

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
NW corner Cranbrook and		
Ridgeland Roads	*	DEPUTY ZONING COMMISSIONER
8th Election District		
4th Councilmanic District	*	OF BALTIMORE COUNTY
(528-598 Cranbrook Road)		
	*	CASE NO. 02-019-X
Cranbrook Plaza Enterprises, LLC		
Petitioners	*	
* * * * *		

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owners of the subject property, Cranbrook Plaza Enterprises, LLC. The Petitioners are requesting a special exception for approval of a service garage on property located at 528 Cranbrook Road. The subject property is split-zoned BL and RO. The petition was prepared and filed by Benjamin Bronstein, attorney at law.

Appearing at the hearing on behalf of the special exception request were Joseph Larson, representing Spellman & Larson Associates, Inc., the engineer who prepared the site plan of the property, Dan Smith, a representative of the owner of the property and Benjamin Bronstein, attorney at law. Appearing in opposition to the Petitioners' request was James Riffin. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special exception request, is the Cranbrook Road Shopping Center located on the north side of Cranbrook Road at its intersection with Ridgeland Road. The special exception request involves a section of that shopping center consisting of a leaseable area of 20 ft. by 100 ft. The exact location for this service garage request is shown on Petitioners' Exhibit No. 1, the site plan submitted at the hearing. The Petitioners are desirous of leasing this 2,000 sq. ft. area of their shopping center to the Alamo Car Rental Agency. Alamo is desirous of operating a rental car

ORDER RECEIVED FOR FILING

Date 9/18/01

By J. P. Gannon

business from this shopping center location. They propose to store and keep up to 15 passenger rental vehicles on the subject site for lease. The vehicles which are to be rented are proposed to be stored at the rear of the shopping center in an area where 31 parking spaces are provided. Those parking spaces are unused at this time, given their location in the rear of the shopping center. Therefore, the parking of these rental vehicles should not in any way interfere with customer parking for those who patronize other businesses in this shopping center. In order to proceed with the establishment of the Alamo Rental Car business in this shopping center, the special exception request for a service garage is necessary.

As stated previously, Mr. James Riffin appeared in opposition to the Petitioners request. Mr. Riffin does not oppose Alamo Rental Car locating a business within this shopping center. Mr. Riffin's opposition is that he believes a special exception for a service garage is not necessary. It is his opinion, based on his interpretation of the Zoning Regulations, that the use of the property in this fashion does not amount to a service garage and, therefore, should be permitted as of right on the property. Mr. Bronstein stated that he disagrees with Mr. Riffin's interpretation of the Zoning Regulations and wishes his special exception for a service garage to be considered.

The Baltimore County Zoning Regulations defines service garage as "a garage other than a residential garage where motor driven vehicles are stored, equipped for operation, repaired or kept for remuneration, hire or sale." Historically, the Zoning Office has always interpreted car rental businesses as falling within the service garage definition as stated above. After reviewing this definition and the specific language used, I find that in order for Alamo Car Rental Agency to locate its business within this shopping center, a special exception for a service garage must first be obtained. The specific language contained within the definition of service garage does

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Date 9/18/01
By J.R. [Signature]

not require that the vehicles which are kept for hire or sale actually be physically located within the building itself. It is appropriate for the vehicles kept for hire or sale to be stored outside of the building structure itself on a parking lot or other appropriate area. Therefore, this use does fall within the service garage definition and a special exception is required.

It is clear the Baltimore County Zoning Regulations permits the Petitioners' use in a BL/RO zone by special exception. It is equally clear that the proposed use is not detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioners had the burden of adducing testimony and evidence which shows that the use meets the prescribed standards and requirements set forth in Section 502.1 of the Baltimore County Zoning Regulations. The Petitioners have shown that the use is conducted without real detriment to the neighborhood and does not adversely affect the public interest. The facts and circumstances do not show that the use at this particular location described by Petitioners' Exhibit No. 1 has any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

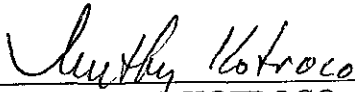
The use is not detrimental to the health, safety, or general welfare of the locality, nor tends to create congestion in roads, streets, or alleys therein, nor is it inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the B.C.Z.R.

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

ORDER RECEIVED FOR FILING
Date 9/18/01
By R. J. JAMESON

THEREFORE, IT IS ORDERED this 18th day of September, 2001, by this Deputy Zoning Commissioner, that the Petitioners' Special Exception Request for approval of a service garage located at 528 Cranbrook Road, split-zoned BL and RO, be and is hereby APPROVED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning same property to its original condition.
2. That the Petitioners shall be required to keep and store all vehicles to be rented within the 31 parking spaces located immediately to the rear of the space they are renting within this shopping center. At no time shall Alamo Cars be parked out on the front parking lot except for temporary purposes. All vacuuming, cleaning or washing of any rental vehicle shall occur behind the shopping center, in the area where the aforementioned 31 parking spaces are located. All cleaning of vehicles shall occur during daylight hours.
3. The service garage use granted herein is for the rental of passenger vehicles only and for the incidental cleaning, washing and vacuuming of those automobiles. There shall be no automotive service work such as oil changes, motor repair, brake or muffler work performed on any vehicle stored on this property. The service garage use shall be for this car rental business only and shall not be interpreted to permit any other type of service work to be performed at this location.
4. When applying for a permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 9/18/01
By R. J. [signature]



Baltimore County
Zoning Commissioner

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

September 18, 2001

Benjamin Bronstein, Esquire
George & Bronstein, LLP
29 W. Susquehanna Avenue, Suite 205
Towson, Maryland 21204

RE: Petition for Special Exception
Case No. 02-019-X
Property: 528-598 Cranbrook Road

Dear Mr. Bronstein:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Special Exception has 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,

A handwritten signature in dark ink, appearing to read "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper

Copies to:

Joe Larson, P.E.
Spellman & Larson Associates, Inc.
105 W. Chesapeake Avenue
Towson, MD 21204

Cranbrook Plaza Enterprises, LLC
c/o Dan Smith
599 Cranbrook Road
Cockeysville, MD 21030

James Riffin
50 Scott Adam Road
Cockeysville, MD 21030



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at ~~522~~⁵²³ 598 Cranbrook Road

which is presently zoned BL / RO

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

a service garage

and to amend the previously approved site plan

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:

Benjamin Bronstein

Name - Type or Print

Signature

George & Bronstein, LLP

Company

29 West Susquehanna Avenue, Suite 205

410-296-0200

Address

Telephone No.

Township

Maryland

21204

City

State

Zip Code

Legal Owner(s):

Cranbrook Plaza Enterprises, LLC

Name - Type or Print

Signature

Alan Gebhart

Managing Member

Name - Type or Print

Signature

599 Cranbrook Road

410-666-3400

Address

Telephone No.

Cockeysville

Maryland

21030

City

State

Zip Code

Representative to be Contacted:

Joe Larson, PE

Spellman & Larson Associates, Inc.

Name

105 West Chesapeake Avenue

410-823-3535

Address

Telephone No.

Township

Maryland

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By JRF

Date 7/12/01

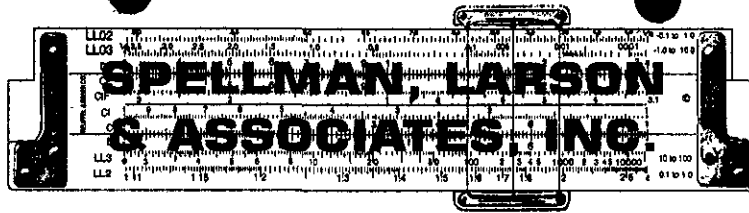
Case No. 02-019-X

REV 11/13/98

ORDER RECEIVED FOR FILING

Date

By



ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON

CIVIL ENGINEERS AND LAND SURVEYORS

105 W. CHESAPEAKE AVENUE

TOWSON, MARYLAND 21204

TEL (410) 823-3535 / FAX (410) 825-5215

DESCRIPTION OF PROPERTY OF CRANBROOK SHOPPING CENTER

528-598 Cranbrook Rd.

BEGINNING for the same at a point formed by the intersection of the northerly right-of-way of Cranbrook Road, seventy (70) feet wide and the westerly right-of-way of Ridgland Road, one hundred (100) feet wide, thence departing said point of beginning and running with and binding on the said northerly right-of-way of Cranbrook Road with meridian reference to Maryland State Grid North the two (2) following courses and distances:

1) Northwesterly by a curve to the left having a radius of 1410.09 feet, an arc length of 601.72 feet and a chord bearing and distance of North 83 degrees 51 minutes 53 seconds West 597.14 feet thence

2) Southwesterly by a curve to the left having a radius of 1670.00 feet an arc length of 483.99 feet and a chord bearing and distance of South 75 degrees 36 minutes 31 seconds West 482.29 feet thence departing said northerly right-of-way of Cranbrook Road

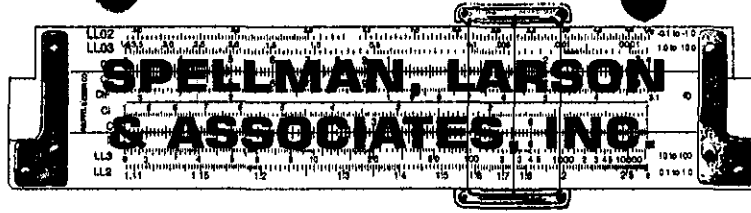
3) North 22 degrees 41 minutes 37 seconds West 93.21 feet thence

4) North 05 degrees 29 minutes 10 seconds East 530.00 feet thence

5) South 84 degrees 30 minutes 50 seconds East 1021.33 feet thence

6) North 77 degrees 13 minutes 08 seconds East 48.40 feet to the said westerly right-of-way of Ridgland Road, thence running with and binding on the said westerly right-of-way of Ridgland Road

010



ROBERT E. SPELLMAN, P L S
JOSEPH L. LARSON

CIVIL ENGINEERS AND LAND SURVEYORS

105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535 / FAX (410) 825-5215

Page 2

DESCRIPTION OF PROPERTY OF CRANBROOK SHOPPING CENTER

- 7) South 12 degrees 46 minutes 52 seconds East 148.75 feet thence
- 8) Southwesterly by a curve to the right having a radius of 500.00 feet an arc length of 294.82 feet and a chord bearing and distance of South 04 degrees 06 minutes 39 seconds West 290.57 feet thence
- 9) South 21 degrees 00 minutes 08 seconds West 28.39 feet thence
- 10) South 64 degrees 50 minutes 01 seconds West 21.62 feet to the Point Of Beginning.

Containing 12.134 acres of land more or less

06/22/01



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

4045

DATE

7/12/01

ACCOUNT

001 000 6150

AMOUNT

\$300.00

RECEIVED

FROM:

George E. P. ...

528 CRANER ...

FOR:

Special Excavation (Disposal) TAKEN BY JPE

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYABLE TO: CASHIER

DATE: 7/12/2001 12:22:26

AMOUNT: \$300.00

RECEIVED BY: JPE

DATE: 7/12/2001

TIME: 12:22:26

DEPT. TOTAL 300.00

AMOUNT OK

Baltimore County, Maryland

19

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: #02-019-X
528-598 Cranbrook Road
NW Cor. Cranbrook and
Ridgeland Roads.
8th Election District
4th Councilmanic District
Legal Owner(s): Cranbrook
Plaza Enterprises LLC, Alan
Gebhart

Special Exception: to permit the use of a service garage and to amend the previously approved site plan.
Hearing: Thursday, September 6, 2001 at 9:00 a.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/8/720 Aug. 21 C488888

CERTIFICATE OF PUBLICATION

8/23, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/21, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 02-019-X

Petitioner/Developer: CRANBROOK, ETAL

BRONSTEIN/GEORGE

Date of Hearing/Closing: 9/6/01

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

Attention: Ms. Gwendolyn Stephens / MR. GEORGE ZAHNER

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 #528 - 598 - CRANBROOK RD.

The sign(s) were posted on 8/20/01
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 8/25/01
(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)

ZONING NOTICE

CASE #. 02-019 X

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

PLACE: ROOM 407, COUNTY COURTS BUILDING, 401 BOSLEY AVE.

DATE AND TIME: THURSDAY, SEPTEMBER 6, 2001 @ 9:00 A.M.

REQUEST: SPECIAL EXCEPTION TO PERMIT
THE USE OF A SERVICE GARAGE
AND TO AMEND THE PREVIOUSLY
APPROVED SITE PLAN:
(#528-598 CRANBROOK RD.)

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 847-3391

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

**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: 02-019-X

Petitioner: Alan Gebhart Cranbrook Plaza Enterprises, LLC

Address or Location: 528-598 Cranbrook Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Ben Bronstein

Address: 29 West Susquehanna Ave, Suite 205
Towson, MD 21204

Telephone Number: 410-296-0200

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 21, 2001 Issue – Jeffersonian

Please forward billing to:

Ben Bronstein
George & Bronstein LLP
29 W Susquehanna Ave, Ste 205
Towson MD 21204

410 296-0200

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: 02-019-X

528 – 598 Cranbrook Road

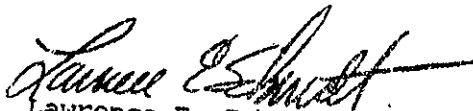
NW Cor. Cranbrook and Ridgeland Roads

8th Election District – 4th Councilmanic District

Legal Owner: Cranbrook Plaza Enterprises LLC, Alan Gebhart

Special Exception to permit the use of a service garage and to amend the previously approved site plan.

HEARING: Thursday, September 6, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
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.



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

August 9, 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: 02-019-X
528 – 598 Cranbrook Road
NW Cor. Cranbrook and Ridgeland Roads
8th Election District – 4th Councilmanic District
Legal Owner: Cranbrook Plaza Enterprises LLC, Alan Gebhart

Special Exception to permit the use of a service garage and to amend the previously approved site plan.

HEARING: Thursday, September 6, 2001 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 G.D.Z.
Director

C: Benjamin Bronstein, George & Bronstein LLP, 29 W Susquehanna Ave,
Suite 205, Towson 21204
Cranbrook Plaza Enterprises LLC, Alan Gebhart, 599 Cranbrook Road,
Cockeysville 21030
Joe Larsen.PE, Spellman & Larson Assoc Inc, 105 W Chesapeake Ave, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 22, 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.



Baltimore County
Department of Permits and
Development Management

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

August 31, 2001

Alan Gebhart
Cranbrook Plaza Enterprises, LLC
599 Cranbrook Road
Cockeysville MD 21030

Dear Mr. Gebhart:

RE: Case Number: 02-019-X, 598 Cranbrook Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 12, 2001.

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. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Benjamin Bronstein, George & Bronstein, LLP, 29 W Susquehanna Avenue,
Suite 205, Towson 21204
Joe Larson, PE, Spellman & Larson Associates Inc, 105 W Chesapeake Avenue,
Towson 21204
People's Counsel

Sept
9/6

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: September 6, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For August 13, 2001
Item Nos. 018, 019, 021, 022, 023, 025,
026, 028, 029, 030, 031, 032, 033,
035, and 057

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

RWB:HJO:jrb

cc: File

SEP 13



**Baltimore County
Fire Department**

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

~~August~~ 14, 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: 019-Cranbrook Plaza Enterprises
057 - Antbren LLC, Jack Antwerpen - Owner

Location: DISTRIBUTION MEETING OF August 6, 2001

Item No.: 057 & 019

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.

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

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



Jen
9/6

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 4, 2001

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-033, & 02-019

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

SEP - 5

AFK/JL:MAC



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 8.10.01

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

RE: Baltimore County
Item No. 019 JRF

Dear Ms. Jackson:

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.

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,

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

RE: PETITION FOR SPECIAL EXCEPTION
528-598 Cranbrook Road, NW Corner Cranbrook
and Ridgeland Rds
8th Election District, 3rd Councilmanic

Legal Owner: Cranbrook Plaza Enterprises LLC
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-19-X

* * * * *

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 17th day of August, 2001 a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, Esq., George & Bronstein, 29 W. Susquehanna Avenue, Suite 205, Towson, MD 21204, attorney for Petitioner(s).



PETER MAX ZIMMERMAN

Case Number 02-019 X

PLEASE PRINT LEGIBLY

PETITIONER'S SIGN-IN SHEET

[illegible]

Revised 4/17/00

Case Number 02-019X

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

[illegible]

JRF

Intake Planner

7/12/01

Date Assigned

DROP-OFF PETITIONS PROCESSING CHECK-OFF

- ☒ **Two Questions Answered on Cover Sheet:**
Any previous reviews in the zoning office?
Any current building or zoning violations on site?
- ☐ **Petition Form Matches Plat in these areas:**
Address
Zoning
Legal Owner(s)
Contract Purchaser(s)
Request (if listed on plat)
- ☒ **Petition Form (must be current PDM form) is Complete:**
Request:
Section Numbers
Correct Wording (must relate to the code, especially floodplain and historical standard wording. Variances must include the request in lieu of the required code quantities.
Hardship/Practical Difficulty Reasons
Legal Owner/Contract Purchaser:
Signatures (originals)
Printed/Typed Name and Title (if company)
Attorney (if incorporated)
Signature/Address/Telephone Number of Attorney
- ☒ **Correct Number of Petition Forms, Descriptions and Plats**
- ☒ **200 Scale Zoning Map**
- ☐ **Check:** Amount Correct? Signed? \$250 Need \$50 more (Special Exception = \$300) ^{O.K.}
- ☐ **ZAC Plat Information:**
✓ Location (by Carl) New/Cor Cranbrook and Ridgeland Roads

Zoning: BL/RDAcreage: 12.134 Ac.

Previous Hearing Listed With Decision

Election District 8THCouncilmanic District 4thCase # 71-281-SPHA

Check to See if the Subject Site or Request is:

- ✓ CBCA
- ✓ Floodplain
- ✓ Elderly
- ✓ Historical
- ✓ Pawn Shop
- ✓ Helicopter

72-205 R
74-06-XA
77-126-A
80-108-SPHXA
81-110-X
90-491-A

*If Yes, Print Special Handling Category Here

*If No, Print No

NO

02-019-X

Item Number Assigned

7-12-01

Date Accepted for Filing

LAW OFFICES

GEORGE AND BRONSTEIN, LLP

SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719
georgbron@aol.com

HARRIS JAMES GEORGE
BENJAMIN BRONSTEIN

CONSTANCE K. PUTZEL
OF COUNSEL

July 6, 2001

Arnold Jablon, Director
Department of Permits and
Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: ²⁰534-598 Cranbrook Road

Dear Mr. Jablon:

In reference to the above entitled property I am hereby enclosing the following:

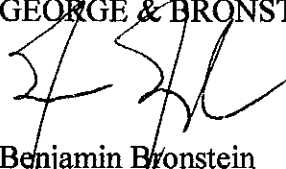
1. Petition for Special Exception in triplicate;
2. Twelve (12) copies of the Plat to Accompany Zoning Petition;
3. The 200 Scale Zoning Map;
4. Three copies of the description under seal;
5. My check to cover costs.

Please be advised that there are no violations. I would appreciate if this matter can be set in for a hearing on or before August 17, 2001 as I will be out of town for the remainder of August.

Thank you for your kind consideration and attention to this matter.

Very truly yours,

GEORGE & BRONSTEIN, LLP


Benjamin Bronstein

BB/mlh
Enclosures
cc: Mr. Alan Gebhart
Cranbrook Plaza Enterprises, LLC

P.S. I filed these plans because of rush to get a hearing date before Aug 17, 2001. I gather the plans have to be amended to show the parking area for the S.E. So there a need to file for a special hearing to amend the plans site plan BB

NOTICE OF OBJECTION TO GRANTING OF SPECIAL EXCEPTION

TO: Baltimore County Zoning Commissioner

FROM: Thomas Heffernan
2334 York Road
Timonium, MD 21093

DATE: September 5, 2001

RE: Case #: 02 - 019X
Special Exception for a Service Garage at 528 - 598 Cranbrook Road,
Cockeysville, MD.

Dear Mr. Commissioner:

For the reasons specified below, I would object to the granting of a special exception for a service garage in case number: 02 - 019 X.

Reasons for objection:

1. The site plan that is on file in the Zoning Office has too many serious errors on it, specifically:

A. The site plan states there are 563 parking spaces available on the subject site. The site plan shows only 450 parking spaces, which is significantly less than the 545 parking spaces that are required.

B. The site plan says to see case number 90 - 491 - A for parking requirements. The final order in that case states the applicant withdrew its request for a parking variance, and further states all issues with regard to parking were dismissed.

C. The site plan does not specify where the vehicles associated with the proposed service garage, would be stored, nor does it specify screening, as required by BCZR §405A.1, is to be provided.

2. A service garage at this location would have an adverse impact which is greater at this site, than it would be at some other less congested BL zoned site.

The shopping center where the proposed service garage would be located, contains approximately 108,955 square feet. §409.6 A 2 states shopping centers that are at least 100,000 sf in size are only required to provide 5 parking spaces per 1,000 sf of gross leasable area, even if the shopping center has restaurants. In the instant case, the shopping center has approximately 25,000 sf of restaurants (McDonalds, Patricks, Coliseum Sports Bar, and Towson Deli). If the

shopping center had less than 100,000 sf of gross leasable area, 400 parking spaces would have to be provided to accommodate these restaurants (16 spaces per 1,000 sf for restaurants).

Presently, the shopping center in question has 20,000 sf of vacant space. (The space formerly occupied by Safeway.) Presently, over 90% of the available parking spaces are taken, due to the huge number of people visiting McDonalds, Patricks and the Coliseum Sports Bar. When the space formerly occupied by Safeway is leased (perhaps to the Coliseum Sports Bar for expansion purposes, since it appears to be very successful and is heavily patronized), there will be a serious lack of parking spaces.

In the instant case, the Applicant's proposed tenant is a car rental agency, which proposes to store 20 or so vehicles at the subject site. The proposed tenant will occupy only 2,000 sf of space. Normally, 10 parking spaces would have to be provided for this use (5 per 1,000 sf). In the instant case, the proposed tenant will need two or more spaces for its employee's vehicles, another two or so spaces for its customers, and an additional 20 spaces to store its vehicles, for a total of 24 parking spaces. This proposed tenant would need 14 spaces more than the 10 spaces normally associated with retail use. In addition, unlike normal retail, the 20 parking spaces used to store vehicles, will be utilized for a long period of time, with little or no turnover. When this substantially greater need for parking spaces is combined with the parking needs associated with the three very successful restaurants, and the many other retail needs at this shopping center, the required 545 parking spaces in reality becomes insufficient.

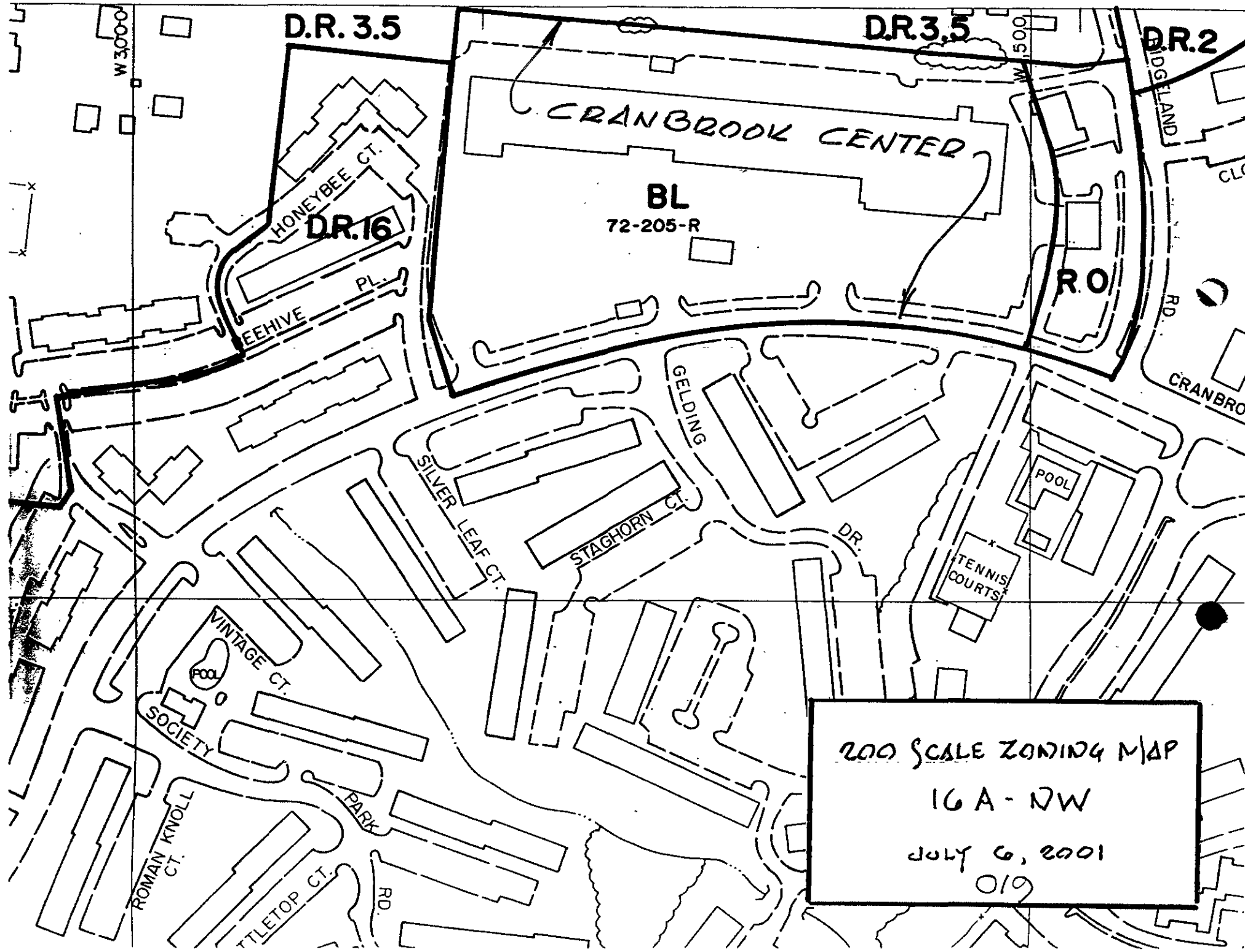
The adverse impact of this particular use (storage of vehicles), would be greater at this particular shopping center, then at some other BL zoned shopping center which does not have such a high percentage of restaurant tenants.

3. The petition is for a service garage. It does not limit the proposed use to storage of undamaged vehicles. If the special exception is granted without any limitations, then the applicant would be permitted to engage in all activities enumerated in the definition of a service garage, including repairing and selling vehicles. If the Commissioner does elect to grant the special exception, your protestant would ask that it be limited to the storage of undamaged vehicles for the specific purpose of renting those vehicles, that the total number of vehicles permitted to be stored be limited and specified, and that the rental and storage of trucks be specifically excluded.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Heffernan', with a stylized, cursive script.

Thomas Heffernan



200 SCALE ZONING MAP
16A-NW
JULY 6, 2001
019

PARKING CALCULATIONS

(REFER TO ZONING CASE NO. 90-491-A)

THE GRANT EXISTING FLOOR AREA: 108,955 SQ. FT.

PARKING REQUIRED = 0 SPACES/1000 SQ. FT.

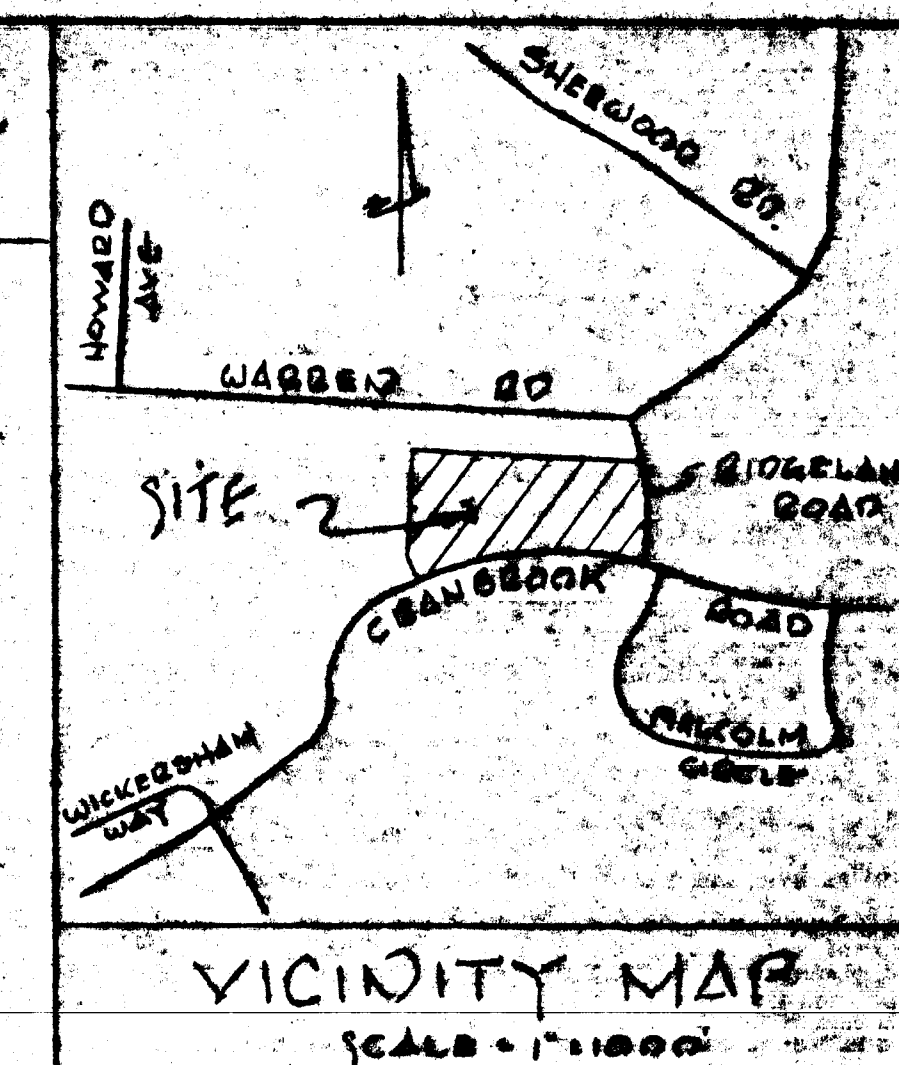
= 0 x 108.9

= 0 SPACES

PARKING PROVIDED = 503 SPACES

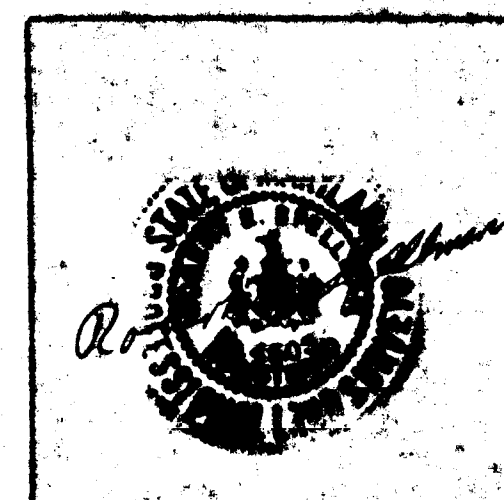
PERMIT INFORMATION

THE LATEST WORK PERFORMED ON THE SUBJECT PROPERTY WAS FOR THE COLISEUM SPORTS BAR, PERMIT NO. 9444189

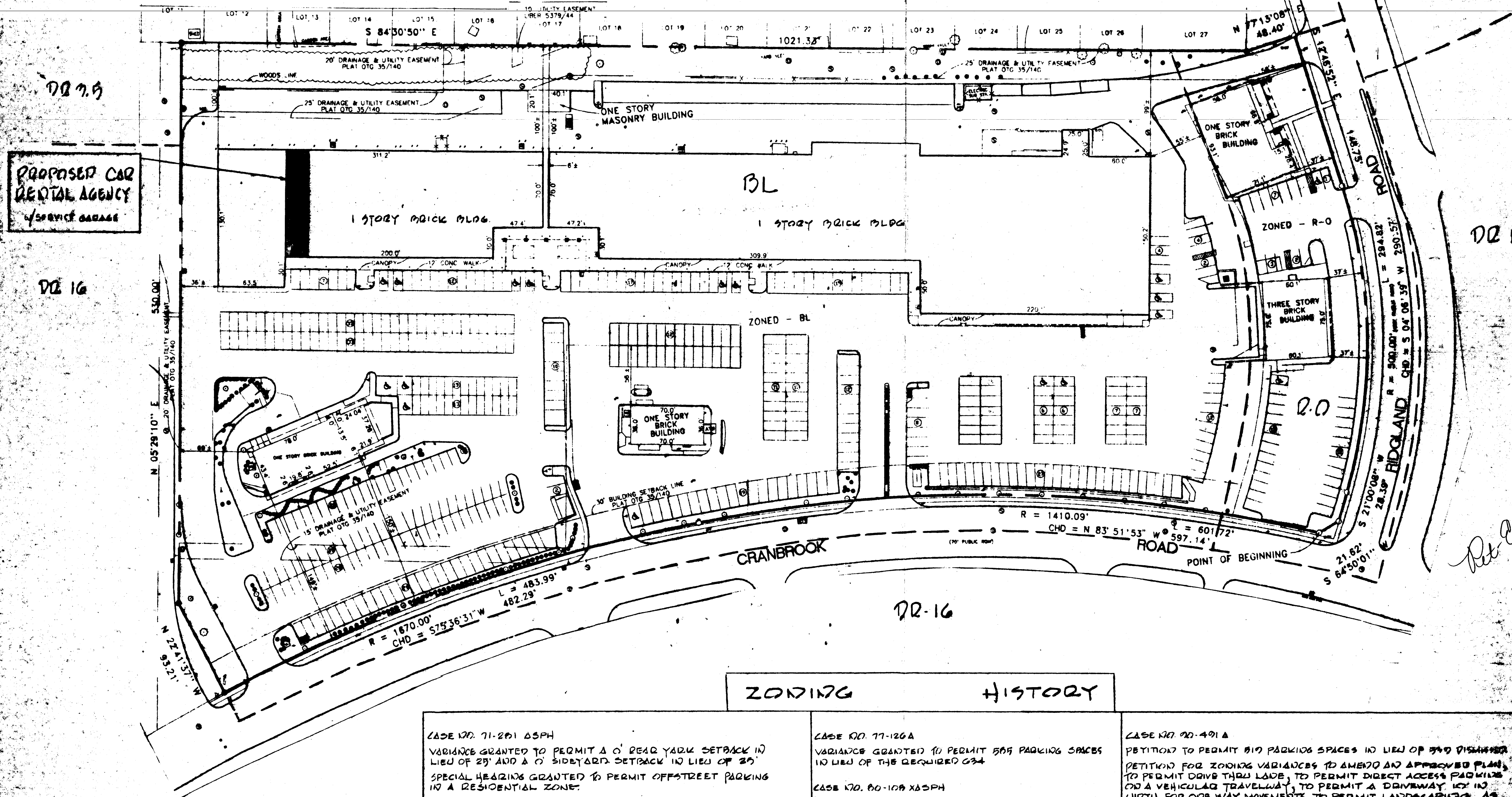


SITE DATA

SITE AREA = 12.142 ACRES
 EXIST. ZONING = BL & R-0
 EXIST. USE = SHOPPING CENTER
 COUNCILMANIC DISTRICT = 4th
 TAX MAP #1 PARCEL 150
 TAX ASST. NO. 200000000
 DEED REF. 14046/110
 PLAT REF. 35/140
 UTILITIES - SEWER - EXISTING
 WATER - EXISTING
 P.A.D. PERMITTED = 0.0
 P.A.D. PROPOSED = 0.0
 ZONING MAP 14A-NW



019



ZONING HISTORY

CASE NO. 71-201 ASPH
 VARIANCE GRANTED TO PERMIT A 0' REAR YARD SETBACK IN LIEU OF 25' AND A 0' SIDEYARD SETBACK IN LIEU OF 25'
 SPECIAL HEARING GRANTED TO PERMIT OFFSTREET PARKING IN A RESIDENTIAL ZONE.

CASE NO. 72-205 R
 RECLASSIFICATION GRANTED FROM DRIG TO BL

CASE NO. 74-206 XA
 SPECIAL EXCEPTION GRANTED TO ALLOW FOR THE CONSTRUCTION OF A 2 STORY OFFICE BLDG.
 VARIANCE GRANTED TO ALLOW A SIDEYARD SETBACK OF 5' AND A REAR YARD SETBACK OF 2' IN LIEU OF THE REQUIRED 25' & 30' RESPECTIVELY

CASE NO. 77-126A
 VARIANCE GRANTED TO PERMIT 503 PARKING SPACES IN LIEU OF THE REQUIRED 634

CASE NO. 80-108 XASPH
 VARIANCE GRANTED TO PERMIT 24 PARKING SPACES IN LIEU OF THE REQUIRED 33.
 SPECIAL EXCEPTION GRANTED TO PERMIT AN ARTIST'S PHOTO PAINTING STUDIO IN AN EXIST. OFFICE BLDG.
 SPECIAL EXCEPTION GRANTED TO ALLOW OFFICES ON THE GROUND FLOOR FOR GENERAL OFFICE USE EXCLUDING MEDICAL & DENTAL OFFICES AND ARTIST'S PAINTING STUDIO.

CASE NO. 81-110X
 SPECIAL EXCEPTION GRANTED FOR A COMMUNITY CARE CENTER (GROUND FLOOR)

CASE NO. 90-491A
 PETITION TO PERMIT 510 PARKING SPACES IN LIEU OF 549 DISMISSED
 PETITION FOR ZONING VARIANCES TO AMEND AND APPROVED PLANS TO PERMIT DRIVE THRU LOBBY, TO PERMIT DIRECT ACCESS PARKING OR A VEHICULAR TRAVELWAY, TO PERMIT A DRIVEWAY 10' IN WIDTH FOR ONE WAY MOVEMENTS, TO PERMIT LANDSCAPING AS REQUESTED, TO PERMIT EXISTING IDENTIFICATION SIGN AS SHOWN ON PLAT, TO PERMIT EXISTING IDENTIFICATION SIGN TO HAVE 177.2 SQ. FT. IN LIEU OF 150' AND TO PERMIT SAID SIGN TO BE SITUATED ON THE OPPOSITE SIDE OF THE THOROUGHFARE FROM RESIDENTIAL LAND, TO PERMIT SAID SIGN TO BE SITUATED ON THE FRONTAGE THOROUGHFARE IN LIEU OF THE SIDE THOROUGHFARE ALL GRANTED.

OWNER
 CRANBROOK PLAZA ENTERPRISES LLC
 709 CRANBROOK RD
 COCKEYSVILLE, MD 21030
 410-666-3400

SPRELLMAN BARRON & ASSOCIATES, INC.
 PLAT TO ACCOMPANY ZONING PETITION
 CRANBROOK CENTER
 709 CRANBROOK RD
 COCKEYSVILLE, MD 21030
 410-666-3400

PARKING CALCULATIONS

(REFER TO ZONING CASE NO. 70-401-A)

THE 2004 EXISTING FLOOR AREA: 108,957 SQ. FT.

PARKING REQUIRED = 8 SPACES/1000 SQ. FT.

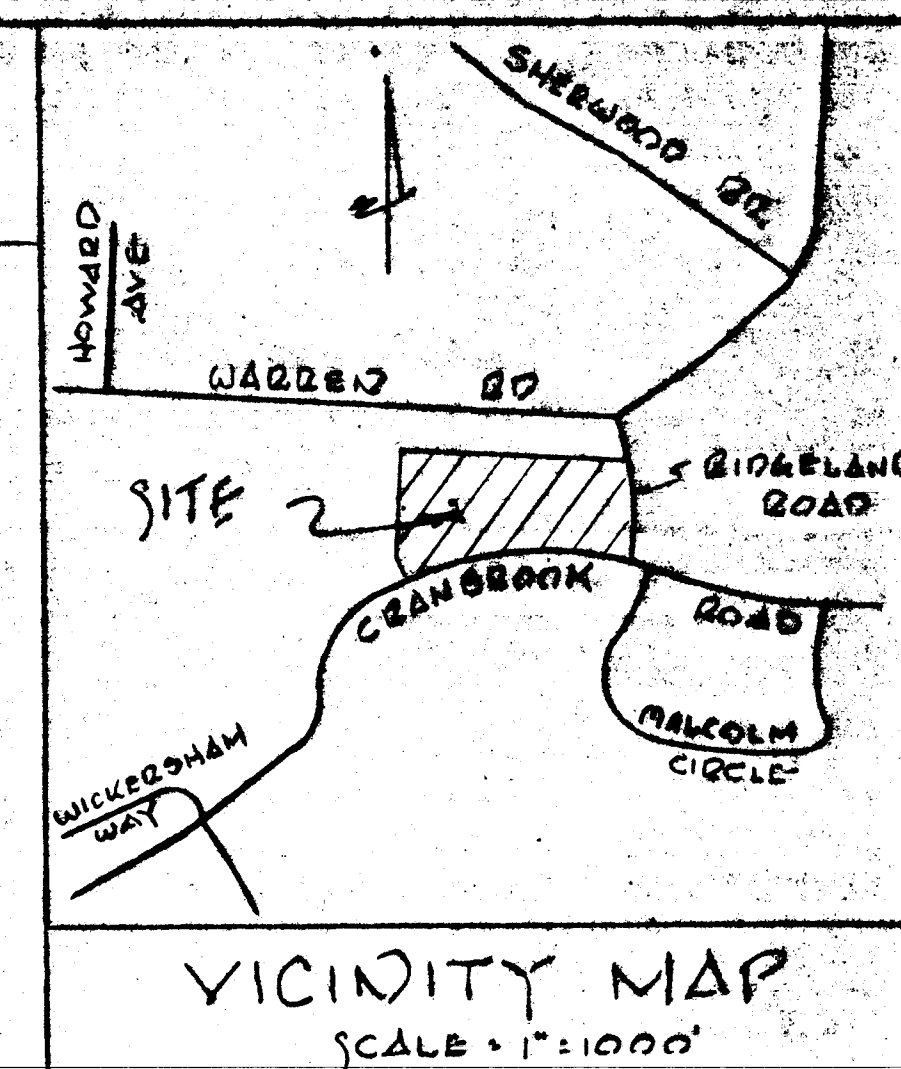
- = 8 x 108.9
- = 845 SPACES

PARKING PROVIDED = 560 SPACES

LESS = 15 SPACES (CAR RENTAL STORAGE)

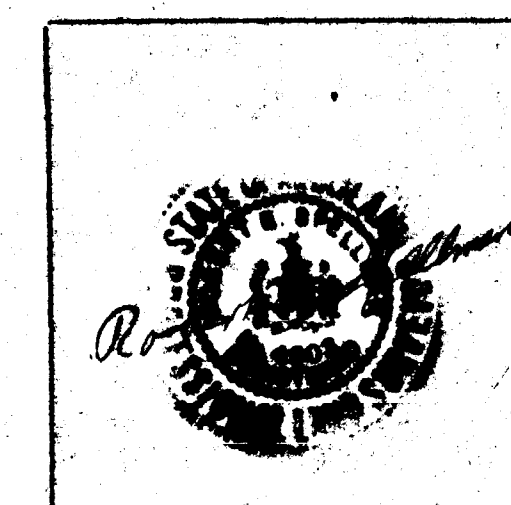
PARKING PROVIDED = 545 SPACES

PERMIT INFORMATION
THE LATEST WORK PERFORMED ON THE SUBJECT PROPERTY
WAS FOR THE COLISEUM SPORTS HALL. PERMIT NO. 9444189



SITE DATA

SITE AREA = 12.741 ACRES
EXIST. ZONING = BL & R-1
EXIST. USE = SHOPPING CENTER
COUNCILMANIC DISTRICT = 4th
1/4 MAP 51 PARCEL NO.
1/4 ACCT. NO. 2400007002
PASEO SEP. 1404/76 1404/76
PLAT DEF. 25/140
UTILITIES - SEWER - EXISTING
WATER - EXISTING
F.A.C. PERMITTED = 7.0
F.A.C. PROPOSED = 0.22
ZONING MAP 16A-NW



Per Ex #2

NO.	DATE	REVISION	DESCRIPTION
1	11/11/01		Initial Survey, Submittal & Comments
2	11/11/01		Revised Survey & Submittal

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 400, JEFFERSON BLVD., THUNDER, MD 21084
PHONE 443-9888

AMENDED PLAT
PLAT TO ACCOMPANY
ZONING PETITION
CRANBROOK CENTER
8th Performance Area

BY ELECTION DATE DATE OF THE

ZONING HISTORY

CASE NO. 71-201 ASPH
VARIANCE GRANTED TO PERMIT A 0' REAR YARD SETBACK IN LIEU OF 25' AND A 0' SIDEYARD SETBACK IN LIEU OF 25'
SPECIAL EXCEPTION GRANTED TO PERMIT OFFSTREET PARKING IN A RESIDENTIAL ZONE.

CASE NO. 72-205 R
RECLASSIFICATION GRANTED FROM DR10 TO BL

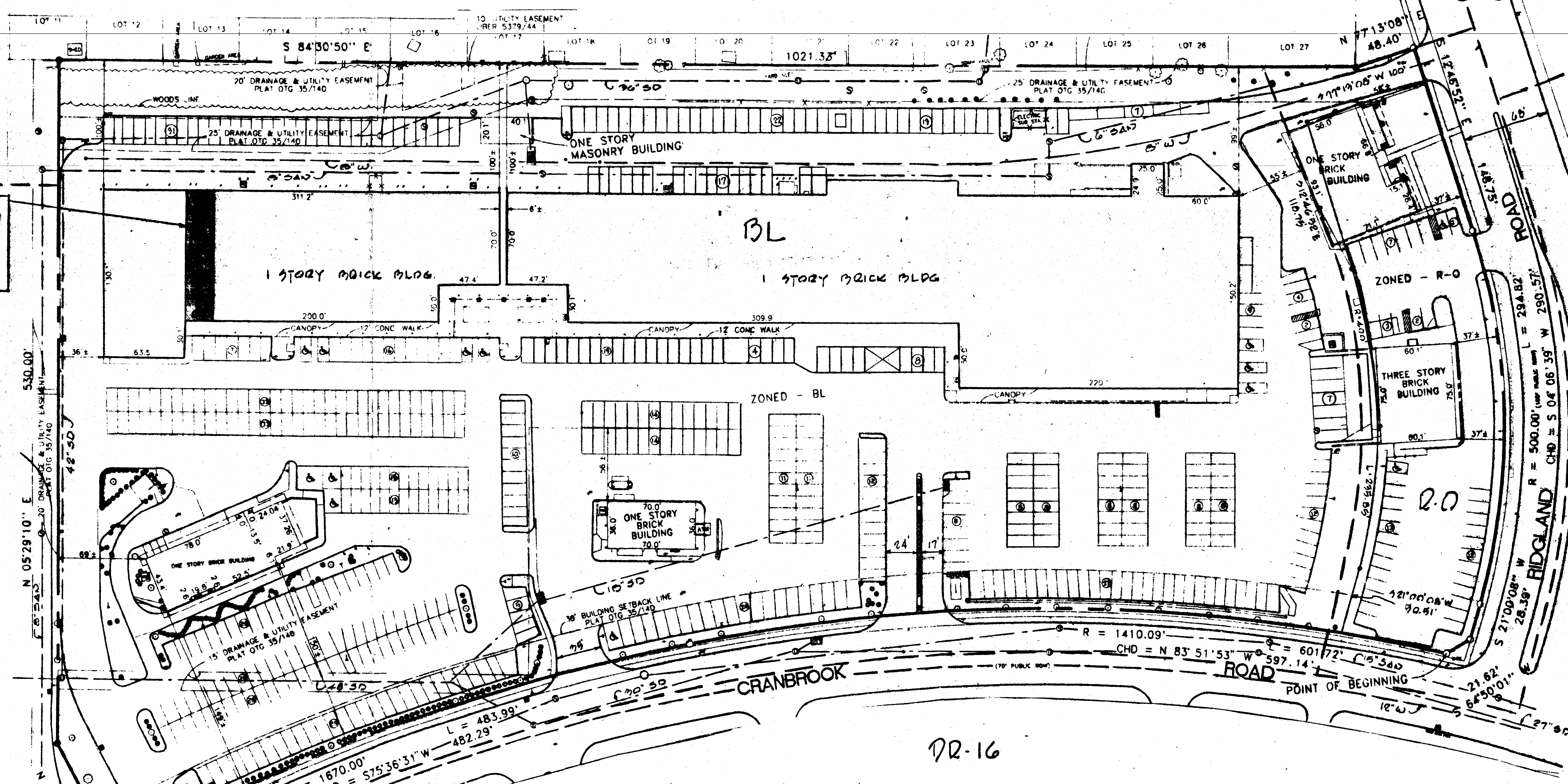
CASE NO. 74-76 KA
SPECIAL EXCEPTION GRANTED TO ALLOW FOR THE CONSTRUCTION OF A 2 STORY OFFICE BLDG.
VARIANCE GRANTED TO ALLOW A SIDEYARD SETBACK OF 5' AND A REAR YARD SETBACK OF 2' IN LIEU OF THE REQUIRED 25' & 30' RESPECTIVELY

CASE NO. 77-126A
VARIANCE GRANTED TO PERMIT 505 PARKING SPACES IN LIEU OF THE REQUIRED 634

CASE NO. 80-108 XASPH
VARIANCE GRANTED TO PERMIT 24 PARKING SPACES IN LIEU OF THE REQUIRED 33
SPECIAL EXCEPTION GRANTED TO PERMIT AN ARTIST'S PHOTO PAINTING STUDIO IN AN EXIST. OFFICE BLDG.
SPECIAL EXCEPTION GRANTED TO ALLOW OFFICES ON THE GROUND FLOOR FOR GENERAL OFFICE USE EXCLUDING MEDICAL & DENTAL OFFICES AND ARTIST'S PAINTING STUDIO.

CASE NO. 81-110X
SPECIAL EXCEPTION GRANTED FOR A COMMUNITY CARE CENTER (GROUND FLOOR)

CASE NO. 90-401A
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PETITION FOR ZONING VARIANCES TO AMEND AN APPROVED PLAN, TO PERMIT DRIVE THRU LADE, TO PERMIT DIRECT ACCESS PARKING ON A VEHICULAR TRAVELWAY, TO PERMIT A DRIVEWAY 10' IN WIDTH FOR ONE WAY MOVEMENTS, TO PERMIT LANDSCAPING AS REQUESTED, TO PERMIT EXISTING IDENTIFICATION SIGN AS SHOWN ON PLAT, TO PERMIT EXISTING IDENTIFICATION SIGN TO HAVE 177.2 SQ. FT. IN LIEU OF 190' AND TO PERMIT SAID SIGN TO BE SITUATED ON THE OPPOSITE SIDE OF THE THOROUGHFARE FROM RESIDENTIAL LAND, TO PERMIT SAID SIGN TO BE SITUATED ON THE FRONTAGE THOROUGHFARE IN LIEU OF THE SIDE THOROUGHFARE ALL GRANTED.



PROPOSED CAR RENTAL AGENCY (SERVICE GARAGE)

DR 16

DR 7.5

DR 2

DR 16

DR 16

OWNER
CRANBROOK PLAZA ENTERPRISES LLC
777 CRANBROOK RD
COCKEYSVILLE, MD 21030
410-666-3400