MEMORANDUM

DATE: July 10, 2018

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2018-0275-A - Appeal Period Expired

The appeal period for the above-referenced case expired on July 9, 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 (611 Reisterstown Road) 3rd Election District 2nd Council District Elle Management, LLC *Legal Owner* Petitioner	* * * * *	BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS FOR BALTIMORE COUNTY **CASE NO. 2018-0275-A**

* * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County as a Petition for Variance filed by Elle Management, LLC, legal owner of the subject property ("Petitioner"). The Petition seeks variance relief from Sections 232.B, 509.4.A, 409.4.C, 409.3 & 409.8.A.5 of the Baltimore County Zoning Regulations ("BCZR") as follows: (1) to permit an existing office (converted dwelling) with a side yard setback of 5 ft. in lieu of 15 ft.; (2) to permit an entrance driveway aisle width of 17.3 ft. in lieu of 20 ft.; (3) to permit a two-way driveway aisle width of 16.7 ft. and 21.9 ft. in lieu of 22 ft.; (4) to permit two parallel parking space widths of 18 ft. in lieu of 21 ft. and four standard parking space depths of 17.7 ft. in lieu of 18 ft.; and (5) to permit a dead-end aisle with no backup area in lieu of the required sufficient backup area. A site plan was marked as Petitioner's Exhibit 1.

Joseph Openden appeared in support of the petition. Mike Pierce appeared on behalf of the Pikesville Communities Corporation. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee ("ZAC") comments were received from the Department of Planning ("DOP") and the Bureau of Development Plans Review ("DPR"). Neither agency opposed the requests.

The site is approximately 23,928 square feet in size and zoned BL. The property is

ORDER RECEIVED FOR FILING
Date 6/7/18
By Sen

improved with a dwelling constructed in 1886. The dwelling was in poor condition when Petitioner purchased the property last year. Petitioner, who is a licensed home improvement contractor, renovated the home and plans to use it as an office for his business.

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 narrow and deep (72' x 310') and is therefore unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because it would be unable to operate its business at the site. 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.

Mr. Pierce expressed concern with the fact that the proposed parking spaces and drive aisles were only marginally sufficient, and he believe a sufficient back-up/turnaround area should be provided at the existing "edge of pavement" shown on the site plan. While he acknowledged (as Mr. Openden testified) Petitioner's office will not generate a large volume of traffic or demand for parking spaces, Mr. Pierce feared that a subsequent owner or user of the site could generate more traffic and yet still be able to avail itself of the relief granted in this case.

Those are reasonable concerns, but I believe they are ameliorated to some extent in the circumstances of this case. As an initial matter, other than for the existing side yard setback, the variance requests pertain to the parking regulations in BCZR §409. Should another user or owner seek to operate a more traffic-intensive use at the site it is likely it would be required to provide

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Date 6/7/18
By DLD

additional parking spaces pursuant to BCZR §409.6. In addition, as Mr. Openden noted there is more than sufficient space at the rear of the site to provide additional parking spaces and/or a turnaround area should business conditions warrant such an expansion. I believe sufficient parking is shown on the plan to accommodate Petitioner's office and I will therefore not impose any additional requirements in that regard.

In addition to its comment regarding the need for a landscape plan, the Bureau of DPR requested Petitioner to provide in the public right-of-way a concrete apron "to match the driveway on the property." Presumably this refers to the curb cut width of 14 ft. while the driveway on Petitioner's property is 17.3 ft. in width. As noted above, I do not believe the contractor's office will generate much vehicular traffic and therefore the existing point of ingress/egress appears to be sufficient. More importantly, any improvements of this nature would require SHA approval (since Reisterstown Road is a state highway) and be subject to its construction guidelines, which would be an expensive and time consuming ordeal for a small business owner. In addition, the SHA conducted a "field inspection" and in a letter dated April 16, 2018 said it had no objection to the variance requests.

THEREFORE, IT IS ORDERED, this 7th day of **June, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to Sections 232.B, 509.4.A, 409.4.C, 409.3 & 409.8.A.5 of the Baltimore County Zoning Regulations ("BCZR") as follows: (1) to permit an existing office (converted dwelling) with a side yard setback of 5 ft. in lieu of 15 ft.; (2) to permit an entrance driveway aisle width of 17.3 ft. in lieu of 20 ft.; (3) to permit a two-way driveway aisle width of 16.7 ft. and 21.9 ft. in lieu of 22 ft.; (4) to permit two parallel parking space widths of 18 ft. in lieu of 21 ft. and four standard parking space depths of 17.7 ft. in lieu of 18 ft.; and (5) to permit a dead-end aisle with no backup area in lieu of the required sufficient

ORDER RECEIVED FOR FILING
Date 6/7/18
By ADN

backup area, 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.

2. Prior to issuance of permits Petitioner must submit for Baltimore County approval a landscape plan for the site.

3. No outside storage of construction materials or extended parking of commercial vehicles and/or trailers shall be permitted at 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 6/7/18
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 611 Reisterstown Rd Balt MD 21208 **which is presently zoned** BL

Deed References: Liber 38856 Folio 477 10 Digit Tax Account # 0319085275

Property Owner(s) Printed Name(s) Elle Management LLC / Joes Openden

(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.✓ **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)**

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.
Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Joseph Openden / % Elle Management LLC

Name #1 – Type or Print Name #2 – Type or Print

Signature #1 Signature # 2

PO Box 32130 Balt MD

Mailing Address City State

21282 / 443-326-9315 / joe@baltimoreresidential.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
Date 6/7/18
By

CASE NUMBER 2018-0275-A **Filing Date** 4/12/18 **Do Not Schedule Dates:** _____ **Reviewer** RD

REV. 10/4/11

VARIANCE REQUEST FOR 611 REISTERSTOWN ROAD

Section 232.2.B -- to permit an existing office (converted dwelling) with a side yard setback of 5 feet in lieu of 15 feet,

Section 409.4.A – to permit an entrance driveway aisle width of 17.3 feet in lieu of 20 feet,

Section 409.4.C – to permit a two-way driveway aisle width of 16.7 feet and 21.9 feet in lieu of 22 feet,

Section 409.3 -- to permit two parallel parking space widths of 18 feet in lieu of 21 feet, and four standard parking space depths of 17.7 feet in lieu of 18 feet,

Section 409.8.A.5 -- to permit a dead-end aisle with no backup area in lieu of the required sufficient backup area.

Item #0275

ZONING PROPERTY DESCRIPTION FOR 611 Reisterstown Road Pikesville, MD 21208.

Beginning at a point on the northeast side of Reisterstown Road which has a 66' right-of-way at the distance of 168' northwest of the centerline of the nearest improved intersecting street Irving Place which has a 37' right-of-way.

Thence the following courses and distances: (1st Point of Call "POC") N. 46° 03' 00" E. 310', (2nd POC) N. 28° 00' 00" W. 72.56', (3rd POC) S. 46° 03' 00" W. 310', (4th POC) S. 28° 00' 00" E. 72.58', back to the point of beginning as recorded in Deed Liber (38856), Folio (477), containing (22,320 sq ft in lot). Located in the (3rd) Election District and (2nd) Council District.

Item # 0275

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

No. 168012

Date: 4/12/18

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				8500
						Total		8500

Rec. From: Joe Oppenlen

For: zoning hearing - case # 2018-0275-A

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

PAID RECEIPT
BUSINESS ACTUAL TIME DRW
/13/2018 4/12/2018 10:57:22 5
REG 4805 WALKTH LRB
RECEIPT #949793 4/12/2018 OPLN
5 B8 ZONING VERIFICATION
168012
Rept Total $500.00
$500.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

THE BALTIMORE SUN MEDIA GROUP

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 5597694

Sold To:
Joe Openden - CU00655048
PO Box 32130
Pikesville,MD 21282-2130

Bill To:
Joe Openden - CU00655048
PO Box 32130
Pikesville,MD 21282-2130

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

May 08, 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: 2018-0275-A
611 Reisterstown Road
NE Reisterstown Road, n/w of Irving Street
3rd Election District – 2nd Councilmanic District
Legal Owners: Joseph Openden, Elle Management, LLC
Variance to permit 1. To permit an existing office (converted dwelling) with a side yard setback of 5 ft. in lieu of 15 ft. 2. To permit an entrance driveway aisle width of 17.3 ft. in lieu of 20 ft. 3. To permit a two-way driveway aisle width of 16.7 ft. and 21.9 ft. in lieu of 22 ft. 4. To permit two parallel parking space widths of 18 ft. in lieu of 21 ft. and four (4) standard parking space depths of 17.7 ft. in lieu of 18 ft. 5. To permit a dead-end aisle with no backup area in lieu of the required sufficient backup area.
Hearing: Monday, June 4, 2018 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204
/s/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.
JEFFERSONIAN 5/8/2018 #5597694

The Baltimore Sun Media Group
By S. Wilkinson
Legal Advertising

CERTIFICATE OF POSTING

CASE NO. 2018-0375-A

PETITIONER/DEVELOPER

JOSEPH OFFENDEN

ELLE MANAGEMENT, LLC

DATE OF HEARING/CLOSING

6/4/18

RECEIVED
MAY 30 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

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

ATTENTION:

LADIES AND GENTLEMAN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) EQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

611 REISTERSTOWN ROAD

SIGN #2

THIS SIGN(S) POSTED ON May 14, 2018 May 28, 2018
(MONTH, DAY, YEAR)

SINCERELY,

5/28/18

SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDSBROOK ROAD
PARKVILLE, MD 21234
443-429-3411

5/28/18 SIGN #2

CERTIFICATE OF POSTING

CASE NO. 2018-0275-A

PETITIONER/DEVELOPER

JOSEPH OPENDEN

ELLE MANAGEMENT, LLC

DATE OF HEARING/CLOSING

6/4/18

RECEIVED
MAY 30 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

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

ATTENTION:

LADIES AND GENTLEMAN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) EQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

611 RUSTERBROOK ROAD

SIGN #1

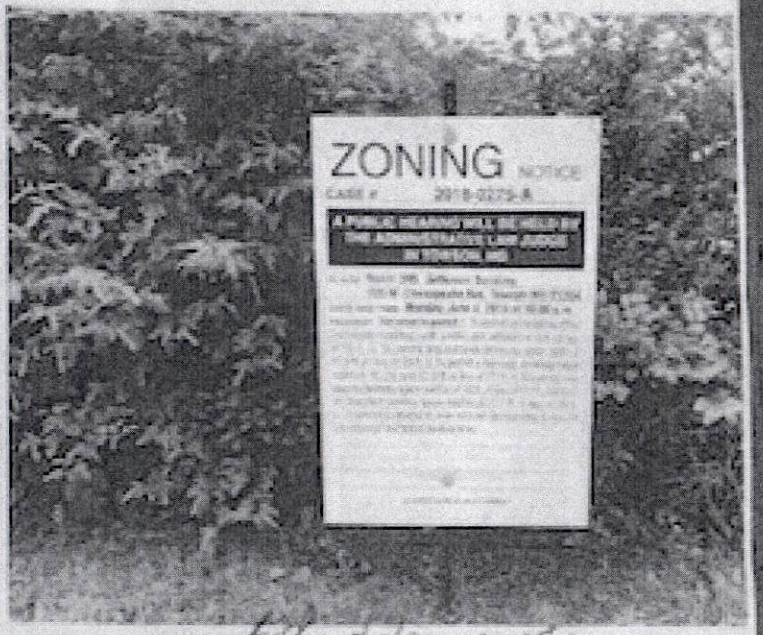
THIS SIGN(S) POSTED ON May 19, 2018 May 28, 2018
(MONTH, DAY, YEAR)

SINCERELY,

5/26/18

SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411



5/26/18 SIGN #1

ERTIFICATE OF POSTING

CASE NO. 2018-0275-A

PETITIONER/DEVELOPER

JOSEPH OPENDEN

ELLE MANAGEMENT, LLC

DATE OF HEARING/CLOSING

6/4/18

BALTIMORE COUNTY DEPARTMENT OF

PERMITS AND DEVELOPMENT MANAGEMENT

COUNTY OFFICE BUILDING ROOM 111

111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) EQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

611 REISTERTOWN ROAD

SIGN #2

THIS SIGN(S) POSTED ON May 14, 2018

(MONTH, DAY, YEAR)

SINCERELY,

5/14/18

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

ZONING NOTICE

CASE # 2018-0275-A

A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE LAW JUDGE IN TOWSON, MD

PLACE: Room 205, Jefferson Building
105 W. Chesapeake Ave, Towson MD 21204

DATE AND TIME: Monday, June 4, 2018 at 10:00 a.m.

REQUEST: **Variance to permit** 1. To permit an existing office (converted dwelling) with a side yard setback of 5 ft. in lieu of 15 ft. 2. To permit and entrance driveway aisle width if 17.3 ft. in lieu of 20 ft. 3. To permit a two-way driveway aisle width of 16.7 ft. and 21.9 ft. in lieu of 22 ft. 4. To permit two parallel parking space widths of 18 ft. in lieu of 21 ft. and four (4) standard parking space depths of 17.7 ft. in lieu of 18 ft. 5. To permit a dead-end aisle with no backup area in lieu of the required sufficient backup area.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

SIGN #2

5/14/18

RTIFICATE OF POSTING

CASE NO. 2018-0275-A

PETITIONER/DEVELOPER

JOSEPH OPENDEN

ELLE MANAGEMENT, LLC

DATE OF HEARING/CLOSING

6/4/18

BALTIMORE COUNTY DEPARTMENT OF

PERMITS AND DEVELOPMENT MANAGEMENT

COUNTY OFFICE BUILDING ROOM 111

111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) EQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

611 REISTERTOWN ROAD

SIGN # 1

THIS SIGN(S) POSTED ON May 14, 2018

(MONTH, DAY, YEAR)

SINCERELY,

5/14/18

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411


ZONING NOTICE
CASE # 2018-0275-A
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DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

SIGN #1

5/14/18

KEVIN KAMENETZ
County Executive

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

May 2, 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: 2018-0275-A
611 Reisterstown Road
NE Reisterstown Road, n/w of Irving Street
3rd Election District – 2nd Councilmanic District
Legal Owners: Joseph Openden, Elle Management, LLC

Variance to permit 1. To permit an existing office (converted dwelling) with a side yard setback of 5 ft. in lieu of 15 ft. 2. To permit an entrance driveway aisle width of 17.3 ft. in lieu of 20 ft. 3. To permit a two-way driveway aisle width of 16.7 ft. and 21.9 ft. in lieu of 22 ft. 4. To permit two parallel parking space widths of 18 ft. in lieu of 21 ft. and four (4) standard parking space depths of 17.7 ft. in lieu of 18 ft. 5. To permit a dead-end aisle with no backup area in lieu of the required sufficient backup area.

Hearing: Monday, June 4, 2018 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Joseph Openden, P.O. Box 32130, Baltimore 21282

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 15, 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 15, 2018 Issue - Jeffersonian

Please forward billing to:
Joe Openden 443-326-9315
P.O. Box 32130
Baltimore, MD 21282

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: 2018-0275-A
611 Reisterstown Road
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Hearing: Monday, June 4, 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.

RE: PETITION FOR VARIANCE 611 Reisterstown Road; NE Reisterstown Road, 168' NW c/line of Irving Street 3rd Election & 2nd Councilmanic Districts Legal Owner(s): Elle Management, LLC Petitioner(s)	* * * * * *	BEFORE THE OFFICE OF ADMINSTRATIVE HEARINGS FOR BALTIMORE COUNTY 2018-275-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
APR 17 2018

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 17th day of April , 2018, a copy of the foregoing Entry of Appearance was mailed to Joseph Opendon, Elle Management, LLC, P.O. Box 32130. Baltimore, Maryland 21282, 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: 2018-0275-A

Property Address: 611 Reisterstown Rd

Property Description: northeast side of Reisterstown Rd, +/- 168' northwest of Irving ST

Legal Owners (Petitioners): Elle Management LLC c/o Joe Operden

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Joe Operden

Company/Firm (if applicable): _____

Address: PO Box 32130
Balt MD 21282

Telephone Number: 443-326-9315

Revised 7/9/2015

KEVIN KAMENETZ
County Executive

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

May 31, 2018

Elle Management LLC
Joseph Openden
P O Box 32130
Baltimore MD 21282

RE: Case Number: 2018-0275 A, Address: 611 Reisterstown Road

Dear Mr. Openden:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 12, 2018. 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 4/18/18

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
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 4/16/18. A field inspection and internal review reveals that an entrance onto MD 140 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2018-0275-A.

Elle Management LLC, Joseph Operchan
611 Reisterstown Road.

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

Sincerely,

for Richard A. Zeller

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

WW/RAZ

6-4

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 5/11/2018

RECEIVED
MAY 17 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 18-275

INFORMATION:
Property Address: 611 Reisterstown Road
Petitioner: Joseph Openden c/o Elle Management, LLC
Zoning: BL
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit relief as listed on the attachment submitted in support of the petition.

A site visit was conducted on May 1, 2018. The site is currently improved with a single family dwelling proposed to be converted into a Class A office building.

The Department has no objections to granting the petitioned zoning relief conditioned upon the following:

- Any proposed signage shall be in conformance with BCZR §450 and the Pikesville Commercial Revitalization Guidelines with no temporary freestanding signs located along Reisterstown Road frontage.
- There shall be no outside storage of construction materials or permanent parking of construction equipment or trailers.

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/

c: Bill Skibinski
Joseph Openden, c/o Elle Management, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore Count

s:\planning\dev rev\zac\zacs 2018\18-275.docx

6-4

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: April 18, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0275-A
Address 611 Reisterstown Road
(Elle Management, LLC Property)

Zoning Advisory Committee Meeting of **April 23, 2018.**

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

Reviewer: Steve Ford

C:\Users\snuffer\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\WPHS9SSK\ZAC 18-0275-A 611 Reisterstown Road.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 4, 2018

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 16, 2018
Item No. 2018-0275-A

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

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

The concrete apron within the Public right-of-way shall be improved to match the driveway on the property.

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: 5/11/2018

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s:\planning\dev rev\zac\zacs 2018\18-275.docx

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Reviewer: Steve Ford

Case No.: 2018-0275-A 611 Reisterstown Rd.

Exhibit Sheet

Petitioner/Developer DW 7-10-18 Protestants SLN 6-7-18

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

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 2018-0275-A
DATE June 4 2018

CITIZEN'S SIGN - IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
Michael Pierce for Pikesville Communities Corporation	7448 Bradshaw Rd	Kingsville MD 21087	MPIERCE1@AOL.COM

CASE NO. 2018- 0275-A

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
5/4/18	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	Comment
4/18/18	DEPS (if not received, date e-mail sent _____)	No Comment
_____	FIRE DEPARTMENT	
5/17/18	PLANNING (if not received, date e-mail sent _____)	No Objections w/conditions
4/16/18	STATE HIGHWAY ADMINISTRATION	no Obj
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 5/8/18

SIGN POSTING (1st) Date: 5/14/18 by Ogle

SIGN POSTING (2nd) Date: 5/28/18 by Ogle

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 - 0319085275

Owner Information

Owner Name:	ELLE MANAGEMENT LLC	**Use:**	RESIDENTIAL
		Principal Residence:	NO
Mailing Address:	P O BOX 32130 BALTIMORE MD 21282-	**Deed Reference:**	/38856/ 00477

Location & Structure Information

Premises Address:	611 REISTERSTOWN RD BALTIMORE 21208-5101	**Legal Description:**	LT ES REISTERSTOWN R 346 N OF SLADE AVE

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0078	0009	0885		0000				2017	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
1886	1,842 SF		22,320 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
2	YES	STANDARD UNIT	FRAME	2 full	1 Detached	

Value Information

	Base Value	Value As of 01/01/2017	Phase-in Assessments As of 07/01/2017	Phase-in Assessments As of 07/01/2018
Land:	64,300	64,300		
Improvements	46,000	48,900		
Total:	110,300	113,200	111,267	112,233
Preferential Land:	0			0

Transfer Information

Seller: GREEN STERLYN CLIFFOR	**Date:** 04/19/2017	**Price:** $220,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /38856/ 00477	**Deed2:**
Seller: SULLIVAN GLADYS I	**Date:** 06/12/1986	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /07180/ 00364	**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

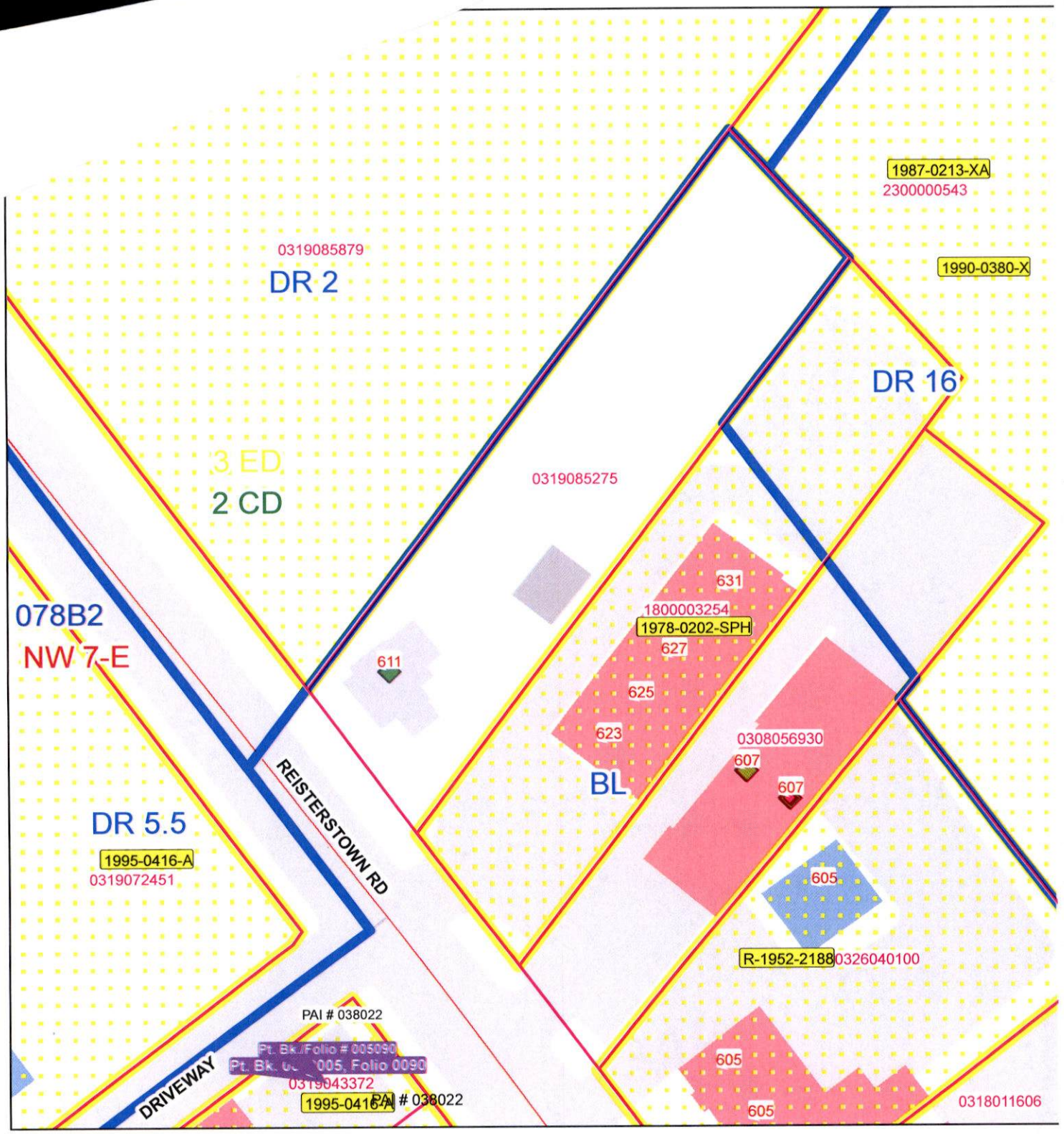
Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

[redacted]wn Road



Publication Date: 4/9/2018

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

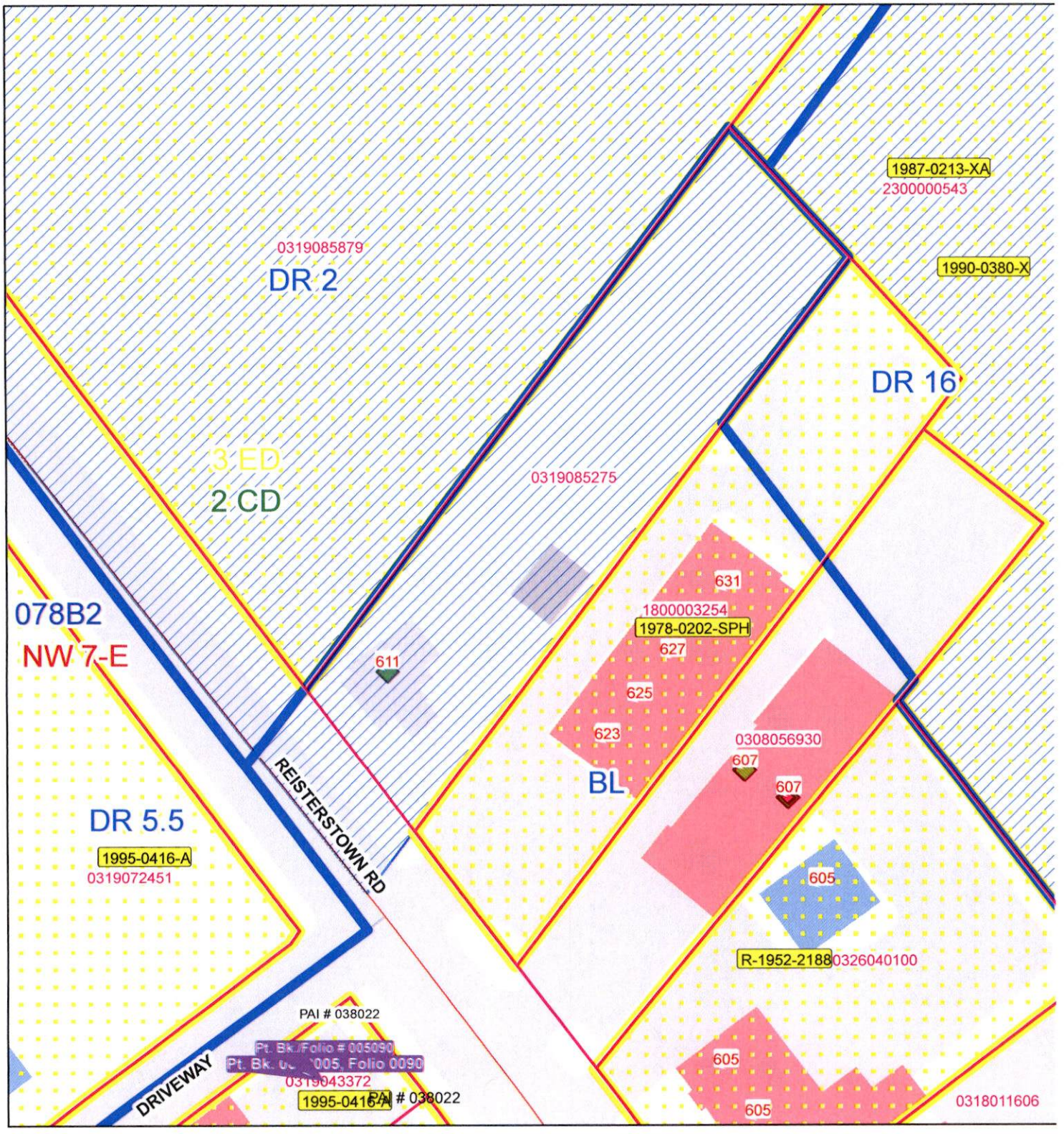
N W E S

0 15 30 60 90 120 Feet

1 inch = 60 feet

Item #0275

6 1 Reisterstown Road



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Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

N W E S

0 15 30 60 90 120 Feet

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Item #0275

Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Account Identifier: **District -** 03 **Account Number -** 0319085275

Owner Information

Owner Name:	ELLE MANAGEMENT LLC	**Use:**	RESIDENTIAL
		Principal Residence:	NO
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0078	0009	0885		0000				2017	Plat Ref:

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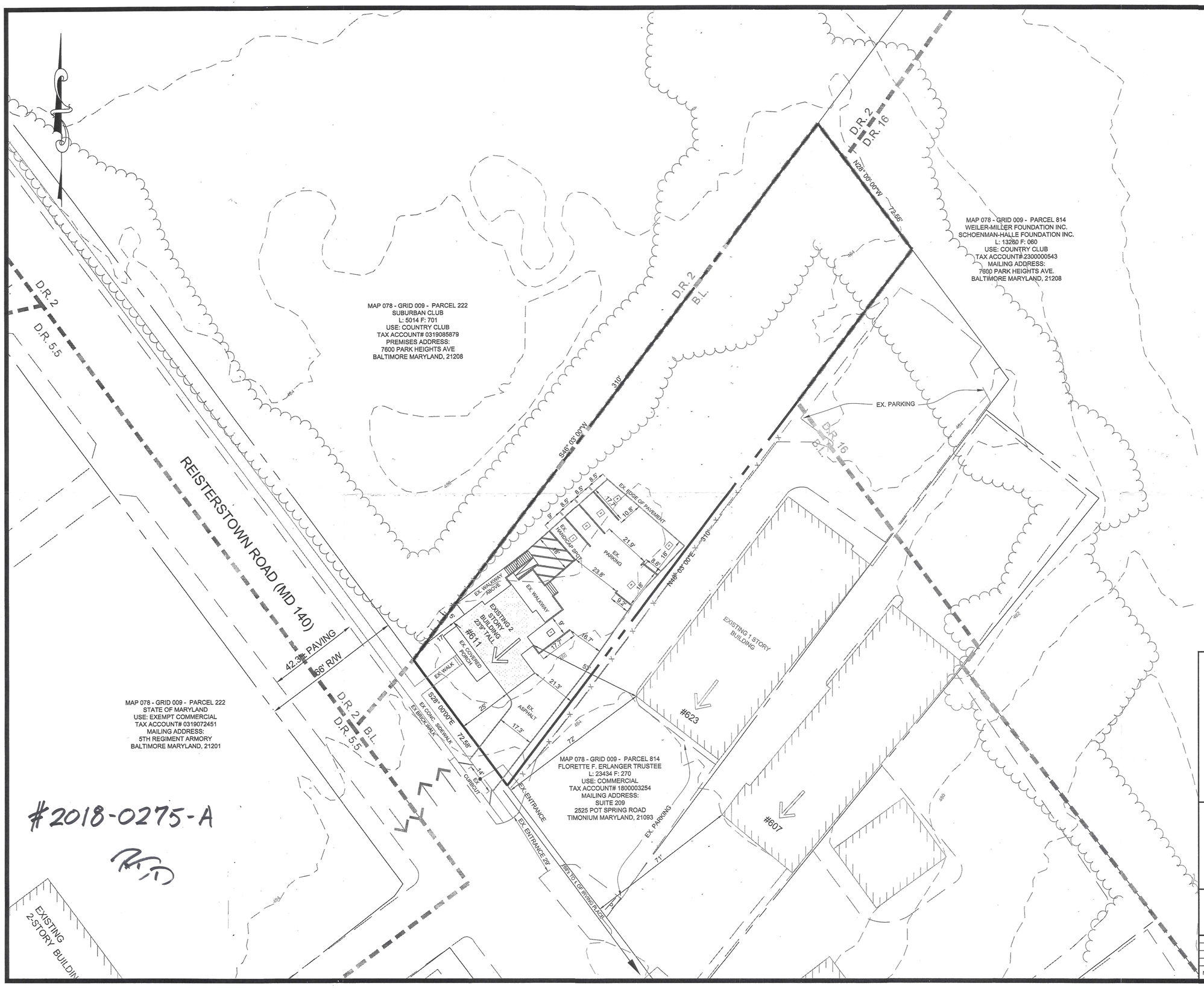
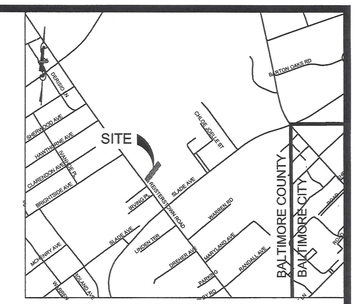
Item #0275





VICINITY MAP
SCALE: 1" = 1,000'

GENERAL NOTES:

1. OWNERS:
   ELLE MANAGEMENT LLC
   MAILING ADDRESS:
   P.O. BOX 32130
   BALTIMORE MARYLAND, 21282

   PREMISES ADDRESS:
   611 REISTERSTOWN
   BALTIMORE MARYLAND, 21208-5101

2. SITE DATA:
   TAX ACCOUNT ;UMBER: 0319085275
   DEED REFERENCE: LIBER 38856 FOLIO 477
   TAX MAP: 078
   GRID: 009
   PARCEL: 885
   CENSUS TRACT: 403402
   WATERSHED: JONES FALLS
   COMMERCIAL REVITALIZATION DISTRICT: PIKESVILLE
   GIS TILE (200 SCALE): 078B2

3. SITE ZONING: B.L.

4. EXISTING USE: RESIDENTIAL
   PROPOSED USE: COMMERCIAL

5. SITE AREA: GROSS - 23,929.8 SF, NET - 21,627.6 SF
6. EXISTING BUILDING AREA: 1,842 SF±
7. PARKING CALCULATIONS: 1,842 SF OFFICE x 3.3 SPACES / 1,000 SF = 7 SPACES REQUIRED.

8. SETBACKS FOR B.L. ZONE (SECTION 232)

	REQUIRED	EXISTING
FRONT YARD	10' TO R/W	17'
SIDE YARD	0' ADJ. TO B.L.	21'
	15' TO ADJ. D.R.2	5'
REAR YARD	20'	242'

9. FLOOR AREA RATIO:
   PERMITTED - 3.0
   PROPOSED - 0.077

10. THERE IS NO KNOWN ZONING HISTORY FOR THIS PROPERTY.
11. THIS SITE IS NOT LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
12. THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
13. THIS SITE IS NOT LOCATED WITHIN A FAILED BASIC SERVICE AREA.
14. THE SUBJECT SITE IS SERVED BY PUBLIC WATER AND SEWER.
15. BOUNDARY INFORMATION SHOWN HEREON IS BASED UPON A DEED PLOT. ADDITIONAL INFORMATION IS TAKEN FROM BALTIMORE COUNTY GIS AND AVAILABLE RECORDS AND DOES NOT REPRESENT A FIELD RUN SURVEY.
16. ANY FIXTURE USED TO ILLUMINATE AN OFF STREET PARKING AREA SHALL BE SO ARRANGED TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREET.
18. PERMIT HISTORY:
    B941110 - DECK CONSTRUCTION
    B935848 - CONSTRUCT 2ND STORY ADDITION, REPAIR TERMITE DAMAGE
19. EXISTING FREE STANDING SIGN MUST CONFORM WITH SECTION 450 OF THE BCZR.
20. THERE ARE NO HISTORIC FEATURES ON THE SITE.

PLAN TO ACCOMPANY BUILDING PERMIT

611 REISTERSTOWN ROAD

BALTIMORE COUNTY MARYLAND, 21208-5101
2ND COUNCILMANIC DISTRICT
3RD ELECTION DISTRICT
GRAPHIC SCALE

20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

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

STATE OF MARYLAND MATTHEW A. BANTON PROFESSIONAL LANDSCAPE ARCHITECT NO. 3365 5/30/18

SCALE:	1" = 20'
DATE:	02/28/2018
JOB NO.:	2017324
DESIGNED:	CMR
DRAWN:	MS
CHECKED:	MB
FILE:	611 REISTERSTOWN.dwg
DRAWING NUMBER:	BPP-1
SHEET	1 OF 1

NO.	DATE	REVISIONS:	BY

#2018-0275-A

PET. 1