

22-0317
CF

WHITEFORD, TAYLOR & PRESTON L.L.P.

JENNIFER R. BUSSE
DIRECT LINE (410) 832-2077
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jbusse@wtplaw.com

TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
FACSIMILE (410) 832-2015

DELAWARE*
DISTRICT OF COLUMBIA
KENTUCKY
MARYLAND
NEW YORK
PENNSYLVANIA
VIRGINIA

WWW.WTPLAW.COM
(800) 987-8705

April 12, 2022

VIA HAND DELIVERY

Mr. Jeffrey Perlow
Chief Zoning Review Supervisor
Baltimore County Zoning Office
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204

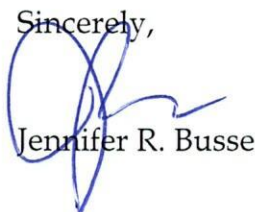
**Re: Use Permit Application for Commercial Parking in a Residential
Zone
10801 Tony Drive**

Dear Mr. Perlow:

Enclosed please find three (3) application forms, six (6) site plans and three (3) property descriptions for the above-referenced request. Also enclosed is my firm's check in the amount of \$600.00 representing payment for this application.

Thank you for your assistance, and please let me know if there is anything further I should provide in support.

Sincerely,



Jennifer R. Busse

JRB:tdm
Enclosures
cc: Gary Gill
12278448

Premise: 10801 TONY DRIVE

**APPLICATION, (PROTESTANT'S) PUBLIC HEARING REQUEST
AND OFFICE OF ADMINISTRATIVE LAW ORDER
FOR A USE PERMIT FOR
BUSINESS OR INDUSTRIAL PARKING IN A RESIDENTIAL ZONE**

(To be filed with the Office of Permits, Approvals and Inspections)

The applicant must provide all fees, 3 of these completed application forms with original signatures and 6 copies of a site plan meeting minimum acceptable standards for zoning review as determined by the staff. The non-residential property zoning hearing checklist for these standards may be used as a guide. Sealed plans are not necessary, unless required by the staff.

APPLICATION TO THE OFFICE OF ADMINISTRATIVE LAW OF BALTIMORE COUNTY:

I, or we, Valley Gateway LLC legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made part hereof, hereby petition for a use permit under Section 409.8B of the Baltimore County Zoning Regulations (BCZR), to determine whether or not the Office of Administrative Law should issue a use permit. Said use permit is necessitated to permit the use of land in a residential zone for business or industrial parking facilities to meet the requirements of Subsection 409.6.

Property is to be posted and I, or we, agree to pay expenses of processing and posting upon filing of this request, additional public hearing and reposting fees if I decide to proceed after a protestant's public hearing request and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

April 5, 2022
Date
[Signature]
Legal Owner(s) Signature(s)
Gary Gill, PRESIDENT OF MACKENZIE
PROPERTIES, INC., MANAGER

2328 W. Joppa Road, Suite 200
Address (type or print)
Lutherville, MD 21093
City Zip Code
Phone Number – Work 410-821-8585
Home 410-746-4334
Email ggill@MacKenzieCommercial.com

PUBLIC HEARING REQUEST

I, or we, _____ request that the proposed use permit be the subject of a public hearing as provided for in Section 409.8.b.8. (d) of the Baltimore County Zoning Regulations (BCZR). I also agree to pay the current established processing fee for this public hearing request.

Date

Legal Owner(s) Signature(s)

City Zip Code
Phone Number – Work _____
Home _____
Email _____

ORDER

Pursuant to the posting of the property, in accordance with Section 409.8.B.1.a, and in the absence of a formal public hearing request, IT is ORDERED by the Office of Administrative Law of Baltimore County this ____ day of _____, 20 ____, that the herein described USE PERMIT FOR BUSINESS AND/OR INDUSTRIAL PARKING IN A RESIDENTIAL ZONE IS/IS NOT in keeping with the spirit and intent of the Baltimore County Zoning Regulation (BCZR) and use WILL/WILL NOT be detrimental to the health, safety, and general welfare of the surrounding community and in accordance with the site plan dated safety, and general welfare of the surrounding community and in accordance with the site plan dated _____ and description filed by the petitioner, is hereby _____ subject to strict compliance with all of the provisions of Section 409.8.B.2 and the following site specific restrictions which are conditions precedent to the granting of the use permit:

Administrative Law Judge of Baltimore County

By: _____

Premise: 10801 Tony Drive

**APPLICATION, (PROTESTANT'S) PUBLIC HEARING REQUEST
AND OFFICE OF ADMINISTRATIVE LAW ORDER
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April 5, 2022
Date
G. G. G.
Legal Owner(s) Signature(s)
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PROPERTIES, INC., MANAGER

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Date _____	Address (type or print) _____
Legal Owner(s) Signature(s) _____	City _____ Zip Code _____ Phone Number – Work _____ Home _____ Email _____

UP-2022-0001-UP

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By: _____

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(To be filed with the Office of Permits, Approvals and Inspections)

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April 5, 2022
Date

Date _____

Legal Owner(s) Signature(s)

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Address (type or print)

Lutherville, MD 21093

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Email ggill@MacKenzieCommercial.com

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City

Zip Code

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[Home](#)

Email

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Administrative Law Judge of Baltimore County

By: _____

April 7, 2022

Descriptions to Accompany Use Permit Application
10801 Tony Drive
Election District 8

Description of Overall Property Zoned 0-3 and RC-2

Beginning for the same at a point located on the north side of Greenspring Valley Road at the end of the cutoff leading from Falls Road, said point distant **North 33°35'48" West 142 feet +/-** from the intersection of the centerlines of Greenspring Valley Road and Falls Road, thence running westerly along the north side of Greenspring Valley Road, the two following courses viz;

- 1) **North 87°35'31" West 359.16 feet** to a point, thence
- 2) by a curve to the right having a **radius of 1,597.02 feet for an arc length of 196.20 feet** to a point located at the beginning of the cutoff leading to Tony Drive, thence binding along said cutoff
- 3) **North 34°57'30" West 19.68 feet** to the east side of Tony Drive to a point, thence binding along the east side of Tony Drive
- 4) by a curve to the left having a **radius of 120.00 feet for an arc length of 83.08 feet** to a point, thence leaving said east side of Tony Drive and running thence the nine following courses viz;
- 5) **North 71°34'02" East 12.03 feet** to a point, thence
- 6) by a curve to the right having a **radius of 112.00 feet for an arc length of 140.62 feet** to a point, thence
- 7) by a curve to the left having a **radius of 78.00 feet for an arc length of 61.46 feet** to a point, thence
- 8) **South 81°38'32" East 86.68 feet** to a point, thence
- 9) by a curve to the left having a **radius of 328.00 feet for an arc length of 130.02 feet** to a point, thence

- 10) **North 19°11'29" West 177.81 feet** to a point, thence
- 11) **North 08°21'28" East 68.07 feet** to a point, thence
- 12) **South 62°31'07" East 35.00 feet** to a point, thence
- 13) **North 70°48'31" East 155.00 feet** to a point located on the west side of Falls Road, thence binding along the west side of Falls Road
- 14) **South 19°11'29" East 277.30 feet** to the beginning of the cutoff leading to Greenspring Valley Road, thence binding along said cutoff
- 15) **South 33°35'48" West 81.15 feet** to the place of beginning.

Containing **2.03 acres** of land more or less.

Description of RC-2 Zoned Portion of Property

Beginning for the same at a point located on the north side of Greenspring Valley Road at a point where it intersects the division line separating the RC-2 and O-3 zones, said point distant **North 84°04'43" West 202 feet +/-** from the intersection of the centerlines of Greenspring Valley Road and Falls Road, thence running westerly along the north side of Greenspring Valley Road the two following courses viz;

- 1) **North 87°35'31" West 298.91 feet** to a point, thence
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- 14) **South 19°11'29" East 6.65 feet** to a point where it intersects the division line between the RC-2 and O-3 zones, thence leaving said Falls Road and running thence and binding along said division line, the two following courses viz;
- 15) **South 70°32'36" West 117.54 feet** to a point thence
- 16) **South 18°36'17" East 297.01 feet** to the place of beginning.

Containing **1.2079 acres** of land, more or less and intended to be all the RC-2 zoned portion of the overall property firstly described herein.

This description is provided for zoning petition application purposes only and it shall not be utilized for any other purpose.



MATISWARFIELD

Consulting Engineers

April 7, 2022

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Dear _____:

RE: Use Permit Request for Business or Industrial Parking in a Residential Zone, _____, _____ Election District

This letter is to officially notify you that the posting of your property has resulted in a timely demand for a public Special Hearing on _____, concerning your proposed Use Permit. I regret to inform you that we must withhold approval because the posting procedure has been superseded by a hearing demand pursuant to Section 409.8.B.1.B. of the Baltimore County Zoning Regulations (BCZR).

If you wish to proceed with your request, you must file for this public Special Hearing to allow the above referenced parking. The filing fee is \$ _____ and you will be billed for the advertising directly by the newspaper. You must contact an authorized sign poster to have the property posted.

Please notify this office in writing, within 30 days, regarding your intentions using the complete above captioned reference. If you need further clarification or additional filing information, please feel free to contact this office at 410-887-3391.

Very truly yours,

c: Challenger:

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A USE PERMIT FOR BUSINESS OR INDUSTRIAL PARKING IN A RESIDENTIAL ZONE

Permits, Approvals and Inspections (PAI)
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Use Permit has been reviewed and is accepted for filing by

CHRISTINA DEINK on April 18, 2022
(Name of Planner) Date (A)

A sign indicating the proposed Use Permit must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of processing is \$600.00. Confirm all current fees prior to filing the application. It is your responsibility to have the property posted by an approved sign poster.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*Suggested Posting Date April 30, 2022 D (15 days before C)

Date Posted _____

Hearing Requested -- Yes _____ No _____ - Date _____

Closing Day (Last Day for Hearing Demand) May 12, 2022 C (B - 3 Work Days)

Tentative Decision Date May 17, 2022 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District: _____

Location of Property: _____

Posted by: _____ Date of Posting: _____

Signature: _____

Number of Signs: _____

Date to be posted: Anytime before but no later than April 30, 2022

Request for Building and/or Use Permit

ZONING NOTICE

BUILDING AND/OR USE PERMIT APPLICATION

ADDRESS: 10801 Tony DR

PROPOSAL: Business Parking in a Residential Zone

PUBLIC HEARING ?

PURSUANT TO THE BALTIMORE COUNTY ZONING REGULATIONS,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSAL, PROVIDED THE REQUEST FOR HEARING
IS RECEIVED IN THE ZONING REVIEW OFFICE BEFORE 4:30 P.M. ON

may 12, 2022

THE REQUEST FOR HEARING MUST ALSO REFERENCE THE ADDRESS ON THIS SIGN.
ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS,
APPROVALS & INSPECTIONS, ZONING REVIEW OFFICE, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204 PHONE: (410) 887-3391

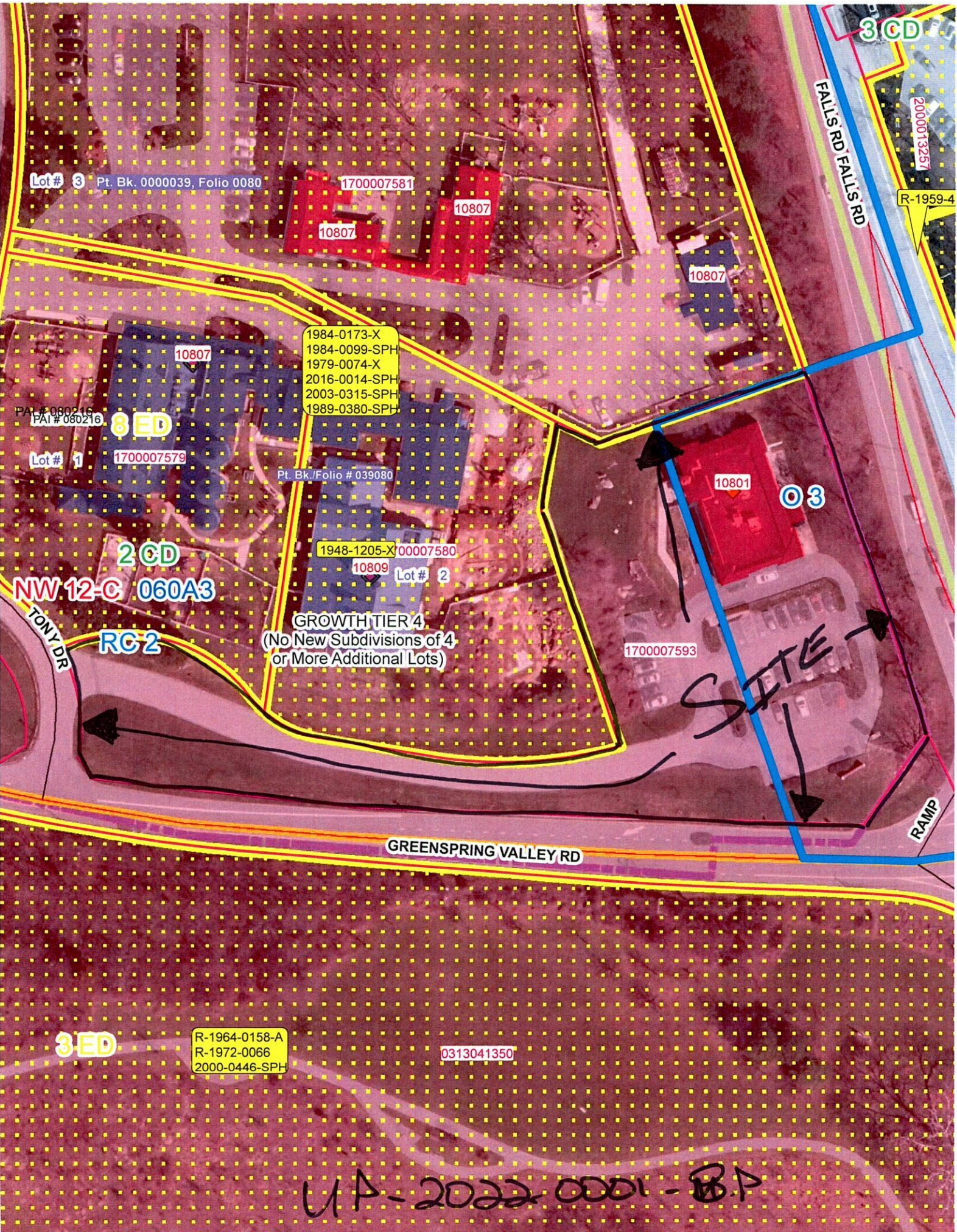
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

INFORMATION SHEET FOR ZONING USE PERMIT FOR BUSINESS OR INDUSTRIAL PARKING IN A RESIDENTIAL ZONE

BE AWARE THAT THIS USE PERMIT IS FOR ZONING ONLY. IT IS THE RESPONSIBILITY OF THE APPLICANT TO DETERMINE IF THERE ARE ANY ADDITIONAL STATE OR COUNTY AGENCY APPROVALS NECESSARY TO PERMIT THE USE AND TO MEET ANY REQUIREMENTS OF THESE AGENCIES PRIOR TO ESTABLISHING THE PARKING USE.

BE AWARE THAT SHOULD A PROTESTANT DEMAND A ZONING PUBLIC HEARING, THIS USE PERMIT APPLICATION IS SUPERCEDED AND THE APPLICANT MUST THEN FILE FOR A ZONING SPECIAL HEARING FOR WHICH ADDITIONAL FEES WILL BE CHARGED. SHOULD SITE STANDARDS REQUIRED BY THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR) NOT BE MET, ZONING PUBLIC HEARINGS WILL BE REQUIRED TO RELIEVE SAID DEFICIENCIES. STAFF SUGGESTS THAT IF THIS OCCURS THAT THE APPLICAN CONSIDER A SPECIAL HEARING TO PERMIT THE RESIDENTIAL PARKING USE IN COMBINATION WITH THE OTHER REQUIRED ZONING HEARING(S).



Lot # 3 Pt. Bk. 0000039, Folio 0080

1700007581

10807

10807

10807

1984-0173-X
1984-0099-SPH
1979-0074-X
2016-0014-SPH
2003-0315-SPH
1989-0380-SPH

10807

PAI # 080216
PAI # 080216

8 ED

Lot # 1

1700007579

Pt. Bk./Folio # 039080

1948-1205-X 00007580

10809

Lot # 2

NW 12-C 060A3

RC 2

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

1700007593

03

GREENSPRING VALLEY RD

3 ED

R-1964-0158-A
R-1972-0066
2000-0446-SPH

0313041350

3 CD

2000013257

R-1959-4

FALLS RD FALLS RD

SITE

RAMP

UP-2022-0001-B.P

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

[View Map](#)
[View GroundRent Redemption](#)
[View GroundRent Registration](#)
Special Tax Recapture: None

Account Identifier: District - 08 Account Number - 1700007593

Owner Information

Owner Name: VALLEY GATEWAY LLC Use: COMMERCIAL
Principal Residence: NO
Mailing Address: STE 200 Deed Reference: /36700/ 00313
2328 W JOPPA RD
LUTHERVILLE MD 21093-

Location & Structure Information

Premises Address: 10801 TONY DR Legal Description: COMMERCIAL SITE
LUTHERVILLE MD 21093-0000 10801 TONY DR
BROOKLANDWOOD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0060 0013 0088 20000.04 0000 2020 Plat Ref: 0039/ 0080

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1976 11,787 SF 2.0100 AC 15

StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements
OFFICE BUILDING/ C5

Value Information

	Base Value	Value As of 01/01/2020	Phase-in Assessments As of 07/01/2021	As of 07/01/2022
Land:	928,000	928,000		
Improvements	858,200	1,989,000		
Total:	1,786,200	2,917,000	2,540,067	2,917,000
Preferential Land:	0	0		

Transfer Information

Seller: GREENSPRING LAND HOLDINGS LLC	Date: 09/28/2015	Price: \$4,000,000
Type: NON-ARMS LENGTH OTHER	Deed1: /36700/ 00313	Deed2:
Seller: TUFTON REALTY LLC	Date: 09/03/2003	Price: \$3,750,000
Type: ARMS LENGTH IMPROVED	Deed1: /18705/ 00378	Deed2:
Seller: TONY DRIVE LIMITED PARTNERSHIP	Date: 05/05/1999	Price: \$1,950,000
Type: ARMS LENGTH IMPROVED	Deed1: /13721/ 00627	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2021	07/01/2022
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None**Homestead Application Information**

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

CERTIFICATE OF POSTING

CASE NO. UP 2022-0001-BP

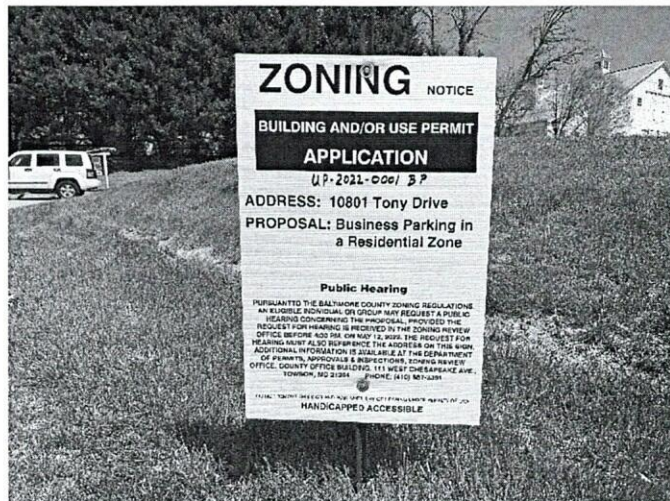
PETITIONER/DEVELOPER

Whiteford Taylor Preston LLP

Jennifer Busse

DATE OF HEARING/CLOSING

May 12, 2022



BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111

111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

10801 Tony Drive

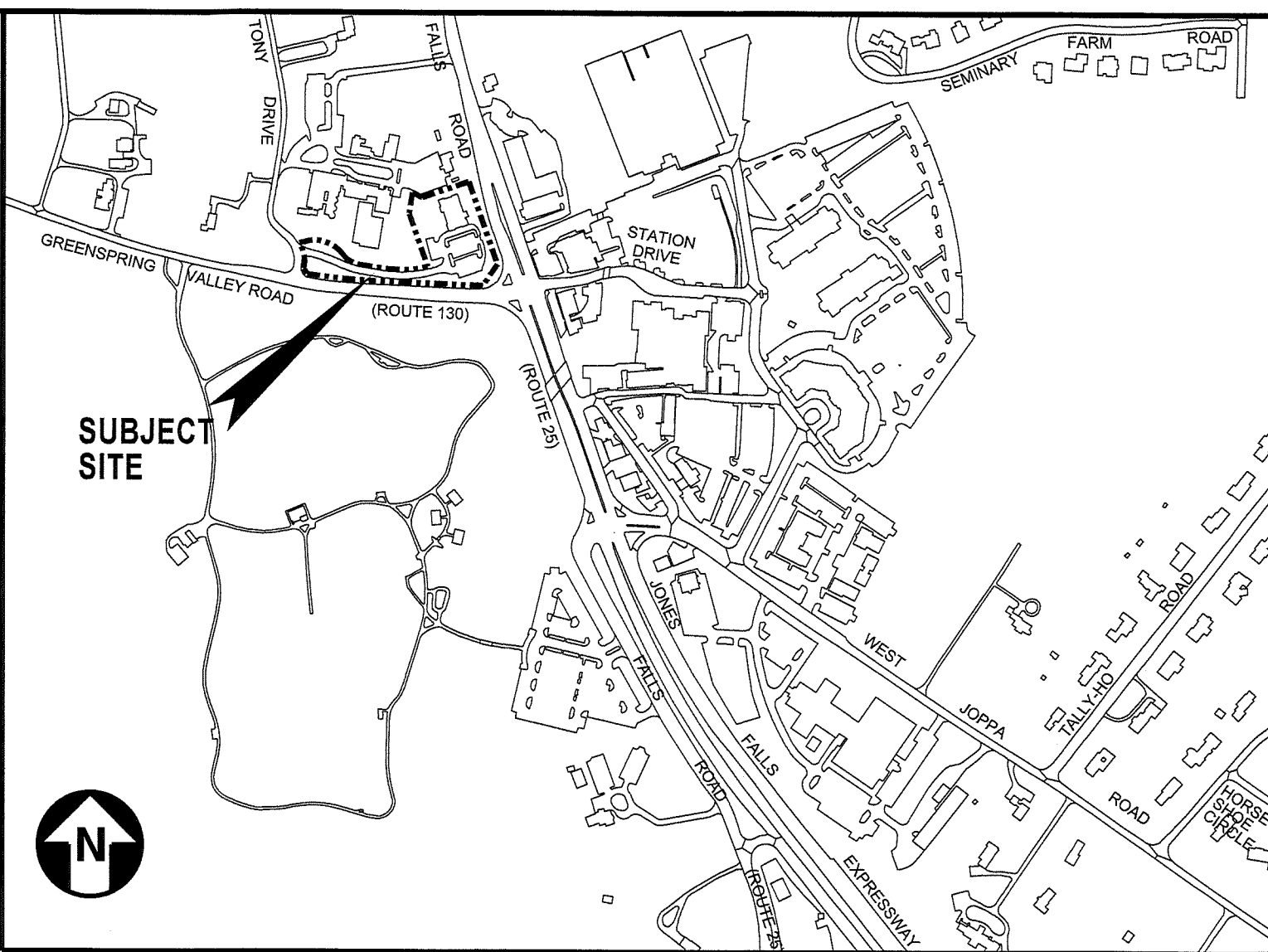
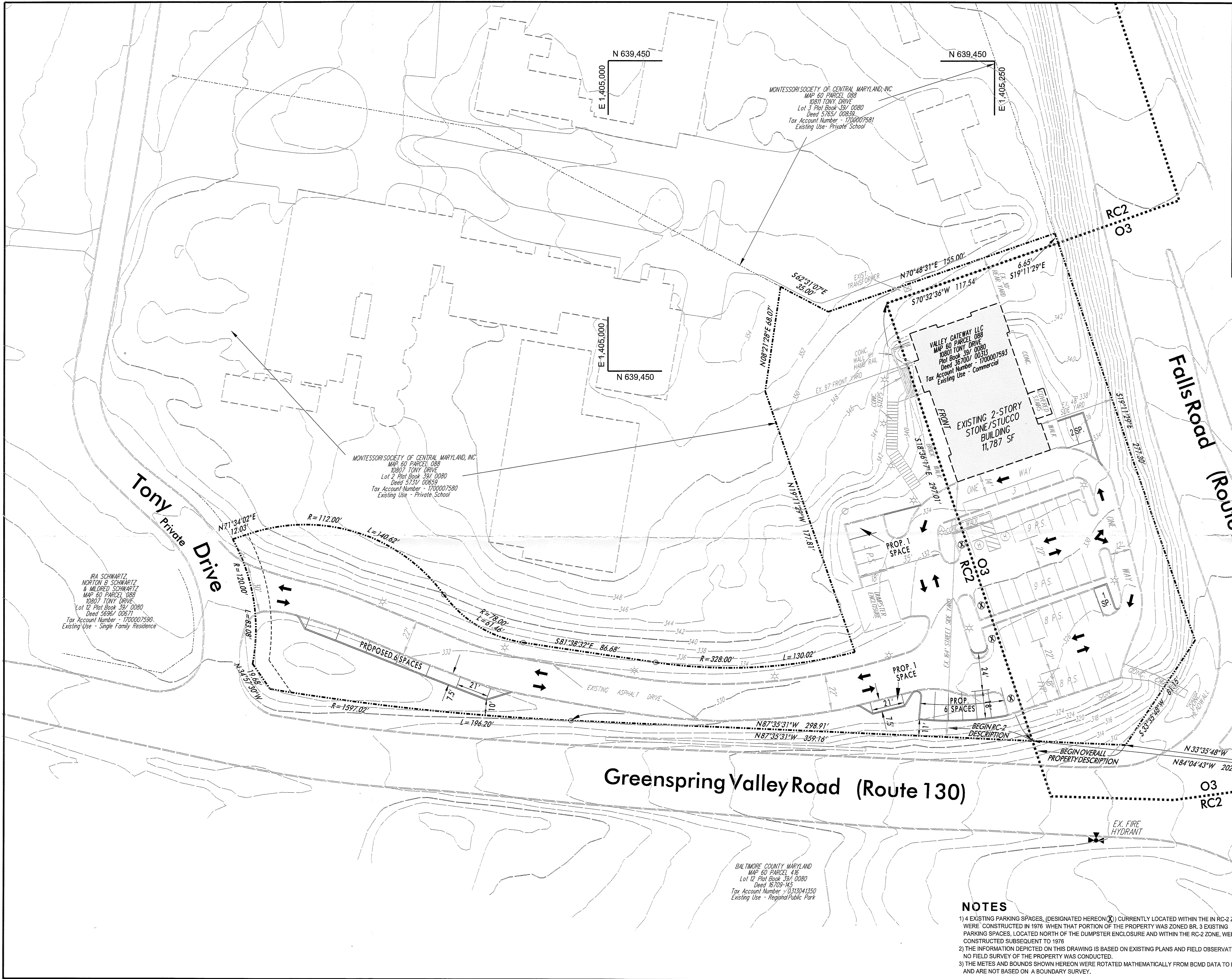
THE SIGN(S) POSTED ON April 29, 2022
(MONTH, DAY, YEAR)

SINCERLEY ,

MARTIN OGLE

MARTIN OGLE
9912 MAIDBROOK RD.
PARKVILLE ,MD 21234
443-629-3411

Please add
to folder.



LOCATION MAP SCALE: 1" = 500'

LEGEND

- Tract Boundary
- Existing Contours
- Existing Curb
- Existing Zoning Line
- Existing Light Fixture

SITE DATA

AREA OF LOT = 2.03 AC +/- (88,488 SF)
TAX MAP 0060 PARCEL 0088
ZONING MAP - 060A3
EXISTING ZONING - O-3 (0.8235 AC- 35, 871 SF)
TAX ACCOUNT NO. 1700007593
COUNCILMANIC DISTRICT 2
ELECTION DISTRICT 8
EXISTING USE - 2 STORY 11,787 SF COMMERCIAL BUILDING
PROPOSED USE - SAME WITH ADDITIONAL PARKING
EXISTING BUILDING HEIGHT - 35'
CURRENT DEED REFERENCE - 36700/ 00313
CURRENT PLAT REFERENCE - EHK, JR. 39-80
PROPERTY LIES OUTSIDE THE URD
PROPERTY IS SERVED WITH PUBLIC WATER AND SEWER
PRIOR PERMITS - NA
DEVELOPMENT APPROVAL - 1976 PRIOR TO MODERN DEVELOPMENT REGULATIONS PROPERTY WAS ZONED BR AND RDP AT TIME OF BUILDING CONSTRUCTION
NO PORTION OF THIS SITE LIES WITHIN THE 100 YEAR FLOODPLAIN (ZONE A or AE) AS INTERPRETED FROM DEPICTIONS AND ELEVATIONS SHOWN ON FEMA FLOOD INSURANCE RATE MAP 2400102245F DATED 8-2-11.
NO PORTION OF THIS PROPERTY LIES IN THE CHESAPEAKE BAY CRITICAL AREA.
THERE ARE NO EXISTING UNDERGROUND FUEL TANKS ON THE PROPERTY.
THERE ARE NO ENDANGERED SPECIES HABITATS ON THE PROPERTY.
ZONING CASE HISTORY - NONE
THIS PROPERTY DOES NOT LIE WITHIN A FAILING WATER, SEWER OR TRAFFIC SHED AS DEPICTED ON BASIC SERVICES MAPS DATED MAY 17, 2021

PARKING TABULATION

Parking Required Existing Building	
General Offices	11,787 Sf @ 3.3 Spaces / 1,000 Sf = 39 Spaces
Total Parking Required = 39 Spaces	
Parking Provided	
Total Parking Existing on Property (33 in O-3 + 7 in RC-2)	= 40 Spaces
New Parking Proposed in O-3	= 3 Spaces
New Parking Proposed in RC-2	= 14 Spaces
Total Parking Provided = 57 Spaces	

Parking For The Physically Handicap Shown Thus: H
(Included In Parking Provided)
Standard Parking Spaces at 8.5' X 18', 9' X 18' Parallel Spaces at 7.5' X 21'
All Parking To Be Permanently Striped On A Durable And Dustfree Surface

NOTES

- 4 EXISTING PARKING SPACES, (DESIGNATED HEREON (X)) CURRENTLY LOCATED WITHIN THE IN RC-2 ZONE WERE CONSTRUCTED IN 1976 WHEN THAT PORTION OF THE PROPERTY WAS ZONED BR. 3 EXISTING PARKING SPACES, LOCATED NORTH OF THE DUMPSTER ENCLOSURE AND WITHIN THE RC-2 ZONE, WERE CONSTRUCTED SUBSEQUENT TO 1976
- THE INFORMATION DEPICTED ON THIS DRAWING IS BASED ON EXISTING PLANS AND FIELD OBSERVATIONS NO FIELD SURVEY OF THE PROPERTY WAS CONDUCTED.
- THE METES AND BOUNDS SHOWN HEREON WERE ROTATED MATHEMATICALLY FROM BCMD DATA TO MCS AND ARE NOT BASED ON A BOUNDARY SURVEY.

MATISWARFIELD
Consulting Engineers

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*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. PE 18848
Expiration Date: 9-19-22

30' 0 30' 60'

1" = 30'-0"
GRAPHIC SCALE

LEGAL OWNER:
VALLEY GATEWAY, LLC
2328 WEST JOPPA RD - SUITE 200
LUTHERVILLE, MD 21093
410-821-8585

Date	Issue
4-7-22	FOR FILING

PLAT TO ACCOMPANY USE PERMIT APPLICATION
FOR COMMERCIAL PARKING IN A RESIDENTIAL ZONE
NO. 10801 TONY DRIVE
BROOKLANDWOOD PLAT 39-80
BALTIMORE COUNTY, MARYLAND
ELECTION DISTRICT NO. 8
COUNCILMANIC DISTRICT 2

617-2022-0001 - BA