IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORM AND VARIANCE — N/S Baltimore National
Pike, 560' W c/line Rolling Road * ZONI

(6324 Baltimore National Pike)

(6324 Baltimore National Pike)

1st Election District
1st Council District

Russel Family, LLC, et al Petitioners BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 07-355-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owner of the subject property, Russel Family, LLC, and the contract purchaser/lessee, Russel Motor Cars, Inc., by F. Steven Russel, President, through their attorney Leslie M. Pittler, Esquire. The Petitioners' request a Special Exception to use the property for an outdoor advertising sign in accordance with Section 450.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), and in addition, request Variance relief from Section 450.4.I.11 of the B.C.Z.R. to permit an outdoor advertising sign with an area of 672 square feet in lieu of the permitted 300 square feet, and a height of 30 feet in lieu of the permitted 25 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing on behalf of the Petitioners were Robert Branson, General Manager of Russel Motor Cars, Ken Colbert, Professional Engineer with Colbert, Matz, Rosenfelt, Inc., the consultant who prepared the site plan for this property, and Joseph King, Esquire with ClearChannel, specialists in billboard advertising and sign structures. Leslie M. Pittler, Esquire, attorney at law, appeared on behalf of the Petitioners. There were no Protestants or others in attendance.

Testimony and evidence offered revealed that the overall area of the newly constructed Russel Family Toyota Automobile Dealership is comprised of three (3) separate

Date STATED FOR FILM

Date STATE OF THE STATE OF THE

parcels used in common and constituting a total site area of 4.91 acres, located between Baltimore National Pike and Powers Lane in Catonsville. The property is of an irregular shape and formerly used to accommodate a Sunoco Gas Station, a former big box retail center (Circuit City) now the Toyota dealership, with primary access from Baltimore National Pike. The subject special exception and variance requests pertain to the 0.62-acre parcel zoned B.R.-A.S. that was formerly improved with the Sunoco Gasoline Service Station. This square-shaped parcel is on the north side of Baltimore National Pike, west of its intersection with Rolling Road. Adjacent to this lot on the east side is the Double-T Diner and on the west side, a discount liquor store. The Sunoco Station has been razed and the property now serves as a new parking lot with a serpentine driveway leading to the dealership bisecting the parcel. The instant petition relates to a proposed sign to be located within the special exception area on the west side of this lot, approximately 28 feet north of the Baltimore National Pike and 12 feet east of the liquor store's property line, and will encompass an area of 18.5' x 58'.

Testimony indicated that the Petitioner and ClearChannel are proposing to remove one back-to-back 12' x 25' poster structure and one single-faced 14' x 48' bulletin structure from the parcel known as 6300 Baltimore National Pike, (the "Double-T Diner" parcel), and erect one back-to-back 14' x 48' bulletin structure on the parcel known as 6324 Baltimore National Pike, (the "Russel" parcel). As shown on the site plan, the back-to-back poster structure to be permanently removed is located along Rolling Road approximately 315 feet north of the Rolling Road/Baltimore National Pike intersection. This is a structure built on two (2) steel I-beams. This poster structure has two (2) outdoor advertising panels, each with an advertising area 12 feet in height and 25 feet in length (600 square feet). Overall, this structure is approximately 30 feet above grade.

The single-faced bulletin structure to be removed is located along Baltimore National Pike approximately 150 feet east of the Baltimore National Pike/Rolling Road intersection. This structure consists of a 14' in height by 48' in length advertising panel erected on four (4) steel I-beams. The back of this structure is exposed steel and besides being unsightly, interferes with

Date S-31-0H FILLN

access to the dealership and will be removed and relocated by ClearChannel to the special exception area. This new proposed structure to be erected would be a back-to-back 14' by 48' bulletin structure on a steel monopole no more than 30 feet above grade. This back-to-back bulletin would be located approximately 150 east of the current single-faced 14' x 48' bulletin structure along Baltimore National Pike, roughly 300 feet east of the Baltimore National Pike/Rolling Road intersection. This proposed back-to-back bulletin would not increase the overall height from the current bulletin structure nor would the advertising copy area square footage per face be increased. As noted above, the current advertising panel is 14' x 48' and the proposed advertising panels would each be 14' x 48'. Unlike the current structure, the exposed steel would not be seen on the back of the structure. The method of changing copy at this new location would be wrapping vinyl over the advertising panels. The advertising copy would remain static.

The net effect will be a reduction of 1,370 square feet of existing signage and an enhancement of the attractiveness to the area. Mr. Pittler also pointed out that the Shell Station next to the sign to be permanently removed has also been purchased by the Petitioner and will be razed along with its two (2) entrances to Rolling Road. In effect, the Russel Family, LLC will have removed this 600 square foot sign as well as two (2) gasoline service stations in the area (Shell and Sunoco), thereby reducing excessive signage away from the intersection associated with these properties and reducing traffic congestion thus improving adverse impacts.

Signs are regulated under Section 450 of the B.C.Z.R. That section comprehensively identifies the types of signs that are permitted in Baltimore County and regulates their location, area, and size, etc. Specific signs are identified in a Table of Sign Regulations found in Section 450.4 of the B.C.Z.R. A review of the signs contained in the Table is persuasive to a finding that the proposed sign is an outdoor advertising sign and permitted by special exception. Within the Table, an Outdoor Advertising Sign is defined as "a non-accessory sign that is commercially maintained, principally for calling attention to places, businesses, products, services, or activities which are located or offered on another premises". Thus, it is clear that the subject sign is an

Date S-3-67
By

outdoor advertising sign in that it will advertise and direct the reader to another premises. See Petitioners' Exhibit 2A.

Based upon the testimony and evidence presented, I am easily persuaded that special exception relief should be granted. In my judgment, the proposal complies with the requirements of Section 502.1 of the B.C.Z.R. and will not cause detrimental impacts to the health, safety or general welfare of the locale. The fact that the proposed 14' x 48' - 672 square foot sign replaces a sign of equal size that has existed at this location for many years is persuasive. Moreover, Mr. Colbert discussed each of the special requirements contained in B.C.Z.R. Section 450.7.C, which are printed on the site plan. Additionally, there were no adverse Zoning Advisory Committee (ZAC) comments from any reviewing agency or the State Highway Administration (SHA). Jeffrey Long, Deputy Director of the Office of Planning, has advised that the criteria of Section 450.72 have been satisfied and he supports the relocation of the outdoor advertising sign. Therefore, in the judgment of the undersigned Zoning Commissioner, the proposal is in accordance with these requisite requirements.

Turning next to the variance request, the Petitioners' request approval of a double-faced, illuminated, freestanding sign, 14' x 48' in dimension, to be located in the front portion of the site immediately next to other commercially zoned property. As noted above, the property is currently used as a discount liquor store. The relocated sign will be centered on a black painted monopole, 15 feet in height measured from the base to the bottom of the sign. It is to be noted that the current sign sits on four (4) steel supporting mounts and is of the same height. The sign, when relocated, will actually enhance the attractiveness of the area, as it will be adjacent to and at the same height as the roofline of the liquor store. Thus, it will be concealed, contrary to its existing location, and not readily visible from the perspective of eastbound motorists on Baltimore National Pike until they reach and begin passing the liquor store location. The additional height and resulting hardship is driven by the topography. The elevation from the Toyota dealership (520') drops to 506' at the special exception sign location – the current sign is positioned at an elevation of 510'. The extra 5 feet requested will, therefore, enhance visibility.

Finally, photographs and testimony of Joseph King indicate that the proposed sign will be attractive and consistent with other signs in the area. Thus, I find that there will be no detriment to adjacent properties, and that the proposed sign is appropriate in this instance.

After due consideration of all the testimony and evidence presented, I find the relief requested meets the requirements of Section 307.1 of the B.C.Z.R. as interpreted by the Court of Special Appeals in *Cromwell v. Ward*, 102 Md. App. 691 (1995). I further find that a granting of the variances will not result in any detriment to the health, safety and general welfare of the surrounding locale.

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

IT IS FURTHER ORDERED that the Petition for Variance from Section 450.4.I.11 of the (B.C.Z.R.) to permit an Outdoor Advertising Sign with an area of 672 square feet in lieu of the permitted 300 square feet, and a height of 30 feet in lieu of the permitted 25 feet, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1. Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order is expired. If, for whatever reason, this Order is reversed, the relief granted shall be rescinded.

Zoning Commissioner for Baltimore County

WJW:dlw



JAMES T. SMITH, JR. County Executive

May 30, 2007

WILLIAM J. WISEMAN III

Zoning Commissioner

Leslie M. Pittler, Esquire 25 Wandsworth Bridge Way Lutherville, Maryland 21093

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE

N/S Baltimore National Pike, 560' W c/line Rolling Road (6324 Baltimore National Pike)

1st Election District – 1st Council District

1" Election District - 1" Council District Russel Family, LLC, et al - Petitioners Case No. 07-355-XA

Dear Mr. Pittler:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted, in accordance with the attached Order.

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

Very truly yours,

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:dlw

c: Robert Branson, General Manager, Russel Motor Cars, 316 Cockeysmill Road, Reisterstown, Md. 21136

Kenneth J. Colbert, P.E., Colbert, Matz, Rosenfelt, Inc., 2835 Smith Avenue, Suite G, Baltimore, Md. 21209

Joseph King, Esquire, ClearChannel Outdoor, 9590 Lynn Buff Court, Suite #5, Laurel, Md. 20723

People's Counsel; Case File



Case No. 07-355-XA

By_

UNDER RECEIVED FOR FILING

Date 5-31-07

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

UNAVAILABLE FOR HEARING_

Reviewed By D.T. Date 35/07

6324 Baltimore National Pike

	wh	ich is presently zoned <u>, BR-AS</u>	
owner(s) of the property situate in	Baltimore County and whi	nits and Development Management. The ich is described in the description and plat at number the Zoning Regulations of Baltimore	ttached hereto and
An outdoor advertising sign in	accordance with Section	450.4	
Property is to be posted and advertised, or we, agree to pay expenses of above	as prescribed by the zoning of the Special Exception, advertis	regulations. sing, posting, etc and further agree to and are to be	bounded by the
		uant to the zoning law for Baltimore County.	
		I/We do solemnly declare and affirm, under the perjury, that I/we are the legal owner(s) of the list the subject of this petition.	
Contract Purchaser/Lessee:		Legal Owner(s):	
Steven Russel, President, Russellame – Type or Print	Motor Cars, Inc.	F. Iteren Pussel, Member – Russel Fam Nation Type print	nily LLC
ignature	· ·	ignature	· · · · · · · · · · · · · · · · · · ·
616 Baltimore National Pike	410-788-8400	<u> </u>	-
Address.	Telephone No.	Name – Type or Print	
Baltimore	Md. 21228		· · · · · · · · · · · · · · · · · · ·
City	State Zip Code	Signature	
Attorney For Petitioner:		c/o Margolis Pritzker Epstein & Blatt	410-823-2222
		110 West Road 	Telephone No.
eslie M. Pittler		Towson, MD 21204	
lame – Type or Print		City	State Zip Code
Bli M. Tittle		Representative to be Contacted:	
ignature	<u> </u>		•
		Kenneth J. Colbert	
Company	<u> </u>	COLBERT MATZ ROSENFELT, INC	
25 Wandsworth Bridge Way	410-823-4455	2835 Smith Avenue, Suite G	410-653-3838
Address	Telephone No.	Address	Telephone No.
.utherville	MD 21093	Baltimore	MD 21209
City	State Zip Code	City	State Zip Code
		OFFICE USE ONLY	•
7000 No 07-355-V	Λ	ESTIMATED LENGTH OF HEARING	S <u> </u>

for the property located at:_____



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6324 Baltimore National Pike which is presently zoned BR-AS

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

ESTIMATED LENGTH OF HEARING

Date 25/07

UNAVAILABLE FOR HEARING

Reviewed By _____DT

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

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 of thereof, hereby petition for a Variance from Section(s)

450.4.I.11 to permit an Outdoor Advertising Sign with an area of 672 square feet in lieu of the permitted 300 square feet, and a height of 30 feet in lieu of the permitted 25 feet

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

To be presented at the Hearing

Case No.

Date.

By.

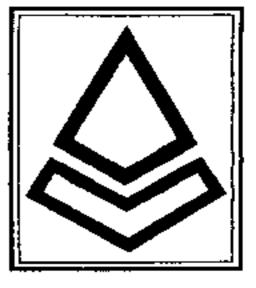
Property to be posted and advertised as prescribed by the zoning regulations.

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

Is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): F. Steven Russel Plesident Russel Motor Cars, Inc. F. Steven Russel, Member – Russel Family LLC Name - Type or Pring Name - Type or Print Signature Signature 6700 Baltimore National Pike 410-788-8400 Name - Type or Print Telephone No. Address. MD 21228 Baltimore City State Zip Code Signature c/o Margolis Pritzker Epstein & Blatt Attorney For Petitioner: 110 West Road 410-823-2222 Telephone No. Address. Leslie M. Pittler MD 21204 Towson State Zip Code Name - Type or Print City Representative to be Contacted: Signature Kenneth J. Colbert COLBERT MATZ ROSENFELT, INC. Company 25 Wandsworth Bridge Way 2835 Smith Avenue, Suite G 410-653-3838 410-823-4455 Telephone No. Telephone No. Address Address MD 21209 MD 21093 Baltimore Lutherville State Zip Code City Zip Code City State OFFICE USE ONLY

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



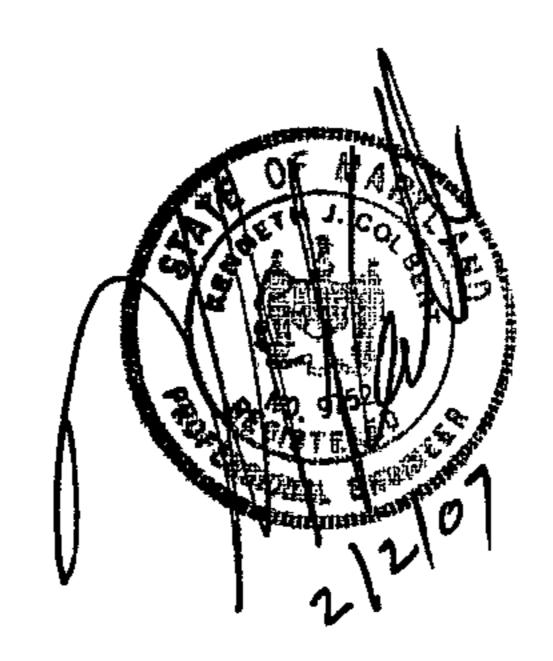
ZONING DESCRIPTION

6324 BALTIMORE NATIONAL PIKE

Beginning at a point located North 13 degrees 22 minutes 12 seconds East of the north side of Baltimore National Pike (U.S. Rte. 40), which is of variable width, at the distance of 560 feet, more or less, from the centerline of Rolling Road, which is of variable width; thence the following courses and distances:

North 13 Degrees 22 Minutes 12 Seconds East, 58.00 feet South 76 Degrees 27 minutes 48 seconds East, 18.50 feet South 13 Degrees 22 Minutes 12 Seconds West, 58.00 feet North 76 Degrees 27 minutes 48 seconds West, 18.50 feet to the Point of Beginning.

Being part of the Deed recorded in Liber 22030, folio 350, containing 1,073 Square Feet, or 0.025 Acres of land, more or less. Also known as 6324 Baltimore National Pike and located in the 1st Election District, 1st Councilmanic District.



2835 Smith Avenue, Suite G Baltimore, Maryland 21209 Telephone: (410) 653-3838 / Facsimile: (410) 653-7953

07-355-XA

THE CENT TO THE TABLE TO THE TA	The Courty, Warrian	CASHIER'S VALIDATION	
BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT DATE 2 5 07 ACCOUNT DO LOGICATION AMOUNT \$ 105 00	FOR TEN # 355 ON-355-XA	35. ()	

RUISCE UP CUNING REAHING

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

Case: # 07-355-XA
6324 Baltimore National Pike
N/side of Baltimore National Pike, 560 feet west of centerline of Rolling Road
1st Election District - 1st Councilmanic District
Legal Owner(s): F. Steven Russel, Russel Family, LLC
Contract Purchaser: F. Steven Russel, Russel Motor Cars, Inc.

Special Exception: for an outdoor advertising sign in accordance with Section 450.4. Variance: to permit an outdoor advertising sign with an area of 672 square feet in lieu of the permitted 300 sq. ft., and a height of 30 feet in lieu of the permitted 25 feet.

Hearing: Tuesday, May 8, 2007 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

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

JT 4/734 April 24

7002,

THIS IS TO CERFIFY, that the annexed advertisement was published -successive weeks, the first publication appearing y newspaper published in Baltimore County, Md., in the following weekl each of once in

₩ The Jeffersonian Arbutus Times Catonsville Times

Times Towson

Mills Times Owings

NE Booster/Reporter

North County News

Mulus

LEGAL ADVERTISING

NOTICE OF ZONING HEARING

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

Case: # 07-355-X4
6324 Baltimore National Pike
N/side of Battimore National Pike, 560 feet west of centerline of Rolling Road
1st Election District -- 1st Councilmanic District
Legal Owner(s): F. Steven Russel, Russel Family LLC
Contract Purchaser: F. Steven Russel, Russel Motor
Cars, Inc.
Special Exception: for an outdoor advertising sign in accordance with Section 450.4. Variance: to permit are outdoor advertising sign with an area of 672 square feet in lieu of the permitted 300 sq. ft., and a height of 30 feet in lieu of the permitted 25 feet.

Hearing: Thursday, April 5, 2007 at 10:00 a.m. in Room 106, County Office Building, 111 Chesapeake

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
UT/3/702 Mar. 20

TE OF PUBLICATION

, 20DJ

THIS IS TO CERTIFY, that the annexed advertisement was published successive weeks, the first publication appearing kly newspaper published in Baltimore County, Md., 200 in the following weel once in each of On

X The Jeffersonian

Arbutus Times

Catonsville Times

Towson Times

Owings Mills Times

NE Booster/Reporter

County News North

Mulus

LEGAL ADVERTISING

CERTIFICATE OF POSTING

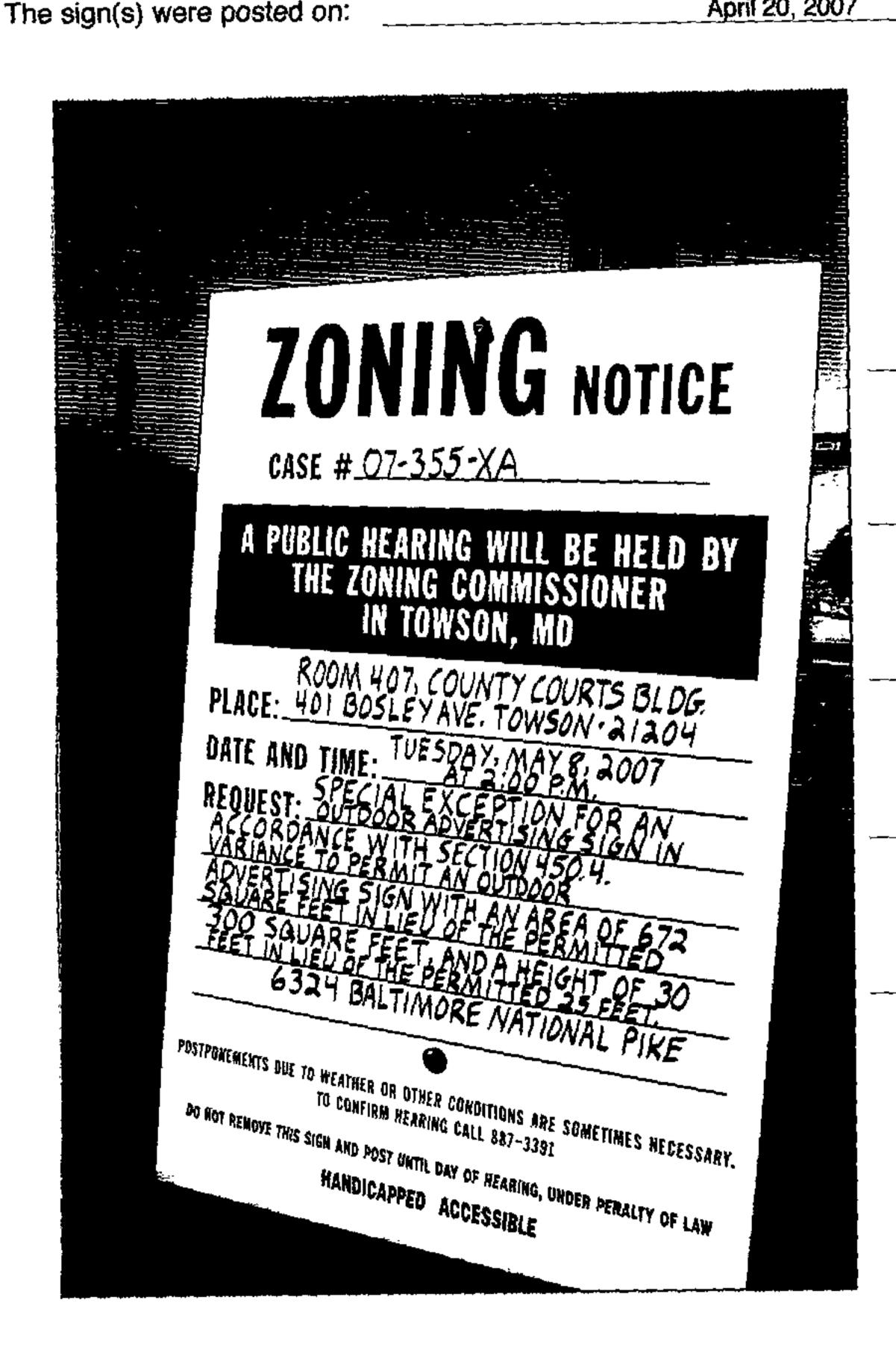
Case Number: 07-355-XA

Petitioner/Developer: Leslie Pitler Esq., Margolis, Pritzker, Epstein & Blatt, F. Steven Russel, Kenneth Colbert

Date of Hearing (Closing): May 8, 2007

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 6324 BALTIMORE NATIONAL PIKE

The sign(s) were posted on: April 20, 2007



Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane (Street Address of Sign Poster)

Hunt Valley Maryland 21030 (City, State, Zip Code of Sign Poster)

410-666-5366

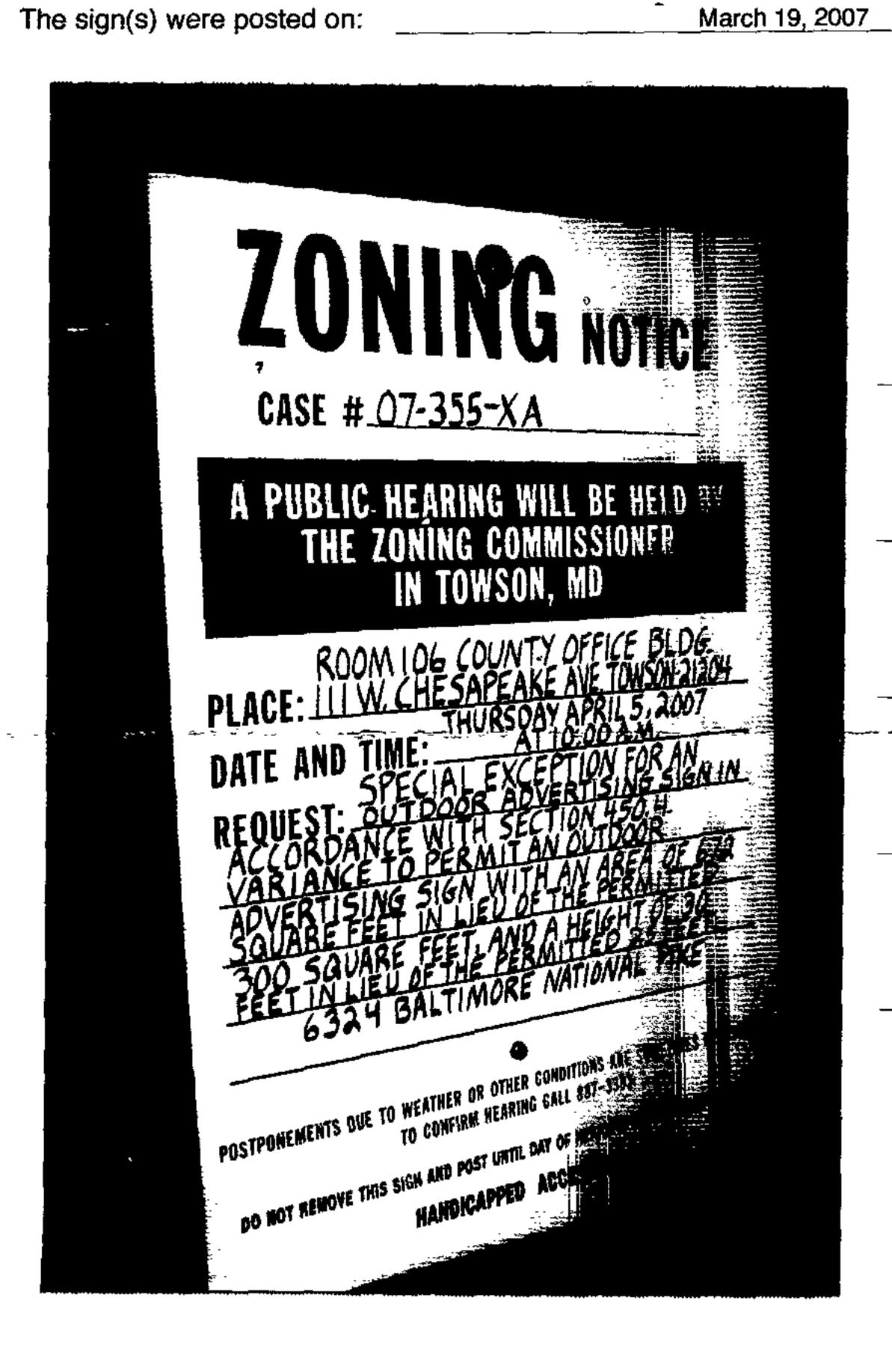
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

Case Number: 07-355-XA

Petitioner/Developer: Les Pitler, Esq.~Margolis, Pritzler, Epstein & Platt~F. Steven Russel~Kenneth Colbert
Date of Hearing (Closing): April 5, 2007

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 6324 BALTIMORE NATIONAL PIKE



(Signature of Sign Poster)

Linda O'Keefe (Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030 (City, State, Zip Code of Sign Poster)

410-666-5366 (Telephone Number of Sign Poster)





JAMES T. SMITH, JR.
County Executive

TIMOTHY App 105 R2007 Director

Department of Permits and

Development Management

NEW NOTICE OF ZONING HEARING

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

CASE NUMBER: 07-355-XA

6324 Baltimore National Pike

N/side of Baltimore National Pike, 560 feet west of centerline of Rolling Road

1st Election District – 1st Councilmanic District

Legal Owners: F. Steven Russel, Russel Family LLC

Contract Purchaser: F. Steven Russel, Russel Motor Cars, Inc.

Special Exception for an outdoor advertising sign in accordance with Section 450.4. Variance to permit an outdoor advertising sign with an area of 672 square feet in lieu of the permitted 300 sq. ft., and a height of 30 feet in lieu of the permitted 25 feet.

Hearing: Tuesday, May 8, 2007 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Leslie Pittler, 25 Wandsworth Bridge Way, Lutherville 21093 Margolis Pritzker, Epstein & Blatt, 110 West Road, Towson 21204 F. Steven Russel, 6616 Baltimore National Pike, Baltimore 21228 Kenneth Colbert, 2835 Smith Avenue, Ste. G, Baltimore 21209

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 23, 2007.
 - (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
 - (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, April 24, 2007 Issue - Jeffersonian

Please forward billing to:

Leslie Pittler 25 Wandsworth Bridge Way Lutherville, MD 21093

410-823-4455

NOTICE OF ZONING HEARING

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

CASE NUMBER: 07-355-XA

6324 Baltimore National Pike

N/side of Baltimore National Pike, 560 feet west of centerline of Rolling Road

1st Election District – 1st Councilmanic District

Legal Owners: F. Steven Russel, Russel Family LLC

Contract Purchaser: F. Steven Russel, Russel Motor Cars, Inc.

Special Exception for an outdoor advertising sign in accordance with Section 450.4. Variance to permit an outdoor advertising sign with an area of 672 square feet in lieu of the permitted 300 sq. ft., and a height of 30 feet in lieu of the permitted 25 feet.

Hearing: Tuesday, May 8, 2007 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARÉ HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



JAMES T. SMITH, JR. County Executive

February 28, 2007 TIMOTHY M. KOTROCO, Director Department of Permits and

NOTICE OF ZONING HEARING

Department of Permits and Development Management

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

CASE NUMBER: 07-355-XA

6324 Baltimore National Pike

N/side of Baltimore National Pike, 560 feet west of centerline of Rolling Road

1st Election District – 1st Councilmanic District

Legal Owners: F. Steven Russel, Russel Family LLC

Contract Purchaser: F. Steven Russel, Russel Motor Cars, Inc.

Special Exception for an outdoor advertising sign in accordance with Section 450.4. Variance to permit an outdoor advertising sign with an area of 672 square feet in lieu of the permitted 300 sq. ft., and a height of 30 feet in lieu of the permitted 25 feet.

Hearing: Thursday, April 5, 2007 at 10:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Leslie Pittler, 25 Wandsworth Bridge Way, Lutherville 21093
Margolis Pritzker, Epstein & Blatt, 110 West Road, Towson 21204
F. Steven Russel, 6616 Baltimore National Pike, Baltimore 21228
Kenneth Colbert, 2835 Smith Avenue, Ste. G, Baltimore 21209

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MARCH 21, 2007.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, March 20, 2007 Issue - Jeffersonian

Please forward billing to:

Leslie Pittler 25 Wandsworth Bridge Way Lutherville, MD 21093 410-823-4455

NOTICE OF ZONING HEARING

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

CASE NUMBER: 07-355-XA

6324 Baltimore National Pike

N/side of Baltimore National Pike, 560 feet west of centerline of Rolling Road

1st Election District – 1st Councilmanic District

Legal Owners: F. Steven Russel, Russel Family LLC

Contract Purchaser: F. Steven Russel, Russel Motor Cars, Inc.

Special Exception for an outdoor advertising sign in accordance with Section 450.4. <u>Variance</u> to permit an outdoor advertising sign with an area of 672 square feet in lieu of the permitted 300 sq. ft., and a height of 30 feet in lieu of the permitted 25 feet.

Hearing: Thursday, April 5, 2007 at 10:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Adve	rtising:	
Item Number or Case	Number: 07-355-XA	
Petitioner:	RUSSEL MOTOR CARS, INC	
Address or Location:	(
	ADVERTISING BILL TO: ESLIE M. PITTLER ESQ.	
	5 WANDSWORTH BRIDGE WAY	
•	UTHERVILLE, MO 21093	
Telephone Number:	410-823-4455	



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

May 3, 2007

Leslie M. Pittler 25 Wandsworth Bridge Way Lutherville, MD 21093

Dear Ms. Pittler:

RE: Case Number: 07-355-XA, 6324 Baltimore National Pike

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 5, 2007.

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

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

W. Call Rilla D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

F. Steven Russel, President Russel Motor Cars, Inc. 6616 Baltimore National Pike Baltimore 21228 F. Steven Russel, Member Russel Family LLC c/o Margolis Pritzker Epstein & Blatt 110 West Road Towson 21204

Kenneth J. Colbert Colbert Matz Rosenfelt, Inc. 2835 Smith Avenue, Suite G. Baltimore 21209



Martin O'Malley, Governor Anthony Brown, Lt. Governor

Maryland Department of Transportation

Date: 2/12/2007

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

RE:

Baltimore County

Item No. 7-355-XA

6324 BALTIMORENATIONAL PIKE

PHOSELL FAMILY LLC PROPERTY

John D. Porcari, Secretary Designate

Neil J. Pedersen, Administrator

VARIANCE

SPECIAL EXCEPTION

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. 7-355-XA.

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,

A Steven D. Foster, Chief

Engineering Access Permits

Division

SDF/MB

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: February 21, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 07-355- Variance and Special Exception

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

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

Prepared By:

Division Chief:

CM/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: February 20, 2007

Department of Permits & Development

Management

FROM: Dennis A.

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For February 19, 2007

Item Nos. 07-349, 350, 351, 352, 353, 354, 355, 356, 357, 360, 361, and 362

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-02202007.doc

RE: PETITION FOR SPECIAL EXCEPTION

AND VARIANCE

6324 Baltimore National Pike; N/S Baltimore*

Nat'l Pike, 560' W c/line Rolling Road

1st Election & 1st Councilmanic Districts

Legal Owner(s): Russel Family LLC

Contract Purchaser(s): F. Steven Russel,

Russel Motor Cars

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

07-355-XA

ENTRY OF APPEARANCE

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

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of February, 2007, a copy of the foregoing Entry of Appearance was mailed to Kenneth Colbert, PE, Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209 and Leslie Pittler, Esquire, 25 Wandsworth Bridge Way, Lutherville, MD 21093, Attorney for Petitioner(s).

RECEIVED

FEB 2 C 2907

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Leslie M Pittler P.

Attorney at Law 25 Wandsworth Bridge Way Lutherville, Maryland 21093

March 28, 2007

Telephone: 410-823-4455 Fax: 410-296-4461

Krister to postpore

Timothy Kotroco, Esquire
Director
Department of Permits
And Development Management
County Office Building
Towson, Maryland 21204
[Hand Delivered]

Re: Case No.: 07-355-XA 6324 Baltimore National Pike Special Exception Hearing Date April 5, 2007

Dear Tim:

Pursuant to our recent conversation, I would hereby request a two-week postponement, or the first available date after two weeks, in regard to the above-captioned case. We are in the process of determining whether any other options are available in this matter and we will need the additional time to do so.

Thank you for your assistance

Very truly yours,

Leslie M. Pittler

PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER DATE

PETITIONER'S SICK-IN SHEET

nast.	WESHS SKATCH ANDI. CO	josephling & clear chance 1.cox						
CITY, ST	Ketter Town MV. CO.	MWEL, MO 20723		Joseph King, Esquire Public Affairs, Washington DC/Baltimore Division	9590 Lynn Buff Court, Suite #5 Laurel, MD 20723** 00 C 240,508.1633 F 301.617.2609 josephking@clearchannel.com www.ctearchanneloutdoor.com	RCHANNEL OUTBOOK		
MADDRES Smith Aug	也	959064mul Lyst C7 Swire#5		Real Estate Manager/Director of l	T 301.617.2600	CLEA CLEA		
leshe M. F. Hler Est. Ken Colbert Admila		Joseph 1/ 1/40						

Mail Message

XX FReply - A Read Later A A B

Mail

Properties

From: <ArchPhips@aol.com>

Monday - March 26, 2007 7:59 PM

To: <wwiseman@co.ba.md.us>, <jvmurphy@co.ba.md.us>

CC: <bccdistrict1@comcast.net>, <mtmaxwell@comcast.net>, <sjs@westray.net>,

<tina1002@comcast.net>

Subject: Russel Zoning applications (Baltimore National Pike, Catonsville)

Attachments: Mime.822 (8134 bytes) [View] [Save As]

Dear Commissioner,

On behalf of our community association I request to put on record the vote that our Board of Directors took on 3/22/07 on the two pending zoning variances listed below:

Date/Time: 04/05/2007 10:00 AM - 04/05/2007 11:00 AM

KNZoning Hearings - 6324 Baltimore National Pike

Location: 1st Council District

Description:

Variance to permit an Outdoor Advertising Sign with an area of 672 square feet in lieu of the permitted 300 square feet, and a height of 30 feet in lieu of the permitted 25 feet. Special Exception for an outdoor advertising sign in accordance with Section 450.4.

Date/Time: 04/09/2007 11:00 AM - 04/09/2007 12:00 PM

Zoning Hearings - 6408 Baltimore National Pike

Description:

Variance to permit an existing side yard of 0 feet in lieu of the required 22.5 feet for a canopy and to permit an existing side yard of 15 feet in lieu of the required 30 feet. Special Exception to permit a used motor vehicle sales area separate from a sales agency building in accordance with Sections 236.4 and 270.

Our Board voted unanimously AGAINST both applications (9 votes). The reason is that we believe that neither variance would help the esthetic appearance of Baltimore National Pike and that granting

Bus 35th Real States



100_0609.JPG 2007/03/27 10:50:41







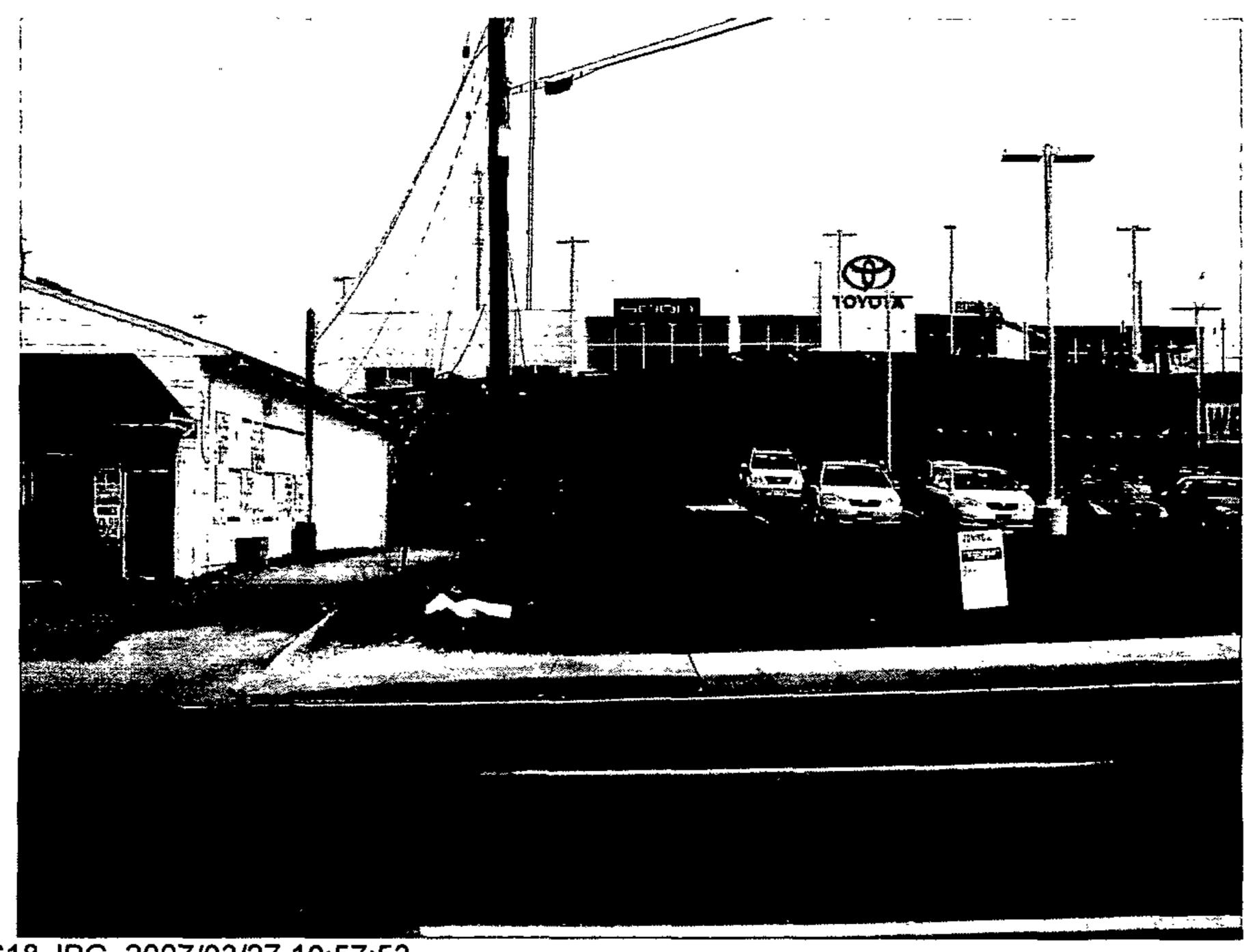
100_0613.JPG 2007/03/27 10:53:45





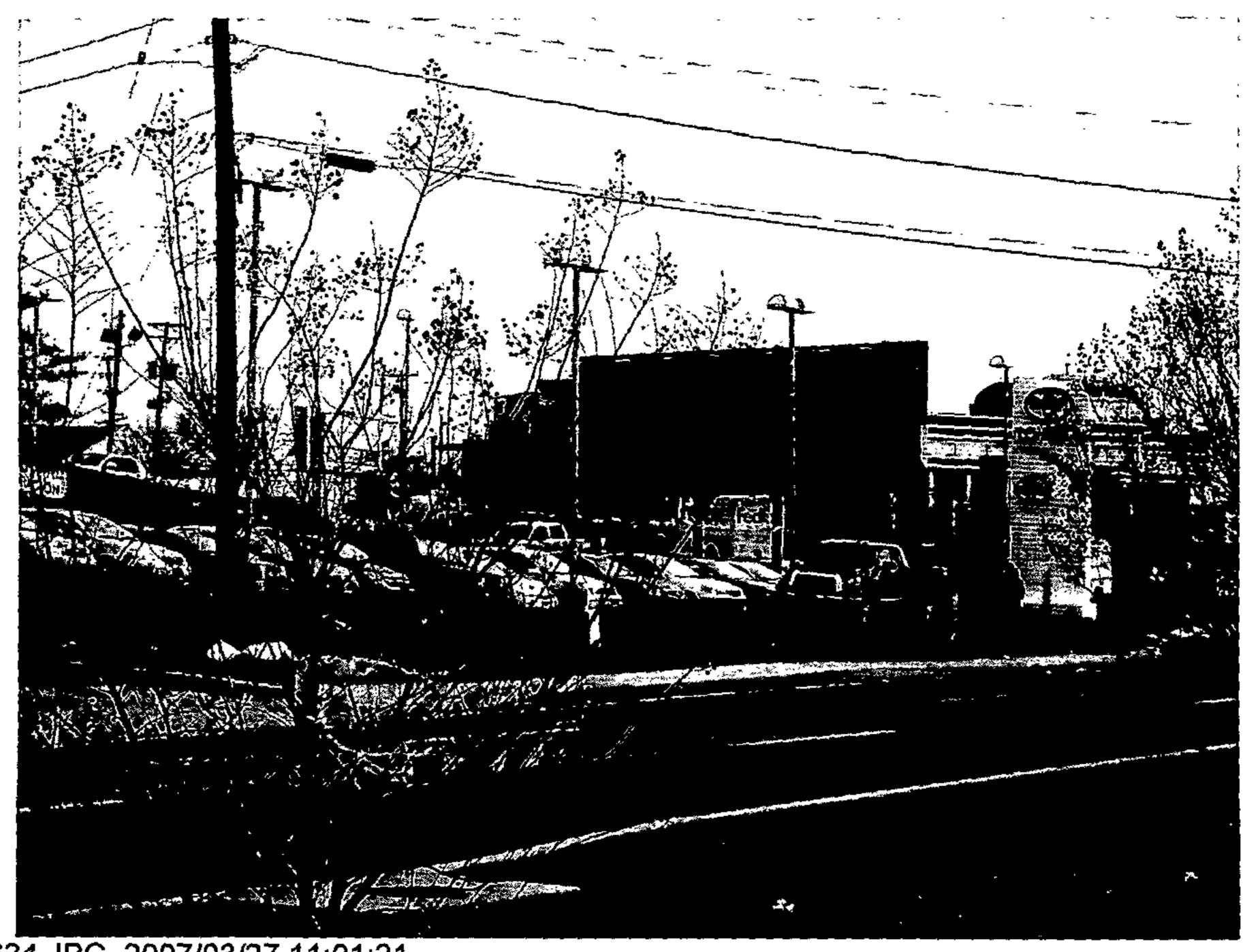
sugar Well Eve Ever elevah

100_0611.JPG 2007/03/27 10:51:45





100_0622.JPG 2007/03/27 11:00:55







100_0620.JPG 2007/03/27 10:58:48





100_0621.JPG 2007/03/27 10:59:02

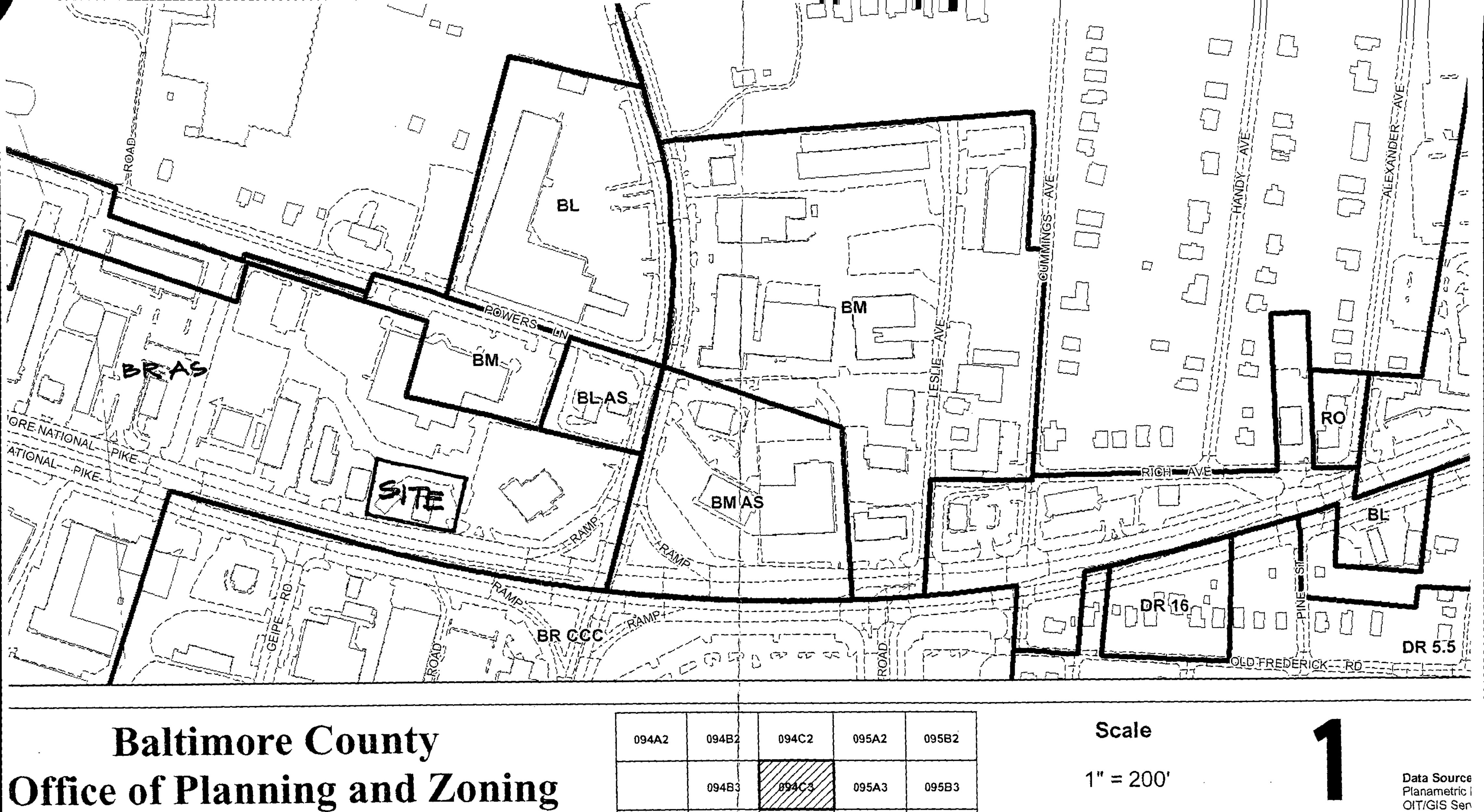
Case No.: 07-355-XA 6324 BALTO NATE PIKE

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1		
	Sitz PLAN	
No. 2	Photographs Athu E	
No. 3	· · · · · · · · · · · · · · · · · · ·	·
No. 4		
No. 5	,	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		




Office of Planning and Zoning Official Zoning Map

094A2	094B2	094C2	095A2	095B2
	094B3	894C3	095A3	095B3
100A1	100B	100C1	101A1	101B1

100 200

400 Feet 1:2400, from Zoning - Balt 1:2400, 2004



—· —-