



JOHN A. OLSZEWSKI, JR.  
*County Executive*

MAUREEN E. MURPHY  
Chief Administrative Law Judge  
ANDREW M. BELT  
Administrative Law Judge  
DEREK J. BAUMGARDNER  
Administrative Law Judge

May 7, 2024

Howard Alderman, Esquire – [halderman@aldermanlaw.net](mailto:halderman@aldermanlaw.net)  
7505 Mount Vista Road  
Kingsville, MD 21087

RE: Petition for Special Hearing & Variance  
Case No: 2024-0067-SPHA  
Property: 8909 Harford Road

Dear Mr. Alderman:

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

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A blue ink signature of Derek J. Baumgardner, consisting of a series of loops and a long horizontal stroke.

DEREK J. BAUMGARDNER  
Administrative Law Judge  
for Baltimore County

DJB:dlm

Enclosure

C: Kings Construction, LLC – [dlc@kingconstructioninc.com](mailto:dlc@kingconstructioninc.com)  
Patrick Richardson – [rick@richardsonengineering.com](mailto:rick@richardsonengineering.com)

|                                      |   |                         |
|--------------------------------------|---|-------------------------|
| IN RE: PETITIONS FOR SPECIAL HEARING | * | BEFORE THE              |
| AND VARIANCE                         |   |                         |
| (8909 Harford Road)                  | * | OFFICE OF               |
| 9th Election District                |   |                         |
| 6th Council District                 | * | ADMINISTRATIVE HEARINGS |
| Full House Management, LLC           |   |                         |
| Legal Owners                         | * | FOR BALTIMORE COUNTY    |
| Kings Construction, LLC              |   |                         |
| Contract Purchasers                  | * | Case No: 2024-0067-SPHA |

**Petitioners**

\* \* \* \* \*

### OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of a Petition for Special Hearing and Variance filed on behalf of the legal owner, Full House Management, LLC, and lessee, Kings Construction, LLC (“Petitioners”), for the property located at 8909 Harford Road, Parkville, Baltimore County, Maryland (“Property”). A Special Hearing is requested pursuant to Baltimore County Zoning Regulations (“BCZR”) § 409.8B for business parking in a portion of the DR 3.5 zone for the existing and proposed improvements shown on the Site Plan accompanying the petition, to confirm that the applicable side yard setback for a proposed addition is 7.5 ft. per BCZR, § 229.6.C.2, and any other relief as the nature of this case may require for approval of the continued use of the existing and proposed building, parking areas and uses as shown on the Site Plan.

In the alternative, variance relief is also requested. However, variances are not required for the proposed one-story addition or for the existing office building. Pursuant to BCZR § 229.6, permitted uses shall be subject to certain bulk and area regulations, except that the required setback, height and floor area restrictions do not apply to buildings that existed legally or which were approved by the county before the date of passage of Bill No. 180-1995. BCZR § 229.6. Per the SDAT Report included in the file, I find that the existing improvements were constructed in

1956 and predate Bill No. 180-1995. Moreover, the existing and continued use of the property as offices are a permitted use in this CB zoning district. Therefore, I find that the existing office building is a lawful nonconforming structure and as the use remains a permitted use setback restrictions do not apply, thus relieving the property from obtaining variance relief for the existing structure. Setbacks do apply to the proposed rear addition and those will be evaluated below pursuant to BCZR § 229.6.C.2.

A public hearing was conducted on April 30, 2024, using the web-based platform WebEx in lieu of an in-person hearing. The Petition was properly advertised and posted. Patrick Richardson of Richardson Engineering, a licensed engineer, appeared on behalf of the Petitioner and submitted the signed and sealed Site Plan. Howard Alderman, Esq. represented the Petitioner. There were no interested parties or protestants at the hearing.

The following exhibits were received and admitted into the record: (1) Site Plan; (2a) Photograph (building front); (2b) Photograph (Harford Road access); (2c) Photograph (location of proposed addition); (2d) Photograph (existing parking); (2e) Photograph (interior); and (3) ZAC comments. The following were received from county agencies and admitted into the record: (1) Zoning Advisory Committee (“ZAC”) comments from the Department of Planning (“DOP”); and (2) Department of Environmental Protection and Sustainability (“DEPS”) comments. County agencies reports do not indicate any opposition to the requested relief.

### **Findings Fact**

Mr. Alderman proceeded by way of proffer. The Property is comprised of two parcels with a combined land area of 12,440 square feet. The Property has a unique “L” shape and is split zoned Community Business (CB) and DR-5.5 with the CB portion improved with a two-story office building constructed in 1956 and currently used as a contractor’s office (King Construction LLC),

a detached garage, and an asphalt parking lot. The existing office building has side yard setbacks of 8.8 ft. and 9 ft. See Pet. Ex. 2-C. Mr. Alderman proffered that the Petitioner proposes to construct a one-story rear addition to the existing office building maintaining existing side yard setbacks and to relocate business parking to the rear of the parcel located in the DR-5.5 zone. See Pet. Ex. 2-D. Pet. Ex. 2-B shows the existing access from Harford Road to the site which is not modified under this Petition.

The neighborhood is mixed-use in character. The Property itself is located along the Harford Road business corridor with many other business, office, school and church uses located on both sides of Harford Road both north and south from the subject parcel. The site is within the boundaries of the Carney-Cub Hill-Parkville Community Plan which identifies this portion of Harford Road as primarily commercial in character. To the rear of the subject property is residential tract single-family housing. Adjacent to the subject parcel are residential homes separated by existing fencing.

### **Conclusions of Law**

Pursuant to BCZR § 409.8B, the Petition proposes Special Hearing relief to authorize a use permit for business parking for the existing permitted contractor's office in a portion of the lot zoned DR 5.5. The Petition further requests confirmation that the applicable side yard setbacks for the proposed addition are 7.5 ft. per BCZR § 229.6.C.2.

### **SPECIAL HEARING**

A hearing to request special zoning relief is proper under BCZR, §500.7 as follows:

The said Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided. The power given hereunder shall include the right of any interested person to petition the Zoning

Commissioner for a public hearing after advertisement and notice to determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they are affected by these regulations.

"A request for special hearing is, in legal effect, a request for a declaratory judgment." *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005). Special hearing relief is properly granted if it is within the spirit and intent of the zoning regulations and will not harm the public health, safety, or welfare.

Based on the evidence presented I find that special hearing relief should be granted. The Property is large enough to comfortably accommodate the parking plan proposed and access to the lot via Harford Road is not modified under this Petition. *See* Pet. Exs. 2a-2e. Further, the proposed one-story rear addition will not increase or decrease traffic volume to such a degree that traffic patterns or safety on Harford Road will be impacted. The parking area has been used for business parking for many years and the proposed modification to existing parking spaces will have no adverse impact on the community. I conclude that the Petition can be granted and a use permit issued for business parking in a DR zone as indicated in Petitioner's Site Plan (Pet. Ex. 1) as I find that the relief requested is within the spirit and intent of the zoning regulations and will not harm the public health, safety, or welfare.

Further, pursuant to BCZR § 229.6.C.2, I find that the applicable side yard setback for this property is 7.5 ft. The property is zoned Community Business ("CB") and the existing structure was constructed prior to 1995<sup>1</sup> and thus qualifies for a reduced setback of 25% of the 10 ft. minimum for additions, resulting in an applicable side yard setback of 7.5 ft. The proposed side yard setbacks for the proposed one-story rear addition maintain the existing setbacks of the existing

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<sup>1</sup> See SDAT Report

structure of 8.8 ft. and 9 ft. and therefore satisfy the 7.5 ft. side yard setback requirement without the need for a variance.

THEREFORE, IT IS ORDERED this 7<sup>th</sup> day of **May, 2024**, by this Administrative Law Judge that the Petition for Special Hearing from BCZR §409.8B for business parking in a portion of the DR 5.5 zone for the existing and proposed improvements shown on the attached Site Plan is **GRANTED**; and

IT IS FURTHER ORDERED that the applicable side yard setback for the proposed addition is **7.5 ft.** per BCZR, § 229.6.C.2; and

IT IS FURTHER ORDERED that because of the relief granted under this Special Hearing, no variances are required for the existing or proposed structures;

The relief granted herein shall be subject to the following:

Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their 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, Petitioners 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.



DEREK J. BAUMGARDNER  
Administrative Law Judge  
for Baltimore County

DJB/dlm



# 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 8909 Harford Road

which is presently zoned CB and DR 3.5

Deed References: 13501/173

10 Digit Tax Account # 14-08-006971 14-08-006970

Property Owner(s) Printed Name(s) FULL HOUSE MANAGEMENT LLC

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

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

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

**SEE ATTACHED**

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for a Community Building as set forth in BCZR Sec. 230.3

3. **xx** a **Variance** from Section(s)

**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 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)

### Lessee:

**KINGS CONSTRUCTION LLC**

Name - Type or Print

By:

Signature

8909 Harford Road Baltimore MD

Mailing Address City State

21234 410-668-1700 x 32 dlc@kingconstructioninc.com

Zip Code Telephone # Email Address

### Attorney for Petitioner:

Howard L. Alderman, Jr., Esq. / ALDERMAN LAW LLC

Name - Type or Print

Signature

7505 MOUNT VISTA RD KINGSVILLE MD

Mailing Address City State

21087-1759 410-929-9113 halderman@aldermanlaw.net

Zip Code Telephone # Email Address

### Legal Owners (Petitioners)

Full House Management LLC

Name #1 - Type or Print

Name #2 - Type or Print

By:

Signature #1

Signature #2

8909 Harford Road Baltimore MD

Mailing Address City State

21234 410-382-4444 dlc@kingconstructioninc.com

Zip Code Telephone # Email Address

### Representative to be contacted:

Rick Richardson, PE Richardson Engineering, LLC

Name - Type or Print

By:

Signature

7 Deneison Street Timonium Maryland

Mailing Address City State

21093 410-560-1502-x1 rick@richardsonengineering.net

Zip Code Telephone # Email Address

CASE NUMBER 24-0135 SP1A

Filing Date 3/18/24

Do Not Schedule Dates:

Reviewer

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Address: 8909 Harford Road

Legal Owner: Full House Management LLC

Tenant: Kings Construction LLC

Present Zoning: CB and DR 3.5

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**PETITION FOR SPECIAL HEARING**

A request that the Administrative Law Judge, in accordance with BCZR § 500.7:

- i) approve a Use Permit, pursuant to BCZR § 409.8B, for business parking in a portion of the DR 3.5 zone for the existing and proposed improvements shown on the plan to accompany this Petition; **and**
- ii) confirm that the applicable side yard setback for a proposed addition is 7.5' per BCZR Sec. 229.6.C.2.; **and**
- iii) grant such additional relief as the nature of this case may require for approval of the continued use of the existing and proposed building, parking areas and uses as shown on the plan which accompanied this Petition.

**PETITION FOR VARIANCE**  
**REQUESTED RELIEF:**

A Variance from:

- i) BCZR § 229.6.C to permit a side yard setback for an existing structure of 8.8' in lieu of the 10' required; **and**
- ii) If the Special Hearing determination of side yard setbacks is not confirmed as requested, a variance from BCZR § 229.6.C.2 to permit a side yard setback for a proposed addition of 8.8' in lieu of the 10' required; **and**
- iii) grant such additional relief as the nature of this case may require for approval of the existing and proposed buildings, uses and conditions as shown on the plan which accompanied this Petition.

For Additional Information Contact:

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Howard L. Alderman, Jr., Esquire  
Alderman Law LLC  
7505 Mount Vista Road  
Kingsville, Maryland 21087-1759

(410) 929-9113  
halderman@aldermanlaw.net

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2024-0067-SPHA



**Richardson**  
ENGINEERING

CIVIL | COMMERCIAL  
RESIDENTIAL  
INDUSTRIAL

RICHARDSON ENGINEERING, LLC.  
7 DENEISON ST. | TIMONIUM, MD 21093  
410-560-1502 | RICHARDSONENGINEERING.NET

**ZONING PROPERTY DESCRIPTION FOR  
8909 HARFORD ROAD  
14<sup>th</sup> ELECTION DISTRICT  
6<sup>th</sup> COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND**

Beginning at a distance of 171' +/- southwesterly of the intersection of Harford Road and Edgewood Avenue. Running away from the southeast side of Harford Road (1) South 39 degrees 9 minutes East 150.00 feet, (2) North 51 degrees 6 minutes East 50.00 feet (3) South 39 degrees 9 minutes East 49.40 feet, (4) South 51 degrees 5 minutes West 100.00 feet, (5) North 39 degrees 9 minutes West 199.40 feet (6) North 51 degrees 6 minutes East 50.00 feet to the place of beginning.

Containing a net area of 12,440 square feet or 0.29 acres +/-.



**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 NUMBER 16597,  
EXPIRATION DATE: 08-15-2025

2024-0067-SP1+A

**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: 2024-0067-SPHA  
Property Address: 8909 HARFORD ROAD  
Legal Owners (Petitioners): FULL HOUSE MANAGEMENT, LLC  
Contract Purchaser/Lessee: KINGS CONSTRUCTION

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): DOUG COLLONEL  
Address: 8909 HARFORD RD  
BALT MD 21234  
  
Telephone Number: 410-382-4444

\*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge  
Office of Administrative Hearings

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

DATE: March 26, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0067-SPHA  
Address: 8909 HARFORD RD  
Legal Owner: Full House Management, LLC

Zoning Advisory Committee Meeting of March 26, 2024.

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

Additional Comments:

Reviewer: Earl D. Wrenn

# CERTIFICATE OF POSTING

**2024-0067-SPHA**

**RE: Case No.:** \_\_\_\_\_

**Petitioner/Developer:** \_\_\_\_\_

**Full House Management, LLC**  
**Kings Construction, LLC**

**April 30, 2024**

**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: Jeff Perlow:**

**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:** \_\_\_\_\_

**8909 Harford Road** ***SIGN 1A & 1B***

**April 9, 2024**

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

**Sincerely,**

 **April 9, 2024**  
\_\_\_\_\_  
(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)**



**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

**TO:** Peter Gutwald, Director  
Department of Permits, Approvals

**DATE:** March 20, 2024

**FROM:** Vishnu Desai, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
Case 2024-0067-SPHA

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

**DPR:** No comment

**DPW-T:** No Exception taken.

**Landscaping:** If Special Hearing and Zoning Relief is granted a Landscape Plan is required per the requirements of the Landscape Manual. A Lighting Plan is also required.

**Recreations & Parks:** No Greenways affected.

**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: 2024-0067-S P1+A  
Property Address: 8909 HARFORD ROAD  
Legal Owners (Petitioners): FULL HOUSE MANAGEMENT, LLC  
Contract Purchaser/Lessee: KINGS CONSTRUCTION

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): DOUG COLLONEL  
Address: 8909 HARFORD RD  
BALT MD 21234  
  
Telephone Number: 410-382-4444

\*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

Real Property Data Search ( )  
Search Result for BALTIMORE COUNTY

[View Map](#)
[View GroundRent Redemption](#)
[View GroundRent Registration](#)

**Special Tax Recapture: None**

Account Identifier: District - 14 Account Number - 1408006971

### Owner Information

Owner Name: FULL HOUSE MANAGEMENT LLC Use: COMMERCIAL  
Principal Residence: NO

Mailing Address: 8909 HARFORD RD  
BALTIMORE MD 21234- Deed Reference: /13501/ 00173

### Location & Structure Information

Premises Address: 8909 HARFORD RD  
BALTIMORE 21234- Legal Description: SES HARFORD RD  
8909 HARFORD RD  
226 NE MORELAND AVE

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:  
0071 0021 1180 10000.04 0000 2022 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use  
1956 1,204 SF 9,970 SF 06

StoriesBasementType ExteriorQualityFull/Half Bath GarageLast Notice of Major Improvements  
OFFICE BUILDING/ C3

### Value Information

|                    | Base Value | Value<br>As of<br>01/01/2022 | Phase-in Assessments<br>As of<br>07/01/2023 As of<br>07/01/2024 |         |
|--------------------|------------|------------------------------|-----------------------------------------------------------------|---------|
| Land:              | 199,400    | 199,400                      |                                                                 |         |
| Improvements       | 127,200    | 122,100                      |                                                                 |         |
| Total:             | 326,600    | 321,500                      | 321,500                                                         | 321,500 |
| Preferential Land: | 0          | 0                            |                                                                 |         |

### Transfer Information

| Seller:                    | Date:                | Price:    |
|----------------------------|----------------------|-----------|
| HACHTEL ARTHUR A, JR       | 02/03/1999           | \$163,000 |
| Type: ARMS LENGTH MULTIPLE | Deed1: /13501/ 00173 | Deed2:    |
| Seller:                    | Date:                | Price:    |
| Type:                      | Deed1:               | Deed2:    |
| Seller:                    | Date:                | Price:    |
| Type:                      | Deed1:               | Deed2:    |

### Exemption Information

| Partial Exempt Assessments: | Class | 07/01/2023 | 07/01/2024 |
|-----------------------------|-------|------------|------------|
| County:                     | 000   | 0.00       |            |
| State:                      | 000   | 0.00       |            |
| Municipal:                  | 000   | 0.00 0.00  | 0.00 0.00  |

**Special Tax Recapture: None**

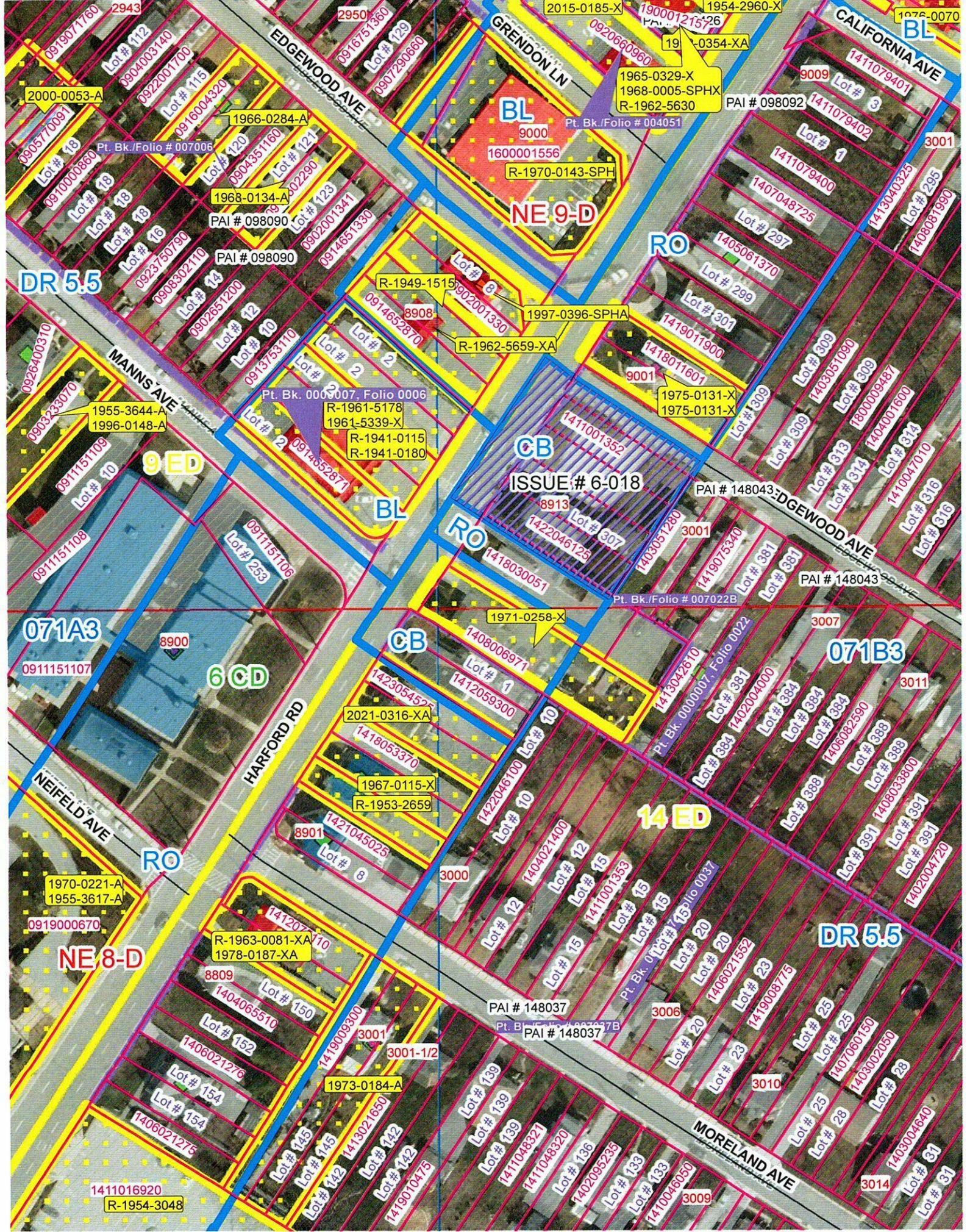
### Homestead Application Information

Homestead Application Status: No Application

### Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

2024-0067-SP4A



2021-0067-SPHA

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE MEMORANDUM

**TO:** C. Pete Gutwald  
Director, Department of Permits, Approvals and Inspections

**DATE:** 3/21/2024

**FROM:** Steve Lafferty  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 2024-0067-SPHA

**INFORMATION:**

**Property Address:** 8909 Harford Road  
**Petitioner:** Full House Management, LLC  
**Zoning:** CB, DR 5.5  
**Requested Action:** Special Hearing, Variance

The Department of Planning has reviewed the petition for:

Special Hearing:

1. To permit a Use Permit, pursuant to Section 409.8B of the Baltimore County Zoning Regulations (BCZR), for business parking in a portion of the DR 5.5 zone for the existing and proposed improvements shown on the plan to accompany this Petition;
2. To confirm that the applicable side yard setback for the proposed addition is 7.5', per BCZR Section 229.6.C.2;
3. To grant such additional relief as the nature of this case may require for approval of the continued use of the existing and proposed building, parking areas, and uses as shown on the plan which accompany this Petition; and

Variance:

4. From Section 229.6.C of the BCZR to permit a side yard setback of 8.8' for an existing structure in lieu of the required 10';
5. From Section 229.6.C.2 of the BCZR to permit a side yard setback of 8.8' for a proposed addition in lieu of the required 10', if the Special Hearing determination of side yard setbacks is not confirmed as requested; and
6. For such additional relief as the nature of this case may require for approval of the existing and proposed buildings, uses, and conditions as shown on the plan which accompany this Petition.

The subject site is two parcels totaling approximately 12,440 square feet in the Parkville area. The two lots make an "L" shape, with a longer, relatively narrow parcel and then a square parcel at the rear. The site is split zoned Community Business (CB) and DR 5.5, with the CB zoned portion of the site being along Harford Road, and the DR 5.5 portion of the site being at the rear of the lot. The site is improved with a two-story office building for a construction company, a detached garage, and asphalt surface parking. Based on Google Maps aerial imagery, it appears that the land immediately behind the detached garage is used for some sort of outdoor storage. The asphalt surface parking is to the rear of the office

building and connects to the parking lot at the rear of the adjacent property, 8911 Harford Road. The existing office building on the subject site has side yard setbacks of 8.8' and 9'.

Per the site plan submitted with the Petition, the petitioner wishes to add a one-story addition to the rear of the existing office building. This portion of the property is currently used as parking. The side yard setbacks of the addition are proposed to be the same as that of the existing office building (8.8' and 9'). Since the parking will be removed for the construction of the addition, the petitioner wishes to relocate the parking to the rear of the lot, behind the detached garage.

Uses surrounding the subject site along Harford Road are a mix of commercial, office, and institutional uses. Adjacent to the subject site are various offices, including an asset protection company and an insurance agency. Southwest of the subject site, at the signalized intersection of Harford Road and Putty Hill Avenue, are various stores, as well as Saint Ursula's Catholic Church and Evans Funeral Chapel. Across Harford Road from the subject site is an Indian take out restaurant, a dance studio, Saint Ursula's Catholic School, and St. John's Lutheran Church. Uses behind the subject site are primarily residential single family detached dwellings. The side and rear of the subject site is separated from the neighboring dwellings with an existing fence.

The site is within the boundary of the Carney-Cub Hill-Parkville Community Plan, adopted May 3<sup>rd</sup>, 2010. The Plan provides background information on the plan area; strengths, weaknesses, opportunities, and threats within the plan area boundary; and recommendations on how to improve the area. The Plan calls out this stretch of Harford Road as being primarily commercial, stating "most of the commercial development is located along Harford Road and Joppa Road. Commercial is the predominant use along Harford Road from the City line to just north of Joppa Road" (page 10).

The setbacks of the office building are existing, and the setbacks of the proposed addition are the same as the existing setbacks of the office building. As such, the Department of Planning has no objections to the Special Hearing and Variance requests relevant to the side yard setbacks of 8.8' and 9' in lieu of the required 10'.

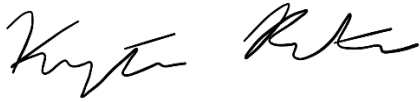
In regards to the request for a Special Hearing to permit business parking in the DR 5.5 zone, the Department of Planning has no objections, subject to the following conditions:

1. No construction trucks, materials, or debris shall be stored in the DR 5.5 zoned portion of the property;
2. The existing fence dividing the subject site and the neighboring residential dwellings shall be properly maintained to screen the parking from the neighboring residence to the greatest extent possible;
3. Evergreen screening shall be provided along the inside of the fence line surrounding the proposed parking area to screen the parking from the neighboring residence to the greatest extent possible; and
4. If any lighting is proposed, it shall be done in such a way that it does not spill over to the neighboring residential properties.

The Department finds that the above-mentioned conditions will make the parking possible without adversely impacting the neighboring residences.

For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

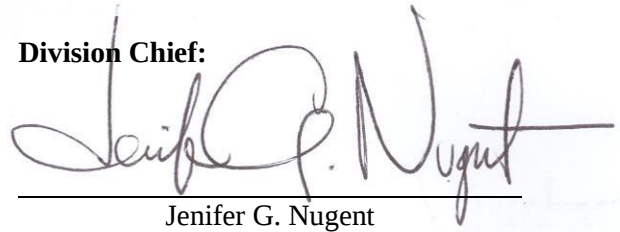
**Prepared by:**



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Krystle Patchak

**Division Chief:**

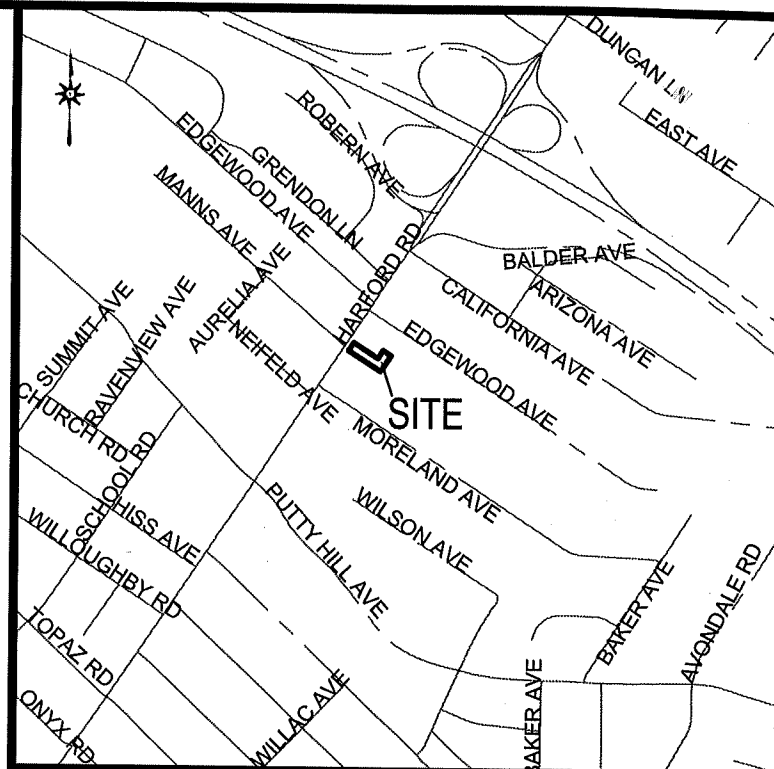
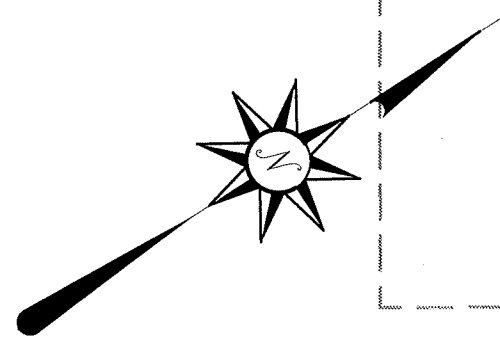


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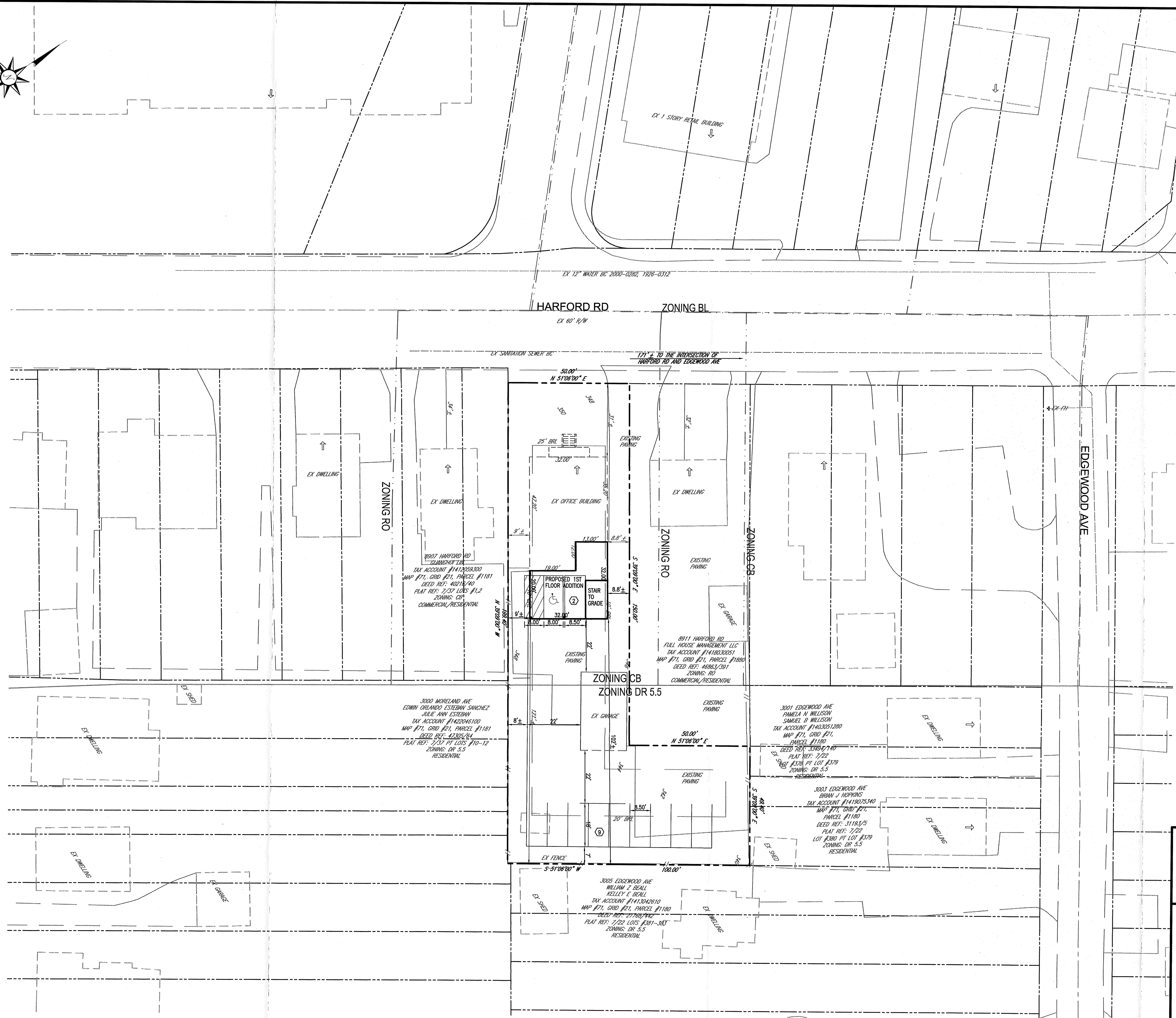
Jenifer G. Nugent

SL/JGN/KP

c: Rick Richardson, PE – Richardson Engineering, LLC  
Howard Alderman, Jr., Esq. – Alderman Law  
David Birkenthal, Community Planner  
Jeff Perlow, Zoning Review  
Kristen Lewis, Zoning Review  
Office of Administrative Hearings  
People's Counsel for Baltimore County



VICINITY MAP  
SCALE: 1" = 1000'



GENERAL NOTES:

- OWNER: FULL HOUSE MANAGEMENT LLC  
8809 HARFORD RD  
BALTIMORE MD 21234
- SITE AREA:  
NET: 12,440 SF or 0.29 Ac.±  
GROSS: 13,940 SF or 0.32 Ac.±
- USES:  
EXISTING: OFFICE BUILDING FOR CONSTRUCTION COMPANY  
PROPOSED: OFFICE BUILDING FOR CONSTRUCTION COMPANY
- UTILITIES:  
PUBLIC WATER & SEWER
- DEED REFERENCE: 13501/173
- TAX ACCOUNT #1408006970, #1408006971
- COUNCILMANIC DISTRICT: 6TH
- ELECTION DISTRICT: 14TH
- CENSUS TRACT: 440100
- ZONING: CB & DR-3.5 (PER 200 SCALE GIS TILE 071A3 & 071B3)
- TAX MAP #71, GRID #21, PARCEL #1180
- WATERSHED: BIRD RIVER
- PRIOR PERMITS ON FILE: NONE
- PRIOR ZONING CASES ON FILE: 1971-0258-X RECLASSIFICATION OF ZONING R-A TO R-A WITH SPECIAL EXCEPTION, GRANTED MAY 3, 1971.
- THE PROPERTY AND STRUCTURES ARE NOT HISTORIC.
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE SITE DOES NOT LIE WITHIN A FLOOD ZONE ACCORDING TO FEMA MAP #2400100270G NOVEMBER 2, 2023.
- THE SITE DOES NOT LIE WITHIN A TRAFFIC DEFICIENT AREA.
- BASIC SERVICE MAPS:  
TYPE DEFICIENT (Y/N) NOTE  
SEWER N  
WATER N  
TRANSPORTATION N
- SETBACKS FOR BR:  
TYPE REQUIRED PROVIDED  
FRONT 25' 31'±  
SIDE 7.5' 8.8'± (EXISTING BUILDING)  
REAR 20' 109'±  
\*SIDE YARD FOR STRUCTURES OLDER THAN PASSAGE OF BILL NO. 180-1995
- PARKING:  
REQUIRED: OFFICE BUILDING 2,151 SQ.FT. @ 3.3 SPACES/1,000 SQ.FT. = 8 SPACES  
GARAGE 611 SQ.FT. @ 0 SPACES
- TOTAL REQUIRED: 8 SPACES
- PROVIDED: 11 SPACES
- LOT COVERAGE:  
EXISTING BUILDING AREA: 1,965 SQ.FT. / 12,440 X 100 = 15.80%  
PROPOSED BUILDING AREA: 2,762 SQ.FT. / 12,440 X 100 = 22.19%



Richardson  
ENGINEERING

7 Deneison Street  
Timonium, Maryland 21093  
Phone: 410-560-1502, info@richardsonengineering.net

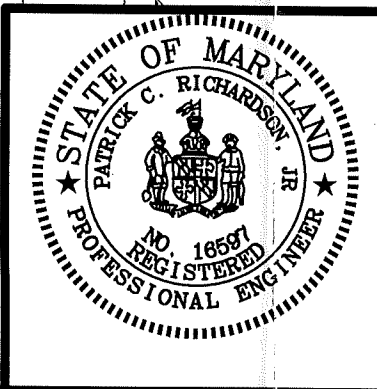
rick@richardsonengineering.net

PLAN TO ACCOMPANY ZONING PETITION  
FOR  
KING CONSTRUCTION

8909 HARFORD ROAD  
BALTIMORE COUNTY  
14TH ELECTION DISTRICT  
MARYLAND  
6TH COUNCILMANIC DISTRICT

| REVISIONS |          | CHECKED BY:    | SCALE:            |
|-----------|----------|----------------|-------------------|
| DRAWN BY: | LNR      | PCR            | 1" = 20'          |
| DATE:     | 01-19-24 | JOB NO.: 23217 | SHEET NO.: 1 OF 1 |

2024 0067-SPTA



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  
NUMBER 16597, EXPIRATION DATE: 08-15-2025