

IN RE: PETITION FOR SPECIAL HEARING *

S side of Pulaski Highway, 412' NE
of c/l of Ebenezer Road
(10815 Pulaski Highway)
11th Election District
5th Council District

10815 LLC
Petitioner

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2012-0264-SPH

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Special Hearing filed by John B. Gontrum, Esquire, on behalf of the legal owner of the subject property, 10815 LLC. The Petitioner is requesting Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to determine whether or not the Administrative Law Judge should approve a window tinting business (including motor vehicle glass) in a ML zone. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing held for this case were Wes Gray of 10815 LLC and John B. Gontrum, Esquire, attorney for Petitioner. Also appearing in support of the requested relief was Rick Richardson, professional engineer with Richardson Engineering, LLC, the firm that prepared the site plan. There were no Protestants or other interested persons in attendance, and the file does not contain any letters of opposition or protest.

The Zoning Advisory Committee (ZAC) comments were received and made a part of the file. A ZAC comment was received from the Department of Planning on May 22, 2012, indicating the following:

ORDER RECEIVED FOR FILING

Date 6-20-12

By [Signature]

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner currently operates a business known as D&L Window Tinting at an adjacent property. The Department of Planning supports the petitioner's special hearing requests. As a condition to any relief granted as part of the subject petition, the petitioner shall maintain the existing pattern of landscaping consistent with neighboring businesses along this portion of Pulaski Highway.

Testimony and evidence revealed that the subject property is 0.87 acres and is zoned ML. The Petitioner operates a glass tinting business started by his family in 1992. Petitioner explained that the majority of his work does not involve motor vehicles, but involves application of tinting films and materials to commercial buildings for energy conservation and security purposes. As an example, Petitioner is scheduled to provide tinting materials to windows in the County's "Old Courthouse," for security purposes.

At present, the Petitioner leases space in the adjacent building at 10811 Pulaski, and proposes to construct a one story building (6,580 square feet) next door at 10815 Pulaski Hwy. In processing the plans for this project, the Zoning Office instructed Petitioner to obtain special hearing relief for a determination that the proposed activities are a permissible use in the ML zone.

Petitioner's Counsel contends that the uses are permissible (as of right) under B.C.Z.R. § 253.1.A.8 (cellophane processing-restricted production), A. 20 (glass products processing-restricted production) and/or A. 39 (plastic products processing). I agree.

Under the B.C.Z.R., "restricted production" of the referenced materials (i.e., cellophane, glass and plastic) involves the "light processing or treatment of such articles." B.C.Z.R. § 253.3. This describes exactly what the Petitioner proposes to do at the site. He will receive shipments of the various coatings and cellophane products, and his staff will then cut, shape and design the finished product for the customer. The services range from "shrink wrapping" boats and

ORDER RECEIVED FOR FILING

Date 6-20-12 2

By [Signature]

watercraft to providing elaborate computer graphics for mass transit vehicles. In my opinion, this equates to the "light processing" or "treatment" of these articles, and as such is permitted as of right in the ML zone.

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

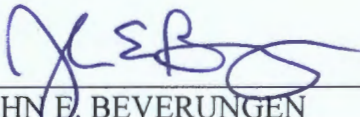
THEREFORE, IT IS ORDERED, this 20 day of June, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve a window tinting business (including motor vehicle glass) in a ML zone, be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon the following:

1. The Petitioner may apply for its building permits and may be granted same upon receipt of this Order; however the Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason, this Order is reversed, the Petitioner is required to return and be responsible for returning said property to its original condition.
2. Petitioner must comply with the ZAC comments submitted by the Department of Planning; a copy of which is attached and made a part hereof.

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

JEB:pz



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 6-20-12 3
By 

6/19 10am 6/5 11am 205

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 21, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 10815 Pulaski Highway

RECEIVED

INFORMATION:

MAY 22 2012

Item Number: 12-264

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner: 10815 LLC

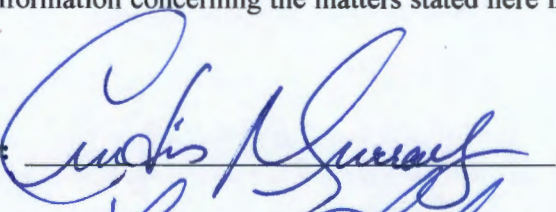
Zoning: ML

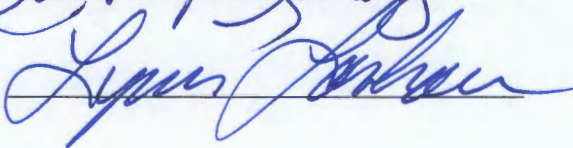
Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner currently operates a business known as D&L Window Tinting at an adjacent property. The Department of Planning supports the petitioner's special hearing requests. As a condition to any relief granted as part of the subject petition, the petitioner shall maintain the existing pattern of landscaping consistent with neighboring businesses along this portion of Pulaski Highway.

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

Prepared by: 

Division Chief: 
AVA/LL: CM

ORDER RECEIVED FOR FILING

Date 6-20-12

By [Signature]



KEVIN KAMENETZ
County Executive

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

June 20, 2012

JOHN GONTRUM, ESQUIRE
WHITEFORD, TAYLOR & PRESTON, L.L.P.
TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MD 21204-5025

RE: Petition for Special Hearing
Case No.: 2012-0264-SPH
Property: 10815 Pulaski Highway

Dear Mr. Gontrum:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", followed by a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

Enclosure



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 10815 Pulaski Highway, White Marsh, Maryland 21162 which is presently zoned ML

Deed References: 19135/00131

Property Owner(s) Printed Name(s) 10815 LLC

(SELECT THE HEARING(S) BY MARKING X 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 a window tinting business including motor vehicle glass in a M.L. zone.

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)

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:

John B. Gontrum, Esquire

Name- Type or Print

Signature

One West Pennsylvania Ave., Suite 300, Towson, Maryland

Mailing Address

City

State

21204

410-832-2055

jgontrum@wtplaw.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

10815 LLC

Name #1 - Type or Print

Name #2 - Type or Print

By:

Signature #1

Signature #2

10811 Pulaski Highway, White Marsh, MD

Mailing Address

City

State

21162-1815

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

CASE NUMBER **2012-0264-SPH**

Filing Date

4/20/12

Do Not Schedule Dates:

Reviewer

JCM

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date

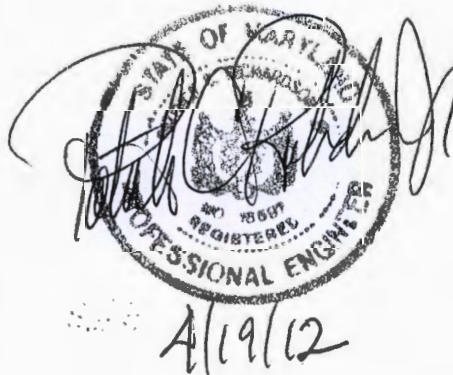
6-20-12

By

WJG

**ZONING PROPERTY DESCRIPTION FOR
#10815 PULASKI HIGHWAY
(U.S. ROUTE #40)
BALTIMORE COUNTY, MARYLAND**

Beginning at a point on the **south** side of **Pulaski Highway** which is **150** feet wide at the distance of **412** feet **north east** of the centerline of the nearest improved intersecting street **Ebenezer Road** which is **50** feet wide. Being lot **B** in the subdivision of **IRVIN GOODMAN** as recorded in Baltimore County Plat Book **#26** Folio **#24**. More particularly described as: (1) South 44 degrees 35 minutes 17 seconds East 228.54 feet, (2) North 41 degrees 17 minutes 40 seconds East 150.39 feet, (3) North 44 degrees 35 minutes 19 seconds West 217.75 feet to a point on the south side of Pulaski Highway, thence binding on the south side of Pulaski Highway (4) South 45 degrees 24 minutes 40 seconds West 150.00 feet to the point of beginning. Containing **33,472** Sq.Ft. or **0.77** Ac.+/- . Located in the 11th. Election District, 5th Councilmanic District.



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

No. 82037
 Date: 4/20/12

PAID RECEIPT

BUSINESS ACTUAL TIME DEM
 4/20/2012 4/20/2012 10:21:19 5
 REF: W003 WALKIN RBOS LRB
 >> RECEIPT # 586233 4/20/2012 OFLN
 Dept 5 528 ZONING VERIFICATION
 NO. 082037

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				385.00

Recpt Tot \$385.00
 \$385.00 CK \$1.00 CA
 Baltimore County, Maryland

Total: 385.00

Rec From: D&L

For: 10815 PULASKI Hwy.

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
10815 Pulaski Highway; S/S Pulaski Highway, * OF ADMINISTRATIVE
412' NE of c/line Ebenezer Road * HEARINGS FOR
11th Election & 5th Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): 10815 LLC *
Petitioner(s) *
2012-264-SPH

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

MAY 04 2012

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of May, 2012, a copy of the foregoing Entry of Appearance was mailed to John Gontrum, Esquire, One Pennsylvania Avenue, Suite 300, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



KEVIN KAMENETZ
County Executive

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

May 19, 2012

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: 2012-0264-SPH

10815 Pulaski Highway

11th Election District – 5th Councilmanic District

Legal Owners: 10815, LLC

Special Hearing to allow a window tinting business including motor vehicle glass in a M.L. zone.

Hearing: Tuesday, June 19, 2012 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: John Gontrum, 1 W. Pennsylvania Ave., Ste. 300, Towson 21204
10815, LLC, 10811 Pulaski Highway, White Marsh 21162-1815

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 30, 2012.**
- (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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 29, 2012 Issue - Jeffersonian

Please forward billing to:
D & L Window Tinting
10811 Pulaski Highway
White Marsh, MD 21162

410-335-1025

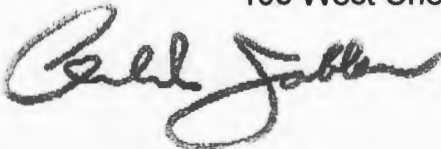
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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- 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.

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: 2012-0264-SPH

Petitioner: D & L WINDOW TINTING

Address or Location: 10815 PULASKI HIGHWAY

PLEASE FORWARD ADVERTISING BILL TO:

Name: D & L WINDOW TINTING

Address: 10811 PULASKI HIGHWAY

WHITE MARSH, MD 21162

Telephone Number: 410-335-1025

Revised 2/20/98 - SCJ

WHITEFORD, TAYLOR & PRESTON L.L.P.

JOHN B. GONTRUM
DIRECT LINE (410) 832-2055
DIRECT FAX (410) 339-4058
JGontrum@wtpplaw.com

TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
FACSIMILE (410) 832-2015

BALTIMORE, MD
COLUMBIA, MD
FALLS CHURCH, VA
TOWSON, MD
WASHINGTON, DC
WILMINGTON, DE*

WWW.WTPLAW.COM
(800) 987-8705

May 21, 2012

VIA FACSIMILE 410-887-3048

Zoning Review
County Office Building
111 W. Chesapeake Avenue, Room 111
Towson, Maryland 21204

Attention: Kristen

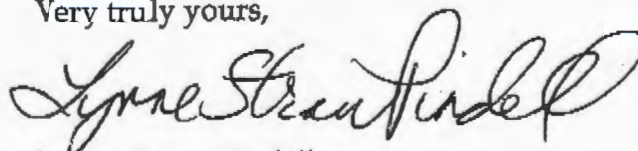
Re: 10815 Pulaski Highway
11th Election District - 5th Councilmanic District
Case No: 2012-0264-SPH

Dear Kristen:

Pursuant to our recent telephone conversation, I am writing to request a postponement of the zoning hearing recently scheduled for Tuesday, June 5, 2012 at 11:00 a.m. John Gontrum is scheduled to be on vacation during the week of June 5th. We have agreed on a new zoning hearing date for Tuesday, June 19, 2012 at 10:00 a.m.

If you should have any questions, please do not hesitate to contact me.

Very truly yours,



Lynne Straw-Pindell
Administrative Assistant to
John B. Gontrum

:lsp

426981

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 15, 2012 Issue - Jeffersonian

Please forward billing to:
D & L Window Tinting
10811 Pulaski Highway
White Marsh, MD 21162

410-335-1025

NOTICE OF ZONING HEARING

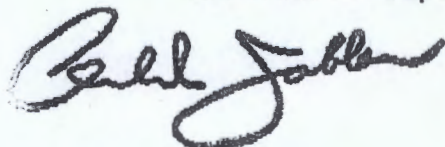
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CASE NUMBER: 2012-0264-SPH

10815 Pulaski Highway
11th Election District – 5th Councilmanic District
Legal Owners: 10815, LLC

Special Hearing to allow a window tinting business including motor vehicle glass in a M.L. zone.

Hearing: Tuesday, June 5, 2012 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

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



KEVIN KAMENETZ
County Executive

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

May 7, 2012

NOTICE OF ZONING HEARING

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10815 Pulaski Highway
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Arnold Jablon
Director

AJ:kl

C: John Gontrum, 1 W. Pennsylvania Ave., Ste. 300, Towson 21204
10815, LLC, 10811 Pulaski Highway, White Marsh 21162-1815

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 16, 2012.**
- (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.

**NOTICE OF ZONING
HEARING**

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10815 Pulaski Highway
11th Election District
5th Councilmanic District
Legal Owner(s): 10815, LLC
Special Hearing: to allow a window tinting business including motor vehicle glass in a M.L. zone.
Hearing: Tuesday, June 5, 2012 at 11:00 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 05/699 May 15 303236

CERTIFICATE OF PUBLICATION

5/17, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/15, 2012.

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

J. Wilkinson

LEGAL ADVERTISING

**NOTICE OF ZONING
HEARING**

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein, as follows:

Case: # 2012-0264-SPH
10815 Pulaski Highway
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5th Councilmanic District
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ARNOLD JABLON, DIRECTOR
OF PERMITS, APPROVALS
AND INSPECTIONS FOR
BALTIMORE COUNTY

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(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 05/791 May 29 303658

CERTIFICATE OF PUBLICATION

5/31, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/29, 2012.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2012-0264-SPH

RE: Case No.: _____

Petitioner/Developer: _____

10815, LLC

June 19, 2012

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: _____

10815 Pulaski Highway

May 28, 2012

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

Sincerely,

May 28, 2012

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

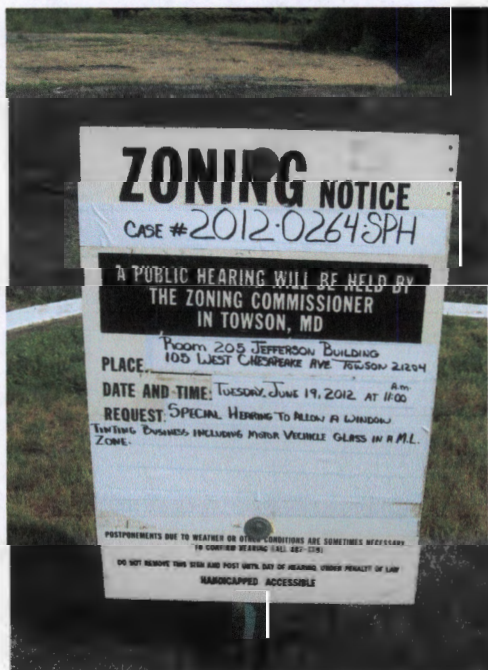
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



MEMORANDUM

DATE: July 23, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0264-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on July 20, 2012. 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 D&L WINDOW TINTING
CASE NUMBER 2012-264-SPH
DATE 6/19/12

[illegible]

JB 6/19
10am

CASE NO. 2012- 0264 - SPL

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>5-7</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>5-18</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
<u>5-22</u>	PLANNING (if not received, date e-mail sent _____)	<u>S w/ cond.</u>
<u>5-2</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>5-29-12</u>	
SIGN POSTING	Date: <u>5-28-12</u> by <u>Black</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Maryland Department of Assessments and Taxation
Real Property Data Search (vw2.2A)
BALTIMORE COUNTY

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[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier:

District - 11 Account Number - 1112060190

Owner Information

Owner Name: 10815 LLC **Use:** COMMERCIAL
Principal Residence: NO
Mailing Address: 10811 PULASKI HWY
WHITE MARSH MD 21162-1815 **Deed Reference:** 1) /19135/ 00131
2)

Location & Structure Information**Premises Address**

10815 PULASKI HWY
0-0000

Legal Description

PARCEL B
10815 PULASKI HWY
IRVIN GOODMAN PROPERTY

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0073	0019	0290		0000				1	Plat Ref: 0026/0024

Special Tax Areas **Town** NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
	860	33,472 SF	06

Stories **Basement** **Type** **Exterior**
RETAIL STORE

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2010	07/01/2011	07/01/2012
Land	379,400	336,900		
Improvements:	27,800	32,200		
Total:	407,200	369,100	369,100	369,100
Preferential Land:	0			0

Transfer Information

Seller: DROBISZ CAROL H	Date: 11/12/2003	Price: \$250,000
Type: ARMS LENGTH IMPROVED	Deed1: /19135/ 00131	Deed2:
Seller: WASKEWIECZ SHIRLEY JEAN	Date: 06/26/2001	Price: \$180,000
Type: ARMS LENGTH IMPROVED	Deed1: /15336/ 00152	Deed2:
Seller: KURTINECZ STELLA	Date: 04/07/1999	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /13653/ 00067	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Homestead Application Information

Homestead Application Status: No Application



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

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District - 11 **Account Number - 1112060190**



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

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

Property maps provided courtesy of the Maryland Department of Planning ©2010.
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

6/5 11 AM
205

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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: May 18, 2012

SUBJECT: DEPS Comment for Zoning Item # 2012-0264-SPH
Address 10815 Pulaski Highway
(10815, LLC Property)

Zoning Advisory Committee Meeting of April 30, 2012.

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

Reviewer: *Jeff Livingston; Development Coordination*

RECEIVED

MAY 18 2012

OFFICE OF ADMINISTRATIVE HEARINGS

6/5 11AM
205**Debra Wiley - ZAC Comments - Distribution Mtg. of April 30th**

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 5/7/2012 11:30 AM
Subject: ZAC Comments - Distribution Mtg. of April 30th

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.

2012-0258-XA - 8710 Liberty Road
No hearing date assigned in data base as of 5/2

2012-0262-SPHA - 200 E. Burke Avenue
No hearing date assigned in data base as of 5/2

2012-0263-SPHA - 601 Tampa Road
No hearing date assigned in data base as of 5/2

2012-0264-SPH - 10815 Pulaski Highway
No hearing date assigned in data base as of 5/2

2012-0265-SPH - 10240 Liberty Road
No hearing date assigned in data base as of 5/2

2012-0267-XA - 7303 Old Battle Grove Road
No hearing date assigned in data base as of 5/2

2012-0268-A - 7815 Denton Avenue
Administrative Variance - Closing Date: 5/21/12

2012-0269-A - 6808 North Point Road
No hearing date assigned in data base as of 5/2

Thanks.

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



KEVIN KAMENETZ
County Executive

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

June 13, 2012

10815 LLC
10811 Pulaski Highway
White Marsh, MD 21162

RE: Case Number: 2012-0264 SPH, Address: 10815 Pulaski Highway

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 1, 2012. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
John B. Gontrum, Esquire, One West Pennsylvania Avenue, Suite 300, Towson, MD 21204

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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 5-2-12

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

RE: Baltimore County
Item No. 2012-0264-SPH
Special Hearing
10815 LLC
10815 Pulaski Highway
US40

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 4-30-12. A field inspection and internal review reveals that an entrance onto US40 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Hearing, Case Number 2012-0264-SPH.

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 email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/raz

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 7, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For May 14, 2012
Item Nos. 2012-0258, 0262, 0263, 0264, 0265, 0267
And 0269

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-05142012-NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 21, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 10815 Pulaski Highway

INFORMATION:

Item Number: 12-264

Petitioner: 10815 LLC

Zoning: ML

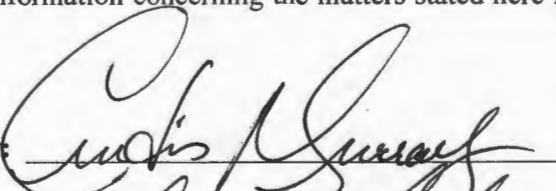
Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

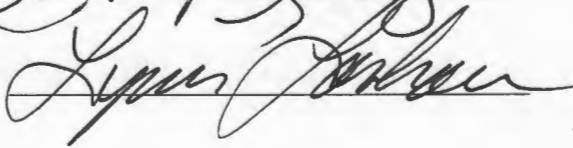
The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner currently operates a business known as D&L Window Tinting at an adjacent property. The Department of Planning supports the petitioner's special hearing requests. As a condition to any relief granted as part of the subject petition, the petitioner shall maintain the existing pattern of landscaping consistent with neighboring businesses along this portion of Pulaski Highway.

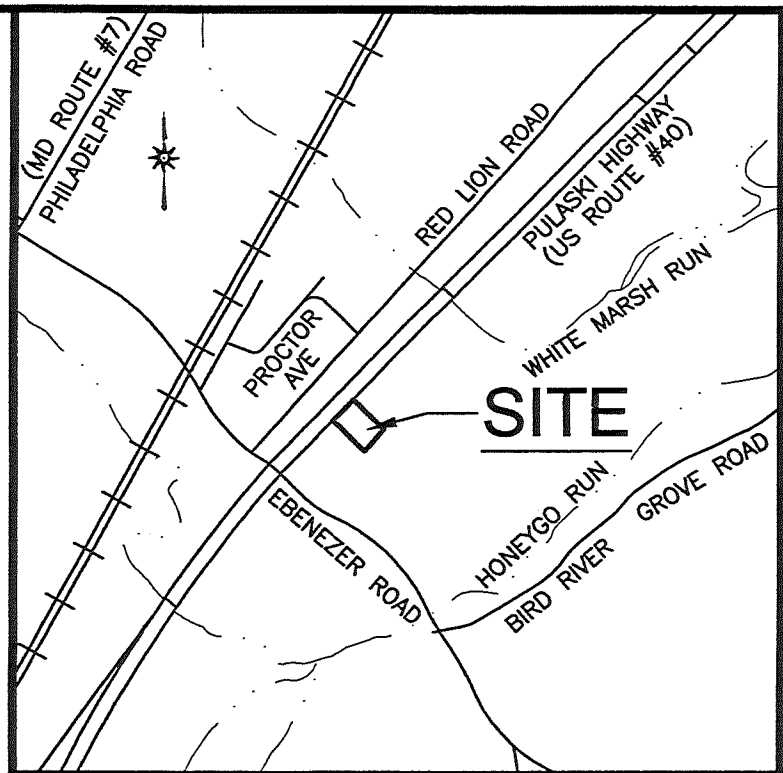
For further information concerning the matters stated here in, please contact Donnell Zeigler at 410-887-3480.

Prepared by:



Division Chief:
AVA/LL: CM



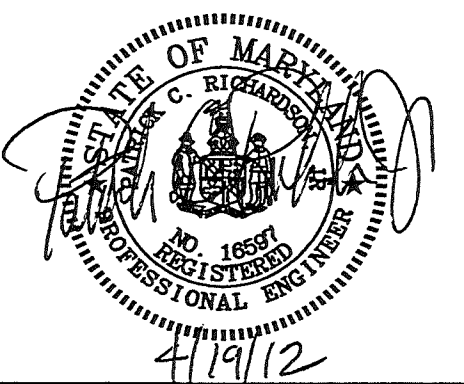


LOCATION MAP
SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: 10815, LLC
10811 PULASKI HIGHWAY
WHITE MARSH, MARYLAND 21162-1815
- SITE AREA
GROSS: 37,972 Sq.Ft. or 0.87Ac.±
NET: 33,472 Sq.Ft. or 0.77 Ac.±
- DEED REF: 19135/131
- PLAT REF: 26-24 "IRVIN GOODMAN"
- TAX ACCOUNT: #1112060190
- COUNCILMANIC DISTRICT: 5TH
- TAX MAP #73, PARCEL #290, LOT #PARCEL B
- ZONING: ML
(PER 1"=200' ZONING MAP 073A3 & 083A1)
- NO KNOWN PRIOR ZONING CASE HISTORY.
- NO KNOWN PRIOR PERMITS ON FILE.
- THE PROPERTY AND STRUCTURES ARE NOT HISTORIC.
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- USES
EXISTING: VACANT COMMERCIAL LOT
PROPOSED: CELLOPHANE PRODUCTS PROCESSING AND APPLICATION.
- SITE SERVICED BY PUBLIC WATER AND SEWER.
- A PORTION OF THE SITE IS LOCATED WITHIN THE 100 YEAR FLOODPLAIN PER THE 1980 "WHITE MARSH-HONEYGO RUN WATERSHED STUDY" PERFORMED BY PURDUM & JESCHKE CONSULTING ENGINEERS.
- FLOOR AREA RATIO (F.A.R.)
PERMITTED: 2.0
PROVIDED: 6,580/37,972=0.17
- PARKING
REQUIRED: 6,580 @ 3.3/1000 = 22 SPACES
PROVIDED: 29 SPACES (24 + 5 INSIDE)
- ANY PROPOSED SIGNS ARE TO CONFORM TO THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR).
- SETBACKS FOR ML:
REQUIRED PROVIDED
FRONT: 50' 56.6'
SIDE: 30' 30.0'
REAR: 30' 53.3'
- THIS SITE IS NOT WITHIN AN AREA IDENTIFIED AS DEFICIENT ON THE BASIC SERVICES MAPS.

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

D & L WINDOW TINTING
#10815 PULASKI HIGHWAY
(US RTE. #40)
WHITE MARSH, MARYLAND 21162

11TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	CND	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	04-17-12	12015	1 OF 1

P5 #1