

IN RE: PETITIONS FOR SPECIAL HEARING, *
SPECIAL EXCEPTION & VARIANCE *
(2617 N. Rolling Road) *
2nd Election District *
4th Councilmanic District *
TCJ Company, LLC, *Legal Owners* *
GCN Real Estate LLC, *
Contract Purchaser/Lessee *
Petitioners *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2014-0004-SPHXA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of Petitions for Special Hearing, Special Exception and Variance filed by David H. Karceski, Esquire from Venable, LLP, on behalf of TCJ Company, LLC, the legal owners, and GCN Real Estate, LLC, Lessee, ("Petitioners"). The Petition for Special Hearing was filed pursuant to §§409.8.A.2 and A.6 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to allow an off-street parking facility with a non-durable and dustless surface and unstriped parking spaces in lieu of the requirements for a durable and dustless surface and striped parking spaces.

A Petition for Special Exception was filed pursuant to B.C.Z.R. § 253.2.B.3 for a service garage (as a tow truck operation) in the ML-IM zone.

Finally, a Petition for Variance was filed pursuant to the B.C.Z.R. § 409.4.A to allow a driveway for two-way movements to be a minimum of 12 feet in width in lieu of the required 20 feet. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the requests was Timothy Jacobs, Gregory C. Norman, and Kenneth J. Wells, with kj Wells Inc., the consultant who prepared the site plan.

ORDER RECEIVED FOR FILING

Date 9-4-13

By [Signature]

David H. Karceski, Esquire and Justin Williams, Esquire, both with Venable, LLP, appeared as counsel and represented the Petitioners. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The Department of Environmental Protection and Sustainability (DEPS) indicated its Groundwater Management section would need to review the plans prior to permit issuance, given the site is served by well and septic. The Bureau of Development Plans Review (DPR) did not object to the Petition, but requested that certain conditions be imposed on any relief granted.

The subject property is approximately one acre in size and is zoned ML-IM. The Petitioner, who operates Premier Towing, proposes to relocate its business operations from Gwynn Oak Avenue to the subject property. The Petitioner plans to construct a one-story building on the site, which is situated within an industrial park in Woodlawn. Zoning relief is required before the Petitioner can commence operations at the site.

SPECIAL HEARING

The Petition for Special Hearing seeks approval for a gravel parking area to the rear of the site. As noted by Mr. Kennedy in his ZAC comment, this site is situated within an industrial area, and it is unlikely that the gravel surface would negatively impact any of the surrounding uses.

SPECIAL EXCEPTION

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),

ORDER RECEIVED FOR FILING

Date 9-4-13

By [Signature]

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. No such evidence was presented here, and thus the Petition will be granted. B.C.Z.R. § 253.2.B contains an additional requirement for the enumerated special exception uses in an ML zone; that they be located in an IM District and that they serve primarily the activities in the surrounding industrial area. That requirement is also satisfied in this case. The Petitioner anticipates providing towing services to many of the businesses located in the industrial park and the areas adjacent thereto.

VARIANCES

Based upon the testimony and evidence presented, I will also 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).

The Petitioners have met this test. The property is of irregular dimensions and is burdened by existing site conditions, including the private driveway which provides the sole means of access. Thus, the property is unique.

If the B.C.Z.R. were strictly enforced, the Petitioners would indeed suffer a practical difficulty, since they would be unable to operate the new business at this location. 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.

ORDER RECEIVED FOR FILING

Date 9-4-13

By [Signature]

This is demonstrated by the support of the County and community. See Letters of Support, Exhibits 5 – 7.

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

THEREFORE, IT IS ORDERED this 4th day of September, 2013, by this Administrative Law Judge, that Petitioner's request for Special Hearing filed pursuant to §§ 409.8.A.2 and A.6 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to allow an off-street parking facility with a non-durable and dustless surface and unstriped parking spaces in lieu of the requirements for a durable and dustless surface and striped parking spaces, be and is hereby GRANTED.

IT IS FURTHER ORDERED that Petitioners' request for Special Exception filed pursuant to the B.C.Z.R., for a service garage (as a tow truck operation) in the ML-IM zone, be and is hereby GRANTED.

IT IS FURTHER ORDERED that Petitioners' request for Variance relief to allow a driveway for two-way movements to be a minimum of 12 feet in width in lieu of the required 20 feet, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

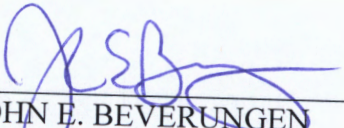
1. Petitioners may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order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

ORDER RECEIVED FOR FILING

Date 9-4-13

By [Signature]

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 9-4-13

By low



KEVIN KAMENETZ
County Executive

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

September 4, 2013

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

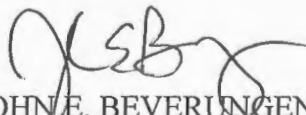
RE: Petitions for Special Hearing, Special Exception and Variance
Property: 2617 N. Rolling Road
Case No.: 2014-0004-SPHXA

Dear Counsel:

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

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

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure



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 2617 North Rolling Road which is presently zoned ML-IM
Deed References: 20760-685 10 Digit Tax Account # 0208550350
Property Owner(s) Printed Name(s) TCJ Company LLC

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

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

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

SEE ATTACHED SHEET 3

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

SEE ATTACHED SHEET 1

3. X a Variance from Section(s)

SEE ATTACHED SHEET 2

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:

GCN Real Estate LLC

By: Gregory C. Norman, General Manager

Name- Type or Print

Signature

2125 Southland Road, Gwynn Oak MD

Mailing Address City State

21207 / 410-340-0985 /

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):

TCJ Company LLC

Timothy I. Jacobs /

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

7935 Old Jessup Road, Jessup MD

Mailing Address City State

20794-3303

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 2014-0004-SPHKA Filing Date 7/2/2013

Do Not Schedule Dates: _____ Reviewer: dh

REV. 10/4/11



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 2617 North Rolling Road

which is presently zoned ML-IM

Deed References: 20760-685

10 Digit Tax Account # 0208550350

Property Owner(s) Printed Name(s) TCJ Company LLC

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SEE ATTACHED SHEET 1

3. ☒ a Variance from Section(s)

SEE ATTACHED SHEET 2

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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:

GCN Real Estate LLC

By: Gregory C. Norman, General Manager

Name- Type or Print

Gregory C Norman

Signature

2125 Southland Road, Gwynn Oak

MD

Mailing Address

City

State

21207

410-340-0985

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

David H Karceski

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):

TCJ Company LLC

Timothy I. Jacobs

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

7935 Old Jessup Road,

Jessup

MD

Mailing Address

City

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20794-3303

Zip Code

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Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

David H Karceski

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 2014-0004 SPHXA

Filing Date 7/2/2013

Do Not Schedule Dates:

Reviewer *TH*

REV. 10/4/11

**Attachment to
Petition for Special Exception (Sheet 1)**

2617 North Rolling Road

A Special Exception BCZR for a service garage as a tow truck operation in the ML-IM zone pursuant to Section 253.2.B.3.

**Attachment to
Petition for Variance (Sheet 2)**

2617 North Rolling Road

Variance from BCZR Section 409.4.A to allow a driveway for two-way movements to be a minimum of 12 feet in width in lieu of the required 20 feet.

**Attachment to
Petition for Special Hearing (Sheet 3)**

2617 North Rolling Road

Variance from BCZR Section 409.8.A.2 and A.6 to allow an off-street parking facility with a non-durable and dustless surface and unstriped parking spaces in lieu of the requirements for a durable and dustless surface and striped parking spaces.

kjWellsInc

Land Surveying, Geomatics and Site Planning

Telephone: (410) 592-8800
Email: kwells@kjwellsinc.com

7403 New Cut Road
Kingsville, Md. 21087-1132

June 19, 2013

**Zoning Description
of
2617 North Rolling Road
Baltimore County
Maryland
2nd Election District
4th Councilmanic District**

Beginning at a point located on the east side of North Rolling Road (70 feet wide) being 260 feet northeast from the center of Hithergreen Drive (50 feet wide) thence southeasterly along the northeast side of a 12 foot private road 590.13 feet to the point of beginning; thence the following courses and distances:

- 1) North 55 degrees 59 minutes 13 seconds East 330.03 feet
- 2) South 35 degrees 05 minutes 32 seconds East 133.61 feet
- 3) South 46 degrees 55 minutes 55 seconds West 229.60 feet
- 4) North 65 degrees 57 minutes 06 seconds West 200.00 feet

to the place of beginning. Containing 1.00 acre of land more or less as described in a Deed recorded in Liber 20760 folio 685.



2014-0004-SPHXA

**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: 2014-0004-SPHXA

Petitioner: TCJ Company, LLC

Address or Location: 2617 North Rolling Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barbara Lukasevich

Address: Venable, LLP

210 W. Pennsylvania Avenue, Suite 500

Towson, MD 21204

Telephone Number: 410-494-6200

Revised 2/20/98 - SCJ

PLEASE PRESS HARD!!!!

CERTIFICATE OF POSTING

2014-0004-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

GCN Real Estate, LLC.

September 4, 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: _____

2617 North Rolling Rd

August 15, 2013

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



Sincerely,

August 15, 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)



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

August 15, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, the publication appearing on August 15, 2013

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

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: #2014-0004-SPHA

2617 N. Rolling Road

E/s Rolling Road, 260 ft. NW of the centerline of Hithergreen Drive

2nd Election District - 4th Councilmanic District

Legal Owner(s): TCJ Company, LLC

Contract Purchaser: GCN Real Estate, LLC

Special Hearing: to allow an off-street parking facility with a non-durable and dustless surface and unstriped parking spaces in lieu of the requirements for durable and dustless surface and striped parking lot. **Variance:** to allow a driveway for two-way movements to be a minimum of 12 feet in width in lieu of the required 20 feet. **Special Exception:** for a service garage as a tow truck operation in the ML-IM zone. **Hearing: Wednesday, September 4, 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.

3/322 Aug. 15

940568

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 15, 2013 Issue - Jeffersonian

Please forward billing to:

Barbara Lukasevich

410-494-6200

Venable, LLP

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

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: 2014-0004-SPHA

2617 N. Rolling Road

E/s Rolling Road, 260 ft. NW of the centerline of Hithergreen Drive

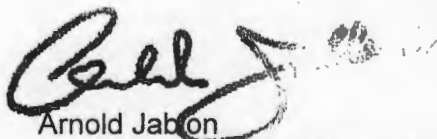
2nd Election District – 4th Councilmanic District

Legal Owners: TCJ Company, LLC

Contract Purchaser: GCN Real Estate, LLC

Special Hearing to allow an off-street parking facility with a non-durable and dustless surface and unstriped parking spaces in lieu of the requirements for a durable and dustless surface and striped parking lot. Variance to allow a driveway for two-way movements to be a minimum of 12 feet in width in lieu of the required 20 feet. Special Exception for a service garage as a tow truck operation in the ML-IM zone.

Hearing: Wednesday, September 4, 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.

M E M O R A N D U M

DATE: October 8, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0004-SPHXA - Appeal Period Expired

The appeal period for the above-referenced case expired on October 4, 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 SPECIAL HEARING * BEFORE THE OFFICE
SPECIAL EXCEPTION AND VARIANCE
2617 N. Rolling Road; E/S North Rolling Road* OF ADMINISTRATIVE
260' NW c/line Hithergreen Drive
2nd Election & 4th Councilmanic Districts * HEARINGS FOR
Legal Owner(s): TCJ Company LLC
Contract Purchaser(s): GCN Real Estate LLC * BALTIMORE COUNTY
Petitioner(s) *
2014-004-SPHXA

* * * * *

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

JUL 18 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 18th day of July, 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

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

7/18/13

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

C

8/6/13

DEPS
(if not received, date e-mail sent _____)

C

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)

7/16/13

STATE HIGHWAY ADMINISTRATION

NO Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

8/15/13

SIGN POSTING

Date:

8/15/13

by

Black

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____



KEVIN KAMENETZ
County Executive

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

August 28, 2013

TCJ Company LLC
Timothy I Jacobs
7935 Old Jessup Road
Jessup MD 20794-3303

RE: Case Number: 2014-0004 SPHXA, Address: 2617 North Rolling Road

Dear Mr. Jacobs:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 2, 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
GCN Real Estate LLC, Gregory C Norman, General manager, 2125 Southland Road, Gwynn Oak
MD 21207
David H Karceski, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 7-16-13

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

RE: Baltimore County

Item No 2014-0004-SPHXA

Special Hearing Special Exception
Variance

TCI Company LLC, Timothy I. Jazowski
2617 N. Rolling 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. 2014-0004-SPHXA.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Richard Zeller'.

for Steven D. Foster, Chief
Access Management Division

SDF/raz

June 27, 2013

David H. Karceski

T 410.494.6285

F 410.821.0147

dhkarceski@venable.com

Hand Delivered

Mr. W. Carl Richards, Jr., Supervisor
Zoning Review Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Variance and Special Exception
Petitioner: TCJ Company, LLC
Location: 2617 North Rolling Road

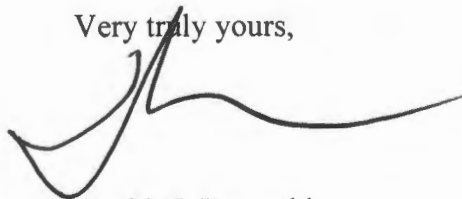
Dear Mr. Richards:

I am drop filing the enclosed Petition for Variance for the above referenced property.
With this letter, I have enclosed the following documents:

1. Petition for Variance (3)
2. Description (3)
3. Site Plans (12)
4. Newspaper advertising form (1)
5. Zoning Map (1)
6. Two checks totaling amount of \$835.00

If you have any questions or concerns regarding this filing, please give me a call.

Very truly yours,



David H. Karceski

DHK/jaw
Enclosures

9-4 @ 11am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

AUG 06 2013



OFFICE OF ADMINISTRATIVE HEARINGS

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

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

DATE: August 6, 2013

SUBJECT: DEPS Comment for Zoning Item # 2014-0004-SPHXA
Address 2617 North Rolling Road
(TCJ Company LLC Property)

Zoning Advisory Committee Meeting of July 15, 2013.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

Any future building permit (for a service garage) must be reviewed by Groundwater Mgmt., since the site is served by well and septic. The public sewer connection must be made, if that is available (as shown on the plan).

Reviewer: *Dan Esser – Groundwater Management*

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For July 22, 2013
Item No. 2014-0004

DATE: July 18, 2013

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

A landscape plan shall be received and approved prior to issuance of any permits.

We do not object to the access road being 12' wide instead of 20' with the following conditions:

- The width at Rolling Road must be made at least 16' so that vehicles wishing to enter the site do not have to stop on Rolling Road when a vehicle is exiting the site.
- The access road and the parking area in front of the building [south side] are both paved with a durable and dustless surface. Compacted crushed bituminous paving (a.k.a. millings) is acceptable.

Also, we not object to the use of gravel in the vehicle storage area instead of a durable and dustless surface for the following reasons:

- The grades are flatter than 5%, so washing away of the fine gravel particles would be minimal.
- There are no residential properties nearby to be bothered with dust.
- Towing sometimes involves dragging vehicles which would tear up bituminous concrete. It would tear up gravel also, but gravel can be repaired immediately.

DAK: CEN.

Cc: file.

ZAC-ITEM NO 14-0004-07222013.doc

9-4 @ 11am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

AUG 06 2013



OFFICE OF ADMINISTRATIVE HEARINGS

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

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

DATE: August 6, 2013

SUBJECT: DEPS Comment for Zoning Item # 2014-0004-SPHXA
Address 2617 North Rolling Road
(TCJ Company LLC Property)

Zoning Advisory Committee Meeting of July 15, 2013.

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Reviewer: Dan Esser – Groundwater Management

ORDER RECEIVED FOR FILING

Date 9-4-13

By DW

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
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- Towing sometimes involves dragging vehicles which would tear up bituminous concrete. It would tear up gravel also, but gravel can be repaired immediately.

DAK: CEN.

Cc: file.

ZAC-ITEM NO 14-0004-07222013.doc

ORDER RECEIVED FOR FILING

Date 9-4-13

By [Signature]

Real Property Data Search (w3)

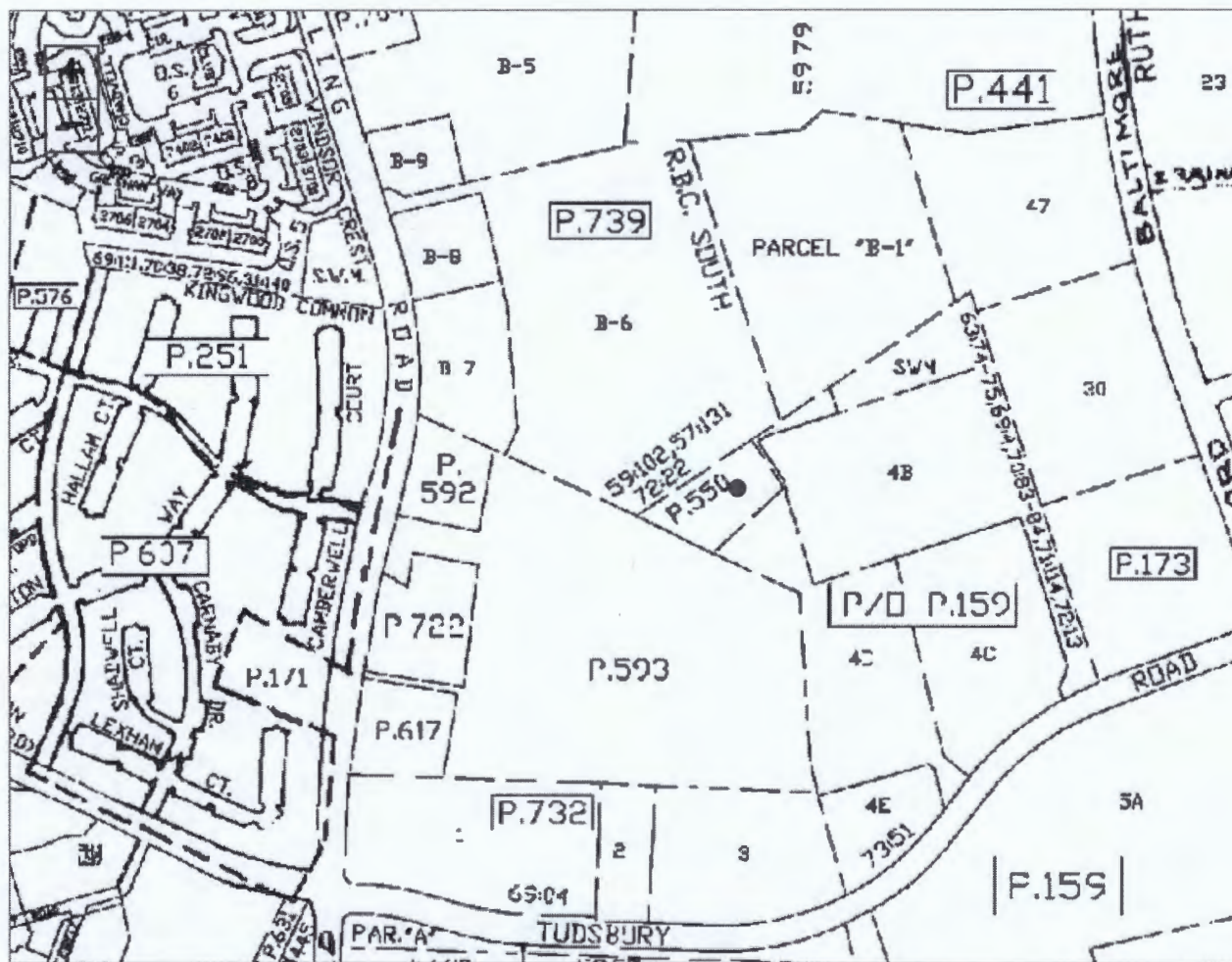
[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 02 Account Number - 0208550350		
Owner Information		
Owner Name:	TCJ COMPANY LLC	Use: RESIDENTIAL
		Principal Residence: NO
Mailing Address:	7935 OLD JESSUP RD JESSUP MD 20794-3303	Deed Reference: 1) /20760/ 00685 2)
Location & Structure Information		
Premises Address:	2617 N ROLLING RD 0-0000	Legal Description: 2617 N ROLLING RD NES 590FT E OF ROLLING RD
Map:	Grid:	Parcel:
0087	0017	0550
Sub District:	Subdivision:	Section:
	0000	
Block:	Lot:	Assessment Year:
		2013
Plat No:	Plat Ref:	
Special Tax Areas:	Town:	NONE
	Ad Valorem:	
	Tax Class:	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1957	1,702 SF	330 SF
Property Land Area	County Use	
1.0000 AC	04	
Stories	Basement	Type
1.000000	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
BRICK	2 full	1 Attached
Last Major Renovation		
Value Information		
Base Value	Value	Phase-in Assessments
	As of	As of
	01/01/2013	07/01/2013
		As of
		07/01/2014
Land:	103,500	77,600
Improvements	132,000	86,700
Total:	235,500	164,300
Preferential Land:	0	164,300
		0
Transfer Information		
Seller: NEWBERGER CHRISTOPHER G	Date: 09/29/2004	Price: \$245,000
Type: ARMS LENGTH IMPROVED	Deed1: /20760/ 00685	Deed2:
Seller: NEWBERGER CHRISTOPHER G	Date: 12/30/1998	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /13412/ 00629	Deed2:
Seller: HIDEY PAGE E	Date: 02/03/1977	Price: \$74,000
Type: ARMS LENGTH IMPROVED	Deed1: /05722/ 00475	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	07/01/2014
State:	000	0.00
Municipal:	000	0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

Baltimore County

District: **02** Account Number: **0208550350**



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

☒

Loading... Please Wait.

Loading... Please Wait.

CASE NAME TCS Company, LLC
CASE NUMBER 2014-0004-SPH
DATE 9/4/13

[illegible]

Case No.: 2014 - 0004 - SPHXA

Exhibit Sheet

DW 10-8-13
DW 9-5-13

Petitioner/Developer

Protestant

No. 1	Site plan	
No. 2	Landscape plan	
No. 3	Wells resume	
No. 4	area photo	
No. 5	5A-J Letters of support	
No. 6	Letter - Auto Return	
No. 7	Letter - Towers Ass'n.	
No. 8	photos - aerial My Neighborhood	
No. 9	9A-M photos of site	
No. 10		
No. 11		
No. 12		

kjWellsInc
Land Surveying, Geomatics and Site Planning

Telephone: (410) 592-8800
Email: kwells@kjwellsinc.com

7403 New Cut Road
Kingsville, Md. 21087-1132

Resume' of Kenneth J. Wells, R.P.L.S.
Prepared on August 12, 2013

Education:

Graduated from High School in 1966.
Attended Catonsville Community College from 1974 to 1978 and completed the Surveying Technology Curriculum. The curriculum included courses on how to read, interoperate and apply zoning and development regulations as they relate to land use.

Previous Experience:

Employed with surveying and engineering firms beginning in 1966 thorough 1984, excepting for time in military, were a large portion of my responsibilities entail preparation of plans and documents as a site planner and land surveyor determining the appropriate application for the requested relief or use for zoning purposes and the suitability of land use and design for the subdivision of land.

Professional Background:

I am the principal of kjWellsInc that was formed in 1984 which provides land surveying and site planning services on a wide variety of public and private projects that entail boundary line and topographic surveys. I have been accepted as an expert witness to testify in matters relating to land surveying, zoning and site planning before the Baltimore County Administrative Law Judge (Zoning Commissioner) and Members of the Board of Appeals of Baltimore County on matters relating to variances, special hearings and special exceptions. I have also testified as an expert witness before the Hearing Officer of Baltimore County on a number of major subdivisions and have prepared numerous minor subdivision plans and related documents.

Licensed to Practice Land Surveying:

Registered as a Property Line Surveyor in January of 1983.

Professional Organizations Membership:

Maryland Society of Surveyors
American Congress on Surveying and Mapping
National Society of Professional Surveyors

Premier Towing & Transport, LLC
1801 Gwynn Oak Avenue
Gwynn Oak, MD 21207

August 26, 2013

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

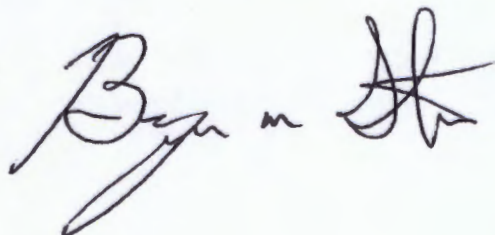
Re: Zoning Case No. 2014-004-XA
2617 North Rolling Road
Petition for Special Exception, Special Hearing &
Variance

Dear Judge Beverungen:

I am the owner of Stiens Garage Inc. located at 2200 Ridge Rd and am a neighbor of the Premier Towing & Transport operation at 1801 Gwynn Oak Avenue, in Gwynn Oak. I have operated my business for the past 8 years, and during that time Premier has been an excellent neighbor. Their site is always very clean and orderly, and I never have experienced noise-related disruptions or any other issues whatsoever from their operations. It is clear that Premier's managers have been aware that they have nearby business neighbors, and they accordingly have always conducted their business in a respectful manner.

I understand that Premier intends to relocate, and I am hopeful that whatever business takes over the Gwynn Oak location will be as good a neighbor as Premier has been. Based on my observations of Premier's operations over the past 5 years, I have no doubt that, no matter where they conduct their operations, they will continue to do so responsibly and will remain respectful of their new neighbors.

Sincerely,

A handwritten signature in black ink, appearing to read "Bryan" followed by a stylized flourish.

PETITIONER'S EXHIBIT

SA

Premier Towing & Transport, LLC
1801 Gwynn Oak Avenue
Gwynn Oak, MD 21207

August 26, 2013

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

Re: Zoning Case No. 2014-004-XA
2617 North Rolling Road
Petition for Special Exception, Special Hearing &
Variance

Dear Judge Beverungen:

I am the owner of YOUNG'S AUTO located at 1725 GWYNN OAK AVE and am a neighbor of the Premier Towing & Transport operation at 1801 Gwynn Oak Avenue, in Gwynn Oak. I have operated my business for the past 2 1/2 years, and during that time Premier has been an excellent neighbor. Their site is always very clean and orderly, and I never have experienced noise-related disruptions or any other issues whatsoever from their operations. It is clear that Premier's managers have been aware that they have nearby business neighbors, and they accordingly have always conducted their business in a respectful manner.

I understand that Premier intends to relocate, and I am hopeful that whatever business takes over the Gwynn Oak location will be as good a neighbor as Premier has been. Based on my observations of Premier's operations over the past 5 years, I have no doubt that, no matter where they conduct their operations, they will continue to do so responsibly and will remain respectful of their new neighbors.

Sincerely,

Young & Co


PETITIONER'S EXHIBIT

5B

Premier Towing & Transport, LLC
1801 Gwynn Oak Avenue
Gwynn Oak, MD 21207

August 26, 2013

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

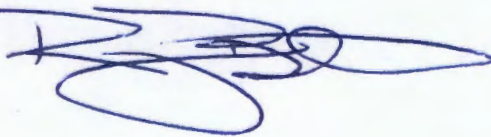
Re: Zoning Case No. 2014-004-XA
2617 North Rolling Road
Petition for Special Exception, Special Hearing &
Variance

Dear Judge Beverungen:

I am the owner of Fred's Garage Inc. located at 5304 Duxbury Rd and am a neighbor of the Premier Towing & Transport operation at 1801 Gwynn Oak Avenue, in Gwynn Oak. I have operated my business for the past 10 years, and during that time Premier has been an excellent neighbor. Their site is always very clean and orderly, and I never have experienced noise-related disruptions or any other issues whatsoever from their operations. It is clear that Premier's managers have been aware that they have nearby business neighbors, and they accordingly have always conducted their business in a respectful manner.

I understand that Premier intends to relocate, and I am hopeful that whatever business takes over the Gwynn Oak location will be as good a neighbor as Premier has been. Based on my observations of Premier's operations over the past 5 years, I have no doubt that, no matter where they conduct their operations, they will continue to do so responsibly and will remain respectful of their new neighbors.

Sincerely,



PETITIONER'S EXHIBIT

SC

Premier Towing & Transport, LLC
1801 Gwynn Oak Avenue
Gwynn Oak, MD 21207

August 26, 2013

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

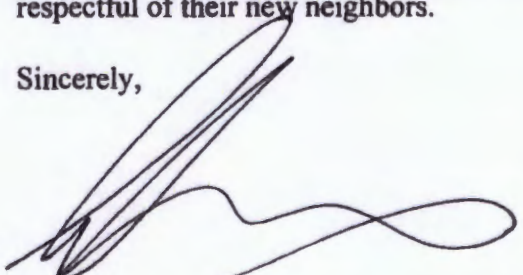
Re: Zoning Case No. 2014-004-XA
2617 North Rolling Road
Petition for Special Exception, Special Hearing &
Variance

Dear Judge Beverungen:

I am the owner of QUON GIORNO located at 6860 DORRMAN RD and am a neighbor of the Premier Towing & Transport operation at 1801 Gwynn Oak Avenue, in Gwynn Oak. I have operated my business for the past ___ years, and during that time Premier has been an excellent neighbor. Their site is always very clean and orderly, and I never have experienced noise-related disruptions or any other issues whatsoever from their operations. It is clear that Premier's managers have been aware that they have nearby business neighbors, and they accordingly have always conducted their business in a respectful manner.

I understand that Premier intends to relocate, and I am hopeful that whatever business takes over the Gwynn Oak location will be as good a neighbor as Premier has been. Based on my observations of Premier's operations over the past 5 years, I have no doubt that, no matter where they conduct their operations, they will continue to do so responsibly and will remain respectful of their new neighbors.

Sincerely,



PETITIONER'S EXHIBIT

SD

Premier Towing & Transport, LLC
1801 Gwynn Oak Avenue
Gwynn Oak, MD 21207

August 26, 2013

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

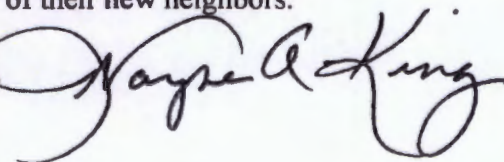
Re: Zoning Case No. 2014-004-XA
2617 North Rolling Road
Petition for Special Exception, Special Hearing &
Variance

Dear Judge Beverungen:

I am the owner of the home located at 1916 Gwynn Oak Ave and am a neighbor of the Premier Towing & Transport operation at 1801 Gwynn Oak Avenue, in Gwynn Oak. I have lived in my home for the past 37 years, and during that time Premier has been an excellent neighbor. Their site is always very clean and orderly, and I never have experienced noise-related disruptions or any other issues whatsoever from their operations. It is clear that Premier's managers have been aware that they have nearby residential neighbors, and they accordingly have always conducted their business in a respectful manner.

I understand that Premier intends to relocate, and I am hopeful that whatever business takes over the Gwynn Oak location will be as good a neighbor as Premier has been. Based on my observations of Premier's operations over the past 5 years, I have no doubt that, no matter where they conduct their operations, they will continue to do so responsibly and will remain respectful of their new neighbors.

Sincerely,



PETITIONER'S EXHIBIT

SE

Premier Towing & Transport, LLC
1801 Gwynn Oak Avenue
Gwynn Oak, MD 21207

August 26, 2013

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

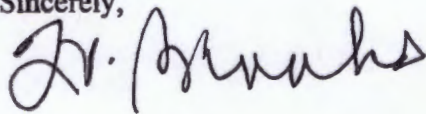
Re: Zoning Case No. 2014-004-XA
2617 North Rolling Road
Petition for Special Exception, Special Hearing &
Variance

Dear Judge Beverungen:

I am the ^{Tenant} owner of the home located at 1914 Gwynn Oak Ave and am a neighbor of the Premier Towing & Transport operation at 1801 Gwynn Oak Avenue, in Gwynn Oak. I have lived in my home for the past 2 years, and during that time Premier has been an excellent neighbor. Their site is always very clean and orderly, and I never have experienced noise-related disruptions or any other issues whatsoever from their operations. It is clear that Premier's managers have been aware that they have nearby residential neighbors, and they accordingly have always conducted their business in a respectful manner.

I understand that Premier intends to relocate, and I am hopeful that whatever business takes over the Gwynn Oak location will be as good a neighbor as Premier has been. Based on my observations of Premier's operations over the past 5 years, I have no doubt that, no matter where they conduct their operations, they will continue to do so responsibly and will remain respectful of their new neighbors.

Sincerely,



PETITIONER'S EXHIBIT

5F

Premier Towing & Transport, LLC
1801 Gwynn Oak Avenue
Gwynn Oak, MD 21207

August 26, 2013

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

Re: Zoning Case No. 2014-004-XA
2617 North Rolling Road
Petition for Special Exception, Special Hearing &
Variance

Dear Judge Beverungen:

I am the owner of the home located at 1918 Gwynn Oak and am a neighbor of the Premier Towing & Transport operation at 1801 Gwynn Oak Avenue, in Gwynn Oak. I have lived in my home for the past 15 years, and during that time Premier has been an excellent neighbor. Their site is always very clean and orderly, and I never have experienced noise-related disruptions or any other issues whatsoever from their operations. It is clear that Premier's managers have been aware that they have nearby residential neighbors, and they accordingly have always conducted their business in a respectful manner.

I understand that Premier intends to relocate, and I am hopeful that whatever business takes over the Gwynn Oak location will be as good a neighbor as Premier has been. Based on my observations of Premier's operations over the past 5 years, I have no doubt that, no matter where they conduct their operations, they will continue to do so responsibly and will remain respectful of their new neighbors.

Sincerely,

Justin Williams

PETITIONER'S EXHIBIT

56

Premier Towing & Transport, LLC
1801 Gwynn Oak Avenue
Gwynn Oak, MD 21207

August 26, 2013

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

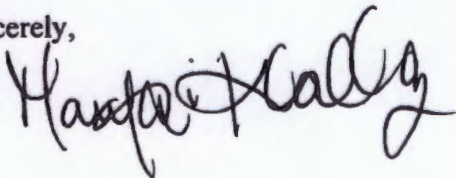
Re: Zoning Case No. 2014-004-XA
2617 North Rolling Road
Petition for Special Exception, Special Hearing &
Variance

Dear Judge Beverungen:

I am the owner of the home located at 1928 Gwynn Oak and am a neighbor of the Premier Towing & Transport operation at 1801 Gwynn Oak Avenue, in Gwynn Oak. I have lived in my home for the past 7 years, and during that time Premier has been an excellent neighbor. Their site is always very clean and orderly, and I never have experienced noise-related disruptions or any other issues whatsoever from their operations. It is clear that Premier's managers have been aware that they have nearby residential neighbors, and they accordingly have always conducted their business in a respectful manner.

I understand that Premier intends to relocate, and I am hopeful that whatever business takes over the Gwynn Oak location will be as good a neighbor as Premier has been. Based on my observations of Premier's operations over the past 5 years, I have no doubt that, no matter where they conduct their operations, they will continue to do so responsibly and will remain respectful of their new neighbors.

Sincerely,



PETITIONER'S EXHIBIT

SH

Premier Towing & Transport, LLC
1801 Gwynn Oak Avenue
Gwynn Oak, MD 21207

August 26, 2013

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

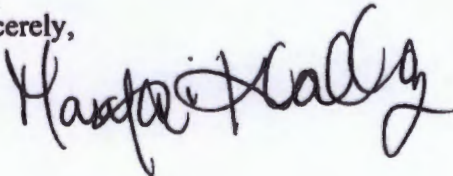
Re: Zoning Case No. 2014-004-XA
2617 North Rolling Road
Petition for Special Exception, Special Hearing &
Variance

Dear Judge Beverungen:

I am the owner of the home located at 1928 Gwynn Oak and am a neighbor of the Premier Towing & Transport operation at 1801 Gwynn Oak Avenue, in Gwynn Oak. I have lived in my home for the past 7 years, and during that time Premier has been an excellent neighbor. Their site is always very clean and orderly, and I never have experienced noise-related disruptions or any other issues whatsoever from their operations. It is clear that Premier's managers have been aware that they have nearby residential neighbors, and they accordingly have always conducted their business in a respectful manner.

I understand that Premier intends to relocate, and I am hopeful that whatever business takes over the Gwynn Oak location will be as good a neighbor as Premier has been. Based on my observations of Premier's operations over the past 5 years, I have no doubt that, no matter where they conduct their operations, they will continue to do so responsibly and will remain respectful of their new neighbors.

Sincerely,



PETITIONER'S EXHIBIT

51

Premier Towing & Transport, LLC
1801 Gwynn Oak Avenue
Gwynn Oak, MD 21207

August 26, 2013

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

Re: Zoning Case No. 2014-004-XA
2617 North Rolling Road
Petition for Special Exception, Special Hearing &
Variance

Dear Judge Beverungen:

I am the owner of the home located at 1971 Gwynn Oak and am a neighbor of the Premier Towing & Transport operation at 1801 Gwynn Oak Avenue, in Gwynn Oak. I have lived in my home for the past 27 years, and during that time Premier has been an excellent neighbor. Their site is always very clean and orderly, and I never have experienced noise-related disruptions or any other issues whatsoever from their operations. It is clear that Premier's managers have been aware that they have nearby residential neighbors, and they accordingly have always conducted their business in a respectful manner.

I understand that Premier intends to relocate, and I am hopeful that whatever business takes over the Gwynn Oak location will be as good a neighbor as Premier has been. Based on my observations of Premier's operations over the past 5 years, I have no doubt that, no matter where they conduct their operations, they will continue to do so responsibly and will remain respectful of their new neighbors.

Sincerely, *Edmund F. [Signature]*

PETITIONER'S EXHIBIT

55



August 27, 2013

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

Re: Zoning Case No. 2014-004-XA
2617 North Rolling Road
Petition for Special Exception, Special Hearing &
Variance

Dear Judge Beverungen:

AutoReturn has a ten year contract with Baltimore County to manage the subcontractors who provide police initiated towing services for the BCPD. I am the Service Manager responsible for multiple towing companies participating in this program. Premier Towing & Transport located at 1801 Gwynn Oak Avenue, in Gwynn Oak is one of our subcontractors. Parts of my duties as Service Manager include routine inspections of the towing company's facilities, storage lots and tow trucks. Premier Towing and Transport has always maintained their facilities, equipment and trucks in an excellent manner with consideration for the environment, safety and neighboring businesses and residents. To date, I have never received a complaint on this company.

I understand that Premier intends to relocate, and I am hopeful that whatever business takes over the Gwynn Falls location will be as good a neighbor as Premier has been. Based on my observations of Premier's operations over the past four years, I have no doubt that, no matter where they conduct their operations, they will continue to do so responsibly and will remain respectful of their new neighbors and the environment.

Sincerely,

Ron Perry
Service Manager
AutoReturn



B A C O L T
Baltimore County Organized Licensed Towers, Inc.
5625 Old Frederick Road
Catonsville, Maryland 21228
410-744-3600



August 27, 2013

John E Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Re: Zoning Case No. 2014-004-XA
2617 North Rolling Road
Petition for Special Exception, Special Hearing and Variance

Dear Judge Beverungen,

I am the President of the Baltimore County Organized Licensed Towers, known as BACOLT here in Baltimore County. I have twenty four Licensed Towers in Baltimore County that belong to the Association out of thirty licenses.

I am requesting that you consider Premier Towing, presently located at 1801 Gwynn Oak Avenue, in the Gwynn Oak area of Baltimore County, to get the Special Exception, Hearing and Variance to conduct business at the Rolling Road location.

Premier has conducted themselves in a Professional and Friendly manner since they received Baltimore County Towing License approximately four years ago. There have been no complaints and they have been professional from the issuance of their license with Baltimore County. They have backed up various towing companies during busy times, much less did their own towing.

I'm positive that if Premier gets approved, they will continue to conduct business in the same orderly manner, and be respectful of their new neighbors as they were of their old neighbors.

Thank You for your time in reading my epistle.

Sincerely,

PETITIONER'S EXHIBIT

7



B A C O L T

Baltimore County Organized Licensed Towers, Inc.

**5625 Old Frederick Road
Catonsville, Maryland 21228**

410-744-3600



August 27, 2013

**John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings**

**Re: Zoning Case No. 2014-004-XA
2617 North Rolling Road
Petition for Special Exception, Special Hearing and Variance**

**DENNIS W. MCELGUNN
PRESIDENT
BALTIMORE COUNTY ORGANIZED
LICENSED TOWERS**





PETITIONER'S EXHIBIT -A



PETITIONER'S EXHIBIT -B



PETITIONER'S EXHIBIT ____-C



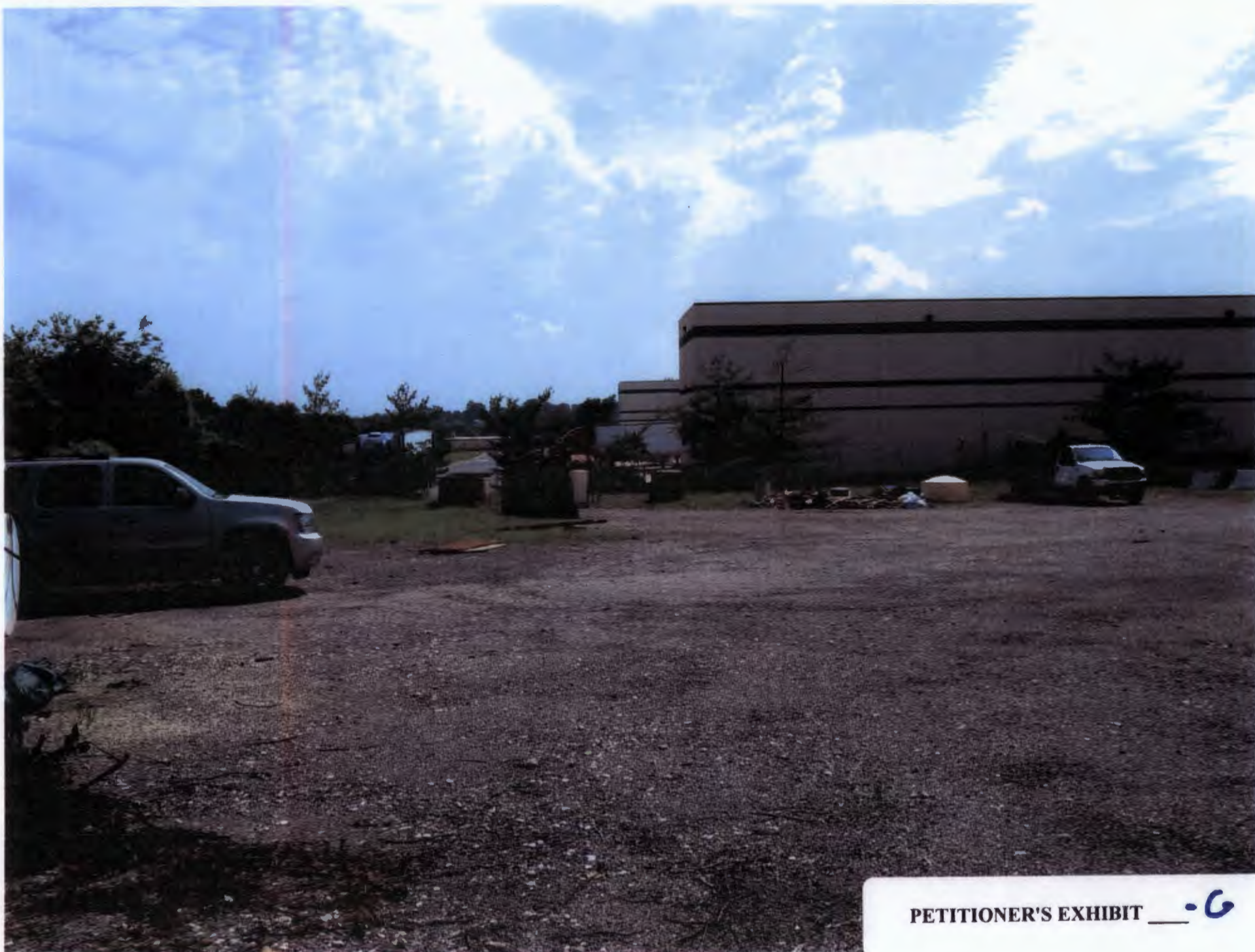
PETITIONER'S EXHIBIT -D



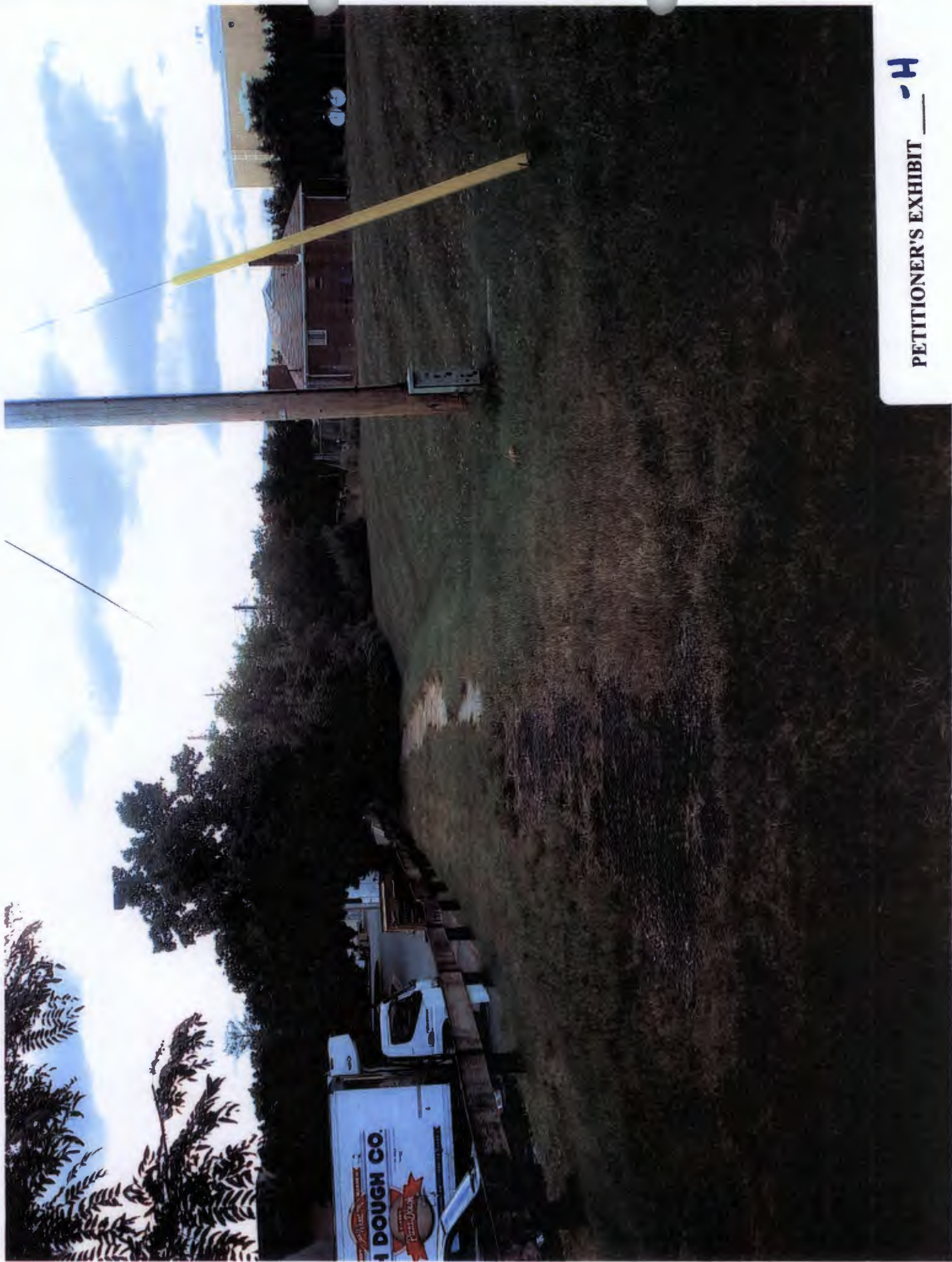
PETITIONER'S EXHIBIT - E



PETITIONER'S EXHIBIT -F



PETITIONER'S EXHIBIT -6





PETITIONER'S EXHIBIT **-I**



PETITIONER'S EXHIBIT 3



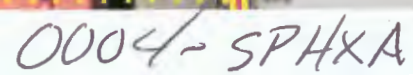
PETITIONER'S EXHIBIT -K



PETITIONER'S EXHIBIT -L



PETITIONER'S EXHIBIT ____-M



2617 North Rolling Road



Publication Date: 7/1/2013



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 37.5 75 150 225 300 Feet

1 inch = 150 feet

2014-0004-SPHXA

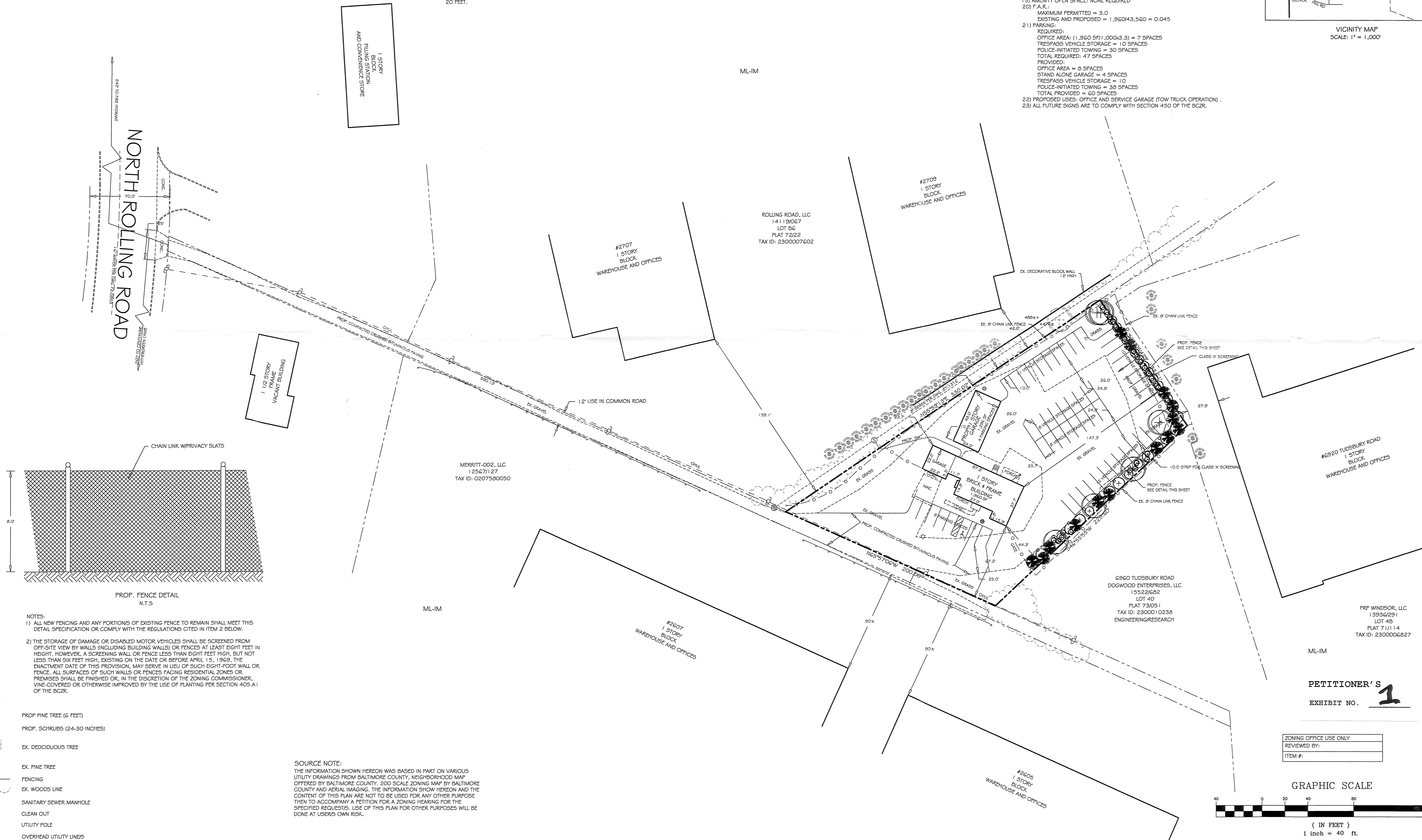
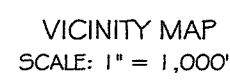
NO USE AND OCCUPANCY PERMIT MAY BE ISSUED UNTIL A FINAL LANDSCAPE PLAN HAS BEEN APPROVED AND PLANTS INSTALLED.

ALL PROPOSED LIGHTING SHOWN HEREON SHALL BE DESIGNED IN ACCORDANCE WITH RECOMMENDATIONS PROVIDED IN DIVISION VI SECTION "H" 7.0 OF THE BALTIMORE COUNTY COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES AND SHALL ALSO BE DESIGNED IN ACCORDANCE WITH THE DESIGN STANDARDS SPECIFIED IN SECTION 409.8.3 OF THE BALTIMORE COUNTY ZONING REGULATIONS AND IN ACCORDANCE WITH ARTICLE 21-16-119.2 OF THE BALTIMORE COUNTY CODE.

A SPECIAL EXCEPTION FOR A SERVICE GARAGE FOR A TOW TRUCK OPERATION IN THE ML-IM ZONE PURSUANT TO BCZR § 253.2.B.3.

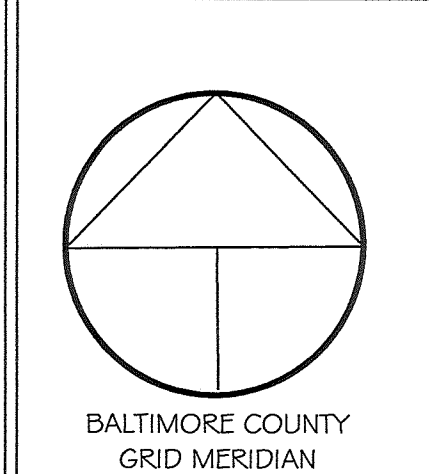
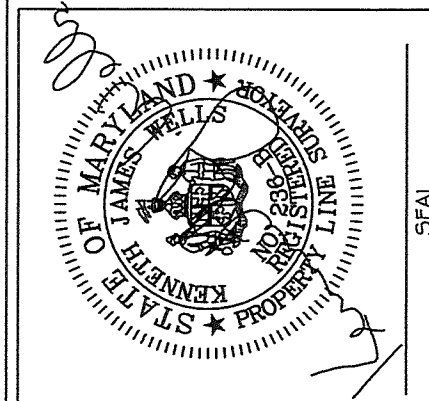
NONE

- 1) OWNER: TCI COMPANY, LLC
- 2) OWNERS ADDRESS: 7935 OLD JESSUP ROAD
JESSUP, MARYLAND 20794
- 3) PETITIONERS NAME: PREMIER TOWING AND TRANSPORT
- 4) PETITIONERS ADDRESS: 1801 SPYNN OAK AVENUE
GYMAN OK, MARYLAND 21207
- 5) PETITIONERS TELEPHONE NO: 410-340-0985
- 6) TAX ACCOUNT NUMBERS: 0208950350
- 7) TAX MAP: 87 PARCEL 01
- 8) DEED REFERENCE: 20760685
- 9) ZLIP REFERENCE: NONE
- 10) ZONING MAP: 087C2
- 11) ZONING: M-UM (NO ZONING UNES WITHIN 200' OF SUBJECT PROPERTY)
- 12) GROSS AREA: 1.00 ACRE
- 13) THE SUBJECT PROPERTY DOES NOT LIE WITHIN THE CBGA.
- 14) THE SUBJECT PROPERTY IS NOT LOCATED WITHIN A 100-YEAR FLOOD PLAN AREA
- 15) PREVIOUS HEARINGS OR PERMITS: NONE
- 16) NO HISTORICALLY SIGNIFICANT STRUCTURES ON THE SUBJECT PROPERTY
- 17) THE SUBJECT SITE IS SERVED BY PRIVATE WELD AND SEPTIC.
- 18) THE SUBJECT SITE DOES NOT LIE WITHIN A DEFICIENT BASIC SERVICE AREA EXCEPT THAT SEWER SERVICE IS CITED AS AN AREA OF CONCERN AND TRANSPORTATION IS CITED AS A LEVEL D.
- 19) AMENITY OPEN SPACE: NONE REQUIRED
- 20) F.A.R.:
MAXIMUM PERMITTED = 3.0
EXISTING AND PROPOSED = 1,96Q43,560 = 0.045
- 21) PARKING:
REQUIRED:
OFFICE AREA: (1,960.91F, 0.004S 3) = 7 SPACES
TRESPASS VEHICLE STORAGE = 10 SPACES
POLICE-INITIATED TOWING = 30 SPACES
TOTAL REQUIRED: 47 SPACES
PROVIDED:
OFFICE AREA = 8 SPACES
STAND ALONE GARAGE = 4 SPACES
TRESPASS VEHICLE STORAGE = 10
POLICE-INITIATED TOWING = 38 SPACES
TOTAL PROVIDED = 60 SPACES
- 22) PROPOSED USES: OFFICE AND SERVICE GARAGE (TOW TRUCK OPERATOR)
- 23) ALL FUTURE SIGNS ARE TO COMPLY WITH SECTION 4.50 OF THE BCRA.



kjWellsInc
7403 NEWCLUT ROAD
KINGSVILLE, MARYLAND 21087
(410) 592-9600

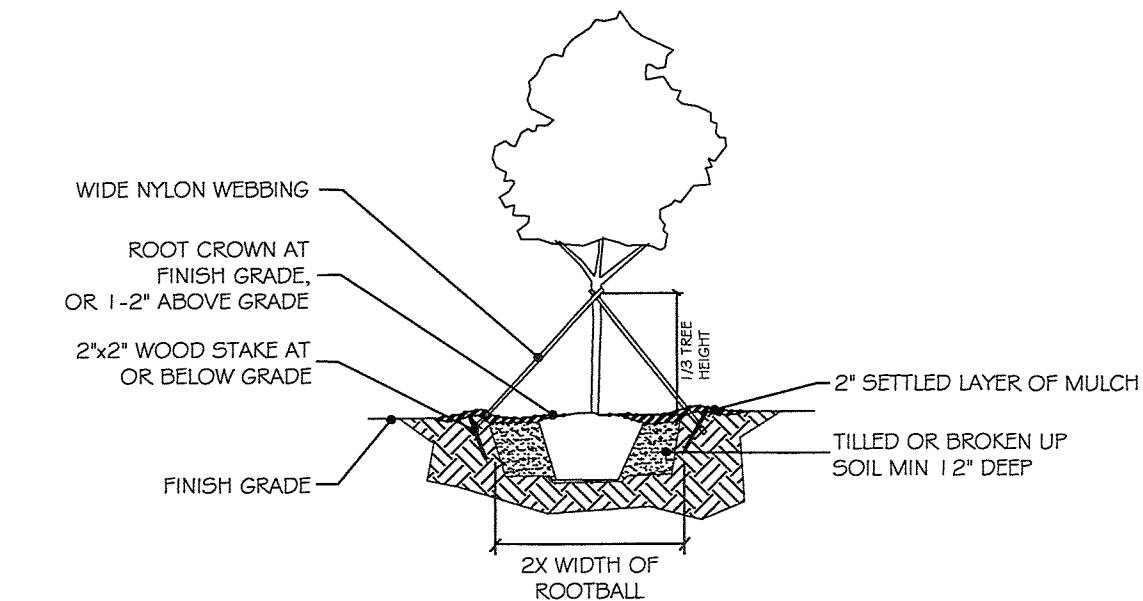
Land Surveying, Geomatics & Site Planning



REVISIONS:	
NO.	DATE

PLAN TO ACCOMPANY A ZONING PETITION
FOR A SPECIAL EXCEPTION,
SPECIAL HEARING AND VARIANCE
2617 NORTH ROLLING ROAD
BALTIMORE COUNTY
MARYLAND
2nd ELECTION DISTRICT 4th COUNCILMAN DISTRICT

DRAWN BY: CAV/KJW
CHECKED BY: KJW
DATE: 6/07/2013
PROJECT NO.: 2013-026
SHEET 1 OF 1

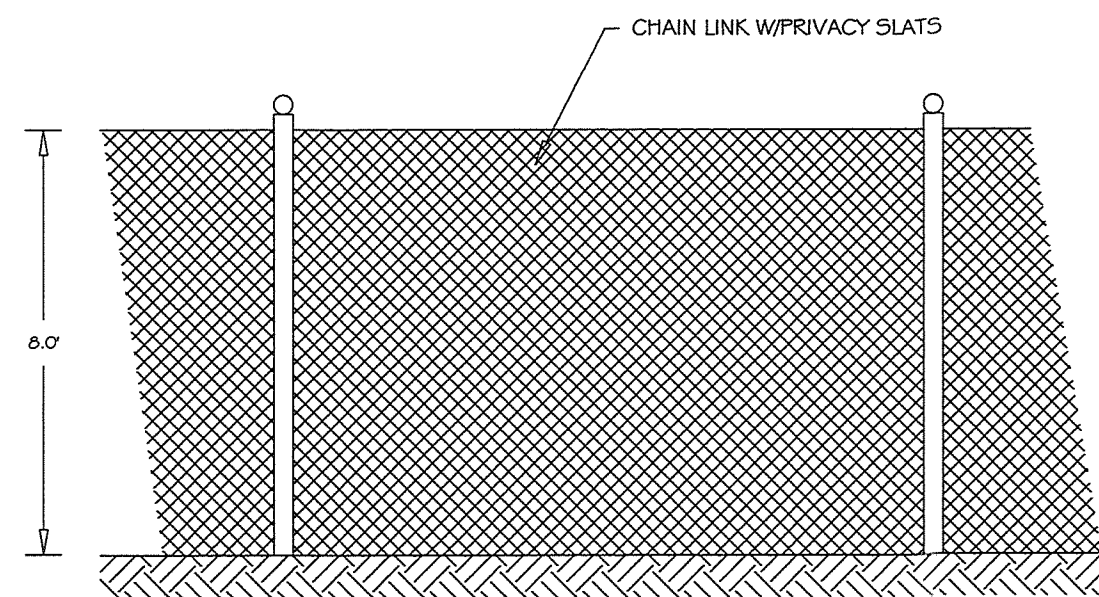


TREE PLANTING
NOT TO SCALE

- TREE PLANTING NOTES:
1. DIG THE PLANTING HOLE A MINIMUM OF 2x WIDTH OF ROOTBALL FOR AT LEAST THE FIRST 12 INCHES OF DEPTH. BELOW 12 INCHES, DIG HOLE WIDE ENOUGH TO PERMIT ADJUSTING. DO NOT DIG THE HOLE DEEPER THAN ROOT BALL DEPTH.
 2. SCARIFY THE SUBGRADE AND SIDES OF THE PLANTING HOLE WHEN PLANTING IN CLAY SOILS (MORE THAN 15% CLAY).
 3. LIFT AND SET THE TREE BY ROOT BALL ONLY. DO NOT LIFT USING THE TREE TRUNK AND DO NOT USE TREE TRUNK AS A LEVER.
 4. SET THE TOP OF THE ROOT BALL LEVEL WITH THE SOIL SURFACE OR SLIGHTLY HIGHER IF THE SOIL IS PRONE TO SETTLING.
 5. AFTER THE TREE IS SET IN PLACE, REMOVE BURLAP, WIRE AND STRAPS FROM AT LEAST THE UPPER 1/3 OF THE ROOTBALL.
 6. BACKFILL WITH EXISTING SOIL THAT HAS BEEN WELL-TILLED OR BROKEN UP. DO NOT ADD AMENDMENTS TO THE BACKFILL SOIL. AMEND THE SURFACE WITH MULCH.
 7. USE THREE 2" X 2" WOOD STAKES DRIVEN INTO UNDISTURBED SOIL A MINIMUM OF 16 INCHES. SPACE STAKES EQUALLY AROUND THE TREE.
 8. ATTACH 3/4" NYLON WEBBING TO CONNECT THE TREE TO STAKES. ATTACH WEBBING AT 1/3 THE TREE HEIGHT.
 9. APPLY A 2-3" (SETTLED) DEPTH OF PINE STRAW OR BARK MULCH TO THE PLANTING SURFACE. LEAVE A 2" SPACE AROUND THE TRUNK FOR AIR CIRCULATION.
 10. PRUNING SHALL BE LIMITED TO DEAD, DISEASED, OR BROKEN LIMBS ONLY.
 11. REMOVE ANY TRUNK WRAP REMAINING AT TIME OF PLANTING. NO WRAPS SHALL BE PLACED ON TRUNK.

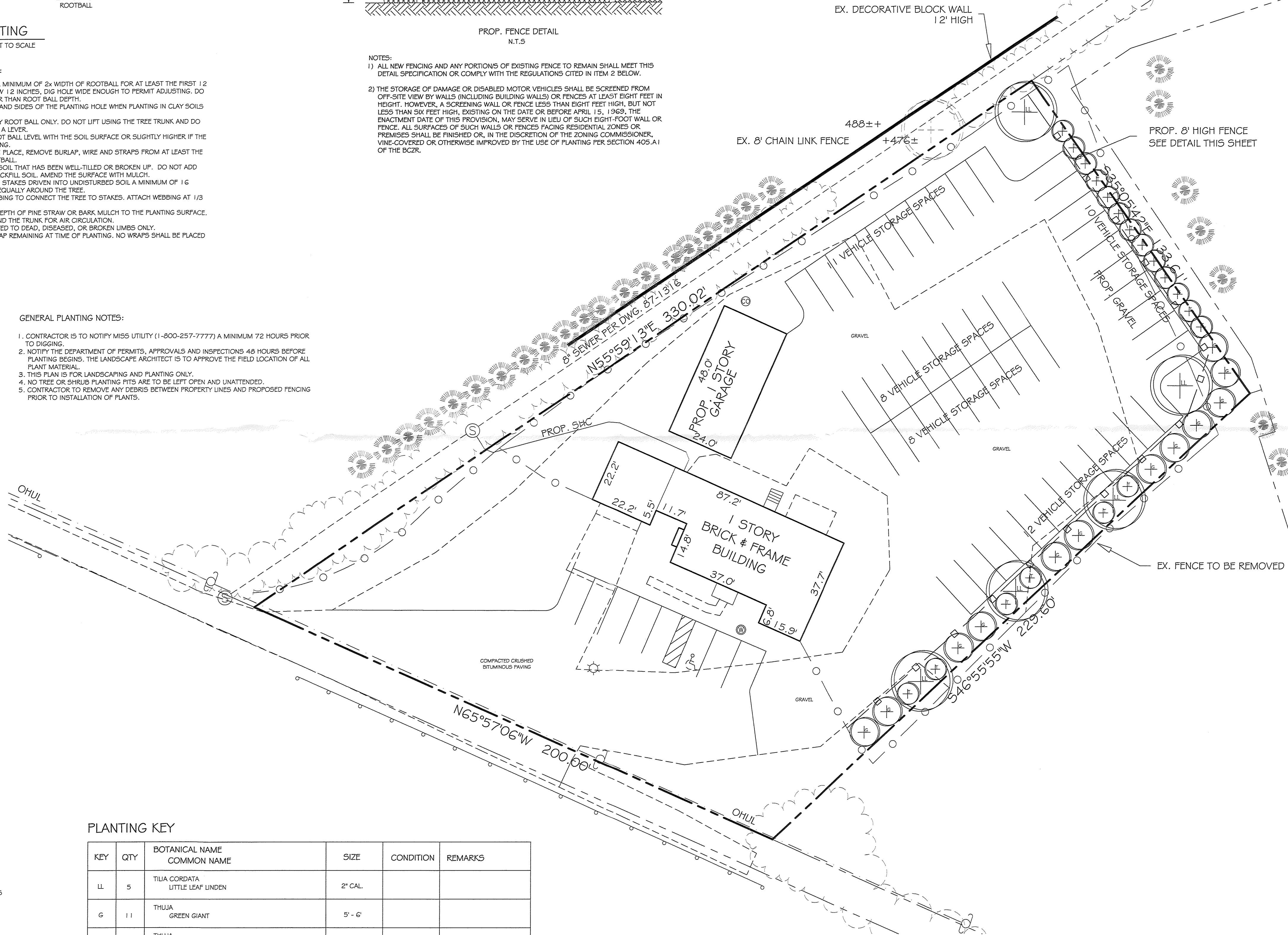
GENERAL PLANTING NOTES:

1. CONTRACTOR IS TO NOTIFY M&S UTILITY (1-800-257-7777) A MINIMUM 72 HOURS PRIOR TO DIGGING.
2. NOTIFY THE DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS 48 HOURS BEFORE PLANTING BEGINS. THE LANDSCAPE ARCHITECT IS TO APPROVE THE FIELD LOCATION OF ALL PLANT MATERIAL.
3. THIS PLAN IS FOR LANDSCAPING AND PLANTING ONLY.
4. NO TREE OR SHRUB PLANTING PITS ARE TO BE LEFT OPEN AND UNATTENDED.
5. CONTRACTOR TO REMOVE ANY DEBRIS BETWEEN PROPERTY LINES AND PROPOSED FENCING PRIOR TO INSTALLATION OF PLANTS.



NOTES:

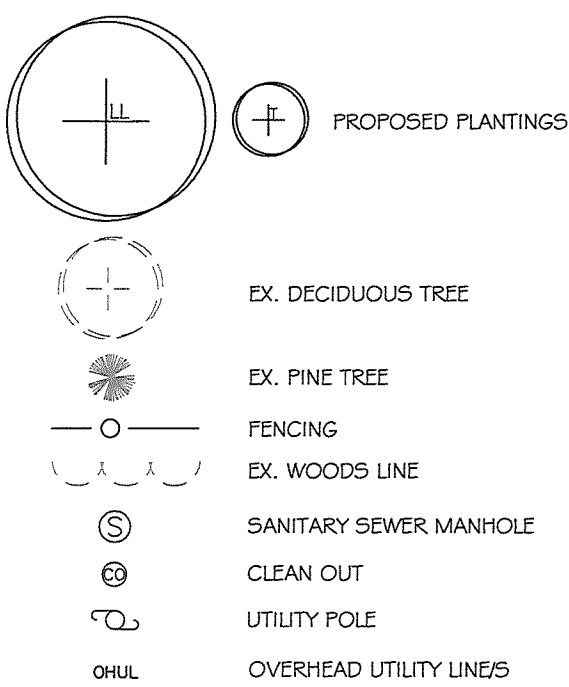
- 1) ALL NEW FENCING AND ANY PORTIONS OF EXISTING FENCE TO REMAIN SHALL MEET THIS DETAIL SPECIFICATION OR COMPLY WITH THE REGULATIONS CITED IN ITEM 2 BELOW.
- 2) THE STORAGE OF DAMAGE OR DISABLED MOTOR VEHICLES SHALL BE SCREENED FROM OFF-SITE VIEW BY WALLS (INCLUDING BUILDING WALLS) OR FENCES AT LEAST EIGHT FEET IN HEIGHT. HOWEVER, A SCREENING WALL OR FENCE LESS THAN EIGHT FEET HIGH, BUT NOT LESS THAN SIX FEET HIGH, EXISTING ON THE DATE OR BEFORE APRIL 15, 1969, THE ENACTMENT DATE OF THIS PROVISION, MAY SERVE IN LIEU OF SUCH EIGHT-FOOT WALL OR FENCE. ALL SURFACES OF SUCH WALLS OR FENCES FACING RESIDENTIAL ZONES OR PREMISES SHALL BE FINISHED OR, IN THE DISCRETION OF THE ZONING COMMISSIONER, VINE-COVERED OR OTHERWISE IMPROVED BY THE USE OF PLANTING PER SECTION 405.A1 OF THE BCZC.



PLANTING KEY

KEY	QTY	BOTANICAL NAME COMMON NAME	SIZE	CONDITION	REMARKS
LL	5	LIJIA CORDATA LITTLE LEAF LINDEN	2" CAL.		
G	11	THUJA GREEN GIANT	5' - 6'		
T	18	THUJA EMERALD GREEN	4' - 5'		

LEGEND:



FINAL LANDSCAPE PLAN
OWNER CERTIFICATION

I CERTIFY THAT I HAVE REVIEWED THIS FINAL LANDSCAPE PLAN; THAT I AM AWARE OF THE REGULATIONS PRESENTED IN THE BALTIMORE COUNTY LANDSCAPE MANUAL AND I AGREE TO COMPLY WITH THESE REGULATIONS AND ALL APPLICABLE POLICY, GUIDELINES AND ORDINANCES. I AGREE TO CERTIFY THE IMPLEMENTATION OF THIS APPROVED FINAL LANDSCAPE PLAN UPON COMPLETION OF THE LANDSCAPE INSTALLATION PRIOR TO PWA CLOSEOUT, IF APPLICABLE, OR NOT LATER THAN ONE (1) YEAR FROM THE DATE OF APPROVAL OF THIS PLAN TO THE DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS, DEVELOPMENT PLANS REVIEW, ROOM 119, COUNTY OFFICE BUILDING, 1111 W. CHESAPEAKE AVENUE, TOWSON, MD 21204.

APPLICANT'S SIGNATURE _____ DATE _____

APPLICANT'S PRINTED NAME _____

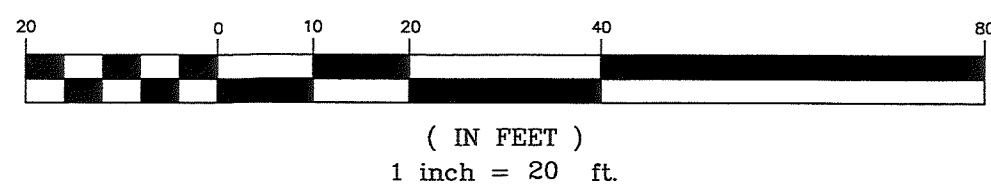
ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

PAI NO./PERMIT NO. _____

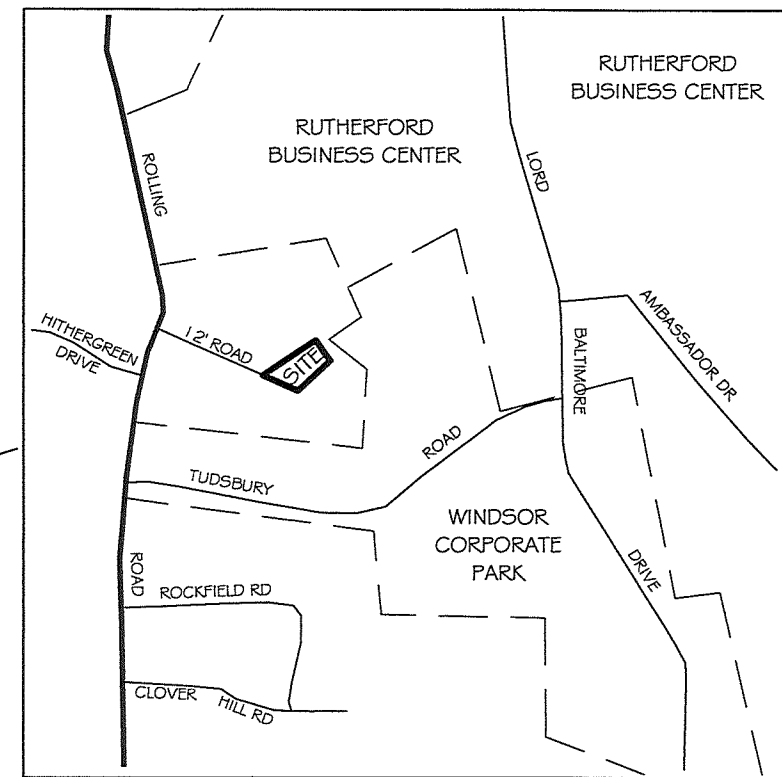
PETITIONER'S
EXHIBIT NO. **2**

GRAPHIC SCALE



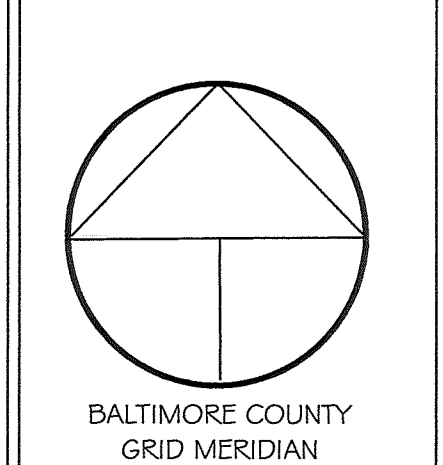
(IN FEET)
1 inch = 20 ft.

VICINITY MAP
SCALE: 1" = 1,000'



kjWellsInc
7403 NEW CUT ROAD
KINGSVILLE, MARYLAND 21087
(410) 592-0600

Land Surveying, Geomatics & Site Planning



REVISIONS:	
NO.	DATE

FINAL LANDSCAPE PLAN
2617 NORTH ROLLING ROAD
BALTIMORE COUNTY
MARYLAND
2nd ELECTION DISTRICT 4th COUNCILMAN DISTRICT

DRAWN BY: KJW
CHECKED BY: AH
DATE: 8/28/2013
PROJECT NO.: 2013-026
SHEET 1 OF 1



PETITIONER'S EXHIBIT **4**



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



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Printed 6/10/2013

My Neighborhood

[Share](#)[Help](#)[Get Data](#)

BALTIMORE COUNTY, MARYLAND

Address

2617 rolling

Search

Example: 400 Washington Ave

<

My Neighborhood

Civic/Government

Economic

Historic

Environmental

Find Tile

Address Search Results

Address	Percent Match
2617 ROLLING RD	75
2617 N ROLLING RD	52
2615 ROLLING RD	39

Report Results

My Neighborhood

Print Results

Tax Account Number	0208550350	More >
Owner Name	TCJ COMPANY LLC	
Tax Premise Address	2617 N ROLLING RD	
Tax Map	0087	
Parcel	0550	
Zoning	ML IM	More >
Elementary School District	Featherbed Lane Primary	More >
Middle School District	Woodlawn MS	More >
High School District	Woodlawn HS	More >
Fire Station Response Area	Woodlawn	More >

N

+

-

Hand

Reset

Previous

Next

2709

2617

Clear Graphics

Select A Property

Imagery

Data Layers

120 Feet

^ Legend/Display More Data