

M E M O R A N D U M

DATE: August 24, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0306-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on August 23, 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 SPECIAL HEARING	*	BEFORE THE
(2023-2053 Joppa Road)		
8 th Election District	*	OFFICE OF
5 th Council District		
Satyr Limited Partnership, <i>Legal Owner</i>	*	ADMINISTRATIVE HEARINGS
	*	FOR BALTIMORE COUNTY
Petitioner	*	Case No. 2018-0306-SPH
* * * * *		

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of a Petition for Special Hearing filed on behalf of Satyr Limited Partnership, legal owner (“Petitioner”). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (“BCZR”) to approve a modified parking plan for the Satyr Hill Shopping Center, to allow 5 parking spaces per 1,000 sq. ft. or 267 parking spaces. A site plan was marked and accepted into evidence as Petitioner’s Exhibit 1.

Professional engineer Rich Richardson appeared in support of the request. 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 BCZR. A substantive Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning (“DOP”). That agency did not oppose the request.

SPECIAL HEARING

This case concerns an older strip shopping center at the corner of Joppa and Satyr Hill Roads. Throughout the country retail centers are facing challenging times and the tenant mix at these properties is also changing. In many cases small eateries will seek to lease a vacant space

ORDER RECEIVED FOR FILING

Date 7/24/18
By Sen

and the landlord will be forced to seek a parking variance given the increased number of spaces required for that use compared to general retail stores.

To avoid that scenario Petitioner requests approval for a modified parking plan under BCZR §409.12. Specifically, Petitioner proposes a plan with 267 off-street spaces, which equates to 5 spaces per 1,000 sq. ft. of leasable area. Photos were submitted which show the parking lot is more than adequate for this center and Petitioner has throughout the years never had a problem accommodating its tenants and their customers.

The DOP suggested landscaping be provided to "soften the appearance of the site." While that would improve the site, the problem is the property is almost 100% covered with impervious surfaces, which means Petitioner would be required to remove concrete or macadam paving to install vegetation. In the circumstances of this case, where Petitioner is not proposing improvements or construction of any sort, I do not believe such a condition is justified.

THEREFORE, IT IS ORDERED this 24th day of **July, 2018**, by this Administrative Law Judge, that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve a modified parking plan for the Satyr Hill Shopping Center, to allow 5 parking spaces per 1,000 sq. ft. or 267 parking spaces, 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

7/24/18

By

Sen

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

7/24/18

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 2023-2053 Joppa Road which is presently zoned BL-CCC
Deed References: 8957/216 10 Digit Tax Account # 2200003254
Property Owner(s) Printed Name(s) SATYR LIMITED PARTNERSHIP

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

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

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

SEE ATTACHED

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

3. ☐ **a Variance** from Section(s)

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

TO BE PRESENTED AT THE 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

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Timothy M. Kotroco

Name- Type or Print

Signature

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):

Satyr Limited Partnership, By: Alan Gebhart

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

Signature #1

Signature #2

334 Cranbrook Road Cockeysville, Md

Mailing Address City State

21030 / 410-666-3400 / agebhart@gebhartproperties.com

Zip Code Telephone # Email Address

Representative to be contacted:

Same As Attorney for Petitioner

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2018-0306-SPH

Filing Date 5/9/18

Do Not Schedule Dates:

Reviewer JS

REV. 10/4/11

ATTACHMENT TO SPECIAL HEARING PETITION

Special Hearing pursuant to section 500.7 and 409.12(B) of the BCZR to approve a modified parking plan for the Satyr Hill shopping center; *and to allow 5 p.s. per 1000 Sq Ft. or 267 parking spaces.*

For such other and further relief as the nature of this cause may require.

2018-0306-SPH

**ZONING DESCRIPTION FOR
SATYR HILL SHOPPING CENTER
9TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

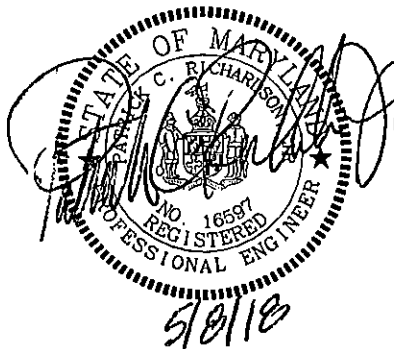
Beginning for the same at southeast intersection of Joppa Road (80' wide) and Satyr Hill Road (formerly known as Satyr Hill Cut Off) thence, binding on the southern right-of-way line of Joppa Road, the following two courses:

1. South 70°40'48" East 394.00 feet to a point of curvature;
2. 45.07 feet along the arc of a tangent curve to the left of radius of 1081.74 feet, subtended by a chord of South 71°52'25" East 45.06 feet. Thence, leaving the said right-of-way of Joppa Road and running
3. South 30°59'45" West, 595.12 feet;
4. South 67°03'20" West, 144.02 feet to the northerly right-of-way line of Satyr Hill Road (variable width);

Thence, running and binding thereon the following six courses:

5. 96.26 feet along the arc of a non-tangent curve to the left of radius of 475.00 feet, subtended by a chord of North 09°41'08" West 96.10 feet;
6. North 27°09'52" East 3.26 feet;
7. North 25°28'47" West 115.16 feet to a point of curvature;
8. 316.18 feet along the arc of a tangent curve to the right of radius of 400.00 feet, subtended by a chord of North 02°50'06" West 308.01 feet to a point of tangency;
9. North 19°45'37" East 194.75;
10. North 64°29'44" East 42.19 feet to the place of beginning hereof.

Containing a net area of 224,493 square feet, or 5.15 acres of land, more or less.



PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE OF
MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2019.

2018-0306-SPH

2018-0306-SPH



The zoning office would require the proposed modified parking plan petition to state a maximum parking calculation in lieu of the proposed parking requested.

Gary Hucik



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 5665705

Sold To:

Timothy Kotroco Esq. - CU00421252
305 Washington Avenue
#502
Towson, MD 21204

Bill To:

Timothy Kotroco Esq. - CU00421252
305 Washington Avenue
#502
Towson, MD 21204

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

Jul 03, 2018

CORRECTED NOTICE OF ZONING HEARING

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

CASE NUMBER: 2018-0306-SPH

2023-2053 Joppa Road
SE corner of Joppa Road and Satyr Hill Road
8th Election District - 5th Councilmanic District
Legal Owners: Satyr Limited Partnership, Alan Gebhart

Special Hearing to approve a modified parking plan for the Satyr Hill shopping center; to allow 5 parking spaces per 1000 sq. ft. or 267 parking spaces. For such other and further relief as the nature of this case may require.

Hearing: Monday, July 23, 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 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.

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 5654577

Sold To:

Timothy Kotroco Esq. - CU00421252
305 Washington Avenue
#502
Towson, MD 21204

Bill To:

Timothy Kotroco Esq. - CU00421252
305 Washington Avenue
#502
Towson, MD 21204

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

Jun 26, 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: 2018-0306-SPH
2023-2053 Joppa Road
SE corner of Joppa Road and Satyr Hill Road
8th Election District - 5th Councilmanic District
Legal Owners: Satyr Limited Partnership, Alan Gebhart
Special Hearing to approve a modified parking plan for the Satyr Hill shopping center; to allow 5 parking spaces per 1000 sq. ft. or 267 parking spaces. For such other and further relief as the nature of this case may require.
Hearing: Monday, July 16, 2018 at 11:00 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 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
JEFFERSONIAN 6/26/2018 #5654577

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

CERTIFICATE OF POSTING



2018-0306-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Satyr Limited Partnership, Alan Gebhart

July 23, 2018

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

2023-2053 Joppa Road

SIGN 1 Re-Certification

July 3, 2018

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



Sincerely,

 July 22, 2018
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

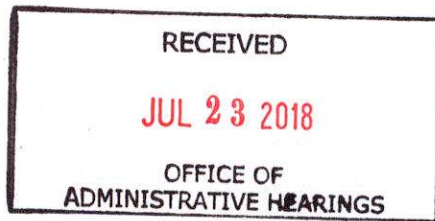
Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING



2018-0306-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Satyr Limited Partnership, Alan Gebhart

July 23, 2018

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

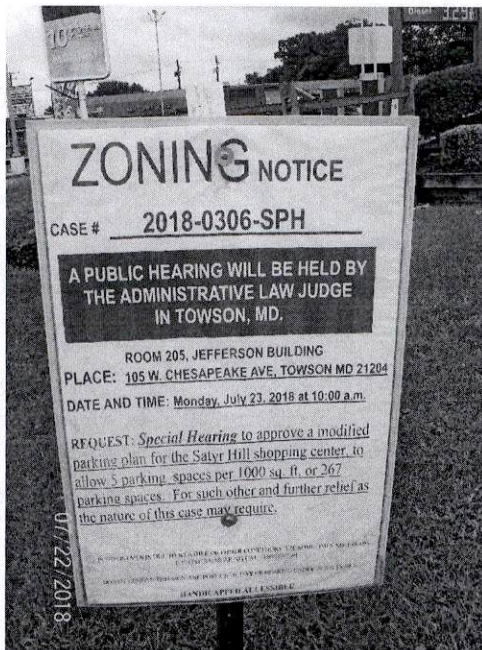
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2023-2053 Joppa Road

SIGN 2 Re-Certification

July 3, 2018

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



Sincerely,


(Signature of Sign Poster) July 22, 2018
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

RECEIVED
JUL 1 1964
OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTING

2018-0306-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Satyr Limited Partnership, Alan Gebhart

July 23, 2018

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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2023-2053 Joppa Road

SIGN 1

July 3, 2018

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



Sincerely,



July 3, 2018

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2018-0306-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Satyr Limited Partnership, Alan Gebhart

July 23, 2018

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

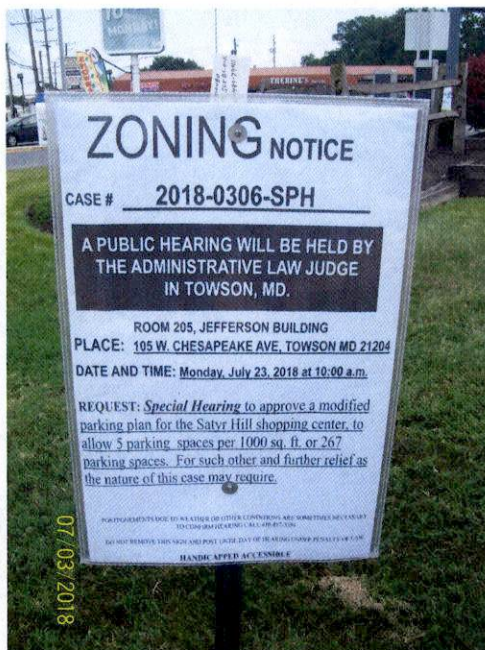
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2023-2053 Joppa Road

SIGN 2

July 3, 2018

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



Sincerely,



July 3, 2018

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



KEVIN KAMENETZ
County Executive

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

June 5, 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: 2018-0306-SPH

2023-2053 Joppa Road
SE corner of Joppa Road and Satyr Hill Road
8th Election District – 5th Councilmanic District
Legal Owners: Satyr Limited Partnership, Alan Gebhart

Special Hearing to approve a modified parking plan for the Satyr Hill shopping center; to allow 5 parking spaces per 1000 sq. ft. or 267 parking spaces. For such other and further relief as the nature of this case may require.

Hearing: Monday, July 16, 2018 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Timothy Kotroco, 305 Washington Avenue, Ste. 502, Towson 21204
Alan Gebhart, 334 Cranbrook Road, Cockeysville 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 26, 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, July 3, 2018 Issue - Jeffersonian

Please forward billing to:

Timothy Kotroco
305 Washington Avenue, Ste. 502
Towson, MD 21204

410-299-2943

CORRECTED NOTICE OF ZONING HEARING

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

CASE NUMBER: 2018-0306-SPH

2023-2053 Joppa Road

SE corner of Joppa Road and Satyr Hill Road

8th Election District – 5th Councilmanic District

Legal Owners: Satyr Limited Partnership, Alan Gebhart

Special Hearing to approve a modified parking plan for the Satyr Hill shopping center; to allow 5 parking spaces per 1000 sq. ft. or 267 parking spaces. For such other and further relief as the nature of this case may require.

➤ Hearing: Monday, July 23, 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.
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TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 26, 2018 Issue - Jeffersonian

Please forward billing to:

Timothy Kotroco
305 Washington Avenue, Ste. 502
Towson, MD 21204

410-299-2943

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: 2018-0306-SPH

2023-2053 Joppa Road

SE corner of Joppa Road and Satyr Hill Road

8th Election District – 5th Councilmanic District

Legal Owners: Satyr Limited Partnership, Alan Gebhart

Special Hearing to approve a modified parking plan for the Satyr Hill shopping center; to allow 5 parking spaces per 1000 sq. ft. or 267 parking spaces. For such other and further relief as the nature of this case may require.

Hearing: Monday, July 16, 2018 at 11:00 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

June 13, 2018

NEW NOTICE OF ZONING HEARING

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

CASE NUMBER: 2018-0306-SPH

2023-2053 Joppa Road

SE corner of Joppa Road and Satyr Hill Road

8th Election District – 5th Councilmanic District

Legal Owners: Satyr Limited Partnership, Alan Gebhart

Special Hearing to approve a modified parking plan for the Satyr Hill shopping center; to allow 5 parking spaces per 1000 sq. ft. or 267 parking spaces. For such other and further relief as the nature of this case may require.

Hearing: Monday, July 23, 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
Alan Gebhart, 334 Cranbrook Road, Cockeysville 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 3, 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 SPECIAL HEARING * BEFORE THE OFFICE
2023-2059 Joppa Road; SE corner of Joppa *
Road and Satyr Hill Road * OF ADMINISTRATIVE
8th Election & 5th Councilmanic Districts *
Legal Owner(s): Satyr Limited Partnership * HEARINGS FOR
By Alan Gebhart *
Petitioner(s) * BALTIMORE COUNTY
* 2018-306-SPH

* * * * *

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.

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

RECEIVED

MAY 16 2018

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of May, 2018, a copy of the foregoing Entry of Appearance was mailed to 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/neighbor 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: 2018-0306-SPH
Property Address: 2023-2053 Joppa Rd
Property Description: _____

Legal Owners (Petitioners): Saty Limited Partnership
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Timothy Kotroco
Company/Firm (if applicable): Kotroco & Associates, LLC
Address: 305 Washington Ave Suite 502
Towson MD 21204
Telephone Number: 410 299 2943



STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater
Administrator

Date: 5/24/18

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2018-0306-SPH

Special ~~Exemption~~ Hearing
Satyr Limited Partnership, Alan Gebhart
2023-2053 Foppa Road.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 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: 6/11/2018

FROM: Andrea Van Arsdale
Director, Department of Planning



SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-306

INFORMATION:

Property Address: 2023 – 2053 Joppa Road
Petitioner: Satyr Limited Partnership c/o Alan Gebhart
Zoning: BL-CCC
Requested Action: Special Hearing

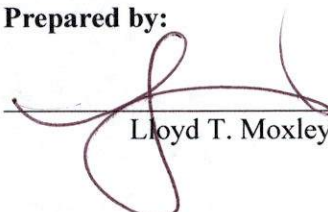
The Department of Planning has reviewed the petition for a special hearing pursuant to section 500.7 and 409.12(B) of the Baltimore County Zoning Regulations (BCZR) to approve a modified parking plan for the Satyr Hill shopping center to allow 5 parking spaces per 1000 square feet or 267 spaces, in lieu of 390.

A site visit was conducted on 5/23/2018. The site is an older strip shopping center located in the Parkville Community. It houses several small food establishments, service businesses and two pad sites, in addition to a snowball stand.

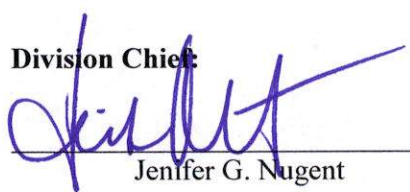
This Department has reviewed the request and does not object to the reduction in parking provided the owner/ applicant installs some landscaping along the Joppa Road edge to screen the parking and soften the appearance of the site.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Jenifer G. Nugent

AVA/JGN/LTM/

c: Laurie Hay
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Timothy M. 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: May 16, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0306-SPH
Address 2023-2053 Joppa Road
(Satyr Limited Partnership Property)

Zoning Advisory Committee Meeting of **May 21, 2018**.

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: June 11, 2018

FROM: VKD
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 21, 2018
Item No. 2018-0303-SPH, 0304-SPH, 0305-A, 0306-SPH, and 0309-A

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

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*

*

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 6/11/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-306

INFORMATION:

Property Address: 2023 – 2053 Joppa Road
Petitioner: Satyr Limited Partnership c/o Alan Gebhart
Zoning: BL-CCC
Requested Action: Special Hearing

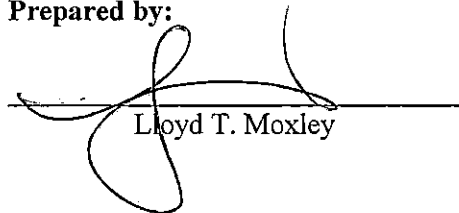
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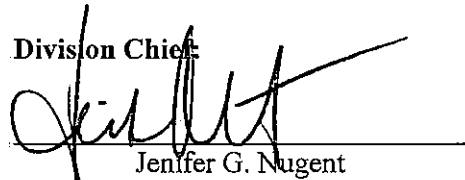
For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

AVA/JGN/LTM/

c: Laurie Hay
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Timothy M. 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: May 16, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0306-SPH
Address 2023-2053 Joppa Road
(Satyr Limited Partnership Property)

Zoning Advisory Committee Meeting of **May 21, 2018**.

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

Reviewer: Steve Ford

Case No.: 2018-0306-SPH

Aln
7/24/18

Exhibit Sheet

Petitioner/Developer

D3
8-24-18

Protestant

No. 1	Plan	
No. 2	Aerial Photo	
No. 3	Site photos w/ Key Sheet	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

CASE NAME 2018-306-SPH
CASE NUMBER _____
DATE 7/23/18

[illegible]

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>6/11</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NO Comment</u>
<u>5/16</u>	DEPS (if not received, date e-mail sent _____)	<u>NO Comment</u>
<u>6/13</u>	FIRE DEPARTMENT PLANNING (if not received, date e-mail sent _____)	<u>COMMENT</u>
<u>5/24</u>	STATE HIGHWAY ADMINISTRATION TRAFFIC ENGINEERING	<u>NO Obj</u>
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. <u>2013-0035-A</u>)	
NEWSPAPER ADVERTISEMENT	Date: <u>7/3/18</u>	
SIGN POSTING (1 st)	Date: <u>7/3/18</u>	by <u>SSG Black</u>
SIGN POSTING (2 nd)	Date: <u>7/22/18</u>	by <u>SSG Black</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search

There are no records that match your criteria for county: BALTIMORE COUNTY, account identifier: , , .

Enter Property Account Identifier for BALTIMORE COUNTY

District:

08

Account Identifier:

2200003254

JB 10-11-12

IN RE: PETITION FOR VARIANCE
(2033 Joppa Road)
Satyr Limited Partnership
Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2013-0035-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by Charles E. Brooks, Esquire, with Brooks and Kosloski, on behalf of the legal owner, Satyr Limited Partnership. The Petitioner is requesting Variance relief from § 450.4 Attachment 1.7(b) as follows:

- (1) To permit the maximum area of the "Joint Identification Freestanding" sign to be 190.9' in lieu of the 122 square feet permitted,
- (2) To permit the maximum sign height of the "Joint Identification Freestanding" sign to be 27' in lieu of 25' permitted, and
- (3) To permit the maximum number of tenant lines displayed on the sign from five (5) to seven (7).

The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit I.

Appearing at the public hearing in support for this case was Rick Gabell of Gebhart Properties, and Michael Domeier with Strickler Signs. Charles E. Brooks, Esquire and Jean M. Kosloski, Esquire appeared as counsel and represented the Petitioner. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

The Zoning Advisory Committee (ZAC) comments were received and made a part of the file. A ZAC comment was received from the Department of Planning (DOP) on September 13, 2012, as follows:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning does not oppose the petitioner's request for variances from Section 450.4 of the BCZR (Joint Identification Freestanding). The existing freestanding joint identification sign is in poor condition. Although the proposed sign is much larger than the existing sign, it will serve more tenants and will be constructed of quality materials, as shown by the provided sign elevation.

The proposed freestanding sign shall be landscaped at the base, to provide screening and mitigate the appearance of the height. The Department of Planning has no additional comments on the modifications to the freestanding Goodyear sign or the removal of the other two signs on the lot.

Testimony and evidence revealed that the subject property is approximately 5.19 acres in size, and is zoned BL-CCC. The site is improved with a shopping center constructed in 1956, which counsel described as one of the oldest in the county. Mr. Rick Gabell, Director of Development for Petitioner, testified that the existing joint identification sign at the center was struck by a truck and destroyed. He explained the new sign would update the look and appearance of the center, and the height proposed would allow for all tenants to be identified.

Based upon the testimony and evidence presented, I will grant the request for variance relief. Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioner has met this test.

As shown on the site plan, the property is uniquely shaped, and has frontages on both Joppa and Satyr Hill Roads. The center has been in existence for over 55 years, and as noted by the DOP, the new sign will improve the look of the center, and will allow shoppers and motorists to properly identify the businesses on site.

If the B.C.Z.R. were strictly enforced, the Petitioner would indeed suffer a practical difficulty and/or hardship. The Petitioner would be unable to reconstruct the damaged sign as proposed. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of opposition from the community and the lack of negative comments from Baltimore County reviewing agencies. In addition, the Petitioner noted that two signs presently on site (identified on the plan as signs "B" and "C") would be removed, so the end result is that the number of signs is reduced, and the appearance is enhanced, which is the goal of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this petition, and after considering the testimony and evidence, I find that Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED, this 17th day of October, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 450.4 Attachment 1.7(b) as follows:

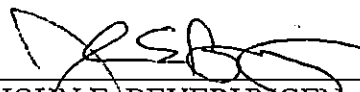
- (1) To permit the maximum area of the "Joint Identification Freestanding" sign to be 190.9' in lieu of the 122 square feet permitted,
- (2) To permit the maximum sign height of the "Joint Identification Freestanding" sign to be 27' in lieu of 25' permitted, and
- (3) To permit the maximum number of tenant lines displayed on the sign from five (5) to seven (7),

be and is hereby GRANTED.

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

1. The Petitioner may apply for its appropriate permits and may be granted same upon receipt of this Order. However the Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason this Order is reversed, the Petitioner will be required to return and be responsible for returning said property to its original condition.
2. The Petitioner must provide and install vegetative material and plants at the base of the joint identification sign on Joppa Road, in accordance with Exhibit H attached hereto.

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:dlw



Satyr Limited Partnership

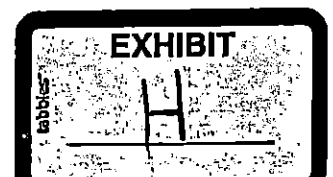
334 Cranbrook Road
Cockeysville, MD 21030
410-666-7000
FAX 410-666-3735

EXHIBIT H

CASE NUMBER 2013-0035
Address: 2033 E. Joppa Road, 21234
October 15, 2012

PROPOSED PLANTINGS FOR PROPOSED FREESTANDING JOINT
IDENTIFICATION "SIGN A"

We propose to plant the base of the proposed freestanding joint identification "Sign A" with six (6) Juniperis Chinensis Sea Green (common name Chinese Juniper Sea Green) in three (3) gallon containers. These are hardy drought tolerant evergreen plants that grow to 4' to 6' in height and 6' to 8' in diameter at maturity.





DONALD I. MOHLER III
County Executive

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

July 19, 2018

Satyr Limited Partnership
Alan Gephart
334 Cranbrook Road
Cockeysville MD 21030

RE: Case Number: 2018-0306 SPH, Address: 2023-2053 Joppa Road

Dear Mr. Gephart:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 9, 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,

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

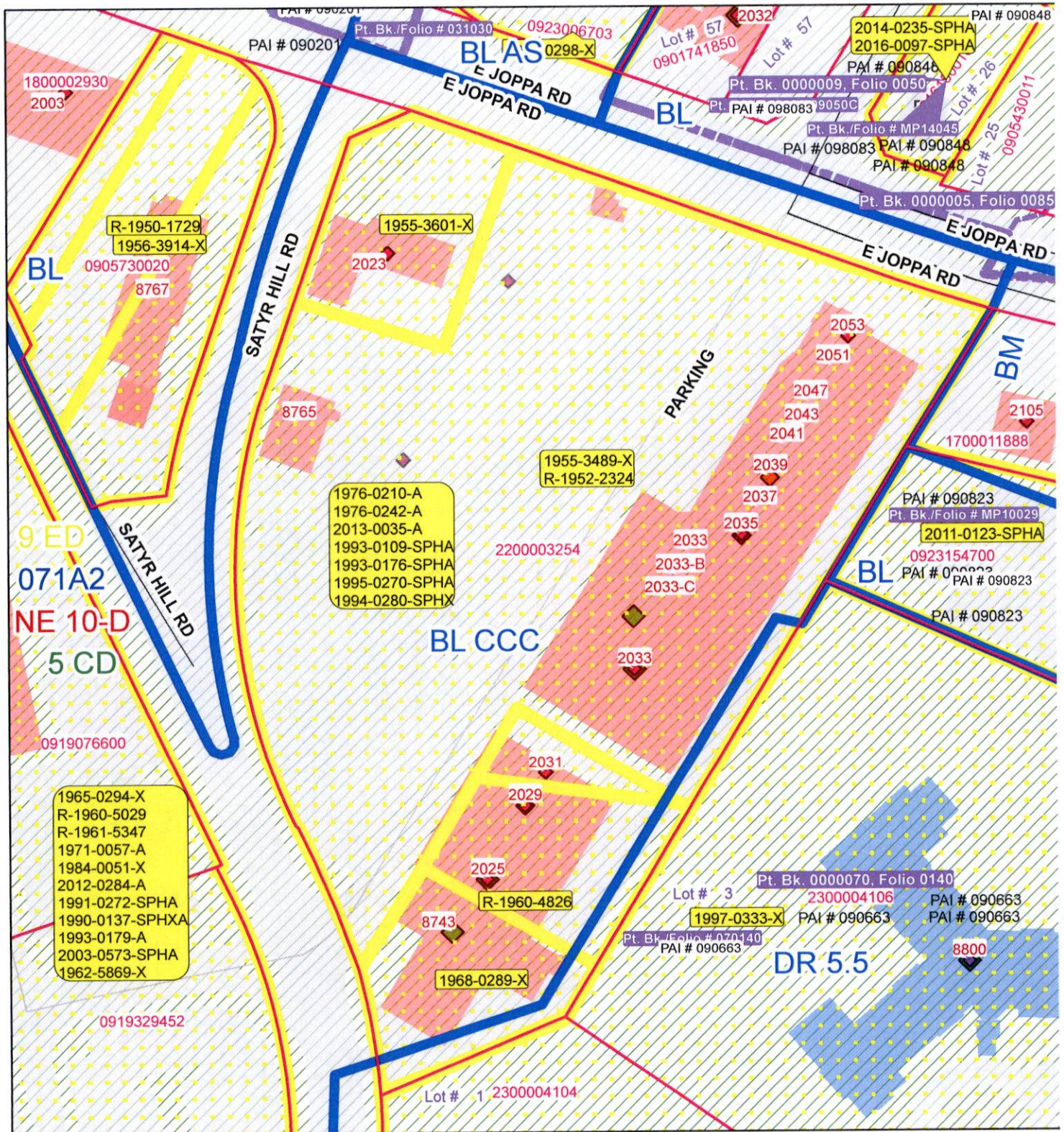
W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Timothy M. Kotroco, Esquire, 305 Washington Avenue, Suite 502, Towson MD 21204

23-2053 Joppa Road



Publication Date: 5/9/2018



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

2018-0306-SPH

352

with 5/1000 267



Baltimore County - My Neighborhood



PET. No. 2



Baltimore County - My Neighborhood



PET. No. 3

#3
↓

#4
↓

#2
↑
#1
↓



#1

#2



#3



#4





