

MEMORANDUM

DATE: August 24, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0305-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on August 22, 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 HEARING *
AND VARIANCE**

(20 & 22 Timonium Road) *

8th Election District *

3rd Council District *

Schaefer-Timonium LLC *

Owner *

Petitioner *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2016-0305-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of Schaefer-Timonium LLC, legal owner ("Petitioner"). 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 approved in Case No. 2013-23-A. In addition, a Petition for Variance seeks: (1) to allow a total of six wall-mounted enterprise signs on a single façade in lieu of the permitted three signs with no more than two on a single façade; and (2) to allow two directional signs with sign areas/faces of 9.5 sq. ft. each in lieu of the permitted 8 sq. ft. An amended petition was submitted at the hearing to change the size of the 2 directional signs from 9.5 sq. ft. to 10.46 sq. ft. Petitioner's Ex. 1. A site plan was marked and accepted into evidence as Petitioner's Ex. 2.

Appearing at the public hearing in support of the requests were professional engineer Ken Colbert and Bill Schaefer. Chris Mudd, Esq. represented the Petitioner. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were received from the Bureau of Development Plans Review (DPR) and the Department of Planning (DOP). Both concerned landscaping, which will be discussed below.

ORDER RECEIVED FOR FILING

Date

7-22-16

By

Sen

The subject property is 2.66 acres in size and is split-zoned BM, BR and MR-IM. A Nationwide Infiniti automobile dealership operates at the site.

SPECIAL HEARING

The petition for special hearing was filed at the behest of the zoning office, for record-keeping purposes. The petition merely seeks confirmation that the zoning relief granted herein, along with the site plan admitted as Exhibit 2, will amend the Order and site plan approved in Case No. 2013-0023-A.

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. The site is bordered by the Maryland State Fairgrounds and several large horse stables limit visibility into the site. These were the same factors noted in Case No. 2013-0023-A, where the property was found to be unique. Petitioner would experience practical difficulty if the regulations were strictly interpreted because it would be unable to install the signs required by its franchise agreements. Finally, I find that this variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of County and/or community opposition.

The DOP requested Petitioner submit a plan documenting the existing landscaping at the site. The Petitioner submitted a landscape plan (Petitioner's Ex. 8) prepared by Human & Rohde,

ORDER RECEIVED FOR FILING

Date 7-22-16

By Sen

Inc., landscape architects. That plan contains a chart showing the existing planting units exceed that which is required by Condition C of the Landscape Manual, concerning automotive display areas. As such, I find that Petitioner has also satisfied the DPR ZAC comment, which referenced the "Class D" screen required by Condition C noted above.

THEREFORE, IT IS ORDERED this 22nd day of **July, 2016**, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve an amendment to the site plan approved in Case No. 2013-0023-A, in accordance with the terms of the Order and site plan herein, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance which seeks: (1) to allow a total of six wall-mounted enterprise signs on a single façade in lieu of the permitted three signs with no more than two on a single façade; and (2) to allow two directional signs with a maximum sign area/face of 10.46 sq. ft. each in lieu of the permitted 8 sq. ft., 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.

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

JEB/sln


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 7-22-16

By sln



AMENDED

7/21/16

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 20 and 22 Timonium Road

which is presently zoned BM, BR-ME, MR-IM

Deed References: 24815-139

10 Digit Tax Account # 0805093025

Property Owner(s) Printed Name(s) Schaefer-Timonium, LLC

(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 SHEET

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

Zip Code

BY Telephone #

Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Schaefer-Timonium, LLC

William H. Schaefer, Managing Member

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

2085 York Road,

Timonium,

MD

Mailing Address

City

State

21093-0000 /

Zip Code

Telephone #

Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com

Zip Code Telephone # Email Address

CASE NUMBER 2014-0305-0044 Filing Date 7/1/16

PETITIONER'S

Reviewer JF

EXHIBIT NO. 1

7/10/11

AMENDED

7/21/16

SCHAEFER-TIMONIUM, LLC

20 AND 22 TIMONIUM ROAD

ATTACHMENT TO PETITION FOR SPECIAL HEARING

1. Special Hearing to approve amendment to the site plan approved in Case No. 2013-23-A.

AMENDED

7/21/16

SCHAEFER-TIMONIUM, LLC

20 AND 22 TIMONIUM ROAD

ATTACHMENT TO PETITION FOR VARIANCE

1. Variance from Section 450.4 Attachment 1.5(a) of the BCZR to allow a total of six wall-mounted enterprise signs on a single façade in lieu of the permitted three signs, with no more than two on a single façade.
2. Variance from Section 450.4 Attachment 1.3 of the BCZR to allow two directional signs with sign areas/faces of 9.5 square feet each in lieu of the permitted 8 square feet.

(10.46
A MAXIMUM



ZONING DESCRIPTION

NATIONWIDE INFINITI
22 W. TIMONIUM ROAD

Beginning at a point on the north side of W. Timonium Road, variable width right-of-way, 950 feet, more or less, from the centerline of York Road (Maryland Route 45) variable width right-of-way. Thence the following courses and distances:

North $18^{\circ} 48' 16''$ West, 356.42 feet; North $75^{\circ} 52' 44''$ East, 182.97 feet; South $18^{\circ} 48' 16''$ East, 314.39 feet to the north side of w. Timonium Road, binding on said right-of-way, by a curve to the left $R= 2326.83$ feet, $L= 184.40$ feet to the place of beginning and being part of the Deed recorded in Liber 24815, folio 139.

Containing 60,780 Sq. Ft. or 1.40 Acres, more or less and located in the 8th Election District and the 3rd Councilmanic District.



Professional Certification: I hereby that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No: 9752

Expiration Date:02-28-18

J:\2012\2012074.1\BUILDING SIGN VARIANCE\2012074.1 Zon Desc 051216.doc

**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: 2016-0305-SPHA
Property Address: 20822 W. TIMONIUM ROAD
Property Description: NATIONWIDE INFINITI
Legal Owners (Petitioners): SCHAEFER - TIMONIUM LLC
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: SCHAEFER - TIMONIUM LLC
Company/Firm (if applicable): _____
Address: 2085 YORK ROAD
TIMONIUM, MD 21093-4242
Telephone Number: 410-252-8000

Revised 5/20/2014

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

No. **139290**

Date: **6-1-16**

PAID RECEIPT

BUSINESS ACTUAL TIME ORG
 5/31/2016 5:01:01 PM 11:17:40 1

REG MS01 MICHIGAN LTR
 RECEIPT N 0000000000 2/01/2016 0000

Dept 5 528 ZONING VERIFICATION

NO. 139290

Receipt Tot \$1,000.00

\$1,000.00 00 1.00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	800	0000		6150				1,000.00

Total: **1,000.00**

Rec

From: **VENABLE**

For:

Nationalities In Brief

20122 W. Timonium Rd.

Check 2016-0005-0000

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

The Daily Record

11 East Saratoga Street

Baltimore, MD 21202-2199

(443) 524-8100

<http://www.thedailyrecord.com>

Order #: 11103489

Case #:

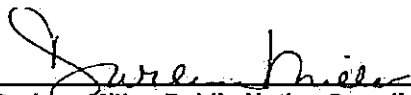
Description:

CASE NUMBER: 2016-0305-SPHA

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

6/30/2016



Darlene Miller, Public Notice Coordinator
(Representative Signature)

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: 2016-0305-SPHA

20 & 22 Timonium Road

N/s Timonium Road, 950 ft. w/ from centerline of York Road

8th Election District - 3rd Councilmanic District

Legal Owners: Schaefer-Timonium, LLC

Special Hearing to approve amendment to the site plan approved in Case No. 2013-23-A. Variance to allow a total of six wall-mounted enterprise on a single façade in lieu of the permitted three signs with no more than two on a single façade and to allow two directional signs areas/faces of 9.5 sq. ft. each in lieu of the permitted 8 sq. ft.

Hearing: Thursday, July 21, 2016 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

ARNOLD JABLON,

Director of Permits,

Approvals and Inspections for Baltimore County.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

je30

CERTIFICATE OF POSTING

2016-0305-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Schaefer-Timonium, LLC

July 21, 2016

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

20 & 22 Timonium Road

July 1, 2016

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

Sincerely,

July 1, 2016

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

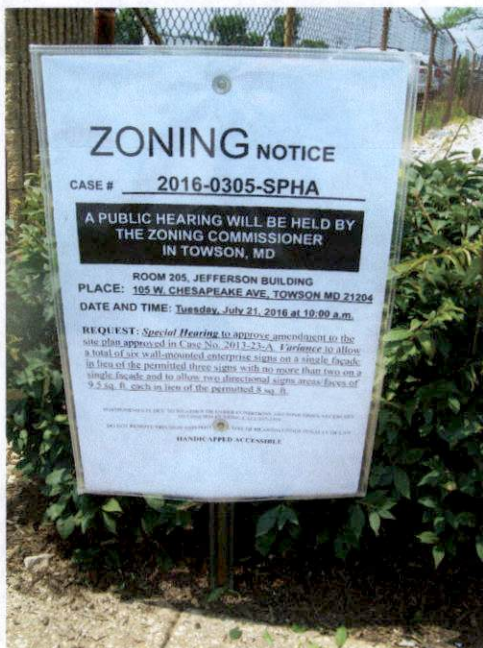
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





KEVIN KAMENETZ
County Executive
June 28, 2016

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

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: 2016-0305-SPHA

20 & 22 Timonium Road
N/s Timonium Road, 950 ft. w/of centerline of York Road
8th Election District – 3rd Councilmanic District
Legal Owners: Schaefer-Timonium, LLC

Special Hearing to approve amendment to the site plan approved in Case No. 2013-23-A. Variance to allow a total of six wall-mounted enterprise on a single façade in lieu of the permitted three signs with no more than two on a single façade and to allow two directional signs areas/faces of 9.5 sq. ft. each in lieu of the permitted 8 sq. ft.

Hearing: Thursday, July 21, 2016 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
William Schaefer, 2085 York Road, Timonium 21093

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

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 30, 2016 Issue - Jeffersonian

Please forward billing to:
Schaefer Timonium, LLC
2085 York Road
Timonium, MD 21093

410-252-8000

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: 2016-0305-SPHA

20 & 22 Timonium Road

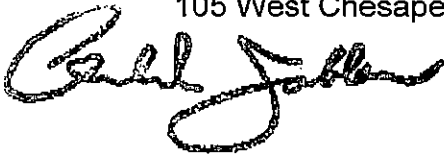
N/s Timonium Road, 950 ft. w/from centerline of York Road

8th Election District – 3rd Councilmanic District

Legal Owners: Schaefer-Timonium, LLC

Special Hearing to approve amendment to the site plan approved in Case No. 2013-23-A. Variance to allow a total of six wall-mounted enterprise on a single façade in lieu of the permitted three signs with no more than two on a single façade and to allow two directional signs areas/faces of 9.5 sq. ft. each in lieu of the permitted 8 sq. ft.

Hearing: Thursday, July 21, 2016 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
20 & 22 Timonium Road; N/S Timonium Road,* OF ADMINISTRATIVE
950' W from c/line York Road
8th Election & 3rd Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Schaefer-Timonium LLC *
Petitioner(s) * BALTIMORE COUNTY
* 2016-305-SPHA

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED
JUN 14 2016

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 14th day of June, 2016, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



KEVIN KAMENETZ
County Executive

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

July 14, 2016

Schaefer-Timonium LLC
William H Schaefer, Managing Member
2085 York Road
Timonium MD 21093

RE: Case Number: 2016-0305 SPHA, Address: 20 and 22 Timonium Road

Dear Mr. Schaefer:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 1, 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.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

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

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



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

Date: 6/13/16

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2016-0305-SPHA

*Special Heavy Variance
Schaefer-Timonium LLC
William H. Schaefer, Managing Member
20 & 22 Timonium Road*

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 'Richard Zeller', is written over the word 'Sincerely,'.

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTRA-OFFICE MEMORANDUM

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

DATE: July 12, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-305

JUL 19 2016

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Property Address: 20 – 22 Timonium Road
Petitioner: Schaefer-Timonium LLC
Zoning: BM, BR-ME, MR-IM
Requested Action: Variance, Special Hearing

The Department of Planning has reviewed the petition for a variance to permit six wall-mounted enterprise signs on a single façade and two directional signs with sign areas/faces of 9.5 square feet in lieu of permitted three signs, with no more than two on a single façade and permitted 8 square feet respectively and the petition for special hearing to determine whether or not the Administrative Law Judge should approve an amendment to site plan approved in Case No. 2013-23-A.

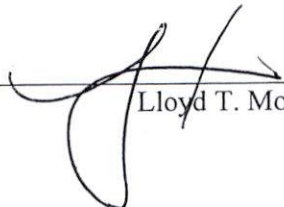
A site visit was conducted on June 22, 2016.

The Department has no objection to granting the petitioned zoning relief.

The Department recommends that in conjunction with this case the petitioner submit a revised plan that documents the existing landscaping onsite. For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:

Division Chief:


Lloyd T. Moxley


Kathy Schlabach

AVA/KS/LTM/lrm

c: **Wally Lippincott**
James Hermann, Permits, Approvals and Inspections
David H. Karceski, Esq.
Office of the Administrative Hearings

BALTIMORE COUNTY, MARYLAND

7-21-16
10AM
RECEIVED

Inter-Office Correspondence

JUN 22 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: June 22, 2016

SUBJECT: EPS Comment for Zoning Item # 2016-0305-SPHA
Address 20 & 22 Timonium Road
(Schaefer Property)

Zoning Advisory Committee Meeting of **June 13, 2016.**

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

Reviewer: Steve Ford Date: 06-22-2016

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For June 13, 2016
Item No. 2016-0305

DATE: June 15, 2016

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

Plant a Class "D" screen along the display frontage and submit a Landscape Plan.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0305-06132016.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: June 22, 2016

SUBJECT: EPS Comment for Zoning Item # 2016-0305-SPHA
Address 20 & 22 Timonium Road
(Schaefer Property)

Zoning Advisory Committee Meeting of **June 13, 2016.**

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

Reviewer: Steve Ford

Date: 06-22-2016

Case No.: 2016-0305-SPHA

Exhibit Sheet

Petitioner/Developer

EW
8-24-16

Protestants

slw
7-22-16

No. 1	Amended Zoning Petition	
No. 2	Site plan	
No. 3	Colbert resume	
No. 4	Aerial photo exhibit	
No. 5	Enlarged aerial photo	
No. 6	site photos	
No. 7	Order # 2013-0023-A	
No. 8	Landscape plan	
No. 9		
No. 10		
No. 11		
No. 12		

CASE NAME _____
CASE NUMBER 2016-305-SAT
DATE 7/21/2016

[illegible]

CHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment

6/15/16

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

C

6/22/16

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

N/C

FIRE DEPARTMENT

6/2/16

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

NO Obj

6/13/16

STATE HIGHWAY ADMINISTRATION

NO Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. 2013-0023-A)

NEWSPAPER ADVERTISEMENT

Date: 6/30/16

SIGN POSTING

Date: 7/1/16

by SSG Black

PEOPLE'S COUNSEL APPEARANCE

Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes ☐ No ☐

Comments, if any: _____

IN RE: PETITION FOR VARIANCE
(20-22 W. Timonium Road)
Schaefer Timonium, LLC
Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2013-0023-A

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by David H. Karceski, Esquire with Venable, LLP, on behalf of the legal owner, Schaefer Timonium, LLC. The Petitioner is requesting Variance relief from § 450.4 Attachment 1.5(g) of the Baltimore County Zoning Regulations ("B.C.Z.R."), to allow two (2) freestanding enterprise signs with sign face areas of 42 square feet and 38 square feet, in lieu of the one permitted 50 square foot freestanding enterprise sign. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support for this case was Leslie M. Pittler, Esquire and Kenneth J. Colbert with Colbert, Matz, Rosenfelt, Inc., the consulting firm that prepared the site plan. David H. Karceski, Esquire with Venable, LLP, appeared as counsel and represented Petitioner. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

The Zoning Advisory Committee (ZAC) comments were received and made a part of the file. There were no adverse ZAC comments received from any of the County review agencies.

ORDER RECEIVED FOR FILING

Date 10-5-12

By DW

PETITIONER'S

EXHIBIT NO.

7

Testimony and evidence revealed that the subject property is approximately 2.66 +/- acres in size, and is split-zoned BM, BR, and MR-IM. The Petitioner operates an Infiniti auto dealership on site, and currently has two (2) freestanding enterprise signs. The sign abatement provisions in the B.C.Z.R. have necessitated the zoning relief, and Petitioner proposes to continue using one existing sign (shown as sign "A" on Exhibit 1) and to replace an antiquated sign (shown as sign "B" on the plan) with a new sign (sign "D") containing more modern corporate branding. Neither sign exceeds the permitted height, and one sign will identify new car sales while the other sign indicates where used vehicles are sold on site.

Based upon the testimony and evidence presented, I will grant the request for variance relief. Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioner has met this test.

Petitioner's engineer Kenneth Colbert, who was accepted as an expert, testified via proffer that the site is unique in that it is surrounded on three (3) sides by the State Fairgrounds, which are approximately 88 acres in size. In addition, as shown on Exhibit 3, the fair property contains several large horse stables which are situated approximately 20' from West Timonium Road, and this serves to limit visibility into the site.

If the B.C.Z.R. were strictly enforced, the Petitioner would indeed suffer a practical difficulty and/or hardship. The Petitioner would be unable to properly identify the new and used car lots on the site. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health,

ORDER RECEIVED FOR FILING

Date 10-5-12

By [Signature]

safety, and general welfare. This is demonstrated by the lack of opposition from the community and the lack of negative comments from Baltimore County reviewing agencies.

Pursuant to the advertisement, posting of the property, and public hearing on this petition, and after considering the testimony and evidence, I find that Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED, this 5th day of October, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 450.4 Attachment 1.5(g) of the Baltimore County Zoning Regulations ("B.C.Z.R."), to allow two (2) freestanding enterprise signs with sign face areas of 42 square feet and 38 square feet, in lieu of the one permitted 50 square foot freestanding enterprise sign, be and is hereby GRANTED.

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

1. The Petitioner may apply for its appropriate permits and may be granted same upon receipt of this Order. However the Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason this Order is reversed, the Petitioner will be required to return and be responsible for returning said property to its original condition.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 10-5-12

By DW

Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 08 Account Number - 0805093025			
Owner Information					
Owner Name:		SCHAEFER-TIMONIUM LLC		Use:	COMMERCIAL NO
Mailing Address:		2085 YORK RD TIMONIUM MD 21093-4242		Principal Residence:	
				Deed Reference:	/24815/ 00139
Location & Structure Information					
Premises Address:		20 TIMONIUM RD TIMONIUM MD 21093-0000		Legal Description:	2.651 AC 20-22 TIMONIUM RD NS 540 W YORK RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0060	0005	0095		0000	
				Assessment Year:	Plat No:
				2014	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
1980	41181			2.6500 AC	06
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		AUTO SHOWROOM			
Value Information					
		Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		2,517,500	2,517,500		
Improvements		2,089,700	2,211,700		
Total:		4,607,200	4,729,200	4,688,667	4,729,200
Preferential Land:		0			0
Transfer Information					
Seller: SCHAEFER WILLIAM H,JR		Date: 03/24/2005		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /24815/ 00139		Deed2:	
Seller: EWING CALEB C,JR BOWEN VIRGINIA		Date: 08/31/1990		Price: \$1,700,000	
Type: ARMS LENGTH IMPROVED		Deed1: /08584/ 00179		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class	07/01/2015	07/01/2016	
County:		000	0.00		
State:		000	0.00		
Municipal:		000	0.00 0.00	0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

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

The map shows a section of Harrisburg, Pennsylvania, with the Susquehanna River at the top. Major roads include I-83 (marked with a shield and '83'), I-76 (marked with a shield and '76'), and I-476 (marked with a shield and '476'). The word 'HARRISBURG' is written vertically on the left side. The word 'TIMONUM' is written horizontally in the center. Numerous residential lots are shown with addresses, including P.461, P.498, P.738, P.789, P.746, P.735, P.734, P.733, P.732, P.731, P.730, P.729, P.728, P.727, P.726, P.725, P.724, P.723, P.722, P.721, P.720, P.719, P.718, P.717, P.716, P.715, P.714, P.713, P.712, P.711, P.710, P.709, P.708, P.707, P.706, P.705, P.704, P.703, P.702, P.701, P.700, P.699, P.698, P.697, P.696, P.695, P.694, P.693, P.692, P.691, P.690, P.689, P.688, P.687, P.686, P.685, P.684, P.683, P.682, P.681, P.680, P.679, P.678, P.677, P.676, P.675, P.674, P.673, P.672, P.671, P.670, P.669, P.668, P.667, P.666, P.665, P.664, P.663, P.662, P.661, P.660, P.659, P.658, P.657, P.656, P.655, P.654, P.653, P.652, P.651, P.650, P.649, P.648, P.647, P.646, P.645, P.644, P.643, P.642, P.641, P.640, P.639, P.638, P.637, P.636, P.635, P.634, P.633, P.632, P.631, P.630, P.629, P.628, P.627, P.626, P.625, P.624, P.623, P.622, P.621, P.620, P.619, P.618, P.617, P.616, P.615, P.614, P.613, P.612, P.611, P.610, P.609, P.608, P.607, P.606, P.605, P.604, P.603, P.602, P.601, P.600, P.599, P.598, P.597, P.596, P.595, P.594, P.593, P.592, P.591, P.590, P.589, P.588, P.587, P.586, P.585, P.584, P.583, P.582, P.581, P.580, P.579, P.578, P.577, P.576, P.575, P.574, P.573, P.572, P.571, P.570, P.569, P.568, P.567, P.566, P.565, P.564, P.563, P.562, P.561, P.560, P.559, P.558, P.557, P.556, P.555, P.554, P.553, P.552, P.551, P.550, P.549, P.548, P.547, P.546, P.545, P.544, P.543, P.542, P.541, P.540, P.539, P.538, P.537, P.536, P.535, P.534, P.533, P.532, P.531, P.530, P.529, P.528, P.527, P.526, P.525, P.524, P.523, P.522, P.521, P.520, P.519, P.518, P.517, P.516, P.515, P.514, P.513, P.512, P.511, P.510, P.509, P.508, P.507, P.506, P.505, P.504, P.503, P.502, P.501, P.500, P.499, P.498, P.497, P.496, P.495, P.494, P.493, P.492, P.491, P.490, P.489, P.488, P.487, P.486, P.485, P.484, P.483, P.482, P.481, P.480, P.479, P.478, P.477, P.476, P.475, P.474, P.473, P.472, P.471, P.470, P.469, P.468, P.467, P.466, P.465, P.464, P.463, P.462, P.461, P.460, P.459, P.458, P.457, P.456, P.455, P.454, P.453, P.452, P.451, P.450, P.449, P.448, P.447, P.446, P.445, P.444, P.443, P.442, P.441, P.440, P.439, P.438, P.437, P.436, P.435, P.434, P.433, P.432, P.431, P.430, P.429, P.428, P.427, P.426, P.425, P.424, P.423, P.422, P.421, P.420, P.419, P.418, P.417, P.416, P.415, P.414, P.413, P.412, P.411, P.410, P.409, P.408, P.407, P.406, P.405, P.404, P.403, P.402, P.401, P.400, P.399, P.398, P.397, P.396, P.395, P.394, P.393, P.392, P.391, P.390, P.389, P.388, P.387, P.386, P.385, P.384, P.383, P.382, P.381, P.380, P.379, P.378, P.377, P.376, P.375, P.374, P.373, P.372, P.371, P.370, P.369, P.368, P.367, P.366, P.365, P.364, P.363, P.362, P.361, P.360, P.359, P.358, P.357, P.356, P.355, P.354, P.353, P.352, P.351, P.350, P.349, P.348, P.347, P.346, P.345, P.344, P.343, P.342, P.341, P.340, P.339, P.338, P.337, P.336, P.335, P.334, P.333, P.332, P.331, P.330, P.329, P.328, P.327, P.326, P.325, P.324, P.323, P.322, P.321, P.320, P.319, P.318, P.317, P.316, P.315, P.314, P.313, P.312, P.311, P.310, P.309, P.308, P.307, P.306, P.305, P.304, P.303, P.302, P.301, P.300, P.299, P.298, P.297, P.296, P.295, P.294, P.293, P.292, P.291, P.290, P.289, P.288, P.287, P.286, P.285, P.284, P.283, P.282, P.281, P.280, P.279, P.278, P.277, P.276, P.275, P.274, P.273, P.272, P.271, P.270, P.269, P.268, P.267, P.266, P.265, P.264, P.263, P.262, P.261, P.260, P.259, P.258, P.257, P.256, P.255, P.254, P.253, P.252, P.251, P.250, P.249, P.248, P.247, P.246, P.245, P.244, P.243, P.242, P.241, P.240, P.239, P.238, P.237, P.236, P.235, P.234, P.233, P.232, P.231, P.230, P.229, P.228, P.227, P.226, P.225, P.224, P.223, P.222, P.221, P.220, P.219, P.218, P.217, P.216, P.215, P.214, P.213, P.212, P.211, P.210, P.209, P.208, P.207, P.206, P.205, P.204, P.203, P.202, P.201, P.200, P.199, P.198, P.197, P.196, P.195, P.194, P.193, P.192, P.191, P.190, P.189, P.188, P.187, P.186, P.185, P.184, P.183, P.182, P.181, P.180, P.179, P.178, P.177, P.176, P.175, P.174, P.173, P.172, P.171, P.170, P.169, P.168, P.167, P.166, P.165, P.164, P.163, P.162, P.161, P.160, P.159, P.158, P.157, P.156, P.155, P.154, P.153, P.152, P.151, P.150, P.149, P.148, P.147, P.146, P.145, P.144, P.143, P.142, P.141, P.140, P.139, P.138, P.137, P.136, P.135, P.134, P.133, P.132, P.131, P.130, P.129, P.128, P.127, P.126, P.125, P.124, P.123, P.122, P.121, P.120, P.119, P.118, P.117, P.116, P.115, P.114, P.113, P.112, P.111, P.110, P.109, P.108, P.107, P.106, P.105, P.104, P.103, P.102, P.101, P.100, P.99, P.98, P.97, P.96, P.95, P.94, P.9

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>).

RESUME

PROFESSIONAL BACKGROUND AND EXPERIENCE

KENNETH J. COLBERT
2835 SMITH AVENUE, SUITE G
BALTIMORE, MD 21209

PROFESSIONAL STATUS: Professional Engineer, Maryland, PE No. 9752

EDUCATION: University of Missouri-Rolla
Rolla, Missouri
B.S. in Civil Engineering - 1968

PROFESSIONAL BACKGROUND AND EXPERIENCE:

Mr. Colbert is a 1968 graduate of the University of Missouri with a Bachelor of Science in Civil Engineering. He has extensive experience in the field of Civil Engineering, Site Planning and Zoning for residential, commercial, and other non-residential land development projects. He has prepared plans and has managed construction projects throughout central Maryland. Responsibilities include project coordination, project design, assisting in bid process, review of studies, reports and construction documents, and quality control.

Accepted as an expert in those areas, and testified before the following:

- Anne Arundel County Administrative Hearing Officer
- Anne Arundel County Board of Appeals
- City of Annapolis City Council
- City of Annapolis Planning Commission
- Baltimore County Board of Appeals
- Baltimore County Zoning Commissioner
- Baltimore County Liquor Board
- Baltimore City Board of Municipal Zoning Appeals
- Cecil County Board of Appeals
- City of Elkton Planning Board
- City of Elkton City Council
- City of Gaithersburg Planning Board
- City of Gaithersburg City Council
- Harford County Board of Appeals
- Howard County Hearing Examiner
- Howard County Board of Appeals
- Montgomery County Planning Board
- Montgomery County Hearing Examiner
- Montgomery County Board of Appeals
- City of Rockville Planning Commission
- City of Rockville Board of Appeals
- City of Westminster Planning Board

Testified as an expert witness in the field of Civil Engineering for Land Development in the District Courts of Baltimore County and Howard County.

PETITIONER'S

EXHIBIT NO. 3

PROFESSIONAL EMPLOYMENT HISTORY:

April, 1987 – Present Colbert Engineering, Inc. / Colbert Matz Rosenfelt, Inc.
Consulting Civil Engineers & Surveyors
Baltimore, Maryland

Established a private consulting firm for design and construction management of land development projects. Primary services include site design and preparation of plans for commercial and residential land development projects, as well as complete survey and construction stakeout services.

In September 1994 Colbert Engineering, Inc. merged its operations with another consulting engineering firm to form Colbert Matz Rosenfelt, Inc. This merger enabled the new firm to expand its client base and to better, and more effectively serve its existing clients.

Mr. Colbert was the managing partner of the company while maintaining project management responsibilities. In addition, he was the principal responsible for operation of the Survey Department. Relinquished ownership in 2013, and remained with the company as an employee.

Jan., 1986 – Apr., 1987 Security Management Corporation
Builders and Developers
Baltimore, Maryland

Employed by Security Management Corporation as Engineering Manager for Land Development activities with responsibility for budgeting, management and supervision of the land development phases for all projects. Projects included single family and multi-family developments ranging in size from 50 units to 1500 units in four governmental jurisdictions.

Nov., 1978 – Jan., 1986 Colbert Engineering, Inc. / CDH Engineering Corp. / Kidde Consultants
Consulting Civil Engineers and Surveyors
Glen Burnie, Maryland

Established a private consulting firm for design and construction management of land development projects. Services included site design and preparation of site development plans for residential and commercial developments.

In June 1982, Colbert Engineering, Inc. merged its operation with that of another consulting engineering firm to form CDH Engineering Corporation. This merger enabled the new firm to expand its engineering and surveying capabilities, and grow to maintain a staff of approximately 20 people. As engineering and managing partner, duties and responsibilities continued as before but on an expanded basis

CDH Engineering Corporation was purchased by Kidde Consultants, Inc., a top 500 engineering company, in June 1984. The office became one of eight branch offices spread throughout Maryland, Virginia, Delaware and Pennsylvania. As Branch Office Manager, duties and responsibilities continued to include engineering for land development projects of various types and sizes, as well as interaction with the main office on management, marketing and budget matters.

KENNETH J. COLBERT

Page -3-

Mar., 1976 – Nov., 1978 Anne Arundel County, Maryland
Department of Public Works
Annapolis, Maryland

Employed by Anne Arundel County as a Senior Engineer responsible for the Engineering Review Section of the Development Services Division, Department of Public Works. This Section, which had a complement of four engineers, reviewed the engineering plans for all Land Development activities within the County. Promoted to Chief of the Development Services Division. The Division staff consisted of 13 Engineers, Engineering Technicians, Construction Inspectors and Clerical personnel. The function of this Division was the review and processing of all private construction within the County.

May, 1973 – Mar., 1976 Purdum & Jeschke
Consulting Engineers & Surveyors
Baltimore, Maryland

Employed by Purdum & Jeschke as a Design Engineer with prime areas of responsibilities being design of Storm Drainage Systems and Site Grading for various land development projects. Advanced to Project Engineer responsible for residential and commercial development projects.

Sept., 1971 – May, 1973 Mathews-Phillips, Inc.
Builders and Developers
Silver Spring, Maryland

Employed by Mathews-Phillips, Inc. as an Assistant Construction Superintendent for Garden Apartment and Townhouse Projects. Prime area of responsibility was for installation of Underground Utilities, Storm Drainage, Site Grading and Paving.

July, 1970 – Sept., 1971 Richard P. Browne Associates
Consulting Engineers and Surveyors
Columbia, Maryland

Employed by Richard P. Brown Associates as a Design Engineer with prime responsibility being design of Storm Drain Systems and Site Grading for various land development projects including single family residential and multi-family sites

June, 1968 – July, 1970 Clayton Surveying and Engineering Company
Consulting Engineers and Surveyors
St. Louis, Missouri

Joined Clayton Surveying and Engineering Company immediately following graduation from college as a Design Engineer working primarily on the design of Road Systems, Storm Drains and Sanitary Sewer Systems for residential subdivisions and commercial sites.



07/11/2016

PETITIONER'S

EXHIBIT NO.

6

designed and built by,
hanna
building systems, inc.
HUNT VALLEY 410-771-0220

Coming Summer 2016
Infiniti State of the Art Facility

Nat wide Infiniti

07/11/2016

07/11/2016

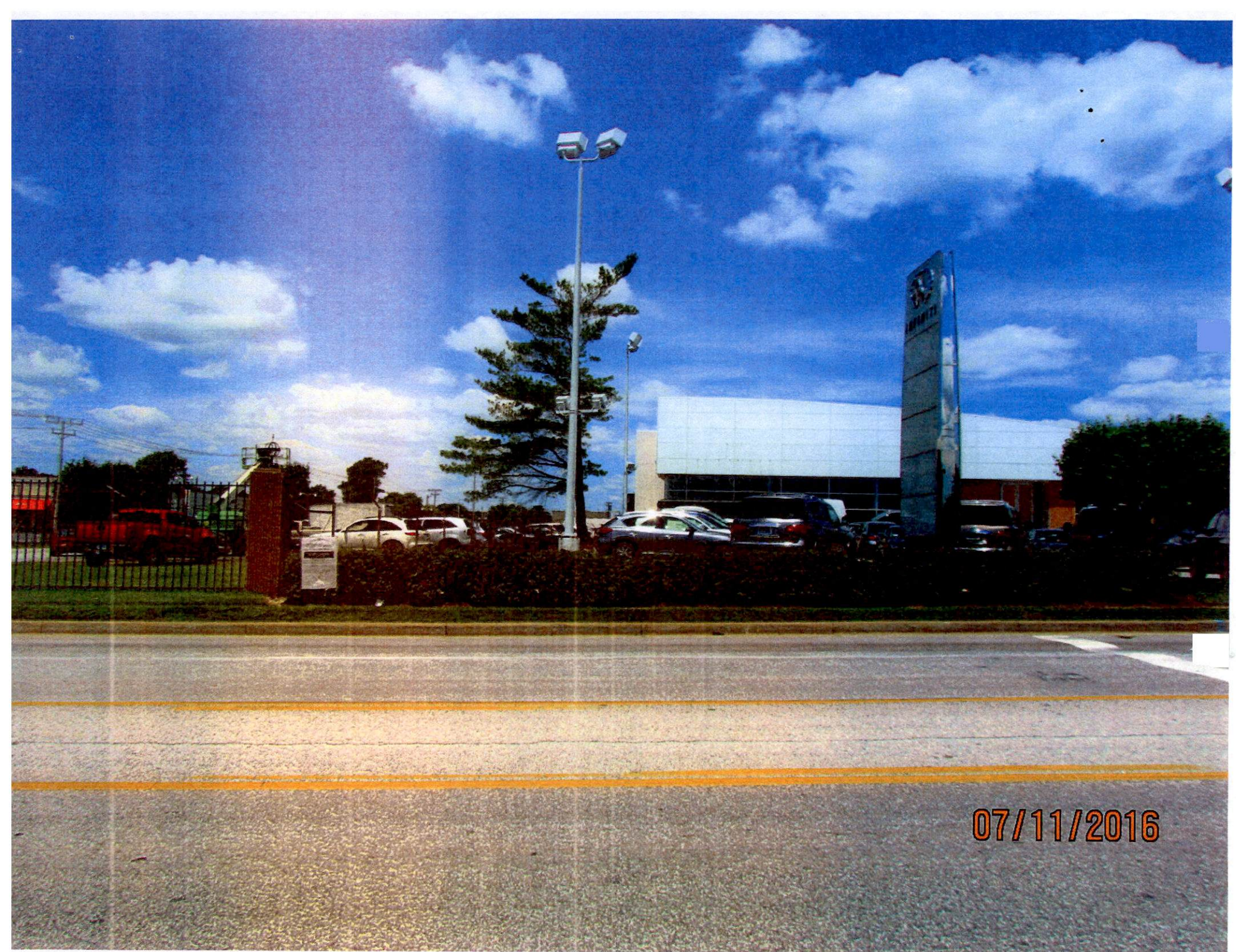




07/11/2016



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© 2016 Google
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Google earth

feet
meters

20

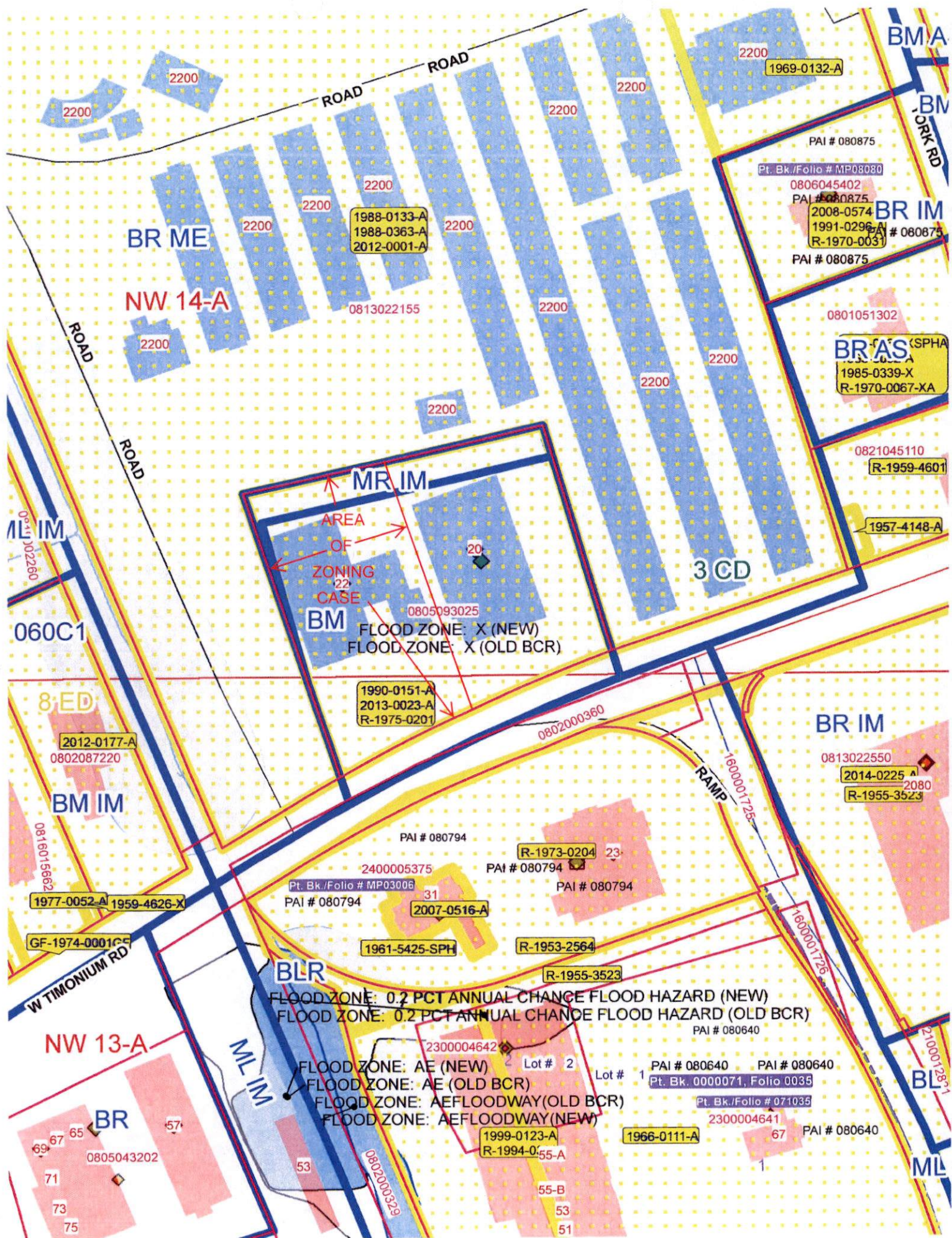
8



Google earth

feet
meters

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6





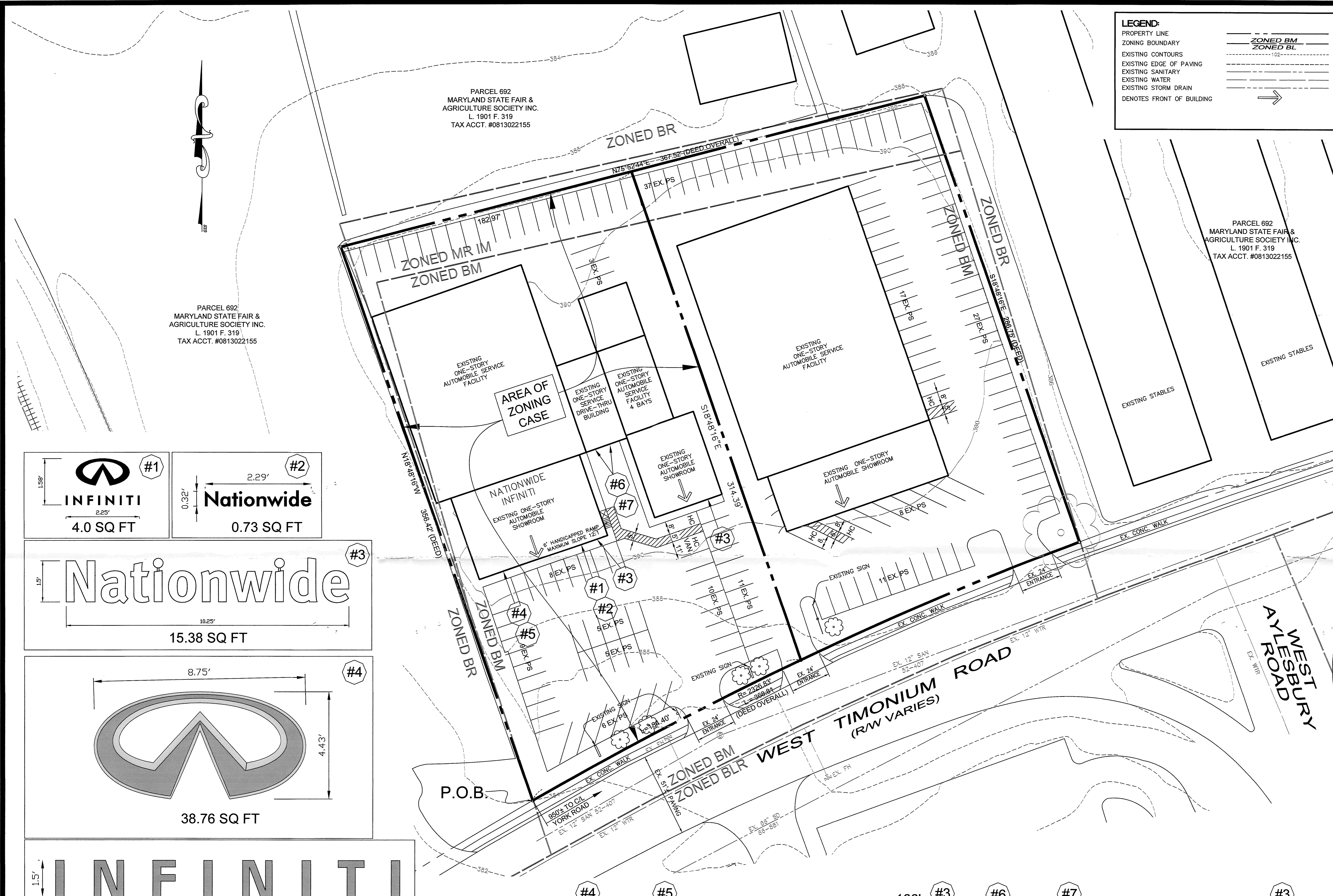
AERIAL PHOTO EXHIBIT
20-22 WEST TIMONIUM ROAD
NATIONWIDE INFINITY
TAX MAP: 0060 PARCEL: 0095
8TH ELECTION DISTRICT - 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
GRAPHIC SCALE

(IN FEET)
1 inch = 200 ft.

Colbert Matz Rosenfelt, Inc.
Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

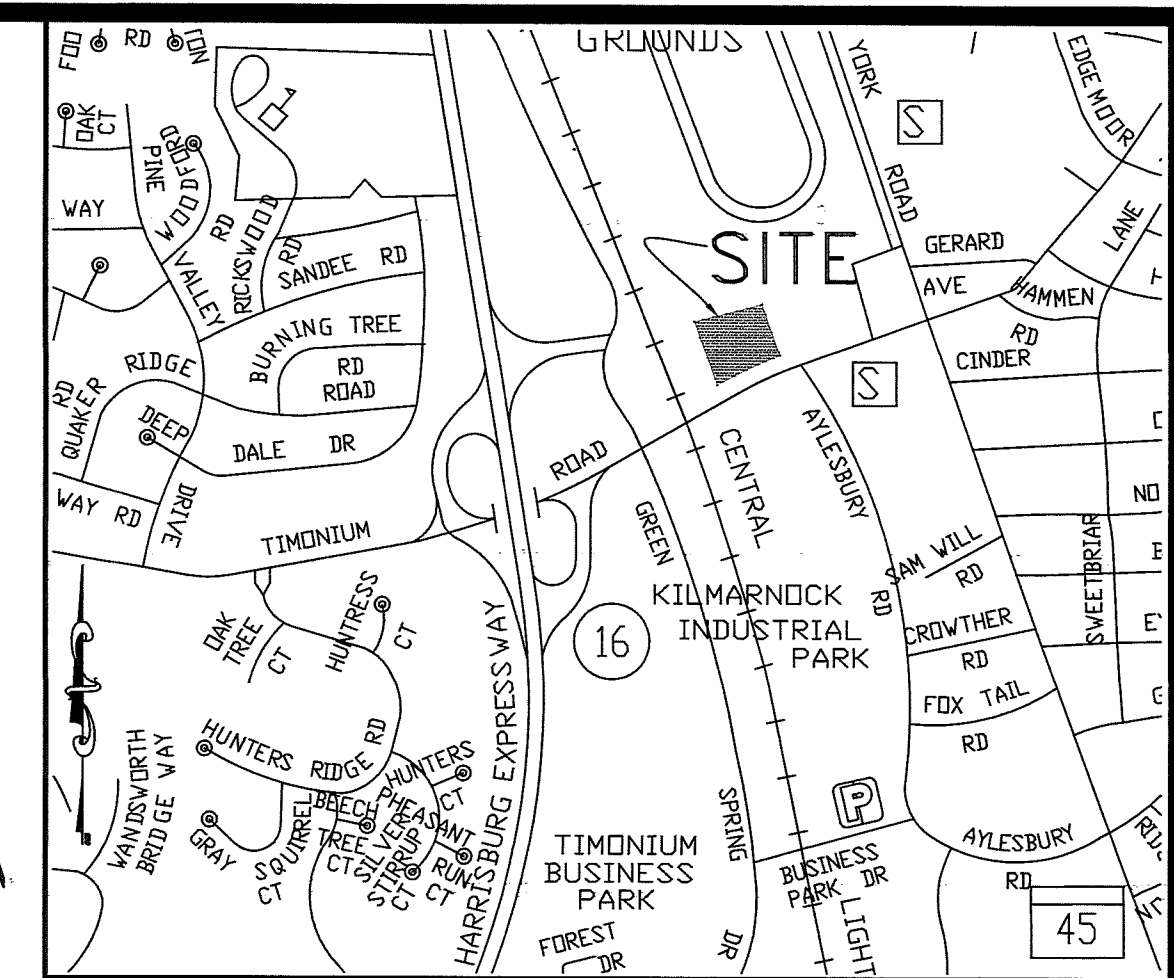


PETITIONER'S		4	SCALE: 1"=200'
EXHIBIT NO.			DATE: 05/10/2012
			JOB NO.: 2012-074
			DESIGNED: -
			DRAWN: AKC
			CHECKED: KJC
			FILE: 2012074 AERIAL PHOTO.dwg
			DRAWING NUMBER: AER-1
NO.	DATE	REVISIONS:	BY SHEET 1 OF 1



LEGEND:
PROPERTY LINE
ZONING BOUNDARY
EXISTING CONTOURS
EXISTING EDGE OF PAVING
EXISTING SANITARY
EXISTING WATER
EXISTING STORM DRAIN
DENOTES FRONT OF BUILDING

ZONED BM
ZONED BL



- GENERAL NOTES**
- OWNER/ DEVELOPER: SCHAEFER-TIMONIUM LLC
2085 YORK ROAD
TIMONIUM, MD. 21093-4242
 - SITE DATA:
MAP NO. PARCEL: 95
TAX ACCOUNT NO.: 080503025
DEED REFERENCE: 24815139
OVERALL SITE AREA: 115,999 SQ. FT. (2.66± ACRES)
AREA OF ZONING CASE 60,780 SQ. FT. (1.4± ACRES)
EXISTING USE: AUTOMOBILE DEALERSHIP/ SERVICE
 - ZONING AND DEVELOPMENT HISTORY:
-IN CASE NO. 75-201-R, ON AUGUST 29, 1975, THE DEPUTY ZONING COMMISSIONER RECLASSIFIED THE PROPERTY FROM A M.R. ZONE TO A B.M. ZONE.
-IN CASE NO. 90-151-A, ON NOVEMBER 14, 1989, THE DEPUTY ZONING COMMISSIONER GRANTED A PETITION TO PERMIT TWO FREESTANDING IDENTIFICATION SIGNS OF 227.4 SQ. FT. IN LIEU OF THE PERMITTED ONE SIGN OF 150 SQ. FT.
-IN CASE NO. 2013-0023-A, ON OCTOBER 5, 2012, THE ADMINISTRATIVE LAW JUDGE GRANTED A PETITION TO PERMIT TWO FREESTANDING ENTERPRISE SIGNS WITH SIGN FACE AREAS OF 24 SQ FT AND 38 SQ FT IN LIEU OF THE ONE PERMITTED 50 SQ FT FREESTANDING ENTERPRISE SIGN.
 - PREVIOUS COMMERCIAL PERMITS OF RECORD: B903101, B890325
 - ZONING: BM, BR, AND MR IM
ZONING MAP NO.: 99051
 - SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA AND IS NOT IN A 100-YEAR FLOOD PLAIN.
 - THE SUBJECT SITE IS NOT IN A HISTORIC DISTRICT AND THERE ARE NO HISTORIC BUILDINGS ON THE SITE.
 - ANY FUTURE SIGNAGE WILL COMPLY WITH SECTION 450 OF THE BALTIMORE COUNTY ZONING REGULATIONS, OR A VARIANCE WILL BE REQUESTED.
 - SITE IMPROVEMENTS TAKEN FROM AVAILABLE PLANS AND RECORDS AND DOES NOT REPRESENT A FIELD SURVEY. ALL PROPERTY BOUNDARY INFORMATION SHOWN IS BASED ON A DEED PLOT AND DOES NOT REPRESENT A FIELD SURVEYED BOUNDARY.
 - LIMITED EXEMPTION UNDER SECTION 32-4-106(a)(1)(v) GRANTED DECEMBER 3, 2015. DRC NO. 112415B FOR VEHICLE PREP. BUILDING.
- | BUILDING SIGN TABULATION: | PERMITTED | PROPOSED |
|-------------------------------------|---------------|---------------------------|
| NUMBER OF ENTERPRISE SIGNS: | 2 | 6 |
| AREA OF ENTERPRISE SIGNS (2 X 166') | 332 SQ FT | 96 SQ FT ± |
| NUMBER OF DIRECTIONAL SIGNS: | NOT REGULATED | 2 |
| AREA OF DIRECTIONAL SIGNS | 8 SQ FT | 10.46 SQ FT & 10.22 SQ FT |

#1
INFINITI
2.25' x 1.58'
4.0 SQ FT

#2
Nationwide
0.32' x 2.29'
0.73 SQ FT

#3
Nationwide
10.25' x 1.5'
15.38 SQ FT

#4
INFINITI
8.75' x 4.43'
38.76 SQ FT

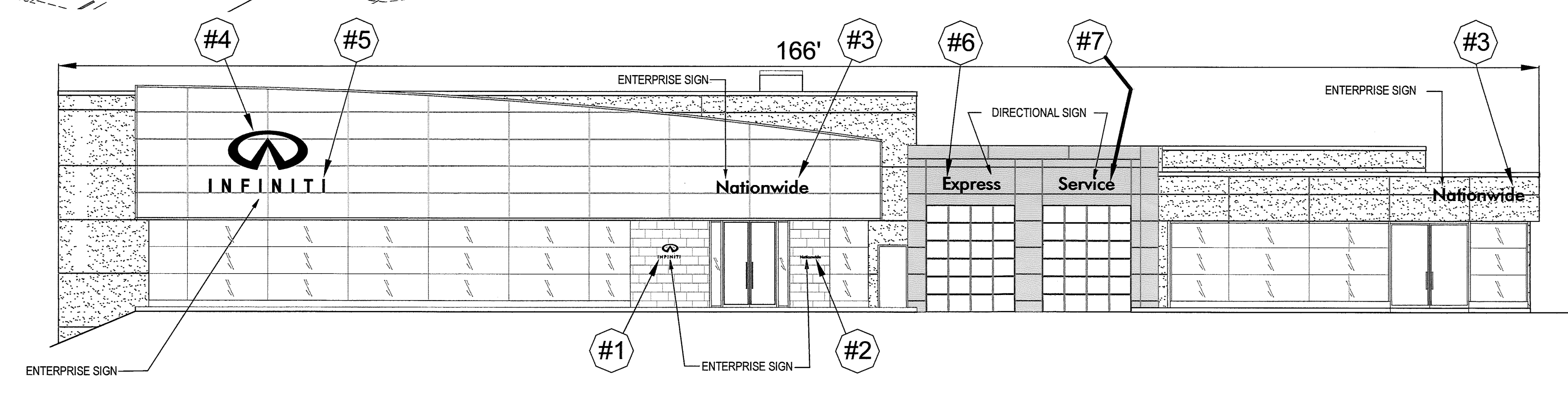
#5
INFINITI
14.25' x 1.5'
21.38 SQ FT

ENTERPRISE BUILDING SIGNS

#6
Express
6.97' x 1.5'
10.46 SQ FT

#7
Service
6.97' x 1.5'
10.22 SQ FT

DIRECTIONAL SIGNS



PLAN TO ACCOMPANY ZONING PETITION
20+22 WEST TIMONIUM ROAD
NATIONWIDE INFINITI

TAX MAP: 0060 PARCEL: 0095
8TH ELECTION DISTRICT - 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE
0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

Colbert Matz Rosenfelt, Inc.
Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No. 9752 Expiration Date: 2-28-18

SCALE: 1"=30'
DATE: 05/17/16
JOB NO.: 2012-074
DESIGNED: KJC
DRAWN: KBH
CHECKED: KJC
FILE: 2012074 BASE.dwg
DRAWING NUMBER: **SVAR-1**

NO.	DATE	REVISIONS:	BY
1	7/13/16	REVISE AREA OF DIRECTIONAL SIGNS	KJC

SHEET 1 OF 1

N:\02\project\2012\2012074\Project Directories\CWR\BUILDING SIGN VARIANCE\2012074.1 BLDG SIGN VAR.dwg, 7/20/2016 4:12:48 PM, kcolbert

Minimum Landscape Maintenance Requirements

1. Lawn areas shall be mowed to a height of 2 to 3 inches and not allowed to reach a height of 4 inches before mowing.
2. All curbs and walks shall be edged as needed.
3. All lawn areas adjacent to building faces or structures shall be trimmed.
4. A slow release nitrogen balanced fertilizer with a 2-1-1 ratio shall be applied at a rate of 2 pounds of nitrogen per 1000 square feet in September, October and February.
5. Lime shall be applied at the rate determined by a soils report.
6. It is recommended that lawn areas be treated in mid-March to early April with pre-emergent herbicide (Betasan) or equal applied at the manufacturer's recommended rate.
7. A post-emergent herbicide (Trimec) or equal is recommended to be sprayed on lawn areas in the late spring or the early fall. Follow manufacturer's rates and recommendations.
8. Insecticides and fungicides are recommended for insect and disease control.
9. Rereed bare areas of lawn as necessary. Yearly aeration is recommended.
10. All trash, litter, and debris shall be removed from lawn areas, parking lots, and shrub beds as needed.
11. Mutch all shrub and groundcover beds yearly with 3 inches of shredded hardwood bark.
12. Permit shrubs and trees to grow and enlarge to their design size. Consult project landscape architect for details.
13. Prune trees in accordance with Landscape Specification Guidelines for Baltimore-Washington Metropolitan Areas.

PARCEL 692
MARYLAND STATE FAIR &
AGRICULTURE SOCIETY INC.
L. 1901 F. 319
TAX ACCT. #0813022155

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PARCEL 692
MARYLAND STATE FAIR &
AGRICULTURE SOCIETY INC.
L. 1901 F. 319
TAX ACCT. #0813022155

LEGEND:
PROPERTY LINE
ZONING BOUNDARY
EXISTING CONTOURS
EXISTING EDGE OF PAVING
EXISTING SANITARY
EXISTING WATER
EXISTING STORM DRAIN
DENOTES FRONT OF BUILDING

GENERAL NOTES

1. OWNER/ DEVELOPER: SCHAEFER-TIMONIUM LLC
2085 YORK ROAD
TIMONIUM, MD. 21093-4242
2. SITE DATA:
MAP: 80, PARCEL: 95
TAX ACCOUNT NO.: 0809093025
DEED REFERENCE: 248151/39
OVERALL SITE AREA: 115,999 SQ. FT. (2.66± ACRES)
AREA OF ZONING CASE: 60,760 SQ. FT. (1.4± ACRES)
EXISTING USE: AUTOMOBILE DEALERSHIP/ SERVICE
3. ZONING AND DEVELOPMENT HISTORY:
-IN CASE NO. 75-201-R, ON AUGUST 29, 1975, THE DEPUTY ZONING COMMISSIONER RECLASSIFIED THE PROPERTY FROM A M.R. ZONE TO A B.M. ZONE.
-IN CASE NO. 90-151-A, ON NOVEMBER 14, 1989, THE DEPUTY ZONING COMMISSIONER GRANTED A PETITION TO PERMIT TWO EXISTING IDENTIFICATION SIGNS OF 227.4 SQ. FT. IN LIEU OF THE PERMITTED ONE SIGN OF 150 SQ. FT.
-IN CASE NO 2013-0023-A, ON OCTOBER 5, 2012 THE ADMINISTRATIVE LAW JUDGE GRANTED A PETITION TO PERMIT TWO FREESTANDING ENTERPRISE SIGNS WITH SIGN FACE AREAS OF 24 SQ FT AND 38 SQ FT IN LIEU OF THE ONE PERMITTED 50 SQ FT FREESTANDING ENTERPRISE SIGN.
4. PREVIOUS COMMERCIAL PERMITS OF RECORD: B903101, B990325
5. ZONING: BM, BR, AND MR IM
ZONING MAP NO.: 060C1
6. SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA AND IS NOT IN A 100-YEAR FLOOD PLAIN.
7. THE SUBJECT SITE IS NOT IN A HISTORIC DISTRICT AND THERE ARE NO HISTORIC BUILDINGS ON THE SITE.
8. ANY FUTURE SIGNAGE WILL COMPLY WITH SECTION 450 OF THE BALTIMORE COUNTY ZONING REGULATIONS, OR A VARIANCE WILL BE REQUESTED.
9. SITE IMPROVEMENTS TAKEN FROM AVAILABLE PLANS AND RECORDS AND DOES NOT REPRESENT A FIELD SURVEY. ALL PROPERTY BOUNDARY INFORMATION SHOWN IS BASED ON A DEED PLOT AND DOES NOT REPRESENT A FIELD SURVEYED BOUNDARY.
10. LIMITED EXEMPTION UNDER SECTION 32-4-106(a)(1)(vi) GRANTED DECEMBER 3, 2015. DRG NO. 112415B FOR VEHICLE PREP. BUILDING.

BUILDING SIGN TABULATION:	PERMITTED	PROPOSED
NUMBER OF ENTERPRISE SIGNS:	2	6
AREA OF ENTERPRISE SIGNS (2 X 168')	332 SQ FT	96 SQ FT ±
NUMBER OF DIRECTIONAL SIGNS:	NOT REGULATED	2
AREA OF DIRECTIONAL SIGNS	8 SQ FT	19 SQ FT ±

LANDSCAPE PLANTING UNIT CALCULATIONS:

CONDITION C: AUTOMOTIVE DISPLAY AREAS

REQUIRED:

CLASS "D" SCREENING AT A RATE OF 1 PU/10 LF
184LF @ 1 PU / 10 LF = 18.4 PU

TOTAL REQUIRED PLANTING UNITS 18.4 PU

PLANTING PROVIDED:

EXISTING TREES - 5 @ 1:2 = 10 PU
EXISTING SHRUBS - 47 @ 5:1 = 9.4 PU

TOTAL PLANTING UNITS PROVIDED 19.4 PU

EX. BURNING
BUSH HEDGE

EX. PEAR
TREE (TYP.)

EX. JUNIPER
AND ORN. GRASS

EX. 24' SAN
52-407

EX. 24' SAN
52-407

EX. 24' SAN
52-407

EX. 24' SAN
52-407

EX. 24' SAN
52-407

EX. 24' SAN
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EX. 24' SAN
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EX. 24' SAN
52-407

VIEWS FROM WEST TIMONIUM ROAD

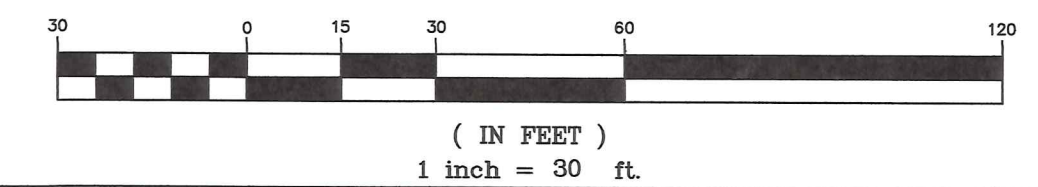


LANDSCAPE PLAN

PLAN TO ACCOMPANY ZONING PETITION

20+22 WEST TIMONIUM ROAD
NATIONWIDE INFINITI

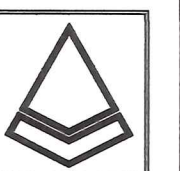
TAX MAP: 0060 PARCEL: 0095
8TH ELECTION DISTRICT - 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
GRAPHIC SCALE



HUMAN & ROHDE, INC.
Landscape Architects
512 Virginia Ave.
Towson, Maryland 21286
(410) 825-3885 Phone
(410) 825-3887 Fax

Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
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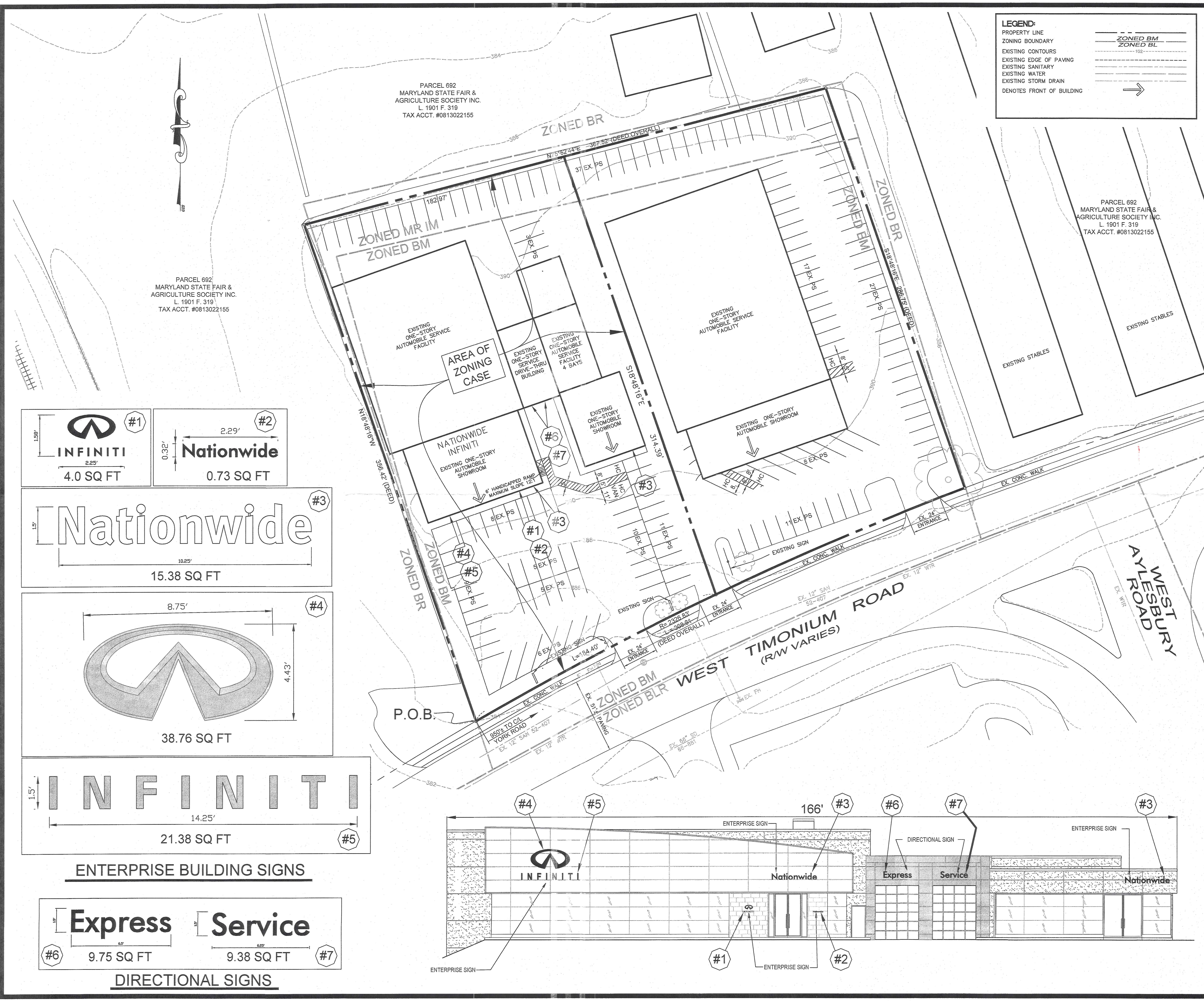


PETITIONER'S

EXHIBIT NO. 8

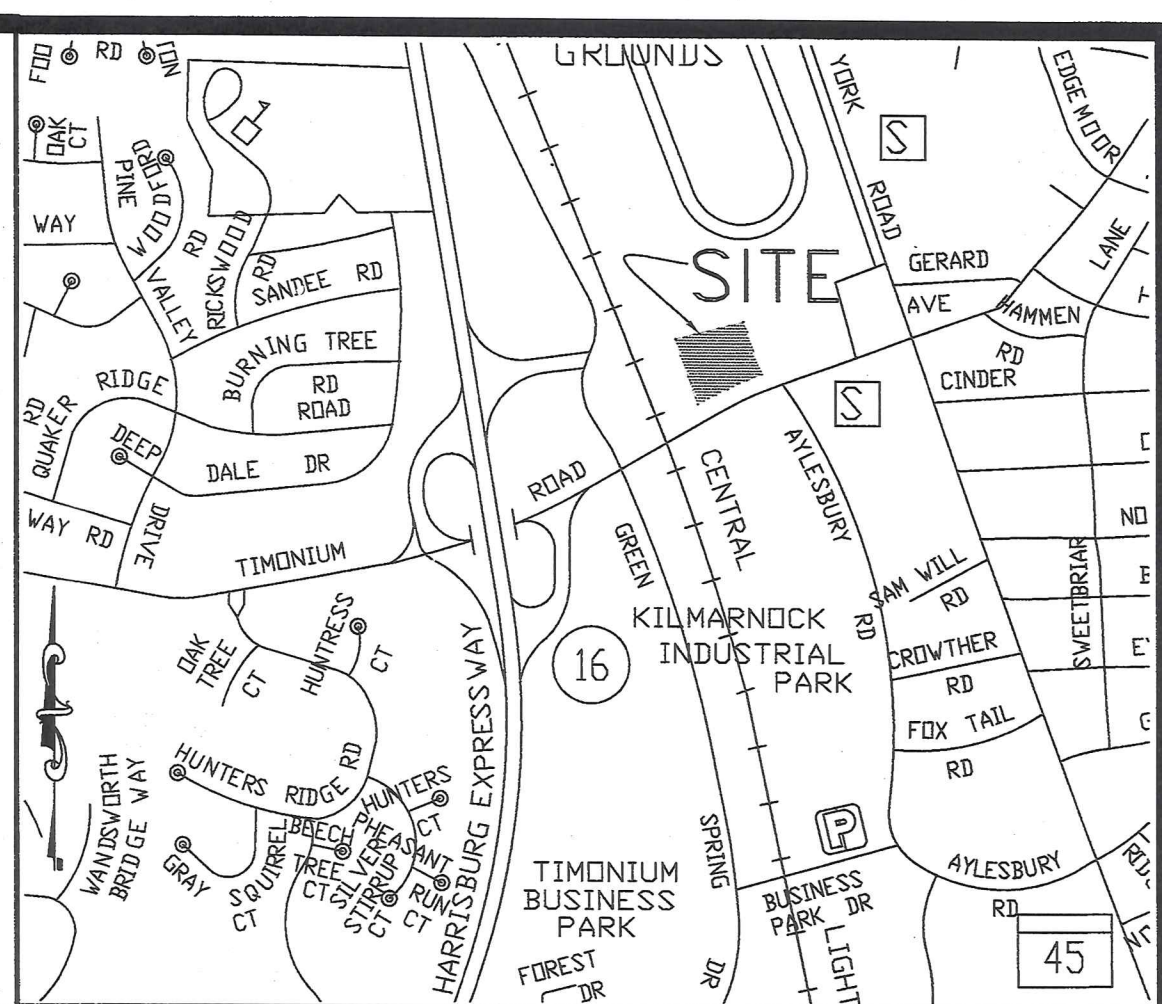
SCALE: 1"=30'
DATE: 07/19/16
JOB NO.:
DESIGNED: MRV
DRAWN: MRV
CHECKED: DML
FILE:
DRAWING
NUMBER: L-1

NO. DATE REVISIONS: BY SHEET 1 OF 1



LEGEND:
PROPERTY LINE
ZONING BOUNDARY
EXISTING CONTOURS
EXISTING EDGE OF PAVING
EXISTING SANITARY
EXISTING WATER
EXISTING STORM DRAIN
DENOTES FRONT OF BUILDING

ZONED BM
ZONED BL



VICINITY MAP
SCALE: 1"=1000'

GENERAL NOTES

- OWNER/ DEVELOPER: SCHAEFER-TIMONIUM LLC
2085 YORK ROAD
TIMONIUM, MD. 21093-4242
- SITE DATA:
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DEED REFERENCE: 24619138
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AREA OF ZONING CASE 60,780 SQ. FT. (1.4± ACRES)
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- PREVIOUS COMMERCIAL PERMITS OF RECORD: B903101, B990325
- ZONING: BM, BR, AND MR IM
ZONING MAP NO.: 050C1
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PLAN TO ACCOMPANY ZONING PETITION

20+22 WEST TIMONIUM ROAD

NATIONWIDE INFINITI

TAX MAP: 0060 PARCEL: 0095
8TH ELECTION DISTRICT - 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE

0 15 30 60 90 120
(IN FEET)
1 inch = 30 ft.

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DRAWING NUMBER: SVAR-1

NO.	DATE	REVISIONS:	BY	SHEET
1				1 OF 1

#1

INFINITI

2.25'

4.0 SQ FT

#2

Nationwide

0.32'

2.29'

0.73 SQ FT

#3

Nationwide

10.25'

15.38 SQ FT

#4

INFINITI

8.75'

4.43'

38.76 SQ FT

#5

INFINITI

14.25'

21.38 SQ FT

#6

Express

6.5'

9.75 SQ FT

#7

Service

6.5'

9.38 SQ FT

ENTERPRISE BUILDING SIGNS

DIRECTIONAL SIGNS