

MEMORANDUM

DATE: February 14, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0163-X - Appeal Period Expired

The appeal period for the above-referenced case expired on February 13, 2019. 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: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
(300 Clubhouse Road)		
8 th Election District	*	OFFICE OF
3 rd Council District		
40 Clubhouse, LLC	*	ADMINISTRATIVE HEARINGS
Legal Owner		
Daniel J. Frey	*	FOR BALTIMORE COUNTY
Lessee		
Petitioners	*	Case No. 2019-0163-X

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of a Petition for Special Exception filed on behalf of 40 Clubhouse, LLC, legal owner and Daniel J. Frey, lessee (“Petitioners”). The special exception petition was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (“BCZR”) to approve a service garage in ML-IM.

Daniel Frey and landscape architect Michael Pieranunzi appeared in support of the petition. John B. Gontrum, Esq. represented the Petitioners. There were no Protestants or interested citizens in attendance. A substantive Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning (“DOP”). That agency did not oppose the request.

In the aggregate, the site is 16.09 acres and zoned ML-IM. The property is improved with a large office/warehouse building (350,061 sq. ft.). The property at issue in this case is a small portion (4,872 sq. ft.) of the overall building, in which the Lessee would operate a service garage with five bays and a small office. The use is permitted by special exception in the ML-IM zone.

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

ORDER RECEIVED FOR FILING

Date 1-14-19

By [Signature]

appeals discussed the nature of the evidentiary presumption in special exception cases. The court again 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.

Mr. Pieranunzi described the improvements shown on the site plan he prepared and opined Petitioner satisfied all requirements for special exception relief. He noted that in the ML-IM zone the garage must "serve primarily the industrial uses and related activities in the surrounding industrial area." BCZR Section 253.2.B. Mr. Pieranunzi opined this requirement is also satisfied since the service garage (which has for many years been located just a few blocks from the subject property, on Beaver Dam Road) has many corporate and individual customers from the surrounding industrial area. In the absence of any evidence to rebut this *prima facie* case the petition for special exception will be granted.

THEREFORE, IT IS ORDERED this 14th day of **January, 2019**, by this Administrative Law Judge, that the Petition for Special Exception seeking relief from Section 500.7 of the BCZR, to approve a service garage in ML-IM, 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. The special exception area for the use shall include only the 16,118 sq. ft. portion of the site outlined in green on the site plan marked and admitted as Petitioners' Exhibit 1.

ORDER RECEIVED FOR FILING

Date 1-14-19

By [Signature]

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/dlw

ORDER RECEIVED FOR FILING

Date 1-14-19

By lw



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 400 Clubhouse Road which is presently zoned ML-EM

Deed References: 15099-00-907 10 Digit Tax Account # 2-00004672

Property Owner(s) Printed Name(s) 40 Clubhouse LLC

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

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

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

2. X a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for d garage garages in ML-EM

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)

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print Daniel J. Freese

Signature [Signature]

Mailing Address 10025 Beaver Dam Rd Cockeysville Md

City Cockeysville State Md

Zip Code 21030 Telephone # 410-785-1010 Email Address danielquinvaautomotive@gmail.com

Attorney for Petitioner:

Name- Type or Print 10/16/16 Contrum

Signature [Signature]

Mailing Address 1 W. PENNSYLVANIA TOWNSHIP MD

City 16210 State MD

Zip Code 21204 Telephone # 410-832-2058 Email Address wt@penntwp.com

Legal Owners (Petitioners):

Name #1 - Type or Print 40 CLUBHOUSE, LLC

Name #2 - Type or Print Member

Signature #1 [Signature] Signature #2 [Signature]

Mailing Address 300 Clubhouse Rd HV MD

City Hyattsville State MD

Representative to be contacted:

Name- Type or Print Michael Plevannuzzi

Signature [Signature]

Mailing Address Century Engineering 10710 Guilford Rd HV MD

City Hyattsville State MD

Zip Code 21031 Telephone # 443-589-2400 Email Address mplevannuzzi@centuryeng.com

CASE NUMBER 2019-0163-X Filing Date 11/16/2018

Do Not Schedule Dates: Reviewer [Signature]

**DANIEL QUINN AUTOMOTIVE
ZONING DESCRIPTION**

Beginning for the same at a point located North 76° 53' 22" West 282.07 feet from Point #16 at the intersection of the western right-of-way of Gilroy Road and the southern right-of-way of Clubhouse Road as shown on the plat entitled "Resubdivision of Lot 40, Plat Six, Hunt Valley Business Community, Previously Recorded at E.H.K., Jr. No. 32 Folio 72 and E.H.K., Jr. No. 47 Folio 52", which plat is recorded among the Land Records of Baltimore County in Plat Book 71 Folio 50. Thence running from said point of beginning:

- 1) South 11° 05' 33" West 157.85 feet to a point, thence
- 2) North 79° 05' 40" West 76.37 feet to a point, thence
- 3) North 10° 53' 09" East 70.07 feet to a point, thence
- 4) North 37° 27' 04" West 98.90 feet to a point, thence
- 5) North 10° 46' 53" East 21.53 feet to a point, thence
- 6) South 79° 17' 49" East 150.86 feet to the place of beginning.

Containing 16,118 square feet or 0.370 acres of land, more or less.

Being a portion of that parcel of land identified as Lot 40A as shown on the plat entitled "Resubdivision of Lot 40, Plat Six, Hunt Valley Business Community, Previously Recorded at E.H.K., Jr. No. 32 Folio 72 and E.H.K., Jr. No. 47 Folio 52", which plat is recorded among the Land Records of Baltimore County in Plat Book 71 Folio 50.

Professional Certification

I hereby certify that this description was prepared by me or under my responsible charge in compliance with COMAR Regulation 09.13.06.12, and that I am a duly licensed Professional Land Surveyor under the laws of the State of Maryland, License No. 21139, Expiration Date June 20, 2020.



2019-0163-X

JB 1-11-19
1:30 PM

Debra Wiley

From: Marty Ogle <mert1114@aol.com>
Sent: Tuesday, January 08, 2019 7:02 PM
To: Administrative Hearings
Subject: 300 clubhouse dr.

2nd set of certificates

CERTIFICATE OF POSTING

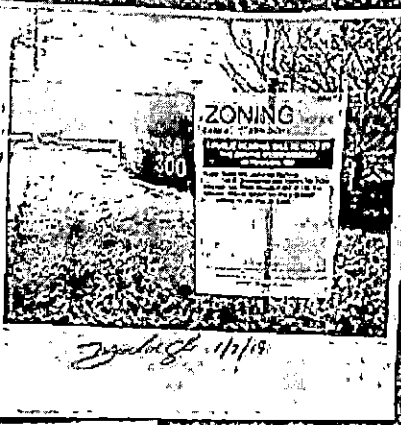
CASE NO. 2019-0163-X
PETITIONER/DEVELOPER
WILLIE FORD, TRUSTEES
PRESTON
DATE OF HEARING/CLOSING
1/11/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION:
LADIES AND GENTLEMEN:
THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT
300 CLUBHOUSE DRIVE
SIGN #1

THIS SIGN(S) POSTED ON December 23, 2018 January 7, 2019
(MONTH, DAY, YEAR)

SINCERELY,
Marty Ogle
SIGNATURE OF SIGN POSTER

MARTIN OGLE
5912 MAIDBROOK ROAD
PARKVILLE, MD 21234
443-624-2411



CERTIFICATE OF POSTING

CASE NO. 2019-0163-1
PETITIONER/DEVELOPER:
WHEELER, TAYLOR
WESTON
DATE OF HEARING/CLOSING
1/11/19

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

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

240 Clubhouse Drive

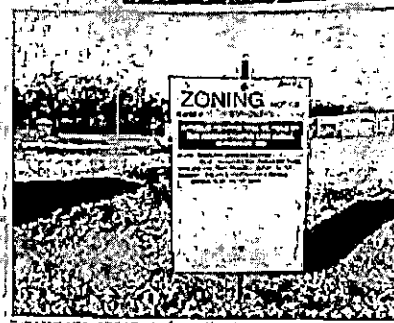
SIGN #2

THIS SIGN(S) POSTED ON December 20, 2018 January 7, 2019
(MONTH, DAY, YEAR)

SINCERELY,

[Signature]
SIGNATURE OF SIGN POSTER

MARTIN DOLLE
5912 MAIDENBROOK ROAD
PARKVILLE, MD, 21234
410-629-3411



January 8, 2019

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:

12/21/2018

Order #: 11661684
Case #: 2019-0163-X
Description:

CASE NUMBER: 2019-0163-X - 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: 2019-0163-X

300 Clubhouse Road

S/a Clubhouse Road, west of Gilroy Road

8th Election District - 3rd Councilmanic District

Legal Owners: 40 Clubhouse, LLC

Contract Purchaser/Lessee: Daniel Frey

Special Exception for a service garage in an ML-IM zone.

Hearing: Friday, January 11, 2019 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 410-887-3891.

d21

CERTIFICATE OF POSTING

CASE NO. 2019-0163-X

PETITIONER/DEVELOPER

WHITEFORD, TAYLOR
PRESTON

DATE OF HEARING/CLOSING

1/11/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT

COUNTY OFFICE BUILDING ROOM 111

111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

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

300 CLUBHOUSE DRIVE
SIGN #1

THIS SIGN(S) POSTED ON December 20, 2018
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 12/20/18
SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411



made 12/20/18

CERTIFICATE OF POSTING

CASE NO. 2019-0163-X

PETITIONER/DEVELOPER

WHITEFORD, TAYLOR
PRESTON

DATE OF HEARING/CLOSING

1/11/19

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

LADIES AND GENTLEMAN :

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NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

300 CLUBHOUSE DRIVE

SIGN# 2

THIS SIGN(S) POSTED ON

December 20, 2018

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 12/20/18

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

516032

ZONING NOTICE

CASE # 2019-0163-X

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

PLACE: Room 205, Jefferson Building
105 W. Chesapeake Ave, Towson MD 21204
DATE AND TIME: ~~FRIDAY, JANUARY 11, 2019~~ AT 1:30 P.M.
REQUEST: SPECIAL EXCEPTION FOR A SERVICE
GARAGE IN AN ML-1M ZONE

FOR INFORMATION: TO SECURE A CREDIT FOR DEPOSITS ARE SOME TIMES NECESSARY.
TO CONFIRM A DEPOSIT ALL BY 10:00 AM.
DO NOT REMOVE THIS SIGN AND PLEASE DATE OF DEADLINE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

mgardner 12/20/18



JOHN A. OLSZEWSKI, JR.
County Executive

December 6, 2018

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: 2019-0163-X

300 Clubhouse Road
S/s Clubhouse Road, west of Gilroy Road
8th Election District – 3rd Councilmanic District
Legal Owners: 40 Clubhouse, LLC
Contract Purchaser/Lessee: Daniel Frey

Special Exception for a service garage in an ML-IM zone.

Hearing: Friday, January 11, 2019 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: John Gontrum, 1 W. Pennsylvania Avenue, Ste. 300, Towson 21204
Daniel Frey, 10825 Beaver Dam Road, Cockeysville 21030
40 Clubhouse LLC, 300 Clubhouse Road, Hunt Valley 21031
Century Engineering, 10710 Gilroy Road, Hunt Valley 21031

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., DECEMBER 22, 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, December 21, 2018 - Issue

Please forward billing to:

John Gontrum
Whiteford, Taylor & Preston
1 W. Pennsylvania Avenue, Ste. 300
Towson, MD 21204

410-832-2053

NOTICE OF ZONING HEARING

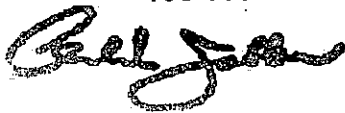
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2019-0163-X

300 Clubhouse Road
S/s Clubhouse Road, west of Gilroy Road
8th Election District – 3rd Councilmanic District
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Contract Purchaser/Lessee: Daniel Frey

Special Exception for a service garage in an ML-IM zone.

Hearing: Friday, January 11, 2019 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.
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**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: 2019-0163-X
Property Address: 400 Clubhouse Road
Property Description: comm/warehouse

Legal Owners (Petitioners): 40 Clubhouse LLC
Contract Purchaser/Lessee: Quinn Automotive

PLEASE FORWARD ADVERTISING BILL TO:

Name: John Gontuon
Company/Firm (if applicable): WT Pro-Aw
Address: 100 Penn Ave
Towson Md 21204

Telephone Number: 410-042 2053

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

No. **177177**

Date: **11/16/2018**

PAID RECEIPT

BUSINESS ADDRESS (SEE PAGE 189)

11/15/2018 11/15/2018 10:21:41

REC 0000

RECEIPT # 074392 11/16/2018 05/18

Dept 5 20 ZONING VERIFICATION

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
061	206	0060		6150					500.00
									500.00

Total: **500.00**

Rec

From:

Whiteford, Taylor & Preston

For:

**Spec. Ed- 308 Clubhouse Center
2019-0163-X (40 Clubhouse, LLC)**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

DIRECTOR
*Department of Permits,
Approvals & Inspections*

January 3, 2019

John Gontrum
1 W. Pennsylvania Avenue, Ste. 300
Towson, MD 21204

RE: Case Number: 2019-0163-X, Address: 300 Clubhouse Road

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 November 16, 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 dark ink, appearing to read "W. Carl Richards, Jr.", is written over a light blue horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Daniel Frey, 10825 Beaver Dam Road, Cockeysville 21030
40 Clubhouse LLC, 300 Clubhouse Road, Hunt Valley 21031
Michael Pieranunzi, 10710 Gilroy Road, Hunt Valley 21031

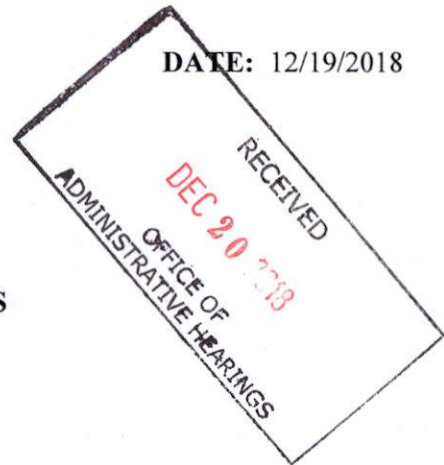
1-11

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: 19-163



INFORMATION:

Property Address: 300 Clubhouse Road
Petitioner: Daniel J. Frey
Zoning: ML IM
Requested Action: Special Exception

The Department of Planning has reviewed the petition for a special exception to use the property for a service garage.

The site currently supports multiple retail, office, warehouse and institutional uses. No new construction is proposed.

On 12/18/2018 Petitioners submitted to the Department a revised plan clarifying the number of parking spaces and their location. The Department acknowledges that, as confirmed by petitioners, no damaged or disabled motor vehicles shall be stored outside.

The Department of Planning has no objection to granting the petitioned zoning relief conditioned upon the following:

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

AVA/JGN/LTM/

c: Kaylee Justice
Michael Pieranunzi, Century Engineering
John Gontrum
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 12/19/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-163

INFORMATION:

Property Address: 300 Clubhouse Road
Petitioner: Daniel J. Frey
Zoning: ML IM
Requested Action: Special Exception

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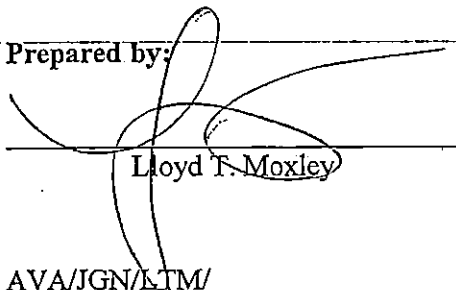
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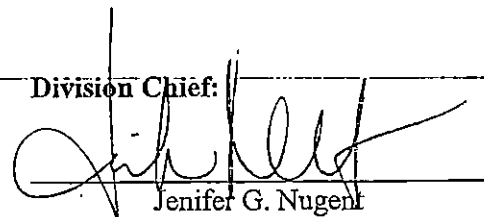
For further information concerning the matters stated herein, please contact Kaylee Justice at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

AVA/JGN/LTM/

c: Kaylee Justice
Michael Pieranunzi, Century Engineering
John Gontrum
Office of the Administrative Hearings
People's Counsel for Baltimore County

1-11

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: November 29, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0163-X
Address 300 Clubhouse Road
(40 Clubhouse, LLC Property)

Zoning Advisory Committee Meeting of **December 03, 2018**.

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

Reviewer: Steve Ford

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: November 29, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0163-X
Address 300 Clubhouse Road
(40 Clubhouse, LLC Property)

Zoning Advisory Committee Meeting of **December 03, 2018.**

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

Reviewer: Steve Ford

Date: 11/26/18

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

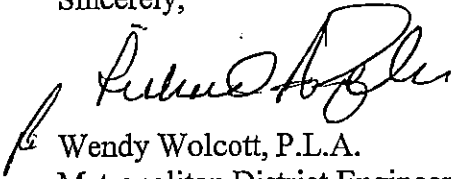
Dear Ms. Lewis:

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. 2019-0163-X

*Special Exception
40 Clubhouse, LLC
300 Clubhouse Road.*

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

Sincerely,



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

WW/RAZ

CASE NAME 2019-163-X
CASE NUMBER _____
DATE 11-

[illegible]

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>11/29</u>	DEPS (if not received, date e-mail sent _____)	<u>N/C</u>
_____	FIRE DEPARTMENT	_____
<u>12/20</u>	PLANNING (if not received, date e-mail sent _____)	<u>no obj w/condition</u>
<u>11/26</u>	STATE HIGHWAY ADMINISTRATION	<u>No obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>12/21/18</u>	
SIGN POSTING (1 st)	Date: <u>12/20/18</u>	by <u>agle</u>
SIGN POSTING (2 nd)	Date: <u>1-7-19</u>	by <u>" "</u>
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 - 08 Account Number - 2300004652			
Owner Information					
Owner Name:		40 CLUBHOUSE LLC		Use:	INDUSTRIAL
Mailing Address:		300 CLUBHOUSE RD HUNT VALLEY MD 21031-1305		Principal Residence:	NO
				Deed Reference:	
Location & Structure Information					
Premises Address:		300 CLUBHOUSE RD HUNT VALLEY MD 0-0000		Legal Description:	16.093 AC 300 CLUBHOUSE RD SS HUNT VALLEY BUS COMM
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0042	0020	0441		0000	
					Block:
					40A
					Assessment Year:
					2017
					Plat No:
					Plat Ref:
					0071/ 0050
Special Tax Areas:		Town:			
		Ad Valorem:			
		Tax Class:			
		NONE			
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1969		349806		16.0900 AC	
				Property Land Area	
				County Use	
				07	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
		DISTRIBUTION WAREHOUSE			
Value Information					
		Base Value	Value	Phase-In Assessments	
			As of	As of	As of
			01/01/2017	07/01/2018	07/01/2019
Land:		8,069,700	8,069,700		
Improvements		11,394,900	12,670,900		
Total:		19,464,600	20,740,600	20,315,267	20,740,600
Preferential Land:		0			0
Transfer Information					
Seller:		Date:		Price:	
Type:		Deed1:		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:					

Case No.: 2019-063-X-300 Clubhouse Rd.

1/11
1:30
pm

Exhibit Sheet

Petitioner/Developer

DW
2-14-19

Protestant

DW
1-14-19

No. 1	Site plan	
No. 2	2A-2E site photos	
No. 3	Parking tabulation	
No. 4	Zoning map	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



Baltimore County - My Neighborhood



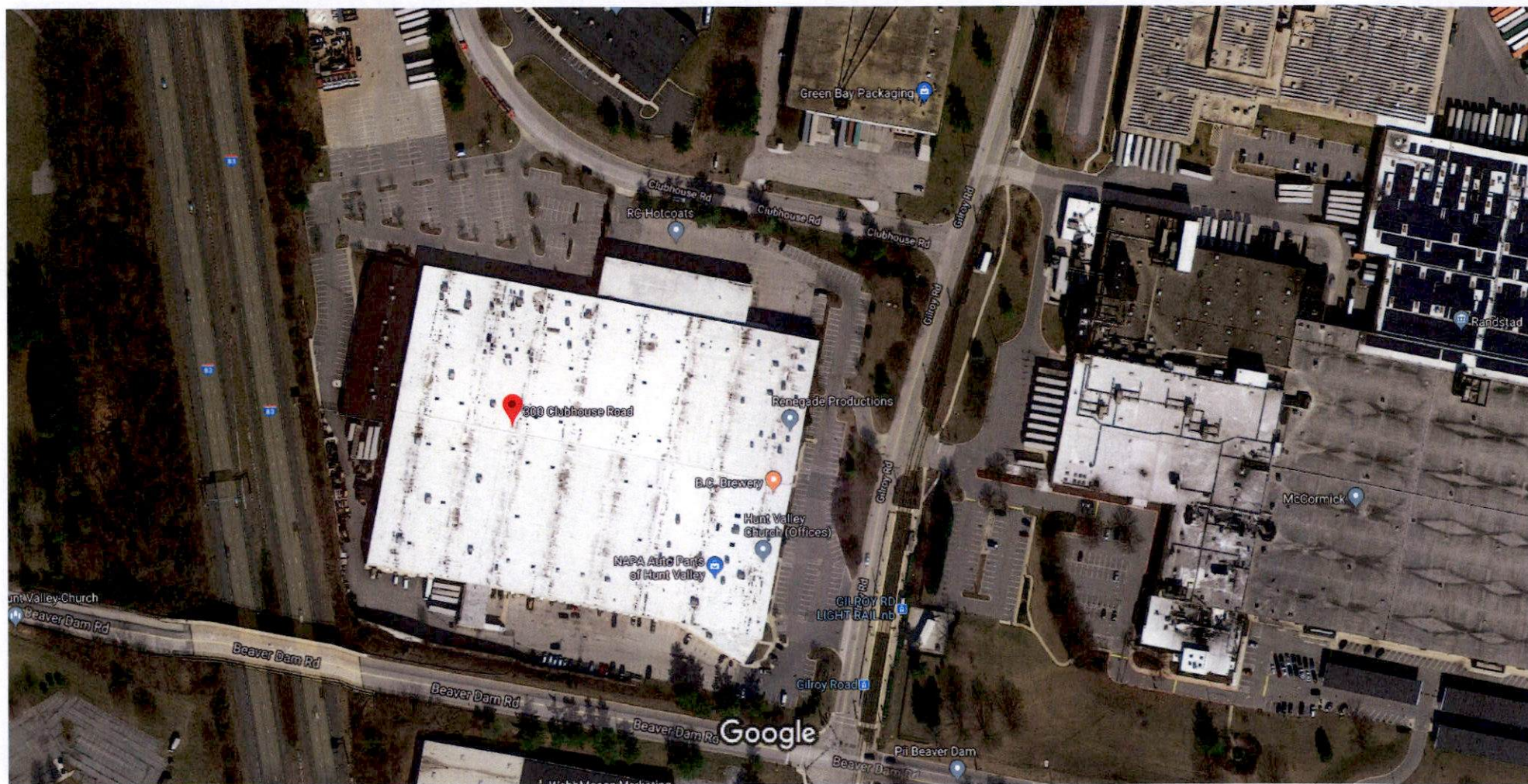
tabbles

EXHIBIT
2-A

64 39.485 Degrees

baltimorecountymd.gov/myneighborhood/

Google Maps 300 Clubhouse Rd



Imagery ©2019 Google, Map data ©2019 Google 100 ft

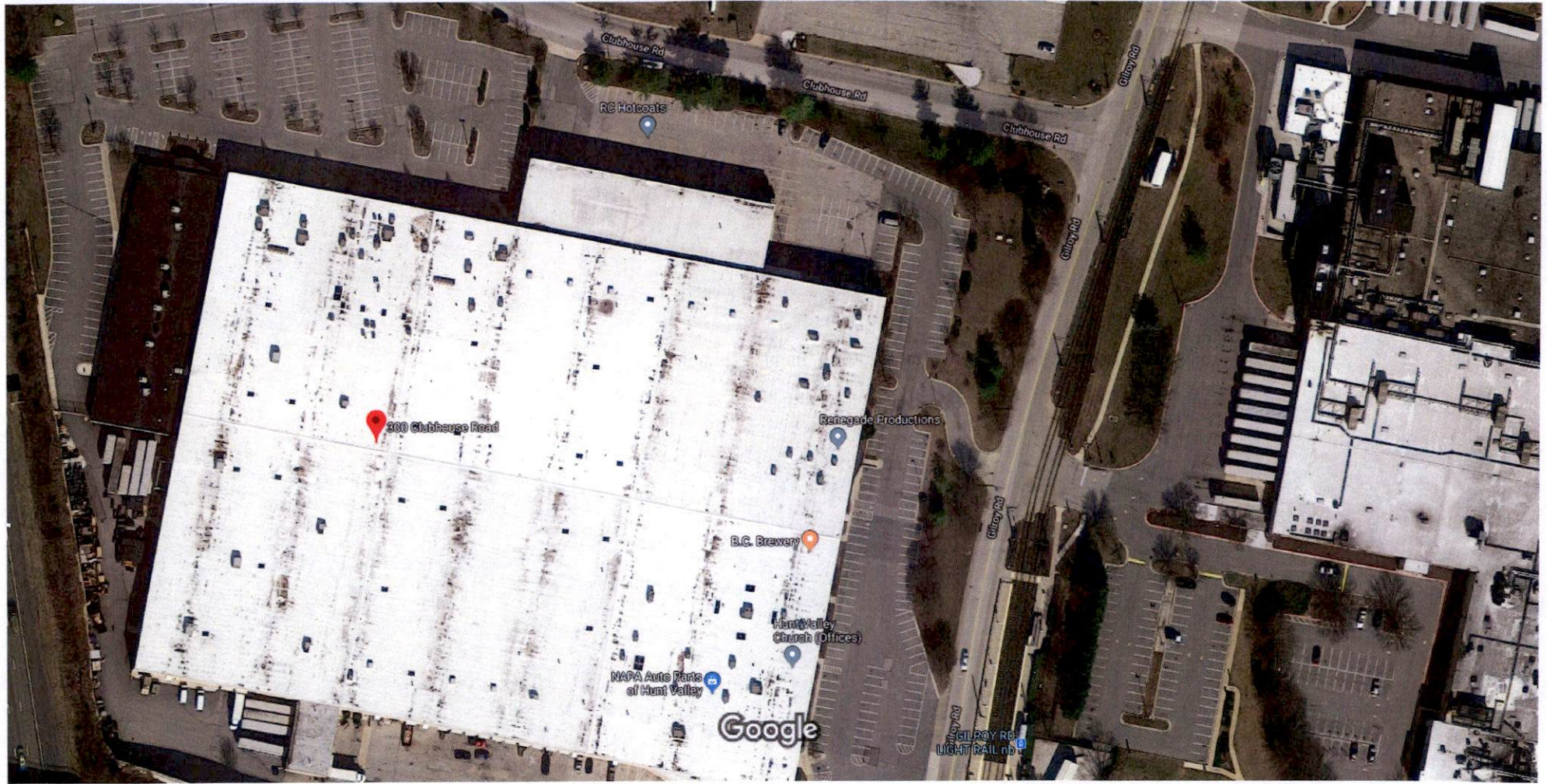
tabbles®

2-B

EXHIBIT

Google Maps 300 Clubhouse Rd

1/2/2019



Imagery ©2019 Google, Map data ©2019 Google 50 ft

tabbles

EXHIBIT
2-2

1/2/2019

398 Clubhouse Rd - Google Maps

Google Maps 398 Clubhouse Rd



Image capture: Nov 2017 © 2019 Google



...e, Maryland
...e, Inc.
Nov 2017

1/2/20

360 Clubhouse Rd - Google Maps

Google Maps 360 Clubhouse Rd



Image capture: Nov 2017 © 2019 Google

Cockeysville, Maryland

le, Inc.

- Nov 2017

tabbles

EXHIBIT
2-E

40 Clubhouse, LLC - Lot 40A
300 Clubhouse Road, Hunt Valley, MD 21031

Parking Schedule - Code Analysis	Unit/Suite	Total SF	SF	Parking Required	SF	Personnel Largest Shift	Parking Required	Total
Church, house of worship or place of religious assembly Hunt Valley Church: - Sanctuary (1PS / 4 Seats) - Youth Classrooms (1 PS per employee) - Add'l Visitors (per church need)	Ste. C	19,073 SF	327 Seats Employees Visitors	82 10 60		NA	0	
Theater, Commercial Recreation, Nightclub or Tavern - BC Brewing (Tavern) - Elite Prospects (Comm. Rec. Private Training Facility)	Ste. F Unit L	5,000 SF 16,058 SF	5,000 SF 16,058 SF	100 59		NA	0	
Retail - North East Parts Group - NAPA (Retail) (5PS/1000SF)	Ste. A	9,993 SF	9,993 SF	50		NA	0	
Restaurant - BCB Eats (Carry-out Restaurant) (5PS/1000SF)	Ste. G	664 SF	664 SF	4		NA	0	
Office or Industrial			Office (3.3 PS/1000SF)			Industrial (Largest Shift)		
AAI Corporation (Textron)	Ste. 100-200	44,352 SF	44,352 SF	147	0 SF	NA	0	
AAI Corporation (Textron)	Ste. 110	19,098 SF	19,098 SF	64	0 SF	NA	0	
Office Mezzanine	Ste. 224-227	2,752 SF	2,752 SF	10	0 SF	NA	0	
North East Parts Group - NAPA	Ste. A	29,320 SF	2,400 SF	8	26,920 SF	1	1	
Hunt Valley Church	Ste. C	9,453 SF	6,445 SF	22	3,008 SF	0	0	
BC Brewing	Ste. F	6,536 SF	0 SF	0	6,536 SF	3	3	
Renegade Productions	Ste. J	24,300 SF	22,009 SF	73	2,291 SF	0	0	
North East Parts Group - NAPA	South Unit J	8,008 SF	0 SF	0	8,008 SF	1	1	
Elite Prospects	South Unit L	999 SF	999 SF	4	0 SF	0	0	
AAI Corporation (Textron) - WH II	South Unit M	32,949 SF	2,236 SF	8	30,713 SF	10	10	
AAI Corporation (Textron) - WH I	South Unit P	47,710 SF	600 SF	2	47,110 SF	20	20	
Baltimore Sunpapers	North Unit D	9,893 SF	0 SF	0	9,893 SF	4	4	
Valley View Farms	North Unit F	27,000 SF	0 SF	0	27,000 SF	2	2	
Property Mgmt.	North Unit G	2,700 SF	0 SF	0	2,700 SF	0	0	
Available WH	North Unit J	53,965 SF	587 SF	2	53,378 SF	10	10	
Common Area & Services		6,165 SF						
Totals		375,988 SF	133,193 SF	704	217,557 SF	51	51	755
Transit Adjustment (5%)								(37.8)
Required Parking								717
Total onsite parking spaces provided: (Includes 19 handicapped spaces): 503								
Required Parking: (Before Shared Parking Adjustment): 717								
Surplus (Deficit) Parking: (Before Shared Parking Adjustment): (214)								

Notes:

- 1- Property is located adjacent to Gilroy Road Light Rail station.
- 2- Zoning is ML-IM
- 3- Office parking based on 3.3 PS / 1,000 SF
- 4- Industrial parking based on personnel on largest shift
- 5- Retail & Carry-out Rest. parking based on 5 PS / 1,000 SF
- 6- Church Sanctuary parking - Sect. 409.6(4) [1 PS per 4 seats]
- 7- Church youth classrooms - Sect. 409.6(4) [1 PS per employee plus visitors] (Elementary & Middle School)

Area Calculations:

Lot 40A Area: 16,093 ac. = 701,011 SF
GBA - 1st FL: 350,061 SF
2nd FL - South Unit L: 999 SF
2nd FL - Ste 200: 22,176 SF
2nd FL - Ste 224-227: 2,752 SF
Gross Building Area: 375,988 SF
FAR: 0.54

Shared Parking Adjustment
Zoning Reg. Sect. 409.6(B)(3)

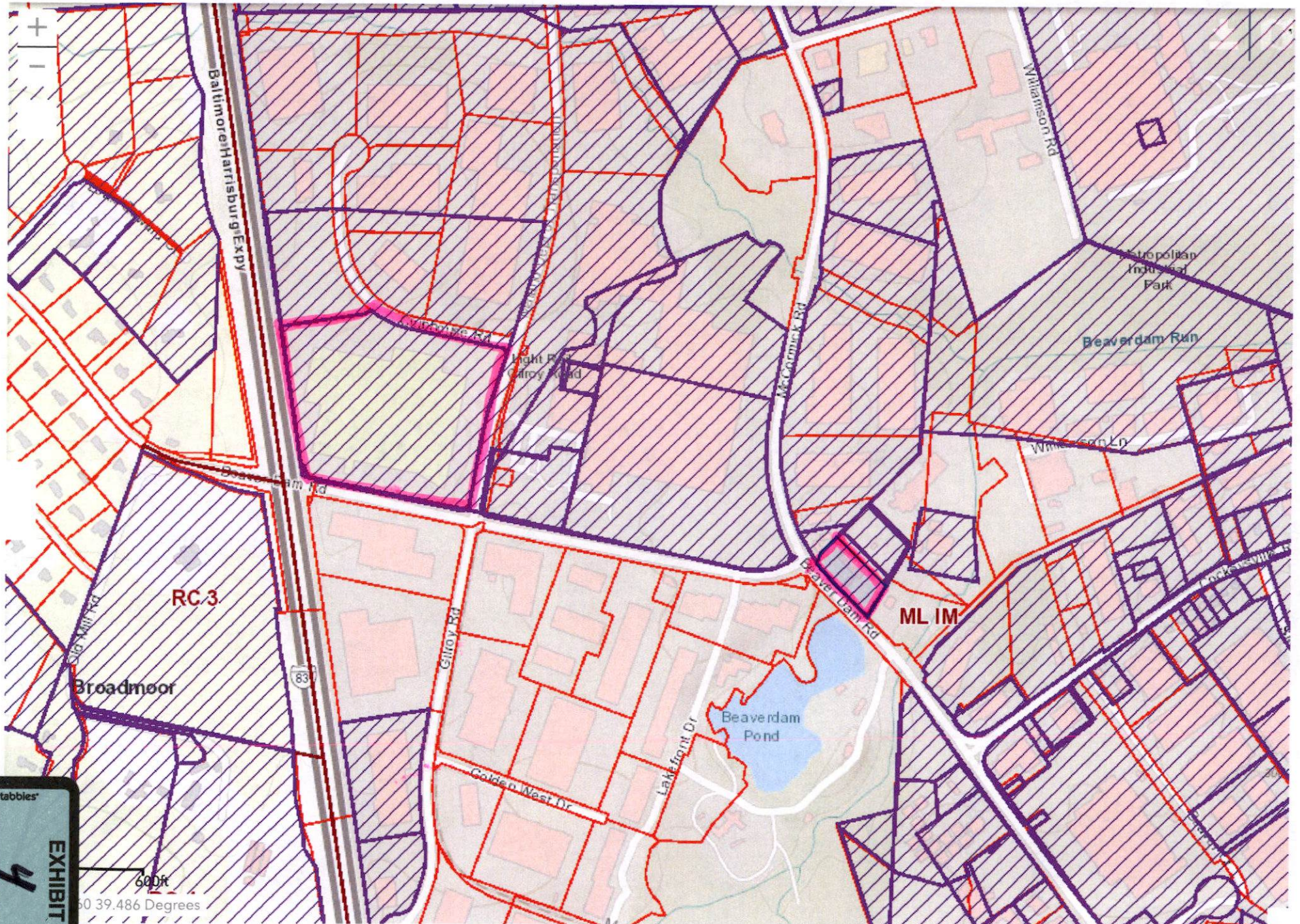
USE	Weekday		Weekend		
	Daytime 6:00 a.m. to 6:00 p.m.	Evening 6:00 p.m. to midnight	Daytime 6:00 a.m. to 6:00 p.m.	Evening 6:00 p.m. to midnight	Nighttime to 6:00 a.m.
Church, house of worship or place of religious assembly Hunt Valley Church: - Sanctuary (1PS / 4 Seats) - Youth Classrooms (1 PS per employee) - Add'l Visitors (per church need)	0 0 0	0 10 60	82 10 60	0 0 0	0 0 0
Theater, Commercial Recreation, Nightclub or Tavern - BC Brewing (Tavern) - Elite Prospects (Comm. Rec. Private Training Facility)	(40%) 40.0 23.6	(100%) 100.0 59.0	(80%) 80.0 47.2	(100%) 100.0 59.0	(10%) 10.0 5.9
Retail - North East Parts Group - NAPA (Retail) (5PS/1000SF)	(60%) 30.0	(90%) 45.0	(100%) 50.0	(70%) 35.0	(8%) 2.5
Restaurant - BCB Eats (Carry-out Restaurant) (5PS/1000SF)	(50%) 2.0	(100%) 4.0	(100%) 4.0	(100%) 4.0	(10%) 0.4
Office or Industrial	(100%)	(10%)	(10%)	(8%)	(8%)
AAI Corporation (Textron)	147.0	14.7	14.7	7.4	7.4
AAI Corporation (Textron)	64.0	6.4	6.4	3.2	3.2
Office Mezzanine	10.0	1.0	1.0	0.5	0.5
North East Parts Group - NAPA	9.0	0.9	0.9	0.5	0.5
Hunt Valley Church	22.0	2.2	2.2	1.1	1.1
BC Brewing	3.0	0.3	0.3	0.2	0.2
Renegade Productions	73.0	7.3	7.3	3.7	3.7
North East Parts Group - NAPA	1.0	0.1	0.1	0.1	0.1
Elite Prospects	4.0	0.4	0.4	0.2	0.2
AAI Corporation (Textron) - WH II	18.0	1.8	1.8	0.9	0.9
AAI Corporation (Textron) - WH I	22.0	2.2	2.2	1.1	1.1
Baltimore Sunpapers	4.0	0.4	0.4	0.2	0.2
Valley View Farms	2.0	0.2	0.2	0.1	0.1
Property Mgmt.	0.0	0.0	0.0	0.0	0.0
Available WH	12.0	1.2	1.2	0.6	0.6
Totals	486.6	317.1	372.3	217.6	38.3
Transit Adjustment (5%)	(24.3)	(15.9)	(18.6)	(10.9)	(1.9)
Required Parking	463	302	354	207	37
After Shared Parking Adjustment:					
Provided Parking:	503	503	503	503	503
Required Parking:	463	302	354	207	37
Surplus (Deficit) Parking:	40	201	149	296	466

EXHIBIT

3



Baltimore County - My Neighborhood



tabbles

EXHIBIT
4600ft
39.486 Degreesbaltimorecountymd.gov/myneighborhood/

Lot # 39 1600007001

Lot # 36 1800001070

NW 18-C

11000

Lot # 34 1600007003
Pt. Bk. 0000047, Folio 0052

Lot # 40B
2300004653

Pt. Bk./Folio # 047052

318
1800001071

Lot # 35

Pt. Bk./Folio # 031012

PAI # 080091
PAI # 080091

PAI # 080091

1951-2048-X

R-1965-0180

CLUBHOUSE RD

GILROY RD

SITE
SP. EX AREA

Pt. Bk./Folio # 071050

8 ED

Pt. Bk. 0000071, Folio 0050

3 CD

Lot # 40A

2300004652

Lot # 45A
2300004615
Pt. Bk./Folio # 071032

10903

R-1966-0019

1995-0465-A
R-1969-0148

Pt. Bk. 0000035, Folio 0092

10950

10900

200008888

Pt. Bk./Folio # 034019

BEAVER DAM RD

Pt. Bk./Folio # 033135

Lot # 1
Pt. Bk. 0000031, Folio 0110 1600012469

10830

Pt. Bk./Folio # 031110

10950

Pt. Bk. 0000047, Folio 0053
1900002206

Lot # 48
Pt. Bk./Folio # 047053

Lot # 2 0816047000

2019-0163-X

RC 4
042A3

NW 17-C

GROWTH TIER 4
(No New Subdivisions of 4
or More Addition

PAI # 080524
2100005874 PAI # 080524
PAI # 080524

Pt. Bk./Folio # 066132
PAI # 080524

RC 3

051A1

2015-0131-SPH
1992-0442-SPH
1991-0269-A
1991-0466-X
2016-0099-SPH

183

183

183

0813024731

183



Title exceptions shown hereon are based on Chicago Title Company's Commitment No. 1109188D, dated August 19, 2011.

8. Subject to the building restriction lines, setback lines, notes, easements, restrictions, reservations, conditions, and limitations as shown on a plat entitled "Resubdivision of Lot 40, Plat 56, Hunt Valley Business Community, Previously Recorded at E.H.K., Jr. No. 32 Follo 52", as recorded among the Land Records of Baltimore County in Plat Book 11 Follo 50, EASEMENTS AND SETBACKS ARE SHOWN HEREON.

- [illegible]

Being Known and Designated as Lot No. 40A, as shown on the Plat entitled, "Re subdivision of Lot 40, Plat Six, Hunt Valley Business Community, Previously recorded at E.H.K., Jr. No. 32 folio 12 and E.H.K., Jr. No. 47 folio 52", which plat is recorded among the Land Records of Baltimore County in Plat Book No. 71, folio 50. The interest conveyed therein being known as 300 Clubhouse Road.

Base information taken from ALTA/ACSM Land Title Survey prepared by Gerhold, Cross & Ezel dated 12/20/2011.

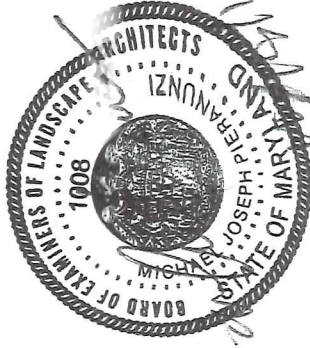
DATE	BY	REVISIONS
------	----	-----------

43.589.2400 Fax: 443.589.2401
www.centuryeng.com

Daniel Quinn Automotive

300 Clubhouse Center

300 Clubhouse Road Hunt Valley Md. 21031-1305
8th Election District 3rd Councilmanic District
Baltimore County, Maryland



ISSUE DATES		M.S.S.	
REVIEW:	11.16.18	BASE:	
BID:		DRAWN:	
PERMIT:		DESIGNED:	
CONSTRUCTION:		CHECKED BY:	
SCALE:	1"=50'	DATE CHECKED:	
PROJECT NO.:	181132.00		

2019-01-63-X



STATE 83
(A DENIED ACCESS HIGH
(MACADAM PAVING)
SEE S.H.A. PLATS 43211, 42388 & 42389

SCALE: 1"=50'



DANIEL GUINN AUTOMOTIVE
10825 BEAVER DAM ROAD
COCKEYSVILLE, MARYLAND 21030
DANIEL GUINN
410-785-1010

1. OWNER/ DEVELOPER: 300 CLUBHOUSE ROAD
40 CLUBHOUSE LLC.
HUNT VALLEY, MARYLAND 21031-1305
ADDRESS: 300 CLUBHOUSE ROAD, HUNT VALLEY, MD

3. EXISTING PARCELS: 1
4. PROPOSED PARCELS: 1
5. SITE AREA: 16.04 ACRES (701,011 SF)
6. DEED REFERENCE: 20000404632
7. TAX MAP: 20000404632
8. TAX VAL: GRD/ PARCEL: 00-42/00020/0441
9. TAX VAL: 430 WAP: 600 SCALE: 1000 SCALE:
10. ELECTION DISTRICT: 8
11. CENSUS TRACT: 3
12. CENSUS TRACT: 409400
13. ZONING: M-LM
14. WATER SERVICE AREA: M-1
15. SENIOR SERVICE AREA: N/A
16. FLOOD HAZARD: FLOODPLAIN, N/A
17. TIDAL/NONTIDAL WETLANDS: N/A
18. MATTERS: LUCH RAVEN RESERVOIR
19. EXISTING USE: OFFICE/AERODROME
20. EXISTING BUILDING AREA: 950061 SF
21. PROPOSED BUILDING AREA: 481215 SF

22. PARKING: SERVICE BAYS: 3.0/1, BAY = 15, SPACES PROVIDED, 1.0 SPACES (INCL. 1.0) = 3 SPACES
23. NUMBER OF EMPLOYEES (INCL. 1.0): 3
24. THERE ARE NO HISTORIC RESOURCES, ARCHAEOLOGICAL SITES, OR GEOMETRIES ON SITE.
25. THIS SITE IS NOT WITHIN THE CHESEBROUGH BAY CRITICAL AREA.
26. ZONING HISTORIC DISTRICT: 01-10
CASE NO. 2015-000000
ZONING RECOMMENDATION WAS APPROVED FROM A R-20 ZONE TO AN M1 ZONE.

195 1. 2048-X
A REQUEST FOR A SPECIAL PERMIT TO USE THE LAND AS A
GOLF DRIVING COURSE AND RANGE.
27. AVERAGE DAILY TRIPS: 7,100 SF - 34 TRIPS
28. SETBACKS: FRONT: 15'; SIDE: 5'; REAR: 50'
29. TOTAL LIMITS OF DISTURBANCE: N/A
30. PROPOSED AUTOMOTIVE USE WILL BE SERVED BY EXISTING WATER
AND SEWER WITHIN THE EXISTING BUILDING.

