

IN RE: PETITION FOR VARIANCE
(9219 Harford Road)
11th Election District
5th Council District
CARS DB4 LP
Petitioner

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2016-0044-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of CARS DB4 LP, owner of the subject property ("Petitioner"). The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §450.4 to allow five wall-mounted enterprise signs on a single façade of a commercial building in lieu of the three wall-mounted signs permitted with no more than two signs on a single façade. In addition, the petition was amended at the hearing to include an additional variance request regarding a small directional sign. A three sheet site plan was marked as Petitioner's Exhibit 1.

Brian Fader and Mitch Kellman appeared in support of the petition. David H. Karceski, Esq. represented the Petitioner. The Petition was advertised and posted as required by the B.C.Z.R. No Protestants or interested citizens attended the hearing. Substantive Zoning Advisory Committee (ZAC) comments were received from the Bureau of Development Plans Review (DPR) and the Department of Planning (DOP). These agencies did not oppose the request but provided suggested conditions for inclusion in the final Order.

The large site (approximately 12 acres) is zoned BM-AS, and is improved with several buildings used for new and pre-owned vehicle sales and service. This request pertains only to wall-

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Date 10-16-15

By Den

mounted signage (and one directional sign) for one existing building at the site. No other site improvements are proposed. In addition, the Petitioner submitted a sheet with the site plan containing elevations and details for each of the proposed signs. As such, I will not require Petitioner to submit a "clean site plan" as requested by the Zoning Review Office. Such a plan would of course be required if Petitioner were proposing to construct new buildings or other improvements to the site. But in this scenario, involving only signage, I believe sufficient information is provided by the sign elevation and detail sheet attached to the site plan.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioner has met this test. The large property is irregularly shaped, and has four different new car dealerships,¹ which creates the feel of an "autopark." Thus, the property is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would be unable to provide the signage required by its franchise agreements with automobile manufacturers. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of Baltimore County and/or community opposition.

THEREFORE, IT IS ORDERED, this 16th day of October, 2015, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") §450.4 to allow: (1) five wall-mounted enterprise signs

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Date 10-16-15
By Sen

on a single façade of a commercial building in lieu of the three wall-mounted signs permitted with no more than two signs on a single façade; (2) a freestanding directional sign with a sign area/face of 32 sq. ft and company logos/names occupying more than 30% of the total sign area in lieu of the permitted 8 sq. ft. and 30%; and (3) a directional sign height of 10 ft. in lieu of the permitted 6 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner shall not park or display for sale new or used vehicles within the 10 ft. wide strip of land adjoining Harford Road.
3. Petitioner must provide landscaping (specifically, "variegated liriopse") along Harford Road, which is subject to review and approval by the Baltimore County Landscape Architect.

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 10-16-15

By sln



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 9219 Harford Road

which is presently zoned BM-AS

Deed References: _____

10 Digit Tax Account # 1123015800

Property Owner(s) Printed Name(s) CARS DB4 LP

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

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

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

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

3. ☒ a **Variance** from Section(s)

SEE ATTACHED SHEET

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

Legal Owners (Petitioners):

CARS DB4 LP

Brian Fader, Division President

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

1 Olympic Place, Suite 1220, Baltimore, MD

Mailing Address

City

State

21204-4106 410-913-6111

Zip Code

Telephone #

/ bfrader@mileone.com

Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500

Towson

MD

Mailing Address

City

State

21204

Zip Code

/ 410-494-6285

Telephone #

/ dhkarceski@venable.com

Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500

Towson

MD

Mailing Address

City

State

21204

Zip Code

/ 410-494-6285

Telephone #

/ dhkarceski@venable.com

Email Address

CASE NUMBER 2016-0044-A

Filing Date

8/20/15

Do Not Schedule Dates:

Reviewer RDD

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date 10/16/15

By den

**ATTACHMENT TO
PETITION FOR VARIANCE**

9219 Harford Road

1. Variance from Section 450.4 Attachment 1.5(a) of the BCZR to allow five wall-mounted enterprise signs on a single façade of a commercial building in lieu of the three wall-mounted signs permitted, with no more than two signs on a single façade.
2. Variance from Section 450.4, Attachment 1.3(b) of the BCZR to allow a freestanding directional sign with a sign area/face of 16 square feet and company names/logos occupying more than 30% of the total sign area in lieu of the permitted 8 square feet and 30%.

7109 11614

ZONING DESCRIPTION

All that piece or parcel of land situate, lying and being in the Eleventh Election District of Baltimore County, State of Maryland and described as follows to wit:

BEGINNING for the first for the same at a point in the last or South 53 degrees East 92 3/4 perches line of a parcel of land which by a Deed dated March 24, 1948 and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1653, folio 57 was conveyed by Carl F. Weber and Frances M. Weber, his wife to the Weber Storage Company Incorporated, said point also being at the end of the third or North 41 degrees 42 minutes East 142.94 foot line of a parcel of land which by a Deed dated January 25, 1956 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2954, folio 452 was conveyed by Weber Storage Company Incorporated to Harford Warehouse Corporation and running thence and binding reversely on said third line, South 41 degrees 42 minutes West 142.73 feet to the beginning of said third line and to intersect the second line of the first herein mentioned parcel of land which was conveyed by Carl F. Weber and wife to the Weber Storage Company Incorporated, thence running with and binding on a part of said second line, North 48 degrees 41 minutes West 641.40 feet to intersect the southeast side of Harford Road, 60 feet wide; thence binding on the southeast side of Harford Road, 60 feet wide; North 41 degrees 59 minutes East 142.75 feet to intersect the last line of the first herein mentioned parcel of land which was conveyed by Carl F. Weber and wife to the Weber Storage Company Incorporated and thence running and binding on a part of said last line, South 48 degrees 41 minutes East 640.70 feet to the place of beginning.

Containing 2.10 Acres of land more or less.

BEING same Confirmatory Deed dated December 30, 1981 and recorded among the Land Records of Baltimore County in Liber EIK Jr., No. 6358, folio 381 was granted, conveyed and confirmed by WEBER STORAGE COMPANY, INC. unto ROBERT W. MOCKARD.

BEING located at the east side of Harford Road 60 feet wide, at the distance of 205 feet north of the centerline of East Avenue. Also known as 9219 Harford Road in the 11th Election District.

CERTIFIED COPY

Item #0044

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

No. **127382**
 Date: **8/20/15**

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$500

Total: **\$500**

Rec From: _____
 For: **zoning hearing - case #2016-0044-A**

DISTRIBUTION

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

PAID RECEIPT

BUSINESS #/NNL TOL DEN
 8/21/2015 8:20/2015 11:25:17 2
 REC 1502 WALDEN 2014 REC
 RECEIPT # 075450 8/20/2015 07/11
 5 526 2016 VERIFICATION
 NO. 127382
 Recpt Tot 1500.00
 1500.00 11 1.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3588988

Sold To:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave Ste 500
TOWSON, MD 21204-5304

Bill To:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave Ste 500
TOWSON, MD 21204-5304

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Sep 22, 2015

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: # 2016-0044-A	
9219 Harford Road E/s Harford Road, 200 ft. N/of the centerline East Avenue 11th Election District - 5th Councilmanic District Legal Owner(s) CARS DB4 LP	
Variance: to allow five wall-mounted enterprise signs on a single facade of a commercial building in lieu of the three wall-mounted signs permitted, with no more than two signs on a single facade.	
Hearing: Tuesday, October 13, 2015 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 9/775 Sept. 22	3588988

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 22, 2015 Issue - Jeffersonian

Please forward billing to:

Adam Rosenblatt

410-494-6200

Venable, LLP

210 Pennsylvania Avenue, Ste. 500

Towson, MD 21204

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2016-0044-A

9219 Harford Road

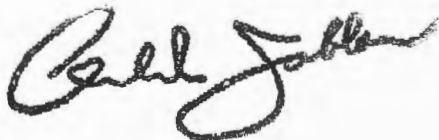
E/s Harford Road, 200 ft. N/of the centerline East Avenue

11th Election District – 5th Councilmanic District

Legal Owners: CARS DB4 LP

Variance to allow five wall-mounted enterprise signs on a single façade of a commercial building in lieu of the three wall-mounted signs permitted, with no more than two signs on a single façade.

Hearing: Tuesday, October 13, 2015 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 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.

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
9219 Harford Road; E/S Harford Road, *
200' N of East Avenue * OF ADMINISTRATIVE
11th Election & 5th Councilmanic Districts
Legal Owner(s): CARS DB4, LP by Brian Fader* HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2016-044-A

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

SEP 09 2015

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 9th day of September, 2015, 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

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

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 legal owner/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 legal owner/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:

Case Number: 2016-0044-A
Property Address: 9219 Hartford Road
Property Description: EIS of Hartford Road, N of I-695
Legal Owners (Petitioners): CARS DB4 LP
Contract Purchaser/Lessee: X X

PLEASE FORWARD ADVERTISING BILL TO:

Name: Adam Rosenblatt
Company/Firm (if applicable): Verable
Address: 210 Pinsky/Vanna Avenue
Suite 500
Towson MD 21204
Telephone Number: (410) 494 6200

Revised 5/20/2014

Case No.: 2016-0044-A

Exhibit Sheet

DW
11-17-15

10/16/15
Sen

Petitioner/Developer

Protestant

No. 1	Plan	
No. 2	Kellman resume	
No. 3	3A-3E Photos	
No. 4	Photo "Zoning Exhibit"	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER'S EXHIBIT

3A



PETITIONER'S EXHIBIT

313



PETITIONER'S EXHIBIT

3c



PETITIONER'S EXHIBIT **3D**



PETITIONER'S EXHIBIT

33



MITCHELL J. KELLMAN
DIRECTOR OF ZONING SERVICES

EDUCATION

Towson University, BA, Geography and Environmental Planning, Urban Planning
Towson University, Masters, Geography and Environmental Planning, Urban Planning

PROFESSIONAL SUMMARY

Mr. Kellman has over 24 years of experience working in zoning, subdivision, and development regulations for the public and private sector; 12 of those years were with the Baltimore County Office of Planning and Zoning. His responsibilities included review, approval and signatory powers on behalf of the Director of Final Development Plans and Record Plats. He represented the Zoning Office on the County Development Review Committee, a body reviewing the procedural compliance of all development submissions. Review of petitions and site plans filed for zoning hearing approvals were within his authority. Additionally, he supervised county review staff, met with professionals and the public on development project matters, and made determinations regarding developments and their compliance with county regulations. In working for DMW, he has extensive experience in testifying before the Baltimore County Zoning Commissioner, Hearing Officer, Administrative Law Judges, and Board of Appeals. He also regularly represents the company at the Baltimore County Development Review Committee meetings. He is also a member of Baltimore County's Design Review Panel which formulates design recommendations to the Planning staff and Administrative Law Judges.

PERSONAL AND PROFESSIONAL PARTIAL LIST OF PROJECTS

Delight Quarry, Baltimore County, MD
Hunt Valley Business Community, Baltimore County, MD
Hunt Valley Towne Centre, Baltimore County, MD
Charlestown Retirement Community, Baltimore County, MD
GBMC, Baltimore County, MD
Goucher College, Baltimore County, MD
Greenspring Quarry, Baltimore County, MD
Hopewell Point, Baltimore County, MD
Loveton Business Center, Baltimore County, MD
Notre Dame Preparatory School, Baltimore County, MD
Oakcrest Village Retirement Community, Baltimore County, MD
Sheppard and Enoch Pratt Hospital, Baltimore County, MD
Sparks Corporate Center, Baltimore County, MD
Towson Town Center, Baltimore County, MD

MEMBERSHIPS AND ASSOCIATIONS

Baltimore County Design Review Panel, 2012, 2013, 2014
Greater Towson Committee, Planning and Development Sub-Committee, 2012, 2013, 2014
Greater Towson Committee, Government Relations Sub-Committee Chair, 2013, 2014
Greater Towson Committee Board of Directors - Secretary, 2014
Leadership Baltimore County, 2013

PROFESSIONAL EXPERIENCE

Daft-McCune-Walker, Inc., Towson, MD 2000-Present
Baltimore County Office of Planning and Zoning, Permits and Development Management – Zoning Office, Development Control, 1988-2000



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 9219 Harford Road

which is presently zoned BM-AS

Deed References: _____

10 Digit Tax Account # 1 1 2 3 0 1 5 8 0 0

Property Owner(s) Printed Name(s) CARS DB4 LP

(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

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

3. X a **Variance** from Section(s)

SEE ATTACHED SHEET

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 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. Karceski, Esquire

Name- Type or Print _____

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500

Towson

MD

Mailing Address _____

City _____

State _____

21204

/ 410-494-6285

/ dhkarceski@venable.com

Zip Code _____

Telephone # _____

Email Address _____

Legal Owners (Petitioners):

CARS DB4 LP

Brian Fader, Division President

Name #1 - Type or Print _____

Name #2 - Type or Print _____

Signature #1 _____

Signature #2 _____

1 Olympic Place, Suite 1220, Baltimore, MD

Mailing Address _____

City _____

State _____

21204-4106 410-913-6111

Zip Code _____

Telephone # _____

/ bfaeder@mileone.com

Email Address _____

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print _____

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500

Towson

MD

Mailing Address _____

City _____

State _____

21204

/ 410-494-6285

/ dhkarceski@venable.com

Zip Code _____

Telephone # _____

Email Address _____

CASE NUMBER 2016-44-A

Filing Date / /

Do Not Schedule Dates: _____

Reviewer _____

REV. 10/4/11

* Amended petition 10/13/15

PETITIONER'S EXHIBIT _____

**ATTACHMENT
TO PETITION FOR VARIANCE**

9219 Harford Road

1. Variance from Section 450.4 Attachment 1.5(a) of the BCZR to allow five wall-mounted enterprise signs on a single façade of a commercial building in lieu of the three wall-mounted signs permitted, with no more than two signs on a single façade.

2. Variance from Section 450.4 Attachment 1.3(b) of the BCZR to allow a freestanding directional sign with a sign area / face of 32 square feet and company logos / names occupying more than 30% of the total sign area in lieu of the permitted 8 square feet and 30%.

ORDER RECEIVED FOR FILING

Date 10/16/15

By Sen

3. Variance from Section 450.4 Attachment 1.3(b) of the BCZR to allow a directional sign height of 10 feet in lieu of the permitted 6 feet.

M E M O R A N D U M

DATE: November 17, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0044-A – Appeal Period Expired

The appeal period for the above-referenced case expired on November 16, 2015. 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

CASE NAME 9219 Hartford Road
CASE NUMBER 2016-0044-A
DATE 10/13/15

[illegible]

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

9/8

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

G

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

FIRE DEPARTMENT

9/17

PLANNING
(if not received, date e-mail sent _____)no Obj
w/ comment

9/2

STATE HIGHWAY ADMINISTRATION

no Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 9/22/15

SIGN POSTING Date: 9/23/15 by SSG Black

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any:

* John - See zoning Review
Comment.

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 - 11 Account Number - 1123015800			
Owner Information					
Owner Name:	CARS DB4 LP		Use:	COMMERCIAL	
Mailing Address:	1 OLYMPIC PL STE 1220 BALTIMORE MD 21204-4106		Principal Residence:	NO	
			Deed Reference:	//	
Location & Structure Information					
Premises Address:		9219 HARFORD RD 0-0000		Legal Description:	2.10 AC ES HARFORD R 200 N EAST AVE
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0071	0015	0020		0000	
				Assessment Year:	Plat No: Plat Ref:
				2016	
Special Tax Areas:			Town:	NONE	
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1986	23484		2.0900 AC	06	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
		SERVICE GARAGE			
Last Major Renovation					
2001					
Value Information					
		Base Value	Value As of 01/01/2013	Phase-in Assessments	
				As of 07/01/2015	As of 07/01/2016
Land:		1,097,200	1,097,200		
Improvements		1,368,300	1,368,300		
Total:		2,465,500	2,465,500	2,465,500	
Preferential Land:		0			
Transfer Information					
Seller: CAR MI MD HAR L L C		Date: 05/09/2011		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: //		Deed2:	
Seller: AUTO PROPERTIES LLC		Date: 08/10/2004		Price: \$6,500,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /20520/ 00518		Deed2:	
Seller: GRIFFITH BARBARA A		Date: 08/13/1999		Price: \$2,433,667	
Type: NON-ARMS LENGTH OTHER		Deed1: /13959/ 00350		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class			07/01/2015	07/01/2016
County:	000			0.00	
State:	000			0.00	
Municipal:	000			0.00	0.00
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: No Application					

New Search (<http://sdat.dat.maryland.gov/RealProperty>)

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>).



KEVIN KAMENETZ
County Executive

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

October 8, 2015

CARS DB4 LP
Brian Fader
1 Olympic Place
Suite 1220
Baltimore MD 21204

RE: Case Number: 2016-0044 A, Address: 9219 Harford Road

Dear Mr. Fader:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 20, 2015. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

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

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Douglas H. Simmons, Acting Administrator

Date: 9/2/15

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

RE: Baltimore County
Item No. 2016-0044-A
Variance
Cars DB4LP, Brian Fader, Division President
9219 Harford Road
MD 147

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 9/1/15. A field inspection and internal review reveals that an entrance onto MD147 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2016-0044-A.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 2332 or by email at (rzeller@sha.state.md.us).

Sincerely,

David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 17, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 9219 Harford Road

INFORMATION:

Item Number: 16-044

Petitioner: CARS DB4 LP

Zoning: BM, AS

Requested Action: Variance

RECEIVED

SEP 21 2015

OFFICE OF ADMINISTRATIVE HEARINGS

SUMMARY OF RECOMMENDATIONS:

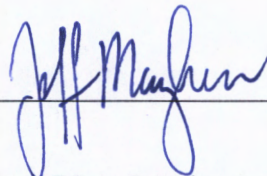
The Department of Planning has reviewed the Petition for a Variance to allow five wall-mounted enterprise signs on a single façade of a commercial building in lieu of the three wall-mounted signs permitted, with no more than two signs on a single façade.

The Department of Planning has no objection to the granting of the petitioned zoning relief conditioned upon the following:

- The property in question has a code violation on file. Display vehicles are in violation of the 3rd refined CRG plan and Condition C of the Baltimore County Landscape Manual. The applicant must correct any and all violations on the subject property and provide landscaping to be reviewed and approved by the Baltimore County Landscape Architect prior to the issuance of any sign permits.
- Revise the site plan to show the existing Geico Auto Repair Express pylon sign.

For further information concerning the matters stated herein, please contact Ngoné Seye Diop at 410-887-3480.

Deputy Director:
AVA/KS



C: Jeanette Tansey, RLA, Permits, Approvals and Inspections
Ngoné Seye Diop

RECEIVED

SEP 22 2015

OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: September 8, 2015

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

SUBJECT: Zoning Advisory Committee Meeting
For September 7, 2015
Item No. 2016-0044

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

Granting the requested variance should be conditioned on the following:

Display vehicles should be setback 10' from the Harford Road right-of-way and the site should be brought into compliance with all standards in condition "C" of the Landscape Manual and with the 3rd refined CRG plan.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0044-09082015.doc

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE



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

DATE: September 17, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 9219 Harford Road

INFORMATION:

Item Number: 16-044

Petitioner: CARS DB4 LP

Zoning: BM, AS

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

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For further information concerning the matters stated herein, please contact Ngoné Seye Diop at 410-887-3480.

Deputy Director:
AVA/KS

A handwritten signature in black ink, appearing to read "Jeanette Tansey", written over a horizontal line.

C: Jeanette Tansey, RLA, Permits, Approvals and Inspections
Ngoné Seye Diop

BALTIMORE COUNTY, MARYLAND

Interoffice Memorandum

DATE: August 24, 2015

TO: Zoning Commissioner and File

FROM: Leonard Wasilewski, Planner II, Zoning Review 

SUBJECT: Petition for Variance CARs DB4 LP aka Mile One Automotive
(Heritage Chrysler, Dodge, Jeep and Ram)
Case No. 2016-0044-A
9219 Harford Road

- A. For clarification, this office accepted a Petition for sign Variances on August 20, 2015 from the petitioner Venable, LLP.
- B. The site plan has been reused, it is unclear and does not show the as-built status of the site. Since the variance is for signs on the new car sales building, we accepted the plan for filing.
- C. The Zoning Review Office requests that a new up to date, clean site plan should be required as part of the variance approval process.
- D. Please call me if you have any questions. (410-887-3391)

LW

John E. Beverungen

From: Karceski, David H. <DKarceski@Venable.com>
Sent: Thursday, October 15, 2015 1:07 PM
To: John E. Beverungen
Subject: Case No. 2016-44-A (9219 Harford Road)

Good Afternoon Judge Beverungen

I met with the County's Landscape Architect, Jean Tansey, this morning. On the above-referenced property (9219 Harford Road), Petitioner will install landscaping (specifically, "Variegated Liriope") along Harford Road to be reviewed and approved by the County's Landscape Architect. Ms. Tansey suggested Liriope as an option, and Petitioner is in agreement.

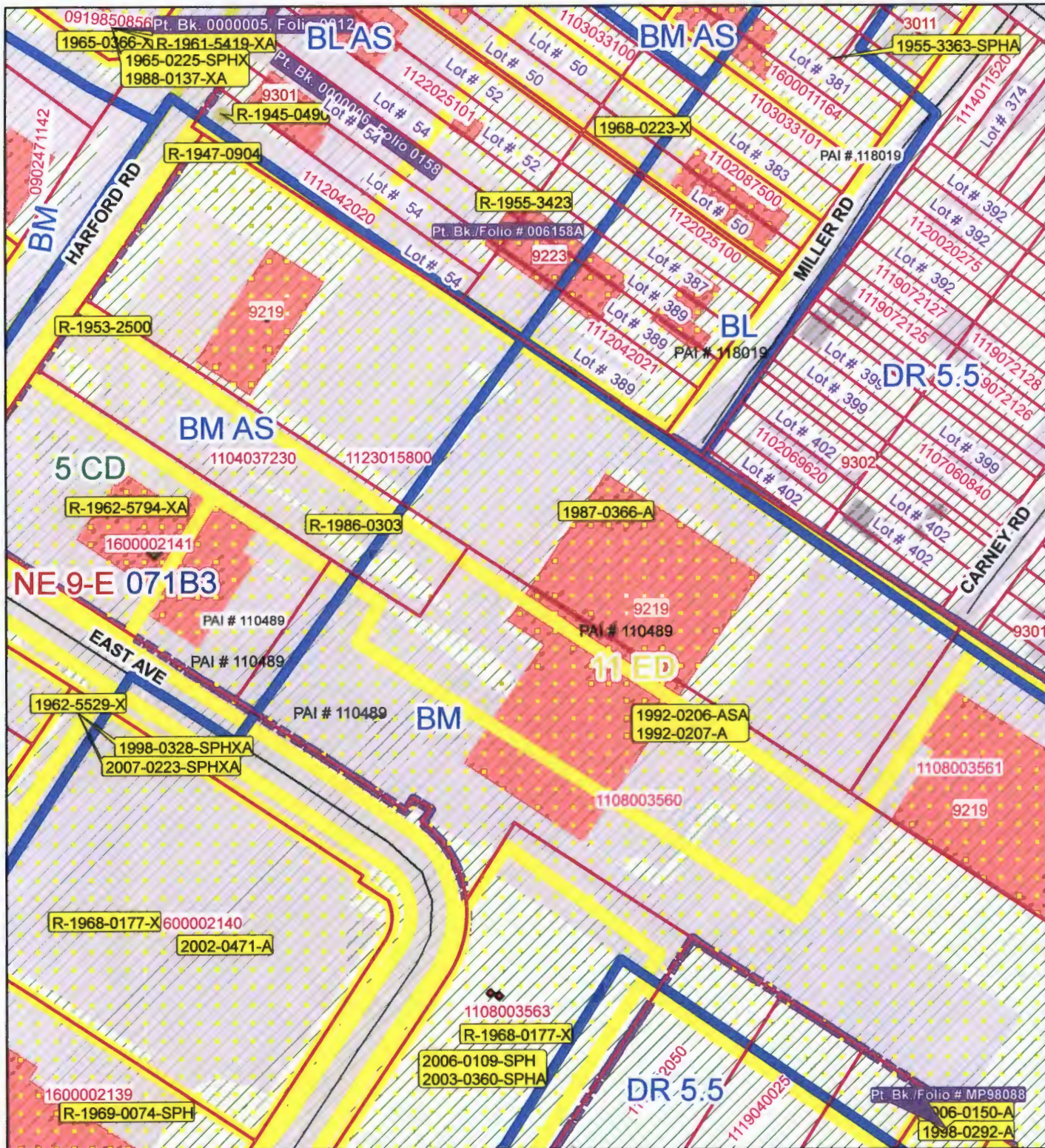
Thank you for allowing Petitioner to resolve this comment with Ms. Tansey.

David

David Karceski, Esq. | Venable LLP
t 410.494.6285 | f 410.821.0147 | m 443.956.7425
Towson: 210 W. Pennsylvania Avenue, Ste. 500, Towson, MD 21204
Baltimore: 750 East Pratt Street, Ste. 900, Baltimore, MD 21201

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9219 Harford Road



Publication Date: 8/20/2015



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

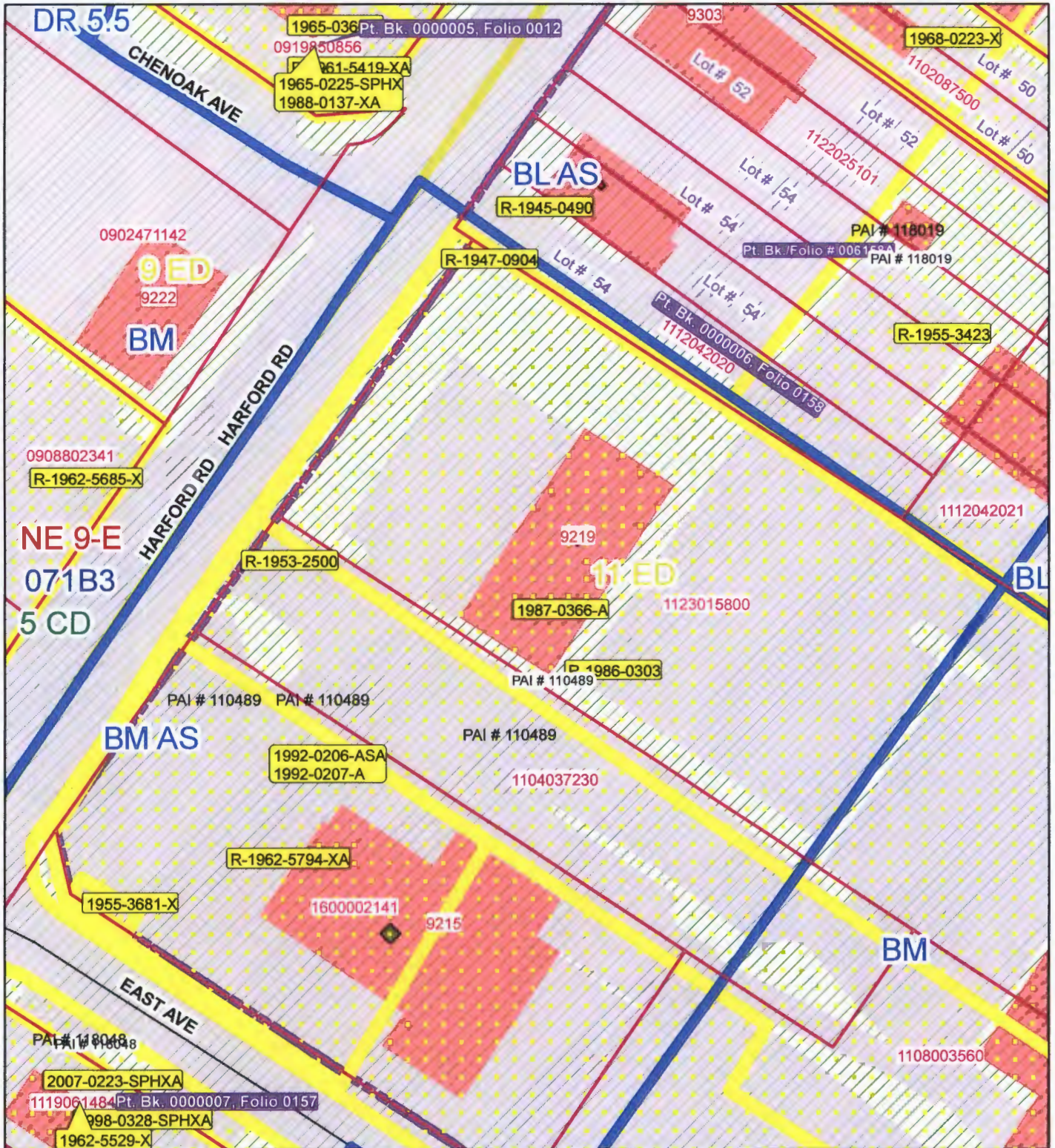


0 25 50 100 150 200 Feet

1 inch = 100 feet

Item # 0044

9219 Harford Road



Publication Date: 8/20/2015



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



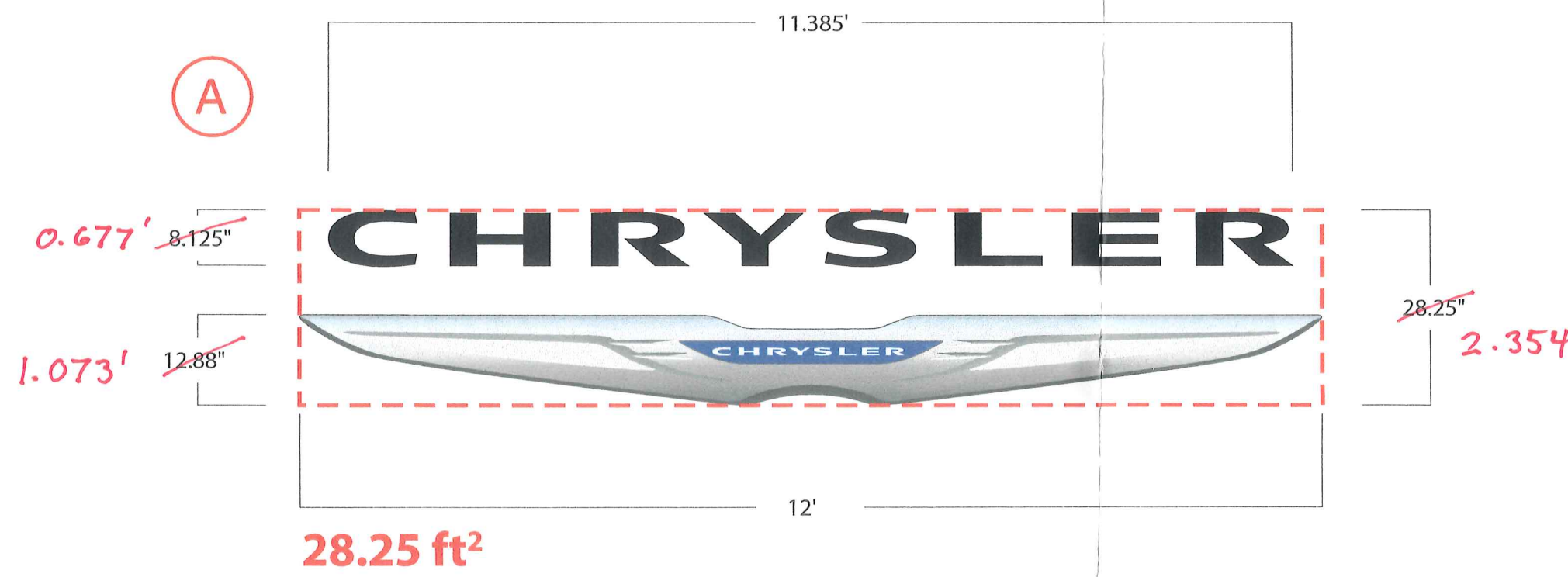
0 15 30 60 90 120 Feet

1 inch = 60 feet

Item #0044



Drawing Name: H:\Vile One\11089 Heritage VW Harford Rd\04-Drawings\02-Architecture\2015-08-19 Signage Submittal\11089 A1.0 Signage.dwg
Plot Date: Aug 19, 2015 - 2:18pm
Last Updated: Apr 23, 2015 - 3:27pm
Plotted By: vbatat



12 SERIES CHRYSLER BADGE

Square Footage
■ 12.87 ft²

Manufacturing Details

- 5" deep aluminum cabinets, silver returns
- Formed .118 White Mustang w/ 1st surface digital print

Illumination

- LED internal illumination, Ventex VenBrite VL-W100
- (2) VLP100-120 LED Driver - 1.0 Amps TOTAL

Colors

- Black Process Black
- Blue PMS 287
- Silver

12 SERIES CHRYSLER LETTERS

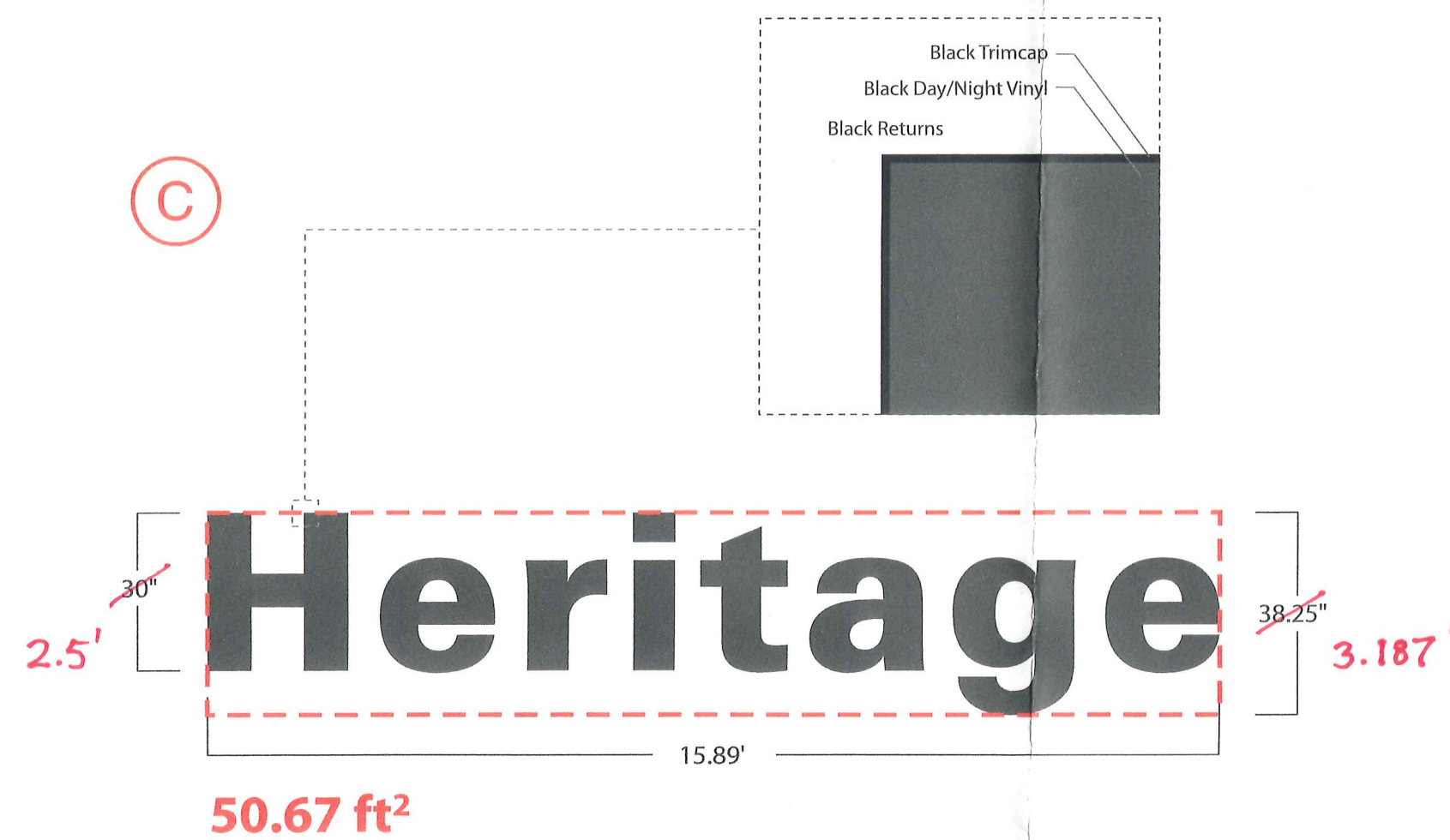
Square Footage
■ 7.71 ft²

Manufacturing Details

- 3" deep aluminum cabinets, black returns
- White acrylic faces w/ 1st surface black perforated vinyl leaving 1/8" white perimeter

Colors

- Black Process Black



30" LETTERSET

Square Footage
■ 50.67 ft²

Usage

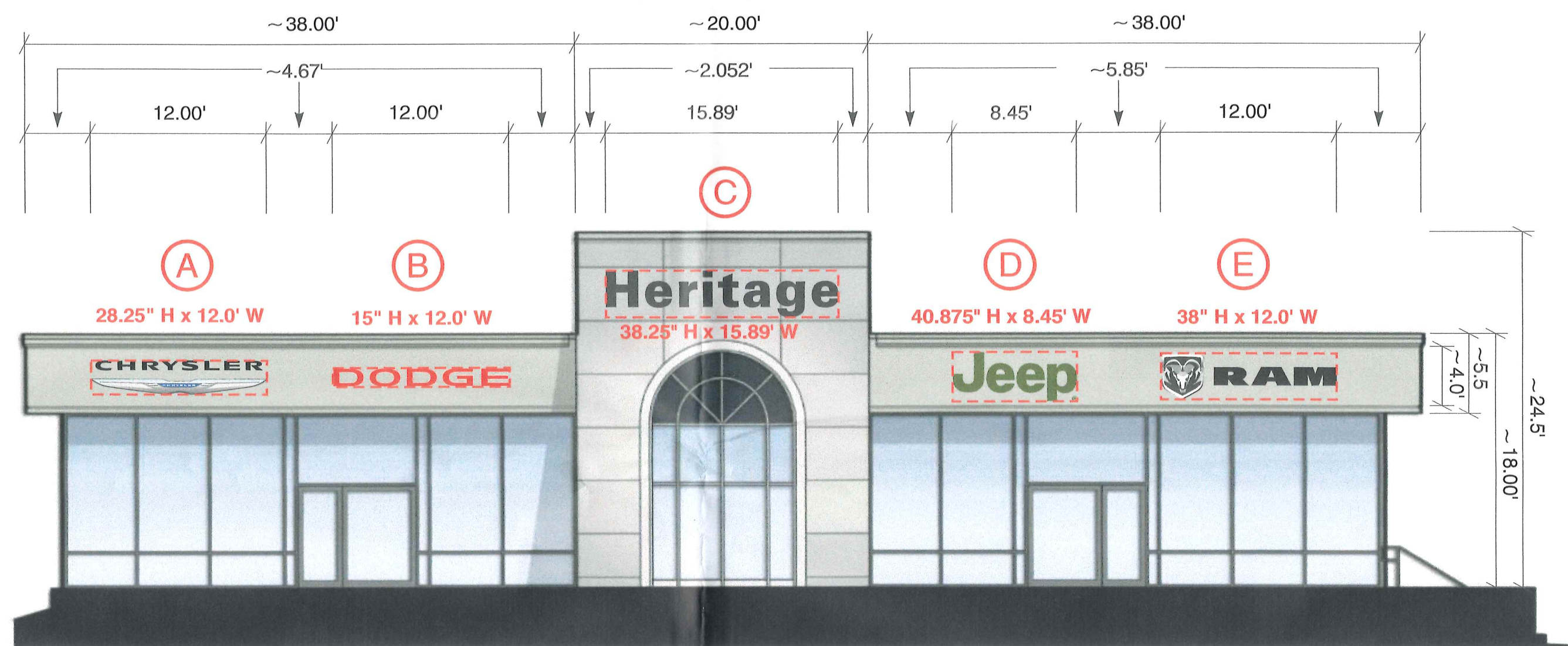
- Chrysler and Jeep Only Dealerships
- Any combination of Chrysler, Dodge, Jeep and Ram

Description

- Construction: Channel Letters w/ Plex. Face
- Color: Black
- Black Returns

Electrical

- LED Illumination



WEST ELEVATION

LENGTH OF FRONT FACADE - 96.0'

TOTAL PERMITTED SIGN AREA - 192.0'
(BASED ON 2X LENGTH OF THE WALL)

TOTAL PROPOSED SIGN AREA - 160.70'



Chrysler Sign: 28.25 ft²

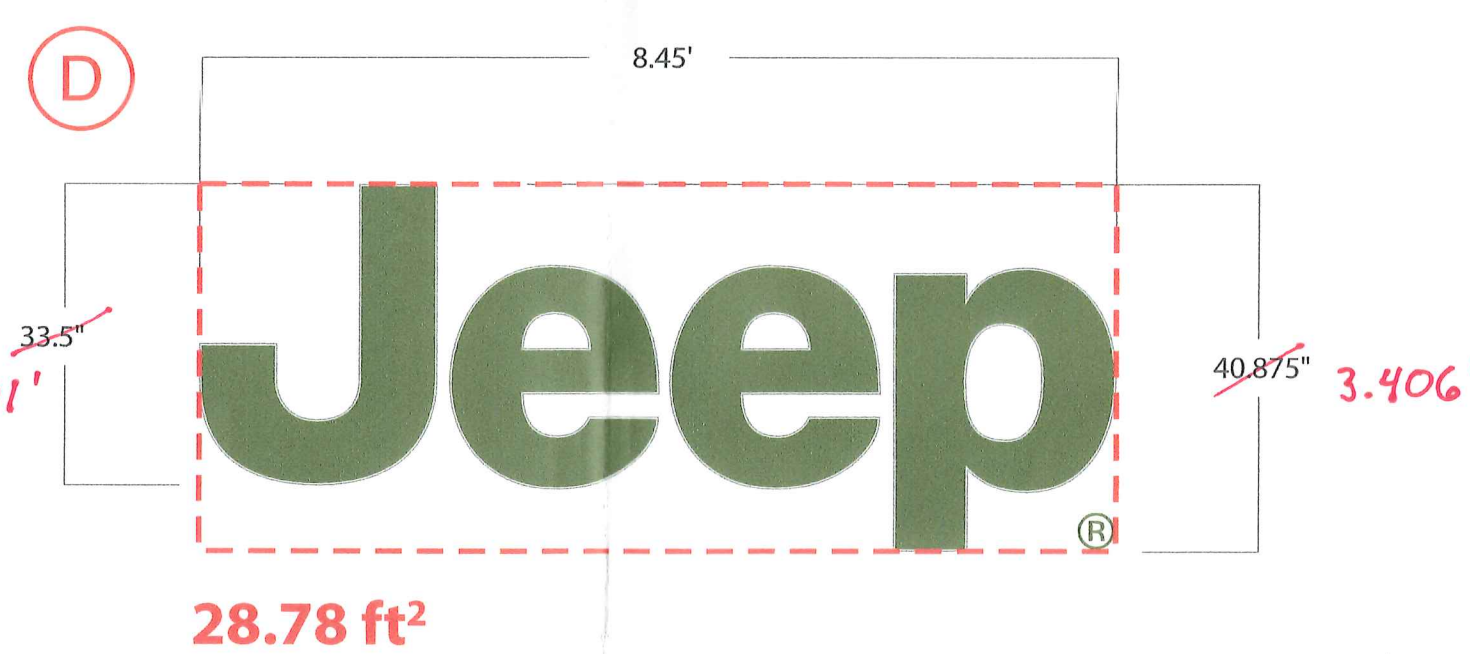
Dodge Sign: 15.00 ft²

Jeep Sign: 28.78 ft²

Ram Sign: 38.00 ft²

Dealer Name Sign: 50.67 ft²

TOTAL: 160.70 ft²



12 SERIES JEEP

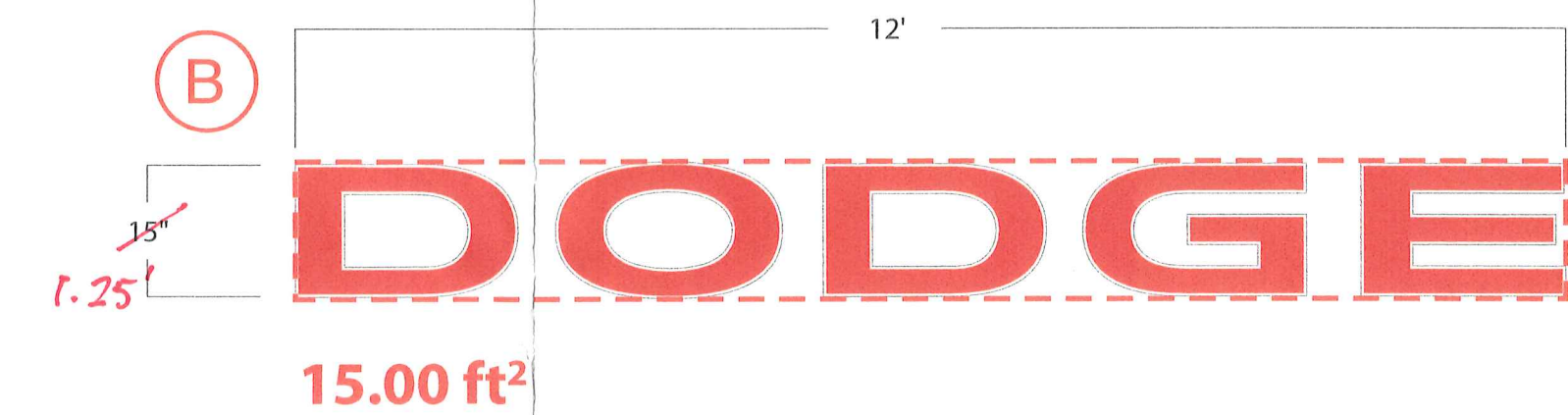
Square Footage
■ 28.78 ft²

Manufacturing Details

- 5" deep aluminum cabinets, silver returns
- White acrylic faces w/ 1st surface green vinyl leaving 1/8" white perimeter
- LED internal illumination, Ventex VenBrite VL-W100
- (1) VLP100-120 LED Driver - 0.50 Amps

Colors

- Green PMS 371
- White
- Silver



12 SERIES DODGE

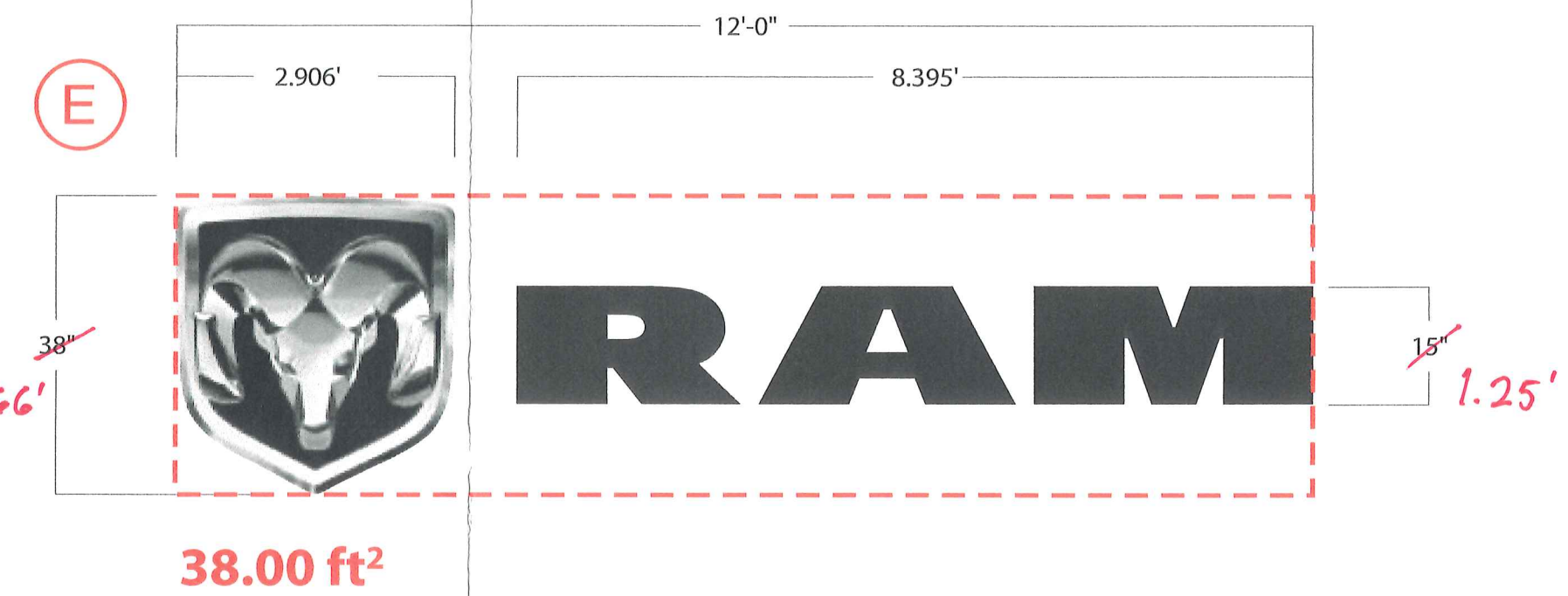
Square Footage
■ 15.0 ft²

Manufacturing Details

- 5" deep aluminum cabinets, silver returns
- White acrylic faces w/ 1st surface red vinyl leaving 1/8" white perimeter
- LED internal illumination, Ventex VenBrite VL-W100
- (1) VLP100-120 LED Driver - 0.50 Amps

Colors

- Red PMS 485
- White
- Silver



12 SERIES RAM BADGE

Square Footage
■ 10 ft²

Manufacturing Details

- 5" deep aluminum cabinets, black returns
- Formed prismatic acrylic face w/ 1st surface mirror finish & 2nd surface vinyl details

Illumination

- LED internal illumination, Ventex VenBrite VL-W100
- (2) VLP100-120 LED Driver-0.50 Amps

Colors

- Black Process Black

12 SERIES RAM LETTERS

Square Footage
■ 10.5 ft²

Manufacturing Details

- 5" deep aluminum cabinets, black returns
- White acrylic faces w/ 1st surface black perforated vinyl leaving 1/8" white perimeter

Colors

- Black Process Black

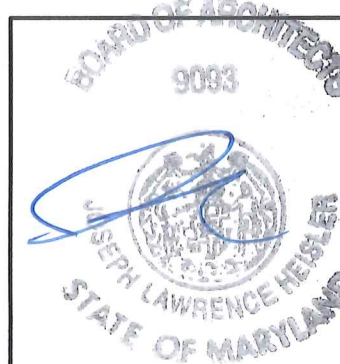
Item #0044

CONSULTING ENGINEERS

AMMON HEISLER SACHS
architects

P: 410.752.3510
F: 410.752.3558
One North Charles Street - Mezzanine 1
Baltimore, Maryland 21201

PLAN TO ACCOMPANY PETITION
FOR VARIANCE

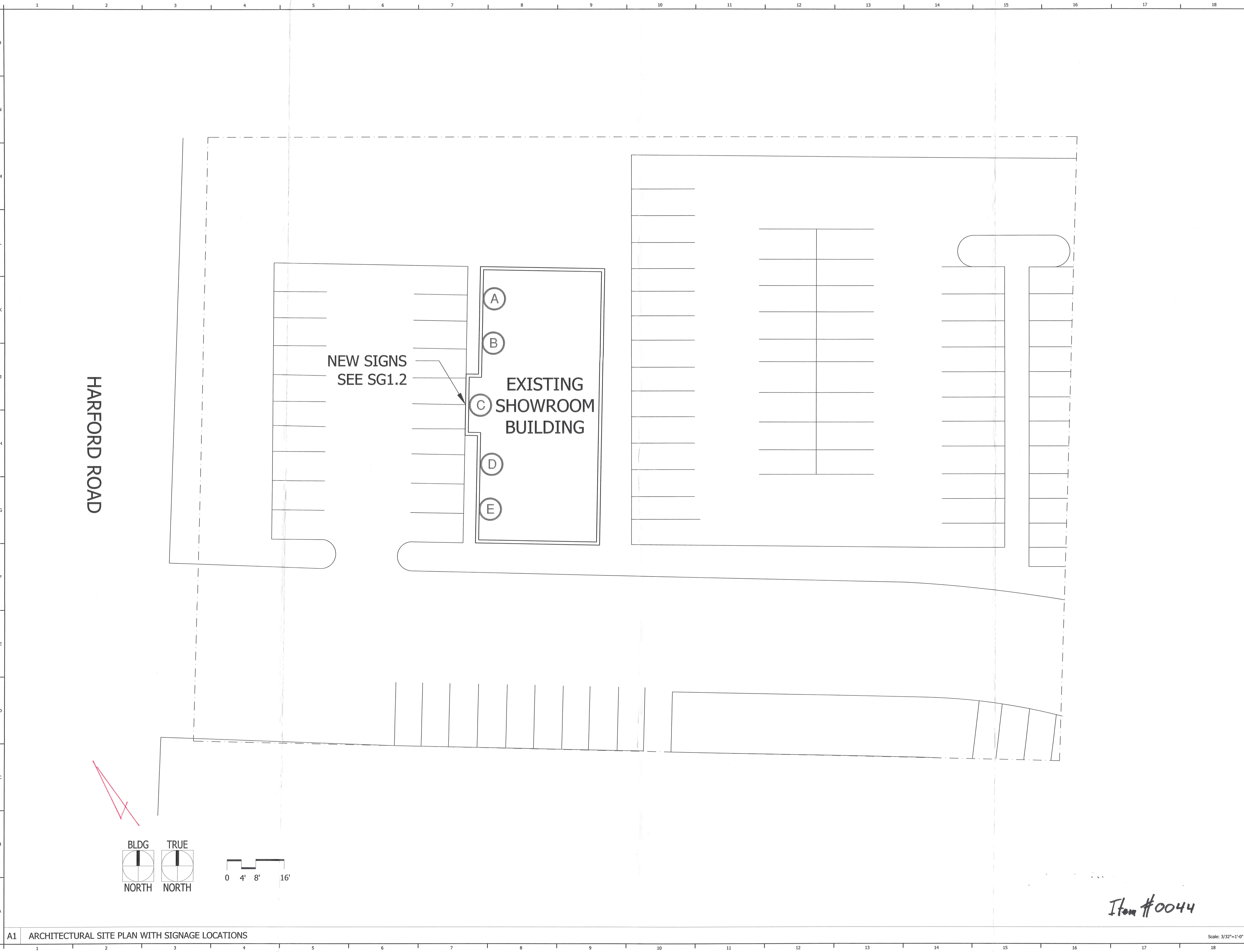


Revisions:

Released For:
☐ Preliminary Only
☐ Bidding
☐ Permit
☐ Construction
Date: 08/19/2015
Project No.: 14061
Drawn:
Designed:
Check:

SIGNAGE
ELEVATIONS
& DETAILS
SG1.2

Drawing Name: H:\Mile One\11089 Heritage VW Harford Rd\04-Drawings\02-Architecture\2015-08-19 Signage Submittal\11089 A1.0 Signage.dwg
Plot Date: Aug 19, 2015 - 5:30pm Plotted By: vbattat Last Updated: Aug 19, 2015 - 5:24pm



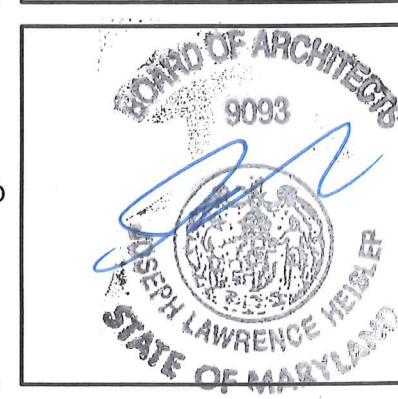
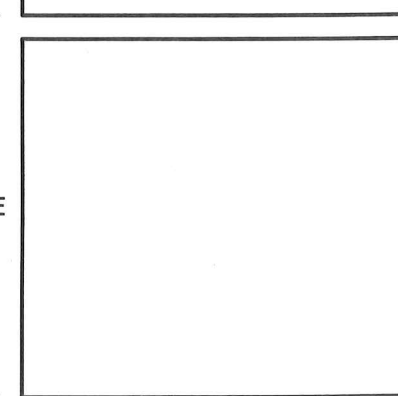
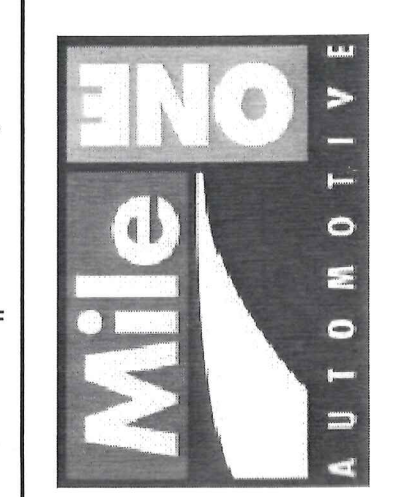
A1 ARCHITECTURAL SITE PLAN WITH SIGNAGE LOCATIONS

Scale: 3/32"=1'-0"

CONSULTING ENGINEERS

AMMON HEISLER SACHS
s a r c h i t e c t s
P: 410.752.3510
F: 410.752.8358
One North Charles Street - Mezzanine 1
Baltimore, Maryland 21201

PLAN TO ACCOMPANY PETITION
FOR VARIANCE
9217-9219 HARFORD ROAD
PARKVILLE, MD 21224



Revisions:

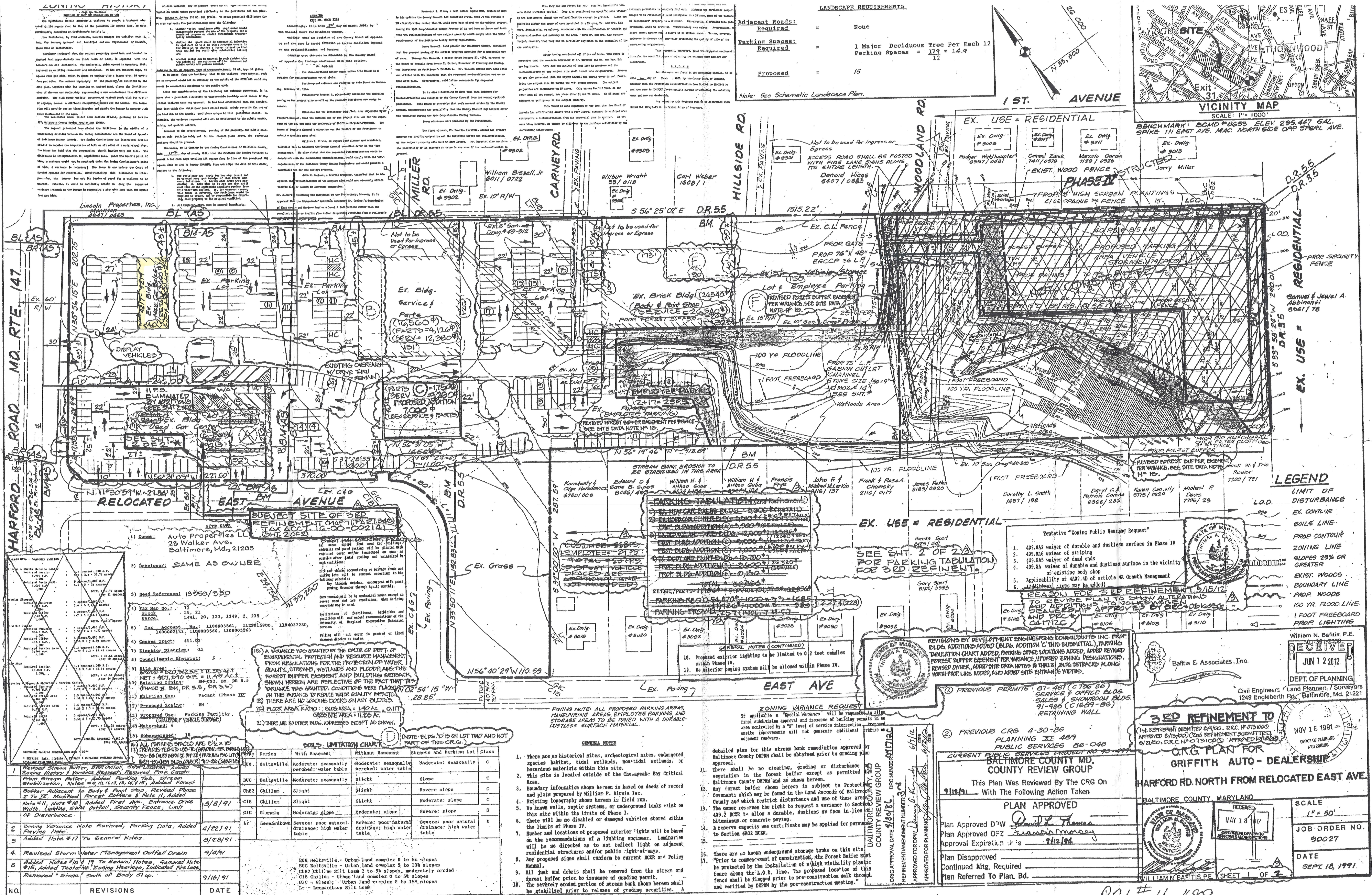
Released For:
☐ Preliminary Only
☐ Bidding
☒ Permits
☐ Construction

Date: 08/19/2015
Project No.: 14061
Drawn:
Designed:
Check:

ARCHITECTURAL
SITE PLAN
SG1.1

Item #0044

SEE SG1.1 - AREA FOR PETITION
FOR VARIANCE



AMMON HEISLER SACHS
architects
One North Charles Street - Mezzanine 1
Baltimore, Maryland 21201
P: 410.752.3510
F: 410.752.3598

PLAN TO ACCOMPANY PETITION
FOR VARIANCE

Mile
INNOVATIVE
AUTOMOTIVE

RECEIVED
JUN 1 2012
DEPT. OF PLANNING
1249 Egleston Rd., Baltimore, Md. 21202

REVISIONS:
1. Proposed For: [] Preliminary Only
[] Permits
[] Bidding
[] Construction

Date: 08/19/2015
Project No.: 14061
Drawn:
Designed:
Check:

CIVIL PLAN

SG1.0

PETITIONER'S
EXHIBIT NO. 1

#2016-0044-A

R.D.

PAI # 11-489