

08-212-SPHXA

08-212-SPHXA

~~7/23/08 @ 10 a.m.~~ PPd;

~~November 4, 2009 @ 10 AM~~ Set on request  
PPd

~~March 31, 2010 @ 10 am~~ PP

~~June 23, 2010 @ 10 am~~ PP

~~November 17, 2010 @ 10 am~~ PP

January 19, 2011 @ 10:00 ✓

Completed +  
Delivered

Remand Order

Issued 2/18/11

Opinion & Order  
of OAH 9/11/11

(20080212) "A"

①

✓

08-212-SPHXA

9/1/11  
RE: **PETITION FOR SPECIAL HEARING  
SPECIAL EXCEPTION & VARIANCE**

S corner of Milford Mill and  
Reisterstown Roads  
3<sup>rd</sup> Election District  
2<sup>nd</sup> Councilmanic Districts  
(520 Reisterstown Road)

University BP, LLC  
Petitioner

\* BEFORE THE  
\* OFFICE OF  
\* ADMINISTRATIVE HEARINGS  
\* FOR BALTIMORE COUNTY  
\*  
\* CASE NO. 08-212-SPHXA

\* \* \* \* \*

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for Baltimore County for consideration on remand of Petitions for Special Hearing and Special Exception filed by the owner of the subject property, University BP, LLC, (hereinafter "University BP") by its attorney, Francis X. Borgerding, Jr. The split-zoned property is in Pikesville at the southwest corner of Reisterstown Road and Milford Mill Road; adjoins Linden Terrace on the south, parallel to Milford Mill Road; and consists of two contiguous tracts totaling 0.87 acres. The area along Reisterstown Road is commercial, and there are generally residences to the interior.

The existing use here is for a fuel service station and convenience store. The zoning petitions pertain to the addition of a carwash and drive-in (carry-out) restaurant and the expansion and modification of the store and parking area.

University BP filed the initial zoning petitions on November 5, 2007. The special hearing is for business parking in a residential zone, here the R.O (Residential-Office) Zone, under Baltimore County Zoning Regulations ("B.C.Z.R.") Section 409.8.B. The special exception is for a car wash and drive-in (carry-out) restaurant in a B.L. (Business-Local) Zone under B.C.Z.R. Section 230.13. There was also a petition for variances from the Residential Transition Area

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By [Signature]

requirements under B.C.Z.R. Section 1B01.1.B.

At the 2008 hearing before Zoning Commissioner William J. Wiseman, III, University BP withdrew the petition for variances, because the RTA requirements apply to Density-Residential Zones, but not to the applicable R.O. Zone here. This left the special hearing and special exception petitions.

On February 1, 2008, Zoning Commissioner Wiseman approved University BP's Petitions for Special Hearing and Special Exception in his written Findings of Fact and Conclusion of Law. Subsequently, People's Counsel for Baltimore County appealed Commissioner Wiseman's Findings of Fact and Conclusion of Law to the County Board of Appeals. People's Counsel took the position that Petitioner's requested relief must be reviewed and approved through the Baltimore County Design Review Panel ("DRP") prior to zoning relief, and that here this would likely result in significant amendments to the zoning site plan. Petitioner agreed to seek DRP approval prior to the matter being heard before the County Board of Appeals for Baltimore County. Eventually, in the interest of efficiency, the parties also agreed that this matter should be remanded to the Zoning Commissioner now Administrative Law Judge for Baltimore County for consideration of any amendments to the plans and/or the relief approved by Commissioner Wiseman on February 1, 2008. After a hearing, the County Board of Appeals issued its remand order on February 18, 2011. The remand was to the new Office of Administrative Hearings, which, among other things, took over the functions and responsibilities of the Zoning Commissioner.

At about the same time, University BP was preparing a new set of revised plans to submit to the Design Review Panel in accordance with County Code Section 32-4-203. The Pikesville

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By PJ

area is one of the designated areas subject to design review under the detailed provisions of this section.

On March 9, 2011, the DRP reviewed the project, actually for the third time. DRP #505. As reflected in Design Review Comments dated April 8, 2011, the DRP there approved a revised plan, subject to stated conditions relating to signage, landscaping, curb alignment, parking, stacking of vehicles for the carwash, and architectural elevations. University BP's consultant and property line surveyor, Bruce E. Doak, revised the site plan to satisfy the required DRP design conditions. There was also submitted a PowerPoint package of architectural elevations and other design features. Separately, the firm of Human and Rohde prepared a landscape plan for review by the County Landscape Architect, Avery Harden.

There were also communications between University BP's attorney, Mr. Borgerding; his surveyor Bruce Doak, who worked on the site plan; People's Counsel Peter Max Zimmerman, and community representative Alan Zukerberg. They all worked toward the preparation of a satisfactory amended petition for special hearing and special exception, with a revised zoning site plan.

An initial hearing was held on remand before the undersigned Administrative Law Judge for Baltimore County on June 30, 2011. At that time, the hearing was continued so that public notice requirements could be perfected and the parties could work out agreed conditions and details in the revised zoning site plan, subject to ultimate Administrative Law Judge review. After the conclusion of the hearing, Messrs. Borgerding, Doak, Zimmerman, and Zukerberg thereupon met to iron out a consensus on the revised site plan and the specific details and conditions. This led to a revised site plan dated July 7, 2011, which included an imprint of the April 8, 2011 Design

Review Comments, a new list of Notes Pertaining to the Amended Site Plan, and among other  
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Date 9-1-11

By 

things reference to the Landscape Plan and Architectural Elevations as conditions.

On August 8, 2011, this matter reconvened before the Administrative Law Judge for Baltimore County for final consideration and review consistent with the County Board of Appeals remand order. Messrs. Borgerding, Doak, Zimmerman, and Zukerberg again attended. Gul Sher, principal owner of University BP, LLC was also present. It appeared from the record that in the intervening time, the public notice requirements were satisfied.

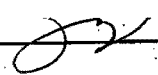
The Petitioner then called Bruce Doak to describe the amended plan and provide relevant documentation. Mr. Doak entered into evidence several exhibits before the Administrative Law Judge, consistent with the DRP approval and details worked out with People's Counsel and Mr. Zukerberg. Once again, it was also noted that the original petition for variances had been withdrawn because the RTA requirements were not applicable to the adjoining R.O. Zone. Mr. Doak entered as Petitioner's Remand Exhibit Number 1 an amended plat to accompany Petitions for Special Hearing and Special Exception relief on behalf of University BP, as Petitioner's Remand Exhibit Number 2 an email dated August 4, 2011, from Avery Harden, landscape architect for Baltimore County; as Petitioner's Remand Exhibit Number 3, a copy of the landscape plan approved by the Baltimore County Design Review Panel for the Petitioner's requested relief; and as Petitioner's Remand Exhibit Number 4, copies of the PowerPoint Presentation Petitioner presented to the Baltimore County Design Review Panel in relation to the Petitioner's requested relief, with descriptions of signage, landscaping, curb alignment, parking, stacking of vehicles, and architectural elevations.

Bruce Doak testified that the Petitioner's requested relief as amended, pursuant to the exhibits entered in the remand hearing, in his opinion, complies with Section 502.1 of the

B.C.Z.R. That is to say, there would be no particular adverse impact to the neighborhood --- the

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By 

Reisterstown commercial corridor and the interior residences --- from the proposed plan, which underwent such thorough review.

In relation to the approval of Petitioner's landscaping plan by Avery Harden, landscape architect for Baltimore County, I have indicated that the Petitioner's requested relief is subject to further review by Baltimore County landscape architect per the Baltimore County Development Regulations. Counsel for Petitioner stated that, although his client would be unable to make any further commitments without knowing specific details and costs, he would take Mr. Harden's recommendation of an automatic irrigation system under advisement.

In light of the above, the undersigned Administrative Law Judge is satisfied that the Petitioner has met the legal standards necessary to grant Petitioner's requested special hearing and special exception relief as amended, pursuant to the exhibits entered as mentioned above by Bruce Doak in the remand hearing. In this connection, the DRP review and work done with People's Counsel and Mr. Zukerberg appear to have produced a very positive result, which, if implemented well, may be an improvement and asset to this area of Pikesville.

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

THEREFORE, IT IS ORDERED, this 1<sup>st</sup> day of September, 2011, by this Administrative Law Judge for Baltimore County that the Petition for Special Exception to permit the use of the described property for a car wash and drive-in restaurant, pursuant to Baltimore County Zoning Regulations ("B.C.Z.R.") Section 230.13, as shown on the Petitioner's Remand Exhibit 1, the Amended Plan to Accompany a Petition for a Special Hearing and Special Exception, dated July 7, 2011, and consistent with Design Review Panel approval, be and is

hereby GRANTED; and

**ORDER RECEIVED FOR FILING**

Date 9-1-11

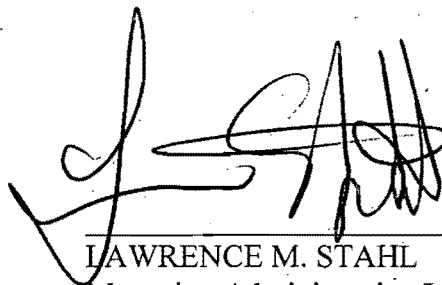
By [Signature]

IT IS FURTHER ORDERED that the Petition for Special Hearing, pursuant to Section 409.8.B.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit commercial parking in an R.O. zone, be and is hereby granted, again in accordance with the site plan entered as the aforesaid Petitioner's Remand Exhibit 1, and with Design Review Panel Approval; and

IT IS FURTHER ORDERED, that the approved special exception and special hearing are subject to the following restrictions which are conditions to the relief granted herein:

1. There shall be no external loud speakers on the property.
2. Car wash activities (exclusive of repairs and servicing of equipment) may not start prior to 7 AM and must conclude by 7 PM.
3. The existing vehicle and accessory rental business shall cease upon issuance of building permits consistent with this amended plan.
4. There shall be compliance with the landscape plan entered as Petitioner's Remand Exhibit 3, subject to such further revisions as required by the County Landscape Architect consistent with the County Landscape Manual.
5. There shall be compliance with the DRP PowerPoint design features of signage, fence, architectural elevations, parking, stacking, and other design details shown in Petitioner's Remand Exhibit 4.

Any appeal of this Order shall be taken in accordance with Section 32-3-401 of the Baltimore County Code ("B.C.C.").



LAWRENCE M. STAHL  
Managing Administrative Law Judge  
for Baltimore County

LMS:pz

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Date 9-1-11

By [Signature]



KEVIN KAMENETZ  
*County Executive*

LAWRENCE M. STAHL  
*Managing Administrative Law Judge*  
JOHN E. BEVERUNGEN  
TIMOTHY M. KOTROCO  
*Administrative Law Judges*

September 1, 2011

FRANCIS X. BORGERDING, JR., ESQUIRE  
409 WASHINGTON AVENUE, SUITE 600  
TOWSON, MD 21204

Re: Petition for Special Hearing, Special Exception and Variance  
Case No. 08-212-SPHXA  
Property: 520 Reisterstown Road

Dear Mr. Borgerding:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file with the Department of Permits, Applications and Inspections an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to be "LMS", is written over the typed name of Lawrence M. Stahl.

LAWRENCE M. STAHL  
Managing Administrative Law Judge  
for Baltimore County

LMS/pz

Enclosure

c: People's Counsel Peter Max Zimmerman  
Alan Zukerberg, 7819 Long Meadow Road, Pikesville MD 21208

2/18/11

|                                                                   |   |                   |
|-------------------------------------------------------------------|---|-------------------|
| RE: PETITION FOR SPECIAL HEARING                                  | * | BEFORE THE COUNTY |
| SPECIAL EXCEPTION & VARIANCE                                      |   |                   |
| 520 Reisterstown Road; S corner of                                | * | BOARD OF APPEALS  |
| Mildford Mill & Reisterstown Roads                                |   |                   |
| 3 <sup>rd</sup> Election & 2 <sup>nd</sup> Councilmanic Districts | * | FOR               |
| Legal Owner(s): University BP, LLC                                |   |                   |
| Petitioner(s)                                                     | * | BALTIMORE COUNTY  |
|                                                                   | * | 08-212-SPHXA      |

\* \* \* \* \*

### REMAND ORDER

This case comes to the County Board of Appeals upon the appeal by People's Counsel for Baltimore County of the Zoning Commissioner's February 1, 2008 approval of Petitioner University BP, LLC's Petition for Special Hearing, Special Exception and Variance, to allow the addition of a carwash and drive-in restaurant to the service station at 520 Resisterstown Road. Because the property is in the Pikesville area, it is subject to review by the Pikesville Design Review Panel (DRP) under Baltimore County Code Sections 32-4-203 and 32-4-204 (2003).

At the January 19, 2011 hearing, Petitioner was represented by Francis X. Borgerding, Jr. People's Counsel Peter Max Zimmerman represented his office. Area citizen Alan Zukerberg appeared as an interested citizen and in his capacity as President of the Pikesville Community Corporation.

The County Board of Appeals previously allowed postponement of the case several times to await the conclusion of DRP proceedings, setting January 19, 2011 as the final hearing date, with no further postponements. As the Board was advised at the January 19 hearing, the DRP proceedings have not yet come to fruition. Counsel for Petitioner advises that Petitioner still anticipates presenting an amended plan to the DRP for review.

At this time, the Board has determined to remand the case to the Zoning Commissioner for review of the Petition, or any amended petition and plan, and in light of such further proceedings, including but not limited to DRP and Zoning Advisory Committee review and such further public hearing as may be necessary and appropriate.

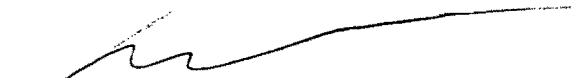
This is without prejudice to the rights of any of the parties. The parties of record at the Zoning Commissioner level include William McConnell and Charles Dubman, neighbors on Linden Terrace.

Accordingly, for the foregoing reasons, it is, this 18<sup>th</sup> day of <sup>February</sup>~~January~~, 2011, **Ordered**, by the County Board of Appeals for Baltimore County, that this case be, and hereby is, **remanded to the Zoning Commissioner of Baltimore County** for such further proceedings and public hearing as may be necessary and appropriate.

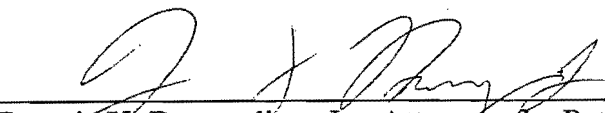
Any petition for judicial review of this order must be filed within 30 days.

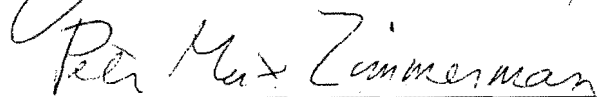
  
MAUREEN E. MURPHY, CHAIRMAN

  
WENDELL H. GRIER, PANEL MEMBER

  
ANDREW M. BELT, PANEL MEMBER

Approved as to form:

  
Francis X. Borgerding, Jr., Attorney for Petitioner

  
Peter Max Zimmerman, People's Counsel for Baltimore County



County 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

February 18, 2011

Francis X. Borgerding, Esquire  
409 Washington Ave, Suite 600  
Towson, MD 21204

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

RE: *In the Matter of: University BP, LLC-Legal Owner/Petitioner*  
Case No.: 08-212-SPHXA

Dear Counsel:

Enclosed please find a copy of the Remand 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*, **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,

*Theresa Shelton/kc*

Theresa R. Shelton  
Administrator

TRS/klc  
Enclosure  
Duplicate Original Cover Letter

c: Gul Sher, Managing Member /University BP LLC  
Bruce E. Doak /Gerhold, Cross & Etzel, Ltd.  
Charles Dubman  
Alan P. Zukerberg  
Arnold Jablon, Director/PAI  
Nancy West, Assistant County Attorney

Deborah L. SeBour /Real Estate Investments  
William McConnell  
Alan P. Zukerberg, President/Pikesville Communities Corporation  
Lawrence M. Stahl, Managing Administrative Judge  
Director/Office of Planning  
Michael Field, County Attorney, Office of Law

IN RE: PETITIONS FOR SPECIAL HEARING, \*  
SPECIAL EXCEPTION AND VARIANCE  
S/Corner of Milford Mill and \*  
Reisterstown Roads  
(520 Reisterstown Road) \*  
3<sup>rd</sup> Election District  
2<sup>nd</sup> Council District \*  
University BP, LLC  
*Petitioner* \*

BEFORE THE  
ZONING COMMISSIONER  
FOR  
BALTIMORE COUNTY  
Case No. 08-212-SPHXA

\* \* \* \* \*

**FINDINGS OF FACT AND CONCLUSION OF LAW**

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance filed by the owner of the subject property, University BP, LLC by and through its attorney Francis X. Borgerding, Jr., Esquire. As filed, the Petitioner requests a special hearing to allow a commercial parking area in a R-O zone pursuant to Section 409.8B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). Special exception relief is sought pursuant to Section 230.13 of the B.C.Z.R. to permit a roll-over car wash and drive-in restaurant. In addition, variance relief is requested from B.C.Z.R. Section 1B01.1B.1e.5, to allow a parking lot with a 10-foot buffer and setback in lieu of the required 50 foot Residential Transition Area (RTA) buffer and 75-foot RTA setback. The subject property and the requested relief are more particularly described on the redlined site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requests were the owner's representatives, Gul Sher, managing member of University BP, LLC, and Deborah L. SeBour, with Real Estate Investments, LLC; Bruce E. Doak, a consultant and Property Line Surveyor with Gerhold, Cross & Etzel, Ltd., who prepared the site plan for this property, and Francis X. Borgerding, Jr., Esquire, representing the Petitioner. Appearing as Protestants in opposition to the requests were nearby residential property owners William McConnell and Charles Dubman.

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Date 2-1-08  
By [Signature]

Donald T. Rascoe, Deputy Director of the Department of Permits and Development Management attended and participated at the hearing.

At the outset of the hearing, Counsel for the Petitioner withdrew the variance petition as Mr. Doak concluded upon his further review that the variance request from an RTA buffer and RTA setback was not necessary. Additionally, discussion was held in reference to the Zoning Advisory Committee (ZAC) comment received from the Office of Planning, dated December 13, 2007. In pertinent part, the ZAC comment recommended compliance with the Pikesville Design Review Guidelines as provided for in Baltimore County Code (B.C.C.) Section 32-4-203. This section provides for a review and recommendation on the proposal by the Baltimore County Design Review Panel. This comment, however, was not received by the undersigned Zoning Commissioner until January 10, 2008 and was not received by the Petitioner or its counsel until the morning of the hearing (January 16, 2008). Mr. Borgerding, with the Commission's concurrence, called upon Deputy Director Donald Roscoe to give testimony about the applicability of the Design Review Panel making a finding and recommendation on the proposal *prior to proceeding* to a zoning hearing. After a thorough review of B.C.C. Sections 32-4-101(p) and (q) as well as 32-4-203 and in considering Mr. Rascoe's interpretation of his department's development regulations, I am satisfied that the "development process" is separate and distinct and will in accordance with the language of the Baltimore County Code proceed to the Design Review Panel as it must prior to development plan approval. I will, therefore, condition any relief granted herein subject to review by the Design Review Panel prior to development plan approval or the issuance of a permit. *See* B.C.C. Section 32-4-203(l).

The Petitioner's consultant, Bruce Doak, was the first witness to testify and after introducing the site plan, illustrated the existing and proposed conditions of the site presenting numerous photographs collectively received as Petitioner's Exhibit 4. Mr. Doak testified that

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Date 2-1-08  
By [signature]

Petitioner's requested relief will take place on adjacent parcels with an overall area consisting of 8.7 acres. The majority of the property and all of the improvements are zoned B.L. - A.S. with a small portion (108' x 60') located in the southwest corner of the site adjacent to Milford Mill Road being in the R-O zone. Currently, the properties are being used for a gasoline station and the parking of vehicles. As noted above, the Petitioner requests the use of the properties for maintaining the gasoline station and adding a drive-in restaurant and car wash. Mr. Doak further noted that the Petitioner's requested relief is proposed in a way that requires no parking variances as set forth in the special regulations of B.C.Z.R. Section 409. The landscaping areas proposed to buffer the proposed uses adjacent to Linden Terrace and Milford Mill Road were discussed by Mr. Doak and shown on the redlined site plan.

Turning to the Petitioner's special exception request for a drive-in restaurant and car wash, Mr. Doak testified and offered opinions that the requested relief meets the principles and conditions of B.C.Z.R. Section 502.1. He then discussed the special hearing request to approve commercial parking in a R-O zone. He indicated that the area would be used for additional parking for the proposed drive-in restaurant. There will be no U-Haul rental vehicles, buses or commercial vehicles parked or stored in this area. Its use will be for customers/employees private passenger vehicles and in keeping with the character of the surrounding community. Mr. Doak testified that he believed the Petitioner's requested special hearing could be granted without causing a detriment to the health, safety or welfare of the locale which is commercially utilized on the other side of Linden Terrace.

Deborah SeBour, the realtor who has assisted Petitioner with the subject property, and Gul Sher provided testimony in regard to the existing and proposed uses of the property. Mr. Sher stated that the proposed hours of the car wash would be 7 AM to 7 PM and the drive-in restaurant would be a delicatessen operation. William McConnell (7 Linden Terrace) and

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Date 2-1-08  
By [signature]

Charles Dubman (3 Linden Terrace) testified and each produced a letter received as Protestants Exhibits 1 and 2 that outlined the existing concerns about their neighborhood and concerns about Petitioner's proposed use. Both Messrs. McConnell and Dubman are long time residents and described their dead end street (Linden Terrace) and the noise, vandalism and impacts attendant to the past zoning changes that have allowed the giant size buildings to be erected across the street from their homes. They now express concerns about further potential commercial encroachment on Linden Terrace. Mr. McConnell described the noise which emanates from the speakers utilized by an existing drive through McDonald's restaurant. The Petitioner, however, clarified it was proposing a drive-in restaurant on the site not a drive through restaurant and, therefore, no loud speaker was being proposed.

Section 502.1 of the B.C.Z.R. states the criteria under which a special exception may be evaluated. As the courts have consistently acknowledged, all uses of land, including those that are permitted by special exception, are presumed to have certain adverse effects. Uses that are permitted by special exception require an individualized determination that the adverse effects generated by the proposed use are not exacerbated by a unique characteristic of the proposed use or the proposed location. Special exception uses enjoy a legislative presumption that they are compatible with the uses that are permitted in adjoining areas under the applicable zoning regulations, absent a showing to the contrary. In *Shultz v. Pritts*, 291 Md. 1, 432 A2d 1319 (1981), a leading Maryland case on special exceptions the Court stated:

"...[T]he appropriate standard to be used in determining whether a 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." *Id.* at 14.

There is no evidence that the adverse effects generated by a roll-over car wash or drive-in restaurant, as proposed, are above and beyond those inherently associated with such uses,

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Date 2-1-08  
By [signature]

regardless of their location. Furthermore, I find that the requirements of Section 502.1 of the B.C.Z.R., relating to special exceptions, have been met. In addition, I am satisfied that Petitioner's request by way of special hearing to allow for the commercial parking in a R-O zone adjacent to Milford Mill Road can be granted without a harmful effect to the health, safety and welfare of the surrounding community and I will, therefore, grant same. There are no new curb cuts proposed and the site plan has been noted that upon approval of the zoning request the current parking of U-Haul vehicles will be discontinued.

The issues raised in the petitions are pursuant to the authority granted in Section 500.7 of the B.C.Z.R. Thus, my decision in this matter is based on the zoning of the subject property, the proposed uses on each parcel and other zoning defined issues. I do not have the authority, nor will this decision attempt, to determine issues of processing limited exemptions from the department regulations which have been relegated by the County Council to the Development Review Committee. See *Long Meadow Association, Inc., et al v. Druid Ridge LLP, et al*. Court of Special Appeals No. 1801 (2005) and County Council Bill 54-05. In this regard, Mr. Rascoe made it quite clear in his testimony that what I have before me is a plat to accompany a zoning petition and not a development plan as contemplated under Section 32-4-101. A review of the facts, evidence and testimony presented in this case reveals that the Petitioner and its Counsel are in agreement with this conclusion.

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

THEREFORE, IT IS ORDERED, this 1<sup>st</sup> day of February 2008, by the Zoning Commissioner for Baltimore County that the Petitioner for Special Exception, to permit the use of the described property for a car wash and drive-in restaurant pursuant to Baltimore County Zoning Regulations (B.C.Z.R.) Section 230.13, as shown on Petitioner's Exhibit 1, be and is

ORDER RECEIVED FOR FILING  
Date 2-1-08  
By [signature]

hereby GRANTED; and

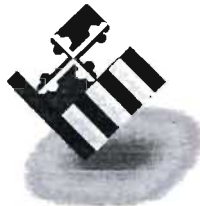
IT IS FURTHER ORDERED that the Petition for Special Hearing, pursuant to Section 409.8.B.1 of Baltimore County Zoning Regulations (B.C.Z.R.), to permit commercial parking in a R-O zone, be and is hereby GRANTED, subject to the following restrictions which are conditions precedent to the relief granted herein:

1. The proposed car wash and drive-in restaurant improvements fall within the jurisdiction of the Pikesville Design Review Panel Area. The Petitioner must submit its "Development Plan" to the Design Review Panel for approval in accordance with B.C.C. Section 32-4-203.
2. The Petitioner shall also submit to the Office of Planning, as part of the project's review criteria: (a) an upgraded landscape plan in those areas designated "landscaping area" on the site plan, (b) to include the replacement of the existing 6-foot high wood privacy fence, and (c) an upgraded landscape and lighting plan for this site.
3. The Petitioner shall show designated employee parking spaces on the Development Plan, i.e., spaces 7, 8, 9 and 10 as depicted on Petitioner's Exhibit 1.
4. There shall be no external loud speakers on the property.
5. Car wash activities (exclusive of repairs and servicing of equipment) may not start prior to 7 AM and must conclude by 7 PM.
6. When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this Order shall be taken in accordance with Section 32-3-401 of the Baltimore County Code (B.C.C.).

  
WILLIAM J. WISEMAN, III  
Zoning Commissioner for  
Baltimore County

ORIGINAL RECEIVED FOR FILE  
Date 2-1-08  
By [signature]



**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

WILLIAM J. WISEMAN III  
*Zoning Commissioner*

February 1, 2008

Francis X. Borgerding, Esquire  
409 Washington Avenue, Suite 600  
Towson, MD 21204

RE: **PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCE**  
S/Corner of Milford Mill and Reisterstown Roads  
**(520 Reisterstown Road)**  
3<sup>rd</sup> Election District - 2<sup>nd</sup> Council District  
University BP, LLC - Petitioner  
**Case No. 08-212-SPHXA**

Dear Mr. Borgerding:

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

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

Very truly yours,

WILLIAM J. WISEMAN, III  
Zoning Commissioner  
for Baltimore County

WJW:dlw  
Enclosure

c: Bruce E. Doak, Gerhold, Cross & Etzel, Ltd., 320 East Towsontown Boulevard,  
Towson, MD 21286  
Gul Sher, Managing Member, University BP, LLC, 520 Reisterstown Road, Pikesville, MD 21218  
Deborah L. SeBour, Real Estate Investments, LLC, 2418 Bramarr Avenue, Baltimore, MD 21228  
William McConnell, 7 Linden Terrace, Pikesville, MD 21208  
Charles Dubman, 3 Linden Terrace, Pikesville, MD 21208  
Donald Rascoe, Deputy Director, Department of Permits & Development Management  
People's Counsel; Office of Planning; File



# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at # 520 REISTERSTOWN RD.  
# 0 22 LINDEN TERRACE  
which is presently zoned RO

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

SEE ATTACHED

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

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

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

## Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

## Attorney For Petitioner:

Name - Type or Print Frankie X. Burgesding Jr

Signature Frank X. Burgesding Jr

Company

Address 409 Washington ave suite 600 Telephone No. (410) 246-6820

City Towson State MD Zip Code 21204

## Legal Owner(s):

UNIVERSITY BP LLC

Name - Type or Print

Signature [Signature]

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

## Representative to be Contacted:

Name GERHOLD, CROSS & ETZEL LTD

Address 320 E. TOWSONTOWN BLVD Telephone No. 410-823-4470

City TOWSON State MD Zip Code 21286

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Case No. 08-212-SPHXA

ORDER RECEIVED FOR FILING

REV 9/15/98

Date 2-7-08

By bw

Reviewed By [Signature] Date 11-5-07

#0 & #2 LINDEN TERRACE

**VARIANCE REQUESTED**

*BALTIMORE COUNTY ZONING REGULATIONS:*

*1B01.1B.1.e.5*

*TO ALLOW A PARKING LOT WITH A 10 FOOT BUFFER AND SETBACK IN  
LIEU OF THE REQUIRED 50 FOOT RTA BUFFER AND 75 FOOT RTA SETBACK*

**SPECIAL HEARING REQUESTED**

*TO ALLOW A PARKING AREA IN RO ZONE*



# Petition for Special Exception

## to the Zoning Commissioner of Baltimore County

for the property located at 520 REISTERSTOWN RD.  
which is presently zoned BL AS

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

SEE ATTACHED

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

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

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

### Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

### Attorney For Petitioner:

Francis X. Bergerding, Jr.  
Name - Type or Print

F. X. Bergerding, Jr.  
Signature

Company

404 Washington Ave Suite 600  
Address Telephone No. (410) 296-6820

Towson MD 21204  
City State Zip Code

### Legal Owner(s):

UNIVERSITY BP LLC

Name - Type or Print

[Signature]  
Signature

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

### Representative to be Contacted:

GERHOLD, CROSS & ETZEL LTD  
Name

320 E. TOWSON TOWN BLVD 410-823-4470  
Address Telephone No.

TOWSON MD 21286  
City State Zip Code

### OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 11-5-07

Case No. 08-212-SDHXA

REU 09/15/98

ORDER RECEIVED FOR FILING

Date 2-1-08

By [Signature]

520 & 524 REISTERSTOWN ROAD

**SPECIAL EXCEPTION REQUESTED**

*BALTIMORE COUNTY ZONING REGULATIONS:*

*230.13 for :*

*CAR WASH (Bill Nos. 108-1964; 85-1967)*

*DRIVE-IN RESTAURANT (Bill Nos. 40-1967; 85-1967)*



# Petition for Variance

# 520 REISTERSTOWN RD

to the Zoning Commissioner of Baltimore County

for the property located at #0, #2 LINDEN TERRACE

which is presently zoned RO

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED

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

SEE ATTACHED

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

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

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

## Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

## Legal Owner(s):

UNIVERSITY BP LLC

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Representative to be Contacted:

Gerhold, Cross & Etzel, Ltd.

Name

410

320 E. Towsontown Blvd #100

823-4470

Address

Telephone No.

Towson

MD

21286

City

State

Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Case No.

08-212-SPIEXA

ORDER RECEIVED FOR FILING

AVAILABLE FOR HEARING

Date

2-1-05

Reviewed By

Date

11-5-07

By

AW

229 9/15/93

#0 & #2 LINDEN TERRACE

**VARIANCE REQUESTED**

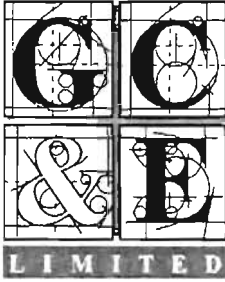
*BALTIMORE COUNTY ZONING REGULATIONS:*

*1B01.1B.1.e.5*

*TO ALLOW A PARKING LOT WITH A 10 FOOT BUFFER AND SETBACK IN  
LIEU OF THE REQUIRED 50 FOOT RTA BUFFER AND 75 FOOT RTA SETBACK*

**SPECIAL HEARING REQUESTED**

*TO ALLOW A PARKING AREA IN RO ZONE*



# Gerhold, Cross & Etzel, Ltd.

*Registered Professional Land Surveyors • Established 1906*

Suite 100 • 320 East Towson Town Boulevard • Towson, Maryland 21286  
Phone: (410) 823-4470 • Fax: (410) 823-4473 • [www.gcelimited.com](http://www.gcelimited.com)

November 1, 2007

**ZONING DESCRIPTION**  
**University BP LLC property**  
**520 Reisterstown Road**  
**Baltimore County, Maryland**

All that piece or parcel of land situate, lying and being in the Third Election District, Second Councilmanic District of Baltimore County, Maryland and described as follows to wit:

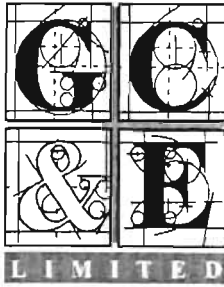
Beginning for the same at a point located on the southwest side of Reisterstown Road (66' wide) in the centerline of Linden Terrace and running thence,

- 1) South 52 degrees 27 minutes 19 seconds West 150.0 feet,
- 2) North 37 degrees 32 minutes 35 seconds West 22.50 feet,
- 3) North 37 degrees 32 minutes 35 seconds West 100.00 feet,
- 4) Running reversely on North 52 degrees 27 minutes 25 seconds East 45.45 feet,
- 5) South 37 degrees 32 minutes 35 seconds East 50.0 feet,
- 6) Running reversely on South 52 degrees 27 minutes 25 seconds West 191.85 feet,
- 7) North 52 degrees 27 minutes 25 seconds East 3.78 feet,
- 8) South 37 degrees 20 minutes 26 seconds East 50.00 feet,
- 9) South 37 degrees 20 minutes 26 seconds East 100.00 feet,
- 10) South 37 degrees 20 minutes 26 seconds East 22.50 feet to the point of beginning.

Containing 0.593 Acres of land, more or less (Tract 4 : Parcel 1 and Parcel 2).



**Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.**



# Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286  
Phone: (410) 823-4470 • Fax: (410) 823-4473 • [www.gcelimited.com](http://www.gcelimited.com)

October 31, 2007

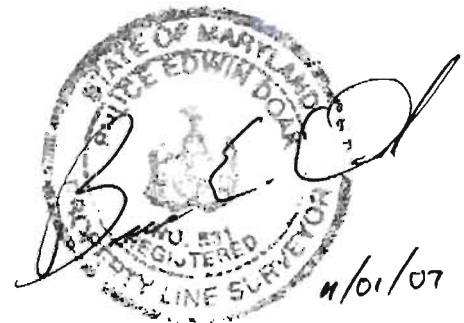
**ZONING DESCRIPTION**  
**University BP LLC property**  
**2 Linden Terrace**  
**Baltimore County, Maryland**

All that piece or parcel of land situate, lying and being in the Third Election District, Second Councilmanic District of Baltimore County, Maryland and described as follows to wit:

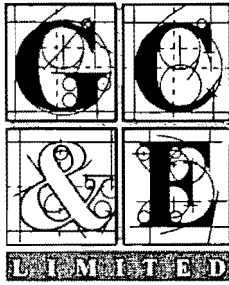
Beginning for the same at a point or near the centerline of Linden Terrace (45' wide), said point being located 195.0 feet measured southwesterly along said centerline of Linden Terrace from its intersection with the southwesterly side of Reisterstown Road (66" wide) leaving said Linden Terrace in Northwesterly direction North 37 degrees 32 minutes 35 seconds West 22.50 feet and running thence,

- 1) South 52 degrees 27 minutes 25 seconds West 50.00 feet,
- 2) North 37 degrees 32 minutes 35 seconds West 204.48 feet,
- 3) North 50 degrees 59 minutes 04 seconds East 50.02 feet,
- 4) South 37 degrees 32 minutes 35 seconds West 205.77 feet to the point of beginning.

Containing 0.235 Acres of land, more or less.



**Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.**



# Gerhold, Cross & Etzel, Ltd.

*Registered Professional Land Surveyors • Established 1906*

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286  
Phone: (410) 823-4470 • Fax: (410) 823-4473 • [www.gcelimited.com](http://www.gcelimited.com)

October 31, 2007

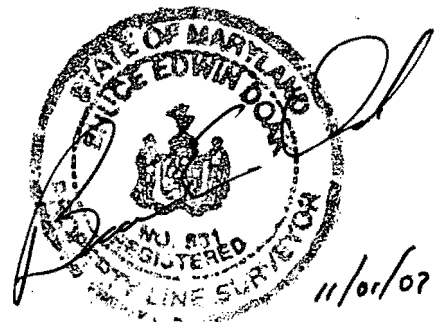
**ZONING DESCRIPTION**  
**University BP LLC property**  
**0 Linden Terrace**  
**Baltimore County, Maryland**

All that piece or parcel of land situate, lying and being in the Third Election District, Second Councilmanic District of Baltimore County, Maryland and described as follows to wit:

Beginning for the same at a point or near the centerline of Linden Terrace (45' wide), said point being located 195.0 feet measured southwesterly along said centerline of Linden Terrace from its intersection with the southwesterly side of Reisterstown Road (66" wide) and running thence,

- 1) North 37 degrees 32 minutes 35 seconds West 122.50 feet,
- 2) North 52 degrees 27 minutes 25 seconds East 45.45 feet,
- 3) South 37 degrees 20 minutes 20 seconds East 122.50 feet,
- 4) South 52 degrees 27 minutes 25 seconds West 45.01 feet to the point of beginning.

Containing 0.127 Acres of land, more or less.



**Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.**

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

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

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

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

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**For Newspaper Advertising:**

Item Number or Case Number: 08-212 - SPH3A

Petitioner: UNIVERSITY BP LLC

Address or Location: 520 REISTERSTOWN ROAD,

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. SHER

Address: 526 REISTERSTOWN ROAD  
PIKESVILLE, MD, 21208-5304

Telephone Number: 410 - 236-3888

Revised 7/11/05 - SCJ

**BALTIMORE COUNTY, MARYLAND**  
**OFFICE OF BUDGET AND FINANCE**  
**MISCELLANEOUS RECEIPT**

No. **06896**

Date: **11.5.07**

| Fund | Agcy | Orgn | Sub<br>Orgn | Rev<br>Source | Sub<br>Rev | Rept<br>Catg | BS<br>Acct | Amount |
|------|------|------|-------------|---------------|------------|--------------|------------|--------|
| 001  |      | 006  | 6150        |               |            |              |            | 800.00 |
|      |      |      |             |               |            |              |            |        |
|      |      |      |             |               |            |              |            |        |
|      |      |      |             |               |            |              |            |        |
|      |      |      |             |               |            |              |            |        |

Total: **800.00**

Rec

From: **SLAVE AMOLD**

For:

**08-212-SPHXA**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S  
 VALIDATION**

THRU RECEIPT  
 BUSINESS ACTUAL TIME DNM  
 11/16/2007 11/05/2007 10:07:56 1  
 REC NO: 001 MARCH JRC JNR  
 400 OPT R 253755 11/05/2007 06/01  
 5 559 JNDING VERIFICATION  
 (R)096  
 Recpt Tot 4000.00  
 4000.00 0 6.00 CA  
 Baltimore County, Maryland

# 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: #08-212-SPHXA

520 Reisterstown Road

S/corner of Milford Mill and Reisterstown Road

3rd Election District - 2nd Councilmanic District

Legal Owner(s): University BP, LLC

Special Hearing: to allow a parking area in RO zone.

Special Exception: to permit car and drive-in restaurant.

Variance: to allow a parking lot with a 10 foot buffer and setback in lieu of the required 50 foot RTA buffer and 75 foot RTA setback.

Hearing: Tuesday, January 8, 2008 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

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

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

12/216 Dec. 20

158519

## CERTIFICATE OF PUBLICATION

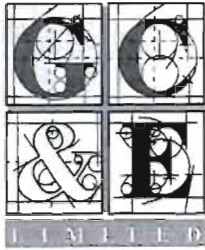
12/20/2007

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/20/2007.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

*J. Wilkins*

LEGAL ADVERTISING



# Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286  
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

## CERTIFICATE OF POSTING

RE: CASE#08-212-SPHXA  
PETITIONER/DEVELOPER:  
University BP, LLC  
DATE OF HEARING: 1/16/08

BALTIMORE COUNTY DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT  
COUNTY OFFICE BUILDING, ROOM 111  
111 WEST CHESAPEAKE AVE.  
TOWSON, MARYLAND 21204

ATTENTION: KRISTEN MATTHEWS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY  
SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

(see page 2 for full size photo)

LOCATION:  
520 Reisterstown Road

SIGNATURE OF SIGN POSTER

Bruce E. Doak

GERHOLD, CROSS & ETZEL, LTD  
SUITE 100  
320 EAST TOWSONTOWN BLVD  
TOWSON, MARYLAND 21286  
410-823-4470 PHONE  
410-823-4473 FAX

POSTED ON: 12/27/07

# ZONING NOTICE

**CASE # :08-212-SPHXA**

**A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD.**

**Room 106 County Courts Building**

**PLACE: 111 West Chesapeake Ave, Towson, MD**

**TIME & DATE: 9:00 AM Wednesday, January 16, 2008**

**Special Hearing: to allow a parking area in  
RO zone.**

**Special Exception: to permit car and drive-in  
restaurant.**

**Variance: to allow a parking lot with a 10 foot  
buffer and setback in lieu of the required 50  
foot RTA buffer and 75 foot RTA setback.**

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES  
NECESSARY TO CONFIRM HEARING  
CALL 410-887-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING. UNDER PENALTY OF LAW  
HEARINGS ARE HANDICAPPED ACCESSIBLE



# ZONING NOTICE

CASE # 08-212-SPHX  
A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD.

Room 166 County Court Building

PLACE: 111 West Chesapeake Ave., Towson, MD

TIME & DATE: 6:30 AM, Monday, January 19, 2009

Special Hearing: to allow a parking area in  
RD zone.

Special Exception: to permit car and drive-in  
restaurant.

Variance: to allow a parking lot with a 10 foot  
buffer and setback in lieu of the required 50  
foot RTA buffer and 75 foot RTA setback.

For more information, please contact the Planning  
Department at 410-526-6000 or visit the website at  
www.towsonmd.gov/planning

FOR MORE INFORMATION, PLEASE CONTACT THE PLANNING  
DEPARTMENT AT 410-526-6000 OR VISIT THE WEBSITE AT  
WWW.TOWSONMD.GOV/PLANNING

FOR MORE INFORMATION, PLEASE CONTACT THE PLANNING  
DEPARTMENT AT 410-526-6000 OR VISIT THE WEBSITE AT  
WWW.TOWSONMD.GOV/PLANNING

FOR MORE INFORMATION, PLEASE CONTACT THE PLANNING  
DEPARTMENT AT 410-526-6000 OR VISIT THE WEBSITE AT  
WWW.TOWSONMD.GOV/PLANNING

FOR MORE INFORMATION, PLEASE CONTACT THE PLANNING  
DEPARTMENT AT 410-526-6000 OR VISIT THE WEBSITE AT  
WWW.TOWSONMD.GOV/PLANNING

FOR MORE INFORMATION, PLEASE CONTACT THE PLANNING  
DEPARTMENT AT 410-526-6000 OR VISIT THE WEBSITE AT  
WWW.TOWSONMD.GOV/PLANNING

FOR MORE INFORMATION, PLEASE CONTACT THE PLANNING  
DEPARTMENT AT 410-526-6000 OR VISIT THE WEBSITE AT  
WWW.TOWSONMD.GOV/PLANNING

FOR MORE INFORMATION, PLEASE CONTACT THE PLANNING  
DEPARTMENT AT 410-526-6000 OR VISIT THE WEBSITE AT  
WWW.TOWSONMD.GOV/PLANNING

FOR MORE INFORMATION, PLEASE CONTACT THE PLANNING  
DEPARTMENT AT 410-526-6000 OR VISIT THE WEBSITE AT  
WWW.TOWSONMD.GOV/PLANNING

service

service



Director's Office  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Tel: 410-887-3353 • Fax: 410-887-5708

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

November 27, 2007

## **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: 08-212-SPHXA**

520 Reisterstown Road  
S/corner of Milford Mill and Reisterstown Road  
3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District  
Legal Owners: University BP, LLC

Special Hearing to allow a parking area in RO zone. Special Exception to permit car and drive-in restaurant. Variance to allow a parking lot with a 10 foot buffer and setback in lieu of the required 50 foot RTA buffer and 75 foot RTA setback.

Hearing: Tuesday, January 8, 2008 at 9:00 a.m. in Room 407, County Courts Building,  
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco  
Director

TK:klm

C: Francis Borgerding, Jr., 409 Washington Avenue, Ste. 600, Towson 21204  
University BP, LLC, Mr. Sher, 524 Reisterstown Road, Pikesville 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, DECEMBER 24, 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  
Thursday, December 21, 2007 Issue - Jeffersonian

Please forward billing to:

Mr. Sher  
524 Reisterstown Road  
Pikesville, MD 21208-5304

410-236-3888

---

## NOTICE OF ZONING HEARING

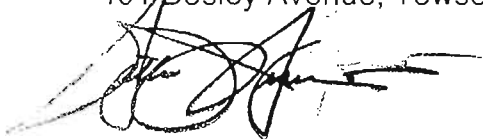
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 08-212-SPHXA**

520 Reisterstown Road  
S/corner of Milford Mill and Reisterstown Road  
3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District  
Legal Owners: University BP, LLC

Special Hearing to allow a parking area in RO zone. Special Exception to permit car and drive-in restaurant. Variance to allow a parking lot with a 10 foot buffer and setback in lieu of the required 50 foot RTA buffer and 75 foot RTA setback.

Hearing: Tuesday, January 8, 2008 at 9:00 a.m. in Room 407, County Courts Building,  
401 Bosley Avenue, Towson 21204



WILLIAM J. WISEMAN III  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**Department of Permits and  
Development Management**

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

**Baltimore County**

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

December 11, 2007

**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: 08-212-SPHXA**

520 Reisterstown Road  
S/corner of Milford Mill and Reisterstown Road  
3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District  
Legal Owners: University BP, LLC

Special Hearing to allow a parking area in RO zone. Special Exception to permit car and drive-in restaurant. Variance to allow a parking lot with a 10 foot buffer and setback in lieu of the required 50 foot RTA buffer and 75 foot RTA setback.

Hearing: Wednesday, January 16, 2008 at 9:00 a.m. in Room 106, County Office Building,  
111 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco  
Director

TK:klm

C: Francis Borgerding, Jr., 409 Washington Avenue, Ste. 600, Towson 21204 ✓  
University BP, LLC, Mr. Sher, 524 Reisterstown Road, Pikesville 21208

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 1, 2008. (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.

at  
on the  
3194



TO: PATUXENT PUBLISHING COMPANY  
Tuesday, January 1, 2008 Issue - Jeffersonian

Please forward billing to:

Mr. Sher  
524 Reisterstown Road  
Pikesville, MD 21208-5304

410-236-3888

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## CORRECTED 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: 08-212-SPHXA**

520 Reisterstown Road  
S/corner of Milford Mill and Reisterstown Road  
3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District  
Legal Owners: University BP, LLC

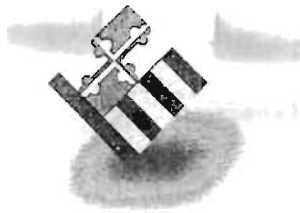
Special Hearing to allow a parking area in RO zone. Special Exception to permit car and drive-in restaurant. Variance to allow a parking lot with a 10 foot buffer and setback in lieu of the required 50 foot RTA buffer and 75 foot RTA setback.

Hearing: Wednesday, January 16, 2008 at 9:00 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.



**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

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

January 9, 2008

Francis X. Borgerding, Jr.  
409 Washington Avenue, Suite 600  
Towson, MD 21204

Dear Mr. Borgerding:

RE: Case Number: 08-212-SPHXA, 520 Reisterstown Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 5, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel  
Gerhold, Cross & Etzel, Ltd 320 E. Towsontowne Blvd Towson 21286

BW 1/16  
9am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED  
JAN 11 2008  
BY: \_\_\_\_\_

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *JWL*

DATE: January 11, 2008

SUBJECT: Zoning Item # 08-212-SPHXA  
Address 520 Reisterstown Road  
(University BPLLC Properties)

Zoning Advisory Committee Meeting of November 12, 2007

\_\_\_\_\_ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

\_\_\_\_\_ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

\_\_\_\_\_ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: Michael S. Kulis

Date: January 10, 2008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

**DATE:** December 13, 2007

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

**SUBJECT:** 520 Reisterstown Road

**INFORMATION:**

**Item Number:** 8-212

**Petitioner:** University BP LLC

**Zoning:** RO

**Requested Action:** Variance, Special Exception and Special Hearing

RECEIVED  
JAN 10 2008  
BY: \_\_\_\_\_

**SUMMARY OF RECOMMENDATIONS:**

The Office of Planning has reviewed the petitioner's request and recommends that the request be denied.

This proposal falls within the Pikesville Design Review Panel Area and must conform to the Pikesville Design Guidelines.

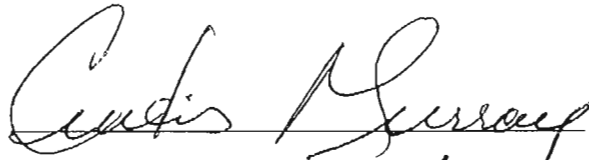
The Office of Planning is of the opinion that the site has been improved to its capacity. Any further operations on the site would overload the land area. The site needs numerous upgrades and updating.

Should the Zoning Commissioner grant the petitioner's request, the applicant shall replace the existing 6-foot high wood privacy fence and provide upgraded landscaping in the areas designated "landscaping area" on the site plan. A landscape and lighting plan should be prepared for review and approval.

1. Schedule a meeting before the Design Review Panel prior to the subject zoning hearing. Contact Jenifer German in the Office of Planning for scheduling.
2. To reiterate and further expand what was mentioned above, the entire site should be upgraded with landscaping and site upgrades, as there is a lack thereof.
3. The circulation and lack of pedestrian connections within the site need further study. Upgrades shall be incorporated in the revised site and landscape plans.

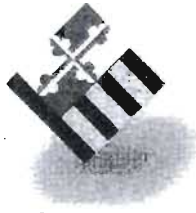
For further information concerning the matters stated here in, please contact Curtis Murray at 410-887-3480.

Reviewed by:

Handwritten signature of Curtis Murray in cursive script.

Division Chief:  
AFK/LL: CM

Handwritten signature of Lynn Lark in cursive script.



**BALTIMORE COUNTY**

M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

JOHN J. HOHMAN, *Chief*  
*Fire Department*

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

November 16, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: November 20, 2007

**212**

Item Number: Item Numbers 196, 206 through 216

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Lieutenant Roland P Bosley Jr.  
Fire Marshal's Office  
410-887-4880 (C) 443-829-2946  
MS-1102F

cc: File



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

State Highway  
Administration

John D. Porcari, Secretary  
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 11/20/2007

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

RE: Baltimore County  
Item No. 8-212 SPHX  
520 REISTERSTOWN ROAD  
GIALSHER PROPERTY  
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. 8-212 SPHX.

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  
Engineering Access Permits  
Division

SDF/MB

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** November 9, 2007

**FROM:** <sup>DAK</sup> Dennis A. Kennedy, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For November 20, 2007  
Item Nos. 08-195, 206, 207, 208, 209,  
210, 211, 212, 213, 214, 215, and 216

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

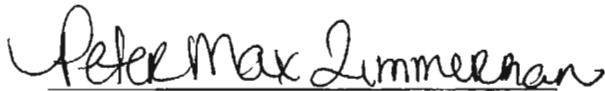
DAK:CEN:clw  
cc: File  
ZAC-NO COMMENTS-11092007.doc

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
SPECIAL EXCEPTION & VARIANCE \* ZONING COMMISSIONER  
520 Reisterstown Road; S corner of \*  
Mildford Mill & Reisterstown Roads \*  
3<sup>rd</sup> Election & 2<sup>nd</sup> Councilmanic Districts \* FOR  
Legal Owner(s): Gul Sher \*  
Petitioner(s) \* BALTIMORE COUNTY  
\* 08-212-SPHXA

\* \* \* \* \*

**ENTRY OF APPEARANCE**

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



PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



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

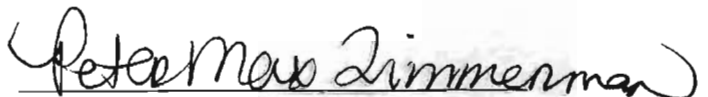
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 21st day of November, 2007, a copy of the foregoing Entry of Appearance was mailed to Gerhold, Cross & Etzel, Ltd, 320 E. Towsontown Blvd, Suite 100, Towson, MD 21286 and Francis X. Borgerding, Jr, Esquire, 409 Washington Avenue, St 600, Towson, MD, 21204, , Attorney for Petitioner(s).

RECEIVED

NOV 21 2007

Per.....



PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

# CORRECTED 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: #08-212-SPHXA**

520 Reisterstown Road

S/corner of Milford Mill and Reisterstown Road

3rd Election District - 2nd Councilmanic District

Legal Owner(s): University BP, LLC

**Special Hearing:** to allow a parking area in RO zone.

**Special Exception:** to permit car wash and drive-in restaurant. **Variance:** to allow a parking lot with a 10 foot buffer and setback in lieu of the required 50 foot RTA buffer and 75 foot RTA setback.

**Hearing: Wednesday, January 16, 2008 at 9:00 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 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 1/601 Jan. 1

159275

## CERTIFICATE OF PUBLICATION

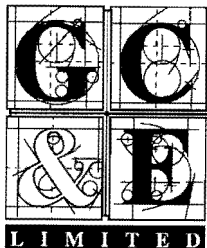
1/3/, 2008

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/1/, 2008.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING



# Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286  
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

RECEIVED

AUG 05 2011

OFFICE OF ADMINISTRATIVE HEARINGS

## CERTIFICATE OF POSTING

RE: Case#08-212-SPHXA

PETITIONER: University BP, LLC

DATE OF HEARING: August 8, 2011

BALTIMORE COUNTY DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT  
COUNTY OFFICE BUILDING, ROOM 111  
111 WEST CHESAPEAKE AVE.  
TOWSON, MARYLAND 21204

ATTENTION: KRISTEN LEWIS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY  
SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

(see page 2 for full size photo)

LOCATION:  
520 Reisterstown Road

SIGNATURE OF SIGN POSTER

Bruce E. Doak

GERHOLD, CROSS & ETZEL, LTD  
SUITE 100  
320 EAST TOWSONTOWN BLVD  
TOWSON, MARYLAND 21286  
410-823-4470 PHONE  
410-823-4473 FAX

POSTED ON: July 08, 2011

# ZONING NOTICE

CASE # :2008-0212-SPHXA

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD.

**PLACE:**

Room 205 Jefferson Building  
105 W. Chesapeake Avenue, Towson 21204

**TIME:**

**DATE :** Monday, August 8, 2011  
at 10:00 am

Special Hearing to allow a business parking  
area in RO zone.

Special Exception to permit car and drive-in  
restaurant.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES  
NECESSARY TO CONFIRM HEARING  
CALL 410-887-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE  
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING. UNDER PENALTY OF LAW  
HEARINGS ARE HANDICAPPED ACCESSIBLE

# ZONING NOTICE

CASE #: 2008-0212-SPHXA

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD.

PLACE: Room 205 Jefferson Building  
105 W. Chesapeake Avenue, Towson 21204

TIME: Monday, August 8, 2011  
DATE: at 10:00 am

Special Hearing to allow a business parking  
area in RO zone.

Special Exception to permit car and drive-in  
restaurant.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES  
NECESSARY TO CONFIRM HEARINGS. PLEASE CHECK THE SCHEDULED HEARING DATE.  
CALL 410-987-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE.  
DO NOT REMOVE THIS SIGN AND POSTER FROM THE HEARING. UNDER PENALTY OF LAW  
HEARINGS ARE HANDICAPPED ACCESSIBLE

**Gerhold, Cross & Etzel, Ltd.***Registered Professional Land Surveyors - Established 1906*

Suite 100 • 320 East Towson Town Boulevard • Towson, Maryland 21286  
Phone: (410) 823-4470 • Fax: (410) 823-4473 • [www.gcelimited.com](http://www.gcelimited.com)

**CERTIFICATE OF POSTING****RE: Case# 08-212-SPHXA****PETITIONER: University BP, LLC****DATE OF HEARING: June 30, 2011**

**BALTIMORE COUNTY DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT  
COUNTY OFFICE BUILDING, ROOM 111  
111 WEST CHESAPEAKE AVE.  
TOWSON, MARYLAND 21204**

**ATTENTION: KRISTEN MATTHEWS****LADIES AND GENTLEMEN:**

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY  
SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

(see page 2 for full size photo)

**LOCATION:  
520 Reisterstown Road**

**SIGNATURE OF SIGN POSTER****Bruce E. Doak**

**GERHOLD, CROSS & ETZEL, LTD  
SUITE 100**

**320 EAST TOWSON TOWN BLVD  
TOWSON, MARYLAND 21286  
410-823-4470 PHONE  
410-823-4473 FAX**

POSTED ON: June 24, 2011

# ZONING NOTICE

ASST 3:2003 0212:38:1XA

1. The City of Jackson, Mississippi, is holding a public hearing on the proposed rezoning of the property located at 103 W. Chesapeake Avenue, Jackson, Mississippi, from its current zoning of R-1 to R-2.

The property is located at 103 W. Chesapeake Avenue, Jackson, Mississippi, and is currently zoned R-1. The proposed rezoning to R-2 is being requested by the owner of the property, who is seeking to allow for the construction of a single-family residence on the property. The City of Jackson is holding a public hearing on this proposed rezoning on June 1, 2011, at 10:00 AM in the City Council Chamber, located at 100 North Main Street, Jackson, Mississippi. The public hearing will be held in accordance with the provisions of the Mississippi State Constitution and the City of Jackson Charter. Any person who wishes to speak at the public hearing should contact the City Planning Department at (601) 975-1234 to make arrangements.

Any person who wishes to speak at the public hearing should contact the City Planning Department at (601) 975-1234 to make arrangements.

For more information, please contact the City Planning Department at (601) 975-1234.



# CALLING NOTICE

CASE # 100-117-SP-10

THE BOARD OF ZONING ADJUSTMENTS HAS  
CONSIDERED THE APPLICATION FOR A  
VARIANCE FROM THE ZONING ORDINANCE  
AND HAS GRANTED THE SAME.

THE VARIANCE IS GRANTED FOR THE  
REASON THAT THE PROPOSED  
USE IS A PERMITTED USE IN THE  
ZONING DISTRICT AND THE  
VARIANCE IS NECESSARY FOR THE  
PROPER DEVELOPMENT OF THE  
PROPERTY.

THE BOARD OF ZONING ADJUSTMENTS  
HAS GRANTED THE VARIANCE FOR THE  
REASON THAT THE PROPOSED  
USE IS A PERMITTED USE IN THE  
ZONING DISTRICT AND THE  
VARIANCE IS NECESSARY FOR THE  
PROPER DEVELOPMENT OF THE  
PROPERTY.

THE BOARD OF ZONING ADJUSTMENTS  
HAS GRANTED THE VARIANCE FOR THE  
REASON THAT THE PROPOSED  
USE IS A PERMITTED USE IN THE  
ZONING DISTRICT AND THE  
VARIANCE IS NECESSARY FOR THE  
PROPER DEVELOPMENT OF THE  
PROPERTY.

Requested: April 24, 2008

## **APPEAL SIGN POSTING REQUEST**

**CASE NO.: 08-212-SPHXA**

**520 REISTERSTOWN ROAD**

**3<sup>RD</sup> ELECTION DISTRICT**

**APPEALED: 2/262008**

***ATTACHMENT*** – (Plan to accompany Petition – Petitioner's Exhibit No. 1)

**\*\*\*COMPLETE AND RETURN BELOW INFORMATION\*\*\***

### **CERTIFICATE OF POSTING**

**TO:** Baltimore County Board of Appeals  
The Jefferson Building  
105 W. Chesapeake Avenue, Suite 203  
Towson, MD 21204

Attention: Kathleen Bianco  
Administrator

**CASE NO.: 08-212-SPHXA**

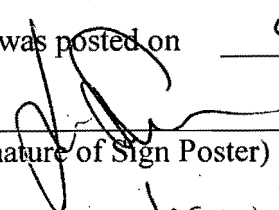
**LEGAL OWNER: UNIVERSITY BP, LLC**

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

**520 REISTERSTOWN ROAD**

**S/cor Milford Mill and Reisterstown Roads**

The sign was posted on 5-9-08, 2008.

By:   
(Signature of Sign Poster)

JASON SEIDEMAN  
(Print Name)

**ZONING APPEAL**

**PUBLIC HEARING**

CASE NUMBER:

**08-212-SPHXA**

FOR INFORMATION CALL

**410-887-3180**

DO NOT REMOVE  
UNDER PENALTY OF LAW

BALTIMORE COUNTY BOARD OF APPEALS

05/09/2008 11:58 am



# County 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

**Hearing Room #2, Jefferson Building  
105 W. Chesapeake Avenue, Second Floor  
(Next to Suite 203)**

June 11, 2008

## NOTICE OF POSTPONEMENT

**CASE #: 08-212-SPHXA**

**IN THE MATTER OF: UNIVERSITY BP, LLC –Legal Owner /Petitioner**  
520 Reisterstown Road 3<sup>rd</sup> Election District; 2<sup>nd</sup> Councilmanic District

2/01/2008 – Z.C.'s decision in which requested zoning relief was GRANTED  
with restrictions.

which was scheduled to be heard on 7/23/08 has been POSTPONED at the request of Counsel for Petitioner, without  
objection by the Office of People's Counsel; **TO BE RESCHEDULED FOR HEARING UPON REQUEST.**

---

**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.

**Kathleen C. Bianco**  
Administrator

---

|                                             |                                                |
|---------------------------------------------|------------------------------------------------|
| c: Appellant                                | : Office of People's Counsel                   |
| Counsel for Petitioner                      | : Francis X. Borgerding, Jr., Esquire          |
| Petitioner                                  | : Gul Sher, Managing Member /University BP LLC |
|                                             | Deborah L. SeBour /Real Estate Investments     |
| Bruce E. Doak /Gerhold, Cross & Etzel, Ltd. |                                                |
| William McConnell                           |                                                |
| Charles Dubman                              |                                                |
| William J. Wiseman III /Zoning Commissioner |                                                |
| Pat Keller, Planning Director               |                                                |
| Timothy M. Kotroco, Director /PDM           |                                                |



# County 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

**Hearing Room #2, Jefferson Building  
105 W. Chesapeake Avenue, Second Floor  
(Next to Suite 203)**

May 21, 2008

*PP'd - memo of  
Counsel for  
Petitioner  
to meet on  
request.*

## NOTICE OF ASSIGNMENT

CASE #: 08-212-SPHXA

IN THE MATTER OF: UNIVERSITY BP, LLC - Legal Owner /Petitioner  
520 Reisterstown Road 3<sup>rd</sup> Election District; 2<sup>nd</sup> Councilmanic District

2/01/2008 - Z.C.'s decision in which requested zoning relief was GRANTED  
with restrictions.

## ASSIGNED FOR:

**WEDNESDAY, JULY 23, 2008, 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 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.

Kathleen C. Bianco, Administrator

c: Appellant

: Office of People's Counsel

Counsel for Petitioner  
Petitioner

: Francis X. Borgerding, Jr., Esquire  
: Gul Sher, Managing Member /University BP LLC  
Deborah L. SeBour /Real Estate Investments

Bruce E. Doak /Gerhold, Cross & Etzel, Ltd.

William McConnell  
Charles Dubman

William J. Wiseman III /Zoning Commissioner  
Pat Keller, Planning Director  
Timothy M. Kotroco, Director /PDM

**FRANCIS X. BORGERDING, JR.**

*Attorney at Law*

MERCANTILE BUILDING - SUITE 600

409 WASHINGTON AVENUE

TOWSON, MARYLAND 21204

(410) 296-6820

FAX (410) 296-6884

June 9, 2008

County Board of Appeals of  
Baltimore County  
Jefferson Building  
Second Floor, Suite 203  
105 West Chesapeake Avenue  
Towson, Maryland 21204

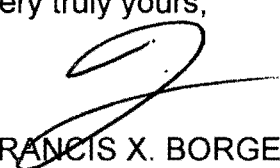
RE: In the Matter of: University BP, LLC  
Case No.: 08-212-SPHXA

Dear Sir/Madam:

I am writing this correspondence to request a postponement of the above-referenced matter now set for hearing on Wednesday, July 23, 2008, at 10:00 a.m. The reason for the requested postponement is that the plan for my client's improvements regarding the property at issue is presently about to proceed for hearing before the Pikesville Design Review Panel.

The outcome of the Design Review Panel's review of my client's plans will influence the issues relevant before the Board of Appeals. Additionally, findings of the Pikesville Design Review Panel may create a basis for the Petitioner to potentially resolve the matters at issue in the above-referenced case with the Office of People's Counsel.

Very truly yours,

  
FRANCIS X. BORGERDING, JR.

FXBJr:bjk

cc: Office of People's Counsel

**RECEIVED**

JUN 10 2008

BALTIMORE COUNTY  
BOARD OF APPEALS



# County 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

Hearing Room #2, Jefferson Building  
105 W. Chesapeake Avenue, Second Floor  
(Next to Suite 203)

July 22, 2009

## NOTICE OF RE-ASSIGNMENT

**CASE #: 08-212-SPHXA      IN THE MATTER OF: UNIVERSITY BP, LLC –Legal Owner /Petitioner**  
520 Reisterstown Road 3<sup>rd</sup> E; 2<sup>nd</sup> C.

2/01/2008 – Z.C.'s decision in which requested zoning relief was GRANTED with restrictions.

*which was scheduled to be heard on 7/23/08 was postponed at the request of Counsel for Petitioner, without objection by the Office of People's Counsel; and this matter has been re-assigned as follows:*

**RE-ASSIGNED FOR: WEDNESDAY, NOVEMBER 4, 2009, 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 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

c: Appellants

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

Counsel for Petitioner  
Petitioner

: Francis X. Borgerding, Jr., Esquire  
: Gul Sher, Managing Member /University BP LLC  
Deborah L. SeBour /Real Estate Investments

Bruce E. Doak /Gerhold, Cross & Etzel, Ltd.  
William McConnell  
Charles Dubman

William J. Wiseman III /Zoning Commissioner  
Pat Keller, Planning Director  
Timothy M. Kotroco, Director /PDM  
Nancy West, Assistant County Attorney  
John E. Beverungen, County Attorney

**FRANCIS X. BORGERDING, JR.**

*Attorney at Law*

MERCANTILE BUILDING - SUITE 600

409 WASHINGTON AVENUE

TOWSON, MARYLAND 21204

(410) 296-6820

FAX (410) 296-6884

October 9, 2009

Clerk

County Board of Appeals of Baltimore County

Second Floor, Suite 203

105 West Chesapeake Avenue

Towson, Maryland 21204

RE: In the Matter of University BP, LLC - Legal Owner/Petitioner  
Case No.: 08-212-0SPHXA

Dear Clerk:

I am herein respectfully requesting a postponement of the hearing now scheduled for November 4, 2009 in the above-captioned matter. The reason for the requested postponement is that my client still has issues to resolve with regard to the underlying project before the Baltimore County Design Review Panel. Procedurally, it would make sense to resolve those issues prior to conducting a hearing before the County Board of Appeals as they may affect the relief requested before the Board of Appeals. I have discussed this matter with Peter Max Zimmerman, Esquire of the People's Counsel who indicates he does not object to the postponement. Mr. Zimmerman requests, however, that the Board coordinate with all counsel to find an acceptable date to reschedule the hearing.

Thank you very much for your consideration in this matter.

Very truly yours,



FRANCIS X. BORGERDING, JR.

FXBJr:bjk

cc: Peter Max Zimmerman, Esquire

**RECEIVED**

OCT - 9 2009

BALTIMORE COUNTY  
BOARD OF APPEALS



# County 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

Hearing Room #2, Second Floor  
Jefferson Building, 105 W. Chesapeake Avenue

October 14, 2009

## NOTICE OF POSTPONEMENT

**CASE #: 08-212-SPHXA     IN THE MATTER OF: University BP, LLC –**  
**Legal Owner/Petitioner**  
520 Reisterstown Road   3<sup>rd</sup> E; 2<sup>nd</sup> C

*which was assigned to be heard on November 4, 2009 has been POSTPONED  
at the request of Counsel. This matter will be REASSIGNED to a later date.*

**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

c:     Appellants

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

Counsel for Petitioner  
Petitioner

: Francis X. Borgerding, Jr., Esquire  
: Gul Sher, Managing Member /University BP LLC  
Deborah L. SeBour /Real Estate Investments

Bruce E. Doak /Gerhold, Cross & Etzel, Ltd.  
William McConnell  
Charles Dubman

William J. Wiseman III /Zoning Commissioner  
Pat Keller, Planning Director  
Timothy M. Kotroco, Director /PDM  
Nancy West, Assistant County Attorney  
John E. Beverungen, County Attorney



County 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

Hearing Room #2, Jefferson Building  
105 W. Chesapeake Avenue, Second Floor  
(Next to Suite 203)

December 18, 2009

**NOTICE OF RE-ASSIGNMENT**

**CASE #: 08-212-SPHXA      IN THE MATTER OF: UNIVERSITY BP, LLC –Legal Owner /Petitioner**  
520 Reisterstown Road 3<sup>rd</sup> E; 2<sup>nd</sup> C.

2/01/2008 – Z.C.'s decision in which requested zoning relief was GRANTED with restrictions.

*which was scheduled to be heard on 7/23/08 and 11/4/09 was postponed at the request of Counsel for Petitioner, without objection by the Office of People's Counsel; and this matter has been re-assigned as follows:*

**RE-ASSIGNED FOR: WEDNESDAY, MARCH 31, 2010, 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 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

c: Appellants

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

Counsel for Petitioner  
Petitioner

: Francis X. Borgerding, Jr., Esquire  
: Gul Sher, Managing Member /University BP LLC  
Deborah L. SeBour /Real Estate Investments

Bruce E. Doak /Gerhold, Cross & Etzel, Ltd.  
William McConnell      Charles Dubman

William J. Wiseman III /Zoning Commissioner  
Pat Keller, Planning Director  
Timothy M. Kotroco, Director /PDM  
Nancy West, Assistant County Attorney  
John E. Beverungen, County Attorney

**FRANCIS X. BORGERDING, JR.**

*Attorney at Law*

MERCANTILE BUILDING - SUITE 600

409 WASHINGTON AVENUE

TOWSON, MARYLAND 21204

(410) 296-6820

FAX (410) 296-6884

January 20, 2010

Clerk  
County Board of Appeals  
of Baltimore County  
Jefferson Building  
Second Floor, Suite 203  
105 West Chesapeake Avenue  
Towson, Maryland 21204

RE: In the Matter of: University BP, LLC-Legal Owner/Petitioner  
Case No.: 08-212-SPHXA

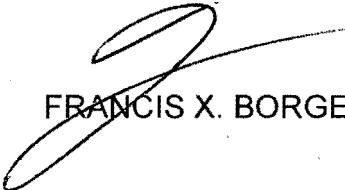
Dear Clerk:

I am herein respectfully requesting a postponement of the hearing currently scheduled for Wednesday, March 31, 2010, at 10:00 a.m. The reason for the requested postponement is that I will be out of the state on that day of the hearing while on a scheduled vacation. In addition, my client has not completed the Design Review Panel Review Process with Baltimore County required by the Baltimore County Code for their requested relief. The Petitioners agreed with the People's Counsel to complete this process prior to having this matter heard before the Board. As the review by the Design Review Panel may affect the details of the relief being requested by the Petitioner, it makes sense to complete the design review process before the County Board of Appeals for Baltimore County holds a hearing on the Petitioner's requested relief.

In light of the above, Petitioner requests that this matter be postponed.

Thank you very much for your anticipated consideration of this request.

Very truly yours,

  
FRANCIS X. BORGERDING, JR.

FXBJr:bjk

cc: Peter Max Zimmerman, Esquire

**RECEIVED**  
JAN 21 2010

**BALTIMORE COUNTY  
BOARD OF APPEALS**



County 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

January 22, 2010

Francis X. Borgerding, Jr., Esquire  
409 Washington Avenue  
Suite 600  
Towson Md 21204

RE: *In the Matter of: University BP*  
Case No. 08-212-SPHXA

Dear Mr. Borgerding, Jr.:

This will acknowledge receipt of your hand delivered correspondence dated January 20, 2010, in which a continuance has been requested of the March 31, 2010 hearing in the subject matter. The continuance is granted.

The Board sits on Tuesday, Wednesday and Thursday of each week. The docket is currently scheduled through the end of May 2010. This matter has been re-assigned to Wednesday, June 23, 2010.

Enclosed is the Notice of Postponement and Re-Assignment.

Should you have any questions, please call me at 410-887-3180.

Very truly yours,

A handwritten signature in black ink, appearing to read "Theresa R. Shelton".

Theresa R. Shelton  
Administrator

Enclosure

c(w/Encl.): Peter Max Zimmerman, People's Counsel



# County Board of Appeals of Baltimore County

PP

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

Jefferson Building - Second Floor  
Hearing Room #2 - Suite 206  
105 W. Chesapeake Avenue

January 22, 2010

## NOTICE OF POSTPONEMENT AND RE-ASSIGNMENT

CASE #: 08-212-SPHXA      IN THE MATTER OF: UNIVERSITY BP, LLC -Legal Owner /Petitioner  
520 Reisterstown Road 3<sup>rd</sup> E; 2<sup>nd</sup> C.

2/01/2008 - Z.C.'s decision in which requested zoning relief was GRANTED with restrictions.

*which was scheduled to be heard on 3/31/2010 was postponed at the request of Counsel for Petitioner, without objection by the Office of People's Counsel; and this matter has been re-assigned as follows:*

### RE-ASSIGNED FOR: WEDNESDAY, JUNE 23, 2010, 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 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

c: Appellants

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

Counsel for Petitioner  
Petitioner

: Francis X. Borgerding, Jr., Esquire  
: Gul Sher, Managing Member /University BP LLC  
Deborah L. SeBour /Real Estate Investments

Bruce E. Doak /Gerhold, Cross & Etzel, Ltd.  
William McConnell      Charles Dubman      Alan P. Zukerberg

William J. Wiseman III /Zoning Commissioner  
Pat Keller, Planning Director  
Timothy M. Kotroco, Director /PDM  
Nancy West, Assistant County Attorney  
John E. Beverungen, County Attorney

**From:** Theresa Shelton  
**To:** apzuk@verizon.net  
**CC:** Itter, Diana  
**Date:** 1/22/2010 4:33 PM  
**Subject:** University BP-520 Reisterstown Rd Postponement request  
**Attachments:** University BP - 3 pages.pdf

Good Evening:

In response to the request regarding the postponement of University BP, attached is a copy of the postponement request that was hand delivered on January 21, 2010. The Postponement was granted.

The letter granting the postponement and the Notice of Postponement and Re-Assignment are also attached.

If I can be of any further assistance, please do not hesitate to contact me.

Thank you.

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

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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 action based on the contents of this electronic mail transmission is strictly prohibited. If you have received this electronic mail transmission in error, please immediately notify the sender.

## **Theresa Shelton - Fwd:University BP-520 Reisterstown Rd Postponement request**

---

**From:** Diana Itter  
**To:** Theresa Shelton  
**Date:** 1/22/2010 10:31 AM  
**Subject:** Fwd:University BP-520 Reisterstown Rd Postponement request

---

Hi Theresa:

I contacted the community association president who has interest in this case. He has Q about the postponement. Can you please respond to him? Thanks again for your help.

Diana Itter

Assistant Chief of Community Planning  
Senior Planner  
2nd Councilmanic District  
Baltimore County Office of Planning  
105 West Chesapeake Avenue  
Suite 101  
Towson, MD 21204  
410-887-3480

>>> "Alan Zukerberg" <apzuk@verizon.net> 1/21/2010 5:37 PM >>>

Diana:

Thank you for your email regarding BP's attorney's request to postpone the March 31, 2010 hearing. Do you know the reason for the request? Please let me know if same is granted and until what date

Pikesville Communities Corporation

Alan P. Zukerberg, President

7919 Long Meadow Rd

Pikesville, MD 21208

410.484.5047

cc: Board

---

**FRANCIS X. BORGERDING, JR.**

*Attorney at Law*

MERCANTILE BUILDING - SUITE 600  
409 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 296-6820  
FAX (410) 296-6884

**RECEIVED**

MAY 20 2010

**BALTIMORE COUNTY  
BOARD OF APPEALS**

May 18, 2010

Clerk  
Board of Appeals of  
Baltimore County  
Jefferson Building  
Second Floor, Suite 203  
105 West Chesapeake Avenue  
Towson, Maryland 21204

RE: In the Matter of University BP, LLC, Legal Owner/Petitioner  
Case No.: 08-212-SPHXA

Dear Clerk:

I am writing this correspondence to respectfully request a postponement of the hearing currently scheduled in the above-referenced matter for June 23, 2010. The reason for the requested postponement is that my client is still in the process of undergoing review of the Baltimore County Design Review Panel Process required with their requested relief. Petitioner have agreed with the People's Counsel for Baltimore County to complete this process prior to having this matter heard before the Board. Under the circumstances, People's Counsel for Baltimore County does not object to this matter being postponed.

People's Counsel for Baltimore County requests counsel be consulted with regard to the rescheduled date to ensure the availability of all parties. Thank you very much for your consideration of this matter.

Very truly yours,



FRANCIS X. BORGERDING, JR.

FXBJr:bjk

cc: University BP, LLC



County 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

May 20, 2010

Francis X Borgerding, Jr., Esquire  
409 Washington Avenue  
Suite 600  
Towson Md 21204

RE: *In the Matter of: University BP*  
Case No. 08-212-SPHXA

Dear Mr. Borgerding, Jr.:

This will acknowledge receipt of your correspondence dated May 18, 2010, in which a continuance has been requested of the June 23, 2010 hearing in the subject matter. The continuance is granted.

As requested by the office of People's Counsel for Baltimore County, Counsel will be contacted with regards to scheduling a mutually agreeable date and time for the hearing.

Enclosed is the Notice of Postponement.

Should you have any questions, please call me at 410-887-3180.

Very truly yours,

A handwritten signature in black ink, appearing to read "Theresa R. Shelton".

Theresa R. Shelton  
Administrator

Enclosure

c(w/Encl.): Peter Max Zimmerman, People's Counsel  
University BP, LLC



## County 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

Jefferson Building - Second Floor  
Hearing Room #2 - Suite 206  
105 W. Chesapeake Avenue

May 20, 2010

### NOTICE OF POSTPONEMENT

**CASE #: 08-212-SPHXA    IN THE MATTER OF: University BP, LLC –**  
**Legal Owner/Petitioner**  
520 Reisterstown Road    3<sup>rd</sup> E; 2<sup>nd</sup> C

*which was assigned to be heard on June 23, 2010 has been POSTPONED at the request of Counsel. This matter will be REASSIGNED to a later date.*

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

c:        Appellants

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

Counsel for Petitioner  
Petitioner

: Francis X. Borgerding, Jr., Esquire  
: Gul Sher, Managing Member /University BP LLC  
Deborah L. SeBour /Real Estate Investments

Bruce E. Doak /Gerhold, Cross & Etzel, Ltd.  
William McConnell  
Charles Dubman

Alan P. Zukerberg, Individually  
Pikesville Communities Corporation

William J. Wiseman III /Zoning Commissioner  
Pat Keller, Planning Director  
Timothy M. Kotroco, Director /PDM  
Nancy West, Assistant County Attorney  
John E. Beverungen, County Attorney



# County 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

August 12, 2010

## NOTICE OF RE-ASSIGNMENT

**CASE #: 08-212-SPHXA**      **IN THE MATTER OF: UNIVERSITY BP, LLC –Legal Owner /Petitioner**  
520 Reisterstown Road 3<sup>rd</sup> E; 2<sup>nd</sup> C.

2/01/2008 – Z.C.'s decision in which requested zoning relief was GRANTED with restrictions.

*which was scheduled to be heard on 7/23/08; 11/4/09; 3/31/2010; AND 6/23/2010 and was postponed at the request of Counsel for Petitioner, without objection by the Office of People's Counsel; this matter has been re-assigned as follows:*

**RE-ASSIGNED FOR: WEDNESDAY, NOVEMBER 17, 2010, at 10:00 a.m.**

**THERE WILL BE NO FURTHER POSTPONEMENTS OF THIS MATTER.**

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

c: Appellants

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

Counsel for Petitioner  
Petitioner

: Francis X. Borgerding, Jr., Esquire  
: Gul Sher, Managing Member /University BP LLC  
Deborah L. SeBour /Real Estate Investments

Bruce E. Doak /Gerhold, Cross & Etzel, Ltd.  
William McConnell      Charles Dubman

William J. Wiseman III /Zoning Commissioner  
Pat Keller, Planning Director  
Timothy M. Kotroco, Director /PDM  
Nancy West, Assistant County Attorney  
John E. Beverungen, County Attorney

**FRANCIS X. BORGERDING, JR.**

*Attorney at Law*

MERCANTILE BUILDING - SUITE 600  
409 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 296-6820  
FAX (410) 296-6884

**RECEIVED**

NOV - 1 2010

**BALTIMORE COUNTY  
BOARD OF APPEALS**

October 28, 2010

Clerk  
Board of Appeals of  
Baltimore County  
Jefferson Building  
Second Floor, Suite 203  
105 West Chesapeake Avenue  
Towson, Maryland 21204

RE: In the Matter of University BP, LLC, Legal Owner/Petitioner,  
520 Reisterstown Road  
Hearing Date: Wednesday, November 17, 2010 @ 10:00 a.m.  
Case No: 08-212-SPHXA

Dear Clerk:

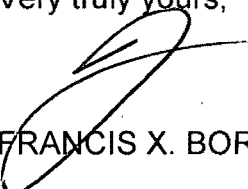
I am writing as counsel for Petitioner, University BP, LLC to request a postponement of the above-referenced case now scheduled for a hearing on Wednesday, November 17, 2010, at 10:00 a.m. The reason for the postponement is that the Office of the People's Counsel for Baltimore County requested that Petitioner's requested relief proceed through the Design Review Panel prior to final approval before the County Board of Appeals of Baltimore County. Although this matter has taken a long length of time to do so, the Petitioner's surveyor, Bruce Doak, of the firm of Gerhold, Cross & Etzel, has been before the Design Review Panel twice and has had to submit revised drawings to the Design Review Panel which will require a third, and hopefully, final hearing before the Design Review Panel to finalize the plans that can be approved by the Design Review Panel.

The Petitioner's relief comes before the Board of Appeals prior to final approval by the Design Review Panel and the final plan approved by the County Board of Appeals for Baltimore County would have to be amended by a subsequent hearing if the Design Review Panel requires changes to what the Petitioner requests before the County Board of Appeals for Baltimore County. Therefore, the Petitioner apologizes for the length of time this matter has taken for hearing, however, under the above circumstances, proceeding with the Board's scheduled hearing on November 17, 2010 will in all likelihood only ensure that any relief approved by the Board would subsequently have to be entertained and amended in a subsequent hearing before the Board.

October 28 , 2010  
Page 2

In light of the above, Petitioner respectfully requests a postponement of the hearing date scheduled for November 17, 2010 at 10:00 a.m. in the above-referenced matter.

Very truly yours,



FRANCIS X. BORGERDING, JR.

FXBJr:bjk

cc: Peter Max Zimmerman, Esquire



County 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

November 1, 2010

Francis X Borgerding, Jr., Esquire  
409 Washington Avenue  
Suite 600  
Towson Md 21204

RE: *In the Matter of: University BP*  
Case No. 08-212-SPHXA

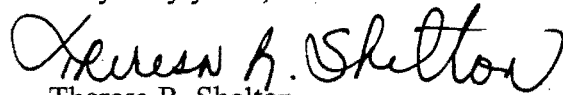
Dear Mr. Borgerding, Jr.:

This will acknowledge receipt of your correspondence dated October 28, 2010, in which a detailed request for continuance has been asked for of the November 17, 2010 hearing in the subject matter. Due to the circumstances presented in your correspondence and by review of the Board, the continuance is granted.

Enclosed is the Notice of Postponement and Re-Assignment.

Should you have any questions, please call me at 410-887-3180.

Very truly yours,

  
Theresa R. Shelton  
Administrator

Enclosure

c(w/Encl.): Peter Max Zimmerman, People's Counsel  
University BP, LLC



# County 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

November 1, 2010

## **NOTICE OF POSTPONEMENT AND RE-ASSIGNMENT**

**CASE #: 08-212-SPHXA      IN THE MATTER OF: UNIVERSITY BP, LLC –Legal Owner /Petitioner**  
520 Reisterstown Road 3<sup>rd</sup> E; 2<sup>nd</sup> C.

2/01/2008 – Z.C.'s decision in which requested zoning relief was GRANTED with restrictions.

*which was scheduled to be heard on 7/23/08; 11/4/09; 3/31/2010; 6/23/2010; and 11/17/10 and was postponed at the request of Counsel for Petitioner, without objection by the Office of People's Counsel.*

*Due to a required third hearing before the Design Review Panel and upon review of the Board of the conditions in this matter, the hearing has been re-assigned TO ALLOW FOR A FINAL HEARING BEFORE THE Design Review Panel. The matter has been re-assigned as follows:*

**RE-ASSIGNED FOR: WEDNESDAY, JANUARY 19, 2011, at 10:00 a.m.**

**THERE WILL BE NO FURTHER POSTPONEMENTS AND/OR RE-ASSIGNMENTS**  
**OF THIS MATTER FROM THE JANUARY 19, 2011 DATE.**

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

c: Appellants

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

Counsel for Petitioner  
Petitioner

: Francis X. Borgerding, Jr., Esquire  
: Gul Sher, Managing Member /University BP LLC  
Deborah L. SeBour /Real Estate Investments

Bruce E. Doak /Gerhold, Cross & Etzel, Ltd.  
William McConnell      Charles Dubman

ALAN P. ZUKERBERG

William J. Wiseman III /Zoning Commissioner  
Timothy M. Kotroco, Director /PDM  
John E. Beverungen, County Attorney

Pat Keller, Planning Director  
Nancy West, Assistant County Attorney

TO: PATUXENT PUBLISHING COMPANY

~~Monday, June 13, 2011~~ Issue - Jeffersonian

Tuesday, June 14, 2011

Please forward billing to:

Mr. Sher

410-236-3888

524 Reisterstown Road

Pikesville, MD 21208-5304

---

## NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 08-212-SPHXA**

520 Reisterstown Road

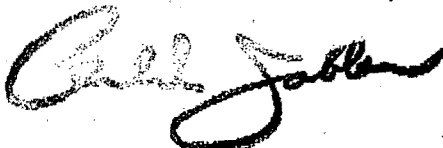
S/corner of Milford Mill and Reisterstown Road

3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: University BP, LLC

Special Hearing to allow a parking area in RO zone. Special Exception to permit car and drive-in restaurant.

Hearing: Friday, June 30, 2011 at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204



ARNOLD JABLON  
DIRECTOR

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ  
County Executive

ARNOLD JABLON  
Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections  
June 2, 2011

## NEW NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 08-212-SPHXA**

520 Reisterstown Road  
S/corner of Milford Mill and Reisterstown Road  
3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District  
Legal Owners: University BP, LLC

Special Hearing to allow a parking area in RO zone. Special Exception to permit car and drive-in restaurant.

Hearing: Friday, June 30, 2011 at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon  
Director

AJ:kl

C: Francis Borgerding, Jr., 409 Washington Avenue, Ste. 600, Towson 21204  
University BP, LLC, Mr. Sher, 524 Reisterstown Road, Pikesville 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 15, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

LS - 8/8

10AM - 205

**Debra Wiley - Fwd: Case No. 08-212-SPHXA - University BP, LLC (REMAND FROM BOA)**

---

**From:** Debra Wiley  
**To:** Zimmerman, Peter; apzuk@msn.com; bdoak@gcelimited.com; borgerdinglaw@...  
**Date:** 7/1/2011 1:39 PM  
**Subject:** Fwd: Case No. 08-212-SPHXA - University BP, LLC (REMAND FROM BOA)  
**CC:** Lewis, Kristen; Stahl, Lawrence; Zook, Patricia

---

Good Afternoon,

In an overabundance of caution, we are confirming with you that the hearing in the above referenced matter is scheduled for Monday, August 8, 2011 at 10 AM in Room 205 of the Jefferson Building.

The property is to be re-posted with the appropriate language as well as reflect *Monday, August 8, 2011*. By copy of this email, we are advising Kristen Lewis with the Zoning Review Office to have this re-advertised in the newspaper and have attached a "revised" notice with the new information.

Please feel free to contact me if you have any questions or concerns. Thanks.

Debbie Wiley  
 Legal Administrative Secretary  
 Office of Administrative Hearings  
 105 West Chesapeake Avenue, Suite 103  
 Towson, Md. 21204  
 410-887-3868  
 410-887-3468 (fax)  
 dwiley@baltimorecountymd.gov

Revised 7/1/11

TO: PATUXENT PUBLISHING COMPANY

~~Wednesday, June 16, 2011~~ Issue - Jeffersonian

~~Tuesday, June 14, 2011~~

Please forward billing to:

Mr. Sher

410-236-3888

524 Reisterstown Road

Pikesville, MD 21208-5304

---

## NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 08-212-SPHXA

520 Reisterstown Road

S/corner of Milford Mill and Reisterstown Road

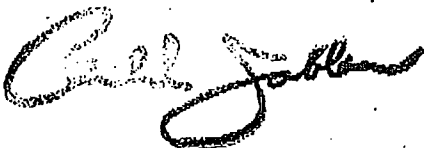
3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: University BP, LLC

Special Hearing to allow a parking area in RO zone. Special Exception to permit car and drive-in restaurant.

*Monday, August 8*

Hearing: ~~Friday, June 30, 2011~~ at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204



ARNOLD JABLON  
DIRECTOR

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**Subject:** Fwd: Case No. 08-212-SPHXA - University BP, LLC (REMAND FROM BOA)  
**Created By:** dwiley@baltimorecountymd.gov  
**Scheduled Date:**  
**Creation Date:** 7/1/2011 1:39 PM  
**From:** Debra Wiley

| Recipient                                              | Action      | Date & Time      | Comment |
|--------------------------------------------------------|-------------|------------------|---------|
| To: apzuk@msn.com (apzuk@msn.com)                      | Transferred | 7/1/2011 1:39 PM |         |
| To: bdoak@gcelimited.com (BDoak@gcelimited.com)        | Transferred | 7/1/2011 1:39 PM |         |
| To: borgerdinglaw@aol.com (borgerdinglaw@aol.com)      | Transferred | 7/1/2011 1:39 PM |         |
| CC: Kristen Lewis (klewis@baltimorecountymd.gov)       | Read        | 7/1/2011 2:03 PM |         |
| CC: Lawrence Stahl (lstahl@baltimorecountymd.gov)      | Read        | 7/1/2011 2:08 PM |         |
| CC: Patricia Zook (pzook@baltimorecountymd.gov)        | Read        | 7/5/2011 8:58 AM |         |
| To: Peter Zimmerman (pzimmerman@baltimorecountymd.gov) | Read        | 7/5/2011 9:38 AM |         |

**BALTIMORE COUNTY, MARYLAND**

Inter-Office Correspondence

**TO:** File

**DATE:** May 3, 2011

**FROM:** Debbie Wiley

**SUBJECT:** Case No. 08-212-SPH  
University BP, LLC - BOA REMAND

After speaking to Larry Stahl, Frank Borgerding was contacted to establish whether a new site plan will be filed and when to expect it. Mr. Borgerding indicated that when they left Board of Appeals, DRP proceedings was still needed. In his conversation with Bruce Doak about 3 weeks ago, it cleared DRP; however, he had not received written approval. He also indicated that Pete Zimmerman and neighbors are okay and that this should be a non-contested case. Frank to check with Doak, who's currently on vacation, to follow up. When written approval and site plan are complete, we will receive and then set in for a hearing.

On 5/3/11, Mr. Borgerding indicated that after speaking to Mr. Doak, Bruce is to revise the plat, and Frank is planning to meet with Pete Zimmerman on 5/9/11 to make sure they're on the same page. If so, Frank will contact our office to set in for a hearing.

On 5/3/11, Debbie contacted Zoning Review (via email) to retrieve case file for hearing, etc.

*Possibly middle of June***Debra Wiley - University BP LLC meeting tomorrow, Tuesday, May 17**

**From:** Patricia Zook  
**To:** Wiley, Debra; Willey, Debbie @ home  
**Date:** 5/16/2011 12:25 PM  
**Subject:** University BP LLC meeting tomorrow, Tuesday, May 17

Hello -

Frank Borgerding and Pete Zimmerman will be here tomorrow morning at 11:00 to meet with Larry regarding this case.

Patti Zook  
Baltimore County  
Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson MD 21204  
410-887-3868  
[pzook@baltimorecountymd.gov](mailto:pzook@baltimorecountymd.gov)

CONFIDENTIALITY NOTICE: The information contained in this ELECTRONIC MAIL transmission is legally privileged and confidential. It may also be subject to the attorney-client privilege or be privileged work product or proprietary information. This information is intended for the exclusive use of the addressee(s). If you are not the intended recipient, you are hereby notified that any use, disclosure, dissemination, distribution (other than to the addressee(s)), copying or taking of any action because of this information is strictly prohibited.

*As result of  
5-17 neg. per  
law.*

*If not  
Contested*

*Larry will  
handle.*

*If contested,  
LS to speak  
w/ John + Tim.*

*Per Tim, he'll  
handle.*

Received from  
Sunny at 10:35

She realized this  
case had not been  
delivered to us  
in February.

RECEIVED

APR 18 2011

OFFICE OF ADMINISTRATIVE HEARINGS

Board of Appeals of Baltimore County

JEFFERSON BUILDING  
FLOOR, SUITE 203  
CHESAPEAKE AVENUE  
TOWSON, MARYLAND, 21204  
887-3180  
10-887-3182

February 18, 2011

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

BP, LLC-Legal Owner/Petitioner  
A

and Order issued this date by the Board of Appeals

decision must be made in accordance with Rule 7-  
through Rule 7-270 of the Maryland Rules, 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,

Theresa Shelton/kc

Theresa R. Shelton  
Administrator

TRS/klc  
Enclosure  
Duplicate Original Cover Letter

c: Gul Sher, Managing Member /University BP LLC  
Bruce E. Doak /Gerhold, Cross & Etzel, Ltd.  
Charles Dubman  
Alan P. Zuckerberg  
Arnold Jablon, Director/PAI  
Nancy West, Assistant County Attorney

Deborah L. SeBour /Real Estate Investments  
William McConnell  
Alan P. Zuckerberg, President/Pikesville Communities Corporation  
Lawrence M. Stahl, Managing Administrative Judge  
Director/Office of Planning  
Michael Field, County Attorney, Office of Law

per Larry

Send out email -

In an overabundance of caution, we are confirming w/you that the hearing in this matter is set for 8/8 ...

August 2011

| Sunday | Monday                                     | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|--------------------------------------------|---------|-----------|----------|--------|----------|
|        | 1                                          | 2       | 3         | 4        | 5      | 6        |
|        |                                            |         |           |          |        |          |
|        |                                            |         |           |          |        |          |
|        |                                            |         |           |          |        |          |
|        |                                            |         |           |          |        |          |
| 7      | 8<br>(10-12) 08-0212-<br>SPHXA Remand (LS) | 9       | 10        | 11       | 12     | 13       |
|        |                                            |         |           |          |        |          |
| 14     | 15                                         | 16      | 17        | 18       | 19     | 20       |
|        |                                            |         |           |          |        |          |
| 21     | 22                                         | 23      | 24        | 25       | 26     | 27       |
|        |                                            |         |           |          |        |          |
| 28     | 29                                         | 30      | 31        |          |        |          |
|        |                                            |         |           |          |        |          |
|        |                                            |         |           |          |        |          |
|        |                                            |         |           |          |        |          |
|        |                                            |         |           |          |        |          |

Spoke to Kristen 6/30 -- afterwards she put on group wise calendar

per Larry  
to be  
reposted

Spoke to Kristen 6/30 to put on calendar

Borgerding / Pete / Zuckenberg advised of date / time, etc.

**Krysundra Cannington - Case no. 8-212 SPXA University BP (520 Reisterstown Rd)**

---

**From:** "Alan Zukerberg" <apzuk@verizon.net>  
**To:** "Krysundra Cannington" <kcannington@baltimorecountymd.gov>  
**Date:** 1/22/2010 3:48 PM  
**Subject:** Case no. 8-212 SPXA University BP (520 Reisterstown Rd)  
**CC:** "Peter Zimmerman" <peoplescounsel@baltimorecountymd.gov>

---

Dear M's Cannington:

I/We have an interest in the above noted case and request we be noted as interested parties and be placed on the mailing list. Please mail copies to me and to PCC at the address below.

Alan P. Zukerberg, Individually, and

Pikesville Communities Corporation  
Alan P. Zukerberg, President  
7919 Long Meadow Rd  
Pikesville, MD 21208  
410.484.5047

cc: Board

**Debra Wiley - Fwd: 08-212-SPHXA - University BP, LLC**

---

**From:** Debra Wiley  
**To:** Campbell, Rose; Lewis, Kristen  
**Date:** 5/11/2011 10:57 AM  
**Subject:** Fwd: 08-212-SPHXA - University BP, LLC  
**CC:** Zook, Patricia  
**Attachments:** 08-212-SPHXA - University BP, LLC

---

Good Morning,

Please see attached. Thanks.

Debbie Wiley  
Legal Administrative Secretary  
Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Md. 21204  
410-887-3868  
410-887-3468 (fax)  
dwiley@baltimorecountymd.gov

**Debra Wiley - 08-212-SPHXA - University BP, LLC**

---

**From:** Debra Wiley  
**To:** Campbell, Rose; Lewis, Kristen  
**Date:** 5/3/2011 3:23 PM  
**Subject:** 08-212-SPHXA - University BP, LLC  
**CC:** Zook, Patricia

---

Hi,

The above-referenced case has been Remanded from the BOA back to this office. Since this will require setting in for a hearing, etc., Larry would like to receive the file perhaps on your next visit or earliest convenience.

Thanks.

Debbie Wiley  
Legal Administrative Secretary  
Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Md. 21204  
410-887-3868  
410-887-3468 (fax)  
dwiley@baltimorecountymd.gov

**Debra Wiley - Re: Fwd: Case No. 08-212-SPHXA - University BP, LLC (REMAND FROM BOA)**

---

**From:** Debra Wiley  
**To:** Zimmerman, Peter; apzuk@msn.com; bdoak@gcelimited.com; borgerdinglaw@...  
**Date:** 8/5/2011 12:34 PM  
**Subject:** Re: Fwd: Case No. 08-212-SPHXA - University BP, LLC (REMAND FROM BOA)  
**CC:** Lewis, Kristen; Stahl, Lawrence; Zook, Patricia

---

Good Afternoon,

In reviewing the file for Monday's hearing, I am trying to double check to make sure that the re-posting and re-advertisement was accomplished since there's no evidence in the file.

Please advise. Thanks.

Debbie Wiley  
Legal Administrative Secretary  
Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Md. 21204  
410-887-3868  
410-887-3468 (fax)  
dwiley@baltimorecountymd.gov

>>> Debra Wiley 7/1/2011 1:39 PM >>>  
Good Afternoon,

In an overabundance of caution, we are confirming with you that the hearing in the above referenced matter is scheduled for Monday, August 8, 2011 at 10 AM in Room 205 of the Jefferson Building.

The property is to be re-posted with the appropriate language as well as reflect *Monday, August 8, 2011*. By copy of this email, we are advising Kristen Lewis with the Zoning Review Office to have this re-advertised in the newspaper and have attached a "revised" notice with the new information.

Please feel free to contact me if you have any questions or concerns. Thanks.

Debbie Wiley  
Legal Administrative Secretary  
Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Md. 21204  
410-887-3868  
410-887-3468 (fax)  
dwiley@baltimorecountymd.gov

**Subject:** Re: Fwd: Case No. 08-212-SPHXA - University BP, LLC (REMAND FROM BOA)  
**Created By:** dwiley@baltimorecountymd.gov  
**Scheduled Date:**  
**Creation Date:** 8/5/2011 12:34 PM  
**From:** Debra Wiley

| Recipient                                              | Action      | Date & Time       | Comment |
|--------------------------------------------------------|-------------|-------------------|---------|
| To: apzuk@msn.com (apzuk@msn.com)                      | Transferred | 8/5/2011 12:34 PM |         |
| To: bdoak@gcelimited.com (BDoak@gcelimited.com)        | Transferred | 8/5/2011 12:34 PM |         |
| To: borgerdinglaw@aol.com (borgerdinglaw@aol.com)      | Transferred | 8/5/2011 12:34 PM |         |
| CC: Kristen Lewis (klewis@baltimorecountymd.gov)       | Read        | 8/5/2011 12:39 PM |         |
| CC: Lawrence Stahl (lstahl@baltimorecountymd.gov)      | Delivered   | 8/5/2011 12:34 PM |         |
| CC: Patricia Zook (pzook@baltimorecountymd.gov)        | Delivered   | 8/5/2011 12:34 PM |         |
| To: Peter Zimmerman (pzimmerman@baltimorecountymd.gov) | Delivered   | 8/5/2011 12:34 PM |         |

**Debra Wiley - RE: Fwd: Case No. 08-212-SPHXA - University BP, LLC (REMAND FROM BOA)**

---

**From:** Debra Wiley  
**To:** borgerdinglaw@aol.com  
**Date:** 8/5/2011 2:06 PM  
**Subject:** RE: Fwd: Case No. 08-212-SPHXA - University BP, LLC (REMAND FROM BOA)  
**Attachments:** RE: Fwd: Case No. 08-212-SPHXA - University BP, LLC (REMAND FROM BOA)

---

Hi Frank,

Please see Bruce Doak's comment (attached) about advertising and advise. Thanks.

Debbie Wiley  
Legal Administrative Secretary  
Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Md. 21204  
410-887-3868  
410-887-3468 (fax)  
dwiley@baltimorecountymd.gov

**Debra Wiley - RE: Fwd: Case No. 08-212-SPHXA - University BP, LLC (REMAND FROM BOA)**

---

**From:** "Bruce Doak" <BDoak@gcelimited.com>  
**To:** "Debra Wiley" <dwiley@baltimorecountymd.gov>  
**Date:** 8/5/2011 1:59 PM  
**Subject:** RE: Fwd: Case No. 08-212-SPHXA - University BP, LLC (REMAND FROM BOA)  
**Attachments:** Bruce E Doak.vcf; SKMBT\_C36011080401500.pdf

---

Hello Debbie,

I have enclosed a copy of the posting certificate that I gave Kristen in early July. Frank Borgerding (410-296-6820 ext 11) would know about the advertising.

Bruce

**Bruce E. Doak**  
Gerhold, Cross & Etzel, Ltd.  
Principal  
  
(410) 823-4470 Work  
(443) 803-4474 Mobile  
BDoak@gcelimited.com  
320 E. Towsontown Blvd.  
Suite 100  
Towson, MD 21286

---

**From:** Debra Wiley [mailto:dwiley@baltimorecountymd.gov]  
**Sent:** Friday, August 05, 2011 12:34 PM  
**To:** borgerdinglaw@aol.com; Peter Zimmerman; Bruce Doak; apzuk@msn.com  
**Cc:** Kristen Lewis; Lawrence Stahl; Patricia Zook  
**Subject:** Re: Fwd: Case No. 08-212-SPHXA - University BP, LLC (REMAND FROM BOA)

Good Afternoon,

In reviewing the file for Monday's hearing, I am trying to double check to make sure that the re-posting and re-advertisement was accomplished since there's no evidence in the file.

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Debbie Wiley  
Legal Administrative Secretary

Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Md. 21204  
410-887-3868  
410-887-3468 (fax)  
dwiley@baltimorecountymd.gov

>>> Debra Wiley 7/1/2011 1:39 PM >>>  
Good Afternoon,

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Please feel free to contact me if you have any questions or concerns. Thanks.

Debbie Wiley  
Legal Administrative Secretary  
Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Md. 21204  
410-887-3868  
410-887-3468 (fax)  
dwiley@baltimorecountymd.gov

**Debra Wiley - RE: Fwd: Case No. 08-212-SPHXA - University BP, LLC (REMAND FROM BOA)**

---

**From:** Debra Wiley  
**To:** Lewis, Kristen  
**Date:** 8/5/2011 2:05 PM  
**Subject:** RE: Fwd: Case No. 08-212-SPHXA - University BP, LLC (REMAND FROM BOA)  
**Attachments:** RE: Fwd: Case No. 08-212-SPHXA - University BP, LLC (REMAND FROM BOA)

---

Hi Kristen,

FYI. Perhaps this is located somewhere in your office. Thanks.

Debbie Wiley  
Legal Administrative Secretary  
Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Md. 21204  
410-887-3868  
410-887-3468 (fax)  
dwiley@baltimorecountymd.gov

Frank B. 410-296-6820  
& Pete Z. x2188

University BP

Come in, sit down &  
speak to LS -  
about 15 minutes

~~on Tues. May 17 (AM)~~

after 10 AM

~~10:30~~  
~~11:00~~

For your meeting  
with Pete &  
Frank Borgerding  
tomorrow,  
Tues. May 17 at  
11 AM.

CASE NAME UNIVERSITY BP.  
CASE NUMBER 08-212-SP4XA  
DATE 6/30/11 Remond-L. Stahl

[illegible]

University 15, Jan  
CASE NAME 6-30-11  
CASE NUMBER 08-212-SHXIA  
DATE 6/  
*Remond*  
*L. Stahl*  
**1-IN SHEET**

PUBLIC

DATE \_\_\_\_\_

~~COUNTY REPRESENTATIVE'S SIGN-IN SHEET~~

[illegible]

CASE NAME UNIVERSITY BP  
CASE NUMBER 08-212-5PHXA  
DATE 8/08/11

[illegible]

CASE NAME UNIVERSITY GP, LLC  
CASE NUMBER 08-212-SPHXA  
DATE 8/5/11

CASE NAME UNIVERSITY GP, LLC  
CASE NUMBER 08-212-SPHXA  
DATE 8/5/11

[illegible]

PLEASE PRINT CLEARLY

CASE NAME UNIVERSITY BP LLC.

CASE NUMBER 08-212-SPHXA

DATE 8/8/11

## COUNTY REPRESENTATIVE'S SIGN-IN SHEET

[illegible]

DEED MERIDIAN  
(S.M. No. 23328 folio 31)

# ZONING ORDER CASE #08-212-SPHXA

THEREFORE, IT IS ORDERED, this 14<sup>th</sup> day of February 2008, by the Zoning Commissioner for Baltimore County that the Petitioner for Special Exception, to permit the use of the described property for a car wash and drive-in restaurant pursuant to Baltimore County Zoning Regulations (B.C.Z.R.) Section 230.13, as shown on Petitioner's Exhibit 1, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Special Hearing, pursuant to Section 409.8.B.1 of Baltimore County Zoning Regulations (B.C.Z.R.), to permit commercial parking in a R-O zone, be and is hereby GRANTED, subject to the following restrictions which are conditions precedent to the relief granted herein:

- The proposed car wash and drive-in restaurant improvements fall within the jurisdiction of the Pikesville Design Review Panel Area. The Petitioner must submit its "Development Plan" to the Design Review Panel for approval in accordance with B.C.C. Section 32-4-203.
- The Petitioner shall also submit to the Office of Planning, as part of the project's review criteria: (a) an upgraded landscape plan in those areas designated "landscaping area" on the site plan, (b) to include the replacement of the existing 6-foot high wood privacy fence, and (c) an upgraded landscape and lighting plan for this site.
- The Petitioner shall show designated employee parking spaces on the Development Plan, i.e., spaces 7, 8, 9 and 10 as depicted on Petitioner's Exhibit 1.
- There shall be no external loud speakers on the property.
- Car wash activities (exclusive of repairs and servicing of equipment) may not start prior to 7 AM and must conclude by 7 PM.
- When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this Order shall be taken in accordance with Section 32-3-401 of the Baltimore County Code (B.C.C.).

WILLIAM T. ZIMMERMAN, III  
Zoning Commissioner for  
Baltimore County

# REMAND ORDER CASE #08-212-SPHXA

RE: PETITION FOR SPECIAL HEARING  
SPECIAL EXCEPTION & VARIANCE  
520 Reisterstown Road; S corner of  
Milford Mill & Reisterstown Roads  
3<sup>rd</sup> Election & 2<sup>nd</sup> Councilmanic Districts  
Legal Owner(s): University BP, LLC  
Petitioner(s)

BEFORE THE COUNTY  
BOARD OF APPEALS  
FOR  
BALTIMORE COUNTY  
08-212-SPHXA

## REMAND ORDER

This case comes to the County Board of Appeals upon the appeal by People's Counsel for Baltimore County of the Zoning Commissioner's February 1, 2008 approval of Petitioner University BP, LLC's Petition for Special Hearing, Special Exception and Variance, to allow the addition of a carwash and drive-in restaurant to the service station at 520 Reisterstown Road. Because the property is in the Pikesville area, it is subject to review by the Pikesville Design Review Panel (DRP) under Baltimore County Code Sections 32-4-203 and 32-4-204 (2003).

At the January 19, 2011 hearing, Petitioner was represented by Francis X. Borgerding, Jr. People's Counsel Peter Max Zimmerman represented his office. Area citizen Alan Zuckerberg appeared as an interested citizen and in his capacity as President of the Pikesville Community Corporation.

The County Board of Appeals previously allowed postponement of the case several times to await the conclusion of DRP proceedings, setting January 19, 2011 as the final hearing date, with no further postponements. As the Board was advised at the January 19 hearing, the DRP proceedings have not yet come to fruition. Counsel for Petitioner advises that Petitioner still anticipates presenting an amended plan to the DRP for review.

At this time, the Board has determined to remand the case to the Zoning Commissioner for review of the Petition, or any amended petition and plan, and in light of such further proceedings, including but not limited to DRP and Zoning Advisory Committee review and such further public hearing as may be necessary and appropriate.

This is without prejudice to the rights of any of the parties. The parties of record at the Zoning Commissioner level include William McConnell and Charles Dubman, neighbors on Linden Terrace.

Accordingly, for the foregoing reasons, it is, this 18<sup>th</sup> day of February, 2011, Ordered, by the County Board of Appeals for Baltimore County, that this case be, and hereby is, remanded to the Zoning Commissioner of Baltimore County for such further proceedings and public hearing as may be necessary and appropriate.

Any petition for judicial review of this order must be filed within 30 days.

MAUREEN E. MURPHY, CHAIRMAN

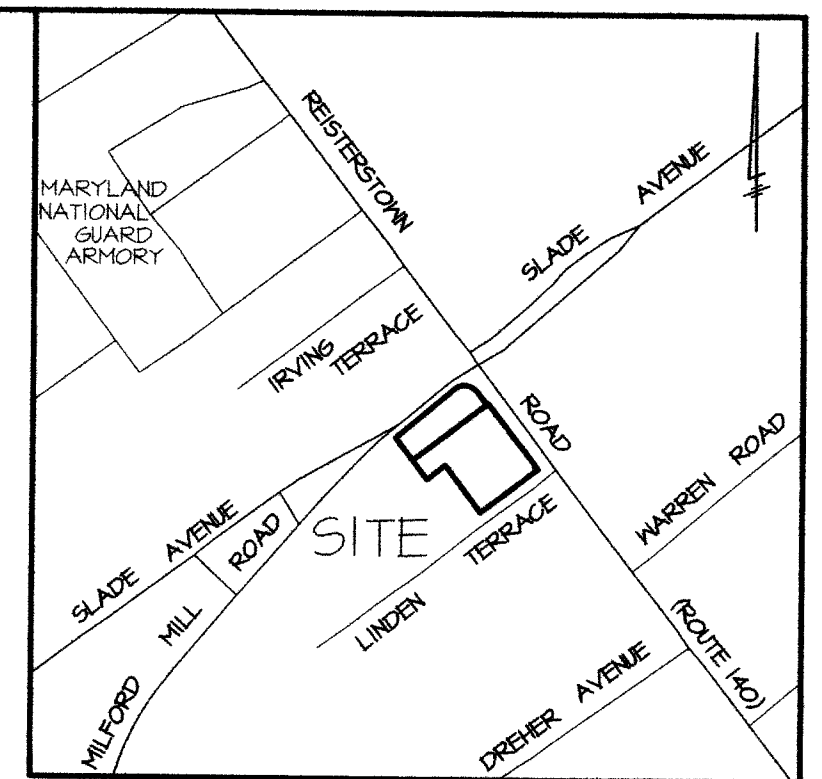
WENDELL H. GRIER, PANEL MEMBER

ANDREW M. BELT, PANEL MEMBER

Approved as to form:

Francis X. Borgerding, Jr., Attorney for Petitioner

Peter Max Zimmerman  
Peter Max Zimmerman, People's Counsel for Baltimore County



VICINITY MAP  
1" = 1000'

## DESIGN REVIEW PANEL APPROVAL



KEVIN KAMENETZ  
County Executive

JEFF MAYHEW, Acting Director  
Office of Planning

## INTER-OFFICE CORRESPONDENCE

### DESIGN REVIEW COMMENTS

TO: Arnold Jablon, Director  
Department of Permits, Approvals  
and Inspections

DATE: April 8, 2011

FROM: Lynn Lanham  
Design Review Panel

SUBJECT: Design Review Panel - Approval

PROJECT NAME: University BP, 520 Reisterstown Road

PROJECT: DRP # 505

PROJECT TYPE: Commercial, Pikesville

### PROJECT DESCRIPTION:

The project known as University BP, is located between Milford Mill Road, Reisterstown Road, and Linden Terrace. At this time there is a gas station and convenience store located on the site along with two houses that are used as office buildings. The owner, University BP LLC Properties, intends to build a roll-over carwash and a carryout restaurant building attached to the existing gas station and convenience store portion of the site. The site parking will be expanded to meet current parking criteria as well as landscaping on the site to conform with the Pikesville Commercial Revitalization Guidelines.

The project was reviewed for the third time before the Design Review Panel at the March 9, 2011 meeting. At that time a motion was made to approve the project with the following conditions:

- Revise plans to address location of monument sign - address visibility issues, label materials
- Revise landscape plan - address sign location & visibility (height of sign is okay)
- Round and plant corners of stacking lane; place tree at SW corner of property to provide screening
- Revise elevations - Rear of building to be brick (label all materials)
- Provide additional signage - directional sign for car wash, pavement markings
- Revisit area between building and parking space 29 and stripe next to spaces 32 & 28 to prevent conflicts
- Align curbs at car wash exit and move parking spaces 11 & 12 south
- Paint and clean-up canopy

### DISPOSITION:

As of April 8, 2011 all revised plans have been submitted to the Office of Planning for review and final approval has been granted.

Lynn Lanham

## VARIANCE REQUESTED

150.1.B.1.5 (B.C.Z.R.) TO ALLOW A PARKING LOT WITH A 0 FOOT BUFFER AND SETBACK IN LIEU OF THE REQUIRED 50 FOOT RTA BUFFER AND 75 FOOT RTA SETBACK

## SPECIAL HEARING REQUESTED

TO ALLOW A COMMERCIAL PARKING AREA IN RO ZONE

## SPECIAL EXCEPTION REQUESTED

BALTIMORE COUNTY ZONING REGULATIONS:

230.13 for:  
CAR WASH (Bill Nos. 108-1964, 85-1967)  
DRIVE-IN RESTAURANT (Bill Nos. 40-1967, 85-1967)

## OWNER/DEVELOPER

UNIVERSITY BP LLC  
524 REISTERSTOWN ROAD  
PIKESVILLE, MARYLAND 21208-5904  
(410) 236-3988

## 08-212-SPHXA PLAN TO ACCOMPANY A PETITION FOR A VARIANCE AND SPECIAL HEARING UNIVERSITY BP LLC PROPERTIES

Deed Ref: S.M. No. 23328 folio 31  
520 REISTERSTOWN ROAD  
Zoned BL AS, RO, GIS Tile 78B2  
Tax Account No.: 03-01-050264  
Tax Map 78; Grid 9; Parcel 246  
REISTERSTOWN ROAD  
Zoned BL AS, RO, GIS Tile 78B2  
Tax Account No.: 03-19-075467  
Tax Map 78; Grid 9; Parcel 428  
3<sup>rd</sup> ELECTION DISTRICT  
2<sup>nd</sup> COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND

Scale: 1"=20'

Date: JUNE 29, 2011

GERHOLD, CROSS & ETZEL, LTD.  
REGISTERED PROFESSIONAL LAND SURVEYORS  
Suite 100  
320 East Towsontown Boulevard  
Towson, Maryland 21286  
(410) 823-4470



## SOIL TYPES & LIMITATIONS

| TYPE | SEPTIC FILTER FIELDS                                                | HOMESITES W/SEWAGE                               | STREETS & PARKING                                |
|------|---------------------------------------------------------------------|--------------------------------------------------|--------------------------------------------------|
| LNB  | Slight                                                              | Slight                                           | Moderate; slope                                  |
| AUB  | Severe; slow permeability; seasonally perched water table.          | Moderate; seasonally perched water table.        | Moderate; seasonally perched water table.        |
| WGA  | Severe; high water table; poor natural drainage; slow permeability. | Severe; high water table; poor natural drainage. | Severe; high water table; poor natural drainage. |

REVISION

DATE

COMPUTED

DRAWN: G.L.M.

CHECKED

FILE: N:\3\Shen\SPH.ppt

## LEGEND

EXISTING BUILDING  
EXISTING PAVING  
ZONING LINE  
PROPERTY LINE  
CONTOURS

## GENERAL NOTES

- THE BOUNDARY SHOWN HEREON IS FROM A DEED
- THE TOPOGRAPHY SHOWN HEREON HAS TAKEN FROM BALTIMORE COUNTY GIS TILE 78B2
- THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 33.
- WATERSHED: JONES FALLS SUBWATERSHED 313
- SCHOOL DISTRICT: ELEMENTARY - MILBROOK E.S.; MIDDLE - PIKESVILLE M.S.; HIGH - PIKESVILLE H.S. A.D.C. MAP # 612 25 612
- THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
- THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- PUBLIC WATER AND SEWER IS EXISTING.
- UNDERGROUND GASOLINE STORAGE TANKS EXIST ON SITE.
- THERE ARE NO KNOWN HISTORIC BUILDINGS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITAT, WELLS, SEPTIC SYSTEMS, STREAMS, WETLANDS OR FLOODPLAINS ON THIS SITE.

## PARKING REQUIREMENTS \*

BALTIMORE COUNTY ZONING REGULATIONS  
R.O. BUILDING REGULATIONS

2043.A.1. USES PERMITTED AS OF RIGHT AND AS LIMITED IN D.R. 5.5 ZONES.

2044.A. USES PERMITTED UNDER SECTIONS 2043.A.1. - ARE GOVERNED BY THE BULK REGULATIONS OF D.R.5.5 ZONES.

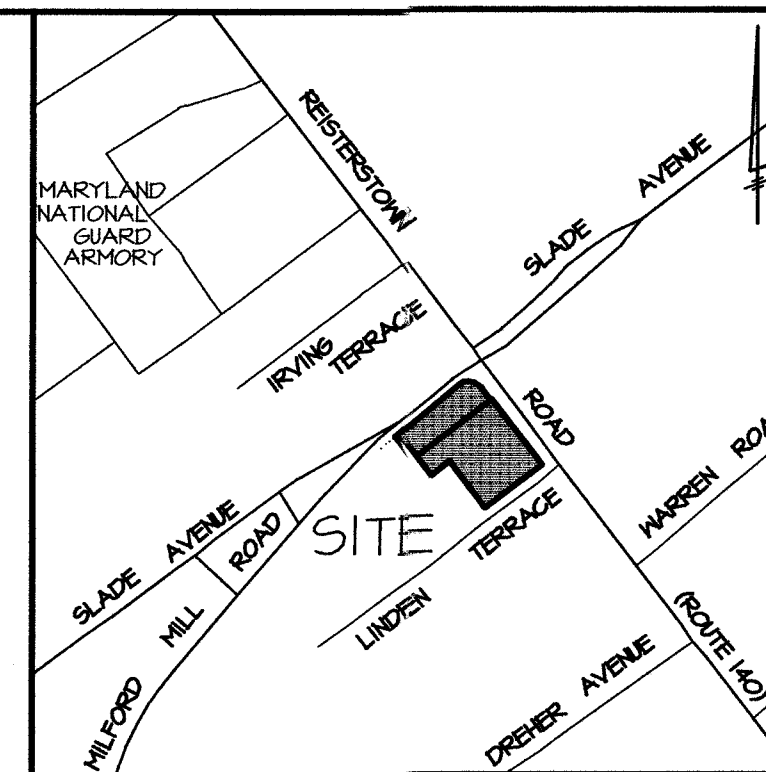
505.1. IN D.R.5.5 ZONES THE FRONT YARD DEPTH OF ANY BUILDING HEREINAFTER ERECTED SHALL BE THE AVERAGE OF FRONT YARD DEPTHS OF THE LOTS IMMEDIATELY ADJOINING ON EACH SIDE. PROVIDED SUCH ADJOINING LOTS ARE IMPROVED WITH PRINCIPAL BUILDINGS SITUATE WITHIN 200 FEET OF THE JOINT SIDE PROPERTY LINE. PROVIDED THAT NO DWELLING SHALL BE REQUIRED TO BE SET BACK MORE THAN 40 FEET IN D.R.5.5 ZONES. -

CONVENIENCE STORE - 884 SF @ 3 SP/1000 SF. .... 3 SPACES  
SERVICE BAYS 3 @ 3 SF. /BAY ..... 9 SPACES  
EMPLOYEES 3 @ 1 SF./EMPLOYEE ..... 3 SPACES  
AIR PUMP ..... 1 SPACE  
VACUUM UNIT ..... 1 SPACE  
ROLL OVER CAR WASH - 2 SP. PLUS 2 DRYING SP. .... 4 SPACES  
RESTAURANT 840 SF. @ 16 SP/1000 SF. .... 5 SPACES  
TOTAL REQUIRED ..... 35 SPACES  
TOTAL PROVIDED ..... 35 SPACES  
STACKING SPACES REQUIRED FOR CAR WASH ..... 9 SPACES  
STACKING SPACES PROVIDED FOR CAR WASH ..... 11 SPACES  
\* ALL SPACES ARE 8'5" X 18' MIN. PAVED AND STRIPED

BALTIMORE COUNTY ZONING REGULATIONS  
R.O. BUILDING REGULATIONS

- 204.3.A.1. USES PERMITTED AS OF RIGHT AND AS LIMITED IN D.R. 5.5 ZONES.
- 204.4 A. USES PERMITTED UNDER SECTIONS 204.3.A.1 ... ARE GOVERNED BY THE BULK REGULATIONS OF D.R.5.5 ZONES.
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DEED MERIDIAN  
(S.M. No. 23328 folio 31)



VICINITY MAP  
1" = 1000'

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4. CENSUS TRACT 403400 REGIONAL PLANNING DISTRICT 313
- WATERSHED JONES FALLS SUBWATERSHED 52
- SCHOOL DISTRICT: ELEMENTARY - MILBROOK E.S.; MIDDLE - PIKESVILLE M.S.; HIGH - PIKESVILLE H.S. A.D.G. MAP 1 GRID 25 612
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PARKING REQUIREMENTS \*

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|----------------------------------------------------|-----------|
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| AIR PUMP                                           | 1 SPACE   |
| VACUUM UNIT                                        | 1 SPACE   |
| ROLL OVER CAR WASH - 2 SP. PLUS 2 DRYING SP.       | 4 SPACES  |
| RESTAURANT 840 SF @ 16 SP/1000 SF                  | 14 SPACES |
| TOTAL REQUIRED                                     | 35 SPACES |
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OWNER/DEVELOPER

UNIVERSITY BP LLC  
524 REISTERSTOWN ROAD  
PIKESVILLE, MARYLAND 2108-5304  
(410) 236-3888

08-212-SPHXA

PLAN TO ACCOMPANY A PETITION FOR A  
VARIANCE AND SPECIAL HEARING  
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Zoned RO; GIS Tile 78B2  
Tax Account No.: 03-19-013810  
Tax Map 78; Grid 9; Parcel 578

#2 LINDEN TERRACE  
Zoned RO; GIS Tile 78B2  
Tax Account No.: 03-19-051175  
Tax Map 78; Grid 9; Parcel 719

3rd ELECTION DISTRICT  
2nd COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND

Scale: 1"=20'

Date: OCTOBER 5, 2007

GERHOLD, CROSS & ETZEL, LTD.  
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100  
320 East Townsontown Boulevard  
Towson, Maryland 21286  
(410) 823-4470

NOTE

THIS PLAN SHOWS AN EXTENSION TO THE EXISTING BUILDING, WHICH IS USED AS A CONVENIENCE STORE. THE BUILDING EXTENSION WAS CONSTRUCTED AFTER THE FILING OF CASE # 08-212-SPHXA AND BEFORE THE HEARING FOR SUCH. THIS PLAN IS INTENDED TO SUPPLEMENT THE ZONING CASE FILE AND REFLECTS THE SUBJECT IMPROVEMENTS SHOWN ON THE PHOTOS SUBMITTED AS AN EXHIBIT IN THE CASE.

BRUCE E. DONK

I ACCEPT THIS PLAN AND WILL MAKE IT A PART OF THE FILE FOR CASE # 08-212-SPHXA.

WILLIAM J. WISEMAN  
ZONING COMMISSIONER

VARIANCE REQUESTED

1801B.1.5 (B.C.Z.R.) TO ALLOW A PARKING LOT WITH A 0 FOOT BUFFER AND SETBACK IN LIEU OF THE REQUIRED 50 FOOT RTA BUFFER AND 75 FOOT RTA SETBACK

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SPECIAL EXCEPTION REQUESTED

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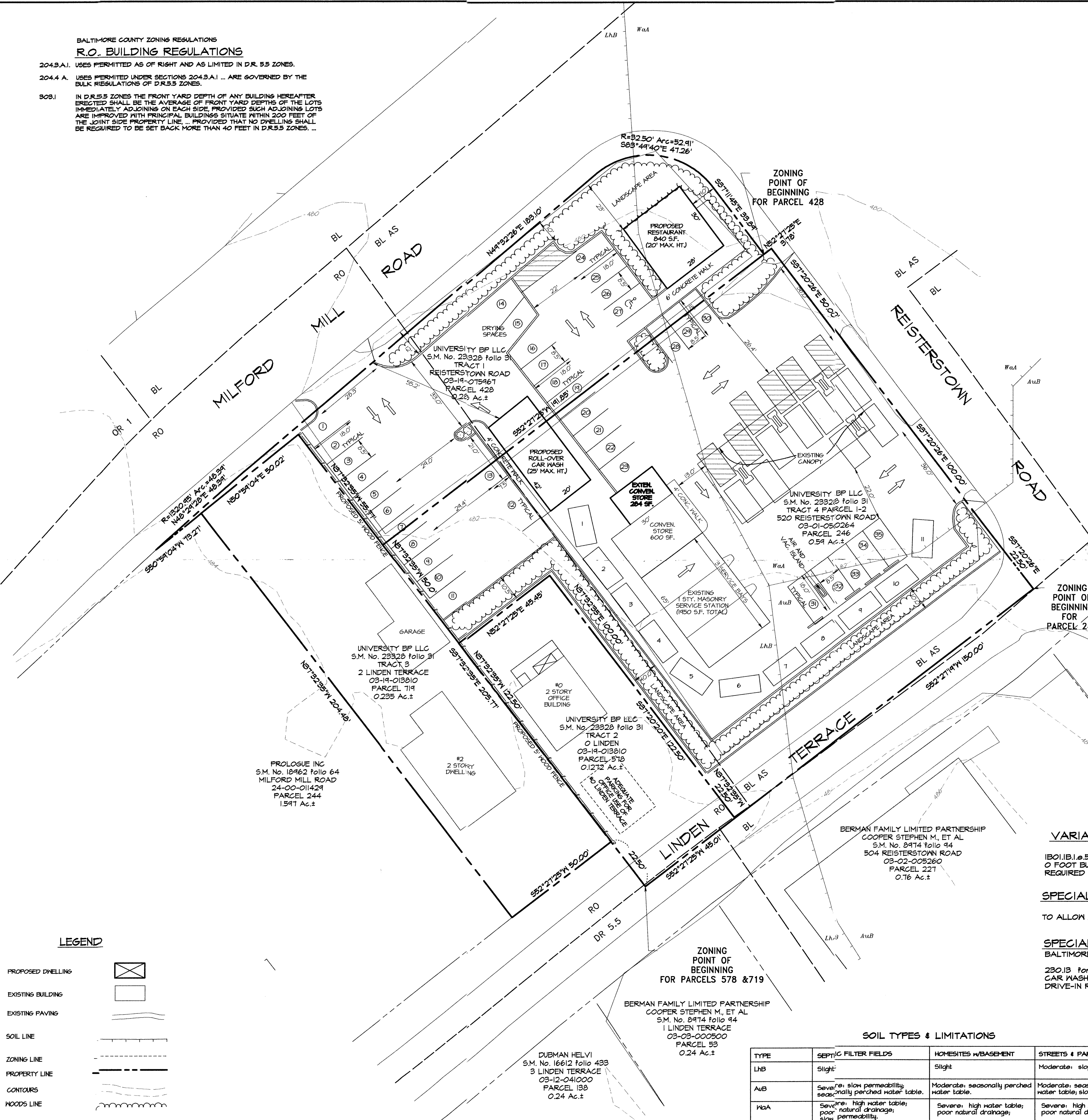
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DRIVE-IN RESTAURANT (Bill Nos. 40-1967; 85-1967)

SOIL TYPES & LIMITATIONS

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|------|---------------------------------------------------------------------|--------------------------------------------------|--------------------------------------------------|
| LhB  | Slight                                                              | Slight                                           | Moderate: slope                                  |
| AuB  | Severe: slow permeability; seasonally perched water table.          | Moderate: seasonally perched water table.        | Moderate: seasonally perched water table; slope. |
| WaA  | Severe: high water table; poor natural drainage; slow permeability. | Severe: high water table; poor natural drainage; | Severe: high water table; poor natural drainage; |

LEGEND

|                   |  |
|-------------------|--|
| PROPOSED DWELLING |  |
| EXISTING BUILDING |  |
| EXISTING PAVING   |  |
| SOIL LINE         |  |
| ZONING LINE       |  |
| PROPERTY LINE     |  |
| CONTOURS          |  |
| WOODS LINE        |  |



PETITIONER'S  
EXHIBITS

REMANDED  
PETITIONER'S  
EXHIBITS

②

(20080212) "A"

Case No.: 08-212 - SPHXA 520 REISTERSTOWN RD.

Exhibit Sheet

Petitioner/Developer

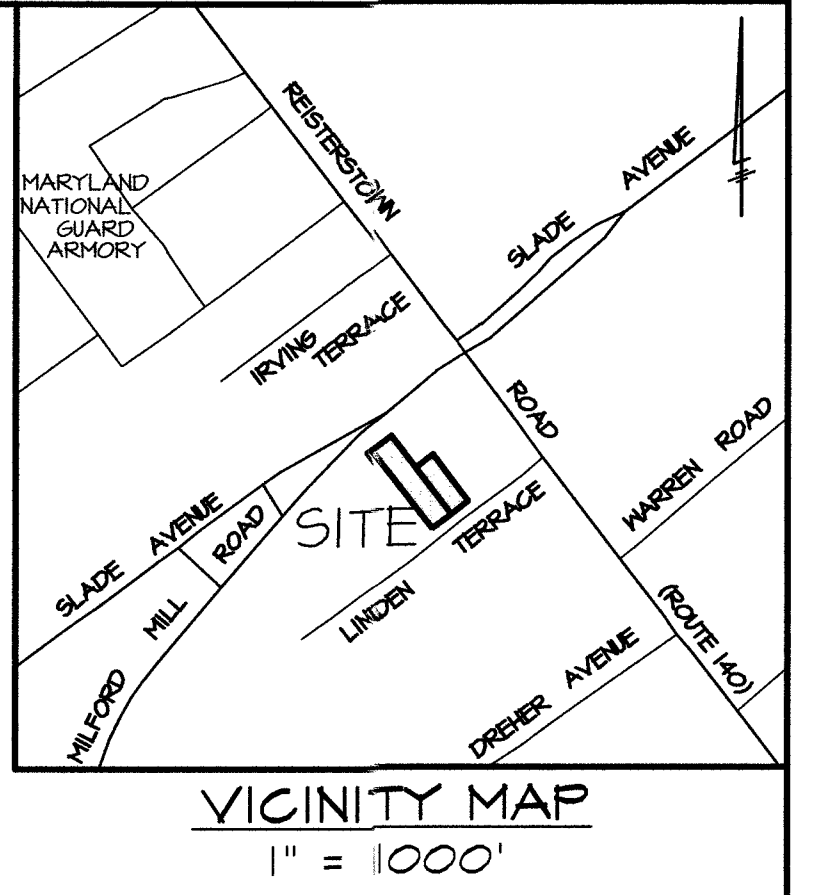
Protestant

|        |                                                                       |                                                                    |
|--------|-----------------------------------------------------------------------|--------------------------------------------------------------------|
| No. 1  | RED LINED SITE PLAN                                                   | Statement of Adriane Bahr<br>and William McCONNELL<br>dated 1-7-08 |
| No. 2  | COVER LETTER OF W. Carl Richards<br>with ZAC Comments as of<br>1/9/08 | Statement of Charles A Dubon                                       |
| No. 3  | Office of Planning Comment<br>dated 12/13/07 - Not rec'd.             |                                                                    |
| No. 4  | Photo's - Existing Condition<br>A three V - and Location Plat         |                                                                    |
| No. 5  |                                                                       |                                                                    |
| No. 6  |                                                                       |                                                                    |
| No. 7  |                                                                       |                                                                    |
| No. 8  |                                                                       |                                                                    |
| No. 9  |                                                                       |                                                                    |
| No. 10 |                                                                       |                                                                    |
| No. 11 |                                                                       |                                                                    |
| No. 12 |                                                                       |                                                                    |

BALTIMORE COUNTY ZONING REGULATIONS  
R.O. BUILDING REGULATIONS

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DEED REFERENCE  
(S.M. No. 23328 folio 31)



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11. UPON APPROVAL OF THE ZONING REQUEST THE CURRENT ADDRESS OF ALL VEHICLES WILL BE DISCONTINUED PRIOR TO THE APPROVAL UPON FINAL APPROVAL OF THE DEVELOPMENT PROCESS.

PARKING REQUIREMENTS \*

|                                                 |           |
|-------------------------------------------------|-----------|
| CONVENIENCE STORE = 600 SF @ 3 SP/1000 S.F.     | 2 SPACES  |
| SERVICE BAYS 3 @ 3 SP./BAY                      | 9 SPACES  |
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OWNER/DEVELOPER

UNIVERSITY BP LLC  
524 REISTERSTOWN ROAD  
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08-212-SPHXA  
PLAN TO ACCOMPANY A PETITION FOR A  
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3rd ELECTION DISTRICT  
2nd COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND

Scale: 1"=20' Date: OCTOBER 5, 2007

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Suite 100  
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(410) 823-4470

VARIANCE REQUEST WITHDRAWN PRIOR TO HEARING  
VARIANCE REQUESTED 1/16/08

1801.1.0.5 (B.C.Z.R.) TO ALLOW A PARKING LOT WITH A 0 FOOT BUFFER AND SETBACK IN LIEU OF THE REQUIRED 50 FOOT RTA BUFFER AND 75 FOOT RTA SETBACK

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SOIL TYPES & LIMITATIONS

| TYPE | SEPTIC FILTER FIELDS                                                | HOMESITES W/BASEMENT                             | STREETS & PARKING                                |
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| AuB  | Severe; slow permeability; seasonally perched water table.          | Moderate; seasonally perched water table.        | Moderate; seasonally perched water table; slope. |
| WaA  | Severe; high water table; poor natural drainage; slow permeability. | Severe; high water table; poor natural drainage; | Severe; high water table; poor natural drainage; |

| REVISION PER ZONING | DATE     |
|---------------------|----------|
| REVISION PER ZONING | 11/02/07 |
| REVISION            | DATE     |

|           |             |          |               |
|-----------|-------------|----------|---------------|
| COMPUTED: | DRAWN: CLM. | CHECKED: | FILED: SphSPH |
|-----------|-------------|----------|---------------|

PETITIONER'S S

EXHIBIT NO. 1

LEGEND

- EXISTING BUILDING
- EXISTING PAVING
- ZONING LINE
- PROPERTY LINE
- CONTOURS



**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

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

January 9, 2008

Francis X. Borgerding, Jr.  
409 Washington Avenue, Suite 600  
Towson, MD 21204

Dear Mr. Borgerding:

RE: Case Number: 08-212-SPHXA, 520 Reisterstown Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 5, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel  
Gerhold, Cross & Etzel, Ltd 320 E. Towsontowne Blvd Towson 21286

**PETITIONER' S**

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

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

**DATE:** December 13, 2007

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

**SUBJECT:** 520 Reisterstown Road

**INFORMATION:**

**Item Number:** 8-212

**Petitioner:** University BP LLC

**Zoning:** RO

**Requested Action:** Variance, Special Exception and Special Hearing

**RECEIVED**  
JAN 10 2008

BY: \_\_\_\_\_

**SUMMARY OF RECOMMENDATIONS:**

The Office of Planning has reviewed the petitioner's request and recommends that the request be denied.

This proposal falls within the Pikesville Design Review Panel Area and must conform to the Pikesville Design Guidelines.

The Office of Planning is of the opinion that the site has been improved to its capacity. Any further operations on the site would overload the land area. The site needs numerous upgrades and updating.

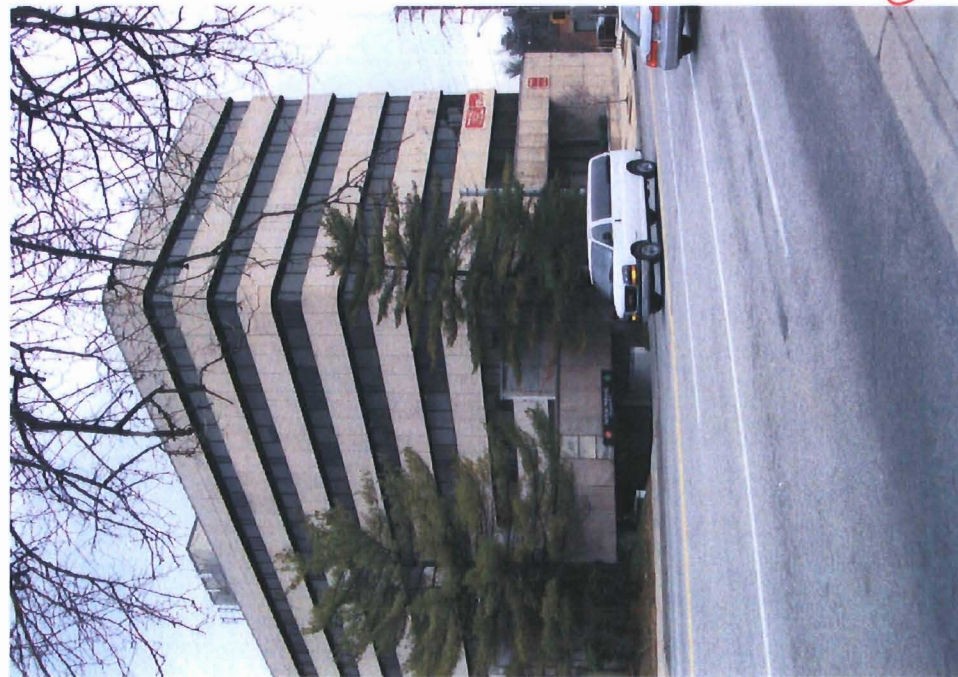
Should the Zoning Commissioner grant the petitioner's request, the applicant shall replace the existing 6-foot high wood privacy fence and provide upgraded landscaping in the areas designated "landscaping area" on the site plan. A landscape and lighting plan should be prepared for review and approval.

1. Schedule a meeting before the Design Review Panel prior to the subject zoning hearing. Contact Jenifer German in the Office of Planning for scheduling.
2. To reiterate and further expand what was mentioned above, the entire site should be upgraded with landscaping and site upgrades, as there is a lack thereof.
3. The circulation and lack of pedestrian connections within the site need further study. Upgrades shall be incorporated in the revised site and landscape plans.

**PETITIONER'S**

**EXHIBIT NO.** 3





I



J



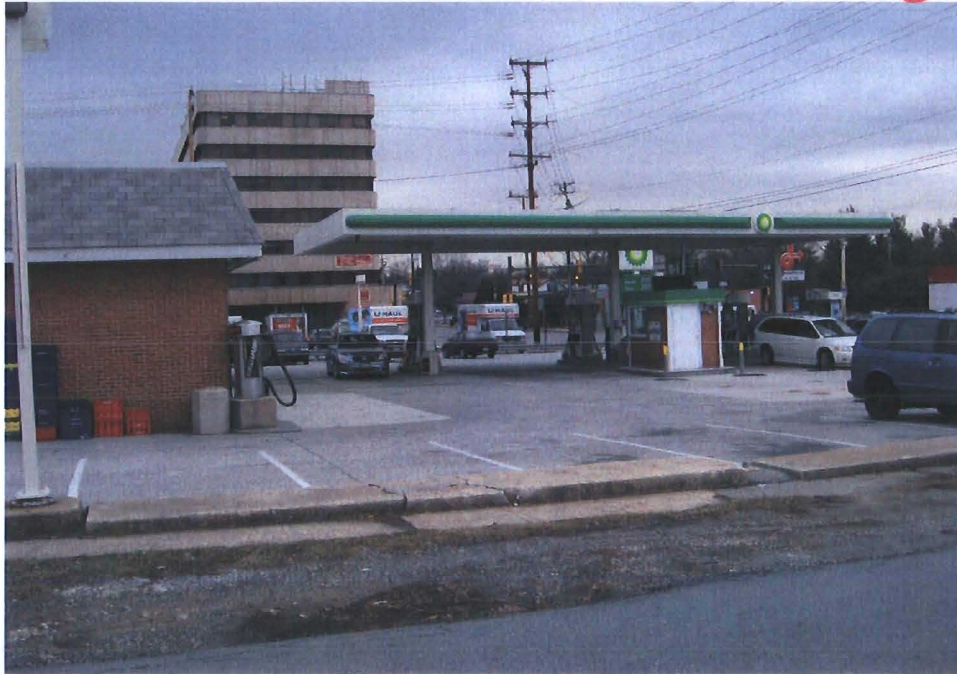
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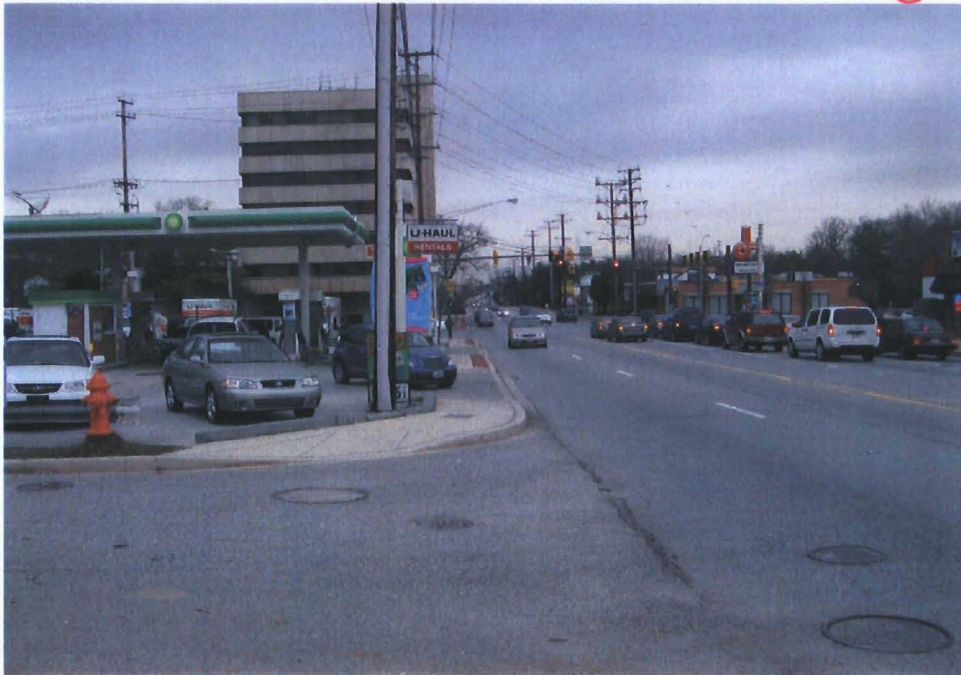
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5

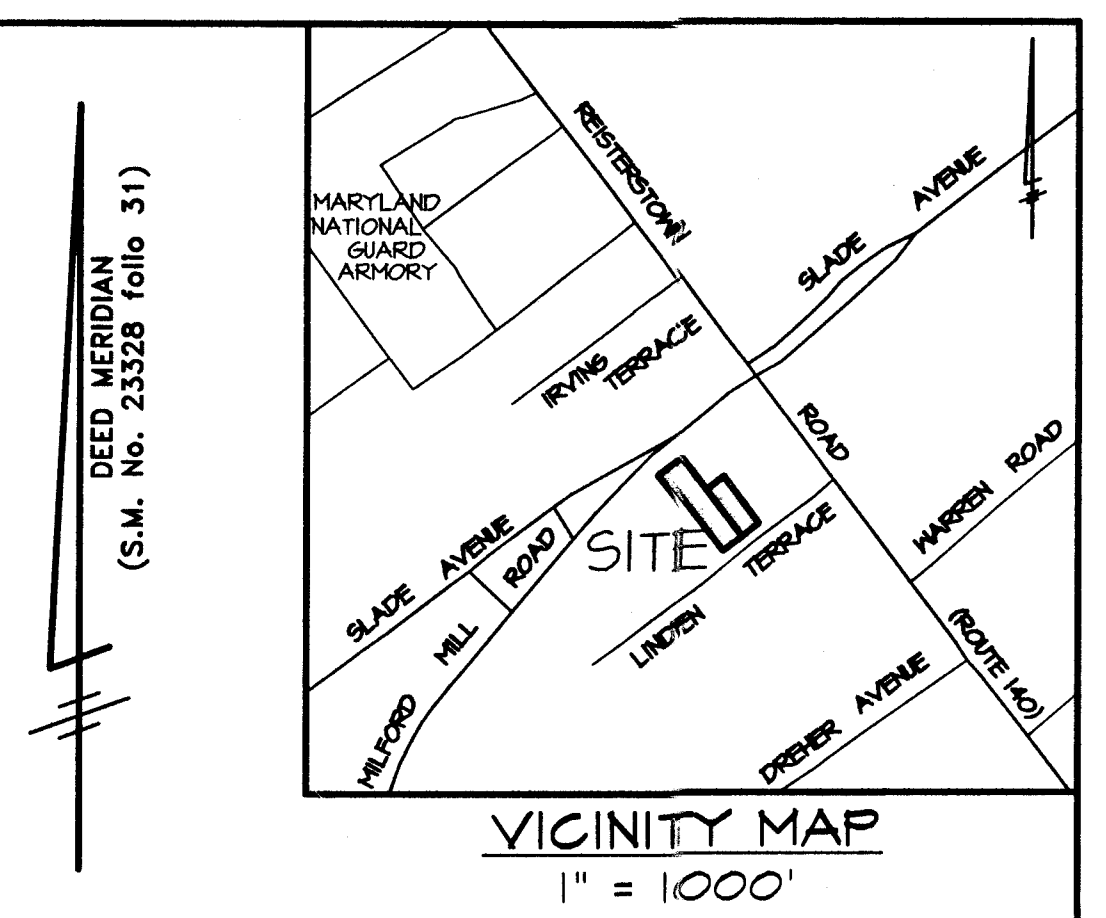


7



BALTIMORE COUNTY ZONING REGULATIONS  
R.O. BUILDING REGULATIONS

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- 303.1 IN D.R. 5.5 ZONES THE FRONT YARD DEPTH OF ANY BUILDING HEREFTER ERRECTED SHALL BE THE AVERAGE OF FRONT YARD DEPTHS OF THE LOTS IMMEDIATELY ADJOINING ON EACH SIDE, PROVIDED SUCH ADJOINING LOTS ARE IMPROVED WITH PRINCIPAL BUILDINGS SITUATE WITHIN 200 FEET OF THE JOINT SIDE PROPERTY LINE. ... PROVIDED THAT NO DWELLING SHALL BE REQUIRED TO BE SET BACK MORE THAN 40 FEET IN D.R. 5.5 ZONES. ...



GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A DEED
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 78B2
3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 33.
4. CENSUS TRACT 408400 REGIONAL PLANNING DISTRICT 313
5. WATERSHED JONES FALLS SUBWERSHED 52
6. SCHOOL DISTRICT: ELEMENTARY - MILBROOK E.S.; MIDDLE - PIKESVILLE M.S.; HIGH - PIKESVILLE H.S.
7. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
8. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.

PARKING REQUIREMENTS \*

- CONVENIENCE STORE = 600 SF. .... 2
- SERVICE BAYS 3 @ 3 SF./BAY .... 9
- EMPLOYEES 3 @ 1 SF./EMPLOYEE .... 3
- AIR PUMP .... 1
- VACUUM UNIT .... 1
- ROLL OVER CAR WASH 2 SF. PLUS 2 DRYING SF. .... 4
- RESTAURANT 840 SF. @ 16 SF./1000 SF. .... 14
- TOTAL REQUIRED .... 34
- TOTAL PROVIDED .... 34
- \* ALL SPACES ARE 8.5' x 18' MIN, PAVED AND STRIPED

OWNER/DEVELOPER

UNIVERSITY BP LLC  
524 REISTERSTOWN ROAD  
PIKESVILLE, MARYLAND 21208-5304  
(410) 236-3688

PLAN TO ACCOMPANY PHOTOGRAPHS  
PLAN TO ACCOMPANY A PETITION FOR A  
VARIANCE AND SPECIAL HEARING  
UNIVERSITY BP LLC  
PROPERTY

#0 & #2 LINDEN TERRACE  
Deed Ref: S.M. No. 23328 folio 31  
Zoned RO; G15 Tile 78B2  
Tax Account No.: 03-19-013810  
Tax Map 78; Grid 9; Parcel 578

Tax Account No.: 03-19-051175  
Tax Map 78; Grid 9; Parcel 719  
3rd ELECTION DISTRICT  
2nd COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND

Scale: 1"=20' Date: OCTOBER 5, 2007

GERHOLD, CROSS & ETZEL, LTD.  
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100  
320 East Townsontown Boulevard  
Towson, Maryland 21286  
(410) 823-4470

PETITIONER'S

EXHIBIT NO. 4

VARIANCE REQUESTED

1801B.1.5 (B.C.Z.R.) TO ALLOW A PARKING LOT WITH A 0 FOOT BUFFER AND SETBACK IN LIEU OF THE REQUIRED 50 FOOT RTA BUFFER AND 15 FOOT RTA SETBACK

SPECIAL HEARING REQUESTED

TO ALLOW A COMMERCIAL PARKING AREA IN DR 5.5 ZONE

SOIL TYPES & LIMITATIONS

| TYPE | SEPTIC FILTER FIELDS                                                | HOMESITES W/BASEMENT                             | STREETS & PARKING                                |
|------|---------------------------------------------------------------------|--------------------------------------------------|--------------------------------------------------|
| LHB  | Slight                                                              | Slight                                           | Moderate, slope                                  |
| AUB  | Severe: slow permeability; seasonally perched water table.          | Moderate: seasonally perched water table.        | Moderate: seasonally perched water table; slope. |
| HA   | Severe: high water table; poor natural drainage; slow permeability. | Severe: high water table; poor natural drainage; | Severe: high water table; poor natural drainage; |

LEGEND

- EXISTING BUILDING
- EXISTING PAVING
- ZONING LINE
- PROPERTY LINE
- CONTOURS

Case No.: 08-212-S PAX

REMAND

Exhibit Sheet

Petitioner/Developer

Protestant

|        |                                                 |  |
|--------|-------------------------------------------------|--|
| No. 1  | Remand Plat accompanying<br>Resolution          |  |
| No. 2  | EMAIL from A. Hardin<br>8-4-11                  |  |
| No. 3  | Proposed Landscape Plan                         |  |
| No. 4  | Power Point presentation<br>for Des. Des. Panel |  |
| No. 5  |                                                 |  |
| No. 6  |                                                 |  |
| No. 7  |                                                 |  |
| No. 8  |                                                 |  |
| No. 9  |                                                 |  |
| No. 10 |                                                 |  |
| No. 11 |                                                 |  |
| No. 12 |                                                 |  |

DEED MERIDIAN  
(S.M. No. 23328 folio 31)

### GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A DEED.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 78B2.
3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 33.
4. CENSUS TRACT 403400 REGIONAL PLANNING DISTRICT 313
5. WATERSHED JONES FALLS SUBWATERSHED 52
6. SCHOOL DISTRICT - MILLBROOK E.S.; MIDDLE - PIKEVILLE M.S.; HIGH - PIKEVILLE H.S.
7. A.D.C. MAP # 6R12
8. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
9. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
10. PUBLIC WATER AND SEWER IS EXISTING.
11. UNDERGROUND GASOLINE STORAGE TANKS EXIST ON SITE.
12. THERE ARE NO KNOWN HISTORIC BUILDINGS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITAT, WELLS, SEPTIC SYSTEMS, STREAMS, WETLANDS OR FLOODPLAINS ON THIS SITE.

### NOTES PERTAINING TO THIS AMENDED PLAN

1. ON FEBRUARY 1, 2008 THE BALTIMORE COUNTY ZONING COMMISSIONER APPROVED A SPECIAL EXCEPTION AND SPECIAL HEARING IN THIS CASE.
2. ON FEBRUARY 18, 2011, AFTER AN APPEAL BY THE PEOPLE'S COUNCIL FOR BALTIMORE COUNTY, THE BALTIMORE COUNTY BOARD OF APPEALS REMANDED THE CASE FOR FURTHER CONSIDERATION IN LIGHT OF THE DESIGN REVIEW PANEL (DRP) PROCEEDINGS.
3. ON APRIL 8, 2011, THE DRP APPROVED THIS PROJECT WITH CONDITIONS ENUMERATED IN THE DRP APPROVAL CORRESPONDENCE (SHOWN HEREON).
4. CONSISTENT WITH THE DRP APPROVAL, THE PETITIONER SUBMITTED A DRP PLAN, A LANDSCAPE PLAN AND ARCHITECTURAL ELEVATIONS, WHICH WERE SATISFACTORY TO THE OFFICE OF PLANNING AND THE BALTIMORE COUNTY LANDSCAPE ARCHITECT.
5. THIS AMENDED PLAN INCORPORATES BY REFERENCE THE AFORESAID DRP PLAN, LANDSCAPE PLAN AND ARCHITECTURAL ELEVATIONS.
6. THIS AMENDED PLAN IS SUBJECT TO THE FOLLOWING CONDITIONS:  
A) THERE SHALL BE NO EXTERNAL LOUD SPEAKERS ON THE PROPERTY.  
B) CAR WASH ACTIVITIES (EXCLUSIVE OF REPAIRS AND SERVICING OF EQUIPMENT) MAY NOT START PRIOR TO 7 AM AND MUST CONCLUDE BY 7 PM.  
C) THE EXISTING VEHICLE AND ACCESSORY RENTAL BUSINESS SHALL CEASE UPON ISSUANCE OF BUILDING PERMITS CONSISTENT WITH THIS AMENDED PLAN.

### PARKING REQUIREMENTS \*

|                                          |           |
|------------------------------------------|-----------|
| CONVENIENCE STORE 84 SF @ 3 SP/1000 SF   | 3 SPACES  |
| SERVICE BAYS 3 @ 3 SP/1000 SF            | 9 SPACES  |
| EMPLOYEES 3 @ 1 SP/EMPLOYEE              | 3 SPACES  |
| AIR PUMP                                 | 1 SPACE   |
| VACUUM UNIT                              | 1 SPACE   |
| ROLL-OVER CAR WASH 2 SP PLUS 2 DRYING SP | 4 SPACES  |
| RESTAURANT 840 SF @ 16 SP/1000 SF        | 14 SPACES |
| TOTAL REQUIRED                           | 35 SPACES |
| TOTAL PROVIDED                           | 35 SPACES |
| STACKING SPACES REQUIRED FOR CAR WASH    | 9 SPACES  |
| STACKING SPACES PROVIDED FOR CAR WASH    | 11 SPACES |

\* ALL SPACES ARE 8.5' x 10' MIN, PAVED AND STRIPED

### OWNER/DEVELOPER

UNIVERSITY BP LLC  
524 REISTERSTOWN ROAD  
PIKEVILLE, MARYLAND 21208-5304  
(410) 236-3888

### SPECIAL HEARING REQUESTED

TO ALLOW A BUSINESS PARKING AREA IN RO ZONE  
PURSUANT TO B.C.Z.R. SECTION 401.8B

### SPECIAL EXCEPTION REQUESTED

BALTIMORE COUNTY ZONING REGULATIONS:

SECTION 230.13 for:  
CAR WASH (Bill Nos. 108-1964; 85-1967)  
DRIVE-IN RESTAURANT (Bill Nos. 40-1967; 85-1967)

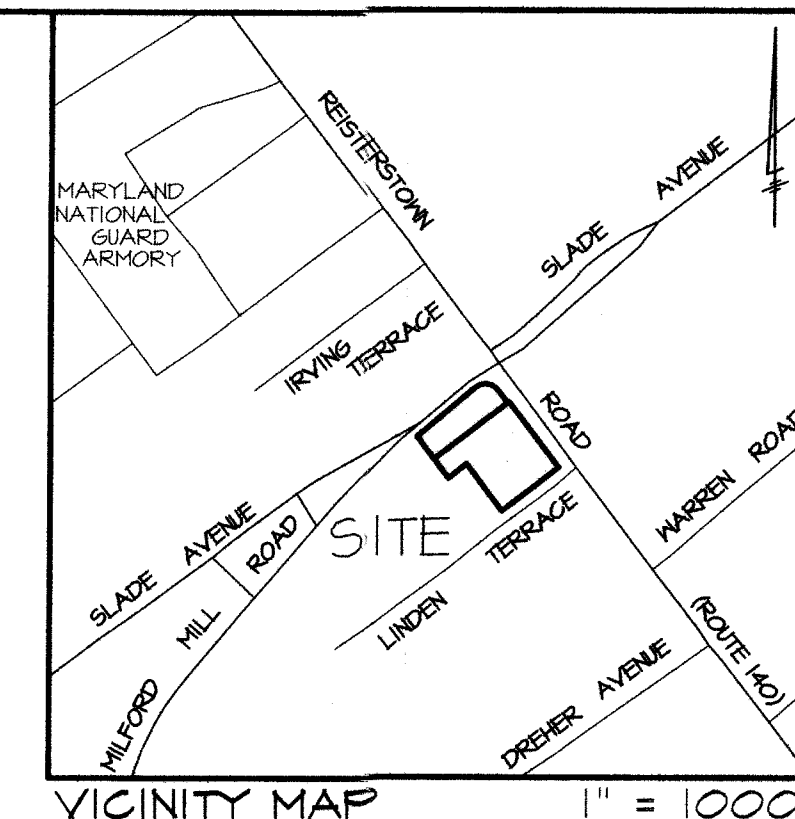
### BALTIMORE COUNTY ZONING REGULATIONS

#### R.O. BUILDING REGULATIONS

- 204.3.A.1. USES PERMITTED AS OF RIGHT AND AS LIMITED IN D.R. 5.5 ZONES.
- 204.4 A. USES PERMITTED UNDER SECTIONS 204.3.A.1 ... ARE GOVERNED BY THE BULK REGULATIONS OF D.R.5.5 ZONES.
- 308.1 IN D.R.5.5 ZONES THE FRONT YARD DEPTH OF ANY BUILDING HEREFTER ERECTED SHALL BE THE AVERAGE OF FRONT YARD DEPTHS OF THE LOTS IMMEDIATELY ADJOINING ON EACH SIDE, PROVIDED SUCH ADJOINING LOTS ARE IMPROVED WITH PRINCIPAL BUILDINGS SITUATE WITHIN 200 FEET OF THE JOINT SIDE PROPERTY LINE. ... PROVIDED THAT NO DWELLING SHALL BE REQUIRED TO BE SET BACK MORE THAN 40 FEET IN D.R.5.5 ZONES. ...

### SOIL TYPES & LIMITATIONS

| TYPE | SEPTIC FILTER FIELDS                                                | HOMESITES W/BASEMENT                             | STREETS & PARKING                                |
|------|---------------------------------------------------------------------|--------------------------------------------------|--------------------------------------------------|
| LhB  | Slight                                                              | Slight                                           | Moderate, slope                                  |
| AvB  | Severe: slow permeability; seasonally perched water table.          | Moderate: seasonally perched water table.        | Moderate: seasonally perched water table; slope. |
| MaA  | Severe: high water table; poor natural drainage; slow permeability. | Severe: high water table; poor natural drainage; | Severe: high water table; poor natural drainage; |



### DESIGN REVIEW PANEL APPROVAL



KEVIN KAMENETZ  
County Executive

JEFF MAYHEW, Acting Director  
Office of Planning

### INTER-OFFICE CORRESPONDENCE

#### DESIGN REVIEW COMMENTS

TO: Arnold Jablon, Director  
Department of Permits, Approvals  
and Inspections

DATE: April 8, 2011

FROM: Lynn Lanham  
Design Review Panel

SUBJECT: Design Review Panel - Approval

PROJECT NAME: University BP, 520 Reisterstown Road

PROJECT : DRP # 505

PROJECT TYPE: Commercial, Pikeville

#### PROJECT DESCRIPTION:

The project known as University BP, is located between Milford Mill Road, Reisterstown Road, and Linden Terrace. At this time there is a gas station and convenience store located on the site along with two houses that are used as office buildings. The owner, University BP LLC Properties, intends to build a roll-over carwash and a carryout restaurant building attached to the existing gas station and convenience store portion of the site. The site parking will be expanded to meet current parking criteria as well as landscaping on the site to conform with the Pikeville Commercial Revitalization Guidelines.

The project was reviewed for the third time before the Design Review Panel at the March 9, 2011 meeting. At that time a motion was made to approve the project with the following conditions:

1. Revise plans to address location of monument sign - address visibility issues, label materials
2. Revise landscape plan - address sign location & visibility (height of sign is okay)
3. Round and plant corners of stacking lane; place tree at SW corner of property to provide screening
4. Revise elevations - Rear of building to be brick (label all materials)
5. Provide additional signage - directional sign for car wash; pavement markings
6. Revisit area between building and parking space 29 and stripe next to spaces 32 & 28 to prevent conflicts
7. Align curbs at car wash exit and move parking spaces 11 & 12 south
8. Paint and clean-up canopy

#### DISPOSITION:

As of April 8, 2011 all revised plans have been submitted to the Office of Planning for review and final approval has been granted.

Lynn Lanham

## 08-212-SPHXA AMENDED PLAN TO ACCOMPANY A PETITION FOR A SPECIAL HEARING AND A SPECIAL EXCEPTION UNIVERSITY BP LLC PROPERTIES

Deed Ref: S.M. No. 23328 folio 31

520 REISTERSTOWN ROAD  
Zoned BL AS, RO; GIS Tile 78B2  
Tax Account No.: 03-01-050264  
Tax Map 78; Grid 9; Parcel 246

REISTERSTOWN ROAD  
Zoned BL AS, RO; GIS Tile 78B2  
Tax Account No.: 03-19-075967  
Tax Map 78; Grid 9; Parcel 428

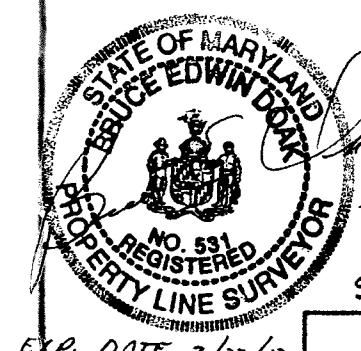
3rd ELECTION DISTRICT  
2nd COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND

Scale: 1"=20'

Date: JULY 7, 2011

## GERHOLD, CROSS & ETZEL, LTD. REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100  
320 East Towsontown Boulevard  
Towson, Maryland 21286  
(410) 823-4470

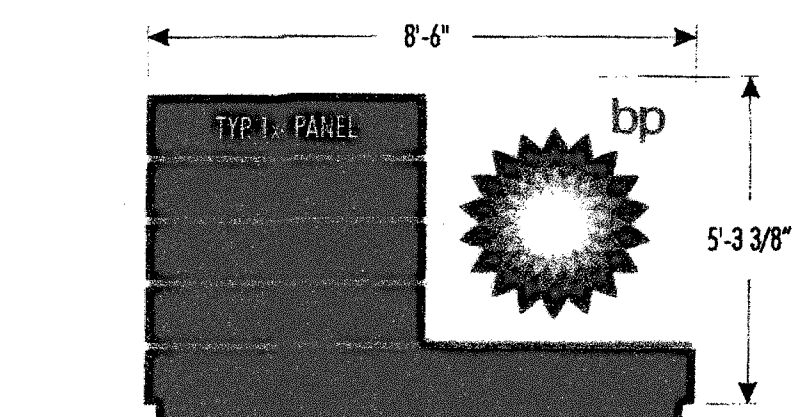


DATE 7/22/13

REVISION DATE COMPUTED DRAWN C.L.M. CHECKED FILE X:\551

PETITIONER'S

EXHIBIT NO. 1



6X MONUMENT  
Part # BP44MON6P  
\*\*Actual SQ. FT. 42.43

### PROPOSED SIGN DETAIL

### LEGEND

- EXISTING BUILDING
- EXISTING PAVING
- ZONING LINE
- PROPERTY LINE
- CONTOURS

## Bruce Doak

---

**From:** Devin Leary [devin@humanandrohde.com]  
**Sent:** Thursday, August 04, 2011 10:11 AM  
**To:** Bruce Doak  
**Subject:** FW: University BP Landscape Plan  
**Attachments:** 3-30-11\_BP\_LS Plan.PDF

Bruce see below. They may try to get irrigation as a zoning condition. Should be irrigated anyway.

Thanks

Devin Leary  
Human & Rohde, Inc.  
Landscape Architects / Land Planners  
512 Virginia Avenue  
Towson, MD 21286  
ph. 410-825-3885  
[Devin@humanandrohde.com](mailto:Devin@humanandrohde.com)

---

**From:** Avery Harden [<mailto:AHarden@baltimorecountymd.gov>]  
**Sent:** Thursday, August 04, 2011 10:03 AM  
**To:** Peter Zimmerman  
**Cc:** [Devin@humanandrohde.com](mailto:Devin@humanandrohde.com)  
**Subject:** Fwd: University BP Landscape Plan

Mr. Zimmerman,

Devin Leary reviewed the subject landscape plan with me on August 3rd. As you know, I don't approve landscape plans until after all hearings are complete, but in my opinion, this plan appears to meet my guidelines. If you want to make it better, I suggest to make a condition for an automatic irrigation system to ensure the plants thrive. Automatic irrigation is not something I can require with the Landscape Manual alone.

Regards

Avery Harden

E. Avery Harden, RLA  
County Landscape Architect  
Baltimore County Government  
410-887-3751

Fax 410-887-2877 >>> "Devin Leary" <[devin@humanandrohde.com](mailto:devin@humanandrohde.com)> 8/3/2011 1:31 PM >>>

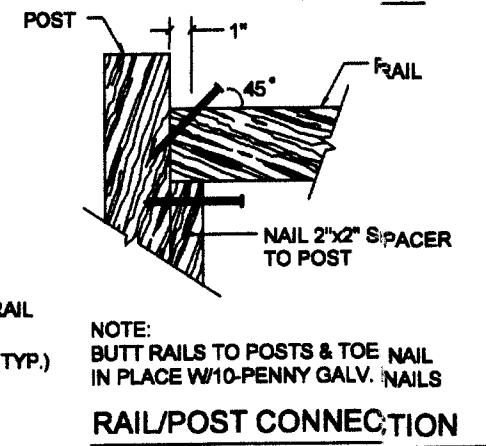
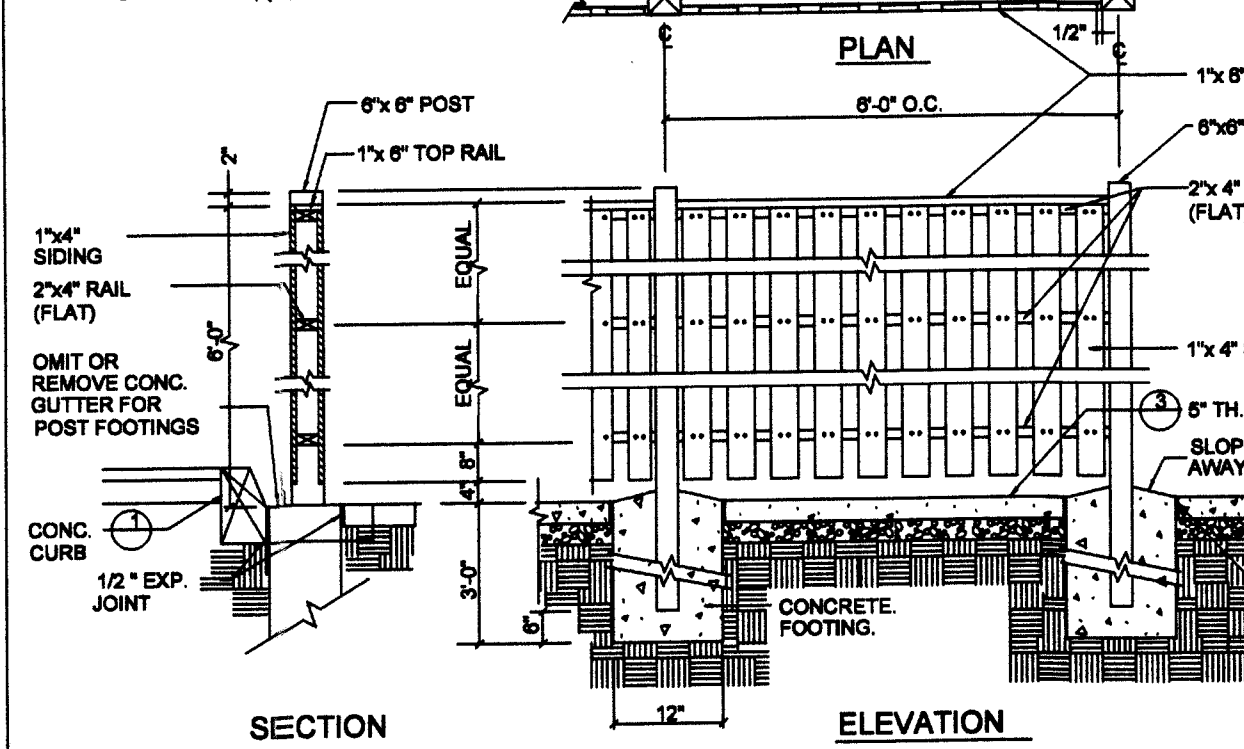
Avery - As discussed this morning a pdf of the proposed landscape plan is attached. There is a zoning hearing coming up (Business parking in an RO zone and a special exception for the carwash) and Peter Zimmerman of the Peoples Council wanted assurance that you had seen the proposed landscaping and were generally ok. Obviously we will be making a formal submittal once permits are pursued.

Thanks

Devin Leary  
Human & Rohde, Inc.  
Landscape Architects / Land Planners  
512 Virginia Avenue

PETITIONER' S  
*ROMANO*  
EXHIBIT NO. 2

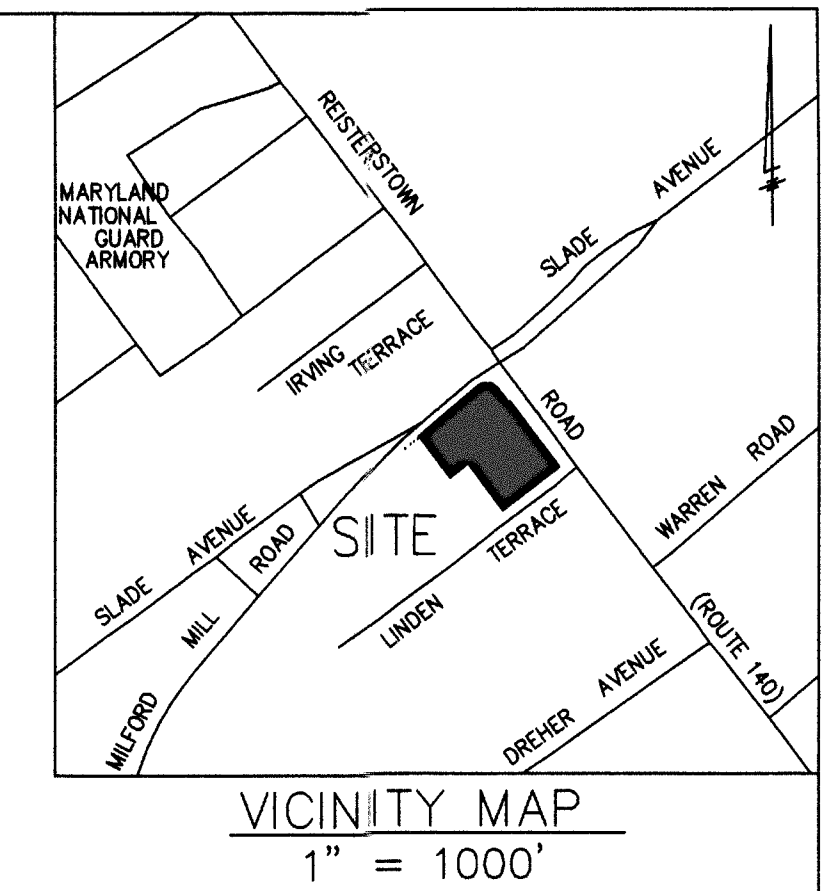
- NOTES:
1. LUMBER TO BE #1 SOUTHERN YELLOW PINE, PRESSURE-TREATED AS PER MSHA STANDARD SPEC. FOR CONSTRUCTION & MATERIALS SPEC. 021.00 TIMBER PRESERVATIVES.
  2. ATTACH SIDING TO RAILS WITH GALVANIZED SCREW NAILS, (8) PER PANEL. (PRE-DRILL)



# PLANT LIST

| KEY | QTY | BOTANICAL NAME<br>COMMON NAME                                      | SIZE                | COND      | REMARKS                |
|-----|-----|--------------------------------------------------------------------|---------------------|-----------|------------------------|
| ⊙   | 11  | ZELKOYA SERRATA 'MUSASHINO'<br>MUSASHINO ZELKOYA                   | 2 - 3/4"<br>CAL.    | B & B     | SPACE AS SHOWN         |
| ⊗   | 9   | PRUNUS OKAME<br>OKAME CHERRY                                       | 1.75 - 2.0"<br>CAL. | B & B     | SPACE AS SHOWN         |
| EK  | 70  | ELONMYUS KAUTSCHOVICUS 'MANHATTAN'<br>MANHATTAN SPREADING ELONMYUS | 24-30"<br>HT.       | #3        | SPACE 4' O.C.          |
| JC  | 124 | JUNIPERUS CHINENSIS SARGENTII<br>SARGENT JUNIPER                   | 18-24"<br>SPD.      | #3        | SPACE 4' O.C. STAGGER  |
| VD  | 25  | VIBURNUM DENTATUM<br>ARROWWOOD VIBURNUM                            | 2'-3' HT.           | #3        | SPACE 3' O.C.          |
| LMV | 488 | LIRIOPE MISCARIS 'VARIEGATA'<br>VARIEGATED LIRIOPE                 | 4"                  | CONTAINER | SPACE 18" O.C. STAGGER |
| N   | 26  | TEA VIRGINICA 'SPRICK'<br>LITTLE HENRY SWEETSPICE                  | 18-24"              | #3        | SPACE 3' O.C. STAGGER  |
|     | 100 | SEASONAL ANNUAL ROTATION<br>FANSEES / ANNUAL VINCA                 | 4"                  | CONTAINER | SPACE 10" O.C. STAGGER |

DEED MERIDIAN  
(S.M. No. 23328 folio 31)



## SPECIFICATIONS FOR PLANTING

Plant Identification: All plants shall be properly marked for identification and checking. List of Plant Material: The Contractor will verify plant quantities prior to bidding and any discrepancies shall be brought to the attention of the Landscape Architect. The Contractor shall furnish and plant all plants required to complete the work as shown on the drawings. Substitutions shall not be made without the written approval of the Landscape Architect. This contract will be based on the bidder having verified, prior to bidding, the availability of the required plant materials as specified on the Plant List.

Plant Quantity: All shrubs shall be dense, heavy to the ground, and well grown, showing evidence of having been sheared regularly, and sound, free of plant disease or insect eggs, and shall have a healthy, normal root system. Plants shall be nursery grown. Plants shall not be pruned prior to delivery. The shape of the plant shall in general conform to its natural growth proportions unless otherwise specified. All plants including container grown shall conform to American Standard for Nursery Stock (ANSI Z60.1, latest edition), and shall have a well-shaped, heavy branch structure for the species. Evergreen trees shall have an internode no greater than 24" and shall be uniformly well-shaped. All plant sizes shall average at least the middle of the range given in the plant list.

Plant Spacing: Plant spacing is to scale on the plan or as shown on the plant list. Soil Mix: Soil mix will be 2/3 existing soil and 1/3 leaf mold or equal organic material, thoroughly mixed and homogenized.

Ball Size: The ball size shall conform to the American Association of Nurserymen's publication entitled American Standard for Nursery Stock, ANSI Z60.1, latest edition. Excavation Holes: For all plants shall be 18" larger in diameter than size of ball or container and shall have vertical sides. Hedges shall be planted in a trench 12" wider than ball diameter. Beds for mass planting shall be entirely retolled to a depth of 6" and shall be 18" beyond the average outside edge of plant balls. A 2" layer of organic material (i.e., leaf mold) will be incorporated into plant beds by tilling again.

Planting: Backfilling shall be done with soil mix, reasonably free of stones, subsoil, clay, lumps, stumps, roots, weeds, bermuda grass, litter, toxic substances, or any other material which may be harmful to plant growth or hinder grading, planting, or maintenance operations. Should any unforeseen or unsuitable planting conditions arise, such as faulty soil drainage or chemical residues, they should be called to the attention of the Landscape Architect and Owner for adjustments before planting. The plant shall be set and straight and shall be staked at the time of planting. Backfill shall be well worked about the roots and settled by watering. Plants will be planted higher than surrounding grade. Shrubs will be 1" higher and trees will be 3" higher. Remove rope from around tree trunks and lay back burlap from top of all B&B material. Nylon or vinyl rope and/or burlap will be completely removed from all plant material prior to planting.

Transplanting Trees by Tree Machine: Trees shall be moved by machines that provide a minimum of 4" per 1" of tree caliper. Holes are to be dug by the same size machine as the one transplanting the plant. The plant material shall be transplanted in approximately the same growing condition as it is presently growing, in terms of soil type and moisture content. Fertilize and gey as described in these plans and specifications.

Cultivation: All trenches and shrub beds shall be cultivated, edged and mulched to a depth of 3" with shredded bark. The area around isolated plants shall be mulched to at least 6" greater diameter than that of the hole. Plant beds adjacent to buildings shall be mulched to the building wall.

Maintenance: The Contractor shall be responsible during the contract and up to the time of acceptance for keeping the planting and work incidental thereto in good condition, by replanting, plant replacement, watering, weeding, cultivating, pruning and spraying, restaking and cleaning up and by performing all other necessary operations of care for promotion of good plant growth so that all work is in satisfactory condition at time of acceptance, at no additional cost to the Owner.

Fertilizer: Fertilizer shall be a slow release type contained in polyethylene perforated bags with microspore holes for controlled feeding, such as Easy Grow as manufactured by Specialty Fertilizer, Inc., Box 555, Suffern, New York 10901, or approved equal. The bags shall contain 1 ounce of soluble fertilizer analysis 16-16-16 per unit to last three (3) years and shall be applied during planting as recommended by the manufacturer. If fertilizer packets are not used, the Contractor shall apply granular fertilizer to the soil mix with 10-6-4 analysis, 50% organic, at the following rates: Trees 2-3 lbs. per caliper inch; Shrub Beds 3-5 lbs. per 100 sq. ft.; and Groundcover Beds 2-3 lbs. per 100 sq. ft.

Groundcover: All areas of groundcover shall be retolled to a depth of 6". Apply 2" of organic material and retoll until thoroughly mixed. Apply fertilizer as stated above.

Guarantee and Fractor: Replacement material shall be unconditionally guaranteed for one (1) year. The Contractor is responsible for watering but not for losses or damage caused by year. The Contractor or vandalism.

mechanical injury

HUMAN & ROHDE, INC.  
LANDSCAPE ARCHITECTS  
512 VIRGINIA AVENUE  
TOWSON, MD 21286  
410.825.3655 phone  
410.825.3687 fax

## ZONING NOTE

THE DECISION IN ZONING CASE No. 08-212-SPXA IS UNDER APPEAL.

## OWNER/DEVELOPER

UNIVERSITY BP LLC  
524 REISTERSTOWN ROAD  
PIKESVILLE, MARYLAND 21208-5304  
(410) 236-3888

- NOTES:
1. CONTRACTOR IS TO NOTIFY MISS UTILITY A MINIMUM OF 72 HOURS PRIOR TO DIGGING. TELEPHONE: 1-800-267-7777
  2. THE LANDSCAPE ARCHITECT IS TO BE NOTIFIED 48 HOURS BEFORE PLANTING BEGINS. THE LOCATION OF ALL PLANT MATERIAL IS TO BE APPROVED IN THE FIELD BY THE LANDSCAPE ARCHITECT.
  3. THIS PLAN IS FOR PLANTING ONLY.
  4. NO TREE OR SHRUB PLANTING THIS ARE TO BE LEFT OPEN OR UNATTENDED.
  5. SHRUBS ARE TO BE GROUPE INTO MULCHED BEDS. BEDS ARE TO BE EDGED AND THE GRASS IS TO BE KILLED OR REMOVED PRIOR TO MULCHING.
  6. ANY EXISTING SOIL CONDITIONS THAT MAY POSE A THREAT TO THE LIFE AND HEALTH OF THE PLANT MATERIAL MUST BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT BY THE LANDSCAPE CONTRACTOR PRIOR TO THE INSTALLATION OF THE PLANT MATERIAL.

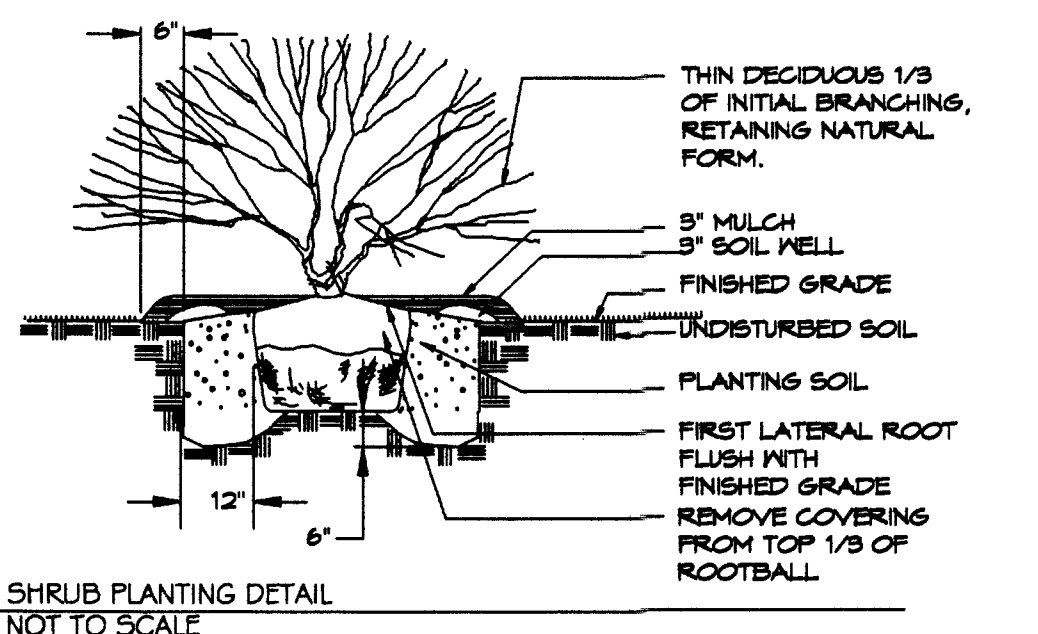
PRUNE 1/3 LEAF  
AREA BUT RETAIN  
NATURAL FORM OF  
TREE

#12 GALVANIZED  
WIRE STAYS TWISTED

2"X3" OAK  
STAKES NOTCH  
STAKES TO HOLD  
WIRE

REMOVE ANY  
COVERING AND TYING  
FROM TOP OF ROOT  
BALL AND TRUNK

TREE PLANTING DETAIL -  
NOT TO SCALE



## LANDSCAPE CALCULATION

| REQUIRED LANDSCAPING                                                                                    |           |         |
|---------------------------------------------------------------------------------------------------------|-----------|---------|
| ADJACENT ROADS                                                                                          | 505 LF/40 | = 13 PU |
| AUTO USE                                                                                                | 769 LF/15 | = 51 PU |
| SCREENING                                                                                               |           |         |
| PARKING TO ADJ. PUBLIC R/W                                                                              | 123 LF/15 | = 8 PU  |
| PARKING LOT                                                                                             | 35PS/12   | = 3 PU  |
| TOTAL                                                                                                   |           | = 75 PU |
| PROPOSED LANDSCAPING                                                                                    |           |         |
| MAJOR DECIDUOUS TREES                                                                                   | 11 @ 1.5  | = 11 PU |
| MINOR DECIDUOUS TREES                                                                                   | 8 @ 2.1   | = 4 PU  |
| SHRUBS                                                                                                  | 252 @ 5.1 | = 50 PU |
| NOTE: CREDIT FOR THE PROPOSED FENCE WAS ASSUMED IN LIEU OF ADDITIONAL PLANTING ALONG THE SOUTHWESTSIDE. |           |         |
| TOTAL                                                                                                   |           | = 65 PU |

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
Development Plans Review

OWNERS SIGNATURE AND CERTIFICATION FORM

I certify that I have reviewed this Final Landscape Plan; that I am aware of the regulations presented in the Baltimore County Landscape Manual and I agree to comply with these regulations and all applicable policy, guidelines and ordinances. I agree to certify the implementation of the approved Final Landscape Plan upon completion of the landscape installation not later than one (1) year from the date of approval of the plan to the Department of Permits and Development Management, Development Plans Review, County Office Building, Room 211, Towson, MD 21204.

Owner's signature \_\_\_\_\_ Date \_\_\_\_\_

Owner's printed name \_\_\_\_\_ Title # \_\_\_\_\_

(Print) Mailing address - City - state - zip \_\_\_\_\_

PAD# \_\_\_\_\_ BUILDING PERMIT # \_\_\_\_\_

| REVISION                          | DATE    | COMPUTED: | DRAWN: C.L.M. | CHECKED: | FL |
|-----------------------------------|---------|-----------|---------------|----------|----|
| PER DRP COMMENTS                  | 3-30-11 |           |               |          |    |
| SIDWALK ADDITION - LINDEN TERRACE | 2-11-11 |           |               |          |    |

## UNIVERSITY BP LLC PROPERTIES

Deed Ref: S.M. No. 23328 folio 31  
520 REISTERSTOWN ROAD  
Zoned BL AS, RO; GIS Tile 78B2  
Tax Account No.: 03-01-050264  
Tax Map 78; Grid 9; Parcel 246  
REISTERSTOWN ROAD  
Zoned BL AS, RO; GIS Tile 78B2  
Tax Account No.: 03-19-075967  
Tax Map 78; Grid 9; Parcel 428  
3rd ELECTION DISTRICT  
2nd COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND  
Scale: 1"=20' Date: November 10, 2010

GERHOLD, CROSS & ETZEL, LTD.  
REGISTERED PROFESSIONAL LAND SURVEYORS  
Suite 100  
320 East Towson Boulevard  
Towson, Maryland 21286  
(410) 823-4470

PETITIONER'S  
Remarks  
EXHIBIT NO. 3

# UNIVERSITY BP LLC. PROPERTIES

ON  
REISTERSTOWN ROAD

**U**niversity BP LLC. Properties is located between Milford Mill Road, Reisterstown Road and Linden Terrace.

**T**here is a Gas Station with a Convenience Store attached, and two houses that are used as Office Buildings.

**T**he owner, University BP LLC. Properties intends to build a Roll Over Carwash and a Carryout Restaurant building attached to the existing Gas Station and Convenience Store. Further, the site parking will be expanded to meet current parking criteria as well as landscaping the site to make it conform with the new Pikesville Commercial Revitalization Guidelines.

RECEIVED

FEB 18 2011

OFFICE OF PL

PETITIONER' S

*ROMANO*  
EXHIBIT NO.

4



**BALTIMORE COUNTY**

M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

TIMOTHY M. KOTROCO, *Director*  
March 25, 2008 *Department of Permits and  
Development Management*

Francis Borgerding  
409 Washington Avenue, Ste. 600  
Towson, MD 21204

Dear Mr. Borgerding:

RE: Case: 08-212-SPHXA, 520 Reisterstown Road

Please be advised that an appeal of the above-referenced case was filed in this office on February 26, 2008 by People's Counsel. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

Timothy Kotroco  
Director

TK:klm

c: William J. Wiseman III, Zoning Commissioner  
Timothy Kotroco, Director of PDM  
People's Counsel  
Bruce Doak, Gerhold Cross & Etzel, 320 E. Towsontown Blvd., Towson 21286  
Gul Sher, University BP, 520 Reisterstown Road, Pikesville 21218  
Deborah SeBour, Real Estate Investments, 2418 Bramarr Ave., Baltimore 21228  
William McConnell, 7 Linden Terrace, Pikesville 21208  
Charles Dubman, 3 Linden Terrace, Pikesville 21208



# *Baltimore County, Maryland*

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building  
105 West Chesapeake Avenue, Room 204  
Towson, Maryland 21204

410-887-2188  
Fax: 410-823-4236

PETER MAX ZIMMERMAN  
People's Counsel

CAROLE S. DEMILIO  
Deputy People's Counsel

February 26, 2008

Timothy Kotroco, Director  
Department of Permits and  
Development Management  
111 W. Chesapeake Avenue  
Towson, MD 21204

Hand-delivered

Re: PETITION FOR SPECIAL HEARING, SPECIAL  
EXCEPTION AND VARIANCE  
S/corner of Milford Mill & Reisterstown Roads  
(520 Reisterstown Road)  
3<sup>rd</sup> Election District; 2<sup>nd</sup> Councilmanic District  
University BP, LLC- Petitioners  
**Case No.: 08-212-SPHXA**

Dear Mr. Kotroco:

Please enter an appeal by the People's Counsel for Baltimore County to the County Board of Appeals from the Findings of Fact and Conclusions of Law dated February 1, 2008 by the Baltimore County Zoning Commissioner in the above-entitled case

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

RECEIVED

FEB 26 2008

Per. *[Signature]*

Very truly yours,

*Peter Max Zimmerman*  
Peter Max Zimmerman  
People's Counsel for Baltimore County

*Carole S. Demilio*  
Carole S. Demilio  
Deputy People's Counsel

PMZ/CSD/rmw

cc: Francis X. Borgerding, Jr, Esquire, 409 Washington Avenue, St 600, Towson, MD, 21204

## APPEAL

Petition for Special Hearing, Special Exception & Variance  
520 Reisterstown Road  
S/corner of Milford Mill & Reisterstown Roads  
3rd Election District – 2nd Councilmanic District  
Legal Owners: University BP, LLC

Case No.: 08-212-SPHXA

Petition for Special Hearing/Special Exception & Variance (November 5, 2007)

Zoning Description of Property

Notice of Zoning Hearing (December 11, 2007)

Certification of Publication (The Jeffersonian – January 1, 2008)

Certificate of Posting (December 27, 2007) by Bruce Doak

Entry of Appearance by People's Counsel (November 21, 2008)

Petitioner(s) Sign-In Sheet – One Sheet

Protestant(s) Sign-In Sheet - None

Citizen(s) Sign-In Sheet – One Sheet

Zoning Advisory Committee Comments

### Petitioners' Exhibit

1. Red lined Site Plan
2. Cover Letter w/ZAC comments
3. Office of Planning Comments
4. Photos

### Protestants' Exhibits:

1. Statement of Adriane Bahr & William McConnell
2. Statement of Charles Dubman

### Miscellaneous:

1. Code Enforcement Notes

Zoning Commissioner's Order (GRANTED w/rest. – February 1, 2008)

Notice of Appeal received on

c: People's Counsel of Baltimore County, MS #2010  
Zoning Commissioner  
Timothy Kotroco, Director of PDM  
Bruce Doak  
Gul Sher  
Deborah SeBour  
William McConnell  
Charles Dubman

*date sent March 26, 2008, klm*

**FRANCIS X. BORGERDING, JR.**

*Attorney at Law*

MERCANTILE BUILDING - SUITE 600  
409 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 296-6820  
FAX (410) 296-6884

December 7, 2007

Timothy Kotroco, Director  
Department of Permits and  
Development Management  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

RE: Case No.: 08-212-SPHXA  
520 Reisterstown Road  
Legal Owners: University BP, LLC  
Petition for Special Hearing, Special Exception and Variance

Dear Mr. Kotroco:

I am writing as counsel for Petitioner, University BP, LLC, to request a postponement of the above-referenced case presently scheduled for January 8, 2008 at 9:00 a.m. in Room 407. The reason for my requested postponement is that I have a previously scheduled estate hearing before the Orphans' Court for Baltimore City in relation to the estate of Peggy A. Williams, estate number 75-088. I apologize for any inconvenience this request may cause.

Thank you for your consideration in this matter.

Very truly yours,



FRANCIS X. BORGERDING, JR.

FXBJr:bjk



**Maryland Department of Assessments and Taxation**  
**BALTIMORE COUNTY**  
**Real Property Data Search** (2007 vw2.3)

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**Account Identifier:** District - 03 Account Number - 0319075967

**Owner Information**

**Owner Name:** UNIVERSITY BP LLC **Use:** COMMERCIAL  
**Principal Residence:** NO  
**Mailing Address:** 524 REISTERSTOWN RD **Deed Reference:** 1) /23328/ 31  
 BALTIMORE MD 21208-5304 2)

**Location & Structure Information**

**Premises Address** **Legal Description**  
 REISTERSTOWN RD LT WS REISTERSTOWN R  
 12232 SQ FT  
 SW COR SLADE AV

| Map | Grid | Parcel | Sub District | Subdivision | Section | Block | Lot | Assessment Area | Plat No:  |
|-----|------|--------|--------------|-------------|---------|-------|-----|-----------------|-----------|
| 78  | 9    | 428    |              |             |         |       |     | 1               | Plat Ref: |

**Special Tax Areas** **Town**  
**Ad Valorem**  
**Tax Class**

| Primary Structure Built | Enclosed Area | Property Land Area | County Use |
|-------------------------|---------------|--------------------|------------|
| 0000                    |               | 12,232.00 SF       | 06         |

| Stories | Basement | Type | Exterior |
|---------|----------|------|----------|
|         |          |      |          |

**Value Information**

|                           | Base Value | Value      | Phase-in Assessments |            |
|---------------------------|------------|------------|----------------------|------------|
|                           |            | As Of      | As Of                | As Of      |
|                           |            | 01/01/2007 | 07/01/2007           | 07/01/2008 |
| <b>Land</b>               | 183,400    | 305,800    |                      |            |
| <b>Improvements:</b>      | 0          | 0          |                      |            |
| <b>Total:</b>             | 183,400    | 305,800    | 224,200              | 265,000    |
| <b>Preferential Land:</b> | 0          | 0          | 0                    | 0          |

**Transfer Information**

|                                                   |                           |                         |
|---------------------------------------------------|---------------------------|-------------------------|
| <b>Seller:</b> AMOCO OIL COMPANY                  | <b>Date:</b> 02/02/2006   | <b>Price:</b> \$993,968 |
| <b>Type:</b> MULT ACCTS ARMS-LENGTH               | <b>Deed1:</b> /23328/ 31  | <b>Deed2:</b>           |
| <b>Seller:</b> BALTIMORE COUNTY REVENUE AUTHORITY | <b>Date:</b> 08/01/2001   | <b>Price:</b> \$183,500 |
| <b>Type:</b> UNIMPROVED ARMS-LENGTH               | <b>Deed1:</b> /15428/ 310 | <b>Deed2:</b>           |
| <b>Seller:</b> MASS TRANSIT ADM INISTRATION OF TH | <b>Date:</b> 03/30/1987   | <b>Price:</b> \$96,250  |
| <b>Type:</b> IMPROVED ARMS-LENGTH                 | <b>Deed1:</b> / 7466/ 581 | <b>Deed2:</b>           |

**Exemption Information**

| Partial Exempt Assessments | Class | 07/01/2007 | 07/01/2008 |
|----------------------------|-------|------------|------------|
| <b>County</b>              | 000   | 0          | 0          |
| <b>State</b>               | 000   | 0          | 0          |
| <b>Municipal</b>           | 000   | 0          | 0          |

**Tax Exempt:** NO  
**Exempt Class:**

**Special Tax Recapture:**  
 \* NONE \*



**Maryland Department of Assessments and Taxation**  
**BALTIMORE COUNTY**  
**Real Property Data Search** (2007 vw2.3)

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**Account Identifier:** District - 03 **Account Number -** 0319013810

**Owner Information**

**Owner Name:** UNIVERSITY BP LLC **Use:** COMMERCIAL  
**Principal Residence:** NO  
**Mailing Address:** 524 REISTERSTOWN RD **Deed Reference:** 1) /23328/ 31  
BALTIMORE MD 21208-5304 2)

**Location & Structure Information**

**Premises Address** **Legal Description**  
0 LINDEN TER .1272 AC PT LT 3-4  
150 W REISTERSTOWN RD  
NORTH VIEW

| Map | Grid | Parcel | Sub District | Subdivision | Section | Block | Lot | Assessment Area | Plat No:  |
|-----|------|--------|--------------|-------------|---------|-------|-----|-----------------|-----------|
| 78  | 9    | 578    |              |             |         |       | 3   | 1               | Plat Ref: |

**Special Tax Areas** **Town**  
**Ad Valorem**  
**Tax Class**

| Primary Structure Built | Enclosed Area | Property Land Area | County Use |
|-------------------------|---------------|--------------------|------------|
| 0000                    |               | 5,512.00 SF        | 06         |

| Stories | Basement | Type | Exterior |
|---------|----------|------|----------|
|         |          |      |          |

**Value Information**

|                           | Base Value | Value      | Phase-in Assessments |            |
|---------------------------|------------|------------|----------------------|------------|
|                           |            | As Of      | As Of                | As Of      |
|                           |            | 01/01/2007 | 07/01/2007           | 07/01/2008 |
| <b>Land</b>               | 55,100     | 82,600     |                      |            |
| <b>Improvements:</b>      | 45,600     | 18,200     |                      |            |
| <b>Total:</b>             | 100,700    | 100,800    | 100,733              | 100,766    |
| <b>Preferential Land:</b> | 0          | 0          | 0                    | 0          |

**Transfer Information**

|                                     |                           |                         |
|-------------------------------------|---------------------------|-------------------------|
| <b>Seller:</b> AMOCO OIL CO         | <b>Date:</b> 02/02/2006   | <b>Price:</b> \$993,968 |
| <b>Type:</b> MULT ACCTS ARMS-LENGTH | <b>Deed1:</b> /23328/ 31  | <b>Deed2:</b>           |
| <b>Seller:</b> GOURLEY C PAUL, JR   | <b>Date:</b> 08/01/2001   | <b>Price:</b> \$150,000 |
| <b>Type:</b> IMPROVED ARMS-LENGTH   | <b>Deed1:</b> /15428/ 306 | <b>Deed2:</b>           |
| <b>Seller:</b> BECKER WALTER        | <b>Date:</b> 08/27/1980   | <b>Price:</b> \$31,000  |
| <b>Type:</b> IMPROVED ARMS-LENGTH   | <b>Deed1:</b> / 6199/ 180 | <b>Deed2:</b>           |

**Exemption Information**

| Partial Exempt Assessments | Class | 07/01/2007 | 07/01/2008 |
|----------------------------|-------|------------|------------|
| <b>County</b>              | 000   | 0          | 0          |
| <b>State</b>               | 000   | 0          | 0          |
| <b>Municipal</b>           | 000   | 0          | 0          |

**Tax Exempt:** NO

**Exempt Class:**

**Special Tax Recapture:**

\* NONE \*



Account Identifier: District - 03 Account Number - 0319051175

**Owner Information**

**Owner Name:** UNIVERSITY BP LLC **Use:** COMMERCIAL  
**Mailing Address:** 524 REISTERSTOWN RD **Principal Residence:** NO  
BALTIMORE MD 21208-5304 **Deed Reference:** 1) /23328/ 31  
2)

**Location & Structure Information**

**Premises Address** **Legal Description**  
2 LINDEN TER .235 AC  
290 SW REISTERSTOWN RD  
NORTHVIEW

| Map | Grid | Parcel | Sub District | Subdivision | Section | Block | Lot | Assessment Area | Plat No:  |
|-----|------|--------|--------------|-------------|---------|-------|-----|-----------------|-----------|
| 78  | 9    | 719    |              |             |         |       | 5   | 1               | Plat Ref: |

**Special Tax Areas** **Town**  
**Ad Valorem**  
**Tax Class**

| Primary Structure Built | Enclosed Area | Property Land Area | County Use |
|-------------------------|---------------|--------------------|------------|
| 0000                    |               | 10,256.00 SF       | 06         |
| Stories                 | Basement      | Type               | Exterior   |

**Value Information**

|                           | Base Value | Value      | Phase-in Assessments |            |
|---------------------------|------------|------------|----------------------|------------|
|                           |            | As Of      | As Of                | As Of      |
|                           |            | 01/01/2007 | 07/01/2007           | 07/01/2008 |
| <b>Land</b>               | 102,500    | 140,000    |                      |            |
| <b>Improvements:</b>      | 49,900     | 19,900     |                      |            |
| <b>Total:</b>             | 152,400    | 159,900    | 154,900              | 157,400    |
| <b>Preferential Land:</b> | 0          | 0          | 0                    | 0          |

**Transfer Information**

|                                     |                           |                         |
|-------------------------------------|---------------------------|-------------------------|
| <b>Seller:</b> AMOCO OIL CO         | <b>Date:</b> 02/02/2006   | <b>Price:</b> \$993,968 |
| <b>Type:</b> MULT ACCTS ARMS-LENGTH | <b>Deed1:</b> /23328/ 31  | <b>Deed2:</b>           |
| <b>Seller:</b> SMITH ETHEL B        | <b>Date:</b> 08/01/2001   | <b>Price:</b> \$175,000 |
| <b>Type:</b> IMPROVED ARMS-LENGTH   | <b>Deed1:</b> /15428/ 315 | <b>Deed2:</b>           |
| <b>Seller:</b> SMITH JOHN C         | <b>Date:</b> 04/04/1979   | <b>Price:</b> \$0       |
| <b>Type:</b> NOT ARMS-LENGTH        | <b>Deed1:</b> / 6006/ 148 | <b>Deed2:</b>           |

**Exemption Information**

| Partial Exempt Assessments | Class | 07/01/2007 | 07/01/2008 |
|----------------------------|-------|------------|------------|
| <b>County</b>              | 000   | 0          | 0          |
| <b>State</b>               | 000   | 0          | 0          |
| <b>Municipal</b>           | 000   | 0          | 0          |

**Tax Exempt:** NO  
**Exempt Class:**

**Special Tax Recapture:**  
\* NONE \*



Maryland Department of Assessments and Taxation  
BALTIMORE COUNTY  
Real Property Data Search (2007 vw2.3)

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Account Identifier: District - 03 Account Number - 0301050264

**Owner Information**

Owner Name: UNIVERSITY BP LLC Use: COMMERCIAL  
Principal Residence: NO  
Mailing Address: 524 REISTERSTOWN RD Deed Reference: 1) /23328/ 31  
BALTIMORE MD 21208-5304 2)

**Location & Structure Information**

Premises Address Legal Description  
520 REISTERSTOWN RD LT 2 PT LTS 3,4  
520 REISTERSTOWN RD  
NORTHVIEW

| Map | Grid | Parcel | Sub District | Subdivision | Section | Block | Lot | Assessment Area | Plat No:  |
|-----|------|--------|--------------|-------------|---------|-------|-----|-----------------|-----------|
| 78  | 9    | 246    |              |             |         |       |     | 1               | Plat Ref: |

Special Tax Areas Town  
Ad Valorem  
Tax Class

| Primary Structure Built | Enclosed Area | Property Land Area | County Use |
|-------------------------|---------------|--------------------|------------|
| 1964                    | 1,914 SF      | 25,812.00 SF       | 20         |

| Stories | Basement | Type | Exterior |
|---------|----------|------|----------|
|         |          |      |          |

**Value Information**

|                    | Base Value | Value      | Phase-in Assessments |            |  |
|--------------------|------------|------------|----------------------|------------|--|
|                    |            | As Of      | As Of                | As Of      |  |
|                    |            | 01/01/2007 | 07/01/2007           | 07/01/2008 |  |
| Land               | 352,300    | 483,100    |                      |            |  |
| Improvements:      | 163,400    | 177,200    |                      |            |  |
| Total:             | 515,700    | 660,300    | 563,900              | 612,100    |  |
| Preferential Land: | 0          | 0          | 0                    | 0          |  |

**Transfer Information**

|         |                        |        |            |        |           |
|---------|------------------------|--------|------------|--------|-----------|
| Seller: | AMERICAN OIL CO        | Date:  | 02/02/2006 | Price: | \$993,968 |
| Type:   | MULT ACCTS ARMS-LENGTH | Deed1: | /23328/ 31 | Deed2: |           |
| Seller: |                        | Date:  |            | Price: |           |
| Type:   |                        | Deed1: |            | Deed2: |           |
| Seller: |                        | Date:  |            | Price: |           |
| Type:   |                        | Deed1: |            | Deed2: |           |

**Exemption Information**

| Partial Exempt Assessments | Class | 07/01/2007 | 07/01/2008 |
|----------------------------|-------|------------|------------|
| County                     | 000   | 0          | 0          |
| State                      | 000   | 0          | 0          |
| Municipal                  | 000   | 0          | 0          |

Tax Exempt: NO  
Exempt Class:

Special Tax Recapture:  
\* NONE \*



[http://sdatcert3.resiusa.org/rp\\_rewrite/maps/showmap.asp?countyid=04&accountid=03+030...](http://sdatcert3.resiusa.org/rp_rewrite/maps/showmap.asp?countyid=04&accountid=03+030...) 01/30/08

SOLOMON D. ROBBINS, M.D.  
5400 OLD COURT ROAD  
SUITE 206  
RANDALLSTOWN, MD 21133  
410-521-3121

NAME CHARLES DUBMAN  
ADDRESS \_\_\_\_\_ DATE 4/15/08

**R** (Please Print)

*Mr. Dubman has a seizure  
disorder. Sleep deprivation  
and stress may precipitate  
seizures —*

☐ LABEL

REFILL \_\_\_\_\_ TIMES

PRN

NR *MD*

M.D.

TO INSURE BRAND NAME DISPENSING, PRESCRIBER MUST WRITE 'BRAND NECESSARY' OR  
'BRAND MEDICALLY NECESSARY' ON THE PRESCRIPTION.

*Bill F4I*



Baltimore County  
Department of Permits and  
Development Management

Code Inspections and Enforcement  
County Office Building  
111 West Chesapeake Avenue  
Towson, MD 21204

Building Inspection:

410-887-3953

Plumbing Inspection:

410-887-3620

Electrical Inspection:

410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

|                                      |                                     |         |
|--------------------------------------|-------------------------------------|---------|
| Citation/Case No.<br><b>07-10553</b> | Property No.<br><b>03 01 050264</b> | Zoning: |
|--------------------------------------|-------------------------------------|---------|

Name(s): **Got ~~State~~ (Amoco) University BP LLC**

Address: **61 Amoco / State BP**

Violation Location: **324 Reisterstown Road 21209**

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

**BCBC Sec. 105 / BCC SEC. 35-2-304**  
**Addition constructed without building permit**

**BCBC - section 109**  
**Failure to call for required inspections**

**- STOP ALL WORK**

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

|                                  |                                 |
|----------------------------------|---------------------------------|
| On or Before:<br><b>12/17/06</b> | Date issued:<br><b>12/26/07</b> |
|----------------------------------|---------------------------------|

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: **Bob Peters**

INSPECTOR: **Bob Peters**

**STOP WORK NOTICE**

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

|                                 |                                 |
|---------------------------------|---------------------------------|
| On or Before:<br><b>1/17/07</b> | Date issued:<br><b>12/26/07</b> |
|---------------------------------|---------------------------------|

INSPECTOR: **Bob Peters**



CASE NAME \_\_\_\_\_  
CASE NUMBER 08-212-SPLXAA  
DATE 1-16-08

[illegible]

Case No.: 08-212 - SPHXA 520 REISTERSTOWN RD.

Exhibit Sheet

Petitioner/Developer

Protestant

|        |                                                                       |                                                                     |
|--------|-----------------------------------------------------------------------|---------------------------------------------------------------------|
| No. 1  | RED LINED SITE PLAN                                                   | Statement of Adriane Baker<br>and William McCONNELL<br>dated 1-7-08 |
| No. 2  | COVER LETTER OF W. Carl Richards<br>with ZAC Comments as of<br>1/9/08 | Statement of Charles A Dubon                                        |
| No. 3  | Office of Planning Comment<br>dated 12/13/07 - Not rec'd.             |                                                                     |
| No. 4  | Photo's - Existing Condition<br>A thru V - and Location Plat          |                                                                     |
| No. 5  |                                                                       |                                                                     |
| No. 6  |                                                                       |                                                                     |
| No. 7  |                                                                       |                                                                     |
| No. 8  |                                                                       |                                                                     |
| No. 9  |                                                                       |                                                                     |
| No. 10 |                                                                       |                                                                     |
| No. 11 |                                                                       |                                                                     |
| No. 12 |                                                                       |                                                                     |

January 7, 2008

Office of Permits and Development Management  
Zoning Commissioner  
RE: Case Number: 8-212-SPHXA  
Petitioner: Gul Sher

To Whom It May Concern:

We have been a resident on the street affected by the above petition request since December 1989. I am writing you to protest the above request for zoning changes to our street (Linden Terrace). Our street used to be quiet & traffic-free, as it should be for a residential neighborhood. We never would have purchased a home here if it was not. In the past 5 years or so, there have been multiple attempts to change the character of our street in the interest of someone making money off of their property.

As you may or may not know, there has been a huge change on our street recently with the construction and opening of the Prologue business (directly across the street from my house). Now, instead of looking out from my porch at beautiful large trees and other homes, I see a very large commercial-looking building. There was a long period of construction noise and mess. With the opening of the business, there has been considerably more foot traffic on the street, along with incidents of vandalism to our vehicles. We had to total one of our cars from the damage caused to it around 1 year ago. The other incident required body work and a windshield replacement.

There are now bright lights from the facility 24 hours a day. We are on a dead-end street, and there should be no extra traffic (vehicle or pedestrian) that has nothing to do with the residents who live there.

We also are bothered by noise from the nearby McDonald's restaurant drive-thru speaker at all hours of the day and night. We have contacted them numerous times to ask them to lower the volume, and they have never done so. We do not need additional loud megaphone noise.

There has also been a very noticeable increase in garbage and/or litter on our property.

**PROTESTANT' S**

EXHIBIT NO. 1

It is for these reasons, among others, that we are requesting you deny this attempt to change the zoning rules for our street. There is no reason to build yet another fast food/drive-thru restaurant on our street/neighborhood. It will just contribute to the declining quality of life here. As homeowners, we have the right to live in a quiet, safe neighborhood, and to keep our street the way it was intended- RESIDENTIAL.

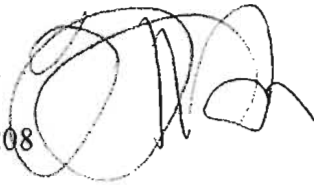
Because of health problems, Ms. Bahr is not able to attend the hearing in person. She is sending her letter of opposition to you along with 2 other homeowners on our street. You may contact her by phone or mail (see below for details). Please take this seriously in consideration during your proceedings on January 16, 2008 (rescheduled from January 8).

Sincerely,



Adriane Y. Bahr  
7 Linden Terrace  
Pikesville, MD. 21208  
443-677-2783

William McConnell  
7 Linden Terrace  
Pikesville, MD. 21208  
443-496-0260



Charles A. Dubman  
3 Linden Terrace  
Pikesville, MD 21208

January 15, 2008

Zoning Commission  
111 West Chesapeake Ave.  
Towson, Maryland, 21204

Re: case # 08-212-SPHXA

To whom it may concern,

I am the owner of, and have lived at, the above address since 1974, located approximately 100 feet due south of the property seeking zoning variances. The owners of the property, BP-Amoco, wish to expand services to include a car wash and drive-through restaurant, with additional parking capacity.

I feel that the expansion is excessive, and will intrude upon my privacy and sanctity and that of my neighbors. I am a reasonable person. I am not unwilling to make compromises. In this case, however, BP-Amoco's plans are out of place, excessive, and unreasonable. I see them as counter to Pikesville remaining an attractive residential area, and I oppose granting the requested variances.

Over the past three decades, I have watched my street transform from the remains of an old farmhouse road to asphalt and commercial development, with the consequent loss of several residences, some over 100 years old. Change has not been for the better.

Noise has increased, and will continue to increase with loss of vegetation and tree cover. The owner wishes to install a car wash at my end of the property, and to do so according to present plans, wants to reduce the required \*and needed\* 50 foot buffer to 10 feet. This will bring a LOT of unnecessary noise close to me.

I have been living with epilepsy for the past fifteen years. Noise is a well known stress and seizure trigger (see attached note from my neurologist, Dr. Robbins). I fear that increased noise might set back what has been a thankfully very uneventful last several years.

The owner wishes to install a drive through restaurant window. That (and the noise from customers' cars) should compound well the relentless noise from the \*competing\* McDonalds' loudspeaker 1/2 block to the south -- twice the distance -- that penetrates neighbors' walls during operating hours, despite constant requests for a permanent fix, despite my repeatedly pleading with the owner, Mr. Houck, that I have relevant and valid health concerns.

We do not need two drive through restaurants situated within 200 feet of each other. The sum effect is that of a single speaker operating at twice the allowable volume.

My house will be located midpoint between the two.

PROTESTANT'S

EXHIBIT NO.

2

I will have more overhead parking lot lights flooding into my windows, interfering with my sleep. Please refer again to the attached note from Dr. Robbins.

I will be forced to endure noise from the parking lot into the late evening or possibly early morning hours. I will have yet another view of grass and trees levelled and paved over.

The restaurant will require a dumpster. Another dumpster means another dumpster to bang at 3:00 AM. Another dumpster to smell during the peak of summer. Another dumpster to have its contents scattered by crows.

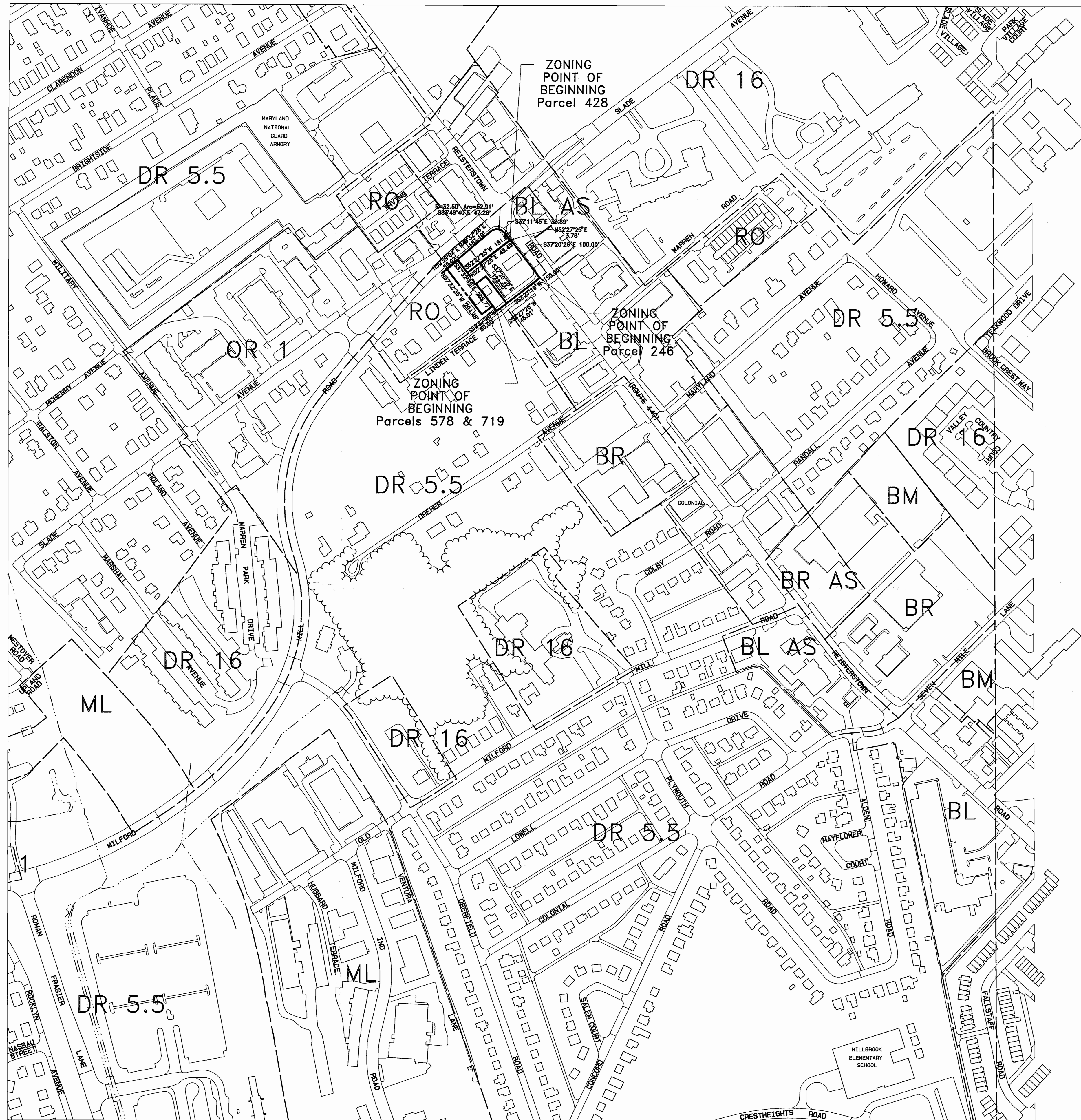
Litter will increase, as will rodents. As will vandalism in the wake of trespassers. I can point out several fresh examples.

Accidents are likely to increase within 50 feet of the already congested intersection of Milford Mill and Reisterstown Roads.

Another chunk of Pikesville threatens to be lost to to overdevelopment, on an avenue where more businesses have failed than succeeded in recent years.

*Charles A. Rubin*

*JANUARY 16, 2008*



MARYLAND COORDINATE SYSTEM  
NAD83(1991)

BALTIMORE  
CITY

ZONING MAP

GIS TILE: 78B2

SCALE: 1" = 200'