

M E M O R A N D U M

DATE: September 7, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0354-A – Appeal Period Expired

The appeal period for the above-referenced case expired on September 6, 2018. 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

IN RE: PETITION FOR VARIANCE
(9701 Beaver Dam Road)
8th Election District
3rd Council District
Premier A-2 Timonium MD, LLC
Legal Owner

Petitioner

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2018-0354-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Premier A-2 Timonium MD, LLC, legal owner of the subject property (“Petitioner”). The Petition seeks variance relief from Sections 255.1 and 238.2 of the Baltimore County Zoning Regulations (“BCZR”) for a side setback between buildings of 23 ft. in lieu of the required 60 ft. A site plan was marked as Petitioner’s Exhibit 1.

Scott Cooper and professional engineer David Taylor appeared in support of the petition. Adam M. Rosenblatt, Esq. represented the Petitioner. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”), the Bureau of Development Plans Review (“DPR”) and the Department of Environmental Protection and Sustainability (“DEPS”). None of the reviewing agencies opposed the request.

The site is approximately 2.44 acres in size and zoned ML-IM. A Macaroni Grill restaurant was operated at the site for many years. That restaurant closed and while vacant the building was destroyed by fire. Petitioner proposes to construct a self-storage facility at the site.

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

ORDER RECEIVED FOR FILING

Date 8/7/18
By Sen

- (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).

The property has an irregular 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 buildings. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the absence of County and/or community opposition.

The DOP suggested a crosswalk be added at the site, and Mr. Taylor explained the plan shows an internal crosswalk and he highlighted its location. The Bureau of DPR noted a floodplain exists on the property, and Mr. Taylor testified the limits of the floodplain are shown on the plan with dashed lines. He noted Petitioner will not in any way impact the floodplain, and that no buildings or new improvements of any kind would be constructed within the limits of the floodplain. As such, I do not believe Petitioner should be required to perform a floodplain study in this instance. Mr. Taylor testified there is no history of flooding at the site, and he noted the floodplain was mapped most recently in 2008. In these circumstances I concur with Mr. Taylor's opinion a floodplain study should not be required in this case.

THEREFORE, IT IS ORDERED, this 7th day of **August, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to Sections 255.1 and 238.1 of the Baltimore County Zoning Regulations ("BCZR") for a side setback between buildings of 23 ft. in lieu of the required 60 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date

8/7/18

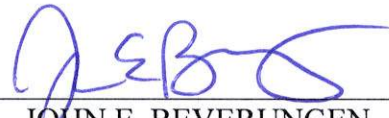
By

Sen

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 must comply with the DEPS ZAC comment, a copy of which is attached.

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 8/7/18

By sln



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 9701 Beaver Dam Road which is presently zoned ML IM

Deed References: 39558/387 10 Digit Tax Account # 2200028449

Property Owner(s) Printed Name(s) Premier A-2 Timonium MD, 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:

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. ☒ a **Variance** from Section(s)

From BCZR Sections 255.1 and 238.2 for a side setback between buildings of 23 feet in lieu of the required 60 feet.

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:

Adam M. Rosenblatt, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6271 / amrosenblatt@venable.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

SEE ATTACHED

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:

Adam M. Rosenblatt, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6271 / amrosenblatt@venable.com

Zip Code Telephone # Email Address

CASE NUMBER 2018-0354-A Filing Date 6/20/18

Do Not Schedule Dates: _____

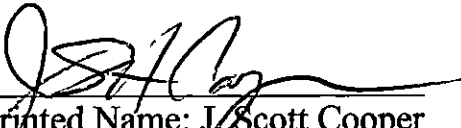
Reviewer gh

REV. 10/4/11

ATTACHMENT TO
ZONING PETITION

OWNER

Name: Premier A-2 Timonium MD, LLC

By: 
Printed Name: J. Scott Cooper
Authorized Representative

MAILING ADDRESS

1802 Cedar Street
Lewes, DE 19958



ISO 9001:2015 CERTIFIED

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

11830 West Market Place, Suite F • Fulton, MD 20759 • Phone +10-792-8086 • Fax +10-792-7419

9701 Beaver Dam Road, Timonium, MD

Beginning at a capped pin found on the Easterly Right of Way of Beaver Dam Road as shown on Baltimore County Right of Way Plat No. FRW 88-159-37R1, said point also being designated as "RW120" on a Plat entitled, "Final Plat - Lot 1, Redland Genstar, Inc. Property - Texas Complex", recorded in Plat Book Liber 69, folio 21, by Edward F. Kelly, R.P.L.S. #159, Morris & Ritchie Associates, Inc., thence leaving said beginning point so fixed and binding on the same eastern Right of Way line, of Beaver Dam Road,

1. By a curve to the right with a radius of 490.00' and an arc length of 100.96', said curve being subtended by a chord bearing N10°27'59"W 100.78', to a point of compound curvature, thence continuing along said Right of way,
2. By a curve to the right with a radius of 919.93' and an arc length of 301.32', said curve being subtended by a chord bearing N04°49'11"E 299.98', to a point, thence continuing along said Right of way,
3. N14°12'12"E 108.25' to a point, thence leaving the Right of Way of Beaver Dam Road and binding along lands of JFK Texas, LLP, DB 13779 P 364 the nine following courses and distances,
4. S75°47'48"E 29.46' to a point, thence,
5. N59°12'12"E 5.00' to a capped pin found, thence,
6. S31°58'55"E 102.55' to a capped pin found, thence,
7. N58°01'05"E 23.73' to a capped pin found, thence,
8. S28°26'36"E 164.84' to a capped pin found, thence,
9. By a curve to the right with a radius of 361.93' and an arc length of 173.87', said curve being subtended by a chord bearing S14°40'51"E 172.20', to a point, thence,
10. S89°04'55"W 50.01' to a point, thence,
11. S00°55'05"E 38.00' to a point, and thence,
12. S11°58'11"W 105.66' to a point on the northern Right of Way line of West Padonia Road, thence leaving the JFK Texas, LLP lands and binding along the northern Right of Way of West Padonia Road,
13. By a curve to the left with a radius of 3,874.22' and an arc length of 142.82', said curve being subtended by a chord bearing S86°45'43"W 142.81', to a point, thence continuing along said Right of way,
14. N52°18'40"W 61.94' to the point and place of beginning,

Containing 2.444 Acres more or less.



TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 17, 2018 Issue - Jeffersonian

Please forward billing to:

Barbara Lukasevich
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6200

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: 2018-0354-A

9701 Beaver Dam Road
SE corner of Beaver Dam Road and W. Padonia Road
8th Election District – 3rd Councilmanic District
Legal Owners: Premier A-2 Timonium MD, LLC

Variance for a side setback between buildings of 23 ft. in lieu of the required 60 ft.

Hearing: Monday, August 6, 2018 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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

CERTIFICATE OF POSTING

2018-0354-A

RE: Case No.: _____

Petitioner/Developer: _____

Premier A-2 Timonium MD, LLC

August 6, 2018

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: _____

9701 Beaver Dam Road

SIGN 1

July 17, 2018

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



Sincerely,

 July 17, 2018
(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)

CERTIFICATE OF POSTING

2018-0354-A

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Petitioner/Developer: _____

Premier A-2 Timonium MD, LLC

August 6, 2018

Date of Hearing/Closing: _____

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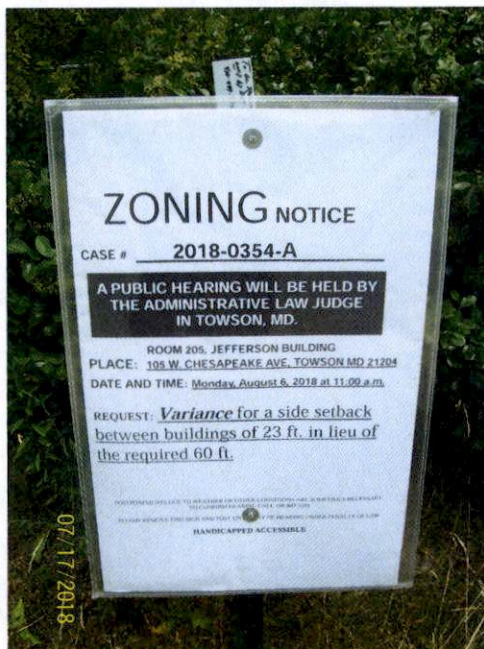
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

9701 Beaver Dam Road

SIGN 2

July 17, 2018

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



Sincerely,

 July 17, 2018
(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)



KEVIN KAMENETZ
County Executive

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

July 6, 2018

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A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Adam Rosenblatt, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
J. Scott Cooper, 1802 Cedar Street, Lewes DE 19958

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 17, 2018.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 17, 2018 Issue - Jeffersonian

Please forward billing to:

Barbara Lukasevich
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6200

NOTICE OF ZONING HEARING

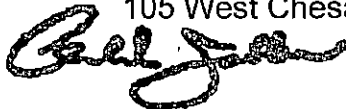
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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
9701 Beaver Dam Road; SE of Beaver Dam *
Road and W. Padonia Road * OF ADMINISTRATIVE
8th Election & 3rd Councilmanic Districts *
Legal Owner: Premier A-2 Timonium MD, LLC* HEARINGS FOR
Petitioner(s) *
* BALTIMORE COUNTY
*
* 2018-354-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

RECEIVED

JUN 28 2018

Carol 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 28th day of June, 2018, a copy of the foregoing Entry of Appearance was mailed to Adam Rosenblatt, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**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 twenty (20) 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: 2018-0354-A
Property Address: 9701 BEAVER DAM RD
Property Description: _____
Legal Owners (Petitioners): PREMIER A-2 TIMARUM, MD, LLC
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: BARRARD LUKASOVICH
Company/Firm (if applicable): VENABLE CLT
Address: 210 W. PENN AVE, STE 500
TOUSAN, MD 21204
Telephone Number: 410-494-6200

Date: 6/20/18

PAID RECEIPT

BUSINESS ACTUAL TIME TRM
6/25/2018 6/21/2018 12:35:46 3

REC-3 BALKIN CAN
RECEIPT # 775624 6/21/2018 JFLN

528 ZONING VERIFICATION
NO. 171755

Kept Tot \$500.00
\$500.00 - OK \$.00 CA
Baltimore County, Maryland

[illegible]

Total: 500

Rec From Venable

For: 9701 Beaver Dam Rd

2018-0354-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD ACCOUNTING

PLEASE PRESS HARD!!!

**CASHIER'S
VALIDATION**



DONALD I. MOHLER III
County Executive

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

July 31, 2018

Premier A-2 Timonium MD LLC
J Scott Cooper
1802 Cedar Street
Lewes DE 19958

RE: Case Number: 2018-0354 A, Address: 9701 Beaver Dam Road

Dear Mr. Cooper:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 20, 2018. 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 dark ink, appearing to read "W. Carl Richards, Jr.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw
Enclosures

c: People's Counsel
Adam M Rosenblatt, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204

Date: 6/27/18

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
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. 2018-0354-A

Variance
Premier A-2 Timonium MD, LLC P. Scott Cooper
9701 Broken Dam Road

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, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUL 05 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

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: July 5, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0354-A
Address 9701 Beaver Dam Road
(Premier A-2 Timonium MD, LLC
Property)

Zoning Advisory Committee Meeting of July 2, 2018.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Additional Comments:

Conditions of the 2/27/18 Forest Buffer variance approval must be met in the redevelopment of this site.

Reviewer: Glenn Shaffer

ORDER RECEIVED FOR FILING

Date

8/7/18

By

Sen

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections
FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

DATE: AUGUST 8, 2018

SUBJECT: Zoning Advisory Committee Meeting
For July 02, 2018
Case # 2018- 0354- A (REVISED DATED 8/8/18)

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

* * * * *

VKD: cen
cc: file

8-6

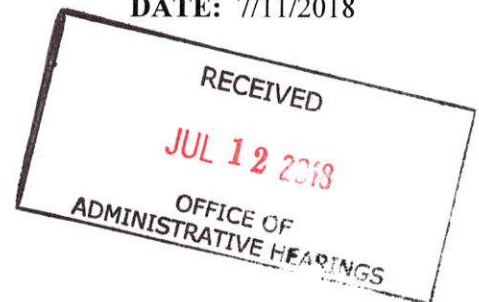
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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: 18-354

DATE: 7/11/2018



INFORMATION:

Property Address: 9701 Beaver Dam Road
Petitioner: Premier A-2 Timonium MD, LLC
Zoning: ML-IM
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit a side setback between buildings of 23' in lieu of the required 60'.

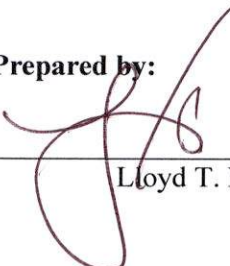
The site is within the area of the Hunt Valley/Timonium Plan. Section G of the Comprehensive Manual of Development Policies (CMDP) offers design guidelines specific to Hunt Valley/ Timonium area addressing layout, architecture, landscaping and pedestrian access.

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

- Provide a crosswalk between the proposed buildings at a location that will ensure the safety of people utilizing the self-storage site.

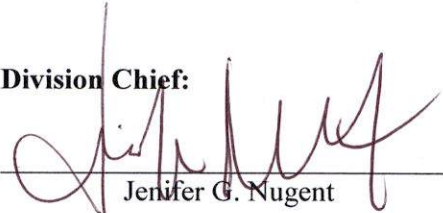
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

AVA/JGN/LTM/

c: Wally Lippincott
Adam M. Rosenblatt, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUL 05 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

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

FROM: Jeff Livingston, Department of Environmental Protection and
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DATE: July 5, 2018

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Additional Comments:

Conditions of the 2/27/18 Forest Buffer variance approval must be met in the redevelopment of this site.

Reviewer: Glenn Shaffer

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 2, 2018
Item No. 2018-0354-A

DATE: July 18, 2018

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

During our review of this site, I noticed that the site is within the Zone A and Zone X special flood hazard area as shown on FIRM Panel 2400100235F dated September 26, 2008. It appears that there are no proposed buildings in this area. Keep in mind that the FIRM Zone A is an approximate zone and is also based on existing conditions.

A revised Site Plan to Accompany Zoning Petition for the Zoning Advisory Committee as well as all other required plans should be submitted showing the flood plain delineation based on the FIRM. A flood study based on the current Baltimore County Design Manual and the Baltimore County Development Plans Review Policy Manual should be performed showing the ultimate conditions.

* * * * *

VKD: cen
cc:file

RECEIVED

JUL 16 2018

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

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

DATE: 7/11/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-354

INFORMATION:

Property Address: 9701 Beaver Dam Road
Petitioner: Premier A-2 Timonium MD, LLC
Zoning: ML-IM
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit a side setback between buildings of 23' in lieu of the required 60'.

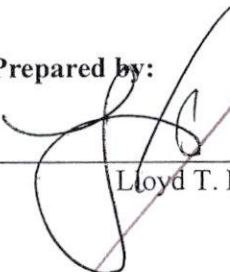
The site is within the area of the Hunt Valley/Timonium Plan. Section G of the Comprehensive Manual of Development Policies (CMDP) offers design guidelines specific to Hunt Valley/ Timonium area addressing layout, architecture, landscaping and pedestrian access.

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

- Provide a crosswalk between the proposed buildings at a location that will ensure the safety of people utilizing the self-storage site.

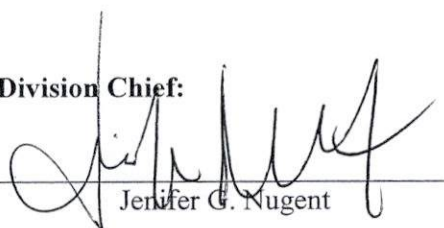
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

AVA/JGN/LTM/

c: Wally Lippincott
Adam M. Rosenblatt, Esquire
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: July 5, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0354-A
Address 9701 Beaver Dam Road
(Premier A-2 Timonium MD, LLC
Property)

Zoning Advisory Committee Meeting of **July 2, 2018**.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Additional Comments:

Conditions of the 2/27/18 Forest Buffer variance approval must be met in the redevelopment of this site.

Reviewer: Glenn Shaffer

CASE NAME

CASE NUMBER

DATE _____

NUMBER 2018-354-A

8/6/18

NAME _____

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

IN RE: PETITION FOR VARIANCE
NE/Corner Beaver Dam Road and
Padonia Road
(9701 Beaver Dam Road)
8th Election District
3rd Councilmanic District

Brinker of Baltimore Co., Inc.
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-425-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance for that property known as 9701 Beaver Dam Road, located in the vicinity of Padonia Road in Cockeysville. The Petition was filed by the owner of the property, Brinker of Baltimore County, Inc., by Monte Rosenberg, Project Manager, through their attorney, Robert A. Hoffman, Esquire. The Petitioner seeks relief from Section 409.8.A.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a parking to right-of-way setback of 4 feet and 8 feet in lieu of the required 10 feet, for a proposed restaurant. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Timothy Madden, Landscape Architect with Morris & Ritchie Associates, who prepared the site plan for this project, and Timmy Ruppertsberger, Esquire, Attorney for the Petitioner. Appearing as a Protestant in the matter was Richard L. Full, a nearby resident.

Testimony and evidence offered revealed that the subject property is an unimproved parcel of land consisting of a gross area of 2.04 acres, more or less, zoned M.L.-I.M., and is located at the northeast corner of Padonia Road and Beaver Dam Road. The Petitioner proposes to develop the

site with a restaurant to be known as Romano's Macaroni Grill. The design of the proposed restaurant and related parking area are shown on Petitioner's Exhibit 1. Also shown on the plan is the landscaping proposed for this site which is extensive. Mr. Madden testified that due to the relocation of Beaver Dam Road and Padonia Road, which was initiated by Baltimore County, six of the parking spaces for the proposed restaurant will be located within the required setback distance to a street right-of-way. Specifically, one space on Padonia Road and five parking spaces along Beaver Dam Road are affected. Testimony indicated that the location of these six spaces will not affect the landscaping proposed for this site.

As noted above, Mr. Richard Full, a nearby property owner, appeared in opposition to the requested variance. Mr. Full noted that this area was formerly the site of the Genstar Stone Products Company and is now open for development. Inasmuch as this is a new development project for this area, Mr. Full believes that no variances should be granted in that it might set an unfortunate precedent for other future development which might take place.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony presented by both the Petitioner's witnesses, as well as the Protestant, Mr. Full, I am persuaded to grant the variance requested. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that strict compliance with the requirements from which the Petitioner seeks relief will result in a practical difficulty and unreasonable hardship for the Petitioner. As noted above, the necessity for the variance was generated by virtue of the relocation of the intersection of Beaver Dam Road and Padonia Road, at the direction of Baltimore County, and not from any decision made by the Petitioner as to the design of the proposed project. Furthermore, the requested variance will not impose upon the landscaping for the proposed site, nor adversely affect the surrounding locale. In my view the requested variance is appropriate in this instance, and meets the spirit and intent of the zoning regulations.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 30th day of May, 1997 that the Petition for Variance seeking relief from Section 409.8.A.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a parking to right-of-way setback of 4 feet and 8 feet in lieu of the required 10 feet, for a proposed restaurant,

in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

JB 8/6 11 Am

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Sunday, August 05, 2018 10:50 AM
To: Barbara A. Lukasevich; amrosenblatt@venable.com; Administrative Hearings
Subject: Recertifications For 2018-0354-A
Attachments: Re-Cert 1 2018-0354-A.doc; Re-Cert 2 2018-0354-A.doc

Recertification's for 9701 Beaver Dam Road



CERTIFICATE OF POSTING

2018-0354-A

RE: Case No.: _____

Petitioner/Developer: _____

Premier A-2 Timonium MD, LLC

August 6, 2018

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:



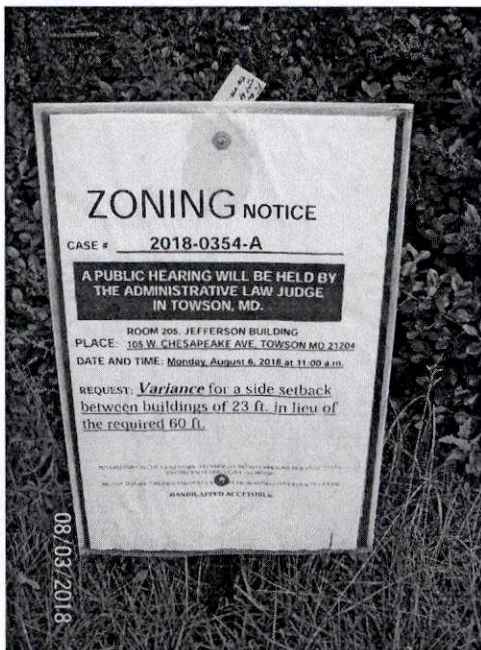
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

9701 Beaver Dam Road

SIGN 1 Recertification

July 17, 2018

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



Sincerely,

A handwritten signature in black ink, appearing to read "SSG Robert Black".

August 3, 2018

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

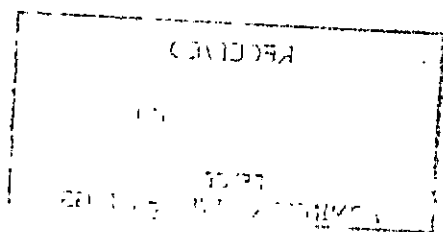
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2018-0354-A

RE: Case No.: _____

Petitioner/Developer: _____

Premier A-2 Timonium MD, LLC

August 6, 2018

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:

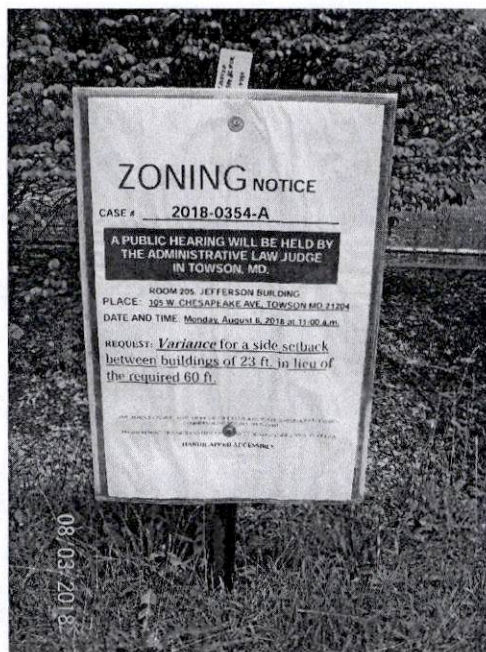
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

9701 Beaver Dam Road

SIGN 2 Recertification

July 17, 2018

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



Sincerely,

 August 3, 2018
(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)

CASE NO. 2018- 0354-A

C H E C K L I S T

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

7/18

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

Comment

7/5

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

Comment

FIRE DEPARTMENT

7/11

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

No Obj w/cond

6/27

STATE HIGHWAY ADMINISTRATION

No Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. 1997-0425-A)

NEWSPAPER ADVERTISEMENT

Date:

See Kristens Email

SIGN POSTING (1st)

Date:

7/17/18

by SSG BLACK

SIGN POSTING (2nd)

Date:

by _____

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		NONE							
Account Identifier:		District - 08 Account Number - 2200028449							
Owner Information									
Owner Name:		PREMIER A 2 TIMONIUM MD LLC			Use:		COMMERCIAL		
Mailing Address:		1802 CEDAR ST LEWES DE 19958-			Principal Residence:		NO		
					Deed Reference:		/39558/ 00387		
Location & Structure Information									
Premises Address:		9701 BEAVER DAM RD TIMONIUM MD 21093-2244			Legal Description:		2.444 AC 9701 BEAVER DAM RD SS REDLAND GENSTAR IN PROP		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0051	0016	0703		0000			1	2017	Plat Ref: 0069/0021
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
		7323				2.4400 AC		06	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2017		07/01/2017		07/01/2018	
Land:		2,060,000		2,060,000					
Improvements		75,200		74,400					
Total:		2,135,200		2,134,400		2,943,700		2,134,400	
Preferential Land:		0						0	
Transfer Information									
Seller: SCRANTON REALTY LLC				Date: 10/26/2017		Price: \$3,500,000			
Type: ARMS LENGTH IMPROVED				Deed1: /39558/ 00387		Deed2:			
Seller: DB CARDINAL MAC LLC				Date: 03/31/2009		Price: \$2,704,704			
Type: ARMS LENGTH IMPROVED				Deed1: /27858/ 00366		Deed2:			
Seller: BRINKER OF BALTIMORE COUNTY INC				Date: 12/29/2008		Price: \$2,263,100			
Type: ARMS LENGTH IMPROVED				Deed1: /27526/ 00257		Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2017		07/01/2018			
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

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Sherry Nuffer

From: PAI Zoning Fax
Sent: Monday, July 30, 2018 11:11 AM
To: Sherry Nuffer
Subject: FW: Advertisement Requests
Attachments: 20180706114550944.pdf

3rd set for that day.

Kristen Lewis
PAI – Zoning Review
410-887-3391

From: PAI Zoning Fax
Sent: Friday, July 06, 2018 11:41 AM
To: Jeffersonian (Business Fax)_ <"fax=/NUM=4103326446/NAME=Jeffersonian/COVER=Default"@fax.baltimorecountymd.gov>
Subject: Advertisement Requests

Please publish accordingly. Thanks,

Kristen Lewis
PAI – Zoning Review
410-887-3391

David G. Taylor, P.E.

163 Spruce Woods Ct, Abingdon MD 21009 | 443-752-9039 | dgtaylorpe@comcast.net

Qualifications

- Owner, manager and engineer for sole proprietor civil consulting firm DGTA, LLC.
- Past Associate of large regional civil consulting firm.
- Planned, opened and co-managed new civil consulting office for same regional firm in York, PA.
- 3 year Delaware exposure working out of New Castle office during recession.
- Over 30 years of experience in nearly all aspects of the civil engineering consulting industry.
- Strong experience with contractor interaction and problem solving in the field.
- Heavy emphases on marketing and client relations last 10 years.
- Core understanding that a business must be successful at acquiring work, completing the work and getting paid for the work for it to remain viable.

Education

B.S., CIVIL ENGINEERING | 1984 | WEST VIRGINIA UNIVERSITY

Professional Licensing

- Registered Professional Engineer: Maryland License # 19224
- Registered Professional Engineer: Delaware License # 9557 (inactive)
- Registered Professional Engineer: Pennsylvania License # PE-057273-E (inactive)

Professional Experience

PRESIDENT | DAVID G. TAYLOR & ASSOCIATES, LLC | 2011 TO PRESENT

- Owner and sole proprietor of civil consulting firm with broad responsibilities necessary to maintain a viable business including but not limited to marketing for and acquisition of work, development and maintenance of client relationships, contracts, project management, planning and civil engineering design for residential, commercial industrial, and agricultural development projects, cost estimating, construction management with contractors, accounting, billing and collections etc. Currently licensed in Maryland and Delaware with primary emphasis in the Maryland counties of Cecil, Harford and Baltimore.

ASSOCIATE | MORRIS AND RITCHIE ASSOCIATES, INC. | 1992-2011

- Hired upon acquisition of Maryland Professional Engineering license as a quality control engineer responsible for the review and seal of all engineering plans and documents. Responsibilities grew over the years and included engineering and design of development projects, project management, client relations, proposal writing, billing review, etc. Acquired additional licenses in Delaware and Pennsylvania. Promoted to Associate. Tasked to plan, open and co-manage a new office in York Pennsylvania with heavy emphasis on marketing and business development. Transferred to New Castle Delaware office during recession with continued heavy emphasis on marketing and business development.

ENGINEER IN TRAINING | CLARK, FINEFROCK AND SACKETT, INC. | 1986-1992

- Received excellent mentoring, training and design experience from respected design professionals which created a strong foundation for career. Passed EIT and PE examinations while employed. Firm was located in Columbia Maryland and performed services primarily in the central Maryland Counties of Howard, Prince Georges, Montgomery, Anne Arundel, and Baltimore.

ENGINEER IN TRAINING | RTKL ASSOC., INC. | 1985-1986

- Entry level civil engineer employed with large architectural firm located in downtown Baltimore City. Became acquainted with development planning and engineering.

ENGINEER GS-11 | ABERDEEN PROVING GROUND, U.S ARMY ORDINANCE CENTER AND SCHOOL | 1985

- Trained in the design of United States Army, Table of Organization and Equipment (TOE) which created military units composed of a mix of personnel and equipment designed for specific tasks.

SUMMER INTERN | ABERDEEN PROVING GROUND, COMBAT SYSTEMS TEST ACTIVITY | 1981 -1984

Excellent summer employment assisting test directors in numerous capacities including live round testing conducted on the firing range, writing Equipment Performance Reports (EPR's) for mechanical failures of field tested prototype HMMWV, M1 and M2 Abrams tanks, accompanying test directors to Pentagon for presentation to general in charge of program, contractor liaison for the construction of laser tank simulator etc.

Professional Organizations

- Member American Society of Civil Engineers (ASCE), Maryland Section
 - Past Chair of the ASCE, Chesapeake Bay Environmental Water Resources Committee (CBEWRC) 2011-2014. Responsible for managing committee tasked with the planning and presentation of technical presentations by Industry professionals for continuing education and professional development hours (pdh's).
- Past memberships include Cecil County Chamber of Commerce, Maryland Home Builders Association, Harford County Section and York County Homebuilders Association.

Case No.: 2018-354-A

Exhibit Sheet

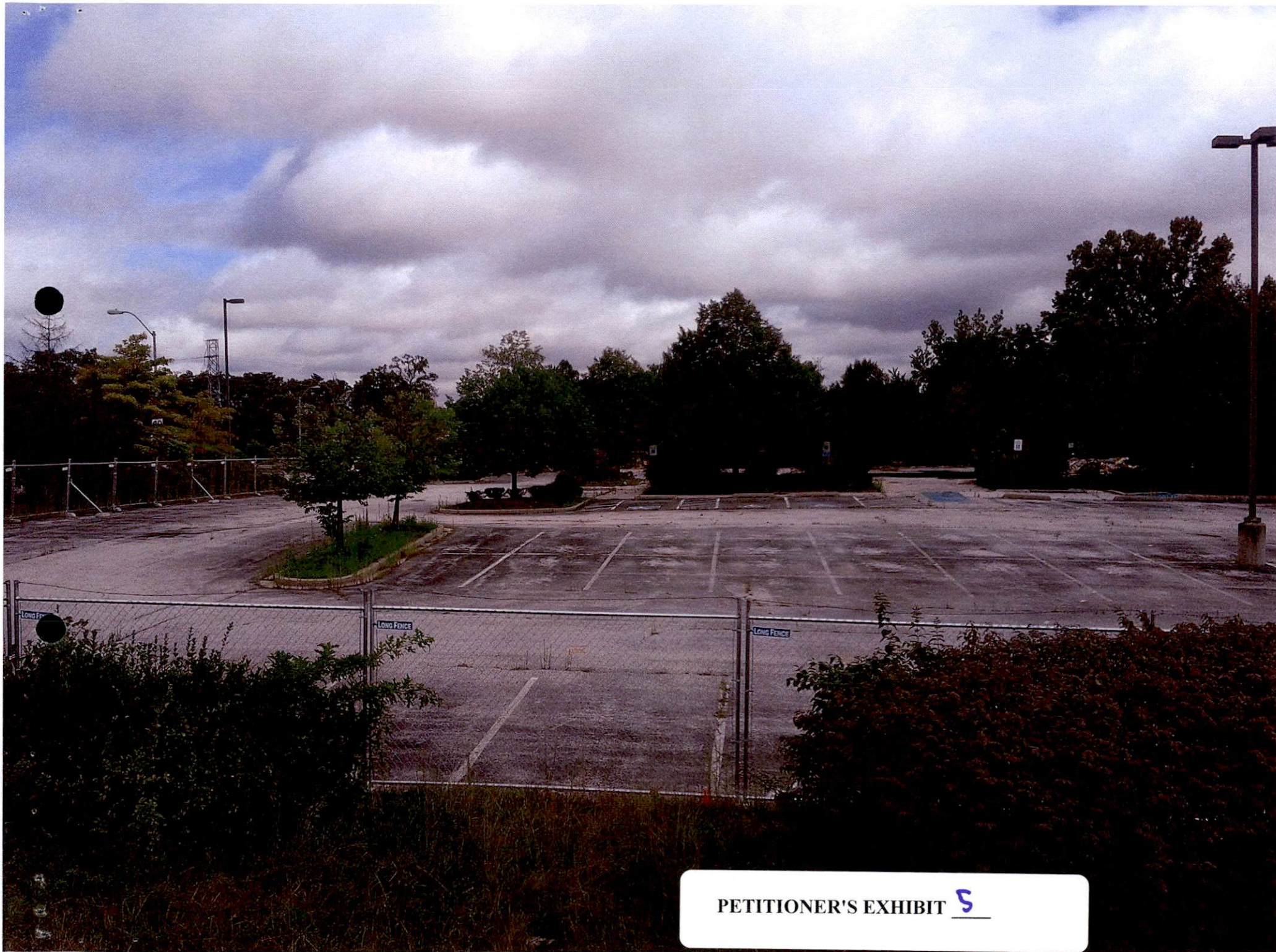
Petitioner/Developer

192
a-1-18

Protestants

Sen
8/7/18

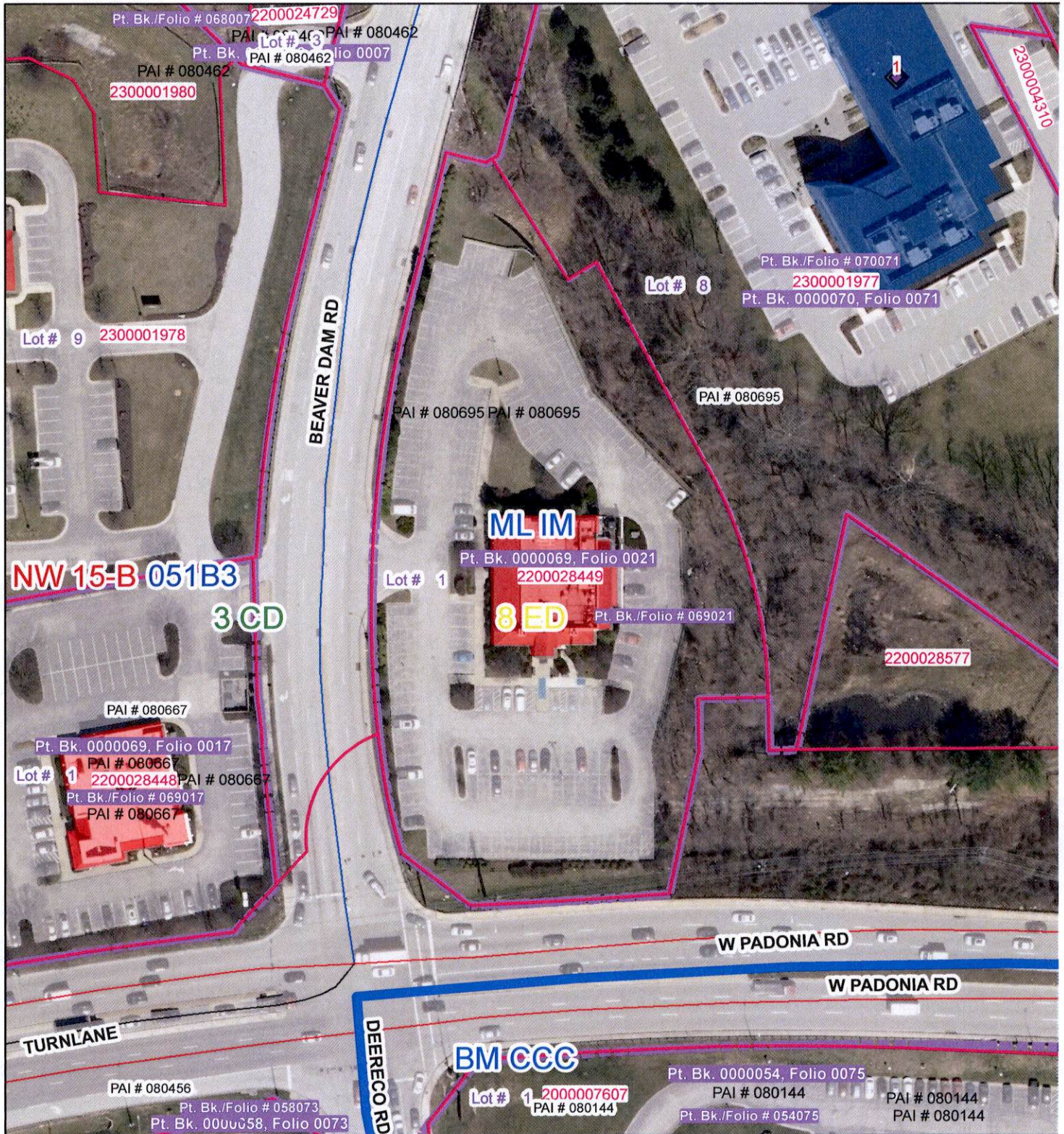
No. 1	Plan	
No. 2	Aerial photo	
No. 3	Dev. Plan	
No. 4	Taylor CV	
No. 5	Photos	
No. 6	Renderings	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER'S EXHIBIT 5



01 Beaver Dam Road



Publication Date: 6/20/2018



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

2018-0354-A

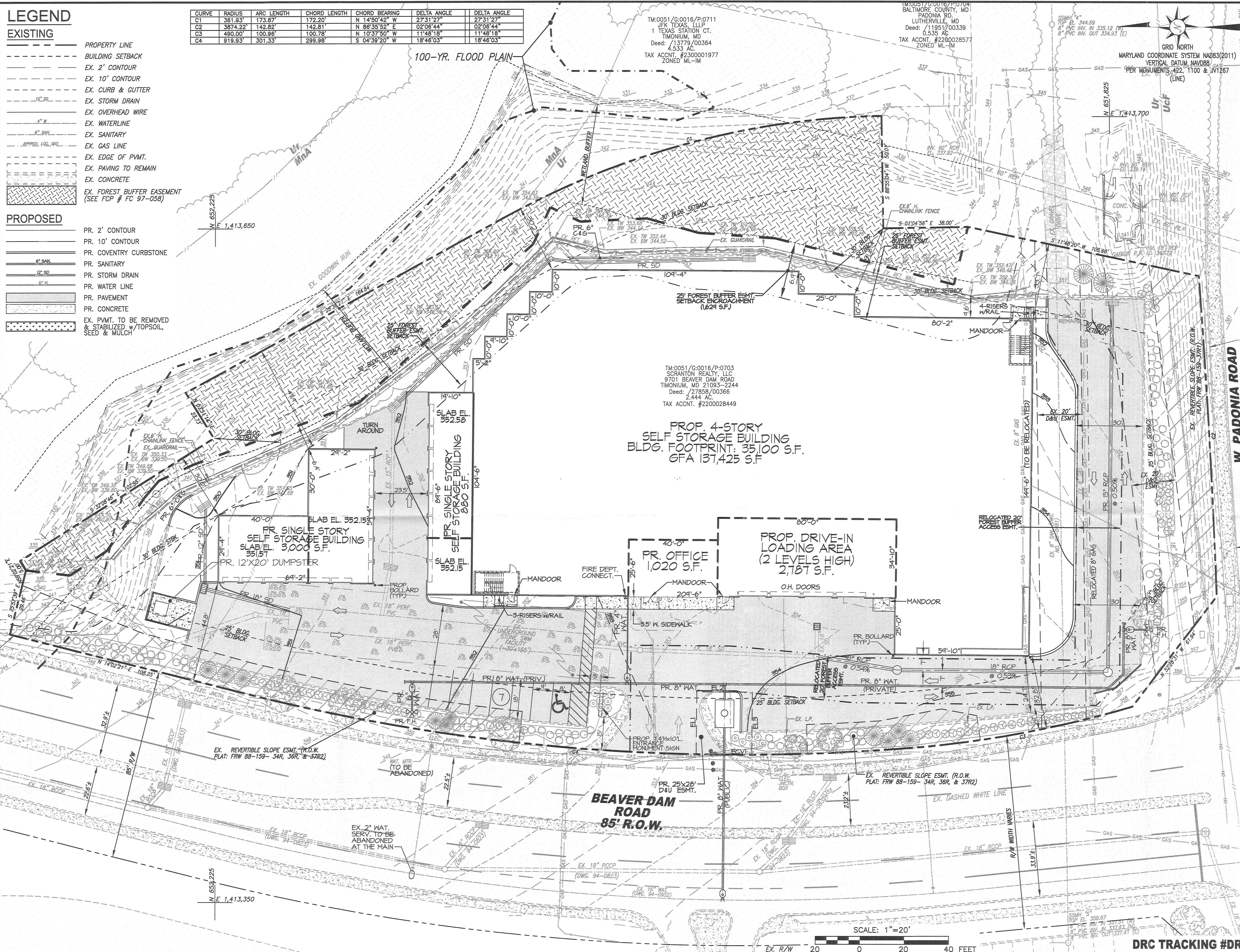
EXISTING

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	DELTA ANGLE
C1	361.93'	173.87'	172.20'	N 14°50'42" E	27°31'27"	27°31'27"
C2	3874.22'	142.82'	142.81'	N 86°35'52" W	02°06'44"	02°06'44"
C3	490.00'	100.96'	100.78'	N 10°37'50" W	11°48'18"	11°48'18"
C4	819.93'	301.33'	299.98'	S 04°38'20" W	18°46'03"	18°46'03"

PROPERTY LINE
BUILDING SETBACK
EX. 2' CONTOUR
EX. 10' CONTOUR
EX. CURB & GUTTER
EX. STORM DRAIN
EX. OVERHEAD WIRE
EX. WATERLINE
EX. SANITARY
EX. GAS LINE
EX. EDGE OF PVMT.
EX. PAVING TO REMAIN
EX. CONCRETE
EX. FOREST BUFFER EASEMENT
(SEE FCP # FC 97-058)

PROPOSED

PR. 2' CONTOUR
PR. 10' CONTOUR
PR. COVENTRY CURBSTONE
PR. SANITARY
PR. STORM DRAIN
PR. WATER LINE
PR. PAVEMENT
PR. CONCRETE
EX. PVMT. TO BE REMOVED
& STABILIZED w/ TOPSOIL,
SFED & MULCH



LOCATION MAP

SCALE: 1" = 2000

BENCHMARK INFO:

SYSTEM OF COORDINATES ESTABLISHED IN THE MARYLAND COORDINATE SYSTEM NAD 83(2011) AND ARE BASED UPON THE FOLLOWING NATIONAL SPATIAL REFERENCE SYSTEM CONTROL STATIONS:

DESIGNATION	NORTH (sfT)	EAST (sfT)
DOG-11-00	850,780.12	4,419,319.00

BCO #422	652,709.49	1,416,710.89
BCO #1100	651,835.51	1,416,068.88
BCO #JV1267 (LINE)	652,710.39	1,410,390.01

ELEVATIONS SHOWN ON THIS PLAN ARE REFERRED TO THE NORTH AMERICAN VERTICAL DATUM 1988 (NAVD 88).

88) WITH LOCATE REFERENCES TO THE FOLLOWING NATIONAL GEODETIC SURVEY CONTROL STATIONS:	
DESIGNATION	ELEVATION
BCO #422	397.08
BCO #1100	364.47
BCO #M1267 (LINE)	426.98

REFERENCE DRAWINGS:

ROAD: 2003-0712
SANITARY SEWER: 95-0481
STORM DRAIN: 2003-0712
WATER: 66-055

SITE DATA

1. OWNER/DEVELOPER/APPLICANT:
PREMIER A-2 TIMONIUM MD, LLC
530 OAK COURT DRIVE
SUITE 185
MEMPHIS, TN 38117
- C/O MR. JAMES SCOTT COOPER, PRESIDENT
1800 CEDAR STREET
LEWES, DE 19958
PHONE: 410-967-2720
EMAIL: scott@scocoinvestments.com

2. **ENGINEER:**
DAVID G. TAYLOR & ASSOCIATES, LLC
163 SPRUCE WOODS COURT
ABINGDON, MD 21009
PHONE: (443) 752-9039
ATTN: DAVID G. TAYLOR, PE
EMAIL: dtaylorpe@comcast.net

3. EX. PROPERTY INFO:
PARCEL NO.:
TAX MAP/GRID:
PREMISE ADDRESS:
GROSS AREA:
TAX ACCOUNT NO.:
DEED REF:
PLAT REF:
ELECTION DISTRICT:
COUNCILMANIC DISTRICT:
ZONING DISTRICT:
WATERSHED:
RIVER BASIN NAME:
SUBSHEED:
SDERSHED:
EXISTING SOIL:
- 9701 BEAVER DAM ROAD, THMA
2.
- MnA - - MELVIN-

- EXISTING IMPERVIOUS AREA:
4. EXISTING LAND USE:

5. BULK DEVLMT. REG.:
 ZONING DISTRICT:
 FRONT BUILDING SETBACK: (SAME AS BR ZONE)
 SIDE BUILDING SETBACK: (SAME AS BR ZONE)
 REAR BUILDING SETBACK: (SAME AS BR ZONE)
 MAX. BUILDING HEIGHT:
 MAX. FLOOR AREA RATIO (FAR):
- REQ'D.: 25' (50' FROM C/L
 REQ
 REQ

- | | |
|--------------------------------|-------------------------------|
| 6. PROPOSED LAND USE: | ONE 4-STORY SELF STORAGE |
| PROPOSED DEVELOPMENT ACTIVITY: | TWO SINGLE-STORY SELF STORAGE |
| PROPOSED BUILDING HEIGHT: | 4-STORY BUILDING w/OFFICE |
| PROPOSED BUILDING FOOTPRINT: | 1-STORY BUILDINGS |
| | 4-STORY BUILDING w/OFFICE |
| | 1-STORY BUILDINGS |
| | TOTAL |

- PROPOSED GROSS FLOOR AREA (GFA): 4-STORY BUILDING w/OFFICE
- (2) 1-STORY BUILDINGS

- | | |
|---|-----|
| PROPOSED ADJUSTED GROSS FLOOR AREA: MULTISTORY (.85) SINGLE STORY (1.0) | |
| PROPOSED FLOOR AREA RATIO (FAR): | |
| PROPOSED IMPERVIOUS AREA: | 1.5 |
| PROPOSED ADDITIONAL IMPERVIOUS AREA FROM EXISTING CONDITIONS: | 0. |
| PROPOSED LIMIT OF DISTURBANCE (L.O.D.): | 1.3 |
| PROPOSED AVERAGE DAILY TRIPS (ADT'S) (BASED ON ACTUAL USAGE DATA): | |

7. PARKING CALCULATIONS:
PARKING REQUIRED: OFFICE (1,050 S.F.) - 3.3 SP./1,000 S.F. x 1,050 S.F. = 3.465 SP.
WAREHOUSE - 1 SP. PER LARGEST EMPL. SHIFT x 2 = 2 SP.
TOTAL REQUIRED = 5.465 SP. (5 SP. MIN.)

- NOTE: GENERAL LOADING/UNLOADING AREAS PROVIDED INSIDE WAREHOUSE BUILDING IN COM

8. ZONING DEVELOPMENT HISTORY:
- DEVELOPMENT PLAN APPROVED 05/10/18
CASE NO. 97-425-A: VARIANCE GRANTED 05/31/97
- SPIRIT OF INTENT LETTER GRANTED 01/04/18

9. ENVIRONMENTAL:
- A. THERE ARE NO CRITICAL AREA, ARCHAEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, BUILDINGS WITHIN LIMITS OF CONSTRUCTION SHOWN ON THIS PLAN TO THE BEST OF OUR KNOWLEDGE.
- B. THERE ARE NO EXISTING WELL, SEPTIC SYSTEM OR ABANDONED UNDERGROUND TANKS.

- C. THIS PROPERTY IS PARTIALLY LOCATED WITHIN A 100-YEAR FLOODPLAIN PER FIRM MAP NUMBER 2400100235F, EFFECTIVE 09/26/2008.

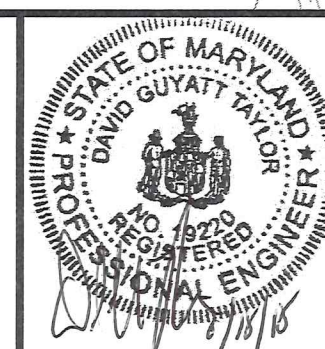
- RIVER BASIN NAME: GUNPOWER RIVER
SUBSHED NAME: GOODWIN RUN
E. AN EXISTING FOREST BUFFER EASEMENT IS PROVIDED ON-SITE PER PRIOR APPROVAL.
LAW FOR THIS SITE WAS ADDRESSED AS PART OF TEXAS STATION DEVELOPMENT, OF WH

- F. A VARIANCE WAS GRANTED ON FEBRUARY 27, 2018, BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY FROM THE LAW FOR THE PROTECTION OF WATERSHEDS, QUALITY, STREAMS, WETLANDS AND FLOODPLAINS. THE SETBACK TO THE FOREST BUFFER

10. THE EXISTING UNDERGROUND SWM FACILITY WILL REMAIN AND BE EVALUATED FOR AD

- REDEVELOPMENT OF SITE. ADDITIONAL VOLUME, IF REQUIRED FOR MEETING WATER QUALITY REQUIREMENTS WILL BE PROVIDED IN THE FORM OF ADDITIONAL UNDERGROUND STORAGE TANKS.
11. A SPIRIT OF INTENT REQUEST WAS APPROVED ON 01/04/18 THAT MAINTAINS THE EXISTING PAVEMENT LOCATED NEAR THE CORNER OF PADONIA ROAD AND BEAVER DAM ROAD AS SHOWN ON THE ATTACHED MAP.

- APPROVED UNDER BOA CASE NO. 97-425-A FOR THE MACARONI GRILL.
C-2017-00174/DRC #120517A

[illegible]

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE
DOCUMENTS WERE PREPARED
OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED
PROFESSIONAL ENGINEER UNDER
THE LAWS OF THE STATE OF
MARYLAND, LICENSE NO. 19220
EXPIRATION DATE: 08-03-2019



David G. Taylor & Associates, LLC

163 Spruce Woods Court
Abingdon, MD 21009
Cell: (443) 752-9039
Email: dgtaylorpe@comcast.net

DRC TRACKING #DRC-2017-00174/DRC #120517A

**PLAN TO ACCOMPANY
PETITION FOR VARIANCE REQUEST
FOR
EXTRA SPACE STORAGE
9701 BEAVER DAM ROAD
TAX MAP 0051, GRID 00010, PARCEL 0703**

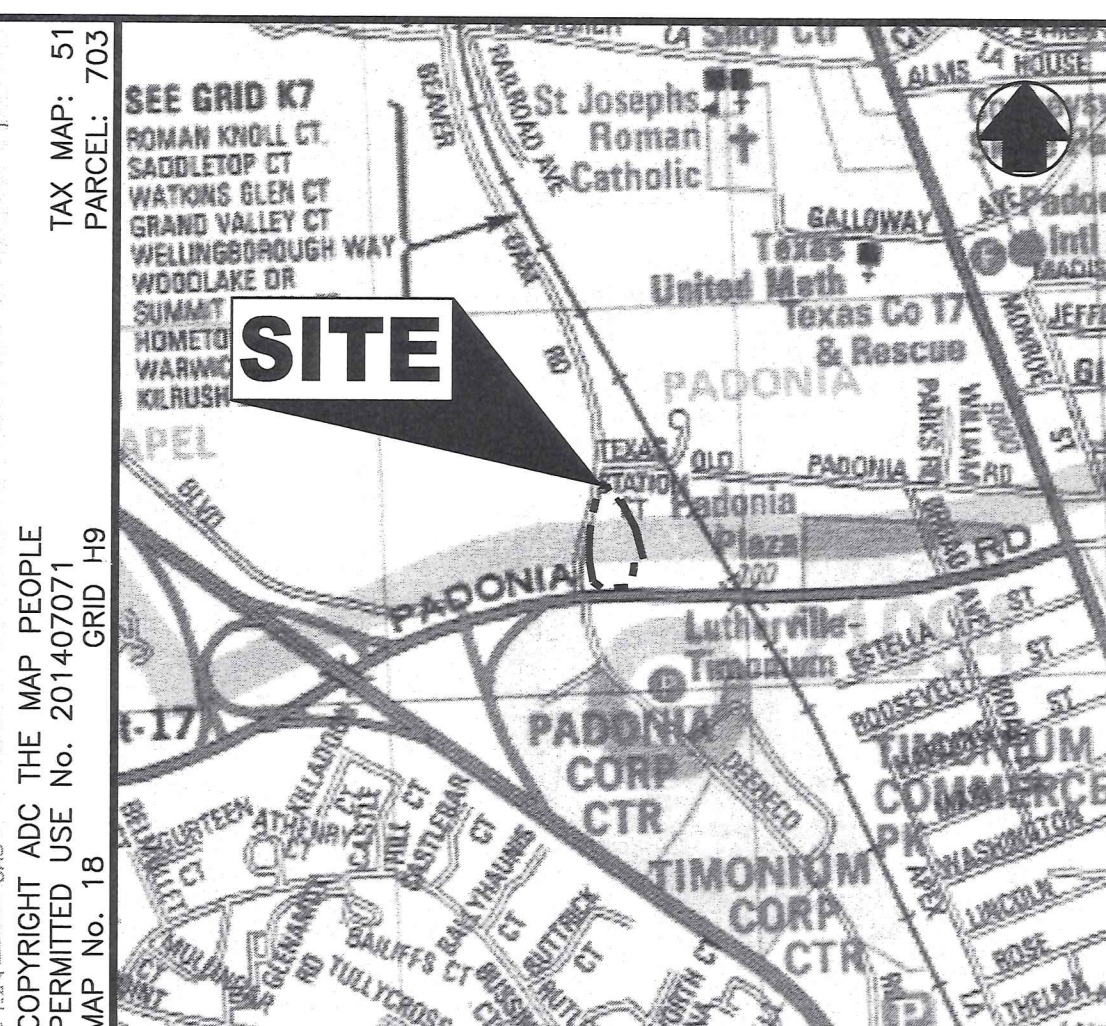
JOB NO.:	0082
SCALE:	AS NOTED
DATE:	06/18/18
DRAWN BY:	CRK
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REVIEW BY:	DGT
SHEET:	1 OF 1

2018-0354-A

EXISTING

PROPOSED

	PR. 2' CONTOUR
	PR. 10' CONTOUR
	PR. COVENTRY CURBSTONE
	PR. SANITARY
	PR. STORM DRAIN
	PR. WATER LINE
	PR. PAVEMENT
	PR. CONCRETE
	EX. PVNT. TO BE REMOVED
	W/ STABILIZED TOPSOIL,
	SED. & MULCH



LOCATION MAP

SCALE: 1" = 2000'

BENCHMARK INFO:

SYSTEM OF COORDINATES ESTABLISHED IN THE MARYLAND COORDINATE SYSTEM NAD 83(2011) AND ARE BASED UPON THE FOLLOWING NATIONAL SPATIAL REFERENCE SYSTEM CONTROL STATIONS:

DESIGNATION	NORTH(gT)	EAST(gT)
BCO #422	652,709.49	1,416,710.89
BCO #1100	651,835.51	1,418,088.88
BCO #JV1267 (LINE)	652,710.39	1,410,390.01

ELEVATIONS SHOWN ON THIS PLAN ARE REFERRED TO THE NORTH AMERICAN VERTICAL DATUM 1988 (NAVD83)

DESIGNATION	ELEVATION
BCO #422	397.08
BCO #1100	364.47
BCO #J/1267 (LINE)	426.98

REFERENCE DRAWINGS:

WATER: 66-055
SITE DATA

1. OWNER/DEVELOPER/APPLICANT:
PREMER A-2 TIMONUM, MD, LLC
530 DAK COUNTRY DRIVE
SUITE 180
MEMPHIS, TN 38117
2. ENGINEER:
DAVID G. TAYLOR & ASSOCIATES, LLC
163 SPRUCE WOODS COURT
ARNDEN, MD 21038
PHONE: (443) 752-8038
ATTN: DAVID G. TAYLOR, PE
EMAIL: dgotaylor@comcast.net
3. PROPERTY INFO:
PARCEL NO.:
MAP NO./GRID:
PREMISE ADDRESS:
TAX ACCOUNT NO.:
DEED REF:
PLAT REF:
ELECTION DISTRICT:
COUNCILMANIC DISTRICT:
ZONING DISTRICT:
WATERSHED:
RIVER BASIN NAME:
SUBSEDED:
SEWERSHED:
EXISTING SOIL:
- 6701 BEAVER DAM ROAD, TIMONUM, MD 21083-2
2.444 AC. (106,461 S.F.)
22020039
2/27585/00
0069/00
- LOCH RAVEN RESERVE
GUNPOUNDER RIVER
CROOKIN RIVER
- M=4 = MELVIN-URBAN LAND COMPA
Ur = URBAN LAND
Urf = URBAN FLOOR
- 1.53 AC. (66,641 S.F.)
EX. ~7,400 S.F. RESTAURANT
4. EXISTING LAND USE:
5. BULK DELIMIT. REG.
ZONING DISTRICT:
FRONT BUILDING SETBACK: (SAME AS BR ZONE)
SIDE BUILDING SETBACK: (SAME AS BR ZONE)
REAR BUILDING SETBACK: (SAME AS BR ZONE)
MAX. BUILDING HEIGHT:
MAX. FLOOR AREA RATIO (FAR):
- RE'D/25' (50' FROM C/L ROAD);
RE'D/30';
RE'D/30';
RE'D/30';
RE'D/30';
UNLIMITED
6. PROPOSED LAND USE:
PROPOSED DEVELOPMENT ACTIVITY:
PROPOSED BUILDING HEIGHT:
PROPOSED BUILDING FOOTPRINT:
PROPOSED GROSS FLOOR AREA (GFA):
- ONE 4-STORY SELF STORAGE BUILDING w/OFFICE
4-STORY BUILDING w/OFFICE
1-STORY BUILDING
4-STORY BUILDING w/OFFICE
1-STORY BUILDING
TOTAL
- 35,100
4,800
39,900
35,100
121
142,225
- 4-STORY BUILDING w/OFFICE
1st. FLOOR
2nd. FLOOR
3rd. FLOOR
4th. FLOOR
SUB-TOTAL
(2) 1-STORY BUILDINGS
TOTAL
- 35,100
32,125
35,100
35,100
137,425
4,800
142,225
- PROPOSED ADJUSTED GROSS FLOOR AREA (AGFA):
PROPOSED GROSS FLOOR AREA (FAR):
PROPOSED IMPERVIOUS AREA:
PROPOSED ADJUSTED IMPERVIOUS AREA FROM EXISTING CONDITIONS:
PROPOSED LIMIT OF DISTURBANCE (L.O.D.):
PROPOSED AVERAGE DAILY TRIPS (ADTS) (BASED ON ACTUAL USAGE DATA):
- MULTISTORY (LBS) SINGLE STORY (T/O)
1.56 ACRES (68,134 S.F.)
0.03 ACRES (1,488 S.F.)
1.53 ACRES (57,688 S.F.)

7. PARKING CALCULATIONS:

PARKING REQUIRED:	OFFICE (1,050 S.F.) - 3.3 SP./1,000 S.F. x 1,050 S.F.	= 4 SPAC
	WAREHOUSE - 1 SP. PER LARGEST EMPL. SHIFT x 2 EMPL.	= 2 SPAC
	TOTAL REQUIRED:	= 8 SPAC
PARKING PROVIDED	REGULAR	= 6 SPAC
	HANDICAP	= 1 SPAC
	TOTAL PROVIDED:	= 7 SPAC

NOTE: GENERAL LOADING/UNLOADING AREAS PROVIDED INSIDE WAREHOUSE BUILDING IN COVERED LOADING AREA

8. ZONING DEVELOPMENT HISTORY:
- DEVELOPMENT PLAN APPROVED 05/10/18
CASE NO. 97-425-A: VARIANCE GRANTED 05/31/97
- SPIRIT OF INTENT LETTER GRANTED 01/04/18

9. ENVIRONMENTAL:

A. THERE ARE NO CRITICAL AREA, ARCHAEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HISTORICAL BUILDINGS WITHIN LIMITS OF CONSTRUCTION SHOWN ON THIS PLAN TO THE BEST OF OUR KNOWLEDGE.

B. THERE ARE NO EXISTING WELL, SEPTIC SYSTEM OR ABANDONED UNDERGROUND TANKS ON SITE, TO THE BEST OF OUR KNOWLEDGE.

D. WATERSHED NAME: LOCH RAVEN RESERVOIR
RIVER BASIN NAME: GUNPOWDER RIVER
SUBWATERSHED NAME: CONQUEROR

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ENVIRONMENTAL PROTECTION AND SUSTAINABILITY FROM THE LAW FOR THE PROTECTION OF WATER QUALITY, STREAMS, WETLANDS AND FLOODPLAINS. THE SETBACK TO THE FOREST BUFFER EASEMENT SHOWN HEREON IS REFLECTIVE OF THE FACT THAT THIS VARIANCE WAS GRANTED. CONDITIONS WERE PLACED ON THIS VARIANCE TO REDUCE WATER QUALITY IMPACTS INCLUDING INSTALLATION OF A PERMANENT FENCE AND POSTING PROTECTIVE SIGNAGE ALONG THE FOREST BUFFER EASEMENT.

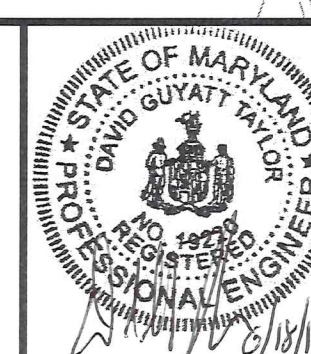
10. THE EXISTING UNDERGROUND SWM FACILITY WILL REMAIN AND BE EVALUATED FOR ADEQUACY FOR REDEVELOPMENT OF SITE. ADDITIONAL VOLUME, IF REQUIRED FOR MEETING WATER QUALITY REQUIREMENTS WILL BE PROVIDED IN THE FORM OF ADDITIONAL UNDERGROUND STORAGE.

11. A SPIRIT OF INTENT REQUEST WAS APPROVED ON 01/04/18 THAT MAINTAINS THE EXISTING ONSITE

PAVEMENT LOCATED NEAR THE CORNER OF PADONIA ROAD AND BEAVER DAM ROAD AS PREVIOUSLY
APPROVED UNDER BOA CASE NO. 97-425-A FOR THE MACARONI GRILL.

DRC TRACKING #DRC-2017-00174/DRC #120517A

DATE	REVISIONS



PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE
DOCUMENTS WERE PREPARED
OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED
PROFESSIONAL ENGINEER UNDER
THE LAWS OF THE STATE OF
MARYLAND, LICENSE NO. 19220
EXPIRATION DATE: 08-03-2019



David G. Taylor & Associates, LLC

163 Spruce Woods Court
Abingdon, MD 21009
Cell: (443) 752-9039
Email: dgtaylorpe@comcast.net

PLAN TO ACCOMPANY PETITION FOR VARIANCE REQUEST

EXTRA SPACE STORAGE

9701 BEAVER DAM ROAD

TAX MAP 0051, GRID 0001D, PARCEL 0703

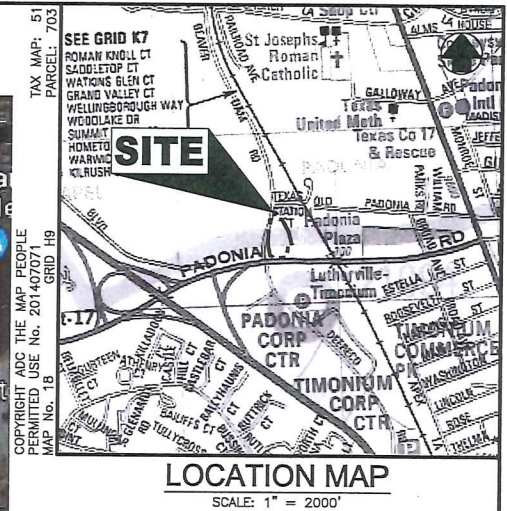
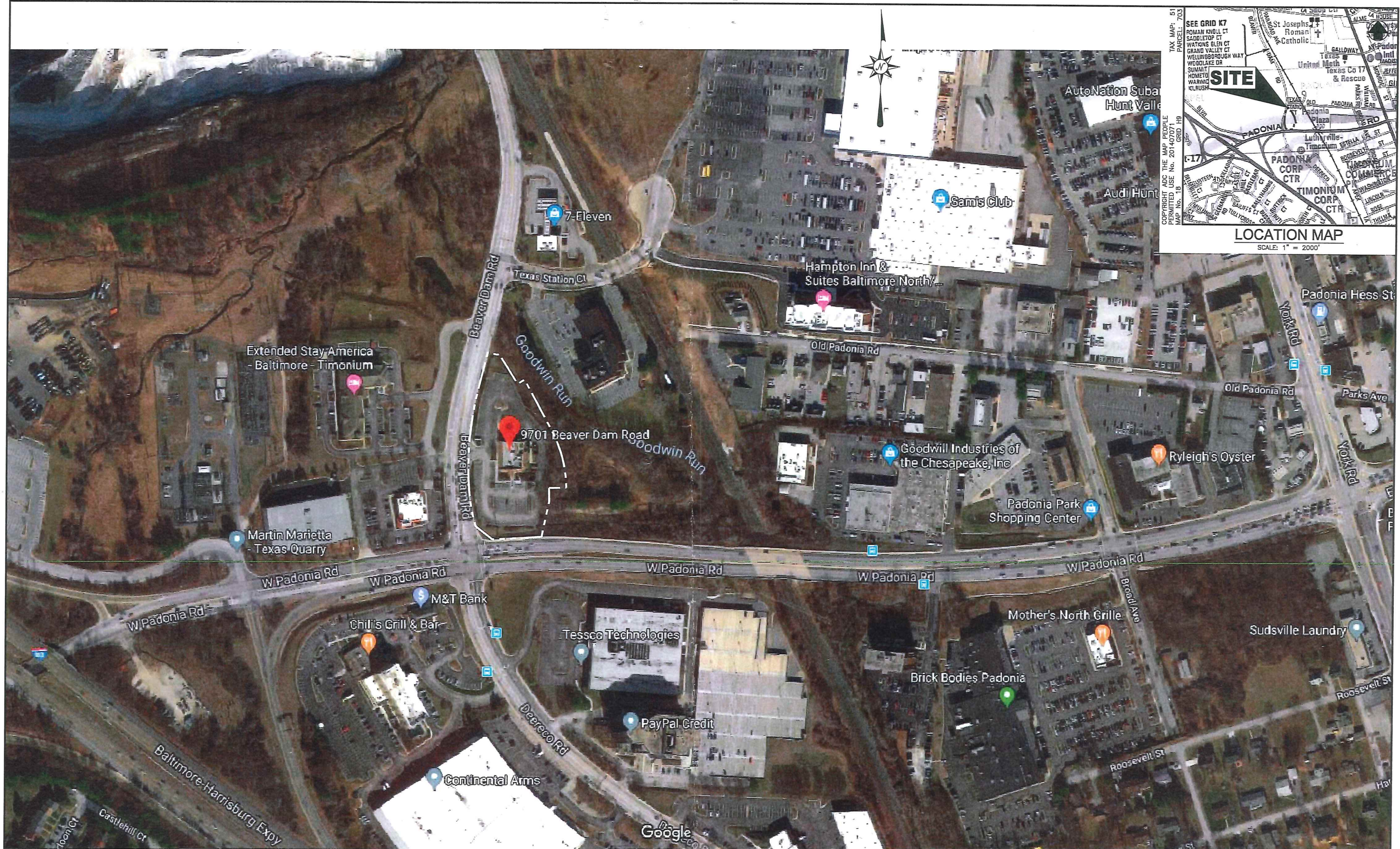
8th ELECTION DISTRICT

3rd COUNCILMANIC DISTRICT

BALTIMORE COUNTY, MARYLAND

JOB NO.:	0082
SCALE:	AS NOTED
DATE:	06/18/18
DRAWN BY:	CRK
DESIGN BY:	DGT
REVIEW BY:	DGT
SHEET:	1 OF 1

PETITIONER'S
EXHIBIT NO.



DATE	REVISIONS

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE
DOCUMENTS WERE PREPARED
OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED
PROFESSIONAL ENGINEER UNDER
THE LAWS OF THE STATE OF
MARYLAND, LICENSE NO. 19220,
EXPIRATION DATE: 08-02-2019.

David G. Taylor & Associates, LLC
163 Spruce Woods Court
Abingdon, MD 21009
Cell: (443) 752-9039
Email: dgtaylor@comcast.net

DRC TRACKING #DRC-2017-00174/DRC #120517A

**PLAN TO ACCOMPANY
PETITION FOR VARIANCE REQUEST
FOR
EXTRA SPACE STORAGE
9701 BEAVER DAM ROAD
TAX MAP 0051, GRID 0001D, PARCEL 0703**

3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

JOB NO.:	0082
SCALE:	AS NOTED
DATE:	07/31/18
DRAWN BY:	CRK
DESIGN BY:	DGT
REVIEW BY:	DGT
SHEET:	1 OF 1

IN RE: PETITION FOR VARIANCE
82/Corner Beaver Dam Road and
Padonia Road
(9701 Beaver Dam Road)
8th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
Brikor of Baltimore Co., Inc.
Petitioner

• BEFORE THE
• DEPUTY ZONING COMMISSIONER
• OF BALTIMORE COUNTY
• Case No. 27-425-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance for that property known as 9701 Beaver Dam Road, located in the vicinity of Padonia Road in Cockeysville. The Petition was filed by the owner of the property, Brikor of Baltimore County, Inc., by Monte Rosenberg, Project Manager, through their attorney, Robert A. Hoffman, Esquire. The Petitioner seeks relief from Section 469.8.A.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a parking to right-of-way setback of 4 feet and 8 feet in lieu of the required 10 feet, for a proposed restaurant. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Timothy Madison, Landscape Architect with Morris & Ritchie Associates, who prepared the site plan for this project, and Jimmy Supersberger, Esquire, Attorney for the Petitioner. Appearing as the matter was Richard L. Pull, a nearby resident.

Testimony and evidence offered revealed that the subject property is an unimproved parcel of land consisting of a gross area of 2.04 acres, more or less, zoned M.U.-I.M., and is located at the northeast corner of Padonia Road and Beaver Dam Road. The Petitioner proposes to develop the

DEVELOPMENT PLAN 2nd REFINEMENT TO PDM #VIII-659 FOR EXTRA SPACE STORAGE 9701 BEAVER DAM ROAD

SITE DATA

1. OWNER/DEVELOPER/APPLICANT:
PREMIER A-2 TIMONIUM MD, LLC
330 OAK COURT DRIVE
SUITE 185
MEMPHIS, TN 38117
C/O MR. JAMES COOPER, PRESIDENT
1800 CEDAR STREET
LEWES, DE 19958
PHONE: 410-967-2720
EMAIL: scott@coinvestments.com

2. ENGINEER:
DAVID G. TAYLOR & ASSOCIATES, LLC
163 SPRUCE WOODS COURT
ABINGDON, MD 21009
PHONE: (443) 752-9039
ATTN: DAVID G. TAYLOR, PE
EMAIL: dgtaylor@comcast.net

3. EX. PROPERTY INFO:
PARCEL NO.: 0703
TAX MAP/GRID: 0051/0001D
PREMISE ADDRESS: 9701 BEAVER DAM ROAD, TIMONIUM, MD 21009-2244
GROSS AREA: 2.444 AC. (106,461 S.F.)
DEED REF.: 2200028449
PLAT REF.: /27859/00356
ELECTION DISTRICT: 08
COUNCILMANIC DISTRICT: C-3
ZONING DISTRICT: ML-IM
WATERSHED: LOCH RAVEN RESERVOIR
RIVER BASIN NAME: GUNPOWDER RIVER
SUBSHED: GOODWIN RUN
SEWERSHED: C-32
EXISTING SOIL: MhA - MELVIN-URBAN LAND COMPLEX
UcF - URBAN LAND
Ur - URBAN LAND
1.53 AC. (66,641 S.F.)
EX. ~7,400 S.F. RESTAURANT

4. EXISTING IMPERVIOUS AREA:
5. BULK DEVIANT, REG.:
ZONING DISTRICT: ML-IM
FRONT BUILDING SETBACK: (SAME AS BR ZONE) 25' (50' FROM C/L ROAD)
SIDE BUILDING SETBACK: (SAME AS BR ZONE) 30'
REAR BUILDING SETBACK: (SAME AS BR ZONE) 30'
MAX. BUILDING HEIGHT: 30'
MAX. FLOOR AREA RATIO (FAR): UNLIMITED
2.0

6. PROPOSED LAND USE:
PROPOSED DEVELOPMENT ACTIVITY: ONE 4-STORY SELF STORAGE BUILDING w/OFFICE
PROPOSED BUILDING HEIGHT: 48'-0"
PROPOSED BUILDING FOOTPRINT: 16'-0"
PROPOSED GROSS FLOOR AREA (GFA): 4-STORY BUILDING w/OFFICE 35,100 S.F.
1-STORY BUILDINGS 32,125 S.F.
TOTAL 67,225 S.F.

PROPOSED ADJUSTED GROSS FLOOR AREA: MULTISTORY (.85) SINGLE STORY (1.0) 121,611
PROPOSED FLOOR AREA RATIO (FAR): 1.14
PROPOSED IMPERVIOUS AREA: 1.55 ACRES (68,134 S.F.)
PROPOSED ADDITIONAL IMPERVIOUS AREA FROM EXISTING CONDITIONS: 0.03 ACRES (1,493 S.F.)
PROPOSED LIMIT OF DISTURBANCE (L.O.D.): 1.33 ACRES (57,868 S.F.)
PROPOSED AVERAGE DAILY TRIPS (ADT'S) (BASED ON ACTUAL USAGE DATA): 33

7. PARKING CALCULATIONS:
OFFICE (1,050 S.F.) - 3.3 SP./1,000 S.F. x 1,050 S.F. = 4 SPACES
WAREHOUSE - 1 SP. PER LARGEST EMPL. SHIFT x 2 EMPL. = 2 SPACES
TOTAL REQUIRED: 6 SPACES
REGULAR = 6 SPACES
HANDICAP = 1 SPACE
TOTAL PROVIDED: 7 SPACES

NOTE: GENERAL LOADING/UNLOADING AREAS PROVIDED INSIDE WAREHOUSE BUILDING IN COVERED LOADING AREA.

8. LIST OF REQUIRED APPROVALS:
- REQUESTED REFINEMENT UNDER SECTION 32-4-108(b)(2) OF THE BALTIMORE COUNTY CODE - DRC NO. 120517A
- PA NO. 08-0659 (2nd DEVELOPMENT REFINEMENT)
- TRACKING NO. DRC-2017-00174
- DEVELOPMENT PLAN/FSD/FCP/LANDSCAPE PLAN
- PUBLIC WATER AND SEWER PLAN
- SWM PLAN
- EAS PLAN
- GRADING PLAN
- GRADING PERMIT
- BUILDING PERMIT

9. ENVIRONMENTAL:
A. THERE ARE NO CRITICAL AREA, ARCHAEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HISTORICAL BUILDINGS WITHIN LIMITS OF CONSTRUCTION SHOWN ON THIS PLAN TO THE BEST OF OUR KNOWLEDGE.
B. THERE ARE NO EXISTING WELL, SEPTIC SYSTEM OR ABANDONED UNDERGROUND TANKS ON SITE, TO THE BEST OF OUR KNOWLEDGE.
C. THIS PROPERTY IS PARTIALLY LOCATED WITHIN A 100-YEAR FLOODPLAIN PER FIRM MAP NUMBER 2400100235F, EFFECTIVE 09/26/2008.
D. WATERSHED NAME: LOCH RAVEN RESERVOIR
RIVER BASIN NAME: GUNPOWDER RIVER
SUBSHED NAME: GOODWIN RUN
E. AN EXISTING FOREST BUFFER EASEMENT IS PROVIDED ON-SITE PER PRIOR APPROVAL. FOREST CONSERVATION LAW FOR THIS SITE WAS ADDRESSED AS PART OF TEXAS STATE DEVELOPMENT, OF WHICH THIS IS LOT 1; SEE FCP # FC 97-058.
F. A VARIANCE WAS GRANTED ON FEBRUARY 27, 2018, BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY FROM THE LAW FOR THE PROTECTION OF WATER QUALITY, STREAMS, WETLANDS AND FLOODPLAINS. THE SETBACK TO THE FOREST BUFFER EASEMENT SHOWN HEREON IS REFLECTIVE OF THE FACT THAT THIS VARIANCE WAS GRANTED. CONDITIONS WERE PLACED ON THIS VARIANCE TO REDUCE WATER QUALITY IMPACTS INCLUDING INSTALLATION OF A PERMANENT FENCE AND POSTING PROTECTIVE SIGNAGE ALONG THE FOREST BUFFER EASEMENT.
10. THE EXISTING UNDERGROUND SWM FACILITY WILL REMAIN AND BE EVALUATED FOR ADEQUACY FOR REDEVELOPMENT OF SITE. ADDITIONAL VOLUME, IF REQUIRED FOR MEETING WATER QUALITY REQUIREMENTS WILL BE PROVIDED IN THE FORM OF ADDITIONAL UNDERGROUND STORAGE.
11. A SPIRIT OF INTENT REQUEST WAS APPROVED ON 01/04/18 THAT MAINTAINS THE EXISTING ONSITE PAVEMENT LOCATED NEAR THE CORNER OF PADONIA ROAD AND BEAVER DAM ROAD AS PREVIOUSLY APPROVED UNDER BOA CASE NO. 97-425-A FOR THE MACARONI GRILL.
12. THE PURPOSE OF THIS 2nd REFINEMENT PLAN IS FOR THE DEMOLITION OF THE EXISTING MACARONI GRILL BUILDING AND CONSTRUCTION OF A MULTI-STORY SELF-STORAGE BUILDING.

GENERAL FIRE PROTECTION NOTES:

- The proposed buildings shall be designed and constructed so as to meet the applicable provisions of the Baltimore County Fire Prevention Code, County Bill No. 3-17.
- Where fire protection water supplies are required to be provided shall be installed and made available for use not later than the time when construction of any individual building is under roof, in accordance with the Baltimore County Fire Prevention Code, Section 1:16.4.3.1.3.
- A crusher run road for access to buildings and required water supplies shall be available for the use by emergency fire apparatus and capable of handling emergency apparatus weighing 70,000 lbs. when construction of any building is under roof, in accordance with the Baltimore County Fire Prevention Code, Section 1:16.4.3.1.3.
- Fire mains shall be a minimum of 8 inches in diameter with the diameter size shown on the plan.
- A plumbing permit shall not be used to install any underground fire lines and any fire hydrants on private property.
- A fire hydrant is required to be within 100 feet of a fire department connection (FDC). A fire hydrant with a distance of 150 feet is permissible, if the total distance is drivable by the emergency apparatus. Standard Design Bulletin #87-1 Fire Hydrants / Fire Department Connections.
- Any on-site fire hydrants shall be a minimum distance of 40 feet away from any building in accordance with the Baltimore County Fire Prevention Code, County Bill No. 3-17 Section 1:18.2.3.5.3.
- 1.18.5.1.7(1) Fire Hydrants. There are times where the distance of 40 feet cannot be met.
- A separate building permit is required for the installation of any automatic sprinkler system when required by the code for each individual building.
- If required, the fire alarm system installation and maintenance shall be in compliance with the requirements of the Baltimore County Fire Prevention Code, County Bill No. 3-17 and the Baltimore County Building Code, County Bill No. 40-15 and shall be installed and maintained in accordance with these regulations by an Underwriter's Laboratory, Inc. (UL) listed fire alarm contractor or Factory Mutual (FM Global) approved fire alarm contractor, listed by UL or FM for installation and maintenance of "protective signaling systems" or other national recognized testing laboratory. The fire alarm company shall provide a copy of the UL certification or FM placard to the Baltimore County Fire Marshal's Office for all newly installed systems in accordance with the Baltimore County Fire Prevention Code, County Bill No. 3-17 Section 1:13.7.3.1.2.
- Fire lane signs shall be installed along the building on all sides adjoining a two way travel lane.
- Fire lanes intended for one-way travel shall provide a minimum of 16 feet in width of travel way that not include shoulders, sidewalks, or drainage areas.
- The property owner's will assume the financial cost for any designated fire lane signs required by the Baltimore County Fire Prevention Code, Bill 3-17 Section 1:18.2.3.5.3.
- Refer to the provisions of the Baltimore County Fire Prevention Code, County Bill No. 3-17 Section 1:10.11.1.5, address numbers shall be a minimum of 6 inches for commercial properties.

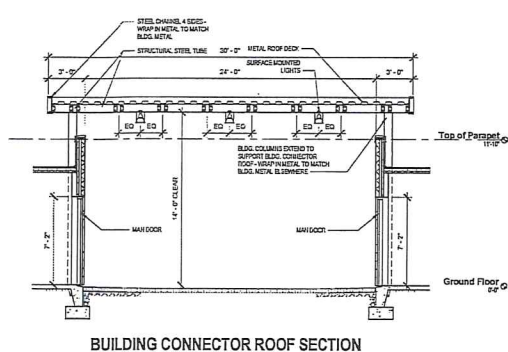
GENERAL SITE NOTES:

- THE DEVELOPMENT AS PROPOSED WILL INCLUDE PROTECTIVE MEASURES ADEQUATE TO PREVENT EROSION OR SLOUGHING OF ANY STEEP SLOPES AS DEFINED BY SECTION 32-4-101 OF THE BALTIMORE COUNTY CODE AND PROMOTE THE PRESERVATION OF THE NATURAL TOPOGRAPHIC FEATURES OF THE STEEP SLOPE. THIS WILL BE ACHIEVED BY PROVIDING EROSION AND SEDIMENT CONTROL MEASURES IN ACCORDANCE WITH THE REQUIREMENTS OF THE BALTIMORE COUNTY SOIL CONSERVATION DISTRICT AND THE CURRENT STATE OF MARYLAND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL.
- THERE ARE NO ROAD RIGHT-OF-WAYS PROPOSED TO BE CONVEYED BY THIS DEVELOPMENT PLAN.
- THE BUREAU OF TRAFFIC ENGINEERING AND TRAFFIC PLANNING HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.
- FILING OF SIGN PERMIT FOR WALL SIGNS AND A FREESTANDING MONOLITHIC SIGN SHALL BE DONE SEPARATELY AND WILL FOLLOW ALL BALTIMORE COUNTY GUIDELINES.
- THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY.
- ANY FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.

OWNER/DEVELOPER/APPLICANT CERTIFICATION:

I CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

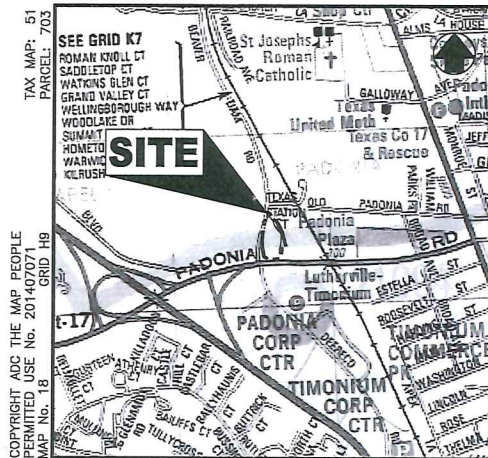
SIGNATURE: J. Scott Cooper
J. SCOTT COOPER
NAME: J. SCOTT COOPER
PRESIDENT
TITLE: PRESIDENT
DATE: 02/23/18



BUILDING CONNECTOR ROOF SECTION



BUILDING CONNECTOR RENDERING



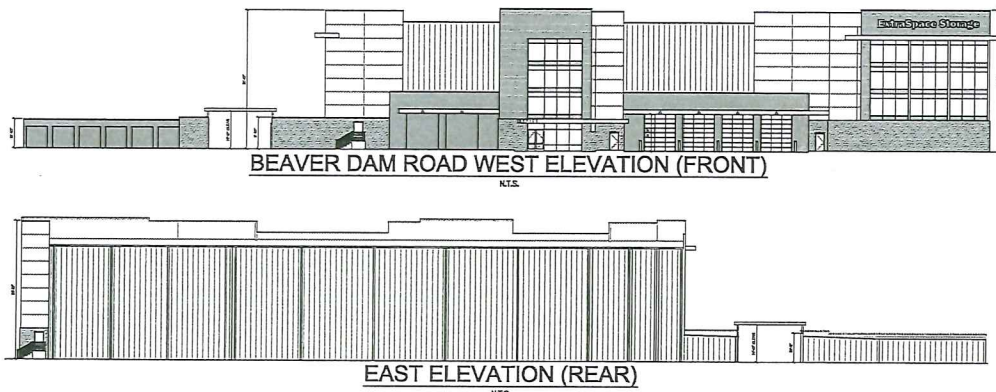
LOCATION MAP

- THE SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE SITE IS NOT LOCATED WITHIN A 100 YR. FLOODPLAIN (FEMA COMMUNITY PANEL NO. 24025C01630, DATED JANUARY 7, 2000)

LOCATED IN BALTIMORE COUNTY, MARYLAND

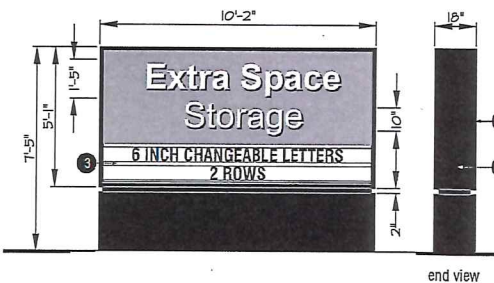
INDEX OF DRAWINGS

SHEET NO.	DESCRIPTION
1A	TITLE SHEET
1B	PLAN SHEET
1	FIRST AMENDED DEVELOPMENT PLAN - PDM #VIII-659

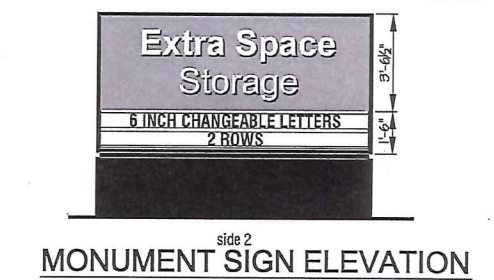


BEAVER DAM ROAD WEST ELEVATION (FRONT)

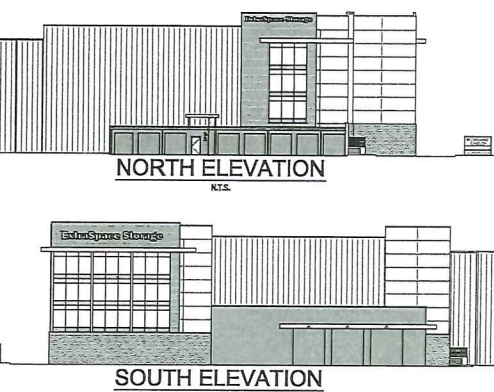
EAST ELEVATION (REAR)



MONUMENT SIGN ELEVATION

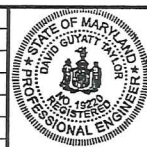


MONUMENT SIGN ELEVATION



NORTH ELEVATION

SOUTH ELEVATION



PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19220, EXPIRATION DATE: 08-03-2019.

DGT
David G. Taylor
& Associates, LLC

David G. Taylor & Associates, LLC

163 Spruce Woods Court
Abingdon, MD 21009
Cell: (443) 752-9039
Email: dgtaylor@comcast.net

DEVELOPMENT PLAN-2nd REFINEMENT TO PDM #VIII-659
TITLE SHEET
FOR
EXTRA SPACE STORAGE (FKA MACARONI GRILL)
9701 BEAVER DAM ROAD, TIMONIUM, MD
TAX MAP 0051, GRID 0001D, PARCEL 0703

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

JOB NO.: 0082
SCALE: AS NOTED
DATE: 05/10/18
DRAWN BY: CRK
DESIGN BY: DGT
REVIEW BY: DGT
SHEET: 1A OF 3

EXISTING

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	361.93'	173.87'	172.20'	N 14°50'42" W	27°31'27"
C2	3874.22'	142.82'	142.81'	N 86°35'52" E	02°06'44"
C3	490.00'	100.95'	100.78'	N 10°37'50" W	11°48'18"
C4	919.93'	301.33'	299.98'	S 04°39'20" W	18°46'03"

PROPERTY LINE
BUILDING SETBACK
EX. 2' CONTOUR
EX. 10' CONTOUR
EX. CURB & GUTTER
EX. STORM DRAIN
EX. OVERHEAD WIRE
EX. WATERLINE
EX. SANITARY
EX. GAS LINE
EX. EDGE OF PAVT.
EX. PAVING TO REMAIN
EX. CONCRETE
EX. TREE LINE
EX. 100-YR. FLOOD PLAIN

EX. FOREST BUFFER EASEMENT
(SEE FCP # FC 97-058)

PROPOSED

PR. 2' CONTOUR
PR. 10' CONTOUR
PR. COVENTRY CURBSTONE
PR. SANITARY
PR. STORM DRAIN
PR. WATER LINE
PR. PAVEMENT
PR. CONCRETE
EX. PMVT. TO BE REMOVED
& STABILIZED w/ TOPSOIL,
SFED & MULCH

100-YR. FLOOD PLAIN

TM:0051/G:0016/P:0711
JFK TEXAS, LLP
1 TEXAS STATION CT.
TIMONIUM, MD
Deed: /13779/00364
4.533 AC.
TAX ACCT. #2300001977
ZONED 11-11A

TM:0051/G:0016/P:0704
BALTIMORE COUNTY, MD
PADONIA '8D.
LUTHERVILLE, MD
Deed: /11951/00339
0.535 AS
TAX ACCT. #220Q028577
ZONED ML-IM

INSET

2'D.x2"W. CONC.
GRADE BEAM
w/8"-10"-12"Ø
TRIPLE HELIX PILE
SYSTEM (23'-25'
MIN. DEPTH)

PROP. 4-STORY
SELF STORAGE BUILDING
BLDG. FOOTPRINT: 35,100 S.F.
GFA 137,425 S.F.
SLAB EL. 354.0

1-STY WOOD & STONE
BUILDING (~7,400 S.F.)
(TO BE DEMOLISHED)

PR. SINGLE STORY
SELF STORAGE BUILDING
SLAB/EL. 3,000 S.F. EX. 15
35157
PR. 12'X20' DUMPSTER

PR. DRIVE-IN LOADING AREA
(2 LEVELS HIGH)
050 SE | 2975 SE

**BEAVER DAM
ROAD
85' R.O.W.**

EX. REVERTIBLE SLOPE ESMT. (R.O.W.
PLAT. FROM 88-159-4, 36R, 37R2)

NOTE:
A "SPIRIT OF INTENT" APPROVAL
IS REQUESTED TO MAINTAIN THIS
EXISTING CONDITION APPROVED
BY BOA CASE NO. 91-425-A
FOR THE MACARONI GRILL

SCALE: 1"=20'

20 0 20 40 FEET

TYPE OF CONVEYANCE	NO.	TOTAL AREA (ac)
DRAINAGE AND UTILITY EASEMENT	1	0.19
REVISED FOREST BUFFER ACCESS EASEMENT	1	0.81

* NOTE: DURING THE PROCESSING OF DEVELOPMENT PLANS AND PRIOR TO FINAL DEVELOPMENT PLAN (FDP) SUBMITTAL, TOTAL AREAS SHOWN IN THIS TABLE MAY BE APPROXIMATE.

DATE	REVISIONS



PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE
DOCUMENTS WERE PREPARED
OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED
PROFESSIONAL ENGINEER UNDER
THE LAWS OF THE STATE OF
MARYLAND, LICENSE NO. 19220,
EXPIRATION DATE: 08-03-2019.



David G. Taylor & Associates, LLC

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Abingdon, MD 21009
Cell: (443) 752-9039
Email: dgtaylorpe@comcast.net

DRC TRACKING #DRC-2017-00174/DRC #120517A

DEVELOPMENT PLAN-2nd REFINEMENT TO PDM #VIII-659
PLAN SHEET

FOR
EXTRA SPACE STORAGE (FKA MACARONI GRILL)
9701 BEAVER DAM ROAD, TIMONIUM, MD

BEAVER DAM ROAD, TIMONI
TAX MAP 0051, GRID 0001D, PARCEL 0703

JOB NO.:	0082
SCALE:	1"=20'
DATE:	05/10/18
DRAWN BY:	CRK
DESIGN BY:	DGT
REVIEW BY:	DGT
SHEET:	1B OF 3

BALTIMORE COUNTY, MARYLAND



CONCEPTUAL SKETCH | AERIAL VIEW FROM NORTHWEST

Extra Space Self Storage
Conceptual Design
9701 Beaver Dam Road, Lutherville-Timonium, MD 21093

JUNE 22, 2018

PETITIONER'S EXHIBIT 



CONCEPTUAL SKETCH | AERIAL VIEW FROM SOUTHWEST

Extra Space Self Storage
Conceptual Design
9701 Beaver Dam Road, Lutherville-Timonium, MD 21093

JUNE 22, 2018



CONCEPTUAL SKETCH | BEAVER DAM ROAD (WEST) ELEVATION

Extra Space Self Storage
Conceptual Design
9701 Beaver Dam Road, Lutherville-Timonium, MD 21093

JUNE 22, 2018



CONCEPTUAL SKETCH | SOUTHWEST CORNER

Extra Space Self Storage
Conceptual Design
9701 Beaver Dam Road, Lutherville-Timonium, MD 21093

JUNE 22, 2018



CONCEPTUAL SKETCH | NORTHWEST CORNER

Extra Space Self Storage
Conceptual Design
9701 Beaver Dam Road, Lutherville-Timonium, MD 21093

JUNE 22, 2018



CONCEPTUAL SKETCH | OFFICE DETAIL

Extra Space Self Storage
Conceptual Design
9701 Beaver Dam Road, Lutherville-Timonium, MD 21093

JUNE 22, 2018



CONCEPTUAL SKETCH | SINGLE STORY / THREE STORY TRANSITION

Extra Space Self Storage Conceptual Design

9701 Beaver Dam Road, Lutherville-Timonium, MD 21093

JUNE 22, 2018