

M E M O R A N D U M

DATE: March 6, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0150-A – Appeal Period Expired

The appeal period for the above-referenced case expired on March 5, 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: PETITION FOR VARIANCE

(11309 Reisterstown Road)

4th Election District

2nd Council District

Colonial Stoler, LLC

Legal Owner

Petitioner

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2018-0150-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Colonial Stoler, LLC, legal owner of the subject property (“Petitioner”). The Petition seeks variance relief from Section 238.2 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to permit a 13 ft. side yard setback in lieu of the required 30 ft. setback. A site plan was marked as Petitioner’s Exhibit 1.

Professional Engineer Richard Matz appeared in support of the petition. Timothy M. Kotroco, Esq. represented the Petitioner. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the B.C.Z.R. No substantive Zoning Advisory Committee (“ZAC”) comments were received from any of the County reviewing agencies.

The site is approximately 4.03 acres in size and zoned BR. A Lexus automobile dealership is operated at the property. The request in this case pertains to the service area of the dealership. At present, customers drive their vehicles under a carport to register for service and repairs. Petitioner would like to enclose this space so customers would be sheltered from the elements. Mr. Matz noted the variance request is in fact from an internal lot line, since Petitioner (or a related entity) also owns the adjoining lot at 11317 Reisterstown Road.

ORDER RECEIVED FOR FILING

Date 2/2/18

By sln

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 is irregularly shaped and is therefore unique. In addition, the property was found to be unique in at least four prior zoning cases dating back to 1974. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because it would be unable to complete the proposed improvements. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare.

THEREFORE, IT IS ORDERED, this 2nd day of **February, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from §238.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a 13 ft. side yard setback in lieu of the required 30 ft. setback, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

ORDER RECEIVED FOR FILING

Date 2/2/18

By slr

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 2/21/18

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 11309 Reisterstown Road, Owings Mills, MD. 21117 which is presently zoned B.R.
 Deed References: L: 19598 F: 00093 10 Digit Tax Account # 2 1 0 0 0 1 2 5 5 2
 Property Owner(s) Printed Name(s) _____

(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. _____ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. X a **Variance** from Section(s) _____

See Attached

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

To be presented at Hearing

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print _____
 Signature _____
 Date 2/2/18
 Mailing Address _____ City _____ State _____
 Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Timothy M. Kotroco
 Name- Type or Print _____
 Signature Timothy Kotroco
 305 Washington Avenue, Suite 502 Towson, Maryland
 Mailing Address _____ City _____ State _____
 21204 / (410) 299-2943 / tkotroco@gmail.com
 Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

Colonial Stoler LLC
 Barry Stoler
 Name #1 - Type or Print _____ Name #2 - Type or Print _____
 Signature #1 [Signature] Signature #2 _____
 11275 Reisterstown Road, Owings Mills, Maryland
 Mailing Address _____ City _____ State _____
 21117 / (410) 356-7000 / bstoler@lenstoler.com
 Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Richard E. Matz
 Name - Type or Print _____
 Signature [Signature]
 2835 Smith Avenue, Suite G, Baltimore, Maryland
 Mailing Address _____ City _____ State _____
 21209 / (410) 653-3838 / dmatz@cmrengineers.com
 Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2018-0150-A Filing Date 2/1/2017 Do Not Schedule Dates: _____ Reviewer JNP

**ATTACHMENT TO PETITION FOR SPECIAL HEARING, SPECIAL EXCEPTION
AND VARIANCE**

11309 & 11311 Reisterstown Road
2nd Councilmanic District
4th Election District

Variance Relief:

1. From section 238.2 of the B.C.Z.R. to permit a 13 foot side yard setback in lieu of the required 30 foot setback.
2. For such other and further relief as the nature of this case may require.

2018-0150-A



ZONING DESCRIPTION
11309 & 11311 Reisterstown Road
Baltimore, Maryland

Beginning at a point on the North side of Reisterstown Road (66' R/W) at a distance of 266'+/- from the center of Highfalcon Road. (70' R/W), and thence leaving said Reisterstown Road and running with and binding on the land of the herein petitioner,

1. North 46 degrees 00 minutes 20 seconds East 200.00 feet,
2. North 45 degrees 36 minutes 50 seconds West 238.11 feet,
3. North 44 degrees 23 minutes 10 seconds East 116.74 feet,
4. South 70 degrees 00 minutes 20 seconds East 95.05 feet
5. South 66 degrees 48 minutes 25 seconds East 482.73 feet
6. South 46 degrees 15 minutes 12 seconds west 537.67 feet
7. North 44 degrees 13 minutes 22 seconds West 286.76 feet back to the point of beginning.

Containing 4.03 of an Acre more or less.

Located in the 4th Election District and 2nd Councilmanic District. Known as 11309 & 11311 Reisterstown Road.

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. 13203

Expiration Date: 11/02/18



Rev 30, 2017



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 5385862

Sold To:

Colonial Stoler LLC - CU00634223
11311 Reisterstown Rd
Owings Mills, MD 21117-1811

Bill To:

Colonial Stoler LLC - CU00634223
11311 Reisterstown Rd
Owings Mills, MD 21117-1811

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

Jan 11, 2018

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: # 2018-00150-A
11309 Reisterstown Road
NE/s Reisterstown Road, 266 ft. SE of Highfalcon Road
4th Election District - 2nd Councilmanic District
Legal Owner(s) Colonial Stoler, LLC, Barry Stoler

Variance: to permit a 13 ft. side yard setback in lieu of the required 30 ft. setback; for such other and further relief as the nature of this cause may require.

Hearing: Thursday, February 1, 2018 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.

1/036 January 11 5385862

The Baltimore Sun Media Group

By *S. Wilkinson*

Legal Advertising

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 1/10/2018

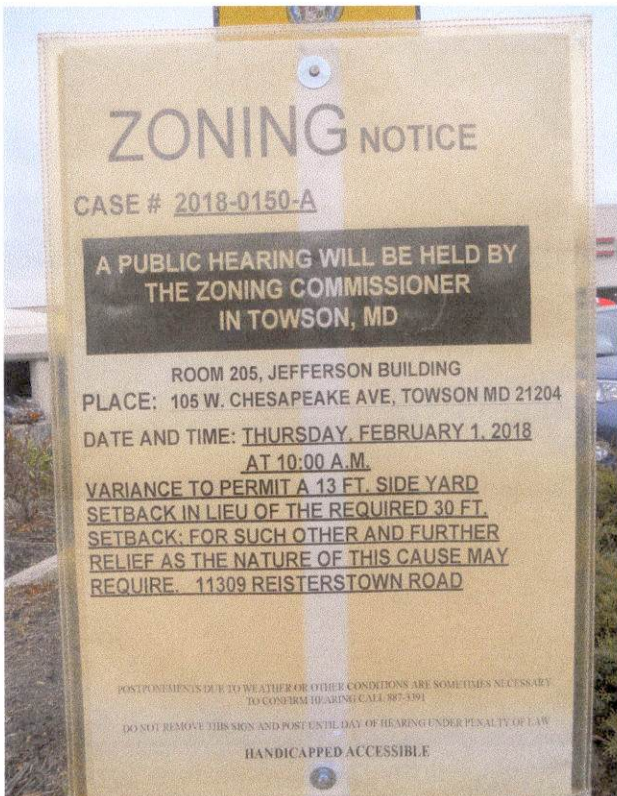
Case Number: 2018-0150-A

Petitioner / Developer: TIMOTHY KOTOCO, ESQ. ~ BARRY STOLER ~ RICHARD MATZ

Date of Hearing: FEBRUARY 1, 2018

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:
11309 REISTERSTOWN ROAD

The sign(s) were posted on: JANUARY 10, 2018



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 11, 2018 Issue - Jeffersonian

Please forward billing to:

Barry Stoler
Colonial Stoler, LLC
11275 Reisterstown Road
Owings Mills, MD 21117

410-356-7000

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: 2018-0150-A

11309 Reisterstown Road

NE/s Reisterstown Road, 266 ft. SE of Highfalcon Road

4th Election District – 2nd Councilmanic District

Legal Owners: Colonial Stoler, LLC, Barry Stoler

Variance to permit a 13 ft. side yard setback in lieu of the required 30 ft. setback; for such other and further relief as the nature of this cause may require.

Hearing: Thursday, February 1, 2018 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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



KEVIN KAMENETZ
County Executive

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

January 3, 2018

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: 2018-0150-A

11309 Reisterstown Road
NE/s Reisterstown Road, 266 ft. SE of Highfalcon Road
4th Election District – 2nd Councilmanic District
Legal Owners: Colonial Stoler, LLC, Barry Stoler

Variance to permit a 13 ft. side yard setback in lieu of the required 30 ft. setback; for such other and further relief as the nature of this cause may require.

Hearing: Thursday, February 1, 2018 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: Timothy Kotroco, 305 Washington Avenue, Ste. 502, Towson 21204
Barry Stoler, 11275 Reisterstown Road, Owings Mills 21117
Richard Matz, 2835 Smith Avenue, Ste. G., Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JANUARY 12, 2018.**
- (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 VARIANCE

*

BEFORE THE OFFICE

11309 Reisterstown Road; NE/S Reisterstown*
Road, 266' SE of c/line of High Falcon Road
4th Election & 2nd Councilmanic Districts *
Legal Owner(s): Colonial Stoler LLC
by Barry Stoler *

OF ADMINSTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

Petitioner(s)

*

2018-150-A

* * * * *

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 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 December, 2017, a copy of the foregoing Entry of Appearance was mailed to Richard Matz, 2835 Smith Avenue, Suite G, Baltimore, Maryland 21209 and Timothy Kotroco, Esquire, 305 Washington Avenue, Suite 502, 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: 2018-0150-A
Property Address: 11309 & 10311 Reisterstown Road
Property Description: NE 1/4 of Reisterstown Road, 266' SE of
High Falcon Road
Legal Owners (Petitioners): Colonial Stoler, LLC
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: COLONIAL STOLER LLC, BARRY STOLER
Company/Firm (if applicable): _____
Address: 11275 ~~REISTERSTOWN ROAD~~ REISTERSTOWN, OWINGS MILLS,
MD, 21117
ROAD
Telephone Number: 410-356-7000

REF 161105

Date: 12/11/2015

SECRET

BUSINESS ACTUAL LOSS 52.00

12/01/2017 12/01/2017 11:21:43

DEC 1955 MARKIN LRB

RECEIVED 932731 12/01/2017 05:05

1520 TESTING VERIFICATION

06-01-18

Presented by

1900.00 CR 1900.00 CR

Baltimore County, Maryland

Total: 500.00

Rec From: Gilbert Matz, Rosenfeld, LLC

For: Vancouver 11309 & 11311 Reidentification Rd
2018-ALSO-A (Colonial Water, LLC)

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

January 23, 2018

Colonial Stoler LLC
Barry Stoler
11275 Reisterstown Road
Owings Mill MD 21117

RE: Case Number: 2018-0150 A, Address: 11309 Reisterstown Rd

Dear Mr. Stoler:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 1, 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 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
Timothy M Kotroco, Esquire, 305 Washington Avenue, Suite 502, Towson MD 21204
Richard E Matz, 2835 Smith Avenue, Suite G, Baltimore MD 21209



Date: 12/6/17

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

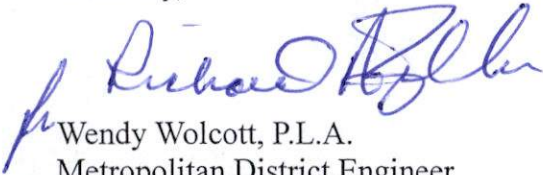
Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 12/6/17. 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 Variance, Case Number 2018-0150-A.

*Colonial Steler, LLC, Barry Steler
11309 Reisters Town 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

BALTIMORE COUNTY, MARYLAND

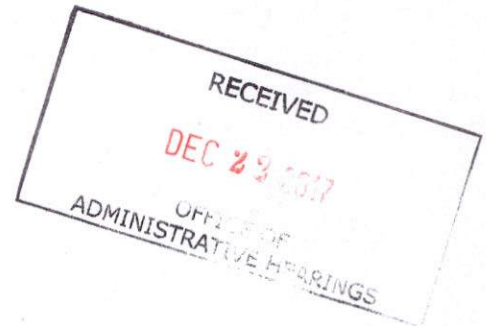
INTER-OFFICE MEMORANDUM

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

DATE: 12/21/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-150



INFORMATION:

Property Address: 11309 Reisterstown Road
Petitioner: Colonial Stoler, LLC, Barry Stoler
Zoning: BR
Requested Action: Variance

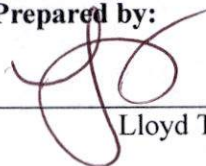
The Department of Planning has reviewed the petition for variance to permit a 13 foot side yard setback in lieu of the required 30 feet.

A site visit was conducted on December 8, 2017.

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

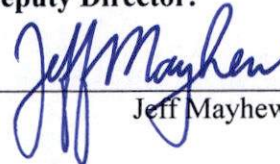
For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Deputy Director:



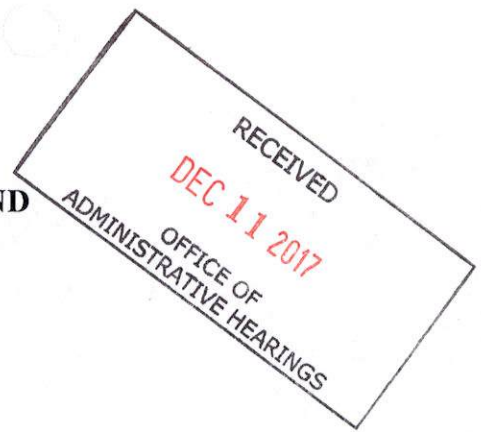
Jeff Mayhew

AVA/KS/LTM/ka

c: Bill Skibinski
Timothy Kotroco
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: December 11, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0150-A
Address 11309 Reisterstown Road
(Colonial Stoler, LLC Property)

Zoning Advisory Committee Meeting of **December 11, 2017**.

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: December 28, 2017

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

SUBJECT: Zoning Advisory Committee Meeting
For December 11, 2017
Item No. 2018-0138-A, 0141-A, 0145-A, 0146-A, 0147-A, 0148-A and
0150-A

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

*

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VKD: can
cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 12/21/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-150

INFORMATION:

Property Address: 11309 Reisterstown Road
Petitioner: Colonial Stoler, LLC, Barry Stoler
Zoning: BR
Requested Action: Variance

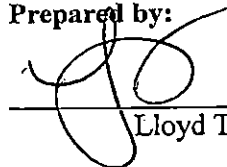
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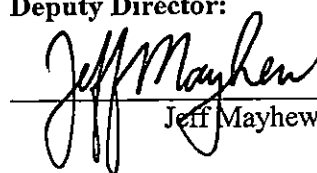
For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

AVA/KS/LTM/ka

c: Bill Skibinski
Timothy Kotroco
Office of the Administrative Hearings
People's Counsel for Baltimore County

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>12/28</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>no comment</u>
<u>12/11</u>	DEPS (if not received, date e-mail sent _____)	<u>no comment</u>
_____	FIRE DEPARTMENT	_____
<u>12/21</u>	PLANNING (if not received, date e-mail sent _____)	<u>no objection</u>
<u>12/6</u>	STATE HIGHWAY ADMINISTRATION	<u>no objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 2017-0023-SPHA)

NEWSPAPER ADVERTISEMENT Date: 1/11/18

SIGN POSTING Date: 1/10/18 by O'Keefe

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 - 04 Account Number - 2100012552							
Owner Information									
Owner Name:		COLONIAL STOLER LLC				Use: Principal Residence:		COMMERCIAL NO	
Mailing Address:		11275 REISTERSTOWN RD OWINGS MILLS MD 21117-1906				Deed Reference:		/19598/ 00093	
Location & Structure Information									
Premises Address:		11311 REISTERSTOWN RD 0-0000				Legal Description:		4.0316 AC NES REISTERSTOWN RD 183 SE HIGHFALCON RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:
0058	0007	0369		0000				2017	
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1990		35939				4.0300 AC		06	
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation		
		AUTO SHOWROOM					2001		
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2017		07/01/2017		07/01/2018	
Land:		1,119,400		1,119,400					
Improvements		4,347,100		4,349,500					
Total:		5,466,500		5,468,900		5,467,300		5,468,100	
Preferential Land:		0						0	
Transfer Information									
Seller: COLONIAL STOLLER PARTNERSHIP				Date: 02/12/2004				Price: \$0	
Type: NON-ARMS LENGTH OTHER				Deed1: /19598/ 00093				Deed2:	
Seller: COLONIAL STOLLER PARTNERSHIP				Date: 06/29/1989				Price: \$0	
Type: NON-ARMS LENGTH OTHER				Deed1: /08214/ 00267				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			

TABLE-DEFINITION OF COLUMNS- The following table specifies the allowable combinations of sign classes and sign types, along with locational, dimensional and other pertinent conditions, as follows:

Column:

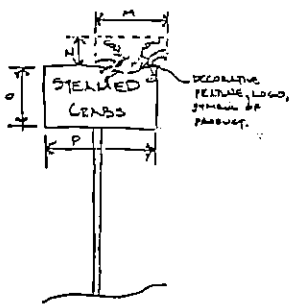
- A. Class - Refers to the overall purpose and general character of the entire sign.
- B. Structural Type - Identifies the structural type(s) that may be used to display signs of the given class, subject to the requirements in the succeeding columns. (See definitions of types on Page 4.)
- C. Zone or Use - Defines the zone(s) wherein signs of the class and type combination(s) may be displayed. In certain cases, the permissibility is granted for a sign in conjunction with a particular type of land use, as identified in this column, in whichever zone(s) such use is permitted.
- D. Permit Required - A "Bldg." entry indicates that a Building Permit must be obtained for each sign. A "None" entry indicates that a Building Permit is not required, provided that the sign complies with all other applicable provisions of these Regulations. An "SE" indicates that each such sign is permitted only as a Special Exception use authorized pursuant to Section 502. A "Use" entry indicates that a permit pursuant to Section 500.4 must be obtained for each such sign.

If the proposed sign(s) will be accessory to a structure, use or development that otherwise is required to obtain a building or use permit or development approval, all pertinent information regarding the sign(s) must be included as part of the otherwise-required application(s).

- E. Maximum Area or Face - Defines the maximum number of square feet, or the rule for calculating the maximum number, that may be included within the face of any single permitted sign of the given class, regardless of the type; the number is not to be interpreted as a separate limit for each type identified in Column B, but the maximum area may be divided among more than one sign to the extent permitted in Column F. Subject to the limit in Column F regarding the maximum number of signs, compliance with the maximum area is determined by the following rules:

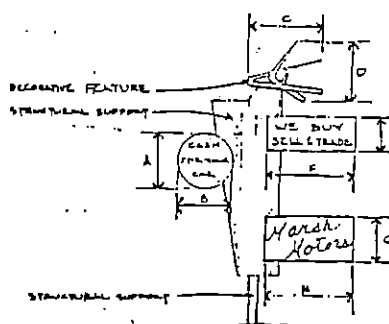
DETERMINING AREA - EXAMPLES

EXAMPLE 1



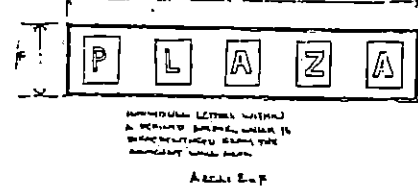
$$\text{AREA} = (M \times N) + (C \times P)$$

EXAMPLE 2



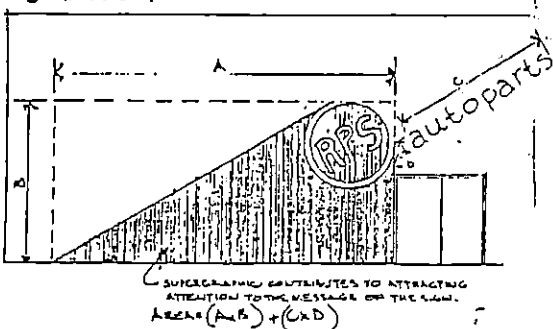
$$\text{AREA} = (A \times B) + (C \times D) + (E \times F) + (G \times H)$$

EXAMPLE 3



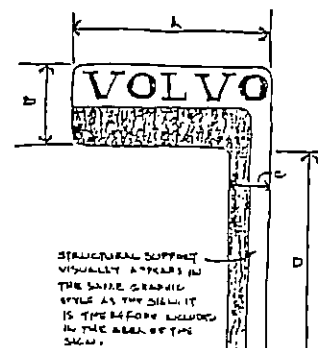
$$\text{AREA} = E \times F$$

EXAMPLE 4



$$\text{AREA} = (A \times B) + (C \times D)$$

EXAMPLE 5



$$\text{AREA} = (A \times B) + (C \times D)$$

IN RE: PETITIONS FOR SPECIAL HEARING *	BEFORE THE
AND VARIANCE	
(11311 Reisterstown Road) *	OFFICE OF
4 th Election District	
2 nd Council District *	ADMINISTRATIVE HEARINGS
Colonial Stoler, LLC	
Owner *	FOR BALTIMORE COUNTY
Petitioner	
*	Case No. 2017-0023-SPHA

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

Petitioner in the above case sought variance and special hearing relief in connection with a proposed freestanding sign at a Lexus automobile dealership. Both requests were denied in an Order dated September 29, 2016. Petitioner seeks reconsideration of the ruling on the petition for special hearing, which pertains to the calculation of the sign area.

Petitioner's primary argument is that the Administrative Law Judge should not defer to the zoning office's interpretation of the regulations concerning the "area" of a sign. Petitioner's expert agreed the zoning office adhered in this case to its longstanding pattern and practice in calculating the sign area. The zoning office determined the entire face of the sign (rather than just the 45 sq. ft. rectangle containing the "Lexus" lettering and logo) must be included in the area calculation since the color and design of the structure constituted part of the sign's message.

Petitioner contends this interpretation disregards "exclusion A" found in the definition of "area" at B.C.Z.R. § 450.3. I respectfully disagree. That provision would exclude from the calculation any support structures or features which "are not part of the message of the sign." *Id.* (emphasis added). For example, a structural support pole on which a sign was located would not be included in the area calculation. But the zoning office here determined the color and design

of the sign face was integral to the message (i.e., "Lexus") and so should be part of the sign "area."

The Zoning Commissioner's Policy Manual, at p. 4-69.9 (a copy of which is attached hereto), Example 5, shows how the area of a Volvo automobile dealership sign is calculated, and I believe the zoning office's interpretation is consistent with this example.

WHEREFORE, IT IS ORDERED this 14th day of **October, 2016**, by this Administrative Law Judge, that the Motion for Reconsideration be and is hereby DENIED.

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

MS 9-23-16

IN RE: PETITIONS FOR SPECIAL HEARING *	BEFORE THE
AND VARIANCE	
(11311 Reisterstown Road) *	OFFICE OF
4 th Election District	
2 nd Council District *	ADMINISTRATIVE HEARINGS
Colonial Stoler, LLC	
Owner *	FOR BALTIMORE COUNTY
Petitioner	
	Case No. 2017-0023-SPHA
* * * * *	

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of Colonial Stoler, LLC, legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit a sign of 45 sq. ft. in lieu of the 225 sq. ft. as determined under the County's interpretation of the required area which includes the entire structure. In the alternative, a Petition for Variance seeks to permit a sign of 225 sq. ft. in lieu of the 50 sq. ft. permitted. A site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requests were Barry Stoler and Mitchell Kellman. Marvin I. Singer, Esq. represented the Petitioner. George Harmon, on behalf of the Reisterstown-Owings Mills-Glyndon Coordinating Council, opposed the request. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. A substantive Zoning Advisory Committee (ZAC) comment was received from the Bureau of Development Plans Review (DPR), concerning landscaping and lighting requirements.

The subject property is 4.085 acres in size and is zoned BR. A Lexus automobile dealership ("Len Stoler Lexus") is operated at the property. Counsel indicated the manufacturer

has adopted new branding and logos, and that the applicable agreements require franchisees to install new signage at the dealership.

SPECIAL HEARING

Petitioner's counsel and Mr. Kellman met with County zoning staff to discuss the petition. The County determined - - in keeping with its long-standing policy - - the sign area included the entire 9' x 25' structure shown on the plan. Petitioner contends the sign area should only include the approximate 45 sq. ft. rectangle containing the "Lexus" script and logo, and the special hearing request seeks confirmation of this interpretation.

The resolution of this issue involves several definitions found in the sign regulations, including: "area," "face," "message," and "sign." B.C.Z.R. §450.3. The determination of a sign's "area" involves drawing a rectangle around the "face" of the sign. The face is the flat surface containing the "message of the sign." Under the Regulations the "message" includes not only "written words" and "symbols," but also "colors, illumination or theme comprising the face of a sign." According to Mr. Kellman, County staff believed the color, design and theme of the sign were integral to the message it delivered; i.e., the "Lexus" brand.

While there are reasonable arguments on both sides, I believe under Maryland law I am obliged to defer to the zoning staff's long-standing interpretation of the sign regulations. Mr. Kellman confirmed the calculation of the sign area in this case was consistent with the agency's procedure and determination in similar cases. As Maryland's highest court has held, the "interpretation of a statute by the agency charged with its administration is entitled to great deference, especially when the interpretation has been applied consistently and for a long period of time." *BGE v. Public Service Comm'n.*, 305 Md. 145, 161 (1986).

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.

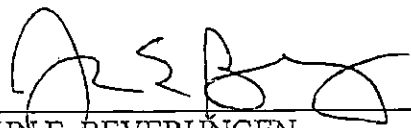
Cromwell v. Ward, 102 Md. App. 691 (1995).

While the dimensions of the property are somewhat irregular, the site does not have any truly inherent characteristics (i.e., size, shape, topography, etc.) that would render it unique under Maryland law. The petitioner must establish the property is unique or peculiar in a way that is unlike other properties in the neighborhood. In a contested case requiring a rigorous application of the variance standard, the petitioner faces an uphill battle. In fact, I was unable to locate a Maryland appellate court opinion from the last twenty years which upheld the grant of a variance. Under Maryland law, variances should be granted "sparingly" since it is "an authorization for [that] ...which is prohibited by a zoning ordinance." *Cromwell*, 102 Md. App. at 699.

THEREFORE, IT IS ORDERED this 29th day of September, 2016, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R) to permit a sign of 45 sq. ft. in lieu of the 225 sq. ft. under the County's interpretation of the required area which includes the entire structure, be and is hereby DENIED.

IT IS FURTHER ORDERED the petition for variance to permit a sign of 225 sq. ft. in lieu of the 50 sq. ft. permitted, be and is hereby DENIED.

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

Case No.: 2018-0150-A Colonial Stoker

Exhibit Sheet

Petitioner/Developer

PJ
3-6-18

Protestant

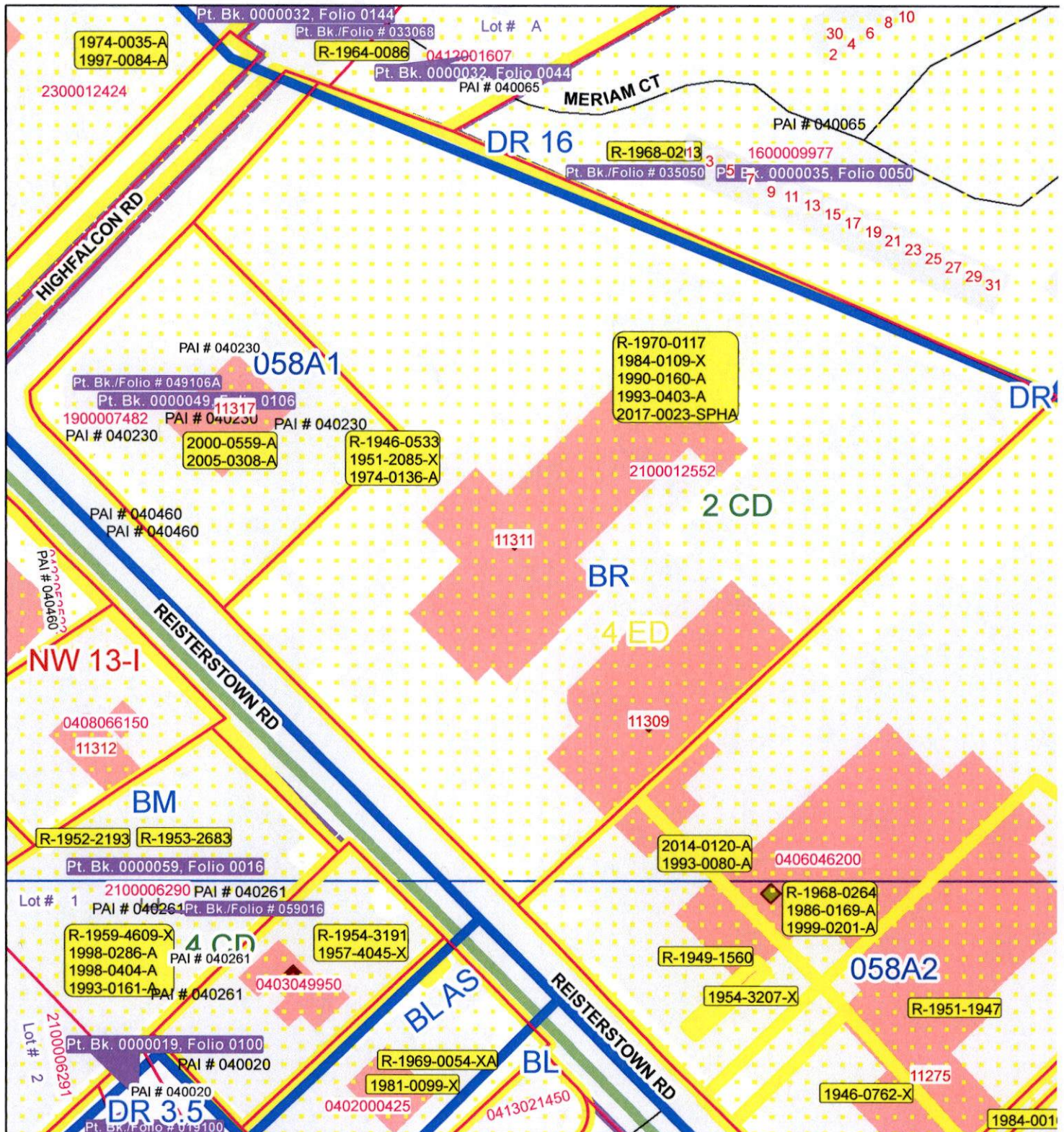
Sen
2-2-18

No. 1	Original Site Plan	
No. 2	Highlighted Site Plan	
No. 3	Aerial Photo Stoker Properties	
No. 4	Aerial Photo - our site	
No. 5	Street Photo - southside of Lexus Dealership	
No. 6	Street Photo - North side of Lexus Dealership	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

CASE NAME _____
CASE NUMBER _____
DATE FEB 1, 2018

[illegible]

1130 - 11311 Reisterstown Road



Publication Date: 12/1/2017



Publication Agency: Permits, Approvals & Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 25 50 100 150 200 Feet

1 inch = 100 feet

2018-0150-A



Basemap Gallery

EXHIBIT NO.

3

-76.800 39.439 Degrees





Baltimore County - My Neighborhood





PETITIONER'S

EXHIBIT NO. 5



PETITIONER'S

EXHIBIT NO.

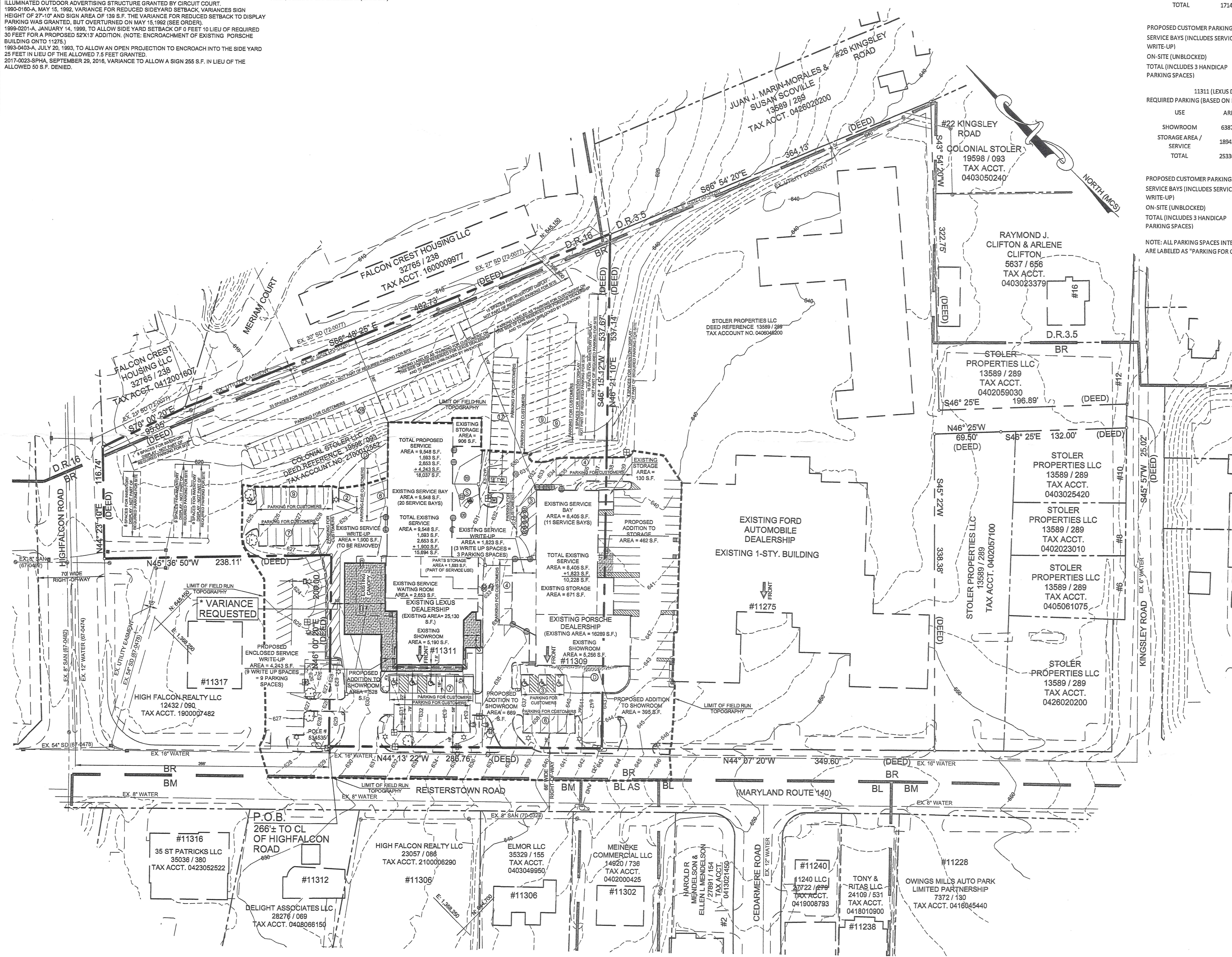
6

PREVIOUS ZONING CASES

11309 - 11311 REISTERSTOWN ROAD
(DECISIONS ATTACHED TO D.R.C. APPLICATION)
R-1948-0533, JANUARY 17, 1946, RECLASSIFICATION FROM "A" ZONE TO "E" ZONE
R-1948-1560, OCTOBER 28, 1949, RECLASSIFICATION FROM "A" RESIDENCE ZONE TO "E" COMMERCIAL ZONE
1951-0295-X, JANUARY 17, 1952, SPECIAL PERMIT FOR CABIN CAMP DENIED
R-1964-0086, NOT APPLICABLE TO SITE
R-1968-0283, NOT APPLICABLE TO SITE
R-1970-0117, DECEMBER 19, 1969, RECLASSIFICATION FROM R-10 ZONE TO B-R ZONE
1974-0136-A, JANUARY 28, 1974, TO ALLOW SIDE YARD OF 2 FEET IN LIEU OF REQUIRED 30 FEET AND A FRONT YARD OF 0.75 FEET IN LIEU OF REQUIRED 25 FEET
1984-0108-X, NOVEMBER 26, 1984, SPECIAL EXCEPTION TO ALLOW ONE, 12' X 25' DBL. FACED ILLUMINATED OUTDOOR ADVERTISING STRUCTURE GRANTED BY CIRCUIT COURT
1990-0160-A, MAY 16, 1992, VARIANCE FOR REDUCED SIDEYARD SETBACK, VARIANCES SIGN HEIGHT OF 27'-10" AND SIGN AREA OF 139 S.F. THE VARIANCE FOR REDUCED SETBACK TO DISPLAY PARKING WAS GRANTED, BUT OVERTURNED ON MAY 15, 1992 (SEE ORDER)
1999-0201-A, JANUARY 14, 1999, TO ALLOW SIDE YARD SETBACK OF 0 FEET 10 LIEU OF REQUIRED 30 FEET FOR A PROPOSED 52'X13' ADDITION. (NOTE: ENCROACHMENT OF EXISTING PORSCHE BUILDING ONTO 11275.)
1993-0403-A, JULY 20, 1993, TO ALLOW AN OPEN PROJECTION TO ENCR OACH INTO THE SIDE YARD 25 FEET IN LIEU OF THE ALLOWED 7.5 FEET GRANTED
2017-0023-SPHA, SEPTEMBER 29, 2016, VARIANCE TO ALLOW A SIGN 255 S.F. IN LIEU OF THE ALLOWED 50 S.F. DENIED

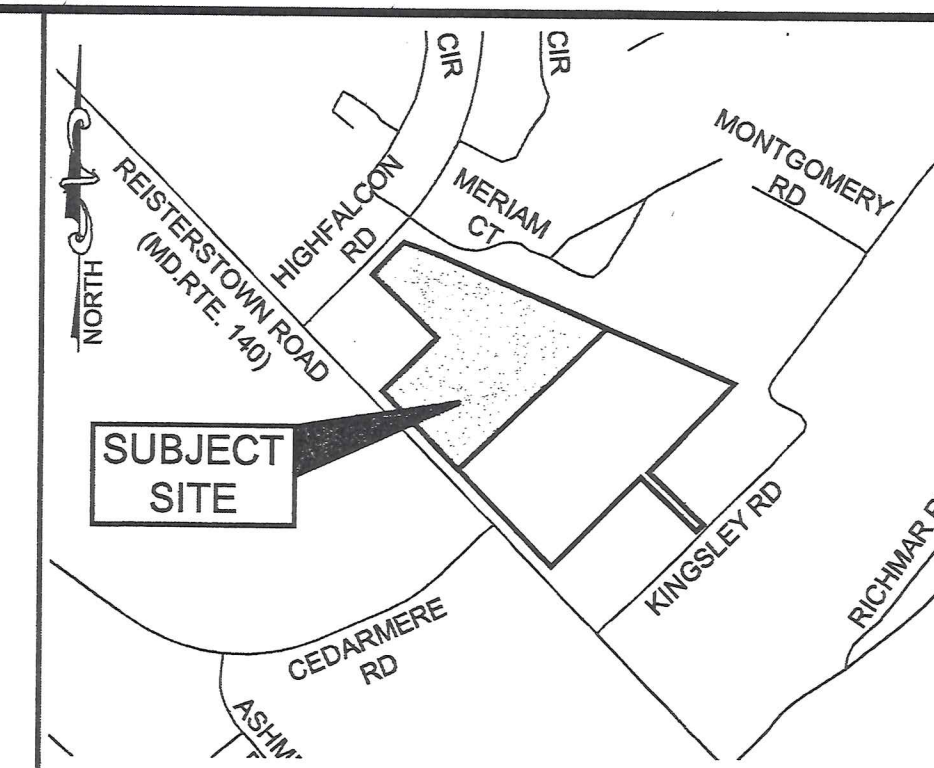
PREVIOUS COMMERCIAL PERMITS

11309 - 11311 REISTERSTOWN ROAD
PERMIT: B035436
DESCRIPTION: CONSTRUCT CAR DEALER SHOW ROOM & SERVICE AREA
PERMIT: B100300
DESCRIPTION: CONSTRUCT AUTO DEALERSHIP, 65'X117'X20'-7.605SFZONING
PERMIT: B425807
DESCRIPTION: CONST A 1 STY ADDITION TO REAR OF EX BLDG, 98'X70'X20'-5665SF, FOR AUTO SALES & SVC.
PERMIT: B556825
DESCRIPTION: CONST 3 ADDITIONS TO REAR & SIDES OF EX BLDG PER PLANS, TO BE SHOP EXTENSION 65'X42', SHOW RM EXT 35'X53', & SERVICE DRIVE-THRU (2) 25'X12' TOTAL SF= 5,349SF ALSO, USING 04-06-048200 5.05AC (SIDE ADD)



PARKING TABULATION				
11309 (PORSCHE DEALERSHIP)				
REQUIRED PARKING (BASED ON PROPOSED AREA OF BUILDING)	USE	AREA	PARKING PER 1000	PARKING SPACES
	SHOWROOM	5651 SF	5	28.3
	STORAGE AREA / SERVICE	11491 SF	3.3	37.9
	TOTAL	17142 SF		66.2
	USE			67
PROPOSED CUSTOMER PARKING (SEE NOTE BELOW); SERVICE BAYS (INCLUDES SERVICE WRITE-UP)				
	ON-SITE (UNBLOCKED)			55
	TOTAL (INCLUDES 3 HANDICAP PARKING SPACES)			69

11311 (LEXUS DEALERSHIP)				
REQUIRED PARKING (BASED ON PROPOSED AREA OF BUILDING)	USE	AREA	PARKING PER 1000	PARKING SPACES
	SHOWROOM	6387 SF	5	31.9
	STORAGE AREA / SERVICE	18943 SF	3.3	62.5
	TOTAL	25330 SF		94.4
	USE			95
PROPOSED CUSTOMER PARKING (SEE NOTE BELOW); SERVICE BAYS (INCLUDES SERVICE WRITE-UP)				
	ON-SITE (UNBLOCKED)			29
	TOTAL (INCLUDES 3 HANDICAP PARKING SPACES)			68
	NOTE: ALL PARKING SPACES INTENDED FOR CUSTOMER USE ARE LABELED AS "PARKING FOR CUSTOMERS"			97



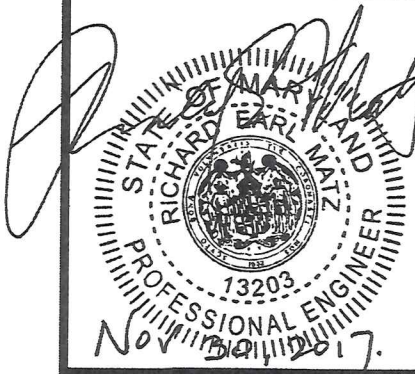
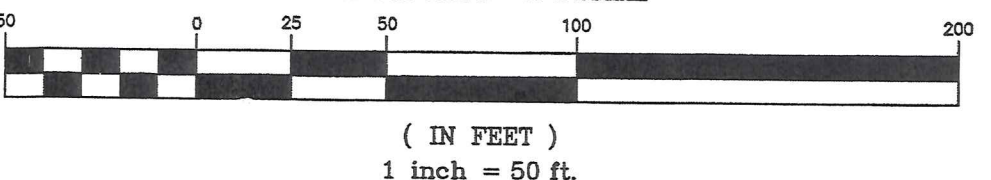
VICINITY MAP
SCALE: 1"=600'

- OWNER:
11309 - 11311 REISTERSTOWN ROAD
COLONIAL STOLER LLC
11275 REISTERSTOWN ROAD
OWINGS MILLS, MD 21117
410-356-7000
 - SITE DATA:
11309 - 11311 REISTERSTOWN ROAD
TAX ACCOUNT NUMBER: 0212740050
DEED REFERENCE: LIBER 38881 FOLIO 186
PLAT REFERENCE: N/A
SITE AREA: 4.032 ACRES
TAX MAP: 058
GRID: 007
PARCEL: 369
 - CENSUS TRACT: 4042.01
 - WATERSHED: GWYNN'S FALLS
 - SITE ZONING:
11309 - 11311 REISTERSTOWN ROAD: BR AND D.R.16 (200 SCALE MAP No. 058A1)
 - EXISTING USE: AUTOMOBILE DEALERSHIP
PROPOSED USE: AUTOMOBILE DEALERSHIP
 - REQUIRED BUILDING SETBACKS IN THE BR ZONE
- | | REQUIRED | PROPOSED |
|-------------|----------|---------------------------------------|
| FRONT YARD: | 50' | 75' |
| SIDE YARD: | 30' | # 11311 = 14' (LEFT)
11311 = 95' |
| REAR YARD: | 30' | |
- OFF-STREET PARKING CALCULATIONS: SEE SEPARATE TABULATION.
 - ZONING HISTORY: SEE SEPARATE LISTS.
 - PREVIOUS COMMERCIAL PERMITS: SEE SEPARATE LISTS.
 - THIS SITE IS NOT LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
 - THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
 - THE SUBJECT SITE IS SERVED BY PUBLIC WATER AND SEWER.
 - THERE ARE NO STRUCTURES LOCATED ON SITE INCLUDED IN THE MARYLAND INVENTORY OF HISTORIC PROPERTIES OR THE BALTIMORE COUNTY FINAL LANDMARKS LIST.
 - TOPOGRAPHIC INFORMATION WITHIN THE AREA LABELED "LIMIT OF FIELD RUN TOPOGRAPHY" SHOWN HEREON IS BASED UPON A FIELD RUN SURVEY PERFORMED BY COLBERT MATZ ROSENFELT, INC., DATED JULY 28, 2017. TOPOGRAPHIC INFORMATION OUTSIDE THE AREA LABELED AS "LIMIT OF FIELD RUN TOPOGRAPHY" IS BASED ON DIGITAL G.I.S. INFORMATION OBTAINED FROM BALTIMORE COUNTY.
 - BOUNDARY INFORMATION FOR THE SUBJECT SITES IS BASED ON THE MOST CURRENT RECORDED DEED FOR THE PROPERTY AND DOES NOT REPRESENT A FIELD RUN BOUNDARY SURVEY. BOUNDARY INFORMATION FOR ADJACENT PROPERTIES IS BASED ON DIGITAL G.I.S. INFORMATION OBTAINED FROM BALTIMORE COUNTY.
 - D.R.C. 102417E - DETERMINED SITE PROVISIONALLY MEETS THE REQUIREMENTS OF A LIMITED EXEMPTION UNDER SECTION 32-4-108(a)(1)(iv), GRANTED OCTOBER 30, 2017.
 - A SPLIT AND INTENT LETTER, DATED NOVEMBER 7, 2017, STATED THAT THE PROPOSED IMPROVEMENTS TO THE PORSCHE DEALERSHIP MEET THE SPIRIT AND INTENT OF CASES 1993-0403-A AND 1999-0201-A, AND THAT THE PROPOSED IMPROVEMENTS ON THE SOUTHEAST OF THE LEXUS DEALERSHIP MEET THE SPIRIT AND INTENT OF CASES 1993-0403-A AND 1999-0201-A. HOWEVER, THE PROPOSED IMPROVEMENT TO THE CANOPY ON THE NORTHWEST SIDE OF THE LEXUS DEALERSHIP WILL REQUIRE A VARIANCE.

PETITIONER'S
EXHIBIT NO. 1

TO ACCOMPANY ZONING PETITION
STOLER FORD, PORSCHE & LEXUS
11309 AND 11311
REISTERSTOWN ROAD
OWINGS MILLS, MARYLAND, 21117
4TH ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE



Colbert Matz Rosenfelt, Inc.

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

Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. 13293 Expiration Date: 11-02-18

SCALE: 1" = 50'
DATE: NOV. 30, 2017
JOB NO.: 2016-252
DESIGNED: T.L.B.
DRAWN: T.L.B.
CHECKED: S.L.D. / R.E.M.
FILE: 2016252-SITE PLAN
DRAWING NUMBER: **2P-1**

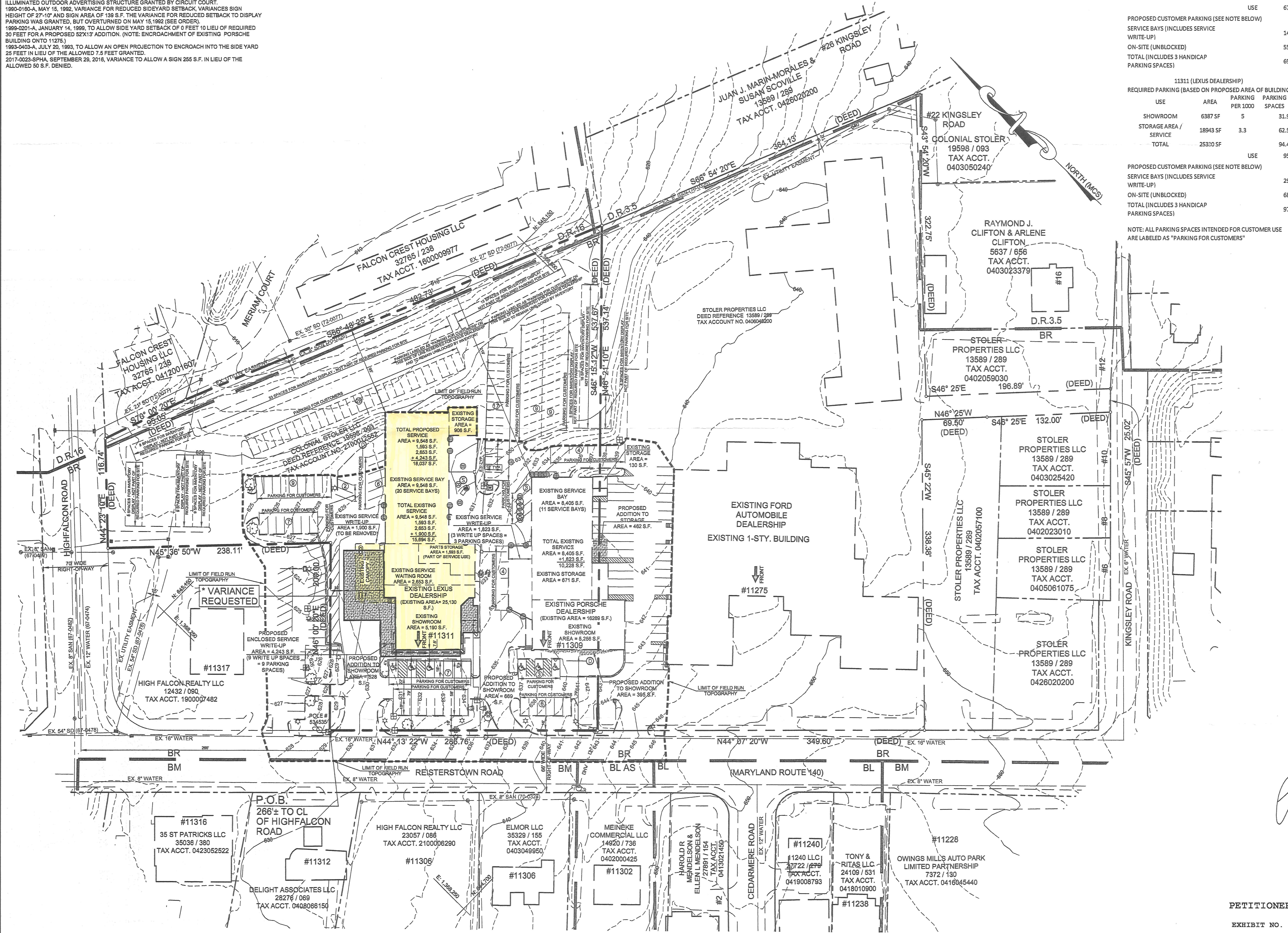
NO.	DATE	REVISIONS:	BY	SHEET 1 OF 1
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(DECISIONS ATTACHED TO D.R.C. APPLICATION)
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1951-2085-X, JANUARY 17, 1952, SPECIAL PERMIT FOR CABIN CAMP DENIED
R-1964-0086, NOT APPLICABLE TO SITE
R-1965-0253, NOT APPLICABLE TO SITE
R-1970-0117, DECEMBER 19, 1969, RECLASSIFICATION FROM R-10 ZONE TO B-R ZONE
1974-0138-A, JANUARY 28, 1974, TO ALLOW SIDE YARD OF 2 FEET IN LIEU OF REQUIRED 30 FEET AND A FRONT YARD OF 0.75 FEET IN LIEU OF REQUIRED 25 FEET
1984-0108-X, NOVEMBER 28, 1984, SPECIAL EXCEPTION TO ALLOW ONE, 12' X 25' DBL. FACED ILLUMINATED OUTDOOR ADVERTISING STRUCTURE GRANTED BY CIRCUIT COURT
1990-0160-A, MAY 15, 1992, VARIANCE FOR REDUCED SIDEYARD SETBACK, VARIANCES SIGN HEIGHT OF 27'-10" AND SIGN AREA OF 199 S.F., THE VARIANCE FOR REDUCED SETBACK TO DISPLAY PARKING WAS GRANTED, BUT OVERTURNED ON MAY 15, 1992 (SEE ORDER)
1999-0201-A, JANUARY 14, 1999, TO ALLOW SIDE YARD SETBACK OF 0 FEET 10 LIEU OF REQUIRED 30 FEET FOR A PROPOSED 52'X13' ADDITION. (NOTE: ENCROACHMENT OF EXISTING PORSCHE BUILDING ONTO 11275)
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2017-0023-SPHA, SEPTEMBER 29, 2016, VARIANCE TO ALLOW A SIGN 255 S.F. IN LIEU OF THE ALLOWED 50 S.F. DENIED.

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PERMIT: B100300
DESCRIPTION: CONSTRUCT AUTO DEALERSHIP. 65'X117'X20'=7,805SFZONING
PERMIT: B425807
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PARKING TABULATION

11309 (PORSCHE DEALERSHIP)

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STORAGE AREA / SERVICE	11491 SF	3.3	37.9
TOTAL	17142 SF		66.2

USE 67

PROPOSED CUSTOMER PARKING (SEE NOTE BELOW)

SERVICE BAYS (INCLUDES SERVICE WRITE-UP)

ON-SITE (UNBLOCKED)

TOTAL (INCLUDES 3 HANDICAP PARKING SPACES)

14

55

69

11311 (LEXUS DEALERSHIP)

REQUIRED PARKING (BASED ON PROPOSED AREA OF BUILDING)

USE	AREA	PARKING PER 1000	PARKING SPACES
SHOWROOM	6387 SF	5	31.9
STORAGE AREA / SERVICE	18943 SF	3.3	62.5
TOTAL	25330 SF		94.4

USE 95

PROPOSED CUSTOMER PARKING (SEE NOTE BELOW)

SERVICE BAYS (INCLUDES SERVICE WRITE-UP)

ON-SITE (UNBLOCKED)

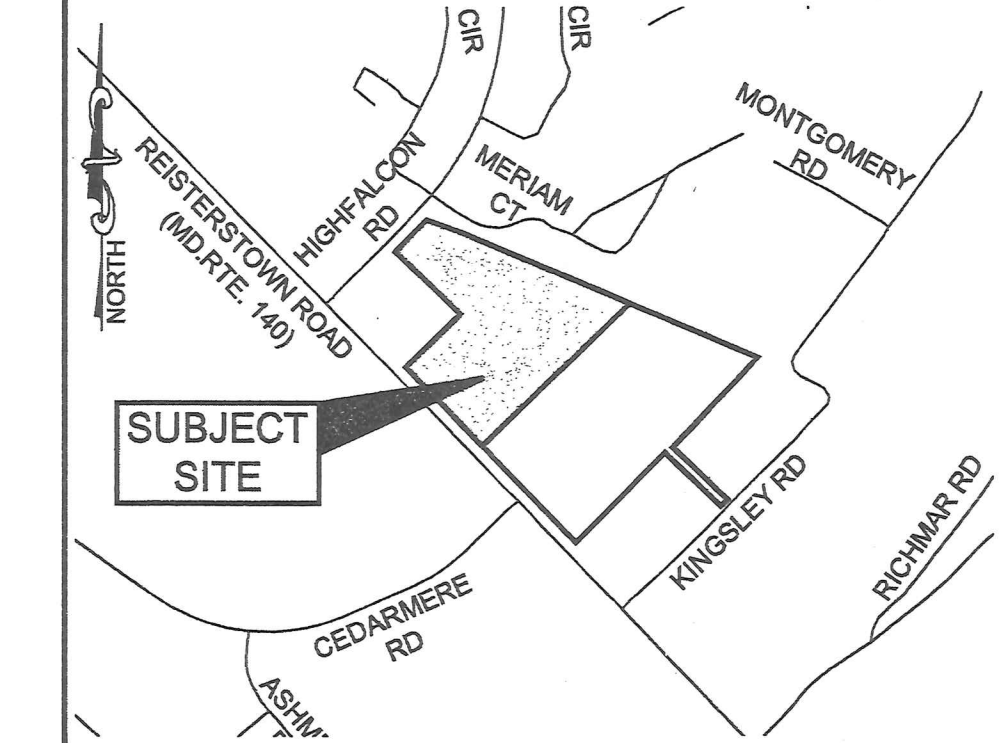
TOTAL (INCLUDES 3 HANDICAP PARKING SPACES)

29

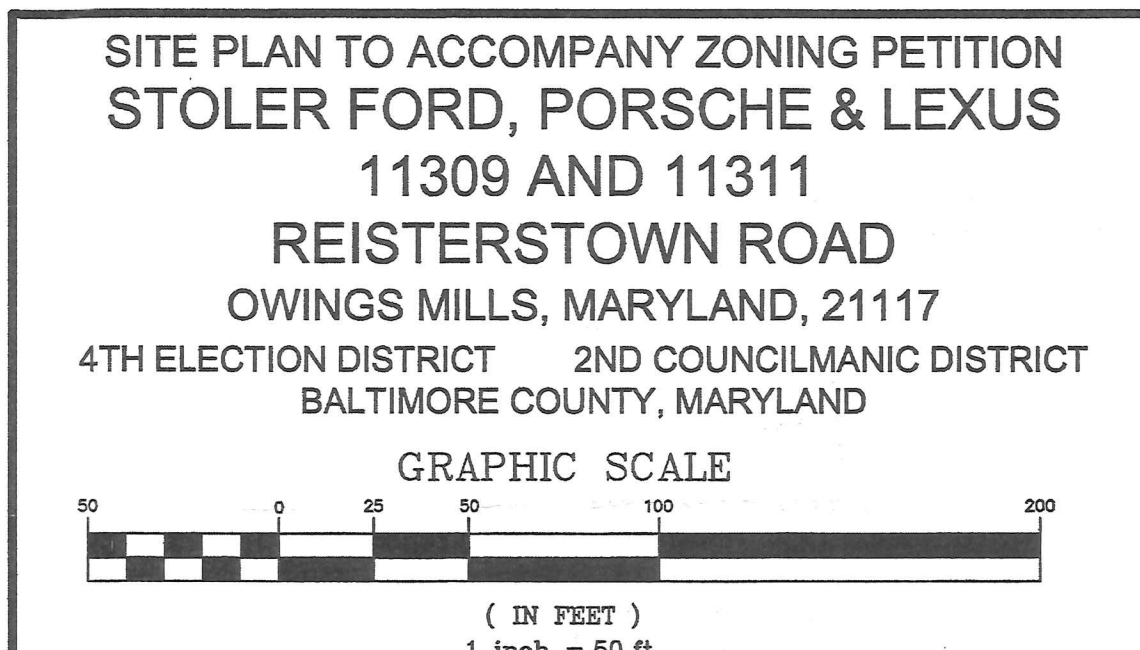
68

97

NOTE: ALL PARKING SPACES INTENDED FOR CUSTOMER USE ARE LABELED AS "PARKING FOR CUSTOMERS"



- VICINITY MAP
SCALE: 1"=500'
- OWNER:
11309 - 11311 REISTERSTOWN ROAD
COLONIAL STOLER LLC
11275 REISTERSTOWN ROAD
OWINGS MILLS, MD 21117
410-356-7000
 - SITE DATA:
11309 - 11311 REISTERSTOWN ROAD
TAX ACCOUNT NUMBER: 021274050
DEED REFERENCE: LIBER 38881 FOLIO 188
PLAT REFERENCE: 1/A
SITE AREA: 4.03± ACRES
TAX MAP: 058
GRID: 007
PARCEL: 369
 - CENSUS TRACT: 4042.01
 - WATERSHED: GWYNNS FALLS
 - SITE ZONING:
11309 - 11311 REISTERSTOWN ROAD: BR AND D.R.18 (200 SCALE MAP No. 058A1)
 - EXISTING USE: AUTOMOBILE DEALERSHIP
PROPOSED USE: AUTOMOBILE DEALERSHIP
 - REQUIRED BUILDING SETBACKS IN THE BR ZONE
- | | REQUIRED | PROPOSED |
|-------------|----------|---------------------------------------|
| FRONT YARD: | 60' | 70' |
| SIDE YARD: | 30' | # 11311 = 14' (LEFT)
11311 = 95' |
| REAR YARD: | 30' | |
- OFF-STREET PARKING CALCULATIONS: SEE SEPARATE TABULATION.
 - ZONING HISTORY: SEE SEPARATE LISTS.
 - PREVIOUS COMMERCIAL PERMITS: SEE SEPARATE LISTS.
 - THIS SITE IS NOT LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
 - THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
 - THE SUBJECT SITE IS SERVED BY PUBLIC WATER AND SEWER.
 - THERE ARE NO STRUCTURES LOCATED ON SITE INCLUDED IN THE MARYLAND INVENTORY OF HISTORIC PROPERTIES OR THE BALTIMORE COUNTY FINAL LANDMARKS LIST.
 - TOPOGRAPHIC INFORMATION WITHIN THE AREA LABELED "LIMIT OF FIELD RUN TOPOGRAPHY" SHOWN HEREON IS BASED UPON A FIELD RUN SURVEY PERFORMED BY COLBERT MATZ ROSENFELT, INC., DATED JULY 28, 2017. TOPOGRAPHIC INFORMATION OUTSIDE THE AREA LABELED AS "LIMIT OF FIELD RUN TOPOGRAPHY" IS BASED ON DIGITAL G.I.S. INFORMATION OBTAINED FROM BALTIMORE COUNTY.
 - BOUNDARY INFORMATION FOR THE SUBJECT SITES IS BASED ON THE MOST CURRENT RECORDED DEED FOR THE PROPERTY AND DOES NOT REPRESENT A FIELD RUN BOUNDARY SURVEY. BOUNDARY INFORMATION FOR ADJACENT PROPERTIES IS BASED ON DIGITAL G.I.S. INFORMATION OBTAINED FROM BALTIMORE COUNTY.
 - D.R.C. 102417E - DETERMINED SITE PROVISIONALLY MEETS THE REQUIREMENTS OF A LIMITED EXEMPTION UNDER SECTION 32-4-108(a)(1)(v). GRANTED OCTOBER 30, 2017.
 - A SPLIT AND INTENT LETTER, DATED NOVEMBER 7, 2017, STATED THAT THE PROPOSED IMPROVEMENTS TO THE PORSCHE DEALERSHIP MEET THE SPIRIT AND INTENT OF CASES 1993-0403-A AND 1999-0201-A, AND THAT THE PROPOSED IMPROVEMENTS ON THE SOUTHEAST OF THE LEXUS DEALERSHIP MEET THE SPIRIT AND INTENT OF CASES 1993-0403-A AND 1999-0201-A. HOWEVER, THE PROPOSED IMPROVEMENT TO THE CANOPY ON THE NORTHWEST SIDE OF THE LEXUS DEALERSHIP WILL REQUIRE A VARIANCE.



Colbert Matz Rosenfelt, Inc.

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

Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. 12933 Expiration Date: 11-02-18

SCALE: 1" = 50'
DATE: NOV. 30, 2017
JOB NO.: 2016-252
DESIGNED: T.L.B.
DRAWN: T.L.B.
CHECKED: S.L.D. / R.E.M.
FILE: 2018252-SITE PLAN
DRAWING NUMBER: ZP-1

PETITIONER'S
EXHIBIT NO. 2

NO.	DATE	REVISIONS:	BY	SHEET 1 OF 1

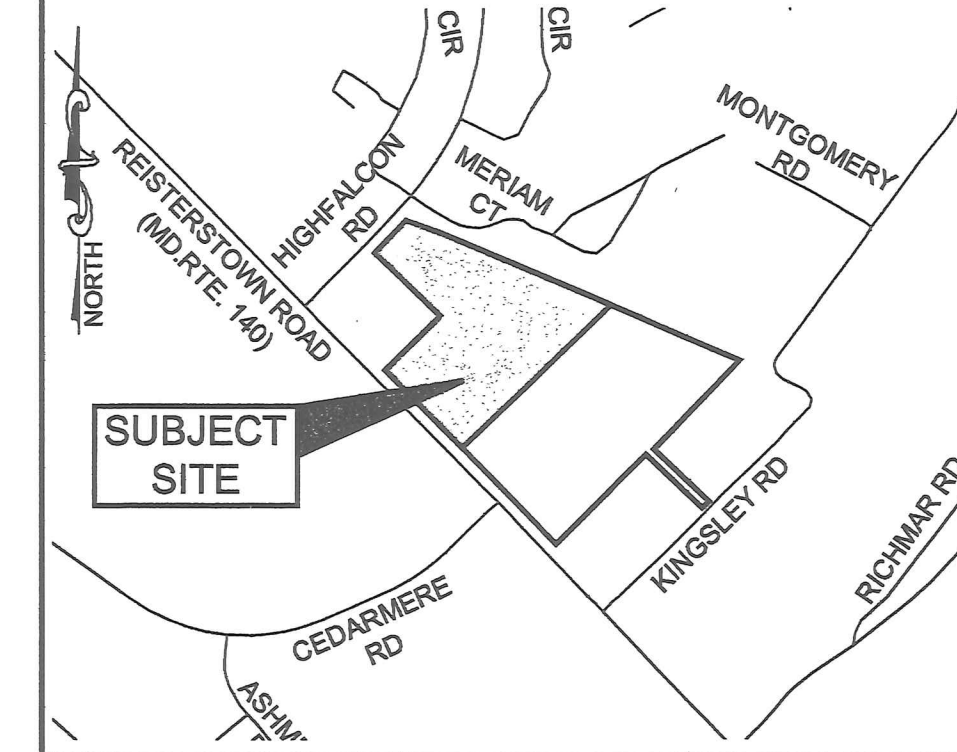
PREVIOUS ZONING CASES

11309 - 11311 REISTERSTOWN ROAD
(DECISIONS ATTACHED TO D.R.G. APPLICATION)
R-1949-2633, JANUARY 17, 1949, RECLASSIFICATION FROM "A" ZONE TO "E" ZONE
R-1949-1960, OCTOBER 28, 1949, RECLASSIFICATION FROM "A" RESIDENCE ZONE TO "E" COMMERCIAL ZONE
R-1951-2055-X, JANUARY 17, 1952, SPECIAL PERMIT FOR CABIN CAMP DENIED
R-1954-0368, NOT APPLICABLE TO SITE
R-1988-0263, NOT APPLICABLE TO SITE
R-1970-0117, DECEMBER 18, 1969, RECLASSIFICATION FROM R-10 ZONE TO B-R ZONE
1974-0135-A, JANUARY 28, 1974, TO ALLOW SIDE YARD OF 2 FEET IN LIEU OF REQUIRED 30 FEET AND A FRONT YARD OF 0.75 FEET IN LIEU OF REQUIRED 25 FEET.
1984-0109-X, NOVEMBER 28, 1984, SPECIAL EXCEPTION TO ALLOW ONE, 12' X 25' DBL. FACED ILLUMINATED OUTDOOR ADVERTISING STRUCTURE GRANTED BY CIRCUIT COURT.
1980-0102-A, MAY 15, 1982, VARIANCE FOR REDUCED SIDEYARD SETBACK, VARIANCES SIGN HEIGHT OF 27'-10" AND SIGN AREA OF 139 S.F. THE VARIANCE FOR REDUCED SETBACK TO DISPLAY PARKING WAS GRANTED, BUT OVERTURNED ON MAY 15, 1992 (SEE ORDER).
1999-0201-A, JANUARY 14, 1999, TO ALLOW SIDE YARD SETBACK OF 0 FEET 10 LIEU OF REQUIRED 30 FEET FOR A PROPOSED 52'X13' ADDITION. (NOTE: ENCROACHMENT OF EXISTING PORSCHE BUILDING ONTO 11275.)
1993-0403-A, JULY 20, 1993, TO ALLOW AN OPEN PROJECTION TO ENCRACH INTO THE SIDE YARD 25 FEET IN LIEU OF THE ALLOWED 7.5 FEET GRANTED.
2017-0023-SPHA, SEPTEMBER 28, 2016, VARIANCE TO ALLOW A SIGN 255 S.F. IN LIEU OF THE ALLOWED 50 S.F. DENIED.

PREVIOUS COMMERCIAL PERMITS

11309 - 11311 REISTERSTOWN ROAD
PERMIT: B035438
DESCRIPTION: CONSTRUCT CAR DEALER SHOW ROOM & SERVICE AREA
PERMIT: B100300
DESCRIPTION: CONSTRUCT AUTO DEALERSHIP, 65'X117'X20'-7.605SFZONING
PERMIT: B425807
DESCRIPTION: CONST A 1 STY ADDITION TO REAR OF EX BLDG. 65'X70'X20'-5655SF, FOR AUTO SALES & SVC.
PERMIT: B556825
DESCRIPTION: CONST 3 ADDITIONS TO REAR & SIDES OF EX BLDG PER PLANS, TO BE SHOP EXTENSION 65'X42', SHOW RM EXT 35'X53', & SERVICE DRIVE-THRU (2) 25'X12' TOTAL SF= 5,349SF ALSO, USING 04-06-046200 5.05AC (SIDE ADD)

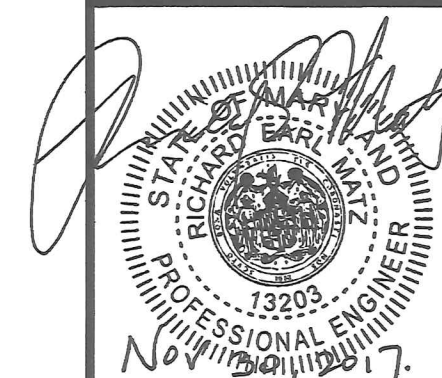
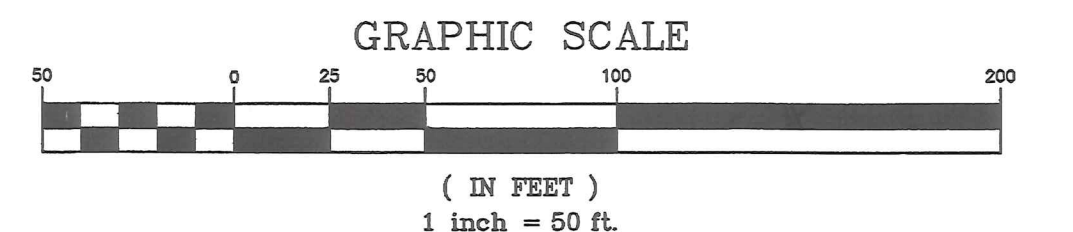
PARKING TABULATION				
11309 (PORSCHE DEALERSHIP)				
REQUIRED PARKING (BASED ON PROPOSED AREA OF BUILDING)	USE	AREA	PARKING PER 1000	PARKING SPACES
	SHOWROOM	5651 SF	5	28.3
	STORAGE AREA / SERVICE	11491 SF	3.3	37.9
	TOTAL	17142 SF		66.2
	USE			67
PROPOSED CUSTOMER PARKING (SEE NOTE BELOW)				
SERVICE BAYS (INCLUDES SERVICE WRITE-UP)				14
ON-SITE (UNBLOCKED)				55
TOTAL (INCLUDES 3 HANDICAP PARKING SPACES)				69



11311 (LEXUS DEALERSHIP)				
REQUIRED PARKING (BASED ON PROPOSED AREA OF BUILDING)	USE	AREA	PARKING PER 1000	PARKING SPACES
	SHOWROOM	6387 SF	5	31.9
	STORAGE AREA / SERVICE	18943 SF	3.3	62.5
	TOTAL	25330 SF		94.4
	USE			95
PROPOSED CUSTOMER PARKING (SEE NOTE BELOW)				
SERVICE BAYS (INCLUDES SERVICE WRITE-UP)				29
ON-SITE (UNBLOCKED)				68
TOTAL (INCLUDES 3 HANDICAP PARKING SPACES)				97

- OWNER:
11309 - 11311 REISTERSTOWN ROAD
COLONIAL STOLER LLC
1275 REISTERSTOWN ROAD
OWINGS MILLS, MD 21117
410-366-7000
 - SITE DATA:
11309 - 11311 REISTERSTOWN ROAD
TAX ACCOUNT NUMBER: 0212740050
DEED REFERENCE: LIBER 38861 FOLIO 186
PLAT REFERENCE: N/A
SITE AREA: 4.03± ACRES
TAX MAP: 058
GRID: 007
PARCEL: 369
 - CENSUS TRACT: 4042.01
 - WATERSHED: GWYNN'S FALLS
 - SITE ZONING:
11309 - 11311 REISTERSTOWN ROAD: BR AND D.R.16 (200 SCALE MAP No. 056A.1)
 - EXISTING USE: AUTOMOBILE DEALERSHIP
PROPOSED USE: AUTOMOBILE DEALERSHIP
 - REQUIRED BUILDING SETBACKS IN THE BR ZONE
- | | REQUIRED | PROPOSED |
|-------------|----------|----------------------|
| FRONT YARD: | 50' | 75' |
| SIDE YARD: | 30' | # 11311 = 14' (LEFT) |
| REAR YARD: | 30' | # 11311 = 95' |
- OFF-STREET PARKING CALCULATIONS: SEE SEPARATE TABULATION.
 - ZONING HISTORY: SEE SEPARATE LISTS.
 - PREVIOUS COMMERCIAL PERMITS: SEE SEPARATE LISTS.
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 - THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
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SITE PLAN TO ACCOMPANY ZONING PETITION
STOLER FORD, PORSCHE & LEXUS
11309 AND 11311
REISTERSTOWN ROAD
OWINGS MILLS, MARYLAND, 21117
4TH ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND



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Baltimore, Maryland 21209
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Facsimile: (410) 653-7953

Professional Certification		SCALE: 1" = 50'	
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. 13293		DATE: NOV. 30, 2017 JOB NO.: 2016-252 DESIGNED: T.L.B. DRAWN: T.L.B. CHECKED: S.L.D. / R.E.M. FILE: 2018252-SITE PLAN DRAWING NUMBER: ZP-1	
NO.	DATE	REVISIONS:	BY SHEET 1 OF 1

2018-0150-A