

M E M O R A N D U M

DATE: June 28, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0282-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on June 27, 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.'

c: ✓ Case File
Office of Administrative Hearings

/dlw

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

AND VARIANCE

(9541 Belair Road)
11th Election District
5th Council District

The Huang's Group, LLC
Legal Owner
Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2019-0282-SPHA

* * * * *

AMENDED OPINION AND ORDER

By Order dated May 17, 2019, Petitioner was granted Special Hearing and Variance relief with respect to the subject property identified above. By letter dated May 22, 2019, counsel for Petitioner advised the undersigned that an agreement reached with Chapel Village Condominium Council (marked and admitted as Petitioner's Exhibit 9) was inadvertently not referenced in the final order. As such, this Amended Order is issued to correct the oversight and the aforementioned agreement will be deemed part of the final order.

THEREFORE, IT IS ORDERED this 28th day of **May, 2019**, by this Administrative Law Judge, that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve commercial parking (for 23 passenger vehicles) in a DR 3.5 residential zone, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance to allow a zero foot commercial side yard setback in lieu of the required 10 ft. and to approve a 40 foot RTA buffer in lieu of the required 50 foot buffer and 75 foot setback, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order

ORDER RECEIVED FOR FILING

Date

5/28/19

By

Den

is reversed, Petitioner would be required to return the subject property to its original condition.

- Prior to issuance of permits Petitioner must provide the DOP an updated site plan showing proposed lighting, fencing and orientation of the retail buildings.
- Prior to issuance of permits Petitioner must provide a grass landscape buffer with deciduous trees as shown on the site plan, in compliance with Landscape Manual requirements.
- Prior to issuance of permits Petitioner must comply with the Forest Conservation Regulations.
- The terms of a letter agreement between Petitioner and Chapel Village Condominium Council (identified as Petitioner's Exhibit 9), a copy of which is attached hereto and expressly incorporated herein.

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:slh

ORDER RECEIVED FOR FILING

Date

5/28/19

By

slh

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

(9541 Belair Road) *
11th Election District *
5th Council District *

The Huang's Group, LLC *
Legal Owner *
Petitioner *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2019-0282-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for consideration of Petitions for Special Hearing and Variance filed on behalf of The Huang's Group, LLC, legal owner ("Petitioner"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve commercial parking in a DR 3.5 residential zone. In addition, a Petition for Variance was filed pursuant to BCZR Section 229.6.C to allow a zero foot commercial side yard setback in lieu of the required 10 ft. A site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

David Huang and surveyor Bruce Doak appeared in support of the requests. J. Neil Lanzi, Esq. appeared and represented the Petitioner. There were no protestants or interested citizens in attendance at the hearing. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee ("ZAC") comments were received from the Department of Environmental Protection and Sustainability ("DEPS") and the Department of Planning ("DOP").

SPECIAL HEARING

Petitioner owns an unimproved lot 0.75 acres in size located in the Perry Hall area. The lot fronts on Belair Road and is split zoned with the BL zoned portion along Belair Road and a

ORDER RECEIVED FOR FILING

Date 5/17/19

By Sen

DR 3.5/DR 16 portion at the rear of the site. Petitioner worked with both the Perry Hall Improvement Association and neighboring property owners to design the layout of the site, which would feature a commercial building with accessory parking. The consensus was that parking should be at the rear of the site, similar to the other commercial enterprises on Belair Road which are near the subject property. It was this design choice which necessitated the petition for special hearing to permit commercial parking in a residential zone.

BCZR Section 409.8 permits such an arrangement provided Petitioner can show (among other things) that the use would not have a detrimental impact upon the community. Mr. Doak described in detail the layout of the parking and noted Petitioner will plant a substantial landscape buffer (between 10 and 40 ft. in width) which will shield the parking facility from the only adjoining single-family dwelling and a condominium complex across the street bordering the rear of the site. Mr. Doak opined the use would not have a negative impact upon the community and that the proposal satisfied BCZR Section 502.1. I am persuaded by that testimony and will grant the petition for special hearing.

VARIANCE

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Though the lot is 0.75 acres in size it has only 60 ft. of frontage on Belair Road. As Mr. Doak also testified there is a significant grade change across the site. As such the property is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty

ORDER RECEIVED FOR FILING

Date 5/17/19
By Sen

because it would be unable to construct the proposed commercial building. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of County and/or community opposition.

The DOP's ZAC comment was received on the day of the hearing. That agency did not oppose the zoning requests but suggested an additional variance was required to address RTA requirements. Under the BCZR the condominiums at the rear of the property would not generate an RTA, although the one single-family dwelling at the southwest corner of the site would. BCZR §1B01.1.B.1.b(1). The RTA regulations further specify that a parking lot (including one permitted under Section 409.8.B, as here) must have a 50 foot buffer and 75 foot setback. BCZR §1B01.1.B.1.e(5). As shown on the site plan Petitioner proposes a 40 foot buffer in the area adjacent to the dwelling, which would contain grass and "deciduous trees to be planted per the Landscape Manual."

In its ZAC comment the DOP noted Petitioner submitted a compatibility narrative and that agency "recommends the development will not adversely affect the community." In light of that recommendation, and pursuant to BCZR Section 1B01.1.B.1.c(1), I find the amount of RTA shown on the site plan for this "vacant" tract is sufficient and will not have a negative impact upon the community. While the aforementioned regulation indicates the granting of this relief is not subject to Section 307, the caption of the subsection refers to "variance of RTA" and the petition will therefore be amended to include this additional variance request.

THEREFORE, IT IS ORDERED this 17th day of **May, 2019**, by this Administrative Law Judge, that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County

ORDER RECEIVED FOR FILING

Date

5/17/19

By

Sen

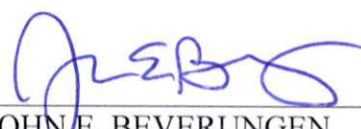
Zoning Regulations ("BCZR") to approve commercial parking (for 23 passenger vehicles) in a DR 3.5 residential zone, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance to allow a zero foot commercial side yard setback in lieu of the required 10 ft. and to approve a 40 foot RTA buffer in lieu of the required 50 foot buffer and 75 foot setback, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
- Prior to issuance of permits Petitioner must provide the DOP an updated site plan showing proposed lighting, fencing and orientation of the retail buildings.
- Prior to issuance of permits Petitioner must provide a grass landscape buffer with deciduous trees as shown on the site plan, in compliance with Landscape Manual requirements.
- Prior to issuance of permits Petitioner must comply with the Forest Conservation Regulations.

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:slh

ORDER RECEIVED FOR FILING

Date 5/17/19

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 9541 Belair Road

which is presently zoned DR 3.5 BLR DR 16

Deed References: 36067/00319

10 Digit Tax Account # 1112000325

Property Owner(s) Printed Name(s) The Huang's Group, 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

See attached

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

3. ☒ a **Variance** from Section(s)

See attached

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

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

The Huang's Group LLC

Name #1 - Type or Print

Signature #1 David Huang, Authorized Member

9545 Belair Rd Balt MD 21236

Mailing Address

City

State

Zip Code

Telephone #

Email Address

COM

Attorney for Petitioner:

J. Neil Lanzi

Name- Type or Print

Signature

102 W. Pennsylvania Ave #406 Towson

Mailing Address

City

State

21204

443-991-5917

nlanzi@wcslaw.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Neil Lanzi

Name - Type or Print

Signature

102 W. Pennsylvania Ave #406 Towson MD

Mailing Address

City

State

21204

443-991-5917

nlanzi@wcslaw.com

Zip Code

Telephone #

Email Address

CASE NUMBER

2019-0282-SPHA

Filing Date

4/1/19

Do Not Schedule Dates:

Reviewer

AT

PETITION FOR SPECIAL HEARING

The Huang's Group, LLC, Property Owner/Petitioner, hereby petitions the Administrative Law Judge for the following zoning relief with regard to the property known as 9541 Belair Road:

1. Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations to approve commercial parking in a residential zone.
2. Variance from Section 229.6C of the Baltimore County Zoning Regulations to allow a zero foot commercial side yard setback in lieu of 10 feet.
3. For any further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

The Administrative Law Judge has the power to grant special hearing and variance relief that will not be detrimental to the health, safety or general welfare of the locality involved. Petitioner will be providing additional reasons in support of the zoning relief requested at the hearing.



Zoning Description

9541 Belair Road
Eleventh Election District Fifth Councilmanic District
Baltimore County, Maryland

Beginning at a point on the southeast side of Belair Road, approximately 223 feet northeasterly of the centerline of Horn Lane, thence running on the side of Belair Road and running with and binding on the outlines of the subject property, the following course and distance, viz 1) Northerly 60 feet, more or less, thence leaving Belair Road and continuing to run and bind on the outlines of the subject property, the eight following courses and distances, viz. 2) South 42 degrees 18 minutes 00 seconds East 238.73 feet, 3) South 15 degrees 46 minutes 00 seconds West 175.00 feet, 4) North 40 degrees 45 minutes 00 seconds West 211.05 feet, 5) North 42 degrees 41 minutes 00 seconds West 15.83 feet, 6) North 45 degrees 10 minutes 00 seconds East 53.00 feet, 7) North 44 degrees 45 minutes 00 seconds West 14.53 feet, 8) North 53 degrees 11 minutes 00 seconds East 28.70 feet and 9) North 39 degrees 54 minutes 00 seconds West 96.35 feet to the point of beginning.

Containing 0.75 of an acre of land, more or less.

This description is part of a zoning petition and is not intended for any conveyance purposes.

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com



2019-0282-SPHA

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:

4/23/2019

Order #: 11732952
Case #: 2019-0282-SPHA
Description:

NOTICE OF ZONING HEARING CASE NUMBER:
2019-0282-SPHA



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: 2019-0282-SPHA

9541 Belair Road

SE/s Belair Road, 223 ft. n/e of Horn Lane

11th Election District - 5th Councilmanic District

Legal Owners: The Huang's Group, LLC

Special Hearing to approve commercial parking in a DR 3.5 residential zone. Variance to allow a zero ft. commercial side yard setback in lieu of 10 ft. For any other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County,

Hearing: Monday, May 13, 2019 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

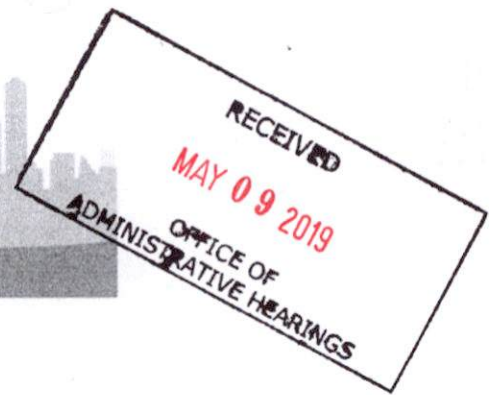
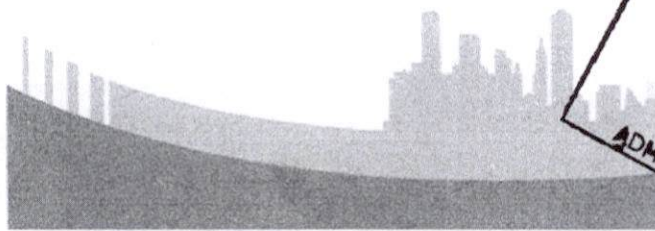
Mike Mohler

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.

ap23



CERTIFICATE OF POSTING

April 24, 2019
May 8, 2019 amended for second inspection

Re:
Zoning Case No. 2019-0282-SPHA
Legal Owner: The Huang's Group, LLC
Hearing date: May 13, 2019

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

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at **9541 Belair Road**.

The signs were initially posted on April 23, 2019.

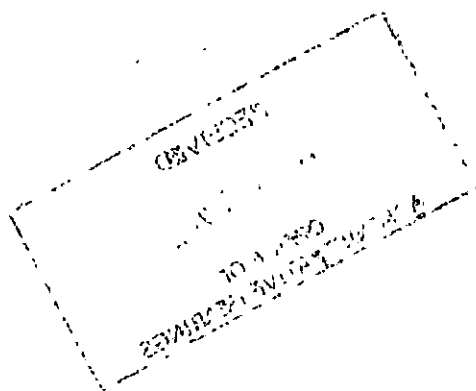
The subject property was also inspected on May 8, 2019.

Sincerely,

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com



ZONING NOTICE

CASE NO. 2019-0282-SPHA

9541 Belair Road

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

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204**

DATE & TIME: Monday May 13, 2019 1:30 PM

**REQUESTS: SPECIAL HEARING TO APPROVE
COMMERCIAL PARKING IN A DR 3.5 RESIDENTIAL ZONE.
VARIANCES 1) TO ALLOW A ZERO FOOT COMMERCIAL
SIDE YARD SETBACK IN LIEU OF 10 FEET. 2) FOR ANY
OTHER AND FURTHER RELIEF AS MAY BE DEEMED
NECESSARY BY THE ADMINISTRATIVE
LAW JUDGE FOR BALTIMORE COUNTY.**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-807-3391.**

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

THE HEARING IS HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE NO. 2019-0282-SPHA

9541 Belair Road

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

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204**

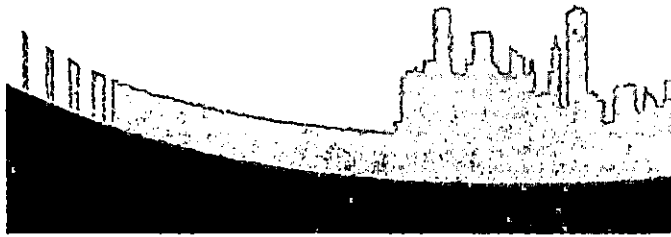
DATE & TIME: Monday May 13, 2019 1:30 PM

**REQUESTS: SPECIAL HEARING TO APPROVE
COMMERCIAL PARKING IN A DR 3.5 RESIDENTIAL ZONE.
VARIANCES 1) TO ALLOW A ZERO FOOT COMMERCIAL
SIDE YARD SETBACK IN LIEU OF 10 FEET. 2) FOR ANY
OTHER AND FURTHER RELIEF AS MAY BE DEEMED
NECESSARY BY THE ADMINISTRATIVE
LAW JUDGE FOR BALTIMORE COUNTY.**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.**

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

THE HEARING IS HANDICAPPED ACCESSIBLE



CERTIFICATE OF POSTING

April 24, 2019

_____ amended for second inspection

Re:

Zoning Case No. 2019-0282-SPHA

Legal Owner: The Huang's Group, LLC

Hearing date: May 13, 2019

Baltimore County Department of Permits, Approvals & Inspections

County Office Building

111 West Chesapeake Avenue, Room 111

111 West Chesapeake Avenue Towson, MD 21204

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 9541 Belair Road.

The signs were initially posted on April 23, 2019.

The subject property was also inspected on _____.

Sincerely,

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road

Freeland, MD 21053

410-419-4906 cell / 443-900-5535 office

bdoak@bruceedoakconsulting.com

ZONING NOTICE

CASE NO. 2019-0282-SPHA

9541 Belair Road

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

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204**

DATE & TIME: Monday May 13, 2019 1:30 PM

**REQUESTS: SPECIAL HEARING TO APPROVE
COMMERCIAL PARKING IN A DR 3.5 RESIDENTIAL ZONE.
VARIANCES 1) TO ALLOW A ZERO FOOT COMMERCIAL
SIDE YARD SETBACK IN LIEU OF 10 FEET. 2) FOR ANY
OTHER AND FURTHER RELIEF AS MAY BE DEEMED
NECESSARY BY THE ADMINISTRATIVE
LAW JUDGE FOR BALTIMORE COUNTY.**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.**

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

THE HEARING IS HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE NO. 2019-0282-SPHA

9541 Belair Road

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

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204**

DATE & TIME: Monday May 13, 2019 1:30 PM

**REQUESTS: SPECIAL HEARING TO APPROVE
COMMERCIAL PARKING IN A DR 3.5 RESIDENTIAL ZONE.
VARIANCES 1) TO ALLOW A ZERO FOOT COMMERCIAL
SIDE YARD SETBACK IN LIEU OF 10 FEET. 2) FOR ANY
OTHER AND FURTHER RELIEF AS MAY BE DEEMED
NECESSARY BY THE ADMINISTRATIVE
LAW JUDGE FOR BALTIMORE COUNTY.**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.**

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

THE HEARING IS HANDICAPPED ACCESSIBLE



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

April 16, 2019

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: 2019-0282-SPHA

9541 Belair Road
SE/s Belair Road, 223 ft. n/e of Horn Lane
11th Election District – 5th Councilmanic District
Legal Owners: The Huang's Group, LLC

Special Hearing to approve commercial parking in a DR 3.5 residential zone. Variance to allow a zero ft. commercial side yard setback in lieu of 10 ft. For any other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County,

Hearing: Monday, May 13, 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 "Mike Mohler".

Mike Mohler
Director

MM:kl

C: J. Neil Lanzi, 102 W. Pennsylvania Avenue, Ste. 406, Towson 21204
David Huang, 9545 Belair Road, Baltimore 21236

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 23, 2019.**
- (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
Tuesday, April 23, 2019 - Issue

Please forward billing to:

David Huang
The Huang's Group, LLC
8 Mollie Court
Phoenix, MD 21131

410-236-6844

NOTICE OF ZONING HEARING

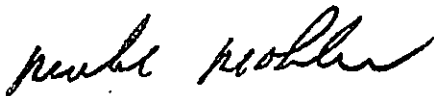
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2019-0282-SPHA

9541 Belair Road
SE/s Belair Road, 223 ft. n/e of Horn Lane
11th Election District – 5th Councilmanic District
Legal Owners: The Huang's Group, LLC

Special Hearing to approve commercial parking in a DR 3.5 residential zone. Variance to allow a zero ft. commercial side yard setback in lieu of 10 ft. For any other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County,

Hearing: Monday, May 13, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Mike Mohler
Director of Permits, Approvals and Inspections for Baltimore County

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

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
9541 Belair Road; SE/S Belair Road, 223' NE * OF ADMINISTRATIVE
Of the c/line of Horn Lane *
11th Election & 5th Councilmanic Districts * HEARINGS FOR
Legal Owner(s): The Huang's Group, LLC *
Petitioner(s) * BALTIMORE COUNTY
* 2019-282-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

APR 09 2019

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of April, 2019, a copy of the foregoing Entry of Appearance was mailed to J. Neil Lanzi, Esquire, 102 W. Pennsylvania Avenue, Suite 406, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) 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: 2019-0282-SPHA
Property Address: 9541 BELAIR ROAD
Property Description: SOUTHEAST SIDE OF BELAIR ROAD
Legal Owners (Petitioners): THE HUANG'S GROUP, LLC
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID HUANG
Company/Firm (if applicable): THE HUANG'S GROUP, LLC
Address: 8 MOLLIE COURT
PHOENIX MO 64131
Telephone Number: 410-236-6844

Revised 5/20/2014

1492-3826-9102

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

No. 182069

PAID RECEIPT

Date:

4/01/19

BUSINESS ACTUAL TIME DRW

4/02/2019 4/01/2019 10:13:54 1

REG WS01 WALKIN LJR

>>RECEIPT # 001935 4/01/2019 OFLN

Dept 5 528 ZONING VERIFICATION

Amount 182069

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

Receipt Tot \$ 1,000.00

1,000.00 CK .00 CA

Baltimore County, Maryland

Total:

\$1,000

Rec
From:

For:

9541 BELAIR RD

2019-0282-SPHA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

May 8, 2019

J. Neil Lanzi
102 W. Pennsylvania Ave #406
Towson MD 21204

RE: Case Number: 2019-0282-SPHA, 9541 Belair 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 April 1, 2019. 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, appearing to read "W. Carl Richards, Jr.", written over the words "Very truly yours,".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
The Huang's Group LLC, 9545 Belair Road Baltimore MD 21236

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Mohler, Acting Director
Department of Permits, Approvals

DATE: April 22, 2019

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 15, 2019
Item No. 2019-0281-A, 0282-SPHA, 0283-SPHA, 0284-A & 0289-A

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

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 5/10/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-282

INFORMATION:

Property Address: 9541 Belair Road
Petitioner: The Huang's Group, LLC, David Huang Authorized Member
Zoning: DR 3.5, BLR, DR 16
Requested Action: Special Hearing, Variance

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

A site visit was conducted on 4/19/2019. The subject site is located on the Belair Road corridor in the Perry Hall community plan area and was the subject of 2016 CZMP issue 5-007 wherein the Petitioner applied for BM zoning. The existing zoning was retained.

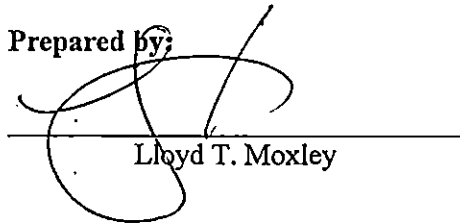
Petitioners have submitted a compatibility narrative pursuant to BCZR §1B01.B.1.c.(2) and the Department recommends the development will not adversely affect the community. Petitioners have met with the adjacent residential community and have arrived at agreements to specific conditions regarding lighting, fencing, and hours of operation, a draft copy of which was provided to the Department. The Department does not oppose said agreement but cannot be a party to it.

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

- Petitioners shall provide class a landscape screening per the requirements of BCZR §1B01.B.1.d.(3) to the satisfaction of the Baltimore County Landscape Architect and the Administrative Law Judge.
- The determination of the Baltimore County Development Review Committee notwithstanding, petitioners shall submit to the contact person listed below an updated site plan denoting the location of the lighting, proposed fencing and orientation of the retail building prior to issuance of a building permit.

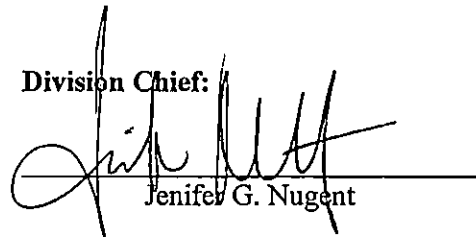
For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

JM/JGN/LTM/

c: Laurie Hay
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
J. Neil Lanzi, Attorney
Office of the Administrative Hearings
People's Counsel for Baltimore County

JB 5-13-19 1:30 PM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: April 16, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0282-SPHA
Address 9541 Belair Road
(The Huang's Group, LLC Property)

Zoning Advisory Committee Meeting of **April 15, 2019**.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Reviewer: Regina Esslinger

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 4/10/19

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

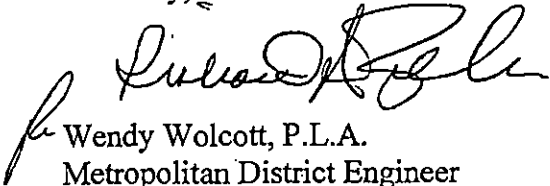
Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 4/10/19. A field inspection and internal review reveals that an entrance onto US 1 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Hearing, Variance Case Number 2019-0ZBZ-SPHA

*The Huang's Group, LLC
9541 Belair Road
US 1*

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

Sincerely,



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

WW/RAZ

John E. Beverungen

From: Neil Lanzi <nlanzi@wclaw.com>
Sent: Wednesday, May 22, 2019 2:17 PM
To: John E. Beverungen
Subject: RE: Case No. 2019-0282-SPHA 9541 Belair Road

CAUTION: This message from nlanzi@wclaw.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Judge,

As I was preparing to send a copy of the decision to counsel for the condominium association, I realized the order does not list the agreed upon conditions contained in Exhibit 9 (letter agreement with Chapel Village Condominium Council, page 2). The basis of the support from the council was the conditions. My client is certainly amenable to compliance regardless but in an effort to avoid an appeal, I believe the order should be revised to include items a through e in the letter exhibit.

Regards,

Neil



Neil Lanzi
Partner
Wright, Constable & Skeen, LLP
102 W. Pennsylvania Avenue, Suite 406
Towson, Maryland 21204
Tele: 443-991-5917
E-mail: nlanzi@wclaw.com

This message may contain privileged or confidential information that is protected from disclosure. If you are not the intended recipient of this message, you may not disseminate, distribute or copy it. If you have received this message in error, please delete it and notify the sender immediately by reply email or by calling 410-659-1300.

From: John E. Beverungen <jbeverungen@baltimorecountymd.gov>
Sent: Tuesday, May 21, 2019 11:11 AM
To: Neil Lanzi <nlanzi@wclaw.com>
Subject: RE: Case No. 2019-0282-SPHA 9541 Belair Road

Thanks for letting me know. I saw where I mistakenly made that reference in the body of the opinion, but since it in no way impacted the outcome, and is not referenced in the order itself, I do not believe any revisions or changes are necessary.

From: Neil Lanzi <nlanzi@wcslaw.com>
Sent: Monday, May 20, 2019 2:41 PM
To: John E. Beverungen <jbeverungen@baltimorecountymd.gov>
Subject: Case No. 2019-0282-SPHA 9541 Belair Road

CAUTION: This message from nlanzi@wcslaw.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Judge Beverungen:

I just received the Opinion and Order for the above case in today's mail. I don't know if it will be necessary to revise it but thought you should know that the business zoning along Belair Road is BLR and not BL as indicated in the decision. I don't believe it impacts the decision but thought it should be noted.

Regards,

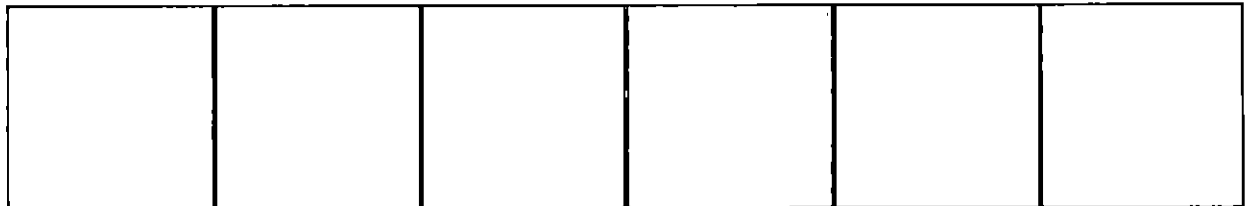
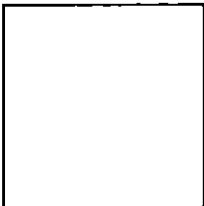
Neil



Neil Lanzi
Partner
Wright, Constable & Skeen, LLP
102 W. Pennsylvania Avenue, Suite 406
Towson, Maryland 21204
Tele: 443-991-5917
E-mail: nlanzi@wcslaw.com

This message may contain privileged or confidential information that is protected from disclosure. If you are not the intended recipient of this message, you may not disseminate, distribute or copy it. If you have received this message in error, please delete it and notify the sender immediately by reply email or by calling 410-659-1300.

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

CASE NAME Huang
CASE NUMBER # 2019-0282-SPHA
DATE 5/13/19

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
------	---------	------------------	----------

[illegible]

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment4/22DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)No
Comments4/16DEPS
(if not received, date e-mail sent _____)Comment5/13FIRE DEPARTMENT
PLANNING
(if not received, date e-mail sent _____)Comment4/10STATE HIGHWAY ADMINISTRATION
TRAFFIC ENGINEERINGNo Objection_____

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 4/23/19SIGN POSTING (1st) Date: 4/23/19 by DoakSIGN POSTING (2nd) Date: 5/8/19 by DoakPEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

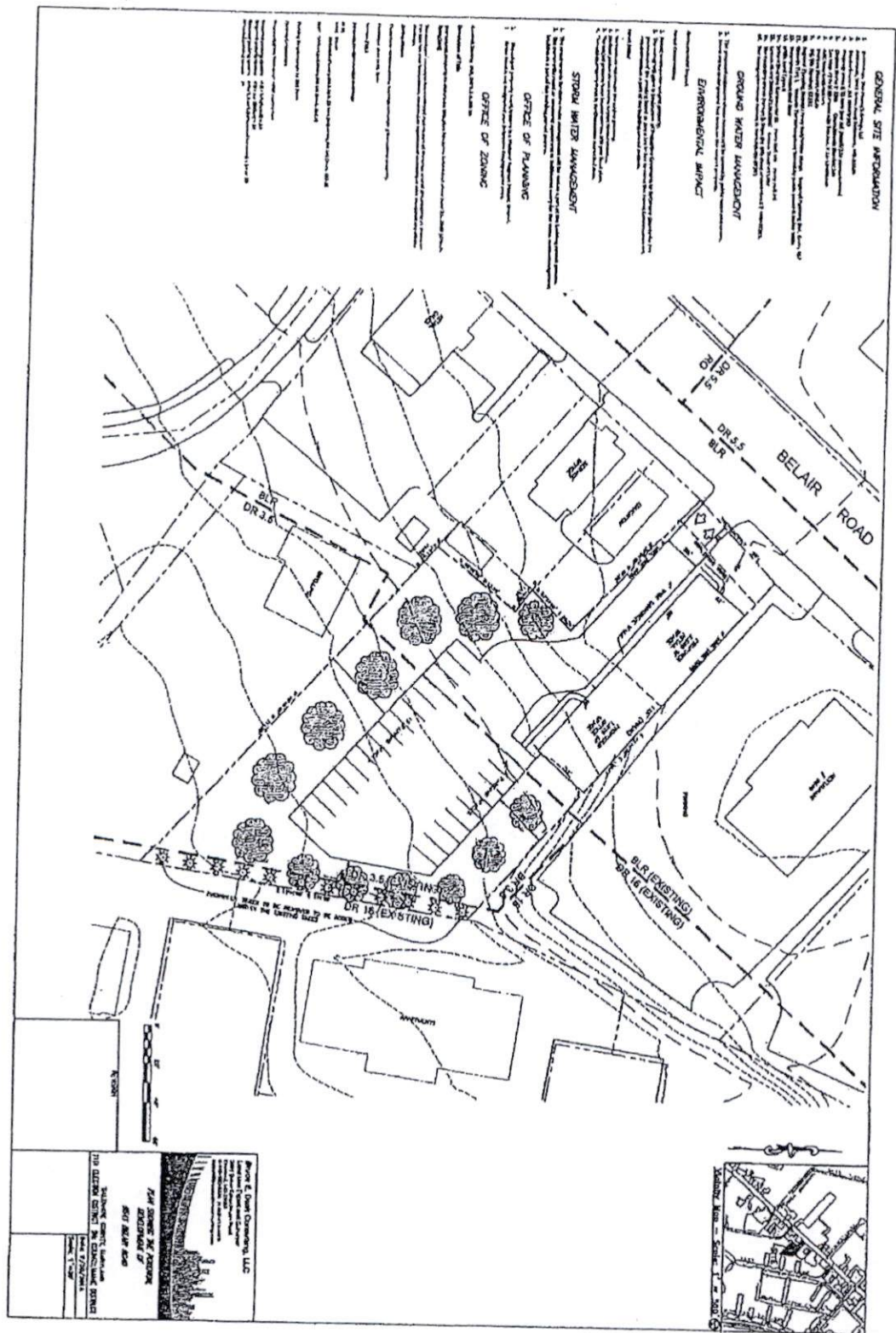
Comments, if any: _____

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 - 11 Account Number - 1112000325			
Owner Information					
Owner Name:		THE HUANG'S GROUP LLC		Use:	RESIDENTIAL
Mailing Address:		9545 BELAIR RD BALTIMORE MD 21236-		Principal Residence:	NO
				Deed Reference:	/36067/ 00319
Location & Structure Information					
Premises Address:		9541 BELAIR RD BALTIMORE MD 21236-0000		Legal Description:	1.29 AC ES BELAIR RD 900FT SW CAMP CHAPEL RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0072	0003	0429		0000	
				Assessment Year:	Plat No:
				2018	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	
			1.2900 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
					Last Major Renovation
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of 01/01/2018	As of 07/01/2018	As of 07/01/2019
Land:		92,900	92,900		
Improvements		0	0		
Total:		92,900	92,900	92,900	92,900
Preferential Land:		0			0
Transfer Information					
Seller: JAIN MISHRILAL L		Date: 04/16/2015		Price: \$150,000	
Type: ARMS LENGTH VACANT		Deed1: /36067/ 00319		Deed2:	
Seller: JAIN QUEENSBURY LLC		Date: 12/20/2010		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /30293/ 00371		Deed2:	
Seller: JAIN MISHRILAL L		Date: 08/29/2003		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /18691/ 00083		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 Status: No Application	Date:
---	-------



ORDER RECEIVED FOR FILING

Date 5/28/19

By Sen



Wright, Constable & Skeen, L.L.P. | Attorneys at Law

102 W. Pennsylvania Avenue - Suite 406 - Towson - Maryland - 21204 - Phone: 443-991-5917 - Facsimile: 667-206-4610

J. NEIL LANZI

Email: nlanzi@wcslaw.com

April 25, 2019

Cynthia Hitt Kent, Esquire
10 Crossroads Drive, Suite 107
Owings Mills, MD 21117

Re: 9541 Belair Road, Case No. 2019-0282-SPHA ("Zoning Case")

Dear Cyndy:

This letter shall set forth the terms of an agreement between your client, The Chapel Village Condominium Council, Inc. ("Association") and my client, The Huang's Group, LLC ("Huang"), owner of the property known as 9541 Belair Road ("Property") the subject of the above referenced zoning case scheduled for hearing on May 13, 2019 at 1:30 p.m.

Specifically, the following terms, if acceptable, will be presented to the hearing officer at the May 13, 2019 hearing as proposed conditions to any zoning approvals for the subject property.

1. For purposes of background, the subject property contains approximately .82 acres, Tax Account No. 1112000325. The Association is a condominium association in Baltimore County made up of 144 units whose property is located adjacent to the Property. The Property is currently zoned BLR, DR 16 and DR 3.5.
2. In the Zoning Case referenced above, Huang has filed a Petition for Special Hearing pursuant to Section 500.7 of the BCZR to approve commercial parking in a residential zone and Variance from Section 229.6C of the BCZR to allow a zero-foot commercial side yard setback in lieu of 10 feet.
3. The Association is interested in preserving the existing character and quality of life for the Association residents living in the vicinity of the Property.
4. Huang and the Association desire to place certain restrictions on the Property in return for the Association's support of Huang's requested zoning relief in the Zoning Case necessary for Huang's proposed 2080 square foot retail building and proposed 1920 square foot office building.

ORDER RECEIVED FOR FILING

Date 5/28/19

PETITIONER'S

By Sen

EXHIBIT NO.

9

5. Restrictions on the Property.

a) The hours of operation shall be limited to 10:00 p.m. closing, Monday thru Sunday.

b) Huang shall install an eight (8) foot high solid wood fence prior to the commencement of any construction on the Property. The fence shall be maintained in good order and repair so as not to be an eyesore from either side of the fence. The fence shall be replaced when necessary, but in no event later than 15 years after completion of construction. The fence may be replaced with modern materials (such as maintenance free composites) so long as the fence appears to be wood-like and of a medium to dark wood color unless the parties otherwise agree.)

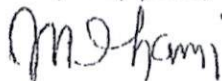
c) Any lighting on the Property shall be shielded and directed away from the residences located on the Association property.

d) Huang shall provide a minimum 10-foot landscape buffer along the rear and side of the Property as shown on the site plan attached as **Exhibit A**. The landscaping shall include the planting of arborvitae trees. The health of the landscaping in the buffer shall be maintained and when necessary, the landscaping shall be replaced so as to maintain a continuous healthy mature landscape buffer between the properties.

e) Parking on the subject property shall be located away from Belair Road and to the side and rear of the proposed buildings as shown on **Exhibit A**.

Please have your client sign in the space indicated below in the event the above terms are acceptable, which terms shall be presented to the hearing officer.

Very truly yours,

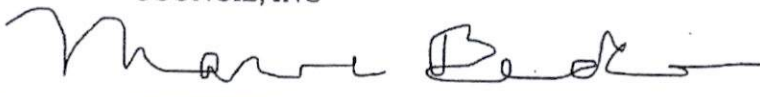


J. Neil Lanzi

Reviewed and approved.

ATTEST/WITNESS:

THE CHAPEL VILLAGE CONDOMINIUM
COUNCIL, INC

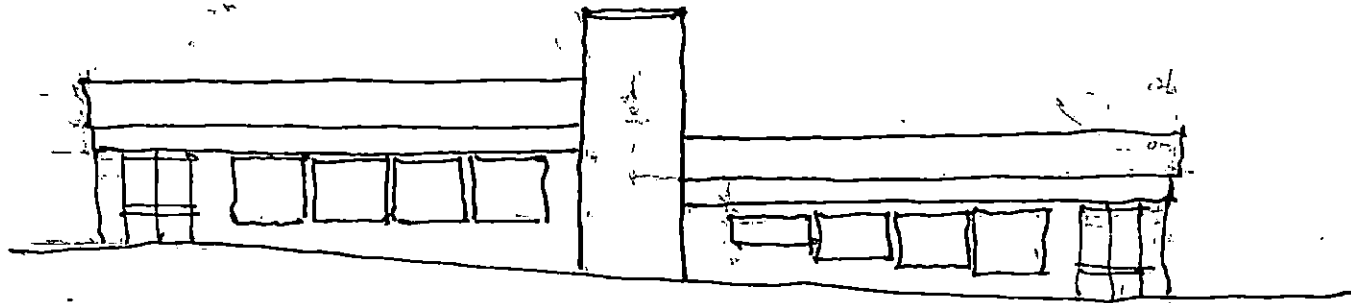


By: Maria Becker, President

ORDER RECEIVED FOR FILING

Date 5/28/19

By Sen



OPTION. No. 1
LYNNK PRINC

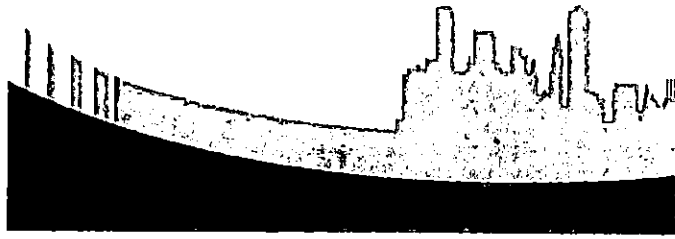
ARCHITECT,

4/19/2010

PETITIONER'S

EXHIBIT NO.

6



May 8, 2019

Baltimore County Department of Planning
105 Chesapeake Avenue
Towson, MD 21204

Re: Zoning Case #2019-0282-SPHA

This purpose of this letter is explain how the proposed development of 9541 Belair Road will be compatible with the surrounding area in accordance with the guidelines in the comprehensive manual of development policies.

- 1) The arrangements and orientation of the proposed buildings and site improvements are patterned in a similar manner to those in the neighborhood:

The proposed building has been designed to be similar to the existing commercial buildings along Belair Road, but reflect a new generation of design. The brick exterior will provide a more formal look.

- 2) The building and parking lot layout reinforce existing building and streetscape patterns and assure that the placement of building and parking lots have no adverse impact on the neighborhood;

The proposed building will have a setback similar to those along Belair Road. Landscape being planted in the front of the building will provide streetscape where none exists along Belair Road in our area and will add positive impact on the neighborhood. The adjoining home and apartments will be protected from any impact by the parking area via a comparable transition area, which includes a 20- 40 foot landscape area planted with mature trees.

- 3) The proposed streets are connected with the existing neighborhood road network wherever possible and the proposed sidewalks are located to support the functional patterns of the neighborhood;

No new public streets or sidewalks are needed for this project. A sidewalk exists along and parallel to Belair Road and will be maintained. Sidewalk access to the new building will be to the front door and from the parking lot.

PETITIONER'S

EXHIBIT NO. 7

4) The open spaces of the proposed development reinforce the open space patterns of the neighborhood in form and siting and complement existing open space systems;

The open space area in the residential zone and adjoining it has been designed to provide an area of grass and trees that will transition to the adjoining house and apartments well.

5) Locally significant features of the site such as distinctive buildings or vistas are integrated into the site design;

The proposed building is designed to integrate architecturally with the surrounding neighborhood buildings and with the topography.

6) The proposed landscape design compliments the neighborhood's landscape patterns and reinforces its functional qualities;

The proposed landscaping reflects an attractive use of trees and plantings that helps to avoid adverse impact on the neighborhood.

7) The exterior signs, site lighting and accessory structures support a uniform architectural theme and present a harmonious visual relationship with the surrounding neighborhood;

Site lighting and signage will be designed to meet regulatory requirements and present a harmonious visual relationship with the surrounding neighborhood. Lighting will be controlled as to location, direction, hours of illumination, glare and intensity and will not be aimed or reflected into adjoining properties.

8) The scale, proportions, massing and detailing of the proposed building is in proportion to those existing in the neighborhood;

The proposed building footprint is 4,000 square feet. This building will have a median size in comparison to the other buildings in the neighborhood. The proposed building and architectural features were designed with the collective neighborhood in mind and meant to integrate into that neighborhood.

In summary, the professionals that are providing design for this project have kept in mind the overall relationship to the neighborhood and the opportunity for providing positive impact. We feel the design meets the spirit and intent of the guidelines in the comprehensive manual of development policies.

With regards,

Bruce E. Doak
MD Reg. Property Line Surveyor #531
3801 Baker Schoolhouse Road
Freeland, MD 21053

IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE
 SE/S Horn Avenue, 170' SE of
 the c/l of Belair Road = ZONING COMMISSIONER
 (9531 Horn Avenue) = OF BALTIMORE COUNTY
 11th Election District = Case No. 91-183-A
 5th Councilmanic District
 Keith E. Yeager, et ux
 Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 8 feet in lieu of the minimum required 10 feet and a rear yard setback of 27 feet in lieu of the required 30 feet for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

ORDER RECEIVED FOR FILING
 Date 12/29/91
 By 1016

ORDER RECEIVED FOR FILING
 Date 12/29/91
 By 1016

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

91-183-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently or upon settlement will reside at 9531 Horn Ave.

Baltimore MD 21236
 (Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

1. Larger living space required due to family growth.
2. Inadequate storage space.

PETITIONER'S

EXHIBIT NO. 88

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 91-183-A

VISIONS OF LAW

variance to permit a side yard setback of 8 feet in lieu of the minimum required 10 feet and a rear yard setback of 27 feet in lieu of the required 30 feet for a proposed addition

petition for Residential Variance and there being no requests denied based upon the documents-

supporting affidavits as required in the County Code. Based upon the information in the file to indicate that the health, safety or general welfare be granted. In the opinion of the Commissioner, pictures, and affidavits comply with the requirements of strict compliance with the law and/or unreasonable hardship

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of December, 1990 that the petition for Residential Variance to permit a side yard setback of 8 feet in lieu of the minimum required 10 feet and a rear yard setback of 27 feet in lieu of the required 30 feet for a proposed addition, in accordance with Petitioner's exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioner shall not allow or cause the proposed addition to be converted to a second dwelling unit and/or apartments.
- 3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

ORDER RECEIVED FOR FILING

Date 12/10/90
By [Signature]

JRM:bjs

[Signature]
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

AFFIDAVIT

ZONING VARIANCE

91-183-A

I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the petition for a zoning variance as filed with the Zoning Commissioner of Baltimore County.

I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the petition for a zoning variance as filed with the Zoning Commissioner of Baltimore County.

will reside at 9531 Horn Ave.

CASE

Addition

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

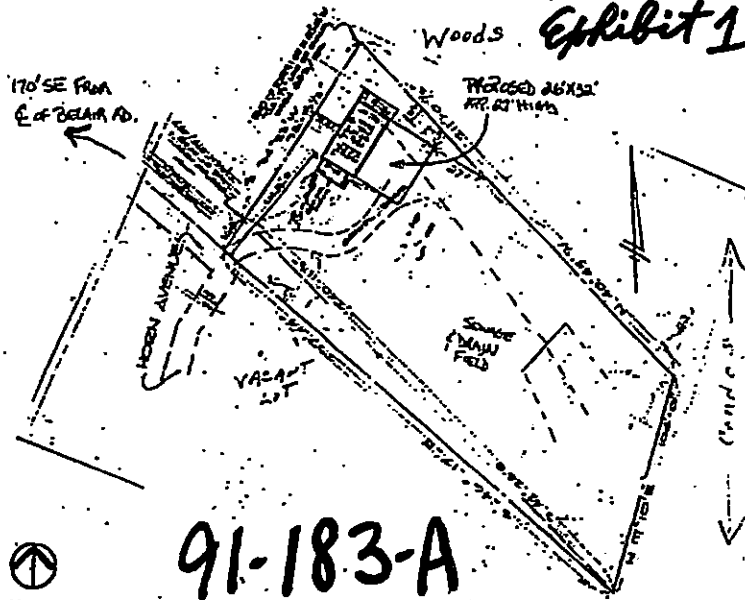
PROPERTY ADDRESS: 9531 HORN AV.

See pages 8 & 9 of the CHECKLIST for additional required information

Subdivision name: _____
 plat book # _____ lot # _____ section # _____

OWNER: MR. & MRS. KEITH E. YEAGER

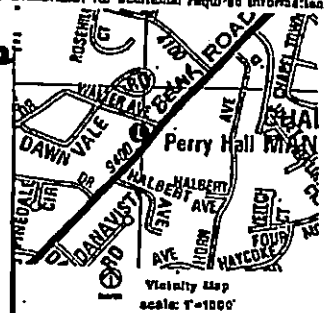
*Petitioner's
Exhibit 1*



North

date: 11/5/80
 prepared by: KEITH E. YEAGER

Scale of Drawing: 1" = 50'



LOCATION INFORMATION

Councilman's District: 5

Election District: 11

T=200' scale map: NE H 11

Zoning: DR 16

Lot size: .45 acres 19,730.80 square feet

SEWER: ☐ ☒

WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings: NONE

Zoning Office USE ONLY

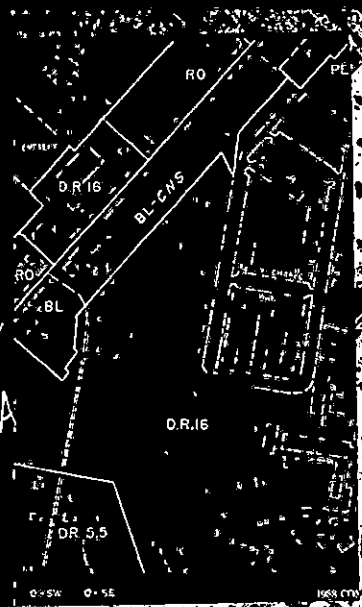
reviewed by: ITEM #: CASE#:

JPS 201



End of Proposed Addition

91-183-A



91-183-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
WATKINSBURG, N.Y. 13598

SCALE
1" = 200'
DATE
OF
PHOTOGRAPHY
JANUARY
1966

LOCATION
PERRY HALL
VICINITY

SHEET
46
14



Wright, Constable & Skeen, L.L.P. | Attorneys at Law

102 W. Pennsylvania Avenue - Suite 406 - Towson - Maryland - 21204 - Phone: 443-991-5917 - Facsimile: 667-206-4610

J. NEIL LANZI

Email: nlanzi@wcslaw.com

April 25, 2019

Cynthia Hitt Kent, Esquire
10 Crossroads Drive, Suite 107
Owings Mills, MD 21117

Re: 9541 Belair Road, Case No. 2019-0282-SPHA ("Zoning Case")

Dear Cyndy:

This letter shall set forth the terms of an agreement between your client, The Chapel Village Condominium Council, Inc. ("Association") and my client, The Huang's Group, LLC ("Huang"), owner of the property known as 9541 Belair Road ("Property") the subject of the above referenced zoning case scheduled for hearing on May 13, 2019 at 1:30 p.m.

Specifically, the following terms, if acceptable, will be presented to the hearing officer at the May 13, 2019 hearing as proposed conditions to any zoning approvals for the subject property.

1. For purposes of background, the subject property contains approximately .82 acres, Tax Account No. 1112000325. The Association is a condominium association in Baltimore County made up of 144 units whose property is located adjacent to the Property. The Property is currently zoned BLR, DR 16 and DR 3.5.
2. In the Zoning Case referenced above, Huang has filed a Petition for Special Hearing pursuant to Section 500.7 of the BCZR to approve commercial parking in a residential zone and Variance from Section 229.6C of the BCZR to allow a zero-foot commercial side yard setback in lieu of 10 feet.
3. The Association is interested in preserving the existing character and quality of life for the Association residents living in the vicinity of the Property.
4. Huang and the Association desire to place certain restrictions on the Property in return for the Association's support of Huang's requested zoning relief in the Zoning Case necessary for Huang's proposed 2080 square foot retail building and proposed 1920 square foot office building.

PETITIONER'S

EXHIBIT NO. 9

5. Restrictions on the Property.

- a) The hours of operation shall be limited to 10:00 p.m. closing, Monday thru Sunday.
- b) Huang shall install an eight (8) foot high solid wood fence prior to the commencement of any construction on the Property. The fence shall be maintained in good order and repair so as not to be an eyesore from either side of the fence. The fence shall be replaced when necessary, but in no event later than 15 years after completion of construction. The fence may be replaced with modern materials (such as maintenance free composites) so long as the fence appears to be wood-like and of a medium to dark wood color unless the parties otherwise agree.)
- c) Any lighting on the Property shall be shielded and directed away from the residences located on the Association property.
- d) Huang shall provide a minimum 10-foot landscape buffer along the rear and side of the Property as shown on the site plan attached as Exhibit A. The landscaping shall include the planting of arborvitae trees. The health of the landscaping in the buffer shall be maintained and when necessary, the landscaping shall be replaced so as to maintain a continuous healthy mature landscape buffer between the properties.
- e) Parking on the subject property shall be located away from Belair Road and to the side and rear of the proposed buildings as shown on Exhibit A.

Please have your client sign in the space indicated below in the event the above terms are acceptable, which terms shall be presented to the hearing officer.

Very truly yours,

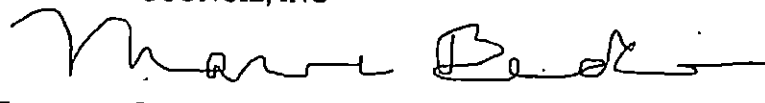


J. Neil Lanzi

Reviewed and approved.

ATTEST/WITNESS:

THE CHAPEL VILLAGE CONDOMINIUM
COUNCIL, INC


By: Maria Becker, President



IMPROVEMENT ASSOCIATION, INC.

P.O. Box 63, Perry Hall, Maryland 21128-0063 perryhallmail@gmail.com
www.perryhallmaryland.org

May 12, 2019

Mr. Lanzi

This document is to confirm that our Board has met and reviewed with you the plans for 9541 Belair Road. We are in support of the plan provided that the owner provide the discussed landscape buffer, constructs the parking to the rear, and installs shielded lighting. Additionally, the lighting should be greatly reduced at closing and/or use motion activation during off hours. This is to reduce light pollution and protect the local residential area as well as reduce energy use. Finally, with parking in the rear, we wish to see a drivable connection at the rear of the property between the Orient and other businesses so as to reduce the need to re-enter Belair Rd when patronizing adjoining businesses. We support the zoning relief as you have indicated in recent correspondence.

If you have any questions, please feel free to contact me.

Jack Amrhein

President

PETITIONER'S

EXHIBIT NO.

10

2020



a







M

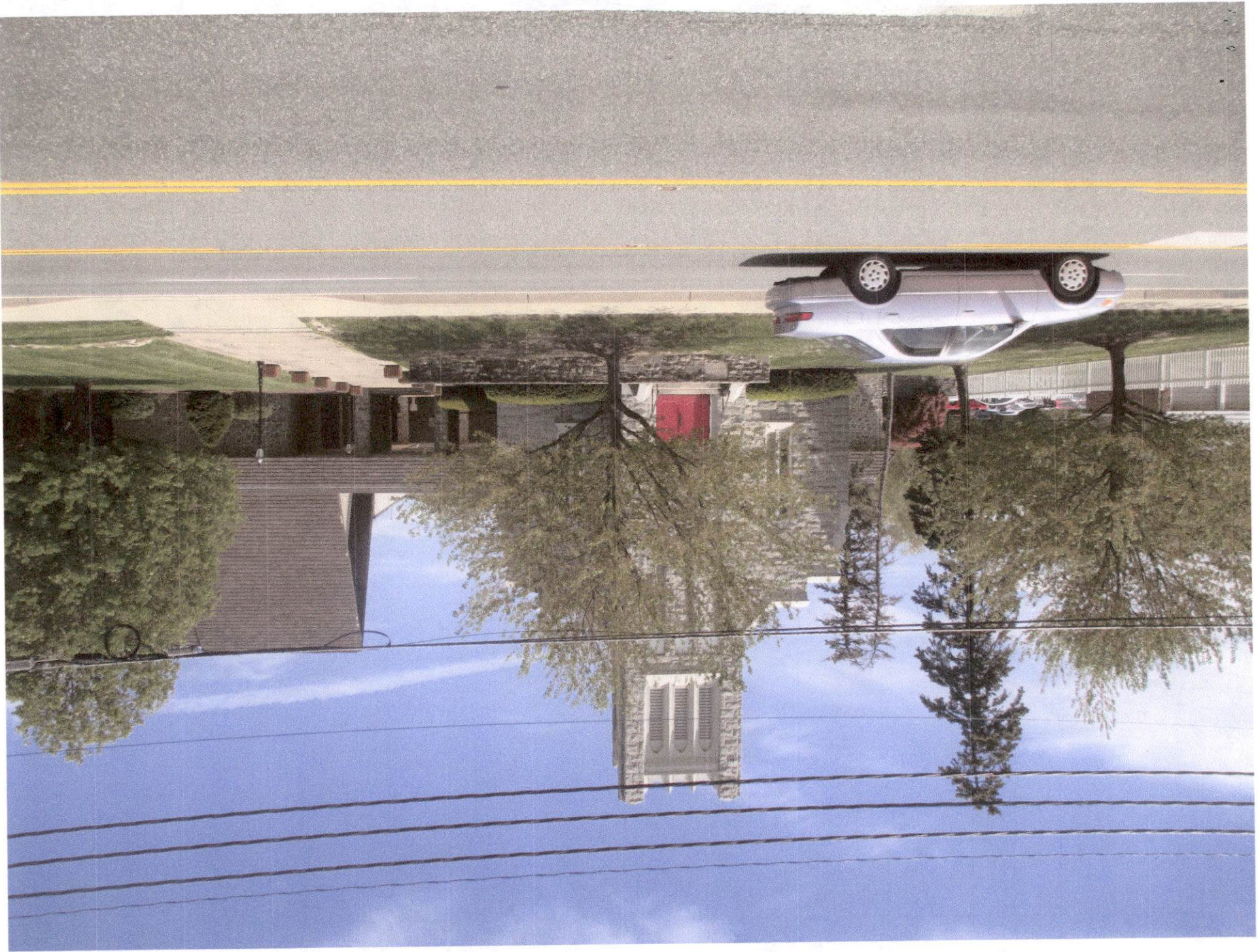


















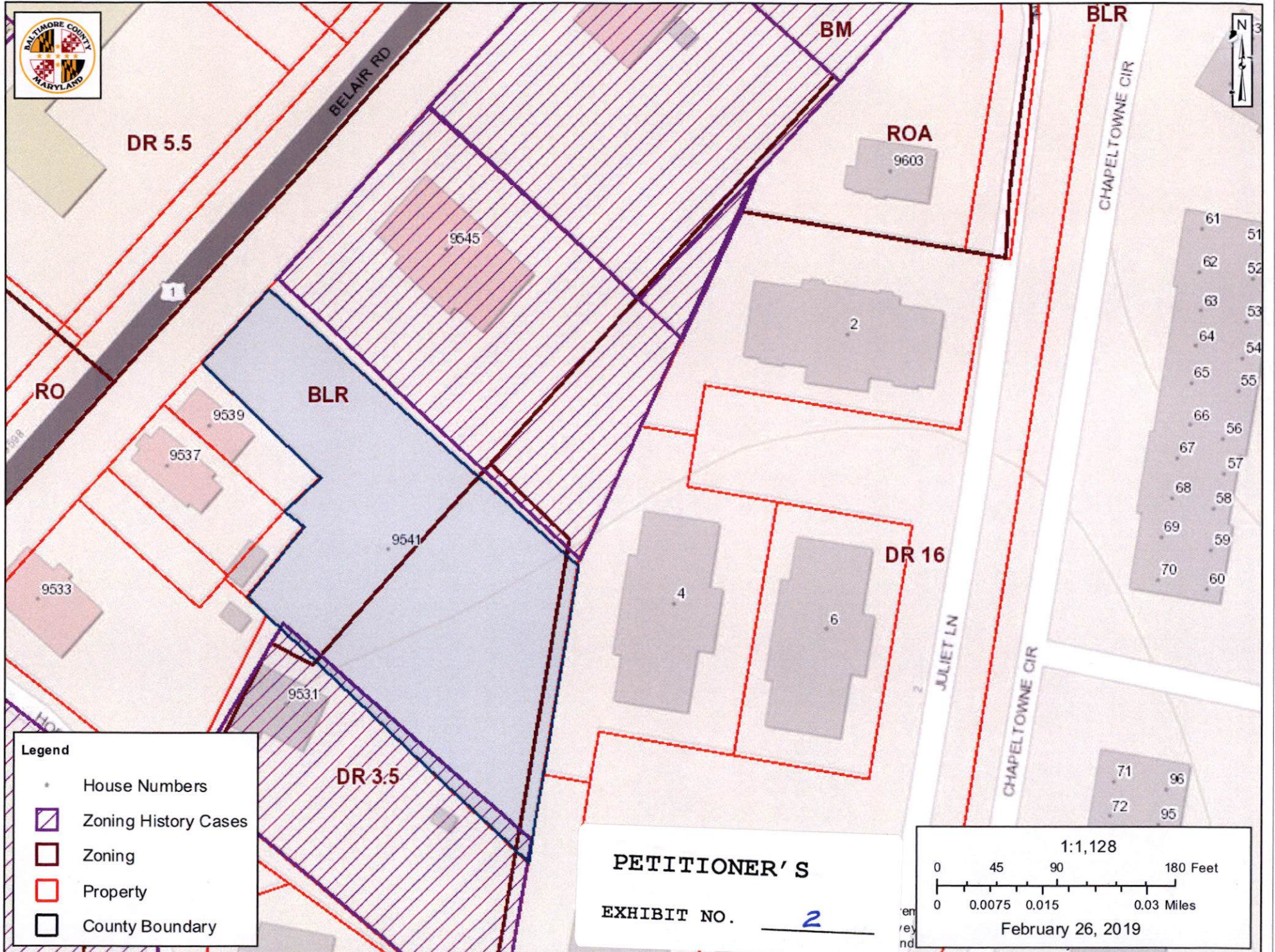








Baltimore County - My Neighborhood



AME. 3830-PIOS,

GENERAL SITE INFORMATION

1. Ownership: The Huang's Group, LLC
2. Addresses: 9541 Belair Road Baltimore, MD 21236
3. Deed reference: JLE 36067/319
4. Property area: 0.75 acre (per JLE 36067/319 computations)
5. Election District: 11th Councilmanic District: 5th
6. Tax Map 72 Grid 03 Parcel 429 Tax Acc. # 11-12-000325
7. ADC Map Grid: 4581F5
8. Position Sheets: 42NE29
9. GIS Tile Number: 072B1
10. Regional Planning District: Perry Hall/White Marsh Regional Planning Dist. Code: 317
11. Growth Tier: 1 Growth Tier Description: Served by public sewer & inside URDL
12. Watershed Name: Bird River
13. URDL Land Type: 0
14. School Districts: Gunpowder ES Perry Hall MS Perry Hall HS
15. Census Block: 240054113032005 Census Tract: 411303
16. The boundary shown hereon is from the title deed recorded in JLE 36067/319.
17. The topography shown hereon is from GIS tile 072B1.

GROUND WATER MANAGEMENT

1. The proposed ~~restaurant~~ ^{improvements} shown hereon will be served by public water and sewer.
2. There are no underground fuel tanks on the subject property.

ENVIRONMENTAL IMPACT

Environmental Impact

Forest Conservation

1. Forest may exist on the subject property.
2. The owner will grant to meet the Forest Conservation Act requirements as a part of the building permit process.

Forest Buffer

1. Wetlands do not exist on the subject property.
2. No flood plain is shown on the current FEMA FIRM Map.
3. The subject property is not located within a 100 year flood plain.
4. The subject property is not in the Chesapeake Bay Critical Area.

STORM WATER MANAGEMENT

1. The requirements for storm water management will be met as a part of the building permit process.
2. The owner will record an easement agreement to Baltimore County for the storm water management facilities as a part of the building permit process.

OFFICE OF PLANNING

1. The subject property is not located in a National Register Historic District.
2. Belair Road is not designated as a Baltimore County scenic road.

OFFICE OF ZONING

Current Zoning BLR, DR 3.5 & DR 16

Devolution of Title

The subject property as shown on this plan has been held intact since June 21, 1988 (EHK Jr. 7901/301).

The developer's surveyor has confirmed that no part of the gross area of this property as shown on this plan has ever been utilized, recorded, or represented as density or area to support any off-site dwellings.

Zoning History

There have been no zoning hearings concerning the subject property.

Permitted Uses In BLR Zone

Section 229.5 (8C2R)

Setbacks for Commercial Buildings

In BLR (SECT 229.68)

Front: 25' or average front setbacks of buildings within 100', whichever is the least distance.

Side: 10 feet

20 feet (adjoining residential zone) (Sect. 229.6.C

Rear: 20 feet (adjoining residential zone) (Sect. 229.6.C)

Parking Requirements In DR 16 Zone

Parking Calculations

Proposed floor area ratio: 0.12

Proposed gross floor area: 4000 square feet

Retail/Office Use

Required parking spaces: 2.08 x 5.0 (Retail) = 11

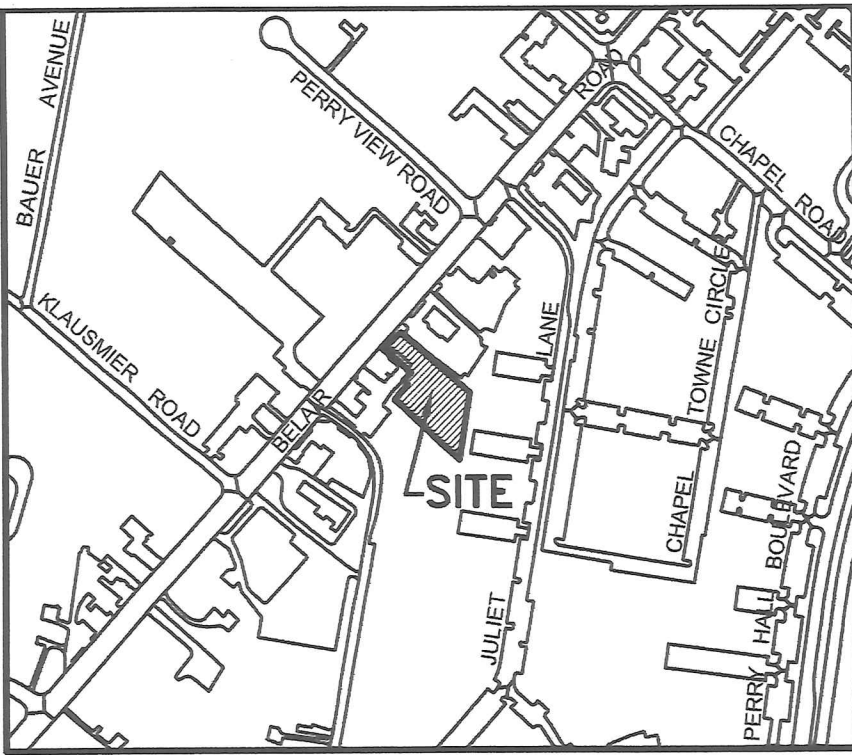
Required parking spaces: 1.92 x 3.3 (Office) = 7

Provided parking spaces: 23

Full Retail Use

Required parking spaces: 4.0 x 5.0 = 20

Provided parking spaces: 23



Vicinity Map -- Scale: 1" = 500'

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21083
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY A
ZONING PETITION FOR
9541 BELAIR ROAD

BALTIMORE COUNTY, MARYLAND
11th ELECTION DISTRICT 5th COUNCILMANIC DISTRICT



Date: 3/27/19

Scale: 1"=20'

GENERAL SITE INFORMATION

1. Ownership: The Huang's Group, LLC
2. Addresses: 9541 Belair Road Baltimore, MD 21236
3. Deed reference: JLE 36067/319
4. Property area: 0.75 acre (per JLE 36067/319 computations)
5. Election District: 11th Councilmanic District: 5th
6. Tax Map 72 Grid 03 Parcel 429 Tax Acc. # 11-12-000325
7. ADC Map Grid: 4581F5
8. Position Sheets: 42NE29
9. GIS Title Number: 07281
10. Regional Planning District: Perry Hall/White Marsh Regional Planning Dist. Code: 317
11. Growth Tier: 1 Growth Tier Description: Served by public sewer & inside URDL
12. Watershed Name: Bird River
13. URDL Land Type: 0
14. School Districts: Gunpowder ES Perry Hall MS Perry Hall HS
15. Census Block: 240054113032005 Census Tract: 411303
16. The boundary shown hereon is from the title deed recorded in JLE 36067/319.
17. The topography shown hereon is from GIS tile 07281

GROUND WATER MANAGEMENT

1. The proposed restaurant shown hereon will be served by public water and sewer.
2. There are no underground fuel tanks on the subject property.

ENVIRONMENTAL IMPACT

Environmental Impact

Forest Conservation

1. Forest may exist on the subject property.
2. The owner will grant to meet the Forest Conservation Act requirements as a part of the building permit process.

Forest Buffer

1. Wetlands do not exist on the subject property.
2. No flood plain is shown on the current FEMA FIRM Map.
3. The subject property is not located within a 100 year flood plain.
4. The subject property is not in the Chesapeake Bay Critical Area.

STORM WATER MANAGEMENT

1. The requirements for storm water management will be met as a part of the building permit process.
2. The owner will record an easement agreement to Baltimore County for the storm water management facilities as a part of the building permit process.

OFFICE OF PLANNING

1. The subject property is not located in a National Register Historic District.
2. Belair Road is not designated as a Baltimore County scenic road.

OFFICE OF ZONING

Current Zoning BLR, DR 3.5 & DR 16

Devolution of Title

The subject property as shown on this plan has been held intact since June 21, 1988 (EHK Jr. 7901/301).

The developer's surveyor has confirmed that no part of the gross area of this property as shown on this plan has ever been utilized, recorded, or represented as density or area to support any off-site dwellings.

Zoning History

There have been no zoning hearings concerning the subject property.

Permitted Uses in BLR Zone

Section 229.5 (BC2R)

Setbacks for Commercial Buildings

In BLR (SECT 229.68)

Front: 25' or average front setbacks of buildings within 100', whichever is the least distance.

Side: 10 feet
20 feet (adjoining residential zone) (Sect. 229.6.C)

Rear: 20 feet (adjoining residential zone) (Sect. 229.6.C)

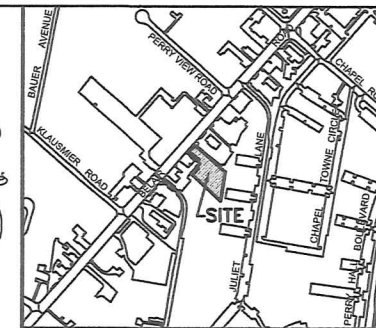
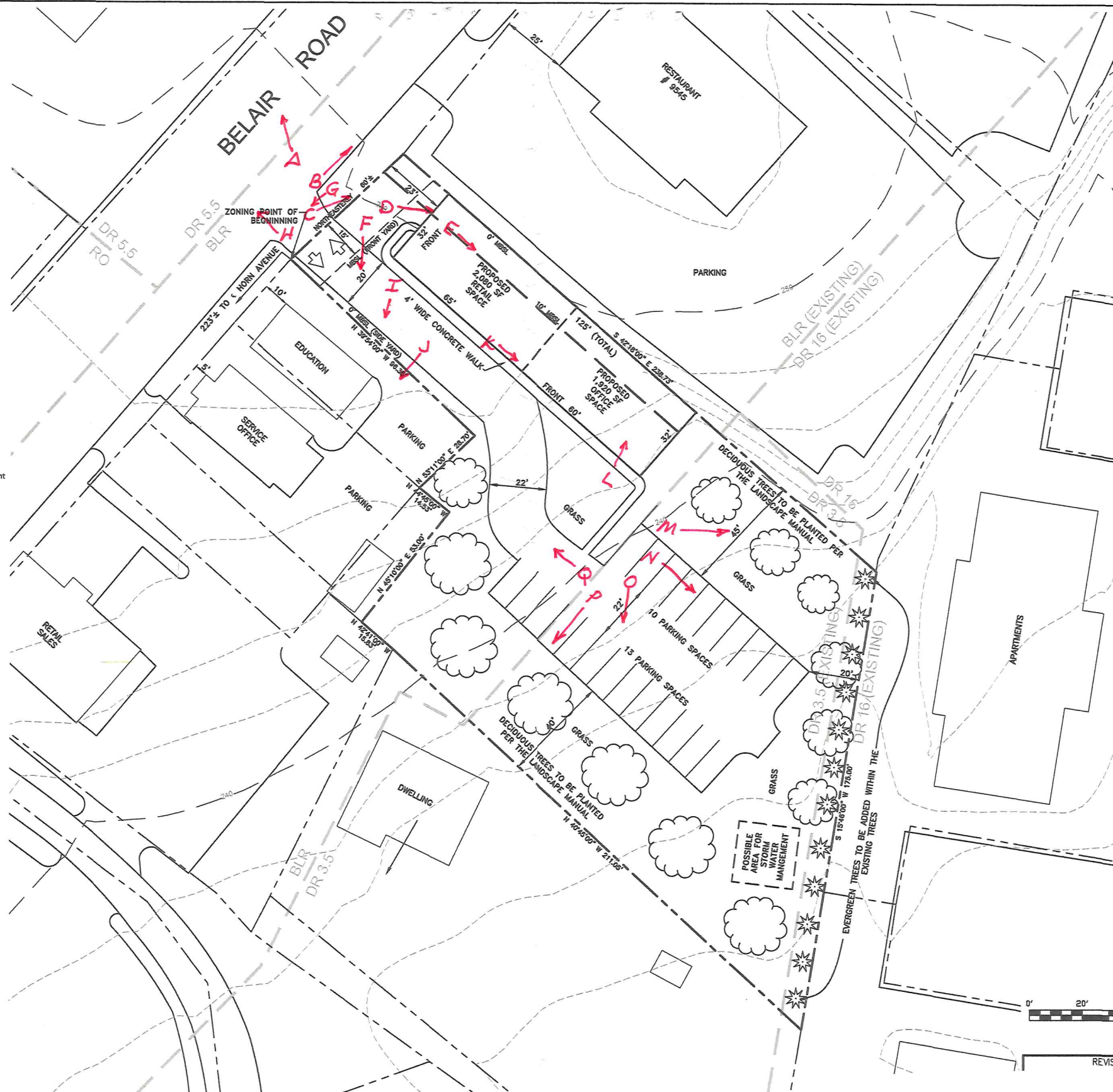
Parking Requirements in DR 16 Zone

Parking Calculations

Proposed floor area ratio: 0.12
Proposed gross floor area: 4000 square feet
Retail/Office Use

Required parking spaces: 2.08×5.0 (Retail) = 11
Required parking spaces: 1.92×3.3 (Office) = 7
Provided parking spaces: 23

Full Retail Use
Required parking spaces: 4.0×5.0 = 20
Provided parking spaces: 23



Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY A
ZONING PETITION FOR
9541 BELAIR ROAD

BALTIMORE COUNTY, MARYLAND
11th ELECTION DISTRICT 5th COUNCILMANIC DISTRICT

Date: 3/27/19
Scale: 1"=20'

PETITIONER'S

EXHIBIT NO. 4

PLAN TO ACCOMPANY PHOTOGRAPHS

GENERAL SITE INFORMATION

1. Ownership: The Huang's Group, LLC
2. Addresses: 9541 Belair Road Baltimore, MD 21236
3. Deed reference: JLE 36067/319
4. Property area: 0.75 acre (per JLE 36067/319 computations)
5. Election District: 11th Councilmanic District: 5th
6. Tax Map 72 Grid 03 Parcel 429 Tax Acc. # 11-12-000925
7. ADC Map Grid: 4531F5
8. Position Sheets: 42NE29
9. GIS Title Number: 07281
10. Regional Planning District: Perry Hall/White Marsh Regional Planning Dist. Code: 317
11. Growth Tier: 1 Growth Tier Description: Served by public sewer & inside URDL
12. Watershed Name: Bird River
13. URDL Land Type: 0
14. School Districts: Gunpowder ES Perry Hall MS Perry Hall HS
15. Census Block: 240054113032005 Census Tract: 411303
16. The boundary shown hereon is from the title deed recorded in JLE 36067/319.
17. The topography shown hereon is from GIS title 07281

GROUND WATER MANAGEMENT

1. The proposed restaurant shown hereon will be served by public water and sewer.
2. There are no underground fuel tanks on the subject property.

ENVIRONMENTAL IMPACT

Environmental Impact

Forest Conservation

1. Forest exists on the subject property.
2. The owner will grant a Declaration of Protective Covenants to Baltimore County for the protection of the existing forest or pay a fee in lieu to meet the Forest Conservation Act requirements as a part of the building permit process.

Forest Buffer

1. Wetlands do not exist on the subject property.
2. No flood plain is shown on the current FEMA FIRM Map.
3. The subject property is not located within a 100 year flood plain.
4. The subject property is not in the Chesapeake Bay Critical Area.

STORM WATER MANAGEMENT

1. The requirements for storm water management will be met as a part of the building permit process.
2. The owner will record an easement agreement to Baltimore County for the storm water management facilities as a part of the building permit process.

OFFICE OF PLANNING

1. The subject property is not located in a National Register Historic District.
2. Belair Road is not designated as a Baltimore County scenic road.

OFFICE OF ZONING

Current Zoning BLR, DR 3.5 & DR 16

Devolution of Title

The subject property as shown on this plan has been held intact since June 21, 1988 (EHK Jr. 7901/301).

The developer's surveyor has confirmed that no part of the gross area of this property as shown on this plan has ever been utilized, recorded, or represented as density or area to support any off-site dwellings.

Zoning History

There have been no zoning hearings concerning the subject property.

Permitted Uses in BL Zone

Section 230.1

Setbacks for Commercial Buildings

In BL

Side: 0 feet
20 feet (adjoining DR 3.5) & 25 feet (adjoining DR 16) (Sect. 232.2)

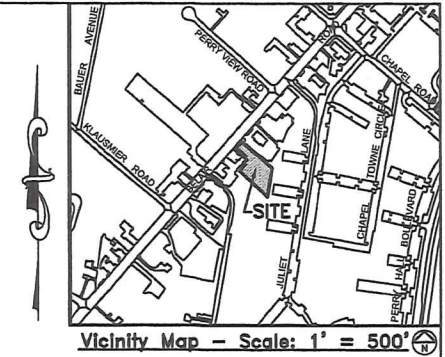
Rear: 30 feet (adjoining DR 16) (Sect. 232.3)

Parking Requirements in RM Zone

Parking Calculations

Proposed gross floor area: 4000 square feet

Required parking spaces: 4.0 x 5.0 (Retail) = 20
Required parking spaces: 4.0 x 3.3 (Office) = 14
Required parking spaces: 4.0 x 3.3 or 5.0 (Personal Services) = 14 or 20
Provided parking spaces: 24



Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4908
bdoak@bruceedoakconsulting.com

PLAN SHOWING THE POTENTIAL
DEVELOPMENT OF
9541 BELAIR ROAD

BALTIMORE COUNTY, MARYLAND
11th ELECTION DISTRICT 5th COUNCILMANIC DISTRICT

Date: 9/30/2018

Scale: 1"=20'

PETITIONER'S

EXHIBIT NO.

5

GENERAL SITE INFORMATION

1. Ownership: The Huang's Group, LLC
2. Addresses: 9541 Belair Road Baltimore, MD 21236
3. Deed reference: JLE 36067/319
4. Property area: 0.75 acre (per JLE 36067/319 computations)
5. Election District: 11th Councilmanic District: 5th
6. Tax Map 72 Grid 03 Parcel 429 Tax Acc. # 11-12-000325
7. ADC Map Grid: 4581F5
8. Position Sheets: 42NE29
9. GIS Title Number: 072B1
10. Regional Planning District: Perry Hall/White Marsh Regional Planning Dist. Code: 317
11. Growth Tier: 1 Growth Tier Description: Served by public sewer & inside URDL
12. Watershed Name: Bird River
13. URDL Land Type: 0
14. School Districts: Gunpowder ES Perry Hall MS Perry Hall HS
15. Census Block: 240054113032005 Census Tract: 411303
16. The boundary shown hereon is from the title deed recorded in JLE 36067/319.
17. The topography shown hereon is from GIS tile 072B1

GROUND WATER MANAGEMENT

1. The proposed restaurant shown hereon will be served by public water and sewer.
2. There are no underground fuel tanks on the subject property.

ENVIRONMENTAL IMPACT

Environmental Impact

Forest Conservation

1. Forest may exist on the subject property.
2. The owner will grant to meet the Forest Conservation Act requirements as a part of the building permit process.

Forest Buffer

1. Wetlands do not exist on the subject property.
2. No flood plain is shown on the current FEMA FIRM Map.
3. The subject property is not located within a 100 year flood plain.
4. The subject property is not in the Chesapeake Bay Critical Area.

STORM WATER MANAGEMENT

1. The requirements for storm water management will be met as a part of the building permit process.
2. The owner will record an easement agreement to Baltimore County for the storm water management facilities as a part of the building permit process.

OFFICE OF PLANNING

1. The subject property is not located in a National Register Historic District.
2. Belair Road is not designated as a Baltimore County scenic road.

OFFICE OF ZONING

Current Zoning BLR, DR 3.5 & DR 16

Devolution of Title

The subject property as shown on this plan has been held intact since June 21, 1988 (EHK Jr. 7901/301).

The developer's surveyor has confirmed that no part of the gross area of this property as shown on this plan has ever been utilized, recorded, or represented as density or area to support any off-site dwellings.

Zoning History

There have been no zoning hearings concerning the subject property.

Permitted Uses in BLR Zone

Section 229.5 (BC2R)

Setbacks for Commercial Buildings

In BLR (SECT 229.68)

Front: 25' or average front setbacks of buildings within 100', whichever is the least distance.

Side: 10 feet

20 feet (adjoining residential zone) (Sect. 229.6.C

Rear: 20 feet (adjoining residential zone) (Sect. 229.6.C)

Parking Requirements In DR 16 Zone

Parking Calculations

Proposed floor area ratio: 0.12

Proposed gross floor area: 4000 square feet

Retail/Office Use

Required parking spaces: 2.08 x 5.0 (Retail) = 11

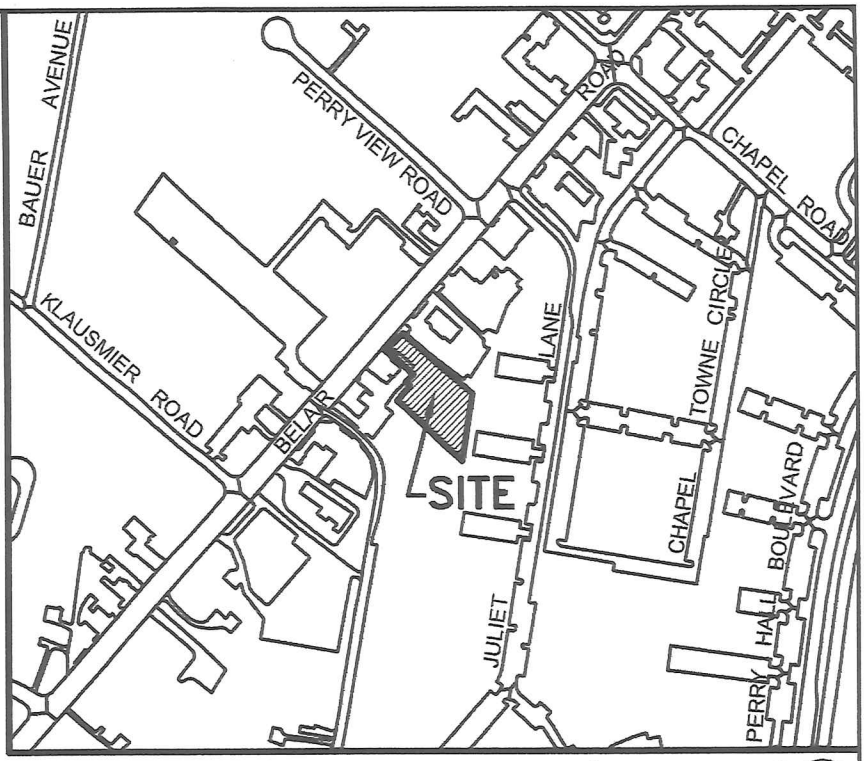
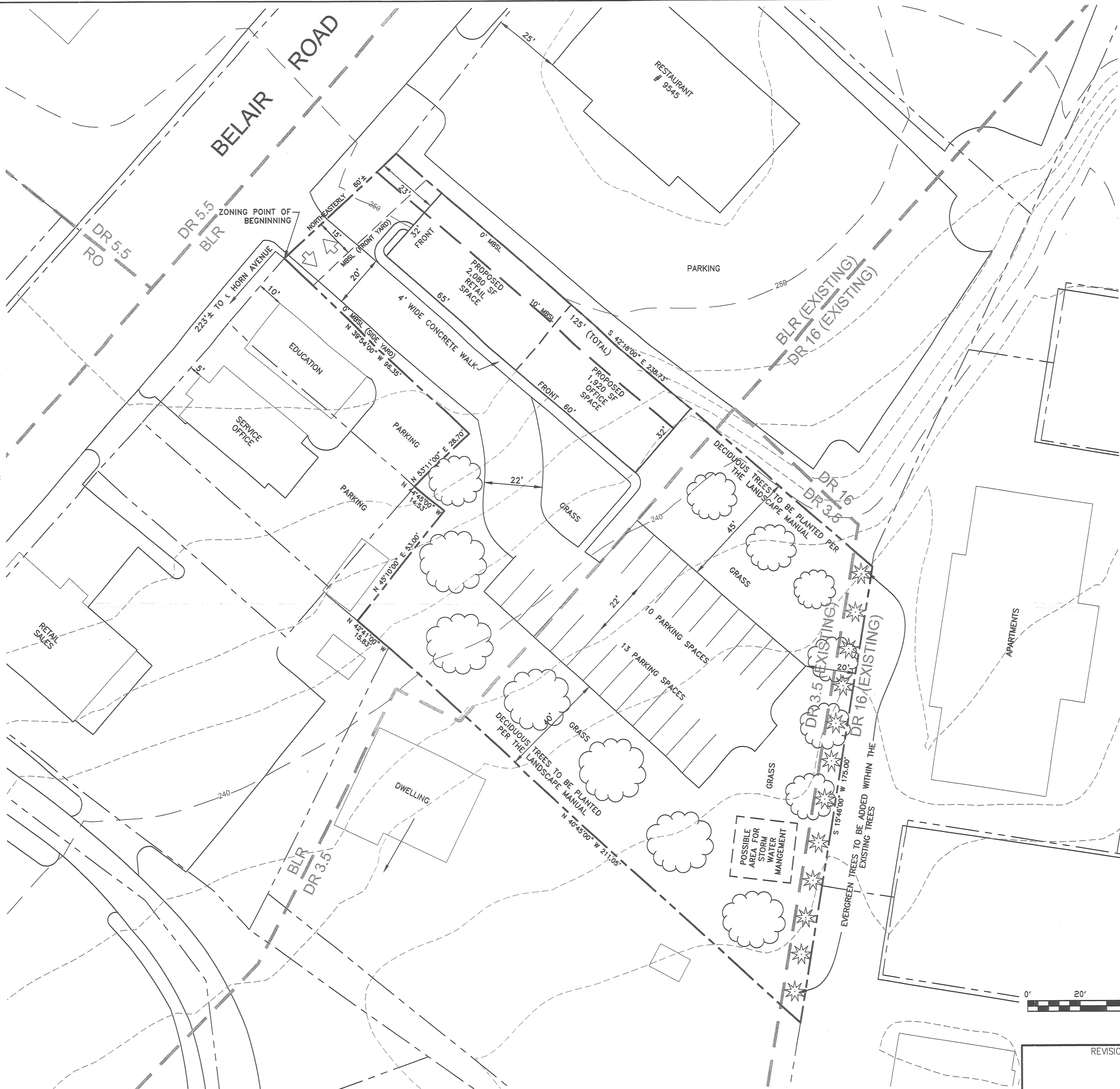
Required parking spaces: 1.92 x 3.3 (Office) = 7

Provided parking spaces: 23

Full Retail Use

Required parking spaces: 4.0 x 5.0 = 20

Provided parking spaces: 23

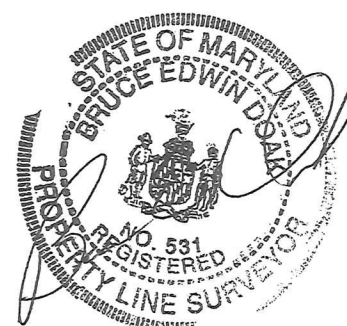


Vicinity Map -- Scale: 1' = 500'

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@brucedoakconsulting.com

PLAN TO ACCOMPANY A
ZONING PETITION FOR
9541 BELAIR ROAD

BALTIMORE COUNTY, MARYLAND
11th ELECTION DISTRICT 5th COUNCILMANIC DISTRICT



Date: 3/27/19
Scale: 1"=20'

CASE # 2019-0282-5P4A