

## MEMORANDUM

DATE: August 24, 2016  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2016-0287-XA – Appeal Period Expired

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The appeal period for the above-referenced case expired on August 19, 2016. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: / Case File  
Office of Administrative Hearings

**IN RE: PETITIONS FOR SPECIAL  
EXCEPTION AND VARIANCE  
(217 North Point Boulevard)  
12<sup>th</sup> Election District  
7<sup>th</sup> Council District  
8312 Pulaski, LLC  
Petitioner**

\* BEFORE THE  
\* OFFICE OF  
\* ADMINISTRATIVE HEARINGS  
\* FOR BALTIMORE COUNTY  
\* **Case No. 2016-0287-XA**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) as Petitions for Special Exception and Variance filed for property located at 217 North Point Boulevard. The Petitions were filed by Herbert Burgunder III, Esquire on behalf of 8312 Pulaski, LLC, legal owner of the subject property ("Petitioner"). The Special Exception petition per Baltimore County Zoning Regulations (B.C.Z.R.) § 236.2 seeks to use the herein described property for a used motor vehicle outdoor sales area, separate from sales agency building. The Petition for Variance seeks relief as follows:

1. From B.C.Z.R. § 238.3 and § 409.6A to allow one (1) employee parking space and one (1) customer parking space;
2. From B.C.Z.R. § 409.8.A.1 to not require compliance with those conditions specified in the landscape manual and other manuals adopted pursuant to § 32-4-404 of the Baltimore County Code (B.C.C.);
3. From B.C.Z.R. § 238.2 to allow a 10 ft. and 22 ft. side yard setback in lieu of the required 30 ft.;
4. From B.C.Z.R. § 238.2 to allow an 18 ft. rear yard setback in lieu of the required 30 ft.;
5. From B.C.Z.R. § 238.4 to allow a vehicle display area of 36 ft. in lieu of the maximum 15 ft. in front of the required front building line, and
6. For such other relief as may be deemed necessary by the ALJ for Baltimore County.

The subject property and requested relief are more fully described on the site plan which was

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Date 7/20/16

By Sen

marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing in support of the petitions was Kenneth Wells, professional land surveyor with kj Wells, Inc. Herbert Burgunder III, Esquire, represented the Petitioner. No protestants or interested citizens attended the hearing. The Petition was advertised and posted as required by the B.C.Z.R. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP), the Bureau of Development Plans Review (DPR) and the State Highway Administration (SHA). These agencies did not oppose the requests, and their proposed conditions will be included in the Order below.

The subject property is approximately 8,660 sq. ft. and is zoned B.R.-I.M. (Business Roadside, Industrial, Major). The property is situated within an industrial area very close to the Baltimore City boundary. The small lot was at one time improved with a dwelling, but that has been razed and the property has been vacant and unimproved for many years.

#### SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. Schultz v. Pritts, 291 Md. 1 (1981). The Schultz standard was revisited in People's Counsel v. Loyola College, 406 Md. 54 (2008), where the court emphasized that a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

There was no testimony or evidence in this case which would indicate the use would have a detrimental impact upon the community. Indeed, Kenneth Wells, a professional land surveyor accepted as an expert, opined the Petitioner satisfied B.C.Z.R. §502.1, and I concur. Petitioner proposes a modest used car sales operation (a maximum of 18 vehicles would be on display), an

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Date

By

7/20/16  
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innocuous use which would not be injurious to the community, especially considering the industrial nature of the vicinity.

#### VARIANCE

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

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

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

Petitioner has met this test. As shown on the site plan, the property has an irregular shape (deep and narrow, approximately 200' x 50') and is therefore unique. If the B.C.Z.R. were strictly interpreted Petitioner would suffer a practical difficulty since it would be unable to operate the used car business at the site. Finally, I find that the variances can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of Baltimore County and/or community opposition.

The DOP ZAC comment noted Petitioner failed to show the required setbacks for the sales trailer, and Mr. Wells submitted a revised plan with that detail. Both the DOP and DPR identified landscaping as a concern, and while I agree that in most cases the Landscape Manual should be followed, here the site is simply too small to satisfy the buffer and setback requirements. Rather than requiring a landscape plan I will include a condition requiring Petitioner, to the extent feasible, to provide some vegetative buffer along the western side and rear of the site, as determined by the County's landscape architect.

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Date

7/20/16

By

Sen



THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 20<sup>th</sup> day of **July, 2016**, that the Petition for Special Exception pursuant to B.C.Z.R. §236.2 to use the herein described property for a used motor vehicle outdoor sales area separate from sales agency building, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variance pursuant to the Baltimore County Zoning Regulations (B.C.Z.R.) seeking relief as follows:

1. From B.C.Z.R. § 238.3 and § 409.6A to allow one (1) employee parking space and one (1) customer parking space;
2. From B.C.Z.R. § 409.8.A.1 to not require compliance with those conditions specified in the landscape manual and other manuals adopted pursuant to § 32-4-404 of the Baltimore County Code (B.C.C.);
3. From B.C.Z.R. § 238.2 to allow a 10 ft. and 22 foot side yard setback in lieu of the required 30 ft.;
4. From B.C.Z.R. § 238.2 to allow an 18 ft. rear yard setback in lieu of the required 30 ft.; and
5. From B.C.Z.R. § 238.4 to allow a vehicle display area of 36 ft. in lieu of the maximum 15 ft. in front of the required front building line,

be and is hereby GRANTED.

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

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. No mechanical work, painting or detailing of vehicles is permitted on site.
3. All signage must comply with the requirements of B.C.Z.R. § 450.
4. The Petitioner must contact SHA to obtain an entrance permit.
5. All drive aisles and off-street parking spaces must be provided with a durable and dustless surface.

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By

Sen

6. Petitioner must provide landscaping or appropriate vegetative buffer along the western side and rear of the property, as determined in the sole discretion of the Baltimore County landscape architect.

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

  
\_\_\_\_\_  
JOHN E. BEVERLUNGE  
Administrative Law Judge  
for Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date 7/20/16

By sen





# 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 217 North Point Boulevard which is presently zoned BR-IM  
Deed References: 37272 / 027 10 Digit Tax Account # 1 5 1 0 4 5 1 1 3 0  
Property Owner(s) Printed Name(s) 8312 Pulaski, LLC

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

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

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

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

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

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

To be presented at hearing.

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

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

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

## Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Zip Code \_\_\_\_\_ By \_\_\_\_\_ Telephone # \_\_\_\_\_ Email Address \_\_\_\_\_

## Attorney for Petitioner:

Herbert Burgunder III

Name- Type or Print

Signature

1501 Sulgrave Avenue, Suite 207 Baltimore Maryland  
Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

21209 / 410-664-6500 / hb3@hb3law.com  
Zip Code Telephone # Email Address

## Legal Owners (Petitioners):

8312 Pulaski, LLC

Name #1 - Type or Print \_\_\_\_\_ Name #2 - Type or Print \_\_\_\_\_

Signature #1

Signature #2

4101 Eastern Avenue Baltimore Maryland  
Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

21224 / 410-633-3062x81 / dhenriquez@realityautosalesinc.com  
Zip Code Telephone # Email Address

## Representative to be contacted:

Herbert Burgunder III

Name - Type or Print

Signature

1501 Sulgrave Avenue, Suite 207 Baltimore Maryland  
Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

21209 / 410-664-6500 / hb3@hb3law.com  
Zip Code Telephone # Email Address

CASE NUMBER 2016-0287-XA Filing Date 5/16/16 Do Not Schedule Dates: \_\_\_\_\_ Reviewer G.A



Requests:

Special Exception:

- 1) to permit use of the property as a used motor vehicle outdoor sales area, separate from sales agency building pursuant to BCZR §236.2; and
- 2) for such other relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Variances:

- 1) BCZR §238.3 and §409.6A to allow 1 employee parking space and 1 customer parking space;
- 2) BCZR §409.8.A.1 to not require compliance with those conditions specified in the landscape manual and other manuals adopted pursuant to §32-4-404 of the BCC;
- 3) BCZR §238.4 to allow a 10 foot side yard setback in lieu of the required 30 feet;
- 4) BCZR §238.4 to allow a 18 foot rear yard setback in lieu of the required 30 feet;
- 5) BCZR §238.4 to allow a vehicle display area of 36 feet in lieu of the maximum 15 feet in front of the required front building line; and
- 6) for such other relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

# **kjWellsInc**

*Land Surveying, Site Planning & Landscape Architecture*

Telephone: (410) 592-8800  
Email: [kwells@kjwellsinc.com](mailto:kwells@kjwellsinc.com)

7403 New Cut Road  
Kingsville, Md. 21087-1132

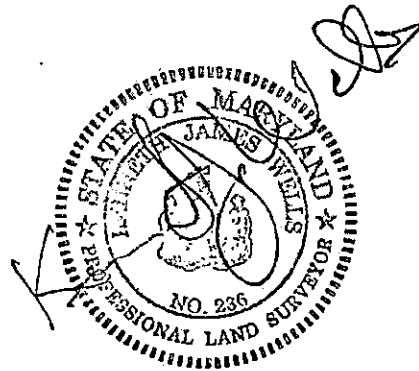
May 5, 2016

## **Zoning Description 217 North Point Boulevard Baltimore County Maryland 15<sup>th</sup> Election District 7<sup>th</sup> Councilmanic District**

***Beginning at a point*** located on the northeast side of North Point Boulevard (150 feet wide) being 173 feet southeast from the centerline of Rolling Mill Road (50 feet wide) thence the following courses and distances:

- 1) North 45 degrees 12 minutes 00 seconds East 187.59 feet;
- 2) South 35 degrees 32 minutes 00 seconds East 50.71 feet;
- 3) South 45 degrees 12 minutes 00 seconds West 192.79 feet;
- 4) with a line curving to the right having a radius of 2,789.79 feet and an arc length of 54.33 feet being subtended by a chord bearing and distance North 67 degree 41 minutes 41 seconds West 54.33 feet

to the place of beginning. Containing 0.20 acres of land more or less as described in a Deed recorded among the Land Records of Baltimore County in Liber 37272 folio 072.





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 4258102

**Sold To:**

Herbert Burgunder III - CU00392064  
1501 Sulgrave Ave Ste 207  
Baltimore, MD 21209

**Bill To:**

Herbert Burgunder III - CU00392064  
1501 Sulgrave Ave Ste 207  
Baltimore, MD 21209

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

Jun 21, 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:                                                                                                                                                                                                                                                                                                                                                                                         |         |
| <b>Case: # 2016-0287-XA</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |         |
| 217 North Point Boulevard<br>NE/s North Point Blvd., S/e of Rolling Mill Road<br>12th Election District - 7th Councilmanic District<br>Legal Owner(s) 8312 Pulaski, LLC                                                                                                                                                                                                                                                                                                                                                                                                                                   |         |
| <b>SPECIAL EXCEPTION:</b> 1. To permit use of the property as a used motor vehicle outdoor sales area, separate from the sales agency building; and 2. For such other relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.                                                                                                                                                                                                                                                                                                                                             |         |
| <b>VARIANCE:</b> 1. To allow 1 employee parking space and 1 customer parking space; and 2. To not require compliance with those conditions specified in the landscape manual and other manuals adopted; and 3. To allow a 10 ft. side yard setback in lieu of the required 30 ft.; and 4. To allow an 18 ft. rear yard setback in lieu of the required 30 ft.; and 5. To allow a vehicle display area of 36 ft. in lieu of the maximum 15 ft. in front of the required front building line; and 6. For such other relief as may be deemed necessary by the Administrative Law Judge for Baltimore County. |         |
| <b>Hearing: Tuesday, July 12, 2016 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |         |
| 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 6/26 June 21                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4258102 |

The Baltimore Sun Media Group

By: S. Wilkinson  
Legal Advertising



(Telephone Number)



# ZONING NOTICE

CASE # 2016-0287-XA

**A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD**

ROOM 205, JEFFERSON BUILDING

PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: Tuesday, July 12, 2016 at 1:30 p.m.

REQUEST: Special Exception 1. To permit use of the property as a used motor vehicle outdoor sales area, separate from sales agency building; and 2. For such other relief as may be deemed necessary by the Administrative Law Judge for Baltimore County. Variance 1. To allow 1 employee parking space and 1 customer parking space; and 2. To not require compliance with those conditions specified in the landscape manual and other manuals adopted;

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

**HANDICAPPED ACCESSIBLE**

# ZONING NOTICE

CASE # 2016-0287-XA (Continued) (1)

**A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD**

ROOM 205, JEFFERSON BUILDING

PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: Tuesday, July 12, 2016 at 1:30 p.m.

REQUEST: and 3. To allow a 10 ft. side yard setback in lieu of the required 30 ft.; and 4. To allow an 18 ft. rear yard setback in lieu of the required 30 ft.; and 5. To allow a vehicle display area of 36 ft. in lieu of the maximum 15 ft. in front of the required front building line; and 6. For such other relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

**HANDICAPPED ACCESSIBLE**





KEVIN KAMENETZ  
County Executive

June 2, 2016

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: 2016-0287-XA**

217 North Point Boulevard  
NE/s North Point Blvd., S/e of Rolling Mill Road  
12<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District  
Legal Owners: 8312 Pulaski, LLC

Special Exception 1. To permit use of the property as a used motor vehicle outdoor sales area, separate from sales agency building; and 2. For such other relief as may be deemed necessary by the Administrative Law Judge for Baltimore County. Variance 1. To allow 1 employee parking space and 1 customer parking space; and 2. To not require compliance with those conditions specified in the landscape manual and other manuals adopted; and 3. To allow a 10 ft. side yard setback in lieu of the required 30 ft.; and 4. To allow an 18 ft. rear yard setback in lieu of the required 30 ft.; and 5. To allow a vehicle display area of 36 ft. in lieu of the maximum 15 ft. in front of the required front building line; and 6. For such other relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Hearing: Tuesday, July 12, 2016 at 1:30 p.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon  
Director

AJ:kl

C: Herbert Burgunder, III, 1501 Sulgrave Avenue, Ste. 207, Baltimore 21209  
8312 Pulaski, LLC, 4101 Eastern Ave., Baltimore 21224

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 22, 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, June 21, 2016 Issue - Jeffersonian

Please forward billing to:  
Herbert Burgunder, III  
1501 Sulgrave Avenue, Ste. 207  
Baltimore, MD 21209

410-664-6500

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## NOTICE OF ZONING HEARING

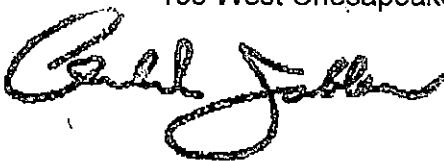
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 2016-0287-XA**

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NE/s North Point Blvd., S/e of Rolling Mill Road  
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Hearing: Tuesday, July 12, 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 EXCEPTION \* BEFORE THE OFFICE  
AND VARIANCE \*  
217 North Point Boulevard; NE/S North Point \* OF ADMINISTRATIVE  
Blvd, SE 173' to c/line of Rolling Mill Road \*  
12<sup>th</sup> Election & 7<sup>th</sup> Councilmanic Districts \* HEARINGS FOR  
Legal Owner(s): 8312 Pulaski LLC \*  
Petitioner(s) \* BALTIMORE COUNTY  
\* 2016-287-XA

\* \* \* \* \*

**ENTRY OF APPEARANCE**

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

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

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

RECEIVED  
MAY 25 2016

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 26th day of May, 2016, a copy of the foregoing Entry of Appearance was mailed to Herbert Burgunder, III, Esquire, 1501 Sulgrave Avenue, Suite 207, Baltimore, Maryland 21209, Attorney for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



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

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

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

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

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

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**For Newspaper Advertising:**

Case Number: 2016-0287-XA

Property Address: 217 North Point Blvd

Property Description: Northeast side of North Point Blvd  
Southeast 173 feet to centerline of Rolling Mill Rd

Legal Owners (Petitioners): 8312 Pulaski, LLC

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Herbert Burgunder III

Company/Firm (if applicable): \_\_\_\_\_

Address: 1501 Sulgrave Avenue Suite 207  
Baltimore MD 21209

Telephone Number: 410-664-6500

Revised 5/20/2014

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

No. **139269**  
Date: **5/16/16**

PAID RECEIPT

BUSINESS FACTUAL TIME DRN  
5/18/2016 5/16/2016 11:31:43 3

NO. 5303 WALKIN CASH  
RECEIPT # 677662 5/16/2016 OFLN

Dept. 5 528 ZONING VERIFICATION  
NO. 139269

Recpt Tot \$1,000.00  
\$1,000.00 CK \$0.00 CA  
Baltimore County, Maryland

| Fund | Dept | Unit | Sub Unit | Rev Source/ Obj | Sub Rev/ Obj | Dept Obj | BS Acct. | Amount  |
|------|------|------|----------|-----------------|--------------|----------|----------|---------|
| 001  | 806  | 0000 |          | 6150            |              |          |          | 1000.00 |
|      |      |      |          |                 |              |          |          |         |
|      |      |      |          |                 |              |          |          |         |
|      |      |      |          |                 |              |          |          |         |
|      |      |      |          |                 |              |          |          |         |
|      |      |      |          |                 |              |          |          |         |

Total: **1000.00**

Rec From: **Herbert Burgunder**

For: **Case # 2016-0287-XA**

**217 North Point Blvd**

DISTRIBUTION

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

CASHIER'S  
VALIDATION



KEVIN KAMENETZ  
County Executive

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

July 6, 2016

8312 Pulaski LLC  
4101 Eastern Avenue  
Baltimore MD 21224

RE: Case Number: 2016-0287 XA, Address: 217 North Point Boulevard

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 May 16, 2016. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel  
Herbert Burgunder III, 1501 Sulgrave Avenue, Suite 207, Baltimore MD 21209



7-12

**BALTIMORE COUNTY, MARYLAND**

RECEIVED

**Inter-Office Correspondence**

MAY 26 2016



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: May 26, 2016

SUBJECT: EPS Comment for Zoning Item # 2016-0287-XA  
Address 217 North Point Blvd.  
(8312 Pulaski, LLC Property)

Zoning Advisory Committee Meeting of **May 30, 2016.**

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

Reviewer: Steve Ford

Date: 05-26-2016



KEVIN KAMENETZ  
County Executive

VINCENT J. GARDINA, *Director*  
Department of Environmental Protection  
and Sustainability

Stormwater Management

410-887-3768  
FAX 410-887-4804

April 27, 2016

Kenneth J. Wells, P.L.S.  
KJ Wells, Inc.  
7403 New Cut Road  
Kingsville, MD 21087-1132

RE: 217 NORTH POINT BLVD  
Stormwater Management Fee-in-Lieu  
Back River Watershed  
EPS Project I.D. D970011  
Tracking Number: 07-16-2213

Dear Mr. Wells:

This office has reviewed the information submitted and finds that a variance can be granted for this project under Section 33-4-113 of the Baltimore County Code. This section of the regulations allows a stormwater management variance to be granted if there were exceptional circumstances such that strict adherence to the provisions of this article would result in unreasonable hardship or practical difficulty and not fulfill the intent of this article. In approving the variance, the following conditions must be met:

1. All runoff must be conveyed to a suitable outfall without imposing an adverse impact on the receiving waterbody, watercourse, wetland, storm drain or adjacent property.
2. The total area of land disturbance must be noted on the plan, limits of disturbance must be shown on the plan.
3. As much as possible, impervious areas should be conveyed as sheet flow through vegetated areas without concentrating or causing erosion.
4. Building down spouts should be discharged onto pervious areas where feasible.
5. Additional development on these parcels and/or lots will require stormwater management controls for this site and the additional subdivision.
6. A payment shall be made to the Stormwater Management Fund in the amount of \$8,544.00 or \$48,000.00 per on-site impervious acre, in this case, 0.178 acres. This payment shall be made prior to EA approval. This is the rate for non-residential properties inside the Priority Funding Area and Urban Rural Demarcation Line. The payment should be in the form of a check payable to Baltimore County Maryland and should be submitted to the Finance and Administration Section of this Department.

Please contact Michael P. Doyle at 410-887-3768 should you have any questions.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Vincent J. Gardina".

Vincent J. Gardina, Director  
Department of Environmental Protection  
& Sustainability

VJG:jcm

c: Finance and Administration

variance approval letter private

7-12

## BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

**DATE:** June 28, 2016

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

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 16-287

RECEIVED

JUN 29 2016

OFFICE OF ADMINISTRATIVE HEARINGS

**INFORMATION:**

**Property Address:** 217 North Point Boulevard  
**Petitioner:** 8312 Pulaski, LLC  
**Zoning:** BR-IM  
**Requested Action:** Special Exception, Variance

The Department of Planning has reviewed the petition for special exception to permit use of the property as a used motor vehicle outdoor sales area, separate from sales agency building and the petition for a variance as listed on the attachment in support of the petition.

A site visit was conducted on June 2, 2016.

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

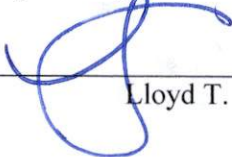
- Submit a landscape plan to the Baltimore County Landscape Architect for approval prior to permit issuance. Said plan must include vegetative screening along the western side and rear of the property to mitigate any potential impacts of the proposal on the adjacent restaurant.
- No mechanical work or detailing of vehicles on site.
- All signage must comply with the requirements of BCZR §450.

Be advised the Department finds discrepancies in the plan in that it does not indicate all setbacks for the office trailer. The petitioned relief addresses the storage and display of vehicles only and is silent on the requirements of BCZR §238.2 and §415.3.C.2. The petitioner should address these discrepancies to the satisfaction of the Administrative Law Judge through the hearing process.



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

**Prepared by:**

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

**Division Chief:**

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

AVA/KS/LTM/ka

c: Ngone Seye Diop  
Jeanette M. S. Tansey, R.L.A., Permits, Approvals and Inspections  
Herbert Burgunder, III  
Office of the Administrative Hearings  
People's Counsel for Baltimore County

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



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

Date: 5/23/16

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

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 5/23/16. A field inspection and internal review reveals that an entrance onto MD151 consistent with current State Highway Administration guidelines is required. As a condition of approval for Variance, Case Number 2016-0287-XA.

Special Exception Variance  
8312 Pulaski, LLC  
217 North Point Boulevard MD151

The applicant must contact the State Highway Administration to obtain an entrance permit.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Richard Zeller'.

Wendy Wolcott, PLA  
Acting Metropolitan District Engineer  
Baltimore & Harford Counties

WW/RAZ

cc: Mr. Michael Pasquariello, Utility Engineer, SHA

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



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

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For May 30, 2016  
Item No. 2016-0287

**DATE:** May 27, 2016

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

Screening of cars per condition K of the Landscape Manual along North Point Blvd. should be the minimum requirement.

\* \* \* \* \*

DAK:CEN  
cc:file

ZAC-ITEM NO 16-0287-05302016.doc



**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**



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: May 26, 2016

SUBJECT: EPS Comment for Zoning Item # 2016-0287-XA  
Address 217 North Point Blvd.  
(8312 Pulaski, LLC Property)

Zoning Advisory Committee Meeting of **May 30, 2016.**

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

Reviewer: Steve Ford

Date: 05-26-2016

**BALTIMORE COUNTY, MARYLAND**  
**INTER-OFFICE MEMORANDUM**



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

**DATE:** June 28, 2016

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

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 16-287

**INFORMATION:**

**Property Address:** 217 North Point Boulevard  
**Petitioner:** 8312 Pulaski, LLC  
**Zoning:** BR-IM  
**Requested Action:** Special Exception, Variance

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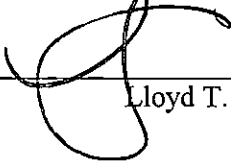
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- Submit a landscape plan to the Baltimore County Landscape Architect for approval prior to permit issuance. Said plan must include vegetative screening along the western side and rear of the property to mitigate any potential impacts of the proposal on the adjacent restaurant.
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For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

Prepared by:

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

Division Chief:

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

AVA/KS/LTM/ka

c: Ngone Seye Diop  
Jeanette M. S. Tansey, R.L.A., Permits, Approvals and Inspections  
Herbert Burgunder, III  
Office of the Administrative Hearings  
People's Counsel for Baltimore County



CASE NAME \_\_\_\_\_  
CASE NUMBER 2016-0287  
DATE 7/12/2016

[illegible]

Case No.: 2016-287-XA

Exhibit Sheet

Petitioner/Developer

DW  
8-24-16

Protestants

Den 7/20/16

|        |                        |  |
|--------|------------------------|--|
| No. 1  | site plan              |  |
| No. 2  | My Neighborhood Aerial |  |
| No. 3  | Google Earth photos    |  |
| No. 4  | Photos of site         |  |
| No. 5  |                        |  |
| No. 6  |                        |  |
| No. 7  |                        |  |
| No. 8  |                        |  |
| No. 9  |                        |  |
| No. 10 |                        |  |
| No. 11 |                        |  |
| No. 12 |                        |  |

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PROP. LEVEL  
SPREADER  
(10'Lx3'Wx2'D)

PROP. WHEEL STOPS (TYP.)

PROPOSED VEHICLE  
DISPLAY AREA LIMIT

PROP. SIGN

EMPLOYEE  
CUSTOMER

OFFICE  
TRAILER

S45° | 2'00"W

VEHICLE  
PLAY AREA  
5'X16' SPACES  
PROP. MACADAM MILLING  
PARKING LOT  
PLAY AREA 7'X2'  
132'

PROP. MACADAM MILLIN  
PARKING LOT  
LAY AREA 7x2  
32'

SPACES

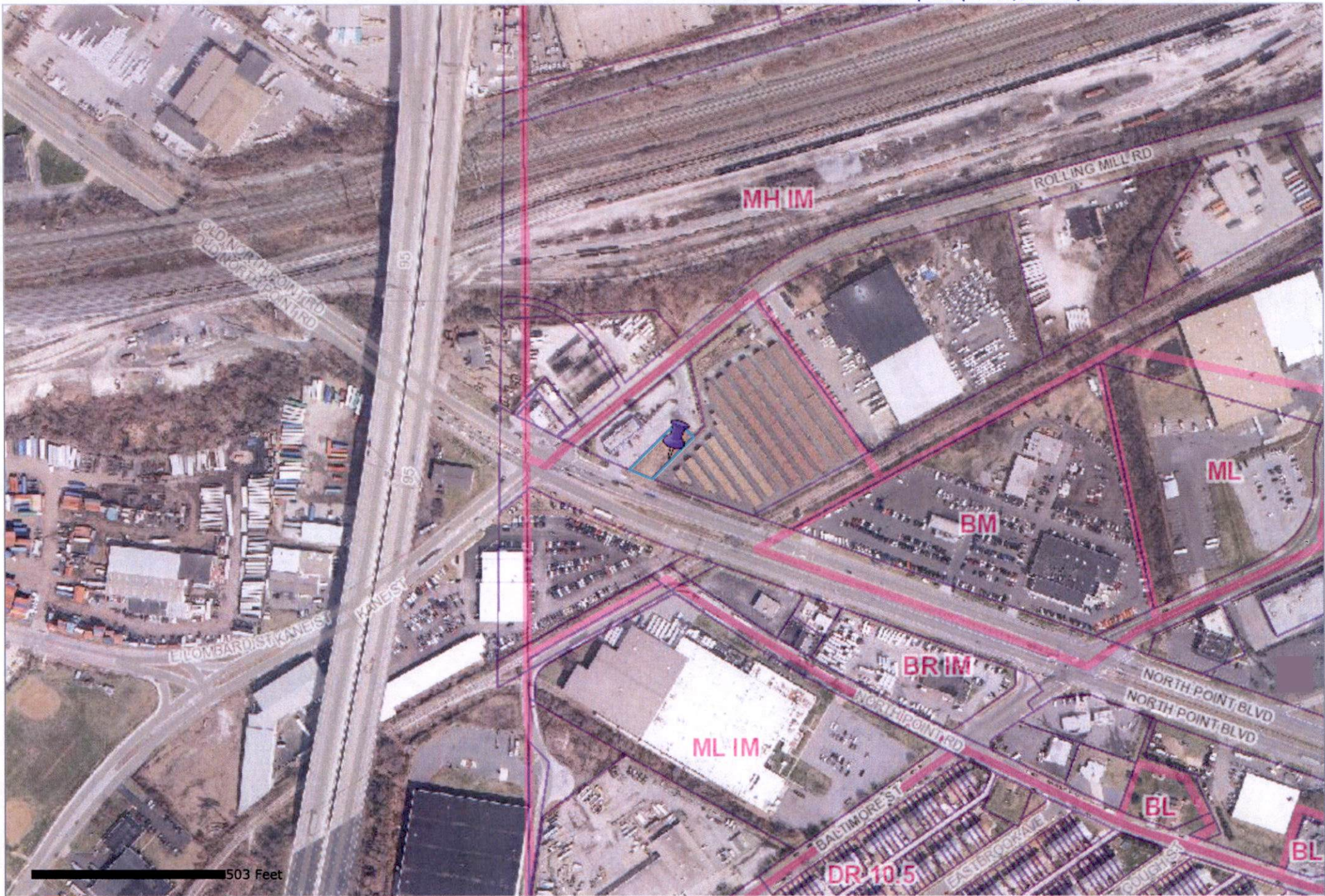
**QUESTION**

34' ±

2-0

99





My Neighborhood Map

Created By  
Baltimore County  
My Neighborhood

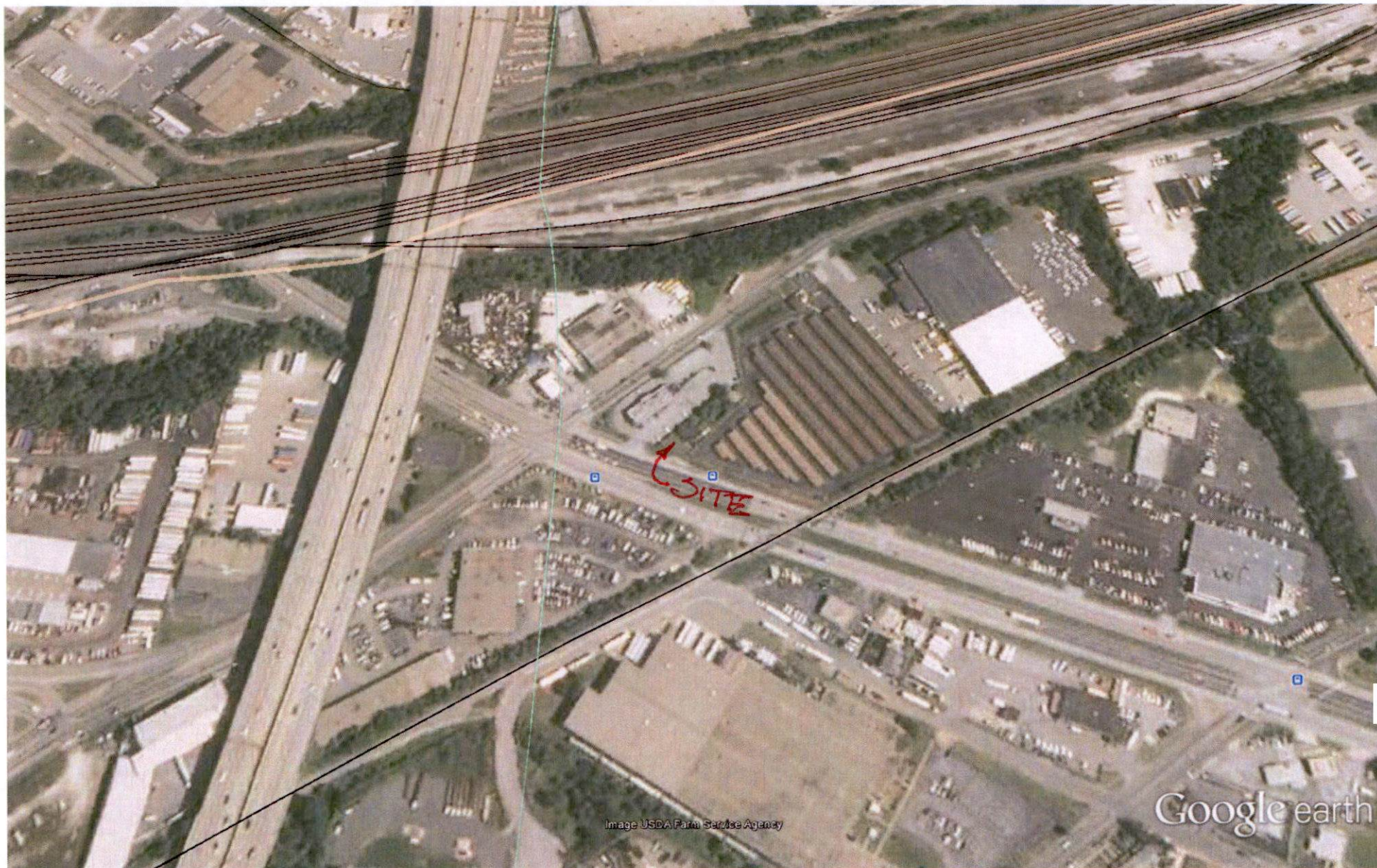


This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 7/11/2016



Petitioner No. 3



Google earth

Google earth

feet  
meters

1000

400



10/2009





Google earth

feet  
meters

1000

400



8/2010



Peltunen No. 4















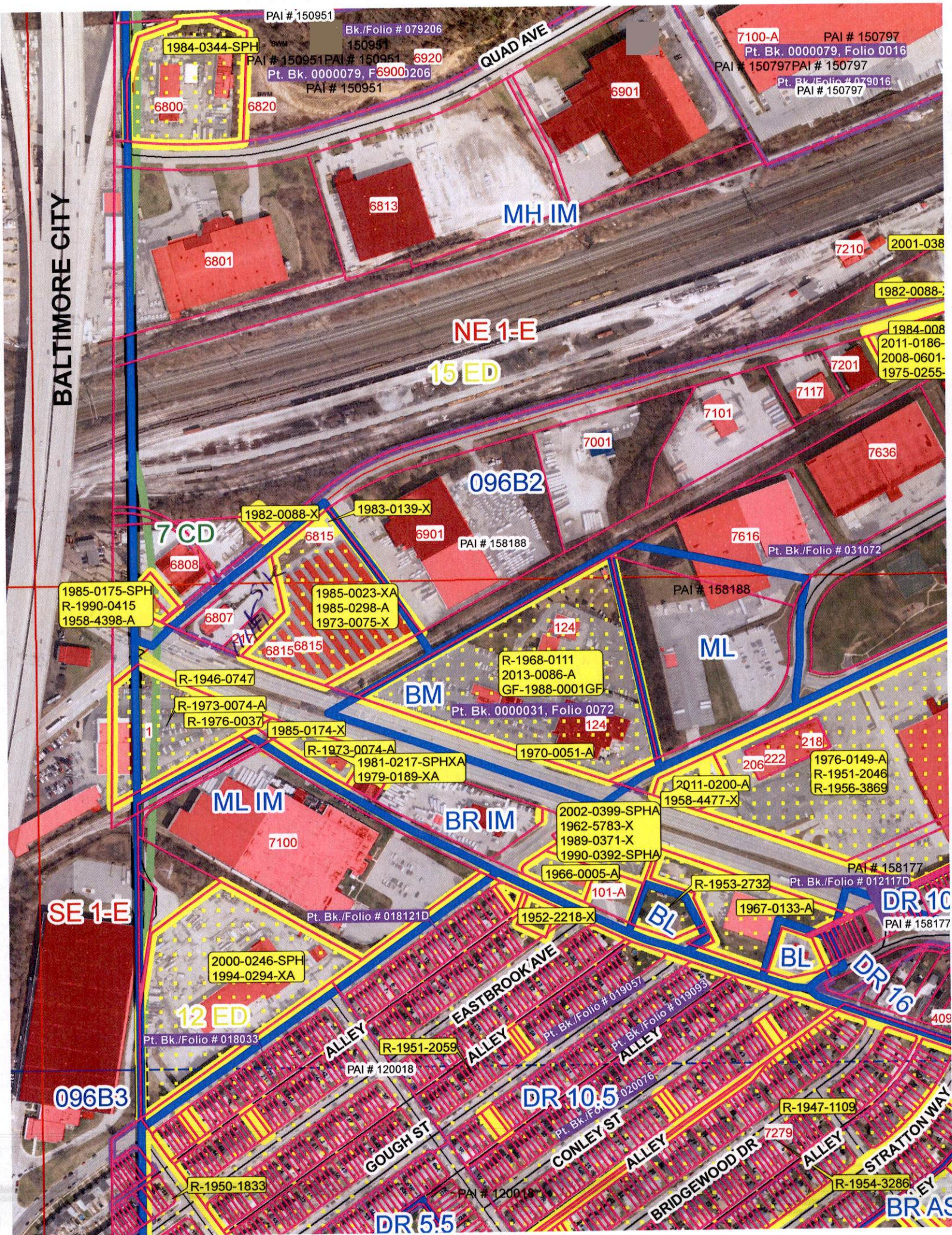














MH IM

ROLLING MILL RD

6807

BR IM



6815

6815

6815

6815

NORTH POINT BLVD

NORTH POINT BLVD

72 Feet

2016-0287-XA



My Neighborhood Map

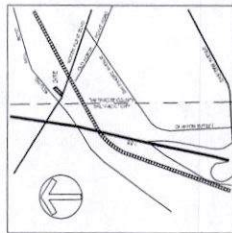
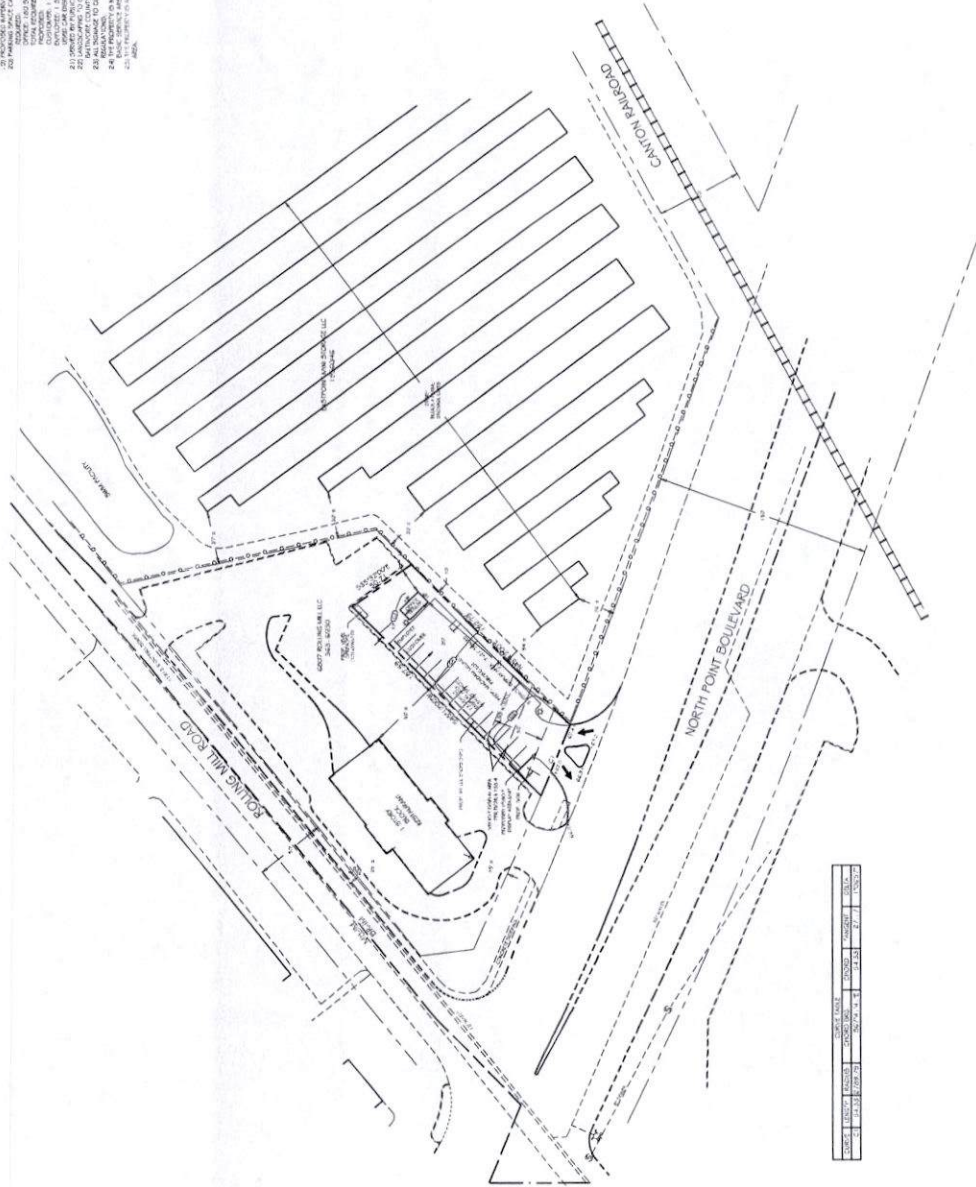
Created By  
Baltimore County  
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 5/13/2016



[illegible][illegible]

| CURVE | LENGTH | RANGE   | CORREL. COEFF. | CORR. COEFF. | COVARIANCE | COVARIANCE | COVARIANCE |
|-------|--------|---------|----------------|--------------|------------|------------|------------|
| C     | 0-4.33 | 6768.79 | 0.97           | 0.97         | 0.97       | 0.97       | 0.97       |



LEGEND:

—○— F04 140

⊗ SECONDARY SOURCE MATERIAL

✱ FREE VARIANT

Real Property Data Search ( w4)

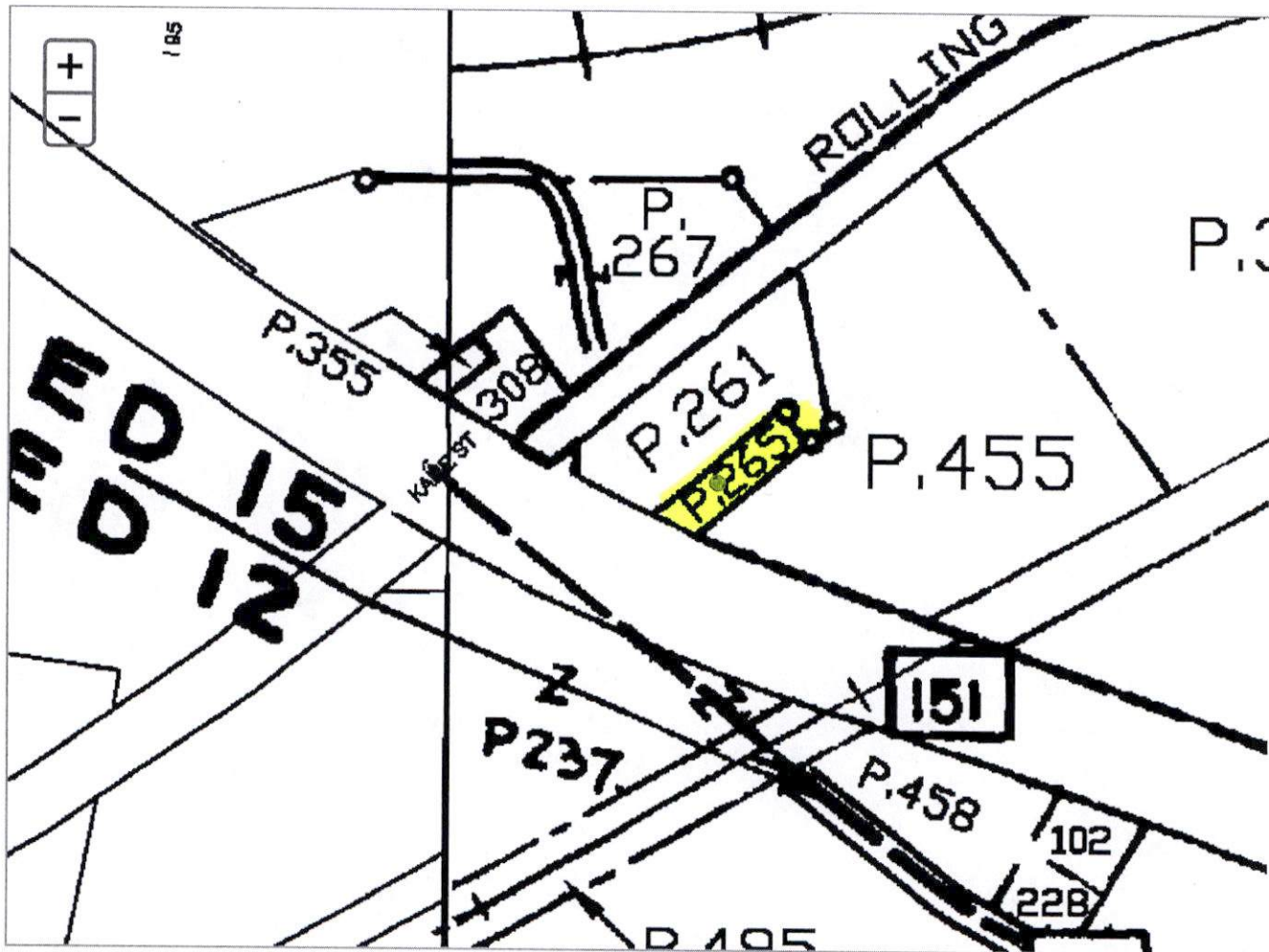
Guide to searching the database

## Search Result for BALTIMORE COUNTY

| View Map                                     |          | View GroundRent Redemption                   |               |                        | View GroundRent Registration |                       |                                             |                  |           |
|----------------------------------------------|----------|----------------------------------------------|---------------|------------------------|------------------------------|-----------------------|---------------------------------------------|------------------|-----------|
| Account Identifier:                          |          | District - 15 Account Number - 1510451130    |               |                        |                              |                       |                                             |                  |           |
| Owner Information                            |          |                                              |               |                        |                              |                       |                                             |                  |           |
| Owner Name:                                  |          | 8312 PULASKI LLC                             |               |                        | Use:                         |                       | RESIDENTIAL                                 |                  |           |
| Mailing Address:                             |          | 4101 EASTERN AVE<br>BALTIMORE MD 21224-0000  |               |                        | Principal Residence:         |                       | NO                                          |                  |           |
|                                              |          |                                              |               |                        | Deed Reference:              |                       | /37272/ 00027                               |                  |           |
| Location & Structure Information             |          |                                              |               |                        |                              |                       |                                             |                  |           |
| Premises Address:                            |          | 217 NORTH POINT BLVD<br>BALTIMORE 21224-1800 |               |                        | Legal Description:           |                       | 217 NORTH POINT BLVD<br>200FT S OF SEWER RD |                  |           |
| Map:                                         | Grid:    | Parcel:                                      | Sub District: | Subdivision:           | Section:                     | Block:                | Lot:                                        | Assessment Year: | Plat No:  |
| 0096                                         | 0015     | 0265                                         |               | 0000                   |                              |                       |                                             | 2015             | Plat Ref: |
| Special Tax Areas:                           |          |                                              |               |                        | Town:                        |                       | NONE                                        |                  |           |
|                                              |          |                                              |               |                        | Ad Valorem:                  |                       |                                             |                  |           |
|                                              |          |                                              |               |                        | Tax Class:                   |                       |                                             |                  |           |
| Primary Structure Built                      |          | Above Grade Enclosed Area                    |               | Finished Basement Area |                              | Property Land Area    |                                             | County Use       |           |
| 1918                                         |          | 1,282 SF                                     |               | 600 SF                 |                              | 8,950 SF              |                                             | 04               |           |
| Stories                                      | Basement | Type                                         | Exterior      | Full/Half Bath         | Garage                       | Last Major Renovation |                                             |                  |           |
| 1                                            | YES      | STANDARD UNIT                                | FRAME         | 1 full/ 1 half         |                              |                       |                                             |                  |           |
| Value Information                            |          |                                              |               |                        |                              |                       |                                             |                  |           |
|                                              |          |                                              | Base Value    | Value                  | Phase-in Assessments         |                       |                                             |                  |           |
|                                              |          |                                              |               | As of                  | As of                        |                       | As of                                       |                  |           |
|                                              |          |                                              |               | 01/01/2015             | 07/01/2015                   |                       | 07/01/2016                                  |                  |           |
| Land:                                        |          |                                              | 40,000        | 40,000                 |                              |                       |                                             |                  |           |
| Improvements                                 |          |                                              | 81,300        | 96,500                 |                              |                       |                                             |                  |           |
| Total:                                       |          |                                              | 121,300       | 136,500                | 126,367                      |                       | 131,433                                     |                  |           |
| Preferential Land:                           |          |                                              | 0             |                        |                              |                       | 0                                           |                  |           |
| Transfer Information                         |          |                                              |               |                        |                              |                       |                                             |                  |           |
| Seller: MARINO JANEY                         |          |                                              |               | Date: 03/10/2016       |                              | Price: \$115,000      |                                             |                  |           |
| Type: ARMS LENGTH IMPROVED                   |          |                                              |               | Deed1: /37272/ 00027   |                              | Deed2:                |                                             |                  |           |
| Seller: JOHNSON LARRY                        |          |                                              |               | Date: 10/16/2002       |                              | Price: \$0            |                                             |                  |           |
| Type: NON-ARMS LENGTH OTHER                  |          |                                              |               | Deed1: /16951/ 00337   |                              | Deed2:                |                                             |                  |           |
| Seller: EQUICREDIT CORPORATION               |          |                                              |               | Date: 08/20/2001       |                              | Price: \$58,000       |                                             |                  |           |
| Type: NON-ARMS LENGTH OTHER                  |          |                                              |               | Deed1: /15485/ 00001   |                              | 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

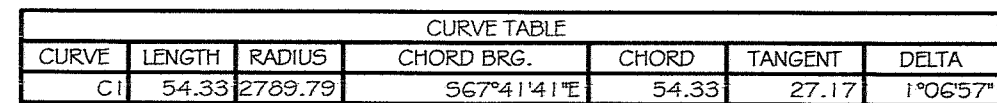
New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **15** Account Number: **1510451130**

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>).

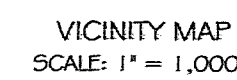
Property maps provided courtesy of the Maryland Department of Planning.

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>).



FENCING  
SANITARY SEWER MANHOLE  
FIRE HYDRANT

- 1) OWNER: 832 I PILASKI, LLC
- 2) OWNER'S ADDRESS: 4101 EASTERN AVENUE  
BALTIMORE, MARYLAND 21224
- 3) CURRENT DEED REFERENCE: 3724200000
- 4) TAX ACCOUNT NUMBER: 15 0445 1130
- 5) TAX MAP: 96 GRID 15 PARCELS 265
- 6) ZONING: BR-IM
- 7) ZONING MAP: 09B2D
- 8) CENSUS TRACT: 4523.00
- 9) COUNCILMANIC DISTRICT: 7th
- 10) ELECTION DISTRICT: 15th
- 11) WATERSHED: BACK RIVER
- 12) SUBWERSHED: BACK RIVER
- 13) REGIONAL PLANNING DISTRICT: DUNDALK/CONTAMINATED STATEWIDE
- 14) AREA: 6660 SQ. FT./0.1988 ACRES
- 15) DISTINGUISHING  
VACANT
- 16) PROPOSED USE:  
USED CAR GARAGE
- 17) PRIOR ZONING HEARINGS OR COMMERCIAL PERMITS: NONE
- 19) PROPOSED INTERVIEW AREA: 7767 SQ. FT.
- 20) PARKING SPACE CALCULATIONS:  
REQUIRED:  
100 SQ. FT./1,000 x 3.3 = 1 SPACE  
TOTAL REQUIRED: 1 SPACE  
PROPOSED:  
CUSTOMER: 1 SPACE  
EMPLOYEE: 1 SPACE  
USE CAR DISPLAY SPACES: 16 SPACES
- 21) SERVED BY PUBLIC WATER MAIN SERVICE
- 22) LANDSCAPING TO COMPLY WITH THE REGULATIONS STATED  
BALTIMORE COUNTY LANDSCAPE MANUAL
- 23) REQUIRED TO COMPLY WITH THE BALTIMORE COUNTY ZONING REGULATIONS
- 24) THE PROPERTY IS NOT LOCATED WITHIN A FAILED TRANSPORTATION SERVICE AREA
- 25) THE PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY  
AREA



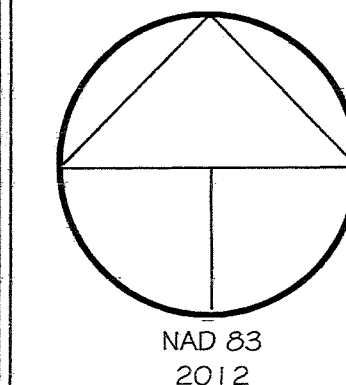
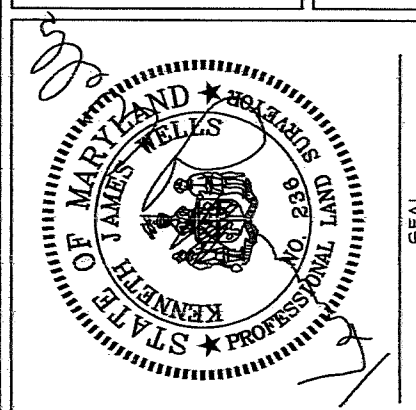
1) TO PERMIT USE OF THE PROPERTY AS A USED MOTOR VEHICLE  
OUTDOOR SALES AREA, SEPARATE FROM SALES AGENCY BUILDING  
PURSUANT TO BCZR § 2.3C.2; AND

2) FOR SUCH OTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE  
ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

- 1) BCCR § 238.3 AND § 409.6.A TO ALLOW 1 EMPLOYEE PARKING SPACE AND 1 CUSTOMER PARKING SPACE; AND
- 2) BCCR § 409.6.A.1 TO NOT REQUIRE COMPLIANCE WITH THOSE CODES SPECIFIC TO THE LANDSCAPE MANUAL AND OTHER REQUIREMENTS ALLOWED PURSUANT TO § 52-4-404 OF THE ECC; AND
- 3) BCCR § 238.2 TO ALLOW A 10 FOOT AND 22 FOOT SIDE YARD SETBACK IN LIEU OF THE REQUIRED 30 FEET; AND
- 4) BCCR § 238.2 TO ALLOW A 18 FOOT REAR YARD SETBACK IN LIEU OF THE REQUIRED 30 FEET; AND
- 5) BCCR § 238.4 TO ALLOW A VEHICLE DISPLAY AREA OF 36 FEET IN LIEU OF THE MAXIMUM 15 FEET IN FRONT OF THE REQUIRED FRONT BUILDING LINE; AND
- 6) FOR ANY OTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

**kjWellsInc**  
7403 NEW CUT ROAD  
KINGSVILLE, MARYLAND 21087  
(410) 592-8600

Land Surveying, Site Planning &amp; Landscape Architecture



| REVISIONS: |           |
|------------|-----------|
| NO.        | DATE      |
| 1          | 6/03/2016 |

PLAN TO ACCOMPANY A ZONING PETITION  
FOR A SPECIAL EXCEPTION AND VARIANCES

217 NORTH POIT BOULEVARD  
BALTIMORE COUNTY  
MARYLAND

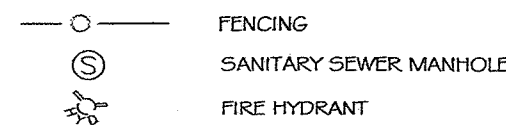
15TH ELECTION DISTRICT 7TH COUNCILMANIC DISTRICT

|                          |
|--------------------------|
| DRAWN BY: CAV/KJW        |
| CHECKED BY: KJW          |
| DATE: 3/21/2016          |
| PROJECT NO.:<br>2016-006 |
| SHEET 1 OF 1             |

Ex. 1



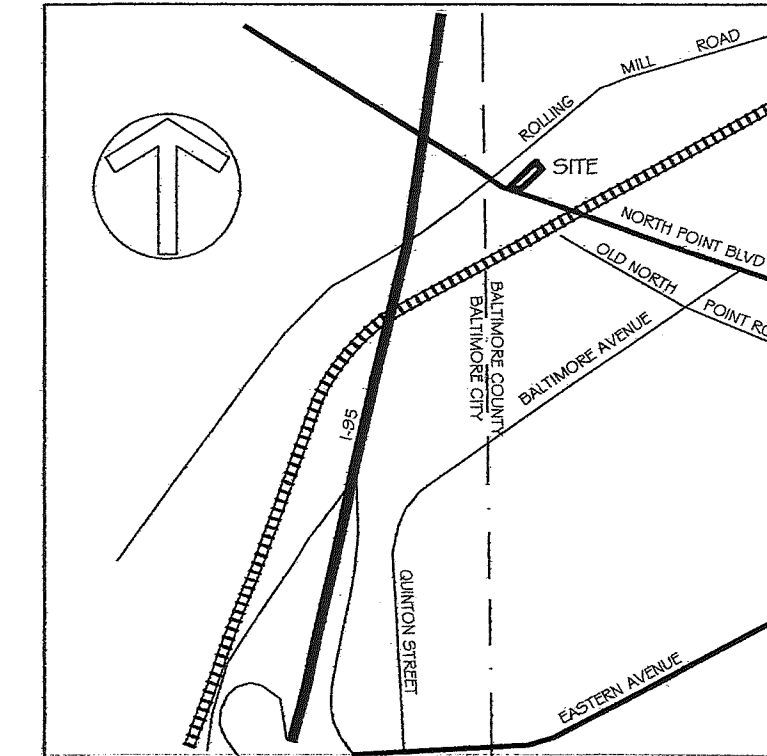
LEGEND:



| CURVE TABLE |        |         |             |       |         |          |
|-------------|--------|---------|-------------|-------|---------|----------|
| CURVE       | LENGTH | RADIUS  | CHORD BRG.  | CHORD | TANGENT | DELTA    |
| C-1         | 54.33  | 2789.79 | S67°41'14"E | 54.33 | 27.17   | 1°06'57" |

SITE DATA:

- 1) OWNER: 6321 PULASKI, LLC
- 2) OWNER'S ADDRESS: 4101 EASTERN AVENUE BALTIMORE, MARYLAND 21224
- 3) CURRENT DEED REFERENCE: 57272072
- 4) TAX ACCOUNT NUMBER: 1510451130
- 5) TAX MAP: 96 GRID 15 PARCELS 265
- 6) ZONING: B5-M
- 7) ZONING MAP: 096B2
- 8) CENSUS TRACT: 4523.00
- 9) COUNCILMANIC DISTRICT: 7th
- 10) ELECTION DISTRICT: 15th
- 11) WATERSHED: BACK RIVER
- 12) SUBWATERSHED: BACK RIVER
- 13) REGIONAL PLANNING DISTRICT: DUNDALK/TURNERS STATION
- 14) AREA: 8660 SQ. FT./0.1988 ACRES
- 15) EXISTING USE: VACANT
- 16) PROPOSED USE: USED CAR SALES
- 17) PRIOR ZONING HEARINGS OR COMMERCIAL PERMITS: NONE
- 18) PROPOSED INTERVENOUS AREA: 7767 SQ. FT.
- 19) REQUIRED: OFFICE: 160 SQ. FT./1,000 x 3.3 = 1 SPACE  
TOTAL REQUIRED: 1 SPACE  
PROPOSED: CUSTOMER: 1 SPACE  
EMPLOYEE: 1 SPACE  
USED CAR DISPLAY SPACES: 16 SPACES
- 20) SERVED BY PUBLIC WATER AND SEWER
- 21) LANDSCAPING TO COMPLY WITH THE REGULATIONS STATED IN THE BALTIMORE COUNTY LANDSCAPE MANUAL.
- 22) ALL SIGNAGE TO COMPLY WITH THE BALTIMORE COUNTY ZONING REGULATIONS.
- 23) THE PROPERTY IS NOT LOCATED WITHIN A FAILED TRANSPORTATION BASIC SERVICE AREA.
- 24) THE PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.



VICINITY MAP  
SCALE: 1" = 1,000'

REQUESTS:

SPECIAL EXCEPTION:

- 1) TO PERMIT USE OF THE PROPERTY AS A USED MOTOR VEHICLE OUTDOOR SALES AREA, SEPARATE FROM SALES AGENCY BUILDING PURSUANT TO BCZR § 236.2; AND
- 2) FOR SUCH OTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

VARIANCES:

- 1) BCZR § 239.3 AND § 409.6.A TO ALLOW 1 EMPLOYEE PARKING SPACE AND 1 CUSTOMER PARKING SPACE; AND
- 2) BCZR § 403.8.A-I-TO NOT REQUIRE COMPLIANCE WITH THOSE CONDITIONS SPECIFIED IN THE LANDSCAPE MANUAL AND OTHER MANUALS ADOPTED PURSUANT TO § 32-4-404 OF THE BCC; AND
- 3) BCZR § 239.4 TO ALLOW A 10 FOOT SIDE YARD SETBACK IN LIEU OF THE REQUIRED 30 FEET; AND
- 4) BCZR § 239.4 TO ALLOW A 18 FOOT REAR YARD SETBACK IN LIEU OF THE REQUIRED 30 FEET; AND
- 5) BCZR § 239.4 TO ALLOW A VEHICLE DISPLAY AREA OF 36 FEET IN LIEU OF THE MAXIMUM 15 FEET IN FRONT OF THE REQUIRED FRONT BUILDING LINE; AND
- 6) FOR SUCH OTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

PLAN TO ACCOMPANY A ZONING PETITION  
FOR A SPECIAL EXCEPTION AND VARIANCES

217 NORTH POIT BOULEVARD  
BALTIMORE COUNTY  
MARYLAND  
15TH ELECTION DISTRICT 7TH COUNCILMANIC DISTRICT

DRAWN BY: CAV/KJW

CHECKED BY: KJW

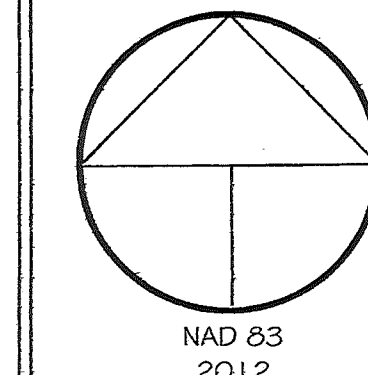
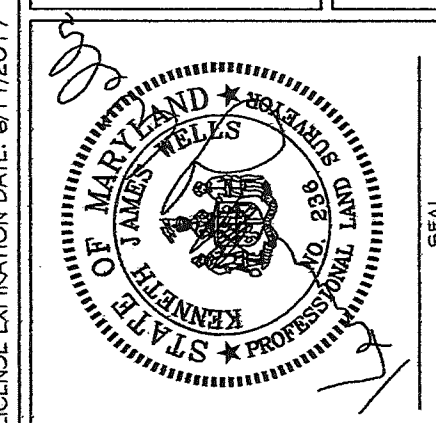
DATE: 3/21/2016

PROJECT NO.:

2016-006

SHEET 1 OF 1

LICENSE EXPIRATION DATE: 6/1/2017



REVISIONS:  
NO. DATE

