PER PERSONAL OF PLANS

IN RE: PETITION FOR SPECIAL HEARING

W/S York Road, 503' N Centerline

Recycle Way

(10400 York Road)

8th Election District

3rd Council District

Frankel Properties, LLC Petitioner

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 06-465-SPH

*

* * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Frankel Properties, LLC, through its attorney, Robert A. Hoffman, Esquire. The Petitioner requests a special hearing seeking approval of a waiver, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), of Section 517.2 of the Baltimore County Building Code¹, and Sections 32-4-414, 32-8-301, 32-8-303 and 32-4-107 of the Baltimore County Code, to grade and construct a paved parking area, access driveway, wall and storm drainage structures and pipe in a riverine floodplain. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Robert E. Frankel, managing member of Frankel Properties, LLC and the proprietor of the Frankel Automobile Group located on the subject property, Carl R. Corse, a Professional Engineer with C.N.A. Engineers, Inc., the engineering firm who prepared the 100-year water surface elevation analysis and Robert D. Capalongo, the Landscape Architect with C.N.A. Engineers, Inc., who prepared the site plan for this property, and Robert A. Hoffman, Esquire, attorney for the Petitioner. Also present was David L. Thomas, a Professional Engineer with Baltimore County's Department of Public Works. There were no Protestants or other interested persons present.

¹ Section 517.2 has been recodified as Section 3112.0 of the Baltimore County Building Code.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the west side of York (MD Route 45) just south of Warren Road in Cockeysville and north of the old Recycle Way entrance to the Cockeysville landfill. The property contains a gross area of 12.5 acres, more or less, zoned BR-AS currently improved with three large buildings (Acura and pre-owned car dealership) centrally located on the site and comprising the new and used car sales and service operations. A large parking area surrounds these buildings and extends westward towards the rear of the property with its storm water management facility built in the early 1980's located to the south adjacent to a stream known as Deep Run that is a tributary located in the Gunpowder Falls Watershed. It is this 0.5 acre area along Deep Run at the southeast corner of the site near Recycle Way that is under consideration. This area receives the runoff water from York Road and is maintained in a storm water management wet pond which is not functioning very well. The Petitioner desires to install an underground storm water management facility² and then filling in the existing area bringing it to grade which will allow for parking lot expansion for new car inventory.

The proposal is supported by extensive engineering studies (C.N.A. Engineering Analysis – Petitioner's Exhibit No. 2) and the Department of Public Works recommendation (David L. Thomas' 5/30/06 memorandum – Petitioner's Exhibit No. 3) provides verification that the proposed grading and construction will increase the 100-year flood elevation by no more than 0.5 feet vertically on-site and along Recycle Way. This small increase in flood elevation will not extend across Recycle Way and, therefore, will have no adverse impact to the 100-year flood on off-site properties. The existing 100-year flooding on York Road at this location is governed by the York Road profile and culvert, and will not be increased by the proposed construction. Moreover, the Department of Environmental Protection and Resources Management (DEPRM) supports the proposed underground storm water management facility as a replacement for the

The Maryland Department of the Environment approves the use of these systems which incorporate holding pipes as a means of providing quantity management and an underground vault – referred to as a cyclone system – with filters that regulate release flows through a series of cartridge filters.

current facility. Mr. Frankel further testified that the proposed improvements will make the land a viable piece of property and his company will accept maintenance responsibilities for the underground storm water management facility following installation.

Based upon the cumulative testimony and evidence presented, I am persuaded to grant the requested waiver. In my judgement, the Petitioner has satisfied the requirements for such relief as set out in Section 32-4-107 and 32-8-303 of the Baltimore County Code. I also find that the Petitioner has presented good and sufficient cause for the granting of this waiver and that failure to do so would result in an exceptional hardship to the applicant. Indeed, the property owner has taken great efforts to comply with the development regulations and the recommendations of the Department of Public Works and DEPRM. In sum, the proposed construction and improvements will result in a better management of the site and hydraulic conditions with no adverse impacts such as flooding on downstream off site properties. I am persuaded that a grant of the relief is appropriate in this instance.

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

this 27 day of June 2006 that the Petition for Special Hearing seeking approval of a waiver, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), of Section 3112.0 (formerly 517.2) of the Baltimore County Building Code, and Sections 32-4-414, 32-8-303, and 32-4-107 of the Baltimore County Code, to grade and construct a paved parking area, access driveway, wall and storm drainage structures and pipe in a riverine floodplain, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

June 27, 2006

Robert E. Hoffman, Esquire Venable LLP 210 Allegheny Avenue Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING

W/S York Road, 503' N Centerline Recycle Way

(10400 York Road)

8th Election District – 3rd Council District Frankel Properties, LLC - Petitioner

Case No. 06-465-SPH

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted with restrictions, in accordance with the attached Order.

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

WJW:dlw

WILLIAM WISEMAN, III

Zoning Commissioner

for Baltimore County

c: David Karceski, Esquire, Venable LLP, 210 Allegheny Avenue Towson, Md. 21204

Robert E. Frankel, 10260 York Road, Cockeysville, Md. 21030

Carl R. Corse, Professional Engineer, C.N.A. Engineers, Inc., 215 Bynum Road,

Forest Hill, Md. 21050

Robert D. Capalongo, Landscape Architect, C.N.A. Engineers, Inc.,

215 Bynum Road, Forest Hill, Md. 21050

Steven D. Foster, Chief, Engineering Access Permits Division, State Highway Administration, 707 North Calvert Street, Baltimore, Md. 21202

David L. Thomas, Department of Public Works, Rm. 307; People's Counsel; Case File



WENT FROM YEO R.

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 104	100 York Road
which is pres	ently zoned BR-AS

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED

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

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Attachment to Petition for Special Hearing

A waiver pursuant to Section 500.6, BCZR; Section 517.2 (510.2), Building Code; and Sections 32-4-414, 32-8-303, 32-4-107, Baltimore County Code to grade and construct a paved parking area, access driveway, wall and storm drainage structures and pipe in a riverine floodplain.

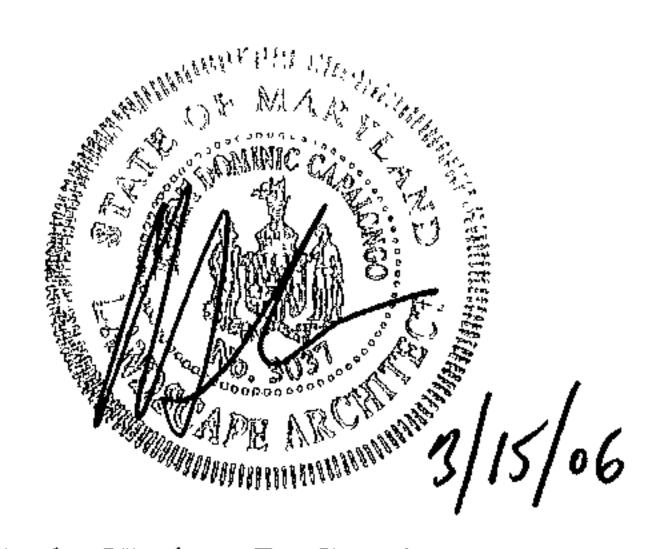


ZONING DESCRIPTION FOR 10400 YORK ROAD

Beginning at a point on the west side of York Road which is 66.00 feet wide at the distance of 503.00 feet north of the centerline of the nearest improved intersecting street, Recycle Way, which is 60.00 feet wide. Thence the following courses and distances:

S 18°32'10" E 428.35', S 71°27'50" W 9.00'; S 18°32'10" E 45.00', N 71°27'50" E 9.00'; S 18°32'10" E 6.64, N 85°00'10" W 1215.33'; N 03°33'00" W 475.35', S 85°00'10" E 794.57'; S 04°59'50" E 30.00', S 585°00'10" E 299.75'; To the place of beginning as recorded in Liber 15528 Folio 359. Tax Map 51, Parcel 185. Containing 12.1804 Acres of Land.*

*The Petition for Special Hearing Area is 0.2 Acres +/-, as shown on the Plan to Accompany the Petition as a crosshatched area. 0.2 Acres +/- of Floodplain disturbance is proposed.



Seal of Robert D. Capalongo, R.L.A. MD License No. 3037

RDC/laa

CNA Job No.: 05297

L·/Doc/05000/05297-FrankelAcura/05297RevisedZoningDescription 3-15-06

215 Bynum Road ▲ Forest Hill, Maryland 21050 ▲ 410-879-7200 ▲ Fax: 410-838-1811

1667 Knecht Avenue ▲ Suite A ▲ Baltimore, Maryland 21227 ▲ 410-242-1549 ▲ Fax: 410-242-1745

22 S. Main Street ▲ Selbyville, Delaware 19975 ▲ 302-436-7295 ▲ Fax: 302-436-7598

1040 Hardees Drive ▲ Suite B ▲ Aberdeen, Maryland 21001 ▲ 410-273-9544 ▲ Fax: 410-273-9545

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT

465

No. 13.39

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DISTRIBUTION

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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: #06-465-3PH

10400 York Road

West side of York Road, 503 feet north centerline of Recycle Way 8th Election District - 3rd Councilmanic District

Legal Owner(s): Frankel Properties, LLC

Special Hearing: for a walver from the County Code and Building Code to grade and construct a paved parking area, access driveway, wall and storm drainage structures

and pipe in a riverine floodplain.

Hearing: Friday, April 28, 2006 at 10:00 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 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.

4/138 Apr 13

CERTIFICATE OF PUBLICATION

4/13/,2006
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on $4/13/,2006$.
The Jeffersonian Arbutus Times Catonsville Times Towson Times Owings Mills Times NE Booster/Reporter North County News
•

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 06-465-SPH

Petitioner/Developer: FRANKEL

PROPERTIES, LLC Date of Hearing/Closing: APRIC 28, 2006 **Baltimore County Department of** Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204 **ATTN: Kristen Matthews {(410) 887-3394}** Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 4-11-00 The sign(s) were posted on (Month, Day, Year) Sincerely, SSG Robert Black CASE # 06-465-SPH (Print Name) A PHRITE HEARING WILL BE HELD BY 1508 Leslie Road THE ZONING COMMISSIONER HE TOWNER ME (Address) Room 40" County Course Business MACE: NO PORT AND AND AND DATE AND THE COST OF A 28, 100 ST 1000 F. Dundalk, Maryland 21222 State of Section History From Lawrence Transport CARD DO NO TO THE DESIGNATION AND CARDON A THE PARTY NAME AND PARTY OF THE (City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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CERTIFICATE OF POSTING

RE: Case No.: 00-465-5PK)

Petitioner/Developer: FRAUKEL PROPERTIES Date of Hearing/Closing: MA 3/2006 **Baltimore County Department of** Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204 ATTN: Kristen Matthews {(410) 887-3394} Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: The sign(s) were posted on (Month, Day, Year) Sincerely, (Signature of Sign Poster) CASE # Y // CHI SSG Robert Black A PUBLIC HEARING WILL BE HELD BY (Print Name) THE ZONING COMMISSIONER IN TOWSON, MD 1508 Leslie Road PLACE. III II CHEATAKE AVENUE. TOWNON MODILION DATE AND TIME WEDNISDAY, MAY SE 2006 AT 9 CO A TO (Address) REQUEST: THE HILL THE PROPERTY IN - - white code And formulate Come to Like At to Contact the A. Dundalk, Maryland 21222 PANTO PROPRIE THERE MILES DEVICES WILL AND STREET DEPOSITE (City, State, Zip Code)

(410) 282-7940

(Telephone Number)

TO: PATUXENT PUBLISHING COMPANY

Thursday, April 13, 2006 Issue - Jeffersonian

Please forward billing to:

Amy Dontell

(410-494-6244)

Venable, LLP

210 Allegheny Avenue 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: 06-465-SPH

10400 York Road

West side of York Road, 503 feet north centerline of Recycle Way

8th Election District – 3rd Councilmanic District

Legal Owner: Frankel Properties, LLC

Special Hearing for a waiver from the County Code and Building Code to grade and construct a paved parking area, access driveway, wall and storm drainage structures and pipe in a riverine floodplain.

Hearing: Friday, April 28, 2006 at 10:00 a.m. in Room 407, County Courts Building,

4401 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: 06-465-SPH

10400 York Road

West side of York Road, 503 feet north centerline of Recycle Way

8th Election District – 3rd Councilmanic District

Legal Owner: Frankel Properties, LLC

Special Hearing for a waiver from the County Code and Building Code to grade and construct a paved parking area, access driveway, wall and storm drainage structures and pipe in a riverine floodplain.

Hearing: Friday, April 28, 2006 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:raj

C: Robert A. Hoffman, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204 Frankel Properties, LLC, c/o Robert E. Frankel, 10260 York Road, Cockeysville, MD 21030

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



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

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

For Newspaper Advertising:
Item Number or Case Number: 465
Petitioner: Frankel Properties LLC.
Address or Location: 10400 YORK RD.
PLEASE FORWARD ADVERTISING BILL TO:
Name: Amy Contell
Address: 210 Allegheny Avenue
Tauson 40. 21204
Telephone Number: (410) 494 - 10 244

Department of Permits ar 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

April 20, 2006

Robert A. Hoffman Venable LLP 210 Allegheny Avenue Towson, MD 21204

Dear Mr. Hoffman:

RE: Case Number: 06-465-SPH, 10400 York 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

WCR:amf

Enclosures

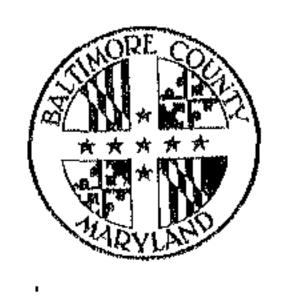
c: People's Counsel Frankel Properties, LLC Robert E. Frankel, Member 10260 York Road Cockeysville 21030

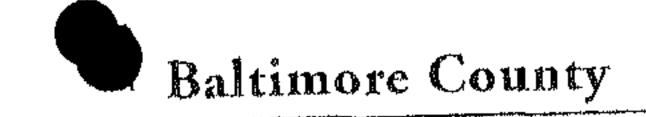


Visit the County's Website at www.baltimorecountyonline.info

Fire Department

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





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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 April 4, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: April 3, 2006

Item Numbers: 446, 457-470

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 A. 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

cc: File

ZAC-NO COMMENTS-04062006.doc

BALTIMORE COUNTY, MARYLAND

INTER OFFICE CORRESPONDENCE

TO:

Timothy Kotroco, Director,

Permits & Development Management

ATTN:

Kristen Matthews

MS 1105

FROM:

Edward Adams, Director,

Public Works

DATE:

May 30, 2006

SUBJECT:

Case No. 06-465 SPH

Special Hearing to permit grading and construction of a paved parking area, access driveway, wall and storm drainage structures and pipe within a

riverine floodplain.

Section 32-8-303 (c) of the Baltimore County Code concerning waivers to the floodplain regulations says, "In considering a waiver action, comments from the state coordinating office and the County Department of Public Works shall be taken into account and maintained with the permit file." This memo is the comment from the Department of Public Works for the subject waiver.

The plan to accompany the petition for the Special Hearing is supported by an extensive engineering report. The study must be sealed by a Professional Engineer. The report certifies that the proposed grading and construction will increase the 100-year flood elevation no more than 0.5 feet vertically on site and along Recycle Way. The increase in flood elevation will not extend across Recycle way (which already floods at its intersection with York Road) and therefore will have no adverse impact to the 100-year flood on offsite properties. The existing 100-year flooding on York Road at this location is governed by the York Road profile and culvert, and will not be increased by the proposed construction.

Although this department prefers to not give a positive approval recommendation to filling and construction in riverine floodplain, the applicant has taken sufficient measures in this case to assure there will be no adverse offsite impact should the waiver be granted. Therefore I recommend approval of this waiver request.

ECA/DLT/s

CC: John Joyce, State Coordinating Office, Maryland Department of Natural Resources; Bob Cappalongo, CNA; Peter Zimmerman; David Carroll (Attn.: Tom Vidmar), Dennis Kennedy; Steve Walsh.

1960) Al 28

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

Maria Control of the second of

DATE: May 2, 2006

MAY - 5 2006

SUBJECT:

10400 York Road

INFORMATION:

Item Number:

6-465

Petitioner:

Frankel Properties

Zoning:

BR-AS

Requested Action:

Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided new cars not be parked in the landscaped areas between the public sidewalk and parking lots/display areas of the establishment. Cars for sale should be parked on paved areas.

For further information concerning the matters stated here in, please contact Bill Hughey 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

Date: 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. 465 (JCM) 10400 York RD

MD 45

Mile Post 7.32

Dear Ms. Matthews:

This office has reviewed the referenced Item and has no objection to approval of the Special Hearing. However we will require the owner to obtain an access permit through our office.

Please have their representative contact this office regarding the roadway improvements conditioned to the permit.

Should any additional information be required 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

J. J. Sredle

Engineering Access Permits Division

RE: PETITION FOR SPECIAL HEARING 10400 York Road; W/S York Road, 503' N c/line Recycle Way

8th Election & 3rd Councilmanic Districts Legal Owner(s):Frankel Properties, LLC

Petitioner(s)

BEFORE THE

* ZONING COMMISSIONER

* FOR

BALTIMORE COUNTY

* 06-465-SPH

* * * * * * * * *

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

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 to, Robert A Hoffman, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

APR 0 7 2006

Per.....

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



JAMES T. SMITH, JR.

County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

May 24, 2006

Robert A. Hoffman, Esquire David Karceski, Esquire Venable LLP 210 Allegheny Avenue Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING

West Side of York Road, 503' North c/l of Recycle Way (10400 York Road)

8th Election District – 3rd Council District

Frankel Properties, LLC - Petitioners Case No. 06-465-SPH

Dear Messrs. Hoffman and Karceski:

This letter is to confirm that the above-captioned matter, which was scheduled for a public hearing on Friday, April 28, 2006, was opened and continued. Please be advised that the hearing has been rescheduled for Wednesday, May 31, 2006 at 9AM in Room 106 of the County Office Building in Towson. It will not be necessary to re-advertise or re-post the property.

Should anyone have any questions on the subject, please do not hesitate to call me.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

Very truly yours,

WJW:dlw

c: Frankel Properties, LLC, c/o Robert E. Frankel, 10260 York Road, Cockeysville, Md. 21030 People's Counsel; Case File

Case	$N\alpha$.
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06-465-5PH

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	
No. 2	CNA, WE REPORT & DETAILS OF HYDRAULIC	
No. 3.	CNA, INC. REPORT & DEFAILS OF HYDRAULIC ANALYSIS - DEEP RUN DEPT. OF PUBLIC WORKS RECOMMENDATION FOR WAWER AFFRONAL	
No. 4	CURRICULUM VITAZ. CARL R. CORSE, P.E.	
No. 5	CV-ROBT D. CAPALONGO	RLA
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

BALTIMORE COUNTY, MARYLAND

INTER OFFICE CORRESPONDENCE

TO:

Timothy Kotroco, Director,

Permits & Development Management

ATTN:

Kristen Matthews

MS 1105

FROM:

Edward Adams, Director,

Public Works

DATE:

May 30, 2006

SUBJECT:

Case No. 06-465 SPH

Special Hearing to permit grading and construction of a paved parking area, access driveway, wall and storm drainage structures and pipe within a

riverine floodplain.

Section 32-8-303 (c) of the Baltimore County Code concerning waivers to the floodplain regulations says, "In considering a waiver action, comments from the state coordinating office and the County Department of Public Works shall be taken into account and maintained with the permit file." This memo is the comment from the Department of Public Works for the subject waiver.

The plan to accompany the petition for the Special Hearing is supported by an extensive engineering report. The study must be sealed by a Professional Engineer. The report certifies that the proposed grading and construction will increase the 100-year flood elevation no more than 0.5 feet vertically on site and along Recycle Way. The increase in flood elevation will not extend across Recycle way (which already floods at its intersection with York Road) and therefore will have no adverse impact to the 100-year flood on offsite properties. The existing 100-year flooding on York Road at this location is governed by the York Road profile and culvert, and will not be increased by the proposed construction.

Although this department prefers to not give a positive approval recommendation to filling and construction in riverine floodplain, the applicant has taken sufficient measures in this case to assure there will be no adverse offsite impact should the waiver be granted. Therefore I recommend approval of this waiver request.

ECA/DLT/s

CC: John Joyce, State Coordinating Office, Maryland Department of Natural Resources; Bob Cappalongo, CNA; Peter Zimmerman; David Carroll (Attn.: Tom Vidmar), Dennis Kennedy; Steve Walsh.

DEVELOPER'S

EXHIBIT NO.

3

Curriculum Vitae CARL R. CORSE, P.E. CNA, Inc. Vice President

EDUCATION BACKGROUND:

Bachelor of Science in Engineering, Temple University, 1996 Magna Cum Laude Floodplain Analysis Course (HEC-RAS), Pennsylvania State University, 1997 Advanced Hydrology Course, State Highway Administration, 1998 Fluvial Geomorphology for Engineers, Wildland Hydrology, 1999 River Morphology and Applications, Wildland Hydrology, 2000

PROFESSIONAL REGISTRATION:

Maryland Professional Engineer #25825 Principal and Vice-President of CNA, Inc. North Carolina Professional Engineer #031275

PROFESSIONAL AFFILIATIONS:

Member and Associate Co-Chairman of Environmental Committee, Maryland Aggregates Association Accepted as an Expert in General Civil Engineering, Prince George's County Zoning Hearing Examiner, 2002

Accepted as an Expert in Floodplain and Stream Engineering, Baltimore County Zoning Hearing Examiner, 2006

AWARDS AND PUBLISHED PAPERS

Presidential Scholarship Award Recipient, Pennsylvania Asphalt Pavement Association, 1995-1996
John L. Rumpf Award Recipient, Temple University, 1996
Who's Who Among Students in American Universities & Colleges, Temple University, 1994-1995
Society of American Military Engineers Award Recipient, 1993-1994
Transportation Design Award, American Society of Engineers, Temple University, 1996
Case Study: Erosion and Sediment Control for Surface Mine Reclamation, International Erosion Control Association, Proceedings of Conference 29,1998.

PROJECT EXPERIENCE:

SELECT MUNICIPAL PROJECTS

Woodlawn High School Storm Water Management Retrofit- Baltimore County DEPRM, Maryland Project Manager for the design of a bio-retention facility retrofit for portions of Woodlawn High School. Design includes floodplain impacts, facility design, permitting, and educational coordination for future maintenance and teaching with students of the school.

Lilly Run Flood Abatement- Town of Havre de Grace, Maryland

Project Manger and Engineer for storm drain improvements and stream valley modifications to reduce flooding throughout the Town. Design included storm drain retrofits and modifications, stream channel regrading, and extensive hydraulic analyses.

DEVELOPER'S

EXHIBIT NO.

Panther Branch Stream Restoration- Baltimore County, Hereford, Maryland

Project Manager for Priority III restoration of approximately 400 LF of headwaters of Panther Branch fed by a regional storm water management facility. Design included the transformation of an incised channel into a stable step-pool-riffle system by raising the invert and widening the floodprone area.

Porter Drive Stream Valley Enhancement-City of Annapolis, Maryland

Project Manager and Designer for the restoration of approximately six (6) acres of degraded stream valley along Weems Creek in the Admiral Heights Community. Design includes incised channel restoration, rubble dump removal, stream valley grading and re-vegetation, and permitting and community interface.

SELECT COMMERCIAL DEVELOPMENT PROJECTS

FedEx Ground Distribution Center- White Marsh, Maryland

Project manager for development of 16-acre regional trucking facility. Responsibilities included oversight of grading, utility design, storm water management, and coordination of geo-technical analysis and foundation design for building on pile system.

Texas Quarry Reclamation Parkway Village LTD.- Cockeysville, Maryland

Project Engineer responsible for ongoing design and coordination of reclamation of former calcium carbonate surface mine facility. Reclamation includes remediation of former quarry pits using surcharge consolidation strategies, erosion and sediment control, mass grading, templates for rock blasting, and a regional storm water management facility with a 196-acre drainage area. Project also involves the design of an offline shallow marsh facility, a 400 LF reach of stream restoration/relocation, revegetation designs for 3,000 LF of stream through an existing operations area, and cost analysis and feasibility studies for multiple land use strategies.

White Marsh Sand and Gravel Reclamation for White Marsh Associates, LLC- White Marsh, Maryland Project Engineer responsible for mass grading designs, erosion and sediment control plans, and temporary stream crossing designs for reclamation of 200 acres of former sand and gravel surface mines. Designed remediation of silt-filled quarry pits using surcharge/consolidation strategy involving dewatering vertical wicks and horizontal strip drains. Coordinated demolition of operations plant and multi-phase surveys and earthworks analyses.

SELECT STORMWATER MANAGEMENT PROJECTS

Residential

The Fields at Perry Hall Residential Development for Southern Land- Perry Hall, Maryland Project Engineer responsible for performing a hydrology and hydraulic analysis of a four-channel network of unnamed tributaries to the Bird River, including the modeling of culverts at Interstate 95, Joppa Road, and MD Route 7.

SELECT STREAM ENGINEERING / HYDROLOGY & HYDRAULIC ENGINEERING PROJECTS

White Marsh Run Stream Valley Restoration, Baltimore County and Redland Genstar, Inc., White Marsh, Maryland - Project Engineer for an ongoing stream/floodplain restoration including floodplain encroachment analysis, culvert design through existing railroad embankment, floodplain grading and wetland creation, water quality design, stream relocation design, erosion and sediment control. Involved in obtaining numerous waterway construction permits for floodplain fills, stream relocation, and bridge channel design.

Robert D. Capalongo, RLA

2212 Gelding Way Bel Air, MD 21015 Phone: (410) 569-9740

Work Experience:

<u>August 2005 to Present:</u> Associate of Planning and Landscape Architecture with C.N.A. Engineers, Inc. Managing and Designing Residential, Commercial, Institutional and Industrial Projects.

February 2001 to August 2005: Senior Project Manager for the Site Engineering Division and Department Head of the Landscape Architecture Department of Whitney, Bailey, Cox and Magnani, LLC in Baltimore, Maryland. Managed and Designed Institutional, Commercial, Residential and Industrial Projects.

Notable Projects: Chaptico Park; Master Planning through Construction Documentation for a 200 Acre Sports and Recreation Park near Washington D.C. Canton Crossing; Master Planning through Construction Documentation for Commercial and Residential Redevelopment of a 51 Acre Industrial Brownfield Site in Baltimore City. Gerstell Academy; Planning and Construction Documentation for a 92-Acre Kindergarten through Grade 12 Private School in Baltimore, MD. Dover Air Force Base Air Freight Terminal; Prepared Concept Design Plans and written specifications for the Air Force. A Request For Proposal Package was prepared for potential Design-Build Contractors to Bid on this project with a Construction Budget of 90 Million Dollars. I was also responsible for reviewing Designs and Qualifications of the Bidders and made a recommendation to the Air Force when Bid Packages were submitted. Hammonds Ferry Road Streetscape Improvements; Prepared Concept Plans through Construction Documents. Prepared Exhibits and presented them to Community Associations and Politicians to gain approval. Johns Hopkins University; Prepared Construction Plans for Multiple Projects including New Buildings, Athletic Fields and Plazas. Project Construction Budgets ranged from \$500,000 to 90 Million.

Administrative Duties: Marketing for Both Site Civil Engineering Projects and Landscape Architecture Projects. Duties also include Writing Proposals/Contracts, Hiring, Marketing, Training clients and staff, Scheduling Jobs for clients and staff and tracking Budgets and Billing.

January 1995 to February 2001: Project Manager and Senior Landscape Architect for the Land Planning and Development Engineering Division of Morris and Ritchie Associates, Inc. in Baltimore, Maryland. Managed and Designed Commercial, Residential and Industrial Projects.

Phase One Work: Land Planning, Site Feasibility Studies, Rezoning Applications and Negotiation, Zoning Variances, Special Hearings, Special Exceptions, Development Review Committee (DRC) Testimony, Concept and Development Plan preparation and related Community Input Meetings and Hearing Officers' Hearing, Forest Buffer Analysis and Variances, Preliminary Forest Conservation Plans, Critical Area Analysis and Variances, Concept Landscape Plans and Color Renderings.

DEVELOPER'S

T NO.

SUBTITLE 3. WAIVERS

§ 32-8-301. AUTHORIZED.

- (a) In general. As provided in § 32-4-107 of this article, waivers of the provisions of § 32-4-414 of this article or Subtitle 2 of this title and any regulations or codes adopted in accordance with § 32-4-414 of this article or Subtitle 2 of this title may be granted as specified in this subtitle.
- (b) Hearing Officer. The Hearing Officer, as defined in § 32-4-101 of this article, shall hear and decide requests for waivers under this subtitle.
- (c) General standards. Waiver actions shall be consistent with sound floodplain management and the number of waiver actions shall be kept to a minimum.
- (d) Specific requirements. For any waiver issued in a riverine floodplain or tidal floodplain, all applicable conditions of § 32-8-207 of this title and the Building Code shall be met. (1988 Code, § 26-670) (Bill No. 173-93, § 2, 11-17-1993; Bill No. 112-02, § 2, 7-1-2004; Bill No. 75-03, § 38, 7-1-2004)

§ 32-8-302. HISTORIC STRUCTURES.

- (1) Substantial improvements to historic structures which do not comply fully with the elevation and construction requirements must receive an approved waiver before issuance of a building permit.
- (2) The structure must retain historic structure designation as a condition of a waiver. (1988 Code, § 26-670) (Bill No. 173-93, § 2, 11-17-1993; Bill No. 112-02, § 2, 7-1-2004)



§ 32-8-303. REASONS FOR GRANTING A WAIVER. (a) In general. Waivers may only be issued upon:

- - (1) A showing of good and sufficient cause;
- (2) A determination that failure to grant a waiver would result in exceptional hardship, other than economic hardship, to the applicant; and
- (3) A determination that the granting of a waiver will not increase flood heights, impact public safety, incur extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing local and state laws and ordinances.
- (b) Minimum necessary. The waiver action shall be the minimum necessary, considering the flood hazard, to afford relief.

(c) Comments. In considering a waiver action, comments from the state coordinating office and the County Department of Public Works shall be taken into account and maintained with the permit file. (1988 Code, § 26-670) (Bill No. 173-93, § 2, 11-17-1993; Bill No. 112-02, § 2, 7-1-2004)

§ 32-8-304. WAIVERS PROHIBITED.

Waivers may not be granted for the following:

- (1) Placement of fill or any development in the floodway if any increase in flood levels would result; or
- (2) New buildings in the riverine floodplain. (1988 Code, § 26-670) (Bill No. 173-93, § 2, 11-17-1993; Bill No. 112-02, § 2, 7-1-2004)

§ 32-8-305. CONDITIONS.

- (a) Authorized. Conditions may be attached to the waiver action.
- (b) Required notification. For any waiver issued, a letter shall be sent to the applicant indicating the terms and conditions of the waiver, the increased risk to life and property in granting the waiver, and the increased premium rates for national flood insurance coverage.
 - (c) Requirement for recordation.
 - (1) The applicant shall be notified in writing of the requirement:
- (i) For recordation of the conditions of a waiver on the deed or memorandum of land restriction before obtaining a permit; and
 - (ii) To secure all necessary permits as a condition for granting a waiver.
- (2) The memorandum is described in §§ 3-102 and 3-103 of the Real Property Article of the Annotated Code of Maryland. (1988 Code, § 26-670) (Bill No. 173-93, § 2, 11-17-1993; Bill No. 112-02, § 2, 7-1-2004)

§ 32-8-306. COUNTY TO MAINTAIN CERTAIN RECORDS.

- (a) In general. The county shall maintain a record of:
 - (1) All waiver actions;
 - (2) The justification for their issuance; and

(vi) Aid in stabilizing property values. (1988 Code, §§ 26-271, 26-272, 26-273) (Bill No. 79-01, § 2, 7-1-2004)

§ 32-4-412. LANDSCAPING.

Landscaping shall be provided on the site in accordance with standards adopted in the Manual of Landscaping Standards.
(1988 Code, § 26-274) (Bill No. 79-01, § 2, 7-1-2004)

§ 32-4-413. GRADING AND SEDIMENT CONTROL.

A plat may not be approved unless provision is made for grading or for sediment control that will minimize soil erosion, loss of topsoil, sedimentation of streams, and degradation of water quality in the area.

(1988 Code, § 26-275) (Bill No. 79-01, § 2, 7-1-2004)

§ 32-4-414. FLOODPLAIN AND WETLAND PROTECTION.

- (a) Definitions. In this section, "base flood", "development", "flood insurance rate map", "flooding", "floodway" and "riverine floodplain" have the meanings stated in Title 8 of this article.
 - (b) Purpose. The purpose of this section to:
 - (1) Reduce loss of life and property from flooding;
 - (2) Avoid the need for public expenditures for flood protection; and
 - (3) Protect or enhance the environmental quality of watersheds.
- (c) Development in floodplain prohibited; exceptions. The county may not permit development in a riverine floodplain except for:
 - (1) The establishment of property subdivision lines; and
- (2) The installation of a pond, culvert, bridge, street, utility, or drainage facility that the county finds is not detrimental to floodplain management programs.
 - (d) Base flood elevation.
- (1) Except as provided in paragraph (2) of this subsection, if the floodplain is shown on the flood insurance rate map, the county shall limit any increase in the existing base flood elevation to a maximum of 1 foot.

- (2) The county may not allow encroachment in the floodway causing an increase in the existing base flood elevation.
- (3) In areas where the base flood elevation has not been established, the county shall determine the riverine floodplain and flood elevation by means of a flood study prepared in accordance with the requirements of the Department of Public Works Design Manual and sealed by a registered professional engineer before the issuance of a permit or the recording of a subdivision plat.

(e) Wetlands.

- (1) The county may not permit dredging, filling, or construction in any nontidal wetland or tidal wetland.
- (2) The county shall require adequate protection of nontidal wetlands or tidal wetlands from contamination. (1988 Code, § 26-276) (Bill No. 173-93, § 3, 11-17-1993; Bill No. 79-01, § 2, 7-1-2004; Bill No. 75-03, § 27, 7-1-2004)

§ 32-4-415. SLOPE PROTECTION AND SOILS.

- (a) Development Plan or plat approval; slope protection required. The county may not approve a Development Plan or plat unless the county finds that the proposed development:
- (1) Includes protective measures adequate to prevent erosion or sloughing of any steep slope or unstable slope; and
- (2) Promotes the preservation of the natural topographic features of the steep slope or unstable slope.
- (b) Same; soil limitation. The county may not approve a Development Plan or plat on soils that present a severe or moderate limitation to development unless the county finds that adequate measures have been taken to mitigate the effects of the limitation.
- (c) Same; prime and productive soils. On prime and productive soils within the RC-2 zone, the county may not approve a Development Plan or plat unless the county finds that construction, excavations, buildings, structures, pavements, grading, clearing, or other disturbances of the soils will be limited or restricted in accordance with policies established by the Department of Environmental Protection and Resource Management to promote agricultural uses and protect the county's soil resources. (1988 Code, § 26-277) (Bill No. 18, 1990, § 2; Bill No. 113, 1992, § 5; Bill No. 79-01, § 2, 7-1-2004)

§ 32-4-416. PRESERVATION OF NATURAL OR HISTORIC FEATURES.

(a) Preservation of features. Each Development Plan shall preserve:

- (c) Development of land in a county agricultural easement.
- (1) The use or development of land in a county agricultural easement shall be governed by Article 24 of the Code.
- (2) If there are conflicting provisions, the provisions of Article 24 of the Code shall take precedence over this title and the Baltimore County Zoning Regulations.
- (d) *R.C. 6 zones.* Notwithstanding any other provisions of this section, all development in a R.C. 6 zone is subject to Subtitle 2, Part V of this title. (1988 Code, § 26-171) (Bill No. 172, 1989, § 2; Bill No. 18, 1990, §§ 2, 3; Bill No. 106, 1990, §§ 1, 2; Bill No. 1, 1992, § 2; Bill No. 50-93, 1993, § 3; Bill No. 73-00, § 3, 9-15-2000; Bill No. 79-01, § 2, 7-1-2004; Bill No. 75-03, § 8, 7-1-2004; Bill No. 54-05, § 1, 2-16-2005)

Annotation-Former § 26-171 (1988) cited in Marzullo v. Kahl, 366 Md. 158, 783 A.2d 169 (2001).

§ 32-4-107. WAIVERS

- (a) In general.
- (1) At the request of a department director, the Hearing Officer may grant a waiver of any or all requirements of Subtitles 3, 4, and 5 of this title if the Hearing Officer finds that:
- (i) 1. The size, scope, and nature of a proposed development does not justify strict compliance with this title;
 - 2. A waiver would be within the scope, purpose, and intent of this title; and
 - 3. All other county laws and regulations have been complied with; or
 - (ii) Compliance with this title would cause unnecessary hardship.
 - (2) A waiver shall be granted only in accordance with Title 8 of this article.
 - (b) Waivers Development Plan requirements.
- (1) The Director of Permits and Development Management may waive the Development Plan requirements under §§ 32-4-221(b) and (c) and 32-4-222 through 32-4-224 of this title and the Hearing Officer's hearing if, after consultation with appropriate county agencies, the Director finds:
- (i) That the size, scope, and nature of a proposed development does not justify strict compliance with this title; and
 - (ii) That a waiver would be within the scope, purpose, and intent of this title; and

- (iii) That the proposed development complies with all other county laws and regulations.
- (2) Before proposing to grant a waiver for development within the critical area, the Director of Permits and Development Management shall obtain recommended findings from the Director of Environmental Protection and Resource Management based on the standards specified under § 32-4-226(d)(1)(iv) of this title.

(1988 Code, § 26-172) (Bill No. 18, 1990, § 2; Bill No. 1, 1992, § 2; Bill No. 173-93, § 3, 11-17-1993; Bill No. 8-96, § 3, 3-23-1996; Bill No. 79-01, § 2, 7-1-2004; Bill No. 75-03, § 8, 7-1-2004)

§ 32-4-107.1. NOTICE OF LIMITED EXEMPTION OR WAIVER.

- (a) Required. The Director of Permits and Development Management shall give notice of a request for a limited exemption under § 32-4-106 or a request for a waiver under § 32-4-107.
- (b) Contents. Notice shall be given to the County Council and posted on the county's internet web site. The notice shall contain:
 - (1) The date of the application for limited exemption or waiver;
 - (2) The nature of the request;
- (3) If a public meeting is scheduled, the date, time and place of the hearing. If a public meeting is not scheduled, the time frame for the proposed consideration of the request and the person or agency that will render the decision;
 - (4) The councilmanic district in which the property is located; and
 - (5) The name and address of the agency or person to whom written comments may be directed.
- (c) Disposition. After the limited exemption or waiver has been granted or denied, the Director of Permits and Development Management shall post on the county's internet web site the disposition of the request and the date of disposition.

 (Bill No. 101-05, § 1, 11-19-2005)

§ 32-4-108. PROHIBITION ON TRANSFER OF LAND.

- (a) In general. A person may not convey a lot, parcel, or tract of a subdivision unless a plat, if required, has been recorded in accordance with this title and the plat is effective at the time of the conveyance.
- (b) Enforcement. The transferee of a lot, parcel, or tract conveyed in violation of this section may bring an action in the Circuit Court to:

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CASE NAME CASE NUMBER DATE

PETITIONER'S SIGN-IN SHEET

RAHOGENAN @ COMPANDE Con	HEL. COPER CONA - ENGINERS. CON									
CITY, STATE, ZIP	21050	200								
210 ADDRESS 210 Allegland Are	215 BYWIN PORTS									
NAME HOLDWAY	CHR. CORSE									

PLEASE PRINT CLEARLY

CASE NAME 10400 % LAR-SQUE
DATE 4/28/66-59H

PETITIONER'S SIGN-IN SHEET

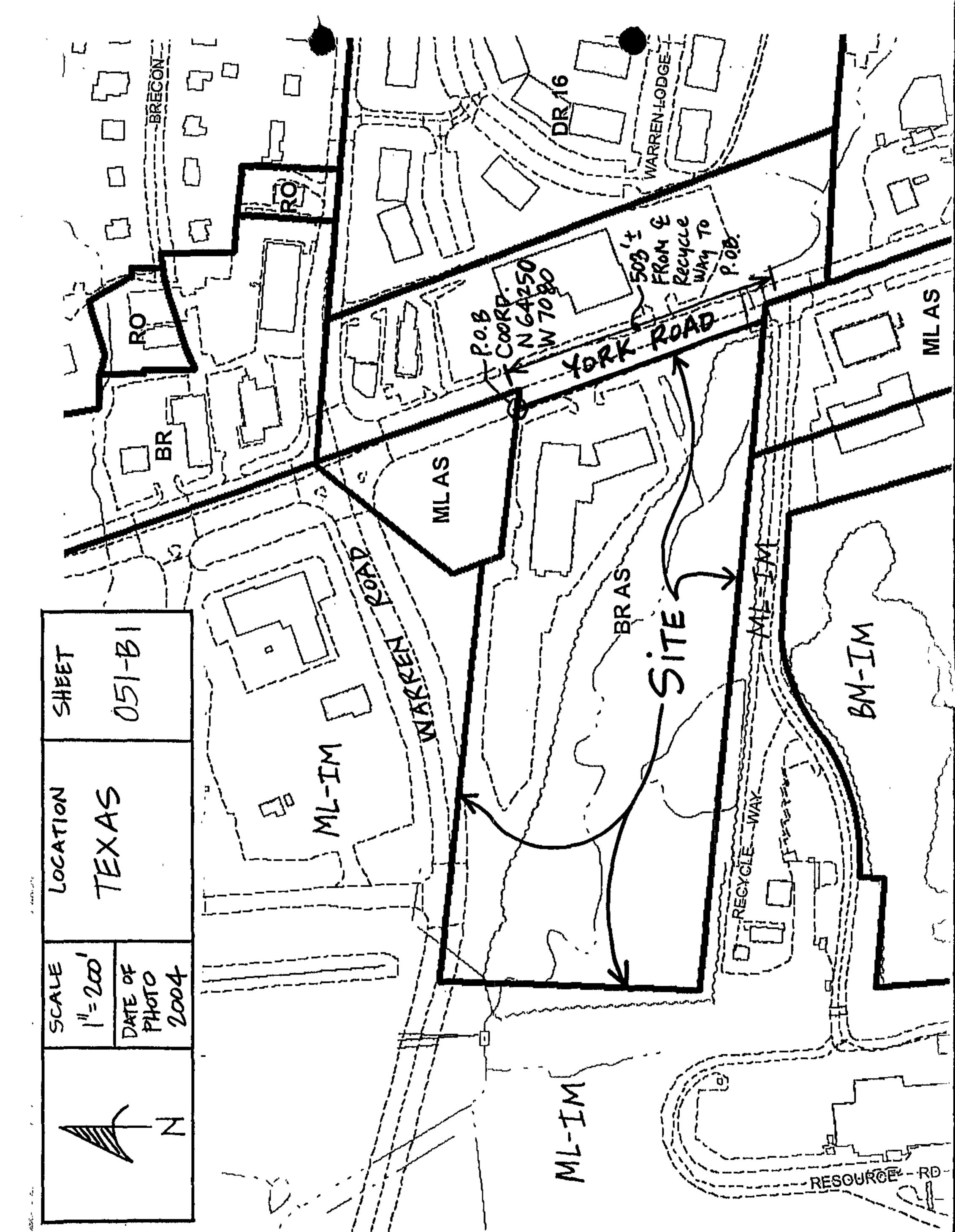
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PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER OG-465 SPH DATE

COUNTY REPRESENTATIVE'S SIGN-IN SHEET

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CITY, STATE, ZIP											
ADDRESS	Rw 307 COB										
NAME	Dave Thomas										



FRANKEL ACURA

100-YEAR WATER SURFACE ELEVATION ENCROACHMENT ANALYSIS



engineers, surveyors & landscape architects

Prepared for:

Frankel Automotive Group 10260 York Road Cockeysville, Maryland 21030 Ph: 410-666-6060

Prepared by:

CNA, INC.

215 Bynum Road

Forest Hill, Maryland 21050

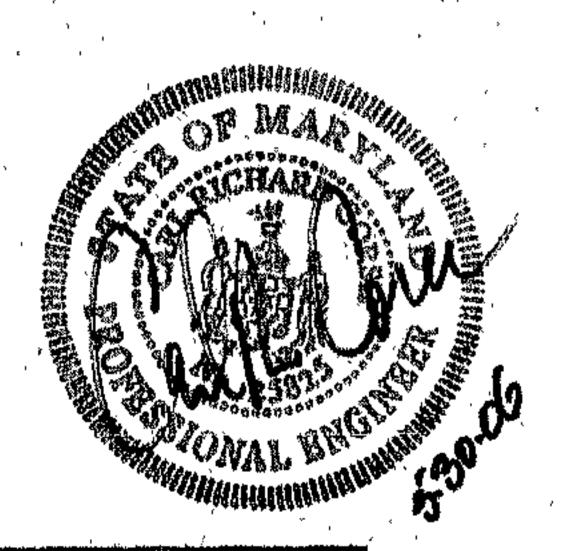
Office: 410-879-7200

Fax:


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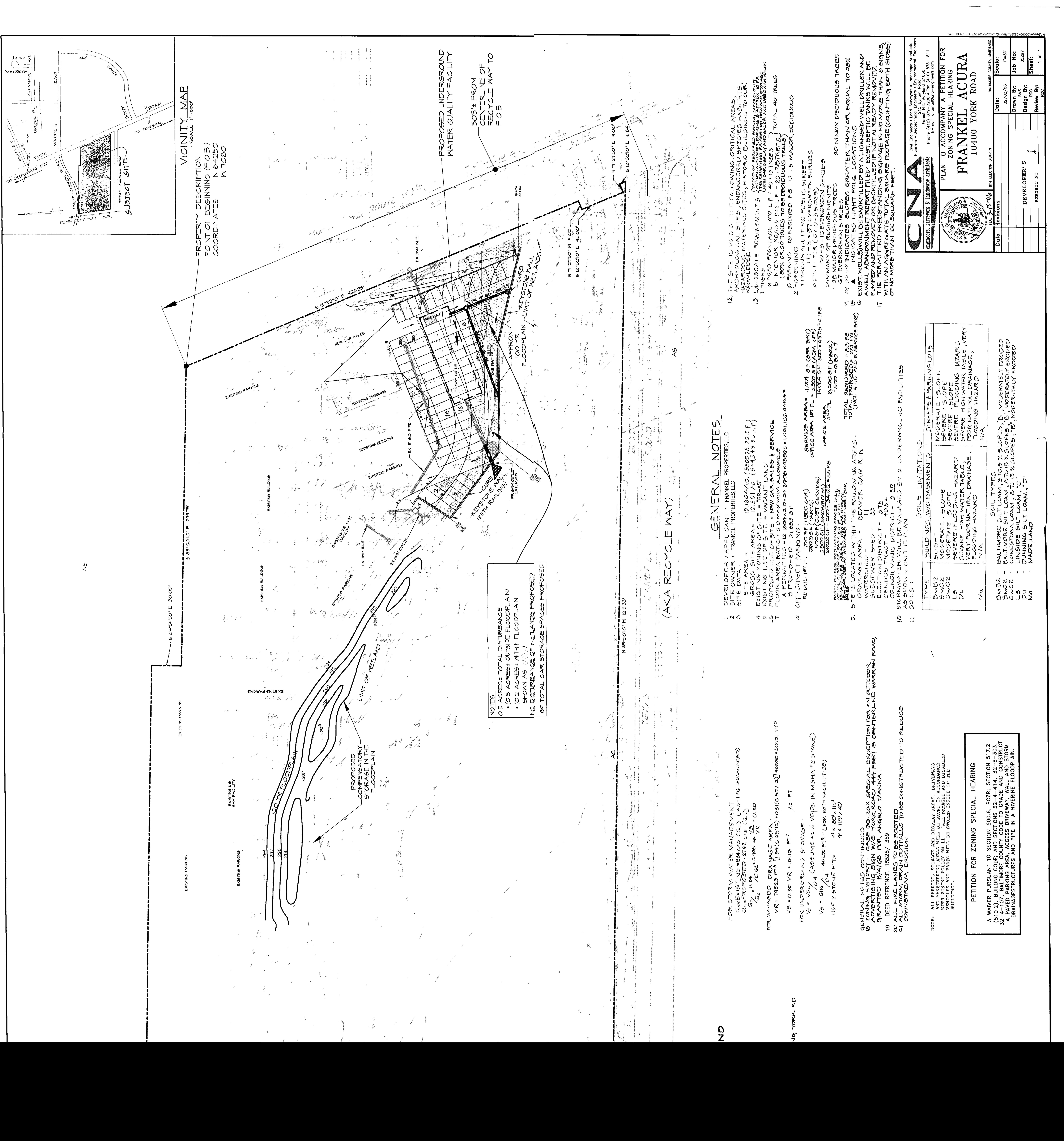
Contact:

Christopher Stepp Project Engineer



MAY 2006





2) Compliance with the Zoning Advisory Committee (ZAC) comments submitted by the State Highway Administration (SHA), dated April 3, 2006, requiring the Petitioner to obtain an access permit through that office.

3) When applying for any permits, the site plan filed must reference this case

and set forth and address the restrictions of this Order.

WILLIAM WISEMAN, III
Zoning Commissioner

for Baltimore County

WJW:dlw