| | | |
|---|---|---|
| IN RE: **PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE** – N/S Old Orems Road, 353' W of Middle River Road **(2112 Old Orems Road)** 15th Election District 6th Council District | * | BEFORE THE |
| | * | ZONING COMMISSIONER |
| | * | OF BALTIMORE COUNTY |
| | * | **Case No. 07-099-XA** |
| Auto-Marine Electric & Parts, Inc. *Legal Owner* | * | |
| John Ruth *Contract Lessee* | * | |
| *Petitioners* | * | |

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owner of the subject property, Auto-Marine Electric & Parts, Inc. and John Ruth, d/b/a Motion Marine & Auto, Contract Lessee, through their attorney T. Wray McCurdy. The Petitioners' request a Special Exception to permit a service garage on the subject site, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, the Petitioners' request a Variance from Section 409.8.A.5 for an insufficient back up area at the dead end aisle and Section 409.4.B of the B.C.Z.R. to allow parking spaces without direct access to an aisle. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the request were William H. Perdue, President of Auto-Marine Electric & Parts, Inc.; John Ruth, manager/operator of Motion Marine & Auto, and their attorney T. Wray McCurdy, Esquire. Testimony was also offered by Patrick C. Richardson, the professional engineer who prepared the site plan for the property. There were no Protestants or other interested persons present.

ORDER RECEIVED FOR FILING
Date 11-2-06
By

Testimony and evidence offered revealed that the subject property is rectangular in shape and contains a site area of 8,726 square feet or 0.20 acres (143 feet deep and 55' wide) located on the north side of Old Orems Road, east of Middle River Road and opposite from the Amtrak Railroad tracks (on the south side of Old Orems Road) in an industrial/commercial area of Aero Acres in Middle River. The property is zoned B.L. and improved with a 3,200 square foot concrete block auto accessory building 40 feet wide by 80 feet deep. In this regard, Mr. Richardson offered an old CRG plat approved April 14, 1989 as Petitioners' Exhibit 2. Apparent on the face of this plan is the proposed concrete block auto building, attendant county approval of parking access and circulation, and the issuance of Building Permit No. 105768 on September 13, 1988. Mr. Perdue testified concerning the improvements and their use. He has operated the garage since that time (1989) to present without incident or difficulty. Special exception and variance relief is necessary to legitimize the use and existing conditions.

As noted earlier, the site exists along the corridor of Orems Road, primarily surrounded by other business and office zoning classifications incorporating retail and service operations. This portion of Old Orems Road contains several other automobile service establishments encompassing the types of uses generally permitted with the operation of a service garage. Mr. Ruth testified that he is an auto mechanic by trade and performs Maryland State Inspection services and is licensed by the State Police to do so. He has developed a reputation for providing honest and reliable automotive services to many residents of the surrounding community. Further testimony indicated that there will be no auto body repair work or painting done on the premises and that the use will be limited to mechanical repairs and inspection of automobiles and light trucks. While the building meets all area and setback requirements, the three parking spaces located along the west side of the building (between building 2110 and 2112) in the opinion of the Zoning Office require variance relief. While it was indicated that the property and attendant parking arrangement received prior approval and has operated for approximately 17 years, there is no guarantee that the owner of both lots, Auto-Marine Electric & Parts, Inc., won't sell or erect a fence along the common property line.

ORDER RECEIVED FOR FILING
Date 11-12-00
By D. Zeff

Should that event occur in the future, an insufficient back up area as well as parking spaces without direct access to an aisle would occur under the current B.C.Z.R. regulations.

No one appeared in opposition to the request and there were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency. Turning first to the Petition for Special Exception, the record of this case compels finding that same should be granted. The proposed use is not dramatically different from the existing use on the property and will serve as an improvement to the current operation in the neighborhood at large. There is no evidence that the use will cause a detrimental impact to the health, safety and general welfare of the locale. Additionally, this use is not incompatible with the surrounding locale. I find the standards set out in Section 502.1 are met.

Granting the Variance relief is also appropriate. The requested variances are due to existing conditions on the property and it is clear that practical difficulty and/or unreasonable hardship will result if the relief requested is not granted. It is the speculation that modernization of the site may drive the need for the variances. Should that occur, the narrowness of the lot and existing structure justifies the parking variance. In other words, the location of the building limits the two-way drive-aisle width to 15 feet. In my judgment, the proposal will be appropriate and will accommodate the anticipated traffic volume for the three parking spaces at this site. It has been established that special circumstances and conditions exist which are peculiar to the subject property and that strict compliance with the regulations will unduly restrict the use of the land, due to its site constraints. I find that the use proposed is appropriate for the site and will not adversely impact adjacent properties or the surrounding locale. Indeed, commercial uses are present in the area. Finally, I find that the relief requested will not cause any injury to the public, health, safety and general welfare and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the Petitions for Special Exception and Variance shall be granted.

ORDER RECEIVED FOR FILING
Date 11-2-06
By D. Wiedemann

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of November 2006 that the Petition for Special Exception seeking relief pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a service garage, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 409.8.A.5 of the B.C.Z.R. for insufficient back up area at the dead end aisle and Section 409.4.B of the B.C.Z.R. to allow parking spaces without direct access to an aisle, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) There will be no auto body repair work or painting done on the premises and the service garage use will be limited to the mechanical repair, servicing and inspection of automobiles and trucks. There shall be no storage of damaged and/or disabled vehicles on the property.

Any appeal of this decision must be filed within thirty (30) days of the date hereof and in accordance with the applicable provisions of law.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING
Date 11-2-06
By D. Wise

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
*County Executive*

November 2, 2006

WILLIAM J. WISEMAN III
*Zoning Commissioner*

T. Wray McCurdy, Esquire
T. Wray McCurdy, P.A.
101 Eastern Boulevard
Baltimore, Maryland 21221

RE: **PETITIONS FOR SPECIAL EXCEPTION & VARIANCE**
N/S Old Orems Road, 353' W of Middle River Road
**(2112 Old Orems Road)**
15th Election District – 6th Council District
Auto-Marine Electric & Parts, Inc., Legal Owner; John Ruth, Contract Lessee - Petitioners
**Case No. 07-099-XA**

Dear Mr. McCurdy:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have 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.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

c: Mr. John Ruth, 56 Torque Way, Baltimore, Md. 21220
Mr. William H. Perdue, 9877 Bird River Road, Baltimore, Md. 21220
Mr. Patrick C. Richardson, Richardson Engineering, LLC,
30 East Padonia Road, Suite 500, Timonium, Md. 21093
People's Counsel; Case File

# Petition for Special Exception

## to the Zoning Commissioner of Baltimore County

**for the property located at** 2112 Old Orems Road

**which is presently zoned** BL

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

SERVICE GARAGE

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

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

***Contract Purchaser/Lessee:***

John Ruth
Name - Type or Print

John Ruth
Signature

2112 Old Orems Road (410) 682-9608
Address Telephone No.

Baltimore Md 21220
City State Zip Code

***Attorney For Petitioner:***

T. Wray McCurdy
Name - Type or Print

Signature

T. Wray McCurdy, PA
Company

101 Eastern Blvd. 410-686-2200
Address Telephone No.

Balt MD 21221
City State Zip Code

***Legal Owner(s):***

Auto-Marine Electric & Parts, Inc.
Name - Type or Print

William H. Perdue
Signature

Name - Type or Print

Signature

2112 Old Orems Road 410-687-5440
Address Telephone No.

Baltimore Maryland 21220
City State Zip Code

***Representative to be Contacted:***

William H. Perdue
Name

9877 Bird River Road
Address Telephone No.

Baltimore Maryland 21220-1703
City State Zip Code

**OFFICE USE ONLY**

**ESTIMATED LENGTH OF HEARING** _____

**UNAVAILABLE FOR HEARING** _____

**Reviewed By** JNP for TK **Date** 9/6/06

**Case No.** 07-099-XA

Order Received for Filing
Date 11-20-06
By
REV 09/15/98

# Petition for Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 2112 OLD OREMS RD

which is presently zoned BL

**This Petition shall be filed with the Department of Permits and Development Management.** The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 409.8.A.5 FOR INSUFFICIENT BACK UP AREA AT THE DEAD END AISLE AND 409.4.B TO ALLOW PARKING SPACES WITHOUT DIRECT ACCESS TO AN AISLE

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) EXISTING CONDITIONS OF SITE AND OTHER INFORMATION TO BE PRESENTED AT THE HEARING

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

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:**

JOHN RUTH
Name - Type or Print

John Ruth
Signature

2112 OLD OREMS RD
Address — Telephone No.

BALTIMORE — MD — 21220
City — State — Zip Code

**Legal Owner(s):**

AUTO-MARINE ELECTRIC & PARTS INC.
Name - Type or Print

William H Perdue
Signature

Name - Type or Print

Signature

2112 OLD OREMS RD — 410-687-5440
Address — Telephone No.

BALTIMORE — MD — 21220
City — State — Zip Code

**Attorney For Petitioner:**

T WRAY McCURDY
Name - Type or Print

Signature

T WRAY McCURDY, PA
Company

101 EASTERN BLVD — 410-686-2200
Address — Telephone No.

BALTIMORE — MD — 21221
City — State — Zip Code

**Representative to be Contacted:**

WILLIAM H PERDUE
Name

9877 BIRD RIVER RD — 410-687-5440
Address — Telephone No.

BALTIMORE MD — 21220
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP for TK Date 9/6/06

Case No. 07-099-XA

ORDER RECEIVED FOR FILING
Date 9/6/06
By

REV 9/15/98

**Richardson Engineering, LLC**

110 Old Padonia Road, Suite LC
Cockeysville, Maryland 21030

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

**ZONING DESCRIPTION**
**2112 OLD OREMS ROAD**
**15TH ELECTION DISTRICT**
**BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on in the center of Old Orems Road, a right-of-way (30) feet in width, at a distance of 353 feet +/- from the intersection of Old Orems Road and Middle River Rd, a right-of-way (30) feet in width, thence running and binding on the North side of the Old Orems Road right-of-way. Thence the following courses and distances: (1) North 87 degrees 37 minutes 00 seconds East 55.00 feet, thence leaving Old Orems Road, (4) North 2 degrees 22 minutes 00 seconds West 143.00 feet, (3) South 79 degrees 16 minutes 00 seconds West 55.51 feet, (2) South 2 degrees 22 minutes 00 seconds East 134.93 feet, to the point of beginning.

Containing a net area of 0.175 acres or 7628 square feet of land, more or less.

STATE OF MARYLAND
NO. 19381
REGISTERED
PROFESSIONAL ENGINEER

8/7/06

07-099-XA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 20359

DATE 9/6/06

ACCOUNT R-001-006-6150

AMOUNT $ 705.00

RECEIVED FROM: Auto Marine Electric & Parts, Inc.

FOR: Spec Ex/Variance - 2112 Old Orems Road
07-099-XA (Auto Marine Electric & Parts, Inc.)

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

| BUSINESS DATE | ACTUAL DATE | TIME | DRW |
|---|---|---|---|
| 9/06/2006 | 9/06/2006 | 10:47:52 | 2 |

REG NAME WALKIN DOCL DWD
SCHEDULE# 37621 9/06/2006 OFLH
Item 5 529 ZONING VERIFICATION
CK NO. 020359
Recpt Tot $705.00
$705.00 CH $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING HEARING**

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

**Case: #07-099-XA**
2112 Old Orems Road
N/side of Old Orems Road, 353 feet west of Middle River Road
15th Election District — 6th Councilmanic District
Legal Owner(s): Auto-Marine Electric & Parts, Inc.
Contract Purchaser: John Ruth

**Special Exception:** for a Service Garage. **Variance:** from Section 409.8.A.5 to permit insufficient back up area at the dead end aisle and 409.4.B to allow parking spaces without direct access to an aisle.

**Hearing: Monday, October 30, 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 accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

10/148 October 12 112489

# CERTIFICATE OF PUBLICATION

10/12/, 2006

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/12/, 2006.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

# CERTIFICATE OF POSTING

RE: Case No.: 07-099-XA

Petitioner/Developer: JOHN RUTH

Date of Hearing/Closing: 10-30-06

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}

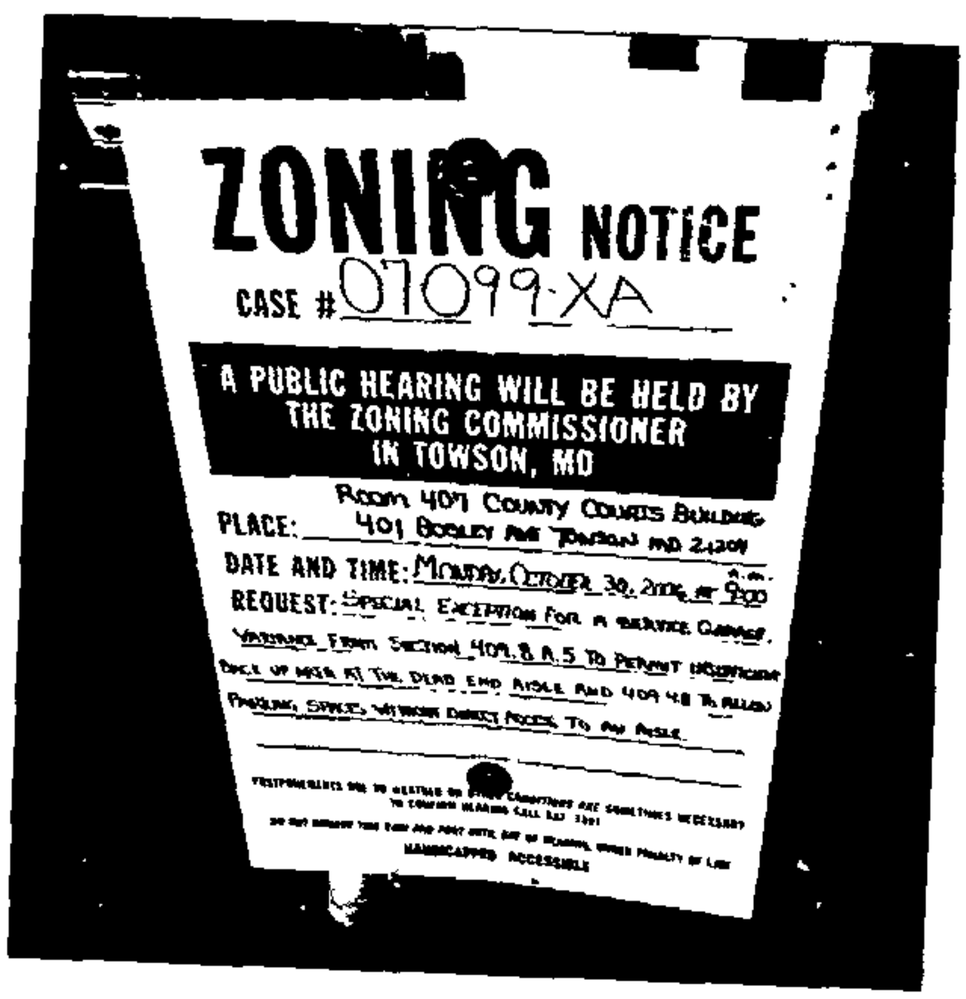
Ladies and Gentlemen:

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:

2112 OLD OREMS RD

The sign(s) were posted on 10-14-06
(Month, Day, Year)

Sincerely,




Robert Black 10-16-06
(Signature of Sign Poster) (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

| | | |
|---|---|---|
| RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCE<br>2112 Old Orems Road; N/S Old Orems Road, 353' W Middle River Road<br>15th Election & 6th Councilmanic Districts<br>Legal Owner(s): Auto Marine Electric & Parts<br>Petitioner(s) | *<br>*<br>*<br>*<br>* | BEFORE THE<br>ZONING COMMISSIONER<br>FOR<br>BALTIMORE COUNTY<br>07-099-XA |

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

## ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of September, 2006, a copy of the foregoing Entry of Appearance was mailed to William H. Perdue, 9877 Bird River Road, Baltimore, MD 21220 and T. Wray McCurdy, 101 Eastern Boulevard, Baltimore, MD 21221, Attorney for Petitioner(s).

RECEIVED
SEP 18 2006
Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 12, 2006 Issue - Jeffersonian

Please forward billing to:
William Perdue
9877 Bird Rive Road
Baltimore, MD 21220

410-687-5440

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## 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: 07-099-XA**
2112 Old Orems Road
N/side of Old Orems Road, 353 feet west of Middle River Road
15th Election District – 6th Councilmanic District
Legal Owners: Auto-Marine Electric & Parts, Inc.
Contract Purchaser: John Ruth

Special Exception for a Service Garage. Variance from Section 409.8.A.5 to permit insufficient back up area at the dead end aisle and 409.4.B to allow parking spaces without direct access to an aisle.

Hearing: Monday, October 30, 2006 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 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**Department of Permits and Development Management**

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

**Baltimore County**

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

September 15, 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: 07-099-XA**
2112 Old Orems Road
N/side of Old Orems Road, 353 feet west of Middle River Road
15th Election District – 6th Councilmanic District
Legal Owners: Auto-Marine Electric & Parts, Inc.
Contract Purchaser: John Ruth

Special Exception for a Service Garage. Variance from Section 409.8.A.5 to permit insufficient back up area at the dead end aisle and 409.4.B to allow parking spaces without direct access to an aisle.

Hearing: Monday, October 30, 2006 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: T. Wray McCurdy, 101 Eastern Blvd., Baltimore 21221
Auto Marine Electric & Parts, 2112 Old Orems Road, Baltimore 21220
William Perdue, 9877 Bird River Road, Baltimore 21220

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 14, 2006.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

## ZONING REVIEW

### 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 07-099-XA

Petitioner Auto Marine Electric & Parts, Inc.

Address or Location 2112 Old Orems Road

PLEASE FORWARD ADVERTISING BILL TO

Name: WILLIAM PERDUE

Address 9877 BIRD RIVER RD
BALTIMORE MD 21220

Telephone Number: 410-687-5440

BALTIMORE COUNTY

MARYLAND

JAMES T. SMITH, JR.
*County Executive*

TIMOTHY M. KOTROCO, *Director*
*Department of Permits and Development Management*

October 26, 2006

T. Wray McCurdy, P.A.
101 Eastern Boulevard
Baltimore, MD 21221

Dear Mr. McCurdy:

RE: Case Number: 07-099-XA, 2112 Old Orems Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 6, 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.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
John Ruth 2112 Old Orems Road Baltimore 21220
William H. Perdue 9877 Bird River Road Baltimore 21220-1703

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** September 20, 2006

**FROM:** Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting
For September 18, 2006
Item Nos. 07-093, 094, 095, 096, 098, and 099

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-09192006.doc

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** October 11, 2006

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

**SUBJECT:** Zoning Advisory Petition(s): **Case(s) 7-099- Variance-** ***(revised comment)***

An inspection of the above referenced property revealed that the proposed variance request is located in a Community Conservation area. The proposed location of the tower could compromise the safety and character of the surrounding residential uses. After review of the subject request the Office of Planning recommends **denial**.

For further questions or additional information concerning the matters stated herein, please contact Dave Green in the Office of Planning at 410-887-3480.

**Prepared By:** Cindis K Murray

**Division Chief:** Lyn Lanham

CM/LL

W:\DEVREV\ZAC\7-099revised.doc

ABW
10/30

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** October 30, 2006

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

**SUBJECT:** *Zoning* Advisory Petition(s): **Case(s) 7-099- Special Exception and Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Laurie Hay in the Office of Planning at 410-887-3480.

**Prepared By:** Cindy Murray

**Division Chief:** Lyn Lanham

CM/LL

RECEIVED

OCT 3 1 2006

W:\DEVREV\ZAC\7-099a.doc

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

SHA State Highway Administration *Driven to Excel*

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: September 12, 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. 07-99-A
2112 Orems Road
Motion Marine & Auto
Variance for insufficient
Back up Area

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 07-97-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Michael P. Bailey

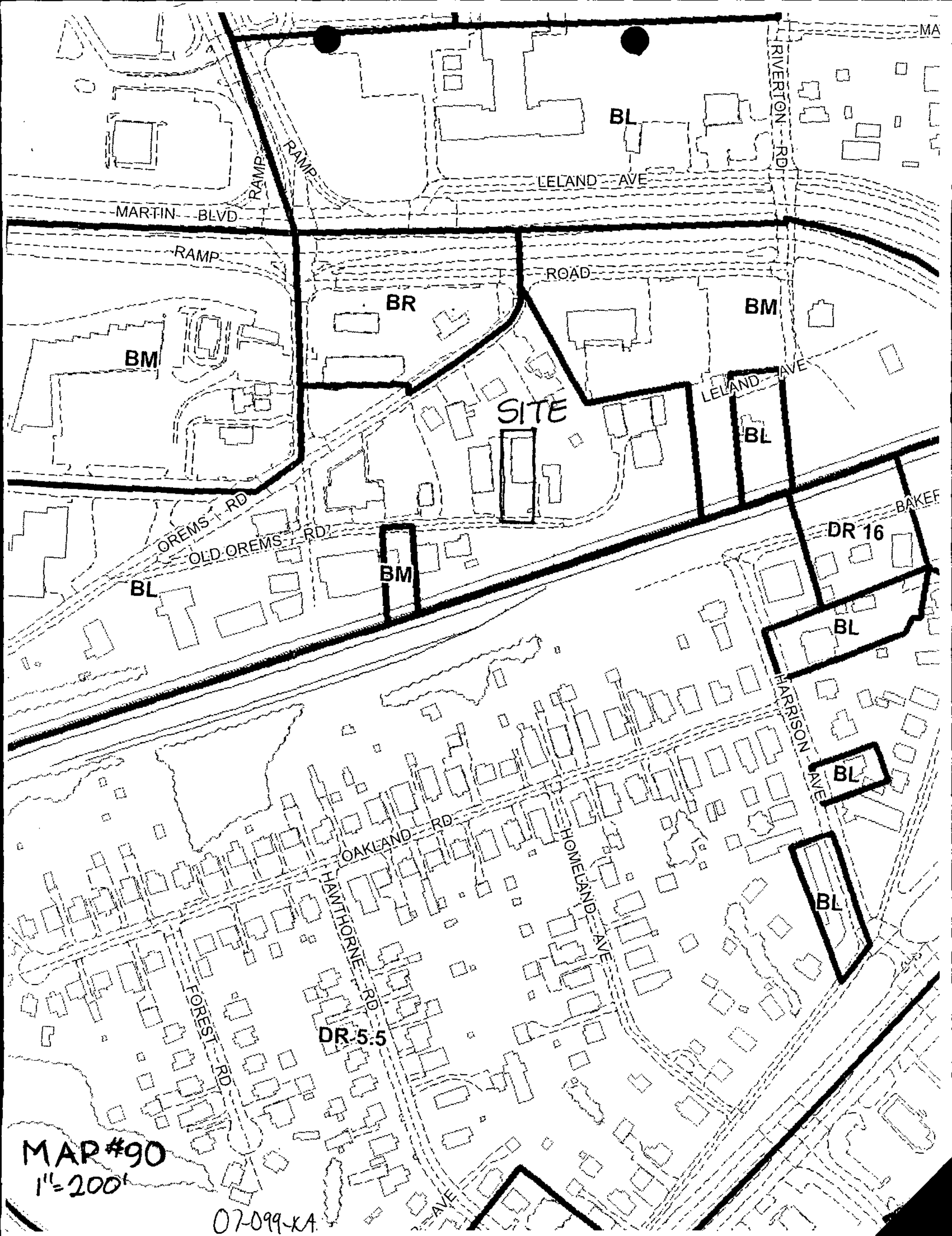
For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Case No.: 07-099-XA 2112 OLD OREMS RD

Exhibit Sheet

| | Petitioner/Developer | Protestant |
|---|---|---|
| No. 1 | Site Plan | |
| No. 2 | Original Site Plan drawing. | |
| No. 3 | | |
| No. 4 | | |
| No. 5 | | |
| No. 6 | | |
| No. 7 | | |
| No. 8 | | |
| No. 9 | | |
| No. 10 | | |
| No. 11 | | |
| No. 12 | | |


MA
RIVERTON RD
BL
LELAND AVE
RAMP
RAMP
MARTIN BLVD
RAMP
ROAD
BR
BM
BM
LELAND AVE
SITE
BL
OREMS RD
OLD OREMS RD
BAKER
DR 16
BM
BL
BL
HARRISON AVE
BL
OAKLAND RD
HOMELAND AVE
HAWTHORNE RD
BL
FOREST RD
DR 5.5
AVE
MAP #90
1"=200'
07-099-XA

PLEASE PRINT CLEARLY

CASE NAME MOTION MARINE
CASE NUMBER 07-099-XA
DATE 10/30/06

# PETITIONER'S SIGN-IN SHEET

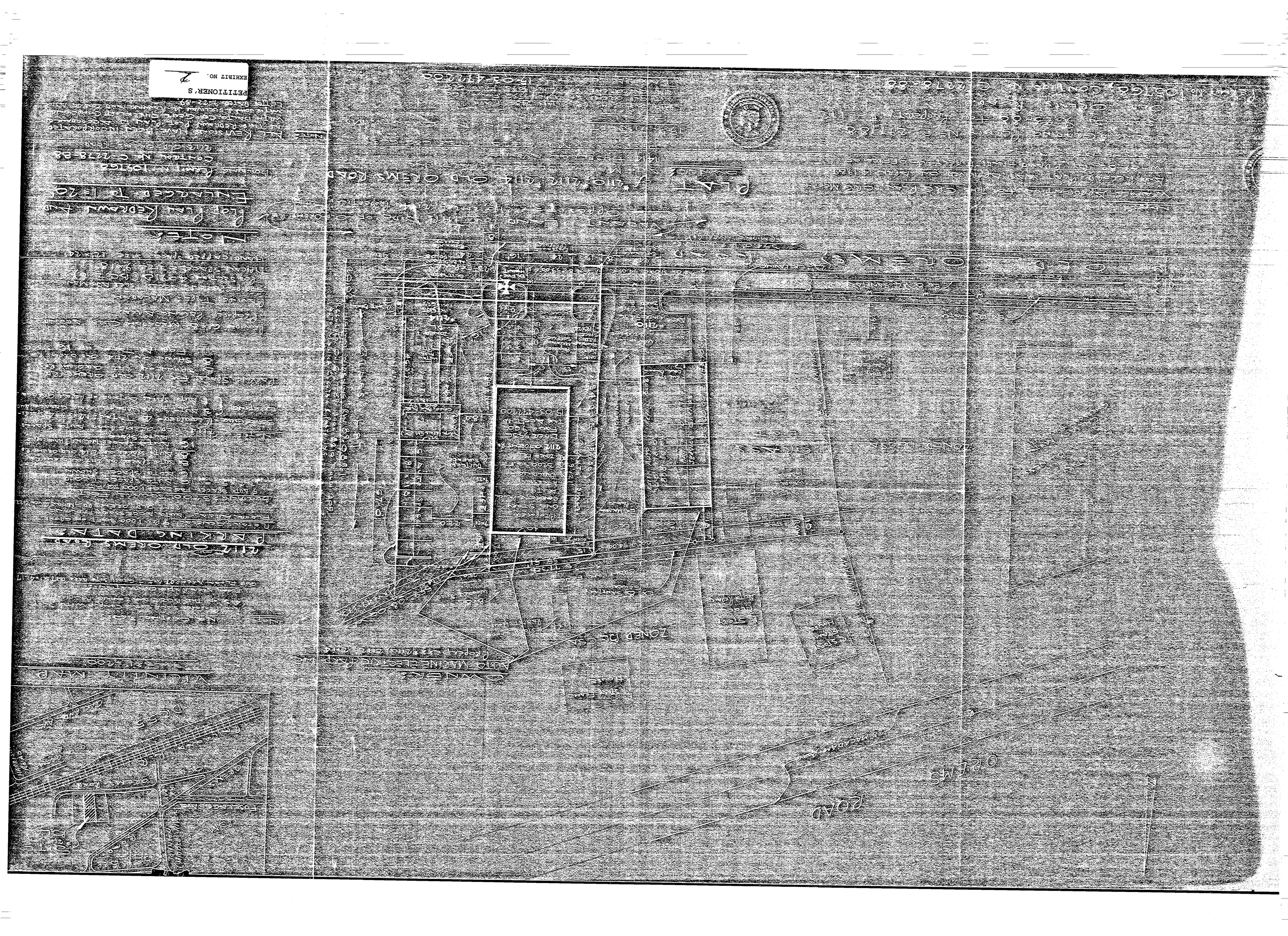
| NAME | ADDRESS | CITY, STATE, ZIP | E- MAIL |
|---|---|---|---|
| John Rytt | 56 Torque way | Balto Co 21220 | |
| William Perdue | 9877 Bird River Rd | Balto Co 21220 | |
| Rick Richardson | ~~110 OLD PADONIA RD~~ 30E PADONIA RD SUITE 500 | TIMONIUM MD 21093 | RICK@RICHARDSONENGINEER[redacted] |
| T. Whay McCurdy Esquire | 101 Eastern Blvd | 21221 | |

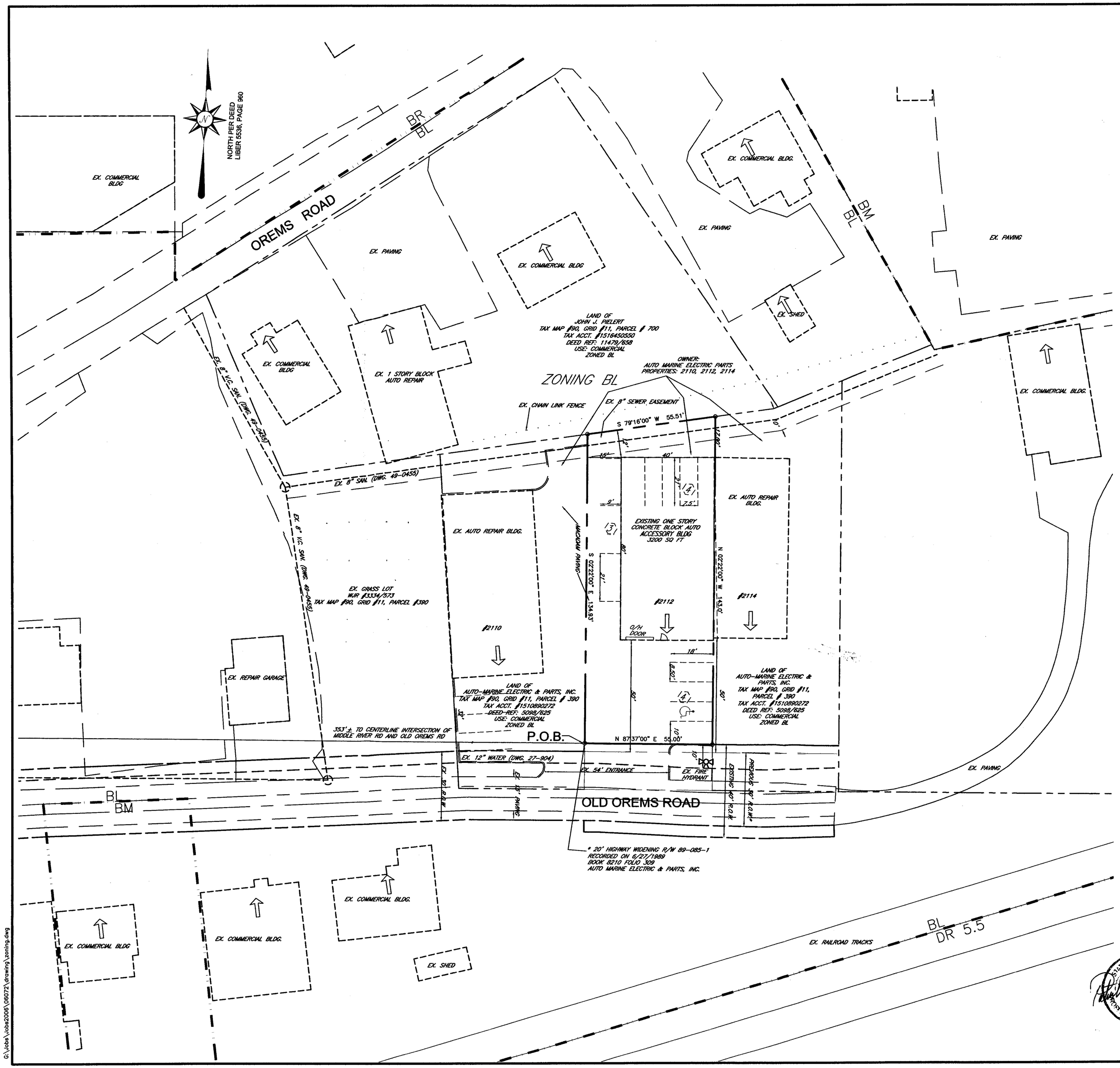
**Richardson Engineering, LLC**

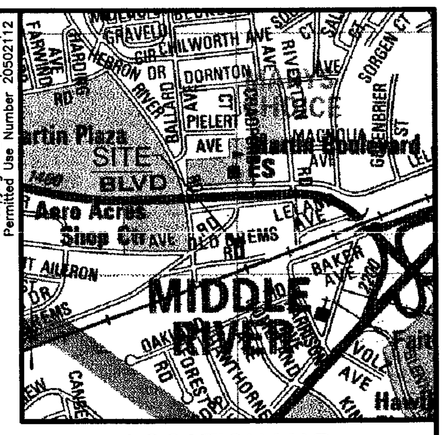
*Patrick C. Richardson, Jr., PE*

- *Civil Engineering*
- *Commercial*
- *Residential*
- *Industrial*

*110 Old Padonia Road, Suite LC*
*Cockeysville, Maryland, 21030*
*410-560-1502*
*410-560-0827 fax*
*Rick@RichardsonEngineering.net*
*www.RichardsonEngineering.net*


ROAD
ZONE DE CSV
PETITIONER'S
EXHIBIT NO. 2




ADC Map No. 37 grid C-5, H-5
Copyright ADC The Map People
Permitted Use Number 20502112

LOCATION MAP

SCALE: 1" = 1000'

## GENERAL NOTES:

1. OWNER\APPLICANT:
   OWNER:
   AUTO MARINE ELECTRIC & PARTS INC
   #1414 FUSELAGE AVE STE 7
   BALTIMORE, MARYLAND 21220

   APPLICANT:
   MOTION MARINE & AUTO
   2112 OLD OREMS RD
   BALTIMORE, MARYLAND 21220
2. SITE AREA:
   GROSS: 8,726 Sq.Ft. or 0.200 Ac.±
   NET: 7628 Sq.Ft. or 0.175 Ac.±
3. BUILDING AREAS:
   EXISTING: 3,200 Sq.Ft.
   PROPOSED: NONE PROPOSED
4. UTILITIES
   WATER: PUBLIC SEWER: PUBLIC
5. NO 100 YEAR FLOODPLAINS ON SITE.
6. PARKING TABULATION:

| | FLOOR AREA | REQUIREMENT | TOTAL SPACES REQUIRED: |
|---|---|---|---|
| AUTO | 3,200 SF | 3.3/ 1000 | 11 |

   SPACES PROVIDED: ~~12~~ 11 PLA
7. SETBACKS:

| | REQUIRED | PROVIDED |
|---|---|---|
| FRONT | 41' | 50' |
| REAR | 0' | 12' |
| SIDE | 0' | 0' |

8. DEED REF: 5336/960
9. TAX ACCOUNT #1503472200
10. COUNCILMANIC DISTRICT 6th
11. REGIONAL PLANNING DISTRICT 327
12. CENSUS TRACT 4512
13. WATERSHED: MIDDLE RIVER
14. ZONING: BL (PER 1"=200' ZONING MAP 090C2)
15. TAX MAP #90, PARCEL #211
16. PLAT REF: N/A
17. FLOOR AREA RATIO:
    MAX PERMITTED: 3.0
    F.A.R. PROVIDED: 3,200 ÷ 8726 = 0.37
18. PREVIOUS ZONING CASES: THE BALTIMORE COUNTY RECORDS DO NOT SHOW ANY PREVIOUS ZONING HEARINGS.
19. PREVIOUS CRG: CRG #W-89-82 APPROVED 4/14/1989
20. PREVIOUS PERMITS ON FILE: RAZING AND GRADING PERMIT #E-297-88 ISSUED 9/23/1988
    BUILDING PERMIT #105678 CONTROL #C-2278-88
21. ANY PROPOSED SIGNS TO CONFORM TO BALTIMORE COUNTY ZONING REGULATIONS.
22. SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
23. USES:
    EXISTING: AUTO SERVICE BLDG.
    PROPOSED: SAME (NO CHANGE)
24. SPECIAL EXCEPTION TO PERMIT SERVICE GARAGE IN A BL ZONE PER SECTION 230.13 SUBJECT TO COMPLIANCE WITH SECTION 230.12, AND VARIANCES TO 409.8.A.5 AND 409.4.B.
25. ALL PARKING AND DRIVE AISLES SHALL BE PAVED WITH A DURABLE AND DUSTLESS SURFACE MATERIAL.
26. NO STORAGE OF DAMAGED AND DISABLED VEHICLES ARE PERMITTED OUTSIDE OF THE BUILDING EXCEPT IN ACCORDANCE WITH SECTION 405A OF BCZR. NO OUTSIDE STORAGE OF DAMAGED OR DISABLED VEHICLES ARE PROPOSED ON THIS SITE.

DENOTES ZONING LINE

DENOTES THE FRONT FACE OF THE STRUCTURE


**Richardson Engineering, LLC**

110 Old Padonia Road, Suite LC
Cockeysville, Maryland 21030
Phone: 410-560-1502 Fax: 410-560-0827


PLAN TO ACCOMPANY PETITION FOR
SPECIAL EXCEPTION AND VARIANCE
FOR

# MOTION MARINE & AUTO
## 2112 OLD OREMS ROAD
## BALTIMORE, MARYLAND 21220

15TH ELECTION DISTRICT — BALTIMORE COUNTY, MARYLAND

STATE OF MARYLAND — CHRISTOPHER P. RICHARDSON — No. 7340 — REGISTERED PROFESSIONAL ENGINEER
9/5/06

| REVISIONS | DRAWN BY: CND | DESIGNED BY: PCR | SCALE: 1" = 20' |
|---|---|---|---|
| | DATE: 08-07-06 | JOB NO.: 06072 | SHEET NO.: 1 OF 1 |

G:\jobs\jobs2006\06072\drawing\zoning.dwg

PETITIONER'S EXHIBIT NO. 1

07-099-XA