

IN RE: PETITION FOR VARIANCE
(6440 Baltimore National Pike)
1st Election District
1st Councilman District
A & I Realty, LLP
Petitioner

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2014-0158-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Hillel Traub, Esquire, on behalf of the legal owner of the subject property. The Petitioner is requesting variance relief from Section 450.4 Attachment 1 #3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a directional sign of 23 sq. ft.¹ in lieu of the permitted 8 sq. ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the request was Brian Dolan and Wayne Zinn. Hillel Traub, Esquire appeared and represented the Petitioner. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no Protestants in attendance and the file does not contain any letters of opposition. There were no adverse Zoning Advisory Committee (ZAC) comments received.

Testimony and evidence revealed that the subject property is approximately 3.3 acres and is zoned BR-AS. Petitioner operates a Hyundai new and used car dealership on the premises. Like other Hyundai dealers in the area, the Petitioner is installing new signage, and variance

¹ In fact, the sign detail plan (Exhibit 2) shows the sign is 23.7 sq. ft. To account for this minor discrepancy, the Order which follows will indicate the sign is 24 sq. ft.

ORDER RECEIVED FOR FILING

Date 3-25-14

By SW

relief is required for one of the signs (indicating the location of the service department).

Based upon the testimony and evidence presented, I will grant the petition for variance.

To obtain variance relief requires a showing that:

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

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

Petitioner has met this test. The subject property is irregularly shaped, and is therefore unique.

If the B.C.Z.R. were strictly interpreted, the Petitioner would indeed suffer a practical difficulty, given it would be unable to adequately identify the location of its service department. The service area sign is situated 98 feet from a busy roadway (U.S. 40), and the increased sign area is necessary to identify the service 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. This is demonstrated by the lack of community and/or County agency opposition.

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

THEREFORE, IT IS ORDERED, this 25th day of March, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to Section 450.4 Attachment 1 #3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a directional sign of 24 sq. ft. in lieu of the permitted 8 sq. ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

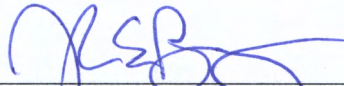
Date 3-25-14

By [Signature]

The relief granted herein shall be subject to the following:

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

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 3-25-14

By low

KEVIN KAMENETZ
County Executive



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

March 25, 2014

Hillel Traub, Esquire
c/o 6440 Baltimore National Pike
Baltimore, Maryland 21228

RE: Petitions for Variance
Property: 6440 Baltimore National Pike
Case No.: 2014-0158-A

Dear Mr. Traub:

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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal line extending to the right.

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 6440 Baltimore National Pike 21228 which is presently zoned
 Deed References: 2-6645/F-719 10 Digit Tax Account # 0119072100
 Property Owner(s) Printed Name(s) _____

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

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

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

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

3. ☒ a **Variance** from Section(s) 450.4 Attachment 1 # 3
 To permit a directional sign of 23 square feet in lieu of the permitted 8 square feet.

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)

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print _____
 Signature _____
 Mailing Address _____ City _____ State _____
 Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Hillel Frank
 Name- Type or Print _____
 Signature _____
6440 Balto-Natl Pike, Balto. MD
 Mailing Address _____ City _____ State _____
21228 / 4436362286 / Frank@Frank.com
 Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

A&I Realty LLP
 Name #1 - Type or Print _____ Name #2 - Type or Print _____
 Signature #1 _____ Signature #2 _____
6440 Balto-Natl Pike, Balto. MD
 Mailing Address _____ City _____ State _____
21228 / 4436362300
 Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Brian Dolan
 Name - Type or Print _____
 Signature _____
6440 Balto-Natl Pike, Balto. MD
 Mailing Address _____ City _____ State _____
21228 / 4438317609
 Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2014-0158-A Filing Date 1/23/2014 Do Not Schedule Dates: _____ Reviewer JH

Property Description

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE ON THE NORTH SIDE OF BALTIMORE NATIONAL PIKE, U.S. ROUTE 40, APPROXIMATELY 2000 FEET WEST OF ROLLING ROAD IN THE FIRST ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR THE SAME AT A POINT ON THE NORTH SIDE OF BALTIMORE NATIONAL PIKE, U.S. ROUTE 40, 150 FEET WIDE AS SHOWN ON STATE ROADS COMMISSION OF MARYLAND PLAT NO. 2330, SAID POINT BEING AT THE BEGINNING OF THE FIRST OR NORTH 26 DEGREES 16 MINUTES 07 SECONDS EAST 153.87 FOOT LINE OF THAT PROPERTY DESCRIBED IN A DEED FROM JEROME A. SEIGEL TO HENRY REALTY, INC. DATED APRIL 28, 1994 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND IN LIBER 10532, FOLIO 130, SAID POINT ALSO BEING DESIGNATED AS POINT NUMBER 21 AS SHOWN ON BALTIMORE COUNTY BUREAU OF LAND ACQUISITION DRAWING NUMBER RW 66-191-1; THENCE LEAVING PART OF THE THIRD LINE OF THE AFOREMENTIONED DEED FROM JEROME A. SEIGEL TO HENRY REALTY, INC. THE FOLLOWING THREE COURSES AND DISTANCES, AS NOW SURVEYED,

- 1) NORTH 18 DEGREES 33 MINUTES 21 SECONDS EAST 153.87 FEET,
- 2) SOUTH 69 DEGREES 58 MINUTES 59 SECONDS EAST 190.50 FEET, AND
- 3) NORTH 20 DEGREES 04 MINUTES 00 SECONDS EAST 381.52 TO INTERSECT THE SOUTH SIDE POWERS LANE, PROPOSED TO BE 60 FEET WIDE, SAID POINT BEING AT THE END OF THE NORTH 71 DEGREES 00 MINUTES 56 SECONDS WEST 275.95 FOOT LINE AS SHOWN ON BALTIMORE COUNTY BUREAU OF LAND ACQUISITION DRAWING NUMBER RW 99-146-1, SAID DRAWING BEING ATTACHED TO AND MADE PART OF A DEED FROM A & I REALTY, LLP AND BALTIMORE COUNTY, MARYLAND DATED MAY 28, 1999 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND IN LIBER 14003, FOLIO 116; THENCE RUNNING REVERSELY WITH AND BINDING ON SAID LINE AND ON PART OF SAID POWERS LANE.
- 4) SOUTH 70 DEGREES 54 MINUTES 45 SECONDS EAST 275.94 FEET TO INTERSECT THE FOURTH OR SOUTH 28 DEGREES 35 MINUTES 00 SECONDS WEST 556.25 FOOT LINE OF THAT PROPERTY DESCRIBED IN A DEED FROM FRANCES TRUPP TO MCCOMAS ASSOCIATES DATED DECEMBER 1983 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND IN LIBER 6648, FOLIO 370; THENCE LEAVING POWERS LANE AND RUNNING WITH AND BINDING ON PART OF THE FOURTH LINE OF SAID DEED.
- 5) SOUTH 20 DEGREES 53 MINUTES 56 SECONDS WEST 526.14 TO THE END OF SAID LINE AND TO INTERSECT THE NORTH SIDE OF SAID BALTIMORE NATIONAL PIKE; THENCE RUNNING WITH AND BINDING ON PART OF SAID NORTH SIDE.
- 6) NORTH 71 DEGREES 42 MINUTES 46 SECONDS WEST 454.92 FEET TO THE PLACE OF BEGINNING. CONTAINING 3.9502 ACRES OF LAND, MORE OR LESS.

BEING ALL THAT PARCEL OF LAND DESCRIBED IN A DEED FROM SHELL OIL COMPANY TO A & I REALTY LIMITED PARTNERSHIP DATED SEPTEMBER 8, 1998 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND IN LIBER 13167, FOLIO 614 AND A PORTION OF THAT PARCEL OF LAND DESCRIBED IN A DEED FROM ANNA E. SCHNEIDER TO A & I REALTY LIMITED PARTNERSHIP DATED DECEMBER 16, 1983 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND IN LIBER 6645, FOLIO 719.

CASE NO. 2014-0158-A

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number:

2014-0158-A

Petitioner:

A&I Realty, LLP

Address or Location:

6440 Baltimore National Pike

PLEASE FORWARD ADVERTISING BILL TO:

Name:

A&I Realty, LLP c/o Brian Dolan

Address:

6440 Baltimore National Pike
Baltimore, MD 21228

Telephone Number:

443-831-7609

CERTIFICATE OF POSTING

2014-0158-A

RE: Case No.: _____

Petitioner/Developer: _____

A & 1 Realty, LLP

March 24, 2014

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: _____

6440 Baltimore National Pike

March 4, 2014

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



Sincerely,

March 4, 2014

(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

March 6, 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 March 4, 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: #2014-0158-A

6440 Baltimore National Pike

N/s Baltimore National Pike, 2000 ft. w/of centerline of Rolling Road

1st Election District - 1st Councilmanic District

Legal Owner(s): A & I Realty, LLP

Variance to permit a directional sign of 23 sq. ft. in lieu of the permitted 8 sq. ft.

Hearing: Monday, March 24, 2014 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

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

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

JT 3/6/17 March 4

970740



KEVIN KAMENETZ
County Executive

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

February 21, 2014

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2014-0158-A

6440 Baltimore National Pike

N/s Baltimore National Pike, 2000 ft. w/of centerline of Rolling Road

1st Election District – 1st Councilmanic District

Legal Owners: A & I Realty, LLP

Variance to permit a directional sign of 23 sq. ft. in lieu of the permitted 8 sq. ft.

Hearing: Monday, March 24, 2014 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", with a date "2/21/14" written at the end.

Arnold Jablon
Director

AJ:kl

C: Hillel Truub, 6440 Baltimore National Pike, Baltimore 21228
Brian Dolan, 6440 Baltimore National Pike, Baltimore 21228

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 4, 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, March 4, 2014 Issue - Jeffersonian

Please forward billing to:

A & I Realty, LLP
C/o Brian Dolan
6440 Baltimore National Pike
Baltimore, MD 21228

443-831-7609

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: 2014-0158-A

6440 Baltimore National Pike

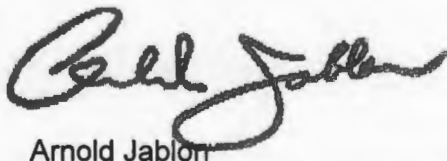
N/s Baltimore National Pike, 2000 ft. w/of centerline of Rolling Road

1st Election District – 1st Councilmanic District

Legal Owners: A & I Realty, LLP

Variance to permit a directional sign of 23 sq. ft. in lieu of the permitted 8 sq. ft.

Hearing: Monday, March 24, 2014 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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

M E M O R A N D U M

DATE: April 28, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0158-A - Appeal Period Expired

The appeal period for the above-referenced case expired on April 24, 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

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
6440 Baltimore National Pike; N/S Baltimore		
National Pike, 2000' W of c/line Rolling Road*		OF ADMINSTRATIVE
1 st Election & 1 st Councilmanic Districts		
Legal Owner(s): A&I Realty LLP	*	HEARINGS FOR
Petitioner(s)	*	BALTIMORE COUNTY
	*	2014-158-A

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED
FEB 04 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 4th day of February, 2014, a copy of the foregoing Entry of Appearance was mailed to Brian Dolan, 6440 Baltimore National Pike, Baltimore, MD 21228 and Hillel Traub, Esquire, 6440 Baltimore National Pike, Baltimore, MD 21228, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NO. 2014-

0158

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

2/10/14

DEVELOPMENT PLANS REVIEW

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

N/C

2/18/14

DEPS

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

N/C

FIRE DEPARTMENT

PLANNING

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

2/5/14

STATE HIGHWAY ADMINISTRATION

No Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

3/4/14

SIGN POSTING

Date:

3/4/14

by

LGG
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

March 19, 2014

A & I Realty LLP
6440 Baltimore National Pike
Baltimore MD 21228

RE: Case Number: 2014-0158 A, Address: 6440 Baltimore National Pike

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 23, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Hillel Traub, Esquire, 6440 Baltimore National Pike, Baltimore MD 21228
Brian Dolan, 6440 Baltimore National Pike, Baltimore MD 21228

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



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

Date: 2-5-14

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

RE: Baltimore County
Item No. 2014-0158-A
Variance
A2I Realty LLP
6440 Baltimore National Pike
US40

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 2-3-14. A field inspection and internal review reveals that an entrance onto US40 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2014-0158-A.

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,

A handwritten signature in blue ink, appearing to read 'Steven D. Foster', is written over a light blue circular stamp.

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 1.800.735.2258 Statewide Toll Free

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: February 10, 2014

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

SUBJECT: Zoning Advisory Committee Meeting
For February 10, 2014
Item No. 2014-0076, 0103, 0157, 0158, 0160, 0161 and 0164

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\ZAC02102014 -.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

FEB 20 2014



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: February 18, 2014

SUBJECT: DEPS Comment for Zoning Item # 2014-0158-A
Address 6440 Baltimore National Pike
(A&I Realty, LLP Property)

Zoning Advisory Committee Meeting of February 3, 2014.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: *Jeff Livingston – Development Coordination*

Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

<u>View Map</u>	<u>View GroundRent Redemption</u>	<u>View GroundRent Registr</u>
<u>Account Identifier:</u>	<u>District - 01 Account Number - 0119072160</u>	
Owner Information		
<u>Owner Name:</u>	A & I REALTY LIMITED PARTNERSHIP	<u>Use:</u> COMMERC
<u>Mailing Address:</u>	6440 BALTIMORE NATIONAL PIKE BALTIMORE MD 21228-3903	<u>Principal Residence:</u> NO <u>Deed Reference:</u> 1) /06645/ 00 2)
Location & Structure Information		
<u>Premises Address:</u>	6440 BALTO NATL PIKE 0-0000	<u>Legal Description:</u> 3.300 AC NS BALTO 1700 FT W
<u>Map:</u> 0094	<u>Grid:</u> 0023	<u>Parcel:</u> 0125
<u>Sub District:</u>	<u>Subdivision:</u> 0000	<u>Section:</u>
<u>Block:</u>	<u>Lot:</u>	<u>Assessment Year:</u> 2012
<u>Special Tax Areas:</u>	<u>Town:</u> NONE	<u>Ad Valorem:</u>
<u>Primary Structure Built</u> 1985	<u>Above Grade Enclosed Area</u> 30011	<u>Finished Basement Area</u>
<u>Stories</u>	<u>Basement</u>	<u>Property Land Area</u> 3.3000 AC
<u>Type</u> AUTO SHOWROOM	<u>Exterior</u>	<u>Full/Half Bath</u>
<u>Garage</u>	<u>Last Major Ren</u> 2012	
Value Information		
	<u>Base Value</u>	<u>Value</u>
		<u>As of</u> 01/01/2012
<u>Land:</u>	1,201,500	1,201,500
<u>Improvements</u>	2,346,200	2,472,000
<u>Total:</u>	3,547,700	3,673,500
<u>Preferential Land:</u>	0	0
		<u>Phase-in Assessments</u>
		<u>As of</u> 07/01/2013
		<u>As of</u> 07/01/2014
		3,631,567
		3,673,500
Transfer Information		
<u>Seller:</u> SCHNEIDER ANNA E	<u>Date:</u> 12/30/1983	<u>Price:</u> \$900,000
<u>Type:</u> ARMS LENGTH IMPROVED	<u>Deed1:</u> /06645/ 00719	<u>Deed2:</u>
<u>Seller:</u>	<u>Date:</u>	<u>Price:</u>
<u>Type:</u>	<u>Deed1:</u>	<u>Deed2:</u>
<u>Seller:</u>	<u>Date:</u>	<u>Price:</u>
<u>Type:</u>	<u>Deed1:</u>	<u>Deed2:</u>
Exemption Information		
<u>Partial Exempt Assessments:</u>	<u>Class</u>	<u>07/01/2013</u>
<u>County:</u>	000	0.00
<u>State:</u>	000	0.00
<u>Municipal:</u>	000	0.00 0.00
<u>Tax Exempt:</u>	<u>Special Tax Recapture:</u>	<u>07/01/2014</u>
<u>Exempt Class:</u>	NONE	0.00 0.00
Homestead Application Information		
<u>Homestead Application Status:</u> No Application		

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty/>)District: **01** Account Number: **0119072160**

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

Loading... Please Wait.

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CASE NAME 6440 Balt. Nat'l. Park
CASE NUMBER 2014-158-A
DATE 3-24-14

CASE NAME 6440 Balt. Nat'l. Park
CASE NUMBER 2014-158-A
DATE 3-24-14

[illegible]

Case No.: 2014-0158-A (6440 Balto. Nat'l Pike)

JB
3/24
10 AM

Exhibit Sheet

Petitioner/Developer

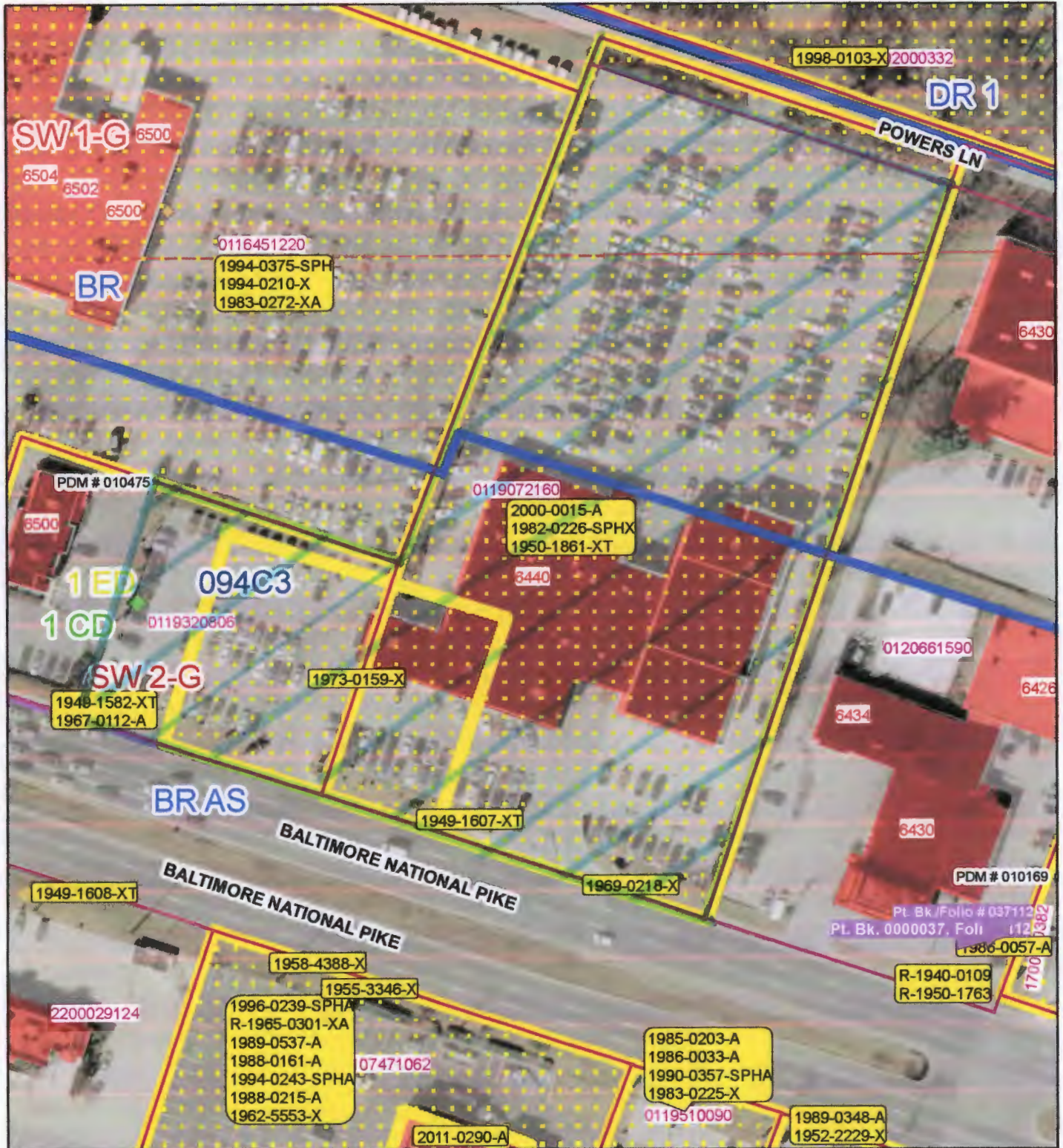
PW
4-28-14

Respondent

PW
3-25-14

No. 1	Plan	
No. 2	Sign detail	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

2014-0158-A



Publication Date: 1/24/2014

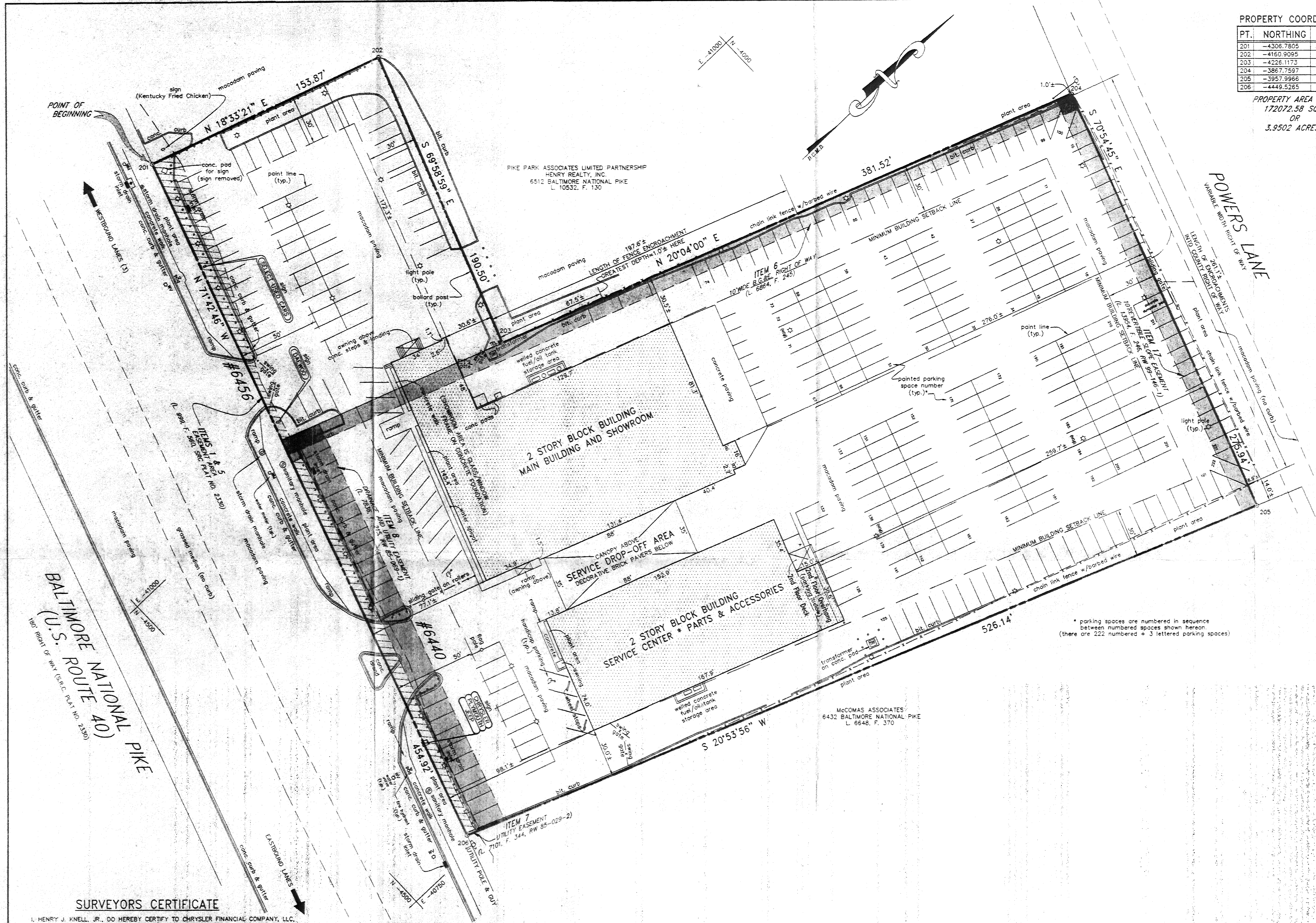


Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



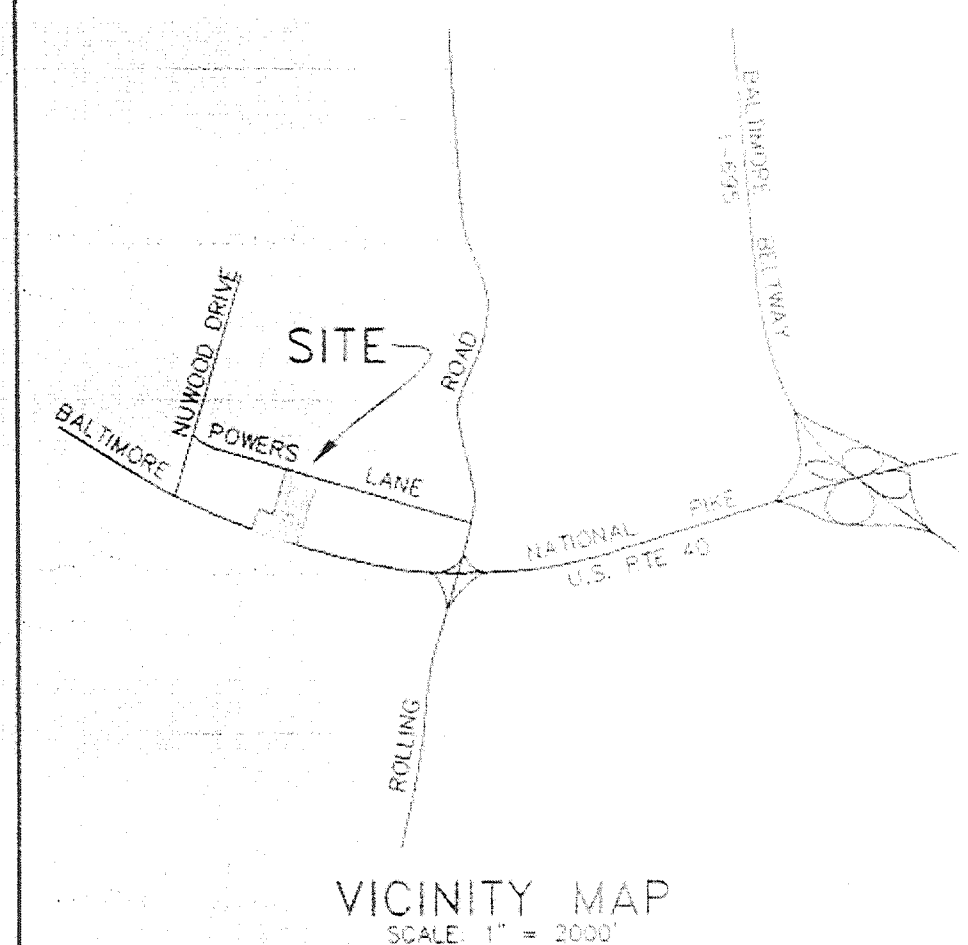
0 25 50 100 150 200 Feet

1 inch = 100 feet



PROPERTY COORDINATES		
PT.	NORTHING	EASTING
201	-4306.7605	-41190.0729
202	-4160.9095	-41141.1071
203	-4226.1173	-40962.1149
204	-3867.7597	-40831.2110
205	-3957.9966	-40570.4384
206	-4449.5265	-40758.1258

PROPERTY AREA (ITEM 4)
172072.58 SQ.FT.
OR
3.9502 ACRES±



GENERAL NOTES

- BEARINGS AND COORDINATES SHOWN HEREON ARE REFERRED TO THE SURVEY CONTROL SYSTEM ESTABLISHED FOR THE BALTIMORE COUNTY METROPOLITAN DISTRICT AND BASED ON THE FOLLOWING TRAVERSE STATIONS

HUB NO. 15550	HUB NO. 15551
N -4729.95	N -5077.67
E -40335.32	E -39208.34
- THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE "C" (AREAS OF MINIMAL FLOODING) ON F.I.R.M. COMMUNITY PANEL NO. 240010 0370 B (EFFECTIVE DATE: MARCH 2, 1981).
- PROPERTY REFERENCES:
DEEDS: L. 6645, F. 719 & L. 13167, F. 614
TAX ACCOUNT NUMBERS: 01-19-072160 & 01-19-320806
- ZONING DISTRICT: B.R.-A.S. (BUSINESS ROADSIDE-AUTOMOTIVE SERVICE)
- THERE ARE A TOTAL OF 334 PAINTED PARKING SPACES ON SITE.
- THERE ARE NO OVERHEAD UTILITY LINES ON SITE
- NOT IN FLOODPLAIN
- NOT HISTORIC SITE
- NOT IN CBCA
- NO ZONING HISTORY

1-23-14

CASE NO. 2014-0158-A

ALTA/ACSM SURVEY
A & I REALTY LIMITED PARTNERSHIP PROPERTY
ANTWERPEN AUTO DEALERSHIP
6440 & 6456 BALTIMORE NATIONAL PIKE
TAX MAP: 94 GRID: 23 PARCEL: 125 & 187
1ST ELECTION DISTRICT: BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE (IN FEET)
1 INCH = 30 FT.

Colbert Matz Rosenfelt, Inc.
Engineers • Surveyors • Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

SCALE: 1" = 30'
DATE: 04/08/2001
JOB NO.: 99015
DESIGNED: H.W.
DRAWN: K.W.
CHECKED: H.W.
FILE: 99015ALTDWG
DRAWING NUMBER:

NO.	DATE	REVISIONS	BY	SHEET 1 OF 1
PETITIONER'S				
EXHIBIT NO. 1				

SURVEYORS CERTIFICATE

I, HENRY J. KNELL, JR., DO HEREBY CERTIFY TO CHRYSLER FINANCIAL COMPANY, LLC, CHICAGO TITLE INSURANCE COMPANY, AND A & I REALTY LIMITED PARTNERSHIP THAT THE SURVEY PREPARED BY ME ENTITLED A & I REALTY LIMITED PARTNERSHIP PROPERTY, ANTWERPEN AUTO DEALERSHIP, 6440 & 6456 BALTIMORE NATIONAL PIKE, WAS ACTUALLY MADE UPON THE GROUND AND THAT THE INFORMATION, COURSES, AND DISTANCES SHOWN THEREON ARE CORRECT, THAT THE SIZE, LOCATION, AND TYPE OF BUILDINGS AND IMPROVEMENTS ARE AS SHOWN AND ALL ARE WITHIN THE BOUNDARY LINES OF THE PROPERTY, THAT THERE ARE NO VIOLATIONS OF ZONING ORDINANCES, RESTRICTIONS, OR OTHER RULES AND REGULATIONS WITH REFERENCE TO THE LOCATION OF SAID BUILDINGS AND IMPROVEMENTS, AND THAT THERE ARE NO EASEMENTS, ENCROACHMENTS, OR USES AFFECTING THIS PROPERTY APPEARING FROM A CAREFUL PHYSICAL INSPECTION OF THE SAME, OTHER THAN THOSE SHOWN AND DEPICTED THEREON. THIS SURVEY IS MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM, AND NSPS IN 1999, AND INCLUDES ITEMS 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13 & 15 OF "TABLE A" THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, NSPS, AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT THE SURVEY MEASUREMENTS WERE MADE IN ACCORDANCE WITH THE "MINIMUM ANGLE, DISTANCE, AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS."

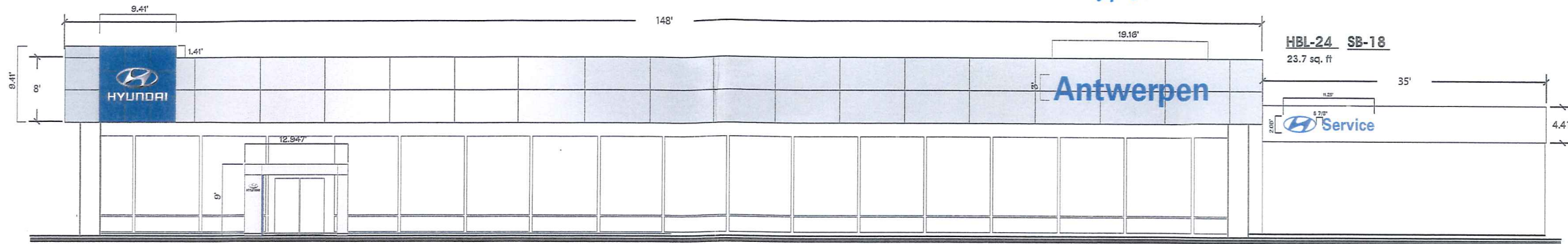
Henry J. Knell, Jr.
HENRY J. KNELL, JR.
STATE OF MARYLAND, REGISTERED
PROPERTY LINE SURVEYOR NO. 484
DATE: 4-25-01

CASE # 2014-0158-A

HBB-90
88.55 Sq. Ft. Boxed

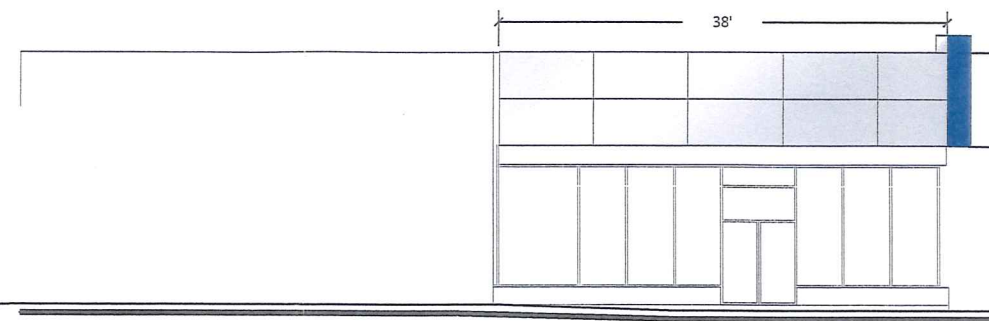
DB-36 67.06 Sq. Ft.

HBI-24 SB-18
23.7 sq. ft

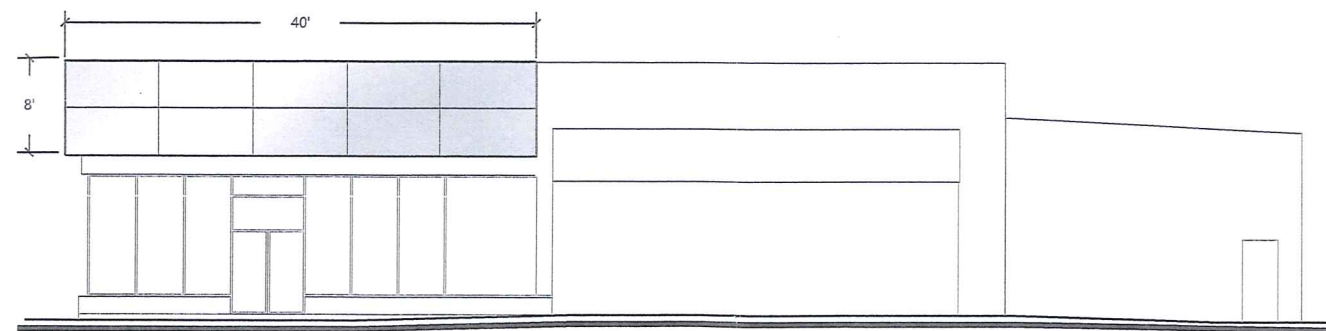


HEG-11 Custom
1.60 sq ft (SYMBOL & LOGO)

EXISTING EXTERIOR FRONT VIEW

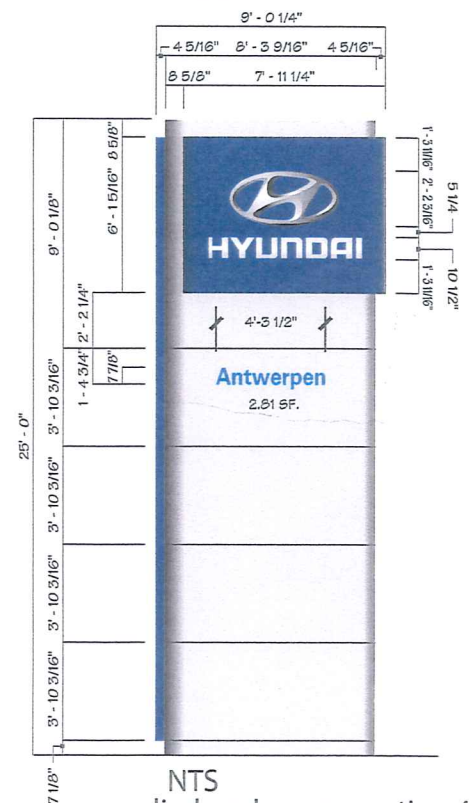


EXISTING EXTERIOR SIDE VIEW



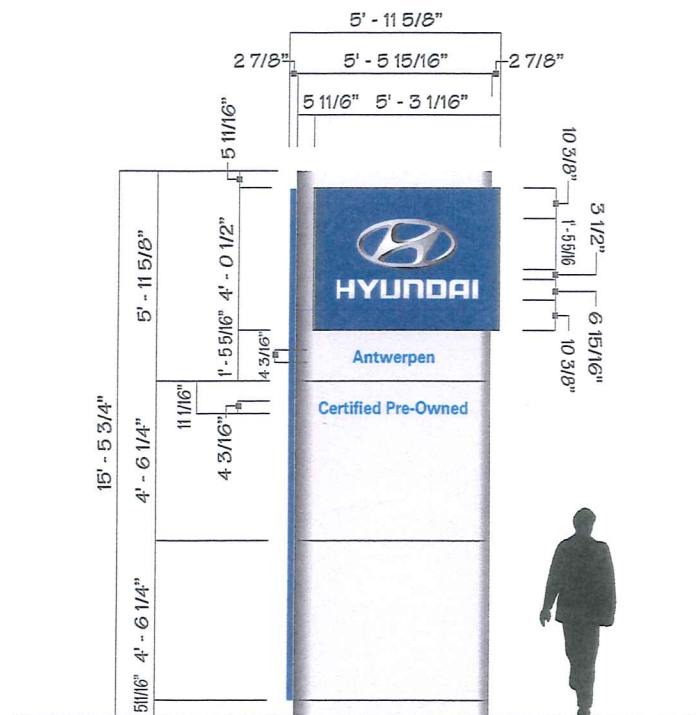
EXISTING EXTERIOR SIDE VIEW

HP-49- 25
48.50 sq ft



NTS
applied under area section 450.3"

HP-22-CPO-15
21.24 sq ft NTS



Site ID: MD028

Location:
Antwerpen Hyundai



Survey ID:
Date: 10/25/13

PETITIONER'S

EXHIBIT NO. 2

AGI Rep: JWB

Project Title:

Scale: 1/16"=1'

Date Revised: 1/21/14

Drawn by: MAR

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