

**IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE**

E side Lincoln Avenue, 150 feet S of
Baltimore National Pike
1st Election District
1st Councilmanic District
(8 Lincoln Avenue)

Muhammad Sajid
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-217-SPHA**

* * * * *

ORDER OF DISMISSAL

This matter comes before this Deputy Zoning Commissioner from an Order of the County Board of Appeals of Baltimore County dated August 5, 2008 granting a Joint Motion for Remand and remanding the case to the Deputy Zoning Commissioner for further proceedings and review of an amended petition and site plan.

The case was originally filed as Petitions for Special Hearing and Variance wherein Petitioner requested Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a commercial parking area in the D.R.5.5 Zone. The Variance request was from Section 1B01.1.B.1.e.5 of the B.C.Z.R. 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. In an Order dated February 5, 2008, the undersigned granted the special hearing and variance requests. An appeal was filed by People's Counsel for Baltimore County on February 25, 2008. On August 5, 2008, the Board of Appeals convened for a hearing on the appeal. Following deliberation on the Joint Motion for Remand, the Board issued the aforementioned Order remanding the case to the undersigned for further proceedings.

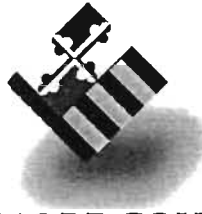
Following receipt of the file on March 3, 2009 from the Board of Appeals, the undersigned sent correspondence dated March 16, 2009 to People's Counsel and Petitioner's

attorney, Francis X. Borgerding, Jr., Esquire, requesting their advice as to what if any further proceedings were to be scheduled in the matter. The undersigned then received a letter dated May 8, 2009 from People's Counsel Peter Max Zimmerman indicating that based on his conversation with Mr. Borgerding, it was his understanding that the subject property at 8 Lincoln Avenue was placed at issue during the 2008 Comprehensive Zoning Map Process (CZMP), and that a portion of the property was re-zoned from residential to commercial. As a result, Petitioner was no longer in need of the requested zoning relief. Mr. Zimmerman indicated he expected Petitioner would withdraw and dismiss the zoning petition as moot. The undersigned also received a letter dated May 19, 2009 from Mr. Borgerding confirming Mr. Zimmerman's account and requesting withdrawal of the requested relief and dismissal as moot.

WHEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 26th day of May, 2009, on remand from the County Board of Appeals of Baltimore County, that the aforementioned Petitions for Special Hearing and Variance filed in the instant matter be and are hereby WITHDRAWN and DISMISSED without prejudice as MOOT.


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB/pz



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

May 26, 2009

Theresa R. Shelton, Administrator
Baltimore County Board of Appeals
105 West Chesapeake Avenue, Suite 203
Towson MD 21204

RE: Petition for Special Hearing and Variance
Determination of the Deputy Zoning Commissioner on Remand Order from the Baltimore
County Board of Appeals
(8 Lincoln Avenue)
Case No. 08-217-SPHA

Dear Ms. Shelton:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

Enclosure

THB:pz

c: Francis X. Borgerding, Jr., Esquire, 409 Washington Avenue, Suite 600, Towson, MD 21204
Peter Max Zimmerman, People's Counsel For Baltimore County

IN THE MATTER OF: MUHAMMAD SAJID
Legal Owner/Petitioner
8 Lincoln Avenue, 1st Election District
1st Councilmanic District
Petition for Special Hearing & Variance

Petitioner

* BEFORE THE
* COUNTY BOARD OF APPEALS
* FOR BALTIMORE COUNTY
* Case No.: 08-217-SPHA

* * * * *

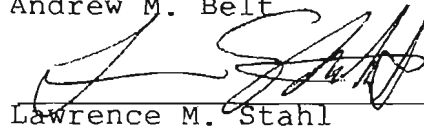
ORDER

Upon consideration of the Joint Motion for Remand to the Deputy Zoning Commissioner for Baltimore County, and having heard the explanation of attorneys in open hearing on August 5, 2008, it is this 5th day of August, 2008,

ORDERED, by the County Board of Appeals, that the Motion be, and hereby is, **GRANTED**, and that this case be, and hereby is, **REMANDED** to the Deputy Zoning Commissioner of Baltimore County, for further proceedings and review of an amended petition and site plan.



Andrew M. Belt



Lawrence M. Stahl



Wendell H. Grier



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
410-10-887-3182

August 5, 2008

Peter M. Zimmerman
People's Counsel for Baltimore County
Room 48, Old Courthouse
400 Washington Avenue
Towson, MD 21204

Francis X. Borgerding, Jr., Esquire
409 Washington Avenue
Suite 600
Mercantile-Towson Building
Towson, MD 21204

RE: *In the Matter of: Muhammad Sajid – Legal Owner*
Case No. 08-217-SPHA /Remand by Joint Request

Dear Counsel:

Enclosed please find a copy of the Board's Remand Order issued this date in the subject matter.

Very truly yours,

Kathleen C. Bianco
Administrator

Enclosure

c: Muhammad Sajid
Kassandra Foster
Bruce E. Doak /Gerhold Cross & Etzel
Colonel James R. Pennington, President
Banneker Community Development Assn., Inc.
Alton Morrison
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

IN THE MATTER OF: MUHAMMAD SAJID
Legal Owner/Petitioner
8 Lincoln Avenue, 1st Election District
1st Councilmanic District
Petition for Special Hearing & Variance

Petitioner

* BEFORE THE
* COUNTY BOARD OF APPEALS
* FOR BALTIMORE COUNTY
* Case No.: 08-217-SPHA

* * * * *

**JOINT MOTION FOR REMAND
TO THE DEPUTY ZONING COMMISSIONER FOR BALTIMORE COUNTY**

Petitioner, Muhammad Sajid, by and through his attorney, Francis X. Borgerding, Jr., and People's Counsel for Baltimore County, Peter Max Zimmerman, hereby jointly request that the above-referenced matter be remanded to the Deputy Zoning Commissioner for Baltimore County and say:

1. This matter comes before the Board of Appeals upon an appeal filed by the office of the People's Counsel for Baltimore County of the Order of the Deputy Zoning Commissioner dated February 5, 2008.

2. That the parties are making progress towards a revised plan and resolution of this case, subject to further proceedings and review before the Deputy Zoning Commissioner.

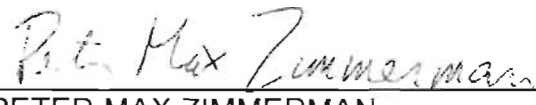
3. That the parties request that the above-captioned matter be remanded to the Deputy Zoning Commissioner for Baltimore County for a new hearing and to review an amended petition and site plan.

WHEREFORE, Petitioner and the office of the People's Counsel for Baltimore County request that this Honorable Board:

A. Remand the case to the Deputy Zoning Commissioner for Baltimore County for further proceedings; and

B. For such other and further relief as the nature of the parties' cause may require.


FRANCIS X. BORGERDING, JR.
409 Washington Avenue, Suite 600
Towson, Maryland 21204
410-296-6820
ATTORNEY FOR PETITIONER


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Jefferson Building
105 West Chesapeake Ave., Room 204
Towson, Maryland 21204

**IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE**

E side Lincoln Avenue, 150 feet S of
Baltimore National Pike
1st Election District
1st Councilmanic District
(8 Lincoln Avenue)

Muhammad Sajid
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-217-SPHA**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the legal owner of the subject property, Muhammad Sajid. The Special Hearing request was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a commercial parking area in the D.R.5.5 zone. The Variance request is from Section 1B01.1.B.1.e.5 of the B.C.Z.R. 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. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested special hearing and variance relief was Petitioner Muhammad Sajid and his attorney, Francis X. Borgerding, Esquire. Also appearing in support of the requested relief was Bruce E. Doak with Gerhold Cross & Etzel, Ltd., the consultant who prepared the site plan, Kassandra Foster, Petitioner's business partner, and Deborah Sebour, Petitioner's realtor. Appearing as interested citizens was Colonel James R. Pennington of 5915 Old Frederick Road and President of the Banneker Community Development Association, Inc., and Alton Morrison of 166 Winters Lane.

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Testimony and evidence offered revealed that the subject property is a rectangular-shaped parcel containing approximately 4,400 square feet and zoned D.R.5.5. The property is situated on the west side of Lincoln Avenue, south of Baltimore National Pike (U.S. Route 40), in the Catonsville area of Baltimore County. The property abuts an existing fuel service station located at the corner of Baltimore National Pike and Lincoln Avenue and is improved with an existing 1½-story dwelling built in approximately 1939. The fuel service station is also owned by Petitioner's corporation. At this juncture, Petitioner desires to provide better traffic flow and access for the fuel service station site by incorporating the subject property into the fuel service station property in order to make the entire property more square and provide additional parking. The special hearing is requested to permit the use of the D.R.5.5 zoned subject property for parking. As to the requested variance, the zoning regulations normally require that parking lots, either as principal or accessory use, provide a 50 foot buffer and 75 foot setback. Due to the location and configuration of the fuel service station in relation to the subject property, Petitioner is requesting a variance from this requirement.

In support of the requested relief, Petitioner called Bruce Doak as a witness. Mr. Doak is licensed property line surveyor with an extensive background in zoning and land use issues as applied to the Baltimore County Zoning Regulations. He has testified as an expert on a number of occasions before this Commission and the County Board of Appeals, and was offered and accepted as an expert in this case. Mr. Doak indicated that Petitioner is attempting to augment and update the fuel service station, in terms of its functionality and appearance. The goal is to make it more efficient, while also making it more aesthetically pleasing to the neighborhood. Marked and accepted into evidence as Petitioner's Exhibits 2A through 2D were photographs of the immediate area. Petitioner's Exhibit 2A is the Texaco fuel service station across the street on

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[Signature]

the opposite side of Winters Lane; 2B is a view of Petitioner's BP fuel service station showing the entrances on Baltimore National Pike; 2C shows the entrance on Winters Lane; and 2D shows the rear area of the BP fuel service station.

Mr. Doak explained that the subject property is currently used by a number of individuals as a trash area and "public restroom." Persons walking through the area routinely throw away trash on the ground, while others, including patrons of the gas station, often cut through the fence that separates the fuel service station from the subject property in order to urinate on the subject property behind the fence. Photos depicting the trash and debris on the subject property were marked and accepted into evidence as Petitioner's Exhibits 3A through 3H. In support of the variance request, Mr. Doak indicated that site constraints make complying with the 50 foot buffer and 75 foot setback virtually impossible. As shown on the site plan, the parcel abuts a commercial property on two sides and is located adjacent to the beginning of a commercial corridor on Baltimore National Pike, less than one mile west of the Beltway. The configuration is also unique because it abuts commercially zoned property to the side and rear and was improved with the existing structure prior to the RTA regulations. The subject property is also tucked into the adjacent BP fuel service station, and presents a logical annexation for the fuel service station in order to improve its overall functionality, especially when balanced against the limited desirability of the subject property as a residence.

Next to testify was Deborah Sebour, Petitioner's real estate consultant. Ms. Sebour operates Real Estate Investments, LLC and provides counseling to clients regarding real estate and land use issues. Ms. Sebour became involved with the instant matter in July, 2007 when she was contacted by Petitioner. Petitioner had purchased the subject property in 2004 when it became available for sale, due to its location just next to the fuel service station. Petitioner

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contacted Ms. Sebour seeking suggestions on how to better utilize both the fuel service station and the subject property, and alleviating problems including inefficient traffic flow, loiterers congregating on the station grounds, and urinating on the fence areas. In response, Ms. Sebour assisted in putting together an information packet for the community containing details of Petitioner's proposed plans for the combined properties. A copy of this packet was marked and accepted into evidence as Petitioner's Exhibit 4. The packet included a scheduling notice of the zoning hearing, a number of safety issues and proposed solutions identified in connection with the properties, a description and artist's rendering of proposed improvements including landscaping and improving the existing, dilapidated fence, and photos of the immediate area. Ms. Sebour also indicated that the closest neighbors to the subject property -- located at 5 Lincoln Avenue (across the street) and 6 Lincoln Avenue (next door) -- were given the aforementioned information and indicated they were in support of Petitioner's petitions and proposed improvements. Their letters of support were marked and accepted into evidence as Petitioner's Exhibits 5A and 5B, respectively.

Testifying as an interested citizen on behalf of the nearby community association was Colonel James R. Pennington. Mr. Pennington indicated he had been given the aforementioned information packet containing the details of Petitioner's plans for the fuel service station and the subject property, and had reviewed the information. He had also spoken with a number of neighbors and stated that the neighbors and the community association are in favor of Petitioner's plans because the overall area will be improved as a result. Next to testify was Alton Morrison. Mr. Morrison lives nearby on Winters Lane and indicated he is opposed to the requested relief. He sees tearing down the home on the subject property and using the property as parking in conjunction with the existing fuel service station as a negative use of the property,

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and does not believe the zoning should be changed or any exceptions made to accommodate such a use. In short, he was concerned about trading a house for a parking lot.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. The comments received from the Office of Planning dated December 6, 2007 indicates that Office visited the subject site and observed that the existing wood fence located on the service station property is seven feet high rather than five feet high as indicated on the site plan, and is in very poor condition. Several product-advertising signs are also displayed on the fence, and the existing service station dumpster is not screened or enclosed. The comments further indicate that all existing fencing should be removed and replaced, display of signage on the fence should be prohibited, and the dumpster area should be screened and enclosed. The site plan should be revised to eliminate the proposed driveway cut on Lincoln Avenue, landscaping and lighting plans should be submitted to the County's landscape architect, and the landscaping and lighting should be upgraded for the entire site. Comments were also received from the Bureau of Development Plans Review dated November 29, 2007 which indicate they have no objection to granting the requested variance; however, the entrance off Lincoln Avenue may not be constricted by the handicap parking space shown on the site plan, and the existing fence shall also be removed.

In response to the ZAC comments, Mr. Doak indicated his client's willingness to comply with the comments, though he did not believe it was necessary to prepare and submit a full landscape plan to the County's landscape architect due to the limited nature and scope of the landscaping.

In regard to the requested special hearing, based on the testimony and evidence, I am persuaded to grant the requested relief and allow a commercial parking area in the D.R.5.5 zone

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pursuant to Section 409.8.B of the B.C.Z.R. I find that the proposed parking configuration with 10 additional spaces, including a handicapped space, will not be adverse to the character of the surrounding community, and the anticipated impact on the community will be minimal. I also find based on the testimony, as well as the details of the site plan and the photographs accepted into evidence, that the requirements of Section 409.8.B.2 will be met, including that only passenger vehicles, excluding buses, may use the parking area; that no loading, service or any use other than parking shall be permitted; that lighting shall be regulated as to location, direction, hours of illumination, glare and intensity; and that method and area of operation, provision for maintenance and permitted hours of use shall be specified and regulated as required. A satisfactory plan showing parking arrangement and vehicular access has been provided as shown on the site plan.

In regard to the request for variance, considering all the testimony and evidence presented, I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Hence, I find the property unique in a zoning sense. I also find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

Finally, I find that this variance can be granted in strict harmony with the spirit and intent of said regulations and in a manner so as to grant relief without injury to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's special hearing and variance requests should be granted with conditions.

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THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 5th day of February, 2008 that Petitioner's request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a commercial parking area in the D.R.5.5 zone is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioner's request for Variance from Section 1B01.1B.1.e.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) 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 is hereby GRANTED, subject to the following which are conditions precedent to the relief granted herein:

1. Petitioner may apply for his permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner will be required to return, and be responsible for returning, said property to its original condition.
2. Petitioner shall remove all existing fencing and replace with attractive wood fencing. In addition, the display of signage on the fence shall be prohibited.
3. The dumpster area shall be screened and enclosed.
4. Petitioner shall revise the site plan to eliminate the proposed driveway cut on Lincoln Avenue where the proposed paved parking area is located. Lincoln Avenue is predominantly a residential street. The service station already has sufficient driveway cuts, including one on Lincoln Avenue near Route 40. There is no need for an additional driveway cut on Lincoln Avenue.
5. Petitioner shall prepare a plan showing proposed landscaping, fencing, dumpster area screening, and lighting for the subject property and the service station property, which shall be submitted to Avery Harden for his review and approval prior to the issuance of any use permits.
6. Only passenger vehicles, excluding buses, may use the parking area; no loading, service or any use other than parking shall be permitted; lighting shall be regulated as to location, direction, hours of illumination, glare and intensity; and method and area of operation, provision for maintenance and permitted hours of use shall be specified and regulated as required.

ORDER RECEIVED FOR FILING

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7. The BP service station is within the Revitalization District. Every effort shall be made to upgrade landscaping and lighting for the entire site.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

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BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

February 5, 2008

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

Re: Petition for Special Hearing and Variance
Case No. 08-217-SPHA
Property: 8 Lincoln Avenue

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 an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz
Enclosure

- c: Bruce Doak, Gerhold, Cross & Etzel, Ltd., 320 E. Towsontown Blvd., Suite 100,
Towson, MD 21286
Kassandra Foster and Majid Hussain, 8 Lincoln Avenue, Catonsville MD 21228
Deborah Sebour, 2418 Brianan Avenue, Catonsville MD 21228
Col. James R. Pennington, 5915 Old Frederick Road, Catonsville MD 21228
Alton Morrison, 166 Winters Lane, Catonsville MD 21228



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8 LINCOLN AVE.
which is presently zoned DR 5.5

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

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

MUHAMMAD SAYID
Name - Type or Print

MSayid
Signature

Name - Type or Print

Signature

2809 BRIAN COURT
Address Telephone No.

ELLICOTT CITY, MD 21043-2398
City State Zip Code

Representative to be Contacted:

GERHOLD, CROSS & ETZEL LTD
Name

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

TOWSON MD 21286
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Case No. 08-217-SPHA

REV 9/15/98

Reviewed By D.T. Date 11/7/07

ORDER RECEIVED FOR PLANS
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D.D.



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8 LINCOLN AVEN

which is presently zoned D.R. 5.5

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.

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):

MUHAMMAD SAJID

Name - Type or Print

Signature

Name - Type or Print

Signature

2809 BRIAN COURT

Address

Telephone No.

ELLICOTT CITY, MD 2043-3398

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

UNAVAILABLE FOR HEARING

Reviewed By D.T.

Date 11/7/07

Case No.

08-017-SPREAD FOR FILING

REC 9/15/93

2508

PD

8 LINCOLN AVENUE

VARIANCE REQUESTED

BALTIMORE COUNTY ZONING REGULATIONS:

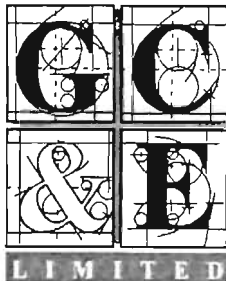
1B01.1B.1.e.5

*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 PARKING AREA IN DR 5.5 ZONE

08-217-SPHA



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

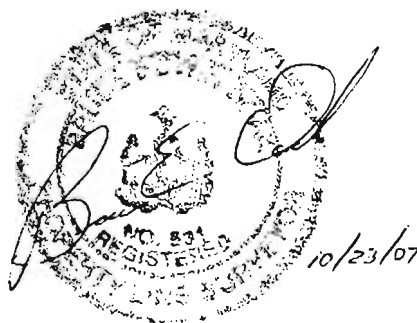
October 23, 2007

ZONING DESCRIPTION
Muhamad Sajid Property
8 Lincoln Avenue
Baltimore County, Maryland

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

Beginning for the same at a point on the East side of Lincoln Avenue which is 40 feet wide at the distance of 150' south of the edge of the paving of Baltimore National Pike (US Route 40) which is 140' wide. Being lot # 22-23, Block "A", Parcel 42 in the subdivision of "Catonsville Pines" as recorded in Baltimore County Plat Book # 9, folio # 41.

Containing 4,400 sq. ft. 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.

08-217-SPHA

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: # 08-217-SPHA

8 Lincoln Avenue

E/side of Lincoln Avenue, 150 feet south of Baltimore National Pike

1st Election District

1st Councilmanic District

Legal Owner(s): Muhammad Sajid

Special Hearing: for a use permit to allow a commercial parking area in DR 5.5 zone. **Variance:** 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.

Hearing: Monday, January 14, 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.

12/419 Dec. 27

159021

CERTIFICATE OF PUBLICATION

12/27/2007

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 12/27/2007.

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

J. Wilkins

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **07645**

Date: **11/7/07**

PAID RECEIPT

BUSINESS ACTUAL FINE ADM
 11/13/2007 11/08/2007 11:50:52 4
 000 000 WALKIN RICH KCH
 RECEIPT # 204355 11/08/2007 0014
 Dept 5 520 ZONING VERIFICATION
 000645
 Recpt Tot - \$650.00
 \$650.00 CR \$650.00 CA
 Baltimore County, Maryland

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	002			1250				650.00
Total:								650.00

Rec

From: **DAIM LLC**

For: **ITEM# 217 08-217-SPHA**
8 LINCOLN AVE.

D. THOMPSON

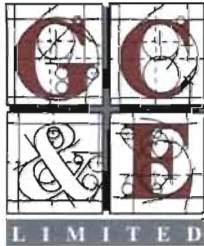
DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**



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#08-217-SPHA
PETITIONER/DEVELOPER:
Muhammad Sajid
DATE OF HEARING: 1/14/08

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:
8 Lincoln Avenue

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 # 15-001-0004
APPLICANT: JAMES WILSON
THE ZONING COMMISSION
IN TOWNSHIP, N.J.

PLEASE
CONTACT THE ZONING COMMISSION
FOR MORE INFORMATION
ON THIS MATTER

DATE: 10/15/2014

10/15/2014

10/15/2014

10/15/2014

10/15/2014

10/15/2014

10/15/2014

10/15/2014

10/15/2014

10/15/2014

10/15/2014

10/15/2014

ZONING NOTICE

CASE # :08-217-SPHA

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

Room 106 County Office Building

PLACE: 111 Chesapeake Avenue, Towson, MD

TIME: Monday, January 14, 2008 at 9:00AM

Special Hearing: for a use permit to allow a commercial parking area in DR 5.5 zone.

Variance: 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.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING.
CALL 410-287-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE.

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

ZONING NOTICE

CASE #: 08-217-SPHA

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

Room 106 County Office Building

PLACE: 111 Chesapeake Avenue, Towson, MD

TIME: Monday, January 14, 2008 at 9:00AM

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HEARINGS ARE HANDICAPPED ACCESSIBLE

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 08-217-SPHA

Petitioner: SATID

Address or Location: ~~8~~ 8 LINCOLN AVE.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. MOHAMMAD SATID

Address: 2809 BRIAN CT.

ELICOTT CITY, MD 21043-3378

Telephone Number: 410-750-2919 (DEBRA SEBOUR)



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 29, 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: 08-217-SPHA

8 Lincoln Avenue

E/side of Lincoln Avenue, 150 feet south of Baltimore National Pike

1st Election District – 1st Councilmanic District

Legal Owners: Muhammad Sajid

Special Hearing for a use permit to allow a commercial parking area in DR 5.5 zone. Variance 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.

Hearing: Monday, January 14, 2008 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Muhammad Sajid, 2809 Brian Court, Ellicott City 21043-3398
Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Towson 21204

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, DECEMBER 29, 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.

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



TO: PATUXENT PUBLISHING COMPANY
Thursday, December 27, 2007 Issue - Jeffersonian

Please forward billing to:
Mohammad Sajid
2809 Brian Court
Ellicott City, MD 21043

410-750-2919

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: 08-217-SPHA

8 Lincoln Avenue

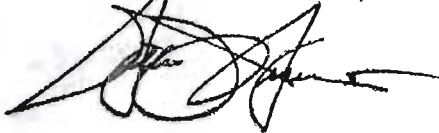
E/side of Lincoln Avenue, 150 feet south of Baltimore National Pike

1st Election District – 1st Councilmanic District

Legal Owners: Muhammad Sajid

Special Hearing for a use permit to allow a commercial parking area in DR 5.5 zone. Variance 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.

Hearing: Monday, January 14, 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.



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
Second Floor, 105 W. Chesapeake Avenue
(next to Suite 203)

May 28, 2008

NOTICE OF ASSIGNMENT

CASE #: 08-217-SPHA

IN THE MATTER OF: MUHAMMAD SAJID – Legal Owner /Petitioner
8 Lincoln Avenue 1st Election District; 1st Councilmanic District

2/05/2008 – D.Z.C.'s Decision in which requested zoning relief was
GRANTED with conditions.

ASSIGNED FOR: TUESDAY, AUGUST 5, 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 : Francis X. Borgerding, Jr., Esquire
Petitioner : Muhammad Sajid
Kassandra Foster
Bruce E. Doak /Gerhold Cross & Etzel
Deborah Sebour /Real Estate Investments, LLC
Colonel James R. Pennington, President
Banneker Community Development Assn., Inc.
Alton Morrison
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

Requested: April 24, 2008

APPEAL SIGN POSTING REQUEST

CASE NO.: 08-217-SPHA

8 LINCOLN AVENUE

1st ELECTION DISTRICT

APPEALED: 2/25/2008

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.: 08-217-SPHA

LEGAL OWNER: MUHAMMAD SAJID

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

8 LINCOLN AVENUE

E/s Lincoln Avenue, 150'S of Baltimore National Pike

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

By: [Signature]
(Signature of Sign Poster)

JASON SEIDEMAN
(Print Name)

ZONING APPEAL

PUBLIC HEARING

CASE NUMBER:

08-217-SP1A

FOR INFORMATION CALL

410-887-3180

DO NOT REMOVE
UNDER PENALTY OF LAW

BALTIMORE COUNTY BOARD OF APPEALS

05/09/2008 12:19 pm



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

Muhammad Sajid
2809 Brian Court
Ellicott City, MD 21043-3398

Dear Mr. Sajid:

RE: Case Number: 08-217-SPHA, 8 Lincoln

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 7, 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 that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 29, 2007

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For December 3, 2007
Item No. 08-217

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

We have no objection to granting the requested variance; however the entrance off of Lincoln Avenue may not be constricted by the handicap parking space. The existing fence shall also be removed.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 08-217-11282007.doc



Baltimore County
Fire Department

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

County Office Building, Room 111
, 2007
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

December 3, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: November 26, 2007

Item Number: 217 218, 219, 220, 222, 224, 225, 226, 227, 228, 229, 232

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



Printed with Soybean Ink
on Recycled Paper

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



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: Nov, 26, 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. 8-217-SPHA
8 LINCOLN AVENUE
MUHAMMAD SAID PROPERTY
VARIANCE &
SPECIAL HEARING

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. 8-217-SPHA.

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

INTER-OFFICE CORRESPONDENCE

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

DATE: December 6, 2007

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

SUBJECT: 8 Lincoln Avenue

INFORMATION:

Item Number: 8-217

Petitioner: Muhammad Sajid

Zoning: DR 5.5

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning visited the subject site and observed the following: The existing wood fence located on the service station property is 7 feet high rather than 5 feet high as indicated on the petitioner's site plan. This fence is in very poor condition. Also, several product-advertising signs are displayed on the fence. The existing service station dumpster is not screened or enclosed.

The Office of Planning recommends the plan be approved subject to the following:

1. All existing fencing should be removed and replaced with attractive wood fencing. The display of signage on the fence should be prohibited.
2. The dumpster area should be screened/enclosed.
3. The site plan should be revised to eliminate the proposed driveway cut on Lincoln Avenue where the proposed paved parking area is located. Lincoln Avenue is predominantly a residential street. The service station already has sufficient driveway cuts, including one on Lincoln Avenue near Route 40. There isn't any need for an additional driveway cut on Lincoln Avenue.
4. A plan showing proposed landscaping, fencing, dumpster area screening, and lighting for 8 Lincoln Avenue and the service station property should be submitted to Avery Harden for his review and approval prior to the issuance of any use permit.
5. The BP service station is within the Revitalization District. Every effort should be made to upgrade landscaping and lighting for the entire site.

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

Reviewed by: Curtis Gurney

Division Chief: Steve Farkas
AFK/LL: CM

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
8 Lincoln Avenue; E/S Lincoln Avenue, * ZONING COMMISSIONER
150' S Baltimore National Pike *
1st Election & 1st Councilmanic Districts * FOR
Legal Owner(s): Muhammad Sajid *
Petitioner(s) * BALTIMORE COUNTY
* 08-217-SPHA

* * * * *

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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of November, 2007, a copy of the foregoing Entry of Appearance was mailed Gerhold, Cross & Etzel, Ltd, 320 E. Towsontown Blvd, Suite 100, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

NOV 2 2007

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
March 6, 2008 *Department of Permits and
Development Management*

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

Dear Mr. Borgerding:

RE: Case: 08-217-SPHA, 8 Lincoln Avenue

Please be advised that an appeal of the above-referenced case was filed in this office on February 25, 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
Kassandra Foster/Majid Hussein
Deborah Sebour
Col James Pennington
Alton Morrison



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 25, 2008

Hand-delivered

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

RECEIVED

FEB 25 2008

Per *[Signature]*

Re: PETITION FOR SPECIAL HEARING & VARIANCE
E/S Lincoln Avenue, 150' S of Baltimore National Pike
(8 Lincoln Avenue)
1st Election District; 1st Council District
Mahammad Sajid - Petitioners
Case No.: 08-217-SPHA

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 5, 2008 by the Baltimore County Deputy Zoning Commissioner.

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

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 & Variance
8 Lincoln Avenue
E/side of Lincoln Avenue, 150 ft south of Baltimore National Pike
1st Election District – 1st Councilmanic District
Legal Owners: Muhammad Sajid

Case No.: 08-217-SPHA

- ✓ Petition for Special Hearing & Variance (November 7, 2008)
 - ✓ Zoning Description of Property
 - ✓ Notice of Zoning Hearing (November 29, 2007)
 - ✓ Certification of Publication (The Jeffersonian – December 27, 2007)
 - ✓ Certificate of Posting (December 27, 2007) by Bruce Doak
 - ✓ Entry of Appearance by People's Counsel (November 29, 2007)
 - ✓ 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. Site Plan
 2. Photos
 3. Photos
 4. Information Packet
 5. Photos (A & B)
 6. Photos (1 thru 17)
 - 6A. Site Plan
- Protestants' Exhibits - None
- Miscellaneous (Not Marked as Exhibit)
None in file
- ✓ Deputy Zoning Commissioner's Order (GRANTED – February 5, 2008)
 - ✓ Notice of Appeal received on February 25, 2008 from People's Counsel

c: ✖ People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
Francis Borgerding
Bruce Doak
Kassandra Foster/Majid Hussein
Deborah Sebour
Col James Pennington
Alton Morrison

date sent March 14, 2008, klm

RECEIVED
MAR 14 2008

BALTIMORE COUNTY
BOARD OF APPEALS

CASE #: 08-217-SPHA

IN THE MATTER OF: MUHAMMAD SAJID – Legal Owner /Petitioner
8 Lincoln Avenue 1st Election District; 1st Councilmanic District

SPH – To allow commercial parking area in D.R. 5.5 zone; VAR – to allow parking lot w/10' buffer and setback ilo req'd 50' RTA buffer and 75' RTA setback.

2/05/2008 – D.Z.C.'s Decision in which requested zoning relief was
GRANTED with conditions.

5/28/08 - Notice of Assignment sent to following parties; hearing assigned for Tuesday, August 5, 2008 at 10 a.m.:

Office of People's Counsel
Francis X. Borgerding, Jr., Esquire
Muhammad Sajid
Kassandra Foster
Bruce E. Doak /Gerhold Cross & Etzel
Deborah Sebour /Real Estate Investments, LLC
Colonel James R. Pennington, President
Banneker Community Development Assn., Inc.
Alton Morrison
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

8/05/08 – Board convened for hearing (Belt, Stahl, Grier); Joint Motion for Remand to DZC filed by Counsel for Petitioner and Office of People's Counsel; after argument and public deliberation, motion granted; case to be remanded to DZC by joint request of parties for new hearing before DZC and review by him of amended petition and site plan toward resolution of case. Order remanding to DZC to be issued.

Patricia Zook - Re: Remanded cases from the Board of Appeals (status of cases before Zoning Commissioner)

From: Patricia Zook
To: Shelton, Theresa
Date: 5/19/2009 12:52 PM
Subject: Re: Remanded cases from the Board of Appeals (status of cases before Zoning Commissioner)
CC: Bostwick, Thomas; Wiley, Debra; Wiseman, Bill

Good afternoon Theresa -

Below is an update and status for Tom's cases:

08-140-SPH – Adel & Arpi Sansur: Response received from Petitioner's attorney. Petitioner to decide if he wants to proceed by doing a new plan based on the new zoning. We should receive a formal letter from the attorney asking us to return the file to the zoning office, but not dismiss yet.

08-217-SPHA – Muhammad Sajid: Response from Peoples Counsel received May 18, 2009 and we expect the Petitioner to withdraw the zoning petition.

07-470-SPH – Posey: A response from the parties is due June 3, 2009

08-110-SPH – Michael Lang: Hearing held on Friday, May 15, 2009 and we anticipate issuing a decision within the next couple days.

I hope this information is helpful to you.

Patti Zook
 Baltimore County
 Office of the Zoning Commissioner
 105 West Chesapeake Avenue, Suite 103
 Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

>>> Theresa Shelton 5/18/2009 11:32 AM >>>
 Gentlemen:

Good Morning. This email is to follow-up and obtain a status on cases that were remanded to you for further proceedings. These cases remain active on the Board's docket until such time as a disposition is reached by your office. The files are as follows:

Case #	Case Name	Date Remand
08-140-SPH	Adel & Arpi Sansur	11/17/2008
08-217-SPHA	Muhammad Sajid	8/5/2008
07-470-SPH	Posey	4/2/2009

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County

Interoffice Correspondence

Phone: 410-887-3180

Fax: 410-887-3182

To: William J. Wiseman, III, Zoning Commissioner

From: Sunny Cannington, Legal Secretary *SC*

Date: March 3, 2009

Re: Remanded cases
08-140-SPH Adel and Arpi Sansur
08-217-SPHA Muhammad Sajid

RECEIVED

MAR 03 2009

ZONING COMMISSIONER

Mr. Wiseman,

As per your conversation with Theresa today, attached are two cases, listed above, that were remanded to you for further proceedings. After you have issued the necessary Order or Opinion, please send a copy of this Order/Opinion to us for our records.

Please retain the file for the appeals period of 30 days. If the case is appealed again, the file would need to be returned to us. Should no appeal be taken within the appropriate time period, you may return the file to the Office of Zoning Review for closing and filing.

Thank you for all of your help and support in this matter. It is our hope, that with your help, we will be able to maintain the files in such a way that a backlog will not arise again.

Thank you again and, as always, should you have any questions or problems, please do not hesitate to contact us.

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 22 2009

May 19, 2009

ZONING COMMISSIONER

Thomas H. Bostwick
Deputy Zoning Commissioner for
Baltimore County
Jefferson Building
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

RE: Case No.: 2008-217-SPHA

Dear Mr. Bostwick:

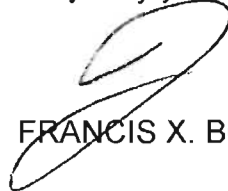
I am writing in response to your correspondence of March 16, 2009. My apologies for the delay in responding to your inquiry regarding the above-referenced matter.

Due to the re-zoning of the land at issue in the Baltimore County 2008 Comprehensive Zoning Map Issues filed in the above-referenced special hearing are now moot. Accordingly, my clients do not need to proceed with the remand of the above-referenced case.

Withdrawal of the requested relief at this time and dismissing is moot.

If you have any questions in relation to this matter, please do not hesitate to contact me. Thank you for your cooperation.

Very truly yours,



FRANCIS X. BORGERDING, JR.

FXBJr:bjk
cc: Mr. Majid Hussain



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

May 8, 2009

RECEIVED

MAY 08 2009

ZONING COMMISSIONER

HAND-DELIVERED

Thomas H. Bostwick, Deputy Zoning Commissioner
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Re: PETITIONS FOR SPECIAL HEARING AND VARIANCE
Muhammad Sajid- Petitioners
8 Lincoln Avenue
Case Nos.: 08-217-SPHA

Dear Mr. Bostwick:

This is in response to your letter dated March 16, 2009.

Frank Borgerding, Petitioner's attorney, has indicated in conversation that the subject property at 8 Lincoln Avenue was placed at issue in the 2008 Comprehensive Zoning Map Process. Based on this conversation, it is my understanding that a portion of the property was rezoned from residential to commercial and that the Petitioner no longer must obtain the zoning relief requested. Therefore, subject to Mr. Borgerding's confirmation, I expect that the Petitioner will withdraw and dismiss the zoning petition as moot.

Thank you for your consideration.

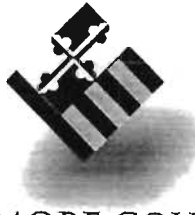
Very truly yours,

A handwritten signature in blue ink that reads "Peter Max Zimmerman".

Peter Max Zimmerman
People's Counsel for Baltimore County

PMZ/rmw

cc: Frank X. Borgerding, Jr, Esquire
Dennis Wertz, Area Planner



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

March 16, 2009

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

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

PETER MAX ZIMMERMAN
PEOPLE'S COUNSEL FOR BALTIMORE COUNTY
105 WEST CHESAPEAKE AVENUE, SUITE 204
TOWSON MD 21208

Re: Case No. 2008-217-SPHA

Dear Messrs. Borgerding and Zimmerman:

Please be advised that we are in receipt of the case file from the Board of Appeals of Baltimore County pertaining to the above-referenced matter. As you are aware, this matter was appealed to the Board of Appeals from an Order issued by the undersigned on February 5, 2008.

The matter came before the Board of Appeals on August 5, 2008. On that date, prior to holding a hearing on the merits of the appeal, the Board of Appeals issued an Order that the case be remanded to the Deputy Zoning Commissioner/Zoning Commissioner for further proceedings.

The purpose of this letter is to advise you that this Commission is in possession of the above-referenced case file and now seeks guidance from the parties as to what, if any, further proceedings are to be scheduled in this matter. Please contact the undersigned in writing within the next sixty (60) days and advise what issues remain outstanding as per the Board of Appeals' Order of Remand.

Thank you for your prompt attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Th. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION

IN THE MATTER OF:

MUHAMMAD SAJAD

08-217-SPHA

DATE: August 5, 2008

BOARD/PANEL: Andrew Belt
Lawrence Stahl
Wendell Grier

RECORDED BY: Sunny Cannington/Legal Secretary

PURPOSE: To deliberate a Joint Motion for Remand to the Deputy Zoning Commissioner for Baltimore County, submitted by the parties.

PANEL MEMBERS DISCUSSED THE FOLLOWING:

STANDING

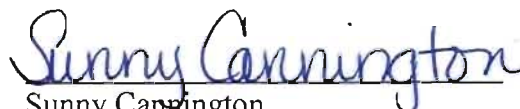
- In the interests of judicial economy, and recognizing that the Deputy Zoning Commissioner is most familiar with this case, the Board reviewed the Joint Motion.

DECISION BY BOARD MEMBERS: The Board decided that due to the familiarity of the Deputy Zoning Commissioner with this case and in consideration of the Joint Motion for Remand and in the interest of judicial economy, it is in the best interests of this case to grant the Joint Motion for Remand and to remand the case back to the Deputy Zoning Commissioner.

FINAL DECISION: After thorough review of the facts, argument, and law in the matter, the Board unanimously agreed to GRANT the Joint Motion for Remand to the Deputy Zoning Commissioner for Baltimore County and therefore REMANDS this case to the Deputy Zoning Commissioner for further proceedings.

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

Respectfully Submitted,


Sunny Cannington

CASE NAME SALIO PROPERTY
CASE NUMBER 08-217-SPHA
DATE 1/14/08

CASE NAME SALIO PROPERTY
CASE NUMBER 08-217-SPHA
DATE 1/14/08

[illegible]

CASE NAME _____
CASE NUMBER _____
DATE _____

CITIZEN'S SIGN-IN SHEET

[illegible]

Case No.:

08-217-5PNA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	site plan	
No. 2	photos - Taxis across street - example of what they want to do.	
No. 3	photos - showing trash + debris on subject prop.	
No. 4	Packet of Info	
No. 5	Letters of Support	
No. 6 A-	photos + site plan	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

B



A



A



A



PETITIONER'S

EXHIBIT NO. 2A-D

A



B



C



D



PETITIONER'S

EXHIBIT NO.

3A-H



Baltimore County hearing CASE # 08-217-SPHA

APPENDIX

1. Notice of Zoning Hearing
2. Noted issues and resolution proposal
3. Description of improvements
4. Existing Platt
5. Rendered drawing of improvements
6. Photo
7. Letters from Homeowners @ 5 and 6 Lincoln Ave

PETITIONER' S

EXHIBIT NO.

4



November 29, 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: 08-217-SPHA

8 Lincoln Avenue
E/side of Lincoln Avenue, 150 feet south of Baltimore National Pike
1st Election District – 1st Councilmanic District
Legal Owners: Muhammad Sajid

Special Hearing for a use permit to allow a commercial parking area in DR 5.5 zone. Variance 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.

Hearing: Monday, January 14, 2008 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

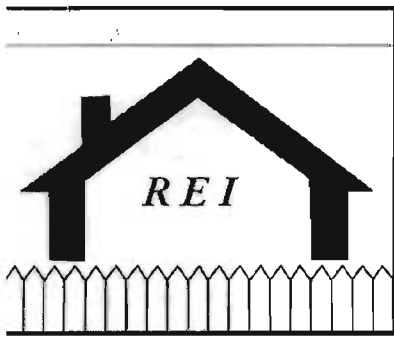
C: Muhammad Sajid, 2809 Brian Court, Ellicott City 21043-3398
Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Towson 21204

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, DECEMBER 29, 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.**

COPY

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





Real Estate Investments, LLC.

Deborah L. SeBour Broker

Community Presentation

**Baltimore County Zoning Hearing Case # 08-217-SPHA
8 Lincoln Ave, Catonsville, Md. 21228**

January 7, 2008

This case has been brought before Baltimore County for the following reason:

Major safety issues with the current parking lot at the BP Station.

- 1. An issue with patrons and the general public who pass through on foot, who frequently urinate on the back fence line, creating a public health hazard.**
- 2. Several instances where Criminals have darted behind the existing fence line, through gaps in neighboring fences and disappeared into the community.**
- 3. The fence line is irregular, having a very sharp and jutting point, several patrons have crashed into the fence.**

Also, traffic hazard and traffic jams occur when delivery vehicles need to enter and exit the property. Maneuvering around this section of the parking lot is difficult and impedes the flow of vehicles onto side streets.

- 4. Visual aspect of this property could be enhanced to the benefit of the Community.**

We offer the following solutions.

- 1. With the parking upgrade, the fence will run parallel with the back property line, eliminating gaps in the neighboring fence (# 6 Lincoln Ave.) and providing for better security.**
- 2. With the fence moved back, BP will upgrade the convenience store at this sight by approximately 408 sq. ft., using a new modular unit that provides the public with a much needed restroom facility.**
- 3. Traffic flow will improve as obstacles will be eliminated.**
- 5. Landscaping shall be installed to enhance and benefit the community and Bp will contribute and provide space for a new community welcome sign.**

Balto. Co. hearing Case # 08-217-SPHA

Description of improvements:

Remove existing 8 ft. high fence.

Install new 8 ft' high parallel fence along rear property line and create a 5 foot landscape buffer between properties.

Install 8ft. fencing connecting to garage at 6 Lincoln Ave, eliminating gaps.

Install picket fence along Lincoln Ave, complete with landscaping and Community welcome sign .

L=0.70
R=15.00
CHD=0.70
CHB=N77°29'16"E

TM 95-19-42-A
LOTS 24-28, 54-57
THE AMERICAN OIL COMPANY
PLAT BOOK 12, FOLIO 40
0.4414 AC.
19227.5 SQ. FT.

#5931
1 STORY
BRICK
H=9.5'
120.3 S.F.

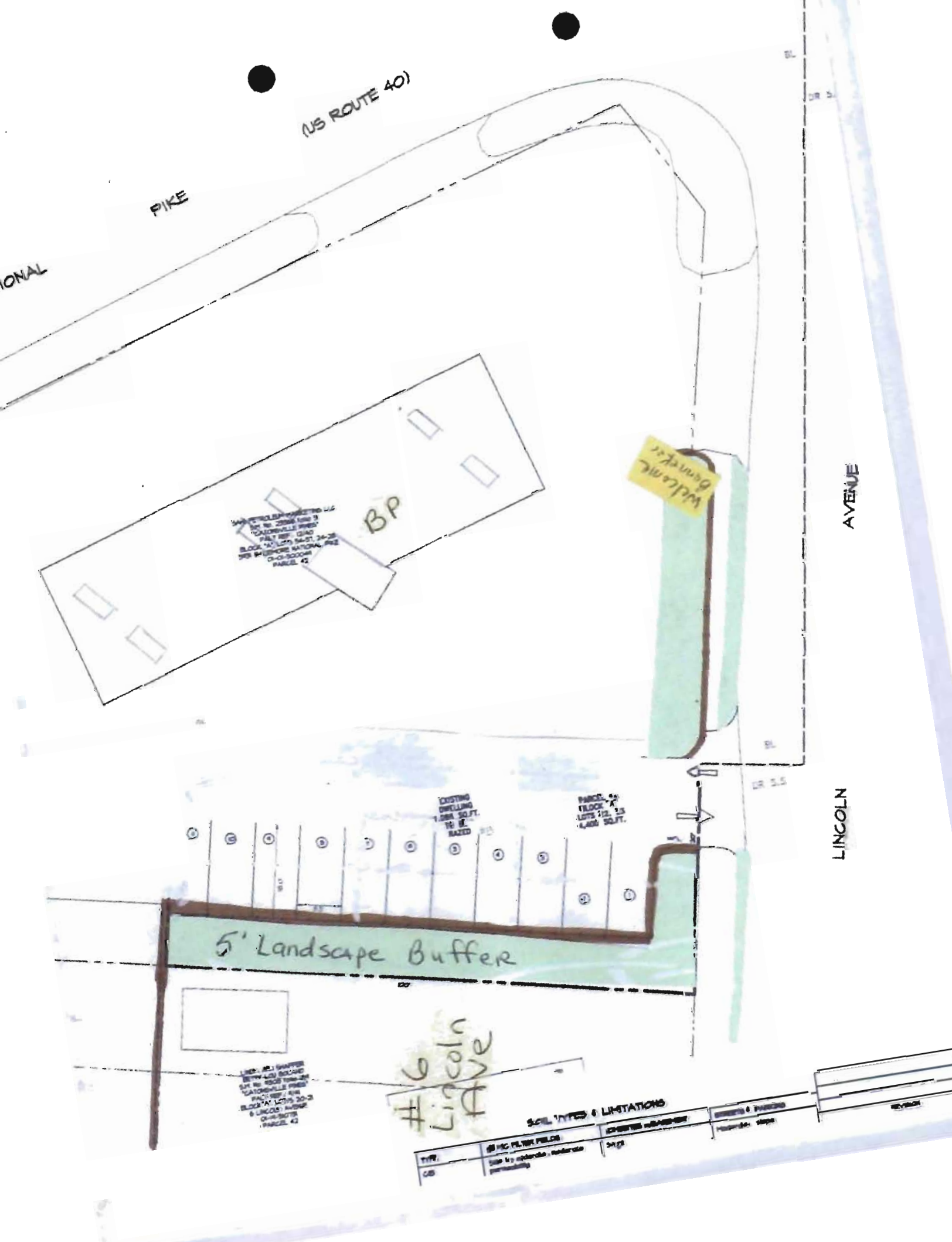
TM 95-19-42-A-22
ASAJID MUHAMMAD
LIBER 20873, FOLIO 7
(ZONED B)

TM 95-19-42-A-58
DAMON, JEROME & RENARD
LIBER 10933, FOLIO 641
(ZONED B)

EXISTING FENCE Line - Red
Proposed Fence Line - Brown

STATEMENT

GROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM



(US ROUTE 40)

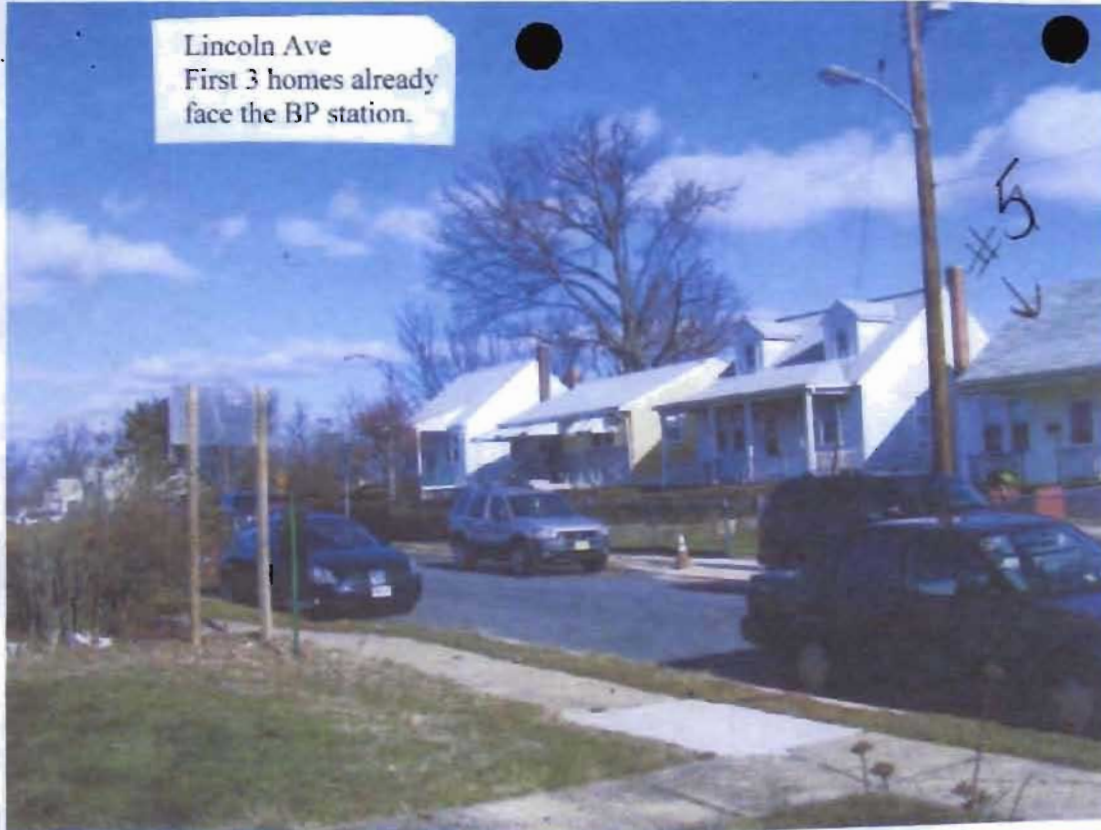
PIKE

ONAL

BP

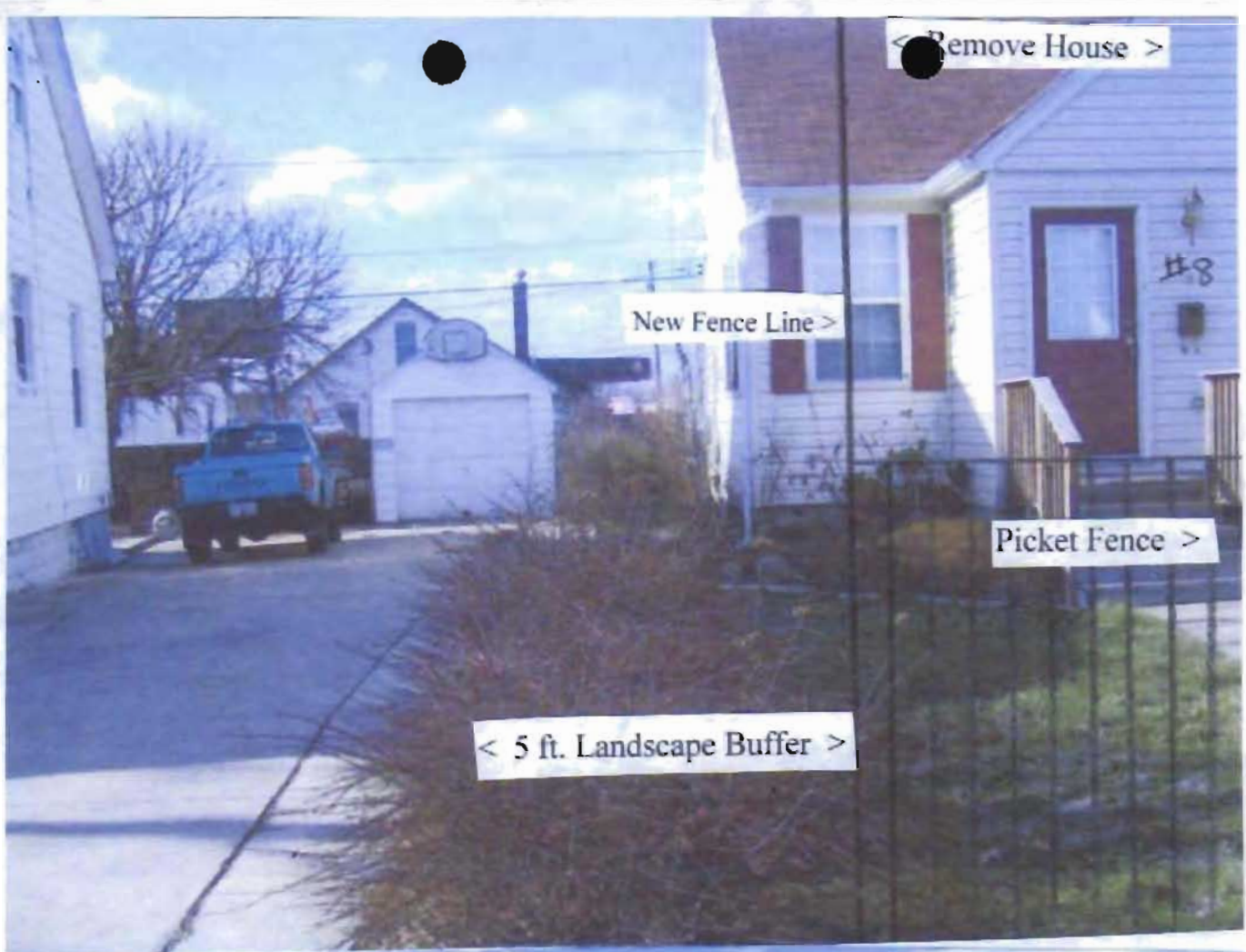
SHAWNEE HILLS SUBDIVISION LLC
 100 W. 200th Ave. 3
 CANTONVILLE, MISSOURI
 64601-1000
 BLOCK 10, LOT 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 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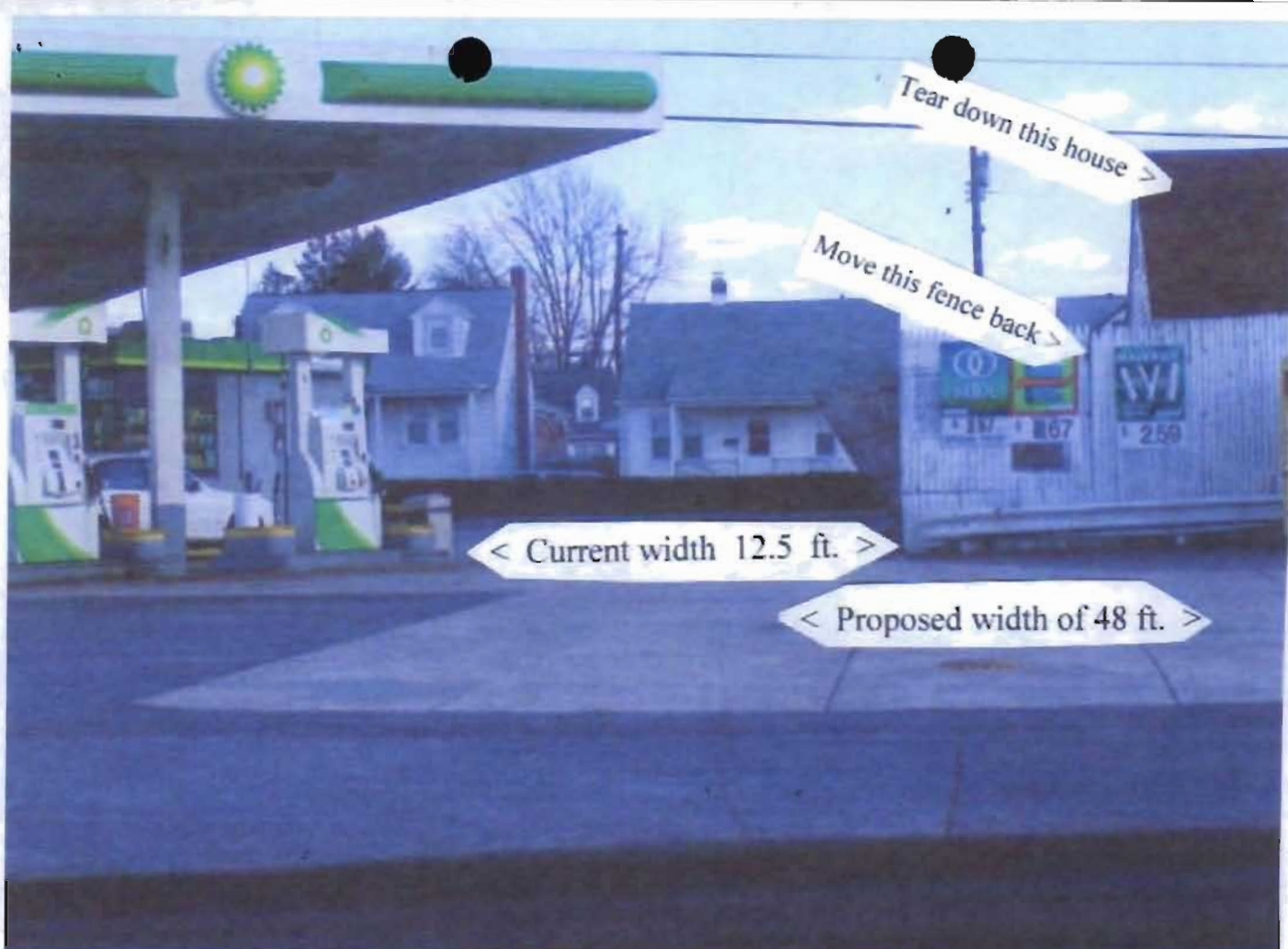
Lincoln Ave
First 3 homes already
face the BP station.



ATony
Blagmon









January 11, 2008

Atoney Blagmon
5 Lincoln Ave.
Catonsville, Md. 21228

To whom it may concern,

This letter is written in response the Balto. Co. Hearing Case # 08-217-SPHA.

My main concern is in regard to the head lights from cars which shine directly into the front of my house. This is currently a problem and has been for years.

I do not oppose the changes to # 8 Lincoln Ave, I agree that it will help with the traffic flow.

However, I am requesting that in lieu of a picket fence along Lincoln Ave. in front of my property, I want a 6 foot high, wide plank fence installed. This will solve the headlight issue and help keep the trash from blowing down our street.

Sincerely,
Atoney Blagmon

Mr Atoney Blagmon

PETITIONER' S

EXHIBIT NO.

5A

Linda A. Shaffer
6 Lincoln Ave.
Catonsville, Md. 21228
410-747-1640

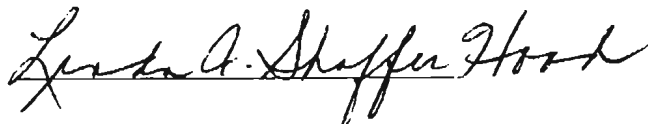
November 7, 2007

This letter is to notify Baltimore County Maryland that I do not oppose the planned parking area at 8 Lincoln Ave. The owner and I have agreed to certain conditions that will benefit my property .

Currently there are large gaps in the existing fence line behind both our properties which present a safety hazard, along with overgrown bushes and some trash. This project, along with it's new fencing and landscaping will enhance the safety and esthetics of my home .

Sincerely,

Linda A. Shaffer

A handwritten signature in cursive script that reads "Linda A. Shaffer". The signature is written in dark ink and is positioned below the printed name.

5B



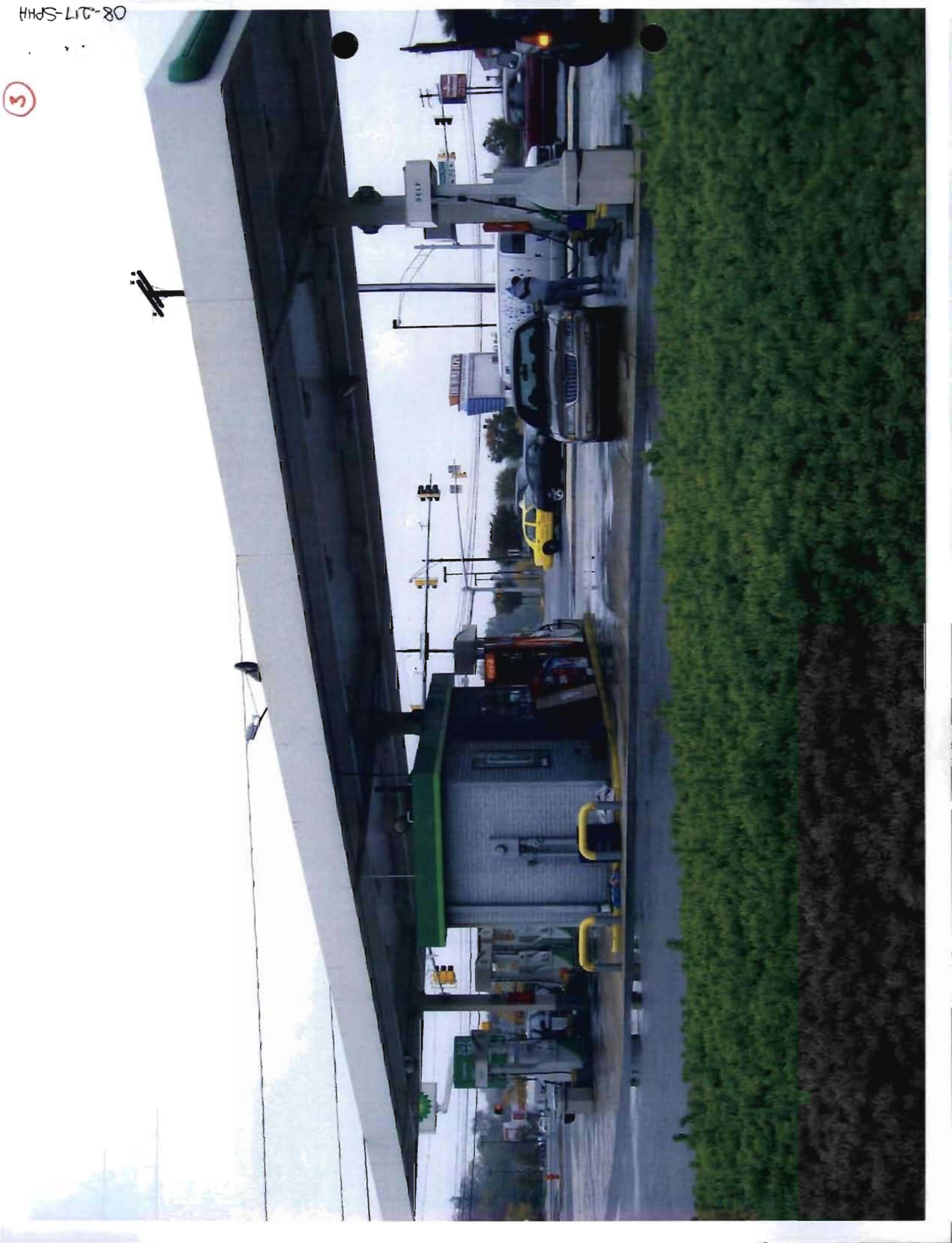
08-217-SPHA

①



08-217-SPHA

2



08-217-SPHA

3

AKS-610-80

4



08-21-80

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08-17-94

9





08-217-SPH4

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08-217-SPH4

8





08-217-SPH#

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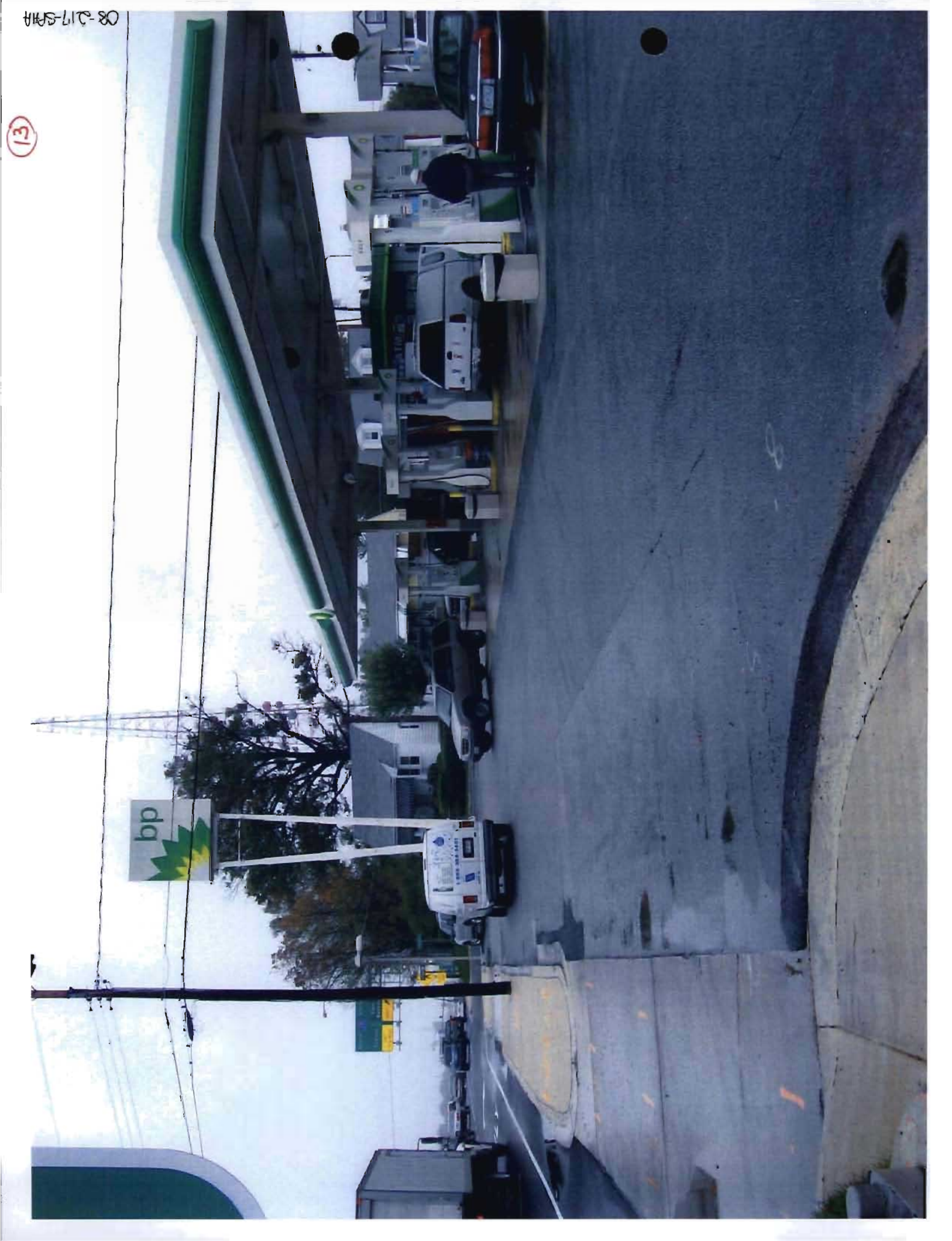




08-217-5949

11





08-217-SMA

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08-217-SPHA

14



08-217-5PHH

(5)





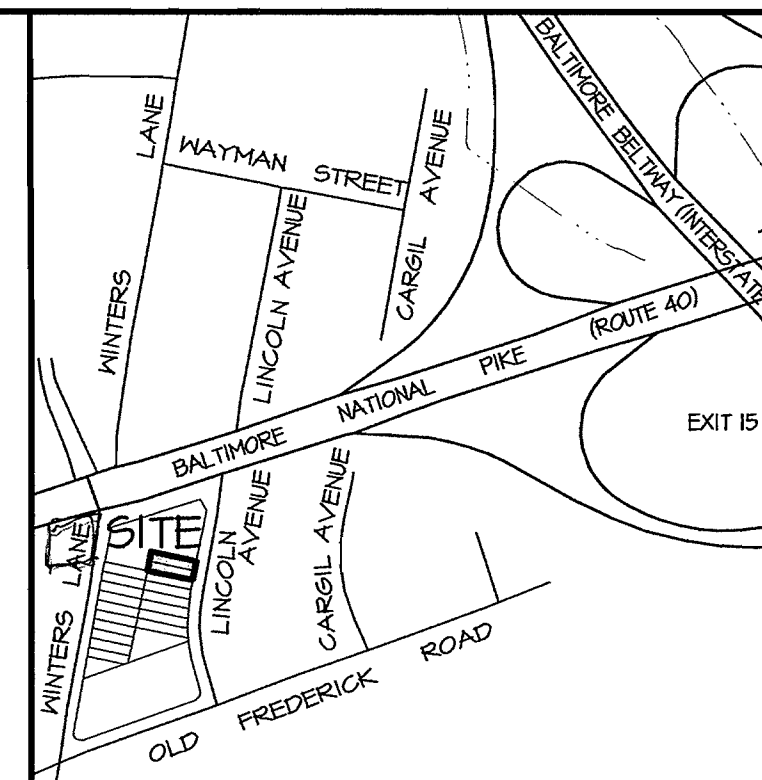
08-2-17-5PM

16



LEGEND

EXISTING BUILDING
SOIL LINE
EXISTING PAVING
ZONING LINE
PROPERTY LINE
CONTOURS



VICINITY MAP
1" = 2000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A DEED
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 95A3
3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 43.
4. CENSUS TRACT 400800 REGIONAL PLANNING DISTRICT 324
WATERSHED PATAPSCO RIVER SUBWERSHED 76
SCHOOL DISTRICT: ELEMENTARY - HILLCREST E.S.; MIDDLE - CATONSVILLE M.S.; HIGH - CATONSVILLE H.S.
A.D.C. MAP # GRID 41 C1
5. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
6. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
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.
9. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PUBLIC WATER AND SEWER.

OWNER/DEVELOPER

MUHAMMAD SAJJID
2809 BRIAN COURT
ELLICOTT CITY, MD 21043-8398

VARIANCE REQUESTED

(BOL.B.I.e.(5) (B.C.Z.R.) 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 COMMERCIAL PARKING AREA IN DR 5.5 ZONE

PETITIONER'S

EXHIBIT NO. 1

08-217-SPHA
PLAN TO ACCOMPANY A
VARIANCE AND A SPECIAL HEARING
SAJJID PROPERTY

8 LINCOLN AVENUE
Deed Ref: S.M. No. 20673 folio 75
"CATONSVILLE PINES"
BLOCK "A" LOTS 22-23
Tax Account No.: 01-04-002110
Zoned DR 5.5; GIS Tile 95A3
Tax Map 95; Grid 19; Parcel 42
1st ELECTION DISTRICT
1st COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=10'

Date: OCTOBER 1, 2007

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

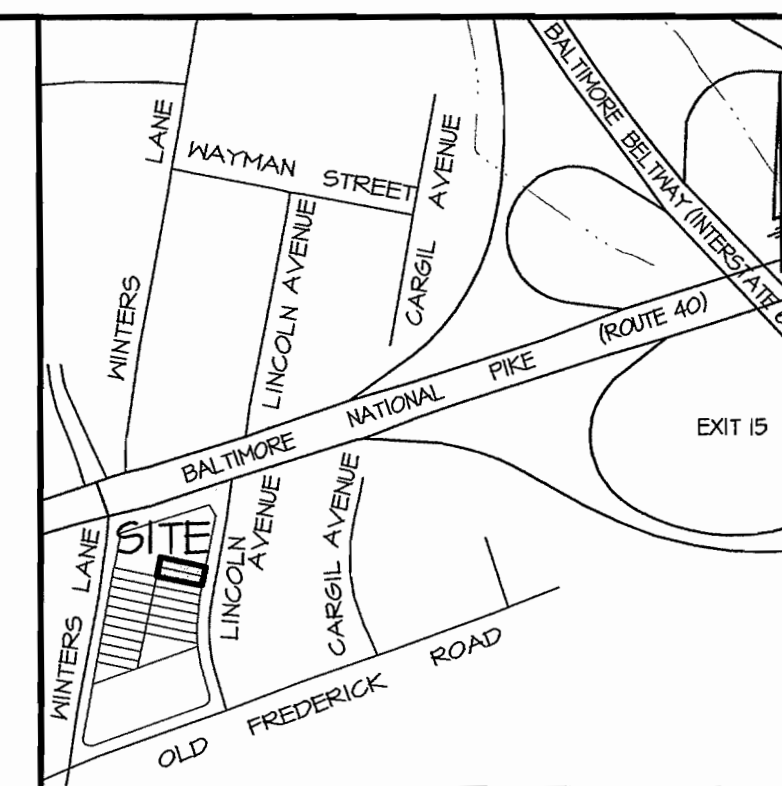
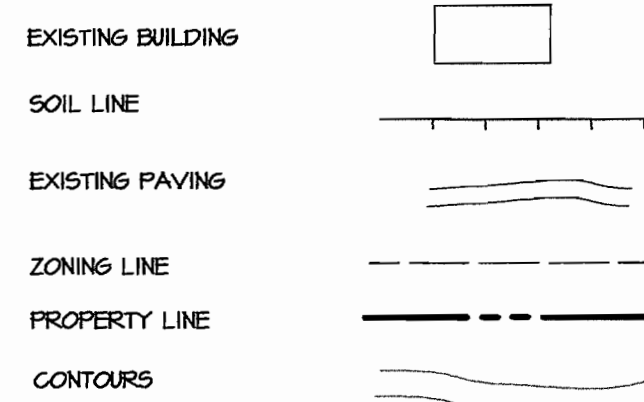
SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES W/BASEMENT	STREETS & PARKING
CIB	Site to moderate, moderate permeability	Slight	Moderate slope

Handicap Space moved	01/14/08
REVISION OF R.T.A. LINES	01/11/08
REVISION	DATE

COMPUTED: DRAWN: C.L.M. CHECKED: FILE: X:\Hussain\Lincoln\zoning plan.pro

LEGEND



VICINITY MAP
1" = 2000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A DEED
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 45A3
3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 43.
4. CENSUS TRACT 400800 REGIONAL PLANNING DISTRICT 324
WATERSHED PATAPSCO RIVER SUBWATERSHED 76
SCHOOL DISTRICT: ELEMENTARY - HILLCREST E.S.; MIDDLE - CATONSVILLE M.S.; HIGH - CATONSVILLE H.S.
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OWNER/DEVELOPER

MUHAMAD SAJJID
2809 BRIAN COURT
ELLICOTT CITY, MD 21043-3398

VARIANCE REQUESTED

1801.1.0.5 (B.C.Z.R.) 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 COMMERCIAL PARKING AREA IN DR 5.5 ZONE

PETITIONER'S

EXHIBIT NO. SA-

PLAN TO ACCOMPANY PHOTO

PLAN TO ACCOMPANY A
VARIANCE AND A SPECIAL HEARING
SAJJID PROPERTY

8 LINCOLN AVENUE
Deed Ref: S.M. No. 20673 folio 75
"CATONSVILLE PINES"
BLOCK "A" LOTS 22-23
Tax Account No.: 01-04-002110
Zoned DR 5.5; GIS Tile 95A3
Tax Map 95; Grid 19; Parcel 42
1st ELECTION DISTRICT
1st COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=10'

Date: OCTOBER 1, 2007

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

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

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES w/BASEMENT	STREETS & PARKING
C1B	Silt to moderate permeability	Slight	Moderate slope

REVISION

DATE

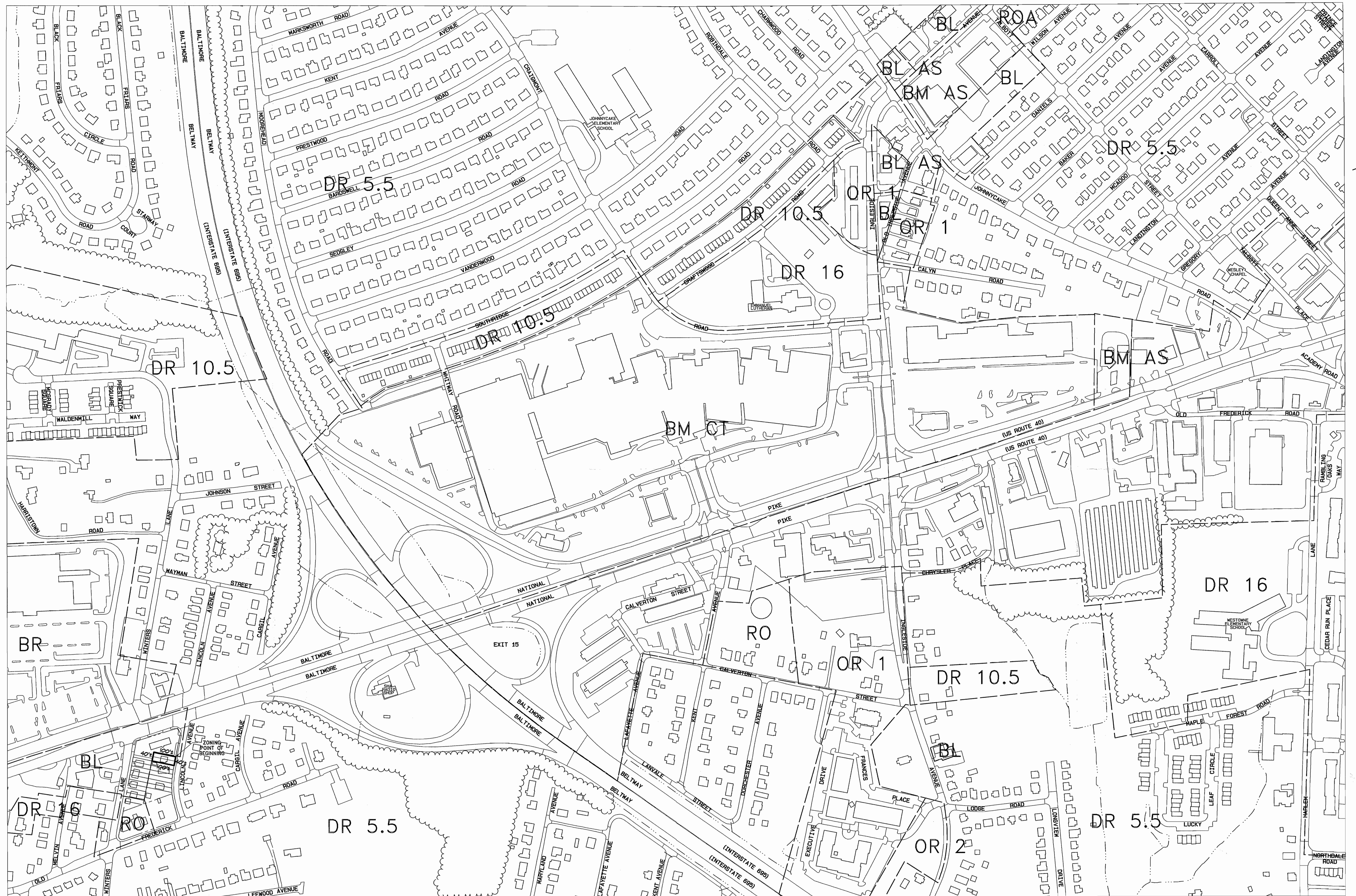
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DRAWN: C.L.M.

CHECKED

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DR - 1117 - C.D.U.L



MARYLAND COORDINATE SYSTEM
NAD83(1981)

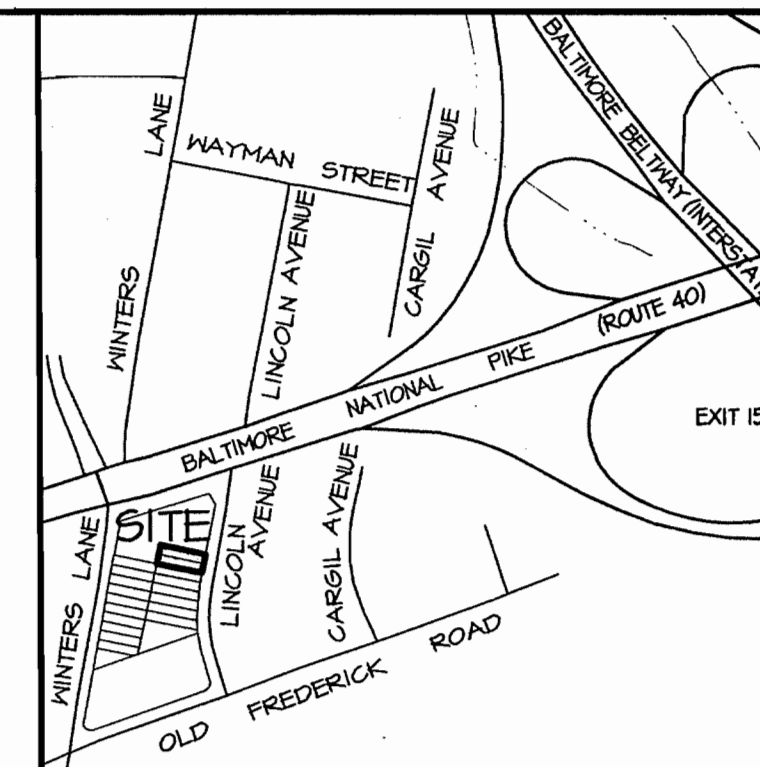
ZONING MAP

GIS TILE: 95A3

SCALE: 1" = 200'

LEGEND

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



VICINITY MAP
1" = 2000'

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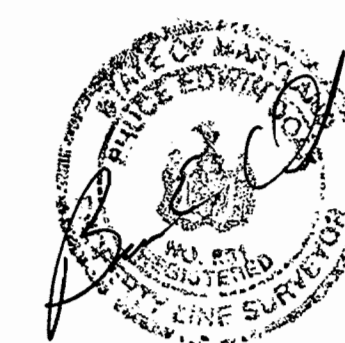
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Towson, Maryland 21286
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SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES W/BASEMENT	STREETS & PARKING
C1B	Site to moderate, moderate permeability	Slight	Moderate, slope

REVISIONS PER ZONING	DATE
REVISION	

COMPUTED:	DRAWN: C.L.M.	CHECKED:	FILE: X:\Hussain\Lincoln\zoning plan.pro
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