

IN RE: PETITION FOR VARIANCE
(2109-2115 Greenspring Drive)
8th Election District
3rd Council District
Greenspring Drive 2109-2115, LLC
Legal Owner

Petitioner

*
*
*
*
*

BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY

CASE NO. 2017-0176-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by 2109-2115 Greenspring Drive, LLC, owner of the subject property ("Petitioner"). The Petitioner is requesting variance relief from the Baltimore County Zoning Regulations (B.C.Z.R) to permit 41 parking spaces in lieu of the required 57 parking spaces. A site plan was marked as Petitioner's Exhibit 1.

Edward Brinton and surveyor Bruce Doak appeared in support of the petition. Neil Lanzi, Esq. represented Petitioner. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the 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), and will be discussed below.

The property is approximately 34,943 square feet and is zoned BM-IM. The commercial property is located in Timonium and is adjacent to I-83. The property is improved with two commercial buildings which Petitioner has owned for approximately 20 years. A design business with associated offices is operated at the site. Petitioner proposes to construct a small (1,200 sq. ft.) addition to one of the buildings, which necessitates variance relief concerning the number of off-street parking spaces provided.

ORDER RECEIVED FOR FILING

Date 2/24/17

By sln

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 property has a triangular shape and is therefore unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because it would be unable to construct the proposed addition. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of community and/or Baltimore County opposition. In addition, Mr. Brinton testified he has never had a shortage of parking at the business in the 20 years he has owned the property.

The DOP conducted a site visit and has no objection to the requests. That agency indicated two handicapped parking spaces would need to be relocated, and Mr. Doak explained they will in fact be moved to the front of the building and would be designed in accordance with the Regulations. The DOP also requested an opportunity to review architectural elevations prior to issuance of permits, and such a condition will be included in the Order below.

The Bureau of DPR also indicated it did not object to the variance request, although it noted a deficiency exists with respect to the drive aisle width and backing area for certain of the parking spaces. Mr. Doak agreed with DPR's comment, and noted on the plan where the deficiencies exist. He explained the drive aisle is 16 ft. wide in one area while the Regulations (§409.3) require 22 ft. I do not believe that deficiency will impact in any way safe movement throughout the site, and the Bureau of DPR supports granting relief for that condition, which will

ORDER RECEIVED FOR FILING

Date

2/24/17

By

sen

be included in the Order below.

DPR also indicated landscape and lighting plans would be required. Petitioner submitted photos of the site and described the existing vegetation and plantings at the property. Mr. Brinton noted cherry trees were planted at the perimeter of the site along with other bushes and landscaping. He also noted the site has been safely and adequately lighted for over 20 years. In these circumstances I do not believe a lighting plan should be required. With respect to the landscaping, I do not believe Petitioner should be required to submit a formal plan for the project, which is after all only a modest addition to one of two large commercial buildings on this site. Instead, I will include a condition that will allow the County's landscape architect to meet with petitioner and its consultants and determine what (if any) additional plantings should be added to the site.

THEREFORE, IT IS ORDERED, this 24th day of February, **2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to permit 41 parking spaces in lieu of the required 57 parking spaces and a drive aisle width of 16 ft. in lieu of the required 22 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. Prior to issuance of permits Petitioner must submit for approval by the DOP architectural elevations of the proposed building addition.
3. Petitioner shall provide landscaping at the site as determined in the sole discretion of the Baltimore County Landscape Architect.

ORDER RECEIVED FOR FILING

Date 2/24/17
By Sen

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:sln

ORDER RECEIVED FOR FILING

Date 2/24/17

By sln



KEVIN KAMENETZ
County Executive

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

February 24, 2017

J. Neil Lanzi, Esq.
102 W. Pennsylvania Avenue, Suite 406
Towson, Maryland 21204

RE: Petition for Variance
Case No. 2017-0176-A
Property: 2109-2115 Greenspring Drive

Dear Mr. Lanzi:

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", with a large, stylized flourish extending from the end.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure



PETITION FOR ZONING HEARING(S)

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

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

Address 2109-2115 GREENSPRING DRIVE which is presently zoned BM 1M
 Deed References: 21171/89 10 Digit Tax Account # 1600009635
 Property Owner(s) Printed Name(s) GREENSPRING DRIVE 2109-2115 LLC

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

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

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. X a **Variance** from Section(s)

SEE ATTACHED SHEET

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 THE 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):

GREENSPRING DRIVE 2109-2115 LLC
 Name #1 - Type or Print _____ Name #2 - Type or Print _____
Edward Buck Buntin Jr
 Signature #1 _____ Signature #2 _____
Managing Member, 2109-2115 Greenspring Drive
2105 B GREENSPRING DRIVE TIMONIUM MD
 Mailing Address _____ City _____ State _____
21093 / 410-252-8235 / _____
 Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

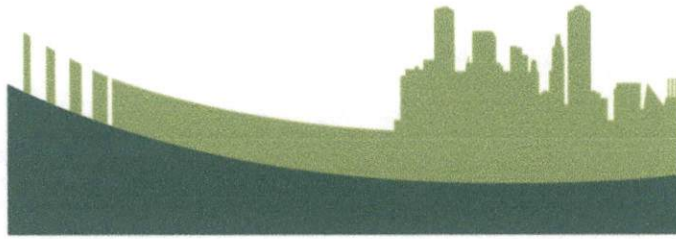
BRUCE E. DOAK
BRUCE E. DOAK CONSULTING LLC
 Name - Type or Print _____
Bruce E Doak
 Signature _____
3801 BAKER SCHOOLHOUSE ROAD FREELAND MO
 Mailing Address _____ City _____ State _____
21053 / 910-419-9906 / _____
 Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2017-0176-A Filing Date 1/5/17 Do Not Schedule Dates: _____ Reviewer RJD

VARIANCE REQUEST FOR 2109 – 2115 GREENSPRING DRIVE

Section 409.6.2 (BCZR) – to permit 41 parking spaces in lieu of the required 57

Item #0176



Zoning Description

2109- 2115 Greenspring Drive
Eighth Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at a point on the east side of Greenspring Drive (variable width), approximately 485 feet northerly from the centerline of Timonium Road, thence running on the east side of Greenspring Drive and running on the outlines of the subject property, the three following courses and distances, viz. 1) Northwesterly by a line curving to the right with a radius of 720.00 feet and an arc distance of 297.73 feet, the chord being North 06 degrees 25 minutes 54 seconds West 295.61 feet, 2) North 05 degrees 24 minutes 52 seconds East 5.22 feet and 3) Northeasterly by a line curving to the left with a radius of 780.00 feet and an arc distance of 144.15 feet, the chord being North 00 degrees 07 minutes 13 seconds West 143.94 feet, thence leaving Greenspring Drive and continuing to run on the outlines of the subject property, the two following courses and distances, viz. 4) South 22 degrees 41 minutes 18 seconds East 421.07 feet and 5) South 67 degrees 18 minutes 42 seconds West 141.00 feet to the point of beginning.

Containing 34,943 square feet or 0.802 of an acre of land, more or less.

This description is part of a zoning petition and is not intended for any conveyance purposes.

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com



Item # 0176

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

No.

142842

Date:

1/5/17

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
1/05/2017 1/05/2017 10:28:59 3

MSD3 WALKIN CAM
>> RECEIPT # 711361 1/05/2017 OFLN

Dept 5 528 ZONING VERIFICATION

ID. 142842

Recpt Tot \$500.00
\$500.00 CK \$0.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				5500

Total: 10500

Rec

From: Greenspring Dr LLC

For:

Zoning hearing - case # 2017-0176-A

DISTRIBUTION

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

PLEASE PRESS HARD!!!

CASHIER'S
VALIDATION

Bruce E. Doak Consulting, LL

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

February 5, 2017

Re:
Zoning Case No. 2017-0176-A
Petitioner: Greenspring Drive 2109-2115 LLC
Hearing date: February 22, 2017

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

Attention: 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 **2109-2115 Greenspring Drive**.

The sign was posted on **January 31, 2017**.

Sincerely,



Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor

2115

LEASE

2,400 SQ FT

800 - UPSTAIRS

1,600 - DOWNSTAIRS

2 FIREPLACES

STONE FLOOR

410-252-8235



ZONING NOTICE

CASE NO. 2017-0176-A

2109-2115 Greenspring Drive

**A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE
IN TOWSON MARYLAND**

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204**

DATE & TIME: Wednesday February 22, 2017 2:30 PM

REQUEST:

**VARIANCE TO PERMIT 41 PARKING SPACES IN LIEU OF THE
REQUIRED 57 PARKING SPACES.**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.**

**DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.**

THE HEARING IS HANDICAPPED ACCESSIBLE



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 4747465

Sold To:

Edward Brinton - CU00582688
2105 Greenspring Dr
Ste B
Lutherville Timonium, MD 21093-3155

Bill To:

Edward Brinton - CU00582688
2105 Greenspring Dr
Ste B
Lutherville Timonium, MD 21093-3155

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

Feb 02, 2017

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

NOTICE OF ZONING HEARING
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows: Case: # 2017-0176-A 2109-2115 Greenspring Drive E/s Greenspring Drive, 485 ft. N/of centerline of Timonium Road 8th Election District - 3rd Councilmanic District Legal Owner(s) Greenspring Drive 2109-2115 LLC Variance: to permit 41 parking spaces in lieu of the required 57 parking spaces. Hearing: Wednesday, February 22, 2017 at 2:30 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) 887-3388. (2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391. 2/014 Feb. 2
4747465

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:

Case Number: 2017-0176-A
Property Address: 2109- 2115 GREENSPRING DRIVE
Property Description: 34,943 SQUARE FEET 485'± NORTHERLY OF CENTER
LINE OF TIMONIUM ROAD
Legal Owners (Petitioners): GREENSPRING DRIVE 2109- 2115, LLC
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: EDWARD (BUCK) BRINTON
Company/Firm (if applicable): _____
Address: 2105 B GREENSPRING DRIVE
TIMONIUM MD 21093

Telephone Number: 410-252-8235

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 2, 2017 Issue - Jeffersonian

Please forward billing to:
Edward Brinton
2105B Greenspring Drive
Timonium, MD 21093

410-252-8235

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: 2017-0176-A
2109-2115 Greenspring Drive
E/s Greenspring Drive, 485 ft. N/of centerline of Timonium Road
8th Election District – 3rd Councilmanic District
Legal Owners: Greenspring Drive 2109-2115 LLC

Variance to permit 41 parking spaces in lieu of the required 57 parking spaces.

Hearing: Wednesday, February 22, 2017 at 2:30 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*

January 23, 2017

NOTICE OF ZONING HEARING

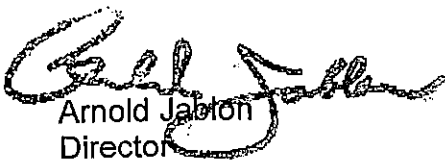
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2017-0176-A

2109-2115 Greenspring Drive
E/s Greenspring Drive, 485 ft. N/of centerline of Timonium Road
8th Election District – 3rd Councilmanic District
Legal Owners: Greenspring Drive 2109-2115 LLC

Variance to permit 41 parking spaces in lieu of the required 57 parking spaces.

Hearing: Wednesday, February 22, 2017 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director

AJ:kl

C: Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053
Edward Brinton, 2105 B Greenspring Drive, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, FEBRUARY 2, 2017.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

February 15, 2017

Greenspring Drive, 2109-2115 LLC
Edward Brinton
2105 Greenspring Drive
Timonium MD 21093

RE: Case Number: 2017-0176 A, Address: 2109-2115 Greenspring Drive

Dear Mr. Brinton:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 5, 2017. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Bruce E Doak, Bruce Doak Consulting LLC, 3801 Baker Schoolhouse Road, Freeland MD 21053

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



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

Date: 1/11/17

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. 2017-0176-A

Variance
Greenspring Drive 2109-2115 LLC.
Edward (Buck) Brinton, Managing Member
2109-2115 Greenspring Drive

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,

Wendy Wolcott, PLA
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

2-22

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 2/8/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-176



INFORMATION:

Property Address: 2109 – 2115 Greenspring Drive
Petitioner: Greenspring Drive 2109 – 2115, LLC
Zoning: BM-IM
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit 41 parking spaces in lieu of the required 57 parking spaces.

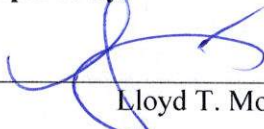
A site visit was conducted on January 19, 2017. The site is within the Hunt Valley/Timonium Plan area. The Plan indicates on Page 12 the importance of maintaining the Greenspring Drive corridor as an “employment service road, permitting the movement of the goods and employees unhampered by the congestion of retail development.”

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

- Architectural elevations must be submitted to the contact person listed below for review prior to the issuance of building permits. Said architecture shall be consistent with the brick of the existing building and the integrated landscaping elements.
- In the event the retail use of the property is expanded in way the parking requirement is increased, the plan may be subject to a special hearing and further review by the Department.
- Ensure that the two handicapped spaces are relocated in an appropriate manner and shown on all plans submitted to Baltimore County for review and approval.

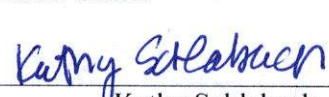
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Wally Lippincott

Bruce E. Doak, Bruce E. Doak Consulting, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: January 11, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0176-A
Address 2109-2115 Greenspring Drive
(Greenspring Drive 2109-2115, LLC
Property)

Zoning Advisory Committee Meeting of **January 16, 2017**.

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

Reviewer: Steve Ford Date: 1-11-2017

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For January 16, 2017
Item No. 2017-0176

DATE: January 19, 2017

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

If granted, Landscape and Lighting Plans are required per the requirements of the Landscape Manual.

Please note in the order that the petitioner should have asked for approval of a modified parking plan, since there are deficient drive aisle widths and no backing area in at least two places. We have no objection to the approval of the modified parking plan or the reduction in the number of spaces. Since there is no parking allowed on Greenspring Drive, only the petitioner may be affected.

* * * * *

DAK:CEN
Cc:file
ZAC-ITEM NO 17-0176-01162017.doc

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
2109-2115 Greenspring Drive; E/S Greenspring *
Drive, 485' N of c/line Timonium Road * OF ADMINISTRATIVE
8th Election & 3rd Councilmanic Districts *
Legal Owner: Greenspring Drive 2109-2115, LLC* HEARINGS FOR
by Edward Brinton, Managing Member *
Petitioner(s) * BALTIMORE COUNTY
*
* 2017-176-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED
JAN 12 2017

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of January, 2017, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, Bruce E. Doak Consultant, LLC, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

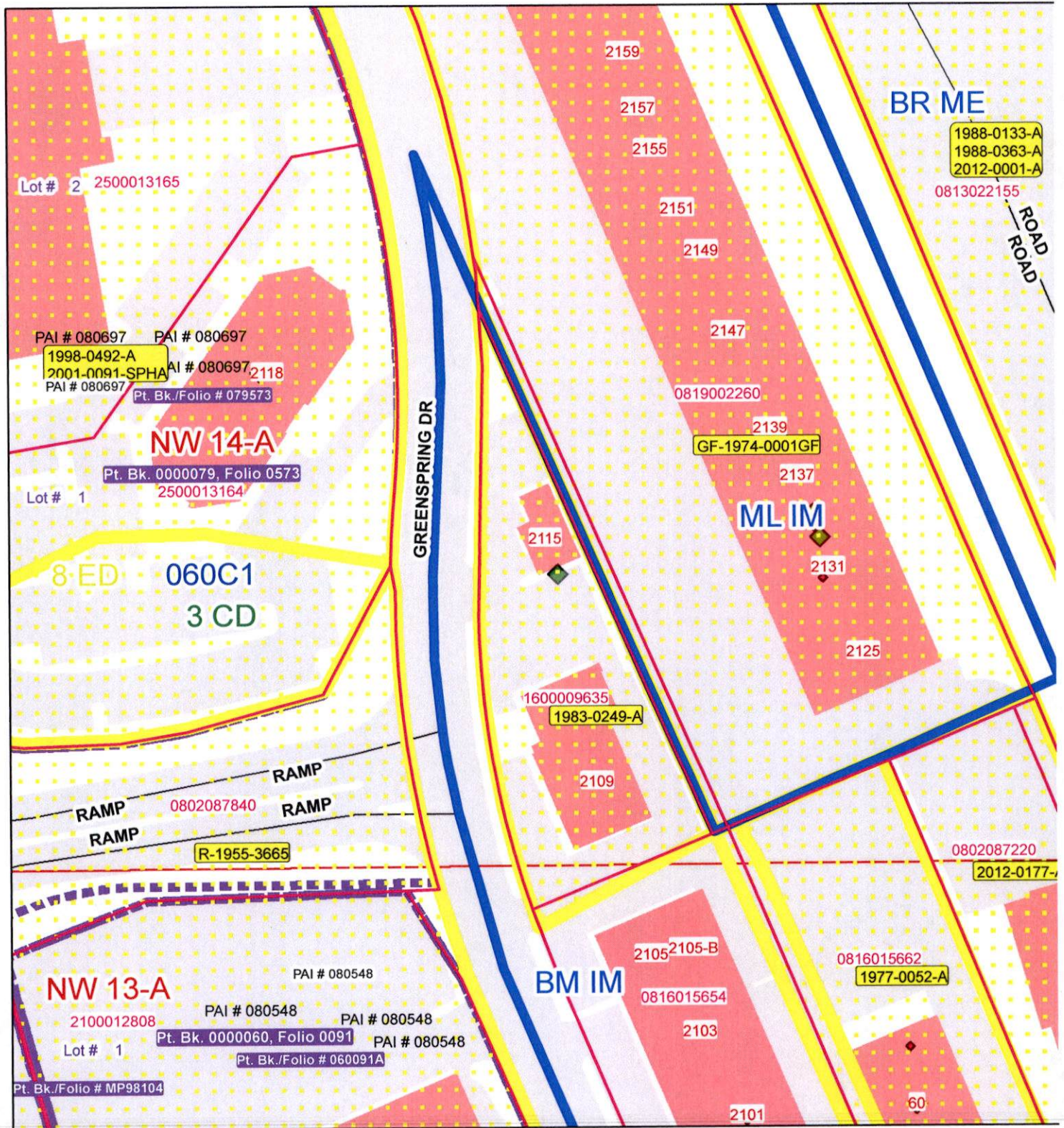
M E M O R A N D U M

DATE: March 28, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0176- A – Appeal Period Expired

The appeal period for the above-referenced case expired on March 27, 2017. 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

2105 -- 2115 Greenspring Drive



Publication Date: 1/5/2017



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



0 25 50 100 150 200 Feet

1 inch = 100 feet

Item #0176

~~Real Property Data Search~~ ~~Guide to searching the database~~

~~Search Result for BALTIMORE COUNTY~~

View Map			View GroundRent Redemption			View GroundRent Registration			
Account Identifier:			District - 08 Account Number - 1600009635						
Owner Information									
Owner Name:		GREENSPRING DRIVE 2109-2115 LLC				Use: Principal Residence:		INDUSTRIAL NO	
Mailing Address:		2105B GREENSPRING DR TIMONIUM MD 21093				Deed Reference:		/21171/ 00089	
Location & Structure Information									
Premises Address:		2109 GREENSPRING DR TIMONIUM MD 21093-0000				Legal Description:		.802 AC ES 2109-2115 GREENSPRING DR 390 NE TIMONIUM RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0060	0005	0726		0000				2017	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
1974		11792					34,935 SF		07
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation		
		RETAIL STORE							
Value Information									
			Base Value		Value		Phase-in Assessments		
					As of		As of		As of
					01/01/2017		07/01/2016		07/01/2017
Land:			714,900		714,900				
Improvements			510,800		521,100				
Total:			1,225,700		1,236,000		1,225,700		1,229,133
Preferential Land:			0						0
Transfer Information									
Seller: GREENSPRING DRIVE 2109-2115 LLC				Date: 12/22/2004			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /21171/ 00089			Deed2:		
Seller: RAP LLC				Date: 06/19/2003			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /14089/ 00465			Deed2:		
Seller: PEAK JAMES R				Date: 10/14/1999			Price: \$675,000		
Type: ARMS LENGTH IMPROVED				Deed1: /14089/ 00465			Deed2:		
Exemption Information									
Partial Exempt Assessments:		Class			07/01/2016		07/01/2017		
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									

CASE NAME _____
CASE NUMBER 2017-0176-A
DATE 2/22/17

[illegible]

Case No.:

2017-0176-A

Exhibit Sheet

2-24-17

Petitioner/Developer

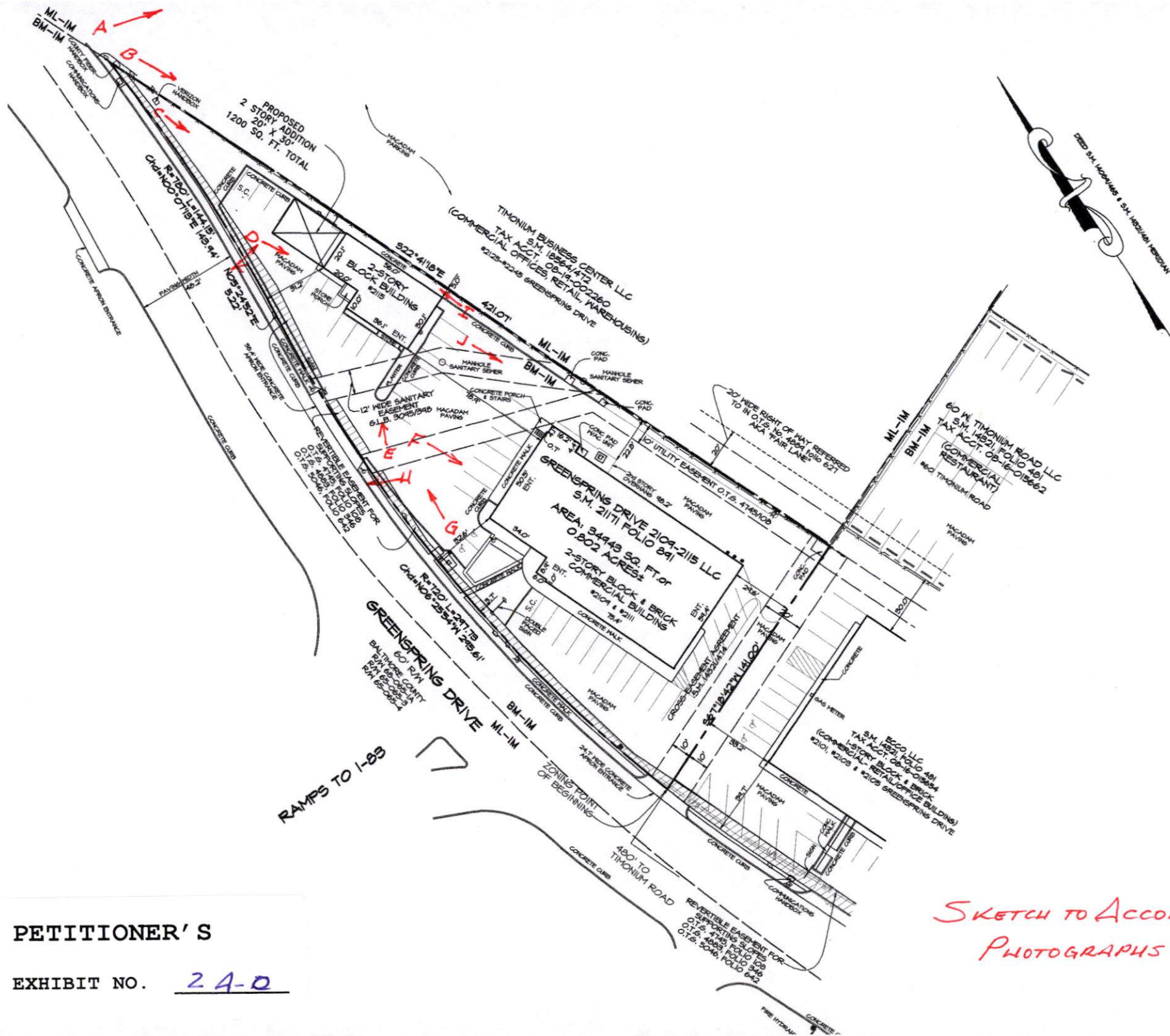
DW
3-28-17

Protestant

No. 1	site plan	
No. 2	plan w/ photographs A-K	
No. 3	photos of vicinity 3A-3E	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PETITIONER'S

EXHIBIT NO. 24-0



SKETCH TO ACCOMPANY
PHOTOGRAPHS



A



B



C



D

E



F



G



H



I



J



K





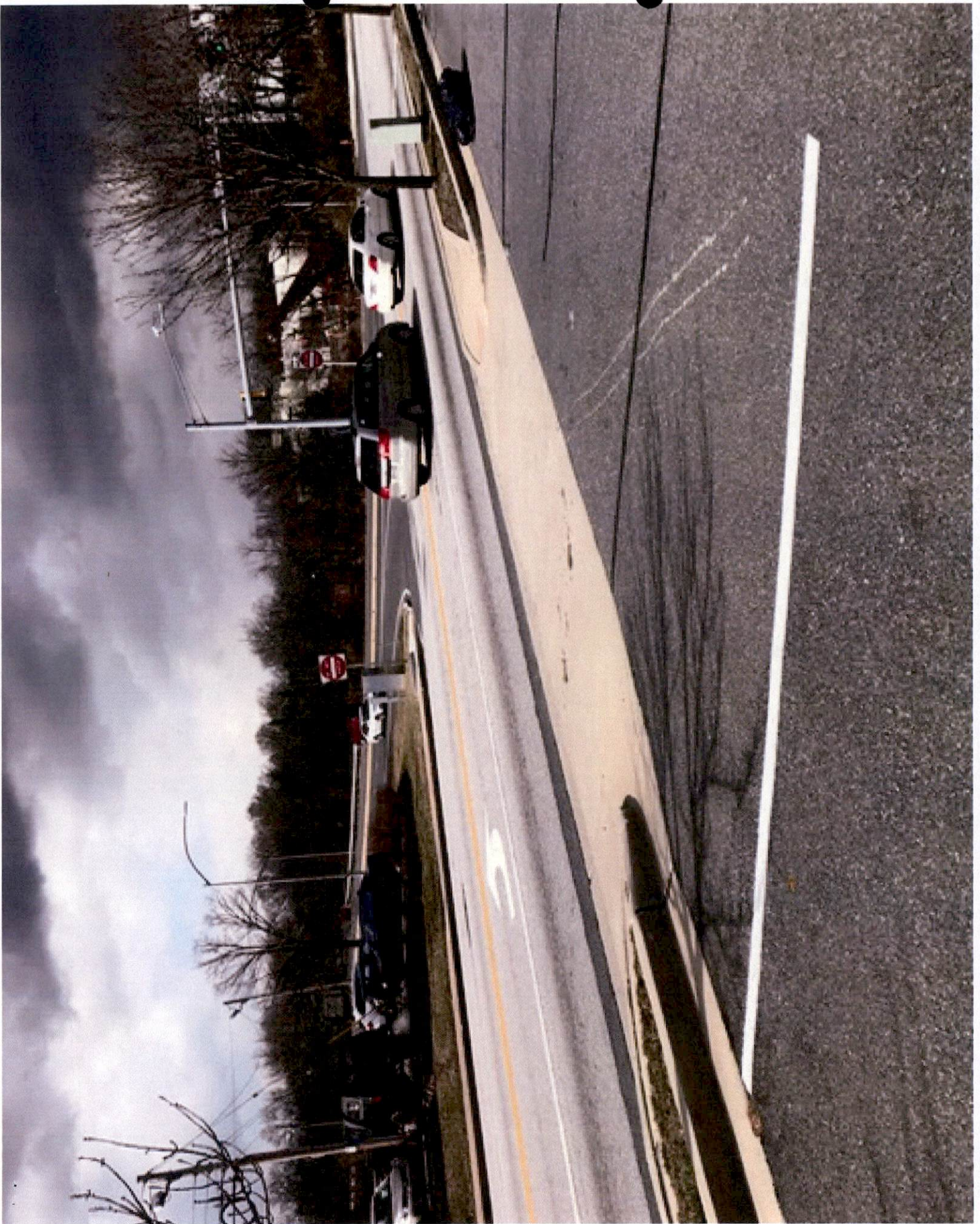
PETITIONER' S

EXHIBIT NO. 3A-E









GENERAL SITE INFORMATION

1. Ownership: Greenspring Drive 2109-2115 LLC
2105B Greenspring Drive Timonium, MD 21093
2. Address: 2109 - 2115 Greenspring Drive
3. Deed reference: SM 21171/89
4. Area: 34,943 sq. ft. / 0.802 acre(s) (per deed)
5. Tax Map / Parcel / Tax account #: 60 / 726 / 16-00-009635
6. Election District: 8 Councilmanic District: 3
ADC Map: 4460J10 GIS tile: 060C1 Position sheet: 108NW10
Census tract: 408505 Census block: 240054085052024
Schools: Pot Spring ES Ridgely MS Dulaney HS

7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 060C1 and the information provided by Baltimore County on the internet.

8. Improvements: Two black and brick two story buildings & parking lot. The existing buildings and the parking lot will remain.

OFFICE OF ZONING

Zoning: BM IM

Zoning case history: Case #93-0249-A
Permits a rear yard setback of 5 feet instead of the required 30 feet.

Parking Calculations

Required parking spaces for office use: 13 (3.8 x 3.3 =12.54)
(3.3 parking spaces per 1000 square feet of gross floor area per section 409.6A.2 BCZR)
Required parking spaces for retail use: 44(8.7 x 5 = 43.5)
(5 parking spaces per 1000 square feet of gross floor area per section 409.6A.2 BCZR)

Total parking spaces required on site: 57

Parking spaces provided on site: 41

#2109, #2111 & #2113 Greenspring Avenue

1st floor (#2109)- 4500 sf (retail)
1st floor (#2111)- 2100 sf (retail)
2nd floor (#2113)- 2300 sf (office)

#2115 Greenspring Avenue

1st floor (#2115)- 1500 sf (retail)
Addition (#2115)- 600 sf (retail)

2nd floor (#2115)- 900 sf (office)
Addition (#2115)- 600 sf (office)

Totals: 8,700 sf (retail) 3,800 sf (office)

BM IM Setbacks for Commercial Buildings

Building to building: 60 feet (Section 235)
Front: 15 feet from the street right of way /40 feet to center line of street (Section 235)
Side / Rear: 0 feet (Section 231)

ENVIRONMENTAL

Watershed: Jones Falls URDL land type: 0

1. The existing buildings are currently serviced by public water and sewer.
2. There are no underground storage tanks on the subject property.
3. The subject property is not in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100 year flood plain.

OFFICE OF PLANNING

Regional Planning District: Cockeysville/ Timonium District Code: 309

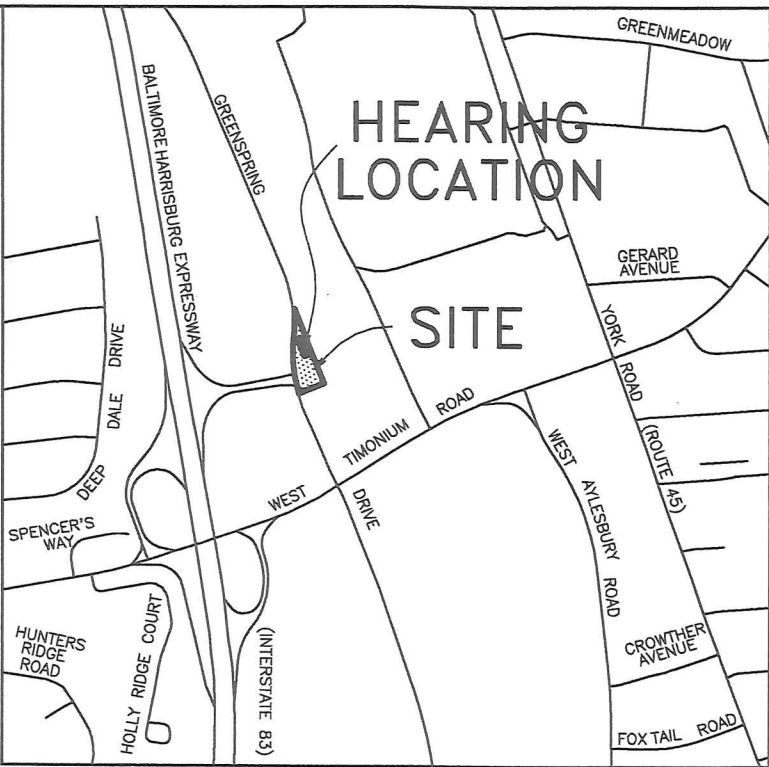
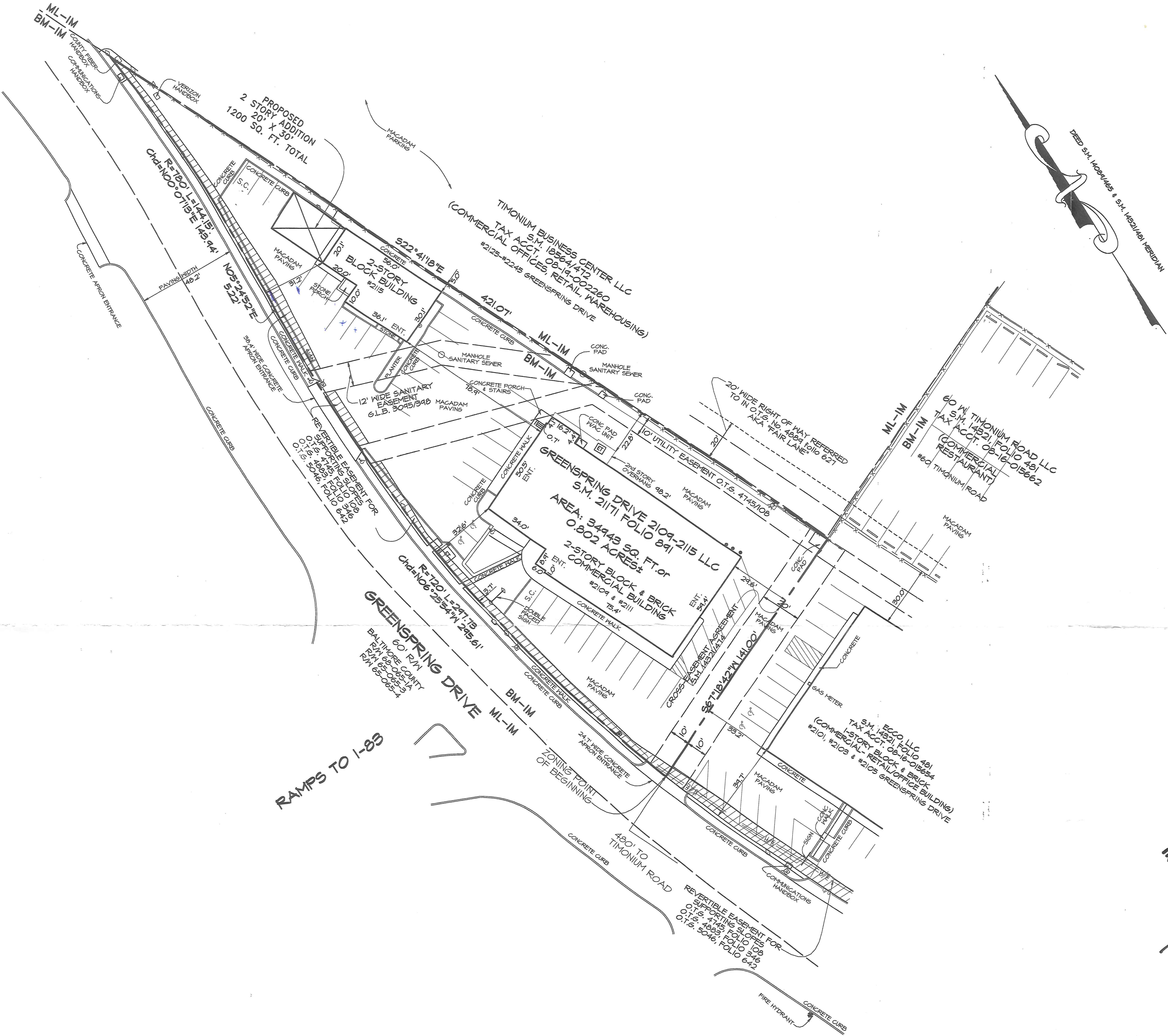
1. The subject buildings are not historic. The subject property is not in a historic district.

PROPOSED DEVELOPMENT

The construction of a 20' x 30' two story addition to the #2115 Greenspring Drive building.

LEGEND

	BUILDING
	CHAIN-LINK FENCE
	BOUNDARY LINE
	EASEMENT LINE
	UNDERGROUND GAS LINE
	UNDERGROUND ELECTRIC LINE
	WOOD FENCE LINE
	STORM DRAIN LINE
	FIRE HYDRANT
	MANHOLE
	ELECTRIC TRANSFORMER
	GAS OR WATER VALVE
	CLEANOUT
	SIGN
	BOLLARD
	TELEPHONE PEDESTAL
	ELECTRIC HANDBOX
	HANDICAP ACCESS OR PARKING
	REVERTIBLE SLOPE EASEMENT
	TEMPORARY CONSTRUCTION EASEMENT
	TEMPORARY SLOPE EASEMENT
	SMALL CAR PARKING SPACE

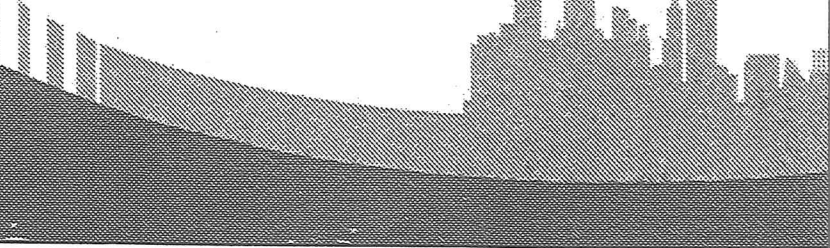


VICINITY MAP - SCALE: 1" =1000'

#2017-0176-A

R.D.

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com



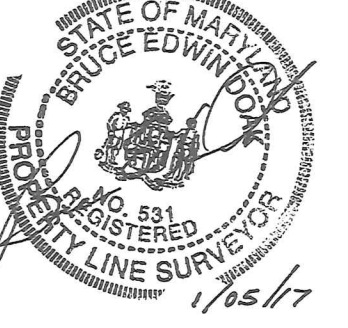
PLAN TO ACCOMPANY
A ZONING PETITION

2109 - 2115
GREENSPRING DRIVE

BALTIMORE COUNTY, MARYLAND
8th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

Date: 12/06/2016

Scale: 1" = 30'



PETITIONER'S

EXHIBIT NO. 1

CASE #2017-0176-A