



KEVIN KAMENETZ
County Executive

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

October 5, 2012

David H. Karceski, Esquire
Venable, LLP
210 West Pennsylvania Avenue
Towson, Maryland 21204

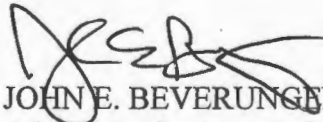
RE: Petition for Variance
Case No.: 2013-0023-A
Property: 20-22 W. Timonium Road

Dear Mr. Karceski:

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,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Leslie M. Pittler, Esquire, 25 Wandsworth Bridge Way, Lutherville, MD 21093

MEMORANDUM

DATE: November 7, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0023-A - Appeal Period Expired

The appeal period for the above-referenced case expired on November 5, 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

IN RE: PETITION FOR VARIANCE
(20-22 W. Timonium Road)
Schaefer Timonium, LLC
Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2013-0023-A**

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by David H. Karceski, Esquire with Venable, LLP, on behalf of the legal owner, Schaefer Timonium, LLC. The Petitioner is requesting Variance relief from § 450.4 Attachment 1.5(g) of the Baltimore County Zoning Regulations ("B.C.Z.R."), to allow two (2) freestanding enterprise signs with sign face areas of 42 square feet and 38 square feet, in lieu of the one permitted 50 square foot freestanding enterprise sign. 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 in support for this case was Leslie M. Pittler, Esquire and Kenneth J. Colbert with Colbert, Matz, Rosenfelt, Inc., the consulting firm that prepared the site plan. David H. Karceski, Esquire with Venable, LLP, appeared as counsel and represented Petitioner. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

The Zoning Advisory Committee (ZAC) comments were received and made a part of the file. There were no adverse ZAC comments received from any of the County review agencies.

ORDER RECEIVED FOR FILING

Date 10-5-12

By DW

Testimony and evidence revealed that the subject property is approximately 2.66 +/- acres in size, and is split-zoned BM, BR, and MR-IM. The Petitioner operates an Infiniti auto dealership on site, and currently has two (2) freestanding enterprise signs. The sign abatement provisions in the B.C.Z.R. have necessitated the zoning relief, and Petitioner proposes to continue using one existing sign (shown as sign "A" on Exhibit 1) and to replace an antiquated sign (shown as sign "B" on the plan) with a new sign (sign "D") containing more modern corporate branding. Neither sign exceeds the permitted height, and one sign will identify new car sales while the other sign indicates where used vehicles are sold on site.

Based upon the testimony and evidence presented, I will grant the request for variance relief. Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioner has met this test.

Petitioner's engineer Kenneth Colbert, who was accepted as an expert, testified via proffer that the site is unique in that it is surrounded on three (3) sides by the State Fairgrounds, which are approximately 88 acres in size. In addition, as shown on Exhibit 3, the fair property contains several large horse stables which are situated approximately 20' from West Timonium Road, and this serves to limit visibility into the site.

If the B.C.Z.R. were strictly enforced, the Petitioner would indeed suffer a practical difficulty and/or hardship. The Petitioner would be unable to properly identify the new and used car lots on the site. 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,

ORDER RECEIVED FOR FILING

Date 10-5-12

By [Signature]

safety, and general welfare. This is demonstrated by the lack of opposition from the community and the lack of negative comments from Baltimore County reviewing agencies.

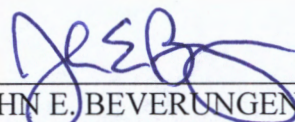
Pursuant to the advertisement, posting of the property, and public hearing on this petition, and after considering the testimony and evidence, I find that Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED, this 5th day of October, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 450.4 Attachment 1.5(g) of the Baltimore County Zoning Regulations ("B.C.Z.R."), to allow two (2) freestanding enterprise signs with sign face areas of 42 square feet and 38 square feet, in lieu of the one permitted 50 square foot freestanding enterprise sign, 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 appropriate 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 will be required to return and be responsible for returning said property to its original condition.

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:dlw

ORDER RECEIVED FOR FILING

Date 10-5-12

By DLW



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 20-22 West Timonium Road which is presently zoned BM, BR, MR-IM
 Deed References: 24815/139 10 Digit Tax Account # 0 8 0 5 0 9 3 0 2 5
 Property Owner(s) Printed Name(s) Schaefer Timonium 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

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

3. X 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 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 Presented 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

Date

Zip Code

Telephone #

Email Address

Attorney By for Petitioner:

David H. Karceski, Esq.

Name- Type or Print

Signature

Venable LLP

210 W. Pennsylvania Ave., Towson, MD

Mailing Address

City

State

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

Zip Code

Telephone #

Email Address

com

Legal Owners (Petitioners):

Schaefer Timonium LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

William Schaefer, Managing Member

2085 York Road, Timonium, MD

Mailing Address

City

State

21093

410-252-8000

Zip Code

Telephone #

Email Address

Representative to be contacted:

David H. Karceski, Esq.

Name - Type or Print

Signature

Venable LLP

210 W. Pennsylvania Ave., Towson, MD

Mailing Address

City

State

21204

410-494-6285

Zip Code

Telephone #

Email Address

CASE NUMBER 2013-0023 A Filing Date 08/01/12

Do Not Schedule Dates:

Reviewer AT



ZONING DESCRIPTION

NATIONWIDE INFINITI
22 W. TIMONIUM ROAD

Beginning at a point on the north side of W. Timonium Road, variable width right-of-way, 950 feet, more or less, from the centerline of York Road (Maryland Route 45) variable width right-of-way. Thence the following courses and distances:

North $18^{\circ} 48' 16''$ West, 356.42 feet; North $75^{\circ} 52' 44''$ East, 182.97 feet; South $18^{\circ} 48' 16''$ East, 314.39 feet to the north side of w. Timonium Road, binding on said right-of-way, by a curve to the left $R = 2326.83$ feet, $L = 184.40$ feet to the place of beginning and being part of the Deed recorded in Liber 24815, folio 139.

Containing 60,780 Sq. Ft. or 1.395 Acres, more or less and located in the 8th Election District and the 3rd Councilmanic District.



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

License No: 9752

Expiration Date:02-28-14

J:\J:\2012\2012074\ 2012074 Zon Desc 073012.doc

2013-0023-A

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

No.

87116

Date:

8/1/12

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRN
8/02/2012	8/01/2012	14:18:14	6

REI WSO6 WALKIN TTAY TST

>> RECEIPT # 671833 8/01/2012 OFLN

Post 5 528 ZONING VERIFICATION

CR NO. 087116

Recpt Tot \$385.00

\$385.00 CK \$1.00 CA

Baltimore County, Maryland

d	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
	806	0000	6150					\$385

Total:

\$385

C
n:

VENEABLE LLP

C:

20-22 WEST TIMONIUM RD

2013-0023 A

DISTRIBUTION

TE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
 VALIDATION

ATTACHMENT TO PETITION FOR VARIANCE
20-22 WEST TIMONIUM ROAD

Variance from Section 450.4 Attachment 1.5(g) of the Baltimore County Zoning Regulations to allow two freestanding enterprise signs with sign face areas of 42 square feet and 38 square feet in lieu of the one permitted 75 square foot freestanding enterprise sign.

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
20-22 West Timonium Road; N/S of West		
Timonium Road, 950' W of c/line York Road	*	OF ADMINISTRATIVE
8 th Election & 3 rd Councilmanic Districts		
Legal Owner(s): Schaefer Timonium, LLC	*	HEARINGS FOR
Petitioner(s)		
	*	BALTIMORE COUNTY
	*	2013-023-A

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

AUG 13 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 13th day of August, 2012, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**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/neighbor 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: 2013-0023-A
Petitioner: SCHAEFFER-TIMONIUM LLC
Address or Location: 22 W. TIMONIUM RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID KARGESKI
Address: VENABLE, LLC
210th PENNSYLVANIA AVE SUITE 500
TOWSON, MD 21204
Telephone Number: 410-494-6285

CERTIFICATE OF POSTING

2013-0023-A

RE: Case No.: _____

Petitioner/Developer: _____

Schaefers Timonium, LLC

October 4, 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: _____

20-22 West Timonium Rd

September 14, 2012

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

Sincerely,

September 14, 2012

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

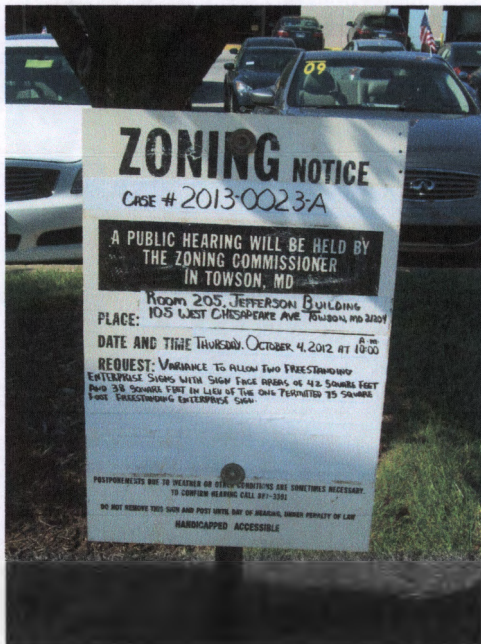
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





KEVIN KAMENETZ
County Executive

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

August 22, 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: 2013-0023-A

20-22 West Timonium Road

N/s of W Timonium Road, 950 ft. W/of centerline of York Road

8th Election District – 3rd Councilmanic District

Legal Owners: Schaefers Timonium, LLC

Variance to allow two freestanding enterprise signs with sign face areas of 42 square feet and 38 square feet in lieu of the one permitted 75 square foot freestanding enterprise sign.

Hearing: Thursday, October 4, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Ave., Towson 21204
William Schaefer, 2085 York Road, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, SEPTEMBER 14, 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
Thursday, September 13, 2012 Issue - Jeffersonian

Please forward billing to:

David Karceski
Venable, LLP
210 W. Pennsylvania Avenue
Towson, MD 21204

410-494-6285

NOTICE OF ZONING HEARING

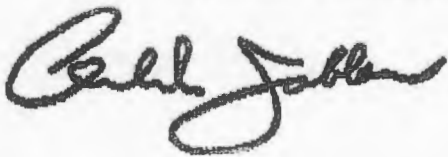
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2013-0023-A

20-22 West Timonium Road
N/s of W Timonium Road, 950 ft. W/of centerline of York Road
8th Election District – 3rd Councilmanic District
Legal Owners: Schaefer's Timonium, LLC

Variance to allow two freestanding enterprise signs with sign face areas of 42 square feet and 38 square feet in lieu of the one permitted 75 square foot freestanding enterprise sign.

Hearing: Thursday, October 4, 2012 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 26, 2012

William Schaefer, Managing Member
Schaefer Timonium LLC
2085 York Road
Timonium, MD 21093

RE: Case Number: 2013-0023 A, Address: 20-22 West Timonium Road

Dear Mr. Schaefer:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 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 that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
David H. Karceski, Esq., 210 W. Pennsylvania Avenue, Towson MD 21204

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



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

Date: 8-6-12

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No 2013-0023-A
Variance
Schaefertimonium LLC
20-22 W. Timonium Road

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2013-0023-A.

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

Sincerely,

A handwritten signature in dark ink, appearing to read 'Steven D. Foster'.

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

10/9
10mm

Debra Wiley - ZAC Comments - Distribution Mtg. of 8/6

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 8/14/2012 12:05 PM
Subject: ZAC Comments - Distribution Mtg. of 8/6

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.

2013-0018-SPH - 1312 Burkeigh Rd.
 No hearing in data base as of 8/14

2013-0019-A - 3601 Buckingham Rd.
 Administrative Variance - Closing Date: 8/27

2013-0020-A - 8243 Longpoint Road
 No hearing in data base as of 8/14

2013-0021-A - 12519 Falls Rd.
 Administrative Variance - Closing Date: 8/27

2013-0023-A - 20-22 W. Timonium Rd.
 No hearing in data base as of 8/14

Thanks.

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

Maryland Department of Assessments and Taxation
Real Property Data Search (vw4.2A)
BALTIMORE COUNTY

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

Account Identifier: District - 08 Account Number - 0805093025

Owner Information

Owner Name: SCHAEFER-TIMONIUM LLC **Use:** COMMERCIAL
Mailing Address: 2085 YORK RD **Principal Residence:** NO
TIMONIUM MD 21093-4242 **Deed Reference:** 1)/24815/ 00139
2)

Location & Structure Information

Premises Address **Legal Description**
20 TIMONIUM RD 2.651 AC
TIMONIUM MD 21093-0000 20-22 TIMONIUM RD NS
540 W YORK RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0060	0005	0095		0000				2	Plat Ref:

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1980	41181	2.6500 AC	06

Stories **Basement** **Type** **Exterior**
AUTO SHOWROOM

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2011	07/01/2012
Land	2,517,500	2,517,500		
Improvements:	2,210,700	2,089,700		
Total:	4,728,200	4,607,200	4,607,200	4,607,200
Preferential Land:	0			0

Transfer Information

Seller: SCHAEFER WILLIAM H,JR	Date: 03/24/2005	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /24815/ 00139	Deed2:
Seller: EWING CALEB C,JR BOWEN VIRGINIA	Date: 08/31/1990	Price: \$1,700,000
Type: ARMS LENGTH IMPROVED	Deed1: /08584/ 00179	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	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

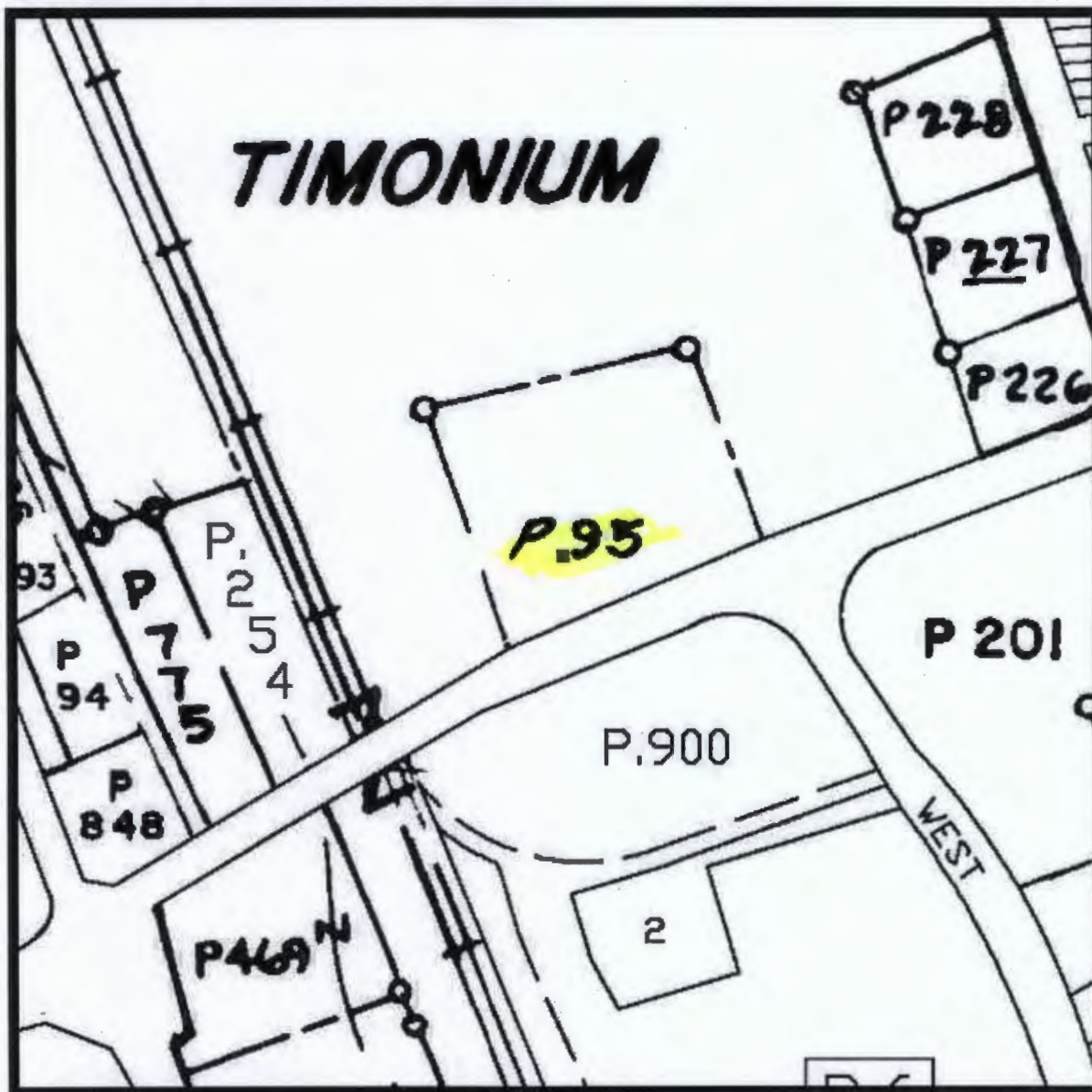
Homestead Application Status: No Application



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

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

District - 08 Account Number - 0805093025



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 ©2011.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 09, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For August 20, 2012
Item Nos. 2013-0018, 0019, 0020, 0021 and 0023.

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-08202012-NO COMMENTS.doc

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: # 2013-0023-A

20-22 West Timonium Road

N/s of W. Timonium Road, 950 ft. W/of centerline of York Road

8th Election District - 3rd Councilmanic District

Legal Owner(s): Schaefer's Timonium, LLC

Variance: to allow two freestanding enterprise signs with sign face areas of 42 square feet and 38 square feet in lieu of the one permitted 75 square foot freestanding enterprise sign.

Hearing: Thursday, October 4, 2012 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.
9/096 Sept. 13 874086



501 N. Calvert Street, Baltimore, MD 21278

September 13, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, the publication appearing on September 13, 2012.

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

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson

10/4 10AM

CASE NO. 2013- 0023-A

C H E C K L I S T

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

<u>8-9</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>8-6</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 90-151-A + 75-201-R)

NEWSPAPER ADVERTISEMENT Date: 9-13-12 The Jeffersonian
SIGN POSTING Date: 9-14-12 by Block
(20 days)

PEOPLE'S COUNSEL APPEARANCE	Yes	☒	No	☐
PEOPLE'S COUNSEL COMMENT LETTER	Yes	☐	No	☐

Comments, if any: _____

CASE NAME 20-22 W. Timon Run Rd.
CASE NUMBER 2013-23-A
DATE 10/4/12

[illegible]

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

PETITIONER'S

EXHIBIT NO. 4

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.

KENNETH J. COLBERT

Page -2-

PROFESSIONAL EMPLOYMENT HISTORY:

April, 1987 – Present Colbert Engineering, Inc. / Colbert Matz Rosenfelt, Inc.
Consulting Civil Engineers & Surveyors
Baltimore, Maryland

Established a private consulting firm for design and construction management of land development projects. Primary services include site design and preparation of plans for commercial and residential land development projects, as well as complete survey and construction stakeout services.

In September 1994 Colbert Engineering, Inc. merged its operations with another consulting engineering firm to form Colbert Matz Rosenfelt, Inc. This merger enabled the new firm to expand its client base and to better, and more effectively serve its existing clients.

Mr. Colbert is the managing partner of the company while maintaining project management responsibilities. In addition, he is the principal responsible for operation of the Survey Department.

Jan., 1986 – Apr., 1987 Security Management Corporation
Builders and Developers
Baltimore, Maryland

Employed by Security Management Corporation as Engineering Manager for Land Development activities with responsibility for budgeting, management and supervision of the land development phases for all projects. Projects included single family and multi-family developments ranging in size from 50 units to 1500 units in four governmental jurisdictions.

Nov., 1978 – Jan., 1986 Colbert Engineering, Inc. / CDH Engineering Corp. / Kidde Consultants
Consulting Civil Engineers and Surveyors
Glen Burnie, Maryland

Established a private consulting firm for design and construction management of land development projects. Services included site design and preparation of site development plans for residential and commercial developments.

In June 1982, Colbert Engineering, Inc. merged its operation with that of another consulting engineering firm to form CDH Engineering Corporation. This merger enabled the new firm to expand its engineering and surveying capabilities, and grow to maintain a staff of approximately 20 people. As engineering and managing partner, duties and responsibilities continued as before but on an expanded basis

CDH Engineering Corporation was purchased by Kidde Consultants, Inc., a top 500 engineering company, in June 1984. The office became one of eight branch offices spread throughout Maryland, Virginia, Delaware and Pennsylvania. As Branch Office Manager, duties and responsibilities continued to include engineering for land development projects of various types and sizes, as well as interaction with the main office on management, marketing and budget matters.

KENNETH J. COLBERT

Page -3-

Mar., 1976 – Nov., 1978 Anne Arundel County, Maryland
Department of Public Works
Annapolis, Maryland

Employed by Anne Arundel County as a Senior Engineer responsible for the Engineering Review Section of the Development Services Division, Department of Public Works. This Section, which had a complement of four engineers, reviewed the engineering plans for all Land Development activities within the County. Promoted to Chief of the Development Services Division. The Division staff consisted of 13 Engineers, Engineering Technicians, Construction Inspectors and Clerical personnel. The function of this Division was the review and processing of all private construction within the County.

May, 1973 – Mar., 1976 Purdum & Jeschke
Consulting Engineers & Surveyors
Baltimore, Maryland

Employed by Purdum & Jeschke as a Design Engineer with prime areas of responsibilities being design of Storm Drainage Systems and Site Grading for various land development projects. Advanced to Project Engineer responsible for residential and commercial development projects.

Sept., 1971 – May, 1973 Mathews-Phillips, Inc.
Builders and Developers
Silver Spring, Maryland

Employed by Mathews-Phillips, Inc. as an Assistant Construction Superintendent for Garden Apartment and Townhouse Projects. Prime area of responsibility was for installation of Underground Utilities, Storm Drainage, Site Grading and Paving.

July, 1970 – Sept., 1971 Richard P. Browne Associates
Consulting Engineers and Surveyors
Columbia, Maryland

Employed by Richard P. Brown Associates as a Design Engineer with prime responsibility being design of Storm Drain Systems and Site Grading for various land development projects including single family residential and multi-family sites

June, 1968 – July, 1970 Clayton Surveying and Engineering Company
Consulting Engineers and Surveyors
St. Louis, Missouri

Joined Clayton Surveying and Engineering Company immediately following graduation from college as a Design Engineer working primarily on the design of Road Systems, Storm Drains and Sanitary Sewer Systems for residential subdivisions and commercial sites.

Case No.: 2013-0023 -A

JB
10/4

10AM

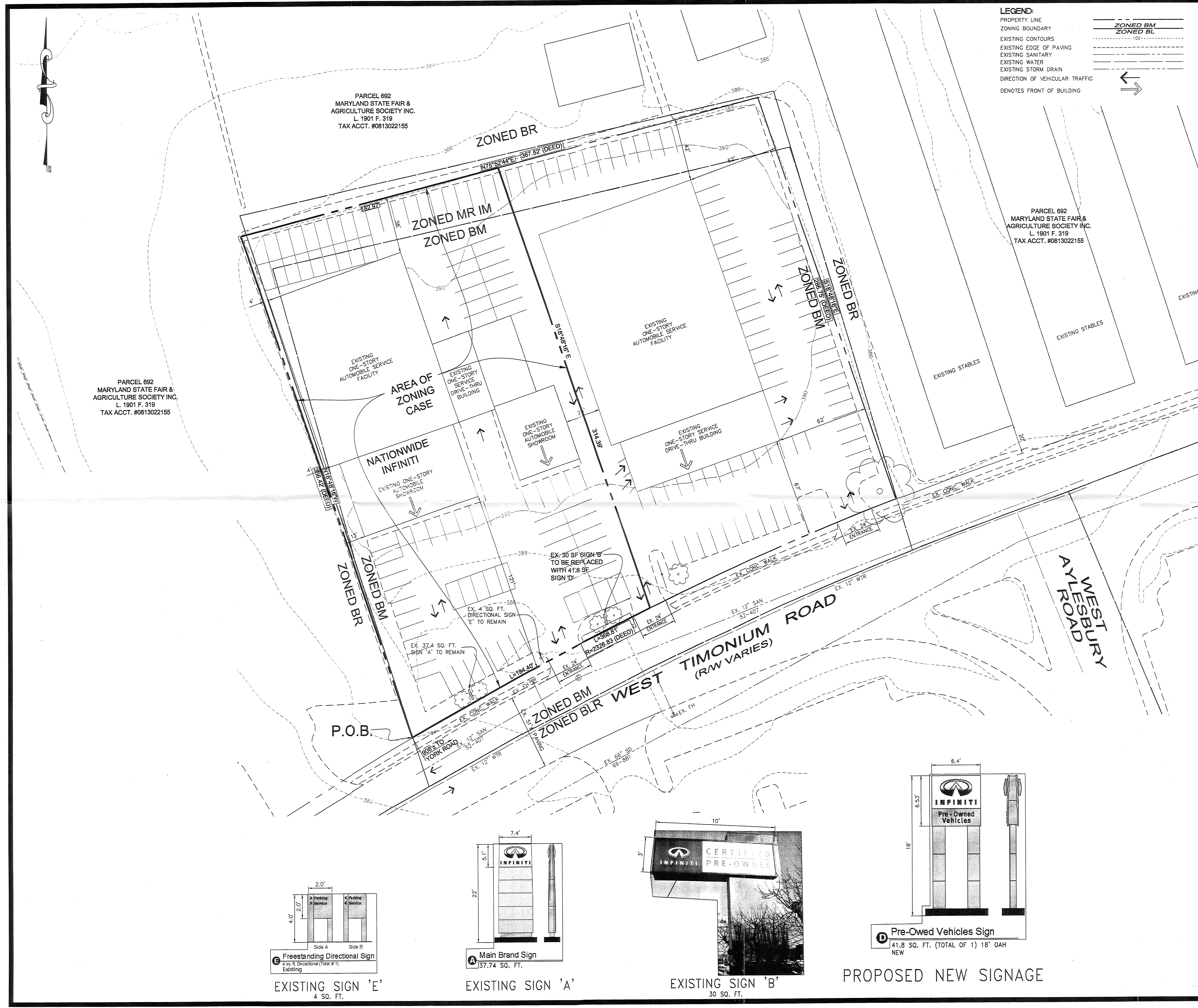
Exhibit Sheet

Petitioner/Developer

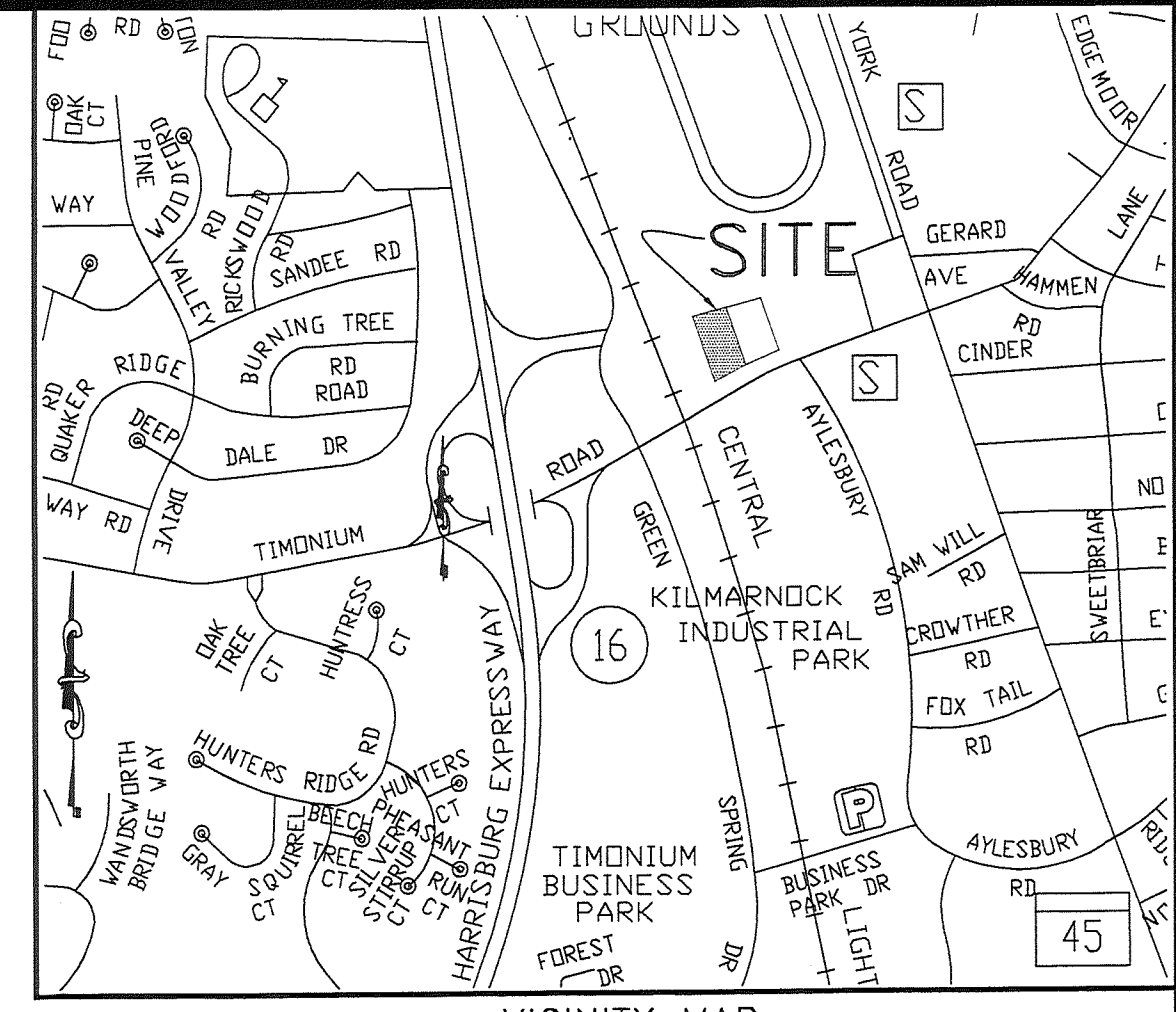
Protestants

DW 11-7-12
DW 10/5/12

No. 1	Site Plan	
No. 2	Aerial Photo	
No. 3	Photo Exhibit	
No. 4	Colbert CV	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



- LEGEND:**
PROPERTY LINE
ZONING BOUNDARY
EXISTING CONTOURS
EXISTING EDGE OF PAVING
EXISTING SANITARY
EXISTING WATER
EXISTING STORM DRAIN
DIRECTION OF VEHICULAR TRAFFIC
DENOTES FRONT OF BUILDING

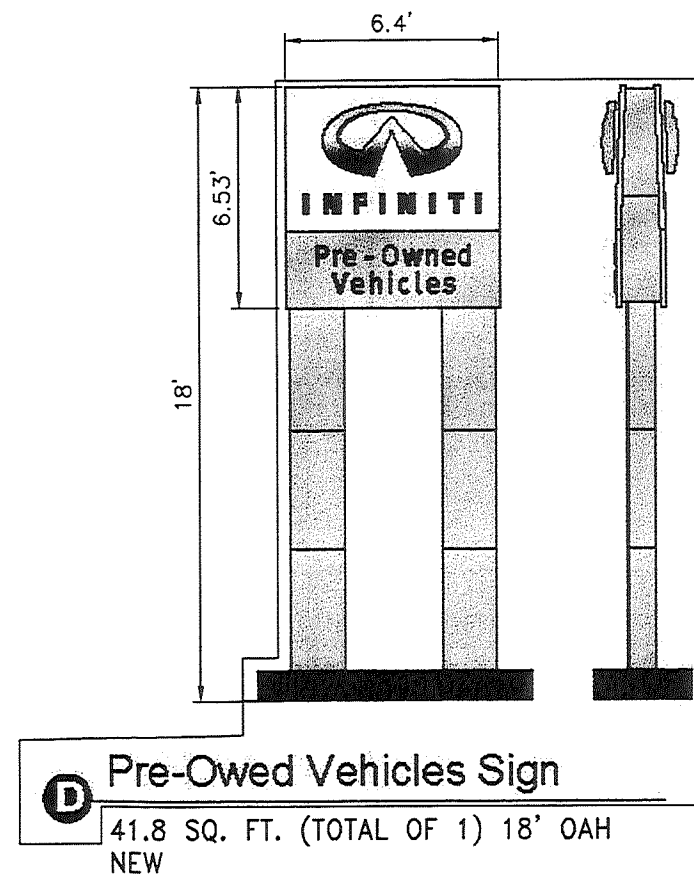
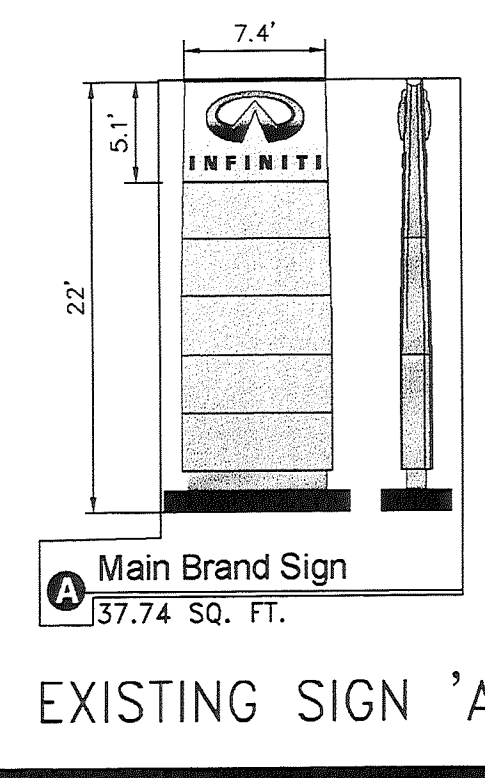
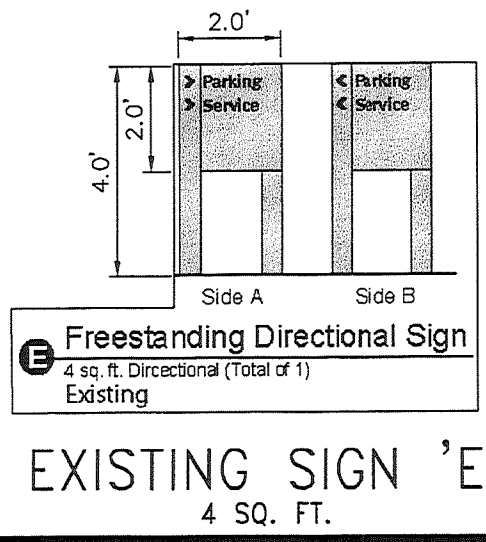


- GENERAL NOTES**
- OWNER/DEVELOPER: SCHAEFER-TIMONIUM LLC
2085 YORK ROAD
TIMONIUM, MD. 21093-4242
 - SITE DATA:
MAP: 90, PARCEL: 95
TAX ACCOUNT NO.: 0805093025
DEED REFERENCE: 24815/139
OVERALL SITE AREA: 115,996 SQ. FT. (2.66 ACRES)
AREA OF ZONING CASE: 90,790 SQ. FT. (1.46 ACRES)
EXISTING USE: AUTOMOBILE DEALERSHIP/ SERVICE
PROPOSED USE: SAME
 - ZONING AND DEVELOPMENT HISTORY:
-IN CASE NO. 75-201-R, ON AUGUST 29, 1975, THE DEPUTY ZONING COMMISSIONER RECLASSIFIED THE PROPERTY FROM A M.R. ZONE TO A S.M. ZONE.
-IN CASE NO. 90-151-A, ON NOVEMBER 14, 1989, THE DEPUTY ZONING COMMISSIONER GRANTED A PETITION TO PERMIT TWO EXISTING IDENTIFICATION SIGNS OF 227.4 SQ. FT. IN LIEU OF THE PERMITTED ONE SIGN OF 150 SQ. FT.
 - NO PREVIOUS COMMERCIAL PERMITS OF RECORD.
 - ZONING: BM, BR, AND MR IM
ZONING MAP NO.: 060C1
 - SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA AND IS NOT IN A 100-YEAR FLOOD PLAIN.
 - THE SUBJECT SITE IS NOT IN A HISTORIC DISTRICT AND THERE ARE NO HISTORIC BUILDINGS ON THE SITE.
 - ALL FUTURE SIGNS WILL COMPLY WITH SECTION 450 OF THE BALTIMORE COUNTY ZONING REGULATIONS.
 - THE SUBJECT SITE DOES NOT LIE WITHIN A FAILED BASIC SERVICES AREA.
 - TOPOGRAPHY ON SITE IS TAKEN FROM SITE PLANS AND DOES NOT REPRESENT A FIELD SURVEY. ALL PROPERTY BOUNDARY INFORMATION SHOWN IS BASED ON A DEED PLOT AND DOES NOT REPRESENT A FIELD SURVEYED BOUNDARY.

PLAN TO ACCOMPANY VARIANCE PETITION
22 WEST TIMONIUM ROAD
NATIONWIDE INFINITI
TAX MAP: 0060 PARCEL: 0095
8TH ELECTION DISTRICT - 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
GRAPHIC SCALE
1 inch = 30 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.		SCALE: 1"=30'	
License No. 9759	Expiration Date: 02-28-14	DATE: 07/02/2012	JOB NO.: 2012-074
DESIGNED: —		DRAWN: AKC	CHECKED: KJC
FILE: 2012074 GIS BASE.dwg		DRAWING NUMBER: VAR-1	
PETITIONER'S EXHIBIT NO. 1		NO. DATE	REVISIONS: BY SHEET 1 OF 1



PROPOSED NEW SIGNAGE



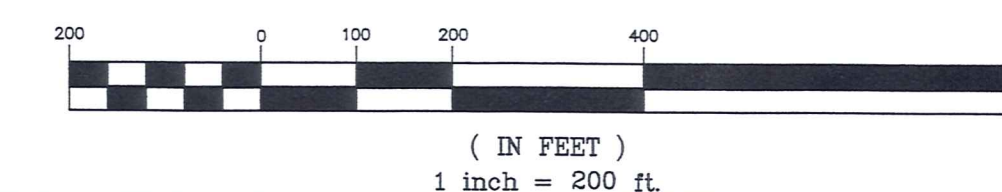
DR 3.5

AERIAL PHOTO EXHIBIT

20-22 WEST TIMONIUM ROAD

NATIONWIDE INFINITY

TAX MAP: 0060 PARCEL: 0095
8TH ELECTION DISTRICT - 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
GRAPHIC SCALE



Colbert Matz Rosenfelt, Inc.

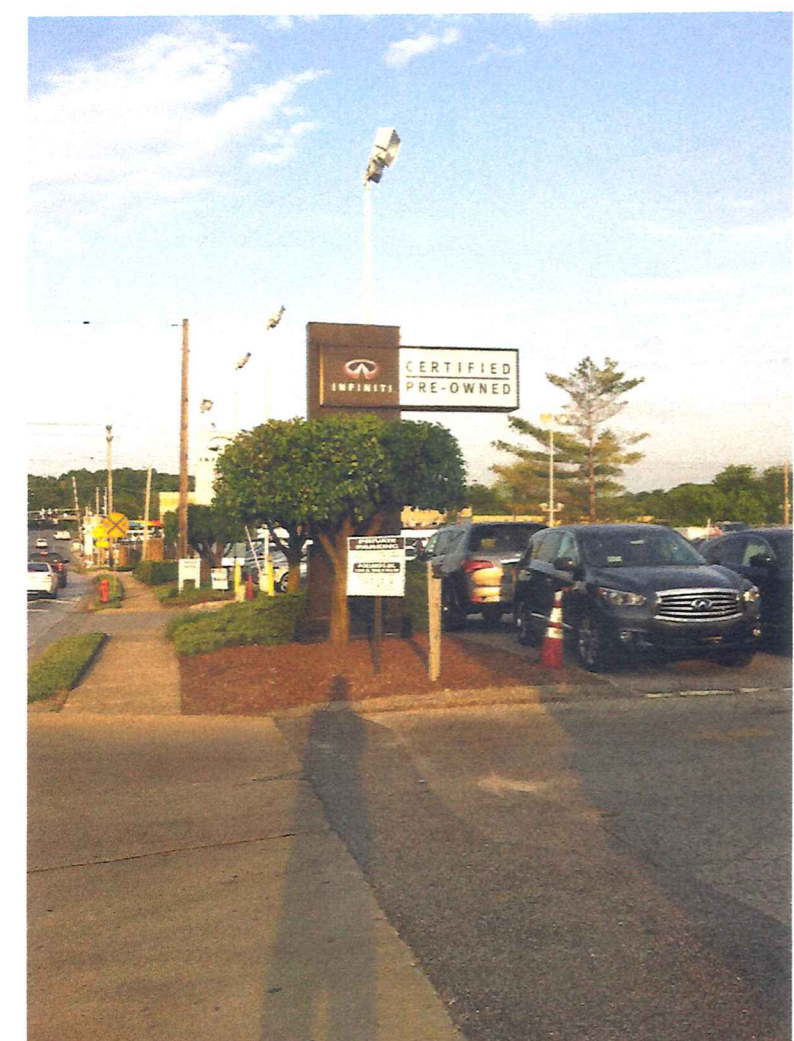
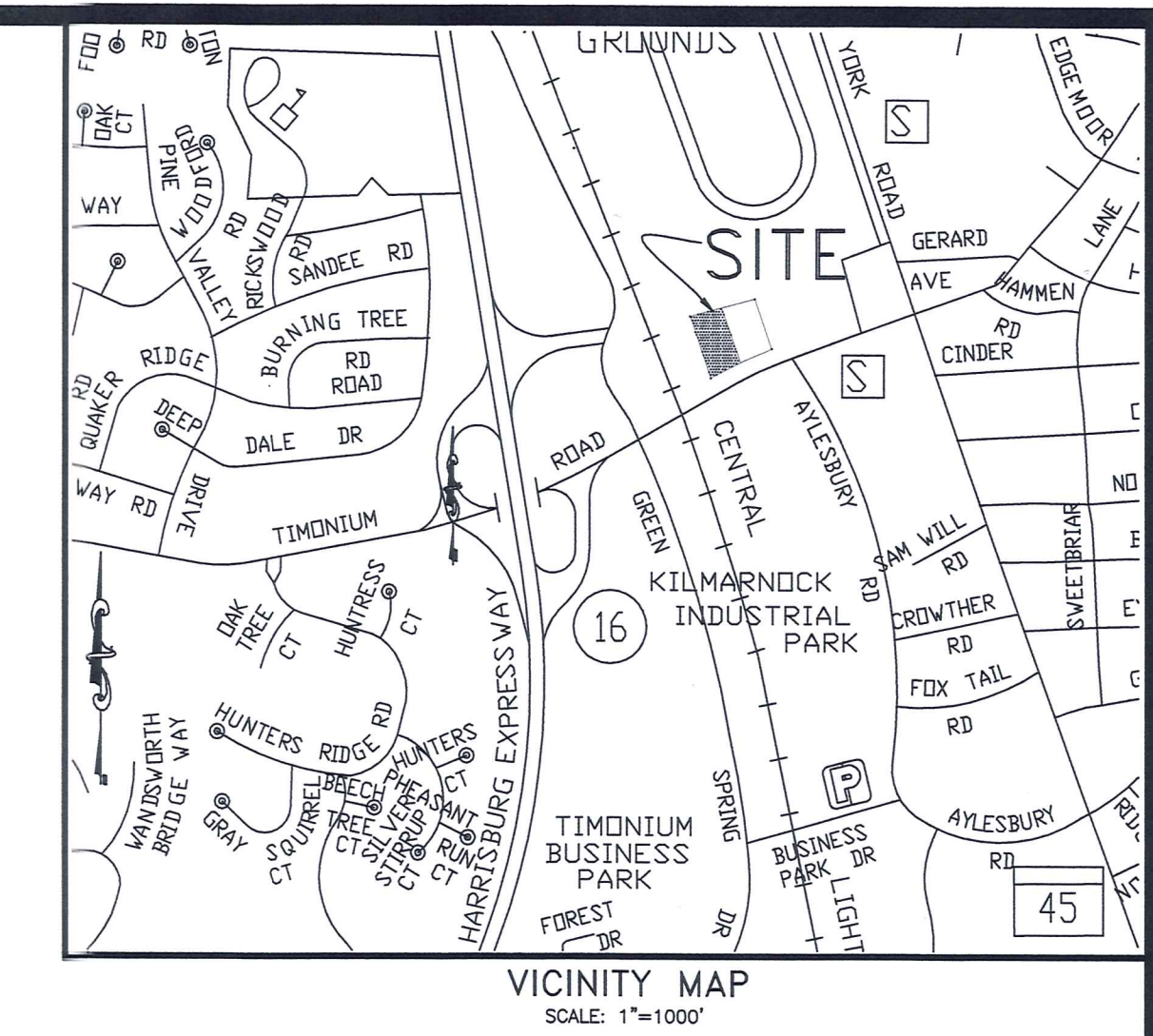
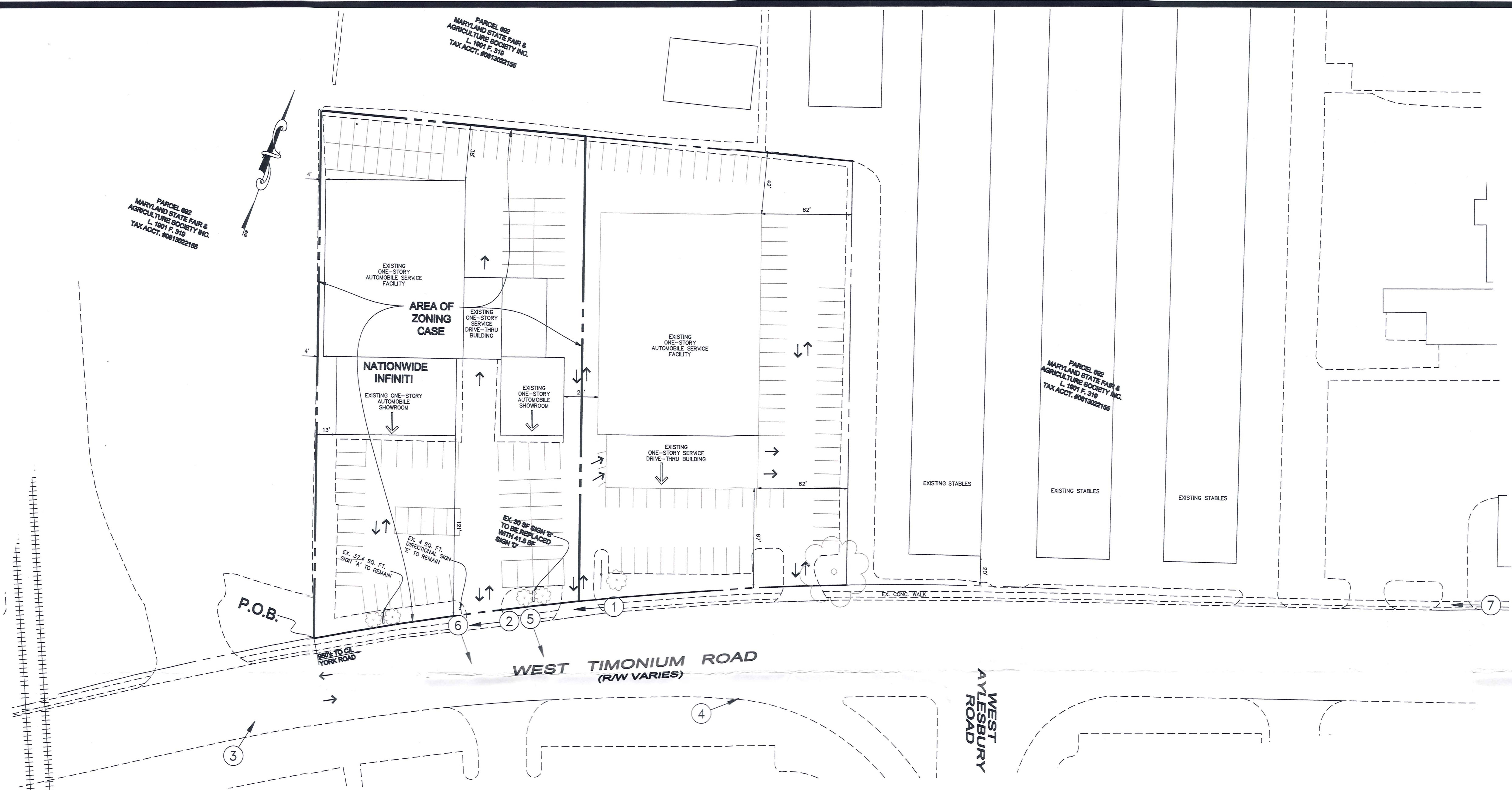
*Engineers * Surveyors * Planners*
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



PETITIONER'S
EXHIBIT NO. 2

SCALE:	1"=200'
DATE:	05/10/2012
JOB NO.:	2012-074
DESIGNED:	-
DRAWN:	AKC
CHECKED:	KJC
FILE:	2012074 AERIAL PHOTO.dwg
DRAWING NUMBER:	AER-1

NO.	DATE	REVISIONS:	BY	SHEET 1 OF 1
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1



2



3



4



5



6



7

PHOTO EXHIBIT

22 WEST TIMONIUM ROAD
NATIONWIDE INFINITI

TAX MAP: 0060 PARCEL: 0095
8TH ELECTION DISTRICT - 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE

30 0 30 60 90 120
(IN FEET)
1 inch = 30 ft.

PETITIONER'S
EXHIBIT NO. **3**

Colbert Matz Rosenfelt, Inc.

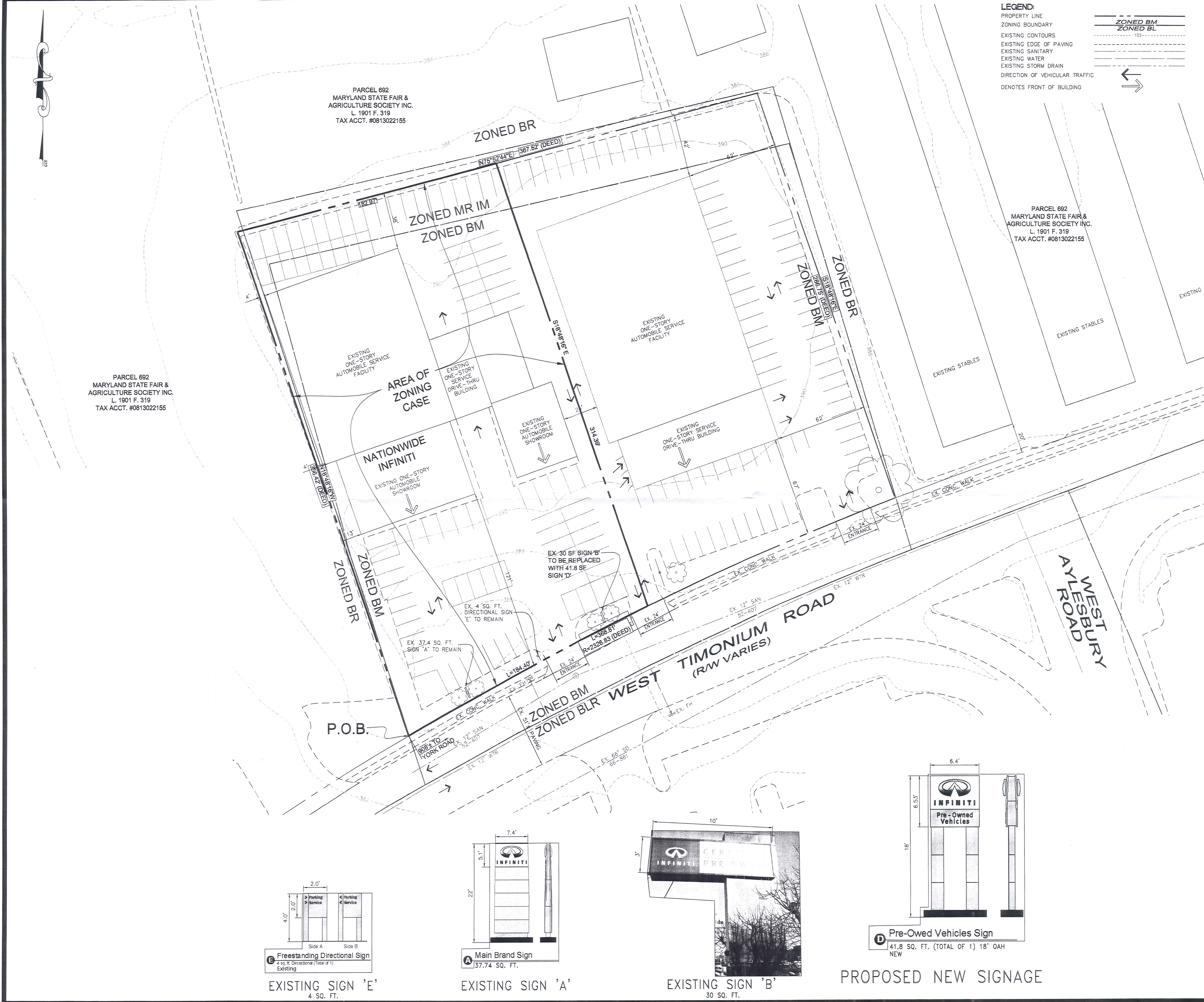
Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

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

License No. 9752 Expiration Date: 02-28-14

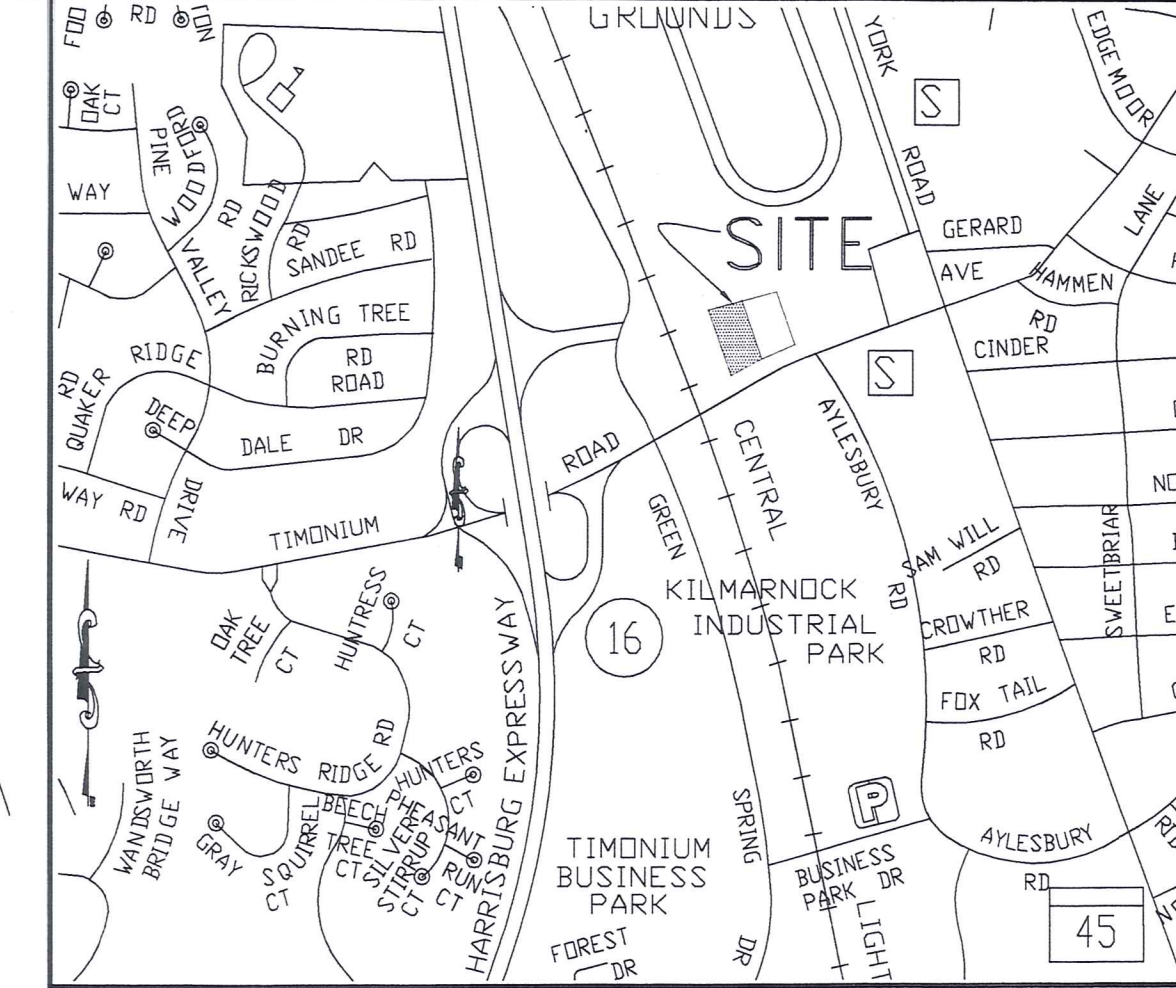
DATE: 07/02/2012
JOB NO.: 2012-074
DESIGNED: AKC
DRAWN: AKC
CHECKED: KJC
FILE: 2012074 GIS BASE.dwg
DRAWING NUMBER: **VAR-1**

NO. DATE REVISIONS: BY SHEET 1 OF 1



LEGEND:
PROPERTY LINE
ZONING BOUNDARY
EXISTING CONTOURS
EXISTING EDGE OF PAVING
EXISTING SANITARY
EXISTING WATER
EXISTING STORM DRAIN
DIRECTION OF VEHICULAR TRAFFIC
DENOTES FRONT OF BUILDING

ZONED BM
ZONED BL



- GENERAL NOTES**
- OWNER/ DEVELOPER: SCHAEFER-TIMONIUM LLC
2085 YORK ROAD
TIMONIUM, MD. 21093-4242
 - SITE DATA:
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 - NO PREVIOUS COMMERCIAL PERMITS OF RECORD.
 - ZONING: BM, BR, AND MR IM
ZONING MAP NO.: 080C1
 - SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA AND IS NOT IN A 100-YEAR FLOOD PLAIN.
 - THE SUBJECT SITE IS NOT IN A HISTORIC DISTRICT AND THERE ARE NO HISTORIC BUILDINGS ON THE SITE.
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PLAN TO ACCOMPANY VARIANCE PETITION
22 WEST TIMONIUM ROAD
NATIONWIDE INFINITI
TAX MAP: 0060 PARCEL: 0095
8TH ELECTION DISTRICT - 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
GRAPHIC SCALE
30 0 15 30 60 90 120
(IN FEET)
1 inch = 30 ft.

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Engineers • Surveyors • Planners
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Baltimore, Maryland 21209
Telephone: (410) 653-3838
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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. 9752 Expiration Date: 02-28-14

Professional Seal
STATE OF MARYLAND
KURT H. ROSENFELT
Professional Engineer
No. 9752
Exp. 02-28-14

Professional Stamp
SCALE: 1"=30'
DATE: 07/02/2012
JOB NO.: 2012-074
DESIGNED: -
DRAWN: AKC
CHECKED: KJC
FILE: 2012074 GIS BASE.dwg
DRAWING NUMBER: VAR-1

NO.	DATE	REVISIONS	BY	SHEET
				1 OF 1

EXISTING SIGN 'E'
4 SQ. FT.

EXISTING SIGN 'A'
37.74 SQ. FT.

EXISTING SIGN 'B'
30 SQ. FT.

PROPOSED NEW SIGNAGE

Pre-Owned Vehicles Sign
41.8 SQ. FT. (TOTAL OF 1) 18' OAH
NEW

N:\2012\project\2012074\GIS\Concept-Prelim-Zoning\2012074 GIS BASE.dwg, SITE, 7/29/2012 2:11:44 PM, kcalbert

Baltimore County Office of Planning and Zoning Official Zoning Map



051A3	051B3	051C3	052A3	052B3
060A1	060B1	060C1	061A1	061B1
060A2	060B2	060C2	061A2	061B2

2013-0023-A