IN RE: PETITIONS FOR SPECIAL HEARING,

SPECIAL EXCEPTION & VARIANCE -

SE/Corner Yellow Brick Road and

Race Road

(Parcel 1299, Tri-Kaze Partnership Prop.)\*

OF BALTIMORE COUNTY

ZONING COMMISSIONER

15<sup>th</sup> Election District

6<sup>th</sup> Council District

Case No. 03-585-SPHXA

BEFORE THE

Tri-Kaze Partnership, Owners;

Cedarwood Development, Inc., C.P.

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

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance filed by the owners of the subject property, Tri-Kaze Partnership, and the Contract Purchasers, Cedarwood Development, Inc., through their attorney, Deborah C. Dopkin, Esquire. The Petitioners request a special hearing to approve a new outdoor advertising sign of 31 sq.ft. without the removal of one lawfully erected outdoor advertising sign or legally nonconforming on-premises sign equal to the area of the new sign, and to permit construction of two separate classes of sign on the same pole. In addition, special exception relief is requested to permit an outdoor advertising sign on the subject property, pursuant to Section 450.4.I.11 of the Baltimore County Zoning Regulations (B.C.Z.R.). Lastly, variance relief is requested from the B.C.Z.R. as follows: From Section 450.7.C.1(e) to permit the erection of an outdoor advertising sign, 14 feet (measured along the adjoining road) from the right-of-way line of an intersecting highway, and from Section 450.7.C.1(f) to permit the erection of an outdoor advertising sign, 14 feet from the right-of-way line of a dual highway, in lieu of the required 100 feet each. As an alternative to the special hearing relief requested, a variance is requested from Section 450.7.C.2 to permit the erection of an outdoor advertising sign of 31 sq.ft. without the removal of one lawfully erected outdoor advertising sing or legally nonconforming on-premises sign equal to the area of the new sign. 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.

Dave RECEIVED FOR FILING By Appearing at the requisite public hearing in support of the request were Mitchell J. Ciccarone, a representative of Cedarwood Development, Inc., Contract Lessees of the subject property, and, Deborah C. Dopkin, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the southeast corner of Yellow Brick Road and Race Road/Rossville Boulevard in Rossville. The property is part of a larger tract comprised of four parcels, identified as Parcels Nos. 1074, 188, 187 and the subject Parcel 1299. These parcels collectively total 2.7 acres in area and are zoned B.R. The Petitioners obtained a limited exemption in October 2002 to subdivide the property to create two lots. Lot 1 now comprises Parcel 1074 and contains 1.5 acres in area. Lot 1 is located in the northern portion of the site and is proposed for development with an automotive service center, to be known as Sterling Autobody Centers. Proposed Lot 2 comprises the subject Parcel 1299, and Parcels 187 and 188. Lot 2 contains 1.2 acres in area and has been reserved for future development.

The Petitioners request approval to erect an outdoor advertising sign in the southwest corner of the site on Lot 2, immediately adjacent to the intersection of Yellow Brick Road and Race Road at Rossville Boulevard. As shown on the site plan, the property has narrow frontage along Race Road, which dead-ends at the southeastern corner of the site, and Rossville Boulevard is located a short distance away. Due to the unique configuration of the property at this location, the proposed sign will be located 14 feet from the right-of-way for Race Road. Thus, the requested variance relief is necessary. Moreover, the proposed sign will advertise the proposed automotive service center on Lot 1; however, will be located on Lot 2, which has been reserved for future development. Thus, the requested special exception relief is necessary. Additionally, special hearing relief is requested to allow two separate classes of sign on the same pole. In this regard, when a tenant is obtained for Lot 2, a second sign will be added to identify that tenant.

Based upon the testimony and evidence offered, I am persuaded to grant the special hearing, special exception and variance relief for the proposed outdoor advertising sign and to

ORDER RECEWED FOR FILING Date

permit construction of two separate classes of sign on the same pole. It is clear that the relief requested is appropriate in this instance, and will not be detrimental to adjacent properties. The unique configuration of the property is a persuasive factor. Moreover, no one appeared in opposition to the request and there were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency. Thus, the relief requested shall be granted.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions 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 this day of September, 2003 that the Petition for Special Hearing to approve a new outdoor advertising sign of 31 sq.ft. without the removal of one lawfully erected outdoor advertising sign or legally nonconforming on-premises sign equal to the area of the new sign, and to permit construction of two separate classes of sign on the same pole, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the alternative Petition for Special Exception seeking relief to permit an outdoor advertising sign on the subject property, pursuant to Section 450.4.I.11 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 Section 450.7.C.1(e) of the B.C.Z.R. to permit the erection of an outdoor advertising sign, 14 feet (measured along the adjoining road) from the right-of-way line of an intersecting highway, and from Section 450.7.C.1(f) to permit the erection of an outdoor advertising sign 14 feet from the right-of-way line of a dual highway, in lieu of the required 100 feet each, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their sign 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) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 450.7.C.2 to permit the erection of an outdoor advertising sign of 31 sq.ft. without the removal of one lawfully erected outdoor advertising sing or legally nonconforming on-premises sign equal to the area of the new sign, be and is hereby DISMISSED AS MOOT.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

#### Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



#### **Baltimore County**

James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

September 23, 2003

Deborah C. Dopkin, Esquire 409 Washington Avenue, Suite 1000 Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE SE/Corner Yellow Brick Road and Race Road at Rossville Boulevard (Parcel 1299, Tri Kaze Partnership Property)

15<sup>th</sup> Election District – 6<sup>th</sup> Council District
Tri-Kaze Partnership, Owners; Cedarwood Development, Inc., Contr. Pur. - Petitioners Case No. 03-585-SPHXA

Dear Ms. Dopkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, 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. Paul Madigan, Partner, Tri Kaze Partnership, P.O. Box 815, Bel Air, Md. 21014

Mr. Mitchell J. Ciccarone, Development Manager, Cedarwood Development, Inc.

1765 Merriman Road, Akron, Ohio 44313

Mr. Kenneth Colbert, Colbert Matz Rosenfelt, Inc.

2835 Smith Avenue, Suite G, Baltimore, Md. 21209

People's Counsel; Case/File



Visit the County's Website at www.baltimorecountyonline.info



# Petition for Special Hearing

for the property located at: \_SE Corner Yellow Brick Road & Race Road

### to the Zoning Commissioner of Baltimore County

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	This Petition shall be filed with the owner(s) of the property situate in Balt made a part of thereof, hereby petition determine whether or not the Zoning Co.  A new outdoor advertising sign of the property situate in Balt made a part of thereof, hereby petition determine whether or not the Zoning Co.	imore County for a Special mmission sho fixe sq. ft.	and which Hearing un ould approve  without the	is described in the deder 500.7 of the Zoning	scription and plat attached Regulations of Balti	ched he more C	ereto and	
ſ	advertising sign or legally noncor	nforming on	i-premises	sign equal to the a	irea of the new out	door		
	advertising sign, and to permit co	enstruction of	of two sep	arate classes of sig	in on the same pol	e.	•	
							the the sof which  653-3838 thone No. 21014 Zip Code  653-3838 thone No. 21209	
	Property is to be posted and advertised as p I, or we, agree to pay expenses of above Sp zoning regulations and restrictions of Baltim	ecial Hearing,	advertising, p	osting, etc and further ag		nded by	the	
				•	re and affirm, under the period in the period in the properties of the propertition.			
	Contract Purchaser/Lessee:			Legal Owner(s):				
	Mitchell J. Ciccarone, Development Mar Cedarwood Development, Inc.	nager		Paul Madigan, Partner Tri Kaze Partnership				
	Name - Type or Print  Tubble  Tubble			Name – Type or Print	Farther			
	Signature			Signature				
!	1765 Merriman Road	330-836-99			<del></del>	<del></del>	<del></del> ,	
    -	Address.	Telephone No	0.	Mame – Type or Print				
	Akron	OH 443						
	City	State Zip C	Code	Signature				
	Attorney For Petitioner:		P. O. Box 815					
				Address.		Teleph	one No.	
	Deborah C. Dopkin			Bel Air		MD		
	Name Type or Print			City		State	Zip Code	
(C)	Signature Mopher	<del></del>	Representative to	be Contacted:				
2	J. Signature			Managaratha Callaant				
	Opmpany			Kenneth Colbert	SENEELT INC			
Ì		440 004 00	200	COLBERT MATZ ROSENFELT, INC				
Ö	409 Washington Avenue, Suite 1000	410-821-02 Telephone No		2835 Smith Avenue, Address	Suite G	<del></del>	<del> </del>	
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ORDER				•				
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Date

# Petition for Special Exception

# to the Zoning Commissioner of Baltimore County

for the pr	operty located at: SE Corner Yellow Brick Road	l & Race Road
	which is presently zoned BR	
owner(s) of the property situate in Baltimore Cou	ent of Permits and Development Management. The inty and which is described in the description and plat a lal Exception under the Zoning Regulations of Baltimore	attached hereto and
A Special Exception to permit an Outdoor Ad	vertising Sign in accordance with Section 450	0.4.I.11
Property is to be posted and advertised as prescribed by a serious series of the series of above Special Exception and series of the series of	y the zoning regulations. htion, advertising, posting, etc and further agree to and are to be adopted pursuant to the zoning law for Baltimore County.	e bounded by the
	I/We do solemnly declare and affirm, under to perjury, that I/we are the legal owner(s) of the list the subject of this Petition.	he penalties of e property which
Contract Purchaser/Lessee:	Legal Owner(s):	
Mitchell J. Ciccarone, Development Manager Cedarwood Development, Inc.	Paul Madigan, Partner Tri Kaze Partnership	
Name A Type or Print Signature  Signature	Name - Type or Print Signature	
1765 Merriman Road 330-836 Address. Telephone	-9971	
Akron OH 4	4313 ip Code Signature	
	P. O. Box 815	410-879-6468
Deborah C. Dopkin	Address.	Telephone No.
Name - Type or Print	Bel Air City	MD 21014 State Zip Code
Signature (A) ophin	Representative to be Contacted:	Otate Zip Code
	Kenneth Colbert	
Company	COLBERT MATZ ROSENFELT, INC	
409 Washington Avenue, Suite 1000 410-821	·	410-653-3838
Address		Telephone No.
	1204 Baltimore	MD 21209
State Zi	p Code City	State Zip Code
	OFFICE USE ONLY	
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	UNAVAILABLE FOR HEARING	
$\mathfrak{A}^{\prime\prime}$	Reviewed By JL Da	te 6/12/03
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# Petition for Variance

## to the Zoning Commissioner of Baltimore County

Is the subject of this Petition.

for the property located at <u>SE Corner Yellow Brick Road & Race Road</u> which is presently zoned <u>BR</u>

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 of thereof, hereby petition for a Variance from Section(s)

See attached.

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 presented at Hearing.

Property 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

Contract Purchaser/Lessee: Legal Owner(s)/ Mitchell J. Ciccarone, Development Manager Paul Madigary/Partner Cedarwood Development, Inc. Tri Kaze Partnership Name - Type or Print Name - Type or Print Signature Signatur 1765 Merriman Road 330-836-9971 Address. Telephone No. Name - Type or Print Akron OH 44313 City State Zip Code /Signature Attorney For Petitioner: P.O. Box 815 410-879-6484 Address. Telephone No. Deborah C. Dopkin Bel Air MD 21014 Name - Type or Print City State Zip Code Representative to be Contacted: Signature Kenneth J. Colbert Company COLBERT MATZ ROSENFELT, INC. 409 Whington Avenue, Suite 1000 2835 Smith Avenue, Suite G 410-653-3838 Telephone No. Address Telephone No. TOWSON C MD 21204 Baltimore MD 21209 State Zip Code City State Zip Code OFFICE USE ONLY Sase No ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING Date Date

# VARIANCE PETITION SE CORNER YELLOW BRICK ROAD & RACE ROAD

VARIANCE TO SECTION 450.7.C.1.e TO PERMIT ERECTION OF AN OUTDOOR ADVERTISING SIGN, 14 FT., MEASURED ALONG THE ADJOINING ROAD, FROM THE RIGHT-OF-WAY LINE OF AN INTERSECTING HIGHWAY IN LIEU OF THE REQUIRED 100 FT.

VARIANCE TO SECTION 450.7.C.1.f TO PERMIT ERECTION OF AN OUTDOOR ADVERTISING SIGN 14 FT. FROM THE RIGHT-OF-WAY LINE OF A DUAL HIGHWAY IN LIEU OF THE REQUIRED 100 FT.

VARIANCE TO SECTION 450.7.C.2 TO PERMIT ERECTION OF A NEW OUTDOOR ADVERTISING SIGN OF 31 SQ. FT. WITHOUT THE REMOVAL OF ONE LAWFULLY ERECTED OUTDOOR ADVERTISING SIGN OR LEGALLY NONCONFORMING ON-PREMISES SIGN EQUAL TO THE AREA OF THE NEW OUTDOOR ADVERTISING SIGN.

ORDER REGENVED FOR FILING
Date
By

# Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



#### ZONING DESCRIPTION TRI-KAZE PARTNERSHIP PROPERTY TAX MAP 90, PARCEL 1299

BEGINNING at a point 5 feet north of the southeast corner of Yellow Brick Road, 70 feet wide and Race Road, variable width. Thence running with the southeasterly side of Yellow Brick Road

North 35 degrees 50 minutes 44 seconds East 28 00 feet; thence leaving Yellow Brick Road

South 54 degrees 42 minutes 06 seconds East 10.00 feet; thence

South 35 degrees 50 minutes 44 seconds West 28.00 feet; thence

North 54 degrees 42 minutes 06 seconds West 10.00 feet to the point of beginning

Being part of the property as described in Liber 7110 at Folio 747 Containing 280 square feet or 0 006 acres. Also known as Parcel 1299, Tax Map 90 Grid 7 in the 15<sup>th</sup> Election District of Baltimore County, Maryland.

J<sup>.</sup>\92052.3zoningdesc



5

BALTIMORE COUNTY, OFFICE OF BUDGET & FINA MISCELLANEOUS REC	ANCE NO. 2001
DATE 6 12 03	ACCOUNT 001 006 6150
	* 800 00
RECEIVED CUBEYLT FROM:	MATZ PCKGAFFLT INC.
FOR: SPHXA	
DISTRIBUTION	

YELLOW - CUSTOMER

PINK - AGENCY

WHITE - CASHIER

ACTUAL **BBIES** 6/12/2005 14:19:13 6/13/2003 量证 N/12/2005 HEIEIPI # 275254 5 528 ZIMING VERIFICATION 025511 课他. \$300.00 Recent Tot Baltimire County, Baryland

\* ATTNY WILL SIUN PET. FORMS ASAP,

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 <u>Towson, Maryland</u> on the property identified herein as follows:

Case: # 03-585-SPHXA

SE Corner Yellow Brick Road and Race Road S/east corner of Yellow Brick Road and Race Road 15th Election District – 6th Councilmanic District Legal Owner(s): Tri Kaze Partnership, Paul Madigan

Special Hearing: to permit a new outdoor advertising sign of 31 square feet without the removal of one lawfully, erected outdoor advertising sign or legal nonconforming on-premises sign equal to the area of the new outdoor advertising sign, and to permit construction of two separate classes of sign on the same pole. Special Exception: to permit an Outdoor Advertising sign. Variance: to permit erection of an outdoor advertising sign 14 feet, measured along the adjoining road, from the right-of-way line of an intersecting highway in lieu of the required 100 feet. To permit erection of a new outdoor advertising sign of 31 square feet without the removal of one lawfully erected outdoor advertising sign or legally nonconforming on-premises sign equal to the area of the new outdoor advertising sign.

Hearing: Thursday, August 7, 2003 at 10:00 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.

missioner'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 7/763 July 22 C616369

### CERTIFICATE OF PUBLICATION

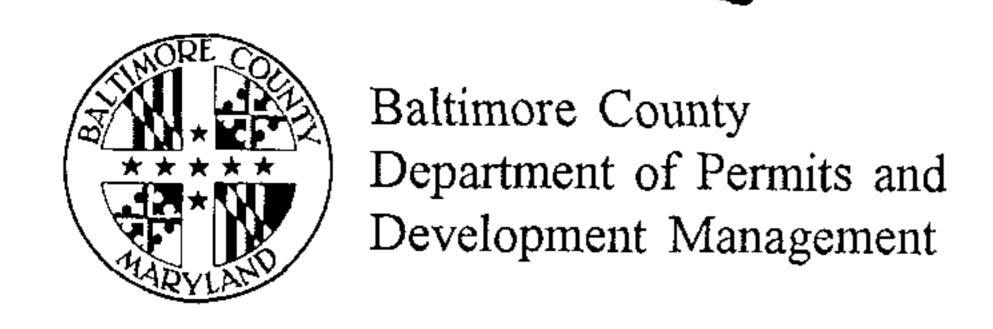
7/24,20 <u>03</u>
·
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on $\frac{7122}{2003}$
The Jeffersonian
Arbutus Times
☐ Catonsville Times
Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

# CERCIFICATE OF POSTING

<i>[</i>	TTENTION: BECKY HART	Date:
RE:	Case Number <u>03-585-5PH</u> Petitioner/Developer: <u>COLBERT</u> , mr Date of Hearing/Closing: <u>AUGUST</u>	TZ, +ROSENFELT/ETAL
were	This is to certify under the penalties of perjurposted conspicuously on the property located AND RACE RI	y that the necessary sign(s) required by law at <u>SE CORNER VELLOW BRICK</u> ROAD (ON STE)
	The sign(s) were posted on	20,2003 (Month, Day, Year)
	A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER THE ZONING COMMISSION	Cignature of Sign Poster)  LINDA O KEFFE (Printed Name of Sign Poster)  523 PENNY LANE (Street Address of Sign Poster)  HUNT VALLEY MD 21030 (City, State, Zip Code of Sign Poster)  410-666-5366 (Telephone Number of Sign Poster)

Revised 3/1/01 - SCJ



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

Fax: 410-887-5708 July 2, 2003

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

NOTICE OF ZONING HEARING

herein as follows:

CASE NUMBER: 03-585-SPHXA

SE Corner Yellow Brick Road and Race Road S/east corner of Yellow Brick Road and Race Road 15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District Legal Owner: Tri Kaze Partnership, Paul Madigan

Special Hearing to permit a new outdoor advertising sign of 31 square feet without the removal of one lawfully, erected outdoor advertising sign or legal nonconforming on-premises sign equal to the area of the new outdoor advertising sign, and to permit construction of two separate classes of sign on the same pole. Special Exception to permit an Outdoor Advertising sign. Variance to permit erection of an outdoor advertising sign 14 feet, measured along the adjoining road, from the right-of-way line of an intersecting highway in lieu of the required 100 feet. To permit erection of a new outdoor advertising sign of 31 square feet without the removal of one lawfully erected outdoor advertising sign or legally nonconforming on-premises sign equal to the area of the new outdoor advertising sign.

Hearings:

Thursday, August 7, 2003 at 10:00 in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco

Director

TK:rlh

C: Deborah Dopkin, 409 Washington Avenue, Suite 1000, Towson 21204 Paul Madigan, Partner, Tri Kaze Partnership, P.O. Box 815, Bel Air 21014 Kenneth Colbert, Colbert Matz Rosenfelt, 2835 Smith Avenue, Suite G, Baltimore 21209

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 23, 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, July 22, 2003 Issue - Jeffersonian

Please forward billing to:

Mitch Ciccarone Cedarwood Development 1765 Merriman Road Akron, OH 44313

330-836-9971

#### 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: 03-585-SPHXA

SE Corner Yellow Brick Road and Race Road S/east corner of Yellow Brick Road and Race Road 15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District Legal Owner: Tri Kaze Partnership, Paul Madigan

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Hearings:

Thursday, August 7, 2003 at 10:00 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**

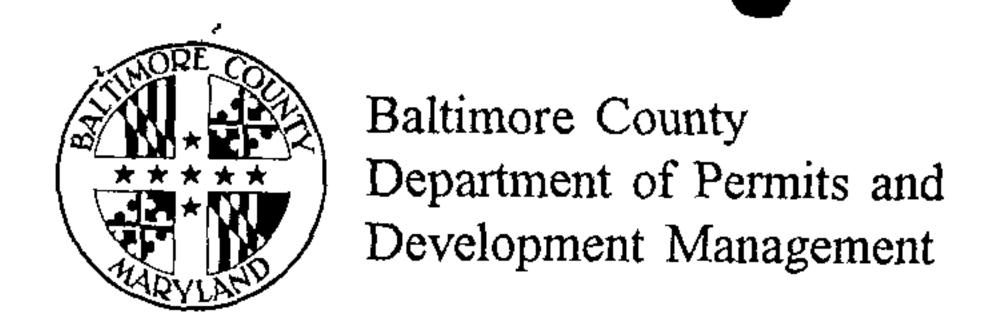
# ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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 03-585 SPHXA
Petitioner TRI-KAZE PARTNERSHIP
Address or Location SE CORNER YELLOW BRICK & RACE RD
PLEASE FORWARD ADVERTISING BILL TO  Name: MITCH CICCARONE
Address. CEDARWOOD DEVELOPMENT
1765 MERRIMAN RD
AKRON, OH 44313
Telephone Number: 330-836-997/



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

August 1, 2003

Deborah Dopkin 409 Washington Avenue, Ste 1000 Towson, MD 21204

Dear Ms. Dopkin:

RE: Case Number: 03-585-SPHXA, S/east corner of Yellow Brick Road & Race Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 12, 2003.

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:klm

**Enclosures** 

c: People's Counsel
Paul Madigan, Partner, Tri Kaze, Partnership, P.O. Box 815, Bel Air 21014
Mitchell Ciccarone, Dev. Manager, Cedarwood Development, 1765 Merriman Rd.,
Kenneth Colbert, Colbert Matz & Rosenfelt, 2835 Smith Ave., Ste. G, Baltimore 21209



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

July 1, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: June 30, 2003

Item No.: 577-580, 583-588, 590-601

Dear Ms. Hart:

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.

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

cc: File

Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor



Robert L. Flanagan, Secretary Neil J. Pedersen, Acting Administrator

#### MARYLAND DEPARTMENT OF TRANSPORTATION

Date:

7.1.03

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

RE:

**Baltimore County** 

Item No. 585

JL

Dear, Ms. Hart:

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,

for

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

1. J. Stredle

Jusa An

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case 03-585

**DATE:** July 30, 2003

RECEIVED

JUL 3 0 2003

ZONING COMMISSIONER

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:

**Section Chief:** 

AFK/LL:MAC

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** September 5, 2003

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 7, 2003 Item No. 585

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

The proposed sign shall not interfere with the line of sight.

RWB:CEN:jrb

cc: File

RE: PETITION FOR SPECIAL HEARING SPECIAL EXCEPTION & VARIANCE

SE corner Yellow Brick Road & Race Road;\*

15<sup>th</sup> Election & 6<sup>th</sup> Councilmanic Districts

Legal Owner(s): Paul Madigan, Partner

Tri Kaze Partnership

Contract Purchaser(s): Mitchell J Ciccarone, \*

Development Manager Cedar Dev't, Inc

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

**BALTIMORE COUNTY** 

03-585-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

RECEIVED CAROLE S. DEMILIO

JUL 0 3 2003 Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue Per....

Towson, MD 21204 (410) 887-2188

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2 day of July, 2003, a copy of the foregoing Entry of Appearance was mailed to Kenneth Colbert, Colbert, Matz, Rosenfelt, Inc. 2835 Smith Avenue, Suite G, Baltimore, MD 21209, and Deborah C Dopkin, Esquire, 409 Washington Avenue, Suite 1000, Towson, MD 21204, Attorney for Petitioner(s).

> ao Simmerman PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

## Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners 2835 Smith Avenue, Suite G Baltimore, MD 21209

#### LETTER OF TRANSMITTAL

To: Baltimore County Zoning Office 111 West Chesapeake Ave. Towson, MD 21204			Date: Attn: Re: Cc:	June 30, 2003 June 30, 2003 June 30, 2003 Sterling Autobo	,		
	ending yo ving items:		∑ Attac		☐ Under Separate	Cover	
Date	Copies	No.	Description		, , , , , , , , , , , , , , , , , , ,	· <del>····································</del>	
6/30/03	3		Petition for Spec	ial Hea	aring – with origin	al signature	
			s checked below: equested	oval []F	Review & Comment	Original to Follov	w under Separate Cover
Mess	age: W	Jen	Man Man	J.	My John K	Sen Colbert	SPHYM
					n n	CODEIL	

If enclosures are not as noted, kindly notify us at once.

Telephone: 410-653-3838 Fax: 410-653-7953 Email: cmrinc@maxinter.net

## Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners 2835 Smith Avenue, Suite G. Baltimore, MD 21209

#### FACSIMILE MEMO

Date	June 20, 20	003			
To:	John Lewis	S	Company: Zoning Office	Fax#:	410-887-2824
Cc:	Deborah D	opkin_	Company:	Fax#:	410-823-8509
From:	Ken Colbe	rt			
Projec	ct Name:	Sterling	Auto Body Case SPHA 03-585	<del></del>	
Nicosaha	er of pages	2	(Including Cover Sheet)	Project N	No: 92052.3

#### MESSAGE:

John -

As discussed, I am forwarding a copy of the Petition for Special Hearing that was filed on June 12, 2003. Somewhere in the process, the original Petitions for Special Hearing have been misplaced.

Neither the contract purchaser nor the owner are local. I will forward three new copies of the Petition initially by overnight to the contract purchaser for signature. When I receive the Petitions back, I will have them signed by the owner, and subsequently, delivered to you. I will get this done as quickly as possible.

Thanks for keeping this process moving.

Ken

August Spt sepature St.

Jamson wed from file

(nere worthout from file)

If you do not receive all pages, kindly notify us at once. Telephone: (410) 653-3838 • Facsimile: (410) 653-7953 Robert L Ehrlich, Jr. Governor

Michael S. Steele

Lt. Governor



Audrey E. Scott Secretary

Florence E. Burlan
Deputy Secretary

July 1, 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

Zoning Advisory Committee Agenda, 07/07/03 re:-case numbers 03-577-A, 03-578-A, 03-579-SPH, 03-580-SPHA, 03-583-A, 03-584-A, 03-585-SPHXA, 03-586-SPH, 03-587-A, 03-588-A, 03-589-SPH, 03-590-A, 03-591-A, 03-592-A, 03-593-A, 03-594-A, 03-595-SPH, 03-596-SPH, 03-597-A, 03-598-SPHA, 03-599-A, 03-600-HAS & 03-601-A

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 07/01/03. 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 Planning Services

cc: Mike Nortrup

