

IN RE: PETITION FOR VARIANCE

S side of Sparrows Point Road, 85 feet
E of School House Lane
15th Election District
7th Councilmanic District
(2207 Sparrows Point Road)

Knights of the Road, Inc.
Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

CASE NO. 2012-0009-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for consideration of a Petition for Variance filed by Knights of the Road, Inc., legal owners. Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows:

- From Sections 238.1 and 303.2 to permit a front yard setback of 22 feet in lieu of the required 37 feet average on a dual highway; and
- From Section 283.2 to permit a side yard setback of 10 feet and 17 feet in lieu of the required 40 feet; and
- From Section 409.8.A.4 to permit parking spaces with a 0 foot street right-of-way setback in lieu of the required 10 feet; and
- From Section 409.6.A.4 to permit 4 parking spaces in lieu of the required 41 spaces, or in the alternative, a special hearing for a modified parking plan is requested.

The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the variance request was Michael Seckens and William Meekins on behalf of Knights of the Road, Inc., the legal owners, and Patrick Richardson of Richardson Engineering, LLC, the professional engineer who prepared the site plan

ORDER RECEIVED FOR FILING

Date

By

9-1-11

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for the property. No Protestants attended the hearing, nor were any letters of protest or objection received by this Office.

It should be noted that this matter came before me as a result of a complaint registered with the Code Enforcement Division of the Department of Permits, Approvals and Inspections¹. Code Inspections and Enforcement Correction Notices were issued to the Petitioner on August 3, 2009 and again on March 10, 2011, for failure to obtain building permits for an addition and failure to obtain required inspections. Hence, Petitioner filed the instant Petitions to cure setback deficiencies and to approve a modified parking plan.

Testimony and evidence offered revealed that the subject property consists of 0.31 acres, more or less, and is split zoned BR and RO. The property is improved with an existing one story, 1,094 square feet building along with a parking lot area. The property is located on the south side of Sparrows Point Road just east of its intersection with School House Lane. The property is currently owned by the Knights of the Road, Inc., a local motorcycle club that has operated its club from this location since 1999 until the present time. The members of the club are in the process of adding a proposed 957 square feet one story addition to the rear of their existing clubhouse. The project began with the renovation of a canopy roof wherein the members thought they could save part of the structure. However, after beginning the project they realized that much of the structure that was existing had to be torn down and a complete new addition constructed thereon. Initially they felt they were not in need of securing building permits; however, once the old structure was torn down and new construction commenced, building permits were required which resulted in the Code Enforcement citation being issued. The Petitioner has filed the variance request and special hearing relief to legitimize the structures that exist on the property and to approve the new addition.

¹ Case No: CO-0065595

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Date

By

Two members of the Knights of the Road motorcycle club appeared and testified at the hearing. The Knights of the Road were formed and have been in the Baltimore area since 1970 to the present time. As stated previously, they have been at this location for the past 13 years. They utilize this facility as a meeting place for their club and have laid out a parking plan which in essence is designed to accommodate motorcycles. Members come and go from the clubhouse on their motorcycles and special hearing relief for a modified parking plan for motorcycle parking has been requested.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated August 1, 2011, which indicate the property is the subject of a code violation for the construction of the proposed addition without a building permit. There is a deck on the subject property that appears to be on or very close to the property line which may require a setback variance. Provide a vegetative buffer above the swale on the east side of the property to mitigate visual impacts, land use and potential noise. Additional onsite parking shall be for motorcycles only. No additional onsite parking shall be permitted for passenger vehicles.

ZAC comments were also received from the Department of Environmental Protection and Sustainability dated August 4, 2011. The subject property is located within the Chesapeake Bay Critical Area. According to B.C.Z.R. Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (DEPS) has provided written recommendations describing how the proposed request would:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area and is subject to Critical Area lot coverage requirements. The applicant is proposing to reduce the side and

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Date

By

front yard setbacks for parking as well as the number of required spaces. To minimize impacts on water quality, lot coverage requirements must be met. Reduction of setbacks and required parking spaces will help reduce lot coverage. By meeting the lot coverage requirements, the relief requested by the applicant will result in minimal impacts to water quality. However, EPS notes that the site plan submitted shows a proposed addition that appears to increase lot coverage beyond the allowable limits. Any future additions must meet all Critical Area requirements.

2. Conserve fish, wildlife, and plant habitat; and

This property is not waterfront. The applicant's plan accompanying this zoning petition shows that the requested relief will not increase the lot coverage on site, which will conserve fish habitat in Back River.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

The applicant's proposal is consistent with this goal. The relief requested will be consistent with established land-use policies provided that the applicants meet the requirements stated above.

Based upon the testimony and evidence presented, I am persuaded to grant the request for variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioner.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare.

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

I further find that the Petitioner's request for a modified parking plan to approve motorcycle parking on the property in the configuration depicted on the site plan shall be approved. The

ORDER RECEIVED FOR FILING

Date

By

testimony demonstrated that the requirements to provide parking on this site would create an undue hardship upon the applicants if they had to comply with those standards.

THEREFORE, IT IS ORDERED this 1st day of September, 2011 by this Administrative Law Judge that Petitioner's Variance request from the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows:

- From Sections 238.1 and 303.2 to permit a front yard setback of 22 feet in lieu of the required 37 feet average on a dual highway; and
- From Section 283.2 to permit a side yard setback of 10 feet and 17 feet in lieu of the required 40 feet; and
- From Section 409.8.A.4 to permit parking spaces with a 0 foot street right-of-way setback in lieu of the required 10 feet

be and are hereby GRANTED.

IT IS FURTHER ORDERED, that the Special Hearing to approve a modified parking plan to allow motorcycle parking on the property in the configuration depicted on the site plan shall also be approved, subject to the following conditions and restrictions:

1. Petitioner may apply for permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Compliance with the ZAC comment issued by the Office of Planning dated August 1, 2011.
3. Compliance with the ZAC comments made by the Department of Environmental Protection and Sustainability dated August 4, 2011, a copy of which is attached hereto and made a part hereof.

ORDER RECEIVED FOR FILING

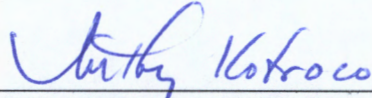
Date

9-1-11

By

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



TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

Attachments

TMK/pz

ORDER RECEIVED FOR FILING

Date 9-1-11

By 193

TK 8/23
1:30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits,
Approvals and Inspections

DATE: August 1, 2011

FROM: Andrea Van Arsdale
Director, Office of Planning

SUBJECT: 2207 Sparrows Point Road
INFORMATION:

RECEIVED

AUG 02 2011

Item Number: 12-009

Petitioner: Donald Towney

OFFICE OF ADMINISTRATIVE HEARINGS

Zoning: BR

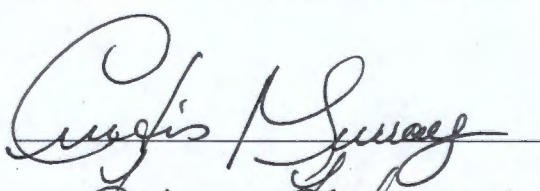
Requested Action: Special Hearing

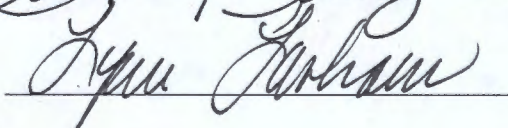
SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. This property was the subject of a code violation for the construction of the proposed addition without a building permit. There is a deck on the subject property that appears to be on or very close to the property line which may require a setback variance.

Provide a vegetative buffer above the swale on the east side of the property to mitigate visual impacts, land use and potential noise. Additional on site parking shall be for motorcycles only. No additional onsite parking shall be permitted for passenger vehicles.

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

Prepared by: 

Division Chief: 
JM/LL: CM

ORDER RECEIVED FOR FILING

Date

9-1-11

By

W:\DEVREV\ZAC\ZACs 2012\12-009.doc

8/23/11

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: August 4, 2011

SUBJECT: DEPS Comment for Zoning Item # 12-009-SPHA
Address 2207 Sparrows Point Road
(Knights of the Road, Inc. Property)

Zoning Advisory Committee Meeting of July 18, 2011.

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area and is subject to Critical Area lot coverage requirements. The applicant is proposing to reduce the side and front yard setbacks for parking as well as the number of required spaces. To minimize impacts on water quality, lot coverage requirements must be met. Reduction of setbacks and required parking spaces will help reduce lot coverage. By meeting the lot coverage requirements, the relief requested by the applicant will result in minimal impacts to water quality. However, EPS notes that the site plan submitted shows a proposed addition that appears to increase lot coverage beyond the allowable limits. Any future additions must meet all Critical Area requirements.

2. Conserve fish, wildlife, and plant habitat; and

This property is not waterfront. The applicant's plan accompanying this zoning petition shows that the requested relief will not increase the lot coverage on site, which will conserve fish habitat in Back River.

C:\DOCUME~1\pzook\LOCALS~1\Temp\XPgrpwise\ZAC 12-009-SPHA 2207 Sparrows Point Road.doc

ORDER RECEIVED FOR FILING

Date

By

9-1-11
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3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

The applicant's proposal is consistent with this goal. The relief requested will be consistent with established land-use policies provided that the applicants meet the requirements stated above.

Reviewer: *Regina Esslinger; Environmental Impact Review*

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Date

9-1-11

By

1923



KEVIN KAMENETZ
County Executive

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

September 1, 2011

KNIGHTS OF THE ROAD, INC.
DONALD TAWNEY, PRESIDENT
MICHAEL SECKENS, VICE PRESIDENT
7207 RIVER DRIVE ROAD
BALTIMORE MD 21219

Re: Petition for Special Hearing and Variance
Case No. 2012-0009-SPHA
Property: 2207 Sparrows Point Road

Dear Messrs. Tawney and Seckens:

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 cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK/pz

Enclosure

c: Rick Richardson, Richardson Engineering LLC, 30 East Padonia Road, Suite 500,
Timonium MD 21093
Baltimore County Code Enforcement

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103 | Towson, Maryland 21204 | Phone 410-887-3868 | Fax 410-887-3468
www.baltimorecountymd.gov

CBCA/Flood Plains



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2207 Sparrows Point Road
which is presently zoned BR

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

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

A MODIFIED PARKING PLAN (PURSUANT TO SECTION 409.12.B) FOR MOTORCYCLE SPACES IN LIEU OF OFF-STREET PARKING SPACES, OR IN THE ALTERNATIVE, AVARIANCE AS PETITIONED

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

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Knights of the Road, Inc.

Name - Type or Print _____
Signature Donald Tawney Donald Tawney Pres
John W. T. Parrish Sec
Name - Type or Print _____
Signature John T. Parrish
5207 River Drive Road 443-307-7377
Address _____ Telephone No. _____
Baltimore, MD 21219
City _____ State _____ Zip Code _____

Representative to be Contacted:

Richardson Engineering, LLC

Name _____
30 E. Padonia Road, Suite 500 410-560-1502
Address _____ Telephone No. _____
Timonium, MD 21093
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. 2012-0009-SPHA

UNAVAILABLE FOR HEARING

RECEIVED FOR FILE

Reviewed By JNP Date 7/13/2011

Date 9-1-11

By [Signature]



CBCA/Flood Plains

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2207 Sparrows Point Road

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 hereof, 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)

Existing buildings as shown on the site plan and other information that will be presented at the hearing.

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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Knights of the Road, Inc.

Name - Type or Print

Donald Tawney Donald Tawney President

Signature

KNIGHTS OF THE ROAD, INC

Name - Type or Print

Michael Seckens Michael Seckens Vice Presd.

Signature

7207 River Drive Road 443 307 7377

Address

Telephone No.

Baltimore, MD 21219

City

State

Zip Code

Representative to be Contacted:

Richardson Engineering, LLC

Name

30 E. Padonia Road, Suite 500 410-560-1502

Address

Telephone No.

Timonium, Maryland 21093

City

State

Zip Code

OFFICE USE ONLY

Case No. 2012-0009-SPHA

ESTIMATED LENGTH OF HEARING _____

REV 9/15/98

ORDER RECEIVED FOR FILING

UNAVAILABLE FOR HEARING

Reviewed By JNP

Date 7/13/2011

Date 9-1-11

By [Signature]

Zoning Variances Requested

Section 238.1 and Section 303.2 for a front yard setback of 22' in lieu of the required 37' average on a dual highway.

Section 238.2 for a side yard setback of 10' and 17' in lieu of the required 30'.

Section 409.8.A.4 to permit parking spaces with a 0 foot street right of way setback in lieu of the required 10'

Section 409.6.A.4 to permit 4 parking spaces in lieu of the required 41 spaces, or in the alternative, a special hearing as petitioned

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

tel. 410-560-1502
fax 443-901-1208

**ZONING DESCRIPTION
2207 PHILADELPHIA ROAD
15TH ELECTION DISTRICT
7TH Councilmanic District
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the south side of Sparrows Point Road (100' right-of-way) at a distance of 85 feet east from the centerline of School House Lane (25' right-of-way), thence leaving the south side right-of-way of Sparrows Point Road for the following courses and distances (1) South 02 degrees 03 minutes 29 seconds East 153.50 feet, (2) North 87 degrees 56 minutes 31 seconds East 70.34 feet, (3) North 00 degrees 10 minutes 29 seconds West 153.58 feet to a point on the south side of Sparrows Point Road, thence running and binding on the south side of Sparrows Point Road right-of-way (4) South 87 degrees 56 minutes 31 seconds West 75.39 feet to the point of beginning;

Containing a total net area of 11,184 square feet or 0.26 acres of land, more or less.



2012-0009-SPHA

TRANSMISSION VERIFICATION REPORT

TIME : 08/18/2011 08:56
NAME : ZONING OFFICE
FAX : 4108873048
TEL : 4108873391
SER. # : BROK8J873573

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

08/18 08:55
3468
00:00:48
06
OK
STANDARD
ECM

CERTIFICATE OF POSTING

Hearing 8/23/

2012-0009-SPH, 14 & 20

RE: Case No.: _____

Petitioner/Developer: _____

Knights of the Road, Inc.

August 23, 2011

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

2207 Sparrows Point Road

August 8, 2011

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,

[Signature] August 13, 2011

ZONING NOTICE

CASE #2012-0009:SPH

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**Room 205, JEFFERSON BUILDING
105 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204**PLACE****DATE AND TIME: TUESDAY, AUGUST 23, 2011 at 1:30 PM****REQUEST: SPECIAL HEARING FOR A MODIFIED PARKING PLAN FOR**
MULTIPLE SPACES IN LIEU OF OFF-STREET PARKING SPACES OR IN-TOWN
AUTOMOBILES. A VARIANCE IS PETITIONED. VARIANCE TO PERMIT A
SMALL VARIOUS LOT OF 22' IN LIEU OF THE REQUIRED 37' AUTOMOBILE
ON A DASH WAREHOUSE. TO PERMIT A ONE-PARKING SPACE OF 10' AND 17'
IN LIEU OF THE REQUIRED 30' TO PERMIT PARKING SPACES WITH A
10' FRONT STREET FRONT-AS-WAY SETBACK IN LIEU OF THE REQUIRED
15' AND TO PERMIT 9 PARKING SPACES IN LIEU OF THE REQUIRED
10 SPACES. OR IN THE ALTERNATIVE, A SPECIAL HEARING IS PETITIONED.ADJUSTMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE DETERMINED NECESSARY.
TO CANCEL HEARING CALL 800-339-1111HEARING CHARGE FEE: \$200 AND \$200 LATE FEE OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED - ACCESSIBLE

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: # 2012-0009-SPH

2207 Sparrows Point Road

S/side of Sparrows Point Road, 85 feet east of

School House Lane

15th Election District - 7th Councilmanic District

Legal Owner(s): Knights of the Road, Inc.

Special Hearing: for a modified parking plan for motorcycle spaces in lieu of off-street parking spaces, or in the alternative, a variance as petitioned. **Variance:** to permit a front yard setback of 22' in lieu of the required 37' average on a dual highway; to permit a side yard setback of 10' and 17' in lieu of the required 30'; to permit parking spaces with a 0 foot street right-of-way setback in lieu of the required 10' and to permit 4 parking spaces in lieu of the required 41 spaces, or in the alternative, a special hearing as petitioned.

Hearing: Tuesday, August 23, 2011 at 1:30 p.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.

JT/8/646 Aug. 9

283315

CERTIFICATE OF PUBLICATION

8/11/2011

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 8/9/2011.

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

J. Wilkinson

LEGAL ADVERTISING

2012 0009

8/23

RE: PETITION FOR SPECIAL HEARING
AND VARIANCE
2207 Sparrows Point Road; S/S Sparrows
Point Road, 85' E of Schol House Lane
15th Election & 7th Councilmanic Districts
Legal Owner(s): Knights of the Road, Inc
Petitioner(s)

* BEFORE THE
* ADMINISTRATIVE LAW
* JUDGE FOR
* BALTIMORE COUNTY
* 2012-009-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.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED

JUL 25 2011

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of July, 2011, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

ACTIVE VIOLATION CASE DOCUMENTS

2012-0009 -SPH/A

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: July 19, 2011

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Glenn Berry, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 2012-009-SPHA
Legal Owner/Petitioner: Knights of the Road, Inc.
Contract Purchaser: N/A
Property Address: 2207 Sparrows Point Road
Location Description: S/S of Sparrows Pt. Rd., 85 feet E. of School House Ln.

VIIOLATION INFORMATION: Case No. CO0065595 - FA0203729
Defendants: Knights of the Road, Inc.

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
Lew Mayer	

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- | | |
|-------------------------------------|---|
| ☒ | 1. Complaint letter/memo/email/fax (if applicable) |
| ☒ | 2. Complaint Intake Form/Code Enforcement Officer's report and notes |
| ☒ | 3. State Tax Assessment printout |
| ☐ | 4. State Tax Parcel Map (if applicable) |
| ☐ | 5. MVA Registration printout (if applicable) |
| ☐ | 6. Deed (if applicable) |
| ☐ | 7. Lease-Residential or Commercial (if applicable) |
| ☐ | 8. Photographs including dates taken |
| ☒ | 9. Correction Notice/Code Violation Notice |
| ☒ | 10. Citation and Proof of Service (if applicable) |
| ☐ | 11. Certified Mail Receipt (if applicable) |
| ☐ | 12. Final Order of the Code Official/Hearing Officer (if applicable) |
| ☐ | 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable) |
| ☒ | 14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable). |

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Room 113 in order that the appropriate action may be taken relative to the violation case.

AGB/rw
C: Code Enforcement Officer



Department of Permits, Approvals & Inspections Complaint Report

Report Criteria:
Complaint Record ID: CO0065595

<u>Record ID</u>	<u>AS/400 Case</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Scheduled Time</u>	<u>Received By</u>	<u>Received Date</u>	<u>Status</u>	<u>Hearing Date</u>	<u>ADC Grid</u>
CO0065595		Gary Hucik	10/29/2009		Nichollette Shelton	07/31/2009	Open - Normal	04/19/2011	45E10

Complaint Description: BUILDING ADDITION IN REAR W/O PERMIT

<u>Facility:</u>	<u>Owner :</u>	<u>Complainant:</u>
FA0203729 PDM 1502574450 2207 SPARROWS POINT RD SPARROWS POINT, MD 21219	KNIGHTS OF THE ROAD INC 7207 RIVER DRIVE RD BALTIMORE MD 21219	ANONYMOUS LETTER

Daily Activity Details

<u>Serial Number</u>	<u>Inspector</u>	<u>Activity Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>
DA0106557	Lewis Mayer	06/13/2011	REINSPECTION	NOT IN COMPLIANCE	NO ACTION TAKEN

Inspector Notes: 6/13/11 WORKING ON PERMIT. P/U 6/27/11 L.MAYER/RW

Violation Details - No Data

<u>Serial Number</u>	<u>Inspector</u>	<u>Activity Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>
DA0104272	Lewis Mayer	05/25/2011	IN-OFFICE ADMINISTRATIVE WORK	NOT IN COMPLIANCE	MONITOR

Inspector Notes: 05/25/11 SKARDA & ASSOC. ARE WORKING ON PLANS. P/U 06/13/11. L.MAYER/KH.

Violation Details - No Data

<u>Serial Number</u>	<u>Inspector</u>	<u>Activity Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>
DA0100796	Lewis Mayer	05/03/2011	REINSPECTION	NOT IN COMPLIANCE	MONITOR

Inspector Notes: 05/03/11 OWNERS HAVE MET WITH ENGINEER & ARE WORKING ON PARKING & EGRESS ISSUES. P/U 05/24/11. L.MAYER/KH.

Violation Details - No Data

<u>Serial Number</u>	<u>Inspector</u>	<u>Activity Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>
DA0098822	Lewis Mayer	04/18/2011	REINSPECTION	NOT IN COMPLIANCE	MONITOR

Inspector Notes: 04/18/11 CANCEL HEARING PER DON BRAND. CLUB IS WORKING ON PERMITS. P/U 05/03/11. L.MAYER/KH.

Violation Details - No Data

<u>Serial Number</u>	<u>Inspector</u>	<u>Activity Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>
DA0094556	Lewis Mayer	03/10/2011	REINSPECTION	NOT IN COMPLIANCE	CITATION ISSUED

Inspector Notes: 3/10/11 OWNER HAS FAILED TO OBTAIN BUILDING PERMITS AND REQUIRED INSPECTIONS FOR ADDITION AND ALTERATIONS TO COMMERCIAL BLDG. ISSUED A CIVIL CITATION AND MAILED A COPY TO THE RESIDENT AGENT. SCHEDULE HEARING FOR 4/19/11. P/U 4/18/11 L.MAYER/NS***

Violation Details

Violation Record ID:	IV0048742	Comply By:	06/27/2011	Complied On:		Status:	NOT IN COMPLIANCE
Program Category/Section Source:	Building Inspection/IBC			Violation Description	IBC Violation		
Correction Text:							
Violation Text:							
Violation Comment:							



Department of Permits, Approvals & Inspections Complaint Report

Report Criteria:
Complaint Record ID: CO0065595

Comment Details

Type	Date	Comments
BUILDING INSPECTIONS	09/30/2009 (4)	UPDATE 9/29/09 September 30, 2009 11:59 AM - NSHELTON OWNER IS WORKING ON A SET OF PLANS TO PRESENT TO PLANS REVIEW. OWNER RICK PHONE # 410-652-4989. P/U 10/29/09 G.HUCIK/NS***
BUILDING INSPECTIONS	09/03/2009 (3)	INSPECTION 09/02/09 September 03, 2009 09:08 AM - KHOPKINS EXTENDING TO ALLOW OWNER TO OBTAIN PERMIT. P/U 09/28/09. G.HUCIK/KH.
BUILDING INSPECTIONS	08/18/2009 (2)	INSPECTION 08/17/09 August 18, 2009 07:48 AM - KHOPKINS OWNER IS IN THE PROCESS OF OBTAINING A PERMIT CALL BY PHONE TO LET ME NOW HE WAS OUT OF TOWN. P/U 08/31/09. G.HUCIK/KH.
BUILDING INSPECTIONS	08/04/2009 (1)	INSPECTION 08/03/09 August 04, 2009 09:25 AM - KHOPKINS INPSECTED PROP. NOTICE ISSUED FOR OWNER TO OBTAIN PERMIT ON ADD. IN REAR OF COMMERCIAL BLDG. P/U 08/17/09. G.HUCIK/KH.

Lien Information - None

DATE: 07/19/2011

STANDARD ASSESSMENT INQUIRY (1)

TIME: 07:31:26

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 02 574450	15	3-0	06-00	N	NO		06/15/11

KNIGHTS OF THE ROAD INC

DESC-1.. SS SPARROWS POINT R

DESC-2.. 75 FT E SCHOOLHOUSE LA

7207 RIVER DRIVE RD

PREMISE. 02207 SPARROWS POINT RD

00000-0000

BALTIMORE

MD 21219-1135 FORMER OWNER: BANKS JOSEPH L

----- FCV ----- PHASED IN -----

	PRIOR	PROPOSED		CURR	CURR	PRIOR
				FCV	ASSESS	ASSESS
LAND:	57,300	97,100				
IMPV:	38,800	44,500	TOTAL..	141,600	141,600	126,433
TOTL:	96,100	141,600	PREF...	0	0	0
PREF:	0	0	CURT...	0	0	0
CURT:	0	0	EXEMPT.		0	0

DATE: 10/08 10/08

---- TAXABLE BASIS ---- FM DATE

ASSESS: 141,600

ASSESS: 126,433

ASSESS: 0

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

F.Y.I.

Dear Building Inspections,

It is known to me & my neighbors that an elaborate & Big addition is currently being added to the rear of the building at:

2207 Sparrows Point Rd.
Edgemere, MD. 21219.

they are trying to put the addition under the existing roof. on top of the rear deck.

I need to remain anonymous, for fear of retaliation.

Thank-you, if you could look into this. The ones who do pay for building permits, think they should also have to pay.

Thanks again.



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Building Inspection:

410-887-3953

Plumbing Inspection:

410-887-3620

Electrical Inspection:

410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. C00063595	Property No. 1502574450	Zoning R
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Name(s): **Knights of The Road Inc**

Address: **1207 River Drive RD Balt MD 21219**

Violation Location: **2207 Sparrows RD 21219**

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

BRC 35-2-304
New construction on addition behind existing structure requires a valid permit. Stop all construction until an approved, valid permit is obtained

*** Failure to comply will result in a \$1000.00 fine ***

Send by regular mail

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: 8/17/09	Date Issued: 8/13/09
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FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: **GARY HAYK**

INSPECTOR:

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

On or Before:	Date Issued:
---------------	--------------

INSPECTOR:

AGENCY



CODE ENFORCEMENT & INSPECTIONS CITATION #40203739

CASE NUMBER C00065595	PROPERTY TAX ID 1502574450
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NAME(S): KNIGHTS OF THE ROAD LLC NEAL L. PEROUTY JR - Resident Agent
--

MAILING ADDRESS: 12022 OND LONG CALM ROAD		
CITY KINGSVILLE	STATE MD	ZIP CODE 21087

VIOLATION ADDRESS: 2207 SPARROWS POINT ROAD		
CITY EDGEMERE	STATE MARYLAND	ZIP CODE 21219

VIOLATION DATES: 7/3/09 THROUGH 3/10/11
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DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

BALTIMORE COUNTY CODE 2003, BUILDING REGULATIONS
ARTICLE 35, SUBTITLE 3 BUILDING PERMITS
SEC. 35-2-301, 304; COUNCIL BILL 49-07 SECT 109
PART 109.2

FAILURE TO OBTAIN BUILDING PERMIT FOR
ADDITION TO REAR OF COMMERCIAL BUILDING
AND INTERIOR ALTERATIONS
FAILURE TO OBTAIN REQUIRED INSPECTIONS

Pursuant to Section 1-2-217, Baltimore County Code, civil penalty has been assessed, as a result of the violation(s) cited herein, in the amount indicated:

\$ 10,000

A quasi-judicial hearing has been pre-scheduled in room 116, 111 W. Chesapeake Ave, Towson, Maryland, 21204, for:

DATE: 4/19/2011

TIME: 900 A.M. / P.M.

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

Inspector Printed Name: Lewis Mayer

INSPECTOR SIGNATURE: *Lewis Mayer* Date: 3/10/11
PRINT NAME AGENCY



Front of existing building facing west along Sparrows Point Road



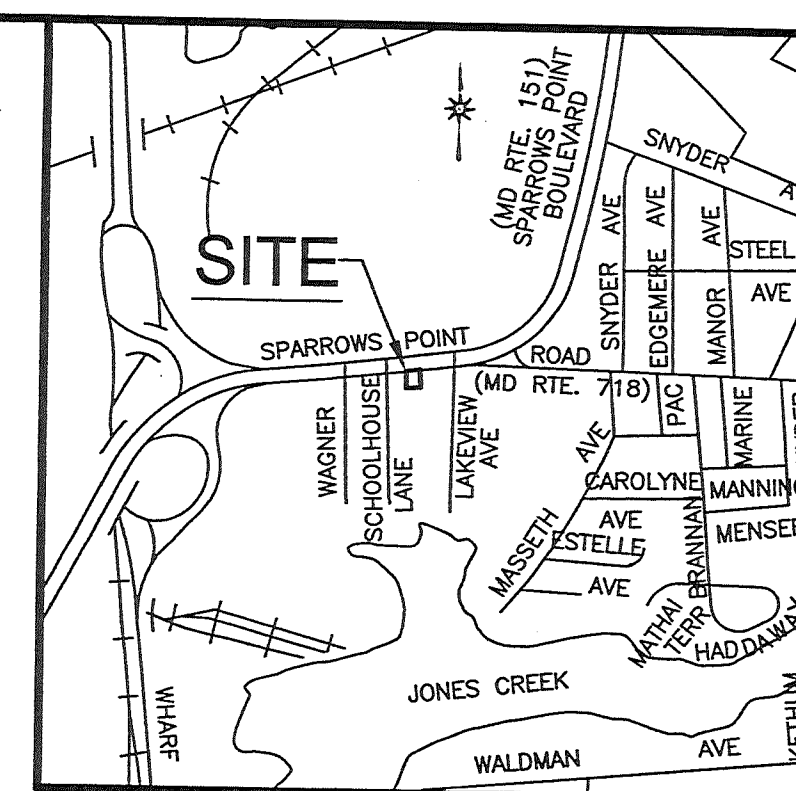
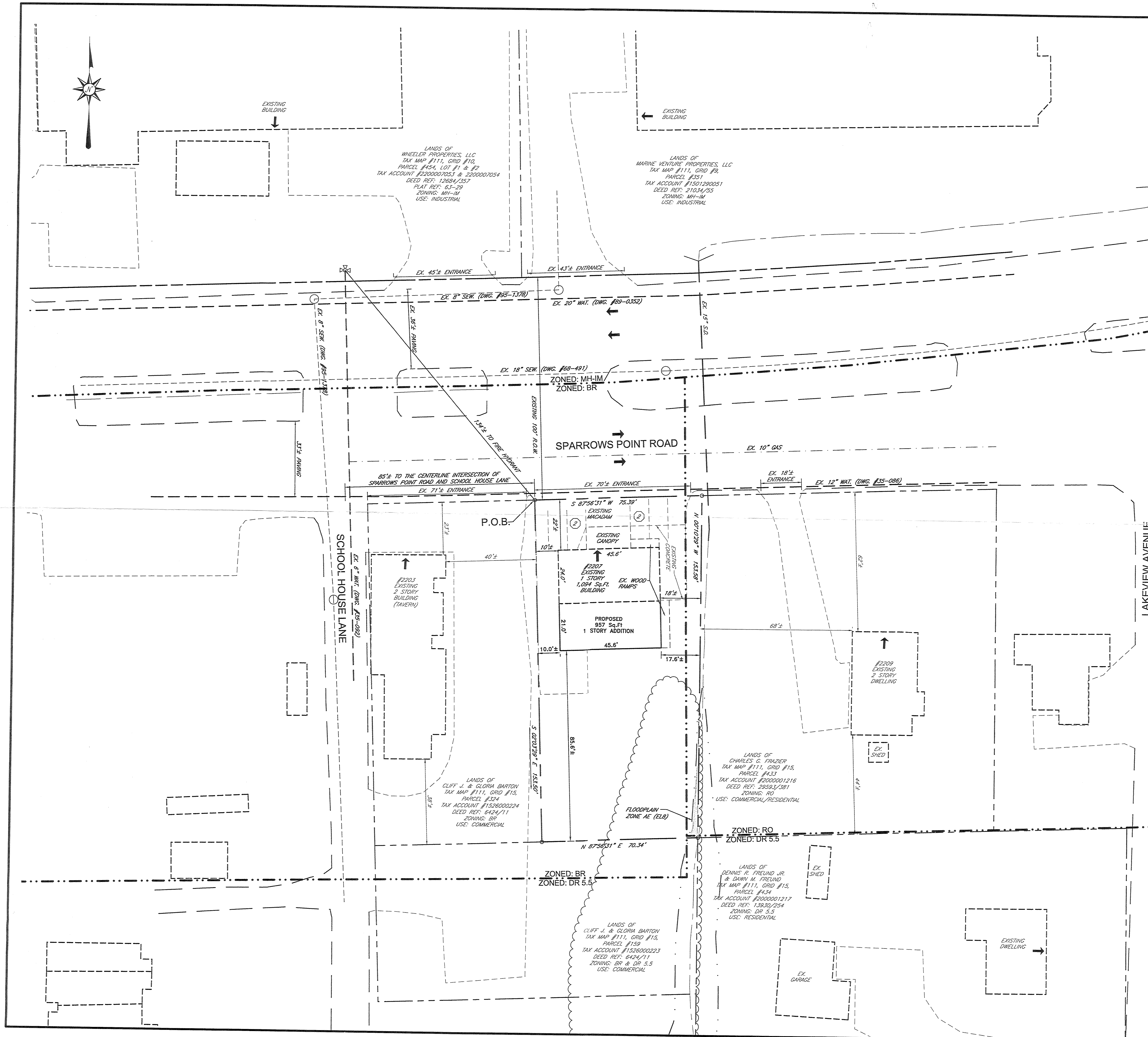
Front of adjacent building looking east toward subject site beyond



View south along west side of building



View south along east side of building

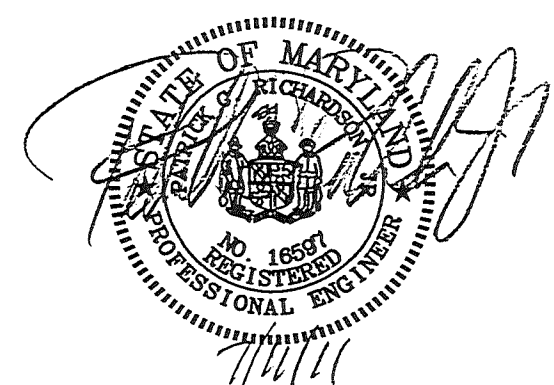


LOCATION MAP
SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: KNIGHTS OF THE ROAD INC
87207 RIVER DRIVE ROAD
BALTIMORE, MARYLAND 21219
- SITE AREA:
GROSS: 13,461 Sq.Ft. or 0.31 Ac.±
NET: 11,184 Sq.Ft. or 0.26 Ac.±
- USES:
EXISTING: VACANT RESIDENCE
PROPOSED: RETAIL BUILDING
- UTILITIES:
PUBLIC WATER & SEWER
- DEED REF: 13372/735
- TAX ACCOUNT: #1502574450
- ZONING: BR & RO
(PER 1"=200' ZONING MAP 111B2)
- TAX MAP #111, PARCEL #233.
- SITE LIES WITHIN ZONE(S) "X" AND AE (EL 8) OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #240010 0555 F PANEL 555 OF 580 DATED SEPT. 26, 2008.
ZONE "X" IS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
ZONE "AE" IS BASE FLOOD ELEVATIONS DETERMINED.
- NO PREVIOUS ZONING CASES ON FILE.
- NO PREVIOUS PERMITS ON FILE (B731177 IS CURRENTLY UNDER REVIEW)
- SITE LIES ENTIRELY WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE PROPERTY AND THE STRUCTURES ARE NOT HISTORIC.
- 7TH COUNCILMANIC DISTRICT
- BUILDING AREAS:
EXISTING: 1,094 Sq.Ft. (TO REMAIN)
PROPOSED: 957 Sq.Ft. 1 STORY ADDITION.
- PARKING:
REQUIRED: 2,051 Sq.Ft. @ 20 PER 1000 Sq.Ft.= 41 SPACES
PROVIDED: 4 SPACES
- SETBACKS FOR BR ZONE:
REQUIRED
FRONT 37**
SIDE 30'
REAR 30'
** DENOTED AVERAGE FRONT YARD ((23'+50')/2=37')
- WATERSHED: BALTIMORE HARBOR
- NO PREVIOUS DRC OR CRG ON FILE.
- FAR: MAXIMUM 2.0
PROVIDED 0.15
- ANY PROPOSED SIGNS WILL CONFORM WITH THE BCZR REQUIREMENTS.

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE
OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2013



Richardson Engineering, LLC

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

PLAN TO ACCOMPANY ZONING PETITION
FOR THE

KNIGHTS OF THE
ROAD INC.
2207 SPARROWS POINT ROAD
BALTIMORE, MARYLAND 21219-1730

15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	CND	PCR	1" = 20'
DATE:	JOB NO.:	SHEET NO.:	
07-11-11	11050	1 OF 1	