

**IN RE: PETITIONS FOR SPECIAL HEARING \*  
AND VARIANCE**

SE Side of Parkwood Road, 212' SW of \*  
c/line of North Point Road \*  
12<sup>th</sup> Election District \*  
7<sup>th</sup> Councilmanic District \*  
(2 Parkwood Road) \*

BEFORE THE  
OFFICE OF  
ADMINISTRATIVE HEARINGS  
FOR BALTIMORE COUNTY

John W. Searfoss and Charles P. Patterson \*  
*Legal Owners*  
Nicolett Zizos, et al, *Contract Purchaser* \*  
Petitioners

Case No. 2011-0316-SPHA

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings for consideration of Petitions for Special Hearing and Variance filed by John W. Searfoss and Charles P. Patterson, the legal owners of the subject property, and Nicolett Zizos, et al, contract purchaser. Petitioners request Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR.") as follows:

- A modified parking space and loading space plan in accordance with BCZR Section 409.12.B; and/or in the alternative;
- Off-site parking spaces for uses other than residential and lodging, within 500 feet walking distance of a building entrance to use that such spaces serve in accordance with BCZR Section 409.7.B.1;
- A use permit for the use of land in a residential zone for parking facilities to meet the requirements of Section 409.6 of the BCZR, pursuant to Section 409.8 of the BCZR;
- To allow access through a residential zone for a commercial use in accordance to the Zoning Commissioner's Policy Manual (ZCPM) Section 102.6.A.3; and
- Such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

ORDER RECEIVED FOR FILING

Date 10-15-11

By 

Additionally, Petitioners request Variance relief as follows:

- To allow a 10 foot buffer and setback for parking in a RTA in lieu of the required 50 foot buffer and the 75 foot setback in accordance with BCZR Section 1B01.1B.1.e.(5), and
- Such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

The subject property and requested relief are more fully described on the site plan, marked and accepted into evidence as Petitioners' Exhibit 1.

At the requisite public hearing in support of the requested relief was Nicolett Zizos, contract purchaser. Also appearing in support of the requested relief were John W. Searfoss and Kenneth James Wells with KJ Wells, Inc., the professional surveyor who prepared the site plan for the Petitioners. The file reveals that the Petition was properly advertised and the property was properly posted as required by the Baltimore County Zoning Regulations. There were no Protestants or other interested persons in attendance.

The Zoning Advisory Committee ("ZAC") comments were received by this Administrative Law Judge and are made a part of the record in this case. There were no adverse comments received from any of the County reviewing agencies.

Mr. Wells was accepted as an expert witness in the field of surveying and the regulations pertaining to development in Baltimore County, and proceeded to proffer Petitioners' presentation. He described the property in question as comprising approximately 0.143 acres of land situated in close proximity to the southeast side of Parkwood Road and the intersection of North Point Road in Dundalk. He stated that it was 150 feet deep, 50 feet wide, and split zoned DR 5.5 and BL-CCC, as indicated on Petitioners' Exhibit 1. The site, known as Lots 37 and 38 on the plat are both served by public sewer and water. The site in question is not located in a floodplain or subject to any other environmental constraints.

ORDER RECEIVED FOR FILING

Date 6-15-11

2

By [Signature]

He testified that the commercial property to which their request relates is also owned by the contract Petitioner, Nicolett Zizos, and presently contains ongoing offices, a nail salon, billiards hall, and a diner. The existing carpet and flooring business on the site (Lots 6, 7, and part of 8) also to be served by Petitioners' proposal and request, is owned by Searfoss and Patterson. He noted that for almost 50 years, the driveway from Parkwood Road to the rear of the store has been utilized for deliveries. He pointed out that under the proposal, there would also be sufficient space (required under 409.8) for a "turnaround."

Mr. Wells presented the proposal of Petitioners, to wit: the approval of 13 parking spaces, driveway and delivery capabilities from Parkwood Road to the rear of the commercial uses previously described. These are shown by the shaded area on the Plan to Accompany the Petition for Special Hearing and Variance (Petitioners' Exhibit 1). At the same time, Petitioners request a use permit so the proposed parking/delivery area could utilize DR zoned land.

The witness explained that there is not enough parking, primarily for employees of the commercial uses carried out on the site in question. As a result, Parkwood Road and the residential neighborhood on the west side of Parkwood Road is utilized for overflow parking by the patrons. The proposal is intended to avoid that situation. The witness referred to the shaded area of the plan, noting that, as a result of the impervious area in the proposal, they were able to avoid stormwater management issues and pointed out that only 2,500 square feet in total would be disturbed by the Petitioners' proposal.

Mr. Wells offered that the Petitioners proposed a Class "A" 10 foot in width planted buffer to separate the parking/loading area from the adjacent residential neighbors (the subject of the accompanying variance request in this matter). He described the existing lighting as 16 foot light fixtures. These lights had already been functioning on the property for many years. Finally,

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Date 6-15-11

By [Signature]

Petitioners will request a permit to raze the structure presently located on the proposed parking site, in order to allow sufficient access and use space.

The witness then directed himself to the specific statutory requirements for the relief being requested. As to the request for a modified parking space and loading space plan in accordance with Section 409.12.B of the B.C.Z.R., he stated that, as the physical realities of the site in question rendered the requirements for parking and loading space unduly difficult, the Petitioners are entitled to request a modified plan pursuant to the Section 409.8.B.1 of the B.C.Z.R. He asserted that the Petitioners would comply with the design standards of Section 409.8; that the commercial nature of the area was appropriate for the relief requested; and that there would be a positive impact on the surrounding community by providing space for parking that would otherwise be located on Parkwood Road and the adjacent residential community. He then briefly reiterated that, as noted on the Plan to Accompany (Petitioners' Exhibit 1), the driveway they propose on residential land is the only possible access from the public street (Parkwood Road) and the already existing commercial use to be served by the proposed parking/delivery area. Finally, Mr. Wells satisfactorily addressed the individual requirements of Section 502.1 of the B.C.Z.R., which is required for relief generally herein as well as specifically noted in B.C.Z.R. 409.8.B.1.e(4). He concluded thereupon that the requested relief would not result in any difficulties therein enumerated.

Mr. Wells then turned his attention to the variance relief requested by the Petitioners. He pointed to the size and configuration of the subject site vis-à-vis the existing commercial uses to be served; as well as the juxtaposition of commercial and residential land (as shown on the plan). In addition, he observed that the commercial use is located up to its property line. In sum, he believes that the above-noted conditions rendered the site unique. Given these physical realities,

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Date 6-15-11

By [Signature]

he asserts that there simply is not enough space to utilize the relief requested in the special hearing, if granted, on that site.

Considering all of the testimony and evidence presented, I find that the Petitioners have satisfied the requirements of Section 409.1.2.b (a modified parking space and loading space plan) as well those requirements for a use permit for the use of land in a residential zone for parking facilities under Section 409.6 of the B.C.Z.R.; both requests pursuant to the requirements under Section 409.8.A and B of the B.C.Z.R. In addition, I am convinced that the Petitioners' proposal satisfies the conditions and requirements set forth in the Zoning Commissioner's Policy Manual, Section 102.6.3. Moreover, Petitioners have properly addressed and satisfied the inquiries of Section 502.1 of the B.C.Z.R. I further find that the granting of the special hearing relief as set forth herein can be accomplished without injury to the public health, safety, and general welfare. In view of these determinations, and the granting of Petitioners' request pursuant to them, their request for off site parking spaces within 500 feet walking distance of a building entrance under Section 409.7.B.1 is rendered moot.

As regard the variance request, I am convinced that the property in question is in fact unique under the requirements of statute and case law. It is also clear that Petitioners could not act upon the granting of the special hearing request herein absent the granting of this accompanying variance. They would therefore be placed in a position of not being able to act upon that which was a permitted activity and use. Likewise, the granting of the variance would do substantial justice to the applicants under those circumstances.

Finally, I find that the variance can be granted in strict harmony with the spirit and intent of the said regulations and case law, and in such manner as to grant relief without injury to the public health, safety, and general welfare.

ORDER RECEIVED FOR FILING

Date 6-15-11

By [Signature]

Therefore, in all manner and form, I find that the variance requested can be granted in such a manner as to meet the requirements of Section 307 of the B.C.Z.R. as established in *Cromwell v. Ward*, 102 Md. App. 691 (1995). *McLean v Soley*, 270 Md. 208 (1973).

Pursuant to the advertisement, posting of the property and public hearing held, and after considering the testimony and evidence offered, I find that Petitioners' request for special hearing and variances should be granted.

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County this 15 day of June, 2011 that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR.") as follows:

- A modified parking space and loading space plan in accordance with BCZR Section 409.12.B; and
- A use permit for the use of land in a residential zone for parking facilities to meet the requirements of Section 409.6 of the BCZR, pursuant to Section 409.8 of the BCZR; and
- Access through a residential zone for a commercial use in accordance to the Zoning Commissioner's Policy Manual (ZCPM) Section 102.6.A.3,

be and are hereby GRANTED;

IT IS FURTHER ORDERED THAT the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR.") as follows:

- Off-site parking spaces for uses other than residential and lodging, within 500 feet walking distance of a building entrance to use that such spaces serve in accordance with BCZR Section 409.7.B.1,

be and hereby is RENDERED MOOT;

IT IS FURTHER ORDERED that the Petition for Variance relief as follows:

- To allow a 10 foot buffer and setback for parking in a RTA in lieu of the required 50 foot buffer and the 75 foot setback in accordance with BCZR Section 1B01.1B.1.e.(5), be and they are hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 6-15-11

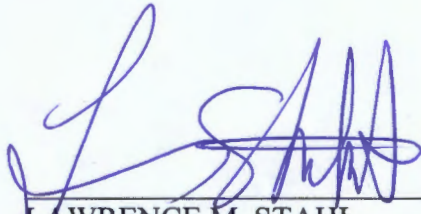
6

By [Signature]

The relief granted herein is subject to the following conditions:

1. Petitioners are advised that they may apply for any required building permits 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 for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. All landscaping buffers and lighting required herein shall be approved by Avery Harden, Baltimore County Landscape Architect.
3. Hours of delivery shall be limited to 9:00 am – 7:00 pm.
4. Petitioners shall utilize a durable, dustless surface in parking areas.
5. All parking areas granted under this Order shall be striped by Petitioners.

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

  
LAWRENCE M. STAHL  
Managing Administrative Law Judge  
for Baltimore County

LMS:pz

ORDER RECEIVED FOR FILING

Date 6-15-11

By pm



KEVIN KAMENETZ  
*County Executive*

LAWRENCE M. STAHL  
*Managing Administrative Law Judge*  
JOHN E. BEVERUNGEN  
TIMOTHY M. KOTROCO  
*Administrative Law Judges*

June, 15, 2011

JOHN W. SEARFOSS AND CHARLES P. PATTERSON  
2707 NORTH POINT ROAD  
BALTIMORE MD 21222

Re: Petition for Special Hearing  
Case No. 2011-0316-SPH  
Property: 2 Parkwood Road

Dear Messrs. Seafoss and Patterson:

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 with the Department of Permits, Applications and Inspections an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Stahl", is written over the typed name.

LAWRENCE M. STAHL  
Managing Administrative Law Judge  
for Baltimore County

LMS/pz

Enclosure

c: Nicolett Zizos, PO Box 4833, Lutherville MD 21094  
Kenneth James Wells, KJ Wells, Inc., 7403 New Cut Road, Kingsville MD 21087



# Petition for Variance

to the **Zoning Commissioner of Baltimore County** for the property  
located at 2 Parkwood Road  
which is presently zoned BL-CCC/DR 5.5

Deed Reference: 7149 / 619 Tax Account # 1218011822

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)

See attached sheet.

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

If the variance is granted, the entire lot would be transferred to the adjoining property owners of Zizos and Frank to help alleviate the deficient number of existing parking spaces for their mix use commercial property.

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:

Nicolett Zizos et.al.

Name - Type or Print

Signature

Address

City

State

Telephone No.

Zip Code

## Legal Owner(s):

John Searfoss

Name - Type or Print

Signature

Charles Patterson

Name - Type or Print

Signature

2707 North Point Road

Address

443-463-6668

Telephone No.

Baltimore

City

Maryland

State

21222

Zip Code

## Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

City

State

Zip Code

## Representative to be Contacted:

Name

Address

City

State

Telephone No.

Zip Code

Case No. 2011-0316-SPHA

## Office Use Only

Estimated Length of Hearing  
Unavailable For Hearing

Reviewed by

Date

**kjWellsInc**  
*Land Surveying and Site Planning*

Telephone: (410) 592-8800  
Fax: (410) 817-4055  
Email: [kwells@kjwellsinc.com](mailto:kwells@kjwellsinc.com)

7403 New Cut Road  
Kingsville, Md. 21087-1132

February 3, 2011

**Variance Hearing Petition Request  
2 Parkwood Road  
Baltimore County  
Maryland**

1. To allow a 10 foot buffer and setback for parking RTA in lieu of the required 50 foot buffer and the 75 foot setback in accordance with bczr § 1 B 01.1.B. 1.e.(5); and
2. Such other and further relief as may be deemed necessary by the Zoning Commissioner for Baltimore County.



# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2 Parkwood Road  
which is presently zoned BL-CCC/DR 5.5

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

See attached sheet.

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

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

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

## Contract Purchaser/Lessee:

Nicolette Zizos et. al.

Name - Type or Print

Signature

2701 North Point Road

Address

Baltimore

City

Maryland

State

Telephone No.

21222

Zip Code

## Attorney For Petitioner:

Name - Type or Print

City

Signature

Company

Address

Telephone No.

City

State

Zip Code

## Legal Owner(s):

John Searfoss

Name - Type or Print

Signature

Charles Patterson

Name - Type or Print

Signature

2707 North Point Road

Address

Baltimore

City

Maryland

State

443-463-6668

Telephone No.

21222

Zip Code

## Representative to be Contacted:

Name

Address

City

Telephone No.

State Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING \_\_\_\_\_

UNAVAILABLE FOR HEARING \_\_\_\_\_

Reviewed By

Date

4/22/11

Case No. 2011-0316-SPHA

REV 9/15/98 ORDER RECEIVED FOR FILING

Date

6-15-11

By

**kjWellsInc**  
*Land Surveying and Site Planning*

Telephone: (410) 592-8800  
Fax: (410) 817-4055  
Email: [kwells@kjwellsinc.com](mailto:kwells@kjwellsinc.com)

7403 New Cut Road  
Kingsville, Md. 21087-1132

April 12, 2011

**Special Hearing Petition Request**  
**2 Parkwood Road**  
**Baltimore County**  
**Maryland**

1. A modified parking space and loading space plan in accordance with BCZR § 409.12.b; and/or, in the alternative,
2. Off-site parking spaces, for uses other than residential and lodging, within 500 feet walking distance of a building entrance to use that such spaces serve in accordance with BCZR § 409.7.b.1; and
3. A use permit for the use of land in a residential zone for parking facilities to meet the requirements of Section 409.6 of the BCZR, pursuant to section 409.8 of the BCZR; and
4. To allow access through a residential zone for a commercial use in accordance to the Zoning Commissioner's Policy Manual 102.6.3; and
5. Such other and further relief as may be deemed necessary by the Zoning Commissioner for Baltimore County.

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

No. **65981**

Date: 4/25/11

| Fund | Dept | Unit | Sub Unit | Rev     | Sub  | Dept | Obj | BS Acct | Amount |
|------|------|------|----------|---------|------|------|-----|---------|--------|
|      |      |      |          | Source/ | Rev/ |      |     |         |        |
| 20   | 200  | 0000 |          |         |      |      |     |         | 770    |
|      |      |      |          |         |      |      |     |         |        |
|      |      |      |          |         |      |      |     |         |        |
|      |      |      |          |         |      |      |     |         |        |
|      |      |      |          |         |      |      |     |         |        |
|      |      |      |          |         |      |      |     |         |        |

Total: 770

Rec From:

For:

2011 Agency - case # 2011-0000-501A

**DISTRIBUTION**

WHITE - CASHIER    PINK - AGENCY    YELLOW - CUSTOMER    GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**PAID RECEIPT**

BUSINESS MVA  
 4/25/2011 4/25/2011 10:00:00  
 BALTIMORE MVA  
 RECEIPT # 51501 4/25/2011  
 NO. 065014  
 Recpt fol 770.00  
 1770.00 0  
 (51) (000) (000) (000) (000)

**CASHIER'S  
 VALIDATION**

#### NOTICE OF ZONING HEARING

The Administrative Law Judges 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: # 2011-0316-SPHA

2 Parkwood Road

SE/side of Parkwood Road, 212 feet (+/-) SW of centerline of North Point Road

12th Election District — 7th Councilmanic District

Legal Owner(s): John Searfoss and Charles Patterson

Contract Purchaser: Nicolett Zizos, et. al.

**Special Hearing** for a modified parking space and loading space plan in accordance with BCZR, Section 409.12.b, and/or in the alternative, off-site parking spaces, for uses other than residential and lodging, within 500 feet walking distance of a building entrance to use that such spaces serve in accordance with BCZR, Section 409.7.b.1; and a use permit for the use of land in a residential zone for parking facilities to meet the requirements of Section 409.6 of the BCZR, pursuant to Section 409.8 of the BCZR; and to allow access through a residential zone for a commercial use in accordance to the Zoning Commissioner's Policy Manual 102.6.3 and such other and further relief as may be deemed necessary by the Administrative Law Judge of Baltimore County.

**Variance:** to allow a 10 foot buffer and setback for parking RTA in lieu of the required 50 foot buffer and the 75 foot setback in accordance with BCZR, Section 1B01.1.B.1.e(5) and such other and further relief as may be deemed necessary by the Administrative Law Judge.

**Hearing:** Friday, June 3, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

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

05/15/11 May 19

276007

## CERTIFICATE OF PUBLICATION

5/19/, 2011

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 5/19/, 2011.

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

*S. Wilkinson*

LEGAL ADVERTISING

# CERTIFICATE OF POSTING

Date: 5/17/11

RE: Case Number: 2011-0316-SPHA

Petitioner/Developer: Searfoss / Patterson

Date of Hearing/Closing: June 3, 2011 10AM

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 2 Parkwood Rd

The signs(s) were posted on 5/17/11  
(Month, Day, Year)

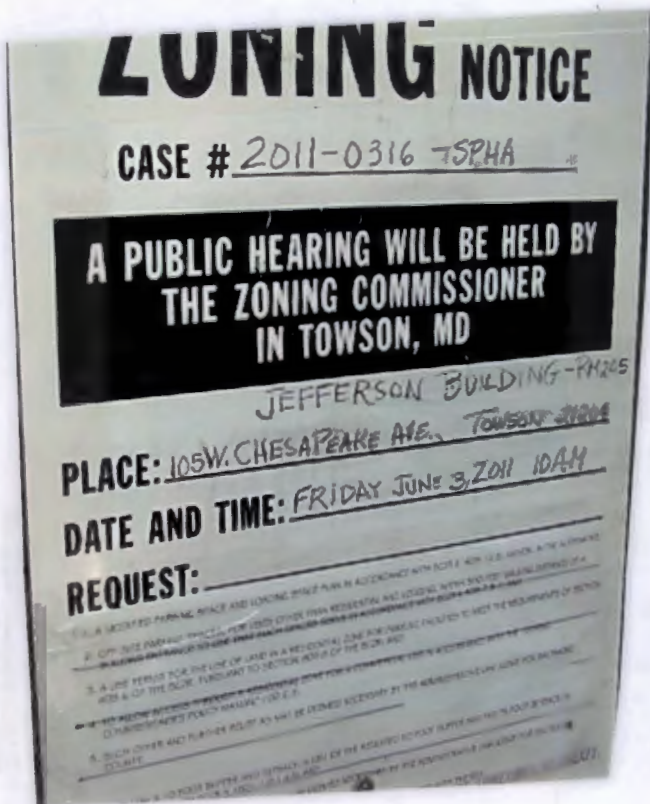
J. Lawrence Pilson  
(Signature of Sign Poster)

J. LAWRENCE PILSON  
(Printed Name of Sign Poster)

1015 Old Barn Road  
(Street Address of Sign Poster)

Parkton, MD 21120  
(City, State, Zip Code of Sign Poster)

410-343-1443  
(Telephone Number of Sign Poster)



TO: PATUXENT PUBLISHING COMPANY  
Thursday, May 19, 2011 Issue - Jeffersonian

Please forward billing to:

Kj Wells, Inc.  
7403 New Cut Road  
Kingsville, MD 21087

410-592-8800

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## NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2011-0316-SPHA**

2 Parkwood Road  
SE/side of Parkwood Road, 212 feet (+/-) SW of centerline of North Point Road  
12<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District  
Legal Owners: John Searfoss and Charles Patterson  
Contract Purchaser: Nicolett Zizos, et. al.

Special Hearing for a modified parking space and loading space plan in accordance with BCZR, Section 409.12.b, and/or in the alternative, off-site parking spaces, for uses other than residential and lodging, within 500 feet walking distance of a building entrance to use that such spaces serve in accordance with BCZR, Section 409.7.b.1; and a use permit for the use of land in a residential zone for parking facilities to meet the requirements of Section 409.6 of the BCZR, pursuant to Section 409.8 of the BCZR; and to allow access through a residential zone for a commercial use in accordance to the Zoning Commissioner's Policy Manual 102.6.3 and such other and further relief as may be deemed necessary by the Administrative Law Judge of Baltimore County. Variance to allow a 10 foot buffer and setback for parking RTA in lieu of the required 50 foot buffer and the 75 foot setback in accordance with BCZR, Section 1B01.1.B.1.e(5) and such other and further relief as may be deemed necessary by the Administrative Law Judge.

Hearing: Friday, June 3, 2011 at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon  
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ  
County Executive

ARNOLD JABLON  
Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections

May 12, 2011

## NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2011-0316-SPHA**

2 Parkwood Road

SE/side of Parkwood Road, 212 feet (+/-) SW of centerline of North Point Road

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

Legal Owners: John Searfoss and Charles Patterson

Contract Purchaser: Nicolett Zizos, et. al.

Special Hearing for a modified parking space and loading space plan in accordance with BCZR, Section 409.12.b, and/or in the alternative, off-site parking spaces, for uses other than residential and lodging, within 500 feet walking distance of a building entrance to use that such spaces serve in accordance with BCZR, Section 409.7.b.1; and a use permit for the use of land in a residential zone for parking facilities to meet the requirements of Section 409.6 of the BCZR, pursuant to Section 409.8 of the BCZR; and to allow access through a residential zone for a commercial use in accordance to the Zoning Commissioner's Policy Manual 102.6.3 and such other and further relief as may deemed necessary by the Administrative Law Judge of Baltimore County. Variance to allow a 10 foot buffer and setback for parking RTA in lieu of the required 50 foot buffer and the 75 foot setback in accordance with BCZR, Section 1B01.1.B.1.e(5) and such other and further relief as may be deemed necessary by the Administrative Law Judge.

Hearing: Friday, June 3, 2011 at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

AJ:kl

C: Nicolett Zizos, P.O. Box 4833, Lutherville 21094  
John Searfoss, Charles Patterson, 2707 North Point Road, Baltimore 21222

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 19, 2011.**  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE

ZONING REVIEW OFFICE AT 410-887-3391  
Zoning Review | County Office Building  
111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048  
[www.baltimorecountymd.gov](http://www.baltimorecountymd.gov)

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS  
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.**

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**For Newspaper Advertising:**

Item Number or Case Number: 2011-0316-SPHA  
Petitioner: Nicolett Zizos, John Searfoss  
Address or Location: 2 Parkwood Road

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: KjWellsInc  
Address: 7403 New Cut Rd  
Kingsville, MD 21087  
Telephone Number: 410-592-8800



KEVIN KAMENETZ  
*County Executive*

ARNOLD JABLON  
*Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections*

May 20, 2011

John Searfoss  
Charles Patterson  
2707 North Point Road  
Baltimore, MD 21222

RE: Case Number 2011-0316-SPHA, 2 Parkwood Road

Dear Mr. Searfoss and Patterson,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 22, 2011. 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." in a cursive style.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel  
Nicolett Zizos et al., P. O. Box 4833, Lutherville, MD 21094



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

State Highway  
Administration

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

Maryland Department of Transportation

Date: 5-5-11

Ms. Kristen Matthews  
Baltimore County Department of  
Permits, Approvals and Inspections  
County Office Building, Room 109  
Towson, Maryland 21204

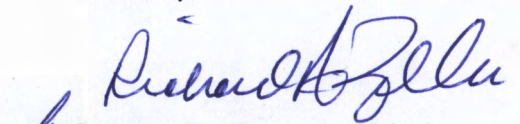
RE: Baltimore County  
Item No. 2011-0316 SPHA.  
Variance Special Hearing  
John Searfoss and Charles Patterson  
2 Parkwood Road

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2011-0316 SPHA.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at ([rzeller@sha.state.md.us](mailto:rzeller@sha.state.md.us)). Thank you for your cooperation.

Sincerely,

  
Steven D. Foster, Chief  
Access Management Division

SDF/rz

My telephone number/toll-free number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech: 1800.735.2258 Statewide toll free

Street address: 707 North Calvert Street - Baltimore, Maryland 21202 - Phone 410.545.0300 - [www.marylandroads.com](http://www.marylandroads.com)





**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
*County Executive*

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

April 28, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **May 2, 2011**

Item No.:

**Administrative Variance:** 2011-0312A, 2011-0317A – 0318A

**Special Hearing:** 2011-0311-SPH, 2011-0313-SPHX, 2011-0314-SPHA – 0316-SPHA

**Special Exception:** 2011-0313-SPHX

**Variance:** 2011- 0309A-0310A, 2011-0314-SPHA – 0316-SPHA, 2011-

**Comments:**

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector  
Baltimore County Fire Marshal's Office  
700 E. Joppa Road, 3<sup>RD</sup> Floor  
Towson, Maryland 21286  
Office: 410-887-4880  
dmuddiman@baltimorecountymd.gov  
cc: File

LS 6/3 10am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Lawrence M. Stahl; Managing Administrative Law Judge  
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability  
(DEPS) - Development Coordination

DATE: June 6, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-316-SPHA  
Address 2 Parkwood Road  
(Searfoss/Patterson Property)

Zoning Advisory Committee Meeting of May 2, 2011.

X The Department of Environmental Protection and Sustainability has no  
comments on the above-referenced zoning item.

Reviewer: *Jeff Livingston; Development Coordination.*

RECEIVED

JUN 06 2011

OFFICE OF ADMINISTRATIVE HEARINGS

|                                                                   |   |                     |
|-------------------------------------------------------------------|---|---------------------|
| RE: PETITION FOR SPECIAL HEARING                                  | * | BEFORE THE          |
| AND VARIANCE                                                      |   |                     |
| 2 Parkwood Road; SE side Parkwood Road                            | * | ZONING COMMISSIONER |
| 212ft. +/- SW of centerline North Point Road                      |   |                     |
| 12 <sup>th</sup> Election & 7 <sup>th</sup> Councilmanic District | * | FOR                 |
| Legal Owner(s): John Searfoss and                                 |   |                     |
| Charles Patterson                                                 | * | BALTIMORE COUNTY    |
| Contract Purchaser: Nicolett Zizos                                |   |                     |
| Petitioner(s)                                                     | * | 2011-0316-SPHA      |

\* \* \* \* \*

**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  
APR 28 2011  
*[Signature]*

*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 28<sup>th</sup> day of April, 2011, a copy of the foregoing Entry of Appearance was mailed to John Searfoss and Charles Patterson, 2707 North Point Road, Baltimore, Maryland 21222, Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

**Debra Wiley - Re: 2011-0316-SPHA - 6/3**

---

**From:** Debra Wiley  
**To:** Lewis, Kristen  
**Date:** 6/1/2011 2:44 PM  
**Subject:** Re: 2011-0316-SPHA - 6/3

---

Kristen,

Thanks, I appreciate that.

Debbie Wiley  
Legal Administrative Secretary  
Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Md. 21204  
410-887-3868  
410-887-3468 (fax)  
dwiley@baltimorecountymd.gov

>>> Kristen Lewis 6/1/2011 2:42 PM >>>  
Hi Debbie,

I have checked with everyone in the office and we don't have any more correspondence for that case. That does seem a little strange but, there is nothing even pending to go in the file. Ill let you know if something shows up.

>>> Debra Wiley 6/1/2011 2:27 PM >>>  
Hi there,

In reviewing the attached file scheduled for this Friday, June 3rd, it appears we've only received ZAC comments from the Fire Dept. & State Highway. Just double checking to see if there's anything else as it's unusual ... although I do have both the newspaper advertisement & sign posting. Also, any entry of appearance for counsel?

Please let me know one way or another. Thanks.

Debbie Wiley  
Legal Administrative Secretary  
Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Md. 21204  
410-887-3868  
410-887-3468 (fax)  
dwiley@baltimorecountymd.gov

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

[Go Back](#)  
[View Map](#)  
[New Search](#)  
[GroundRent](#)  
[Redemption](#)  
[GroundRent](#)  
[Registration](#)

**Account Identifier:**

District - 12 Account Number - 1218011822 ✓

**Owner Information**

|                         |                                                |                             |                       |
|-------------------------|------------------------------------------------|-----------------------------|-----------------------|
| <b>Owner Name:</b>      | SEARFOSS JOHN W<br>PATTERSON CHARLES P         | <b>Use:</b>                 | RESIDENTIAL           |
| <b>Mailing Address:</b> | 2707 NORTH POINT RD<br>BALTIMORE MD 21222-1607 | <b>Principal Residence:</b> | NO                    |
|                         |                                                | <b>Deed Reference:</b>      | 1)/07149/ 00619<br>2) |

**Location & Structure Information**

|                         |                            |
|-------------------------|----------------------------|
| <b>Premises Address</b> | <b>Legal Description</b>   |
| 2 PARKWOOD RD<br>0-0000 | LT 37,38<br><br>GRAY MANOR |

|            |             |               |                     |                    |                |              |            |                        |                  |
|------------|-------------|---------------|---------------------|--------------------|----------------|--------------|------------|------------------------|------------------|
| <b>Map</b> | <b>Grid</b> | <b>Parcel</b> | <b>Sub District</b> | <b>Subdivision</b> | <b>Section</b> | <b>Block</b> | <b>Lot</b> | <b>Assessment Area</b> | <b>Plat No:</b>  |
| 0103       | 0006        | 0438          |                     | 0000               | H              |              | 37         | 3                      | <b>Plat Ref:</b> |

**Special Tax Areas**

|                   |      |
|-------------------|------|
| <b>Town</b>       | NONE |
| <b>Ad Valorem</b> |      |
| <b>Tax Class</b>  |      |

|                                |                      |                           |                   |
|--------------------------------|----------------------|---------------------------|-------------------|
| <b>Primary Structure Built</b> | <b>Enclosed Area</b> | <b>Property Land Area</b> | <b>County Use</b> |
| 1943                           | 702 SF               | 7,500 SF                  | 04                |

|                |                 |                      |                 |
|----------------|-----------------|----------------------|-----------------|
| <b>Stories</b> | <b>Basement</b> | <b>Type</b>          | <b>Exterior</b> |
| 1.000000       | NO              | STANDARD UNIT SIDING |                 |

**Value Information**

|                           | <b>Base Value</b> | <b>Value</b> | <b>Phase-in Assessments</b> |            |
|---------------------------|-------------------|--------------|-----------------------------|------------|
|                           |                   | As Of        | As Of                       | As Of      |
|                           |                   | 01/01/2009   | 07/01/2010                  | 07/01/2011 |
| <b>Land</b>               | 49,500            | 49,500       |                             |            |
| <b>Improvements:</b>      | 64,560            | 81,860       |                             |            |
| <b>Total:</b>             | 114,060           | 131,360      |                             | 131,360    |
| <b>Preferential Land:</b> | 0                 |              |                             | 0          |

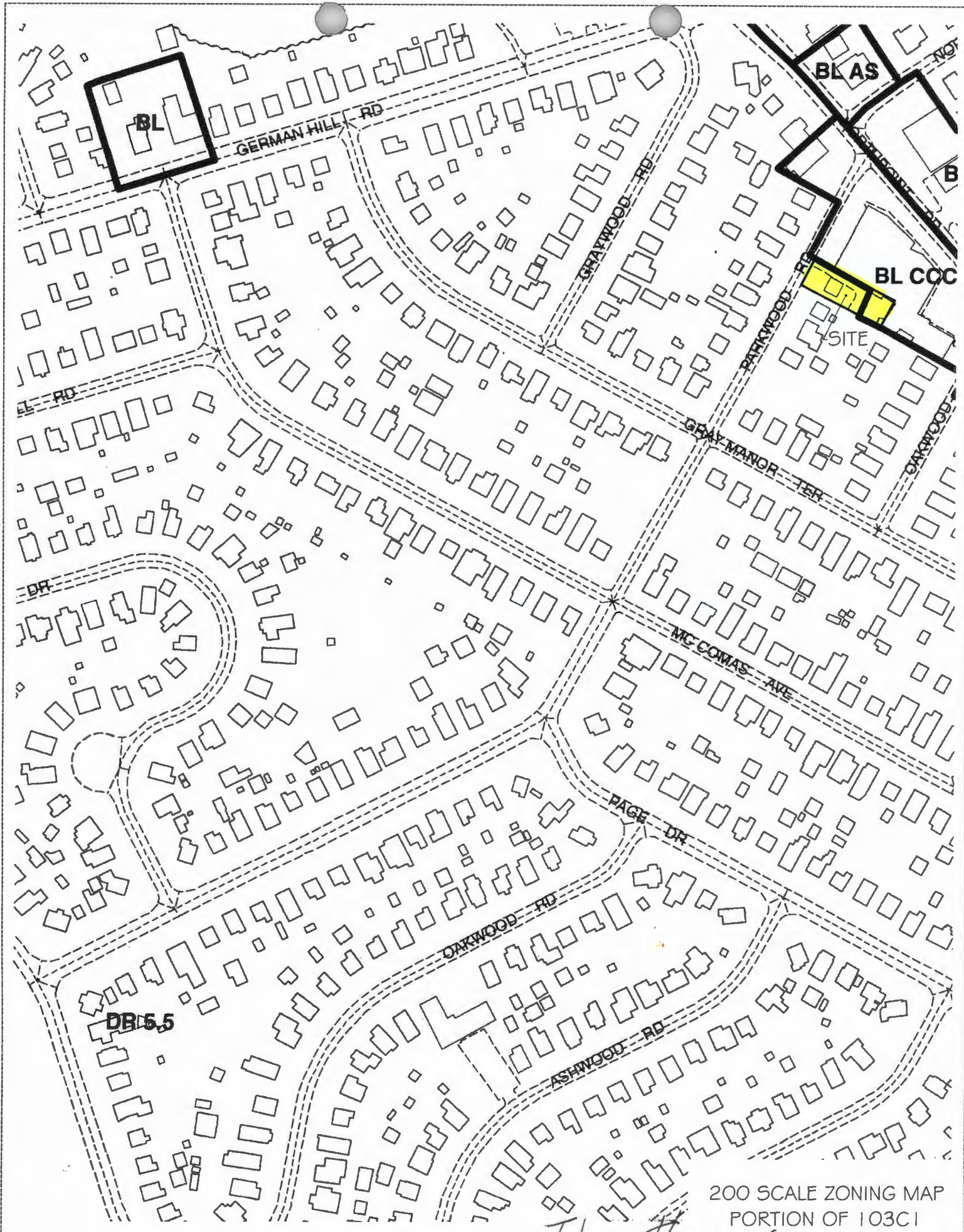
**Transfer Information**

|                |                       |               |               |               |     |
|----------------|-----------------------|---------------|---------------|---------------|-----|
| <b>Seller:</b> | REPP SAMUEL R         | <b>Date:</b>  | 05/06/1986    | <b>Price:</b> | \$0 |
| <b>Type:</b>   | NON-ARMS LENGTH OTHER | <b>Deed1:</b> | /07149/ 00619 | <b>Deed2:</b> |     |
| <b>Seller:</b> |                       | <b>Date:</b>  |               | <b>Price:</b> |     |
| <b>Type:</b>   |                       | <b>Deed1:</b> |               | <b>Deed2:</b> |     |
| <b>Seller:</b> |                       | <b>Date:</b>  |               | <b>Price:</b> |     |
| <b>Type:</b>   |                       | <b>Deed1:</b> |               | <b>Deed2:</b> |     |

**Exemption Information**

|                                   |              |            |            |
|-----------------------------------|--------------|------------|------------|
| <b>Partial Exempt Assessments</b> | <b>Class</b> | 07/01/2011 | 07/01/2012 |
| <b>County</b>                     |              |            | 0.00       |
| <b>State</b>                      |              |            | 0.00       |
| <b>Municipal</b>                  |              |            | 0.00       |

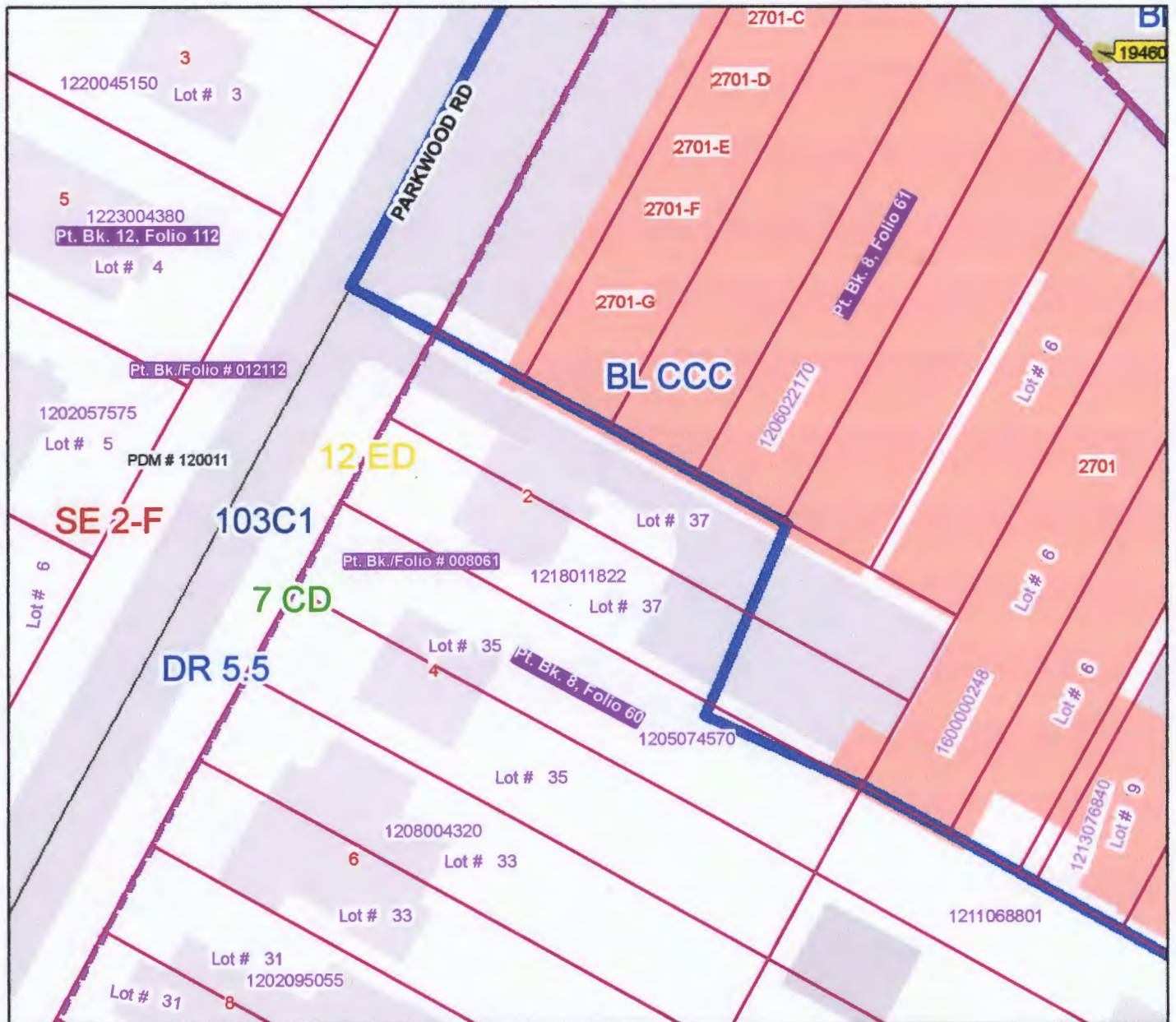
|                      |                               |
|----------------------|-------------------------------|
| <b>Tax Exempt:</b>   | <b>Special Tax Recapture:</b> |
| <b>Exempt Class:</b> | * NONE *                      |



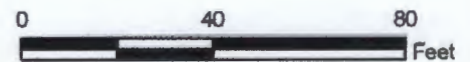
200 SCALE ZONING MAP  
PORTION OF 103C1

Item #0316

2 Parkwood Road



Publication Date: April 20, 2011  
Publication Agency: Department of Permits & Development Management  
Projection/Datum: Maryland State Plane,  
FIPS 1900, NAD 1983/91 HARN, US Foot



1 inch = 40 feet

Item # 0316

PLEASE PRINT CLEARLY

CASE NAME 2 PARKWOOD RD.  
CASE NUMBER 2011-0316-SPHA  
DATE 6/3/2011

## PETITIONER'S SIGN-IN SHEET

[illegible]

Case No.:

2011-0316 SEHA

Exhibit Sheet

Petitioner/Developer

Protestants

|        |                                          |  |
|--------|------------------------------------------|--|
| No. 1  | PLAN TO ACCOMPANY<br>REQUEST             |  |
| No. 2  | Deed dated 4-30-86                       |  |
| No. 3  | PLAN FOR GRAY MANOR<br>Lots #37+38       |  |
| No. 4  | PHOTOS OF SITE A-Q                       |  |
| No. 5  | <del>PHOTO</del> Aerial PHOTO OF<br>SITE |  |
| No. 6  | PLAN OF LOT                              |  |
| No. 7  |                                          |  |
| No. 8  |                                          |  |
| No. 9  |                                          |  |
| No. 10 |                                          |  |
| No. 11 |                                          |  |
| No. 12 |                                          |  |

THIS DEED, Made this 30<sup>th</sup> day of April, 1986, by and between T. BAYARD WILLIAMS, JR., Personal Representative of the Estate of Samuel R. Repp, Deceased, party of the first part, Grantor, and JOHN W. SEARFOSS and CHARLES P. PATTERSON, of Baltimore County, State of Maryland, parties of the second part, Grantees.

WHEREAS, Samuel R. Repp, late of Baltimore County, State of Maryland, departed this life on the 9th day of January, 1986 and thereafter his Last Will and Testament was probated in the Orphans' Court of Baltimore County, and is now recorded among the Wills Records of the Register of Wills for Baltimore County, and therein T. Bayard Williams, Jr., Grantor herein, was named Personal Representative of the said Decedent's Estate and qualified as such by filing his approved bond. (See Estate No. 38463); and

WHEREAS, on March 6, 1986, the parcels of ground hereinafter described were sold at private sale to the said John W. Searfoss and Charles P. Patterson for the sum of One Hundred Fifteen Thousand Dollars, (\$115,000.00), said sale being authorized under the terms of Section 7-401 of The Estates and Trusts Article of the Annotated Code of Public General Laws of the State of Maryland, and the Last Will and Testament aforesaid, pursuant to which authorities this Deed is hereby executed; and

WHEREAS, the purchase money, in the sum of One Hundred Fifteen Thousand Dollars (\$115,000.00), has been fully paid to the said Personal Representative.

WITNESSETH: That in consideration of the sum of One Hundred Fifteen Thousand Dollars (\$115,000.00), and other good and valuable considerations, receipt of which hereby acknowledged, the said T. Bayard Williams, Jr., Personal Representative of the Estate of Samuel R. Repp, Deceased, in exercise and in pursuance of the powers hereinabove referred to, does hereby grant and convey unto the said John W. Searfoss and Charles P. Patterson, their personal representatives and assigns, in fee simple, all those lots of ground situate, lying and being in Baltimore County, State of Maryland, and described as follows:

AGRICULTURAL TRANSFER TAX  
NOT APPLICABLE

SIGNATURE [Signature] DATE 5-1-86

STATE DEPARTMENT OF  
ASSESSMENTS & TAXATION

CLERK [Signature] DATE 5-1-86

0128\*\*\*\*10400010 8068A

PETITIONER'S

EXHIBIT NO.

#2



PETITIONER'S

EXHIBIT NO.

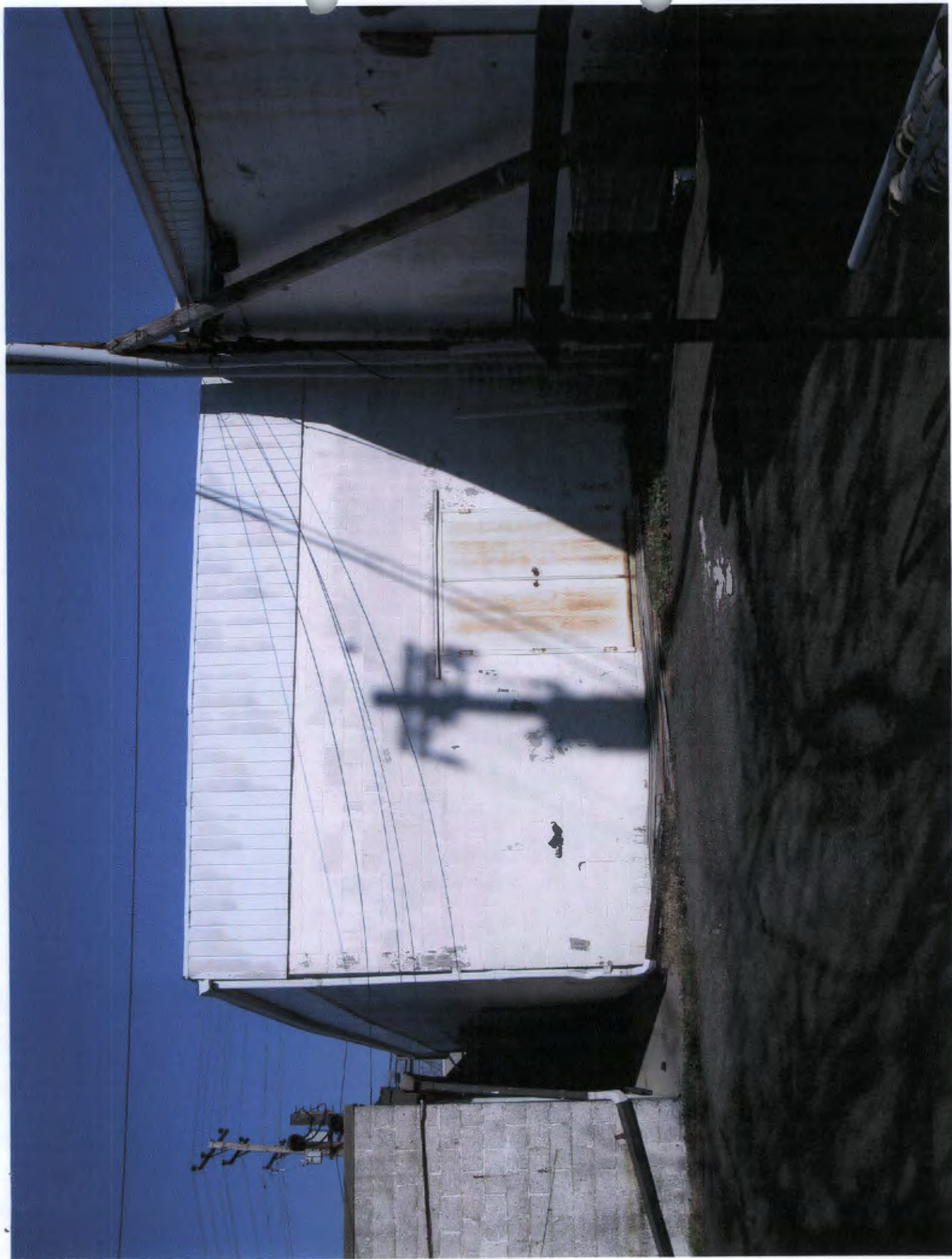
#4

A-Q





















# WAREHOUSE TILE & Carpet

2707

MOHAWK  
COLORCENTER

Carpet

Wood

MOHAWK  
COLORCENTER

1965  
128  
275





PETITIONER'S

EXHIBIT NO. \_\_\_\_\_

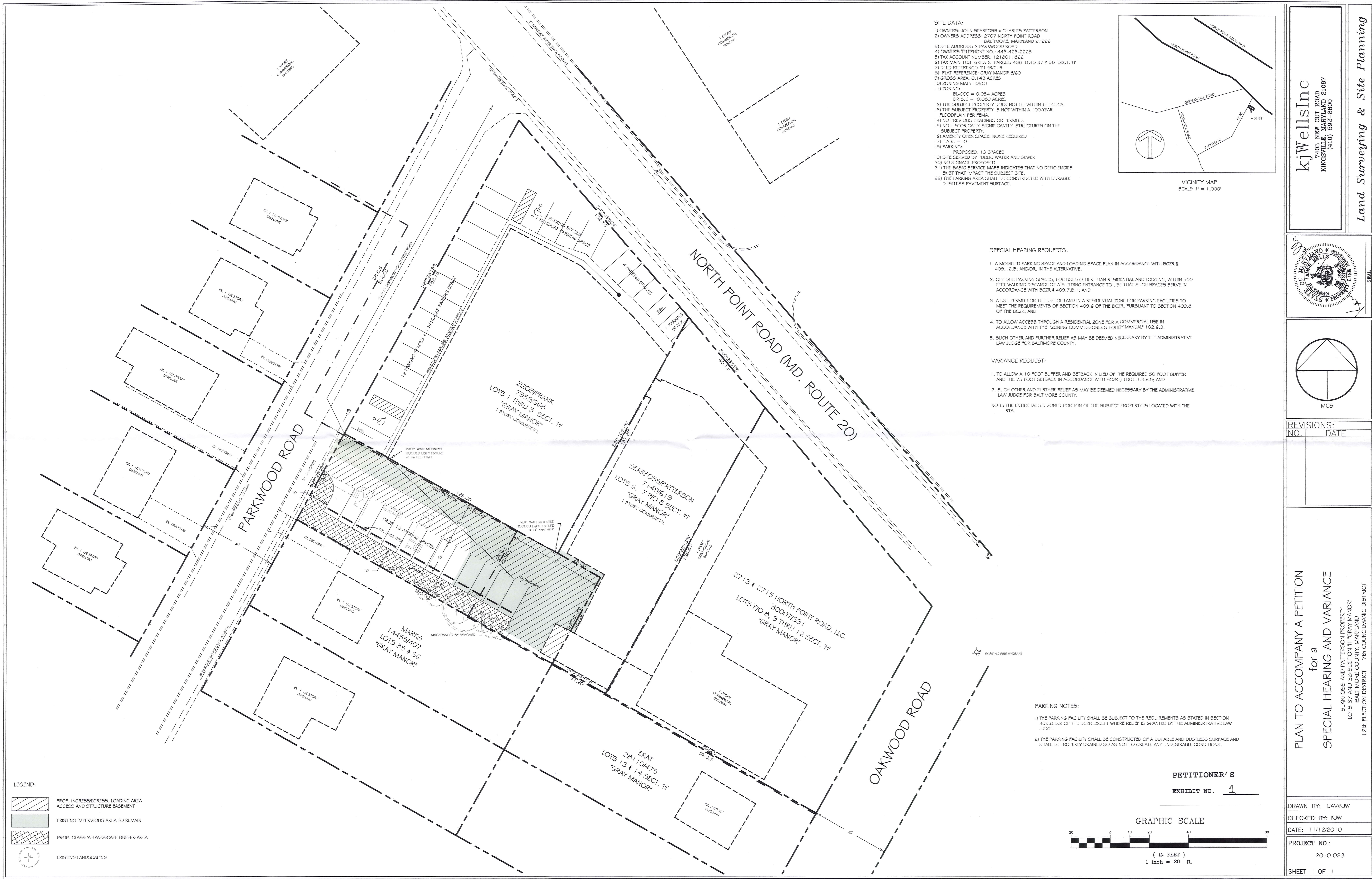
#5

SCALE: 1"=74'±

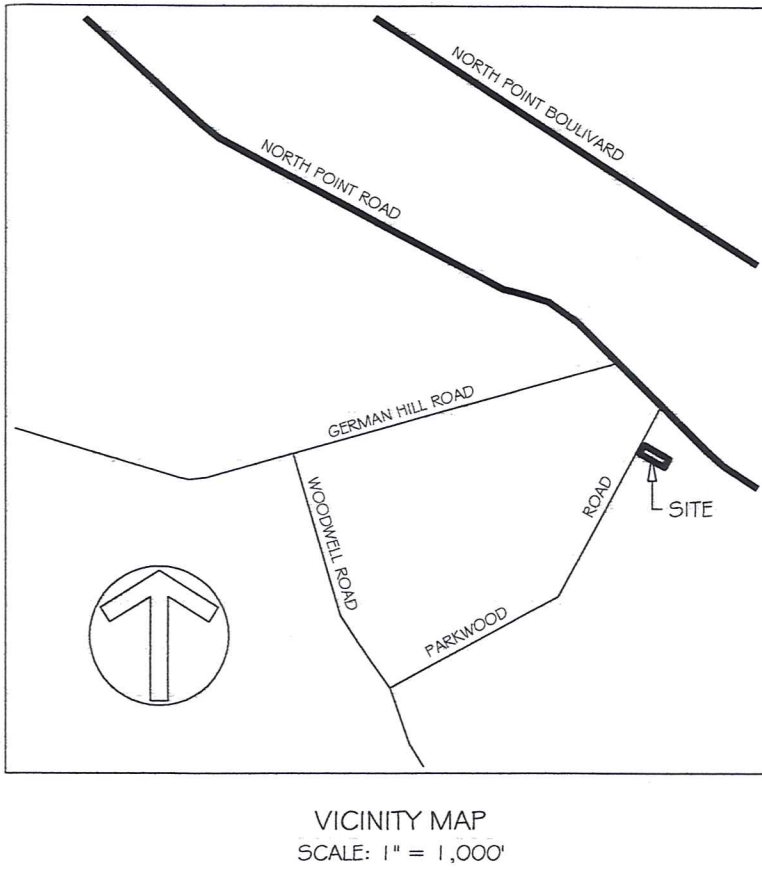


PETITIONER' S

EXHIBIT NO. #6



SITE DATA:  
1) OWNERS: JOHN SEARFOSS & CHARLES PATTERSON  
2) OWNERS ADDRESS: 2707 NORTH POINT ROAD BALTIMORE, MARYLAND 21222  
3) SITE ADDRESS: 2 PARKWOOD ROAD  
4) OWNERS TELEPHONE NO.: 443-463-6666  
5) TAX ACCOUNT NUMBER: 1218011822  
6) TAX MAP: 103 GRID: 6 PARCEL: 438 LOTS 37 & 38 SECT. 11  
7) DEED REFERENCE: 7149/619  
8) PLAT REFERENCE: GRAY MANOR & CO  
9) GROSS AREA: 0.143 ACRES  
10) ZONING MAP: 103C1  
11) ZONING:  
BL-CC = 0.054 ACRES  
DR 5.5 = 0.089 ACRES  
12) THE SUBJECT PROPERTY DOES NOT LIE WITHIN THE CBA.  
13) THE SUBJECT PROPERTY IS NOT WITHIN A 100-YEAR FLOODPLAIN PER FEMA.  
14) NO PREVIOUS HEARINGS OR PERMITS.  
15) NO HISTORICALLY SIGNIFICANT STRUCTURES ON THE SUBJECT PROPERTY.  
16) AMENITY OPEN SPACE: NONE REQUIRED  
17) F.A.R. = 0  
18) PARKING:  
PROPOSED: 13 SPACES  
19) SITE SERVED BY PUBLIC WATER AND SEWER  
20) NO SIGNAGE PROPOSED  
21) THE BASIC SERVICE MAPS INDICATES THAT NO DEFICIENCIES EXIST THAT IMPACT THE SUBJECT SITE.  
22) THE PARKING AREA SHALL BE CONSTRUCTED WITH DURABLE DUSTLESS PAVEMENT SURFACE.



SPECIAL HEARING REQUESTS:

1. A MODIFIED PARKING SPACE AND LOADING SPACE PLAN IN ACCORDANCE WITH BCZR § 409.12.B; AND/OR, IN THE ALTERNATIVE,
2. OFF-SITE PARKING SPACES, FOR USES OTHER THAN RESIDENTIAL AND LODGING, WITHIN 500 FEET WALKING DISTANCE OF A BUILDING ENTRANCE TO USE THAT SUCH SPACES SERVE IN ACCORDANCE WITH BCZR § 409.7.B.1; AND
3. A USE PERMIT FOR THE USE OF LAND IN A RESIDENTIAL ZONE FOR PARKING FACILITIES TO MEET THE REQUIREMENTS OF SECTION 409.6 OF THE BCZR, PURSUANT TO SECTION 409.8 OF THE BCZR; AND
4. TO ALLOW ACCESS THROUGH A RESIDENTIAL ZONE FOR A COMMERCIAL USE IN ACCORDANCE WITH THE "ZONING COMMISSIONERS POLICY MANUAL" 102.6.3.
5. SUCH OTHER AND FURTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

VARIANCE REQUEST:

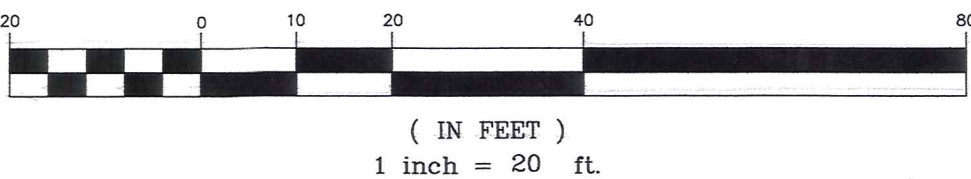
1. TO ALLOW A 10 FOOT BUFFER AND SETBACK IN LIEU OF THE REQUIRED 50 FOOT BUFFER AND THE 75 FOOT SETBACK IN ACCORDANCE WITH BCZR § 1501.1.B.2.5; AND
  2. SUCH OTHER AND FURTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.
- NOTE: THE ENTIRE DR 5.5 ZONED PORTION OF THE SUBJECT PROPERTY IS LOCATED WITHIN THE RTA.

PARKING NOTES:

- 1) THE PARKING FACILITY SHALL BE SUBJECT TO THE REQUIREMENTS AS STATED IN SECTION 409.B.B.2 OF THE BCZR EXCEPT WHERE RELIEF IS GRANTED BY THE ADMINISTRATIVE LAW JUDGE.
- 2) THE PARKING FACILITY SHALL BE CONSTRUCTED OF A DURABLE AND DUSTLESS SURFACE AND SHALL BE PROPERLY DRAINED SO AS NOT TO CREATE ANY UNDESIRABLE CONDITIONS.

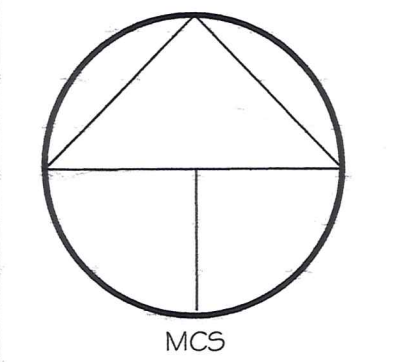
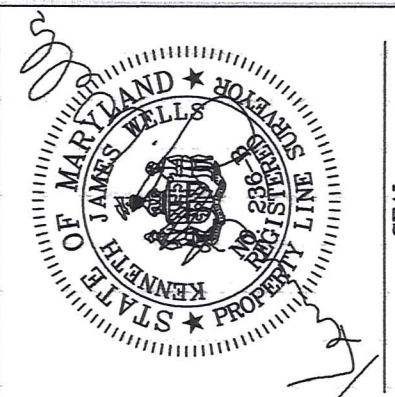
PETITIONER'S  
EXHIBIT NO. 1

GRAPHIC SCALE



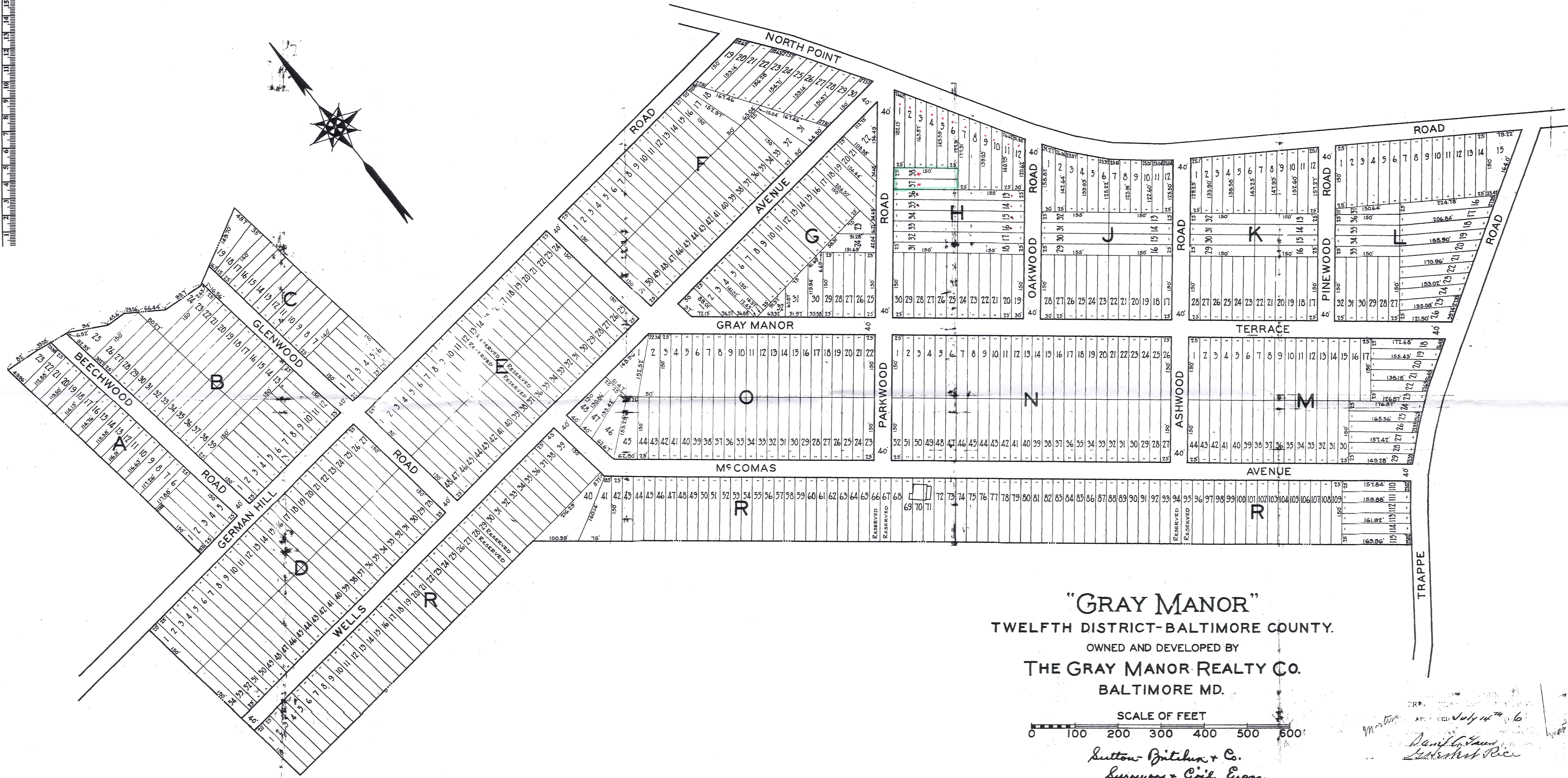
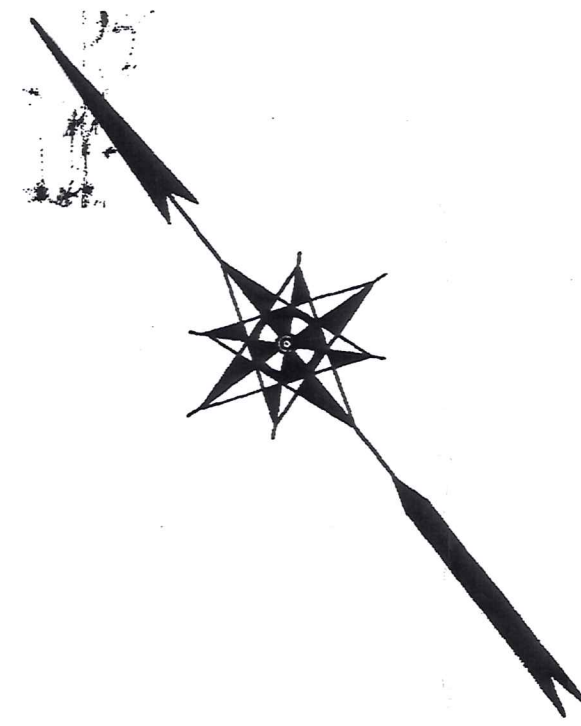
PLAN TO ACCOMPANY A PETITION  
for a  
SPECIAL HEARING AND VARIANCE  
SEARFOSS AND PATTERSON PROPERTY  
LOTS 37 AND 38 SECTION 11 "GRAY MANOR"  
BALTIMORE COUNTY, MARYLAND  
12th ELECTION DISTRICT 7th COUNCILMANIC DISTRICT

DRAWN BY: CAV/KJW  
CHECKED BY: KJW  
DATE: 11/12/2010  
PROJECT NO.:  
2010-023  
SHEET 1 OF 1

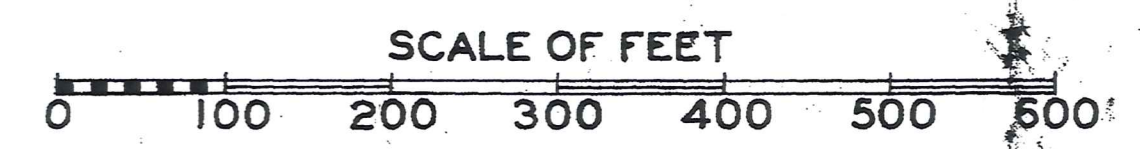


REVISIONS:  
NO. DATE

kjwellsInc  
7403 NEW CUT ROAD  
KINGSVILLE, MARYLAND 21087  
(410) 592-8800  
Land Surveying & Site Planning

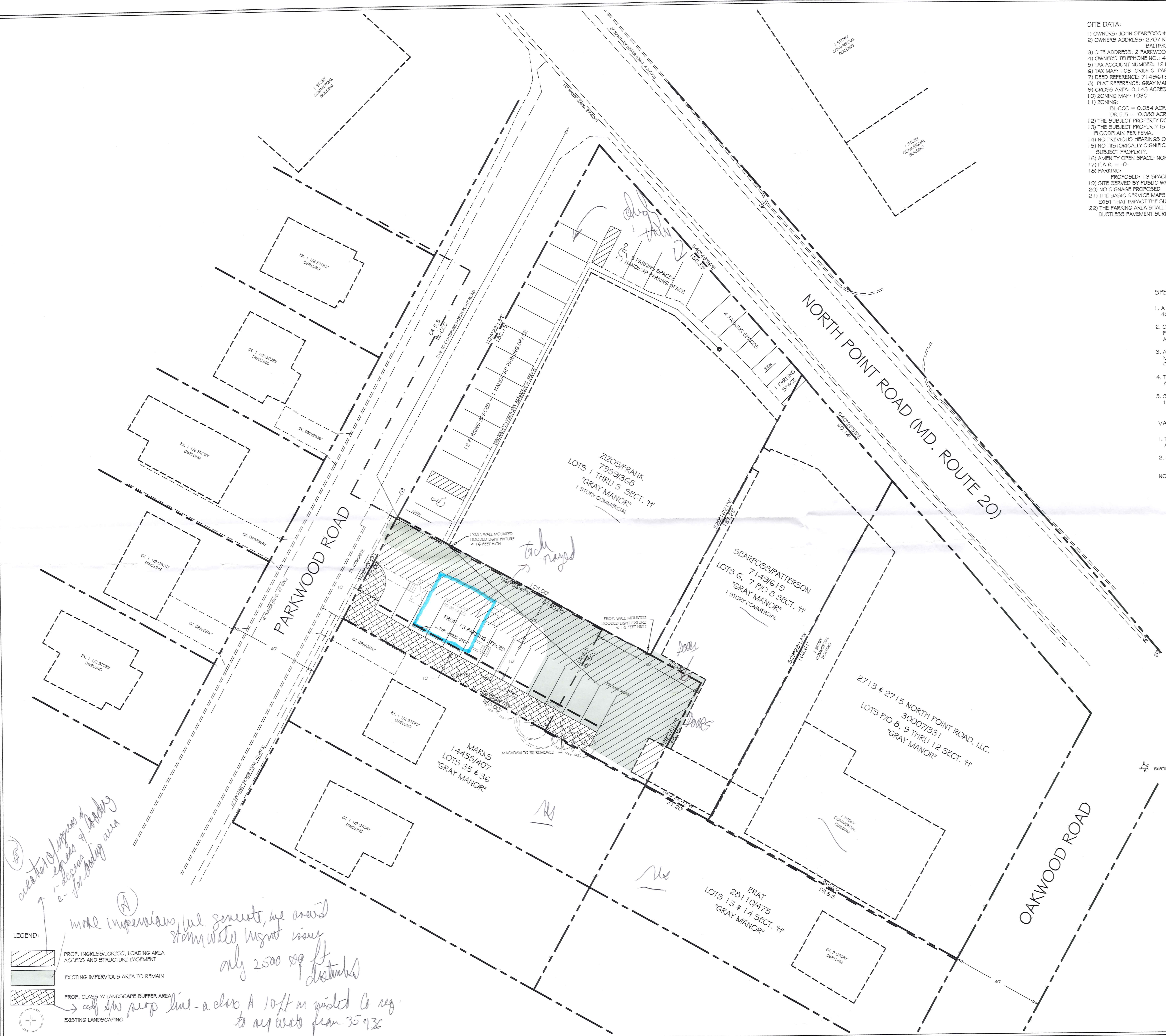


"GRAY MANOR"  
TWELFTH DISTRICT-BALTIMORE COUNTY.  
OWNED AND DEVELOPED BY  
THE GRAY MANOR REALTY CO.  
BALTIMORE MD.

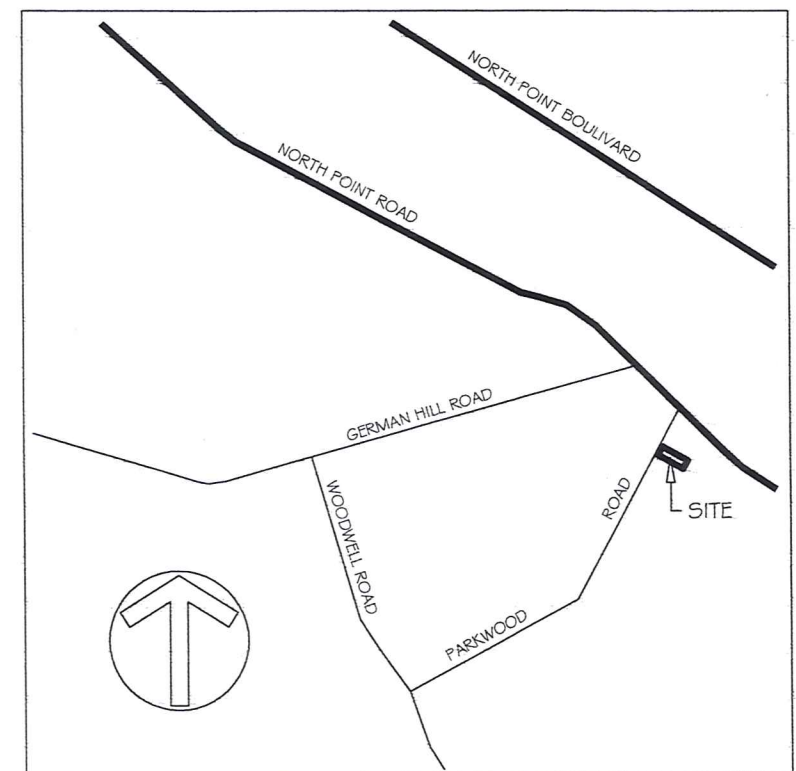


Sutton Brothers & Co.  
Surveyors & Civil Engrs.  
Balt. July 8-1926

APPROVED July 14<sup>th</sup> 1926  
Daniel G. Green  
Notary Public



SITE DATA:  
1) OWNERS: JOHN SEARFOSS & CHARLES PATTERSON  
2) OWNERS ADDRESS: 2707 NORTH POINT ROAD BALTIMORE, MARYLAND 21222  
3) SITE ADDRESS: 2 PARKWOOD ROAD  
4) OWNERS TELEPHONE NO.: 443-463-6668  
5) TAX ACCOUNT NUMBER: 1218011822  
6) TAX MAP: 103 GRID: 6 PARCEL: 438 LOTS 37 & 38 SECT. 11  
7) DEED REFERENCE: 71-49619  
8) PLAT REFERENCE: GRAY MANOR 2/60  
9) GROSS AREA: 0.143 ACRES  
10) ZONING MAP: 103C1  
11) ZONING: BL-COC = 0.054 ACRES DR 5.5 = 0.089 ACRES  
12) THE SUBJECT PROPERTY DOES NOT LIE WITHIN THE CBCA.  
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21) THE BASIC SERVICE MAPS INDICATES THAT NO DEFICIENCIES EXIST THAT IMPACT THE SUBJECT SITE  
22) THE PARKING AREA SHALL BE CONSTRUCTED WITH DURABLE DUSTLESS PAVEMENT SURFACE.

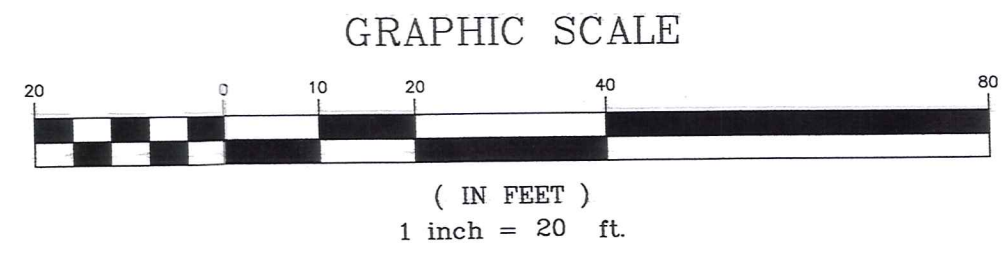


VICINITY MAP  
SCALE: 1" = 1,000'

- SPECIAL HEARING REQUESTS:
1. A MODIFIED PARKING SPACE AND LOADING SPACE PLAN IN ACCORDANCE WITH BCZR § 409.1.2.B; AND/OR, IN THE ALTERNATIVE,
  2. OFF-SITE PARKING SPACES, FOR USES OTHER THAN RESIDENTIAL AND LODGING, WITHIN 500 FEET WALKING DISTANCE OF A BUILDING ENTRANCE TO USE THAT SUCH SPACES SERVE IN ACCORDANCE WITH BCZR § 409.7.B.1; AND
  3. A USE PERMIT FOR THE USE OF LAND IN A RESIDENTIAL ZONE FOR PARKING FACILITIES TO MEET THE REQUIREMENTS OF SECTION 409.6 OF THE BCZR, PURSUANT TO SECTION 409.6 OF THE BCZR; AND
  4. TO ALLOW ACCESS THROUGH A RESIDENTIAL ZONE FOR A COMMERCIAL USE IN ACCORDANCE WITH THE "ZONING COMMISSIONERS POLICY MANUAL" 102.6.3.
  5. SUCH OTHER AND FURTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

- VARIANCE REQUEST:
1. TO ALLOW A 10 FOOT BUFFER AND SETBACK IN LIEU OF THE REQUIRED 50 FOOT BUFFER AND THE 75 FOOT SETBACK IN ACCORDANCE WITH BCZR § 1 B01.1.B.e.5; AND
  2. SUCH OTHER AND FURTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.
- NOTE: THE ENTIRE DR. 5.5 ZONED PORTION OF THE SUBJECT PROPERTY IS LOCATED WITH THE RTA.

- PARKING NOTES:
- 1) THE PARKING FACILITY SHALL BE SUBJECT TO THE REQUIREMENTS AS STATED IN SECTION 409.6.B.2 OF THE BCZR EXCEPT WHERE RELIEF IS GRANTED BY THE ADMINISTRATIVE LAW JUDGE.
  - 2) THE PARKING FACILITY SHALL BE CONSTRUCTED OF A DURABLE AND DUSTLESS SURFACE AND SHALL BE PROPERLY DRAINED SO AS NOT TO CREATE ANY UNDESIRABLE CONDITIONS.



LEGEND:

- PROP. INGRESS/EGRESS, LOADING AREA ACCESS AND STRUCTURE EASEMENT
- EXISTING IMPERVIOUS AREA TO REMAIN
- PROP. CLASS 'A' LANDSCAPE BUFFER AREA
- EXISTING LANDSCAPING

more impervious, the concrete, we are not stormwater mgmt issue only 2500 sq ft disturbed

add SW prop line - a class A 10ft m. needed to req. to req. area from 35.932

**kjWellsInc**  
7403 NEW CUT ROAD  
KINGSMILLE, MARYLAND 21087  
(410) 592-6800

**Land Surveying & Site Planning**

SEAL

REVISIONS:

| NO. | DATE |
|-----|------|
|     |      |
|     |      |
|     |      |

PLAN TO ACCOMPANY A PETITION  
for a  
SPECIAL HEARING AND VARIANCE

SEARFOSS AND PATTERSON PROPERTY  
LOTS 37 AND 38 SECTION 11 "GRAY MANOR"  
BALTIMORE COUNTY, MARYLAND  
12th ELECTION DISTRICT

DRAWN BY: CAV/KJW  
CHECKED BY: KJW  
DATE: 11/12/2010  
PROJECT NO.: 2010-023  
SHEET 1 OF 1