

M E M O R A N D U M

DATE: December 19, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0075-X- Appeal Period Expired

The appeal period for the above-referenced case expired on December 16, 2016. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
(11227 Reisterstown Road)		
4 th Election District	*	OFFICE OF
4 th Council District		
RR Partnership	*	ADMINISTRATIVE HEARINGS
<i>Legal Owner</i>		
	*	FOR BALTIMORE COUNTY
Petitioner		
	*	Case No. 2017-0075-X

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Exception filed on behalf of RR Partnership, legal owner. The Special Exception was filed pursuant to the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a used motor vehicle outdoor sales area separated from a sales agency building.

Marc Cohen, Sean Fitzgerald, Jake Brewer and Mitch Kellman appeared in support of the petition. Jennifer R. Busse, Esq. represented the Petitioner. Two neighbors attended the hearing to obtain additional information regarding the request. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Bureau of Development Plans Review (DPR). Neither agency opposed the request.

The subject property is approximately 4.22 acres and is zoned B.R. For many years an automobile dealership was operated at the site, although the property is now vacant. The property is located on Reisterstown Road and is adjacent to several other new and used vehicle dealerships. Petitioner proposes to lease the site to "Drive Time," a used auto dealership which is apparently similar to a Car Max operation. Such a use is permitted in the B.R. zone by special exception, per B.C.Z.R. §236.2

ORDER RECEIVED FOR FILING

Date 11/16/16

By Sen

Under Maryland law “the appropriate standard to be used in determining whether a requested special exception use would have an adverse effect and, therefore, should be denied is whether there are facts and circumstances that show that the particular use proposed at the particular location proposed would have any adverse effects above and beyond those inherently associated with such a special exception use irrespective of its location within the zone.” Schultz v. Pritts, 291 Md. 1, 22-23 (1981). Mr. Kellman, who was accepted as an expert, opined Petitioner satisfied this standard and the requirements of B.C.Z.R. §502.1. He noted the property was previously used for auto sales and he believes this site is “ideal” for the use proposed. In the absence of any evidence to the contrary, the petition will be granted.

Two neighbors expressed concern with lighting at the site and overgrown grass and shrubs along Kingsley Road. As discussed at the hearing, landscape and lighting plans will be required, and the County will approve such plans only if the fixtures proposed reflect lighting “away from residential lots and public streets.” B.C.Z.R. §409.8.A. The new tenant has pledged to improve and maintain the appearance of the site, and if the grounds are not maintained neighbors should notify the dealership or the Code Enforcement Bureau of Baltimore County.

THEREFORE, IT IS ORDERED this 16th day of November, **2016** by this Administrative Law Judge, that the Petition for Special Exception to permit a used motor vehicle outdoor sales area separated from a sales agency building, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.

ORDER RECEIVED FOR FILING

Date 11/16/16

By Sen

2. Prior to issuance of permits Petitioner must submit for approval by Baltimore County landscape and lighting plans for the site.
3. There shall be no parking and/or display of vehicles within any landscaping strip adjacent to Reisterstown Road.
4. There shall be no loading or unloading of new or used vehicle inventory on Reisterstown Road.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING
Date 11/16/16
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 11227 Reisterstown Road

which is presently zoned BR

Deed References: 07524/00053

10 Digit Tax Account # 0406045200

Property Owner(s) Printed Name(s) RR Partnership

(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

please see attached

3. a **Variance** from Section(s)

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

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

N/A

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Jennifer R. Busse, Esquire

Name - Type or Print

Signature Whiteford, Taylor & Preston

1 W. Pennsylvania Ave., Ste. 300, Towson MD

Mailing Address City State

21204 410-832-2077 jbusse@wtplaw.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

RR Partnership c/o Louis A. Cohen

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

Signature #1

Signature #2

700 Kenilworth Drive, Towson, Maryland

Mailing Address City State

21204 410-296-7900 lou.cohen@Priority1autogroup.com

Zip Code Telephone # Email Address

Representative to be contacted:

Jennifer R. Busse, Esquire

Name - Type or Print

Signature Whiteford, Taylor & Preston

1 W. Pennsylvania Ave., Suite 300, Towson, MD

Mailing Address City State

21204 410-832-2077 jbusse@wtplaw.com

Zip Code Telephone # Email Address

CASE NUMBER

2017-0075-X

Filing Date

9/15/16

ORDER RECEIVED FOR FILING

Do Not Schedule Dates:

Reviewer

JS

Date

11/16/16

REV. 10/4/11

By

Sen

Attachment to Petition for Special Exception
11227 Reisterstown Road

Petition for Special Exception pursuant to Section 236.2 of the Baltimore County Zoning Regulations to permit a used motor vehicle outdoor sales area separated from a sales agency building.

445028

ZONING DESCRIPTION – 11227 Reisterstown Road,
9 Kingsley Road and 11 Kingsley Road

September 13, 2016

BEGINNING for the same at a point on the northeasterly side of Reisterstown Road at its intersection with the southeasterly right of way line of Kingsley Road as conveyed by RR Partnership to Baltimore County, Maryland by a deed dated May 22, 2002 as recorded among the land records of Baltimore County in Liber SM 16742, folio 150. Thence, leaving Reisterstown Road and binding on the southeasterly right of way line of Kingsley Road, the two following courses;

1) North 00°37'39" East 14.25 feet,

2) North 45°12'31" East 376.08 feet. Thence, leaving Kingsley Road and binding on the outlines of the land of RR Partnership,

3) South 44°47'04" East 210.34 feet,

4) North 45°45'04" East 3.06 feet,

5) South 44°02'21" East 213.31 feet,

6) South 45°25'39" West 392.49. Thence, binding on the northeasterly right of way line of Reisterstown Road,

7) North 43°57'13" West 412.21 feet to the point of beginning,

CONTAINING 3.7852 acres (164883 square feet) of land, more or less.

BEING those tracts or parcels of land conveyed to RR Partnership by three deeds dated May 8, 1987 as recorded among the land records of Baltimore County in Liber SM 7524, folios 53, 58 and 63.



My current license
expires August 8, 2018

2017-0075-X



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 4525912

Sold To:

Whiteford Taylor & Preston LLP - CU00241777
1 W Pennsylvania Ave Ste 300
Towson, MD 21204

Bill To:

Whiteford Taylor & Preston LLP - CU00241777
1 W Pennsylvania Ave Ste 300
Towson, MD 21204

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

Oct 20, 2016

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

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: # 2017-0075-X
11227 Reisterstown Road
NE corner of intersection of Reisterstown Road and Kinsley Road
4th Election District - 4th Councilmanic District
Legal Owner(s) RR Partnership c/o Louis Cohen

SPECIAL EXCEPTION to permit a used motor vehicle outdoor sales area separated from a sales agency.

Hearing: Thursday, November 10, 2016 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

10/082 Oct. 20 4525912

CERTIFICATE OF POSTING

CERTIFICATE OF POSTING

CASE NO: 2017-0075-X

PETITIONER/DEVELOPER

WHITE FORD, TAYLOR & PRESTON LLP

DATE OF HEARING/CLOSING:

11/12/16

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

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 AT _____

11227 REISTERSTOWN ROAD

THIS SIGN(S) WERE POSTED ON October 19, 2016
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 10/19/16
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

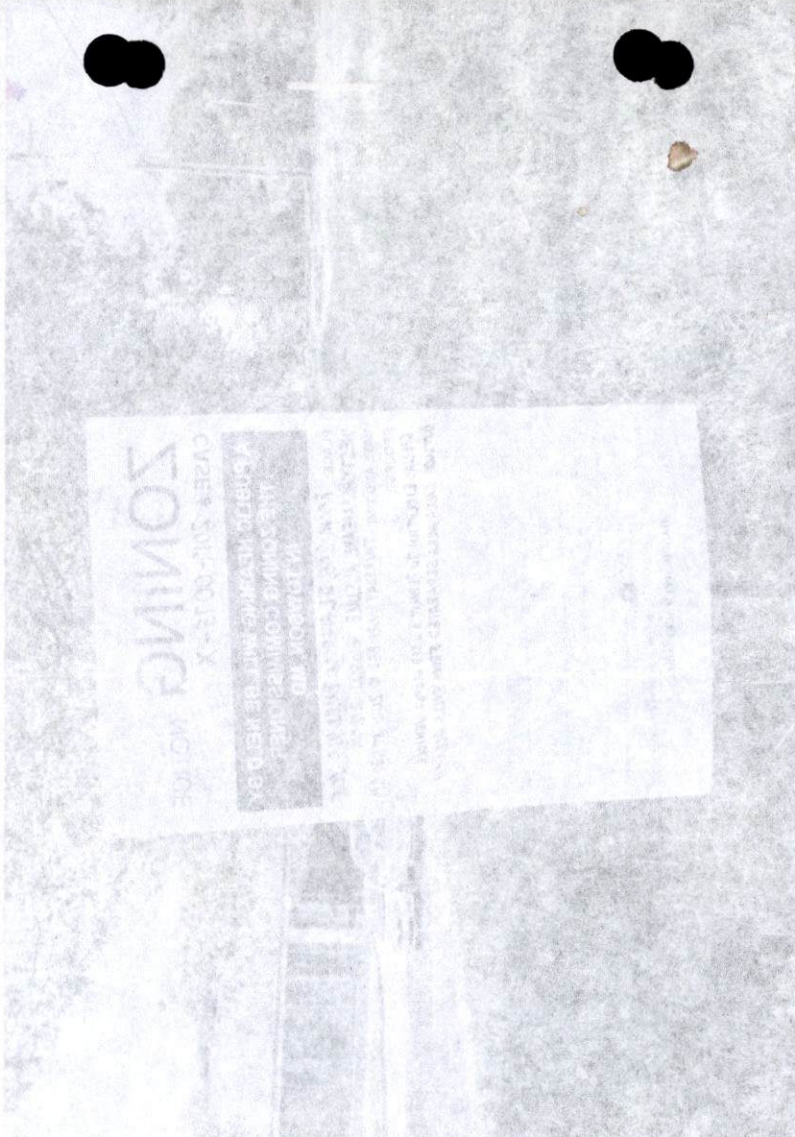
ZONING NOTICE
CASE # 2017-0075-X

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

PLACE: ROOM 205, JEFFERSON BUILDING 105
WESTCHESAPEAKE AVENUE, TOWSON 21204
DATE AND TIME: THURSDAY NOVEMBER 10, 2016 AT 1:30 P.M.
REQUEST: SPECIAL EXCEPTION TO PERMIT A USED MOTOR VEHICLE
OUTDOOR SALES AREA SEPARATED FROM SALES AGENCY

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE MADE WHEN NECESSARY.
TO CONFIRM HEARING CALL 410.387.3361.
DO NOT REMOVE THIS SIGN AND PAY PENALTY FOR VIOLATION UNDER PENALTY OF LAW.
HANDICAPPED ACCESSIBLE

msl 10/19/16



ZONING

CASE NO. 13-1-X

THE ZONING COMMISSION
CITY OF CHICAGO
PUBLIC HEARING NOTICE

NOTICE: THE CITY OF CHICAGO HAS RECEIVED A REQUEST FOR A ZONING VARIANCE FOR THE PROPERTY LOCATED AT 1234 N. LAKE STREET, CHICAGO, ILLINOIS 60610. THE REQUEST IS FOR A VARIANCE FROM THE ZONING ORDINANCE TO ALLOW THE PROPERTY TO BE USED FOR A PURPOSE NOT PERMITTED BY THE ZONING ORDINANCE.

THE ZONING COMMISSION WILL HOLD A PUBLIC HEARING ON THIS MATTER ON WEDNESDAY, JANUARY 15, 2013, AT 10:00 AM, IN THE CITY CLERK'S OFFICE, 123 N. LAKE STREET, CHICAGO, ILLINOIS 60610. ANY PERSON INTERESTED IN THIS MATTER SHOULD ATTEND THE HEARING.



KEVIN KAMENETZ
County Executive

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

October 4, 2016

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2017-0075-X

11227 Reisterstown Road

NE corner of intersection of Reisterstown Road and Kinsley Road

4th Election District – 4th Councilmanic District

Legal Owners: RR Partnership c/o Louis Cohen

Special Exception to permit a used motor vehicle outdoor sales area separated from a sales agency.

Hearing: Thursday, November 10, 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: Louis Cohen, 700 Kenilworth drive, Towson 21204
Jennifer Busse, 1 W. Pennsylvania Avenue, Ste. 300, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, OCTOBER 21, 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, October 20, 2016 Issue - Jeffersonian

Please forward billing to:

Jennifer Busse
Whiteford, Taylor & Preston
1 W. Pennsylvania Avenue, Ste. 300
Towson, MD 21204

410-832-2077

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: 2017-0075-X

11227 Reisterstown Road

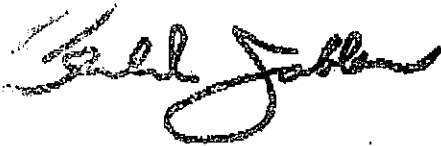
NE corner of intersection of Reisterstown Road and Kinsley Road

4th Election District – 4th Councilmanic District

Legal Owners: RR Partnership c/o Louis Cohen

Special Exception to permit a used motor vehicle outdoor sales area separated from a sales agency.

Hearing: Thursday, November 10, 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
11227 Reisterstown Road; NE corner of *
intersection of Reisterstown & Kinsel Rd * OF ADMINISTRATIVE
4th Election & 4th Councilmanic Districts *
Legal Owner(s): RR Partnership * HEARINGS FOR
c/o Louis Cohen *
Petitioner(s) * BALTIMORE COUNTY
* 2017-075-X

* * * * *

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

SEP 19 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 19th day of September, 2016, a copy of the foregoing Entry of Appearance was mailed to Jennifer Busse, Esquire, 1 West Pennsylvania Avenue, Suite 300, Towson, Maryland 21204, 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.

For Newspaper Advertising:

Case Number: 2017-0075-X
Property Address: 11227 Reisterstown Road
Property Description: _____
Legal Owners (Petitioners): RL Partnerships
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jennifer R. Busse, Esquire
Company/Firm (if applicable): Whiteford, Taylor & Preston
Address: One W. Pennsylvania Avenue
Suite 300
Towson, MD 21204
Telephone Number: 410 832 2077

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

NP 144014

Date: 9/15/16

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
AA	806	0000		615A					\$ 500.00

Total: \$ 500.00

Rec From: RR PARTNERSHIP

For: 2017-0075-X

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
 9/15/2016 9/15/2016 11:11:23 3

REG #803 WALKIN CASH
 >>RECEIPT # 697460 9/15/2016 CFLH
 Dept 5 528 ZONING VERIFICATION
 CR NO. 144014

Recpt Tot \$500.00
 \$500.00 CK \$1.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**



KEVIN KAMENETZ
County Executive

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

November 3, 2016

RR Partnership
Louis A Cohen
700 Kenilworth Drive
Towson MD 21204

RE: Case Number: 2017-0075 X, Address: 11227 Reisterstown Road

Dear Mr. Cohen:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 15, 2016. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Jennifer R. Busse, Esquire, 1 W Pennsylvania Avenue, Suite 300, Towson MD 21204

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



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

Date: 9/19/16

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & 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 9/19/16. A field inspection and internal review reveals that an entrance onto MD140 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Exception Case Number 2017-0075-X.

RR Partnership c/o Louis A. Cohen
11227 Reisterstown Road

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) X 2332 or by email at (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, PLA

Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired or Speech 1-800-735-2258 Statewide Toll-Free

Street Address: 320 West Warren Road * Hunt Valley, Maryland 21030 * Phone 410-229-2300 or 1-866-998-0367 * Fax 410-527-4690

www.roads.maryland.gov

11-10-16

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: October 18, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-075

OCT 19 2016

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Property Address: 11227 Reisterstown Road
Petitioner: RR Partnership c/o Louis A. Cohen
Zoning: BR
Requested Action: Special Exception

The Department of Planning has reviewed the petition for a special exception to use the property for a used motor vehicle outdoor sales area separated from a sales agency building.

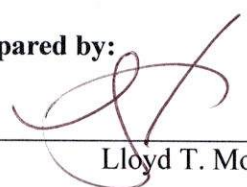
Multiple site visits have been conducted by the Department. The property was zoned BR during the 2016 CZMP process as Issue No. 2-007.

The Department of Planning has no objections to granting the requested relief conditioned upon the following:

- Show on the plan the location of any dumpster and ensure the requirements of Condition H of the Baltimore County Landscape Manual are met.
- Delineate clearly on the plan customer parking and vehicle inventory parking.
- Provide a landscape and lighting plan to the Baltimore County Landscape Architect for approval prior to the issuance to any permits. The Department will not support vehicle parking or display within any landscaping strip adjacent to Reisterstown Road.
- No temporary or banner type signs are permitted beyond that as permitted and restricted by BCZR§450.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Kathy Schlabach

AVA/KS/LTM/ka

c: Bill Skibinski

James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Jennifer R. Busse, Esquire, Whiteford, Taylor & Preston
Office of the Administrative Hearings
People's Counsel for Baltimore County

11-10-16

RECEIVED

BALTIMORE COUNTY, MARYLAND

SEP 22 2016

Inter-Office Correspondence

OFFICE OF ADMINISTRATIVE HEARINGS



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

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

DATE: September 22, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0075-X
Address 11227 Reisterstown Road
(RR Partnership Property)

Zoning Advisory Committee Meeting of **September 26, 2016**

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

Reviewer: Steve Ford

Date: 09-22-2016

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For September 26, 2016
Item No. 2017-0075

DATE: September 28, 2016

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

Landscape and lighting plans are required per requirements of the Landscape Manual.

* * * * *

DAK:CEN
Cc:file
ZAC-ITEM NO 17-0075-09262016.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: October 18, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-075



INFORMATION:

Property Address: 11227 Reisterstown Road
Petitioner: RR Partnership c/o Louis A. Cohen
Zoning: BR
Requested Action: Special Exception

The Department of Planning has reviewed the petition for a special exception to use the property for a used motor vehicle outdoor sales area separated from a sales agency building.

Multiple site visits have been conducted by the Department. The property was zoned BR during the 2016 CZMP process as Issue No. 2-007.

The Department of Planning has no objections to granting the requested relief conditioned upon the following:

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- No temporary or banner type signs are permitted beyond that as permitted and restricted by BCZR§450.

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

Prepared by:

Lloyd T. Moxley

Division Chief:

Kathy Schlabach

AVA/KS/LTM/ka

c: Bill Skibinski

James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Jennifer R. Busse, Esquire, Whiteford, Taylor & Preston
Office of the Administrative Hearings
People's Counsel for Baltimore County

Sherry Nuffer

From: George Harman <harmangeorge@hotmail.com>
Sent: Tuesday, November 15, 2016 12:18 PM
To: Arnold Jablon; County Council District 2; County Council District 4; County Council District 5; County Council District 7; County Council District 6; County Council District 1; County Council District 3
Cc: Debra Wiley; Mark Stewart; Mary Molinaro; Gary Lenz; Sherry Nuffer
Subject: November 10 hearing

Mr. Jablon, Office of Administrative Hearings, and Council Members:

For the record: Please note that the below referenced hearing was and still is posted online in District 4. The property is on the east side of Reisterstown Road and is in District 2.

While the Reisterstown-Owings Mills-Glyndon Coordinating Council had an interest in the hearing, attendance at the hearing was not possible, due to in part to the failure of the County to post this hearing in the correct district. Yes, I am aware that the governing law only requires posting on the property, but again, I point to a continuing problem with accurate postings on the online website of the County.

I again call upon the County Council to enact legislation that would require the online postings to be accurate and complete in the location and description of the proposed action, and that no hearing can be held until the online posting has been accurate for the same duration as the onsite posting. These out-of-district posting occur several times each year and it is troubling that this problem cannot be administratively corrected.

Copy of the online posting:

Zoning Hearings - 11227 Reisterstown Road

Date/Time:

Thu. Nov 10, 2016 1:30pm - 3:30pm

Location:

4th Council District

Details:

Case Number: 2017-0075-X

Location: Northeast corner of intersection of Reisterstown Road and Kinsley Road

4th Election District

Legal Owners: RR Partnership c/o Louis Cohen

Special Exception to permit a used motor vehicle outdoor sales area separated from a sales agency building.

Hearing Location: Jefferson Building, 105 W. Chesapeake Avenue, Rm. 205, Towson 21204

Contact:

PAI 410-887-3391

George Harman
410-429-6035

CASE NAME 11227 Biskertown Rd
CASE NUMBER 2017-0075-X
DATE 11/10/16

[illegible]

CASE NAME 11227 Perlestein Rd
CASE NUMBER 2017-0075-X
DATE 11/10/16

[illegible]

11/10/10 11:55
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11/10/10 11:55
11/10/10 11:55

CASE NO. 2017- 0075-X

C H E C K L I S T

Comment
Received

Department

Support/Oppose/
Conditions/
Comments/
No Comment

9/28

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

C

9/22

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

N/C

10/18

FIRE DEPARTMENT

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

no obj
w/ conditions

9/19

STATE HIGHWAY ADMINISTRATION

no obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

10/20/16

SIGN POSTING

Date:

10/19/16

by

Cagle

PEOPLE'S COUNSEL APPEARANCE

Yes



No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

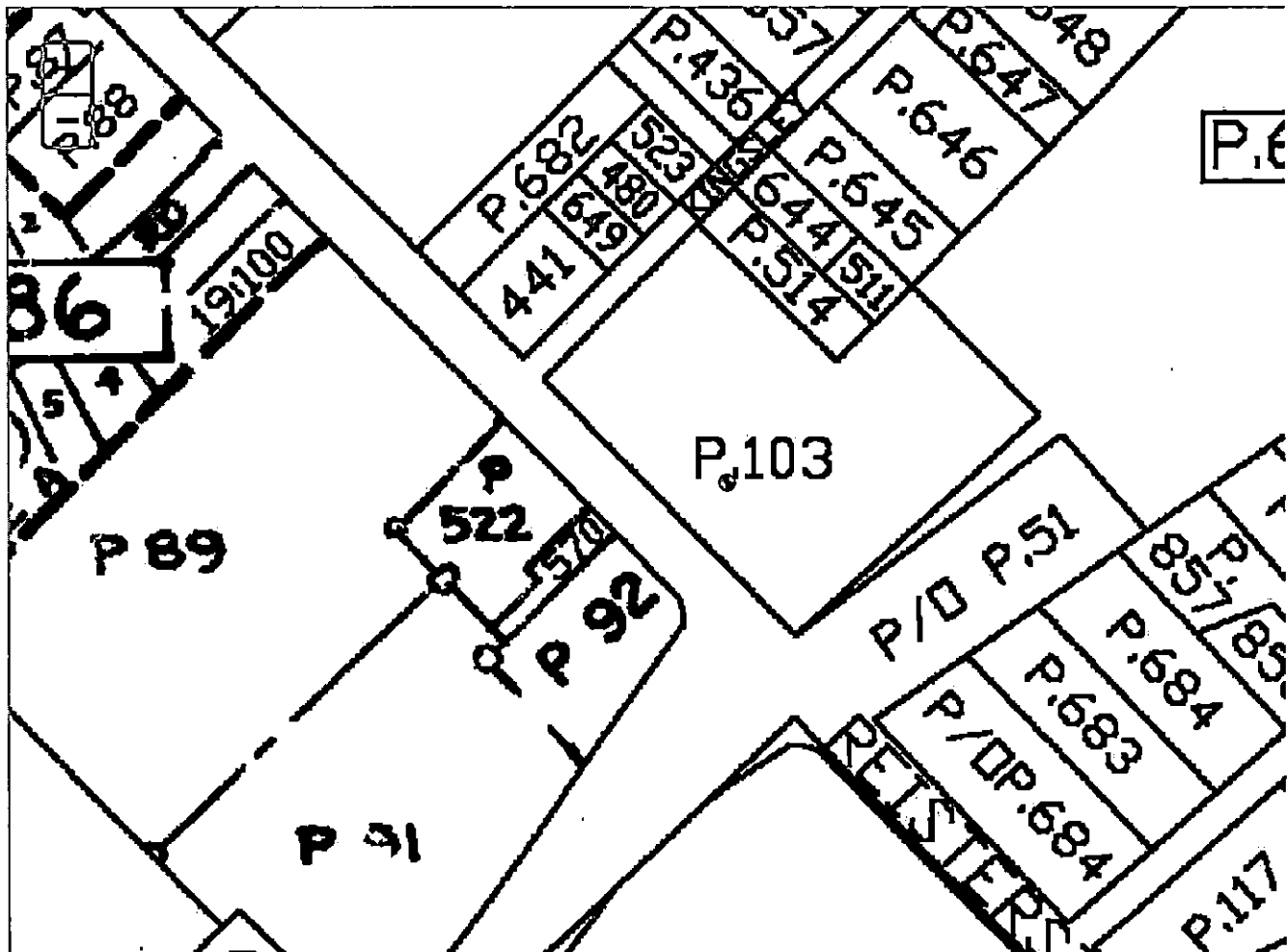
Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption			View GroundRent Registration			
Account Identifier:			District - 04 Account Number - 0406045200						
Owner Information									
Owner Name:		RR PARTNERSHIP			Use:		COMMERCIAL		
Mailing Address:		C/O LOUIS A COHEN 700 KENILWORTH DR TOWSON MD 21204-2427			Principal Residence:		NO		
					Deed Reference:		/07524/ 00053		
Location & Structure Information									
Premises Address:		11227 REISTERSTOWN RD 0-0000			Legal Description:		2.9486 AC SES REISTERSTOWN RD		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:
0058	0007	0103		0000				2017	
Special Tax Areas:					Town:		NONE		
					Ad Valorem:				
					Tax Class:				
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use	
1997		24028				2.9500 AC		22	
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation		
		AUTO SHOWROOM					2002		
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2014		07/01/2016		07/01/2017	
Land:		1,327,500		1,327,500					
Improvements		672,500		672,500					
Total:		2,000,000		2,000,000		2,000,000			
Preferential Land:		0							
Transfer Information									
Seller: FOLLMER GEORGE H				Date: 05/12/1987		Price: \$463,000			
Type: ARMS LENGTH IMPROVED				Deed1: /07524/ 00053		Deed2:			
Seller:				Date:		Price:			
Type:				Deed1:		Deed2:			
Seller:				Date:		Price:			
Type:				Deed1:		Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class			07/01/2016		07/01/2017		
County:		000			0.00				
State:		000			0.00				
Municipal:		000			0.00		0.00		
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		NONE							
Homestead Application Information									
Homestead Application Status: No Application									

Baltimore County

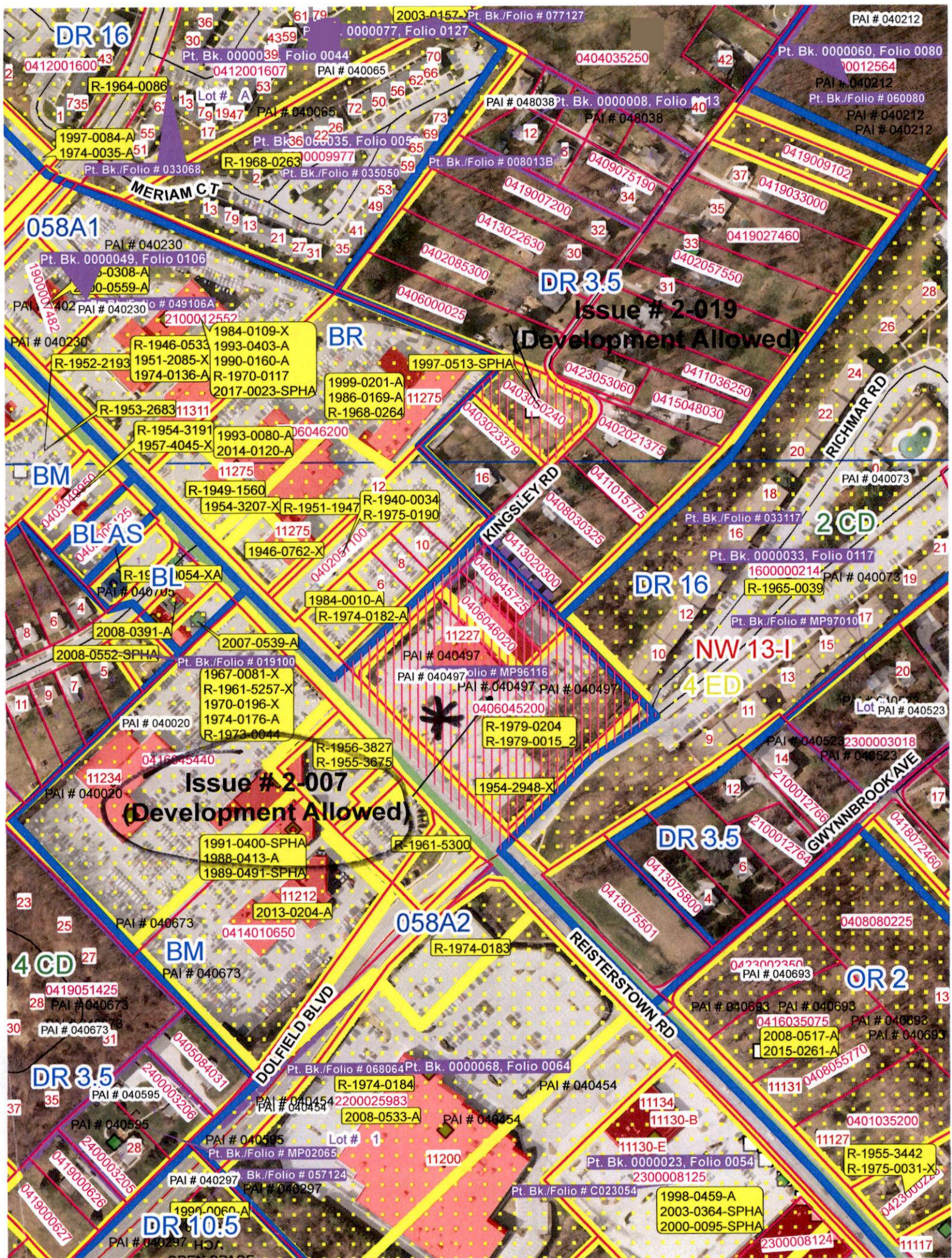
New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **04** Account Number: **0406045200**

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

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

Property maps provided courtesy of the Maryland Department of Planning.

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



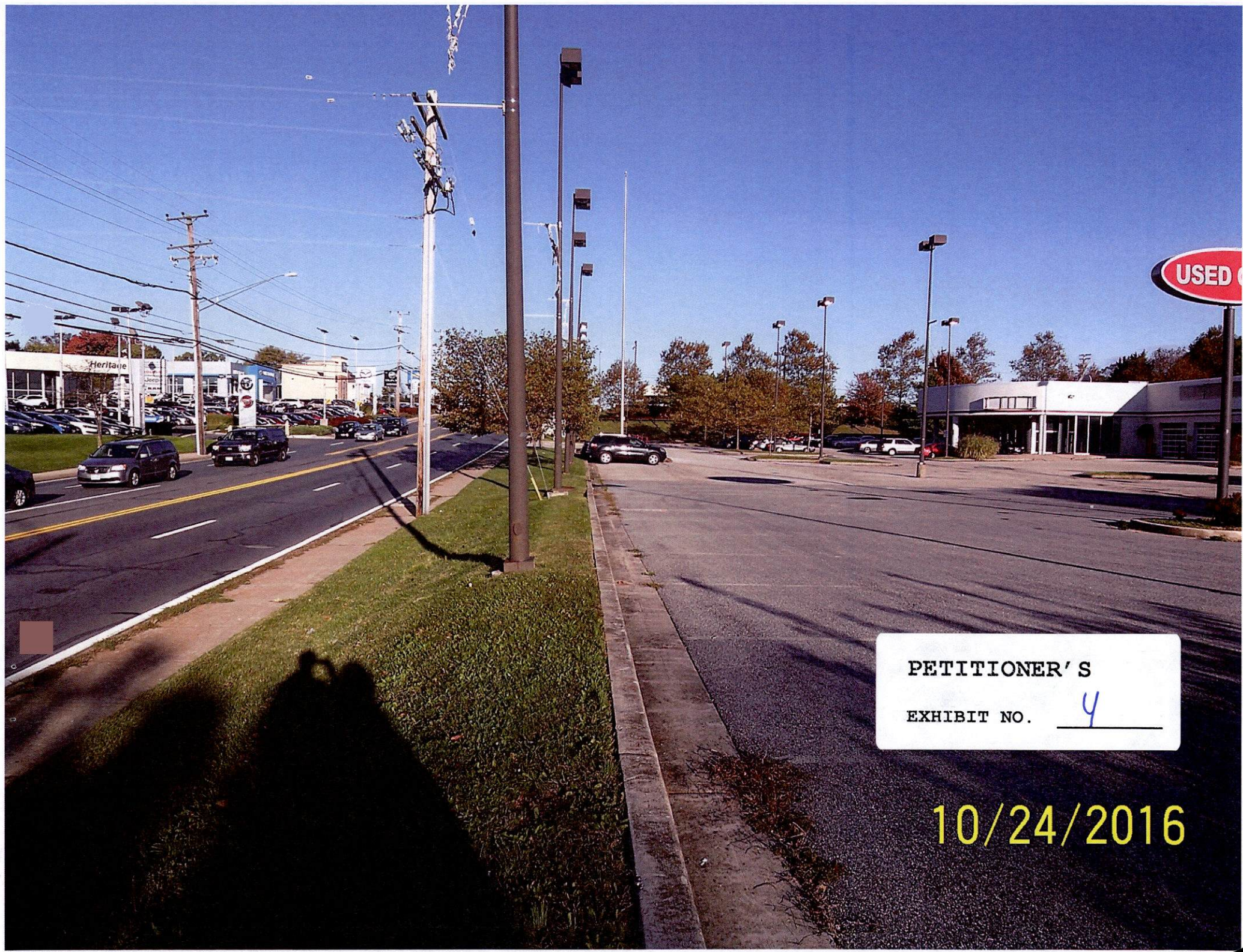
A photograph of a car dealership. In the foreground, a large asphalt parking lot is visible. In the middle ground, a white, single-story building with large windows and glass doors is the main structure. A prominent red oval sign with the words "USED CARS" in white capital letters stands on a tall pole in front of the building. Several other tall, black light poles are scattered throughout the parking lot. A few cars are parked in the distance. The background is filled with trees with autumn-colored foliage. The sky is a clear, bright blue.

USED CARS

PETITIONER'S

EXHIBIT NO. 3

10/24/2016



PETITIONER'S

EXHIBIT NO.

4

10/24/2016



PETITIONER' S

EXHIBIT NO. 5

10/24/2016

NING NOTICE
075-X
HELD BY



Google earth
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PETITIONER'S
EXHIBIT NO. 2

600 ft

