

MEMORANDUM

DATE: November 13, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0067-SPHX - Appeal Period Expired

The appeal period for the above-referenced case expired on November 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.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

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

(12400 Owings Mills Blvd.)

4th Election District

2nd Council District

Owings Mills Sports Arena

Partners, LLC

Legal Owner

Diamond Automotive Services, LLC

Contract Purchaser

Petitioners

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2019-0067-SPHX

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Special Exception filed on behalf of Owings Mills Sports Arena Partners, LLC, legal owner and Diamond Automotive Services, LLC, contract purchaser ("Petitioners"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") as follows: (1) to confirm that the storage of antique/classic vehicles is a parking lot/garage and permitted by right in the ML-IM zone; (2) to amend the Order in Case No. 1997-0563 XA (which granted a variance from BCZR Section 253.4 to allow a commercial recreation facility at the subject property within 100 ft. of a residential zone line) to allow a service garage, parking lot/garage and commercial recreational facility within 100 ft. of a residential zone line; and (3) to confirm that the parking requirements in BCZR Section 409 for the proposed uses are satisfied and that the existing interior and exterior number of parking spaces is compliant. A Petition for Special Exception was filed to permit a service garage in the ML-IM zone.

Landscape architect Kevin Riley and Chuck Heinle on behalf of the contract purchaser attended the public hearing in support of the requests. Lawrence E. Schmidt, Esq. represented the Petitioners. There were no protestants or interested citizens in attendance. The Petition was

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Date 10/10/18

By sen

advertised as required by the BCZR. No substantive Zoning Advisory Committee (ZAC) comments were received from any of the reviewing county agencies.

SPECIAL HEARING

The subject property is approximately two (2) acres in size and is zoned ML-IM. The property is improved with a large (approximately 41,000 sq. ft.) warehouse building occupied by several tenants. Diamond Automotive Services, LLC ("Diamond") plans to purchase the property and one existing tenant (a martial arts studio) will remain in its current space. Mr. Heinle confirmed the martial arts studio, which is considered a "commercial recreation facility" under the BCZR, has its own separate entrance/exit and will occupy approximately 6,000 sq. ft. of the warehouse.

There will also be a storage facility for antique/luxury motor vehicles known as the Collectors Car Corral, which will occupy approximately 5,000 sq. ft. of warehouse space. Diamond owns and operates a similar storage facility, also known as Collectors Car Corral, at 10 Music Fair Road in the Owings Mills area. In a 2016 zoning case involving that property the ALJ determined, citing Webster's Dictionary, the vehicle storage facility was a parking lot or garage, both of which are permitted by right in the ML-IM zone. *See* Case No. 2016-0127-SPHX; BCZR § 253.1.C.18. I believe the same analysis is applicable in this case, and that aspect of the special hearing request will be granted.

The third and final tenant in the building will be a vehicle detailing business which cleans, waxes and polishes motor vehicles, mostly by appointment only. This business would occupy 30,000 sq. ft. of space in the warehouse building and is considered a "service garage" under the BCZR, which is permitted by special exception in the ML-IM zone. *See* Case No. 2016-0127-SPHX; BCZR §253.2.B.

The other aspect of the special hearing request involves the use of special parking for the three uses

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By sln

enumerated above. A commercial recreation facility requires under BCZR Section 409 ten (10) spaces per 1,000 sq. ft. of leased area. The martial arts studio is 6,000 sq. ft.; as such, 60 spaces are required for this use.

The BCZR does not prescribe a particular number of spaces required for a parking lot/garage, which makes sense in cases of this nature where parking/storage is in fact the nature of the service provided by the business in question. There is no store, restaurant or office affiliated with the parking garage upon which a parking calculation can be based. The Collectors Car Corral is a niche business catering to an upscale market, and the antique and luxury vehicles will be parked inside the warehouse and protected from the elements. Thus, the exterior parking spaces attributed to this business would be used only by employees and perhaps customers being dropped off by a family member or friend when retrieving their vehicle from storage. I believe parking at 3.3 spaces per 1,000 sq. ft. (as required for a business office) would be more than sufficient, and for 5,000 sq. ft. 17 spaces would be required.

BCZR Section 409 also does not dictate the number of spaces required for a service garage, although the Zoning Checklist published by the Office of Zoning Review (Pets. Ex. 5) states that 3.3 spaces are required per 1,000 sq. ft. The detailing business (service garage) will occupy 30,000 sq. ft., so 100 spaces are required for this use. As such, 177 spaces are required for the three proposed uses and the plan indicates 204 spaces are provided. Pets. Ex. 1, note 30.

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272, (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again

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By Sen

emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use. Counsel proffered the testimony of his witnesses, both of whom would opine the plan and project satisfies the requirements set forth in BCZR §502.1 and the Maryland case law interpreting that provision. In the absence of any evidence to the contrary I will grant the special exception request.

THEREFORE, IT IS ORDERED this 10th day of **October 2018**, by this Administrative Law Judge, that the Petition for Special Hearing: (1) to confirm that the storage of antique/classic vehicles is a parking lot/garage and permitted by right in the ML-IM zone; (2) to amend the Order in Case No. 1997-0563 XA (which granted a variance from BCZR Section 253.4 and permitted a commercial recreation facility within 100 ft. of a residential zone line) to allow the uses proposed herein (a service garage, parking lot/garage and commercial recreational facility) within 100 ft. of a residential zone line; and (3) to confirm that the parking requirements in BCZR Section 409 for the proposed uses are satisfied and that the existing interior and exterior number of parking spaces is compliant, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a service garage in the ML-IM zone, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their 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, Petitioners would be required to return the subject property to its original condition.

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Date 10/10/18

By DLR

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 10/10/18

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 12400 Owings Mills Blvd

which is presently zoned ML IM

Deed References: 21282/00001

10 Digit Tax Account # 2000000933

Property Owner(s) Printed Name(s) Owings Mills Sports Arena Partners LLC

(SELECT THE HEARING(S) BY MARKING ☒ 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

Please see the attached.

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

Please see the attached.

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 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:

Diamond Automotive Services, LLC

Name- Type or Print

Charles W. Smith

Signature

10 Music Fair Road Owings Mills MD

Mailing Address

City

State

21117

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC

Name- Type or Print

Lawrence E. Schmidt

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address

City

State

21204 (410) 821-0070 lschmidt@sgs-law.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Authorized Representative of:

Owings Mills Sports Arena Partners LLC

Name #1 - Type or Print

Name #2 - Type or Print

Neil Lakatz

Signature #1

Signature #2

11205 Five Spring Road Lutherville MD

Mailing Address

City

State

21093

Zip Code

410-952-9400

Telephone #

neil@neilakatz.com

Email Address

Representative to be contacted:

Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC

Name - Type or Print

Lawrence E. Schmidt

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address

City

State

21204

Zip Code

(410) 821-0070

Telephone #

lschmidt@sgs-law.com

Email Address

CASE NUMBER 2019-0067-SPHX

Filing Date 8/29/18

Do Not Schedule Dates:

Reviewer *gk*

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date 10/10/18

By *Sen*

2019-0067-SPHX

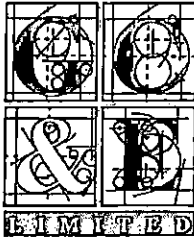
ATTACHMENT TO PETITION FOR ZONING HEARING
12400 Owings Mills Blvd.

Special Hearing relief:

1. To confirm that the storage of antique/classic vehicles is a parking lot/garage and permitted by right in the ML-IM zone;
2. To amend the order in Case No. 1997-0563-XA which granted a variance from BCZR §253.4 to allow a commercial recreation facility within 100 feet of a residential zone line to allow a service garage, parking lot/garage and commercial recreational facility as uses in combination within 100 feet of a residential zone line;
3. To confirm that the parking requirements in BCZR §409 for the proposed uses are satisfied and that the existing interior and exterior number of parking spaces is compliant; and
4. For such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Special Exception relief:

1. For service garage in the ML-IM zone; and
2. For such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towson Town Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

August 23, 2018

Zoning Description
OWINGS MILLS SPORTS ARENA PARTNERS, LLC
12400 Owings Mill Boulevard
Baltimore County, Maryland

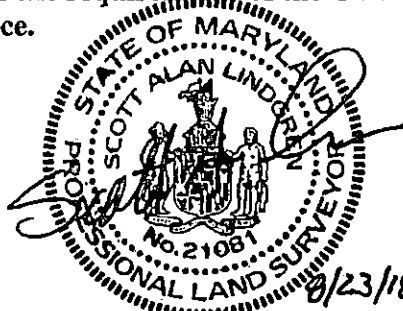
All that piece or parcel of land, situate, lying and being in the Fourth Election District, Second Councilmanic District of Baltimore County, Maryland and described as follows to wit:

Beginning for the same at a point on the southwestern right of way line of the 70 foot wide right of way of Owings Mill Boulevard, at the distance of 436 feet, more or less, measured northwesterly along said right of way line, from the point of intersection of the centerline of Glynlee Court and said southwestern right of way line, said point of beginning also being 35 feet southwesterly, more or less, from the centerline of said Owings Mill Boulevard, and running thence along said southwestern right of way line, the two following lines, viz (1) North 44 degrees 03 minutes 54 minutes West 152.14 feet, and, (2) thence northwesterly by a line curving to the right having a radius of 990.00 feet for an arc distance of 156.28 feet, (said arc being subtended by a chord bearing North 39 degrees 32 minutes 22 seconds West 156.11 feet), thence leaving said right of way line, and running and binding on the outlines of the herein described property, the five following courses and distances, viz: (3) South 54 degrees 58 minutes 46 seconds West 274.96 feet, (4) South 40 degrees 39 minutes 46 seconds East 184.72 feet, (5) North 49 degrees 20 minutes 14 seconds East 17.00 feet, (6) South 40 degrees 39 minutes 46 seconds East 165.88 feet, and, (7) North 45 degrees 56 minutes 06 East 263.06 feet, to the place of beginning.

Containing 2.000 Acres of land, more or less.

Being all of Lot 2 as shown on a plat entitled "Plat of Resubdivision of St. Georges Industrial Park", dated August 31, 1984, and recorded among the Land Records of Baltimore County in Plat Book E.H.K.Jr. No. 51 folio 130.

This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.



LICENSE EXPIRES/RENEWAL 2/26/19

X:\N\Neuman Owings Mills\ZONING DESCRIPTION 2.000 Ac 08_23_18.doc

2019-0067-SDHX

Plot 3 A

ZONING NOTICE

CASE # 2019-0067-SPHX

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

ROOM 205, JEFFERSON BUILDING

PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: THURSDAY, OCTOBER 4, 2018

AT 1:30 P.M.

SPECIAL HEARING 1. TO CONFIRM THAT THE STORAGE
OF ANTIQUE/CLASSIC VEHICLES IS A PARKING
LOT/GARAGE AND PERMITTED BY RIGHT IN THE ML-JM
ZONE; 2. TO AMEND THE ORDER IN CASE NO.
1997-0563-XA WHICH GRANTED A VARIANCE FROM BCZR
SECTION 253.4 TO ALLOW A COMMERCIAL RECREATION
FACILITY WITHIN 100 FT. OF A RESIDENTIAL ZONE LINE
TO ALLOW A SERVICE GARAGE, PARKING LOT/GARAGE
AND COMMERCIAL RECREATIONAL FACILITY AS USES

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 877-3391

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

HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # 2019-0067-SPHX

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

ROOM 205, JEFFERSON BUILDING

PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: THURSDAY, OCTOBER 4, 2018

AT 1:30 P.M.

IN COMBINATION WITHIN 100 FT. OF A RESIDENTIAL
ZONE LINE; 3. TO CONFIRM THAT THE PARKING
REQUIREMENTS IN BCZR SECTION 409 FOR THE
PROPOSED USES ARE SATISFIED AND THAT THE
EXISTING INTERIOR AND EXTERIOR NUMBER OF
PARKING SPACES IS COMPLIANT; AND 4. FOR SUCH
OTHER AND FURTHER RELIEF AS MAY BE DEEMED
NECESSARY BY THE ADMINISTRATIVE LAW JUDGE FOR
BALTIMORE COUNTY.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 877-3391

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ZONING NOTICE

CASE # 2019-0067-SPHX

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

ROOM 205, JEFFERSON BUILDING

PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: THURSDAY, OCTOBER 4, 2018

AT 1:30 P.M.

SPECIAL EXCEPTION FOR SERVICE GARAGE IN THE
ML-JM ZONE; AND FOR SUCH OTHER AND FURTHER
RELIEF AS MAY BE NECESSARY BY THE
ADMINISTRATIVE LAW JUDGE.
12400 OWINGS MILLS BOULEVARD

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 877-3391

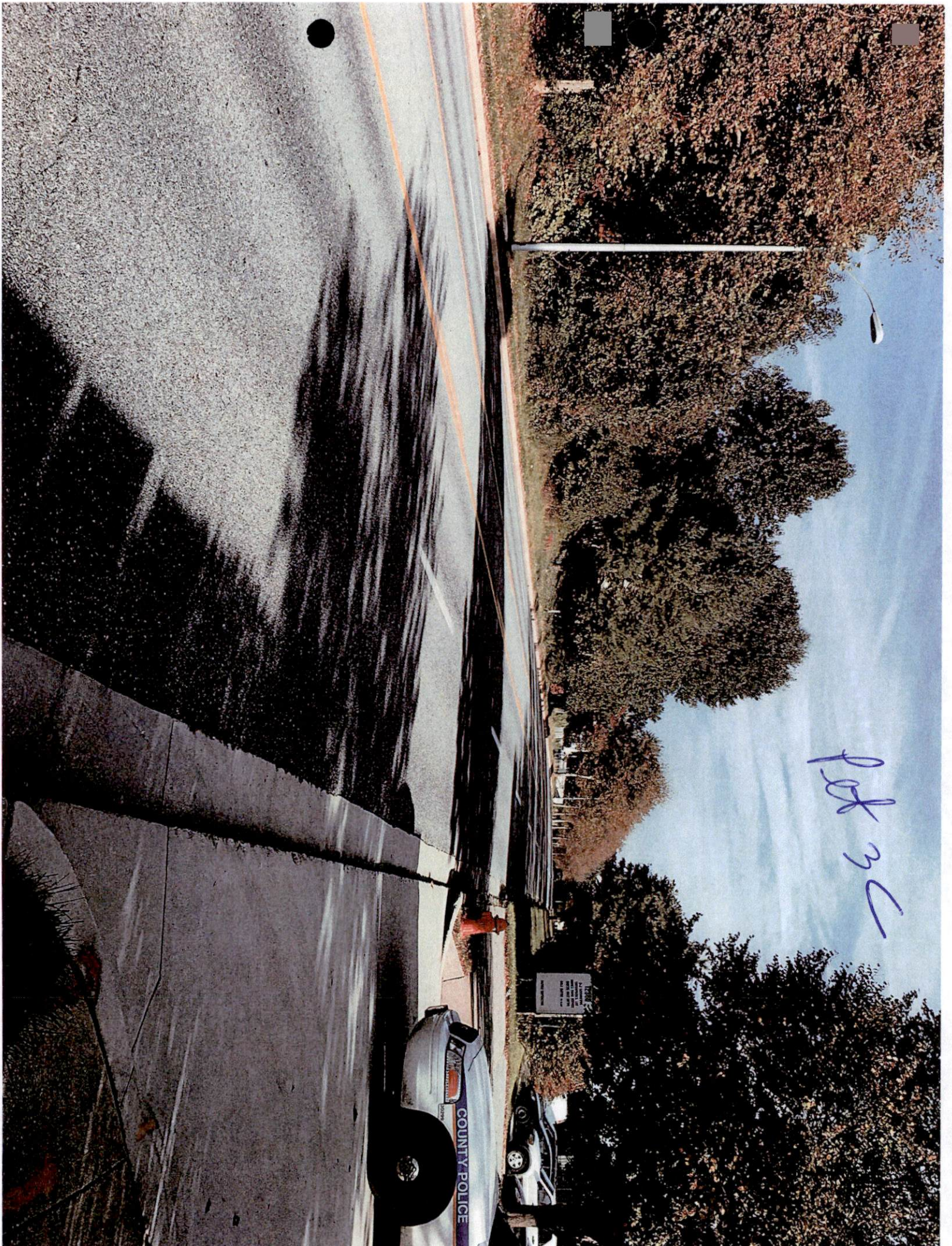
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

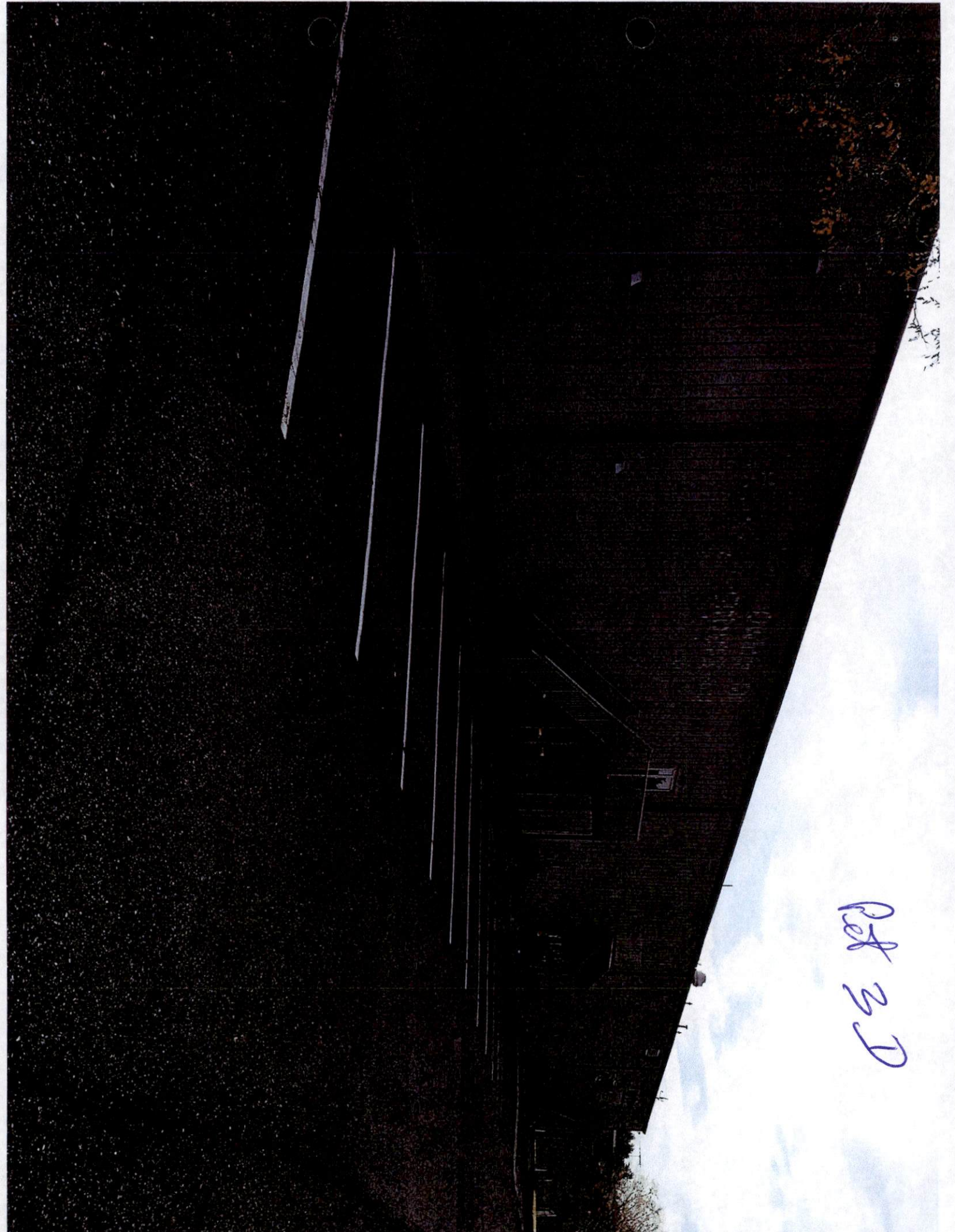


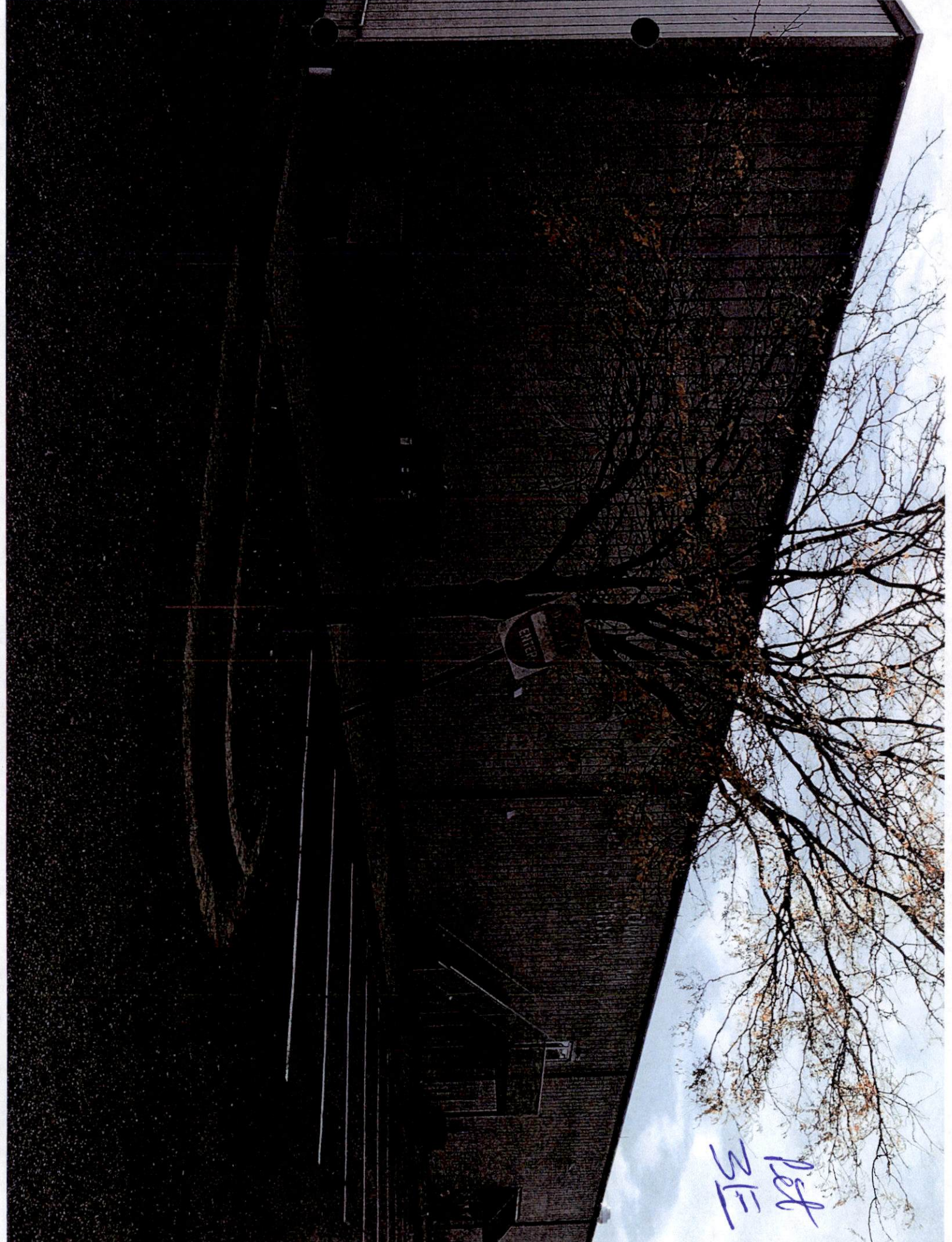
1st 3B

Post 3C



Pet 3D





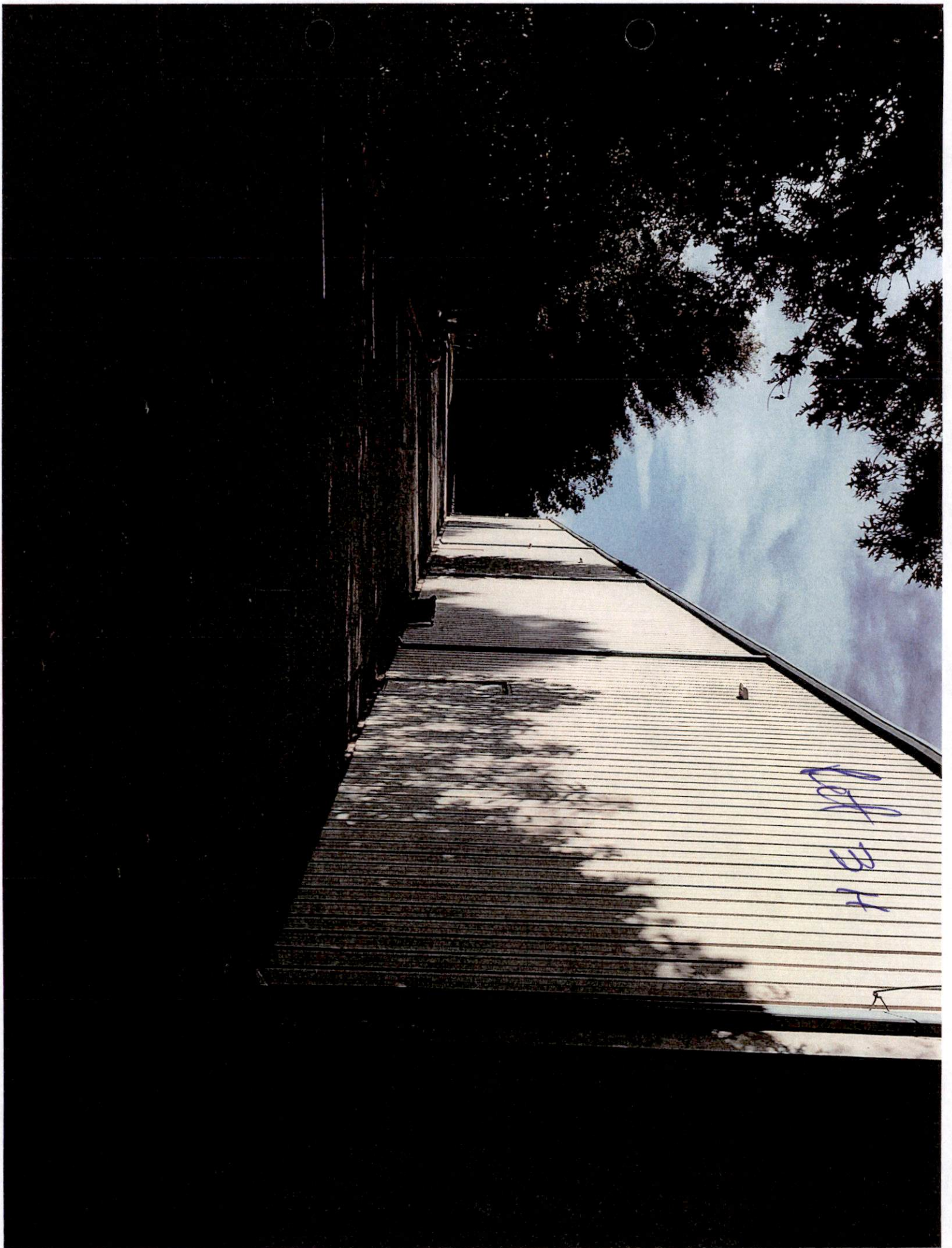
Plot
3E



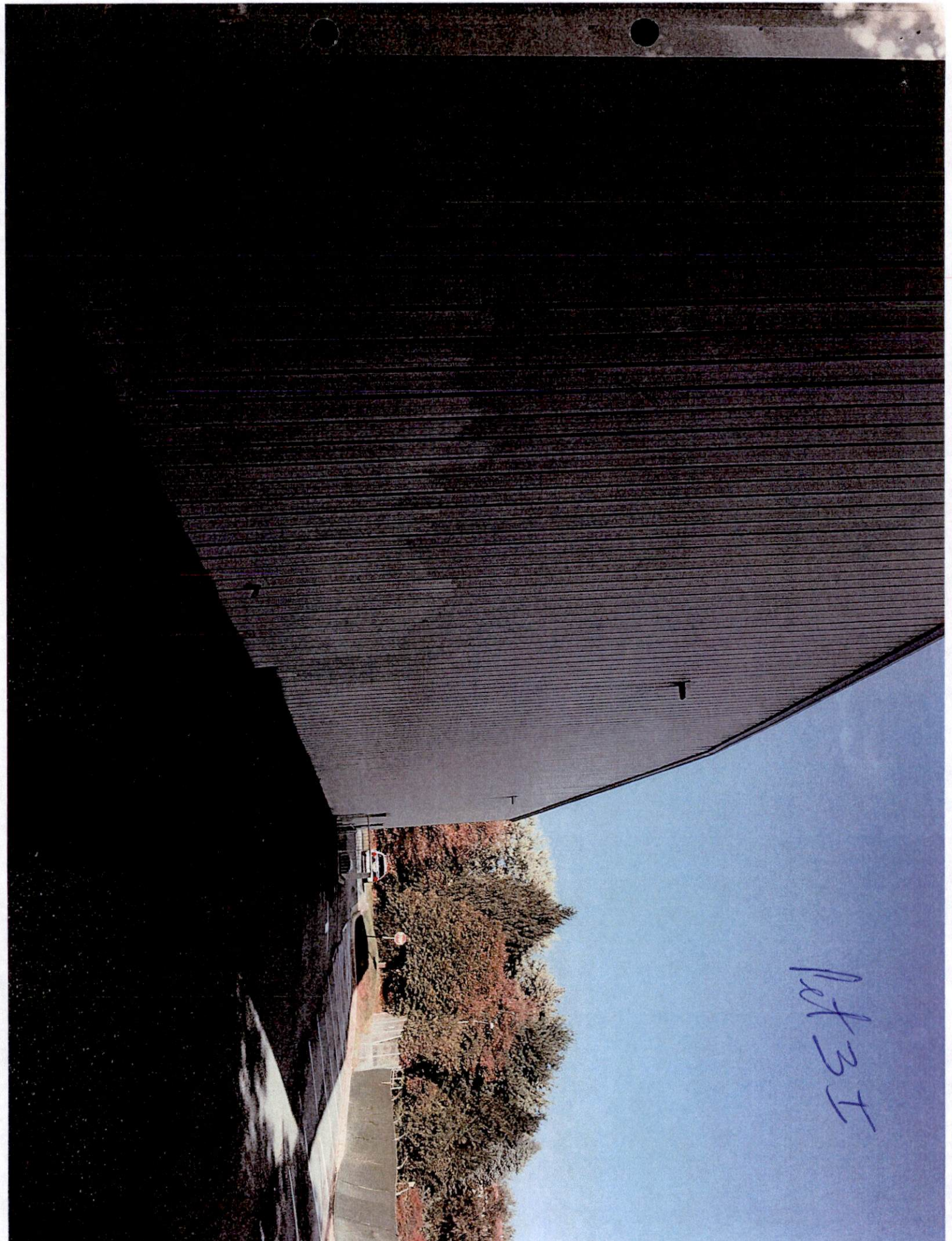
10/27/15



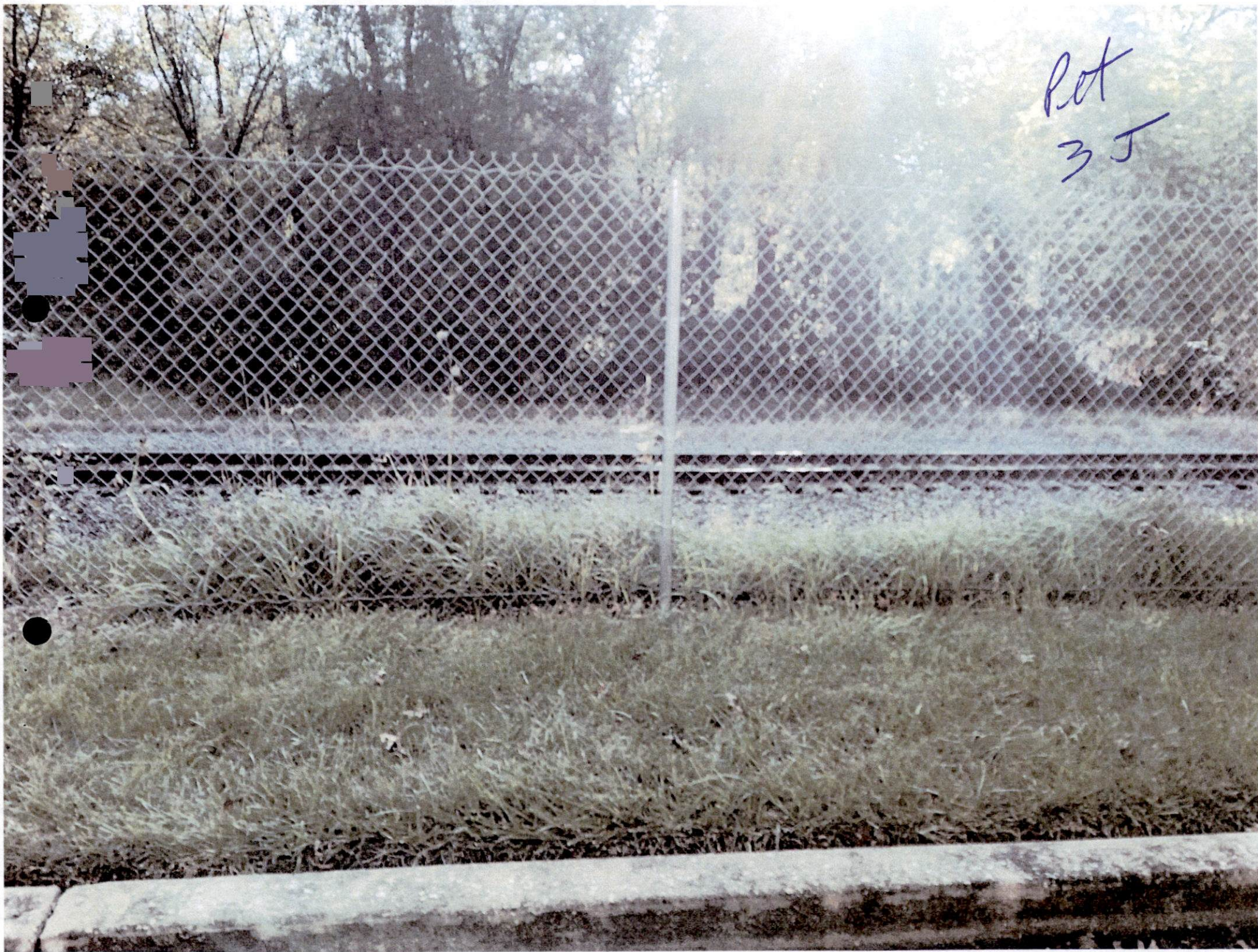
Plt 36



let 3E

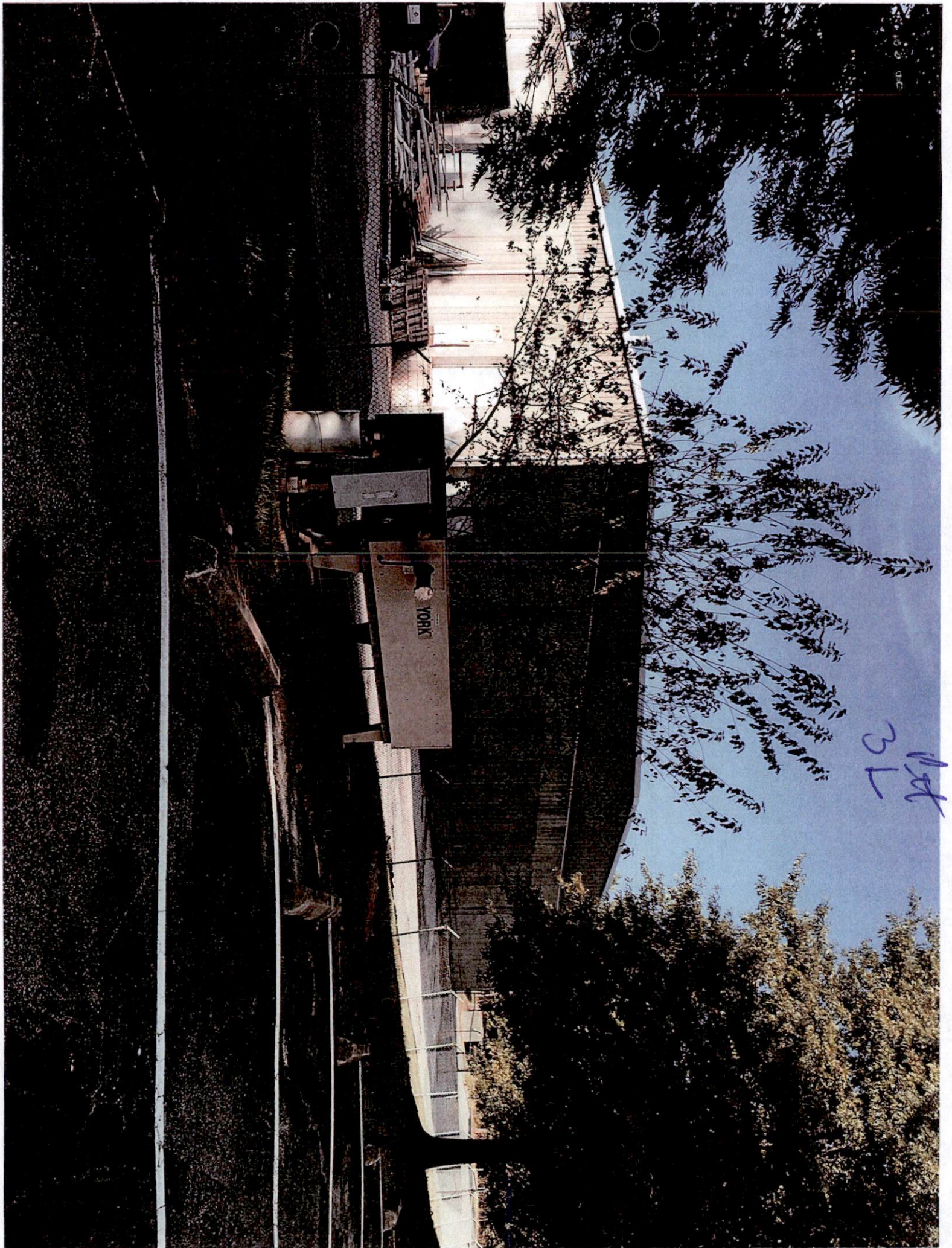


Plot
35



1st
3K





31
79

Debra Wiley

10/4

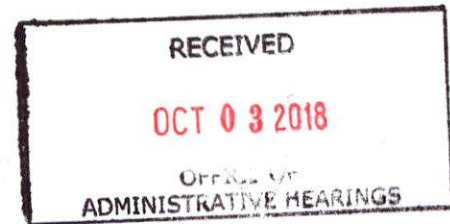
1:30

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Tuesday, October 02, 2018 9:21 PM
To: Administrative Hearings
Subject: 2nd Certifications Case # 2018-0031-XA ~ 2019-0067-SPHX ~ 2019-0008-A
Attachments: Old York Rd. 2nd Cert..jpeg; Old York Rd. Photo.docx; Owings Mills Blvd 2nd Cert..jpeg; Owings Mills Blvd. Photo.docx; Francke Ave. 2nd Cert..jpeg; Francke Ave. photo.docx

Hi Sherry,

I have some new 2nd Certifications for you. Case # 2018-0031-XA - Old York Rd. Case # 2019-0067-SPHX - Owings Mills Blvd. & Case # 2019-0008-A - Francke Ave.

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com



SECOND CERTIFICATE OF POSTING

ATTENTION: SHERRY NUFFER

DATE: 10/2/2018

Case Number: 2019-0067-SPHX

Petitioner / Developer: LAWRENCE SCHMIDT, ESQ. ~ DIAMOND
AUTOMOTIVE SERVICES, LLC ~ OWINGS MILLS SPORTS ARENA
PARTNERS

Date of Hearing: OCTOBER 4, 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:
12400 OWINGS MILLS BOULEVARD

The sign(s) were posted on: **SEPTEMBER 14, 2018**

The sign(s) were re-photographed on: **OCTOBER 2, 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)

RECEIVED

OCT 03 2018

OFFICE OF
ADMINISTRATIVE HEARINGS



2nd Set of Signs Re-Photographed 10/2/2018 @ 12400 Owings Mills Blvd.
CASE # 2019-0067-SPHX



The Daily Record

11 East Saratoga Street

Baltimore, MD 21202-2199

(443) 524-8100

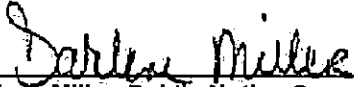
<http://www.thedailyrecord.com>**PUBLISHER'S AFFIDAVIT**

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

9/14/2018

Order #: 11619232
 Case #: 2019-0067-SPHX
 Description:

CASE NUMBER: 2019-0067-SPHX NOTICE OF ZONING HEARING



Darlene Miller, Public Notice Coordinator
 (Representative Signature)

Baltimore County**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: 2019-0067-SPHX

12400 Owings Mills Boulevard

SW/s Owings Mills Blvd., NW 436ft. to centerline of Glynlee Court

4th Election District-2nd Councilmanic District

Legal Owners: Owings Mills Sports Arena Partners, LLC

Contract Purchaser/Lessee: Diamond Automotive Services, LLC

Special Hearing 1. To confirm that the storage of antique/classic vehicles is a parking lot/garage and permitted by right in the ML-IM zone; 2. To amend the order in Case No. 1097-0563 XA which granted a variance from BCZR section 263.4 to allow a commercial recreation facility within 100 ft. of a residential zone line to allow a service garage, parking lot/garage and commercial recreational facility as uses in combination within 100 ft. of a residential zone line; 3. To confirm that the parking requirements in BCZR section 409 for the proposed uses are satisfied and that the existing interior and exterior number of parking spaces is compliant; and 4. For such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County. Special Exception for service garage in the ML-IM zone; and for such other and further relief as may be deemed necessary by the Administrative Law Judge.

Hearing: Thursday, October 4, 2018 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

s14

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 9/14/2018

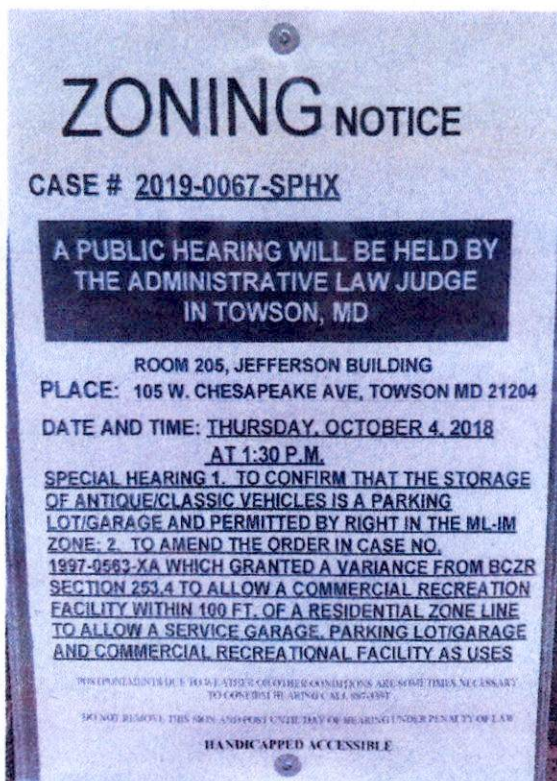
Case Number: 2019-0067-SPHX

Petitioner / Developer: LAWRENCE SCHMIDT, ESQ. ~ DIAMOND
AUTOMOTIVE SERVICES, LLC ~ OWINGS MILLS SPORTS ARENA
PARTNERS

Date of Hearing: OCTOBER 4, 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:
12400 OWINGS MILLS BOULEVARD

The sign(s) were posted on: SEPTEMBER 14, 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)

SIGN #1

ZONING NOTICE

CASE # 2019-0067-SPHX

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

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: THURSDAY, OCTOBER 4, 2018
AT 1:30 P.M.

IN COMBINATION WITHIN 100 FT. OF A RESIDENTIAL
ZONE LINE: 3. TO CONFIRM THAT THE PARKING
REQUIREMENTS IN BCZR SECTION 409 FOR THE
PROPOSED USES ARE SATISFIED AND THAT THE
EXISTING INTERIOR AND EXTERIOR NUMBER OF
PARKING SPACES IS COMPLIANT; AND 4. FOR SUCH
OTHER AND FURTHER RELIEF AS MAY BE DEEMED
NECESSARY BY THE ADMINISTRATIVE LAW JUDGE FOR
BALTIMORE COUNTY.

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

ZONING NOTICE

CASE # 2019-0067-SPHX

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

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PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: THURSDAY, OCTOBER 4, 2018
AT 1:30 P.M.

SPECIAL EXCEPTION FOR SERVICE GARAGE IN THE
ML-1M ZONE; AND FOR SUCH OTHER AND FURTHER
RELIEF AS MAY BE NECESSARY BY THE
ADMINISTRATIVE LAW JUDGE.
12400 OWINGS MILLS BOULEVARD

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TO CONFIRM HEARING CALL 887-3391

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

HANDICAPPED ACCESSIBLE

2ND SIGN

3RD SIGN

CASE # 2019-0067-SPHX POSTED - 9/14/2018

ZONING NOTICE

CASE # 2019-0067-SPHX

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

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204
DATE AND TIME: THURSDAY, OCTOBER 4, 2018
AT 1:30 P.M.

IN COMBINATION WITHIN 100 FT. OF A RESIDENTIAL
ZONE LINE: 3. TO CONFIRM THAT THE PARKING
REQUIREMENTS IN BCZR SECTION 409 FOR THE
PROPOSED USES ARE SATISFIED AND THAT THE
EXISTING INTERIOR AND EXTERIOR NUMBER OF
PARKING SPACES IS COMPLIANT; AND 4. FOR SUCH
OTHER AND FURTHER RELIEF AS MAY BE DEEMED
NECESSARY BY THE ADMINISTRATIVE LAW JUDGE FOR
BALTIMORE COUNTY.

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

ZONING NOTICE

CASE # 2019-0067-SPHX

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

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204
DATE AND TIME: THURSDAY, OCTOBER 4, 2018
AT 1:30 P.M.

SPECIAL EXCEPTION FOR SERVICE GARAGE IN THE
ML-IM ZONE; AND FOR SUCH OTHER AND FURTHER
RELIEF AS MAY BE NECESSARY BY THE
ADMINISTRATIVE LAW JUDGE,
12400 OWINGS MILLS BOULEVARD

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

2ND SIGN

3RD SIGN

CASE # 2019-0067-SPHX POSTED - 9/14/2018



DONALD I. MOHLER III
September 7, 2018

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

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: 2019-0067-SPHX

12400 Owings Mills Boulevard

SW/s Owings Mills Blvd., NW 436 ft. to centerline of Glynlee Court

4th Election District – 2nd Councilmanic District

Legal Owners: Owings Mills Sports Arena Partners, LLC

Contract Purchaser/Lessee: Diamond Automotive Services, LLC

Special Hearing 1. To confirm that the storage of antique/classic vehicles is a parking lot/garage and permitted by right in the ML-IM zone; 2. To amend the order in Case No. 1997-0563 XA which granted a variance from BCZR section 253.4 to allow a commercial recreation facility within 100 ft. of a residential zone line to allow a service garage, parking lot/garage and commercial recreational facility as uses in combination within 100 ft. of a residential zone line; 3. To confirm that the parking requirements in BCZR section 409 for the proposed uses are satisfied and that the existing interior and exterior number of parking spaces is compliant; and 4. For such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County. Special Exception for service garage in the ML-IM zone; and for such other and further relief as may be deemed necessary by the Administrative Law Judge.

Hearing: Thursday, October 4, 2018 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Lawrence Schmidt, 600 Washington Avenue, Ste. 200, Towson 21204
Diamond Automotive Services, LLC, 10 Music Fair Rd., Owings Mills 21117
Owings Mills Sports Arena Partners, 11205 Five Spring Rd., Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, SEPTEMBER 14, 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: THE DAILY RECORD
Friday, September 14, 2018 Issue

Please forward billing to:
Lawrence Schmidt
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

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: 2019-0067-SPHX

12400 Owings Mills Boulevard
SW/s Owings Mills Blvd., NW 436 ft. to centerline of Glynlee Court
4th Election District – 2nd Councilmanic District
Legal Owners: Owings Mills Sports Arena Partners, LLC
Contract Purchaser/Lessee: Diamond Automotive Services, LLC

Special Hearing 1. To confirm that the storage of antique/classic vehicles is a parking lot/garage and permitted by right in the ML-IM zone; 2. To amend the order in Case No. 1997-0563 XA which granted a variance from BCZR section 253.4 to allow a commercial recreation facility within 100 ft. of a residential zone line to allow a service garage, parking lot/garage and commercial recreational facility as uses in combination within 100 ft. of a residential zone line; 3. To confirm that the parking requirements in BCZR section 409 for the proposed uses are satisfied and that the existing interior and exterior number of parking spaces is compliant; and 4. For such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County. Special Exception for service garage in the ML-IM zone; and for such other and further relief as may be deemed necessary by the Administrative Law Judge.

Hearing: Thursday, October 4, 2018 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND SPECIAL EXCEPTION		
12400 Owings Mill Blvd; SW/S Owings Mills	*	OF ADMINISTRATIVE
Blvd, NW 436' to c/line of Glynlee Court		
4 th Election & 2 nd Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Owings Mills Sports Arena		
Partners, LLC	*	BALTIMORE COUNTY
Contract Purchaser(s): Diamond Automotive		
Services, LLC	*	2019-067-SPHX

Petitioner(s)

* * * * *

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

SEP 06 2018

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of September, 2018, a copy of the foregoing Entry of Appearance was mailed to Lawrence Schmidt, Esquire, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, 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: 2019-0067-SPHX
Property Address: 12400 Owings Mills Blvd
Property Description: _____

Legal Owners (Petitioners): Owings Mills Sports Arena Partners LLC
Contract Purchaser/Lessee: Diamond Automotive Services, LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: Lawrence E. Schmidt, Esquire
Company/Firm (if applicable): Smith, Gildea & Schmidt, LLC
Address: 600 Washington Avenue, Suite 200
Towson, MD 21204

Telephone Number: 410-821-0070

Revised 7/9/2015



DONALD I. MOHLER III
County Executive

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

September 26, 2018

Owings Mills Sports Arena Partners LLC
11205 Five Spring RD
Lutherville, MD 21093

RE: Case Number: 2019-0067-SPHX, Address: 12400 Owings Mills Blvd

To whom it may concern,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 29, 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
Diamond Automotive Services, LLC, 10 Music Fair RD, Owings Mills, MD 21117
Lawrence E. Schmidt, Esquire, 600 Washington Ave, Suite 200, Towson, MD 21204

10-4-18

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-067



INFORMATION:

Property Address: 12400 Owings Mills Boulevard
Petitioner: Owings Mills Sports Arena Partners, LLC
Zoning: ML-IM
Requested Action: Special Hearing, Special Exception

The Department of Planning has reviewed the petition for a special hearing and special exception to determine whether or not the Administrative Law Judge should approve the zoning relief as listed on the attachment submitted in support of the petitions.

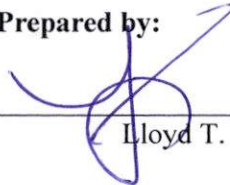
A site visit was conducted on September 12, 2018. The property was the subject of prior zoning cases 1997-0563-XA and 2012-0563-XA.

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

- All signage shall comply with BCZR §450 of the BCZR. No temporary signs shall be permitted along the Owings Mills Blvd frontage.

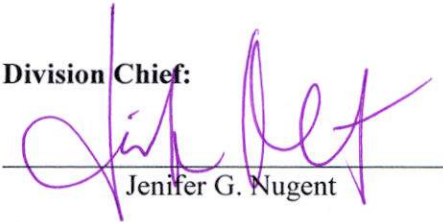
For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

AVA/JGN/LTM/

c: Bill Skibinski
Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County



Date: 9/7/18

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. 2019-0067-SPHX.

*Special Hearing, Special Exception
Owings Mills Sports Arena Partners, LLC
12400 Owings Mills Boulevard.*

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 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: September 10, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0067-SPHX
Address 12400 Owings Mills Blvd.
(Owings Mills Sports Arena
Partners, LLC Property)

Zoning Advisory Committee Meeting of **September 10, 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

DATE: September 24, 2018

FROM: 
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For September 10, 2018
Item No. 2019-0062-A, 0063-A, 0065-A, 0066-SPH, 0067-SPHX, 0068-A
and 0071-A

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

*

*

*

*

*

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 9/27/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-067

INFORMATION:

Property Address: 12400 Owings Mills Boulevard
Petitioner: Owings Mills Sports Arena Partners, LLC
Zoning: ML-IM
Requested Action: Special Hearing, Special Exception

The Department of Planning has reviewed the petition for a special hearing and special exception to determine whether or not the Administrative Law Judge should approve the zoning relief as listed on the attachment submitted in support of the petitions.

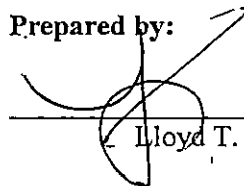
A site visit was conducted on September 12, 2018. The property was the subject of prior zoning cases 1997-0563-XA and 2012-0563-XA.

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

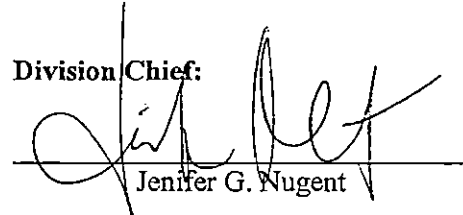
- All signage shall comply with BCZR §450 of the BCZR. No temporary signs shall be permitted along the Owings Mills Blvd frontage.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Jennifer G. Nugent

AVA/JGN/LTM/

c: Bill Skibinski
Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

C H E C K L I S TSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment

DEVELOPMENT PLANS REVIEW

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

9/10

DEPS

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

NO Comment

FIRE DEPARTMENT

PLANNING

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

9/7/18

STATE HIGHWAY ADMINISTRATION

NO Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

For Diamond AUTOMOTIVE 16-127 SPHX

NEWSPAPER ADVERTISEMENT

Date:

9/14/18

16-183 SPHX

SIGN POSTING (1st)

Date:

9/14/18

by O'Keefe

SIGN POSTING (2nd)

Date:

10/2/18

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			
Tax Exempt:			Special Tax Recapture:							
Exempt Class:			NONE							
Account Identifier:			District - 04 Account Number - 2000000933							
Owner Information										
Owner Name:		OWINGS MILLS SPORTS ARENA PARTNERS LLC				Use: Principal Residence:		INDUSTRIAL NO		
Mailing Address:		11205 FIVE SPRINGS ROAD LUTHERVILLE MD 21093-				Deed Reference:		/21282/ 00001		
Location & Structure Information										
Premises Address:		12400 OWINGS MILLS BLVD REISTERSTOWN MD 21136-1731				Legal Description:		2 AC 12400 OWINGS MILLS BLVD ST GEORGES INDUS PARK		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0049	0013	0289		0000	1		2	2017	Plat Ref:	0051/0130
Special Tax Areas:				Town:			NONE			
				Ad Valorem:						
				Tax Class:						
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
1999		34086				2.0000 AC		07		
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation			
		STORAGE WAREHOUSE								
Value Information										
		Base Value		Value		Phase-in Assessments				
				As of 01/01/2017		As of 07/01/2018		As of 07/01/2019		
Land:		372,000		372,000						
Improvements		997,700		1,211,600						
Total:		1,369,700		1,583,600		1,512,300		1,583,600		
Preferential Land:		0						0		
Transfer Information										
Seller: OWINGS MILLS SPORTS LLC				Date: 01/14/2005				Price: \$1,100,000		
Type: ARMS LENGTH IMPROVED				Deed1: /21282/ 00001				Deed2:		
Seller: GONZALES DAVID E				Date: 11/19/1998				Price: \$410,000		
Type: ARMS LENGTH VACANT				Deed1: /13309/ 00134				Deed2:		
Seller: BRIGHTWELL GARY M				Date: 11/26/1997				Price: \$350,000		
Type: NON-ARMS LENGTH OTHER				Deed1: /12518/ 00504				Deed2:		
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2018		07/01/2019				
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:**

CASE NAME OWINGS MILLS
CASE NUMBER 2019-67-SPHX
DATE 10/4/18

NAME

CITY, STATE, ZIP

E - MAIL

[illegible]

CASE NAME 2019-CT-SP4X
CASE NUMBER 12400 savings
DATE 11/11/19

[illegible]

PARKING SCENARIOS FOR THREE BUILDING USES PROPOSED

1. Martial Arts Studio (6,000 sq. ft.)

A. Commercial Recreational Facility: *60 parking spaces*

i. 10 spaces/1,000 sq. ft.

B. According to Prior Plan: *3 parking spaces*

ii. 1 space/4 people (no more than 12 people)

2. Service Garage (30,086 sq. ft.) NOT IN BCZR § 409

C. According to Zoning Checklist: *100 parking spaces*

i. $3.3 \text{ spaces} \times 30,086 = 99.28$ so 100

D. According to ALJ in prior case using fuel service station: *65 parking spaces*

i. 1 space/1 employee and 3 spaces/1 service bay

ii. 20 employees + 15 bays (45 spaces)

3. Parking Lot/Garage (5,000 sq. ft.)

E. Using Office Regulations: *17 parking spaces*

i. 3.3 spaces/1,000 sq. ft.

PARKING SCENARIOS			
Martial Arts Studio	Service Garage	Parking Lot/Garage	Totals
Commercial Recreational Facility: <i>60 parking spaces</i>	Zoning Checklist: <i>100 parking spaces</i>	Office Regulations: <i>17 parking spaces</i>	177
Commercial Recreational Facility: <i>60 parking spaces</i>	ALJ in prior case using fuel service station <i>65 parking spaces</i>	Office Regulations: <i>17 parking spaces</i>	142
Prior Plan: <i>3 parking spaces</i>	Zoning Checklist: <i>100 parking spaces</i>	Office Regulations: <i>17 parking spaces</i>	120
Prior Plan: <i>3 parking spaces</i>	ALJ in prior case using fuel service station: <i>65 parking spaces</i>	Office Regulations: <i>17 parking spaces</i>	85

Case No.: 2019-0067- STHX

Exhibit Sheet

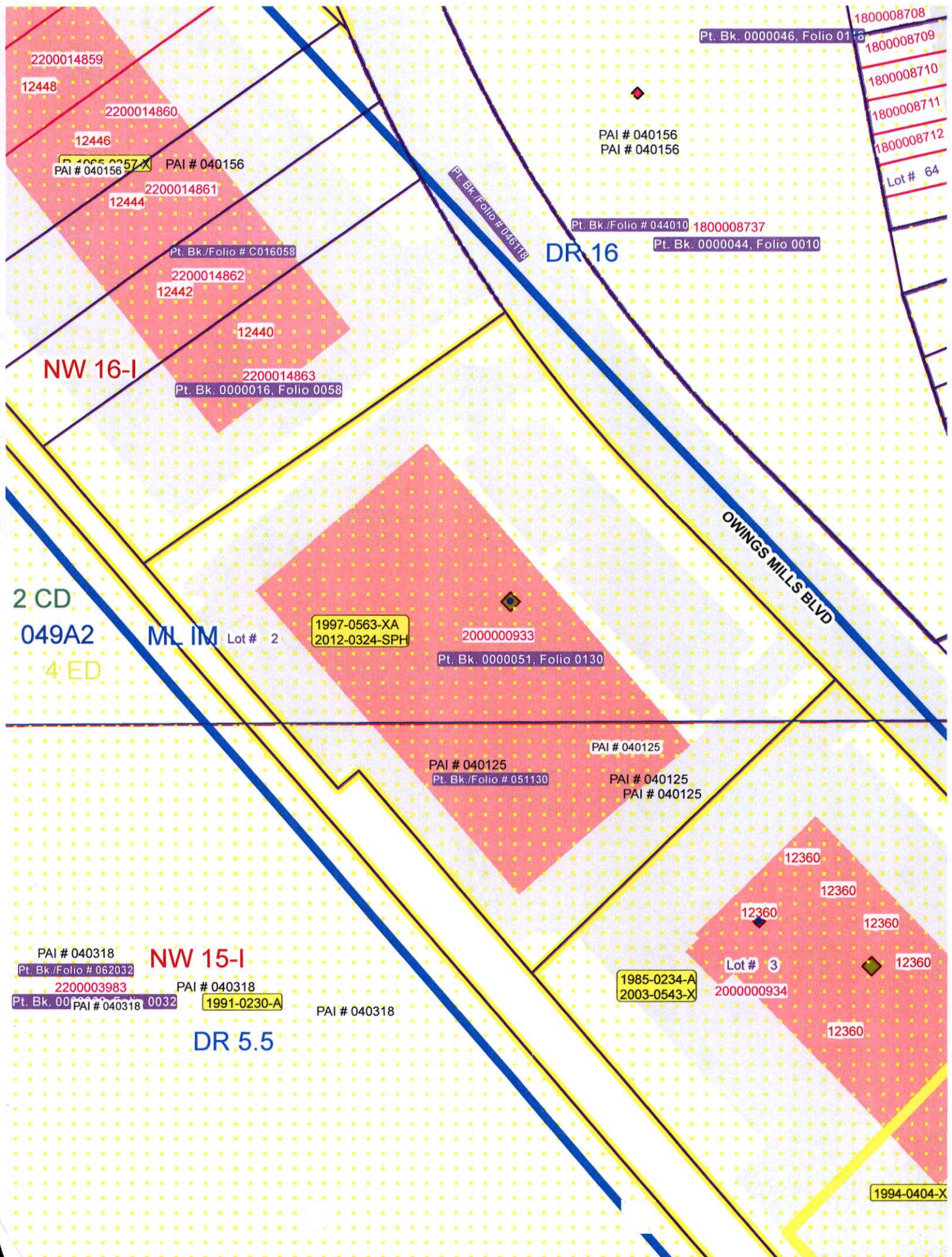
Petitioner/Developer

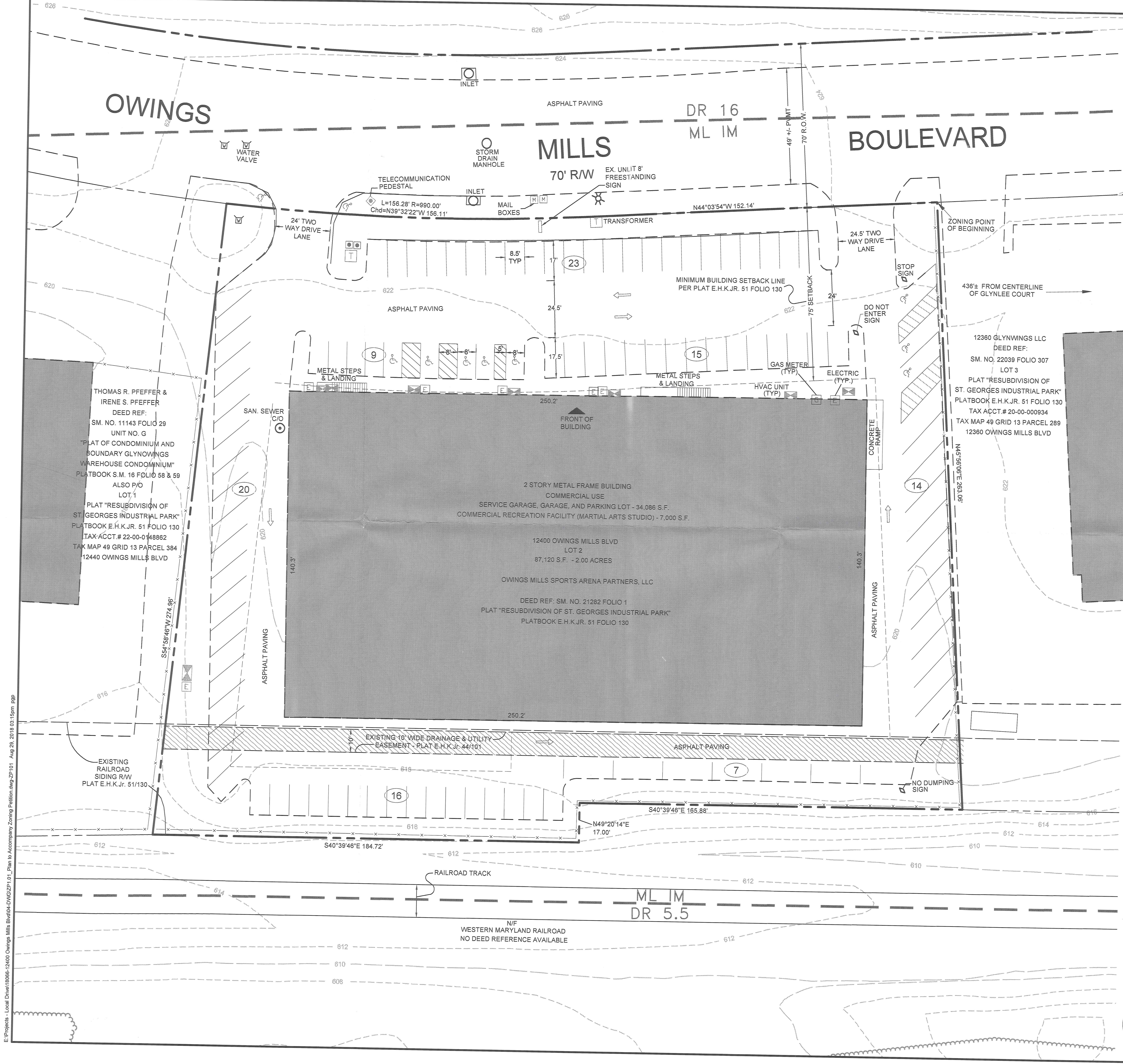
DW
11-13-18

Protestants

Sen
10/10/18

No. 1	Plan	
No. 2	Aerial photo	
No. 3	Photos (A-L)	
No. 4	(omitted)	
No. 5	Zoning Checklist re: number of parking spaces req'd.	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		





GENERAL NOTES:

1. SITE ADDRESS: 12400 OWINGS MILLS BOULEVARD
OWINGS MILLS, MD 21136-1731
2. OWNER: OWINGS MILLS SPORTS ARENA PARTNERS, LLC
3. OWNER ADDRESS: 12229 GARRISON FOREST RD.
OWINGS MILLS, MD 21117
4. SITE AREA: 2.0 ACRES
5. BUILDING AREA: 41,086 SF
6. UTILITIES: PUBLIC WATER AND SEWER
7. TAX MAP: 0049 GRID: 0013 PARCEL: 0289
8. SUBDIVISION: 0000, SECTION: 1, BLOCK: A, LOT: N/A
9. TAX ACCOUNT #: 2000000933
10. ZONING: ML IM (MAP #049A2)
11. DEED: 21282 / 00001
12. PLAT: 0051/0130
13. BUILDING BUILT IN 1999
14. THE SITE DOES NOT LIE WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO FEMA MAP 2400100210F (DATED SEPTEMBER 26, 2008)
15. THE DOMINANT SOIL TYPE IS "U" (URBAN LAND) - COVERING 100% OF THE PROPERTY (PER BALTIMORE COUNTY MAPPING)
16. REQUIRED SETBACKS:
FRONT YARD: 75' FROM PROPERTY LINE
SIDE YARDS: 50' FROM SIDE PROPERTY LINE
REAR YARD: 50' FROM PROPERTY LINE
MAXIMUM BUILDING HEIGHT: 100'
EXISTING BUILDING HEIGHT: 30' +/- (2-STORY)
18. MAXIMUM FLOOR AREA RATIO: 3.0
EXISTING FLOOR AREA RATIO: 0.426
19. ELECTION DISTRICT: 4
20. COUNCILMANIC DISTRICT: 2
21. CENSUS TRACT: 4044.02
22. WATERSHED: GWYNNS FALLS
23. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA
24. THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC
25. PROPERTY IS APPROXIMATELY 436' FROM THE INTERSECTION OF GYLNLEE COURT
26. ALL EXISTING SIGNS ARE/ALL FUTURE SIGNS WILL BE IN ACCORDANCE WITH SECTION 450 OF BCZR.
27. THE PROPERTY IS NOT LOCATED WITHIN A FAILED BASIC SERVICES MAP AREA
28. PROPOSED USE: SERVICE GARAGE
- 29A. REQUIRED PARKING:
USE: SERVICE GARAGE: 34,086 S.F. @ 3.3 SPACES PER 1,000 S.F. (34,086 x 3.3 = 113 SPACES)

USE: COMMERCIAL RECREATION FACILITY (MARTIAL ARTS STUDIO) 1 SPACE PER 4 PEOPLE: 20 PEOPLE = 5 SPACES (PER CASE NO. 97-563-XA)

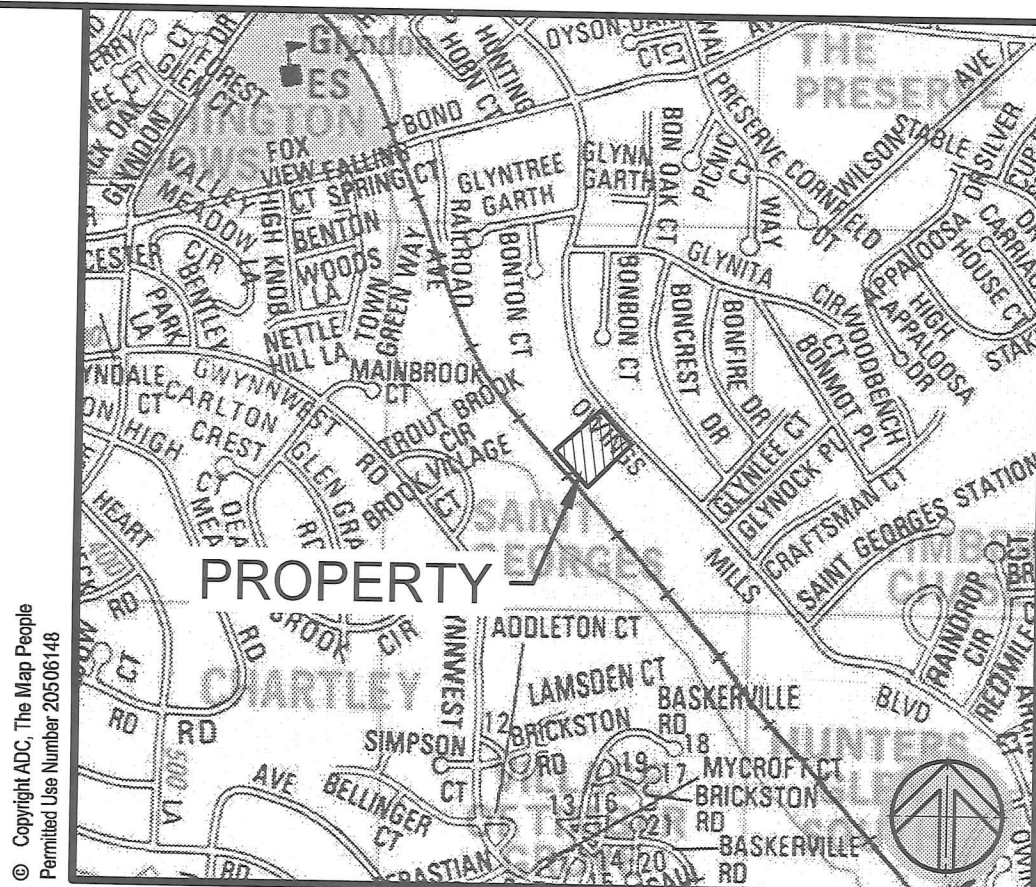
TOTAL REQUIRED: 118
- 29B. REQUIRED PARKING:
USE: SERVICE GARAGE: 34,086 S.F. @ 3.3 SPACES PER 1,000 S.F. (34,086 x 3.3 = 113 SPACES)

USE: COMMERCIAL RECREATION FACILITY (MARTIAL ARTS STUDIO) 7,000 S.F. @ 10 SPACES PER 1,000 S.F. (7,000 x 10 = 70 SPACES)

TOTAL REQUIRED: 183
30. EXISTING PARKING: 204
104 EXTERIOR SPACES (8 HANDICAP ACCESSIBLE)
100 INTERIOR SPACES
31. PROPOSED PARKING: UNCHANGED
32. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
33. NO ENVIRONMENTAL CONCERNS ACCORDING TO "UPDATE PHASE I ENVIRONMENTAL ASSESSMENT REPORT FOR 12400 GYLNWINGS DRIVE" (PREPARED BY A.E. INCORPORATED - NOVEMBER 16, 2004)

ZONING HISTORY:

1. Case No. 1997-0563-XA: Granted a special exception request for a commercial recreational facility and for an accessory arcade in combination therewith and a variance to permit a commercial recreational facility to be located within 100' of a residential zone line, side yard setbacks of 42 feet in lieu of the required 50 feet, and rear yard setback of 35 feet in lieu of the required 50 feet. Case appealed to the Board of Appeals. Condition #3 in Board order permitted no more than 10 arcade machines.
2. Case No. 2012-0324-SPH: Petition for Special Hearing to amend a restriction (No. 3) imposed in Case Number 1997-0563-XA limiting the arcade use to no more than ten arcade machines. Relief was requested to modify the restriction/limitation to no more than fifty arcade machines. The petition was withdrawn without prejudice by the petitioner prior to any public hearing.



VICINITY MAP

LEGEND

- PROPERTY LINE
- ADJOINING PROPERTY LINE
- EXISTING CONTOURS
- EXISTING ROAD
- EXISTING CURB
- EXISTING CONCRETE
- EXISTING ZONING LINE
- EXISTING BUILDING
- EXISTING UTILITY EASEMENT

INFORMATION SOURCES:

1. BASE INFORMATION SOURCES:
 - PLAT PREPARED BY GERHOLD, CROSS & ETZEL ENTITLED "PLAN TO ACCOMPANY A PETITION FOR THE PROPERTY OF OWINGS MILLS SPORTS ARENA PARTNERS, LLC," DATED JUNE 19, 2012
 - NOTE: PROPERTY LIMITS DELINEATED PER DEED DESCRIPTIONS (NO BOUNDARY SURVEY)

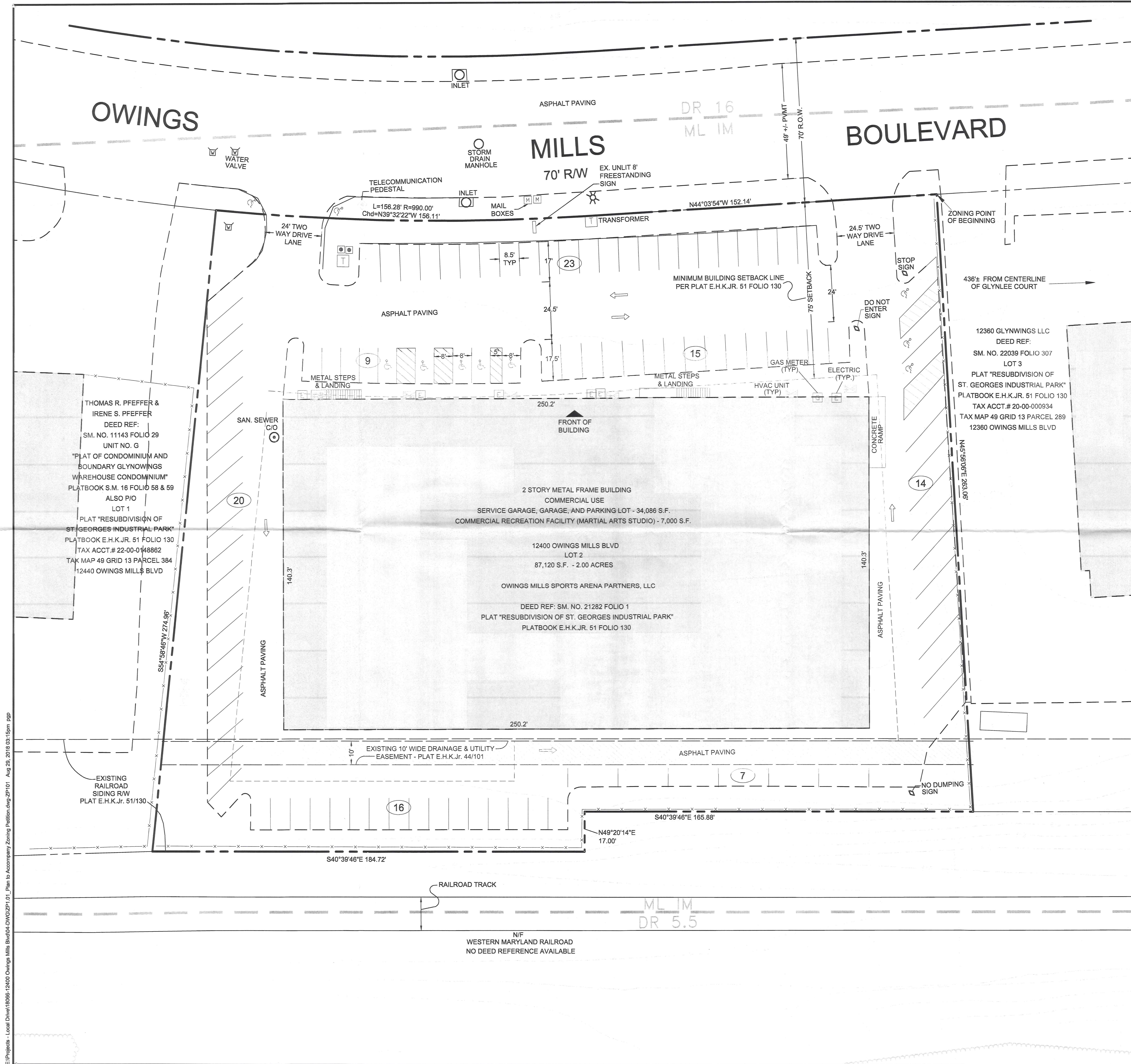
PLAN TO ACCOMPANY ZONING PETITION
12400 OWINGS MILLS BOULEVARD

DIAMOND DEALER SERVICES
PROPERTY OF
Owings Mills Sports Arena Partners, LLC
4th ELECTION DISTRICT, COUNCIL DISTRICT 2
BALTIMORE COUNTY, MD

REVISIONS	

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DATE: AUGUST 29, 2018	SHEET ZP1.01

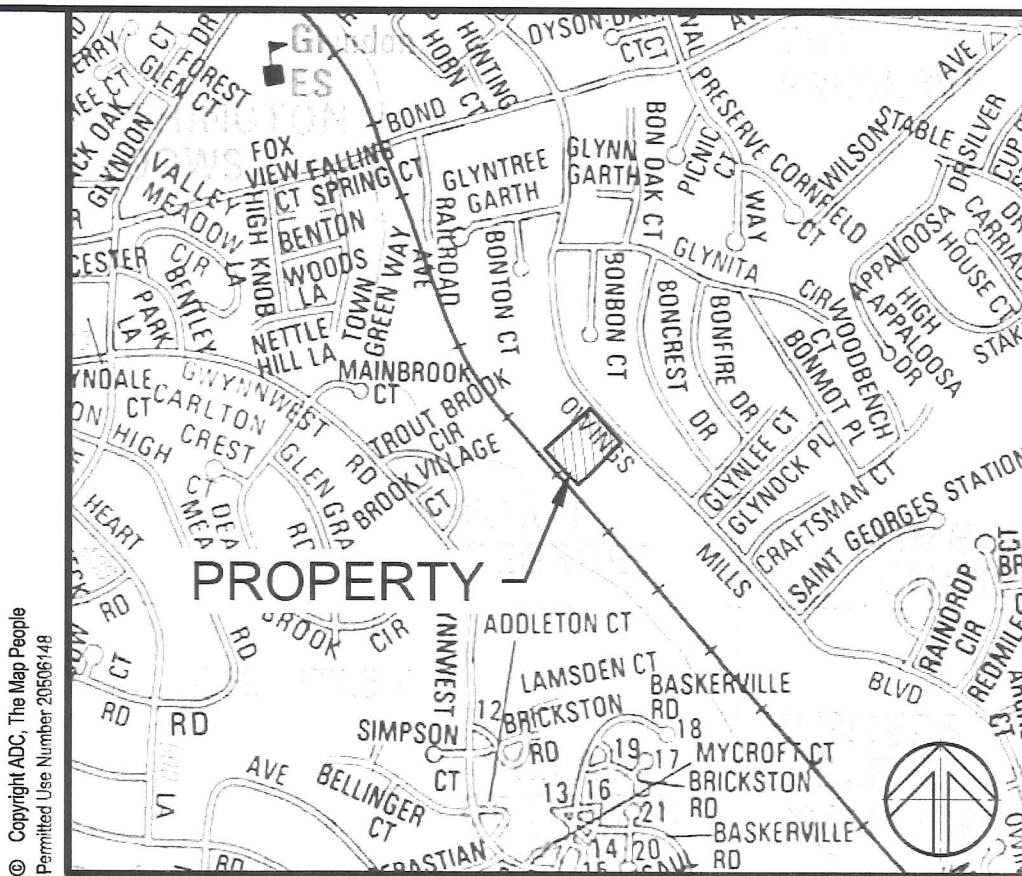


GENERAL NOTES:

1. SITE ADDRESS: 12400 OWINGS MILLS BOULEVARD OWINGS MILLS, MD 21136-1731
2. OWNER: OWINGS MILLS SPORTS ARENA PARTNERS, LLC
3. OWNER ADDRESS: 12229 GARRISON FOREST RD. OWINGS MILLS, MD 21117
4. SITE AREA: 2.0 ACRES
5. BUILDING AREA: 41,086 SF
6. UTILITIES: PUBLIC WATER AND SEWER
7. TAX MAP: 0049, GRID: 0013, PARCEL: 0289
8. SUBDIVISION: 0000, SECTION: 1, BLOCK: A, LOT: N/A
9. TAX ACCOUNT #: 2000000933
10. ZONING: ML IM (MAP #049A2)
11. DEED: 21282 / 00001
12. PLAT: 0051/0130
13. BUILDING BUILT IN 1999
14. THE SITE DOES NOT LIE WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO FEMA MAP 2400100210F (DATED SEPTEMBER 26, 2009)
15. THE DOMINANT SOIL TYPE IS "U" (URBAN LAND) - COVERING 100% OF THE PROPERTY (PER BALTIMORE COUNTY MAPPING)
16. REQUIRED SETBACKS:
 - FRONT YARD: 75' FROM PROPERTY LINE
 - SIDE YARDS: 50' FROM SIDE PROPERTY LINE
 - REAR YARD: 50' FROM PROPERTY LINE
17. MAXIMUM BUILDING HEIGHT: 100'
18. EXISTING BUILDING HEIGHT: 30' +/- (2-STORY)
19. MAXIMUM FLOOR AREA RATIO: 3.0
20. EXISTING FLOOR AREA RATIO: 0.426
21. ELECTION DISTRICT: 4
22. COUNCILMANIC DISTRICT: 2
23. CENSUS TRACT: 4044.02
24. WATERSHED: GWYNN'S FALLS
25. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA
26. THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC
27. PROPERTY IS APPROXIMATELY 436' FROM THE INTERSECTION OF GLYNLEE COURT
28. ALL EXISTING SIGNS ARE/ALL FUTURE SIGNS WILL BE IN ACCORDANCE WITH SECTION 450 OF BCZR.
29. THE PROPERTY IS NOT LOCATED WITHIN A FAILED BASIC SERVICES MAP AREA
- 29A. PROPOSED USE: SERVICE GARAGE
- 29B. REQUIRED PARKING:
 - USE: SERVICE GARAGE: 34,086 S.F. @ 3.3 SPACES PER 1,000 S.F. (34,086 x 3.3 = 113 SPACES)
 - USE: COMMERCIAL RECREATION FACILITY (MARTIAL ARTS STUDIO) 1 SPACE PER 4 PEOPLE: 20 PEOPLE = 5 SPACES (PER CASE NO. 97-563-XA)
 - TOTAL REQUIRED: 118
30. EXISTING PARKING: 204
 - 104 EXTERIOR SPACES (8 HANDICAP ACCESSIBLE)
 - 100 INTERIOR SPACES
31. PROPOSED PARKING: UNCHANGED
32. ANY FUTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
33. NO ENVIRONMENTAL CONCERNS ACCORDING TO "UPDATE PHASE I ENVIRONMENTAL ASSESSMENT REPORT FOR 12400 GLYNOWINGS DRIVE" (PREPARED BY A.E. INCORPORATED - NOVEMBER 16, 2004)

ZONING HISTORY:

1. Case No. 1997-0563-XA: Granted a special exception request for a commercial recreational facility and for an accessory arcade in combination therewith and a variance to permit a commercial recreational facility to be located within 100' of a residential zone line, side yard setbacks of 42 feet in lieu of the required 50 feet, and rear yard setback of 35 feet in lieu of the required 50 feet. Case appealed to the Board of Appeals. Condition #3 in Board order permitted no more than 10 arcade machines.
2. Case No. 2012-0324-SPH: Petition for Special Hearing to amend a restriction (No. 3) imposed in Case Number 1997-0563-XA limiting the arcade use to no more than ten arcade machines. Relief was requested to modify the restriction/limitation to no more than fifty arcade machines. The petition was withdrawn without prejudice by the petitioner prior to any public hearing.



VICINITY MAP

LEGEND

	PROPERTY LINE
	ADJOINING PROPERTY LINE
	EXISTING CONTOURS
	EXISTING ROAD
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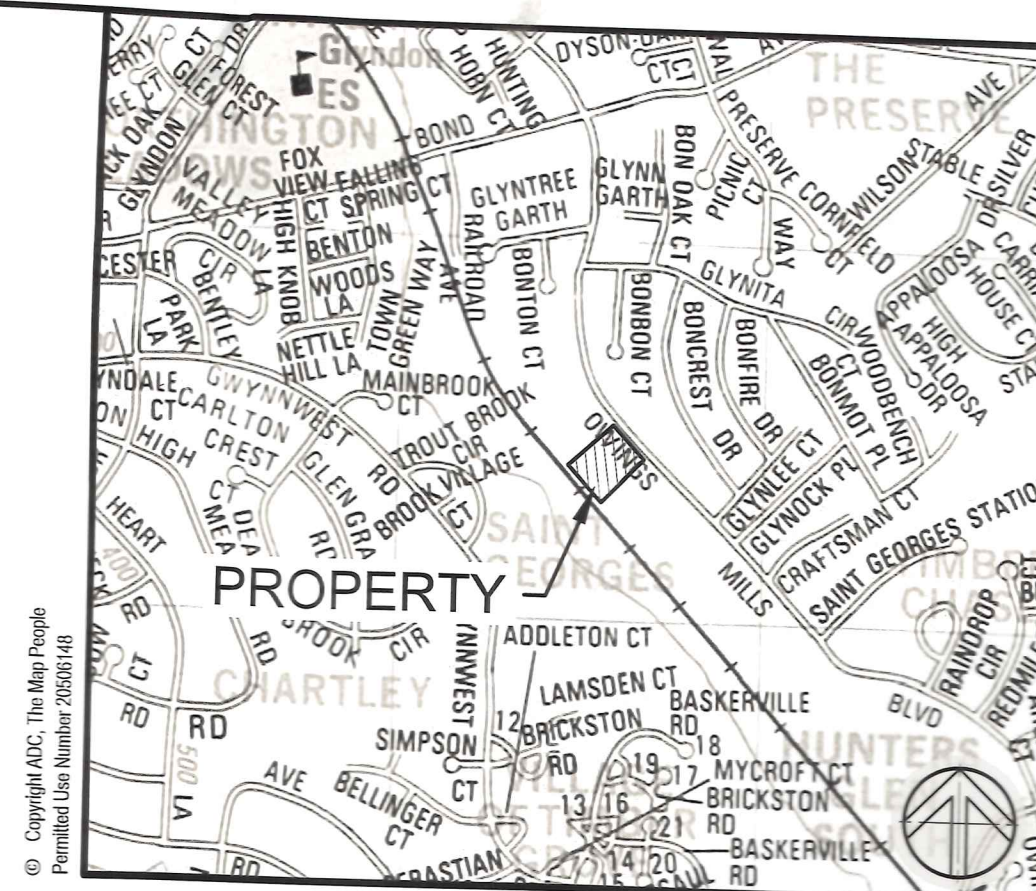
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PETITIONER'S

EXHIBIT NO. *1*

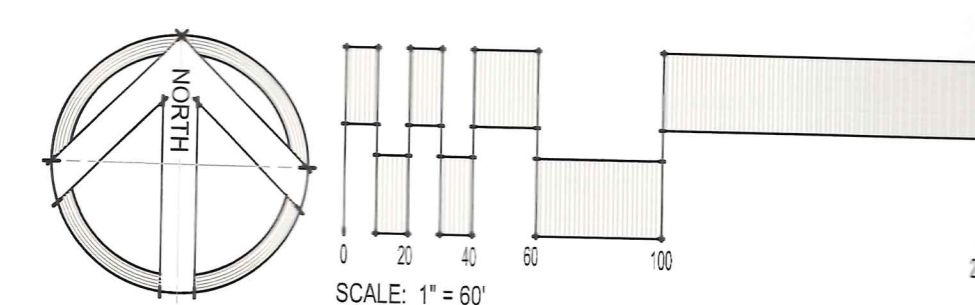
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VICINITY MAP

PETITIONER'S
EXHIBIT NO. M62



AERIAL VIEW

DIAMOND DEALER SERVICES
PROPERTY OF
Owings Mills Sports Arena Partners, LLC
4th ELECTION DISTRICT, COUNCIL DISTRICT 2
BALTIMORE COUNTY, MD

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