

IN RE: PETITIONS FOR SPECIAL,
EXCEPTION AND HEARING
W/S York Road, 1640' NW
of Industry Lane
8th Election District
3rd Councilmanic District
(10260 York Road, Lot 1)
and
(10240 York Road, Lot 2)

Frankel Cadillac Land Rover
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NOS. 01-288-SPHX and
01-289-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

These matters come before this Deputy Zoning Commissioner for consideration of combined Petitions for a Special Hearing and a Special Exception filed by the legal owner of the two adjacent properties, Frankel Cadillac Land Rover, which petitions were filed by Robert A. Hoffman, attorney at law, representing the owner of the property. In Case No. 01-288-SPHX, the Petitioner is requesting a special exception to permit a service garage in a ML zone, pursuant to Section 253.2.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.). That special exception relief involves property with a street address of 10260 York Road (Lot 1). In Case No. 01-289-SPH, the Petitioner is requesting a special hearing to amend the previously approved site plan which was approved in Case No. 99-350-SPHA. That case involves property located at 10240 York Road (Lot 2). Both properties are adjacent to one another and are owned by the same owner. The relief requested and the improvements to be made to the properties are more particularly shown on the site plans which were submitted into evidence in each respective case.

Appearing at the public hearing concerning these requests were Robert Giroux, Executive Vice-President of Frankel Automotive Group, Dean Hoover, professional engineer with Morris & Ritchie Associates, Inc., the engineering firm who prepared the site plans of the property and

ORDER RECEIVED FOR FILING

Date 3/15/01

By R. J. [Signature]

David Karceski, attorney at law, appearing on behalf of Robert A. Hoffman. There were no others in attendance.

Testimony and evidence indicated that the properties, which are the subject of these hearing requests, came before Zoning Commissioner Schmidt in Case Nos. 99-349-SPHXA and 99-350-SPHA. Commissioner Schmidt approved the relief requested in those cases to allow the Petitioner, Frankel Cadillac Land Rover to develop the properties as they exist today. The marketing plans of Frankel Cadillac Land Rover have been amended and the Petitioner wishes to alter the development of the two lots in accordance with the site plans that were filed in these cases before me. In short, the Petitioner proposes to replace the used car dealership that is currently operating on Lot 1 with a proposed new Land Rover dealership. The details of this modification are shown on the site plan submitted into evidence. On Lot 2, the Petitioner proposes to remove the existing sales trailer on that lot and replace it with a 5,512 sq. ft. addition which is to be constructed and attached to the existing automobile dealership on Lot 2. The details of those modifications are shown on the site plan submitted into evidence. In order to proceed with the modifications to this automobile sales facility, the special hearing relief is necessary to approve the modifications and the special exception request to allow a service garage on properties zoned ML-IM for Lot 1 is also necessary.

As to the special hearing relief, I find that the Petitioner's request to modify the previously approved site plans should be granted. After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this

3/15/01
R. Karceski

particular parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

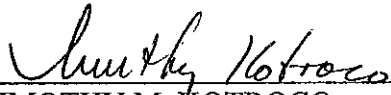
As to the special exception request to allow a service garage use on property zoned ML-IM, I find that the Petitioner's request should also be granted. The testimony and evidence demonstrated that the Petitioner not only has satisfied the requirements of Section 502.1 of the B.C.Z.R., but also Section 253.2.B.3. Therefore, the special exception shall be approved.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of March, 2001, that the special hearing relief to amend the previously approved site plan in Case No. 99-349-SPHXA for property located at 10260 York Road (Lot 1), be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the special exception to permit a service garage in the ML-IM zone, pursuant to Section 253.2.B.3 of the B.C.Z.R., for property located at 10260 York Road (Lot 1), be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the special hearing relief to amend the previously approved site plan in Case No. 99-350-SPHA, for property located at 10240 York Road (Lot 2), be and is hereby APPROVED.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

DATE FOR FILING
9/15/01
R. O. Jones



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

March 15, 2001

Robert A. Hoffman, Esquire
David Karceski, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

RE: Petitions for Special Exception & Hearing
Case No. 01-288-SPHX & 01-289-SPH
Property: 10240 & 10260 York Road

Dear Messrs. Hoffman & Karceski:

Enclosed please find the decision rendered in the above-captioned cases. The Petitions for Special Exception and Special Hearing have been granted in accordance with the enclosed 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 from the date of the Order to the Office of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Richard L. Giroux, Executive Vice-President
Frankel Cadillac Land Rover
201 Reisterstown Road
Baltimore, MD 21208

Dean Hoover, P.E.
Morris & Ritchie Associates, Inc.
110 West Road
Towson, MD 21204



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 10260 York Road (Lot 1)

which is presently zoned ML-IM/BR

This Petition shall be filed with the Department of Permits and 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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

SEE ATTACHED

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, 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.

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.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Robert A. Hoffman
Name - Type or Print _____
Signature _____
Venable, Baetjer and Howard, LLP
Company _____
210 Allegheny Avenue (410) 494-6200
Address _____ Telephone No. _____
Towson, MD 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

Frankel Cadillac Land Rover

Name - Type or Print _____
By: _____
Signature Robert L. Giroux, Executive V-P
Frankel Automotive
Name - Type or Print _____ Group
Signature _____
201 Reisterstown Road (410) 484-8800
Address _____ Telephone No. _____
Baltimore, MD 21208
City _____ State _____ Zip Code _____

Representative to be Contacted:

Robert A. Hoffman
Name _____
210 Allegheny Avenue (410) 494-6200
Address _____ Telephone No. _____
Towson, MD 21204
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 1/22/01

Case No. 01-288-SPHX

RECEIVED 09/15/98

ORDER RECEIVED FOR FILING

Date 3/15/01

By

10250 York Road (Lot 1)

Special Exception to permit a service garage in the ML-IM zone pursuant to Section 253.2.B.3 of the Baltimore County Zoning Regulations.

TO1DOCS1/erl01/#111232 v1

01-288-SPHx

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Zoning Description

BEGINNING at a point designated as no. 42 on a plat entitled "Partial Amendment of Resubdivision Plat of Amended Subdivision of AAI Corporation" recorded among the Land Records of Baltimore County Maryland in Plat Book Liber S.M. 70 folio 43 said point being located 800 feet more or less southeasterly from the intersection of the centerline of York Road (variable width) and Warren Road (variable width), thence the following courses and distances:

South 71° 31' 55" West 75.00 feet 180.38 feet along the arc of a non-tangential curve to the left having a radius of 170.00 feet, South 71° 31' 72" West 33.29 feet, North 44° 00' 00" West 74.24 feet, North 18° 28' 05" West 99.00 feet, South 71° 31' 12" West 9.00 feet, North 18° 28' 05" West 18.00 feet, North 71° 31' 12" East 79.81 feet, South 18° 19' 44" East 117.19 feet, North 71° 40' 16" East 10.00 feet, North 44° 43' 19" East 142.47 feet, North 71° 31' 55" East 67.00 feet, North 18° 28' 05" West 18.00 feet, North 71° 31' 55" East 17.00 feet, South 18° 28' 05" East 59.00 feet, South 26° 31' 55" West 4.24 feet to the point of beginning.

Containing 0.475 acres of land more or less.

BEING Part of Lot 1 of a plat entitled "Partial Amendment of Resubdivision Plat of Amended Subdivision of AAI Corporation" recorded among the Land Records of Baltimore County, Maryland in Liber S.M. 70, folio 43




Robert D. Capalongo, RLA
Licensed Landscape Architect #3037

GSP:mak's\9600.03\zoningdes1\011901

01-288-SPHX

- ☐ 3445-A BOX HILL CORPORATE CENTER DRIVE, ABINGDON, MD 21009
- ☒ 110 WEST ROAD, SUITE 245, TOWSON, MARYLAND 21204
- ☐ 9090 JUNCTION DRIVE, SUITE 9, ANNAPOLIS JUNCTION, MD 20701

- 410-515-9000 ■ FAX 410-515-9002
- 410-821-1690 ■ FAX 410-821-1748
- 410-792-9792 ■ FAX 410-792-7395

01-288-SPHX

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Zoning Description

BEGINNING at the point on the west side of York Road (MD RTE 45) variable width, which is located 660 feet, more or less, southeasterly from the intersection of the centerline of York Road with the centerline of Warren Road, variable width, thence the following courses and distances:

South 18° 28' 05" East 82.00 feet, South 26° 31' 55" West 35.36 feet, South 71° 31' 55" West 75.00 feet, 267.04 feet along the arc of a tangential curve to the left having a radius of 170.00 feet, 40.70 feet along the tangential curve to the right having a radius of 77.00 feet, South 71° 31' 55" West, 96.17 feet, North 18° 28' 05" West 315.75 feet, North 71° 31' 12" East 376.68 feet to the point of beginning.

Containing 1.569 acres more or less.

BEING Lot 1 of a plat entitled "Partial Amendment of Resubdivision Plat of Amended Subdivision of AAI Corporation" recorded among the Land Records of Baltimore County, Maryland in Plat Book Liber S.M. 70, folio 43.




Robert D. Capalongo, RLA
Licensed Landscape Architect #3037

GSP:mak\s\9600 03\zoningdes\011901

☐ 3445-A BOX HILL CORPORATE CENTER DRIVE, ABINGDON, MD 21009
☒ 110 WEST ROAD, SUITE 245, TOWSON, MARYLAND 21204
☐ 9090 JUNCTION DRIVE, SUITE 9, ANNAPOLIS JUNCTION, MD 20701

■ 410-515-9000 ■ FAX 410-515 9002
■ 410-821-1690 ■ FAX 410-821-1748
■ 410-792-9792 ■ FAX 410-792-7395

01-288-SPHX

BALTIMORE COUNTY, MARY ND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

90651

DATE

1/22/01

ACCOUNT

R-001-6150

AMOUNT

\$ 550.00

RECEIVED
FROM:

Leonor Bartje & Howard, LLP

FOR:

Embel Cadillac Land Rover

01-288-SPHX (260 York Rd - Lot 1)

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

DATE

TIME

1/22/2001

11:22:00

REF 4332 PASSENGER INFO AND INSURANCE

REF 5 528 ZENITH VERIFICATION

REF 11 16832

OR NO. 69065

Print Tot

550.00

550.00

00

Baltimore County, Maryland

01-288-SPHX

CASHIER'S VALIDATION

**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: #01-288-SPHX
10260 York Road (Lot 1)
W/S York Road, 660' SE of
Warren Road.

8th Election District
3rd Councilmanic District
Legal Owner(s): Frankel
Cadillac Land Rover

Special Hearing: to approve an amendment to the site plan previously approved in case number 99-349-SPHXA. Special Exception: to permit a service garage in a M.L.-I.M. zone.

Hearing: Tuesday, March 13, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/2/751 Feb. 27 C453094

CERTIFICATE OF PUBLICATION

TOWSON, MD, 3/1/, 2001

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 2/27/, 2001.

J. Wilkinson
THE JEFFERSONIAN,

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No 01-288-SPHX

Petitioner/Developer FRANKEL, ETAL

% VENABLE

Date of Hearing/Closing 3/13/01

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

Attention: Ms. Gwendolyn Stephens

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 # 10260 YORK RD.

The sign(s) were posted on

2/25/01
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 2/25/01
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE

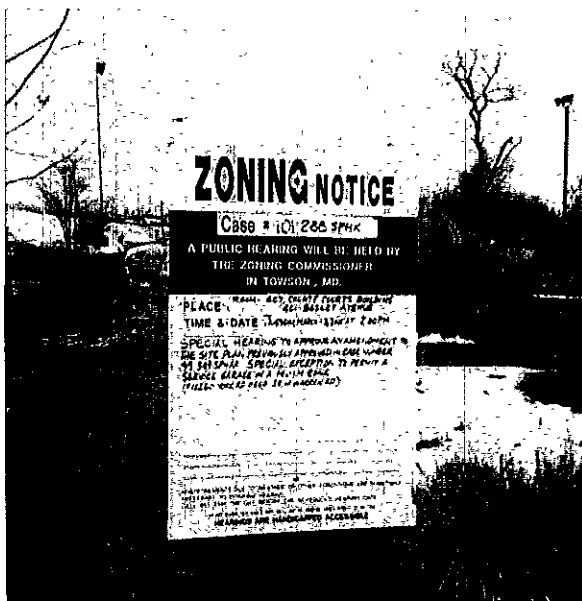
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)



01-288-SPHX

3/13/01

RE: PETITION FOR SPECIAL HEARING
PETITION FOR SPECIAL EXCEPTION
10260 York Road (Lot 1), W/S York Rd,
660' SE of Warren Rd
8th Election District, 3rd Councilmanic

Legal Owner: Frankel Cadillac Land Rover
Petitioner(s)

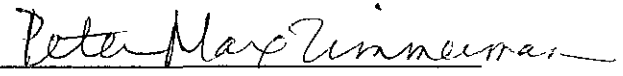
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-288-SPHX

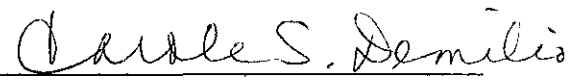
* * * * *

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 or other proceedings in this matter and of the passage of any preliminary or final Order.

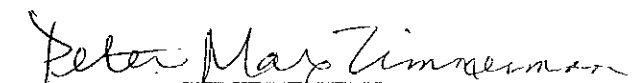
All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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 20th day of February, 2001 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

February 7, 2001

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: 01-288-SPHX
10260 York Road (Lot 1)
W/S York Road, 660' SE of Warren Road
8th Election District – 3rd Councilmanic District
Legal Owner: Frankel Cadillac Land Rover

Special Hearing to approve an amendment to the site plan previously approved in case number 99-349-SPHXA. Special Exception to permit a service garage in a M.L.-I.M. zone.

HEARING: Tuesday, March 13, 2001 at 2:00 p.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: Robert A. Hoffman, Venable, Baetjer & Howard, LLP, 210 Allegheny Avenue,
Towson 21204
Robert L. Giroux, Executive VP, Frankel Cadillac Land Rover, 201 Reisterstown
Road, Baltimore 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY FEBRUARY 26, 2001.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 27, 2001 Issue – Jeffersonian

Please forward billing to:
Amy Dontell
210 Allegheny Avenue
Towson MD 21204

410 494-6201

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: 01-288-SPHX
10260 York Road (Lot 1)
W/S York Road, 660' SE of Warren Road
8th Election District – 3rd Councilmanic District
Legal Owner: Frankel Cadillac Land Rover

Special Hearing to approve an amendment to the site plan previously approved in case number 99-349-SPHXA. Special Exception to permit a service garage in a M.L.-I.M. zone.

HEARING: Tuesday, March 13, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

GDZ

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**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: 01-288-SPHX
Petitioner: Frankel Cadillac Land Rover
Address or Location: 10260 York Road (Lot 1)

PLEASE FORWARD ADVERTISING BILL TO:

Name: Amy DONTILL
Address: 210 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
Telephone Number: (410) 494-6201



Baltimore County
Department of Permits and
Development Management

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

March 12, 2001

Robert A Hoffman
Venable Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

Dear Mr. Hoffman:

RE: Case Number: 01-288-SPHX, 10260 York Road (Lot 1)

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. 602
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Robert L Giroux EVP, Frankel Cadillac Land Rover, 201 Reisterstown Road,
Baltimore 21208
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: March 6, 2001

FROM: *Sub* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For February 12, 2001
Item Nos. 288, 289, 290, 291, 293, 295,
297, 298, 299, 300, 301, 302, 303, 304,
and 308

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

RWB:HJO:jrb

cc: File



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

February 8, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF February 5, 2001

Item No.: See Below

Dear Ms. Stephens:

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.

ITEMS #'S REFERENCED PERTAIN TO THE FOLLOWING COMMENT:

288, 289, AND 301,

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: March 19, 2001

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of February 5, 2001

DEPRM has no comments for the following zoning petitions:

Item #	Address
288	10260 York Road
289	10240 York Road
290	2522 Venetian Road
291	5126 Edmondson Avenue
293	998 Rohe Farm Lane
295	Gwynnbrook Property
296	1909 Halethorpe Avenue
297	2707-2709 Rolling Road
298	326 Stone Castle Avenue
299	2127 York Road
300	2127 York Road
301	3916 Old North Point Road
302	7605 Curving Lane
303	703 Main Street
308	104 McCormick Avenue

Jerri
3/13

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

155-1-1

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

DATE: February 8, 2001

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-288, 01-289, 01-298, 01-303, and 01-304

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A. Cunningham

Section Chief: Jeffrey W. Long

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 2.7.01

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

RE: Baltimore County
Item No. 288

JNP

Dear Ms. Jackson:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 45, are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Per Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

IN RE: PETITIONS FOR SPECIAL HEARING,	*	BEFORE THE
SPECIAL EXCEPTION & VARIANCE		
(10260 York Road) and, PETITIONS FOR	*	ZONING COMMISSIONER
SPECIAL HEARING & VARIANCE		
(10250 York Road)	*	OF BALTIMORE COUNTY
8 th Election District		
3 rd Councilmanic District	*	Cases Nos. 99-349-SPHXA and
		99-350-SPHA
Robert E. Frankel	*	
Petitioner		

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

These matters come before this Zoning Commissioner for consideration of combined Petitions for Special Hearing, Special Exception and Variance relief filed by the owner of the subject adjacent properties, Robert E. Frankel, through his attorney, Robert A. Hoffman, Esquire. In Case No. 99-349-SPHXA, the Petitioner seeks special hearing, special exception and variance relief for the property known as 10260 York Road (Lot 1). Specifically, a special hearing is sought to approve an amendment to the previously approved site plan in prior Case No. 93-201-ASA. In addition, a special exception is requested to permit a used car dealership as a principal use on a single lot of record, pursuant to Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), and variance relief is sought to permit a side yard setback of 10 feet in lieu of the required 30 feet, pursuant to Section 238.2 of the B.C.Z.R., and to allow vehicles to be displayed in the front yard, 31.5 feet from the front building line, in lieu of the not more than 15 feet permitted, pursuant to Section 238.4 of the B.C.Z.R. In Case No. 99-350-SPHA, the Petitioner requests special hearing and variance relief for the adjacent property known as 10250 York Road (Lot 2). In that case, special hearing relief is also requested to approve an amendment to the previously approved site plan in prior Case No. 93-201-ASA, and a variance is sought to permit a side yard setback of 8 feet in lieu of the required 30 feet, pursuant to Section 238.2 of the B.C.Z.R. The subject properties and relief requested are more particularly shown on the two-page site plan which was submitted into evidence and marked as Petitioner's Exhibits 1A and 1B.

ORDER RECORDED FOR FILING
 Date 11/19/99
 by [Signature]

Appearing at the requisite public hearing were Robert E. Frankel, property owner, Bob Capalongo and Scott Rouk, representatives of Morris & Ritchie, Inc., the engineers who prepared the site plan for this property, and Robert A. Hoffman, Esquire, attorney for the Petitioners. Also appearing in support of the requests were Rich Giroux and Diane Torn. There were no Protestants or other interested persons present.

This Zoning Commissioner is very familiar with the subject properties, by virtue of my presiding over the development plan hearing and Petitions filed in prior Cases Nos. VIII-613 and 93-201-ASA. At that time, the Petitioner came before me as the Contract Purchaser of the subject property, seeking development plan approval and zoning relief to enable development of Lot 2 with an automobile dealership, which is now operating as Chesapeake Cadillac. The property was originally owned by the AAI Corporation and sold to the Petitioner. The property consists of two adjoining parcels, zoned B.R. Lot 1 contains 1.57 acres in area and Lot 2 contains 2.31 acres in area. In any event, the Petitioner now comes before me seeking additional relief to permit further development on both Lots 1 and 2.

Specifically, the Petitioner proposes to construct a building necessary to accommodate a new Jaguar automobile dealership on Lot 2, which will bear the address 10250 York Road. In addition, the Petitioner proposes to develop Lot 1 with a building necessary to accommodate a used car dealership. An area for new car inventory parking is also planned for Lot 1. As shown on the site plan, the Petitioner's holdings are divided by an access road which leads from York Road to the interior of the property retained by AAI.

In Case No. 99-349-SPHXA, relief is requested to accommodate the Petitioner's proposal for Lot 1 (10260 York Road). Specifically, approval of an amendment to the previously approved site plan is sought as well as special exception and variance relief to permit the used car dealership on Lot 1 as a principal use on a single lot of record. Although Lot 1 is indeed a separate parcel, it is used in conjunction with the business activities on Lot 2. Variance relief is also necessary to permit a side yard setback of 10 feet in lieu of the required 30 feet and to permit used cars to be displayed in the front of the lot as more particularly shown on the site plan.

In Case No. 99-350-SPHA, a special hearing is requested to amend the previously approved site plan in prior Case No. 93-201-ASA to permit construction of a building to house the new Jaguar dealership. Additionally, variance relief is requested for the new car building to permit same to come within 8 feet of the side property line abutting the private road.

It is to be noted that the Bureau of Development Plans Review division of the Department of Permits and Development Management submitted a zoning advisory committee (ZAC) comment, dated April 6, 1999, in which they recommended a denial of the requested variances that would reduce the streetscape landscaping along York Road. Although I considered that comment, the site plan does show sufficient areas for landscaping. Thus, I do not believe the granting of the variance relief will be inconsistent with the neighborhood and surrounding locale.

Upon due consideration of the testimony and evidence presented, I am persuaded to grant the relief requested. In my judgment, development of the two parcels as proposed is appropriate. Thus, an amendment to the previously approved site plan is required to incorporate the desired changes. However, all other terms, conditions, and restrictions of the Order issued in the prior case shall remain in full force and effect. These include, but are not limited to, the restrictions regarding outdoor advertising.,

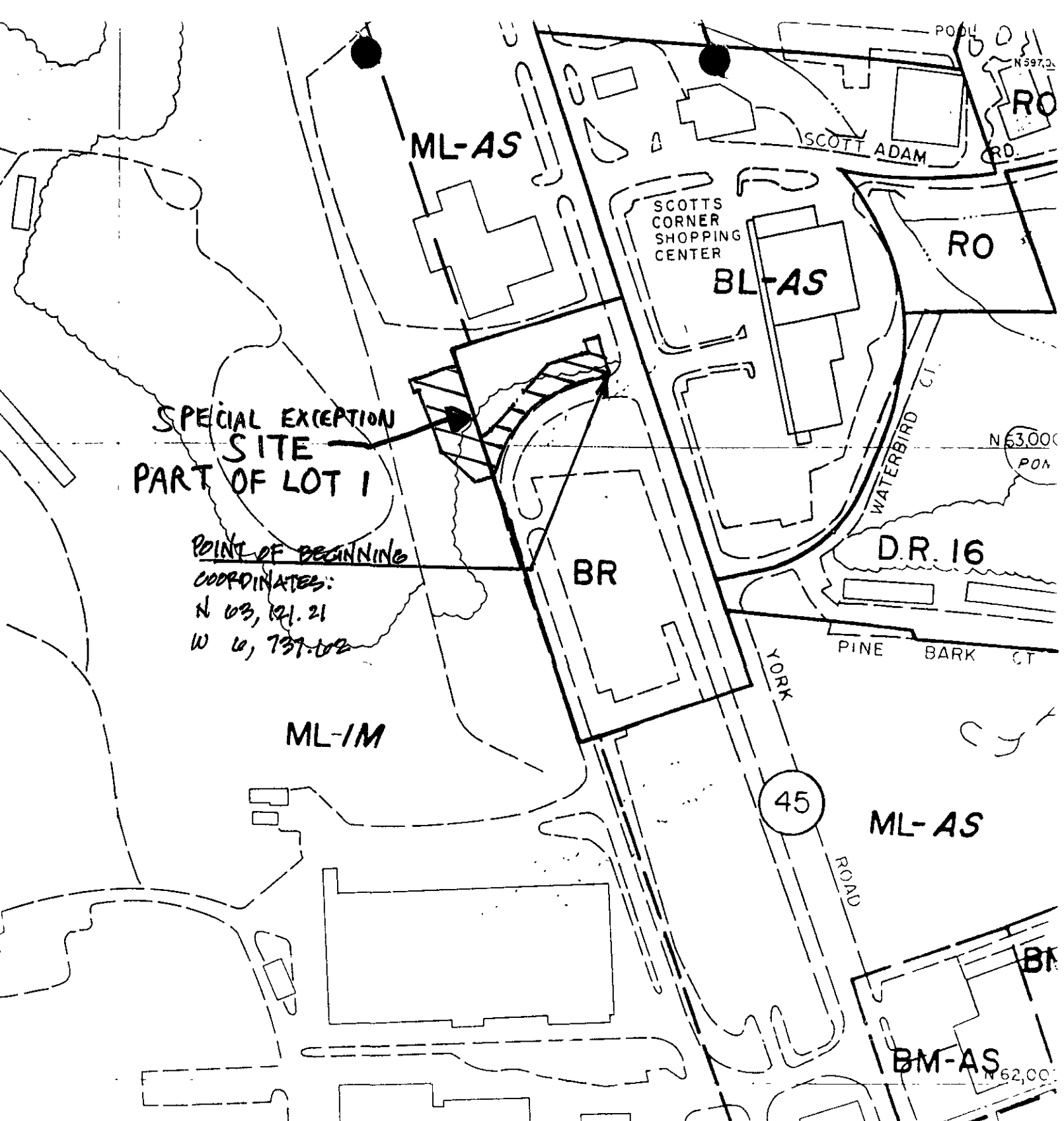
Pursuant to the advertisement, posting of the properties, and public hearing on these Petitions held, and for the reasons set forth herein, the relief requested shall be granted.

6/9/99
J.P.S.
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of June, 1999 that the Petitions for Special Hearing, Special Exception and Variance filed In Case No. 99-349-SPHXA to approve an amendment to the previously approved site plan in prior Case No. 93-201-ASA, a special exception to permit a used car dealership as a principal use on a single lot of record, pursuant to Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), and variance relief to permit a side yard setback of 10 feet in lieu of the required 30 feet, pursuant to Section 238.2 of the B.C.Z.R., and vehicles to be displayed in the front yard, 31.5 feet from the front building line, in lieu of the not more than 15 feet permitted, pursuant to Section 238.4 of the B.C.Z.R., for a proposed used car dealership to be located on the

IT IS FURTHER ORDERED that the Petitions for Special Hearing and Variance relief filed in Case No. 99-350-SPHA, to approve an amendment to the previously approved site plan in prior Case No. 93-201-ASA, and a variance to permit a side yard setback of 8 feet in lieu of the required 30 feet, pursuant to Section 238.2 of the B.C.Z.R., for a proposed Jaguar dealership to be located on the adjacent property known as 10250 York Road (Lot 2), in accordance with Petitioner's Exhibits 1A and 1B, be and are hereby GRANTED, subject to the following restrictions:

- IT IS FURTHER ORDERED that all other terms and conditions of the Order issued in prior Case No. 93-201-ASA shall remain in full force and effect.

LES:bjs



SPECIAL EXCEPTION
SITE
PART OF LOT 1

POINT OF BEGINNING
COORDINATES:
N 03, 121.21
W 0, 737.02

ML-1M

BR

BL-AS

ML-AS

RO

D.R. 16

ML-AS

BM-AS

BR

SCALE

1" = 200' ±

LOCATION

SHEET

DATE
OF
PHOTOGRAPHY
JANUARY
1986

TEXAS

N. W.

16-B

01-288-SPHX

Bob C Copy

ML-AS

RO

SCOTT ADAM RD.

SCOTT'S CORNER SHOPPING CENTER

RO

BL-AS

POINT OF BEGINNING

COORDINATES:

N 63,057.99

W 6,690.15

SITE LOT 2

BR

N 63,000 POND

D.R. 16

PINE BARK CT

ML-1M

45

ML-AS

BA

BM-AS

N 62,000

SCALE

1" = 200' ±

LOCATION

SHEET

DATE OF PHOTOGRAPHY
JANUARY 1986

TEXAS

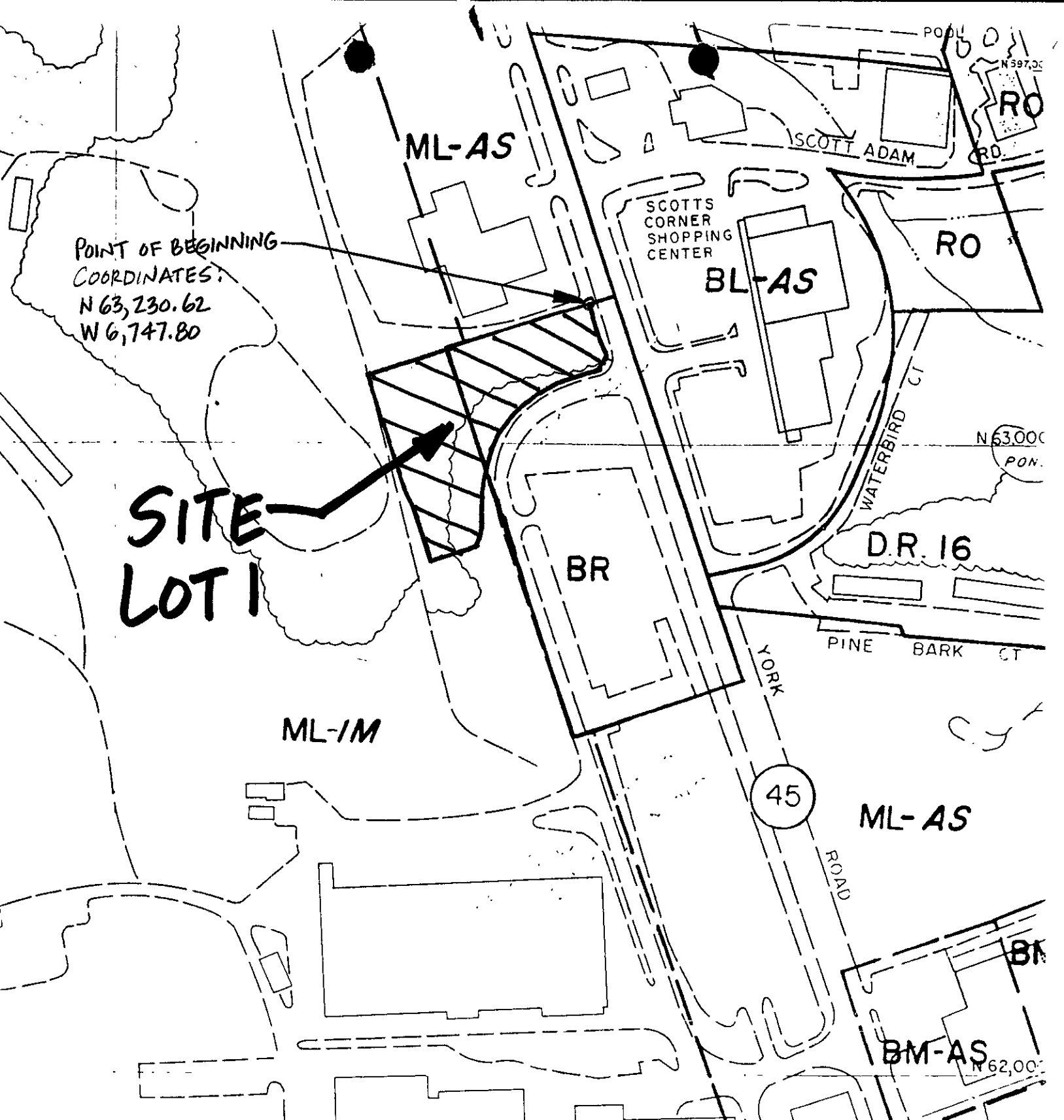
N. W.

16-B

ML-AS

01-289-SPH

H-14



SITE LOT 1

POINT OF BEGINNING
COORDINATES:
N 63,230.62
W 6,747.80

SCALE
1" = 200' ±

DATE OF
PHOTOGRAPHY
JANUARY
1986

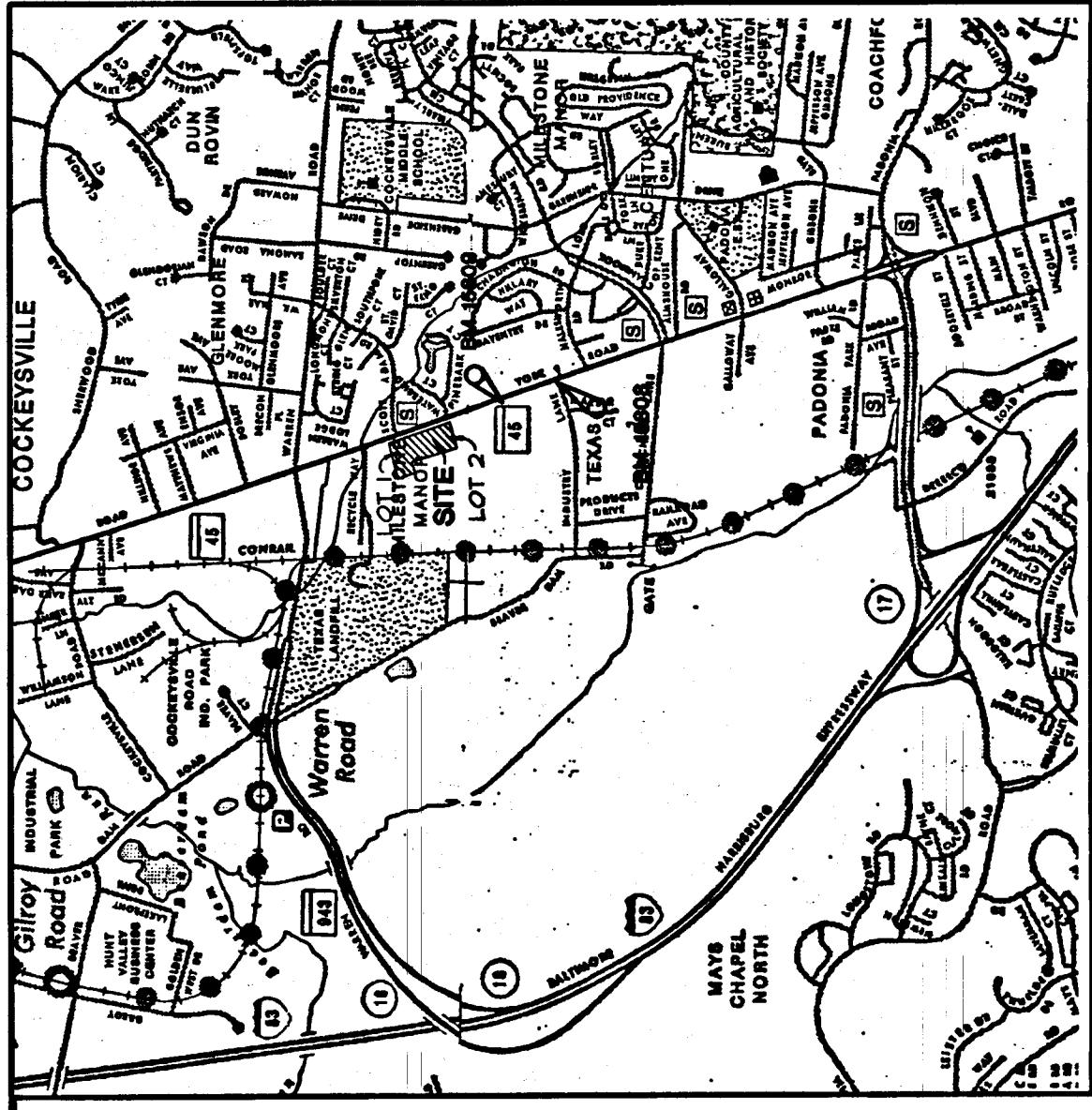
LOCATION

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SHEET

N. W.

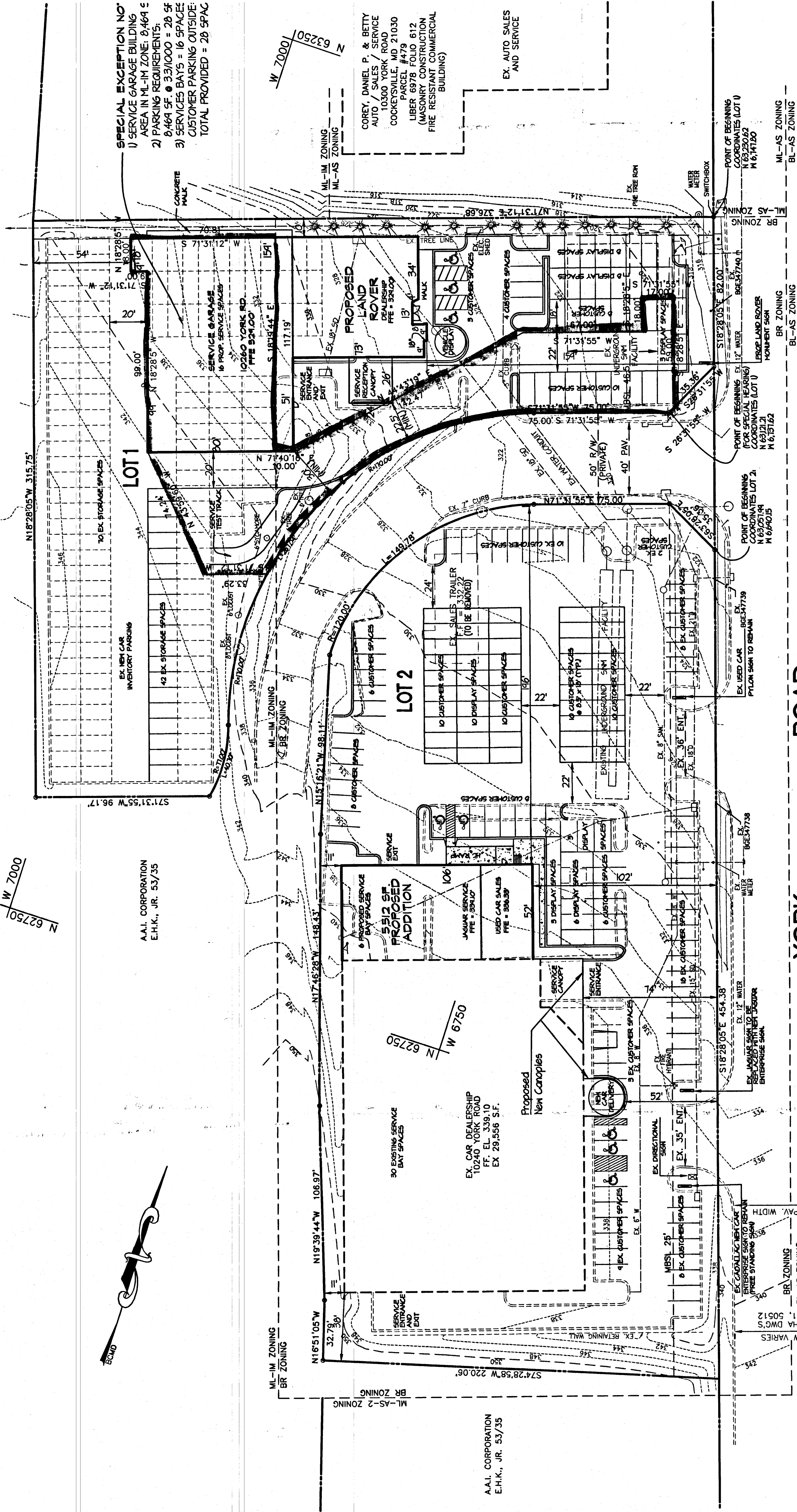
16-B
01-288-SPHX



VICINITY MAP
SCALE 1" = 1000' *NTS*

REMARKS:
HUB NO. 15049
BOLT IN SEAM IN CL CONC. WALK ON W. SIDE OF YORK RD.
243' N. OF INDUSTRIAL LANE.
HUB NO. 15060
+ CUT IN RIM W. OF WM. ON W. SIDE YORK RD. OPP. HALESWORTH RD

WDC



A.A.I. CORPORATION
E.H.K., JR. 53/35

A.A.I. CORPORATION
E.H.K., JR. 53/35

YORK ROAD

ENT. TO SCOTT'S CORNER
SHOPPING CENTER

PDM • VIII-613



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

110 WEST ROAD SUITE 245
TOWSON, MARYLAND 21204
(410) 821-1690
FAX (410) 821-1748



CHESAPEAKE CADILLAC, JAGUAR
AND LAND ROVER
LOT #1
AKA FRANKEL PROPERTY
PLAN TO ACCOMPANY A PETITION
FOR A VARIANCE AND SPECIAL EXCEPTION
ON LOT #1, #0280 YORK ROAD
SPECIAL HEARINGS
6TH ELECTION DISTRICT
9RD COUNCILMATIC DISTRICT

DATE	REVISIONS	JOB NO.: 9800.06
		SCALE: 1" = 30'
		DATE: 1/22/01
		DRAWN BY: JCL
		DESIGN BY: JCL
		REVIEW BY: RC
		SHEET: 1 OF 1

01-288-SPHX

GENERAL NOTES:

- [illegible]

- [illegible]

Petition for Variance:

- Variance from Section 211.2 to permit a side yard setback of 10 feet in lieu of the 30 feet required.
- Variance from Section 211.4 to permit vehicles to be displayed in the front yard, 31.5 feet in front of the required front building line (46.5 feet) in lieu of the not more than 15 feet permitted.

Petition for Special Hearing:

an amendment to the site plan previously approved in Case No. 92-201-15A.

Petition for Special Exception:

Pursuant to Section 218.4 of the Baltimore County Zoning Regulations to permit a use not permitted in a single lot or a single use as a single lot or a single use.

A.A.I. CORPORATION
E.H.K., JR. 53/35

1. OWNER/CONTRACT PURCHASER AND APPLICANT IS:

MR. ROBERT FRANKEL
CD FRANKEL, FRANKEL & ASSOCIATES, INC.
20 WEST TOWN ROAD
BALTIMORE, MARYLAND 21204
PHONE (410) 821-1880

2. THE PLAN WAS PREPARED BY:

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
110 WEST TOWN ROAD SUITE 245
TOWSON, MARYLAND 21204
PHONE (410) 821-1880
FAX (410) 821-1748

3. PROPERTY INFORMATION:

A. PROPERTY AREA: 1.57 ACRES
B. PROPERTY ADDRESS: 10240 YORK ROAD
C. LOT AREA: 1.57 ACRES
D. LOT AREA: 1.57 ACRES
E. LOT AREA: 1.57 ACRES
F. LOT AREA: 1.57 ACRES
G. LOT AREA: 1.57 ACRES
H. LOT AREA: 1.57 ACRES
I. LOT AREA: 1.57 ACRES
J. LOT AREA: 1.57 ACRES
K. LOT AREA: 1.57 ACRES
L. LOT AREA: 1.57 ACRES
M. LOT AREA: 1.57 ACRES
N. LOT AREA: 1.57 ACRES
O. LOT AREA: 1.57 ACRES
P. LOT AREA: 1.57 ACRES
Q. LOT AREA: 1.57 ACRES
R. LOT AREA: 1.57 ACRES
S. LOT AREA: 1.57 ACRES
T. LOT AREA: 1.57 ACRES
U. LOT AREA: 1.57 ACRES
V. LOT AREA: 1.57 ACRES
W. LOT AREA: 1.57 ACRES
X. LOT AREA: 1.57 ACRES
Y. LOT AREA: 1.57 ACRES
Z. LOT AREA: 1.57 ACRES

THE PROPERTY HAS BEEN DEVELOPED UNDER AN APPROVED DEVELOPMENT PLAN ON FILE AS PUMPHRISS. SETBACK AND SIGN VARIANCES WERE PREVIOUSLY APPROVED FOR THIS PROPERTY ON FEBRUARY 21, 1983 UNDER CASE NO. 84-118 AND 84-119.

LOT 1 IS SPLIT ZONED BR AND M-J. SH AREA = 0.07 ACRES, M-J AREA = 1.50 ACRES.

ENTRANCE TO STILL POND CONDOMINIUM COMMUNITY

REQUIRED MINIMUM SETBACKS AND AREA CALCULATIONS:

FRONT: 30' (REQUIRED)
SIDES: 30' (REQUIRED)
REAR: 30' (REQUIRED)
MAX. F.A.R. ALLOWED: 4.0
MAX. BUILDING HEIGHT: 40' (REQUIRED)

PROPOSED SETBACKS AND AREA CALCULATIONS:

FRONT SETBACK PROPOSED: 10'
SOUTH SIDE SETBACK PROPOSED: 10'
NORTH SIDE SETBACK PROPOSED: 10'
REAR SETBACK PROPOSED: 10'
F.A.R. PROPOSED: 1.0
BUILDING HEIGHT PROPOSED: 30'

PARKING CALCULATIONS:

A. PARKING REQUIRED:
EXISTING: 10 SPACES
PROPOSED: 10 SPACES
TOTAL: 20 SPACES
B. PARKING PROVIDED:
EXISTING: 10 SPACES
PROPOSED: 10 SPACES
TOTAL: 20 SPACES
C. PARKING PROVIDED:
EXISTING: 10 SPACES
PROPOSED: 10 SPACES
TOTAL: 20 SPACES

ALL SIGNAGE SHALL BE IN ACCORDANCE WITH SECTION 48.4 OF THE BALTIMORE COUNTY ZONING REGULATIONS.

11. HYDROLOGY SUMMARY:

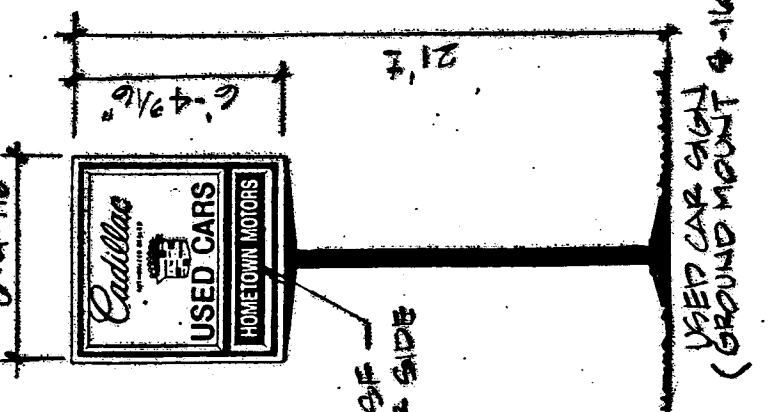
DESIGN: 2 YEAR
STORM: 2 YEAR
RELEASE RATE: 1.0 CFS
VOLUME: 1.0 CFS
PROVIDED: 1.0 CFS
ACFT: 1.0 CFS
2 YEAR: 1.0 CFS
10 YEAR: 1.0 CFS
100 YEAR: 1.0 CFS
MANAGEMENT TO BE PROVIDED: 2.5 10 YEAR STORMS
DRAINAGE AREA: 1.58 ACRES (TO UNDERGROUND SWM PUMP)
PUMP: 1.58 ACRES (TO UNDERGROUND SWM PUMP)
PUMP: 1.58 ACRES (TO UNDERGROUND SWM PUMP)

A.A.I. CORPORATION
E.H.K., JR. 53/35

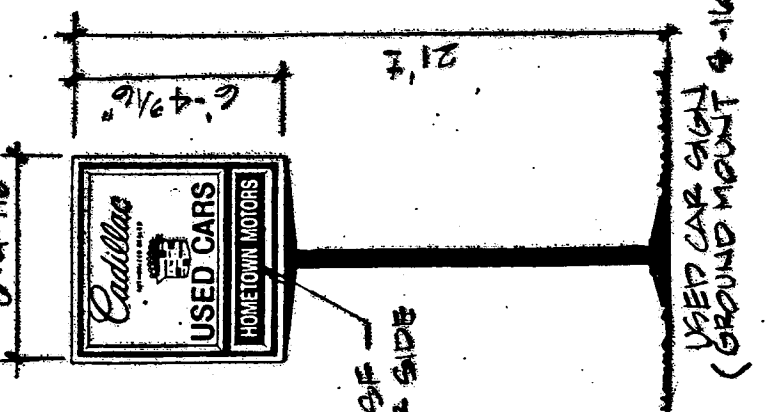
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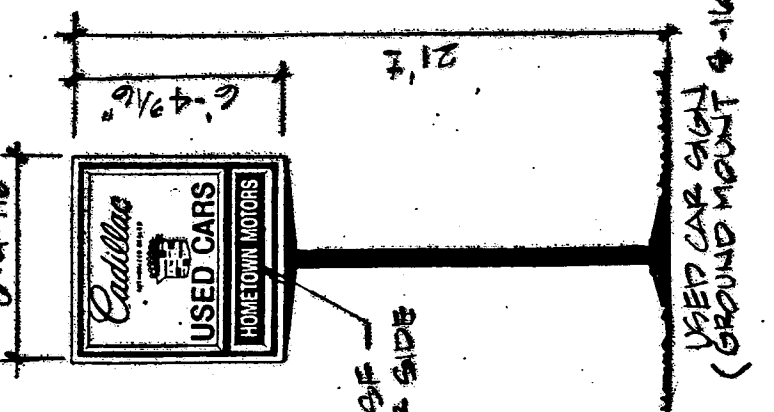
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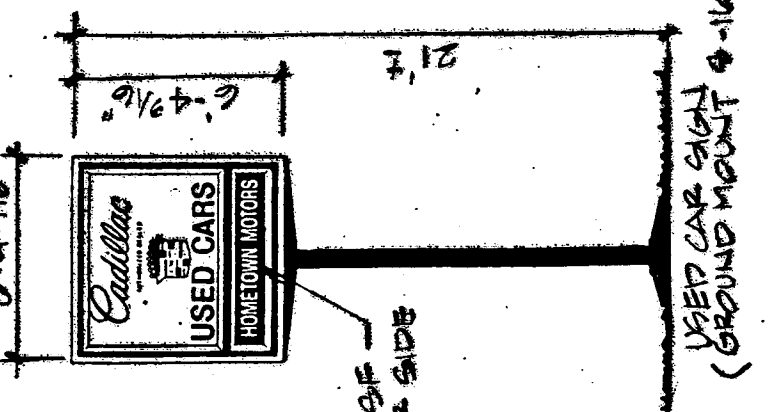
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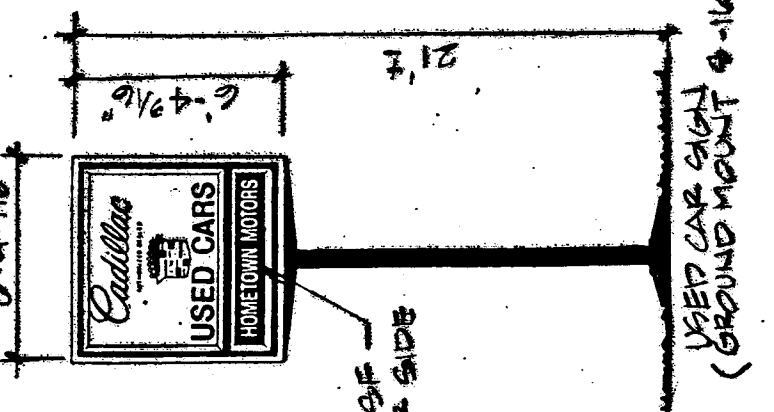
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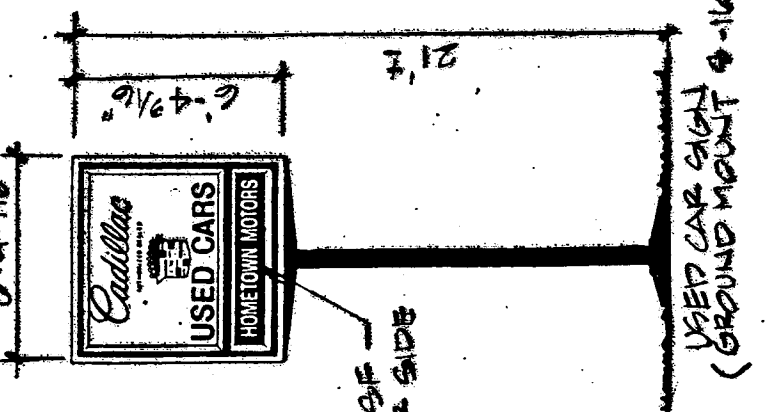
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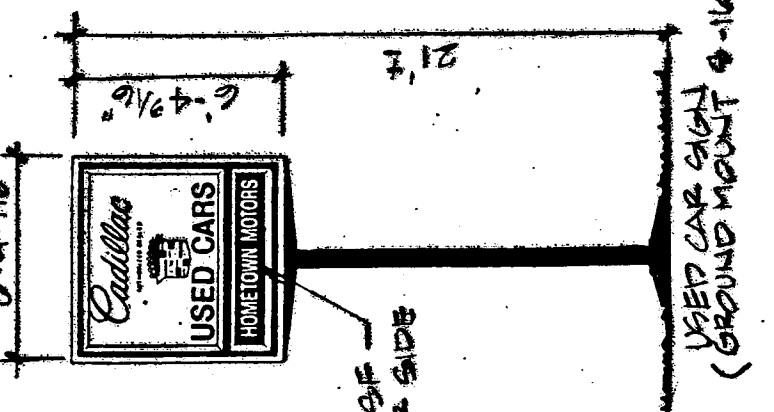
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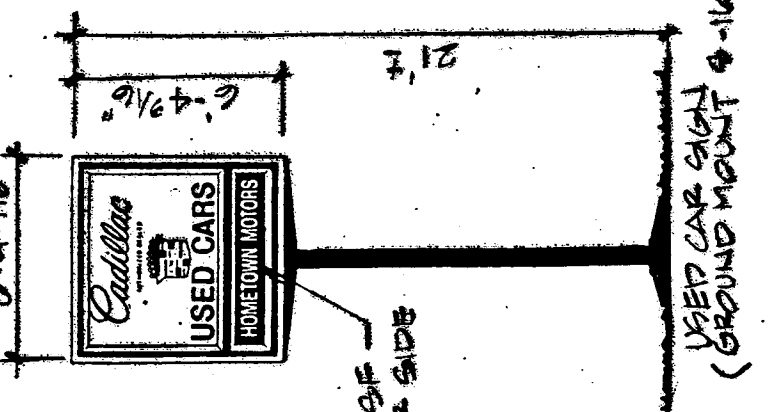
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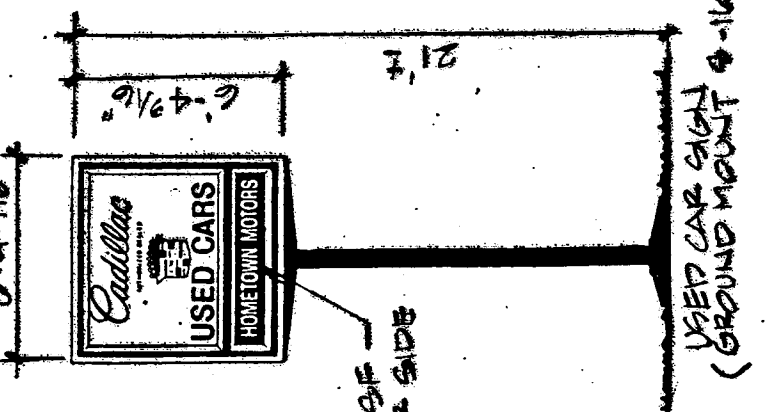
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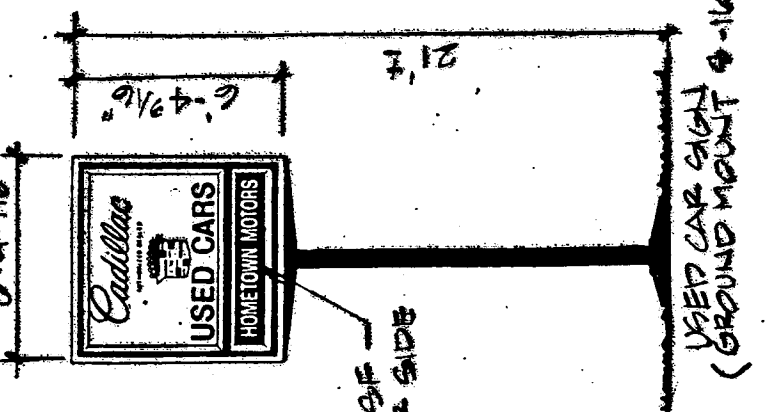
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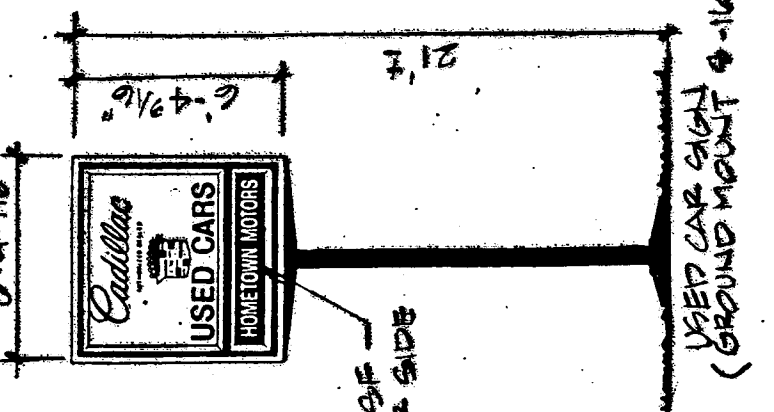
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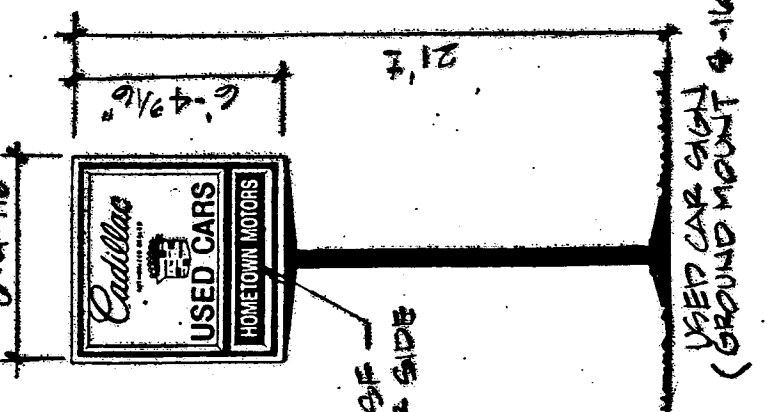
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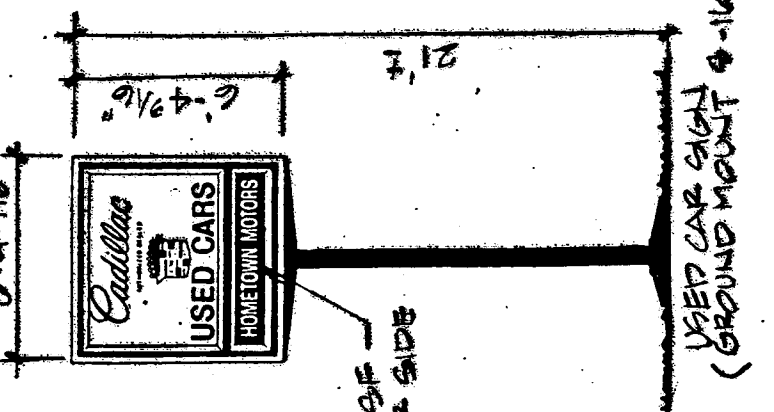
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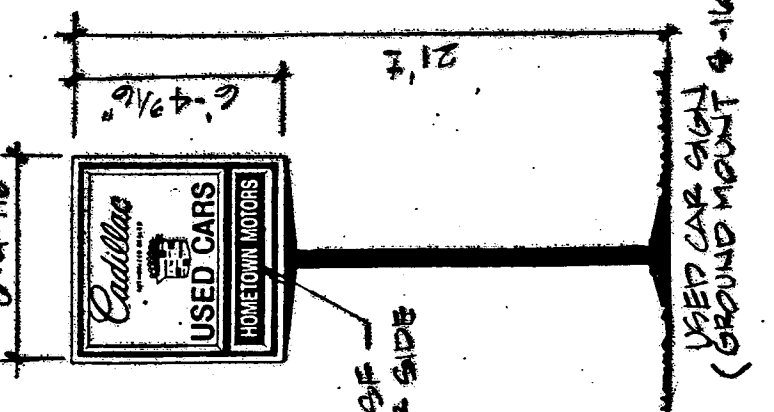
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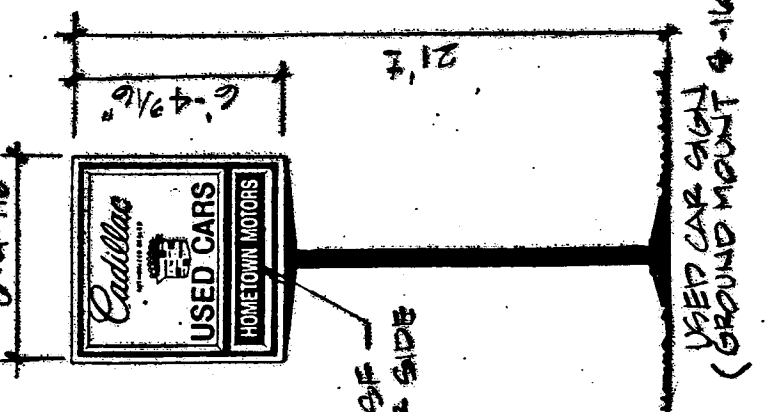
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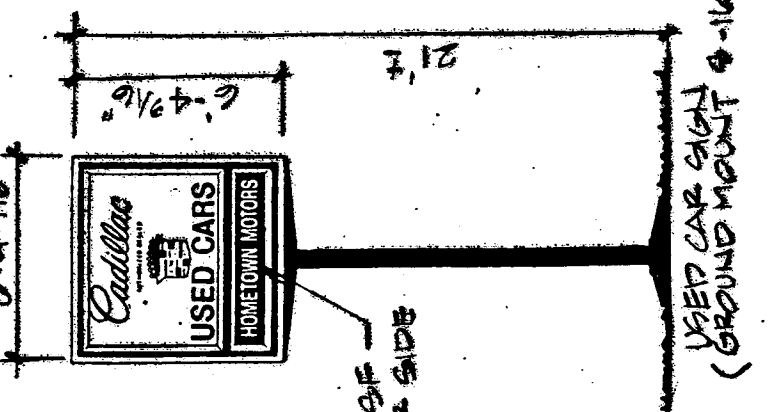
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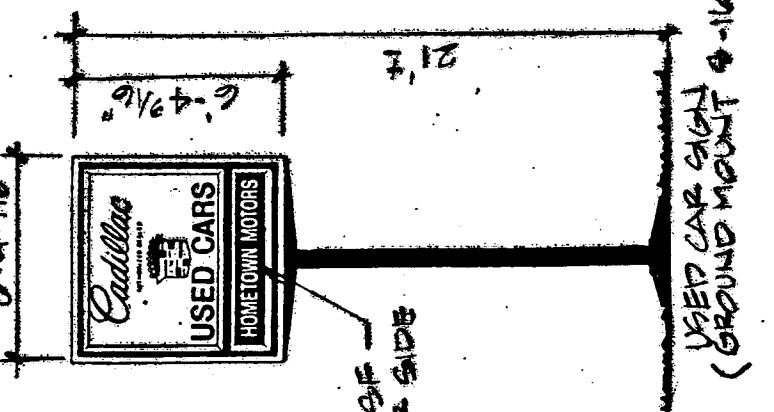
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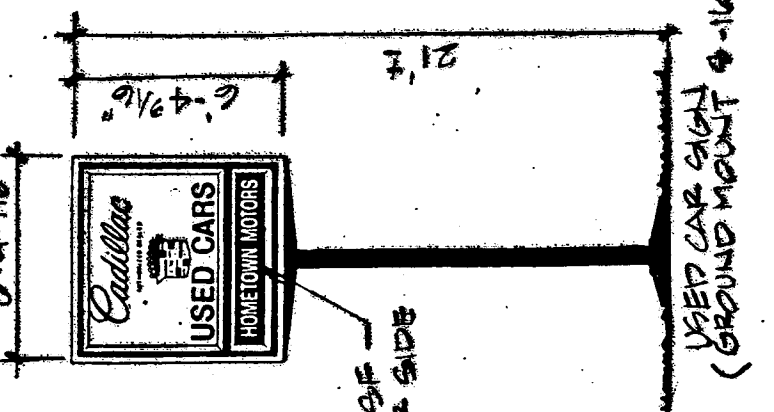
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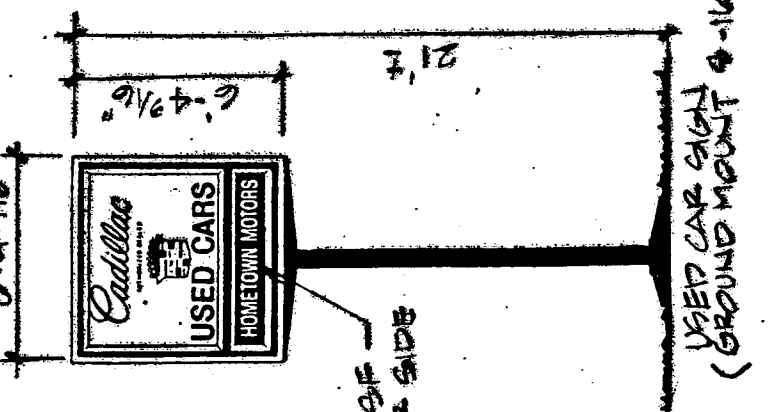
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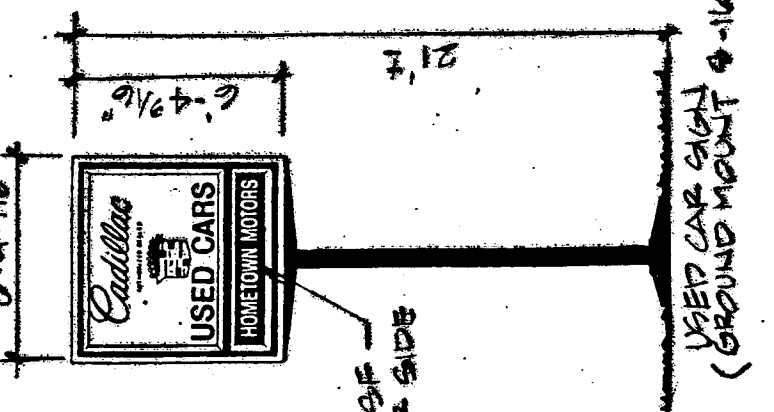
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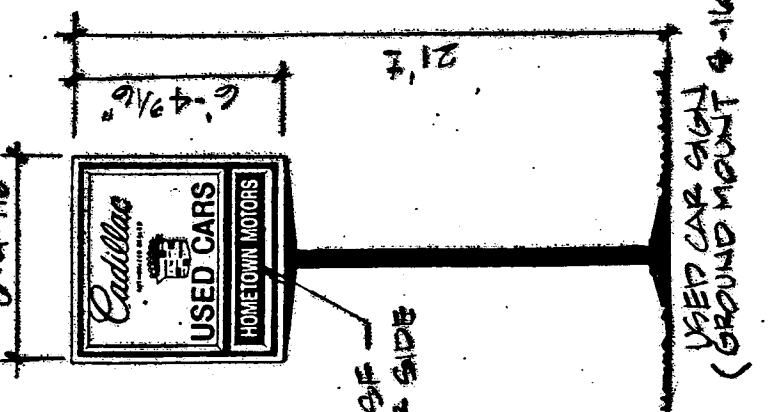
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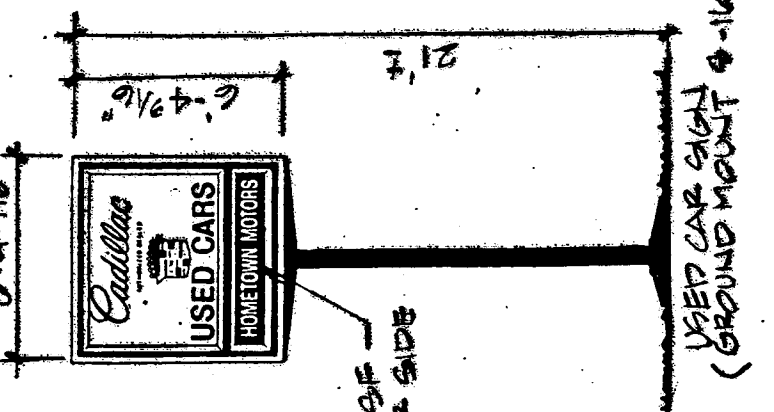
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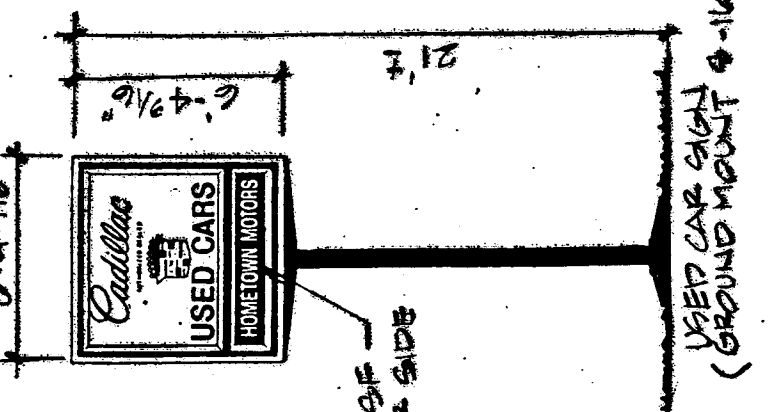
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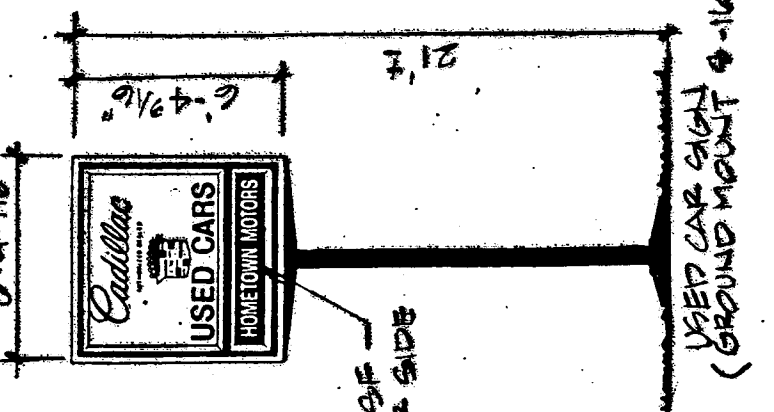
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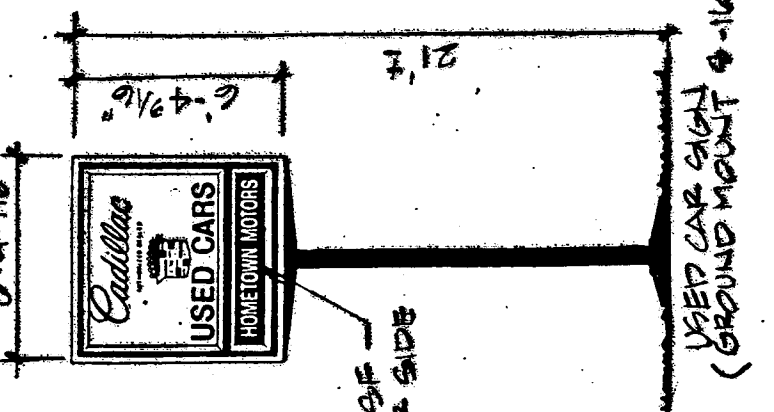
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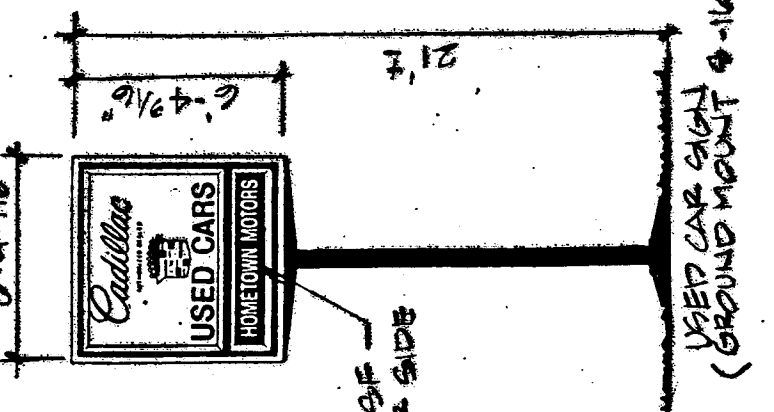
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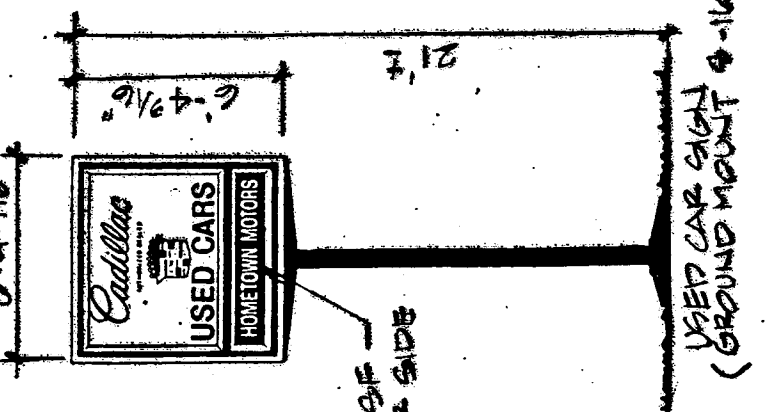
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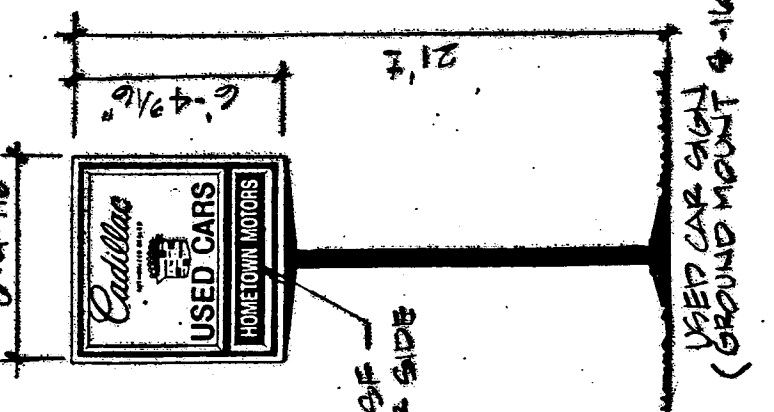
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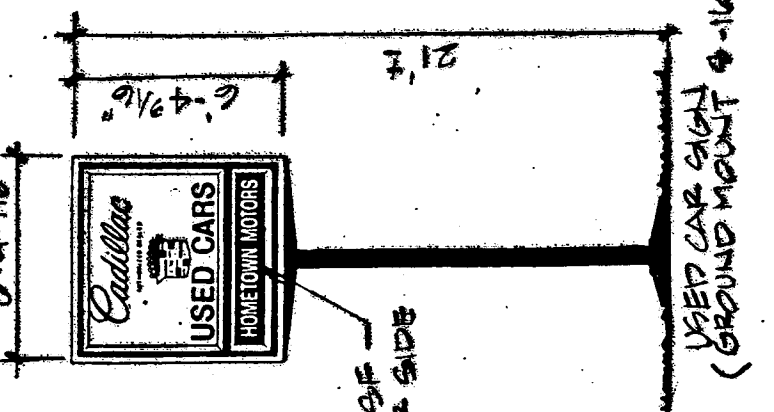
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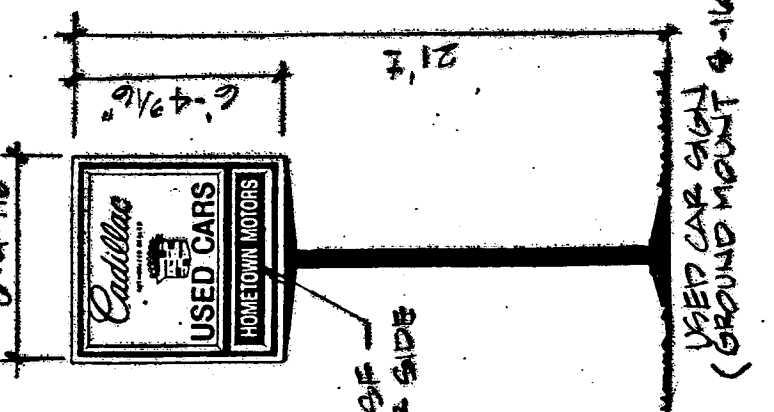
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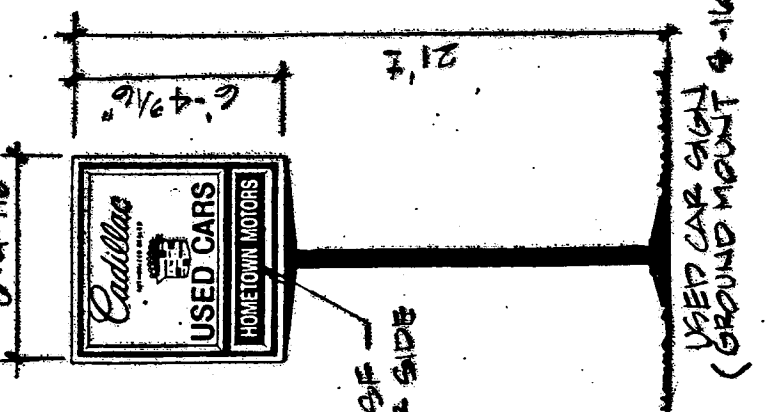
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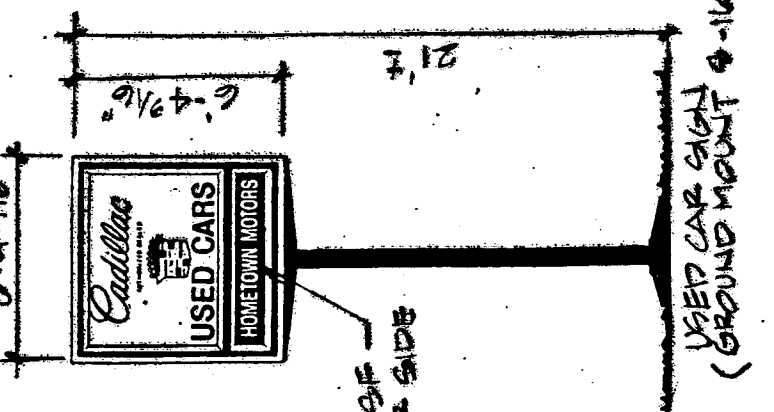
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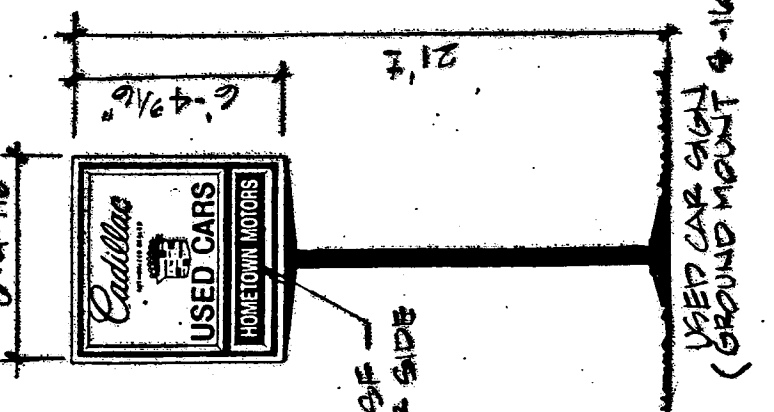
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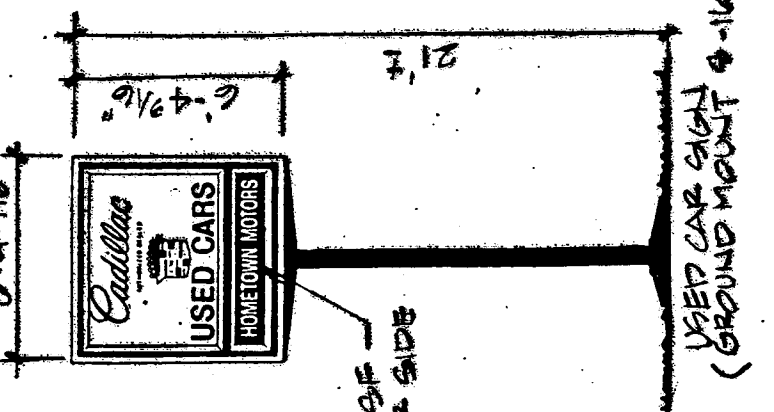
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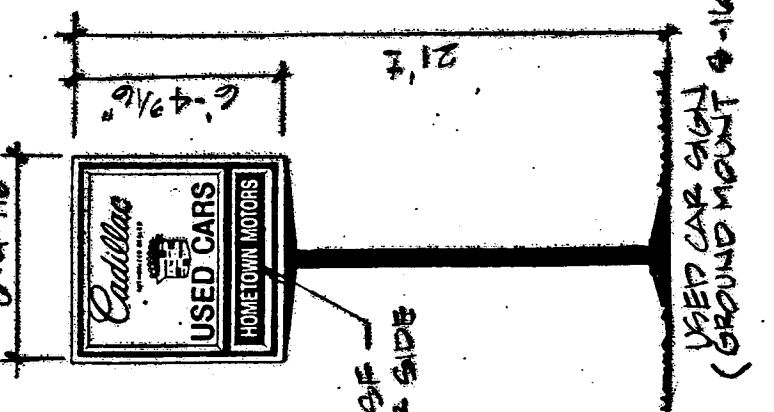
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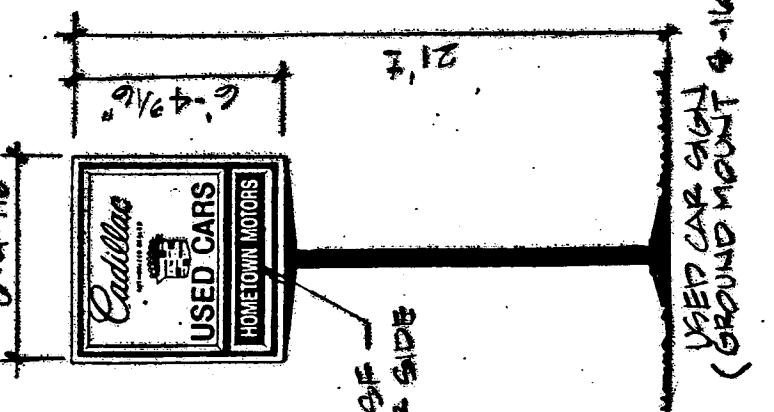
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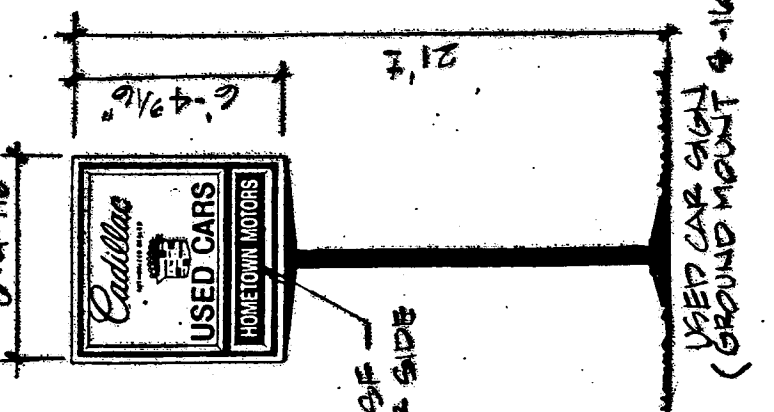
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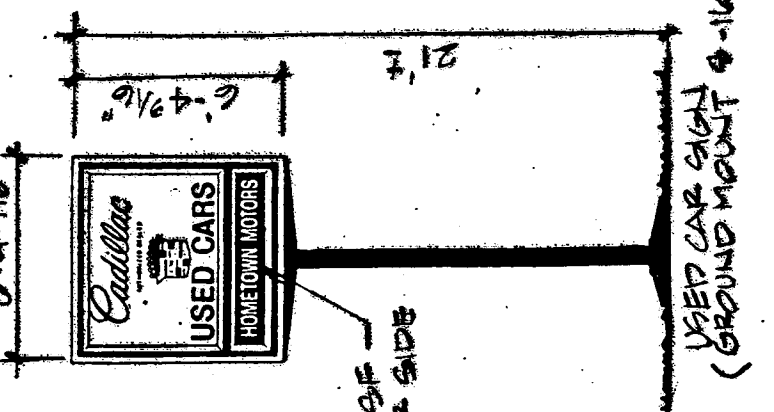
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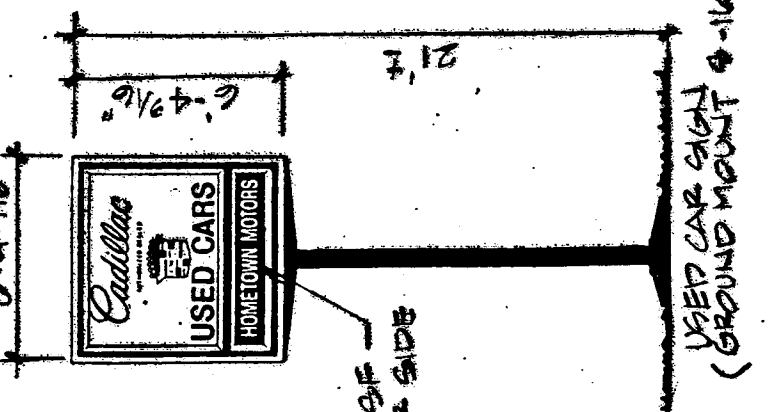
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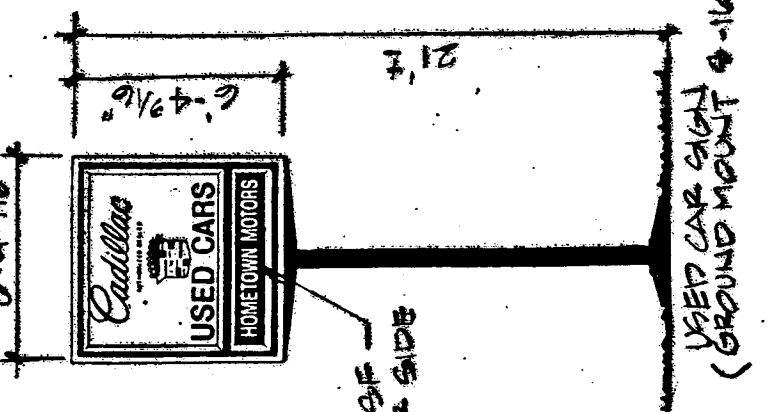
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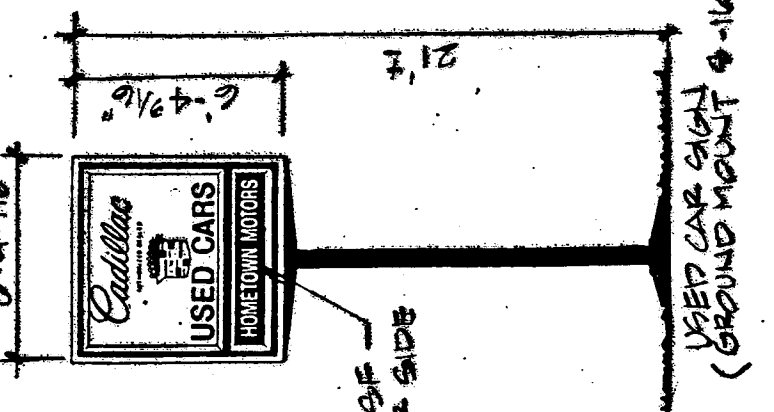
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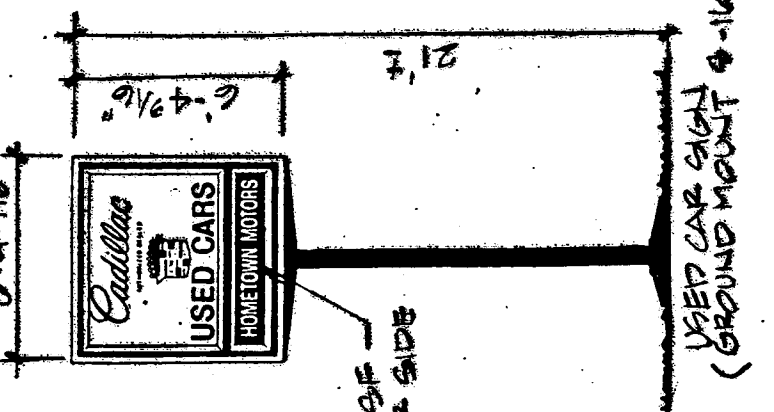
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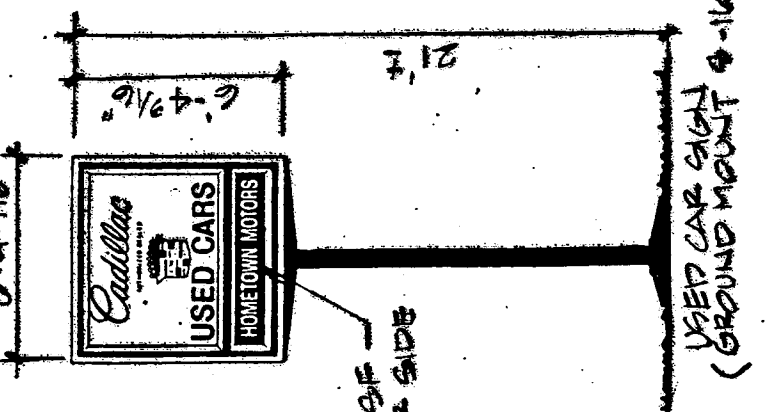
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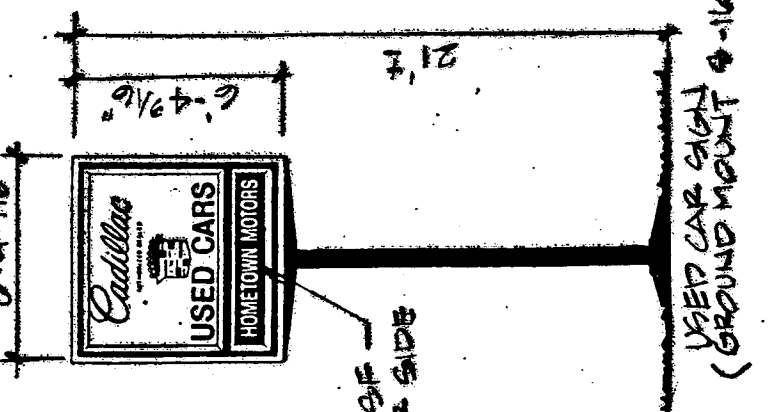
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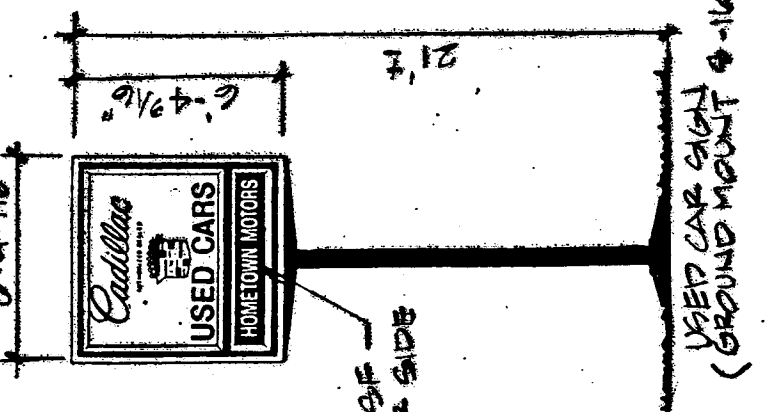
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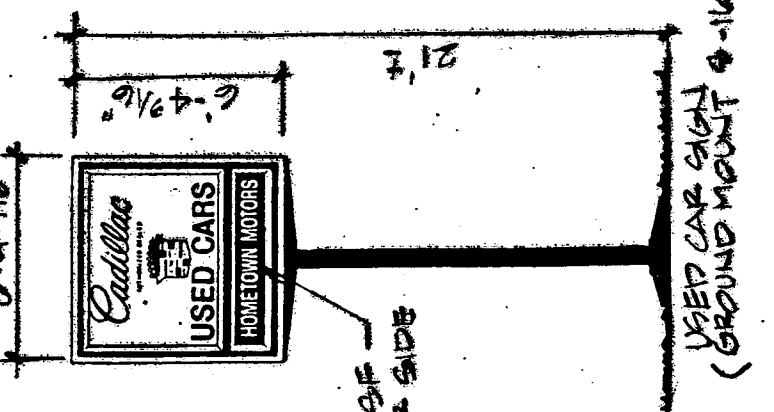
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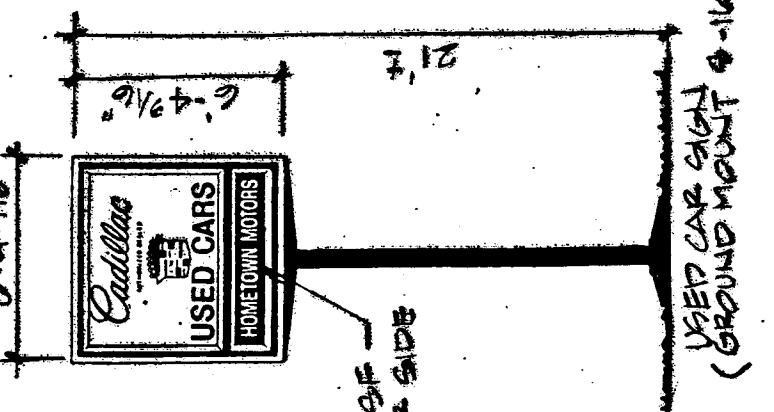
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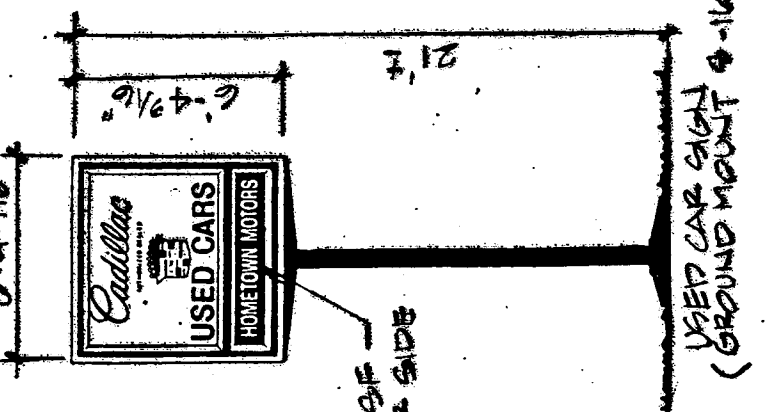
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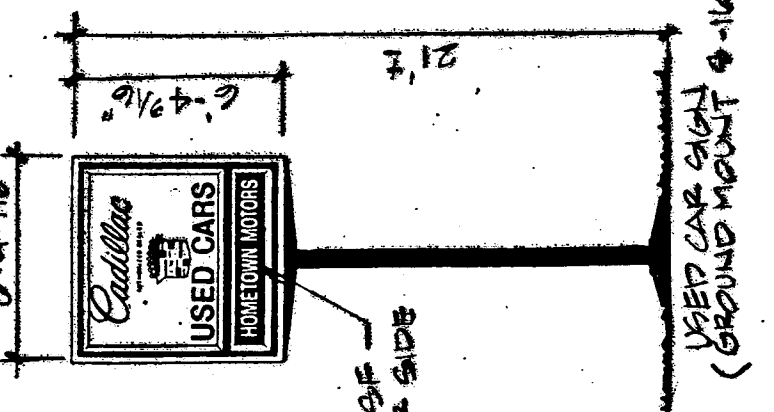
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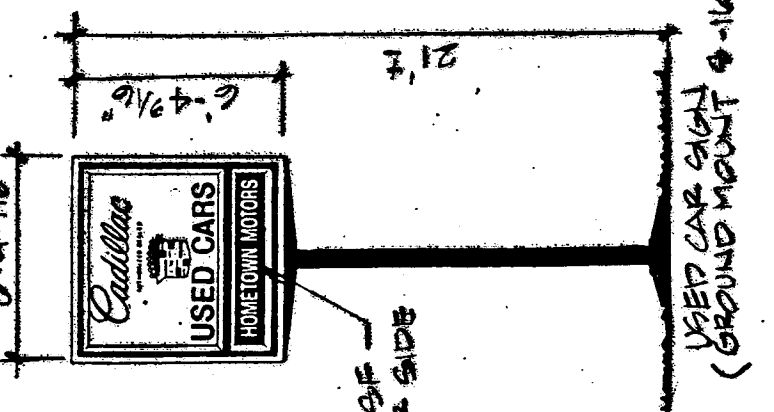
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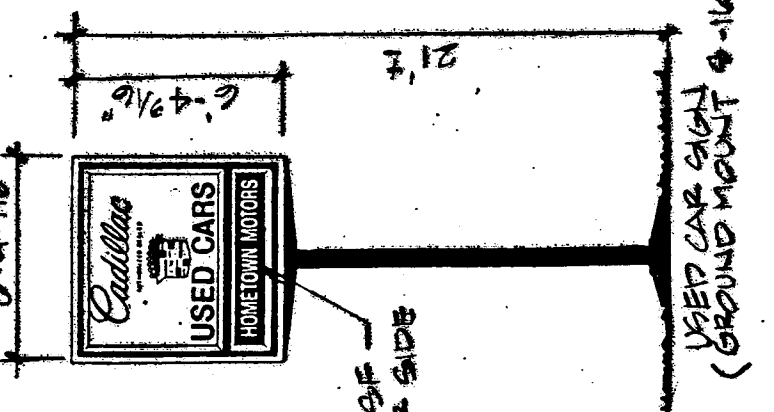
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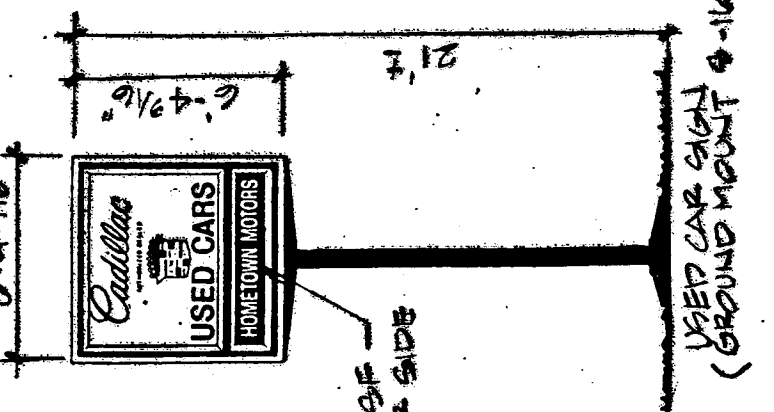
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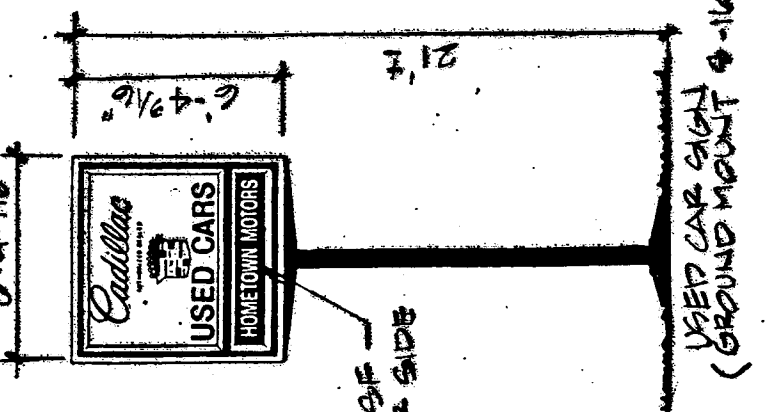
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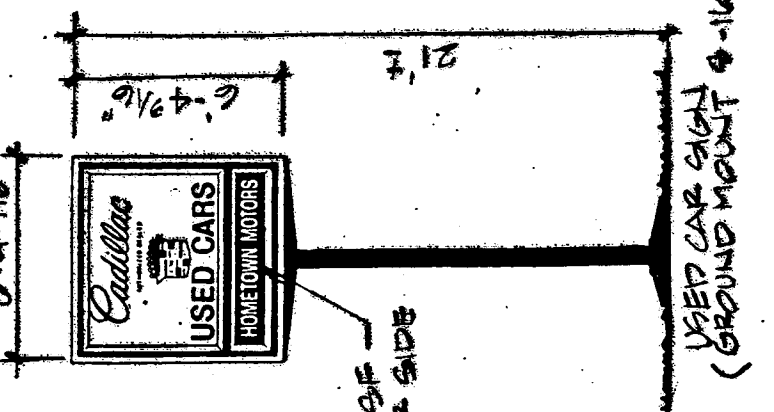
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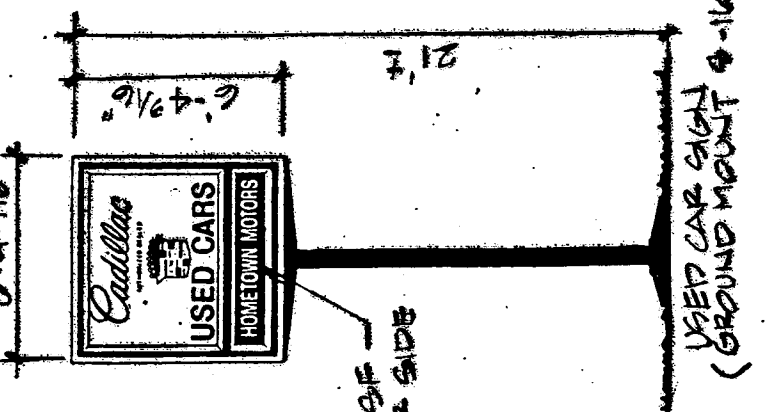
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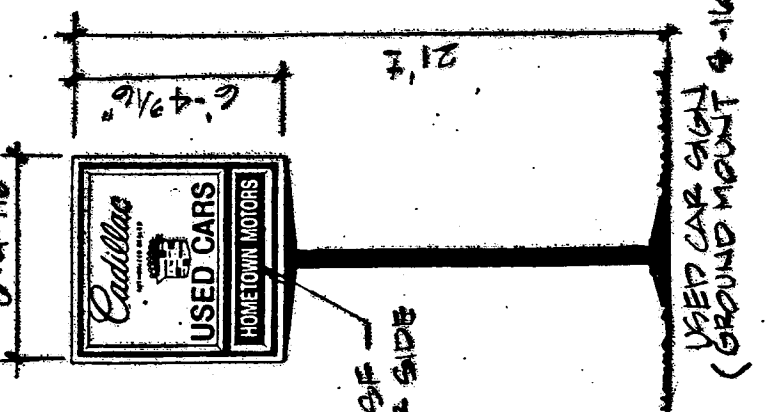
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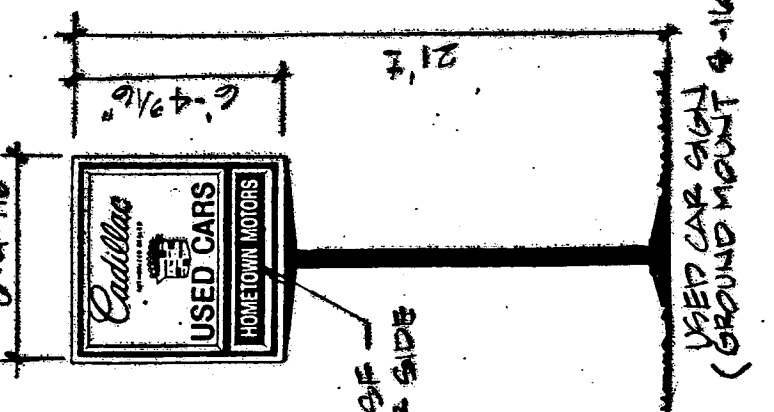
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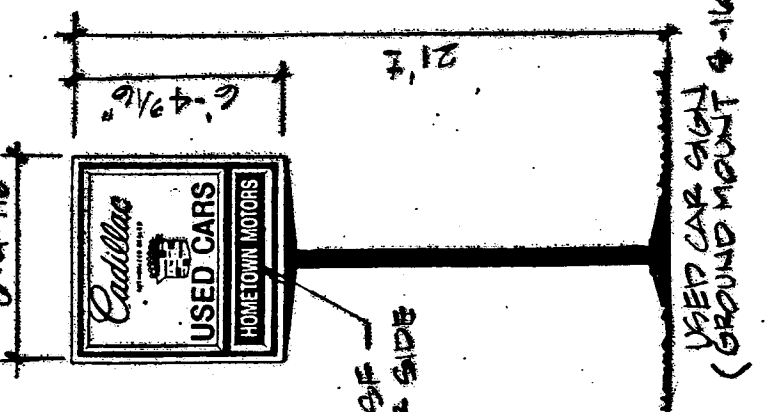
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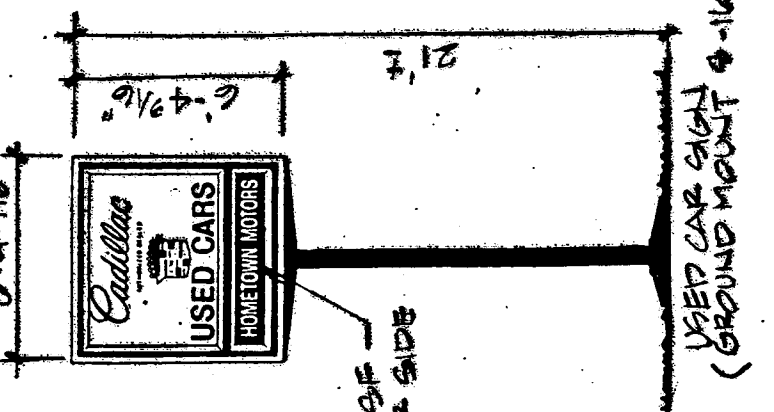
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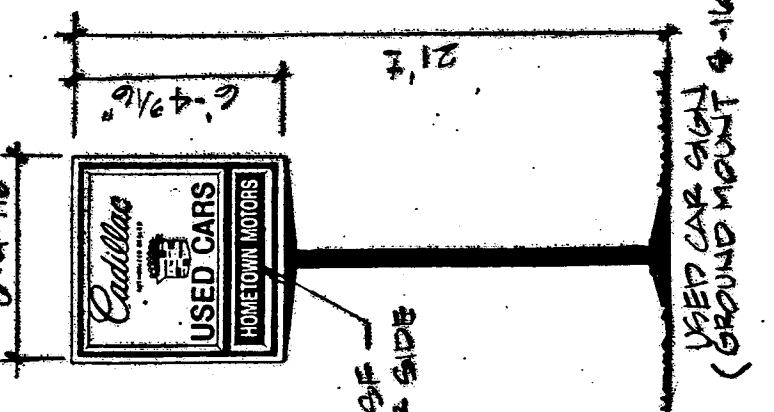
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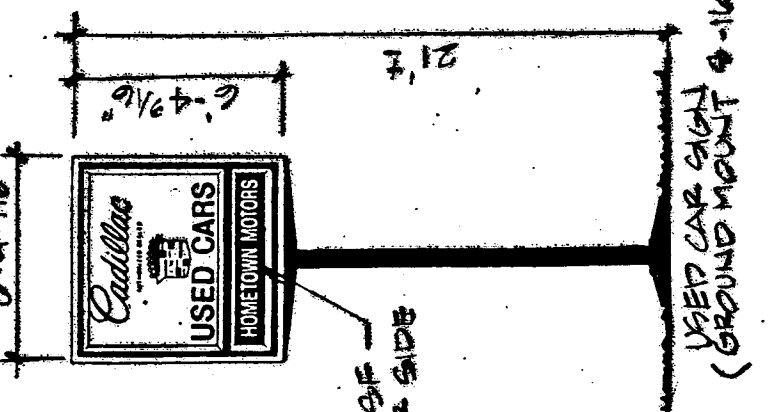
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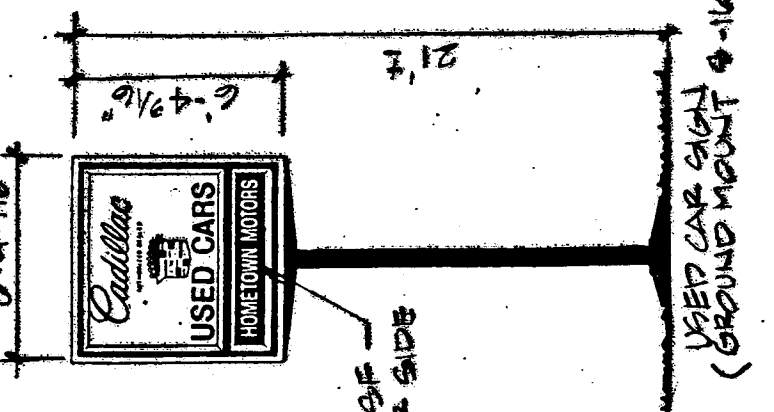
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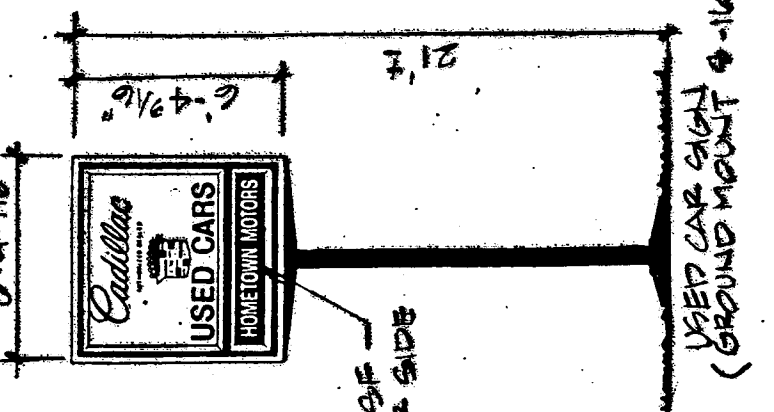
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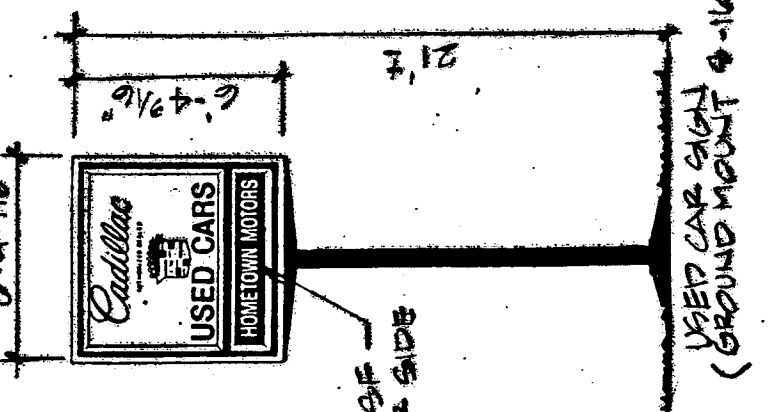
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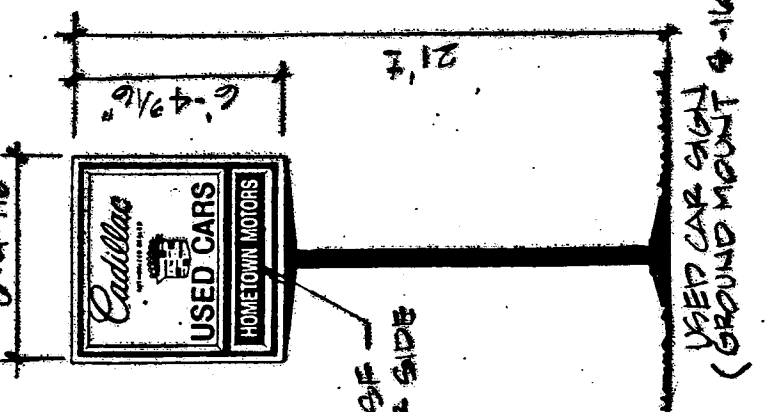
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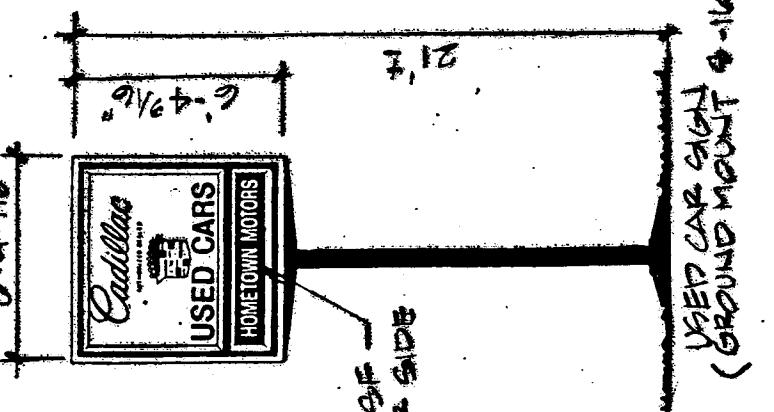
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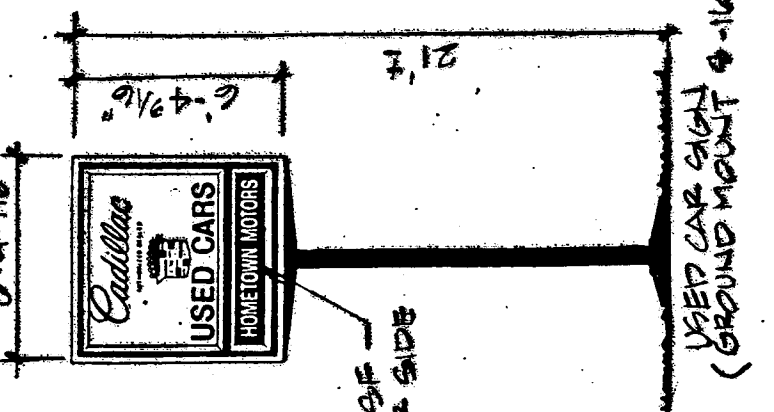
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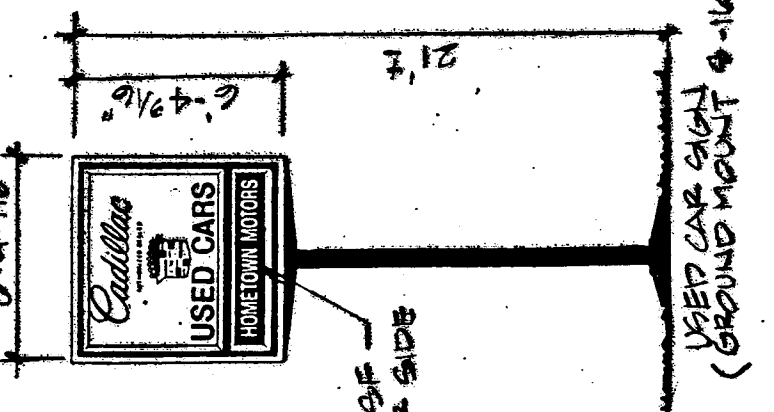
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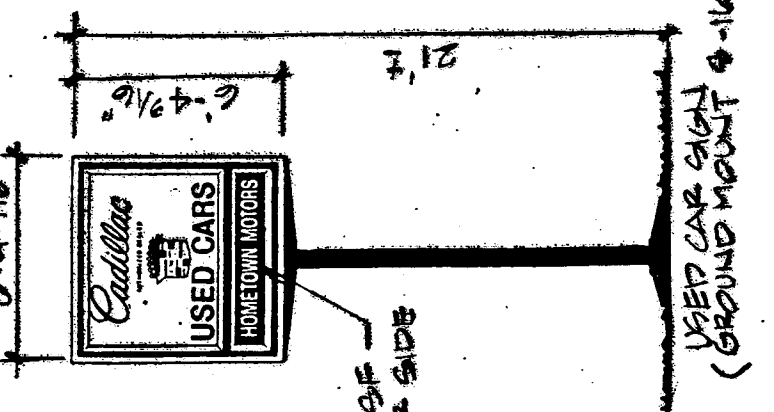
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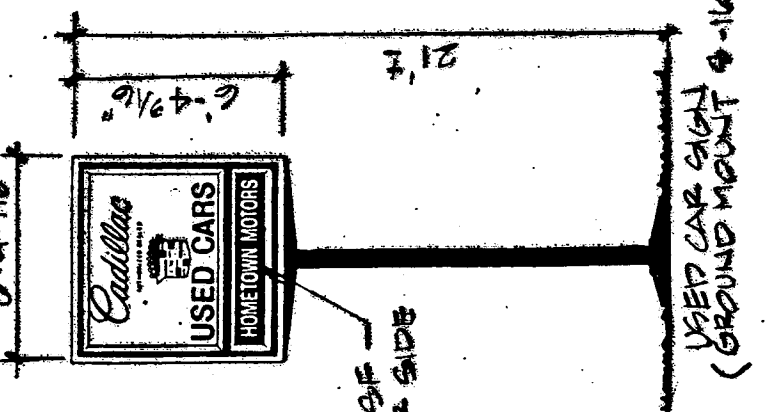
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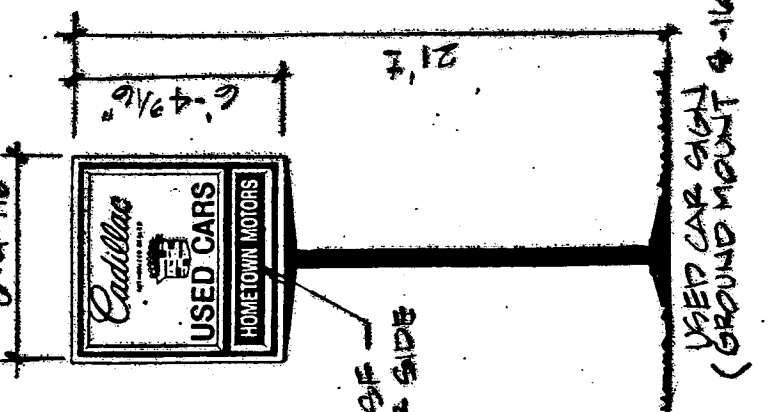
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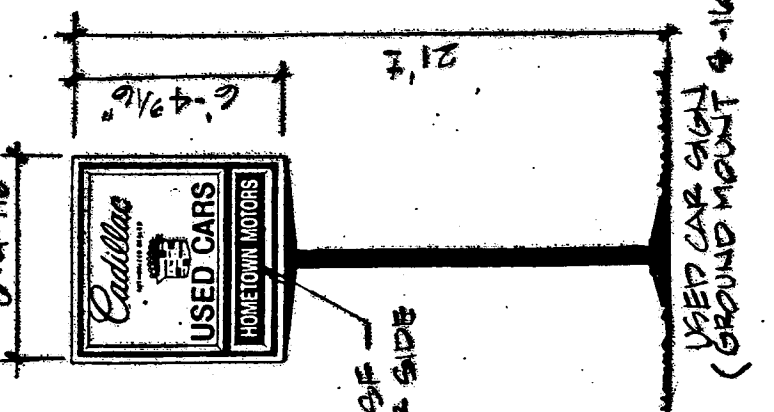
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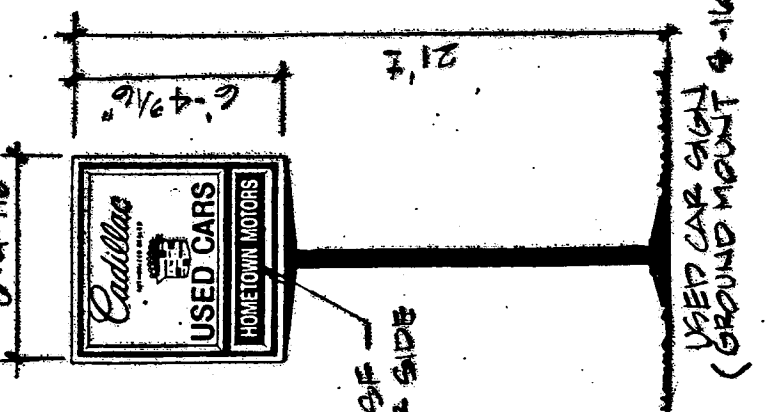
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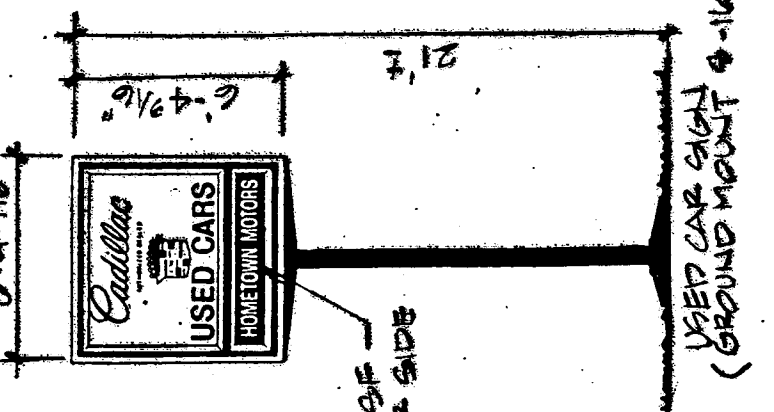
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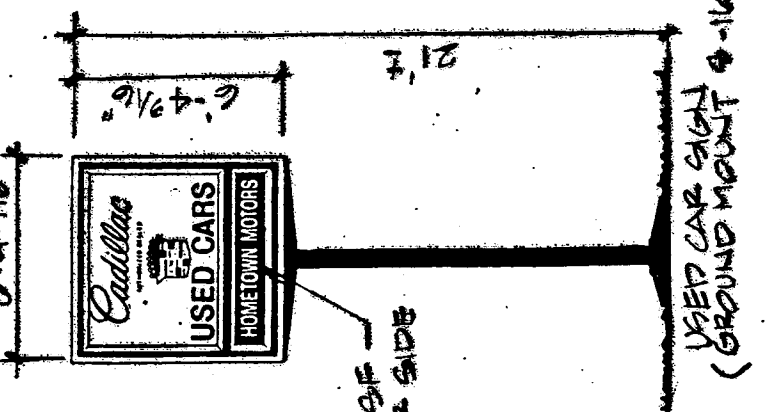
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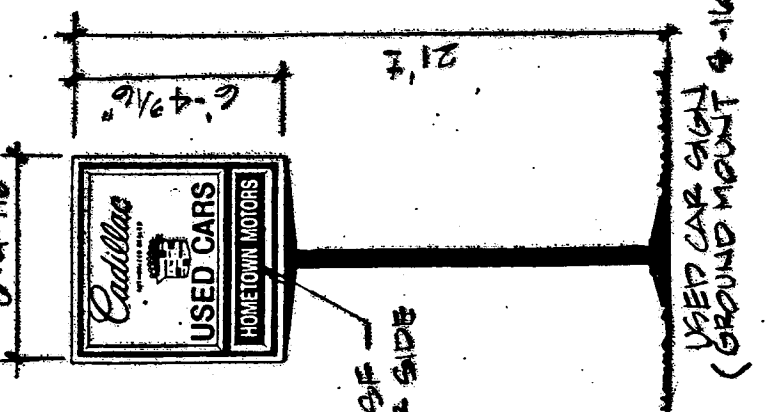
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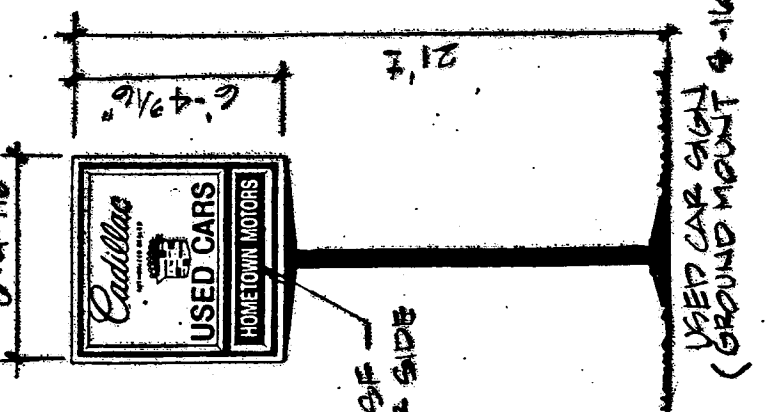
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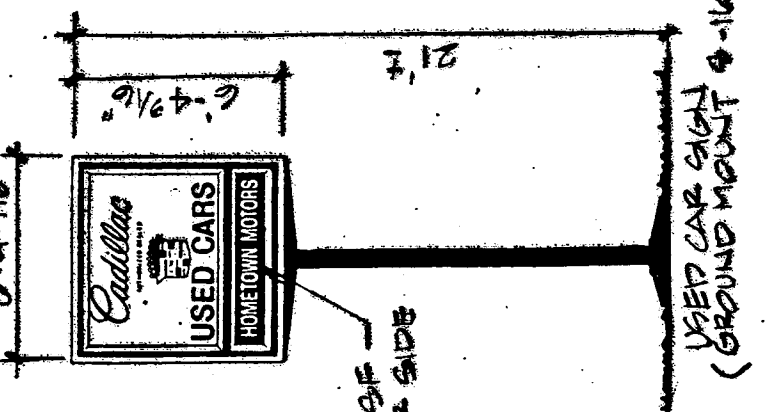
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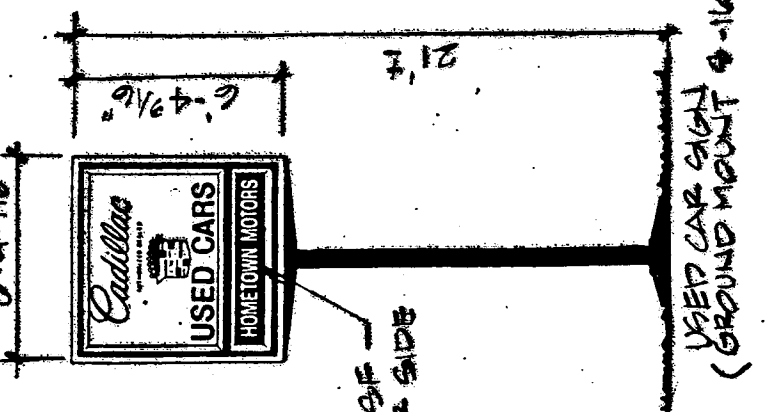
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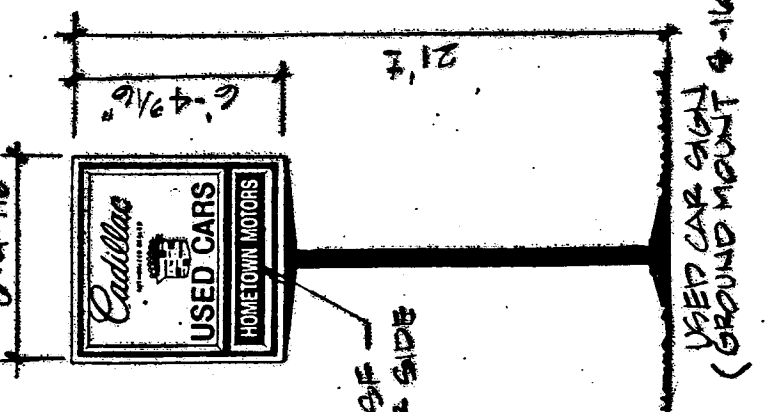
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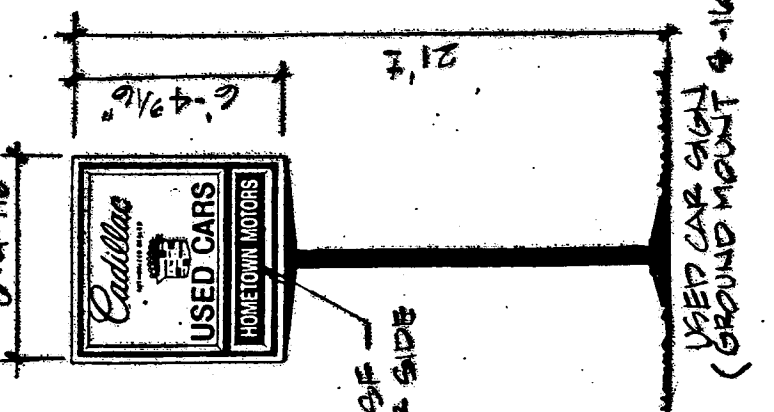
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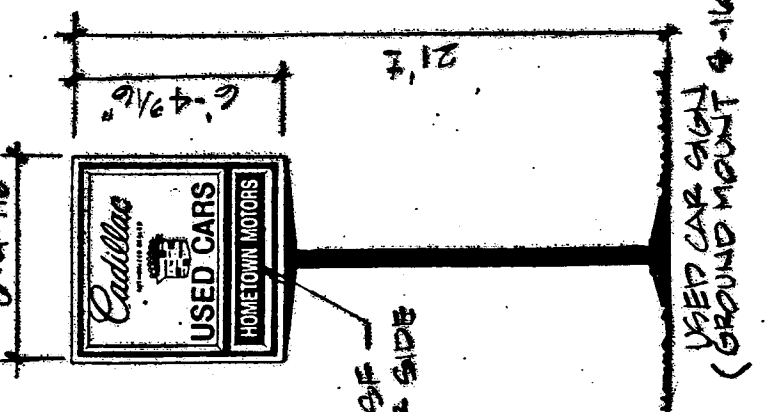
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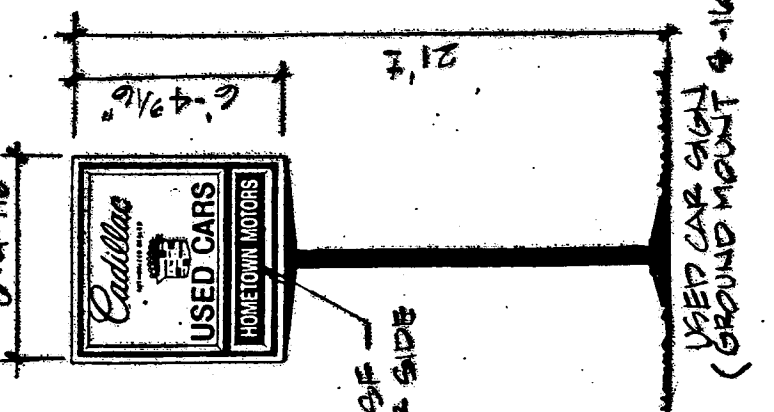
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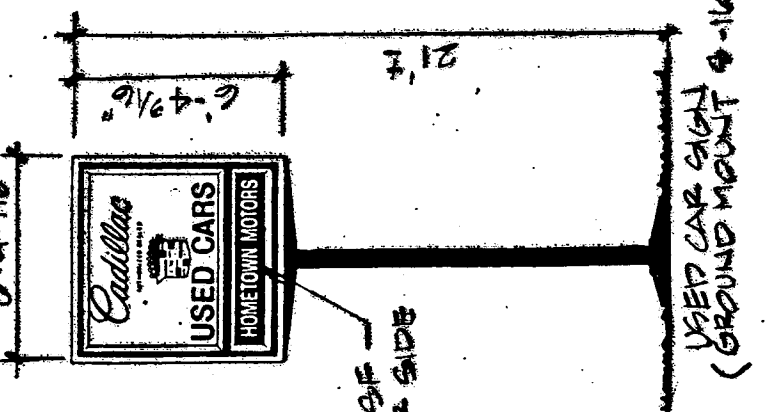
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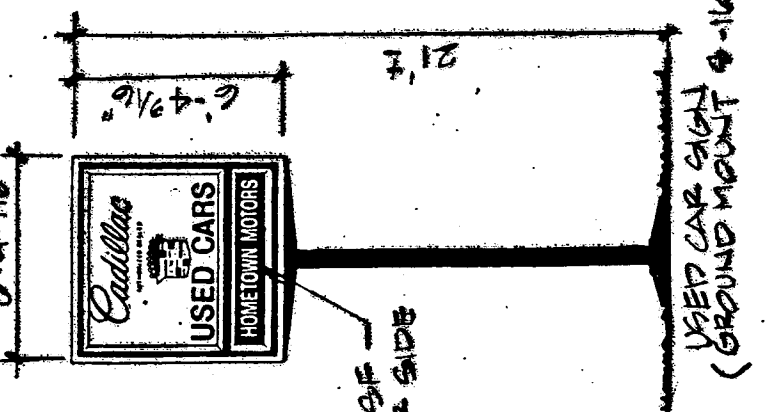
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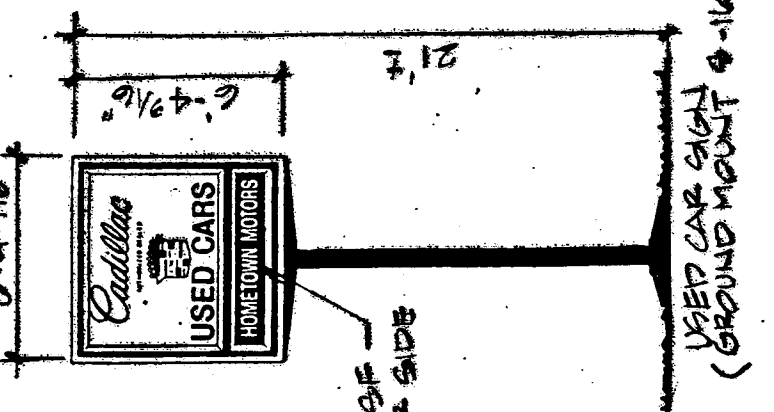
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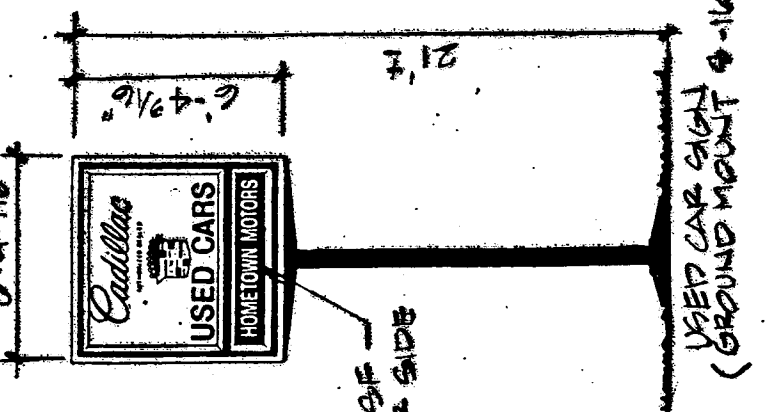
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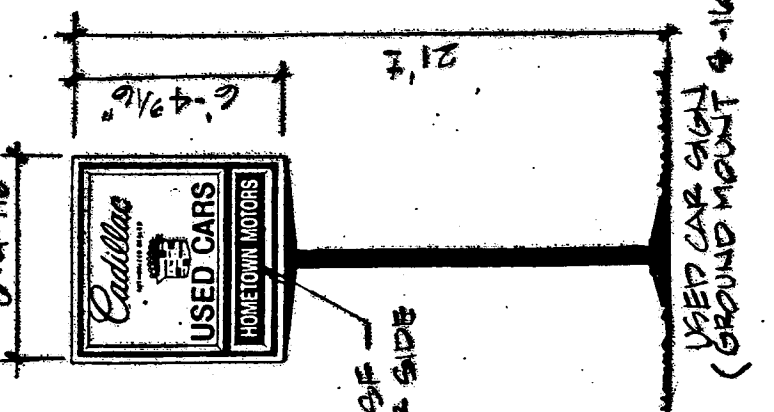
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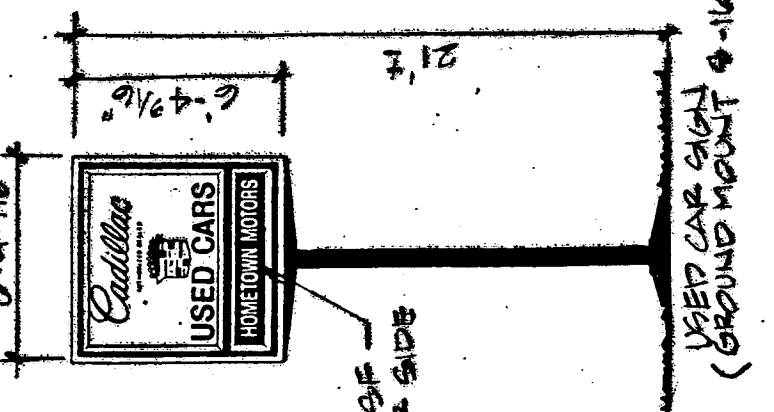
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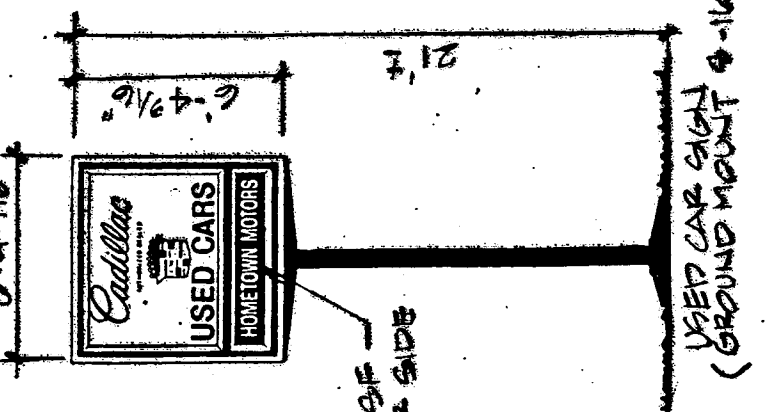
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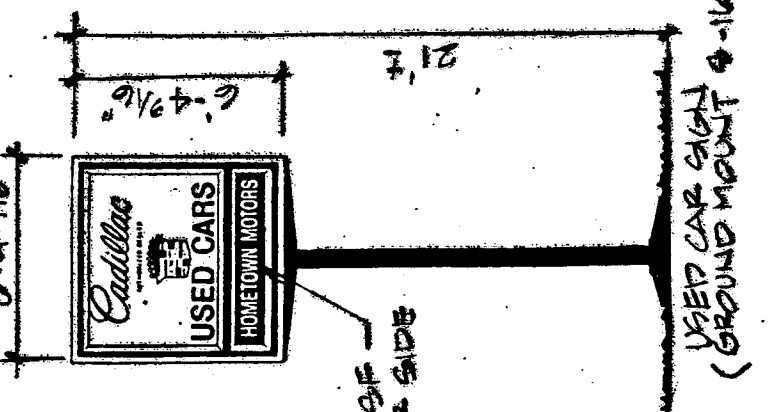
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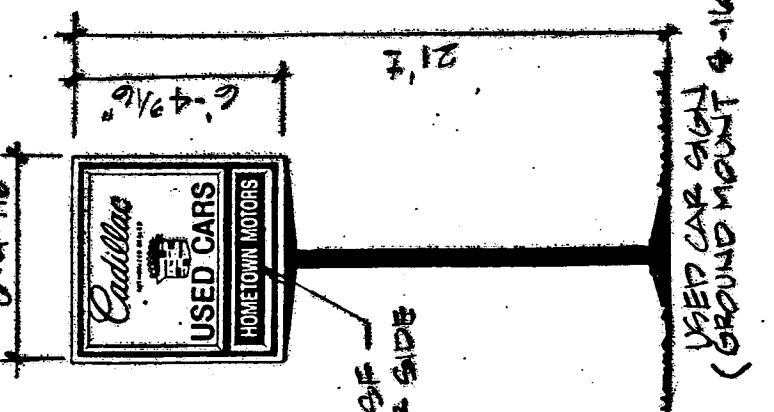
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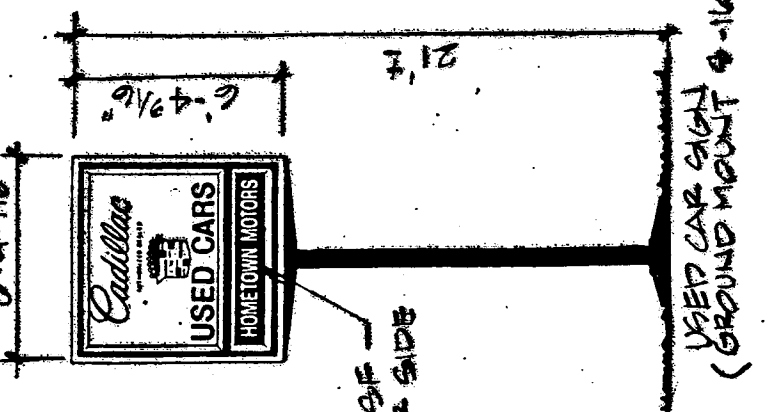
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