

M E M O R A N D U M

DATE: December 13, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0077-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on December 10, 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

/dlw

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(Patapsco Avenue)		
13 th Election District	*	OFFICE OF
1 st Council District		
AV & E Industries, <i>Legal Owners</i>	*	ADMINISTRATIVE HEARINGS
Copart, Inc., <i>Contract Purchaser</i>	*	FOR BALTIMORE COUNTY
Petitioners	*	Case No. 2019-0077-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 AV & E Industries, *et. al.* legal owners and Copart, Inc., contract purchaser ("Petitioners"). The Special Hearing was filed pursuant to Sections 102.4 & 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve the temporary outdoor storage of used and damaged operable and inoperable vehicles for wholesale on-line auction. A site plan was marked and admitted as Petitioners' Exhibit 1.

Professional engineer Dan Loveless and Philip Weber appeared in support of the petition. Joseph R. Woolman, III, Esq. represented the contract purchaser. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning ("DOP") and the Department of Environmental Protection and Sustainability ("DEPS").

The subject property is a portion of an approximately 62.93 acres tract comprised of nine separate parcels with different owners. The property is zoned M.L. and the Baltimore City/County line bisects the site. The property at issue in this case is approximately 26.37 acres in size.

Copart, Inc. is under contract to purchase the property. That firm conducts on-line auctions wherein it sells damaged and/or disabled vehicles usually acquired from insurance companies. Mr.

ORDER RECEIVED FOR FILING

Date 11/8/18
By SLR

Weber explained that this site would be known as “sub-lot,” which means that vehicles would be stored here awaiting sale. He stated most vehicles are sold and removed from the site within 45-60 days. Copart’s primary facility in this area is located in Finksburg, where vehicles are also stored and all administrative functions are handled.

As noted above part of the site is in Baltimore City and Copart recently filed a similar petition with the Board of Municipal and Zoning Appeals for Baltimore City (BMZA). The BMZA issued a Resolution dated October 3, 2018 finding the use to be permitted as an “outdoor storage yard.” Based on Mr. Weber’s testimony I believe a similar finding is appropriate in this case. As such the special hearing will be granted based upon a determination the use is permitted in the M.L. zone pursuant to BCZR §253.1.B.16, which permits “storage, warehousing or wholesale distribution “

THEREFORE, IT IS ORDERED this 8th day of **November, 2018** by this Administrative Law Judge, that the Petition for Special Hearing to approve the temporary outdoor storage of used and damaged operable and inoperable vehicles for wholesale on-line auction, 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.
2. Petitioners must comply with DOP and DEPS ZAC comments, copies of which are attached hereto and made a part hereof.

ORDER RECEIVED FOR FILING

Date 11/8/18

By SEN

Any appeal of this decision must be filed 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 11/8/18

By Sen



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 N/A

which is presently zoned ML

Deed References: 06373/00594

10 Digit Tax Account # 1900006824

Property Owner(s) Printed Name(s) AV & E Industries

(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 The temporary outdoor storage of used and

damaged operable and inoperable vehicles for wholesale on-line auction

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 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:

Copart, Inc.

Name- Type or Print

Signature

14185 Dallas Pkwy, Ste 400 Dallas TX

Mailing Address City State

75254 / mason.laycock@copart.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

Joseph R. Woolman, III and J.R. Woolman, LLC

Name- Type or Print

Signature

111 S. Calvert St. Suite 2700 Baltimore MD

Mailing Address City State

21202 / 410-385-5328 / joe@jrwoolman.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

AV & E Industries / NKA W.P.I.P., INC.

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

601 West Patapsco Ave. Baltimore MD

Mailing Address City State

21225 /

Zip Code Telephone # Email Address

Representative to be contacted:

Same as Attorney for Petitioner

Name - Type or Print

Signature

11/8/18

Date Mailing Address City State

By: /

Zip Code Telephone # Email Address

CASE NUMBER

2019-0077-SPH

Filing Date 9/11/18

Do Not Schedule Dates: _____

Reviewer AT

81 11 9
492-5500-9102

4



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 N/A which is presently zoned ML

Deed References: 37385/00326

10 Digit Tax Account # 1600009684

Property Owner(s) Printed Name(s) EMG Properties, 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 The temporary outdoor storage of used and

damaged operable and inoperable vehicles for wholesale on-line auction

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 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:

Copart, Inc.

Name- Type or Print

Signature

14185 Dallas Pkwy, Ste 400 Dallas TX

Mailing Address City State

75254 mason.laycock@copart.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

Joseph R. Woolman, III and J.R. Woolman, LLC

Name- Type or Print

Signature

111 S. Calvert St. Suite 2700 Baltimore MD

Mailing Address City State

21202 410-385-5328 joe@jrwoolman.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

EMG Properties, LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

7949 Turncrest Drive, Potomac, MD

Mailing Address City State

20854 410-336-2476 mark.einstein.007@gmail.com

Zip Code Telephone # Email Address

Representative to be contacted:

Same as Attorney for Petitioner

Name - Type or Print

Signature

Mailing Address

Zip Code

By Telephone #

Email Address

CASE NUMBER

2019-0077-SPH

Filing Date

7/11/18

Do Not Schedule Dates:

Reviewer

AT

4.4

1-4

31 11 P 112-1700-940

ZONING PROPERTY DESCRIPTION FOR: 601 W Patapsco Avenue, Baltimore, MD (Baltimore County).

BEGINNING for the same at a point on the southernmost side of Patapsco Avenue, 100 feet wide, as condemned and opened by the Mayor and City Council of Baltimore under Ordinance No. 1080 approved November 13, 1957 and at the end of the 6th line of the land described in a Deed dated May 13, 1960 from Eugene Douglas Dudley Kenneth Van Ruymbeke, et al, to the Mayor and City Council of Baltimore and recorded among the Land Records of Baltimore City in Liber JFC No. 923, folio 156, etc., said point of beginning being also the beginning point of the first parcel of land described in a Deed dated July 10, 1970 from Maurice Gaston Van Ruymbeke, et al, to Albert Landay and recorded among the aforesaid Land Records in Liber RHB No. 2878, folio 285, etc. and among the Land Records of Baltimore County in Liber OTG No. 5127, folio 702, etc., said point also being a point on the easterly line of the lands of the Mass Transit Authority; Thence $S18^{\circ}04'00''W$, a distance of 71.89 feet to a point; thence $S36^{\circ}28'58''E$, a distance of 194.98 feet to the Boundary Line between Baltimore City and Baltimore County for the POINT OF BEGINNING;

Thence, $S60^{\circ}40'10''E$ along said Boundary Line for a distance of 1094.80 feet to a point in the Boundary Line between Baltimore City and Baltimore County established December 20, 1918, said point being Monument No. 9520;

Thence $S60^{\circ}39'50''E$ along said Boundary, a distance of 1153.48 feet to a point on the Sixty Second Line of "Linthincums Comet" being $N80^{\circ}42'00''E$, a distance of 54.76 from the northerly end thereof.

Thence along the "Linthincums Comet" for the following four calls:

1. Thence, $S80^{\circ}42'00''W$, a distance of 943.41 feet to a point, being the Sixty-second call
2. Thence, $S76^{\circ}12'00''W$, a distance of 49.50 feet to a point, being the Sixty-third call
3. Thence, $S75^{\circ}12'00''W$, a distance of 214.50 feet to a point, being the Sixty-fourth call
4. Thence, $S85^{\circ}12'00''W$, a distance of 6.72 feet to a point formed by the intersection of the 14th line of the first parcel of land described in the Deed dated July 10, 1970 from Maurice Gaston Van Ruymbeke, et al, to Albert Landay hereinabove referred to, extended southeasterly to meet the 65th line of "Linthicum Comet";

5.

Thence, $N30^{\circ}47'20''W$, a distance of 724.88 feet to a point;

Thence, $N11^{\circ}12'00''W$, a distance of 227.00 feet to a point;

Thence $N36^{\circ}28'58''W$, a distance of 591.51 feet to the POINT OF BEGINNING.

Containing 838, 772 square feet or 19.256 acres more or less.

Located in the (13) Election District and (1) Council District.



Harry A. Smith Jr.
Professional Land Surveyor No. 21082
In the State of Maryland



TAX PARCEL#
1900006824

198800061

198800061
198800061

ZONING PROPERTY DESCRIPTION FOR: Patapsco Avenue, Baltimore, MD (Baltimore County).

BEGINNING for the same at a point on the southernmost side of Patapsco Avenue, 100 feet wide, as condemned and opened by the Mayor and City Council of Baltimore under Ordinance No. 1080 approved November 13, 1957 and at the end of the 6th line of the land described in a Deed dated May 13, 1960 from Eugene Douglas Dudley Kenneth Van Ruymbeke, et al, to the Mayor and City Council of Baltimore and recorded among the Land Records of Baltimore City in Liber JFC No. 923, folio 156, etc., said point of beginning being also the beginning point of the first parcel of land described in a Deed dated July 10, 1970 from Maurice Gaston Van Ruymbeke, et al, to Albert Landay and recorded among the aforesaid Land Records in Liber RHB No. 2878, folio 285, etc. and among the Land Records of Baltimore County in Liber OTG No. 5127, folio 702, etc., said point also being a point on the easterly line of the lands of the Mass Transit Authority; Thence $S18^{\circ}04'00''W$, a distance of 71.89 feet to a point; Thence $S36^{\circ}28'58''E$, a distance of 194.98 feet to the Boundary Line between Baltimore City and Baltimore County; Thence, $S60^{\circ}40'10''E$ along said Boundary Line for a distance of 1094.80 feet to a point in the Boundary Line between Baltimore City and Baltimore County established December 20, 1918, said point being Monument No. 9520; Thence $S60^{\circ}39'50''E$ along said Boundary, a distance of 1153.48 feet to a point on Sixty Second Line of "Linthincums Comet" and being $N80^{\circ}42'00''E$, a distance of 54.76 from the northerly end thereof for the POINT OF BEGINNING;

Thence $S60^{\circ}39'50''E$ continuing along the Boundary Line, a distance of 1108.69 feet to a point at the waters of the Patapso River;

Thence $S40^{\circ}15'00''W$ along the waters of the Patapso River, a distance of 254.61 feet to a point being 250 feet measured at right angles from said Boundary Line;

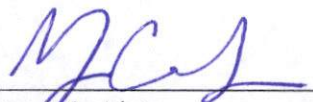
Thence, $N60^{\circ}39'50''W$ along a line parallel with the aforementioned Boundary Line, a distance of 1373.26 feet to a point on the Sixty-Second call of the aforesaid "Linthincums Comet";

Thence $N80^{\circ}42'00''E$ along said Sixty-Second call, a distance of 400.41 feet to the POINT OF BEGINNING.

Containing 310,252 square feet or 7.122 acres more or less.

Located in the (13) Election District and (1) Council District.

This legal description is based on record data and not an on the ground survey.


Harry A. Smith Jr.
Professional Land Surveyor No. 21082
In the State of Maryland



TAX PARCEL #
1600009684

J509X9 XAT
#88P000021

CERTIFICATE OF

RE: Case No. 2019-0077-SPH

Petitioner: AV&E Industries c/o Joseph Woolman, III

Hearing Date: 10/11/18

Baltimore County Department of
Permits, Approvals and Inspections
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

This letter is to confirm, under penalties of perjury, that the necessary sign(s)
were posted conspicuously on the property located at _____

SS Patapsco Ave. at Driveway Entrance and east of Baltimore Court

_____ on 10/18/18

Sincerely,

 10/18/18

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

(443) 243-7360

10/10/10

10/10/10 10/10/10 10/10/10 10/10/10

10/10/10 10/10/10 10/10/10 10/10/10

10/10/10 10/10/10 10/10/10 10/10/10

10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10

10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10

10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10
10/10/10 10/10/10 10/10/10 10/10/10

Certificate of Posting

Case No 2019-0077-SPH

ZONING NOTICE

CASE # 2019-0077-SPH

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

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

DATE AND TIME: WED., NOV. 7, 2018 AT 1:30 PM.

REQUEST: SPECIAL HEARING TO DETERMINE WHETHER OR NOT THE ADMINISTRATIVE
LAW JUDGE SHOULD APPROVE THE TEMPORARY OUTDOOR STORAGE
OF USED AND DAMAGED OPERABLE AND INOPERABLE VEHICLES
FOR WHOLESALE/ONLINE AUCTION. IN ADDITION,

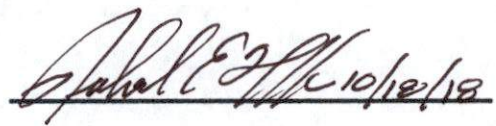
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

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

HANDICAPPED ACCESSIBLE

SS Patapsco Ave. east of Baltimore Court (1 of 2, at driveway entrance)

(Posted Oct. 18, 2018)

 10/18/18

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

THE JOURNAL OF THE

ROYAL SOCIETY OF MEDICINE

1910

THE JOURNAL OF THE ROYAL SOCIETY OF MEDICINE

1910

THE JOURNAL OF THE

ROYAL SOCIETY OF MEDICINE

1910

THE JOURNAL OF THE

ROYAL SOCIETY OF MEDICINE

Certificate of Posting

Case No 2019-0077-SPH



SS Patapsco Ave. east of Baltimore Court (2 of 2, at west end of property)

(Posted Oct. 18, 2018)

Richard E. Hoffman 10/18/18

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

CERTIFICATE OF

RE: Case No. 2019-0077-SPH

Petitioner: AV&E Industries c/o Joseph Woolman, III

Hearing Date: 10/11/18

Baltimore County Department of
Permits, Approvals and Inspections
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204



This letter is to confirm, under penalties of perjury, that the necessary sign(s)
were posted conspicuously on the property located at _____

SS Patapsco Ave. at Driveway Entrance and east of Baltimore Court

_____ on 10/18/18

Sincerely,

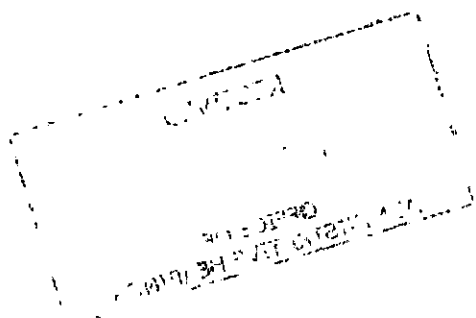
Richard E. Hoffman 10/18/18

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

(443) 243-7360



Certificate of Posting

Case No 2019-0077-SPH

ZONING NOTICE
CASE # 2019-0077-SPH

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

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

DATE AND TIME: WED. NOV. 17, 2018 AT 1:30 PM

REQUEST:
SPECIAL HEARING TO DETERMINE WHETHER EXISTING ADJACENT
LOT LINES SHOULD APPROXIMATE THE ZONING BOARD'S
DETERMINATION OF NEARLY DAMAGED AND IMPROPERLY
FOR WHOLESALE DISTRIBUTION

POSTPONEMENTS DUE TO OTHER CONDITIONS ARE SOMETIMES NECESSARY.
DO NOT REMOVE THIS SIGN AND NOT BE SUBJECT TO A FINE OR PENALTY OF LAW.
HANDICAPPED ACCESSIBLE

SS Patapsco Ave. east of Baltimore Court (1 of 2, at driveway entrance)

(Posted Oct. 18, 2018)

Richard E. Hoffman 10/18/18

Richard E. Hoffman

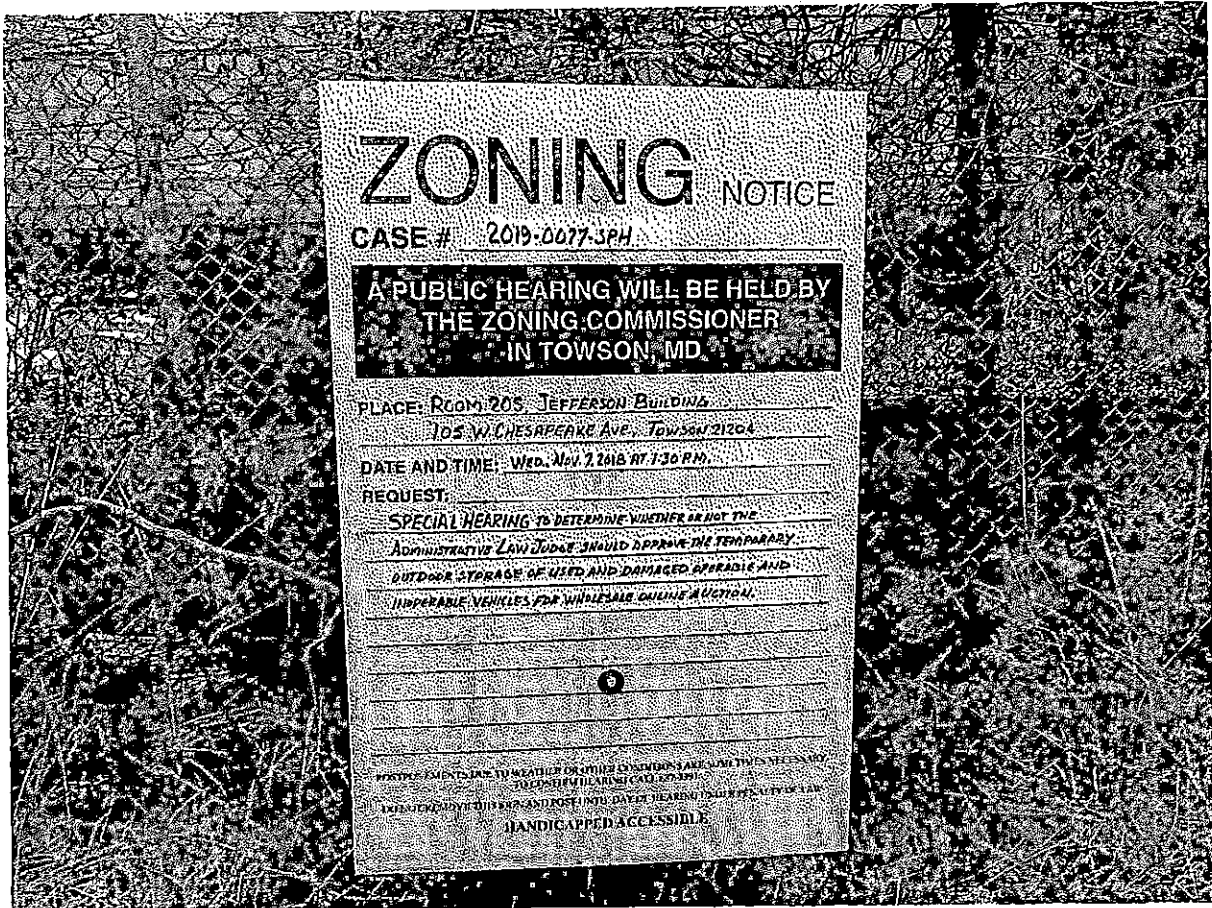
904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

Certificate of Posting

Case No 2019-0077-SPH



SS Patapsco Ave. east of Baltimore Court (2 of 2, at west end of property).

(Posted Oct. 18, 2018)

 10/18/18

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

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:

10/18/2018



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Order #: 11628584
Case #: 2019-0077-SPH
Description:

NOTICE OF ZONING HEARING CASE NUMBER:
2019-0077-SPH

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: 2019-0077-SPH

S/s of Patapsco Avenue, 110ft. se/s Baltimore Court
13th Election District - 1st Councilmanic District

Legal Owners: AV & E Industries

Contract Purchase/Lessee: Copart, Inc.

Special Hearing to determine whether or not the Administrative Law Judge should approve the temporary outdoor storage of used and damaged operable and inoperable vehicles for wholesale online auction.

Hearing: Wednesday, November 7, 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 410-887-3888.

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

o18

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
N/A; S/S of Patapsco Avenue, 1100' SE/S	*	OF ADMINSTRATIVE
of Baltimore Court	*	HEARINGS FOR
13 th Election & 1 st Councilmanic Districts	*	BALTIMORE COUNTY
Legal Owner(s): AV&E Industries,	*	2019-077-SPH
NKA W.P.I.P., Inc.		
Contract Purchaser(s): Copart, Inc		
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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of September, 2018, a copy of the foregoing Entry of Appearance was mailed to Joseph R. Woolman, Esquire, 111 S. Calvert Street, Suite 2700, Baltimore, Maryland 21202, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED

SEP 21 2018



DONALD I. MOHLER III
County Executive

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

September 24, 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: 2019-0077-SPH

S/s of Patapsco Avenue, 110 ft. se/s Baltimore Court
13th Election District – 1st Councilmanic District
Legal Owners: AV & E Industries
Contract Purchaser/Lessee: Copart, Inc.

Special Hearing to determine whether or not the Administrative Law Judge should approve the temporary outdoor storage of used and damaged operable and inoperable vehicles for wholesale online auction.

Hearing: Wednesday, November 7, 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: Joseph Woolman, III, 111 S. Calvert Street, Baltimore 21202
Copart, Inc., 14185 Dallas Pkwy., Ste. 400, Dallas TX 75254
AV & E Industries, 601 West Patapsco Avenue, Baltimore 21228

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, OCTOBER 18, 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
Thursday, October 18, 2018 Issue - Jeffersonian

Please forward billing to:

Joseph Woolman
J.R. Woolman, LLC
111 S. Calvert Street, Ste. 2700
Baltimore, MD 21202

410-385-5328

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: 2019-0077-SPH

S/s of Patapsco Avenue, 110 ft. se/s Baltimore Court

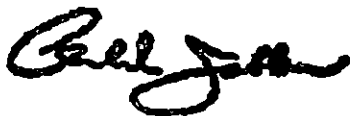
13th Election District – 1st Councilmanic District

Legal Owners: AV & E Industries

Contract Purchaser/Lessee: Copart, Inc.

Special Hearing to determine whether or not the Administrative Law Judge should approve the temporary outdoor storage of used and damaged operable and inoperable vehicles for wholesale online auction.

Hearing: Wednesday, November 7, 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.

**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: 2019-0077-SPH
Property Address: Tax Acct #s ~~1600006874~~ + 1700006874 + 1600009684
Property Description: _____

Legal Owners (Petitioners): AVE Industries, NKA W.P.I.P., Inc + EMG Properties LLC
Contract Purchaser/Lessee: Copart, Inc.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Joseph R. Woolman
Company/Firm (if applicable): J.R. Woolman, LLC
Address: 111 S. Calvert St.
Suite 2700
Baltimore, MD 21202
Telephone Number: 410-385-5328

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

No. **173218**

Date

9/11/18

PAID RECEIPT

BUSINESS ACTUAL TIME IN
 9/13/2018 9/11/2018 11:26:11

REG: MS01 WALKIN LJR
 RECEIPT # 811248 9/11/2018 OFL

Dept \$ 528 ZONING VERIFICATION

NO. 173218

Receipt Tot \$500.00

\$500.00 CK \$0.00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
------	------	------	----------	-----	---------	----------	---------	--------

0001	806	0000		6150				\$500
------	-----	------	--	------	--	--	--	-------

Total:

\$500

Rec

From:

For:

TAX PARCEL # 16 0000 9684, 19 0000 6824

2019-0077-SPH

DISTRIBUTION

WHITE CASHIER

PINK AGENCY

YELLOW CUSTOMER

GOLD ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



DONALD I. MOHLER III
County Executive

October 31, 2018

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

AV & E Industries
601 W. Patapsco Ave.
Baltimore, MD 21225

To Whom It May Concern:

RE: Case Number: 2019-0077SPH, Address: Patapsco Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 11, 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.", is written over a faint, circular official stamp. The signature is fluid and cursive.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel
Joseph R. Woolman, III 111 S. Calvert St. Ste 2700 Baltimore, MD 21202
Copart, Inc. 14185 Dallas Pkwy Ste 400 Dallas, TX 75254

Date: 9/17/18

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

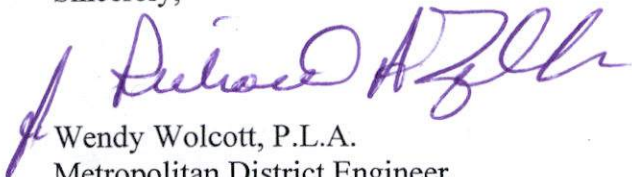
Dear Ms. Lewis:

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.

2019-00771-SPH
Special Hearing
Avie Industries nka W.P.D., Inc
501 Patapsco Avenue

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

11-7

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 10/15/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-077



INFORMATION:

Property Address: 601 Patapsco Avenue
Petitioner: AV & E Industries and EMG Properties, LLC
Zoning: ML, R.C. 50
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge (ALJ) should approve the temporary outdoor storage of used and damaged operable and inoperable vehicles for wholesale online auction.

A site visit was conducted on September 24, 2018.

Aerial photography dated 2017 available to the Department showed cars being parked on the adjacent Baltimore County owned property to the south of the subject property zoned R.C. 50. Visual check by staff during the recent site visit indicates the condition appears to remain.

The Department cannot support granting the zoning relief as petitioned.

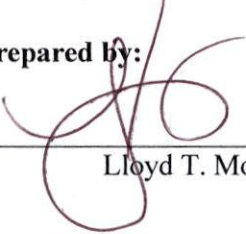
The plan submitted in support of the petitions proposes the use incursion is to remain and the County owned property to be utilized as "pavement" and "access drive" areas. The Department cannot recommend approval of the continued unauthorized trespass and will only support a plan that corrects the current and proposed situation as follows:

- All vehicles shall be removed from the county owned property prior to the issuance of the ALJ's Order in this case, if approved.
- A fence or other suitable barrier approved by the ALJ shall be installed by the petitioners on the subject property and adjacent to the common property lines in the area of the encroachment. Said fence or barrier shall be sufficient to provide a physical separation of the county and privately owned properties thereby preventing the use of the Baltimore County owned property
- The site plan shall be revised to remove the pavement and access drive designations from the encroachment area and to show the placement of the fence or barrier referenced above. A note shall be placed on the site plan stating that no county owned land shall be used in support of the petitioned use.

The Department recommends the encroachment matter be referred to the Baltimore County Attorney and the Director of Recreation and Parks for their assessment and any necessary correction action.

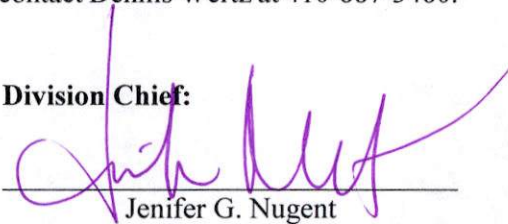
For further information concerning the matters stated herein, please contact Dennis Wertz at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

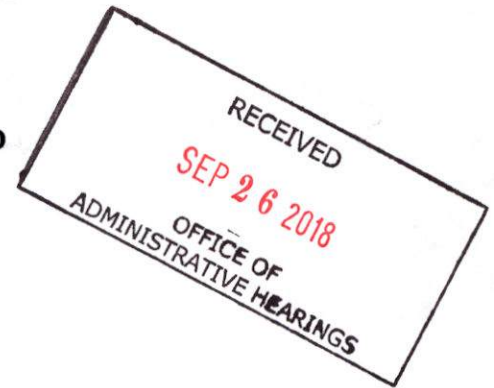
AVA/JGN/LTM/

c: Dennis Wertz
Joseph R. Woolman, III, J.R. Woolman, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

11-7

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 26, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0077-SPH
Address Patapsco Avenue
(AV & E Industries Property)

Zoning Advisory Committee Meeting of **September 24, 2018.**

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property straddles the Baltimore County-Baltimore City line. The two parcels within Baltimore County are located within a Limited Development Area (LDA) and are subject to Critical Area requirements. The applicant is proposing to change the use of the parcels to allow the temporary storage of used and damaged, operable and inoperable vehicles for wholesale online auction. The site plan shows existing structures on the property that are labeled as temporary structures, although aerial imagery indicates several of them have been in place for at least 10-15 years. It is unclear if any additional development is proposed. The plan incorrectly identifies the minimum 100-foot Critical Area Buffer as a 75-foot Forest Buffer. Any proposed development must meet all LDA requirements, including lot coverage limits, buffer, and afforestation requirements. The plan states the portion of the property within Baltimore County is 26.4 acres, which is also reflected by the tax records for the two parcels. Lot coverage is limited to a maximum of 15%. No lot coverage information was provided. 15% afforestation (4.0 acres of forest) is required. We cannot determine at this time if adverse impacts on water quality will be minimized.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront and must meet all lot coverage, buffer, and afforestation requirements. The plan incorrectly identifies the minimum 100-foot Critical Area Buffer as a 75-foot Forest Buffer and lot coverage and afforestation information was not provided. At this time this office cannot determine these requirements can be met.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

Although this property appears to have been in similar use for years, there is not enough information provided to determine if all Critical Area requirements can be met. The use of site encroaches onto an adjacent Resource Conservation Area property owned by Baltimore County. We have been informed by Property Management that this encroachment has not been authorized; industrial uses within the Resource Conservation Area are not permitted unless they were legal authorized uses at the time the County's Critical Area regulations took effect in 1988. Therefore, this proposal is not consistent with established land use policies for development.

Reviewer: Libby Errickson

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 26, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0077-SPH
Address Patapsco Avenue
(AV & E Industries Property)

Zoning Advisory Committee Meeting of **September 24, 2018.**

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property straddles the Baltimore County-Baltimore City line. The two parcels within Baltimore County are located within a Limited Development Area (LDA) and are subject to Critical Area requirements. The applicant is proposing to change the use of the parcels to allow the temporary storage of used and damaged, operable and inoperable vehicles for wholesale online auction. The site plan shows existing structures on the property that are labeled as temporary structures, although aerial imagery indicates several of them have been in place for at least 10-15 years. It is unclear if any additional development is proposed. The plan incorrectly identifies the minimum 100-foot Critical Area Buffer as a 75-foot Forest Buffer. Any proposed development must meet all LDA requirements, including lot coverage limits, buffer, and afforestation requirements. The plan states the portion of the property within Baltimore County is 26.4 acres, which is also reflected by the tax records for the two parcels. Lot coverage is limited to a maximum of 15%. No lot coverage information was provided. 15% afforestation (4.0 acres of forest) is required. We cannot determine at this time if adverse impacts on water quality will be minimized.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront and must meet all lot coverage, buffer, and afforestation requirements. The plan incorrectly identifies the minimum 100-foot Critical Area Buffer as a 75-foot Forest Buffer and lot coverage and afforestation information was not provided. At this time this office cannot determine these requirements can be met.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

Although this property appears to have been in similar use for years, there is not enough information provided to determine if all Critical Area requirements can be met. The use of site encroaches onto an adjacent Resource Conservation Area property owned by Baltimore County. We have been informed by Property Management that this encroachment has not been authorized; industrial uses within the Resource Conservation Area are not permitted unless they were legal authorized uses at the time the County's Critical Area regulations took effect in 1988. Therefore, this proposal is not consistent with established land use policies for development.

Reviewer: Libby Errickson

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE October 4, 2018

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

SUBJECT: Zoning Advisory Committee Meeting
For September 24, 2018
Item No. 2019-0051-A, 0062-A, 0075-A, 0077-SPH and 0078-A

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

*

*

*

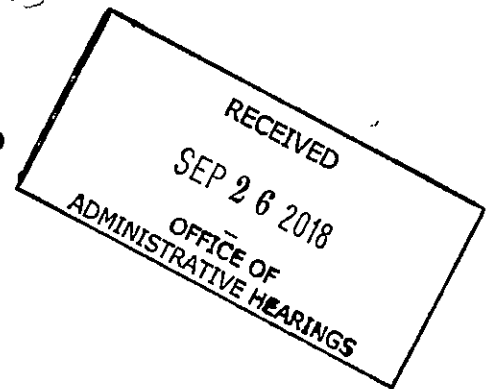
*

*

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

Inter-Office 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 26, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0077-SPH
Address Patapsco Avenue
(AV & E Industries Property)

Zoning Advisory Committee Meeting of September 24, 2018.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property straddles the Baltimore County-Baltimore City line. The two parcels within Baltimore County are located within a Limited Development Area (LDA) and are subject to Critical Area requirements. The applicant is proposing to change the use of the parcels to allow the temporary storage of used and damaged, operable and inoperable vehicles for wholesale online auction. The site plan shows existing structures on the property that are labeled as temporary structures, although aerial imagery indicates several of them have been in place for at least 10-15 years. It is unclear if any additional development is proposed. The plan incorrectly identifies the minimum 100-foot Critical Area Buffer as a 75-foot Forest Buffer. Any proposed development must meet all LDA requirements, including lot coverage limits, buffer, and afforestation requirements. The plan states the portion of the property within Baltimore County is 26.4 acres, which is also reflected by the tax records for the two parcels. Lot coverage is limited to a maximum of 15%. No lot coverage information was provided. 15% afforestation (4.0 acres of forest) is required. We cannot determine at this time if adverse impacts on water quality will be minimized.

ORDER RECEIVED FOR FILING

Date 11/8/18
By sen

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront and must meet all lot coverage, buffer, and afforestation requirements. The plan incorrectly identifies the minimum 100-foot Critical Area Buffer as a 75-foot Forest Buffer and lot coverage and afforestation information was not provided. At this time this office cannot determine these requirements can be met.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

Although this property appears to have been in similar use for years, there is not enough information provided to determine if all Critical Area requirements can be met. The use of site encroaches onto an adjacent Resource Conservation Area property owned by Baltimore County. We have been informed by Property Management that this encroachment has not been authorized; industrial uses within the Resource Conservation Area are not permitted unless they were legal authorized uses at the time the County's Critical Area regulations took effect in 1988. Therefore, this proposal is not consistent with established land use policies for development.

Reviewer: Libby Errickson

ORDER RECEIVED FOR FILING

Date

11/8/18

By

SEN

11-7

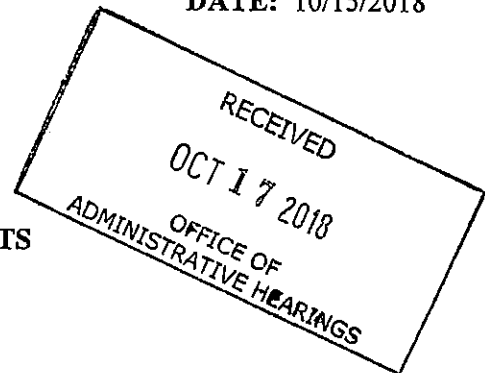
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 10/15/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-077



INFORMATION:

Property Address: 601 Patapsco Avenue
Petitioner: AV & E Industries and EMG Properties, LLC
Zoning: ML, R.C. 50
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge (ALJ) should approve the temporary outdoor storage of used and damaged operable and inoperable vehicles for wholesale online auction.

A site visit was conducted on September 24, 2018.

Aerial photography dated 2017 available to the Department showed cars being parked on the adjacent Baltimore County owned property to the south of the subject property zoned R.C. 50. Visual check by staff during the recent site visit indicates the condition appears to remain.

The Department cannot support granting the zoning relief as petitioned.

The plan submitted in support of the petitions proposes the use incursion is to remain and the County owned property to be utilized as "pavement" and "access drive" areas. The Department cannot recommend approval of the continued unauthorized trespass and will only support a plan that corrects the current and proposed situation as follows:

- All vehicles shall be removed from the county owned property prior to the issuance of the ALJ's Order in this case, if approved.
- A fence or other suitable barrier approved by the ALJ shall be installed by the petitioners on the subject property and adjacent to the common property lines in the area of the encroachment. Said fence or barrier shall be sufficient to provide a physical separation of the county and privately owned properties thereby preventing the use of the Baltimore County owned property
- The site plan shall be revised to remove the pavement and access drive designations from the encroachment area and to show the placement of the fence or barrier referenced above. A note shall be placed on the site plan stating that no county owned land shall be used in support of the petitioned use.

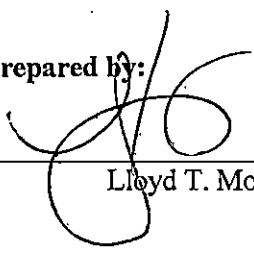
The Department recommends the encroachment matter be referred to the Baltimore County Attorney and the Director of Recreation and Parks for their assessment and any necessary correction action.

ORDER RECEIVED FOR FILING

Date 11/8/18
By Den

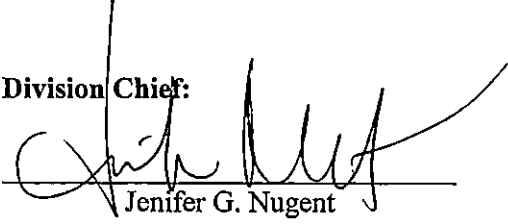
For further information concerning the matters stated herein, please contact Dennis Wertz at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

AVA/JGN/LTM/

c: Dennis Wertz
Joseph R. Woolman, III, J.R. Woolman, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date

11/8/18

By

sen

DATE _____

11-7-2018

E - MAIL

[illegible]



RE: THE PETITION

BEFORE THE

of

Copart, Inc. for

601 W. Patapsco Ave .

ADMINISTRATIVE LAW
JUDGES of
BALTIMORE COUNTY

CASE # 2019-0255 A

* * * * *

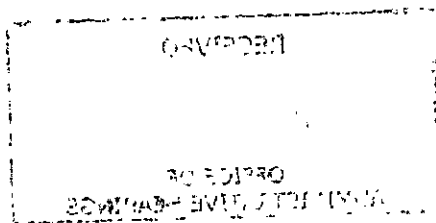
PETITIONER'S HEARING MEMORANDUM

Joseph R. Woolman, III, on behalf of Copart, Inc. (Petitioners), submits their memorandum as follows:

INTRODUCTION

This case arises out of Petition for Special Hearing to determine whether the temporary outdoor storage of used, damaged and inoperable vehicles for wholesale on-line auction should be permitted in an M.L. Zone as the use is not clearly defined in the Baltimore County Zoning Regulations (BCZR). It is important to note the subject property straddles the Baltimore City/County line, the majority of which, including its street frontage, address and means of ingress/egress, is in Baltimore City. The Petitioners appeared before the Board of Municipal and Zoning Appeals for Baltimore City (BMZA) on September 4th, 2018 where a similar "petition" was heard. The BMZA's Resolution was rendered on October 3rd, 2018 in favor of the Petitioners and defined the use to be permitted as an "outdoor storage yard" ¹ The City portion of the subject property is in an I-2 Zoning District which is considered analogous to the M.L. Zoning classification of the County portion of the site. This Petition is NOT seeking development approval at this juncture but only to classify and permit an "undefined" use.

¹ A Copy of the BMZA Resolution is attached hereto and incorporated by reference.



AUTHORITY TO CONDUCT SPECIAL HEARINGS

The BCZR provides the authority to conduct Special Hearings as follows:

§500.7 The said Zoning Commissioner, shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided. The power given hereunder shall include the right of any interested person to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they are affected by these regulations. (emphasis added)

The authority promulgated in the BCZR and cited above provide the opportunity for Petitioners to seek a ruling confirming the by right use of property prior to the closing of their purchase of it. Petitioners intend to comply with all established land use policies and processes, including the conditions raised in the ZAC comments, should they proceed with any development of the subject property.

BCZR USE CLASSIFICATIONS IN THE M.L. ZONE

As was the case before the BMZA, it is necessary to categorize the proposed use as it is somewhat unique and not clearly defined in the BCZR. Perhaps the most important characteristics of the proposed are its temporary and wholesale aspects. Petitioners submit the use fits within the definition of a permitted use in an M.L. zone as follows:

BCZR §253.1B 16. Storage, warehousing or wholesale distribution of any product whose sale (retail or wholesale) or final processing or production is permitted as of right as a principal use in M.L. Zones.

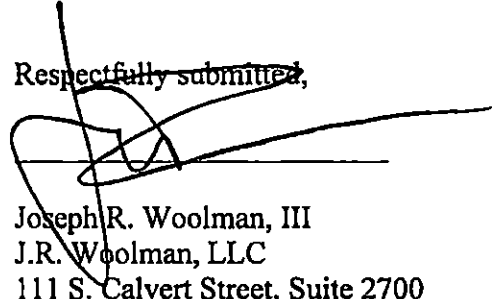
Uses permitted as of right in an M.L. Zone include:

BCZR §253.1A 2. Automobile Assembly.

CONCLUSION

The petitioners assert there is substantial evidence in the record (which includes additional exhibits and testimony) to support a finding of fact that the use proposed for the subject property is permitted as of right as a matter of law.

Respectfully submitted,



Joseph R. Woolman, III
J.R. Woolman, LLC
111 S. Calvert Street, Suite 2700
Baltimore, Maryland 21202
410-385-5328

IN THE MATTER OF THE
PETITION OF: JOSEPH WOOLMAN

OCT 03 2018

Baltimore City Board of Municipal
& Zoning Appeals

601 W. PATAPSCO AVENUE

Appeal No. 2018-271

Hearing Date: September 4, 2018



Derek J. Baumgardner
Executive Director

417 E. Fayette Street, 14th floor
Baltimore, MD 21202
Phone: 410-396-4301

RESOLUTION

This matter comes before the Board on referral from the decision of the Zoning Administrator for Baltimore City on Joseph Woolman's ("Petitioner" or "Appellant") application to use portions of premises for the storage of used & damaged operable & inoperable automobiles, trucks, other vehicles, trailers & construction equipment for wholesale on-line auctions.

BACKGROUND

This property is located in an I-2 Zoning District and while the lot is improved by a small commercial structure it is predominantly an unimproved open-air lot. This lot is located in the Chesapeake Bay Critical Area and any use or development must conform to all state and local Chesapeake Bay Critical Area laws and regulations.

Appellant filed this appeal to the Board on July 26, 2018, and appeared for a public hearing on September 4, 2018. No one appeared in opposition. Board staff prepared a memorandum evaluating the appeal and the Planning Department provided testimony on the proposed use. Following deliberations the Board voted to approve this appeal with conditions by unanimous vote.

DISCUSSION

Appellant proposes to use portions of premises for the storage of used & damaged operable & inoperable automobiles, trucks, other vehicles, trailers & construction equipment for wholesale on-line auctions. This application was referred to the Board to determine the appropriate zoning category for the proposed use. Upon hearing the testimony and evidence submitted by the Appellant regarding the proposed use and operation of the lot, the Board finds that the most appropriate use designation for this undefined use would be an "outdoor storage yard" as defined under ZC 1-310(v). Under Table 11-301, outdoor storage yards are permitted uses in this I-2 zoning district. This is to distinguish the proposed permitted use from the prohibited use of the property as a "junk or scrap storage yard." See ZC §§1-218(b) & 1-308(f).

Under ZC 1-310(v), "Outdoor storage yard" means a lot the principal or accessory use of which is the storage, other than within an enclosed building, of any material for longer than 24 hours. "Outdoor storage yard" includes all storage, whether for sale, lease, processing, or repair. Under the use standards contained in ZC§ 14-330, "outdoor storage area" means any: (1) outdoor storage yard; or (2) contractor storage yard. All outdoor storage areas must be screened in accordance with § 15-510 {"Outdoor storage"} of the Zoning Code. *Id.* Whenever possible, the

storage area must be located to the rear of the lot. *Id.* Outdoor storage areas must be surfaced and graded to drain all surface water and may be surfaced with partially permeable materials, if adequate drainage and erosion and dust control are provided. *Id.* Any lighting used to illuminate an outdoor storage area must be directed and shielded as to not illuminate any adjacent lots. *Id.* The Board notes that all operations on this site would be required to strictly comply with all state and local Chesapeake Bay Critical Area laws and regulations.

For the reasons set forth above, and after giving public notice, reviewing the zoning records, holding a public hearing, considering all data submitted, and by authority of Ords. 16-581 and 17-015, enacted and corrected effective June 5, 2017, known as Article 32 Zoning, it is this 1st day of October, 2018, by the Baltimore City Board of Municipal and Zoning Appeals, hereby

RESOLVED, that Petitioner's request to use portions of premises for the storage of used & damaged operable & inoperable automobiles, trucks, other vehicles, trailers & construction equipment for wholesale on-line auctions as an "outdoor storage yard" as defined by ZC §1-310(v) is **GRANTED** subject to the **CONDITION** that all operations on this site must strictly comply with all state and local Chesapeake Bay Critical Area laws and regulations.

DO NOT START WORK OR USE THE PROPERTY UNTIL YOU OBTAIN A BUILDING OR A USE & OCCUPANCY PERMIT FROM THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT. YOU HAVE ONE YEAR FROM THE DATE OF THIS RESOLUTION TO OBTAIN A BUILDING PERMIT OR A USE & OCCUPANCY PERMIT.


Derek J. Baumgardner
Executive Director



CHECKLIST**Comment
Received****Department****Support/Oppose/
Conditions/
Comments/
No Comment**10/4DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)NO Comment10/26DEPS
(if not received, date e-mail sent _____)Comment

FIRE DEPARTMENT

10/17PLANNING
(if not received, date e-mail sent _____)Comment9/17

STATE HIGHWAY ADMINISTRATION

NO Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

10/18/18SIGN POSTING (1st)

Date:

10/18/18

by

HoffmanSIGN POSTING (2nd)

Date:

by

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Real Property Data Search

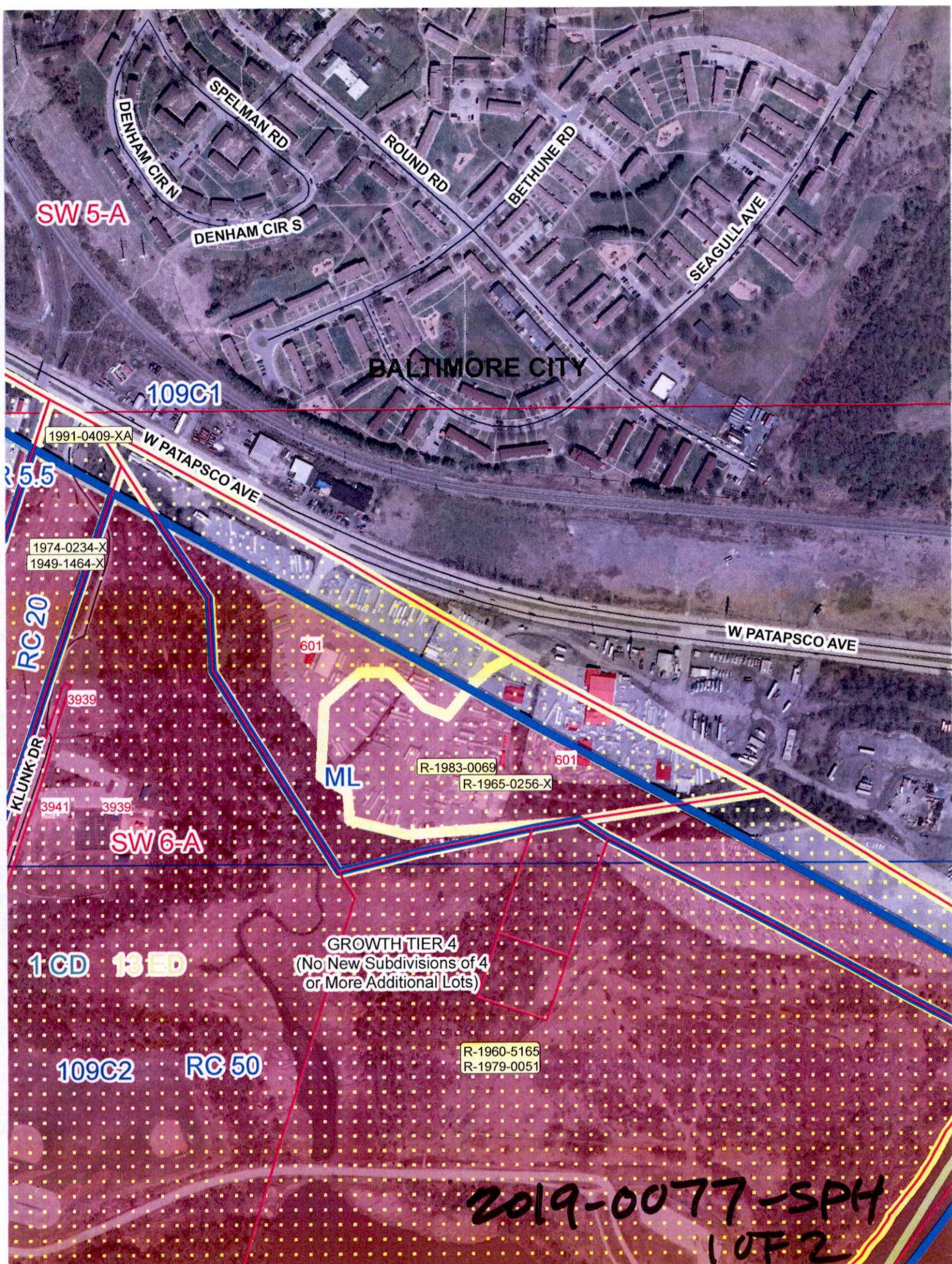
Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption			View GroundRent Registration				
Tax Exempt:			Special Tax Recapture:							
Exempt Class:			NONE							
Account Identifier:			District - 13 Account Number - 1900006824							
Owner Information										
Owner Name:		A V & E INDUSTRIES INC				Use:		INDUSTRIAL		
						Principal Residence:		NO		
Mailing Address:		601 W PATAPSCO AV BALTIMORE MD 21225-1636				Deed Reference:		/06373/ 00594		
Location & Structure Information										
Premises Address:		PATAPSCO AVE 0-0000				Legal Description:		19.2567 AC SSR PATAPSCO AVE RER 200 FT		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0109	0012	0250		0000				2017	Plat Ref:	
Special Tax Areas:				Town:			NONE			
				Ad Valorem:						
				Tax Class:						
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
						19.2500 AC		07		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
Value Information										
			Base Value		Value		Phase-in Assessments			
					As of		As of		As of	
					01/01/2017		07/01/2018		07/01/2019	
Land:		292,600		292,600						
Improvements		0		0						
Total:		292,600		292,600		292,600		292,600		
Preferential Land:		0						0		
Transfer Information										
Seller: LANDAY CELE				Date: 03/02/1982			Price: \$294,150			
Type: ARMS LENGTH IMPROVED				Deed1: /06373/ 00594			Deed2:			
Seller:				Date:			Price:			
Type:				Deed1:			Deed2:			
Seller:				Date:			Price:			
Type:				Deed1:			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:

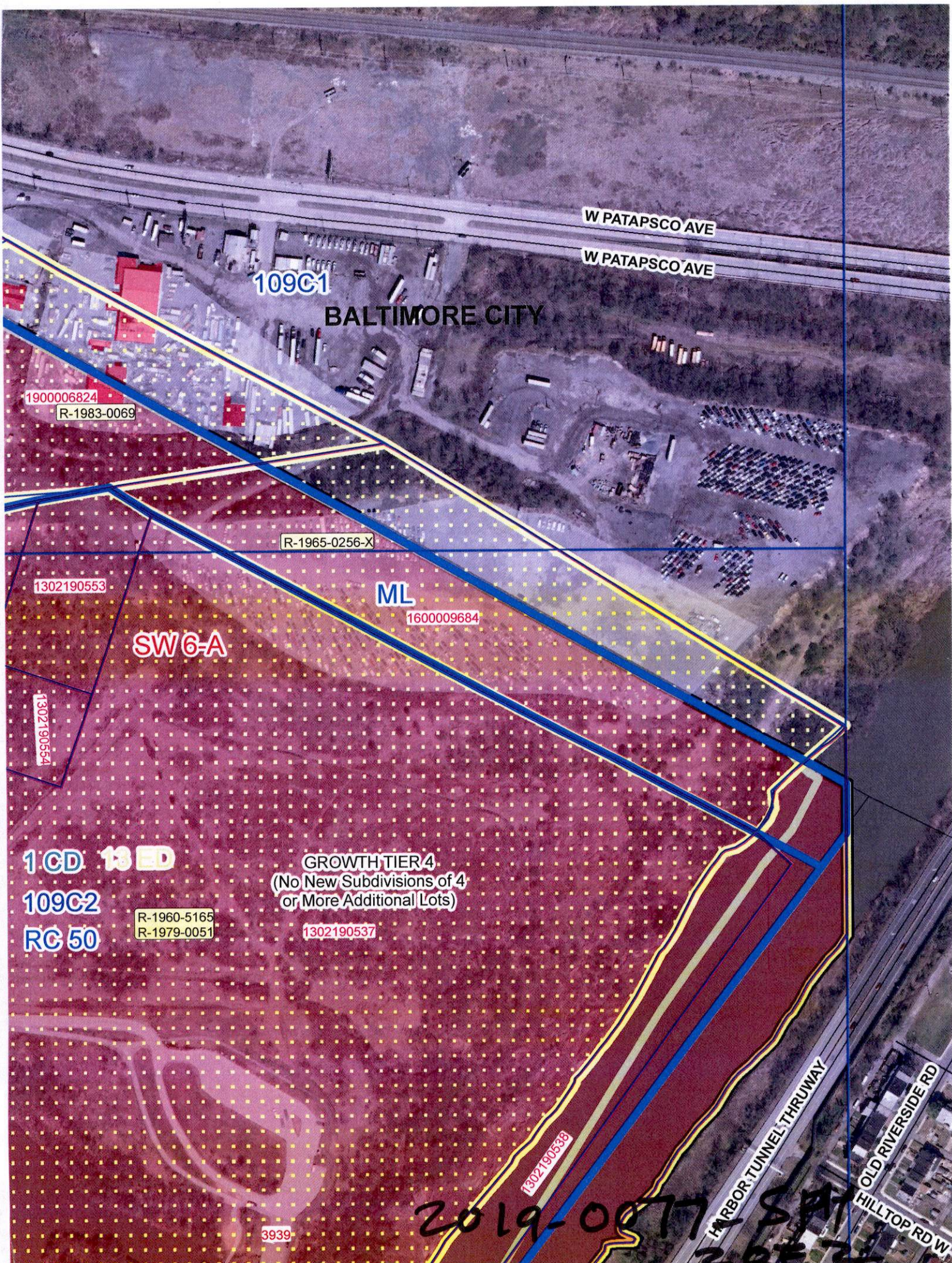


9100-9100



2019-0077-SPH
1 OF 2

100-9102
100-9102



W PATAPSCO AVE

W PATAPSCO AVE

109C1

BALTIMORE CITY

1900006824
R-1983-0069

R-1965-0256-X

ML

1600009684

1302190553

SW 6-A

1302190554

1 CD 13 ED

109C2

RC 50

R-1960-5165
R-1979-0051

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

1302190537

3939

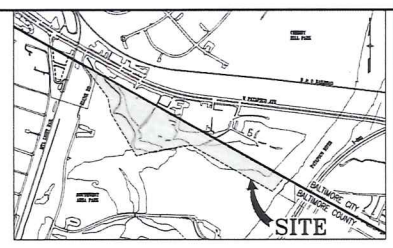
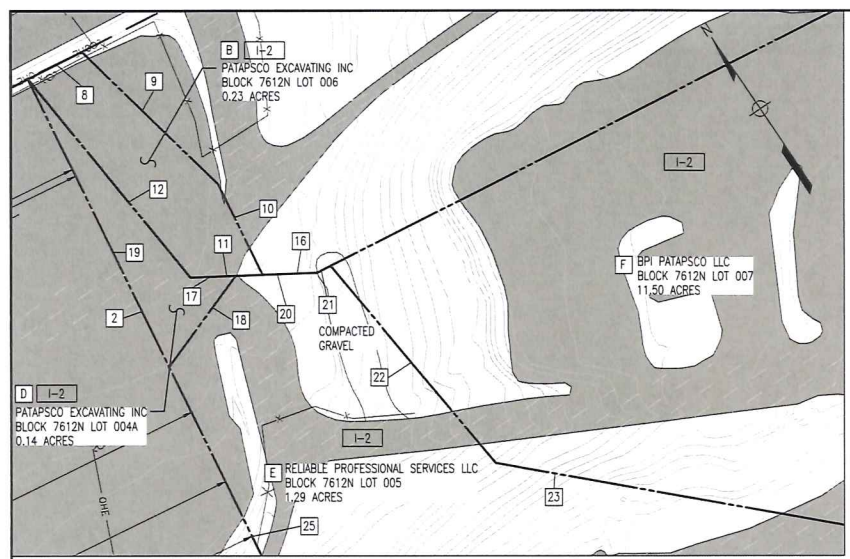
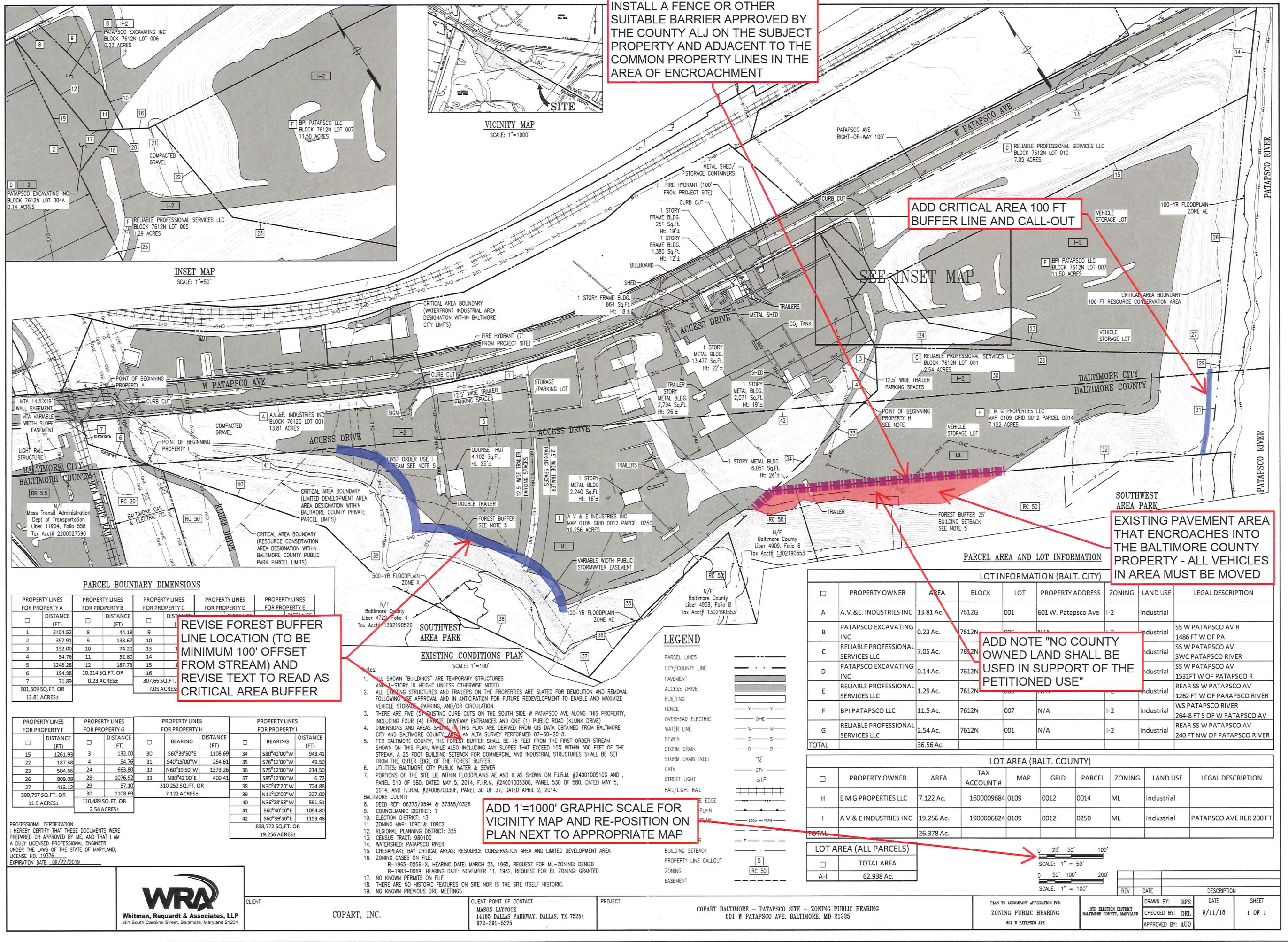
2019-0077 SAT 26#2

HARBOR TUNNEL THRUWAY

OLD RIVERSIDE RD
HILLTOP RD W

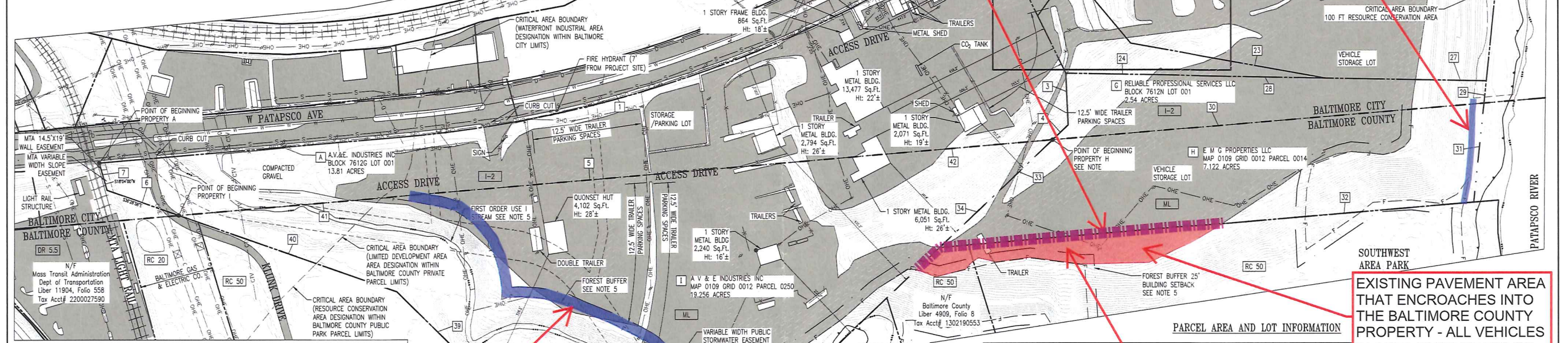
Ms-A-700-P.05

Pet # 1



INSET MAP
SCALE: 1"=50'

VICINITY MAP
SCALE: 1"=1000'



PARCEL BOUNDARY DIMENSIONS

PROPERTY LINES FOR PROPERTY A	PROPERTY LINES FOR PROPERTY B	PROPERTY LINES FOR PROPERTY C	PROPERTY LINES FOR PROPERTY D	PROPERTY LINES FOR PROPERTY E
DISTANCE (FT)	DISTANCE (FT)	DISTANCE (FT)	DISTANCE (FT)	DISTANCE (FT)
1 2404.52	8 44.18	9 138.67	10 138.67	11 138.67
2 397.91	9 138.67	10 138.67	11 138.67	12 138.67
3 132.00	10 74.20	13 138.67	14 138.67	15 138.67
4 54.76	11 52.80	14 138.67	15 138.67	16 138.67
5 2248.28	12 187.73	15 138.67	16 138.67	17 138.67
6 194.98	10,214 SQ.FT. OR 0.23 ACRES±	16 138.67	17 138.67	18 138.67
7 71.89	0.23 ACRES±	17 138.67	18 138.67	19 138.67
601,509 SQ.FT. OR 13.81 ACRES±		18 138.67	19 138.67	20 138.67

PROPERTY LINES FOR PROPERTY F	PROPERTY LINES FOR PROPERTY G	PROPERTY LINES FOR PROPERTY H	PROPERTY LINES FOR PROPERTY I
DISTANCE (FT)	DISTANCE (FT)	DISTANCE (FT)	DISTANCE (FT)
15 1261.93	3 132.00	30 560°39'50"E	34 580°42'00"W
22 187.58	4 132.00	31 540°15'00"W	35 576°12'00"W
23 504.66	24 663.80	32 560°39'50"E	36 575°12'00"W
26 809.08	28 1076.92	33 580°42'00"E	37 585°12'00"W
27 413.12	29 57.10	34 580°42'00"E	38 580°42'00"W
500,797 SQ.FT. OR 11.5 ACRES±	30 1108.69	35 310,253 SQ.FT. OR 7.122 ACRES±	39 580°42'00"W
	110,489 SQ.FT. OR 2.54 ACRES±		40 580°42'00"W
			41 560°40'10"E
			42 560°39'50"E
			838,772 SQ.FT. OR 19.256 ACRES±

PROFESSIONAL CERTIFICATION.
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19376.
EXPIRATION DATE: 09/22/2019

WRA
Whitman, Reardon & Associates, LLP
801 South Caroline Street, Baltimore, Maryland 21201

CLIENT: COPART, INC.

CLIENT POINT OF CONTACT: MASON LAYCOCK
14185 DALLAS PARKWAY, DALLAS, TX 75254
972-391-3375

PROJECT: COPART BALTIMORE - PATAPSCO SITE - ZONING PUBLIC HEARING
601 W PATAPSCO AVE, BALTIMORE, MD 21225

- EXISTING CONDITIONS PLAN**
SCALE: 1"=100'
- Notes:
- ALL SHOWN "BUILDINGS" ARE TEMPORARY STRUCTURES AND 1-STORY IN HEIGHT UNLESS OTHERWISE NOTED.
 - ALL EXISTING STRUCTURES AND TRAILERS ON THE PROPERTIES ARE SLATED FOR DEMOLITION AND REMOVAL FOLLOWING PERMIT APPROVAL AND IN ANTICIPATION OF FUTURE REDEVELOPMENT TO ENABLE AND MAXIMIZE VEHICLE STORAGE, PARKING, AND/OR CIRCULATION.
 - THERE ARE FIVE (5) EXISTING CURB CUTS ON THE SOUTH SIDE W PATAPSCO AVE ALONG THIS PROPERTY, INCLUDING FOUR (4) PRIVATE DRIVEWAY ENTRANCES AND ONE (1) PUBLIC ROAD (KLUK DRIVE).
 - DIMENSIONS AND AREAS SHOWN IN THIS PLAN ARE DERIVED FROM GIS DATA OBTAINED FROM BALTIMORE CITY AND BALTIMORE COUNTY, AND AN ALTA SURVEY PERFORMED 07-30-2018.
 - PER BALTIMORE COUNTY, THE FOREST BUFFER SHALL BE 75 FEET FROM THE FIRST ORDER STREAM SHOWN ON THIS PLAN, WHILE ALSO INCLUDING ANY SLOPES THAT EXCEED 10% WITHIN 500 FEET OF THE STREAM. A 25 FOOT BUILDING SETBACK FOR COMMERCIAL AND INDUSTRIAL STRUCTURES SHALL BE SET FROM THE OUTER EDGE OF THE FOREST BUFFER.
 - UTILITIES: BALTIMORE CITY PUBLIC WATER & SEWER.
 - PORTIONS OF THE SITE LIE WITHIN FLOODPLAINS AE AND X AS SHOWN ON F.I.R.M. #2400100510G AND PANEL 510 OF 580, DATED MAY 5, 2014, F.I.R.M. #2400100530G, PANEL 530 OF 580, DATED MAY 5, 2014, AND F.I.R.M. #2400870030F, PANEL 30 OF 37, DATED APRIL 2, 2014.
 - BALTIMORE COUNTY.
 - DEED REF: 06373/0594 & 37385/0326
 - COUNCILMANIC DISTRICT: 13
 - ELECTION DISTRICT: 13
 - ZONING MAP: 109C1 & 109C2
 - REGIONAL PLANNING DISTRICT: 325
 - CENSUS TRACT: 980100
 - WATERSHED: PATAPSCO RIVER
 - CHESAPEAKE BAY CRITICAL AREAS: RESOURCE CONSERVATION AREA AND LIMITED DEVELOPMENT AREA
 - ZONING CASES ON FILE:
R-1985-0256-X, HEARING DATE: MARCH 23, 1985, REQUEST FOR ML-ZONING: DENIED
R-1983-0069, HEARING DATE: NOVEMBER 11, 1982, REQUEST FOR BL-ZONING: GRANTED
 - NO KNOWN PERMITS ON FILE
 - THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
 - NO KNOWN PREVIOUS DRC MEETINGS

- LEGEND**
- PARCEL LINES
 - CITY/COUNTY LINE
 - PAVEMENT
 - ACCESS DRIVE
 - BUILDING
 - FENCE
 - OVERHEAD ELECTRIC
 - WATER LINE
 - SEWER
 - STORM DRAIN
 - STORM DRAIN INLET
 - CATV
 - STREET LIGHT
 - RAIL/LIGHT RAIL
 - EDGE
 - PLAIN
 - 500' - PLN
 - BUILDING SETBACK
 - PROPERTY LINE CALLOUT
 - ZONING
 - EASEMENT

PARCEL AREA AND LOT INFORMATION

LOT INFORMATION (BALT. CITY)							
	PROPERTY OWNER	AREA	BLOCK	LOT	PROPERTY ADDRESS	ZONING	LAND USE
A	A.V.&E. INDUSTRIES INC	13.81 Ac.	7612G	001	601 W. Patapsco Ave	I-2	Industrial
B	PATAPSCO EXCAVATING INC	0.23 Ac.	7612N	006	N/A	I-2	Industrial
C	RELIABLE PROFESSIONAL SERVICES LLC	7.05 Ac.	7612N	010	N/A	I-2	Industrial
D	PATAPSCO EXCAVATING INC	0.14 Ac.	7612N	007	N/A	I-2	Industrial
E	RELIABLE PROFESSIONAL SERVICES LLC	1.29 Ac.	7612N	008	N/A	I-2	Industrial
F	BPI PATAPSCO LLC	11.5 Ac.	7612N	007	N/A	I-2	Industrial
G	RELIABLE PROFESSIONAL SERVICES LLC	2.54 Ac.	7612N	001	N/A	I-2	Industrial
TOTAL		36.56 Ac.					

LOT AREA (BALT. COUNTY)							
	PROPERTY OWNER	AREA	TAX ACCOUNT #	MAP	GRID	PARCEL	ZONING
H	E M G PROPERTIES LLC	7.122 Ac.	1600009684	0109	0012	0014	ML
I	A V & E INDUSTRIES INC	19.256 Ac.	1900006824	0109	0012	0250	ML
TOTAL		26.378 Ac.					

LOT AREA (ALL PARCELS)	
	TOTAL AREA
A-I	62.938 Ac.

REV	DATE	DESCRIPTION

PLAN TO ACCOMPANY APPLICATION FOR ZONING PUBLIC HEARING
601 W PATAPSCO AVE

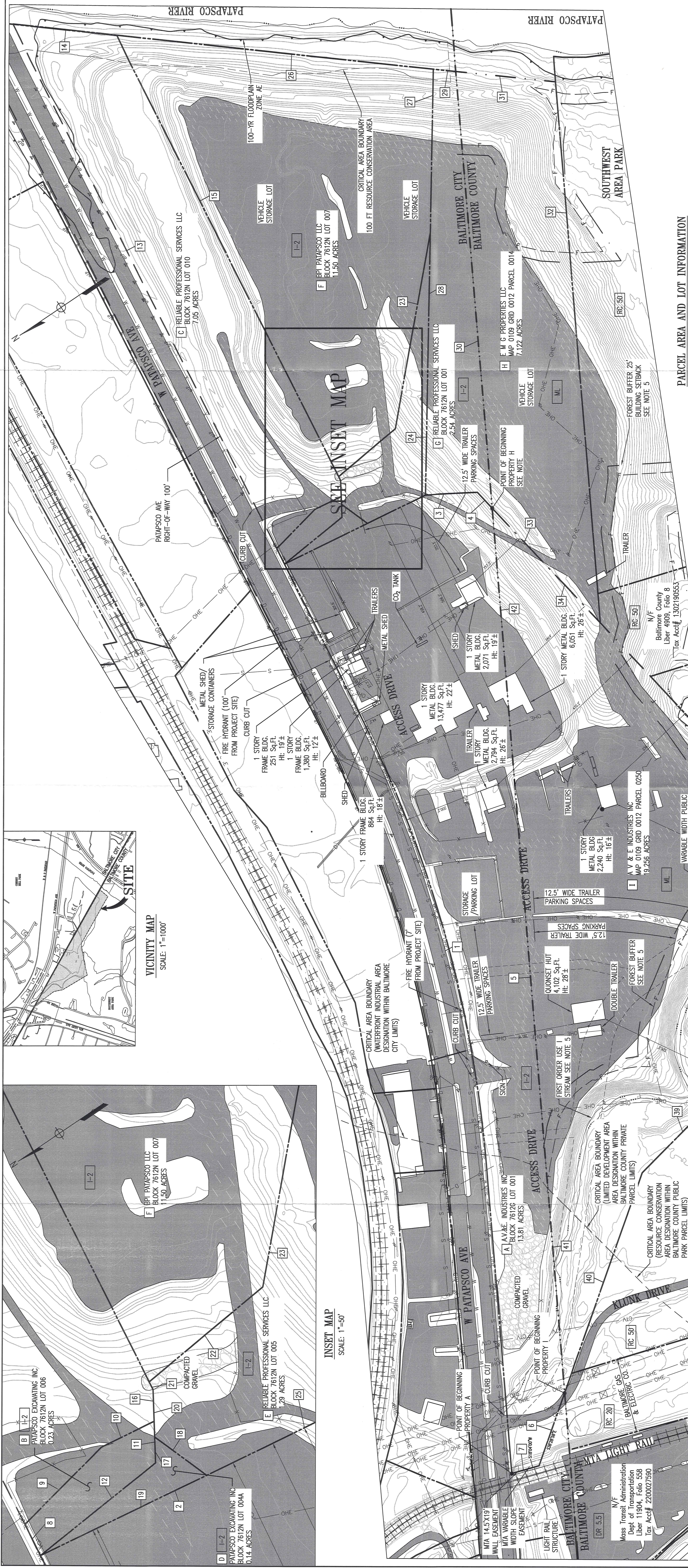
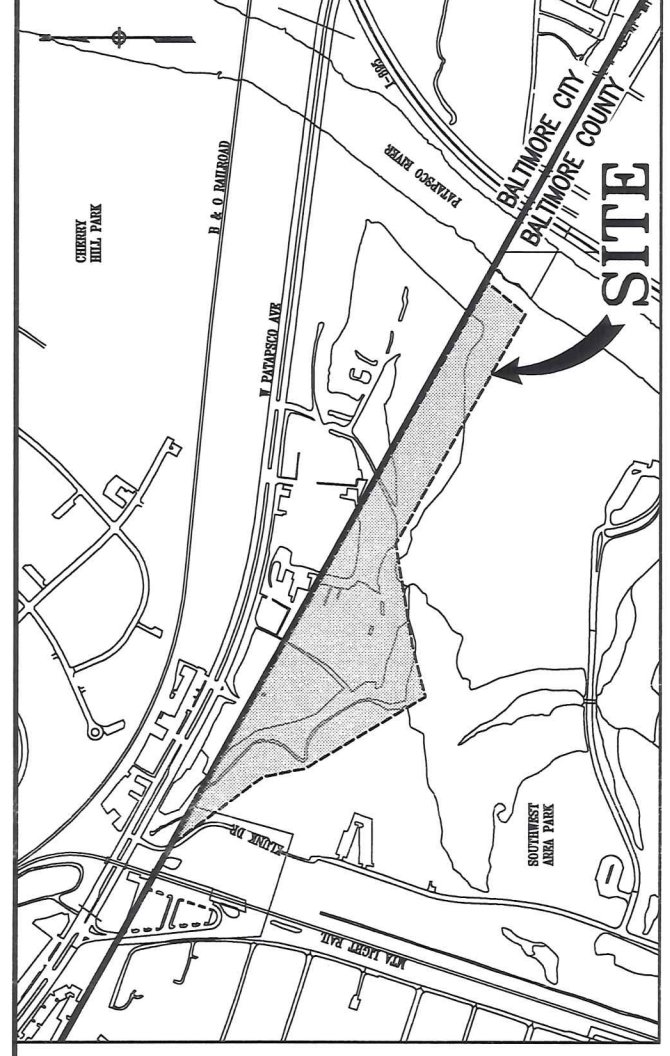
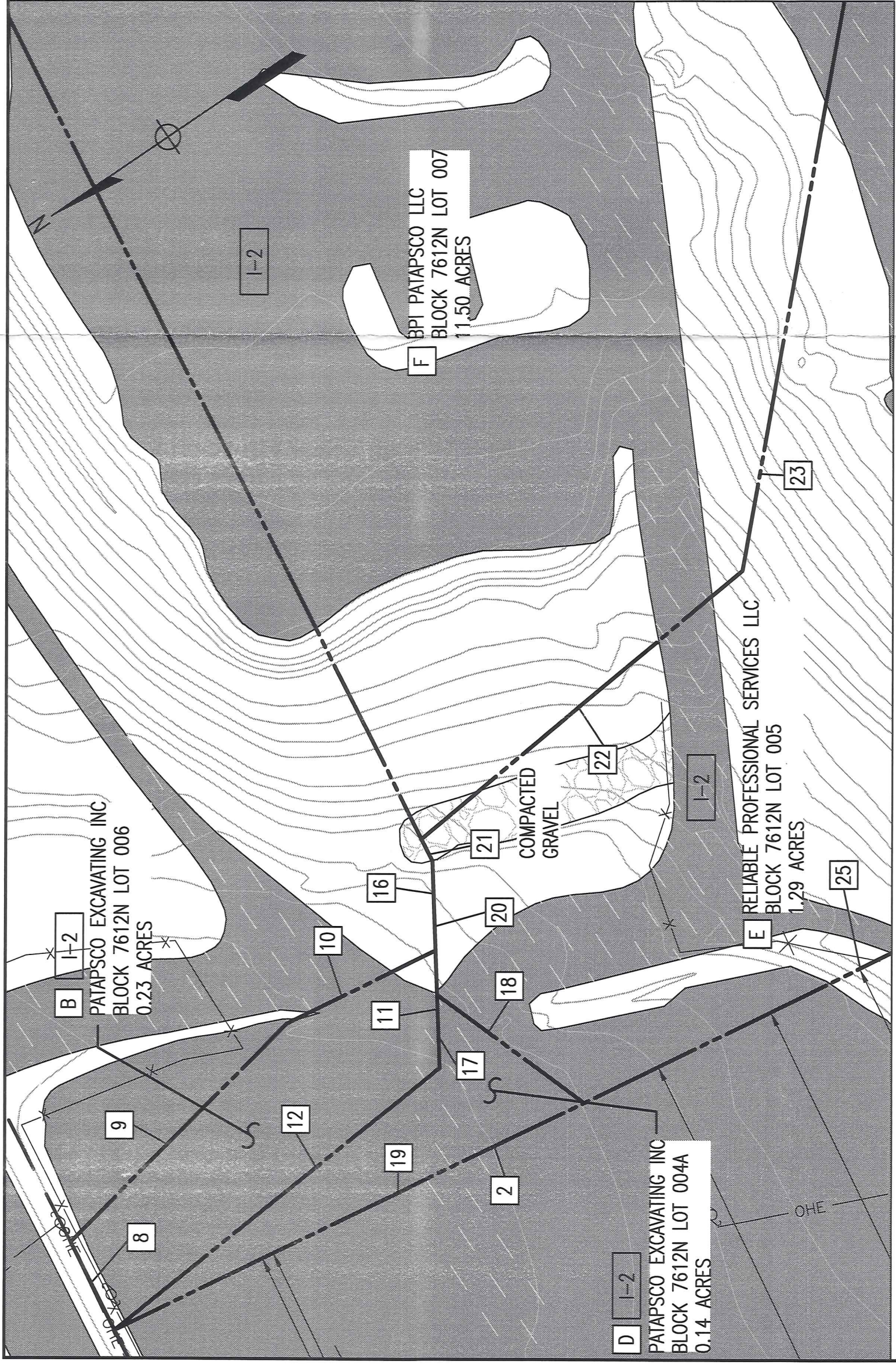
13TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

DRAWN BY: RFS
CHECKED BY: DEL
APPROVED BY: AUO

DATE: 9/11/18

SHEET: 1 OF 1

Pet. Ex 1

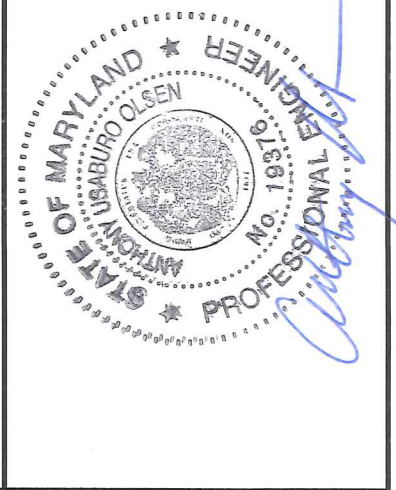


PARCEL BOUNDARY DIMENSIONS

PROPERTY LINES FOR PROPERTY A	PROPERTY LINES FOR PROPERTY B	PROPERTY LINES FOR PROPERTY C	PROPERTY LINES FOR PROPERTY D	PROPERTY LINES FOR PROPERTY E
DISTANCE (FT)	DISTANCE (FT)	DISTANCE (FT)	DISTANCE (FT)	DISTANCE (FT)
1 2404.52	8 44.18	9 138.67	12 187.73	18 82.15
2 397.91	9 138.67	10 74.20	17 33.00	20 59.90
3 132.00	10 74.20	13 1486.02	18 82.15	21 10.98
4 54.76	11 52.80	14 264.70	19 234.27	22 187.58
5 2248.28	12 187.73	15 1261.93	23 504.66	24 663.80
6 194.98	10,214 SQ.FT. OR 233.66 ACRES±	16 40.00	24 663.80	25 163.64
7 71.89	307.66 SQ.FT. OR 7.05 ACRES±		25 56,404 SQ.FT. OR 1.29 ACRES±	
601,509 SQ.FT. OR 13.81 ACRES±				

PROPERTY LINES FOR PROPERTY F	PROPERTY LINES FOR PROPERTY G	PROPERTY LINES FOR PROPERTY H	PROPERTY LINES FOR PROPERTY I
DISTANCE (FT)	DISTANCE (FT)	DISTANCE (FT)	DISTANCE (FT)
15 1261.93	3 132.00	30 560°39'50"E 1108.69	34 580°42'00"W 943.41
16 187.58	4 54.76	31 540°15'00"W 254.61	35 576°12'00"W 49.50
17 504.66	24 663.80	32 560°39'50"W 1373.26	36 575°12'00"W 214.50
18 809.08	28 1076.92	33 580°42'00"E 400.41	37 585°12'00"W 672.72
19 413.12	29 57.10	38 580°42'00"E 400.41	38 585°12'00"W 672.72
500,797 SQ.FT. OR 11.5 ACRES±	30 1108.69	39 580°42'00"E 400.41	39 585°12'00"W 672.72
	31 57.10	40 580°42'00"E 400.41	40 585°12'00"W 672.72
		41 560°40'10"E 1094.80	41 560°40'10"E 1094.80
		42 838,772 SQ.FT. OR 19,256 ACRES±	42 838,772 SQ.FT. OR 19,256 ACRES±

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR REVIEWED BY ME AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, EXPIRATION DATE: 08/22/2019



WRA
Whittman, Requaert & Associates, LLP
801 South Caroline Street, Baltimore, Maryland 21201

CLIENT

COPART, INC.

CLIENT POINT OF CONTACT

MAISON LAYOUCK
14185 DALLAS PARKWAY, DALLAS, TX 75254
972-391-5375

PROJECT

COPART BALTIMORE - PATAPSCO SITE - ZONING PUBLIC HEARING

601 W PATAPSCO AVE, BALTIMORE, MD 21225

PLAN TO ACCOMPANY APPLICATION FOR ZONING PUBLIC HEARING

18TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
001 W PATAPSCO AVE

DRAWN BY:

RFS

CHECKED BY:

DEL

DATE

9/11/18

APPROVED BY:

AUTO

SHEET

1 OF 1

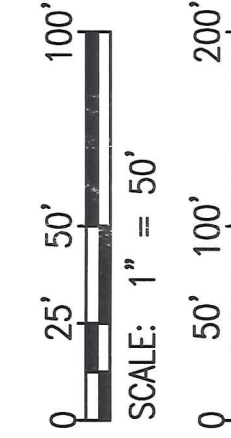
PARCEL AREA AND LOT INFORMATION

PROPERTY OWNER	AREA	LOT	PROPERTY ADDRESS	ZONING	LAND USE	LEGAL DESCRIPTION
A A V & E INDUSTRIES INC	13.81 AC.	7612G	601 W. Patapsco Ave	I-2	Industrial	SS W PATAPSCO AV R 1486 FT W OF PA
B PATAPSCO EXCAVATING INC	0.23 AC.	7612N	N/A	I-2	Industrial	SS W PATAPSCO AV
C RELIABLE PROFESSIONAL SERVICES LLC	7.05 AC.	7612N	N/A	I-2	Industrial	SS W PATAPSCO AV
D PATAPSCO EXCAVATING INC	0.14 AC.	7612N	N/A	I-2	Industrial	SS W PATAPSCO AV 1531 FT W OF PATAPSCO R
E RELIABLE PROFESSIONAL SERVICES LLC	1.29 AC.	7612N	N/A	I-2	Industrial	REAR SS W PATAPSCO AV 1262 FT W OF PATAPSCO R
F BPI PATAPSCO LLC	11.5 AC.	7612H	N/A	I-2	Industrial	WS PATAPSCO RIVER 264-8 FT S OF W PATAPSCO AV
G RELIABLE PROFESSIONAL SERVICES LLC	2.54 AC.	7612N	N/A	I-2	Industrial	REAR SS W PATAPSCO AV 240 FT NW OF PATAPSCO RIVER
TOTAL	36.56 AC.					

LOT AREA (BALT. COUNTY)

PROPERTY OWNER	AREA	TAX ACCOUNT #	MAP	GRID	PARCEL	ZONING	LAND USE	LEGAL DESCRIPTION
H E M G PROPERTIES LLC	7,122 AC.	1600009684	0109	0012	0014	ML	Industrial	PATAPSCO AVE RER 200 FT
I A V & E INDUSTRIES INC	19,256 AC.	190006824	0109	0012	0250	ML	Industrial	
TOTAL	26,378 AC.							

LOT AREA (ALL PARCELS)
TOTAL AREA
A-1 62.938 AC.



2019-0077-SPH

LEGEND

- PARCEL LINES
- CITY/COUNTY LINE
- PAVEMENT
- ACCESS DRIVE
- BUILDING
- FENCE
- OVERHEAD ELECTRIC
- WATER LINE
- SEWER
- STORM DRAIN
- STORM DRAIN INLET
- CAV
- STREET LIGHT
- RAIL/LIGHT RAIL
- WATER SURFACE EDGE
- 100-YR FLOODPLAIN
- 500-YR FLOODPLAIN
- CRITICAL AREA
- FOREST BUFFER
- BUILDING SETBACK
- PROPERTY LINE CALLOUT
- ZONING
- EASEMENT

EXISTING CONDITIONS PLAN

SCALE: 1"=100'

- ALL SHOWN "BUILDINGS" ARE TEMPORARY STRUCTURES AND 1-STORY IN HEIGHT, UNLESS OTHERWISE NOTED.
- ALL EXISTING STRUCTURES AND TRAILERS ON THE PROPERTIES ARE SLATED FOR DEMOLITION AND REMOVAL FOLLOWING USE APPROVAL AND IN ANTICIPATION FOR FUTURE REDEVELOPMENT TO ENABLE AND MAXIMIZE VEHICLE STORAGE, PARKING, AND/OR CIRCULATION.
- THERE ARE FIVE (5) EXISTING CURB CUTS ON THE SOUTH SIDE W PATAPSCO AVE ALONG THIS PROPERTY, INCLUDING FOUR (4) PRIVATE DRIVEWAY ENTRANCES AND ONE (1) PUBLIC ROAD (KLUK DRIVE) CITY AND BALTIMORE COUNTY, AND AN ALTA SURVEY PERFORMED 07-30-2018.
- PER BALTIMORE COUNTY, THE FOREST BUFFER SHALL BE 75 FEET FROM THE FIRST ORDER STREAM STREAM A 75 FOOT BUILDING SETBACK FROM ANY COMMERCIAL AND INDUSTRIAL STRUCTURES SHALL BE SET FROM THE OUTER EDGE OF THE FOREST BUFFER.
- UTILITIES: BALTIMORE CITY PUBLIC WATER & SEWER
- PORTIONS OF THE SITE LIE WITHIN FLOODPLAINS AE AND X AS SHOWN ON FIRM #2400100510C AND #2400100530G, DATED MAY 5, 2014, FIRM #2400100530G, PANEL 530 OF 580, DATED MAY 5, 2014, AND FIRM #2400870030F, PANEL 30 OF 37, DATED APRIL 2, 2014.
- DEED REF: 06373/0594 & 37385/0326
- COUNCILMANIC DISTRICT: 1
- ELECTION DISTRICT: 13
- ZONING MAP: 10901 & 10902
- REGIONAL PLANNING DISTRICT: 325
- CENSUS TRACT: 980100
- WATERSHED: PATAPSCO RIVER
- CHESTERFARM BAY CRITICAL AREAS: RESOURCE CONSERVATION AREA AND LIMITED DEVELOPMENT AREA
- ZONING CASES ON FILE: HEARING DATE: MARCH 23, 1985, REQUEST FOR ML ZONING: DENIED R-1983-0068 HEARING DATE: NOVEMBER 11, 1982, REQUEST FOR BL ZONING: GRANTED
- NO KNOWN PERMITS ON FILE
- THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
- NO KNOWN PREVIOUS DRG MEETINGS