1/31/13

IN THE MATTER OF BEFORE THE THE APPLICATION OF BOARD OF APPEALS SHREYAS and NISHA PANCHIGAR OF BALTIMORE COUNTY LEGAL OWNERS/PETITIONERS FOR A ZONING RECLASSIFICATION PROPERTY LOCATED S/S HOLLINS FERRY ROAD, 225 ft CASE NO. CR-07-132-X EAST of HAMMONDS FERRY ROAD (AMENDED) (4381 HOLLINS FERRY ROAD) 13th ELECTION DISTRICT 1st COUNCILMANIC DISTRICT

OPINION

This case comes before the Board of Appeals on a Petition to Amend filed by Shreyas Panchigar and Nisha Panchigar ("Petitioners") an Out of Cycle Reclassification of the property known as 4381 Hollins Ferry Road. Specifically, the Petitioners are requesting the Board of Appeals to amend its Order dated December 14, 2006 granting Petitioners' Petition for Reclassification of the property known as 4381 Hollins Ferry Road from D.R. 1, B.L. and M.L. to B.L.- A.S. and to approve a Special Exception for an automotive service garage. Petitioners are specifically requesting the Board of Appeals to delete the automotive service garage restriction contained in the December 14, 2006 Order.

A hearing was held on June 25, 2013 before the Board of Appeals ("Board") at which the Petitioners were represented by counsel, J. Neil Lanzi, Esquire. Numerous residents from the residential and business community were in attendance in support of Petitioners' requests. The Office of People's Counsel appeared and was represented by Carole Demilio, Esquire.

BACKGROUND

The subject property is located in the Lansdowne community of Baltimore County. The Petitioners, according to the evidence, sought the requested Special Exception and Amendment of the Board's December 14, 2006 Order in order to enable them to use their property for an automotive service garage in addition to the existing carwash and animal grooming facility located on the subject property. The subject property is presently zoned B.L.- A.S. and has a lot area of 51,518 square feet. The current zoning allows the requested automotive service garage by special exception. The existing carwash was approved by the December 14, 2006 Order of this Board and the animal grooming facility was approved by the Department of Permits and Development Management in accordance with its spirit and intent letter dated January 19, 2011. Petitioners submitted various exhibits, including its Petition to Amend with sixteen accompanying exhibits which provided a detailed summary of the procedural and historical background of the subject property. Petitioners also submitted a red-line of the documented site plan previously approved by the Board in the December 14, 2006 Opinion and Order. Current photographs of the subject site and surrounding neighborhood were submitted along with various letters of support from residential and business neighbors in the area.

Procedurally, the Petition to Amend is before this Board pursuant to Section 32-3-513 and 32-3-502 of the Baltimore County Code which provides for original and exclusive jurisdiction over all petitions for reclassification by the Board. The subject property went through the out-of-cycle reclassification process in 2006 and as stated, the Board has been requested to delete the automotive service garage restriction and to approve the Special Exception Request for an automotive service garage.

In addition to testimony of the owner, Shreyas Panchigar, Petitioners called upon Patrick Richardson, P.E. to testify as an expert in the areas of civil engineering and land use matters.

Mr. Richardson testified unopposed to the requirements for special exception relief as contained in Section 502.1 of the Baltimore County Zoning Regulations. The testimony and evidence demonstrated the various elements required under Section 502.1 were satisfied by the Petitioners.

The Office of People's Counsel represented by Carole E. Demilio, Esquire confirmed the representation made by Petitioners' counsel on the zoning procedural history for the property and made a request to the Board that any approval removing the automotive service restriction maintain intact the remainder of the Order of the Board in this case as rendered December 14, 2006.

DECISION

Maryland jurisprudence is well established regarding the factors to be considered when contemplating special exception relief. Baltimore County Zoning Regulations, Section 502.1, in pertinent part states as follows:

"In granting any special exception, the Zoning Commissioner and the County Board of Appeals, upon appeal, shall be governed by the following principals and conditions. Before any special exception may be granted, it must appear that the use for which the special exception requested will not:

- (a) Be detrimental to the health, safety or general welfare of the locality involved;
- (b) Tend to create congestion in roads, streets or alleys therein;
- (c) Create a potential hazard from fire, panic or other danger;

- (d) Tend to overcrowd land and cause undue concentration of population;
- (e) Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- (f) Interfere with adequate light and air;
- (g) Be inconsistent with the purposes of the property zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations;
- (h) Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor
- (i) Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and flood plains in a RC2, RC4, RC5 or RC7 Zone."

In *Schultz v. Pritts*, 291 Md. 2 (1981), the Court established the standard to be used for special exceptions stating:

"The appropriate standard to be used in determining whether a requested special exception use would have an adverse effect and therefore should be denied is whether there are facts and circumstances that show that the particular use proposed at the particular location proposed would have any adverse effects above and beyond those inherently associated with such a special exception use irrespective of its location within the zone".

PETITIONERS' ARGUMENT

Petitioners argue that the automotive service garage use at this commercial location

would not have any adverse effects above and beyond those inherently associated with such an automotive service garage use irrespective of its location within the zone.

CONCLUSION

This Board is persuaded that Petitioners have demonstrated both the removal of the automotive service garage restriction as contained in the December 14, 2006 Opinion and Order of the Board and the granting of the Petition for Special Exception relief allowing the automotive service garage at the subject property will be compatible with the existing uses in the neighborhood and will not be detrimental to the health, safety or general welfare of the neighborhood. Consequently, Petitioners request to amend the Order of the Board dated December 14, 2006 to remove the restriction for the automotive service garage and to approve the Petition for Special Exception is Granted.

ORDER

THEREFORE, it is this 31St day of July, 2013, by the Board of Appeals of Baltimore County,

ORDERED, that the Petitioners request to amend the Board Order dated December 14, 2006 in Case No. CR-07-132-X by removing the restriction for an automotive service garage be and is hereby, GRANTED;

And it is further,

ORDERED, that Petitioners' request for Special Exception for an automotive service garage, be and is hereby, GRANTED;

Subject to the conditions that all other terms and conditions as contained in the Order of

the Board dated December 14, 2006 in Case No. CR-07-132-X remain in full force and effect.

Any Petition for Judicial Review from the Decision must be made in accordance with Rule 7-201 – 7-210 of the Maryland Rules.

BOARD OF APPEALS OF BALTIMORE COUNTY

Andrew Belt, Chairman

Wendell H. Grier

David L. Thurston



Loard of Appeals of Baltimore County

JEFFERSON BUILDING SECOND FLOOR, SUITE 203 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND, 21204 410-887-3180 FAX: 410-887-3182

July 31, 2013

J. Neil Lanzi, Esquire PNC Bank Building, Ste 617 409 Washington Avenue Towson, MD 21204

Peter M. Zimmerman, Esquire Carole S. Demilio, Esquire Office of People's Counsel for Baltimore County The Jefferson Building, Suite 204 105 W. Chesapeake Avenue Towson, MD 21204

RE: In the Matter of: Shreyas and Nisha Panchigar Case No.: CR-07-132-X (Amended)

Dear Counsel:

Enclosed please find a copy of the final Opinion and Order issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, <u>WITH A PHOTOCOPY PROVIDED TO THIS</u>

<u>OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT</u>. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Krysundra "Sunny" Cannington Acting Administrator

unny Cannington

/klc Enclosure Duplicate Original Cover Letter

c:

Shreyas & Nisha Panchigar
Elizabeth Yankulov
Everett Hall-McNeill
Richard Kunz
Jeff Mayhew, Deputy Director / Planning
W. Carl Richards, Zoning Supervisor / PAI
Arnold Jablon, Director/PAI
Michael Field, County Attorney, Office of Law

The Honorable Tom Quirk, Baltimore County Council, 1st District

Rick Richardson/Richardson Engineering, LLC
Shahil Panchigar
Robert & Kimberly Maith
Andrea Van Arsdale, Director/Department of Planning
Lawrence M. Stahl, Managing Administrative Law Judge
Colleen Kelly, Development Manager / PAI
Nancy West, Assistant County Attorney

BALTIMORE COUNTY

BOARD OF APPEALS

BEFORE THE IN THE MATTER OF THE APPLICATION OF BOARD OF APPEALS SHREYAS and NISHA PANCHIGAR

OF BALTIMORE COUNTY

LEGAL OWNERS/PETITIONERS FOR A ZONING RECLASSIFICATION PROPERTY LOCATED S/S HOLLINS FERRY ROAD, 225 ft EAST of HAMMONDS FERRY ROAD (4381 HOLLINS FERRY ROAD)

CASE NO. CR-07-132-X (OUT OF CYCLCE)

13th ELECTION DISTRICT FIRST COUNCILMANIC DISTRICT

RECEIVED

APR 3 0 2013

PETITION TO AMEND

Shreyas Panchigar and Nisha Panchigar, by counsel, J. Neil Lanzi, Esquire and J. Neil Lanzi, P.A., pursuant to the Rules and Procedures of the County Board of Appeals of Baltimore County and Section 32-3-513 of the Baltimore County Code, respectfully petition the County Board of Appeals of Baltimore County ("Board") to amend its Order dated December 14, 2006, granting Petitioner's Petition for Reclassification of the Property known as 4381 Hollins Ferry Road from D.R. 1, B.L. and M.L. to B.L.- A.S. and to approve a Special Exception for an automotive service garage, and for reasons states:

- 1. Shreyas Panchigar and Nisha Panchigar ("Petitioners") are the Legal Owners of the property known as 4381 Hollins Ferry Road located on the South side of Hollins Ferry Road approximately 225 feet east of the intersection with Hammonds Ferry Road in Baltimore County, Maryland ("Property").
- 2. Upon granting Petitioners' Petition for Reclassification of the Property by its Order dated December 14, 2006 ("Board Order"), the Board included certain restrictions, including the following:

Petitioner shall not operate the following:

- (a) Liquor or package goods store;
- (b) Bail bond office;
- (c) Car storage or towing facility;
- (d) Gas station;
- (e) Automotive service garage;
- (f) Tavern; or
- (g) Pawn shop.
- 3. Petitioners are hereby requesting the Board to amend the Board Order by deleting "automotive service garage" from the seven use restrictions imposed upon the Property.
 - 4. Petitioners submit the following history of the Property in support of this Petition.
- 5. Petitioners purchased the Property on or about April 17, 2003. A copy of the deed is attached as Petitioners' Exhibit 1.
- 6. Soon after their purchase, Petitioners filed a Petition for Special Exception (Case No. 04-196-X) for use of the Property as an automotive service garage pursuant to §230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.).
 - 7. At that time the Property was split zoned B.L., B.L.-A.S. and M.L.
- 8. At the public hearing in Case No. 04-196-X, testimony was proffered that Shreyas Panchigar also owned the Mobil (now Carroll Independent) fuel service station located on the corner of Hammonds Ferry and Hollins Ferry Road immediately adjacent to the proposed automotive service garage and the Exxon (now Sunoco) fuel service station located directly across from the Property on the North side of Hollins Ferry Road.
 - 9. By Order dated December 24, 2003, the Deputy Zoning Commissioner granted

Petitioners' Special Exception allowing an automotive service garage at the Property. A copy of the December 24, 2003 Order is attached as Petitioners' Exhibit 2.

- 10. Due to the split zoning of the Property, Petitioners filed a Comprehensive Zoning Map Process ("CZMP") application in 2004 for the Property. A copy of the CZMP application is attached as Petitioners' Exhibit 3.
- During the 2004 CZMP, a portion of the Property was zoned residential instead of the requested commercial zoning.
- 12. For business reasons, Petitioners did not open a service garage on the Property within two years of the December 24, 2003 Order, resulting in a lapse of the previously approved special exception.
- 13. Subsequent to the 2004 CZMP, Councilman S.G. Samuel Moxley recognized an error had been made in rezoning the Property and offered his support to correct the zoning through the Out of Cycle Reclassification Process.
- 14. Petitioners pursued the Petition for Reclassification of the Property through the Out of Cycle Reclassification process in accordance with Resolution No. 63-06 of the Baltimore County Council as sponsored by Councilman Moxley. A copy of Resolution No. 63-06 is attached as Petitioners' Exhibit 4.
- 15. The Petition for Reclassification requested B.L.-A.S. zoning for the Property and Special Exception approval for use of the Property as a carwash and for a retail building. A copy of the Petition for Reclassification is attached as Petitioners' Exhibit 5.
- 16. A hearing was held before the Board on November 8, 2006 with regard to Petitioner's Out of Cycle Reclassification Petition.
 - 17. As of the November 8, 2006 hearing before the Board, Petitioners continued to

own and operate the Mobil fuel service station at the corner of Hollins Ferry Road and Hammonds Ferry Road and the Exxon fuel service station located across the street from the Property.

- 18. Automotive service repair work was provided at both the Mobil fuel service station location and Exxon fuel service station. However, the Exxon station was converted to a convenience store in 2005 and the automobile repairs stopped at that location.
- 19. From the time of the Property purchase through the Board hearing in 2006, the subject Property remained vacant.
- 20. The Baltimore County Planning Board supported Petitioner's Out of Cycle Reclassification of the Property and a documented site plan was submitted into evidence at the hearing before the Board. A copy of Petitioners' documented site plan is attached as Petitioners' Exhibit 6.
- 21. Petitioners' site plan presented to the Board indicated the Property would contain a two bay roll-on carwash and a 6,000 square foot one-story retail building with restrictions indicating the Property would not have "a liquor or package goods store, a bail bond office, car storage or towing facility or a gas station".
- 22. At the 2006 Board hearing, Petitioners agreed to not operate an automotive service garage on the Property since Petitioners were the owners and operators of the adjacent Mobil fuel service station also providing automotive service work.
- 23. Petitioners agreed to the restrictions at the 2006 Board hearing since their focus was on the carwash and future retail use of the subject Property.
- 24. Petitioners submitted to the Board all of the required documentation for the carwash and retail use of the Property, including the required environmental impact statement

and follow up submissions, including the required landscape and lighting plans for the Property.

- 25. Petitioners submitted Councilman Moxley's letter dated November 3, 2006 confirming his support for the B.L.-A.S. classification of the Property.
- 26. After the hearing, the Board entered its Order dated December 14, 2006 granting the B.L.-A.S. zoning and Special Exception for the carwash. A copy of the Board Order is attached as Petitioners' Exhibit 7.
- 27. Since the Board Order, Petitioner has constructed the carwash facility in accordance with the documented site plan.
- 28. Since the Board Order, Petitioner has stopped operating the Mobil fuel service station property next door, which property is now a Carroll Independent fuel service station currently providing fuel sales only.
- 29. In 2006, Petitioner sold the Exxon automotive fuel station directly across the street from the subject Property.
- 30. In addition to the approved carwash, an animal grooming facility is now located on the subject Property, as approved by the Department of Permits and Development Management in accordance with the Spirit and Intent Letter dated January 19, 2011attached as Petitioners' Exhibit 8.
- 31. Desirous of operating an automotive service garage with the carwash on the Property, in the Fall of 2012 your Petitioners filed a Petition for Special Exception with the Office of Administrative Hearings in Case No. 2013-0115-X.
- 32. Petitioners requested special exception relief to use the Property for an automotive service garage, notwithstanding the restriction as contained in the 2006 Order of the Board.

- 33. The Property was properly posted and advertised and a hearing held before the Administrative Law Judge for Baltimore County at which time the Petition for Special Exception was amended to include a Petition for Special Hearing to amend the Board Order in Case No. CR-07-132-X. A copy of the Amended Petition is attached as Petitioners' Exhibit 9.
- 34. An Order was entered on January 15, 2013 granting Petitioner's request for Special Exception allowing the service garage and Special Hearing relief amending the Order of the Board in Case CR-07-132-X. A copy of the January 15, 2013 Order is attached as Petitioners' Exhibit 10.
 - 35. A timely appeal was filed by the Peoples' Counsel for Baltimore County.
- 36. At the hearing before the Administrative Law Judge in Case No. 2013-0115-X, a site plan was entered into evidence, which plan provided for the proposed service garage within the one-story retail building previously approved by the Board as part of Petitioners documented site plan in Case No. CR-07-132-X.
- 37. The remainder of the Property shown on Petitioners' site plan in Case No. 2013-0115-X contained the improvements previously approved by the Board.
- 38. The only changes to the previously approved documented site plan as submitted to the Administrative Law Judge in Case No. 2013-0115-X and as submitted with this Petition, is the reduction of the proposed retail building from 6,000 square feet to 5,750 square feet, which reduction reflects the animal grooming facility (240 square feet) and the revised car wash facility.
 - 39. Petitioners submit the following additional items in support of this Petition:
- a) The red-lined Documented Site Plan submitted by Petitioners as

 Petitioners' Exhibit 11 meets the requirements of §32-3-512 of the Baltimore County Code. It

shows the elevation drawings and plans satisfying the Zoning Commissioner's Rules of Practice and Procedure by showing the locations, coverage, floor areas, height, character and exterior materials of all proposed structures and all existing structures to be retained. See also Petitioners' Exhibit 12 attached hereto.

- b) There are no existing structures to be removed from the site; therefore, it meets that requirement.
- c) The proposed type of sign has been submitted to the Board and meets County requirements.
- d) The principal uses have been set forth on the site plan prepared and certified by a professional engineer.
- e) The hours of operation are set forth on the site plan, and the plan shows that one employee will be employed by the carwash, two with the animal grooming facility and seven (7) employees to be employed by the automotive service garage.
- f) The site plan shows the parking and loading facilities and there are no existing or proposed public or quasi-public facilities on or adjacent to the site.
 - g) Storm drains and sewer lines are to the rear of the site.
- h) There are no existing ponds or other bodies of water or riverine floodplains or major vegetation on the site.
- i) Screening and landscaping has been provided in the previously approved landscaping plan.
- j) The existing topography and proposed changes in grade are shown on the plan approved by the County attached as Petitioners' Exhibit 13.
 - k) An updated environmental impact statement has been submitted in

accordance with the requirements of 32-3-512(11) and is attached as Petitioners' Exhibit 14.

- l) A copy of the building permit for the car wash facility is attached as Petitioners' Exhibit 15.
- m) A copy of the building permit for the automotive service garage facility is attached as Petitioners' Exhibit 16.
- 40. Petitioners submit that the conditions resulting in the automotive service garage restriction in the 2006 Board Order have substantially changed in that your Petitioners no longer own and/or operate the fuel service station properties next door and across from the subject Property.
- 41. Petitioners submit the subject Property has had public hearings for the automotive service garage use in 2003 and most recently in 2012, which hearings were properly posted and advertised. The requested relief for an automotive service garage was granted at both hearings.
- 42. The subject Property has the proper zoning and the service garage is a "special exception" use of the Property under its current B.L.-A.S. zoning, Section 230.13 of the B.C.Z.R.
- 43. The Board has jurisdiction of this Petition as a result of the prior Out of Cycle Reclassification Petition and accordingly, only the Board can amend its prior 2006 Order to delete the automotive service garage restriction.

WHEREFORE, your Petitioners respectfully request the Board of Appeals for Baltimore County to:

- 1. Amend its prior Order dated December 14, 2006 deleting the automotive service garage restriction; and
- 2. Approve the requested special exception relief allowing an automotive service garage; and

3. Approve the red-lined documented site plan attached as Petitioners' Exhibit 11 to this Petition; and

4. Provide such other and further relief as is necessary.

I. Neil Lanzi

J. Neil Lanzi, P.A.

409 Washington Avenue, Suite 617

Towson, MD 21204

(410) 296-0686

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this ______ day of _______, 2013, a copy of the foregoing Petition to Amend was mailed without Exhibits, postage prepaid, to: Arnold Jablon, Director, Baltimore County Department of Permits, Approvals and Inspections, County Office Building, Suite 105, 111 West Chesapeake Avenue, Towson, Maryland 21204; Peter Max Zimmerman, Esquire and Carole S. Demillio, Esquire, Office of People's Counsel for Baltimore County, 105 West Chesapeake Avenue, Room 204, Towson, Maryland 21204; Shreyas and Nisha Panchigar, 2926 W. Almondbury Drive, Pasadena, Maryland 21122; Rick Richardson, Richardson Engineering, LLC, 30 E. Padonia Road, Timonium, Maryland 21093, Elizabeth Yankulov, 27 Hazel Avenue, Baltimore, Maryland 21227; Shahil Panchigar, 2926 W. Almondbury Drive, Pasadena, Maryland 21122; Everett Hall-McNeill, 3816 Westwood Manor Way, Pasadena, Maryland 21122; Robert and Kimberly Maith, 712 Rambo Court, Lansdowne, Maryland 21227; Richard Kunz, 451 Bigley Avenue, Lansdowne, Maryland 21227; Lawrence M. Stahl, Managing Administrative Law Judge; John E. Beverungen, Administrative Law Judge, 105 W. Chesapeake Avenue, Suite 103, Towson, Maryland 21204; Andrea Van Arsdale, Director/Department of Planning, Nancy West, Assistant County Attorney and Michael Field, County Attorney, Office of Law, 400 Washington Avenue, Towson, Maryland 21204. (Exhibits available in Board File)

I. Neil Lanzi

IN THE MATTER OF
THE APPLICATION OF
SHREYAS AND NISHA PANCHIGAR
-LEGAL OWNERS /PETITIONERS
FOR A ZONING RECLASSIFICATION
ON PROPERTY LOCATED ON THE
S/S OF HOLLINS FERRY ROAD, 225'
E OF HAMMONDS FERRY ROAD

13th ELECTION DISTRICT 1ST COUNCILMANIC DISTRICT BEFORE THE

COUNTY BOARD OF APPEALS

OF

* BALTIMORE COUNTY

Case No. CR-07-132-X (out of cycle)

OPINION

This matter comes before the Board on Petition for an out-of-cycle Reclassification of the property in question from D.R. 1, B.L., and M.L. to B.L.-A.S. In addition, the Petitioner seeks a special exception for a car wash to be operated at the facility. Petitioner was represented by John Gontrum, Esquire, and WHITEFORD, TAYLOR & PRESTON, LLP. Carole S. Demilio, Deputy People's Counsel for Baltimore County, appeared on behalf of the Office of People's Counsel. A hearing was held before the Board on November 8, 2006. At the close of the hearing, the Board took a short recess and then held a public deliberation on the case.

The subject property consists of 58,518 sq. ft. (1.18 acres) located on the south side of Hollins Ferry Road, 225 feet each of its intersection with Hammonds Ferry Road, in the Thirteenth Election District, First Councilmanic District of Baltimore County. The property was zoned B.L., B.L.-A.S. and M.L. prior to the last comprehensive zoning cycle. In that process, a portion of the site that was B.L. was rezoned to D.R. 1. This created a residentially zoned property in the midst of otherwise commercially zoned properties. The lot to the west of the property is a fully-improved site used for a service station and operated by Petitioner, Mr. Panchigar. Except for landscape buffer, the site is fully paved and improved. To the east of the

site is a residence at 4369 Hollins Ferry Road. That property contains approximately 4,208 sq. ft. The single-family dwelling is approximately 40 years old and about 10 percent of the site is impervious. Although the site is used for a residence, the property is zoned B.L.

To the rear of the subject property is M.L. zoned land improved by a large one-story commercial building. A small portion of the rear of the property abuts residentially zoned and improved land. There is a storm drain in the northeast corner of the property that outfalls to Hammonds Ferry Road then to a tributary that drains into the Patapsco River. There are no streams or wetlands on the site, and the vegetation is an open meadow with sparse, woody vegetation. There is no significant wildlife species present on the site. There are no endangered flora or fauna present on the site.

The site is served by public water and sewer systems that are on Hollins Ferry Road.

The existing roadway in front of the site is paved for four lanes of traffic, curb and gutter, and concrete sidewalks. The road narrows to two lanes just north of the site. The site is served by BGE electric and gas services in Hollins Ferry Road.

On September 19, 2006, Petitioners filed a Petition with Timothy M. Kotroco, Director of the Department of Permits & Development Management (PDM) for an out –of-cycle reclassification of the referenced property. Petitioner had appeared before the Baltimore County Planning Board and had the support of the Planning Board in this matter. In addition, the Petitioner appeared before the County Council, and on August 6, 2006, the Council passed Resolution 63-06 approving the certification of the Planning Board that early action on the zoning reclassification of the subject property was required in the public interest, and calling for the Board of Appeals to schedule a public hearing on the Petition in accordance with § 32-3-

509(b) of the Baltimore County Code. Pursuant to the resolution, the hearing was held on November 8, 2006 as stated above.

Evidence

Petitioner presented Patrick Richardson, a Civil Engineer licensed in the State of Maryland, as an expert in civil engineering and the building and zoning regulations of Baltimore County. Mr. Richardson testified that he had prepared the Documented Site Plan for the Hollins Ferry Road which was submitted into evidence. He testified that there is nothing on the site at the present time and discussed the surrounding properties as set forth above. The site was zoned B.L.-A.S., M.L. and during the last rezoning cycle, a portion of the B.L. section was rezoned D.R. 1. In Richardson's opinion, the property was large enough for one family dwelling, but it would be very impractical to place a home on the property since it was surrounded by commercial property on all sides.

In 2003, prior to the rezoning to D.R. 1, the Petitioners had sought to obtain a special exception on the site for the purpose of operating a service garage on the property. The special exception was granted by the Deputy Zoning Commissioner on January 5, 2003, with certain conditions and restrictions. Subsequent to that hearing, the 2004 CZMP took place and a portion of the property was zoned D.R. 1.

The Petitioners' site plan dated September 20, 2006 indicates that the site will contain a 2-bay roll on car wash and a 6,000 sq. ft. one-story retail building. The site plan states that the site shall not have "a liquor or package goods store, a bail bond office, car storage or towing facility or a gas station." In addition, at the hearing, Petitioners agreed that not to operate an automotive service garage or a tavern on the site.

i.

Mr. Richardson testified that there was adequate space on the site for parking for the proposed building, as well as parking for the proposed car wash. No variances were needed for either the car wash or the proposed building.

Mr. Richardson also testified that, in his opinion, the site with car wash met all the requirements for a special exception. He felt there were ample roads to service the area, since the site would be entered from the middle of the property off Hammonds Ferry Road. There was no threat of fire or panic to the surrounding properties. There was adequate stormwater management to the rear of the site with a storm drain and there would be no overcrowding of the land. There was adequate parking and public facilities where appropriate for the carwash. There would be no interference with adequate light and air since the buildings were one-story buildings. There were no adverse environmental constraints on the property, and the proposed use was consistent with the proposed B.L. designation of the property.

In addition, Mr. Richardson stated that the Petitioner was prepared to submit a landscaping plan to be reviewed by the County architect, Avery Harden, as well as a lighting plan for the property. Mr. Jack Dillon, who was consulting with the People's Counsel, would be welcome to review both plans.

Mr. Panchigar, the owner of the property, testified and affirmed the testimony of Mr. Richardson. Other property owners in the area were present and indicated that they were familiar with the property, were aware of the plan, and supported the carwash and the building.

The Petitioner also submitted a letter from Councilman Samuel Moxley, councilman for the First District, dated November 3, 2006, in which Mr. Moxley indicated to Mr. Panchigar that he was not notified of the community's support for the rezoning classification on the property.

Had he known of the community's support for the project, he would not have changed the zoning

- to D.R. 1. Therefore, it seems clear that Councilman Moxley feels that a B.L.-A.S. classification would be appropriate for the property since that was the prior classification.
- 1. The Documented Site Plan submitted by Petitioner meets the requirements of § 32-3-512 of the Baltimore County Code. It shows the elevation drawings and plan satisfying the Zoning Commissioner's Rules of Practice and Procedure and showing the locations, coverage, floor areas, height, character and exterior materials of all proposed structures and all existing structures to be retained.
- 2. There are no existing structures to be removed from the site; therefore, it meets that requirement.
- 3. The proposed type of sign has been submitted to the Board and meets County requirements.
 - 4. The principal uses have been set forth on the site plan.
- 5. The hours of operation are set forth on the site plan, and the plan shows that one employee will be employed by the carwash, with the number of employees in the retail stores to be determined. The carwash is a roll on carwash and there will be very little noise and odors emanating from the carwash.
- 6. The site plan shows the parking and loading facilities for the car wash required by § 6, and there are no existing or proposed public or quasi-public facilities on or adjacent to the site.
 - 7. Storm drains and sewer lines are to the rear of the site.
- 8. There are no existing ponds or other bodies of water or riverine floodplains or major vegetation on the site.
 - 9. Screening and landscaping has been provided in landscaping plan.
 - 10. The existing topography and proposed changes in grade are shown on the plan.

- 11. An environmental impact statement has been submitted in accordance with the requirements of 32-3-512(11).
- 12. Proposed use of the property is shown and the site plan was prepared by a professional engineer and certified.

The Board feels that the change of zoning from D.R. 1 to B.L.-A.S. is warranted. In addition, the Board finds that the special exception for a carwash is also warranted. The Board will grant the reclassification with the conditions agreed to on the site plan and at the hearing.

ORDER

ORDERED that the Petition for Reclassification to reclassify the property at 4381 Hollins Ferry Road from D.R. 1, B.L., M.L. to B.L.-A.S. is hereby **GRANTED**, subject to the following restrictions:

- A. Petitioner shall not operate the following:
 - A liquor or package goods store
 - A bail bond office
 - Car storage or towing facility
 - A gas station
 - Automotive service garage
 - A tavern
 - A pawnshop

and it is further **ORDERED** that the special exception to operate a carwash on the property is hereby GRANTED with the following conditions:

1. The Petitioner shall submit a Landscaping Plan and Lighting Plan to Avery Harden, the County Architect for Baltimore County. Both plans may be reviewed and approved by Jack Dillon, consultant to People's Counsel.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Lawrence S. Wescott, Chairman

Edward W. Crizer, Jr.

Robert V. Witt

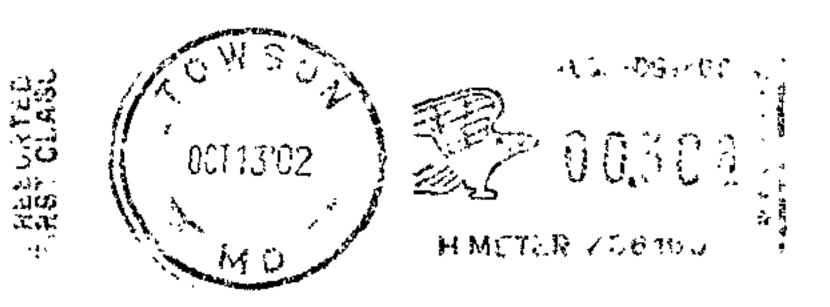
County Board of Appeals of Baltimore County

ROOM 49 OLD COURTHOUSE TOWSON, MARYLAND 21204

Return Service Requested

MVB & IT HAD NO RECORD OF Sounder

c/o / 20,000



SHREYAS AND NISHA PANCHIGAR 4381 HOLLINS FERRY ROAD BALTIMORE, MD 21227

Nエメエビ

212

08 10/17/06

RETURN TO SENDER NO SUCH NUMBER JNABLE TO FORWARD

BC: 21204

*0892~01584-17-08

HARHSMS 21227



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

December 14, 2006

John B. Gontrum, Esquire WHITEFORD TAYLOR & PRESTON LLP 210 W. Pennsylvania Avenue Towson, MD 21204-4515

RE: In the Matter of: Shreyas and Nisha Panchigar
-Legal Owners / Petitioners / Case No. CR-07-132-X

Dear Mr. Gontrum:

Enclosed please find a copy of the final Majority Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules of Procedure, with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

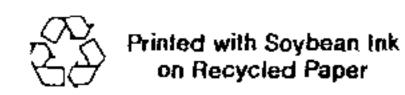
Kathleen C. Bianco Benco, 2037

Administrator

Enclosure

C: Shreyas Panchigar and Nisha Panchigar
Patrick C. Richardson, Jr., P.E.
Carol Saffran-Brinks /Board of Ed. /MS 1102-J
People's Counsel for Baltimore County
Jeffrey Long, Deputy Director /Planning
Pat Keller, Planning Director
William J. Wiseman III /Zoning Commissioner
W. Carl Richards /PDM
Timothy M. Kotroco, Director /PDM
Baltimore County Council, 1st District

John E. Beverungen, County Attorney



BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No. 5321 PAID RECEIPT
DATE 3-31-06 ACCOUNT R-001 Filed 9/21/06	-6/8/ 200 4/10/2006 (\$2510):5: #67 MS96 MAKIN PACK (\$26) #67 MS96 MAKIN PACK (\$26) #69 5 SECENTRE-CVILE 7040)
DATE $\frac{3-31-66}{\text{Filed 9/21/06}}$ ACCOUNT $\frac{8-601}{\text{AMOUNT}}$ \$ 950	5. *** 08 HO: 005621 **Sout link 9955.00 **55.00 CV \$.00
FOR: 1011 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Saltieure Courty, Holyland 3 1 3 10 10 10 10 10 10 10 10 10 10 10 10 10
FOR: 13/2/ 1/2/ 1/2/ 1/2/ 1/2/ 1/2/ 1/2/ 1/2	755 F-77
<u>DISTRIBUTION</u> WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING RECLASSIFICATION 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 reclassification hearing. This is accomplished by Baltimore County posting a sign on the property at least fifteen (15) days before the hearing and advertising in local newspapers. The advertising consists of a list and map of all reclassification petitions (cost evenly distributed between all petitioners), as well as individual advertising in local newspapers. The list and map must be published in two newspapers for three different weeks and the individual advertisements must be published in two newspapers fifteen (15) days prior to 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: <u>CR-07-132-X</u>
Petitioner: SHREYUS PANCHIGAR
Address or Location: 4381 HOLLINS FERRY RD
PLEASE FORWARD ADVERTISING BILL TO:
Name: SHREYUS PANCHIGAR
Address: 2926 W ALMONDBURY DRIVE
PASADENA, MD 21/22-6346
Telephone Number: 443-506-2600

CERTIFICATE OF POSTING



BALTIMORE COUNTY BOARD OF APPEALS

CR-07-132-X Zoning Appeal

1 2013	RE: Case No.:	2x 2303111g 2xppea	
COUNTY	Petitioner/Developer:		
CREE LANGE LANGE	Shreyas Panchigar &	Nisha Panshiga	
	Date of Hearing/Closing:	June 12, 2013	
Board of Appeals of Baltimore County Jefferson Building Second Floor, Suit 203 105 West Chesapeake Avenue Towson, Maryland 21204			
Attn: Theresa R. Shelton, Administrator			
Ladies and Gentlemen:			
This letter is to certify under the penalties of posted conspicuously on the property located			
4381 Hollins Ferry Rd			
The sign(s) were posted on	May 23, 2013		
	(Month, Day, Year)		
S	incerely,		
	Mille	May 23, 2013	
	(Signature of Sign Poster)	(Date)	
	SSG Robert Bla	ick	
ZONING APPEAL	(Print Name)	(Print Name)	
PUBLIC HEARING CASE PAYOUR	1508 Leslie Ro	ad	
CR-07-130X(MIDED)	(Address)		
410-887-3180 DO NOT REMOVE	Dundalk, Maryland	21222	
ENTRACE COUNTY BOARD OF APPEALS	(City, State, Zip C	Code)	
5. W. 1987 1 74 1 5 2 4 6 5 2 4 6 5 2 4 6 5 2 4 6 5 2 4 6 5 2 4 6 5 2 4 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6	(410) 282-794	0	
	(Telephone Num	ber)	



Baltimore, Maryland 21278-0001

May 9, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, twice in one week, said Publications appearing on May 7 & 9, 2013

#	The Jeffersonian
	Arbutus Times
	Catonsville Times
	Towson Times
	Owings Mills Times
	NE Booster/Reporter
	North County News
	THE BALTIMORE SUN MEDIA GROUP
	By: Susan Wilkinson
	Susan Wilkinson

NOTICE OF BOARD OF APPEALS HEARING

The Board of Appeals for Baltimore County, by authority of the Baltimore County Code will hold a public hearing in Towson, Maryland on the property identified herein as follows: Case No: CR-07-132-X 4381 Hollins Ferry Road South side Hollins Ferry Road, 225 feet +/- east of intersection with Hammonds Ferry Road 11th Election District -135 Councilmanic District

intersection with Hammonds Ferry Road

13th Election District - 1st Councilmanic District
Legal Owner(s): Shreyas Panchigar and Nishia Panchigar
Amended Petition to allow automotive service garage by
deleting restriction in 12/14/06 Order in Case No. CR-07132-X; and Petition for Special Exception to allow an automotive service garage.

Hearing: Wednesday, June 12, 2013 at 10:00 a.m. in
Hearing Room 2, Second Floor, Suite 206, Jefferson
Building, 105 West Chesapeake Avenue, Towson 21204.

Theresa R. Shelton, Administrator
Board of Appeals for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for spe-cial accommodations Please Contact the the Board of Ap-

peals for Baltimore County at 410-887-3180.

(2) For information concerning the File and/or Hearing, Contact the The Board of Appeals for Baltimore County at 410-887-3180. Л/J 5/631 May 7, 9

MAY 2 2 2013

Any person having a claim against the decedent must present the claim to the undersigned person presentative(s) or file it with the Register of Wills with a copy to the undersigned on it before the earlier of the following dates:

(1) Six nonths from the date of the decedent's death, except if he decedent died before October 1, 1992, nine.

months from the date of the decedent's death; or

(2) Two nonths after the personal representative(s) mail(s) or otherwise deliver(s) to the creditor a copy of this published notice in other written notice, notifying the creditor that the claimwill be barred unless the creditor presents the claims within two months from the mailing or other delivery of the notice. A claim not presented or filed on or before that date, or inv extension provided by law, is unenforceable thereafter Claim forms may be obtained from the Register of Wills.

STEVEN C. SCHNITZER Personal Representative(s)

Date of fist publication: May 2, 2013 True Copy--Test GRACE G CONNOLLY, Register Wills, Baltimore County 05/007 May 2, 9, 16

919135

NOTICE OF APPOINTMENT NOTICE TO CREDITORS NOTICE TO UNKNOWN HEIRS TO ALL PERSONS INTERESTED IN THE ESTATE OF RAYMOND L. SWEET Estate No. 173134

Notice is given that Raymond D. Sweet, 1908 Fallston Valley Dr., Fallston, MD 21047 was (were) on April 29, 2013 appointed personal representative(s) of the estate of Raymond L. Sweet who died on April 18, 2013, with a will.

Further information can be obtained by reviewing the estate file in the office of the Register of Wills or by contacting

the personal representative(s) or the attorney.

All persons having any objection to the appointment (or to the protate of the decedent's will) shall file their objections with the Register of Wills on or before the 29th day of October, 20:3.

Any person having a claim against the decedent must present the claim to the undersigned personal representative(s) or file liwith the Register of Wills with a copy to the undersigned on or before the earlier of the following dates:

(1) Sk months from the date of the decedent's death, except if the decedent died before October 1, 1992, nine

monthsfrom the date of the decedent's death; or

(2) Two months after the personal representative(s) mail(s) or otherwise deliver(s) to the creditor a copy of this published notice or other written notice, notifying the creditor that the claim will be barred unless the creditor presents the claims within two months from the mailing or other delivery of the rotice. A claim not presented or filed on or before that date, or any extension provided by law, is unenforceable thereafter. Claim forms may be obtained from the Register of Wills:

RAYMOND D. SWEET Personal Representative(s)

Date of lirst publication: May 2, 2013 True Copy-Test GRACE G CONNOLLY, Register of Wills, Baltimore County 05/123 Nay 2, 9, 16

920025

Notice is given that hobert R. Miller, 9237 N. Point Road, Fort Howard, MD 216 was (were) on May 1, 2013 appointed personal representative(s) of the small estate of Raymond Robert Miller who died on April 26, 2013, with a will.

Further information can be obtained by reviewing the estate file in the office of the Register of Wills or by contacting

the personal representative(s) or the attorney.

All persons having any objection to the appointment shall file their objections with the Register of Wills within 30 days after the date of publication of this notice. All persons having an objection to the probate of the will shall file their objections with the Register of Wills within six months after the date of publication of this notice.

All persons having claims against the decedent must serve their claims on the undersigned personal representative(s) or file them with the Register of Wills with a copy to the undersigned on or before the earlier of the following dates:

(1) SIX months from the date of the decedent's death, except if the decedent died before October 1, 1992, nine.

months from the date of the decedent's death; or

(2) Thirty days after the personal representative(s) mail(s) or otherwise deliver(s) to the creditor a copy of this published notice or other written notice, notifying the creditor that the claims will be barred unless the creditor presents the claim within thirty days from the mailing or other delivery of the notice. Any claim not served or filed within that time, or any extension provided by law is unenforceable thereafter.

ROBERT R. MILLER Personal Representative(s)

Date of first publication: May 9, 2013
True Copy-Test
GRACE G. CONNOLLY,
Register of Wills, Baltimore County
05/163 May 9.

920961

NOTICE OF BOARD OF APPEALS HEARING

The Board of Appeals for Baltimore County, by authority of the Baltimore County Code will hold a public hearing in Towson, Maryland on the property Identified herein as follows:

Case No: CR-07-132-X 4381 Hollins Ferry Road

South side Hollins Ferry Road, 225 feet +/- east of Intersection with Hammonds Ferry Road

13th Election District - 1st Councilmanic District

Legal Owner(s): Shreyas Panchigar and Nisha Panchigar Amended Petition to allow automotive service garage by deleting restriction in 12/14/06 Order in Case No. CR-07-132-X; and Petition for Special Exception to allow an automotive service garage.

Hearing: Wednesday, June 12, 2013 at 10:00 a.m. in Hearing Room 2, Second Floor, Suite 206, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

Theresa R: Shelton, Administrator Board of Appeals for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the the Board of Appeals for Baltimore County at 410-887-3180.

(2) For information concerning the File and/or Hearing, Contact the The Board of Appeals for Baltimore County at 410-887-3180.

JT/J 5/631 May 7, 9

921019

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 7, 2013 and Thursday, May 9, 2013 Issues - Jeffersonian

Please forward billing to: .

J. Neil Lanzi, Esquire PNC Bank Building, Suite 617 409 Washington Avenue Towson, Maryland 21204

NOTICE OF BOARD OF APPEALS HEARING

The Board of Appeals for Baltimore County, by authority of the Baltimore County Code, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case No: CR-07-132-X 4381 Hollins Ferry Road

South side Hollins Ferry Road, 225 feet +/- east of intersection with Hammonds Ferry Road 13th Election District – 1st Councilmanic District

Legal Owner(s): Shreyas Panchigar and Nisha Panchigar

Amended Petition to allow automotive service garage by deleting restriction in 12/14/06 Order in Case No. CR-07-132-X; and Petition for Special Exception to allow an automotive service garage

Hearing: Wednesday, June 12, 2013 at 10:00 a.m. in Hearing Room 2, Second Floor, Suite 206, Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland 21204.

Theresa R. Shelton, Administrator Board of Appeals for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIALACCOMODATIONS, PLEASE CONTACT THE BOARD OF APPEALS FOR BALTIMORE COUNTY AT 410-887-3180.
 - (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE BOARD OF APPEALS FOR BALTIMORE COUNTY AT 410-887-3180.



Murd of Appeals of Baltimore County

JEFFERSON BUILDING SECOND FLOOR, SUITE 203 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND, 21204 410-887-3180 FAX: 410-887-3182

May 7, 2013

NOTICE OF ASSIGNMENT AMENDMENT TO OUT OF CYCLE RECLASSIFICATION AGREED DATE/TO BE POSTED AND PUBLISHED

CASE #: CR-07-132-X (Amended)

IN THE MATTER OF: Shreyas and Nisha Panchigar

Legal Owner /Petitioner

4381 Hollins Ferry Road /13th Election District; 1st Councilmanic District

April 30, 2013

- Petition to Amend Out of Cycle Reclassification filed with the Board of Appeals, CASE NUMBER cr-07-132-X;

- Request for amendment to allow an automotive service garage by removing a restriction in the December 14, 2006 Opinion and Order in CR-07-132-X; and Petition for Special Exception to allow an automotive service garage. Acres Requested: 1.18 +/- acres

ASSIGNED FOR: WEDNESDAY, JUNE 12, 2013, AT 10:00 A.M.

LOCATION:

Hearing Room #2, Second Floor, Suite 206

Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Theresa R. Shelton, Administrator

Continued for Distribution List – Page 2

Page 2

Distribution List

c: Counsel for Applicant/Petitioner/Owner

: J. Neil Lanzi, Esquire

Applicant/Petitioner/Owner

: Shreyas & Nisha Panchigar.

Rick Richardson
Richardson Engineering, LLC
Elizabeth Yankulov
Shahil Panchigar
Everett Hall-McNeill
Robert & Kimberly Maith
Richard Kunz

Peter Max Zimmerman People's Counsel for Baltimore County

Carole S. Demilio Deputy People's Counsel for Baltimore County

The Honorable Tom Quirk, Baltimore County Council, 1st District Andrea Van Arsdale, Director /Planning
Jeff Mayhew, Deputy Director / Planning
Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
W. Carl Richards, Zoning Supervisor / PAI
Colleen Kelly, Development Manager / PAI
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law

SHREYAS AND NISHA PANCHIGAR

Legal Owner / Petitioner

CR - 07-132-X (AMENDED)

S/s of Hollins Ferry Road approx 225 ft E of intersection with Hammonds Ferry Rd

4381 Hollins Ferry Road

13th Elections District 1st Councilmanic District

Bhition

Request for amendment to allow an automotive service garage by removing a restriction in the December 14, 2006 Opinion and Order in CR-07-132-X; and Petition for Special Exception to allow an automotive service garage

Acres Requested: 1.18 +/- acres

April 30, 2013

Petition to Amend filed by J. Neil Lanzi, Esquire, on behalf of Shreyas and Nisha Panchigar, Legal Owners/Petitioners.

J. Neil Lanzi, Esquire.
PNC Bank Building, Ste 617.
409 Washington Avenue.
Towson, MD 21204.
410-296-0686.
410-296-0689 Fax.
Janzilay@cs.com

Counsel for Legal Owners/Peitioners

Shreyas & Nisha Panchigar 2926 W. Almondbury Drive Pasadena, MD 21122 Legal Owners/Petitioners

People's Counsel for Baltimore County

Andrea Van Arsdale, Director /Planning
Jeff Mayhew, Deputy Director / Planning
Lawrence M. Stahl, Managing Administrative Law Judge
W. Carl Richards, Zoning Supervisor / PAI
Colleen Kelly, Development Manager / PAI
Arnold Jablon, Director / PAI
The Honorable Tom Quirk, Baltimore County Council, 1st District
Nancy West, Assistant County Attorney
Michael E. Field, County Attorney

From:

Theresa Shelton

To:

nlanzi@lanzilaw.com 5/6/2013 12:04 PM

Date: Subject:

CR-07-132-X (Amended)

Attachments:

Publication request - Panchigar.pdf

Mr. Lanzi, Good Afternoon:

Attached please find the requested Notice of Board of Appeals Hearings to be published in the Jeffersonian.

Could you please provide this office with a copy of the published notice for our Certificate of Publication to be placed in the file?

Thanking you in advance for your assistance and support.

Theresa Semper Fi

Theresa R. Shelton, Administrator Board of Appeals for Baltimore County Suite 203, The Jefferson Building 105 W. Chesapeake Avenue Towson, MD 21204

410-887-3180 410-887-3182 (FAX) tshelton@baltimorecountymd.gov

"I took the Green @ Work Energy Challenge Pledge."

Confidentiality Statement

This electronic mail transmission contains confidential information belonging to the sender which is legally privileged and confidential. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any

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Board of Appeals of Baltimore County

JEFFERSON BUILDING SECOND FLOOR, SUITE 203 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND, 21204 410-887-3180 FAX: 410-887-3182

June 12, 2013

NOTICE OF PUBLIC DELIBERATION AMENDMENT TO OUT OF CYCLE RECLASSIFICATION

(SENT VIA ELECTRONIC MAIL AND U.S. MAIL)

CASE #: CR-07-132-X (Amended)

IN THE MATTER OF: Shreyas and Nisha Panchigar

Legal Owner /Petitioner

April 30, 2013

Petition to Amend Out of Cycle Reclassification filed with the Board of Appeals, case number CR-07-132-X;
- Request for amendment to allow an automotive service garage by removing a restriction in the December 14, 2006 Opinion and Order in CR-07-132-X; and Petition for Special Exception to allow

an automotive service garage. Acres Requested: 1.18 +/- acres

Having concluded this matter on 6/12/13 a public deliberation has been scheduled for the following:

DATE AND TIME: TUESDAY, JUNE 25, 2013 at 9:00 a.m.

LOCATION

: Jefferson Building - Second Floor - Hearing Room #2 - Suite 206

105 W. Chesapeake Avenue

NOTE: ALL PUBLIC DELIBERATIONS ARE OPEN SESSIONS; HOWEVER, ATTENDANCE IS NOT REQUIRED. A WRITTEN OPINION /ORDER WILL BE ISSUED BY THE BOARD AND A COPY SENT TO ALL PARTIES.

Theresa R. Shelton, Administrator

٥,

Counsel for Applicant/Petitioner/Owner

: J. Neil Lanzi, Esquire

Applicant/Petitioner/Owner

: Shreyas & Nisha Panchigar

Rick Richardson, Richardson Engineering, LLC Everett Hall-McNeill

Michael Field, County Attorney, Office of Law

Elizabeth Yankulov Robert & Kimberly Maith Shahil Panchigar Richard Kunz

Peter Max Zimmerman, People's Counsel for Baltimore County Carole S. Demilio, Deputy People's Counsel for Baltimore County

The Honorable Tom Quirk, Baltimore County Council, 1st District Andrea Van Arsdale, Director /Planning
Jeff Mayhew, Deputy Director / Planning
Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
W. Carl Richards, Zoning Supervisor / PAI
Colleen Kelly, Development Manager / PAI
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney

RE: PETITION FOR RECLASSIFICATION
4381 Hollins Ferry Road; S/S Hollins Ferry
Road, 225' E of Hammonds Ferry Road

13th Election & 1st Councilmanic Districts Legal Owner(s): Shreyus & Nisha Panchigar*

Petitioner(s)

BEFORE THE BOARD

OF APPEALS

FOR

BALTIMORE COUNTY

* CR-07-132-X (AMENDED)

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

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
Jefferson Building
105 W Chesapeake Avenue, Suite 204
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of May, 2013, a copy of the foregoing Entry of Appearance was mailed to, J. Neil Lanzi, Esquire, PNC Bank Building, 409 Washington Avenue, Suite 617, Towson, Maryland 21204, Attorney for Petitioner(s).

Petallia Zumannan

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

MAY 6 2013

BOARD OF SPREALS

BOARD OF APPEALS OF BALTIMORE COUNTY MINUTES OF DELIBERATION

IN THE MATTER OF:

Shreyas and Nisha Panchigar

CR-07-132-X (Amended)

DATE:

June 25, 2013

BOARD/PANEL:

Andrew M. Belt, Chairman

Wendell H. Grier David L. Thurston

RECORDED BY:

Sunny Cannington/Legal Secretary

PURPOSE:

To deliberate the following:

1. Petition to Amend Out-of-Cycle Reclassification requesting to remove a restriction in the December 14, 2006 Opinion and Order in CR-07-132-X to allow an automotive service garage; and

2. Petition for Special Exception to allow an automotive service garage.

PANEL MEMBERS DISCUSSED THE FOLLOWING:

STANDING

- The Board reviewed the history of this matter.
- The Board discussed that there was no opposition to the request from anyone in the community or People's Counsel. People's Counsel was involved to ensure that proper procedure was followed.
- The Board reviewed that it is their Opinion that is to be amended. Despite some confusion, the Board determined that they have jurisdiction to amend their own decisions.
- The Board reviewed the special exception requirements of 502.1. The Board determined that the requested special exception meets all the standards.

DECISION BY BOARD MEMBERS:

The Board determined that they have jurisdiction to amend an order they previously issued; that the request meets the requirements of 502.1; and the restriction in their previous Opinion and Order will be removed thereby allowing an automotive service garage.

<u>FINAL DECISION:</u> After thorough review of the facts, testimony, and law in the matter, the Board unanimously agreed to GRANT the requested relief.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place on the above date regarding this matter. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by the Board.

Respectfully Submitted,

Sunny Cannington

J. NEIL LANZI, P.A.

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

(410) 296-0686 FAX: (410) 296-0689 E-Mail: nlanzi@lanzilaw.com

April 30, 2013

REGENVED)
APR 3 0 2013

BALTIMORE COUNTY BOARD OF APPEALS

Theresa R. Shelton, Administrator Board of Appeals for Baltimore County Jefferson Building, Suite 203 105 W. Chesapeake Avenue Towson, MD 21204

Re:

Case No. CR-07-132-X

4381 Hollins Ferry Road

Dear Ms. Shelton:

The purpose of this letter is to provide you with the language necessary for the advertising and posting required for the Petition to Amend I am filing today on behalf of my clients, Shreyas Panchigar and Nisha Panchigar for the above referenced case. Specifically, the advertising notice should include the following:

Petition to allow automotive service garage by deleting restriction in 12/14/06 Order in Case No. CR-07-132-X; and

Petition for Special Exception to allow an automotive service garage.

I understand you will convey the above language to the local newspaper along with the time and place of the hearing. The date, time and place of the hearing I understand is Wednesday, June 12, 2013 at 10:00 a.m. in Hearing Room 2, Second Floor, Suite 206, Jefferson Building, 105 W. Chesapeake Avenue, Towson, Maryland, 21204.

It will be the Petitioners' responsibility to prepare and post the sign on the property utilizing the same language referenced above.

Thank you for your assistance in this matter.

Very truly yours,

J. Neil Lanzi

JNL\mlr

cc: Shreyas and Nisha Panchigar Rick Richardson, P.E.

J. NEIL LANZI, P.A.

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

(410) 296-0686

J. Neil Lanzi

OF COUNSEL Fred L. Coover* FAX: (410) 296-0689

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

E-Mail: nlanzi@lanzilaw.com

*Also Admitted in District of Columbia

Reply to Towson

May 21, 2013

Board of Appeals for Baltimore County Jefferson Building, Suite 203 105 W. Chesapeake Avenue Towson, MD 21204 Attn: Theresa R. Shelton, Administrator

·

Case No. CR-07-132-X

Dear Ms. Shelton:

Re:

As requested, I am enclosing a copy of the Notice of Publication for the above referenced case. Should you require anything further, please do not hesitate to contact me.

Very truly yours,

J. Neil Lanzi

JNL\mlr

cc: Shreyas and Nisha Panchigar

RECEIVEID

MAY 2 2 2013

BALTIMORE COUNTY BOARD OF APPEALS

Case No: C	R-67-132 X Case Name: Panchigal
	Exhibit List
Party: Pa	nchigar- Petitiona Date: JUNE 13, 2013
Exhibit No:	Description:
1-16	See attached Exhibits
	1 to 16 Inclusive
·	
17	Red Line Plat Full Scale
18-A-G	Photosigns Local Properties & sik
6	
C _g	
19A-G	Support Lotters - Community
20	Support Signatures
\	VERIFIED BY W DATE: 61213

Office of Planning

401 Bosley Avenue, Suite 406 Towson, Maryland 21204 Tel: 410-887-3211 • Fax: 410-887-5862 E-mail: planning@co.ba.md.us



Baltimore County

James T. Smith, Jr., County Executive Arnold F. 'Pat' Keller, III, Director

10 6 1 FIZ

February 23, 2006

The Honorable John Olsezwski Chairman, Baltimore County Council Baltimore County Courthouse 400 Washington Avenue, Suite 205 Towson, MD 21204

Re: Exemption from Cyclical Procedure – Out-of-Cycle – Petition for Reclassification – 4381 Hollins Ferry Road, Council District 1

Dear Councilman Olsezwski:

At the regularly scheduled meeting on February 16, 2006, the Baltimore County Planning Board voted, in accordance with Section 32-3-509 of the County Code, to certify to the County Council that expedited out-of-cycle action on a zoning petition for reclassification of the subject property at 4381 Hollins Ferry Road, Council District 1, is "manifestly in the public interest."

Attached is the list of the five conditions placed on this petition by the Planning Board and recommended by Planning staff, as accepted by the Planning Board, as well as the property owner's letter from its engineer representative. The Planning staff will be pleased to assist the Council in the consideration of this matter.

Sincerely,

Arnold F. 'Pat' Keller, III

Director

CBH

Enclosures

cc: Members, Baltimore County Council

Dr. Anthony Marchione, Administrative Officer

Thomas Peddicord, Legislative Counsel/Secretary

Brian Rowe, County Auditor

John Beverungen, Acting County Attorney

Lawrence Westcott, Chairman, Board of Appeals

Peter M. Zimmerman, People's Counsel

Tim Kotroco, Director, Permits & Development Management

Rick Richardson, Petitioner's Engineer

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

Office of Planning

401 Bosley Avenue, Suite 406 Towson, Maryland 21204 Tel: 410-887-3211 • Fax: 410-887-5862 E-mail: planning@co.ba.md.us



Baltimore County

James T. Smith, Jr., County Executive Arnold F. 'Pat' Keller, III, Director

Toloitys

February 22, 2006

The Honorable John Olszewski Chairman, Baltimore County Council County Courthouse 400 Washington Avenue Towson, MD 21204

Re: Comprehensive Manual of Development Policies (CMDP) – Amendment - Design Guidelines for the Pikesville Revitalization area

Dear Councilman Olszewski:

In its regular meeting on January 18, 2006, our staff and the consultant from Brown, Craig Turner Consultants, Architects, Mr. Mike Rouse, introduced the above guidelines for Pikesville.

In a Public Hearing on February 2, 2006 and a subsequent meeting of the Planning Board on February 16, 2006, the Planning Board voted to approve the Design Guidelines for the Pikesville Revitalization Area, with amendments, as an amendment to the CMDP. If there is concurrence by the County Council, after 45 days of adoption by the Planning Board pursuant to Section 504 of the Baltimore County Zoning Regulations (BCZR), the guidelines shall become effective. At that time the Office of Planning and the Design Review Panel shall use the design guidelines in the review of concept and development plans, limited exemptions and zoning hearings.

The Guidelines with the amendments incorporated will be coming to you under separate cover after the consultant, Mr. Rouse, has completed that task. Attached please find the list of amendments as approved by the Planning Board. This list as is indicated in the last paragraph at the end is all of the written amendments to the guidelines. This amendment also includes a new map that shows the area covered under these guidelines is the entire revitalization area from the beltway to the city line.

The Guidelines as adopted by the Planning Board, are hereby submitted for action by the County Council. The Planning staff will be pleased to assist in the Council's consideration of this matter. Thank you in advance for your deliberation of this important matter.

Sincerely,

Jat Kelly

Arnold F. 'Pat' Keller, III Secretary to the Board

AFK:CBH

c: Members, Baltimore County Council
Thomas Peddicord, Jr., Legislative Counsel/Secretary
John Beverungen, Acting County Attorney
Anthony Marchione, Administrative Officer
Frank O. Heintz, Planning Board Chairman
Brian Rowe, County Auditor
Mary Harvey, Director, Community Conservation
David Iannucci, Director, Economic Development
David Carroll, Director, DEPRM
Tim Kotroco, Director, Permits and Development Management
Edward C. Adams, Jr., Director, Public Works
Peter M. Zimmerman, People's Counsel

Office of Planning

401 Bosley Avenue, Suite 406 Towson, Maryland 21204 Tel: 410-887-3211 • Fax: 410-887-5862 E-mail: planning@co.ba.md.us



Baltimore County

James T. Smith, Jr., County Executive Arnold F. 'Pat' Keller, III, Director

February 21, 2006

10 61 X

The Honorable John Olszewski Chairman, Baltimore County Council County Courthouse 400 Washington Avenue Towson, MD 21204

Re: Master Plan 2010 Addendum/Amendment - Land Preservation, Parks and Recreation Plan (LPPRP)

Dear Councilman Olszewski:

In its regular meeting on February 2, 2006, the staff of Recreation and Parks introduced the above plan under Title 5, Subtitle 9 of the Natural Resources Article of the Maryland Annotated Code. The State of Maryland Code requires such a plan be submitted every six years in order to maintain the County's eligibility for Maryland Program Open Space (POS) funding.

In a Public Hearing and meeting of the Planning Board on February 16, 2006, the Planning Board voted to approve the Plan, prepared by the Department of Recreation and Parks and the Department of Environmental Protection and Resource Management, with assistance from other County agencies including the Office of Planning, as an addendum/amendment to the Baltimore County Master Plan 2010.

The Plan will be coming to you under separate cover directly from the Department of Recreation and Parks for public hearing and adoption by the County Council.

Thank you in advance for your consideration.

Sincerely,

Arnold F. 'Pat' Keller, III Secretary to the Board

Tat Celle

AFK:CBH

c: Members Baltimore County Council
Thomas Peddicord, Legislative Counsel/Secretary
Bob Barrett, Director, Recreation and Parks
Brian Rowe, County Auditor
Anthony Marchione, Administrative Officer
John Beverungen, Acting County Attorney
Mary Harvey, Director, Community Conservation
David Iannucci, Director, Economic Development
David Carroll, Director, DEPRM
Tim Kotroco, Director, Permits and Development Management
Edward C. Adams, Director, Public Works
Peter M. Zimmerman, People's Counsel
Frank O. Heintz, Planning Board Chairman

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

CR-07-132-X

Adopted Planning Board Amendments to the Pikesville Commercial Revitalization Design Guidelines February 16, 2006

USE OF THE MANUAL

Add to the end of the second sentence, 1st paragraph "of plans in the Pikesville Revitalization area" to read Planning staff and Design Review Panel shall use the Pikesville Design Guidelines in addition to the Commercial Corridors section of the CMDP in their review of plans in the Pikesville Revitalization area. Add new sentence "Plans include new façade treatments, non-residential development plans and zoning hearings.

Insert new second paragraph, "The DRP shall follow these guidelines to insure that new architectural projects meet the spirit and intent of this unique Pikesville commercial revitalization district."

Page 8

Retain the paragraph entitled WOOD

Wood in the form of siding, miscellaneous painted trims such as cornices and moldings, and decorative elements like surrounds and entablatures are permissible.

Add new item HIGH QUALITY DURABLE MATERIALS – LIMITED USE In certain instances, the Design Review Panel and/or Planning staff may allow the substitution of high quality durable materials only in the form of trims such as cornices, end moldings and decorative elements like surrounds and entablatures provide the following occurs:

- It is demonstrated that these materials will be indistinguishable from wood and
- They enhance the overall building's design and
- They meet the spirit and intent of the guidelines

Add new section WINDOWS - NOT INCLUDING DISPLAY WINDOWS
Windows may be wood, aluminum-clad wood, vinyl-clad wood or be made of other high quality durable material, which shall have the appearance of a wooden window. Windows made primarily of vinyl or vinyl based products are prohibited. Poor quality windows of any material are prohibited. Windows shall have true divided lites or simulated divided lites, which shall have the appearance of true divided lites when seen from the exterior.

Page 14 Architecture - Transoms, Piers, Cornices

REQUIRED

Add to end of the 1st sentence "or other high quality durable materials" to read Transoms should be multi-divided lites or panes of glass set in aluminum or wood frames or other high quality durable materials.

NOTE CONCERNING PAGE 18

Further legislative action is need in order to amend Section 303.2 (front averaging) in order to allow the Design Review Panel's action to eliminate the need for a variance.

Page 23 - Signage

Correct misspelling in second sentence "Varying" not Varing. Add to end of sentence "per business" to read Varying types of logos, colors and typefaces are discouraged per business.

Page 24 - Signage

REQUIRED

Second paragraph add "or other high quality durable material after Painted wooden sign board to read Painted wooden sign board or other high quality durable materials with dimensional elements (e.g. letters, borders, etc.) illuminated via external light source."

Page 25 - Signage

REQUIRED

Substitute "Hanging dimensional signs of durable high quality materials" for Hanging wooden or metal dimensional signs to read Hanging wooden or metal dimensional signs may also be hung from the awning frame if the establishment wishes to not list their name on the awning.

PROHIBITED

Remove "not" from the sentence Blade signs should not be mounted 8'0" above the sidewalk.

Page 26 - Other Signage

REQUIRED

Monument type signage: 2nd sentence and "or other quality durable materials" to the end of the sentence to read These signs shall be less than 4'6" and made from high quality materials like masonry pre-cast concrete or metal/wooden panels.

These amendments above along with the underlined sentence which was a substitution for the original sentence that read, "Windows made predominantly of vinyl or vinyl based products are prohibited," were the amendments approved by the Planning Board to the Pikesville Design Guidelines as well as the map of the area that included the entire Revitalization area from the beltway to the city line.

Conditions to be placed on 4381 Hollins Ferry Road petition for reclassification:

The Planning Board voted that the property at 4381 Hollins Ferry Road could be forwarded to the County Council through the out-of-cycle process as long as the petitioner agreed to the following five conditions:

The property owner must list on the documented site plan the following uses as being <u>prohibited</u> – 1. bail bonds, 2. car storage or towing, 3. liquor store, 4. gas station. Additionally – 5. the property must have an approved landscape plan to buffer the uses from the back adjoining property.



18 A



1813





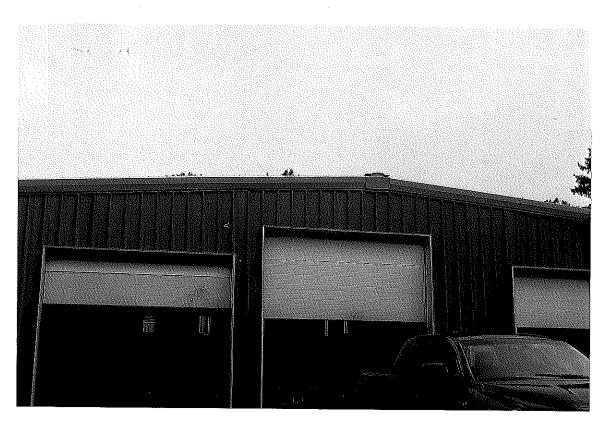








18 F



18 G

Henry Honick III, D.D.S.

4367 Hollins Ferry Road, Ste. 4C

Baltimore, MD 21227

Subject: To Baltimore County Board of Appeals

My name is Henry Honick III, D.D.S. I own a business adjacent to Mr. Panchigar's property at the above address.

I support zoning relief requested by Shreyas and Nisha Panchigar.

Signed

Date

Owns business next door
holling remp RI Thomas

Cary Color
Wasy Color

4,

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ķ



April 16, 2013

I, Charles E. Kountz, President of the Lansdowne Business and Professional Association, support zoning relief requested by Shreyas and Nisha Panchigar.

Should you have any questions, please feel free to contact me. I am,

Yours very truly

Charles E. Kountz, President

opport 1/16/13

Law Offices of Charles E. Kountz, LLC 4367 Hollins Ferry Road, Suite 48 Baltimore MD 21227-3400

Riverview-Ryerson Circle Communities Association 1022 Fredonia Court Lansdowne, Md 21227

To whom it may concern,

This is to inform the reader that the Riverview, Ryerson circle, Communities Association, is in agreement with Mr. George Panchigar with his opening of the State Inspection, Tag & Title, Ultimate Detail shop, to be opened on Hollins Ferry road. This Association welcomes all new business, offering job opportunities to our area.

Respectfully,

Ronald Whitehead

President, R.C.A.

From

Frank Potter 4382 Hollins Ferry Rd

SUb: To Baltimore County Board of Appel

I live at 4382 Hollins Ferry Road
across the street from new proposed
building Since July 4, 1961.

I have known Shreyas & Nisha
Panchiger since past 22 years. I support
zoning relief requested by Shreyes and
Nisha anohigan.

Agree Catter

FROM John & Lee Renner 3111 Hammonds Formy Rd

Sub: To Baltimore County Board of Appeals

Iny hame is John & Lee Renner I live at 3/1/ Hammonda Ferry loved Helethorn med Since 1943.

In Summary, I support 20ning relief requested by Shreyas & Nicha Panahigar

> Somly Lee leaner John Moun Enner

From BP Gou Station 3107 Hammonds Ferry Red

Sub: To Blatimore County Board of Appeal

My hame is Ahmad Reja
I own alligas station at 3023
Hammonde Ferry Road next door to
Shreyous Panchigan's property

requested by Shryas & Nisha
Panchisa

X

From Suno co Gas Station 3023 Hammands Ferry Red

Sub: To Balhmore County Board of Appeal

My hame is Att Golzan Hussain. I own Sonce gas station at 3023 Hammonde Formy Road Whide My Panchigan Used to OWn

Toquested by Shreyas & Nisher Panchigar.

All in support of 3 aming relief regulated by 4/2/13 20 Pellos 1 Shreyow Kanoligar 2926 W. Almond by Droadn 2. Nisha Panahigar 2926 W. Almondbury Dr. Pasadene 3 JOHN YAMKULOV 27 HAZEL AVE MASDOWNE ME 21227 4 Elizabeth Uffankerlow 27 Hogel auc 5 Ruhard Kung 45/ Blegleye A ve. Balt Md 21227 6 Kimberly Marth 712 Rambo Ct Landowne Md 21227 1 Brian hanglooch 5 Cleracon Gon Brown 2106 3 CHRIS WARGO 5 GLENNOOD DE GLEN SURVIS 21860 Robant Marth 7/2 Rambo Ct. 21227

10 Jahr Welling 3304 Ryerson a 21227

11 Shahil Panchigar 2924 W. Almondburg Dr. Pasadena, MO 21122

12 Kene Melendez 12 Horriet Dr. Glen Burnic, MO 21060

13 Joseph Linz 3052 Bert Rd Batt MD 21227 14 Robin Costello 3019 Freeway BAIt, Md 21227

,	$\frac{9-07-1324}{2}$	Exhibit List	ţ ·	V)
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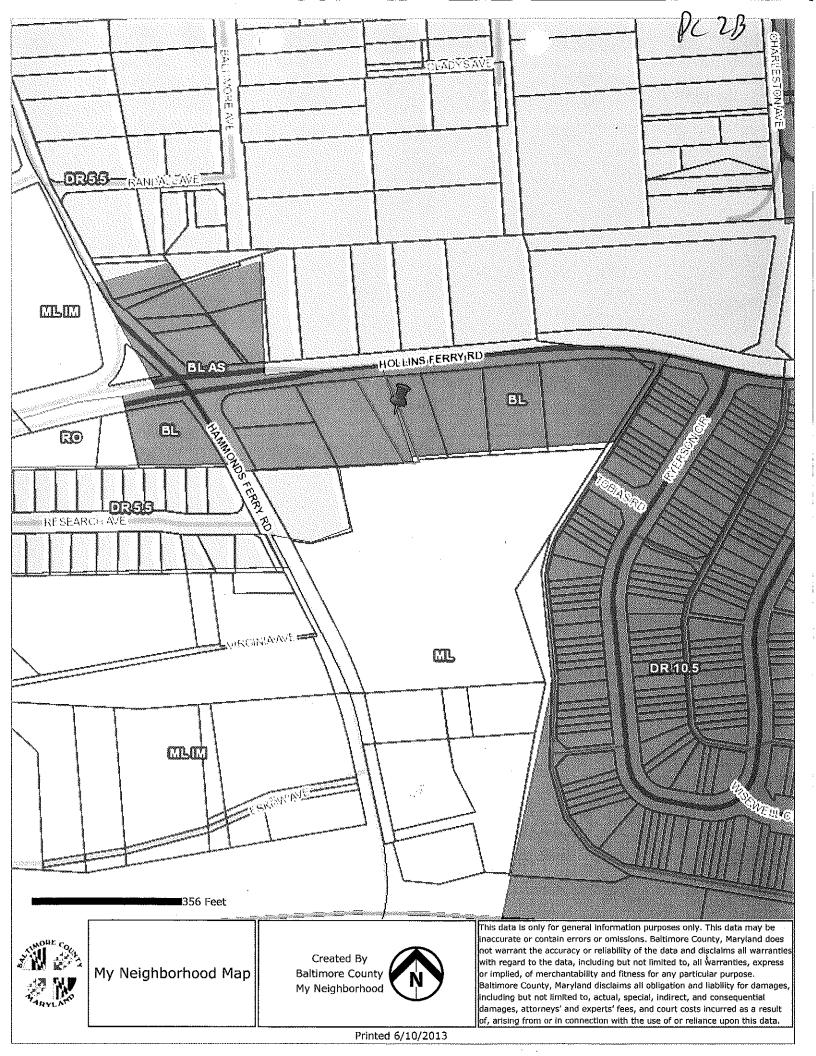
Page 1 of 1

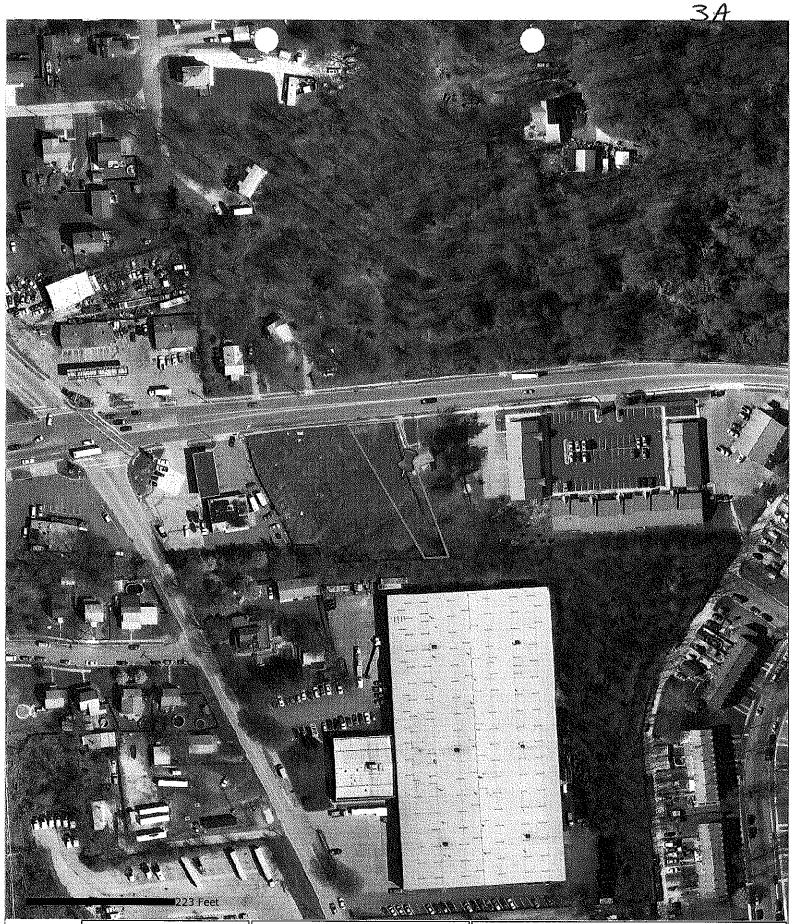
Maryland Department of Assessments and Taxation Real Property Data Search (vw6.1A) BALTIMORE COUNTY

Go Back View Map New Search GroundRent Redemption GroundRent Registration

Account Identifier:		District - 13 Accor	unt Number -	130800107	5		
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Seller: HARTING C				Date:	05/23/1987	Price: \$0	
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My Neighborhood Map

Created By Baltimore County My Neighborhood



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My Neighborhood Map

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CR-07-132X Panchigar

Exhibits for Petition

- 1. Deed for Subject Property
- 2. December 24, 2003 Order of the Deputy Zoning Commissioner
- 3. CZMP Application 2004
- 4. Resolution No. 63-06
- 5. Petition for Reclassification 2006
- 6. Documented Site Plan
- 7. December 14, 2006 Order of the Board of Appeals Case No. CR-07-132-X
- 8. January 19, 2011 Spirit and Intent Letter
- 9. Amended Petition for Zoning Hearing Case No. 2013-0115-X
- 10. January 15, 2013 Order of the ALJ Case No. 2013-0115-X
- 11. Red-lined Documented Site Plan
- 12. Elevation Drawing
- 13. Grading Plan
- 14. Updated Environmental Impact Statement
- 15. Carwash Building Permit
- 16. Automotive Service Garage Permit

File No. 8419-03

TAX ID. NO. 131308001075

This Deed, MADE THIS ______ day of April, 2003, by and between CATHERINE A. GILLISS and ANITA L. KRUGER, parties of the first part, GRANTOR; and SHREYAS PANCHIGAR and NISHA PANCHIGAR, parties of the second part, GRANTEE.

WITNESSETH, That in consideration of the sum of **ONE HUNDRED SEVENTY THOUSAND AND 00/100 DOLLARS** (\$170,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said GRANTOR does grant and convey to the said **SHREYAS PANCHIGAR** and **NISHA PANCHIGAR**, as tenants by the entirety, their assigns and unto the survivor of them, and the survivor's personal representatives and assigns, in fee simple, all that lot of ground situate in Baltimore County, Maryland and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 6, and the western half of Lot 7, as shown on a plat entitled "Edna Terrace" which plat is recorded among the Land Records of Baltimore County, Maryland, in Plat Book 3, folio 24.

SAVING AND EXCEPTING therefrom, all that property which by Deed dated September 16, 1966, and recorded in Liber 4685, folio 175, was granted and conveyed by Charles O. Harting and Catherine E. Harting to Baltimore County, Maryland.

BEING the same lot of ground which by Deed dated 05/05/1987 and recorded among the Land Records of Baltimore County, in Liber 7543, folio 281, was granted and conveyed by CATHERINE E. HARTING to CATHERINE E. HARTING, CATHERINE A. GILLISS AND ANITA L. KRUGER, as joint tenants. The said Catherine E. Harting having since departed this life on or about September 16, 1990, thereby vesting title in the said Catherine A. Gilliss and Anita L. Kruger as surviving joint tenants, the within GRANTOR.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said **SHREYAS PANCHIGAR** and **NISHA PANCHIGAR**, as tenants by the entirety, their assigns and unto the survivor of them, and the survivor's personal representatives and assigns, in fee simple.

IN RE: PETITION FOR SPECIAL EXCEPTION S/S of Hollin's Ferry Road,

200 ft. E of Hammonds Ferry Road 13th Election District 1st Election District (Hollins Ferry Road)

Nisha & Shreyas Panchigar Petitioners BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 04-196-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owners of the subject property, Nisha and Shreyas Panchigar. The Petitioners are requesting special exception relief for property located on Hollins Ferry Road, 200 feet from the intersection of Hammonds Ferry Road in the western area of Baltimore County. The special exception request is for a service garage in a BL, BL-AS and ML Zones pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.).

The property was posted with Notice of Hearing on November 22, 2003, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on November 25, 2003 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 502.1 of the B.C.Z.R. - Special Exceptions

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger:
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;

2004 COMPREHENSIVE ZONING MAP PROCESS APPLICATION This form and the required materials must be presented in person Baltimore County Office of Planning www.baltimorecountyonline.info 401 Bosley Avenue, Suite 406 Towson Maryland 21204 OFFICE USE ONLY Planner Fee (nonrefundable) Time Required for Filing Received on _ Council District Receipt No. APPLICANT INFORMATION SHREYAS & NISHA PANCHIGAR 2. Organization (if applicable) PASADENA, MD 21122-6346 2926 W. ALMONDBURY DRIVE City, State, Zip Code 3. Mailing Address 410-242-0481 5. E Mail Address WHITEFORD, TAYLOR & PRESTON B. GONTRUM Firm Name (if applicable) 6.Attorney or Representative ** (see note below) J GONTRUM @ WTPLAW. COM 410-832-2055 Business E Mail Address Business Phone PROPERTY INFORMATION HOLLINS FERRY RD SHREYAS & NISH PANCH IGAR 7. Property Owner's Name 8. Property Street Address W 200't TO HAMMONDS FERRY RD 1.01 AC I 10. Distance to nearest street/intersection (give name) 9. Total Acreage of Property 131308001075. 11. Property Tax Number (12 Digits) 12. Tax Map Number / Parcel Number Tax Map Number / Parcel Number (attach additional) Property Tax Number (attach additional parcels' information) (SEE ATTACHED) (See attacke Adjacent Property Tax Map Number/Parcel Number 13. Adjacent Property Tax Number(s) * * (Attach additional sheets as needed) RECLASSIFICATION INFORMATION 0.88 AC 15. Zoning history (issue/case no., year, type) 14. Total Acreage of land requested for rezoning BL-AS - 0.97 M-L-0.04 ML-0.04.BL-0.88, BL-AS-0.09 17. Requested zoning (acres per zone) 16. Existing zoning (acres per zone) 52RAice Canage; can work VACANT

18. Existing use of parcel

19. Proposed use of parcel

THE INFORMATION SHOWN ON THIS FORM IS ACCURATE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.
I UNDERSTAND THAT UPON SUBMISSION OF THIS REQUEST, IT CAN NOT BE WITHDRAWN FOR ANY REASON.

Streyes Panchigas 9/23/0 Date

OWNER ACKNOWLEDGEMENT: Are you the owner of the property? No____Yes___If you are the owner, review and sign below.

I hereby grant permission to Baltimore County for any required inspections of my property in regard to this subject-zoning request.

I hereby acknowledge that if any rezoning occurs, a change in the property tax assessment and /or transfer taxes may result for which the property owner would be responsible. Further, I understand that if this zoning request is granted, it does not guarantee the issuance of plan approval or building permit. At the time of development processing, all county, state, and iederal requirements in effect at that time must be satisfied.

I hereby acknowledge that the County Council may apply any zoning classification on the subject property upon adoption of the countrebensive zoning mans.

the comprehensive zoning maps.

Owner's Name (Please Rrint)

Owner's Name (Please Rrint)

Owner's Name (Please Print)

Visha Signature
Visha Signature
Signature

9/23/03 9/23/12 Date

^{**} If your representation can be considered a lobbying effort, you may be required to register with the Baltimore County Council or the Baltimore County Ethics Commission (Section 28-161(9)b, Baltimore County Code)

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND Legislative Session 2006, Legislative Day No. 15

Resolution No. 63-06

Mr. S. G. Samuel Moxley, Councilman

By the County Council, August 7, 2006

A RESOLUTION of the Baltimore County Council to approve the Planning Board's certification that the zoning reclassification petition filed for the property located at 4381 Hollins Ferry Road and situated in the First Councilmanic District, should be exempted from the regular cyclical procedure of Article 32, Title 3, Subtitle 5 of the Baltimore County Code, 2003, as amended.

WHEREAS, the Planning Board, by Resolution dated February 16, 2006, has certified that early action on the Petition for Zoning Reclassification requesting a reclassification of the above described property is manifestly required in the public interest; and

WHEREAS, the County Council of Baltimore County, in accordance with the provisions of Section 32-3-509, may approve said certification and exempt the Petition for Zoning Reclassification from the regular procedures of Article 32, Title 3, Subtitle 5.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the certification by the Planning Board that early action on the zoning reclassification is manifestly required in the public interest, be and the same is hereby approved; and

BE IT FURTHER RESOLVED, that the Board of Appeals shall schedule a public hearing on said Petition in accordance with Section 32-3-509(b) of the Baltimore County Code.

r06305.wpd



Petition for Reclassification

to the Board of Appeals of Baltimore County

I/We do solemnly declare and affirm, under the penalties of

for the property located at 4381 Hollins Ferry Road
which is presently zoned/districted D.R. 1 and M.L. & 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: (1) that the zoning/district status of the herein described property be reclassified, pursuant to the zoning law of Baltimore County from an D. T. zone/district to a B. T. A. S. zone/district for the

pursuant to the zoning law of Baltimore County from and R. I. M. I. zone/district to a B. I. A. S. zone/district, for the reasons given in the attached and (2) for a Special Exception under the zoning regulations of Baltimore County, to use the herein described property for a car wash.

and (3) for the reasons given in the attached statement, a Variance from the following sections of the zoning regulations of Baltimore County:

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

I, or we, agree to pay expenses of above petition(s), 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.

	•	is the subject of this Petitio	n.	property willow
Contract Purchaser/Lessee:		Legal Owner(s):	_	
Name - Type or Print		Name - Type or Print	anchig	9
Signature		Signature /	ancheig	ale-
Address	Telephone No.	Name - Type or Print		·
City State	Zip Code	Signature Signature	anga.	
Attorney For Petitioner:		4381 Hollins Fe	rry Road	410-242-0481 Telephone No.
Name - Type or Print 1	~~	Baltimore, City	MD State	21227 Zip Code
Signature Signature	·	Representative to be	Contacted:	
	110-F31-2000 Telephone No.	Name		
· · · · · · · · · · · · · · · · · · ·		Address		Telephone No.
Towton, Md. City State	Zip Code	City	State	Zip Code
REV 9/18/98	1 (j.
JNP for IJS, Jr.	9/21/06 OK	70 FILE		

- IB. HOURS OF OPERATION CAR WAS '' 7 AM TO 10 PM RETAIL: | M TO 11 PM
- 14. EMPLOYEES
 CAR WASH: I EMPLOYEE
 RETAIL: TO BE DETERMINED
- 14. LANDSCAPING PER THE BALTIMORE COUNTY LANDSCAPE MANUAL WILL BE PROVIDED.
- 15. ALL PROPOSED SIGNS TO BE IN ACCORDANCE WITH THE BCZR SECTION 450.
- 16. PROPOSED BUILDINGS TO MEET ALL APPLICABLE BUILDING CODES IN EFFECT AT TIME OF PERMIT.
- 17. PROPOSED BUILDINGS: CAR WASH TWO ROLL OVER BAYS RETAIL BUILDING 6,000 SF
- 18. PARKING REQUIRED:
 CAR WASH: 2 PER BAY = 4 SPACES
 3 VACUMS @ I/EACH = 4 SPACES
 2 ADDITIONAL FOR ROLL OVER = 4 SPACES
 RETAIL 6,000 SF@5/1000 SF = 30
 TOTAL REQUIRED : 41 SPACES
 19. PARKING PROVIDED: 41 SPACES
- KONT 125' 32'
 KONT 125' 32'
 (AVERAGE 15' TO EX CANOPY, NO BUILDING ON EAST SIDE, 15+10 = 12.5')
 IDE OF EAR 20. SETBACKS: FRONT
- 21. FAR: 0.16
- 22. SPECIAL EXCEPTION FOR A CAR WASH PER SECTION 419

Richardson Engineering, LLC

110 Old Padonia Road, Suite LC Cockeysville, Maryland 21030

Phone: 410-560-1502 Fax: 410-560-0827

ITED PLAN TO ACCOMPANY AND SPECIAL EXCE PANCHIGAR PROPERTY

4381 HOLLINS FERRY ROAD BALTIMORE COUNTY, MARYLAND

13TH ELECTION DISTRICT

COUNCILMANIC DISTRICT: 1

REVISIONS 09/20/2006 Petitioners' Exhibit #6 DRAWN BY: PCR

DESIGNED BY: SCALE: 1" - 30' PCR

DATE: JOB NO. SHEET NO.:

03/23/2006

03019

1 OF 2

IN THE MATTER OF
THE APPLICATION OF
SHREYAS AND NISHA PANCHIGAR
-LEGAL OWNERS /PETITIONERS
FOR A ZONING RECLASSIFICATION
ON PROPERTY LOCATED ON THE
S/S OF HOLLINS FERRY ROAD, 225'
E OF HAMMONDS FERRY ROAD

13th ELECTION DISTRICT 1ST COUNCILMANIC DISTRICT

- BEFORE THE
- * COUNTY BOARD OF APPEALS
- * OF
- BALTIMORE COUNTY
- Case No. CR-07-132-X (out of cycle)

<u>OPINION</u>

This matter comes before the Board on Petition for an out-of-cycle Reclassification of the property in question from D.R. 1, B.L., and M.L. to B.L.-A.S. In addition, the Petitioner seeks a special exception for a car wash to be operated at the facility. Petitioner was represented by John Gontrum, Esquire, and WHITEFORD, TAYLOR & PRESTON, LLP. Carole S. Demilio, Deputy People's Counsel for Baltimore County, appeared on behalf of the Office of People's Counsel. A hearing was held before the Board on November 8, 2006. At the close of the hearing, the Board took a short recess and then held a public deliberation on the case.

The subject property consists of 58,518 sq. ft. (1.18 acres) located on the south side of Hollins Ferry Road, 225 feet each of its intersection with Hammonds Ferry Road, in the Thirteenth Election District, First Councilmanic District of Baltimore County. The property was zoned B.L., B.L.-A.S. and M.L. prior to the last comprehensive zoning cycle. In that process, a portion of the site that was B.L. was rezoned to D.R. 1. This created a residentially zoned property in the midst of otherwise commercially zoned properties. The lot to the west of the property is a fully-improved site used for a service station and operated by Petitioner, Mr. Panchigar. Except for landscape buffer, the site is fully paved and improved. To the east of the



KEVIN KAMENETZ County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director. Department of Permits,
Approvals & Inspections

January 19, 2011

Patrick C. Richardson, Jr., P.E. Richardson Engineering, LLC 30 E. Padonia Road, Suite 500 Timonium, Maryland 21093

RE: Amended Spirit and Intent Response for Zoning Case CR-07-132-X

4381 Hollins Ferry Rd., MD St Tax #1308001075

13th Election District

Dear Mr. Richardson:

In response to your recent meetings in this department regarding the addition of the dog grooming facility to the constructed car wash the following has been determined.

The property known as 4381 Hollins Ferry Road is currently zoned B.L.-A.S. (Business, Local—Automotive Services) and B.L. (Business, Local) per the official Baltimore County Zoning Map 109A2. Pursuant to Section 230.9 of the BCZR an "animal grooming facility" is permitted by right in this zoning classification. Zoning Review has determined that this additional use is within the spirit and intent of Zoning Case CR-07-132-X. This animal grooming facility must use the parking area shown on the plan submitted with the above special exception and also note that no parking will be permitted on the adjacent lot for such use. Our office is also requesting that signs are posted alerting traffic using the car wash to be on alert for pedestrian traffic entering and exiting the animal grooming facility.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Donna Thompson

Planner II, Zoning Review

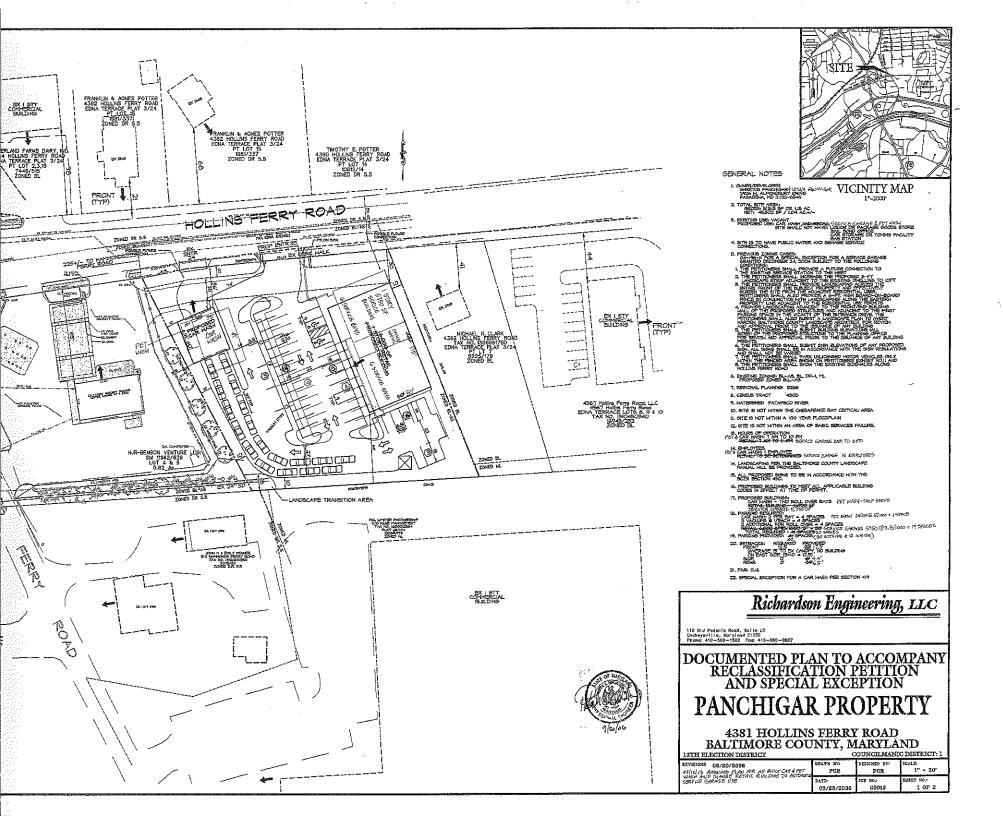
DT

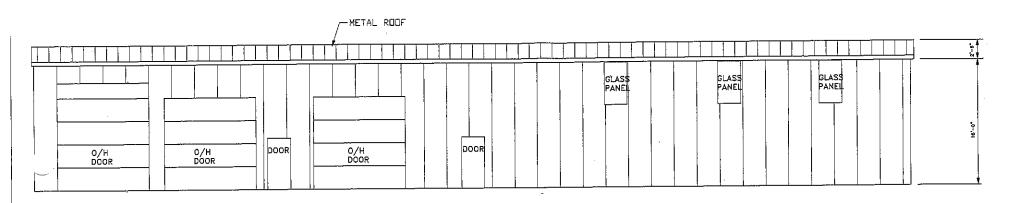


FINE (ETITION FOR ZONING HE RING(S)

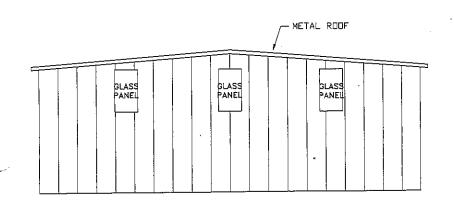
To be filed with the Department of Permits, Approvals and Inspections To the Office of Administrative Law of Baltimore County for the property located at: HOLLINS FERRY KOAD which is presently zoned BL-ASDeed References: 10 Digit Tax Account # <u>/ 3 0 8 0 0 / 0</u> Property Owner(s) Printed Name(s) SHREY AS AND NIGHA PANCHIGAR (SELECT THE HEARING(S) BY MARKING old X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST) The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan 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 AN AMENDED PLAN AND ORDER TO THE PREVIOUSLY APPROVED PLAN IN CASEM2007-132-X 🔀 a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for AN AUTOMOTIVE SERVICE GARAGE PURSUANT TO SECTION 230,13 BOZR a Variance from Section(s) of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition) Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above petition(s), 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. Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s). Legal Owners (Petitioners): Contract Purchaser/Lessee: SHREYAS PANCHIGAR Name- Type or Print Name #1 - Type or Print Signature #1 Signature Mailing Address State City State Mailing Address Email Address Zip Code Email Address Telephone # Telephone # Attorney for Petitioner: Representative to be contacted: Name- Type PETITIONER'S Signature Sidnature EXHIBIT NO Mailing Addi ate Mailing Address 560-1<u>502 | RICK Û RICHARD SOWEWGIN FERIN</u> Email Address Zip Code Telephone # Email Address Zip Code Telephone # CASE NUMBER Filing Date Do Not Schedule Dates:

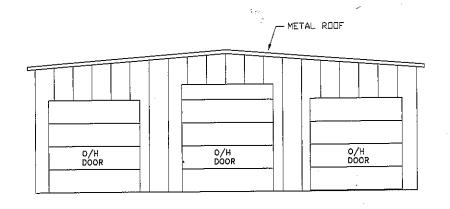
REV. 10/4/11





FRONT



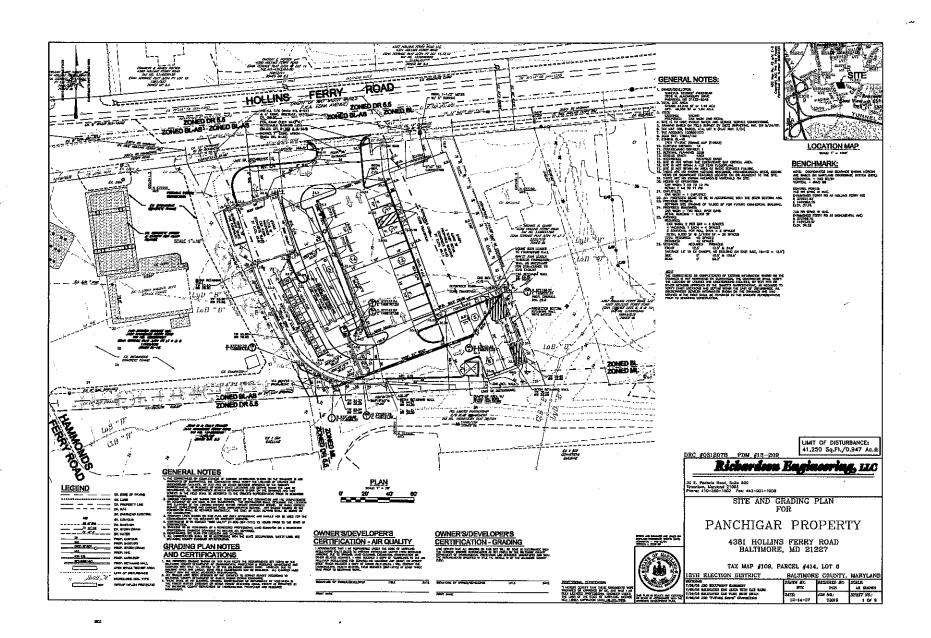


SOUTH SIDE

NORTH SIDE

BUILDING ELEVATIONS

SCALE: 1/8" = 1'



ENVIRONMENTAL IMPACT STATEMENT

I. INTRODUCTION

The subject property consists of 58,518 square feet (1.18 acres) located on the south side of Hollins Ferry Road 225 feet east of its intersection with Hammonds Ferry Road in the 13th election district, 1st council district of Baltimore County.

The property is zoned BL-AS.

The property is totally surrounded by improved properties. To the west of the property is a fully improved site used for a service station. Except for a landscape buffer the site is fully paved and improved. To the east of the site is a residence at 4369 Hollins Ferry Road. That property contains approximately 14,208 square feet. The single family dwelling is approximately 50 years old. Approximately ten percent (10%) of the site is impervious. Although the site is used for a residence the property is zoned B.L.

To the rear of the subject property is M.L. zoned land improved by a large, one story commercial building. A small portion of the rear of the property (approximately 15 feet) abuts residentially zoned and improved land.

II. EXISTING USE AND SITE CONDITIONS

A. Topography- The site is level in the main site and slopes to the existing ground on adjacent properties on the east, south and west side. There have been retaining walls installed on these sides where the grades could not be made down to the existing ground.

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TIMOTHY M. KOTROCO, Director



Donald E. Branco

DONALD E. BRAND, Buildings Engineer

BUILDING PERMIT

DIST: 13 PREC: 01. PERMIT #: B684854 CONTROL #: C-DATE ISSUED: 07/11/2008 TAX ACCOUNT #: 1308001075 CLASS: 06

PLOT 9 R PLAT 0 DATA 3 ELEC YES PLUM YES HOLLINS FERRY RD

PLANS: CONST 2 LOCATION: 4383

SUBDIVISION: EDNA TERRACE

OWNERS INFORMATION

NAME: PANCHIGAR, SHREYOS "GEORGE" ADDR: 2926 W. ALMONDBURY DR, 21122

TENANT:

TBD CONTR:

RICHARDSON ENGINEERING ENGNR:

WORK:

SELLR: CONSTRUCT RETAIL CAR WASH, 35'8"X49'10"X17'6"

1.753SF, CR-07-132-X GRANTED 12-14-06 SEPARATE PERMIT REQD FOR ANY ADDL WORK

BLDG. CODE:

RESIDENTIAL CATEGORY:

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: CAR WASH EXISTING USE: VACANT LOT

TYPE OF IMPRV: NEW BULDING CONTRUCTION

USE: OTHER - NON-RESIDENTIAL

FOUNDATION:

WATER: PUBLIC PROPOSED SEWAGE: PUBLIC PROPOSED

LOT SIZE AND SETBACKS

SIZE: 1.040 AC FRONT STREET: SIDE STREET:

FRONT SETB: 37'6 . 152'-10' SIDE SETB:

SIDE STR SETB:

107' REAR SETB:

THIS PERMIT EXPIRES ONE YEAR FROM DATE OF ISSUE

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

BASEMENT:

BALTIMORE COUNTY, MAKYLAND

DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS

Arnold Jablon, Decuty Administrative Officer & Director



boyald 2 Man

Donald E Brand, Building Engineer

BUILDING PERMIT

PERMIT #: B803064 CONTROL #: C- DIST: 13 PREC: 01 DATE ISSUED: 12/27/2012 TAX ACCOUNT #: 1308001075 CLASS: 06

PLANS: CONST 02 PLOT 9 R PLAT 0 DATA 3 ELEC NO PLUM NO

LOCATION: 4381 HOLLINS FERRY RD

SUBDIVISION: EDNA TERRACE

OWNERS INFORMATION

NAME: PANCHIGAR, SHREYAS AND NISHA

ADDR: 2926 W ALMONDBURY DR; PASADENA 21122

TENANT:

CONTR: TBD

ENGNR: RICHARDSON ENGINEERING LLC

SELLR:

WORK: CONSTRUCT SHELL BUILDING FOR FUTURE RETAIL USE.

50'X115'X16'=5750SF. SEPARATE PERMIT REQ'D TO COMPLETE INTERIOR. ISSUANCE OF THIS PERMIT DOES NOT GUARANTEE ISSUANCE TO SUBSEQUENT

PERMITS BY BALTIMORE COUNTY.

BLDG. CODE:

RESIDENTIAL CATEGORY:

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: CAR WASH AND SHELL BLDG

EXISTING USE: CAR WASH

TYPE OF IMPRV: NEW BULDING CONTRUCTION USE: STORE, MERCANTILE, RESTAURANT FOUNDATION: BASEMENT:

SEWAGE: PUBLIC EXIST WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 1.040AC FRONT STREET: SIDE STREET:

FRONT SETB: 128.

SIDE SETB: 17.3/65.2

SIDE STR SETB:

REAR SETB: 10'

THIS PERMIT EXPIRES
ONE YEAR FROM
DATE OF ISSUE

#7

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES

CASE #: CR-07-132 Out of Cycle

IN THE MATTER OF: SHREYAS AND NISHA PANCHIGAR

-Legal Owners /Petitioners 4381 Hollins Ferry Road

13th Election District; 1st Councilmanic District

RE: Petition for Reclassification from D.R. 1, B.L, M.L. to B.S., A.S. Pursuant to Documented Site Plan

APPROVED FOR OUT OF CYCLE BY COUNTY COUNCIL ON 8/07/06.

10/12/06 – Notice of Assignment sent to parties from CBA this date; assigned for Wednesday, November 8, 2006 at 10:00 a.m. Copy sent to Kristen via e-mail and via FAX. Notice sent to:

John B. Gontrum, Esquire
Shreyas Panchigar and Nisha Panchigar
Patrick C. Richardson, Jr., P.E.
Carol Saffran-Brinks /Board of Ed. /MS 1102-J
People's Counsel for Baltimore County
Jeffrey Long, Deputy Director /Planning
Pat Keller, Planning Director
William J. Wiseman III /Zoning Commissioner
W. Carl Richards /PDM
Timothy M. Kotroco, Director /PDM
Baltimore County Council, 1st District
John E. Beverungen, County Attorney



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

Hearing Room - Room 48 Old Courthouse, 400 Washington Avenue

October 12, 2006

NOTICE OF ASSIGNMENT

CASE #: CR-07-132 Out of Cycle IN THE MATTER OF: SHREYAS AND NISHA PANCHIGAR

-Legal Owners / Petitioners 4381 Hollins Ferry Road

13th Election District; 1st Councilmanic District

RE: Petition for Reclassification from D.R. 1, B.L, M.L. to B.S., A.S. Pursuant to Documented Site Plan

ASSIGNED FOR:

WEDNESDAY, NOVEMBER 8, 2006 at 10:00 a.m.

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco Administrator

c:

Counsel for Petitioner /Legal Owner
Petitioner /Legal Owner

Patrick C. Richardson, Jr., P.E.

: John B. Gontrum, Esquire

: Shreyas Panchigar and Nisha Panchigar

Carol Saffran-Brinks /Board of Ed. /MS 1102-J People's Counsel for Baltimore County Jeffrey Long, Deputy Director /Planning Pat Keller, Planning Director William J. Wiseman III /Zoning Commissioner W. Carl Richards /PDM Timothy M. Kotroco, Director /PDM Baltimore County Council, 1st District John E. Beverungen, County Attorney

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Carl Richards, Supervisor

DATE: September 28, 2006

Zoning Review Process, PDM

FROM: Kathleen C. Bianco

County Board of Appeals

SUBJECT: Out-of-Cycle Exemption

Request for Reclassification /Property located at 4381 Hollins Ferry Road

1st Councilmanic District

Approved by County Council for Out of Cycle

Date for Hearing before the Board - November 8, 2006 at 10 a.m.

Pursuant to § 32-3-509(b), 2003 Baltimore County Code, the Board has scheduled the subject out-of-cycle reclassification petition for hearing on Wednesday, November 8, 2006, at 10:00 a.m. in Room 49, Old Courthouse.

This petition for reclassification was approved for hearing out of cycle by the County Council at its August 7, 2006 meeting (a copy of Resolution 63-06 is attached for your information and file).

Also attached are all copies of the Petition for Reclassification and all related documentation so that your office may proceed with the necessary advertising and posting. If you would be helpful, since time is short between now and November 8th, I would be happy to send out the Notice of Assignment. Just let me know. I'll be back in the office on Monday afternoon, October 2nd.

If you have any questions, please call me at extension 3180.

Attachment

c: Timothy M. Kotroco, Director /PDM
Pat Keller, Planning Director
Jeffrey Long, Deputy Planning Director
Office of People's Counsel
John B. Gontrum, Esquire
Patrick C. Richardson, Jr., P.E.



County Council of Baltimore County

Court House Towson, Maryland 21204 410-887-3196 Fax: 410-887-5791

S.G. Samuel Moxley FIRST DISTRICT

Kevin Kamenetz SECOND DISTRICT

T. Bryan McIntire
THIRD DISTRICT

Kenneth N. Oliver FOURTH DISTRICT

Vincent J. Gardina
FIFTH DISTRICT

Joseph Bartenfelder SIXTH DISTRICT

John Olszewski, Sr. seventh district

Thomas J. Peddicord, Jr. LEGISLATIVE COUNSEL SECRETARY

Dave ougerni luen to Mr. Wescott, on 8/9/04, for his review.

August 8, 2006

Lawrence S. Wescott, Chairman Baltimore County Board of Appeals 400 Washington Avenue Towson, Maryland 21204

Dear Mr. Wescott:

Attached please find a copy of Resolution 63-06 to approve the Planning Board's certification that the zoning reclassification petition filed for the property located at 4381 Hollins Ferry Road and situated in the First Councilmanic District, should be exempted from the regular cyclical procedure of Article 32, Title 3, Subtitle 5 of the Baltimore County Code, 2003, as amended.

This Resolution was approved by the County Council at its August 7, 2006 meeting and is being forwarded to you for appropriate action.

Sincerely,

Recoffeedlee f

Thomas J. Peddicord, Jr.

Legislative Counsel/Secretary

TJP:dp r06306.wpd

BOARD OF APPEALS

Petitioners Exhibits 3. 1000 Scale Mup of subject property
4. 2004 Comp. Zoning Map Process Application
5. Heavily Officers Order Picture of Sign Engilonwental Impact Statement Letter from San, Moxel, 11-3-06 1. Sign in sheet

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND Legislative Session 2006, Legislative Day No. 15

Resolution No. 63-06

Mr. S. G. Samuel Moxley, Councilman

By the County Council, August 7, 2006

A RESOLUTION of the Baltimore County Council to approve the Planning Board's certification that the zoning reclassification petition filed for the property located at 4381 Hollins Ferry Road and situated in the First Councilmanic District, should be exempted from the regular cyclical procedure of Article 32, Title 3, Subtitle 5 of the Baltimore County Code, 2003, as amended.

WHEREAS, the Planning Board, by Resolution dated February 16, 2006, has certified that early action on the Petition for Zoning Reclassification requesting a reclassification of the above described property is manifestly required in the public interest; and

WHEREAS, the County Council of Baltimore County, in accordance with the provisions of Section 32-3-509, may approve said certification and exempt the Petition for Zoning Reclassification from the regular procedures of Article 32, Title 3, Subtitle 5.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the certification by the Planning Board that early action on the zoning reclassification is manifestly required in the public interest, be and the same is hereby approved; and

BE IT FURTHER RESOLVED, that the Board of Appeals shall schedule a public hearing on said Petition in accordance with Section 32-3-509(b) of the Baltimore County Code.

r06306.wpd

Pet. Ex#/

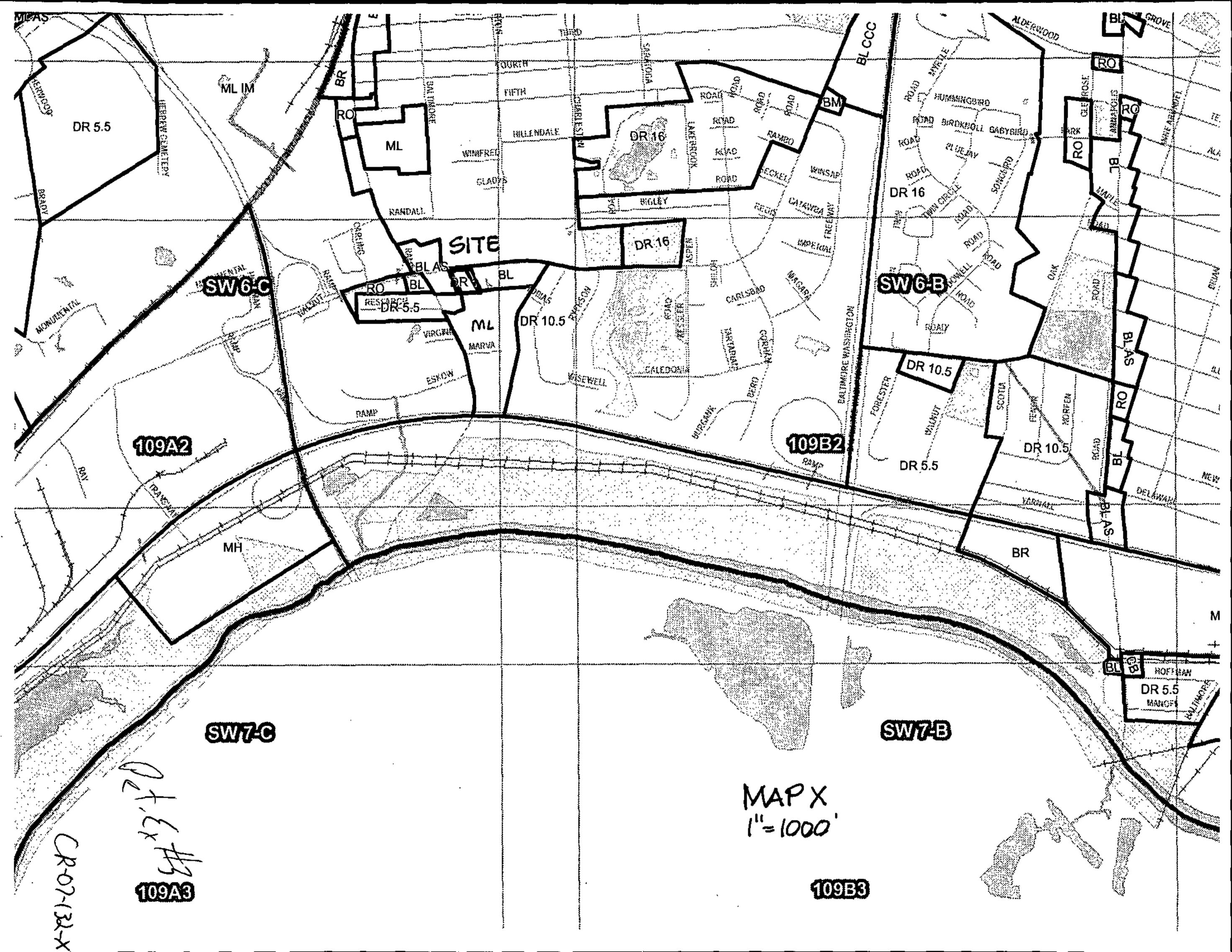
READ AND PASSED this 7TH day of AUGUST, 2006.

BY ORDER

Thomas J. Peddicord, Jr.

Secretary

ITEM: RESOLUTION 63-06



2004 COMPREHENSIVE ZONING MAP PROCESS APPLICATION This form and the required materials must be presented in person

Baltimore County Office of Planning 401 Bosley Avenue, Suite 406 Towson Maryland 21204

Commission (Section 28-161(9)b, Baltimore County Code)

Ph: 410-887-3480 www.baltimorecountyonline.info

Pet. Ex #4

TOWSOII Mary land 2 120 .	OFFICE USE ONLY		
Issue No Fee (nonrefundable) Council District Received on Receipt No	Planner		
AP	PLICANT INFORMATION		
SHREYAS & NISHA PANCHIGAR 1. Name	2. Organization (if applicable)		
2926 W. ALMONDBURY DRIVE 3. Mailing Address	PASADENA, MD 21122-6346 City, State, Zip Code		
410-242-0481	5. E Mail Address		
4.Day Time Phone JOHN B. GONTRUM Control of the C	WHITEFORD, TAYLOR & PRESTON Firm Name (if applicable)		
6.Attorney or Representative ** (see note below) AIO 832-2055 Business Phone	J GONTRUM @ WTPLAW. COM Business E Mail Address		
PF	OPERTY INFORMATION		
SHREYAS & NISH PANCH IGAR 7. Property Owner's Name	6. Property Sciect Address		
1.01 AC ± 9. Total Acreage of Property	W 200' ± TO HAMMOUDS FERRY PD 10. Distance to nearest street/intersection (give name)		
31308001075 11. Property Tax Number (12 Digits)	109 44- 12. Tax Map Number / Parcel Number		
Property Tax Number (attach additional parcels' information) (SEE ATTACHED)	Tax Map Number / Parcel Number (attach additional)		
13. Adjacent Property Tax Number(s) *	Adjacent Property Tax Map Number/Parcel Number		
* (Attach additional sheets as needed) RECLA	ASSIFICATION INFORMATION		
0.88 AC			
14. Total Acreage of land requested for rezoning	15. Zoning history (issue/case no., year, type)		
ML-0.04.BL-0.88.BL-A5-0.09 16. Existing zoning (acres per zone) 17. Requested zoning (acres per zone)			
VACANT 18. Existing use of parcel	19. Proposed use of parcel		
THE INFORMATION SHOWN ON THIS FORM IS ACCURA I UNDERSTAND THAT UPON SUBMISSION OF THIS REQ	ATE AND COMPLETE TO THE BEST OF MY KNOWLEDGE. UEST, IT CAN NOT BE WITHDRAWN FOR ANY REASON.		
	Strature) Janeligas 9/23/03 (SIGNATURE) Date		
1. I hereby grant permission to Baltimore County to 2. I hereby acknowledge that if any rezoning occupants of the property owner would be responsible guarantee the issuance of plan approval or but federal requirements in effect at that time mus 3. I hereby acknowledge that the County Councit the comprehensive zoning maps. Show (Please Rrint) Owner's Name (Please Print)	Shreyes Panchigae 9/23/03 Signature 9/23/03 Signature Date Date		
** If your representation can be considered a lobbying errort, you	may be required to register with the Baltimore County Council or the Baltimore County Ethics		

Zoning Commissioner

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



Baltimore County

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

December 22, 2003

John Gontrum, Esquire Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Towson, Maryland 21204-2055 DECEIVED

JAN 5 2003

Re: Petition for Special Exception

Case No. 04-196-X

Property: Hollins Ferry Road

WHITEFORD, TAYLOR & PRESTON

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above-captioned case. The administrative variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits & 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,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure

Copies to:

Mr. & Mrs. Shreyas Panchigar 2926 W. Almondbury Drive Pasadena, MD 21122-6346 Mr. Rick Richardson 730 W. Padonia Road Cockeysville, MD 21030

Mr. Franklin Potter 4382 Hollins Ferry Road Lansdowne, MD 21227 Pet. Ex#5



IN RE: PETITION FOR SPECIAL EXCEPTION
S/S of Hollins Ferry Road,
200 ft. E of Hammonds Ferry Road
13th Election District
1st Election District
(Hollins Ferry Road)

Nisha & Shreyas Panchigar Petitioners BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 04-196-X

DECEIVED

JAN 5 2003

FINDINGS OF FACT AND CONCLUSIONS OF LAW

WHITEFORD, TAYLOR & PRESTON

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owners of the subject property, Nisha and Shreyas Panchigar. The Petitioners are requesting special exception relief for property located on Hollins Ferry Road, 200 feet from the intersection of Hammonds Ferry Road in the western area of Baltimore County. The special exception request is for a service garage in a BL, BL-AS and ML Zones pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.).

The property was posted with Notice of Hearing on November 22, 2003, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on November 25, 2003 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 502.1 of the B.C.Z.R. - Special Exceptions

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;

- F. Interfere with adequate light and air; [Bill No. 45-1982]
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the sprit and intent of these Zoning Regulations; [Bill No. 45-1982]
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]
- I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 zone. [Bill No. 74-2000]

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received from the Office of Planning dated December 2, 2003, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the variance and special exception requests were Rick Richardson, Civil Engineer, Franklin Potter and Shreyas Panchigar, Owner. John B. Gontrum, Esquire represented the Petitioners. Theresa Lowry of the Lansdowne Improvement Association and Franklin Potter appeared as interested citizens. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Mr. Gontrum proffered that Mr. Panchigar owned the adjoining Mobile Service Station on the corner of Hammonds Ferry and Hollins Ferry Roads and had operated same for many years as a service garage and fuel service station. As such he needed room to store disabled vehicles while being repaired. He purchased the subject property and intends to move his repair business to the new site. He also intends to sell vehicle parts from this location. Not only does this give him greater room for his business, but it will also greatly reduce complaints from the neighbors as he will have a fenced in area in which to store disabled vehicles. He proffered that granting

the special exception would not violate the spirit or intent of Section 502.1 and would not be a detriment to the health, safety, or welfare of the community.

The property is almost exclusively zoned BL. However, there are small slivers of BL-AS and ML on the property. The proposed service garage is located on the BL portion. The site is bounded on the west by the Mobile Station, on the east by a BL zoned property which is improved by an existing residence (the Clark Property), on the south by manufacturing uses and zones, and finally on the north, across Hollins Ferry Road, by residential development zoned DR 5.5.

Ms. Lowery indicated that Mr. Clark rarely occupies the residence. She indicated that the Lansdowne Improvement Association does not oppose this proposal, as it will remove disabled vehicles from the Mobile Station which have been the source of many neighborhood complaints. Mr. Potter, who lives across Hollins Ferry Road, spoke in favor of the plan as an improvement to the present use, which has had problems with trash.

Some of the substance of the Planning Office comments concerned a future car wash at this location. Mr. Gontrum indicated that the owner is not requesting a special exception for a car wash here, preferring to request the County Council to grant a zoning change to BL-AS on the entire property in the upcoming comprehensive zoning cycle. Council decision on this request would occur by September 2004. The owner would then have to apply for special exception relief based upon the new zoning should it be granted. However, a car wash is not being proposed in this case, nor is a towing service being requested here.

Considering the above, Mr. Gontrum indicated that Office of Planning Comment #1 is not relevant to the present plan. In regard to Office of Planning Comment #2, Mr. Gontrum indicated his client's agreement to provide an internal connection to the Mobile Service Station

Cartes

to the west, but could see no benefit to such a connection to the Clark property. The former would allow vehicles to be transported between the new service garage and the Mobile Station avoiding Hollins Ferry Road. However, in regard to connecting to the Clark property, Mr. Gontrum indicated that there was no reason to believe that the Petitioner in this case would purchase the Clark property. In addition, the plan would have to be modified to allow the connection.

The Petitioner agreed to the following Office of Planning comments in their correspondence dated December 2, 2003: #3 width of landscape strip; #4 landscape across front; #5 landscape front of building; #6 regarding building elevations only; #7 signs; #8 regarding elevations only; and #10 sidewalks.

In regard to Comment #4, Mr. Gontrum pointed out that Mr. Clark was not asking for the fence or any noise mitigation (Comment #6). The Clark property is zoned BL and as Ms. Lowry indicated is rarely occupied as a residence. Regarding Comment #8, again Mr. Gontrum pointed out that the Petitioner was not asking for a car wash in this petition. He also felt Comment #9 was not appropriate as unlicensed vehicles would be stored inside the fenced in area.

Findings of fact and conclusions of law

Having considered each factor listed in Section 502.1, I find that the special exception for a service garage as shown on Petitioner's Exhibit 1 will not endanger the health safety and welfare of the community and I will grant the special exception subject to the following conditions:

In regard to Planning Comments #1 and #8, I agree with Mr. Gontrum that the issues raised are not part of this petition. A car wash may or may not eventually be requested by the Petitioner but if so, that would be the time to look into these matters. Regarding Comment #2, the

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Petitioner shall provide an internal connection to the Mobile Service Station to the west but I see no benefit to such a connection to the Clark property. Further, the Petitioner shall provide a 10-ft. wide landscape strip along the Clark property (Comment #3) and landscaping per Comments #4 and #5. I will require the 6-ft. high board-on-board fence (in conjunction with landscaping) along the eastern property line adjacent to the residential use. The Petitioner shall also provide building elevations as requested in Comment #6, but as the Clark property is zoned BL, I see little need to have no openings in the buildings on the Clark side of the property. Furthermore, the Petitioner shall provide sign elevations per Comment #7, but may park unlicensed vehicles only within the fenced area shown on Petitioner's Exhibit No. 1. Finally, the Petitioners shall show sidewalks with their landscape plan.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request and request for special exception should be granted.

THEREFORE, IT IS ORDERED, this And day of December, 2003, by the Deputy Zoning Commissioner, that the Petitioners' special exception request for a service garage in a B.L. Zone pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein.

- 1. The Petitioners shall provide a future connection to the existing service station to the west;
- 2. The Petitioners shall increase the proposed 6-ft. landscape strip adjacent to the existing dwelling to 10 ft.;
- 3. The Petitioners shall provide landscaping across the entire front of the subject property and effectively screen the site from the adjacent residential uses. Petitioners shall also provide a 6-ft. high board-on-board fence (in conjunction with landscaping) along the eastern property line adjacent to the residential use;

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- 4. Provide landscaping adjacent to the front/end building wall of the proposed structure, and adjacent to the first parking space in the vicinity of the entrance drive. The Petitioners shall also submit a landscape plan to Avery Harden, Baltimore county Landscape Architect, for review and approval prior to the issuance of any building permits;
- 5. The Petitioners shall submit building elevations (all sides) of the proposed structure to the Planning Office for review and approval prior to the issuance of any building permits;
- 6. The Petitioners shall submit sign elevations of any proposed sign. All signs shall be in accordance with the sign regulations and shall not be varied;
- 7. The Petitioners shall park unlicensed motor vehicles only within the fenced area shown on Petitioners' Exhibit No. 1; and
- 8. The Petitioners shall show the existing sidewalks along Hollins Ferry Road.

IT IS FURTHER ORDERED, that 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



Family Dentistry Henry Honick III, D.D.S.

National Childrens Center Value Village Project

> Geetha Raja, M.D. Internal Medicine

Dixon Environmental

Wickeys Caterers

CCP-Solutions.com PC · Printer · Sales · Service

Nationwide Insurance Frederick Hebron, Agent Free State Financial Services, Inc.

State Farm Insurance Cos. John Strumsky, Agent

Cardinal Logistics

Landsdowne Dental

Charles E. Kountz Attorney At Law

Five Star Group

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Pet. Ex#6

ENVIRONMENTAL IMPACT STATEMENT

I. INTRODUCTION

The subject property consists of 58,518 square feet (1.18 acres) located on the south side of Hollins Ferry Road 225 feet east of its intersection with Hammonds Ferry Road in the 13th election district, 1st council district of Baltimore County.

The property is zoned D.R. 1.

The property is totally surrounded by improved properties. To the west of the property is a fully improved site used for a service station. Except for a landscape buffer the site is fully paved and improved. To the east of the site is a residence at 4369 Hollins Ferry Road. That property contains approximately 14,208 square feet. The single family dwelling is approximately 40 years old. Approximately ten percent (10%) of the site is impervious. Although the site is used for a residence the property is zoned B.L.

To the rear of the subject property is M.L. zoned land improved by a large, one story commercial building. A small portion of the rear of the property

(approximately 15 feet) abuts residentially zoned and improved land.

II. EXISTING USE AND SITE CONDITIONS

A. Topography- The site is relatively flat, sloping from Hollins Ferry Road toward the rear of the property. It generally follows the slope of Hollins Ferry Road from north to south as well. There is a swale in the rear of the property that conveys the drainage from the upstream properties through

Pet. (x#7) CR-07-132-X

- the site. There is a storm drain in the southeast corner of the property that outfalls under Hammonds Ferry Road to a tributary that drains to the Patapsco River.
- B. Streams and wetlands- There are no streams or wetlands on the site. The site has been inspected by DEPRM and confirmed that there are not any wetlands associated with the drainage swale.
- C. Vegetation- The existing site is an open meadow field with sparse woody vegetation.
- D. Wildlife- There is not any significant wildlife species present on the site other than what would be expected on any other urbanized site.
- E. Noise, Dust and Odors- The operation of the site as retail stores and a car wash will not create any noise, dust or odors. The operation of the car wash on the site will not have any dust or odors, and times of operation will be restricted to limit any adverse impacts on noise associated with the operation of the car wash equipment.
- F. Endangered flora and fauna- There are not any endangered flora or fauna present on the site.
- G. Public Improvements- This site is served by public water and sewer systems that are in Hollins Ferry Road. The existing roadway in front of the site is paved with 4 lanes of traffic, curb and gutter, and concrete sidewalks. The road narrows to 2 lanes just north of the site. The site is served by BGE electric and gas services in Hollins Ferry Road.

III. PROPOSED USE AND SITE CONDITIONS

- A. Retail use and car wash- The proposed use of the site will be for two distinct purposes. One will be a 6,000 square foot retail building that will be used for general retail purposes excluding liquor store, bail bonding, towing operation or a gas station. Other uses as permitted by right in the BL Zone may be permitted to locate in the building. The retail building uses may be operated between the hours of 7 AM and 11 PM. The second use is a two bay rollover car wash. The car wash will be operated between the hours of 7 AM and 10 PM.
- B. Floor Area Ratio and Impervious Area- The proposed site coverage is approximately 0.72 acres with impervious surfaces, or 61% of the site. The Floor Area Ratio for this site is 0.16, with the permitted ratio in BL zones being 3.0.
- C. Grading, Sediment and Erosion Control, Storm Water Management-The site is located in the Patapsco Watershed. The site will be designed to comply with the 2000 Maryland Stormwater Management Manual as adopted by Baltimore County Department of Environmental Protection and Resource Management. Per the manual there will be water quality, recharge and channel protection from runoff installed on site. The proposed best management practice is to install underground facilities to comply with the requirements. The site will be graded to slope from front to back as it does presently, with fill material being brought in to raise the

- site to be closer to the elevation of Hollins Ferry Road and provide for more elevation to permit the construction of the stormwater management BMP.
- D. Landscaping-Landscaping will be installed to comply with the Baltimore County Landscape Manual. It is proposed to install trees and evergreen trees to screen the site from the house in the southwestern corner of the property.
- E. Lighting-Lighting will be installed in the parking area with shielded fixtures to keep light from spilling onto adjacent properties or onto Hollins Ferry Road.
- F. Noise, Dust and Odors- The operation of the site as retail stores and a car wash will not create any noise, dust or odors intruding on adjacent properties. The operation of the car wash on the site will not have any dust or odors, and times of operation will be restricted to limit any adverse impacts on noise associated with the operation of the car wash equipment. The hours of operation and placement of equipment have been designed to comply with noise regulations.
- G. Public Improvements- No public improvements are planned with the construction of this project. The site has curb, gutter and sidewalks along the frontage of the property, and these will be maintained.



COUNTY COUNCIL OF BALTIMORE COUNTY COURT HOUSE, TOWSON, MARYLAND 21204

S.G. SAMUEL MOXLEY COUNCILMAN, FIRST DISTRICT DISTRICT OFFICE:
764 FREDERICK ROAD
CATONSVILLE, MARYLAND 21228
410-887-0896
FAX: 410-887-1012
COUNCIL OFFICE: 410-887-3196

November 3, 2006

Mr. George Panchigar Lansdowne Mobil 3107 Hollins Ferry Road Baltimore, Maryland 21227

Dear Mr. Panchigar:

In reference to your upcoming Board of Appeals hearing, I offer the following.

During CZMP, I was not notified of community's support for the rezoning classification on your property. I understand those discussions with the community took place after my meetings with them. Had I known the community's support for the project, I would not have changed the zoning to DR1.

I hope this is helpful to you.

Sincerely,

S.G. Samuel Moxley

Councilman, First District

Pet.Ex.#8

55N-IN SHEET

FOR SUPPORT OF PUTITION

FOR RECLOSSIFICUTION -d

SPECIAL EXCEPTION

Shreyas Panchigar 2926 D. Almondbury Do Pasadena U22122

FRANKILIN E. POTTER 4382 HOLLINS FY. RD., LANSDOWNE MD

CHRISTINE KOLOSKI 2416 BRUNSWICK RD. 21227

John YANKULOV 27 HAZEL AVE LANSDOWNE Md 21227

Elizabeth YANKULOV 27 HAZEL AVE LANSDOWNE Md 21227

CRAIG RANKIN 3201 HILLTOP LANSDOWNE RD 21227



Petition for Reclassification

to the Board of Appeals of Baltimore County

I/We do solemnly declare and affirm, under the penalties of

is the subject of this Petition.

perjury, that I/we are the legal owner(s) of the property which

for the property located at 4381 Hollins Ferry Road which is presently zoned/districted D.R. 1 and M.L. # 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: (1) that the zoning/district status of the herein described property be reclassified,

pursuant to the zoning law of Baltimore County from an R 1 M I zone/district to a B I. A S zone/district, for the reasons given in the attached and (2) for a Special Exception under the zoning regulations of Baltimore County, to use the herein described property for a car wash.

and (3) for the reasons given in the attached statement, a Variance from the following sections of the zoning regulations of Baltimore County:

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

I, or we, agree to pay expenses of above petition(s), 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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Attorney For Petit	tioner:		4381 Hollins Address	Ferry Road	410-242-048 Telephone No.
Name - Type or Print	3. GonThun	~	Baltimore, City	MD State	21227 Zip Code
Signature	<u></u>	 	Representative to		
Company Address	Toylong Pros	EUR.	**************************************		
Zow. Pe	usshmin A	918-732-2000 	Name		
	Md.	Telephone No.	Address		Telephone No.
City On,	State	Zip Code	City	State	Zip Code

REV 9/18/98

JNP for J.J.S., Jr. 9/21/06 OK TO FILE



Petition for Reclassification

to the Board of Appeals of Baltimore County

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is the subject of this Petition.

perjury, that I/we are the legal owner(s) of the property which

for the property located at 4381 Hollins Ferry Road which is presently zoned/districted D.R. 1 and M.L. 486

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pursuant to the zoning law of Baltimore County from aD.R.l M.L. zone/district to a B.L. A.S. zone/district, for the reasons given in the attached and (2) for a Special Exception under the zoning regulations of Baltimore County, to use the herein described property for a car wash.

and (3) for the reasons given in the attached statement, a Variance from the following sections of the zoning regulations of Baltimore County:

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City	State	Zip Code	Signature		•
Attorney For Petitioner:			4381 Hollins Address	Ferry Road	410-242-048 Telephone No.
Name - Type or Print	num		Baltimore, City	MD State	2·1227 Zip Code
Signature	<u> </u>	·	Representative t	o be Contacted	' <u>-</u>
Signature Cultive Ken / Toylon Company Address	* PRESTA	UP-832-2000	Name		
Address	Linia Are	Telephone No.	Address		Telephone No.
City M	State	Zip Code	City	State	Zip Code

REV 9/18/98

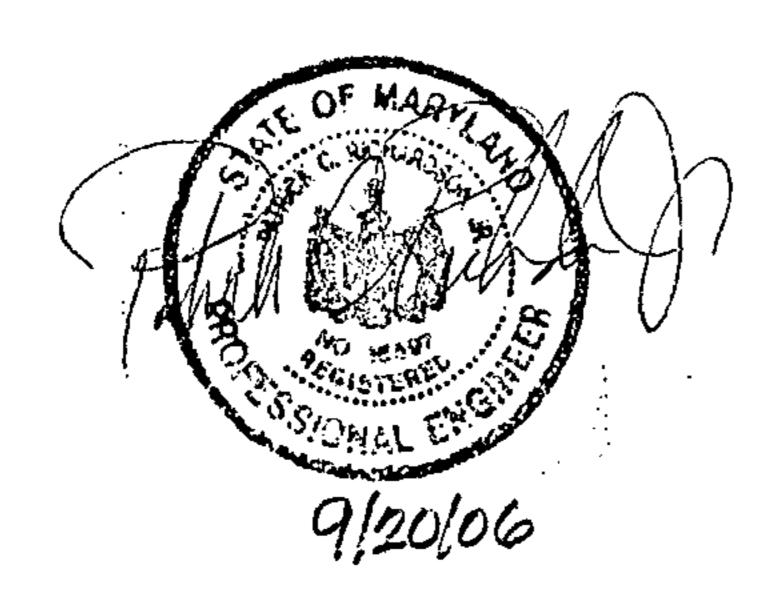
110 Old Padonia Road, Suite LC Cockeysville, Maryland 21030

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

ZONING DESCRIPTION
PANCHIGAR PROPERTY
4381 HOLLINS FERRY ROAD
13TH ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the South side of Hollins Ferry Road at a point 225'± east of Hammonds Ferry Road, thence leaving the south side of Hollins Ferry Road right-of-way (1) South 27 degrees 50 minutes 45 seconds East 214.14 feet, (2) North 86 degrees 39 minutes 15 seconds East 204.5 feet, (3) North 22 degrees 17 minutes 15 seconds West 219.49 feet, thence binding on the south side of the right of way of Hollins Ferry Road and, (4) South 84 degrees 32 minutes 38 seconds West 181.12 feet, (5) South 78 degrees 14 minutes 10 seconds West 41.5 feet, and the point of beginning;

Containing a net area of 45,302 square feet, or 1.04 acres of land, more or less.



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110 Old Padonia Road, Suite LC Cockeysville, Maryland 21030

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

September 19, 2006

Mr. Timothy M. Kotroco Baltimore County Zoning 111 Chesapeake Avenue Towson, MD 21204

Subject:

Panchigar Property

4381 Hammonds Ferry Road

Tax Map 109, Parcel 414 Lot 6, Tax No.: 1308001075

Dear Mr. Kotroco:

On behalf of my client, Shreyas (George) Panchigar, I am hereby requesting a Reclassification of the referenced property. We are requesting that the property be zoned BL-AS, and that the attached Documented Site Plan will be adopted in obtaining approval of the Petition for Reclassification.

The site was zoned BL, BL-AS and ML prior to the last Comprehensive Zoning cycle. In that process, a portion of the site that was BL was rezoned to D.R.1. This has created a residential zoned property in the midst of otherwise commercially zoned properties.

The public interest will be better served if the DR-1 portion of the property is returned to the BL-AS designation because the property can be used for business purposes which can create jobs. The surrounding area is predominantly industrially zoned, and with high density residential nearby. The DR-1 zoning district is the only one in the area, which is out of character with the surrounding properties. It also removes a small area of residentially zoned property from the middle of otherwise commercial uses, which will make it more harmonious with the adjacent properties. We are also requesting that the small area in the rear of the site that is zoned ML and the BL area on the east side of the site also be changed to BL-AS so that the zoning will be consistent on the site.

We have appeared before the Baltimore County Planning Board and the attached letter indicates that we have their support in this matter. We also have the support of the County Council as referenced in the attached resolution. Therefore, are hereby requesting that the portion of the site with a zoning designation of DR-1, BL and ML be changed to BL-AS. This zoning is more in keeping with the surrounding properties and will be in the best public interest to make it more compatible with the neighboring properties.

Richardson Engineering, LLC

Panchigar Property September 19, 2006 Page 2 of 2

Thank you for your assistance. If you have any questions, please feel free to contact me at any time.

Very truly yours,

Patrick C. Richardson, Jr. PE

SHREYAS AND NISHA PANCHIGAR -Legal Owners /Petitioners

#CR-07-132 ~X

S/s of Hollins Ferry Road, 225'+/- E of Hammonds Ferry Road

Out of Cycle 2006-2007

13th Election District 1st Councilmanic District

From: D.R. 1, B.L., M.L. to B.S., A.S.

1.04 acres +/-

DOCUMENTED SITEPLAN

August 7, 2006

Approval by County Council - out of cycle /Resolution 63-06

September 21

Petition for Reclassification filed by John B. Gontrum, Esquire, on behalf of Petitioner, Shreyas and Nisha Panchigar, Legal Owners.

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

Counsel for Petitioners

Shreyas and Nisha Panchigar

4381 Hollins Ferry Road Baltimore, MD 21227

Legal Owner /Petitioner

Patrick C. Richardson, Jr., P.E. Richardson Engineering, LLC 110 Old Padonia Road, Suite LC Cockeysville, MD 21030

Carol Saffran-Brinks Assistant County Attorney Office of Law -Bd of Education Mail Stop #1102-J

People's Counsel for Baltimore County

Jeffrey Long, Deputy Director /Planning Pat Keller, Planning Director William J. Wiseman III /Zoning Commissioner W. Carl Richards /PDM Timothy M. Kotroco, Director /PDM Baltimore County Council, 1st District John E. Beverungen, County Attorney

ZONING ADVISORY COMMITTEE AGENDA DISTRIBUTION MEETING OF October 9, 2006

* Agenda Only Agenda and Petition & Agenda and Plat # Agenda, Petition and Plat

Distribution:

- Board of Appeals (Kathi Bianco); MS #2013 Zoning Commissioner's Office (William Wiseman, III); MS #2112
- PDM, Zoning Review H.O. Hearing File (Kristen Matthews)
- PDM, Zoning Review DRC/ZAC Meeting File (W. Carl Richards, Jr.)
- PDM, Code Enforcement (Lisa Henson) PDM, Building Inspection (Karen Hopkins)
- PDM, Development Plans Review (Dennis Kennedy)
- Planning Office (Curtis Murray); *Director (Pat Keller)
- Recreation and Parks (Jean Tansey); MS #52
- DEPRM (Jeff Livingston) 2 plats
- State Highway Administration, Access Permits Division (Michael M. Lenhart)
- & PDM, Building Plans Review (Lt. Herb Taylor); MS #1102F
- Economic Development Commission, Business Develop. (Robert Hannon); MS #2M07
- Highways (Tim Burgess); MS #1003
- Community Conservation (David Fields); MS #1102M
- People's Counsel (Peter Zimmerman); MS #2010
- Honorable McIntire, County Council, District 3; MS #2201
- IF CRITICAL AREA, Maryland Office of Planning (Mike Nortrup) #
- IF FLOODPLAIN, Department of Natural Resources (John Joyce)
- # * IF FLOODPLAIN, Public Works (David Thomas); MS #1315
- IF FLOODPLAIN, Permits ()
- IF FLOODPLAIN, Code Enforcement (Rick Wisnom)
- IF ELDERLY HOUSING, Community Development; MS #1102M
- IF HELICOPTER, Police Department, Aviation Unit (Officer Taylor or Sgt. Wines)
- IF PAWN SHOP, Police Department, Burglary/Pawn Unit (Det. Kropfelder); MS #1102E
- IF TOWER, Tower Coordinator, c/o OIT; MS #2007

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with your office or department's code, standards or regulations. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" before the hearing date. If no written response is received by the committee before this hearing date, it is assumed that your agency has "no comment". All written comments must reference the ZAC item number or case number. All comments received will be compiled and included in the zoning file for review and consideration by the Board of Appeals during the course of the upcoming zoning/reclassification hearing.

If your agency or section is not represented at the meeting, you should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Kristen Matthews. If you have any questions regarding these zoning petitions, please contact Carl Richards at 410-887-3391 (FAX - 410-887-3048).

BALTIMORE COUNTY

BOARD OF APPEALS

ZONING ADVISORY COMMITTEE MEETING OF OCTOBER 9, 2006

Case Number:

CR-07-132-X

Item Number:

132

Hearing Date/Time:

Wednesday, November 8, 2006 at 10:00 a.m.

Legal Owner:

Shreyus Panchigar

Contract Purchaser:

N/A

Location:

S/side of Hollins Ferry Road, 225 ft. E/of Hammonds

Ferry Road

Address:

4381 Hollins Ferry Road

Existing Zoning:

B.L., B.L.- A.S., D.R. 1, M.L.

Proposed Zoning:

B.L. - A.S.

Area:

1.18 Acres

District:

13th Election District

1st Councilmanic District

Attorney:

John Gontrum

Miscellaneous:

Documented Plan

SEHDING REPORT

Oct. 12 2006 12:59PM

YOUR LOGG

: BOARDOFAPPEALS

YOUR FAX NO. : 4108873182

OTHER FACSIMILE 5708

START TIME

Oct. 12 12:57PM

USAGE TIME MODE 01'05

SND

PAGES RESULT Ø1 OΚ

TO TURN OFF REPORT, PRESS 'MENU' #04. THEN SELECT OFF BY USING '+' OR '-'.

FOR FAX ADVANTAGE ASSISTANCE, PLEASE CALL 1-800-HELP-FAX (435-7329).

BALTIMORE COUNTY, MARYLAND Inter-Office Memorandum

DATE:

October 2, 2006

TO:

Baltimore County Zoning Advisory Committee

FROM:

W. Carl Richards, Jr.

Zoning Review Supervisor (410-887-3391)

SUBJECT:

Out-of-Cycle Documented Zoning Reclassification Petition

Case Number: CR-07-132-X Legal Owner: Shreyus Panchigar

Contract Purchaser: N/A

Location: S/side of Hollins Ferry Rd.,

225 ft. +/- E/ of Hammonds Ferry Rd 13th Election District; 1st Councilmanic District

THE ABOVE REFERENCED PETITION HAS BEEN EXEMPTED FROM THE REGULAR CYCLICAL BI-YEARLY ZONING RECLASSIFICATION PROCEDURE BY CERTIFICATION OF THE BALTIMORE COUNTY PLANNING BOARD ON FEBUARY 16,2006 AND BY RESOLUTION NO. 63-06 OF THE BALTIMORE COUNTY COUNCIL DATED AUGUST 6, 2006 (ATTACHED). PURSUANT TO SECTION 32-3-509(b) OF THE BALTIMORE COUNTY CODE, THE COUNTY BOARD OF APPEALS HAS SET A VERY EARLY HEARING DATE OF 11/8/06. YOU ARE REQUESTED TO EXPEDITE YOUR REVIEW AND FORWARD YOUR COMMENTS TO THIS OFFICE UNDER THE ABOVE REFERENCE PRIOR TO THE HEARING DATE. IF YOU NEED ADDITIONAL MATERIALS TO COMPLETE YOUR COMMENTS, YOU SHOULD CONTACT THE ENGINEER, ATTORNEY, OR MYSELF IMMEDIATELY.

WCR:klm



Robert L. Bhrlich, Jr., Governor Michael S. Steele, Lt. Governor

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date:

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

RE:

Baltimore County

Item No. CR-07-132-X 4381 HOLLING FERRY RD PANCHIGAR PROPERTY

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. CR-67-132-7.

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,

For Steven D. Foster, Chief U Engineering Access Permits

Division

SDF/MB

July

DATE: December 2, 2003

MISSIONER

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

SUBJECT:

Hollins Ferry Road

INFORMATION:

Item Number:

04-196

Petitioner:

Shreyas Panchigar

Zoning:

BL, BL-AS and ML

Requested Action:

Special Exception

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and offer the following comments:

- 1. This office is of the position that the proposal in conjunction with a possible future car wash is an over-development of the subject site. Therefore, the towing services should be eliminated to provide adequate area for the desired car wash.
- 2. Provide a future internal connection to the existing service station to the west, and the existing commercially zoned lot to the east.
- 3. Increase the proposed 6-foot landscape strip adjacent to the existing dwelling to 10 feet, as required.
- 4. Provide landscaping across the entire front of the subject property and effectively screen the site from the adjacent residential uses. Provide a 6-foot high board-on-board fence (in conjunction with landscaping) along the eastern property line adjacent to the residential use.
- 5. Provide landscaping adjacent to the front/end building wall of the proposed structure, and adjacent to the first parking space in the vicinity of the entrance drive. Submit a landscape plan to Avery Harden, Baltimore County Landscape Architect, for review and approval prior to the issuance of any building permits.

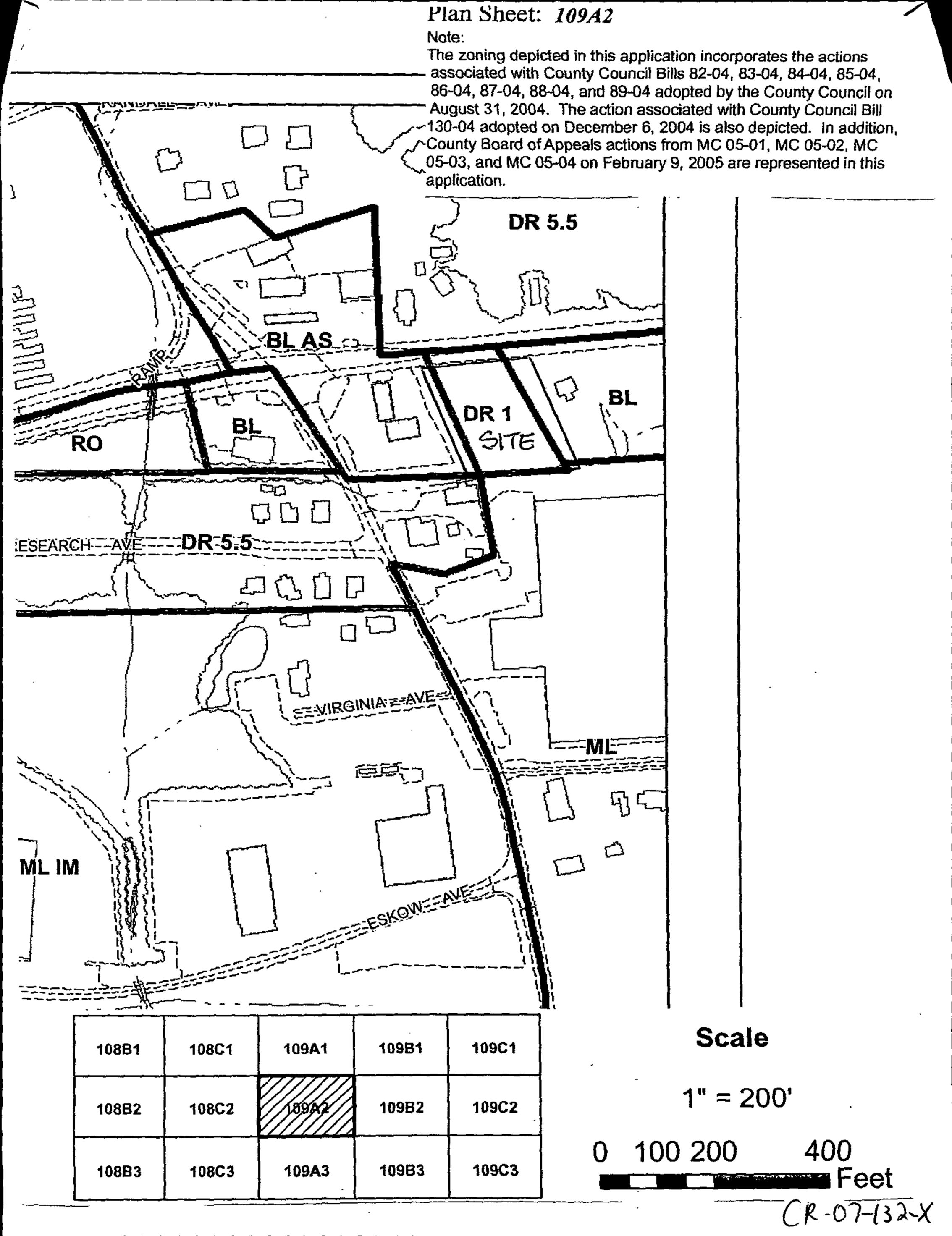
- 6. Submit building elevations (all sides) of the proposed structure to this office for review and approval prior to the issuance of any building permits. In order to mitigate any potential noise generated from the proposed use, the proposed structure **shall not** have any openings on the side of the structure that faces the adjacent existing dwelling to the east.
- 7. Submit sign elevations of any proposed sign. All signs shall be in accordance with the sign regulations and shall not be varied.
- 8. The area identified as "Future Development Area" is proposed for the construction of a car wash pursuant to a zoning reclassification via CZMP issue 1-004. As such, the subject site should be redesigned to accommodate both uses in the best possible way to include traffic flow, site layout, pedestrian access, etc. Schedule a meeting with the community planner, and be prepared to present a plan that shows both uses.
- 9. No unlicensed motor vehicles shall be parked or stored on the subject site.
- 10. Show the existing sidewalks along Hollins Ferry Road


For further information concerning the matters stated herein, contact Dennis Wertz at 410-887-3480.


Prepared by:

Section Chief:

AFK/LL:MAC:







33 TOTAL PLANTING UNITS



FRONT AND REAR

CARWASH ELEVATIONS

SCALE: 1/8" = 1'

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

SCALE: 1/8" = 1'

METAL ROOF

4381 HOLLINS FERRY ROAD BALTIMORE COUNTY, MARYLAND

ons	DRAWN BY: PCR	DESIGNED BY: PCR	SCALE: 1" = 30'
	DATE:	JOB NO.:	SHEET NO.:
	03/23/2006	03019	2 OF 2

