

MEMORANDUM

DATE: January 17, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0090-XA – Appeal Period Expired

The appeal period for the above-referenced case expired on January 16, 2018. 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
(9719 Reisterstown Road)
3rd Election District
2nd Council District
9719 Investment LLC
*Legal Owner***

Petitioner

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
*
* **Case No. 2018-0090-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 9719 Reisterstown Road. The Petitions were filed on behalf of 9719 Investment LLC, legal owner of the subject property. The Special Exception petition seeks to permit a used motor vehicle outdoor sales area, separated from sales agency building. The Petition for Variance seeks: (1) to permit the existing condition of a rear building setback of 18 ft. in lieu of the required 30 ft.; (2) to permit the existing condition of a 4 ft. distance from parking spaces to the right-of-way line of a public street in lieu of the required 10 ft.; and (3) to permit the existing design, screening and landscaping conditions in lieu of any other otherwise required conditions within the Landscape Manual and/or other manuals. A site plan was marked as Petitioner's Exhibit 1.

Appearing at the hearing in support of the petitions were Marc Cohen and professional engineer Rick Richardson. Jennifer R. Busse, Esq. represented Petitioner. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the B.C.Z.R. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Bureau of Development Plans Review (DPR). With one exception discussed below, neither agency opposed the requests.

ORDER RECEIVED FOR FILING

Date 12-15-17

By WJ

The subject property is approximately 29,614 square feet (0.68 acres) in size and is zoned BR. The property is situated along Reisterstown Road in a busy commercial corridor with numerous auto dealerships. The site is improved with a one-story commercial building (3,456 sq. ft. in size) and was previously used as a Mercedes-Benz dealership. Petitioner proposes to use the site for used motor vehicle sales, which requires a special exception in the BR zone.

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 *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized 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. Mr. Richardson opined, via proffer, Petitioner satisfied all requirements for special exception relief, and no evidence was offered to rebut this conclusion. As such 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).

The property was originally developed years ago and Petitioner must contend with existing site improvements and conditions. As such the property is unique. If the B.C.Z.R. were strictly

ORDER RECEIVED FOR FILING

Date 12-15-17

By 100

interpreted Petitioner would suffer a practical difficulty since it would be unable to utilize the existing improvements. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of Baltimore County and/or community opposition.

The DOP ZAC comment indicated that agency was opposed to variance request #3, pertaining to existing landscaping and screening at the site. The DOP suggested Petitioner be required to provide, to the extent possible, landscaping and screening as required for automotive sales facilities by the Landscape Manual. I concur, and Petitioner was amenable to that request. As such, the variance request pertaining to existing landscaping will not be granted.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 15th day of **December, 2017**, that the Petition for Special Exception to permit a used motor vehicle outdoor sales area, separated from sales agency building, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance as follows: (1) to permit the existing condition of a rear building setback of 18 ft. in lieu of the required 30 ft.; and (2) to permit the existing condition of a 4 ft. distance from parking spaces to the right-of-way line of a public street in lieu of the required 10 ft., be and is hereby GRANTED.

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

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner must submit a landscape plan for the site and provide landscaping/screening and vehicle curb stops as determined in the sole discretion of the Baltimore County Landscape Architect.

ORDER RECEIVED FOR FILING

Date 12-15-17

By LDW

3. Prior to issuance of permits the customer parking area must be striped as required by the B.C.Z.R.
4. Prior to issuance of occupancy permit(s) Petitioner must provide to the DOP a "sign package" with elevations and dimensions of each sign proposed for the site.

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 12-15-17

By low



PETITION FOR ZONING HEARING(S)

REVISED

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 9719 Reisterstown Road

which is presently zoned BR

Deed References: 34828/245

10 Digit Tax Account # 1700001909

Property Owner(s) Printed Name(s) 9719 Investment 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. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

PLEASE SEE ATTACHED

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

PLEASE SEE ATTACHED

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

PLEASE 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:

N/A

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Jennifer R. Busse, Esquire

Name- Type or Print

Signature

Whiteford, Taylor & Preston

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

Mailing Address

City

State

21204

410-832-2077

jbusse@wtplaw.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

9719 Investment LLC c/o Marc. Cohen, General Partner

Name #1 - Type or Print

Name #2 - Type or Print

Marc A. Cohen

Signature #1

Signature # 2

700 Kenilworth Drive, Towson, Maryland

Mailing Address

City

State

21204 410-296-7900

marc.cohen@Priority1autogroup.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Jennifer R. Busse, Esquire

Name - Type or Print

Signature

Whiteford, Taylor & Preston

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

Mailing Address

City

State

21204

410-832-2077

jbusse@wtplaw.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2018-0090-XA Filing Date 9/25/17

Do Not Schedule Dates:

Reviewer gh

REV. 10/4/11

Attachment to Zoning Petitions

9719 Reisterstown Road

Petition for Special Exception to permit used motor vehicle outdoor sales area, separated from sales agency building, in accordance with BCZR §236.2.

Petition for Variance to permit the existing condition of a rear building setback of 18 feet in lieu of the required 30 feet, in accordance with BCZR §238.2.

 Petition for Variance to permit the existing condition of a 4 feet distance from parking spaces to the right of way line of a public street in lieu of the required 10 feet, in accordance with BCZR §409.8.A.4. 

Petition for Variance to permit the existing design, screening and landscaping conditions in lieu of any other otherwise required conditions within the Landscape Manual and/or other manuals, in accordance with BCZR §409.8.A.1.

And, any such other relief as deemed required by the Administrative Law Judge.

**ZONING DESCRIPTION FOR
9719 REISTERSTOWN ROAD
3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the northeast side right-of-way of Reisterstown Road (66 feet wide), at a distance of 343 feet northwest of the centerline intersection of Kenmar Road, thence binding on the northeast side right-of-way of Reisterstown Road; (1) North 48 degrees 44 minutes 08 seconds West 175.00 feet, thence leaving Reisterstown Road (2) North 41 degrees 15 minutes 52 seconds East 140.00 feet, thence (3) South 48 degrees 44 minutes 08 seconds East 172.96 feet, (4) South 40 degrees 25 minutes 45 seconds West 140.01 feet to the point of beginning;

Containing a net area of 24,357 square feet, or 0.56 acres of land, more or less.



9/13/17

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
NUMBER 16597, EXPIRATION DATE: 08-15-2019.

2018-0090-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 5305529

Sold To:

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

Bill To:

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

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

Nov 21, 2017

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: # 2018-0090-XA
9719 Reisterstown Road
N/S Reisterstown Road, NW 343 ft. to the centerline of Kenmar Road
3rd Election District - 2nd Councilmanic District
Legal Owner(s) 9719 Investment, LLC c/o Marc Cohen, General Manager

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

Variance to permit the existing condition of a rear building setback of 18 ft. in lieu of the required 30 ft. To permit the existing condition of a 4 ft. distance from parking spaces to the right-of-way line of a public street in lieu of the required 10 ft. To permit the existing design, screening and landscaping conditions in lieu of any otherwise required conditions within the Landscape Manual and/or other manuals. Any such other relief as deemed required by the Administrative Law Judge.

Hearing: Thursday, December 14, 2017 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office: at (410) 887-3391.

JT 11-681 November 21 5305529

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising



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 5234944

Sold To:

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

Bill To:

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

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

Oct 12, 2017

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: # 2018-0090-XA

9719 Reisterstown Road
N/s Reisterstown Road, NW 343 ft. to the centerline of
Kenmar Road
3rd Election District - 2nd Councilmanic District
Legal Owner(s) 9719 Investment LLC c/o Marc Cohen,
General Manager

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

Variance: to permit a used car dealership enterprise sign that is 120 sq. ft. and 32 ft. high in lieu of the permitted 50 sq. ft. and 25 ft. high. To permit a rear building setback of 18 ft. in lieu of the required 30 ft.

Hearing: Friday, November 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.

10/047 October 12

5234944

The Baltimore Sun Media Group

By *S. Wilkinson*

Legal Advertising

CERTIFICATE OF POSTING

2018-0090-XA

RE: Case No.: _____

Petitioner/Developer: _____

9719 Investment LLC c/o Marc Cohen, General Manager

December 14, 2017

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

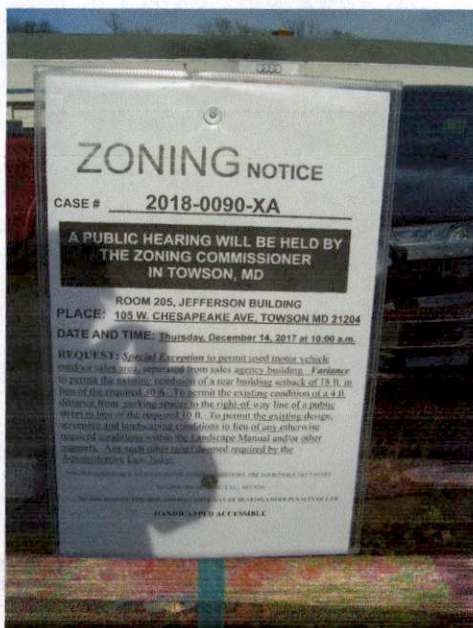
Ladies and Gentlemen:

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

9719 Reisterstown Road

November 21, 2017

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



Sincerely,

November 21, 2017

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2018-0090-XA

RE: Case No.: _____

Petitioner/Developer: _____

9719 Reisterstown Investments LLC, c/o Marc Cohen, General Manager

October 14, 2017

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

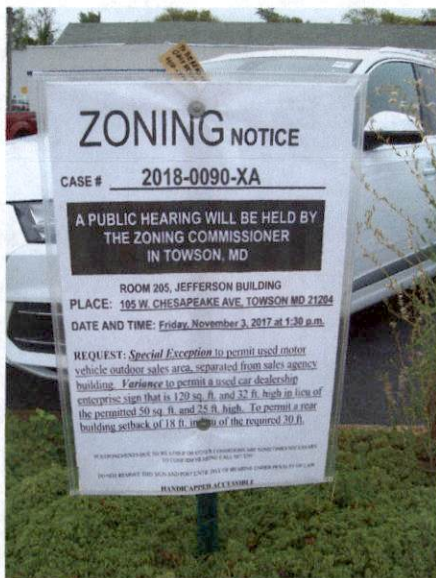
Ladies and Gentlemen:

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

9719 Reisterstown Road

October 14, 2017

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



Sincerely,

October 14, 2017

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

TO: PATUXENT PUBLISHING COMPANY
Tuesday, November 21, 2017 Issue - Jeffersonian

Please forward billing to:

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

410-832-2077

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2018-0090-XA

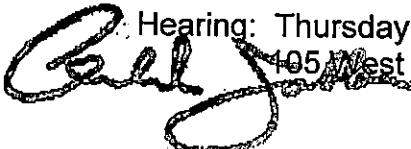
9719 Reisterstown Road

N/s Reisterstown Road, NW 343 ft. to the centerline of Kenmar Road

3rd Election District – 2nd Councilmanic District

Legal Owners: 9719 Investment LLC c/o Marc Cohen, General Manager

Special Exception to permit used motor vehicle outdoor sales area, separated from sales agency building. Variance to permit the existing condition of a rear building setback of 18 ft. in lieu of the required 30 ft. To permit the existing condition of a 4 ft. distance from parking spaces to the right-of-way line of a public street in lieu of the required 10 ft. To permit the existing design, screening and landscaping conditions in lieu of any otherwise required conditions within the Landscape Manual and/or other manuals. Any such other relief as deemed required by the Administrative Law Judge.

 Hearing: Thursday, December 14, 2017 at 10:00 a.m. in Room 205, Jefferson Building,
405 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

November 13, 2017

NEW 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: 2018-0090-XA

9719 Reisterstown Road

N/s Reisterstown Road, NW 343 ft. to the centerline of Kenmar Road

3rd Election District – 2nd Councilmanic District

Legal Owners: 9719 Investment LLC c/o Marc Cohen, General Manager

Special Exception to permit used motor vehicle outdoor sales area, separated from sales agency building. Variance to permit the existing condition of a rear building setback of 18 ft. in lieu of the required 30 ft. To permit the existing condition of a 4 ft. distance from parking spaces to the right-of-way line of a public street in lieu of the required 10 ft. To permit the existing design, screening and landscaping conditions in lieu of any otherwise required conditions within the Landscape Manual and/or other manuals. Any such other relief as deemed required by the Administrative Law Judge.

Hearing: Thursday, December 14, 2017 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Jennifer Busse, 1 W. Pennsylvania Avenue, Ste. 300, Towson 21204
Marc Cohen, 700 Kenilworth Drive, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 24, 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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 12, 2017 Issue - Jeffersonian

Please forward billing to:

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

410-832-2077

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2018-0090-XA

9719 Reisterstown Road

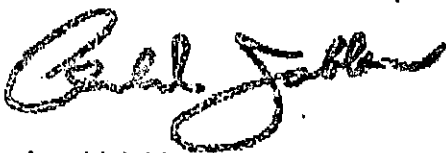
N/s Reisterstown Road, NW 343 ft. to the centerline of Kenmar Road

3rd Election District – 2nd Councilmanic District

Legal Owners: 9719 Investment LLC c/o Marc Cohen, General Manager

Special Exception to permit used motor vehicle outdoor sales area, separated from sales agency building. Variance to permit a used car dealership enterprise sign that is 120 sq. ft. and 32 ft. high in lieu of the permitted 50 sq. ft. and 25 ft. high. To permit a rear building setback of 18 ft. in lieu of the required 30 ft.

Hearing: Friday, November 3m 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

October 5, 2017

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: 2018-0090-XA

9719 Reisterstown Road

N/s Reisterstown Road, NW 343 ft. to the centerline of Kenmar Road

3rd Election District – 2nd Councilmanic District

Legal Owners: 9719 Investment LLC c/o Marc Cohen, General Manager

Special Exception to permit used motor vehicle outdoor sales area, separated from sales agency building. Variance to permit a used car dealership enterprise sign that is 120 sq. ft. and 32 ft. high in lieu of the permitted 50 sq. ft. and 25 ft. high. To permit a rear building setback of 18 ft. in lieu of the required 30 ft.

Hearing: Friday, November 3m 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: Jennifer Busse, 1 W. Pennsylvania Avenue, Ste. 300, Towson 21204
Marc Cohen, 700 Kenilworth Drive, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 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 * OF ADMINISTRATIVE
9719 Reisterstown Road; N/S Reisterstown *
Road, NW 343' to Kenmar Road * HEARINGS FOR
3rd Election & 2nd Councilmanic Districts *
Legal Owner(s): 9719 Investment LLC * BALTIMORE COUNTY
By Marc Cohen, General Partner *
Petitioner(s) * 2018-090-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

SEP 05 2017

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 5th day of October, 2017, a copy of the foregoing Entry of Appearance was mailed to Jennifer Busse, Esquire, 1 West Pennsylvania Avenue, Suite 300, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least 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: 2018-0090-XA
Property Address: 9719 REISTERSTOWN RD
Property Description: 343 NW OF THE CENTERLINE OF KENMAR RD
BE BEGINNING POINT ON NORTH SIDE REISTERSTOWN RD
Legal Owners (Petitioners): 9719 Investment, LLC
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

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

160624

Date:

10/30/17

PAID HERE

BUSINESS	ACTUAL	LINE	LEAD
----------	--------	------	------

10/31/2017 14:50/2017 13:23:55

REG 5502 CHICAGO ILL

2-RECEIPT # 033470 12/10/2017 CFLN

Agenda Item 523 ZONING VERIFICATION

CR 101-160624

Recpt. Tot	\$550.00
------------	----------

1.00 0% 1250.00 0%

Baltimore County, Maryland

[illegible]

Total: 250

Rec From: Rick Richardson

For: the case Revision 018-0070-XA
9719 Penitencen Rd

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

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

NO 157260

Date: 9/25/17

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000		615					1000.00

Total: 1000.00

Rec From: Whiteford, Taylor & Preston, LLP

For: Case # 2018-0090-2A
9719 Keisterstown Rd

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME INW
9/26/2017 9/25/2017 09:23:13 3
REG USD3 WALKIN CMH
DEPT 5 528 ZONING VERIFICATION OFLN
CR NO. 157260

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

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

December 6, 2017

9719 Investment LLC
Marc Cohen
700 Kenilworth Drive
Towson MD 21204

RE: Case Number: 2018-0090 XA, Address: 9719 Reisterstown Road

Dear Mr. Cohen:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 25, 2017. 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 dark ink, appearing to read "W. Carl Richards, Jr.", is written over a light blue horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

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

Date: 11/6/17

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

Dear Ms. Lewis:

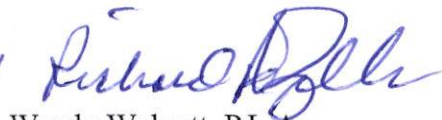
We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 11/6/17. A field inspection and internal review reveals that an entrance onto MD140 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for

Special Exception, Case Number 2018-0090-XA
Variance

9719 Investment LLC. Marc Cohen
9719 Reisterstown Road
MD140-

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

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

Date: 10/2/17

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 10/2/17. A field inspection and internal review reveals that an entrance onto MSHA consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2018-0090-XA

*Special Exception Variance
9719 Investment, LLC
Marc Cohen, General Partner
9719 Reisterstown Road
MD 2140*

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,



for Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 11/20/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 18-090 (revised)



INFORMATION:

Property Address: 9719 Reisterstown Road
Petitioner: 9719 Investment, LLC
Zoning: BR
Requested Action: Special Exception, Variance

The Department of Planning has reviewed the petition for special exception to use the property for a used motor vehicle outdoor sales area, separated from the sales agency building and the petition for variance to permit a rear building setback of 18 feet, parking spaces 4 feet distance to the right-of-way line of a public street and to permit the existing design, screening, and landscaping conditions in lieu of the required 30 feet, 10 feet and required conditions within the [Baltimore County] Landscape Manual and/or other manuals respectively.

A site visit was conducted on October 12, 2017. The property was the subject of 2016 CZMP Issue # 2-006 in which it was rezoned from BM to BR. Staff observed deficiencies in the property during its site visit.

The Department opposes granting the petitioned zoning relief in part, but does not oppose granting other requested relief as follows:

- The Department is opposed to allowing the existing landscape design, screening, and landscaping conditions to remain. The Department recommends that the existing 4 foot strip be cleaned-up to include repair or replacement the four security posts and removal of any unpermitted signage. At those places where the 10 foot right-of-way buffer cannot be met, excessive overhang of the display vehicles could prove detrimental to pedestrian safety and gives an unsightly appearance to the streetscape. Landscaping adhering to Condition C (Automotive Display Areas) of the Baltimore County Landscape Manual should be installed to the fullest extent possible and to the satisfaction of the Baltimore County Landscape Architect. In addition to landscaping, concrete curb stops should be installed to prevent vehicle overhang.

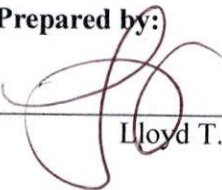
The Department does not oppose all other requested relief conditioned upon the following:

- As per the site plan, the customer parking area should be striped.
- Provide a sign package to the contact person listed below prior to issuance of occupancy permits.
- Revise General Note #17 to state, "All proposed signage will conform to BCZR § 450".

The Department understands that the petition may be amended at the hearing for a special hearing to determine whether or not the Administrative Law Judge should approve parking spaces 4 feet distance to the right-of-way line of a public street as an existing non-conforming use. If this is the case, the Department is not opposed.

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Bill Skibinski

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

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: November 6, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0090-XA
Address 9719 Reisterstown Road
(9719 Investment, LLC Property)

Zoning Advisory Committee Meeting of **November 13, 2017**.

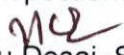
X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford Date: 11-6-2017

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 13, 2017
Item No. 2018-0090-XA (Revised)

DATE: November 17, 2017

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

If Special Exception and Zoning Relief is granted, a Landscape Plan is required per the requirements of the Landscape Manual.

*

*

*

*

*

VKD: efc
cc: file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: October 19, 2017

FROM: *MD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 9, 2017
Item No. 2018-0090-XA

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

If Special Exception and Zoning Relief is granted, a Landscape Plan is required per the requirements of the Landscape Manual.

* * * * *

VKD: CEN
cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 11/20/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-090 (revised)

INFORMATION:

Property Address: 9719 Reisterstown Road
Petitioner: 9719 Investment, LLC
Zoning: BR
Requested Action: Special Exception, Variance

The Department of Planning has reviewed the petition for special exception to use the property for a used motor vehicle outdoor sales area, separated from the sales agency building and the petition for variance to permit a rear building setback of 18 feet, parking spaces 4 feet distance to the right-of-way line of a public street and to permit the existing design, screening, and landscaping conditions in lieu of the required 30 feet, 10 feet and required conditions within the [Baltimore County] Landscape Manual and/or other manuals respectively.

A site visit was conducted on October 12, 2017. The property was the subject of 2016 CZMP Issue # 2-006 in which it was rezoned from BM to BR. Staff observed deficiencies in the property during its site visit.

The Department opposes granting the petitioned zoning relief in part, but does not oppose granting other requested relief as follows:

- The Department is opposed to allowing the existing landscape design, screening, and landscaping conditions to remain. The Department recommends that the existing 4 foot strip be cleaned-up to include repair or replacement the four security posts and removal of any unpermitted signage. At those places where the 10 foot right-of-way buffer cannot be met, excessive overhang of the display vehicles could prove detrimental to pedestrian safety and gives an unsightly appearance to the streetscape. Landscaping adhering to Condition C (Automotive Display Areas) of the Baltimore County Landscape Manual should be installed to the fullest extent possible and to the satisfaction of the Baltimore County Landscape Architect. In addition to landscaping, concrete curb stops should be installed to prevent vehicle overhang.

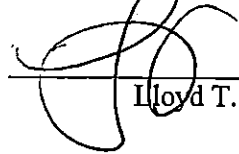
The Department does not oppose all other requested relief conditioned upon the following:

- As per the site plan, the customer parking area should be striped.
- Provide a sign package to the contact person listed below prior to issuance of occupancy permits.
- Revise General Note #17 to state, "All proposed signage will conform to BCZR § 450".

The Department understands that the petition may be amended at the hearing for a special hearing to determine whether or not the Administrative Law Judge should approve parking spaces 4 feet distance to the right-of-way line of a public street as an existing non-conforming use. If this is the case, the Department is not opposed.

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Bill Skibinski

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

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: November 6, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0090-XA
Address 9719 Reisterstown Road
(9719 Investment, LLC Property)

Zoning Advisory Committee Meeting of **November 13, 2017**.

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

Reviewer: Steve Ford Date: 11-6-2017

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: October 12, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0090-XA
Address 9719 Reisterstown Road
(9719 Investment, LLC Property)

Zoning Advisory Committee Meeting of **October 9, 2017**.

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

Reviewer: Steve Ford Date: 10-12-2017

Case No.: 2018-0090-XA

Exhibit Sheet

Petitioner/Developer

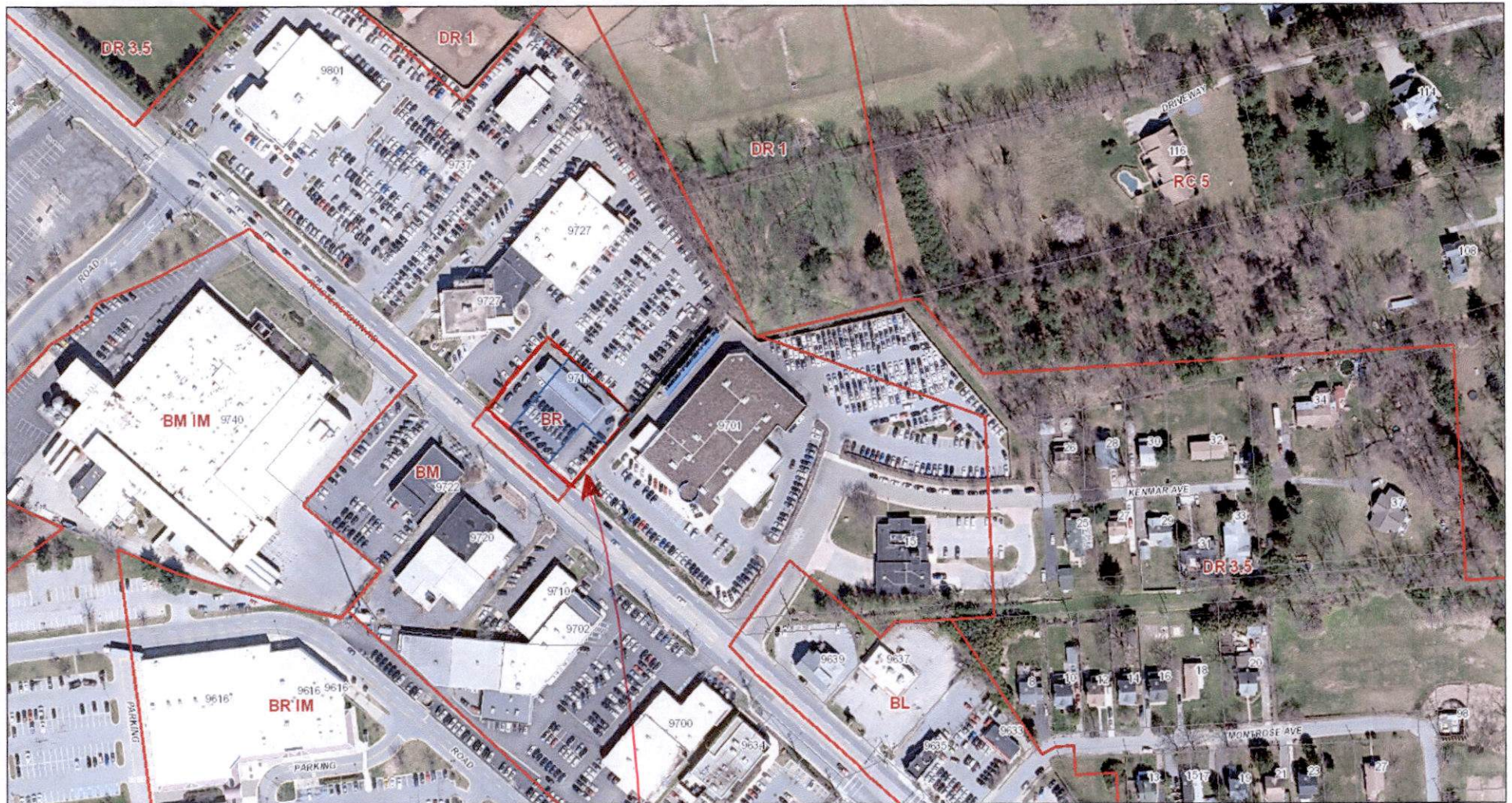
PJ
1-17-18

Protestant

12-15-17
EW

No. 1	Site plan	
No. 2	Aerial photo	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

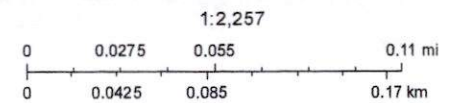
Baltimore County - My Neighborhood



December 14, 2017

- House Numbers
- Zoning
- Property
- County Boundary

SITE



PETITIONER'S

EXHIBIT NO.

Baltimore County GIS - Web Application

CASE NAME 9719 Renterstown Rd
CASE NUMBER 2018-0090-XA
DATE 12/14/17

[illegible]

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

11/17

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

Comment

11/16

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

no comment

FIRE DEPARTMENT

11/22

PLANNING
(if not received, date e-mail sent _____)Opposed
w/ comment

11/16

STATE HIGHWAY ADMINISTRATION

no Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

E-Mail from
George
Hawman

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 11/21/17

SIGN POSTING Date: 11/21/17

by SSG Black

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 03 Account Number - 1700001909			
Owner Information					
Owner Name:	9719 INVESTMENT LLC		Use:	COMMERCIAL	
			Principal Residence:	NO	
Mailing Address:	ATTN STEPHEN BARK, CPA 9727 REISTERSTOWN RD OWINGS MILLS MD 21117-4122		Deed Reference:	/34828/ 00245	
Location & Structure Information					
Premises Address:		9719 REISTERSTOWN RD 0-0000		Legal Description:	.6777 AC ES REISTERSTOWN RD 312 NW KENMAR AVE
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0067	0005	0229		0000	
					Assessment Year: 2016
					Plat No: Plat Ref:
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1973	3240		29,520 SF	22	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		SERVICE GARAGE			
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2016	07/01/2017	07/01/2018	
Land:	474,200	474,200			
Improvements	273,700	293,100			
Total:	747,900	767,300	760,833	767,300	
Preferential Land:	0			0	
Transfer Information					
Seller: 9719 PARTNERSHIP		Date: 04/03/2014		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /34828/ 00245		Deed2:	
Seller: SUN OIL COMPANY OF PENNSYLVANIA		Date: 10/18/1985		Price: \$360,111	
Type: ARMS LENGTH IMPROVED		Deed1: /07024/ 00078		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2017		07/01/2018	
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			

11-3-17
P.P

Sherry Nuffer

From: John E. Beverungen
Sent: Monday, October 30, 2017 11:22 AM
To: Sherry Nuffer
Subject: FW: Case 2018-0090-XA 9719 Reisterstown Road

Can you please put this in the file

From: George Harman [mailto:harmangeorge@hotmail.com]
Sent: Saturday, October 28, 2017 11:17 AM
To: John E. Beverungen <jbeverungen@baltimorecountymd.gov>
Cc: Peoples Counsel <peoplescounsel@baltimorecountymd.gov>; Mark Stewart <mark1858@aol.com>; Mary Molinaro <marymolinaro@verizon.net>; Gary Lenz <garywmlenz@comcast.net>; Arnold Jablon <ajablon@baltimorecountymd.gov>
Subject: Case 2018-0090-XA 9719 Reisterstown Road

Mr. Beverungen,

I will be unable to attend the November 3rd 1:30 PM hearing on the referenced case. My comments regarding oversized signs remains the same as were presented in the Len Stoler Lexus case of several months ago. In that case you denied the excessively sized sign. The Board of Appeals not only sustained your decision, but also pointed out that their existing sign was also in violation of the maximum sign size. Stoler's attorney attempted to indicated a required unique situation that did not exist.

The parcel in question in this case has no known uniqueness. It is immediately adjacent to Reisterstown Road and is along a stretch of the road that is level for extended distances to the north and the south. The proposal seeks a sign of 120 sq. ft versus an allowed 50 sq.ft. and the request also seeks a height of 32 ft. versus an allowed height of 25 ft. I would request that a decision in this case be held in abeyance until the Stoler case is resolved in the Circuit Court, or above. My request is to deny the petition in this case (2018-0090-XA).

It should be noted that this case was not posted online until after the October meeting of the Reisterstown-Owings Mills-Glyndon Corrdinating Council (ROG), and will be heard by you before the next meeting on Nov 6th. It almost seems as if the applicant had the ROG meeting schedule, as well as my personal schedule, in hand in setting this hearing. I "know" that this is not the case, but just wanted to indicate an interesting set of circumstances and the inappropriateness of the short amount of time between the posting and the hearing for even those organizations that meet monthly.

Copies of this email are being provided to the President and two Vice Presidents of ROG since this matter will be heard before the next meeting. Maybe one of them will be able to attend the Nov 3rd hearing and provide testimony. I hope that this email will, however, suffice in opposing the requested action.

Note to Mr. Jablon: It was again noted that hearings are still being posted online in error - see Nov 15 for a Philadelphia Rd matter that is posted in District 2.

George Harman, Zoning Committee Chair, ROG

5429 Weywood Drive, Reisterstown, 21136

410-429-6035

410-818-9022 cell

WHITEFORD, TAYLOR & PRESTON L.L.P.

TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
FACSIMILE (410) 832-2015

JENNIFER R. BUSSE
DIRECT LINE (410) 832-2077
DIRECT FAX (410) 339-4027
jbusse@wtplaw.com

10/23/17
TO ~~Reister~~

BALTIMORE, MD
BETHANY BEACH, DE*
BETHESDA, MD
COLUMBIA, MD
DEARBORN, MI
FALLS CHURCH, VA
LEXINGTON, KY
OCEAN CITY, MD
PITTSBURGH, PA
ROANOKE, VA
WASHINGTON, DC
WILMINGTON, DE*

WWW.WTPLAW.COM
(800) 987-8705

October 20, 2017

Hand Delivery

Arnold Jablon, Esquire
Director,
Baltimore County Permits, Approvals & Inspections
111 W. Chesapeake Avenue
Towson, MD 21204

Re: 9719 Reisterstown Road
Request for Postponement
Case #2018-0090-XA

RECEIVED

OCT 20 2017

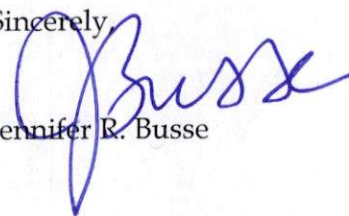
DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

Dear Mr. Jablon:

This firm represents the owner and applicant in the above referenced matter. We are respectfully requesting a postponement of the hearing set for 11/3/17 so as to allow us to make some needed corrections to the plan and recirculate it for comments.

Thank you for your assistance in this regard. Please do not hesitate to contact me with any questions or concerns.

Sincerely,

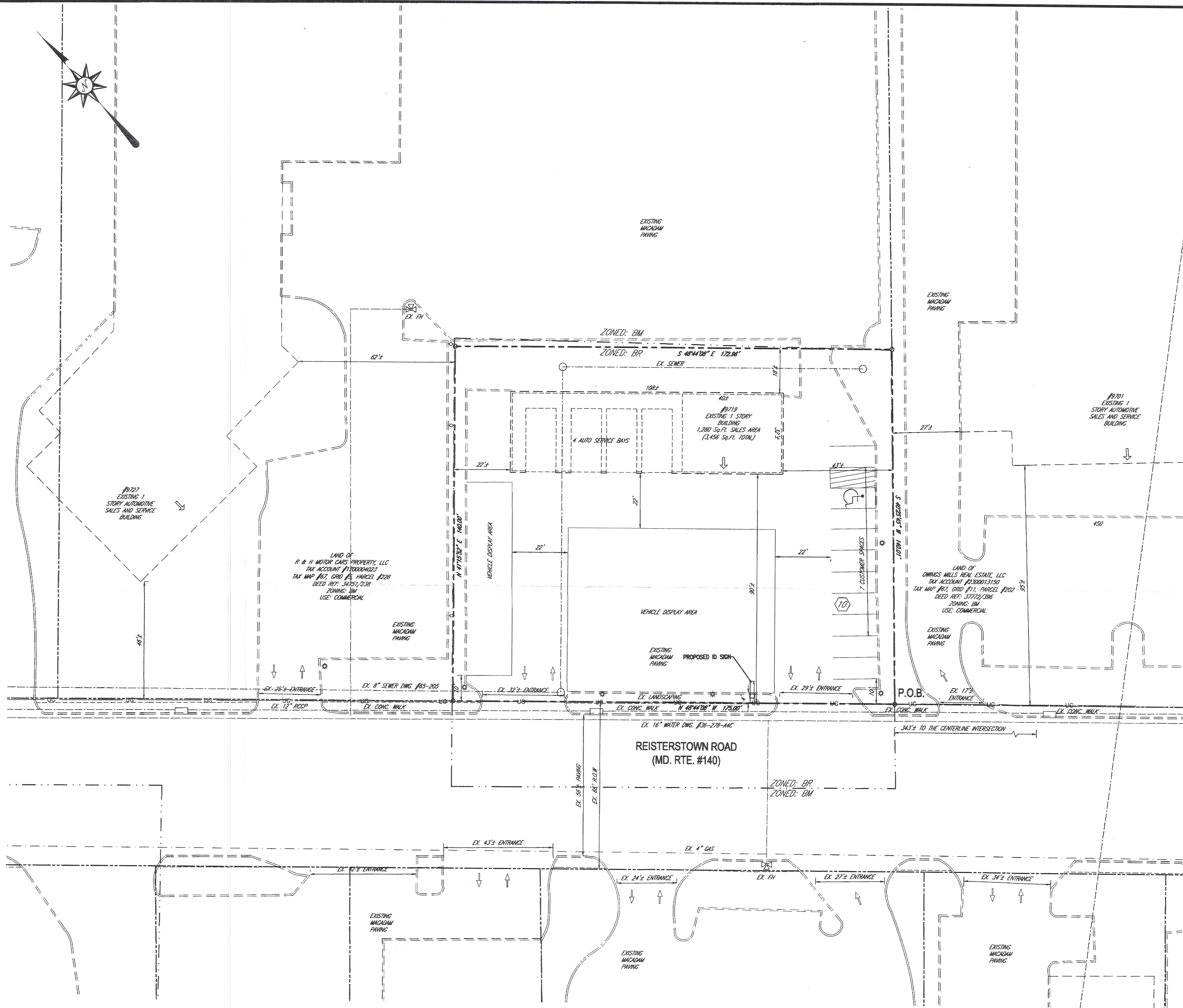


Jennifer R. Busse

cc: (all sent via email)
Mr. W. Carl Richards
Ms. Kristen Lewis
Ms. Debra Wiley
Mr. William Skibinski
Mr. Rick Richardson
Mr. Lou Cohen
Mr. Marc Cohen

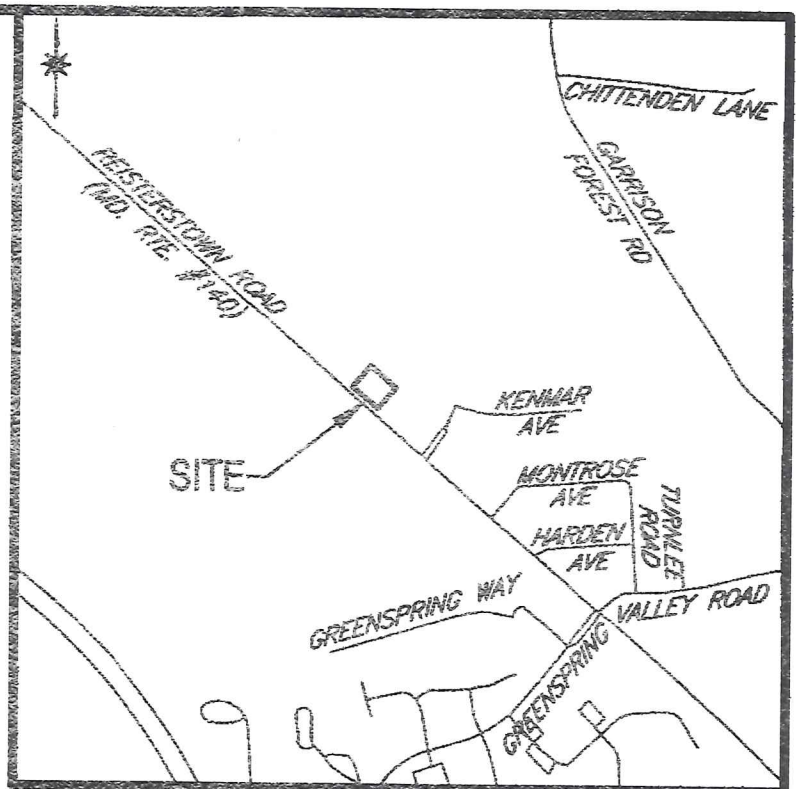
449123





GENERAL NOTES:

- OWNER: 9719 INVESTMENT, LLC
- SITE AREA: 29,614 Sq.Ft. or 0.68 Ac.±
- EXISTING BUILDING AREA: 3,456 Sq.Ft.
- UTILITIES: PUBLIC WATER, PUBLIC SEWER.
- DEED REF: 34828/245
- TAX ACCOUNT: #1700001909
- ELECTION DISTRICT: 3RD
- COUNCILMANIC DISTRICT: 2ND
- EXISTING ZONING: BR (PER 200 SCALE GIS TILE # 067C1)
- TAX MAP #67, GRID #5, PARCEL #229
- NO PREVIOUS PERMITS ON FILE WITH COUNTY
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA
- THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC
- BASIC SERVICE MAPS (2017)
- TYPE DEFICIENT (Y/N) NOTE
- SEWER N -
- TRANSPORTATION N -
- PREVIOUS ZONING CASE R-1946-0801; PETITION FOR ZONING RE-CLASSIFICATION FROM A-7 TO B-7, GRANTED 4/17/1946.
- 1972-0150-SPH: SPECIAL EXCEPTION TO PERMIT THE EXPANSION OF AN EXISTING SERVICE STATION, GRANTED 7/5/1972.
- FLOOR AREA RATIO (FAR) MAX PERMITTED: 3.0
- PROVIDED: 3,456/29,614 = 0.12
- PROPOSED SIGN TO CONFORM TO BCZR REQUIREMENTS
- SITE DOES NOT LIE WITHIN A FLOOD ZONE
- USE
- EXISTING: MOTOR VEHICLE SALES.
- PROPOSED: USED MOTOR VEHICLE SALES.
- PARKING (BASED ON 1,280 Sq.Ft. SALES AREA)
- REQUIRED: 1,280 Sq.Ft. @ 5/1000 = 7 SPACES
- PROVIDED: 7 SPACES (6 STANDARD, 1 HANDICAPPED)
- NO CONSTRUCTION IS PROPOSED FOR THE RECONFIGURED USE



LOCATION MAP

SCALE: 1" = 1000'

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

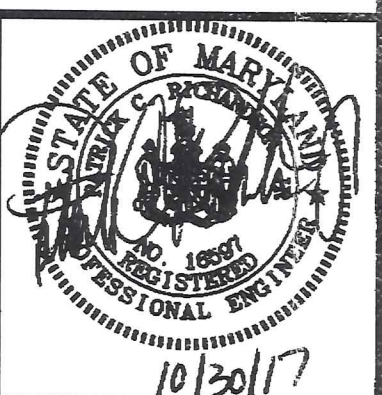
PLAN TO ACCOMPANY ZONING PETITION FOR PRIORITY 1 USED CAR CENTER

9719 REISTERSTOWN ROAD
(MARYLAND ROUTE #140)
GARRISON, MARYLAND 21055

BALTIMORE COUNTY
3RD ELECTION DISTRICT

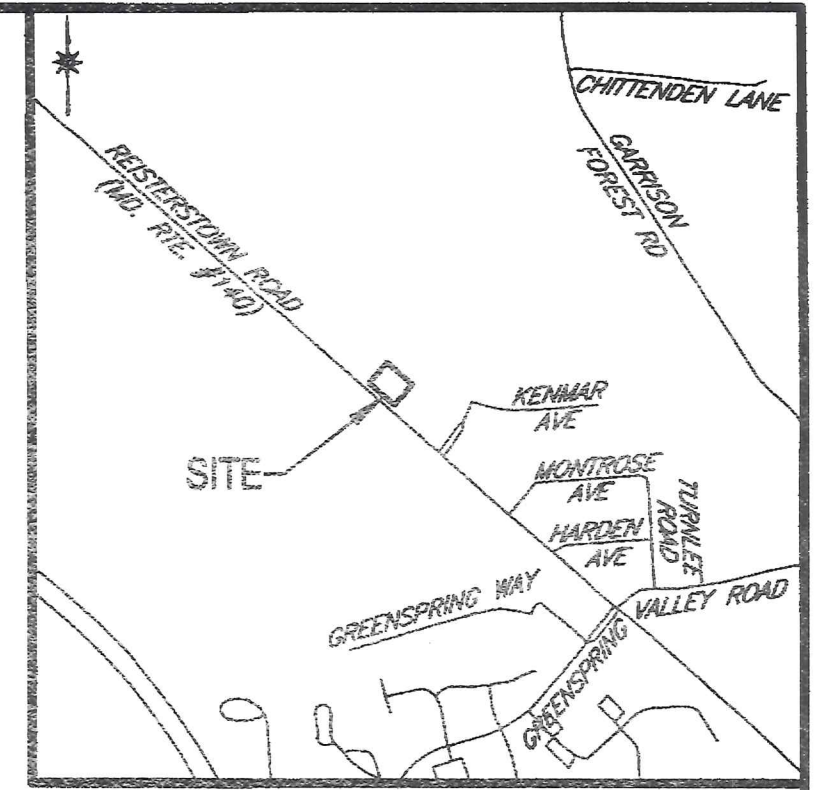
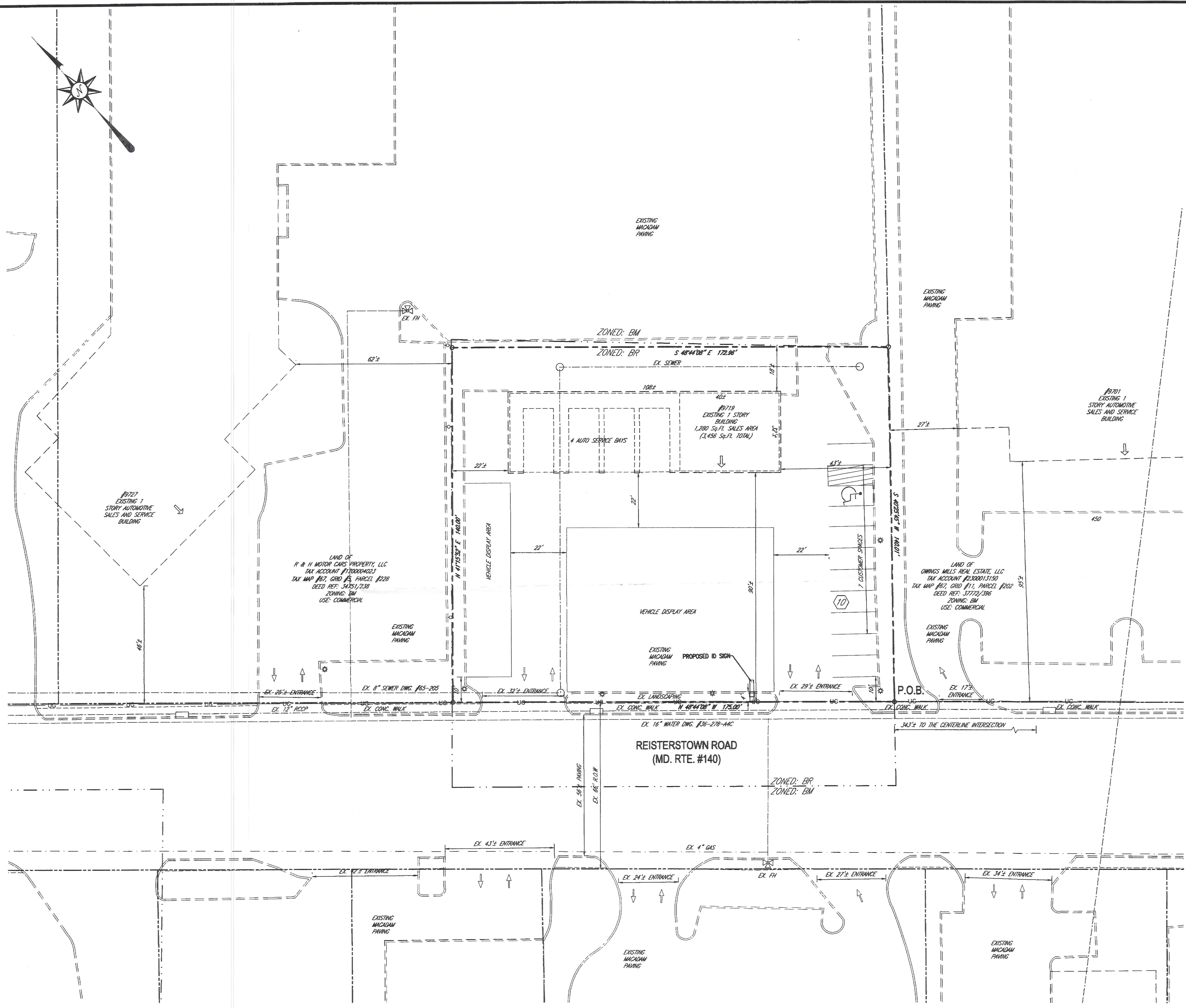
2ND COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	CND	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	09-18-17	17109	1 OF 1



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
NUMBER 16597, EXPIRATION DATE: 08-15-2019

Revised 2018-0090-XA



GENERAL NOTES:

- OWNER: 9719 INVESTMENT, LLC
9727 REISTERSTOWN ROAD
OWINGS MILLS, MARYLAND 21117-4122
- SITE AREA:
GROSS: 29,614 Sq.Ft. or 0.68 Ac.±
NET: 24,357 Sq.Ft. or 0.56 Ac.±
- EXISTING BUILDING AREA: 3,456 Sq.Ft.
- UTILITIES
PUBLIC WATER
PUBLIC SEWER
- DEED REF: 34828/245
- TAX ACCOUNT: #1700001909
- ELECTION DISTRICT: 3RD
- COUNCILMANIC DISTRICT: 2ND
- EXISTING ZONING: BR
(PER 200 SCALE GIS TILE # 087C1)
- TAX MAP #67, GRID #5, PARCEL #229
- NO PREVIOUS PERMITS ON FILE WITH COUNTY
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC
- BASIC SERVICE MAPS (2017)
- DEFICIENT (Y/N) NOTE
- TYPE DEFICIENT (Y/N) NOTE
- WATER N
- SEWER N
- TRANSPORTATION N
- PREVIOUS ZONING CASE R-1846-0801; PETITION FOR ZONING RE-CLASSIFICATION FROM A-7 TO B-7, GRANTED 4/17/1946.
- 1972-0150-SPH. SPECIAL EXCEPTION TO PERMIT THE EXPANSION OF AN EXISTING SERVICE STATION. GRANTED 7/5/1972.
- FLOOR AREA RATIO (FAR)
MAX PERMITTED: 3.0
PROVIDED: 3,456/29,614 = 0.12
- PROPOSED SIGN TO CONFORM TO SCZR REQUIREMENTS
- SITE DOES NOT LIE WITHIN A FLOOD ZONE
- USE
EXISTING: MOTOR VEHICLE SALES
PROPOSED: USED MOTOR VEHICLE SALES.
- PARKING (BASED ON 1,280 Sq.Ft. SALES AREA)
REQUIRED: 1,280 Sq.Ft. @ 5/1000 = 7 SPACES
PROVIDED: 7 SPACES (6 STANDARD, 1 HANDICAPPED)
- NO CONSTRUCTION IS PROPOSED FOR THE RECONFIGURED USE

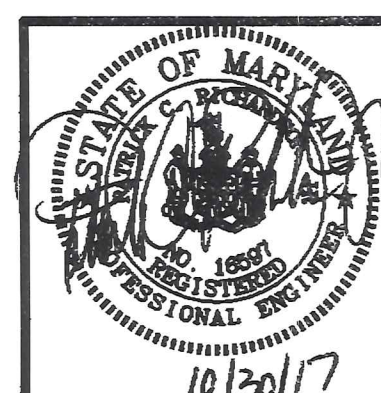
Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION
FOR
**PRIORITY 1 USED CAR
CENTER**
9719 REISTERSTOWN ROAD
(MARYLAND ROUTE #140)
GARRISON, MARYLAND 21055

BALTIMORE COUNTY 3RD ELECTION DISTRICT MARYLAND 2ND COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	CND	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	09-18-17	17109	1 OF 1



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
NUMBER 16597, EXPIRATION DATE: 08-15-2019

Revised 2018-0090-XA