

IN RE: PETITION FOR VARIANCE

SW side Baltimore National Pike; 3,830 feet
NW of the c/l of Geipe Road
1st Election District
1st Councilmanic District
(6631 Baltimore National Pike)

H-K Real Estate Holdings, Inc.
Legal Owner
6631 Baltimore Pike Corp.
Contract Purchaser

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
*
* **CASE NO. 2010-0180-A**

* * * * *

REVISED FINDINGS OF FACT AND CONCLUSIONS OF LAW

On March 19, 2010, counsel for Petitioners in the instant matter, Arnold Jablon, Esquire, hand-delivered to the undersigned a letter of the same date in which he requested that the letter be considered a Motion for Reconsideration. Perhaps more appropriately, it should be considered as a Motion for Reconsideration and Revision. This Motion relates to only one specific variance, as more particularly described below. To each of the other relief requested and granted, the relief granted shall remain unchanged.

On or about February 22, 2010, this Deputy Zoning Commissioner granted variance relief requested by the instant Petitioners, which included a request to permit a free-standing enterprise sign with a sign face of 196 square feet in lieu of the permitted 50 square feet. After a public hearing held and testimony and evidence presented, this particular request was granted, as well as the other relief requested, as delineated in the Petition filed and as more particularly described in the Order dated February 22, 2010.

Following discussions with People's Counsel, Peter Max Zimmerman, Esquire, Petitioners now present their above-referenced Motion. As a result of these discussions, Petitioners have reduced the size of the free-standing enterprise sign from 196 square feet to a maximum of 67

square feet. *See*, Petitioners' signage detail submitted as part of the Motion for Reconsideration and which shall be marked and accepted into evidence as Petitioners' Revised Exhibit 1C. The revised sign will be 8.6 feet x 7.71 feet, for a total of 66.31 square feet. While in his letter, Mr. Jablon indicates that he and People's Counsel agreed to a maximum of 65 square feet, Mr. Jablon indicates that after further discussion, People's Counsel does not object to a maximum of 67 square feet.

Pursuant to the Rules of Practice and Procedure before the Zoning Commissioner/Hearing Officer for Baltimore County as set forth in Rule 4(k) of Appendix G of the Baltimore County Zoning Regulations (B.C.Z.R.), a party may file a motion for reconsideration of an order issued by the Zoning Commissioner, in writing, within 30 days of the date of the original order. The filing of such a motion shall stay all further proceedings, including the time limits/deadlines for the filing of an appeal. A ruling by the Zoning Commissioner on the motion shall be then considered the final decision.

First, I find that the Motion for Reconsideration in the instant matter was filed timely.

Second, I find that the proposed reduction comports with my original Findings of Fact and Conclusions of Law as more particularly described in the February 22, 2010 Order.

All of the other relief granted in my Order of February 22, 2010 shall remain unchanged and unaffected by this Revised Order.

Considering all the testimony and the evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure that is the subject of the variances requested.

I find that the variance of a maximum of 67 square feet in lieu of the permitted 50 square feet for the free-standing enterprise sign can be granted in strict harmony with the spirit and intent

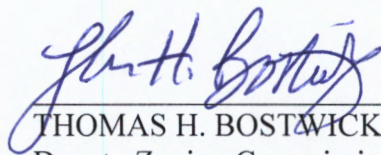
of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. Thus, I find that this amended request for variance can be granted in such a manner as to meet the requirements of Section 307.1 of the BCZR, as interpreted in *Cromwell v. Ward*, 102 Md. App 691 (1995).

Pursuant to the Motion for Reconsideration filed in this matter, I find that Petitioners' amended variance relief should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 26th day of March 2010, that Petitioners' request for Variance from Section 450.4.5(g) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a free-standing enterprise sign with a sign face of 67 square feet in lieu of the permitted 50 square feet, be and is hereby GRANTED, subject to the following:

1. Petitioners may apply for a building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
2. All of the conditions imposed by the February 22, 2010 Order issued in this matter shall remain in full force and effect.

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



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

March 26, 2010

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

ARNOLD JABLON, ESQUIRE
DAVID KARCESKI, ESQUIRE
VENABLE, LLP
210 WEST PENNSYLVANIA AVENUE
SUITE 500
TOWSON, MD 21204

Re: Petition for Variance
Revised Findings of Fact and Conclusions of Law
Case No. 2010-0180-A
Property: 6631 Baltimore National Pike

Dear Messrs. Jablon and Karceski:

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

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

Very truly yours,

A handwritten signature in cursive script, reading "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

Enclosure

c: Thomas A. Church, Development Engineering Consultants, Inc., 6603 York Road,
Baltimore, MD 21212
Stanford Hess, H-K Real Estate Holdings, Inc., 6440 Baltimore National Pike, Baltimore MD 21228
Terry Rafih, President, 6631 Baltimore Pike Corp, 9375 Tecumseh Road East, Windsor, Ontario
Canada N8R 1A1

March 19, 2010

Arnold E. Jablon

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AEJablon@Venable.com

HAND-DELIVERED

Mr. Thomas H. Bostwick
Deputy Zoning Commissioner
Zoning Commissioner's Office
The Jefferson Building
105 West Chesapeake Avenue
Towson, MD 21204

Re: H-K Real Estate Holdings, Inc.
Case No: 2010-0180-A

Dear Commissioner Bostwick:

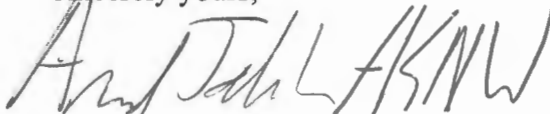
Please treat this letter as a motion for reconsideration in the above-captioned matter. In discussions with People's Counsel, my client has agreed to reduce the request for variance for the freestanding Enterprise sign, which as you know, was approved for 194 square feet in lieu of the permitted 50 square feet. My client has agreed that the requested variance should be for a maximum of 65 square feet. People's Counsel has indicated no objection.

I will present to you next week a revised Exhibit 1C, which reflects this revised sign variance request. All other relief granted in your Order are unaffected by this request to amend.

I will provide you with this amended exhibit and a proposed order next week.

Thank you.

Sincerely yours,



Arnold Jablon

AJ/rab

cc: Peter Max Zimmerman, Esquire, People's Counsel
Carole S. Demilio, Esquire, Deputy, People's Counsel

IN RE: PETITION FOR VARIANCE

SW side Baltimore National Pike; 3,830 feet
NW of the c/l of Geipe Road
1st Election District
1st Councilmanic District
(6631 Baltimore National Pike)

H-K Real Estate Holdings, Inc.
Legal Owner
6631 Baltimore Pike Corp.
Contract Purchaser

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
*
*
* CASE NO. 2010-0180-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, H-K Real Estate Holdings, Inc., and the contract purchaser, 6631 Baltimore Pike Corp. Petitioners are requesting Variance relief as follows:

- From Section 238.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a 45 foot front yard setback in lieu of the required 50 feet; and
- From Section 238.2 of the B.C.Z.R. to permit a 0 foot side yard setback in lieu of the required 30 feet; and
- From Section 450.4.5(g) of the B.C.Z.R. to permit a free-standing enterprise sign with a sign face of 196 square feet in lieu of the permitted 50 square feet, unless it is confirmed that it may replace an existing free-standing enterprise sign that is nonconforming; and
- From Section 450.4.4 of the B.C.Z.R. to permit a wall-mounted directional sign with a sign face area of 24 square feet in lieu of the permitted 8 square feet; and
- From Section 450.4.5(a) of the B.C.Z.R. to permit a wall-mounted enterprise sign with a sign face area of 159 square feet in lieu of the permitted 150 square feet; and
- From Section 409.8.A.4 of the B.C.Z.R. to permit existing parking spaces in a surface parking facility for a non-residential use to be as close as 0 feet to right right-of-way of a public street in lieu of the required 10 feet, unless it is confirmed that the existing parking spaces are nonconforming; and

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- To permit a 0 foot wide landscape strip in lieu of 10 feet as required by the Baltimore County Landscape Manual, unless it is confirmed that the 0 foot wide landscape strip is nonconforming.

The subject property and requested relief are more fully described on the three page site plan which was marked and accepted into evidence as Petitioners' Exhibits 1A through 1C.

Appearing at the requisite public hearing in support of the variance requests were Terry Rafih, President of 6631 Baltimore Pike Corp, a new Mercedes dealership, and Stanford Hess, in-house counsel to H-K Real Estate Holdings, Inc., t/a Antwerpen Automotive Group. Appearing as counsel on behalf of Petitioners were Arnold Jablon, Esquire and David Karceski, Esquire with Venable, LLP. Also appearing in support of the requested relief was Thomas Church, a registered professional civil engineer, who prepared the site plan. Mr. Church has been recognized and accepted as an expert witness on land use and zoning before the Zoning Commissioner and was accepted as an expert in the instant matter, specifically as to Sections 238, 409, 450 of the B.C.Z.R., the Baltimore County Landscape Manual, and Section 307 of the B.C.Z.R. There were no Protestants or other interested persons in attendance.

As a preliminary matter, Mr. Jablon stated that Petitioner 6631 Baltimore Pike Corp. now owns the property at issue, having settled with H-K Real Estate Holdings, Inc. subsequent to the filing of the instant petition. Thus, H-K Real Estate Holdings, Inc. now has no interest in the property, and hereafter, reference to "Petitioner" is to 6631 Baltimore National Pike.

H-K Real Estate Holdings, Inc. trades as Antwerpen Automotive Group, which operates numerous and various automobile dealerships. H-K Real Estate Holdings, Inc. operated an automobile dealership on the subject property for many years, the last being a Hyundai dealership, until its sale of the property to Petitioner. The Hyundai dealership was not closed but moved to the north side of U.S. 40 Baltimore National Pike (hereinafter referred to as "Route 40") to another Antwerpen site. Petitioner also purchased the adjacent property to the west, cited

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by both the Office of Planning and Stephen Weber with Baltimore County's Bureau of Traffic Engineering in their comments (which will be expounded on further in this Order), known as 6635 Baltimore National Pike. Mr. Jablon proffered that Petitioner is new to Maryland and is opening a new Mercedes dealership on the subject property. Petitioner was awarded a new Mercedes territory for the Howard County area (which includes this area of Baltimore County as well) as there are no Mercedes dealerships between Owings Mills and Laurel. Testimony and evidence offered revealed the requested relief involves 6631 Baltimore National Pike, as more particularly shown on the first page of the site plan that was accepted into evidence as Petitioner's Exhibit 1A.¹

The subject property consists of approximately 7.33 gross acres and 6.89 net acres, more or less, and is split zoned B.R. and D.R.2. The property is an elongated rectangular parcel located on the south side of Route 40, a four lane highway, divided by a median strip, running east and west. As indicated above, the lot of record immediately to the west is now also owned by Petitioner and is identified on the site plan as 6635 Baltimore National Pike. As noted by Mr. Weber's comment, and confirmed by an aerial photograph of the area that was marked and accepted into evidence as Petitioner's Exhibit 5, this parcel, zoned B.R., has been used and will continue to be used for inventory parking of vehicles. The subject property has approximately 630 feet of road frontage on Route 40. The D.R.2 zoned portion of the property is to the rear of the property -- small, triangularly shaped -- and is marked by a steep slope denoted by the zone line, and to its rear by the D.R.5.5 zone line. A floodplain exists in the D.R.2 portion of the property. As confirmed on the topography map that was marked and accepted into evidence as Petitioner's Exhibit 4, Mr. Church testified that the topography of the property is relatively flat

¹ The site plan refers to "6440 Baltimore National Pike," but Mr. Church explained this is the business address for H-K Real Estate, a/k/a Antwerpen Automotive Group.

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By pm

from Route 40 to the rear until the property literally drops off. The floodplain exists in the "floor" where the steep slope ends and the property levels off. The B.R. zoned portion of the property makes up most of the site; however, there is a stream in the rear of the B.R. portion of the property, near but not adjoining the zone line, which runs parallel to Route 40. There is also an existing drain and utility easement running parallel to the stream. In addition, Mr. Jablon proffered and Mr. Church agreed there is an existing forest buffer in the rear of both 6631 and 6635 Baltimore National Pike, parallel to Route 40, that further limits development of 6631 and 6635. In short, the site is marked and limited by unique topographical features.

There are two points of existing ingress and egress from Route 40, as shown on the second page of the site plan that was accepted into evidence as Petitioner's Exhibit 1B, which more clearly delineates the traffic flow on the property. No new access is proposed. As shown on the first page of the site plan, the site is improved with two buildings, the main building of approximately 21,280 square feet, and a smaller building of approximately 1,440 square feet. The main building is in the northwestern part of the property and the smaller building to the southeast part of the site. There are two additions proposed, both to the main building. One addition will be 6,824± square feet and the other 2,774± square feet. The existing main building is a one-story frame building and has been used for an auto dealership, including the normal uses of a dealership, e.g., showroom, offices and auto repairs. 162 parking spaces are required and provided with 19 service bays and four "service-write-up" spaces, including six handicap spaces with two of those spaces being van accessible. The parking data and layout plan is shown on Petitioner's Exhibit 1B.

The larger of the two additions (6,824 square feet) is proposed to the western side of the main building and will have a 0 foot setback to the adjacent lot of record, 6635 Baltimore National Pike. The smaller addition (2,774 square feet) is proposed for the eastern side of the

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By pm

main building. This addition will have a 45 foot front yard setback. B.C.Z.R. Section 238.1 requires a 50 foot front yard setback and B.C.Z.R. Section 238.2 requires a 30 foot side yard setback. Mr. Jablon proffered and Mr. Church confirmed that the subject property has been used as a car dealership for at least 50 years. Mr. Hess confirmed that various dealerships have owned and used the site for dealerships. The front of the existing main building has a 48 foot front yard setback. Mr. Church indicated that he believes the setback is nonconforming because there was no required front yard setback when the building was first constructed. He testified that the front building line of the proposed addition to the south side of the building will be in line with the front building line of the existing building. However, due to the subtle angles of Route 40 and of the property line, the proposed addition will have a front setback of 45 feet. Mr. Church stated that the front building line of the main building and the slightly angled alignment of Route 40 converge as they extend to the east, thus the three foot difference. While the existing front yard setback of the existing building may be nonconforming, the purpose of the variance request is to bring the building up to current standards, since there is no way to move the existing building.

Mr. Rafih testified that Petitioner will have invested approximately \$15 million in land and improvements costs, and will employ about 70 employees with an average income of approximately \$100,000.00. Petitioner will entirely refit the exterior of the existing buildings, as depicted in the renderings that were marked and accepted into evidence as Petitioner's Exhibit 2.

As with all dealerships, signage is an integral part of their business and Mr. Jablon indicated this situation is no different. Petitioner seeks approval for the following signage, as referenced on the third page of the site plan showing the sign details that was accepted into evidence as Petitioner's Exhibit 1C: (a) a free-standing enterprise sign of 196 square feet in lieu of the permitted 50 square feet pursuant to B.C.Z.R. Section 450.4.5(g); (b) a wall-mounted directional sign with a sign face of 24 square feet in lieu of 8 square feet pursuant to B.C.Z.R.

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Section 450.4.4; and (c) a wall-mounted enterprise sign with a sign face of 159 square feet in lieu of the permitted 150 square feet pursuant to B.C.Z.R. Section 450.4.5(a).

The proposed enterprise sign has the Mercedes logo on its top and the words "Mercedes Benz of Baltimore" on the bottom. The sign would replace one of the two existing free-standing enterprise signs on Route 40, the location of which are indicated on Petitioner's Exhibit 1C. The proposed new sign is denoted as (a). Testimony presented by Mr. Church, which was confirmed by Mr. Hess, indicated that historically there were the two free-standing enterprise signs on the site. The sign to be replaced was approximately 80 square feet. This sign has already been removed and the new sign would be in the same location. The second sign, for which no square footage was provided, is to be removed as recommended by the Office of Planning. Recent photographs of the site that were marked and accepted into evidence as Petitioner's Exhibits 3A and 3B show the sign to be removed. In effect, both of the existing free-standing enterprise signs would be replaced with one, albeit larger than either of the two individually, but perhaps not collectively. In support of this requested variance, Mr. Jablon notes, as did the Office of Planning, the uniqueness of the site due to its relationship to Route 40; that is, its 150 foot right-of-way, the angles and curves of the road as it traverses up an incline from west to east from Howard County toward the subject property, where the road levels out. He also notes Route 40 on both sides is improved with auto dealerships, as shown on Petitioner's Exhibit 5 aerial photograph. The grade and incline approaching the site make it difficult for traffic to identify the user of the property. Petitioner proposes the larger enterprise sign to facilitate the identification of the Mercedes dealership to attract potential customers and identify the site properly. Mr. Rafih testified the increased signage was needed to insure the success of this new business, and to justify the costs associated with its establishment. The subject property and the topography of

Route 40 make this property unique in a zoning sense.

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By pm

The wall-mounted directional sign, the detail of which is shown on the second and third pages of the site plan (Petitioner's Exhibits 3B and 3C, respectively), is to direct customers to the service reception area, which is to be in the addition proposed to the south side of the main building. The wall-mounted enterprise sign, the detail of which is shown on Petitioner's Exhibit 1C, is to replace the wall-mounted enterprise sign on the front of the existing main building and will read "Mercedes Benz of Baltimore." The location of the proposed sign is illustrated on the rendering of the exterior of the building that was accepted into evidence as Petitioner's Exhibit 2.

Two other variances are also requested. One is to permit the existing parking spaces to be 0 feet to the right-of-way of a public street in lieu of the required 10 feet pursuant to B.C.Z.R. Section 409.8.A.4. The other is to permit the existing 0 foot wide landscape strip in lieu of 10 feet as required by the Baltimore County Landscape Manual. Mr. Church explained that both requests emanate from the same cause. He testified that the cause of both requests is the existence of a BGE guy wire, which is anchored to a concrete base located on the subject property at the property line with Route 40, and which has historically been situated at its present location, as depicted in the photograph of the utility pole and guy wire that was marked and accepted into evidence as Petitioner's Exhibit 3A. This pole and guy wire anchors BGE wires crossing Route 40 and cannot be moved. The parking spaces are on either side of the guy wire. Parking spaces have always existed in their present location, perpendicular to Route 40 along the entire road frontage of the subject property. The 0 foot setback to the Route 40 right-of-way and the 0 foot wide landscape strip have always existed. There is no room to provide a landscape strip, plus moving the parking spaces back from Route 40 to satisfy the requisite setbacks would create other problems. To do so, the parking spaces would intrude into the existing drive aisle, which then would be limited by the location of the guy wire as the drive aisle moves closer to

Route 40. The location of the existing parking spaces takes advantage of the guy wire; to move
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By pm

the drive aisle into the area where the parking spaces extend could not. Essentially, the free flow of traffic would be impaired and another variance needed.

In 2001, H-K Real Estate Holdings, Inc. received approval for a helistop in the rear of the subject property, now zoned D.R.2 but then zoned B.R., in Case No. 01-368-SPH. Mr. Hess testified the helistop was seldom used and has not been used for a number of years. Mr. Jablon proffered and Mr. Rafih agreed that should the relief in the instant matter be granted, the relief granted in Case No. 01-368-SPH would be abandoned.

As shown on the aerial photograph, the subject property is surrounded by commercial uses. The entire neighboring area, on both sides of Route 40, is zoned B.R. In support of the variances requested, Mr. Jablon proffered and Mr. Church confirmed that the property has several unusual characteristics that drive the need for the variances. Most notable as shown on the site plan, are the size, shape and location of the subject property. It is also important to note that the subject site is historically commercial and has been used as a automobile dealership.

In terms of practical difficulty, Mr. Jablon pointed out that variances are requested so as to take advantage of the existing site conditions and not to create additional impact. To provide the 10 foot wide landscape strip to Route 40 would reduce the drive aisle significantly and would cause the need for a drive aisle variance. The same would be true if the 50 foot setback to Route 40 were to be required, as shown on the site plan that illustrates the traffic flow and parking on site. If conformity is required, the aisles would be reduced for no reason and require variances.

It was the opinion of Mr. Church that there would be no adverse impact on the community by the proposed variances. Neither the proposed signage nor the setback variances cumulatively would have detrimental impact on the surrounding locale and would not be detrimental to the health, safety or general welfare of the locale and would have no negative impact on the community. As Mr. Jablon stated, the location of this dealership is surrounded by

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By [Signature]

other dealerships. He further proffered and Mr. Church confirmed his expert opinion that the strictures of B.C.Z.R. Section 307.1 were satisfied and that a practical difficulty would exist if the variances were to be denied. Mr. Church would also testify that in his opinion the property was unique in a zoning sense, reiterating the uniqueness of the property as described above.

Finally, inasmuch as Petitioner owns both 6631 and 6635 Baltimore National Pike, I believe the doctrine of zoning merger applies. B.C.Z.R. Section 238.2 requires a 30 foot side yard setback. I find that this specific variance request is not required. Zoning merger occurs as a result of a property owner's use of contiguous lots under the same ownership. *Friends of the Ridge v. Baltimore Gas & Electric Co*, 352 Md. 645 (1999). In this case, both lots are owned by the same party and effectively are merged by their use. For zoning purposes, 6631 and 6635 Baltimore National Pike shall be considered as one lot, and, therefore, no side yard variance is necessary under B.C.Z.R. Section 238.2. Alternatively, even if the doctrine of zoning merger does not apply, I find that the proposed side yard of 0 feet satisfies the criteria required by B.C.Z.R. Section 307.1, and would be in strict harmony with the spirit and intent of zoning regulations, specifically Section 238.2.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Environmental Protection and Resource Management dated February 2, 2010 which indicates that there may be an old groundwater contamination case still pending with the Maryland Department of the Environment for this site, though the Environmental Impact Review Section does not have any comments on this variance. Comments were also received from the Office of Planning dated January 20, 2010 indicating it does not oppose any of the requested relief; however, Planning requested that an existing free-standing sign, located between the easternmost vehicular entrance and the eastern property line, be removed. Planning further noted that the adjoining lot of

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By pm

record, to the west side of the property, for which the 0 foot setback is requested, is owned by Petitioner and would eliminate the need for this variance request. Finally, Planning noted that, while it recognized the proposed free-standing enterprise sign requires a major variance, it does not oppose it, concluding that the proposed sign at this particular location, on a major highway and at a motor vehicle dealership, is appropriate. Also received in the file was a letter dated January 15, 2010 from People's Counsel, which forwarded an e-mail from Stephen Weber of the Department of Public Works, Bureau of Traffic Engineering, in which Mr. Weber found no significant traffic concerns or issues. Inasmuch as Route 40 is a State highway, the State Highway Administration noted it did not object to the approval of the variances.

Considering all the testimony and the evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure that is the subject of the variance requests. Clearly, the subject property has constraints that are inherent to the property. Its irregular, rectangular shape, its frontage on Route 40, the proximity to a stream, the existing drain and utility easement, the extensive forest buffer, and the steep slope and floodplain leads me to find the property unique in a zoning sense. I further find that the strict application of limitations imposed by B.C.Z.R. Sections 238.1, 450.4.5(g), 450.4.4, 450.4.5(a), 409.8.A.4, and the Baltimore County Landscape Manual would cause practical difficulty.

Finally, I find that the variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. Thus, I find that these variances can be granted in such a manner as to meet the requirements of B.C.Z.R. Section 307.1, as established by *Cromwell v. Ward*, 102 Md. App. 691 (1995).

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By JB

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

THEREFORE, IT IS ORDERED this 22nd day of February, 2010 by this Deputy Zoning Commissioner, that Petitioner's Variance requests as follows:

- From Section 238.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a 45 foot front yard setback in lieu of the required 50 feet; and
- From Section 450.4.5(g) of the B.C.Z.R. to permit a free-standing enterprise sign with a sign face of 196 square feet in lieu of the permitted 50 square feet, unless it is confirmed that it may replace an existing free-standing enterprise sign that is nonconforming; and
- From Section 450.4.4 of the B.C.Z.R. to permit a wall-mounted directional sign with a sign face area of 24 square feet in lieu of the permitted 8 square feet; and
- From Section 450.4.5(a) of the B.C.Z.R. to permit a wall-mounted enterprise sign with a sign face area of 159 square feet in lieu of the permitted 150 square feet; and
- From Section 409.8.A.4 of the B.C.Z.R. to permit existing parking spaces in a surface parking facility for a non-residential use to be as close as 0 feet to right right-of-way of a public street in lieu of the required 10 feet, unless it is confirmed that the existing parking spaces are nonconforming; and
- To permit a 0 foot wide landscape strip in lieu of 10 feet as required by the Baltimore County Landscape Manual, unless it is confirmed that the 0 foot wide landscape strip is nonconforming,

be and are hereby **GRANTED**; and

IT IS FURTHER ORDERED that the request for Variance from Section 238.2 of the B.C.Z.R. to permit a 0 foot side yard setback in lieu of the required 30 feet, as shown on Petitioner's Exhibit 1A, is permitted as of right and, therefore, this request for variance is **DISMISSED** as moot.

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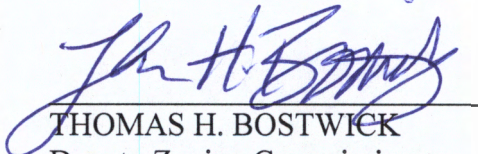
Date 2.22.10

By [Signature]

The relief granted herein shall be subject to the following:

1. Petitioner is advised that it may apply for any required building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its 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. Petitioner shall remove the existing free-standing enterprise sign located to the east side of the property at Route 40, consistent with the ZAC comment from the Office of Planning.
3. Petitioner shall provide landscaping around the base of the proposed free-standing enterprise sign.
4. The relief granted in Case No. 01-368-SPH for a helistop shall be, and is hereby, abandoned from the date the relief granted herein becomes final.

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

ORDER RECEIVED FOR FILING

Date 2-22-10

By pm



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

February 22, 2010

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

ARNOLD JABLON, ESQUIRE
DAVID KARCESKI, ESQUIRE
VENABLE, LLP
210 WEST PENNSYLVANIA AVENUE
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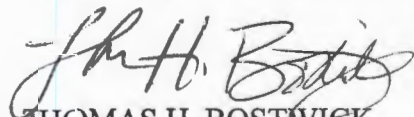
Re: Petition for Variance
Case No. 2010-0180-A
Property: 6631 Baltimore National Pike

Dear Messrs. Jablon and Karceski:

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

Enclosure

- c: Thomas A. Church, Development Engineering Consultants, Inc., 6603 York Road,
Baltimore, MD 21212
Stanford Hess, H-K Real Estate Holdings, Inc., 6440 Baltimore National Pike, Baltimore MD 21228
Terry Rafih, President, 6631 Baltimore Pike Corp, 9375 Tecumseh Road East, Windsor, Ontario
Canada N8R 1A1



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 6631 Baltimore National Pike
which is presently zoned BR & DR 2

Deed Reference: 14704 / 537 Tax Account # 0101740340

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

- (1) to permit 45' front yard setback in lieu of required 50', as required by section 238.1, BCZR;
- (2) to permit a 0' side yard setback in lieu of required 30', as required by section 238.2, BCZR.

(2) SEE ATTACHED SHEET FOR ADDITIONAL RELIEF

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

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

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

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

Contract Purchaser/Lessee:

6631 Baltimore Pike Corp

Name - Type or Print

Signature

9375 Tecumseh Road East

Address

Telephone No.

Windsor, Ontario Canada N8R 1A1

City

State

Zip Code

Attorney For Petitioner:

Arnold Jablon

Name - Type or Print

Signature

Venable, LLP

Company

210 West Pennsylvania Ave. 410 494 6298

Address

Telephone No.

Towson, Maryland 212041

City

State

Zip Code

Legal Owner(s):

H-K Real estate Holdings, Inc.

Name - Type or Print

Signature

by:

Name - Type or Print

Signature

6440 Baltimore National Pike

Address

Telephone No.

Baltimore, Maryland 21228

City

State

Zip Code

Representative to be Contacted:

Arnold Jablon

Name

210 West Pennsylvania Ave. 410 494 6298

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

Case No. 2010-0180-A

Office Use Only

Estimated Length of Hearing _____
Unavailable For Hearing _____

Reviewed by D.T. Date 12/16/09

DROP-OFF

ORDER RECEIVED FOR FILING

REV 8/20/07

Date 2-22-10

By [Signature]

VARIANCE REQUEST CONTINUED

- (a) to permit a free-standing enterprise sign with a sign face of 196 SF in lieu of the permitted 50 SF, pursuant to §450.4.5(g), BCZR, unless it is confirmed that it may replace an existing free-standing enterprise sign that is non-conforming;
- (b) permit a wall-mounted directional sign with a sign face area of 24 SF in lieu of the permitted 8 SF, pursuant to §450.4.4;
- (c) to permit a wall-mounted enterprise sign with a sign face area of 159 SF in lieu of the permitted 150 SF, pursuant to §450.4.5(a);
- (d) to permit existing parking spaces in a surface parking facility for a non-residential use to be as close as 0' to right right-of-way of a public street in lieu of the required 10', pursuant to §409.8.A.4, unless it is confirmed that the existing parking spaces are non-conforming;
- (e) to permit a 0' wide landscape strip in lieu of 10' as required by the Baltimore County Landscape Manual, unless it is confirmed that the 0' wide landscape strip is non-conforming.

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

ZONING DESCRIPTION FOR 6631 BALTIMORE NATIONAL PIKE

BEGINNING FOR THE SAME at a point on the southwest side of Baltimore National Pike, 150 feet wide more or less, said point being 3,830 feet more or less, northwest of the centerline of Geipe Road, 60 feet wide more or less. Thence running the following courses and distances:

1. South 18 degrees 19 minutes 25 seconds West, 318.23 feet,
2. North 88 degrees 42 minutes 05 seconds West, 627.32 feet,
3. North 18 degrees 9 minutes 25 seconds East, 690.94 feet,
4. By a curve to the left with a radius of 7,714.44 feet and a length of 630.05 feet, subtended by a chord with a bearing and distance of South 54 degrees 13 minutes 22 seconds East, 629.87 feet to the place of beginning.

Containing 300,236 square feet or 6.89 acres of land, more or less.

Being the same parcel of land recorded in a deed dated September 1, 2000 and recorded in the Land Records of Baltimore County in Liber 14704, Folio 537.

Also known as 6631 Baltimore National Pike and located in the First Election District, Baltimore County, Maryland.

Our Contract No. 09-111
October 20, 2009



2010-0180-A

**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: 2010-0180-A
Petitioner: H-K REAL ESTATE HOLDINGS, INC
Address or Location: 6631 BALTO NATIONAL PKE

PLEASE FORWARD ADVERTISING BILL TO:

Name: ARNOLD JABSON
Address: 210 WEST PENNSYLVANIA AVE
TOWSON 21204
Telephone Number: 410 494 6298

Revised 2/20/98 - SCJ

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

No. **49308**

Date: **12/16/09**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 12/17/2009 12/16/2009 14:56:53 5

REG #503 WALKIN RDOS LRR
 >>RECEIPT # 436726 12/16/2009 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount	Dept
001	806	0000		6150				325.00	

S 528 ZONING VERIFICATION
 049308

Recpt Tot \$325.00
 \$325.00 CK \$1.00 CA
 Baltimore County, Maryland

Total: **325.00**

Rec From: **VENABLE LLP**

For: **2010-0180-A**
6631 BALTIMORE NATIONAL PIKE

D. THOMPSON

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

2010-0180-A

RE: Case No.: _____

Petitioner/Developer: _____
6631 Baltimore Pike Corp.

January 29 2010
Date of Hearing/Closing: _____

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: _____

6631 Baltimore National Pike

January 14 2010,
The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

Robert Black Jan 15 2010
(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)

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: # 2010-0180-A

6631 Baltimore National Pike

S/West side of Baltimore National Pike, 3,830 feet n/west of centerline of Gelpe Road

1st Election District — 1st Councilmanic District

Legal Owner(s): H-K Real Estate Holdings, Inc.

Contract Purchaser: 6631 Baltimore Pike Corp.

Variance: To permit 45 ft front yard setback in lieu of the required 50 ft; to permit a 0 foot side yard setback in lieu of the required 30 ft; to permit a free-standing enterprise sign with a sign face of 196 sq ft in lieu of the permitted 50 sq ft, unless its confirmed that it may replace an existing free-standing enterprise sign that is non-conforming; to permit a wall-mounted directional sign with a sign face area of 24 sq ft in lieu of the permitted 8 sq ft; to permit a wall-mounted enterprise sign with a sign face area of 159 sq ft in lieu of the permitted 150 sq ft; to permit existing parking spaces in a surface parking facility for a non-residential use to be as close as 0' to right-of-way of a public street in lieu of the required 10ft, unless it is confirmed that the existing parking spaces are non-conforming; to permit a 0 foot wide landscape strip in lieu of 10 ft as required by the Baltimore County Landscape Manual, unless it is confirmed that the 0 foot wide landscape strip is non-conforming.

Hearing: Friday, January 29, 2010 at 2 p.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.

01/168 January 14

226616

CERTIFICATE OF PUBLICATION

1/14/2010

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/14/2010.

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

J. Wilkinson

LEGAL ADVERTISING

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 14, 2010 Issue - Jeffersonian

Please forward billing to:
Arnold Jablon
Venable, LLP
210 W. Pennsylvania Avenue
Towson, MD 21204

410-494-6298

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: 2010-0180-A

6631 Baltimore National Pike

S/west side of Baltimore National Pike, 3,830 feet n/west of centerline of Geipe Road

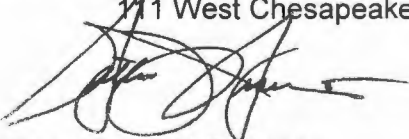
1st Election District – 1st Councilmanic District

Legal Owners: H-K Real Estate Holdings, Inc.

Contract Purchaser: 6631 Baltimore Pike Corp.

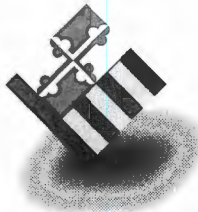
Variance to permit 45 ft front yard setback in lieu of the required 50 ft; to permit a 0 foot side yard setback in lieu of the required 30 ft; to permit a free-standing enterprise sign with a sign face of 196 sq ft in lieu of the permitted 50 sq ft, unless its confirmed that it may replace an existing free-standing enterprise sign that is non-conforming; to permit a wall-mounted directional sign with a sign face area of 24 sq ft in lieu of the permitted 8 sq ft; to permit a wall-mounted enterprise sign with a sign face area of 159 sq ft in lieu of the permitted 150 sq ft; to permit existing parking spaces in a surface parking facility for a non-residential use to be as close as 0' to right-of-way of a public street in lieu of the required 10 ft, unless it is confirmed that the existing parking spaces are non-conforming; to permit a 0 foot wide landscape strip in lieu of 10 ft as required by the Baltimore County Landscape Manual, unless it is confirmed that the 0 foot wide landscape strip is non-conforming.

Hearing: Friday, January 29, 2010 at 2:00 p.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
January 6, 2010

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: 2010-0180-A

6631 Baltimore National Pike

S/west side of Baltimore National Pike, 3,830 feet n/west of centerline of Geipe Road

1st Election District – 1st Councilmanic District

Legal Owners: H-K Real Estate Holdings, Inc.

Contract Purchaser: 6631 Baltimore Pike Corp.

Variance to permit 45 ft front yard setback in lieu of the required 50 ft; to permit a 0 foot side yard setback in lieu of the required 30 ft; to permit a free-standing enterprise sign with a sign face of 196 sq ft in lieu of the permitted 50 sq ft, unless its confirmed that it may replace an existing free-standing enterprise sign that is non-conforming; to permit a wall-mounted directional sign with a sign face area of 24 sq ft in lieu of the permitted 8 sq ft; to permit a wall-mounted enterprise sign with a sign face area of 159 sq ft in lieu of the permitted 150 sq ft; to permit existing parking spaces in a surface parking facility for a non-residential use to be as close as 0' to right-of-way of a public street in lieu of the required 10 ft, unless it is confirmed that the existing parking spaces are non-conforming; to permit a 0 foot wide landscape strip in lieu of 10 ft as required by the Baltimore County Landscape Manual, unless it is confirmed that the 0 foot wide landscape strip is non-conforming.

Hearing: Friday, January 29, 2010 at 2:00 p.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Arnold Jablon, 210 W. Pennsylvania Ave., Towson 21204
6631 Baltimore Pike Corp., 9375 Tecumseh Road East, Windsor, Ontario Canada N8R 1A1
H-K Real Estate Holdings, 6440 Baltimore National Pike, Baltimore 21228

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JANUARY 14, 2010.**
- (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.



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

January 25, 2010

Arnold Jablon
Venable, LLP
210 W. Pennsylvania Ave.
Towson, MD 21204

Dear: Arnold Jablon

RE: Case Number 2010-0180-A, 6631 Baltimore National Pike

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 16, 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
H-K Real Estate Holdings, Inc.; 6440 Baltimore National Pike; Baltimore, MD 21228
6631 Baltimore Pike Corp.; 9375 Tecumseh Rd. East; Windsor, Ontario Canada N8R 1A1



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

December 23, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: December 21, 2009

Item Numbers: 0174, 0177, 0178, 0180 and 0181

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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For January 4, 2010
Item Nos. 2010-0166, 173, 177, 178,
180 and 181

DATE: January 5, 2010

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-01052010 -NO COMMENTS.doc

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



MARYLAND DEPARTMENT OF TRANSPORTATION

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

Date: JAN. 4, 2010

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

RE: Baltimore County
Item No. 2010-0180-A
US 40
6631 BALTO. NAT'L PIKE
H-K REAL ESTATE HOLDINGS, INC.
VARIANCE -

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 12/22/09. A field inspection and internal review reveals that an entrance onto US 40 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for H-K REAL ESTATE, Case Number 2010-0180-A.

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 (mbailey@sha.state.md.us). Thank you for your attention.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael P. Bailey", is written over the typed name of Steven D. Foster.

Foster 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

TB 1/29

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 20, 2010

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

SUBJECT: 6631 Baltimore National Pike
INFORMATION:

Item Number: 10-180

Petitioner: H-K Real Estate Holdings, Inc.

Zoning: BR and DR 2

Requested Action: Variance

RECEIVED

JAN 26 2010

ZONING COMMISSIONER

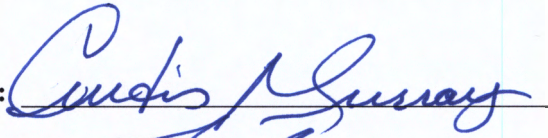
SUMMARY OF RECOMMENDATIONS:

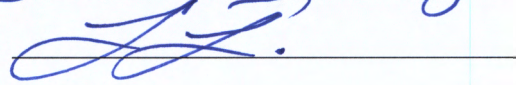
The request to permit a new freestanding enterprise sign (identified as proposed sign no. 4) with a sign face of 196 SF in lieu of the permitted 50 SF is a major variance. However, the proposed sign is appropriate at this particular location as it is on a major highway and motor vehicle dealership. Should the variance request be granted, landscaping shall be provided around the base of the proposed sign.

There is an existing large, tall, pole-mounted enterprise sign on the premises that is located about midway between the easternmost vehicular entrance and the eastern property line. The location of this sign is shown on all three sheets of the petitioner's plat but there isn't any illustration of the sign on the plat. The previous car dealer erected this sign and it currently has a temporary cover with the name of the current car dealer. The distance between the existing enterprise sign and proposed sign no. 4 measures approximately 175 feet. The BCZR permits only one freestanding enterprise sign per new motor vehicle dealership (see entry 5.(g) in the Table of Sign Regulations in Section 450.4). Given the size, height, and more central frontage location of proposed sign no. 4, there doesn't appear to be any need or legitimate justification for keeping the existing enterprise sign. The Office of Planning recommends removal of this sign as a condition of approval of the requested relief.

It appears from the site data that the request and need for the 0' side yard setback in lieu of the required 50' could be eliminated by consolidating Parcel One (tax map parcel 307) and Parcel Two (tax map parcel 139) into a single parcel.

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

Prepared by: 

Division Chief: 
AFK/LL: CM

TB
1-29-10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

FEB 02 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: February 2, 2010
SUBJECT: Zoning Item # 10-180-A
Address 6631 Baltimore National Pike
(H-K Real Estate Holdings, Inc.)

Zoning Advisory Committee Meeting of December 21, 2009

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

There may be an old groundwater contamination case still pending with the Md. Dept. of the Env. (MDE) for this site.

Reviewer: Dan Esser

Date: 1/14/10

EIR has no comments on the above zoning item.

Reviewer: J. Russo

Date: 1/14/10



PETER MAX ZIMMERMAN
People's Counsel

Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

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

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

CAROLE S. DEMILIO
Deputy People's Counsel

TB 1/29
2pm

January 15, 2010

HAND DELIVERED

William J. Wiseman, III, Zoning Commissioner
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

RECEIVED

JAN 15 2010

ZONING COMMISSIONER

Re: PETITION FOR VARIANCE
H-K Real Estate Holding, Inc, Legal Owner
& 6631 Baltimore Pike Corp., Contract Purchasers
6631 Baltimore National Pike
Case No: 10-180-A

Dear Mr. Wiseman,

We asked Stephen E. Weber, Chief of Traffic Engineering, to review the petition and site plan in this case for any traffic/parking issues. As a result, he sent the enclosed e-mail dated January 14, 2010, which is self-explanatory. As is our custom, we forward it to you for consideration. The hearing is set for January 29, 2010.

Thank you for your consideration.

Sincerely,

Peter Max Zimmerman

Peter Max Zimmerman
People's Counsel for Baltimore County

PMZ/rmw

cc: Arnold Jablon, Esquire
Stephen E. Weber, Division of Traffic Engineering

From: Stephen Weber
To: People's Counsel
CC: Dennis Kennedy
Date: 1/14/2010 8:21 PM
Subject: Fwd: H-K Real Estate Holdings 10-180-A
Attachments: 10-180-A Petition.pdf

Dear Mr. Zimmerman:

Please be advised that we have examined the subject request and do not find that there are any significant traffic concerns or issues generated by the requests due to the slight building addition. The property is essentially forced to contain the parking needs on its own site since parking is not allowed on adjacent Baltimore National Pike and there are really no accessible adjacent properties or roads onto which a parking overflow problem would be created. The petitioner also owns the adjoining tract to the west, which has a significantly larger parking area on which vehicles for this use are currently being parked.

Should you have any questions regarding these comments, please feel free to give me a call.

Stephen E. Weber, Chief
Div. of Traffic Engineering
Baltimore County, Maryland
111 W. Chesapeake Avenue, Rm. 326
Towson, MD 21204
(410) 887-3554

>>> People's Counsel 12/30/09 1:25 PM >>>
Mr. Weber,

Attached you will find the Petition for Variance in the above case. Please review and let our office know if there are any traffic concerns.

Thank you in advance.,
Peter Max Zimmerman

Rebecca M. Wheatley
Legal Secretary
Office of the People's Counsel for Baltimore County
410-887-2188 Phone
410-823-4236 Fax

RE: PETITION FOR VARIANCE * BEFORE THE
6631 Baltimore National Pike; SW/S Baltimore *
National Pike, 3,830' NW Geipe Road * ZONING COMMISSIONER
1st Election & 1st Councilmanic Districts *
Legal Owner(s): H-K Real Estate Holdings * FOR
Contract Purchaser(s): 6631 Baltimore Pike Corp. *
Petitioner(s) * BALTIMORE COUNTY
* 10-180-A

* * * * *

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

DEC 23 2009



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of December, 2009, a copy of the foregoing Entry of Appearance was mailed to Arnold Jablon, Esquire, Venable, LLP, 210 West Pennsylvania Avenue, Suite 500, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Patricia Zook - Case Number: 2010-0180-A - hearing on Fri. Jan 29 - comments needed

From: Patricia Zook
To: Murray, Curtis
Date: 1/25/2010 10:16 AM
Subject: Case Number: 2010-0180-A - hearing on Fri. Jan 29 - comments needed
CC: Bostwick, Thomas

Curtis -

The below described case was brought to our office at 3:00 on Friday. In reviewing the file, it was discovered that we are missing comments from the Office of Planning.

CASE NUMBER: 2010-0180-A

6631 Baltimore National Pike

Location: SW side Baltimore National Pike; 3,830 feet NW of the c/l of Geipe Road.

1st Election District, 1st Councilmanic District

Legal Owner: H-K Real Estate Holdings, Inc.

Contract Purchaser: 6631 Baltimore Pike Corp

VARIANCE 1) To permit 45 feet front yard setback in lieu of required 50 feet; 2) To permit a 0 foot side yard setback in lieu of required 30 feet; 3a) To permit a free-standing enterprise sign with a sign face of 196 square feet in lieu of the permitted 50 square feet, unless it is confirmed that it may replace an existing free-standing enterprise sign that is non-conforming; 3b) Permit a wall-mounted directional sign with a sign face area of 24 Square Feet in lieu of the permitted 8 square feet; 3c) To permit a wall-mounted enterprise sign with a sign face area of 159 square feet in lieu of the permitted 150 square feet; 3d) To permit existing parking spaces in a surface parking spaces in a surface parking facility for a non-residential use to be as close as 0" to right right-of-way of a public street in lieu of the required 10 feet unless it is confirmed that the existing parking spaces are non-conforming; 3e) To permit a 0 foot wide landscape strip in lieu of 10 feet as required by the Baltimore County Landscape Manual unless it is confirmed that the 0 foot wide landscape strip is non-conforming.

Hearing: Friday, 1/29/2010 at 2:00:00 PM, County Office Building, 111 West Chesapeake Avenue, Room 106, Towson, MD 21204

The hearing is scheduled for Wednesday, January 27.

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

410-887-3868

pzook@baltimorecountymd.gov

From: "Jablon, Arnold E." <AEJablon@Venable.com>
To: "Donna Thompson" <DThompson@baltimorecountymd.gov>
Date: 12/18/2009 11:27 AM
Subject: RE: 6631 Baltimore National Pike

because i didn't want to file a separate petition. I rolled it into the variance petition by adding "if necessary"

From: Donna Thompson [mailto:DThompson@baltimorecountymd.gov]
Sent: Friday, December 18, 2009 10:59 AM
To: Jablon, Arnold E.
Subject: 6631 Baltimore National Pike

Arnold:

Carl wants to know why you are not filing a Special Hearing for non-conforming?

Donna

U.S. Treasury Circular 230 Notice: Any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (a) avoiding penalties that may be imposed under the Internal Revenue Code or by any other applicable tax authority; or (b) promoting, marketing or recommending to another party any tax-related matter addressed herein. We provide this disclosure on all outbound e-mails to assure compliance with new standards of professional practice, pursuant to which certain tax advice must satisfy requirements as to form and substance.

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

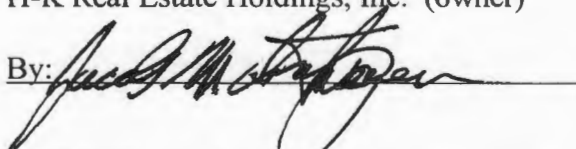
Zoning Office
Department of Permits and Development Management
111 West Chesapeake Ave
Towson, Maryland 21204

Zoning Office:

Please be advised that we, the undersigned, have authorized Arnold Jablon, Esq., Venable, LLP, 210 Allegheny Ave., Towson, Maryland 21204, to be our attorney-in-fact and attorney-at-law and on our behalf file the attached petitions for zoning relief. We hereby understand that the relief requested is for property we own and propose to buy and we hereby and herewith acknowledge our express permission for said petitions to be filed on our behalf. The petition(s) filed are for property located at 6631 Baltimore National Pike, property we own and propose to lease.

Further, the undersigned is the contract purchaser of said property, and hereby and herewith authorize Mr. Jablon to be my attorney-in-fact and attorney-at-law and represent us in this matter.

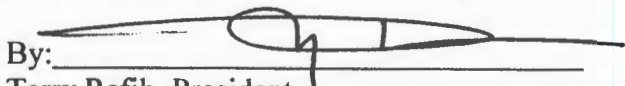
H-K Real Estate Holdings, Inc. (owner)

By: 

10/27/09 (Date)

6440 Baltimore National Pike, Baltimore, Maryland 21228
address

6631 Baltimore Pike Corporation (contract purchaser)

By: 

Terry Rafih, President

93755 Tecumseh Road East, Windsor, Ontario N8R 1A1
address

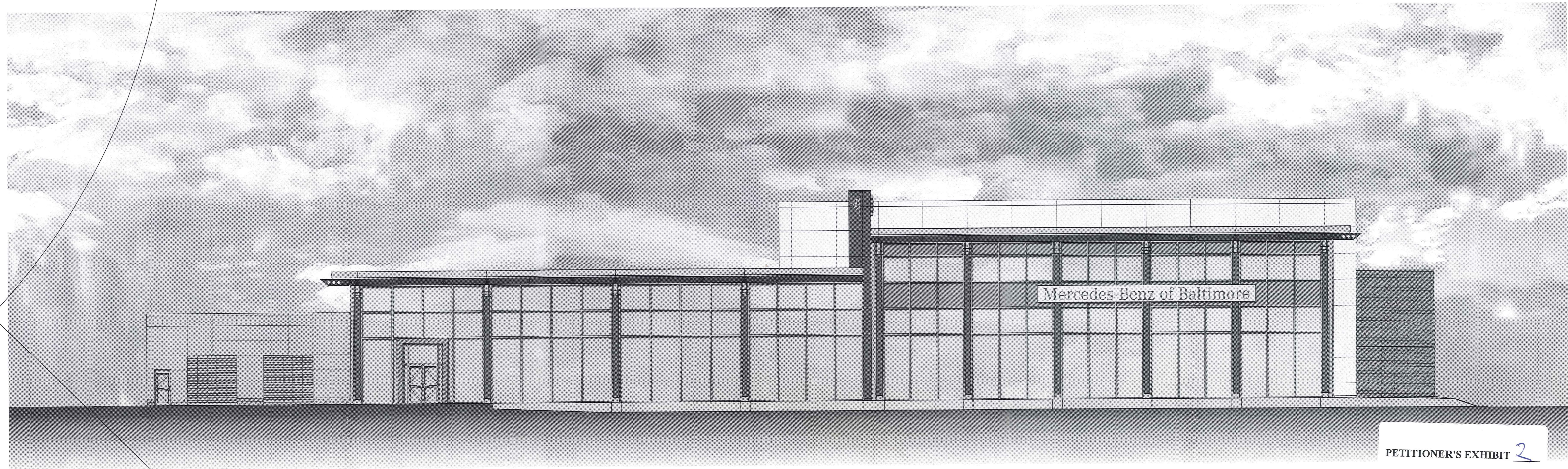
2010-0180-A

CASE NAME 6631 Baltimore Nat'l Pike
CASE NUMBER 10-180-A
DATE 1/29/10
LET

[illegible]

PROPOSED RENOVATION & ADDITION MERCEDES-BENZ OF BALTIMORE

6631 BALTIMORE NATIONAL PIKE
CATONSVILLE, MARYLAND 21228







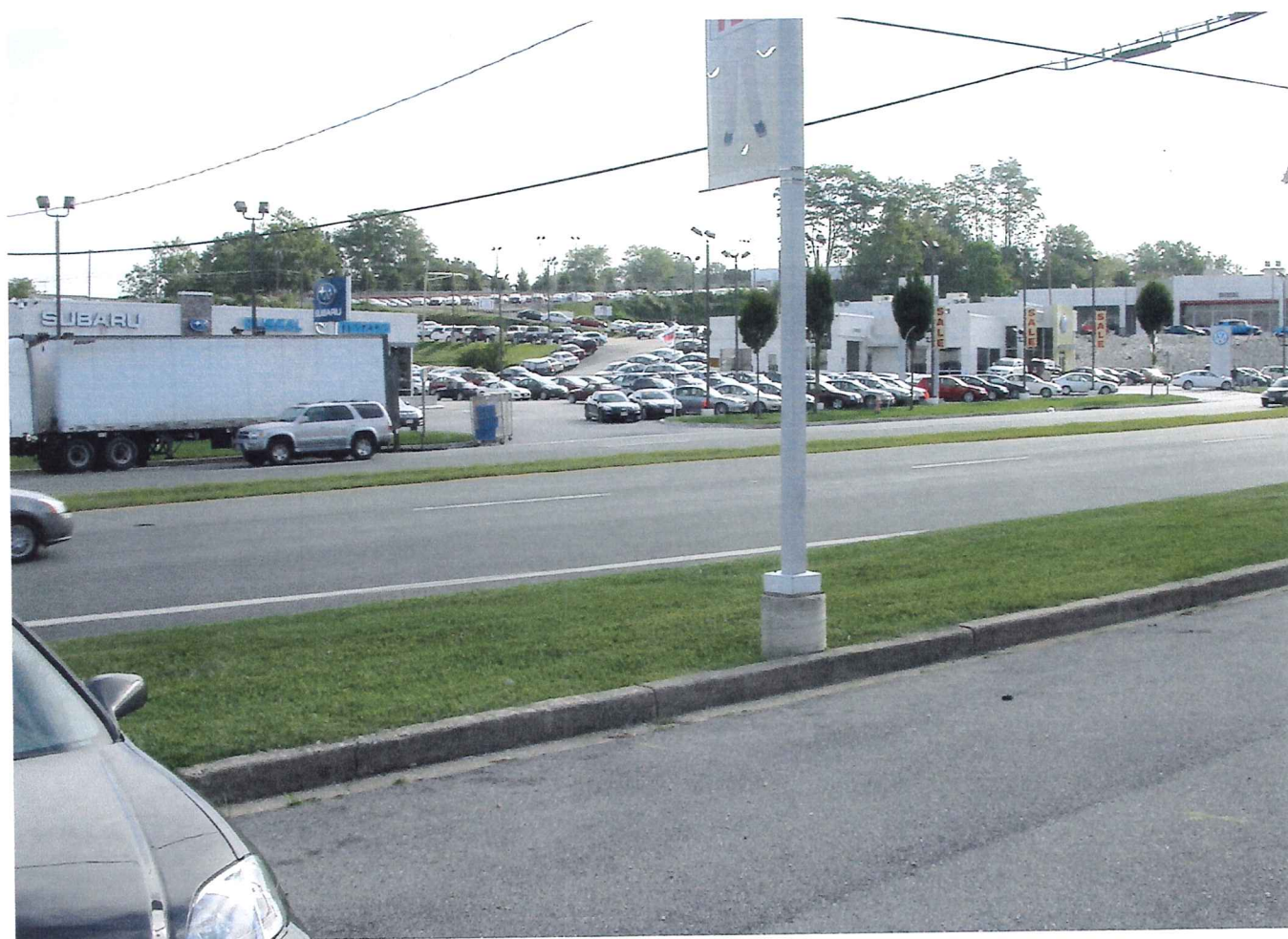
1/28/2010

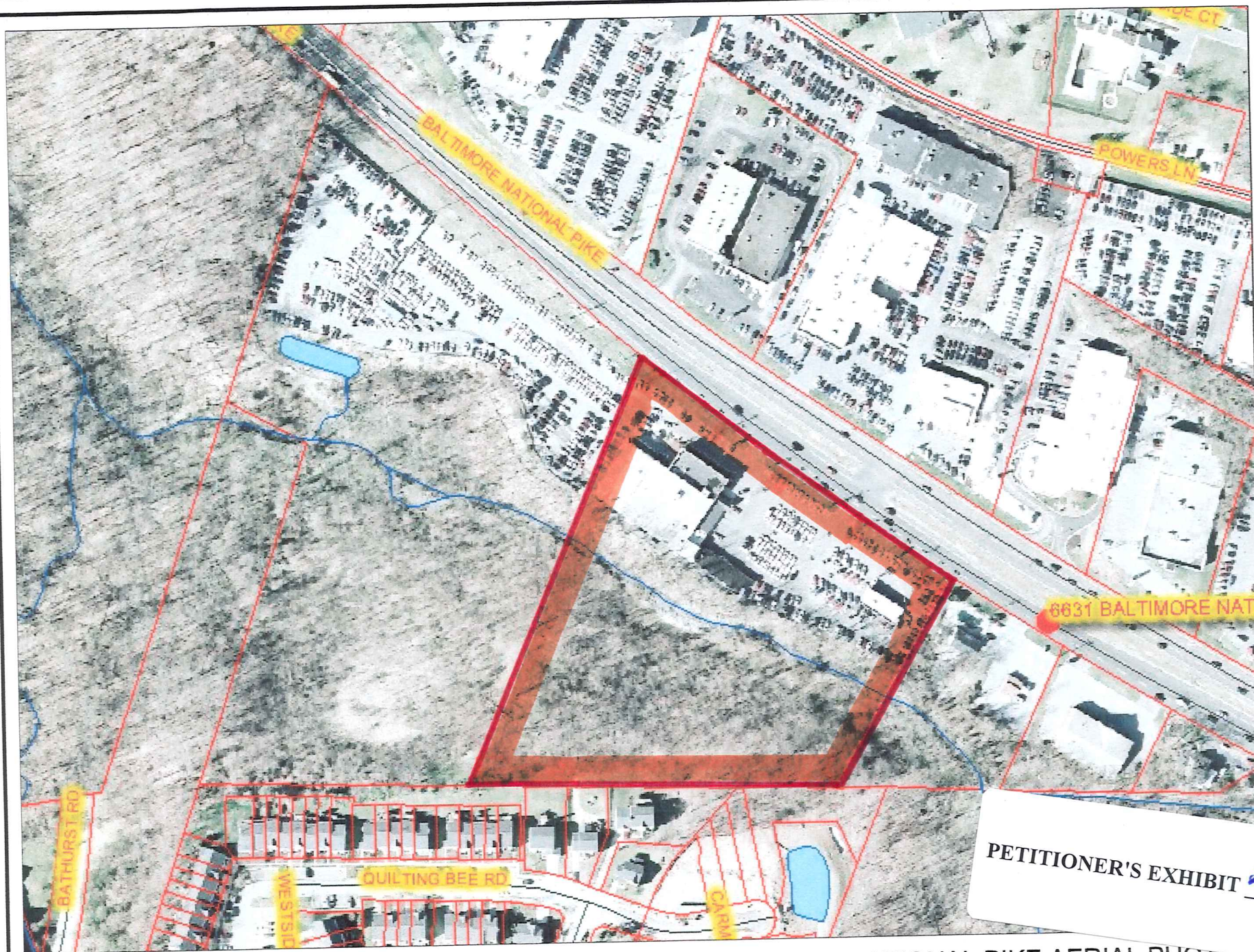
PETITIONER'S EXHIBIT 3A



1/28/2010

"used car sign"



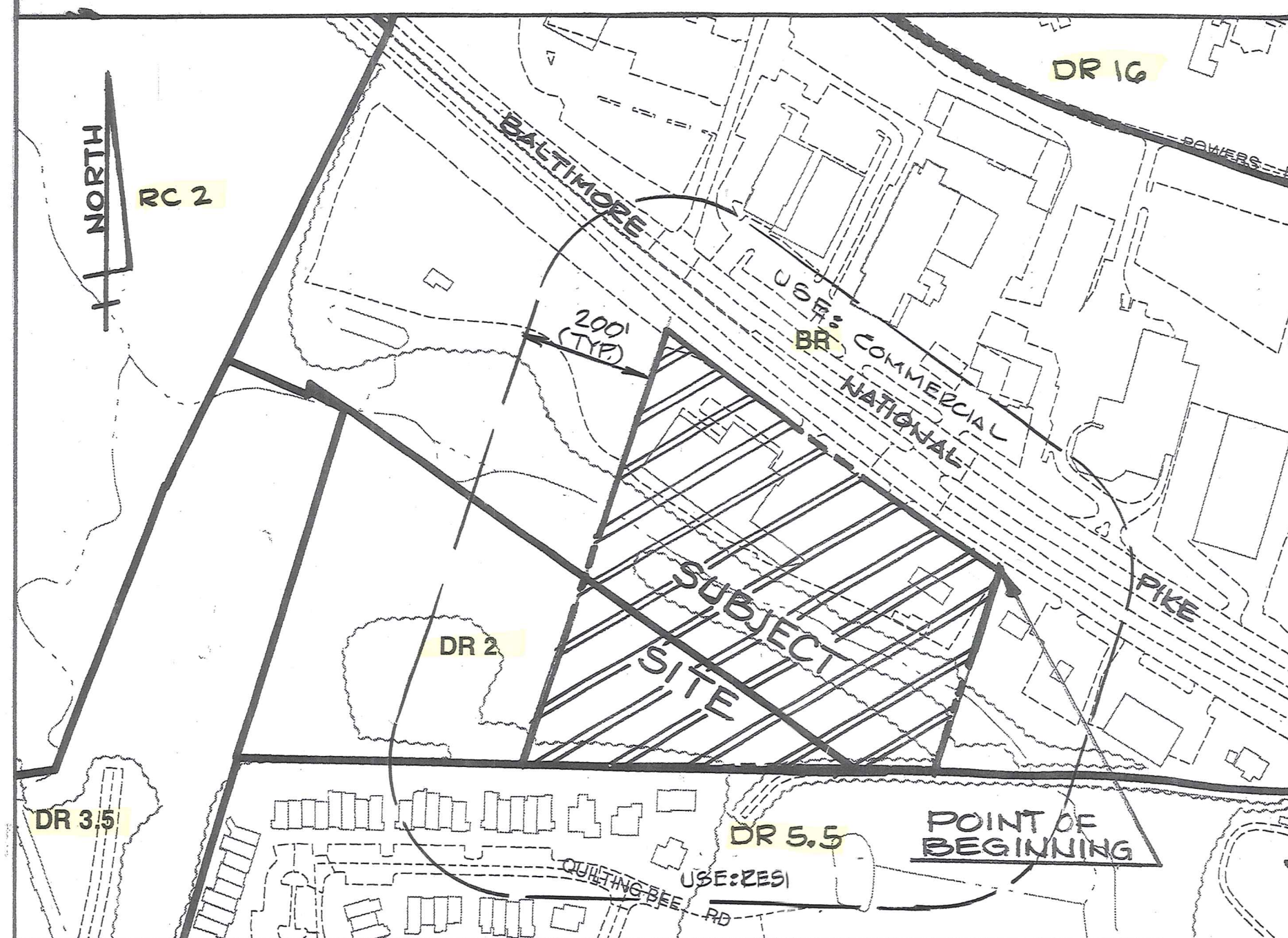


PETITIONER'S EXHIBIT 5

DEVELOPMENT ENGINEERING CONSULTANTS, INC
6603 BALTIMORE, MD 21212 410-377-2600

6631 BALTIMORE NATIONAL PIKE AERIAL PHOTOGRAPH
SCALE: 1"=200' JANUARY 29, 2010

PLAT TO ACCOMPANY PETITION FOR ZONING: ☒ VARIANCE, ☐ SPECIAL EXCEPTION



ZONING MAP
SCALE: 1"=200'

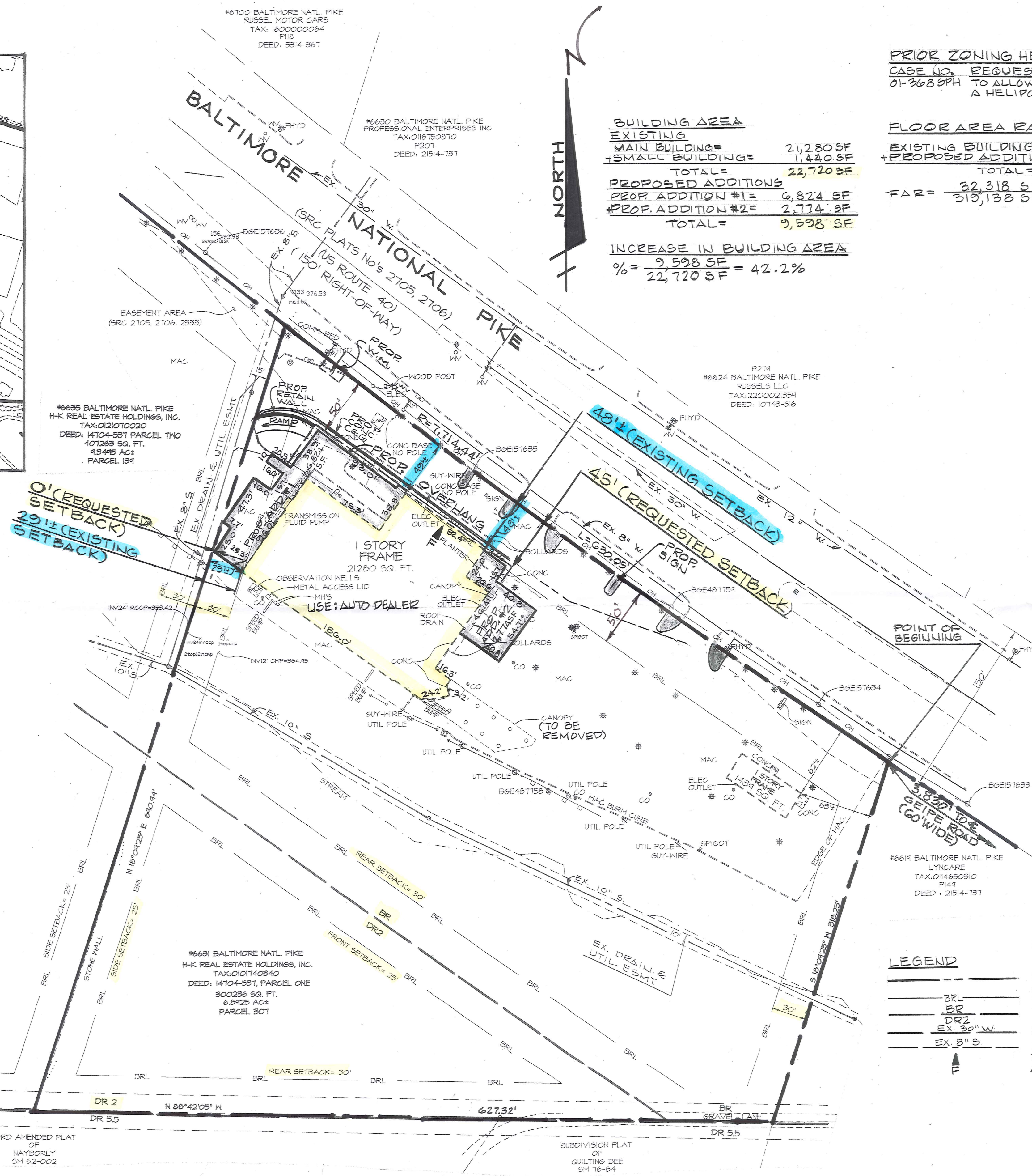
ZONING ORDER CASE NO. 01-368SPH

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 8th day of June, 2001, that the Petitioners' Request for Special Hearing from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a helistop on the subject property, be and is hereby APPROVED, subject to the following conditions and restrictions:

- All helicopter operations associated with this property shall utilize the flight paths as described at the zoning hearing; that being either parallel to Route 40 or as a secondary flight path, over the Patapsco State Park. In no event shall any helicopter utilizing this helistop fly over any residential property or the Russell Toyota property while approaching or leaving the site.
- Only helicopters associated with or hired by the Antwerpen Automobile Dealership, being used for Antwerpen business, shall be permitted to utilize this helistop. No other helicopters shall be permitted to use this site.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY



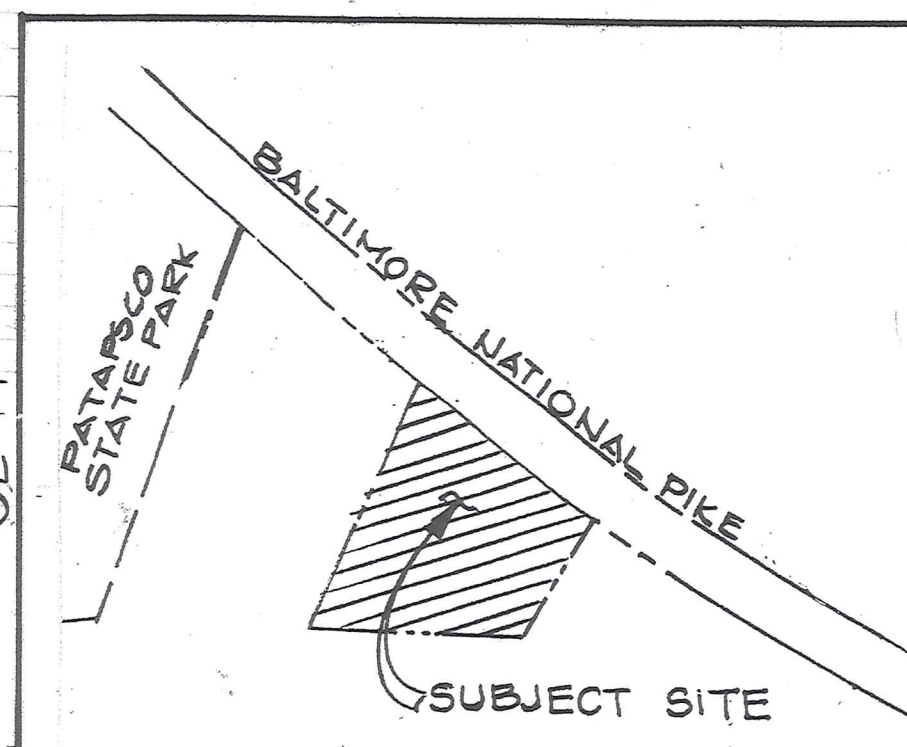
BUILDING AREA	
EXISTING	
MAIN BUILDING=	2,280 SF
+ SMALL BUILDING=	1,440 SF
TOTAL=	22,720 SF
PROPOSED ADDITIONS	
PROP. ADDITION #1=	6,824 SF
PROP. ADDITION #2=	2,774 SF
TOTAL=	9,598 SF

INCREASE IN BUILDING AREA
% = $\frac{9,598 \text{ SF}}{22,720 \text{ SF}} = 42.2\%$

PRIOR ZONING HEARINGS		
CASE NO.	REQUEST TO ALLOW	DECISION
01-368SPH	A HELISTOP	GRANTED W/ RESTRICTIONS (SEE ORDER)

FLOOR AREA RATIO (FAR)	
EXISTING BUILDINGS=	22,720 SF
+ PROPOSED ADDITIONS=	9,598 SF
TOTAL=	32,318 SF

FAR = $\frac{32,318 \text{ SF}}{319,138 \text{ SF}} = 0.10$ (LESS THAN 2.0 ALLOWED)



VICINITY MAP
SCALE: 1"=500'

LOCATION INFORMATION

ELECTION DISTRICT NO.: 1

COUNCILMANIC DISTRICT NO.: 1

ZONING: BR & DR-2
(REFERENCE MAP(S): 094B3)

AREA OF SITE:
NET= 300,236 SF = 6.89 AC.
GROSS= 319,138 SF = 7.33 AC.

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

YES NO

CHESAPEAKE AREA CRITICAL AREA
AREA DESIGNATION: N/A

100 YEAR FLOODPLAIN ☒ ☐

HISTORIC PROPERTY / BUILDING ☐ ☒

PRIOR ZONING HEARINGS: SEE SEPARATE LIST

PREVIOUS COMMERCIAL PERMITS:
C-257-C2, USE: VOLKSWAGEN DEALERSHIP
C-1046-86, USE: NEW BUILDING FOR AUTOMOBILE DEALERSHIP

ZONING OFFICE USE ONLY

REVIEWED BY: ITEM # CASE #

PROPERTY DATA
OWNER: H-K REAL ESTATE HOLDINGS, INC.

ADDRESS: 6440 BALTIMORE NATIONAL PIKE
BALTIMORE, MD 21228

PHONE NUMBER:

TAX ACCOUNT NUMBER(S): 01-01-740340

DEED REFERENCE: 14704/537

PLAT REFERENCE: N/A

LEGEND

---	PROPERTY LINE
---	BUILDING RESTRICTION LINE
---	ZONING LINE
---	EXISTING WATER LINE
---	EXISTING SEWER LINE
---	FRONT ORIENTATION
---	ARROW

Drafting	T.L.B.
Check	T.A.C.
Design	
Check	

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
SITE ENGINEERS & SURVEYORS
6603 YORK ROAD 410-377-2600 BALTIMORE, MARYLAND 21212

CONTRACT PURCHASER
GG35 PIKE CORP, C/O RAPIH AUTOMOTIVE GROUP
9375 TECUMSEH RD, EAST WINDSOR, ONTARIO N8E 1A1 519-279-1900

PLAT TO ACCOMPANY ZONING VARIANCE PETITION FOR
MERCEDES BENZ BALTIMORE
6631 BALTIMORE NATIONAL PIKE
BALTIMORE COUNTY, MARYLAND

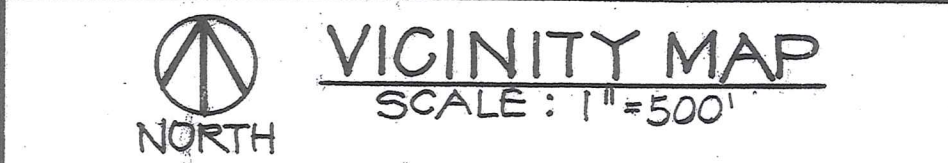
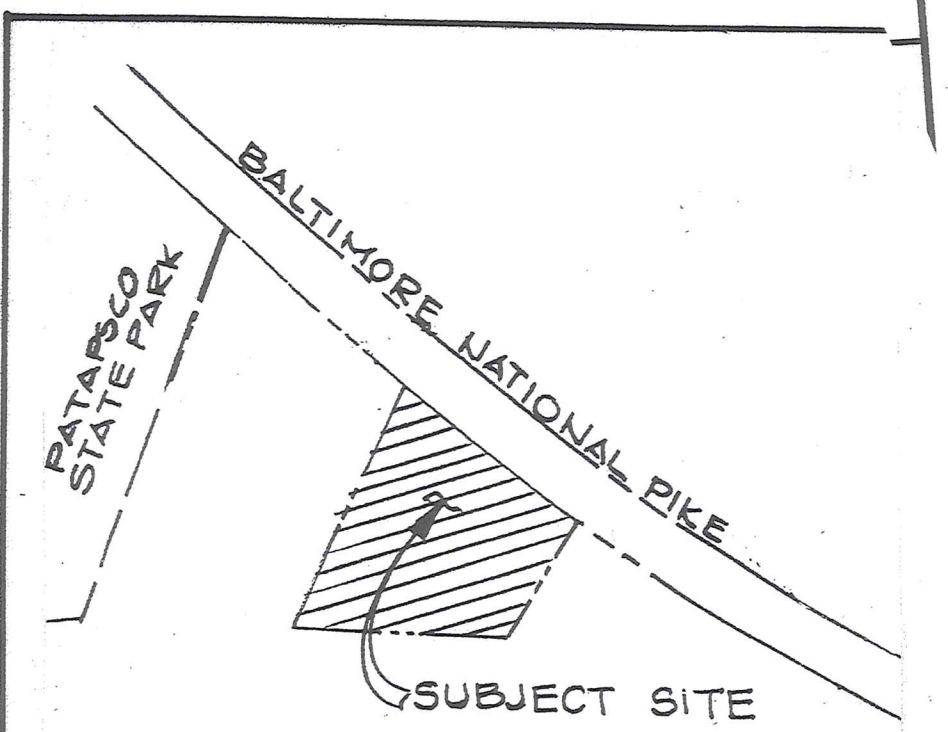
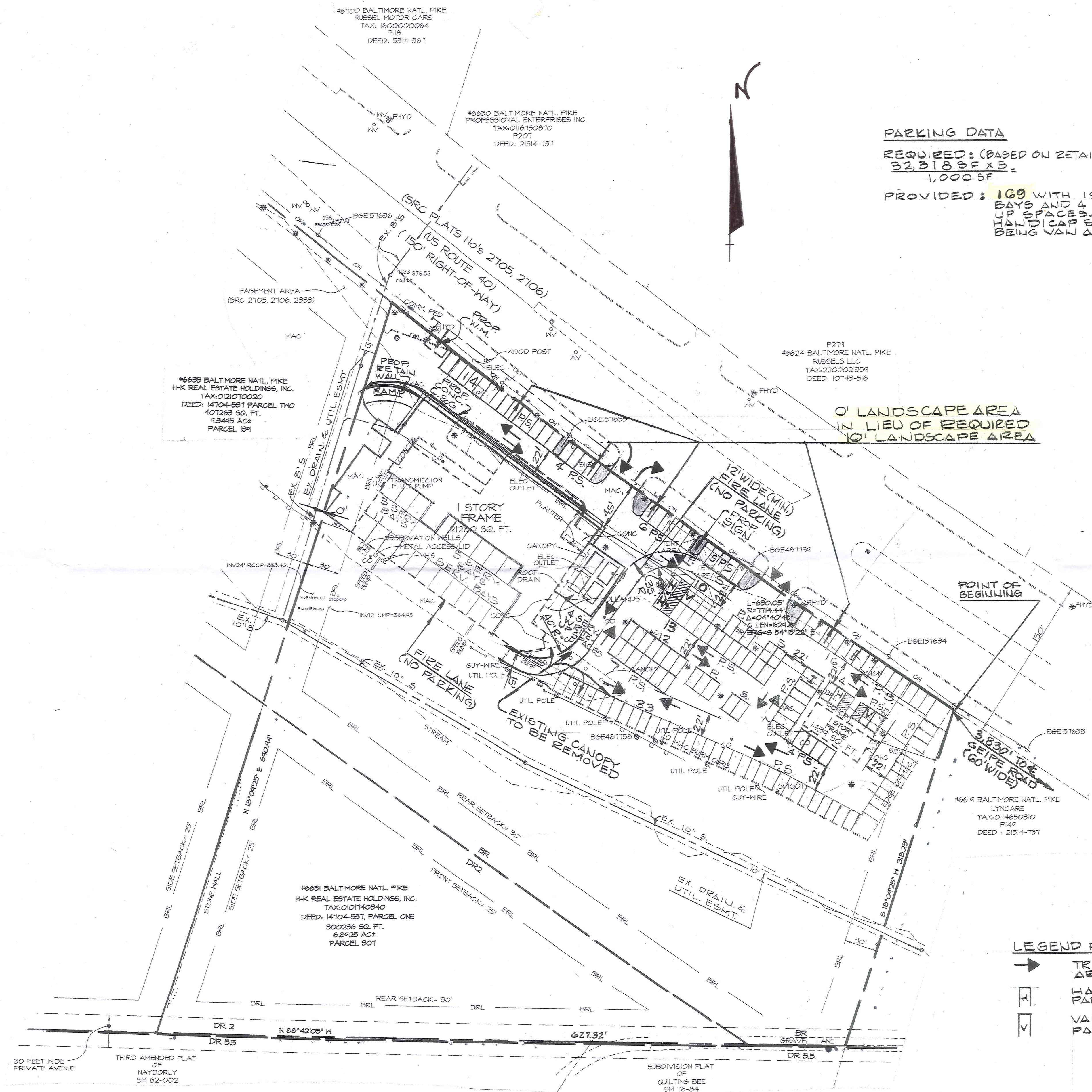
COUNCILMANIC DISTRICT 1

SHEET	1	DATE	OCT. 23, 2009	CONTRACT	NUMBER
OF	3	SCALE	1"=30'		09-111



PETITIONER'S EXHIBIT 1A

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE, ☒ SPECIAL EXCEPTION



LOCATION INFORMATION

ELECTION DISTRICT NO.: 1
 COUNCILMANIC DISTRICT NO.: 1
 ZONING: BR & DR-2
 (REFERENCE MAP(S): 094B3)
 AREA OF SITE:
 NET= 300,236 S.F.= 6.89 AC.
 GROSS= 319,138 S.F.= 7.33 AC.

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐
	YES	NO
CHESAPEAKE AREA CRITICAL AREA	☐	☒
AREA DESIGNATION:		
100 YEAR FLOODPLAIN	☒	☐
HISTORIC PROPERTY / BUILDING	☐	☒
PRIOR ZONING HEARINGS: SEE SEPARATE LIST		
PREVIOUS COMMERCIAL PERMITS: C-257-02, USE: VOLKSWAGEN DEALERSHIP C-1046-86, USE: NEW BUILDING FOR AUTOMOBILE DEALERSHIP		

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #

PROPERTY DATA

OWNER:

ADDRESS:

PHONE NUMBER:

TAX ACCOUNT NUMBER(S):

PETITIONER'S EXHIBIT 16



Drafting	T.L.B.	12/3/09	REV. PER 11/30/09 ON-SITE MEETING
Check	T.A.C.	11/16/09	ADD SHT 3 OF 3 FOR SIGN VARIANCE
Design		11/13/09	ADD FIRE LANE
Check		11/9/09	ADD SHT 2 OF 2 WITH PARKING REVISIONS
	DATE		

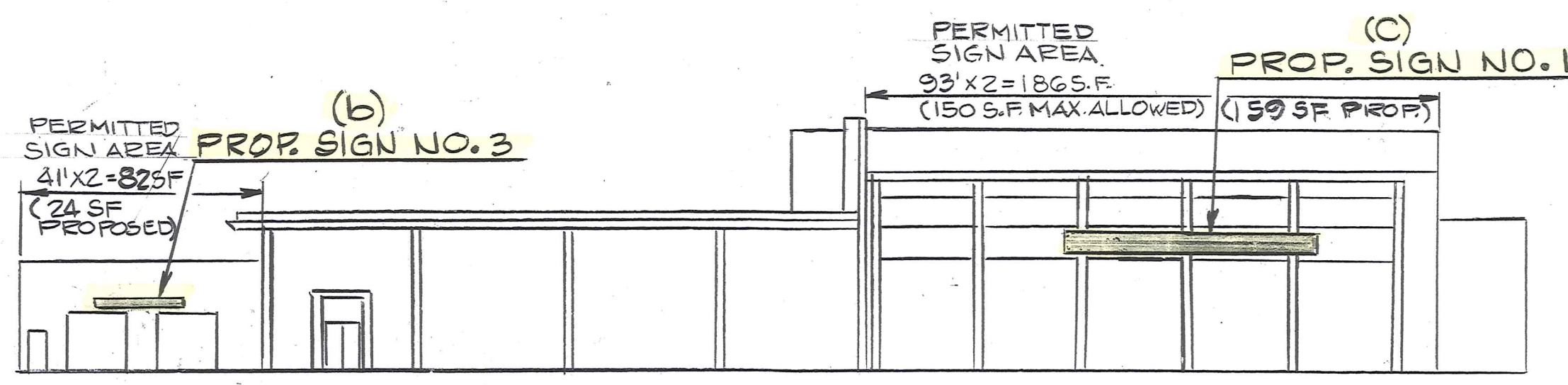
DEVELOPMENT ENGINEERING CONSULTANTS, INC.
 SITE ENGINEERS & SURVEYORS
 6603 YORK ROAD 410-377-2600 BALTIMORE, MARYLAND 21212

APPLICANT

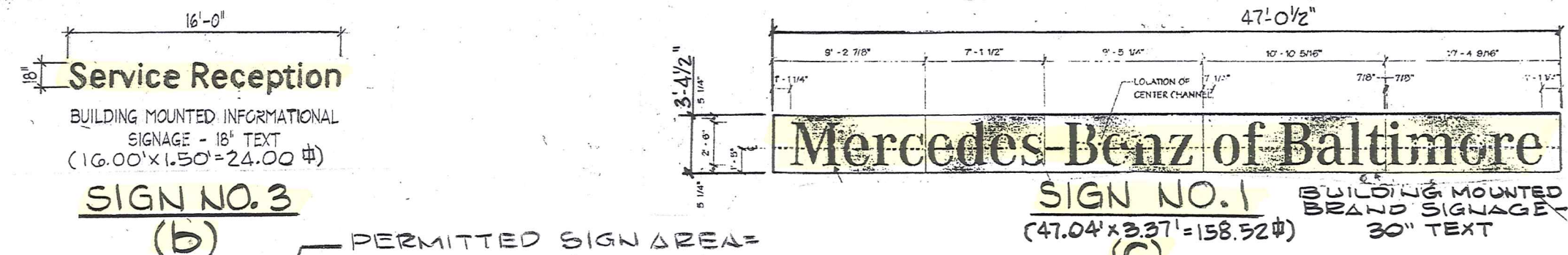
PARKING LAYOUT PLAN
 PLAT TO ACCOMPANY ZONING VARIANCE PETITION FOR
MERCEDES BENZ BALTIMORE
 6631 BALTIMORE NATIONAL PIKE
 BALTIMORE COUNTY, MARYLAND

SHEET	2	DATE	OCT. 23, 2009	CONTRACT	
OF	3	SCALE	1"=50'		
					09-111

PLAT TO ACCOMPANY PETITION FOR ZONING: ☒ VARIANCE, ☐ SPECIAL EXCEPTION



NORTHEAST ELEVATION



NORTHWEST ELEVATION

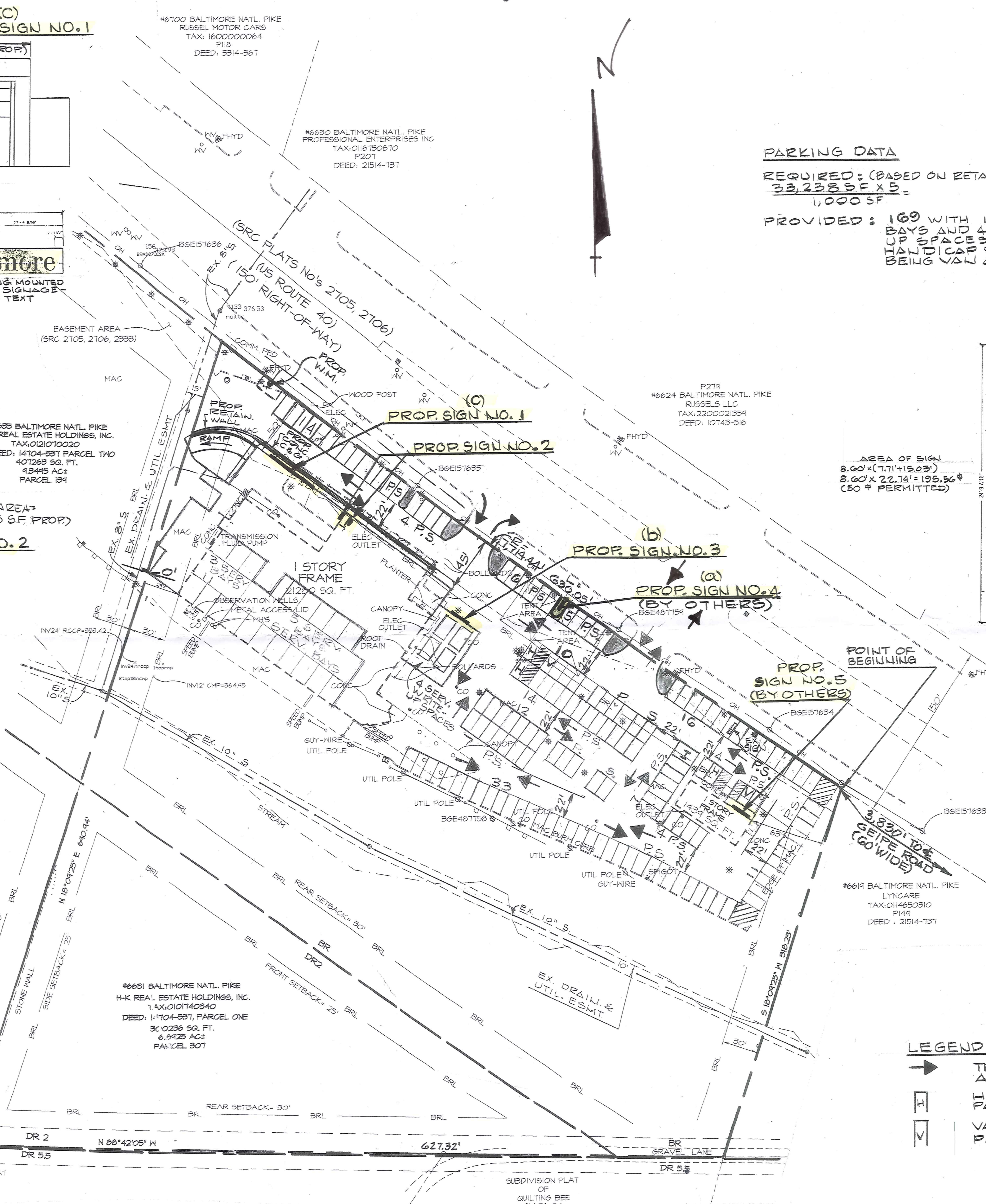


MAIN BUILDING ELEVATIONS WITH SIGNS
NOT TO SCALE



NORTHEAST ELEVATION

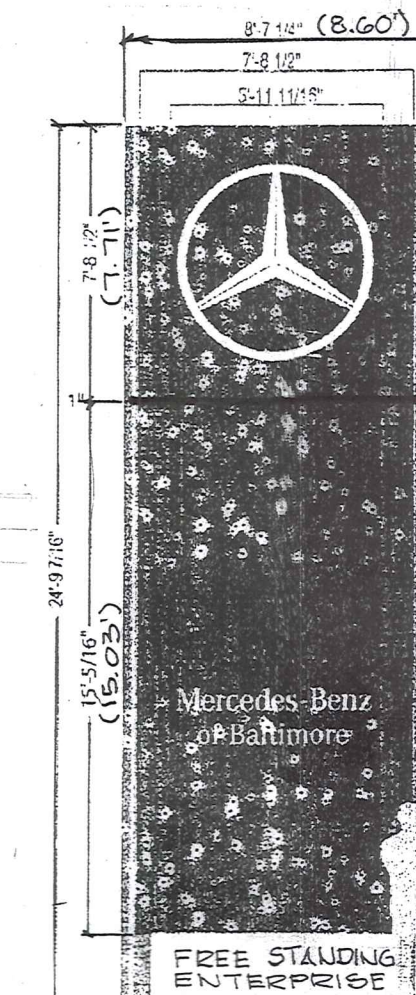
PRE-OWNED BUILDING ELEVATION
WITH SIGNS
NOT TO SCALE
BY OTHERS



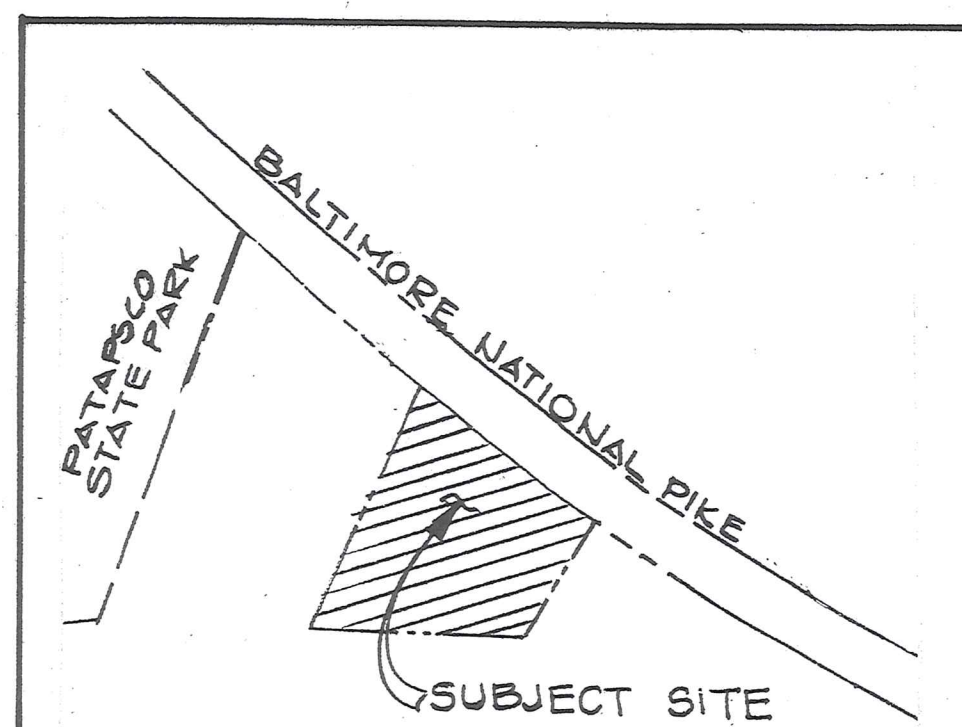
PARKING DATA

REQUIRED: (BASED ON RETAIL AT 5/1000 S.F.)
33,238 S.F. X 5 = 166.2 (USE 167)

PROVIDED: 169 WITH 19 AS SERVICE
BAYS AND 4 SERVICE WRITE-
UP SPACES, INCL. DESIG.
HANDICAP SPACES WITH 2
BEING VAN ACCESSIBLE.



SIGN NO. 4
(DOUBLE FACED)
BY OTHERS
(a)



VICINITY MAP
SCALE: 1"=500'

LOCATION INFORMATION

ELECTION DISTRICT NO.: 1

COUNCILMANIC DISTRICT NO.: 1

ZONING: BR & DR-2
(REFERENCE MAP(S): 094B3)

AREA OF SITE:
NET= 300,236 S.F. = 6.89 AC.
GROSS= 319,138 S.F. = 7.33 AC.

	PUBLIC	PRIVATE	YES	NO
SEWER	☒	☐		
WATER	☒	☐		
CHESAPEAKE AREA CRITICAL AREA			☐	☒
AREA DESIGNATION:			☒	☐
100 YEAR FLOODPLAIN			☒	☐
HISTORIC PROPERTY / BUILDING			☐	☒

PRIOR ZONING HEARINGS: SEE SEPARATE LIST

PREVIOUS COMMERCIAL PERMITS:
C-257-C2, USE: VOLKSWAGEN DEALERSHIP
C-1046-BB, USE: NEW BUILDING FOR AUTOMOBILE
DEALERSHIP

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #

PROPERTY DATA
OWNER:

ADDRESS:

PHONE NUMBER:

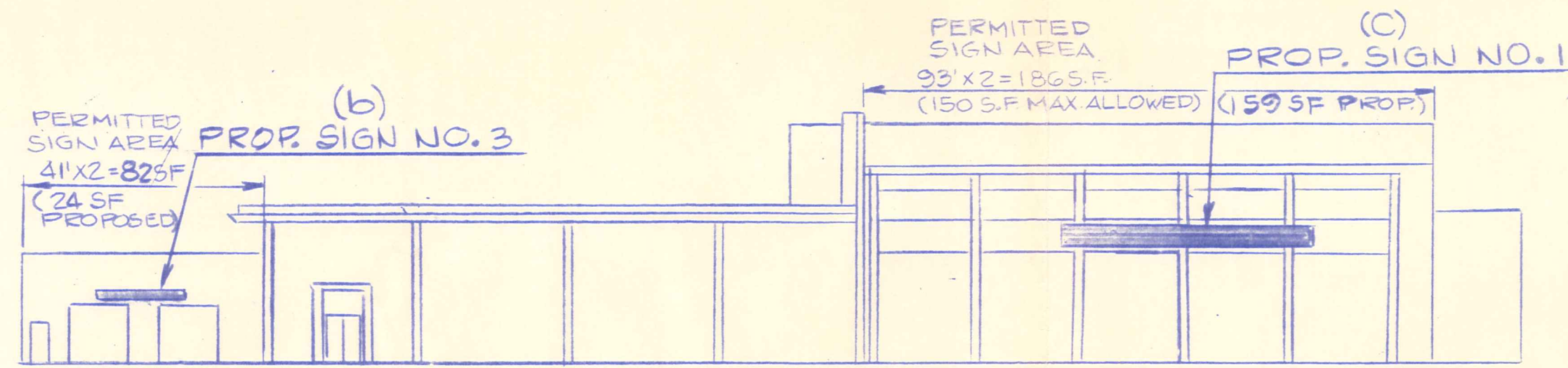
TAX ACCOUNT NUMBER(S):

LEGEND FOR PARKING

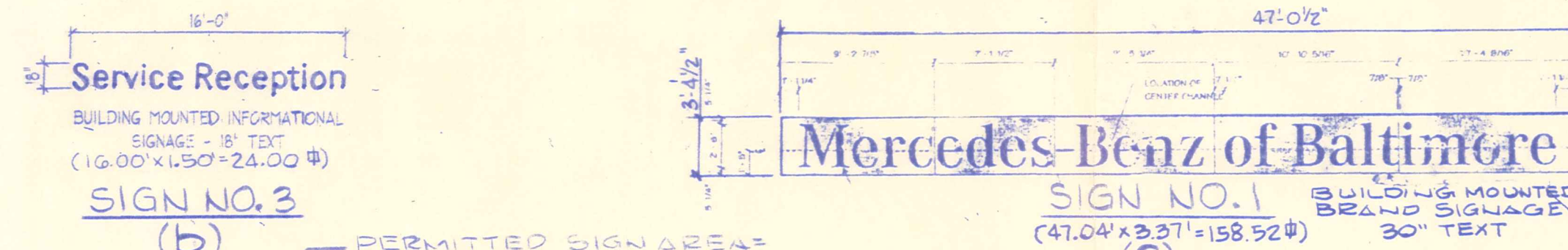
- TRAFFIC FLOW
ARROW
- HANDICAP
PARKING SPACE
- VAN ACCESSIBLE
PARKING SPACE



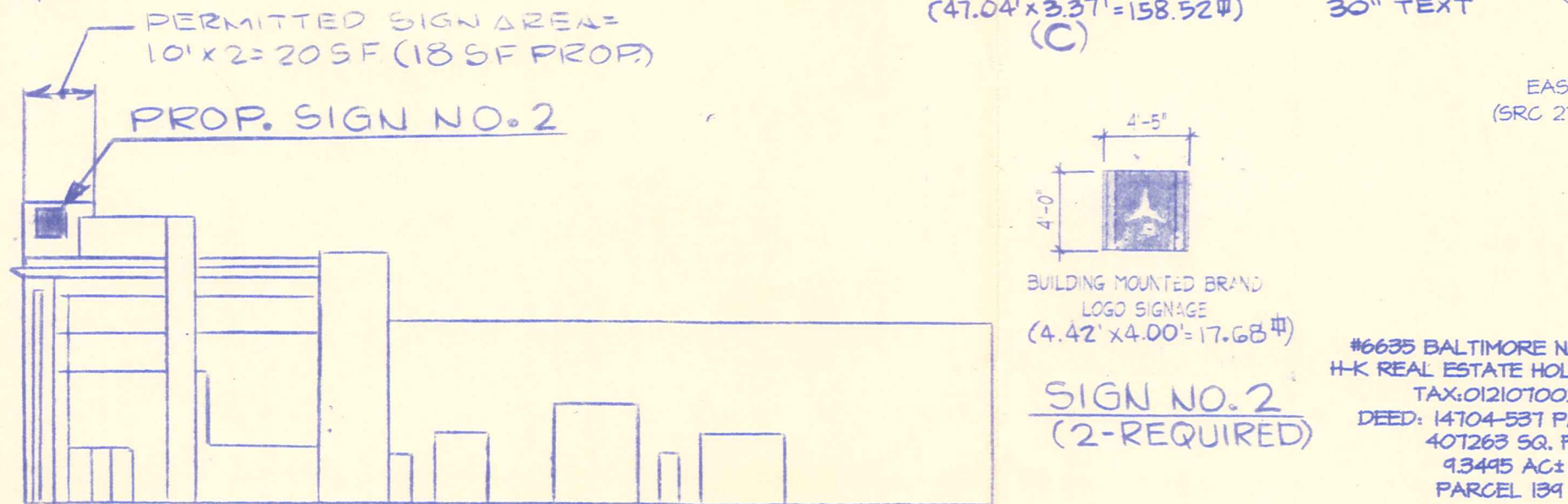
PLAT TO ACCOMPANY PETITION FOR ZONING: ☒ VARIANCE, ☐ SPECIAL EXCEPTION



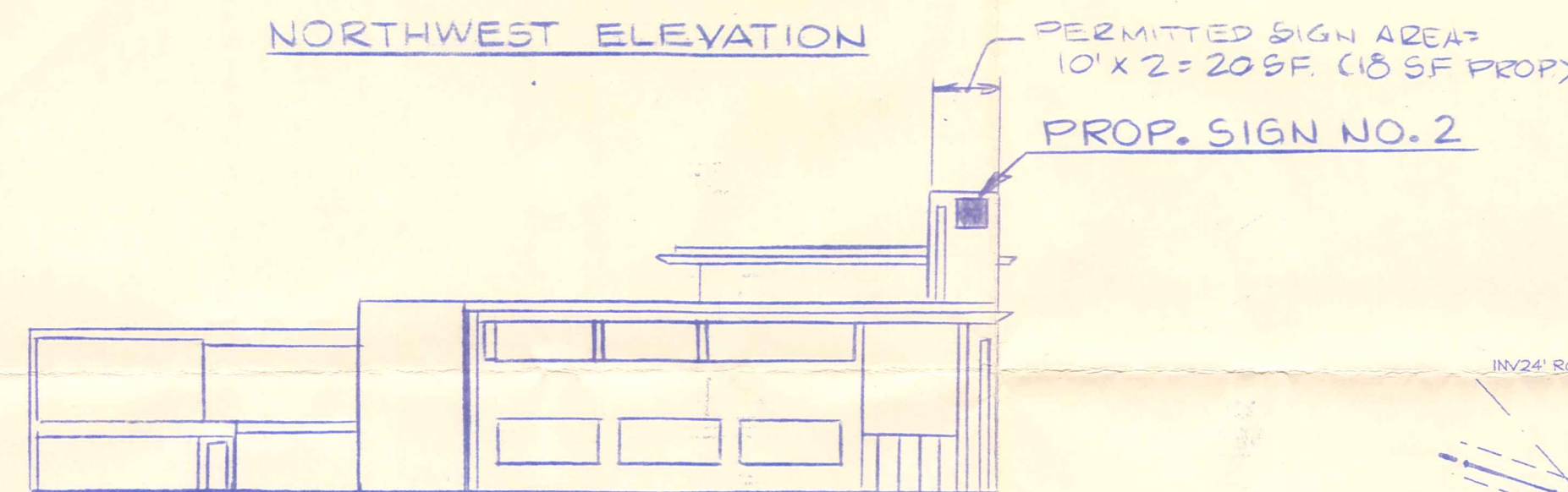
NORTHEAST ELEVATION



NORTHWEST ELEVATION



SOUTHEAST ELEVATION



MAIN BUILDING ELEVATIONS WITH SIGNS
NOT TO SCALE



NORTHEAST ELEVATION

PRE-OWNED BUILDING ELEVATION
WITH SIGNS
NOT TO SCALE
BY OTHERS

#6700 BALTIMORE NATL. PIKE
RUSSEL MOTOR CARS
TAX: 1600000064
P118
DEED: 5314-367

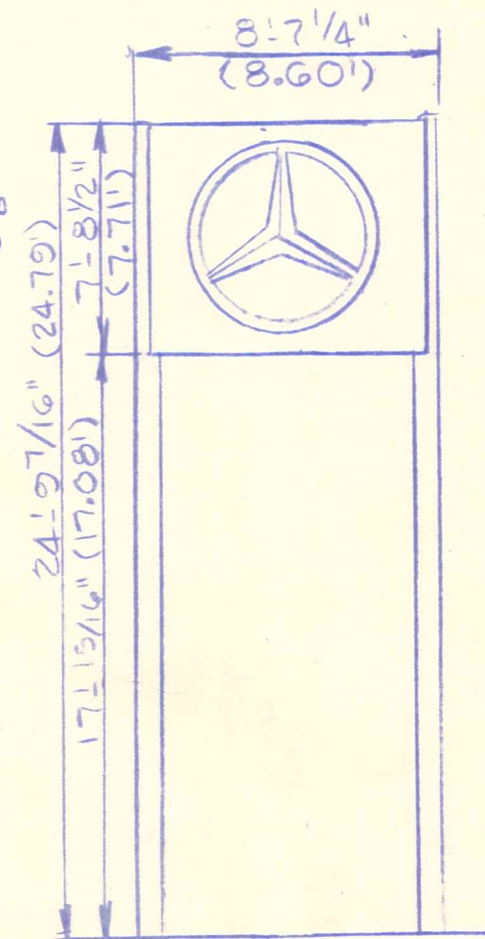
#6630 BALTIMORE NATL. PIKE
PROFESSIONAL ENTERPRISES INC.
TAX: 0116750870
P207
DEED: 21514-137

PARKING DATA

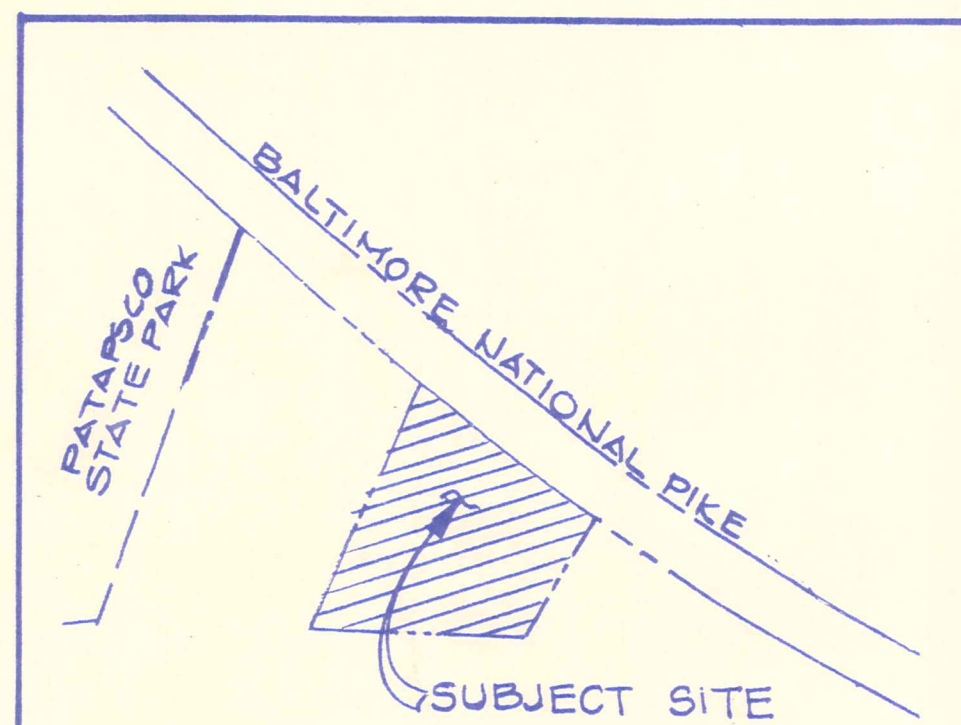
REQUIRED: (BASED ON DETAIL AT 5/1000 S.F.)
33,238 SF X 5 = 166,190 (USE 167)

PROVIDED: 169 WITH 19 AS SERVICE BAYS AND 4 SERVICE WRITE-UP SPACES. INCLUDES 6 HANDICAP SPACES WITH 2 BEING VAN ACCESSIBLE.

AREA OF SIGN
8.60' X 7.71' = 66.31 SF
(50 SF PERMITTED)



SIGN NO. 4
(DOUBLE FACED)
BY OTHERS



VICINITY MAP
SCALE: 1"=500'

LOCATION INFORMATION

ELECTION DISTRICT NO.: 1

COUNCILMANIC DISTRICT NO.: 1

ZONING: BR & DR-2
(REFERENCE MAP(S): 094B3)

AREA OF SITE:
NET= 300,236.5 SF = 6.89 AC.
GROSS= 319,138.5 SF = 7.33 AC.

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐
	YES	NO

CHESAPEAKE AREA CRITICAL AREA
AREA DESIGNATION:

100 YEAR FLOODPLAIN

HISTORIC PROPERTY / BUILDING

PRIOR ZONING HEARINGS: SEE SEPARATE LIST

PREVIOUS COMMERCIAL PERMITS:
C-257-G2, USE: VOLKSWAGEN DEALERSHIP
C-1046-B6, USE: NEW BUILDING FOR AUTOMOBILE DEALERSHIP

ZONING OFFICE USE ONLY

REVIEWED BY: ITEM #: CASE #:

PROPERTY DATA
OWNER:

ADDRESS:

PHONE NUMBER:

TAX ACCOUNT NUMBER(S):

LEGEND FOR PARKING
→ TRAFFIC FLOW ARROW
H HANDICAP PARKING SPACE
V VAN ACCESSIBLE PARKING SPACE



PETITIONER'S EXHIBIT / C

SIGN VARIANCE PLAN

PLAT TO ACCOMPANY ZONING VARIANCE PETITION FOR
MERCEDES BENZ OF BALTIMORE
6631 BALTIMORE NATIONAL PIKE

ELECTION DISTRICT 1

BALTIMORE COUNTY, MARYLAND

COUNCILMANIC DISTRICT 1

SHEET 3 OF 3
DATE OCT. 23, 2009
SCALE 1"=50'
CONTRACT NUMBER 09-111

Drafting: T.L.B. 2/12/10 REV. FREE-STAND. ENT. SIGN (SIGN NO. 4)
Check: T.A.C. 12/1/09 REV. PER 11/30/09 ON-SITE MEETING
Design: 11/16/09 ADD SHT. 2 OF 2 FOR SIGN VARIANCE
Check: 1/5/09 ADD SHT. 2 OF 2 WITH PARKING
DATE: REVISIONS

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
SITE ENGINEERS & SURVEYORS
6603 YORK ROAD 410-377-2600 BALTIMORE, MARYLAND 21212

APPLICANT