IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE – NW/Corner Reisterstown Road and Nicodemus Road (11602 Reisterstown Road) 4th Election District 3rd Council District	*	BEFORE THE
	*	ZONING COMMISSIONER
	*	OF BALTIMORE COUNTY
	*	Case No. 03-120-XA
Robert E. Fisher, Sr., et ux Petitioners	*	

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owners of the subject property, Robert E. Fisher, Sr., and his wife, Rosemary Fisher, through their attorney, Lawrence M. Hammond, Esquire. The Petitioners request a special exception to permit a service garage on the subject property, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, variance relief is requested from Sections 232.1 and 303.2 of the B.C.Z.R. to permit a front yard setback of 47 feet from the centerline of the public road right-of-way (Reisterstown Road, Maryland Route 140) in lieu of the required 71 feet. Relief is also sought from Sections 405A.1, 405.A.2, 409.8.A.2 and 409.8.A.6 of the B.C.Z.R. to permit an unpaved and unstriped gravel parking surface in lieu of the required striped, durable and dustless surface, and to permit the storage of disabled vehicles on the subject property. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Robert E. Fisher, Sr. property owner, James C. Sadler, Registered Property Line Surveyor who prepared the site plan for this property, and Lawrence M. Hammond, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a triangular shaped parcel located on the northwest corner of Reisterstown Road and Nicodemus Road, at their intersection with Delight Road in Reisterstown. The property contains a gross area of 1.3151 acres, more or less, zoned B.L.-A.S., and is improved with a one-story block building and accessory parking area that are used for a service

ORDER RECEIVED FOR FILING
Date 11/24/02
By

garage operation. Mr. Fisher has owned and operated the business known as Reisterstown Auto Body on the subject site for many years. He testified that the nature of his business is to provide auto body and fender repairs for vehicles that have been damaged in collisions. There is no mechanical work performed on site, only body and fender repairs.

Apparently, the property has been used in this fashion for many years. At one time, the property was used for an automobile dealership known as Niemyer Chrysler. A photograph of that business dating back to the 1920s was shown at the hearing. Since that time, the property has been used for a variety of automotive sales and repair businesses.

Obviously, the nature of the service garage use on this site is nonconforming; however, the Petitioners seek to legitimize the operation by the filing of the Petition for Special Exception. A service garage is permitted by special exception in the B.L.-A.S. zone under Sections 232.1 and 303.2 of the B.C.Z.R. Additionally, the Petitioners propose the construction of a 2800 sq.ft. building to the rear of the site. The construction of this building is not permitted by the nonconforming use regulations; thus, the Petition for Special Exception has been filed. This building will be used for administrative offices and storage of equipment and parts used in connection with the business. The body and fender work will continue to take place in the existing building.

The site is unique in view of its configuration and orientation towards Reisterstown Road. It is also to be observed that the immediately adjacent property to the west is the site of a Giant Food Store. That store actually fronts Cherry Valley Road to the west and abuts the subject property to the rear (east). Moreover, the east side (rear) of the subject property abuts Nicodemus Road at its convergence with Delight Road and Reisterstown Road, across from Captain Harvey's Restaurant. These factors are persuasive to a finding that the property is unique. Additionally, the character of the area is commercial/retail and the nature and long-term use of this site is consistent with the surrounding community.

Based upon these factors, I am persuaded that the Petitions for Special Exception and Variance should be granted. As to the special exception request, it is clear that the service garage use will not be detrimental to the health, safety and general welfare of the locale. I am persuaded that the applicant has met the criteria set out in Section 502.1 of the B.C.Z.R. for relief to be granted.

ORDER RECEIVED FOR FILING
Date 10/29/02
By

As to the variance relief sought, there are actually two variances requested. The first is to legitimize the location of the existing building, which is set back 47 feet from Reisterstown Road. The setback required is measured by computing the average front setback of adjacent properties. In this case, the average setback of 71 feet is computed based on the standard requirement for setbacks in the B.L. zone, as well as the adjacent Captain Harvey's Restaurant business that is setback 102 feet. However, these measurements are misleading in that the adjacent Giant Food Store is not oriented towards Reisterstown Road and should therefore not be considered when determining the average setbacks. In any event, given the shape of the lot and long-time existence of the subject building, I am persuaded that the requested variance from front setback requirements should be granted.

The second variance sought is for the two existing parking lots. As shown on the plan, there are several areas of parking for both employees and storage of vehicles brought to the site for repairs. These parking areas are currently gravel and not paved or striped. Testimony and evidence offered at the hearing indicated that this arrangement works well and the property has been used in this fashion for many years. The Office of Planning submitted a Zoning Advisory Committee (ZAC) comment requesting that the front lot be paved. Mr. Fisher indicated that his employees and not members of the public use this lot. Obviously, employees park on the site daily and are familiar with the layout and best use of that lot. Additionally, it is to be noted from photographs submitted that the front lot is elevated and sits atop a retaining wall. It appears that the paving of the lot with an impervious surface could cause problems with storm water runoff in that area. Specifically, the water would be discharged towards the existing building and over the retaining wall. For these reasons, I decline to adopt Planning's request.

The Office of Planning also requested that landscaping be installed on the site. Again, photographs of the site show existing landscaping along the one side of the property adjacent to the Giant Food Store, and the opposite side adjacent to Nicodemus Road. However, the front portion of the property has little landscaping and efforts to enhance the appearance of that part of the site and screen the uses thereon are appropriate. Thus, I will require that the Petitioners submit a landscape plan to Avery Harden, the County's Landscape Architect, for review and approval prior to the issuance of any permits. This plan

ORDER RECEIVED FOR FILING
Date 10/29/02
By

should be designed so as to recognize the inherent use of the site and to provide screening and buffering in a most effective manner possible.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County his 29th day of October, 2002 that the Petition for Special Exception to permit a service garage on the subject property, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 232.1 and 303.2 of the B.C.Z.R. to permit a front yard setback of 47 feet from the centerline of the public road right-of-way (Reisterstown Road, Maryland Route 140) in lieu of the required 71 feet, and from Sections 405A.1, 405.A.2, 409.8.A.2 and 409.8.A.6 of the B.C.Z.R. to permit an unpaved and unstriped gravel parking surface in lieu of the required striped, durable and dustless surface, and to permit the storage of disabled vehicles on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

2) Prior to the issuance of any permits, the Petitioners shall submit a landscape plan for review and approval by Avery Harden, the County's Landscape Architect. Said plan shall be designed so as to recognize the inherent use of the site and to provide screening and buffering in the most effective manner possible.

3) When applying for any permits, the site plan and landscape plan filed must reference this case and set forth and address the restrictions of this Order.

ORDER RECEIVED FOR FILING
Date 10/29/02
By

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

Baltimore County
Zoning Commissioner

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

October 28, 2002

Lawrence M. Hammond, Esquire
465 Main Street
Reisterstown, Maryland 21136

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE
NW/Corner Reisterstown Road and Nicodemus Road
(11602 Reisterstown Road)
4th Election District – 3rd Council District
Robert E. Fisher, Jr., et ux - Petitioners
Case No. 03-120-XA

Dear Mr. Hammond:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Robert E. Fisher, Sr.
11602 Reisterstown Road, Reisterstown, Md. 21136
Mr. James C. Sadler
152 Westminster Pike, Reisterstown, Md. 21136
Office of Planning; People's Counsel; Case File

Printed with Soybean Ink
on Recycled Paper

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 11602 Reisterstown Road

which is presently zoned BL-AS

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

To permit a service garage on the subject property pursuant to Section 230.13 of the Baltimore County Zoning Regulations.

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:

Lawrence M. Hammond

Name - Type or Print

Signature

Hammond & Hammond, LLC

Company

465 Main St. 410-833-7576

Address Telephone No.

Reisterstown, MD 21136

City State Zip Code

Legal Owner(s):

Robert E. Fisher, Sr.

Name - Type or Print

Signature

Rosemary Fisher

Name - Type or Print

Signature

11602 Reisterstown Rd. 410-833-2271

Address Telephone No.

Reisterstown, MD 21136

City State Zip Code

Representative to be Contacted:

Lawrence M. Hammond

Name

465 Main St. 410-833-7576

Address Telephone No.

Reisterstown, MD 21136

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1HR

UNAVAILABLE FOR HEARING —

Reviewed By JL Date 9/11/02

ORDER RECEIVED FOR FILING
Date 10/29/02
By

Case No. 03-120-XA

REV 09/15/98

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11602 Reisterstown Road
which is presently zoned BL-AS

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 Variance from Section(s) 232.1, 303.2, 405A.1, 405A.2 409.8A.2 and 409.8A.6

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

TO BE DETERMINED AT HEARING.

(See Attached)

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, 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

Legal Owner(s):

Robert E. Fisher, Sr.
Name - Type or Print

Signature

Rosemary Fisher
Name - Type or Print

Signature

11602 Reisterstown Road (410) 833.[illegible]71
Address Telephone No.

Reisterstown, Maryland 21136
City State Zip Code

Attorney For Petitioner:

Lawrence M. Hammond
Name - Type or Print

Signature

Hammond & Hammond, LLC
Company

465 Main Street (410) 833-7576
Address Telephone No.

Reisterstown, Maryland 21136
City State Zip Code

Representative to be Contacted:

Lawrence M. Hammond
Name

465 Main Street (410) 833-7576
Address Telephone No.

Reisterstown, MD 21136
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1HR

UNAVAILABLE FOR HEARING

Case No. 03 120 XA

Reviewed By JL Date 9/11/02

REV 9/15/98

11/29/02

The Petitioners seek a variance from Sections 232.1 and 303.2 of the Baltimore County Zoning Regulations to permit a minimum front yard setback of forty-seven feet from the center line of the public road right-of-way (Maryland Route 140) in lieu of the required seventy-one foot front yard setback and a variance from Sections 405A.1, 405A.2, 409.8A.2 and 409.8A.6 to permit an unpaved and unstriped gravel parking surface in lieu of the required striped, durable and dustless surface and to permit the storage of disabled vehicles.

The property located at 11602 Reisterstown Road (hereinafter referred to as the "Subject Property") has continuously and without interruption housed a service garage since the 1920's and the improvements located on the Subject Property consist of a one story block building which was constructed in 1920. It would be particularly difficult and create an extreme hardship to relocate the improvement so that the front yard setback would comply with the provisions of Sections 232.1 and 303.2 of the Baltimore County Zoning Regulations.

The gravel parking areas, like the improvements, pre-date the implementation of zoning regulations and shall be used to store vehicle awaiting repair. The gravel parking areas are enclosed by an eight foot high chain link fence which shall comply with the landscape manual for Baltimore County.

c:\lmh\fisherpet.var

ORDER RECEIVED FOR FILING
Date 10/29/02
By

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

03-170-XA

No. 17143

DATE 9/11/02

ACCOUNT 001 006 6150

AMOUNT $ 550.00

RECEIVED FROM: HAMMOND & HAMMOND

FOR: XA

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PAID RECEIPT
BUSINESS ACTUAL TIME
9/12/2002 9/11/2002 14:42:12
ALL MSG: WELCH, CARL EDW
RECEIPT # 194558 9/11/2002
DEPT 5 526 ZONING VERIFICATION
CR NO. 017143
Recpt Tot $550.00
550.00 CK .00 CH
Baltimore County, Maryland

CASHIER'S VALIDATION

W. T. SADLER SURVEYORS

Phone [410] 526-5618
Fax [410] 526-7199

152 Westminster Road
Reisterstown, Maryland 21136

James C. Sadler

ZONING DESCRIPTION
11602 REISTERSTOWN ROAD
4th ELECTION DISTRICT BALTIMORE COUNTY, MD.

BEGINNING FOR THE SAME at the point of intersection of the centerline of Reisterstown Road, Maryland Route 140, and the extension of the centerline of Nicodemus Road; thence leaving said Reisterstown Road and binding on the centerline of Nicodemus Road

1) south 60 degrees 24 minutes 52 seconds west 250.48 feet and
2) south 77 degrees 33 minutes 52 seconds west 65.86 feet; thence leaving said centerline of Nicodemus Road
3) north 17 degrees 58 minutes 55 seconds east 16.00 feet to the northernmost side of said Nicodemus Road; thence binding along said northernmost side of said Road
4) south 77 degrees 44 minutes 30seconds west 106.16 feet; thence leaving said Nicodemus Road
5) north 31 degrees 39 minutes 30 seconds east 387.90 feet to intersect the aforementioned centerline of Reisterstown Road; thence binding along the centerline of Reisterstown Road
6) south 43 degrees 47 minutes 24 seconds east 256.28 feet to the place of beginning, containing 57,286 square feet or 1.3151 acres of land, more or less.

This description was prepared for *ZONING PURPOSES ONLY* and is not intended for recordation.

STATE OF MARYLAND
JAMES CARROLL SADLER
No. 449
REGISTERED
PROPERTY LINE SURVEYOR

120

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: #03-120-XA
11602 Reisterstown Road
Corner southwest side Reisterstown Rd. and northwest side of Nicodemus Road
4th Election District - 3rd Councilmanic District
Legal Owner(s): Robert E., Sr. and Rosemary Fisher

Special Exception: to permit a service garage on the subject property. **Variance:** to permit a minimum front yard setback of forty-seven feet from the centerline in lieu of the required seventy-one foot front yard setback and permit an unpaved and unstriped gravel parking surface in lieu of the required striped, durable and dustless surface and to permit the storage of disabled vehicles.

Hearing: Wednesday, October 16, 2002 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/10/624 Oct. 1 C566356

CERTIFICATE OF PUBLICATION

10/3/, 2002

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 10/1/, 2002.

- [x] 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.: 03-120-XA

Petitioner/Developer: Mr. & Mrs. Robert Fisher

Date of Hearing/Closing: 10-6-02

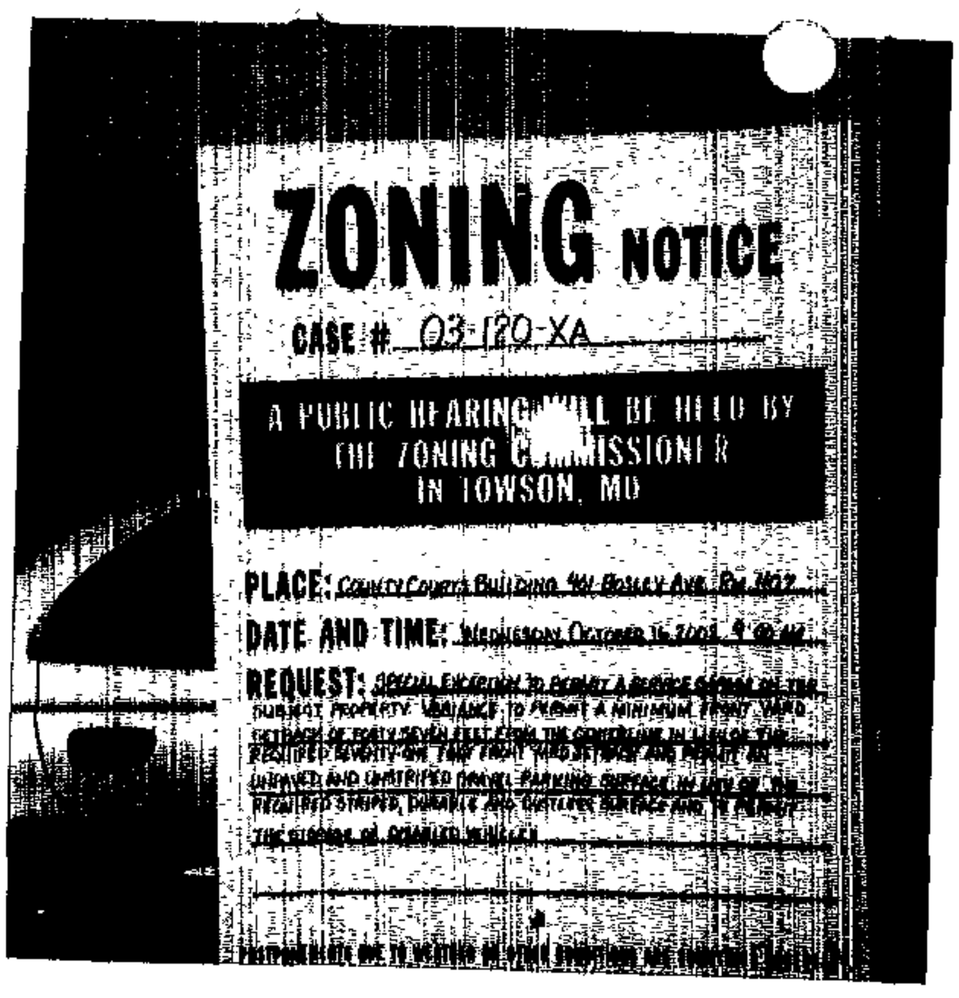
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

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 11602 Reisterstown Rd. Reisterstown, MD 21136

The sign(s) were posted on October 1, 2002
(Month, Day, Year)



Sincerely,

Stacy Gardner 10-1-02
(Signature of Sign Poster and Date)

Stacy Gardner
(Printed Name)

SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
(Address)
ELDERSBURG, MD. 21784

(City, State, Zip Code)

410-781-4000
(Telephone Number)

RE:	PETITION FOR SPECIAL EXCEPTION AND VARIANCE	*	BEFORE THE
	11602 Reisterstown Road SW/side Reisterstown Rd. NW/side of Nicodemus Rd.	*	ZONING COMMISSIONER
	4th Election District 3rd Councilmanic District	*	FOR
	Legal Owner: Robert E. Sr. & Rosemary Fisher	*	BALTIMORE COUNTY
	Petitioner(s)	*	03-120-XA

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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 25th day of September, 2002, a copy of the foregoing Entry of Appearance was mailed to Lawrence M. Hammond, Esquire, HAMMOND & HAMMOND, LLC, 465 Main Street, Reisterstown, MD 21136 Attorney for Petitioner(s).

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
October 1, 2002 Issue – Jeffersonian

Please forward billing to:
Lawrence M. Hammond
Hammond & Hammond, LLC
465 Main Street, P.O. Box 569
Reisterstown, MD 21136

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: 03-120-XA
11602 Reisterstown Road
Corner southwest side Reisterstown Rd. and northwest side of Nicodemus Road
4th Election District – 3rd Councilmanic District
Legal Owner: Robert E., Sr. and Rosemary Fisher

Special Exception to permit a service garage on the subject property. Variance to permit a minimum front yard setback of forty-seven feet from the centerline in lieu of the required seventy-one foot front yard setback and permit an unpaved and unstriped gravel parking surface in lieu of the required striped, durable and dustless surface and to permit the storage of disabled vehicles.

HEARING: Wednesday, October 16, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt

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.

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

September 23, 2002

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: 03-120-XA
11602 Reisterstown Road
Corner southwest side Reisterstown Rd. and northwest side of Nicodemus Road
4th Election District – 3rd Councilmanic District
Legal Owner: Robert E., Sr. and Rosemary Fisher

Special Exception to permit a service garage on the subject property. Variance to permit a minimum front yard setback of forty-seven feet from the centerline in lieu of the required seventy-one foot front yard setback and permit an unpaved and unstriped gravel parking surface in lieu of the required striped, durable and dustless surface and to permit the storage of disabled vehicles.

HEARING: Wednesday, October 16, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

C: Lawrence M. Hammon, 465 Main Street, Reisterstown 21136
Mr. and Mrs. Robert Fisher, 11602 Reisterstown Rd., Reisterstown 21136

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY OCTOBER 1, 2002.**
(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.

Printed with Soybean Ink
on Recycled Paper

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: Item #120

Petitioner: Robert E. Fisher, Jr. & Rosemary Fisher

Address or Location: 11602 Reisterstown Road, Reisterstown MD 21136

PLEASE FORWARD ADVERTISING BILL TO:

Name: Lawrence M. Hammond, Hammond & Hammond, LLC

Address: 465 Main Street, P.O. Box 569
Reisterstown, MD 21136

Telephone Number: (410) 833-7576

Revised 2/20/98 - SCJ

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

October 10, 2002

Mr. Lawrence M. Hammond
Hammond & Hammond, LLC
465 Main Street
Reisterstown, MD 21136

Dear Mr. Hammond:

RE: Case Number: 03-120 XA, 11602 Reisterstown Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on, September 11, 2002.

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.
Supervisor, Zoning Review

WCR:rjc
Enclosures

c: Robert E. Fisher, Sr. Rosemary Fisher 11602 Reisterstown Road Reisterstown, MD 21136
People's Counsel
File

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on Recycled Paper

Baltimore County
Fire Department

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

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

September 24, 2002

ATTENTION: George Zahner

Property Owner: Painters Mill Venture, LLC

Location: Red Run Blvd.

Item No.: 120

Dear Mr. Zahner:

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", 200 Edition prior to occupancy.

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

cc: File

JRS 10/16

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS ITGT

DATE: October 7, 2002

Zoning Petitions .

Zoning Advisory Committee Meeting of September 23, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

120

116-122, 124

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 9, 2002

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

SUBJECT: 11603 Reisters Road

INFORMATION:

Item Number: 03-120

Petitioner: Robert E. Fisher, Jr.

Zoning: BL-AS

Requested Action: Special Exception

SUMMARY OF RECOMMENDATIONS:

The nine (9) space gravel parking lot located at the corner of Reisterstown Road and Nicodemus Road should be paved, and landscaping should be provided along the frontage of these roads. Said landscaping should consist of a combination of evergreen shrubs/hedge and street trees. A landscaping plan should be submitted to this office for review and approval prior to the issuance of any permits.

Prepared by: Mark A Cumings

Section Chief: Lynn Lanham

AFK/LL:MAC:

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5·25·02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 120 JL

Dear Mr. Zahner:

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~~ 140.
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,

for 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

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 03-120-XA
DATE 10/16/02

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Robert E. Fischer Sr	11602 Reisterstown Rd	Reisterstown, Md 21136	
James C. Sadler	152 Westminster Pike	Reisterstown, MD. 21136	
Lawrence M. Hammond	465 Main Street	Reisterstown, MD 21136	

Parris N. Glendening
Governor
Kathleen Kennedy Townsend
Lt. Governor

MDP
Maryland Department of Planning

Roy W. Kienitz
Secretary
Mary Abrams
Deputy Secretary

September 23, 2002

Mr. George Zahner
Baltimore County Department of Permits and Development Management
County Office Building
111 W. Chesapeake Avenue
Room 111, Mail Stop #1105
Towson MD 21204

Re: **Zoning Advisory Committee Agenda re: case numbers 03-106-SPH, 03-116-A, 03-117-A, 03-118-A, 03-119-A, 03-120-XA, 03-121-A, 03-122-A, 03-123-XA, 03-124-A, 03-125-A, 03-126-A, 03-127-SAHSPH, 03-128-A, 03-129-A, 03-130-A**

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 09/23/02. The information has been submitted to Mr. Mike Nortrup.

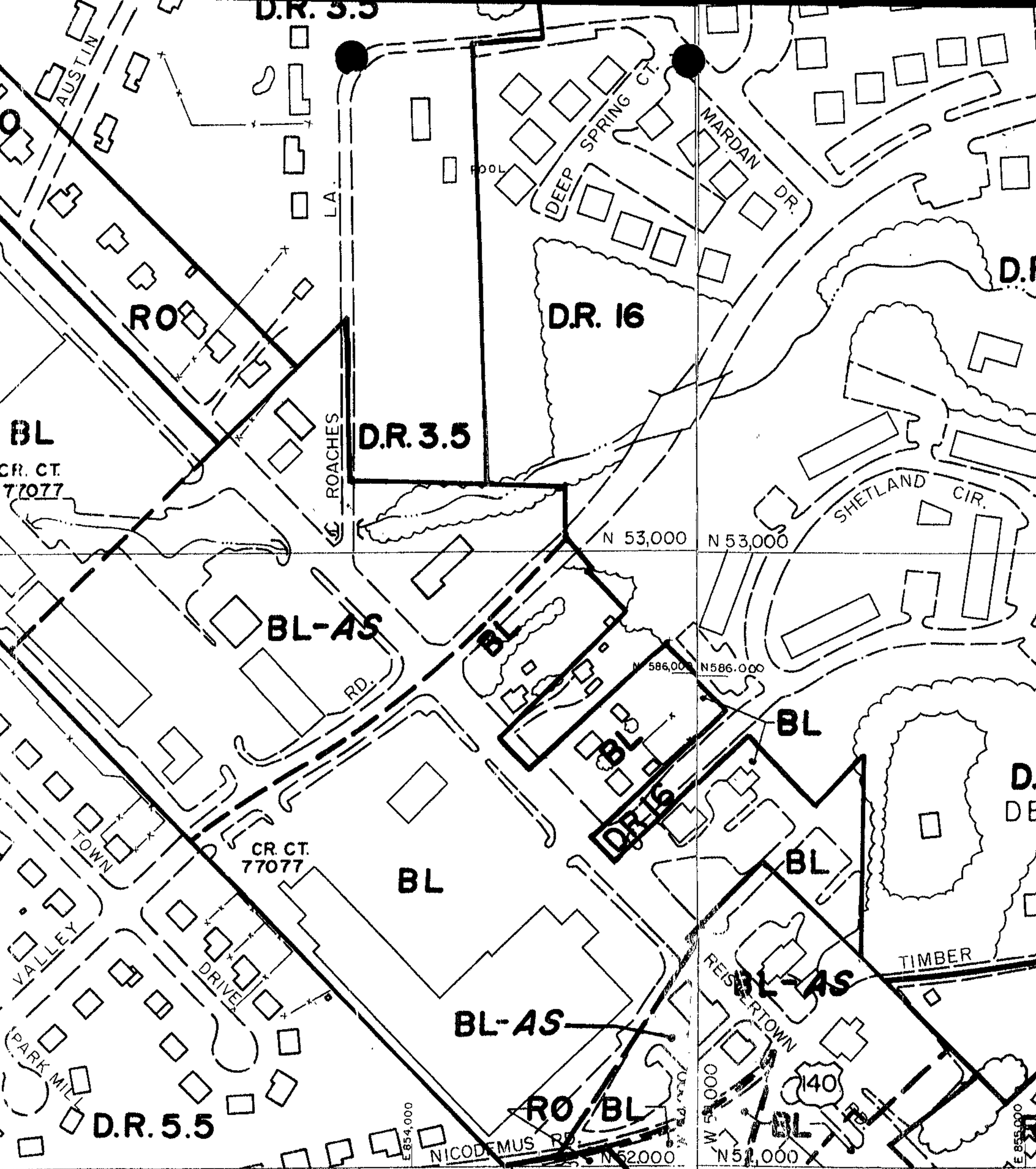
Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto

James R. Gatto
Manager
Metropolitan Planning
Local Planning Assistance Unit

cc: Mike Nortrup

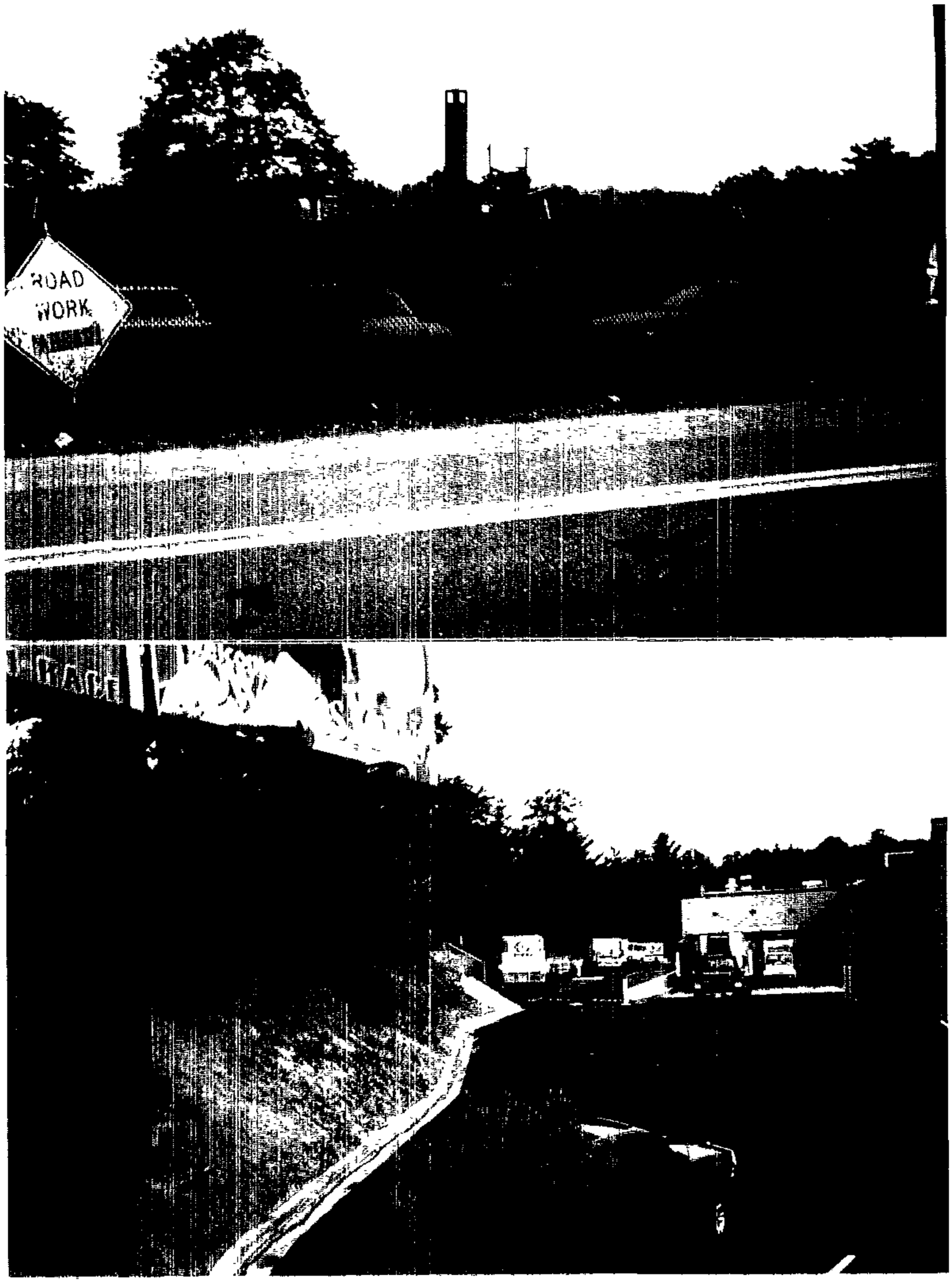


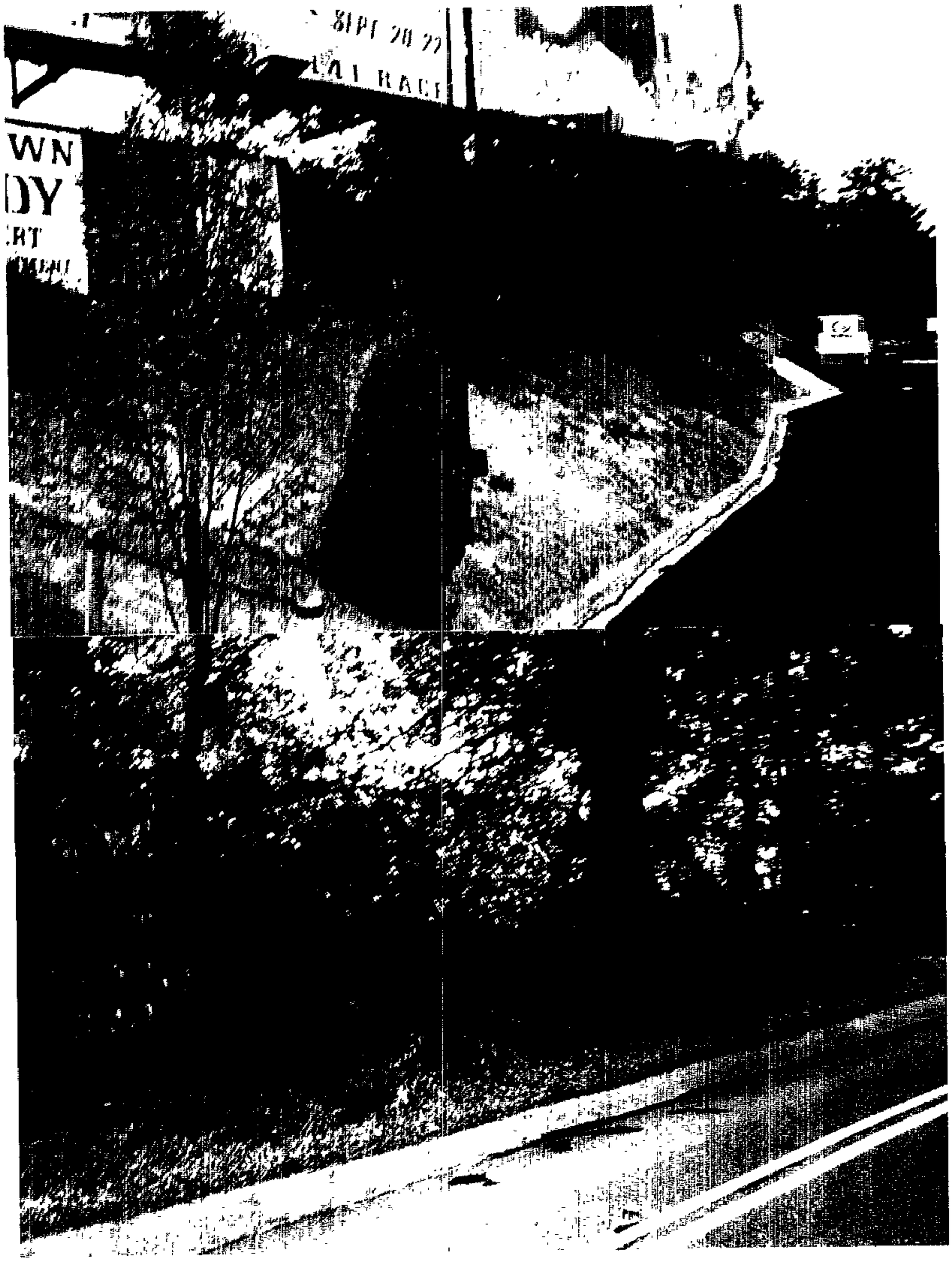
SCALE	LOCATION	SHEET
= 200'±		
DATE OF	DELIGHT	N. W. 14-J

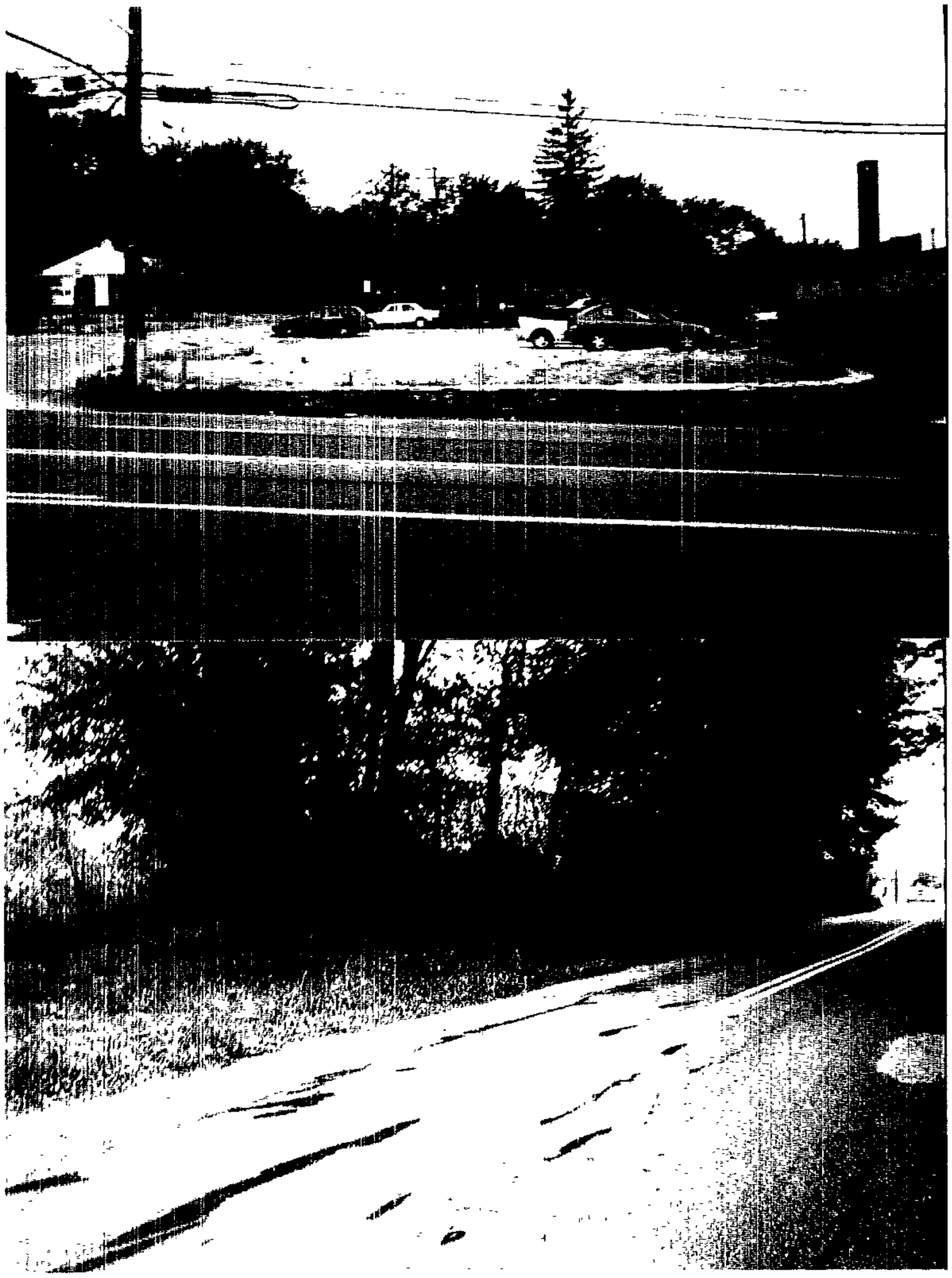
NW
14 K

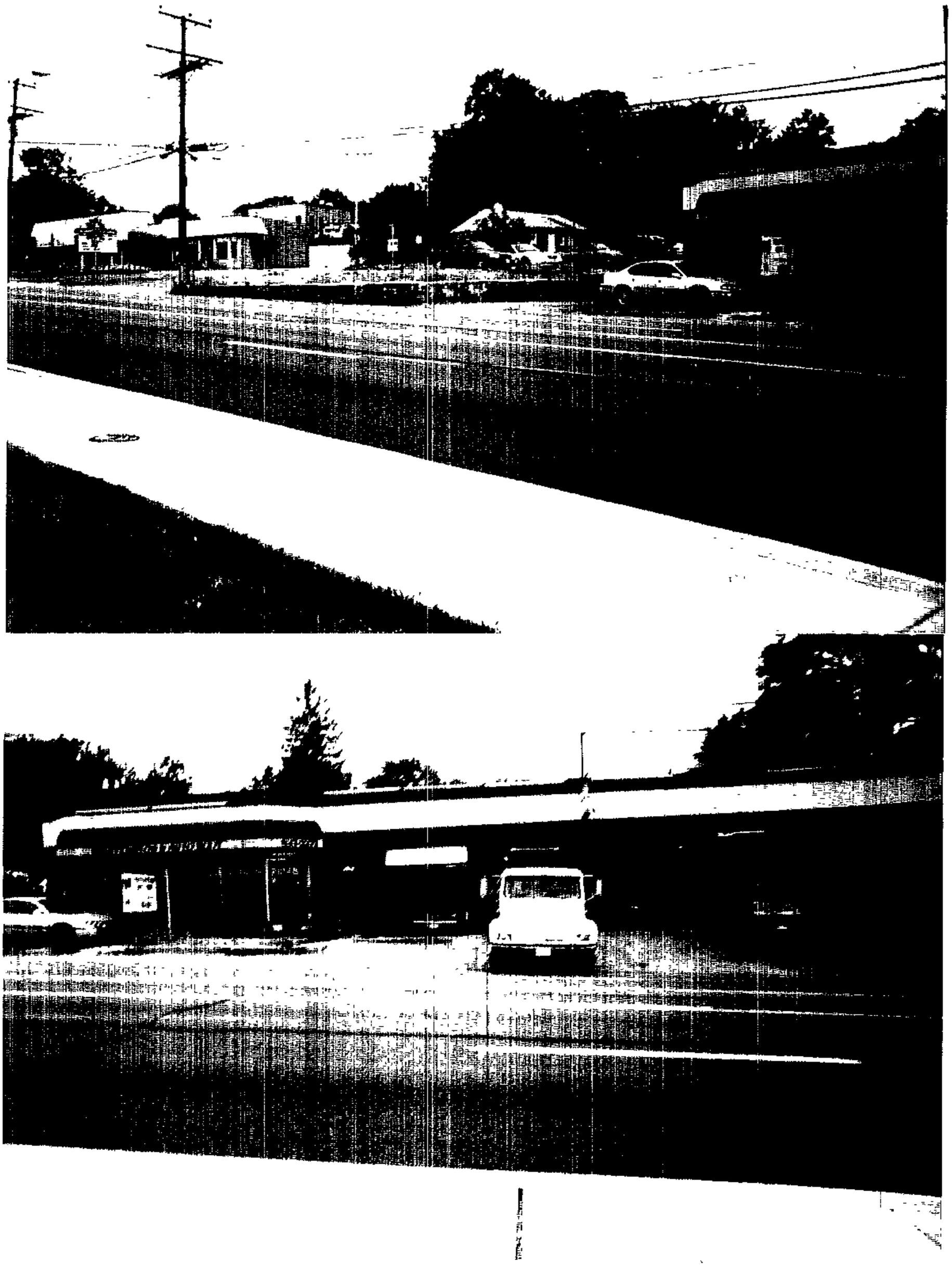
Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

Printed with Soybean Ink

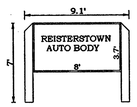

ROAD
WORK


WN
DY
RT
2



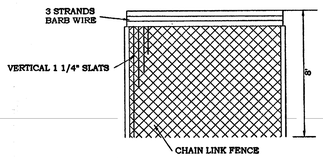


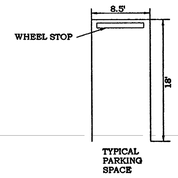
(EX.)SIGN DETAIL #1



DOUBLE FACED
NO ILLUMINATION
TOTAL Sq.Ft. OF SIGN AREA = 59.2

(EXISTING) TYPICAL FENCE SECTION



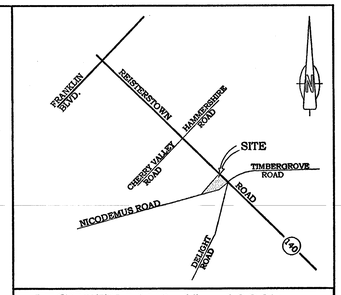


PARKING TABULATION

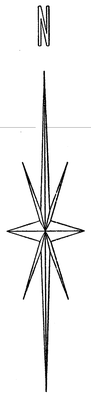
No. OF EXISTING SPACES - 36
No. OF PROPOSED SPACES - 36
No. OF REQUIRED SPACES - 32

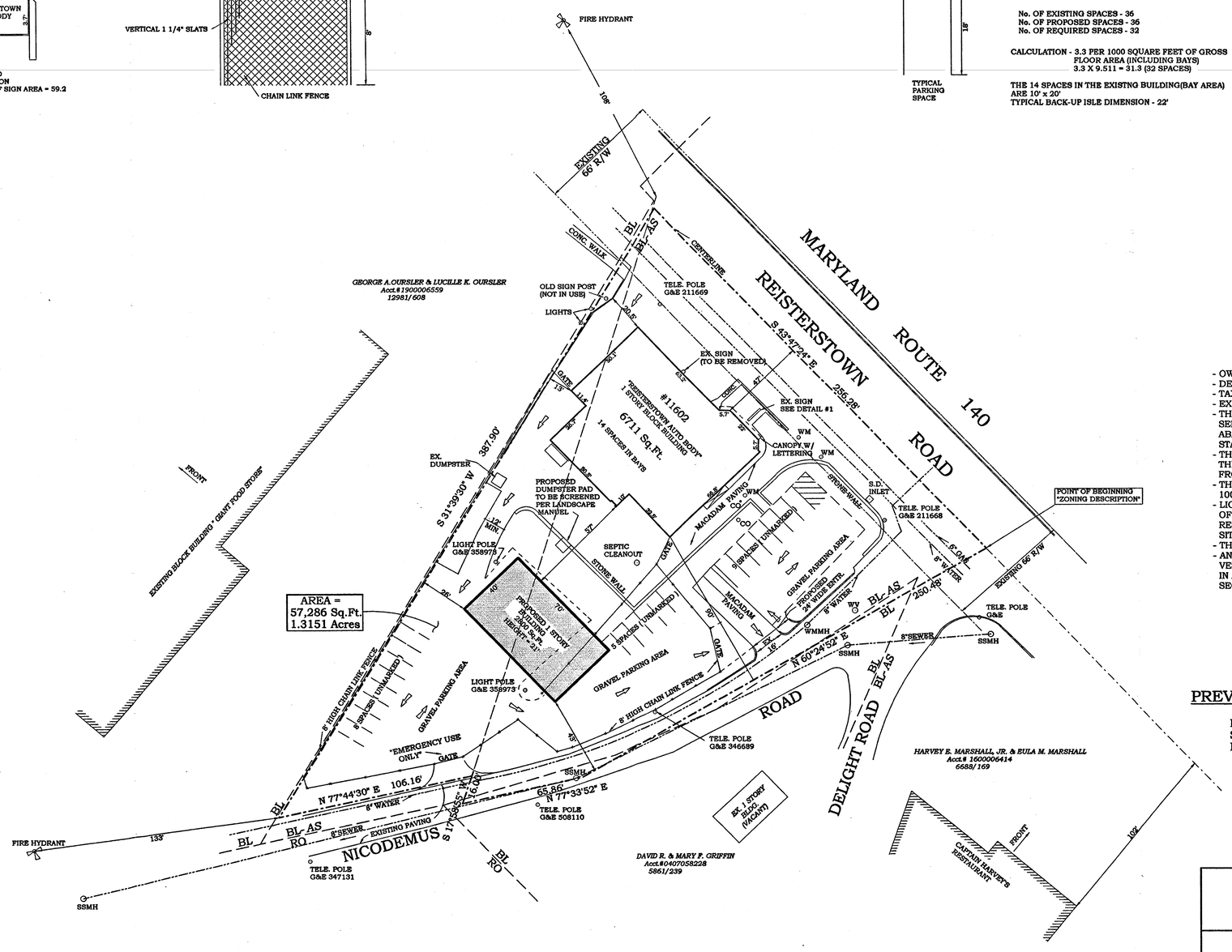
CALCULATION - 3.3 PER 1000 SQUARE FEET OF GROSS FLOOR AREA (INCLUDING BAYS)
3.3 X 9.511 = 31.3 (32 SPACES)

THE 14 SPACES IN THE EXISTNG BUILDING(BAY AREA) ARE 10' x 20'
TYPICAL BACK-UP ISLE DIMENSION - 22'



VICINITY MAP 1" = 1000'±





FLOOR AREA RATIO

TOTAL FLOOR AREA 9511 Sq. Ft.

TOTAL GROSS SITE AREA 57,286 Sq.Ft.

FLOOR AREA RATIO 0.166

LEGEND

PROPERTY LINE —·—·-
SETBACK LINE — — -
HOUSE NUMBER #11602
SANATARY SEWER MANHOLE - - SSMH
WATER METER - - - WM
WATER VALVE - - - -WV
SEPTIC CLEANOUT - - - CO

GENERAL NOTES

- OWNER ROBERT E. FISHER Sr. & ROSEMARY FISHER
- DEED REF. LIBER 14190 FOLIO 165
- TAX Acct. # 1800003544 & 1800003545
- EXISTING ZONING BL - AS MAPS NW #-14, I-J
- THIS SITE IS SERVICED WITH PUBLIC WATER AND WILL BE SERVICED WITH PUBLIC SEWER. EXISTING SEPTIC WILL BE ABANDONED AND BACKFILLED ACCORDING TO ENVIRONMETAL STANDARDS.
- THE PROPERTY SHOWN HEREON DOES NOT LIE WITHIN THE BOUNDARIES OF ANY FLOOD PLAIN AS SCALED FROM FLOOD INSURANCE RATE MAP 240010 0210B.
- THERE ARE NO STREAMS ON THE PROPERTY OR WITHIN 100 FEET OF THE PROPERTY
- LIGHTING NOTE; ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
- THIS SITE IS NOT ON THE HISTORICAL REGESTER.
- ANY EXTERIOR STORAGE OF DAMAGED OR DISABLED VEHICLES OR AUTOMOBILE PARTS WILL BE SCREENED IN ACCORDANCE WITH THE LANDSCAPE MANUEL AND SECTION 405A OF THE ZONING REGULATIONS.

120

PREVIOUS PERMITS/HEARINGS/WAIVERS

DRC MEETING FOR A LIMITED EXEMPTION UNDER SECTION 26-171(A)(7), AND WAS GRANTED BY LETTER DATED 07/25/02, DRC No. 070802F; DIST. 4C3

OWNER/DEVELOPER

REISTERSTOWN AUTO BODY
ROBERT E FISHER SR. & ROSEMARY FISHER
11602 RESITERSTOWN ROAD
REISTERSTOWN, MD. 21136
410-833-2271

WTS Job# m-410-02

PLAN TO ACCOMPANY
HEARING FOR SPECIAL EXCEPTION
AND VARIANCES

ROBERT E. FISHER SR. INC T/A

"REISTERSTOWN AUTO BODY"

11602 REISTERSTOWN ROAD

4th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD.

SCALE: 1"=30' DATE: SEPTEMBER 4, 2002

W.T. SADLER SURVEYORS

152 Westminster Pike Reisterstown, MD. 21136
410-526-5618