

MEMORANDUM

DATE: December 3, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0432-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on December 2, 2019. 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.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

Lake Falls Village Limited
Partnership, LLP, *Legal Owner*
Petitioner

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
CASE NO. 2019-0432-SPHA

MODIFIED OPINION AND ORDER¹

This matter comes before the Office of Administrative Hearings ("OAH") for consideration of Petitions for Special Hearing and Variance filed on behalf of Lake Falls Village Limited Partnership, LLLP, legal owner ("Petitioner"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR"): **(1)** to approve an amendment to the previously approved site plan in Zoning Case No. 1997-0272-X; **(2)** commercial parking in a residential zone pursuant to BCZR Section 409.8 B for six (6) existing parking spaces that partially extend into the adjacent DR 3.5 zone and partial drive aisle in DR 2; **(3)** a modified parking plan under BCZR Section 409.12.B to allow the existing surface parking lot containing 184 parking spaces as shown on the Plan to Accompany Petition for Zoning Hearing to serve the proposed uses on the property, which would otherwise require 207 parking spaces; **(4)** for modification of the Residential Transition Area ("RTA") under BCZR Section 1B01.1.B.1.c(2) to permit the existing surface parking to be located within the 50-ft. RTA buffer and the 75-ft. RTA setback otherwise required by BCZR Section 1B01.1.B.1.E(3) and Section 1B01.1.B.1.E(5), respectively; and **(5)** such further and other relief as the nature of this cause may require. In addition, a Petition for Variance was filed pursuant to BCZR as follows: **(1)** from BCZR Section 409.6 to permit 184 existing parking spaces in lieu of the 207

¹ This Modified Opinion and Order is entered by this Managing Administrative Law Judge for Baltimore County as a result of Petitioner's Motion for Reconsideration dated October 31, 2019, which is granted.

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Date 11/1/19
By sen

parking spaces required; (2) from BCZR Section 409.8.A.4 to permit existing parking spaces to be as close as four (4) ft. from the right-of-way line of a public street, in lieu of the ten (10) ft. required (no new development proposed); (3) from BCZR Section 1B01.1.B.1.E.3 to permit an RTA Buffer of zero feet in lieu of the 50 feet required in order to accommodate an existing surface parking lot (no new development proposed) and (4) from BCZR Section 1B01.1.B.1.E.5 to permit an RTA setback of zero (0) ft. in lieu of the 75 ft. required in order to accommodate an existing surface parking lot (no new development proposed). A redlined site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

John Harrington, Senior Vice President of MacKenzie Commercial Real Estate Services, LLC and one of the tenants, Emily Howell, the owner of the Corner Pantry, a restaurant in the Lake Falls Village center appeared in support of the requests. Dino La Fiandra, Esq. represented the Petitioner. Steve Warfield, the professional engineer who sealed the redlined plan also attended. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee ("ZAC") comments were received from any of the County reviewing agencies.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Because there were no protestants Mr. La Fiandra was allowed to proffer the following: He explained that the tenant, Corner Pantry was now occupying approximately 1200 square feet of space in the development and that because of the success of her business she wishes to double the size of her restaurant, thus necessitating the requested relief. He explained that the Lake Falls Village development was built in 1982 and that under the then existing BCZR the expanded restaurant space of 2400 square feet would cause the entire Lake Falls Village center to require a total of 207 parking spaces for all the uses in the center, if the parking for the center were tabulated

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under the parking requirements of the BCZR in effect at the time center was originally developed which is what was depicted on the original blacklined site plan that was filed on August 19, 2019. However, in preparing for this hearing Mr. La Fiandra and Mr. Warfield realized that the proposed plan would be covered by the "shared parking adjustment" under the current BCZR Sec. 409.6.B.3 if they were to upgrade the Lake Falls Village to the parking regulations of the current BCZR, which is permitted by BCZR §409.1. As a result, Mr. Warfield prepared the redlined plan (Exhibit 1) with a "Shared Parking Analysis" Table which shows that the "adjusted" required number of spaces is only 159 under these current regulations. Mr. La Fiandra explained that since there are 184 existing spaces they do not need the Variance requested in paragraph 1 of the Variance request. However, as he further explained, since the shared parking adjustment is part of the current BCZR they must comply with all other aspects of the current BCZR as part of upgrading to the current regulations. Therefore, he requested that they be relieved from any minor deficiencies in the existing surface parking lot from the standpoint of BCZR §§409.3 and 409.4 of current BCZR relating to the required dimensions of the parking spaces, driveways and aisles as part of upgrading to the current regulations. For instance, Mr. Warfield pointed out that at the back of the property the parking spaces are only 15 feet in length and under the current regulations they are supposed to be 18 feet. Mr. La Fiandra asked that this relief be granted under paragraph 5 of the Special Hearing request.

With regard to paragraph 2 of the Special Hearing relief, Mr. Warfield explained that when the GIS line was created it did not precisely mirror the property line. As a result, on the south side of the property there is a very small section of the property that is now in the DR 3.5 zone, which partially extends into 6 of the existing parking spaces, thereby constituting commercial parking in a residential zone.

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The relief requested in paragraph 4 of the Special Hearing is also a result of the GIS anomaly discussed above. Hence the Petitioner needs relief from the RTA buffer and setback requirements. Mr. La Fiandra explained that if this relief is granted it will obviate the identical relief that is requested in paragraphs 3 and 4 of the Variance petition. With regard to paragraph 2 of the Variance relief, Mr. La Fiandra further explained that the parking spaces at the front of the property were built only 4 feet from the roadway and have existed there since 1982 and have caused no complaint or incident. He observed that several businesses in the vicinity along Falls Road have no parking out front and use the Lake Falls Village lot.

SPECIAL HEARING

Based on the foregoing I find that all of the conditions of BCZR Sec. 502.1 are satisfied and that the requested relief is in keeping with the spirit and intent of the BCZR and that it will not harm the public health, safety, and general welfare. Accordingly, I shall grant the relief requested in Special Hearing Request Number 1.

With regard to the requirements for commercial parking in a residential zone, I find that BCZR § 409.8.B.2 is satisfied, and I will grant the requested relief as it relates to the 6 existing parking spaces and the partial drive aisle. Accordingly, I shall grant the relief requested in Special Hearing Request Number 2.

With regard to the modification of the Residential Transition Area under BCZR Section 1B01.1.B.1.c(2) to permit the existing surface parking to be located within the 50-ft. RTA buffer and the 75-ft. RTA setback otherwise required by BCZR Section 1B01.1.B.1.E (3) and (5), respectively, I find that the reduction of the RTA as requested will be compatible with the neighborhood within the context of BCC § 32-4-402 in that Lake Falls Village Shopping Center (including the parking spaces at issue) are and have been existing for almost 40 years and indeed

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are a component of this neighborhood. I further specifically find that the reduction ordered hereby will not adversely impact the residential community or development on the land adjacent to the Lake Falls Village Shopping Center, as that land is already fully developed. Accordingly, I shall grant the relief requested in Special Hearing Request Number 4.

As discussed above, I have determined that the nature of this cause requires other incidental relief in the form of a modified parking plan for the existing surface parking lot under the authority of BCZR § 409.12 to allow minor deficiencies in the parking space dimensions and parking driveway and parking aisle dimensions otherwise required by BCZR §§ 409.3 and 409.4, and I shall grant this relief under Special Hearing Request Number 5.

VARIANCE

As to the variance, it requires 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).

The property is split-zoned and is an irregularly shaped lot that is sandwiched between the Jones Falls and Falls Road. The rear section of the property is within the 100 year floodplain. As such, the property is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would be unable to accommodate its tenant's proposed restaurant expansion. Further, 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. Finally, I note that the proposed restaurant expansion will not affect the existing

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exterior structure of the Lake Falls Village buildings or its existing exterior parking, features, or amenities.

THEREFORE, IT IS ORDERED this 1ST day of November, 2019, by this Administrative Law Judge, that the Petition for Special Hearing: (1) to approve an amendment to the previously approved site plan in Zoning Case No. 1997-0272-X; (2) to allow commercial parking in a residential zone pursuant to BCZR Section 409.8 B for six (6) existing parking spaces that partially extend into the adjacent DR 3.5 zone and partial drive aisle in DR 2; (3) a modified parking plan for the existing surface parking lot under the authority of BCZR § 409.12 to allow minor deficiencies in the parking space dimensions and parking driveway and parking aisle dimensions otherwise required by BCZR §§ 409.3 and 409.4; including, but not limited to, permitting the existing 15 foot spaces at the rear of the property in lieu of the required 18 foot spaces; (4) for modification of the Residential Transition Area ("RTA") under BCZR Section 1B01.1.B.1.c (2) in order to allow the existing surface parking to be located within the 50-ft. RTA buffer and the 75-ft. RTA setback otherwise required by BCZR Section 1B.01.1.B.I.E (3) and (5), respectively, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance as follows: (1) from BCZR Section 409.8.A.4 to permit existing parking spaces to be as close as four (4) ft. from the right-of-way line of a public street, in lieu of the ten (10) ft. required (no new development proposed, be and is hereby GRANTED.

- (1) The variance relief requested in paragraphs 3 and 4 is now MOOT based on the Special Hearing relief granted above.

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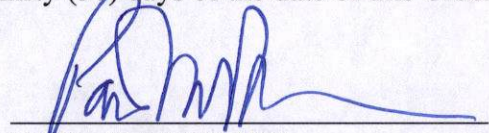
Date 11/1/19
By Sen

- (2) The variance relief requested in paragraph 1 is MOOT based on the applicability of the Shared Parking Adjustment pursuant to BCZR Sec. 409.6.B.3, as depicted in the Shared Parking Analysis Table on the redlined Plan.

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.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 11/1/19

By Sen

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE *
(6080 Falls Road) *

3rd Election District *
2nd Council District *

Lake Falls Village Limited *
Partnership, LLLP, *Legal Owner* *
Petitioner *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2019-0432-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Hearing and Variance filed on behalf of Lake Falls Village Limited Partnership, LLLP, legal owner (“Petitioner”). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (“BCZR”): (1) to approve an amendment to the previously approved site plan in Zoning Case No. 1997-0272-X; (2) commercial parking in a residential zone pursuant to BCZR Section 409.8 B for six (6) existing parking spaces that partially extend into the adjacent DR 3.5 zone and partial drive aisle in DR 2; (3) a modified parking plan under BCZR Section 409.12.B to allow the existing surface parking lot containing 184 parking spaces as shown on the Plan to Accompany Petition for Zoning Hearing to serve the proposed uses on the property, which would otherwise require 207 parking spaces; (4) for modification of the Residential Transition Area (“RTA”) under BCZR Section 1B.01.1.B.1.C (2); and (5) to permit the existing surface parking to be located within the 50-ft. RTA buffer and the 75-ft. RTA setback otherwise required by BCZR Section 1B.01.1.B.1.E (3). In addition, a Petition for Variance was filed pursuant to BCZR as follows: (1) from BCZR Section 409.6 to permit 184 existing parking spaces in lieu of the 207 parking spaces required; (2) from BCZR Section 409.8.A.4 to permit existing parking spaces to be as close as four (4) ft. from the right-of-way line of a public street,

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in lieu of the ten (10) ft. required (no new development proposed); and (3) from BCZR Section 1B01.1.B.1.E.5 to permit an RTA setback of zero (0) ft. in lieu of the 75 ft. required in order to accommodate an existing surface parking lot (no new development proposed). A redlined site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

John Harrington, Senior Vice President of MacKenzie Commercial Real Estate Services, LLC and one of the tenants, Jennifer Howell, the owner of the Corner Pantry, a restaurant in the Lake Falls Village center appeared in support of the requests. Dino La Fiandra, Esq. represented the Petitioner. Steve Warfield, the professional engineer who sealed the redlined plan also attended. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee ("ZAC") comments were received from any of the County reviewing agencies.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Because there were no protestants Mr. La Fiandra was allowed to proffer the following: He explained that the tenant, Corner Pantry was now occupying approximately 1200 square feet of space in the development and that because of the success of her business she wishes to double the size of her restaurant, thus necessitating the requested relief. He explained that the Lake Falls Village development was built in 1982 and that under the then existing BCZR the expanded restaurant space of 2400 square feet would require 207 parking spaces, which is what was depicted on the original blacklined site plan that was filed on August 19, 2019. However, in preparing for this hearing Mr. La Fiandra and Mr. Warfield realized that the proposed plan is covered by the "shared parking adjustment" in current BCZR Sec. 409.6.B.3. As a result, Mr. Warfield prepared the redlined plan (Exhibit 1) with a "Shared Parking Analysis" Table which shows that the "adjusted" required number of spaces is only 159. Mr. La Fiandra explained that since there are

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184 existing spaces they do not need the Variance requested in paragraph 1 of the Variance request. However, as he further explained, since the shared parking adjustment is part of the current BCZR they must comply with all other aspects of the current BCZR. Therefore, under paragraph 3 of the Special Hearing relief, he requested that they be relieved from complying with any minor discrepancies between the existing parking and the current BCZR. For instance, Mr. Warfield pointed out that at the back of the property the parking spaces are only 15 feet and under the current regulations they are supposed to be 18 feet. Mr. La Fiandra asked that this general relief be granted under paragraph 5 of the Special Hearing request.

With regard to paragraph 2 of the Special Hearing relief, Mr. Warfield explained that when the GIS line was created it did not precisely mirror the property line. As a result, on the south side of the property there is a very small section of the property that is now in the DR 3.5 zone, which partially extends into 6 of the existing parking spaces, thereby constituting commercial parking in a residential zone.

The relief requested in paragraph 4 of the Special Hearing is also a result of the GIS anomaly discussed above. Hence the Petitioner needs relief from the RTA buffer and setback requirements. Mr. La Fiandra explained that if this relief is granted it will obviate the identical relief that is requested in paragraphs 3 and 4 of the Variance petition. With regard to paragraph 2 of the Variance relief, Mr. La Fiandra further explained that the parking spaces at the front of the property were built only 4 feet from the roadway and have existed there since 1982 and have caused no complaint or incident. He observed that several businesses in the vicinity along Falls Road have no parking out front and use the Lake Falls Village lot.

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SPECIAL HEARING

Based on the foregoing I find that all of the conditions of BCZR Sec. 502.1 are satisfied and that the requested relief is in keeping with the spirit and intent of the BCZR and that it will not harm the public health, safety, and general welfare.

VARIANCE

As to the variance, it requires 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).

The property is split-zoned and is an irregularly shaped lot that is sandwiched between the Jones Falls and Falls Road. The rear section of the property is within the 100 year floodplain. As such, the property is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would be unable to accommodate its tenant's proposed restaurant expansion. Further, 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. Finally, I note that the proposed restaurant expansion will not affect the existing exterior structure of the Lake Falls Village buildings or its existing exterior parking, features, or amenities.

THEREFORE, IT IS ORDERED this **21st** day of **October, 2019**, by this Administrative Law Judge, that the Petition for Special Hearing: (1) to approve an amendment to the previously

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Date

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By

sen

approved site plan in Zoning Case No. 1997-0272-X; **(2)** to allow commercial parking in a residential zone pursuant to BCZR Section 409.8 B for six (6) existing parking spaces that partially extend into the adjacent DR 3.5 zone and partial drive aisle in DR 2; **(3)** a allow general relief, as necessary, from strict compliance with the parking requirements of the current BCZR; including, but not limited to, permitting the existing 15 foot spaces at the rear of the property in lieu of the required 18 foot spaces; **(4)** for modification of the Residential Transition Area ("RTA") under BCZR Section 1B.01.1.B.1.C (2); and **(5)** to permit the existing surface parking to be located within the 50-ft. RTA buffer and the 75-ft. RTA setback otherwise required by BCZR Section 1B.01.1.B.1.E (3), be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance as follows: (1) from BCZR Section 409.8.A.4 to permit existing parking spaces to be as close as four (4) ft. from the right-of-way line of a public street, in lieu of the ten (10) ft. required (no new development proposed, be and is hereby GRANTED.

- (1) The variance relief requested in paragraphs 3 and 4 is now MOOT based on the Special Hearing relief granted above.
- (2) The variance relief requested in paragraph 1 is MOOT based on the applicability of the Shared Parking Adjustment pursuant to BCZR Sec. 409.6.B.3, as depicted in the Shared Parking Analysis Table on the redlined Plan.

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.

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Date

10/21/19

By

sen

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:sln

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Date 10/21/19
By sen



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 6080 Falls Road which is presently zoned BL, BM and DR 2

Deed References: 17319/350 10 Digit Tax Account # 1700000275

Property Owner(s) Printed Name(s) Lake Falls Village Limited Partnership, LLLP

(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

Please see attached.

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

3. ☒ **a Variance** from Section(s)

Please see attached.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

To be presented at 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:

Dino C. La Fiandra, Esquire
The Law Office of Dino C. La Fiandra, LLC

Name- Type or Print

Signature

100 W. Pennsylvania Avenue, Suite 305
Towson, Maryland 21204

Mailing Address City State

21204 / 443-204-3473 / dcl@lafiandralaw.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Lake Falls Village Limited Partnership, LLLP

Name #1 - Type or Print

Name #2 - Type or Print

MACKENZIE PROPERTIES, INC., GENERAL PARTNER

Signature #1

Signature #2

2328 W. Joppa Road, Suite 200

Mailing Address City State

21093 / 410.821.8585 /
Zip Code Telephone # Email Address

Representative to be contacted:

Dino C. La Fiandra, Esquire
The Law Office of Dino C. La Fiandra, LLC

Name - Type or Print

Signature

100 W. Pennsylvania Avenue, Suite 305
Towson, Maryland 21204

Mailing Address City State

21204 / 443-204-3473 / dcl@lafiandralaw.com
Zip Code Telephone # Email Address

CASE NUMBER 2019-0432-SPHA Filing Date 8/20/19

Do Not Schedule Dates:

Reviewer CP

Petition for Zoning Hearing
Continuation Sheet
6080 Falls Road

The Petitioner seeks:

✓ *Special Hearing* under §500.7 of the Zoning Regulations of Baltimore County to determine whether the Zoning Commissioner should approve:

1. An amendment to the previously approved site plan in zoning case 1997-0272-X.
2. Commercial parking in a residential zone pursuant to BCZR §409.8.B for six (6) existing parking spaces that partially extend into the adjacent D.R. 3.5 zone. *and partial drive aisle in PR2*
3. A modified parking plan under BCZR §409.12.B to allow the existing surface parking lot containing 184 parking spaces as shown on the Plan to Accompany Petition for Zoning Hearing to serve the proposed uses on the property which would otherwise require 207 parking spaces. *- approve any anomalies to 2019*
4. Modification of the Residential Transition Area (RTA) under BCZR §1B.01.1.B.1.c (2), to permit the existing surface parking to be located within the 50-foot RTA Buffer and the 75-foot RTA Setback otherwise required by BCZR §1B.01.1.B.1.e (3) and (5), respectively.
5. Such further and other relief as the nature of this cause may require.

✓ Variance from:

1. BCZR §409.6 to permit 184 existing parking spaces in lieu of the 207 parking spaces required.
2. BCZR §409.8.A.4 to permit existing parking spaces to be as close as four (4) feet from the right of way line of a public street, in lieu of the ten (10) feet required (no new development proposed).
3. BCZR §1B01.1.B.1.e.3 to permit an RTA Buffer of zero (0) feet in lieu of the 50 feet required in order to accommodate an existing surface parking lot (no new development proposed).
4. BCZR §1B01.1.B.1.e.5 to permit an RTA Setback of zero (0) feet in lieu of the 75 feet required in order to accommodate an existing surface parking lot (no new development proposed).

August 20, 2019

Description to Accompany Zoning Petition, 6080 Falls Road Baltimore County, Maryland

Beginning at a point on the west side of the existing Falls Road right-of-way which is approximately 65-feet wide at the point of beginning and at the distance of 54' southerly from the intersection of the centerline of Falls Road with the centerline of the existing Lake Avenue right-of-way which is approximately 43-feet wide.

Thence the following courses and distances:

- 1) N 12° 21' 02" W 359.32';
- 2) S 76° 53' 08" W 119.96';
- 3) N 28° 00' 42" W 33.50';
- 4) N 81° 14' 31" W 124.91';
- 5) N 71° 25' 22" W 238.18';
- 6) S 18° 34' 38" W 108.16';
- 7) S 14° 02' 39" W 131.86';
- 8) S 77° 25' 32" E 195.83';
- 9) S 34° 09' 28" W 138.73';
- 10) S 80° 30' 52" E 204.29';
- 11) S 00° 59' 28" W 7.06';
- 12) S 00° 04' 58" W 107.33';
- 13) S 89° 23' 12" E 72.59';
- 14) N 00° 36' 48" E 12.00';
- 15) S 89° 23' 12" E 74.40';
- 16) S 00° 36' 48" W 12.00';
- 17) S 89° 23' 12" E 25.00';
- 18) N 12° 12' 02" W 69.91';
- 19) N 77° 38' 58" E 10.00';
- 20) N 82° 30' 18" E 145.52';



To the place of beginning.

Being known as parcel 57 on tax map 79 containing 4.507 acres+/-, located in the 3rd Election District and 2nd Councilmanic District.

THIS DESCRIPTION COMPILED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCES OR AGREEMENTS

I hereby certify that this document was prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland License Number 21162, Expiration Date: 03/20/2020



September 24, 2019
County Executive

NOTICE OF ZONING HEARING

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

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: 2019-0432-SPHA

6080 Falls Road
West side of Falls Road, 54 ft. south of Lake Avenue
3rd Election District – 2nd Councilmanic District
Legal Owners: Lake Falls Village Limited Partnership, LLLP

Special Hearing to determine whether the Zoning Commissioner should approve an amendment to the previously approved site plan in zoning case 1997-0272-X. Commercial parking in a residential zone pursuant to BCZR 409.8 B for six (6) existing parking spaces that partially extend into the adjacent D.R. 3.5 Zone and partial drive aisle in DR2. A modified parking plan under BCZR 409.12.B to allow the existing surface parking lot containing 184 parking spaces as shown on the Plan to Accompany Petition for Zoning Hearing to serve the proposed uses on the property which would otherwise require 207 parking spaces. Modification of the Residential Transition Area (RTA) under BCZR 1B.01.1.B.1.C (2), to permit the existing surface parking to be located within the 50-foot RTA Buffer and the 75-foot RTA Setback otherwise required by BCZR 1B.01.1.B.1.E (3) and (5), respectively. Such further and other relief as the nature of this cause may require. Variance to permit 184 existing parking spaces in lieu of the 207 parking spaces required. BCZR 409.8.A.4 to permit existing parking spaces to be as close as four (4) feet from the right of way line of a public street, in lieu of the ten (10) feet required (no new development proposed). BCZR 1B01.1.B.1.E.5 to permit an RTA Setback of Zero (0) feet in lieu of the 75 feet required in order to accommodate an existing surface parking lot (no new development proposed).

Hearing: Friday, October 18, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff
Director

MM:kl

C: Dino LaFiandra, 100 W. Pennsylvania Avenue, Ste. 305, Towson 21204
Gary Gill, 2328 West Joppa Road, Ste. 200, Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, SEPTEMBER 28, 2019.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Zoning Review | County Office Building
111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048
www.baltimorecountymd.gov

TO: THE DAILY RECORD
Friday, September 27, 2019 – Issue

Please forward billing to:

Dino LaFiandra
100 W. Pennsylvania Avenue, Ste. 305
Towson, MD 21204

443-204-3473

NOTICE OF ZONING HEARING

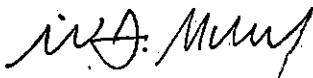
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2019-0432-SPHA

6080 Falls Road
West side of Falls Road, 54 ft. south of Lake Avenue
3rd Election District – 2nd Councilmanic District
Legal Owners: Lake Falls Village Limited Partnership, LLLP

Special Hearing to determine whether the Zoning Commissioner should approve an amendment to the previously approved site plan in zoning case 1997-0272-X. Commercial parking in a residential zone pursuant to BCZR 409.8 B for six (6) existing parking spaces that partially extend into the adjacent D.R. 3.5 Zone and partial drive aisle in DR2. A modified parking plan under BCZR 409.12.B to allow the existing surface parking lot containing 184 parking spaces as shown on the Plan to Accompany Petition for Zoning Hearing to serve the proposed uses on the property which would otherwise require 207 parking spaces. Modification of the Residential Transition Area (RTA) under BCZR 1B.01.1.B.1.C (2), to permit the existing surface parking to be located within the 50-foot RTA Buffer and the 75-foot RTA Setback otherwise required by BCZR 1B.01.1.B.1.E (3) and (5), respectively. Such further and other relief as the nature of this cause may require. Variance to permit 184 existing parking spaces in lieu of the 207 parking spaces required. BCZR 409.8.A.4 to permit existing parking spaces to be as close as four (4) feet from the right of way line of a public street, in lieu of the ten (10) feet required (no new development proposed). BCZR 1B01.1.B.1.E.5 to permit an RTA Setback of Zero (0) feet in lieu of the 75 feet required in order to accommodate an existing surface parking lot (no new development proposed).

Hearing: Friday, October 18, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

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

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
6080 Falls Road; W/S Falls Road,	*	OF ADMINISTRATIVE
54' S of Lake Avenue		
3 rd Election & 2 nd Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Lake Falls Village Limited		
Partnership, LLLP	*	BALTIMORE COUNTY
Petitioner(s)	*	2019-432-SPHA

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

AUG 29 2019

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of August, 2019, a copy of the foregoing Entry of Appearance was mailed to Dino LaFiandra, Esquire, 100 West Pennsylvania Avenue, Suite 305, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

9/27/2019

Order #: 11796723
Case #: 2019-0432-SPHA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0432-SPHA



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

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:

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Michael Mallinoff

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.

s27

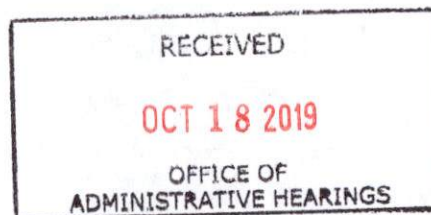
Debra Wiley

PM 10-18-19
1:30 pm

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Thursday, October 17, 2019 5:02 PM
To: Dino La Fiandra; Administrative Hearings
Subject: Recertification's For 2019-0432-SPHA
Attachments: Re-Cert 1 2019-0432-SPHA.doc; Re-Cert 2 2019-0432-SPHA.doc; Re-Cert 3 2019-0432-SPHA.doc; Re-Cert 4 2019-0432-SPHA.doc; Re-Cert 5 2019-0432-SPHA.doc; Re-Cert 6 2019-0432-SPHA.doc; Re-Cert Groups 1&2 2019-0432-SPHA.doc

CAUTION: This message from 1opie@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Recertification's for 6080 Falls Road. Thanks.



CERTIFICATE OF POSSESSION

2019-0432-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Lake Falls Village Limited Partnership, LLLP

October 18, 2019

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:

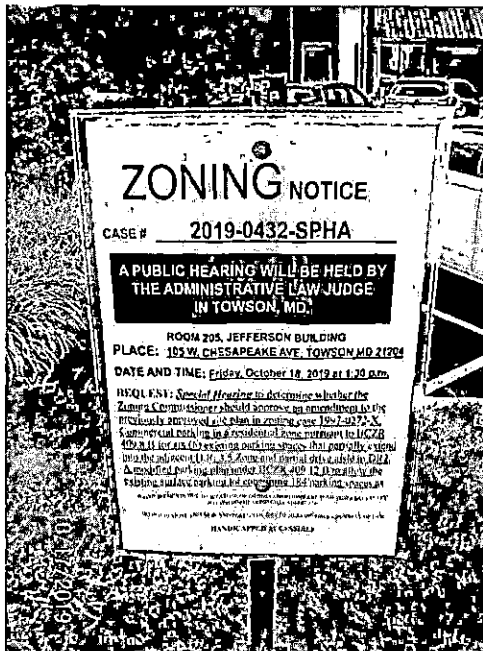
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

6080 Falls Road

SIGN 1 Recertification

September 28, 2019

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



Sincerely,

Sincerely,

 October 17, 2019

(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

2019-0432-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Lake Falls Village Limited Partnership, LLLP

October 18, 2019

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:

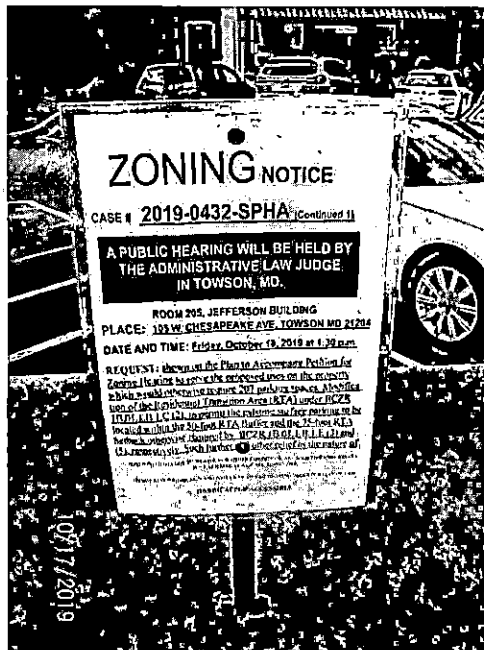
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

6080 Falls Road

SIGN 2 Recertification

September 28, 2019

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



Sincerely,

October 17, 2019

(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

2019-0432-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Lake Falls Village Limited Partnership, LLLP

October 18, 2019

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:

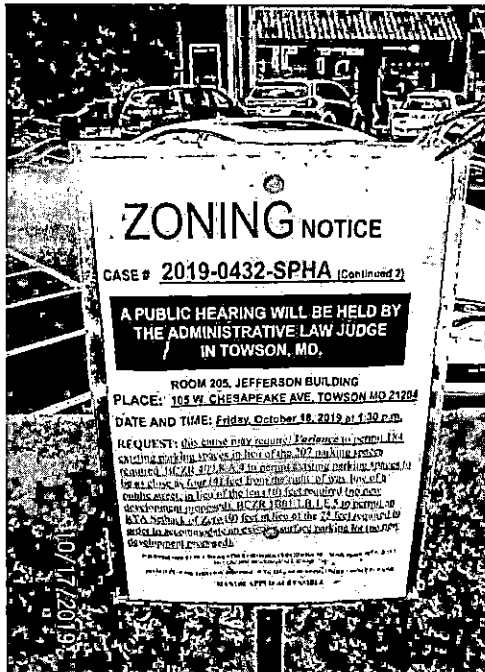
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

6080 Falls Road

SIGN 3 Recertification

September 28, 2019

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



Sincerely,


(Signature of Sign Poster)

October 17, 2019

(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

2019-0432-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Lake Falls Village Limited Partnership, LLLP

October 18, 2019

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:

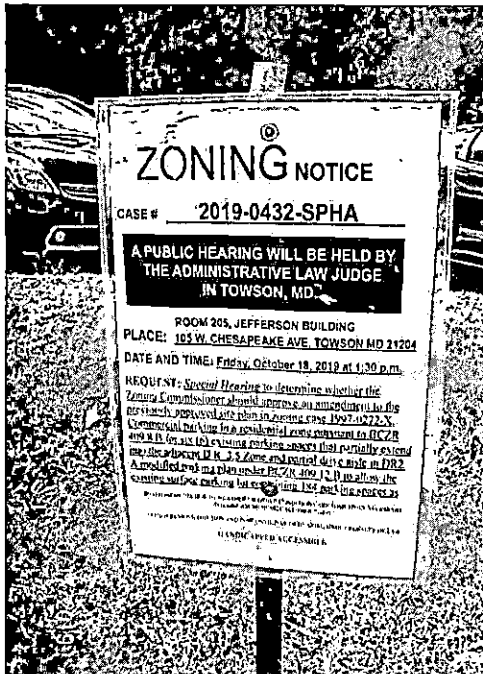
Ladies and Gentlemen:

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: _____

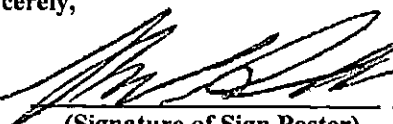
6080 Falls Road **SIGN 4 Recertification**

September 28, 2019

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



Sincerely,

 October 17, 2019
(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

2019-0432-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Lake Falls Village Limited Partnership, LLLP

October 18, 2019

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:

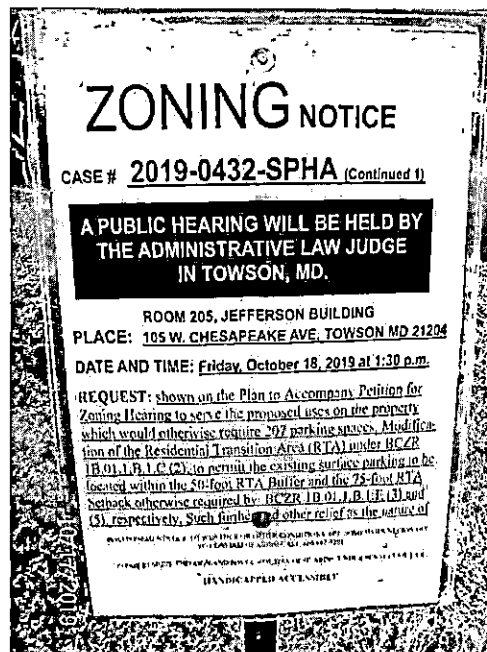
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

6080 Falls Road

SIGN 5 Recertification

September 28, 2019

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



Sincerely,

 October 17, 2019
(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

2019-0432-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Lake Falls Village Limited Partnership, LLLP

October 18, 2019

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:

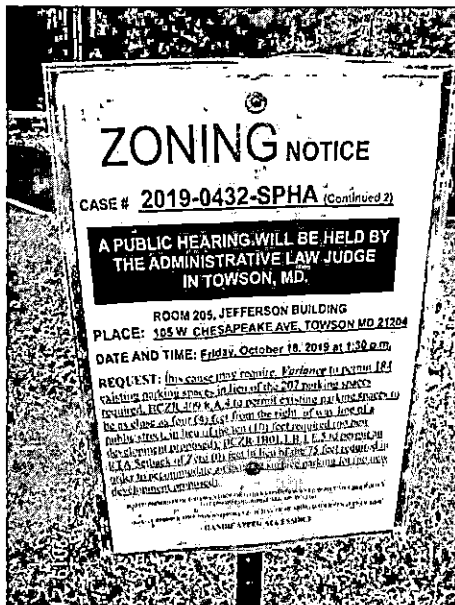
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

6080 Falls Road

SIGN 6 Recertification

September 28, 2019

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



Sincerely,

 October 17, 2019
(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

2019-0432-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Lake Falls Village Limited Partnership, LLLP

October 18, 2019

Date of Hearing/Closing: _____

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

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6080 Falls Road

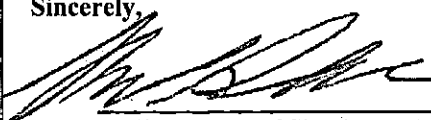
Groups 1 & 2 Recertification

September 28, 2019

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



Sincerely,

 October 17, 2019
(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

2019-0432-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Lake Falls Village Limited Partnership, LLLP

October 18, 2019

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:

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6080 Falls Road

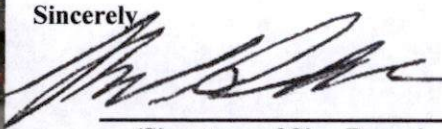
Groups 1 & 2

September 28, 2019

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



Sincerely,

 September 28, 2019

(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)

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Petitioner/Developer: _____

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October 18, 2019

Date of Hearing/Closing: _____

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Attn: Kristen Lewis:

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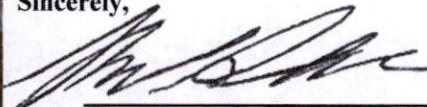
6080 Falls Road

SIGN 1

September 28, 2019

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

Sincerely,

 September 28, 2019
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

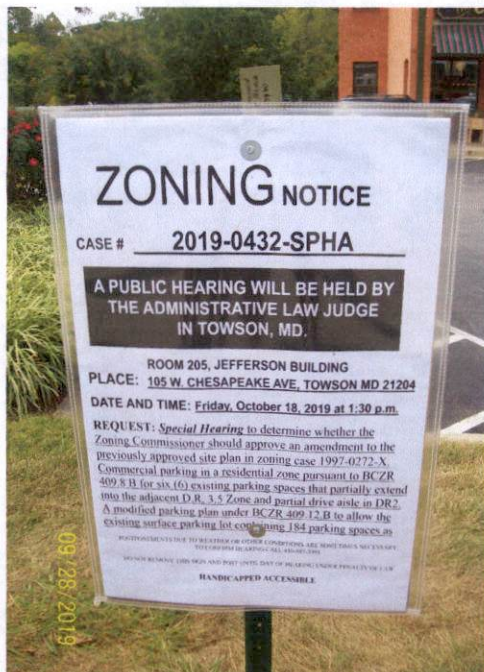
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2019-0432-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Lake Falls Village Limited Partnership, LLLP

October 18, 2019

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:

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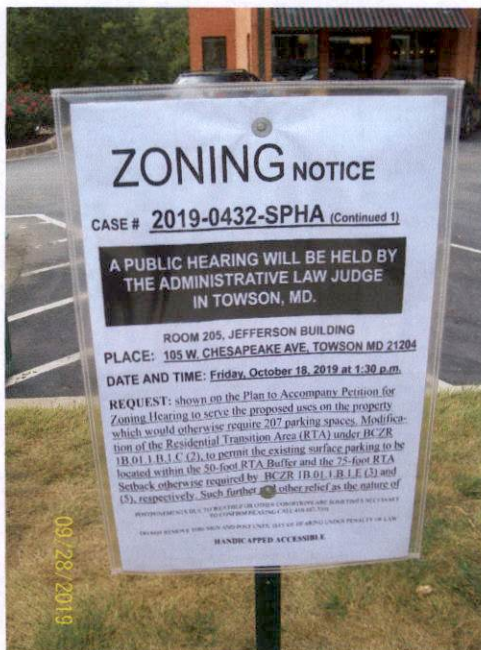
6080 Falls Road

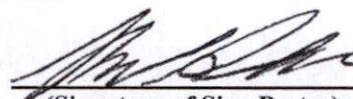
SIGN 2

September 28, 2019

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

Sincerely,



 September 28, 2019
(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

2019-0432-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Lake Falls Village Limited Partnership, LLLP

October 18, 2019

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
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Attn: Kristen Lewis:

Ladies and Gentlemen:

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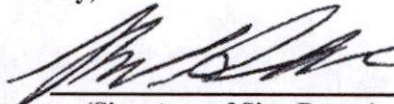
6080 Falls Road

SIGN 3

September 28, 2019

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

Sincerely,

 September 28, 2019
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

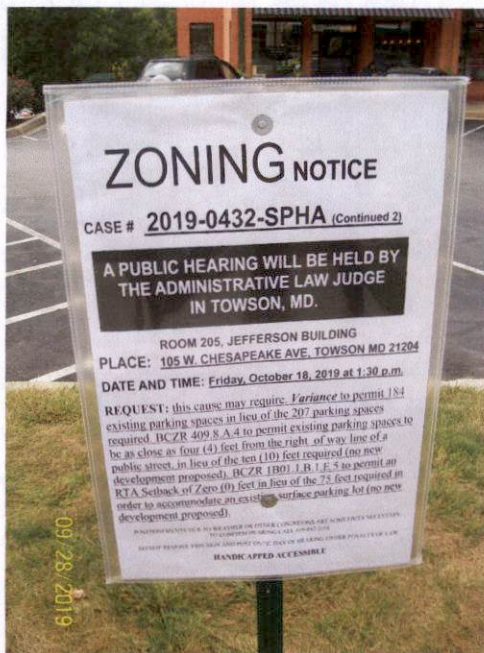
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2019-0432-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Lake Falls Village Limited Partnership, LLLP

October 18, 2019

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:

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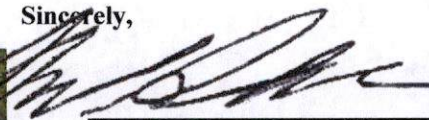
6080 Falls Road

SIGN 4

September 28, 2019

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

Sincerely,

 **September 28, 2019**

(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

2019-0432-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Lake Falls Village Limited Partnership, LLLP

October 18, 2019

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: _____

6080 Falls Road

SIGN 5

September 28, 2019

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

Sincerely,

 September 28, 2019
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

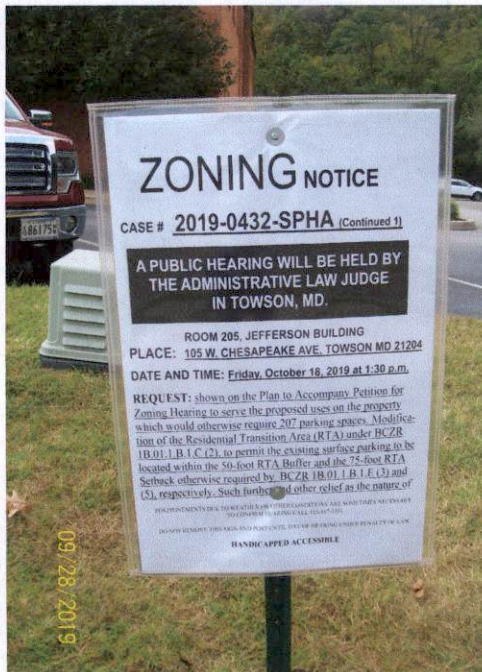
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2019-0432-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Lake Falls Village Limited Partnership, LLLP

October 18, 2019

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: _____

6080 Falls Road

SIGN 6

September 28, 2019

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

Sincerely,

September 28, 2019

(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

2019-0432-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Lake Falls Village Limited Partnership, LLLP

October 18, 2019

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: _____

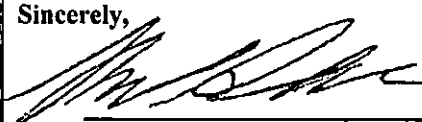
6080 Falls Road

SIGN 1

September 28, 2019

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

Sincerely,

 September 28, 2019
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

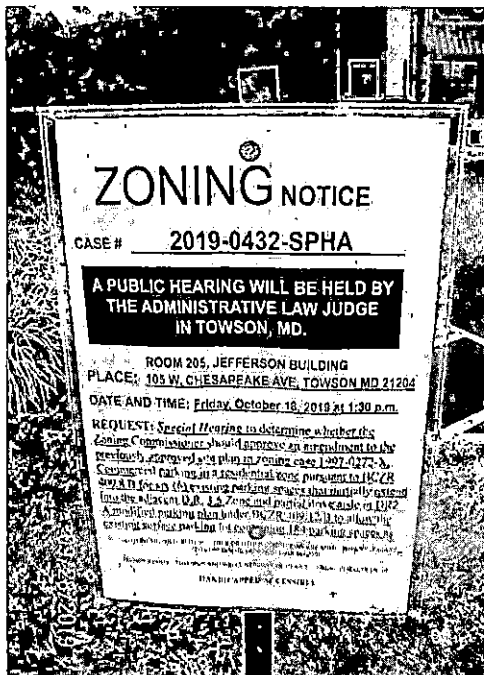
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2019-0432-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Lake Falls Village Limited Partnership, LLLP

October 18, 2019

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: _____

6080 Falls Road

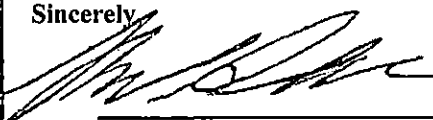
Groups 1 & 2

September 28, 2019

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



Sincerely,

 September 28, 2019

(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)

**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: 2019-0432-SAH A

Property Address: 6080 Falls Road

Property Description: _____

Legal Owners (Petitioners): Lake Falls Village Limited Partnership

Contract Purchaser/Lessee: _____ CLLR

PLEASE FORWARD ADVERTISING BILL TO:

Name: Dino LaFiandra

Company/Firm (if applicable): Law Office of Dino C. LaFiandra

Address: 100 W. Pennsylvania Ave, Suite 305
Towson MD 21204

Telephone Number: 443-204-3473



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

October 09, 2019

Dino C. La Fiandra
100 W. Pennsylvania Ave Suite 305
Towson MD 21204

RE: Case Number: 2019-0432-SPHA, 6080 Falls Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 20, 2019. 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, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Lake Falls Village Limited Partnership 2328 W. Joppa Road Suite 200 Baltimore MD 21093

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 8/28/19

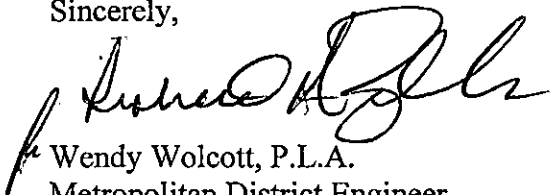
Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 8/28/19. A field inspection and internal review reveals that an entrance onto MD25 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Hearing, Variance Case Number 2019-0432-SPHA
Lake Falls Village Limited Partnership, LLP
6080 Falls Road
MD25

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 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 MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 9/27/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-432

INFORMATION:

Property Address: 6080 Falls Road
Petitioner: Lake Falls Village Limited Partnership, LLLP
Zoning: BL, BM, DR 2
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for special hearing and variance to determine whether or not the administrative law judge should permit the relief listed on the attachment.

A site visit was conducted on August 28, 2019.

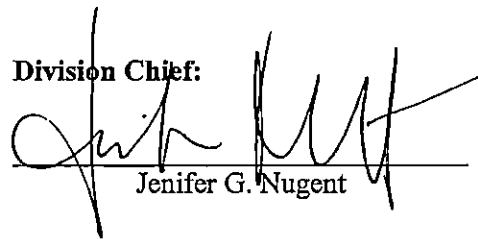
The Department of Planning has no objections to granting the requested relief.

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

Prepared by:


Jessie Bialek

Division Chief:


Jenifer G. Nugent

CPG/JGN/JAB/

c: Bill Skibinski
Dino C. La Fiandra, 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: September 13, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0432-SPHA
Address 6080 Falls Road
(Lake Falls Village Limited
Partnership, LLLP Property)

Zoning Advisory Committee Meeting of **August 23, 2019**.

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

Reviewer: Steve Ford



10-18

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 9/27/2019

FROM: C. Pete Gutwald
Director, Department of Planning

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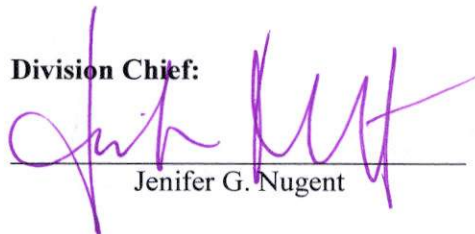
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Prepared by:



Jessie Bialek

Division Chief:



Jenifer G. Nugent

CPG/JGN/JAB/

c: Bill Skibinski
Dino C. La Fiandra, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

RECEIVED
JAN 12 1960
U.S. DEPARTMENT OF
HEALTH, EDUCATION & WELFARE
OFFICE OF THE ASSISTANT
SECRETARY FOR LEGAL AFFAIRS

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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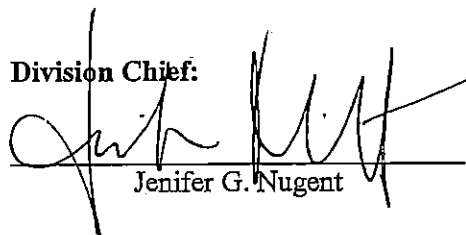
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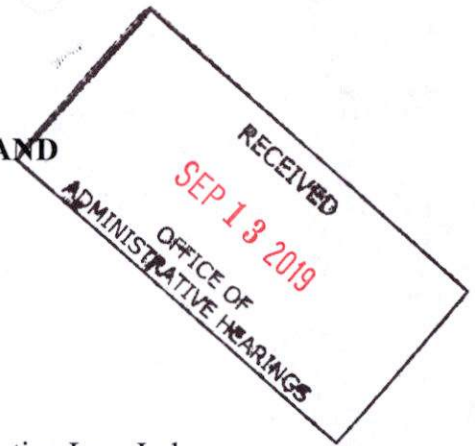
CPG/JGN/JAB/

c: Bill Skibinski
Dino C. La Fiandra, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

10-18

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
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FROM: Jeff Livingston, Department of Environmental Protection and
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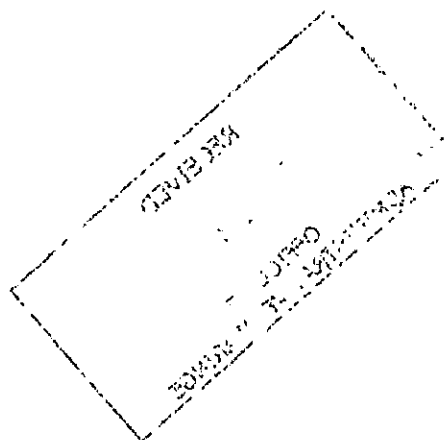
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Reviewer: Steve Ford



BALTIMORE COUNTY, MARYLAND

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Reviewer: Steve Ford

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
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Larry Hogan
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Lt. Governor
Pete K. Rahn
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Date: 8/28/19

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
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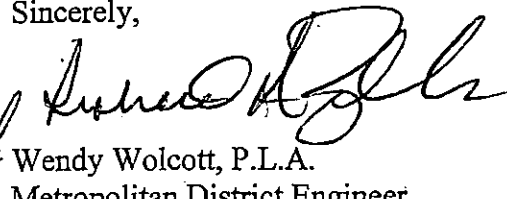
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Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 2332 or by email at (rzeller@sha.state.md.us).

Sincerely,



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

WW/RAZ

CHECKLIST

Attorney

Comment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

DEVELOPMENT PLANS REVIEW

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

9/13

DEPS

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

No Comment

FIRE DEPARTMENT

9/27

PLANNING

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

No Objections

8/28

STATE HIGHWAY ADMINISTRATION

No Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. related case: 1997-6272-X)

NEWSPAPER ADVERTISEMENT

Date:

9/27/19

The Daily Record

SIGN POSTING (1st)

Date:

9/28/19

by SSG Black

SIGN POSTING (2nd)

Date:

10/17/19

by SSG Black

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: None		Special Tax Recapture: None			
Exempt Class: None					
Account Identifier:		District - 09 Account Number - 1700000275			
Owner Information					
Owner Name:	LAKE FALLS VILLAGE LIMITED PARTNERSHIP LLLP		Use:	COMMERCIAL	
Mailing Address:	SUITE 200 2328 W JOPPA RD LUTH-TIMONIUM MD 21093-4674		Principal Residence:	NO	
			Deed Reference:	/17319/ 00350	
Location & Structure Information					
Premises Address:	6080 FALLS RD BALTIMORE MD 21209-0000		Legal Description:	4.507 AC WS FALLS RD 350FT NW FAIRFIELD AV	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section: Block: Lot:
0079	0003	0057	20000.04	0000	
					Assessment Year: 2020
					Plat No: Plat Ref:
Special Tax Areas: None			Town:	None	
			Ad Valorem:	None	
			Tax Class:	None	
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
			4.5000 AC	14	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
			/		
					Garage
					Last Notice of Major Improvements
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2017	07/01/2019	07/01/2020	
Land:	2,704,200	2,704,200			
Improvements	5,751,900	5,751,900			
Total:	8,456,100	8,456,100	8,456,100		
Preferential Land:	0				
Transfer Information					
Seller: LAKE FALLS VILLAGE		Date: 01/03/2003		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /17319/ 00350		Deed2:	
Seller: PORTER BROS INC		Date: 12/15/1982		Price: \$202,442	
Type: ARMS LENGTH IMPROVED		Deed1: /06466/ 00031		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2019		07/01/2020	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00		0.00	
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					
Homestead Application Information					

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

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

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
SW/S Falls Road at Lake Avenue * DEPUTY ZONING COMMISSIONER
(6080 Falls Road) * OF BALTIMORE COUNTY
9th Election District *
4th Councilmanic District *

Lake Falls Village Ltd. Part. * Case No. 97-272-X
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 6080 Falls Road, located in the vicinity of its intersection with Lake Avenue in the Bare Hills section of Towson. The Petition was filed by the owner of the property, Lake Falls Village Limited Partnership, by Mackenzie Properties, Inc., a General Partner, and the Contract Lessee, Corlyn, L.L.P., by Laureen Gischel, a Partner, through their attorney, Julius W. Lichter, Esquire. The Petitioners request a special exception for a tanning salon on the subject property, zoned B.L.-A.S., pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), and the Zoning Commissioner's Policy Manual, Re: 230.13, at Page 2-36. 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 public hearing on behalf of the Petition were representatives of the Lake Falls Village Limited Partnership, owners of the property, representatives of Corlyn, L.L.P., operators of the subject tanning salon, and Julius W. Lichter, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the property known as 6080 Falls Road is the site of a strip shopping center known as Lake

Res
2/4

Falls Village, which consists of a variety of commercial, retail and office uses. The Petitioners propose to utilize one of the spaces on its lower level, consisting of approximately 1300 sq.ft., for use as a tanning salon which will be operated by Corlyn, L.L.P. The Petitioners commenced renovating the space and will have accommodations for nine tanning rooms. Due to the property's zoning classification, a special exception is necessary in order to utilize the property as proposed. The Petitioners submitted as Petitioner's Exhibit 4, a petition of support which had been signed by other business owners within the Lake Falls Village shopping center as well as many of the residents from the surrounding community.

It is clear that the B.C.Z.R. permits the use proposed in a B.L.-A.S. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in

roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

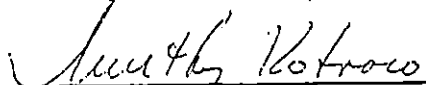
After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of February, 1997 that the Petition for Special Exception for a tanning salon on the subject property, zoned B.L.-A.S., pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), and the Zoning Commissioner's Policy Manual, Re: 230.13, at Page 2-36, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their permits 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



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

October 09, 2019

Dino C. La Fiandra
100 W. Pennsylvania Ave Suite 305
Towson MD 21204

RE: Case Number: 2019-0432-SPHA, 6080 Falls Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 20, 2019. 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,

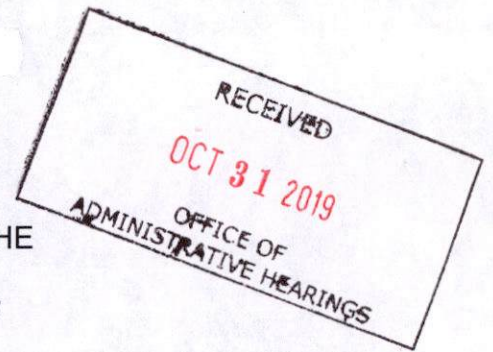
A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Lake Falls Village Limited Partnership 2328 W. Joppa Road Suite 200 Baltimore MD 21093



IN RE: PETITIONS FOR SPECIAL)
HEARING AND VARIANCE)
(6080 Falls Road))
)
3rd Election District)
2nd Council District)
)
Lake Falls Village Limited)
Partnership, LLLP, *Legal Owner*)
Petitioner)
)

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
CASE NO. 2019-0432-SPHA

MOTION FOR RECONSIDERATION

Lake Falls Village Limited Partnership, LLLP, Petitioner, by and through its counsel, Dino C. La Fiandra, Esquire and The Law Office of Dino C. La Fiandra, LLC, pursuant to Rule K of the Rules of Practice and Procedure Before the Zoning Commissioner of Baltimore County, moves for reconsideration of the Zoning Commissioner's Opinion and Order dated October 21, 2019 in the above-referenced case, and as grounds therefor, states:

1. By Opinion and Order dated October 21, 2019, the Zoning Commissioner granted the Petitioner's Petition for Special Hearing as well as one of the Petitioner's requests for Variance, while finding that several of the other requests for Variance were moot.
2. Several items of the relief that were granted by the Zoning Commissioner required specific findings of fact that were not present in the Opinion and Order granting the relief.
3. Attached hereto is a Proposed Modified Opinion and Order for consideration by the Zoning Commissioner. The sole purpose of this Proposed Modified Opinion and Order is to make certain findings of fact that are required for the record to support relief that was granted in the original order dated October 21, 2019 and to clarify certain findings of

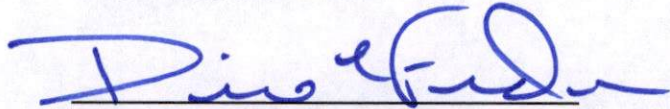
fact. The attached Proposed Modified Opinion and Order is not intended to broaden the relief granted by the original order in any appreciable way.

4. The Petitioners request that the Zoning Commissioner enter the attached Proposed Modified Opinion and Order as the official decision of the Zoning Commissioner in this case.

Respectfully submitted,

October 31, 2019

Date



Dino C. La Fiandra, Esquire

THE LAW OFFICE OF DINO C. LA FIANDRA, LLC

100 W. Pennsylvania Avenue, Suite 305

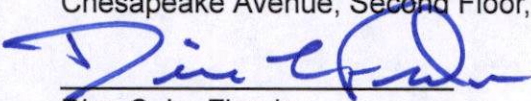
Towson, Maryland 21204

443-204-3473

Attorney for Appellant

Certificate of Service

I certify that on October 31, 2019, I sent a copy of the foregoing Motion for Reconsideration by hand-delivery to People's Counsel for Baltimore County at 105 W. Chesapeake Avenue, Second Floor, Towson, Maryland 21204.



Dino C. La Fiandra

CASE NAME Lake Falls Village
CASE NUMBER 19-0432-SP44
DATE 10/18/19

NAME

CITY, STATE, ZIP

E - MAIL

[illegible]

Case No.: 2019-0432-SPHA 6080 Falls Rd.

Exhibit Sheet

Petitioner/Developer

DP
12-3-19

Protestants

Sen
10-21-19

No. 1	<u>Red lined Plan</u>	
No. 2	<u>1981 BCZR</u>	
No. 3	<u>DATE/TIME STAMPED</u> <u>AERIAL PHOTOS</u>	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

BALTIMORE COUNTY ZONING REGULATIONS

AS AMENDED THROUGH OCTOBER 29, 1981

1981 EDITION

PETITIONER' S

EXHIBIT NO. 2

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND

Section 409-OFFSTREET PARKING AND LOADING (see Section 409.5) [B.C.Z.R., 1955.]

409.1-Parking and Loading Spaces-There shall be provided, at the time of application for a building permit for the erection or enlargement of any building for which offstreet parking and/or loading space is hereinafter required, other than a dwelling, a plan showing such parking and loading spaces, including the means of access and interior circulation both from the standpoint of the project itself and in relation to its surroundings. [B.C.Z.R., 1955.]

409.2-Parking space-Each offstreet parking space shall be not less than 8 1/2 ft. wide by 18 ft. long, and there shall be not less than 300 sq. ft. per space in the case of lot or garage parking where there is no attendant, and not less than 250 sq. ft. where there is an attendant, such square foot figures to include access aisles. [B.C.Z.R., 1955; Resolution, November 21, 1956.]

- a. Parking space for dwellings, including apartment houses-In any zone, except as otherwise provided below, at least 1 garage space or other usable offstreet parking space must be provided for each dwelling unit other than housing for the elderly. In all zones, in the case of a lodging, rooming or boarding house, fraternity or sorority house or dormitory, there shall be one offstreet parking space for each 5 guests or members residing on the premises, but not less than 2 parking spaces in any case. In the case of a hotel or apartment hotel, there shall be one such parking space for each guest room or suite. In the case of a motel, there shall be at least one parking space for each rental unit. Parking space as required above shall be provided on the same lot with the building which it serves or within 300 feet thereof (see Section 217.6). [B.C.Z.R., 1955; Bill No. 80, 1981.]
- b. Parking space for uses other than dwellings - In all zones, permanently maintained offstreet parking spaces shall be provided as follows. For the purposes of measuring the floor area of a building in order to determine the number of required offstreet parking spaces, the floor area of any ambulatory, open or enclosed, shall be excluded. [B.C.Z.R., 1955; Bill No. 18, 1976; No. 85, 1983.]

USE	PARKING SPACES
(1) High school, college, or university auditorium; theatre, church, general auditorium, stadium or similar place of assembly	1 for each 6 seats [B.C.Z.R., 1955; Bill No. 18, 1976.]

1. Subsection 217.6 [B.C.Z.R., 1955), part of the area regulations of the now-rescinded R.A. zoning classification, repealed by Bill No. 100, 1970; it read: "Offstreet Parking (see Section 409)-Not more than 50% of any yard area may be used for parking."

- (2) Hospital, Class A² 1 for each 4 beds
[B. C. Z. R. 1955, Bill No. 18-76]
Hospital, Class B³ and convalescent
home 1 for each 10 beds
[B. C. Z. R. 1955, Bill No. 18-76]
- (3) Dance hall, night club, restaurant or⁴ . . . 1 for each 50 square
feet of total floor area
[B. C. Z. R. 1955; Resolution 11/21/56;
Bill No. 18-76]
- (3-a) Bowling Alley three per individual alley
[B. C. Z. R. 1955; Resolution 11/21/56;
Bill No. 18-76]
- (4) Medical or dental offices and clinics 1 for each 300 square feet
of total floor area [B. C. Z. R.,
1955, Bill No. 18-76]
- (5) Other institutional, office, and nonretail
commercial buildings (excluding garage
structures) having a total floor area of
more than 5,000 square feet. 1 for each 300 square feet
of total ground floor area
and 1 for each 500 square
feet of total area of upper floors
[B. C. Z. R. 1955, Bill No. 18-76]
- (6) Buildings devoted to retail trade 1 of⁵ each 200 square feet
of total floor area
[B. C. Z. R. 1955, Bill No. 18-76]
- (7) Industry, wholesale or warehouse type
of commercial use, except
trucking facilities. 1 for each 3 employees in
the numerically largest
shift, except that the Zoning
Commissioner may reduce
the number of spaces re-
quired where employment
conditions are such as to
make the above require-
ments clearly excessive.
[B. C. Z. R. 1955, Bill No. 18-76].

1. See note 1, Section 407.

2. See note 1, Section 407.

4. Thus as result of amendment by Resolution, November 21, 1956.

5. Thus in Bill No. 18, 1976 s i c (for).

409.2.b.(8) (Parking)

- (8) Trucking facilities,
Class I 5 plus 1 for each 2 employees
in the largest shift except that
the Zoning Commissioner,
pursuant to a public hearing,
may reduce the number of
spaces required where employ-
ment conditions are such as to
make the above requirements
clearly excessive [Bill 18-76]
- (9) Trucking facilities,
Class II 1 for each 2 employees in the
largest shift, or 1 for each 3000
square feet of total area devoted
to parking of truck tractors, truck
trailers, or tractor-trailers (not
including truck maneuvering area
or loading area), but in no case
less than 10 except that the Zoning
Commissioner, pursuant to a
public hearing, may reduce the
number of space required where
employment conditions are such as
to make the above requirements
clearly excessive [Bill 18-76]

Parking space as required above shall be either on the same lot
with the principal use to which it is accessory or within 500
feet of the building it is intended to serve. [B.C.Z.R., 1955;
Bill No. 18-76]

- c. Requirements for all parking spaces or parking lots-All offstreet parking facilities shall be either contained within buildings or subject to the following requirements. [B.C.Z.R., 1955.]
- (1) Screening shall be provided in accordance with the Landscape Manual adopted pursuant to Section 22-105 of Title 22 of the Baltimore County Code. [B.C.Z.R., 1955; No. 31, 1984.]
 - (2) Surface-Any parking or storage space for more than 5 vehicles shall provide a durable and dustless surface, and shall be properly drained. [B.C.Z.R., 1955.]
 - (3) Lighting-Any fixture used to illuminate any offstreet parking area shall be so arranged as to reflect the light away from residential lots. [B.C.Z.R., 1955.]
 - (4) No parking space shall be closer than eight feet to a street property line. [B.C.Z.R., 1955.]
- d. Modification of Parking-Space Requirements in C.C.C. Districts or Town Centers. The Planning Board may adopt, and from time to time revise, parking-space standards for C.C.C. districts or town centers, which standards differ from the parking-space requirements otherwise applicable under these Zoning Regulations; but the provisions of the Zoning Regulations shall control unless and until the Zoning Commissioner, upon petition and after public hearing, orders that the Planning Board's standards may be applied to the subject property of the petition. [Bills No. 111, 1968; No. 100, 1970.]
- In formulating such parking-space standards, the Planning Board shall consider: any relevant surveys and studies submitted by the Baltimore County Department of Traffic Engineering; projections of transit usage; any probability of lessened parking demand as a result of integrally housed business establishments with different (complementary) peak hours; trends with respect to patterns of car ownership or usage within the areas of concern; probability of assisted ("attendant") parking, nearby parking facilities developed by the Baltimore County Revenue Authority; and other pertinent factors under which recommended decreases in parking requirements may be effected. [Bills No. 111, 1968; No. 100, 1970.]

5. Thus in B.C.Z.R., 1955

6. Thus (comma) in Bill No. 100, 1970.

409. 2. e (Parking)

- e. **Parking Requirements for Housing for the Elderly-** For housing for the elderly, at least 1 usable offstreet parking space must be provided for each 2½ dwelling units in a town center or for each 2 dwelling units elsewhere. In either case, the Zoning Commissioner may allow the provision of fewer parking spaces, after a public hearing at which evidence has been given regarding the availability of developer-sponsored van service or other ride-sharing for the prospective residents of the housing and the Director of Planning and Zoning has furnished information regarding the availability and accessibility to the elderly of public mass transportation to the site. In no case, however, may the petitioner be allowed to provide less than 1 parking space for each 10 dwelling units. [Bill Nos. 139-79; 80-81]
- f. In the CT District of the Towson town center, only one parking space for each 325 square feet of total floor area need be provided for any building devoted to retail trade and no parking spaces need be provided for any restaurant. All parking spaces for any non-residential use in the CT District of the Towson town center may be located as much as 1500 feet from the building housing the use. Except for parking spaces for dwellings, all such parking spaces must be located inside the boundaries of the CT District of the Towson town center. These standards are applicable to any property only to the extent that they are consistent with the detailed plan for the Towson town center. These standards are not applicable to any property governed by parking-space standards implemented by a petition granted pursuant to paragraph (d) above. In addition, this paragraph may not be construed to prohibit any grant of a further decrease in parking requirements pursuant to Section 307. [Bill No. 210-80].

409.3—Loading Space—On the same premises with every building or part thereof, hereafter erected, having a total floor area of at least 10,000 square feet, occupied for manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, elevator apartment building, hospital, mortuary, laundry, dry cleaning, or other uses which similarly involve deliveries or shipments of materials or merchandise by truck, there shall be provided and maintained at least one offstreet loading space plus one additional such loading space for each 50,000 square feet of total floor area so used in excess of 10,000 square feet. Each offstreet loading space shall be not less than 10 feet wide, 25 feet long, and 14 feet high. Where buildings are so located on the lot that loading facilities are provided within the premises so that no part of a loading or unloading vehicle projects into or across any publicly-used street, alley, or sidewalk, the Zoning Commissioner may reduce the number of loading spaces required under this paragraph. [B.C.Z.R., 1955.]

409.4-Business or Industrial Parking in Residence Zones-Upon application the Zoning Commissioner may issue a use permit for the use of land in a residential zone for parking areas to meet the requirements of the foregoing schedule, subject to the following conditions. If granted, such use permit shall be conditioned as follows, in lieu of the provisions in Section 409.2 (c): [B.C.Z.R., 1955; Resolution, November 21, 1956; Bill No. 31, 1984.]

- A. The land so used must adjoin or be across an alley or street from the business or industry involved. [B.C.Z.R., 1955; Resolution, November 21, 1956.]
- b. Only passenger vehicles, excluding buses, may use the parking area. [B.C.Z.R., 1955; Resolution, November 21, 1956.]
- c. No loading, service, or any use other than parking shall be permitted. [B.C.Z.R., 1955; Resolution, November 21, 1956.]
- d. Lighting shall be regulated as to location, direction, hours of illumination, glare, and intensity, as required. [B.C.Z.R., 1955; Resolution, November 21, 1956.]
- e. Screening shall be provided in accordance with the Baltimore County Landscape Manual adopted pursuant to Section 22-105 of Title 22 of the Baltimore County Code. [Resolution, November 21, 1956; No. 31, 1984.]
- f. A paved surface, properly drained, shall be required. [B.C.Z.R., 1955, Paragraph 409.4.e; Resolution, November 21, 1956.]
- g. A satisfactory plan showing parking arrangement and vehicular access must be provided. [Resolution, November 21, 1956.]
- h. Method and area of operation, provision for maintenance, and permitted hours of use shall be specified, and regulated as required. [B.C.Z.R., 1955, Paragraph 409.4.e; Resolution, November 21, 1956.]

409.5-Exception-Where the requirements for parking space or loading space in Section 409 would create an undue hardship the Zoning Commissioner may approve a modified plan upon petition and after a public hearing. [B.C.Z.R., 1955.]



PETITIONER' S

EXHIBIT NO. 3





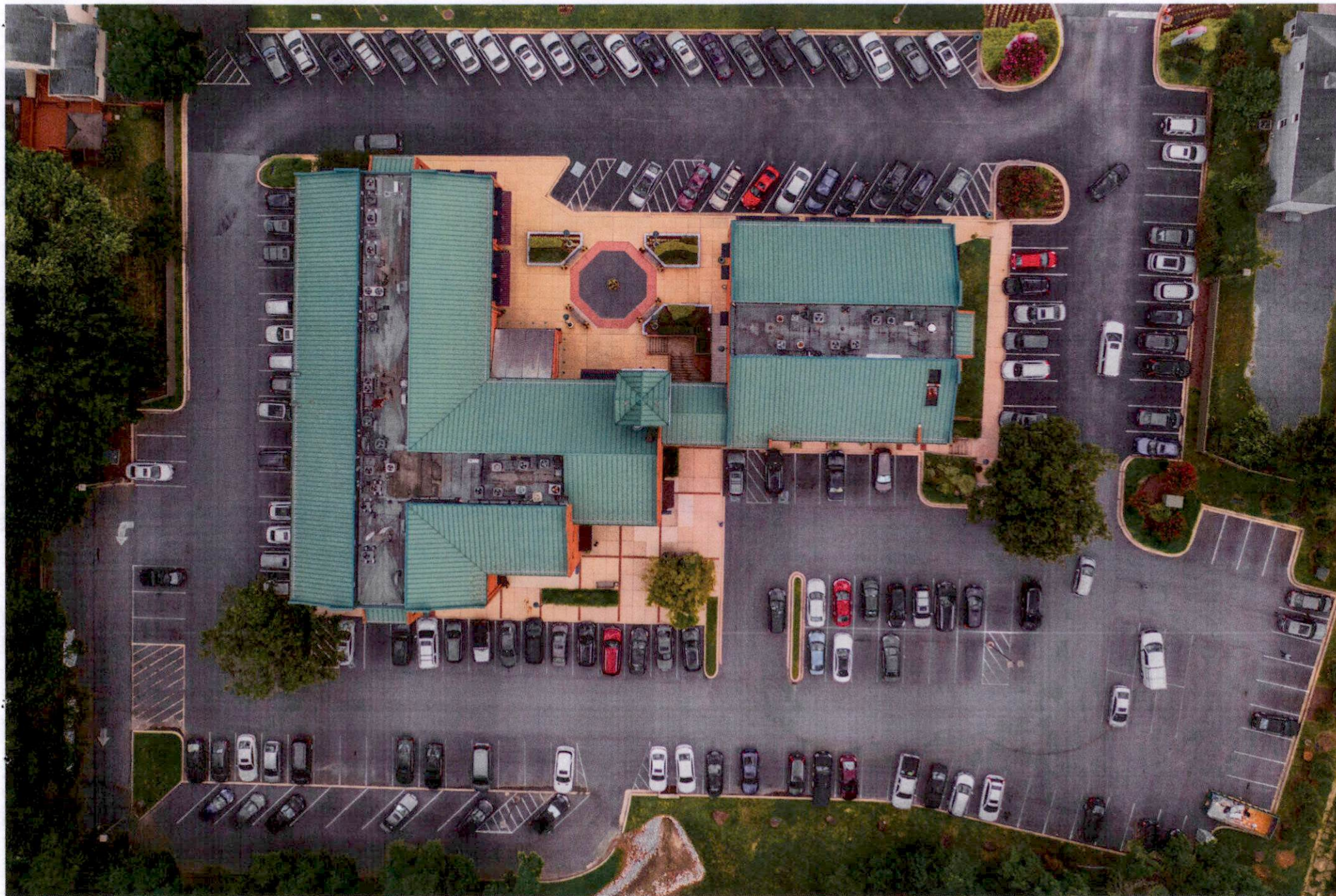














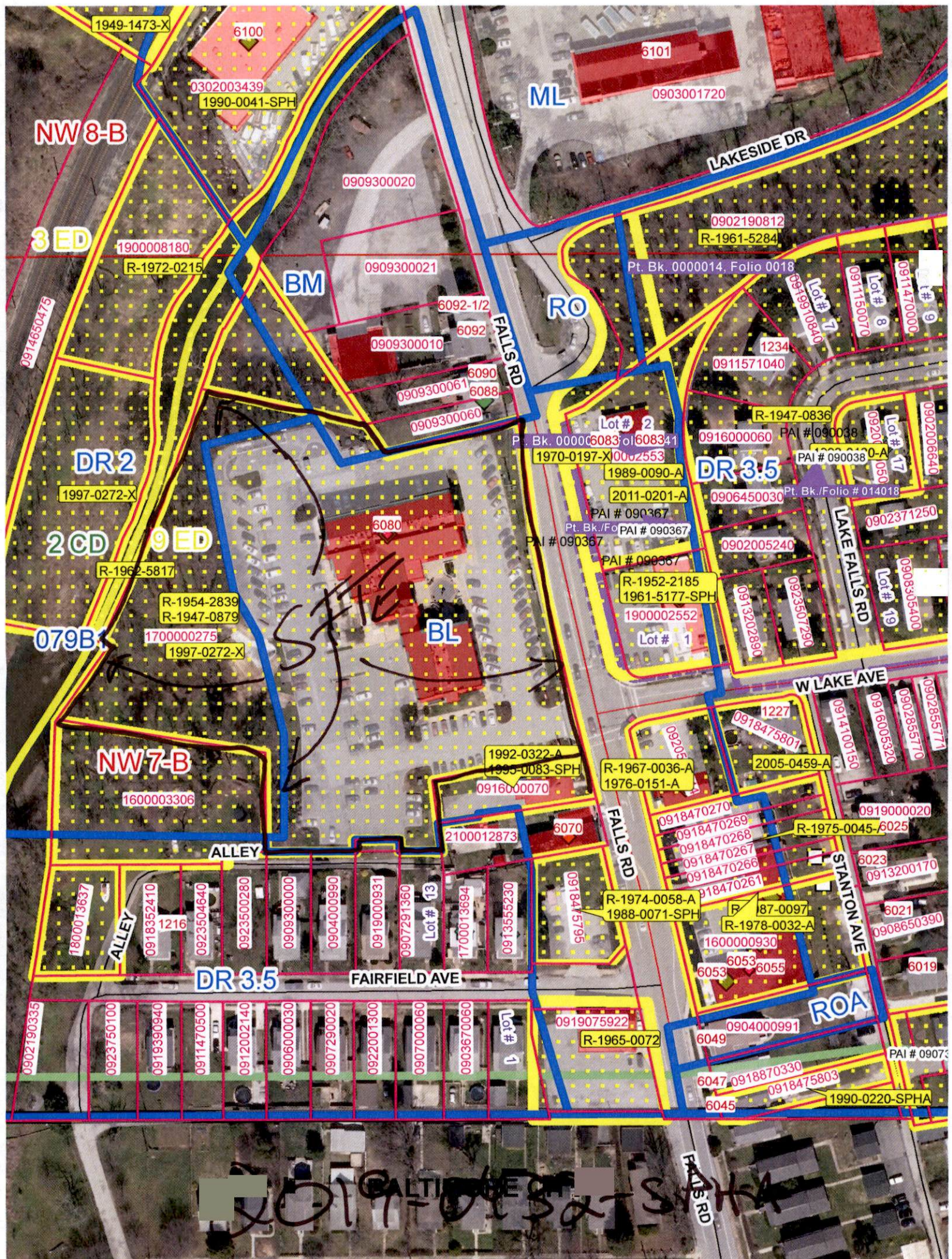


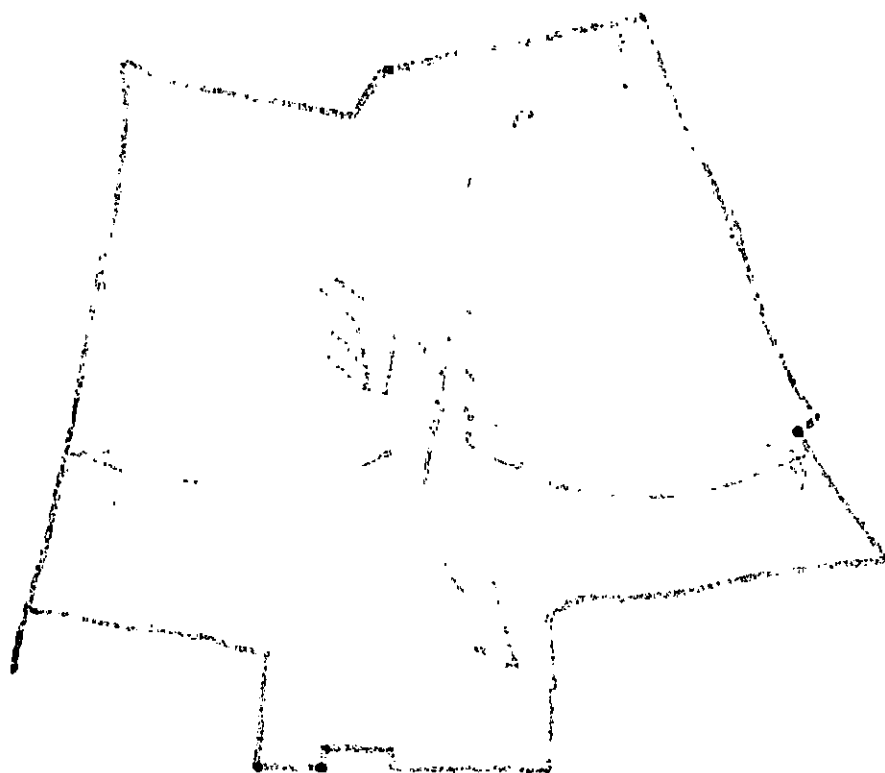




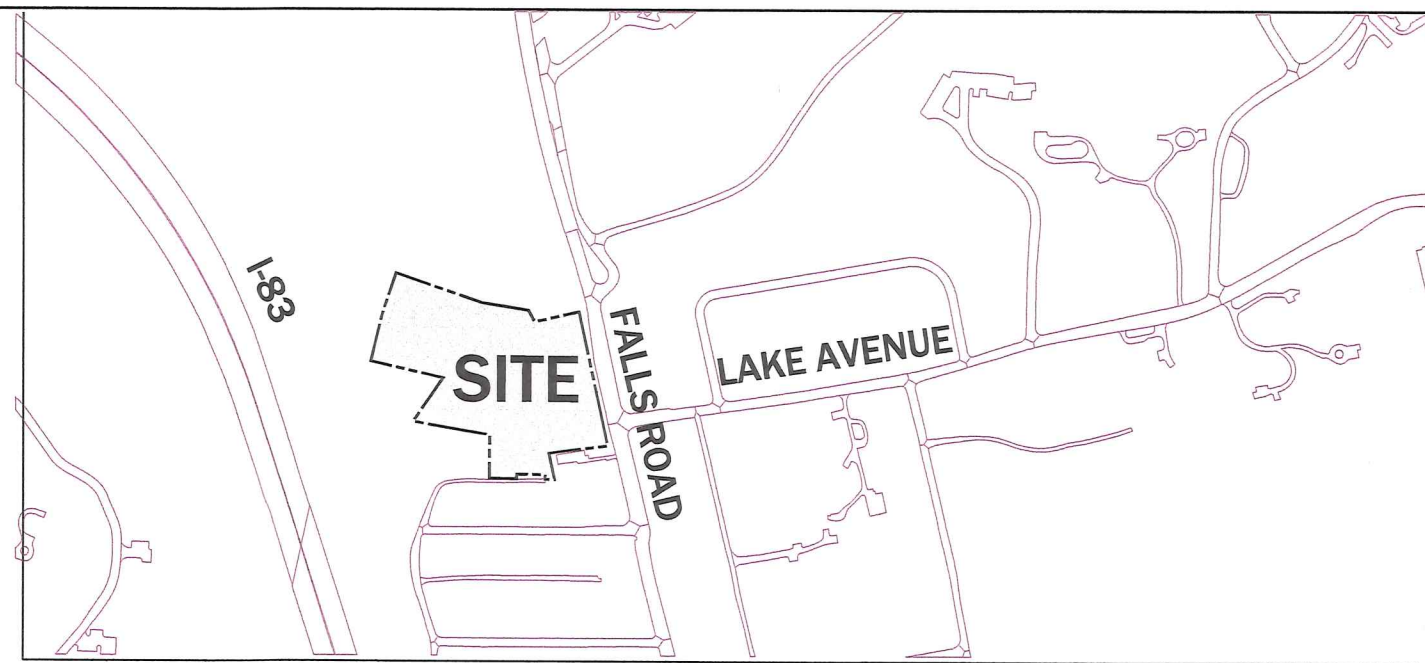
PETITIONER'S

EXHIBIT NO. 3





442-5903-910



VICINITY MAP & SITE LOCATION MAP

SCALE: 1" = 500'

Site Data

1. Election District: 3
2. Councilmanic District: 2
3. Zoning Map: 07951
4. Gross Area = 4.754-ac +/- 207,105-sf +/- (Includes 30-feet of Falls Road R/W)
5. Net Area = 4.507-ac +/- 196,325-sf +/-
6. Previous Commercial Permits:
 - B309558 Exterior Sign 1984
 - B751543 Interior Alteration 11/17/2010
 - B751903 Interior Alteration 11/23/2010
 - B756928 Erect Sign 03/03/2011
 - B786163 Interior Alteration 04/22/2012
 - B831520 Interior Alteration 11/12/2013
 - B872025 Interior Alteration 11/18/2015
 - B921380 Interior Alteration 07/18/2016
 - B930561 Interior Alteration 12/27/2016
 - B934355 Interior Alteration 04/18/2017
 - B949289 Interior Alteration 08/21/2018
 - B959799 Interior Alteration 05/22/2019
7. Date of Last Improvement: 2019
8. Zoning Case History
 - R-1982-5817 Zoning Reclassification from BL and R20 to BM Granted 04/11/1963
 - 1997-0272-X Special Exception for Tanning Salon Granted 02/06/1997
9. No Previously Approved CRG, or Development Plan
10. No Previous DRCs and or Waivers
11. Zoning:
 - 2.847-acres +/- Gross BL
 - 0.044-acres +/- Gross BM
 - 1.838-acres +/- Gross DR-2
 - 0.025-acres +/- Gross DR-3.5
12. Property Information:
 - #6080 Falls Road, Baltimore, MD 21209
 - Tax Acct # 08-0000-0275
 - Deed Ref # 17319 / 350
13. Property Owner/Developer:
 - Lake Falls Village Limited Partnership LLLP
 - 2328 W. Joppa Road, Suite 200
 - Lutherville Timonium, MD 21093
14. Tax Map: 79 ; Parcel 57
15. Nearest Intersecting Street is Lake Avenue and Falls Road Centerline 54-feet +/- from site
16. Falls Road Right-of-Way is at the ultimate section. No additional widening is anticipated.
17. Existing Use:
 - 1,790-sf Ground Floor Office
 - 11,317-sf Upper Floors Office
 - 8,160-sf Medical Office
 - 955-sf Carry Out Restaurant
 - 11,489-sf Retail/Service
 - 1,741-sf Yoga Studio
 - 3,127-sf Restaurant
18. Proposed Use: Same as Existing except the following changes
 - 10,301-sf Retail/Service (Reduction of 1,188-sf from Existing Uses)
 - 4,295-sf Restaurant (Increase of 1,188-sf from Existing Uses)
19. Buildings on Adjacent Sites within 100-feet of the sides shown hereon.
20. No signs proposed at this time.
21. The site is currently served by public water and sewer.
22. A portion of the site lies within the 100-year floodplain per FEMA map, 2400100385F
23. Floor Area Ratio: 38,558-sf Bldgs / 207,105-sf Gross Lot = 0.19
24. Height: Tallest existing building is 38 feet +/-
25. The site is not in any failed Basic Services map areas.
26. Historic Structures - none
27. The site is inside the ROL.

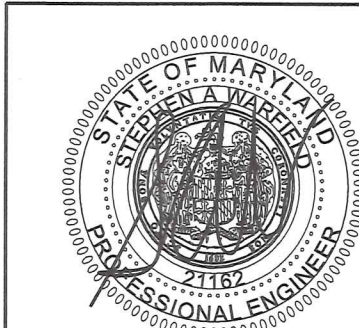
Parking Tabulation

Based on BCZR in effect at time of original Building Permit issuance in 1982

Total Parking Required: 207 Parking Spaces

1,790-sf Ground Floor Office @ 1 PS/300-sf =	6.0
11,317-sf Upper Floors Office @ 1 PS/500-sf =	22.7
8,160-sf Medical Office @ 1 PS/300-sf =	27.2
955-sf Carry Out Restaurant @ 1 PS/200-sf =	4.8
10,301-sf Retail/Service @ 1 PS/200-sf =	51.6
1,741-sf Yoga Studio @ 1 PS/100-sf =	8.8
4,295-sf Restaurant @ PS/50-sf =	85.9

Total Parking Provided = 184 Parking Spaces



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. 21162, Expiration Date: 03-20-2020.

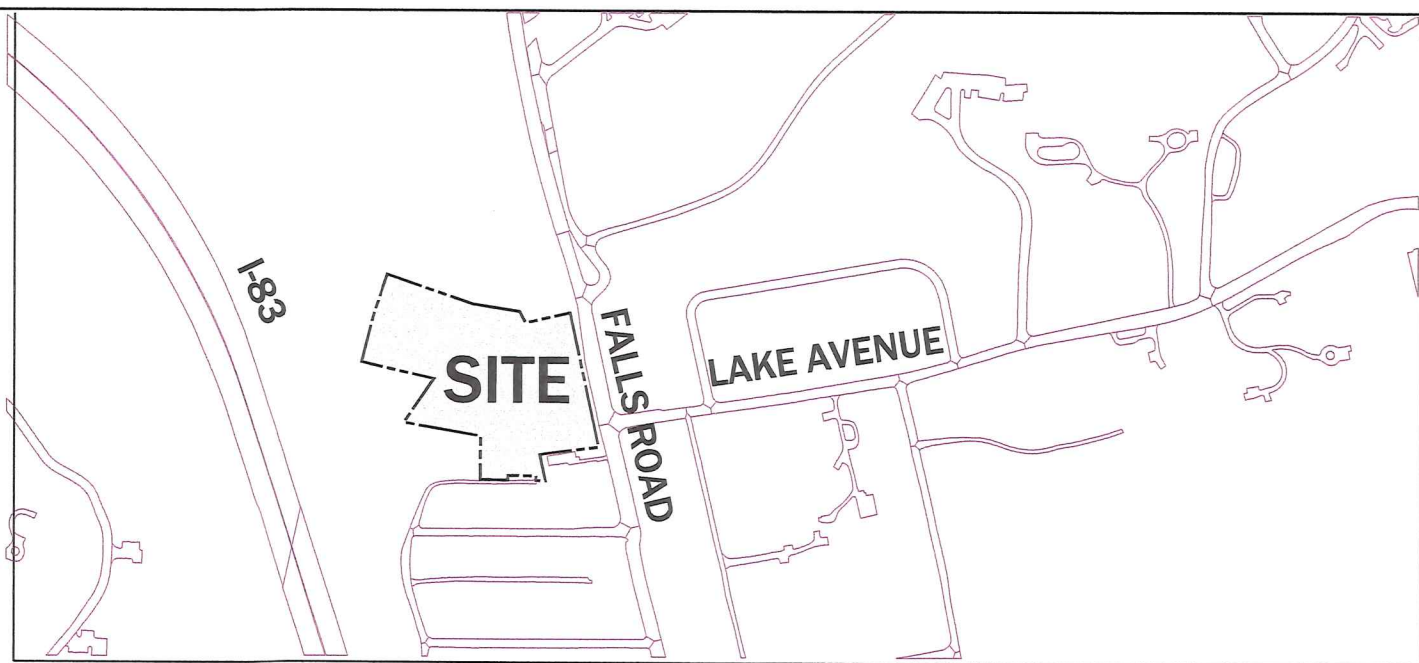
DATE	ISSUE
08/19/2019	

Plan to Accompany Variance and Special Hearing

6080 Falls Road Baltimore, MD 21209

Scale: 1"=30'

2019-04-32-SAH A



VICINITY MAP & SITE LOCATION MAP

SCALE: 1" = 500'



Site Data

- Election District: 3
- Councilmanic District: 2
- Zoning Map: 07351
- Gross Area = 4.754-ac +/- 207,105-sf +/- (Includes 30-feet of Falls Road R/W)
- Net Area = 4.507-ac +/- 196,325-sf +/-
- Previous Commercial Permits:
 - 830958 Exterior Sign 1984
 - 8751543 Interior Alteration 11/17/2010
 - 8751903 Interior Alteration 11/23/2010
 - 8756928 Erect Sign 03/03/2011
 - 8786163 Interior Alteration 04/22/2012
 - 8831520 Interior Alteration 11/12/2013
 - 8872025 Interior Alteration 11/16/2015
 - 8921380 Interior Alteration 07/18/2016
 - 8930581 Interior Alteration 12/27/2016
 - 8934355 Interior Alteration 04/18/2017
 - 8949289 Interior Alteration 06/21/2018
 - 8958799 Interior Alteration 05/22/2019
- Date of Last Improvement: 2019
- Zoning Case History:
 - R-1982-5817 Zoning Reclassification from BL and R20 to BM Granted 04/11/1963
 - 1997-0272-X Special Exception for Tanning Salon Granted 02/06/1997
- No Previously Approved CRG, or Development Plan
- No Previous DRCs and/or Waivers
- Zoning:
 - 2.847-acres +/- Gross BL
 - 0.044-acres +/- Gross BM
 - 1.838-acres +/- Gross DR-2
 - 1.025-acres +/- Gross DR-3.5
- Property Information:
 - #6080 Falls Road, Baltimore, MD 21209
 - Tax Acct # 08-0000-0275
 - Deed Ref # 17319 / 350
- Property Owner/Developer:
 - Lake Falls Village Limited Partnership LLLP
 - 2328 W. Joppa Road, Suite 200
 - Lutherville Timonium, MD 21093
- Tax Map: 79 / Parcel 57
- Nearest Intersecting Street is Lake Avenue and Falls Road Centerline 54-feet +/- from site
- Falls Road Right-of-Way is at the ultimate section. No additional widening is anticipated.
- Existing Use:
 - 1,790-sf Ground Floor Office
 - 11,317-sf Upper Floors Office
 - 8,160-sf Medical Office
 - 955-sf Carry Out Restaurant
 - 11,468-sf Retail/Service
 - 1,741-sf Yoga Studio
 - 3,127-sf Restaurant
- Proposed Use: Same as Existing except the following changes
 - 10,301-sf Retail/Service (Reduction of 1,168-sf from Existing Uses)
 - 4,295-sf Restaurant (Increase of 1,168-sf from Existing Uses)
- Buildings on Adjacent Sites within 100-feet of the sides shown hereon.
- No signs proposed at this time.
- The site is currently served by public water and sewer.
- A portion of the site lies within the 100-year floodplain per FEMA map, 2400100385F
- Floor Area Ratio: 38,559-sf Bldgs / 207,105-sf Gross Lot = 0.19
- Height: Tallest existing building is 38 feet +/-
- The Site is not in any failed Basic Services map areas.
- Historic Structures - none
- The site is inside the UDL.

Parking Tabulation

Based on BCZR in effect at time of original Building Permit issuance in 1982

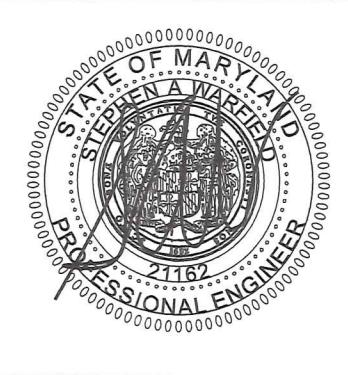
Total Parking Required: 207 Parking Spaces

1,790-sf Ground Floor Office @ 1 PS/300-sf =	6.0
11,317-sf Upper Floors Office @ 1 PS/600-sf =	22.7
8,160-sf Medical Office @ 1 PS/300-sf =	27.2
955-sf Carry Out Restaurant @ 1 PS/200-sf =	4.8
10,301-sf Retail/Service @ 1 PS/200-sf =	51.6
1,741-sf Yoga Studio @ 1 PS/100-sf =	8.8
4,295-sf Restaurant @ 1 PS/60-sf =	85.9

Total Parking Provided = 184 Parking Spaces

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. 21162, Expiration Date: 03-20-2020.

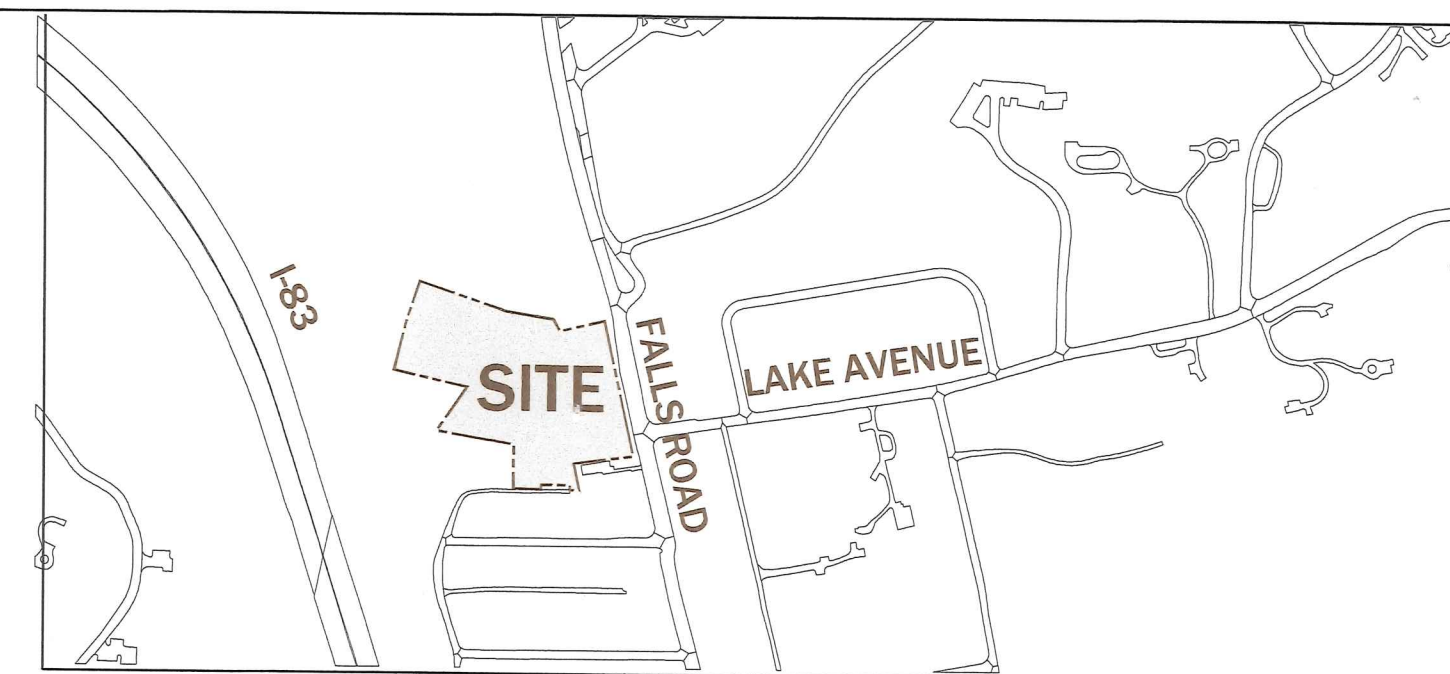


Plan to Accompany Variance and Special Hearing

6080 Falls Road Baltimore, MD 21209

Scale: 1"=30'

2019-0432-SHA



VICINITY MAP & SITE LOCATION MAP

SCALE: 1" = 500'

Site Data

- Election District: 3
- Councilmanic District: 2
- Zoning Map: 079B1
- Gross Area = 4,754-sq-ft +/- (Includes 30-feet of Falls Road R/W)
- Net Area = 4,507-sq-ft +/-
- Previous Commercial Permits:
 - B308958 Exterior Sign 1984
 - B751453 Interior Alteration 11/17/2010
 - B751903 Interior Alteration 11/23/2010
 - B756928 Erect Sign 03/03/2011
 - B766163 Interior Alteration 04/22/2012
 - B831520 Interior Alteration 11/12/2013
 - B672025 Interior Alteration 11/16/2015
 - B921390 Interior Alteration 07/18/2016
 - B930561 Interior Alteration 12/27/2016
 - B934355 Interior Alteration 04/18/2017
 - B949288 Interior Alteration 06/21/2018
 - B959798 Interior Alteration 05/22/2019
- Date of Last Improvement: 2019
- Zoning Case History:
 - R-1962-5817 Zoning Reclassification from BL and R20 to BM Granted 04/11/1963
 - 1997-0272-X Special Exception for Tanning Salon Granted 02/06/1997
- No Previously Approved CRG, or Development Plan
- No Previous DRCs and/or Waivers
- Zoning:
 - 2.847-acres +/- Gross BL
 - 0.044-acres +/- Gross BM
 - 1.838-acres +/- Gross DR-2
 - 0.025-acres +/- Gross DR-3.5
- Property Information:
 - #6080 Falls Road, Baltimore, MD 21209
 - Tax Acct # 08-0000-0275
 - Deed Ref # 17319 / 350
- Property Owner/Developer:
 - Lake Falls Village Limited Partnership LLLP
 - 2328 W. Joppa Road, Suite 200
 - Lutherville Timonium, MD 21093
- Tax Map: 79 / Parcel 57
- Nearest Intersecting Street is Lake Avenue and Falls Road Centerline 54-feet +/- from site
- Falls Road Right-of-Way is at the ultimate section. No additional widening is anticipated.
- Existing Use:
 - 1,790-sf Ground Floor Office
 - 11,317-sf Upper Floors Office
 - 8,160-sf Medical Office
 - 955-sf Carry Out Restaurant
 - 11,469-sf Retail Service
 - 1,741-sf Yoga Studio
 - 3,127-sf Restaurant
- Proposed Use: Same as Existing except the following changes
 - 10,301-sf Retail Service (Reduction of 1,168-sf from Existing Uses)
 - 4,295-sf Restaurant (Increase of 1,168-sf from Existing Uses)
- Buildings on Adjacent Sites within 100-feet of the sides shown hereon.
- No signs proposed at this time.
- The site is currently served by public water and sewer.
- 22A portion of the site lies within the 100-year floodplain per FEMA map, 2400100385F
23. Floor Area Ratio: 38,559-sf Bldgs / 207,105-sf Gross Lot = 0.19
24. Height: Tallest existing building is 38 feet +/-
26. The Site is not in any failed Basic Services map areas.
27. Historic Structures - none
28. The site is inside the URDL.

PETITIONER'S
EXHIBIT NO. 1

Parking Tabulation

Based on BCZR in effect at time of original Building Permit issuance in 1982

Total Parking Required: 207 Parking Spaces

1,790-sf Ground Floor Office @ 1 PS/300-sf =	6.0
11,317-sf Upper Floors Office @ 1 PS/500-sf =	22.7
8,160-sf Medical Office @ 1 PS/300-sf =	27.2
955-sf Carry Out Restaurant @ 1 PS/200-sf =	4.8
10,301-sf Retail Service @ 1 PS/200-sf =	51.8
1,741-sf Yoga Studio @ 1 PS/100-sf =	8.8
4,295-sf Restaurant @ PS/50-sf =	80.9

Total Parking Provided = 184 Parking Spaces



SHARED PARKING ANALYSIS

PARKING REQUIRED	Size	Units	Parking Req'd./Unit	Units	Parking Required	Weekday				Weekend				Nighttime	
						Daytime Percent	Daytime Demand	Evening Percent	Evening Demand	Daytime Demand	Evening Demand	Evening Demand	Evening Demand	Evening Demand	Evening Demand
Office General	13,107	sf	3.3	1,000-sf	44	100	44	10	5	10	5	5	3	5	3
Medical Office	8,160	sf	4.5	1,000-sf	37	100	37	10	4	10	4	5	2	5	2
Retail	10,301	sf	5	1,000-sf	52	60	32	90	47	100	52	70	37	5	3
Yoga Studio	1,741	sf	10	1,000-sf	18	40	8	100	18	80	15	100	18	10	2
Restaurant	4,295	sf	16	1,000-sf	69	50	35	100	69	100	69	100	69	10	7
Restaurant Carry-out	955	sf	5	1,000-sf	5	50	3	100	5	100	5	100	5	10	1
Subtotal all uses					225		159		148		150		134		18
						Total Required									

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. 21162, Expiration Date: 03-20-2020.

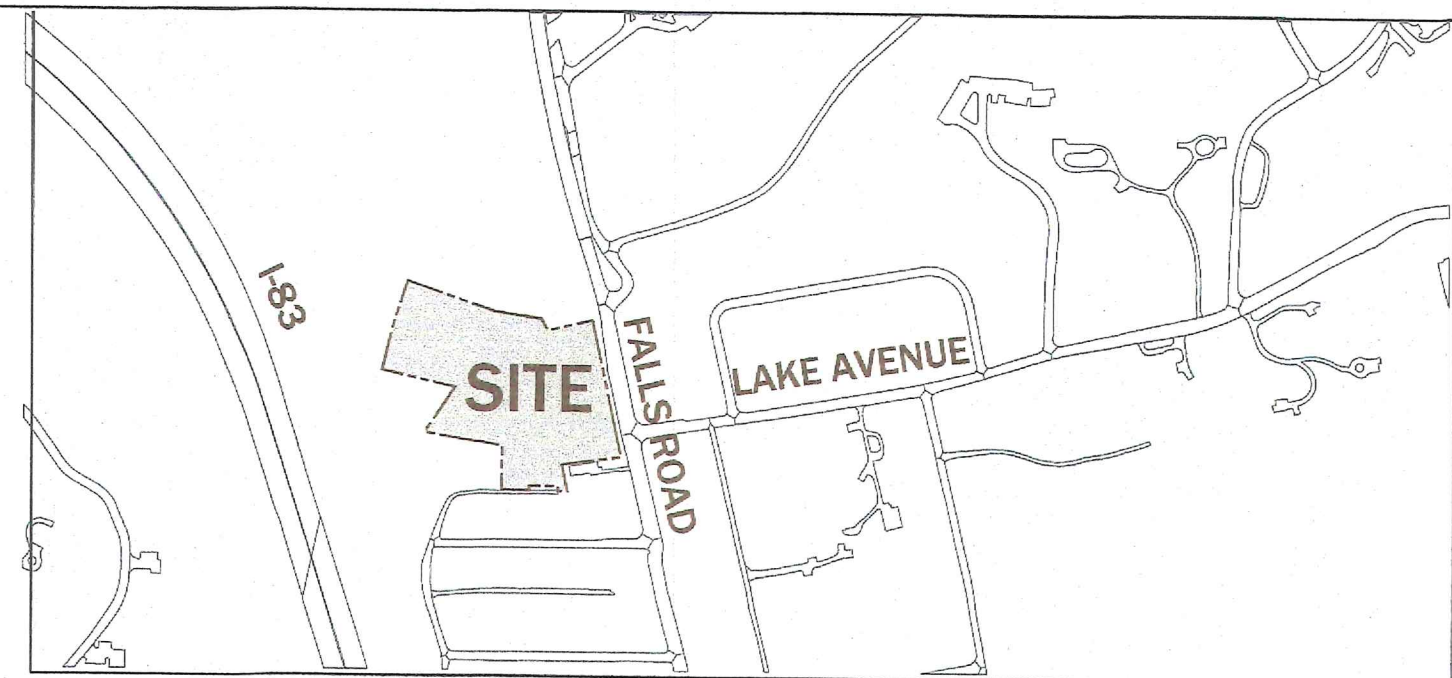


DATE	ISSUE
08/19/2019	
10/17/2019	REDLINED

Plan to Accompany Variance and Special Hearing

6080 Falls Road Baltimore, MD 21209

Scale: 1" = 30'



VICINITY MAP & SITE LOCATION MAP

SCALE: 1" = 500'

Site Data

1. Election District: 3
2. Councilmanic District: 2
3. Zoning Map: 07091
4. Gross Area = 4.754-ac +/- (Includes 30-foot of Falls Road R/W)
5. Net Area = 4.507-ac +/- 196,325-sf +/-
6. Previous Commercial Permits:
 - B309858 Exterior Stair 1984
 - B751543 Interior Alteration 11/17/2010
 - B751903 Interior Alteration 11/23/2010
 - B756928 Erect Sign 03/03/2011
 - B786163 Interior Alteration 04/22/2012
 - B831520 Interior Alteration 11/12/2013
 - B872025 Interior Alteration 11/16/2015
 - B921380 Interior Alteration 07/18/2016
 - B930591 Interior Alteration 12/27/2016
 - B934355 Interior Alteration 04/18/2017
 - B949289 Interior Alteration 06/21/2018
 - B959799 Interior Alteration 05/22/2019
7. Date of Last Improvement: 2019
8. Zoning Case History:
 - R-1982-8017 Zoning Reclassification from BL and R20 to BM Granted 04/11/1963
 - 1997-0272-X Special Exception for Tanning Salon Granted 02/08/1997
9. No Previously Approved CRG, or Development Plan
10. No Previous DRCs and or Waivers
11. Zoning:
 - 2.847-acres +/- Gross BL
 - 0.044-acres +/- Gross BM
 - 1.838-acres +/- Gross DR-2
 - 0.025-acres +/- Gross DR-3.5
12. Property Information:
 - #6080 Falls Road, Baltimore, MD 21209
 - Tax Acct # 08-0000-0275
 - Deed Ref # 17319 / 350
13. Property Owner/Developer:
 - Lake Falls Village Limited Partnership LLLP
 - 2328 W Joppa Road, Suite 200
 - Lutherville Timonium, MD 21093
14. Tax Map: 79 - Parcel 57
15. Nearest Intersecting Street is Lake Avenue and Falls Road Centerline 54-feet +/- from site
16. Falls Road Right-of-Way is at the ultimate section. No additional widening is anticipated.
17. Existing Use:
 - 1,790-sf Ground Floor Office
 - 11,317-sf Upper Floors Office
 - 8,160-sf Medical Office
 - 855-sf Carry Out Restaurant
 - 11,489-sf Retail Service
 - 1,741-sf Yoga Studio
 - 3,127-sf Restaurant
18. Proposed Use: Same as Existing except the following changes:
 - 10,301-sf Retail/Service (Reduction of 1,168-sf from Existing Uses)
 - 4,295-sf Restaurant (Increase of 1,168-sf from Existing Uses)
19. Buildings on Adjacent Sites within 100-feet of the sides shown herein.
20. No signs proposed at this time.
21. The site is currently served by public water and sewer.
22. A portion of the site lies within the 100-year floodplain per FEMA map, 2400100385F
23. Floor Area Ratio: 38,559-sf Bldgs / 207,105-sf Gross Lot = 0.19
24. Height: Tallest existing building is 38 feet +/-
25. The Site is not in any listed Basic Services map areas.
26. Historic Structures: none
27. The site is inside the URDL.

Parking Tabulation

Based on BCR in effect at time of original Building Permit issuance in 1982

Total Parking Required: 207 Parking Spaces

1,790-sf Ground Floor Office @ 1 PS/300-sf =	6.0
11,317-sf Upper Floors Office @ 1 PS/500-sf =	22.7
8,160-sf Medical Office @ 1 PS/300-sf =	27.2
855-sf Carry Out Restaurant @ 1 PS/200-sf =	4.3
10,301-sf Retail/Service @ 1 PS/200-sf =	51.6
1,741-sf Yoga Studio @ 1 PS/100-sf =	8.8
4,295-sf Restaurant @ PS/50-sf =	200
	85.9

Total Parking Provided = 184 Parking Spaces



SHARED PARKING ANALYSIS

PARKING REQUIRED	Size	Units	Parking Req'd./Unit	Units	Parking Required	Daytime Percent	Daytime Demand	Weekday		Weekend		Nighttime	
								Evening Percent	Evening Demand	Daytime Percent	Daytime Demand	Evening Percent	Evening Demand
Office General	13,107	sf	3.3	1,000-sf	44	100	44	10	5	10	5	5	3
Medical Office	8,160	sf	4.5	1,000-sf	37	100	37	10	4	10	4	5	2
Retail	10,301	sf	5	1,000-sf	52	60	32	90	47	100	52	70	37
Yoga Studio	1,741	sf	10	1,000-sf	18	40	8	100	18	80	15	100	18
Restaurant	4,295	sf	16	1,000-sf	69	50	35	100	69	100	69	100	69
Restaurant Carry-out	955	sf	5	1,000-sf	5	50	3	100	5	100	5	100	5
Subtotal all uses					225		159		148		150		134
							Total Required						18

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. 21182, Expiration Date: 03-20-2020.



DATE	ISSUE
08/19/2019	
10/17/2019	REDLINED

Plan to Accompany Variance and Special Hearing

6080 Falls Road Baltimore, MD 21209

Scale: 1"=30' 30 0 30 60