

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
N/S Old North Point Road, 165' W c/line		
Pinewood Road	*	ZONING COMMISSIONER
(2804 Old North Point Road)		
15 th Election District	*	OF
7 th Council District		
	*	BALTIMORE COUNTY
Ayd Properties, LLC		
Petitioner	*	Case No. 08-390-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Ayd Properties, LLC, by its managing members, William J. Ayd and Barbara A. Ayd, by and through their attorney, J. Carroll Holzer, Esquire. The Petitioner seeks relief pursuant to Sections 500.6 and 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to amend the site plan in Case No. 04-396-X which granted a special exception request for a service garage on April 28, 2004 and specifically an amendment to the plan permitting the razing of the existing two (2) bay service garage structure and replacing it with a larger 40' x 60' pole barn service garage to be located at the rear of the site. The subject property and relief requested are more particularly described on the redlined site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 2.

Appearing at the requisite public hearing in support of the request were William J. and Barbara A. Ayd, in their capacity as managing members of the property owner; Charles Merritt, with Merritt Development Consultants, Inc., the engineering firm that prepared the site plan, and J. Carroll Holzer, Esquire, attorney for the Petitioner. Also appearing and testifying at the hearing were David Poist, who owns North Point Automotive, Inc., and has operated an auto

ORDER RECEIVED FOR FILING
 Date 4-28-08
 By [Signature]

parts business on the opposite side of Old North Point Road from the subject property since 1978. There were no Protestants or other interested persons present.

Testimony and evidence presented revealed that the subject property consists of a gross area of 0.418 acres (18,214 square feet), more or less, zoned B.L.-A.S. and B.R.-A.S. and is surrounded by commercially zoned property (*See* Petitioner's Exhibit 3). The property is improved with a one-story block building (2-bay service garage) which is to be razed and replaced with a metal pole barn structure. Testimony offered by Mr. Ayd provided a prospective of the site and adjacent uses. Located in the vicinity across Old North Point Road is an auto parts store, north of the subject site is a retail auto parts complex and Drug City Pharmacy on Old North Point Road. The Petitioner has been servicing automobiles on the site since he received permission four (4) years ago by the then Deputy Zoning Commissioner, John V. Murphy. He testified that there have been no complaints from the neighbors and no zoning violations by Baltimore County since he acquired the property. The proposal is to improve the looks of the property with a new building and provide additional space for servicing vehicles. The Petitioner plans to utilize a metal pole barn, an exemplar of which was submitted as Petitioner's Exhibit 5, however, the actual version of the proposed structure will be reduced in size to 60' wide x 40' deep. (*See* Page 5 of Petitioner's Exhibit 4). Mr. Ayd testified that in discussions with his neighbors, there were no objections to the proposal. In fact, he received a letter of support by the Pastor of the adjacent church, "The Living Tabernacle Church" at 2802 North Point Road, indicating that he supports both the new location and structure. The new service garage is in fact moved further to the rear of the existing church which clearly is a benefit to the church. Petitioner's Exhibit 4 (packet of photographs) show the existing Ayd property buildings and illustrates the proposed structure's color scheme of green or beige and tan

coloring. Further, a picture of Living Tabernacle Church and its relationship to the subject site is graphically set forth in this Exhibit. Finally, and as noted above, the last picture in Petitioner's Exhibit 4 reflects what the new facility would look like on the subject site with attendant building elevations.

There were no adverse Zoning Advisory Committee (ZAC) comments received, however, it should be noted that the Office of Planning suggested that the Petitioner submit a landscape and parking plan. Petitioner's Exhibit 2 (redlined site plan) reflects compliance with Planning's recommendations and shows how the front of the site will be used, additional parking and car storage is illustrated as well as ingress and egress to the proposed building. It appears that there is a significant increase in parking (23 spaces). As an added benefit to the Living Tabernacle Church, on Sundays, the Petitioner permits church parking on the service garage site. In addition, Petitioner's Exhibit 2 (redlined site plan) provides for landscaping. I will, therefore, defer the matter to Avery Harden, the County's Landscape Architect, for determination, review and approval. It should be noted that the testimony indicates that the entire property is paved, which condition should be taken into account on review of the Landscape Plan.

I further note that the Office of Planning suggested additional architectural detail and materials such as drivit or stucco to be used on the front of the building. I find that based on the photographs submitted and the proposed plans showing a color scheme of tan with a dark green base and roof, the Petitioner has provided sufficient architectural detail to satisfy Planning's requirements.

Mr. Charles Merritt testified that he prepared the plat to accompany the petition for special hearing, Petitioner's Exhibit 1, as well as the redlined plan, Petitioner's Exhibit 2, responding to the Office of Planning's initial comments. He testified that the removal of the

COURT RECEIVED FOR FILING
Date 4-28-08
By 193

existing service garage and the new proposed pole barn would be an improvement on the site and that suitable parking both inside the service garage as well as on the exterior is more than adequate. He addressed B.C.Z.R. Section 502.1 and itemized each condition indicating that there would be no impact on the health, safety and welfare of the surrounding neighborhood.

Finally, David Poist, owner of the adjacent North Point Auto Parts, located directly across from the subject site, was in full support of the request. Mr. Poist testified that he has been at his current location since 1975 and would welcome the removal of the existing garage, and the placing of the new service garage further from Old North Point Road as well as the color scheme proposed for the new facility. Mr. Poist was strongly supportive that I permit the Petitioner's request amendment and relief.

I find that the Petition for Special Hearing to amend the site plan in Case No. 04-396-X, which granted a special exception for a service garage on April 28, 2004, can and should be amended to permit the razing of the existing two (2) bay service garage and replacing it with the 40' x 60' pole barn service garage as described on the redlined site plan (Petitioner's Exhibit 2).

I find that the Amendment to the Special Exception will not endanger the health, safety and welfare of the community and that there will be no detriment to the area considering each of the criteria listed under Section 502.1 of the B.C.Z.R.

I further find that the Office of Planning's recommendations submitted in their ZAC comments of March 27, 2008, have been met in regard to the location of parking, car storage and ingress and egress and access to the proposed building by the redlined changes submitted by Petitioner on the redlined plan marked as Petitioner's Exhibit 2.

In response to the Office of Planning's concern regarding the proposed new building being adjacent to the church at 2802 Old North Point Road, I have received a letter from the

ORDER RECEIVED FOR FILING
Date 4-28-08
By [signature]

Pastor John Monk, dated April 24, 2008, indicating that he has no objection to the request of the Petitioner in this case.

Finally, I find that the proposed metal building painted in the color scheme suggested in Petitioner's Exhibit 4 would satisfy the aesthetic requirements of the Office of Planning.

As a condition to this approval, I would require the Petitioner to submit a Landscape Plan to Avery Harden, Baltimore County Landscape Architect, for his review and approval, recognizing that the site is completely paved. I will leave it to the County's Landscape Architect to suggest what landscaping would be appropriate under the circumstances.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. I find that Petitioner would suffer an undue hardship and practical difficulty if I were to deny the relief, and given the facts presented, would be denied reasonable use of their property.

Pursuant to the advertisement, posting of the property and public hearing on this Petition 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 28th day of April 2008 that the Petition for Special Hearing seeking relief pursuant to Sections 500.6 and 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to amend the site plan in Case No. 04-396-X, which granted a request for special exception use of the property as a service garage on April 28, 2004 and specifically to amend the plan permitting the razing of the existing two (2) bay service garage structure and replacing it with a larger 40' x 60' pole barn service garage to be located at the rear of the site, in accordance with Petitioner's Exhibit 2, be and are hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, the Petitioners are 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.
- 2) Within three (3) months following the issuance of any building permits, the Petitioner shall contact Avery Harden, the County's Landscape Architect, for a determination as to what landscaping would be appropriate under the circumstances ... recognizing the site is completely paved.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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



WILLIAM F. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

CORDER RECEIVED FOR FILING
Date 4-28-08
By [Signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

April 28, 2008

J. Carroll Holzer, Esquire
Holzer & Lee
508 Fairmount Avenue
Towson, MD 21286

IN RE: PETITION FOR SPECIAL HEARING

N/S Old North Point Road, 165' W c/line Pinewood Road
(2804 Old North Point Road)
15th Election District - 7th Council District
Ayd Properties, LLC - Petitioner
Case No. 08-390-SPH

Dear Mr. Holzer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted with conditions, 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: William J. & Barbara A. Ayd, 12915 Kanes Road, Glen Arm, MD 21057
Charles Merritt, Merritt Development Consultants, Inc., 2416 East Joppa Road,
Baltimore, MD 21234
David Poist, 6 Barnaby Court, Timonium, MD 21093
Avery Harden, Baltimore County Landscape Architect, DPDM
People's Counsel; Office of Planning; File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2804 Old N. Point Rd.
which is presently zoned BL-AS + BR-AS

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve and 500.6

See Supplemental Sheet

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.

Legal Owner(s):

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

J. Carroll Holzer, P.A.
508 Fairmount Ave.
Towson, MD 21286

410-825-6961
Telephone No.

City

State

Zip Code

J. Carroll Holzer, P.A.
508 Fairmount Ave.
Towson, MD 21286

410-825-6961
Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By SCM Date _____

Case No. 08-390-SPH

ORDER RECEIVED FOR FILING

Date 4-28-08

By aw

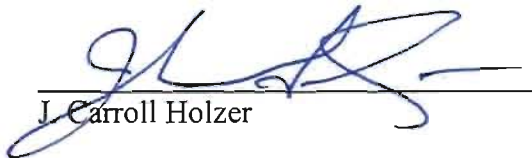
REC 9/15/93

**SUPPLEMENTAL SHEET
PETITION FOR SPECIAL HEARING
2804 OLD NORTH POINT ROAD**

Petitioners and Owner, Ayd Properties, LLC, Will Ayd, President and Barbara Ayd, Managing Member hereby Petition the Zoning Commissioner for Baltimore County for a Special Hearing under Section 500.6 and 500.7 of the BCZR and further say:

1. The purpose of the Special Hearing is Amend the site plan in Case No. 04-396-X wherein the Deputy Zoning Commissioner granted Petitioners' Special Exception Request for service garage on April 28, 2004.
2. The Amendment to the plan includes razing an existing 2 bay service garage replacing it with a 40' by 60' pole barn service garage as more fully described on the attached Plat.

Date 1/17/08


J. Carroll Holzer

MERRITT DEVELOPMENT CONSULTANTS, INC

~~~~~Engineering~~~~~Land Planning~~~~~Surveying~~~~~

2416 E Joppa Road  
Baltimore, MD 21234  
Phone: 410-663-5525  
Fax: 410-663-4315  
merrittdc@comcast.net

## 2804 OLD NORTH POINT ROAD ZONING DESCRIPTION

Beginning at a point on the north side of Old North Point Road (Route 20) which is 40 feet wide at the distance of 165 feet west of the centerline of the nearest improved intersecting street Pinewood Road which is 60 feet wide. Thence the following courses and distances:

|                        |        |
|------------------------|--------|
| North 62°-53'-00" East | 214.86 |
| South 27°-07'-00" East | 100.00 |
| South 62°-53'-00" West | 150.00 |
| North 60°-05'-00" West | 119.19 |

to the place of beginning as recorded in deed liber 20420 folio 008.



# 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: #08-390-SPH

2804 North Point Road

N/side of Old North Point Road, 165 feet +/- west of c/side of Pinewood Road

15th Election District — 7th Councilmanic District

Legal Owner(s): William & Barbara Ayd

Special Hearing: to amend the site plan in Case 04-396-X wherein the Deputy Zoning Commissioner granted Petitioner's Special Exception request for service garage on April 28, 2004. The Amendment to the plan includes razing an existing 2 bay service garage replacing it with a 40-foot by 60-foot pole barn service garage as more fully described on the attached plat.

Hearing: Wednesday, April 23, 2008 at 11:00 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 4/690 April 8

169549

## CERTIFICATE OF PUBLICATION

4/10/2008

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 4/8/2008.

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

*S. Wilkinson*

LEGAL ADVERTISING

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

No.

106

Date:

02-25-08

| Fund | Agcy | Orgn | Sub<br>Orgn | Rev<br>Source | Sub<br>Rev | Rept<br>Catg | BS<br>Acct | Amount |
|------|------|------|-------------|---------------|------------|--------------|------------|--------|
| 001  | 006  |      |             | 6150          |            |              |            | 125.00 |
|      |      |      |             |               |            |              |            |        |
|      |      |      |             |               |            |              |            |        |
|      |      |      |             |               |            |              |            |        |
|      |      |      |             |               |            |              |            |        |

Total:

325.00

Rec

From:

08-390 SPH

For:

J. Carmel Hulzen

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S  
VALIDATION**

posted April 4, 2008



POSTING

Case No: 08-390-SPH

Petitioner/Developer: WILLIAM  
& BARBARA AYD

Date Of Hearing/Closing: April 23, 2008

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

Attention:

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  
at 2804 NORTH POINT RD

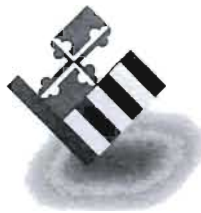
This sign(s) were posted on April 4, 2008  
(Month, Day, Year)

Sincerely,  
Martin Ogle 4/4/08

(Signature of sign Poster and Date)

Martin Ogle  
Sign Poster  
16 Salix Court  
Address

Balto. Md 21220  
(443-629 3411)



## BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.  
County Executive

TIMOTHY MARCH 11, 2008  
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: 08-390-SPH**

2804 North Point Road

N/side of Old North Point Road, 165 feet +/- west of c/line of Pinewood Road

15<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District

Legal Owners: William & Barbara Ayd

Special Hearing to amend the site plan in Case 04-396-X wherein the Deputy Zoning Commissioner granted Petitioner's Special Exception request for service garage on April 28, 2004. The Amendment to the plan includes razing an existing 2 bay service garage replacing it with a 40-foot by 60-foot pole bard service garage as more fully described on the attached plat.

Hearing: Wednesday, April 23, 2008 at 11:00 a.m. in Room 407, County Courts Building,  
401 Bosley Avenue, Towson 21204

Timothy Kotroco  
Director

TK:klm

C: J. Carroll Hozer, Holzer & Lee, 508 Fairmount Avenue, Towson 21286  
Mr. & Mrs. Ayd, 12915 Kaness Road, Glen Arm 21057

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 8, 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, April 8, 2008 Issue - Jeffersonian

Please forward billing to:  
William Ayd  
12915 Kanes Road  
Glen Arm, MD 21057

410-593-9699

---

## NOTICE OF ZONING HEARING

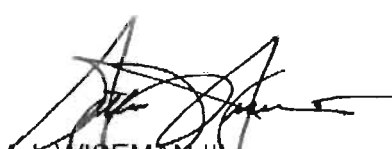
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 08-390-SPH**

2804 North Point Road  
N/side of Old North Point Road, 165 feet +/- west of c/line of Pinewood Road  
15<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District  
Legal Owners: William & Barbara Ayd

Special Hearing to amend the site plan in Case 04-396-X wherein the Deputy Zoning Commissioner granted Petitioner's Special Exception request for service garage on April 28, 2004. The Amendment to the plan includes razing an existing 2 bay service garage replacing it with a 40-foot by 60-foot pole bard service garage as more fully described on the attached plat.

Hearing: Wednesday, April 23, 2008 at 11:00 a.m. in Room 407, County Courts Building,  
401 Bosley Avenue, Towson 21204



WILLIAM J. WISEMAN III  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

## 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: 390

Petitioner: WILLIAM AYO

Address or Location: ~~12915 KANES RD.~~ 2804 OLD N. POINT Rd.

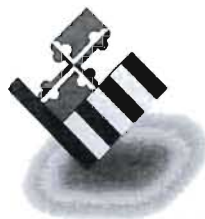
PLEASE FORWARD ADVERTISING BILL TO:

Name: WILLIAM AYO

Address: 12915 KANES Rd.

Glen Arm, Md. 21097

Telephone Number: 410-593-9699



**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*

April 16, 2008

J. Carroll Holzer, P.A.  
508 Fairmount Avenue  
Towson, MD 21286

Dear Mr. Holzer:

RE: Case Number: 08-390-SPH, 2804 Old North Point Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 25, 2008. 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  
William Ayd Barbara A. Ayd 12915 Kaines Road Glen Arm 21057



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: MARCH 4, 2008

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

RE: Baltimore County  
Item No. 8-390-SPH  
2804 OLD NORTH POINT RD  
AND PROPERTY  
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. 8-390-SPH

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Steven D. Foster, Chief  
Engineering Access Permits  
Division

SDF/MB

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**DATE:** March 5, 2008

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For March 10, 2008  
Item Nos. 08-377, 384, 387, 388,  
389, 390, 391, 392, 393, 394, 395, 396,  
397, and 398

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

DAK:CEN:clw  
cc: File  
ZAC-NO COMMENTS-03052008.doc



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

JAMES T. SMITH, JR.  
*County Executive*

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

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

March 10, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 3, 2008

Item Number: 377,384,385,386,387,388,389,390,391,392,393,395,396,397,398,399

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.

1The 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



Bus 4623  
11 am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

**DATE:** March 27, 2008

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

**SUBJECT:** 2804 Old North Point Road

**INFORMATION:**

**Item Number:** 8-390

**Petitioner:** William and Barbara Ayd

**Zoning:** BL-AS and BR-AS

**Requested Action:** Special Hearing

RECEIVED  
APR 01 2008

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

The petitioner is seeking to raze the existing structure and replace it with a new larger metal building to be located at the rear of the site.

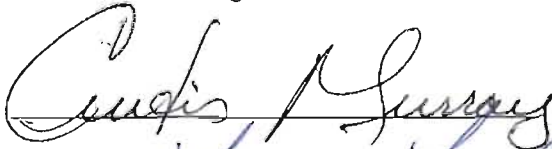
**SUMMARY OF RECOMMENDATIONS:**

The Petitioner should address the following prior to the conclusion of the subject special hearing:

1. Submit a landscape and parking plan. Show how the front of the site will be used. Show client parking and car storage as well as ingress and egress, and access to the proposed building.
2. The proposed metal building is immediately adjacent to a church at 2802 Old Northpoint Road and directly across the street from a busy retail pharmacy. The proposed building will be highly visible and so the front wall should have more architectural detail and be constructed of higher quality materials than that of the rear and sides. The petitioner should consider using materials such as Drivit or Stucco.

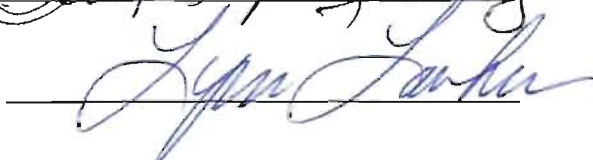
For further information concerning the matters stated here in, please contact John Alexander at 410-887-3480.

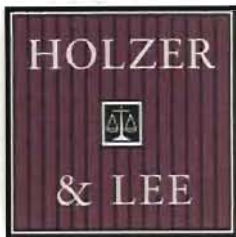
Reviewed by:



Division Chief:

AFK/LL: CM





LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER  
1907-1989

THOMAS J. LEE  
OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.

TOWSON, MD 21286

(410) 825-6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@BCPL.NET

August 18, 2006  
# 7638

**HAND DELIVERED**

Carl Richards  
Department of Permits &  
Development Management  
County Office Building  
Towson, MD 21204

Re: In the Matter of Petition for Special Hearing, 2804 Old N. Point Road  
Ayd Properties, LLC

Dear Mr. Richards:

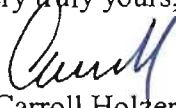
On behalf of my clients, Ayd Properties, LLC, Will Ayd, President and Barbara Ayd, Managing member regarding property located at 2804 Old North Point Road, attached you will find three original Petitions for Special Hearing filed on behalf of my clients, 12 plats, three copies of a sealed description of the property and one copy of a 200' scale official zoning map as well as the filing fee. Petitioners are not aware of a zoning violation involving the subject property. The purpose of this Petition for Special Hearing is to amend a previously approved special exception.

For advertising purposes, the following language is to be used for posting and advertising purposes only:

*"Amend previously approved special exception for a service garage by razing existing garage and replacing it with a 40' by 60' pole barn for a service garage"*

I appreciate your assistance in this matter and if you need to call, I can be reached at 410-825-6961

Very truly yours,

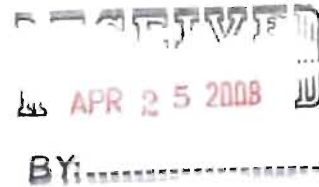
  
J. Carroll Holzer

JCH:clh

cc: Ayd Properties, LLC

Ayd Properties, LLC  
2804 North Point Road  
Dundalk, MD 21222  
410-282-8840

William J. Wiseman, III  
Zoning Commissioner  
Baltimore County  
Zoning Commissioner's Office  
401 Bosley Avenue, Room 405  
Towson, MD 21204



April 24, 2008

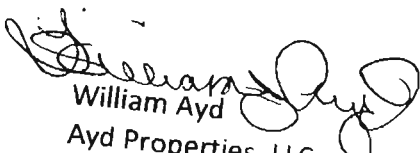
Case No 08-390-SPH

Dear Mr. William J. Wiseman, III,

Here is the information you requested from Ayd Properties, LLC. This letter was written by Pastor Monk from The Living Tabernacle Church, 2802 North Point Road, Dundalk, MD 21222. A copy has already been faxed to your office. The enclosed copy is the original.

If any questions arise, please contact William Ayd at 443-829-8537 or 410-282-8840.

Sincerely,

  
William Ayd  
Ayd Properties, LLC

Enclosed: Living Tabernacle Church Approval Letter

The logo for Living Tabernacle Church features a stylized cross. The vertical bar of the cross is a solid black line. The horizontal bar is a black rectangle with the words "LIVING TABERNACLE CHURCH" in white, sans-serif, uppercase letters. The cross is set against a background of soft, overlapping pink and white rectangular shapes.

**LIVING TABERNACLE CHURCH**

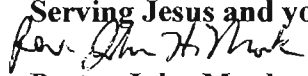
2802 North Point Road  
Dundalk, MD. 21222

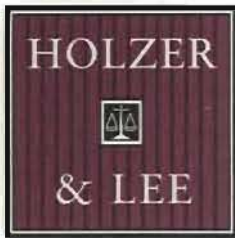
Pastor John Monk (410) 284-3800

Dear Sir,

This is a letter to express our approval of AYD Auto Repairs desire to build an addition on their property. The Living Tabernacle Church has found AYD Auto to be an excellent neighbor. They keep their lot clean, and orderly, which isn't easy because they are swamped with work. The addition they are building will only help them accomplish this better. The quality of the work they do has kept them in high esteem with their customers. We have been blessed by having them as next door neighbors.

May the Lord keep blessing AYD Auto in the good work they are doing.

Serving Jesus and you,  
A handwritten signature in black ink, appearing to read "Rev. John H. Monk", is written over the printed name.  
Pastor John Monk



LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER

1907-1989

THOMAS J. LEE

OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.

TOWSON, MD 21286

(410) 825-6961

FAX: (410) 825-4923

~~XXXXXXXXXXXXXXXXXXXX~~

jcholzer@cavtel.net

April 24, 2008  
#7457

William Wiseman, Esquire  
Zoning Commissioner  
401 Bosley Avenue  
Suite 405  
Towson, Maryland 21204

RE: Case No.: 08-390-SPH  
2804 Old North Point Road

Dear Mr. <sup>Bill</sup> Wiseman:

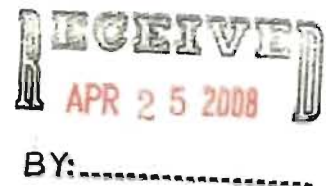
In the event this was not sent directly to you enclosed please find a copy of Pastor Monk's letter supporting Ayd auto repairs request.

Very truly yours,

  
J. Carroll Holzer

JCH:mlg

Enclosure



**LIVING TABERNACLE CHURCH**

2802 North Point Road  
Dundalk, MD. 21222

Pastor John Monk (410) 284-3800

Dear Sir,

This is a letter to express our approval of AYD Auto Repairs desire to buikd an addition on their property. The Living Tabernacle Church has found AYD Auto to be an excellent neighbor. They keep their lot clean, and orderly, which isn't easy because they are swamped with work. The addition they are building will only help them accomplish this better. The quality of the work they do has kept them in high esteem with their customers. We have been blessed by having them as next door neighbors.

May the Lord keep blessing AYD Auto in the good work they are doing.

Serving Jesus and you,

*Pastor John Monk*  
Pastor John Monk

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
2804 Old North Point Road; N/S Old North \*  
Point Road, 165' W c/line Pinewood Road \* ZONING COMMISSIONER  
15<sup>th</sup> Election & 7<sup>th</sup> Councilmanic Districts \*  
Legal Owner(s): William & Barbara Ayd \* FOR  
Petitioner(s) \* BALTIMORE COUNTY  
\* 08-390-SPH

\* \* \* \* \*

### ENTRY OF APPEARANCE

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

**RECEIVED**

**Mar 11 2008**

**Per [illegible]**

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Jefferson Building, Room 204  
105 West Chesapeake Avenue  
Towson, MD 21204  
(410) 887-2188

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11<sup>th</sup> day of March, 2008, a copy of the foregoing Entry of Appearance was mailed to J. Carroll Holzer, Esquire, Holzer & Lee, 508 Fairmount Avenue, Towson, MD 21286, Attorney for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



CASE NAME \_\_\_\_\_  
CASE NUMBER 08-390-SPH  
DATE 4-23-08

[illegible]



**Maryland Department of Assessments and Taxation**  
**BALTIMORE COUNTY**  
**Real Property Data Search** (2007 vw4.3)

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

**Account Identifier:** District - 15 Account Number - 1518475090

**Owner Information**

**Owner Name:** AYD PROPERTIES LLC **Use:** COMMERCIAL  
**Principal Residence:** NO  
**Mailing Address:** 12915 KANES RD **Deed Reference:** 1) /20420/ 8  
 GLEN ARM MD 21057-9727 2)

**Location & Structure Information**

**Premises Address**

2804 OLD NORTH POINT RD

**Legal Description**

.4188 AC  
 2800 OLD NORTH POINT RD  
 NW COR PINEWOOD RD

| Map | Grid | Parcel | Sub District | Subdivision | Section | Block | Lot | Assessment Area | Plat No:  |
|-----|------|--------|--------------|-------------|---------|-------|-----|-----------------|-----------|
| 104 | 1    | 34     |              |             |         |       |     | 3               | Plat Ref: |

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

| Primary Structure Built | Enclosed Area | Property Land Area | County Use |
|-------------------------|---------------|--------------------|------------|
| 1954                    | 1,134 SF      | 18,242.00 SF       | 06         |

| 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 |
| <b>Land</b>               | 76,800     | 120,600    |                      |            |
| <b>Improvements:</b>      | 30,600     | 35,000     |                      |            |
| <b>Total:</b>             | 107,400    | 155,600    | 139,532              | 155,600    |
| <b>Preferential Land:</b> | 0          | 0          | 0                    | 0          |

**Transfer Information**

|                                   |                           |                         |
|-----------------------------------|---------------------------|-------------------------|
| <b>Seller:</b> TRANS REALTY INC   | <b>Date:</b> 07/20/2004   | <b>Price:</b> \$160,000 |
| <b>Type:</b> IMPROVED ARMS-LENGTH | <b>Deed1:</b> /20420/ 8   | <b>Deed2:</b>           |
| <b>Seller:</b> DICK ROSS INC      | <b>Date:</b> 07/18/1996   | <b>Price:</b> \$180,000 |
| <b>Type:</b> NOT ARMS-LENGTH      | <b>Deed1:</b> /11704/ 794 | <b>Deed2:</b>           |
| <b>Seller:</b> ROSS EULAH A       | <b>Date:</b> 06/22/1995   | <b>Price:</b> \$75,000  |
| <b>Type:</b> IMPROVED ARMS-LENGTH | <b>Deed1:</b> /11095/ 603 | <b>Deed2:</b>           |

**Exemption Information**

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

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

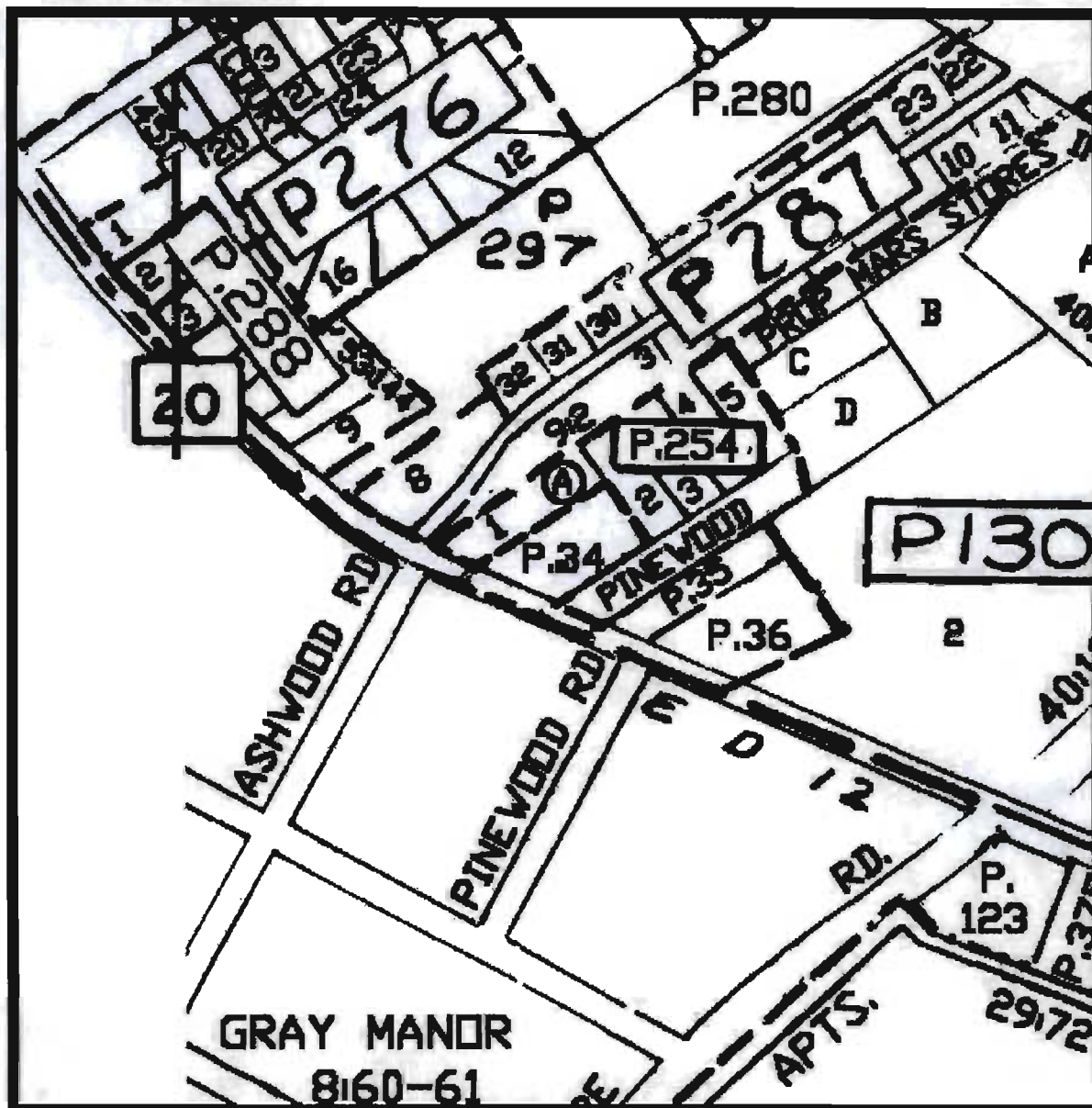
**Special Tax Recapture:**  
 \* NONE \*



**Maryland Department of Assessments and Taxation**  
**BALTIMORE COUNTY**  
**Real Property Data Search**

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

District - 15 Account Number - 1518475090



Property maps provided courtesy of the Maryland Department of Planning ©2004.  
 For more information on electronic mapping applications, visit the Maryland Department of Planning web  
 site at [www.mdp.state.md.us/tax\\_mos.htm](http://www.mdp.state.md.us/tax_mos.htm)





**Maryland Department of Assessments and Taxation**  
**BALTIMORE COUNTY**  
**Real Property Data Search** (2007 v01.1)

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

**Account Identifier:** District - 11 Account Number - 1102023570

**Owner Information**

|                         |                        |                             |                |
|-------------------------|------------------------|-----------------------------|----------------|
| <b>Owner Name:</b>      | AYD WILLIAM J          | <b>Use:</b>                 | RESIDENTIAL    |
|                         | AYD BARBARA A          | <b>Principal Residence:</b> | YES            |
| <b>Mailing Address:</b> | 12915 KANES RD         | <b>Deed Reference:</b>      | 1) /14600/ 502 |
|                         | GLEN ARM MD 21057-9727 |                             | 2)             |

**Location & Structure Information**

|                         |                          |
|-------------------------|--------------------------|
| <b>Premises Address</b> | <b>Legal Description</b> |
| 12915 KANES RD          | .85 AC                   |
|                         | NES KANES RD             |
|                         | 250 SE MANOR RD          |

|            |             |               |                     |                    |                |              |            |                        |                  |
|------------|-------------|---------------|---------------------|--------------------|----------------|--------------|------------|------------------------|------------------|
| <b>Map</b> | <b>Grid</b> | <b>Parcel</b> | <b>Sub District</b> | <b>Subdivision</b> | <b>Section</b> | <b>Block</b> | <b>Lot</b> | <b>Assessment Area</b> | <b>Plat No:</b>  |
| 44         | 22          | 409           |                     |                    |                |              |            | 3                      | <b>Plat Ref:</b> |

**Special Tax Areas**

**Town**

**Ad Valorem**

**Tax Class**

|                                |                      |                           |                   |
|--------------------------------|----------------------|---------------------------|-------------------|
| <b>Primary Structure Built</b> | <b>Enclosed Area</b> | <b>Property Land Area</b> | <b>County Use</b> |
| 1961                           | 1,640 SF             | 37,026.00 SF              | 04                |

|                |                 |               |                 |
|----------------|-----------------|---------------|-----------------|
| <b>Stories</b> | <b>Basement</b> | <b>Type</b>   | <b>Exterior</b> |
| 1              | YES             | STANDARD UNIT | BRICK           |

**Value Information**

|                           | <b>Base Value</b> | <b>Value</b> | <b>Phase-in Assessments</b> |              |
|---------------------------|-------------------|--------------|-----------------------------|--------------|
|                           |                   | <b>As Of</b> | <b>As Of</b>                | <b>As Of</b> |
|                           |                   | 01/01/2006   | 07/01/2007                  | 07/01/2008   |
| <b>Land</b>               | 63,250            | 148,250      |                             |              |
| <b>Improvements:</b>      | 129,230           | 153,520      |                             |              |
| <b>Total:</b>             | 192,480           | 301,770      | 265,340                     | 301,770      |
| <b>Preferential Land:</b> | 0                 | 0            | 0                           | 0            |

**Transfer Information**

|                              |                           |                         |
|------------------------------|---------------------------|-------------------------|
| <b>Seller:</b> BECK ANDREW S | <b>Date:</b> 07/27/2000   | <b>Price:</b> \$189,000 |
| <b>Type:</b> NOT ARMS-LENGTH | <b>Deed1:</b> /14600/ 502 | <b>Deed2:</b>           |

|                |               |               |
|----------------|---------------|---------------|
| <b>Seller:</b> | <b>Date:</b>  | <b>Price:</b> |
| <b>Type:</b>   | <b>Deed1:</b> | <b>Deed2:</b> |

|                |               |               |
|----------------|---------------|---------------|
| <b>Seller:</b> | <b>Date:</b>  | <b>Price:</b> |
| <b>Type:</b>   | <b>Deed1:</b> | <b>Deed2:</b> |

**Exemption Information**

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

**Tax Exempt:** NO

**Exempt Class:**

**Special Tax Recapture:**

\* NONE \*

gm  
4/26

IN RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE  
NW/Corner of Old North Point \*  
and Pinewood Roads \* DEPUTY ZONING COMMISSIONER  
15th Election District \*  
7th Election District \* OF BALTIMORE COUNTY  
(2804 Old North Point Road) \*  
\* CASE NO. 04-396-X  
Trans Realty, Inc., by Daniel Setzer, \*  
Legal Owners and \*  
Ayd Properties, Lessee \*  
Petitioners \*

\* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owners of the subject property, Trans Realty, Inc., by Daniel Setzer and Ayd Properties, Lessee. The Petitioners are requesting special exception relief for property located at 2804 Old North Point Road in the area of Baltimore County. The special exception request is for a service garage in a BL-AS and BR-AS zone pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.).

The property was posted with Notice of Hearing on April 6, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on April 8, 2004 to notify any interested persons of the scheduled hearing date.

### Applicable Law

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

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

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;

Since the time the cab company moved out, the property has been used as a two-bay service garage for auto repair and service.

The property owner, Mr. Setzer, indicated that a prior tenant had left much debris, auto parts, and a disabled van and truck on the premises. This triggered a complaint from the Zoning Enforcement Department to cleanup the site. The contract purchaser's principals, William and Barbara Ayd, indicated that they had cleaned up the property to such an extent that the Zoning Enforcement inspector had cancelled the scheduled hearing previously set for the zoning violation. All that remains is to remove the van and truck, which the owner is in the process of doing once he finds the proper title for each. Mr. Ayd agreed that if he uses the back lot (northern section) of the site to store vehicles, he would pave the area as required by zoning enforcement.

Mr. Holzer proffered that no construction was planned for the site, that the use proposed is a service garage, and that the site is surrounded by commercial uses except for a small church to the west. The Petitioner's indicated that they had contacted the pastor of the church who was not opposed to the requested relief. Consequently, he indicated the use of the property as a service garage would not be a detriment to the surrounding community and would not create any of the problems listed in Section 502.1 of the B.C.Z.R.

#### **Findings of Fact and Conclusions of Law**

I find that the special exception for a service garage as shown on Petitioners' Exhibit No. 2 will not endanger the health safety and welfare of the community, that there will be no detriment to the area considering each of the criteria listed under Section 502.1 of the B.C.Z.R. Consequently, I will grant the special exception provided the Petitioners complete the cleanup of the site according to the direction of the Zoning Enforcement Office.



Case No.: 08-390-SPH 2804 OLD NORTH POINT RD.

Exhibit Sheet

Petitioner/Developer

Protestant

|        |                                                   |  |
|--------|---------------------------------------------------|--|
| No. 1  | SITE PLAN                                         |  |
| No. 2  | RED LINED SITE PLAN                               |  |
| No. 3  | ZONING MAP - SURROUNDING<br>COMMERCIAL USES       |  |
| No. 4  | NOTE BOOK - PAGES<br>PHOTOGRAPHS + BLG ELEVATIONS |  |
| No. 5  | BLG ELEVATIONS                                    |  |
| No. 6  |                                                   |  |
| No. 7  |                                                   |  |
| No. 8  |                                                   |  |
| No. 9  |                                                   |  |
| No. 10 |                                                   |  |
| No. 11 |                                                   |  |
| No. 12 |                                                   |  |





**Ayd Properties Building**

**Ayd Automotive, LLC**

**2804 North Point Road**

**Dundalk, MD 21222**

**Owned and Operated by William & Barbara Ayd**



**New Building**

**North Point Blvd.**

**Dundalk, MD 21222**

**Color scheme and building appearance are similar to Ayd Properties projected building**



**The Living Tabernacle Church**  
**2800 North Point Road**  
**Dundalk, MD 21222**  
**West of Ayd Properties Building**



**Drug City Pharmacy**

**North Point Road**

**Dundalk, MD 21222**

**South of Ayd Properties Building**



**Grey Manor Inn**  
**North Point Road**  
**Dundalk, MD 21222**  
**East of Ayd Properties Building**





**Casa De Espana**  
**North Point Road and Norris Lane**  
**Dundalk, MD 21222**  
**West of Ayd Properties Building**



**North Point Flea Market**

**North Point Road**

**Dundalk, MD 21222**

**West of Ayd Properties Building**





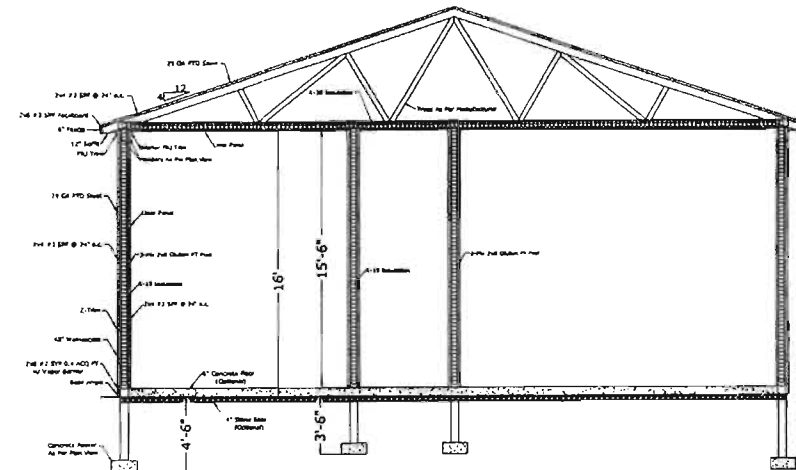
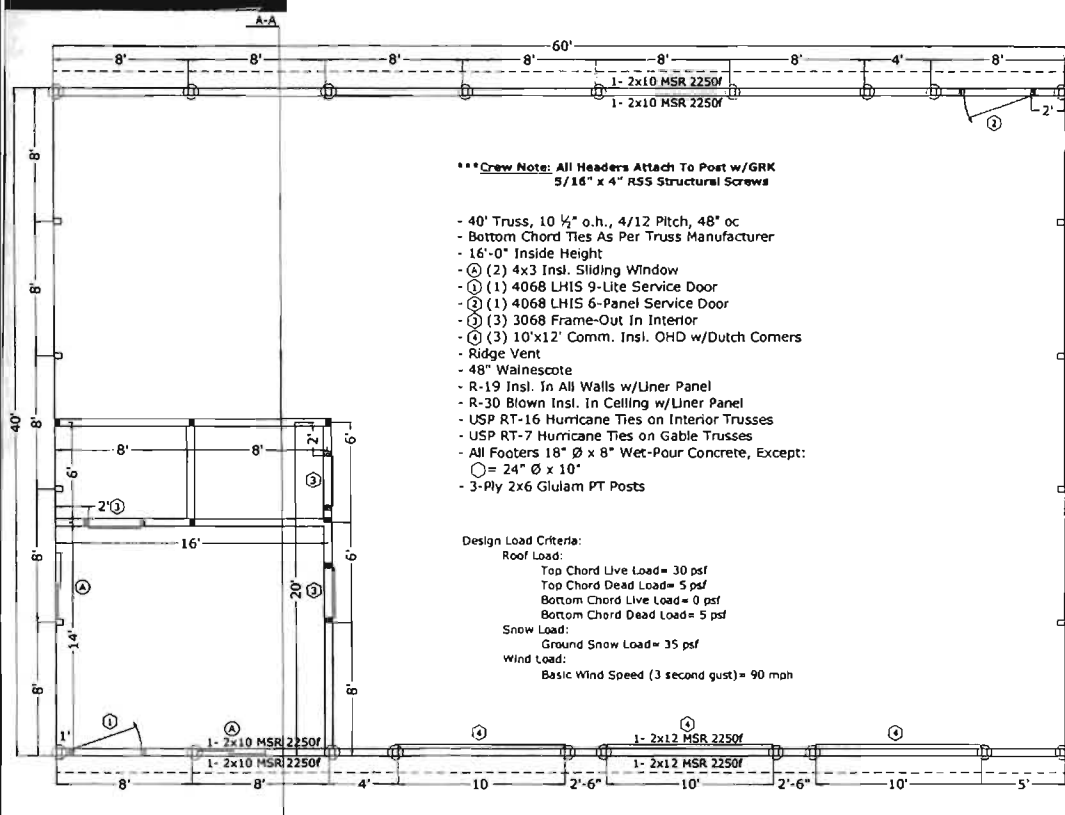
**North Point Automotive**

**North Point Road**

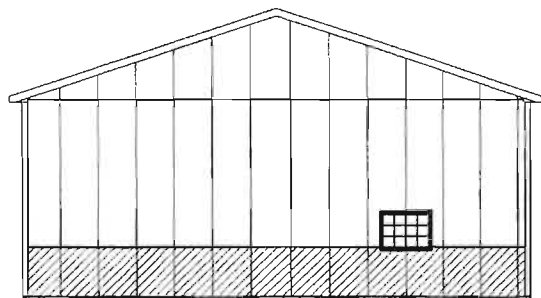
**Dundalk, MD 21222**

**Southeast of Ayd Properties Building**

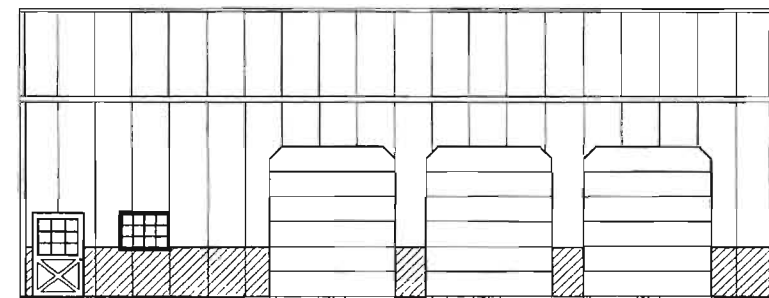




Typical Wall Section A-A  
 Scale: 1/4" = 1'-0"

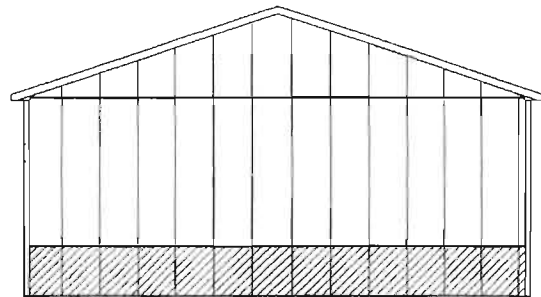


Left Gable Elevation

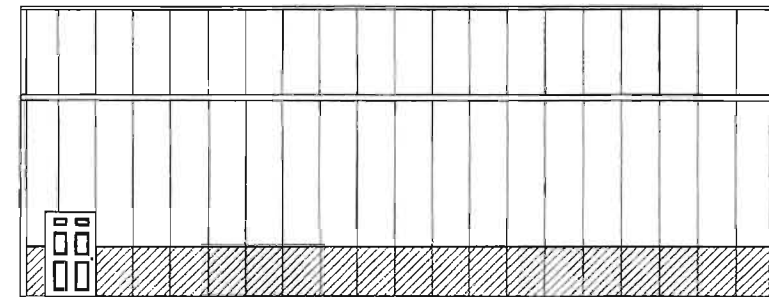


Front Eave Elevation

Elevations  
 Scale: 3/16" = 1'-0"



Right Gable Elevation



Rear Eave Elevation



**Data Sources:**  
Planametric Data - Baltimore County  
OIT/GIS Services Unit  
1:2400, from 1995/96 photography  
Zoning - Baltimore County Office of Planning  
1:2400, 2004



EX. FIRE HYDRANT

1. THIS SITE IS NOT SITUATED WITHIN THE CHESAPEAKE BAY CRITICAL AREAS.
2. THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS OR SEPTIC SYSTEMS ON THIS SITE. GAS TANKS AND WASTE OIL TANK SYSTEMS ON THIS SITE. (CASE 971299 BAP)
3. THERE ARE NO FOREST OR DEVELOPED WOODLANDS ON THIS SITE.

4. ELECTION DISTRICT 15H
5. TAX MAP 98 PREC. 4 LOT 5B
6. PROPERTY IS ZONED BL-AS AND RE-AS (GISTILE 104A1)
7. SITE AREA 18,214 SF OR 0.410 AC.
8. PARKING 15 SPACES 9'X20' (BASED ON 5000 VEH/AC)
9. PUBLIC WATER AND SEWER SERVED THIS SITE.
10. CEILING HT IN OFFICE TO BE 10'0" A.F.F.
11. TAX ACQ. NO. 15-18975090
12. NO EXT. LIGHTS

#### NOTE

DAMAGED OR DISABLED MOTOR VEHICLES SHALL BE STORED IN ACCORDANCE WITH SECTION 405A B.C.Z.R.

#### ZONING HISTORY

- 1) SPECIAL PERMIT- SERVICE STATION # 3187-S (OCTOBER 8, 1954)
- 2) SPECIAL EXCEPTION-WIRELESS TRANSMITTING AND RECEIVING STRUCTURE #65-28X (JULY 27, 1964)

#### ORDER

Upon hearing on petition for a Special Permit to use the property described herein for a Gasoline Service Station and it appearing that by reason of location, being in a commercial zone, the safety and general welfare of the community not being detrimentally affected, the said petition should be granted, therefore.

It is this 8th day of October, 1954, ORDERED by the Zoning Commissioner of Baltimore County, that the aforesaid petition, for a Special Permit, be and the same is hereby granted. Subject to the approval of the setbacks for the service building to be erected and the islands for the gasoline pumps by the State Roads Commission.

Zoning Commissioner of Baltimore County

- 2) IT IS ORDERED by the Zoning Commissioner of Baltimore County this 27th day of July, 1964 a Special Exception for a Wireless Transmitting and Receiving Structure should be and the same is granted, from and after the date of this order, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

Deputy Zoning Commissioner of Baltimore County

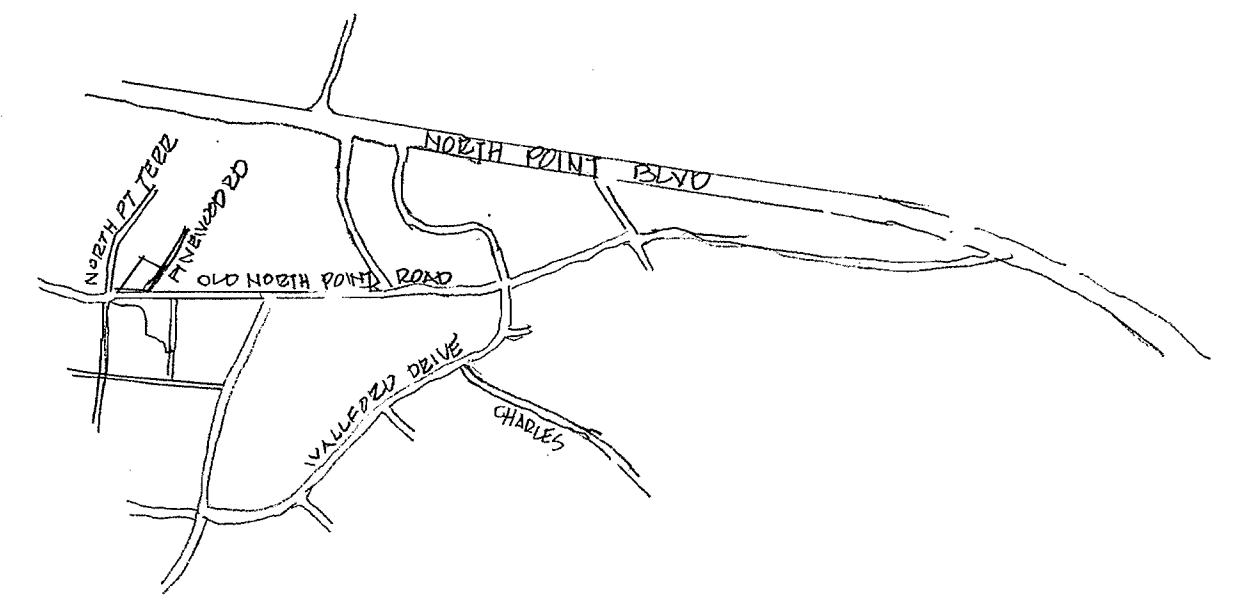
#### CASE NO. 04-396-X ZONING SPECIAL EXCEPTION REQUEST

TO PERMIT AN AUTOMOTIVE SERVICE GARAGE IN A BL-AS ZONE PER. SECTION 230.13 B.C.Z.R.

THEREFORE, IT IS ORDERED, this 28th day of April, 2004, by the Deputy Zoning Commissioner, that the Petitioners' special exception request for a service garage in a BL-AS and BR-AS zone pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein.

1. The Petitioners shall complete the cleanup of the site as required by Zoning Enforcement including but not limited to removing the van and truck from the premises.
2. Any appeal of this decision must be made within thirty (30) days of the date of this Order.

John V. Murphy  
JOHN V. MURPHY  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY



VICINITY MAP  
1"=1000 FT

#### IBC REVIEW

1. PROVIDE AN AUDIBLE & VISUAL ALARM SIGNALS IN THE NEW POLE BARN.
2. FLOOR IS CONCRETE
3. BLDG IS 3-1, NEW POLEBARN IS 2400 SF TOTAL COMPLEX IS 2400 SF. HEIGHT OF BLDG IS 23'
4. BLDG HEATED BY OIL FIRED UNIT HEATERS 10' A.F.F.
5. BLDG IS TYPE V-3, ALLOWED 9000 SF
6. NEW POLEBARN TO HAVE 4 TYPE ABC FIRE EXTINGUISHERS
7. NO. OF EXITS REQ'D: 2 NO. OF EXITS PROVIDED: 2
8. UNIT HEATED IN OFFICE TO BE 9'0" A.F.F.
9. ALL PEOPLE WORKING ON THIS PROJECT SHALL BE LICENSED
10. ALL WORK SHALL CONFORM TO IBC, NEC, ASHRAE AND NFPA
11. PUBLIC UTILITIES ARE AVAILABLE ON SITE
12. SITE INFO TAKEN FROM DRAWING DONE BY WILLIAM N. WESTLEY, PE, 1249 ENGLEBERTH RD. BALTO, MD. 21221
13. CONTRACTOR SHALL PROVIDE SEDIMENT CONTROL DURING CONSTRUCTION, STEAK BALES W/ SILT FENCE, IF SEDIMENT CONTROL BARRIERS REQUIRED. ANY OTHER METHOD OR ADDITIONAL PROTECTION, CONTRACTOR SHALL COMPLY.
14. CONTRACTOR SHALL APPLY AND PAY FOR PERMIT.
15. NEW ADDITION WILL BE USED FOR TUNE-UPS AND INSPECTIONS.
- NO GREASE TRAPS WILL BE INSTALLED.

I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND LICENSE NO. 6131-A EXPIRATION DATE 3-13-08  
WILBURN E. WESTLEY William E. Westley

PLAT TO ACCOMPANY PETITION  
FOR  
SPECIAL HEARING FOR  
2804 OLD NORTH POINT ROAD

REV 12-20-07  
REV 6-21-07

|  |                                                                                                              |
|--|--------------------------------------------------------------------------------------------------------------|
|  | PROPOSED POLE BARN<br>AT 2804 OLD NORTH POINT ROAD                                                           |
|  | WILBURN WESTLEY - ARCHITECT<br>8406 HALLMARK CIRCLE<br>BALTO CO. MD. 21234<br>PHONE/FAX 410-663-6572<br>3-07 |

A-1

MERRITT DEVELOPMENT  
CONSULTANTS, INC.  
2416 EAST JOPPA ROAD  
BALTIMORE, MARYLAND 21234  
PHONE: 410-663-5525 FAX: 410-663-4315  
MERRITDC@COMCAST.NET

SITE PLAN (BL-AS)  
1"=20'-0" / #2804 OLD N.P.T. ROAD

FLOOR AREA RATIO  
TOTAL BLDG 2400 SF  
SITE 18,214  
 $\frac{2400}{18214} = .1318$  F.A.R. ALLOWED 3.0  
PREVIOUS PERMITS  
B-513057 - SIGN PERMIT  
B-511366 - UNDERGROUND TANK  
SPEC. PERMIT - SERVICE STATION #3187-S OCT. 8, 1954





Plan Sheet: 104A1

Note:  
The zoning depicted in this application incorporates the actions associated with County Council Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04 adopted by the County Council on August 31, 2004. The action associated with County Council Bill 130-04 adopted on December 6, 2004 is also depicted. In addition, County Board of Appeals actions from MC 05-01, MC 05-02, MC 05-03, and MC 05-04 on February 9, 2005 are represented in this application.

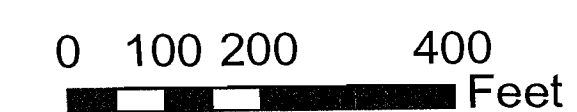
### Legend

-  Zoning     Streams     Vegetation  
 Buildings     Roads     Rail Lines

# Baltimore County Office of Planning and Zoning Official Zoning Map

|       |       |       |       |       |
|-------|-------|-------|-------|-------|
| 096B3 | 096C3 | 097A3 | 097B3 | 097C3 |
| 103B1 | 103C1 | 104A1 | 104B1 | 104C1 |
| 103B2 | 103C2 | 104A2 | 104B2 | 104C2 |

### Scale

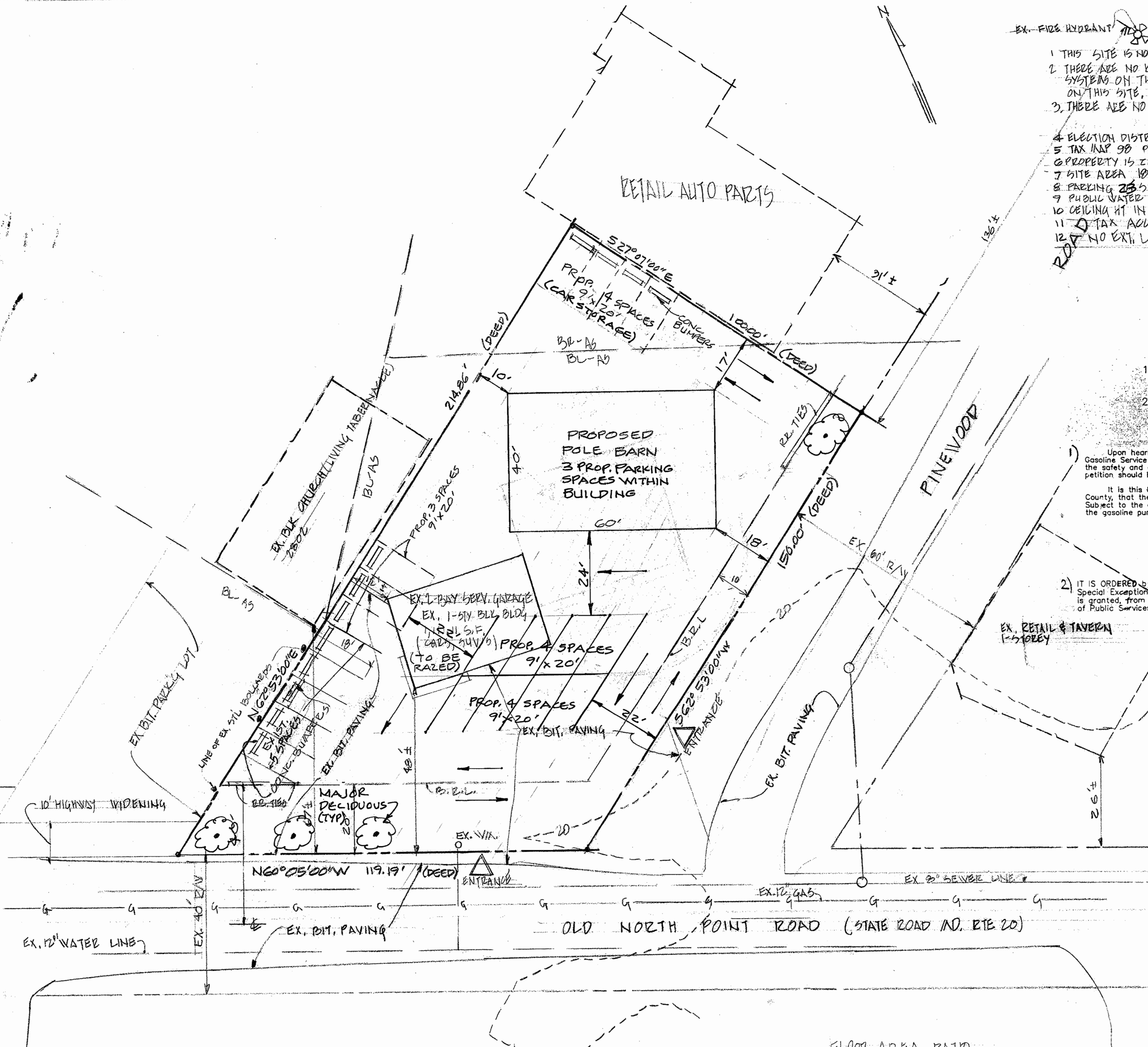
$$1'' = 200'$$


1

**Data Sources:**  
Planametric Data - Baltimore County  
OIT/GIS Services Unit  
1:2400, from 1995/96 photography  
Zoning - Baltimore County Office of Planning  
1:2400, 2004

Per Exh 3





- EX-FIRE HYDRANT
1. THIS SITE IS NOT SITUATED WITHIN THE CHESAPEAKE BAY CRITICAL AREAS.
  2. THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS OR SEPTIC SYSTEMS ON THIS SITE. GAS TANKS AND WASTE OIL TANK SYSTEMS ON THIS SITE, (CASE 971233 B.A.T.)
  3. THERE ARE NO FOREST OR DEVELOPED WETLANDS ON THIS SITE.
  4. ELECTION DISTRICT 15TH
  5. TAX MAP 98 PREC. 4 LOT 88
  6. PROPERTY IS ZONED BL-AS AND BR-AS (GISTILE 104A1)
  7. SITE AREA 10,214 SF OR 0.410 AC.
  8. PARKING 23 SPACES 9'x20' (BASED ON 5 PER 1000 SF - 12 SPACES)
  9. PUBLIC WATER AND SEWER SERVE THIS SITE.
  10. CEILING HT IN OFFICE TO BE 10'0\"/>

**NOTE**  
DAMAGED OR DISABLED MOTOR VEHICLES SHALL BE STORED IN ACCORDANCE WITH SECTION 405A B.C.Z.R.

**ZONING HISTORY**  
1) SPECIAL PERMIT- SERVICE STATION # 3187-S (OCTOBER 8, 1954)  
2) SPECIAL EXCEPTION-WIRELESS TRANSMITTING AND RECEIVING STRUCTURE #65-28X (JULY 27, 1964)  
**ORDER**

Upon hearing on petition for a Special Permit to use the property described herein for a Gasoline Service Station and it appearing that by reason of location, being in a commercial zone, the safety and general welfare of the community not being detrimentally affected, the said petition should be granted, therefore

It is this 8th day of October, 1954, ORDERED by the Zoning Commissioner of Baltimore County, that the aforesaid petition for a Special Permit, be and the same is hereby granted. Subject to the approval of the setbacks for the service building to be erected and the islands for the gasoline pumps by the State Roads Commission.

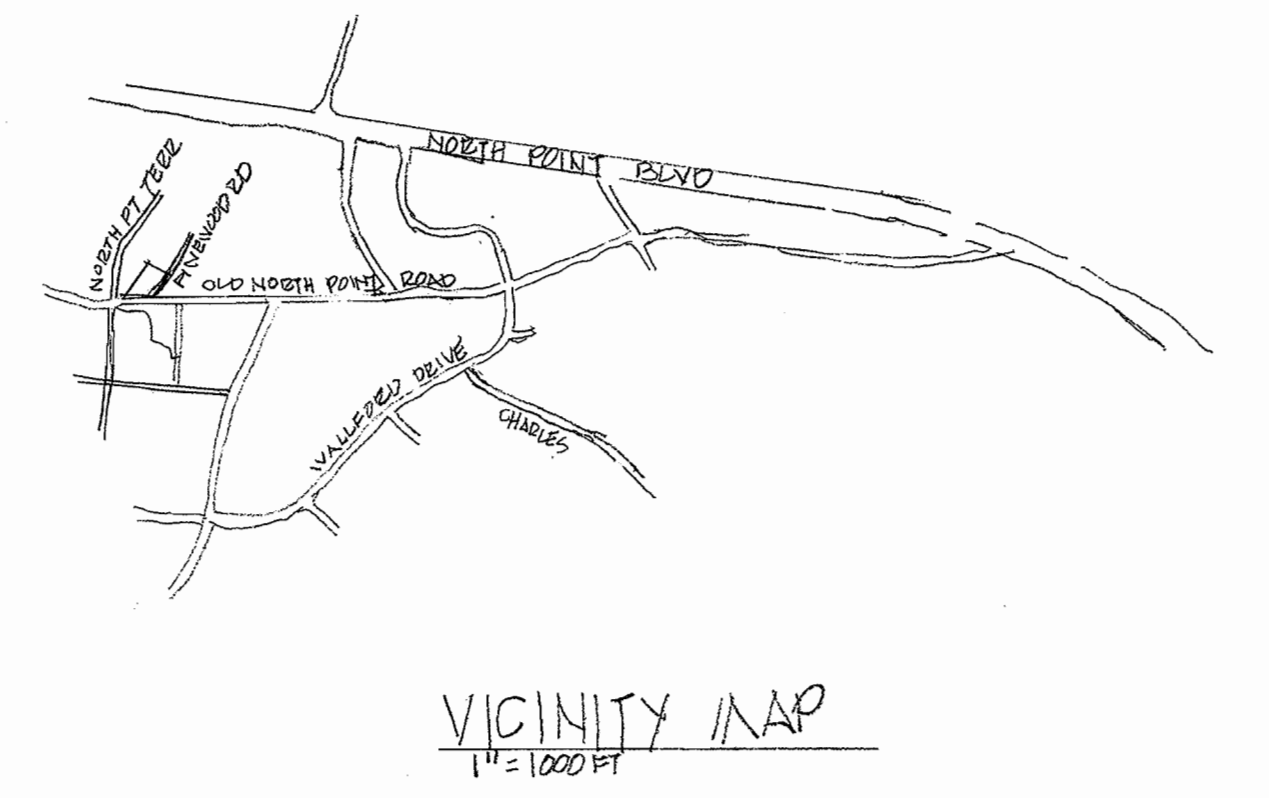
Zoning Commissioner of Baltimore County

2) IT IS ORDERED by the Zoning Commissioner of Baltimore County this 27th day of July, 1964 a Special Exception for a Wireless Transmitting and Receiving Structure should be and the same is granted, from and after the date of this order, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

Deputy Zoning Commissioner of Baltimore County

**CASE NO. 04-396-X**  
**ZONING SPECIAL EXCEPTION REQUEST**  
TO PERMIT AN AUTOMOTIVE SERVICE GARAGE IN A BL-AS ZONE PER. SECTION 230.13 B.C.Z.R.  
THEREFORE, IT IS ORDERED, this 28th day of April, 2004, by the Deputy Zoning Commissioner, that the Petitioners' special exception request for a service garage in a BL-AS and BR-AS zone pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein.  
1. The Petitioners shall complete the cleanup of the site as required by Zoning Enforcement including but not limited to removing the van and truck from the premises.  
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

John V. Murphy  
JOHN V. MURPHY  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY



- IBC REVIEW**
1. PROVIDE AN AUDIBLE & VISUAL ALARM SIGNALS IN THE NEW POLE BARN.
  2. FLOOR IS CONCRETE
  3. BLDG IS 5-1, NEW POLEBARN IS 2400 SF TOTAL COMPLEX IS 2400 SF. HEIGHT OF BLDG IS 23'
  4. BLDG HEATED BY OIL FIRED UNIT HEATERS 10' AFE
  5. BLDG IS TYPE V-3, ALLOWED 9000 SF
  6. NEW POLEBARN TO HAVE 4 TYPE ABC FIRE EXTINGUISHERS
  7. NO. OF EXITS REQ'D. 2 NO. OF EXITS PROVIDED: 2
  8. UNIT HEATED IN OFFICE TO BE 9-0 AFE
  9. ALL PEOPLE WORKING ON THIS PROJECT SHALL BE LICENSED
  10. ALL WORK SHALL CONFORM TO IBC, NEC, ASHRAE AND NFPA
  11. PUBLIC UTILITIES ARE AVAILABLE ON SITE
  12. SITE INFO TAKEN FROM DRAWING DONE BY WILLIAM N. BAFITIS, PE. 1249 ENGLEBERTH RD. BALTO. MD. 21221
  13. CONTRACTOR SHALL PROVIDE SEDIMENT CONTROL DURING CONSTRUCTION, STEEL BALES W/ SILT FENCE, IF SEDIMENT CONTROL REQUIRED. ANY OTHER METHOD OR ADDITIONAL PROTECTION, CONTRACTOR SHALL COMPLY
  14. CONTRACTOR SHALL APPLY AND PAY FOR PERMIT
  15. NEW ADDITION WILL BE USED FOR TUNE-UPS AND INSPECTIONS. NO GREASE TRAPS WILL BE INSTALLED.

I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND LICENSE NO. 6131-A EXPIRATION DATE 8-13-08  
WILBUEN E. WESTLEY *William E. Westley*

**SITE PLAN (BL-AS)**  
1"=20'-0" (#2804 OLD N.P.T. ROAD)

**FLOOR AREA RATIO**  
TOTAL BLDG 2400 SF  
SITE 10,214  
 $\frac{2400}{10214} = .235$  F.A.R. ALLOWED .30  
10214  
PREVIOUS PERMITS  
B-513057 - SIGN PERMIT  
P-511336 - UNDERGROUND TANK  
SPBL PERMIT - SERVICE STA. #3187-S OCT. 8, 1954

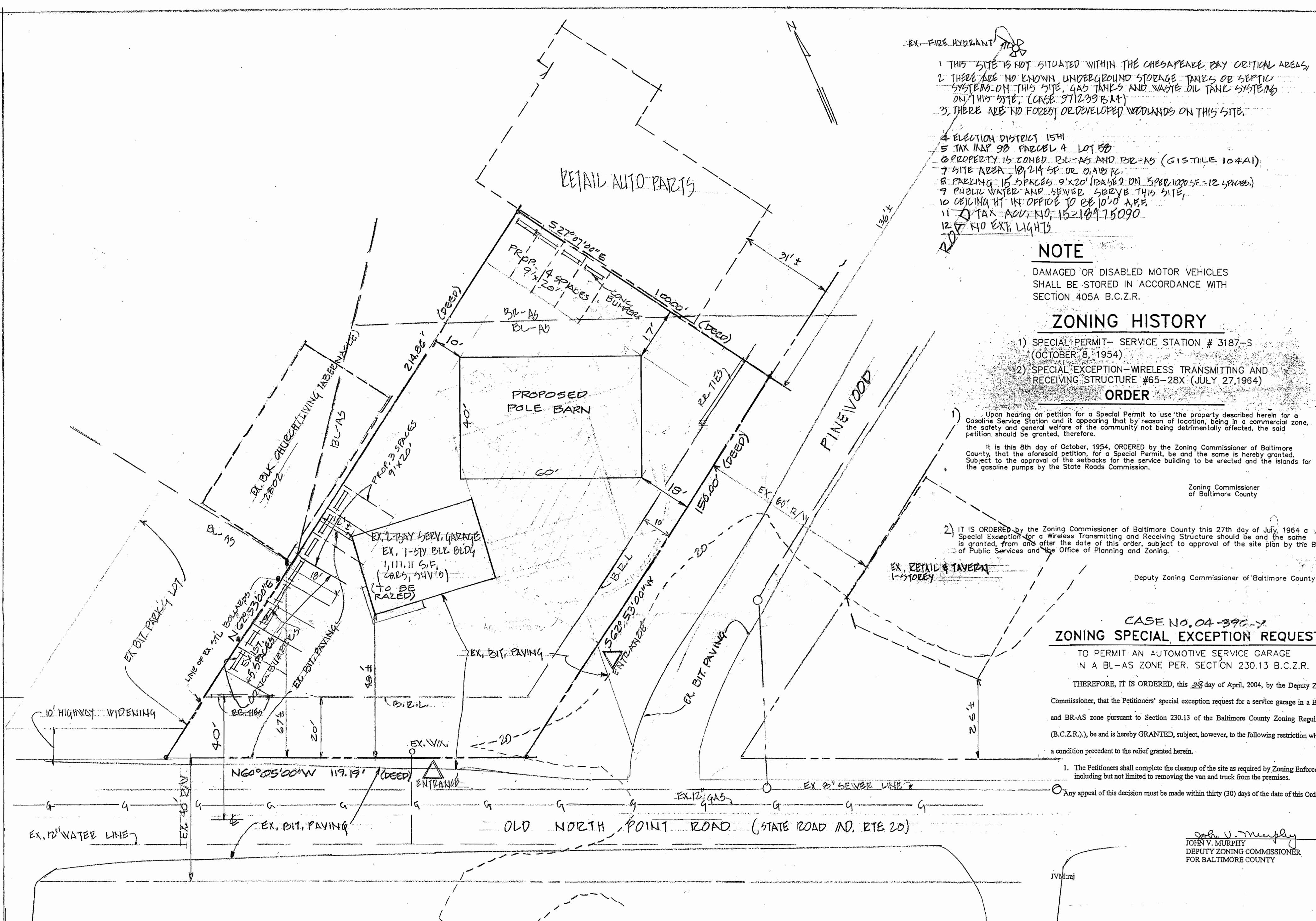
**PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING FOR 2804 OLD NORTH POINT ROAD**

REV. 12-20-07  
REV. 6-21-07

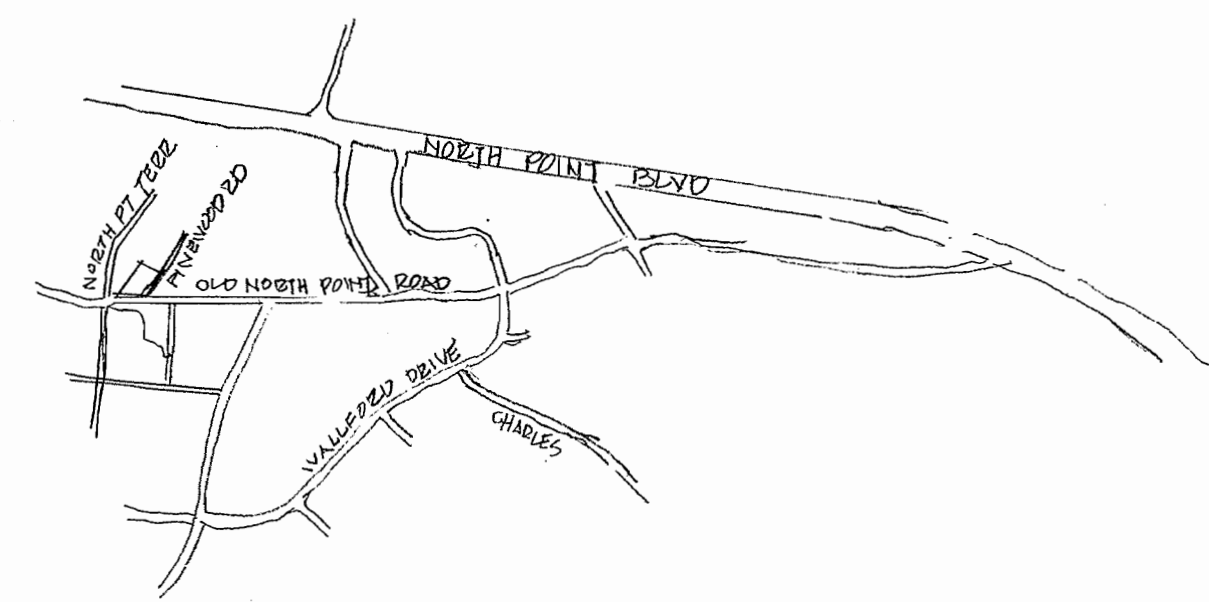
|      |                                                                                                       |
|------|-------------------------------------------------------------------------------------------------------|
|      | <b>PROPOSED POLE BARN AT 2804 OLD NORTH POINT ROAD</b>                                                |
|      | WILBUEN WESTLEY - ARCHITECT<br>8406 HALLMARK CIRCLE<br>BALTO. CO. MD. 21234<br>PHONE/FAX 410-666-6572 |
| 3-07 | <b>A-1</b>                                                                                            |

**MERRITT DEVELOPMENT CONSULTANTS, INC.**  
2416 EAST JOPPA ROAD  
BALTIMORE, MARYLAND 21234  
PHONE: 410-663-5525 FAX: 410-663-4315  
MERRITTOC@COMCAST.NET





- EX. FIRE HYDRANT
1. THIS SITE IS NOT SITUATED WITHIN THE CHESAPEAKE BAY CRITICAL AREAS.
  2. THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS OR SEPTIC SYSTEMS ON THIS SITE. GAS TANKS AND WASTE OIL TANK SYSTEMS ON THIS SITE. (CASE 971233 B.A.T.)
  3. THERE ARE NO FOREST OR DEVELOPED WOODLANDS ON THIS SITE.
  4. ELECTION DISTRICT 15TH
  5. TAX MAP 98, PARCEL 4, LOT 50
  6. PROPERTY IS ZONED BL-AS AND BR-AS (GISTILE 104A1)
  7. SITE AREA 18,214 SF OR 0.418 AC.
  8. PARKING 15 SPACES, 9'x20' (BAKED ON 5,000 1000 SF = 12 SPACES)
  9. PUBLIC WATER AND SEWER SERVICE THIS SITE.
  10. CEILING HT IN OFFICE TO BE 10'0" A.F.F.
  11. TAX ACQ. NO. 15-10975090
  12. NO EXT. LIGHTS



**NOTE**  
DAMAGED OR DISABLED MOTOR VEHICLES SHALL BE STORED IN ACCORDANCE WITH SECTION 405A B.C.Z.R.

**ZONING HISTORY**

1. SPECIAL PERMIT - SERVICE STATION # 3187-S (OCTOBER 8, 1954)
2. SPECIAL EXCEPTION - WIRELESS TRANSMITTING AND RECEIVING STRUCTURE #65-28X (JULY 27, 1964)

**ORDER**

Upon hearing on petition for a Special Permit to use the property described herein for a Gasoline Service Station and it appearing that by reason of location, being in a commercial zone, the safety and general welfare of the community not being detrimentally affected, the said petition should be granted, therefore.

It is this 8th day of October, 1954, ORDERED by the Zoning Commissioner of Baltimore County, that the aforesaid petition, for a Special Permit, be and the same is hereby granted. Subject to the approval of the setbacks for the service building to be erected and the islands for the gasoline pumps by the State Roads Commission.

Zoning Commissioner of Baltimore County

2. IT IS ORDERED by the Zoning Commissioner of Baltimore County this 27th day of July, 1964 a Special Exception for a Wireless Transmitting and Receiving Structure should be and the same is granted, from and after the date of this order, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

Deputy Zoning Commissioner of Baltimore County

**CASE NO. 04-396-Y  
ZONING SPECIAL EXCEPTION REQUEST**

TO PERMIT AN AUTOMOTIVE SERVICE GARAGE IN A BL-AS ZONE PER. SECTION 230.13 B.C.Z.R.

THEREFORE, IT IS ORDERED, this 28th day of April, 2004, by the Deputy Zoning Commissioner, that the Petitioners' special exception request for a service garage in a BL-AS and BR-AS zone pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein.

1. The Petitioners shall complete the cleanup of the site as required by Zoning Enforcement including but not limited to removing the van and truck from the premises.
- Any appeal of this decision must be made within thirty (30) days of the date of this Order.

John V. Murphy  
JOHN V. MURPHY  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND LICENSE NO. 6131-A EXPIRATION DATE 8-13-08

WILBUEN E. WESTLEY William E. Westley

**SITE PLAN (BL-AS)**  
1" = 20' 0" / #2804 OLD N. PT. ROAD

FLOOR AREA RATIO  
TOTAL BLDG 2400 SF  
SITE 18,214  
2400 = 1.318 F.A.R. ALLOWED 3.0  
18,214

PREVIOUS PERMITS  
B-513057 - SIGN PERMIT  
B-513066 - UNDERGROUND TANK  
SPEC. PERMIT - SERVICE STA. #3187-S OCT. 8, 1954

MERRITT DEVELOPMENT  
CONSULTANTS, INC.  
2416 EAST JOPPA ROAD  
BALTIMORE, MARYLAND 21234  
PHONE: 410-663-5525 FAX: 410-663-4315  
MERRITDC@COMCAST.NET

PLAT TO ACCOMPANY PETITION  
FOR  
SPECIAL HEARING FOR  
2804 OLD NORTH POINT ROAD

REV 12-20-07  
REV 6-21-07

**PROPOSED POLE BARN  
AT 2804 OLD NORTH POINT ROAD**

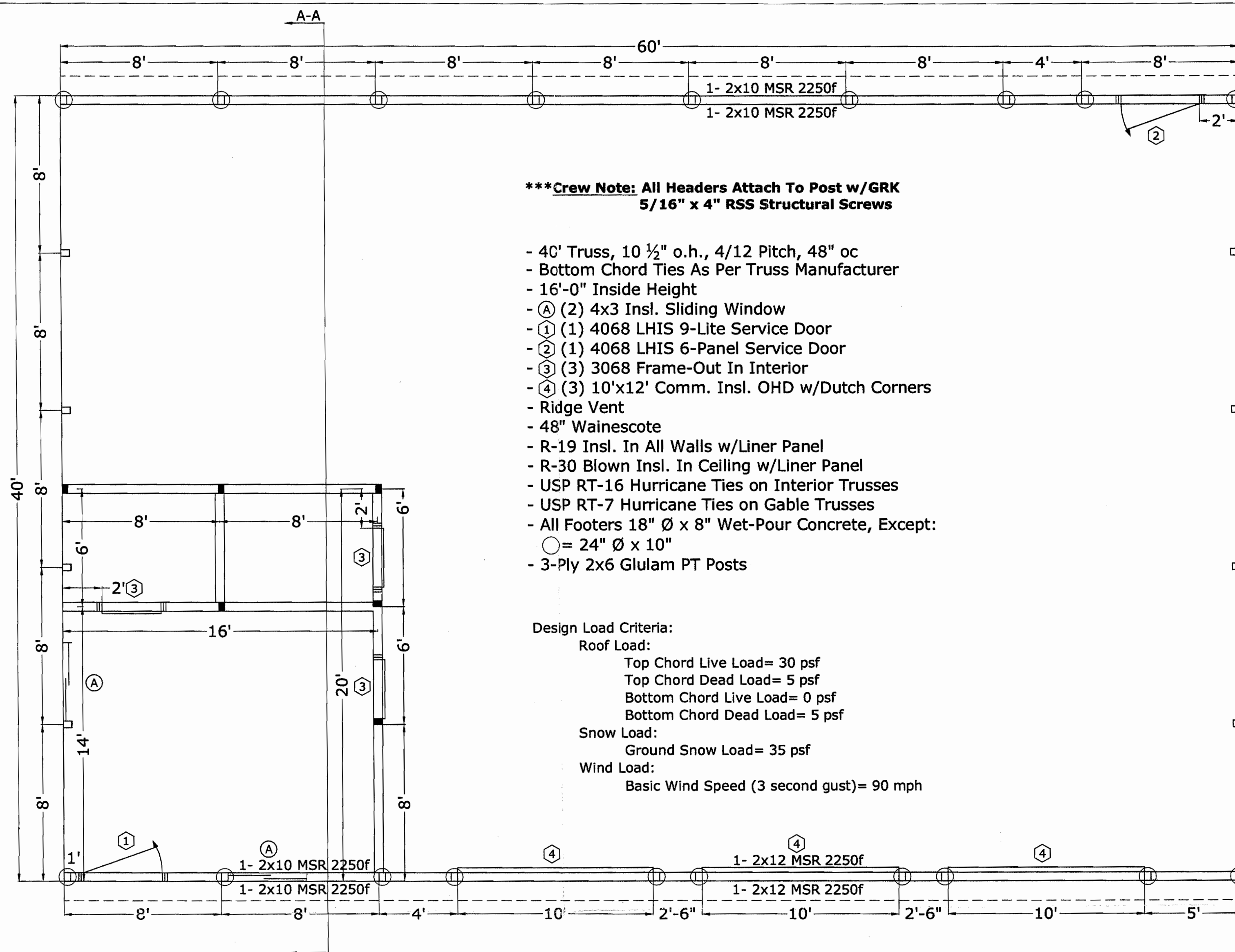
WILBUEN WESTLEY - ARCHITECT  
8406 HALLMARK CIRCLE  
BALTO CO, MD. 21234  
PHONE/FAX 410-663-6570

3-07

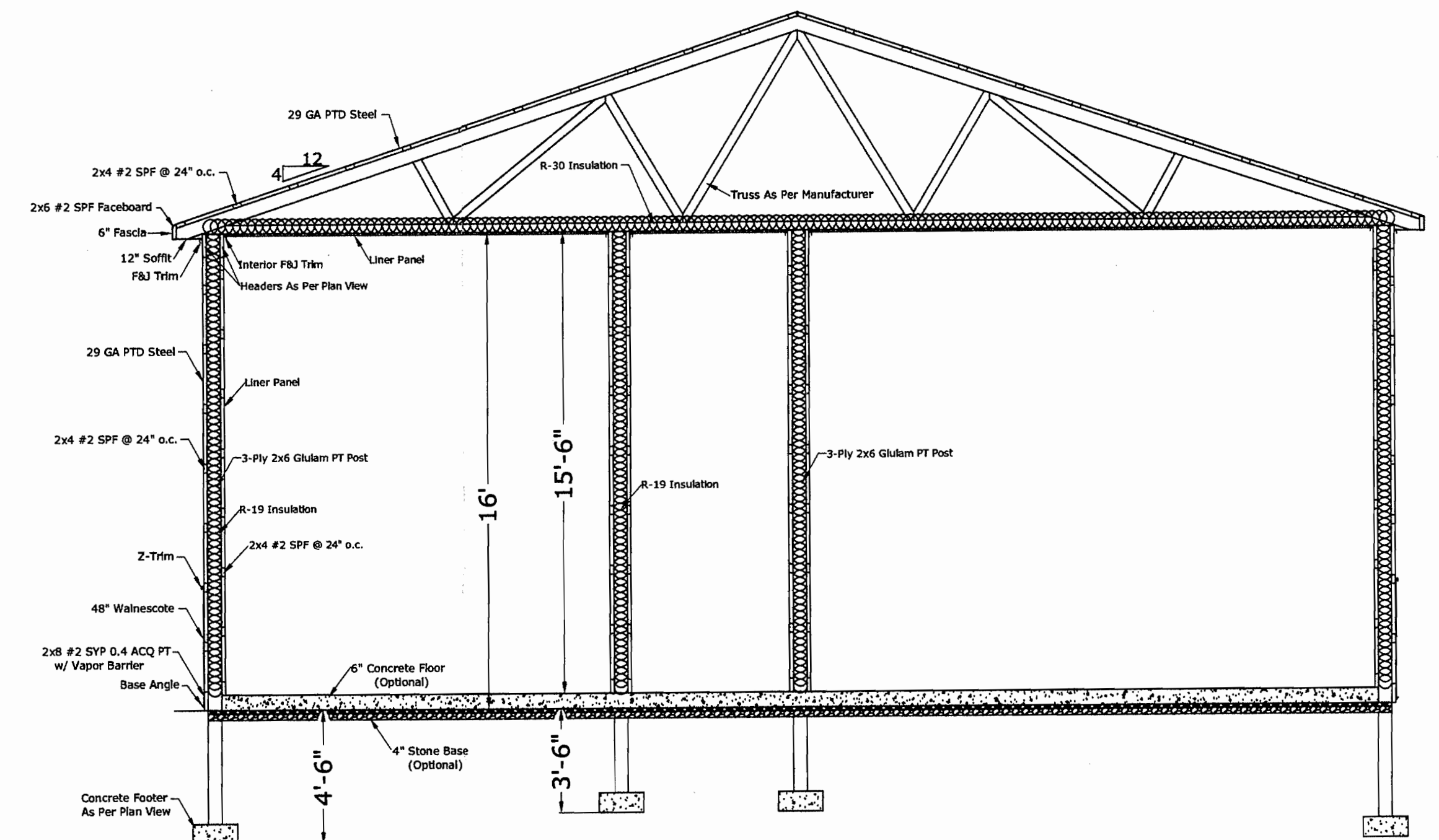
ARCHITECTURAL REGISTRATION BOARD  
STATE OF MARYLAND  
6131-A

A-1

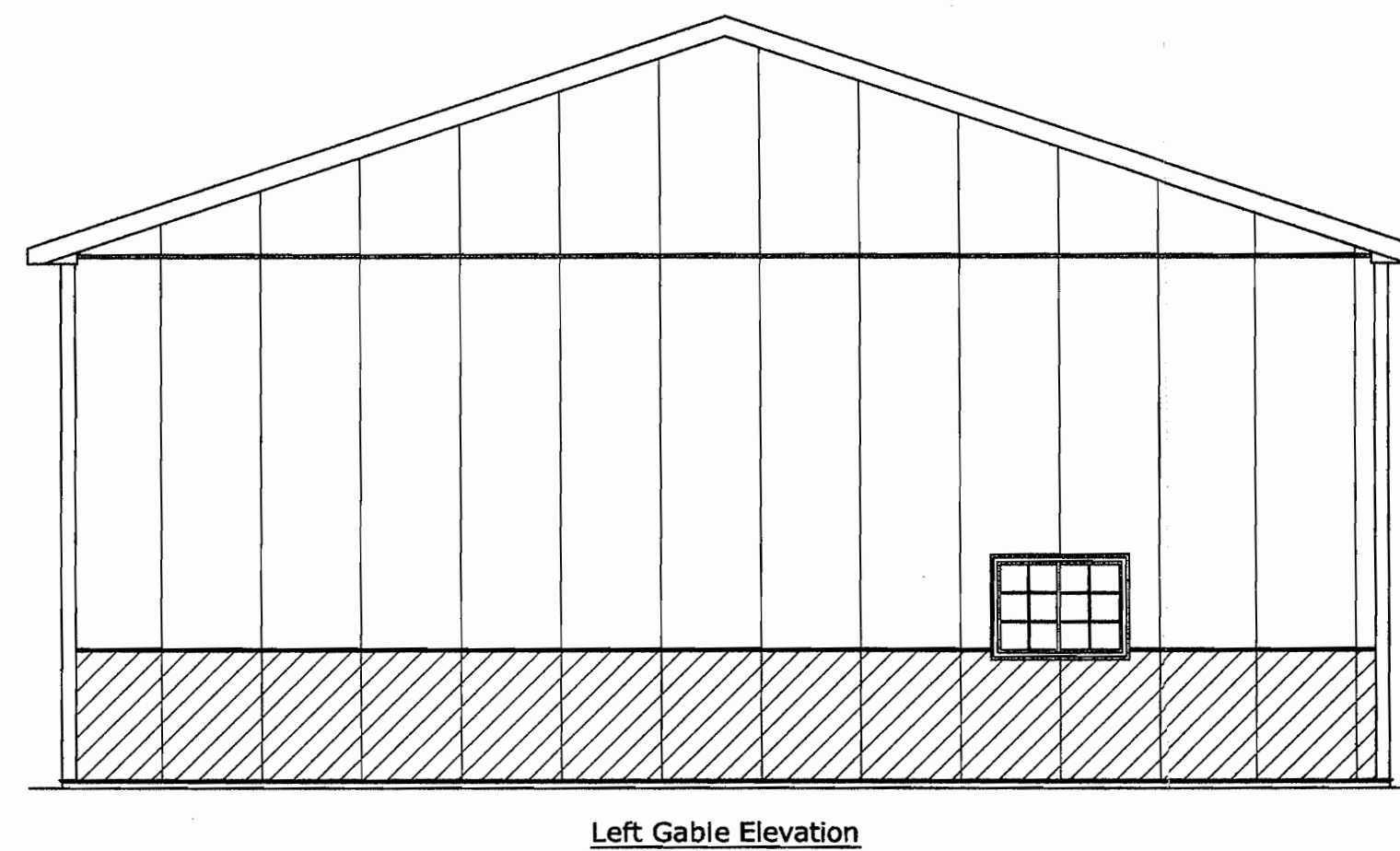




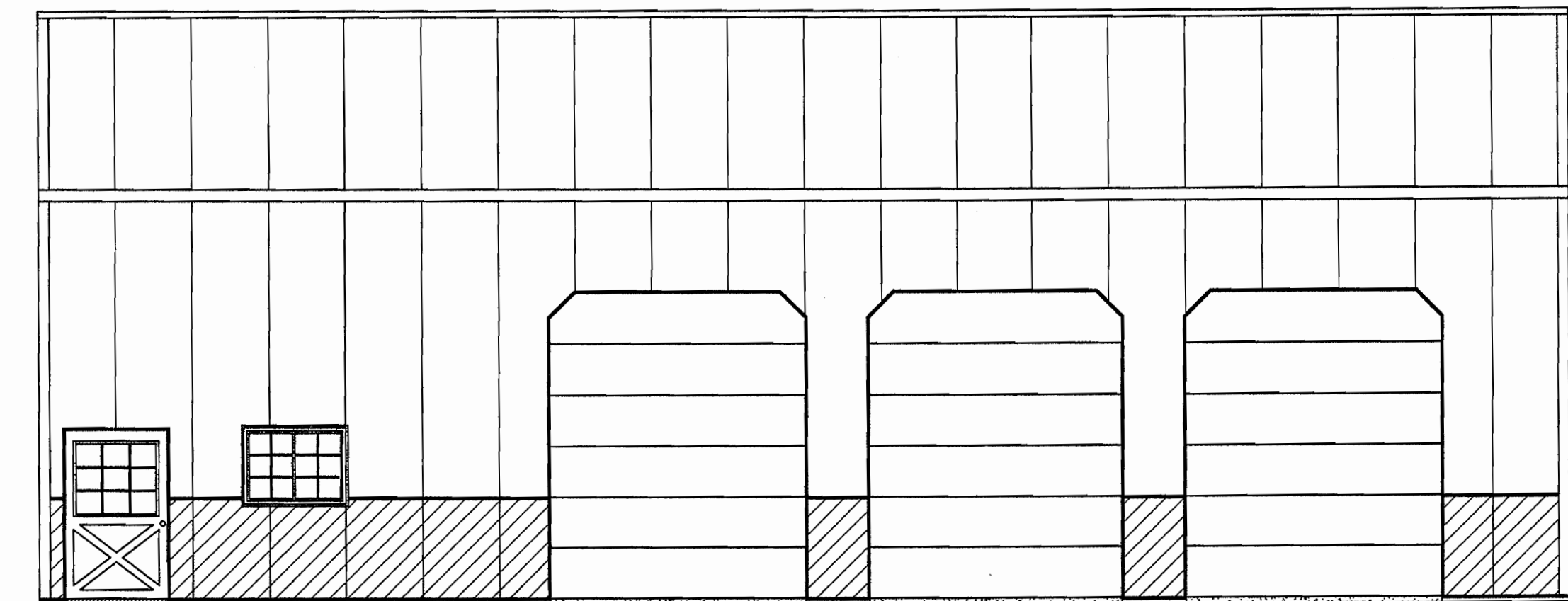
Floor Plan  
Scale: 1/4" = 1'-0"



Typical Wall Section A-A  
Scale: 1/4" = 1'-0"

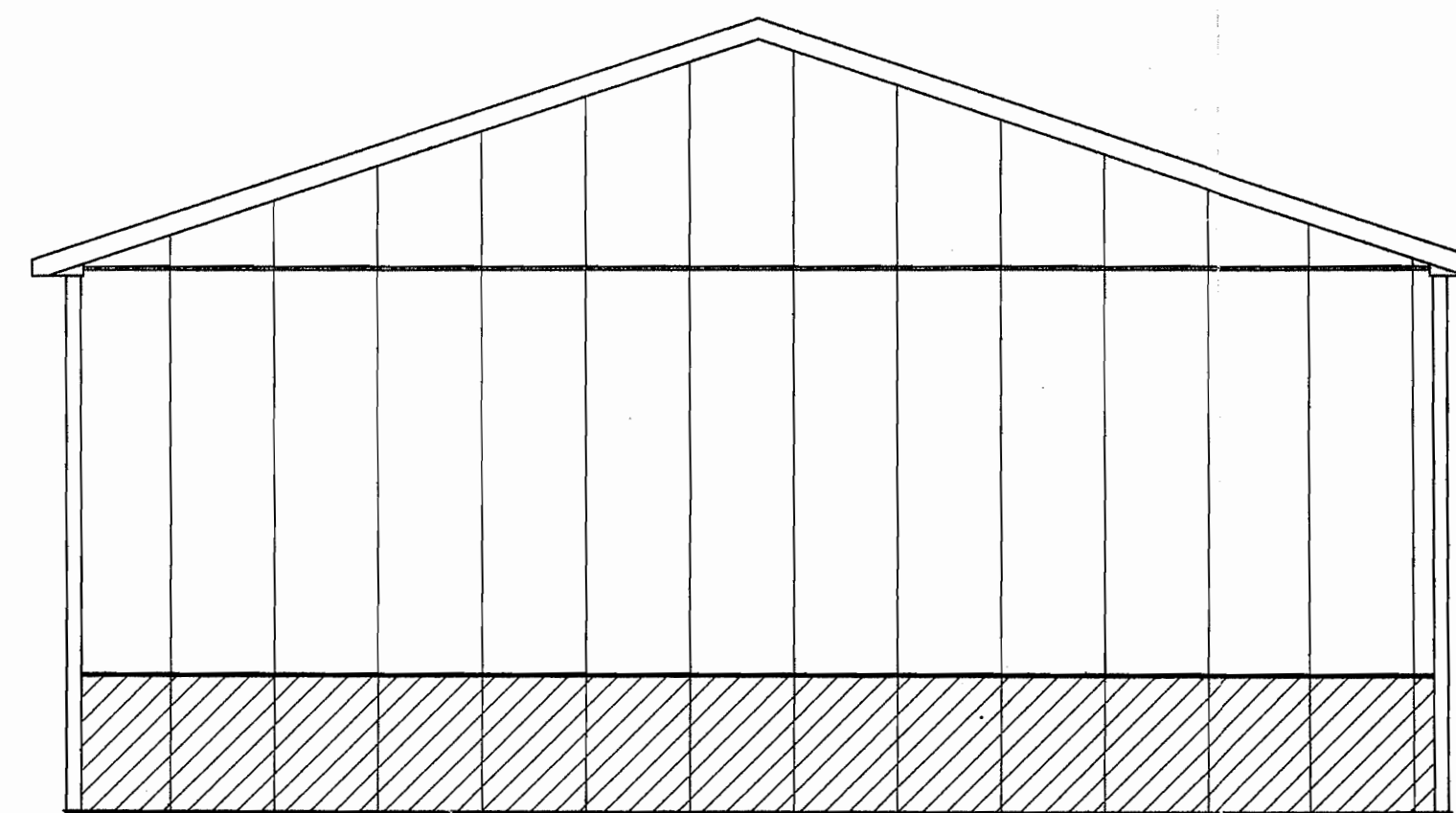


Left Gable Elevation

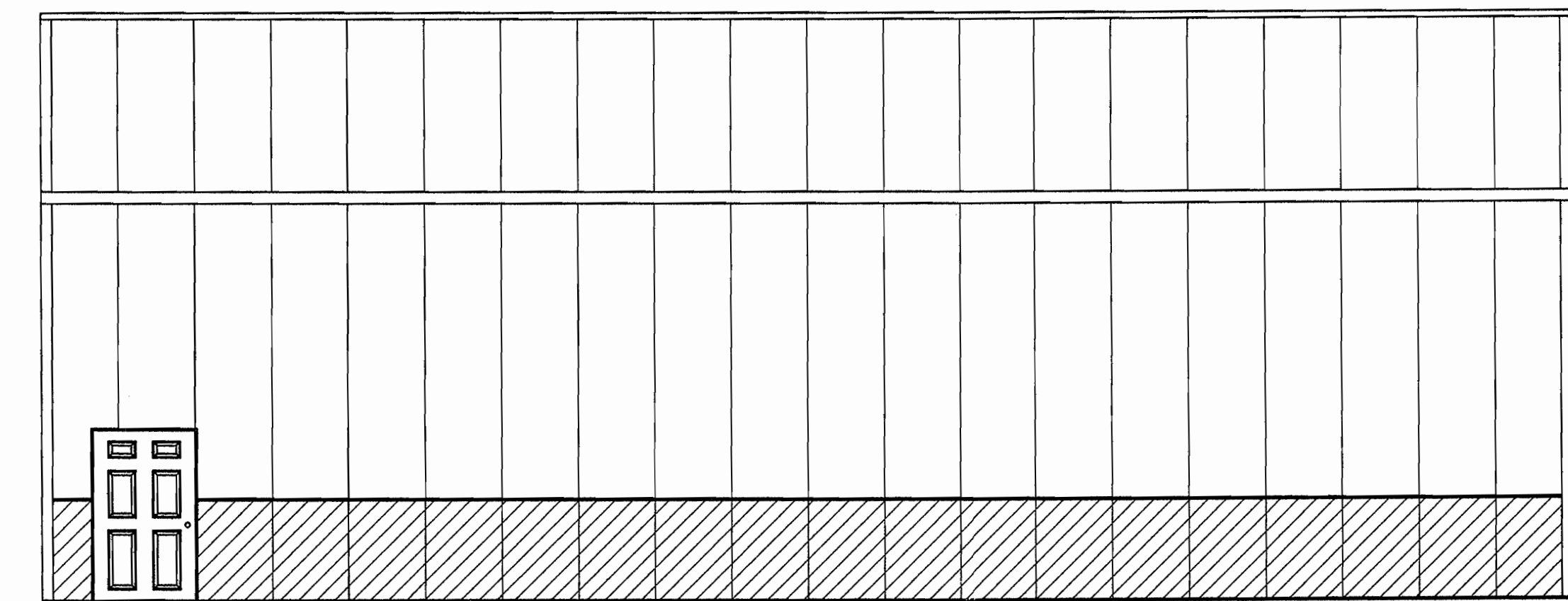


Front Eave Elevation

Elevations  
Scale: 3/16" = 1'-0"



Right Gable Elevation



Rear Eave Elevation