

**M E M O R A N D U M**

DATE: April 11, 2016  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2016-0127-SPHX- Appeal Period Expired

---

The appeal period for the above-referenced case expired on April 8, 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



KEVIN KAMENETZ  
*County Executive*

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

March 9, 2016

Jason T. Vettori, Esq.  
Smith, Gildea & Schmidt, LLC  
600 Washington Avenue  
Suite 200  
Towson, Maryland 21204

RE: **MOTION FOR RECONSIDERATION**  
Case No. 2016-0127-SPHX  
Property: 10 Music Fair Road

Dear Mr. Vettori:

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,

  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:sln  
Enclosure

**IN RE: PETITIONS FOR SPECIAL HEARING \*  
AND SPECIAL EXCEPTION**

(10 Music Fair Road) \*

3<sup>rd</sup> Election District \*

2<sup>nd</sup> Council District \*

10 Music Fair Real Estate, LLP \*

*Legal Owner* \*

Diamond Automotive Services Inc., \*

*Contract Purchaser* \*

Petitioners

\* \* \* \* \*

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

**Case No. 2016-0127-SPHX**

**ORDER ON MOTION FOR RECONSIDERATION**

Now pending is Petitioners' Motion for Reconsideration, which concerns the requisite number of parking spaces for the Collectors Car Corral use, which includes a business office on the premises. Petitioners correctly note the undersigned commented at the hearing that fewer than the provided 45 spaces would be required. Even so, the February 18, 2016 Order provided that "45 off-street parking spaces shall be provided for the vehicle storage and business office uses." This was erroneous, and the motion will therefore be granted.

Instead, as noted by Petitioners' counsel, the business office use (3,000-4,000 square feet) requires 14 spaces, while the vehicle storage aspect of the business (which is akin in some respects to a "warehouse") would require 2 spaces, one for each employee on the "largest shift." Mr. Heinle also testified occasionally customers will be dropped off at the facility to pick up their stored vehicle, and I believe 4 additional spaces should be provided for this eventuality.

Petitioners also note they intend to utilize some of the excess spaces at 10 Music Fair Road to satisfy the parking requirements for 12 Music Fair Road, where Mr. Heinle will operate an automobile detailing business. While such arrangements are permitted under the B.C.Z.R., Petitioners will need to "guarantee the continued future availability" of the spaces located at 10 Music Fair Road, by way of a lease or similar contract. B.C.Z.R. §409.7.C.

ORDER RECEIVED FOR FILING

Date

3-9-14

By

Sen

WHEREFORE, for the foregoing reasons, it is this 9<sup>th</sup> day of March, 2016 Ordered by the Administrative Law Judge that the Motion for Reconsideration filed by Petitioners be and is hereby GRANTED.

IT IS FURTHER ORDERED that the special hearing relief granted in the Order dated February 18, 2016, be and is hereby amended, such that item no. (3) shall be stricken in its entirety and in its place the following shall be inserted:

- (3) That 20 off-street parking spaces shall be provided for the vehicle storage and business office uses.

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 3/9/16  
By sln



KEVIN KAMENETZ  
*County Executive*

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

February 18, 2016

Jason T. Vettori, Esq.  
Smith, Gildea & Schmidt, LLC  
600 Washington Avenue  
Suite 200  
Towson, Maryland 21204

RE: Petitions for Special Hearing and Special Exception  
Case No. 2016-0127-SPHX  
Property: 10 Music Fair Road

Dear Mr. Vettori:

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", followed by a long horizontal line.

JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:dlw  
Enclosure

**IN RE: PETITIONS FOR SPECIAL HEARING \*  
AND SPECIAL EXCEPTION**

(10 Music Fair Road) \*  
3<sup>rd</sup> Election District  
2<sup>nd</sup> Council District \*  
10 Music Fair Real Estate, LLP \*  
*Legal Owner* \*  
Diamond Automotive Services Inc., \*  
*Contract Purchaser* \*  
Petitioners

BEFORE THE  
OFFICE OF  
ADMINISTRATIVE HEARINGS  
FOR BALTIMORE COUNTY  
**Case No. 2016-0127-SPHX**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Special Exception filed on behalf of 10 Music Fair Real Estate, LLP, legal owner and Diamond Automotive Services, Inc., contract purchaser ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) A request for confirmation that the proposed Collectors Car Corral use (which allows tenants to store and maintain their luxury, vintage and classic automobiles and is presently located next door at 12 Music Fair Road) constitutes either a service garage, a car wash, an automobile assembly, a storage or warehousing of vehicles, a parking lot or garage, an office or a combination of the aforementioned uses; (2) A request for confirmation that the site lies in an IM District and, as such, both a "parking lot or garage" and "car wash" are permitted by right or, in the alternative, that a waiver of the requirement that this retail or service use be located in a planned industrial park as provided in B.C.Z.R. Section 253.1.C be granted; (3) A waiver of the requirements for stacking and parking spaces as well as location, setback and general design standards as provided in B.C.Z.R. Sections 419.3 & 419.4, if the use is deemed a car wash; (4) A determination of the required number of parking spaces to be provided under B.C.Z.R. Section 409.6.A, if the use is deemed to be storage or warehousing of vehicles, a parking lot or garage, a

**ORDER RECEIVED FOR FILING**

Date 2-18-16

By [Signature]

car wash or an automobile assembly use; (5) A modified parking plan as provided in B.C.Z.R. Section 409.12.B; and (6) A determination that existing setbacks are legally permissible under State Law. A Petition for Special Exception was filed pursuant to §§ 253.2.B.3 and 253.2.B.2 to approve a service garage or car wash.

Appearing at the public hearing in support of the requests was Charles Heinle, who will own and operate the facility. Jason Vettori, Esq. represented the Petitioners. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Bureau of Development Plans Review (DPR), and will be discussed below.

### **Special Hearing**

The sole issue in this case concerns how to characterize in the argot of the B.C.Z.R. the use proposed by Petitioners. As described at the hearing by Mr. Heinle, the facility is known as the Collectors Car Corral, and it will provide secure, indoor storage of vintage and luxury automobiles. This business is presently located at 12 Music Fair Road (the adjacent property), and Mr. Heinle recently purchased the business and will move the operation to 10 Music Fair Road, the subject property. Both 10 and 12 Music Fair Road are zoned ML-IM. The facility will have approximately seven employees, although only one or two employees will be working on any given shift. Mr. Heinle explained he will have an office (approximately 3,000-4,000 square feet) within the building that will handle all administrative aspects of the business. The plan indicates that 45 off-street parking spaces are provided (Ex. 1, note 30), which is more than sufficient for the proposed vehicle storage use and the business office.

ORDER RECEIVED FOR FILING

Date 2-18-16

By [Signature]

Section 253.1 of the B.C.Z.R. identifies the uses permitted by right in the ML zone. Pursuant to B.C.Z.R. §253.1.C.18, "parking lots or garages" are one such permitted use. As is often the case, neither of these terms is defined in the Regulations, although I believe the Car Corral operation fits within the ordinary accepted definition of a parking lot or garage. Webster's Third New International Dictionary, Unabridged, defines "garage" as a "building or compartment of a building used for housing an automotive vehicle."

The Bureau of DPR noted lighting and landscape plans are required for the site, and a condition to that effect will be included in the Order below. The DOP also suggested certain conditions upon any relief granted, and those too will be included in the final Order. While the DOP suggested Petitioners be required to provide a sidewalk along the Music Fair Road frontage, I will not impose such a requirement. Mr. Heinle stated that the area is bordered by CSX railroad tracks and is primarily industrial in nature. There are no sidewalks at present along Music Fair Road, and I do not believe that a small (perhaps 250 linear feet) portion of sidewalk would be of much utility.

THEREFORE, IT IS ORDERED this 18<sup>th</sup> day of February 2016, by this Administrative Law Judge, that the Petition for Special Hearing to: (1) confirm that the proposed Collectors Car Corral use (which allows tenants to store and maintain their luxury, vintage and classic automobiles and is presently located next door at 12 Music Fair Road) constitutes a parking lot or garage pursuant to B.C.Z.R. §253.1.C.18 and is permitted as of right in the ML-IM zone; (2) that all existing setbacks (to the extent they are deficient) are lawfully nonconforming and therefore permissible under State and County law and regulations; and (3) that 45 off-street parking spaces shall be provided for the vehicle storage and business office uses, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the remaining requests set forth in the Petition for

ORDER RECEIVED FOR FILING

Date 2-18-16

By BW



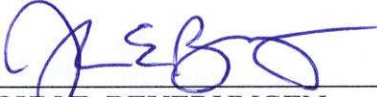
Special Hearing be and are hereby DISMISSED AS MOOT.

IT IS FURTHER ORDERED that the Petition for Special Exception pursuant to B.C.Z.R. §§ 253.2.B.3 and 253.2.B.2 to approve a service garage or car wash, be and is hereby DISMISSED AS MOOT.

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

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their 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, Petitioners would be required to return the subject property to its original condition.
2. Prior to issuance of permits Petitioners must submit for approval by Baltimore County landscape and lighting plans for the site.
3. No body or fender work, or painting of vehicles, shall be performed on the subject property.
4. There shall be no abandoned, inoperable, damaged and/or disabled vehicles on the premises for longer than thirty (30) days.

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 2-18-16

By 





## 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 10 Music Fair Road which is presently zoned ML-IM  
Deed References: 14303/00458 10 Digit Tax Account # 0301085200  
Property Owner(s) Printed Name(s) 10 Music Fair Real Estate LLP

(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

Please see attached.

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

*see attached*

3. ☐ a **Variance** from Section(s)

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:

Diamond Automotive Services, Inc.

Name- Type or Print

*[Signature]*

Signature

10606 Beaver Dam Road Cockeysville MD

Mailing Address City State

21030 / 443-281-8850 / chuck@diamonddetail.com

Zip Code Telephone # Email Address

#### Attorney for Petitioner:

Jason T. Vettori, Smith, Gildea & Schmidt, LLC

Name- Type or Print

*[Signature]*

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

21204 / (410) 821-0070 / jvettori@sgs-law.com

Zip Code Telephone # Email Address

#### Legal Owners (Petitioners):

10 Music Fair Real Estate LLP

Name #1 - Type or Print

*[Signature]*

Signature #1

7 Slade Ave., #817

Mailing Address

21208 / 410-753-1860

Zip Code Telephone #

Name #2 - Type or Print

*[Signature]*

Signature #2

Baltimore MD

Mailing Address City State

STEW505@AOL.COM

Email Address

#### Representative to be contacted:

Jason T. Vettori, Smith, Gildea & Schmidt, LLC

Name - Type or Print

*[Signature]*

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

21204 / (410) 821-0070 / jvettori@sgs-law.com

Zip Code Telephone # Email Address

CASE NUMBER 2016-0127-SPHX Filing Date 11/16/15 Do Not Schedule Dates: \_\_\_\_\_ Reviewer BH

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date 2-18-16

By [Signature]



**ATTACHMENT TO PETITION FOR ZONING HEARING**

*10 Music Fair Road*

Case No.: 2016- 0127 - SPHX

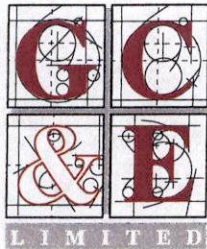
**Special Hearing relief to approve:**

1. A request for confirmation that the proposed Collectors Car Corral use (which allows tenants to store and maintain their luxury, vintage and classic automobiles and is presently located next door at 12 Music Fair Road) constitutes either a service garage (§ 253.2.B.3 or 253.1.C.29), a car wash (§ 253.2.B.2 or 253.1.C.7), an automobile assembly (§ 253.1.A.2), a storage or warehousing of vehicles (§ 253.1.B.16), a parking lot or garage (§ 253.1.C.18), an office (§ 253.1.A.34) or a combination of the aforementioned uses (§ 253.1.E); and
2. A request for confirmation that the site lies in an IM District and, as such, both a "parking lot or garage" and "car wash" are permitted by right or, in the alternative, that a waiver of the requirement that this retail or service use be located in a planned industrial park as provided in BCZR § 253.1.C be granted;
3. A waiver of the requirements for stacking and parking spaces as well as location, setback and general design standards as provided in BCZR §§ 419.3 & 419.4, if the use is deemed a car wash; and
4. A determination of the required number of parking spaces to be provided under BCZR § 409.6.A, if the use is deemed to be storage or warehousing of vehicles, a parking lot or garage, a car wash or an automobile assembly use; and
5. A modified parking plan as provided in BCZR § 409.12.B; and
6. A determination that existing setbacks are legally permissible under State law; and
7. For such other and further relief as may be deemed necessary by the Administrative Law Judge ("ALJ") for Baltimore County.

**Special Exception relief for:**

1. A service garage or car wash as provided in BCZR §§ 253.2.B.3 (as opposed to 253.1.C.29) & 253.2.B.2 (as opposed to 253.1.C.7); and
2. For such other and further relief as may be deemed necessary by the Administrative Law Judge ("ALJ") for Baltimore County.





## Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286  
Phone: (410) 823-4470 • Fax: (410) 823-4473 • [www.gcelimited.com](http://www.gcelimited.com)

November 11, 2015

### **Zoning Description #10 Music Fair Road**

Beginning at a point on the northeast side of Music Fair Road, 60 feet wide, at the distance of 630 feet, more or less, southeasterly from the center of Painters Mill Road, running thence with the northeast side of Music Fair Road, (1) South 52 degrees 54 minutes 40 seconds East 248.00 feet, thence leaving said road and running, (2) North 23 degrees 28 minutes 20 seconds East 268.76 feet, (3) North 41 degrees 21 minutes 20 seconds West 190.00 feet, and, (4) South 36 degrees 49 minutes 00 seconds West 299.27 feet, to the place of beginning. Containing 1.382 acres of land, more or less. Located in the 3<sup>rd</sup> Election District and 2<sup>nd</sup> Councilmanic District, Baltimore County, Maryland.



License expires/renews 2/26/17





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 3883178

**Sold To:**

Smith Gildea & Schmidt LLC - CU00433777  
600 Washington Ave Ste 200  
TOWSON, MD 21204

**Bill To:**

Smith Gildea & Schmidt LLC - CU00433777  
600 Washington Ave Ste 200  
TOWSON, MD 21204

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

Jan 14, 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: # 2016-0127-SPHX**

10 Music Fair Road

NE/s Music Fair Road, 630 ft. SE Painters Mill Road

3rd Election District - 2nd Councilmanic District

Legal Owner(s) 10 Music Fair Real Estate LLP

Contract Purchaser(s): Diamond Automotive Services, Inc.

**Special Hearing:** for a request for confirmation that the proposed Collectors Car Corral use (which allows tenants to store and maintain their luxury, vintage and classic automobiles and is presently located next door at 12 Music Fair Road) constitutes either a service garage, a car wash, an automobile assembly, a storage or warehousing of vehicles, a parking lot or garage, an office or a combination of the aforementioned uses; and a request for confirmation that the site lies in an IM District and, as such, both a "parking lot or garage" and "car wash" are permitted by right or, in the alternative, that a waiver of the requirement that this retail or service use be located in a planned industrial park as provided in BCZR section 253.1.C be granted; a waiver of the requirements for stacking and parking spaces as well as location, setback and general design standards as provided in BCZR section s 419.3 & 419.4, if the use is deemed a car wash; and a determination of the required number of parking spaces to be provided under BCZR section 409.6.A, if the use is deemed to be storage or warehousing of vehicles, a parking lot or garage, a car wash or an automobile assembly use; and a modified parking plan as provided in BCZR section 409.12.B; and a determination that existing setbacks are legally permissible under State Law; and for such other and further relief as may be deemed necessary by the Administrative Law Judge ("ALJ") for Baltimore County.

**Special Exception:** for a service garage or car wash as provided in BCZR sections 253.2.B.3 (as opposed to 253.1.C.29) & 253.2.B.2 (as opposed to 253.1.C.7); and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

**Hearing: Thursday, February 4, 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.

1/11 January 14

3883178

The Baltimore Sun Media Group

By

*S. Wilkinson*

Legal Advertising

# CERTIFICATE OF POSTING

**ATTENTION:** KRISTEN LEWIS

**DATE:** 1/13/2016

**Case Number:** 2016-0127-SPHX

**Petitioner / Developer:** JASON VETTORI, ESQ. of SMITH GILDEA & SCHMIDT, LLC ~ DIAMOND AUTOMOTIVE SERVICES ~ 10 MUSIC FAIR REAL ESTATE, LLP

**Date of Hearing (Closing):** FEBRUARY 4, 2016

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:  
10 MUSIC FAIR ROAD

**The sign(s) were posted on:** JANUARY 12, 2016



*Linda O'Keefe*  
(Signature of Sign Poster)

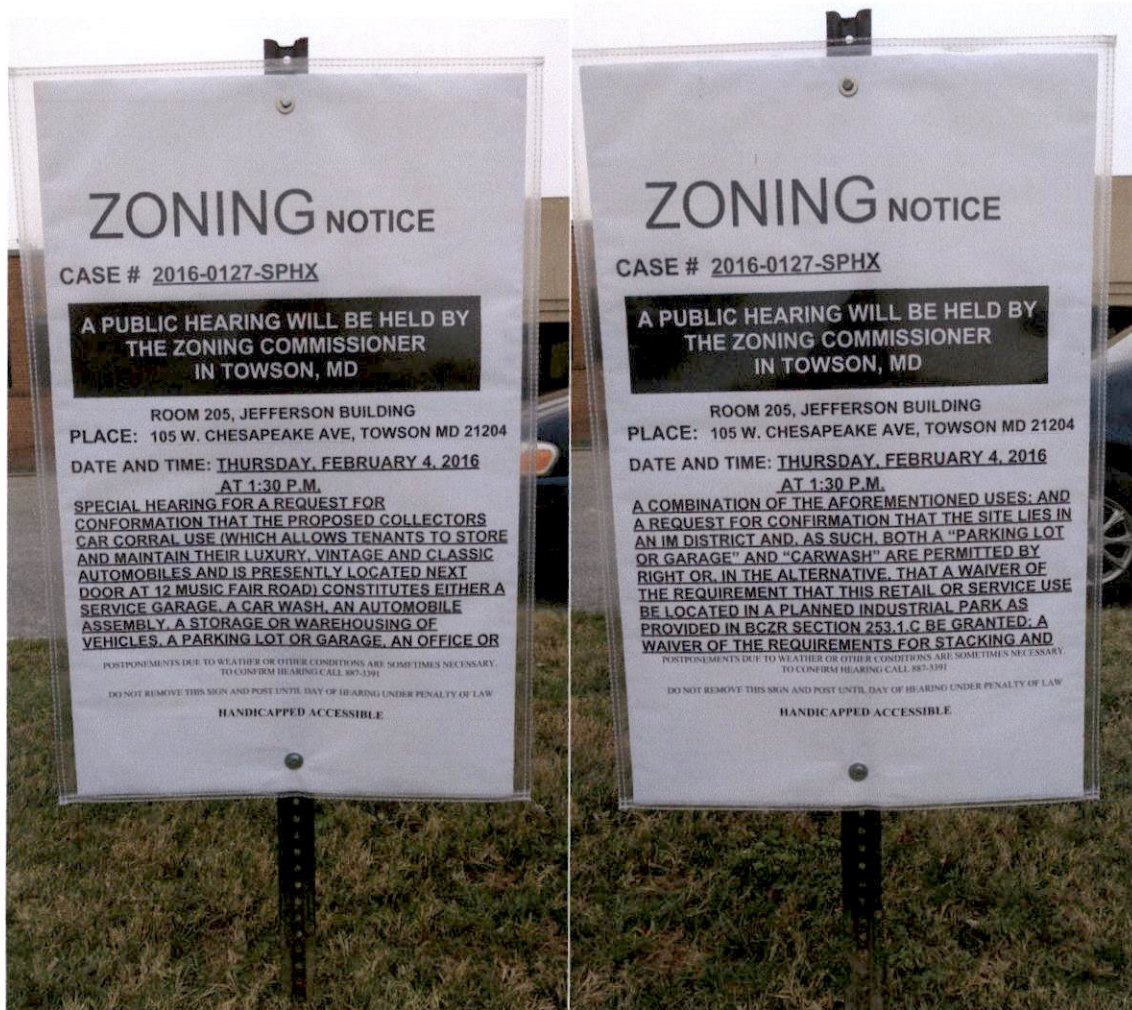
Linda O'Keefe  
(Printed Name of Sign Poster)

523 Penny Lane  
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030  
(City, State, Zip of Sign Poster)

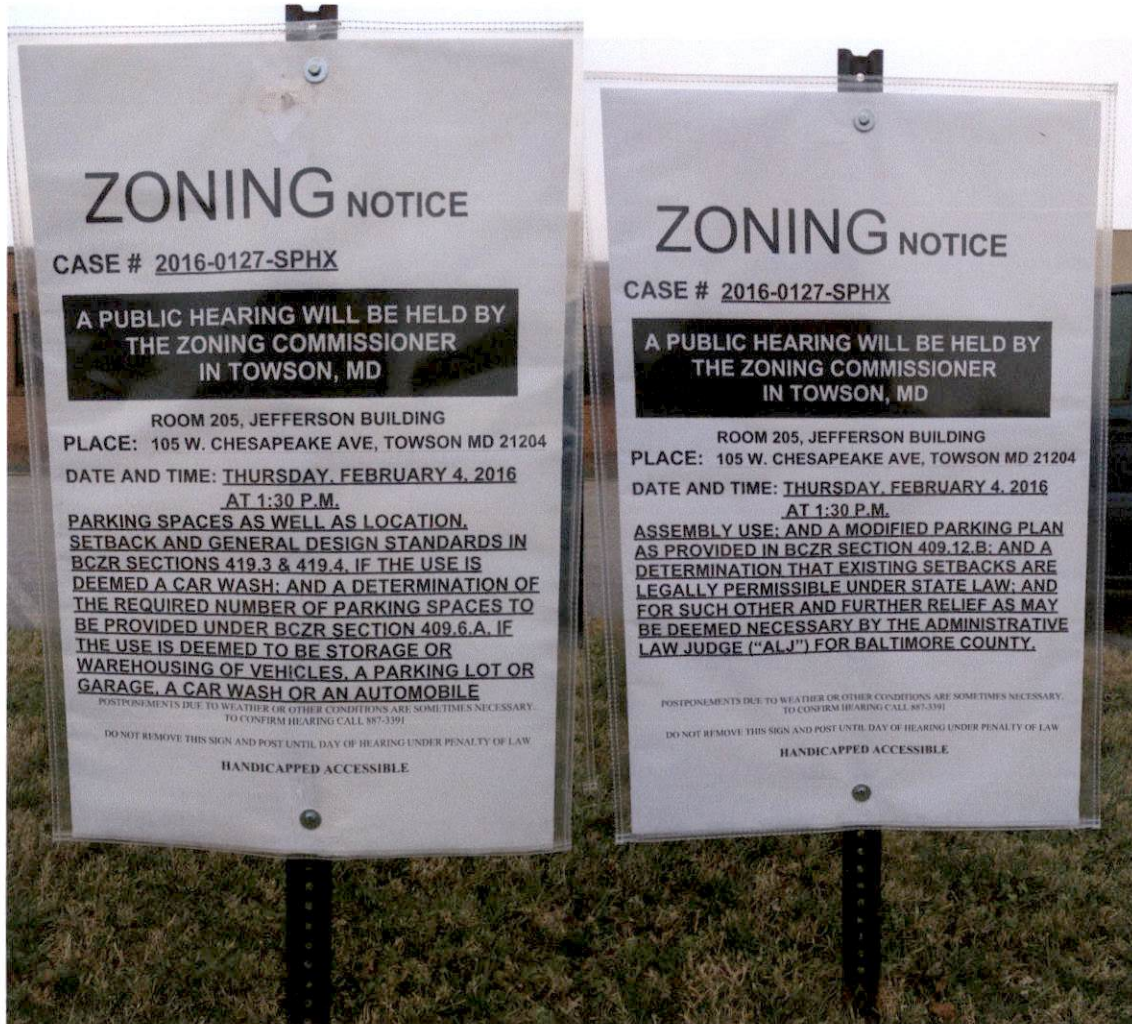
410 - 666 - 5366  
(Telephone Number of Sign Poster)





SIGN # 1

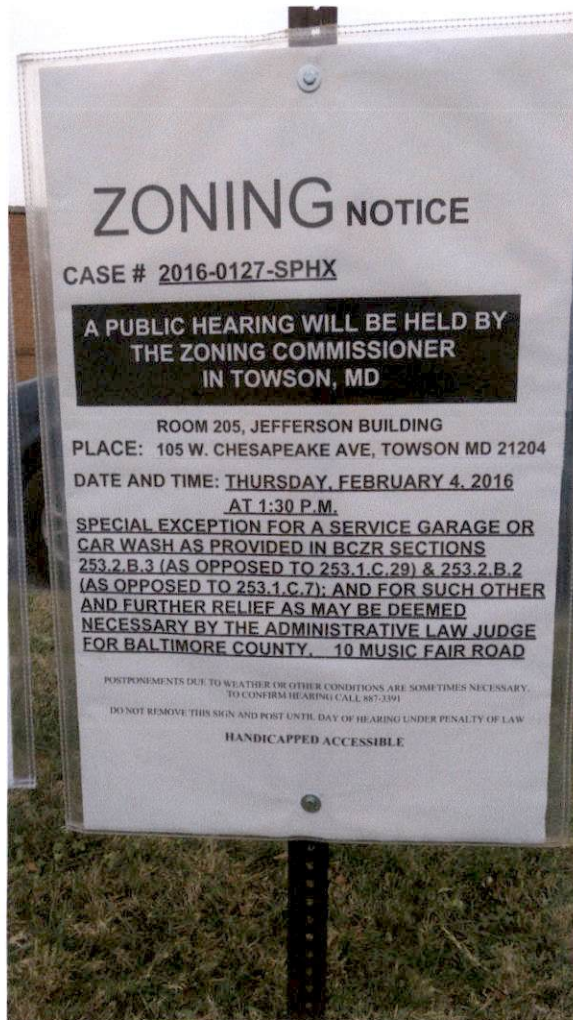
SIGN #2



SIGN # 3

SIGN #4





SIGN #5

**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.**

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**For Newspaper Advertising:**

Case Number: 2016-0127-SPHX  
Property Address: 10 Music Fair Road  
Property Description: Owings Mills, MD 2117-3603  
Legal Owners (Petitioners): Randy Moss  
Contract Purchaser/Lessee: Diamond Automotive Services, Inc.

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: Jason Vetter  
Company/Firm (if applicable): Smith, Glick & Schmidt  
Address: 600 Washington Ave, Suite 200  
Towson, MD 21204  
Telephone Number: 410-821-0070



KEVIN KAMENETZ  
County Executive

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

January 28, 2016

10 Music Fair Real Estate LLP  
7 Slade Avenue  
Suite 817  
Baltimore MD 21208

RE: Case Number: 2016-0127 SPHX, Address: 10 Music Fair 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 November 16, 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  
Diamond Automotive Services, Inc., 10606 Beaver Dam Road, Cockeysville MD 21030  
Jason T Vettori, Esquire, 600 Washington Avenue, Suite 200, Towson MD 21204





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

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

Date: 11/24/15

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

RE: Baltimore County  
Item No. 2016-0127-SPHX  
*Special Hearing-Special Exception*  
*10 Music Fair Real Estate LLP*  
*10 Music Fair 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. 2016-0127-SPHX.

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

2-4

## BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

**DATE:** December 11, 2015

**FROM:** Andrea Van Arsdale  
Director, Department of Planning

RECEIVED

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 16-127

DEC 11 2015

OFFICE OF ADMINISTRATIVE HEARINGS

**INFORMATION:**

**Property Address:** 10 Music Fair Road  
**Petitioner:** 10 Music Fair Real Estate, LLP  
**Zoning:** ML IM  
**Requested Action:** Special Hearing, Special Exception

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve a request for confirmation of the principal use of the subject property, confirmation of the subject property zoning classification, approval of a waiver to the parking and stacking standards found in BCZR § 409 and § 419, setbacks and also the petition for special exception to use the property for a principal use service garage or car wash.

The Department understands that all activity on site will be interior to the existing building and has no objection to the ultimate determinations of the Administrative Law Judge as to principal use, waivers and standards in this case.

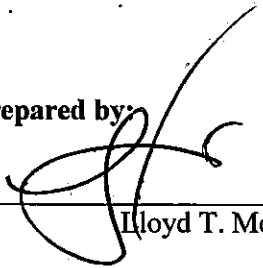
The Department recommends that if the determined principal use of the property is any of the uses cited in the petition other than "service garage" or "automobile assembly", the conditions prohibiting body and fender work and painting of vehicles and the prohibition on the storage of abandoned, inoperable and/or disabled vehicles for longer than 30 days as established in zoning case no. 2009-0207-SPHX be confirmed and continued.

The Department recommends all signage comply with the Baltimore County Zoning Regulations, § 450 and sign copy be specific to the principal use of the property as determined and not a "laundry list" of all uses, both principal and ancillary.

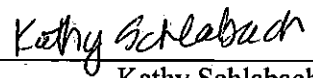
The Department recommends that as a condition of approval to be included the Order, the petitioner be required to provide a sidewalk along the Music Fair Road right-of-way to ensure pedestrian safety.

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

Prepared by:

  
\_\_\_\_\_  
Lloyd T. Moxley

Division Chief:

  
\_\_\_\_\_  
Kathy Schlabach

AVA/KS/LTM/ka

c: Troy Leftwich  
Jason T. Vettori, Smith, Gildea & Schmidt, LLC  
Office of the Administrative Hearings  
People's Counsel for Baltimore County



RECEIVED

## BALTIMORE COUNTY, MARYLAND

DEC 03 2015

## Inter-Office Correspondence

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: December 3, 2015

SUBJECT: DEPS Comment for Zoning Item # 2016-0127-SPHX  
Address 10 Music Fair Road  
(10 Music Fair Real Estate, LLP)

Zoning Advisory Committee Meeting of November 30, 2015.

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

Reviewer: *Jeff Livingston – Development Coordination*

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**FROM:** <sup>DAK</sup> Dennis A. Kennedy, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For November 23, 2015  
Item No. 2016-0127

**DATE:** November 23, 2015

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

Landscape and Lighting Plans are required. It appears that modifications to the Landscape setbacks will be required and that improvements currently encroach on adjacent properties.

\* \* \* \* \*

DAK  
cc:file

ZAC-ITEM NO 16-0127-11232015.doc



December 3, 2015  
KEVIN KAMENETZ  
County Executive

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

## 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: 2016-0127-SPHX**

10 Music Fair Road  
NE/s Music Fair Road, 630 ft. SE Painters Mill Road  
3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District  
Legal Owners: 10 Music Fair Real Estate LLP  
Contract Purchaser/Lessee: Diamond Automotive Services, Inc.

**Special Hearing** for a request for confirmation that the proposed Collectors Car Corral use (which allows tenants to store and maintain their luxury, vintage and classic automobiles and is presently located next door at 12 Music Fair Road) constitutes either a service garage, a car wash, an automobile assembly, a storage or warehousing of vehicles, a parking lot or garage, an office or a combination of the aforementioned uses; and a request for confirmation that the site lies in an IM District and, as such, both a "parking lot or garage" and "car wash" are permitted by right or, in the alternative, that a waiver of the requirement that this retail or service use be located in a planned industrial park as provided in BCZR section 253.1.C be granted; a waiver of the requirements for stacking and parking spaces as well as location, setback and general design standards as provided in BCZR sections 419.3 & 419.4, if the use is deemed a car wash; and a determination of the required number of parking spaces to be provided under BCZR section 409.6.A, if the use is deemed to be storage or warehousing of vehicles, a parking lot or garage, a car wash or an automobile assembly use; and a modified parking plan as provided in BCZR section 409.12.B; and a determination that existing setbacks are legally permissible under State Law; and for such other and further relief as may be deemed necessary by the Administrative Law Judge ("ALJ") for Baltimore County. **Special Exception** for a service garage or car wash as provided in BCZR sections 253.2.B.3 (as opposed to 253.1.C.29) & 253.2.B.2 (as opposed to 253.1.C.7); and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Hearing: Thursday, February 4, 2016 at 1:30 p.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon  
Director

AJ:kl

C: Jason Vettori, 600 Washington Avenue, Ste. 200, Towson 21204  
Diamond Automotive Services, 10606 Beaver Dam Rd., Cockeysville 21030  
10 Music Fair Real Estate, LLP, 7 Slade Avenue, #817, Baltimore 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JANUARY 15, 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. Zoning Review | County Office Building  
111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048  
[www.baltimorecountymd.gov](http://www.baltimorecountymd.gov)



TO: PATUXENT PUBLISHING COMPANY  
Thursday, January 14, 2016 Issue - Jeffersonian

Please forward billing to:

Jason Vettori  
Smith, Gildea & Schmidt, LLC  
600 Washington Avenue, Ste. 200  
Towson, MD 21204

410-821-0070

---

### NOTICE OF ZONING HEARING

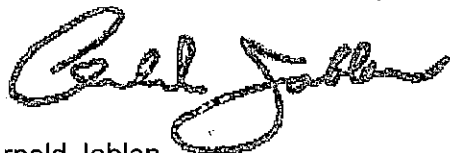
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 2016-0127-SPHX**

10 Music Fair Road  
NE/s Music Fair Road, 630 ft. SE Painters Mill Road  
3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District  
Legal Owners: 10 Music Fair Real Estate LLP  
Contract Purchaser/Lessee: Diamond Automotive Services, Inc.

**Special Hearing** for a request for confirmation that the proposed Collectors Car Corral use (which allows tenants to store and maintain their luxury, vintage and classic automobiles and is presently located next door at 12 Music Fair Road) constitutes either a service garage, a car wash, an automobile assembly, a storage or warehousing of vehicles, a parking lot or garage, an office or a combination of the aforementioned uses; and a request for confirmation that the site lies in an IM District and, as such, both a "parking lot or garage" and "car wash" are permitted by right or, in the alternative, that a waiver of the requirement that this retail or service use be located in a planned industrial park as provided in BCZR section 253.1.C be granted; a waiver of the requirements for stacking and parking spaces as well as location, setback and general design standards as provided in BCZR sections 419.3 & 419.4, if the use is deemed a car wash; and a determination of the required number of parking spaces to be provided under BCZR section 409.6.A, if the use is deemed to be storage or warehousing of vehicles, a parking lot or garage, a car wash or an automobile assembly use; and a modified parking plan as provided in BCZR section 409.12.B; and a determination that existing setbacks are legally permissible under State Law; and for such other and further relief as may be deemed necessary by the Administrative Law Judge ("ALJ") for Baltimore County. **Special Exception** for a service garage or car wash as provided in BCZR sections 253.2.B.3 (as opposed to 253.1.C.29) & 253.2.B.2 (as opposed to 253.1.C.7); and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Hearing: Thursday, February 4, 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.

|                                                                   |   |                   |
|-------------------------------------------------------------------|---|-------------------|
| RE: PETITION FOR SPECIAL HEARING                                  | * | BEFORE THE OFFICE |
| AND SPECIAL EXCEPTION                                             |   |                   |
| 10 Music Fair Road; NE/S Music Fair Road,                         | * | OF ADMINISTRATIVE |
| 630' SE Painters Mill Road                                        |   |                   |
| 3 <sup>rd</sup> Election & 2 <sup>nd</sup> Councilmanic Districts | * | HEARINGS FOR      |
| Legal Owner(s): 10 Music Fair Real Estate LLP                     |   |                   |
| Contract Purchaser(s): Diamond Automotive                         | * | BALTIMORE COUNTY  |
| Services, Inc                                                     |   |                   |
| Petitioner(s)                                                     | * | 2016-127-SPHX     |

\* \* \* \* \*

### 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**

**DEC 04 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 4th day of December, 2015, a copy of the foregoing Entry of Appearance was mailed to Jason Vettori, Esquire, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



CASE NAME DIAMOND AUTOMOTIVE SERVICES  
CASE NUMBER 2016-0127-SPHX  
DATE 2/4/16

[illegible]



### Use Chart Breakdown

| Use                                | By Right or S.E. | BCZR Section | Relief Needed                                                  |
|------------------------------------|------------------|--------------|----------------------------------------------------------------|
| Service garage                     | By Right         | 253.1.C.29   | IM/AS combination waiver                                       |
| Service garage                     | S.E.             | 253.2.B.3    | 502.1 only (b/c in IM)                                         |
| Car Wash                           | By Right         | 253.1.C.7    | Planned Industrial Park waiver                                 |
| Car Wash                           | S.E.             | 253.2.B.2    | 502.1 + 419                                                    |
| Automobile Assembly                | By Right         | 253.1.A.2    | N/A                                                            |
| Storage or Warehousing of Vehicles | By Right         | 253.1.B.16   | (any product - Zoning Review feels this is for inventory only) |
| Parking Lot/Garage                 | By Right         | 253.1.C.18   | N/A                                                            |
| Office                             | By Right         | 253.1.A.34   | N/A                                                            |

## § 5-114. Setback line restrictions

West's Annotated Code of Maryland Courts and Judicial Proceedings Effective: October 1, 2013 (Approx. 3 pages)

West's Annotated Code of Maryland

Courts and Judicial Proceedings

Title 5. Limitations, Prohibited Actions, and Immunities (Refs &amp; Annos)

Subtitle 1. Limitations (Refs &amp; Annos)

Effective: October 1, 2013

MD Code, Courts and Judicial Proceedings, § 5-114

## § 5-114. Setback line restrictions

Currentness

**Definitions**

(a)(1) In this section the following words have the meanings indicated.

(2) "Building permit" or "permit" includes a site plan and other documentation submitted in support of an application for a building permit and providing the basis for the issuance of the building permit.

(3) "Governmental entity" includes:

(i) The State;

(ii) A local government; and

(iii) An officer, office, department, agency, board, commission, or other unit of State or local government.

(4) "Highway" means any way or thoroughfare, whether or not the way or thoroughfare has been dedicated to the public or a dedication has been accepted.

(5) "Local government" means:

(i) A charter county as defined in § 1-101 of the Local Government Article;

(ii) A code county as defined in § 1-101 of the Local Government Article;

(iii) A board of county commissioners;

(iv) Baltimore City;

(v) A municipality as defined in § 1-101 of the Local Government Article;

(vi) A special taxing district; or

(vii) Any other political subdivision.

(6)(i) "Person" means an individual, receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind and any partnership, firm, association, corporation, or other entity.

(ii) "Person" does not include a governmental entity.

(7) "Property line" means the line marking the boundary between 2 separate lots or parcels of property.

(8) "**Setback line**" means the distance from a curb or shoulder of a highway, edge of a sidewalk, or property line beyond which any portion of a building or structure may not extend.

(9) "**Setback line restriction**" means a **setback line** established by:

(i) A law, ordinance, or regulation, including a building or zoning law, ordinance, or regulation; or

- (ii) An instrument, however denominated.

#### Failure of building or structure to comply with setback line

(b)(1) A person may not initiate an action or proceeding arising out of a failure of a building or structure to comply with a **setback line restriction** more than 3 years after the date on which the violation first occurred.

(2) A governmental entity may not initiate an action or proceeding arising out of a failure of a building or structure to comply with a **setback line restriction** more than 3 years after the date on which the violation first occurred if the building or structure was constructed or reconstructed:

(i) In compliance with an otherwise valid building permit, except that the building permit wrongfully permitted the building or structure to violate a **setback line restriction**; or

(ii) Under a valid building permit, and the building or structure failed to comply with a **setback line restriction** accurately reflected in the permit.

(3) For purposes of paragraph (2)(i) of this subsection and notwithstanding any other provision of State or local law to the contrary, a building permit that was otherwise validly issued, except that the permit wrongfully permitted the building or structure to violate a **setback line restriction**, shall be considered a valid building permit.

(4) For purposes of paragraph (2) of this subsection, the date on which the violation first occurred shall be deemed to be the date on which the final building inspection was approved.

#### Forfeiture or reversion of title

(c) Notwithstanding any provision to the contrary in a deed or other written instrument, a failure to comply with a **setback line restriction** may not cause a forfeiture or reversion of title.

#### Laches or other defenses

(d) This section may not be construed to abrogate or affect the defense of laches or any other defense that a person may have to an action or proceeding for a violation of a **setback line restriction**.

#### Credits

Added by Acts 1989, c. 729. Amended by Acts 1991, c. 576; Acts 1992, c. 383; Acts 2013, c. 136, § 1, eff. Oct. 1, 2013.

#### Editors' Notes

#### RESEARCH REFERENCES

##### Encyclopedias

Maryland Law Encyclopedia Limitations of Actions § 24, Action to Enforce **Setback Line Restrictions**.

MD Code, Courts and Judicial Proceedings, § 5-114, MD CTS & JUD PRO § 5-114  
Current through June 1, 2015 legislation of the 2015 Regular Session of the General Assembly

End of Document

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CHECKLISTComment  
ReceivedDepartmentSupport/Oppose/  
Conditions/  
Comments/  
No Comment11/23DEVELOPMENT PLANS REVIEW  
(if not received, date e-mail sent \_\_\_\_\_)C12/3DEPS  
(if not received, date e-mail sent \_\_\_\_\_)N/C12/11FIRE DEPARTMENT  
PLANNING  
(if not received, date e-mail sent \_\_\_\_\_)C11/24STATE HIGHWAY ADMINISTRATION  
TRAFFIC ENGINEERINGNo Obj11/24

COMMUNITY ASSOCIATION

11/24

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. \_\_\_\_\_)

PRIOR ZONING (Case No. 2009-0207-SPHX)NEWSPAPER ADVERTISEMENT Date: 1/14/16SIGN POSTING Date: 1/12/16 by O'KeefePEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: \_\_\_\_\_

MICHAEL PAUL SMITH  
DAVID K. GILDEA  
LAWRENCE E. SCHMIDT  
MICHAEL G. DEHAVEN  
JASON T. VETTORI  
DAVID W. TERRY\*

\*Admitted in MD, MO, IL, AR

RECEIVED

MAR 03 2016

OFFICE OF ADMINISTRATIVE HEARINGS

LAUREN DODRILL BENJAMIN  
CHRISTOPHER W. COREY  
MARIELA C. D'ALESSIO\*\*  
MELISSA L. ENGLISH  
ELYANA TARLOW  
SARAH A. ZADROZNY

of counsel:

JAMES T. SMITH, JR.  
EUGENE A. ARBAUGH, JR.  
DAVID T. LAMPTON

\*\*Admitted in MD, FL, PA

March 3, 2016

**Sent Via Hand Delivery**

John E. Beverungen, Esquire  
Office of Administrative Hearings  
Administrative Law Judge  
105 W. Chesapeake Avenue, Suite 103  
Towson, MD 21204

**Re: 10 Music Fair Road  
Case No. 2016-0127-SPHX**

Dear Administrative Law Judge Beverungen:

This is in reference to your Opinion and Order issued on February 18, 2016 in the above referenced matter. Pursuant to Rule K of your Rules of Practice and Procedure, kindly accept this letter as a Motion for Reconsideration of a portion of that decision.

As you may recall, you granted us special hearing relief to approve the Collectors Car Corral as a "parking lot or garage", among other things. I respectfully request that you reconsider your determination of the number of parking spaces which are required to be provided for the use.

The reason the zoning relief in the instant matter was being requested was to move the Collectors Car Corral from its present location at 12 Music Fair Road to 10 Music Fair Road, so Charles Heinle's automobile detailing business could take occupancy of 12 Music Fair Road. It was mentioned that a request for zoning relief for 12 Music Fair Road would be filed in the near future. At the hearing, I believe you stated that less than the 45 spaces which are being provided would be required so that some portion of the excess parking on 10 Music Fair Road would be able to be used for 12 Music Fair Road, if needed. We have filed a Petition for Zoning Relief for 12 Music Fair Road and that matter is scheduled for a hearing on Monday, April 4, 2016 at 1:30 p.m. (Case No.: 2016-0183-SPHX).

As part of our request for special hearing relief in the instant matter, we requested that the ALJ determine "the required number of parking spaces to be provided under BCZR § 409.6.A."



Case No.: 2016-0127-SPHX  
10 Music Fair Road  
Motion for Reconsideration  
March 3, 2016  
Page 2

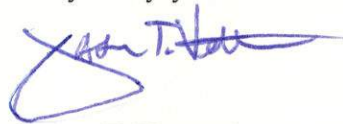
This section<sup>1</sup> provides in pertinent part that, when a use such as a "parking lot or garage" does not have a statutorily provided number of spaces to be provided, the ALJ can set the number of spaces to be provided.

I think 16 off-street parking spaces for the combined office and "parking garage" is an appropriate number for the reasons which follow. Based upon Mr. Heinle's testimony you found that there would be 3,000 to 4,000 square feet of office space on this property. You also noted that the "facility will have approximately seven employees, although only one or two employees would be working on any given shift." Lastly, you found that the 45 off-street parking spaces being provided "is more than sufficient for the proposed vehicle storage use and the business office." However, you *ordered* that "45 off-street parking spaces shall be provided for the vehicle storage and business office uses."

With 4,000 square feet of office, at 3.3 spaces per 1,000 sf, 14 spaces would be required. BCZR § 409.6.A.3. The "parking garage" use is more akin to a warehouse which requires "1 per employee on the largest shift."<sup>2</sup> BCZR § 409.6.A.2. I would like for you to set a required number of parking spaces at approximately 16 as opposed to the 45 spaces provided in the February 18, 2016 decision. Again, the reason for the reduction in the number of spaces required from 45 to 16 is to preserve those spaces for the adjoining automobile detailing business which you will be considering in April.

I respectfully request that you grant Petitioner's request for reconsideration and determine the number of spaces to be provided for the proposed use, the combined "parking lot or garage" and office proposal, is less than the 45 spaces which are provided. Your favorable consideration of this request is appreciated.

Very truly yours,



Jason T. Vettori

Enclosure  
CC: Charles Heinle

---

<sup>1</sup> According to Section 409.6.A of the BCZR, the Director of PAI determines whether the ALJ shall determine the basis of the number of spaces to be provided if the required number of off-street parking spaces is not set forth for particular type of use. However, the ALJ has the authority to grant said relief under BCZR §§ 500.6 and 500.7.

<sup>2</sup> As Mr. Heinle (hypothetically speaking) testified at the hearing, the Collectors Car Corral client arrives in his "Jaguar" and picks up his "Ferrari." The attendant replaces one vehicle for the other in that client's designated parking spot in the "parking garage".





KEVIN KAMENETZ  
*County Executive*

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

February 18, 2016

Jason T. Vettori, Esq.  
Smith, Gildea & Schmidt, LLC  
600 Washington Avenue  
Suite 200  
Towson, Maryland 21204

RECEIVED  
FEB 22 2016  
Smith, Gildea & Schmidt

RE: Petitions for Special Hearing and Special Exception  
Case No. 2016-0127-SPHX  
Property: 10 Music Fair Road

Dear Mr. Vettori:

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 a horizontal line.

JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:dlw  
Enclosure

**IN RE: PETITIONS FOR SPECIAL HEARING \*  
AND SPECIAL EXCEPTION**

(10 Music Fair Road) \*

3<sup>rd</sup> Election District

2<sup>nd</sup> Council District \*

10 Music Fair Real Estate, LLP

*Legal Owner* \*

Diamond Automotive Services Inc.,

*Contract Purchaser* \*

Petitioners

\* \* \* \* \*

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2016-0127-SPHX

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Special Exception filed on behalf of 10 Music Fair Real Estate, LLP, legal owner and Diamond Automotive Services, Inc., contract purchaser ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) A request for confirmation that the proposed Collectors Car Corral use (which allows tenants to store and maintain their luxury, vintage and classic automobiles and is presently located next door at 12 Music Fair Road) constitutes either a service garage, a car wash, an automobile assembly, a storage or warehousing of vehicles, a parking lot or garage, an office or a combination of the aforementioned uses; (2) A request for confirmation that the site lies in an IM District and, as such, both a "parking lot or garage" and "car wash" are permitted by right or, in the alternative, that a waiver of the requirement that this retail or service use be located in a planned industrial park as provided in B.C.Z.R. Section 253.1.C be granted; (3) A waiver of the requirements for stacking and parking spaces as well as location, setback and general design standards as provided in B.C.Z.R. Sections 419.3 & 419.4, if the use is deemed a car wash; (4) A determination of the required number of parking spaces to be provided under B.C.Z.R. Section 409.6.A, if the use is deemed to be storage or warehousing of vehicles, a parking lot or garage, a

car wash or an automobile assembly use; (5) A modified parking plan as provided in B.C.Z.R. Section 409.12.B; and (6) A determination that existing setbacks are legally permissible under State Law. A Petition for Special Exception was filed pursuant to §§ 253.2.B.3 and 253.2.B.2 to approve a service garage or car wash.

Appearing at the public hearing in support of the requests was Charles Heinle, who will own and operate the facility. Jason Vettori, Esq. represented the Petitioners. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Bureau of Development Plans Review (DPR), and will be discussed below.

### **Special Hearing**

The sole issue in this case concerns how to characterize in the argot of the B.C.Z.R. the use proposed by Petitioners. As described at the hearing by Mr. Heinle, the facility is known as the Collectors Car Corral, and it will provide secure, indoor storage of vintage and luxury automobiles. This business is presently located at 12 Music Fair Road (the adjacent property), and Mr. Heinle recently purchased the business and will move the operation to 10 Music Fair Road, the subject property. Both 10 and 12 Music Fair Road are zoned ML-IM. The facility will have approximately seven employees, although only one or two employees will be working on any given shift. Mr. Heinle explained he will have an office (approximately 3,000-4,000 square feet) within the building that will handle all administrative aspects of the business. The plan indicates that 45 off-street parking spaces are provided (Ex. 1, note 30), which is more than sufficient for the proposed vehicle storage use and the business office.



Section 253.1 of the B.C.Z.R. identifies the uses permitted by right in the ML zone. Pursuant to B.C.Z.R. §253.1.C.18, "parking lots or garages" are one such permitted use. As is often the case, neither of these terms is defined in the Regulations, although I believe the Car Corral operation fits within the ordinary accepted definition of a parking lot or garage. Webster's Third New International Dictionary, Unabridged, defines "garage" as a "building or compartment of a building used for housing an automotive vehicle."

The Bureau of DPR noted lighting and landscape plans are required for the site, and a condition to that effect will be included in the Order below. The DOP also suggested certain conditions upon any relief granted, and those too will be included in the final Order. While the DOP suggested Petitioners be required to provide a sidewalk along the Music Fair Road frontage, I will not impose such a requirement. Mr. Heinle stated that the area is bordered by CSX railroad tracks and is primarily industrial in nature. There are no sidewalks at present along Music Fair Road, and I do not believe that a small (perhaps 250 linear feet) portion of sidewalk would be of much utility.

THEREFORE, IT IS ORDERED this 18<sup>th</sup> day of February 2016, by this Administrative Law Judge, that the Petition for Special Hearing to: (1) confirm that the proposed Collectors Car Corral use (which allows tenants to store and maintain their luxury, vintage and classic automobiles and is presently located next door at 12 Music Fair Road) constitutes a parking lot or garage pursuant to B.C.Z.R. §253.1.C.18 and is permitted as of right in the ML-IM zone; (2) that all existing setbacks (to the extent they are deficient) are lawfully nonconforming and therefore permissible under State and County law and regulations; and (3) that 45 off-street parking spaces shall be provided for the vehicle storage and business office uses, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the remaining requests set forth in the Petition for

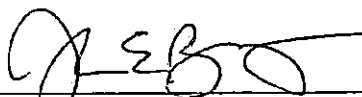
Special Hearing be and are hereby DISMISSED AS MOOT.

IT IS FURTHER ORDERED that the Petition for Special Exception pursuant to B.C.Z.R. §§ 253.2.B.3 and 253.2.B.2 to approve a service garage or car wash, be and is hereby DISMISSED AS MOOT.

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

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their 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, Petitioners would be required to return the subject property to its original condition.
2. Prior to issuance of permits Petitioners must submit for approval by Baltimore County landscape and lighting plans for the site.
3. No body or fender work, or painting of vehicles, shall be performed on the subject property.
4. There shall be no abandoned, inoperable, damaged and/or disabled vehicles on the premises for longer than thirty (30) days.

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

|                                             |   |                         |
|---------------------------------------------|---|-------------------------|
| IN RE: PETITIONS FOR SPECIAL HEARING        | * | BEFORE THE              |
| AND SPECIAL EXCEPTION                       |   |                         |
| NE/Side of Music Fair Rd., 875' SE          | * | ZONING COMMISSIONER     |
| C/line of Painters Mill Road                |   |                         |
| (12 Music Fair Road)                        | * | OF                      |
| 3 <sup>rd</sup> Election District           | * | BALTIMORE COUNTY        |
| 2 <sup>nd</sup> Council District            | * |                         |
|                                             | * |                         |
| 12 Music Fair Road, LLC, <i>Legal Owner</i> |   |                         |
| PLMD, LLC, <i>Contract Lessee</i>           | * | Case No. 2009-0207-SPHX |
| Petitioners                                 | * |                         |

\* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Special Exception filed by the owner of the subject property, 12 Music Fair Road, LLC, and PLMD, LLC, (PLMD) contract lessee, through their attorney, Arnold E. Jablon, Esquire with Venable, LLP. The Petitioners request a special hearing, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to confirm that (1) dispatching of vehicles is accessory to the principal use as offices; and (2) minor repairs of vehicles is accessory to the principal use as offices. In the event it is determined that the special hearing relief requested does not meet the regulation requirements, Petitioners have filed, in the alternative, a petition for special exception to permit a service garage use at this location. The subject property and requested relief are more particularly described on the amended site plan<sup>1</sup> submitted, which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing were William C. Krasner, managing member of PLMD; Thomas A. Church, Professional Engineer with Development Engineering

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<sup>1</sup> The plan was amended in response to comments received from the Office of Planning who does not oppose the use but asked for revisions to reflect perpendicular parking instead of angled parking, security fencing, site access, etc.



Consultants, Inc., who prepared the site plan for this property, and Arnold E. Jablon, Esquire, on behalf of the Petitioners. There were no adverse Zoning Advisory Committee (ZAC) comments received from any of the County reviewing agencies and no one appeared as a Protestant in opposition to the request.

Testimony and evidence offered revealed that the subject property is comprised of three (3) separate lots of record that form an irregular rectangular shaped tract consisting of 0.73 acres (32,034 square feet) of M.L.-I.M. zoned land in Owings Mills. The site is located on the northeast side of Music Fair Road, which is just south and perpendicular to Painters Mill Road. The property is improved with a one-story warehouse/office building, of approximately 27,000 square feet. PLMD is proposing to lease a portion (10,200 square feet) of the existing building. There will be no new construction and no variances are requested. The existing building is also rectangularly shaped and the contract lessee's use of the building is that portion shown on the site plan surrounded by yellow highlighter or the left-portion of the building, adjacent to 10 Music Fair Road, owned by Real Estate, LLP and used as a construction equipment storage yard and offices.

The purpose of the special hearing request is to confirm that the proposed uses by the Petitioner (PLMD) are permitted as of right. As noted, there is to be no change to the footprint of the existing building, to any other use on site, nor to the site itself. PLMD proposes to have its office and storage space in the front portion of the building (7,968 square feet) and to dispatch non-emergency medical transportation vehicles (specialized vehicles for handicap people) including the ancillary repair and maintenance of these vehicles. The described vehicles as shown on Petitioners' Exhibit 5 will be located outside, to the rear of the building, behind a secure fence and bordered by the existing CRX railroad tracks.

PMLD will employ three (3) to five (5) full-time office workers, including an office manager. The office will maintain all business and financial records. The purpose of the business is to provide non-emergency transportation to those in need due to age or disability from or to home, an alternative living facility, nursing home, hospital, or doctor's office for those who do not have available transportation or cannot transport themselves. In addition, it will employ about 12-15 full-time drivers on any given day and approximately 30 employees who will work directly with assisted living facilities (ALF's), nursing homes, hospitals and doctors. These latter employees will not be located on site. There will be approximately 12-15 non-emergency vehicles parked on-site. Each of these vehicles is expected to be in service daily. The drivers will park their personal cars in the non-emergency vehicle's parking space delineated on the site plan. PLMD wants to be able to wash the non-emergency vehicles, which will occur only within an 874 square foot rear portion of the building. *See* Petitioner's Exhibit 1, denoting the area for washing of vehicles. In addition, they propose to perform very minor vehicle repairs, such as oil changes. The 1,400 square foot area for this work is also shown on Exhibit 1. There will be no major vehicle repairs on site. These accessory uses would occur only inside the building. There will be no abandoned, disabled or unlicensed vehicles on site. No vehicles will be for sale and none for hire.

This property is, according to Mr. Church, uniquely qualified for this particular use for the following reasons. First, because of its location. Immediately to the rear of the site and bordering the full length of the site is the CRX tracks. These railroad tracks literally separate more intense manufacturing uses that exist between the tracks and Reisterstown Road from the uses on Music Fair Road. *See* aerial photographs submitted as Petitioners' Exhibits 2 and 3, detailing the instant property and surrounding adjacent properties. The tracks are elevated with

steep grades down to the properties on either side, according to Mr. Church. Second, access to the parking area and to the interior of the building by vehicles is by an existing easement between 12 Music Fair Road, LLC and the owner of 10 Music Fair Road. This arrangement is illustrated on Petitioners' Exhibit 3 as well as on photos submitted as Exhibits 4, 5, 6 and 7. The easement will permit vehicles to use the adjacent driveway, on 10 Music Fair Road, back to the rear of the properties, with egress and ingress into the subject site by way of a driveway, through a gate and into the parking lot area of the subject property. This access is shown on Exhibit 1 as well as the fence and gate displayed in the photos (Exhibits 4-7). The vehicles will at all times be located in a totally secured area, with a fence line on both sides of the site and the tracks to the rear. Third, there is no residential community anywhere near this location. Immediately across the street is a major Toyota vehicle service center. Office uses and other commercial uses are nearby and adjacent. Finally, the site's location has easy access to I-795, Painters Mill Road, Reisterstown Road, Liberty Road, to the Owings Mills and Reisterstown communities, and is perfect for what is proposed.

Mr. Krasner stated the principal use of the building is the office where his full-time employees will maintain all records and provide the normal and customary office use for the business. The accessory uses would be minor repairs and vehicle washes, as described above. Mr. Krasner stated that only the non-emergency vehicles used by the business would be so maintained. Further, the dispatching of the vehicles is not done in the stereotypical way that limos and taxicabs are. These non-emergency vehicles are similar to ambulances, with wheel chair accessibility, but will not be used for emergency transportation. They will not be dispatched by 2-way radios as taxis are; the drivers will be given itineraries and contacted by cell phones. The proposed use is available only to a very specific population, not available to the

public generally. The sole purpose is to permit doctors and hospitals, nursing homes and ALF's to ensure that their patients are afforded the health services they require.

Section 253.1 of the B.C.Z.R. permits office use as of right in the M.L. zone. Section 253.1.F permits accessory uses as of right in the M.L.-I.M. zone. The vehicles, Mr. Jablon opines, are not cabs or limos; they are not available for hire or sale. It is not the vehicle that forms the service the lessee will provide. Indeed, in the M.L.-I.M. zone, auxiliary service uses are permitted as of right. The service the lessee provides, as described, is to those who need patient management in order to meet their medical needs in a non-emergency setting, where they might not otherwise be able to do so. The use of vehicles to transport them, as was described, is but one element of the overall service provided. The office use is the principal use; the other uses are auxiliary to the office use.

The Petitioners filed, in the alternative, a request for a special exception to permit a service garage use. A service garage is defined, by Section 101 of the B.C.Z.R., as a "garage, other than a residential garage, where motor-driven vehicles are stored, equipped for operation, repaired or kept for remuneration, hire or sale." In this regard, I find that the office use is the principal use. I further find that the minor repairs and washing of the lessee's vehicles are accessory.

After due consideration of the testimony and evidence presented, I am persuaded to grant special hearing relief to confirm that (1) the dispatching of the non-emergency vehicles is accessory to the principal use of the office; and (2) the minor repairs of these vehicles is also accessory to the principal use of the subject property as an office. I further find that the petition for special exception to approve a conditional use for a service garage should be dismissed as moot.



Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth herein, the Petition for Special Hearing shall be granted. The Petition for Special Exception has been determined to be unnecessary and shall be dismissed as moot.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 1<sup>ST</sup> day of April, 2009, that the Petition for Special Hearing, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), requesting confirmation that (1) the dispatching of vehicles is accessory to the principal use as offices; and (2) that minor repairs of vehicles is accessory to principal use as offices, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED; and

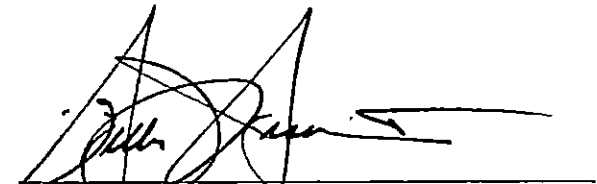
IT IS FURTHER ORDERED that the Petition for Special Exception filed in the alternative, to approve a service garage use on the subject property, be and is hereby dismissed as MOOT.

IT IS FURTHER ORDERED, that the relief granted is subject to the following conditions:

1. The Special Hearing relief granted is limited for uses and operations performed by PLMD, LLC and shall not run with the land as to enure to the benefit of any subsequent property lessor or owner.
2. The Petitioners are hereby made aware that proceeding at this is at their own risk until such time as the thirty (30) day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
3. No body or fender work shall be performed on the site including the painting of vehicles.
4. There shall be no storage of abandoned, inoperable, damaged and/or disabled vehicles on the premises for longer than thirty (30) days.

5. The decision in this case is not a legal precedent that may be cited as such in any other zoning case involving dispatching of vehicles as accessory to the principal use as offices.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code and filed within thirty (30) days of the date of this Order.

A handwritten signature in black ink, appearing to read 'William J. Wiseman, III', is written over a horizontal line.

WILLIAM J. WISEMAN, III  
Zoning Commissioner  
of Baltimore County

WJW:dlw

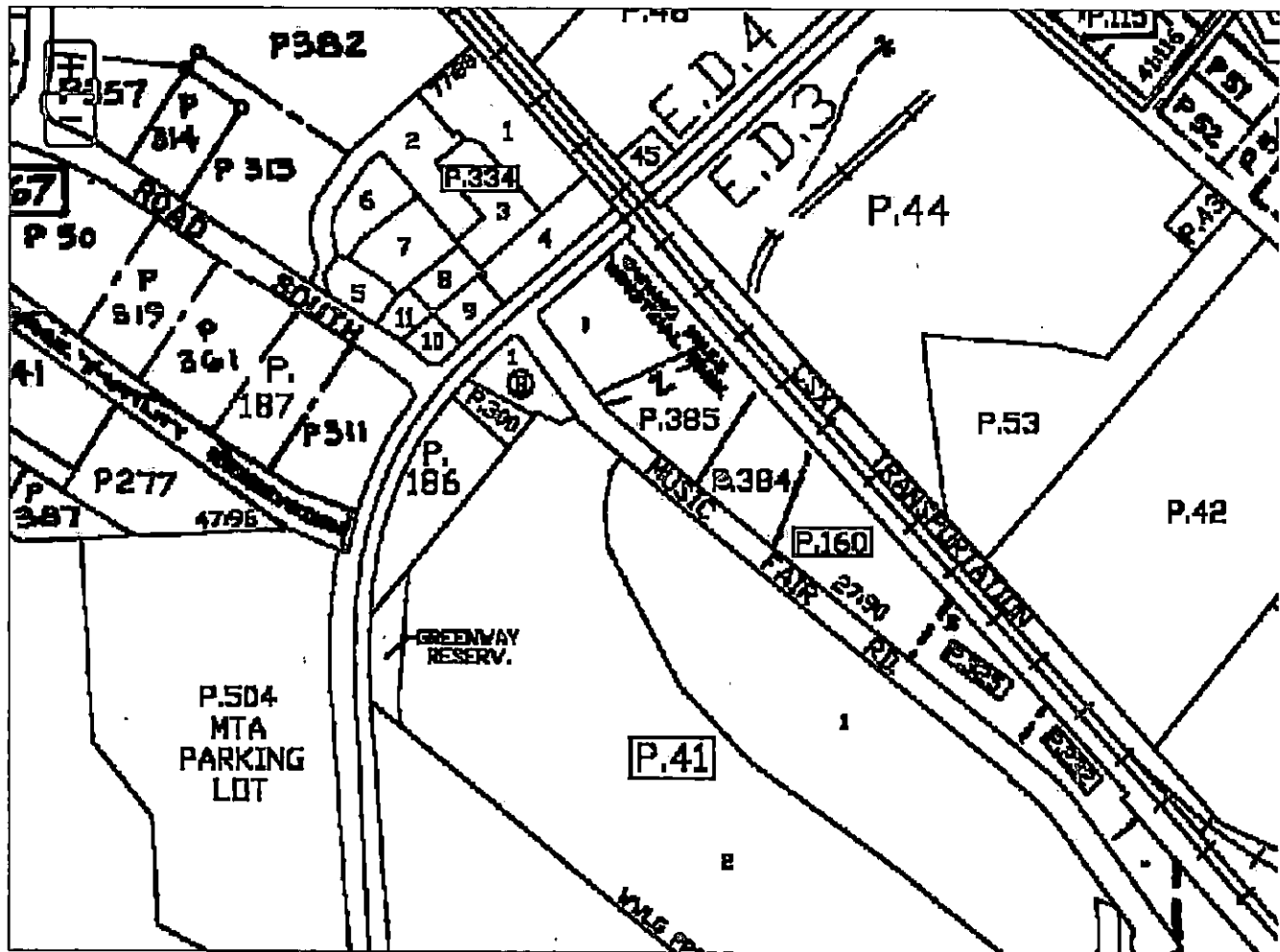
## Real Property Data Search ( w3)

## Guide to searching the database

## Search Result for BALTIMORE COUNTY

|                                              |          |                                                |               |                        |                              |                                                        |                       |                                                           |                    |
|----------------------------------------------|----------|------------------------------------------------|---------------|------------------------|------------------------------|--------------------------------------------------------|-----------------------|-----------------------------------------------------------|--------------------|
| View Map                                     |          | View GroundRent Redemption                     |               |                        |                              | View GroundRent Registration                           |                       |                                                           |                    |
| Account Identifier:                          |          | District - 03 Account Number - 0301085200      |               |                        |                              |                                                        |                       |                                                           |                    |
| Owner Information                            |          |                                                |               |                        |                              |                                                        |                       |                                                           |                    |
| Owner Name:                                  |          | DIAMOND AUTOMOTIVE SERVICES INC                |               |                        |                              | Use: Principal Residence:                              |                       | INDUSTRIAL NO                                             |                    |
| Mailing Address:                             |          | 10606 BEAVER DAM RD COCKEYSVILLE MD 21093-0000 |               |                        |                              | Deed Reference:                                        |                       | /37017/ 00379                                             |                    |
| Location & Structure Information             |          |                                                |               |                        |                              |                                                        |                       |                                                           |                    |
| Premises Address:                            |          | 10 MUSIC FAIR RD 0-0000                        |               |                        |                              | Legal Description:                                     |                       | PT LT 2 1.383 AC 10 MUSIC FAIR RD OWINGS MILLS INDUST PAR |                    |
| Map:                                         | Grid:    | Parcel:                                        | Sub District: | Subdivision:           | Section:                     | Block:                                                 | Lot:                  | Assessment Year:                                          | Plat No: Plat Ref: |
| 0067                                         | 0004     | 0384                                           |               | 0000                   | 1                            | A                                                      |                       | 2016                                                      | 0027/ 0090         |
| Special Tax Areas:                           |          |                                                |               |                        | Town: Ad Valorem: Tax Class: |                                                        | NONE                  |                                                           |                    |
| Primary Structure Built                      |          | Above Grade Enclosed Area                      |               | Finished Basement Area |                              | Property Land Area                                     |                       | County Use                                                |                    |
|                                              |          | 24500                                          |               |                        |                              | 1.3800 AC                                              |                       | 07                                                        |                    |
| Stories                                      | Basement | Type                                           |               | Exterior               | Full/Half Bath               | Garage                                                 | Last Major Renovation |                                                           |                    |
|                                              |          | OFFICE BUILDING                                |               |                        |                              |                                                        |                       |                                                           |                    |
| Value Information                            |          |                                                |               |                        |                              |                                                        |                       |                                                           |                    |
|                                              |          | Base Value                                     |               | Value As of 01/01/2016 |                              | Phase-in Assessments As of 07/01/2015 As of 07/01/2016 |                       |                                                           |                    |
| Land:                                        |          | 491,000                                        |               | 491,000                |                              |                                                        |                       |                                                           |                    |
| Improvements                                 |          | 1,023,100                                      |               | 1,032,000              |                              |                                                        |                       |                                                           |                    |
| Total:                                       |          | 1,514,100                                      |               | 1,523,000              |                              | 1,514,100                                              |                       | 1,517,067                                                 |                    |
| Preferential Land:                           |          | 0                                              |               |                        |                              |                                                        |                       | 0                                                         |                    |
| Transfer Information                         |          |                                                |               |                        |                              |                                                        |                       |                                                           |                    |
| Seller: 10 MUSIC FAIR REAL ESTATE LLP        |          |                                                |               | Date: 12/24/2015       |                              | Price: \$1,755,000                                     |                       |                                                           |                    |
| Type: ARMS LENGTH IMPROVED                   |          |                                                |               | Deed1: /37017/ 00379   |                              | Deed2:                                                 |                       |                                                           |                    |
| Seller: 10 MUSIC FAIR REAL ESTATE PRTSHP     |          |                                                |               | Date: 02/10/2000       |                              | Price: \$0                                             |                       |                                                           |                    |
| Type: NON-ARMS LENGTH OTHER                  |          |                                                |               | Deed1: /14303/ 00458   |                              | Deed2:                                                 |                       |                                                           |                    |
| Seller: ASKIN BROTHERS C OMpany              |          |                                                |               | Date: 12/30/1986       |                              | Price: \$840,000                                       |                       |                                                           |                    |
| Type: ARMS LENGTH IMPROVED                   |          |                                                |               | Deed1: /07434/ 00406   |                              | 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              |                              | 0.00 0.00                                              |                       |                                                           |                    |
| Tax Exempt:                                  |          |                                                |               | Special Tax Recapture: |                              |                                                        |                       |                                                           |                    |
| Exempt Class:                                |          |                                                |               | NONE                   |                              |                                                        |                       |                                                           |                    |
| Homestead Application Information            |          |                                                |               |                        |                              |                                                        |                       |                                                           |                    |
| Homestead Application Status: No Application |          |                                                |               |                        |                              |                                                        |                       |                                                           |                    |

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **03** Account Number: **0301085200**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at [www.plats.net](http://www.plats.net) (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at [www.mdp.state.md.us/OurProducts/OurProducts.shtml](http://www.mdp.state.md.us/OurProducts/OurProducts.shtml) (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).





## Baltimore County 2016 Comprehensive Zoning Map Process

### Log of Issues

February 03, 2016

|                                  |  |                                   |  |                                         |                                       |
|----------------------------------|--|-----------------------------------|--|-----------------------------------------|---------------------------------------|
| <b>Issue Number</b> 2-026        |  | <b>Petitioner</b> Charles Heinle  |  | <b>Location</b> 10 and 12 Music Fair Rd |                                       |
| <b>Existing Zoning and Acres</b> |  | <b>Requested Zoning and Acres</b> |  | <b>Final Staff Recommendations</b>      | <b>Planning Board Recommendations</b> |
| ML IM 5.00                       |  | BM CT 5.00                        |  |                                         |                                       |
| 5.00                             |  | 5.00                              |  |                                         |                                       |

Comments:

|                                  |  |                                   |  |                                          |                                       |
|----------------------------------|--|-----------------------------------|--|------------------------------------------|---------------------------------------|
| <b>Issue Number</b> 2-027        |  | <b>Petitioner</b> Jeffrey Shuman  |  | <b>Location</b> 14 Greenspring Valley Rd |                                       |
| <b>Existing Zoning and Acres</b> |  | <b>Requested Zoning and Acres</b> |  | <b>Final Staff Recommendations</b>       | <b>Planning Board Recommendations</b> |
| ROA 0.95                         |  | RO 0.95                           |  |                                          |                                       |
| 0.95                             |  | 0.95                              |  |                                          |                                       |

Comments: See Issue 2-033

|                                  |  |                                   |  |                                                                   |                                       |
|----------------------------------|--|-----------------------------------|--|-------------------------------------------------------------------|---------------------------------------|
| <b>Issue Number</b> 2-028        |  | <b>Petitioner</b> Isaac Yair      |  | <b>Location</b> Southeast corner of Reisterstown Rd and Slade Ave |                                       |
| <b>Existing Zoning and Acres</b> |  | <b>Requested Zoning and Acres</b> |  | <b>Final Staff Recommendations</b>                                | <b>Planning Board Recommendations</b> |
| BL AS 0.41                       |  | BR 0.52                           |  |                                                                   |                                       |
| RO 0.11                          |  | 0.52                              |  |                                                                   |                                       |
| 0.52                             |  |                                   |  |                                                                   |                                       |

Comments:

Petitioners No. 2



