use by special exception.

I guess the issue now is whether you can grant the petitions existing requested variances with our use being a non-conforming use.

Please advise. Thanks.

Andrew L. Jiranek
(admitted to practice in MD, DC and VA)
Principal & Managing Attorney
Jiranek & Company, P.A.
16 Willow Avenue
Baltimore, MD 21286
(410)769-9070 (wk)
(410)825-2583 (fax)
(410)808-0486 (cell)
ajiranek@jiranekcompany.com

Debra Wiley

From: caroledemilio@verizon.net
Sent: Thursday, March 10, 2016 12:15 PM
To: ajiranek@jiranekcompany.com
Cc: Administrative Hearings
Subject: Re: RE: Zoning Case # 2016-0133-SPHA; Hearing was Thursday, March 3, 2016, at 1:30 pm

Judge and Andrew,

Since Judge Beverungen wanted a status repost on last week's hearing, I thought it best to tell him now how Andrew and I agreed to proceed:

1. Andrew would file an amended Petition to seek a special exception for the existing building (16 Willow). This would then bring into play the requested variances for the building as well as the current parking requirements. The amendment requires posting the property which Andrew agreed to do, and possibly publishing.
2. By requesting a special exception, Petitioner is deficient in parking spaces required, even with the shared parking on what we called the Bozutto property. This qualifies him to ask for commercial parking in a residential zone (18 Willow).
3. I will not oppose granting the special exception, variances and commercial parking in the residential zone and the shared parking if certain conditions and restrictions are included in the Order.
4. Andrew and I are working on these restrictions and conditions and I don't think we are in dispute as to substance.
5. If the procedure above is followed, I believe Judge Beverungen can rule on the merits without the legal issues with a nonconforming use, among others, I raised at the hearing. I would state that we have no objection if the restrictions and conditions are imposed.
6. It should be noted Judge Beverungen's decision will not involve the comprehensive zoning process as those decisions are with the County Council only. Andrew and I agreed on a limitation on the development of the property in the future.

I believe it is imperative that we follow this procedure, regardless of comments from the zoning office. Andrew, you should note the zoning office is requiring a property owner in another case to repost and publish a special exception as additional relief in an existing case even though none of the parties asked for it. The property owner is happy to do it there to avoid any potential problems in the future. I think it is fair in our case to repost etc and it will protect you from opposition to the process. As you know I am appearing as a citizen and can't speak for anyone else. But I believe the community association is in agreement even if informally.

Thank you.
Carole

CAROLE S. DEMILIO P.A.
ATTORNEY AT LAW

301 W. Pennsylvania Avenue
Towson, Maryland 21204
Telephone 410-825-6963
Fax 410-825-3130 E-mail caroledemilio@verizon.net

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

Mar 10, 2016 10:57:44 AM, ajiranek@jiranekcompany.com wrote:

March 10, 2016

Carole:

Enclosed please find the amendment we agreed I would make at the subject hearing.

By copy to Judge Beverungen, I ask that he accept it for submission and inclusion in the zoning file.

I will wait for you Carole as to the other documentation for the other items we agreed upon at the hearing. I understand this documentation will be incorporated into Judge Beverungen's order on the petitions.

If this Amendment is not sufficient for any reason, please let me know. I am advised by the Baltimore County Zoning Office that an amendment to a pending zoning petition(s) can be made at the hearing where it is determined that such amendment is necessary and the amendment is within the contemplation of the petitions and necessary to permit a resolution of the petitions. It is not necessary to repost and readvertise and treat the amendment as a new petition.

I agree with you Carole, I did agree to make this amendment at the hearing and I apologize for the earlier confusion around the non-conforming use issue.

Sincerely,

Drew

Andrew L. Jiranek

(admitted to practice in MD, DC and VA)

Principal & Managing Attorney

Jiranek & Company, P.A.

16 Willow Avenue

Baltimore, MD 21286

(410)769-9070 (wk)

(410)825-2583 (fax)

(410)808-0486 (cell)

ajiranek@jiranekcompany.com

From: Andrew Jiranek [mailto:ajiranek@jiranekcompany.com]

Sent: Wednesday, March 09, 2016 8:52 PM

To: 'Carole Demilio' <caroledemilio@verizon.net>

Cc: 'administrativehearings@baltimorecountymd.gov'

<administrativehearings@baltimorecountymd.gov>

Subject: RE: Zoning Case # 2016-0133-SPHA; Hearing was Thursday, March 3, 2016, at 1:30 pm

Ok, I will amend the petitions to request a special exception.

From: Carole Demilio [mailto:caroledemilio@verizon.net]

Sent: Wednesday, March 09, 2016 6:43 PM

To: Andrew Jiranek <ajiranek@jiranekcompany.com>

Cc: administrativehearings@baltimorecountymd.gov

Subject: Re: Zoning Case # 2016-0133-SPHA; Hearing was Thursday, March 3, 2016, at 1:30 pm

Andrew

I cannot agree to the parking on the adjoining lot and variances if you do not ask for a special exception

Sent from my iPad

On Mar 9, 2016, at 4:52 PM, Andrew Jiranek <ajiranek@jiranekcompany.com> wrote:

Dear Judge Beverungen:

I am writing for the Petitioner in the subject zoning case. The petitions at issue in the case related to a commercial office building located at 16 Willow and a vacant lot located at 18 Willow.

Ms. Demilio has raised an issue and I have had further discussions about it with Jeff Perlow. The issue involves the use of the commercial office building at 16 Willow. The Petitioner uses it as a Class "B" commercial office building. This was a permitted use for this property when it was zoned as B-L. Subsequently, however, at some point, the property was rezoned RO, and that is its current zoning. As a result of this change in zoning, the Class "B" use became a non-conforming use.

I am working with Ms. Demilio on a submission for you regarding the conditions we agree upon for the requested variances and requested special hearing specified

in the petitions. As part of this submission, we are trying to clarify: (i) should the petitions be amended to also seek a special exception for use of the commercial office building as a Class "B" office building (such use being permitted by special exception in a RO zone); or (ii) can you simply grant the variances in accordance with my joint submission with Ms. Demilio, presuming that our use of the commercial office building at 16 Willow continues as a non-conforming use.

If we do the latter, I suppose, we can also later file another, separate petition for special exception to use the building at 16 Willow as a Class "B" office building. This would transform the non-conforming use into an authorized use by special exception.

I guess the issue now is whether you can grant the petitions existing requested variances with our use being a non-conforming use.

Please advise. Thanks.

Andrew L. Jiranek

(admitted to practice in MD, DC and VA)

Principal & Managing Attorney

Jiranek & Company, P.A.

16 Willow Avenue

Baltimore, MD 21286

(410)769-9070 (wk)

(410)825-2583 (fax)

(410)808-0486 (cell)

ajiranek@jiranekcompany.com

Case No.: 2016-0133-SPHXA

Exhibit Sheet

Petitioner/Developer

03-16-16

Protestants

Sen
6-2-16

No. 1	PLAT TO ACCOMPANY ZONING VARIANCE	Conditions proposed for final order
No. 2	PLAT TO ACCOMPANY ZONING PETITION (REDLINE)	
No. 3	TOWSON MANOR PUD 3RD REFINED DEV. PLAN	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

1. Petitioner shall construct a gate to block driveway access to 18 Willow Avenue for evenings no later than 8pm, and during weekends; except the occupants and customers/clients of 16 Willow Avenue shall have access to said parking spaces.
2. The parking spaces at 18 Willow Avenue shall be limited to employees, tenants and customers/clients of the occupants at 16 Willow Avenue, or such office building on site, and shall not be leased, rented, donated or used by any others except residents of Towson Green via written agreement.
3. Petitioner shall construct a retaining wall and fence atop the retaining wall on the southern, northern, and eastern boundaries of 18 Willow Avenue as shown on Petitioner's site plan marked as Exhibits #1 and #2; said fence to be the same style, height and material to match the existing fence at 16 Willow Avenue; provided, however, that Petitioner shall reasonably accommodate the resident at 20 Willow Avenue regarding his view scape.
4. Petitioner will post a sign designating left turn only for motorists exiting the parking area at 18 Willow Avenue.
5. Petitioner will mount a security camera on the eastern side of the building at 16 Willow Avenue for surveillance of the parking area on 18 Willow Avenue; lighting on 16 Willow Avenue will be positioned and shaded as necessary to prevent lighting from being directed to the adjoining residential properties.
6. If 16 and 18 Willow Avenue and after acquired property, if any, at 14 Willow Avenue, is zoned Residential Office or any other Residential Office, Office, Business, Commercial, or Manufacturing Zone (that is, any zone other than Residential) or District overlay, development and uses on such properties shall be limited to a Class B office building under the Residential Office (R.O.) Zone regulations and requirements in effect as of the date of this Order; this shall not preclude Petitioner from seeking variances or waivers for the construction of the Class B office building, as provided in Baltimore County zoning and development regulations and under the procedures in effect for obtaining the same, including public notice and public hearings as required.
7. Petitioner shall notify Baltimore County agencies and Councilman David Marks that it wishes to amend its request to rezone its property to request only a rezoning of 18 Willow to R.O. As is its right, Petitioner reserves the right to later seek an amendment and modification of these conditions based on subsequent developments and the unique characteristics of its properties vis a vis adjoining properties and the development of Towson Green. These conditions are without prejudice to Petitioner or any other party to seek a further rezoning of the properties at issue. The parties recognize that these properties are in a transitional area bounded by a newly created PUD and Towson commercial properties, and shall strive to work together to accommodate their respective uses, while at the same time promoting harmonious and considerate relations with one another.

DSThaler
& ASSOCIATES, INC.

12/17/21
to
OK -
7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-7428
410.944.3647 410.944.3684 (fax)
www.dsthaler.com

Fax

To: Kristen From: Stacey McArthur
Attn.: smcarthur@dsthaler.com
Fax: 410-887-3048 DST&A PN:
Phone: 410-887-3391 Pages: 2
Re: 2016-0133-SPHA Date: 12.17.2015
CC:

☐ For your information
☐ Please comment

☐ Per your request
☐ Hard copy will follow

Comments:

Kristen,
Per our phone conversation, we are requesting to postpone the Zoning
Hearing for
16-18 Willow Avenue (2016-0133-SPHA) until the next available date.

We have conflicts with the following dates:
February: 3rd, 4th and 25th
March: 10th (afternoon), 14th, 15th, 16th, 22nd (afternoon) 23rd,
24th (afternoon), 25th, 29th (afternoon)

Thank you,
Stacey

PRIVILEGED AND CONFIDENTIAL: All information transmitted hereby is intended for the use of the addressee(s) named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipients(s), please note that any distribution or copying of this information is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and return the original message to us at the above address via U.S. mail.

FEBRUARY 2016

2016-01-17

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday																																																																																																			
	1	2 Groundhog Day	3	4	5	6																																																																																																			
7	8 Chinese New Year	9 Mardi Gras	10 Ash Wednesday	11	12 Lincoln's B-Day	13																																																																																																			
14 Valentine's Day	15 Presidents' Day	16	17	18	19	20																																																																																																			
21	22	23	24	25	26	27																																																																																																			
28	29																																																																																																								
		January 2016 <table><tr><td>S</td><td>M</td><td>T</td><td>W</td><td>Th</td><td>F</td><td>Sa</td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td>1</td></tr><tr><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td></tr><tr><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td></tr><tr><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td></tr><tr><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td></tr><tr><td>30</td><td>31</td><td></td><td></td><td></td><td></td><td></td></tr></table>		S	M	T	W	Th	F	Sa							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31						March 2016 <table><tr><td>S</td><td>M</td><td>T</td><td>W</td><td>Th</td><td>F</td><td>Sa</td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td>1</td></tr><tr><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td></tr><tr><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td></tr><tr><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td></tr><tr><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td></tr><tr><td>30</td><td>31</td><td></td><td></td><td></td><td></td><td></td></tr></table>		S	M	T	W	Th	F	Sa							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31						Notes:	
S	M	T	W	Th	F	Sa																																																																																																			
						1																																																																																																			
2	3	4	5	6	7	8																																																																																																			
9	10	11	12	13	14	15																																																																																																			
16	17	18	19	20	21	22																																																																																																			
23	24	25	26	27	28	29																																																																																																			
30	31																																																																																																								
S	M	T	W	Th	F	Sa																																																																																																			
						1																																																																																																			
2	3	4	5	6	7	8																																																																																																			
9	10	11	12	13	14	15																																																																																																			
16	17	18	19	20	21	22																																																																																																			
23	24	25	26	27	28	29																																																																																																			
30	31																																																																																																								

Printable Calendars by Vertex42.com

<http://www.vertex42.com/calendars/printable-calendars.html>

© 2014 Vertex42 LLC. Free to print.

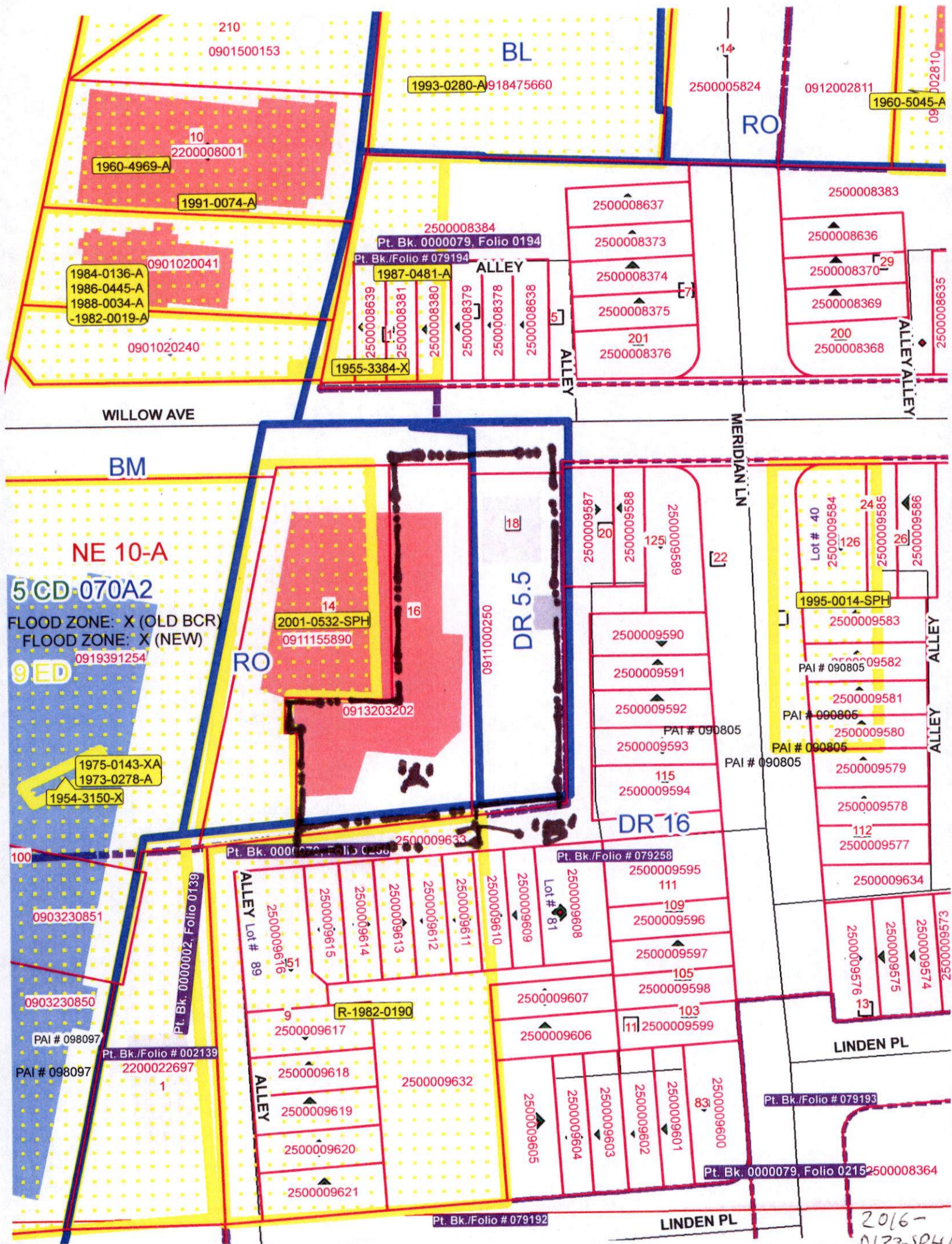
MARCH 2016

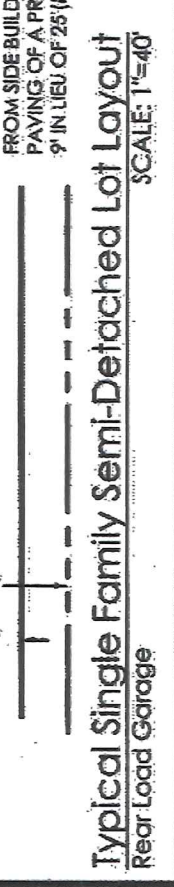
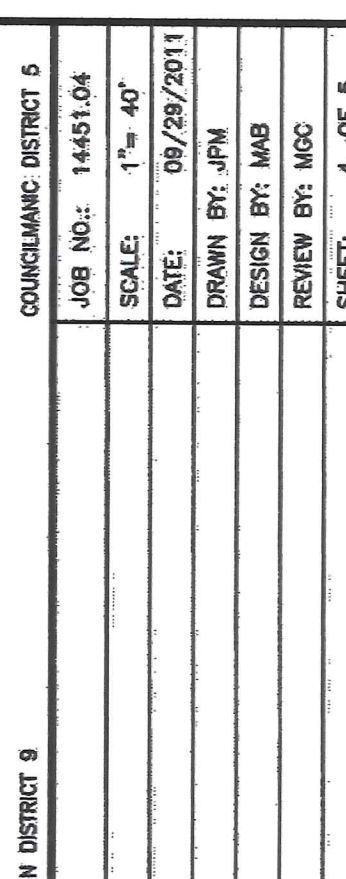
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday																																																																																																			
		1	2	3	4	5																																																																																																			
6	7	8	9	10	11	12																																																																																																			
13 Daylight Saving	14	15	16	17 St. Patrick's Day	18	19																																																																																																			
20 Vernal equinox	21	22	23	24	25 Good Friday	26																																																																																																			
27 Easter	28	29	30	31																																																																																																					
		February 2016 <table border="1"><tr><td>S</td><td>M</td><td>T</td><td>W</td><td>Th</td><td>F</td><td>Sa</td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td>1</td></tr><tr><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td></tr><tr><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td></tr><tr><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td></tr><tr><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td></tr><tr><td>30</td><td>31</td><td></td><td></td><td></td><td></td><td></td></tr></table>		S	M	T	W	Th	F	Sa							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31						April 2016 <table border="1"><tr><td>S</td><td>M</td><td>T</td><td>W</td><td>Th</td><td>F</td><td>Sa</td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td>1</td></tr><tr><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td></tr><tr><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td></tr><tr><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td></tr><tr><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td></tr><tr><td>30</td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>		S	M	T	W	Th	F	Sa							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30							Notes:	
S	M	T	W	Th	F	Sa																																																																																																			
						1																																																																																																			
2	3	4	5	6	7	8																																																																																																			
9	10	11	12	13	14	15																																																																																																			
16	17	18	19	20	21	22																																																																																																			
23	24	25	26	27	28	29																																																																																																			
30	31																																																																																																								
S	M	T	W	Th	F	Sa																																																																																																			
						1																																																																																																			
2	3	4	5	6	7	8																																																																																																			
9	10	11	12	13	14	15																																																																																																			
16	17	18	19	20	21	22																																																																																																			
23	24	25	26	27	28	29																																																																																																			
30																																																																																																									

Printable Calendars by Vertex42.com

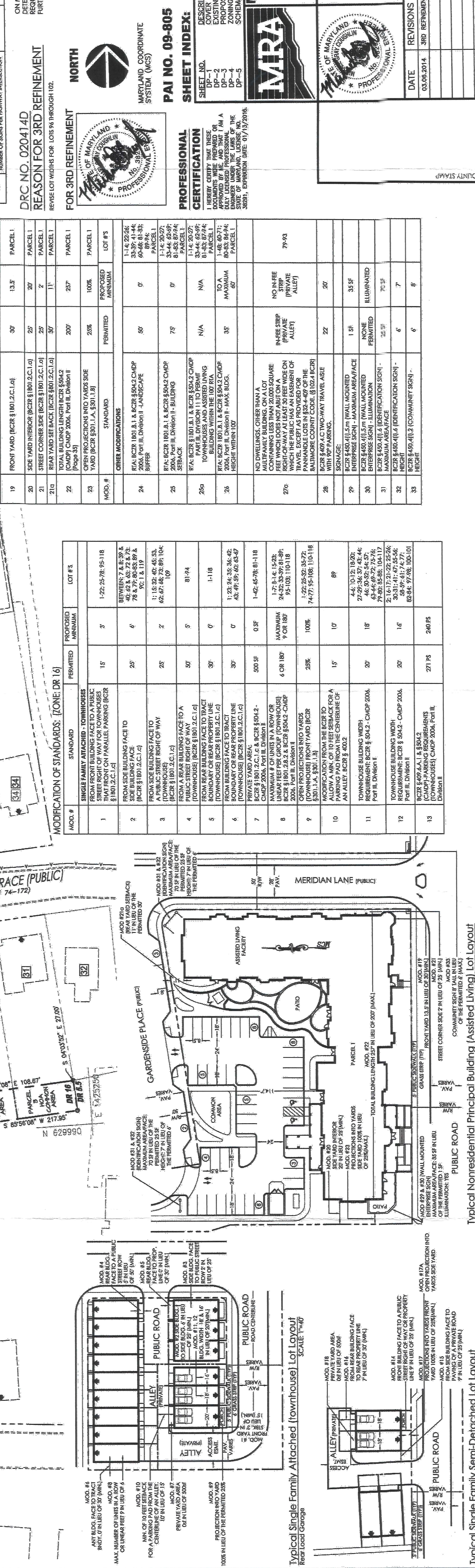
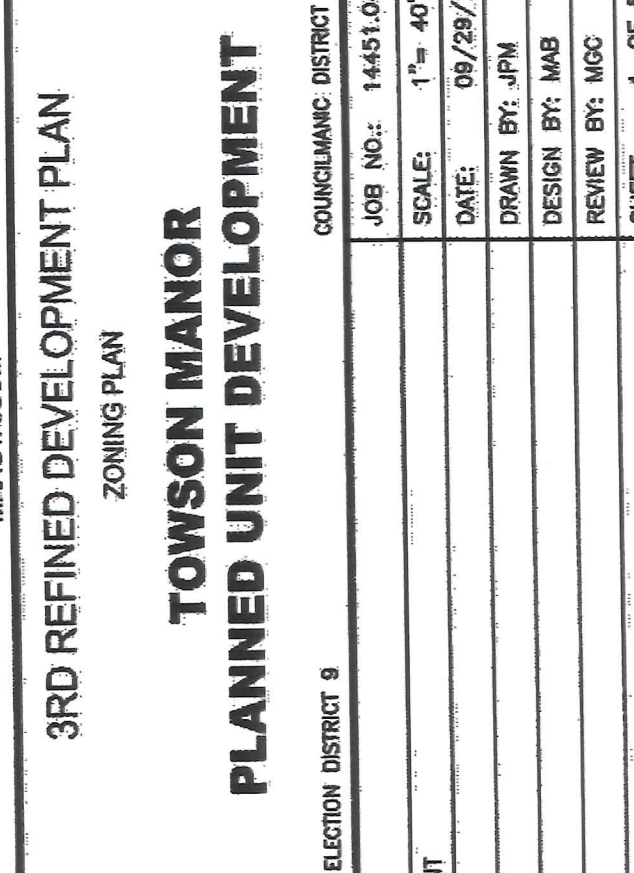
<http://www.vertex42.com/calendars/printable-calendars.html>

© 2014 Vertex42 LLC. Free to print.





Handwritten symbols: ∞ , $\times$, $\mathbb{W}$, $\perp$, $\mathbb{W}$, $\mathbb{A}$.



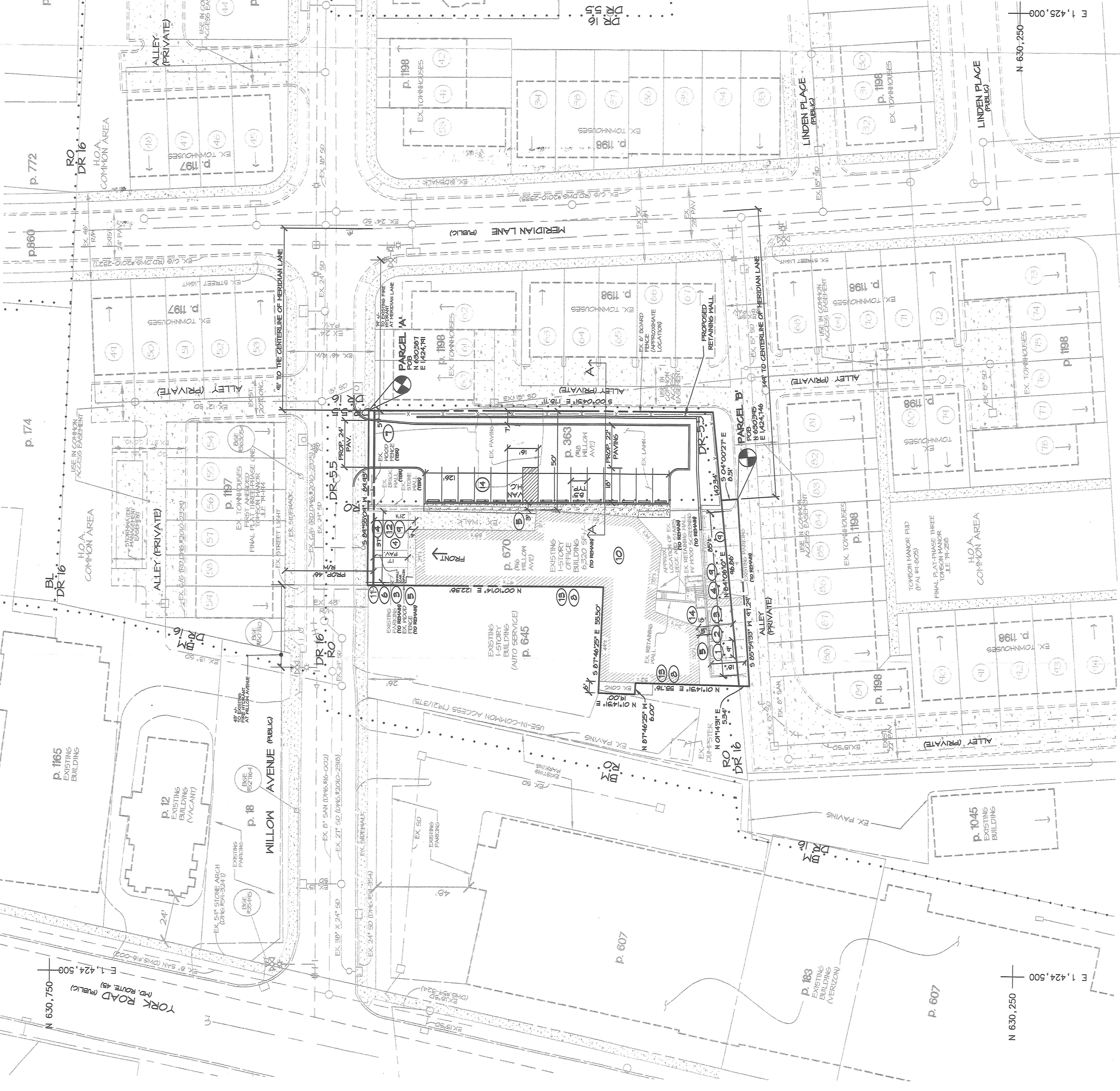
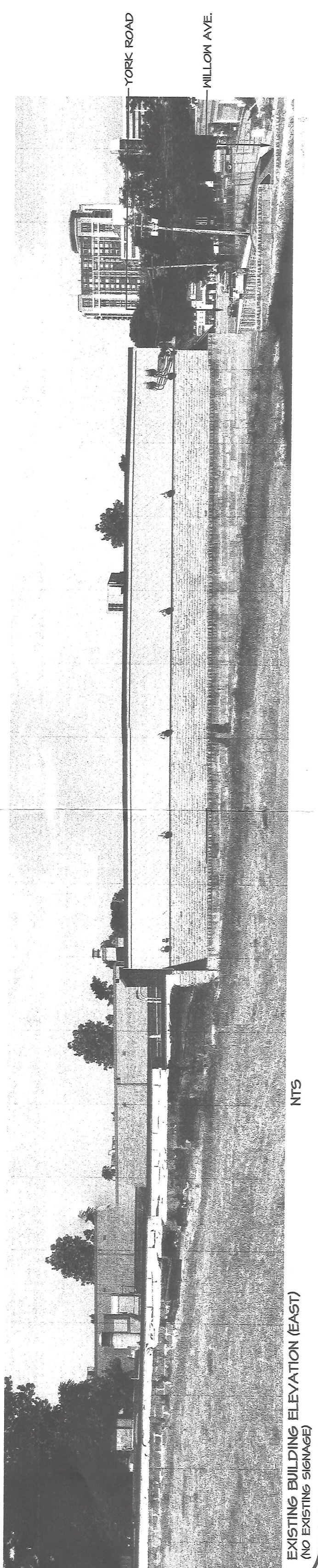
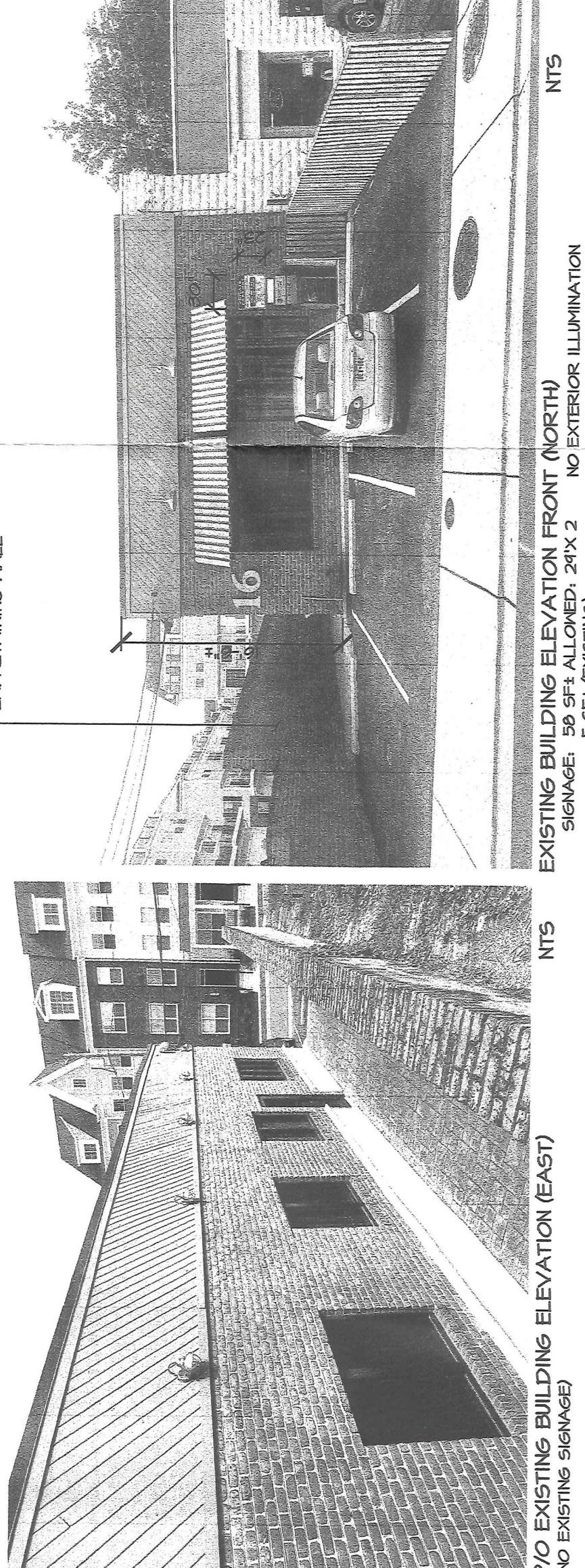
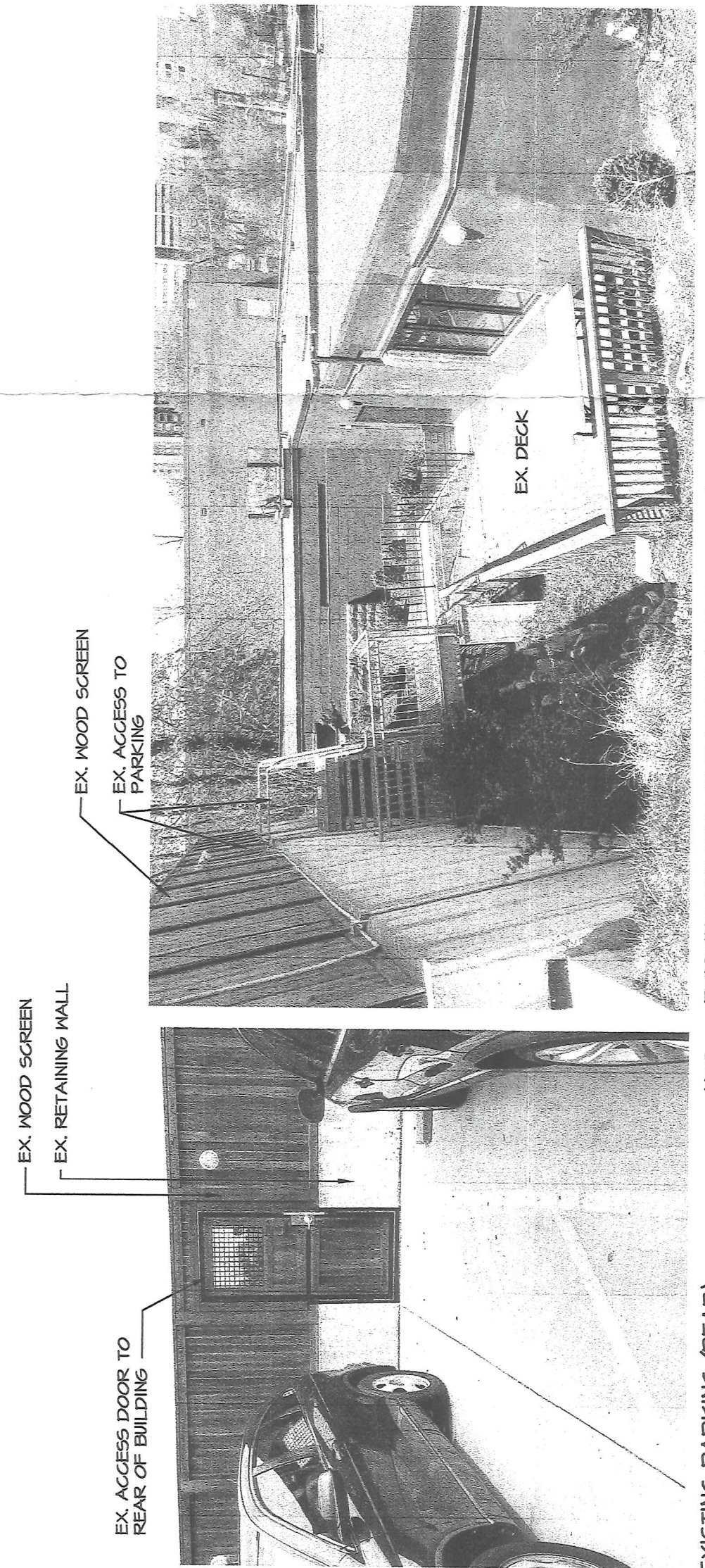
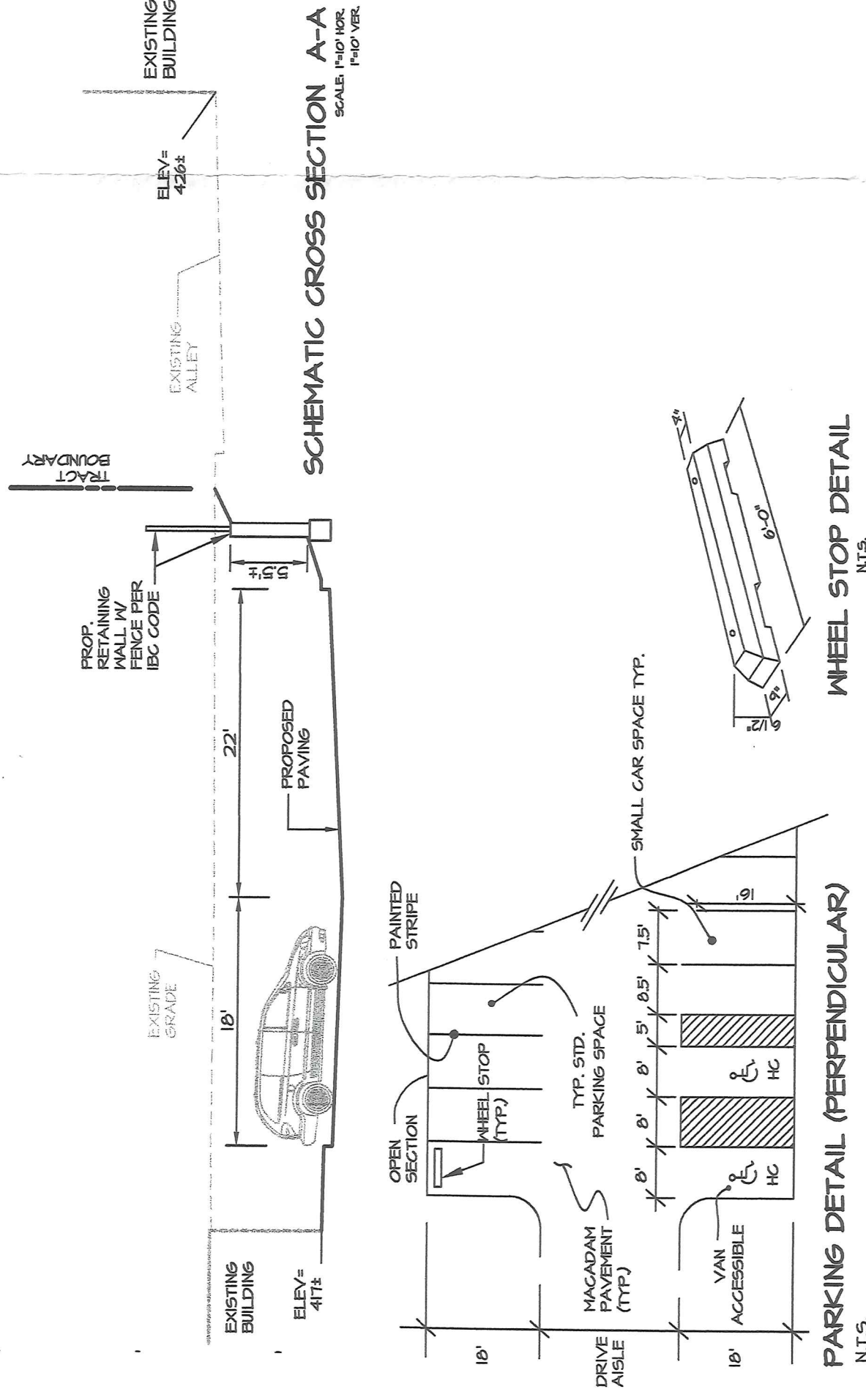
34

DECLARATION OF STANDARDS: [ZONE: DR 16]

#	STANDARD	PERMITTED	PROPOSED MINIMUM	LOT #'S
1	SINGLE FAMILY ATTACHED - TOWNHOUSES BROWNSVILLE FRONT YARD (BICR) THAT FRONT ON PARALLEL PARKING (BICR) THAT FRONT ON PARALLEL PARKING (BICR) SIDE YARD (BICR) 1' (B.O.I. 2.1.c.1.)	15'	3'	1, 2, 25, 76, 95, 118 BETWEEN 7, 48, 39, & 40, 62, 65, 72, 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,

[illegible]

Typical Single Family Attached Rear Local Garage

[illegible]

PART 1: PARCEL A:

- 1) TO ALLOW A SCREENING FOR THE EXISTING PARKING AREA, NEXT TO A RESIDENTIAL ZONE REQUIRED BY SECTION 20A-14-2.3, (BZ20).
- 2) TO ALLOW EXISTING OFF STREET PARKING TO BE PARTIALLY LOCATED ON AN ADJACENT PROPERTY REQUIRED BY SECTION 20A-14-2.3, (BZ20) AND SECTION 20A-14-2.6, (BZ20).
- 3) TO ALLOW A MINIMUM SETBACKS FOR AN EXISTING PAVED SURFACE TO A LOT LINE OF 6 FEET IN L&U REQUIRED BY SECTION 20A-14-2.3, (BZ20).
- 4) TO ALLOW A MINIMUM 0 FOOT EXISTING LANDSCAPE BUFFER IN L&U OF 30 FEET REQUIRED BY SECTION 20A-14-2.4.1 (BZ20).
- 5) TO ALLOW A MINIMUM PARKING SPACE SETBACK TO AN EXISTING BUILDING OF 15 FEET IN L&U OF THE EXISTING PARKING SPACE SETBACK TO A BUILDING, (BZ20).
- 6) TO ALLOW EXISTING PARKING TO BE PARTIALLY LOCATED TO THE 15 FEET MINIMUM RIGHT-OF-WAY OF AN EXISTING ROAD OF 20 FEET REQUIRED BY SECTION 20A-14-2.4, (BZ20).
- 7) TO ALLOW A LANDSCAPE BUFFER NEXT TO RESIDENTIAL ZONED PROPERTY OF A MINIMUM OF 3 FEET IN L&U OF 30 FEET REQUIRED BY SECTION 20A-14-2.6.1 (BZ20).
- 8) To allow off street parking to be partially located on an adjacent property of a 0 foot in L&U of 30 feet required by section 20A-14-2.3 (BZ20).
- 9) TO ALLOW AN ADJACENT OPEN SPACE AREA OF 9 FEET IN L&U OF THE REQUIRED 15 FEET SETBACK OF THE EXISTING INTERIOR PARKING LOT LOCATED NEXT TO EXISTING ZONED PROPERTY OF A MINIMUM OF 3 FEET IN L&U OF 30 FEET REQUIRED BY SECTION 20A-14-2.6, (BZ20).
- 10) TO ALLOW EXISTING OFF STREET PARKING TO BE LOCATED ON A LOT LINE OF 40 FEET IN L&U OF 40 FEET REQUIRED BY SECTION 20A-14-2.3, (BZ20).
- 11) TO ALLOW EXISTING FRONT BUILDING SETBACKS OF 21 FEET IN L&U OF 25 FEET REQUIRED BY SECTION 20A-14-2.3, (BZ20).
- 12) TO ALLOW AN EXISTING SIDE YARD SETBACKS OF 0 FEET IN L&U OF 10 FEET REQUIRED BY SECTION 20A-14-2.3, (BZ20).
- 13) TO ALLOW AN EXISTING REAR YARD SETBACKS OF 16 FEET IN L&U OF 30 FEET REQUIRED BY SECTION 20A-14-2.3, (BZ20).

SPECIAL MEANING:

TO ALLOW BUSINESS PARKING IN A RESIDENTIAL ZONE AS PER SECTION 409A.B. (BCZRS).

TRACT BOUNDARY
EASEMENT

STORM DRAIN

EXISTING FRONT ORIENTATION

UTILITY POLE

ROAD

DR 55
BR

TRACT BOUNDARY

EASEMENT

STORM DRAIN

EXISTING FRONT ORIENTATION

UTILITY POLE

ROAD

DR 55
BR

VICINITY MAP
SCALE: 1"=500'

LEGEND:

- 1. DEVELOPMENT NAME: 16-18 MELLOW AVENUE
- 2. DEVELOPER: D&J INVESTMENTS, INC.
- 3. ADDRESS: 1105 Antietam Road
Baltimore, Maryland 21244
ATTN: Shoulay A. McArthur, R.L.A.
410-744-0010

PROPERTY REFERENCES

ADDRESS	PARCEL	DEED	TAX AGT. #	TAX MAP	ADD. MAP
#6	612	27807 / 134	018030922	10 / 14	2787
#8	565	55857 / 405	018030920	10 / 14	2791

[illegible]

The existing use is General Office and Vacant.

This property has been held twice by the Millson Area since 1984, 449 Millson Ave. since HTF. The site is not located within a different zone per Baltimore County 2010 District Service Maps.

The site is not located within a different zoning district than the surrounding area. Adopted 5/26/2021, per Bill #2610.

This area is not located within Chesapeake Bay Critical Growth Area.

There are no active zoning violations found on the file with Baltimore County.

There was no zoning history found on the 449 Millson Avenue.

Commercial Permits: BMD007

The site is not located within a historic district.

Gordon House (BA-2365) once stood at 449 Millson Ave. (See commercial permit above)

There is no existing National Landmarks District per Baltimore County Map Portal.

Landscaping will be provided in accordance with Landscape Manual and all other manuals adopted by the City of Baltimore.

All future use will be limited to low or medium impact uses as defined in the City of Baltimore Zoning Ordinance.

Any future use will be identified for review and approved prior to obtaining Subsequent Development Permit.

The proposed use is not a critical activity. Lifting trucks will be addressed in the final Landscape Plan.

The Stormwater Management and Environmental Protection Agreement between Baltimore County Standards and the Millson Area dated 2/26/2017 requires the following:

There are existing private ownership agreements between BA Townhomes, LLC and 46 Millson Avenue, LLC regarding the lifting truck parking spaces located during the northern property line.

