

IN RE: PETITION FOR SPECIAL HEARING
NE side of North Point Blvd.; 173 feet S
of the c/l of St. Monica Drive
15th Election District
7th Councilmanic District
(4014 North Point Blvd.)

Charles H. Ahmer, Sr.
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **CASE NO. 2010-0083-SPH**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by the legal property owner, Charles H. Ahmer, Sr. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve an amended site plan and order in Case No. 65-112-RXA for an addition to the used car sales building for services on Parcel 1. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested special hearing was Petitioner Charles H. Ahmer, Sr. and John B. Gontrum, Esquire, attorney for Petitioner. Also appearing in support of the requested relief was Rick Richardson with Richardson Engineering, LLC, the professional engineer who prepared the site plan. There were no Protestants or other interested persons in attendance at the public hearing.

Testimony and evidence offered revealed that the subject property is irregular-shaped and contains approximately 5.96 acres of land split zoned B.R.-A.S., M.L.-A.S., and M.L.-I.M. The property is located on the east side of North Point Boulevard near the intersection of St. Monica Drive in the Dundalk area of Baltimore County. The property has been used to maintain a car

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sales business since the 1940's. Petitioner submitted an aerial photograph of the subject property that was marked and accepted into evidence as Petitioner's Exhibit 2. The photograph reveals that a rectangular piece of the property adjacent to North Point Boulevard, which is the portion of the property for which a special hearing is requested, contains approximately .55 acres of land zoned B.R.-A.S. A larger surrounding area to the east is zoned M.L.-A.S., and the eastern half of the property is zoned M.L.-I.M. The area to be considered for the special hearing lies solely within the area of the property zoned B.R.-A.S. The community surrounding the subject property is a mix of commercial and industrial uses. The area was essentially the gateway to Sparrows Point and there are several other car sales businesses and industrial buildings in the area surrounding the property. A significant portion of the northern half of the subject property is used as a parking area and the southeast section of the property is wooded and unimproved.

Further evidence and testimony revealed that the property is currently improved with an approximately 2,460 square foot office building located in the B.R.-A.S. area of the subject property. Petitioner is requesting relief in order to construct a one-story, approximately 780 square foot addition to the office building, which will house a two-bay car preparation and repair area. The business currently does not have a work area or garage with a lift, so Petitioner wishes to essentially update the equipment to repair cars that are for sale on the property.

As previously indicated, the property has been used to operate a car sales business since the 1940's. Petitioner's family has owned the property and used it for this purpose since 1970. Petitioner testified that it is currently difficult to repair cars with the existing infrastructure, and that an updated garage and repair area would greatly improve the family business. Three prior orders from the Zoning Commissioner, Board of Appeals, and Circuit Court were respectively marked and accepted into evidence as Petitioner's Exhibits 3A through 3C. The Orders reveal

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that the use of the property for a used car business was approved in 1965, but Petitioners had also requested at that time to use the eastern half of the property ("Parcel 2") as a junkyard. While the used car sales business was approved, the request to maintain a junkyard on the larger portion of the property was denied in 1965. The instant Petition seeks solely to construct an addition on the existing office building in the B.R.-A.S. zoned section of the property ("Parcel 1") and does not include any attempt to maintain a junkyard as was denied in 1965.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated October 1, 2009, which indicates that the business has operated at the subject property for many years as a used car lot on Parcel 1. During that time, there have been no improvements on the site. Cars are parked in the right-of-way in the front of the site (though vehicles parked in the right-of-way are prohibited). The properties across the boulevard and along the road have been upgraded and have provided landscaping along the road frontage over the years. It appears that since the request for reclassification of the zoning and expansion of the business was denied, Parcel 2 is to be used for vehicle storage. The Planning Office also notes that the B.R. Zone permits a service garage with a front setback of 50 feet on a dual highway and storage and display of materials, vehicles and equipment not more than 15 feet in front of the required front building line. If Petitioner is granted relief and the business expands, the Planning Office requests that the site be landscaped along the road and the parking and display should be moved to allow a minimum 10 foot wide landscape buffer along the public road. Petitioner shall also move all cars out of the public right-of-way of North Point Boulevard. Comments were received from the Department of Environmental Protection and Resource Management (DEPRM) dated September 29, 2009

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which indicates that development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Based on the testimony and evidence presented at the hearing, I am persuaded to grant the requested relief. The property has been used for many years as a used car sales business, and the uncontroverted testimony presented at the public hearing demonstrated that the request meets the requirements of Section 500.7 of the B.C.Z.R. and will have no negative effect on the surrounding locale. The proposed addition is in the unique position to improve both the aesthetic appearance of the property and to subtract from the impervious surface levels so as to address environmental concerns simultaneously. The request will result in pulling cars out of the right-of-way pursuant to the Office of Planning comment, and will not tend to overcrowd the large five-acre property. While the request will help to improve the existing business, it will not result in an increased flow of cars on the property and will have no negative effect on water, sewer or other public resources. In sum, the request will assist a long lasting business by updating its infrastructure while having no foreseeable negative impact on the surrounding locale. Accordingly, the requested relief will be granted.

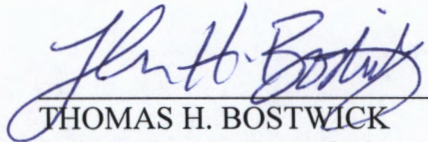
Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's request for special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 15th day of December, 2009 that Petitioner's request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve an amended site plan and order in Case No. 65-112-RXA for an addition to the used car sales building for services on Parcel 1, be and is hereby **GRANTED**, subject to the following:

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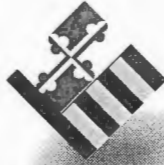
1. Petitioner may apply for permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. In the event the business expands, the site shall be landscaped along the road and the parking and display shall be moved to allow a minimum 10 foot wide landscape buffer along the public road.
3. Petitioner shall move all cars out of the public right-of-way of North Point Boulevard.
4. Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

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BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

December 1, 2009

JOHN B. GONTRUM, ESQUIRE
WHITEFORD TAYLOR & PRESTON LLP
ONE WEST PENNSYLVANIA AVENUE
SUITE 300
TOWSON MD 21204

Re: Petition for Special Hearing
Case No. 2010-0083-SPH
Property: 4014 North Point Blvd.

Dear Mr. Gontrum:

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

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

Very truly yours,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Charles H. Ahmer, Sr., 4014 North Point Blvd., Baltimore MD 21222
Rick Richardson, Richardson Engineering LLC, 30 East Padonia Road, Suite 500,
Timonium MD 21093



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 4014 North Point Boulevard
which is presently zoned B.R. - A.S., M.-L.-A.S., M.L.-I.M.

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

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
(This box to be completed by planner)

An amended site plan and Order in Case No. 65-112 - RXA to approve an addition to the used car sales building for service work and motor vehicles on parcel 1.

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:

John B. Gontrum
Name - Type or Print _____
Signature _____
Whiteford, Taylor & Preston, L.L.P.
Company
One W. Pennsylvania Ave., St. 300 410-832-2055
Address _____ Telephone No. _____
Towson, Maryland 21204-5025
City _____ State _____ Zip Code _____

Legal Owner(s):

Charles H. Ahmer, Sr.
Name - Type or Print _____
Signature _____
Name - Type or Print _____
Signature _____
4014 North Point Blvd. 410-477-3600
Address _____ Telephone No. _____
Baltimore, Maryland 21222
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. 2010-0083-SPH

UNAVAILABLE FOR HEARING _____

REV 9/15/98

Reviewed By [Signature] Date 9.9.09

12.1.09

[Signature]

30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

410-560-1502, fax 443-901-1208

**SPECIAL HEARING
ZONING DESCRIPTION
4014 NORTH POINT BOULEVARD
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the northeast side of North Point Boulevard (150 feet in width) at a distance of 173 feet south of the centerline intersection of North Point Boulevard and St. Monica Drive (80 feet in width), thence binding on North Point Boulevard; (1) North 29 degrees 27 minutes 36 seconds West 215.00 feet, thence leaving North Point Boulevard for the following 3 courses; (2) North 60 degrees 32 minutes 24 seconds East 110.00 feet, (3) South 29 degrees 27 minutes 36 seconds East 215.00 feet, (4) South 60 degrees 32 minutes 24 seconds West 110.00 feet to the point of beginning;

Containing a net area of 23,650 square feet, or 0.543 acres of land, more or less.



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: 0083
Petitioner: CHARLES AHMER, SR.
Address or Location: 4014 N. PT. BLVD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: John GONTRUM
Address: WHITEFORD, TAYLOR et al, LLP
ONE W. PENNSYLVANIA AVE Suite 300
TOWSON, Md. 21204 - 5025.
Telephone Number: 410 - 832 - 2055

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

No. 1177

Date: 9-1-29

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/ Obj	Rev/ Sub Obj				
				1130					25

Total: 25

Rec From: CHARLES H. H. - 2

For: 2016 - 2688-SPH

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

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: # 2010-0083-SPH

4014 North Point Boulevard

N/east side of North Point Boulevard, 173 feet +/- south

of the centerline of St. Monica Drive

15th Election District — 7th Councilmanic District

Legal Owner(s): Charles H. Ahmer, Sr.

Special Hearing: for an amended site plan and order in case no. 65-112-RXA to approve an addition to the used car sales building for services on parcel 1.

Hearing: Thursday, November 12, 2009 at 9:00 a.m. In Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
10/870 October 27 219024

CERTIFICATE OF PUBLICATION

10/29/2009

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 10/27/2009.

- 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: 2010-0083-SPH

Petitioner/Developer: _____

Charles H. Ahmer, Sr.

Date of Hearing/closing: November 12 2009

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

Attn; Kristin Matthews;

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at, _____
4014 North Point Boulevard

The sign(s) were posted on _____ Oct. 27 2009 _____
(Month, Day, Year)

Sincerely,

Robert Black Oct. 29, 2009

(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)

ZONING NOTICE

CASE # 2010-0083 SPH

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

PLACE: Room 106, County Office Building
111 West Chesapeake Ave. Towson 21204

DATE AND TIME: THURSDAY, November 12, 2009 AT 9:00 A.M.

REQUEST: SPECIAL HEARING FOR AN AMENDED SITE PLAN AND
ORDER IN CASE NO. 65-112-RXA TO APPROVE AN ADDITION TO THE
USED CAR SALES BUILDING FOR SERVICES ON PARCEL 1.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



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
October 13, 2009

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: 2010-0083-SPH

4014 North Point Boulevard

N/east side of North Point Boulevard, 173 feet +/- south of the centerline of St. Monica Drive
15th Election District – 7th Councilmanic District

Legal Owners: Charles H. Ahmer, Sr.

Special Hearing for an amended site plan and order in case no. 65-112-RXA to approve an addition to the used car sales building for services on parcel 1.

Hearing: Thursday, November 12, 2009 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: John Gontrum, One West Pennsylvania Avenue, Ste. 300, Towson 21204
Charles Ahmer, 4014 North Point Blvd., Baltimore 21222

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., OCTOBER 28, 2009.**
- (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, October 27, 2009 Issue - Jeffersonian

Please forward billing to:

John Gontrum
Whiteford, Taylor & Preston
1 W. Pennsylvania Ave., Ste. 300
Towson, MD 21204

410-832-2055

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: 2010-0083-SPH

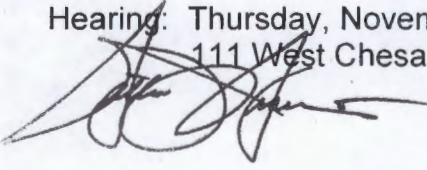
4014 North Point Boulevard

N/east side of North Point Boulevard, 173 feet +/- south of the centerline of St. Monica Drive
15th Election District – 7th Councilmanic District

Legal Owners: Charles H. Ahmer, Sr.

Special Hearing for an amended site plan and order in case no. 65-112-RXA to approve an addition to the used car sales building for services on parcel 1.

Hearing: Thursday, November 12, 2009 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

November 3, 2009

John B. Gontrum
Whiteford, Taylor & Preston, L.L.P.
One West Pennsylvania Ave. Ste. 300
Towson, MD 21204-5025

Dear: John B. Gontrum

RE: Case Number 2010-0083-SPH, 4014 North Point

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 09, 2009. 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:lnw

Enclosures

c: People's Counsel
Charles H. Ahmer, Sr.; 4014 North Point Blvd.; Baltimore, MD 21222

TB 11/12
9 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 1, 2009

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

RECEIVED

SUBJECT: 4014 North Point Boulevard

OCT 09 2009

INFORMATION:

Item Number: 10-083

ZONING COMMISSIONER

Petitioner: Charles H. Ahmer, Sr.

Zoning: BR-AS, ML-AS, ML-IM

Requested Action: Special Hearing

To request approval of an amended site plan and Order in case # 65-112-RXA to approve an addition to the used car sales building for service work and motor vehicles on parcel 1.

SUMMARY OF RECOMMENDATIONS:

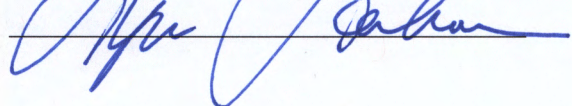
The business has operated at this address for many years as a used car lot on parcel 1. During that time, there have been no improvements on the site. Cars are parked in the right of way in the front of the site; vehicles parked in the right-of-way are prohibited. The properties across the boulevard and along the road have been upgraded and have provided landscaping along the road frontage over the years.

It appears that since the request for reclassification of the zoning and expansion of the business was denied, Parcel 2 is to be used for vehicle storage.

The BR zone permits a service garage with a front setback of 50 ft. on a dual highway and storage and display of materials vehicles and equipment not more than 15 ft. in front of the required front building line. If the petitioner is granted relief and the business expands, then the site shall be landscaped along the road and the parking and display should be moved to allow a minimum 10-foot wide landscape buffer along the public road. The petitioner shall move all cars out of the public right-of-way of North Point Boulevard.

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

Prepared by: 

Division Chief: 
AFK/LL: CM

TB 11/12
9am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 29 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: September 29, 2009
SUBJECT: Zoning Item # 10-083-SPH
Address 4014 North Point Boulevard
(Ahmer Property)

Zoning Advisory Committee Meeting of September 14, 2009

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

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

Additional Comments:

Reviewer: Adriene Metzbower

Date: 9/18/2009

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: September 21, 2009

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For September 21, 2009
Item Nos. 10-068, 069, 072, 073, 074, 075,
076, 081, 082, 083, 084, 085 and 086

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

DAK:CEN:kmt

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-09212009(b) -NO COMMENTS.doc



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

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: SEPT. 23, 2009

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

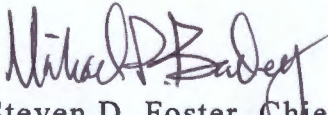
RE: Baltimore County
Item No. 2010-0083-SPH
MD 151
4014 NORTH POINT BLVD.
AHMER PROPERTY
SPECIAL HEARING

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 9/21/09. A field inspection and internal review reveals that an entrance onto MD 151 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for 4014 NORTH POINT BLVD Case Number 2D10-0083-SPH.

Should you have any questions regarding this matter feel free to contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may email him at (m Bailey@sha.state.md.us). Thank you for your attention.

Very truly yours,


Fun¹ Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA

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.sha.maryland.gov



BALTIMORE COUNTY
M A R Y L A N D

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

September 18, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: September 14. 2009

Item Numbers 067,068,070,071,072,073,074,075,076,077,079,080,081,082,083,084
and 0085

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

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C)443-829-2946
MS-1102F

cc: File

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 4014 North Point Boulevard; NE/S North * ZONING COMMISSIONER
 Point Boulevard, 173' S c/line St. Monica Drive*
 15th Election & 7th Councilmanic Districts *
 Legal Owner(s): Charles Ahmer, Sr. * FOR
 Petitioner(s) * BALTIMORE COUNTY
 * 10-083-SPH

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People’s Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People’s Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

 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

RECEIVED
 SEP 23 2009

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of September, 2009, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, Whiteford, Taylor & Preston, LLP, One W Pennsylvania Avenue, Suite 300, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People’s Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME AHMERS USED CARS
CASE NUMBER 2010-083-SPH
DATE 11/12/09

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
RICK RICHARDSON	30 E PADONIA RD SUITE 500	TIMONIUM MD 21093	RICK RICHARDSON ENGINEERING.NET
CHARLES AHMER JR.	4014 N. PT. BLVD.	BALTO. MD. 21222	

Case No.: 2010-0083-SPH

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Petitioner/Developer	Protestant
No. 2	SITE PLAN	
No. 3	AERIAL	
No. 4	A-C PRIOR ORDERS	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

WILLARD M. LEE
REGISTERED CIVIL ENGINEER
4604 MAINFIELD AVENUE
BALTIMORE 14, MARYLAND

November 6, 1963

65-1122XA

15TH DIST ✓
DATAPSCO
NELK
BE-MH
NOV 8/64

Parcel 1
E.S. New North Point Road 112.86 feet N. New Battle Grove Road
15th District Baltimore County, Maryland

Beginning for the same at a point on the northeast side of New North Point Road at the distance of 112.86 feet measured northerly along the northeast side of New North Point Road from the northwest side of New Battle Grove Road and thence running and binding on the northeast side of New North Point Road North 22 degrees 38 minutes West 215 feet thence leaving New North Point Road for three lines of division as follows:- North 67 degrees 22 minutes East 110 feet, South 22 degrees 38 minutes East 215 feet and South 67 degrees 22 minutes West 110 feet to the place of beginning.

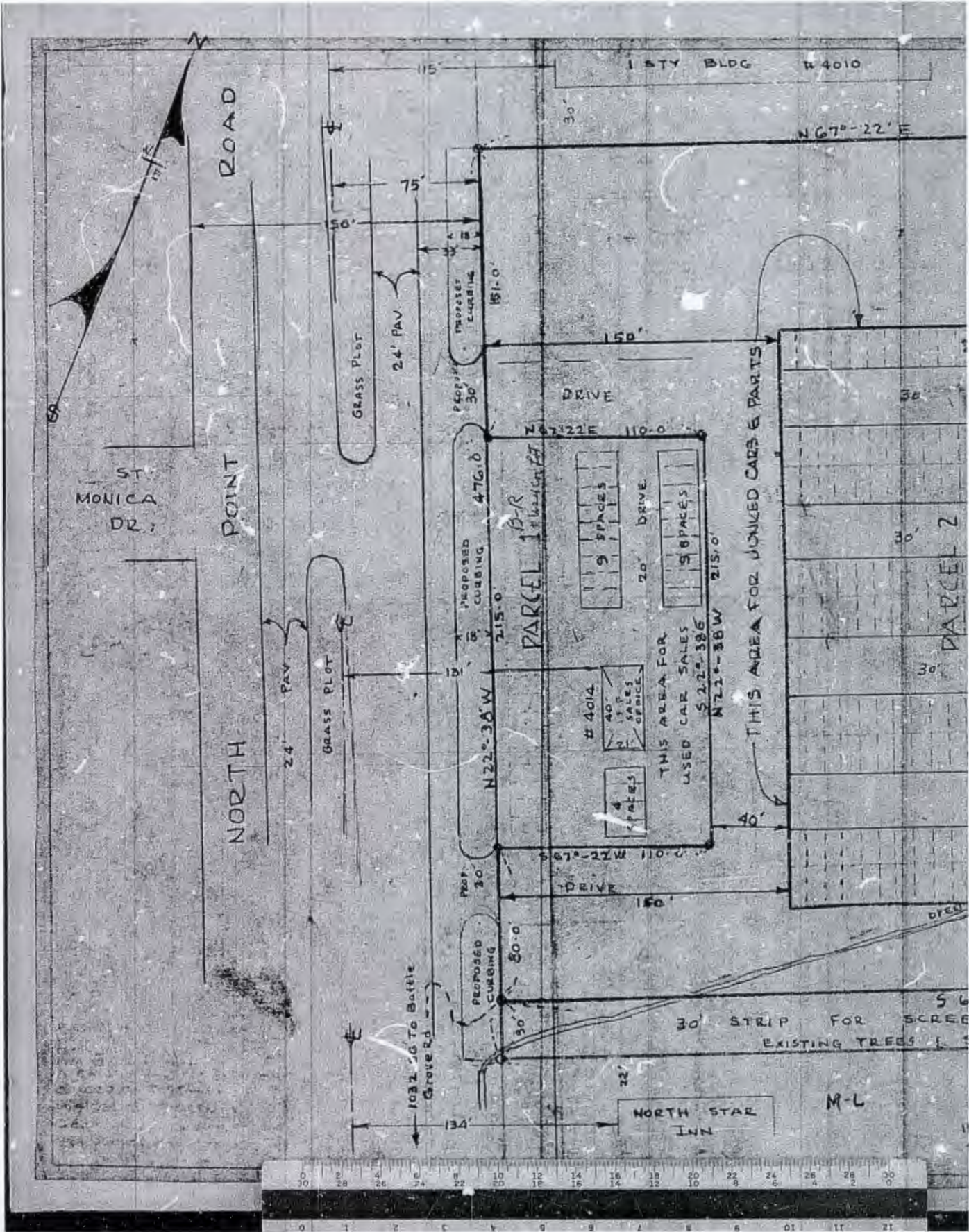
Containing 0.55 acres of land.



PETITIONER'S

EXHIBIT NO.

3A



W 40' 0"

LEARY MFG CO
M-L

N 67°-22' E

433.49

PARCEL 1
PRESENT USE - USED CAR SALES
PROPOSED USE - USED CAR SALES WITH SPECIAL EXCEPTION
PRESENT ZONING - ML
PROPOSED ZONING - BR
AREA 0.55 AC.
NO. CAR SPACES 22

PARCEL 2
PRESENT USE - USED CAR SALES
PROPOSED USE - USED CAR SALES WITH SPECIAL EXCEPTION
PRESENT ZONING ML
PROPOSED ZONING MH
AREA 5.00 AC.
NO. CAR SPACES 255

23 SPACES

30'

DRIVE

51 SPACES

30'

DRIVE

56 SPACES

30'

DRIVE

60 SPACES

30'

DRIVE

65

DITCH

SPACES

OPEN DRAINAGE

15'

15'

S 67°-22' W

581.0

P FOR SCREENING
EXISTING TREES & SHRUBS

S 67°-22' W

592.90

M-L

15TH DISTRICT BALTIMORE CO, MARYLAND
Scale: 1"=50'
Date: 11-5-63

Note: Revised 6-26-64

MFG

CIVIL

AG 81.98
501.98

S 14° 00' E
M-L

#65-112RX
15TH DIST.
PATAPSCO
NECK
AREA
MAP
BR-X

SE-3-9



PETITION FOR ZONING RE-CLASSIFICATION
VARIANCES
 AND/OR SPECIAL EXCEPTION

65-112 ✓

15TH DIST. ✓
 PATAPSCO NECK
 BR-MH
 10/8/64
 SE-3-9

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, ~~XXXX~~ Dundalk Sales Company, legal owner 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 (1) that the zoning status of the herein described property be re-classified pursuant to the Zoning Law of Baltimore County, from an ML zone to an

BR & M.H. zone; for the following reasons:

That there has been a ~~change~~ ^{ERROR} in the ~~zone~~ ^{ORIGINAL MAP} so that the highest and best use of the property would be BR zoning.

AS TO PARCEL 2, from an ML zone to an MH zone: for the following reasons: that there has been a ~~change~~ ^{change} in the ~~zone~~ ^{zone} so that MH zoning is now the highest and best use of the land. ^{ORIGINAL MAP}

VARIANCES AS TO PARCEL 2: section 408.2- to permit a set back for area to be used for junk yard of 45 feet instead of the required

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for Parcel 1 to be used as a used car lot and for Parcel 2 to be used as a junk yard.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

See Attached Description

Dundalk Sales Company

Contract purchaser

by: Charles L. Sawyer Legal Owner
 Address 2014 North Point Blvd.

Address

Wylie L. Ritchey

Dundalk 22, Maryland

Petitioner's Attorney

Protector's Attorney

Address 203 W. Chesapeake Ave. #4

ORDERED By The Zoning Commissioner of Baltimore County, this 2nd day of September, 1964, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 15th day of October, 1964, at 10:00 clock

A. M.

SEP 2 - '64

- Aved
- Recd
- Retd
- Enfd
- Chkd



[Signature]
 Zoning Commissioner of Baltimore County.

(over)

10:00 AM
 10/15/64

300 feet fr
 100 feet in
 09 minutes
 300 feet fr
 40 feet ins
 38 minutes
 feet from t
 Road.

RE: PETITION FOR RECLASSIFICATION,	:	BEFORE THE
SPECIAL EXCEPTION AND VARIANCE	:	
E/S of New North Point Road	:	DEPUTY ZONING COMMISSIONER
1112' N. of New Battle Grove Rd.	:	
15th District	:	OF
Dundalk Sales Co-Petitioner	:	
		BALTIMORE COUNTY
		No. 65-112-RXA

: : : : : : : : : : : :

The petitioner's property consists of several parcels of land hereinafter referred to as Parcel 1 and Parcel 2. Parcel 1 is a subject of petition to rezone this land from an M.L. Zone to a B.R. Zone and a Special Exception for a Used Car Lot. The petitioner requests that Parcel 2 be rezoned from an M.L. Zone to an M.H. Zone and also seeks Variance to Section 408.2 of the Baltimore County Zoning Regulations and a Special Exception to use Parcel 2 as a Junk Yard.

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of error, the reclassification of Parcel 1 from an M.L. Zone to a B.R. Zone with the Special Exception to use the property for a Used Car Lot should be granted.

With respect to Parcel 2, the evidence did not support a showing of error in the original map or a change in the character of the neighborhood nor have the requirements of Section 502.1 been met, nor has the petitioner shown practical difficulty or unreasonable hardship justifying the granting of a Variance. For these reasons, the above reclassification of Parcel 2 from an M.L. Zone to an M.H. Zone, the Special Exception and Variance requested, should not be had.

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 30 day of October, 1964, that Parcel 1 should be and the same is hereby reclassified from an M.L. Zone to a B.R. Zone and a Special Exception for a Used Car Lot should be and the same is granted from and after the date of this Order and subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

It is further Ordered by the Deputy Zoning Commissioner that the Reclassification, Special Exception and Variance requested for Parcel 2 be and the same are hereby DENIED, and that Parcel 2 be and the same is hereby continued as and to remain an M.L. Zone.

It is also Ordered that any and all junk, debris, or waste products on Parcel 2 are to be removed within six (6) months from the date of this Order.

Edward D. Harberty
Deputy Zoning Commissioner

N. 5-112

RE: PETITION FOR RECLASSIFICATION : BEFORE
 from an M-L zone to B-R and M-H :
 zones, SPECIAL EXCEPTION for : COUNTY BOARD OF APPEALS
 Parcel 1 to be used for a Used Car :
 Lot, and Parcel 2 to be used for a :
 Junk Yard, and VARIANCE from : OF
 Section 408.2 of the Zoning :
 Regulations : BALTIMORE COUNTY
 E/S New North Point Road 1112' :
 North of New Battle Grove Road, :
 15th District : No. 65-112-RXA
 Dundalk Sales Company, :
 Petitioner :

.....
OPINION

Petitioner seeks reclassification, special exceptions for use of the subject property as a used car lot and junk yard, with a variance from setback requirements for the junk yard. The property is situate in the Fifteenth Election District on the east side of North Point Road 1112 feet north of New Battle Grove Road. The subject property is a five acre tract shown on a plat, Petitioner's Exhibit #1, and the used car lot and junk yard are marked - Parcels #1 and #2.

As to Parcel #1, petitioner seeks reclassification from M-L to B-R with special exception for a used car lot. The used car lot fronts on the road for some 215 feet with a depth of 110 feet. Testimony is to the effect that the used car business has been going on since 1950. It does not appear that there is any serious opposition to the sale of used cars, and the uses of neighboring property are B-L across North Point Road and M-L on the east side of the road.

Since there appears to be no reason for reversal of the Deputy Zoning Commissioner with respect to Parcel #1, the Board has no difficulty in concluding that the reclassification and special exception for a used car lot ought to be granted.

The problem in this appeal seems to be with the remaining portion of the subject five-acre tract. The property owner seems to have gradually gone into the junk yard business in the rear of the sales lot and eventually on the sides as well. The junk yard business brings about objection, and the testimony and exhibits show a yard full of junked automobiles some of which are piled on top of one another or stacked two and three high. An officer of Leary Manufacturing Co., who is the manager of the plant on the

PETITIONER'S

EXHIBIT NO. 3B

DUNDALK SALE COMPANY
 E/S of New North Point Rd. 1112' N.
 of New Battle Grove Rd. 15th
 #65-112-RXA

65-112-0

Dundalk Sales Co. - #65-112-RXA

property adjoining to the north, testified with respect to smoke from burning, rats, and to blocking of the view of the Leary plant from North Point Road.

Real estate expert Hugh E. Gelston testified that the junk yard use would not harm property values or uses in North Point Village or elsewhere in the vicinity, and the existing operation has not done so to date.

The Board is of the opinion that the real issues in this appeal involve conduct of the junk and salvage operations in such fashion that business neighbors will not be harmed or not suffer encroachment of one sort or another. It is assumed that rights in equity to abate a nuisance are available and this opinion is in no way intended to interfere with any public or private action that may be appropriate in the future.

However, from a zoning standpoint, used car sales and junk yard operations seem appropriate uses for the land and the Board is reluctant to deny the landowner and his tenant such uses. However, there are conditions which must be imposed:

1. The junk yard (Parcel #2) must be screened by a solid fence at least six (6) feet in height
2. There must be no stacking of junk vehicles or piling of parts above the screen
3. Burning must be in accordance with the regulations of the Baltimore County Fire Prevention Bureau and upon such permits as may from time to time be required
4. Burning of tires is prohibited
5. There must be vehicular access to all junk motor vehicles
6. The following setbacks are required:

150 feet from North Point Road,
100 feet from the north boundary,
100 feet from the east boundary, and
45 feet from the south boundary; all
as shown on said plat. The entire junk
storage and salvage operation is to be
confined to area remaining after setback
from the road and boundaries as shown on
said plat of Parcel #2, and as described
herein


Dundalk Sales - No. 65-112-RXA

ORDER

For the reasons set forth in the foregoing Opinion, it is this 29th day of October, 1965 by the County Board of Appeals, ORDERED that the reclassification, special exceptions, and variance petitioned for, be and the same are hereby granted, subject to the aforementioned restrictions.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY



Paul T. McHenry, Jr.



John A. Slowik

Note: Mr. Baldwin abstained

65-112-AXH

EDWARD G. LEARY

vs

PAUL T. MOHNEY, JR.
JOHN A. BLEWIS, consulting
the County Board of Appeals of
Baltimore County

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY

MEMORANDUM OPINION AND ORDER

Dundalk Sales Company, a Corporation, filed a petition with the Zoning Commissioner of Baltimore County relating to two parcels of land, designated on a plat filed in these proceedings as Parcel No. 1 and Parcel No. 2. As set forth in the application, Parcel No. 1, consists of 0.55 acres of land and Parcel No. 2 approximately 5.00 acres of land more or less. The property is situated in the fifteenth election district of Baltimore County on the east side of North Point Road approximately 1112 feet north of New Basile Grove Road.

As to Parcel No. 1, the Petitioner seeks reclassification from M-1 zoning to C-R zoning with a Special Exception for a used car lot. As to Parcel No. 2, the Petitioner requests a change in the classification from M-1 to M-H zone and a Special Exception to use this parcel as a junk yard, and also seeks a variance to Section 104.3 of the Baltimore County Zoning Regulations. The Deputy Zoning Commissioner granted the petition as to Parcel No. 1 and denied the petition as to Parcel No. 2 by his Opinion and Order dated October 30, 1964.

The Petitioner thereupon entered an Appeal to the Board of Appeals which granted the petition as to both Parcels No. 1 and No. 2, thereby reversing the Order of the Deputy Zoning Commissioner as to Parcel No. 2. The Opinion of the Board is dated October 29, 1965.

Thereupon, Edward G. Leary, one of the protestants, filed an

65-112-AXH
3-22-66
4-04-66

Appeal to this Court. The petition for appeal makes it clear that the appeal is being taken from the action of the Board only as to Parcel No. 2 and not as to Parcel No. 1. In addition, at the hearing before this Court on the Appeal, counsel for the Appellant stated for the record that the Appeal did not apply to the Order of the Board granting reclassification and a Special Exception for a used car lot as to Parcel No. 1. Therefore the Order of the Board as to Parcel No. 1 is final and not subject to review by this Court.

As to whether the Appellant qualifies as an aggrieved party to file an Appeal to this Court, the petition for appeal states that he was present at the hearing before the Board of Appeals; that he is the owner of property 4010 North Point Road, known as Leary Manufacturing Company, (the property immediately adjacent and contiguous to Parcels 1 and 2 of the application); and that Richard Thompson, as his agent, testified on his behalf at the hearing before the Board. The Applicant, Dundalk Sales Company, in its answer to the Petition for Appeal, admits that these facts are true. Richard Thompson, in his testimony before the Board, protesting the reclassification of Parcel No. 2, and a special exception for its use as a Junk Yard, offered material and substantial testimony to the effect that the operation of Parcel No. 2 as a Junk Yard seriously affects the enjoyment and value of the property of Leary Manufacturing Company, owned by the Appellant, Edward C. Leary. (R.139-146)

Under the provisions of the zoning regulations of Baltimore County, a Junk Yard can be operated in an M-H zoning classification, with a Special Exception; and as Parcel No. 2, at the time of the filing of the petition, was zoned M-1, a reclassification to M-H zoning was required before the request for a Special Exception could be considered and granted. The Board in granting the reclassification, the Special Exception and the

variance, stated as its reasons therefor: "However, from a zoning standpoint, used car sales and junk yard operations seem appropriate uses for the lots and the Board is reluctant to deny the land owner and his tenant such uses. However, there are conditions which must be imposed." This reasoning is not sufficient under the well established law to grant reclassification of zoning.

The comprehensive zoning map for the fifteenth district was adopted by the legislative authority in Baltimore County (the County Council) in 1962. The repeated decisions of the Court of Appeals has clearly established that for the Board of Appeals to reclassify zoning of property in deviation from comprehensive zoning established by the adoption of the comprehensive zoning map, such action must be supported by competent, material and substantial evidence of either error in original zoning or a substantial change in the character of the neighborhood. The evidence in this case discloses that the subject property of this case is zoned M-L. The abutting property on the north is the Leaf Manufacturing Company building, also zoned M-L. The abutting property to the south is North Star Inn. Directly across North Point Road from the subject property is the North Point Shopping Center, and directly behind the Shopping Center is North Point Village, a housing development. Directly across the proposed Junk Yard (apparently part of the Shopping Center) are two restaurants, Harley's and Gino's. Mr. Hugh Gelston, a competent real estate appraiser, testifying for the Petitioner, stated that properties to the south, north and east of the subject property are zoned M-L. Across North Point Road it is zoned B-L or B-R. In the general neighborhood, within a mile radius, there are different types of businesses, manufacturing, second hand car lots, garages, taverns and eating places, a number of them being non-conforming uses.

Mr. Colstor also testified that the highest and best use of the subject property is for a Junk Yard.

However, an examination of the whole record discloses no testimony whatsoever of error in original zoning (adoption of the comprehensive map by the County Council in 1952) or any substantial change, and in fact, no change at all in the character of the neighborhood since the adoption of the map. Judge Hammond, in his dissenting opinion in the Halle case, aptly stated the prevailing law on this question as follows:

"But the Board of Appeals was not created to rezone piecemeal as if it were zoning original or rezoning comprehensively. Suitability of a site for a particular use and a general need for that use are all important in basic comprehensive zoning but they are not controlling or indeed properly persuasive in determining under the purposefully restricted standards of original error or subsequent substantial change whether a reclassification of that site legally can be granted. To the Board of Appeals has been confided the delicate function of determining whether there has been presented to it strong evidence of original error or substantial change. Its expertise is to be devoted only to deciding these two questions, not to the exercise of land planning and comprehensive zoning. . . . The Board of Appeals cannot lawfully rezone to accomplish what it thinks would have been more desirable original planning and zoning or what it thinks a good comprehensive re-planning and re-zoning would achieve or to permit the highest or best or most profitable use of the land." . . . Finney v. Halle, 241 Md 234.

The Petitioner maintains, however, that prior to 1955 (the present Zoning Regulations were adopted on March 30, 1955) he conducted an automobile dismantling or storage of motor vehicles not in running order business which was permitted under the zoning regulations then effective, and that he has a non-conforming use under the present regulations. However, Mr. Sawyer speaking for the Petitioner, in his testimony before the Board, referred to his operation, on a number of occasions, as a "junk yard". The question as to whether the Petitioner has a non-conforming use was not presented to the Board for decision either by the petition filed with the Zoning Commissioner or the testimony and proceedings before the Board.

nor did the Board pass on this question. The Circuit Court does not have original jurisdiction in zoning matters but is an appellate body to review the proceedings before the Board as to whether there was substantial evidence to support its decision. The Court, therefore, has no jurisdiction in this case to decide whether or not the Petitioner has a non-conforming use.

And assuming, but certainly not deciding, that the Petitioner has a non-conforming use, the law is well settled that this in itself is no valid reason for a reclassification of zoning of the property in question.

The order of the Board of Appeals dated October 29, 1965, as related to Parcel No. 2 is therefore reversed, and the order of the Deputy Zoning Commissioner dated October 30, 1964, as related to Parcel No. 2, which denied a change in zoning classification from M-1 to M-R zoning, and a special exception to use Parcel No. 2 as a Junk Yard, and the requested variance, is re-instated.

March 21, 1966

LESTER L. BARRETT

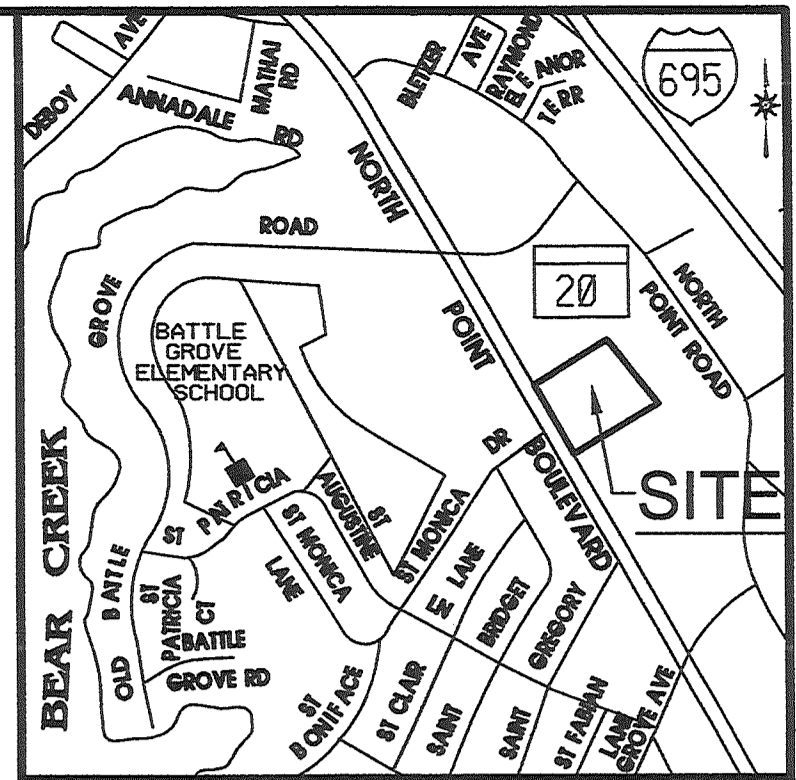
Lester L. Barrett, Judge



PETITIONER' S

EXHIBIT NO. 2

ZONING MAP #104B2
SCALE: 1" = 200'

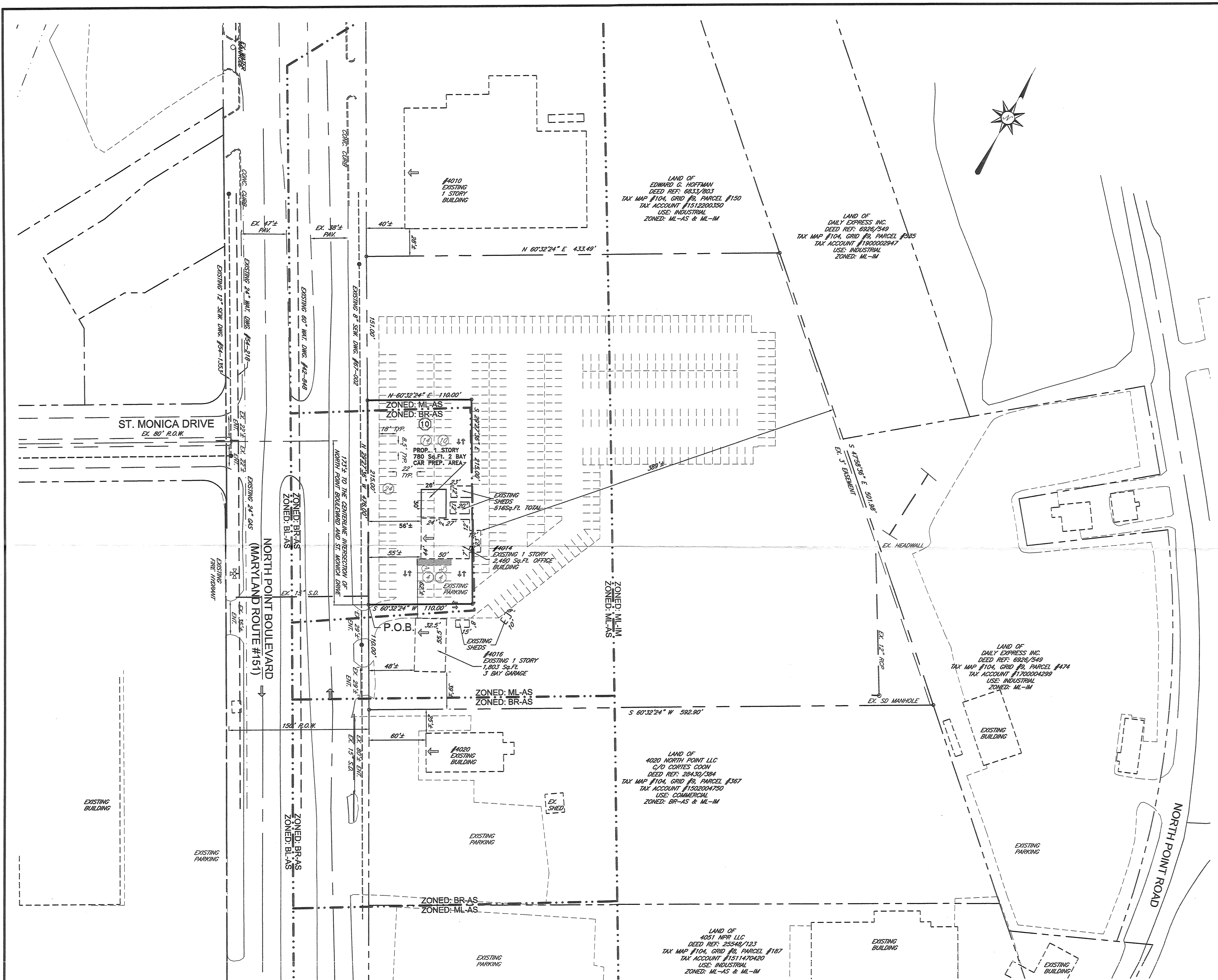


LOCATION MAP
SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER:
CHARLES HOWARD AHMER, SR.
1951 SNYDER LANE
BALTIMORE, MARYLAND 21222-1713
- SITE AREA: (SPECIAL EXCEPTION ONLY)
GROSS: 30,100 Sq.Ft. or 0.691 Ac.±
NET: 23,650 Sq.Ft. or 0.543 Ac.±
- BUILDING AREA:
EXISTING: 2,976 Sq.Ft.
PROPOSED: 780 Sq.Ft.
TOTAL: 3,756 Sq.Ft.
- UTILITIES
PUBLIC WATER.
PUBLIC SEPTIC.
- THE SITE DOES NOT LIE WITHIN THE FLOODPLAIN AS SHOWN ON F.I.R.M. #2400100430F, PANEL # 440 OF 580 DATED SEPTEMBER 26, 2008.
- PARKING CALCULATIONS
REQUIRED: 3,756 Sq.Ft. @ 3.3 PER 1,000 = 13 SPACES
PROVIDED: 56 SPACES
SPACES (2 HANDICAPPED, 54 REGULAR)
- SETBACKS:

	REQUIRED	PROVIDED
FRONT	50'	55'±
SIDE	30'	39'±
REAR	30'	389'±
- HEIGHT OF STRUCTURE:
MAX. PERMITTED: 40'
PROVIDED: EXISTING: 16' PROPOSED: 20'
- DEED REF: 24982/225
- TAX ACCOUNT: #1504750870
- COUNCILMANIC DISTRICT: 7th
- REGIONAL PLANNING DISTRICT: 330
- CENSUS TRACT: 4524
- WATERSHED: BALTIMORE HARBOR
- ZONING: BR-AS, ML-AS & ML-IM
(PER 1"=200' ZONING MAP 104B2)
- TAX MAP #104, PARCEL #372
- ZONING CASE HISTORY:
65-112-RXA: PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION FOR PARCEL 1 GRANTED A ZONING CHANGE FROM ML TO A BR ZONE AND A SPECIAL EXCEPTION FOR A USED CAR LOT. PARCEL 2 WAS DENIED A ZONING RE-CLASSIFICATION, SPECIAL EXCEPTION AND VARIANCE ON OCTOBER 30TH 1964.
65-112-RXA: BOARD OF APPEALS FOR ZONING RE-CLASSIFICATION, SPECIAL EXCEPTION AND VARIANCE GRANTED ON OCTOBER 29 1965.
65-112-RXA: CIRCUIT COURT AFFIRMED (GRANTED) PARCEL 1 AND REVERSED (DENIED) PARCEL 2 ON MARCH 21 1966.
- NO PREVIOUS PERMITS ON FILE.
- FLOOR AREA FOR BR:
MAXIMUM PERMITTED: 2.0
EXISTING: 2,976 ÷ 30,100 = 0.099
PROPOSED: 3,756 ÷ 30,100 = 0.125
- EXISTING FREE STANDING SIGN TO REMAIN
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
- EXISTING AND PROPOSED USED CAR LOT IS WITHIN THE AREA OF THE EXISTING SPECIAL EXCEPTION GRANTED IN CASE 65-112-RXA.



Richardson Engineering LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY
ZONING PETITION
FOR SPECIAL HEARING

**CHICK AHMER'S
USED CARS**

4014 NORTH POINT BOULEVARD

15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS	PETITIONER'S	DATE:	09-08-09
EXHIBIT NO. 1	DESIGNED BY: PCR	JOB NO.:	09071
	SCALE: 1" = 50'	SHEET NO.:	1 OF 1

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER 16597, EXPIRATION DATE: 08-15-2011

