

IN RE: PETITION FOR VARIANCE
SE/S of Belair road, 1,250 ft. SW
centerline of Prague Avenue
14th Election District
6th Councilmanic District
(6705 Belair Road)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 05-600-A

Kris-Marc, Inc.
by: Mike Capobianco
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Kris-Marc, Inc., by Mike Capobianco. The Petitioner is requesting variance relief for property located at 6705 Belair Road in Baltimore County. The variance request is from Section 409.A2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit 10 parking spaces in lieu of the 15 spaces required.

The property was posted with Notice of Hearing on June 22, 2005, 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 June 23, 2005 to notify any interested persons of the scheduled hearing date.

Applicable Law

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

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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 Bureau of Plans Review dated June 1, 2005.

Interested Persons

Appearing at the hearing on behalf of the variance request were Vince Moskunas and Mike Capobianco for the corporate Petitioner. Deborah C. Dopkin, Esquire, represented the Petitioner. No citizens or Protestants appeared at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that this property containing 0.321 acres is zoned BL-CCC. Ms Dobkin proffered that this is the location of the business known as the “Perry Hall Cleaners” which the Petitioner has operated since 1966 at the corner of Belair Road and Prague Avenue. The existing building is shown in the extensive photographs marked as Petitioner's Exhibit 2. The Petitioner would like to erect a one-story addition to the rear of the existing building as shown on Petitioner's Exhibit 1. The 25 ft. x 35 ft. addition will be used for storage but because of the additional commercial space added to the existing building, the parking requirements increase 5 spaces. Presently, the Petitioner provides 10 spaces which coincides with the size of the existing building. Ms. Dopkin proffered that no additional traffic will be generated by the addition which again will be used only for storage, that customers will have no access, and there will be no new employees.

The property slopes away from Belair Road. Consequently, the addition will be down and behind an existing privacy fence so that travelers on Belair Road will not easily see it. Also existing dense landscape screening along the rear property line will prevent the residence behind the

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Ray

property along Prague Avenue from seeing or being adversely impacted by the addition. Again see the Petitioner's Exhibit 2. Ms. Dopkin proffered that the owner of that residence knows about the request for the addition and had no objection to it.

Finally, Mr. Moskunas noted that the June 1, 2005 comment from Plans Review regarding the 40 ft. right-of-way will have no effect on this proposal. Prague Avenue is a dead-end street serving only two dwellings. Upon questioning, the Petition indicated that the rear of the building has direct vehicular access to Prague Avenue. Petitioner's photographs show several nonstandard parking spaces in the rear of the building. The Petitioner indicated that he has a handicapped parking space among the 10 existing spaces in front of the building. He also noted that since no entrance was planned for the rear, no customers would want to park in the rear to walk up the hill and around to the front entrance.

Findings of fact and conclusions of law

While I find that the likelihood of increased traffic slight given the proposed addition, I think the Petitioner can reasonably provide several parking spaces for employees in the rear. I agree that customers would not want to walk up the hill and around the front to the entrance but just as clearly employees can use the back doors. This will lessen any impact on customers who may find parking more difficult on site after the addition is erected.

I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. In particular, I find that the existing building, sloping topography, and corner lot location present special conditions which make the property unique from a zoning standpoint. I also find strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. The Petitioner would suffer a hardship if the use of the building would be limited by the available parking. Finally, I find this request can be granted in strict harmony with the spirit and intent of said regulations, and in such

ORDER RECEIVED FOR FILING
7/14/05
Ray

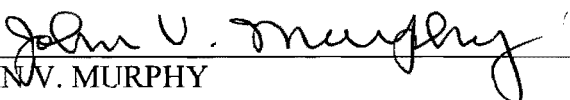
manner as to grant relief without injury to the public health, safety and general welfare. This, of course, will be true if the dense landscape plantings are maintained in the rear of the property.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED, this 14 day of July, 2005, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Section 409.A2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit 10 parking spaces in lieu of the 15 spaces required, be and is hereby GRANTED with conditions:

1. The Petitioner shall construct at least two additional parking spaces in the rear of the building for employee parking which shall conform to the County regulations; and
2. The Petitioner shall maintain dense landscape plantings along the rear property line to screen the property from the adjacent dwelling.

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

JVM:raj

ORDER RECEIVED FOR FILING
7/14/05
Ray

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
William J. Wiseman III, Zoning Commissioner

14
July 13, 2005

Deborah C. Dopkin, Esquire
Deborah C. Dopkin, P.A.
409 Washington Avenue
Towson, Maryland 21204

Re: Petition for Variance
Case No. 05-600-A
Property: 6705 Belair Road

Dear Ms. Dopkin:

Enclosed please find the decision rendered in the above-captioned case. The petition for variance has 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,

A handwritten signature in dark ink, appearing to read "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Mike Capobianco, Kris-Marc, Inc., 6705 Belair Road, Baltimore, MD 21206
Mr. Vince Moskunus, Site Rite Surveying, Inc., 200 E. Joppa Road, Rm 101, Towson, MD 21286





Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at #6705 Belair Road
which is presently zoned BL-CCC

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 409. A.2 to permit 10' parking spaces in lieu of the 15 Spaces required.

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

See attached

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

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Deborah C Dopkin
Name - Type or Print _____ City _____
(Deborah C Dopkin)
Signature _____
Deborah C Dopkin PA
Company _____
401 Washington Ave *410 821-0200*
Address _____ Telephone No. _____
Towson MD 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

Kris-Marc, Inc. *Mike Capobianco*
Name - Type or Print _____
(Signature)
Signature _____
Name - Type or Print _____
Signature _____
6705 Belair Road *(410) 668-8810*
Address _____ Telephone No. _____
Baltimore MD 21206
City _____ State _____ Zip Code _____

Representative to be Contacted:

Site Rite Surveying, Inc.
Name _____
200 E. Joppa Road, Room 101 *(410) 828-9060*
Address _____ Telephone No. _____
Towson MD 21286
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By D.T. Date 5/18/05

Case No. 05-600-A

RECEIVED 5/15/98

COPIES RECEIVED FOR FILE

REASON FOR PETITION FOR VARIANCE

"PERRY HALL CLEANERS"

#6705 BELAIR ROAD

BALTIMORE COUNTY, MD

THE REASON FOR THIS VARIANCE IS TO REVIEW THE PROPOSED BUILDING FUNCTION AS A STORAGE FACILITY NOT AS RETAIL. THE AREA WILL STORE THE NEEDED EQUIPMENT AND INVENTORY TO MEET THE GROWING DEMANDS OF THE BUSINESS AND THE COMMUNITY IT HAS SERVED FOR MANY YEARS. THIS REQUEST IS MADE WITHIN THE SPIRIT AND INTENT OF THE BALTIMORE COUNTY ZONING REGULATIONS AND WILL NOT HAVE AN ADVERSE EFFECT OF THE SAFETY AND WELL BEING OF THE SURROUNDING NEIGHBORHOOD.

05-600-A

**ZONING DESCRIPTION
#6705 BELAIR ROAD**

BEGINNING at a point on the southeast side of Belair Road which is 80 feet wide at the distance of 12.50 feet southwest of the centerline of Prague Avenue which is 25 feet wide. As recorded in Deed Liber 6727, folio 177 thence running S42 $\frac{3}{4}$ ° E, 140 feet; thence S47° W, 100 feet; thence N42 $\frac{3}{4}$ ° W, 140 feet and thence N47° 100 feet to the Place of Beginning, containing 14,000 S.F.±. Also known as #6705 Belair Road and located in the 14th Election District, 6th Councilmanic District.



Michael V. Moskunas
Reg. No. 21175

Site Rite Surveying, Inc.
200 E. Joppa Road
Room 101
Towson, MD 21286
(410) 828-9060

05-600-A

BALTIMORE COUNTY, MARYLAND

OFFICE OF BUDGET & FINANCE

MISCELLANEOUS RECEIPT

No. 445385

DATE 5/18/05 ACCOUNT 0010066150AMOUNT \$ 325.00RECEIVED FROM: CAPPY INC. T/AFOR: ITEM # 600 05-600-A6105 BELAIR RD. BY D. THOMPSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME DEPT

5/18/2005 5/18/2005 11:20:32 4

REG #506 WALKIN KICK KXH

RECEIPT # 340417 5/18/2005 DEPT

Dept 5 528 ZONING VERIFICATION

IN NO. 445385

Receipt Tot \$325.00

\$325.00 CK \$0.00 CASH

Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

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

Case # 05-600-AV1
6705 Belair Road
East Side of Belair Road, 1250 feet S. west of centerline of Prague Avenue
14th Election District - 6th Councilmanic District
Illegal Owner(s): Kris Marc Inc., Mike Capobianco, President
Variance: to permit 10 parking spaces in lieu of the 15 spaces required
Hearing: Friday, July 8, 2005, at 9:00 a.m. in Room 407, County Court Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
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.
6/30/2005 June 23, 2005 56119

CERTIFICATE OF PUBLICATION

6/23/2005

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/23/2005.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 05-600A

Petitioner/Developer: MIKE CAROBIANCO

Date of Hearing/ Closing: JULY 8, 2005

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Becky Hart

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 # 6705 BELAIR ROAD

The sign(s) were posted on

JUNE 22, 2005

(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

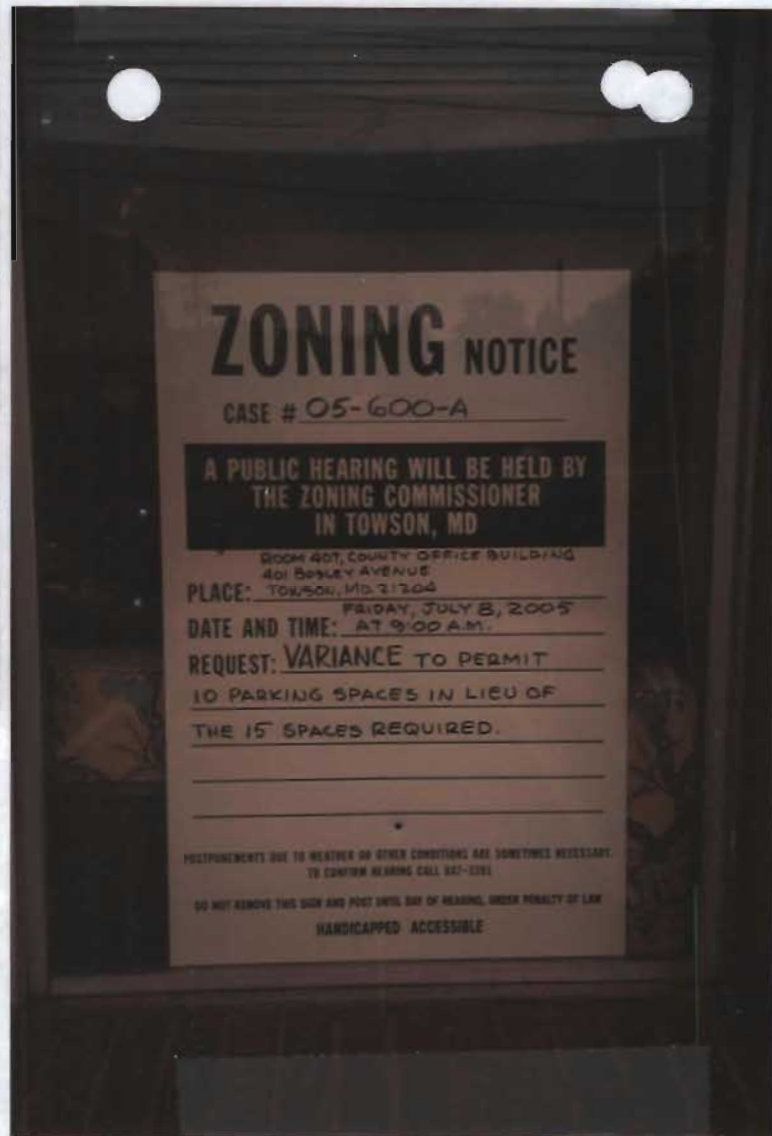
(Address)

BAUTINORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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: 05-600-A

Petitioner: Perry Hall Cleaners

Address or Location: 6705 Belair Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mike Capobianco

Address: 6705 Belair Road

Baltimore, MD 21206

Telephone Number: 410 668-8810



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

May 24, 2005

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: 05-600-A

6705 Belair Road

S/east side of Belair Road, 1250 feet s/west of centerline of Prague Avenue

14th Election District – 6th Councilmanic District

Legal Owners: Kris-Marc, Inc., Mike Capobianco, President

Variance to permit 10 parking spaces in lieu of the 15 spaces required.

Hearing: Friday, July 8, 2005 at 9:00 a.m., County Courts Building, 401 Bosley Avenue,
Room 407, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Deborah Dopkin, 409 Washington Avenue, Towson 21204
Mike Capobianco, 6705 Belair Road, Baltimore 21206
Site Rite Surveying, Inc., 200 E. Joppa Rd., Rm. 101, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JUNE 23, 2005.**
- (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, June 23, 2005 Issue - Jeffersonian

Please forward billing to:
Mike Capobianco
6705 Belair Road
Baltimore, MD 21206

410-668-8810

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: 05-600-A

6705 Belair Road

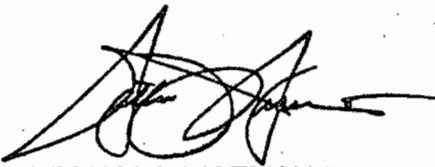
S/east side of Belair Road, 1250 feet s/west of centerline of Prague Avenue

14th Election District – 6th Councilmanic District

Legal Owners: Kris-Marc, Inc., Mike Capobianco, President

Variance to permit 10 parking spaces in lieu of the 15 spaces required.

Hearing: Friday, July 8, 2005 at 9:00 a.m., County Courts Building, 401 Bosley Avenue,
Room 407, Towson 21204



WILLIAM J WISEMAN III
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**

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 27, 2005

Deborah C. Dopkin, P.A.
409 Washington Avenue
Towson, Maryland 21204

Dear Ms. Dopkin:

RE: Case Number: 05-600-A, 6705 Belair Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 18, 2005.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Kris-Marc, Inc. Mike Capobianco 6705 Belair Road Baltimore 21206
Site Rite Surveying, Inc. 200 E. Joppa Road Rm. 101 Towson 21286

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



Fire Department

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



Baltimore County

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

May 25, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: May 30, 2005

Item No.: 578, 597, 598, 599, 600, 602, 603, 604, 605 and 606

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time.

Acting Lieutenant Don W. Muddiman
Lieutenant Franklin J. Cook
Fire Marshal's Office
(O)410-887-4881 (C)443-829-2946
MS-1102F

cc: File

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



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



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

Maryland Department of Transportation

Date: 5.24.05

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

RE: Baltimore County
Item No. 600 DT

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

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,

Steven D. Foster, Chief
Engineering Access Permits Division

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr *JDO*

DATE: June 14, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of May 31, 2005

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

05-596

05-597

05-598

05-599

05-600

05-601

05-602

05-603

05-604

05-605

05-606

Reviewers: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: June 6, 2005 **RECEIVED**

JUN - 7 2005

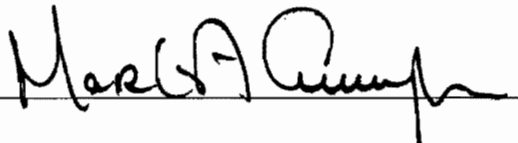
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-600 and 5-630

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark Cunningham in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



MAC/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development
Management

DATE: June 1, 2005

FROM: Dennis A. Kennedy, ^{DM} Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 6, 2005
Item No. 600

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The minimum right-of-way for all public roads in Baltimore County is 40-feet. Setbacks shall be modified accordingly.

DAK:CEN:clw
cc: File
ZAC-ITEM NO 600-06012005.doc

New

RE: PETITION FOR VARIANCE	*	BEFORE THE
6705 Belair Road; SE/side Belair Road,	*	ZONING COMMISSIONER
1,250' W c/line Prague Avenue	*	
14 th Election & 6 th Councilmanic Districts	*	FOR
Legal Owner(s): Kris-Marc, Inc.	*	
by Mike Capobianco		
Petitioner(s)	*	BALTIMORE COUNTY
	*	05-600-A

* * * * *

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 and all documentation filed in the case.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
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 25th day of May, 2005, a copy of the foregoing Entry of Appearance was mailed to, Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286 and Deborah C. Dopkin, Esquire, 409 Washington Avenue, St 1000, Towson, MD, 21204, Attorney for Petitioner(s).

RECEIVED

MAY 25 2005

Per.....

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



zoning variance
#6705 Belair Road
Penny Hall Cleaners
May 18, 2005



Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

EXHIBIT #2A #35

#05-600-D



Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

#05-600-A

EXHIBIT #2A-#2S



10.10.19

MINISTRY OF DEFENCE
 DEFENCE SECRETARIAT
 DEFENCE SECRETARIAT
 2008 01 10

Perry Hall
Coppy's CLEANERS
EXPERT TAILORING/SHIRT SERVICE





A photograph of a single-story commercial building with dark siding. A large sign is mounted on the front facade. To the left of the building is a large, dark evergreen tree. In front of the building is a paved parking lot with several empty spaces. A silver car is parked on the far left, and a white car is partially visible on the far right. A road with double yellow lines is in the foreground. Power lines are visible across the top of the image.

Perry Hall
CLEANERS
EXPERT TAILORING/SHIRT SERVICE



Schaffer's
Recycling Services
667-3270























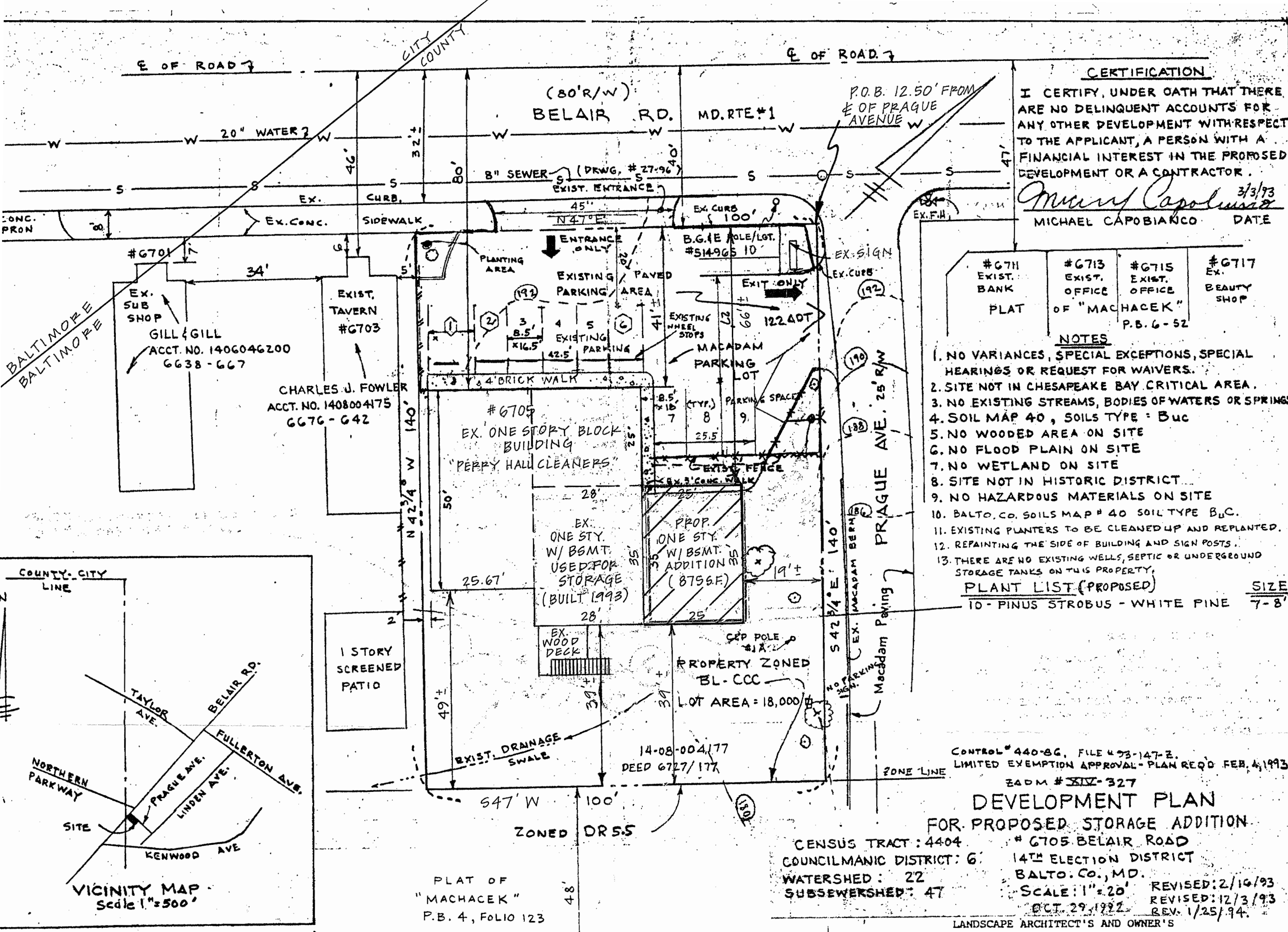












CERTIFICATION

I CERTIFY, UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT OR A CONTRACTOR.

Michael Capobianco 3/3/93
MICHAEL CAPOBIANCO DATE

#G7H	#G73	#G75	#G77
EXIST. BANK PLAT	EXIST. OFFICE OF "MACHACEK"	EXIST. OFFICE P.B. 6-52	EXIST. BEAUTY SHOP

- NOTES**
1. NO VARIANCES, SPECIAL EXCEPTIONS, SPECIAL HEARINGS OR REQUEST FOR WAIVERS.
 2. SITE NOT IN CHESAPEAKE BAY CRITICAL AREA.
 3. NO EXISTING STREAMS, BODIES OF WATERS OR SPRINGS
 4. SOIL MAP 40, SOILS TYPE = Buc
 5. NO WOODED AREA ON SITE
 6. NO FLOOD PLAIN ON SITE
 7. NO WETLAND ON SITE
 8. SITE NOT IN HISTORIC DISTRICT
 9. NO HAZARDOUS MATERIALS ON SITE
 10. BALTO. CO. SOILS MAP # 40 SOIL TYPE BUC.
 11. EXISTING PLANTERS TO BE CLEANED UP AND REPLANTED.
 12. REPAINTING THE SIDE OF BUILDING AND SIGN POSTS.
 13. THERE ARE NO EXISTING WELLS, SEPTIC OR UNDERGROUND STORAGE TANKS ON THIS PROPERTY.

PLANT LIST (PROPOSED)

PLANT	SIZE
10 - PINUS STROBUS - WHITE PINE	7-8'

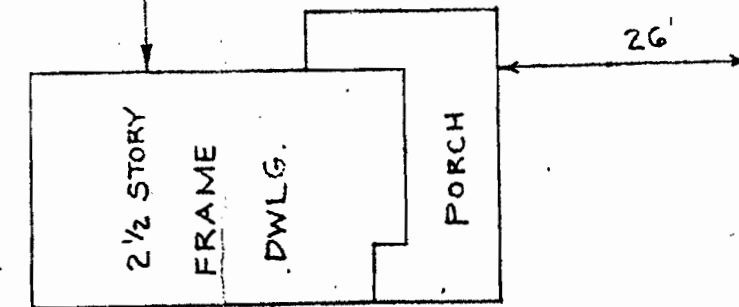
CONTROL # 440-86, FILE # 93-147-2.
LIMITED EXEMPTION APPROVAL - PLAN REQ'D FEB. 4, 1993
EADM # XIV-327

DEVELOPMENT PLAN
FOR PROPOSED STORAGE ADDITION

CENSUS TRACT: 4404 # G705 BELAIR ROAD
COUNCILMANIC DISTRICT: 6 14TH ELECTION DISTRICT
WATERSHED: 22 BALTO. CO., MD.
SUBWATERSHED: 47 SCALE: 1"=20' REVISED: 2/10/93
OCT. 29, 1992 REV. 1/25/94

LANDSCAPE ARCHITECT'S AND OWNER'S SIGNATURE AND CERTIFICATION FORM

I certify that I have reviewed this Final Landscape Plan; that I am aware of the regulations presented in the Baltimore County Landscape Manual; and I agree to comply with these regulations and all applicable policy, guidelines and ordinances. I agree to certify the implementation of the approved Final Landscape Plan upon completion of the landscape installation not later than [redacted] the date of occupancy to the Department of Public Works, Bureau of Public Services, County Office Building, Room 211, Towson, MD 21204.



- GENERAL NOTES:**
1. EXISTING ZONING: BL-CCC
 2. LOT AREA: 14,000 S.F. ± or 0.321 Ac ±
 3. EXISTING BUILDING SIZE: 2,963.5 S.F. ±/-
PROPOSED BUILDING SIZE: 875 S.F. ±/-
TOTAL BLDG. SIZE: 3,838.5 S.F.
 4. EXISTING USE: DRY CLEANING ESTABLISHMENT
PROPOSED USE: DRY CLEANING ESTABLISHMENT
 5. PROPOSED ADDITION IS TO BE USED FOR STORAGE (One story with basement)
 6. TAX ACCT. NOS. 1408004176 and 1408004177
 7. HOURS OF OPERATION: 7:30 AM - 7:00 PM 7:30 AM - 6:00 PM
DAYS OF THE WEEK: Monday - Friday Saturday
 8. PROPOSED ADDITION IS FOR EMPLOYEES ONLY AND FOR STORAGE AND EQUIPMENT NECESSARY TO MAINTAIN GROWTH OF THE BUSINESS.
 9. PARKING REQUIRED: GENERAL RETAIL - 5 PER 1000 S.F. G.F.A.
 - EXISTING 10 SPACES FOR EXISTING BUILDING PER APPROVED DEVELOPMENT PLAN DATED 1993.
 - PROPOSED ADDITION (875 S.F.) WILL REQUIRE 4.3 SPACES OR 5 SPACES
- TOTAL SPACES REQUIRED: 15
PARKING PROVIDED: 10 SPACES AS EXISTING ON PLAN
10. EXISTING SIGN IS IN COMPLIANCE WITH B.C.Z.R. SECTION 413
 11. F.A.R. ALLOWED: TOTAL GROSS FLOOR AREA (Ex. & Prop.) 3,838.5 S.F.
TOTAL GROSS SITE AREA: 16,050 S.F. (Includes 1/2 of Boundary Street)
F.A.R.: 0.239 ALLOWED: 4.0
 11. AMENITY AREA ALLOWED: 0.2
OPEN SPACE: 0.08 Ac ±
 12. HISTORY:
 - LIMITED EXEMPTION APPROVED FEBRUARY 4, 1993 - FILE #93147Z
 - DRC #12133J WAIVER FROM PUBLIC WORKS APPROVED DECEMBER 16, 1993
 - BUILDING PERMIT FOR 1993 ADDITION #B184924
 - DRC #032805E - REFINEMENT TO THE DEVELOPMENT PLAN UNDER SECTION 32-4-262
 13. PARKING AREA IS PAVED WITH A DURABLE DUSTLESS SURFACE AND STRIPED AS SHOWN.

OWNER: KRIS-MARC, INC.
MIKE CAPOBIANCO
6705 BELAIR ROAD
BALTIMORE, MD 21206
(410) 668-8810
TAX MAP: 81 GRID: 21 PARCEL: 759
TAX ACCT. NOS. 1408004176
1408004177
DEED REF.: 6727 / 177

PLAN TO ACCOMPANY PETITION FOR VARIANCE

"PERRY HALL CLEANERS"
#6705 BELAIR ROAD
PART OF LOTS 5, 6, 7
"MACHACEK PLAT" 4/123
ELECTION DISTRICT NO. 14
COUNCILMANIC DISTRICT NO. 6
BALTIMORE COUNTY, MD
SCALE: 1" = 20'
MAY 18, 2005
9063



site rite SURVEYING, INC.
200 E. JOPPA ROAD RM. 101
TOWSON, MARYLAND 21286
PHONE: 410-828-9060
FAX: 410-828-9066

PK 1