

**IN RE: PETITIONS FOR SPECIAL
EXCEPTION AND VARIANCE
(1765 and 1777 E. Joppa Road)
9th Election District
5th Councilmanic District
1765 Joppa LLC, *Legal Owner*
Petitioner**

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **Case No. 2015-0053-XA**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as Petitions for Special Exception and Variance filed for property located at 1765 and 1777 E. Joppa Road. The Petitions were filed on behalf of 1765 Joppa LLC, the legal owner of the subject property. The Special Exception Petition seeks relief per Baltimore County Zoning Regulations (B.C.Z.R.) §236.2 for a used motor vehicle outdoor sales area separated from sales agency building. The Petition for Variance seeks relief under B.C.Z.R. §450 for certain signage in connection with the proposed used car dealership. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing in support of the Petitions were Andrew Parnick, a representative of Hertz, and professional engineer Rick Richardson, whose firm prepared the plan. David H. Karceski, Esq. and Justin Williams, Esq. represented the Petitioner. There were no Protestants or interested citizens in attendance and the file does not contain any letters of protest or opposition. The Petition was advertised and posted as required by the B.C.Z.R. Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Substantive ZAC comments were received from the Department of Planning (DOP) and Bureau of Development Plans Review (DPR). These comments will be discussed in greater detail below.

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Date 10/30/14
By Δx n

The subject property is approximately 3.14 acres and is zoned BR. The site was formerly occupied by the Schaefer & Strohming Dodge dealership, but is now a BMW and Mini collision repair facility. The Petitioner would like to lease space on its site to Hertz, for a rental car and used vehicle sales operation. While Hertz operates similar businesses throughout the country, Mr. Parnick indicated this was the first such operation in Maryland. To accommodate the Hertz sales and rental facility, the Petitioner would place on the site a modular building, similar to the ones it uses at other locations throughout the country, as shown in the photographs admitted as Petitioner's Ex. 8. Mr. Richardson explained that the building is prefabricated and is brought to the site and bolted onto a concrete slab; i.e., the building does not have a traditional "foundation" and is in that sense temporary. Counsel noted that while Petitioner hopes Hertz will thrive at this location, the modular unit could be unbolted from the slab and removed from the site on the same day.

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. Schultz v. Pritts, 291 Md. 1 (1981). The Schultz standard was revisited in People's Counsel v. Loyola College, 406 Md. 54 (2008), where the court emphasized that a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use. No such evidence was presented in this case. Mr. Richardson testified via proffer that the Petitioner satisfied the B.C.Z.R. §502.1 criteria, and I concur.

VARIANCE

To obtain variance relief requires a showing that:

ORDER RECEIVED FOR FILING

Date

10/30/14

By

Sen

- (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. This commercial property is fairly large and irregular shaped. As such, it is unique. If the B.C.Z.R. were strictly interpreted Petitioner would suffer a practical difficulty, in that it would be unable to provide signage for the new Hertz 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.

ZAC COMMENTS

The DOP did not oppose the requests, but recommended that landscaping be provided along both Joppa and Oakleigh Roads. The Petitioner submitted a conceptual landscape plan (Ex. No. 6) identifying plantings along those frontages, and the Order which follows will be conditioned upon approval of a plan by the County's landscape architect.

Counsel also indicated that through discussions with the DOP and the Office of People's Counsel, Petitioner has agreed to limit to 20 feet (this is the height of the existing BMW Collision Center sign) the height of the proposed freestanding Hertz sign. The site plan was amended to reflect this change (i.e., a maximum height of 20 feet instead of 23 feet as proposed), and a similar condition will be included in the Order below.

The DPR also submitted a ZAC comment, and requested that landscaping be provided for the proposed modular Hertz sales/rental building and the parking associated therewith. This seems like a reasonable requirement which will not only improve the aesthetics of the site, but will also provide boundaries or a transition of sorts for the different uses on this large site.

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Date 10/30/14

By SEN

The DPR also indicated that improvements must be made to the Oakleigh Road frontage. While that may be the case, I do not believe that imposing a condition to that effect would be equitable or consistent with case law on the issue. The Petitioner indicated the modular building for the Hertz facility would cost approximately \$100,000, while Mr. Richardson opined that curb, gutter and roadway improvements on Oakleigh Road could cost \$60,000-\$70,000. If such improvements were required, Mr. Pernick indicated Hertz would probably not continue with its plans for this site.

While the law does allow a local government to demand certain improvements in connection with a development project, there must exist a "nexus" and "rough proportionality" between the extent and cost of the improvements and the proposed impact of the project upon the locality's infrastructure. *Koontz v. St. Johns River Water Mngmt. Dist.*, 133 S. Ct. 2586 (2013). Requiring \$60,000 in public improvements in exchange for the approval of signage and a modular building for a used car sales and rental operation is excessive, and would lack "rough proportionality."

In fact, it is arguable that this case does not involve a "development" project of the sort which would allow a local government to demand public improvements. Even though the subject property is within the Loch Raven-Baynesville design review area, the DOP determined that the limited and temporary nature of the improvements did not require review by the Design Review Panel. Likewise, counsel indicated that DRC approval would not be required in this instance.

Mr. Richardson noted that the prior owner of this site proposed in 2007 to construct an 18,525 sq. ft. service and body shop facility alongside the Dodge new car dealership. PDM# 09-804; plan marked as Ex. 7. While those plans never came to fruition, Mr. Richardson stated the owner would have been required to construct curb, gutter and roadway improvements, as shown

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By Sen

on that site plan. Id. In that setting, involving the construction of a large commercial building with the potential for a substantial increase in traffic associated with the new business, I believe there would be a "rough proportionality" between the improvements demanded and the anticipated impact upon municipal services. In this case, I believe the impact from the Hertz operation (conducted from a 2,500 sq. ft. modular building) would be much smaller. As such, I will not require improvements to the Oakleigh Road frontage, but will require the Petitioner to dedicate to Baltimore County (at no cost) the necessary right-of-way along Oakleigh Road, to accommodate future roadway widening and/or improvements.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 30th day of October, 2014, that the Petition for Special Exception under B.C.Z.R. §236.2 for a used motor vehicle outdoor sales area separated from sales agency building, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variance from B.C.Z.R. §450.4 as follows: (1) to allow a freestanding enterprise sign for a used vehicle dealership with a sign area/face of 61 sq. ft. in lieu of the permitted 50 sq. ft. and to allow a second freestanding sign on the Joppa Road frontage for the dealership; and (2) to allow a total of three wall-mounted enterprise signs¹ on one façade of a single tenant building in lieu of the permitted three signs with no more than two on a single façade, be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon the following:

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

ORDER RECEIVED FOR FILING

Date

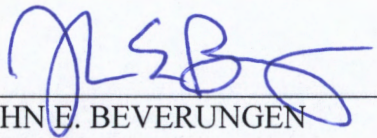
10/30/14

By

SRN

2. Prior to issuance of permits, Petitioner must submit for approval by the County's landscape architect a plan depicting appropriate landscaping for the proposed modular building and parking associated therewith as well as along Joppa and Oakleigh Roads.
3. The Hertz freestanding sign shall be a maximum of 20 feet in height.
4. Petitioner must dedicate to Baltimore County, at no cost and in a form deemed acceptable by the Office of Real Estate Compliance, the necessary right-of-way along Oakleigh Road to accommodate future roadway widening and/or improvements.

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

10/30/14

By

sln



KEVIN KAMENETZ
County Executive

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

October 30, 2014

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

RE: Petitions for Special Exception and Variance
Property: 1765 and 1777 E. Joppa Road
Case No.: 2015-0053-XA

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 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 dark ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
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 1765 and 1777 E. Joppa Road

which is presently zoned BR

Deed References: 29508-77

10 Digit Tax Account # 0910451380; 0923157130

Property Owner(s) Printed Name(s) 1765 Joppa LLC

(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
SEE ATTACHED SHEET NO. 1

3. ☒ a Variance from Section(s)

SEE ATTACHED SHEET NO. 2

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

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

David H. Karciski, Esquire

Name- Type or Print

Signature Venable LLP

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

Mailing Address

City

State

21204

410-494-6285

dhkarciski@venable.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

1765 Joppa LLC

Lou Cohen, Member

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

700 Kenilworth Drive,

Towson,

MD

Mailing Address

City

State

21204-2427

Zip Code

Telephone #

Email Address

Representative to be contacted:

David H. Karciski, Esquire

Name - Type or Print

Signature Venable LLP

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

Mailing Address

City

State

21204

410-494-6285

dhkarciski@venable.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2015-0053-XA Filing Date 9/15/2014

Do Not Schedule Dates:

Reviewer

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date

By

10/30/14

Sen

**ATTACHMENT 1
TO PETITION FOR ZONING HEARING**

1765 and 1777 E. JOPPA ROAD

Special exception for a used motor vehicle outdoor sales area separated from sales agency building, pursuant to Section 236.2 of the Baltimore County Zoning Regulations.

**ATTACHMENT 2
TO PETITION FOR ZONING HEARING**

1765 and 1777 E. JOPPA ROAD

1. Variance from Section 450.4 Attachment 1.5(b) and (g) to allow a freestanding enterprise sign for a used vehicle dealership with a sign area/face of 61 square feet in lieu of the permitted 50 square feet and to allow a second freestanding sign on the Joppa Road frontage for the dealership.
2. Variance from Section 450.4 Attachment 1.5(a) to allow a total of three wall-mounted enterprise signs on one facade of a single tenant building in lieu of permitted three signs with no more than two on a single façade.

**ZONING DESCRIPTION FOR
1765-1777 EAST JOPPA ROAD
9th ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the south side right-of-way of East Joppa Road (70 feet in width) where it intersects the west side right-of-way line of Eddington Road (40 feet in width). Thence by the following courses and distances; (1) by a curve to the right having a radius of 34.00 feet, an arc length of 43.88 feet, and a chord bearing and distance of South 40 degrees 20 minutes 36 seconds East 40.90 feet to a point on the west side right-of-way of Oakleigh Road (variable width), thence binding on the west side right-of-way of Oakleigh Road; (2) South 21 degrees 37 minutes 58 seconds West 96.92 feet, thence perpendicular from the last mentioned line to a point in the center of Oakleigh Road; (3) South 68 degrees 22 minutes 50 seconds East 30.00 feet, thence binding on the centerline of Oakleigh Road; (4) South 21 degrees 37 minutes 38 seconds West 234.48 feet, thence leaving the centerline of Oakleigh Road the following courses and distances; (5) South 86 degrees 26 minutes 03 seconds West 292.96 feet, (6) North 10 degrees 21 minutes 00 seconds West 277.99 feet to a point located on the south side right-of-way line of East Joppa Road, thence binding on the south side right-of-way of East Joppa Road the following courses and distances; (7) by a curve to the left having a radius of 5764.58 feet, an arc length of 323.71 feet, and a chord bearing and distance of North 77 degrees 35 minutes 59 seconds East 323.67 feet, (8) North 14 degrees 14 minutes 02 seconds West 1.44 feet, (9) North 75 degrees 45 minutes 58 seconds East 88.27 feet, (10) North 74 degrees 31 minutes 58 seconds East 9.13 feet to the point of beginning;

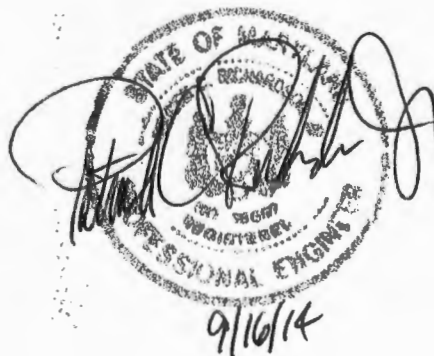
Containing an area of 115,793 square feet, or 2.658 acres of land, more or less.



**DESCRIPTION FOR
SPECIAL EXCEPTION AREA
1777 EAST JOPPA ROAD
9th ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the south side right-of-way of East Joppa Road (70 feet in width) where it intersects the west side right-of-way line of Eddington Road (40 feet in width). Thence by the following courses and distances; (1) by a curve to the right having a radius of 34.00 feet, an arc length of 43.88 feet, and a chord bearing and distance of South 40 degrees 20 minutes 36 seconds East 40.90 feet to a point on the west side right-of-way of Oakleigh Road (variable width), thence binding on the west side right-of-way of Oakleigh Road; (2) South 21 degrees 37 minutes 58 seconds West 96.92 feet, thence perpendicular from the last mentioned line to a point in the center of Oakleigh Road; (3) South 68 degrees 22 minutes 50 seconds East 30.00 feet, thence binding on the centerline of Oakleigh Road; (4) South 21 degrees 37 minutes 38 seconds West 123.50 feet, thence leaving the centerline of Oakleigh Road the following courses and distances; (5) North 68 degrees 22 minutes 22 seconds West 70.92 feet, (6) South 79 degrees 49 minutes 34 seconds West 62.08 feet, (7) North 10 degrees 10 minutes 26 seconds West 141.24 feet, (8) South 79 degrees 49 minutes 34 seconds West 28.00 feet, (9) North 10 degrees 10 minutes 26 seconds West 44.40 feet to a point located on the south side right-of-way line of East Joppa Road, thence binding on the south side right-of-way of East Joppa Road the following courses and distances; (10) by a curve to the left having a radius of 5764.58 feet, an arc length of 123.62 feet, and a chord bearing and distance of North 76 degrees 36 minutes 19 seconds East 123.62 feet, (11) North 14 degrees 14 minutes 02 seconds West 1.44 feet, (12) North 75 degrees 45 minutes 58 seconds East 88.27 feet, (13) North 74 degrees 31 minutes 58 seconds East 9.13 feet to the point of beginning.

Containing a lease area of 38,188.5 square feet, or 0.877 acres of land, more or less.



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

No. **116255**
 Date: **9/15/14**

PAID RECEIPT

BUSINESS ACTUAL TIME
 9/15/2014 9/15/2014 14:40:57
 VER WSDI WALKIN LANS LJR
 RECEIPT # 337062 9/15/2014 OFDA
 REC 5 SCS JUDING VERIFICATION
 CR NO. 116255
 Recpt Tot \$1,000.00
 \$1,000.00 CK \$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				1000.00

Total: **1000.00**

Rec From: **1765 E. Joppa Road**
11

For: **2015-0053-XA**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

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: 2015-0053-XA

Petitioner: 1765 Joppa LLC

Address or Location: 1765 + 1777 East Joppa Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: ~~Barbara Lukaszewicz~~ Barbara Lukaszewicz

Address: 210 W. Pennsylvania Ave., Ste. 500
Towson, MD 21204

Telephone Number: (410) 494-6200



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

October 9, 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 October 7, 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: #2015-0053-XA

1765 & 1777 E. Joppa Road

S/side of E. Joppa Road, 85 ft +/- w/of centerline of Eddington Road

9th Election District - 5th Councilmanic District

Legal Owner(s): 1765 Joppa, LLC

Special Exception: for a used motor vehicle outdoor sales area separated from sales agency building. **Variance:** to allow a freestanding enterprise sign for a used vehicle dealership with a sign area/face of 61 sq. ft. in lieu of the permitted 50 sq. ft. and to allow a second freestanding sign on the Joppa Road frontage for the dealership; and to allow a total of three wall-mounted enterprise signs on one facade of a single tenant building in lieu of the permitted three signs with no more than two on a single facade.

Hearing: Monday, October 27, 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 10/600 October 7

996512

CERTIFICATE OF POSTING

2015-0053-XA

RE: Case No.: _____

Petitioner/Developer: _____

1765 Joppa, LLC

October 27, 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: _____

1765 & 1777 E Joppa Rd

October 7, 2014

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,

October 7, 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)



TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 7, 2014 Issue - Jeffersonian

Please forward billing to:

Barbara Lukasevich
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6200

NOTICE OF ZONING HEARING

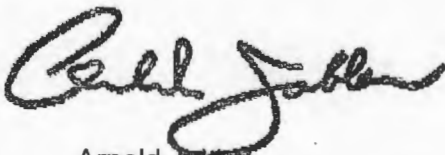
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2015-0053-XA

1765 & 1777 E. Joppa Road
S/side of E. Joppa Road, 85 ft. +/- w/of centerline of Eddington Road
9th Election District – 5th Councilmanic District
Legal Owners: 1765 Joppa, LLC

Special Exception for a used motor vehicle outdoor sales area separated from sales agency building. **Variance** to allow a freestanding enterprise sign for a used vehicle dealership with a sign area/face of 61 sq. ft. in lieu of the permitted 50 sq. ft. and to allow a second freestanding sign on the Joppa Road frontage for the dealership; and to allow a total of three wall-mounted enterprise signs on one façade of a single tenant building in lieu of the permitted three signs with no more than two on a single façade.

Hearing: Monday, October 27, 2014 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

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



KEVIN KAMENETZ
County Executive

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

September 23, 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: 2015-0053-XA

1765 & 1777 E. Joppa Road

S/side of E. Joppa Road, 85 ft. +/- w/of centerline of Eddington Road

9th Election District – 5th Councilmanic District

Legal Owners: 1765 Joppa, LLC

Special Exception for a used motor vehicle outdoor sales area separated from sales agency building. **Variance** to allow a freestanding enterprise sign for a used vehicle dealership with a sign area/face of 61 sq. ft. in lieu of the permitted 50 sq. ft. and to allow a second freestanding sign on the Joppa Road frontage for the dealership; and to allow a total of three wall-mounted enterprise signs on one façade of a single tenant building in lieu of the permitted three signs with no more than two on a single façade.

Hearing: Monday, October 27, 2014 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Lou Cohen, 700 Kenilworth Drive, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 7, 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.



KEVIN KAMENETZ
County Executive

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

October 23, 2014

1765 Joppa LLC
Lou Cohen, Member
700 Kenilworth Drive
Towson MD 21204-2427

RE: Case Number: 2015-0053 XA, Address: 1765 & 1777 E Joppa Road

Dear Mr. Cohen:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 15, 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: jaw

Enclosures

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

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



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

Date: 9/22/14

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

RE: Baltimore County
Item No 2015-0053-XA
Special Exception Variance
1765 Joppa LLC, Lou Cohen,
member
1765 & 1771 Joppa Road East

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2015-0053-XA.

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

Sincerely,

Steven D. Foster, Chief
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

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 21, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 1765 & 1777 East Joppa Road

OCT 23 2014

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 15-053

Petitioner: 1765 Joppa LLC, Lou Cohen

Zoning: BR

Requested Action: Special Hearing, Variance

SUMMARY OF RECOMMENDATIONS:

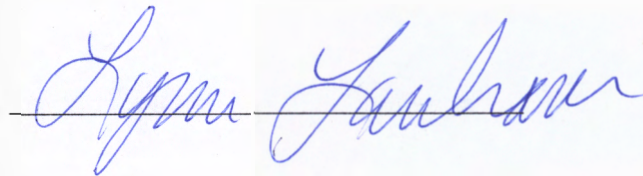
The Department of Planning has reviewed the subject request for special exception for a used motor vehicle outdoor sales area separated from a sales agency building pursuant to Baltimore County Zoning Regulations Section 236.2 as well as variances regarding freestanding and wall mounted signage on the property.

The site is within the Loch Raven - Baynesville Design Review Panel area as well and the Loch Raven Commercial Revitalization District. The proposed trailer for outdoor vehicle sales will be a temporary structure without a foundation. Design Review Panel approval is not required for the project due to its temporary status.

Since the site has a prominent location along Joppa Road, the Department recommends landscaping along the Joppa Road and Oakleigh Road frontages. A preliminary landscape plan was submitted to the Department of Planning on October 21, 2014. The applicant's attorney will submit this plan to the County's landscape architect for final review and approval. The Department of Planning has no objection to the request pending submittal of a final landscape plan.

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

Division Chief:
AVA/LL



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 September 29, 2014
Item No. 2015-0053

DATE: September 26, 2014

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

A landscape plan is required for the proposed trailer and parking associated with it prior to release of building permit.

There are also improvements to the Oakleigh Road frontage required. The improvements must be secured prior to release of the building permit.

* * * * *

DAK:CEN
cc:file

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE OFFICE
AND VARIANCE		
1765 & 1777 Joppa Road E; S/S E Joppa Road,*		OF ADMINISTRATIVE
85' W of c/line Eddington Road		
9 th Election & 5 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): 1765 Joppa LLC, by Lou Cohen		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2015-053-XA

* * * * *

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
SEP 26 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 26th day of September, 2014, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

MEMORANDUM

DATE: December 2, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0053-XA – Appeal Period Expired

The appeal period for the above-referenced case expired on December 1, 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

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 09 Account Number - 0910451380							
Owner Information									
Owner Name:		1765 JOPPA LLC			Use:		COMMERCIAL		
Mailing Address:		700 KENILWORTH DR TOWSON MD 21204-2427			Principal Residence:		NO		
					Deed Reference:		/29508/ 00077		
Location & Structure Information									
Premises Address:		1765 E JOPPA RD 0-0000			Legal Description:		2.392 AC 1765 E JOPPA RD SS 125FT W OF OAKLEIGH RD		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0012	0142		0000				2014	Plat Ref:
Special Tax Areas:					Town:		NONE		
					Ad Valorem:				
					Tax Class:				
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use	
1956		18900				104,195 SF		06	
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation		
		AUTO SHOWROOM							
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2014		07/01/2014		07/01/2015	
Land:		1,100,000		1,195,000					
Improvements		590,400		573,500					
Total:		1,690,400		1,768,500		1,716,433		1,742,467	
Preferential Land:		0						0	
Transfer Information									
Seller: S & S AUTO PROPERTIES LLC				Date: 05/26/2010		Price: \$1,400,000			
Type: ARMS LENGTH MULTIPLE				Deed1: /29508/ 00077		Deed2:			
Seller: S & S AUTO PROPERTIES LLP				Date: 06/22/2000		Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /14544/ 00175		Deed2: .			
Seller: S & S ENTERPRISES				Date: 10/18/1996		Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /11855/ 00716		Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2014		07/01/2015			
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									

CASE NAME BMW COLLISION CENTER
CASE NUMBER 2015-53-XA
DATE 10/27/14

[illegible]

Case No.:

2015-0053-XA

Exhibit Sheet

Petitioner/Developer

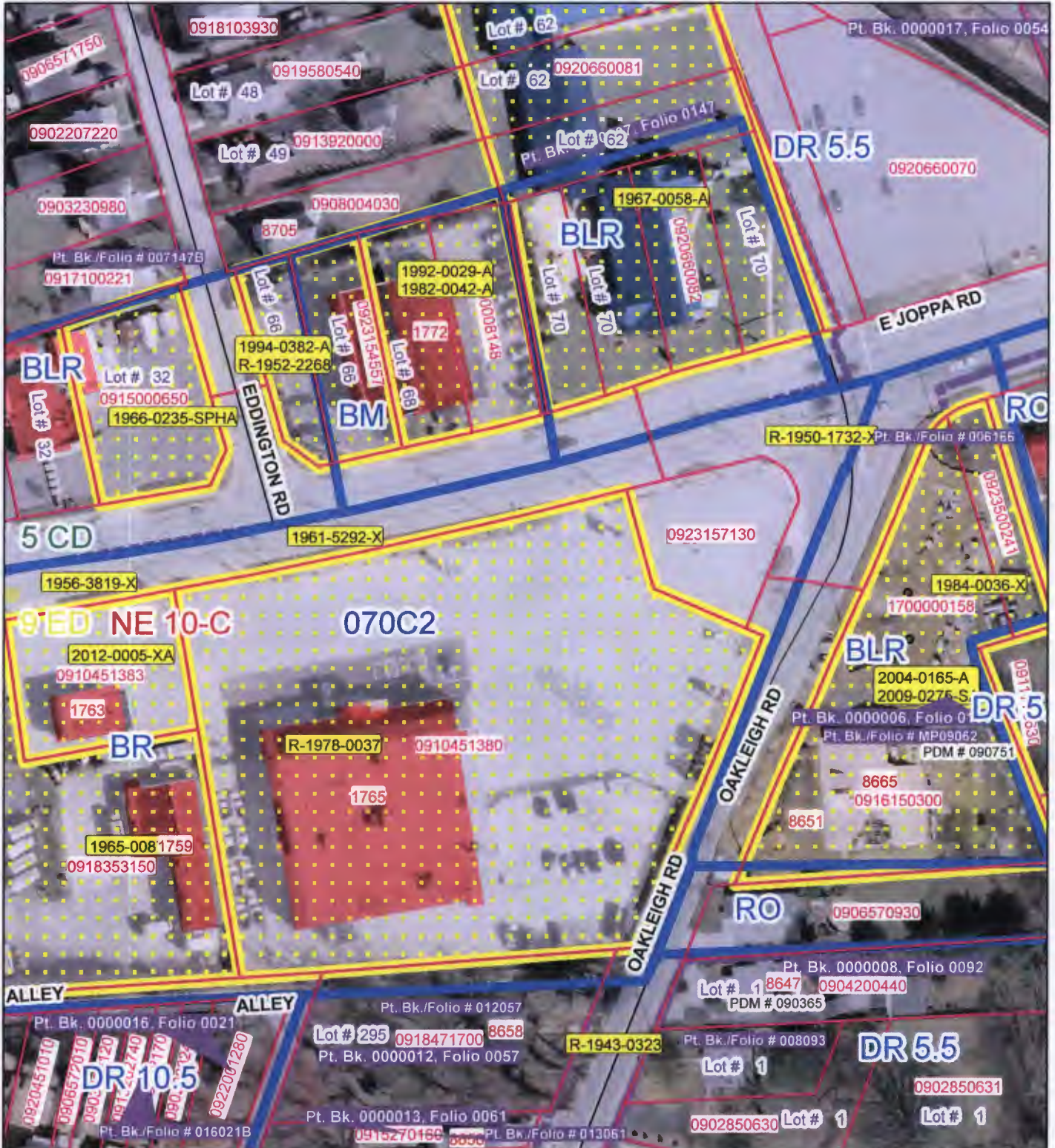
DW
12-2-14

Respondent

SLW
10-30-14

No. 1	Site plan	
No. 2	Richardson C.V.	
No. 3	My Neighborhood Aerial	
No. 4	Photos of site + vicinity	
No. 5	Hertz materials	
No. 6	Conceptual Landscape Plan	
No. 7	S+S Plan (not approved)	
No. 8	photo of Hertz modular bldg. in NC.	
No. 9		
No. 10		
No. 11		
No. 12		

2015-0053-XA



Publication Date: 9/15/2014



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



San Diego, California

PETITIONER'S EXHIBIT ____

HERTZ CERTIFIED

- Extensive Inventory - Thousands of Hertz Certified vehicles available
- Hassle Free-No Haggle-Pricing often thousands below KBB Value
- Flexible Financing - Plans available to fit almost any budget
- Peace of Mind - Vehicles backed with a Powertrain coverage warranty



The HERTZ CERTIFIED program is far more than a warranty, it's the confidence in knowing that you have selected the right pre-owned vehicle.

Take the guesswork out of buying a pre-owned vehicle... Drive away in a Hertz Car Sales Certified car today!

Visit HertzCarSales.com to select a vehicle or call 888-674-3309 to learn more.

Hertz
Car Sales®



Monroe, North Carolina

modular
double-wide trailer building

DEVELOPER'S

EXHIBIT NO.

8

Richardson Engineering, LLC

30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

tel. 410-560-1502
fax 410-560-0827

Patrick C. Richardson, Jr., PE
30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

EDUCATION

BSCE University of Delaware, 1982

Professional Engineer in Maryland 1988, Virginia 1993, Washington DC 1997, Delaware 1997

WORK EXPERIENCE

October 1999 to Present, Richardson Engineering, LLC

Owner of engineering firm specializing in Commercial and Residential Land Development. Work includes preparation of zoning plats, site development plans and project management for site development projects. Projects including: Giant Food Stores in Baltimore City and County, Krispy Kreme Stores in Maryland, Verizon switch station expansions in Maryland, Parkway 100 and Techwood Center in Anne Arundel County, and Columbia Technology Campus in Howard County.

July 1999 to September 1999, Purdum and Jeschke, LLC

Chief engineer responsible for preparation of layout and construction documents for commercial land developments. Work included preparation of zoning plats, site development plans and project management for sites in Maryland. Projects including: Loyola College play fields, Baltimore City, Md.; St Paul's Lutheran Church, Baltimore Co.; Red Star Yeast, Baltimore City; Giant Food Stores in Baltimore City.

February 1997 to June 1999, William Monk, Inc.

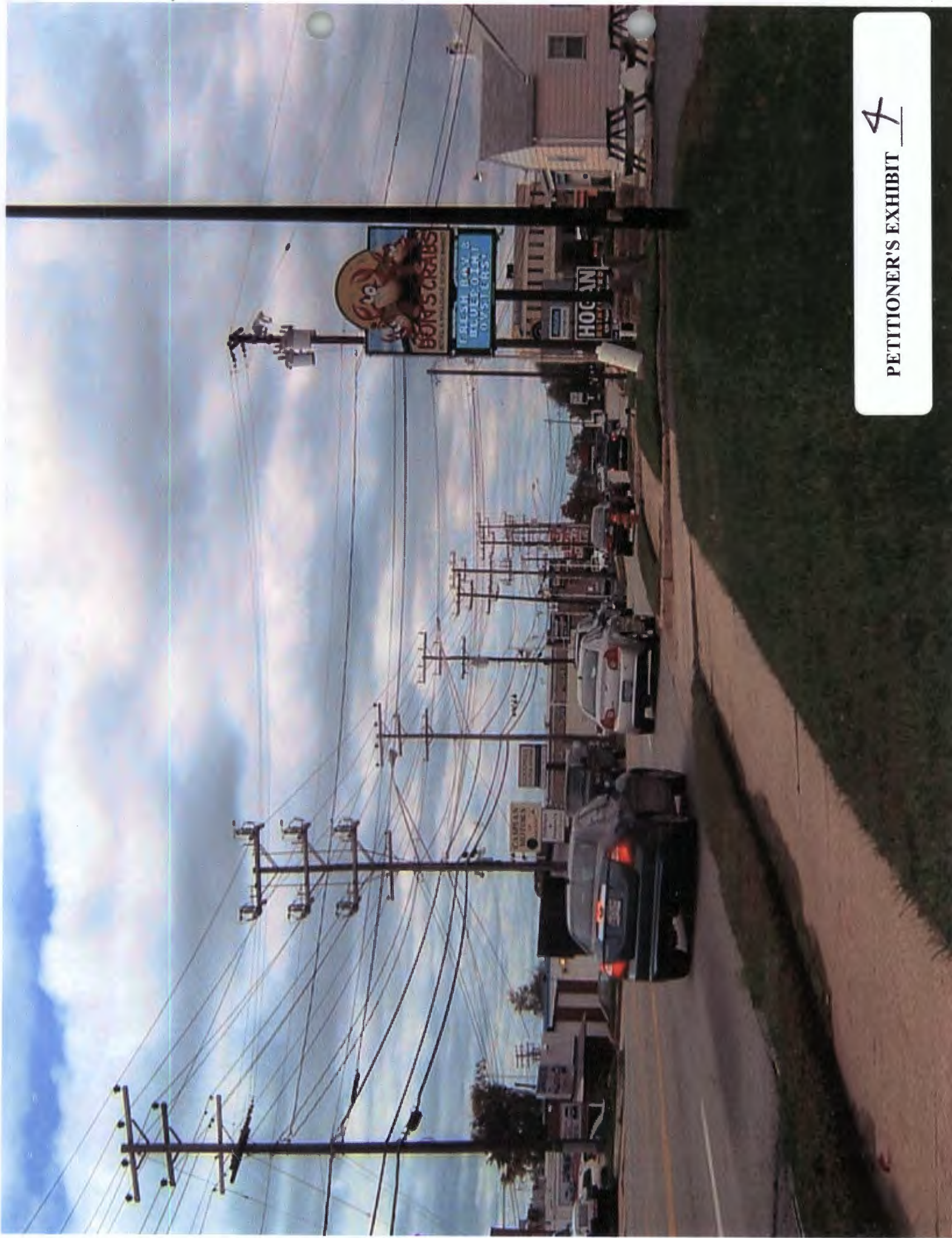
Chief engineer responsible for preparation of layout and construction documents for commercial land developments. Work included preparation of zoning plats, site development plans and project management for sites in Maryland and Washington DC.

Major projects including: Edmondson Square Shopping Center, Baltimore City, Md. Amoco Oil Company, sites in Baltimore, Anne Arundel, Prince George's, Howard and Baltimore City. Chick-fil-A Restaurant, Baltimore, Anne Arundel and Frederick Co., Md. International Trade Center Office Warehouse, Anne Arundel Co. Md. KFC Restaurants in Maryland and Washington DC.

April 1986 to Jan. 1997, STV Incorporated

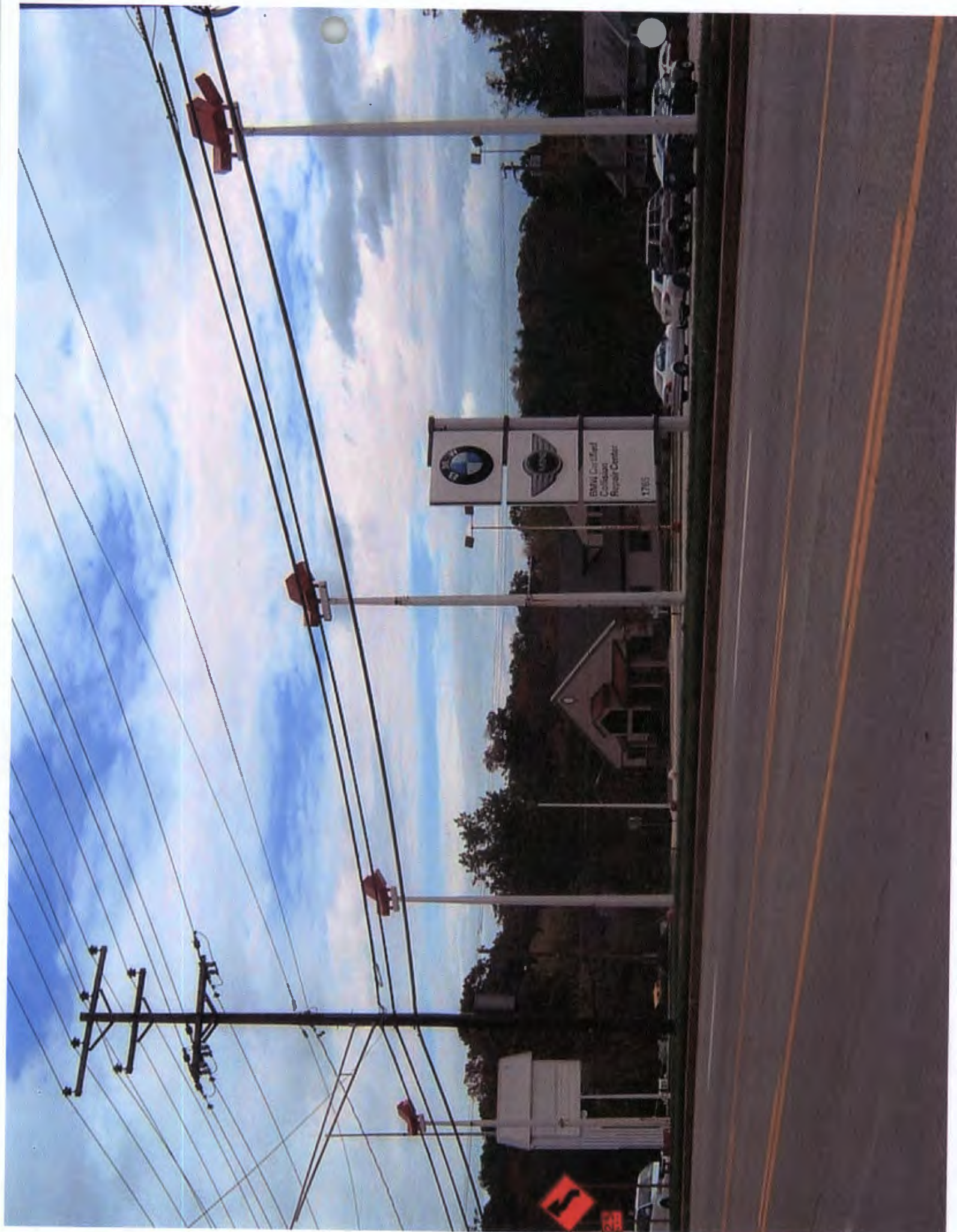
Project Manager in the Site Development Department. Responsible for supervision of the preparation of design documents for the department, including review and sealing all documents submitted to reviewing agencies.

Major projects including: The New International Terminal at BWI Airport: Responsible for management of the civil aspects of the site construction including airfield taxiway and hardstand construction, reconstruction of the existing roadways and extension of the upper level roadway bridge to service the building addition. FILA Warehouse - 650,000 SF warehouse in Brandon Woods Industrial Park, Anne Arundel County, Md. Work included coordination with ongoing infrastructure grading, utilities, construction and sediment control for the adjacent activities. FILA Warehouse - 500,000 SF warehouse in Holabird Industrial Park, Baltimore City, Md. Work included getting permission to construct across Municipal Utilities, and Chesapeake Bay Critical Area mitigation. Amoco Oil Company Convenience Mart on Route 140 and Sandymount Road, Carroll County, Md. Blockbuster Video - New store in







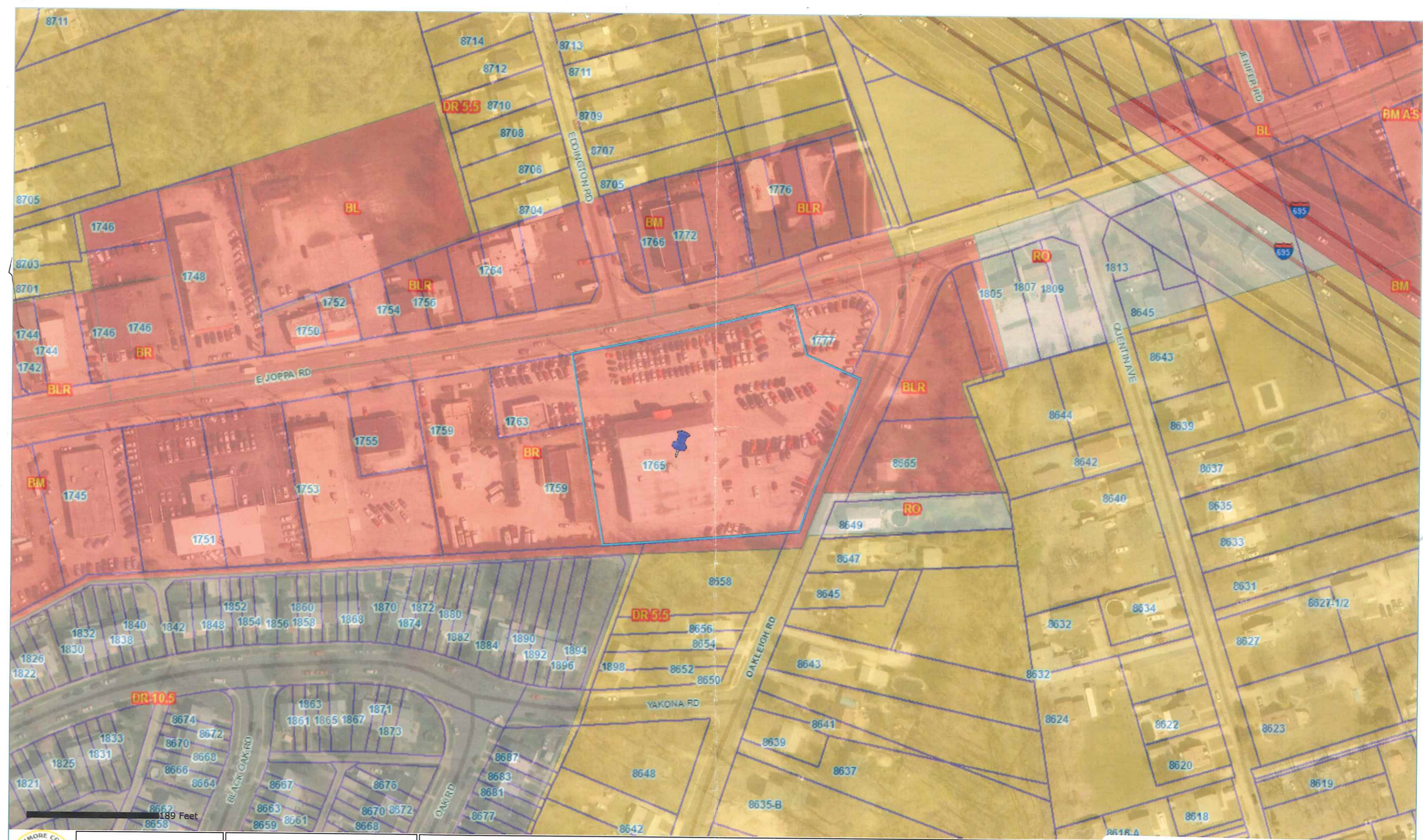












My Neighborhood Map

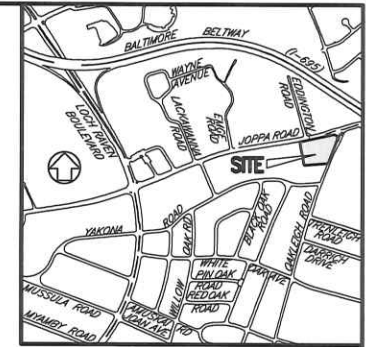
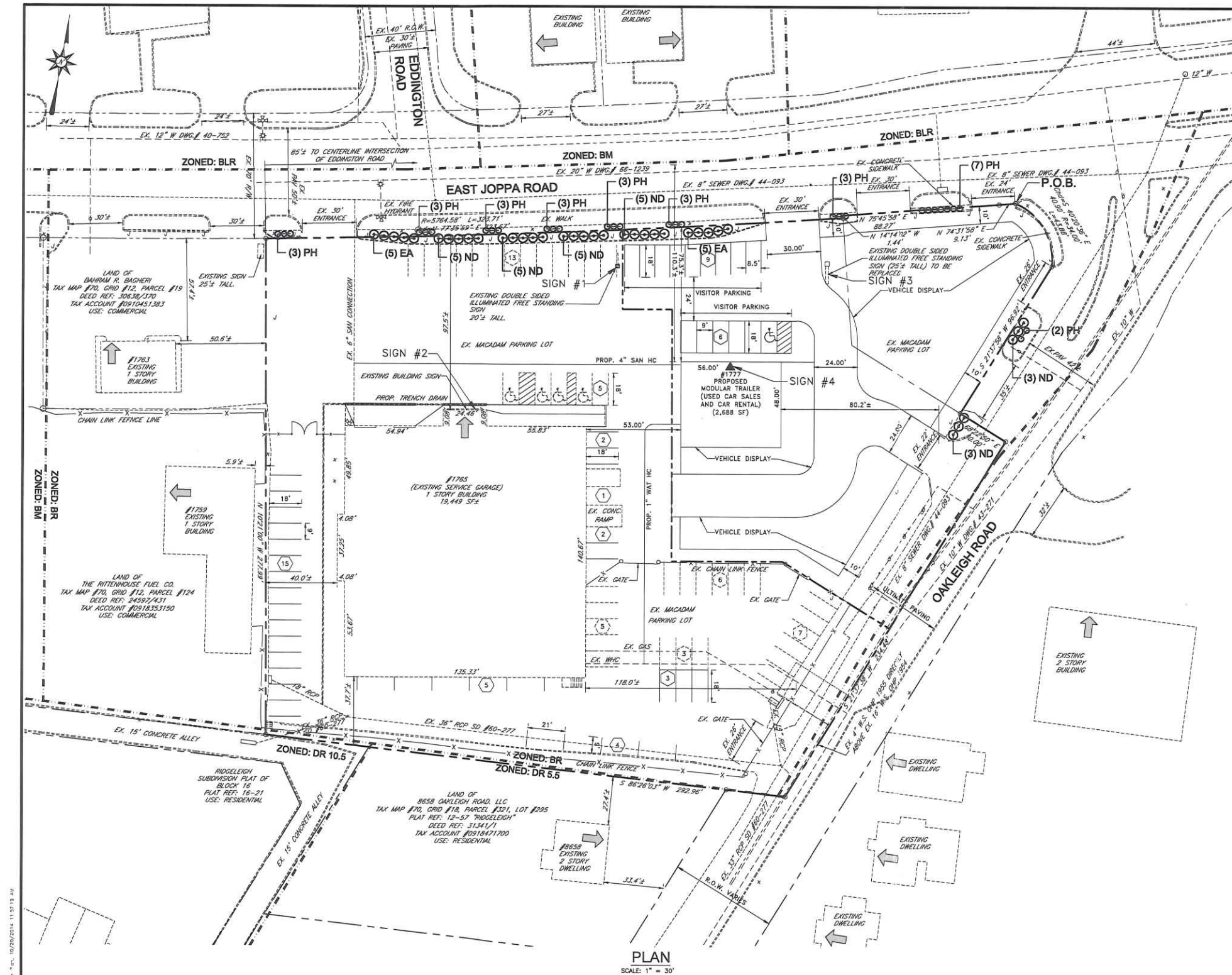
Created By
Baltimore County
My Neighborhood



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 this data, 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, attorney's fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

PETITIONER'S EXHIBIT 3

ited
parts



LOCATION MAP
SCALE: 1" = 1000'

LANDSCAPING

Symbol	Quantity	Botanical Name	Size	Comments
EA	10	Euonymus alatus "COMPACTUS"	Compact Burning Bush	3 Gal
ND	26	Nandina domestica	Heavenly Bamboo	3 Gal
PH	30	Pennisetum alopecuroides "HAMELN"	Dwarf Fountain Grass	2 Gal

GENERAL NOTES:

- OWNER/DEVELOPER: 1765 JOPPA ROAD LLC, 700 KENILWORTH DRIVE, TOWSON, MD 21204-2427
- EXISTING USE: SERVICE GARAGE
- PROPOSED USE: SERVICE GARAGE AND USED CAR SALES OFFICE
- SITE AREA: 115,793 SF OR 2.66 AC.± (NET)
- EXISTING BUILDING: 136,601 SF OR 3.14 AC.± (GROSS)
- PROPOSED BUILDING: 2,688 SF
- UTILITIES: PUBLIC
- WATER: PUBLIC
- SEWER: PUBLIC
- THERE ARE NO 100 YEAR FLOODPLAINS ON SITE
- SETBACKS FOR BR TYPE REQUIRED PROVIDED
- FRONT: 50' 110.3'±
- FROM CENTERLINE: 25' 75.3'±
- FROM PROPERTY: 30' 40.0'±
- SIDE: 30' 37.7'±
- REAR: 29508/77
- DEED REF: 0910451380 & 0923157130
- TAX ACCOUNT #: 5th
- COUNCILMANIC DISTRICT: BR (PER 200 SCALE GIS TILE # 07002)
- ZONING: BR (PER 200 SCALE GIS TILE # 07002)
- TAX MAP #70 PARCEL #139 & #142
- NO PREVIOUS PERMITS ON FILE
- ZONING CASE HISTORY:
 - CASE #R-1950-1732-X; SPECIAL PERMIT FOR GASOLINE SERVICE STATION AND ZONING RECLASSIFICATION FROM "A" RESIDENCE ZONE TO "E" COMMERCIAL ZONE. GRANTED 12-07-1950
 - CASE #1961-5292-X; SPECIAL EXCEPTION FOR ONE 12'x25' ADVERTISING STRUCTURE. GRANTED 06-16-1961
 - CASE #78-37-R; ZONING RE-CLASSIFICATION FROM DR 5.5 TO BR GRANTED 09-08-1977.
- WATERSHED: BACKRIVER
- FLOOR AREA RATIO CALCULATIONS:
 - EXISTING BUILDINGS (SERVICE GARAGE): 19,449 SF
 - PROPOSED USED CAR SALES OFFICE: 2,688 SF
 - TOTAL BUILDING AREA: 22,137 SF
- FLOOR AREA RATIO: 22,137/136,601 = 0.16
- MAXIMUM PERMITTED: 2.00
- PARKING CALCULATIONS:
 - REQUIRED: 19,449 SF ÷ 3.3 SPACES/1000 SF = 65 SPACES
 - SERVICE GARAGE: 2,688 SF ÷ 5.0 SPACES/1000 SF = 14 SPACES
 - USED CAR SALES: 2,688 SF ÷ 5.0 SPACES/1000 SF = 14 SPACES
 - TOTAL: 86 SPACES INCLUDING 5 HANDICAP SPACES
 - PROVIDED: 86 SPACES INCLUDING 5 HANDICAP SPACES
- THIS SITE DOES NOT LIE WITHIN THE CRITICAL AREA
- THIS SITE IS NOT HISTORIC

Richardson Engineering LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-960-1502 Fax: 443-901-1208

LANDSCAPE PLAN
FOR

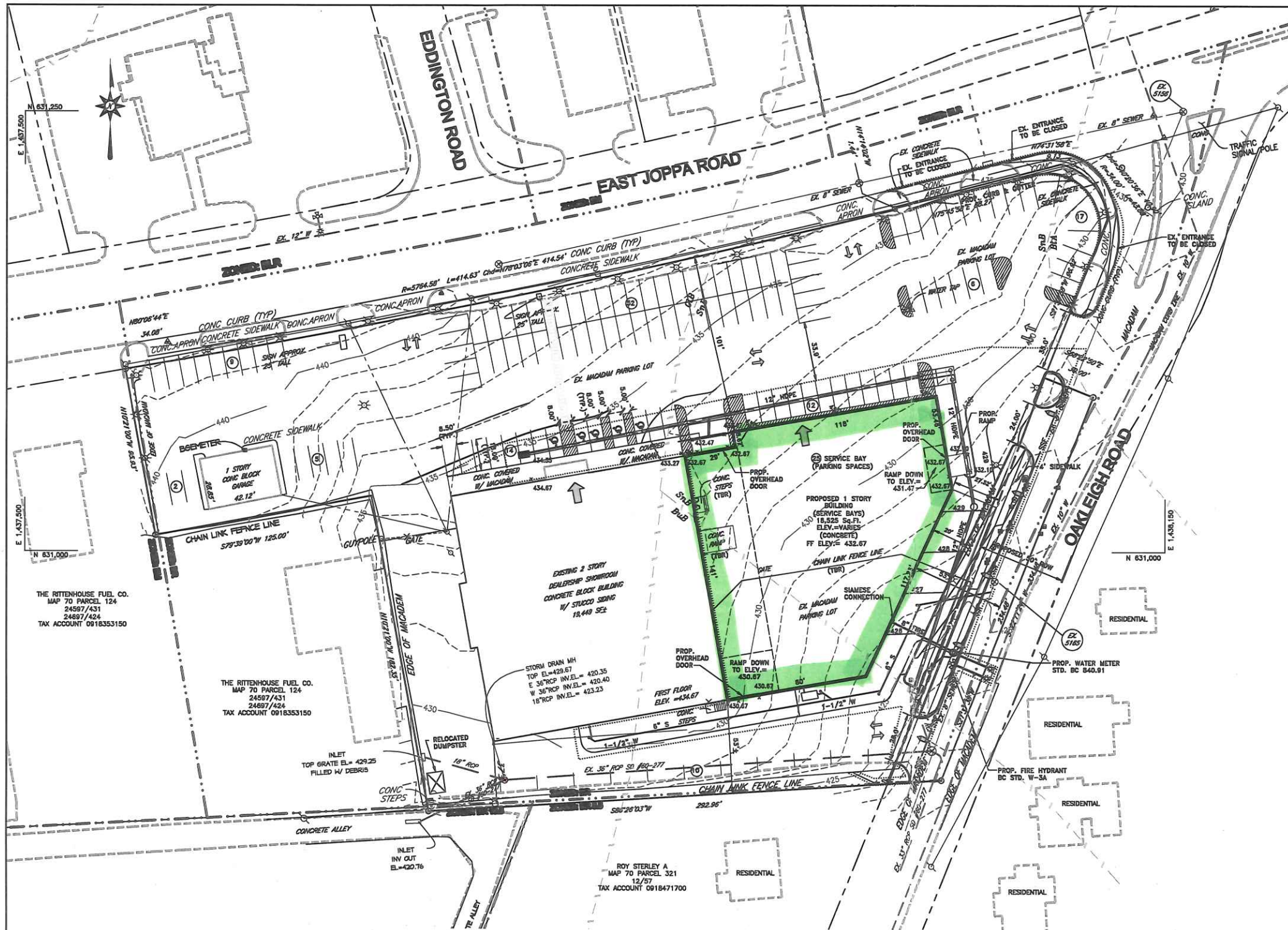
BMW COLLISION CENTER
1765 & 1777 EAST JOPPA ROAD

9TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

PETITIONER'S EXHIBIT

DRAWN BY:	DESIGNED BY:	SCALE:
DNM	DNM	AS SHOWN
DATE:	JOB NO.:	SHEET NO.:
09-15-2014	10059	1 OF 1



GENERAL NOTES:

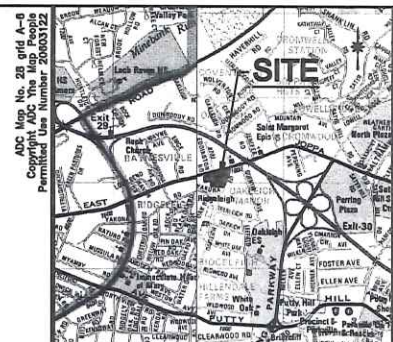
- OWNER/DEVELOPER: S & S AUTO PROPERTIES, LLC
4212 RIDGE ROAD
BALTIMORE, MD 21238-5725
- ADDRESS OF SITE: 1763, 1765 & 1777 EAST JOPPA ROAD
- EXISTING ZONING: BR
- EXISTING USE: NEW CAR DEALER/PAVED PARKING LOT
- SITE AREA: 130,654 Sq. Ft. or 2.999 Ac.±
- EXISTING BUILDING: 18,105 Sq. Ft.
- PROPOSED BUILDING: 18,525 Sq. Ft.
- UTILITIES:
WATER: PUBLIC
SEWER: PUBLIC
- NO 100 YR FLOODPLAINS ON SITE
- SETBACKS:
FRONT: 50' FROM CENTERLINE OR 25' FROM R.O.W.
SIDE: 30'
REAR: 30'
- DEED REF: 14544/175
- TAX ACCOUNT #0910451383, #0910451380 & #0923157130
- COUNCILMANIC DISTRICT 5th
- ZONING: BR
(PER 1"=200' ZONING MAP 07002)
- TAX MAP #70 PARCEL #19, #139 & #142
- NO PREVIOUS PERMITS ON FILE
- NO PREVIOUS ZONING CASES ON FILE
- CENSUS TRACT 4916
- WATERSHED BACKWATER
- SEWERSHED 50
- REGIONAL PLANNING DISTRICT 315
- FLOOR AREA RATIO CALCULATIONS

EXISTING BUILDINGS = 20,864 SF
PROPOSED BUILDING ADDITION = 18,579 SF
TOTAL AREA OF BUILDINGS = 39,443 SF
TOTAL LOT SIZE = 127,744 SF
FLOOR AREA RATIO = 37,630/127,744
= 0.29 < 2.0

23. PARKING CALCULATIONS

EXISTING BUILDINGS
10,321 OFFICE SPACE AT 3.3 SPACES/1000 SF
10,140 RETAIL SPACE AT 5 SPACES/1000 SF
(EXCLUDING 1934/- SF FOR VESTIBULE)
PROPOSED BUILDING
14,285 SERVICE AREA AT 3.3 SPACES/1000 SF
(EXCLUDES 4,230 SF (30'X141') FOR DRIVE THRU AISLE)
TOTAL OFFICE/SERVICE AREA
= 24,616/(3.3/1000) = 81.2 SPACES
TOTAL RETAIL AREA
= 10,140 SF/(5/1000) = 50.7 SPACES
TOTAL PARKING SPACES REQUIRED = 131.9 (SAY 132)
SPACES PROVIDED BY INTERNAL SERVICE BAYS
2 EXISTING + 25 PROPOSED = 27 SPACES
PROVIDE 133-27 = 106 ADDITIONAL PARKING SPACES ON SITE
ADDITIONAL PARKING SPACES PROVIDED = 127
(TOTAL PROVIDED SERVICE+ON SITE = 154)

- THIS PROJECT WAS GRANTED A "B" EXEMPTION ON APRIL 30, 2007
- THE EXISTING FEATURES ON THIS DRAWING WERE GENERATED FROM A TOPOGRAPHIC SURVEY CONDUCTED BY DITZ SURVEYING, INC. ON APRIL 5, 2007
- THE PROJECT LIES WITHIN A TRAFFIC SHED OF AN "I" LEVEL INTERSECTION AS SHOWN ON THE 2007 BASIC SERVICES MAP
- NO CRITICAL AREAS ARE ON SITE
- NO PREVIOUS BUILDING PERMITS ON FILE IN COUNTY
- PRIOR ZONING CASES: NONE
- IF THE PROPOSED BUILDING REQUIRES THE INSTALLATION OF A "FIRE ALARM SYSTEM", THE DESIGN PACKAGE AS PRESENTED WITH THE BUILDING PLANS AT THE TIME OF BUILDING PERMIT APPLICATION, SHALL BE CERTIFIED BY A MARYLAND REGISTERED: NICET ENGINEER LEVEL 3 OR 4 / OR FIRE PROTECTION ENGINEER, STATING THAT THE FIRE ALARM SYSTEM COMPLIES WITH ALL APPLICABLE CODES: I.E. NFPA 70, NFPA 72, NFPA 101, BUILDING CODE, BALTIMORE COUNTY BILL 167-93, AND THE BALTIMORE COUNTY FIRE PREVENTION CODE: BALTIMORE COUNTY BILL 35-07
- THIS PROJECT WAS GRANTED FOREST CONSERVATION WAIVER ON AUGUST 20, 2007.
- NO NEW FREESTANDING SIGNS ARE PROPOSED
- ANY BUILDING MOUNTED LIGHTING SHALL USE CUT-OFF FIXTURES TO AVOID LIGHT PROJECTION ON TO ANY RESIDENTIAL PROPERTIES AND PUBLIC STREETS.



LOCATION MAP

SCALE: 1" = 2000'

BENCHMARKS:

BALTIMORE COUNTY BENCHMARK # 1157
N 630,078.68 E 1,438,421.67 ELEV. 399.88
LOCATED AT THE CORNER OF TREBLEIGH ROAD
AND LEEFIELD ROAD, ON ADC MAP: 28-F7
BALTIMORE COUNTY BENCHMARK # 1158
N 630,257.58 E 1,437,824.09 ELEV. 410.82
LOCATED AT THE CORNER OF TREBLEIGH ROAD
AND OAKLEIGH ROAD, ON ADC MAP: 28-A7

STANDARD NON-DISTURBANCE NOTE:

THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

PROTECTIVE COVENANTS

ANY FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICTS DISTURBANCE AND USE OF THESE AREAS.

NOTES:

- BUILDING ELEVATIONS SHALL BE PROVIDED TO THE OFFICE OF PLANNING PRIOR TO ISSUANCE OF ANY BUILDING PERMITS.
- DETAILS OF ALL SIGNAGE SHALL BE PROVIDED TO THE OFFICE OF PLANNING PRIOR TO ISSUANCE OF ANY BUILDING PERMITS.
- A LIGHTING PLAN IN ACCORDANCE WITH IESNA STANDARDS SHALL BE SUBMITTED TO THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT DEVELOPERS PLANS REVIEW SECTION FOR REVIEW AND APPROVAL.

SUITABLE OUTFALL STATEMENT

RICHARDSON ENGINEERING, LLC HAS EVALUATED THE PROPOSED WATER QUALITY (WQ) FACILITY OUTFALL FOR THE PROPOSED BUILDING ADDITION AND FINDS THEM TO BE SUITABLE FOR THE DESIGN FLOWS. OUR EVALUATION INCLUDED A FIELD INSPECTION AND HYDROLOGY COMPUTATIONS.

THIS PROJECT IS CLASSIFIED AS A REDEVELOPMENT AND AS SUCH WATER QUALITY FOR 20% OF THE REDEVELOPMENT AREA IS THE ONLY REQUIREMENT. THERE IS NO NET INCREASE OF IMPERVIOUS AREA AND THE PROPOSED REDEVELOPMENT WILL NOT ADVERSELY IMPACT THE FLOW REGIME OR STORM FLOWS FROM THE CURRENT CONDITION. THE SITE CURRENTLY DRAINS TO AN EXISTING COUNTY STORMDRAIN SYSTEM THAT OUTFALLS VIA A 33-INCH STORMDRAIN TO AN UNNAMED TRIBUTARY OF HERRING RUN. BASED ON THIS, WE CONCLUDE THAT THE STREAM CONSTITUTES A VERIFIED SUITABLE OUTFALL, AS REQUIRED BY SECTION 32-4-224 (c)(10) OF THE BALTIMORE COUNTY CODE (2004 EDITION), BASED ON CRITERIA ESTABLISHED BY BALTIMORE COUNTY DPW AND DEPRA.

SIGN _____

SEAL

CERTIFICATE AS TO DELINQUENT ACCOUNTS

THIS CERTIFICATION IS SUBMITTED IN CONNECTION WITH THE DEVELOPMENT KNOWN AS RED RUN CONDOMINIUMS LOCATED AT 9234 RED RUN BOULEVARD AND IS GIVEN IN ACCORDANCE WITH THE PROVISIONS OF SECTION 22-55(c) OF THE BALTIMORE COUNTY CODE, 1978 AND AS AMENDED.

I, _____, CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

WITNESS _____ S & S AUTOMOTIVE
SIGNATURE _____ DATE _____ SIGNATURE _____ DATE _____

LIMIT OF DISTURBANCE:
42,242 Sq.Ft./0.97 Ac.

PDM# 09-804
DRC# 043007E

DESIGN AND DRAWINGS ARE BASED ON
MARYLAND COORDINATE SYSTEM (MCS).
HORIZONTAL - NAD 83/91 VERTICAL - NAVD 88

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

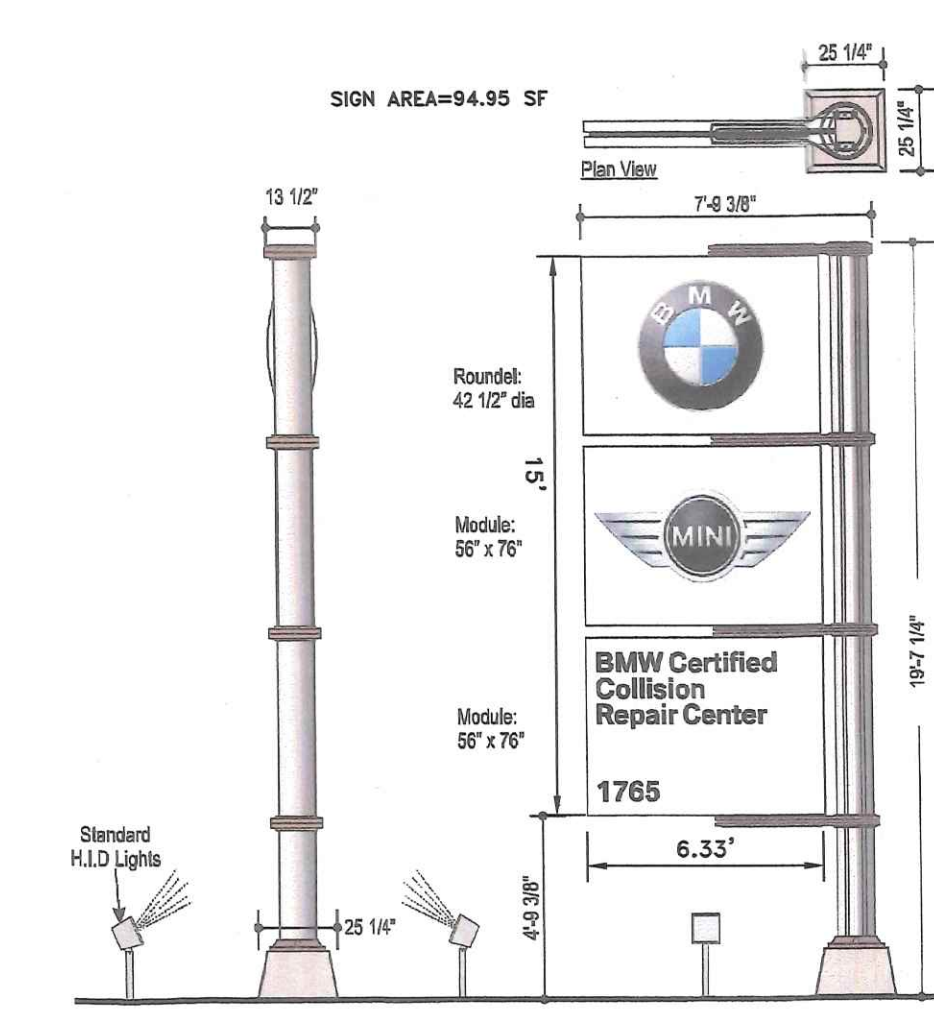
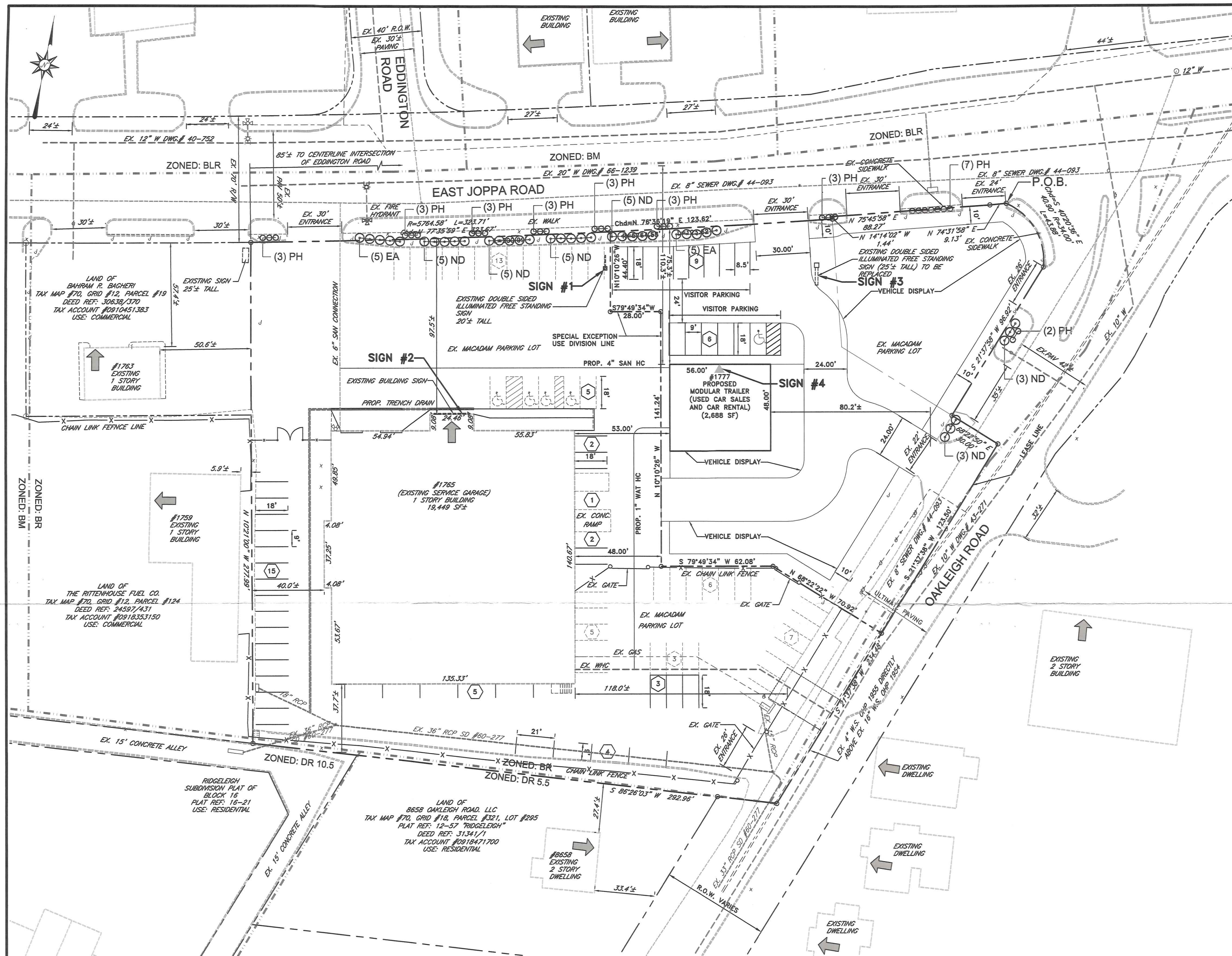
DEVELOPMENT PLAN FOR

**SCHAEFER & STROHMINGER
TOWSON DODGE MAZDA**
1763, 1765 & 1777 EAST JOPPA ROAD

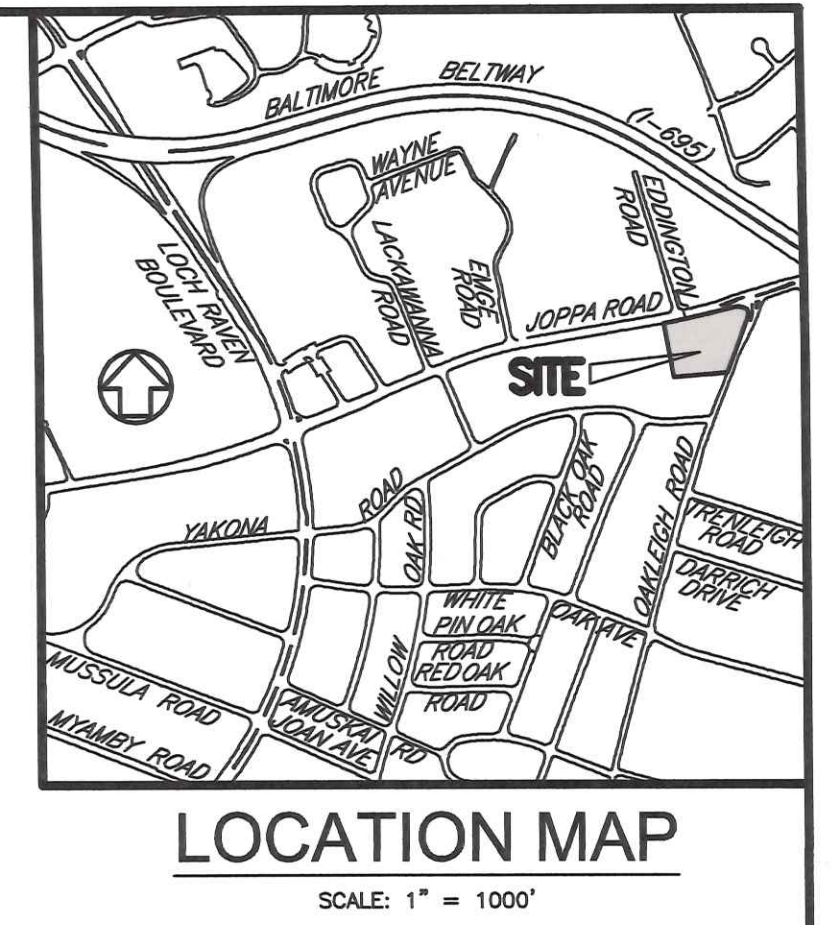
QTH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

DRAWN BY: DWR	DESIGNED BY: DWR	SCALE: 1" = 30'
DATE: 07-13-07	JOB NO.: 07028	SHEET NO.: 1 OF 1

PETITIONER'S EXHIBIT 7

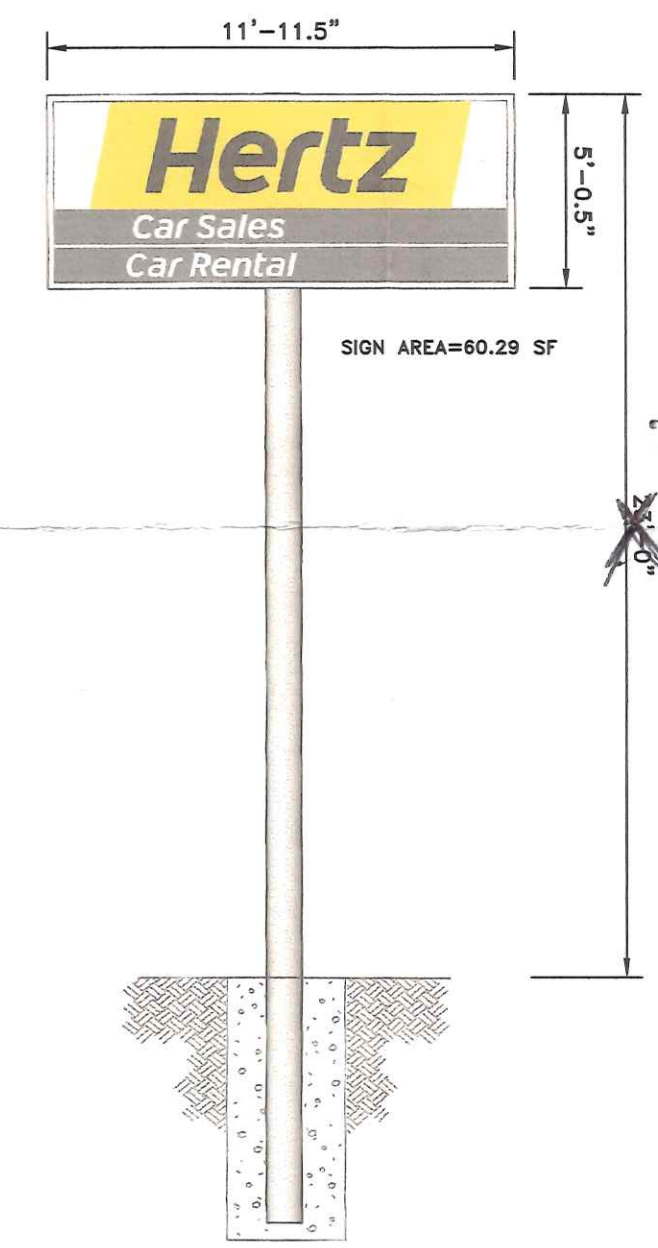


SIGN DETAIL #1
SCALE: 1" = 5'

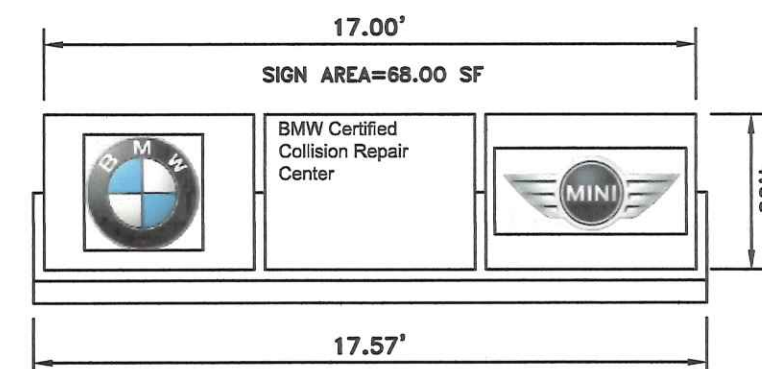


GENERAL NOTES:

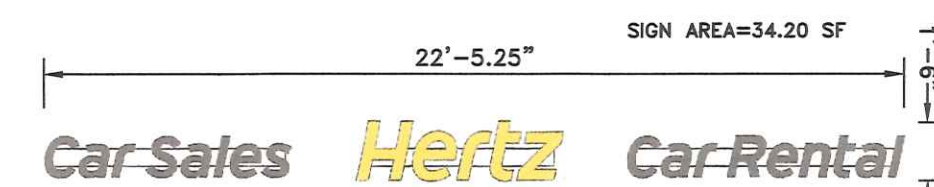
- OWNER/DEVELOPER: 1765 JOPPA ROAD LLC
700 KENILWORTH DRIVE
TOWSON, MD 21204-2427
 - EXISTING USE: SERVICE GARAGE
 - PROPOSED USE: SERVICE GARAGE, CAR LEASING AND USED CAR SALES OFFICE
 - SITE AREA: 115,793 SF OR 2.66 AC.± (NET)
136,801 SF OR 3.14 AC.± (GROSS)
 - EXISTING BUILDING: 19,449 SF
 - PROPOSED BUILDING: 2,688 SF
 - UTILITIES: PUBLIC
 - WATER: PUBLIC
 - SEWER: PUBLIC
 - THERE ARE NO 100 YEAR FLOODPLAINS ON SITE
 - SETBACKS FOR BR TYPE FRONT FROM CENTERLINE 50' 110.3'± FROM PROPERTY 25' 75.3'± SIDE 30' 40.0'± REAR 30' 37.7'±
 - DEED REF: 29508/77
 - TAX ACCOUNT #: 0910451380 & 0923157130
 - COUNCILMANIC DISTRICT: 5th
 - ZONING: BR (PER 200 SCALE GIS FILE # 070C2)
 - TAX MAP #70 PARCEL #139 & #142
 - NO PREVIOUS PERMITS ON FILE
 - ZONING CASE HISTORY: 79 SPACES
- CASE #R-1950-1732-X; SPECIAL PERMIT FOR GASOLINE SERVICE STATION AND ZONING RECLASSIFICATION FROM "A" RESIDENCE ZONE TO "E" COMMERCIAL ZONE. GRANTED 12-07-1950
- CASE #1961-5292-X; SPECIAL EXCEPTION FOR ONE 12'x25' ADVERTISING STRUCTURE. GRANTED 08-16-1961
- CASE #78-37-R; ZONING RE-CLASSIFICATION FROM DR 5.5 TO BR GRANTED 08-08-1977.
- WATERSHED: BACKRIVER
 - FLOOR AREA RATIO CALCULATIONS: EXISTING BUILDINGS (SERVICE GARAGE): 19,449 SF PROPOSED USED CAR SALES OFFICE: 2,688 SF TOTAL BUILDING AREA: 22,137 SF
 - FLOOR AREA RATIO: 22,137/136,601 = 0.16
 - MAXIMUM PERMITTED: 2.00
 - PARKING CALCULATIONS REQUIRED: SERVICE GARAGE: 19,449 SF * 3.3 SPACES/1000 SF = 65 SPACES USED CAR SALES: 2,688 SF * 5.0 SPACES/1000 SF = 14 SPACES TOTAL PROVIDED: 86 SPACES INCLUDING 5 HANDICAP SPACES
 - THIS SITE DOES NOT LIE WITHIN THE CRITICAL AREA.
 - THIS SITE IS NOT HISTORIC.



SIGN DETAIL #3
SCALE: 1" = 5'



SIGN DETAIL #2
SCALE: 1" = 5'



SIGN DETAIL #4
SCALE: 1" = 5'

PETITIONER'S EXHIBIT 1



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 NUMBER 16597, EXPIRATION DATE: 08-15-2015

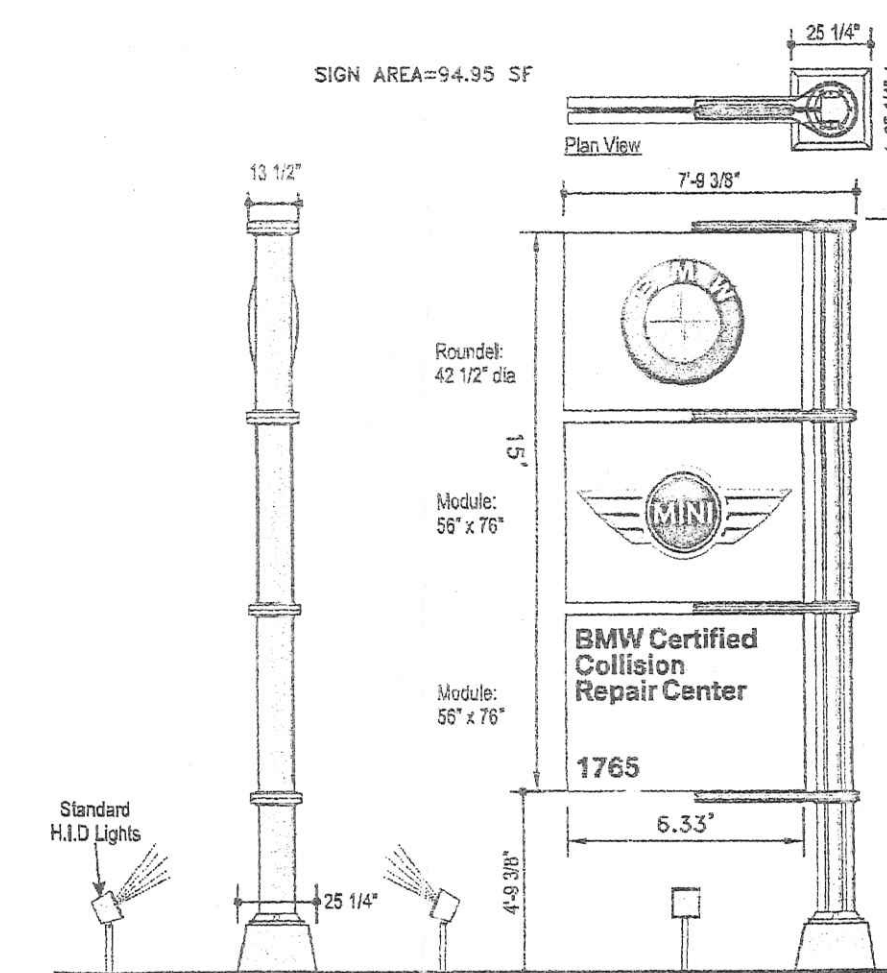
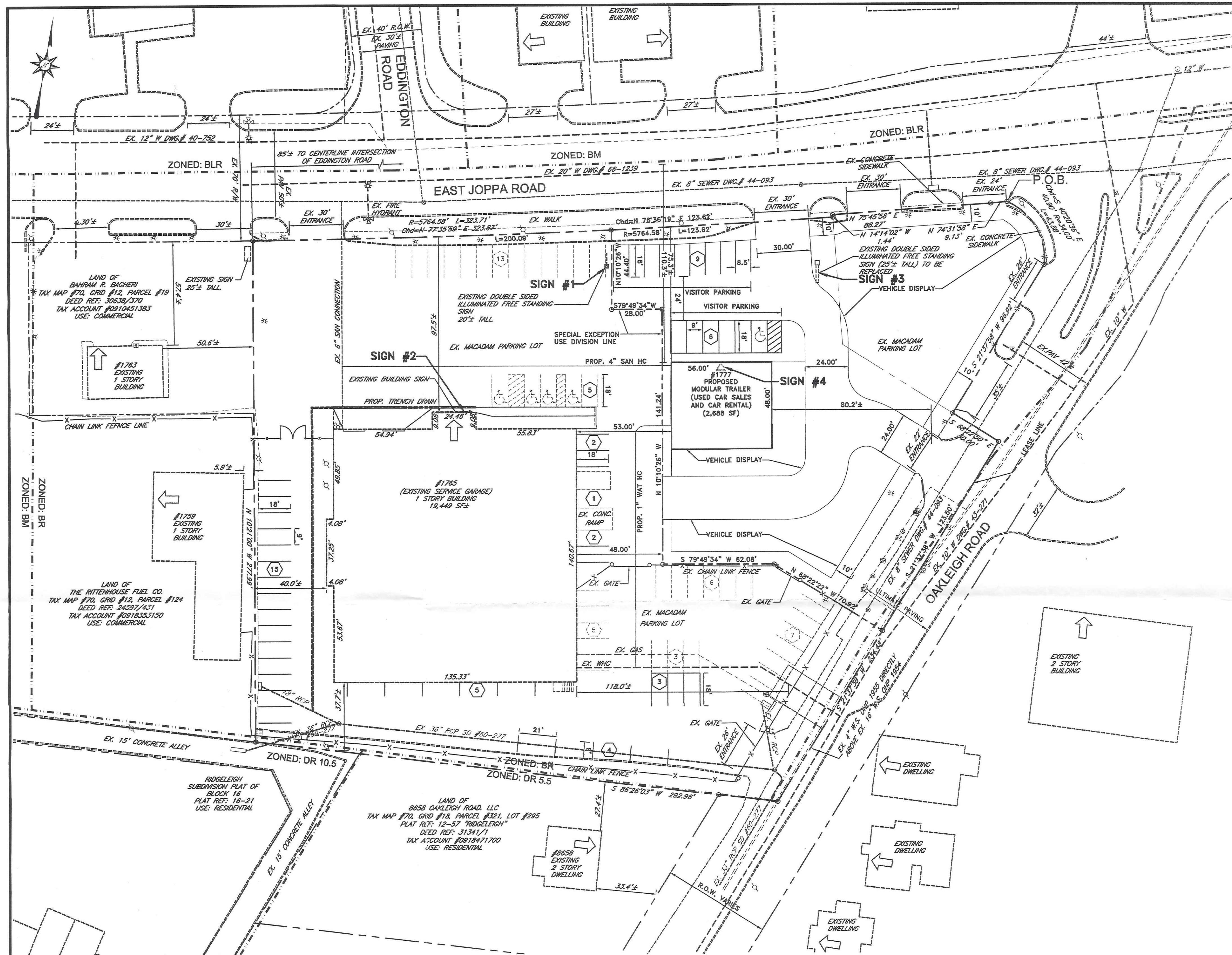
Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION FOR

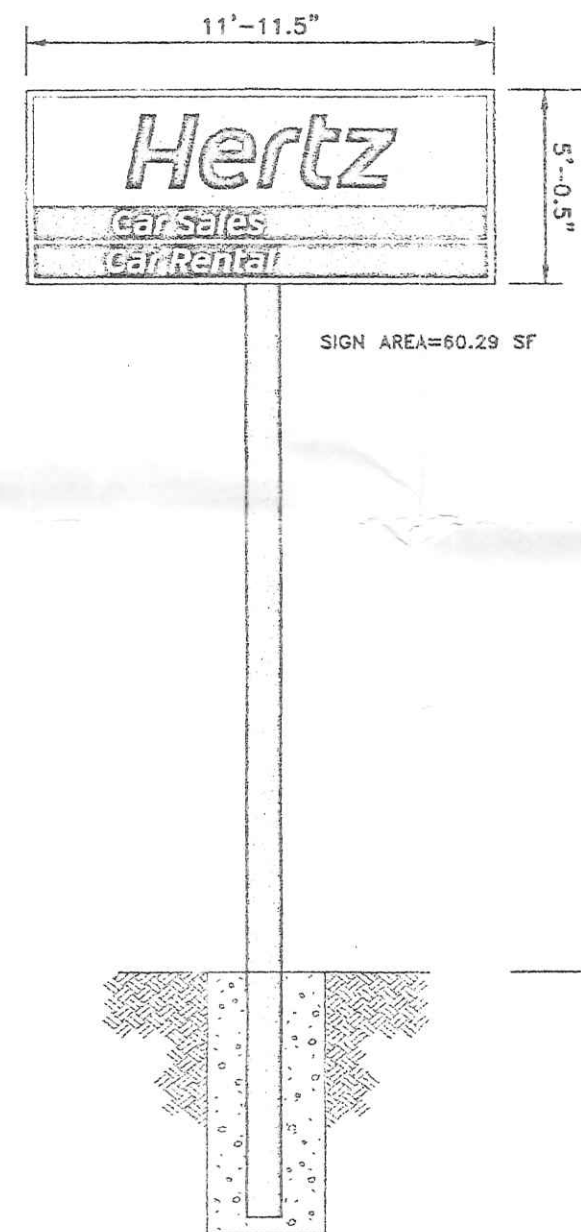
**BMW COLLISION CENTER
1765 & 1777 EAST JOPPA ROAD**

9TH ELECTION DISTRICT		BALTIMORE COUNTY, MARYLAND	
REVISIONS	DRAWN BY: DNM	DESIGNED BY: DNM	SCALE: AS SHOWN
	DATE: 09-15-2014	JOB NO.: 10059	SHEET NO.: 1 OF 1



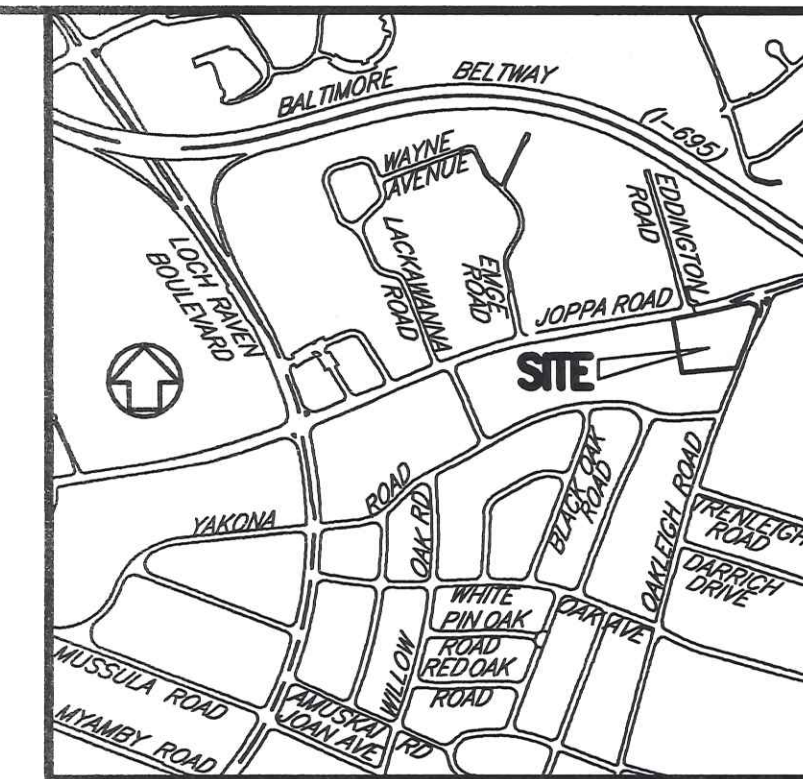
SIGN DETAIL #1

SCALE: 1" = 5'



SIGN DETAIL #3

SCALE: 1" = 5'



LOCATION MAP

SCALE: 1" = 1000'

GENERAL NOTES:

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700 KENNEDY DRIVE
TOWSON, MD 21204-2427
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- PROPOSED USE: SERVICE GARAGE AND USED CAR SALES OFFICE
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136,801 SF OR 3.14 AC.± (GROSS)
- EXISTING BUILDING: 19,449 SF
- PROPOSED BUILDING: 2,688 SF
- UTILITIES: PUBLIC
- SEWER: PUBLIC
- THERE ARE NO 100 YEAR FLOODPLAINS ON SITE
- SETBACKS FOR BR: REQUIRED PROVIDED
TYPE: FRONT 50' 110.3'±
FROM CENTERLINE 25' 75.3'±
FROM PROPERTY 30' 40.0'±
SIDE 30' 37.7'±
REAR 30' 37.7'±
- DEED REF: 29508/77
- TAX ACCOUNT #: 0910451380 & 0923157130
- COUNCILMANIC DISTRICT: 5th
- ZONING: BR (PER 200 SCALE GIS TILE # 07002)
- TAX MAP #70 PARCEL #139 & #142
- NO PREVIOUS PERMITS ON FILE
- ZONING CASE HISTORY:
CASE #R-1950-1732-X; SPECIAL PERMIT FOR GASOLINE SERVICE STATION AND ZONING RECLASSIFICATION FROM "A" RESIDENCE ZONE TO "C" COMMERCIAL ZONE. GRANTED 12-07-1950
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- FLOOR AREA RATIO: 22,137/136,801 = 0.16
MAXIMUM PERMITTED: 2.00
- PARKING CALCULATIONS
REQUIRED:
SERVICE GARAGE: 19,449 SF * 3.3 SPACES/1000 SF = 65 SPACES
USED CAR SALES: 2,688 SF * 5.0 SPACES/1000 SF = 14 SPACES
TOTAL: 79 SPACES
PROVIDED: 86 SPACES INCLUDING 5 HANDICAP SPACES
- THIS SITE DOES NOT LIE WITHIN THE CRITICAL AREA.
- THIS SITE IS NOT HISTORIC.

23. All damaged or disabled motor vehicles shall be screened from view in accordance with DCPL Section 245.4.1.

Richardson Engineering, LLC

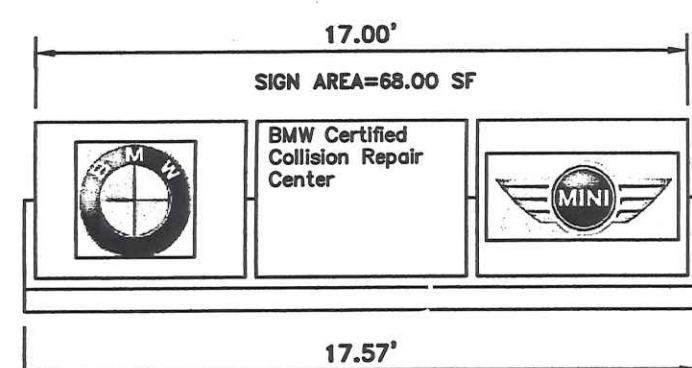
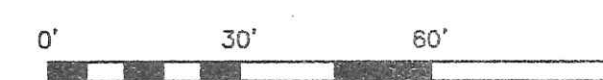
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PLAN TO ACCOMPANY ZONING PETITION FOR

BMW COLLISION CENTER
1765 & 1777 EAST JOPPA ROAD

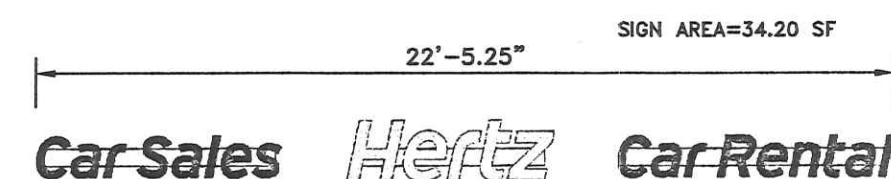


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SIGN DETAIL #2

SCALE: 1" = 5'



SIGN DETAIL #4

SCALE: 1" = 5'

9TH ELECTION DISTRICT			BALTIMORE COUNTY, MARYLAND		
REVISIONS	DRAWN BY: DNM	DESIGNED BY: DNM	SCALE: AS SHOWN		
	DATE: 09-15-2014	JOB NO.: 10059	SHEET NO.: 1 OF 1		

CASE NO. 2015-0053-KA