

M E M O R A N D U M

DATE: May 3, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0098-A- Appeal Period Expired

The appeal period for the above-referenced case expired on April 21, 2016. 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

IN RE: PETITION FOR VARIANCE

(4 Old Court Road)

3rd Election District

2nd Council District

DAKSH, LLC

Legal Owner

Petitioner

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2016-0098-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 DAKSH, LLC, legal owner of the subject property ("Petitioner"). The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: (1) to permit a two-way driveway of 11.3 ft. in width in lieu of the required 20 ft. in width, pursuant to §409.4.A; (2) to permit 6 parking spaces in lieu of the required 11, pursuant to §409.6.A.2; (3) to permit a parking space to be located 6 ft. from a right-of-way line in lieu of the required 10 ft., pursuant to §409.8.A.4; and (4) to permit an amenity open space ratio of zero in lieu of the required ratio of 0.1, pursuant to §232.B.4. A site plan was marked as Petitioner's Exhibit 4.

Virendra Patel and professional engineer Rich Richardson appeared in support of the Petition. Jennifer Busse, Esq. appeared on behalf of 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).

The subject property is approximately 7,999 square feet and is zoned BL-CT. The property is improved with a commercial building which was used for many years by Baltimore Gas &

ORDER RECEIVED FOR FILING

Date

3/22/16

By

sen

Electric as an electric utility substation. The site has been vacant for nearly 20 years and the community refers to it as an "eyesore." Petitioner's Ex. 3. Mr. Patel has operated for several years in a nearby shopping center a liquor store known as "Vineyards Elite," which caters to wine enthusiasts. He would like to relocate his business to the subject property, but requires zoning relief to do so.

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 narrow and deep property has irregular dimensions and a grade/elevation change across the site. As such it is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would be unable to relocate the business to this location. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the absence of County opposition and the support of the Sudbrook Park community. See Exhibit 3.

THEREFORE, IT IS ORDERED, this 22nd day of **March, 2016**, 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.") as follows: (1) to permit a two-way driveway of 11.3 ft. in width in lieu of the required 20 ft. in width, pursuant to §409.4.A; (2) to permit 6 parking spaces in lieu of the required 11, pursuant to §409.6.A.2; (3) to permit a parking space to be located 6 ft. from a right-of-way line in lieu of the required 10 ft., pursuant to §409.8.A.4; and (4) to permit an

ORDER RECEIVED FOR FILING

Date

3/22/16

By

sln

amenity open space ratio of zero in lieu of the required ratio of 0.1, pursuant to §232.B.4, 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. Prior to issuance of permits Petitioner must submit for approval by the Baltimore County Landscape Architect lighting and landscape plans for the site.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date 3/22/16
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 4110 Court Rd, Pikesville, MD 21208 which is presently zoned BL-CF
 Deed References: 34079/00248 10 Digit Tax Account # 0302063435
 Property Owner(s) Printed Name(s) Dalesh LLC

(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

Please see attached.

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

3. ☒ a **Variance** from Section(s)

Please see attached.

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

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

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2016-0098-A

Filing Date 10/19/15

Do Not Schedule Dates: _____

Reviewer RJ

Attachment to Petition for Variance

4 Old Court Road

^{1. A}
Petition for Variance from BCZR §409.4 to permit a two way driveway of 11.3' in width in lieu of the required 20' in width.

Petition for Variance from BCZR §409.6.A.2 to permit 6 parking spaces in lieu of the required 11.

Petition for Variance from BCZR §409.8.A.4 to permit a parking space to be 6' in from a right of way line in lieu of the required 10'.

Petition for Variance from BCZR §232.B.4 to permit an amenity open space ratio of zero in lieu of the required .1.

Item #0098

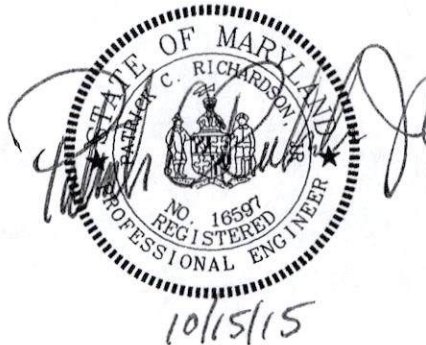
30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

410-560-1502, fax 443-901-1208

**ZONING DESCRIPTION FOR
4 OLD COURT ROAD
THIRD ELECTION DISTRICT
SIXTH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the northwest side of Old Court Road at a distance of 175 feet east of the centerline intersection of Reisterstown Road and Old Court Road, thence (1) North 46 degrees 45 minutes 35 seconds East 50.00 feet, (2) North 42 degrees 21 minutes 25 seconds West 147.50 feet; (3) South 46 degrees 45 minutes 35 seconds West 50.00 feet; (4) South 42 degrees 21 minutes 25 seconds East 147.50 feet; to the point of beginning;

Containing a net area of 7,375 square feet, or 0.17 acres of land, more or less.



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: 08-15-2017.

Item # 0098



KEVIN KAMENETZ
County Executive

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

March 22, 2016

Jennifer Busse, Esq.
Whiteford, Taylor & Preston
One West Pennsylvania Avenue, Suite 300
Towson, Maryland 21204

RE: Petition for Variance
Case No. 2016-0098-A
Property: 4 Old Court Road

Dear Mrs. Busse:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

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: 2016-0098-A
Petitioner: Virendra Patel
Address or Location: 4 Old Court Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Virendra Patel
Address: 1216 Canberwell Road
Catonsville MD 21228
Telephone Number: 443 527 1323

CERTIFICATE OF POSTING

2016-0098-A

RE: Case No.: _____

Petitioner/Developer: _____

Virendra & Krishna Patel

March 21, 2016

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: _____

4 Old Court Road

February 28, 2016

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



Sincerely,

February 28 2016

(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)



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 3778042

Sold To:

Virendra Patel - CU00506252
1216 Canberwell Rd
Catonsville, MD 21228-2837

Bill To:

Virendra Patel - CU00506252
1216 Canberwell Rd
Catonsville, MD 21228-2837

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

Dec 01, 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: **2016-0098-A**
4 Old Court Road
NW/4 Old Court Road, 175 ft. NE of centerline of Reisterstown Road,
3rd Election District - 2nd Councilmanic District
Legal Owner(s) Virendra & Krishna Patel
Variance: to permit a two-way driveway of 17.3 ft. in width in lieu of the required 20 ft. width; to permit 6 parking spaces in lieu of the required 11; to permit a parking space to be 6 ft. in from a right-of-way line in lieu of the required 10 ft.; and to permit an amenity open space ratio of zero in lieu of the required 0.1.
Hearing: Monday, December 21, 2015 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson, 21204.
ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS, FOR BALTIMORE COUNTY
NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Contact the Administrative Hearings Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 12/626 Dec 1 3778042

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising



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 3997811

Sold To:

Virendra Patel - CU00506252
1216 Canberwell Rd
Catonsville, MD 21228-2837

Bill To:

Virendra Patel - CU00506252
1216 Canberwell Rd
Catonsville, MD 21228-2837

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

Mar 01, 2016

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: # 2016-0098-A
4 Old Court Road
NW/4 Old Court Road, 175 ft. NE of centerline of Reisterstown Road,
3rd Election District - 2nd Councilmanic District
Legal Owner(s): Virendra & Krishna Patel

Variance: to permit a two-way driveway of 11.3 ft. in width in lieu of the required 20 ft. width; to permit 6 parking spaces in lieu of the required 11; to permit a parking space to be 6 ft. in from a right-of-way line in lieu of the required 10 ft.; and to permit an amenity open space ratio of zero in lieu of the required 0.1.

Hearing: Monday, March 21, 2016 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.

UT 3/603 Mar. 1 3997811

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising



KEVIN KAMENETZ
County Executive

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

February 1, 2016

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: 2016-0098-A

4 Old Court Road
NW/s Old Court Road, 175 ft. NE of centerline of Reisterstown Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Virendra & Krishna Patel

Variance to permit a two-way driveway of 11.3 ft. in width in lieu of the required 20 ft. width; to permit 6 parking spaces in lieu of the required 11; to permit a parking space to be 6 ft. in from a right-of-way line in lieu of the required 10 ft.; and to permit an amenity open space ratio of zero in lieu of the required 0.1.

Hearing: Monday, March 21, 2016 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Jennifer Busse, One W. Pennsylvania Avenue, Ste. 300, Towson 21204
Patel's, 1216 Canberwell Road, Catonsville 21228
Rick Richardson, 30 E. Padonia Road, Ste. 500, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 1, 2016**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 1, 2016 Issue - Jeffersonian

Please forward billing to:
Virendra Patel
1216 Canberwell Road
Catonsville, MD 21228

443-527-1323

NOTICE OF ZONING HEARING

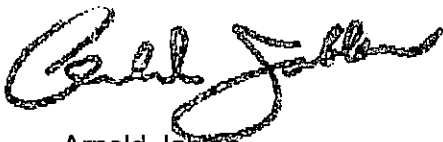
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2016-0098-A

4 Old Court Road
NW/s Old Court Road, 175 ft. NE of centerline of Reisterstown Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Virendra & Krishna Patel

Variance to permit a two-way driveway of 11.3 ft. in width in lieu of the required 20 ft. width; to permit 6 parking spaces in lieu of the required 11; to permit a parking space to be 6 ft. in from a right-of-way line in lieu of the required 10 ft.; and to permit an amenity open space ratio of zero in lieu of the required 0.1.

Hearing: Monday, March 21, 2016 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 1, 2015 Issue - Jeffersonian

Please forward billing to:
Virendra Patel
1216 Canberwell Road
Catonsville, MD 21228

443-527-1323

NOTICE OF ZONING HEARING

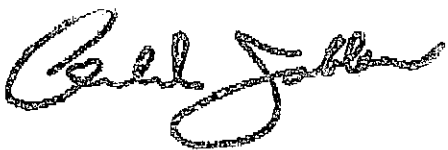
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2016-0098-A

4 Old Court Road
NW/s Old Court Road, 175 ft. NE of centerline of Reisterstown Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Virendra & Krishna Patel

Variance to permit a two-way driveway of 11.3 ft. in width in lieu of the required 20 ft. width; to permit 6 parking spaces in lieu of the required 11; to permit a parking space to be 6 ft. in from a right-of-way line in lieu of the required 10 ft.; and to permit an amenity open space ratio of zero in lieu of the required 0.1.

Hearing: Monday, December 21, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

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



KEVIN KAMENETZ
County Executive

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

November 6, 2015

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: 2016-0098-A

4 Old Court Road

NW/s Old Court Road, 175 ft. NE of centerline of Reisterstown Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Virendra & Krishna Patel

Variance to permit a two-way driveway of 11.3 ft. in width in lieu of the required 20 ft. width; to permit 6 parking spaces in lieu of the required 11; to permit a parking space to be 6 ft. in from a right-of-way line in lieu of the required 10 ft.; and to permit an amenity open space ratio of zero in lieu of the required 0.1.

Hearing: Monday, December 21, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Jennifer Busse, One W. Pennsylvania Avenue, Ste. 300, Towson 21204
Patel's, 1216 Canberwell Road, Catonsville 21228

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 1, 2015**
- (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.

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

No. **127334**

Date: **10/19/15**

PAID RECEIPT

BUSINESS ACTUAL TIME INW
10/19/2015 10/19/2015 10:46:20 4

W504 WALKIN KSHI WMS
>> RECEIPT # 485832 10/19/2015 DFLN

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount	Dept
001	806	0000		6150				\$500	5

5 529 ZONING VERIFICATION
NO. 127334

Recpt Tot \$500.00
\$500.00 CK \$0.00 CA
Baltimore County, Maryland

Total: **\$500.00**

Rec From:
For: **Zoning hearing - case # 2016-0078-A**

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

CASHIER'S
VALIDATION

RE: PETITION FOR VARIANCE

4019 Old Court Road; NW/S of Old Court
Road, 175' NE of c/line Reisterstown Road
3rd Election & 2nd Councilmanic Districts
Legal Owner(s): Virendra & Krishna Patel
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2016-098-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.

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

RECEIVED

NOV 02 2015

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of November, 2015, a copy of the foregoing Entry of Appearance was mailed to Jennifer Busse, Esquire, Whiteford, Taylor & Preston, One West Pennsylvania Avenue, Suite 300, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



KEVIN KAMENETZ
County Executive

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

March 17, 2016

Virendra & Krishna Patel
1216 Canberwell Road
Catonsville MD 21228

RE: Case Number 2016-0098 A, Address: 4 Old Court Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 19, 2016. 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
Jennifer Busse, Esquire, One W Pennsylvania Avenue, Suite 300, Towson MD 21204



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

State Highway
Administration

Maryland Department of Transportation

Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 10/27/15

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

RE: Baltimore County
Item No. 2016-0098-A
Variance
Venendra i Krishna Patel
4019 Old Court Road.

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. 2016-0098-A.

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

Sincerely,

David W. Peake
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

DWP/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: 320 West Warren Road • Hunt Valley, Maryland 21030 • Phone 410-229-2300 or 1-866-998-0367 • Fax 301-527-4690

www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

NOV 18 2015



OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: November 18, 2015

SUBJECT: DEPS Comment for Zoning Item # 2016-0098-A
Address 4 Old Court Road
(Patel Property)

Zoning Advisory Committee Meeting of November 9, 2015.

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

Reviewer: Steve Ford

Date: 11-18-2015

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: March 18, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-098 (revised)

RECEIVED

MAR 18 2016

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

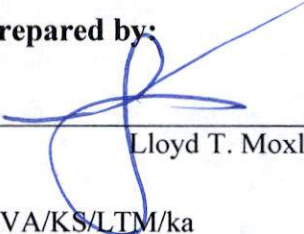
Property Address: 4 Old Court Road
Petitioner: Virendra Patel, Krishna Patel
Zoning: BL-CT
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit a two-way driveway of 11.3' in width, 6 parking spaces, a parking space to be 6' in from the right of way line and an amenity open space ratio of 0 in lieu of the required 20' in width, 11 parking spaces, 10' and 0.1 ratio respectively.

The Department supports granting the petitioned zoning relief. This property, located within a commercial revitalization district, has been reviewed and approved by the Development Review Panel (DRP). The Department recommends that in granting the requested relief, the site will be improved resulting in a finished project of enhanced quality and design.

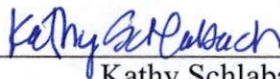
For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Bill Skibinski
Jennifer Busse, Whiteford, Taylor and Preston
Office of the Administrative Hearings

12-21
3-21

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: November 17, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-098

NOV 19 2015

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Property Address: 4 Old Court Road
Petitioner: Virendra Patel, Krishna Patel
Zoning: BL-CT
Requested Action: Variance

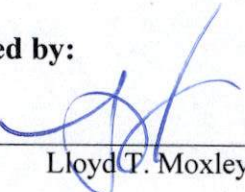
The Department of Planning has reviewed the petition for a variance to permit a two-way driveway of 11.3' in width, 6 parking spaces, a parking space to be 6' in from the right of way line and an amenity open space ratio of 0 in lieu of the required 20' in width, 11 parking spaces, 10' and 0.1 ratio respectively.

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

- The site is subject to Design Review Panel (DRP) approval. Be advised that the property is located within the Pikesville Revitalization Area. Pursuant to BCC Section 32-4-204.(c) the proposed site improvements will be subject to DRP review and recommendations. Recommendations of the DRP are binding upon the Administrative Law Judge in keeping with BCC Section 32-4-203(i)(2). Information about the DRP may be found at: <http://www.baltimorecountymd.gov/Agencies/planning/devrevandlanduse/DRP/index.html>
- Submit a landscape and lighting plan to the Baltimore County Landscape Architect for approval prior to the issuance of any permits.

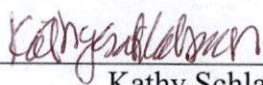
For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Bill Skibinski
Jeanette Tansey, RLA, PAI
Jennifer Busse, Whiteford, Taylor and Preston
Office of the Administrative Hearings

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For October 26, 2015
Item No. 2016-0098

DATE: November 4, 2015

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

A Landscape Plan and a Photometric Lighting Plan are required.

* * * * *

DAK
cc:file

ZAC-ITEM NO 16-0098-11042015.doc

CASE NAME 4 Old Old Court Rd
CASE NUMBER 2016-0098-A
DATE 3/21/16

[illegible]

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment11/4DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)C11/18DEPS
(if not received, date e-mail sent _____)N/C

FIRE DEPARTMENT

11/17PLANNING
(if not received, date e-mail sent _____)no obj. re comment10/27

STATE HIGHWAY ADMINISTRATION

no obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 3-1-16SIGN POSTING Date: 2-28-16by SSG BlackPEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Richardson Engineering, LLC

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

Tel: 410-560-1502
Fax 443-901-1208

January 26, 2016

Mr. Arnold Jablon
Director of Permits, Approval and Inspections
111 W. Chesapeake Avenue
Towson, MD 21204

Subject: Zoning Case 2016-0098-A
 4 Old Court Road

Dear Mr. Jablon:

On behalf of my client, Daksh, LLC, we wish to have the case scheduled for the next available hearing date. We have completed the DRP review and were approved.

If you have any questions, please feel free to contact me at any time.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Rick Richardson".

Patrick C. Richardson, Jr. PE

Richardson Engineering, LLC

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

Tel: 410-560-1502
Fax 443-901-1208

November 23, 2015

Mr. Arnold Jablon
Director of Permits, Approval and Inspections
111 W. Chesapeake Avenue
Towson, MD 21204

Subject: Zoning Case 2016-0098-A
4 Old Court Road

Dear Mr. Jablon:

On behalf of my client, Daksh, LLC, we wish to postpone the case scheduled for December 21, 2015. This will allow us time to work with the Planning Office to obtain approval of the required DRP review.

If you have any questions, please feel free to contact me at any time.

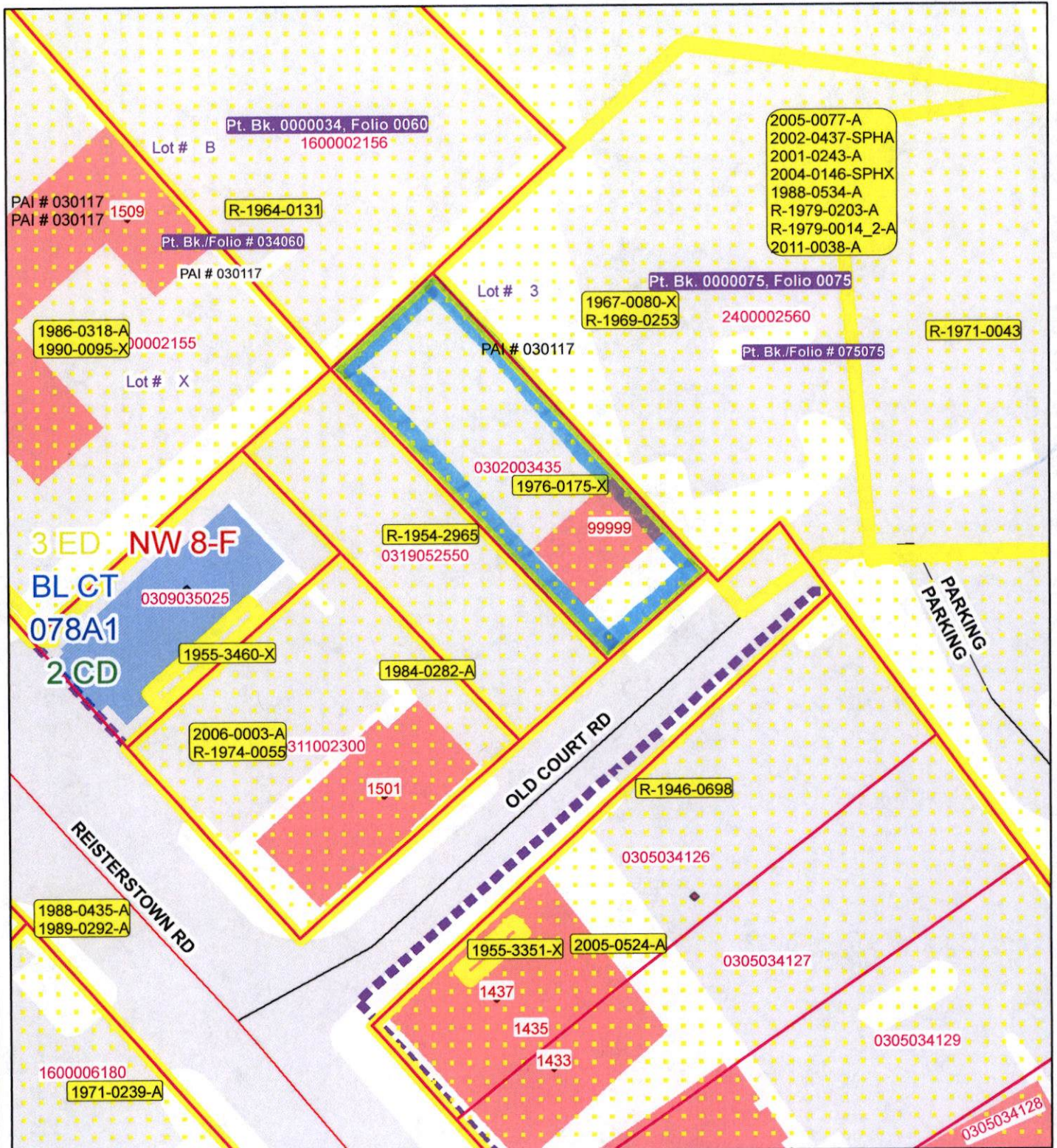
Very truly yours,



Patrick C. Richardson, Jr. PE

11/24/15
Held on rescheduling
until further notice
from Rick R.

Old Court Road



Publication Date: 10/19/2015



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



A horizontal scale bar with markings at 0, 12.5, 25, 50, 75, and 100 feet. The bar is divided into segments: a white segment from 0 to 12.5, a black segment from 12.5 to 25, a white segment from 25 to 50, a black segment from 50 to 75, and a white segment from 75 to 100. The word "Feet" is written at the right end of the bar.

1 inch = 50 feet

Item # 0098

Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 03 Account Number - 0302003435			
Owner Information					
Owner Name:		DAKSH LLC		Use:	INDUSTRIAL
Mailing Address:		1216 CANBERWELL RD		Principal Residence:	NO
		BALTIMORE MD 21228-		Deed Reference:	/34079/ 00248
Location & Structure Information					
Premises Address:		OLD COURT RD 0-0000		Legal Description:	LT NS OLD COURT RD 190 E REISTERSTOWN RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0078	0002	0862		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
				7,350 SF	08
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
Value Information					
		Base Value	Value As of 01/01/2013	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		0	0		
Improvements		0	0		
Total:		0	0	0	
Preferential Land:		0			
Transfer Information					
Seller:		Date: 08/15/2013		Price: \$129,000	
Type: ARMS LENGTH VACANT		Deed1: /34079/ 00248		Deed2:	
Seller:		Date:		Price: \$0	
Type:		Deed1: /00398/ 00154		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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					

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

Item #0098

Case No.: 2016-0098-A

Exhibit Sheet

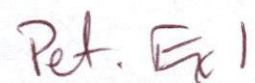
ALN
3-22-16

Petitioner/Developer

102
5-3-16

Protestant

No. 1	Aerial photo	
No. 2	Building elevation	
No. 3	Sudbrook Park letter	
No. 4	site plan	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



Printed 3/21/2016



Sudbrook Park Inc.

500 Sudbrook Lane
Pikesville, MD 21208

January 6, 2016

Ms. Jenifer G. Nugent
Landscape Designer/Planner III
Development Review Section of the Strategic Planning Division
Baltimore County Department of Planning
jnugent@baltimorecountymd.gov

Re: Vineyards Elite relocation to 4 Old Court Road
Design Review Panel meeting - January 13, 2016

Dear Ms. Nugent,

Sudbrook Park Inc. would like to express its support of the proposed renovation and relocation of the Vineyards Elite retail store to 4 Old Court Road. We have seen the proposed plans and are in favor of the improvement of what is now an eyesore in the midst of our main shopping district.

Sincerely,

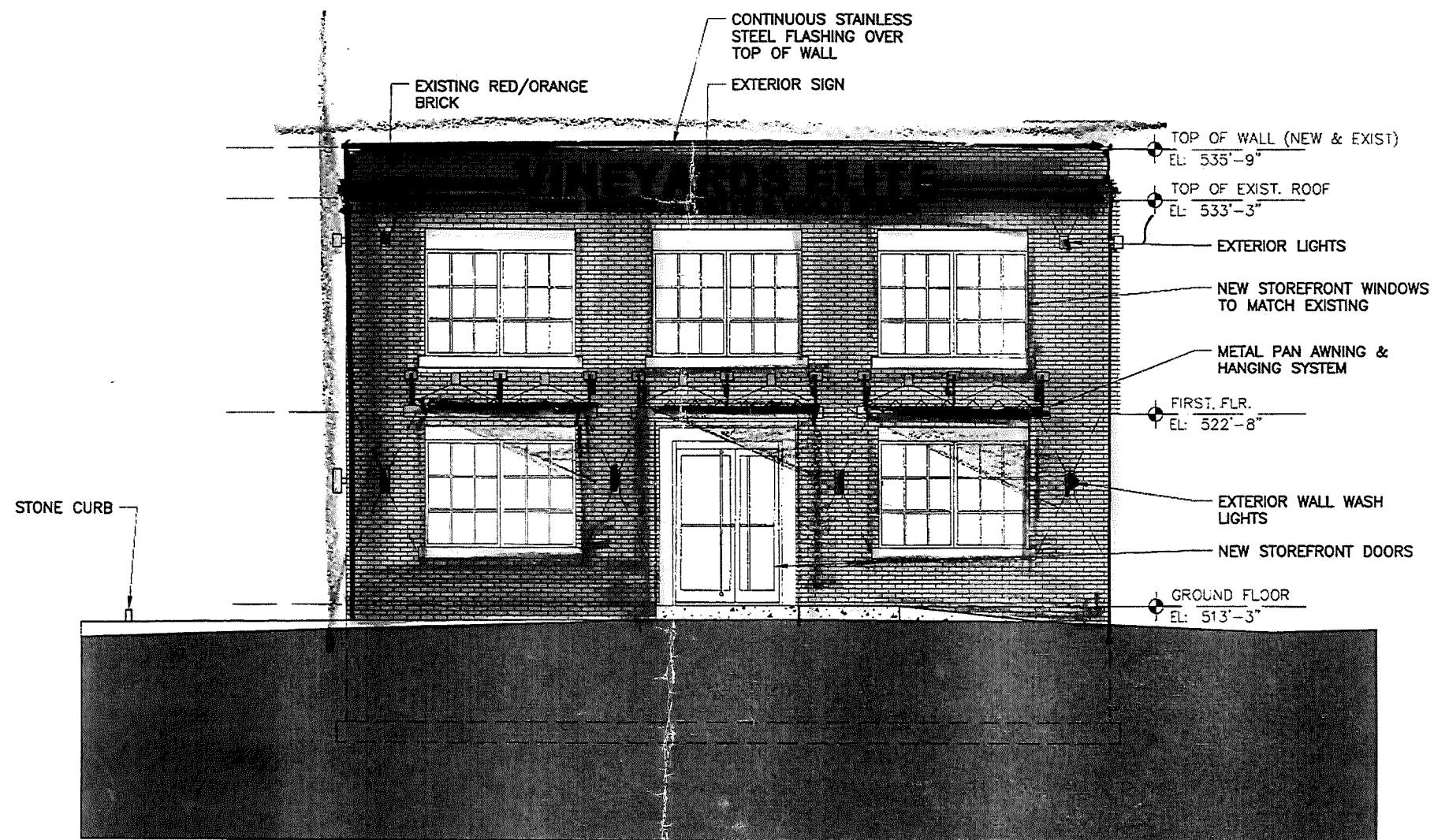
Darragh K Brady

President
Sudbrook Park Inc.

CC. Virendra Patel – Owner Vineyards Elite
Jessica Normington - Pikesville Chamber of Commerce

Ref. Ex 3

*Sudbrook park was designed by Frederick Law Olmstead, Sir. in 1885.
Historic Sudbrook park is on the National Register of Historic Places and is a Baltimore County Historic District.*



Plt. Ex 2



LOCATION MAP
1" = ###'

- OWNER: DAKSH LLC
1218 CANSERWELL ROAD
BALTIMORE, MARYLAND 21228
- SITE AREA:
GROSS: 7,699 SF OR 0.18 AC.±
NET: 7,574 SF OR 0.17 AC.±
- BUILDING AREAS:
EXISTING: 978 SF
PROPOSED: 2,471 SF
2052 SF RETAIL, 419 SF STORAGE
- UTILITIES: PUBLIC WATER AND SEWER
- USE:
EXISTING: BUSINESS, VACANT
PROPOSED: RETAIL
- ZONING: BL CT (078A1)
- PARKING: REQUIRED: 2052 SF @ 5 SPACES PER 1000 SF
= 11 SPACES
PROVIDED: 11 HANDICAP SPACE
- SETBACKS FOR BL CT:
FRONT: REQUIRED 10' PL, 40' CL PROVIDED 27.6' / 40.1'
SIDE: 0' 0.6'
REAR: 0' 46.1'
- THE SITE DOES NOT LIE WITHIN A FLOODPLAIN AS SHOWN ON F.I.R.M. 2400100240F DATED SEPTEMBER 26, 2008.
- DEED REFERENCE: 34079/248
- TAX ACCOUNT: 0302003435
- COUNCILMANIC DISTRICT: 6
- REGIONAL PLANNING DISTRICT: PIKESVILLE
- CENSUS TRACT: 403400
- WATERSHED: GWYNNS FALLS
- TAX MAP: 78 PARCEL: 862
- PREVIOUS ZONING CASE: 1976-0175-X
SPECIAL EXCEPTION TO CONSTRUCT, OPERATE AND MAINTAIN A WIRELESS TRANSMITTING/RECEIVING STRUCTURE GREATER THAN 50', GRANTED FEBRUARY 19, 1976
- FLOOR AREA RATIO: PERMITTED IN C.T. ZONE: 5.5
PROPOSED: 2741 SF / 7374 SF = 0.37
- FREE STANDING SIGN MUST COMPLY WITH SECTION 450 OF THE BCZR.
- THE SITE DOES NOT LIE IN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO KNOWN HISTORIC FEATURES ON THIS SITE, NOR IS THE SITE HISTORIC.
- THERE ARE NO PREVIOUS DRC OR CRO'S ON FILE.
- AVERAGE DAILY TRIPS: 70 PER 1000 SF = 144.

#2016-0098-A

R.D.

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

VINEYARDS ELITE

4 OLD COURT ROAD

THIRD ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

REVISIONS

Pet. #4

DRAWN BY:	CHECKED BY:	SCALE:
SE	SE	1" = 20'
DATE:	JOB NO.:	SHEET NO.:
10-15-15	15105	1 OF 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: 08-15-2017

