

**IN RE: PETITIONS FOR SPECIAL EXCEPTION
AND VARIANCE**

W side of Main Street, 395 feet S
of the c/l of Bond Avenue
4th Election District
3rd Councilmanic District
(328 Main Street)

Skipper Investments, LLC
Legal Owner

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **Case No. 2012-0070-XA**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Office of Administrative Hearings as a Petition for Special Exception and Variance filed for property located at 328 Main Street, in Reisterstown. The Petition was filed by the legal owner of the subject property, Skipper Investments, LLC. The Special Exception Petition seeks to amend the order and site plan in Case 76-160-X, which permitted the operation of a service garage at the premises. Petitioner is also requesting Variance relief from Section 409.6.4.2 of the Baltimore County Zoning Regulations (B.C.Z.R) to permit 35 off-street parking spaces in lieu of the required 42 parking spaces. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the hearing were Stephen and Adam Schloss of Skipper Investments, LLC, Robert Hanna of Hanna Building Systems and Kenneth Colbert with Colbert Matz Rosenfelt, Inc., the professional engineer who prepared the site plan. David H. Karceski, Esquire, attended as attorney for the Petitioner. There were no Protestants or interested persons in attendance, and the file does not contain any letters of protest or opposition.

Testimony and evidence offered at the hearing revealed that the site is located in historic Reisterstown, and presently contains an automotive service garage and trailer serving as office

ORDER RECEIVED FOR FILING

Date 11-10-11

By pm

space. See Exhibits 9 and 10. Though not in violation of County law, the current operation can fairly be characterized as “unattractive” or even unsightly, since the service bay doors are visible from the road and the site is cluttered. The proposed structure is very attractive, and to the naked eye would almost certainly not appear to be an automotive service facility with related office uses. See Exhibit 9. The Petitioner proposes a 12 bay service facility – that will be accessed through doors not visible from the road – and related offices and vehicle display area on the premises. See Exhibit 1.

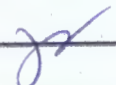
By way of proffer, Kenneth Colbert, P.E., testified he has visited the site numerous times, and that the proposal satisfies each of the special exception factors set forth in B.C.Z.R. § 502. Mr. Colbert further testified that certain site constraints – especially the long and narrow shape of the parcel – and design choices (i.e., widening the building to allow for vehicle access in the rear) forced the need for variance relief for the parking spaces. Even so, Mr. Colbert opined that the 35 spaces proposed (in lieu of 42 required under the B.C.Z.R.) was sufficient, and he added that the project would not negatively impact traffic in the area, and that no “failing intersections” existed in the immediate vicinity.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Bureau of Development Plans Review dated September 23, 2011, which indicate “while we do not oppose the requested relief, we would like to advise the petitioner that the following must be addressed prior to approval of a building permit.

1. A suitable outfall for the storm water management facility must be provided.
2. The building corner must be at least 6 feet outside of utility easement. This will reduce the building length from 108 feet to 104 feet.”

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By 

At the hearing, Petitioner submitted a revised plan initialed by Mr. Kennedy, indicating the plan was now "ok," and it would thus appear these concerns have been addressed. See Exhibit 2. In any event, the "suitable outfall" concern is one addressed at the next phase of the development process, not in a zoning hearing.

The Office of Planning also submitted a series of comments set forth in a memorandum dated October 28, 2011. The Petitioner met with the Office of Planning on several occasions, and has agreed to complete the five modifications set forth in that memorandum, which will be attached as an Exhibit to this Order.

In regard to the variance request, based on the testimony and evidence, I find special circumstances or conditions (as noted above) exist that are peculiar to the land or structure which is the subject of the variance request. Therefore I find the property unique in a zoning sense. I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

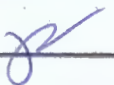
As for the special exception relief, the proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor would it tend to create congestion in roads, streets, or alleys therein. Finally, the proposed use is not inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions, and after considering the testimony and evidence offered, I find that Petitioner's Special Exception and Variance request should be granted.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 10 day of November, 2011 that Petitioner's request for Special Exception to amend the

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Date 11-10-11 3

By 

order and site plan in Case 76-160-X, as shown on the red lined site plan marked herein as Exhibit 1, be and is hereby **GRANTED**; and

IT IS FURTHER ORDERED that Petitioner's request for Variance relief from Section 409.6.4.2 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit 35 off-street parking spaces in lieu of the required 42 parking spaces, be and is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioner shall comply with the comments received from the Office of Planning dated October 28, 2011, which are attached hereto and incorporated herein.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/pz

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Date 11-10-11

4

By 

TK 11/3 10Am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: October 28, 2011

FROM: Andrea Van Arsdale
Director, Office of Planning

SUBJECT: 328 Main Street

RECEIVED

INFORMATION:

OCT 31 2011

Item Number: 12-070

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner: Skipper Investments, LLC

Zoning: BR, BL and DR 3.5

Requested Action: Special Exception and Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning supports the petitioner's request for a special exception and variance. The Petitioner and the Department of Planning have had several meetings to discuss the architectural elevations and materials that will be used on the proposed building, as well as the proposed landscaping. While the Department was initially pleased with the rendering of the proposed building, certain changes have been discussed with the petitioner. The petitioner has agreed to the following changes:

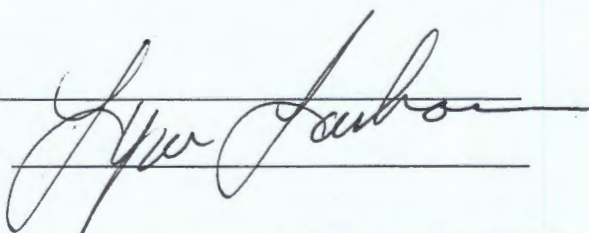
1. A brick water table on the right-side of the two-story portion of the building;
2. Matching pilasters added along the right and left sides of the one-story portion of the building;
3. Windows added to the left side of the two-story portion building;
4. HVAC units are centered on the roof and are screened as necessary; and,
5. A low ornamental fence and brick columns added to front of the site in the landscape buffer paralleling Main Street.

If the five changes above are included in the architectural elevations and site plan, then the Department of Planning believes that this request will not be detrimental to the health, safety, or general welfare of the surrounding community and supports the special exception and variance.

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

Prepared by:

Division Chief:
AVA/LL: CM



ORDER RECEIVED FOR FILING

Date 11-10-11

By [Signature]



KEVIN KAMENETZ
County Executive

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

November 10, 2011

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

Re: Petition for Special Exception and Variance
Case No. 2012-0070-XA
Property: 328 Main Street

Dear Mr. Karceski:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file with the Department of Permits, Approvals 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 "JEB", is written over the name John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

Enclosure

c: George Harman, President, Reisterstown-Owings Mills-Glyndon Coordinating Council, 5429 Weywood Drive,
Reisterstown, MD 21136



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

address 328 Main Street which is presently zoned BR, BL, DR3.5

Deed Reference 29097/036 10 Digit Tax Account # 0416035205

Property Owner(s) Printed Name(s) _____

CASE NUMBER 2012-0070XA Filing Date 9/8/11 Estimated Posting Date N/A Reviewer Drop-off

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. ☒ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a Variance from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "To Be Presented At Hearing". If you need additional space, you may add an attachment to this petition)

To be determined at hearing

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print _____

Signature _____

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

David H. Karceski

Name- Type or Print _____

Signature _____

210 W. Pennsylvania Ave., #500 Towson, MD

Mailing Address _____ City _____ State _____

21204 / 410-494-6285 / dhkarceski@venable.com MD

Zip Code _____ Telephone # _____ Email Address _____

Legal Owners:

Skipper Investments, LLC

Name #1 - Type or Print _____ Name #2 - Type or Print _____

Stephen Schloss, Member

Signature #1 _____ Signature #2 _____

2311 Tufton Ridge Rd, Reisterstown, MD

Mailing Address _____ City _____ State _____

21136-5517

Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

David H. Karceski

Name - Type or Print _____

Signature _____

210 W. Pennsylvania Ave., #500 Towson, MD

Mailing Address _____ City _____ State _____

21204 / 410-494-6285 / dhkarceski@venable.com

Zip Code _____ Telephone # _____ Email Address _____

REV. 2/23/11

ORDER RECEIVED FOR FILING

Date 11-10-11

By [Signature]

Attachment

**Petition for Special Exception
328 Main Street**

Special Exception to amend the order and site plan in Case No. 76-160-X for a service garage and expand the special exception area established in Case No. 76-160-X.

Attachment

**Petition for Variance
328 Main Street**

Variance from Section 409.6.4.2 of the Baltimore County Zoning Regulations to permit 35 off-street parking spaces in lieu of the required 42 parking spaces.

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION

328 MAIN STREET

Beginning at a point on the west side of Main Street (aka Reisterstown Road), 66 feet wide, at the distance of 395 feet, more or less, south of the centerline of Bond Avenue, 30 feet wide, thence the following courses and distances:

S 14°12'27" E, 118.97 feet;
S 78°20'17" W, 329.54 feet;
N 14°25'46" W, 118.99 feet;
N 78°20'17" E, 330.00 feet;
to the Point of Beginning,

As recorded in Deeds Liber 29097, folio 036. Containing 39,195 sq. ft or 0.900 acres of land, more or less, exclusive of 38 Sq. Ft. portion of site Zoned DR-3.5, and located in the 4th Election District, 3rd Councilmanic District.



I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No. 9752

Expiration Date: 02-12-2012

CERTIFICATE OF POSTING

2012-0070-XA

RE: Case No.: _____

Petitioner/Developer: _____

Skipper Investments, LLC

November 3, 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:

328 Main Street

October 19, 2011

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,

October 20, 2011

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 18, 2011 Issue - Jeffersonian

Please forward billing to:
Skipper Investments, LLC
2311 Tufton Ridge Road
Reisterstown, MD 21136

410-215-1108

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 NUMBER: 2012-0070-XA

328 Main Street

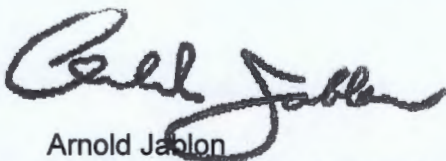
W/s of Main Street, 395 feet +/- south of the centerline of Bond Avenue

4th Election District – 3rd Councilmanic District

Legal Owners: Skipper Investments, LLC

Special Exception to amend the order and site plan in Case 76-160-X for a service garage and expand the special exception area established in Case 76-160-X. Variance to permit 35 off-street parking spaces in lieu of the required 42 parking spaces.

Hearing: Thursday, November 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
September 30, 2011

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 NUMBER: 2012-0070-XA

328 Main Street

W/s of Main Street, 395 feet +/- south of the centerline of Bond Avenue

4th Election District – 3rd Councilmanic District

Legal Owners: Skipper Investments, LLC

Special Exception to amend the order and site plan in Case 76-160-X for a service garage and expand the special exception area established in Case 76-160-X. Variance to permit 35 off-street parking spaces in lieu of the required 42 parking spaces.

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

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

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Stephen Schloss, Skipper Investmensts, 2311 Tufton Ridge Road, Reisterstown 21136

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

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2012-0070-XA
Petitioner: SKIPPER INVESTMENTS, LLC
Address or Location: 328 MAIN STREET

PLEASE FORWARD ADVERTISING BILL TO:

Name: SKIPPER INVESTMENTS, LLC
Address: 2311 TUFTON RIDGE RD
REISTERSTOWN, MD 21136

Telephone Number: 410-215-1108

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: #2012-0070-XA

328 Main Street

W/s of Main Street, 395 feet +/- south of the centerline of Bond Avenue

4th Election District-3rd Councilmanic District

Legal Owner(s): Skipper Investments, LLC

Special Exception: to amend the order and site plan in Case 76-160-X for a service garage and expand the special exception area established in Case 76-160-X.

Variance to permit 35 off-street parking spaces in lieu of the required 42 parking spaces.

Hearing: Thursday, November 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.

JT 10/654 October 18

288642

CERTIFICATE OF PUBLICATION

10/20/, 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 10/18/, 2011.

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

S. Wilkins

LEGAL ADVERTISING

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

No. **72499**

Date: **9-8-11**

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
 9/08/2011 9/08/2011 11:42:35 B
 REC WSO4 WALKIN SHIL SAH
 >>RECEIPT # 512226 9/08/2011 DFLN
 Dept 5 528 ZONING VERIFICATION
 CR NO. 072499

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				835.-

Total: **835.-**

Rec From: **2012-0070-XA**

For: **\$ SPEC. Ex & VAR.**
SKIPPER INVEST., LLC.

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

Recpt Tot \$835.00
 \$835.00 CK \$0.00 CA
 Baltimore County, Maryland

TK 11/3
10Am

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: October 28, 2011

FROM: Andrea Van Arsdale
Director, Office of Planning

SUBJECT: 328 Main Street

INFORMATION:

Item Number: 12-070

Petitioner: Skipper Investments, LLC

Zoning: BR, BL and DR 3.5

Requested Action: Special Exception and Variance

RECEIVED

OCT 31 2011

OFFICE OF ADMINISTRATIVE HEARINGS

SUMMARY OF RECOMMENDATIONS:

The Department of Planning supports the petitioner's request for a special exception and variance. The Petitioner and the Department of Planning have had several meetings to discuss the architectural elevations and materials that will be used on the proposed building, as well as the proposed landscaping. While the Department was initially pleased with the rendering of the proposed building, certain changes have been discussed with the petitioner. The petitioner has agreed to the following changes:

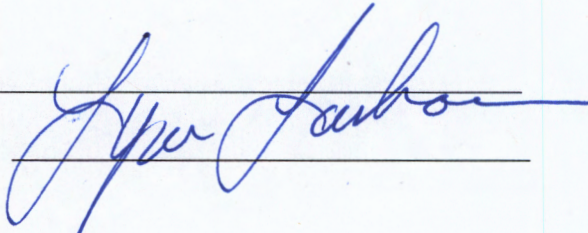
1. A brick water table on the right-side of the two-story portion of the building;
2. Matching pilasters added along the right and left sides of the one-story portion of the building;
3. Windows added to the left side of the two-story portion building;
4. HVAC units are centered on the roof and are screened as necessary; and,
5. A low ornamental fence and brick columns added to front of the site in the landscape buffer paralleling Main Street.

If the five changes above are included in the architectural elevations and site plan, then the Department of Planning believes that this request will not be detrimental to the health, safety, or general welfare of the surrounding community and supports the special exception and variance.

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

Prepared by:

Division Chief:
AVA/LL: CM



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



Beverley K. Swaim-Staley, Secretary
Darrell B. Mobley, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 9-19-11

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

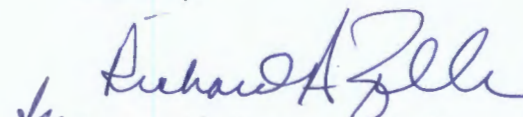
RE: Baltimore County
Item No. 2012-0070-XA
Special Exception Variance
Skipper Investments, LLC
328 Main Street (Reisterstown Rd)

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 9-19-11. A field inspection and internal review reveals that an entrance onto MD140 consistent with current State Highway Administration guidelines is required. As a condition of approval for Variance, Case Number 2012-0070 the applicant must contact the State Highway Administration to obtain an entrance permit.

Should you have any questions regarding this matter feel free to 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). Thank you for your attention.

Sincerely,


Steven D. Foster, Chief
Access Management Division

SDF/rz

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

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

11/3 10 AM 205

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

SEP 27 2011

OFFICE OF ADMINISTRATIVE HEARINGS



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

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

DATE: September 27, 2011

SUBJECT: DEPS Comment for Zoning Item # 12-0070-XA
Address 328 Main Street
(Skipper Investments, LLC Property)

Zoning Advisory Committee Meeting of September 19, 2011.

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

Reviewer: *Jeff Livingston; Development Coordination*

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For October 3, 2011
Item No. 2012-0070

DATE: September 23, 2011

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

While we do not oppose the requested relief, we would like to advise the petitioner that the following must be addressed prior to approval of a building permit.

1. A suitable outfall for the storm water management facility must be provided.
2. The building corner must be at least 6 feet outside of utility easement. This will reduce the building length from 108' to 104'.

DAK:CEN

cc: File

ZAC-ITEM NO 12-0070-10032011.doc

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
AND VARIANCE		
328 Main Street, W/S Main Street, 396'	*	ADMINISTRATIVE LAW
S of c/line Bond Avenue		
4 th Election & 3 rd Councilmanic Districts	*	JUDGE FOR
Legal Owner(s): Skipper Investments, LLC		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2012-070-XA

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED

SEP 19 2011



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of September, 2011, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Debra Wiley - ZAC Comments

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 9/21/2011 8:16 AM
Subject: ZAC Comments

Good Morning,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

Thanks and feel free to contact me should you have any questions or concerns.

2012-0067-SPHA - 205 Bloomsbury Avenue - **(Historic Area)**

Hearing Date: None in data base as of 9/20

2012-0068-A - 1701 Searles Road

Hearing Date: None in data base as of 9/20

2012-0069-SPHA - 6701 Chippewa Court

Hearing Date: None in data base as of 9/20

2012-0070-XA - 328 Main Street

Hearing Date: None in data base as of 9/20

2012-0071-A - 2035 Pleasant Villa Avenue

Administrative Variance: Closing 10/3

2012-0072-A - 111 Regester Avenue

Hearing Date: None in data base as of 9/20

2012-0073-SPHA - 1106 Wiseburg Road

Hearing Date: None in data base as of 9/20

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

Patricia Zook - Re: Fwd: Request for decision on the case referenced in the attached (Case No. 2012-0070-XA)

From: Patricia Zook
To: harmangeorge@hotmail.com
Subject: Re: Fwd: Request for decision on the case referenced in the attached (Case No. 2012-0070-XA)
CC: Beverungen, John

Mr. Harman:

The hearing on Case No. 2012-0070-XA was held on Thursday, November 3. I will print your e-mail request and place it in the file. We anticipate the Order being issued in a week or so and we will send you a copy.

Please contact the Zoning Review Office at 410 887 3391 to obtain a copy of the Order in Case No. 76-160-X.

>>> George Harman <harmangeorge@hotmail.com> 11/07/11 4:43 PM >>>
Messrs. Beverungen, Kotroco, Stahl,

I am without information on which of you heard the case referenced in the online notice attached at the bottom of this email, but I was informed that the matter involved more than just a reduction in the parking, as indicated in the online notice (presented at the end of this email). The Reisterstown-Owings Mills-Glyndon (ROG) Coordinating Council would be interested in the decision, especially as the matter might affect adjacent residents of Glyndon Trace.

I would appreciate your forwarding of this email to your administrative staff so that I can be included in the distribution (mailing) of the current case decision. I would also like to obtain a copy of the prior hearing decision in case 76-160-X.

My mailing address is as below.

Sincerely,

George Harman, President, ROG Coordinating Council
5429 Weywood Drive
Reisterstown, MD 21136
410-429-6035
410-818-9022 cell

*send
copy of
order to
him*

to be forward to: Barbara Reynolds via another email account

Case 76-160-X

Zoning Hearings - 328 Main Street

Event Type: Meeting or Hearing

Event Location: 3rd Council District, Jefferson Building, 105 West Chesapeake Avenue, Room 205, Towson 21204

Date/Time: 11/03/2011 10:00 AM - 11/03/2011 11:00 AM

Description:

Special Exception to amend the order and site plan in Case 76-160-X for a service garage and expand the special exception area established in Case No. 76-160-X. Variance to permit 35 off-street parking spaces in lieu of the required 42 parking spaces.

Contact: Zoning Review (410-887-3391)

Patricia Zook - Re: Request for decision on the case referenced in the attached (Case No. 2012-0070-XA)

From: Patricia Zook
To: harmangeorge@hotmail.com
Date: 11/8/2011 10:20 AM
Subject: Re: Request for decision on the case referenced in the attached (Case No. 2012-0070-XA)
CC: Beverungen, John

Mr. Harman:

The hearing on Case No. 2012-0070-XA was held on Thursday, November 3. I will print your e-mail request and place it in the file. We anticipate the Order being issued in a week or so and we will send you a copy. No protestants or interested citizens attended the hearing.

You mentioned that you would like to receive a copy of the prior Order in Case No. 76-160-X. The Petitioner's Attorney, David Karceski of Venable LLP, may be able to provide you with a copy. He can be reached at 410 494 6285 or at dhkarceski@venable.com. Or you may contact the Zoning Review Office at 410 887 3391 to obtain a copy of the Order in Case No. 76-160-X.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

CONFIDENTIALITY NOTICE: The information contained in this ELECTRONIC MAIL transmission is legally privileged and confidential. It may also be subject to the attorney-client privilege or be privileged work product or proprietary information. This information is intended for the exclusive use of the addressee(s). If you are not the intended recipient, you are hereby notified that any use, disclosure, dissemination, distribution (other than to the addressee(s)), copying or taking of any action because of this information is strictly prohibited.

>>> George Harman <harmangeorge@hotmail.com> 11/07/11 4:43 PM >>>
Messrs. Beverungen, Kotroco, Stahl,

I am without information on which of you heard the case referenced in the online notice attached at the bottom of this email, but I was informed that the matter involved more than just a reduction in the parking, as indicated in the online notice (presented at the end of this email). The Reisterstown-Owings Mills-Glyndon (ROG) Coordinating Council would be interested in the decision, especially as the matter might affect adjacent residents of Glyndon Trace.

I would appreciate your forwarding of this email to your administrative staff so that I can be included in the distribution (mailing) of the current case decision. I would also like to obtain a copy of the prior hearing decision in case 76-160-X.

My mailing address is as below.

Sincerely,

George Harman, President, ROG Coordinating Council
5429 Weywood Drive
Reisterstown, MD 21136
410-429-6035
410-818-9022 cell

to be forward to: Barbara Reynolds via another email account

Case 76-160-X

Zoning Hearings - 328 Main Street

Event Type: Meeting or Hearing

Event Location: 3rd Council District, Jefferson Building, 105 West Chesapeake Avenue, Room 205, Towson 21204

Date/Time: 11/03/2011 10:00 AM - 11/03/2011 11:00 AM

Description:

Special Exception to amend the order and site plan in Case 76-160-X for a service garage and expand the special exception area established in Case No. 76-160-X. Variance to permit 35 off-street parking spaces in lieu of the required 42 parking spaces.

Contact: Zoning Review (410-887-3391)

M E M O R A N D U M

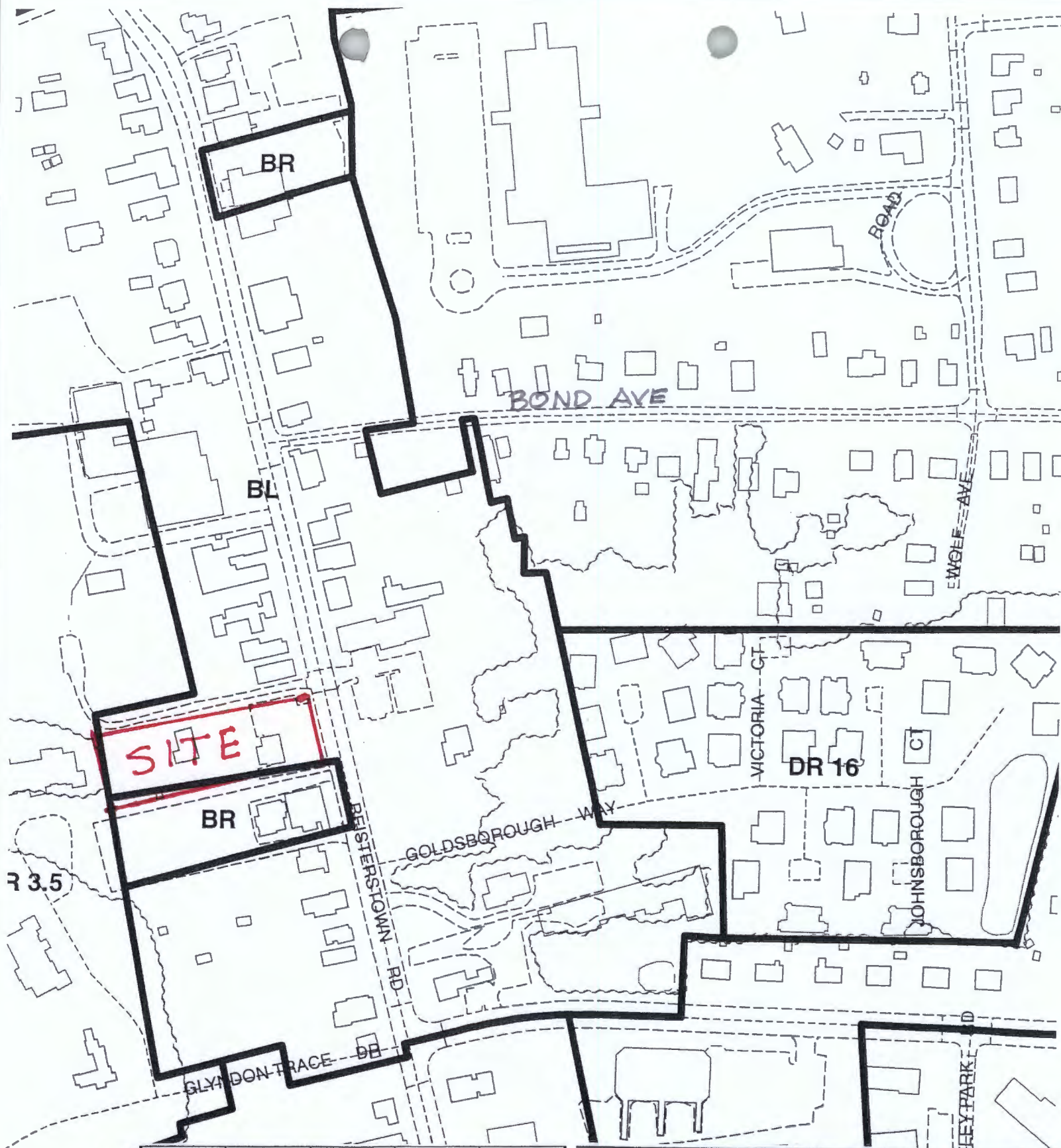
DATE: December 12, 2011
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0070-XA

The appeal period for the above-referenced case expired on December 10, 2011. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: **Case File**
Office of Administrative Hearings

CASE NAME _____
CASE NUMBER 2012-070-XA
DATE 11/3/11

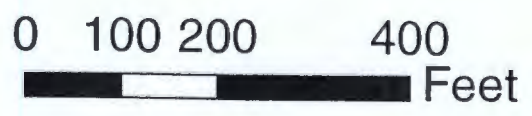
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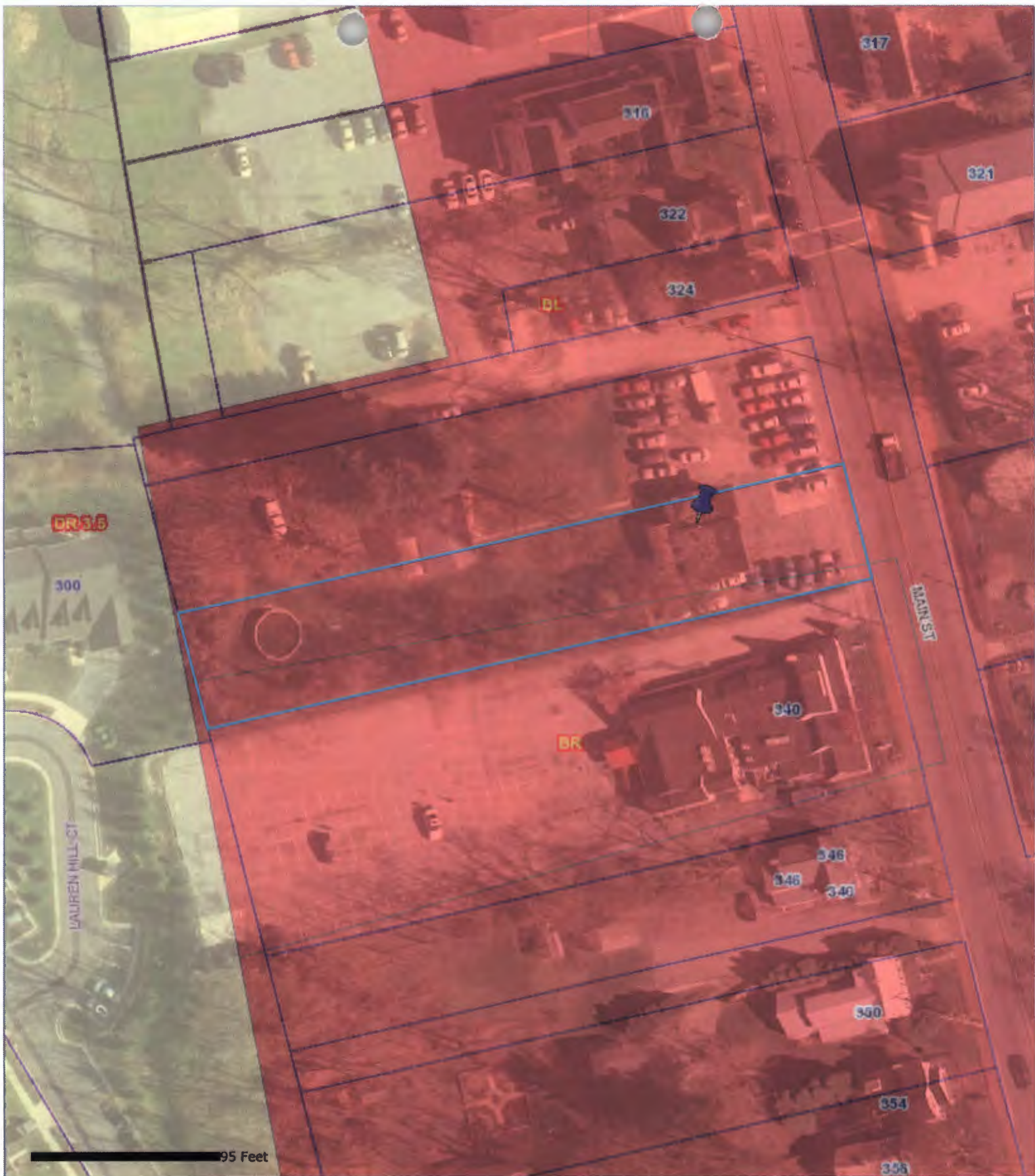


048A1	048B1	048C1	049A1	049B1
048A2	048B2	048C2	049A2	049B2
048A3	048B3	048C3	049A3	049B3

Scale

1" = 200'





My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 8/3/2011

11-3-11

Case No.: 2012-0070XA

Exhibit Sheet

12-12-11

8/11 12-12-11

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Reduced Site	
No. 3	Bldg. Elevations	
No. 4	Mr. Colbert CV	
No. 5	Aerial Photos - from County web site	
No. 6	Map Revitalization Zone	
No. 7	Map Historic Zone Dist.	
No. 8	Floor Plan layout	
No. 9	Photo of Current Site and Rendering of Proposed	
No. 10	Photo Exhibit	
No. 11		
No. 12		



RESUME

PROFESSIONAL BACKGROUND AND EXPERIENCE

KENNETH J. COLBERT
2835 SMITH AVENUE, SUITE G
BALTIMORE, MD 21209

PROFESSIONAL STATUS: Professional Engineer, Maryland, PE No. 9752

EDUCATION: University of Missouri-Rolla
Rolla, Missouri
B.S. in Civil Engineering - 1968

PROFESSIONAL BACKGROUND AND EXPERIENCE:

Mr. Colbert is a 1968 graduate of the University of Missouri with a Bachelor of Science in Civil Engineering. He has extensive experience in the field of Civil Engineering and Site Planning for residential, commercial, and other non-residential land development projects. He has prepared plans and has managed construction projects throughout central Maryland. Responsibilities include project coordination, project design, assisting in bid process, review of studies, reports and construction documents, and quality control.

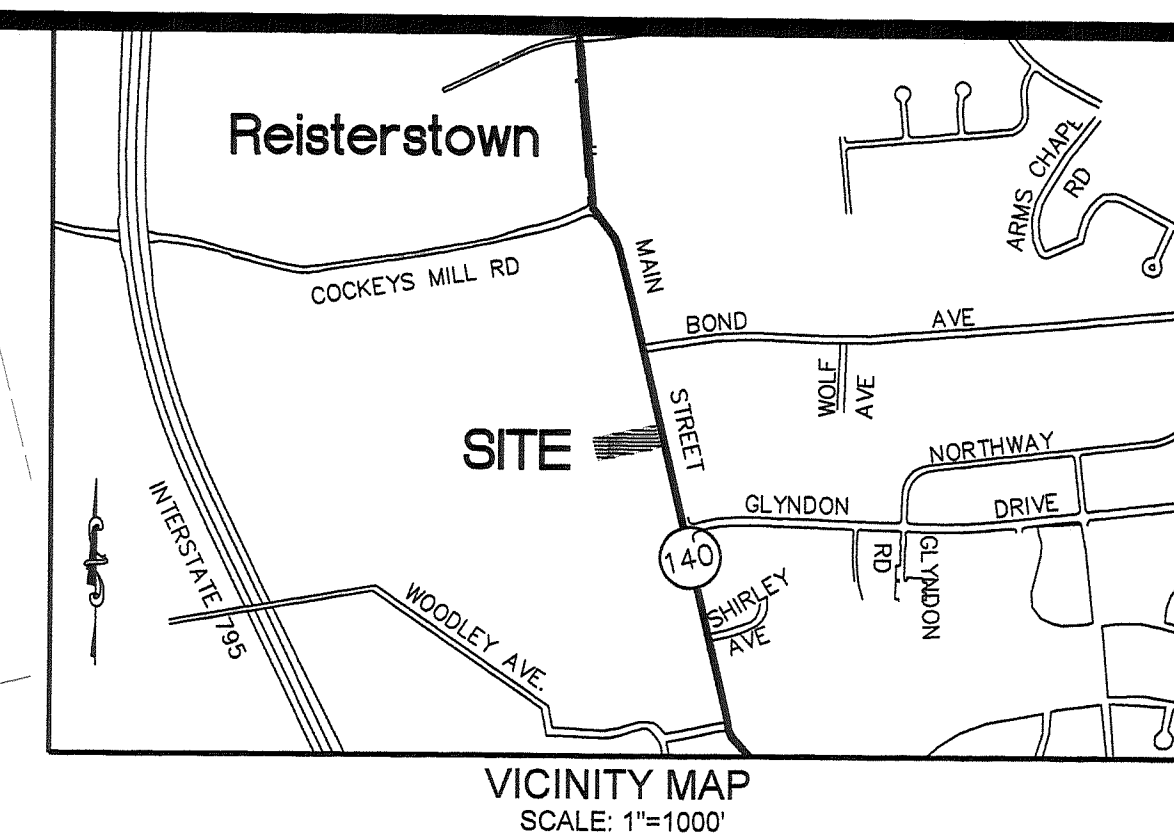
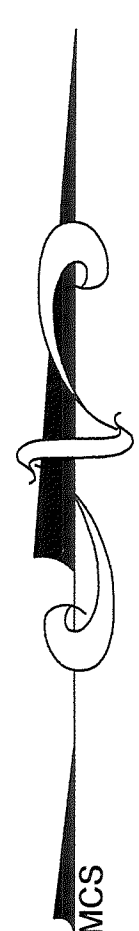
Accepted as an expert in those areas, and testified before the following:

Anne Arundel County Administrative Hearing Officer
Anne Arundel County Board of Appeals
City of Annapolis City Council
City of Annapolis Planning Commission
Baltimore County Board of Appeals
Baltimore County Zoning Commissioner
Baltimore City Board of Municipal Zoning Appeals
Cecil County Board of Appeals
City of Elkton Planning Board
City of Elkton City Council
City of Gaithersburg Planning Board
City of Gaithersburg City Council
Harford County Board of Appeals
Howard County Hearing Examiner
Howard County Board of Appeals
Montgomery County Planning Board
Montgomery County Hearing Examiner
Montgomery County Board of Appeals
City of Rockville Planning Commission
City of Rockville Board of Appeals
City of Westminster Planning Board

Testified as an expert witness in the field of Civil Engineering for Land Development in the District Courts of Baltimore County and Howard County.



PETITIONER'S
EXHIBIT NO. 7



- NOTES**
- OWNER/DEVELOPER:
SKIPPER INVESTMENTS, LLC
2311 TUFTON RIDGE ROAD
REISTERSTOWN, MD 21136
 - SITE DATA:
MAP 48, PARCEL 305
TAX ACCOUNT NO. 0418035025
DEED REFERENCE 29097 / 36
SITE AREA: 39,195 SQ. FT. / 0.8998 ACRES
EXISTING USE: SERVICE GARAGE
PROPOSED USE: SERVICE GARAGE
 - ZONING AND DEVELOPMENT HISTORY:
CASE NO. 3397-R-S, PETITION TO REZONE THE PROPERTY FROM "A" RESIDENTIAL TO "C" COMMERCIAL AND A SPECIAL PERMIT FOR A GASOLINE FILLING STATION APPROVED MARCH 28, 1955.
CASE NO. 76-160-X, PETITION FOR SPECIAL EXCEPTION FOR A SERVICE GARAGE GRANTED FEBRUARY 25, 1976.
 - OFF STREET PARKING CALCULATIONS
PARKING REQUIRED -
SERVICE GARAGE: 12,560 SQ. FT. @ 3.3 / 1000 = 41.4 SPACES (USE 42 SPACES)
NOTE: 6 PARKING SPACES TO BE RESERVED FOR CAR STORAGE
NET PARKING PROVIDED = 41 SPACES (INCLUDING 12 SERVICE BAYS AND 2 HANDICAPPED SPACES) LESS 6 SPACES FOR CAR STORAGE = 35 SPACES
 - SETBACKS

REQUIRED	PROVIDED
FRONT - 11.5'	57'
SIDE - 0	10'
REAR - 20'	110'
 - ZONING: BL, BR & DR 3.5
ZONING MAP NO.: 48-C2
 - F.A.R. CALCULATION
BUILDING AREA: 12,560 SQ. FT.
SITE AREA: 39,195 SQ. FT.
PROPOSED FAR - 0.52
MAX. PERMITTED FAR: 3.0 (BR)
 - MAXIMUM BUILDING HEIGHT TO BE 40 FEET.
 - SITE IS NOT IN THE CRITICAL AREA, HAS NO HISTORIC BUILDINGS AND IS NOT IN A 100-YEAR FLOOD PLAIN.
 - PREVIOUS COMMERCIAL PERMITS OF RECORD: TRAILER PERMIT NO. 16
 - ALL SIGNS WILL COMPLY WITH THE REQUIREMENTS OF SEC. 450, OF THE BCZR, OR A VARIANCE WILL BE REQUESTED.
 - ALL OFF-STREET PARKING AND DRIVEWAY AREAS WILL BE DURABLE AND DUSTLESS SURFACES.
 - ALL OFF-STREET PARKING SPACES WILL BE PERMANENTLY STRIPED.
 - BOUNDARY AND TOPOGRAPHIC INFORMATION BY COLBERT MATZ ROSENFELT, JUNE 2011
 - THE SITE IS NOT IN AN AREA OF ANY DEFICIENCIES AS OUTLINED ON CURRENT BASIC SERVICES MAPS.
 - THERE WILL BE NO OUTSIDE STORAGE OF DAMAGED OR DISABLED MOTOR VEHICLES ON SITE.
 - ALL LIGHTING SHALL BE DESIGNED AND INSTALLED TO MINIMIZE GLARE AND LIGHT SPILLAGE ONTO ADJACENT PROPERTIES AND PUBLIC RIGHT-OF-WAY.
 - NON-CONFORMING USED CAR SALES AREA WILL CONTINUE PURSUANT TO CASE NO. 76-160-X.

PLAN TO ACCOMPANY PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE

328 MAIN STREET

4TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT
TAX MAP 48 PARCEL 305
BALTIMORE COUNTY, MD

GRAPHIC SCALE
1 inch = 20 ft.

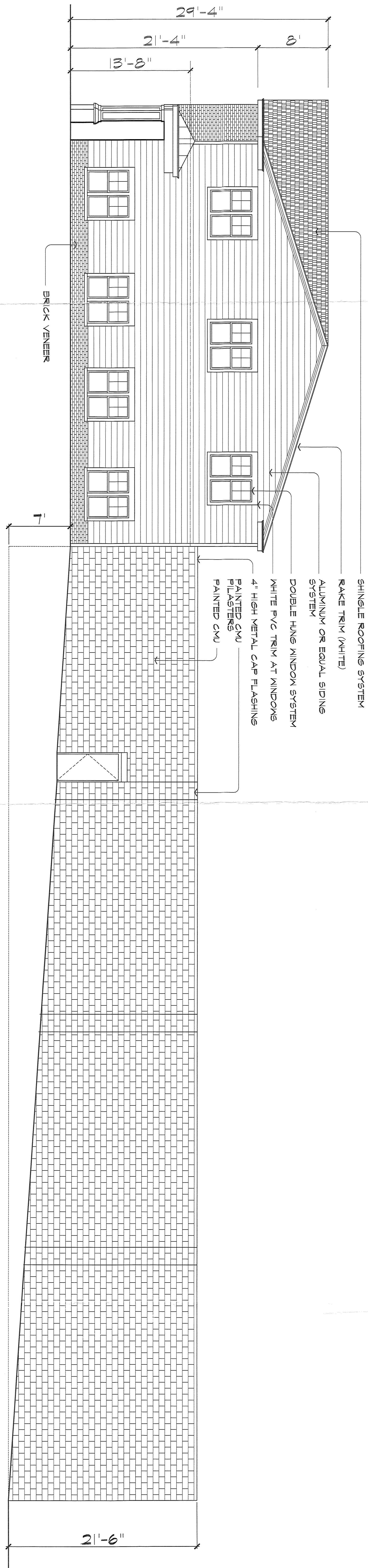
Colbert Matz Rosenfelt, Inc.
Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. 9752 Expiration Date: 2-28-12

Professional Seal
DATE: AUGUST 25, 2011
JOB NO.: 2011-021
DESIGNED: KJC
DRAWN: AKC/KJC
CHECKED: KJC
FILE: 2011021 ZONING
DRAWING NUMBER: ZON-1

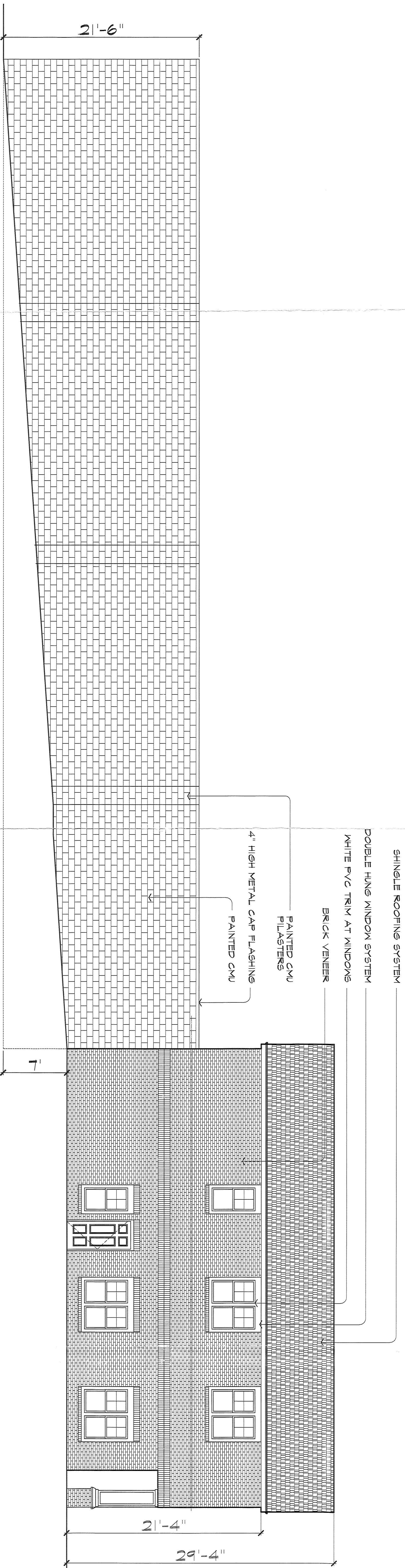
NO.	DATE	REVISIONS:	BY	SHEET
1	11-01-11	RED LINE FOR HEARING	KJC	1 OF 1

FRONT SETBACK DETERMINATION
ADJACENT TO THE NORTH: 13'
ADJACENT TO THE SOUTH: 10'
AVERAGE SETBACK 11.5'



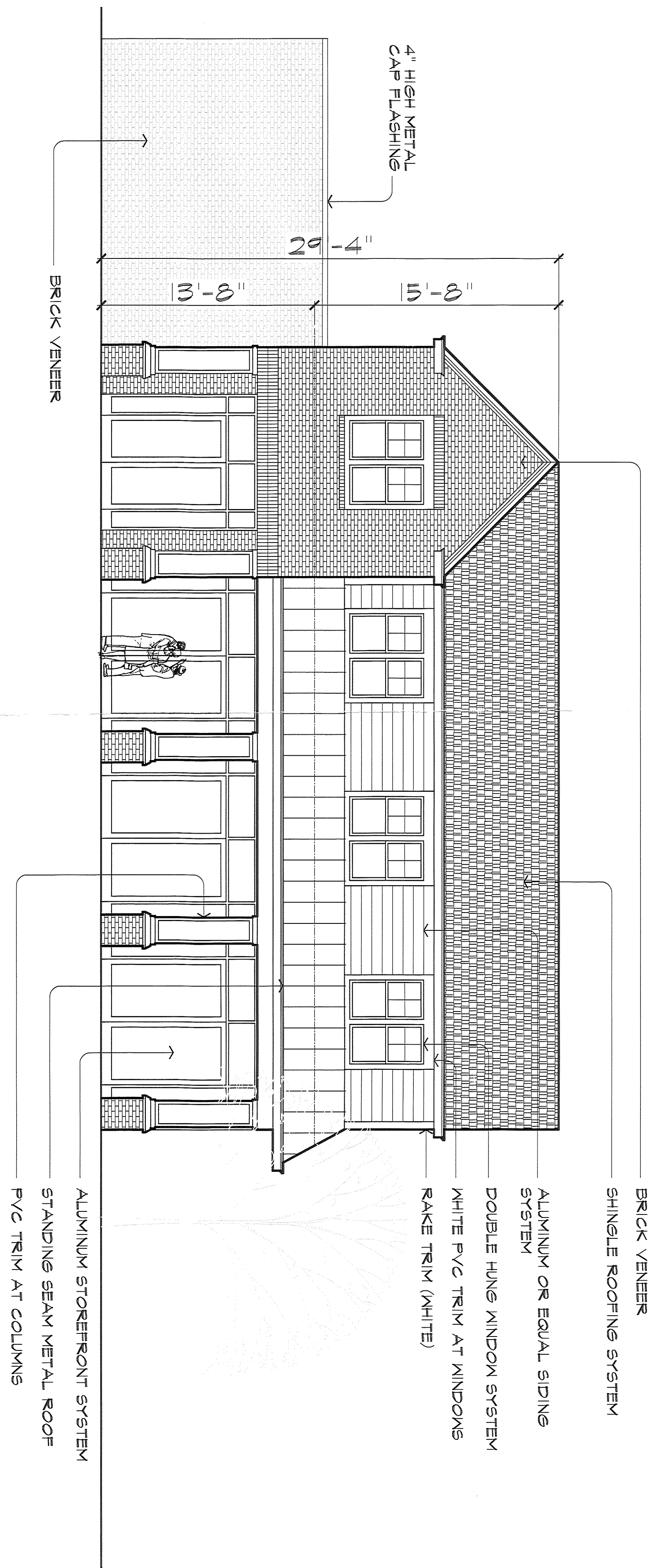
4 Right Side Building Elevation

Scale: 3/16"=1'-0"



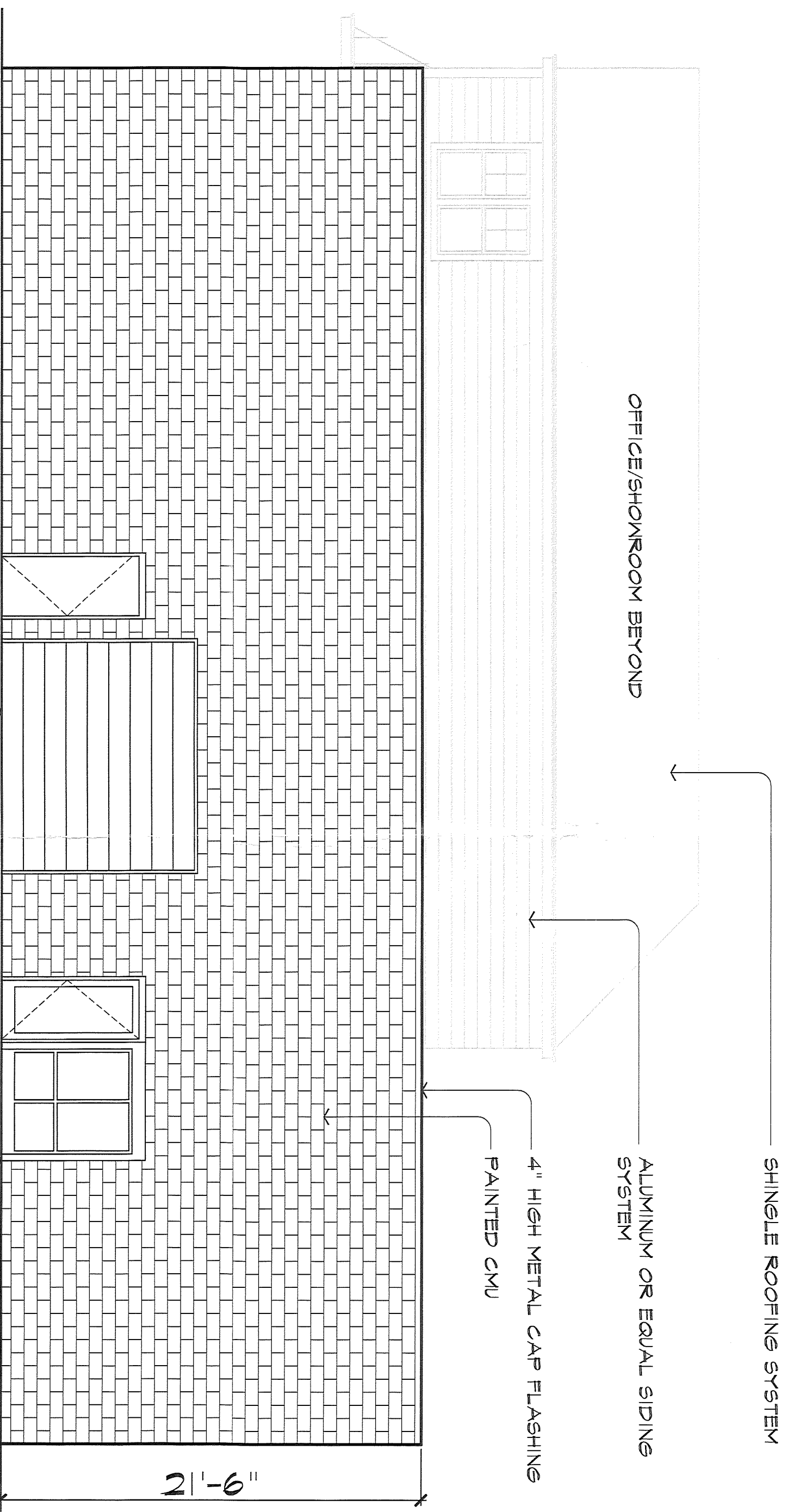
3 Left Side Building Elevation

Scale: 3/16"=1'-0"



1 Front Building Elevation Along Reisterstown Road

Scale: 3/16"=1'-0"



2 Rear Building Elevation

Scale: 3/16"=1'-0"

These plans, drawings and details are the property of Hanna Building Systems, Inc. and shall be used by Hanna Building Systems, Inc. in designing, budgeting and constructing this project. Copying, reproduction or other use, in whole or in a part, without the expressed written consent of Hanna Building Systems, Inc. is prohibited.

APPROVED BY: _____
DATE: _____

328 MAIN STREET
328 MAIN STREET
REISTERSTOWN, MD.

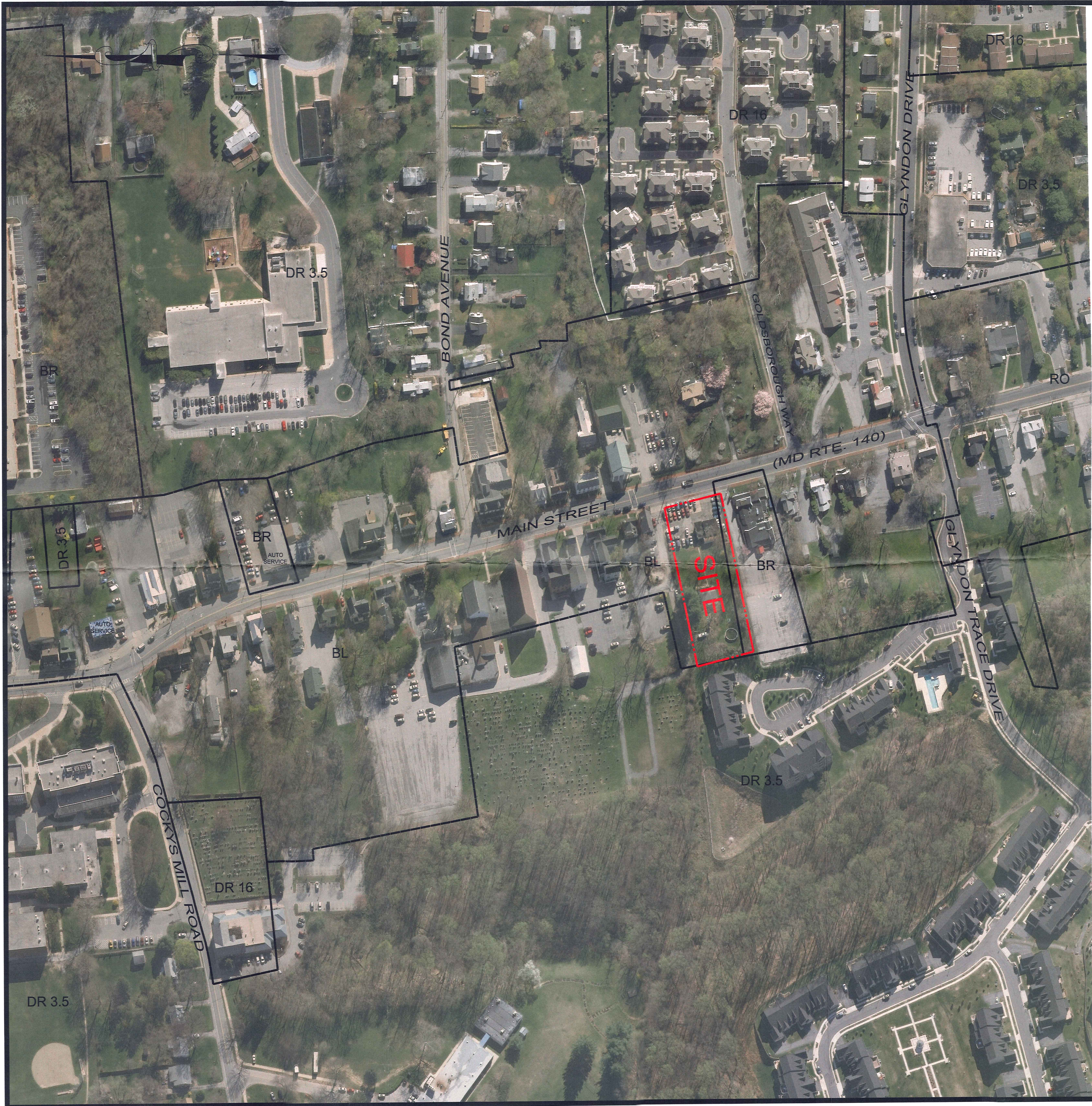
SCALE: AS NOTED
DATE: 11-2-11
JOB NO: J-388

hanna
building systems, inc.
115 LAKEFRONT DRIVE - HUNT VALLEY, MARYLAND 21030 - (410)-711-0220

SERIES: PROPOSED ELEVATION PLAN
DRAWN BY: _____
CAD FILE: 328 MAIN STREET ELEVATION

NO.	DATE	DESCRIPTION

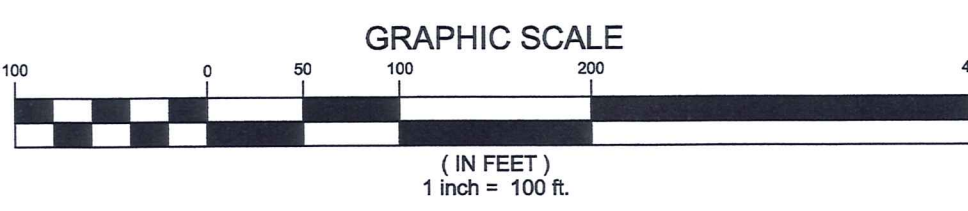
DRAWING: D2
SHEET: 2
OF: 2



AERIAL PHOTO EXHIBIT

328 MAIN STREET

4TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT
TAX MAP 48 PARCEL 305
BALTIMORE COUNTY, MD



Colbert Matz Rosenfelt, Inc.

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

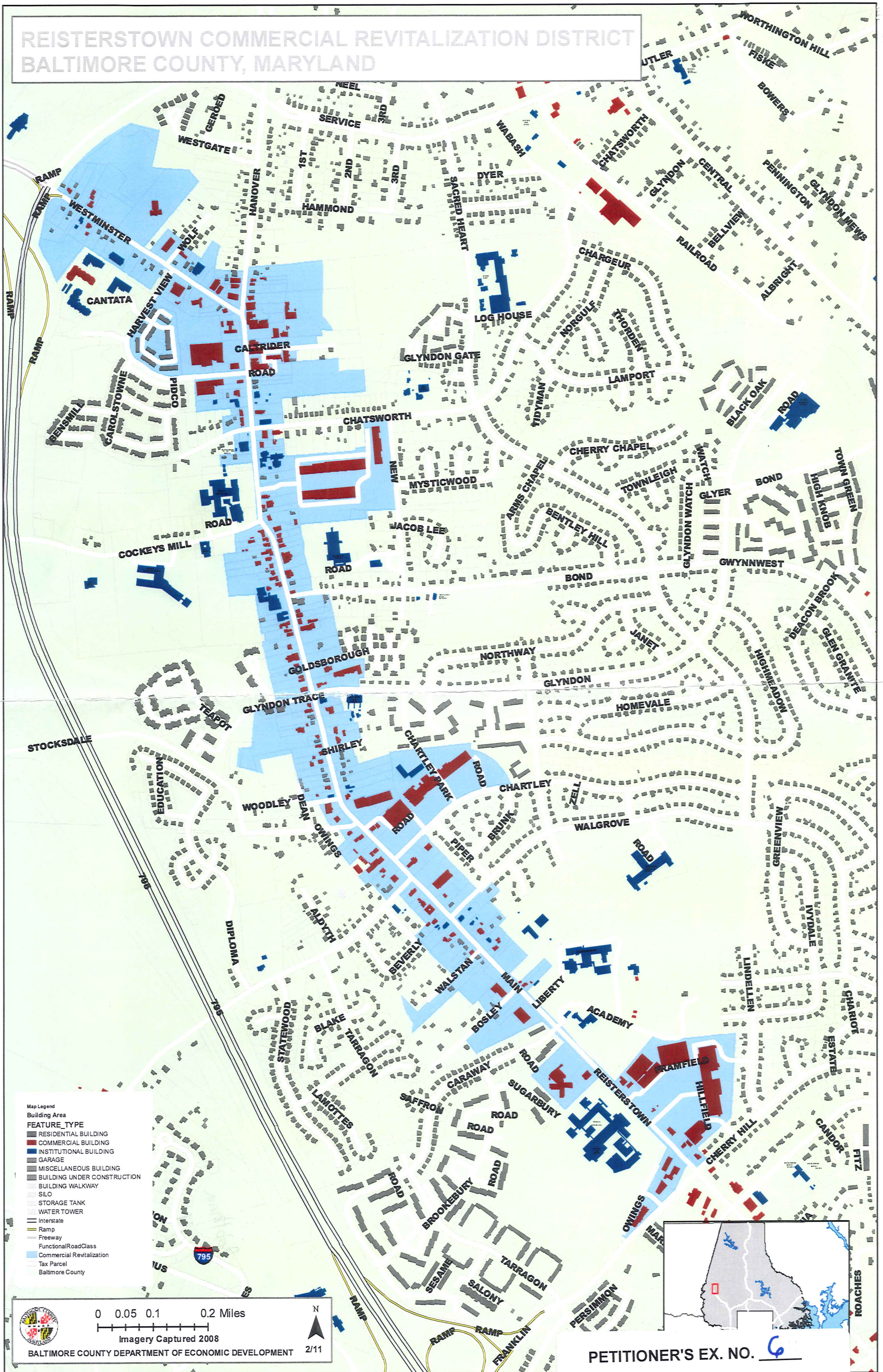


Professional Certification I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. 9752 Expiration Date: 2-28-12		SCALE: 1" = 100' DATE: 10/12/11 JOB NO.: 2011-021 DESIGNED: KJC DRAWN: AKC/KJC CHECKED: KJC FILE: 2011021 AERIAL EXHIBIT.dwg DRAWING NUMBER: AER-1
NO.	DATE	REVISIONS:
		BY

SHEET 1 OF 1

PETITIONER'S EX. NO. 5

REISTERSTOWN COMMERCIAL REVITALIZATION DISTRICT BALTIMORE COUNTY, MARYLAND



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APPROVED	BY:	_____
DATE:	_____	_____

328 MAIN STREET
REISTERSTOWN, MD.

SCALE:	AS NOTED
DATE:	11-2-11
DRAWN BY:	1-988

hanna
building systems, inc.
115 LAKEFRONT DRIVE - HUNT VALLEY, MARYLAND 21038 - (410) 711-2220

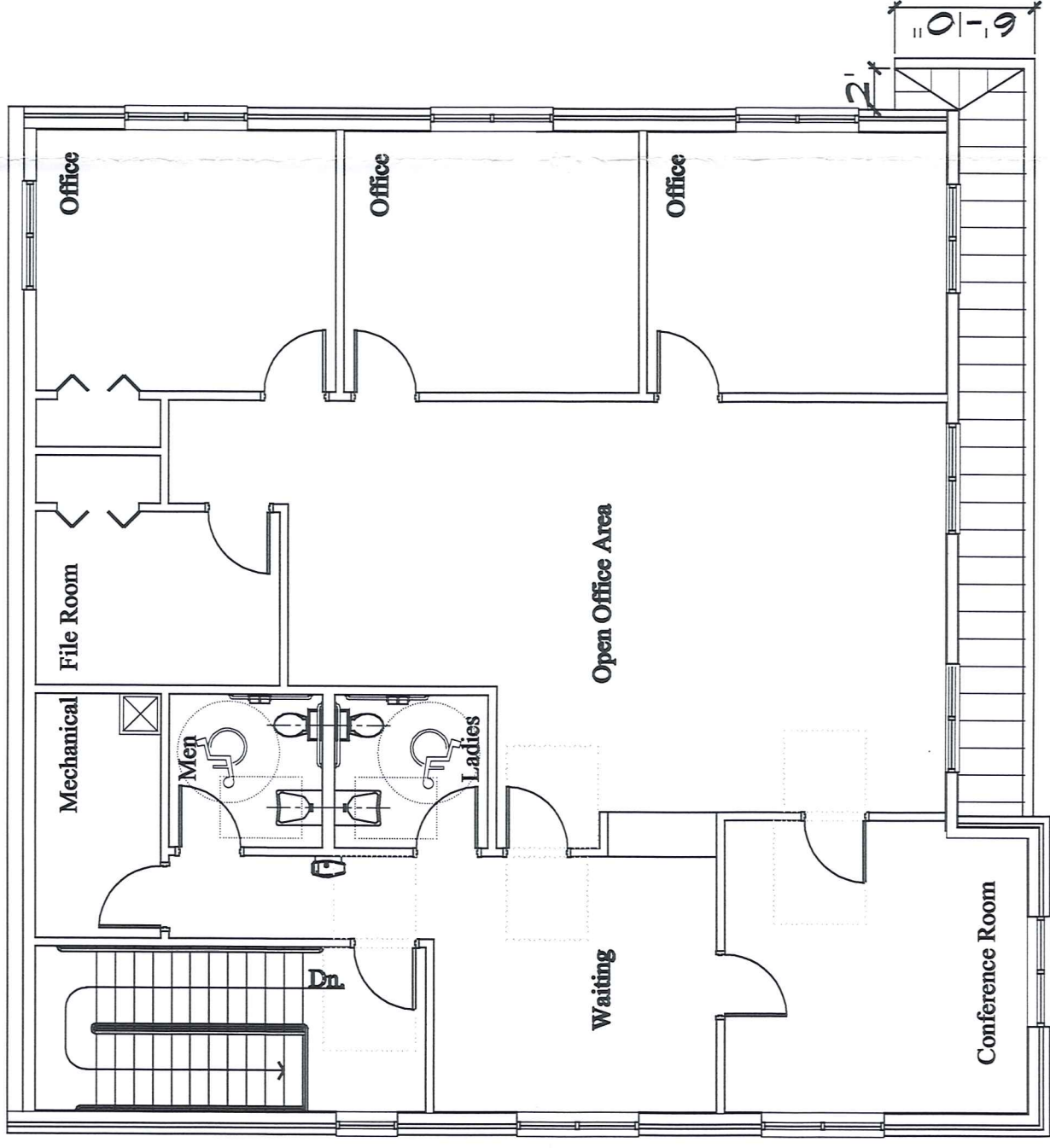
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DRAWN BY:	_____
CAD FILE:	328 MAIN STREET FLOOR PLAN

NO.	DATE	DESCRIPTION

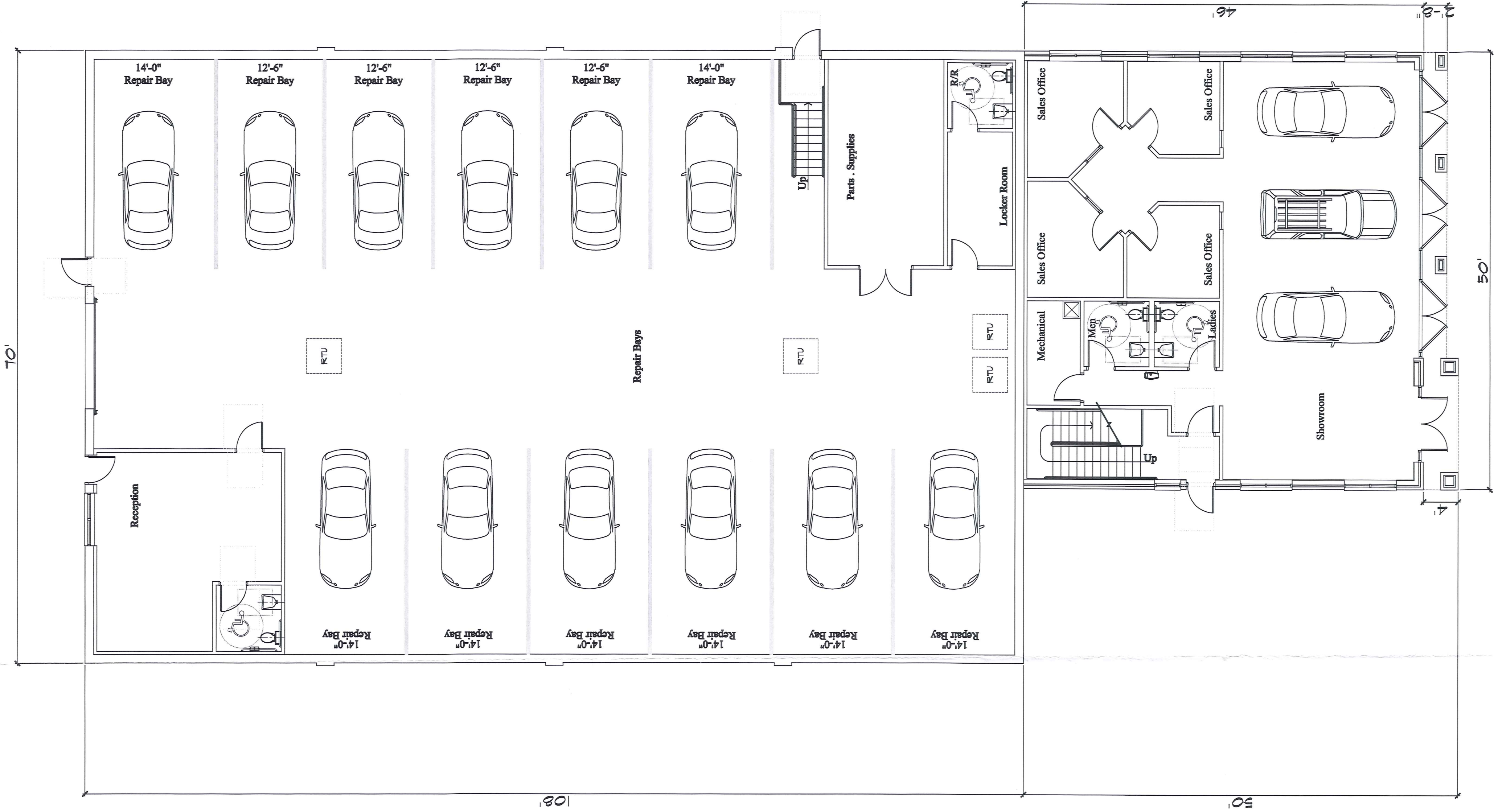
DRAWING	SHEET
D1	1 OF 2

PETITIONER'S
EXHIBIT NO. 8

2 Second Floor Layout
Scale: 1/8"=1'-0"



1 First Floor Layout
Scale: 1/8"=1'-0"





EXISTING



PROPOSED

EXISTING AND PROPOSED PHOTO EXHIBIT

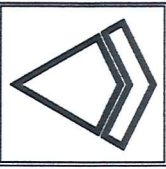
328 MAIN STREET

4TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT
TAX MAP 48 PARCEL 305
BALTIMORE COUNTY, MD



Colbert Matz Rosenfelt, Inc.

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



Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am duly licensed as a Professional Engineer or Professional Surveyor of Maryland. License No. 9752. Expiration Date: 2-28-12

DATE	10/12/11
JOBS NO.	2011-021
DRAWN BY	KAC
CHECKED BY	KAC
FILED	2011021 AERIAL EXHIBIT.dwg
DRAWING NUMBER	EX & PROP-1

NO	DATE	REVISIONS	BY	SHEET	1 OF 1
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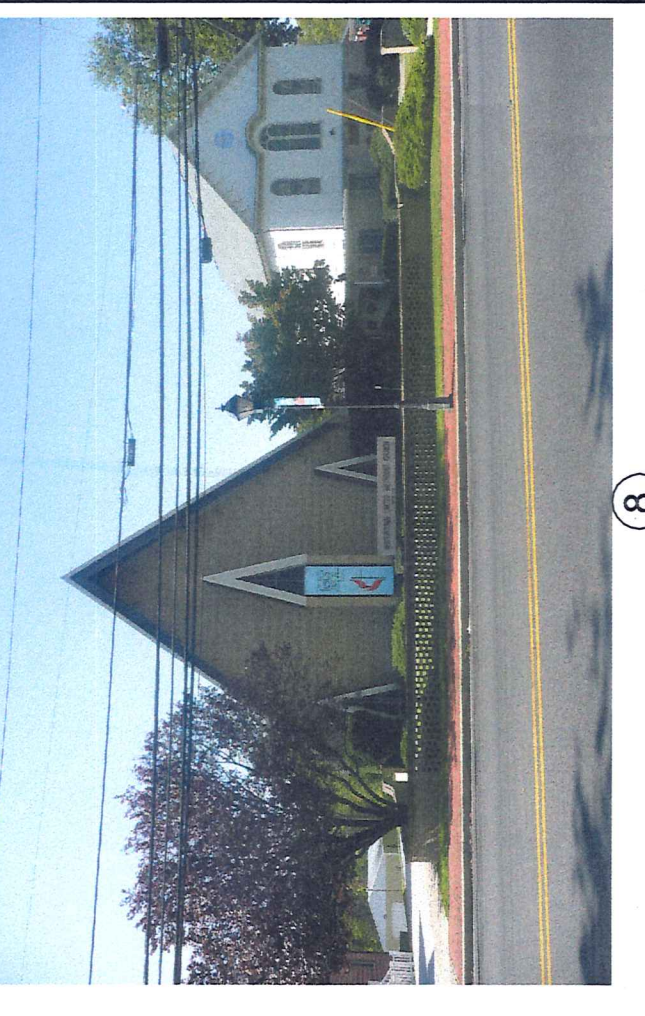
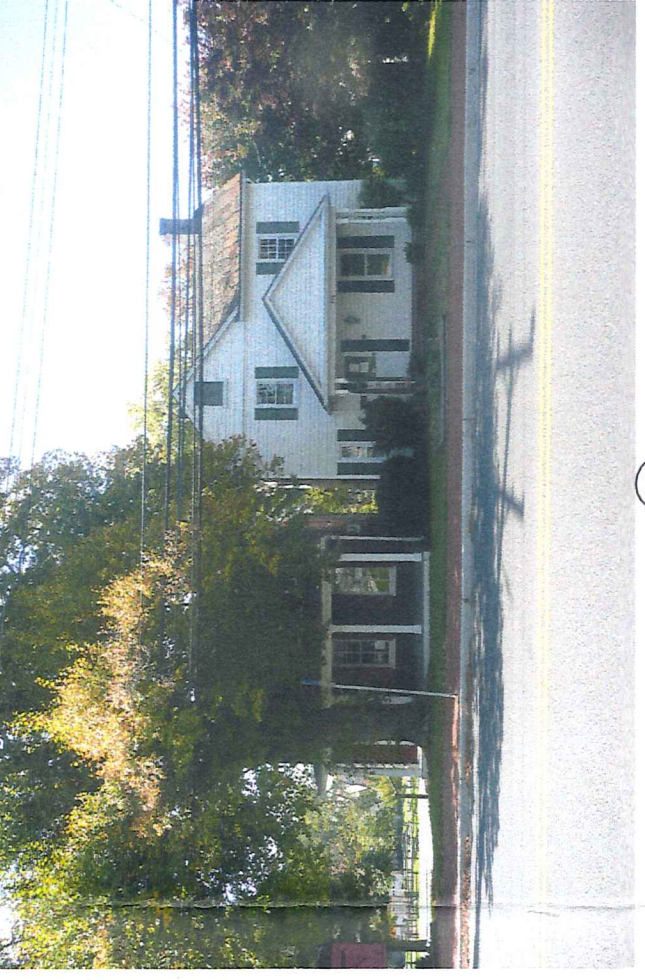
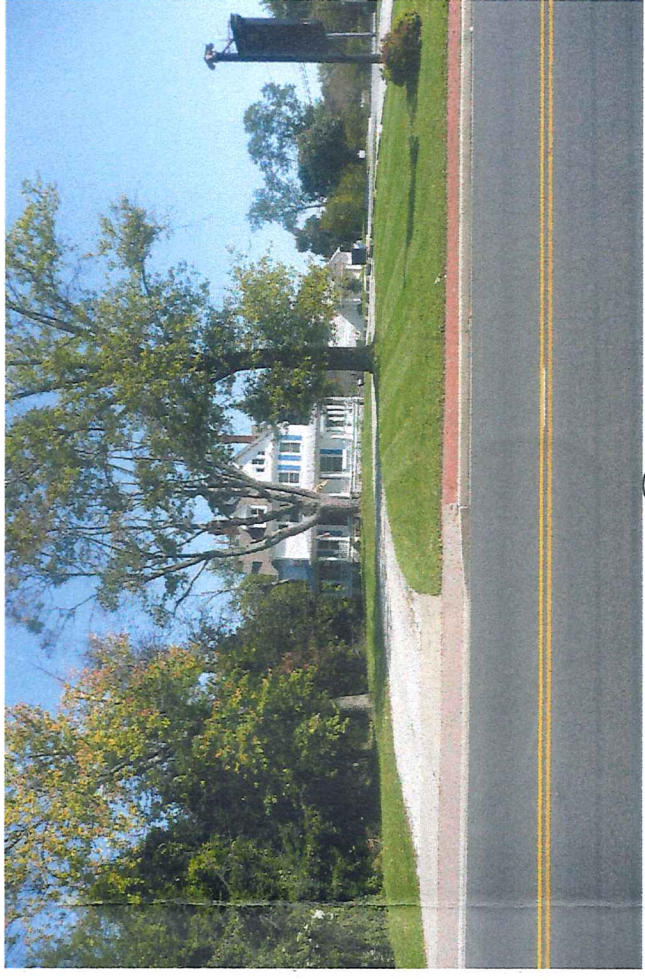
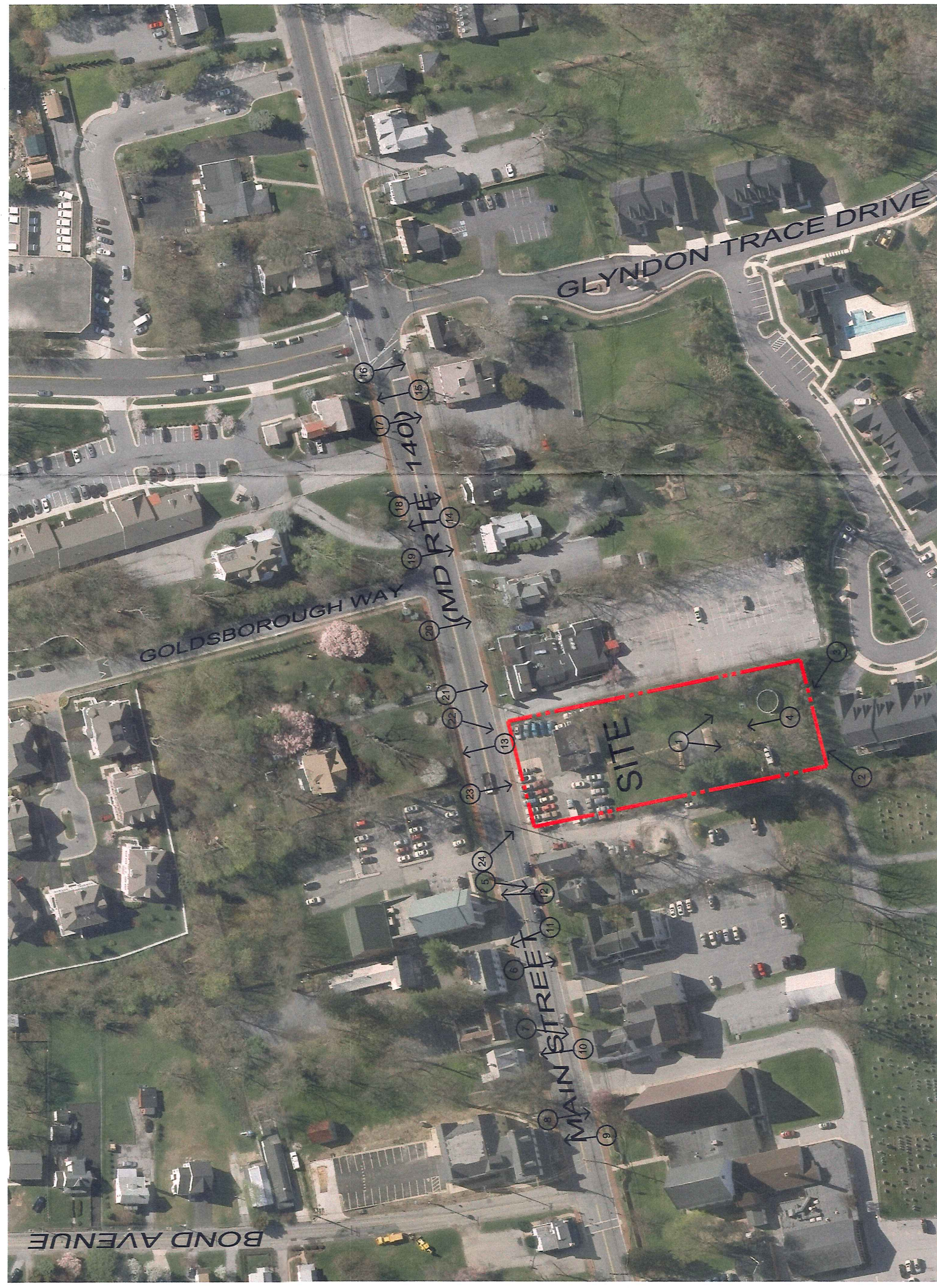
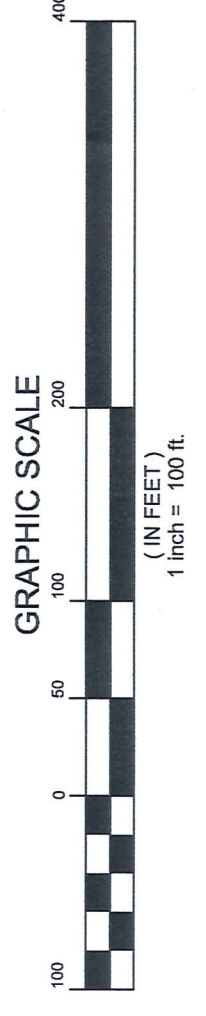


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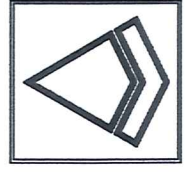
328 MAIN STREET

4TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT
TAX MAP 48 PARCEL 305
BALTIMORE COUNTY, MD



Colbert Matz Rosenfelt, Inc.

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2835 Smith Avenue, Suite G
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Telephone: (410) 653-3638
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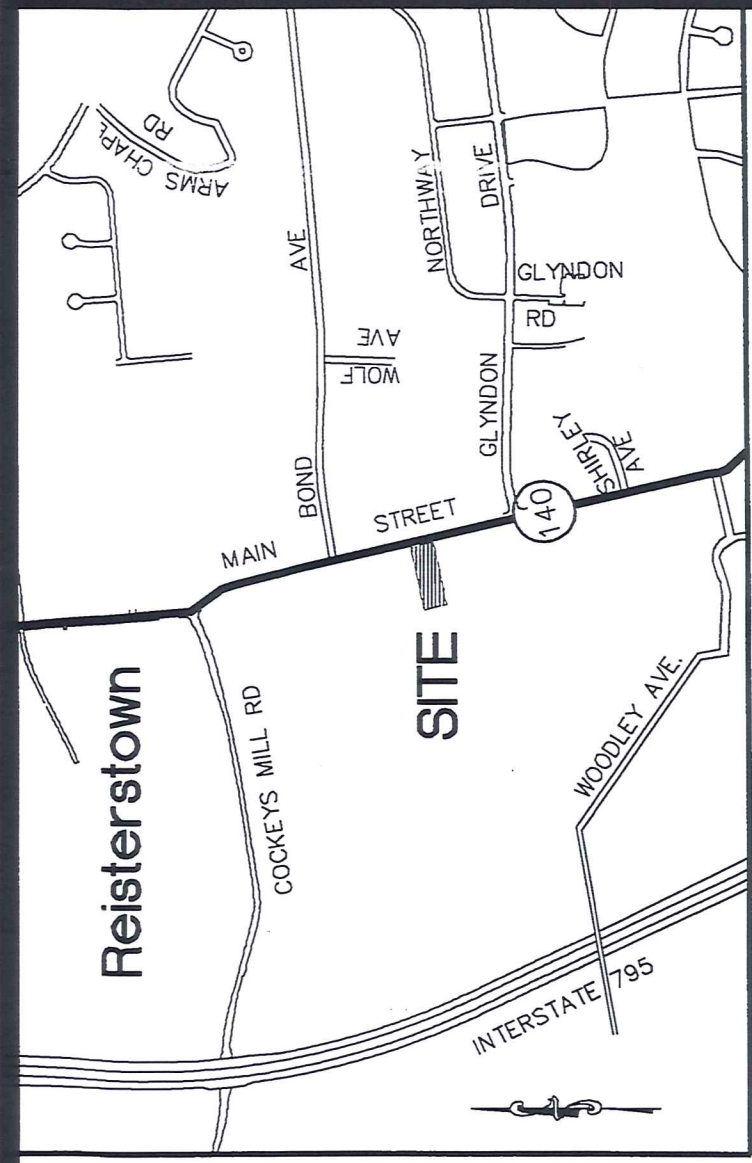
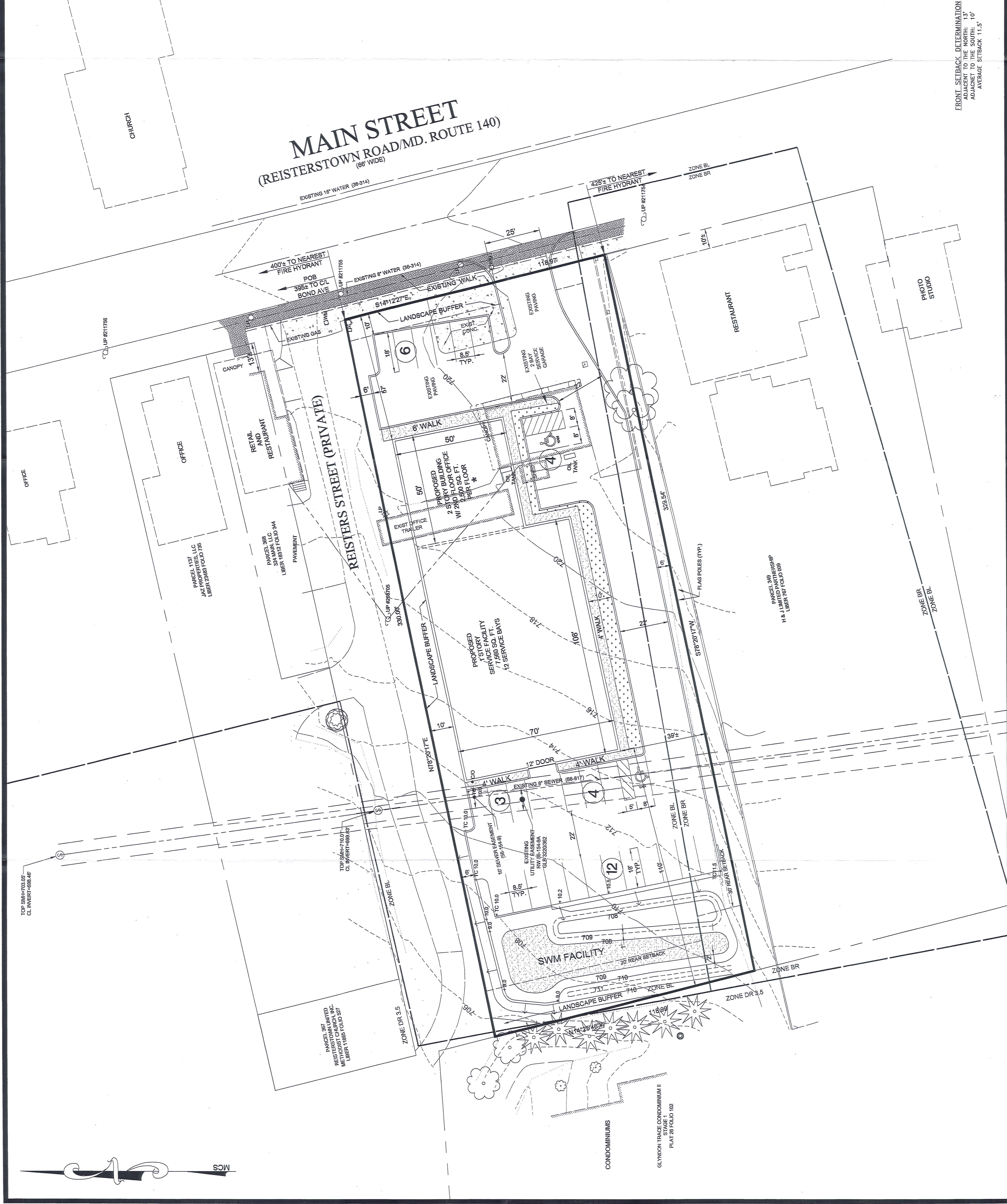
Professional Certification

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. 258216

DATE: 10/12/11
JOB NO.: 2011-021
DESIGNED: KJC
DRAWN: AKC/KJC
CHECKED: KJC
FILED: 2011/10/21 AERIAL EXHIBIT.dwg
DRAWING NUMBER: PHOTO-1

NO.	DATE	REVISIONS:	BY	SHEET	1	OF	1
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PETITIONER'S EX. NO. 10



NOTES

- OWNER DEVELOPER:
SHUPPER INVESTMENTS, LLC
2835 SMITH AVENUE, SUITE G
BALTIMORE, MARYLAND 21209
REISTERSTOWN, MD 21136
- SITE DATA:
MAP 48, PARCEL 305
TAX ACCOUNT NO. 0416035025
DEED REFERENCE 2897 / 56
SITE AREA: 12,559 SQ. FT.
EXISTING USE: SERVICE GARAGE
PROPOSED USE: SERVICE GARAGE
- ZONING AND DEVELOPMENT HISTORY TO REZONE THE PROPERTY FROM "R" RESIDENTIAL TO "C" COMMERCIAL, AND A SPECIAL PERMIT FOR A GASOLINE FILLING STATION APPROVED MARCH 28, 1955.
CASE NO. 76-160-X: PETITION FOR SPECIAL EXCEPTION FOR A SERVICE GARAGE GRANTED FEBRUARY 25, 1976.
- OFF-STREET PARKING CALCULATIONS
SERVICE GARAGE: 12,559 SQ. FT. @ 3.3 / 1000 = 41.4 SPACES (USE 42 SPACES)
NOTE: 8 PARKING SPACES TO BE RESERVED FOR CARPools AND 2 SPACES FOR HANDICAPPED SPACES (LESS 8 SPACES FOR CAR STORAGE = 35 SPA. RES. PARKING REQUIRED.)
- SETBACKS:
REQUIRED: FRONT - 11.5', SIDE - 0', REAR - 20'
PROVIDED: FRONT - 57', SIDE - 10', REAR - 110'
- ZONING: BL BR & DR 3.3
ZONING MAP NO.: 48-C2
7. F.A.R. CALCULATIONS:
BUILDING AREA: 12,559 SQ. FT.
SITE AREA: 39,195 SQ. FT.
PROPOSED FAR: 0.32
MAX. PERMITTED FAR: 3.0 (BR)
- MAXIMUM BUILDING HEIGHT TO BE 40 FEET.
- SITE IS NOT IN THE CRITICAL AREA HAS NO HISTORIC BUILDINGS AND IS NOT IN A 100-YEAR FLOOD PLAIN.
- PREVIOUS COMMERCIAL PERMITS OF RECORD: TRAILER PERMIT NO. 16
- ALL SIGNS WILL COMPLY WITH THE REQUIREMENTS OF SEC. 460, OF THE BOZR. OR A VARIANCE WILL BE REQUESTED.
- ALL OFF-STREET PARKING AND DRIVEWAY AREAS WILL BE DURABLE AND DUSTLESS SURFACES.
- ALL OFF-STREET PARKING SPACES WILL BE PERMANENTLY STRIPED.
- BOUNDARY AND TOPOGRAPHIC INFORMATION BY COLBERT MATZ, ROSENFELT, JUNE 2011
- THE SITE IS NOT IN AN AREA OF ANY DEFICIENCIES AS OUTLINED ON CURRENT BASIC SERVICES MAPS.
- THERE WILL BE NO OUTSIDE STORAGE OF DAMAGED OR DISABLED MOTOR VEHICLES ON SITE.
- ALL LIGHTING SHALL BE DESIGNED AND INSTALLED TO MINIMIZE GLARE AND LIGHT SPILLAGE ONTO ADJACENT PROPERTIES AND PUBLIC RIGHT-OF-WAY.
- NON-CONFORMING USED CAR SALES AREA WILL CONTINUE PURSUANT TO CASE NO. 76-160-X.

PLAN TO ACCOMPANY PETITIONS

FOR

SPECIAL EXCEPTION AND VARIANCE

328 MAIN STREET

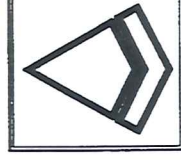
4TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT
TAX MAP 48 PARCEL 305
BALTIMORE COUNTY, MD

GRAPHIC SCALE



Colbert Matz Rosenfelt, Inc.

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



Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. 5782

SCALE: 1" = 20'

DATE: AUGUST 2, 2011

JOB NO.: 2011-121

DESIGNED: K.C.

DRAWN: K.C./A.C.

CHECKED: K.C.

FILE: 2011021 ZONING

DRAWING NUMBER

328-1

BY SHEET 1 OF 1

FRONT SETBACK DETERMINATION
ADJACENT TO THE NORTH: 13'
ADJACENT TO THE SOUTH: 10'
AVERAGE SETBACK 11.5'