

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE *
(8234 Belair Road) *
14th Election District *
6th Council District *
Sarju David Singh *
Petitioner *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2014-0256-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of the legal owner. The Special Hearing was filed pursuant to §500.7 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to amend the previously approved Special Exception in Case No. 05-380-X. The variance petition seeks relief from B.C.Z.R. §§ 238.2 and 409.6.A.2 as follows: (1) to permit a 3 ft. side building setback in lieu of the required 30 ft. side building setback and to permit a 10 ft. rear building setback in lieu of the required 30 ft. rear building setback; and (2) to permit 12 parking spaces in lieu of the required 17 parking spaces.

The subject property and requested relief is more fully depicted on the redlined site plan that was marked and accepted into evidence as Petitioner’s Exhibit 1. Appearing in support of the requests was owner David Singh, and Maxwell Vidaver and Richard Matz, P.E., whose firm prepared the site plan. Jennifer R. Busse, Esquire, appeared and represented the Petitioner. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no Protestants or interested persons in attendance, and the file does not contain any letters of opposition.

Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) dated June 23, 2014, from the Department of Environmental

ORDER RECEIVED FOR FILING

Date 7/17/14

By Sen

Protection and Sustainability (DEPS) dated July 3, 2014, and from the Bureau of Development Plans Review (DPR) dated June 3, 2014. These will be discussed in greater detail below.

The subject property is 18,909 square feet (0.434 acres ±) in size and is zoned B.R. The Petitioner purchased the property in 2005, and at that time (in case # 2005-0380-X) obtained a special exception to sell used motor vehicles from the site. Other commercial uses have also been conducted on the property since that time. At present, the Petitioner proposes to construct a 3,300 sq. ft. addition (the existing structure, built in 1950, will remain) at the site. The Petitioner will operate a service garage (permitted as of right in the B.R. zone) and sell used motor vehicles at the facility (as permitted by the special exception granted in 2005), but requires variance relief to do so.

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

To obtain variance relief a petitioner must show:

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

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

Petitioner has met this test. The property has an irregular shape, and is also adjacent to White Marsh Run, which constrains the usable portion of the property. As such, it is unique.

I also find that strict compliance with the B.C.Z.R. would result in practical difficulty, given that the Petitioner would be unable to construct the proposed facility. 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 absence of County and/or community opposition.

ORDER RECEIVED FOR FILING

Date 7/17/14

By Sen

ZAC Comments

The DEPS noted Petitioner must comply with forest buffer and other environmental regulations, and a condition to that effect is included below. The Bureau of DPR advised that a landscape and lighting plan are required, and the Order which follows contains such a requirement. Finally, the DOP set forth a list of 8 proposed conditions in its ZAC comment. The Petitioner submitted a redlined site plan (with a revision date of July 16, 2014) that addressed specifically condition numbers 2-7, and condition numbers 1 & 8 (regarding building elevations and signage) will be included below.

THEREFORE, IT IS ORDERED this 17th day of July, 2014, by this Administrative Law Judge, that the Petition for Variance pursuant to Baltimore County Zoning Regulations ("B.C.Z.R.") §§ 238.2 and 409.6.A.2 as follows: (1) to permit a 3 ft. side building setback in lieu of the required 30 ft. side building setback and to permit a 10 ft. rear building setback in lieu of the required 30 ft. rear building setback; and (2) to permit 12 parking spaces in lieu of the required 17 parking spaces, be and is hereby GRANTED;

IT IS FURTHER ORDERED that the Petition for Special Hearing filed pursuant to B.C.Z.R §500.7 to reaffirm and amend (in accordance with the terms of this Order) the previously approved Special Exception in Case No. 05-380-X, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. 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 his 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.
2. Prior to issuance of permits, Petitioner must submit for approval to Baltimore County a landscape and photometric lighting plan.
3. Prior to issuance of permits, Petitioner must comply with the forest buffer and floodplain regulations set forth in Article 33, Title 3 of the Baltimore County Code (B.C.C.), as determined by the DEPS.

ORDER RECEIVED FOR FILING

Date 7/17/14
By sen

4. Prior to issuance of permits, Petitioner must submit to the DOP proposed building elevations along with details of proposed building and/or freestanding signs.

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

Order.

JEB/sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 7/17/14
By sln

KEVIN KAMENETZ
County Executive



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

July 17, 2014

Jennifer R. Busse, Esquire
Whiteford, Taylor & Preston, LLP
One W. Pennsylvania Avenue, Suite 300
Towson, Maryland 21204

RE: Petitions for Special Hearing and Variance
Property: 8234 Belair Road
Case No.: 2014-0256-SPHA

Dear Mrs. Busse:

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

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

Sincerely,

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

IN RE: PETITIONS FOR SPECIAL EXCEPTION *	BEFORE THE
AND VARIANCE	
W/S Belair Road, 250' N c/line *	ZONING COMMISSIONER
Of White Marsh Blvd. (MD 43) *	
(8234 Belair Road) *	OF
14 th Election District *	
6 th Council District *	BALTIMORE COUNTY
 Sarju Singh, <i>Legal Owner</i> ; *	
Mark A. Melenders, <i>Contract Lessee</i> *	
Petitioner(s) *	Case No. 08-375-XA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Exception and Variance for the property known as 8234 Belair Road, located in the vicinity of Dunfield Road between the MD 43 access ramps in an area known as Fullerton. The petitions were filed by the owner of the property, Sarju Singh, and the lessee, Mark A. Melenders, through their attorney, Louis J. Glick, Esquire. The Petitioners seek a special exception for a State-Licensed Medical Clinic on the subject property, zoned B.R., pursuant to Article 4C-101 and 4-C-102.A of the Baltimore County Zoning Regulations (B.C.Z.R.) and a variance from Section 4C-102.A.2.a to permit a drug abuse treatment program within 86 feet of a residentially-zoned property line in lieu of the required distance of 750 feet. The subject property and requested relief sought are more particularly described on the revised site plan submitted which was accepted and marked into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the requests were Mark A. Melenders, the Contract Lessee who desires to operate "Melender's 4 Walls Treatment Center" on the property; Kenneth C. Colbert, P.E., of Colbert Matz Rosenfelt, Inc., a professional engineer and land use consultant, who prepared the site plan; Glenn Cook, a traffic engineering consultant, with The Traffic Group, Inc.; Eric Briscoe; and Louis J. Glick, Esquire, attorney for

ascertaining the zoning ordinance requirements to avoid resultant hardships prior to leasing of the property. In this regard, the population of Baltimore County now exceeds 787,000 and yet as illustrated on Petitioners' Exhibit 7 only four (4) existing drug treatment-methadone clinics exist: Awakenings, 2 West Aylesbury Road, Timonium; A Helping Hand, 116 Slade Avenue, Pikesville; BD Health Services, 3955 North Point Road, Dundalk, and Whitestone Treatment Center, 6709 Whitestone Road, Woodlawn. Two (2) additional proposed clinics are seeking certification under Title 8, Subtitle 4, of the Health-General Article of the Annotated Code of Maryland to be known as the Wise Treatment Center, 8801 Wise Avenue, Dundalk, and the 4 Walls Health Services, at the subject property. According to Mr. Melenders, and as depicted on Petitioners' Exhibit 7, the subject location would appear to be in an optimal location and district. Testimony in this regard indicated that Melenders clinic would provide multiple treatment programs for drug related illnesses such as heroin and oxycotin addictions and treatment for pregnant women with drug abuse problems.

He estimates that as many as 60 patients will visit the facility per day for medication therapy between the hours of 5:00 AM and 12:00 Noon Mondays through Saturdays. These services will include methadone medication dispensed by "medical practitioners" as defined by the B.C.Z.R. He (Melenders) will serve as the executive officer, and Pamela Gibson, a certified director for drug abuse treatment programs, will carry out services as the clinic's director. A psychologist, physician and cashier will also provide daily services. After entering the property, there will be no malingering or congregating permitted on the site. After treatment, patients will be instructed to leave.² Mr. Melenders opines that vehicles turning left when departing would require the crossing of two southbound lanes on US Route 1 and could present problems. He

² Methadone is a legal medication produced by licensed and approved pharmaceutical companies using quality control standards under a physician's supervision, it is administered orally on a daily basis with strict program conditions and guidelines. Methadone relieves the craving associated with opiate addiction. Petitioner contends it is not sedating or intoxicating so as to interfere with ordinary activities such as driving a car or operating machinery.

residential condominiums on Stillmeadow Road.³ To logically reach the residential property by car, Mr. Colbert states would involve driving 1,100 feet to the north on Belair Road prior to turning left onto Dunfield Road. Assuming that individuals would desire to walk from the site north to Stillmeadow Road, this would be unreasonable as Mr. Colbert uses Petitioners' Exhibit 5 to show that guardrails, steep slopes and the absence of shoulders along US Route 1 in this area would gravitate against pedestrian use. On this factor, all parties in attendance agreed there is essentially no reasonable way to walk to or from the site along US Route 1.

As to the special exception request, Messrs. Colbert and Cook testified that the operation of an alcohol abuse and drug treatment program at this location would not adversely affect the public interest nor would there be any adverse impact associated with the use beyond that inherently associated with such a special exception use, irrespective of its location within the zone. In support of the petition, Mr. Cook, a recognized traffic expert, undertook an analysis and study of Belair Road and its nearby intersections. He visited the territory and performed additional studies reviewing basic service maps, etc. He concluded that all pertinent intersections operated at a service level of "C" until you reach the Silver Spring and Belair Road intersection which operates at level "D". He anticipated the hours of operation (5:00 AM to 12:00 Noon) and that 50 to 60 people would arrive and depart the site daily usually within a one-hour time period. He stated that this would not impair or detrimentally impact traffic in the area. Belair Road presently operates with two northbound and two southbound lanes. There is no center or fifth lane which would allow left-turns for traffic traveling northbound and intending to access the site. Public transportation, while available for people coming southbound from Perry Hall, is not relevant here. The bus stop is some 500 feet from the subject property located at

³ Mr. Pittler raised continuing objections to evidence produced that the characteristics of the topography between the physical separation constitutes uniqueness as it relates to the distance requirement regulations of the B.C.Z.R.

- a. A state-licensed medical clinic may not be located within 750 feet of any residentially-zoned property line. [Bill No. 39-2002]

In ascertaining the County Council's intent, I must look to the language in the regulation itself, giving that language its ordinary and natural meaning and avoiding a construction that is illogical, unreasonable or inconsistent with common sense. *Papillo v. Pockets, Inc.*, 119 Md. App. 78, 83-84 (1997). Maryland courts have held: "...[Zoning ordinances] are in derogation of the common law right to so use private property as to realize its highest utility, and while they should be liberally construed to accomplish their plain purpose and intent, they should not be extended by implication to cases not clearly within the scope and purpose and intent manifest in their language." *White v. North*, 356 Md. 31, 48 (1999) quoting *Aspen Hill Venture v. Montgomery County Council*, 265 Md. 303, 313-314 (1972).

It should be pointed out that the proximity requirement of Section 4C-102A.2(a) is not a new concept but one that has been integral to the B.C.Z.R. since the 1940's. See, for example 1945 zoning regulations, Section VIII G(b) requiring cemetery, graveyard or burial grounds "not to be allowed within 300 feet of any school, hospital, sanatorium or orphanage . . . ; Section 420, helicopter operations "500 feet from any occupied residence for temporary use of helicopter flights – 1,000 feet from any property line in a D.R.5.5 or D.R.1 zone . . . ; striptease business – must be located at least 1,000 feet from any dwelling, church, park, child care center or school . . . [Bill Nos. 137-1990; 29-1998]; dance halls and nightclubs must not be located within 1,000 feet of a lot zoned residentially or devoted primarily to residential use [Bill 40-2001]; adult entertainment business, massage establishments and tattoo or body piercing establishments may not be located within 1,000 feet of . . . a lot zoned residentially or devoted primarily to residential use [Bill No. 29-1998]; animal boarding or private kennels may not be located within 200 feet of the nearest property line [Bill Nos. 85-1967; 87-2001]; cell towers – a

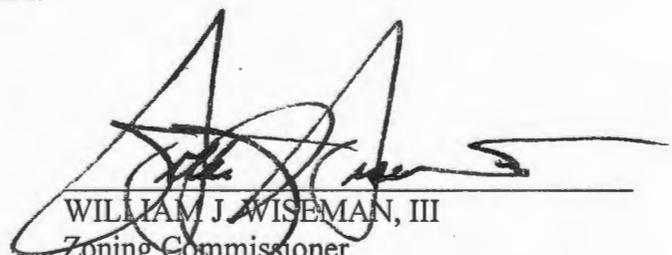
in the regulations. The proposed use does not meet the applicable criteria set forth in Section 502.1A and B of the B.C.Z.R., pursuant to *Shultz and Mossberg*, *infra*. Moreover, the requirements of Section 307 of the B.C.Z.R. have not been met. The variance relief requested substantially modifies the specific area standards for the special exception use proposed here and significantly alters the legislative mandate of Council Bill No. 39-02 and thus, the petitions for special exception and variance must be denied.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County on this 24th day of April 2008 that the Petition for Special Exception to permit a State-Licensed Medical Clinic, in accordance with Article 4C-101 and 4-C-102.A of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioners' Exhibit 1, be and is hereby DENIED; and

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 4C-102.A.2.a of the B.C.Z.R. to permit a State-Licensed Medical Clinic located within 86 feet of a residentially-zoned property line in lieu of the required distance of 750 feet required, in accordance with Petitioners' Exhibit 1, be and is hereby DENIED; and

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
W/S Belair Road, 340' S of the c/l		
Still Meadow Road	*	ZONING COMMISSIONER FOR
(8234 Belair Road)		
14 th Election District	*	FOR
6 th Council District		
	*	BALTIMORE COUNTY
Sarju Singh		
Petitioner	*	Case No. 05-380-X

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Exception filed by the legal owner of the subject property, Sarju Singh. The Petitioner requests a special exception to allow the sale of used motor vehicles on the subject property located in a B.R. Zone. The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing were Sarju Singh, property owner and proprietor of the proposed business; David Billingsley from Central Drafting and Design, the consultant who prepared the site plan; and Ralph K. Rothwell, Jr., Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present.

Testimony and evidence were proffered which revealed that the subject property is a rectangular shaped parcel located on the northwest side of Belair Road, between Stillmeadow Road and White Marsh Boulevard (Maryland Route 43) in White Marsh. As shown on Petitioner's Exhibit 4, the property is comprised of three smaller parcels, which contain a combined gross area of 0.447 acres, more or less, zoned B.R. Petitioner's Exhibits 2(a), (b) and (c) reflect the tax accounts of the three parcels and Petitioner's Exhibit 3 is a copy of the deed showing the descriptions of the said properties. The property is improved with a two-story

Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

February 14, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: February 22, 2005

Item No.: 380, 393

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

Visit the County's Website at www.baltimorecountyonline.info





CBCA

PETITION FOR ZONING HEARING(S)

FLOOD

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 8234 Belair Road which is presently zoned B.R.
Deed References: 22093/559 10 Digit Tax Account # 2 4 0 0 0 1 1 5 7 9
Property Owner(s) Printed Name(s) Sarju David Singh

(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

3. a **Variance** from Section(s) (See attached)

SEE Attached

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:

N/A
Name- Type or Print
Signature
Mailing Address Date City State
Zip Code By Telephone # Email Address

Attorney for Petitioner:

Jennifer R. Busse, Esq.
Name- Type or Print
Jennifer Busse / Hdm
Signature
1 W. Pennsylvania Ave., Suite 300, Towson, MD
Mailing Address City State
21204 410-832-2077 jbusse@wtplaw.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Sarju David Singh /
Name #1 - Type or Print Name #2 - Type or Print
Sarju David Singh
Signature #1 Signature #2
4234 Silver Spring Road #B Perry Hall, MD
Mailing Address City State
21128 / 410-254-8900 / daidsingh02@gmail.com
Zip Code Telephone # Email Address

Representative to be contacted:

Richard E. Matz
Name - Type or Print
Richard E Matz
Signature
2835 Smith Avenue Suite G Baltimore, MD
Mailing Address City State
21209 / 410-653-3838 / dmatz@cmengineers.com
Zip Code Telephone # Email Address

CASE NUMBER 2014-0756-2014 Filing Date 5/28/14

Do Not Schedule Dates: _____ Reviewer G.A

PETITION FOR ZONING HEARING

1. **A Variance** from Section 238.2, Side and rear yard setbacks in B.R. Zones - To permit a 3 foot side building setback in lieu of the required 30 foot side building setback, and to permit a 10 foot rear building setback in lieu of the required 30 foot rear building setback
2. **A Variance** from Section 409.6.A.2, Required number of parking spaces for commercial and service uses - To permit 12 parking spaces in lieu of the required 17 parking spaces,
and to grant other relief as the Administrative Law Judge deems necessary.

3. To ^{amend} ~~amend~~ THE PREVIOUSLY APPROVED
SPECIAL EXCEPTION in Case # 05-380-X,

Special
Hearing

2014-0256-SPHA



ZONING DESCRIPTION

8234 Belair Road

Beginning at a point on the western side of Belair Road, which has a variable width at the distance of 262 feet, more or less, north of the centerline of a ramp to Maryland Route 43 (White Marsh Boulevard), which is of varying width. Thence the following courses and distances:

N 53°48'28" W, 148.46 ft.;
N 36°11'32" E, 172.48 ft.;
S 22°29'06" E, 174.05 ft., thence
S 36°20'45" W, 82.00 ft.

to the point of beginning, containing 18,909 square feet or 0.434 acres. Also known as 8234 Belair Road and located in the 14th Election District and 6th Councilmanic District.

Jan 30, 2014

Professional Certification

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No. 13203

Expiration Date: 11/02/2014

**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: 2014-0256-SPHA

Petitioner: Sarju David Singh

Address or Location: 8234 Belair Road Baltimore, Maryland 21236

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jennifer R. Busse, Esq.

Address: 1 West Pennsylvania Avenue

Suite 300

Towson, MD 21204

Telephone Number: 410-832-2077

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

No. 112210
 Date: 5/28/14

PAID RECEIPT
 DEPT OF BUDGET AND FINANCE
 100 BALTIMORE ST
 BALTIMORE MD 21201
 TEL: 410-388-6000
 FAX: 410-388-6001
 WWW.BALTIMORECOUNTY.MD

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	206	0000		157				500.00

Total: 500.00

Rec From: Best Value Auto Sales LLC

For: 8234 Belair Rd
 2014-0256-BDHA

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

CASHIER'S VALIDATION

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

No. 112210
 Date: 5/28/14

PAID RECEIPT
 DEPT OF BUDGET AND FINANCE
 100 BALTIMORE ST
 BALTIMORE MD 21201
 TEL: 410-388-6000
 FAX: 410-388-6001
 WWW.BALTIMORECOUNTY.MD

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	206	0000		157				500.00

Total: 500.00

Rec From: ~~Best Value Auto Service LLC~~
 Colbert Matz Rosenfeldt, Inc.

For: 8234 Belair Rd
 2014-0256-BDHA

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

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 6/27/2014

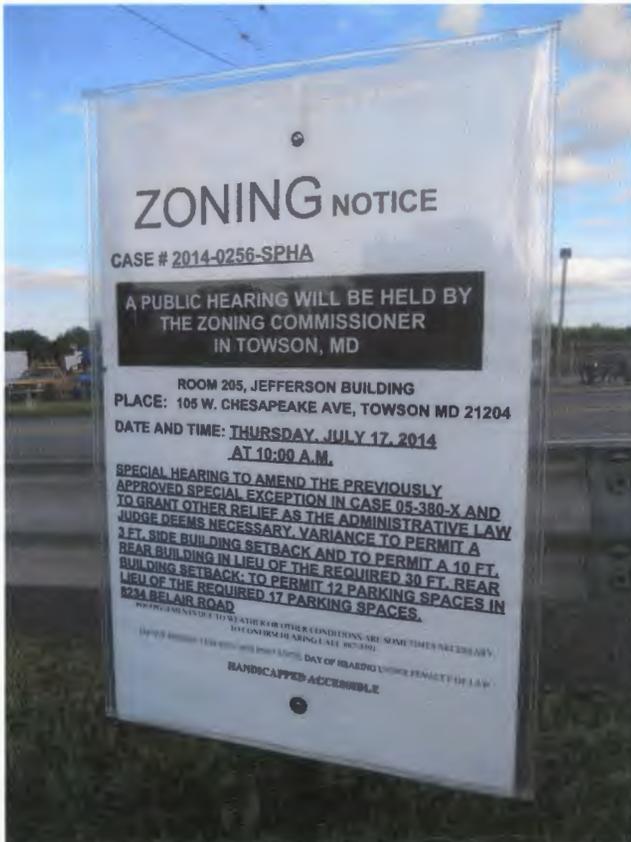
Case Number: 2014-0256-SPHA

Petitioner / Developer: JENNIFER BUSSE, ESQ.~SARJU SINGH~
RICHARD MATZ of COLBERT, MATZ & ROSENFELT, INC.

Date of Hearing (Closing): JULY 17, 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:
8234 BELAIR ROAD

The sign(s) were posted on: JUNE 27, 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

June 26, 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 June 26, 2014

The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: #2014-0256-SPHA

8234 Belair Road

W/s Belair Road, 262 ft. +/- centerline to the centerline of White Marsh Blvd.

14th Election District - 6th Councilmanic District

Legal Owner(s): Sarju Singh

Special Hearing to amend the previously approved Special Exception in Case 05-380-X and to grant other relief as the Administrative Law Judge deems necessary. **Variance** to permit a 3 ft. side building setback and to permit a 10 ft. rear building in lieu of the required 30 ft. rear building setback; to permit 12 parking spaces in lieu of the required parking spaces.

Hearing: Thursday, July 17, 2014 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21284.

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.

6/550 June 26

985063



KEVIN KAMENETZ
County Executive

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

June 17, 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: 2014-0256-SPHA

8234 Belair Road

W/s Belair Road, 262 ft. +/- centerline to the centerline of White Marsh Blvd.

14th Election District – 6th Councilmanic District

Legal Owners: Sarju Singh

Special Hearing to amend the previously approved Special Exception in Case 05-380-X and to grant other relief as the Administrative Law Judge deems necessary. Variance to permit a 3 ft. side building setback and to permit a 10 ft. rear building in lieu of the required 30 ft. rear building setback; to permit 12 parking spaces in lieu of the required 17 parking spaces.

Hearing: Thursday, July 17, 2014 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Jennifer Busse, 1 W. Pennsylvania Avenue, Rm. 300, Towson 21204
Sarju Singh, 4234 Silver Spring Road, #B, Perry Hall 21128
Richard Matz, 2835 Smith Avenue, Ste. G, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JUNE 27, 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
Thursday, June 26, 2014 Issue - Jeffersonian

Please forward billing to:

Jennifer Busse
Whiteford, Taylor & Preston
1 W. Pennsylvania Avenue, Ste. 300
Towson, MD 21204

410-832-2077

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: 2014-0256-SPHA

8234 Belair Road

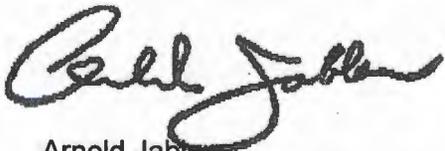
W/s Belair Road, 262 ft. +/- centerline to the centerline of White Marsh Blvd.

14th Election District – 6th Councilmanic District

Legal Owners: Sarju Singh

Special Hearing to amend the previously approved Special Exception in Case 05-380-X and to grant other relief as the Administrative Law Judge deems necessary. Variance to permit a 3 ft. side building setback and to permit a 10 ft. rear building in lieu of the required 30 ft. rear building setback; to permit 12 parking spaces in lieu of the required 17 parking spaces.

Hearing: Thursday, July 17, 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: August 19, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0256-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on August 18, 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 SPECIAL HEARING * BEFORE THE OFFICE
 AND VARIANCE * OF ADMINSTRATIVE
 8234 Belair Road; W/S Belair Road, 262' to * HEARINGS FOR
 c/line of White Marsh Boulevard * BALTIMORE COUNTY
 14th Election & 6th Councilmanic Districts * 2014-256-SPHA
 Legal Owner(s): Sarju David Singh *
 Petitioner(s) *

* * * * *

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

JUN 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 June, 2014, a copy of the foregoing Entry of Appearance was mailed to Richard Matz, P.E., Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209 and Jennifer Busse, Esquire, 1 Pennsylvania Avenue, Suite 300, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
 People’s Counsel for Baltimore County

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
6/3/14	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	C
7/3/14	DEPS (if not received, date e-mail sent _____)	C
	FIRE DEPARTMENT	
6/23/14	PLANNING (if not received, date e-mail sent _____)	C NO Obj w/cond.
6/12/14	STATE HIGHWAY ADMINISTRATION	
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 05-380-X ; 08-315-X)

NEWSPAPER ADVERTISEMENT Date: 6/26/14

SIGN POSTING Date: 6/27/14 by 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

July 10, 2014

Sarju David Singh
4234 Silver Spring Road #B
Perry Hall, MD 21128

RE: Case Number: 2014-0256 SPHA, Address: 8234 Belair Road

Dear Mr. Singh:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 28, 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: jaf

Enclosures

c: People's Counsel
Jennifer R. Busse, Esquire, 1 W Pennsylvania Avenue, Suite 300, Towson MD 21204
Richard E. Matz, 2835 Smith Avenue, Suite G, Baltimore MD 21209



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

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

Maryland Department of Transportation

Date: 6/12/14

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

RE: Baltimore County
Item No. 2014-0256-SPHA
Variance Special Hearing
Sanju David Singh
8234 Belair Road
US 1

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 6/4/14. A field inspection and internal review reveals that an entrance onto US 1 consistent with current State Highway Administration guidelines is required. As a condition of approval for 2014-0256-SPHA, Case Number 2014-0256-SPHA, the applicant must contact the State Highway Administration to obtain an entrance permit.

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 E-mail him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

[Handwritten signature of Steven D. Foster]

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

SDF/raz

cc: Mr. Michael Pasquariello, Utility Engineer, SHA
Mr. David Peake, District Engineer, SHA

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

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

SUBJECT: Zoning Advisory Committee Meeting
For June 9, 2014
Item No. 2014-0256

DATE: June 3, 2014

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

A change of occupancy requires site compliance with the Landscape Manual.

Zoning case 05-380-X required the submission of a photometric lighting plan and a landscape plan for approval by the County Landscape Architect. There is no record of any such plans being submitted. A photometric lighting plan and Final Landscape Plan, cost estimate and security must be approved prior to permits being issued.

Forest buffer setbacks should be retained to assure that the proposed automotive service garage uses do not negatively affect the quality of adjacent White Marsh Run.

Although White Mash Run is a designated recreational greenway, this portion is not noted as such in the 2020 Master plan.

* * * * *

DAK:CEN
cc:file
ZAC-ITEM NO 14-0256-06092014.doc

7-17
10:00

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

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

DATE: June 23, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 8234 Belair Road

RECEIVED

JUN 23 2014

INFORMATION:

Item Number: 14-256

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner: Sarju David Singh

Zoning: BR

Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petitioner's requests for variances to the side and rear yard setbacks, as well as a reduced number of parking spaces. A special hearing to amend the previously approved special exception (ZAC 05-380) which permitted the sale of used motor vehicles on the site is also requested. The applicant is proposing an automobile service garage with a proposed addition of 4,894 square feet to the existing structure. The site is located within the Overlea Commercial Revitalization District, where several current revitalization efforts are in progress.

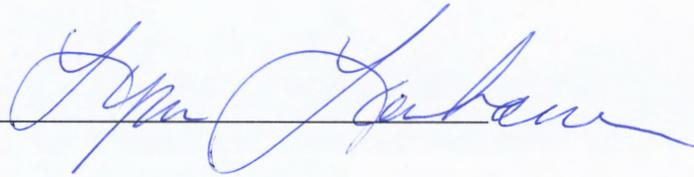
SUMMARY OF RECOMMENDATIONS:

The Department is of the opinion that the relief will not be detrimental to the health, safety and general welfare of the surrounding community and has no objection to the requested relief subject to the following conditions:

- 1. Provide building elevations – show existing and proposed materials and how the addition will tie in with the existing building.
- 2. It is not clear whether the applicant plans to continue sales of used motor vehicles. There are no display spaces shown. If the use granted by case # 05-380X is in conjunction with the automobile service garage, designate location of "for sale" vehicle parking on site plan and adjust parking and site plan accordingly.
- 3. Per note 12 on the plan storage of damaged or disabled vehicles shall be provided indoors.
- 4. Repair existing wood fence at rear of site.
- 5. Consider providing right turn only signage at the site exit.
- 6. Show a dumpster location and screening.
- 7. Comply with the conditions of the prior order as applicable which included the submission of a landscape, signage and lighting plan.
- 8. Provide signage details for building and any freestanding signs.

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

Division Chief:
AVA/LL

A handwritten signature in blue ink, written over a horizontal line. The signature is cursive and appears to read "Tom Kuban".

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED



JUL 07 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: July 3, 2014

SUBJECT: DEPS Comment for Zoning Item # 2014-0256-SPHA
Address 8234 Belair Road
(Singh Property)

Zoning Advisory Committee Meeting of June 2, 2014.

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

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code). See **additional comments.**

Additional Comments:

It appears that a Forest Buffer Variance is required because the minimum forest buffer extends onto the site. White Marsh Run is a Use IV stream, where the minimum stream buffer is 100 feet, or 25 feet from the outer wetland boundary, or 25 feet from the riverine floodplain, whichever is greater. A wetland delineation and forest buffer determination is required and will include what appears to be a tributary channel to White Marsh Run in the vicinity of the site.

Reviewer: Thomas Panzarella
Environmental Impact Review

Date: July 3, 2014

Real Property Data Search (w4)

Guide to searching the database

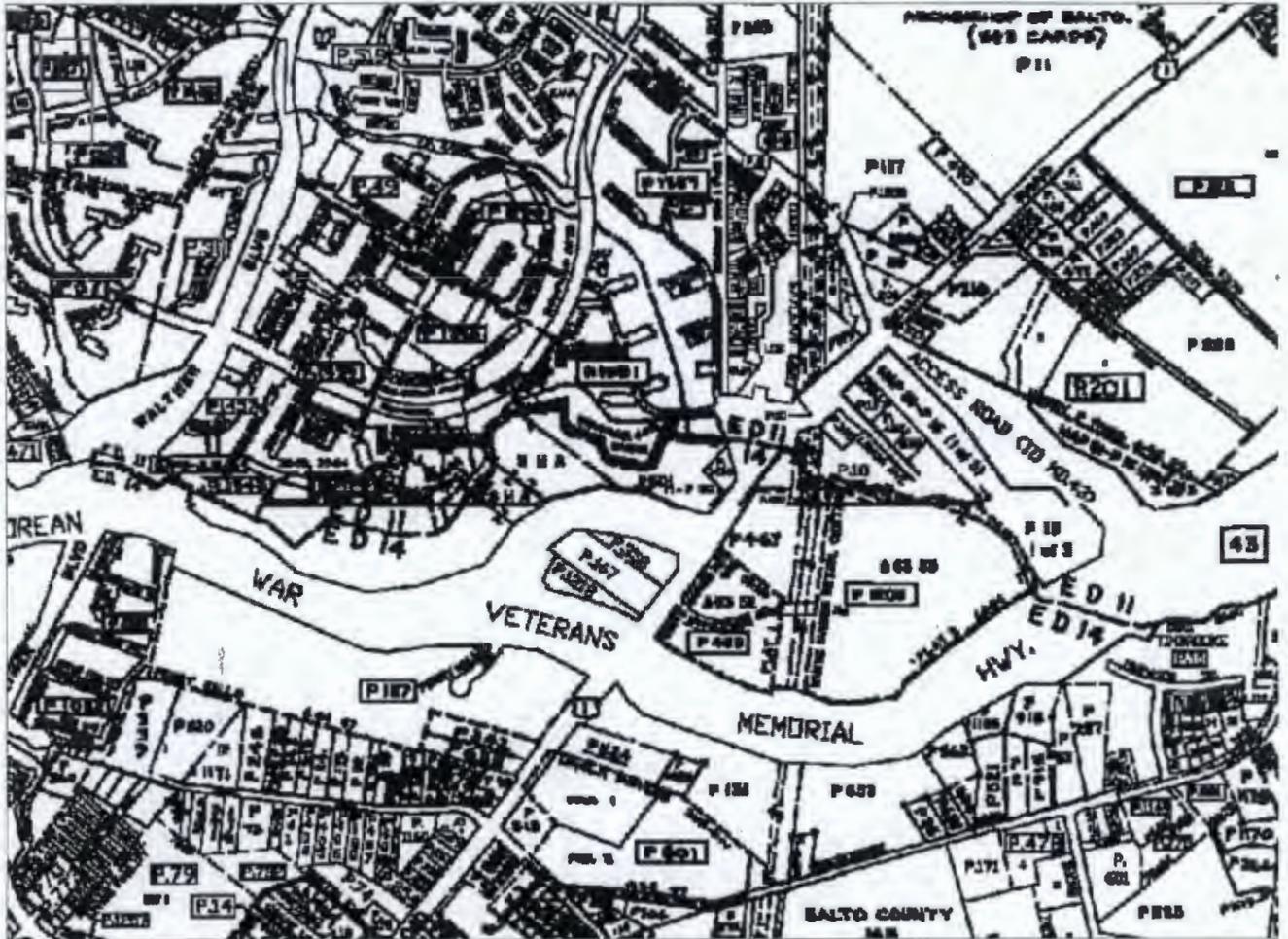
Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption			View GroundRent Registration				
Account Identifier:		District - 14 Account Number - 2400011579							
Owner Information									
Owner Name:		SINGH SARJU			Use:		COMMERCIAL		
Mailing Address:		4234 B SILVER SPRING RD BALTIMORE MD 21238			Principal Residence:		NO		
					Deed Reference:		/22093/ 00559		
Location & Structure Information									
Premises Address:		LOUISA AVE 0-0000			Legal Description:		.4341 AC LOUISA AVE SW		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:
0071	0023	1434		0000				2013	
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use	
1950		1560				18,909 SF		06	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
2.000000	YES	STANDARD UNIT	1/2 BRICK SIDING	1 full	1 Carport				
Value Information									
		Base Value		Value As of 01/01/2013		Phase-in Assessments As of 07/01/2013		As of 07/01/2014	
Land:		414,000		414,000					
Improvements		162,900		142,600					
Total:		576,900		556,600		556,600		556,600	
Preferential Land:		0						0	
Transfer Information									
Seller:		Date:		Price:					
Type:		Deed1:		Deed2:					
Seller:		Date:		Price:					
Type:		Deed1:		Deed2:					
Seller:		Date:		Price:					
Type:		Deed1:		Deed2:					
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2013		07/01/2014			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		NONE							
Homestead Application Information									
Homestead Application Status: No Application									

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)

District: **14** Account Number: **2400011579**



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.

->

Case No.: 2014-0256-SPHA

Exhibit Sheet

Petitioner/Developer

DW
8-19-14

Protestant

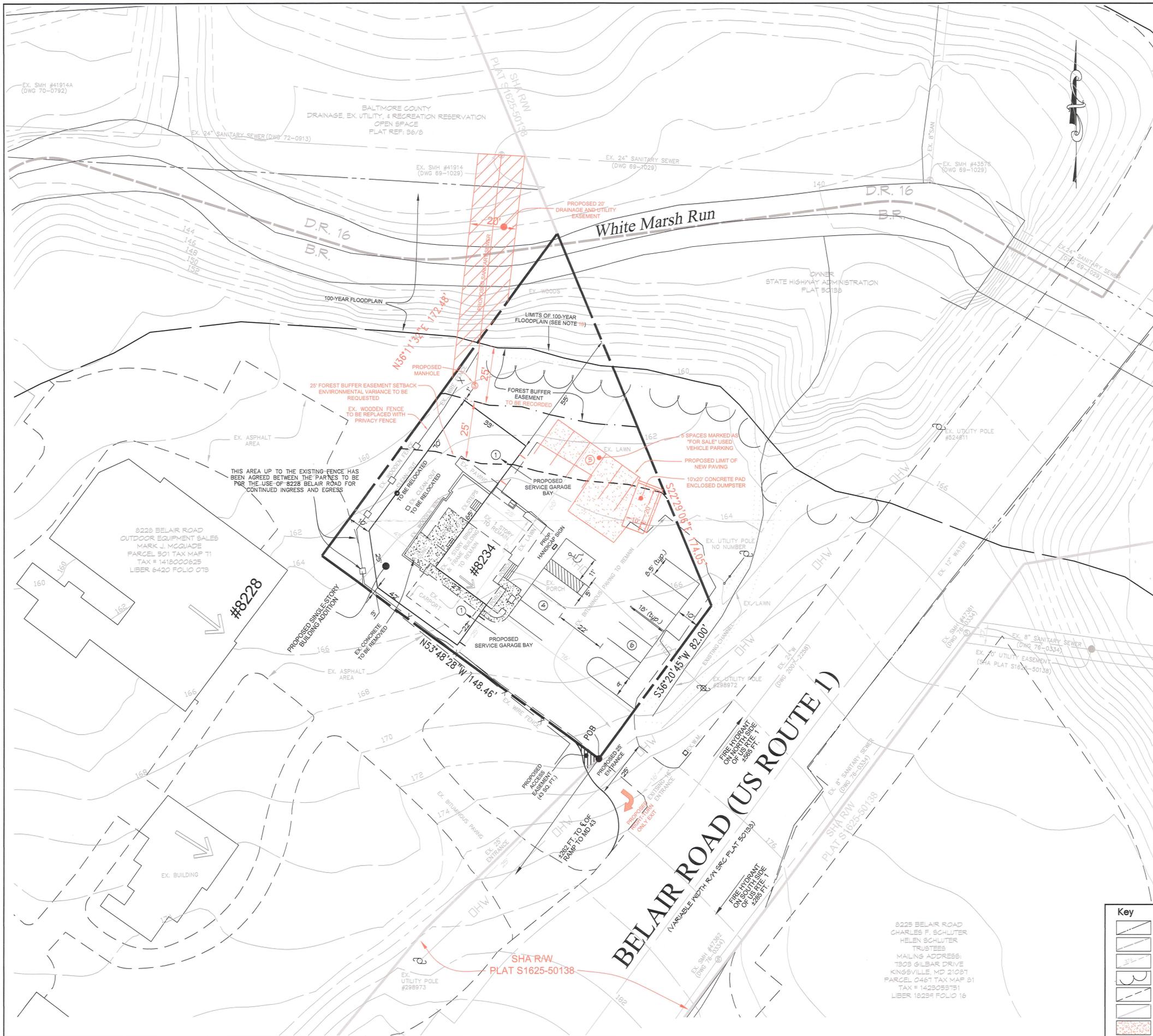
slw
7-17-14

No. 1	Redlined Site plan	
No. 2	"My Neighborhood" Map	
No. 3	3A+3B Google Earth photos	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



To see all the details that are visible on the screen, use the "Print" link next to the map.





GENERAL NOTES

- OWNER/APPLICANT: SARJU DAVID SINGH
42348 SILVER SPRING ROAD
PERRY HALL, MD 21128
410-254-8900
- SITE DATA:
TAX ACCOUNT NO. 2400011579
SITE AREA (NET): 19,909 SF OR 0.434 AC±
DEED REFERENCE: 22093959
TAX MAP 71 PARCEL 1434
REGIONAL PLANNING DISTRICT: 316
TRANSPORTATION ANALYSIS ZONE: 759
LAND MANAGEMENT AREA: COMMUNITY CONSERVATION AREA
GROWTH TIER: 1
WATERSHED: BIRD RIVER
CENSUS TRACT: 440390
GIS TILE NUMBER: 071C3
- SITE ZONING: B.F.
- EXISTING USE: COMMERCIAL OFFICE
PROPOSED USE: AUTOMOBILE SERVICE GARAGE
- BUILDING DATA:
EXISTING FLOOR AREA: 1,577 SF
PROPOSED FLOOR AREA: 3,317 SF
PROPOSED GROSS FLOOR AREA: 4,894 SF
- FLOOR AREA RATIO:
MAX. PERMITTED: 2.00
EXISTING: 0.08
PROPOSED: 0.26
- ZONING HISTORY:
APRIL 5, 2005 - CASE 05-380-X - APPROVAL OF SPECIAL EXCEPTION TO PERMIT THE SALE OF USED MOTOR VEHICLES ON THE PROPERTY.
APRIL 24, 2008 - CASE 08-375-XA - DENIAL OF SPECIAL EXCEPTION TO PERMIT A STATE LICENSED MEDICAL CLINIC ON THE PROPERTY.
- OFF-STREET PARKING:
REQUIRED PARKING: 17 SPACES (3.3 / 1000 SF @ 4.894 SF)
PROPOSED PARKING: 12 SPACES (INCLUDES 2 SERVICE GARAGE BAYS AND 1 HANDICAP VAN ACCESSIBLE SPACE)
- ALL PARKING TO BE DURABLE, DUST-FREE AND PERMANENTLY STRIPED.
- SETBACKS:

	REQUIRED	EXISTING	PROPOSED
FRONT	25'	76'±	76'±
SIDE	30'	25'±	3±
REAR	30'	43'±	10'±
- ZONING REQUESTS:
VARIANCE FOR 3' SIDE YARD IN LIEU OF THE REQUIRED 30' PER BCZR SECTION 238.2
VARIANCE FOR 10' REAR YARD IN LIEU OF THE REQUIRED 30' PER BCZR SECTION 238.2
VARIANCE FOR 12 PARKING SPACES IN LIEU OF THE REQUIRED 17 SPACES PER BCZR SECTION 409.6.A.2
- STORAGE OF DAMAGED OR DISABLED MOTOR VEHICLES TO BE PROVIDED INDOORS.
- THIS SITE IS SERVED BY PUBLIC WATER.
- EXISTING SEPTIC SYSTEM TO BE REMOVED BY LICENSED ENVIRONMENTAL SANITARIAN. PUBLIC SEWER TO BE PROVIDED.
- SITE IS LOCATED WITHIN THE OVERLEA COMMERCIAL REVITALIZATION DISTRICT.
- SITE IS NOT LOCATED WITHIN A DESIGN REVIEW PANEL AREA.
- SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE IS A 100 HUNDRED YEAR FLOODPLAIN LOCATED ON SITE. FLOODPLAIN BOUNDARY IS FROM ROUTE 43 FEMA FLOODWAY IMPACT STUDY DATED APRIL 1990, PREPARED BY SHELADIA ASSOCIATES, INC.
- THERE ARE NO HISTORIC BUILDINGS OR DISTRICTS ON THIS SITE.
- ALL SIGNS WILL COMPLY WITH SECTION 450 OF THE BALTIMORE COUNTY ZONING REGULATIONS.
- THERE ARE NO PREVIOUS COMMERCIAL PERMITS ON FILE FOR THIS PROPERTY.
- ENVIRONMENTAL AND PROTECTION SUSTAINABILITY ADMINISTRATIVE VARIANCE TO BE REQUESTED FOR 1' SETBACK IN LIEU OF REQUIRED 25' SETBACK FROM FOREST BUFFER EASEMENT.
- SITE IS LESS THAN 40,000 SQ. FT. AND EXEMPT FROM FOREST CONSERVATION REQUIREMENTS.
- ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
- INFORMATION SHOWN HEREON IS TAKEN FROM DEEDS, BALTIMORE COUNTY GIS DATA, PUBLIC RECORDS, AND A FIELD SURVEY CONDUCTED BY COLBERT MATZ ROSENFELT, INC. DATED JANUARY 23, 2014.

ZONING CASE #2014-0256 SPHA

PLAN TO ACCOMPANY PETITION FOR
SPECIAL HEARING AND VARIANCE
8234 BELAIR ROAD
14TH ELECTION DISTRICT 6TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND 21236
GRAPHIC SCALE

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

Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
 License No. 13203 Expiration Date: 11/02/14
 SCALE: 1"=20'
 DATE: 07/16/2014
 JOB NO.: 2007-211.1
 DESIGNED: CMR
 DRAWN: LBF/KP/ACR/MRV/MS
 CHECKED: JMF/CMR
 FILE: 2007211_1 SITE PLAN.dwg
 DRAWING NUMBER:
ZON-1
 NO. DATE REVISIONS: BY SHEET 1 OF 1

Key

	PROPERTY LINE
	ZONING LINE
	EXISTING CONTOUR
	EXISTING WOODS LINE
	EXISTING EDGE OF PAVING
	SHA RIGHT OF WAY
	PROPOSED PAVING

8228 BELAIR ROAD
CHARLES F. SCHULTER
HELEN SCHULTER
TRUSTEES
MAILING ADDRESS:
1303 GILBAR DRIVE
KINGSVILLE, MD 21087
PARCEL 0467 TAX MAP B1
TAX # 1428059751
LIBER 18239 FOLIO 16

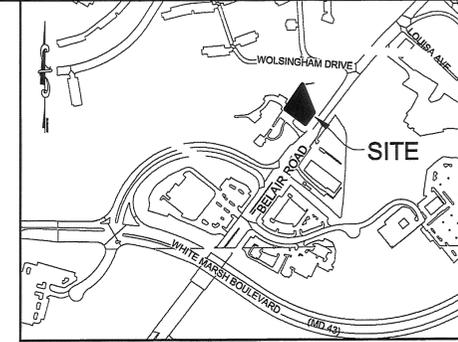
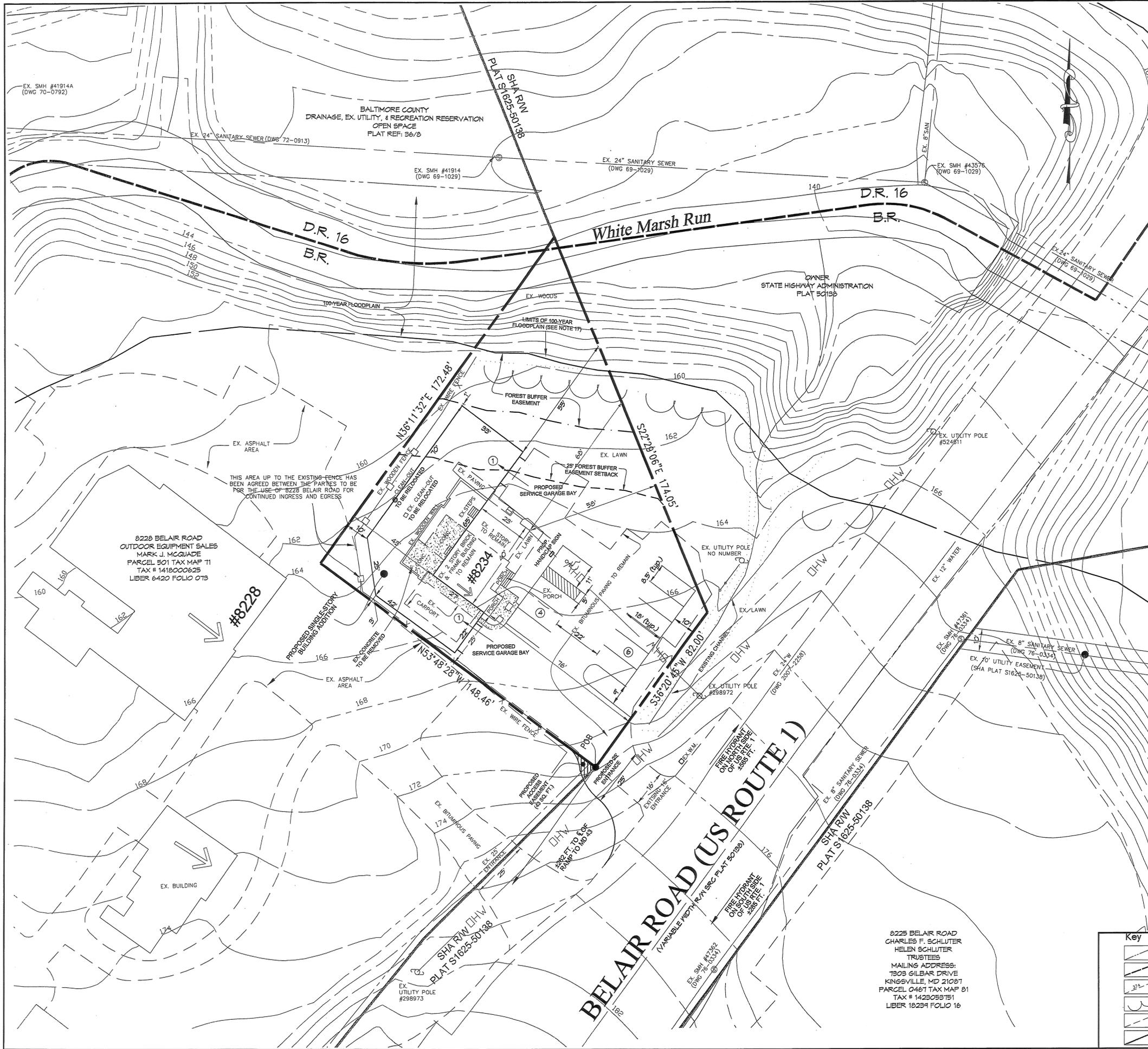


Google earth

feet
km



EXHIBIT
3A



GENERAL NOTES

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42348 SILVER SPRING ROAD
PERRY HALL, MD 21128
410-254-8900
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DEED REFERENCE: 22093/559
TAX MAP 71 PARCEL 1434
REGIONAL PLANNING DISTRICT: 316
TRANSPORTATION ANALYSIS ZONE: 759
LAND MANAGEMENT AREA: COMMUNITY CONSERVATION AREA
GROWTH TIER: 1
WATERSHED: BIRD RIVER
CENSUS TRACT: 440300
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PROPOSED PARKING: 12 SPACES (INCLUDES 2 SERVICE GARAGE BAYS AND 1 HANDICAP VAN ACCESSIBLE SPACE)
- ALL PARKING TO BE DURABLE, DUST-FREE AND PERMANENTLY STRIPED.
- SETBACKS:

	REQUIRED	EXISTING	PROPOSED
FRONT	25'	75±'	75±'
SIDE	30'	25±'	3±'
REAR	30'	43±'	10±'
- ZONING REQUESTS:
VARIANCE FOR 3' SIDE YARD IN LIEU OF THE REQUIRED 30' PER BCZR SECTION 238.2
VARIANCE FOR 10' REAR YARD IN LIEU OF THE REQUIRED 30' PER BCZR SECTION 238.2
VARIANCE FOR 12 PARKING SPACES IN LIEU OF THE REQUIRED 17 SPACES PER BCZR SECTION 408.6.A.2
2000 sq ft less than to comply with the necessary off-street special exception in Case 05-380-X
- STORAGE OF DAMAGED OR DISABLED MOTOR VEHICLES TO BE PROVIDED INDOORS.
- THIS SITE IS SERVED BY PUBLIC WATER AND SEWER.
- SITE IS LOCATED WITHIN THE OVERLEA COMMERCIAL REVITALIZATION DISTRICT.
- SITE IS NOT LOCATED WITHIN A DESIGN REVIEW PANEL AREA.
- SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE IS A 100 HUNDRED YEAR FLOODPLAIN LOCATED ON SITE. FLOODPLAIN BOUNDARY IS FROM ROUTE 43 FEMA FLOODWAY IMPACT STUDY DATED APRIL 1990, PREPARED BY SHELADIA ASSOCIATES, INC.
- THERE ARE NO HISTORIC BUILDINGS OR DISTRICTS ON THIS SITE.
- NO SIGNS ARE PROPOSED FOR THIS DEVELOPMENT.
- THERE ARE NO PREVIOUS COMMERCIAL PERMITS ON FILE FOR THIS PROPERTY.
- ENVIRONMENTAL AND PROTECTION SUSTAINABILITY ADMINISTRATIVE VARIANCE TO BE REQUESTED FOR 1' SETBACK IN LIEU OF REQUIRED 25' SETBACK FROM FOREST BUFFER EASEMENT.
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- INFORMATION SHOWN HEREON IS TAKEN FROM DEEDS, BALTIMORE COUNTY GIS DATA, PUBLIC RECORDS, AND A FIELD SURVEY CONDUCTED BY COLBERT MATZ ROSENFELT, INC. DATED FEBRUARY 6, 2008.

PLAN TO ACCOMPANY
PETITION FOR ZONING HEARING
8234 BELAIR ROAD
14TH ELECTION DISTRICT 6TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND 21236
GRAPHIC SCALE

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

Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No. 13203 Expiration Date: 11/02/14

NO.	DATE	REVISIONS:	BY	SHEET 1 OF 1

Key

	PROPERTY LINE
	ZONING LINE
	EXISTING CONTOUR
	EXISTING WOODS LINE
	EXISTING EDGE OF PAVING
	SHA RIGHT OF WAY

8225 BELAIR ROAD
CHARLES F. SCHLUTER
HELEN SCHLUTER
TRUSTEES
MAILING ADDRESS:
1803 GILBAR DRIVE
KINGSVILLE, MD 21087
PARCEL 0467 TAX MAP 61
TAX # 1423053751
LIBER 18234 FOLIO 16