

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
N/S Balto. National Pike 190 ft. W
of Nuwood Drive * ZONING COMMISSIONER
6700 Baltimore National Pike
1st Election District * OF BALTIMORE COUNTY
1st Councilmanic District
Russel Motor Cars, Inc., Petitioner * Case No. 98-441-SPH
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 6700 Baltimore National Pike in western Baltimore County. The Petition was filed by Russel Motor Cars, Inc., property owner. Special Hearing relief is requested as follows: (A) to approve an extension of a side yard setback variance granted in case No. 82-253-A to permit a setback as little as 16 ft., in lieu of the required 30 ft.; (B) to determine whether the east side of the building constitutes the front of same, notwithstanding the proposed improvements thereto; (C) to determine the vehicle storage area front yard setback; and (D) to determine whether the property owner is entitled to wall-mounted signage on its remodeled building. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case was F. Steven Russel, on behalf of Russel Motor Cars, Inc. Also present was Kenneth Colbert, of Colbert, Matz and Rosenfeld, Inc., the consultants who prepared the site plan. The Petitioner was represented by Leslie M. Pittler, Esquire. There were no Protestants or other interested persons present.

At the public hearing, as a preliminary matter, the Petitioner indicated that the issues identified as B, C and D hereinabove had been resolved. Specifically, counsel for the Petitioner had written to the Department of Permits and Development Management (PDM) seeking a clarifica-

ORDER RECEIVED FOR FILING

Date

7/14/98
Mr. Gooch

tion of those issues and a determination as to whether a public hearing was necessary. In response thereto, correspondence was issued on May 21, 1998, by John J. Sullivan, Jr., Planner II, on behalf of PDM. Mr. Sullivan's correspondence concludes that, indeed, the east side of the subject building constitutes the front of the same structure, the vehicle storage setback requirements are applicable to that orientation, and the property owner may move an attached existing wall-mounted sign to the newly remodeled portion of the building. The letter further indicates that the property owner must file a Petition for Special Hearing to extend the side yard variance of 16 ft. in lieu of the required 30 ft. Based upon the testimony and evidence offered, as well as my analysis of the site plan, I hereby confirm Mr. Sullivan's findings and conclusions.

As to this issue, the site plan offered (Petitioner's Exhibit No. 1) indicates that the subject property is an irregularly shaped parcel with frontage on the westbound lanes of the Baltimore National Pike (U.S. Route 40), zoned D.R. The property is improved with a large building and associated parking area used in connection with the business operated thereon; namely, an automobile dealership. The Petitioner proposes significant renovations to the site. As more particularly shown on the site plan, the existing sales building will be razed and a new structure built to replace same. The new building will contain a showroom area attached to a large two story office complex. An existing service building will remain, however, there will be a large addition constructed thereto.

Mr. Colbert, on behalf of the Petitioner, discussed the plan detail. He indicated that variance relief had previously been granted for an existing service building and that the addition thereto would maintain a consistent, if not greater, setback. He also indicated that the property had unique site characteristics; primarily the unusual grade and configura-

ORDER RECEIVED FOR PLANS
7/14/98
Mr. Gooch

tion of the property. Based on these factors, he opined that the variance should be granted. I agree.

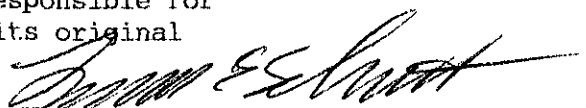
Based upon the testimony and evidence presented, I am persuaded that the Petition should be granted. In my judgment, I find that the Petitioner has satisfied the requirements of Section 307 of the BCZR as construed by the case law. Thus, the Petition for Special Hearing will be granted and the variance previously approved in case No. 82-253-A granted for the proposed addition. Likewise, as noted above, I adopt the finding and conditions set out in Mr. Sullivan's letter.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of July 1998 that, pursuant to the Petition for Special Hearing, approval for the extension of a side yard variance granted in case No. 82-253-A to permit a setback as little as 16 ft., in lieu of the required 30 ft., and the required vehicle storage front yard setback, be and is hereby GRANTED: AND,

IT IS FURTHER ORDERED that the findings and conclusions set out in a letter from John J. Sullivan, Jr., Planner II, on behalf of the Office of Permits and Development Management, are hereby adopted and incorporated herein, subject to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at its 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

July 14, 1998

Leslie M. Pittler, Esquire
29 W. Susquehanna Avenue, Suite 610
Towson, Maryland 21204

RE: Petition for Special Hearing
Case No. 98-441-SPH
Russel Motor Cars, Inc. Petitioner

Dear Mr. Pittler:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Mr. F. Steven Russel, President
Russel Motor Cars, Inc.
6700 Baltimore National Pike
Baltimore, Maryland 21228





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

6700 Baltimore National Pike

which is presently zoned

BR

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

An amendment to the site plan approved by Baltimore County in May, 1982, a copy of which is filed with the application herein. See attached sheet for additional information.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, 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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

Leslie M. Pittler

(Type or Print Name)

Signature

29 W. Susquehanna Ave., Ste 610

Address

Phone No.

City

Towson

MD

State

21204

Zipcode

410-823-4455

I/We do 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 Petition.

Legal Owner(s).

X Russel Motor Cars, Inc.

(Type or Print Name)

X [Signature]

Signature

F. Steven Russel, Pres.

(Type or Print Name)

Signature

X 6700 Baltimore National Pike (410) 788-8400

Address

Phone No

X Baltimore MD 21228

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: [Signature]

DATE 5-13-98



Revised 9/5/95

98-441-SPH

441

LESLIE M. PITTLER

ATTORNEY-AT-LAW

SUITE 610

29 WEST SUSQUEHANNA AVENUE

TOWSON, MARYLAND 21204

(410) 823-4455

FACSIMILE
(410) 583-2437

ISSUES TO BE ADDRESSED AT SPECIAL HEARING

A: TO EXTEND THE SIDE YARD VARIANCE GRANTED IN CASE
NUMBER 82-253A

B: TO DETERMINE WHETHER OR NOT THE EAST SIDE OF THE BUILDING
CONSTITUTES THE FRONT OF SAME

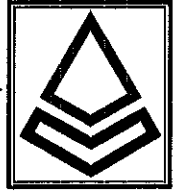
C: TO DETERMINE WHAT CONSTITUTES THE VEHICLE STORAGE
FRONT YARD SETBACK

D: TO DETERMINE WHETHER THE PROPERTY OWNER IS ENTITLED
TO WALL-MOUNTED SIGNAGE ON ITS REMODELED BUILDING

441

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

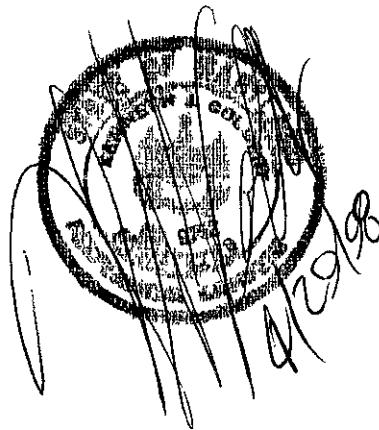


ZONING DESCRIPTION RUSSELL TOYOTA 6700 BALTIMORE NATIONAL PIKE

BEGINNING AT A POINT ON THE NORTHERN SIDE OF BALTIMORE NATIONAL PIKE, U.S. ROUTE 40 (150 FOOT RIGHT OF WAY), SAID POINT BEING 190 FEET, MORE OR LESS, WESTERLY OF NUWOOD DRIVE; THENCE BINDING ALONG SAID NORTH SIDE OF BALTIMORE NATIONAL PIKE BY A CURVE TO THE RIGHT, HAVING A RADIUS OF 7564.44 FEET, AN ARC LENGTH OF 394.53 FEET; THENCE NORTH 48 DEGREES 12 MINUTES 04 SECONDS WEST 196.66 FEET; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING NORTH 19 DEGREES 16 MINUTES 20 SECONDS EAST 424.25 FEET; THENCE SOUTH 38 DEGREES 30 MINUTES 50 SECONDS EAST 258.48 FEET; THENCE SOUTH 61 DEGREES 22 MINUTES 30 SECONDS EAST 329.52 FEET; THENCE SOUTH 18 DEGREES 30 MINUTES 20 SECONDS WEST 449.87 FEET TO THE POINT OF BEGINNING.

CONTAINING 223,520 SQUARE FEET OR 5.1 ACRES OF LAND, MORE OR LESS.

J:\98052DES.DOC, 1



441

98-441-SPH

BALTIMORE COUNTY, MARYL
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Item #41
No. 5742

DATE 5-15-98 ACCOUNT R-001-6250

AMOUNT \$ 250.00

RECEIVED FROM: Des Pither PA

FOR: Pet. for Special Hearing Filing Fee
Russell Toyota, 6700 Balto, Nt'l, D.K.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROCESS ACTED THE
5/08/1998 5/18/1998 14:40:58
REC WFO2 CASHIER JRDJ JMR JMMER
5 MISCELLANEOUS DASH RECEIPT
RECEIPT # 045073
CR.MI. 053W2
0714

350.00 QED
BALTIMORE COUNTY, MARYLAND

98441-SPH
CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commissioners 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 #98-447-SPH

6700 Baltimore National Pike
N/S Baltimore National Pike,
1907 W of Nimrod Drive

1st Election District
1st Courthouse District

Legal Owner(s):

Russell Motor Cars, Inc.

Special Hearing to approve
an amendment to the site plan
approved in case #92-253-A.

Hearing: Thursday, July 2,
1998 at 9:30 a.m., in Room

407, County Courts Bldg.,
401 Bostley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible, for
special accommodations
Please Call (410) 867-3353.

(2) For information concern-
ing the file and/or hearing,
Please Call (410) 867-3391.

6/3/98 June 18 2237396

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/18/, 1998

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 6/18/, 1998.

THE JEFFERSONIAN,

A. H. Enidson
LEGAL AD. - TOWSON

CERTIFICATE OF POSTING

**RE: Case # 98-441-SPH
Petitioner/Developer:
(Russel Motor Cars Inc.)
Date of Hearing/~~Closing~~:
(July 2, 1998)**

**Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

**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 _____
6700 Baltimore National Pike Baltimore, Maryland 21228 _____**

**The sign(s) were posted on _____ June 16, 1998 _____
(Month, Day, Year)**

Sincerely,

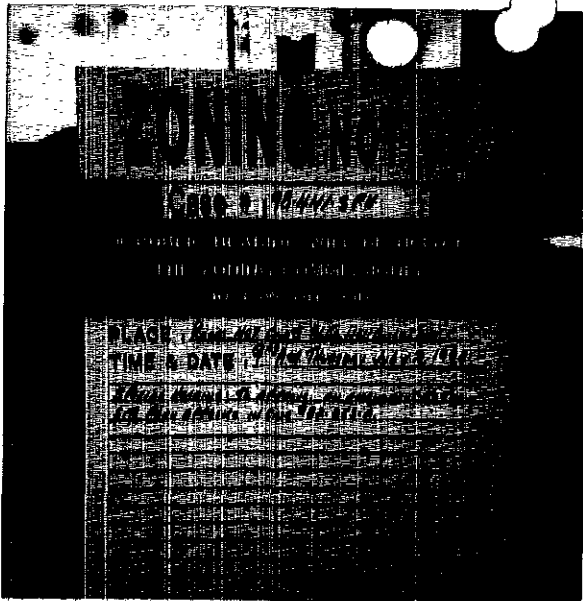

(Signature of Sign Poster & Date)

_____**Thomas P. Ogle, Sr.**_____

_____**325 Nicholson Road**_____

_____**Baltimore, Maryland 21221**_____

_____**(410)-687-8405**_____
(Telephone Number)



RE: PETITION FOR SPECIAL HEARING
6700 Baltimore National Pike, N/S Baltimore
National Pike, 190' W of Nuwood Drive, 1st Election
District, 1st Councilmanic

Legal Owners: Russel Motor Cars, Inc.

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY

Petitioner(s)

* Case Number: 98-441-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of June, 1998, a copy of the foregoing Entry of Appearance was mailed to Leslie M. Pittler Esq., , 29 W. Susquehanna Avenue, Suite 610, Towson, MD 21204, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

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 petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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:

Item Number or Case Number: 98-441-SPH

Petitioner: Russell Motor Cars, Inc.

Address or Location: 6700 Baltimore National Pike

PLEASE FORWARD ADVERTISING BILL TO:

Name: Leslie M. Pitter, Esq.

Address: 29 W. Susquehanna Ave., Suite 610
Towson, Md. 21204

Telephone Number: (410) 823-4455



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 8, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner 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: 98-441-SPH
6700 Baltimore National Pike
N/S Baltimore National Pike, 190' W of Nuwood Drive
1st Election District - 1st Councilmanic District
Legal Owner: Russel Motor Cars, Inc.

Special Hearing to approve an amendment to the site plan approved in case #82-253-A.

HEARING: Thursday, July 2, 1998 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: Leslie M. Pittler, Esquire
Russel Motor Cars, Inc.

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 17, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
June 17, 1998 Issue - Jeffersonian

Please forward billing to:

Leslie M. Pittler, Esquire 410-823-4455
29 W. Susquehanna Avenue
Suite 610
Towson, MD 21204

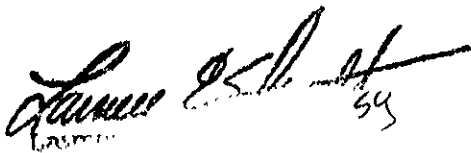
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401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", with a stylized flourish at the end.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS
PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-
887-3391.

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-441-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: A special hearing to the site plan
approved in case # 82-253-A.

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

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

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 23, 1998

Leslie M. Pittler, Esq.
29 W. Susquehanna Avenue, Suite 610
Towson, MD 21204

RE: Item No.: 441
Case No.: 98-441-SPH
Petitioner: Russel Motor
Cars, Inc.
Location: 6700 Baltimore
National Pike

Dear Mr. Pittler:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 15, 1998.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Gwendolyn Stephens in the zoning office (410-887-3391).

Sincerely,

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

W. Carl Richards, Jr.
Zoning Supervisor

WCR:ggs
Attachment(s)



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

FROM: R. Bruce Seeley.
Permits and Development Review
DEPRM

DATE: 6/15/98

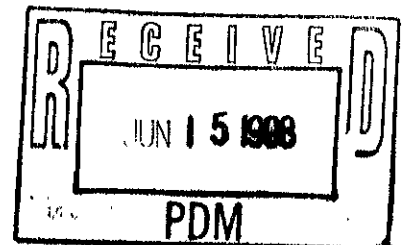
SUBJECT: Zoning Advisory Committee
Meeting Date: June 8

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:	441	453
	442	455
	443	457
	445	458
	450	459
	452	462

RBS:sp

BRUCE2/DEPRM/TXTS8P





Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

June 12, 1998

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: Russel Motors Cars, Inc.

Location: DISTRIBUTION MEETING OF June 8, 1998

Item No.: 441 Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 6.15.94
Item No. 441 JJS

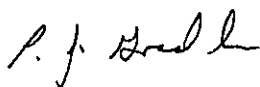
Dear Ms. Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,


Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

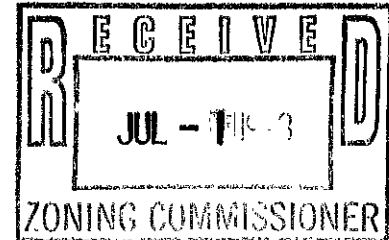
DATE: July 1, 1998

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 6700 Baltimore National Pike

INFORMATION:

Item Number: 441
Petitioner: Russell Motor Cars, Inc.
Zoning: BR
Requested Action: Special Hearing
Hearing Date: July 2, 1998, 9:00 am



The project proposal at 6700 Baltimore National Pike, known as Russell Motor Cars, involves a major redevelopment of the site. There is an existing auto body shop and the proposal would add a 30 bay service garage, office and showroom for a total of 38,376 square feet. The Petition for Special Hearing is requested to amend the previously approved site plan, with other issues to be addressed at the hearing. A Limited Exemption DRC # 04278A, was requested pursuant to Section 26-171 (a) (7) of the Baltimore County Development Regulations and was tabled pending the outcome of this hearing.

SUMMARY OF RECOMMENDATIONS:

The property in question is located along the Baltimore National Pike commercial corridor. Revitalization/redevelopment of the site is consistent with the Baltimore County Master Plan 1989-2000 provided the following comments are addressed. It is recommended that they be incorporated in the order as conditions:

1. A landscape plan should be submitted for review to the Office of Planning prior to the issuance of building permits.
2. No rack storage.
3. A sign detail should be provided for any new freestanding signs.

Section Chief:

AFK:JL:DI:lsu

A handwritten signature in cursive script, reading "Jeffrey W. Long", written over a horizontal line.

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: June 23, 1998

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for June 15, 1998
 Item No. 441

The Development Plans Review Division has reviewed the subject zoning item. A schematic landscape plan must be submitted.

RWB:HJO:jrb

cc: File

ZONE0615.441

LESLIE M. PITTLER
ATTORNEY-AT-LAW
SUITE 610
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
410-823-4455, 410-583-2437 FACSIMILE

May 1, 1998

Mr. Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Russel Toyota, Baltimore National Pike; Opinion Letter

Dear Mr. Jablon:

Please be advised that I am writing this letter on behalf of Mr. F. Steven Russel the President of Russel Motor Cars, Inc. the company that operates Russel Toyota on Baltimore National Pike. The company is remodeling its current building and changing the shape of same as well as modifying the size. I am enclosing a red-lined plan depicting the modified structure from the approved plan of 1982.

As further background information the existing building that is to be revised constitutes 25,326 square feet. The total area of the existing buildings is 33,300 square feet. Once the configuration of the building is changed and added to, the proposed building would be 35,136 square feet on the first floor plus second floor offices 5,760 square feet for a total building area of 40,896 square feet. This is only a total increase of 7,596 square feet or twenty-three percent (23%) from what consists of the current building and what was approved in 1982. It should also be noted that the increase in actual building footprint is only 1,836 square feet or five percent (5%).

We wish to raise four (4) questions which we would request answers from the Department to facilitate our moving forward in the processing of the modifications of the buildings on this site:

One: EXTENSION OF THE SIDE YARD VARIANCE

In Case No. 82-253A, the Zoning Commissioner granted a side yard variance from the required 30 feet to 16 feet. The proposed building expansion would be in effect only an extension of the current building and in reality create less of a variance by diverging from the other property line. The question is, can the property owner use the previously granted variance for the extended portion of the building?

Two: WHAT IS THE FRONT OF THE BUILDING

On the approved plan in front of you, it seems as if the east side of the building was the front of the building. The approval of the 25 foot set-back on the 1982 plan and the word "entrance" verifies this interpretation. This is further proven by the fact that the approved sideyard setback variances in this case were evidenced on this plan. The revised and remodeled building will maintain the same orientation. The entrance to the new "retail part" sales counter will be on the east side of the service building that is staying in existence and will be in approximately the same location as the existing entrance to the building. The main customer entrance to the revised service facility and showroom will also be on the east side of the building.

Thus, we wish you to confirm that in fact the east side is the front yard and therefore no further variances are required for this plan.

Third: FRONT YARD VEHICLE STORAGE

Assuming that the front yard is the east side of the property, would the vehicle storage set-back requirement be applicable, or would this be considered the side yard even though adjacent to Baltimore National Pike? This site has a unique topographic configuration, the elevation adjacent to Baltimore National Pike is more than 20 feet above the elevation of the roadway, thus negating it as frontage. Does the Department agree with this interpretation?

Four: SIGNAGE

The current building has a wall mounted sign in conformance with the regulations in effect at the time it was put on the existing building. The owner wishes to take the identical sign and move it to the newly remodeled building. It is our opinion that being the case the newly enacted sign regulations do not apply, the sign being a non-conforming use due to its prior existence and not being enlarged as well as the minor increase in the actual building footprint being only 5%. Does the Department agree that Russel can in fact, under these circumstances have a wall mounted sign?

I am enclosing a check for \$40.00 covering the cost for this opinion letter.

Sincerely,

Leslie M. Pittler

cc: Mr. Rob Hanna
Mr. Ken Colbert
Mr. S. Steven Russel
Mr. Aaron Margolis, Esq.

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: May 15, 1998

TO: Zoning Commissioner/Deputy Zoning Commissioner

FROM: John J. Sullivan, Jr.
Planner II
Zoning Review, PDM

SUBJECT: Item #441
6700 Baltimore National Pike

Per the project engineer, Ken Colbert, the "proposed service addition (30 bays) building" is connected to the "proposed service reception/offices" building by way of the 35-foot wide area labeled "service write-up lane".

JJS:scj



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 21, 1998

Leslie M. Pittler, Esquire
29 W. Susquehanna Avenue, Suite 610
Towson, MD 21204

RE: Zoning Verification
6700 Baltimore National Pike
Russell Toyota
Zoning Case #82-253-A
1st Election District

Dear Mr. Pittler:

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. Per your letter and submitted red-lined site plan, the existing building that is to be revised contains 25,326 square feet and the total area of the existing building is 33,300 square feet. Once the configuration of the building is changed and added to the proposed building, it would contain 35,136 square feet on the first floor, plus 5,760 square feet of general office use on the second floor for a total building area of 40,896 square feet. This would be an increase of 7,596 square feet, 23% from that which was approved by zoning case #82-253-A. The proposed increase in actual building footprint is 1,836 square feet (5%).

Your letter requests written responses to four (4) questions: (1) Can the property owner use the previously granted side yard variance (allowing 16 feet in lieu of the required 30 feet) for the proposed extension of the building? No, a hearing will be required for the proposed building extension. (2) On the approved prior hearing plan, the east side of the building was the "front" as verified by approval of the 25 foot setback and the word "entrance". This is further verified by the fact that the approved side yard setback variances were evidenced on the plan. The revised and remodeled building will retain the same orientation. The entrance to the new "retail part" sales counter will be on the east side of the service building that is to remain and will be in approximately the same location as the existing building entrance. The main customer entrance to the revised service facility and showroom will also be on the east side of the building. As such, this office confirms that the east side is the front yard and, therefore, no further variances are required for that setback. (3) Since the east side is considered the front of the property, the vehicle storage setback requirement is applicable to that orientation. Since "display" parking spaces existed in the area to the south, even though it abuts Baltimore National Pike, this office will allow this parking to continue. (4) This office agrees that moving of the existing attached wall mounted sign to the newly remodeled building would not violate the Baltimore County Zoning Regulations.



Leslie M. Pittler, Esquire
May 21, 1998
Page 2

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,



John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:rye

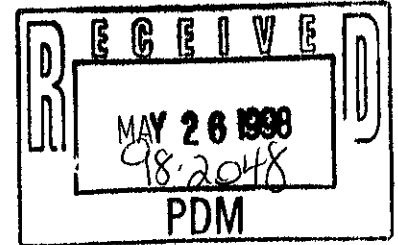
Enclosure

LESLIE M. PITTLER
ATTORNEY-AT-LAW
SUITE 610
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 823-4455

5/26/98
cf
to work
if possible, ok

FACSIMILE
(410) 583-2437

May 25, 1998



Arnold Jablon
Director
Department of Permits and Development Management
Baltimore County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204

RE: Expedited Hearing, Item Number 441, Special Hearing For Russel Toyota

Dear Mr. Jablon:

In regard to the above-captioned, most of the issues for this hearing have been resolved as a result of a Spirit and Intent Letter issued by your Department. However we will have to go forward with the hearing in order to determine the question of the extension of the variance which Russel Toyota has requested. The hearing, thus should be very short in duration.

I have asked that should a cancellation of a previously scheduled hearing arise, whether it would be possible, providing time for advertising can be met, to have our hearing placed into that time slot.

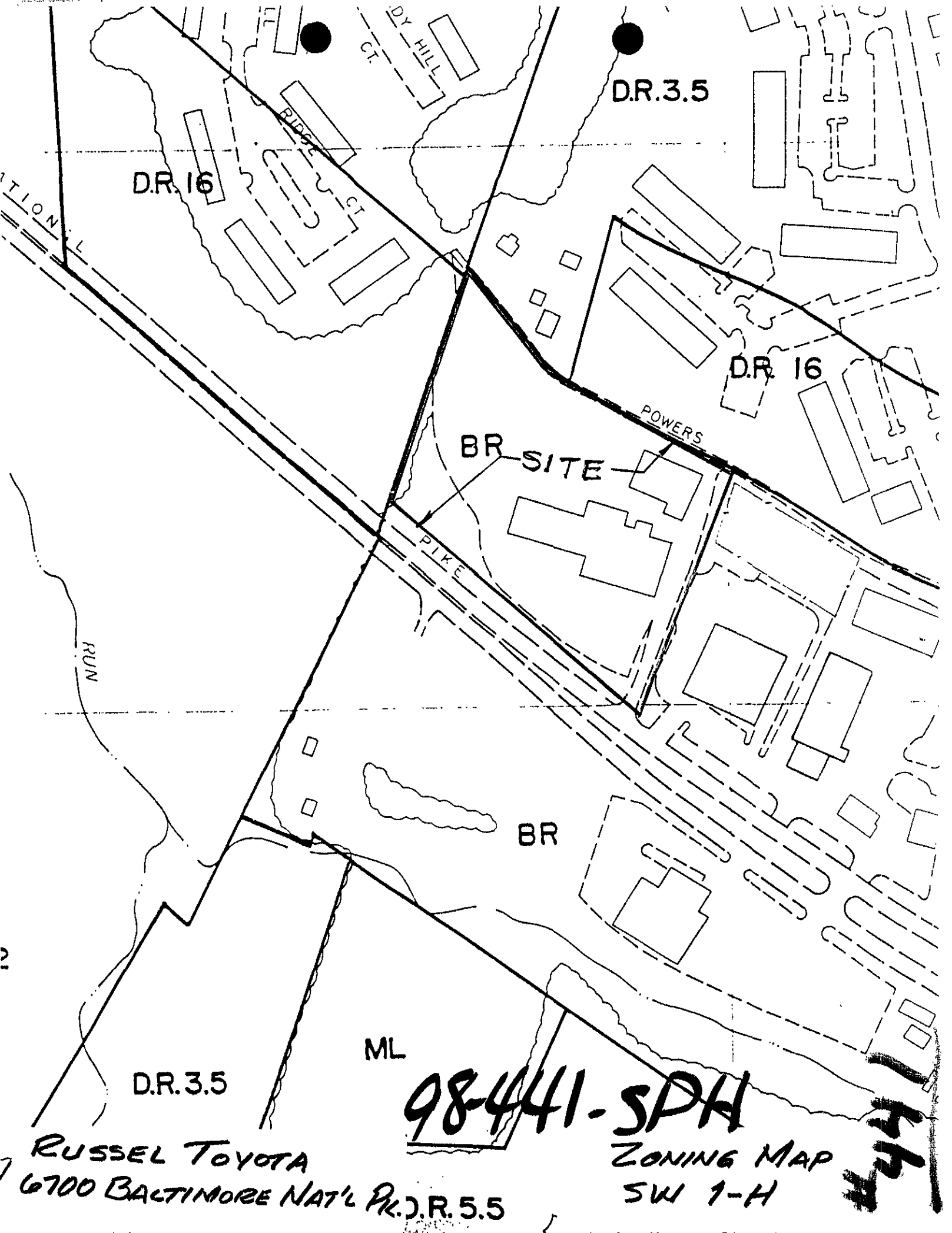
Your consideration for this request is appreciated, in that, it is essential for Russel Toyota to meet certain time frames for the work being performed at their site on Baltimore National Pike.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Leslie M. Pittler".

Leslie M. Pittler

98-441-SPH



DR. 3.5

DR. 16

DR. 16

BR SITE

POWERS

PIKE

BR

ML

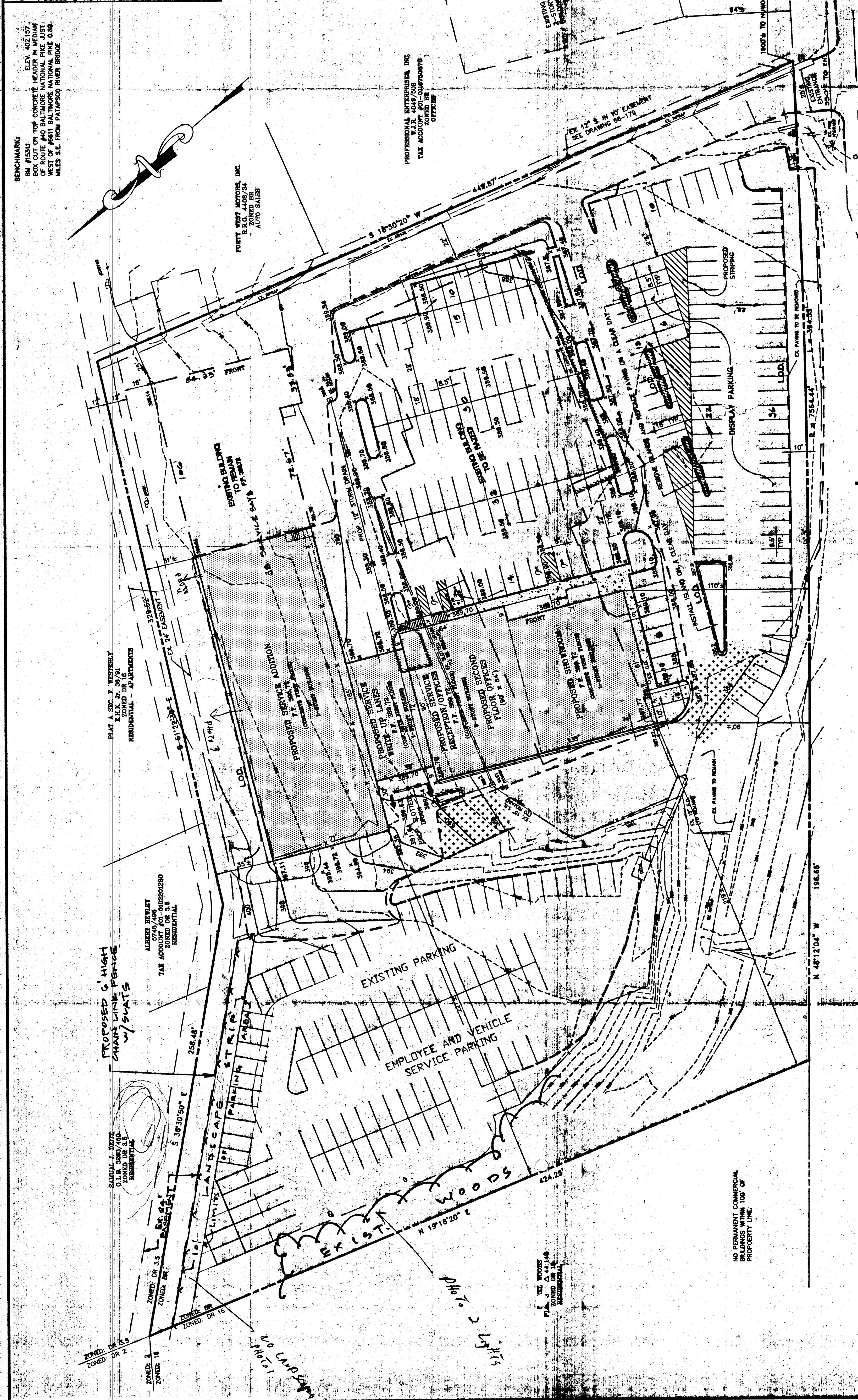
DR. 3.5

98441-SPH

ZONING MAP
SW 1-H

RUSSEL TOYOTA
6700 BALTIMORE NAT'L PK. DR. 5.5

144



1. OWNER: EDWARDS, RUSSEL WOODIE CARLS INC.
6700 BALTIMORE NATIONAL PINE
BALTIMORE, MARYLAND 21228
(410) 748-4400
2. ELECTION DISTRICT: 1st
COUNTY: HANCOCK
GENUS TRACT: 4015.04
3. TRACT AREA: 5.52 Acre (Round) 5.12 Acre
4. EXISTING ZONING: B31
5. DEED REFERENCE: 5314/567
6. TAX ACCOUNT NUMBER: 01-1000000664
7. EXISTING USE: AUTOMOBILE SALES & SERVICE
8. PROPOSED USE: AUTOMOBILE SALES & SERVICE
9. TOTAL DISTURBED AREA = 707,446 S.F. OR 16.16 AC.
10. EARTHWORK
TOTAL CUT: 1300 C. Y.
TOTAL FILL: 1750 C. Y.
11. PARKING TABULATION
1st FLOOR ADMIN. OFFICES = 11,551 S.F. @ 5.5/1000
2nd FLOOR ADMIN. OFFICES = 5,740 S.F. @ 5.5/1000
TOTAL FLOOR ADMIN. OFFICES = 17,291 S.F. @ 5.5/1000
AUTOMOBILE SERVICES = 23,242 S.F. @ 3.3/1000
TOTAL PARKING REQUIRED = 40,533 S.F. @ 3.3/1000
TOTAL PARKING PROVIDED = 40,533 S.F. @ 3.3/1000
12. EXISTING WATER AND SEWER SERVICE IS PUBLIC
WASTEWATER, THE EXISTING WATER AND SEWER
SERVICES ARE MAINTAINED AND WILLING THE LATER
CONSTRUCTION OF THE PROPOSED PROJECT.
13. STORMWATER MANAGEMENT WATER GRANTED OR
FOR THE ADDITIONAL SPACE AND PROPOSED AS PART
OF THE PROJECT. THE PROPOSED PROJECT WILL
SERVAGE SHALL COMPLY WITH SECTION 436
OF THE MARYLAND DEPARTMENT OF THE ENVIRONMENT
AND CLIMATE CONTROL REGULATIONS.
14. THE PROJECT DOES NOT LIE WITHIN A FLOODPLAIN
OR A FLOOD HAZARD ZONE.
15. THE PROJECT DOES NOT LIE WITHIN A FLOODPLAIN
OR A FLOOD HAZARD ZONE.
16. FLOOR AREA RATIO: ALLOWED 2.0
PROPOSED 0.14
17. PREVIOUS PERMIT:
HISTORY OF PREVIOUS PERMIT ACTIVITY NOT AL
FOR THE PROJECT. THE PROJECT IS BEING
AND SERVICE BUILDING CONSTRUCTED PRIOR TO
THE PROJECT.
18. ZONING VARIANCE:
CASE NO. 12-25334 - VARIANCE TO PERMIT A
LIEU OF THE REQUIRED 30' AND TO PERMIT 44'
IN LIEU OF THE REQUIRED 60'. CONSTRUCTION
CASE NO. 82-23084 - FOR CONSTRUCTION OF
RECORD OF THIS CASE WAS ISSUED FROM COM
WHEN REAPPEARED 1/14/16. THIS CASE WAS
A-7 LIMITED EXEMPTION GRANTED 7/16/16 FOR DE

#6700 BALTIMORE NATIONAL PIKE

1st ELECTION DISTRICT
1st COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Colbert Matz, Rosenfeld, Inc.

835 Smith Avenue, Suite G
altimore, Maryland 21209

Telephone: (410) 653-3838
Facsimile: (410) 653-7953

SCALE	
-------	--

DATE:	
JOB NO.:	
REVISION:	

DESIGNED	
DRAWN	
CHECKED	

FILE:	
DRAWING:	
NUMBER:	

resublation	SLD	NUMBER
	DAH	

BY SHEET

Respondent's

DREXEL WOODS
 PLAT 3, 44148
 ZONED DR - 16

SAUL D. DELTZ
 PLAT 8, 42871-460
 ZONED DR - 25

ALBERT BEWLEY
 5748 - 496
 ZONED DR - 3.5

PLAT 24, SEC. 7
 5748 - 5691
 ZONED DR 16

24' WIDE AS REFERRED IN THE
 DEED E.H.K. JR. 5314-367

PROPOSED SERVICE ADDITION
 ON PAYS

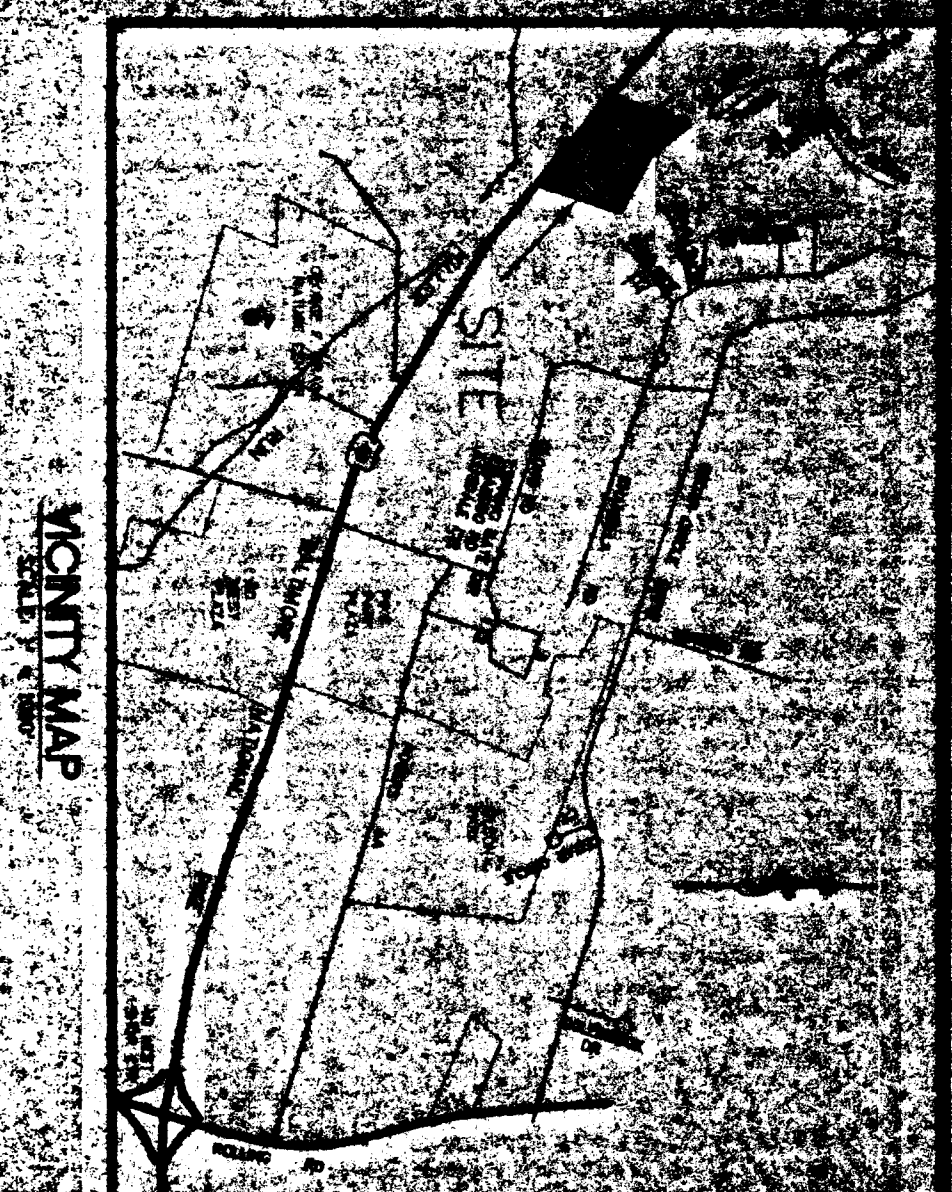
EXIST. AUTO BODY SHOP
 14 BAYS
 2 BAYS
 2 BAYS

FORTY WEST WOODS, INC.
 R.R.G. 440834
 ZONED B.R.

PROFESSIONAL ENGINEERS, INC.
 V.A.S. 4409-508
 ZONED B.R.

EX. 12 IN. 10' EASEMENT
 SEE MAP AND 85-778.3

WEST
 BOUND
 US NATIONAL
 ROUTE 40
 150' R/W



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PLAN TO ACCOMPANY ZONING HEARING
RUSSEL TOYOTA
 8700 BALTIMORE NATIONAL PIKE
 BALTIMORE COUNTY, MARYLAND

Robert Katz Forested, Inc.
 Engineering & Planning
 2025 South Ashland, Suite 200
 Baltimore, Maryland 21202
 Telephone: (410) 633-1400
 Facsimile: (410) 633-1905

98-041-SPH

SCALE: 1" = 30'

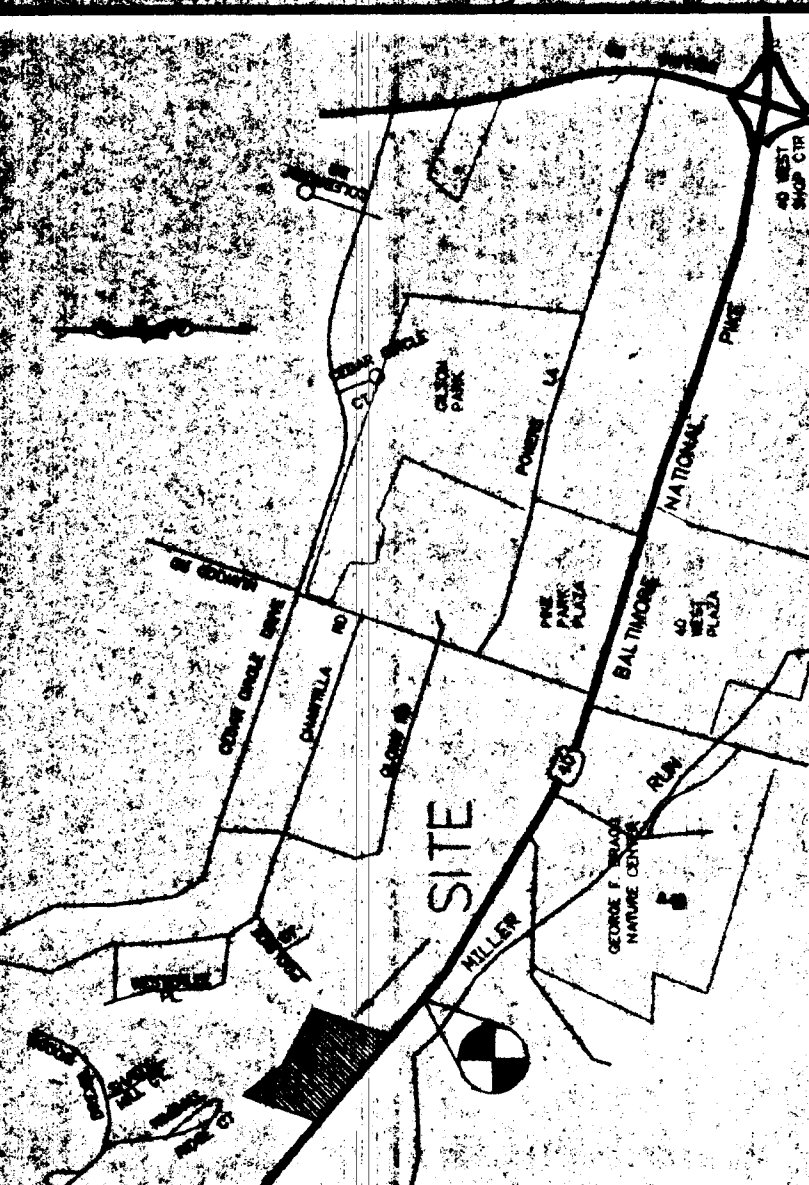
DATE: 10/1/88

BY: [Signature]

CHECKED: [Signature]

APPROVED: [Signature]

PETITIONER'S #1



VICINITY MAP
SCALE 1" = 100'

SITE PLAN GENERAL NOTES

1. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND TO COMPLY WITH ALL APPLICABLE REGULATIONS AND ORDINANCES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND TO COMPLY WITH ALL APPLICABLE REGULATIONS AND ORDINANCES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND TO COMPLY WITH ALL APPLICABLE REGULATIONS AND ORDINANCES.
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DRG 8427A
A REQUEST FOR AN AT7 WAS MAILED REPOSED 2008 10/08

SITE PLAN

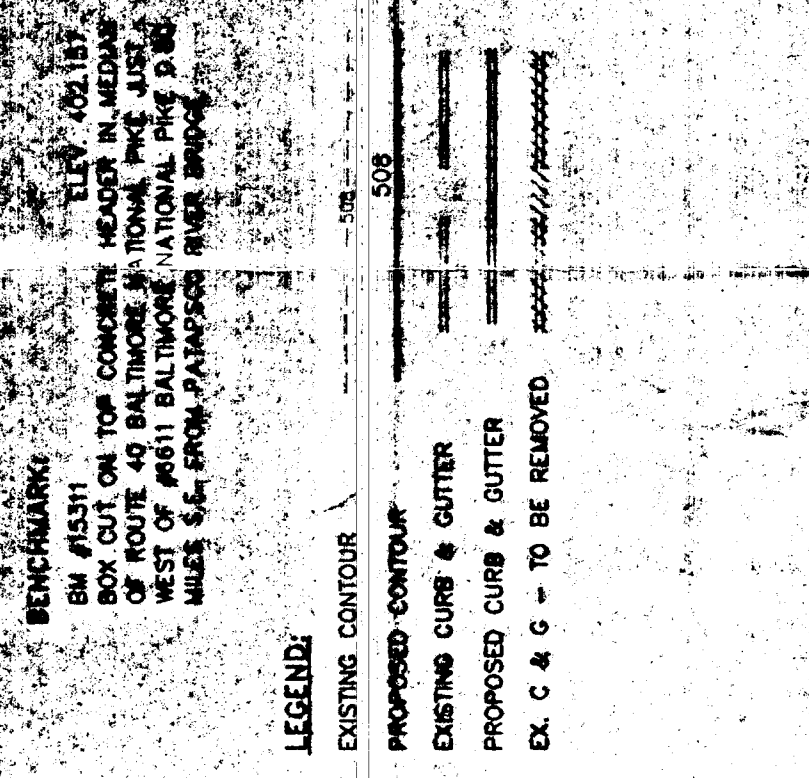
RUSSEL TOYOTA
#6700 BALTIMORE NATIONAL PIKE

1st ELECTION DISTRICT
1st COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Cabot Matz Rosenfeld, Inc.

Engineer/Architect/Planner
10000 Old Annapolis Road, Suite 100
Annapolis, Maryland 21406
Phone: (410) 853-1500
Fax: (410) 853-1505
E-mail: info@cmrinc.com

NO.	DATE	DESCRIPTION
1	10/08/08	PRELIMINARY
2	10/08/08	REVISED
3	10/08/08	REVISED
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LEGEND



PROPOSED CURB & GUTTER
EXISTING CURB & GUTTER
EX. C & G - TO BE REMOVED

PROPOSED CURB & GUTTER
EXISTING CURB & GUTTER
EX. C & G - TO BE REMOVED

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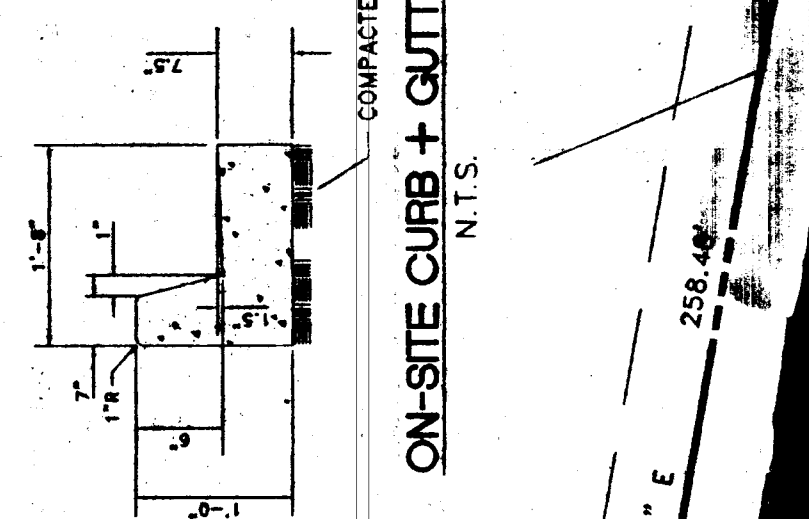
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PROPOSED CURB & GUTTER
EXISTING CURB & GUTTER
EX. C & G - TO BE REMOVED



ON-SITE CURB & GUTTER
N.T.S.



CONCRETE SIDEWALK DETAIL
N.T.S.

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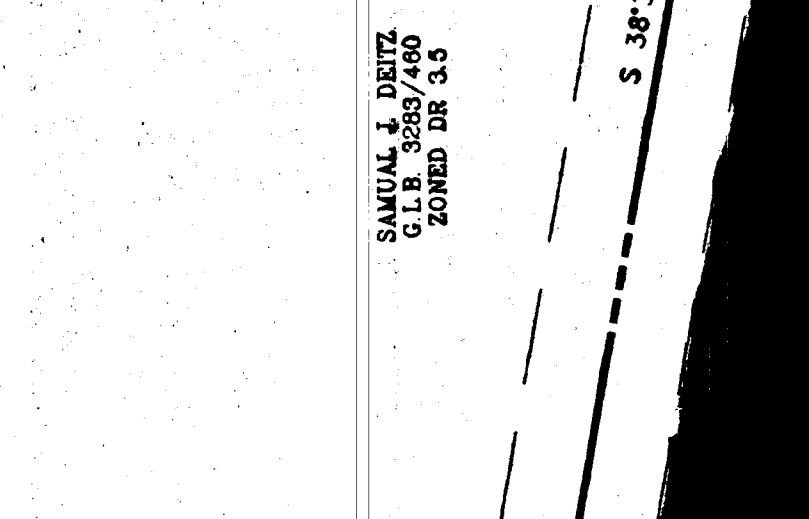
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CONCRETE SIDEWALK DETAIL
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CONCRETE SIDEWALK DETAIL
N.T.S.



CONCRETE TRASH PAD
N.T.S.



SIDEWALK WITH CURB DETAIL
N.T.S.

SIDEWALK WITH CURB DETAIL
N.T.S.

SIDEWALK WITH CURB DETAIL
N.T.S.

SIDEWALK WITH CURB DETAIL
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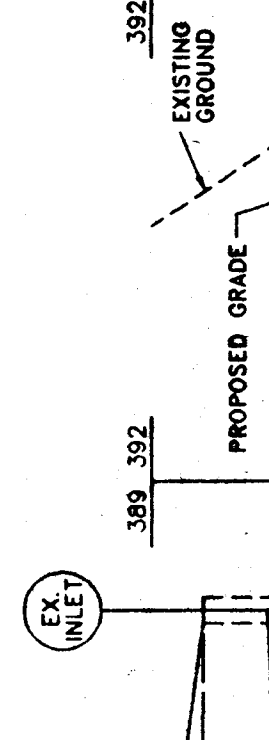
SIDEWALK WITH CURB DETAIL
N.T.S.

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N.T.S.

SIDEWALK WITH CURB DETAIL
N.T.S.

SIDEWALK WITH CURB DETAIL
N.T.S.

BALTIMORE NATIONAL PIKE
U.S. ROUTE 40
150' R/W



PROFILE
SCALE: 1" = 10'

PROFILE
SCALE: 1" = 10'

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