SATE RECEIVED FOR FILING

IN RE: PETITIONS FOR SPECIAL HEARING and

SPECIAL EXCEPTION - W/S Annapolis Road,

41' S of Oak Grove Avenue, E/S Pansy Avenue*

(3716 Old Annapolis Road)

13th Election District

1st Council District

David L. Fisher, Sr., et ux Petitioners **BEFORE THE**

ZONING COMMISSIONER

OF BALTIMORE COUNTY

* Case No. 04-489-SPHX

* * * * * * * * *

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for Consideration of Petitions for Special Hearing and Special Exception filed by the owners of the subject property, David L. Fisher, Sr., and his wife, Linda L. Fisher. The Petitioners request a special exception to permit a service garage in a B.L. zone, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.) and a special hearing to approve an amendment to the previously approved site plan and Order issued in Case No. 86-272-X, accordingly. The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were David and Linda Fisher, property owners; Patrick Richardson, the Professional Engineer who prepared the site plan for this property, and John B. Gontrum, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located between Annapolis Road and Pansy Avenue, across from Oak Grove Avenue in Lansdowne. The property contains a gross area of 0.46 acres, more or less, predominantly zoned B.L., with a small sliver zoned D.R.5.5 on the northern end. The property is improved with a one-story service garage, which has been owned and operated by the Petitioners since 1971. In this regard, the Petitioners obtained a special exception for the service garage use

under Case No. 86-272-X by then Zoning Commissioner Arnold Jablon. A review of his opinion, dated January 21, 1986, indicates he found that a service garage had existed on the property since 1918. Although the use is nonconforming in nature, special exception relief was necessary to legitimize its existence.

The Petitioners now come before me seeking approval of an expansion of the existing use. In this regard, the existing building is located with frontage on Annapolis Road and currently contains 6 service bays. The Petitioners propose to acquire an adjacent property to the north, identified as Lots 201 and 202 on the site plan, which are currently improved with a single family dwelling and detached garage. The Petitioners propose razing those structures and constructing a 3,600 sq.ft, one-story addition to the existing building, to provide 4 to 5 more service bays and storage space. When completed, the service garage building will total 6,777 sq.ft. in area.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. It is clear that a service garage has been in operation on the property for nearly 100 years without objection by any of the neighbors. Thus, it appears that the proposed addition is appropriate and will not result in any detriment to the health, safety or general welfare to the surrounding locale. No one appeared in opposition to the request, and there were no adverse comments submitted by any County reviewing agency. However, the Office of Planning has requested that certain conditions be imposed upon the grant of the relief to mitigate the impact of the proposed improvements upon the adjacent residential use to the north.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ______day of July 2004 that the Petition for Special Exception to permit a service garage in a B.L. zone, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve an amendment to the previously approved site plan and Order issued in Case No. 86-272-X, in

accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Zoning Advisory Committee comments submitted by the Office of Planning dated June 1, 2004, a copy of which is attached hereto and made a part hereof. Prior to the issuance of any permits, the Petitioners shall submit building elevation drawings of the proposed addition and a landscape plan to the Office of Planning for review and approval.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

ZAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs

Zoning Commissioner

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



Baltimore County

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

July 28, 2004

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

RE: PETITIONS FOR SPECIAL HEARING & SPECIAL EXCEPTION W/S Annapolis Road, across from Oak Grove Avenue, E/S Pansy Avenue (3716 Old Annapolis Road)

13th Election District – 1st Council District
David L. Fisher, Sr., et ux - Petitioners

Case No. 04-489-SPHX

Dear Mr. Gontrum:

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

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

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner

for Baltimore County

cc: Mr. & Mrs. David L. Fisher, Sr.

3716 Old Annapolis Road, Baltimore, Md., 21227-2107

Mr. Patrick Richardson, 730 W. Padonia Road, Suite 101, Cockeysville, Md. 21030

Office of Planning; People's Counsel; Case File



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

LES:bis



OR FILING

JRDEH RE

REV **\$**/15/98

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 3716 Old Annapolis Road which is presently zoned B.L. & D.R. 5.5

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

To amend site plan and Order in Case No.: 86-272-X.

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: Legal Owner(s): Trisker, Sr. David A Name - Type or Print Name - Type or Print Signature Signature Fisher Address Telephone No. Name \ Type or Print Zip Code City State Signature 410-789-5280 Old Annapolis Road Attorney For Petitioner: Address Telephone No. 21227-2107 <u>Baltimore,</u> MDJohn B. Gontram, Esquire Zip Code State City Representative to be Contacted: John B. Gontrum, Esquire & Preston L.L.P. Whiteford, Taylor Company Name (410)832-205 210 W. Pennsylvania Ave., <u>210 W. Pennsylvania Ave.</u> Telephone No. Telephone No. Address **Address** 410) 832-2055 21204 MDTowson. dwson, State Zip Code State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING ____ UNAVAILABLE FOR HEARING Date 004 Reviewed By



Date.

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 3716 Old Annapolis Road

which is presently zoned B.L. & D.R. 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

a service garage in a B.L. zone per Section 230.13.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

	is the subject of this Petition.
Contract Purchaser/Lessee:	<u>Legal Owner(s):</u>
Name - Type or Print	David L. Fisher Sr.
Signature	Signature 1
Address Telephone No.	Windal/L. Fishelf Name - Type or Print
City State Zip Code	Signature
Attorney For Petitioner:	3716 Old Annapolis Road 40-789-5286 Address Telephone No.
John B. Gontrum, Esquire Name-Type of Print	Baltimore, MD 21227-2107 State Zip Code
Signature	City State Zip Code Representative to be Contacted:
Whiteford, Taylor & Preston L.L.P. Company	John B. Gontrum, Esquire Name
210 West Pennsylvania Avenue Address (410) 832-2055 Telephone No.	210 West Pennsylvania Ave. (410)832-20 Address Telephone No.
Towson, MD 21204 City State Zip Code	Towson, MD 21204 City State Zip Code
	OFFICE USE ONLY
04 UR9 CODAV	ESTIMATED LENGTH OF HEARING
Case No. 77 407 57 MX	UNAVAILABLE FOR HEARING
	Reviewed By 5007 Date 04-28-04
25 0 5/98	
`]´	
# <u> </u>	



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

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

ZONING DESCRIPTION DAVE'S COLLISION CENTER 3716 ANNAPOLIS ROAD 13TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the West side of Annapolis Road at a point 41'± south of Oak Grove Avenue, thence leaving the south side of Annapolis Road right-of-way (1) North 83 degrees 09 minutes 59 seconds West 69.8 feet, (2) North 69 degrees 15 minutes 08 seconds West 21.6 feet, (3) North 64 degrees 53 minutes 39 seconds West 55.4 feet, (4) North 08 degrees 57 minutes 39 seconds East 92.0 feet, thence binding on the south side of the right of way of Pansy Avenue 14 feet wide, (5) South 43 degrees 43 minutes 09 seconds East 11.2 feet, (6) North 09 degrees 20 minutes 01 seconds East 37.4 feet, thence leaving the east side of the Pansy Avenue right-of-way (7) North 89 degrees 26 minutes 51 seconds East 129.2 feet, to the west side of the Annapolis Road right of way and then binding on the west side of the 50 foot wide right of way, (8) South 09 degrees 20 minutes 01 seconds West 37.4 feet, (9) South 05 degrees 31 minutes 51 seconds West 124.4 feet, and the point of beginning;

Containing a net area of 20,235 square feet, or 0.46 acres of land, more or less.



04.489.5PM

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT DATE AMOUNT \$ AMOUNT \$ PRICEIVED RECEIVED
CASHIER'S VALIDATION	TOTAL

And the second s

HEARING

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

Case: #04-489-SPHX 3716 Old Annapolis Road West side of Annapolis Road, 41-feet South of Oak Grove Avenue. 13th Election District 1st Councilmanic District Legal Owner(s): David L. and Linda L. Fisher Special Exception: to permit a service garage Special Hearing: to amend site plan and order in Case No. 86-272-X and 86-316-CV Hearing: Wednesday, June 23, 2004 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT Zoning Commissioner for

Baltimore County
NOTES: (1) Hearings are
Handicapped Accessible; for special accommoda-tions Please Contact the Zoning Commissioner's Of-fice at (410) 887-4386.

(2) For information con-cerning the File and/or Hear-ing, Contact the Zoning Re-view Office at (410) 887-

3391. JT 6/657 June 8

CERTIFICATE OF PUBLICATION

69,200+
THIS IS TO CERTIFY, that the annexed advertisement was published
and the residence weekly newspaper published in Baltimore County, Ma.,
once in each ofsuccessive weeks, the first publication appearing
on 68,2004.
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

CERTIFICATE OF POSTING

Date of Hearing/Closing: Jiwe 2 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 wer posted conspicuously on the property located at: 371/6 OXD ANNADOL IS RD The sign(s) were posted on ANNADOL IS RD Sincerely, Sincerely, Sincerely, Dundalk, Maryland 21222		RE: Case No.: 04-489-5PHX
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 wer posted conspicuously on the property located at: 37/6 OXD AHNAROLIS RD The sign(s) were posted on TOWE B. 2004 (Month, Day, Year) Sincerely, Sincerely, SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222		Petitioner/Developer: DAVID L. AX
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 wer posted conspicuously on the property located at: 37/6 OND AUNAPOUS RD The sign(s) were posted on TURE 8 2004 (Month, Day, Year) Sincerely, Sincerely, Signature of Sign Poster) SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222		LINDAL. FISHER
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 wer posted conspicuously on the property located at: 37/6 OLD ALNAPOLIS RD The sign(s) were posted on TOKE B 2004 (Month, Day, Year) Sincerely, Sincerely, Signature of Sign Poster) SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222		Date of Hearing/Closing: JUNE 23,
Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law wer posted conspicuously on the property located at: 37/6 OLD ANNAPOLIS RD The sign(s) were posted on TWE 8 2004 (Month, Day, Year) Sincerely, Sincerely, SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222	Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue	
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The sign(s) were posted on Th	adies and Gentlemen:	
Sincerely, Sincerely, Sincerely, Color Black (Signature of Sign Poster) SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222	sosted conspicuously on the property locate	ed at:
SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222	he sign(s) were posted on	(Month, Day, Year)
SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222		
SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222		Rahert Blech 6/8/00
(Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222		(Signature of Sign Poster) (Date)
1508 Leslie Road (Address) Dundalk, Maryland 21222		SSG Robert Black
(Address) Dundalk, Maryland 21222		(Print Name)
Dundak, Maryland 21222		1508 Leslie Road
		(Address)
		Dundalk, Maryland 21222
(City, State, Zip Code)		(City, State, Zip Code)
(410) 282-7940		(410) 282-7940
(Telephone Number)		(Telephone Number)

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 8, 2004 Issue - Jeffersonian

Please forward billing to:
David L. Fisher, Sr.
3716 Old Annapolis Road
Baltimore, Maryland 21227-2107

410-789-5280

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: 04-489-SPHX

3716 Old Annapolis Road
West side of Annapolis Ro

West side of Annapolis Road, 41-feet South of Oak Grove Avenue

13th Election District—1st Councilmanic District Legal Owners: David L. and Linda L. Fisher

Special Exception: to permit a service garage.

Special Hearing: to amend site plan and order in Case No. 86-272-X and 86-316-CV

Hearing: Wednesday, June 23, 2004 at 9:00 a.m. in Room 407, County Courts Building 401 Bosley Avenue

11 1 1/

wrence B. 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.



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





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

May 7, 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: 04-489-SPHX

3716 Old Annapolis Road

West side of Annapolis Road, 41-feet South of Oak Grove Avenue

13th Election District—1st Councilmanic District

Legal Owners: David L. and Linda L. Fisher

Special Exception: to permit a service garage.

Special Hearing: to amend site plan and order in Case No. 86-272-X and 86-316-CV

Hearing: Wednesday, June 23, 2004 at 9:00 a.m. in Room 407, County Courts Building

401 Bosley Avenue

Timothy Kotroco

Director

TK: clb

C: John B. Gontrum, Esquire Whiteford, Taylor & Preston, LLP 210 W. Pennsylvania Avenue Towson 21204

David L. and Linda L. Fisher 3716 Old Annapolis Road Baltimore 21227-2107

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY.TUESDAY, JUNE 8, 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.



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



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: 04 489- Spot	
Petitioner: David L. Fisten, Sa. , Linder L. Fishen	
Address or Location: 3716 Gld ANNAPLis Road	··· <u>, </u>
PLEASE FORWARD ADVERTISING BILL TO: Name:	_ ' ' ''
Name:	- 1 P1
Name: Dovid L. Fishen, sr.	

Department of Pernantal Development Management

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



Baltimore County

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

June 17, 2004

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

Dear Mr. Gontrum:

RE: Case Number:04-489-SPHX, 3716 Old Annapolis Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 28, 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,

U. Calliball

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
David L. and Linda L. Fisher 3716 Old Annapolis Road Baltimore 21227-2107



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



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 May 10, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: May 10, 2004

Item No.:

489

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.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: May 18, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 17, 2004 Item Nos. 472, 488, 489, 490, 492, 494, 496, 497, 498, 499, 500, and 501

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 Joo/1285

DATE:

May 18, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of May 3, 2004

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

04-472

04-488

(04-489)

04-490

04-491

04-493

04-494

04-496

04-496

04-497

04-498

04-499

04-500

04-501

Reviewers:

Sue Farinetti, Dave Lykens

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: March 31, 2005

RECEIVED

APR - 1 2005

SUBJECT:

3716 Old Annapolis Road - THIRD REVIEW ON G COMMISSIONER

INFORMATION:

Item Number:

4-489

Petitioner:

Davis L. Fisher, Sr.

Zoning:

BL/DR 5.5

Requested Action:

Special Exception

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided the exterior front façade of the proposed addition is done with stucco finish consistent with the existing building façade. The petitioner has agreed to this condition in a letter that was submitted to this department dated March 31, 2005 (see attachment).

Division Chief:

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: June 1, 2004

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SOMING COMMISSIONER

JUN - 3 2004

SUBJECT:

3716 Old Annapolis Road

KECEINED

INFORMATION:

Item Number:

4-489

Petitioner:

Davis L. Fisher, Sr.

Zoning:

BL/DR 5.5

Requested Action:

Special Exception

SUMMARY OF RECOMMENDATIONS:

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

- 1. The side of the proposed addition that is adjacent to the existing dwelling to the north shall be a solid wall and shall not have any openings.
- 2. The colors of the north façade should be consistent with the existing building.
- 3. Provide a row of evergreen trees along the northern side property line.
- 4. The exterior front façade of the proposed addition shall be consistent with the existing stucco front façade. The proposed front façade shall be the same colors as the existing.
- 5. The roof of the proposed addition shall match the existing roof.
- 6. Relocate and screen the existing dumpster so that it is not visible from Old Annapolis Road.

7. Submit a landscape plan and building elevations showing the above referenced materials and color to this office fore review and approval prior to the issuance of any building permits.

Prepared by:

AFK/LL:MAC:

RE: PETITION FOR SPECIAL HEARING

AND SPECIAL EXCEPTION

3716 Old Annapolis Road, W/side Annapolis*

Road, 41' S of Oak Grove Avenue

13th Election & 1st Councilmanic Districts

Legal Owner(s): David L & Linda L Fisher

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

04-489-SPHX

* * * * * * * * *

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 Councel for Poltimore Count

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 12th day of May, 2004, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, Whiteford, Taylor & Preston, LLP, 210 W Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

MAY 1 2 2004

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per.....

DAVE'S COLLISION CENTER, INC. **3716 ANNAPOLIS ROAD BALTIMORE, MD 21227** 410-789-5250 410-789-5822 (FAX)

davescollision@aol.com (email)

March 31, 2005

Mark Cunningham Baltimore County Office of Planning Fax: 410-887-5862

Mr. Cunningham:

This is to reassure you and your department that the building we are requesting a permit for will have stucco on the exterior front façade so that it is consistent with the existing building front façade in texture and colors.

If you have any questions, please call me

Sincerely,

David J. Fisher Sr.

Mar 31 05 12:53p Daves Collision

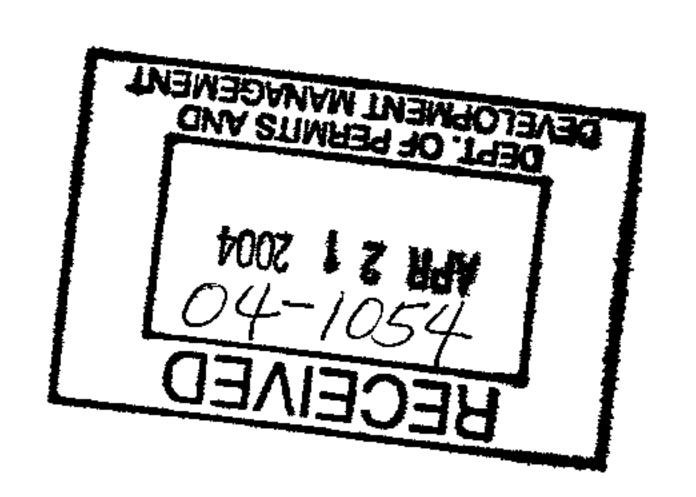


FOR DROP OFF

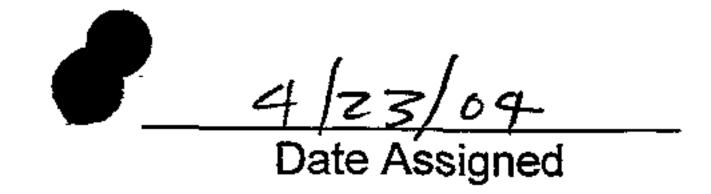
I BELIEVE THAT THE PETITION AND SITE PLAN WERE REVIEWED BY EITHER JOHN ALEXANDER OR BY BRUNG BUT IT WAS QUITE SOME TIME AGO, AND I DO NOT REALLY RECALL.

JOHN GONTRUM

Not ME



TRA	
Intake Planner	



DROP-OFF PETITIONS PROCESSING CHECK-OFF

	I INDULUSING CHECK-OFF
T\	vo Questions Answered on Cover Sheet:
	Any previous reviews in the zoning office?
	Any current building or zoning violations on site?
Pe	tition Form Matches Plat in these areas:
	Address
	Zoning
	Legal Owner(s)
	Contract Purchaser(s)
	Request (if listed on plat)
	rtoquosi (ii listou oli piat)
Pe	tition Form (must be current PDM form) is Complete:
	Request:
	Section Numbers
	Correct Wording (must relate to the code, especially floodplain and historical standard
	wording. Variances must include the request in lieu of the required code quantities.
	Hardship/Practical Difficulty Reasons
	Legal Owner/Contract Purchaser:
	Signatures (originals)
	Printed/Typed Name and Title (if company)
	Attorney (if incorporated)
	Signature/Address/Telephone Number of Attorney
C	rrect Number of Petition Forms, Descriptions and Plats
20	0 Scale Zoning Map
CI	eck: Amount Correct? Signed?
	
Z/	C Plat Information:
	Location (by Carl) W/S Old Annopolis Q.O. (RT 648) paposite
	Oak Goove Ave. (3716 Old Annapolis R.D.)
	Zoning: Acreage: Previous Hearing Listed With Decision
	Election District Councilmanic District Case #
	Check to See if the Subject Site or Request is:
	CBCA
	Floodplain
	Elderly
	Historical
	Pawn Shop ⊎elicenter
	Helicopter *If Vac. Drint Chasis Ulanding Ostanan Ulan (
	*If Yes, Print Special Handling Category Here
	*If No, Print No
	OU-URG SPHX
em Nun	ber Assigned Date Accepted for Filing
I TWI	reasoned to thing

IN RE: PETITION SPECIAL EXCEPTION W/S of Annapolis Road, 385' S of Daisy Avenue (3716 Armapolis Road) -13th Election District

David J. Pisher, Sr., et ux,

Petitioners

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 86-272-X

PINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception for a service garage, as more particularly described on Patitioners' Exhibit 1.

The Petitioners appeared and testified. There were no Protestants.

Testimony indicated that the subject property, would B.L. and located on Annapolis Road, has been improved with a service garage since at least 1918. Indeed, the evidence was convincing that the service garage is nonconforming. There were photographs dating from 1929 showing the service garage with five bays, totaling 2,283 square feet, and the then owner. The Petitioners have been operating the business since their purchase of the property in 1971.

The property is triangular in shape and measures approximately 124 feet on Annapolis Road, its widest point, approximately 129 fost on the north property line, and approximately 170 feet on the south property line. A commercial use located to the south, i.s., John's Deli, permits the Petitioneca 自由企业的 **不**证实现是这个人,也不是我们的自己不可能的是要人们的的需要的工作,他主义的特别的一个的人的是是是不是一个人,我们就是不是一个人,这个人的人,他们 to use an in-common entrance and also to park whiches on its property to the rest of both sites. To the north is a residence located on property zone!

> The Potitioners some relief from Section 230.13, pursuant to Section 5014. Baltimore County Zoning tequiations (DCZR).

> it is clear that the UZR paracts the use consected by the Pericles on a fig. The in apenial examption. It is equally clear that the property use

