IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE
Southwest side of Philadelphia Road
Opposite Ravenwood Drive
14th Election District
6th Council District
(9825 Philadelphia Road)

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 06-463-SPHA

Unberly Philadelphia Road, LLC.,

Legal Owner

and

GTS Gases Technology & Services, Inc.

Contract Purchasers

urchasers *
Petitioners *

ato ato ato ato ato ato a

*

ORDER ON THE MOTION FOR RECONSIDERATION

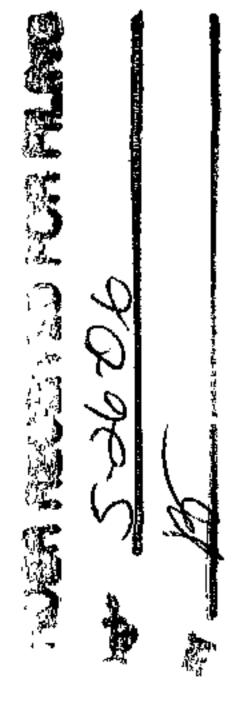
This matter comes before this Deputy Zoning Commissioner as a Motion for Reconsideration filed by J. Neil Lanzi, Esquire, representing the legal owners of the subject property, Unberly Philadelphia Road, LLC.

The Original Case

The Petitioner originally filed requests for Special Hearing and Variance for property located at 9825 Philadelphia Road in the eastern area of Baltimore County. The special hearing relief was requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve ML-IM permitted uses as shown on site plan 0 feet from residential zone boundary in lieu of the 100 feet required. In addition, variance relief is requested from Section 253.4 of the B.C.Z.R., to allow uses permitted in the ML-IM zone to be located zero feet from the residential zone boundary in lieu of the required 100 feet.

Motion for Reconsideration

On May 23, 2006, Counsel filed a timely Motion for Reconsideration/Clarification of this Deputy Zoning Commissioner's Order dated May 16, 2004. In their Motion for Reconsideration,



Counsel requested clarification of condition 2 which requires "All operations of the Petitioner's business shall be contained within enclosed buildings. This does not apply to parking." Counsel notes that paragraph 5 of the Order requires "Compliance with the terms and conditions given in the attached agreement with the Nottingham Improvement Association". The terms of that agreement with Nottingham Improvement Association in Items A1 and 2 denotes the location of the gas storage and equipment display as shown on the redline site plan submitted as Petitioner's Exhibit 2. The agreement requires that the propane gas containers be stored inside cages. The Petitioner intends to provide above-ground storage and sale of various types of cylinder gas and display equipment in addition to the propane gas as shown on the site plan. The question then becomes do equipment displays, propane tanks and gas cylinders have to be inside a building? Findings of Fact and Conclusions of Law

Manufacturing Light (ML) regulations provide that uses within 100 feet of a residential zone boundary are controlled by the uses listed for MR zone. See Section 253.4. Those MR uses are given in Section 241.1 of the BCZR which further requires operations to be entirely within enclosed buildings. I interpret this to mean that any manufacturing operations within 100 feet of a residential boundary are to be within enclosed buildings (excluding parking). Conversely operations outside of the 100 foot distance to a residential boundary are not limited to enclosed buildings.

Petitioner's exhibit 2, the revised redline Plat to Accompany shows that the propane tanks were moved away from a residence in the ML zone as an accommodation to the community. The nearest propane tank shown on the plan seems to be 200 feet away from the residential boundary and so would not have to be in an enclosed building. Similarly gas cylinders and equipment displays outside the 100 foot distance do not have to be within enclosed buildings.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of May 2006 that the Motion for Reconsideration filed in the above-captioned matter is granted. Restriction 2 of the Order, issued May 16, 2006, is hereby amended to read:

2. Operations of the Petitioner's business within 100 feet of a residential boundary shall be contained within enclosed buildings. This does not apply to parking.

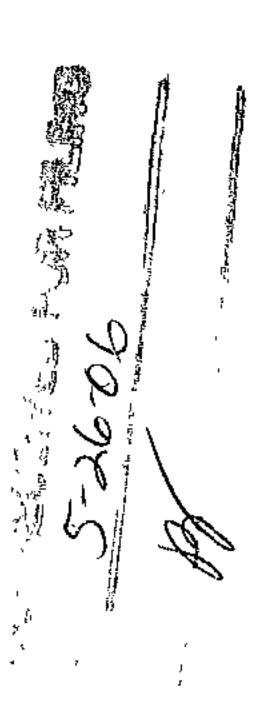
IT IS FURTHER ORDERED that all of the terms and conditions of the Order issued on May 16, 2006 shall remain in full force and effect.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz



DKART

IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE

Southwest side of Philadelphia Road Opposite Ravenwood Drive 14th Election District 6th Council District (9825 Philadelphia Road)

Unberly Philadelphia Road, LLC.,

Legal Owner

and

GTS Gases Technology & Services, Inc.

Contract Purchasers

Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 06-463-SPHA

.

*

*

ORDER ON THE MOTION FOR RECONSIDERATION

This matter comes before this Deputy Zoning Commissioner as a Motion for Reconsideration filed by J. Neil Lanzi, Esquire, representing the legal owners of the subject property, Unberly Philadelphia Road, LLC. The Petitioner originally filed a Special Hearing and Variance for property located at 9825 Philadelphia Road in the eastern area of Baltimore County. The special hearing relief was requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve ML-IM permitted uses as shown on site plan 0 feet from residential zone boundary in lieu of the 100 feet required. In addition, variance relief is requested from Section 253.4 of the B.C.Z.R., to allow uses permitted in the ML-IM zone to be located zero feet from the residential zone boundary in lieu of the required 100 feet.

WHEREAS, on May 23, 2006, Counsel has filed a timely Motion for Reconsideration/Clarification of this Deputy Zoning Commissioner's Order dated May 16, 2004. WHEREAS, in their Motion for Reconsideration, Counsel has requested clarification, specifically of paragraph 2 Restrictions of the Order which requires "All operations of the Petitioner's business shall be contained within enclosed buildings. This does not apply to



JAMES T. SMITH, JR. County Executive

May 26, 2006

WILLIAM J. WISEMAN III Zoning Commissioner

J NEIL LANZI J NEIL LANZI, PA 409 WASHINGTON AVE, SUITE 617 **TOWSON MD 21204**

> Re: Petition for Special Hearing & Variance Case No. 06-463-SPHA Motion for Reconsideration Property: 9825 Philadelphia Road

Dear Mr. Lanzi:

Enclosed please find the decision rendered in the above-captioned case.

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,

Solve V. Murphy

John V. Murphy

Deputy Zoning Commissioner

for Baltimore County

JVM:pz

Clyde Hinkle, Bafitis & Associates Inc., 1249 Engleberth Rd, Baltimore MD 21221 Joseph Longo, GTS Gases Technology & Services Inc., 8025 Dorsey Run Rd, Jessup MD 20794 Lauren Taylor, 409 Washington Ave, Towson MD 21204 Unberly Philadelphia Road LLC, 9825 Philadelphia Road, Baltimore MD 21227 Judith Davies, 9929 Philadelphia Road, Baltimore MD 21237 Joan Buedel, 9211 Nottingwood Road, Baltimore MD 21237 Sharon Waddill, 9918 Philadelphia Road, Baltimore MD 21237 Barbara Bell, 9930 Philadelphia Road, Baltimore MD 21237 Susan Selway, 9904 Philadelphia Road, Baltimore MD 21237 Lorenzo DiCcocco, 9912 Philadelphia Road, Baltimore MD 21237

IN RE: PETITIONS FOR SPECIAL HEARING & VARIANCE

Southeast side of Philadelphia Road

Opposite Ravenwood Drive

14th Election District6th Councilmanic District

(9825 Philadelphia Road)

Unberly Philadelphia Road, LLC.,

Legal Owner

and

GTS Gases Technology & Services, Inc.

Contract Purchasers

Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 06-463-SPHA

* * * * * * * * * * * *

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as Petitions for Special Hearing and Variance filed by the legal owner of the subject property, Unberly Philadelphia Road, LLC. and GTS Gases Technology & Services, Inc., contract purchasers. The Petitioners are requesting special hearing and variance relief for property located at 9825 Philadelphia Road in the eastern area of Baltimore County. The special hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve ML-IM permitted uses as shown on site plan 0 feet from residential zone boundary in lieu of the 100 feet required. In addition, variance relief is requested from Section 253.4 of the B.C.Z.R., to allow uses permitted in the ML-IM zone to be located zero feet from the residential zone boundary in lieu of the required 100 feet.

The property was posted with Notice of Hearing on April 18, 2006, for 15 days prior to the learing, 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 18, 2006 to notify any interested persons of the scheduled hearing date.

である。アクスノウ・

Applicable Law

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, offstreet 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 State Highway Administration dated April 3, 2006, a copy of which is attached hereto and made a part hereof. A ZAC comment was also received from the Office of Planning dated May 3, 2006, a copy of which is attached hereto and made a part hereof.

Interested Persons

いるが変え

Appearing at the hearing on behalf of the variance and special hearing requests were Joseph Longo of GTS Gases Technology & Services, Inc. and Clyde Hinkle, P.E. of Bafitis & Associates,

Inc., who prepared the site plan was also in attendance. J. Neil Lanzi, Esquire represented the Petitioners. No Protestants or interested citizens attended the hearing. People's Counsel. However members of the Nottingham Improvement Association with whom Mr. Lanzi discussed this matter requested copies of the Order. Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this variance request, contains 1.16 acres of land zoned ML-IM and 0.23 acres zoned DR 3.5 as shown in Petitioners' Exhibit 2, the revised Plat to Accompany. The property is located on the eastern side of Philadelphia Road at Ravenwood Road. The site is improved by a one story building which had been a retail and four bay service garage for Cooper Tires but is now vacant.

While exhibit 2 shows the split zoning on the property, the zoning map in the file shows the larger zoning scheme. As indicated there is a 150 foot wide strip of DR 3.5 along the eastern side of Philadelphia Road and ML-IM zoning behind the strip. The DR 3.5 strip narrows to approximately 55 feet as it crosses the subject property. The existing building while located in the ML portion of the site, abuts the DR 3.5 zoned area on the subject property. This triggers the need for zoning relief.

Petitioner GTS would like to move its operations from Golden Ring to the proposed location. GTS sells welding supplies and equipment, sells containers filled with flammable and inert gases, and repairs welding machinery. The very front of the existing building will contain the sales area and office. This is less than 15 % of the floor area of the building. Customers would park in spaces along the building and otherwise as shown on exhibit 2. 11 spaces are required. 18 spaces will be provided.

The surrounding neighborhood has a contractor's storage yard on one side and proposed bank on the other. While there are homes on the western side Philadelphia Road, the nearest home

on the eastern side is the Morazzand property as shown on exhibit 2 located in the MLIM zone. Hours of operation will be 7:30 AM to 5 PM. Storage and sale of flammable gases will be regulated by state and federal government standards.

Mr. Lanzi indicated that he met with the Nottingham Improvement Association and entered into an agreement which terms are summarized in a letter to this Commission dated May 4, 2006 from Mr. Lanzi. The Petitioner agreed to abide by the terms of this letter as well as the ZAC comment from the Office of Planning dated April 18, 2006 except that the Petitioner plans to keep the existing fence. One of the terms of the Association agreement is to move the location of the flammable gases away from the Morazzand property as shown in red on exhibit 2. Finally the Petitioner agreed to abide by the ZAC comments of State Highway Administration.

Because the property is split zoned with a residential zone, and the existing building is virtually on the residential zoning line, the Petitioner requested alternative relief of ML uses within 0 feet of a residential zone. Mr. Lanzi opined that the property was unique given the existing building and it proximity to the DR zoning line. He indicated that it would be impractical to move the building at all much 100 feet away from the DR line. Finally he noted that given the uses on the eastern side of Philadelphia Road, the agreement with the Improvement Association and County/SHA comments, granting the relief requested will not adversely affect the community.

Findings of Fact and Conclusions of Law

Special Hearing

Split zoning on property often disproportionally impacts properties. Here the DR 3.5 strip along Philadelphia Road buffers the large expanse of ML-IM zoning east of this major roadway. This is most unusual. The existing building is located in the ML zone so that the proposed uses are allowed by right but it is nearly on the DR 3.5/ ML-IM zoning line. As such it triggers provisions of Section 253.4 of the BCZR which specify the uses that can be made in a ML zone within 100 feet of a residential zoned boundary are limited to those in the MR zone. Most importantly these MR

uses are permitted provided their operations are entirely within enclosed buildings. The MR regulations are intended to protect the residential uses over the boundary by insuring that all noise, waste, and maintenance are contained within the building and consequently the impact on the residential uses is greatly reduced.

One question arises as to parking. Does parking have to be within an enclosed building? Asked another way is parking part of the "operations" of the business from a zoning perspective? As strange as it may seem at first, my answer is parking is not part of "operations" which must be enclosed. I come to this conclusion looking at the list of uses allowed in the MR zone. For example banks are allowed. Clearly parking for customers of the bank are not going to be within the enclosed bank building whereas the banking operations themselves would be in the building. Similarly parking for customers and employees of the manufacturing businesses listed is not going to be in an enclosed building. But the noise making, fume generating, etc operations have to be inside a building. Again this greatly reduces the impact of the industrial uses on the residential uses over the boundary. Consequently I find that employee and customer parking do not have to be within an enclosed building.

As noted by the Petitioner and Improvement Association, granting these requests by special hearing and not by variance is preferable way to handle these requests. I agree. I also find that the special hearing relief will not adversely impact the community if the terms and conditions of the agreement between the Petitioner and Improvement Association are incorporated into the Order. Finally I will require the Petitioner comply with the ZAC comments of the Office of Planning and SHA except that there is no need to replace the fence around the property.

Variances

Having granted the special hearing, the request for variance becomes moot and so will be denied.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' requests for special hearing should be granted with conditions.

THEREFORE, IT IS ORDERED, this Land day of May, 2006, by the Deputy Zoning Commissioner, that the Special Hearing request filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve ML-IM permitted uses as shown on site plan 0 feet from residential zone boundary in lieu of the 100 feet required, be and is hereby GRANTED; subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition;
- 2. All operations of the Petitioner's business shall be contained within enclosed buildings. This does not apply to parking.
- 3. Compliance with the ZAC comments submitted by the State Highway Administration dated April 3, 2006, a copy of which is attached hereto and made a part hereof;
- 4. Compliance with the ZAC comments submitted by the Office of Planning dated April 18, 2006, a copy of which is attached hereto and made a part hereof except that the Petitioner may retain the existing fencing; and
- Compliance with the terms and conditions given in the attached agreement with the Nottingham Improvement Association; and
- 6. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED, that the variance relief requested from Section 253.4 of the B.C.Z.R., to allow uses permitted in the ML-IM zone to be located zero feet from the residential zone boundary in lieu of the required 100 feet, be and is hereby DENIED as moot.

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

7



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 9825 Philadelphia Road which is presently zoned DR 3.5 ML-IM

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

ML-IM permitted uses as shown on site plan 0 feet from residential zone boundary in lieu of 100 feet required

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

If 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): Unberly Philadelphia Road, LLC Technology & Services, Inc. Namo - Type or Print Name - Type of Pun-Joseph Lango, Reg Mngr Signature 8025/Doxtstey/Rupi/Road 410-796-8847 President mebel Addpess Telephone No. Name - Type or Par Jessup MD20794 City **State** Zip Code Signature 9825 Philadelphia Road Attorney For Petitioner: Address Telephone No. J. Neil Lanzi Baltimore, MD -21227 21737 City State Zip Code Representative to be Contacted: Signatura J. Neil Lanzi, P.A. Nac Consi Company 409 Washington Ave, Ste 617 Name 410-296-0686 408 410 296 0686 Moshmyton Quo 41612 Address Telephone No. Address Telephone No. Towson MD MO 21204 7dwson 0004 CILY State Zip Cope City Stalo Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING UNATE FOR HEARING Raviewed By REV 9/15/98



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9825 Philladelphia Road

which is presently zoned DR 3.5 ML-IM

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)

253.4 to allow uses permitted in the ML-IM zone to be located zero feet from the residential zone boundary in lieu of the required 100 feet.

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

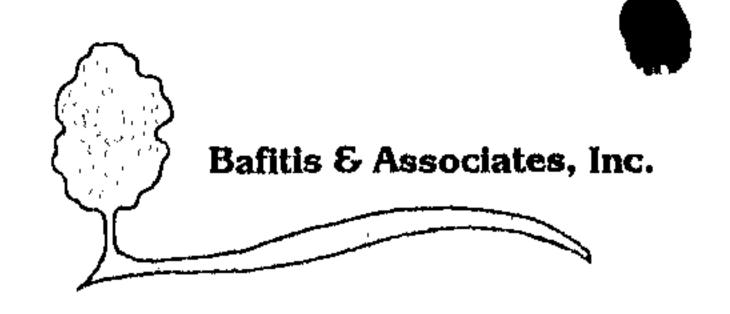
Property is to be posted and advertised as prescribed by the zoning regulations.

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 end 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:

	Commet rurenaser/Lessee:	<u>Legal Owner(s):</u>
Joseph	Elignature Reg Mingr	Unberly Philadelphia Road, I.C. Type of Print Carpbell Carpbell
	8025 Dorsey Run Rd 410-796-8847 Address Telephone No. Jessup MD 20794	Name - Type of Built Campbell President
	Altornev For Petitioner:	Signature 9825 Philadelphia Road Address Telephone No.
	Name Type or Print) City	Baltimore, MD 21237 $2p code 2/23$
	J. Neil Lanzi, P.A. Company 409 Washington Ave Ste 617 410-296-0686	Representative to be Confected:
	Address Tolophons No. Tolophons No. Zip Code	Address Telephone No.
	19/ 1/1 CALL	OFFICE USE ONLY
	Case No. (6) 16) Mewiawed By 1	UNAVAILABLE FOR HEARING DOTA 206
\	₩	



Zoning Description
9825 Philadelphia Road
(Maryland Route 7)
15th Election District
Baltimore County, Maryland

Beginning for the same at the centerline of Ravenwood Road, 50 feet wide, extended Easterly to the East side of Philadelphia Road, 60 feet wide, thence 65' ± northeasterly along the East side of Philadelphia Road to the Point Of Beginning; thence South 52°-30'-00" East 329.66' to a lease line thence binding on the lease line; South 37°-30'-00" West 185.00' to point on the Southerly property line thence binding on said property line, North 52°-30'-00" West 327.27' to the East side of said Philadelphia Road thence binding on the East side of Philadelphia Road North 34°-00'-00" East 185.00' to the Point Of Beginning.

Containing 60,763 S.F., 1.39 acres of land more or less. (Leased Area)

Being portion of the land described in a deed recorded among the Land Records of Baltimore County in Liber 8118, Folio 162.

William N. Bafitis, J.E., MD. Reg. No. 11641

Date

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: #06-463-SPHA

9825 Philadelphia Road Southeast side of Philadelphia Road opposite

Ravenwood Drive

Ravenwood Drive
14th Election District - 6th Councilmanic District
Legal Owner(s): Unberly Philadelphia Road, LLC
Special Hearing: to allow ML-IM permitted uses as shown on site plan 0 feet from residential zone boundary in fleu of 100 feet required.

Special Variance: to allow uses permitted in the ML-IM zone to be located zero feet from the residential zone boundary in fleu of the required 100 feet.

Hearing: Wednesday, May 3, 2006 at 9:00 a.m., Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

Towson 21204.

WILLIAM 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) 887-3868.

(2) For Information Concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

CERTIFICATE OF PUBLICATION

4-20,2006
THIS IS TO CERTIFY, that the annexed advertisement was published
In the following weekly newspaper published in Baltimore County, Md., once in each ofsuccessive weeks, the first publication appearing on $4/8$ _,2006.
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
J. WUKMS LEGAL ADVERTISING

CASHIER'S VALIDATION YELLOW - CUSTOMER S BALTIMORE COUNTY, MARYLAND **AMOUNT** OFFICE OF BUDGET & FINANCE RECEIPT PINK - AGENCY Act by by a fine of the state o MISCELLANEOUS 4,5 (Joseph) DISTRIBUTION WHITE - CASHIER RECEIVED FROM: DATE FOR:

CERTIFICATE OF POSTING

	RE: Case No.: 06-463-5PHA
	Petitioner/Developer: 1)UBERLY
	PHILADELPHIA RD
	Date of Hearing/Closing: MAY 3 200
Baltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapeake Avenue Towson, Maryland 21204	
ATTN: Kristen Matthews {(410) 887-3394}	` ,
 Ladies and Gentlemen:	
9825 Pl	4-18-06
ZONIEG NOTICE	lincerely, Robert Dane 4-12-00
CASE # (Y, 1/3) SIN	(Signature of Sign Poster) (Date)
A PUBLIC HEARING WILL BE HELD BY THE JOHING COMMISSIONER IN TOWSON, MD	SSG Robert Black
RECORD 1901 COUNTY COUNTS BUILDING	(Print Name)
DATE AND TIME; WILDING TO ALLOW ML IM PROVIDED	1508 Leslie Road
CHAIN ON SHE PLAN () IT THE ME IN THE IN THE IN THE STANDARD IN THE ME IN THE STANDARD IN TH	(Address)
Management for the first of the	Dundalk, Maryland 21222
	(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

TO: PATUXENT PUBLISHING COMPANY

Tuesday, April 18, 2006 Issue - Jeffersonian

Please forward billing to:

J. Neil Lanzi, Esq.

(410-296-0686)

409 Washington Ave, Ste 617

Towson, MD 21204

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: 06-463-SPHA

9825 Philadelphia Road Southeast side of Philadelphia Road opposite Ravenwood Drive 14th Election District -- 6th Councilmanic District Legal Owner: Unberly Philadelphia Road, LLC

Special Hearing to allow ML-IM permitted uses as shown on site plan 0 feet from residential zone boundary in lieu of 100 feet required.

Special Variance to allow uses permitted in the ML-IM zone to be located zero feet from the residential zone boundary in lieu of the required 100 feet.

Hearing: Wednesday, May 3, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, 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 410-887-3868.

(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 31, 2006

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: 06-463-SPHA

9825 Philadelphia Road Southeast side of Philadel

Southeast side of Philadelphia Road opposite Ravenwood Drive

14th Election District – 6th Councilmanic District

Legal Owner: Unberly Philadelphia Road, LLC

Special Hearing to allow ML-IM permitted uses as shown on site plan 0 feet from residential zone boundary in lieu of 100 feet required.

Special Variance to allow uses permitted in the ML-IM zone to be located zero feet from the residential zone boundary in lieu of the required 100 feet.

Hearing: Wednesday, May 3, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:raj

C: J. Neil Lanzi, P.A., 409 Washington Avenue, Ste. 617, Towson, MD 21204 Unberly Philadelphia Rd., LLC, c/o Arthur C. Campbell, 9825 Philadelphia Rd., Baltimore, MD 21237 GTS Gases Technology & Services, Inc., c/o Joseph Longo, Reg. Mgr., 8025 Dorsey Run Rd., Jessup, MD 20794

NOTES:(1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 18, 2006.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.
- (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

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.

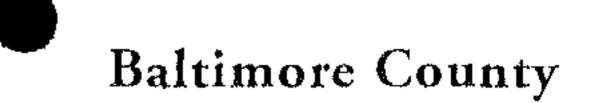
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 06 463 SKHA
Petitioner: UNBERLY HANADZUPHIA RD LL (
Address or Location: 9925/PAN MOENPIA RID
PLEASE FORWARD ADVERTISING BILL TO:
Name: Dail Campi
Address: 409 Washington and
Towar Md 21204
Telephone Number: 410 296 0686

Department of Permits and 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 28, 2006

Arthur C. Campbell Umberly Philadelphia Road, LLC 9825 Philadelphia Road Baltimore, MD 21237

Dear Mr. Campbell:

RE: Case Number: 06-463-SPHA, 9825 Philadelphia Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 24, 2006.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr. Supervisor, Zoning Review

u. Callabal)

WCR:amf

Enclosures

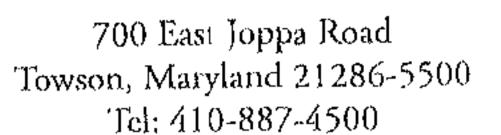
c: People's Counsel

J. Neil Lanzi, P.A. 409 Washington Ave, Ste 617 Towson 21204 GTS Gases Technology & Services, Inc. Joseph Lango, Regional Manager 8025 Dorsey Run Road Jessup 20794



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

Fire Department







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 April 4, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: April 3, 2006

Item Numbers: 446, 457-470 463

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.

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

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File



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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: April 6, 2006

Department of Permits & Development

Management

FROM:

Dennis Λ. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 10, 2006 Item Nos. 446, 457, 458, 459, 462, 463,

464, 465, 467, 468, 469, and 470

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

DAK:CEN:clw

ce: File ZAC-NO COMMENTS-04062006.doc

15/3

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: April 18, 2006

APR 3 0 2000

Department of Permits and Development Management

FROM:

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

SUBJECT:

9825 Philadelphia Road

INFORMATION:

Item Number:

6-463

Petitioner:

GTA Technology and Services c/o J. Neil Lanzi

Zoning:

DR 3.5 and ML-IM

Requested Action:

Variance and Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the request to use the subject property for a contractor's equipment storage and machinery sales operation with welding operations on site and the above ground storage and sale of cylinder gas and equipment. This Office does not oppose the proposed use and variances provided the following conditions are met:

- 1. The property shall be screened entirely with a combination of fencing and landscaping.
- 2. The Philadelphia Road street frontage, entrance, and parking area shall be treated with fencing and plant material that is compatible with the residential use across the street on the north side of Philadelphia Road to mitigate the adverse impacts associated with the industrial use.

For further information concerning the matters stated here in, please contact Laurie Hay at 410-

887-3480.

Prepared by:

Division Chief: AFK/LL: CM



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

April 3, 2006

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

RE: Baltimore County Item No. 463 (JLL) 9825 Philadelphia RD MD 7

Mile Post 5.25

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. However we will require the owner to obtain an access permit through our office and as a minimum the following may be conditioned to the permit:

- The construction of standard 8" combination curb, gutter and sidewalk 16' from the existing travel lane from property corner to property corner.
- The entrance shall be 25' in width.
- Right-of-way dedication to an ultimate 80' right-of-way shall be required.
- A hydraulic analysis may be required.

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

Very truly yours,

Steven D. Foster, Chief

Engineering Access Permits Division

RE: PETITION FOR SPECIAL HEARING

AND VARIANCE

*

9825 Philadelphia Road; SE/S Philadelphia

Road opposite Ravenwood Drive

14th Election & 6th Councilmanic Districts

Legal Owner(s): Unberly Philadelphia Rd, LLC

Contract Purchaser(s): GTS Gases Technology*

& Services, Inc

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

BALTIMORE COUNT I

06-463-SPHA

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 7th day of April, 2006, a copy of the foregoing Entry of Appearance was mailed J. Neil Lanzi, Esquire, 409 Washington Avenue, Suite 617, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

APR 0 7 2006

Per X

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

J. NEIL LANZI, P.A.

ATTORNEY AT LAW
MERCANTILE BUILDING, SUITE 617
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(410) 296-0686

FAX: (410) 296-0689

E-Mail: lanzilaw@cs.com

March 22, 2006

COLUMBIA
Suite 420, Parkside Bldg
10500 Little Patuxent Parkway

Columbia, Maryland 21044-3563

Reply to Towson

J. Neil Lanzi

OF COUNSEL
Fred L. Coover*

*Also Admitted in District of Columbia

HAND-DELIVERED

John Lewis Department of Permits and Development Management 111 West Chesapeake Avenue Towson, Maryland 21204

Re: 9825 Philadelphia Road

Dear Mr. Lewis:

As you will recall, I participated in a zoning filing appointment for the above referenced property with you on March 7, 2006. At that time, it was determined that revisions should be made to the site plan, petition and zoning description. I have made the revisions requested and now enclose the following documents as a "drop-off filing":

- 1. Twelve site plans
- 2. Two sets of three original zoning descriptions, one for the ML-IM zoned area and one set for the leased area as requested.
 - 3. Zoning map
 - 4. Firm check in the amount of \$650.00 for the filing fees
 - 5. Advertising form

Also as requested, I am enclosing the draft site plan containing my notes from our meeting of March 7, 2006. You will note the issues have been addressed and I would request you destroy the draft upon the completion of your review.

Once accepted, would you kindly provide me with the item number and forward a receipt for the fees. Thank you again for your cooperation.

Very truly yours,

J. Neil Lanzi

1 / Shaw

JNL\mal

cc: Joe Longo

William Bafitis, P.E.

J. NEIL LANZI, P.A.

ATTORNEY AT LAW
MERCANTILE BUILDING, SUITE 617
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(410) 296-0686

FAX: (410) 296-0689

E-Mail: lanzilaw@cs.com

COLUMBIA

Suite 420, Parkside Bldg 10500 Little Patuxent Parkway Columbia, Maryland 21044-3563

Reply to Towson

March 22, 2006

John V. Murphy, Deputy Zoning Commissioner Baltimore County Courts Building 401 Bosley Avenue, Suite 405 Towson, Maryland 21204

Re: Case No. 06-463-SPHA

Petition for Special Hearing and Variance Property Address: 9825 Philadelphia Road MAY 2 3 2000

Dear Mr. Murphy:

J. Neil Lanzi

OF COUNSEL

Fred L. Coover*

Also Admitted in District of Columbia

Receipt of your letter and decision dated May 16, 2006 for the above captioned case is hereby acknowledged. The purpose of this letter is to request clarification of your decision. Specifically, in paragraph 2 (Restrictions) of your Order, you indicate that "all operations of the Petitioner's business shall be contained within enclosed buildings. This does not apply to parking". Then in paragraph 5 of your Order (Restrictions) you require "Compliance with the terms and conditions given in the attached agreement with the Nottingham Improvement Association". The letter agreement with Nottingham Improvement Association in Items A1 and 2 discuss the relocation of gas storage from the area adjacent to the Morazzand property line to the opposite side of the property as close as possible to the Camz property line as shown on the redline site plan submitted as Petitioner's Exhibit 2. In addition, the letter agreement requires that the propane gas containers be stored inside cages. As you will recall from the testimony and the site plan, the Petitioner intends to provide above ground storage and sale of various types of cylinder gas in addition to the propane gas as shown on the site plan.

Since the site plan was approved showing the location of the various types of gas storage and the letter agreement was made part of your Order, I believe it was your intent to allow these items as shown on the site plan. This would mean the gas storage and sales would not be required to be contained within enclosed buildings as part of the "operations" of the Petitioner's business. Please confirm my understanding is correct at your earliest convenience.

5-26-06.

John V. Murphy, Deputy Zoning Commissioner May 22, 2006 Page Two

Thank you for your consideration of this clarification request.

Very truly yours,

J. Neil Lanzi

JNL∖mal

cc: Joseph Longo Clyde Hinkle Sharon Waddill

52806 1900 J. NEIL LANZI, P.A.

ATTORNEY AT LAW
MERCANTILE BUILDING, SUITE 617
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(410) 296-0686

FAX: (410) 296-0689

E-Mail: lanzilaw@cs.com

May 4, 2006

COLUMBIA

Suite 420, Parkside Bldg 10500 Little Patuxent Parkway Columbia, Maryland 21044-3563

Reply to Towson

MAY - 5 2006

MANIE COMMISSIONED

J. Neil Lanzi

OF COUNSEL
Fred L. Coover*

*Also Admitted in District of Columbia

Sharon Waddill, Secretary Nottingham Improvement Association 9918 Philadelphia Road Baltimore, Maryland 21237

Re:

9825 Philadelphia Road Case No. 06-463-SPHA

Dear Ms Waddill:

This letter is in follow up to our meeting of May 2, 2006 regarding the above referenced property and zoning case. I represent the Petitioner/Lessee, GTS Gases Technology and Services, Inc. in this case. Present at the meeting for the Petitioner were Neil Lanzi, Joseph Longo, Regional Manager of GTS Gases and Technology Services, Inc. and Clyde Hinkle, Zoning Consultant with Bafitis & Associates, Inc. Present for the community were President Lorenzo DiCocco, Susan Selway, Barbara Bell, Joan Buedel, Judith Davies and Sharon Waddill.

As requested by representatives of your association at the meeting, this letter will confirm the agreement reached between my client and the Nottingham Improvement Association. The terms of the agreement were proffered by me at the zoning hearing before John Murphy, Deputy Zoning Commissioner for Baltimore County on Wednesday, May 3, 2006. The terms are as follows:

- A. The Nottingham Improvement Association has no objection to the zoning relief requested in Case No. 06-463-SPHA and the uses proposed by the Petitioner for the property known as 9825 Philadelphia Road, subject to the conditions listed below.
- 1. Petitioner will relocate the gas storage from the current proposed location adjacent to the Morazzand property line to the opposite side of the property as close as possible to the Umberly Philadelphia Road, LLC aka CAMZ property line. This relocation was shown on the red-line site plan submitted as Petitioner's Exhibit 2 at the hearing.
 - 2. The propane gas containers will be stored inside cages.
 - 3. Petitioner will provide security lighting around the building.

2000 - 100 -

- 4. Petitioner will remove all existing signs on the property and will install one identification sign between Philadelphia Road and the existing fence in the front portion of the property. The sign will be no higher than five feet and will be 30 square feet or less. The sign may be illuminated with lower intensity lighting. The sign was also shown on Petitioner's Exhibit 2.
- 5. Petitioner will provide landscaping in accordance with the Baltimore County Office of Planning comments, including the providing of landscaping along the front of the existing building, fence and around the base of the new sign.
- 6. The hours of operation of Petitioner's business will be 7:30 a.m. until 5:00 p.m., Monday Friday. The business will not be open otherwise except for emergencies.
- 7. The gas storage will be regulated by state and federal law, including the applicable OSHA regulations.

Finally, as explained at the meeting, the zoning relief was requested by way of variance and/or special hearing in the alternative. As requested, I represented to the hearing officer that the community would prefer the special hearing relief be granted as deemed appropriate by the hearing officer and that any zoning relief would be limited to this Petitioner and this Petitioner's proposed uses on the subject property. A copy of the signup sheet from the May 2, 2006 meeting was provided as an exhibit at the hearing and the request made to have copies of the zoning decision be forwarded to those in attendance at our meeting.

Should the above not accurately describe the agreement terms between my client and your association, please contact me immediately. Thank you again for meeting with us on such short notice.

Very truly yours,

The Longi Inc.

JNL\mal

cc: Joseph Longo Clyde Hinkle

John Murphy, Deputy Zoning Commissioner

Mage Inprim, Cesson.

40
40
401-1489 11P

From:

<sheilo2@comcast.net>

To:

<pdre><pdre>co.ba.md.us>

CC:

Sharon Waddil < Nottingham1@erols.com > , Larry DiCocco

<ld><ldicocco@erols.com>, Judy & Ron Davies <jdavies@jhmi.edu>

Date:

Tuesday - October 3, 2006 5:45 PM

Request inspection for violation of zoning Subject:

1. Self Storage Facility, 1200 Middle River Road, White Marsh MD consistently positions used vehicles along Middle River Road. Tentative customers crossing over CSX bridge will brake to view cars impede traffic. We do not believe a storage facility is licensed to sell used cars.

- 2. Kimball Construction, 9615 Philadelphia Road, White Marsh MD frequently places used cars for sale in front of their sign along Philadelphia Road. Not a used car dealer.
- 3. JB Auto Machine, 9701 Philadelphia Road White Marsh MD constantly places anywhere from one to five cars in front of their fence along Philadelphia Road. Not a dealership. Automotive repair.
- 4. Community Concrete Restoration Center, 9701 Philadelphia Road, White Marsh MD has made improvements to property with fence setback, uplights, some flowers, and small trees. Our compliments. But, fence does not conceal rubble view.
- 5. Stuckey's Lawn and Garden, 9709 Philadelphia Road, White Marsh MD has made tremendous improvements to property with fence setbacks, decorative sign with lights, stone wall garden around sign, and gravel roadbed. Was permit granted for sign? Is setback proper footage from road? Has draining water from Stuckey's drive been corrected? During winter months leakage has caused a severe ice problem.
- 6. Private Home, 9734 Philadelphia Road, White March MD has been under remodeling for the last nine to ten years. Is former historical site of Buck's Schoolhouse. There is debris, equipment, pallets, and shrub overgrowth at the front of the house facing Philadelphia Road. This does not give the neighborhood a good appearance.
- 7. Gamz Trucking, formerly Umerly Trucking, 9813 Philadelphia Road, White Marsh MD are parking and selling used cars and trucks on the front of their property. Additionally they are storing trailers in the rear of the property. They have been doing a lot of earth moving for parking spaces for

trucks without a sediment pond. Also have hugh amounts of dirt (questionable) stored in rear of property. This is not a storage facility and we as neighbors do not know what type of chemicals are in this mound of stuff. What is happening to runoff?

- 8. Abandoned House, (Equitable Mortgage), 9911 Philadelphia Road, White Marsh MD has been setting vacant for some time. It now appears that transcients and kids are using this house for a hangout. There is drug paraphanalia in the upstairs rooms of the house and the windows have been knocked out. House needs to be boarded up and raised. This is not a good element for our neighborhood. We have notified the Mortgage company of the situation to no avail.
- 9. Air pollution, approximately at the 11,000 Block of Philadelphia Road close to the Reclamation Center. Stench in the air for about two to three blocks is that of something decaying or dumping of sewage. Needs to be corrected.

Kather Ob 463 SPHA

FREQUENT FLYER ATTORNEYS DROP OFF ZONING PETITIONS POLICY PROCEDURES

The following zoning policy is related to the filing of zoning petitions and is aimed at expediting the petition filing process with this office:

- 1. The Director of the Office of Permits and Development Management (PDM) allows zoning attorneys who frequently file for zoning hearings and who are capable of filing petitions that comply with <u>all</u> technical aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of an appointment for review by zoning personnel.
- Any attorney using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. In the event that the petition has not been filed correctly, there is the possibility that another hearing will be required or the zoning commissioner may deny the petition due to errors or incompleteness. All petitions filed in this manner will receive a cursory review and if necessary they will be commented on by zoning personnel prior to the hearing. A corrective memo by zoning review may be placed in the hearing file to be considered by the Hearing Officer.
- 3. When a petition has been dropped off by the attorney, it will only be reviewed for very basic necessary input, logging, and distribution information.

No advertising form

	Nothinghom Improvement ASSOCIATION SUDITH DAVIES 9929 PHILADELPHIA RD 21237
	JOAN BUEDEL 9211 NOTTINGWOOD RD 21237
Servelary	Sharon Waddill 9918 Philadelphia Rd. 2123
	BARBARA BELL 9930 PHILADELPHIA PB 21237
_	SUSAN SELWAY 9904 PHILADELPHIA ROAD 21237
2, 151d en T	Lorenzo Di Cocco 9912 Philadelphia Rel 21287 (410) 687-6824
	MESTING MAY 2,2006

REC 414



Click here for a plain text ADA compliant screen.



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

Go Back View Map New Search Ground Rent

Account Identifier:

District - 15 Account Number - 1502202973

Owner Information

Owner Name:

CAMZ PHILADELPHIA ROAD LLC

Use:

INDUSTRIAL

Principal Residence: NO

Mailing Address: 9813 PHILADELPHIA RD

BALTIMORE MD 21237-3405

Deed Reference:

1) /23282/ 260

2)

Location & Structure Information

Premises Address

9825 PHILADELPHIA RD

Legal Description

2,29 AC

NE COR HENRY STREET MARY R HENRY ESTATE

Map Grid Parcel Sub District Subdivision Section Block Lot Assessment Area Plat No:

82 16 573

Town

Ad Valorem

Special Tax Areas Tax Class **Primary Structure Built**

Enclosed Area 5,500 SF

Property Land Area 2,29 AC

County Use

Plat Ref: 7/ 37

Stories

1961

Basement

Type

Exterior

Value Information

Base Value Value Phase-in Assessments As Of

As Of

As Of

01/01/2006 07/01/2005 07/01/2006

Land:

Improvements:

354,800

154,800

458,000 164,000

622,000

547,066

Total: **Preferential Land:**

509,600

509,600

Transfer Information

Seller: UMBERLY PHILADELPHIA ROAD LLC

Date: 01/25/2006

Deed1: /23282/ 260

\$4,000,000 Price:

Type: MULT ACCTS ARMS-LENGTH Seller: UMERLEY LEO J, SR

Date: Type: NOT ARMS-LENGTH

Price: \$0

Deed1:

06/22/2004

Deed2:

Deed2:

Seller: DUDLEY JOHN E Type: NOT ARMS-LENGTH **Date:** 03/06/1989

Deed1: / 8118/ 162

Price: \$0

Deed2:

Exemption Information

Partial Exempt **Assessments**

Class

07/01/2005

07/01/2006



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

Go Back View Map New Search **Ground Rent**

Account Identifier:

District - 15 Account Number - 1508301750

Owner Information

Owner Name:

CAMZ PHILADELPHIA ROAD LLC

Use:

INDUSTRIAL

Mailing Address:

9813 PHILADELPHIA RD **BALTIMORE MD 21237-3405** Principal Residence:

NO

Deed Reference:

1) /23282/ 260

2)

Location & Structure Information

Premises Address

PHILADELPHIA RD

Legal Description

HENRY ESTATE

5.34 AC SS PHILA RD

W FROM MOHRS LA

Assessment Area Plat No: **Block Lot** Subdivision Section Parcel **Sub District** Grid Мар 575 16

Plat Ref:

7/ 37

Special Tax Areas

Ad Valorem **Tax Class**

Town

Property Land Area County Use Primary Structure Built **Enclosed Area** 5.34 AC 06 0000

Stories

Basement

Type

Exterior

Value Information

Phase-in Assessments Base Value As Of As Of Value As Of 07/01/2006 01/01/2006 07/01/2007 Land: 280,300 640,800 Improvements: 640,800 400,466 520,632 Total: 280,300 Preferential Land:

Transfer Information

Seller: UMBERLY PHILADELPHIA ROAD LLC MULT ACCTS ARMS-LENGTH

Seller: UMERLEY LEO J NOT ARMS-LENGTH Type:

Seller: GISCHEL JOHN P. IMPROVED ARMS*LENGTH Type:

01/25/2006 Date:

Date:

Deed1:

Deed1: /23282/ 260

06/22/2004

Price: \$4,000,000 Deed2:

Price: \$0

Deed2:

05/16/1988 Price: Date: **Deed1:** / 7862/ 52 Deed2:

\$260,000

Exemption Information

07/01/2007 07/01/2006 **Partial Exempt Assessments** Class 000 County 000 State Municipal 000

Tax Exempt: **Exempt Class:**

Type:

NO

A 10

Special Tax Recapture:

* NONE *

Click here for a plain text ADA compliant screen.



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

Go Back View Map **New Search Ground Rent**

Account Identifier:

District - 15 Account Number - 1508301750

Owner Information

Owner Name:

CAMZ PHILADELPHIA ROAD LLC

Use:

INDUSTRIAL

Mailing Address:

9813 PHILADELPHIA RD **BALTIMORE MD 21237-3405** Principal Residence:

NO

Deed Reference:

1) /23282/ 260

2)

Location & Structure Information

Premises Address

PHILADELPHIA RD

Legal Description

HENRY ESTATE

5.34 AC SS PHILA RD W FROM MOHRS LA

Subdivision Grid **Sub District Block Lot** Map Parcel Section 16 82 575

Plat No: **Assessment Area**

Plat Ref: 7/ 37

Special Tax Areas

Stories

Town **Ad Valorem**

Tax Class **Primary Structure Built**

Enclosed Area 0000

Basement

Property Land Area

5.34 AC

County Use

06

Type

Exterior

Value Information

Value Base Phase-in Assessments Value As Of As Of As Of 01/01/2006 07/01/2007 07/01/2006 280,300 640,800 Improvements:

Total: **Preferential Land:** 280,300

640,800

400,466

520,632

Transfer Information

UMBERLY PHILADELPHIA ROAD LLC Seller: Type:

MULT ACCTS ARMS-LENGTH UMERLEY LEO J

Land:

Seller: NOT ARMS-LENGTH GISCHEL JOHN P.

Seller: IMPROVED ARMS*LENGTH Type:

Date: 01/25/2006 **Deed1:** /23282/ 260

Deed1: / 7862/ 52

05/16/1988

Date:

Date:

Deed1:

06/22/2004

Price: \$4,000,000 Deed2:

\$0 Price:

Deed2:

Price: \$260,000 Deed2:

Exemption Information

Partial Exempt Assessments Class 07/01/2006 07/01/2007 County 000 State 000 Municipal 000

Tax Exempt: Exempt Class:

Type:

NO

Special Tax Recapture:

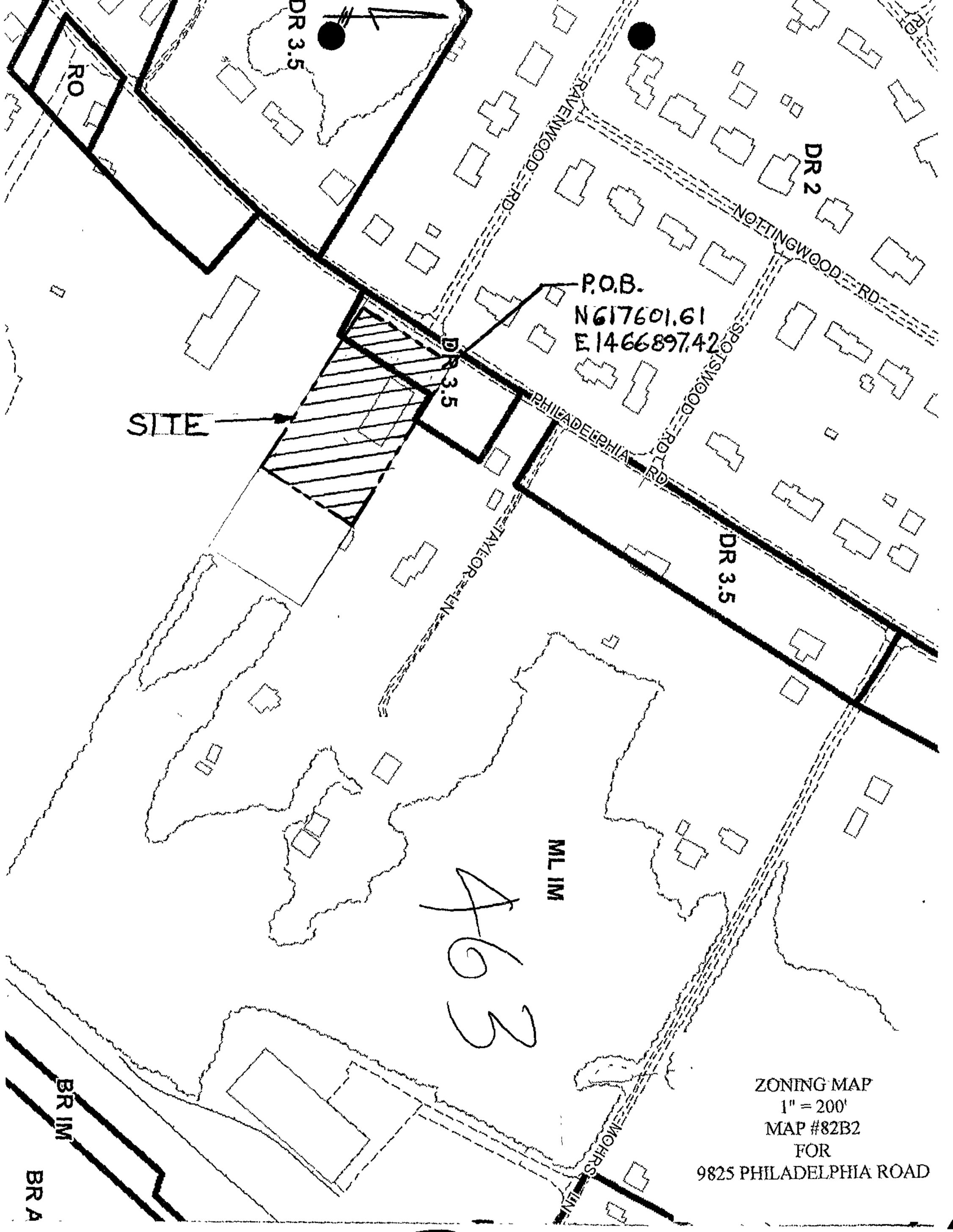
* NONE *

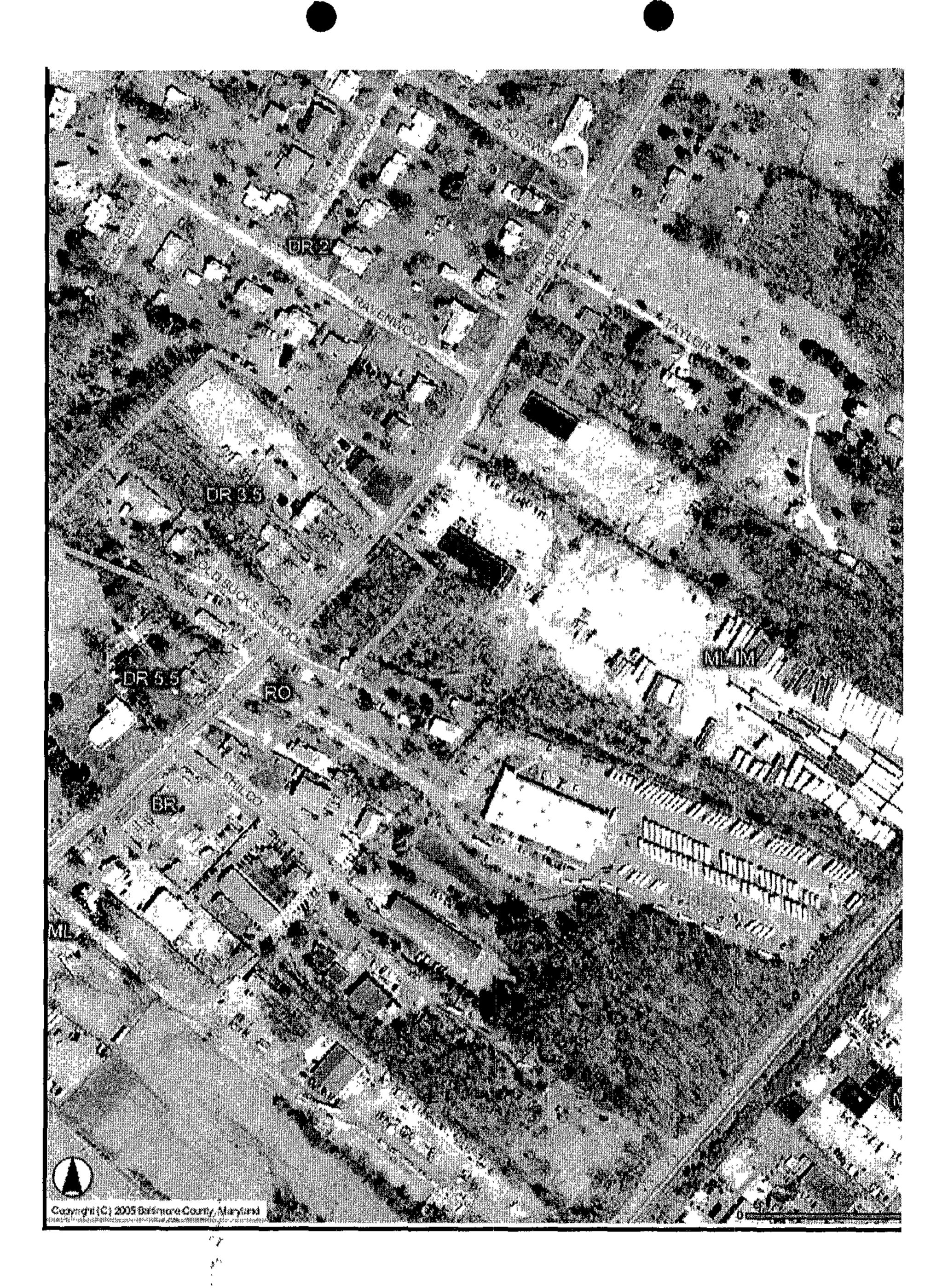
LEASE PRINT CLEARLY

DATE	CASE NUMBER	CASE NAME

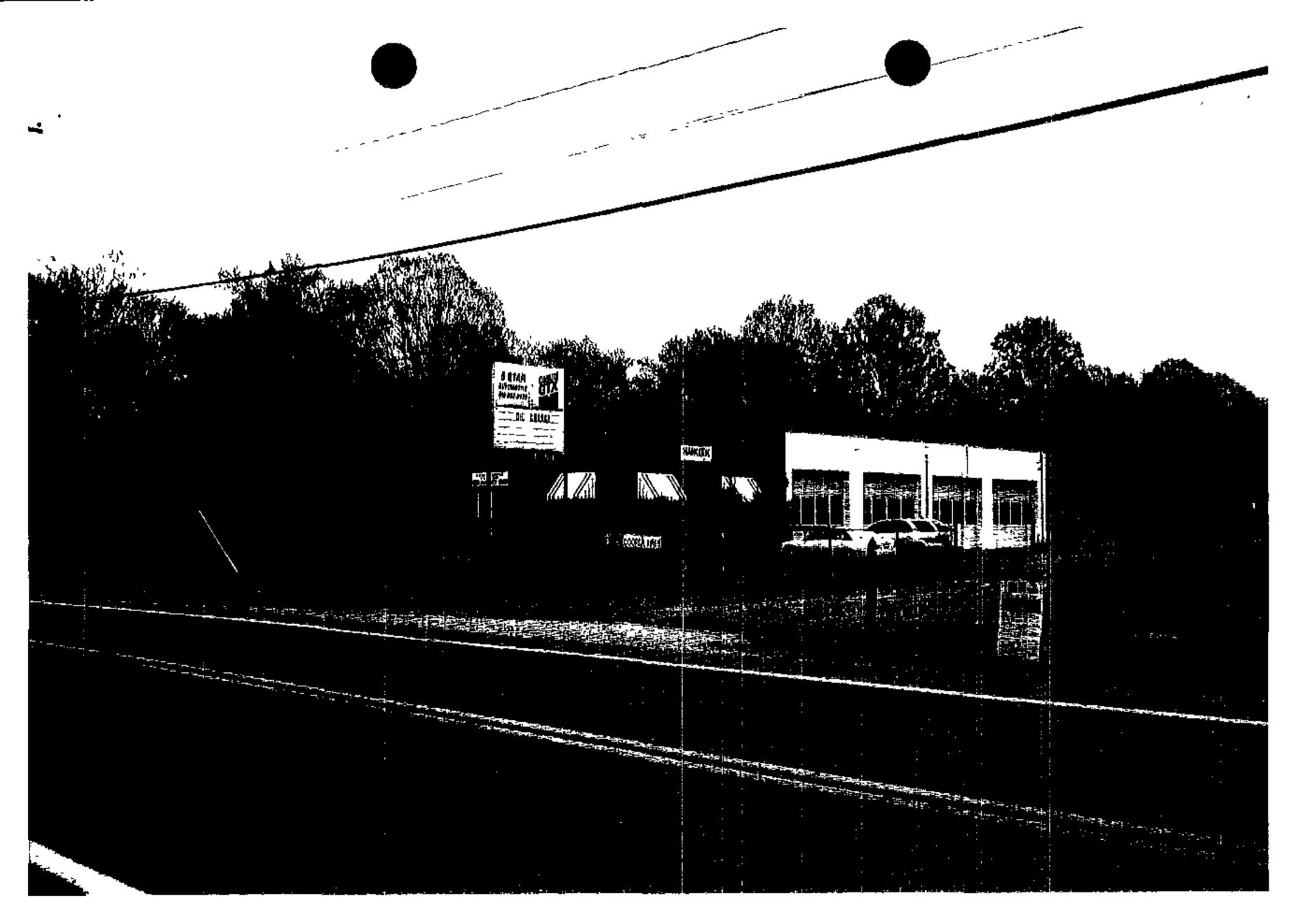
PELLICNER'S SIGN-IN SHEET

						Lawren Tanto	S. S	JOL JON	1	Lottendron Drupa	<u></u>	Near Spring, Stay	of LowGe	ついはの、上される	NAME
						409 Washington A.				hat the Came			BOX5 OOKSKY RING RO.	1249 Enclobarth RM	ADDRESS
						Towson, MD 22204							TESSUP MID 20194	130/4, M/ 2/15)	CITY, STATE, ZIP
					,	THEY OF BOOK XXACT ICE							SERIES	law; His & Assol.	E- MAIL





Ret 3



Company Spill of Will Superior

Ditr. MARY, Margardo



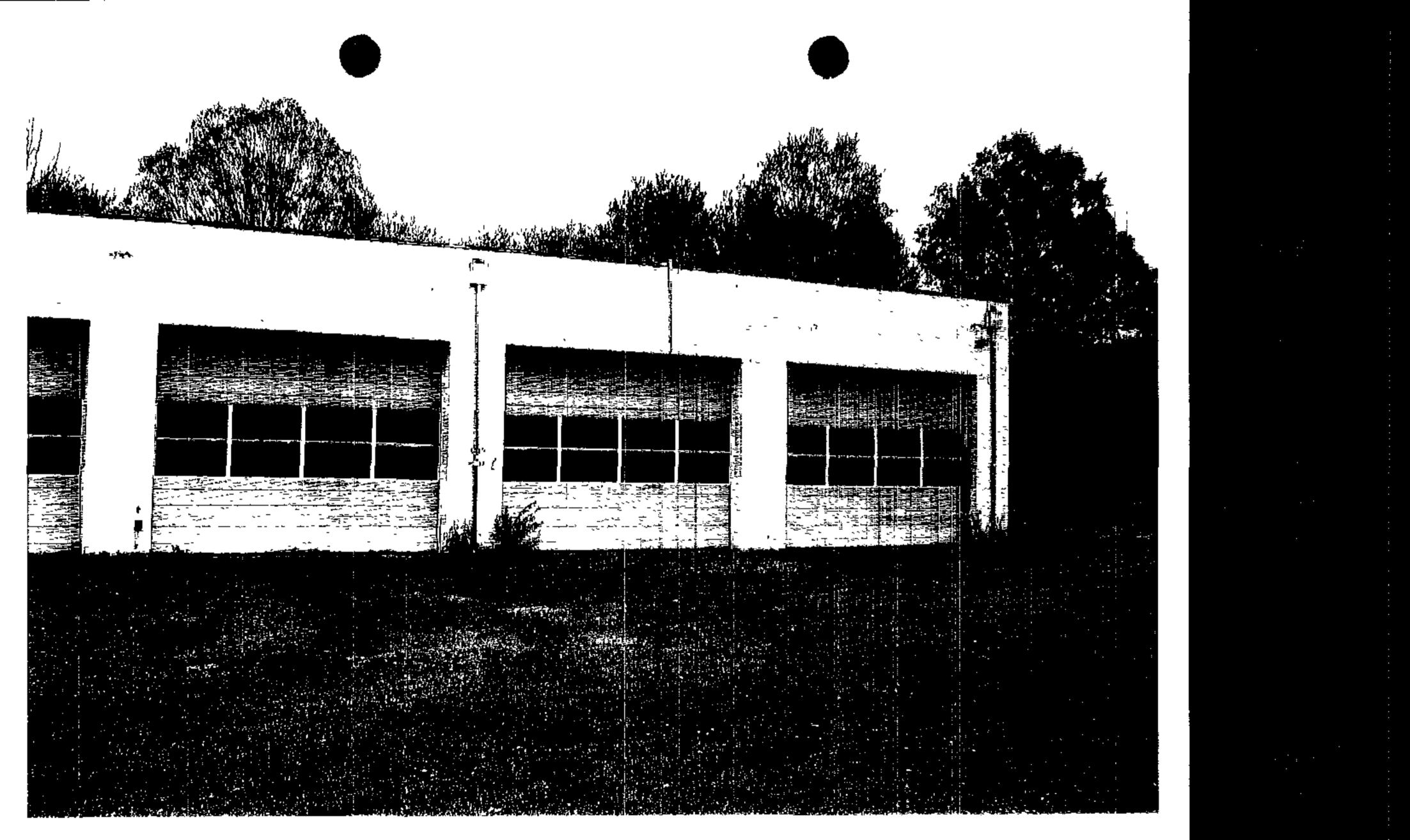
The Property of the Committee of the Com

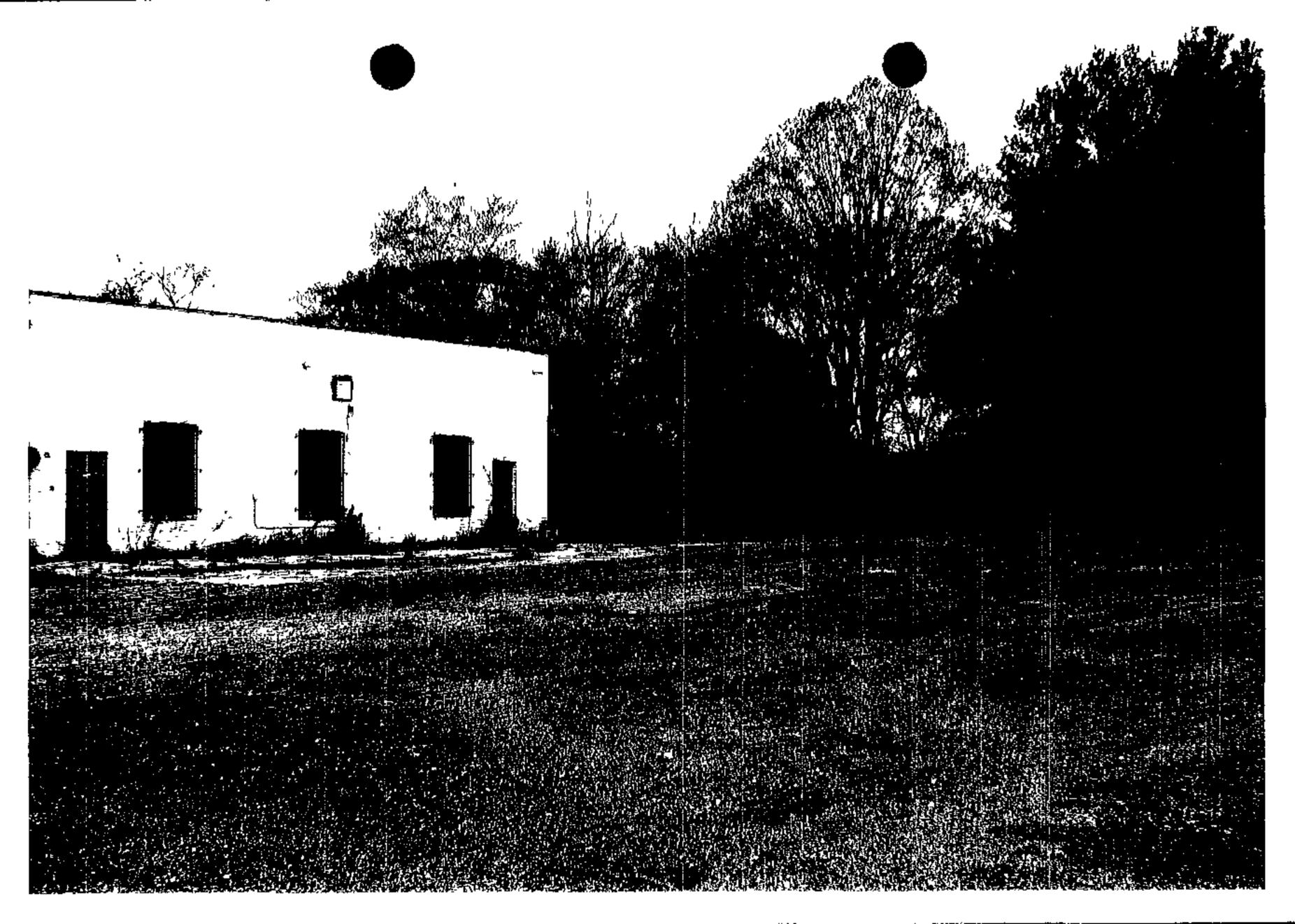
Ritz. RMC27, Physical

1



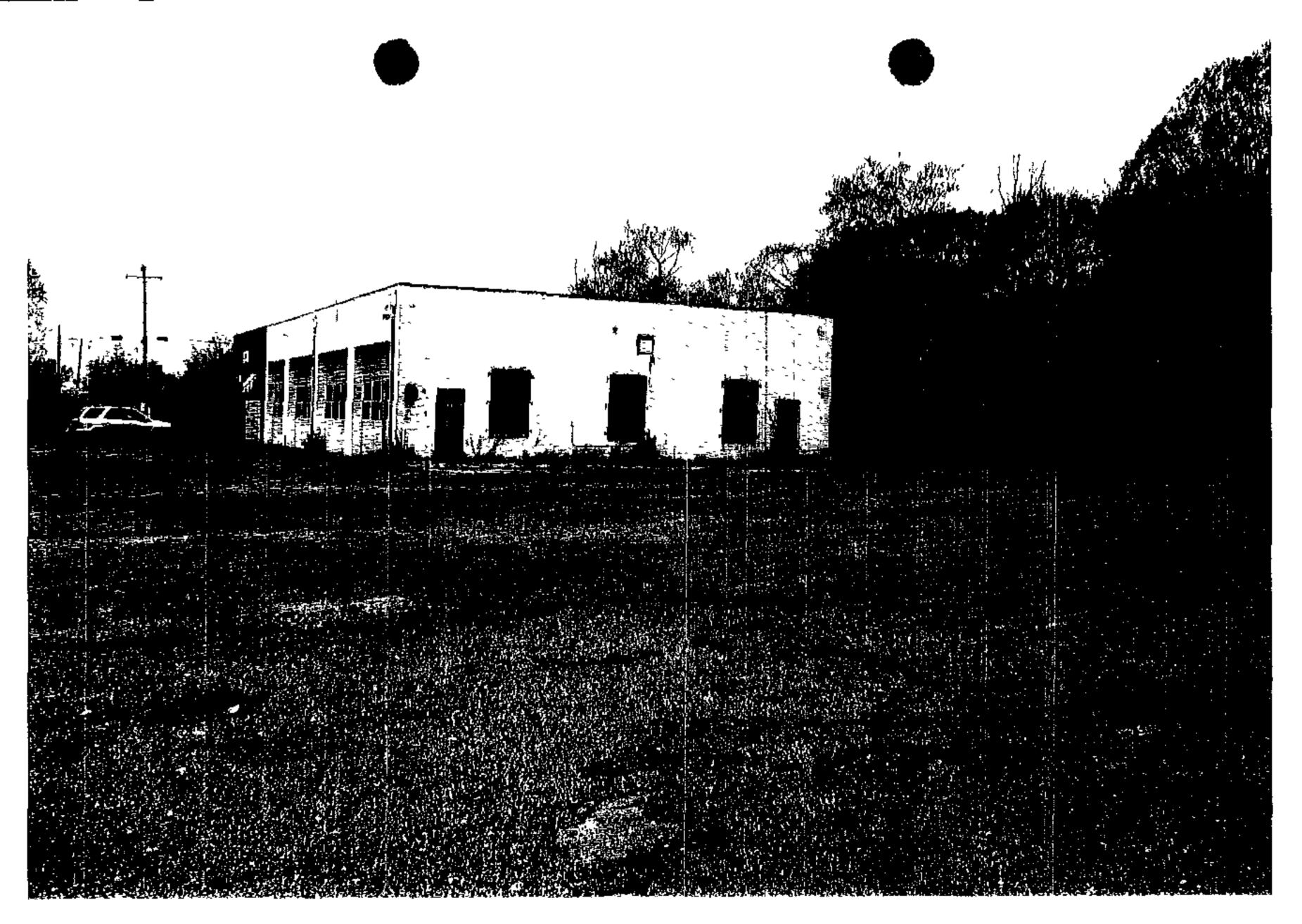






A Committee of the Comm

Ritz, RAPP, BARRANE

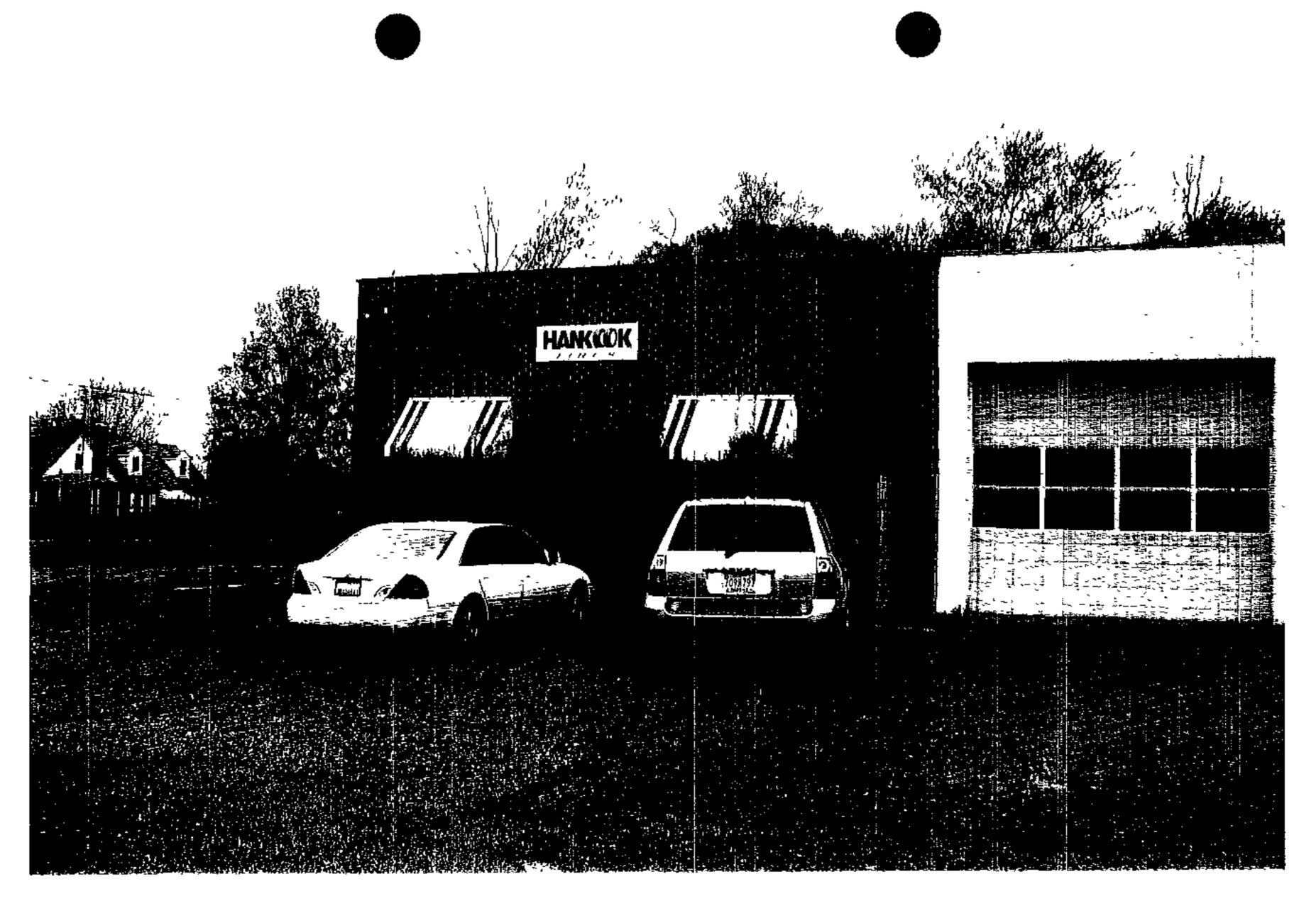


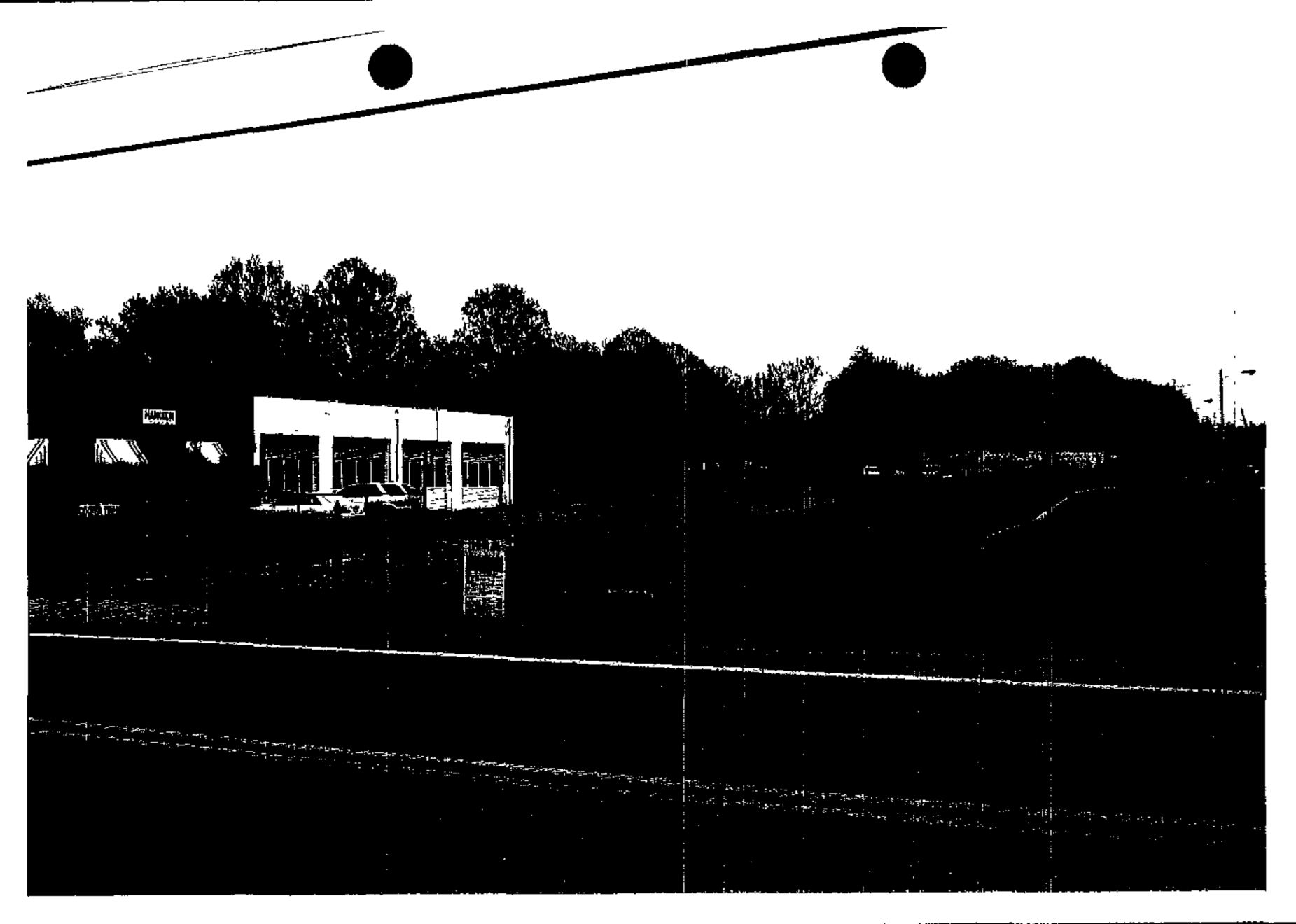
Addition to the and the best of the second

Freeze OFOREZ BULLINGER

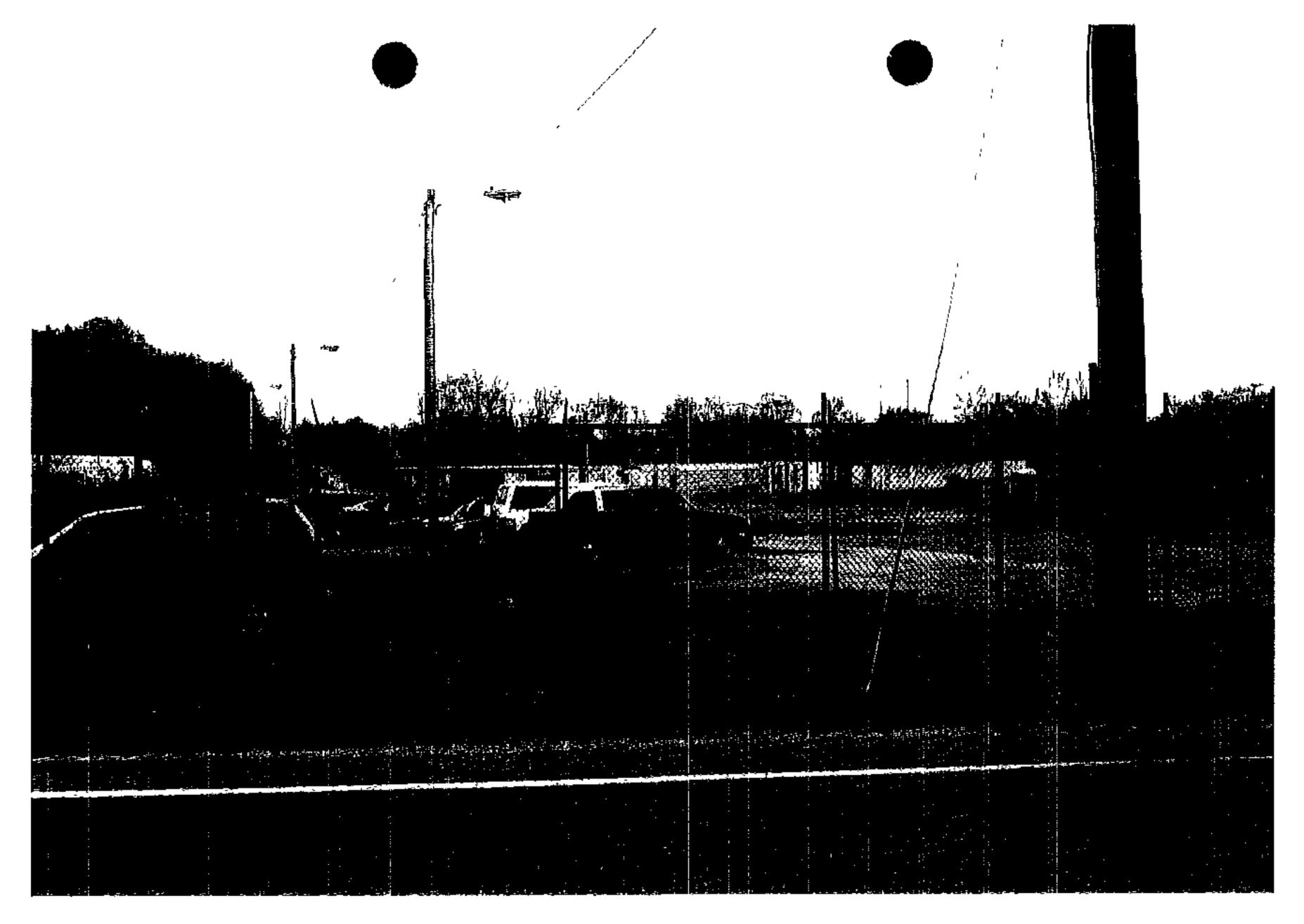
17)

















parking." Counsel refers to paragraph 5 of the Order which requires "Compliance with the terms

and conditions given in the attached agreement with the Nottingham Improvement Association".

WHEREAS, the agreement with Nottingham Improvement Association in Items A1 and 2

denotes the location of the gas storage as shown on the redline site plan submitted as Petitioner's

Exhibit 2. The agreement requires that the propane gas contains be stored inside cages. The

Petitioner intends to provide above-ground storage and sale of various types of cylinder gas in

addition to the propane gas as shown on the site plan.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County

this 24th day of May, 16, 2006 that the Motion for Reconsideration filed in the above-captioned

matter is granted. Restriction 2 of the Order, issued May 16, 2006, is hereby amended to read:

2. Operations of the Petitioner's business shall be contained within enclosed buildings. Gas

storage and sales would not be required to be contained within enclosed buildings as part of

the 'operations'. All propane gas containers will be stored inside cages. This does not apply

to parking.

· *

IT IS FURTHER ORDERED that all of the terms and conditions of the Order issued

on May 16, 2006 shall remain in full force and effect.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz

2