

IN THE MATTER OF

SHREYAS AND NISHA PANCHIGAR
- LEGAL OWNERS /PETITIONERS FOR
SPECIAL EXCEPTION ON THE PROPERTY
LOCATED S/S OF HOLLINS FERRY RD
225' +/- E OF HAMMONDS FERRY RD
(4381 HOLLINS FERRY ROAD)

13TH ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO.: 13-115-X
*

* * * * *

ORDER OF DISMISSAL

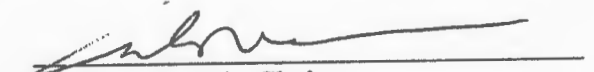
This matter comes to the Board of Appeals by way of an appeal filed by Peter Max Zimmerman, People's Counsel for Baltimore County, from a decision of the Administrative Law Judges dated January 15, 2013 in which the requested Petition for Special Exception was granted.

WHEREAS, the Board is in receipt of a voluntary letter of withdrawal of the Petition for Special Exception, filed October 3, 2013 and signed by J. Neil Lanzi, Esquire, Counsel for Shreyas and Nisha Panchigar, Petitioners, (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel for Petitioners requests that the Petition for Special Exception taken in this matter be withdrawn as of October 2, 2013,

IT IS THEREFORE ORDERED this 22nd day of October, 2013 by the Board of Appeals of Baltimore County that the Petition for Special Exception taken in Case No. 13-115-X be and the same is hereby **DISMISSED without prejudice**, thereby rendering the January 15, 2013 Order of the Administrative Law Judge as **null and void** in this matter.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Andrew M. Belt, Chairman



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

October 22, 2013

J. Neil Lanzi, Esquire
PNC Bank Building, Ste 617
409 Washington Avenue
Towson, Maryland 21204

Peter M. Zimmerman, Esquire
Carole S. Demilio, Esquire
Office of People's Counsel
The Jefferson Building, Suite 204
105 W. Chesapeake Avenue
Towson, Maryland 21204

RE: *In the Matter of: Shreyas and Nisha Panchigar – Owners/Petitioners*
Case No.: 13-115-X

Dear Counsel:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all **Petitions for Judicial Review filed from this decision should be noted under the same civil action number.** If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Sunny Cannington

Krysundra "Sunny" Cannington
Acting Administrator

Enclosure
Duplicate Original Cover Letter

c: Shreyas & Nisha Panchigar
Elizabeth Yankulov
Everett Hall-McNeill
Richard Kunz
Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law

Rick Richardson/Richardson Engineering, LLC
Shahil Panchigar
Robert & Kimberly Maith

J. NEIL LANZI, P.A.
ATTORNEY AT LAW
PNC BANK BUILDING, SUITE 617
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(410) 296-0686

FAX: (410) 296-0689

E-Mail: nlanzi@lanzilaw.com

RECEIVED

OCT 3 2013

BALTIMORE COUNTY
BOARD OF APPEALS
COLUMBIA
Suite 420, Parkside Bldg
10300 Laurel Avenue
Columbia, Maryland 21044-3563

J. Neil Lanzi

OF COUNSEL
Fred L. Coover*

*Also Admitted in District of Columbia

Reply to Towson

October 2, 2013

Board of Appeals for Baltimore County
Jefferson Building, Suite 203
105 W. Chesapeake Avenue
Towson, MD 21204
Attn: Acting Administrator, Sunny Cannington

Re: In the Matter of: Shreyas and Nisha Panchigar
4318 Hollins Ferry Road
Case No. 13-115-X

Dear Ms. Cannington:

Your file should reflect my Entry of Appearance in the above referenced appeal on or about February 28, 2013. The hearing before the Board on this matter was indefinitely postponed by letter from your office dated March 11, 2013. Since that time, my clients filed a Petition to Amend the Out of Cycle Reclassification of the above referenced property whereby a hearing was held before the Board and Opinion issued in Case No. CR-07-132-X.

Accordingly, on behalf of the Petitioners in Case No. 13-115-X, I hereby withdraw the Petition for Special Exception and zoning relief requested in Case No. 13-115-X.

Thank you for your assistance in this matter.

Very truly yours,



J. Neil Lanzi

JNL\mlr

cc: Shreyas and Nisha Panchigar
Office of People's Counsel

J. NEIL LANZI, P.A.
ATTORNEY AT LAW
PNC BANK BUILDING, SUITE 617
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(410) 296-0686

FAX: (410) 296-0689

E-Mail: nlanzi@lanzilaw.com

J. Neil Lanzi

OF COUNSEL
Fred L. Coover*

COLUMBIA
Suite 420, Parkside Bldg
10500 Little Patuxent Parkway
Columbia, Maryland 21044-3563

*Also Admitted in District of Columbia

Reply to Towson

February 28, 2013

Board of Appeals for Baltimore County
Jefferson Building, Suite 203
105 W. Chesapeake Avenue
Towson, MD 21204
Attn: Theresa R. Shelton, Administrator

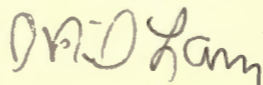
Re: Case No. 13-115-X
In the Matter of: Shreyas and Nisha Panchigar, Petitioners
4318 Hollins Ferry Road

Dear Ms. Shelton:

This case is presently set for hearing on Wednesday, March 20, 2013 at 10:00 a.m. I am enclosing my Entry of Appearance and respectfully request this case be postponed until a new hearing date is requested by a party to the appeal. The basis for the postponement request is that I will be filing a Petition to Amend an Out of Cycle Reclassification Case (Case No. CR-07-132-X) relating to the same property. I have spoken with Carole DeMilio, Deputy Peoples' Counsel and she has no objection to the postponement request.

Thank you for your consideration.

Very truly yours,



J. Neil Lanzi

JNL/mlr

cc: Shreyas and Nisha Panchigar
Arnold Jablon, Director
Office of People's Counsel
Rick Richardson, P.E.
Elizabeth Yankulov
Shahil Panchigar

RECEIVED
MAR 04 2013

BALTIMORE COUNTY
BOARD OF APPEALS

Everett Hall-McNeill

Robert and Kimberly Maith

Richard Kunz

Lawrence M. Stahl, Managing Administrative Law Judge

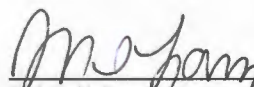
John E. Beverungen, Administrative Law Judge

Andrea Van Arsdale, Director/Department of Planning

Nancy West, Assistant County Attorney

Michael Field, County Attorney

Towson, Maryland 21204; Rick Richardson, Richardson Engineering, LLC, 30 E. Padonia Road, Timonium, Maryland 21093, Elizabeth Yankulov, 27 Hazel Avenue, Baltimore, Maryland 21227; Shahil Panchigar, 2926 W. Almondbury Drive, Pasadena, Maryland 21122; Everett Hall-McNeill, 3816 Westwood Manor Way, Pasadena, Maryland 21122; Robert and Kimberly Maith, 712 Rambo Court, Lansdowne, Maryland 21227; Richard Kunz, 451 Bigley Avenue, Lansdowne, Maryland 21227; Lawrence M. Stahl, Managing Administrative Law Judge; John E. Beverungen, Administrative Law Judge, 105 W. Chesapeake Avenue, Suite 103, Towson, Maryland 21204; Andrea Van Arsdale, Director/Department of Planning, 105 W. Chesapeake Avenue, Suite 101, Towson, MD 21204; Nancy West, Assistant County Attorney; Michael Field, County Attorney, Office of Law, 400 Washington Avenue, Towson, Maryland 21204.


J. Neil Lanzi



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

February 7, 2013

Shreyas and Nisha Panchigar
2926 W. Almondbury Drive
Pasadena, Maryland 21122

RECEIVED
FEB 7 2013

BALTIMORE COUNTY
BOARD OF APPEALS

RE: **APPEAL TO BOARD OF APPEALS**
Case No. 2013-0115-X
Location: 4381 Hollins Ferry Road

Dear Mr & Mrs. Panchigar:

Please be advised that an appeal of the above-referenced case was filed in this Office on February 4, 2013. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Stahl", is written over a horizontal line.

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:slh

c: ☒ Baltimore County Board of Appeals
People's Counsel for Baltimore County
Rick Richardson, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093
Elizabeth Yankulov, 27 Hazel Avenue, Baltimore, Maryland 21227
Everett Hall-McNeill, 3816 Westwood Manor Way, Pasadena, Maryland 21122
Kimberly and Robert Maith, 712 Rambo Ct., Lansdowne, Maryland 21227
Richard Kunz, 451 Bigley Avenue, Lansdowne, Maryland 21227

APPEAL

Petition for Special Exception
(4381 Hollins Ferry Road)
13th Election District – 1st Councilmanic District
Legal Owners: Shreyas and Nisha Panchigar

Case No. 2013-0115-X

- Special Exception
- ✓ Petition for Variance (November 16, 2012)
 - ✓ Zoning Description of Property
 - ✓ Notice of Zoning Hearing (December 6, 2012)
 - ✓ Certificate of Publication (The Jeffersonian – December 18, 2012)
 - ✓ Certificate of Posting (December 18, 2012) by Robert Black
 - ✓ Entry of Appearance by People's Counsel (November 28, 2012)
 - ✓ Petitioner(s) Sign-in Sheet – 1 Sheet
Citizen(s) Sign-in Sheet – N/A
 - ✓ Zoning Advisory Committee Comments

RECEIVED
FEB 7 2013

Petitioner(s) Exhibits

- ✓ 1. Amended Zoning Petition
- ✓ 2. Site Plan
- ✓ 3. Order in Case #04-196-X
- ✓ 4. Community Association Minutes (2-13-2006)
- ✓ 5. Plan dated 3-23-2006 from Reclass. Petition
- ✓ 6. Building Permit issued 7-11-2008
- ✓ 7. Building Permit issued 12-27-2012

BALTIMORE COUNTY
BOARD OF APPEALS

Protestant(s) Exhibits None

- ✓ Miscellaneous (Not Marked as Exhibits) – Letters & E-mails
- ✓ Administrative Law Judge Order (GRANTED) – January 15, 2013)
- ✓ Notice of Appeal – February 4, 2013 from People's Counsel

Address List

Legal Owner/Petitioner:

Shreyas & Nisha Panchigar
2926 W. Almondbury Drive
Pasadena, MD 21122

Shahil Panchigar
2926 W. Almondbury Drive
Pasadena, MD 21122

Interested Persons:

Rick Richardson
Richardson Engineering, LLC
30 E. Padonia Rd, Ste 500
Timonium, MD 21093

Everett Hall-McNeill
3816 Westwood Manor Way
Pasadena, MD 21122

Robert & Kimberly Maith
712 Rambo Court
Lansdowne, MD 21227

Elizabeth Yankulov
27 Hazel Avenue
Baltimore, MD 21227

Richard Kunz
451 Bigley Avenue
Lansdowne, MD 21227

Interoffice:

Office of People's Counsel – Appellant
Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law

APPEAL

**Petition for Special Exception
(4381 Hollins Ferry Road)
13th Election District – 1st Councilmanic District
Legal Owners: Shreyas and Nisha Panchigar**

Case No. 2013-0115-X

Petition for Variance (November 16, 2012)

Zoning Description of Property

Notice of Zoning Hearing (December 6, 2012)

Certificate of Publication (The Jeffersonian – December 18, 2012)

Certificate of Posting (December 18, 2012) by Robert Black

Entry of Appearance by People's Counsel (November 28, 2012)

Petitioner(s) Sign-in Sheet – 1 Sheet

Citizen(s) Sign-in Sheet – N/A

Zoning Advisory Committee Comments

Petitioner(s) Exhibits

1. Amended Zoning Petition
2. Site Plan
3. Order in Case #04-196-X
4. Community Association Minutes (2-13-2006)
5. Plan dated 3-23-2006 from Reclass. Petition
6. Building Permit issued 7-11-2008
7. Building Permit issued 12-27-2012

Protestant(s) Exhibits - None

Miscellaneous (Not Marked as Exhibits) – Letters & E-mails

Administrative Law Judge Order (GRANTED – January 15, 2013)

Notice of Appeal – February 4, 2013 from People's Counsel

IN RE: PETITION FOR SPECIAL EXCEPTION *

(4381 Hollins Ferry Road)

13th Election District

1st Councilmanic District

Shreyas and Nisha Panchigar

Petitioners

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2013-0115-X

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Special Exception filed for property located at 4381 Hollins Ferry Road. The Petition was filed by the legal owners of the subject property, Shreyas and Nisha Panchigar ("Petitioners"). The Special Exception Petition seeks relief pursuant to § 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), to use the herein described property for an automotive service garage. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 2.

Appearing at the hearing was Nisha and Shreyas Panchigar and Patrick C. Richardson, professional engineer with Richardson Engineering, LLC, the consulting firm that prepared the site plan. Also appearing was Elizabeth Yankulov, Everett Hall-McNeill, Kimberly and Robert Maith and Richard Kunz. The file reveals that the Petition was properly advertised and the site was properly posted as required by the B.C.Z.R.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The Department of Planning (DOP), and the Office of People's Counsel have indicated they believe the Special Exception must be denied in light of the Order in CBA # CR-07-132-X, which provided the property shall not be used for an automobile service garage.

ORDER RECEIVED FOR FILING

Date 1/15/13

By Den

Testimony and evidence offered at the hearing revealed that the subject property is 51,518 square feet (1.18 acres) and is zoned BL-AS. The Petitioner testified that he previously operated for over 24 years filling stations and auto service garages (under leasehold agreements) on properties adjacent to the subject property. The Petitioner is no longer involved with those ventures, and desires to construct and operate on the subject property - - which he acquired in 2003 - - a service garage to complement the existing car wash facility.

This case is somewhat unusual, given that, as noted above, the CBA opinion in 2006 granted the petition for reclassification (to B.L.-A.S.) but prohibited the operation of a service garage on this site. The Petitioner testified that the community insisted on that restriction in 2006 because, at that time, he was also operating filling stations and service garages on adjacent properties, and the fear was that the Petitioner would expand those operations onto this site. At the present time, the Petitioner is no longer operating any of those facilities, and only operates the car wash at the present site. The Petitioner testified he wants to operate a complimentary business on the site, and he believes an auto service garage would be appropriate and in demand, since such services are not offered at the gasoline stations in the vicinity.

Thus, it would seem as if what was an appropriate restriction in 2006 is no longer justified, especially since the present zoning (BL-AS) is "appropriate for uses dominated by the parking and servicing of automobiles." B.C.Z.R. § 259.2. I am cognizant of the objections noted by DOP and the Office of People's Counsel, and it is not my intent to "overrule" the earlier CBA opinion. Rather, I believe that to have the restriction removed, the Petitioner will ultimately need to seek approval from the CBA, and after some research and review of the regulations it appears the Petitioner must begin that process in the Office of Administrative Hearings (OAH), since I was unable to determine any basis for "original jurisdiction" in the CBA. As such, I advised the

ORDER RECEIVED FOR FILING

Date 1/15/13

By Sen

Petitioner to file an amended zoning petition adding a request for Special Hearing relief to amend the order in CR-07-132-X. See Exhibit 1. I will grant the Special Hearing relief because I believe it is the appropriate vehicle for the Petitioner to seek an amendment of the earlier CBA Order¹, and as noted below, I also believe Special Exception relief is properly granted in this case.

Petitioners seek special exception relief from § 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), to use the herein described property for an automotive service garage. Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. Schultz v. Pritts, 291 Md. 1 (1981). The Schultz standard was revisited in People's Counsel v. Loyola College, 406 Md. 54 (2008), where the court emphasized that a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use. There was no such evidence in this case, and unlike with the reclassification petition in 2006, the five (5) community members at the hearing indicated they strongly support the Petitioner, and urged that the relief be granted. Finally, it is worth noting that in 2003, former Deputy Zoning Commissioner Murphy granted Special Exception relief for the operation of a service garage at this property (#04-196-X) although the Special Exception was never "utilized" and therefore lapsed as a matter of law. See Exhibit 3.

¹ Under the County Code, when a reclassification petition is granted, the petitioner is obligated to use the property "in accordance with the plan included in the documentation." Baltimore County Code (B.C.C.) §32-3-514(b). In the 2006 reclassification case, the plan did not prohibit the operation of a service garage. See Exhibit 5, note 3. That restriction is found only in the order in # CR-07-132-X, and thus it is arguable that the Petitioners would not need further relief from the County Board of Appeals.

ORDER RECEIVED FOR FILING

Date 1/15/13
By Sen

Pursuant to the advertisement, posting of the property, and public hearing on this petition, and after considering the testimony and evidence offered, I find that Petitioners' Special Hearing and Special Exception requests should be granted.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 15th day of January, 2013, that Petitioners' request for Special Exception relief under § 230.13 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to use the herein described property for an automotive service garage, be and is hereby GRANTED.

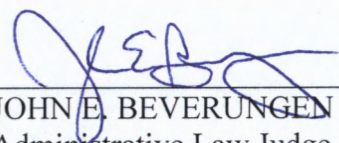
IT IS FURTHER ORDERED by the Administrative Law Judge for Baltimore County that the Petition for Special Hearing under B.C.Z.R. §500.7, to amend the Order in case # CR-07-132-X in accordance with the terms of this Order, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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

JEB/sln


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 1/15/13
By sln



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

January 15, 2013

Shreyas and Nisha Panchigar
2926 W. Almondbury Drive
Pasadena, Maryland 21122

RE: Petition for Special Exception
Case No.: 2013-0115-X
Property: 4381 Hollins Ferry Road

Dear Mr. & Mrs. Panchigar:

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", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Rick Richardson, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093
Elizabeth Yankulov, 27 Hazel Avenue, Baltimore, Maryland 21227
Everett Hall-McNeill, 3816 Westwood Manor Way, Pasadena, Maryland 21122
Kimberly and Robert Maith, 712 Rambo Ct., Lansdowne, Maryland 21227
Richard Kunz, 451 Bigley Avenue, Lansdowne, Maryland 21227

John Beverungen - 2013-0115-X

From: John Beverungen
To: rick@richardsonengineering.net
Date: 01/04/13 2:47 PM
Subject: 2013-0115-X
CC: Debra Wiley; Sherry Nuffer

Mr. Richardson,

I reviewed the materials that you left with Ms. Wiley, and I do not believe that I have on a prior occasion dealt with a similar issue; i.e., how one would amend a final Order of the Board of Appeals.

I did verify that a special exception is required for a service garage in the BL-AS zone.

So, what I would recommend is to attend the scheduled hearing and present the case for special exception. I would also prepare and file as an exhibit an **amended** zoning petition, adding a request for special hearing relief to allow the service garage use. After reviewing the board of appeals opinion you dropped off, it says on page 3 that "at the hearing Petitioners agreed not to operate an automotive service garage," even though the site plan contained no such restriction. So I believe testimony should be provided by the Petitioners to explain why that concession was offered at the board of appeals hearing. Finally, if any of these restrictions were incorporated into written restrictive covenant agreements or recorded among the county land records, please bring such exhibits to introduce at the hearing.

John Beverungen
ALJ



Petition for Special Exception

to the Zoning Commissioner of Baltimore County for the property
located at 4381 Hollins Ferry Road

which is presently zoned BL-AS

Deed Reference: 17864 / 193 Tax Account # 1308001075

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

an automotive service garage pursuant to Section 230.13 BCZR

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No. 2013-0115-X

RE 07/27/2007

Legal Owner(s):

Shreyas Panchigar

Name - Type or Print

Signature

Nisha Panchigar

Name - Type or Print

Signature

2926 W. Almondbury Drive 443-506-2600

Address

Pasadena,

MD

Telephone No.

21122-6346

City

State

Zip Code

Representative to be Contacted:

Richardson Engineering, LLC

Name

30 E. Padonia Road, Suite 500

410-560-1502

Address

Timonium,

MD

21093

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By G.H.

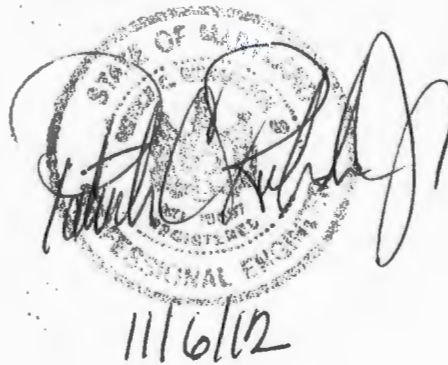
Date

11/16/12

**ZONING DESCRIPTION
PANCHIGAR PROPERTY
4381 HOLLINS FERRY ROAD
13TH ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the South side of Hollins Ferry Road at a point 225'± east of Hammonds Ferry Road, thence leaving the south side of Hollins Ferry Road right-of-way (1) South 27 degrees 50 minutes 45 seconds East 214.14 feet, (2) North 86 degrees 39 minutes 15 seconds East 204.5 feet, (3) North 22 degrees 17 minutes 15 seconds West 219.49 feet, thence binding on the south side of the right of way of Hollins Ferry Road and, (4) South 84 degrees 32 minutes 38 seconds West 181.12 feet, (5) South 78 degrees 14 minutes 10 seconds West 41.5 feet, and the point of beginning;

Containing a net area of 45,302 square feet, or 1.04 acres of land, more or less.



11/6/12

2013-0115-X

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: 2013-0115-X
Petitioner: SHREYAS PANCHIGAR
Address or Location: 4381 HOLLINS FERRY RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: SHREYAS PANCHIGAR
Address: 2926 W. ALMONDBURY DRIVE
PASADENA, MD 21122-6346
Telephone Number: 443-506-2600

Revised 2/20/98 - SCJ

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

No. **90133**

Date: **11/16/12**

PAID RECEIPT

BUSINESS DATE TIME DAY
 11/16/2012 11/16/2012 09:19:07 2

REV #502 MAIL JOHN JEF
 >>RECEIPT # 802351 11/16/2012 OPEN

dept 5 528 DRIVING VERIFICATION
 CR NO. 090133

Receipt for \$350.00
 \$350.00 CR \$1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150						350.00

Total: **350.00**

Rec From: **Richardson Engineering**

For: **Special Exception + 100.00**
Credit for spirit & intent
2013-0115X

**CASHIER'S
 VALIDATION**

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

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: #2013-0115-X

4381 Hollins Ferry Road

S/S Hollins Ferry Road, 225 ft. E/of centerline of
Hammonds Ferry Road

13th Election District - 1st Councilmanic District

Legal Owner(s): Shreyas Panchigar

Special Exception to use the herein property described
property for an automotive service garage.

**Hearing: Monday, January 7, 2013 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 12/654 December 18

893948



501 N. Calvert Street, Baltimore, MD 21278

December 20, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on December 18, 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

CERTIFICATE OF POSTING

2013-0115-X

RE: Case No.: _____

Petitioner/Developer: _____

Shreyas Panchigar

January 7, 2013
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: _____

4381 Hollins Ferry Rd

December 18, 2012

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



Sincerely,

 December 18, 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)

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 18, 2012 Issue - Jeffersonian

Please forward billing to:
Shreyas Panchigar
2926 W. Almondbury Drive
Pasadena, MD 21122

443-506-2600

NOTICE OF ZONING HEARING

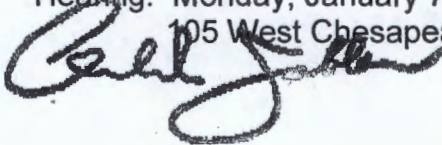
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2013-0115-X

4381 Hollins Ferry Road
S/S Hollins Ferry Road, 225 ft. E/of centerline of Hammonds Ferry Road
13th Election District – 1st Councilmanic District
Legal Owners: Shreyas Panchigar

Special Exception to use the herein property described property for an automotive service garage.

Hearing: Monday, January 7, 2013 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

December 6, 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: 2013-0115-X

4381 Hollins Ferry Road

S/S Hollins Ferry Road, 225 ft. E/of centerline of Hammonds Ferry Road

13th Election District – 1st Councilmanic District

Legal Owners: Shreyas Panchigar

Special Exception to use the herein property described property for an automotive service garage.

Hearing: Monday, January 7, 2013 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: Shreyas Panchigar, 2926 W. Almondbury Drive, Pasadena 21122
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 18, 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.



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

March 11, 2013

NOTICE OF POSTPONEMENT VIA EMAIL AND U.S. MAIL

CASE #: 13-115-X IN THE MATTER OF: Shreyas and Nisha Panchigar
Legal Owner / Petitioner
4381 Hollins Ferry Road / 13th Election District; 1st Councilmanic District

Re: Petition for Special Exception to approve the use of the subject property as an
Automotive Service Garage pursuant to Section 230.13 of the BCZR.

1/15/13 Opinion and Order of the Administrative Law Judges wherein the requested relief
was GRANTED with restrictions.

*This matter was assigned for Wednesday, March 20, 2013 and has been postponed. The
Petitioners will be filing related petitions/documents on this matter.*

**THIS APPEAL IS BEING HELD AT THIS TIME AND WILL BE RE-ASSIGNED
TO AN AGREED DATE IN THE FUTURE, IF NEEDED.**

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of
retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in
writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15
days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to
hearing date.

Theresa R. Shelton, Administrator

c: Attorney for Petitioner/LO
Petitioner/LO

: J. Neil Lanzi, Esquire
: Shreyas & Nisha Panchigar

Appellant

: Office of People's Counsel

Rick Richardson, Richardson Engineering, LLC
Everett Hall-McNeill Robert & Kimberly Maith

Elizabeth Yankulov
Richard Kunz

Shahil Panchigar

Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

March 11, 2013

SENT VIA EMAIL AND US MAIL

J. Neil Lanzi, Esquire
PNC Bank Building, Ste 617
409 Washington Avenue
Towson, MD 21204

Re: In the Matter of: SHREYAS AND NISHA PANCHIGAR
4318 HOLLINS FERRY ROAD
Case No.: 13-115-X

Dear Mr. Lanzi:

I am in receipt of your entry of appearance and request for postponement dated February 28, 2013. This letter is to advise you that your request for a postponement of the hearing scheduled for Wednesday, March 20, 2013 has been granted. There was no objection to this postponement request from the Office of People's Counsel.

The file has been noted, and all future notices and communications will be sent to you in this matter.

The Notice of Postponement is enclosed.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Theresa R. Shelton".

Theresa R. Shelton
Administrator

Enclosure: Notice of Postponement

cc (w/Encl.): Shreyas & Nisha Panchigar - Petitioners
Office of People's Counsel – Appellant



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

February 12, 2013

pp
on hold
pending
Reclass

NOTICE OF ASSIGNMENT

CASE #: 13-115-X IN THE MATTER OF: Shreyas and Nisha Panchigar
Legal Owner / Petitioner
4381 Hollins Ferry Road / 13th Election District; 1st Councilmanic District

Re: Petition for Special Exception to approve the use of the subject property as an
Automotive Service Garage pursuant to Section 230.13 of the BCZR.

1/15/13 Opinion and Order of the Administrative Law Judges wherein the requested relief
was GRANTED with restrictions.

ASSIGNED FOR: WEDNESDAY, MARCH 20, 2013, AT 10:00 A.M.

LOCATION: Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of
retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in
writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15
days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to
hearing date.

Theresa R. Shelton, Administrator

c: Petitioner/LO : Shreyas & Nisha Panchigar
Appellant : Office of People's Counsel

Rick Richardson, Richardson Engineering, LLC Elizabeth Yankulov Shahil Panchigar
Everett Hall-McNeill Robert & Kimberly Maith Richard Kunz

Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law

RECEIVED

MAR 04 2013

BALTIMORE COUNTY
BOARD OF APPEALS

IN THE MATTER OF

* BEFORE THE

THE APPLICATION OF
SHREYAS and NISHA PANCHIGAR

* BOARD OF APPEALS

* OF BALTIMORE COUNTY

LEGAL OWNERS/PETITIONERS
PETITION FOR SPECIAL EXCEPTION
PROPERTY LOCATED
S/S HOLLINS FERRY ROAD, 225 ft
EAST of HAMMONDS FERRY ROAD
(4381 HOLLINS FERRY ROAD)

*

* CASE NO. 13-115-X

*

13th ELECTION DISTRICT
FIRST COUNCILMANIC DISTRICT

*

*

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of J. Neil Lanzi and J. Neil Lanzi, P.A. on behalf of Shreyas Panchigar and Nisha Panchigar, Petitioners in the above-captioned matter.



J. NEIL LANZI
J. Neil Lanzi, P.A.
409 Washington Avenue
Suite 617
Towson, Maryland 21204
(410) 296-0686

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of February, 2013, a copy of the foregoing Entry of Appearance was mailed, postage prepaid, to Arnold Jablon, Director, Baltimore County Department of Permits, Approvals and Inspections, County Office Building, Suite 105, 111 West Chesapeake Avenue, Towson, Maryland 21204; Peter Max Zimmerman, Esquire, Office of People's Counsel for Baltimore County, 105 West Chesapeake Avenue, Room 204,



KEVIN KAMENETZ
County Executive

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

January 3, 2013

Shreyas and Nisha Panchigar
2926 W. Almondbury Drive
Pasadena MD 21122

RE: Case Number: 2013-0115 X, Address: 4381 Hollins Ferry Road

Dear Mr. & Ms. Panchigar:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 16, 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." The signature is written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Richardson Engineering LLC, 30 E. Padonia Road, Suite 500, Timonium, MD 21093

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 3, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 4381 Hollins Ferry Road

INFORMATION:

RECEIVED

Item Number: 13-115

JAN 4 2013

Petitioner: Shreyas Panchigar

OFFICE OF ADMINISTRATIVE HEARINGS

Zoning: BL-AS

Requested Action: Special Exception

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner requests a special exception for an automotive service garage. The following comments are offered:

In 2007, the subject property owner filed a Zoning Reclassification and Special Exception to permit existing site zoning to change to a business zone for a car wash facility. The Zoning Reclassification and Special Exception case #07-132 was appealed, however the Hearing Officer ultimately approved the car wash with conditions.

In part the conditions of the Special Exception case #07-132 stated that, "...Petitioners agreed that not to operate an automotive service garage or a tavern on the site." The site plan accompanying this request (submitted by the applicant) also indicates that the petitioner shall not operate an automotive service garage.

As such, the Department of Planning does not have the authority to overrule the conditions set forth by the Hearing Officer as part of case #07-132 and therefore cannot recommend approval of the petitioner's request for a service garage.

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

Prepared by:

Division Chief:
AVA/LL: CM

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: November 29, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For December 26, 2012
Item Nos. 2013-0113, 0114, 0115, 0117 and 0118,

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

DAK:CEN
cc: File

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



Darrell B. Mobley, Acting Secretary
Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 11-26-12

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

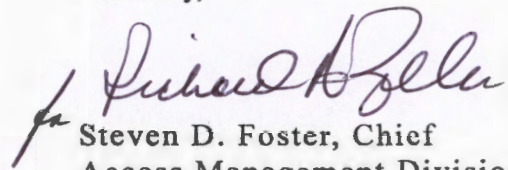
RE: Baltimore County
Item No. 2013-0115-X
Special Exceptions
Shreyas & Nisha Panchigar
4381 Hollins Ferry Road

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. 2013-0115-X.

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,


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

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE OFFICE
4381 Hollins Ferry Rd; S/S Hollins Ferry Rd,
225' E of the c/line of Hammonds Ferry Rd
13th Election & 1st Councilmanic Districts * OF ADMINISTRATIVE
Legal Owner(s): Shreyas & Nisha Panchigar
Petitioner(s) * HEARINGS FOR
* BALTIMORE COUNTY
* 2013-115-X

* * * * *

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

NOV 28 2012

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of November, 2012, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 E. Padonia Road, Suite 500, Timonium, MD 21093, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

February 4, 2013

Hand-delivered

Lawrence M. Stahl, Managing Administrative Law Judge
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204

RECEIVED

FEB 04 2013

Re: PETITION FOR SPECIAL EXCEPTION
S/S of Hollins Ferry Road; 200' E of Hammonds Ferry Road
(4831 Hollins Ferry Road)
13th Election District; 1st Councilmanic District
Nisha Shreyas Panchigar - Petitioner
Case No.: 2013-115-X

OFFICE OF ADMINISTRATIVE HEARINGS

Dear Mr. Stahl:

Please enter an appeal by the People's Counsel for Baltimore County to the County Board of Appeals from the Order and Opinion dated January 15, 2013 by the Baltimore County Administrative Law Judge in the above entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/rmw

cc: Shreyas & Nisha Panchigar
Richardson Engineering, LLC

Debra Wiley - 2013-0115-X - Dept. of Planning ZAC Comment

From: Debra Wiley
To: rick@richardsonengineering.net
Date: 1/4/2013 3:23 PM
Subject: 2013-0115-X - Dept. of Planning ZAC Comment
Attachments: Message from "zoneprt1"

Hi Rick,

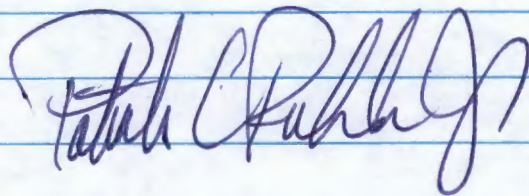
FYI - The Department of Planning just hand-delivered the attached ZAC comment for your hearing on Monday.
Have a great weekend !

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

11/21/12

4381 ~~HARRIS~~ HOLLINS FERRY RD

OWNER DOES NOT WISH TO HIRE AN ATTORNEY
TO REPRESENT HIM



2013-0115



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

410-887-2188
Fax: 410-823-4236

December 28, 2012

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

HAND DELIVERED

John Beverungen, Administrative Law Judge/Hearing Officer
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

RECEIVED

DEC 28 2012

Re: Shreyas & Nisha Panchigar
4381 Hollins Ferry Road
Case No.: 2013-115-X

OFFICE OF ADMINISTRATIVE HEARINGS

Dear Judge Beverungen:

The aforementioned Petition for Special Exception is scheduled for a hearing on January 7, 2013. The request is for an automotive service garage in a BL-AS zone.

The site was granted its current zoning in an out-of-cycle Reclassification approved by the County Board of Appeals in Case No. CR-07-132-X on December 14, 2006. The same owners applied for the reclassification and the current special exception. The address is the same.

On page 6 of the enclosed Reclassification Order, the CBA granted the reclassification with restrictions. Among other restrictions, the CBA stated:

"A. Petitioner shall not operate the following:

- **Automotive service garage."**

In light of this restriction, our office does not believe this property is eligible for special exception relief for an automotive service garage.

Thank you for your consideration.

Sincerely,

Carole S. Demilio
Deputy People's Counsel for Baltimore County

CSD/rmw

cc. Richardson Engineering, LLC, 30 E. Padonia Road, Suite 500, Timonium, MD 21093
Shreyas & Nisha Panchigar

JB 1/7 10Am



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

December 14, 2006

John B. Gontrum, Esquire
WHITEFORD TAYLOR & PRESTON LLP
210 W. Pennsylvania Avenue
Towson, MD 21204-4515

RE: *In the Matter of: Shreyas and Nisha Panchigar*
-Legal Owners /Petitioners /Case No. CR-07-132-X

Dear Mr. Gontrum:

Enclosed please find a copy of the final Majority Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules of Procedure*, with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Kathleen C. Bianco, 2037
Kathleen C. Bianco
Administrator

Enclosure

c: Shreyas Panchigar and Nisha Panchigar
Patrick C. Richardson, Jr., P.E.
Carol Saffran-Brinks /Board of Ed. /MS 1102-J
People's Counsel for Baltimore County
Jeffrey Long, Deputy Director /Planning
Pat Keller, Planning Director
William J. Wiseman III /Zoning Commissioner
W. Carl Richards /PDM
Timothy M. Kotroco, Director /PDM
Baltimore County Council, 1st District
John E. Beverungen, County Attorney



12/14/06

IN THE MATTER OF
THE APPLICATION OF
SHREYAS AND NISHA PANCHIGAR
-LEGAL OWNERS /PETITIONERS
FOR A ZONING RECLASSIFICATION
ON PROPERTY LOCATED ON THE
S/S OF HOLLINS FERRY ROAD, 225'
E OF HAMMONDS FERRY ROAD

13th ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* Case No. CR-07-132-X
* (out of cycle)

* * * * *

OPINION

This matter comes before the Board on Petition for an out-of-cycle Reclassification of the property in question from D.R. 1, B.L., and M.L. to B.L.-A.S. In addition, the Petitioner seeks a special exception for a car wash to be operated at the facility. Petitioner was represented by John Gontrum, Esquire, and WHITEFORD, TAYLOR & PRESTON, LLP. Carole S. Demilio, Deputy People's Counsel for Baltimore County, appeared on behalf of the Office of People's Counsel. A hearing was held before the Board on November 8, 2006. At the close of the hearing, the Board took a short recess and then held a public deliberation on the case.

The subject property consists of 58,518 sq. ft. (1.18 acres) located on the south side of Hollins Ferry Road, 225 feet each of its intersection with Hammonds Ferry Road, in the Thirteenth Election District, First Councilmanic District of Baltimore County. The property was zoned B.L., B.L.-A.S. and M.L. prior to the last comprehensive zoning cycle. In that process, a portion of the site that was B.L. was rezoned to D.R. 1. This created a residentially zoned property in the midst of otherwise commercially zoned properties. The lot to the west of the property is a fully-improved site used for a service station and operated by Petitioner, Mr. Panchigar. Except for landscape buffer, the site is fully paved and improved. To the east of the



COUNTY COUNCIL OF BALTIMORE COUNTY
COURT HOUSE, TOWSON, MARYLAND 21204

S.G. SAMUEL MOXLEY
COUNCILMAN, FIRST DISTRICT

DISTRICT OFFICE:
754 FREDERICK ROAD
CATONSVILLE, MARYLAND 21228
410-887-0896
FAX: 410-887-1012
COUNCIL OFFICE: 410-887-3196

November 3, 2006

Mr. George Panchigar
Lansdowne Mobil
3107 Hollins Ferry Road
Baltimore, Maryland 21227

Dear Mr. Panchigar:

In reference to your upcoming Board of Appeals hearing, I offer the following.

During CZMP, I was not notified of community's support for the rezoning classification on your property. I understand those discussions with the community took place after my meetings with them. Had I known the community's support for the project, I would not have changed the zoning to DR1.

I hope this is helpful to you.

Sincerely,

A handwritten signature in cursive script, reading "Sam Moxley".

S.G. Samuel Moxley
Councilman, First District

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: December 2, 2003

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Hollins Ferry Road

INFORMATION:

Item Number: 04-196

Petitioner: Shreyas Panchigar

Zoning: BL, BL-AS and ML

Requested Action: Special Exception

Post-It Fax Note	
To: Teresa L. [unclear]	Date: 12-18-03
Co./Dept:	From: Dennis West
Phone #:	Co.: Planning Office
Fax #:	Phone #:
410-247-2321	

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and offer the following comments:

1. This office is of the position that the proposal in conjunction with a possible future car wash is an over-development of the subject site. Therefore, the towing services should be eliminated to provide adequate area for the desired car wash.
2. Provide a future internal connection to the existing service station to the west, and the existing commercially zoned lot to the east.
3. Increase the proposed 6-foot landscape strip adjacent to the existing dwelling to 10 feet, as required.
4. Provide landscaping across the entire front of the subject property and effectively screen the site from the adjacent residential uses. Provide a 6-foot high board-on-board fence (in conjunction with landscaping) along the eastern property line adjacent to the residential use.
5. Provide landscaping adjacent to the front/end building wall of the proposed structure, and adjacent to the first parking space in the vicinity of the entrance drive. Submit a landscape plan to Avery Harden, Baltimore County Landscape Architect, for review and approval prior to the issuance of any building permits.

6. Submit building elevations (all sides) of the proposed structure to this office for review and approval prior to the issuance of any building permits. In order to mitigate any potential noise generated from the proposed use, the proposed structure shall not have any openings on the side of the structure that faces the adjacent existing dwelling to the east.
7. Submit sign elevations of any proposed sign. All signs shall be in accordance with the sign regulations and shall not be varied.
8. The area identified as "Future Development Area" is proposed for the construction of a car wash pursuant to a zoning reclassification via CZMP issue 1-004. As such, the subject site should be redesigned to accommodate both uses in the best possible way to include traffic flow, site layout, pedestrian access, etc. Schedule a meeting with the community planner, and be prepared to present a plan that shows both uses.
9. No unlicensed motor vehicles shall be parked or stored on the subject site.
10. Show the existing sidewalks along Hollins Ferry Road

For further information concerning the matters stated herein, contact Dennis Wertz at 410-887-3480.

Prepared by:

Mark A. Cuneo

Section Chief:

Dennis Wertz

AFK/LL:MAC;

CASE NAME PANCHIGAR PROPERTY
CASE NUMBER 2013-0115-X
DATE 11/7/13

[illegible]

Case No.:

2013 - 115 X

1-15-13
SLN

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Amended Zoning Petition 2013-115-X	
No. 2	Site Plan	
No. 3	Order in Case # 04-196-X	
No. 4	Community Assoc. Minutes 2-13-2006	
No. 5	Plan dated 3-23-2006 from Reclass. Petition	
No. 6	Building Permit issued 7-11-2008	
No. 7	Building Permit issued 12-27-2012	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



AMENDED

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 4381 HOLLINS FERRY ROAD which is presently zoned BL-AS
Deed References: 17864 / 193 10 Digit Tax Account # 13 020 01075
Property Owner(s) Printed Name(s) SHREYAS AND NISHA PANCHIGAR

(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 AN AMENDED PLAN AND ORDER TO THE PREVIOUSLY APPROVED PLAN IN CASE 2007-132-X

2. ☒ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for AN AUTOMOTIVE SERVICE GARAGE PURSUANT TO SECTION 230.13 BCZR

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)

FOR REASONS TO BE PRESENTED AT THE HEARING

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

I, or we, agree to pay expenses of above 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:

Name- Type

Signature

Mailing Address

ate

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

SHREYAS PANCHIGAR / NISHA PANCHIGAR
Name #1 - Type or Print Name #2 - Type or Print

[Signature] / [Signature]
Signature #1 Signature #2

2926 ALMONDBURY DRIVE PASADENA, MD
Mailing Address City State

21222 / 443-506-2600 /
Zip Code Telephone # Email Address

Representative to be contacted:

RICHARDSON ENGINEERING, LLC
Name - Type or Print

[Signature]
Signature

30 E. PADONIA RD TIMONIUM MD
Mailing Address City State

21030 / 410-560-1502 / RICK@RICHARDSONENGINEERING.NET
Zip Code Telephone # Email Address

CASE NUMBER 2013-0115-X Filing Date / / Do Not Schedule Dates: Reviewer

PETITIONER'S

IN RE: PETITION FOR SPECIAL EXCEPTION *

S/S of Hollins Ferry Road,
200 ft. E of Hammonds Ferry Road
13th Election District
1st Election District
(Hollins Ferry Road)

Nisha & Shreyas Panchigar
Petitioners

BEI

EXHIBIT NO. 3

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 04-196-X

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owners of the subject property, Nisha and Shreyas Panchigar. The Petitioners are requesting special exception relief for property located on Hollins Ferry Road, 200 feet from the intersection of Hammonds Ferry Road in the western area of Baltimore County. The special exception request is for a service garage in a BL, BL-AS and ML Zones pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.).

The property was posted with Notice of Hearing on November 22, 2003, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on November 25, 2003 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 502.1 of the B.C.Z.R. - *Special Exceptions*

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;

Lansdowne Improvement Association Meeting Minutes

February 13, 2006

The meeting of the Lansdowne Improvement Association began at 7:30 p.m. in St. Clements Hall. Craig Rankin chaired the meeting. The meeting began with the pledge of allegiance.

Chris Koloski read the January minutes. A motion was made and seconded to approve the minutes.

Treasurer's Report - CD Opt. \$30,000 CD Fixed \$3,000.00 Checking \$ 4,428.67 Total: \$37,428.67. A motion was made and seconded to approve the treasurer's report.

Political Report - Brian Sheppard reported that a town hall meeting concerning Medicare would be held at St. Stephen's church at 7:00 pm on February 15th.

Curb and gutter repairs are being made on Hollins Ferry Road up to Kessler Park.

Greystone Bakery is relocating to the Industrial Park on Hollins Ferry Road. Over 300 jobs are anticipated for the area.

George Panchager's proposal to establish new businesses on the property located next to the Mobil Station was discussed. George has applied for the planning board process with the County. A site plan must be presented to the community for approval from the county. Mr. Panchager has assured the community that the retail space plan will not include a liquor store, bail bonds/check cashing, pawn shop, or tow yard. The retail space is being planned pending approval from the county.

Mr. Panchagar had plans available for any member interested in seeing them.

Police Report - Officer Rubie reported on House Bill 143. This bill defines motor scooters and how to issue citations when they are considered illegal.

Officer Rubie gave a presentation concerning identity theft.

Committee Reports-

Citizens on Patrol: The COP recorded 62 volunteer hours and made four 911 calls. Mr. Yankolov warned members of a phone scam leading people to believe that they have won a \$500 gift certificate. He advised that no personal information should be given over the phone. The Police Academy will be starting a course for Citizens on Patrol in the Spring. For more information call Officer Rubie or Officer D'Anna at 410-744-1584. Call these numbers if you are interested in joining Citizens On Patrol 410-242-5210 or 410-247-1191.

Zoning - Mrs. Lowrey reported on Mr. Dungan's proposal to establish a café on the property currently housing Big Daddy's sandwich shop. Mr. Dungan is working through the process with the county, and has been given approval for his plan so far.

A meeting with The Blind Industries is being established, a representative will be asked to come to a meeting to discuss the CPHA project that will be happening there.

Mrs. Lowry requested that Mr. Dungan bring his plans to a meeting for community members to see.

Brian Sheppard explained the differences in the zoning and approval process concerning Mr. Panchager's business proposal and Mr. Dungan's business proposal.

PETITIONER' S

EXHIBIT NO.

4

Membership – Approximately 160 members have been recorded. Membership cards were made available to the members at the meeting.

Website – The website gained two new sponsors. Clyde's Sportshop and McDowell Chimney Sweeps.

New Business -

The date of the Spring Dance is set for April 29, at the Town and Country Hall. Flyers were made available to members at the meeting.

A letter from Senator Sarbanes was read concerning the mailbox removal at the corner of Clyde Avenue and Brunswick Road. The decision not to replace the mailbox has been made due to lack of mail volume.

The audit on the books has been completed. Everything was found to be satisfactory and in order.

On February 22nd a meeting will be held to discuss the new County website and directory.

Motion was made to adjourn the meeting
Meeting adjourned at 8:30 p.m.

Sincerely,

Chris Koloski
Recording Secretary

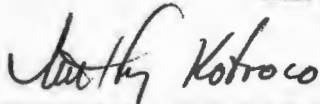
Amendment to the zoning report

Mrs. Lowrey, Co Director of the Greater BLR Alliance gave her support and requested support from the community concerning Mr. Panchagar's projected plans for the development of the property adjacent to the Mobil station.

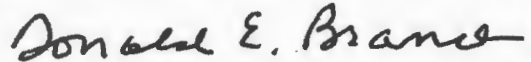
Mrs. Lowrey made a motion to approve Mr. Panchagar's plans. Brian Sheppard from Councilman Moxley's office advised that the motion not be seconded. The members were advised to wait until a definite site plan was reviewed and approved by the County and Mr. Panchagar's plan was presented to the community at a future Association meeting.

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT



TIMOTHY M. KOTROCO, Director



DONALD E. BRAND, Buildings Engineer

BUILDING PERMIT

PERMIT #: B684854 CONTROL #: C- DIST: 13 PREC: 01
DATE ISSUED: 07/11/2008 TAX ACCOUNT #: 1308001075 CLASS: 06

PLANS: CONST 2 PLOT 9 R PLAT 0 DATA 3 ELEC YES PLUM YES
LOCATION: 4383 HOLLINS FERRY RD
SUBDIVISION: EDNA TERRACE

OWNERS INFORMATION

NAME: PANCHIGAR, SHREYOS "GEORGE"
ADDR: 2926 W. ALMONDBURY DR, 21122

TENANT:

CONTR: TBD
ENGNR: RICHARDSON ENGINEERING
SELLR:
WORK: CONSTRUCT RETAIL CAR WASH, 35'8"X49'10"X17'6"
1.753SF, CR-07-132-X GRANTED 12-14-06
SEPARATE PERMIT REQD FOR ANY ADDL WORK

BLDG. CODE:

RESIDENTIAL CATEGORY:

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: CAR WASH
EXISTING USE: VACANT LOT

TYPE OF IMPRV: NEW BUILDING CONTRUCTION

USE: OTHER - NON-RESIDENTIAL

FOUNDATION:

BASEMENT:

SEWAGE: PUBLIC PROPOSED

WATER: PUBLIC PROPOSED

LOT SIZE AND SETBACKS

SIZE: 1.040 AC
FRONT STREET:
SIDE STREET:
FRONT SETB: 37'6
SIDE SETB: 152'-10'
SIDE STR SETB:
REAR SETB: 107'

PETITIONER'S

EXHIBIT NO. 6

THIS PERMIT EXPIRES
ONE YEAR FROM
DATE OF ISSUE

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

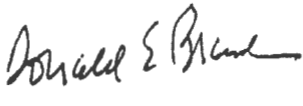
111 West Chesapeake Avenue, Towson, Maryland 21204

410-887-3900

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS


Arnold Jablon, Deputy Administrative Officer
& Director




Donald E. Broad, Building Engineer

BUILDING PERMIT

PERMIT #: B803064 CONTROL #: C- DIST: 13 PREC: 01
DATE ISSUED: 12/27/2012 TAX ACCOUNT #: 1308001075 CLASS: 06

PLANS: CONST 02 PLOT 9 R PLAT 0 DATA 3 ELEC NO PLUM NO
LOCATION: 4381 HOLLINS FERRY RD
SUBDIVISION: EDNA TERRACE

OWNERS INFORMATION

NAME: PANCHIGAR, SHREYAS AND NISHA
ADDR: 2926 W ALMONDBURY DR; PASADENA 21122

TENANT:

CONTR: TBD
ENGR: RICHARDSON ENGINEERING LLC
SELLR:
WORK: CONSTRUCT SHELL BUILDING FOR FUTURE RETAIL USE.
50'X115'X16'=5750SF. SEPARATE PERMIT REQ'D TO
COMPLETE INTERIOR. ISSUANCE OF THIS PERMIT
DOES NOT GUARANTEE ISSUANCE TO SUBSEQUENT
PERMITS BY BALTIMORE COUNTY.

BLDG. CODE:

RESIDENTIAL CATEGORY:

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: CAR WASH AND SHELL BLDG
EXISTING USE: CAR WASH

TYPE OF IMPRV: NEW BUILDING CONTRUCTION

USE: STORE, MERCANTILE, RESTAURANT

FOUNDATION: BASEMENT:

SEWAGE: PUBLIC EXIST WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 1.040AC
FRONT STREET:
SIDE STREET:
FRONT SETB: 128.
SIDE SETB: 17.3/65.2
SIDE STR SETB:
REAR SETB: 10'

**THIS PERMIT EXPIRES
ONE YEAR FROM
DATE OF ISSUE**

#7

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES

IN RE: PETITION FOR SPECIAL EXCEPTION *

(4381 Hollins Ferry Road)

13th Election District *

1st Councilmanic District *

Shreyas and Nisha Panchigar *

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2013-0115-X

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Special Exception filed for property located at 4381 Hollins Ferry Road. The Petition was filed by the legal owners of the subject property, Shreyas and Nisha Panchigar ("Petitioners"). The Special Exception Petition seeks relief pursuant to § 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), to use the herein described property for an automotive service garage. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 2.

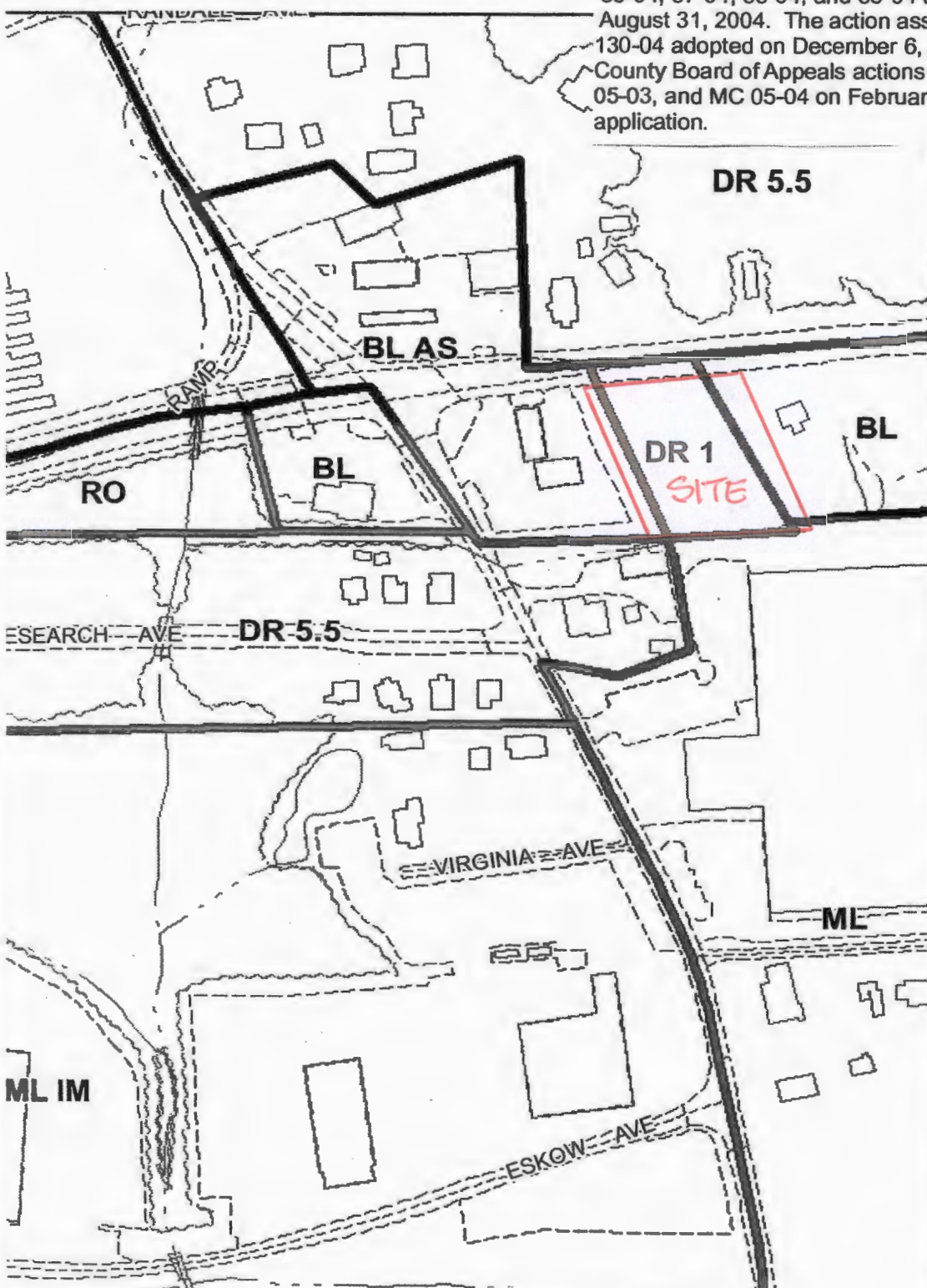
Appearing at the hearing was Nisha and Shreyas Panchigar and Patrick C. Richardson, professional engineer with Richardson Engineering, LLC, the consulting firm that prepared the site plan. Also appearing was Elizabeth Yankulov, Everett Hall-McNeill, Kimberly and Robert Maith and Richard Kunz. The file reveals that the Petition was properly advertised and the site was properly posted as required by the B.C.Z.R.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The Department of Planning (DOP), and the Office of People's Counsel have indicated they believe the Special Exception must be denied in light of the Order in CBA # CR-07-132-X, which provided the property shall not be used for an automobile service garage.

Plan Sheet: 109A2

Note:

The zoning depicted in this application incorporates the actions associated with County Council Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04 adopted by the County Council on August 31, 2004. The action associated with County Council Bill 130-04 adopted on December 6, 2004 is also depicted. In addition, County Board of Appeals actions from MC 05-01, MC 05-02, MC 05-03, and MC 05-04 on February 9, 2005 are represented in this application.

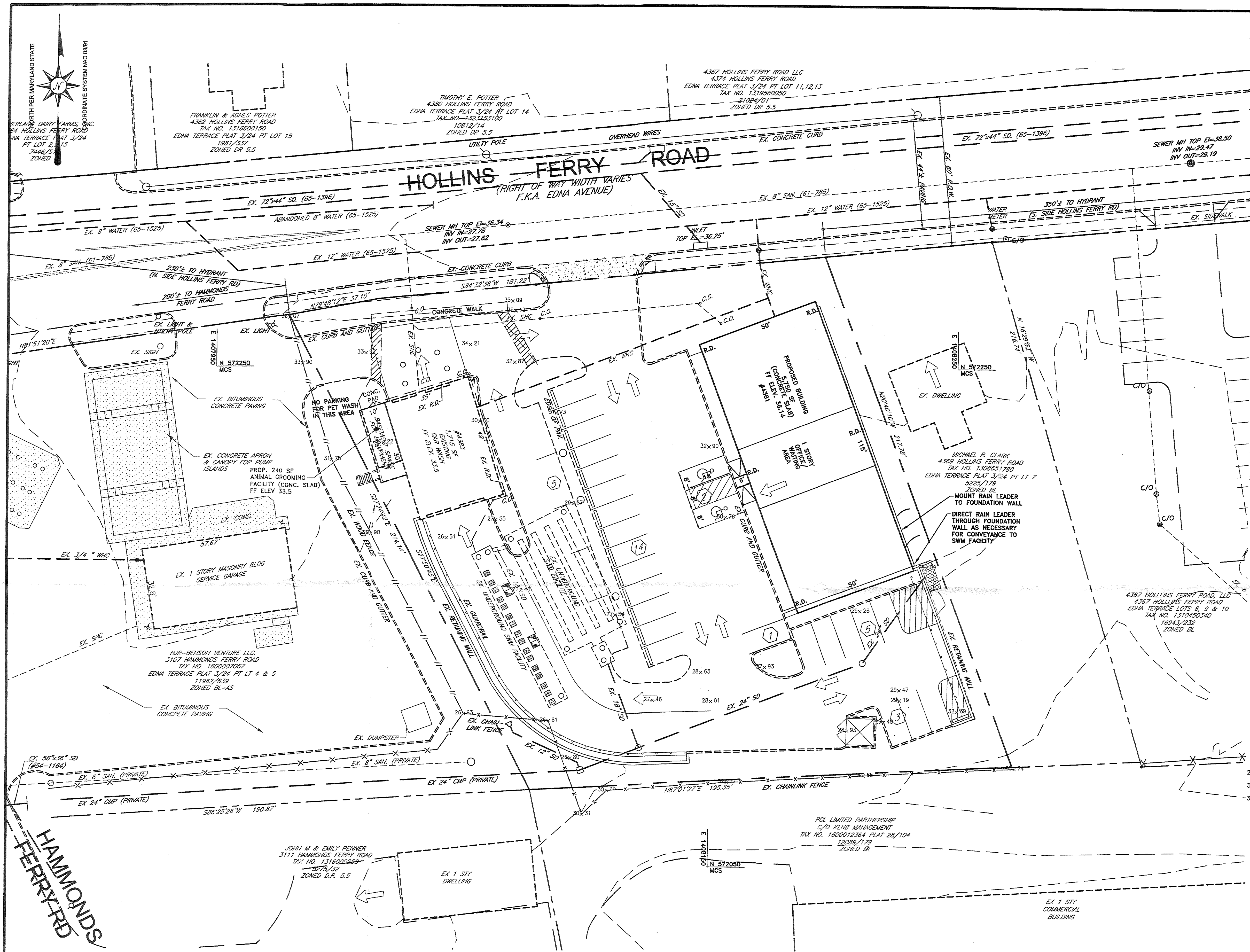


108B1	108C1	109A1	109B1	109C1
108B2	108C2	109A2	109B2	109C2
108B3	108C3	109A3	109B3	109C3

Scale

1" = 200'

0 100 200 400 Feet



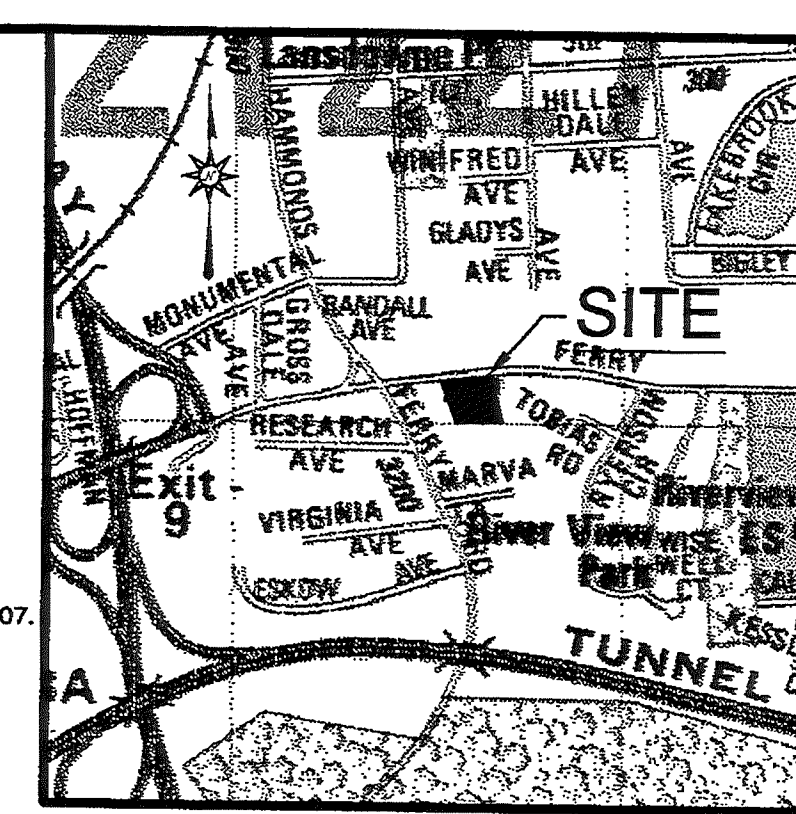
GENERAL NOTES:

- OWNER: SHREYUS 'GEORGE' PANCHIGAR, 2926 W. ALMONDBURY DRIVE, PASADENA, MD 21122-6346
- DEVELOPER: SHREYUS 'GEORGE' PANCHIGAR, 3107 HAMMONDS FERRY ROAD, BALTIMORE, MD 21227
- TOTAL SITE AREA: GROSS: 51,518 SF or 1.18 AC±; NET: 45,302 SF or 1.04 AC±
- EXISTING: CAR WASH, ANIMAL GROOMING FACILITY, AND VACANT RETAIL BUILDING PAD
- PROPOSED: CAR WASH, ANIMAL GROOMING FACILITY, AND AUTOMOTIVE REPAIR FACILITY
- PUBLIC WATER AND SEWAGE: DRAWING BASED ON FIELD SURVEY BY DIETZ SURVEYING, INC. ON 5/24/07.
- TAX MAP 109, PARCELS #114, LOT 6 (PLAT REF. 3/24)
- TAX ACCOUNT: 1308001075
- DEED REF: 17864/193
- ZONING: BL-AS (PER 1"=200' ZONING MAP #109A2)
- ELECTION DISTRICT: 13
- COUNCILMANIC DISTRICT: 1
- REGIONAL PLANNING: 3258
- CENSUS TRACT: 4303
- WATERSHED: PATAPSCO RIVER
- SITE IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- SITE IS NOT WITHIN A 100 YEAR FLOODPLAIN.
- SITE IS NOT WITHIN AN AREA OF BASIC SERVICES FAILURE.
- THERE ARE NO KNOWN HISTORIC BUILDINGS, ARCHAEOLOGICAL SITES, SCENIC VIEWS OR SIGNIFICANT FEATURES LOCATED ON OR ADJACENT TO THE SITE.
- THERE ARE NO KNOWN HAZARDOUS MATERIALS ON SITE.
- HOURS OF OPERATION: CAR WASH & PET GROOMING FACILITY: 7 AM TO 10 PM; AUTOMOTIVE REPAIR: 7 AM TO 7 PM
- ALL PROPOSED SIGNS TO BE IN ACCORDANCE WITH THE BCZR SECTION 450.
- PREVIOUS PERMITS: B579685 GRADING OF 19,800 SF FOR FUTURE COMMERCIAL BUILDING; B675357 GRADING OF 41,250 SF FOR CAR WASH AND RETAIL BUILDINGS; B675359 CONSTRUCTION FOR UNDERGROUND STORMWATER MANAGEMENT FACILITY; B754784 CONSTRUCTION OF A DOG GROOMING FACILITY
- PROPOSED BUILDING: AUTOMOTIVE REPAIR BUILDING - 5,750 SF
- PARKING: REQUIRED: CAR WASH: 2 PER BAY = 4 SPACES; 4 VACUUMS: 1 EACH = 4 SPACES; 4 ADDITIONAL FOR ROLL OVER = 2 SPACES; AUTOMOTIVE REPAIR BUILDING: 5,750 SF @ 3.3/1000 SF = 19 SPACES; ANIMAL GROOMING: 240 @ 5/1000 SF = 1 SPACE; TOTAL REQUIRED: 30 SPACES; PROVIDED: 42 SPACES (30 SPACES OUTSIDE 12 INSIDE SPACES)
- SETBACKS: REQUIRED: FRONT: 12.5'; REAR: 17.5'; (AVERAGE 15' TO EX CANOPY, NO BUILDING ON EAST SIDE, 15+10 = 12.5'); SIDE: 4.4', 10.0' & 128.6'; REAR: 0'; 65.2'
- FAR: 0.16
- ON AUGUST 18, 2010, THE DRC DETERMINED THAT THIS PROJECT MEETS THE REQUIREMENTS OF A LIMITED EXEMPTION UNDER SECTION 32-4-108(d)(2). ON AUGUST 18, 2010, THE RECOMMENDATIONS OF THE DRC WERE ADOPTED BY THE DIRECTOR OF PDM.
- PREVIOUS ZONING CASES: 04-188-X FOR A SPECIAL EXCEPTION FOR A SERVICE GARAGE GRANTED DECEMBER 24, 2004 SUBJECT TO THE FOLLOWING CONDITIONS:
 - THE PETITIONERS SHALL PROVIDE A FUTURE CONNECTION TO THE EXISTING SERVICE STATION TO THE WEST.
 - THE PETITIONERS SHALL INCREASE THE PROPOSED 6-FT LANDSCAPE STRIP ADJACENT TO THE EXISTING DWELLING TO 10 FT.
 - THE PETITIONERS SHALL PROVIDE LANDSCAPING ACROSS THE ENTIRE FRONT OF THE SUBJECT PROPERTY AND EFFECTIVELY SCREEN THE SITE FROM THE ADJACENT RESIDENTIAL USES. PETITIONERS SHALL ALSO PROVIDE A 6-FT. HIGH BOARD-ON-BOARD FENCE (IN CONJUNCTION WITH LANDSCAPING) ALONG THE EASTERN PROPERTY LINE ADJACENT TO THE RESIDENTIAL USE PERMITS.
 - PROVIDE LANDSCAPING ADJACENT TO THE FRONT/END BUILDING WALL OF THE PROPOSED STRUCTURE, AND ADJACENT TO THE FIRST PARKING SPACE IN THE VICINITY OF THE ENTRANCE DRIVE. THE PETITIONERS SHALL ALSO SUBMIT A LANDSCAPE PLAN TO AVERY HARDEN, BALTIMORE COUNTY LANDSCAPE ARCHITECT, FOR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS.
- THE PETITIONERS SHALL SUBMIT BUILDING ELEVATIONS (ALL SIDES) OF THE PROPOSED STRUCTURE TO THE PLANNING OFFICE FOR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS.
- THE PETITIONERS SHALL SUBMIT SIGN ELEVATIONS OF ANY PROPOSED SIGN. ALL SIGNS SHALL BE IN ACCORDANCE WITH THE SIGN REGULATIONS AND SHALL NOT BE VARIED.
- THE PETITIONERS SHALL PARK UNLICENSED MOTOR VEHICLES ONLY WITHIN THE FENCED AREA SHOWN ON PETITIONERS' EXHIBIT NO.1; AND
- THE PETITIONERS SHALL SHOW THE EXISTING SIDEWALKS ALONG HOLLINS FERRY ROAD.
- CR-07-132-X FOR:
 - A RECLASSIFICATION OF ZONING FROM DR-1, BL ML TO BL-AS GRANTED DECEMBER 14, 2006 SUBJECT TO THE FOLLOWING RESTRICTIONS:

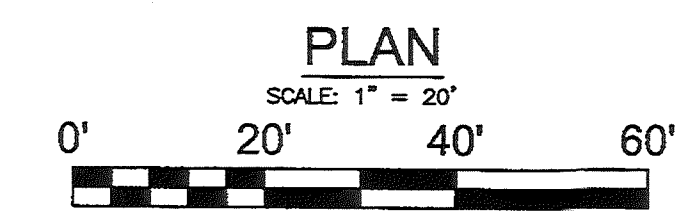
THE PETITIONER SHALL NOT OPERATE THE FOLLOWING:

 - LIQUOR OR PACKAGE GOODS STORE
 - BAIL BOND OFFICE
 - CAR STORAGE OR TOWING FACILITY
 - GAS STATION
 - AUTOMOTIVE SERVICE GARAGE
 - TAVERN
 - A SPECIAL EXCEPTION TO OPERATE A CARWASH GRANTED DECEMBER 14, 2006 SUBJECT TO THE FOLLOWING CONDITION:

THE PETITIONER SHALL SUBMIT A LANDSCAPE PLAN AND LIGHTING PLAN TO AVERY HARDEN, BALTIMORE COUNTY LANDSCAPE ARCHITECT. BOTH PLANS MAY BE REVIEWED AND APPROVED JACK DILLON, CONSULTANT TO PEOPLE'S COUNSEL.
- SITE IS NOT LOCATED WITHIN A TRAFFIC DEFICIENT AREA OR ANY OTHER DEFICIENT AREA ON THE BASIC SERVICES MAPS PURSUANT TO SECTION 4402.
- BUILDING ELEVATIONS SHALL BE PROVIDED TO THE OFFICE OF PLANNING PRIOR TO ISSUANCE OF ANY BUILDING PERMITS.
- NO CURRENT SIGNAGE IS PROPOSED. FUTURE SIGNAGE SHALL CONFORM TO BALTIMORE COUNTY ZONING REGULATIONS AND SHALL BE SUBMITTED TO THE OFFICE OF PLANNING FOR REVIEW AND APPROVAL.

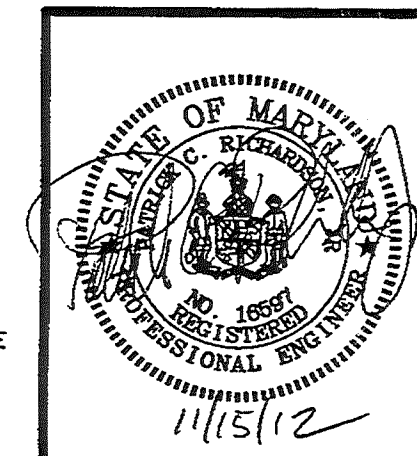


LOCATION MAP
SCALE: 1" = 1000'



NOTE
THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING CONSTRUCTION.

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 11552, EXPIRATION DATE 06-15-2013.



DRC #081710A PDM #13-209

Richardson Engineering, LLC

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

SITE PLAN TO ACCOMPANY
ZONING PETITION FOR

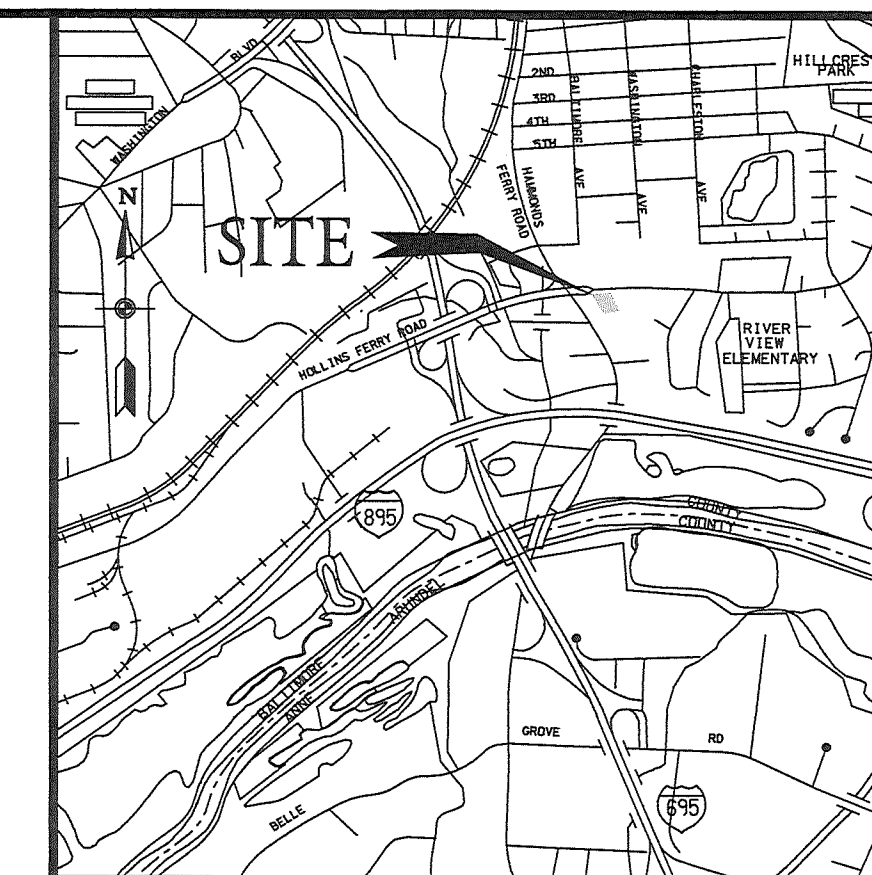
PANCHIGAR PROPERTY

4381 HOLLINS FERRY ROAD
BALTIMORE, MD 21227

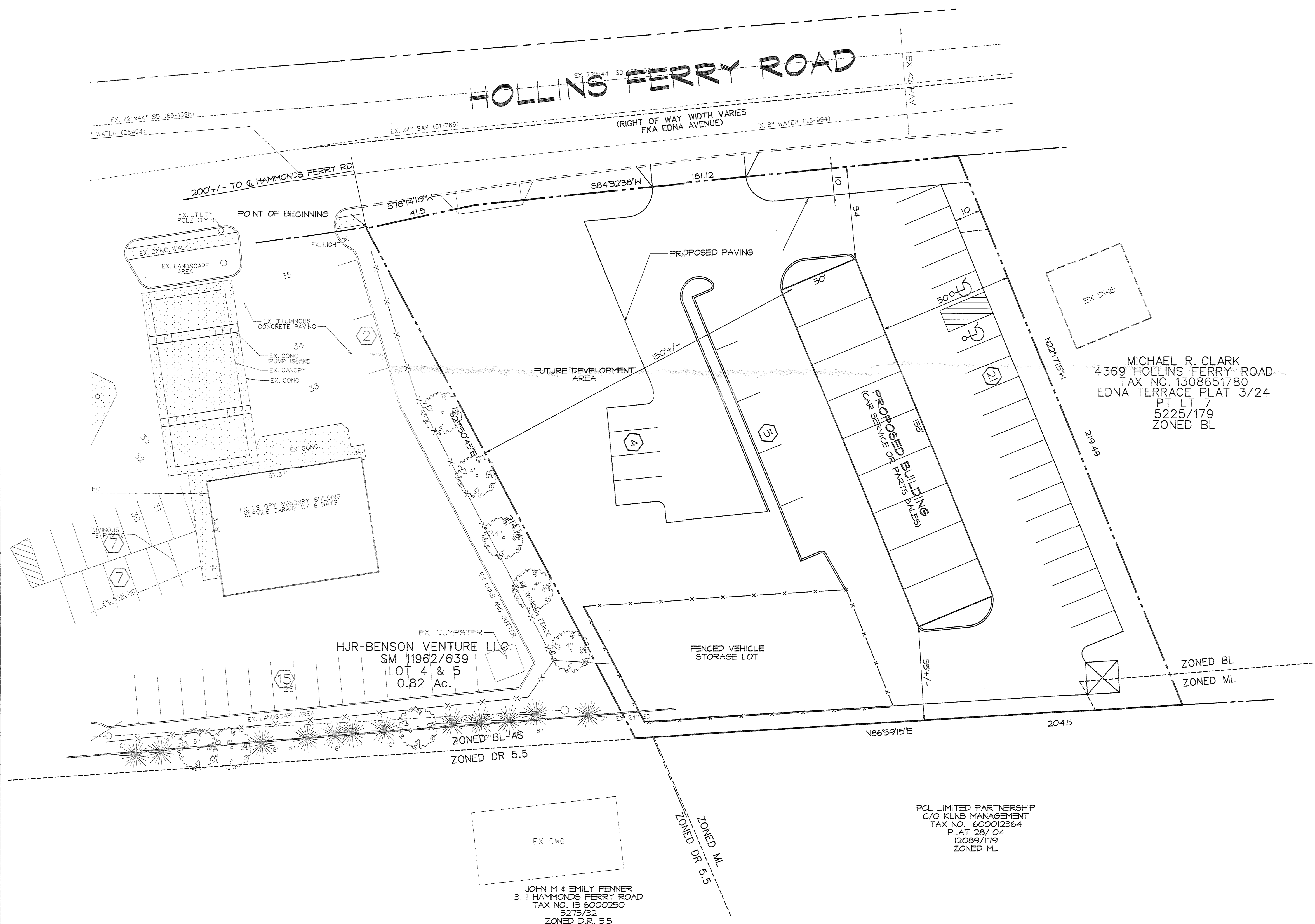
TAX MAP #109, PARCEL #414, LOT 6

13TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY: BTK	DESIGNED BY: PCR	SCALE: AS SHOWN
	DATE: 11-02-12	JOB NO.: 03019	SHEET NO.: 1 OF 1



VICINITY MAP
1"=2000'



- GENERAL NOTES:
- OWNER: SHREYAS & NISHA PANCHIGAR
2926 W. ALMONDBURY DRIVE
PASADENA, MD 21122-6346
 - SITE AREA: NET: 43,841 SF OR 1.01 AC.
GROSS: 50,520 SF OR 1.16 AC
 - EXISTING ZONING: BL, BL-AS, & ML
 - PROPOSED BUILDINGS:
SERVICE OR RETAIL FOR VEHICLES - 4,550 SF
 - WATER: PUBLIC
SEWER: PUBLIC
 - NO 100 YR FLOODPLAINS ON SITE
 - PARKING REQUIRED:
SERVICE GARAGE:
2250 SF @ 3.3/1000 = 8 SPACES
1800 SF RETAIL @ 5/1000 SF = 9 SPACES
TOTAL REQUIRED = 24 SPACES
8. PARKING PROVIDED: 35 SPACES
(5 SPACES IN BAYS, 30 SPACES OUTSIDE)
 - SETBACKS: REQUIRED PROVIDED
FRONT 12.5' 34'
(AVERAGE 15' TO EX CANOPY, NO BUILDING
ON EAST SIDE, 15+10 = 12.5)
SIDE 0' 50'
REAR 0' 35'
 - DEED REF: 17864/193
 - TAX ACCOUNT NO. 1308001075
 - ELECTION DISTRICT 13
 - COUNCILMANIC DISTRICT 1
 - REGIONAL PLANNING 3258
 - CENSUS TRACT 4303
 - WATERSHED PATAPSCO RIVER
 - ZONING: BL, BL-AS & ML
(PER 1"=200' ZONING MAP S.W. 6C)
 - EXISTING LAND USE: VACANT
 - TAX MAP: 109 P.392
 - PREVIOUS ZONING CASES: NONE ON FILE
 - PREVIOUS PERMITS: NONE OF FILE
 - SPECIAL EXCEPTION PER SECTION 230.13 FOR A SERVICE
GARAGE IN A BL ZONE.
 - FAR: 0.09

PETITIONER'S
EXHIBIT NO. 2

Richardson Engineering, LLC

110 Old Padonia Road, Suite LC
Cockeysville, Maryland 21030
Phone: 410-560-1502 Fax: 410-560-0827

PLAN TO ACCOMPANY SPECIAL EXCEPTION PETITION PANCHIGAR PROPERTY

4381 HOLLINS FERRY ROAD
BALTIMORE COUNTY, MARYLAND

13TH ELECTION DISTRICT COUNCILMANIC DISTRICT: 1

REVISIONS	12/08/2003	DRAWN BY: PCR	DESIGNED BY: PCR	SCALE: 1" = 20'
DATE:	9/18/2003	JOB NO.:	03019	SHEET NO.:
				1 OF 1

