

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

0' Intersection S/S Revolea Beach Road and
Susquehanna Avenue *
(800 Bowley's Quarters Road) *

15th Election District *
6th Council District *

Nartnov, LLC *
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

Case No. 08-231-SPHXA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS 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, Nartnov, LLC through its managing member, John Vontran. The Petitioner requests a special hearing to approve a modified parking plan pursuant to Section 409.12.B of the Baltimore County Zoning Regulations (B.C.Z.R.) and a special exception to permit an arcade containing eight (8) amusement devices in lieu of the permitted four (4), pursuant to Sections 422.A, 423.B and 230.13 of the B.C.Z.R. In addition, variance relief is requested from Section 232.1 of the B.C.Z.R. to allow for a zero (0) foot front yard setback in lieu of the required ten (10) feet from the property line, and from Section 232.2.B to allow a zero (0) foot side yard setback in lieu of the required ten (10) feet. The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requests were James V. Hermann and Matthew Bishop, with Morris & Ritchie Associates, Inc., the consultants who prepared the site plan for this property, and Sebastian A. Cross, Esquire, attorney for Petitioner. There were no Protestants or other interested persons present.

By _____ Date 2-21-08
1507
OFFICE RECEIVED FOR FILING

The subject property, identified on Tax Map 98, Lot 275, contains a gross area of 1.28 acres (55,758 square feet), more or less, and is zoned B.L. As illustrated on the site plan, the property is an irregularly shaped corner lot with frontage along the southeast side of Revolea Beach Road and on the west side of Bowley's Quarters Road and Susquehanna Avenue. The property exists in the commercial strip abutting the road frontage with residential zoning comprising much of the surrounding neighborhood. The site currently contains an existing restaurant/tavern commercial use. The Petitioner seeks to have the bulk regulations and associated parking use approved to allow the continued uses as there will be no physical change to the structure or to the on site parking.

As presented through testimony and evidence, this building has been used as a restaurant/tavern at least since 1991 and Petitioner now desires to officially confirm eight (8) amusement vending devices are permitted on site. This request for eight machines in lieu of four requires a special exception and, in so doing, subjects the entire site to the current zoning regulations contained in the B.C.Z.R. As such, although the machines currently exist on site as well as the setbacks and parking layout, the petition for variance as well as special hearing will confirm the uses may continue to operate as they have for a period of some 17 years. Counsel for Nartnov, LLC, the current operator of the restaurant/tavern, stated his client had recently been notified by Baltimore County of the requirement for a special exception hearing in order to legitimize the existing amusement vending machines on site. As noted above, variances are sought for the structure's side and front yard setbacks and a special hearing to approve the parking layout. Again, no new construction is driving the need for requiring these variances or special hearing relief, rather the presented layout as depicted on the site plan is what has

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Date 2-21-08
By [signature]

currently and previously existed on this site, and this configuration, at this location, has worked well for the past thirty to forty years.

Variances may only be granted in accordance with the requirements of Section 307 of the B.C.Z.R., as has been interpreted in *Cromwell v. Ward*, 102 Md. App. 691 (1995). In the instant case, it was demonstrated that the site is unique not only due to the lot's configuration but also due to zoning relief being requested in this case involving existing structures that will not physically change. This use has existed based upon the Petitioner's personal knowledge for a period of over 17 years (and perhaps for as long as 30 or 40 years) and now due to the special exception request for the amusement devices inside the building, the non-conforming setbacks and parking layout also need to receive approval.

The undisputed testimony and evidence offered demonstrated that the proposed continuance of the non-conforming uses of this restaurant and tavern with associated amusement devices will have no adverse impact on adjacent properties and that granting the request for relief will be consistent with the spirit and intent of the regulations. These petitions are legitimizing the continuance of an existing use and do not present any detrimental impact to the health, safety or general welfare on this site or surrounding neighborhood. It should be noted that no neighbors or other interested parties came out in opposition to this request and testimony was presented that this restaurant/tavern is appreciated by the residents and has not caused problems in the past. The fact that the building is not changing and the amusement devices have been on site for at least 17 years also indicates that there are no adverse impacts from these machines and/or the site layout. I have put the matter to the test of B.C.Z.R. Section 502.1 and find it satisfies the objectives of those regulations. For all these reasons, I am persuaded to grant the relief requested.

ORDER RECEIVED FOR FILING
Date 2-21-08
By [signature]

After due consideration of the testimony and evidence presented, I am persuaded to grant the relief requested. Indeed, the only practical changes would be on paper, and I find that the Petitioner would suffer a practical difficulty if strict compliance with the regulations on these circumstances were required. Moreover, there were no Zoning Advisory Committee (ZAC) comments received from any County reviewing agencies and the community supports the continued uses at this location. Thus, it appears relief requested should be granted.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of February 2008 that the Petition for Special Hearing to approve a modified parking plan, pursuant to Section 409.12.B of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Special Exception to permit an arcade containing eight (8) amusement devices in lieu of the permitted four (4), pursuant to Sections 422.A, 423.B and 230.13 of the B.C.Z.R., be and is hereby GRANTED; and

IT IS ALSO FURTHER ORDERED that the Petition for Variance requesting a zero (0) foot front yard setback in lieu of the required ten (10) feet from the property line pursuant to Section 232.1 of the B.C.Z.R., and a zero (0) foot side yard setback in lieu of the required ten (10) feet, pursuant to Section 232.2.B of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, be and the same is hereby GRANTED, subject to the following restrictions:

1. The Petitioner may apply for its permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

ORDER RECEIVED FOR FILING
Date 2-21-08
By [signature]

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

Order.

WJW:dlw



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 8-21-08
By 8-21-08



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

February 21, 2008

WILLIAM J. WISEMAN III
Zoning Commissioner

Sebastian A. Cross, Esquire
Gildea & Schmidt, LLC
600 Washington Avenue, Ste. 200
Towson, MD 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCE

0' Intersection S/S Revolea Beach Road and Susquehanna Avenue

(800 Bowley's Quarters Road)

15th Election District - 6th Council District

Nartnov, LLC - *Petitioner*

Case No. 08-231-SPHXA

Dear Mr. Cross:

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: John Vontran, Nartov, LLC, 5115 Robins Perch Lane, Perry Hall, MD 21128
James V. Hermann, 1895 Eden Mill Road, Pylesville, MD 21132
Matthew Bishop, Morris & Ritchie Associates, Inc., 1220-C East Joppa Road,
Suite 505, Towson, MD 21286
People's Counsel; File

CBCA



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 800 Bowley's Quarters Road

which is presently zoned B.L.

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

1. BCZR Section 409.12.B for a modified parking plan

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:

Sebastian A. Cross

Name - Type or Print

Signature

Gildea & Schmidt, LLC

Company

600 Washington Avenue, Suite 200

(410) 821-0070

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s):

Nartnov, LLC

Name - Type or Print

Signature

John Vontran / Member

Name - Type or Print

Signature

5115 Robins Perch Lane

Address

Telephone No.

Perry Hall

MD

21228-9769

State

Zip Code

Representative to be Contacted:

Sebastian A. Cross, Gildea & Schmidt, LLC

Name

600 Washington Avenue, Suite 200

(410) 821-0070

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 08-231-SPHXA

Reviewed By D.T. Date 11/16/07

REV 9/15/98

ORDER RECEIVED FOR FILING

Date 2-21-08

By [Signature]



CBCA

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 800 Bowley's Quarters Road

which is presently zoned B.L.

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

As per BCZR Section 422A, 423B & 230.13 for an arcade containing eight amusement devices in lieu of the permitted four.

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:

Sebastian A. Cross

Name - Type or Print

Signature

Gildea & Schmidt, LLC

Company

600 Washington Avenue Suite 200 410-821-0070

Address Telephone No.

Towson MD 21204

City State Zip Code

Legal Owner(s):

Nartnov, LLC

Name - Type or Print

Signature

John Vontran, Member

Name - Type or Print

Signature

5115 Robins Perch Lane

Address

Telephone No.

Perry Hall

MD

21228-9769

State

Zip Code

Representative to be Contacted:

Sebastian A. Cross

Name

600 Washington Avenue Suite 200 410-821-0070

Address Telephone No.

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By D.T. Date 11/16/07

Case No. 08-231-SPHXA

REV 09/15/98

ORDER RECEIVED FOR FILING

Date 2-21-08

By [Signature]



CACA

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at: 800 Bowley's Quarters Road

which is presently zoned: B.L.

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):

1. BCZR Section 232.1 for a zero foot front yard setback in lieu of the required 10 feet from the property line.
2. BCZR Section 232.2.B for a zero foot sideyard setback in lieu of the required 10 feet.

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

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Sebastian A. Cross

Name - Type or Print

Signature

Gildea & Schmidt, LLC

Company

600 Washington Avenue, Suite 200

(410) 821-0070

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s):

Nartnov, LLC

Name - Type or Print

Signature

John Vontan, Member

Name - Type or Print

Signature

5115 Robins Perch Lane

Address

Telephone No.

Perry Hall

MD

21228-9769

State

Zip Code

Representative to be Contacted:

Sebastian A. Cross, Gildea & Schmidt, LLC

Name

600 Washington Avenue, Suite 200

(410) 821-0070

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

Case No. 08-231-SPHXA

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By

D.T.

Date

11/16/07

REV 9/15/98

ORDER RECEIVED FOR FILING

Date

2-2-08

By

KSU

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



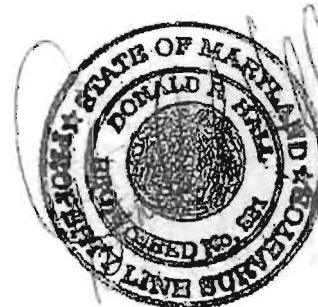
September 13, 2007

ZONING DESCRIPTION

BEGINNING for the same at a point at the intersection of the southeast side of Revolea Beach Road, thirty feet wide with the west side of Susquehanna Avenue, thirty feet wide, thence leaving said Revolea Beach Road and binding on the said west side of Susquehanna Avenue

1. South $12^{\circ}39'10''$ West 365.00 feet. thence leaving said Susquehanna Avenue
2. North $67^{\circ}26'50''$ West 330.87 feet. thence along the southeast side of Revolea Beach Road
3. North $38^{\circ}57'10''$ East 113.29 feet.
4. North $62^{\circ}12'10''$ East 317.43 feet, and
5. South $78^{\circ}21'27''$ East 34.20 feet. to the place of beginning.

Being Lot 275 shown on a Plat entitled "Plan C. Long Beach Estates" recorded among the Land Records of Baltimore County, Maryland in Liber W.P.C. No. 4 folio 131, containing 71752 square feet or 1.65 acres of land, more or less. Also known as 800 Bowleys Quarters Road.



08-231-SPHXA

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: #08-231-SPHXA

800 Bowleys Quarters Road

0 ft. to the intersection of s/east side of Revolea Beach

Rd & w/side of Susquehanna Avenue

15th Election District - 6th Councilmanic District

Legal Owner(s): Nartnov, LLC, John Vontran, Member

Special Hearing: for a modified parking plan. **Special Exception:** for an arcade containing eight amusement devices in lieu of the permitted four. **Variance:** for a zero foot front yard setback in lieu of the required 10 feet from the property line and for a zero foot side yard setback in lieu of the required 10 feet.

Hearing: Thursday, January 24, 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) 887-4386.

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

JT/1/637 Jan. 8

159721

CERTIFICATE OF PUBLICATION

1/10/, 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 1/8/, 2008.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 08-231-SPAXA

Petitioner/Developer: NARTNOV. LLC

JOHN VONTRAN, MEMBER

Date of Hearing/Closing: 1-24-08

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTN: Kristen Matthews ((410) 887-3394)

Ladies and Gentlemen:

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

800 BOWLEYS QUARTERS RD

The sign(s) were posted on 1-7-08
(Month, Day, Year)

Sincerely,

Robert Black 1-7-08
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



**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: 08-231-SPHXA

Petitioner: NARTNOV, LLC

Address or Location: 800 BOWLEY'S QUARTERS RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: SEBASTIAN A. CROSS, ESQ.

Address: GILDEA + SCHMIDT, LLC

600 WASHINGTON AVE., SUITE 200

TOWSON, MD 21204

Telephone Number: 410-821-0070



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

December 12, 2007
TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

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: 08-231-SPHXA

800 Bowleys Quarters Road

0 ft. to the intersection of s/east side of Revolea Beach Rd & w/side of Susquehanna Avenue
15th Election District – 6th Councilmanic District

Legal Owners: Nartnov, LLC, John Vontran, Member

Special Hearing for a modified parking plan. Special Exception for an arcade containing eight amusement devices in lieu of the permitted four. Variance for a zero foot front yard setback in lieu of the required 10 feet from the property line and for a zero foot side yard setback in lieu of the required 10 feet.

Hearing: Thursday, January 24, 2008 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Sebastian Cross, Gildea & Schmidt, 600 Washington Avenue, Ste. 200, Towson 21204
John Vontran, Nartnov, LLC, 5115 Robins Perch Lane, Perry Hall 21228-9769

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JANUARY 9, 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 8, 2008 Issue - Jeffersonian

Please forward billing to:
Sebastian Cross
Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

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: 08-231-SPHXA

800 Bowleys Quarters Road

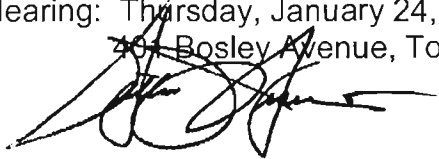
0 ft. to the intersection of s/east side of Revolea Beach Rd & w/side of Susquehanna Avenue

15th Election District – 6th Councilmanic District

Legal Owners: Nartnov, LLC, John Vontran, Member

Special Hearing for a modified parking plan. Special Exception for an arcade containing eight amusement devices in lieu of the permitted four. Variance for a zero foot front yard setback in lieu of the required 10 feet from the property line and for a zero foot side yard setback in lieu of the required 10 feet.

Hearing: Thursday, January 24, 2008 at 9:00 a.m. in Room 407, County Courts Building,
407 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.



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 16, 2008

Sebastian A. Cross
Gildea & Schmidt, LLC
600 Washington Avenue, Suite 200
Towson, Maryland 21204

Dear Mr. Cross:

RE: Case Number: 08-231-SPHXA, 800 Bowley's Quarters 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 16, 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
Nartnov, LLC John Vontran, Member 5115 Robins Perch Lane Perry Hall 21228-9769



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

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

Maryland Department of Transportation

Date: 12/5/2007

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

RE: Baltimore County
Item No. 8-231-SPHXA
800 BOWLEY'S QUARTERS RD
VONTRAN PROPERTY
SPECIAL HEARING
SPECIAL EXCEPTION
VARIANCE

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. 8-231-SPHXA.

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 ¹ Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · www.marylandroads.com



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

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: December 3, 2007

Item Number: 231,235,243,245

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.

3. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

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

cc: File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: December 13, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For December 10, 2007
Item No. 08-231

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

We wish to point out that this parking plan does not conform to section 409.8.A.1, 2, 3, 4 or 6; or section 409.4. Also, there is ample property available to meet the required number of parking spaces. But, since the nature of the special exception is a change to the internal layout only, we have no objection to granting the special hearing request, provided that there are no objections raised by the neighbors. We would also like to point out for the record that the entire site is within the 100-year tidal flood plain.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 08-231-12122007.doc

BWS 1/24
9am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 18, 2008

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

RECEIVED
JAN 23 2008

BY:

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-231 Special Hearing, Special Exception and Variance**

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

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

Prepared By:

Candis Murray

Division Chief:

Amy Schauer

CM/LL

BW 1/24
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 # 08-231-SPHXA
Address 800 Bowleys Quarters Road
(Nartbov, LLC Property)

Zoning Advisory Committee Meeting of December 10, 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).

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

X 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:

Note #22: Wetlands may exist on site as per field visit by DEPRM personnel and a delineation by a qualified professional. Parking lots in the CBCA are considered impervious and count towards the total lot impervious calculations.

Reviewer: TAK

Date: 1/2/08

BALTIMORE COUNTY, MARYLAND
Interoffice Memorandum

DATE: November 16, 2007

TO: Zoning Commissioner and File

FROM: Donna Thompson, Planner II, Zoning Review

SUBJECT: Petition for Special Hearing, Special Exception and Variance
Case No. 08-231-SPHXA
800 Bowley's Quarters Road

The legal description for the above referenced address describes the entire site for the proposed Special Exception. Sebastian Cross, Attorney for the petitioner has stated that the Special Exception is for the building only. He wanted to file plan as shown.

DT

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
SPECIAL EXCEPTION & VARIANCE *
800 Bowleys Quarters Road; 0' intersection * ZONING COMMISSIONER
S/S Revolea Beach Road & Susuquehanna Ave *
15th Election & 6th Councilmanic Districts * FOR
Legal Owner(s): Nartnov, LLC *
Petitioner(s) * BALTIMORE COUNTY
* 08-231-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

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 3rd day of December, 2007, a copy of the foregoing Entry of Appearance was mailed to Sebastian A. Cross, Esquire, Gildea & Schmidt LLC, 600 Washington Avenue, Suite 200, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

DEC 03 2007

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

GILDEA & SCHMIDT, LLC

DAVID K. GILDEA
LAWRENCE E. SCHMIDT
D. DUSKY HOLMAN

600 WASHINGTON AVENUE
SUITE 200
TOWSON, MARYLAND 21204
TELEPHONE 410-821-0070
FACSIMILE 410-821-0071
www.gildeallc.com

ANNAPOLIS, MD OFFICE
35 CATHEDRAL STREET
SUITE 100
ANNAPOLIS, MARYLAND 21401
TELEPHONE 410-293-0070

SEBASTIAN A. CROSS
CHARLES B. MAREK, III
DAMIAN C. O'DOHERTY
JASON T. VETTORI

November 9, 2007

Donna Thompson
Permits and Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

RE: Drop-Off Filing
Nartnov, LLC/ 800 Bowley's Quarters Road

Dear Ms. Thompson:

Attached please find a filing package for the above-referenced property for a previous filing appointment held with you on September 17, 2007. At the time you requested additional information be placed on the site plan and an additional Special Hearing be requested for a modified parking plan. This package contains the additional Petition and required changes as highlighted on the top copy of the site plan.

These changes include: changing the vicinity map scale, changing the point of beginning and delineating the zero-foot front yard and side yard setback measurement. All of these changes have now been incorporated into this site plan and Zoning Petitions.

Upon receipt and review, please contact this office if you require any additional information. As always, I am

Very truly yours,



Sebastian A. Cross

Enclosure

cc: John Vontran, Nartnov, LLC
Matt Bishop, Morris & Ritchie Associates, Inc
David K. Gildea, Esquire



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vvw1.1)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 15 **Account Number -** 1505430340

Owner Information

Owner Name: NARTNOV LLC **Use:** COMMERCIAL
Principal Residence: NO
Mailing Address: 5115 ROBINS PERCH LN **Deed Reference:** 1) /22948/ 273
 PERRY HALL MD 21128-9769 2)

Location & Structure Information

Premises Address **Legal Description**
 800 BOWLEYS QUARTERS RD 1.28 AC
 800 BOWLEYS QUARTERS RD
 LONG BEACH ESTATE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
98	4	203					275	3	Plat Ref: 4/ 131

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1991	2,820 SF	1.28 AC	23

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2006	07/01/2007	07/01/2008
Land	138,700	183,700		
Improvements:	166,300	196,100		
Total:	305,000	379,800	354,866	379,800
Preferential Land:	0	0	0	0

Transfer Information

Seller: BRUNO THOMAS J	Date: 11/22/2005	Price: \$187,647
Type: NOT ARMS-LENGTH	Deed1: /22948/ 273	Deed2:
Seller: BROWN GEORGE ALLEN	Date: 02/13/1990	Price: \$56,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 8404/ 53	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 *

CASE NAME _____
CASE NUMBER 08-231-SPHXA
DATE 1-24-08

[illegible]

Case No.: 08-231-SPHXA

800 BOWLEY'S QUARTERS RD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Aerial	
No. 3	Collectively - Photo's Existing Conditions	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER' S

EXHIBIT NO. 2



MORRIS & RITCHIE ASSOCIATES, INC.
 ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
 1220-C EAST JOPPA ROAD, SUITE 505
 TOWSON, MARYLAND 21286
 (410) 821-1690
 FAX: (410) 821-1748
 MRAGTA.COM

CONTEXT AERIAL PHOTOGRAPH

800 BOWLEYS QUARTERS

BALTIMORE COUNTY, MARYLAND

SCALE: 1"=1000'

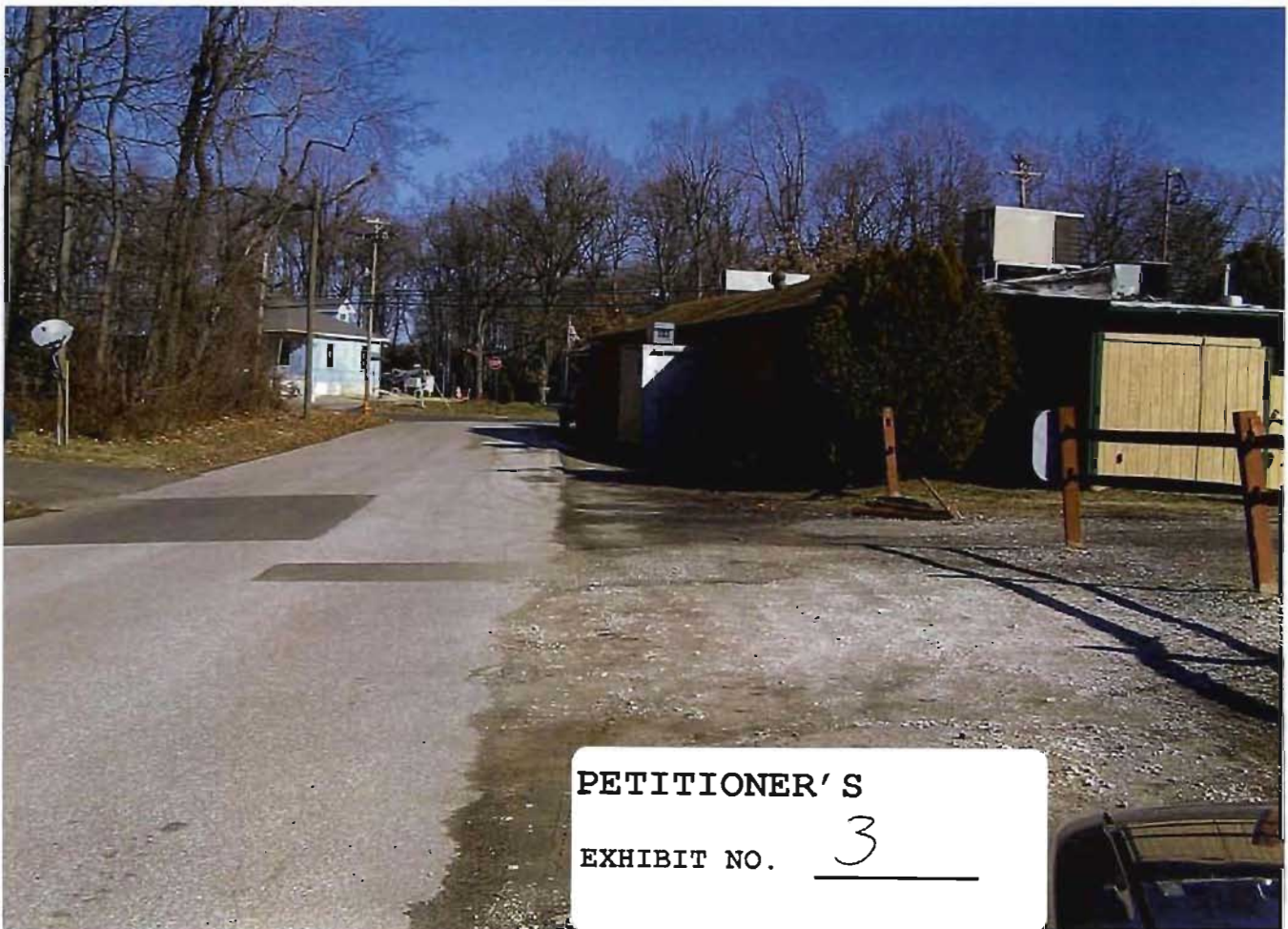
DATE: 1.23.08

DRAWN BY:

DESIGN BY:

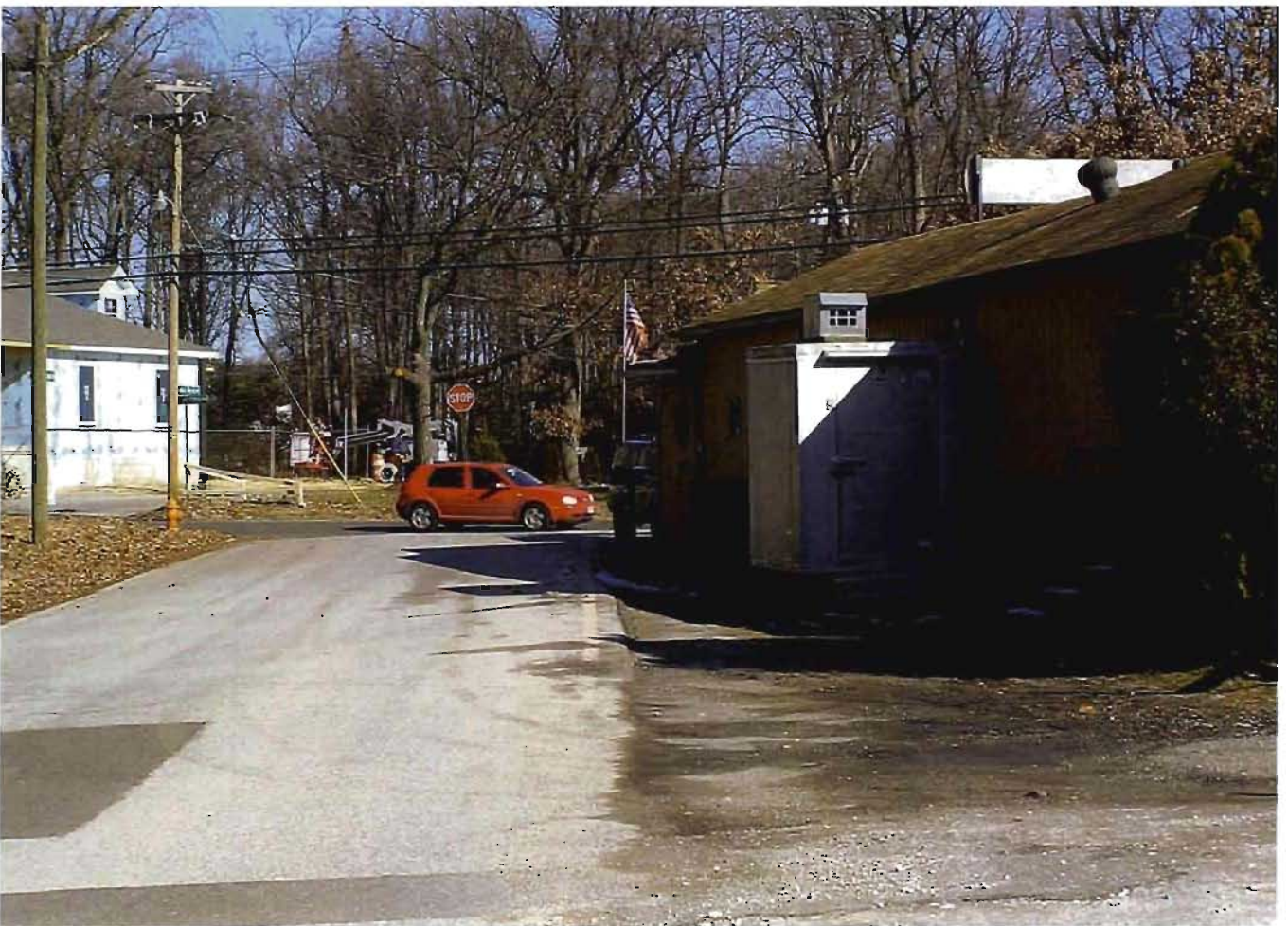
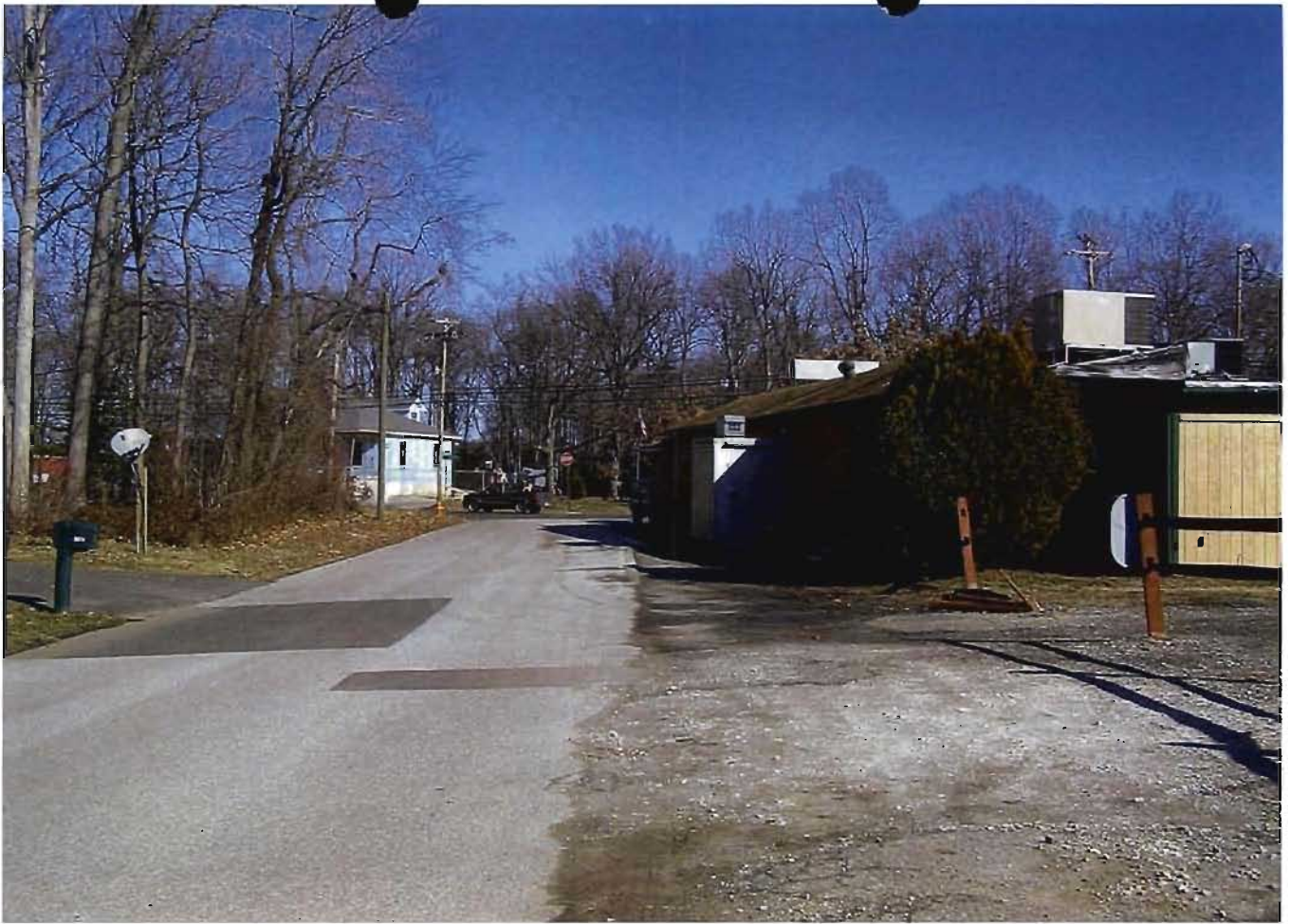
REVIEW BY:

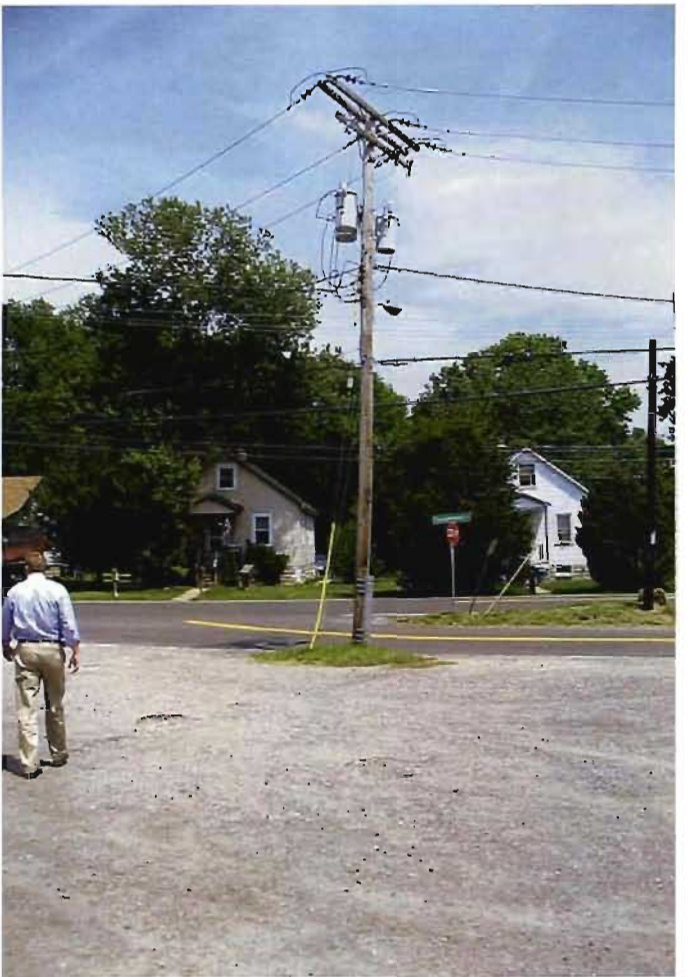
JOB NO. : 15553

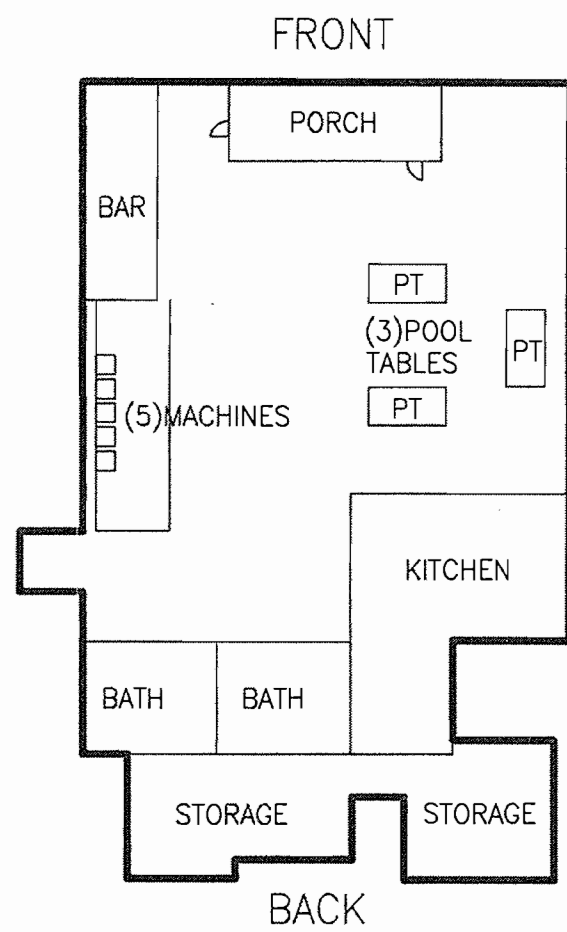






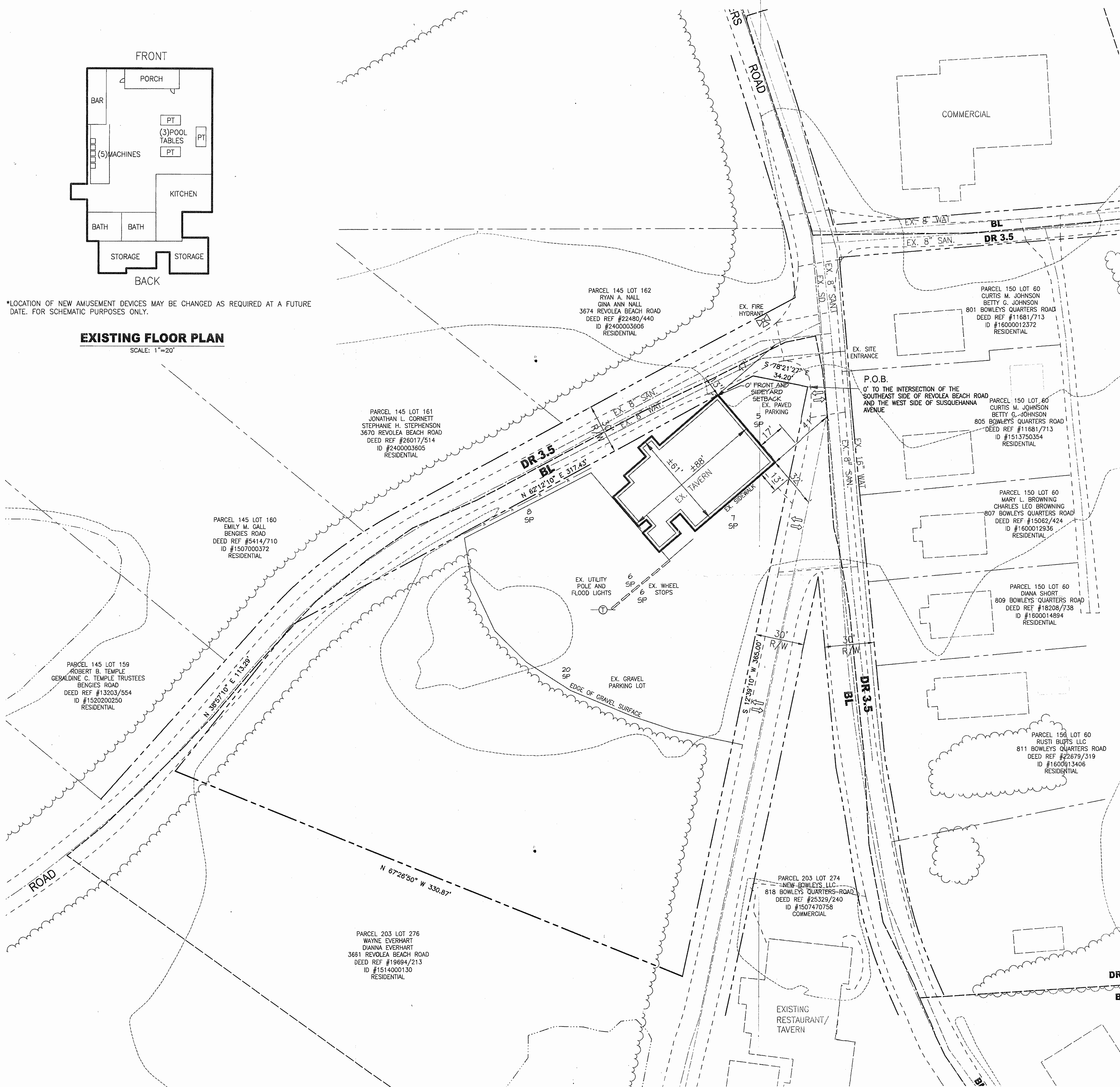






*LOCATION OF NEW AMUSEMENT DEVICES MAY BE CHANGED AS REQUIRED AT A FUTURE DATE. FOR SCHEMATIC PURPOSES ONLY.

EXISTING FLOOR PLAN
SCALE: 1"=20'



PROPERTY OWNERSHIP

OWNER: NARTNOV, LLC
5115 ROBINS PERCH LANE
PERRY HALL, MARYLAND 21128-9769
ATTN: KIMBERLY HAMMACHER

ADDRESS: 800 BOWLEYS QUARTERS RD
BALTIMORE, MARYLAND 21220
DEED REFERENCE: 22948/273
TAX MAP: 21 98
PLAT REFERENCE: 4/131

PARCEL: 203
LOT: 275

GENERAL NOTES:

1. ZONING: BL
2. PROPERTY AREA: ±55,756 SF, 1.28 AC±
3. BALTIMORE COUNTY SOILS SURVEY MAP: 41
4. ZONING MAP: 091B3
5. PLAT REF.: 4/131
6. CENSUS TRACT: 4518.02
7. WATERSHED: 7/8
8. SUBSEWERSHED: 10
9. SEWAGE PLAN DESIGNATION: S3
10. WATER SUPPLY PLAN DESIGNATION: W1
11. REGIONAL PLANNING DISTRICT: 322
12. ELECTION DISTRICT: 15TH
13. COUNCILMANIC DISTRICT: 6TH
14. EXISTING USE: COMMERCIAL
15. FLOOR AREA RATIO (F.A.R.): ±.08
16. MAXIMUM PERMITTED BUILDING AREA: (3.0 X 165,666 SF) (PER NOTE #2) = 167,268 SF
17. PURSUANT TO BCZR SECTION 235 B.7.C.1, NO RELIEF FROM HEIGHT LIMITATIONS IS REQUIRED.
18. THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.
19. LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.
20. THE SITE IS NOT WITHIN A MORATORIUM AREA OR IN AN AREA WHERE FAILURE OF BASIC SERVICES MAPS CURRENTLY EXISTS PER SECTION 4402 (BCZR).
21. THIS SITE IS IN A 100-YEAR FLOODPLAIN. ZONE CLASSIFICATION A10 / ELEVATION 10. (ADJUSTED TO ELE. 7.3) SOURCE: FIRM MAP COMMUNITY PANEL NUMBER 240010 0435 B. MARCH 2, 1981
22. THIS SITE IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
23. THERE ARE NO KNOWN NON-TIDAL WETLANDS ON THIS SITE.
24. THERE ARE NO FOREST BUFFERS ON THIS SITE.
25. THERE ARE NO KNOWN REGULATED PLANT OR WILDLIFE COMMUNITIES ASSOCIATED WITH THIS SITE.
26. THERE ARE NO KNOWN HISTORICAL STRUCTURE, DISTRICT, OR ARCHEOLOGICAL AREAS ASSOCIATED WITH THIS SITE.
27. THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS WITHIN 100' OF THIS PROPERTY.
28. BUILDING CONSTRUCTION SHALL COMPLY WITH BUILDING AND FIRE CODE REQUIREMENTS.
29. ALL LIGHTING SHALL CONFORM TO IES STANDARDS (ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA) MAXIMUM HT. 18' PER SECTION 405.4.C.1.D (BCZR)
30. SIGNAGE: PROPOSED SIGNAGE SHALL BE IN COMPLIANCE WITH B.C.Z.R. SECTION 450.
31. THERE IS NO PREVIOUS ZONING HISTORY FOR THIS SITE.
32. THE PROPERTY IS LOCATED 0' FROM THE INTERSECTION OF REVOLEA BEACH ROAD AND BOWLEYS QUARTERS ROAD.
33. BUILDING HEIGHT: LESS THAN 40'
34. NUMBER OF STORIES: 1
35. REQUIRED PARKING: 20/1,000sf OF GROSS FLOOR AREA = 70 SPACES
36. EXISTING PARKING: ±52 SPACES
37. EXISTING BUILDING AREA: ±3,500sf
38. DISTANCE OF BUILDING TO NEAREST FIRE HYDRANT: ±27'
39. ARCADE WILL BE SUBORDINATE TO MAIN USE.

ZONING RELIEF REQUESTED:

- VARIANCE:
1. AS PER BCZR SECTION 232.1, FOR A ZERO FOOT FRONT YARD SETBACK IN LIEU OF THE REQUIRED TEN FEET FROM THE PROPERTY LINE.
 2. AS PER BCZR SECTION 232.2.B FOR A ZERO FOOT SIDEYARD SETBACK IN LIEU OF THE REQUIRED 10 FEET.

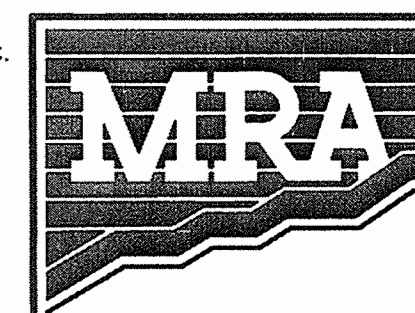
SPECIAL EXCEPTION:

1. AS PER BCZR SECTION 422A, 423B AND 230.9 FOR AN ARCADE CONTAINING EIGHT AMUSEMENT DEVICES IN LIEU OF THE PERMITTED FOUR.

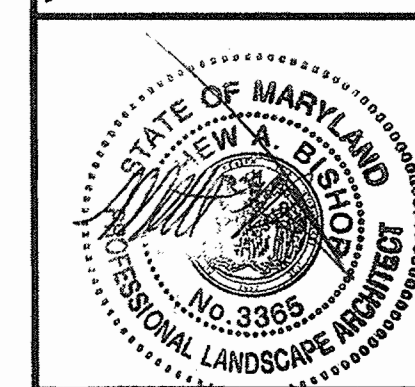
SPECIAL HEARING:

1. BCZR SECTION 409.12.B FOR A MODIFIED PARKING PLAN.

- EX. PROPERTY LINE
- EX. BUILDING
- EX. CURB & GUTTER
- PROP. CURB & GUTTER
- EX. X" SAN.
- EX. X" S.D.
- EX. X" W.
- EX. OVERHEAD ELEC.
- EX. FIRE HYDRANT
- EX. SITE ACCESS
- EX. TREE LINE



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PLAN TO ACCOMPANY SPECIAL EXCEPTION REQUEST

800 BOWLEYS QUARTERS

15th ELECTION DISTRICT BALTIMORE COUNTY 6th COUNCILMANIC DISTRICT

DATE	REVISIONS	JOB NO.: 15553
		SCALE: 1" = 30'
		DATE: 10/26/07
		DRAWN BY: JAB
		DESIGN BY:
		REVIEW BY: MAB
		SHEET: 1 OF 2

PETITIONER'S
EXHIBIT NO. 1