

MEMORANDUM

DATE: March 23, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0138-SPH- Appeal Period Expired

The appeal period for the above-referenced case expired on March 18, 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

February 17, 2016

David Billingsley
601 Charwood Court
Edgewood, Maryland 21040

RE: Petition for Special Hearing
Case No. 2016-0138-SPH
Property: 210 Bowleys Quarters Road

Dear Mr. Billingsley:

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:dlw
Enclosure

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(210 Bowleys Quarters Road)		
15 th Election District	*	OFFICE OF
6 th Council District		
	*	ADMINISTRATIVE HEARINGS
Mary Madeline & Kevin Lee Arnold		
<i>Legal Owners</i>	*	FOR BALTIMORE COUNTY
Petitioners	*	Case No. 2016-0138-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Mary & Kevin Arnold, legal owners. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve an amendment to the Site Plan for Case No. 1999-0311-X, to permit the construction of a replacement building (service garage) and any other revisions deemed to be necessary as a result of the Hearing.

Owner Kevin Arnold and David Billingsley appeared in support of the petition. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no Protestants or interested citizens in attendance. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Bureau of Development Plans Review (DPR).

The subject property is 10,750 square feet and zoned BL. The property is improved with a small single-family dwelling, in which Mr. and Mrs. Arnold reside. To the rear of the dwelling is a garage building used for boat repair. Petitioners were granted in 1999 a special exception for a service garage (Case No. 1999-0311-X, Exhibit 7). The site plan in that case (Exhibit 6) indicated the service garage was approximately 800 sq. ft. Petitioners would like to raze that older structure

ORDER RECEIVED FOR FILING

Date 2-17-16

By OW

and construct in its place a new building for the service garage operation (approximately 1,600 sq. ft.). The Zoning Office instructed Petitioners to seek special hearing relief for this amendment, although the underlying special exception (for a service garage) remains unchanged.

The site plan in the earlier case (Exhibit 6) does not delineate any particular special exception area, and the new garage would be positioned in the same portion of the lot. The property is surrounded on all sides by commercial uses (including a Walmart) and no evidence was presented to suggest that the proposed amendment would jeopardize the health, safety and welfare of the community. As such, the petition for special hearing will be granted.

Petitioners noted that Condition No. 3 of the 1999 Order stated the special exception relief was "personal to the individuals identified in the instant Petition." Exhibit 7, p. 5. While such conditions are often included in orders granting special exception relief, they are not (strictly speaking) appropriate from a legal perspective. As a general matter, zoning "runs with the land," and a zoning board may not attach a "condition to a special exception which essentially serves a non-zoning purpose ... [such as] limiting the exception to a particular person." Kulak v. Bristol Township, 563 A.2d 978, 980 (Pa. 1989). As such, that condition will be stricken.

THEREFORE, IT IS ORDERED this 17th day of **February, 2016** by this Administrative Law Judge, that the Petition for Special Hearing pursuant to B.C.Z.R. § 500.7 to approve an amendment to the Site Plan for Case No. 1999-0311-X, to permit the construction of a replacement building (service garage) and to strike Condition No. 3 from the Order in Case No. 99-311-X, be and is hereby GRANTED.

The relief granted herein shall be subject to 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

ORDER RECEIVED FOR FILING

Date 2-17-16

2

By aw

whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

2. Petitioners must provide landscaping and/or lighting for the site, as determined in the sole discretion of the Baltimore County Landscape Architect.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 2-17-16

By BW



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 Z10 BOWLEYS QUARTERS ROAD which is presently zoned BL
 Deed References: L. 32808 F. 330 10 Digit Tax Account # 1501740390
 Property Owner(s) Printed Name(s) MARY MADELINE ARNOLD & KEVIN LEE ARNOLD

(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

SEE ATTACHED

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

3. ☐ a **Variance** from Section(s)

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

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

MARY MADELINE ARNOLD KEVIN LEE ARNOLD

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Z10 BOWLEYS QUARTERS RD. BALTO. MD.

Mailing Address City State

21220 (410) 274-1993

Zip Code Telephone # Email Address

Representative to be contacted:

DAVID BILLINGSLEY

Name - Type or Print

Signature

601 CHARWOOD CT. EDGEWOOD MD

Mailing Address City State

21040 (410) 679-8719 dwb 0203@yahoo.com

Zip Code Telephone # Email Address

CASE NUMBER 2016-0138-SPH Filing Date 12/2/2015

Do Not Schedule Dates: _____

Reviewer m

AN AMENDMENT TO THE APPROVED SITE PLAN FOR CASE NO. 1999-0311-X
TO PERMIT THE CONSTRUCTION OF A REPLACEMENT BUILDING (SERVICE
GARAGE) AND ANY OTHER REVISIONS DEEMED TO BE NECESSARY AS A RESULT OF
THE HEARING.

0138-SPH

ZONING DESCRIPTION

210 BOWLEYS QUARTERS ROAD

Beginning for the same at a point in the center of Bowleys Quarters Road, distant 293 feet southerly from its intersection with the center of Carroll Island Road, thence:

(1) S 03° 18' 00" E 50.10 feet, thence:

(2) N 89° 43' 20" W 215.03 feet, thence:

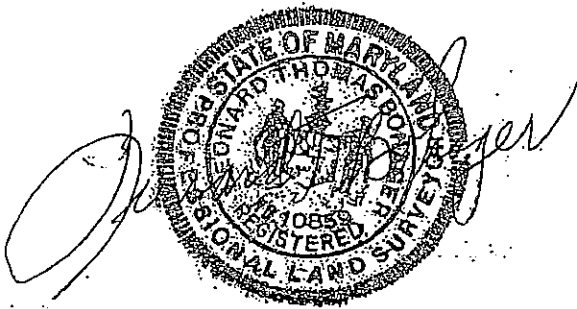
(3) N 03° 18' 00" W 50.10 feet, thence:

(4) S 89° 43' 20" E 215.03 to the place of beginning.

Containing 10,750 square feet or 0.247 acre of land, more or less.

Being known as 210 Bowleys Quarters Road.

Being located in the 15TH Election District, 6TH Councilmanic District of Baltimore County. Md.



LICENSE EXPIRES 4-12-16

2016-0138-SPH



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 3857877

Sold To:

Mary & Kevin Arnold - CU00511620
210 Bowleys Quarters Rd
Middle River, MD 21220-2926

Bill To:

Mary & Kevin Arnold - CU00511620
210 Bowleys Quarters Rd
Middle River, MD 21220-2926

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

Jan 05, 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: # 2016-0138-SPH	
210 Bowleys Quarters Road	
N/s Bowleys Quarters Road, 293 ft. S/of centerline of Carroll Island Road	
15th Election District - 6th Councilmanic District	
Legal Owner(s) Mary & Kevin Arnold	
Special Hearing: for an amendment to the approved site plan for Case No. 1999-0311-X to permit the construction of a replacement building (service garage) and any other revisions deemed to be necessary as a result of the hearing.	
Hearing: Monday, January 25, 2016 at 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.	
ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY	
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.	
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.	
JT 1/603 January 5	3857877

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

CERTIFICATE OF POSTING

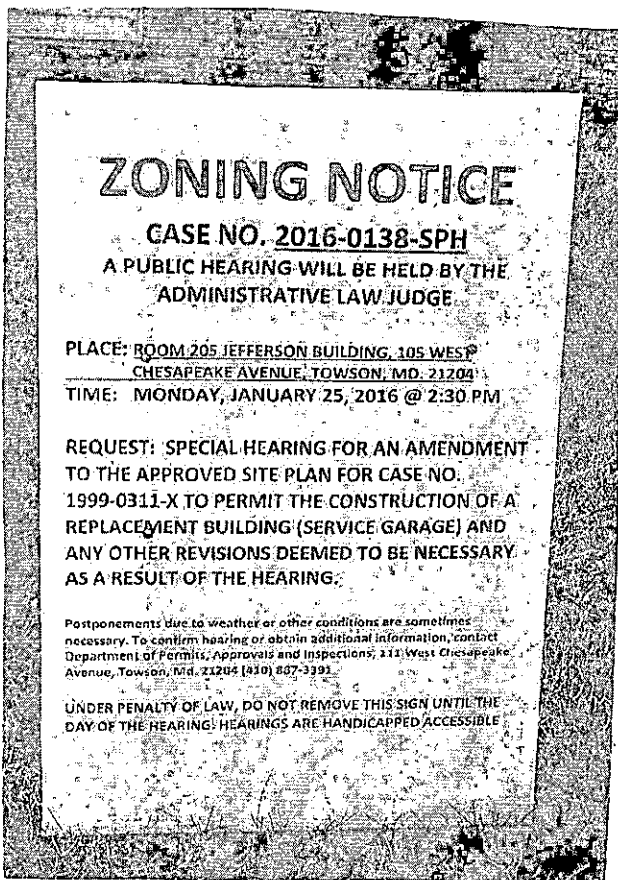
Date: JANUARY 4, 2016

RE: Project Name: 210 BOWLEYS QUARTERS ROAD
Case Number /PAI Number: CASE NO. 2016-0138-A
Petitioner/Developer: MARY AND KEVIN ARNOLD
Date of Hearing/Closing: JANUARY 25, 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 210 BOWLEYS QUARTERS ROAD

The sign(s) were posted on JANUARY 4, 2016

(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)



KEVIN KAMENETZ
County Executive

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

December 8, 2015

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2016-0138-SPH

210 Bowleys Quarters Road

N/s Bowleys Quarters Road, 293 ft. S/of centerline of Carroll Island Road

15th Election District – 6th Councilmanic District

Legal Owners: Mary & Kevin Arnold

Special Hearing for an amendment to the approved site plan for Case No. 1999-0311-X to permit the construction of a replacement building (service garage) and any other revisions deemed to be necessary as a result of the hearing.

Hearing: Monday, January 25, 2016 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Arnold, 210 Bowleys Quarters Road, Baltimore 21220
David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 5, 2016.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 5, 2016 Issue - Jeffersonian

Please forward billing to:

Kevin Arnold
210 Bowleys Quarters Road
Baltimore, MD 21220

410-274-1993

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: 2016-0138-SPH

210 Bowleys Quarters Road

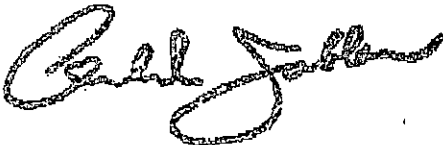
N/s Bowleys Quarters Road, 293 ft. S/of centerline of Carroll Island Road

15th Election District -- 6th Councilmanic District

Legal Owners: Mary & Kevin Arnold

Special Hearing for an amendment to the approved site plan for Case No. 1999-0311-X to permit the construction of a replacement building (service garage) and any other revisions deemed to be necessary as a result of the hearing.

Hearing: Monday, January 25, 2016 at 2:30 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
210 Bowleys Quarters Rd; N/S Bowleys
Quarters Rd, 293' S c/line of Carroll Island Rd* OF ADMINISTRATIVE
15th Election & 6th Councilmanic Districts
Legal Owner(s): Mary & Kevin Arnold * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2016-138-SPH

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of December, 2015, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, MD 21040, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED
DEC 11 2015

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2016-0138-SPH
Property Address: 210 BOWLEYS QUARTERS ROAD
Property Description: W/S BOWLEYS QUARTERS RD, 293'
SOUTH OF CARROLL ISLAND ROAD
Legal Owners (Petitioners): MARY MADELINE & KEVIN LEE ARNOLD
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: KEVIN ARNOLD
Company/Firm (if applicable): _____
Address: 210 BOWLEYS QUARTERS RD
BALTO MD 21220
Telephone Number: (410) 274-1993

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

No. **134175**

Date: **12/3/15**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 12/04/2015 12:03/2015 09:44:53 5

REC 4505 WALKIN 8009 LRD
 >> RECEIPT # 931211 12/03/2015 CFLN

DATE 5 520 12/03/2015 VERIFICATION
 CA NO. 134175

Receipt For \$500.00
 \$500.00 OK 1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				500.00

Total: **500.00**

Rec From: Central 1 Raffle
 For: 210 Bowleys Quarters Rd.
1
2016-0138-PPH

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>12/8</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
<u>12/9</u>	DEPS (if not received, date e-mail sent _____)	<u>N/C</u>
<u>1/4</u>	FIRE DEPARTMENT PLANNING (if not received, date e-mail sent _____)	<u>C</u>
<u>12/7</u>	STATE HIGHWAY ADMINISTRATION TRAFFIC ENGINEERING	<u>no obj</u>
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

1/5

SIGN POSTING

Date:

1/4by Billingsley

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

Real Property Data Search (w4)

Guide to searching the database

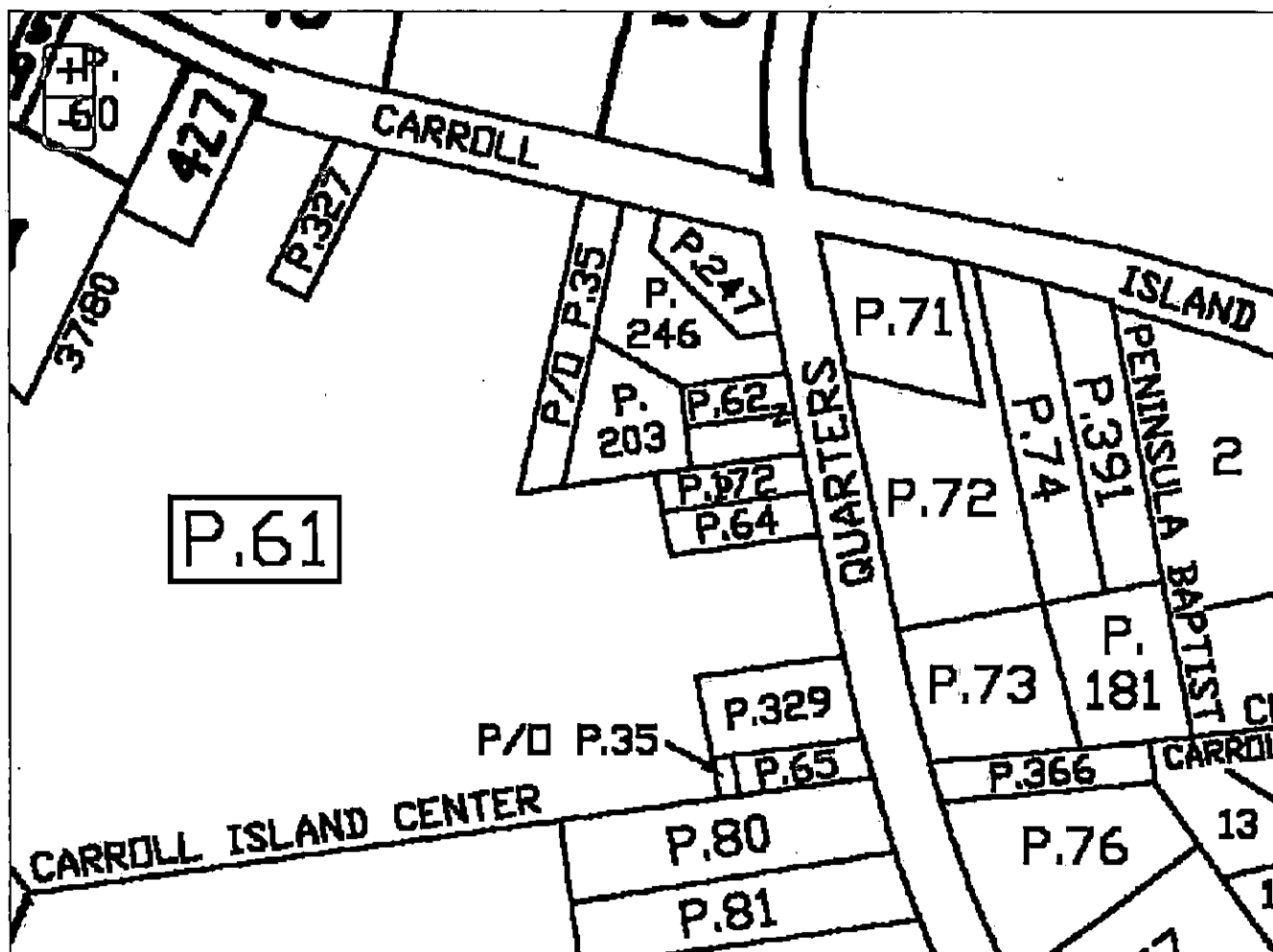
Search Result for BALTIMORE COUNTY

View Map				View GroundRent Redemption				View GroundRent Registration			
Account Identifier:				District - 15 Account Number - 1501740390							
Owner Information											
Owner Name:		ARNOLD MARY MADELINE ARNOLD KEVIN LEE				Use: Principal Residence:		COMMERCIAL/RESIDENTIAL YES			
Mailing Address:		210 BOWLEYS QUARTERS RD BALTIMORE MD 21220-2926				Deed Reference:		/32808/ 00330			
Location & Structure Information											
Premises Address:		210 BOWLEYS QUARTERS RD 0-0000				Legal Description:		210 BOWLEYS QUARTERS RD 294 SE CARROLL ISLAND R			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:		
0091	0009	0172		0000				2015			
Special Tax Areas:					Town: Ad Valorem: Tax Class:		NONE				
Primary Structure Built		Above Grade Enclosed Area 960			Finished Basement Area		Property Land Area 10,750 SF		County Use 06		
Stories 1	Basement YES	Type STANDARD UNIT		Exterior FRAME	Full/Half Bath 1 full		Garage	Last Major Renovation			
Value Information											
				Base Value		Value As of 01/01/2015		Phase-in Assessments As of 07/01/2015 As of 07/01/2016			
Land:		93,200		93,200							
Improvements		63,900		62,200							
Total:		157,100		155,400		155,400		155,400			
Preferential Land:		0						0			
Transfer Information											
Seller: ARNOLD MARY MADELINE Type: NON-ARMS LENGTH OTHER				Date: 11/20/2012 Deed1: /32808/ 00330				Price: \$0 Deed2:			
Seller: ARNOLD KEVIN LEE Type: NON-ARMS LENGTH OTHER				Date: 02/26/2009 Deed1: /27710/ 00213				Price: \$0 Deed2:			
Seller: ARNOLD PATRICIA C/CHARLES H Type: NON-ARMS LENGTH OTHER				Date: 12/07/2004 Deed1: /21087/ 00665				Price: \$14,580 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: Exempt Class:				Special Tax Recapture: NONE							
Homestead Application Information											
Homestead Application Status: Approved 05/08/2014											

Baltimore County

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

District: 15 Account Number: 1501740390



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

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

Property maps provided courtesy of the Maryland Department of Planning.

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



KEVIN KAMENETZ
County Executive

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

January 20, 2016

Mary Madeline & Kevin Lee Arnold
210 Bowleys Quarters Road
Baltimore MD 21220

RE: Case Number: 2016-0138 SPH, Address: 210 Bowleys Quarters Road

Dear Mr. & Ms. Arnold:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 2, 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.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
David Billingsley, 601 Charwood Court, Edgewood MD 21040

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



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

Date: 12/7/15

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

RE: Baltimore County
Item No. 2016-0138-SPA
Special Hearing
Mary Madeline & Kevin Lee Arnold.
210 Bowleys Quarters 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. 2016-0138-A1.

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,

A handwritten signature in black ink, appearing to read "David W. Peake".

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

DWP/RAZ

1-25

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: January 4, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

JAN 04 2016

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-138

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Property Address: 210 Bowleys Quarters Road
Petitioner: Mary & Kevin Arnold
Zoning: BL
Requested Action: Special Hearing

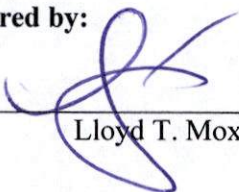
The Department of Planning has reviewed the petition for a Special Hearing to determine whether or not the Administrative Law Judge should approve an amendment to the approved site plan in zoning case No. 1999-0311-X to allow the construction of a replacement building (Service Garage).

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

- Provision of landscaping to screen the rear parking area from the adjacent property at 206 Bowleys Quarters Road as approved by the Baltimore County Landscape Architect.

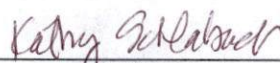
For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Krystle Patchak
David Billingsley, Central Drafting & Design, Inc.
Jeanette M. S. Tansey, R.L.A., Permits and Development Management
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

DEC 09 2015

OFFICE OF ADMINISTRATIVE HEARINGS



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

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

DATE: December 9, 2015

SUBJECT: DEPS Comment for Zoning Item # 2016-0138-SPH
Address 210 Bowleys Quarters Road
(Arnold Property)

Zoning Advisory Committee Meeting of December 7, 2015.

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

Reviewer: Steve Ford Date: 12-9-2015

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For December 14, 2015
Item No. 2016-0138

DATE: December 8, 2015

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

A Landscape Plan in compliance with the Landscape Manual is required. A photometric Lighting Plan may also be required.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0138-12142015.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: January 4, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-138

INFORMATION:

Property Address: 210 Bowleys Quarters Road
Petitioner: Mary & Kevin Arnold
Zoning: BL
Requested Action: Special Hearing

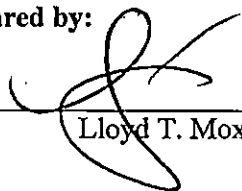
The Department of Planning has reviewed the petition for a Special Hearing to determine whether or not the Administrative Law Judge should approve an amendment to the approved site plan in zoning case No. 1999-0311-X to allow the construction of a replacement building (Service Garage).

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

- Provision of landscaping to screen the rear parking area from the adjacent property at 206 Bowleys Quarters Road as approved by the Baltimore County Landscape Architect.

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Krystle Patchak
David Billingsley, Central Drafting & Design, Inc.
Jeanette M. S. Tansey, R.L.A., Permits and Development Management
Office of the Administrative Hearings
People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

PETITIONER'S SIGN-IN SHEET

CASE NAME 210 Bowleys Quarters
CASE NUMBER 2016-0138 RD.
DATE 2/17/2016

NAME

ADDRESS

CITY, STATE, ZIP

E-MAIL

DAVID BILLINGSLEY

601 CHERRYWOOD CT

EDGEWOOD MD 21040

KEYIN ARNOLD

210 BOWLEYS QUARTERS RD

BALTO MD 21220

PETITIONER'S

2016-0138
2/17/2016

2/17 104
11 AM
Room 104

Debra Wiley

From: Debra Wiley
Sent: Friday, January 29, 2016 7:56 AM
To: 'David Billingsley'
Cc: Kristen L Lewis; Sherry Nuffer (snuffer@baltimorecountymd.gov); John E. Beverungen
Subject: Rescheduled Cases from 1/25 - Inclement Weather

Dave,

This is to confirm the rescheduling of your cases that were scheduled for 1/25. Please be reminded that there is no requirement for re-posting since the County was closed for inclement weather. These cases will be heard in Room 104 (NOT 205), Jefferson Building, on the 1st floor, as follows.

Wed., 2/17 @ 10 AM – Case No. 2016-0137-A – 1334 Goose Neck Rd.

Wed., 2/17 @ 11 AM – Case No. 2016-0138-SPH – 210 Bowleys Quarters Rd.

Please be sure to advise your clients of the above as this email serves as notification.

Thank you.

From: David Billingsley [mailto:dwb0209@yahoo.com]
Sent: Friday, January 29, 2016 7:36 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Re: Postponed cases

2016-0137-A at 10:00

2016-0138-A at 11:00

Thanks again

Dave Billingsley
Central Drafting and Design
410-679-8719 OFFICE
410-458-1401 CELL

From: Debra Wiley <dwiley@baltimorecountymd.gov>
To: David Billingsley <dwb0209@yahoo.com>
Sent: Friday, January 29, 2016 7:27 AM
Subject: RE: Postponed cases

You're welcome. Please let me know the case no. you'd like for 10 and then for 11. No need to repost.

Thanks.

From: David Billingsley [mailto:dwb0209@yahoo.com]
Sent: Thursday, January 28, 2016 4:22 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Postponed cases

Hi Debbie

Thanks for getting back to me so soon. I would like to get the Feb. 17 date at 10 and 11. Do I need to re-post ?

Thanks

Dave Billingsley
Central Drafting and Design
410-679-8719 OFFICE
410-458-1401 CELL



CONNECT WITH BALTIMORE COUNTY



<http://www.baltimorecountymd.gov/>

Debra Wiley

From: Debra Wiley
Sent: Friday, January 29, 2016 7:59 AM
To: John E. Beverungen; Lawrence Stahl; Sherry Nuffer
Cc: Kristen L Lewis
Subject: Additions to Feb. Calendar - ROOM 104

The following two cases have been rescheduled due to the County closing for inclement weather on Mon., Jan. 25th. There is no need for re-posting.

Wed., 2/17 @ 10 AM – Case No. 2016-0137-A – 1334 Goose Neck Rd. – ROOM 104

Wed., 2/17 @ 11 AM – Case No. 2016-0138-SPH – 210 Bowleys Quarters Rd. – ROOM 104

Please mark your calendars accordingly. Thanks.

Debra Wiley
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

**PETITIONER'S EXHIBITS
210 BOWLEYS QUARTERS ROAD
CASE NO. 2016-0138-SPH**

DW 3-23-16
DW 2-17-16

- 1. PLAT TO ACCOMPANY PETITION DATED NOV. 14, 2015 (NO CHANGES)**
- 2. SDAT REAL PROPERTY SEARCH**
- 3. PORTION OF TAX MAP 0091**
- 4. DEED OF RECORD DATED OCTOBER 23, 2013 LIBER 32808 FOLIO 330**
- 5. AERIAL PHOTO**
- 6. COPY OF PLAT TO ACCOMPANY SPECIAL EXCEPTION (CASE 99-311-X)**
- 7. ORDER FOR CASE 99-311-X**
- 8a-8f. PHOTOS**

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 - 15 Account Number - 1501740390			
Owner Information					
Owner Name:		ARNOLD MARY MADELINE ARNOLD KEVIN LEE		Use: Principal Residence: COMMERCIAL/RESIDENTIAL YES	
Mailing Address:		210 BOWLEYS QUARTERS RD BALTIMORE MD 21220- 2926		Deed Reference: /32808/ 00330	
Location & Structure Information					
Premises Address:		210 BOWLEYS QUARTERS RD 0-0000		Legal Description: 210 BOWLEYS QUARTERS RD 294 SE CARROLL ISLAND R	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0091	0009	0172		0000	
Assessment Year: 2015				Plat No: Plat Ref:	
Special Tax Areas:				Town: Ad Valorem: Tax Class: NONE	
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area	
		960		10,750 SF	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1	YES	STANDARD UNIT	FRAME	1 full	
Value Information					
		Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		93,200	93,200		
Improvements		63,900	62,200		
Total:		157,100	155,400	155,400	155,400
Preferential Land:		0			0
Transfer Information					
Seller: ARNOLD MARY MADELINE		Date: 11/20/2012		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /32808/ 00330		Deed2:	
Seller: ARNOLD KEVIN LEE		Date: 02/26/2009		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /27710/ 00213		Deed2:	
Seller: ARNOLD PATRICIA C/CHARLES H		Date: 12/07/2004		Price: \$14,580	
Type: NON-ARMS LENGTH OTHER		Deed1: /21087/ 00665		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: Approved 05/08/2014					

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.

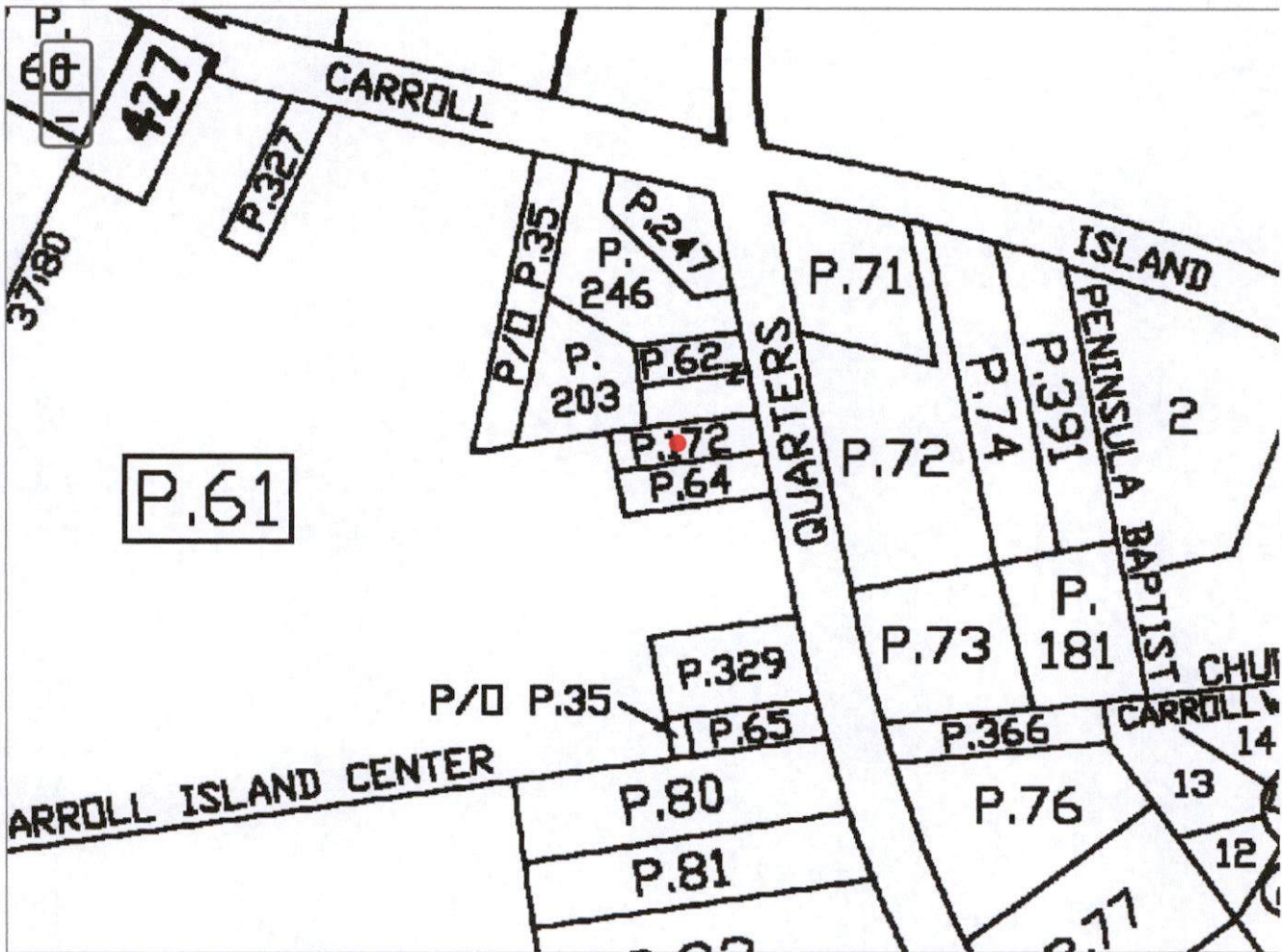
PETITIONER'S
EXHIBIT NO. 2

443 4207
~~17~~

Baltimore County

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

District: 15 Account Number: 1501740390



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

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

Property maps provided courtesy of the Maryland Department of Planning.

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>).

PETITIONER'S
EXHIBIT NO. 3

2012

032808

0

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 32808, p. 0330, MSA_CE62_32864. Date available 12/06/2012. Printed 01/23/2016.

Lakeside Title Company

File No. MD6148

Tax ID # 15-1501740390

THE PURPOSE OF THIS DEED IS TO ADD SPOUSE TO TITLE

This Deed, made this 3rd day of October, 2012, by and between Mary Madeline Arnold, GRANTOR, and Mary Madeline Arnold and Kevin Lee Arnold, GRANTEE(S).

- Witnesseth -

That for and in consideration of the sum of Zero Dollars and No Cents (0.00), the receipt whereof is hereby acknowledged, the said Grantor does grant and convey to the said Mary Madeline Arnold and Kevin Lee Arnold, as tenants by the entirety unto the survivor of them, his or her heirs and assigns in fee simple, all that lot of ground situate in the State of Maryland, County of Baltimore and described as follows, that is to say:

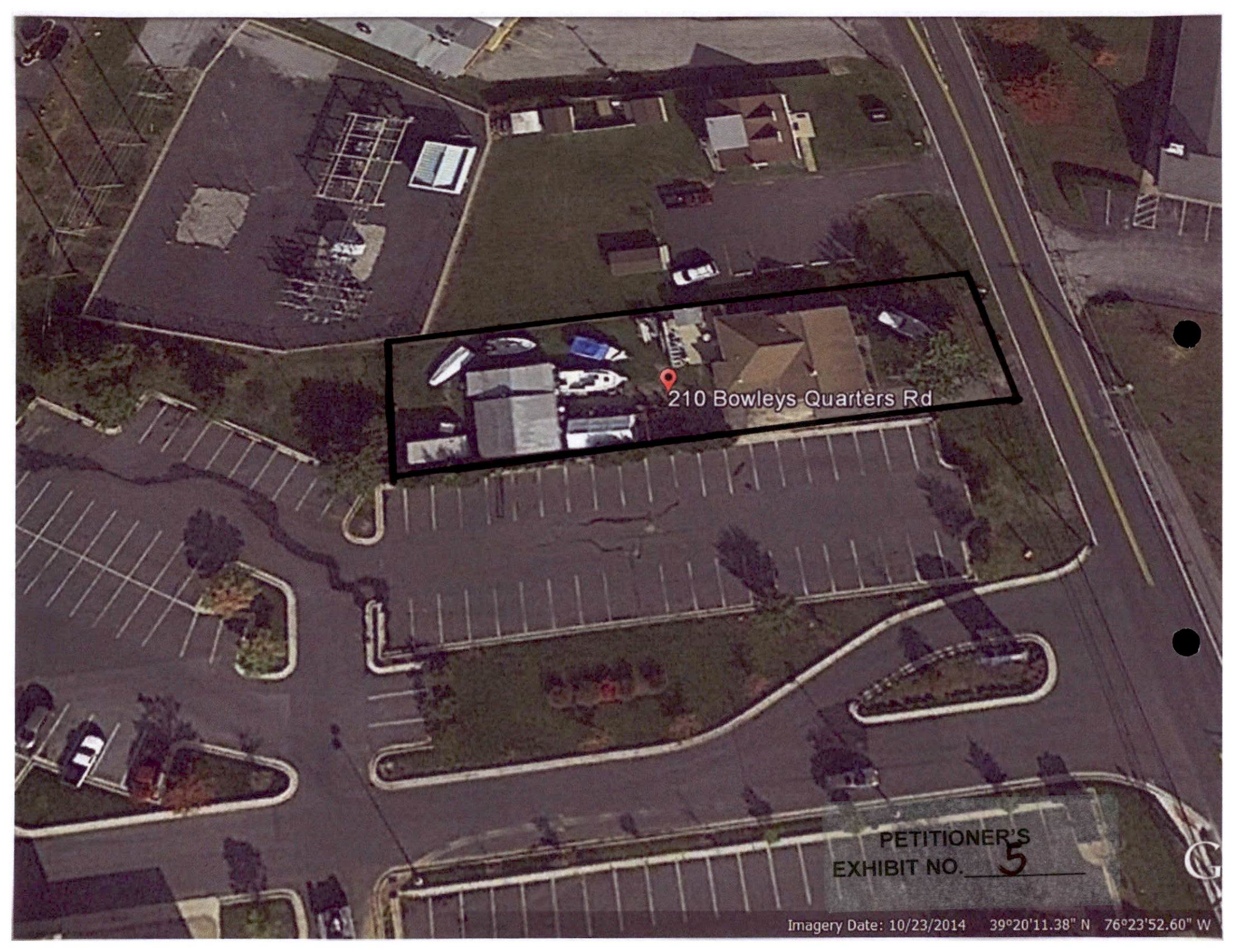
BEGINNING FOR THE SAME at a point on the center line of Bowleys Quarter Road, 30 feet wide, at the distance of 294.84 feet southeast from the intersection of the center line of Bowleys Quarter Road and the center line of Carroll Island Road 30 feet wide, running thence and binding on the center line of Bowleys Quarter Road South 3 degrees 18 minutes 00 seconds East 50.10 feet thence leaving the center line of said road and running for lines of division the three (3) following courses and distances viz: North 89 degrees 43 minutes 20 seconds west 215.03 feet, thence North 3 degrees 18 minutes 00 seconds west 50.10 feet and South 89 degrees 43 minutes 20 seconds East 215.03 feet, to the place of beginning. Containing 0.25 acres of land more or less.

BEING that property, which by Special Warranty Deed dated February 13, 2009, and recorded among the Land Records of Baltimore County in Liber 27710, folio 213, was granted and conveyed by Mary Madeline Arnold and Kevin Lee Arnold, unto Mary Madeline Arnold.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

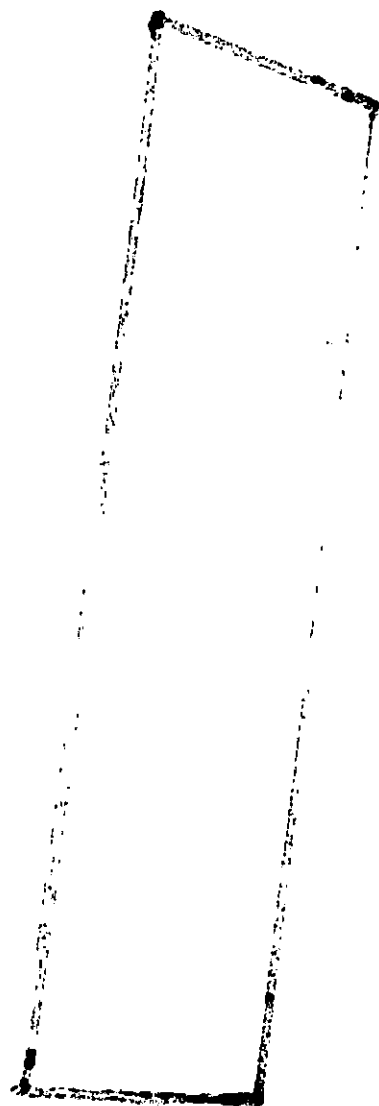
To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Mary Madeline Arnold and Kevin Lee Arnold as tenants by the entirety unto the survivor of them, his or her heirs and assigns in fee simple.

PETITIONER'S
EXHIBIT NO. 4



210 Bowleys Quarters Rd

PETITIONER'S
EXHIBIT NO. 5



IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
W/S Bowleys Quarters Road, 295 ft.
S of c/l Carroll Island Road * ZONING COMMISSIONER
210 Bowleys Quarters Road
15th Election District * OF BALTIMORE COUNTY
5th Councilmanic District
Legal Owners: Charles H Arnold, III, et ux * Case No. 99-311-X
Lessee: Kevin L. Arnold, t/a Bengies
Marine Service, Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for the property located at 210 Bowleys Quarters Road in eastern Baltimore County. The Petition was filed by Charles H. Arnold and Patricia C. Arnold, property owners, and Kevin L. Arnold, t/a Bengies Marine Service, Lessee. Special Exception relief is requested to permit a boat yard and related incidental marine sales on the subject property, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (BCZR); or, in the alternative, a service garage, also pursuant to that section. The subject property is more particularly shown on the plat to accompany the Petition for Special Exception, marked as Petitioners' Exhibit No. 1.

Appearing at the requisite public hearing held for this case were Kevin L. Arnold, co-Petitioner, and his wife, Mary Arnold. Also present was Charles H. Arnold III, co-Petitioner and father of Kevin Arnold. Also appearing were Joseph J. McGraw, Jr., the surveyor who prepared the site plan and Dan Bevans, a neighbor who supports the request. The Petitioners were represented by Michael Tanczyn, Esquire. There were no Protestants or other interested persons present.

An examination of the site plan shows that the subject property is a narrow, yet deep, lot located with frontage on Bowleys Quarters Road in eastern Baltimore County. The property is approximately 50 ft. wide and 215 ft. in depth. The property is approximately 10,751 sq. ft. in area, zoned B.L.

Apparently, the property has been in the Arnold family for many years and used both residentially and for a boat repair business. Mr. and Mrs. Arnold, (Charles H. Arnold III and

PETITIONER'S
EXHIBIT NO. 7

ORDER RECEIVED FOR FILING

Date

By

4/22/99
M. H. Hark

Patricia C. Arnold) purchased the property from Mr. Arnold III's parents in 1959. Since approximately 1962, the property has been used to support a business known as Bengies Marine Service. That business specializes in the repair and servicing of boats and marine craft. Mr. Kevin L. Arnold, the son of Charles H. Arnold III and Patricia C. Arnold, now operates that business.

The property is improved with several structures. The front of the property features a one story framed dwelling which is used residentially. Mr. and Mrs. Kevin Arnold reside therein. The rear of the property features a one story framed garage in which the business operation is conducted. Between the house and a garage is a broken macadam and concrete pad which contains approximately 5 parking spaces. A portion of the lawn to the rear of the garage is covered in gravel. These areas are generally used for storage, although most of the business activity occurs within the garage.

Mr. Arnold, described the nature of the business in detail. It essentially operates 6 days a week, Monday through Saturday from 7:00 A.M. thru 10.00 P.M. As noted above, most of the work is done in the garage. The largest boat accepted by the business for repair does not exceed 25 ft. in length. Most work is done on an appointment basis. That is, a customer will call Mr. Arnold to arrange a time to bring a boat to the site for engine repair. The boat is then transported to the property by trailer, placed in the garage and repaired by Mr. Arnold. This is a family run business operated primarily by Mr. Kevin Arnold, one other employee and Mrs. Arnold. Mrs. Arnold handles the administrative/office function of the business.

The neighborhood in which the property is located is somewhat unique. The site is just south of the intersection of Carroll Island Road and Bowleys Quarters Road, a major intersection in eastern Baltimore County. Photographs of the site show that the southwestern corner of that intersection is improved with a 7-11 store. To the rear of that store is the Carroll Island Plaza Shopping Center. This is a large shopping center with many tenants. Immediately adjacent to the 711 store on Bowleys Quarters Road is a building which at one time was used residentially, but is now a dental office used by a Dr. Hepner. The Arnold

ORDER RECEIVED FOR FILING
Date 4/22/99
BY M. H. H. H.

property abuts Dr. Hepner's lot and the Bevans property is immediately next door to the Arnold property on the other side. The Bevans property is strictly residential in use. However, Mrs. Bevans is elderly and it was indicated at the hearing that there is a possibility that the Bevans' family may ultimately sell their lot to the Arnolds. Immediately south to the Bevans property is an entrance from Bowleys Quarters Road to the shopping center. Thus, this corner is dominated by the large shopping center complex and access thereto is provided by driveways which are northwest and southeast of the Arnold property and the other lots which are immediately adjacent thereto.

This arrangement supports the continued business activity on the Arnold's property. Although the lot indeed has a residential component, the area at large is commercial in character. Entrances to the shopping center surround this lot. Although not an issue before me, I also believe that the B.L. zoning is appropriate.

In considering the merits of the special exception, I am also persuaded by the fact that this business has operated on the property for more than 30 years. The nature of the activity as described during the hearing supports a finding that this family owned and operated this business does not detrimentally impact the surrounding properties. Indeed, the support of the neighbors buttresses this conclusion.

Both the "boat yard" and "service garage" are permitted by special exception in a B.L. zone, pursuant to Section 230.13 of the BCZR. Moreover, a boat yard is defined in Section 101 of the BCZR as "a commercial and non-profit boat basin with facilities for one or more of the following: Sale, construction, repair, storage, launching, berthing, securing, fueling and general servicing of craft of all types." (emphasis added) A service garage is also defined in that section 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."

This business is somewhat unique. Although the vehicles repaired are all boats, the property is not on the water. This characteristic distinguishes this operation from what is typically considered to be a boat yard. Moreover, the use of the word "basin" within the boat yard definition is significant. That term is defined in Webster's Dictionary as, "A dock built

ORDER RECEIVED FOR FILING
4/22/99
Date
By M. Horan

in a tidal river or harbor and used especially for ships discharging or loading cargo. . . ". Thus, it could be concluded that this operation is not a boat yard, in that it is not on the water.

Moreover, the service garage definition found in the BCZR is not restricted to automobiles, trucks, or other land vehicles. The definition of service garage encompasses any motor vehicle.

Taking into account all of these considerations, I am persuaded to grant special exception relief in this case as a service garage. In my opinion, that definition fits most closely the activity which occurs on this property. I find that the operation will not be detrimental to the health, safety or general welfare of the locale. I believe that sufficient testimony and evidence was offered to satisfy the criteria for special exception approval set out in Section 502.1 of the BCZR

Although there were no Protestants present, indeed, the neighborhood supports the use, an adverse Zoning Plans Advisory Committee (ZAC) comment was received from the Office of Planning, and certain requirements were suggested by the Developer's Plans Review Division of the Office of Permits and Development Management. I respectfully decline to adopt the Office of Planning's comment to deny this Petition. Although the property is narrow, the unique aspects associated with the operation of this business and of its particular location described above justify the granting of the Petition. Moreover, the fact that the business has been operated at this location essentially the same manner for nearly 35 years is persuasive. As to the Developer's Plans Review Division suggested driveway/access improvements, I decline to incorporate them. This site cannot accommodate the requirements normally mandated by the Code in terms of width of driveways, etc. An examination of the site plan shows that the subject dwelling maintains a 10 ft. setback on the south side to the property line and a 6 ft. setback on the north side. Clearly, given these distances, the Petitioner cannot install a driveway which meets the County requirements for commercial access. The testimony and access offered by Mr. Arnold was that there has never been a problem in bringing boats by trailer to the site. Moreover, the size of the boats accepted by the operation are small and can be accommodated by the driveway and garage.

ORDER RECEIVED FOR FILING

Date

By

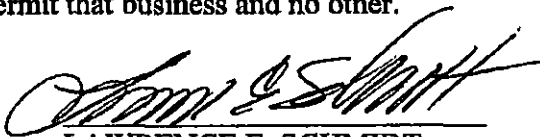
For these reasons, I decline to incorporate those County comments.

Pursuant to the advertisement, posting of the property and the public hearing on this Petition held, and for the reasons given above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of April 1999 that the Petition for Special Exception to approve a service garage on the subject property, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that approval to allow a boat yard and related incidental marine sales on the subject property, be and is hereby considered as MOOT, subject, however, to the following restrictions:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired.
2. The Petitioners shall not accept for repair any boat exceeding the length of 25 ft.
3. The Special Exception granted herein is personal to the individuals identified in the instant Petition (the Arnold family) and that business known as Bengies Marine Service. The special exception shall permit that business and no other.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING
Date 4/22/99
By Mr. Hork



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b



C



d

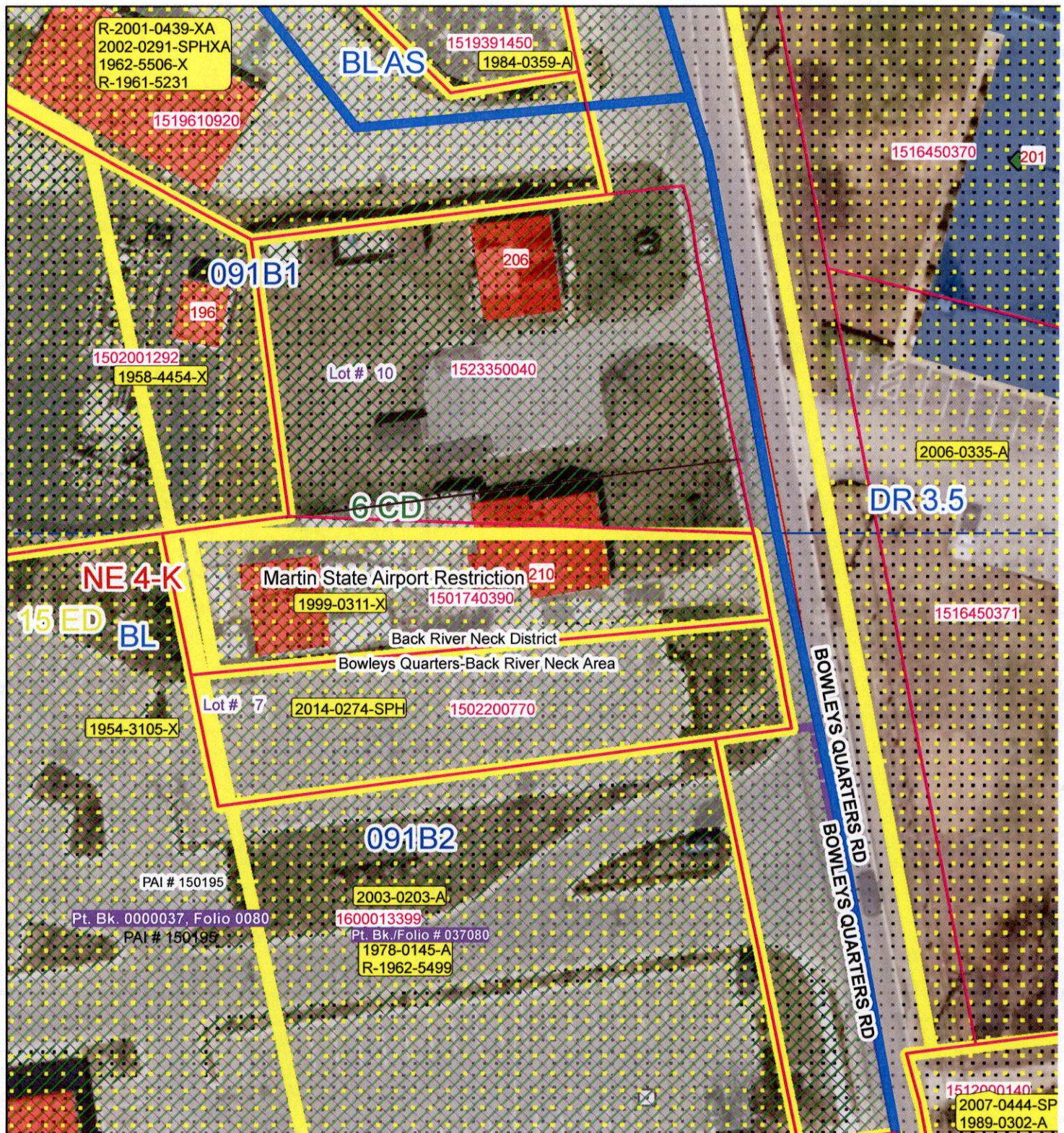


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f

210 Bowleys Quarters Road 20.6-0138-SPH



Publication Date: 12/3/2015



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



0 12.525 50 75 100 Feet

1 inch = 50 feet

CARROLL ISLAND ASSOCIATES
P.B. 37 F. 80

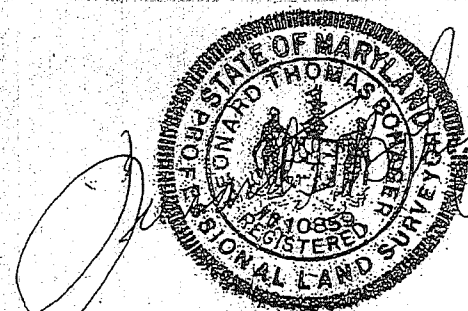
CARROLL ISLAND SHOPPING CENTER

ENTRANCE

EX. RW LINE

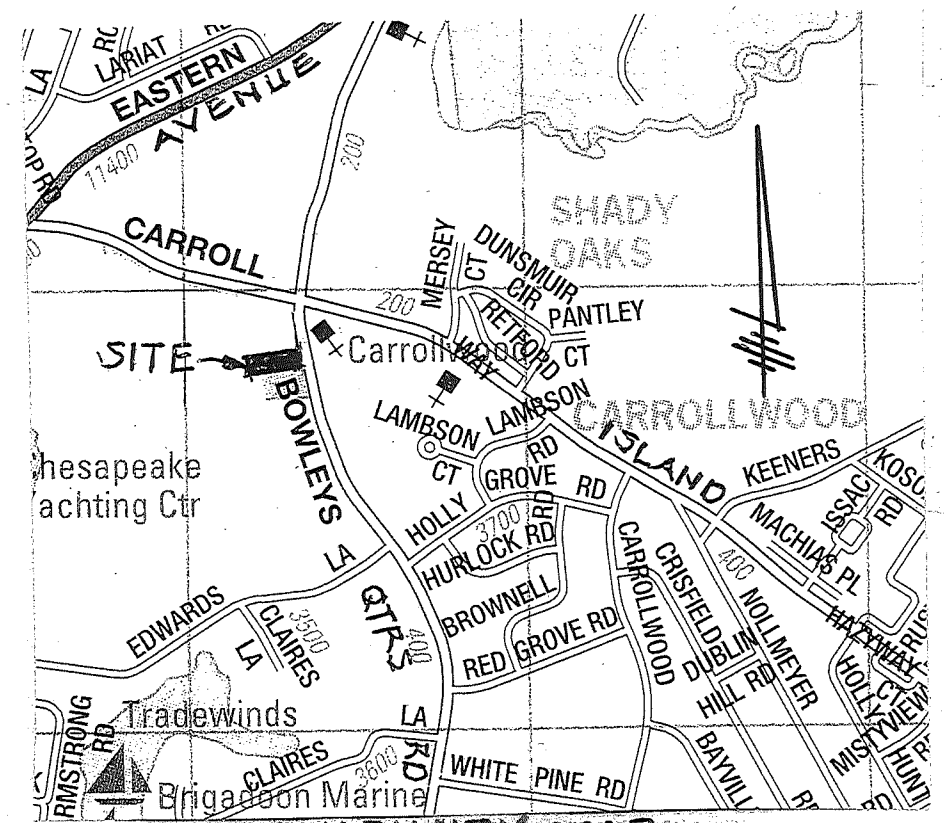
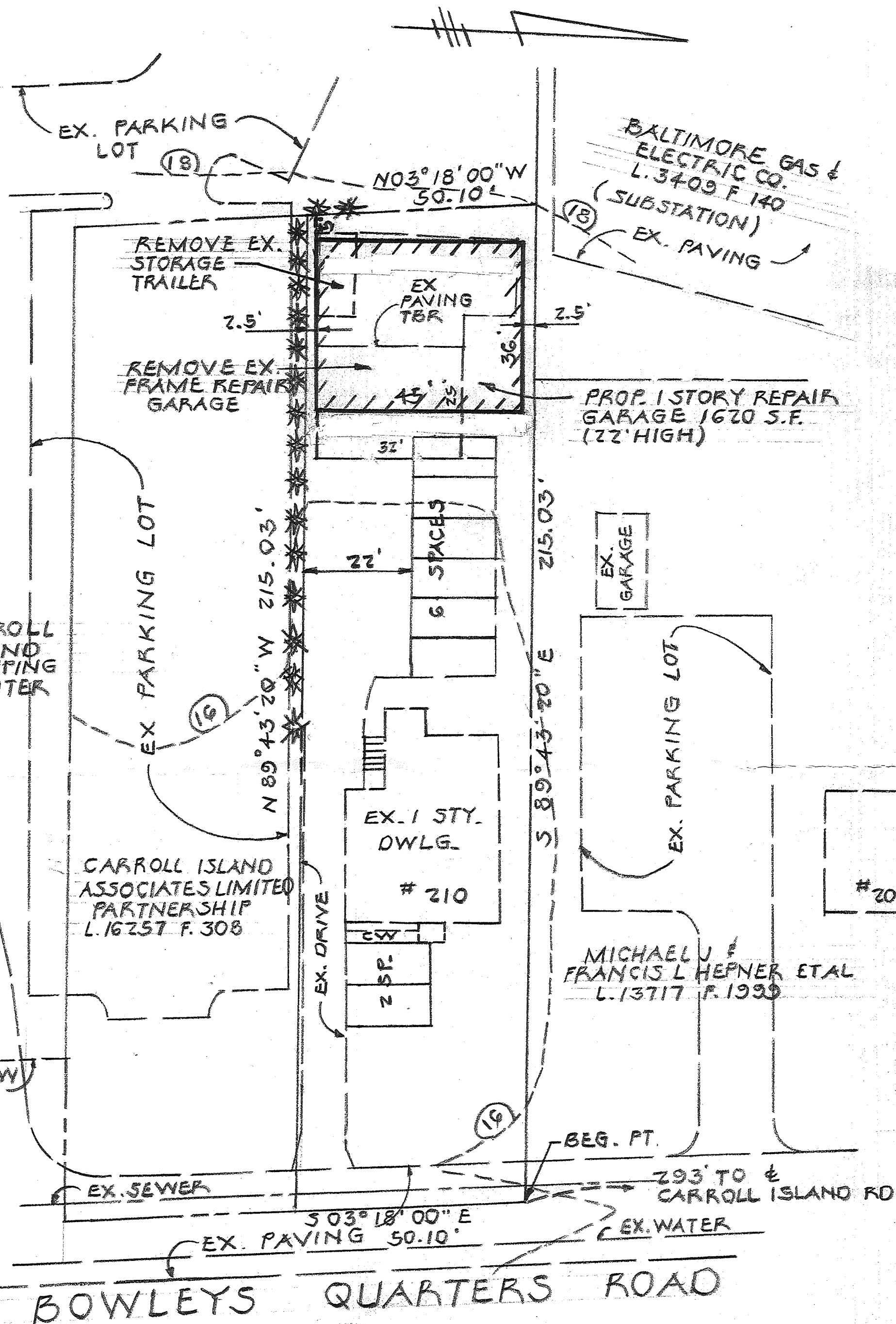
BOWLEYS QUARTERS ROAD

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719



LICENSE EXPIRES
4-12-16

OWNER
MARY MADELINE AND KEVIN LEE ARNOLD
210 BOWLEYS QUARTERS ROAD
BALTIMORE, MD. 21220
DEED REFERENCE: L.32808 F.330
ACCT. NO. 1501740390
PHONE: (410) 274-1993



VICINITY MAP
SCALE: 1" = 1000'

ORDER: CASE 1999-0311-X

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore Count this 22nd day of April 1999 that the Petition for Special Exception to approve a service garage on the subject property, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that approval to allow a boat yard and related incidents marine sales on the subject property, be and is hereby considered as MOOT, subject however, to the following restrictions:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired.
2. The Petitioners shall not accept for repair any boat exceeding the length of 25 ft.
3. The Special Exception granted herein is personal to the individuals identified in the instant Petition (the Arnold family) and that business known as Bengies Marine Service. The special exception shall permit that business and no other.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

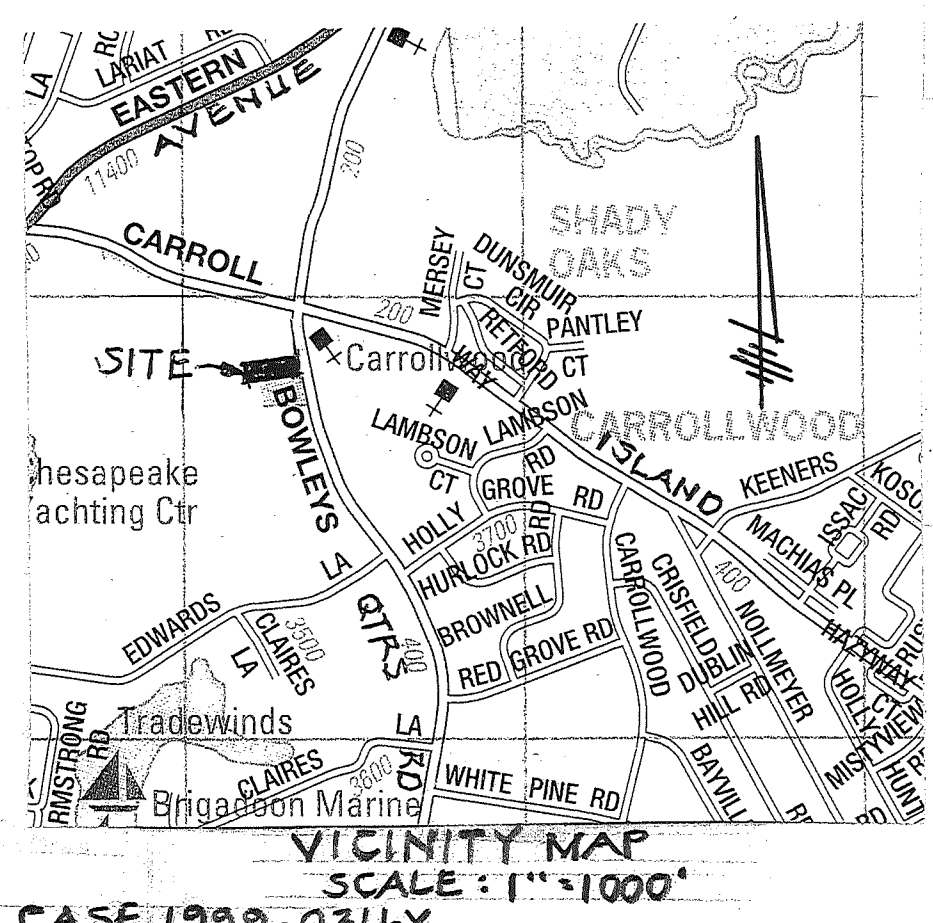
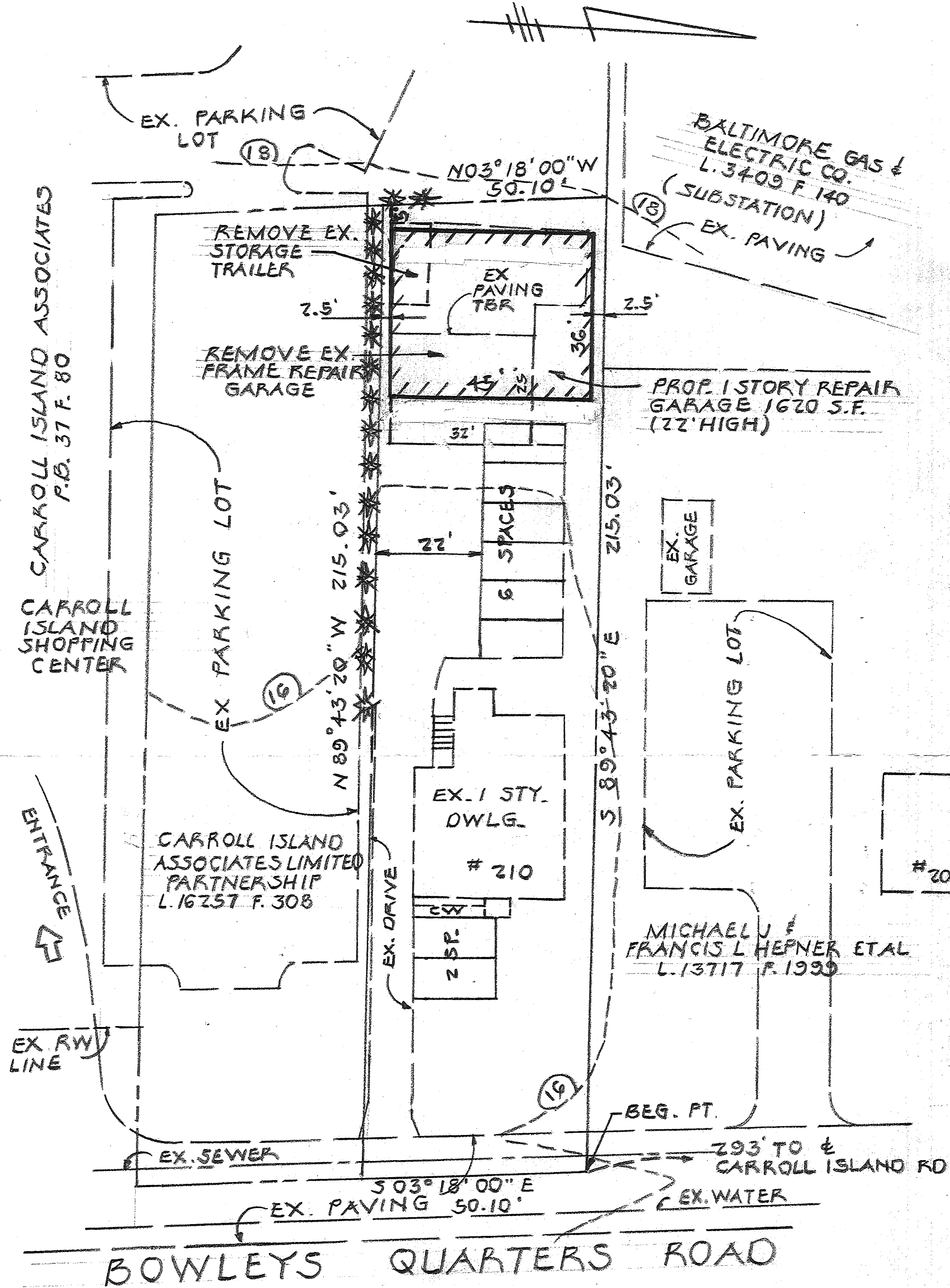
NOTES

1. ZONING.....BL (MAP NO. 091B1 & 091B2)
2. AREA.....10,750 S.F. = 0.247 ACRE +/-
3. EXISTING AND PROPOSED USE...RESIDENCE AND SERVICE GARAGE
4. TO THE PREPARERS KNOWLEDGE, NO PREVIOUS VIOLATIONS, CRITICAL AREAS, HISTORIC STRUCTURES, ARCHEOLOGICAL SITES OR UNDERGROUND STORAGE TANKS EXIST
5. SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA OR 100 YEAR FLOOD ZONE
6. BUILDING AREAS:
EXISTING HOUSE.....1260 S.F.
PROPOSED SERVICE GARAGE.....1620 S.F.
TOTAL.....2880 S.F.
FLOOR AREA RATIO.....2880 / 10750 = 0.268
7. PARKING DATA
REQUIRED: RESIDENCE.....2 SPACES
SERVICE GARAGE...1620 S.F. @ 3.3 SP. / 1000 S.F.....6 SPACES
TOTAL REQUIRED.....8 SPACES
PROVIDED.....8 SPACES
ALL SPACES AND ACCESS AISLES TO BE PAVED. ALL SPACES 8.5' x 18' MIN.

2016-0138-5PH

PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING

210 BOWLEYS QUARTERS ROAD
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD
SCALE: 1 INCH = 20 FEET NOVEMBER 14, 2015



ORDER: CASE 1999-0311-X

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore Count this 22nd day of April 1999 that the Petition for Special Exception to approve a service garage on the subject property, pursuant to Section 230.13 of the Baltimore County Zonin Regulations (BCZR), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that approval to allow a boat yard and related incidents marine sales on the subject property, be and is hereby considered as MOOT, subject however, to the following restrictions:

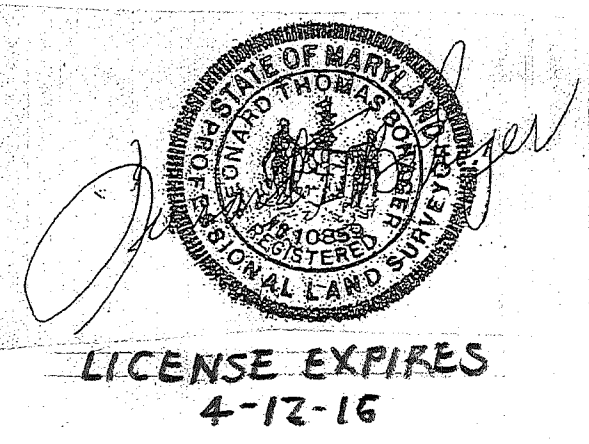
1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired.
2. The Petitioners shall not accept for repair any boat exceeding the length of 25 ft.
3. The Special Exception granted herein is personal to the individuals identified in the instant Petition (the Arnold family) and that business known as Bengies Marine Service. The special exception shall permit that business and no other.

Lawrence E. Schmidt
 LAWRENCE E. SCHMIDT
 ZONING COMMISSIONER
 FOR BALTIMORE COUNTY

NOTES

1. ZONING.....BL (MAP NO. 091B1 & 091B2)
2. AREA.....10,750 S.F. = 0.247 ACRE +/-
3. EXISTING AND PROPOSED USE...RESIDENCE AND SERVICE GARAGE
4. TO THE PREPARERS KNOWLEDGE, NO PREVIOUS VIOLATIONS, CRITICAL AREAS, HISTORIC STRUCTURES, ARCHEOLOGICAL SITES OR UNDERGROUND STORAGE TANKS EXIST
5. SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA OR 100 YEAR FLOOD ZONE
6. BUILDING AREAS:
 EXISTING HOUSE.....1260 S.F.
 PROPOSED SERVICE GARAGE.....1620 S.F.
 TOTAL.....2880 S.F.
 FLOOR AREA RATIO.....2880 / 10750 = 0.268
7. PARKING DATA
 REQUIRED: RESIDENCE.....2 SPACES
 SERVICE GARAGE...1620 S.F. @ 3.3 SP. / 1000 S.F.....6 SPACES
 TOTAL REQUIRED.....8 SPACES
 PROVIDED.....8 SPACES
 ALL SPACES AND ACCESS AISLES TO BE PAVED. ALL SPACES 8.5' x 18' MIN.

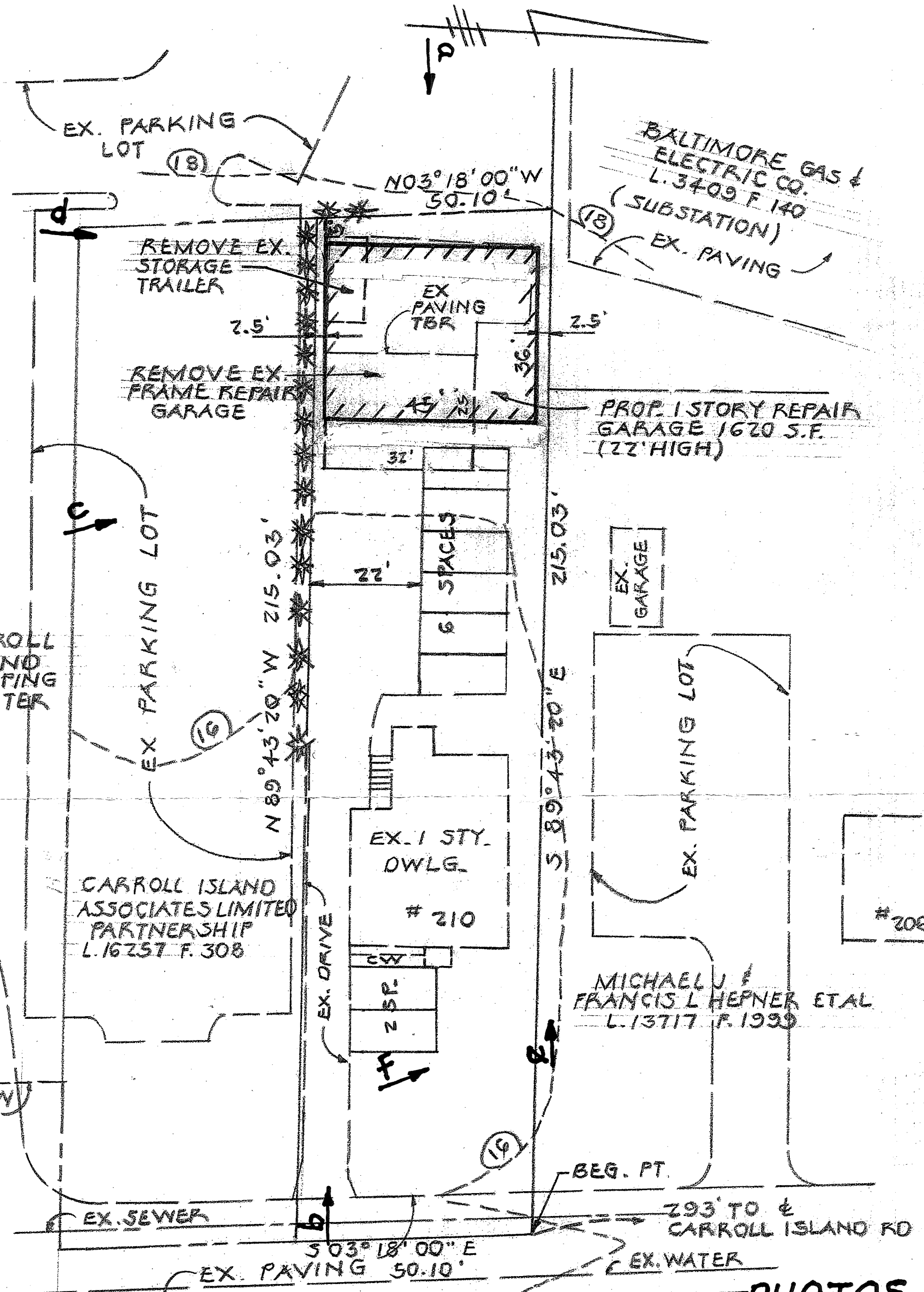
CENTRAL DRAFTING & DESIGN, INC.
 601 CHARWOOD COURT
 EDGEWOOD, MD 21040
 (410) 679-8719



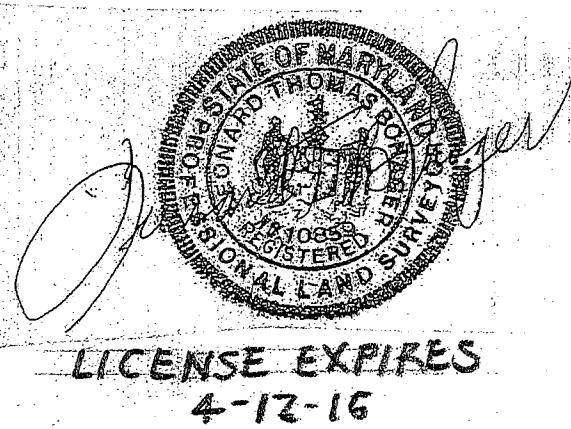
OWNER
 MARY MADELINE AND KEVIN LEE ARNOLD
 210 BOWLEYS QUARTERS ROAD
 BALTIMORE, MD. 21220
 DEED REFERENCE: L.32808 F.330
 ACCT. NO. 1501740390
 PHONE: (410) 274-1993

2016-0138-SPH
**PLAT TO ACCOMPANY PETITION FOR
 SPECIAL HEARING**
210 BOWLEYS QUARTERS ROAD
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD
SCALE: 1 INCH = 20 FEET NOVEMBER 14, 2015

Petitioners Ex. 1



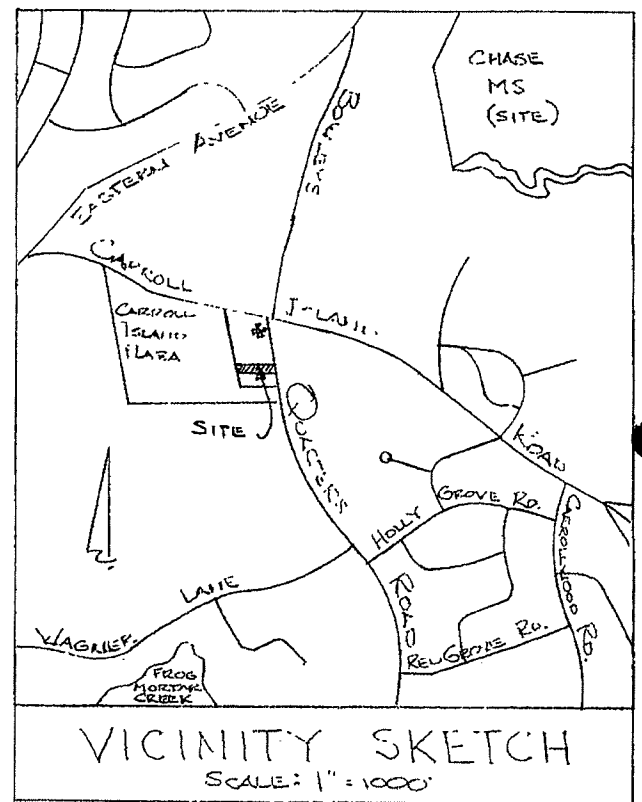
CENTRAL DRAFTING & DESIGN, INC.
 601 CHARWOOD COURT
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PETITIONER'S
 EXHIBIT NO. **8a-2**

OWNER
 MARY MADELINE AND KEVIN LEE ARN
 210 BOWLEYS QUARTERS ROAD
 BALTIMORE, MD. 21220
 DEED REFERENCE: L.32808 F.330
 ACCT. NO. 1501740390
 PHONE: (410) 274-1993

403°18'00"W 50.10'



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1 1/2 STOR.
STUCCO
DENTAL OFFICE

99-311-X

DATE: 2-8-77

A circular seal of the State of Maryland, Department of the General Land Office. The seal features a central shield with a ship and the word 'MARYLAND' above it. The text 'STATE OF MARYLAND' is arched over the top, and 'DEPARTMENT OF THE GENERAL LAND OFFICE' is arched along the bottom. A signature is written across the seal.

PETITIONER'S
EXHIBIT NO. 6