



KEVIN KAMENETZ
County Executive

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

April 19, 2013

David H. Karceski, Esquire
Venable, LLP
210 West Pennsylvania Avenue
Suite 500
Towson, MD 21204

RE: Petition for Variance
Case No.: 2013-0204-A
Property: 11212 Reisterstown 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,

A handwritten signature in dark ink, appearing to read "JEB", is written over a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

IN RE: PETITION FOR VARIANCE
(11212 Reisterstown Road)
4th Election District
4th Councilman District
Owings Mills Auto Park
Limited Partnership
Petitioner

*
*
*
*
*

BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2013-0204-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by David H. Karceski, Esquire, on behalf of the legal owner of the subject property. The Petitioner is requesting Variance relief from Section 450.4 Attachment 1.5(a) of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a total of five wall-mounted enterprise signs on a single façade of a building in lieu of the permitted three wall-mounted signs, with no more than two on a single facade. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibits 1A and 1B.

Appearing at the public hearing in support of the requests was Brian Fader and Thomas A. Church, PE with Development Engineering Consultants, Inc., the firm that prepared the site plans. David H. Karceski, Esquire with Venable, LLP appeared and represented the Petitioner. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

There were no substantive Zoning Advisory Committee (ZAC) comments received from any County reviewing agencies.

ORDER RECEIVED FOR FILING

Date 4-19-13

By low

Testimony and evidence revealed that the subject property is approximately 3.5 acres and is zoned BM. The property is situated within a larger "auto park" (approximately 11 acres) that contains nine (9) brands of motor vehicles for sale. Just across the street from the subject property are dealerships for eight (8) other car brands. The Petitioner in this case has recently renovated its Chrysler dealership, and proposes to install a "sign package" similar to the one used by Chrysler dealers throughout the United States, which will identify each of the five (5) brands of vehicles offered for sale at the dealership. To do so, the Petitioner requires variance relief.

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. The property is of irregular dimensions, and is nestled within a much larger parcel containing other automotive dealerships. As such, it is unique for zoning purposes.

If the B.C.Z.R. were strictly enforced, the Petitioner would indeed suffer a practical difficulty, given it would be unable to comply with manufacturer franchise agreements, which require the installation of such signage. In addition, the Chrysler dealership is set back approximately 215' from Reisterstown Road, and the signage is required to not only identify the brands offered at the subject location, but also to distinguish this dealership from the numerous other new car dealerships and brands within the immediate vicinity. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of County and/or community opposition.

ORDER RECEIVED FOR FILING

Date 4-19-13

2

By aw

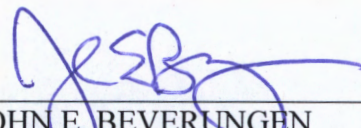
Pursuant to the advertisement, posting of the property and public hearing on this Petition, and for the reasons set forth above, the variance relief requested shall be granted.

THEREFORE, IT IS ORDERED, this 19th day of April, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to Section 450.4 Attachment 1.5(a) of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a total of five wall-mounted enterprise signs on a single façade of a building in lieu of the permitted three wall-mounted signs, with no more than two on a single facade, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

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 4-19-13

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 11212 Reisterstown Road

which is presently zoned BM

Deed References: 7372-130

10 Digit Tax Account # 0414010650

Property Owner(s) Printed Name(s) Owings Mills Auto Park Limited Partnership

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

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

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. X a **Variance** from Section(s) from BCZR Section 450.4 Attachment 1.5(a) to allow a total of five wall-mounted enterprise signs on a single facade of a building in lieu of the permitted three wall-mounted signs, with no more than two on a single facade.

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

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

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

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Owings Mills Auto Park Limited Partnership

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

c/o Atlantic Automotive Corporation

1 Olympic Place, Suite 1200, Towson

MD

Mailing Address

City

State

21204

410-602-6177

Zip Code

Telephone #

Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

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

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2013-0204-A

Filing Date 3/5/13

Do Not Schedule Dates: _____

Reviewer AT

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

ZONING DESCRIPTION

FOR

#11212 REISTERSTOWN ROAD

BEGINNING for the same at a point on the northwest side of Dolfield Boulevard, variable width right-of-way, said point being 228 feet, more or less, southerly of the centerline of Reisterstown Road, 80 feet wide, more or less, thence running and binding along the following courses and distances:

1. South 35 degrees, 00 minutes, 00 seconds West, 391.00 feet,
2. South 38 degrees, 30 minutes, 00 seconds West, 80.00 feet,
3. North 44 degrees, 05 minutes, 02 seconds West, 351.00 feet,
4. North 45 degrees, 54 minutes, 58 seconds East, 474.00 feet,
5. South 44 degrees, 05 minutes, 02 seconds East, 85.00 feet,
6. South 45 degrees, 54 minutes, 58 seconds West, 10.00 feet,
7. South 44 degrees, 05 minutes, 02 seconds East, 188.00 feet,

to the place of beginning.

CONTAINING 152, 460 square feet or 3.50 acres, more or less.

BEING one of the parcels of land described in a Deed, dated January 2, 1987, and recorded in the Land Records of Baltimore County in Liber 7372, folio 130.

ALSO known as #11212 Reisterstown Road, and located in the 4th Election District of Baltimore County.

Contract No. 13-102
February 21, 2013

2013-0204-A

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
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:

2013-0204-A

Petitioner:

Owings Mills Auto Park Limited Partnership

Address or Location:

11212 Reisterstown Road

PLEASE FORWARD ADVERTISING BILL TO:

Name:

David Krasinski Verable LLP

Address:

210 W. Pennsylvania Ave, Suite 500
Towson, Maryland 21204

Telephone Number:

410 494 6285

Revised 2/17/11 DT

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

No. **94132**

Date: **3/5/13**

PAID RECEIPT

BUSINESS ACTUAL TIME DOW
 3/06/2013 3/05/2013 10:13:18 2

REC USDS WALCH DEEL IND
 >>RECEIPT # 856906 3/05/2013 OFU

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$385.

Dept 5 528 TRNG VERIFICATION
 CR NO. 094132
 Recpt Tot 1385.00
 1385.00 0 1.00 CA
 Baltimore County, Maryland

Total: **\$385-**

Rec
 From:

For: **11212 REISTERSTOWN RD.**

2013-0204-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

2013-0204-A

RE: Case No.: _____

Petitioner/Developer: _____

Owings Mills Auto Park Ltd Partnership

April 19, 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: _____

11212 Reisterstown Rd

March 30, 2013

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

Sincerely,

March 30, 2013

(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)



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: # 2013-0204-A

11212 Reisterstown Road
NW Dolfield Road, 228 ft. s/of centerline
of Reisterstown Road

4th Election District - 4th Councilmanic District

Legal Owner(s): Owings Mills Auto Park Ltd Partnership

Variance: to allow a total of five wall-mounted enterprise signs on a single facade of a building in lieu of the permitted three wall-mounted signs with no more than two on a single facade.

Hearing: Friday, April 19, 2013 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
3/312 Mar. 28 912072



501 N. Calvert Street, Baltimore, MD 21278

March 28, 2013

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 March 28, 2013.

- ☒ 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

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 28, 2013 Issue - Jeffersonian

Please forward billing to:

David Karceski
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6285

NOTICE OF ZONING HEARING

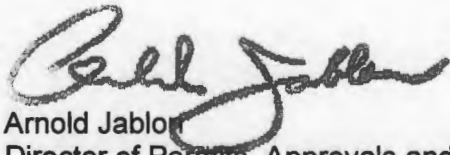
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CASE NUMBER: 2013-0204-A

11212 Reisterstown Road
NW Dolfield Road, 228 ft. s/of centerline of Reisterstown Road
4th Election District – 4th Councilmanic District
Legal Owners: Owings Mills Auto Park Ltd Partnership

Variance to allow a total of five wall-mounted enterprise signs on a single façade of a building in lieu of the permitted three wall-mounted signs with no more than two on a single façade.

Hearing: Friday, April 19, 2013 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

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



KEVIN KAMENETZ
County Executive

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

March 15, 2013

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: 2013-0204-A

11212 Reisterstown Road
NW Dolfield Road, 228 ft. s/of centerline of Reisterstown Road
4th Election District – 4th Councilmanic District
Legal Owners: Owings Mills Auto Park Ltd Partnership

Variance to allow a total of five wall-mounted enterprise signs on a single façade of a building in lieu of the permitted three wall-mounted signs with no more than two on a single façade.

Hearing: Friday, April 19, 2013 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Atlantic Automotive Corp., 1 Olympic Place, Ste. 1200, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 30, 2013.**
- (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.

M E M O R A N D U M

DATE: May 28, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0204-A - Appeal Period Expired

The appeal period for the above-referenced case expired on May 20, 2013. 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

RE: PETITION FOR VARIANCE
11212 Reisterstown Road; NW of Dolefield
Road, 228' S of c/line Reisterstown Road
4th Election & 4th Councilmanic Districts
Legal Owner(s): Owings Mills Auto Park
Limited Partnership
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2013-204-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

MAR 13 2013

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 March, 2013, 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

CASE NO. 2013-

0204-A

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
3/18/13	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	N/C
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
3/11/13	STATE HIGHWAY ADMINISTRATION	No Obj
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 3/28/13	
SIGN POSTING	Date: 3/30/13 by Black	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For March 18, 2013
Item Nos. 2013- 0204.

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: 3-11-13

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

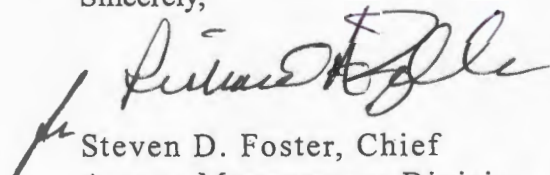
RE: Baltimore County
Item No 2013-0204-A
Variance
Owings Mills Auto Park
Limited Partnership -
11212 Reisterstown Road.

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. 2013-0204-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,


Steven D. Foster, Chief
Access Management Division

SDF/raz



KEVIN KAMENETZ
County Executive

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

April 11, 2013

Owings Mills Auto Park Ltd Partnership
C/O Atlantic Automotive Corporation
1 Olympic Place, Suite 1200
Towson MD 21204

RE: Case Number: 2013-0204 A, Address: 11212 Reisterstown Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 5, 2013. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
David H. Karceski, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204

11212 Reist Rd.
CASE NAME _____
CASE NUMBER 2013-204-A
DATE 4/19/13
ET

[illegible]

Maryland Department of Assessments and Taxation
Real Property Data Search (vw4.1A)
BALTIMORE COUNTY

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

Account Identifier:

District - 04 Account Number - 0414010650

Owner Information

<u>Owner Name:</u>	OWINGS MILLS AUTO PARK LIMITED PARTNERSHIP	<u>Use:</u>	COMMERCIAL
<u>Mailing Address:</u>	700 KENILWORTH DR TOWSON MD 21204-2427	<u>Principal Residence:</u>	NO
		<u>Deed Reference:</u>	1) /07372/ 00130 2)

Location & Structure Information

<u>Premises Address</u>	<u>Legal Description</u>
20 DOLFIELD BLVD	3.497 AC
OWINGS MILLS MD 21117-0000	NWS DOLFIELD AVE
	173 SW REISTERSTOWN RD

<u>Map</u>	<u>Grid</u>	<u>Parcel</u>	<u>Sub District</u>	<u>Subdivision</u>	<u>Section</u>	<u>Block</u>	<u>Lot</u>	<u>Assessment Area</u>	<u>Plat No:</u>
0058	0007	0091		0000				2	<u>Plat Ref:</u>

<u>Special Tax Areas</u>	<u>Town</u>	NONE
	<u>Ad Valorem</u>	
	<u>Tax Class</u>	

<u>Primary Structure Built</u>	<u>Enclosed Area</u>	<u>Property Land Area</u>	<u>County Use</u>
1986	41268	3.5000 AC	06

<u>Stories</u>	<u>Basement</u>	<u>Type</u>	<u>Exterior</u>
		AUTO SHOWROOM	

Value Information

	<u>Base Value</u>	<u>Value</u>	<u>Phase-in Assessments</u>	
		As Of	As Of	As Of
		01/01/2011	07/01/2012	07/01/2013
<u>Land</u>	2,622,700	1,573,600		
<u>Improvements:</u>	2,243,900	1,972,300		
<u>Total:</u>	4,866,600	3,545,900	3,545,900	3,545,900
<u>Preferential Land:</u>	0			0

Transfer Information

<u>Seller:</u>	BERGER LEONARD P	<u>Date:</u>	01/02/1987	<u>Price:</u>	\$0
<u>Type:</u>	NON-ARMS LENGTH OTHER	<u>Deed1:</u>	/07372/ 00130	<u>Deed2:</u>	
<u>Seller:</u>		<u>Date:</u>		<u>Price:</u>	
<u>Type:</u>		<u>Deed1:</u>		<u>Deed2:</u>	
<u>Seller:</u>		<u>Date:</u>		<u>Price:</u>	
<u>Type:</u>		<u>Deed1:</u>		<u>Deed2:</u>	

Exemption Information

<u>Partial Exempt Assessments</u>	<u>Class</u>	07/01/2012	07/01/2013
<u>County</u>	000	0.00	
<u>State</u>	000	0.00	
<u>Municipal</u>	000	0.00	0.00
<u>Tax Exempt:</u>		<u>Special Tax Recapture:</u>	
<u>Exempt Class:</u>		NONE	

Homestead Application Information

<u>Homestead Application Status:</u>	No Application
--------------------------------------	----------------

JB 4/19
11AM

Case No.: 2013-0204-A

Exhibit Sheet

DW 4-19-13
DWS-28-13

Petitioner/Developer

Protestants

No. 1	1A Site Plans 1B	
No. 2	Thomas Church CV	
No. 3	My Neighborhood Aerial Map	
No. 4	4A Color Photos 4B	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

THOMAS A. CHURCH, P.E.

EDUCATION Bachelor of Science, Civil Engineering – 1960
University of Maryland

REGISTRATION Professional Engineer #6479 – Maryland

PROFESSIONAL AFFILIATIONS Life Member – American Society of Civil Engineers
Past Memberships:
Consulting Engineers Council
National Society of Professional Engineers
Maryland Society of Professional Engineers
Engineering Society of Baltimore

EXPERIENCE President and Chief Executive Officer of Development Engineering Consultants, Inc., a Site Engineering and Surveying firm established by Mr. Church in 1985. In this capacity Mr. Church has been responsible for many private sector projects in Maryland. These projects include residential, commercial and industrial site development and all related field services. Mr. Church has also represented many clients as a technical and expert witness. He has presented his services before numerous hearings and is considered a Baltimore County zoning and development expert.

Prior to forming DEC, Inc., Mr. Church was Senior Vice President of Kidde Consultants, Inc. where he was employed for over 12 years, supervising projects in Maryland, Virginia, Pennsylvania and Delaware. Mr. Church was in responsible charge of all private sector developments and special projects that had inter-departmental disciplines under a matrix management system.

From 1956 to 1971, Mr. Church was employed as a Design Engineer with J. E. Greiner Company, a well-known public sector design firm specializing in major bridges, tunnels, airports and the toll facilities between Maryland and Chicago, Illinois. Interstate roadway systems in Maryland, Pennsylvania, West Virginia, Ohio, Indiana and Illinois were designed and the construction supervised by the Greiner design teams, of which Mr. Church was ultimately one of the Project Managers.

PETITIONER' S

EXHIBIT NO. 2



2/20/2013

#11212 REISTERSTOWN RD. 13-102



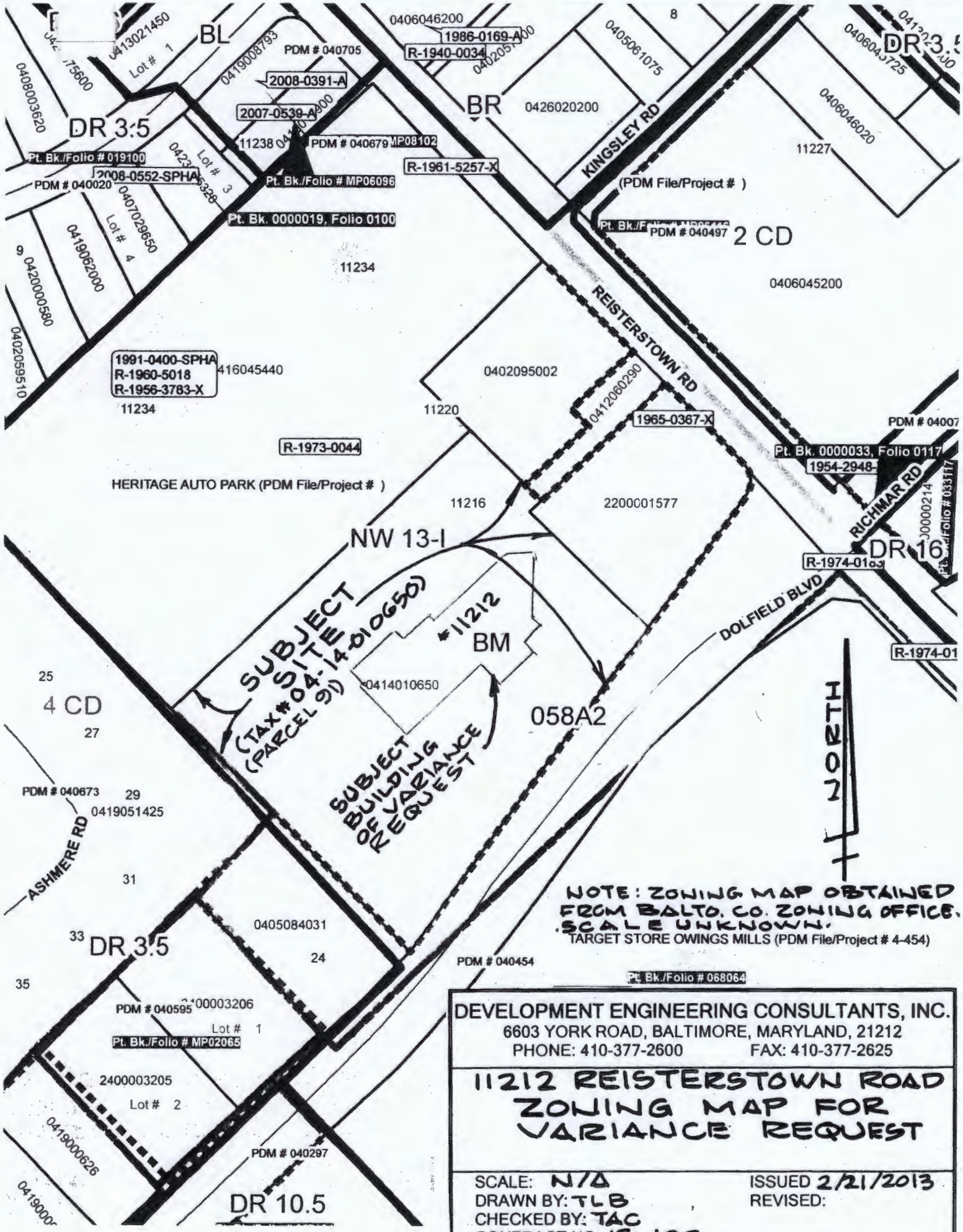
PETITIONER'S

EXHIBIT NO.

40

2/20/2013

11212 REISTERSTOWN RD 13-102



NOTE: ZONING MAP OBTAINED FROM BALTO. CO. ZONING OFFICE. SCALE UNKNOWN. TARGET STORE OWINGS MILLS (PDM File/Project # 4-454)

DEVELOPMENT ENGINEERING CONSULTANTS, INC. 6603 YORK ROAD, BALTIMORE, MARYLAND, 21212 PHONE: 410-377-2600 FAX: 410-377-2625	
11212 REISTERSTOWN ROAD ZONING MAP FOR VARIANCE REQUEST	
SCALE: N/A DRAWN BY: TLB CHECKED BY: TAC CONTRACT NO.: 13-102	ISSUED 2/21/2013 REVISED:

2013-0204-A



PETITIONER' S

EXHIBIT NO.

3



My Neighborhood Map

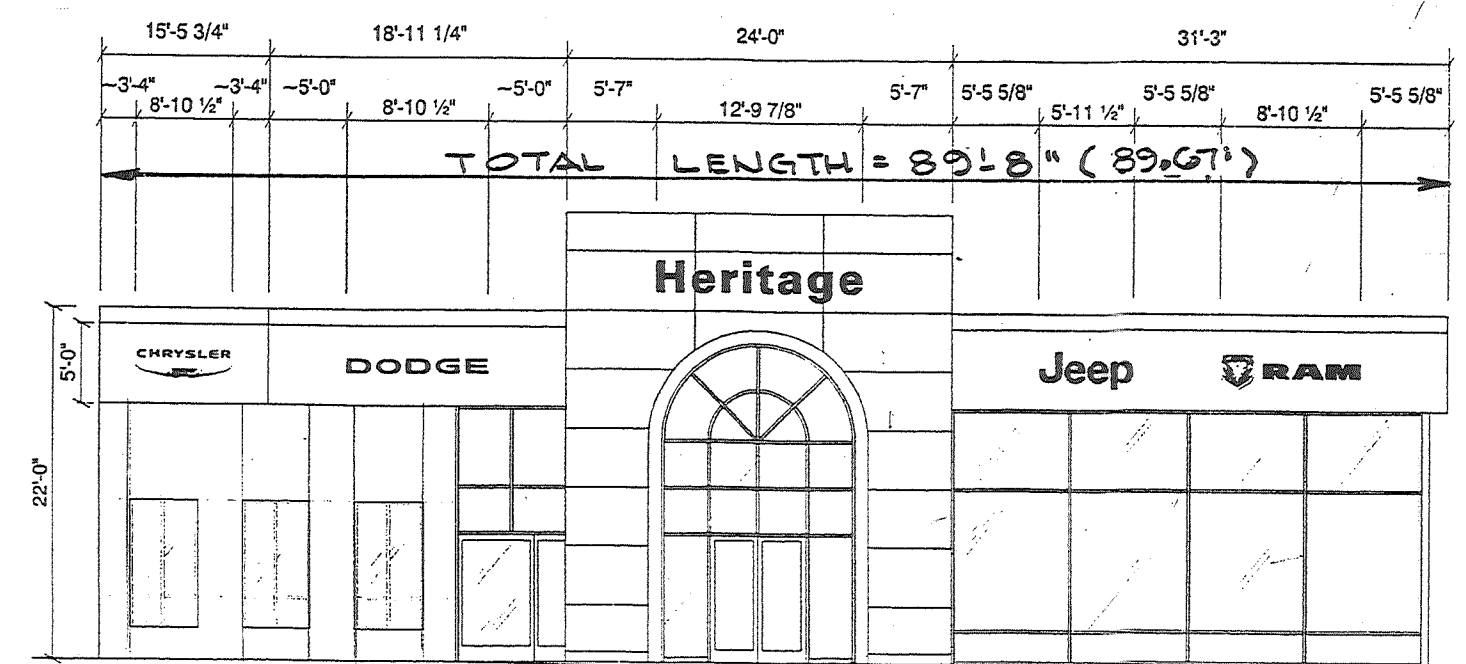
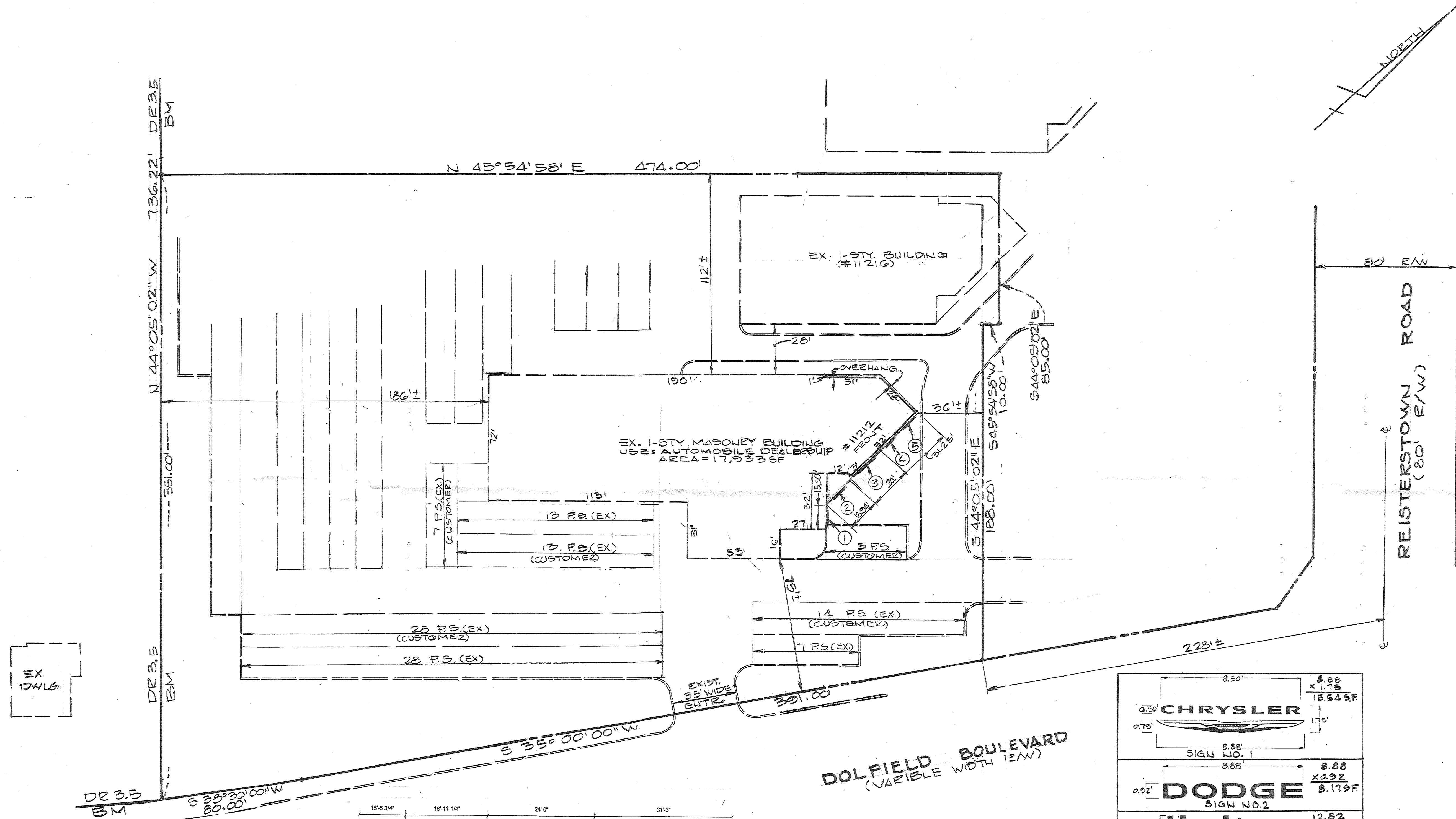
Created By
Baltimore County
My Neighborhood



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

Printed 3/11/2013

PLAT TO ACCOMPANY PETITION FOR ZONING: ☒ VARIANCE, ☐ SPECIAL EXCEPTION



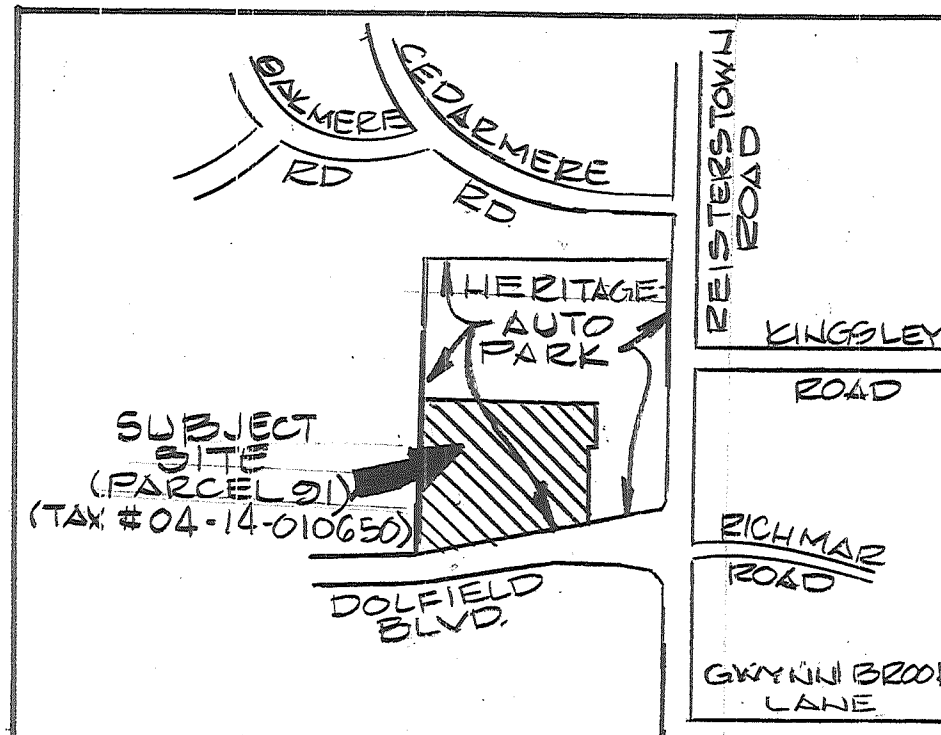
BUILDING ELEVATION
(NOT TO SCALE)
Wall signs to be centered and equally spaced in available area.
Multilines and other wall accents to be painted Pelican Gray.
Building to be painted Pelican Gray.
Available wall area for badges to be verified in field prior to installation.

ALLOWED SIGNAGE
AREA = 2 x 89.67' = 179.34 S.F.
PROPOSED AREA = 84.34 S.F.
MAX. NO. ALLOWED = 5
NO. ALLOWED PER FACADE = 2
NO. PROPOSED PER FACADE = 5

DOLFIELD BOULEVARD
(VARIABLE WIDTH 12W)

NOTE: SEE SHEET 2 OF 2 FOR
NOTES & ADDITIONAL INFORMATION
PERTAINING TO SITE.

CHRYSLER SIGN NO. 1	8.50' x 1.75' = 14.88 S.F.
DODGE SIGN NO. 2	8.88' x 1.75' = 15.54 S.F.
Heritage SIGN NO. 3	12.82' x 2.00' = 25.64 S.F.
Jeep SIGN NO. 4	5.96' x 2.40' = 14.30 S.F.
RAM SIGN NO. 5	8.88' x 2.33' = 20.69 S.F.
DETAILS OF PROPOSED SIGNS NOT TO SCALE TOTAL AREA OF PROP. SIGNS = 84.34 S.F.	



VICINITY MAP
SCALE: 1"=500'
NORTH

LOCATION INFORMATION

ELECTION DISTRICT NO.: 4
COUNCILMANIC DISTRICT NO.: 4
ZONING: BM
(REFERENCE MAP(S): O 58 A2)
AREA OF SITE:
NET = 152,460 S.F. = 3.50 AC±
GROSS = 166,590 S.F. = 3.82 AC±

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐
	YES	NO
CHESAPEAKE AREA CRITICAL AREA	☐	☒
AREA DESIGNATION:	N/A	
100 YEAR FLOODPLAIN	☐	☒
HISTORIC PROPERTY / BUILDING	☐	☒
PRIOR ZONING HEARINGS:	NONE	
PREVIOUS COMMERCIAL PERMITS:	#11216 - PERMIT B-160488 (RENOVATIONS) #11212 - PERMIT B-160650 (RENOVATIONS)	

ZONING OFFICE USE ONLY

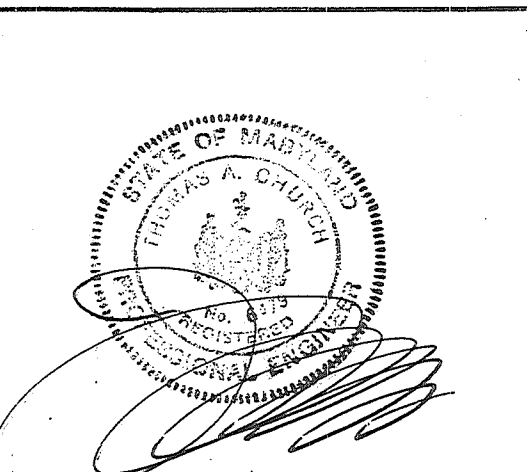
REVIEWED BY: _____ ITEM # _____ CASE # _____

PROPERTY DATA
OWNER: OWINGS MILLS AUTO PARK
LIMITED PARTNERSHIP
56 ATLANTIC AUTOMOTIVE CORP.
ADDRESS: 1 OLYMPIC PLACE, SUITE 1200
TOWSON, MD 21204

PHONE NUMBER: 410-602-6177
TAX ACCOUNT NUMBER(S): 04-14-010650
DEED REFERENCE: 7372/130
PLAT REFERENCE: N/A

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE
DOCUMENTS WERE PREPARED OR
APPROVED BY ME, AND THAT I
AM A DULY LICENSED ENGINEER
UNDER THE LAWS OF THE STATE
OF MARYLAND.
LICENSE NO. 6479
EXPIRATION DATE: AUG. 5, 2013

PETITIONER'S
EXHIBIT NO. 14



Drafting	LB
Check	TAC
Design	
Check	DATE
	REVISIONS

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
SITE ENGINEERS & SURVEYORS
6603 YORK ROAD 410-377-2600 BALTIMORE, MARYLAND 21212

DEVELOPER / APPLICANT
ATLANTIC AUTOMOTIVE CORPORATION
1 OLYMPIC PLACE, SUITE 1200
TOWSON, MD 21204
410-602-6177

PLAT TO ACCOMPANY PETITION FOR VARIANCE
HERITAGE - CHRYSLER, JEEP & DODGE
11212 REISTERSTOWN ROAD
ELECTION DISTRICT 4 BALTIMORE COUNTY, MD
COUNCILMANIC DISTRICT 4

SHEET	DATE	CONTRACT
1	FEB. 26, 2013	NUMBER
OF	SCALE	
2	1"=30'	13-122

GENERAL NOTES

1. SITE ACROSS 10.0 AC. AND 0.00 AC. (GIVEN FROM BALTIMORE COUNTY)
2. TOTAL 11.00 AC. (GIVEN FROM BALTIMORE COUNTY)
3. EX. USE OF SITE AUTO SERVICE (MAY 3, 1977)
4. REMAINING WOODS VACANT LAND (2.70 AC.)
5. PROPOSED AUTO SERVICE EXPANSION
6. PARKING FEED 2.62 (REMAINDER OF PARKING)
7. H.C. SPACES REQ'D 15 (PROVIDED)
8. H.C. SPACES REQ'D 15 (PROVIDED)
9. TOTAL PROP. ENTIRE BRIDGE AREAS = 4.9101 AC. @ 1/3
10. TOTAL PROP. BRIDGE AREAS = 1.9778 AC. @ 1/3
11. TOTAL PARKING REQ'D = 3.62
12. VETER LINES TO HAVE 4.0 COVER
13. MEASURED FROM PROPOSED GRADES UNLESS OTHERWISE SHOWN IN DETAILS.

SECTION A
CEDARME
P. 19-100

EX. ZONING "R-35"

RESIDENTIAL USE

ALBERT CARLIN
SHAWMAN
903B-14

VIRGINIA E.
ZAPPA
6199-222

DONALD TAYLOR
4550-51

RUSSELL J. JANE
SOUTHWARD

WM. J. MARIE OSTER
6196-782

WOOD PRINTER, PELLE
NAG 34.3 E. 6000'

PROPOSED ACCESSORY
SERVICE REPAIR SHOP
EXPANSION

EXISTING OFFICES

EXISTING PARTS

EXISTING PREP AREA

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