

IN RE: **PETITION FOR VARIANCE**

N/S Baltimore National Pike, (US Rte. 40),
1,600' W of Nuwood Road
(6624 Baltimore National Pike)

1st Election District
1st Council District

Russels, LLC
Petitioner

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2010-0336-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by F. Steven Russel, managing member of Russels, LLC, the owner of the property, by and through their attorney, Leslie M. Pittler, Esquire. The Petitioner requests variance relief from: (1) Sections 238.1 and 303.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front setback of 52 feet in lieu of the required averaged setback of 57.5 feet, and (2) from B.C.Z.R. Section 238.2 to permit a side yard of 20 feet in lieu of the required 30 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Kenneth J. Colbert, Professional Engineer with Colbert, Matz, Rosenfelt, Inc., the consultant who prepared the site plan for this property, and Leslie M. Pittler, Esquire, Petitioner's attorney. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular (gun shaped) parcel located on the north side of Baltimore National Pike (MD Rte. 40) just west of its intersection with Nuwood Road in Catonsville. The property consists of a gross area of 5.0819 acres, more or less, zoned B.R. and is the site of new car dealerships owned by the Petitioner.

ORDER RECEIVED FOR FILING

Date

By

7-27-10

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The Russel family of automobile dealerships is well-known in the Baltimore/Metropolitan area and, in fact, operates other dealerships on nearby property. As shown on the site plan, the subject property features two (2) new car showrooms for Mazda/Subaru and Volkswagen automobiles, a large area for mechanical services, a body/fender repair shop, and a large macadam paved area for the storage of vehicles and customer parking.

The subject of the variance is the Mazda/Subaru new car showroom that is being remodeled in an effort to satisfy requirements imposed by Subaru to equal out its display area in conformance with its new business model. Testimony and evidence offered establishes that the specific need for the variances are generated by the uniqueness of the property. The 6,697 square foot dealership building has existed at this location for many years. As illustrated on Petitioner's site plan and aerial photograph, it was built towards the front and in the southwest corner of the site some 55 feet off of U.S. Route 40 and 20 feet west of the property line.¹

To maintain its valued connection between the Subaru manufacturer and the Petitioner, Russels, LLC, has designed a 525 square foot addition that will provide the additional showroom space required by Subaru. This will be done by extending the existing western building line 50 feet further south to meet the front exterior building wall. This in essence will present a new showroom image by filling in 10.5 feet of the 30.5 of open space that presently exists at the southwest corner. This is in keeping with the 20 foot side yard space that presently exists and a greater setback than was granted by this Commission in 1964.

As Mr. Colbert pointed out, there is no other feasible area to place the needed addition. There is no space available to the front or rear and the east side is occupied by the service

¹ The zoning history evidences that on July 9, 1964 then Zoning Commissioner John Rose granted a variance from B.C.Z.R. Section 238.2 permitting a side yard setback of 10.76 feet in lieu of the required 30 feet - See Case No. 2643-5 received in evidence as Petitioner's Exhibit 3C. Petitioner, however, located its showroom 20 feet from the property line as opposed to the 10.76 feet granted.

center's drive aisle. Suffice it to say, these characteristics create substantial and unusual architectural challenges in locating a building addition on the site that will provide a reasonable and significant use. See, *Belvoir Farms v. North*, 355 Md. 259 (1999) and *White v. North*, 356 Md. 31 (1999).

The front setback variance is from the "averaging" of setbacks required by B.C.Z.R. Section 303.2. As shown on the aerial photograph (Petitioner's Exhibit 2), many of the existing commercial buildings on either side of Baltimore National Pike are setback as close as 20 feet from the road edge. The front setback variance in this case is driven due to the setback distances of adjoining commercial uses. To the west the Professional Enterprise's two-story building at 64 feet – to the east Russels' Volkswagen showroom at 51 feet. This creates the average setback distance of 57.5 feet ($64' + 51' \div 2 = 57.5'$). The setback required by the B.C.Z.R. appears particularly inappropriate here given the fact that the site and building(s) have existed for decades. The southwest corner of the new addition will only sit 1.8 foot closer to the right-of-way. This is due in chief to the fact that the existing showroom is not parallel with US Route 40. (They get closer as you proceed from east to west). Thus, the requested 52 foot variance is necessary.

Based upon the testimony and evidence presented, I am persuaded to grant the relief. It is clear that the use proposed is appropriate for this site and consistent with the area. The requested relief will allow modernization of the building that has existed at this location for over four (4) decades. The variances are warranted in view of the unique configuration of the lot and dynamic structural changes brought about by the uses that have previously existed on this property. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency. Thus, it is clear that the requested relief can be granted without detrimental

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7-27-0

By

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impact to the health, safety or general welfare of the surrounding locale. I find that the Petitioner has satisfied the requirements of B.C.Z.R. Section 307 as it relates to the requested zoning variances. To do otherwise would cause an exceptional hardship to Russels, LLC that has operated at this site for many years without objection.

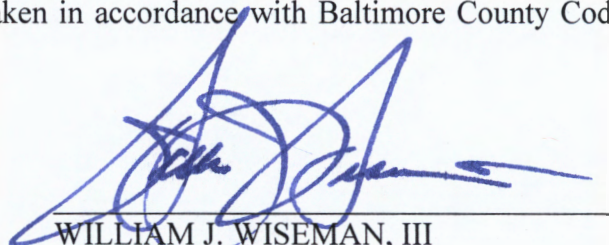
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of July 2010, that the Petition for Variance seeking relief from Sections 238.1 and 303.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a front setback of 52 feet in lieu of the required 57.5 feet averaged setback, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED;

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from B.C.Z.R. Section 238.2 to permit a side yard setback of 20 feet in lieu of the required 30 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1. The Petitioner may apply for its 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.

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


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING

Date

7-27-10

By

103



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

July 27, 2010

Leslie M. Pittler, Esquire
25 Wadsworth Bridge Way
Lutherville, MD 21093

RE: PETITION FOR VARIANCE

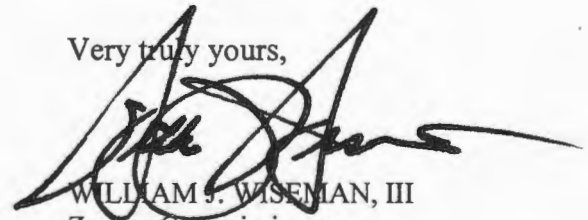
N/S Baltimore National Pike, (US Rte. 40), 1,600' W of Nuwood Road
(6624 Baltimore National Pike)
1st Election District - 1st Council District
Russels, LLC – Petitioner
Case No. 2010-0336-A

Dear Mr. Pittler:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Kenneth J. Colbert, P.E., Colbert, Matz, Rosenfelt, Inc., 2835 Smith Avenue, Suite G,
Baltimore, MD 21209
People's Counsel; DEPRM; Office of Planning; File



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 6624 BALTIMORE NATIONAL PIKE
which is presently zoned BR

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 of thereof, hereby petition for a Variance from Section(s)

SEE ATTACHED

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

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address.

Telephone No.

City

State Zip Code

Attorney For Petitioner:

Leslie M. Pittler

Name - Type or Print

Signature

Company

25 Wadsworth Bridge Way

443-831-9204

Address

Telephone No.

Lutherville

MD 21093

City

State Zip Code

Legal Owner(s):

F. Steven Russel
RUSSELS LLC

Name - Type or Print

Signature

MANAGING MEMBER

Name - Type or Print

Signature

6700 Baltimore National Pike

410-788-8400

Address.

Telephone No.

Baltimore

MD 21228

City

State Zip Code

Representative to be Contacted:

Kenneth J. Colbert

COLBERT MATZ ROSENFELT, INC

2835 Smith Avenue, Suite G

410-653-3838

Address

Telephone No.

Baltimore

MD 21209

City

State Zip Code

Case No. 2010-0336-A
ORDER RECEIVED FOR FILING

Date 7-27-10

By KW

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____
Reviewed By JNP Date 6/1/2010

**PETITION FOR VARIANCE
6624 BALTIMORE NATIONAL PIKE**

ATTACHED SHEET

1. Section 238.1 and Section 303.2 to permit a front setback of 52 feet in lieu of the required 57.5 feet. *averaged setback*
2. Section 238.2 to permit a side yard of 20 feet in lieu of the required 30 feet

2010-0336-A

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION

RUSSEL SUBARU
6624 BALTIMORE NATIONAL PIKE

BEGINNING AT A POINT ON THE NORTH SIDE OF BALTIMORE NATIONAL PIKE, U. S. ROUTE 40, 150 FEET WIDE, AT A DISTANCE 1600 FEET, MORE OR LESS, WEST OF NUWOOD ROAD, 70 FEET WIDE. THENCE LEAVING SAID POINT OF BEGINNING AND RUNNING:

BINDING ALONG SAID NORTH SIDE OF BALTIMORE NATIONAL PIKE BY A CURVE TO THE RIGHT WITH A RADIUS OF 7564.44 FT. AND A LENGTH OF 400.76 FEET; THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING

NORTH 27 DEGREES 14 MINUTES 05 SECONDS WEST, 325.11 FEET

NORTH 55 DEGREES 31 MINUTES 15 SECONDS WEST, 274.39 FEET

NORTH 18 DEGREES 43 MINUTES 45 SECONDS EAST, 129.87 FEET

SOUTH 56 DEGREES 21 MINUTES 43 SECONDS EAST, 268.49 FEET

SOUTH 61 DEGREES 59 MINUTES 34 SECONDS EAST, 131.59 FEET

SOUTH 67 DEGREES 50 MINUTES 55 SECONDS EAST, 99.95 FEET

SOUTH 71 DEGREES 44 MINUTES 28 SECONDS EAST, 20.55 FEET

BY A CURVE TO THE RIGHT WITH A RADIUS OF 1,325.00 FEET AND A LENGTH OF 30.06 FEET

SOUTH 71 DEGREES 44 MINUTES 28 SECONDS EAST, 86.83 FEET

SOUTH 18 DEGREES 39 MINUTES 51 SECONDS WEST, 517.57 FEET

TO THE POINT OF BEGINNING. CONTAINING 209,275 SQUARE FEET OR 4.8043 ACRES OF LAND, MORE OR LESS.

BEING ALL OF THAT PROPERTY CONVEYED BY DEED DATED SEPTEMBER 6, 1994 AND RECORDED IN LIBER 10743, FOLIO 516, ALSO KNOWN AS 6624 BALTIMORE NATIONAL PIKE AND LOCATED IN THE 1ST ELECTION DISTRICT, 1ST COUNCILMANIC DISTRICT.

J:\99186.1ZONDES.P2



**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: 2010-0336-A
Petitioner: RUSSELLS LLC
Address or Location: 6624 BALTIMORE NAT'L PIKE

PLEASE FORWARD ADVERTISING BILL TO:

Name: JAMES BRANSON
Address: c/o RUSSEL MOTOR CARS, INC.
6700 BALTIMORE NATIONAL PIKE
BALTIMORE, MD 21228
Telephone Number: 410-788-8400

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

No. **53952**

Date: **6/1/2010**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
6/01/2010 6/01/2010 14:26:39 1

REC #501 WALKIN JREC DR
>> RECEIPT # 459140 6/01/2010 001H

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	306	0000		6150				325.00

Dept 5 528 ZIRING VERIFICATION
TR #1 053952

Recpt Tot 4325.00
4325.00 OK 4.00 CA
Baltimore County, Maryland

Total: **325.00**

Rec From: **Russels, LLC**

For: **Voice - 6624 Baltimore National Pike**
2010-0336-A (Russels, LLC)

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: # 2010-0336-A
6624 Baltimore National Pike

N/east side of Baltimore National Pike, 1600 +/- feet
n/west of Nuwood Road
1st Election District
1st Councilmanic District
Legal Owner(s): Russels, LLC, F. Steven Russel

Variance: to permit a front setback of 52 feet in lieu of the required 57.5 feet averaged setback to permit a side yard of 20 feet in lieu of the required 30 feet.

Hearing: Wednesday, July 21, 2010 at 2:00 p.m. in Room 104, Jefferson Building, 105 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.

JT 7/626 July 6 246151

CERTIFICATE OF PUBLICATION

_____ 7/8/ 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 7/6/ 2010.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 07/07/10

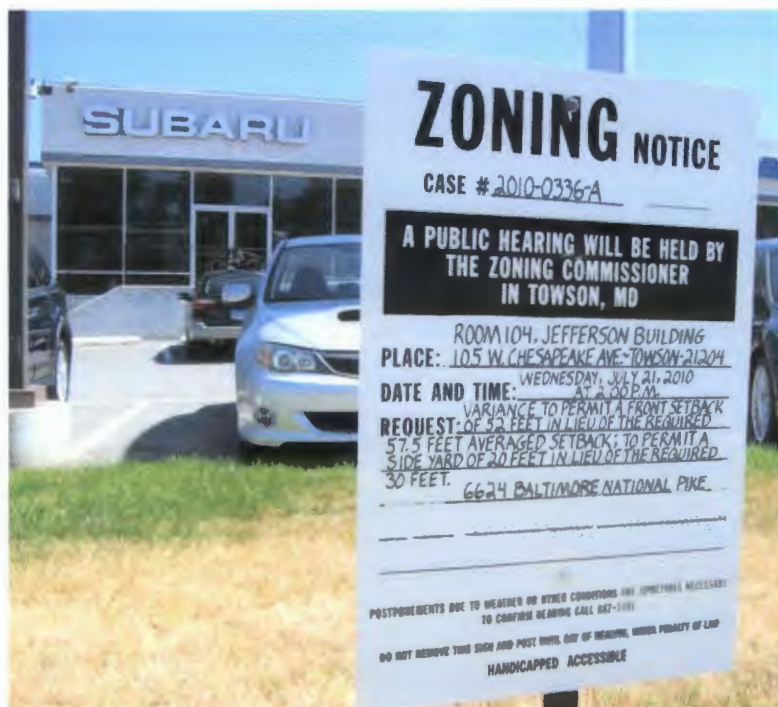
Case Number: 2010-0336-A

Petitioner / Developer: LESLIE PITLER, ESQ.~F. STEVEN RUSSEL~
COLBERT, MATZ & ROSENFELT, INC.

Date of Hearing (Closing): JULY 21, 2010

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
6624 BALTIMORE NATIONAL PIKE

The sign(s) were posted on: JULY 2, 2010



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 6, 2010 Issue - Jeffersonian

Please forward billing to:

James Branson
c/o Russel Motor Cars, Inc.
6700 Baltimore National Pike
Baltimore, MD 21228

410-788-8400

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: 2010-0336-A

6624 Baltimore National Pike

N/east side of Baltimore National Pike, 1600 +/- feet n/west of Nuwood Road

1st Election District – 1st Councilmanic District

Legal Owner: Russels, LLC, F. Steven Russel

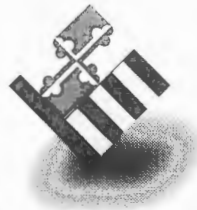
Variance to permit a front setback of 52 feet in lieu of the required 57.5 feet averaged setback;
to permit a side yard of 20 feet in lieu of the required 30 feet.

Hearing: Wednesday, July 21, 2010 at 2:00 p.m. in Room 104, Jefferson Building,
105 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
June 11, 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: 2010-0336-A

6624 Baltimore National Pike

N/east side of Baltimore National Pike, 1600 +/- feet n/west of Nuwood Road

1st Election District – 1st Councilmanic District

Legal Owner: Russels, LLC, F. Steven Russel

Variance to permit a front setback of 52 feet in lieu of the required 57.5 feet averaged setback;
to permit a side yard of 20 feet in lieu of the required 30 feet.

Hearing: Wednesday, July 21, 2010 at 2:00 p.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Handwritten signature of Timothy Kotroco in black ink.

Timothy Kotroco
Director

TK:kl

C: Leslie Pittler, 25 Wandsworth Bridge Way, Lutherville 21093
F. Steven Russel, Russels, LLC, 6700 Baltimore National Pike, Baltimore 21228
Kenneth Colbert, Colbert, Matz, Rosenfelt, 2835 Smith Ave., Ste. G., Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 6, 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

July 15, 2010

Leslie Pittler
25 Wadsworth Bridge Way
Lutherville, MD 21093

Dear: Leslie Pittler

RE: Case Number 2010-0336-A, 6624 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 June 01, 2010. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
F. Steven Russel: Russels, LLC; 6700 Baltimore National Pike; Baltimore, MD 21228
Kenneth J. Colbert: Colbert Matz Rosenfelt, Inc.; 2835 Smith Ave, Ste. G; Baltimore, MD 21209

Bw
7-21-10
JRM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUN 29 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: June 28, 2010
SUBJECT: Zoning Item # 10-336-A
Address 6624 Baltimore National Pike
(Russels, LLC Property)

Zoning Advisory Committee Meeting of June 7, 2010.

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).

Reviewer: J. Russo

Date: 6/11/10

BW 7-21-10
2pm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 22, 2010

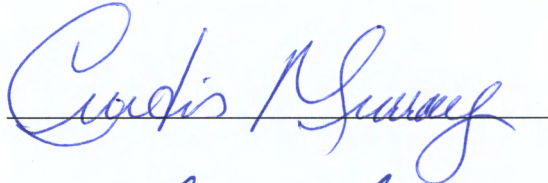
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-336- Variance**

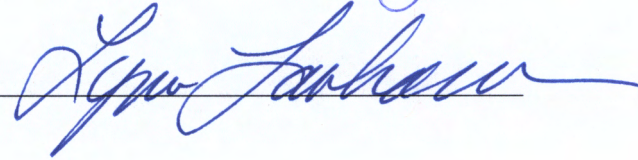
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

Prepared By:



Division Chief:
CM/LL



RECEIVED

JUN 22 2010

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For June 21, 2010
Item Nos. 2010- 324, 327, 330, 332,
333, 335, 336 and 337

DATE: June 10, 2010

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

DAK:CEN:elm

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-06212010 -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

June 15, 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. 2010-0336-A
US 40 (Balto. Nat. Pike)
west Rolling Road
6624 Baltimore Nat'l Pike
Russell Subaru
Variance -

Dear Ms. Matthews:

We have reviewed the site plan to accompany special hearing and request for variance on the subject of the above captioned, which was received on June 9, 2010. A field inspection reveals that the existing entrance onto US 40 (Baltimore National Pike) is adequate and consistent with current State Highway Administration requirements. Based on available information this office has no objection to Russell Subaru at 6624 Baltimore Nat'l Pike, Case Number 2010-0336-A approval.

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 E-mail him at (m Bailey@sha.state.md.us). Thank you for your attention.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Michael D. Foster", is written over the typed name.

for Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

Cc: Mr. David Malkowski, Metropolitan 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.marylandroads.com



RE: PETITION FOR VARIANCE * BEFORE THE
6624 Baltimore National Pike; NE/S Baltimore * ZONING COMMISSIONER
National Pike, 1600' W of Nuwood Road *
1st Election & 1st Councilmanic Districts *
Legal Owner(s): Russels, LLC * FOR
Petitioner(s) * BALTIMORE COUNTY
* 10-336-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.

RECEIVED

JUN 09 2010

.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of June, 2010, a copy of the foregoing Entry of Appearance was mailed to Kenneth Colbert PE, Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209 and Leslie Pittler, Esquire, 25 Wandsworth Bridge Way, Lutherville, MD 21093, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

7-21 @ 2pm

CASE NO. 2010- 0336-A

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose No Comment</u>
<u>6-10</u>	DEVELOPMENT PLANS REVIEW	<u>No Comments</u>
<u>6-28</u>	DEPRM	<u>Comments</u>
_____	FIRE DEPARTMENT	_____
<u>6-22</u>	PLANNING (if not received, date e-mail sent _____)	<u>No Comments</u>
<u>6-15</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. <u>01-277-A attached</u>)	
NEWSPAPER ADVERTISEMENT	Date: <u>7-6-10</u>	
SIGN POSTING	Date: <u>7-2-10</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw3.1e)

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

Account Identifier: District - 01 Account Number - 2200021359

Owner Information

Owner Name: RUSSELS LLC **Use:** COMMERCIAL
Mailing Address: C/O RUSSEL MOTOR CARS INC **Principal Residence:** NO
 6700 BALTIMORE NATL PIKE **Deed Reference:** 1) /10743/ 516
 BALTIMORE MD 21228-3909 2)

Location & Structure Information

Premises Address: 6624 BALTO NATL PIKE **Legal Description:** 4.8043 AC
 NS BALTIMORE NATL PIKE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
94	22	279						3	Plat Ref:

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000	45,345 SF	4.80 AC	22

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2009	Phase-in Assessments As Of 07/01/2009	As Of 07/01/2010
Land	1,255,400	1,673,900		
Improvements:	2,063,600	1,610,700		
Total:	3,319,000	3,284,600	3,284,600	3,284,600
Preferential Land:	0	0	0	0

Transfer Information

Seller: JBMLH LLC	Date: 07/10/1995	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /10743/ 516	Deed2:
Seller: FORTY WEST VOLKSWAGEN INC	Date: 09/09/1994	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /10743/ 516	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

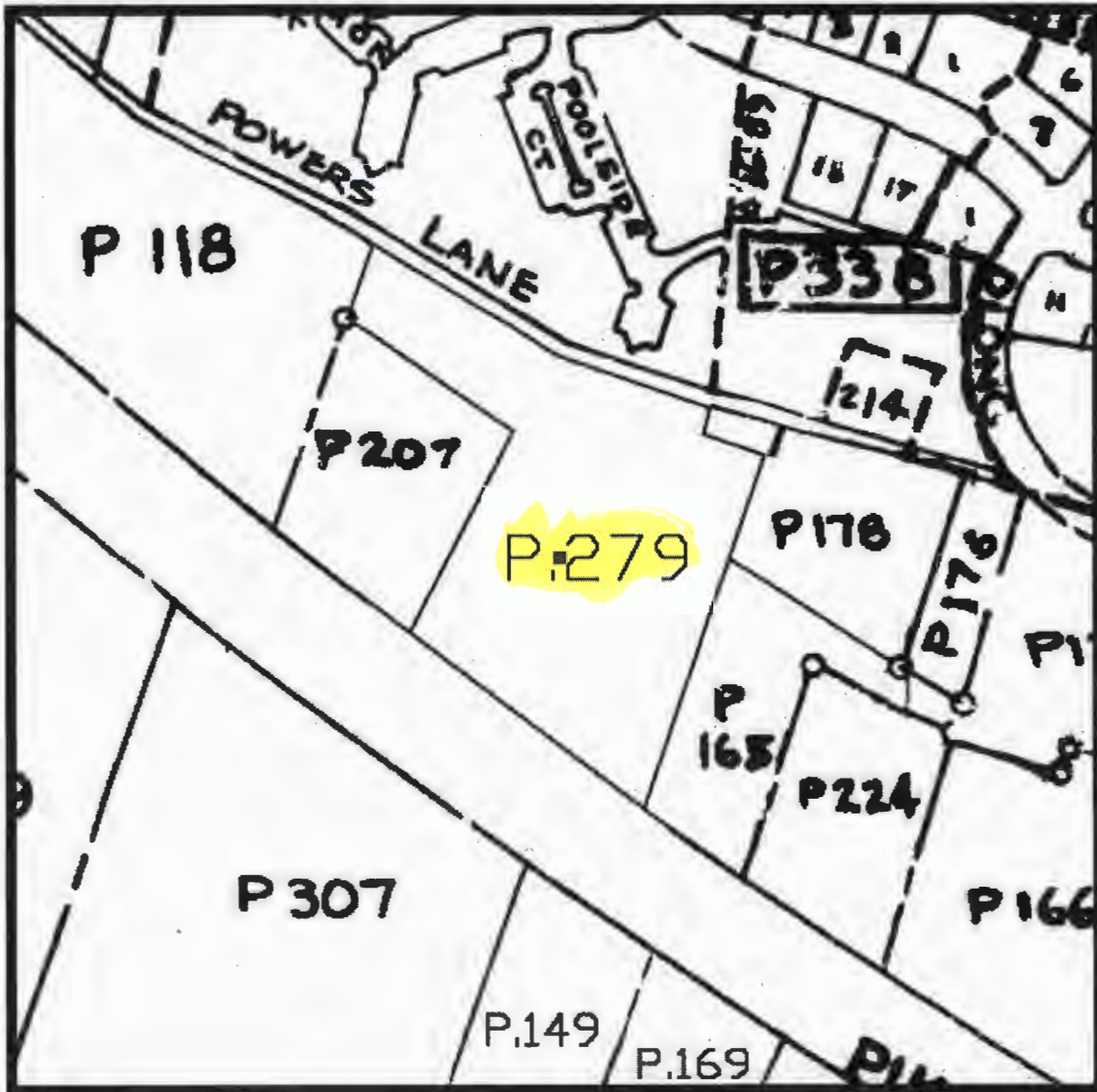
Special Tax Recapture:
 * NONE *



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

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[New Search](#)

District - 01 Account Number - 2200021359



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2009.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

Case No.: 2010-0336-A 6624 BARTO-NAT'L PIKE

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	
No. 2	AERIAL PHOTOGRAPH (SURROUNDING NEIGHBORHOOD)	
No. 3	ZONING HISTORY 3A - CASE 1929 - Reclamation 3B - CASE 2643-S - USE PERMIT for advertising structure 3C - CASE 64-199RA - Variance 10.76 acreyard 3D - CASE 66-4R - Reclamation to BR	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

1929 ✓

#929

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County —

~~Re~~ ^{Re} Ragan M. Doub & Dorothy A. Doub legal owners of the property situate on the northeast side of Edmondson Avenue extended beginning 4672 feet West of Rolling Road thence westerly on the northeast side of Edmondson Avenue extended 484.97 feet thence north 18 degrees 29 minutes East 250 feet thence southeasterly parallel to Edmondson Avenue extended 484.97 feet and thence South 18 degrees 23 minutes West 250 feet to the place of beginning.

heraby petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from ~~a~~ ^a Residential zone to ~~a~~ ^a Commercial zone.

Reasons for Re-Classification: In order that the property may be used for a Drive-In-Restaurant.

Size and height of building: front _____ feet; depth _____ feet; height _____ feet.

Front and side set backs of building from street lines: front _____ feet; side _____ feet.

Property to be posted as prescribed by Zoning Regulations.

~~And~~ we, agree to pay expenses of above re-classification, 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.

Ragan M. Doub
Dorothy A. Doub
Legal Owner

Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of February 1951, that the subject matter of this petition be advertised, as required by the "Zoning Law of Baltimore County," in a newspaper of general circulation throughout Baltimore County, that property be posted, and that the public hearing hereon be had in the office of the Zoning Commissioner of Baltimore County, in the Reekord Bldg., in Towson, Baltimore County, on the 12th day of March 1951, at 1:00 o'clock P.M.

Zoning Commissioner of Baltimore County

(over)

PETITIONER'S

EXHIBIT NO.

3A

NOTE TO
Parents
The following
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It Is Ordered by the Zoning Commissioner of Baltimore County this 22 day of March 1951 that the above described property and district

Augustine Miller
Zoning Commissioner of Baltimore County

[illegible]

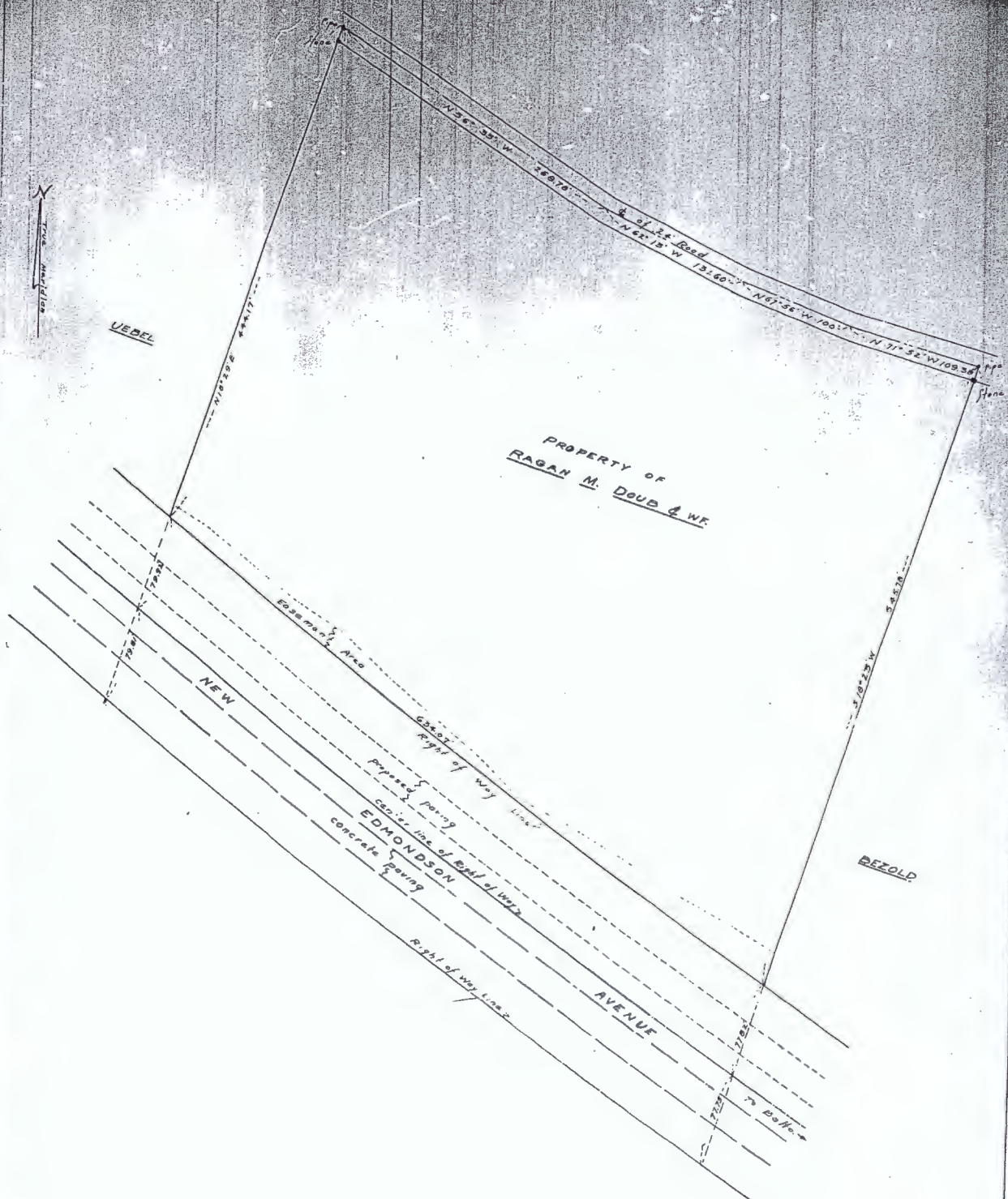
It Is Ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____

Zoning Commissioner of Baltimore County

County Commissioners of Baltimore County

134

President



ORDERED by the Zoning Commissioner of Baltimore County this 22nd day of June, 1953, that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be posted, as required by the Zoning Regulations and Act of Assembly aforesaid, and that a public hearing thereon be had in the office of the Zoning Commissioner of Baltimore County, Maryland, on the 13th day of July, 1953, at 1:30 o'clock P.M.

Charles H. Doring
Zoning Commissioner
of Baltimore County

Upon hearing on petition for a special permit to use the property described therein for the erection of one Advertising Structure and it appearing that by reason of location, the safety and general welfare of the community not being affected, the special permit petitioned should be granted, therefore:

It is this 27th day of July, 1953, ORDERED by the Zoning Commissioner of Baltimore County that the aforesaid petition for a special permit be and the same is hereby granted for a period of two (2) years from the above date, subject, however, to a setback for said sign of twelve (12) feet from the northeasternmost right-of-way line of Edmondson Avenue, Extended.

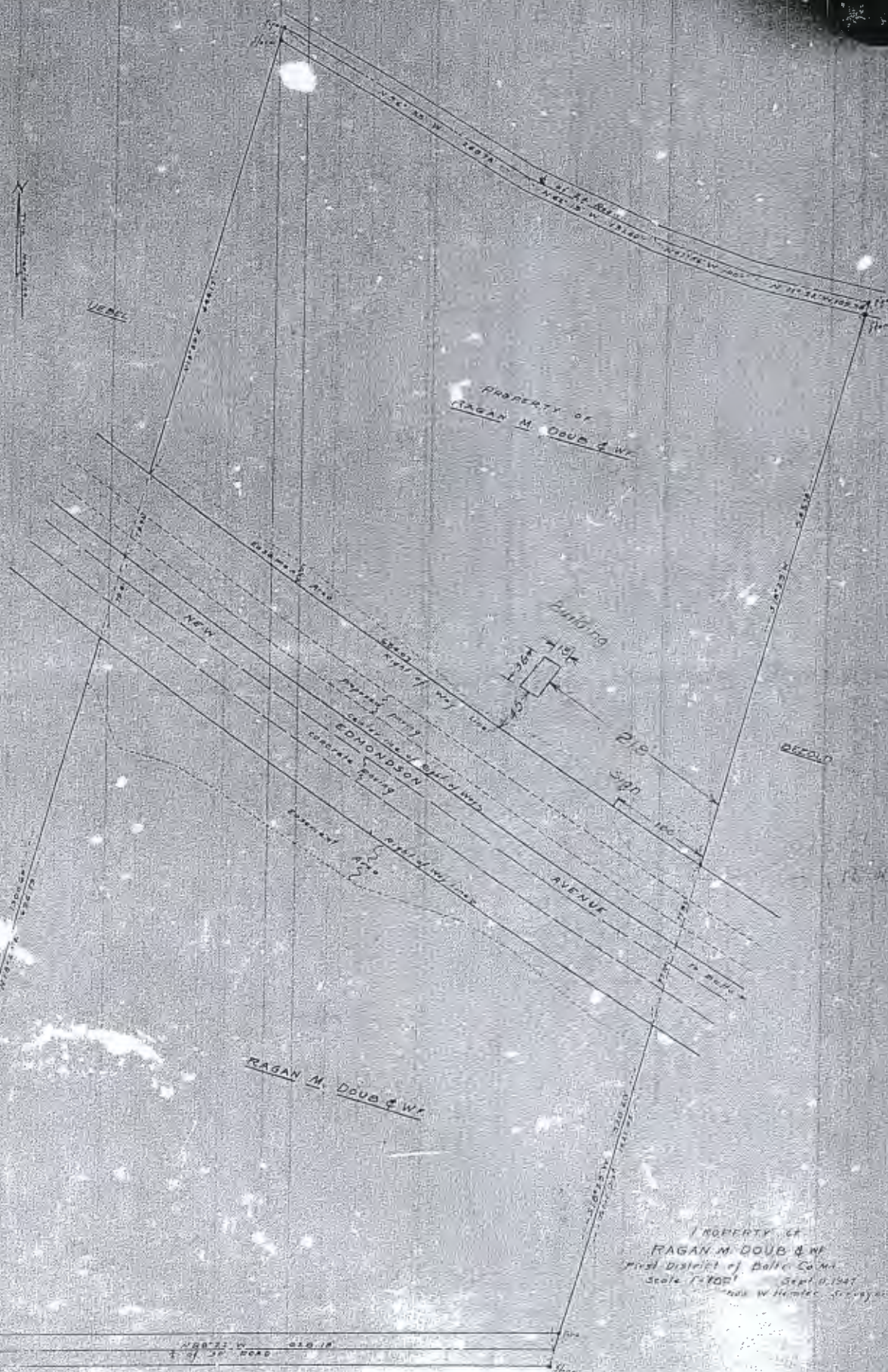
Charles H. Doring
Zoning Commissioner
of Baltimore County

16451 N.W. of center line of Rolling Rd.
1st Dist.
N.E.S. Edmondson Ave., Ext'd., beginning

PETITIONER'S

EXHIBIT NO. 3B

2643-C



PROPERTY OF
RAGAN M. DOUB & WIFE

PROPERTY OF
RAGAN M. DOUB & WIFE
First District of Baltimore
Scale 1"=200' Sept. 11, 1941
Wm. W. Hunter, Surveyor



FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

#64-199RA
AND VARIANCE

WESTERN
AREA
SEC. 2-C
BR
6/24/64

COMMISSIONER OF BALTIMORE COUNTY
City West Motors, Inc.
and Stephen G. Heaver

legal owner of the property situate in Baltimore
and made a part hereof pursuant
zone to an

which is described in the description and plat attached hereto and made a part hereof
on (1) that the zoning status of the herein described property be re-classified, pursuant
ing Law of Baltimore County, from an R 10
and excepting that portion already S. R.
there was an error made in the Zoning Map and classification
as been a change in the area requiring the type of use requested.
to Sec. 238.2 to permit an interior side yard of 10.76' instead
required 30 feet; owners stipulate not less than 60 feet
be maintained permanently between buildings.

See Attached Description

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.

by Charles B. Gillet, Jr., President
Stephen G. Heaver Legal Owners
Address 6624 Baltimore National Pike
Baltimore, Maryland, 21228

Contract purchaser
Address Elroy P. Snuffer
Petitioner's Attorney

Address 408 Old Town Bank Building
Baltimore, Maryland, 21201
171-5-1598

ORDERED By The Zoning Commissioner of Baltimore County, this 8th
of June 1964, that the subject matter of this petition be advertise
required by the Zoning Law of Baltimore County, in two newspapers of general circulation th
out Baltimore County, that property be posted, and that the public hearing be had before th
Commissioner of Baltimore County in Room 106, County Office Building in Towson, 1964 at 11
County, on the 9th day of July

John J. [Signature]
Zoning Commissioner of Baltimore County

PETITION
EXHIBIT



OFFICE OF PLANNING & ZONING
by James G. [Signature]

PETITION

TO THE ZONING

Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of error in the original zoning map

the above reclassification should be had, and/or the Special Exception should NOT BE GRANTED. A Variance to the Zoning Regulations of Baltimore County to permit an interior side yard of 10.76 feet instead of the required 30 feet should also be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 9 day of July, 1964, that the herein described property or area should be and the same is hereby reclassified, from a ~~zone~~ zone to a ~~zone~~ zone (saving and excepting that portion already B.R.)

and after the date of this order the Variance to the Zoning Regulations to permit an interior side yard of 10.76 feet instead of the required 30 feet, should also be granted, subject to approval of the site plan by the State Roads Commission, Bureau of Public Services and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED. IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 1964, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and in a zone; and/or the Special Exception for be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

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PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

66-4-R
66-4

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Forty West Motors, Inc. 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 R-10 zone to an ARC

MAI
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SW-1-
PR

RE zone; for the following reasons:

1. There was an error made in the zoning map and classification.
2. There has been a change in the area requiring the type of use requested.

See attached description

~~and (2) for a Special Exception under the said Zoning Law and Zoning Regulations of Baltimore County to use the herein described property for~~

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.

FORTYWEST MOTORS, INC.

by Charles B. Gillat, Jr.
Charles B. Gillat, President

Contract purchaser

Legal Owner

Address

Address 6624 Baltimore National Pike
Baltimore, Maryland, 21223

Elmer J. Snowfler

Petitioner's Attorney

Protestant's Attorney

Address Old Town Bank Building
Baltimore, Maryland, 21202

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of June, 196 5, 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 6th day of July, 196 5 at 10:30 o'clock A. M.



Zoning Commissioner of Baltimore County

PETITIONER'S

EXHIBIT NO.

3D

4850' from Rolling Road on the
S/S of Powers Lane

the above Reclassification should be had; and is further appearing that by reason of

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 6th
day of July, 1965, that the herein described property or area should be and
the same is hereby reclassified, from an R-10 zone to a B-R
zone, and ~~a Special Exception for a~~ _____ should be and the same is
~~granted~~ from and after the date of this order, subject to approval of the site plan for
the development of said property by Bureau of Public Services and the Office of
Planning & Zoning.

Zoning Commissioner of Baltimore County

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 196____, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a _____ zone; and/or the Special Exception for _____ be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

4850' from Rolling Road on the
S/S of Powers Lane 1st

Prior Order
2009

IN RE: PETITION FOR VARIANCE
N/S Baltimore National Pike, 1800' W
Of the c/l Nuwood Road
(6624 Baltimore National Pike)
1st Election District
1st Council District

Russel Motor Cars, Inc.
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-277-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Russel Motor Cars, Inc., by F. Steven Russel, through their attorney, Harvey A. Epstein, Esquire. The Petitioners seek relief from Section 450.4.5.g of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a freestanding sign for a new car dealership of 72 sq.ft. in lieu of the maximum allowed 50 sq.ft. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were F. Steven Russel, a principal of Russel Motor Cars, Inc., property owners, Kenneth Colbert, Professional Engineer who prepared the site plan for this property, and Harvey A. Epstein, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the north side of Baltimore National Pike (Maryland Route 40), just west of its intersection with Nuwood Road in Catonsville. The property consists of a gross area of 5.0819 acres, more or less, zoned B.R., and is the site of a new car dealership owned by the Petitioners. The Russel family of automobile dealerships is well-known in the Baltimore/Metropolitan area and in fact, operates other dealerships on nearby property. As shown on the site plan, the subject property features two new car showrooms for Mazda/Subaru and Volkswagen

automobiles, a large area for mechanical services, a body/fender repair shop, and a large macadam-paved area for the storage of vehicles and customer parking.

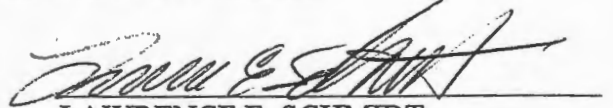
The subject of the variance is a proposed sign for the Mazda dealership. Presently, the property features three identification signs, which are located immediately adjacent to the right-of-way for Baltimore National Pike. One sign is located at the western end of the property, another at the eastern end of the property, and a third between these two. The Petitioners propose to eliminate the third sign and replace same with a sign advertising the Mazda brand. However, due to Mazda's policy of uniform freestanding signage nationwide, the proposed sign will be 72 sq.ft. in area, larger than the 50 sq.ft. permitted. Thus, the requested variance is necessary. Testimony indicated that the proposed sign is appropriate for this site and consistent with other commercial signs in the area.

Based upon the testimony and evidence presented, I am persuaded to grant the requested relief. In my judgment, the Petitioners have satisfied the requirements of Section 307.1 of the B.C.Z.R. as they relate to the grant of variances. The proposed sign is consistent with the nature and use of the property, and commercial character of the surrounding locale. Moreover, a schematic drawing submitted into evidence as Petitioner's Exhibit 2, shows that the proposed sign will be attractive. It is also to be noted that the subject property is quite large and the sign package proposed does not overwhelm the site. For all of these reasons, I am persuaded to grant the requested variance.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 12th day of March, 2001 that the Petition for Variance seeking relief from Section 450.4.5.g of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a freestanding sign for a new car dealership of 72 sq.ft. in lieu of the maximum allowed 50 sq.ft., in accordance with Petitioner's Exhibits 1 and 2, be and is hereby GRANTED, subject to the following restriction:

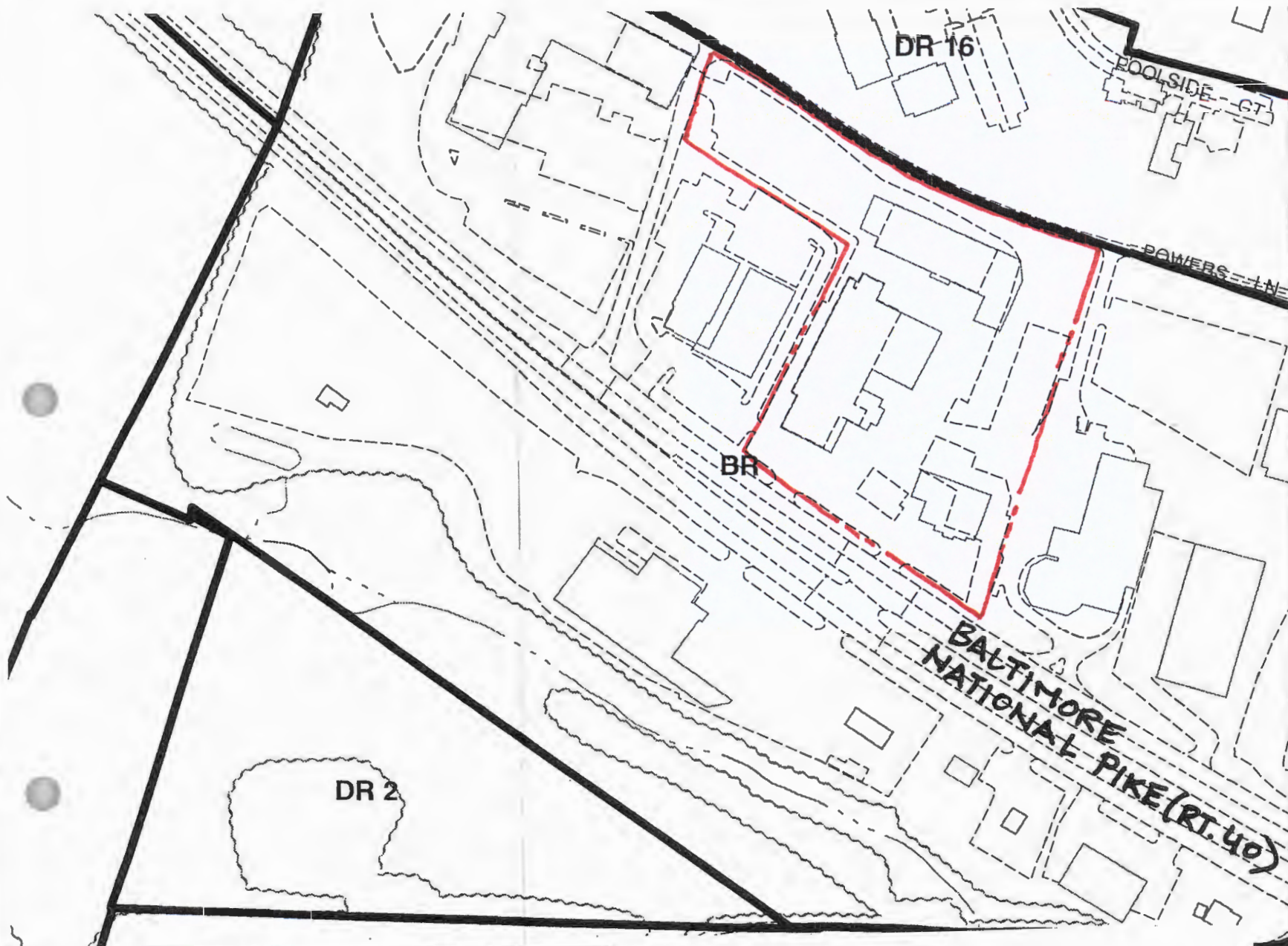
- 1) The Petitioners may apply for their sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order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



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

2010-0336-A



094A2	094B2	094C2	095A2
	094B3	094C3	095A3
100A1	100B1	100C1	101A1

Scale

1" = 200'

0 100 200 400 Feet



POWER'S LANE

PARKING DATA

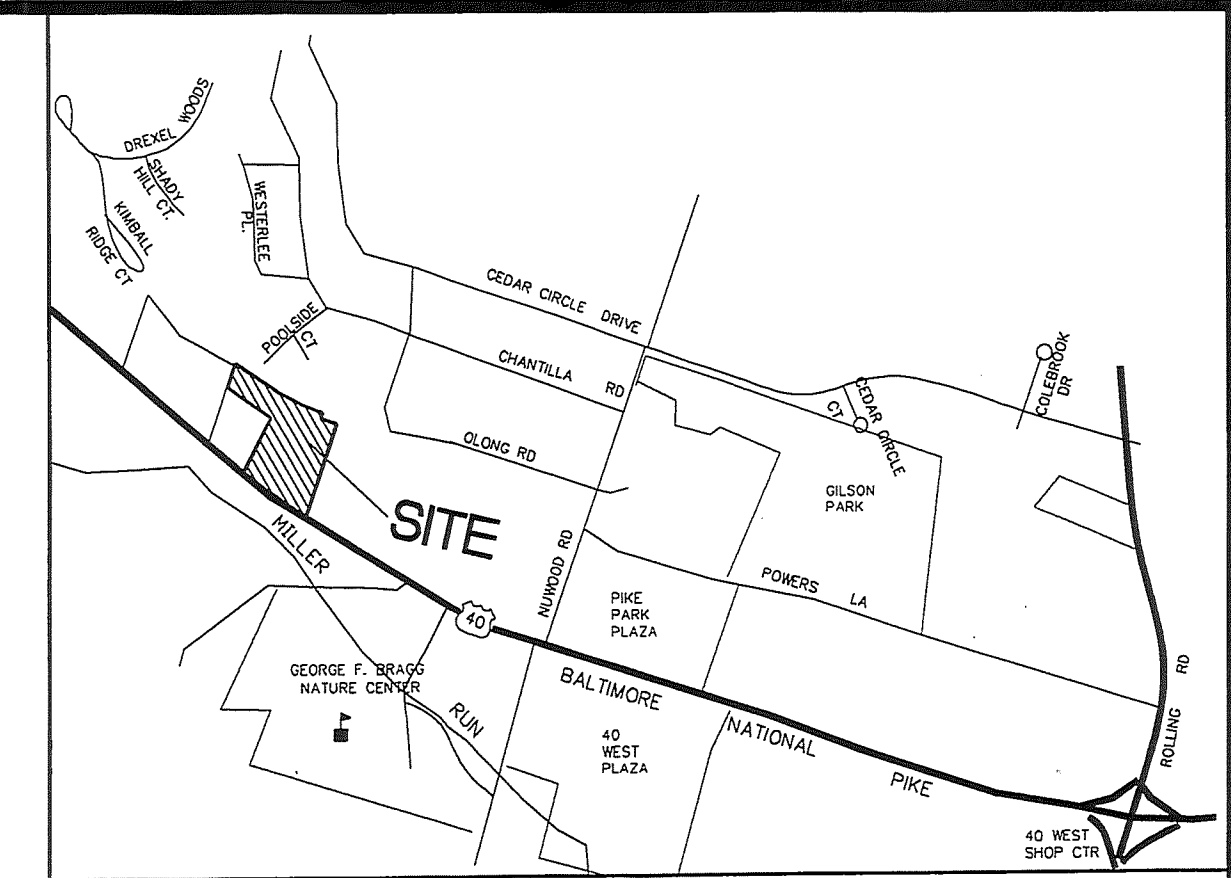
MAZDA/SUBARU

REQUIRED:
EXISTING SHOWROOM - 6,697 SQ.FT. @ 5/1000 = 33.5
AUTOSERVICE - 17,504 SQ.FT. @ 3.3/1000 = 57.8
SERVICE WRITE-UP 1,798 SQ.FT. @ 3.3/1000 = 5.9
BODY REPAIR SHOP - 16,161 SQ.FT. @ 3.3/1000 = 53.4

VOLKSWAGEN

REQUIRED:
NEW CAR SHOWROOM - 5,535 SQ.FT. @ 5/1000 = 27.7
SERVICE BAYS - 1,295 SQ.FT. @ 3.3/1000 = 4.3

TOTAL PARKING REQUIRED: 186 SPACES
TOTAL PARKING PROPOSED: 283 SPACES (INCLUDING 55 SERVICE BAYS)



VICINITY MAP
SCALE: 1" = 1000'

SITE ANALYSIS

- OWNER/DEVELOPER: RUSSELLS LLC
6700 BALTIMORE NATIONAL PIKE
BALTIMORE, MARYLAND 21228-3909
(410) 788-8400
- ELECTION DISTRICT: 1st
COUNCILMANIC DISTRICT: 1st
CENSUS TRACT: 4015.04
- TRACT AREA: 209,275 SQ.FT.± OR 4.8043 Acs (Net)/
221,367 SQ.FT.± OR 5.0819 Acs (Gross)
- EXISTING ZONING: BR (ZONING MAP 94-B3)
- DEED REFERENCE: 10743/516
- TAX ACCOUNT NUMBER: 01-2200021359
- EXISTING USE: AUTOMOBILE SALES & SERVICE
- PROPOSED USE: AUTOMOBILE SALES & SERVICE
- EXISTING WATER AND SEWER SERVICE IS PUBLIC AND WILL
BE MAINTAINED. THE EXISTING WATER AND SEWER HOUSE
CONNECTIONS WILL BE UTILIZED.
- DRC NUMBER 11229C GRANTED AN A-7 LIMITED EXEMPTION,
DATED 12/16/1999. (VOLKSWAGEN)
- DRC NUMBER 041000F GRANTED AN A-7 LIMITED EXEMPTION,
DATED 5/5/2000. (MAZDA/SUBARU)
- DRC NUMBER 062501A GRANTED AN A-7 LIMITED EXEMPTION,
BODY SHOP ADDITION 5/5/2000. (MAZDA/SUBARU)
- ZONING HISTORY:
IN CASE NO. 1929, ON FEBRUARY 15, 1951, THE ZONING
COMMISSIONER APPROVED A RECLASSIFICATION FROM A RESIDENTIAL
ZONE TO A COMMERCIAL ZONE.
IN CASE NO. 2643-5, ON JULY 27, 1953, THE ZONING COMMISSIONER
APPROVED A SPECIAL PERMIT FOR AN ADVERTISING STRUCTURE.
IN CASE NO. 64-1989A, ON JULY 9, 1964, THE ZONING
COMMISSIONER APPROVED A RECLASSIFICATION FROM R-10 TO BR
AND A VARIANCE TO SECTION 238.2 TO PERMIT AN INTERIOR SIDE
YARD OF 10.76 FEET IN LIEU OF THE REQUIRED 30 FEET.
IN CASE NO. 66-4R, ON JULY 6, 1965, THE ZONING COMMISSIONER
APPROVED A RECLASSIFICATION FROM R-10 TO BR.
IN CASE NO. 01-277-A, ON MARCH 12, 2001, THE ZONING
COMMISSIONER APPROVED A VARIANCE FOR A FREESTANDING SIGN OF
72 SQUARE FEET IN LIEU OF 50 SQUARE FEET.
- PREVIOUS COMMERCIAL PERMITS:
B 451893 - SIGN; B451549 - SIGN; B437079 - BLDG ADD'N
B424675 - GRADING; B424670 - BLDG ADD'N
B419156 BLDG ALTERATION; B305416 - RAZING
- EXISTING TOPOGRAPHY INFORMATION SHOWN HEREON IS A
COMPILATION OF A SURVEY CONDUCTED BY COLBERT MATZ
ROSENFELT, INC. AND AVAILABLE RECORDS. BOUNDARY SHOWN
HEREON IS A DEED PLOT ONLY AND DOES NOT REPRESENT A
BOUNDARY SURVEY.

FRONT SETBACK DETERMINATION:

ADJACENT TO WEST: 64'
ADJACENT TO EAST: 51'
AVERAGE SETBACK: 57.5'

PLAN TO ACCOMPANY VARIANCE PETITION

RUSSEL SUBARU
6624 BALTIMORE NATIONAL PIKE

PETITIONER'S

EXHIBIT NO. 1

1st ELECTION DISTRICT
1st COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

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 No. 9752 Expiration Date: 02-28-12

DESIGNED: CMR

DRAWN: EVI/AKC

CHECKED: KJC

FILE: 99186 SUBURU VAR.dwg

DRAWING NUMBER: VAR-1

NO. DATE REVISIONS: BY SHEET 1 OF 1

