IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE N/S Pulaski Highway, at W/S of Kruger Avenue 15th Election District 7th Councilmanic District (8110 Pulaski Highway)

> Raymond J. & Esther M. Krul and Robert R. Krul **Petitioners**

- BEFORE THE
- DEPUTY ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- CASE NO. 03-303-SPHXA

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing, Special Exception and Variance filed by the legal owners of the property, Raymond, Esther, and Robert Krul. The property, which is the subject of this request, is located at 8110 Pulaski Highway in the Rosedale area of Baltimore County. The property is zoned BR and is improved with a one-story masonry building within which the property owners repair and detail automobiles. The Petitioners are requesting further approval by way of this special exception to allow a used motor vehicle outdoor sales area, in addition to the repair and detailing of automobiles. Furthermore, the special hearing request is made to continue the use of variances that were previously granted in 1956 and 1954 and to confirm that the combined use proposed on the property is not in conflict with Section 102.2 of the Baltimore County Zoning Regulations (B.C.Z.R.). Lastly, variance relief is requested to allow parking spaces which do not adjoin an aisle and to allow parking spaces to front on an aisle less than 22 ft. wide, and to approve a modified parking plan.

Appearing at the hearing on behalf of the relief were David Billingsley, the engineer who prepared the site plan of the property and Bob Infussi, appearing on behalf of the owners. Mr.

OKICHE CHOMISTIC Russ Mirabile appeared as an interested citizen in the matter. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this request, consists of 0.2992 acres of land, more or less, zoned BR. The subject property is located on the northwest corner of the intersection of Pulaski Highway and Kruger Avenue in Rosedale. Mr. Krul owns and operates an automobile service garage from the subject property. He is interested in petitioning for the ability to sell used motor vehicles from the property in the manner depicted on the site plan submitted into evidence. In order to proceed with the sale of automobiles from the property, the special exception request, along with the variance and special hearing relief is necessary.

As stated previously, no one appeared in opposition to the property owners' request. Mr. Russ Mirabile appeared and indicated his appreciation for the property owner filing the necessary petitions prior to offering automobiles for sale. Therefore, Mr. Mirabile was not opposed to the granting of this zoning relief.

The comment from the Office of Planning dated February 20, 2003 was discussed with the Petitioners. The Planning Office supports the Petitioners in their request provided that a detailed landscaping plan be submitted for approval to Mr. Avery Harden, Landscape Architect for Baltimore County. Mr. Infussi, speaking on behalf of the owner, agreed to comply with all landscaping requirements. Furthermore, the issue regarding the Department of Public Works was resolved by way of discussion at the hearing and follow-up conversations with representatives from the Department of Public Works. Therefore, based on the testimony and evidence offered at the hearing and the lack of opposition thereto, I shall approve the special

DATE RECEIVED FOR THANKS

exception request to allow the property owner to sell used motor vehicles from the subject property.

It is clear the Baltimore County Zoning Regulations permit the Petitioners' use in a BR 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.

In addition to the special exception request for the use of the property, the Petitioners are also requesting variances to allow parking spaces which do not adjoin an aisle and for parking spaces to front on an aisle less than 22 ft. wide, and to approve a modified parking plan.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioners and their property. McLean v. Soley, 270 Md. 208

(1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

Finally, the Petitioners are requesting special hearing relief to reconfirm the granting of the variances in Case No. 3777 (1956) and Case No. 3023X (1954). Furthermore, the combination of uses on the subject property does not conflict with Section 102.2 of the B.C.Z.R. That special hearing relief shall be granted.

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 7th day of March, 2003, that the variance requested from Sections 409.4 and 409.12 of the B.C.Z.R., to allow parking spaces which do not adjoining an aisle, to allow parking spaces to front on an aisle less than 22 ft. wide, and to approve a modified parking plan, be and is the probability of the B.C.Z.R.

IT IS FURTHER ORDERED, that the request for special hearing, for the continuance of front, side and rear yard variances granted by Case Nos. 3777 (1956) and 3023X (1954), and to

SA CRANE

confirm that the combined use is not in conflict with Section 102.2 of the B.C.Z.R., be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the special exception request, to allow a used motor vehicle outdoor sales area, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the Petitioners shall be required to submit detailed landscape plans to Mr. Avery Harden, Landscape Architect for Baltimore County, within thirty (30) days from the date of this Order for his review and approval.

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

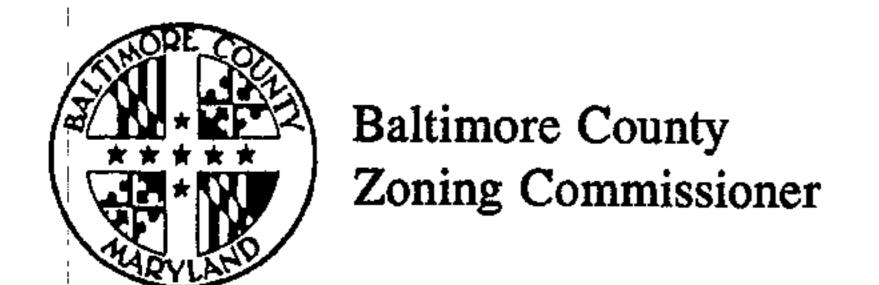
TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

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

Fax: 410-887-3468

March 7, 2003

Mr. & Mrs. Esther M. Krul 2808 Summit Avenue Baltimore, Maryland 21234

Re: Petitions for Special Hearing, Special Exception & Variance

Case No. 03-303-SPHXA

Property: 8110 Pulaski Highway

Dear Mr. & Mrs. Krul:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special hearing, special exception and variance 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 Department 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

hutly llotroco

TMK:raj Enclosure

c: David Billingsley Central Drafting & Design, Inc. 601 Charwood Court Edgewood, MD 21040

Bob Infussi P. O. Box 1043-7043 Bel Air, MD 21014



# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at  $\frac{8/10 \text{ M/A} = 1.0 \text{ M/A}}{\text{which is presently zoned}}$ 

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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

THE CONTINUANCE OF FRONT, SIDE AND REAR YARD VARIANCES GRANTED BY CASE NOS. 3777 (1956) AND 3023X (1954) AND TO CONFIRM THAT THE COMBINED USE IS NOT IN CONFLICT WITH SECTION 102.2

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

I, or we, agree to pay expenses of above Special Hearing, 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

			is the subject of this redition.
Contract Purchaser/L	essee:		<u>Legal Owner(s):</u>
			CAYMI J/ C5The M Krul
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Address		Telephone No.	Name - Type or Print
City	State	Zip Code	Signature
Attorney For Petition	<u>er:</u>		2808 Summit Au 410-686-3179
			Address Telephone No.
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O' to	······································	<del></del>	Representative to be Contacted:
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Company			Name
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		Review	ved By 12 3002
REV 9/15/98			



herein described property for

# Petition for Special Exception

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

to the Zoning Commissioner of Baltimore County

which is presently zoned

for the property located at 8/10 Pulaski

USED MOTOR VEHICLE OUTDOOR SALES	AREA
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Property is to be posted and advertised as prescribed by the	zoning regulations.
l, or we, agree to pay expenses of above Special Exception, adve zoning regulations and restrictions of Baltimore County adopted pu	rtising, posting, etc. and further agree to and are to be bounded by the result 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:	Legal Owner(s):
1	RAYMOND J. / Esther M. KRUC
Name - Type or Print	Name - Type or Print
 	Kaymond Kul - Cather Mr. Konne
Signature	Signature R. KIZUC
Address Telephone No.	Name - Type or Print
	x Sdut P Swil
City State Zip Code	Signature 10-
Attorney For Petitioner:	2808 SummT Be 686-3179 Address Telephone No.
	Bottmone, MD 21234
Name - Type or Print	City State Zip Code
	Representative to be Contacted:
Signature	Cobert M. Infussi (Expedite, We
Company	Name
	P.O. Bux 1043 410-812-2236
Address Telephone No.	Address Telephone No. 2/0/4
City State Zip Code	City State Zip Code
	OFFICE USE ONLY
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Case No. 03 303 SPHXA	UNAVAILABLE FOR HEARING
	Reviewed By JL Date 12 3002
REV 09 15 98	



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8/10 Pulaski Huy

which is presently zoned 13 p

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)

409.4 AND 409.12 TO ALLOW PARKING SPACES WHICH DO NOT ADJOIN AN AISLE LESS THAN 22 FEET WIDE AND TO APPROVE A MODIFIED PAKING PLAN

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

SITE TOPOGRAPHY AND LIMITED AREA AVAILABLE FOR PARKING PROHIBITS A LAYOUT WHICH COMPLIES WITH THE REGULATIONS.

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.

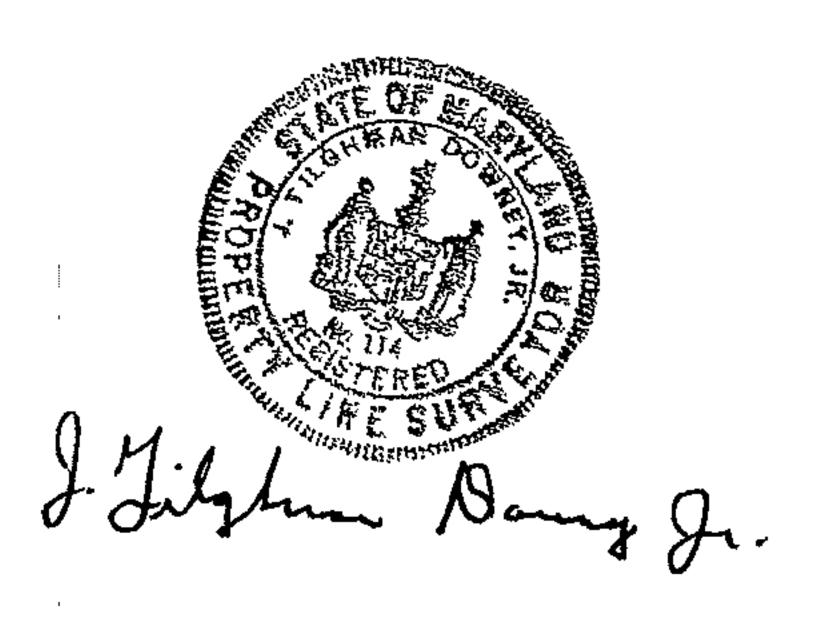
Contract Purchaser/L	.essee:			<u>Legal Owner(s):</u>
				CAymond J. 185Ther M. KRUL
Name - Type or Print			Name -	- Type of Frint Rowald Kral Esth Me Kurl
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City	State	Zip Code	•	Signature 9 10 - 68 6
Attorney For Petition	<u>er:</u>			Z808 Summitt Ala. 3179 Address Telephone No.
Name - Type or Print			City	BAHIMIN UN ZIZIY State Zip Code
				Representative to be Contacted:
Signature		· • •		Robert Infussi (Expedite uc)
Company	•			Name P.O. Box 1043 410-812-2236
Address		Telephone No.		Address Air not 2/0/4
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				· ·

# DESCRIPTION TO ACOMPANY PETITION FOR SPECIAL EXCEPTION, SPECIAL HEARING AND VARIANCE

# 8110 PULASKI HIGHWAY

Beginning for the same at a point on the north side of Pulaski Highway (150 feet wide) at it's intersection with the west side of Krueger Avenue (40 feet wide), said point being 20 feet westerly from the centerline of said Krueger Avenue, thence along Pulaski Highway (1) S 67°15′00″W 140.00 feet, thence (2) N 26°14′00″W 97.02 feet, thence (3) N 64°01′00″E 47.44 feet, thence (4) S 69°04′50″E 14.29 feet, thence (5) N 66°46′40″E 82.69 feet, thence along Krueger Avenue (6) S 26°14′00″E 90.50 feet to the place of beginning. Containing 0.2992 acre of land more or less.

Being known as 8110 Pulaski Highway and being located in the 15<sup>TH</sup> Election District, 7<sup>TH</sup> Councilmanic District of Baltimore County, Maryland.



9 9

#### 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 <u>Towson</u>. Maryland on the property identified herein as follows.

Case: #03-303-SPHXA

8110 Pulaski Highway

N/side Pulaski Highway at west side of Kruger Avenue 13th Election District - 1st Councilmanic District

Legal Owner(s) Raymond J. Krul, Esther M. Krul, and Robert R. Krul

Special Exception: to permit a used motor vehicle outdoor sales area. Special Hearing: to approve the continuance of front, side, and rear yard variances granted by case nos. 3777 (1956) and 3023x (1954) and to confirm that the combined use is not in conflict with Section 102.2.

Variance: to allow parking spaces which do not adjoin an aisle, to allow parking spaces to front on an aisle less than 22 feet wide and to approve a modified parking plan.

Hearing: Tuesday, February 25, 2003 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

#### LAWRENCE & 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 2/643 Feb 11 C587

# CERTIFICATE OF PUBLICATION

<u>214</u> ,20 <u>03</u>
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on $2/11/$ ,2003.
☐ The Jeffersonian ☐ Arbutus Times ☐ Catonsville Times ☐ Towson Times ☐ Owings Mills Times ☐ NE Booster/Reporter ☐ North County News

J. WULLING LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT  DATE 12/30/02 ACCOUNT 0066150  AMOUNT \$ 650.00	
RECEIVED X PAID TE LLC. FROM:	
FOR: APHXA FILIAL PILIACELL HOUL	
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION

# CERTIFICATE F POSTING

**Baltimore County Department of** 

County Office Building, Room 111

Attention: Ms. Gwendolyn Stephens

III West Chesapeake Avenue

Towson, MD 21204

Ladies and Gentlemen:

The sign(s) were posted on

Permits and Development Management

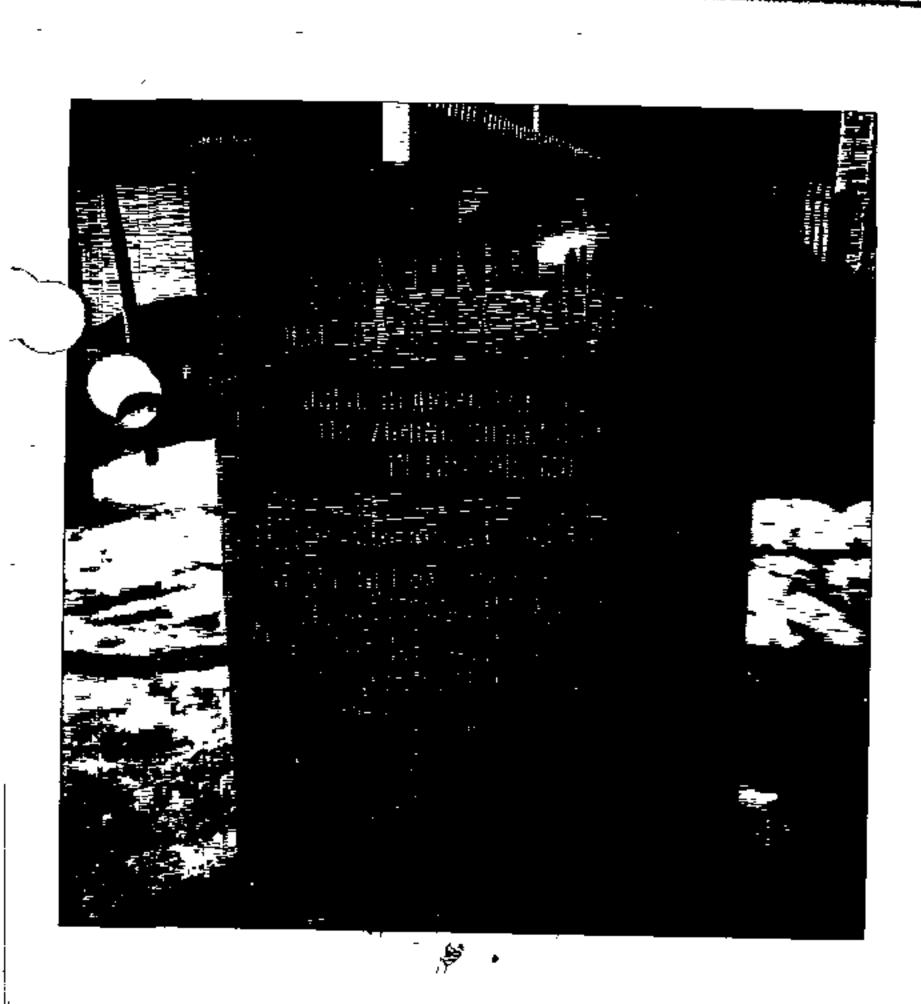
RE: Case No.: 03-303-9PHXA Petitioner/Developer: RAYMOND J. + ROBERT KRUL KRUL + ESTER M. KRUL Date of Hearing/Closing: Z/25/03 This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 8/10 PULASKI HWY (Month, Day, Year) Sincerely, (Signature of Sign Poster and Date) SSG ROBERT BLACK (Printed Name) 1508 Leslie Rd (Address)

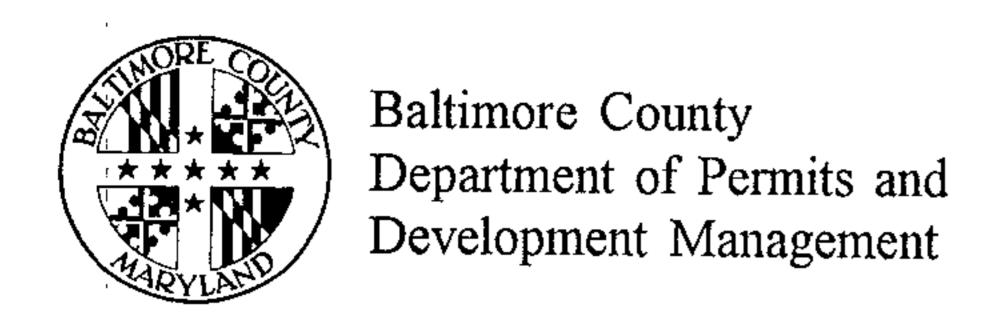
Dundalk, Maryland 21222

(410) 282-7940

(City, State, Zip Code)

(Telephone Number)





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

January 14, 2003

# 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: 03-303-SPHXA

8110 Pulaski Highway N/side Pulaski Highway at west side of Kruger Avenue 13<sup>th</sup> Election District – 1<sup>st</sup> Councilmanic District Legal Owner: Raymond J. Krul, Esther M. Krul, and Robert R. Krul

Special Exception to permit a used motor vehicle outdoor sales area. Special Hearing to approve the continuance of front, side, and rear yard variances granted by case nos. 3777 (1956) and 3023x (1954) and to confirm that the combined use is not in conflict with Section 102.2. Variance to allow parking spaces which do not adjoin an aisle, to allow parking spaces to front on an aisle less than 22 feet wide and to approve a modified parking plan.

Hearings:

Tuesday, February 25, 2003 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

AJ:rlh

C: Raymond J. Krul, Esther M. Krul, Robert R. Krul, 2808 Summitt Avenue, Bel Air 21014 Expedite, LLC, Robert Infussi, PO Box 1043, Bel Air 21014

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, FEBRUARY 10, 2003.

(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 11, 2003 Issue - Jeffersonian

Please forward billing to:

Expedite, LLC PO Box 1043 Bel Air, MD 21014

410-812-2236

## **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: 03-303-SPHXA

8110 Pulaski Highway N/side Pulaski Highway at west side of Kruger Avenue 13<sup>th</sup> Election District – 1<sup>st</sup> Councilmanic District Legal Owner: Raymond J. Krul, Esther M. Krul, and Robert R. Krul

Special Exception to permit a used motor vehicle outdoor sales area. Special Hearing to approve the continuance of front, side, and rear yard variances granted by case nos. 3777 (1956) and 3023x (1954) and to confirm that the combined use is not in conflict with Section 102.2. Variance to allow parking spaces which do not adjoin an aisle, to allow parking spaces to front on an aisle less than 22 feet wide and to approve a modified parking plan.

Hearings: Tuesday, February 25, 2003 at 11:00 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 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

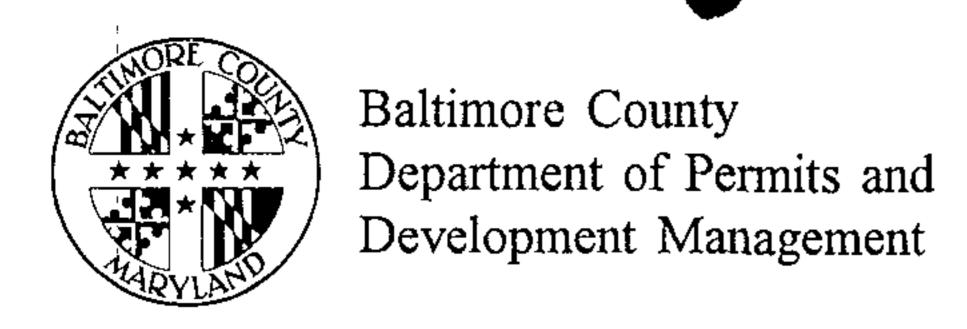
## ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 03 303 SPHXA.  Petitioner: Ahmord JI KRUL/ Estham, I had, Roboth B. Wand  Address or Location: 8110 Pulaski Alighum 21237
PLEASE FORWARD ADVERTISING BILL TO:  Name: Producte, CCC  Address: P.O. Box 1043  Bel Air, Md. 21018
Telephone Number: 910 - 812 - 2236



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

February 20, 2003

Robert J. Krul Ester M. Krul 2808 Summit Avenue Baltimore, MD 21234

Dear Mr. & Mrs. Krul:

RE: Case Number 03-303-SPHXA, 8110 Pulaski Hwy

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 30, 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.

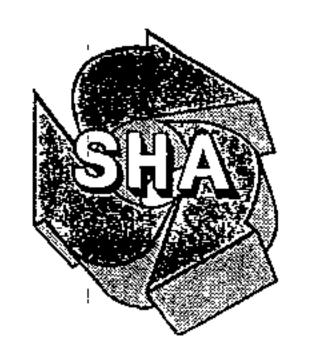
Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rjc

**Enclosures** 

Robert Infussi P.O. 1043 Bel Air MD 21014 C: People's Counsel



# Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 1.13.03

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

RE: Baltimore County

Item No. 303

JL

Dear. Mr. Zahner:

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 Gredlem 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



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

January 14, 2002

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

ATTENTION: Rebecca Hart

Property Owner:

Location:

Item No.:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items:

291, 293-301, (303) + 304

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

# BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley PBS TUT

DATE:

February 3, 2003

Zoning Petitions

Zoning Advisory Committee Meeting of January 13, 2003

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

291, 292, 295, 296, 299, 300, 302(303)

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** February 20, 2003

WG COMMISSIONER

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

8110 Pulaski Highway

**INFORMATION:** 

Item Number:

03-303

Petitioner:

8110 Pulaski Highway

**Property Size:** 

.299 acres

Zoning:

**BR-AS** 

Requested Action:

Special Exception, Special Hearing, Variance

**Hearing Date:** 

February 24, 2003

### **REQUEST:**

The request in this case is for the following: 1) a special exception to allow the operation of a used motor vehicle outdoor sales area, 2) a special hearing to allow the continuance of front, side and rear yard variances granted by case numbers 3777 (1956) and 3023X (1954) and to confirm that the combined use is not in conflict with section 102.2, and 3) the granting of variances from Section 409.4 and 409.12 of the BCZR to allow parking spaces which do not adjoin an aisle, to allow parking spaces to front on an aisle less than 22 feet wide, and to approve a modified parking plan.

#### SUMMARY OF RECOMMENDATIONS:

The Office of Planning has examined this request and does not oppose it provided that offsite landscaping be provided along 1201 Krueger Avenue and within the public right of way of Pulaski Highway.

**Section Chief** 



## BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits &

Development Management

**DATE:** March 3, 2003

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 21, 2003 Item No. 303 (REVISED)

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

RWB:HJO:jrb

cc: File

Robin planse comment was

ZAC-01-21-2003-ITEM 303-03032003

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Timothy M. KATroco	Robert W. Bowling
Deputy Zaning Caminis.	
Dept.	Phone 10-887-3751
Fax # x 3468	Fax#410-887-2897

**BALTIMORE COUNTY, MARYLAND** 

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** January 27, 2003

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 21, 2003

Item No. 303

The Bureau of Development Plans Review has reviewed the subject-zoning item.

Krueger Avenue will be improved to a 30-foot street cross section on a 40-foot right-of-way.

The developer will be responsible for road improvements along his site frontage with Krueger Avenue to include road widening and concrete curb and gutter meeting the existing curb along Pulaski Highway with a 20-foot radius curve.

A single commercial entrance per *The Department of Public Work's* Standard Plate R-32 will be constructed along Krueger Avenue for access to the existing paved area.

RWB:HJO:jrb

cc: File

RE:	PETITION FOR SPECIAL HEARING
	SPECIAL EXCEPTION & VARIANCE

8110 Pulaski Highway; Nside Pulaski

Highway at Wside of Krueger

15<sup>th</sup> Election District

7<sup>th</sup> Councimanic District

Legal Owner(s): Raymond J., Esther M. &

Robert R. Krul Petitioner(s) \* BEFORE THE

ZONING COMMISSIONER

\* FOR

**BALTIMORE COUNTY** 

\* 03-303-SPHXA

\* \* \* \* \* \* \* \* \*

# 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 14<sup>th</sup> day of January, 2003, a copy of the foregoing Entry of Appearance was mailed to Robert Infussi, Expedite, LLC, P.O. Box 1043, Bel Air, MD 21014, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



Parris N. Glendening Governor Kathleen Kennedy Townsend Lt. Governor Roy W. Kienitz Secretary Mary Abrams Deputy Secretary

January 14, 2003

Ms. Rebecca Hart
Baltimore County Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue, Room 111
Mail Stop #1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda 01/21/03 re: case numbers 03-291-A, 03-292-SPHA, 03-293-A, 03-294-A, 03-295-A, 03-296-A, 03-297-SPHA, 03-299-A, 03-300-SPH, 03-301-A, 03-302-SPHXA, 03-303-SPHXA, 03-304-A

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 01/14/03. 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

Manager

Metropolitan Planning

Canin stalled

Local Planning Assistance Unit

cc: Mike Nortrup

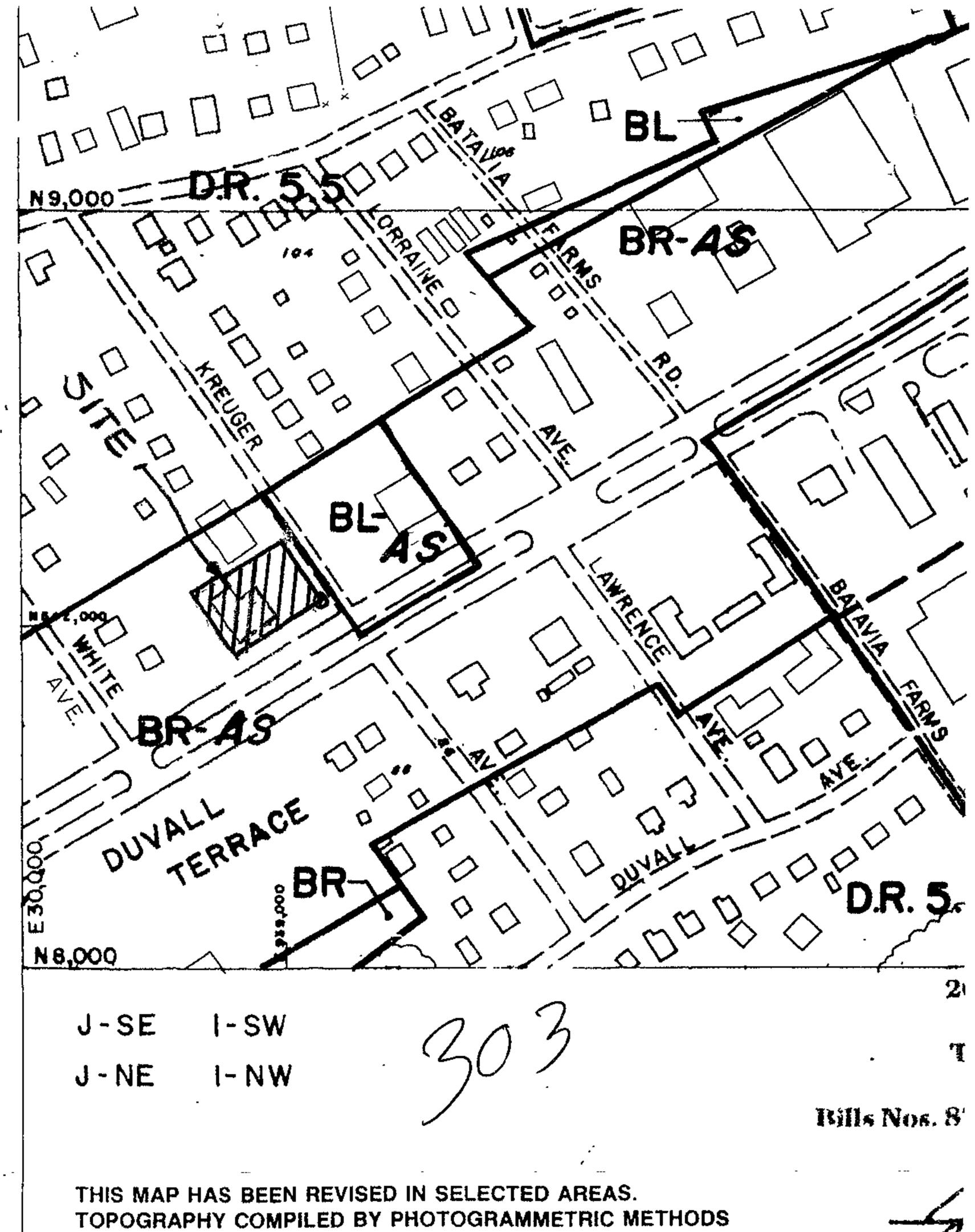
# PLEASE PRINT CLEARLY

	03-3035PHXA
CASE NUMBE	R 8/10 Pulaski Hahwau
DATE	2/25/03

# PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
DAVID BILLINGSLEY	SOI CHARWOOD CT	EDGEWOOD, MID ZIO40	•
BOB INFUSSI	1 501 CHARWOOD CT. POBOX 1043-7043	BELAIR, NO ZIO 14	
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BIIO PULASKI HWY. ELECTION DISTRICT 15, C-7 SCALE: 1" = ZOO' MAP NO. N.E.3-F



DV DUCUART MODALING DALTIMORE MD 91910

