IN RE: DEVELOPMENT PLAN HEARING

NW/s of Pulaski Highway, S/W Allender Road

11th Election District

Ramsey Boys, LLC

5th Councilmanic District

(Ramsey Boys, LLC Property)

Developer/Petitioner

* Case

BEFORE THE

HEARING OFFICER

OF BALTIMORE COUNTY

Case Nos. XI-870 & 04-234-SPHA

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN ORDER

*

*

This matter comes before this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, as a requested approval of a Development Plan known as "Ramsey Boys, LLC Property", prepared by Richardson Engineering, LLC. The Developer is proposing the development of the subject property into a 53,133 sq. ft. mobile home sales & service business. The subject property is located on the northwest side of Pulaski Highway, southwest of Allender Road in the eastern area of Baltimore County. The particulars of the manner in which the property is proposed to be developed are more specifically shown on Developer's Exhibit No. 1, the Development Plan entered into evidence at the hearing.

In addition, the Petitioner is also requesting a special hearing pursuant to Section 409 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve the proper number of parking spaces required for a recreational vehicle sales and service facility. In the alternative, the Petitioner requests a variance from Section 409.6A.2 of the Baltimore County Zoning Regulations to allow 44 parking spaces in lieu of the required 137 spaces.

Finally the Developer is requesting approval of what is essentially a commercial use of this property in a manufacturing zone pursuant to the Commercial Planned Unit Development (PUD-C) requirements of Section 440

Appearing at the hearing on behalf of the Development Plan approval request were David and Brooks Ramsey, Petitioners, Rick Richardson, appearing on behalf of Richardson Engineering, LLC, the engineering firm that prepared the Development Plan, and Terry Taylor.

Also in attendance were representatives of the various Baltimore County reviewing agencies; namely, John Sullivan (Zoning Review), Rahee Famili (Development Plans Review), Walt Smith (Development Management) and Don Stires (Bureau of Land Acquisition), all from the Office of Permits & Development Management ("PDM"); R. Bruce Seeley from the Department of Environmental Protection and Resource Management ("DEPRM"); Mark Cunningham from the Office of Planning; and Rick Cobert from the Department of Economic Development.

As to the history of the project, the original Concept Plan Conference was held on February 18, 2003 and a Community Input Meeting followed on June 17, 2003 at Brooks Ramsey RV located at 11345 Pulaski Highway. A Development Plan Conference was held on December 17, 2003 and a Hearing Officer's Hearing was held on January 22, 2004 in Room 106 of the County Office Building.

Developer Issues

The Developer raised issues of lighting and landscaping initially but after consultation with Avery Harden, landscape reviewer from PDM, agreed that these issues would be resolved at final development plan submittal. Mr. Famili, the representative of DPW for the Hearing Officer's review of the Development Plan, also agreed to put off resolving these issues to the final development plan stage. By doing so, the Developer and the County waived any hearing of these issues before this Hearing Officer.

County Issues

All County agencies reviewing the Redline Development Plan indicated that the plan meets all County regulations within their agency's jurisdiction with the following exception. As stated above, PDM raised issues of landscaping and lighting which were to be resolved at the final development plan stage. The Zoning Office representative raised the issue of whether or not the campsites should be paved or allowed to be gravel as shown on the Development Plan. DEPRM representative raised the issues of the adequacy of storm water management data and

whether the proposed outfall was suitable. The Developer and the DEPRM representative indicated that they would resolve these highly technical issues in discussions separate from the Hearing Officer's Hearing. However, neither the Developer nor the County waived their right to have these issues heard by this Hearing Officer and both requested that the record of this case be kept open pending resolution of these issues between them. DEPRM's representative is to send a written memorandum as to whether or not these issues had been resolved. If not, the matters unresolved will be the subject of a further hearing.

In fact, the Developer and DEPRM continued the review of the storm water management facility data and outfall suitability issues and have resolved all issues. See the attached memorandum from R. Bruce Seeley, Project Manager for DEPRM, dated June 10, 2004 wherein he states that all issues are resolved and that the proposal meets all requirements of DEPRM.

Although not part of the normal team of County reviewers, Mr. Cobert, from the Department of Economic Development, urged approval of the Development Plan citing the approximately 15 new jobs to be created. In addition, he noted that there would be a public benefit by the Developer's plan to boost tourism in the County by posting displays and providing information to customers concerning the new enterprise.

Community Issues

There were no community issues raised at the hearing.

Applicable Law

Section 26-206 of the B.C.Z.R. Development Plan Approval.

- (a) (1) A public quasi-judicial hearing before the hearing officer is required prior to final action on a plan. The hearing may be informal in nature. The hearing officer shall regulate the course of the hearing as he may deem proper, including the scope and nature of the testimony and evidence presented.
 - (2) The hearing officer shall take testimony and receive evidence regarding any unresolved comment or condition that is relevant to the proposed plan, including testimony or evidence regarding any potential impact of any approved development upon the proposed plan.

- 1. Establish in the public interest a building intensity and design and a mix of uses which will ensure compatibility with the surrounding existing and proposed land uses.
- 2. Provide benefit to the public beyond what would be obtained under the conventional regulations, including but not limited to creation of jobs, expanded tax base, better use of transit, more effective use of existing infrastructure, redevelopment of designated revitalization areas, provision of affordable housing or housing for the elderly, preservation of historic structures and sites, provision of community facilities such as meeting places, child care or adult day care or other benefit as described in the applicants' report.
- 3. Be consistent with and not undermine, as determined by a finding by the hearing officer, the purposes of the Baltimore County Master Plan; comprehensive zoning map process and all duly adopted community, area and revitalization plans; all duly adopted county policies and manuals; the five-year capital budget and program; and Section 26-282, Compatibility, of the development regulations. EN

Section 409.12 B

Other requirements.

B. If the requirements for parking space or loading space in Section 409 would create an undue hardship, the Zoning Commissioner may approve a modified plan upon petition and after a public hearing, the procedure for which is set forth in Section 409.8.B.1 above.

Testimony and Evidence

Testimony proffered by Mr. Gontrum and testimony and evidence presented at the hearing by Mr. Richardson indicated that the owner is proposing to build an expanded sales and service facility for recreational vehicles across the highway from their existing sales center. However, in addition to a substantial increase in area for sales and service, the proposed facility will provide "campsites" in which recreational vehicle owners can stay temporarily in their vehicles while repairs take place. Testimony indicated that repairs to these vehicles can be complex and can require several days to accomplish. Consequently, the new facility can offer water, sewer and electrical service to owners who chose to stay with their vehicles in the twenty campsites. In addition, the facility will have eight double bays in which the repairs will be accomplished and parking for 40 recreational vehicles on site. Finally, the owners propose 44 regular parking spaces for customers, employees and office staff.

Finds of Fact and Conclusions of Law

Commercial PUD

I find that this project meets the goals defined in Section 440.2.F 1, 2, and 3 of the

B.C.Z.R. The testimony indicated and I find that the Development Plan is compatible with the surrounding industrial and commercial uses, and would provide the high quality design of building and land that are envisioned in a PUD-C development. I find that the proposed public benefits outlined in Section D of the Developer's May 8, 2003 study, plus the additional benefit of promoting tourism by information and display, meets the public benefit requirement of such developments. Finally, I find that the plan is consistent with the purposes of the Baltimore County Master Plan and all duly adopted plans and policies.

Special Hearing

The Petitioner requests that I approve a special parking plan pursuant to Section 409.12 B of the B.C.Z.R. He suggests that the normal parking regulations simply do not fit this use and application. Normally, he would be required to provide 120 parking spaces for the sales area and 17 spaces for the office for a total of 137 regular size parking spaces. This would indicate a normal commercial store where customers park their 10 ft. to 15 ft. long vehicles, shop at the store and go on their way. The proposal here is that recreational vehicles to a large extent will be driven to this repair facility for repair, some will stay perhaps several days and eventually go on their way. These recreational vehicles are 3 to 4 times longer than ordinary vehicles. The Petitioner proposes to provide 20 campsites and 37 parking spaces for these primary customers. One could argue that this is equivalent to providing 171 parking spaces $(20 + 37 = 57 \times 3 = 171)$ which far exceeds the County ordinary requirements. Finally, the Petitioner will have 8 double bays (16 more RV parking areas) in which repairs will take place and in which RV's can be stored or parked.

In addition, the Petitioner will provide 44 ordinary spaces for the office staff, customers looking for parts, and ordinary vehicles and employee vehicles. Seventeen such spaces are needed for the office, so we are left with 27 spaces being provided for employees and customers looking for parts. I find that this is most reasonable under the circumstances. As important, the customer base is not at all like the typical commercial retail sales store and so parking

requirements of Section 409.6.2 "Retail" simply are not applicable to this situation.

I find that providing the required number of ordinary size parking spaces on this site and with this application presents an undue hardship to the owner. The overall parking plan presented is more than adequate, and will have no detrimental affect on the health, safety and welfare of the surrounding community. Therefore, I will approve the modified parking plan shown on Petitioner's Exhibit No. 1.

Variance

Because I have determined to grant the special hearing for a modified parking plan, I find that the request for variance to allow 44 spaces in lieu of the 137 required is now moot.

Development Plan

The property on which the development is proposed consists of 15.21 acres and is zoned BR-AS along the frontage of Pulaski Highway and ML over the remainder of the property. The Development Plan presents a commercial use in an industrial zone, (ML) which ordinarily would not be permitted. However, such uses are permitted as a mixed use in a Planned Unit Development (PUD)—Commercial development, as presented here. The property is presently vacant with a substantial area of wetlands, a stream and surprisingly hilly terrain for this part of the County.

Among the significant accommodations afforded the public in this case, the Developer proposes to maintain 6.1 acres of forest buffer along the perimeter of the property in permanent forest conservation easement so as to shield the neighboring properties from this commercial use. Also, the Developer proposes to allay community concerns expressed at the Community Input Meeting regarding storm water runoff from this property by controlling up to 100 year storms instead of the 10 year storms ordinarily required. As mentioned, projected employment will double and the owner will promote tourism in the County by displays and information for its customers who will come from the entire region for service and repair of their recreational vehicles. Finally, the owner will provide vehicles for public service in the County to government

and civic organizations pursuant to Section D of the Developer's study report dated May 8, 2003, a copy of which is attached hereto and made a part hereof. Said report was presented to the Planning Board and approved on July 17, 2003.

Finally, the Zoning Office raised the issue of whether the campsite pad site would be required to be paved with bituminous asphalt (or its equivalent) or whether it could remain gravel as indicated on the Development Plan, Developer's Exhibit No. 1. The regular parking areas, travel aisle ways and driveways are all to be paved. There was no dispute in this regard. However, I see no reason to impose that same requirement on the actual parking pads for the campsites. Here, the traffic will be significantly less than in the other travel areas. In addition, I find that it would be beneficial to allow gravel pads where rainwater can more easily recharge into the ground reducing runoff and downstream problems.

I should also clarify that I do not find that the proposed pad sites meet the definition collectively of a campground as defined in the B.C.Z.R. The use proposed is accessory only to the repair facility and no use may be made of these sites which would become "temporary living quarters for recreation, education or vacation purposes"

The DEPRM issues for which the record remained open having been resolved, I will approve the Development Plan.

THEREFORE, IT IS ORDERED, by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, this <u>15</u> day of June, 2004, that the Development Plan known as "Ramsey Boys LLC Property", submitted into evidence as "Developer's Exhibit No. 1", be and is hereby APPROVED, subject, however, to the recommendations of the Director of the Office of Planning dated July 9, 2003 as follows:

- 1. The Developer must provide detailed elevations of all sides of the proposed buildings, identifying colors and materials;
- 2. The Developer must submit a Lighting Plan and Final Landscape Plan to the Office of Planning for review and approval at the time of Final Development Plan

submittal;

3. The campsites shall accessory to the repair facility and no use may be made of these sites which would become "temporary living quarters for recreation,

education or vacation purposes".

IT IS FURTHER ORDERED, that the Commercial Planned unit Development (PUD-C),

be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the Special Hearing filed pursuant to Section 409 of the

Baltimore County Zoning Regulations (B.C.Z.R.), to approve a modified parking plan as shown

on Developer's Exhibit No. 1 for a recreational vehicle sales and service facility, be and is

hereby GRANTED.

IT IS FURTHER ORDERED, that the request for variance is DISMISSED AS MOOT,

having granted the Special Hearing for a modified parking plan as above.

Any appeal from this decision must be taken in accordance with Section 26-209 of the

Baltimore County Code and the applicable provisions of law.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj

9

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



To:

John V. Murphy

Deputy Zoning Commissioner

From:

R. Bruce Seeley

Project Manager, DEPRM

Subject:

Ramsey Boys, LLC

Development Plan

All DEPRM issues relative to the referenced Development Plan are resolved. The proposal meets all requirements of this Department.

Thank you for leaving the case open for resolution of these concerns.

If you have any questions, please contact me at 410-887-4488 ext. 274, or by e-mail at rseeley@co.ba.md.us.

DECENYED

Date: June 10, 2004

JUN 17 2004

WHITEFORD, TAYLOR & PRESTON

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

June **5**, 2004

John Gontrum, Esquire Whiteford, Taylor & Preston, L.L.P. 210 W. Pennsylvania Avenue Towson, Maryland 21204

> Re: Hearing Officer's Hearing Case Nos. XI-870 & 04-234-SPHA Property: NW/S of Pulaski Highway, S/W of Allender Road 11th Election District, 5th Councilmanic District (Ramsey Boys, LLC)

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above-captioned case. The Development Plan for the Ramsey Boys, LLC property has been approved 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 & 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,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj

c: David Ramsey, 2601 Stanley Drive, Baldwin, MD 21013 Brooks Ramsey, 6500 Mt. Vista Road, Kingsville, MD 21081 Rick Richardson, Richardson Eng., LLC, 730 W. Padonia Road, Cockeysville, MD 21030 Terry Taylor, 10291 Baltimore National Pike, Ellicott City, MD 21042



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



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 11350 Pulaski Highway which is presently zoned B.R.-A.S.: M.L.

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 proper number of parking spaces required for a recreational vehicle sales and service facility under Section 409 of the BCZR.

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.

Contract Purchaser/Lessee:

<u>Legal Owner(s):</u>

Name - Type or Print		N	Ramsey Boys, LLC Name - Type or Print
Signature			Signature Lewis BRAMSEG, moder &
Address	<u>. </u>	Telephone No.	Name - Type or Print
City	State	Zlp Code	Signature
Attorney For Petition	oner:		13450 Pulaski Highway (410) 335-5328 Address Telephone No.
John B. Gontry	ım, Esquire		White Marsh, MD 21162
Name Type or Print		C	City State Zip Code
983/			Representative to be Contacted:
Signature			
Whiteford, Tay	lor & Preso	nt L.L.P.	2777-62 600 6200-6
Company	_		Name
A	ylvania Ave		
ddress (410) 832		Telephone No.	Address Telephone No.
lowson, Maryla	and 21204 State	Zip Code	City State Zip Code
			OFFICE USE ONLY
13			ESTIMATED LENGTH OF HEARING 12 hrs
Case No. 24-2	34-5PH		UNAVAILABLE FOR HEARING
REV 0/15/98		R	Reviewed By Date 11-06-03

Click here for a plain text ADA compliant screen.



Maryland Department of Assessments and Taxation **BALTIMORE COUNTY** Real Property Data Search

Go Back View Map New Search

Account Identifier:

District - 11 Account Number - 1900006039

Owner Information

Owner Name:

RAMSEY BOYS LLC

Use:

INDUSTRIAL

11345 PULASKI HWY

Principal Residence:

NO

Mailing Address:

WHITE MARSH MD 21162-1520

Deed Reference:

1) /14439/ 262

Location & Structure Information

Premises Address PULASKI HWY

Zoning

ML.

Legal Description

13,6217 AC

NWS PULASKI HWY

1360FT SW ALLENDER RD

Sub District Grid Map Parcel 51 73 14

Subdivision Section Block

Group

Plat No: Lot 80 Plat Ref:

Special Tax Areas

Stories

Town **Ad Valorem** Tax Class

Primary Structure Bullt

Enclosed Area

Property Land Area 13.62 AC

County Use 07

0000

Land:

Basement

Type

Exterior

Value Information

Phase-in Assessments Base Value **Value** As Of As Of 01/01/2001 07/01/2004 07/01/2003 469,200 469,200

Improvements: Total:

Preferential Land:

469,200 469,200

469,200

NOT AVAIL NOT AVAIL

As Of

Transfer Information

BERG ELLIOTT M Seller: IMPROVED ARMS-LENGTH Type: Seller: BERG SAMUEL J, ET AL **NOT ARMS-LENGTH** Type:

01/19/2000 Date: **Deed1:** /14439/ 262 05/12/1982 Date:

\$500,000 Price: Deed2:

Deed1: / 6394/ 126

Price: \$0 Deed2: Price:

Date: Deed1:

Deed2:

Exemption Information

07/01/2003 07/01/2004 Partial Exempt Assessments Class 000 County State 000 Municipal 000

Tax Exempt: **Exempt Class:**

Seller:

Type:

NO

Special Tax Recapture:

* NONE *



A CHICKEN TO EX

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11350 Poleske Hishover which is presently zoned B. R. A. S. ; M.L.

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)

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:

(indicate hardship or practical difficulty) use of the Form 2.77 Forme Recommendational medicale

soles mondites à longe soles anne due sa vehille size estatis

worker inproducts or work to soles	orales a	we Ei	Phiere	3/20	ELMT	15
dispresentations to the portion of the portion of the portion of the printer and the printer of the	3 6.15/00	ricolly ,	Reward	For	the v	50,
Naditial Porting exists on site	commented	l En ott	lese ofe.	Such,	uther	Reusons
exist as will be parided and the	Public 1	harmy on	1 2475 1	55° 220°.		
Property is to be posted and advertised as prescribed I, or we, agree to pay expenses of above Variance, advertised regulations and restrictions of Baltimore County adopted put	by the zoning sing, posting, e	g regulations tc. and furthe	i. r agree to and	are to be bo		
	pe	Ve do solemn erjury, that I/w the subject of	e are the lega	al owner(s) of		
Contract Purchaser/Lessee:	<u>L</u>	egal Owne	<u>r(s):</u>			
		CANOSE) or Print	Bors	LLC		
Name - Type of Print	Name - Type	or Print	2 /2)		
Signature	Si	gnature			<u> </u>	
		Lewis		MAM 3	58-7	
Address Telephone N	.o. Na	ame - Type or P	3	W K Raws	0.1	
City State Zip Co	de Si	gnature	/ MV	W IN MUND	<u> </u>	
Attorney For Petitioner:	Ac Ac	345 % /	Ocheske	Highway	(50) Te	3次でする。 elephone No.
Yakis B. Gontferm		Shire 1		,	2116	-
Name - Type or Print	City		St	ate	Zip Coo	le
Signature Signature	<i>R</i>	epresenta:	tive to be C	<u>Contacted</u>	<u>:</u>	
Whiteford Toylor & PRESTIN 168	<u> </u>					
Company Aldress Company Com	又05% NE	ame				
Address Telephone N	0. A	ddress	·	<u> </u>	Tel	ephone No.
Denvion, and 2/204						·
Cty State Z/209	de Ci	ty		State		Zip Code
2			OFFICE USE	ONLY		
Sase No	Es	STIMATED LEN	IGTH OF HEAR	ING		
		NAVAILABLE F	•			
REV 9/15/98	ved By		Date			
A INDEA ALLALAN						

730 W. Padonia Road, Suite 101 Cockeysville, Maryland 21030

410-560-1502, fax 410-560-0827

ZONING DESCRIPTION RAMSEY BOYS, LLC PROPERTY 11350 PULASKI HIGHWAY 11TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the North side of Pulaski Highway at a distance of 1400 feet west of Allender Road, thence running and binding on the North side of Pulaski Highway right-of-way (1) South 45 degrees 23 minutes 48 seconds West 589.20 feet, thence leaving Pulaski Highway and traversing to the south side of Red Lion Road, (2) North 54 degrees 00 minutes 28 seconds West 815.91 feet, (3) North 51 degrees 03 minutes 38 seconds West 200.00 feet, thence binding on the south side of the right of way of Red Lion Road and, (4) North 35 degrees 20 minutes 58 seconds East 564.44 feet, (5) South 54 degrees 33 minutes 30 seconds East 21.63 feet, (6) South 54 degrees 33 minutes 30 seconds East 38.37 feet, (7) South 54 degrees 33 minutes 30 seconds East 539.06 feet, (9) South 44 degrees 41 minutes 17 seconds East 33.83 feet, (10) South 17 degrees 21 minutes 43 seconds West 181.12 feet, (11) South 57 degrees 09 minutes 17 seconds East 30.41 feet, (12) South 30 degrees 59 minutes 13 seconds East 38.78 feet, (13) South 58 degrees 56 minutes 17 seconds East 132.02 feet, (14) South 69 degrees 21 minutes 17 seconds East 125.51 feet to the northern side of Pulaski Highway and the point of beginning;

Containing a net area of 662,550 square feet, or 15.21 acres of land, more or less.

10/8/03

232

						はでは、はないでは、
E CASHI				CH		大学 からしない
9					800	高級の行動の
AGENC						e grand kanan kanan kanan kanan kanan kanan lagan ka
WOTTE		NO NO	CCOL			
Since N						
OME						
	では、から				6	1.4
						٠٠٠ ١٠٠٠ ١٠٠١
			A Share Well &			
					Insulation of the second	
9						- C
						2.0
						1 4 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
						To the state of th

*

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: #04-234-SPH
11350 Putaski Highway
N/side Putaski Highway, 1,400
feet west of Altender Road
11th Election District
5th Councilmanic District
Legal Owner(s): Ramsay Boys,
Inc., Lewis B. Ramsay Boys,
Inc., Lewis B. Ramsay
Special Hearing: to permit
the proper number of parking spaces required for a
recreation vehicle sale and

Hearing: Thursday, January 22, 2004 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Ave. service.

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.

C643394

JT/1/615 Jan 6

ATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published

successive weeks, the first publication appearing kly newspaper published in Baltimore County, Md., S, in the following weel each of once in CO

X The Jeffersonian

- Arbutus Times
- Catonsville Times
- Towson Times
- Owings Mills Times
- NE Booster/Reporter
 - North County News

Mulus

LEGAL ADVERTISING

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 dendified heren as follows:

Case: #04-234-SPHA

11350 Pulaski Highway
Northside Fulaski Highway
11400 feet west of Allender Road
11th Election District — 5th Councilmanic District
Legal Owner(s): Ramsay Boys, fac., Lewrs B. Ramsay
Variance: from Section 469-6A.2 of The Zoning Regulations to permit 44 parking spaces in leu of 137 spaces required.
Hearing(s): Thursday, January 22, 2004 at 9-08 a.m. in
Room 106, County Office Building, 111 West Chesapeale Avenue, Towson, Maryland 21204.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Confact the Zoning Commissioner's Office at (410) 887-4386.

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

OF PUBLICATION 1 20 C THIS IS TO CERTIFY, that the annexed advertisement was published successive weeks, the first publication appearing in the following weekly newspaper published in Baltimore County, Md., 2004 once in each of

🖈 The Jeffersonian

- Arbutus Times
- Catonsville Times
- Towson Times
- NE Booster/Reporter Owings Mills Times

County News North

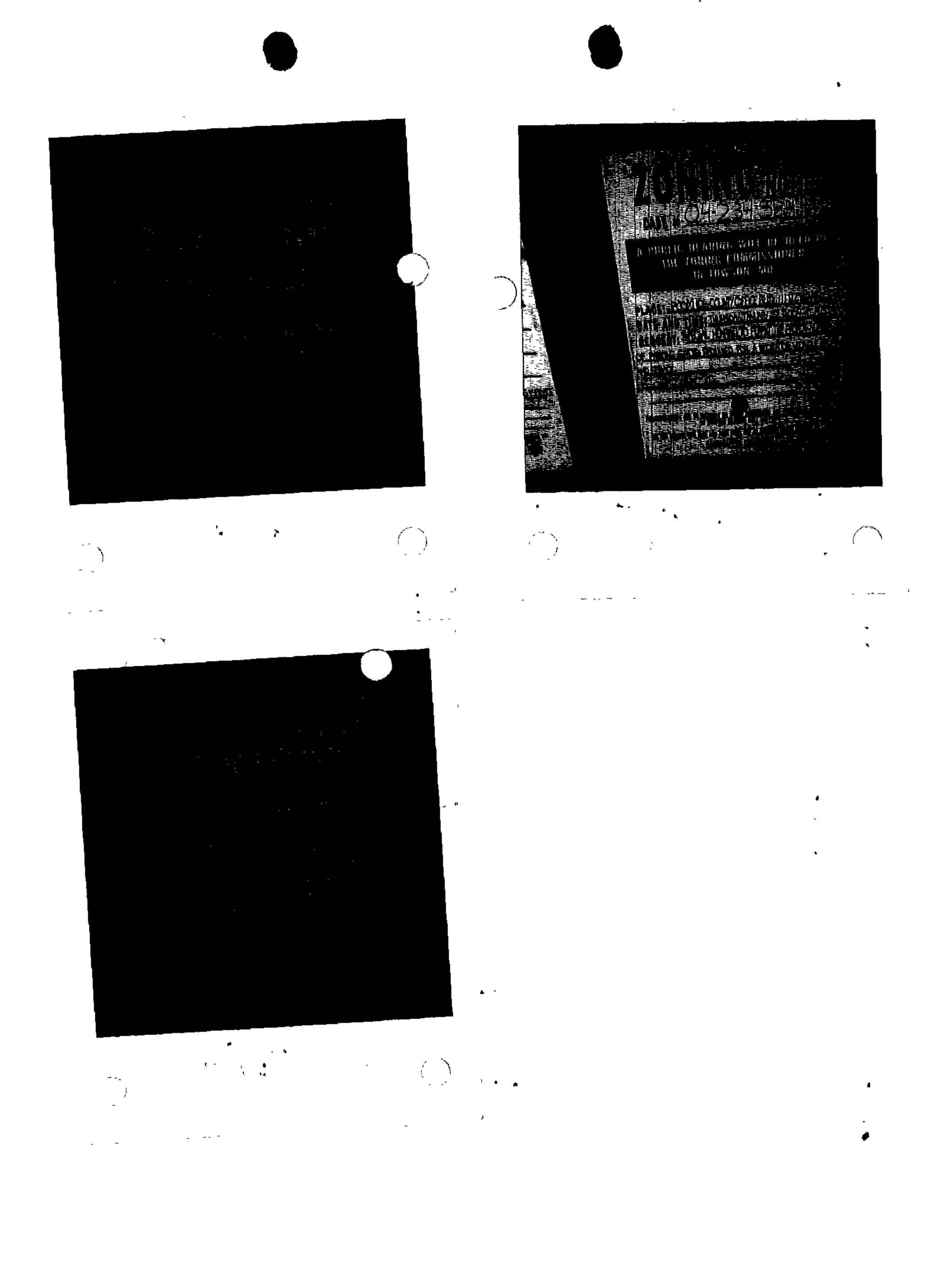
MUlting

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 04-234-5PHA

	Petitioner/Developer: RAMS65
	BOYS ING, LEWIS B'. RAI
	Date of Hearing/Closing: 1/22/04
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204	
ATTN: Becky Hart {(410) 887-3394}	
Ladies and Gentlemen:	• •
This letter is to certify under the penalties of me	erjury that the necessary sign(s) required by law were t:
1350 PULASKI HWY (2) SIGNS POSTED ON THE ME
DE OF PULASKI HUNY (1)	ON RED (TEXT)
	ON RED LION RD ACROSS FROM
he sign(s) were posted on	1/7/04 : 1/3
	(Month, Day, Year)
	(Month, Day, Year) lincerely,
	Signature of State 1/7/04
	Signature of Sign Poster) (Date)
ZONIZO NOTICE CASE # OH23H-SPLA	Signature of State 1/7/04
A PUBLIC HEARING WILL BE HILD BY	Signature of Sign Poster) (Date)
CASE # OLZSHSPHA A PRINTE HEARING WILL BE HELD BY THE JORING COMMISSIONER IN TOWSON, MD	(Signature of Sign Poster) (Date) SSG Robert Black
TONERS COMITY OF THE PRINT OF T	(Signature of Sign Poster) (Date) SSG Robert Black (Print Name)
CASE # OLZSHSPHA A PRINTE HEARING WILL BE HELD BY THE JORING COMMISSIONER IN TOWSON, MD	(Signature of Sign Poster) (Date) SSG Robert Black (Print Name) 1508 Leslie Road (Address)
TONING COMMISSION R THE FORM COMMISSION R TH	(Signature of Sign Poster) (Date) SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222
CASE # OH234SPHA A PUBLIC HEARING WILL BE HELD BY THE JORING COMMISSIONER ON TOWSON, MD PLACE: POPM ICA. COLARYCRICA BIRG. HURSHITE DATE AND TIME WASHIN HOLAS DEALER REQUIST: WRINT HEM SETUN HOLAS DEALER REQUISTS TO PERHIT HEMBER STOR IN TURE BY	(Signature of Sign Poster) (Date) SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222 (City, State, Zip Code)
A PUBLIC DE ARING WILL BY HILD BY THE YORING COMMISSION R. IN TOWSON, MD. PLACE: POTYLICACIONIYORTE BIG. THAN SAME BY THE ARING TO PROJECT HE WAS SAVE IN TOWARD SAVE IN THE SAVE FRANCE FROM THE RANGE SAVE IN THE SAVE FRANCE FROM THE SAVE FRANCE FRANCE FROM THE SAVE FRANCE FRANCE FRANCE FROM THE SAVE FRANCE F	(Signature of Sign Poster) (Date) SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222



Department of Permits and Development Management

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





James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

January 9, 2004

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: 04-234-SPH

11350 Pulsaski Highway N/side Pulaski highway, 1,400 feet west of Allender Road 11th Election District – 5th Councilmanic District Legal Owner: Ramsay Boys, Inc., Lewis B. Ramsay

Special Hearing to permit the proper number of parking spaces required for a recreation vehicle sale and service

Variance to permit 44 parking spaces in lieu of 137 required

Hearing:

Thursday, January 22, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 W.

Chesapeake Ave

Timothy Kotroco

Director

TK:rlh

C: John B. Gontrom, Whiteford, Taylor & Preston, 210 West Pennsylvania Avenue, Towson, MD 21204 Ramsay Boys, Inc., Lewis B. Ramsay, 13450 Pulaski Highway, White Marsh21162

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JANUARY 7, 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

Thursday, January 8, 2004 Issue - The Jeffersonian

Please Forward Billing to: Mr. Lewis Ramsay 11345 Pulaski Highway White Marsh, Maryland 21162 (410) 335-5328

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: 04-234-SPHA

11350 Pulaski Highway Northside Pulaski Highway, 1,400 feet west of Allender Road 11th Election District – 5th Councilmanic District Legal Owner: Ramsay Boys, Inc., Lewis B. Ramsay

Variance from Section 409.6A.2 of The Zoning Regulations to permit 44 parking spaces in lieu of 137 spaces required.

Hearing: Thursday, January 22, 2004 at 9:00 a.m. in Room 106, County Office

Building, 111 West Chesapeake Avenue, Towson, Maryland 21204.

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.

Upperior From Section

409.64.2 OF The Eonig

Regulations to Pennits

yy Porky spaces in Lieu

015 133 spaces regulated.

Department of Permits Development Management

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



Baltimore County

James T Smith, Jr., County Executive Timothy M Kotroco, Director

December 16, 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: 04-234-SPH

11350 Pulsaski Highway

N/side Pulaski highway, 1,400 feet west of Allender Road 11th Election District – 5th Councilmanic District

Legal Owner: Ramsay Boys, Inc., Lewis B. Ramsay

Special Hearing to permit the proper number of parking spaces required for a recreation vehicle sale and service

Hearing:

Thursday, January 22, 2003 at 9:00 a.m. in Room 106, County Office Building,

111 W. Chesapeake Ave

Timothy Kotroco

Director

TK:rlh

C: John B. Gontrom, Whiteford, Taylor & Preston, 210 West Pennsylvania Avenue, Towson, MD 21204 Ramsay Boys, Inc., Lewis B. Ramsay, 13450 Pulaski Highway, White Marsh21162

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JANUARY 7, 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.

PATUXENT PUBLISHING COMPANY TO:

Tuesday, January 6, 2003 Issue - Jeffersonian

Please forward billing to:

Lewis Ramsay 11345 Pulaski Highway White Marsh, MD 21162

410-335-5328

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: 04-234-SPH

11350 Pulsaski Highway

N/side Pulaski highway, 1,400 feet west of Allender Road

11th Election District – 5th Councilmanic District

Legal Owner: Ramsay Boys, Inc., Lewis B. Ramsay

Special Hearing to permit the proper number of parking spaces required for a recreation vehicle sale and service

Hearing:

Thursday, January 22, 2003 at 9:00 a.m. in Room 106, County Office

Building, 111 W. Chesapeake Ave

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: 04-234-5p4
Petitioner: Ramsey Boys, LLC
Address or Location: 11350 Pulaski Hawy, (21162)
PLEASE FORWARD ADVERTICING BULL TO
PLEASE FORWARD ADVERTISING BILL TO:
Name: Brooks Ramser RU Caster Lewis Ramser
Name: Brooks Ramser RV Carter Lewis Ramser
Ţ.

Revised 2/20/98 - SCJ

Department of Permits a Development Management

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





James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

January 16, 2004

John Gontrum Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Towson, MD 21204

Dear Mr. Gontrum:

RE: Case Number: 04-234-SPH, 11350 Pulaski Highway

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 6, 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

U. Callibal)

WCR:klm

Enclosures

People's Counsel C: Ramsey Boys, LLC, Lewis Ramsey, 11345 Pulaski Highway, White Marsh 21162



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

December 4, 2003

Ms. Rebecca Hart Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204 RE: Baltimore County Item No. 234 (JJS)

US 40

11350 Pulaski Highway

Mile Post 22.85

Dear Ms. Hart:

We have reviewed the referenced plan and have no objection to approval of the Special Hearing.

However we will require the owner to obtain an access permit through our office and as a minimum the following roadway improvements will be required:

- Hydraulic analysis.
- Standard paving, curb and gutter improvements, 16' wide from the edge of the existing travel lane from property corner to property corner.
- Shoulder slope transitions at a 15:1 taper.
- Typical section showing the proposed improvements.
- Provide a standard 17'-20' right-in/right-out entrance.
- Minimum landing grade 3-6% for 50 feet.
- Paving core samples will be required for the widening and shoulder improvement.

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

Very truly yours,

Kenneth A. McDonald Jr., Chief

Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: December 15, 2003

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 1, 2003

Item Nos 234, 236, 237, 239, 240, 241, 242, 243, 244, 245, 251, 252, 253, 254,

and 255

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

RWB:CEN:jrb

cc: File



BALTIMORE COUNTY, MARYLAND Interoffice Memorandum

DATE: November 21, 2003

TO: Zoning Commissioner/Deputy Commissioner

FROM: John Sullivan, Zoning Review

Subject: Zoning Case No. 04-234-SPH

11350 Pulaski Highway

Mr. John Gontrum, Esquire, Attorney for the petitioner filed a special hearing in lieu of a variance. Per Mr. Gontrum, his engineer, Rick Richardson, inquired of information from this office as to the number of required parking spaces for a new Recreational Vehicle dealership. Per my telephone conversation today with Mr. Richardson, he spoke with Mr. Lloyd Moxley of this office who informed him that the required number of parking spaces would be the same as retail which is 5 spaces per 1,000 square feet of the building. To date all new car dealerships have either met this requirement or petitioned for and received a variance for a lesser number of spaces. This standard has never been changed.

RE:	PETITION FOR SPECIAL HEARING
	11350 Pulaski Highway; N/side Pulaski
	Highway, 1,400' W of Allender Road
	11 th Election & 5 th Councilmanic Districts
	Legal Owner(s): Ramsey Boys, LLC,
	Lewis B Ramsey, Member

* BEFORE THE

× ZONING COMMISSIONER

* FOR

BALTIMORE COUNTY

* 04-234-SPH

*

Petitioner(s)

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 and documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

RECEIVED

DEC 0 8 3003

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue Towson, MD 21204

(410) 887-2188

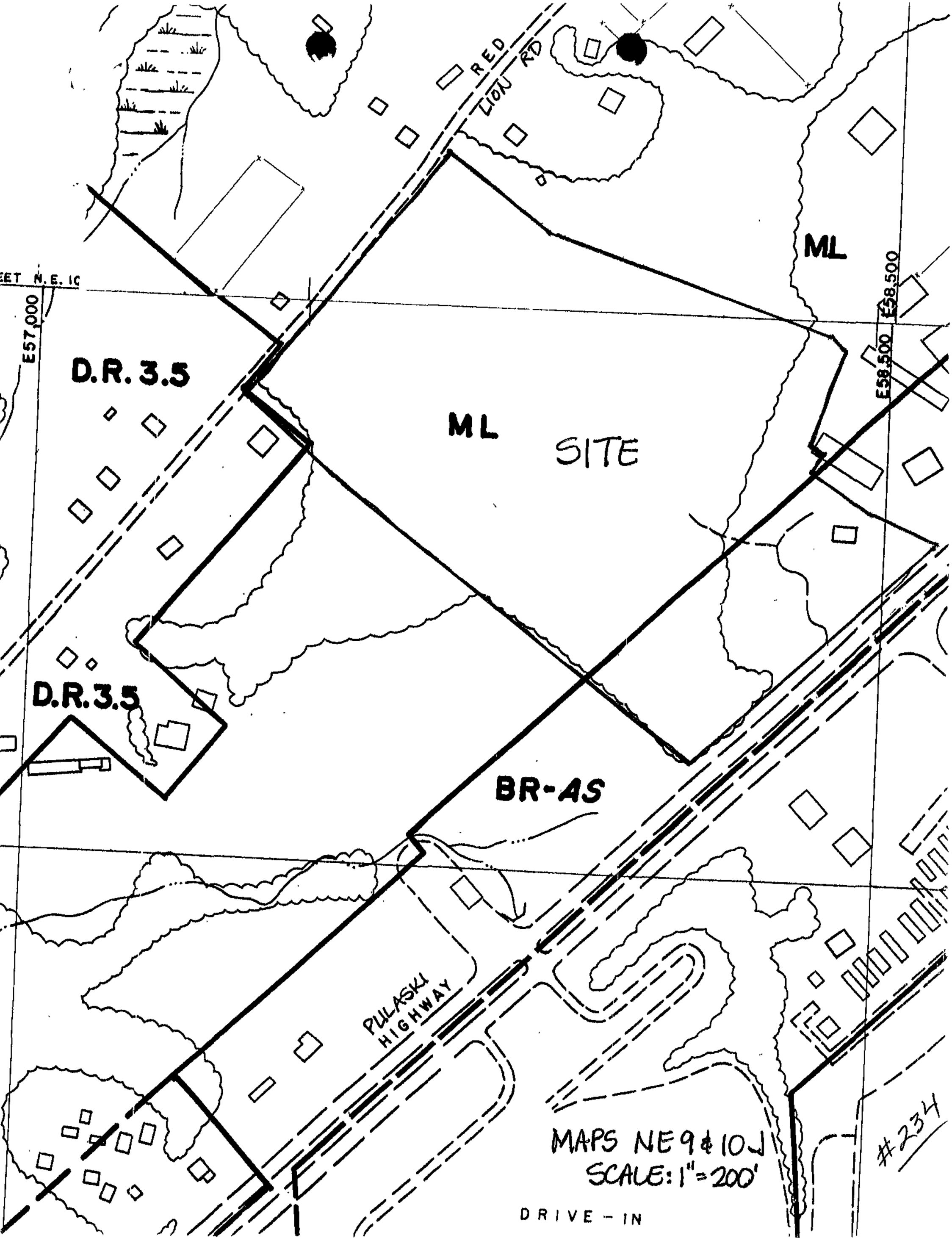
CERTIFICATE OF SERVICE


I HEREBY CERTIFY that on this day of December, 2003, a copy of the foregoing Entry of Appearance was mailed to John B Gontrum, Esquire, Whiteford, Taylor & Preston, LLP, 210 W Pennsylvania Avenue, Suite 400, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Helex Max dimner man





- (3) The hearing officer shall make findings for the record and shall render a decision pursuant to the requirements of this section.
- (b) The hearing officer shall grant approval of a Development Plan that complies with these development regulations and applicable policies, rules and regulations promulgated pursuant to section 2-416 et seq. of the Code, provided that the final approval of a plan shall be subject to all appropriate standards, rules, regulations, conditions, and safeguards set forth therein.
- (o) In approving a plan, the hearing officer may impose such conditions, as may be deemed necessary or advisable based upon such factual findings as may be supported by evidence for the protection of surrounding and neighboring properties. Such conditions may only be imposed if:
 - (1) The condition is based upon a comment which was raised or a condition which was proposed or requested by a part;
 - (2) Without the condition there will be an adverse impact on the health, safety or welfare of the community;
 - (3) The condition will alleviate the adverse impact; and
 - (4) The condition does not reduce by more than twenty (20) percent the number of dwelling units proposed by a residential Development Plan in a D.R.5.5, DR 10.5, or DR 16 zone, and no more than twenty (20) percent of the square footage proposed by a non-residential Development Plan. This subsection is not applicable to a PUD Development Plan.

Section 500.7 of the B.C.Z.R. Special Hearings

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

Section 440.2 F 1, 2, and 3

Legislative intent. The County Council intends that:

F. The flexibility of commercial uses available in the PUD shall be exercised only to the extent that the development will: