

M E M O R A N D U M

DATE: February 7, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0141- XA – Appeal Period Expired

The appeal period for the above-referenced case expired on February 6, 2017. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

**IN RE: PETITIONS FOR SPECIAL
EXCEPTION AND VARIANCE
(8776 Philadelphia Road)**

14th Election District

6th Council District

Ferraro & Spanellis, LLC *Legal Owner*

Petitioner

*

*

*

*

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BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2017-0141-XA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as Petitions for Special Exception and Variance filed for property located at 8776 Philadelphia Road. The Petitions were filed by David Preller, Jr., Esq. on behalf of Ferraro & Spanellis, LLC, legal owner of the subject property. The Special Exception petition per Baltimore County Zoning Regulations (B.C.Z.R.) §§ 230.3, 259.2.B and 419.1 seeks to use the property for a full service car wash. The Petition for Variance seeks the following: (1) to permit three (3) drying spaces which do not adjoin and have direct access to an aisle; and (2) to permit 71 parking spaces in lieu of the required 77 spaces for a combined restaurant/tavern and full service car wash. A site plan was marked as Petitioner's Exhibit 1.

Appearing at the hearing in support of the petitions was Christos Spanellis and David Billingsley. No protestants or interested citizens attended the hearing. The Petition was advertised and posted as required by the B.C.Z.R. There were no substantive Zoning Advisory Committee (ZAC) comments received from any of the County agencies.

The subject property is approximately 1.58 acres and is zoned BL-AS and BL. The site is improved with a restaurant/tavern (known as Dellis' Restaurant) and--until recently--several other commercial buildings. These buildings have been razed and Petitioner proposes to construct a car

ORDER RECEIVED FOR FILING

Date

1/5/17

By

Sen

wash which would be operated in conjunction with the restaurant/tavern. In fact, Petitioner sought and was granted exactly the same relief in 2009. See Case No. 2009-0260-XA. Unfortunately, due to the economic downturn the project was stalled and the special exception lapsed under B.C.Z.R. §502.3, which necessitated the new case filing.

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. Schultz v. Pritts, 291 Md. 1 (1981). The Schultz standard was revisited in People's Counsel v. Loyola College, 406 Md. 54 (2008), where the court emphasized that a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use. Here, Mr. Billingsley opined Petitioner satisfied all requirements set forth in B.C.Z.R. §502.1, and I concur. The site is large enough to accommodate both businesses, and the surrounding uses are predominately commercial. As such, I do not believe the car wash would have a detrimental impact upon the neighborhood and the petition will be granted.

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).

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Date 1/5/17

By sen

Petitioner has met this test. The property is irregularly shaped and is therefore unique. If the B.C.Z.R. were strictly interpreted Petitioner would suffer a practical difficulty since it would be unable to operate the proposed car wash. Finally, I find that the variances can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of Baltimore County and/or community opposition.

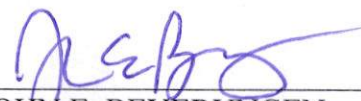
THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 5th day of January, **2017**, that the Petition for Special Exception pursuant to B.C.Z.R. §§ 230.3, 259.2.B and 419.1 to use the property for a full service car wash, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variance pursuant to the Baltimore County Zoning Regulations (B.C.Z.R.): (1) to permit three (3) drying spaces which do not adjoin and have direct access to an aisle; and (2) to permit 71 parking spaces in lieu of the required 77 spaces for a combined restaurant/tavern and full service car wash, 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.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date

1/5/17

By

sln



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 8776 PHILADELPHIA ROAD which is presently zoned BL-AS & BL
Deed References: SEE ATTACHED 10 Digit Tax Account # SEE ATTACHED
Property Owner(s) Printed Name(s) FERRARO AND SPANELIS, LLC

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

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

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

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

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

SEE ATTACHED

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

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

DAVID J. PRELLER, JR.

Name- Type or Print

Signature

307 W. PENNSYLVANIA AVE. TOWSON, MD.

Mailing Address City State

21204 (410) 494-1494, office @ preller law.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners): FERRARO AND SPANELIS, LLC.

CHRISTOS SPANELIS, MEMBER

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

Signature #1

Signature #2

8776 PHILADELPHIA RD. WHITE MARSH, MD.

Mailing Address City State

21237 (443) 373-8772

Zip Code Telephone # Email Address

Representative to be contacted:

DAVID BILLINGSLEY

Name- Type or Print

Signature

601 CHARWOOD CT. EDGEWOOD, MD.

Mailing Address City State

21040 (410) 679-8719, dwb0209@yahoo.com

Zip Code Telephone # Email Address

CASE NUMBER 2017-0141-XA Filing Date 11-23-16

Do Not Schedule Dates: _____

Reviewer AF

SPECIAL EXCEPTION FOR A FULL SERVICE CAR WASH PURSUANT TO SECTIONS 230.3,
259.2.B AND 419.1 (BCZR)

VARIANCE FROM SECTIONS 409.4.B.1, 409.6.A.2, 419.3.A.3 AND 419.3.B.1 (BCZR) TO PERMIT
THREE (3) DRYING SPACES WHICH DO NOT ADJOIN AND HAVE DIRECT ACCESS TO AN AISLE AND
TO PERMIT 71 PARKING SPACES IN LIEU OF THE REQUIRED 77 SPACES FOR A COMBINED
RESTAURANT / TAVERN AND FULL SERVICE CAR WASH AND FOR SUCH OTHER AND FURTHER
RELIEF AS THE NATURE OF THIS CAUSE MAY REQUIRE.

2017-0141-XA

ZONING DESCRIPTION

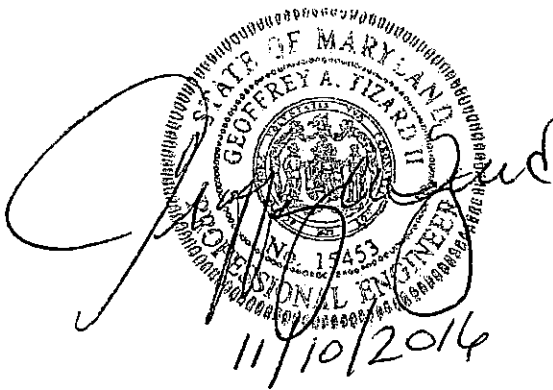
PROPERTY OF FERRARO AND SPANELIS LLC 8776 PHILADELPHIA ROAD

Beginning for the same at a point formed by the north side of Philadelphia Road, Md. Rte. 7 (60 feet wide) with the center of Ridge Road (50 feet wide) thence:

- (1) N 32° 52' 02" W 257 feet, thence
- (2) S 58° 33' 54" W 133.73 feet, thence
- (3) S 32° 52' 02" E 11.13 feet, thence
- (4) S 58° 33' 54" W 147.97 feet, thence
- (5) S 37° 34' 06" E 282.28 feet, thence
- (6) N 52° 21' 15" E 65.05 feet, thence
- (7) S 37° 34' 06" E 1.46 feet, thence
- (8) N 50° 09' 05" E 194 feet to the place of beginning.

Containing 68,860 square feet or 1.581 acre of land, more or less.

Being known as 8776 Philadelphia Road. Located in the 14 TH Election District, 6TH Councilmanic District of Baltimore County, Maryland.



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

License No. 15453

07/02/2017

2017-0141-XA



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 4646050

Sold To:

Ferraro & Spanellis, LLC - CU00575989
8776 Philadelphia Rd
Rosedale, MD 21237-2308

Bill To:

Ferraro & Spanellis, LLC - CU00575989
8776 Philadelphia Rd
Rosedale, MD 21237-2308

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

Dec 13, 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: # 2017-0141-XA 8776 Philadelphia Road N/s Philadelphia Road, NW corner of intersecting streets between Philadelphia & Ridge Road 14th Election District - 6th Councilmanic District Legal Owners(s) Ferraro and Spanellis, LLC SPECIAL EXCEPTION: for a full service car wash. VARIANCE: to permit 3 drying spaces which do not adjoin and have direct access to an aisle and to permit 71 parking spaces in lieu of the required 77 spaces for a combined restaurant/tavern and full service car wash and for such other and further relief as the nature of this cause may require. Hearing: Tuesday, January 3, 2017 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. JT 12/669 Dec. 13 4646050

CERTIFICATE OF POSTING

Date: DECEMBER 14, 2016

RE: Project Name: 8776 PHILADELPHIA ROAD
Case Number /PAI Number: 2017-0141-XA
Petitioner/Developer: FERRARO AND SPANELIS LLC
Date of Hearing/Closing: JANUARY 3, 2017

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 8776 PHILADELPHIA ROAD

The sign(s) were posted on DECEMBER 14, 2016
(Month, Day, Year)

ZONING NOTICE

CASE NO. 2017- 0141-XA

A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE

PLACE: ROOM 205 JEFFERSON BUILDING, 105 WEST
CHESAPEAKE AVENUE, TOWSON, MD. 21204

TIME: TUESDAY, JANUARY 3, 2017 @ 1:30 PM

REQUEST: SPECIAL EXCEPTION FOR A FULL SERVICE
CAR WASH. VARIANCE TO PERMIT 3 DRYING SPACES
WHICH DO NOT ADJOIN AND HAVE DIRECT ACCESS
TO AN AISLE AND TO PERMIT 71 PARKING SPACES IN
LIEU OF THE REQUIRED 77 SPACES FOR A COMBINED
RESTAURANT / TAVERN AND FULL SERVICE CAR
WASH AND FOR SUCH OTHER AND FURTHER RELIEF
AS THE NATURE OF THIS CAUSE MAY REQUIRE

Postponements due to weather or other conditions are sometimes necessary.
To confirm hearing or obtain additional information, contact Department of
Permits, Approvals and Inspections, 111 West Chesapeake Avenue, Towson,
Md. 21204 (410) 887-3391

UNDER PENALTY OF LAW, DO NOT REMOVE THIS SIGN UNTIL THE DAY
OF THE HEARING. HEARINGS ARE HANDICAPPED ACCESSIBLE

David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

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

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

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 13, 2017 Issue - Jeffersonian

Please forward billing to:

Ferraro & Spanellis, LLC
Attn. Christos Spanellis
8776 Philadelphia Road
White Marsh, MD 21237

443-373-8772

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: 2017-0141-XA

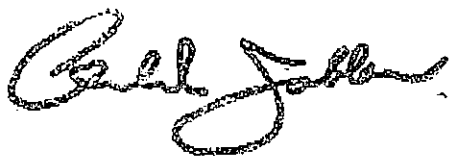
8776 Philadelphia Road

N/s Philadelphia Road, NW corner of intersecting streets between Philadelphia & Ridge Road
14th Election District – 6th Councilmanic District

Legal Owners: Ferraro and Spanellis, LLC

Special Exception for a full service car wash. **Variance** to permit 3 drying spaces which do not adjoin and have direct access to an aisle and to permit 71 parking spaces in lieu of the required 77 spaces for a combined restaurant/tavern and full service car wash and for such other and further relief as the nature of this cause may require.

Hearing: Tuesday, January 3, 2017 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.

TO: PATUXENT PUBLISHING COMPANY

→ Tuesday, December 13, 2016 Issue - Jeffersonian

Please forward billing to:

Ferraro & Spanellis, LLC
Attn. Christos Spanellis
8776 Philadelphia Road
White Marsh, MD 21237

443-373-8772

CORRECTED 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: 2017-0141-XA

8776 Philadelphia Road

N/s Philadelphia Road, NW corner of intersecting streets between Philadelphia & Ridge Road

14th Election District – 6th Councilmanic District

Legal Owners: Ferraro and Spanellis, LLC

Special Exception for a full service car wash. **Variance** to permit 3 drying spaces which do not adjoin and have direct access to an aisle and to permit 71 parking spaces in lieu of the required 77 spaces for a combined restaurant/tavern and full service car wash and for such other and further relief as the nature of this cause may require.

Hearing: Tuesday, January 3, 2017 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.



KEVIN KAMENETZ
County Executive

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

December 8, 2016

CORRECTED 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: 2017-0141-XA

8776 Philadelphia Road

N/s Philadelphia Road, NW corner of intersecting streets between Philadelphia & Ridge Road
14th Election District – 6th Councilmanic District

Legal Owners: Ferraro and Spanellis, LLC

Special Exception for a full service car wash. **Variance** to permit 3 drying spaces which do not adjoin and have direct access to an aisle and to permit 71 parking spaces in lieu of the required 77 spaces for a combined restaurant/tavern and full service car wash and for such other and further relief as the nature of this cause may require.

Hearing: Tuesday, January 3, 2017 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: David Preller, Jr., 307 W. Pennsylvania Avenue, Towson 21204
Christos Spanellis, 8776 Philadelphia Road, White Marsh 21237
David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., DECEMBER 14, 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.



KEVIN KAMENETZ
County Executive

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

December 7, 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: 2017-0141-XA

8776 Philadelphia Road

N/s Philadelphia Road, NW corner of intersecting streets between Philadelphia & Ridge Road
14th Election District – 6th Councilmanic District

Legal Owners: Ferraro and Spanellis, LLC

Special Exception for a full service car wash. **Variance** to permit 3 drying spaces which do not adjoin and have direct access to an aisle and to permit 71 parking spaces in lieu of the required 77 spaces for a combined restaurant/tavern and full service car wash and for such other and further relief as the nature of this cause may require.

Hearing: Tuesday, January 3, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: David Preller, Jr., 307 W. Pennsylvania Avenue, Towson 21204
Christos Spanellis, 8776 Philadelphia Road, White Marsh 21237
David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, ~~JANUARY 14,~~ ^{December} 14, 2017.**
- (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.

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE OFFICE
AND VARIANCE *
8776 Philadelphia Road; N/S Philadelphia Rd, * OF ADMINISTRATIVE
NW corner of Philadelphia & Ridge Roads *
14th Election & 6th Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Ferraro & Spanellis, LLC *
Contract Purchaser(s): David Preller, Jr. * BALTIMORE COUNTY
Petitioner(s) *
2017-141-XA

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED
DEC 07 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 7th day of December, 2016, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Road, Edgewood, Maryland 21040 and David Preller, Jr., Esquire 307 Washington Avenue, 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 twenty (20) 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: 2017-0141-XA
Property Address: 8776 PHILADELPHIA ROAD
Property Description: _____

Legal Owners (Petitioners): FERRARO AND SPANELIS LLC
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: FERRARO & SPANELIS LLC
Company/Firm (if applicable): _____
Address: 8776 PHILADELPHIA RD
BALTO, MD. 21237
Telephone Number: (443) 373-8772

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

NO 145746

Date: 11/23/16

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6130						\$1,000

Total: \$1,000

Rec From: FERRARO & SPANEILS LLC
For: 8776 PHILADELPHIA RD
2017-0141-XA

PAID RECEIPT

BUSINESS ACTUAL TIME ORG
11/23/2016 11/23/2016 10:18:43 3
REG 0503 WALKIN CAN
>>RECEIPT # 705923 11/23/2016 GFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 145746
Recpt Tot \$1,000.00
\$1,000.00 CK \$0.00 CA
Baltimore County, Maryland

CASHIER'S
VALIDATION

DISTRIBUTION

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



KEVIN KAMENETZ
County Executive

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

December 28, 2016

Ferraro and Spanellis LLC
Christos Spanellis
8776 Philadelphia Road
White March MD 21237

RE: Case Number: 2017-0141 XA, Address: 876 Philadelphia Road

Dear Mr. Spanellis:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 23, 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
David Preller, Jr., Esquire, 307 W Pennsylvania Avenue, Towson MD 21204
David Billingsley, 601 Charwood Court, Edgewood, MD 21040

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



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

Date: 12/5/16

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 12/5/16. A field inspection and internal review reveals that an entrance onto MD7 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2017-0141-XA.

Ferraro and Spanellis, LLC
Christos Spanellis, Member
8776 Philadelphia Road
MD7

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,

A handwritten signature in blue ink that reads 'Richard A. Zeller'.

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

WW/RAZ

1-3-17

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 12/28/2016

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

DEC 28 2016

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-141

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

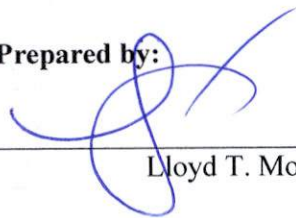
Property Address: 8776 Philadelphia Road
Petitioner: Ferraro and Spanellis, LLC
Zoning: BL, AS & BL
Requested Action: Special Exception, Variance

The Department of Planning has reviewed the petition for a special exception to use the property for a full service car wash and also the petition for a variance to permit three (3) drying spaces which do not adjoin and have direct access to an aisle and to permit 71 parking spaces in lieu of the required 77 spaces for a combined restaurant/tavern and full service car wash.

The Department of Planning has no objection granting the petitioned zoning relief.

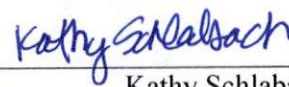
For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Ngone Seye Diop
David Billingsley, Central Drafting & Design, Inc.
Office of the Administrative Hearings
People's Counsel for Baltimore County

12/23/16
TOWK

J.B.
1-3-17
1:30 PM

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

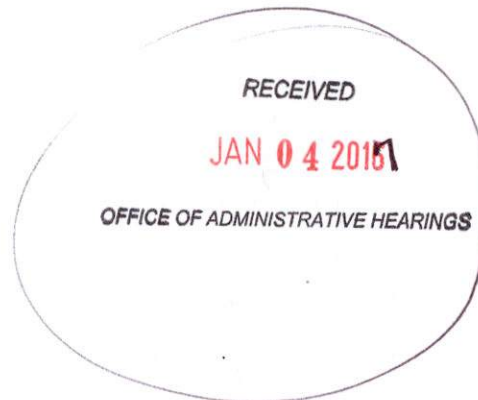
TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: December 19, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For December 12, 2016
Item No. 2017-0135, 0137, 0140, 0141, 0143, 0145 and 0146

The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comment.



DAK:CEN
cc:file
G:\DevPlanRev\ZAC -No Comments\ZAC12122016.doc

12/23/16
TOWOK

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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DAK:CEN

cc:file

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BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

DEC 02 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: December 2, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0141-XA
Address 8776 Philadelphia Road
(Ferraro & Spanellis, LLC Property)

Zoning Advisory Committee Meeting of **DECEMBER 12, 2016.**

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

Reviewer: Steve Ford Date: 12-2-2016

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: December 2, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0141-XA
Address 8776 Philadelphia Road
(Ferraro & Spanellis, LLC Property)

Zoning Advisory Committee Meeting of **DECEMBER 12, 2016.**

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

Reviewer: Steve Ford Date: 12-2-2016

CASE NAME 8776 PHILADELPHIA RD
CASE NUMBER 2017-0141-XA
DATE 1/3/17

[illegible]

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment1-4DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)NC12/2DEPS
(if not received, date e-mail sent _____)N/C12/28FIRE DEPARTMENT
PLANNING
(if not received, date e-mail sent _____)NO Obj12/5

STATE HIGHWAY ADMINISTRATION

NO Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

12/13/16

SIGN POSTING

Date:

12/14/16

by

Billingsley

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



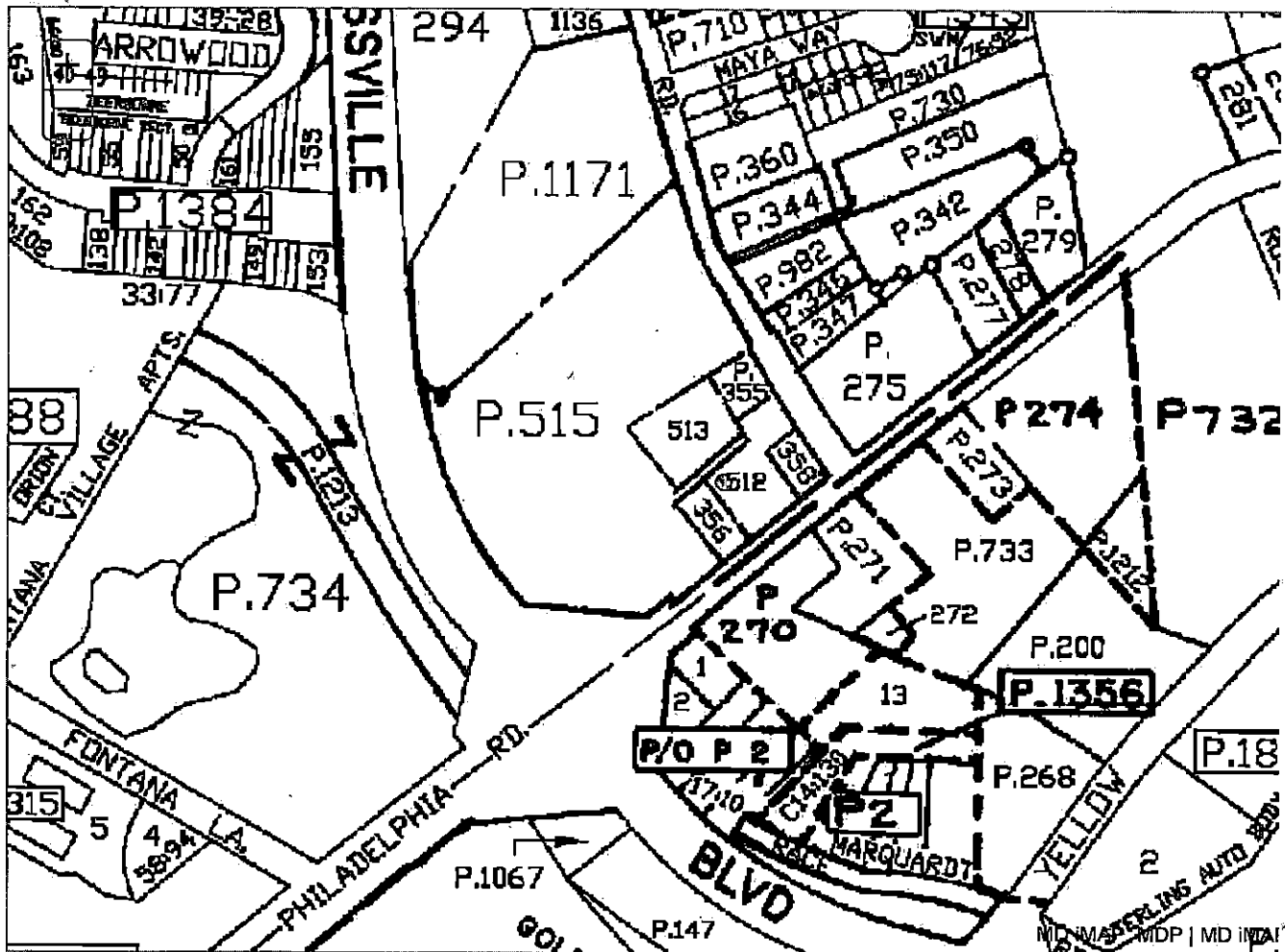
Comments, if any: _____

Real Property Data Search Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 14 Account Number - 1422046228			
Owner Information					
Owner Name:		FERRARO & SPANELLIS LLC		Use:	COMMERCIAL
Mailing Address:		8776 PHILADELPHIA RD BALTIMORE MD 21237		Principal Residence:	NO
				Deed Reference:	/23663/ 00165
Location & Structure Information					
Premises Address:		8776 PHILADELPHIA RD BALTIMORE 21237-		Legal Description: NWS PHILADELPHIA RD 80FT SE OF RIDGE AVE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0090	0001	0512		0000	
				Assessment Year:	Plat No:
				2016	Plat Ref:
Special Tax Areas:			Town:		
			NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area		Property Land Area
	9238				29,300 SF
				County Use	
				06	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
		TAVERN			
Last Major Renovation					
2002					
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2016	07/01/2016	07/01/2017
Land:		586,000	586,000		
Improvements		448,100	454,600		
Total:		1,034,100	1,040,600	1,036,267	1,038,433
Preferential Land:		0			0
Transfer Information					
Seller: MARMARAS GEORGE		Date: 04/11/2006		Price: \$2,700,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /23663/ 00165		Deed2:	
Seller: NOLAN JAMES D M ERCANTILE SAFE		Date: 05/13/1985		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /06925/ 00454		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	0.00 0.00
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

Baltimore County

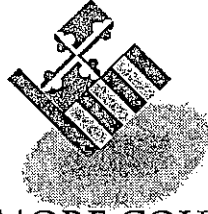
New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **14** Account Number: **1422046228**

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>).



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

June 17, 2009

CHRISTOS SPANELLIS
FERRARO AND SPANELLIS, LLC
8776 PHILADELPHIA ROAD
BALTIMORE MD 21237

Re: Petitions for Special Exception and Variance
Case No. 2009-0260-XA
Property: 8776 Philadelphia Road

Dear Mr. Spanellis:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

PETITIONER'S
EXHIBIT NO. 7

c: Robert Infussi, Expedite LLC, PO Box 1043-7043, Belair MD 21014
David Billingsley, Central Drafting & Design, Inc., 601 Charwood Court, Edgewood MD 21040

**IN RE: PETITIONS FOR SPECIAL EXCEPTION
AND VARIANCE**

NW corner of Ridge Road and
Philadelphia Road
15th Election District
6th Councilmanic District
(8776 Philadelphia Road)

Ferraro and Spanellis, LLC
Legal Owner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY

* Case No. 2009-0260-XA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by Christos Spanellis on behalf of Ferraro and Spanellis, LLC, the legal property owner. The Special Exception is requested to use the property for a full service car wash. The Variance request is from Sections 409.4.B.1, 409.6.A.2 and 419.3.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 3 drying spaces which do not adjoin and have direct access to an aisle, and to permit 71 parking spaces in lieu of the required 78 parking spaces for a combined restaurant/tavern and full service car wash. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the Special Exception and Variance requests was Christos Spanellis on behalf of Ferraro and Spanellis, LLC (hereinafter "Petitioners"). Also appearing in support of the requested relief were Robert Infussi with Expedite LLC, Petitioners' land use consultant who assisted in the filing of the Petitions, and David Billingsley with Central Drafting & Design, Inc., the firm that prepared the site plan¹. There were no Protestants or other interested persons in attendance at the hearing.

¹ The site plan was sealed by Geoffrey A. Tizard, II, a registered professional engineer.

The testimony and evidence in the case was proffered by Mr. Billingsley and revealed that the subject property has a somewhat irregular, rectangular shape and contains 2.55 acres zoned B.L. and B.L.-A.S. The property is located on the northwest corner of Ridge Road and Philadelphia Road (MD Rte. 7) in the Rosedale area of Baltimore County. The property is situated approximately one mile northeast of Interstate 695 and north of Pulaski Highway (U.S. 40). As shown on the State Tax Map that was marked and accepted into evidence as Petitioners' Exhibit 2, the property actually consists of five parcels identified as Parcel 355, Parcel 356, Parcel 358, Parcel 512, and Parcel 513. These parcels were acquired by Petitioners collectively in 2006, as indicated by the Real Property Data Search printouts that were marked and accepted into evidence as Petitioners' Exhibits 3A through 3E, and the accompanying Deed that was marked and accepted into evidence as Petitioners' Exhibit 4. Although part of one large property, each parcel has its own tax account number and legal description.

The subject property is improved with a number of buildings that are depicted in both the aerial photograph and the topographical map that were marked and accepted into evidence as Petitioners' Exhibits 5 and 6, respectively. In addition, these buildings are delineated on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 7. Unlike Petitioners' Exhibit 1, this site plan emphasizes the existing improvements and labels the buildings "A" through "G," and shows them as crosshatched figures superimposed on the site plan. Building "A" is an existing one-story structure that is almost 4,000 square feet and used as a restaurant/tavern. This building is located in the B.L. zoned portion of the property. Buildings "B" and "C" are existing single-family dwellings that are in less than stellar condition and are currently vacant. Building "D" is an empty garage and Buildings "E" and "F" are existing storage buildings. Building "G" is an existing office building that is currently rented by a

construction company whose lease ends in July 2009 and will be vacant thereafter. These buildings are located in the B.L.-A.S. zoned portion of the property.

Petitioner, Mr. Spanellis, has extensive experience in the restaurant business and has owned and run the existing restaurant, known as Dellis' Restaurant, for years. On the other hand, his partner, Mr. Ferraro, has extensive knowledge and experience owning and operating car washes, with a number of facilities in Maryland and New Jersey. At this juncture, Petitioners desire to continue the existing restaurant/tavern use on the property and add a full service car wash as well. As shown on the site plan (Petitioners' Exhibit 1), Petitioners' plans would involve razing the other existing buildings (not including the restaurant building) and constructing a 3,420 square foot full service car wash, to be located on the southwest portion of the property. Petitioners also intend to add more parking spaces and create landscape buffers and internal landscape islands where there is virtually no landscaping on the property presently.

In order to use the land for a car wash, Petitioners are in need of special exception relief. Petitioners are also in need of variance relief because as part of the car wash use, it is planned that 3 of the 6 drying spaces next to the car wash would not adjoin and have direct access to an aisle. Moreover, variance relief is needed because the existing use of the property for a restaurant/tavern and the planned use for a car wash necessitate a change in the parking requirements for the site. Although the site presently has 52 parking spaces and this would be increased significantly to 71 spaces pursuant to Petitioners' planned reconfiguration of the site, these changes would alter the parking requirements and would create a need for 78 total parking spaces.

In support of the requested relief, Mr. Billingsley referenced the site plan and indicated that following construction of the planned improvements, the layout of the site would be greatly

enhanced, both from an aesthetic and also a safety perspective. Presently, there is no specific means of ingress and egress on Ridge Road, in that the paving merely transitions from the road to the subject property and vehicles can enter and exit in a somewhat disorganized, haphazard manner; however, with the planned improvements, a large island will be placed on the property along Ridge Road and curb and gutter will be added, with specific entry/exit areas. In addition, as shown on the site plan, with the removal of surplus buildings, the parking would be reconfigured in some areas and traffic flow within the property would be improved. Petitioners have also allotted enough stacking spaces (26) and drying spaces (6) for the car wash to account for peak hours of use, and all spaces would meet the requirements for parking and drive aisle sizes and widths. As to the car wash itself, Petitioners plan to construct an attractive one-story building to complement the existing restaurant building. As shown on the rendering and elevation drawings that were marked and accepted into evidence as Petitioners' Exhibit 8, the building would have several architectural features, including a pitched style roof and large built-in dormers with an abundance of glass throughout.

Addressing the relevant criteria for special exceptions found at Section 502.1 of the B.C.Z.R., Mr. Billingsley provided expert testimony, indicating that the use of the subject property for a planned car wash would not be detrimental to the health, safety or general welfare of the locale, would not create congestion on the roads or streets or create a potential hazard from fire or other danger, would not overcrowd the land (and would in fact result in less crowding with the removal of surplus buildings), would not interfere with provision of public services or with adequate light or air, and would not be inconsistent with impermeable surface provisions or be detrimental to the environmental or natural resources of the site. Finally, Mr. Billingsley indicated the use of the property for a car wash would not be inconsistent with the property's

zoning classification. In fact, Mr. Billingsley recounted that the property was once zoned entirely B.L.; however, during the 2008 Comprehensive Zoning Map Process ("CZMP"), Petitioners requested and were granted a change in the zoning for the area outside of the restaurant building to include the A.S. district overlay specifically in order to develop the site for a car wash.

With regard to the variance requests, Mr. Billingsley directed the undersigned to the site plan and the area designated for the drying spaces. He indicated that as planned, 3 of the 6 spaces would not adjoin and have direct access to an aisle, but would be placed directly behind the 3 spaces that do adjoin and have access to an aisle. He explained that once a vehicle exited the car wash, an attendant would direct customers to pull into the next open drying space -- either one of the 3 in the front or one of the 3 directly behind. Other attendants would dry the vehicles and send customers into the aisle and on their way. This would be a relatively constant movement with vehicles entering and leaving the drying spaces continuously. Hence, Mr. Billingsley indicated the lack of drying spaces adjoining or having direct access to an aisle would be alleviated by the attendant monitoring the flow. As to the variance for the number of parking spaces, Mr. Billingsley reiterated that the property presently has 52 spaces and this would be increased to 71 spaces -- an increase of approximately 36%. And although this increase would still be short 7 spaces, Mr. Billingsley indicated the planned 71 spaces would be more than sufficient, mainly because there would be little overlap between the restaurant/tavern use and the planned car wash use. The restaurant is typically open from 11:00 AM to 2:00 AM, with a good lunch clientele, but with its busiest period occurring during and after dinner. On the other hand, the car wash would open at 8:00 AM and close at 6:00 PM.² As a result, during the time the

² The site plan indicates the hours of operation for the car wash would be 8:00 AM to 7:00 PM; however, Mr. Billingsley and Petitioner Mr. Spanellis assured that the car wash would normally close by 6:00 PM.

restaurant would begin its busiest period, the car wash would be closed, while during mornings and afternoons when the car wash would be busiest, the restaurant typically would not have as many customers.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. The comments received from the Department of Environmental Protection and Resource Management (DEPRM) dated May 4, 2009 indicate that the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains, and development of the property must comply with the Forest Conservation Regulations. Comments were received from the Office of Planning dated June 9, 2009 which indicate that Petitioner met with the Planning Office during the 2008 Comprehensive Zoning Map Process and on the subject plan addressed all comments and concerns raised then. Additionally, it is understood that this proposal will be subject to County review and comment as a development plan. It does not appear that this plan as drafted undermines the special exception criterion found in Section 502.1 of the B.C.Z.R., nor the spirit and intent of the designated zoning.

Turning first to the requested special exception for a full service car wash, I am persuaded to grant the requested relief. The use regulations for the B.L. (Business, Local) Zone are found in Section 230 of the B.C.Z.R. Section 230.3 sets forth uses when permitted as special exceptions and include a car wash. Section 259.1 of the B.C.Z.R. refines the use, height, area, and other regulations applicable to a zone by superimposing a district overlay in certain areas of the zone. In this case, a portion of the subject property has been superimposed by the A.S. district overlay, as shown on the site plan. Pursuant to Section 259.2.B, "[t]he A.S. District may be applied within the urban-rural demarcation line (URDL) to certain parcels of land *zoned* B.L., B.M. or B.R., which are appropriate for uses dominated by the parking and servicing of

automobiles or characterized by frequent parking turnover, such as fuel service stations and *car wash operations*. (emphasis added). In addition, Section 419.1 of the B.C.Z.R. states that full service car washes are permitted by special exception in the A.S. district. The testimony and evidence indicates that the proposed use for a car wash would not negatively impact the special exception criteria found in Section 502.1 of the B.C.Z.R., and there is no evidence to suggest that the use would have any adverse effects above and beyond those inherently associated with such a special exception use irrespective of its location within the zone (*See, People's Counsel for Baltimore County v. Loyola College in Maryland*, 406 Md. 54, 956 A.2d 166 (2008) and *Schultz v. Pritts*, 291 Md. 1, 432 A.2d 1319 (1981)).

In regard the variance requests, based on the testimony and evidence, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requests. The property is located in an area dominated by commercial uses, especially to the south and east, but is also bordered by residential zoning to the north. There is also a mix of zoning, including B.L., B.L.-A.S., R.O., M.L.-I.M., and D.R.5.5. In addition, as shown on the site plan, the car wash requires 14 parking spaces, which are provided, and the restaurant/tavern requires 64 spaces, of which 57 are provided for a total of 71 spaces provided. I agree with Petitioners that the existing restaurant use and proposed car wash are uses that would be fairly distinct from each other and would generally not overlap for parking purposes. As a practical matter, under the circumstances this would provide adequate parking for the site. In addition to more spaces than before, the newly proposed parking configuration will be safer and provide better flow, in particular from Ridge Road. The entry to and exit from the property at Philadelphia Road will also be controlled to make ingress and egress safer. These are the

kinds of peculiar circumstances that make the regulations impact this property disproportionately compared to others in the district. Therefore I find the property unique in a zoning sense.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. The planned car wash is a use that is specifically authorized per the A.S. district overlay. Petitioners' plans would also result in a streamlining of the uses on the property into two popular, stand-alone uses, rather than the disordered uses characterized by the existing buildings on the property. Denying the variance requests would inhibit a beneficial use of the property.

Finally, I find these variance requests can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. Indeed, the property on the whole will be vastly improved by the reconfigured entryways on Philadelphia Road and Ridge Road, and landscaping that has been nonexistent for decades will be provided, resulting in attractive external buffers (including a six foot high wood privacy fence along the southwest side of the property) and internal islands.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and after considering the testimony and evidence offered, I find that Petitioners' Special Exception request and the Variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 17th day of June, 2009 that Petitioners' request for Special Exception pursuant to Sections 230.3, 259.2.B, and 419.1 of the B.C.Z.R. for a full service car wash be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioners' Variance requests from Sections 409.4.B.1, 409.6.A.2 and 419.3.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to

• permit 3 drying spaces which do not adjoin and have direct access to an aisle, and to permit 71 parking spaces in lieu of the required 78 parking spaces for a combined restaurant/tavern and full service car wash be and are hereby GRANTED.

The granting of the above relief shall be subject, however, to the following conditions:

1. Petitioners may apply for any permits required and be granted same upon receipt this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code). This Code may apply if any streams, wetlands, or floodplains exist off-site and will result in a buffer extending onto the subject property.
3. Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

①

THIS DEED, Made this **4th** day of **April**, in the year two thousand six, by and between **George Marmaras and Peggy Marmaras, husband and wife**, residents of the State of Maryland, parties of the first part, Grantor, and **Ferraro & Spanellis, LLC**, party of the second part, Grantee.

WITNESSETH, That in consideration of the sum of **\$2,700,000.00** and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant, convey, and assign unto the said Grantees, its successors and assigns, in fee simple, all that lot of ground situate in Baltimore County, in the State of Maryland, and described as follows, that is to say:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER with the buildings and improvements thereupon erected, made or being, and all and every the rights, alleys, ways, waters, privileges, appurtenances, and advantages to the same belonging or otherwise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises unto and to the use of the said Grantee, its successors and assigns, in fee simple.

AND the said Grantors hereby covenant that the Grantors have not done or suffered to be done any act, matter or thing whatever to encumber the property hereby conveyed; and to warrant specially the property hereby granted and to execute such further assurances of the same as may be requisite.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

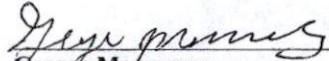
**PETITIONER'S
EXHIBIT NO. 4**

REVIEWED SDAT	
BY <u>D. Helling</u>	DATE <u>4-10-06</u>

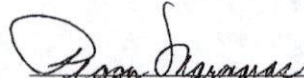
WITNESS the hands and seals of said Grantors:

WITNESS:



 (SEAL)
George Marmaras

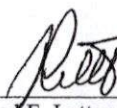


 (SEAL)
Peggy Marmaras

STATE OF MARYLAND, BALTIMORE COUNTY TO WIT:

I HEREBY CERTIFY, that on this 4th day of April in the year two thousand six, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared George Marmaras and Peggy Marmaras known (or satisfactorily proven) to me to be the persons whose names are subscribed to the within Deed and acknowledged the foregoing Deed to be their act and in my presence signed and sealed the same, and further acknowledged that the consideration as stated above is true and correct.

AS WITNESS my hand and Notarial Seal.


Richard E. Lattanzi Notary Public


My Commission Expires: 08/01/09

This is to certify that the within instrument has been prepared by or under the supervision of the undersigned Maryland attorney.


Richard E. Lattanzi, Attorney

RECORD AND RETURN TO:

Ferraro & Spanellis, LLC
8776 Philadelphia Road
Baltimore, Maryland 21237
File # 06-0099

Exhibit "A"**PARCEL ONE:**

BEGINNING FOR THE SAME at a point in the center of Ridge Road and in the first line of a parcel of land described in a Deed dated April 4, 1938, and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr., No. 1027, folio 269, from Henry M. Volz and wife to Roland J.L. Volz distant North 23 degrees 36 minutes West 120.15 feet, measured along said first line, from the beginning thereof, and thence running with and binding on a part of said first line and binding on the center of Ridge Road North 23 degrees 36 minutes West 69.70 feet to the beginning of a parcel of land conveyed by the Locust Grove Hall Company, Incorporated, to Golden Ring Permanent Land and Loan Association of Baltimore County by a Deed dated October 19, 1925, and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 626, folio 411, thence leaving said Ridge Road and binding reversely on the last line of the last mentioned parcel of land and also running with and binding on the second line of the aforesaid parcel of land conveyed to Roland J.L. Volz South 67 degrees 05 minutes West 113.74 feet thence binding on the third line of said land conveyed to Roland J.L. Volz South 23 degrees 54 minutes East 37.33 feet to the beginning of the fourth line of the aforesaid parcel of land and to the center of a right of way 16 feet wide, thence binding on the center of said right of way and running with and binding for a part of said fourth line South 59 degrees 26 minutes West 91.20 feet to the beginning of the last line of a parcel of land which by Deed dated November 29, 1941, and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1198, folio 250, was conveyed by Nicholas J. Regester and wife to Roland J.L. Volz, thence leaving said right of way and running with and binding on said last line South 28 degrees 46 minutes East 166.72 feet to the center of Philadelphia Road and to the beginning of the last line of the first herein mentioned parcel of land conveyed by Henry M. Volz to Roland J.L. Volz, thence running with and binding on a part of said last line and binding on the center of Philadelphia Road North 59 degrees 26 minutes East 95.39 feet to a point in line with the second line of a parcel of land which by Deed dated March 24, 1938, and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 1029, folio 62, was conveyed by Amelia H.R. Volz, widow, to Roland J.L. Volz, thence leaving said road and running to and binding on said second line, North 23 degrees 36 minutes West 120.15 feet to the beginning of the third line of said last mentioned parcel of land and thence running with and binding for a part on said third line, North 59 degrees 26 minutes East 95.11 feet to the place of beginning. All from a description prepared by John F. Etzel, Registered Land Surveyor.

PARCEL TWO:

BEGINNING FOR THE SAME at the point of intersection of the Country Road called the Ridge Road, with the Baltimore and Havre de Grace Turnpike, now called the Philadelphia Road, at the Northwest side of the said Philadelphia Road, and running thence binding on the said Northwest side of said Ridge Road South 55 degrees West eight feet, thence North 28 degrees West One Hundred feet, and thence North 55 degrees East eighty feet to the Northwest side of the said Ridge Road and thence binding on the Northeast side of Ridge Road Southerly One Hundred Feet to the point or place of beginning.

PARCEL THREE:

BEGINNING FOR THE SAME at a concrete monument now set on the Northwest side of a right of way heretofore laid out, 16 feet wide and shown on a plat recorded among the Land Records of Baltimore County in Plat Book J.W.B. No. 14, folio 121, said place of beginning being in the prolongation in a northwesterly direction of the last line of a parcel of land which by Deed dated November 29, 1941, and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1198, folio 251, was conveyed by Henry M. Volz and wife et al to Nicholas J. Regester and wife and distant North 29 degrees 03 minutes West 8.00 feet measured along said prolongation from the beginning of said last line and running thence from said place of beginning and binding on the northwest side of said 16 foot right of way with the right and use thereof in common with others entitled thereto the two following courses and distances, viz: North 59 degrees 11 minutes 40 seconds East 155.89 feet and North 61 degrees 22 minutes East 0.81 of a foot to intersect the third line of a parcel of land described in a Deed dated April 4, 1938, and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 1027, folio 269, from Henry M. Volz and wife to Roland J.L. Volz, thence leaving said right of way and binding reversely on a part of said third line North 23 degrees 54 minutes West 29.40 feet to the beginning of the last line of a parcel of land which by Deed dated October 19, 1925, and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 626 folio 411 was conveyed by Locust Grove Grange Hall Company, Incorporated to the Golden Ring Permanent Land and Loan Association of Baltimore County, thence leaving said outline and running for a line of division and binding on the prolongation of said last line in a southwesterly direction through the land of Henry M. Volz and wife, South 67 degrees 05 minutes West 20 feet to a concrete monument, thence continuing to run for lines of division through said land the three following courses and distances, viz: North 23 degrees 54 minutes West, running parallel with and distant 20 feet Southwesterly measured at right angles from the rear outlines of the Golden Ring Permanent Land and Loan Association of Baltimore County 88.87 feet to a concrete monument, South 67 degrees 05 minutes West 148.23 feet to a concrete monument and South 29 degrees 03 minutes East 140.45 feet to the place of beginning.

BEING the same three lots of ground which by Deed dated May 3, 1985, and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 6925, folio 454, was conveyed by Thomas J. Renner Substitute Trustee et al to George Marmaras and Peggy Marmaras, his wife.

PARCEL FOUR:

BEGINNING FOR THE SAME at a point in the center of Ridge Road distant one hundred and seventy feet northerly from the intersection of the center line of the said Ridge Road with the northwest side of the Baltimore and Havre de Grace Turnpike Road, now called Philadelphia Road, thence running South 67 degrees 05 minutes West 135 feet to a nail now placed, thence North 23 degrees 54 minutes West 100 feet to a concrete monument, thence North 67 degrees 05 minutes East 135 feet to the center of said Ridge Road, thence South 23 degrees 54 minutes East 100 feet along the center of said Ridge Road to the place of beginning; Saving and Excepting, however, thirty feet of even width off the front of the property laying in the bed of said Ridge Road, which was granted and conveyed to Baltimore County in Deed dated May 23, 1968, and recorded among the Land Records of said County in Liber 4883, folio 354, or part of which represents the presently existing roadway and the balance being for the future widening of the road.

BEING the same lot of ground which by Deed dated December 30, 1986, and recorded among the Land Records of Baltimore County in Liber S.M. No. 7449, folio 503, was conveyed by Heritage Savings Association to George F. Marmaras and Peggy Marmaras, his wife.

PARCEL FIVE:

BEGINNING FOR THE SAME at a point in the center of the Philadelphia Road distant one hundred and ninety feet six inches Westerly from the point of intersection of the center of said Philadelphia Road with the center of the Ridge Road and running thence Northerly and parallel with the center of the said Ridge Road one hundred and sixty-seven feet and nine inches to the center of a road to be there laid out sixteen feet in width and thence Westerly binding on the center of said last mentioned road and parallel with the center line of the Philadelphia Road aforesaid sixty-five feet and thence Southerly and parallel with the first line of the description one hundred and sixty-seven feet and nine inches to the center of said Philadelphia Road and thence Easterly binding on the center of said Philadelphia Road sixty-five feet to the point or place of beginning.

SAVING AND EXCEPTING THEREFROM all that lot of ground which by Deed dated November 29, 1941, and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1198, folio 250, was granted and conveyed by Nicholas J. Regester and C.A. Alice Regester, his wife, to Roland J.L. Volz, said lot of ground being described as follows:

BEGINNING FOR THE SAME at a point in the center of Philadelphia Road distant 190 feet 6 inches westerly from the point of intersection of the center of the said Philadelphia Road with the center of the Ridge Road said point of beginning being at the beginning of the first line of the lot of ground which by a Deed dated November 30, 1938, and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 1048, folio 239, etc. was granted and conveyed by William Hoffenberg unto the said Nicholas J. Regester and C.A. Alice Regester, his wife, and thence binding on said first line as now surveyed north 23 degrees 36 minutes west 167 feet 9 inches to the center of a road to be there laid out 16 feet in width and thence binding on the center of said last mentioned road south 59 degrees 26 minutes west 15 feet to a pipe and thence south 28 degrees 46 minutes east 166.72 feet to the place of beginning.

PARCEL SIX:

BEGINNING FOR THE SAME at a point in the center of the Philadelphia Road distant 255 feet 6 inches westerly from the point of intersection of the center of the said Philadelphia Road with the center of the Ridge Road said point of beginning being at the end of the third line of the lot of ground which by Deed dated November 30, 1938, and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr. No. 1048, folio 239, etc. was granted and conveyed by William Hoffenberg unto the said Nicholas J. Regester and C.A. Alice Regester, his wife, and thence binding on said third line reversely as now surveyed north 23 degrees 36 minutes west 167 feet 9 inches to the center of a road to be there laid out 16 feet in width and thence binding on the center of said last mentioned road south 59 degrees 26 minutes west 15 feet to a pipe and thence south 28 degrees 46 minutes east 166.72 feet to the place of beginning.

SAVING AND EXCEPTING FROM THE ABOVE DESCRIBED PROPERTY all that lot of ground which by Deed dated October 29, 1971, and recorded among the Land Records of Baltimore County in Liber No. 5234, folio 270, was granted and conveyed by C.A. Alice Regester, widow to Baltimore County, Maryland, for public highway purposes.

BEING the same two lots of ground which by Deed dated November 30, 1989, was recorded among the Land Records of Baltimore County in Liber S.M. No. 8347, folio 670, was conveyed by N. Donald Regester and Carol R. Roland Personal Representatives to George Marmaras and Peggy Marmaras, his wife.

FILE # 06-0099

State of Maryland Instrument Intake Sheet

☐ Baltimore City ☒ County: Baltimore County

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only — All Copies Must Be Legible)

1	Type(s) of Instruments	☐ Check Box if Addendum Intake Form is Attached.					
		1 Deed	4 Deed of Trust	6 Mortgage	5 Assignment of Rents and Leases		
		2 Deed of Trust	Lease	3 Assignment of Rents and Leases	7 Assignment of Rents and Leases		
2	Conveyance Type Check Box	Improved Sale	Unimproved Sale	Multiple Accounts	Not an Arms-Length Sale		
3	Tax Exemptions (if Applicable) Cite or Explain Authority	Recordation	State Transfer	County Transfer			
4	Consideration and Tax Calculations	Consideration Amount			Finance Office Use Only		
		Purchase Price/Consideration	\$2,700,000.00	Transfer and Recordation Tax Consideration			
		Any New Mortgage	\$2,000,000.00	Transfer Tax Consideration			
		Balance of Existing Mortgage	\$	X () % = \$			
		Other: 2 nd Mortgage	\$250,000.00	Less Exemption Amount = \$			
		Other: 3 rd Mortgage	\$700,000.00	Total Transfer Tax = \$			
		Full Cash Value	\$	Recordation Tax Consideration			
				X () per \$500 = \$			
				TOTAL DUE = \$			
5	Fees	Amount of Fees		Doc. 1		Doc. 2	
		Recording Charge	\$20.00	\$75.00	Agent:		
		Surcharge	\$20.00	\$20.00	Tax Bill:		
		State Recordation Tax	\$13,500.00	\$	C.B. Credit:		
		State Transfer Tax	\$13,500.00	\$	Ag. Tax/Other		
		County Transfer Tax	\$40,500.00	\$			
		Other	\$	\$			
		Other	\$	\$			
6	Description of Property	District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG (5)
		14	14-22-046228	6925/454			
		Subdivision Name		Lot (3a)	Block (3b)	Sect/AR(3c)	Plat Ref.
							SqFt/Acreage (4)
		Location/Address of Property Being Conveyed (2)					
		8776 Philadelphia Road, Baltimore, Maryland 21237					
		Other Property Identifiers (if applicable)				Water Meter Account No.	
		See Attached					
		Residential ☒ or Non-Residential ☐		Fee Simple ☒ or Ground Rent ☐		Amount:	
		Partial Conveyance? ☐ Yes ☒ No		Description/Amt. of SqFt/Acreage Transferred:			
		If Partial Conveyance, List Improvements Conveyed:					
7	Transferred From	Doc. 1 - Grantor(s) Name(s)		Doc. 2 - Grantor(s) Name(s)			
		George Marmaras		Ferraro & Spanellis, LLC			
		Peggy Marmaras					
		Doc. 1 - Owner(s) of Record, if Different from Grantor(s)		Doc. 2 - Owner(s) of Record, if Different from Grantor(s)			
8	Transferred To	Doc. 1 - Grantee(s) Name		Doc. 2 - Grantee(s) Name(s)			
		Ferraro & Spanellis, LLC		Gary C. Loraditch and William M. Loughran, trustees			
		New Owner's (Grantee) Mailing Address					
		8776 Philadelphia Road, Baltimore, Maryland 21237					
9	Other Names to Be Indexed	Doc. 1 - Additional Names to be Indexed (Optional)		Doc. 2 - Additional Names to be Indexed (Optional)			
				Baltimore County Savings Bank, F.S.B.			
10	Contact/Mail Information	Instrument Submitted By or Contact Person				☐ Return to Contact Person	
		Name: Ruth Mitchell				☐ Hold for Pickup	
		Firm: Moore, Carney, Ryan & Lattanzi, L.L.C.				☒ Return Address Provided	
		Address: 4111 E. Joppa Road, Suite 201					
		Baltimore, MD 21236-2288 Phone: 410-529-4600					
11	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER						
	Assessment Information	☐ Yes ☒ No Will the property being conveyed be the grantee's principal residence?					
		☐ Yes ☒ No Does transfer include personal property? If yes, identify: _____					
		☐ Yes ☒ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required)					
	Assessment Use Only - Do Not Write Below This Line						
	☐ Terminal Verification	☐ Agricultural Verification	☐ Whole	☐ Part	☐ Tran. Process Verification		
	Deed Reference:	Assigned Property No.:					
	Year	20	Geo.	Map	Sub	Block	
	Plan		Zoning	Grid	Plat	Lot	
	Record		Use	Parcel	Section	Occ. Cd.	
	Account No.		Town Cd.	Ex. St.	Ex. Cd.		

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 23663, P.0170, MSA, CE62_23518. Date available 04/19/2006. Printed 12/31/2016.

REG WSD4 MAIL
4/11/2006 15:04:02
BUSINESS ACTUAL TIME
REVALUATION
DUPLICATE PAID RECEIPT



d



c



f



e



b



a



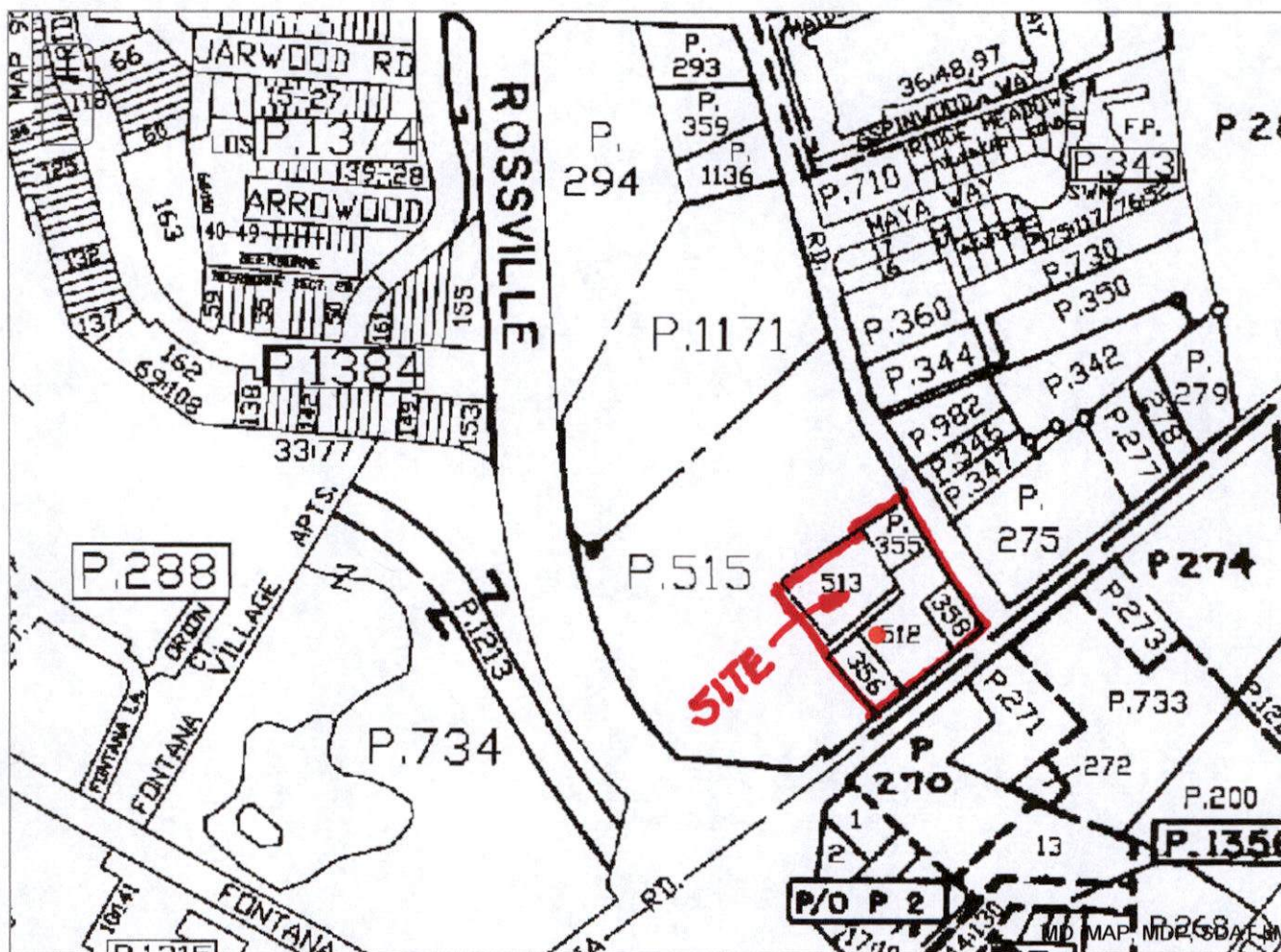
8776 Philadelphia Rd

SITE

PETITIONER'S
EXHIBIT NO. 5

Imagery Date: 10/1

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **14** Account Number: **1422046228**

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>).

TAX MAP 0090

PETITIONER'S
EXHIBIT NO. 2

Search Result for BALTIMORE COUNTY

2. ~~Based on our review of the records of the Board, we have identified the following issues and concerns:~~ While we have confidence in

<http://sdat.dat.maryland.gov/RealProperty/Pages/viewdetails.aspx?County=04&SearchTy...> 12/31/2010

Real Property Data Search (w/1) **Guide to searching the database**

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 14 Account Number - 1407047878		
Owner Information		
Owner Name:	FERRARO & SPANELIS LLC	Use: COMMERCIAL
Mailing Address:	8776 PHALIDEPHIA RD BALTIMORE MD 21237	Principal Residence: NO Deed Reference: /23663/ 00165
Location & Structure Information		
Premises Address:	6506 RIDGE RD 0-0000	Legal Description: LT WS RIDGE RD 170 N OF PHILA AV
Map:	Grid:	Parcel:
0090	0001	0355
Sub District:	Subdivision:	Section:
	0000	
Block:	Lot:	Assessment Year:
		2016
Plat No:	Plat Ref:	
Special Tax Areas:	Town:	NONE
	Ad Valorem:	
	Tax Class:	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
	1201	
Property Land Area	County Use	
13,500 SF	15	
Stories	Basement	Type
Exterior	Full/Half Bath	Garage
Last Major Renovation		
Value Information		
	Base Value	Value
		As of 01/01/2016
Land:	270,000	270,000
Improvements	0	0
Total:	270,000	270,000
Preferential Land:	0	0
		Phase-in Assessments
		As of 07/01/2016
		As of 07/01/2017
		348,933
		270,000
		0
Transfer Information		
Seller: MARMARAS GEORGE F	Date: 04/11/2006	Price: \$2,700,000
Type: ARMS LENGTH MULTIPLE	Deed1: /23663/ 00165	Deed2:
Seller: GOLDEN RING PERM ANENT LAND & LOAN	Date: 01/09/1987	Price: \$130,000
Type: ARMS LENGTH IMPROVED	Deed1: /07449/ 00503	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2016
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		

3. The information on this page is for informational purposes only. It does not constitute a legal opinion or a guarantee of accuracy. While we have confidence in

b

Real Property Data Search (-w1) Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 14 Account Number - 1418011425		
Owner Information		
Owner Name:	FERRARO & SPANELLIS LLC	Use: COMMERCIAL/RESIDENTIAL NO
Mailing Address:	8776 PHALIDEPHIA RD BALTIMORE MD 21237	Deed Reference: /23663/ 00165
Location & Structure Information		
Premises Address:	8772 PHILADELPHIA RD 0-0000	Legal Description: LT NWS PHILADELPHIA 200 SE RIDGE RD
Map:	Grid:	Parcel:
0090	0001	0356
Sub District:	Subdivision:	Section:
	0000	
Block:	Lot:	Assessment Year:
		2016
Plat No:	Plat Ref:	
Special Tax Areas:	Town:	NONE
	Ad Valorem:	
	Tax Class:	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
	1709	
Property Land Area	County Use	
8,710 SF	06	
Stories	Basement	Type
Exterior	Full/Half Bath	Garage
Last Major Renovation		
Value Information		
	Base Value	Value As of 01/01/2016
Land:	174,200	174,200
Improvements	0	0
Total:	174,200	174,200
Preferential Land:	0	0
		Phase-in Assessments As of 07/01/2016 As of 07/01/2017
		174,200 174,200
Transfer Information		
Seller: MARMARAS GEORGE F	Date: 04/11/2006	Price: \$2,700,000
Type: ARMS LENGTH MULTIPLE	Deed1: /23663/ 00165	Deed2:
Seller: REGESTER C A ALICE	Date: 12/11/1989	Price: \$120,000
Type: ARMS LENGTH IMPROVED	Deed1: /08347/ 00670	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 0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

2. The data on this page is for informational purposes only. It is not intended to be used for legal or financial purposes. While we have confidence in

Real Property Data Search (-w1) **Guide to searching the database**

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 14 Account Number - 1422046228		
Owner Information		
Owner Name:	FERRARO & SPANELLIS LLC	Use: COMMERCIAL
Mailing Address:	8776 PHILADELPHIA RD BALTIMORE MD 21237	Principal Residence: NO
		Deed Reference: /23663/ 00165
Location & Structure Information		
Premises Address:	8776 PHILADELPHIA RD BALTIMORE 21237-	Legal Description: NWS PHILADELPHIA RD 80FT SE OF RIDGE AVE
Map:	Grid:	Parcel:
0090	0001	0512
Sub District:	Subdivision:	Section:
	0000	
Block:	Lot:	Assessment Year:
		2016
Plat No:	Plat Ref:	
Special Tax Areas:	Town:	NONE
	Ad Valorem:	
	Tax Class:	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
	9238	
Property Land Area	County Use	
29,300 SF	06	
Stories	Basement	Type
		TAVERN
Exterior	Full/Half Bath	Garage
Last Major Renovation		
2002		
Value Information		
	Base Value	Value As of 01/01/2016
Land:	586,000	586,000
Improvements	448,100	454,600
Total:	1,034,100	1,040,600
Preferential Land:	0	
		Phase-in Assessments As of 07/01/2016
		1,036,267
		As of 07/01/2017
		1,038,433
		0
Transfer Information		
Seller: MARMARAS GEORGE	Date: 04/11/2006	Price: \$2,700,000
Type: ARMS LENGTH MULTIPLE	Deed1: /23663/ 00165	Deed2:
Seller: NOLAN JAMES D M ERCANTILE SAFE	Date: 05/13/1985	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /06925/ 00454	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2016
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		

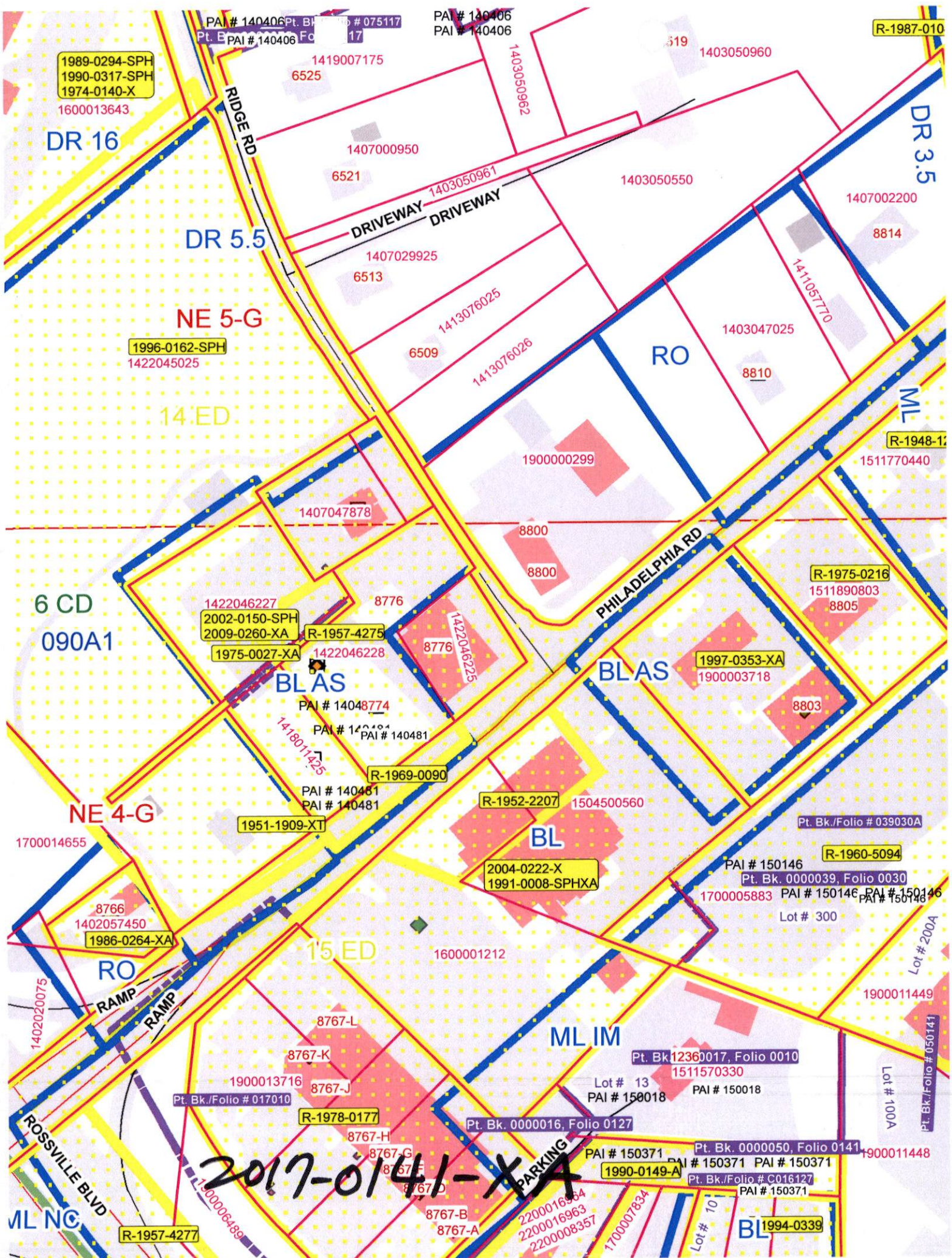
3. The Baltimore County Department of Planning and Economic Development is responsible for the accuracy of the data presented on this website. While we have confidence in

Real Property Data Search (-w1): **Guide to searching the database**

Search Result for BALTIMORE COUNTY

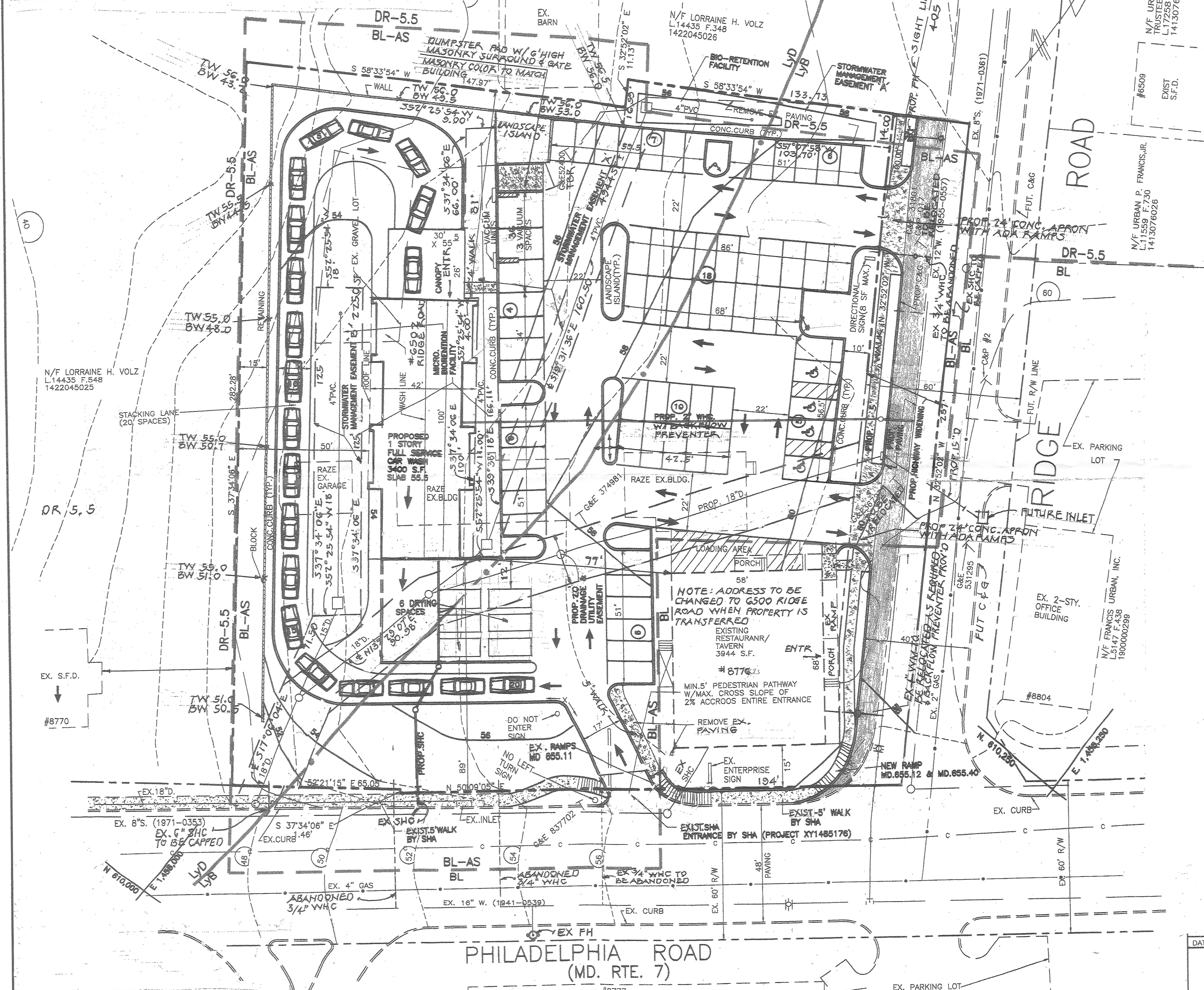
View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 14 Account Number - 1422046225		
Owner Information		
Owner Name:	FERRARO & SPANELLIS LLC	Use: COMMERCIAL Principal Residence: NO
Mailing Address:	8776 PHALIDEPHIA RD BALTIMORE MD 21237	Deed Reference: /23663/ 00165
Location & Structure Information		
Premises Address:	8774 PHILADELPHIA RD 0-0000	Legal Description: PHILADELPHIA RD COR RIDGE RD
Map: 0090	Grid: 0001	Parcel: 0358
Sub District:	0000	Subdivision:
Section:		Block:
Lot:		Assessment Year: 2016
Plat No:		Plat Ref:
Special Tax Areas:		
Town: NONE		
Ad Valorem:		
Tax Class:		
Primary Structure Built	Above Grade Enclosed Area 4236	Finished Basement Area
		Property Land Area 7,974 SF
		County Use 06
Stories	Basement	Type
		Exterior
		Full/Half Bath
		Garage
		Last Major Renovation
Value Information		
	Base Value	Value As of 01/01/2016
Land:	159,400	159,400
Improvements	0	0
Total:	159,400	159,400
Preferential Land:	0	0
		Phase-in Assessments As of 07/01/2016 As of 07/01/2017
		159,400 159,400
Transfer Information		
Seller: MARMARAS GEORGE	Date: 04/11/2006	Price: \$2,700,000
Type: ARMS LENGTH MULTIPLE	Deed1: /23663/ 00165	Deed2:
Seller: NOLAN JAMES D M ERCANTILE SAFE	Date: 05/13/1985	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /06925/ 00454	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		

3. The data on this page is for informational purposes only. It is not intended to be used for legal purposes. While we have confidence in



XX-1472-100

ADDRESS	AREA	TAX ACCOUNT NO.	DEED REFERENCE	ZONING
8772 PHILADELPHIA ROAD	8710 SF / 0.200 AC.	1418011425	23663 / 165	BL-AS
8774 PHILADELPHIA ROAD	7974 SF / 0.183 AC.	1422046225	23663 / 165	BL-AS
8776 PHILADELPHIA ROAD	29,300 SF / 0.673 AC.	1422046228	23663 / 165	BL
6506 RIDGE ROAD	13,500 SF / 0.310 AC.	1407047878	23663 / 165	BL-AS & DR 5.5
RIDGE ROAD	19,608 SF / 0.450 AC.	1422046227	23663 / 165	BL-AS

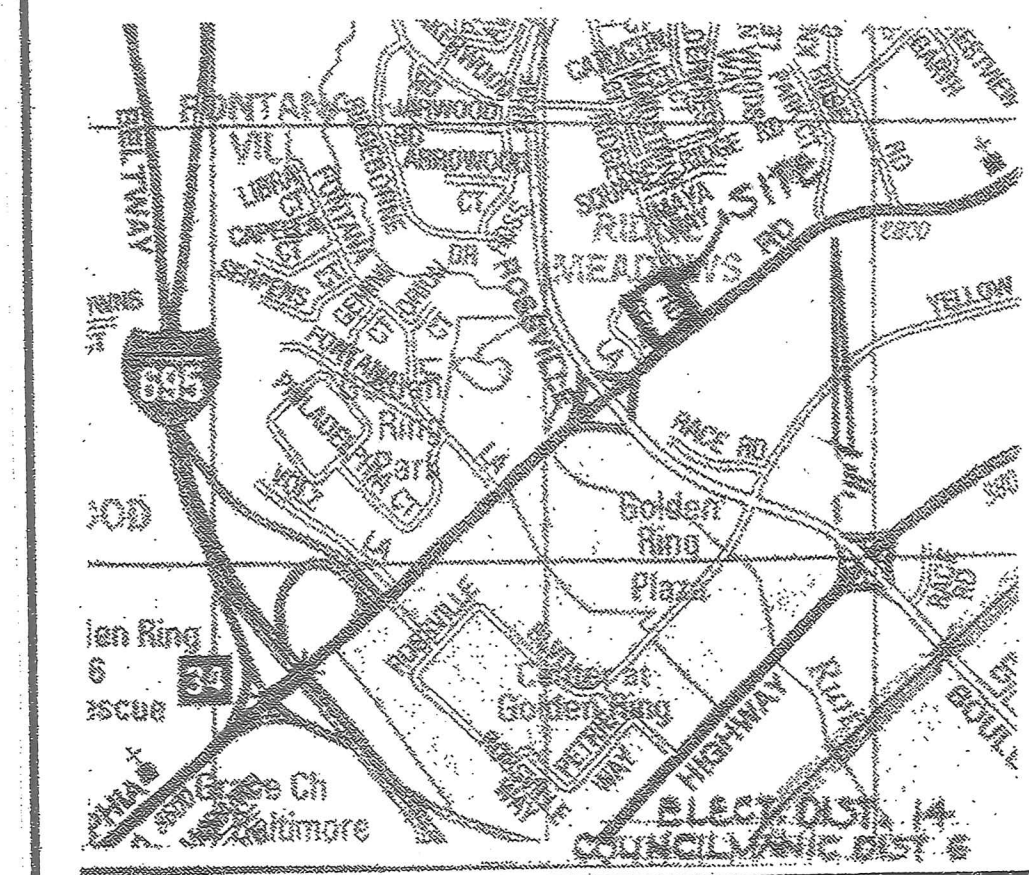


CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

EXISTING V.F.W. HALL
VETERANS OF FOREIGN WARS U.U., INC.
CHARLES EVERING POST 6506
L.6387 F.179 L.5943 F.973 L.5082 F.278
1700005583, 1504-500560, 16000001212

ZONING HISTORY

- R-1957-4275 GRANTED REZONING FROM R-6 TO BL
- 1975-0027-XA GRANTING A SPECIAL EXCEPTION FOR AN OFFICE BUILDING WITH AN 8 FOOT REAR SETBACK
- 2002-0150-SPH APPROVED EXISTING DWELLINGS IN A BL ZONE AS VALID AND NONCONFORMING USES
- 2009-260-XA GRANTED A SPECIAL EXCEPTION FOR A FULL SERVICE CAR WASH, VARIANCE TO PERMIT 3 DRYING SPACES WITHOUT DIRECT ACCESS TO AN AISLE AND TO PERMIT 71 PARKING SPACES IN LIEU OF THE REQUIRED 79 SPACES



VICINITY MAP
SCALE: 1" = 1000'

NOTES

- ZONING.....BL, BL-AS AND DR 5.5 (MAP NO. 090A1)
- GROSS AREA.....68,860 S.F. = 1.581 ACRE
HIGHWAY WIDENING.....3,363 S.F. = 0.077 ACRE
NET AREA.....65,497 S.F. = 1.504 ACRE
- TO THE PREPARER'S KNOWLEDGE, NO ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITAT, UNDERGROUND STORAGE TANKS, HISTORIC STRUCTURES, WETLANDS, CRITICAL AREAS, HAZARDOUS MATERIALS SITES, 100 YEAR FLOOD PLAINS OR FLOOD AREAS EXIST ON THIS SITE.
- A FINAL LANDSCAPE PLAN MUST BE APPROVED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT
- THIS SITE IS SERVED BY PUBLIC WATER AND SEWER
- EXISTING USE.....RESTAURANT / TAVERN
PROPOSED USE.....RESTAURANT / TAVERN AND CAR WASH
- BUILDING AREAS
RESTAURANT / TAVERN.....3944 S.F.
CAR WASH.....3400 S.F.
TOTAL.....7344 S.F.
FLOOR AREA RATIO.....7344 / 65497 = 0.11
- HOURS OF OPERATION
RESTAURANT / TAVERN.....11 AM - 2 AM 7 DAYS
CAR WASH.....8 AM - 7 PM 7 DAYS
- ALL LIGHTING SHALL BE DIRECTED DOWNWARD AND AWAY FROM RESIDENTIAL USES AND PUBLIC RIGHTS-OF-WAYS.
- THE ENGINEER HAS CONFIRMED THAT THIS SITE IS NOT WITHIN A FAILED BASIC SERVICES AREA
- UNLESS OTHERWISE SHOWN HEREBY, NO SIGNIFICANT CHANGES IN TOPOGRAPHY ARE PROPOSED.
- UNLESS OTHERWISE SHOWN HEREBY, ALL SECTIONS OF SECTION 419 (BCZR) ARE COMPLIED WITH

OFFSTREET PARKING DATA

REQUIRED	
CAR WASH USE	
FULL SERVICE CAR WASH.....	4 SPACES
DRYING SPACES.....	6 SPACES
VACUUM SPACES...3 VACUUMS @ 1 SP. / VACUUM.....	3 SPACES
RESTAURANT / TAVERN USE	
3944 S.F. @ 16 SP. / 1000 S.F.....	64 SPACES
TOTAL REQUIRED.....	77 SPACES

PROVIDED.....71 SPACES
ALL SPACES TO BE 8.5 FEET X 18 FEET MIN. ALL PARKING SPACES AND ACCESS LANES SHALL BE PAVED AND STRIPED



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. 15453 Expiration Date: 07/02/2017

PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION AND VARIANCE

PROPERTY OF FERRARO AND SPANELIS LLC
8776 PHILADELPHIA ROAD (MD. ROUTE 7)
PAI FILE NUMBER 14-0481
TRACKING NUMBER LIM-2015-00003
ELECTION DISTRICT 14 COUNCILMANIC DISTRICT 6
SCALE: 1 INCH = 20 FEET NOVEMBER 1, 2016

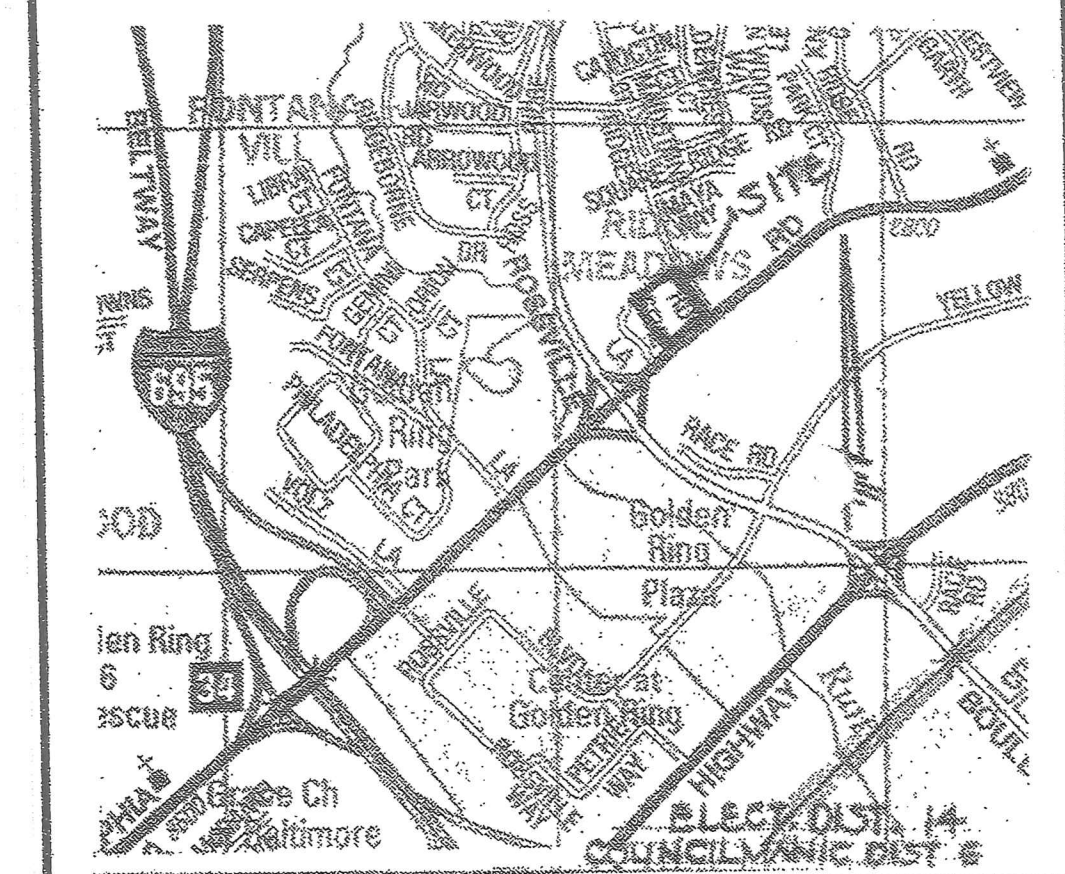
DATE	REVISION
	OWNER / APPLICANT FERRARO AND SPANELIS LLC 8776 PHILADELPHIA ROAD BALTIMORE, MARYLAND 21237 PHONE NO: (443) 373-8772

PARCEL IDENTIFICATIONS

ADDRESS	AREA	TAX ACCOUNT NO.	DEED REFERENCE	ZONING
8772 PHILADELPHIA ROAD	8710 SF / 0.200 AC.	1418011425	23663 / 165	BL-AS
8774 PHILADELPHIA ROAD	7974 SF / 0.183 AC.	1422046225	23663 / 165	BL-AS
8776 PHILADELPHIA ROAD	29,300 SF / 0.673 AC.	1422046228	23663 / 165	BL
6506 RIDGE ROAD	13,500 SF / 0.310 AC.	1407047878	23663 / 165	BL-AS & DR 5.5
RIDGE ROAD	19,608 SF / 0.450 AC.	1422046227	23663 / 165	BL-AS

ZONING HISTORY

- R-1957-4275GRANTED REZONING FROM R-6 TO BL
- 1975-0027-XAGRANTING A SPECIAL EXCEPTION FOR AN OFFICE BUILDING WITH AN 8 FOOT REAR SETBACK
- 2002-0150-SPH.....APPROVED EXISTING DWELLINGS IN A BL ZONE AS VALID AND NONCONFORMING USES
- 2009-260-XA.....GRANTED A SPECIAL EXCEPTION FOR A FULL SERVICE CAR WASH, VARIANCE TO PERMIT 3 DRYING SPACES WITHOUT DIRECT ACCESS TO AN AISLE AND TO PERMIT 71 PARKING SPACES IN LIEU OF THE REQUIRED 79 SPACES



VICINITY MAP
SCALE: 1" = 1000'

NOTES

- ZONING.....BL, BL-AS AND DR 5.5 (MAP NO. 090A1)
- GROSS AREA.....68,860 S.F. = 1.581 ACRE
HIGHWAY WIDENING.....3,363 S.F. = 0.077 ACRE
NET AREA.....65,497 S.F. = 1.504 ACRE
- TO THE PREPARER'S KNOWLEDGE, NO ARCHEOLOGICAL SITES, ENDANGERED SPECIES, HABITAT, UNDERGROUND STORAGE TANKS, HISTORIC STRUCTURES, WETLANDS, CRITICAL AREAS, HAZARDOUS MATERIALS SITES, 100 YEAR FLOOD PLAINS OR FLOOD AREAS EXIST ON THIS SITE.
- A FINAL LANDSCAPE PLAN MUST BE APPROVED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT
- THIS SITE IS SERVED BY PUBLIC WATER AND SEWER
- EXISTING USE.....RESTAURANT / TAVERN
PROPOSED USE.....RESTAURANT / TAVERN AND CAR WASH
- BUILDING AREAS
RESTAURANT / TAVERN.....3944 S.F.
CAR WASH.....3400 S.F.
TOTAL.....7344 S.F.
FLOOR AREA RATIO.....7344 / 65497 = 0.11
- HOURS OF OPERATION
RESTAURANT / TAVERN.....11 AM - 2 AM 7 DAYS
CAR WASH.....8 AM - 7 PM 7 DAYS
- ALL LIGHTING SHALL BE DIRECTED DOWNWARD AND AWAY FROM RESIDENTIAL USES AND PUBLIC RIGHTS-OF-WAYS.
- THE ENGINEER HAS CONFIRMED THAT THIS SITE IS NOT WITHIN A FAILED BASIC SERVICES AREA
- UNLESS OTHERWISE SHOWN HEREON, NO SIGNIFICANT CHANGES IN TOPGRAPHY ARE PROPOSED.
- UNLESS OTHERWISE SHOWN HEREON, ALL SECTIONS OF SECTION 419 (BCZR) ARE COMPLIED WITH

OFFSTREET PARKING DATA

REQUIRED	
CAR WASH USE	
FULL SERVICE CAR WASH.....	4 SPACES
DRYING SPACES.....	6 SPACES
VACUUM SPACES...3 VACUUMS @ 1 SP. / VACUUM.....	3 SPACES
RESTAURANT / TAVERN USE	
3944 S.F. @ 16 SP. / 1000 S.F.....	64 SPACES
TOTAL REQUIRED.....	77 SPACES

PROVIDED.....71 SPACES
ALL SPACES TO BE 8.5 FEET X 18 FEET MIN. ALL PARKING SPACES AND ACCESS LANES SHALL BE PAVED AND STRIPED

PHOTOS PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION AND VARIANCE

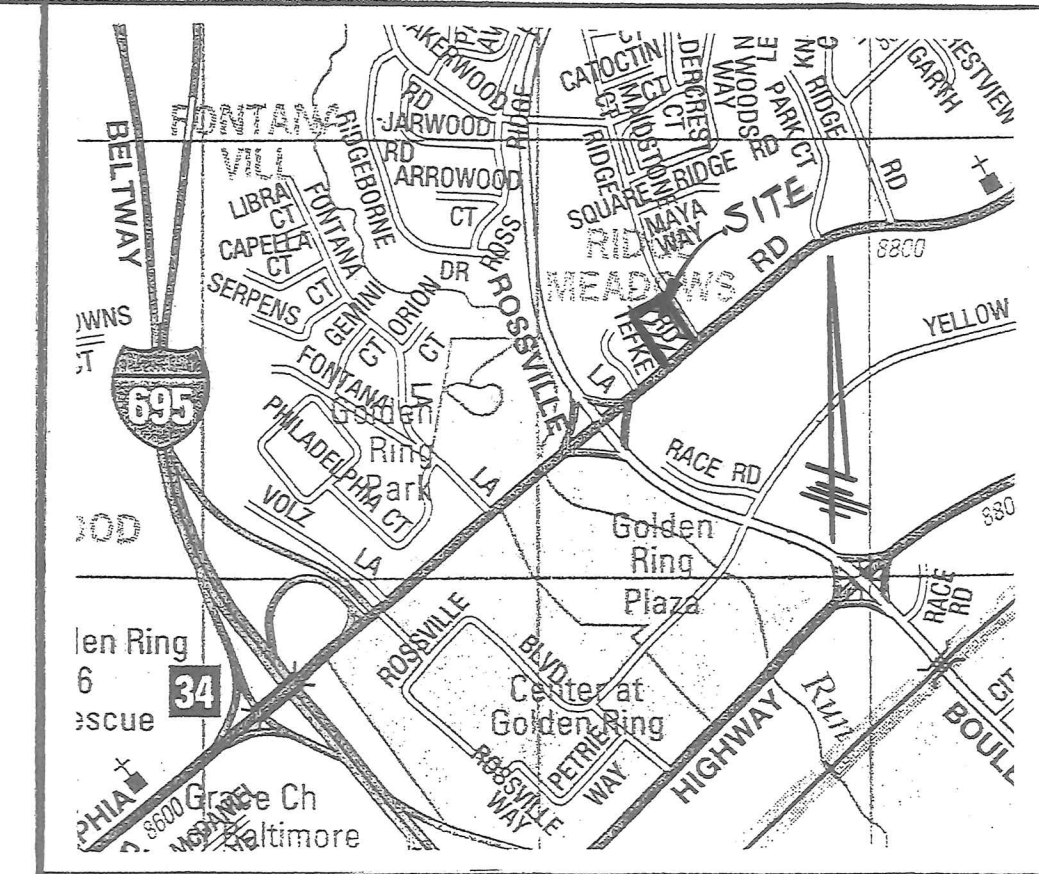
PROPERTY OF FERRARO AND SPANELIS LLC
8776 PHILADELPHIA ROAD (MD. ROUTE 7)
PAI FILE NUMBER 14-0481
TRACKING NUMBER LIM-2015-00003
ELECTION DISTRICT 14 COUNCILMANIC DISTRICT 6
SCALE: 1 INCH = 20 FEET NOVEMBER 1, 2016

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.
Signature: [Signature] License No. 15453 Expiration Date: 07/02/2017

DATE	REVISION
	OWNER / APPLICANT FERRARO AND SPANELIS LLC 8776 PHILADELPHIA ROAD BALTIMORE, MARYLAND 21237 PHONE NO: (443) 373-8772

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 879-8719

#8777
EXISTING V.F.W. HALL
VETERANS OF FOREIGN WARS U.U., INC.
CHARLES EVERING POST 6506
L.6357 F.179 L.5943 F.973 L.5082 F.278
1700005583, 1504-500560, 16000001212



VICINITY MAP
SCALE: 1" = 1000'

PARKING DATA

	REQUIRED	PROVIDED
CAR WASH		
FULL SERVICE CAR WASH	4 SPACES	4 SPACES
DRYING SPACES	6 SPACES	6 SPACES
VACUUMS (4 @ 1 SP. / VACUUM)	4 SPACES	4 SPACES

RESTAURANT		
3994 S.F. @ 16 SP. / 1000 S.F.	64 SPACES	57 SPACES
TOTAL REQUIRED	78 SPACES	71 SPACES

ALL PARKING SPACES ARE TO BE A MINIMUM OF 8.5 X 18 FEET. ALL PARKING SPACES AND ACCESS LANES SHALL BE PAVED AND STRIPED

NOTES

- ZONING.....BL AND BL-AS (MAP NO. 090A1)
- GROSS AREA.....111,000 S.F. = 2.55 ACRES
- EXISTING USES.....RESTAURANT / TAVERN, OFFICE USE AND SINGLE FAMILY RESIDENCES
- PROPOSED USES.....RESTAURANT / TAVERN AND FULL SERVICE CAR WASH
- THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN OR THE CHESAPEAKE BAY CRITICAL AREA
- PUBLIC WATER AND SEWER IS EXISTING
- TO THE PREPARER'S KNOWLEDGE, NO UNDERGROUND FUEL STORAGE TANKS, HISTORIC BUILDINGS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITAT, WELLS, SEPTIC SYSTEMS, STREAMS, OR WETLANDS EXIST
- HOURS OF OPERATION.....RESTAURANT / TAVERN 11 AM TO 2 AM
CAR WASH 8 AM TO 7 PM
- ONSITE LIGHTING SHALL BE DIRECTED DOWNWARD AND AWAY FROM ADJACENT RESIDENTIAL PROPERTIES AND PUBLIC RIGHTS-OF-WAY
- PRIOR TO ISSUANCE OF A BUILDING PERMIT, A FINAL LANDSCAPE AND LIGHTING PLAN FOR THIS PROJECT MUST BE APPROVED.
- UNLESS OTHERWISE SHOWN HEREON, ALL SECTIONS OF SECTION 419 (BCZR) ARE COMPLIED WITH
- FLOOR AREA RATIO.....7414 S.F. / 111,000 S.F. = 0.07
- NO SIGNIFICANT CHANGES IN TOPOGRAPHY ARE PROPOSED

PETITIONER'S
EXHIBIT NO. 8

PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION AND VARIANCE

PROPERTY OF
FERRARO AND SPANELIS, LLC
NW CORNER RIDGE ROAD AND PHILADELPHIA ROAD (MD. RTE. 7)
PROJECT NO.
ELECTION DISTRICT 14C6
BALTIMORE COUNTY, MARYLAND
SCALE: 1 INCH = 20 FEET **APRIL 2, 2009**

OWNER / DEVELOPER

FERRARO AND SPANELIS, LLC
8776 PHILADELPHIA ROAD
BALTIMORE, MD. 21237
DEED REFERENCE: L. 23663 F. 165
PROPERTY ACCT. NOS. 1407047878, 1418011425,
1422046225, 1422046227 AND 1422046228



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

PHILADELPHIA ROAD
(MD. RTE 7)

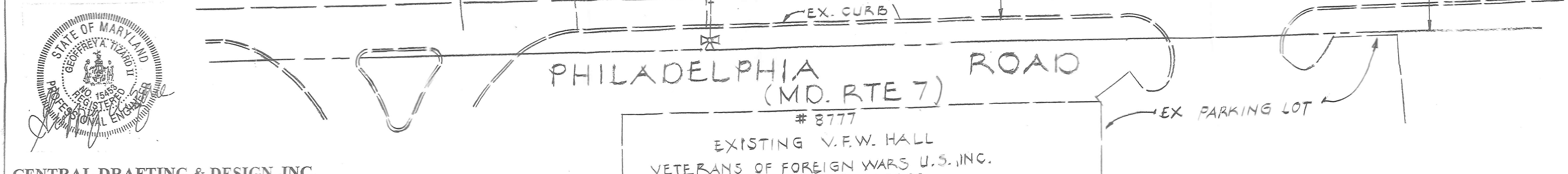
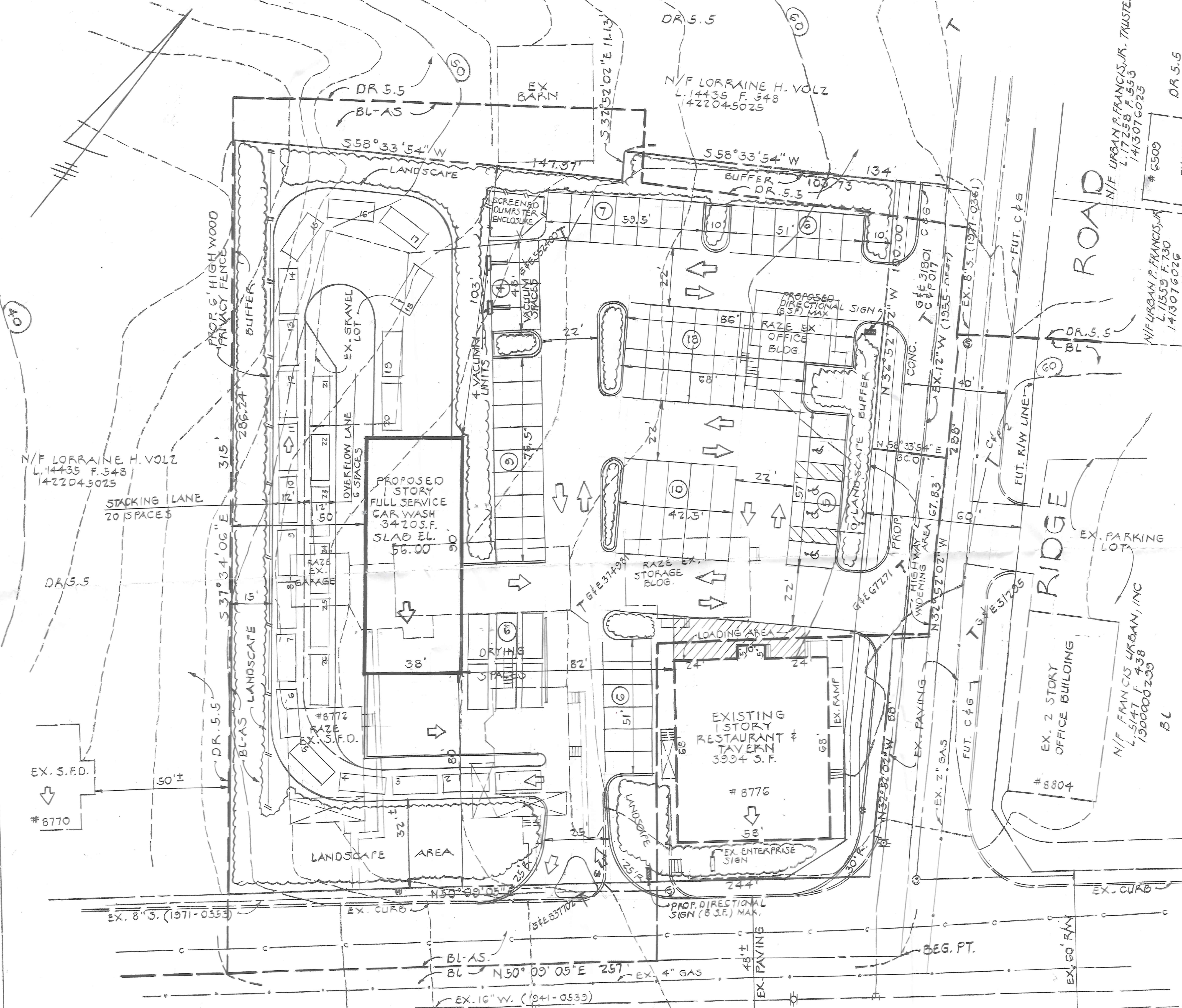
EXISTING V.F.W. HALL
VETERANS OF FOREIGN WARS U.S. INC.
CHARLES EVERING POST 6506
L. 6357 F. 179 L. 5043 F. 973 L. 5082 F. 278
1700003883, 1504500560, 1600001212

N/F LORRAINE H. VOLZ
L. 14435 F. 548
1422045025

EX. S.F.D.
8770

OA

DR. 5.5

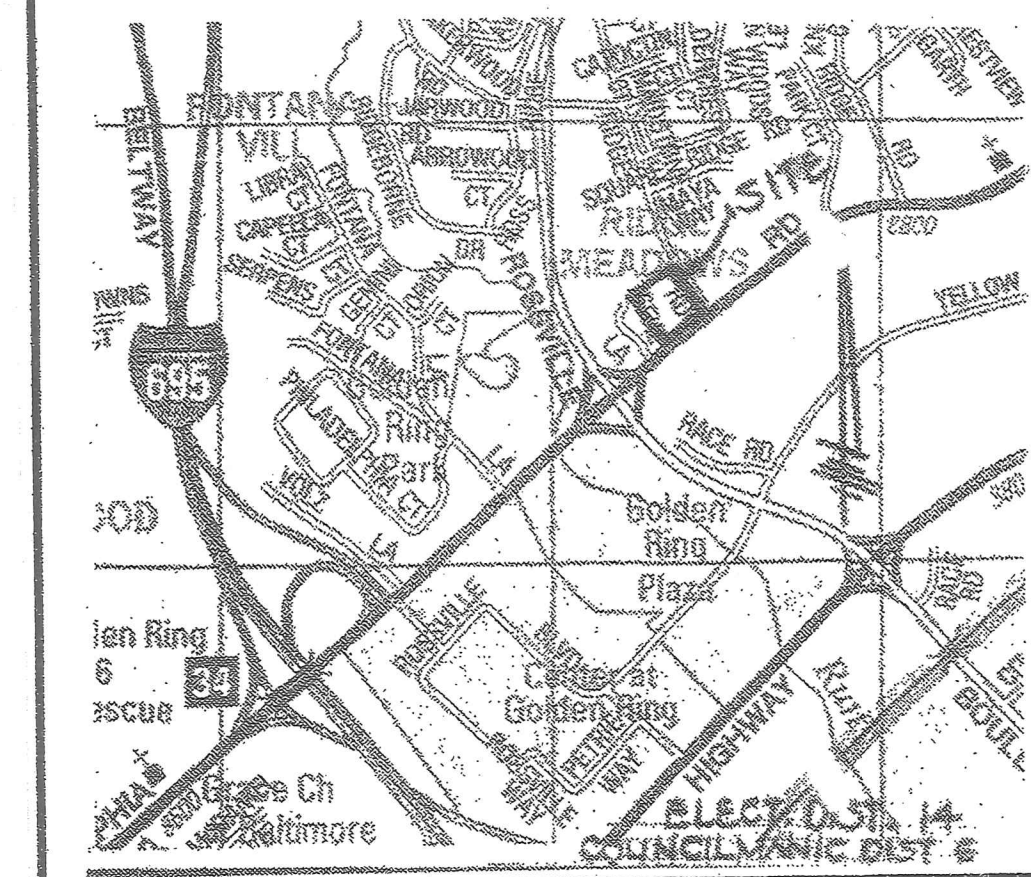


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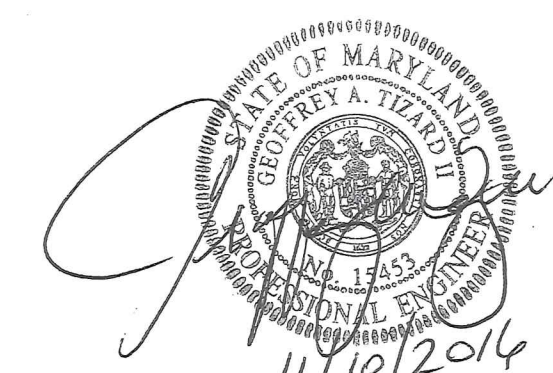
OFFSTREET PARKING DATA

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PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION AND VARIANCE

PROPERTY OF FERRARO AND SPANELIS LLC
8776 PHILADELPHIA ROAD (MD. ROUTE 7)
PAI FILE NUMBER 14-0481
TRACKING NUMBER LIM-2015-00003
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2017-0141-XA