

**IN RE: PETITIONS FOR SPECIAL HEARING *
AND SPECIAL EXCEPTION**

(4510 North Point Road) *
15th Election District *
7th Council District *
Howard M. & Joyce White *
Legal Owners *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2014-0151-SPHX

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Special Exception filed by Jason T. Vettori, Esquire with Smith, Gildea and Schmidt, LLC on behalf of Howard and Joyce White, legal owners. The Petition for Special Hearing was filed pursuant to §409.12.B of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve a modified parking plan. In addition, a Petition for Special Exception was filed to permit a contractor's equipment storage yard pursuant to B.C.Z.R. §236.2.

Appearing at the public hearing in support of the requests was Robert Hufnal and Brian Collins, a landscape architect whose firm prepared the site plan. Jason T. Vettori, Esquire with Smith, Gildea and Schmidt, LLC represented the Petitioners. The file reveals that the Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no Protestants or interested citizens in attendance, and the file does not contain any letters of protest or opposition.

Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The only substantive comment was from the Department of Planning (DOP)

ORDER RECEIVED FOR FILING

Date

3/11/14

By

Sen

dated February 5, 2014, which indicated that agency did not oppose the requests and believed that the special exception use would not be detrimental to the surrounding community.

Testimony and evidence offered at the hearing revealed that the subject property is 1.25 acres and zoned BR-AS. A new tenant (Phillips Services Corp.) has leased the property, and was informed by the County that it needed a special exception to store large commercial vehicles and related equipment on site. Phillips is a Baltimore Gas and Electric (BGE) contractor, and is responsible for cleaning up damaged electrical and utility equipment, and it uses this site to store its trucks, other vehicles and materials. The County considers this to be a contractor's equipment storage yard, a use permitted by special exception in the BR zone. This case involves long existing site conditions, and no construction or development is proposed at the site.

Special Hearing

The petition for special hearing concerns the off street parking at the property. The Petitioners provide a sufficient number of spaces for the use, the lot is paved (durable and dustless) as required by the regulations, and "wheel stops" are provided for each of the spaces. But the parking stalls are not striped, nor are drive aisles provided or shown on the plan, and the Petitioners seek special hearing relief to waive those requirements. Photos show that the parking lot is well maintained (Exhibit 3) and more than sufficient to serve this commercial site, which does not conduct retail operations or have "customers" that frequent the location. In these circumstances, dispensing with the striping and drive aisle requirements will in no way impair the proper functioning of the parking lot. The Petitioners have not had parking shortages or other difficulties throughout the years with the lot in its current configuration. The Petitioners would experience an undue hardship if they were obliged to comply with B.C.Z.R. §409 in these circumstances, and the petition for special hearing will be granted.

ORDER RECEIVED FOR FILING

Date 3/11/14

By Sen

Special Exception Standards

Special exception uses are presumptively valid and consistent with the comprehensive zoning plan, People's Counsel v. Loyola College, 406 Md. 54, 77 n. 23 (2008), and no evidence was offered here to rebut the presumption. The site is surrounded by commercial and manufacturing uses (including a gentlemen's club) and Mr. Collins opined that Petitioners satisfied the B.C.Z.R. §502.1 requirements. I concur, and the Petition for special exception will be granted.

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

THEREFORE, IT IS ORDERED this 11th day of March 2014, by this Administrative Law Judge, that the Petition for Special Hearing to approve a modified parking plan, as shown on the site plan marked as Petitioners' Exhibit 1, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a contractor's equipment storage yard pursuant to B.C.Z.R. §236.2, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for appropriate permits and/or licenses 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.

ORDER RECEIVED FOR FILING

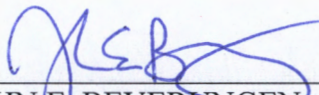
Date

3/11/14

By

Sen

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/sln

ORDER RECEIVED FOR FILING

Date 3/11/14

By sln

KEVIN KAMENETZ
County Executive



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

March 11, 2014

Jason T. Vettori, Esquire
Smith, Gildea & Schmidt, LLC
600 Washington Avenue
Suite 200
Towson, Maryland 21204

RE: Petitions for Special Hearing and Special Exception
Property: 4510 North Point Road
Case No.: 2014-0151-SPHX

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:sln
Enclosure

C: Robert Hufnal, 4510 North Point Blvd., Sparrows Point, Maryland 21219
Brian Collins, 192 E. Main Street, Westminster, Maryland 21157



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 4510 North Point Boulevard

which is presently zoned BR AS

Deed References: 8718/484

10 Digit Tax Account # 1504000253; 1504000252; 1600009522

Property Owner(s) Printed Name(s) Howard and Joyce White

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

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

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

SEE ATTACHED

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

Please see the attached.

SEE ATTACHED

3. ☐ a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

Date

Mailing Address

City

State

Zip Code

Telephone #

Email Address

ORDER RECEIVED FOR FILING
3/11/14
pen

Legal Owners (Petitioners):

Howard M. White

Joyce White

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

1725 N. Orchard Island Circle

Vero Beach

FL

Mailing Address

City

State

32963 , 772 234 6496

howard4628@att.net

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Jason T. Vettori, Smith, Gildea & Schmidt, LLC

Name- Type or Print

Signature

600 Washington Avenue, Suite 200 Towson

MD

Mailing Address

City

State

21204 , (410) 821-0070

jvettori@sgs-law.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Jason T. Vettori, Smith, Gildea & Schmidt, LLC

Name - Type or Print

Signature

600 Washington Avenue, Suite 200 Towson

MD

Mailing Address

City

State

21204 , (410) 821-0070

jvettori@sgs-law.com

Zip Code

Telephone #

Email Address

CASE NUMBER

2014-0151-SPHX

Filing Date

1/14/14

Do Not Schedule Dates:

Reviewer

AT

ATTACHMENT TO PETITION FOR ZONING HEARING

4510 North Point Boulevard

Special Exception to permit:

1. A contractor's equipment storage yard in accordance with BCZR § 236.2; and
2. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Special Hearing relief to approve:

1. A modified parking plan pursuant to Section 409.12.B of the BCZR; and
2. For such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Description to Accompany
Zoning Petition
1.25 Acre Parcel
4510 North Point Boulevard
Northeast Side of North Point Boulevard
Northwest of Interstate I-695
Fifteenth Election District, Baltimore County, Maryland

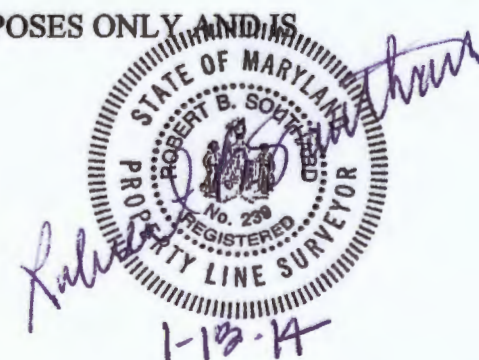
Commencing at a point in or near the center of North Point Boulevard, at the intersection with Morse Lane, thence running in a northwesterly direction with the centerline of North Point Boulevard 2,047 feet, and thence in a northeasterly direction 60 feet to the Point of Beginning, on the northeast Right of Way line of North Point Boulevard, thence leaving the Point of Beginning and running with said Right of Way line,

- 1) North 26° 50' 17" West 200.00 feet to a point; thence, leaving said Right of Way line and running for the following five (5) courses and distances,
- 2) North 63° 05' 42" East 147.60 feet to a point; thence,
- 3) North 26° 54' 18" West 55.68 feet to a point; thence,
- 4) North 71° 26' 42" East 101.07 feet to a point; thence,
- 5) South 26° 54' 18" East 241.00 feet to a point; thence,
- 6) South 63° 05' 43" West 247.83 feet to the point of beginning, containing 1.25 acres of land, more or less.

Being the same three parcels of land which by deed dated February 8, 1991 and recorded among the land records of Baltimore County, Maryland in Liber 8716 at Folio 484, was granted and conveyed by Lee J. Etelson and David Lee Corporation to Howard M. White and Joyce A. White.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE

2014-0151-SPHX



**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: 2014-0151-SPHX

Petitioner: Howard White and Joyce White

Address or Location: 4510 North Point Boulevard

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jason T. Vettori

Address: 600 Washington Avenue, Suite 200

Towson, MD 21204

Telephone Number: 410-821-0070

fax 410.821.0071 Alyssa

Revised 2/20/98 - SCJ

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

No. **108129**

Date: **1/14/14**

PAID RECEIPT

BUSINESS ACTUAL TIME DAY

1/14/2014 1/14/2014 09:58:38 5

REG 4505 WALKIN F005 LRS

>> RECEIPT N 228235 1/14/2014 (FL)

528 IDHNG VERIFICATION

0. 108129

Receipt Tot \$1,000.00

\$1,000.00 CF \$1.00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				1,000

Total: **\$1000**

Rec From:

SMITH, GILDEA & SCHMIDT, LLC

For:

4510 NORTH POINT BLVD.

2014-0151-SPHX

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 2/16/2014

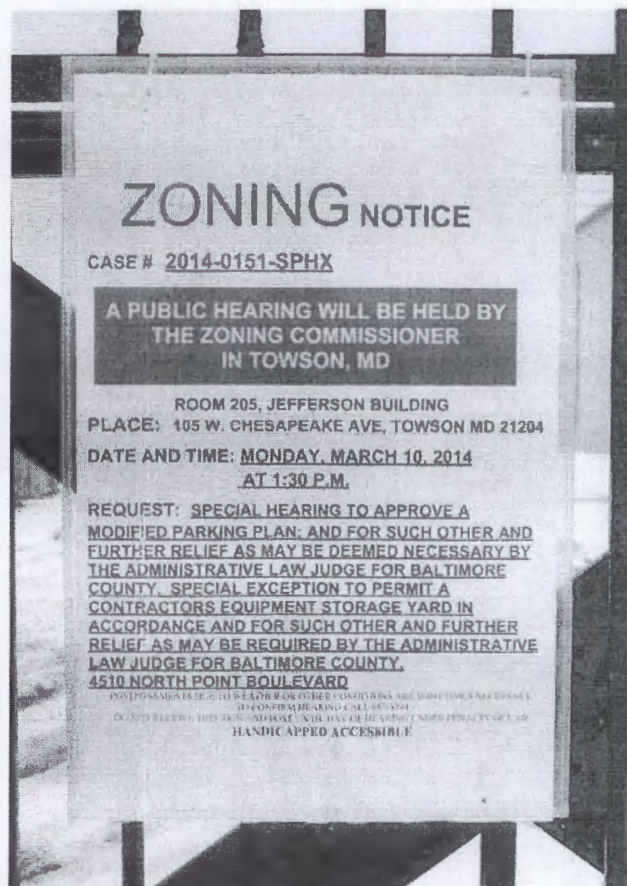
Case Number: COMMUNITY IN-PUT MEETING~PAI# 08-886

Petitioner / Developer: JASON VETTORI, ESQ. of SMITH, GILDEA & SCHMIDT, LLC ~ HOWARD & JOYCE WHITE

Date of Hearing (Closing): MARCH 10, 2014

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
4510 NORTH POINT ROAD

The sign(s) were posted on: FEBRUARY 15, 2014



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

February 20, 2014

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 February 18, 2014

☐ The Jeffersonian

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: #2014-0151-SPHX

4510 North Point Boulevard
NE/s North Point Blvd., 1500 ft. SE/s of centerline of Wise Avenue
15th Election District - 7th Councilmanic District
Legal Owner(s): Howard & Joyce White

Special Hearing to approve a modified parking plan; and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County. **Special Exception** to permit a contractor's equipment storage yard in accordance and for such other and further relief as may be required by the Administrative Law Judge for Baltimore County

Hearing: Monday, March 10, 2014 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

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

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

JT 2/776 February 18

969156



KEVIN KAMENETZ
County Executive

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

February 11, 2014

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15th Election District – 7th Councilmanic District

Legal Owners: Howard & Joyce White

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105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Jason Vettori, 600 Washington Avenue, Ste. 200, Towson 21204
Howard & Joyce White, 1725 N. Orchard Island Circle, Vero Beach FL 32963

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 18, 2014**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 18, 2014 Issue - Jeffersonian

Please forward billing to:

Jason Vettori
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

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CASE NUMBER: 2014-0151-SPHX

4510 North Point Boulevard

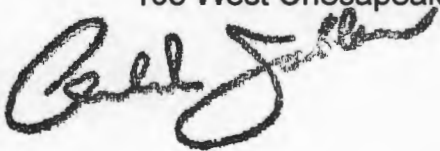
NE/s North Point Blvd., 1500 ft. SE/s of centerline of Wise Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Howard & Joyce White

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

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

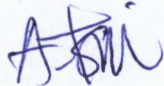
MEMORANDUM

DATE: April 11, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0151-SPHX - Appeal Period Expired

The appeal period for the above-referenced case expired on April 10, 2014. 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

MEMO

From: Aaron Tsui, Planner II  January 15, 2014

To: Administrative Law Judge/File

Re: Case no. 2014-0151-SPHX
4510 North Point Blvd., 15th Election District

The Zoning Office advised the petitioner's attorney that the Special Hearing petition form for a modified parking plan should specify what are being modified.

Jason Vettori, attorney for the petitioner, opined that the referenced Property remains as a 'gravel' like parking surface/area without stripped parking spaces; Mr. Vettori prefers to present in details at the hearing.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND SPECIAL EXCEPTION		
4510 North Point Blvd; NE/S North Point	*	OF ADMINSTRATIVE
Blvd, 1500' SE/S c/line Wise Avenue		
15 th Election & 7 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Howard & Joyce White		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2014-151-SPHX

* * * * *

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

JAN 24 2014

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 24th day of January, 2014, a copy of the foregoing Entry of Appearance was mailed to Jason Vettori, Esquire, Smith, Gildea & Schmidt, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment1/27/14DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)N/C

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

FIRE DEPARTMENT

2/5/14PLANNING
(if not received, date e-mail sent _____)C1/24/14

STATE HIGHWAY ADMINISTRATION

No Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: 2/28/14

SIGN POSTING

Date: 2/15/14by O'Keefe

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

March 6, 2014

Howard M. & Joyce White
1725 N. Orchard Island Circle
Vero Beach FL 32963

RE: Case Number: 2014-0151 SPHX, Address: 4510 North Point Avenue

Dear Mr. & Ms. White:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 14, 2014. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Jason Vettori, Esquire, 600 Washington Avenue, Suite 200, Towson MD 21204

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



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

Date: 1/24/14

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

RE: Baltimore County
Item No. 2014-0151-SPHK
Special Exception Special Hearing
Howard M. & Joyce White
4510 North Point Boulevard.

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 1-22-14. A field inspection and internal review reveals that an entrance onto MD151 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for: Special Exception Special Hearing. Case Number 2014-0151-SPHK.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2236 Statewide Toll Free

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 27, 2014

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

SUBJECT: Zoning Advisory Committee Meeting
For January 27, 2014
Item No. 2014-0146, 0149, 0150, 0151, 0152, 0153, 0154 and 0156

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

DAK:CEN.
Cc: file

G:\DevPlanRev\ZAC -No Comments\ZAC01272014 -.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 5, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 4510 North Point Boulevard

INFORMATION:

Item Number: 14-151

Petitioner: Howard M. White & Joyce White

Zoning: BR AS

Requested Action: Special Hearing and Special Exception

RECEIVED

FEB 07 2014

OFFICE OF ADMINISTRATIVE HEARINGS

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's requests and accompanying site plan. The petitioner requests a special exception to permit a contractor's equipment storage yard (BCZR 236.2) in a BR-AS zone and a special hearing to approve a modified parking plan.

The modified parking plan has been requested because the parking surface outlined on the site plan is not striped, durable or dustless. However, there is off street parking for employees on the western edge of the site and the main use for the area is to house large BGE trucks. The site is not being modified (no building demolition or construction will take place) and the use fits in with the surrounding area.

The Department of Planning does not oppose the petitioner's requests. A contractor's equipment storage yard is a permitted use by special exception in a BR-AS zone. Furthermore, the special exception meets all of the conditions in accordance with Section 502.1 of the Baltimore County Zoning Regulations and does not appear to be detrimental to the health, safety or general welfare of the surrounding community.

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

Prepared By:

Division Chief:
AVA/LL:cjm

Real Property Data Search (w2)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registr
Account Identifier: District - 15 Account Number - 1504000252		
Owner Information		
Owner Name:	WHITE HOWARD M WHITE JOYCE A	Use: COMMEI
Mailing Address:	1725 N ORCHID ISLAND CIRCLE VERO BEACH FL 32963-	Principal Residence: NO
		Deed Reference: 1) /08716/ 2)
Location & Structure Information		
Premises Address:	4510 NORTH POINT RD 0-0000	Legal Description: PT LT 62, 290 N CH G MERRI
Map: 0104	Grid: 0021	Parcel: 0219
Sub District:	Subdivision: 0000	Section:
Block:	Lot: 62	Assessment Year: 2012
Plat No:	Plat Ref:	Town: NONE
Special Tax Areas:	Ad Valorem:	Tax Class:
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1947	4608	13,200 SF
Stories	Basement	Type
		RETAIL STORE
Exterior	Full/Half Bath	Garage
		Last Major Renov
Value Information		
	Base Value	Value
		As of
		01/01/2012
Land:	241,700	241,700
Improvements	106,500	117,600
Total:	348,200	359,300
Preferential Land:	0	0
		Phase-in Assessments
		As of
		07/01/2013
		As of
		07/01/
Transfer Information		
Seller: DAVID LEE CORP	Date: 02/19/1991	Price:
Type: NON-ARMS LENGTH OTHER	Deed1: /08716/ 00484	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	07/01/2014
Exempt Class:	NONE	0.00 0.00
Homestead Application Information		
Homestead Application Status: No Application		

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty/>)District: **15** Account Number: **1504000252**

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

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

Property maps provided courtesy of the Maryland Department of Planning ©2011.

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



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

☒ Loading... Please Wait. Loading... Please Wait.

CASE NAME HOWARD & JOYCE WHITE
CASE NUMBER 2014-0151-SPHX
DATE 3/10/14

[illegible]

Case No.: 2014-0151-SPH (4510 North Pt. Blvd.)

MB
3/10

1:30 PM

Exhibit Sheet

Petitioner/Developer

DW
4-11-14

Respondent

Alv
3-11-14

No. 1	Site plan	
No. 2	Aerial zoning map	
No. 3	color photos	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER'S

EXHIBIT NO. 3











4510 North Point Blvd Zoning Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. 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 costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

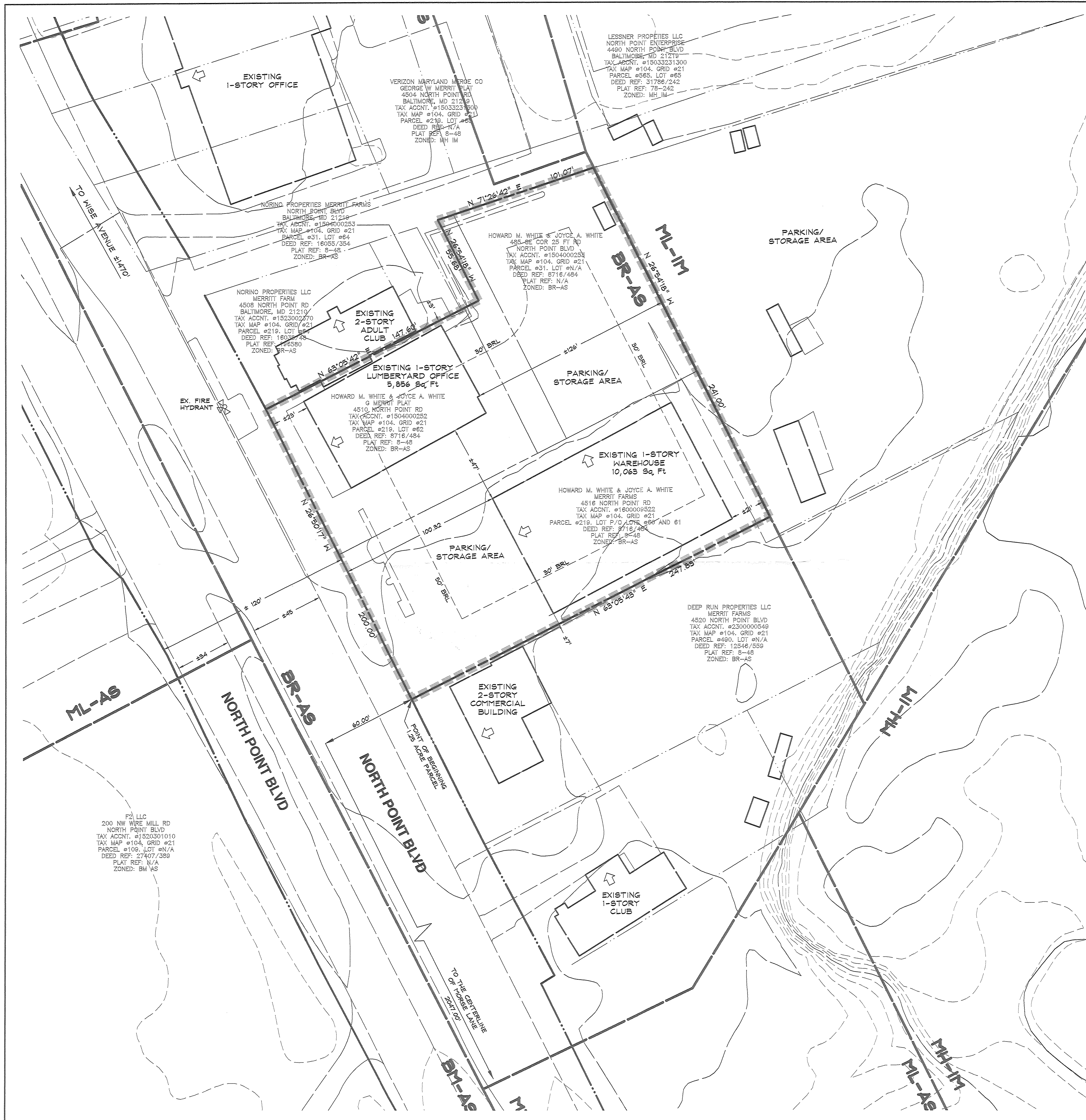


4510 North Point Blvd Zoning Map

Created By
Baltimore County
My Neighborhood

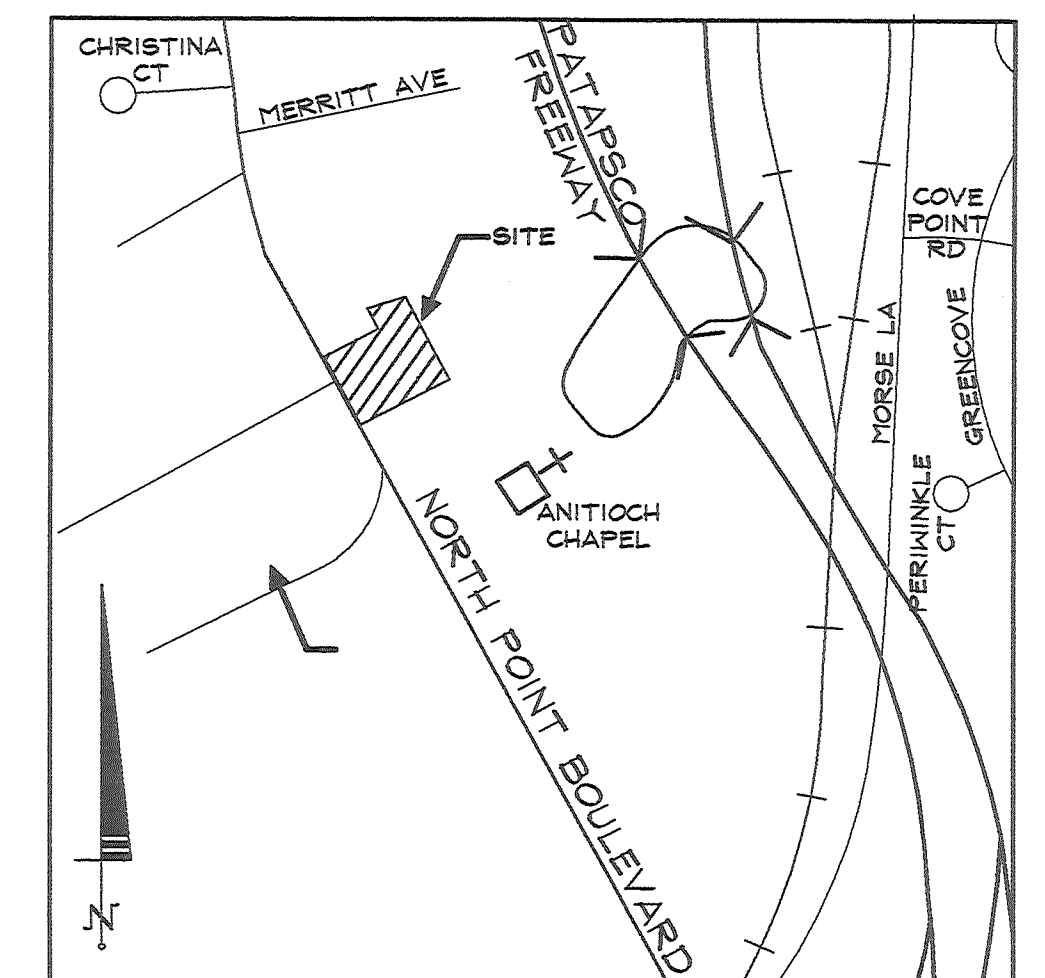


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GENERAL NOTES:

- OWNER: HOWARD AND JOYCE WHITE
1725 NORTH ORCHID ISLAND CIRCLE
VERO BEACH, FL 32963
- SITE AREA:
GROSS: 54,378 Sq. Ft. or 1.25 Ac
NET AREA: 54,378 Sq. Ft. or 1.25 Ac
- BUILDING AREA:
EXISTING: WAREHOUSE - 10,063 Sq. Ft.
EXISTING: LUMBERYARD OFFICE - 5,856 Sq. Ft.
PROPOSED ADDITION: N/A
TOTAL PROPOSED: N/A
- UTILITIES:
PUBLIC WATER AND PUBLIC SEWER IS LOCATED WITHIN NORTH POINT BLVD.
THE SITE DOES NOT LIE WITHIN THE FLOODPLAIN PER DFIRM OUTREACH - FLOOD RISK APPLICATION (FEMA FIPS CODE FOR BALTIMORE COUNTY (24095)).
- PARKING CALCULATIONS:
CONTRACTOR STORAGE YARD - 1/EMP
PARKING REQUIRED - 8 SPACES
- SETBACKS:
FRONT - 25', 50' IF ON DUAL HIGHWAY
SIDE - 30'
REAR - 30'
- HEIGHT OF STRUCTURE:
MAX PERMITTED: HEIGHT TENT
PROVIDED: N/A
- DEED REF: 8716/484
- COUNCILMANIC DISTRICT: 7th
- REGIONAL PLANNING DISTRICT: 330
- CENSUS TRACT: 452400
- WATERSHED: PATAPSCO RIVER WATERSHED
- ZONING: BR-AS
- TAX MAP #104, PARCEL #219 LOTS 60 & 61 AND PARCEL #31
- NO KNOWN PREVIOUS ZONING CASES ON FILE.
- PERMITS ON FILE: N/A
- FLOOR AREA FOR BUILDING:
EXISTING: 22
PROPOSED: N/A
- SIGN INFORMATION: ALL SIGNAGE WILL COMPLY WITH BCZR SECTION 450.
- THERE IS NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
- PREVIOUS DRC MEETINGS: N/A
- THE SITE IS NOT LOCATED WITHIN A DEFICIENT WATER OR SEWER SERVICE AREA ON THE BASIC SERVICES MAPS. THE TRANSPORTATION SERVICES MAP DOES NOT INDICATE ANY SERVICE LEVEL ISSUES IN THE VICINITY OF THIS PROJECT.



VICINITY MAP

SCALE: 1" = 500'

DATA SOURCES:

EXISTING CONDITIONS AND TOPOGRAPHY SHOWN HEREON PER BALTIMORE COUNTY GIS. BOUNDARY OUTLINE SHOWN REPRESENTS A COMPILATION OF DEEDS AND DOES NOT REFLECT A SURVEY.

DDC inc.
Development Design Consultants

Planners
Surveyors
Engineers
Landscape Architects

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OWNER/DEVELOPER:
HOWARD AND JOYCE WHITE
1725 NORTH ORCHID ISLAND CIRCLE
VERO BEACH, FL 32963

SITE ADDRESS:
4510 NORTH POINT BOULEVARD
EDGEMERE, MARYLAND 21219

4510 NORTH POINT BOULEVARD

PLAN TO ACCOMPANY ZONING PETITION

7TH COUNCILMANIC DISTRICT
15TH ELECTION DISTRICT
BALTIMORE COUNTY

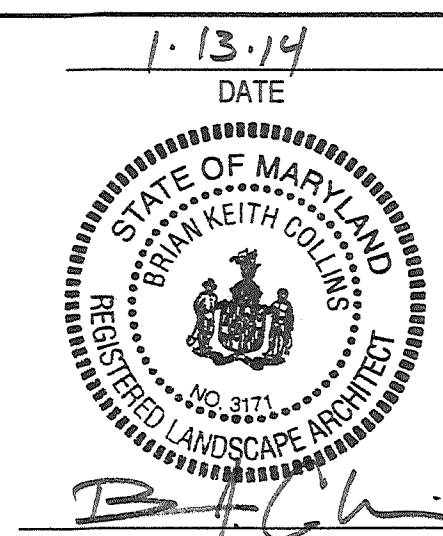
REVISIONS				
NO.	DESCRIPTION OF CHANGES	DRN.	REV.	DATE
CO. FILE #:	DES. BY: BKC			
TAX ACC. # 1504000252	DRN. BY: JHK			
TAX MAP: 104	CHK. BY: RBW			
BLOCK / GRID: 21	DATE: 1/13/14			
PARCEL # 219	DDC JOB# 13119.1			
ZONE / USE: BR-AS	SHEET NUMBER:			
DWG. SCALE: 1"=30'	1 of 1			

PETITIONER'S

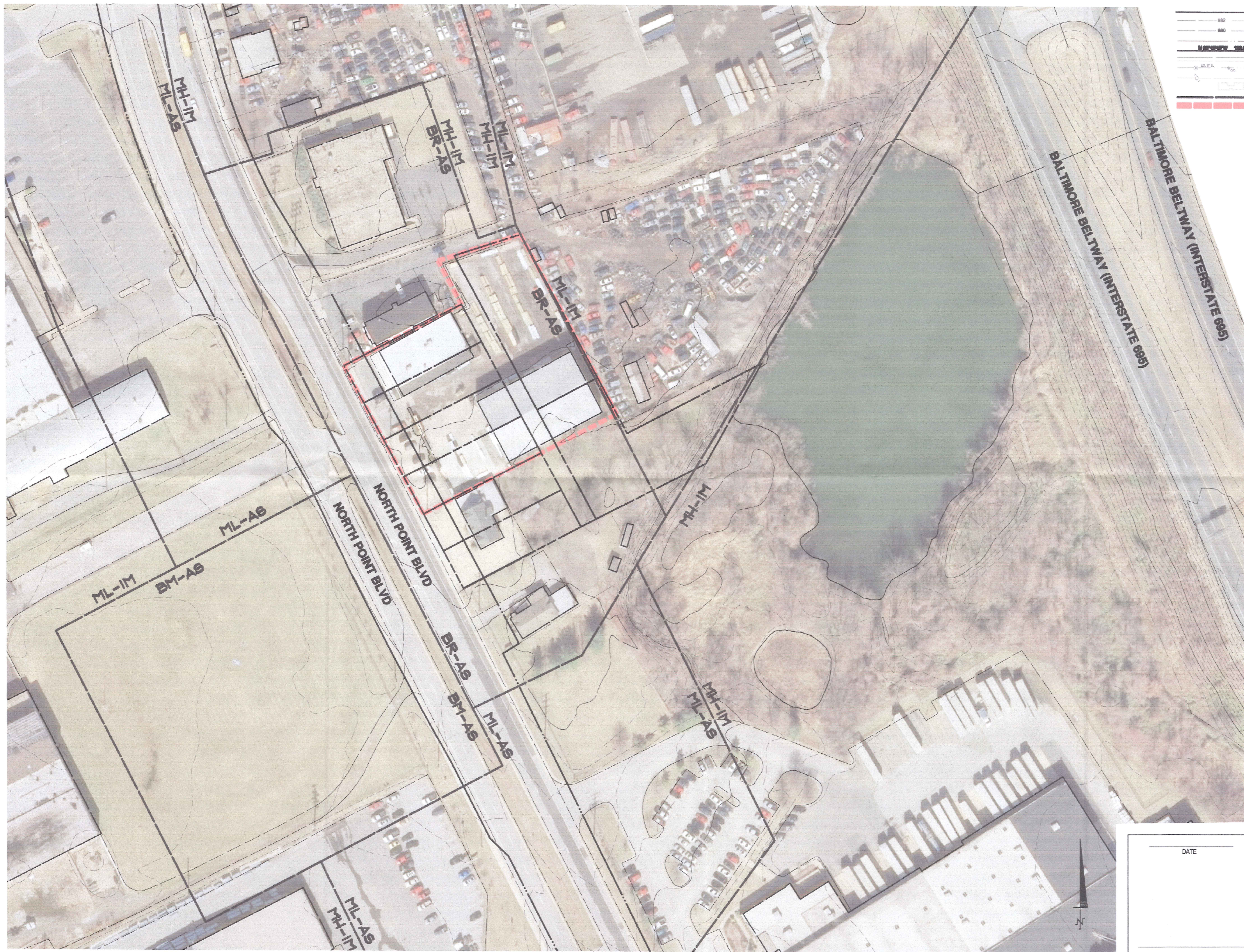
EXHIBIT NO. 1

DRAWING LEGEND

662	EXISTING MINOR CONTOUR (2' INTERVAL)
680	EXISTING MAJOR CONTOUR (10' INTERVAL)
---	ADJACENT PROPERTY LINE
N 06°45'45"W 120.00'	EXISTING PROPERTY BOUNDARY
---	EX. ROAD / EDGE OF PAVING
---	EX. SEWER LINE & MANHOLES, CLEAN-OUTS
---	EX. OVERHEAD ELECTRIC & UTILITY POLES
---	EX. BUILDING
---	ZONING LINE
---	LIMITS OF SPECIAL EXCEPTION



2014-0151-6PHX



DRAWING LEGEND

882	EXISTING MINOR CONTOUR (2' INTERVAL)
880	EXISTING MAJOR CONTOUR (10' INTERVAL)
	ADJACENT PROPERTY LINE
	EXISTING PROPERTY BOUNDARY
	EX. ROAD / EDGE OF PAVING
	EX. SEWER LINE & MANHOLES, CLEAN-OUTS
	EX. OVERHEAD ELECTRIC & UTILITY POLES
	EX. BUILDINGS
	LIMITS OF SPECIAL EXCEPTION

PETITIONER'S
EXHIBIT NO. 2

DATA SOURCES:
EXISTING CONDITIONS, BOUNDARY AND TOPOGRAPHY SHOWN HEREON PER BALTIMORE COUNTY GIS.



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4510 NORTH POINT BOULEVARD

ZONING HEARING PLAN

7TH COUNCILMANIC DISTRICT
15TH ELECTION DISTRICT
BALTIMORE COUNTY

REVISIONS				
NO.	DESCRIPTION OF CHANGES	DRN.	REV.	DATE
CO. FILE #	DES. BY: BKC			
TAX ACC. # 1504000252	DRN. BY: BKC			
TAX MAP: 104	CHK. BY: RBW			
BLOCK / GRID: 21	DATE: 11/14/13			
PARCEL # 219	DDC JOB#: 13119.1			
ZONE / USE: BR-AS	SHEET NUMBER:			
DWG. SCALE: 1"=50'	1 of 1			

DATE _____