IN RE: PETITIONS FOR SPECIAL HEARING,
SPECIAL EXCEPTION & VARIANCE
N/S of Baltimore National Pike, 520 ft. W
centerline of Nuwood Drive
1st Election District
1st Councilmanic District
(6610 Baltimore National Pike)

ANT 6610, LLC c/o Antwerpen Automotive Group Petitioner

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 04-407-SPHXA

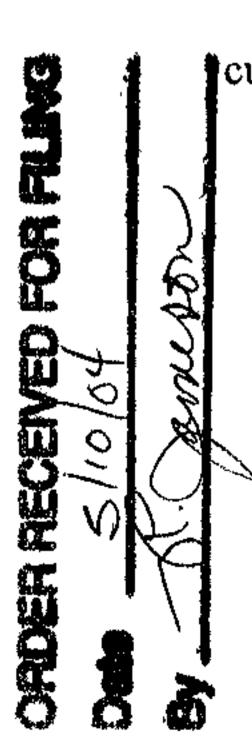
FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as Petitions for Special Hearing, Special Exception and Variance filed by the legal owner of the property, ANT 6610, LLC, c/o Antwerpen Automotive Group. The property, which is the subject of this request, is located at 6610 Baltimore National Pike in the western area of Baltimore County and is zoned BR. The Petitioner is requesting special exception to permit a used motor vehicle outdoor sales area pursuant to Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, the Petitioner is requesting variance relief from the B.C.Z.R. as follows:

- 1. from Section 238.4 to allow storage and display of vehicles 0 ft. in front of the front building line in lieu of the required 100 ft;
- 2. from Section 409.8 to allow parking spaces a minimum of 0 ft. from the street right-of-way in lieu of the permitted 10 ft; and
- 3. from Section 409.6 to allow 100 customer parking spaces in lieu of the required 185, if necessary.

Finally, the Petitioner has also requested a special hearing in the alternative for variance for customer parking spaces:

- 1. To amend Case No. 74-105-A by deleting the following language "no change in occupancy from the furniture store use other than a non-retail type use." and/or
- 2. For the approval of a modified parking plan to permit 100 customer parking spaces, pursuant to Section 409.12(b) of the Baltimore County Zoning Regulations.



The property was posted with Notice of Hearing on April 10, 2004, for 15 days prior to the hearing in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on April 13, 2004 to notify any interested persons of the scheduled hearing date. Notice was taken that the subject of this request consists of 3.594 acres of land, more or less, zoned BR.

Applicable Law

THE RECEIPED

Section 502.1 of the B.C.Z.R. - Special Exceptions

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air; [Bill No. 45-1982]
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the sprit and intent of these Zoning Regulations; [Bill No. 45-1982]
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]
- I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 zone. [Bill No. 74-2000]

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 307 of the B.C.Z.R. – Variances.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where

special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights. A ZAC comment was received from the Office of Planning dated March 29, 2004 stating that they do not oppose the Petitioners requests provided the following conditions are met: 1) Petitioners must provide landscaping across the entire front of the subject property. Submit a landscape plan to the Office of Planning for their review and approval prior to the issuance of any permits; and 2) Any automobiles or any other items for sale shall not be displayed in or encroach upon the public right-of-way in any way for any time period. A copy of this ZAC comment is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the special hearing request were Hillel Traub and Stanford Hess, appearing on behalf of the Petitioner, Thomas Church of Development Engineering Consultants, Inc., the professional engineer who prepared the site plan of the property, and Arnold Jablon, Esquire, and David Karceski, Esquire representing the Petitioner. There were no citizens or protestants at the hearing; however the file reflects a letter from the Westerlee Community Association, Inc. in opposition to the requests. People's Counsel entered their appearance in the case.

Findings of fact and conclusions of law

Petitioner's testimony indicated the subject property of 3.5 acres is located on the north side of Baltimore National Pike, 520 ft. west of the centerline of Nuwood Drive and zoned BR. Mr. Jablon proffered testimony regarding the Petitioners' requests. The property is improved by a large building which until recently was used as a Levitz furniture store. In January 2004, the Petitioner obtained a temporary use permit and began operating a used motor vehicle sales business with indoor and outdoor display, storage, and sales of vehicles. Approximately 175 vehicles are on display on the site for sale to the general public. They plan no changes to the building and have adapted the existing parking areas to their new use. There is no change to the existing vehicular access to and from Rt. 40 or the buffering and landscaping along the highway other than what had been developed by the prior furniture store. As a sales area, the Petitioner will have no junk or inoperative vehicles, nor will they repair any vehicles on the property.

While no protestant attended the hearing, this office received a letter from Klaus Philipsen, President of the Westerlee Community Association on April 1, 2004. This association represents the residential community north of Rt. 40 and west of North Rolling Road. The president's letter was treated as correspondence and the issues raised were primarily to object to the variance requests regarding setbacks from the street right-of-way. In addition, the association requested a 10 ft. buffer strip along the right-of-way similar to a buffer which they approved further west in front of a car dealership. They also requested that the interior of the property be landscaped and that lighting fixtures not exceed 20 ft. in height.

Special Exception

The request for special exception is filed pursuant to Section 1236.4 of the B.C.Z.R. for a used motor vehicle outdoor sales area. The property is located on the heavily traveled Rt. 40, Baltimore National Pike, and is surrounded by similar commercial uses. New and used vehicle

sales businesses make up a large portion of the businesses to the east and west of the property along Rt. 40 between the State Park and N. Rolling Road. Commercial uses are also located to the south of the property and another car dealership owns the property immediately to the north of the property. Toward the north, the land rises substantially so that the area shown on Petitioner's Exhibit No. 1, the plat to accompany the petition, shown as being vacant, is in fact a steep wooded hillside that is unusable for parking.

The Petitioner proffered that the plan presented met all of the criteria of Section 502.1 of the B.C.Z.R. There would be little new traffic generated by the new use as compared to the heavy volume of traffic already present on Rt. 40. The area is wholly commercial and having this commercial use replace the prior commercial use would not have an adverse impact on the surrounding community. No additional lighting is planned. The Westerlee Community Association did not oppose the special exception but requested conditions requiring landscaping, lighting, etc.

It is clear that the Baltimore County Zoning Regulations permit the Petitioner's use in a BR zone by special exception. I find that the new used vehicular outdoor sales area will not adversely affect the surrounding community, which is primarily commercial. Considering each of the criteria of Section 502.1 of the B.C.Z.R., I find that replacing the furniture store with this new commercial use will not be detrimental to the health, safety or general welfare of the locality involved. Consequently, I will grant the special exception.

I will, however, require that the Petitioner submit a landscape plan and lighting plan to Baltimore County with the intention of not only taking the Westerlee Association's concerns into account, but also to recognize the efforts being made by the State and Baltimore County to improve the appearance of this commercial area along Rt. 40.

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Variance

The Petitioner is requesting a variance from Section 238.4 of the B.C.Z.R., to allow storage and display of vehicles 0 ft. in front of the front building line in lieu of the required 100 ft. As this is an existing building, the average of the adjacent building set backs from the right-of-way of Rt. 40 is used. Mr. Church calculated that the average setback of the two adjacent building is 115 ft. (80 + 150 = 230/2 = 115). The regulations allow storage and display of vehicles in BR zones, but these must not be more than 15 ft. in front of the front building line. Thus, if the vehicles are parked in front next to the Rt. 40 right-of-way, as requested, the nearest vehicle to the Rt. 40 right-of-way will be 100 ft. in front, more than allowed by the regulations. Thus the first request for variance.

The second request is essentially the same. In addition to having vehicles for display and sales next to the right of way of Rt. 40, the Petitioner would like to be able to park customer vehicles in the same area. The regulations allow customer parking in front but require a distance of 10 ft. from the right-of-way. It should be noted that the area where the Petitioners want to display vehicles for sale and park customer's cars is exactly the same location that the Levitz furniture store had used to park customer vehicles for the past thirty years. No changes are proposed. The grassy areas in front of the existing front parking lot are located on the State Highway right-of-way. The Petitioner pointed out that these will be maintained by the State as they are now, unless the State decides to further landscape these areas.

The association objects to these requests apparently intending to create an additional 10 ft. of buffer along the front of the property in addition to the grassy areas now in front of the building. I was not sure whether the association feared that the existing grassy areas would be eliminated by the variance request and thereby decided to oppose the variance requests. As mentioned above, these areas are located on the State Highway right-of-way and not on the

Petitioner's property. These areas are not the subject of this request. Similarly, I was not sure what type of buffering the association recommends to emulate in front of Russell Volkswagen that is located west of the property. I will order that landscape and lighting plans be approved by the County's Landscape Architect with whom the association should correspond in regard to their ideas. However, I note that the residents of the Westerlee Community are quite removed from this site and again that the principal thrust of these plans should be to enhance the considerable effort being made by the State and County to improve the appearance of this commercial corridor.

The Petitioner also requests to vary the number of customer parking spaces from the required 185 spaces to 100 spaces. This request arises because of the Petitioner's need to display vehicles for sale outdoors as well as indoors. The Petitioner plans to display 175 vehicles on the site of which 100 would be indoors and 75 outdoors. The Petitioner also notes that this property received a variance for customer parking in 1974 in Case No. 74-105. At that time, the furniture store was allowed to provide 89 parking spaces in lieu of the required 216. The plan shows that this Petitioner will provide 100 spaces. It could be argued that, since the variance runs with the land, no customer parking variance is needed because the Petitioners are providing more spaces than the 1974 case required. With the new use, the number of spaces required was reduced from 216 to 185. Again, the Petitioner pointed out that the area to the rear, which may appear open for parking, in fact has steep slopes that prevent any use of this area.

Finally, the Petitioner noted that the existing building itself violates the minimum building setback line that runs through the front of the building. The Petitioner does not ask to vary the minimum building setback line. Referring to Section 102.1.B, Conversions With Deficient Setbacks, of the Zoning Commissioner's Policy Manual, indicates that the building must be brought to code or a variance sought if the use changes and the new use requires greater

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setbacks than the old use. The Petitioner points out that the setback requirement for the furniture store and used car sales are the same and so does not need to request a variance.

Findings of Facts and Conclusions of Law

It is clear from the testimony and evidence presented that special circumstances or conditions exist on the premises that are peculiar to the land or structure that is the subject of the variance request. This is a new use of an existing building that was constructed in the 1970's to regulations that were applicable at the time. The site is built out except for the area to the rear of the building that is unusable for parking or the display of vehicles. The building is set at an angle to the right-of-way of Rt. 40, as shown by the fact that the building is 52 ft. from the right-of-way on the west end but over 100 feet from the right of way on the east end. This greatly constrains area in which the vehicles for display or customer parking can be located.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Given the location and nature of the existing building, there is no practical way to rearrange the parking and display area on the site. I see no need to increase the buffer along Rt. 40. The grassy strips will be maintained by the State as part of their right of way.

Furthermore, I find these variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is exactly the same parking arrangement that has existed for the past thirty years. The property is part of a large commercial strip along both sides of Rt. 40, and changing the use for sales of furniture to sales of vehicles will not adversely affect the surrounding community.

Special Hearing

Since I will grant the variance requests the special hearing requests are moot.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions 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 10 day of May, 2004, that the special exception relief requested to permit a used motor vehicle outdoor sales area pursuant to Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioner shall submit a landscape plan to the County Landscape Architect for review and approval prior to the issuance of any permits;
- 2. The Petitioner shall submit a lighting plan to the County Landscape Architect for his review and approval; and
- 3. Automobiles or any other items for sale shall not be displayed in or encroach upon the public right-of-way in any way for any time period.

IT IS FURTHER ORDERED, that the variance relief requested from the B.C.Z.R. as follows:

- 1. from Section 238.4 to allow storage and display of vehicles 0 ft. in front of the front building line in lieu of the required 100 ft;
- 2. from Section 409.8 to allow parking spaces a minimum of 0 ft. from the street right-of-way in lieu of the permitted 10 ft; and
- 3. from Section 409.6 to allow 100 customer parking spaces in lieu of the required 185, if necessary.

be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the request for special hearing in the alternative for variance for customer parking spaces is most and therefore DENIED

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

∍VM:raj

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

May 11, 2004

David Karceski, Esquire Arnold E. Jablon, Esquire Venable, LLP 210 Allegheny Avenue Towson, Maryland 21204

Re: Petitions for Special Exception, Special Hearing & Variance

Case No. 04-407-SPHXA

Property: 6610 Baltimore National Pike

Dear Mr. Jablon:

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

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure



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

Copies to:

Hillel Traub & Stanford Hess 6610 Baltimore National Pike Catonsville, MD 21228

Thomas A. Church 6603 York Road Baltimore, MD 21212

Klaus Philipsen, President Westerlee Community Association, Inc. 2018 Cedar Circle Drive Catonsville, MD 21228

Copies to:

Hillel Traub & Stanford Hess 6610 Baltimore National Pike Catonsville, MD 21228

Thomas A. Church 6603 York Road Baltimore, MD 21212

Klaus Philipsen, President Westerlee Community Association, Inc. 2018 Cedar Circle Drive Catonsville, MD 21228



CHANGE CONTRACT

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at	6610	Baltimore	National	Pike
which is	present	ly zoned	3R	

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

SEE ATTACHED

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

UNAVAILABLE FOR HEARING
ESTIMATED LENGTH OF HEARING
OFFICE USE ONLY
City State Zip Code
Address Towson, Maryland 21204
Name 210 Allegheny Avenue (410)494-6200
Arnold E. Jablon
Representative to be Contacted:
City State Zip Code
Address Telephone No Baltimore, Maryland 21228-3908
6631 Baltimore National Pike (410)494-62
Signature/
Name - Type or Print
Signature By: Arnold E. Jablon, Attorney
c/o Antwerpen Automotive Group
ANT 6610 LLC Name - Type or Print
Legal Owner(s):
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.

Petition for Special Hearing 6610 Baltimore National Pike

IN ALTERNATIVE TO REQUEST FOR VARIANCE FOR CUSTOMER PARKING SPACES:

To amend Case No. 74-105A by deleting the following language "no change in occupancy from the furniture store use other than a non-retail type use."

and/or

For the approval of a modified parking plan to permit 100 customer parking spaces, pursuant to Section 409.12(b) of the Baltimore County Zoning Regulations.



NOW HERE

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

•	for the property located at 6610 Baltimore National Pike
This Petition shall be filed with the Depail owner(s) of the property situate in Baltimore made a part hereof, hereby petition for a Spherein described property for	which is presently zoned BR rtment of Permits and Development Management. The undersigned, I County and which is described in the description and plat attached hereto secial Exception under the Zoning Regulations of Baltimore County, to use
Special Exception to permit a used to Section 236.4 of the Baltimore	motor vehicle outdoor sales area pursuant County Zoning Regulations.
€	
Property is to be posted and advertised as pre- l, or we, agree to pay expenses of above Special E zoning regulations and restrictions of Baltimore Cot	scribed by the zoning regulations. Exception, advertising, posting, etc. and further agree to and are to be bounded by unty 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:	I amal Our and the

	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):
i	ANT 6610 LLC
Name - Type or Print	Name - Type or Print c/o Antwerpen Automotive Group
Signature	Signature By: Arnold E. Jablon, Attorney
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature (Chully)
Attorney For Petitioner:	6631 Baltimore National Pike (410)494-62
Arnold E. Jablon	Address Baltimore, Maryland 21228-3908
Name - Type or Print	City State Zip Code
Signature	Representative to be Contacted:
Venable LLP	Amold E. Jablon
Company 210 Allegheny Avenue (410) 494-6200	Name 210 Allegheny Avenue (410)494-6200
Towson, Maryland 21204 State Zip Code	Address Telephone No. Towson, Maryland 21204
State Zip Code	City State Zip Code
1 3	OFFICE USE ONLY
Care No. 04-407 SPHXA	ESTIMATED LENGTH OF HEARINGUNAVAILABLE FOR HEARING
	Davisonad D. () () () () () () () () () (



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 66-10 Baltimore National Pike

•				
	which	is	presently zoned	BR

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)

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 determined at hearing.

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.

	iWe 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.
<u>Contract Purchaser/Lessee:</u>	<u>Legal Owner(s):</u> ANT 6610 LLC
Name - Type or Print	Name - Type or Print
Signature	<u>C/o Antwerpen Automotive Group</u> Signature
Address Telephone No.	By: Arnold E. Jablon, Attorney Name - Type or Print
City State Zip Code	Signature
Attorney For Petitioner:	6631 Baltimore National Pike (410)494-629
Arnold E. Jablon	Address Telephone No. Baltimore, Maryland 21228-3908
Name - Type or Print	City State Zip Code
Venable LLP Company	Representative to be Contacted: Arnold F. Jablon
2.0 Allegheny Avenue (410) 494-6200	Name 210 Allegheny Avenue (410) 494-6200
Towsen, Maryland 21204	Address Towson, Maryland 21204
State Zip Code	City State Zip Coce
	OFFICE USE ONLY
10. 04 -407-54 4XA	ESTIMATED LENGTH OF HEARING
282 911/98	UNAVAILABLE FOR HEARING Date
88	

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road Baltimore, Maryland 21212 (410) 377-2600 (410) 377-2625 Fax

ZONING DESCRIPTION

6610 BALTIMORE NATIONAL PIKE

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10F 0:

Petition for Variance 6610 Baltimore National Pike

Variance from Baltimore County Zoning Regulations ("BCZR") Section 238.4 to allow storage and display of vehicles 0 feet in front of the front building line in lieu of the required 100 feet.

Variance from BCZR Section 409.8.A.4 to allow parking spaces a minimum of 0 feet from the street right-of-way in lieu of the permitted 10 feet.

Variance from BCZR Section 409.6 to allow 100 customer parking spaces in lieu of the required 185, if necessary.

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NOTICE OF ZUNDAG HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore Ceutry will hold a public hearing in Towson. Maryland on the Property identified herein as follows:

Case: #04-407-SPHXA
6610 Baltimore National Pike.

Wiside of Baltimore National Pike, 520 ft. W/of centerline of Nuwood Drive
1st Election District - Tst Councilmanic District
Eggal Owner(s): ANT 6610 LLG, co Antwerpen Automotive
1st Election District - Tst Councilmanic District
Eggal Owner(s): ANT 6610 LLG, co Antwerpen Automotive
1st Election District - Tst Councilmanic District
Eggal Owner(s): ANT 6610 LLG, co Antwerpen Automotive
1st Election District - Tst Councilmanic District
Eggal Owner(s): ANT 6610 LLG, co Antwerpen Automotive
1st Election District - Tst Councilmanic District
Eggal Owner(s): ANT 6610 LLG, co Antwerpen Automotive
1st Election District - Tst Councilmanic and display of
1st Election District - Tst Councilmanic Inc.

Good Sales area. Variance: to allow storage and display of
1st And to allow 100 customer parking spaces in lieu of
1st Frequired 185; if necessary. Special Hearing: to amend
Case No. 74-105-A by deleting the following language "no
1st Electing in occupancy from the furniture store use or other
1st Electing: Wednesday, April 28, 2004 at 11:00 a.m. in
1st Boogn 106, County Office Building, 111 W. Chesapeake
Avenue.

LAWRENCE E. SCHMIDT
Zening Commissioner for Baltimore County
Zening Commissioner for Baltimore County
INGTES: (1) Hearings are Handicapped Accessible, for Special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

Initiation information concerning the File and/or Hearing, Centact the Zoning Review Office at (410) 887-3391.

LE/4/677 Apr. 13
C659503

4/13/2004

CATE 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., ,20<u>C</u>t in the following wee once in each of

以 The Jeffersonian

☐ Arbutus Times

Catonsville Times

Towson Times

Owings Mills Times

NE Booster/Reporter

North County News

Mullens

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 04-407-5PHXA Petitioner/Developer: ANTWERPEN AUTOMOTIVE GROUP Date of Hearing/Closing: **Baltimore County Department of** Permits and Development Management **County Office Building, Room 111** 111 West Chesapeake Avenue Towson, Maryland 21204 ATTN: Kristen Matthews {(410) 887-3394} Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 610 BALTIMORE NATIONAL PIKE The sign(s) were posted on _ (Month, Day, Year) -Sincerely, (Signature of Sign Poster) SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222 (City, State, Zip Code) (410) 282-7940 (Telephone Number)

TO: PATUXENT PUBLISHING COMPANY

Tuesday, April 13, 2004 Issue - Jeffersonian

Please forward billing to:

Arnold Jablon Venable, LLP 210 Allegheny Avenue Towson, MD 21204

410-494-6298

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: 04-407-SPHXA

6610 Baltimore National Pike

N/side of Baltimore National Pike, 520 ft. W/of centerline of Nuwood Drive

1st Election District – 1st Councilmanic District

Legal Owner: ANT 6610 LLC, c/o Antwerpen Automotive Group by Arnold Jablon

Special Exception to permit a used motor vehicle outdoor sales area. Variance to allow storage and display of vehicles 0 feet in front of the building line in lieu of the required 100 feet, to allow parking spaces a minimum of 0 feet from the street right-of-way in lieu of the permitted 10 feet, and to allow 100 customer parking spaces in lieu of the required 185, if necessary. Special Hearing to amend Case No. 74-105-A by deleting the following language "no change in occupancy from the furniture store use or other than a non-retail type use," and/or for approval of a modified parking plan to permit 100 customer parking spaces.

Hearing: Wednesday, April 28, 2004, at 11:00 a.m. in Room 106, County Office Building,

111 W. Chesapeake Avenue

mance R. Schmidt

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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



Baltimore County

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

March 16, 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: 04-407-SPHXA

6610 Baltimore National Pike

N/side of Baltimore National Pike, 520 ft. W/of centerline of Nuwood Drive

1st Election District – 1st Councilmanic District

Legal Owner: ANT 6610 LLC, c/o Antwerpen Automotive Group by Arnold Jablon

Special Exception to permit a used motor vehicle outdoor sales area. Variance to allow storage and display of vehicles 0 feet in front of the building line in lieu of the required 100 feet, to allow parking spaces a minimum of 0 feet from the street right-of-way in lieu of the permitted 10 feet, and to allow 100 customer parking spaces in lieu of the required 185, if necessary. Special Hearing to amend Case No. 74-105-A by deleting the following language "no change in occupancy from the furniture store use or other than a non-retail type use," and/or for approval of a modified parking plan to permit 100 customer parking spaces.

Hearing: Wednesday, April 28, 2004, at 11:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Timothy Kotroco

Director

TK:kim

C: Arnold Jablon, Venable, 210 Allegheny Ave., Towson 21204 ANT 6610 LLC, 6631 Baltimore National Pike, Baltimore 21228-3908

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 13, 2004.

- (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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

<u>ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS</u>

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.

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	ber: 407 O LLC BACHRORN NATIONAL PIKE

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

April 23, 2004

Arnold Jablon Venable, LLP 210 Allegheny Avenue Towson, Maryland 21204

Dear Mr. Jablon:

RE: Case Number:04-407-SPHXA, 6610 Baltimore National Pike

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 5, 2004.

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, Call Richall D.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel ANT 6610, LLC 6631 Baltimore National Pike Baltimore 21228-3908

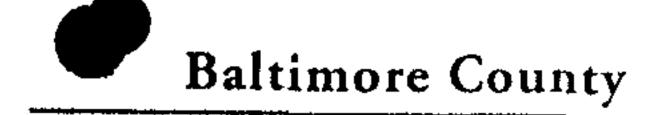


Fire Department



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





James T. Smith, Jr., County Executive John J. Hohman, Chief

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

March 15, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: March 15, 2004

Item No.:

 \vee

341. 399-412

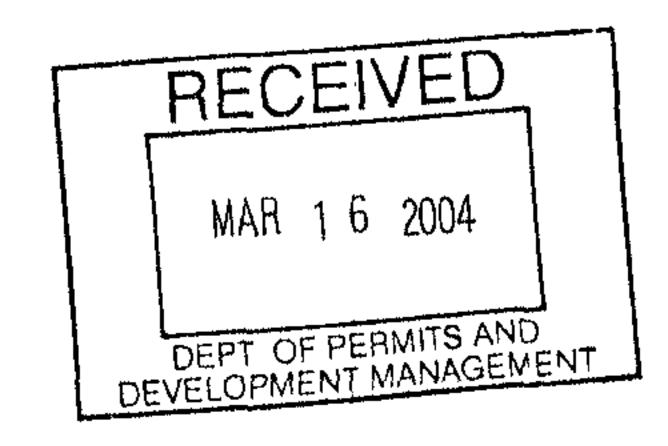
Dear Ms. Hart:

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.

6. 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





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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: April 5, 2004

TO: Timothy M. Kotroco, Director

Department of Permits & Development Management

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

SUBJECT: Zoning Advisory Committee Meeting

For March 22, 2004

Item Nos. 341, 400, 401, 402, 403, 405, 406, 407, 408, 410, 411, and 412

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 DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

R. Bruce Seeley RBS/JDU

DATE:

April 5, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of March 8, 2004

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-341

04-399

04-400

04-401

04-402

04-405

04-407

Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: March 29, 2004

Department of Permits and Development Management

FROM:

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

SUBJECT:

6610 Baltimore National Pike

INFORMATION:

Item Number:

4-407

Petitioner:

Antwerpen Automotive Group

Zoning:

BR

Requested Action:

Variance/Special Hearing/Special Exception

SUMMARY OF RECOMMENDATIONS:

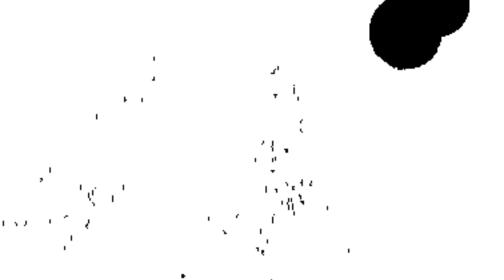
The Office of Planning does not oppose the petitioner's request provided the following conditions are met:

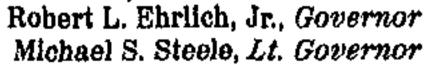
- 1. Provide landscaping across the entire front of the subject property. Submit a landscape plan to this office for review and approval prior to the issuance of any permits.
- 2. Automobiles or any other items for sale shall not be displayed in or encroach upon the public right-of-way in any way for any time period.

Prepared by:

Division Chief:

AFK/LL:MAC:







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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date:

3.14.04

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

RE:

Baltimore County

Item No.

407

JCM

Dear Ms.Matthews:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US /.
are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

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

Very truly yours,

f

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division RE: PETITION FOR SPECIAL HEARING

SPECIAL EXCEPTION & VARIANCE

6610 Baltimore National Pike; N/side Balto *

National Pike, 520' W c/line of Nuwood Dr

1st Election & 1st Councilmanic Districts

Legal Owner(s): ANT 6610 LLC

c/o Antwerpen Automotive Group

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

04-407-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 17th day of March, 2004, a copy of the foregoing Entry of Appearance was mailed to Arnold E Jablon, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

MAR 17 2004

Per Klm

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



9400 Liberty Road Randallstown, MD 21133 410-521-3000





6440 Baltimore National Pike Baltimore, MD 21228 410-788-6600



The Howard AutoPark Clarksville, MD 21029 410-531-5701

9420 Liberty Road Randallstown, MD 21133 410-922-0700



6631 Baltimore National Pike Baltimore, MD 21229 410-747-3333

> The Howard AutoPark Clarksville, MD 21029 410-531-5701



6440 Baltimore National Pike Baltimore, MD 21228 410-788-6600



The Howard AutoPark Clarksville, MD 21029 410-531-5700



3636 Brenbrook Drive Randalistown, MD 21133 410-922-1100

Smash Shop Automotive Collision Repair

9043 Liberty Road Randalistown, MD 21133 310-521-8900



The Howard AutoPark Clarksville, MD 21029 410-531-5700



8065 Ritchie Highway Pasadena, MD 21122 410-760-6300





Corporate Office

6631 Baltimore National Pike Baltimore, MD 21228 410-869-8141

FAX No. 410-869-8194 shess@antwerpenauto.com

February 26, 2004

Zoning Office Department of Permits and Development Management 111 West Chesapeake Avenue Towson, Maryland 21204

Zoning Office:

Stanford D. Hess

410-869-8141

Please be advised that we, the undersigned, have authorized Arnold Jablon, Esquire, 210 Allegheny Avenue, Towson, Maryland 21204, to be our attorney-infact and attorney-at-law and on our behalf file the attached petitions for zoning relief. We hereby understand that the relief requested is for property we own and we hereby and herewith acknowledge our express permission for said petitions to be filed on our behalf. The petition(s) filed are for property located at <u>6610 Baltimore National Pike</u>, property we own.

Further, the undersigned is the contract purchaser of said property, and hereby and herewith authorize Mr. Jablon to be my attorney-in-fact and attorney-at-law and represent me in this matter.

ANT 6610 LLC (Owner)

By: Jacobs M. Appresser.
Title:

2/25/04 (Date)

Address:

6610 Baltimore National Pike Baltimore, Maryland 21228

WESTERLEE COMMUNITY, Inc.

BOARD OF DIRECTORS:

Marilyn Maxwell, Past President Klaus Philipsen, Acting-President Dorn Wagner, Treasurer Tom Boyle Leyha Callender **Bettye Gray**

Susan Haines Jim Holman Flossie Johnson **Charles Sprague Shirley Smith** Pam Wright **Charles Yingling** RECEIVED

APR - 1 2004

ZONING COMMISSIONER

Office of the Zoning Commissioner Lawrence E. Smith 111. W. Chesapeake Ave. Towson MD 21204

CC: SAMUEL MOXIEY, COUNCILMAN

Case Number 4-407-SPHXA. 6610 Baltimore National Pike, Special Exception and Variance

On behalf of the Westerlee Community Association, which discussed the state of US 40 and the appearance of the various car dealerships west of Nuwood Drive in its Annual Meeting on 3/16/04, I want to state my opposition to the proposed Special Exception (use) and Variances for reduced parking buffers and setbacks.

A Special Exception for yet another automotive sales operation in this section of US 40 shall be tied to strict conditions regarding appearance of the facility, design and organization of the associated outdoor vehicle display areas such as lighting, setbacks and landscaping. Namely:

- 1. No variance shall be given to the required setbacks from the street right of way.
- 2. A landscaped buffer of min 10' width shall be mandatory with a good visual separation of street and display area (example: Russel-Volkswagen landscaped buffer on the same side of US 40 further west)
- 3. The parking area for sales display as well as for customers shall be landscaped with interior and edge landscaping no less than Baltimore County standards for new parking lots. All display spaces and customer parking spaces shall be counted to arrive at the required landscaping area.
- 4. Lighting shall be of the cut off fixture type with the fixture height not to exceed 20'

We feel it is incumbent of the Baltimore County Government and the Office of the Zoning Commissioner to uphold higher design standards at this important gateway into Baltimore County than have been applied in the past.

President, Westerlee Community Association Inc. 2018 Cedar Circle Drive, Catonsville 21228; Day Phone: 410-685-2002

PLEASE PRINT CLEARLY

CASE NAME ANT 6616, LLC CASE NUMBER 04-407-8HXA

PETITIONER'S SIGN-IN SHEET

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CITY, STATE, ZIP	Balka 2124 Balka 2124				
210 Mehrn Ale Sinser/My 220	60210 Battimak Nation 1916				
Dand Kuceski Aarold Jahlen	Hille Trans				

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE	
xxxxxxx Bros. Furniture Village	allowner of the property situate in Baltimore
County and which is described in the description on	I_{\bullet}
hereby petition for a Variance from Section, 409.	.2b (a) to permit 89 parking
spaces instead of the required 216	parking spaces
	, *
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of the Zoning Regulations of Battaaore (adady, to the following reasons, (indicate card, hip or practical de-	e Corneg Law of Baltimore County, for the Roulty
sales. Retail furniture business doe as would most other retail businesses	
See attached description	
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Frackin Furniture Village, Inc.	Lex Realty Co., Inc.
By	By
A de 2500 Sparrows Point Road Baltimore Maryland 21219	Bundle on the Miller of the

Edward S. Margolis

100 St. Paul Street Ealtimore, Md. 01202

Baltimore Maryland 21219



Timothy M. Kotroco, Director Department of Permits and Development Management County Office Building 111 West Chesapeake Ave Towson, Maryland 21204

Re: 6610 Baltimore National Pike

Dear Mr. Kotroco:

Antwerpen Motor Cars, Ltd. is proposing to locate a used motor vehicle outdoor sales area at the above cited property, which is near our dealership. We understand that a special exception is required for such a use, and, further, have been advised that variances may also be needed. We have been advised that the appropriate petitions to the zoning office are presently being prepared but have not as yet been filed.

Antwerpen has asked that we let you know that we have no objection to the proposed use of this site for outdoor sales of used motor vehicles. We will not oppose the special exception or the variances requested.

Further, we know that Antwerpen has asked you to approve a conditional use permit for the conduct of such sales pending the filling and approval of the special exception and variances. A conditional use permit would allow the use of this property immediately for the use stated above. We have no objection to such a permit being issued. We further understand and acknowledge that this permit would be issued prior to the filling of the petition for special exception, and have no objection. We also understand that should the special exception and variances be denied the use of this site for the sales of used cars would cease.

Should you have any questions, please feel free to contact me. Thank you for our consideration.

Sincerely

TOYOTA

6700 Baltimore National Pike

Baltimore, Maryland 21228

(410) 788-8400

4

X///

Mi Branson

-

SUBARU

6624 Baltimore National Pika Baltimore, Maryland 21228 (410) 744-2900 VOLKSWAGEN

6624 Baltimore National Pike Baltimore, Maryland 21228 (410) 744-2300 mazda.

MAZDA

6624 Baltimore National Pike Baltimore, Maryland £1228 (410) 744-2300



BMW

6616 Baltimore National Pike Baltimore, Maryland 21228 (410) 744-2000

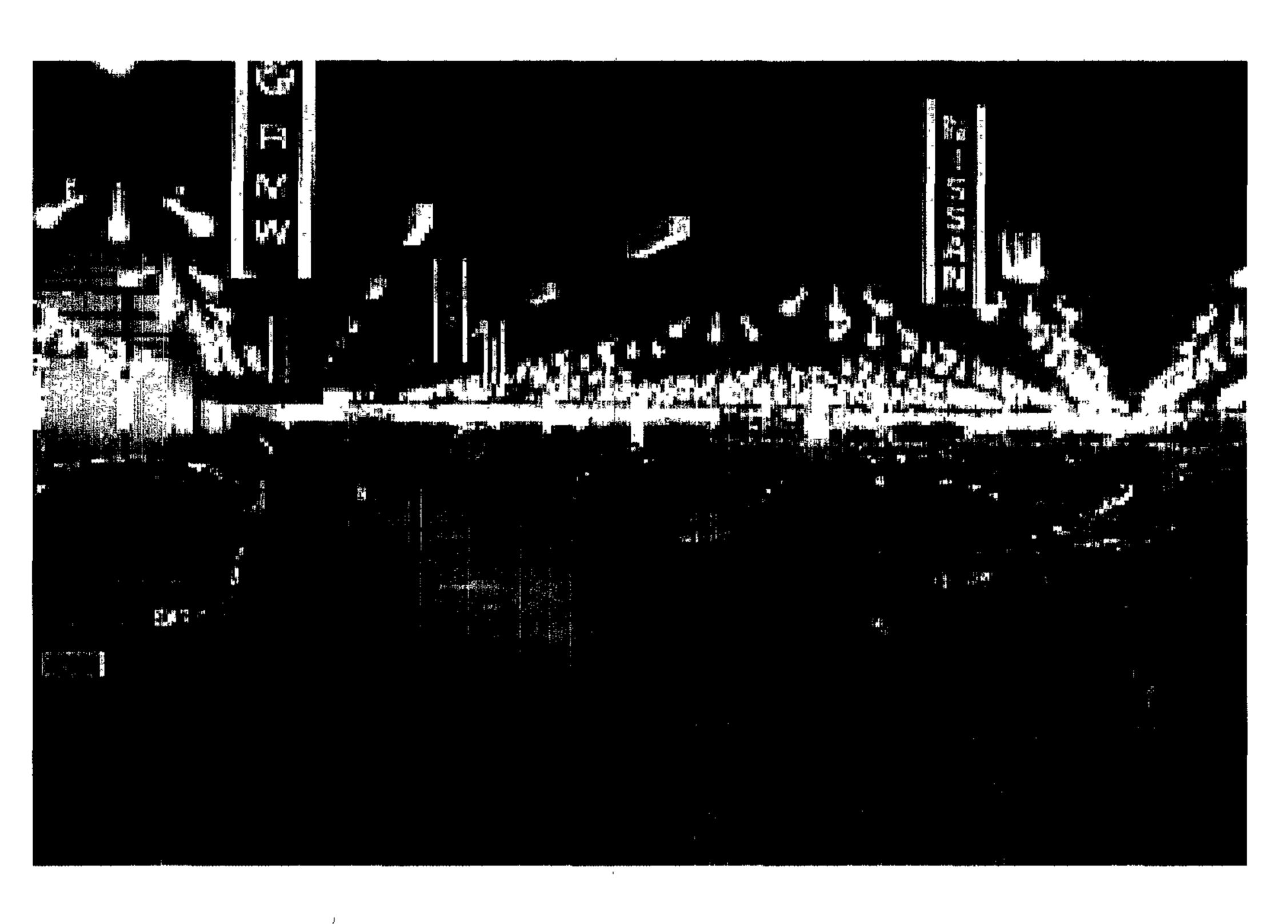
www.russelautomotive.com

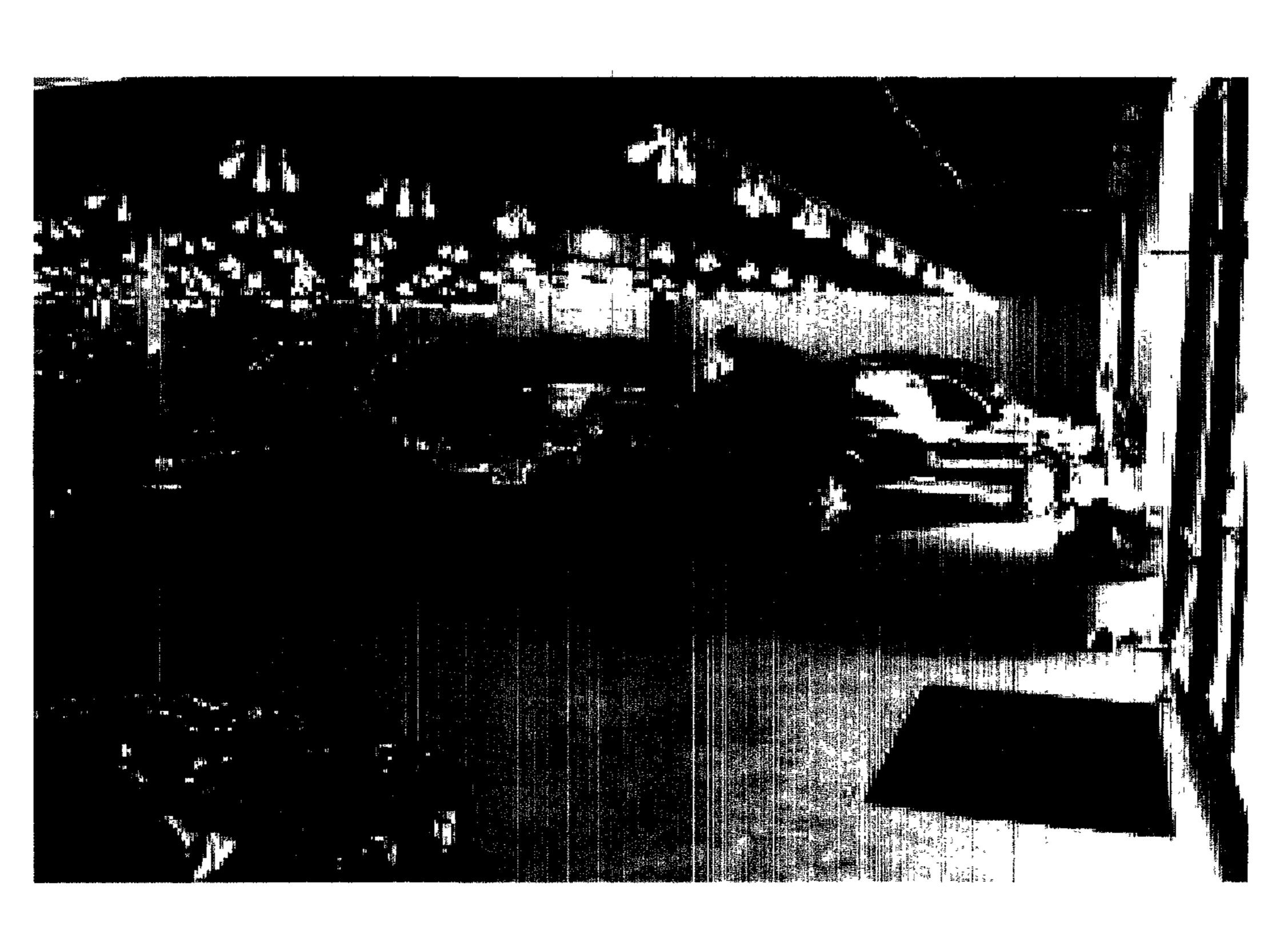
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P.3/3



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT 111 WEST CHESAPEAKE AVENUE

West Chesapeake Aven Towson, MD 21204 410-887-3391

SIGN USE PERMIT

Permit Fees are Non-Refundable; Make Check Payable to "Baltimore County, Maryland"		
PROPERTY ADDRESS 6610 Raltimore National Pil	Ke !!!	
BUSINESS NAME TOTULES PEN	ZONING B CO	
OWNER'S NAME ANT LOLO LLC CO PHONE NO. 410-747-3333	HISTORIC DISTRI	CT: Yes U No
OWNER'S NAME ANT LOUD LLC CO PHONE NO. 410-747-3333 ANTWEIPEN AUTOMOTIVE GROUP MAILING ADDRESS 6631 PAITING PATTINGER PRITICIPE	WD 21993	
APPLICANT/OWNER'S AGENT SPECU STECLING	· · · · · · · · · · · · · · · · · · ·	3-355-54620
SIGN COMPANY NAME Pasadena Sian Consposin	PHONE NO.	355-51000
TYPE OF SIGN:	оциаво	1430
Temporary - Including Real Estate/Construction/Event Temporary Sign(s)		
Permanent Changeable Copy Wall Face Change Only	Non-Illumir	ated
Freestanding Pylon Monument X Illuminated (separate e	lectrical permit req	uired)
werpinSize: feet X _30'6" feet = 132 so feet square feet Height:	fee	(freestanding signs)
المن المنظمة		nd rear
NOTE: A construction plan, drawn to scale and clearly showing that all requirements plan also must be attached for freestanding signs.	have been met, mu	st be attached a site
PROHIBITIONS - Including roof signs (Sections 450.5.B.7 and 450.6.A, <u>Baltimore Coun</u>	ity Zoning Regulati	ons):
 Signs cannot impair motorist's clear view of traffic or government signs. All signs. Signs cannot imitate or resemble government signs, except for private traffic con 	ns are subject to S	ection 102.5, BCZR
 Signs cannot be placed in or project into or above street right of way or government. Sign or framework cannot obstruct window or opening for light and air or access. 	sent property. 🗔 🔠	
 S. Vehicle cannot be parked for the purpose of displaying an attached sign. 6. Except for flags exempted, flags, pennants, ribbons, streamers, tethered balloon 		
are prohibited. 7. Portable signs are prohibited, except for A-frame and sandwich board signs issu	, IM	
8. There can be no display or simulation of moving parts or message, except for an a changeable copy sign, or a thermometer, barometer, weather vane, barber pole	outdoor advertisi	
Work Description (including number of signs, special conditions, materials, locations	s, and size):	
3 Install (3) building sign one on front (i 3. 'ii	uto Max
(1) on the tront reading butwerben (1) on	The Side	Leag Do
Antwerpen		
PLEASE PRINT OR TYPE LEGIBLY		
OWNER/AGENT CERTIFICATION I hereby certify, under penalty of law, that the proposed sign will be located so as not to vic	plate any codes and	i that the information
. supplied is true, complete, and correct.		
Signature (Print/Type Na	Sterlin C	
Copies: White - Office; Yellow - Applicant (keep this		
copy for your permanent records)] 	
Signature Signature	Initials	12/2/1/2 /Date/
REV 8/98		



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Baltimore County
Department of Permits and
Development Management

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

June 10, 1999

Ms. Brigit King The Planning & Zoning Resource Corporation 2212 N.W. 50th Street, Suite 246 Oklahoma City, OK 73112

Dear Ms. King:

RE: Zoning Verification, 6610 Baltimore National Pike, 1st Election District

Your letter dated June 3, 1999 to Arnold Jablon, Director of Permits and Development Management has been referred to me for reply. Based upon the information provided therein and our research of the zoning records, the following has been determined.

The property known as 6610 Baltimore National Pike is currently zoned B.R. (Business, Roadside) as per daltimore County zoning ma, #3W 1N. Please be advised that, if constructed per all Baltimore County building permits, the property and improvements comply with the Baltimore County Zoning Regulations (BCZR) including, but not limited to, parking, building setbacks, building height, use and density. Further, Baltimore County Code Enforcement has advised that there are no current or outstanding zoning violations on the subject property as of this time.

This property was the subject of several zoning hearings, the most recent being case number 74-105-A, to allow 89 parking spaces in lieu of the required 216 parking spaces, which was cranted on November 5, 1973.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Jun R. Feimand Planner II Zoning Review

JRF:ggs

Enclosure

c: Zoning case #74-105-A

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

a similary settly for your and tak the the source of Gapert

Pet #6

RECEIVED



THE PLANNING & ZONING RESOURCE CORPORATION

2212 NW 50TH STREET, SUITE 246 . OKLAHOMA CITY, OKLAHOMA 73112 TELEPHONE (405)840-4344 * FAX(405) 840-2608 6/1/99 ADAP TUN.
10CH COPT 199 U.

TOLL FREE (800) 344-2944

Date:

June 3, 1999

Balitmore County Attn: Arnold Jablon 111 West Chesapeake Avenue Towson, MD 21204

Fax:

410.

Subject:

Zoning Verification Letter for:

Levitz Furniture - 6610 Baltimore National Pike Legal Enclosed

Please consider this a formal request for a Zoning Verification Letter on the above mentioned site. We are preparing a due diligence report for the lender. Enclosed is a list of questions we normally have answered in a Zoning Letter. Please incorporate as much as you can, in a letter, on your letterhead. Also, please fax me a copy of the letter before mailing.

Thank you for your time and consideration on the above matter. If you have any questions or coricerns, please do not hesitate to give me a call at the toll free number above, extension 619

Sincerely:

Brigit King

ENC



2212 N W 50th Street, Cuite 246 • Cidahoma City, Oklahoma 73112 Telephone: (405) 846-4344 • FAX: (405) 940-2508 1-800-344-2944 • E-mail: brigit@pz/com

> BRIGIT KING Information Specialist

NATIONAL PLANNING & ZONING CONSULTING SERVICE

NATIONAL PLANNING & ZONING CONSULTING SERVICE

