

M E M O R A N D U M

DATE: December 17, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0428-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on December 16, 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 HEARING** *

(9126 Harford Road)

9th Election District *

5th Council District *

Response One, LLC *

Legal Owner

Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2019-0428-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Response One, LLC, legal owner ("Petitioner"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") for approval of an existing 4 x 15 roof sign (Family Car Care). A site plan was marked and admitted as Petitioner's Exhibit 1.

Jay Attar, the owner of Response One LLC, the owner of the property, appeared in support of the petition. Michael Pierce appeared in opposition to the Petition. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning ("DOP"). That agency opposed the request.

An anonymous complaint was filed with Baltimore County alleging that there was an illegal roof top sign atop the subject property. A hearing was held by the Administrative Law Judge on October 16, 2019 and the violation was upheld. The ALJ imposed a fine of \$1,000.00 but suspended the fine pending the application for a Special Hearing concerning the zoning violation. This Special Hearing is being held as a result of such application and the proper advertisement and posting thereof.

ORDER RECEIVED FOR FILING

Date 11/14/19

By Sen

SPECIAL HEARING

Mr. Benjamin Attar introduced the Site Plan (Petitioner's Exhibit 1) as well as a series of "before and after" photos showing the property when he purchased it and the improvements he has made. (Petitioner's Exhibits 2, 3, and 4). Mr. Attar testified that he owns and operates Family Car Center on the premises and that the roof top sign in question is critical to his business because it is the only sign that is plainly visible to traffic on Harford Road. He explained that the property lies on Harford Road just off the ramp to I-695 and that visibility is therefore a problem. He testified that he has invested substantial monies to improve the exterior appearance of the property and that his life savings are tied up in this business. He further testified that he was told by the County zoning office that he did not need a permit to change the face of the sign (from the former Goodyear sign to the current Family Car Center sign) because he was not changing the size of the sign. He stated that he was also told by the zoning office that he could not have a free-standing monument sign because of the ramp to I-695 at the site. He testified that he believed his business would be greatly impacted if he is required to remove the roof top sign.

Mr. Michael Pierce testified as an interested County resident. He also produced a photo of the property which was admitted as Protestant's Exhibit 1. The photo depicts the large sign on the face of the building as well as additional free-standing signage along Harford Road, which Pierce noted is also illegal. Pierce acknowledged that Mr. Attar has made substantial improvements to the subject property and he applauded him for that. However, Pierce testified that roof top signs such as the one at issue are prohibited in Baltimore County under Bill 89-97, and that pursuant to this Bill there was a 15 year abatement period, which expired in 2012. Mr. Pierce stated that he understands that a permit is not required to change the text on an existing sign, but only if it is a *legally* existing sign and this one is not. In response, Mr. Attar stated that

ORDER RECEIVED FOR FILING

he has seen other roof top signs throughout the County and that he hopes that he is allowed to keep this sign because it will greatly injure his business if he has to remove it.

I am sympathetic to Mr. Attar. I understand that he has invested substantial time and money in this property and that he is working hard to make a living and to be a responsible businessman in the County. However, the fact is that the roof top sign on his building is illegal and should have been removed by 2012 at the latest. I believe that he was told by the zoning office that he could change the face of the sign without a permit because zoning was not informed that the sign in question was an illegal roof top sign. As noted by the Department of Planning, "the site can accommodate legal signage and if the roof sign were to remain a negative precedent would be established within the Harford Road commercial corridor."

THEREFORE, IT IS ORDERED this **14th** day of **November, 2019** by this Administrative Law Judge, that the Petition for Special Hearing for approval of an existing 4 x 15 roof sign (Family Car Care), be and is hereby DENIED.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:slm

ORDER RECEIVED FOR FILING

Date 11/14/19
By slm



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 9126 Harford Road which is presently zoned DR5.5, DL
 Deed References: 38817 / 00425 10 Digit Tax Account # 0923154400
 Property Owner(s) Printed Name(s) Response one 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

An existing 4x15 Roof sign (Family car care)

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

3. ☐ a Variance from Section(s)

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

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:

Family Car Care LLC
 Name- Type or Print
Mh
 Signature
9126 Harford Rd Baltimore MD
 Mailing Address City State
21234 4439921931
 Zip Code Telephone # Email Address

Attorney for Petitioner:

Pro-Se Jay Attar
 Name- Type or Print
Mh
 Signature
7111 Park Heights Ave #206 Baltimore MD
 Mailing Address City State
21215 4439921931
 Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Jay Attar Ben Attar 410-963-0004
 Name #1 - Type or Print Name #2 - Type or Print
Mh B
 Signature #1 Signature #2
7111 Park Heights Ave #206 Baltimore MD
 Mailing Address City State
21215 4439921931
 Zip Code Telephone # Email Address benattar0004@gmail.com

Representative to be contacted:

Jay Attar
 Name - Type or Print
Mh
 Signature
7111 Park Heights Ave #206 Baltimore MD
 Mailing Address City State
21215 4439921931
 Zip Code Telephone # Email Address

CASE NUMBER 2019-0428-SPH Filing Date 8/15/19

Do Not Schedule Dates: _____ Reviewer CF

ORDER RECEIVED FOR FILING REV. 10/4/11

Date 11/14/19

By Ben

ZONING PROPERTY DESCRIPTION FOR:
9126 HARFORD RD
BALTIMORE MD, 21234

BEGINNING AT A POINT ON THE SOUTHWEST SIDE OF RICHMOND AVENUE WHICH IS A 50' WIDE AT THE DISTANCE OF 220.00' NORTH 56°29'10" WEST OF THE CENTERLINE OF THE DEAREST IMPROVED INTERSECTING STREET, HARFORD ROAD, WHICH IS A VARIABLE WIDTH RIGHT OF WAY, THENCE THE FOLLOWING COURSES AND DISTANCES S 56°29'10" E 184.52', THENCE S 39°35'16" W 42.74', THENCE S 71°22'48" W 88.18' THENCE BY A CURVE TO THE RIGHT HAVING A RADIUS OF 100.22' AND AN ARC LENGTH OF 79.27' SUBTENDED BY A LINE HAVING A BEARING OF S 79°49'37" E 77.22', THENCE N 57°10'06" W 44.76' THENCE, N 54°16'23" W 10.23', THENCE N 33°30'57" E 142.84' TO THE PLACE OF BEGINNING AS RECORDED IN DEED LIBER 38817, FOLIO 425 CONTAINING 21,576 SF OR 0.495 AC.± LOCATED IN THE 9TH ELECTION DISTRICT AND 5TH COUNCIL DISTRICT.

2019-0428-S PH

CERTIFICATION OF POSTING

RE: Case No. 2019-0428-SPH

Petitioner: Ben Attar

Hearing Date: 11/4/19

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

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

9126 Harford Road - (1 of 2)

9126 Harford Road – (SW side of Richardson Ave.) (2 of 3)

9126 Harford Road - (enlargement of sign wording) (3 of 3)

_____ on 10/14/19

Sincerely,

 10/14/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

(443) 243-7360

CERTIFICATION OF POSTING

RE: Case No. 2019-0438-SPH

Petitioner: Ben Arian

Hearing Date: 11/14/19

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

This letter is to confirm, under penalties of perjury, that the necessary sign(s)

were posted conspicuously on the property located at

3126 Harford Road - (1 of 3)

3126 Harford Road - (SW side of Richardson Ave.) (2 of 3)

3126 Harford Road - (enlargement of sign wording) (3 of 3)

on 10/14/19

Sincerely,

Richard E. Hoffman

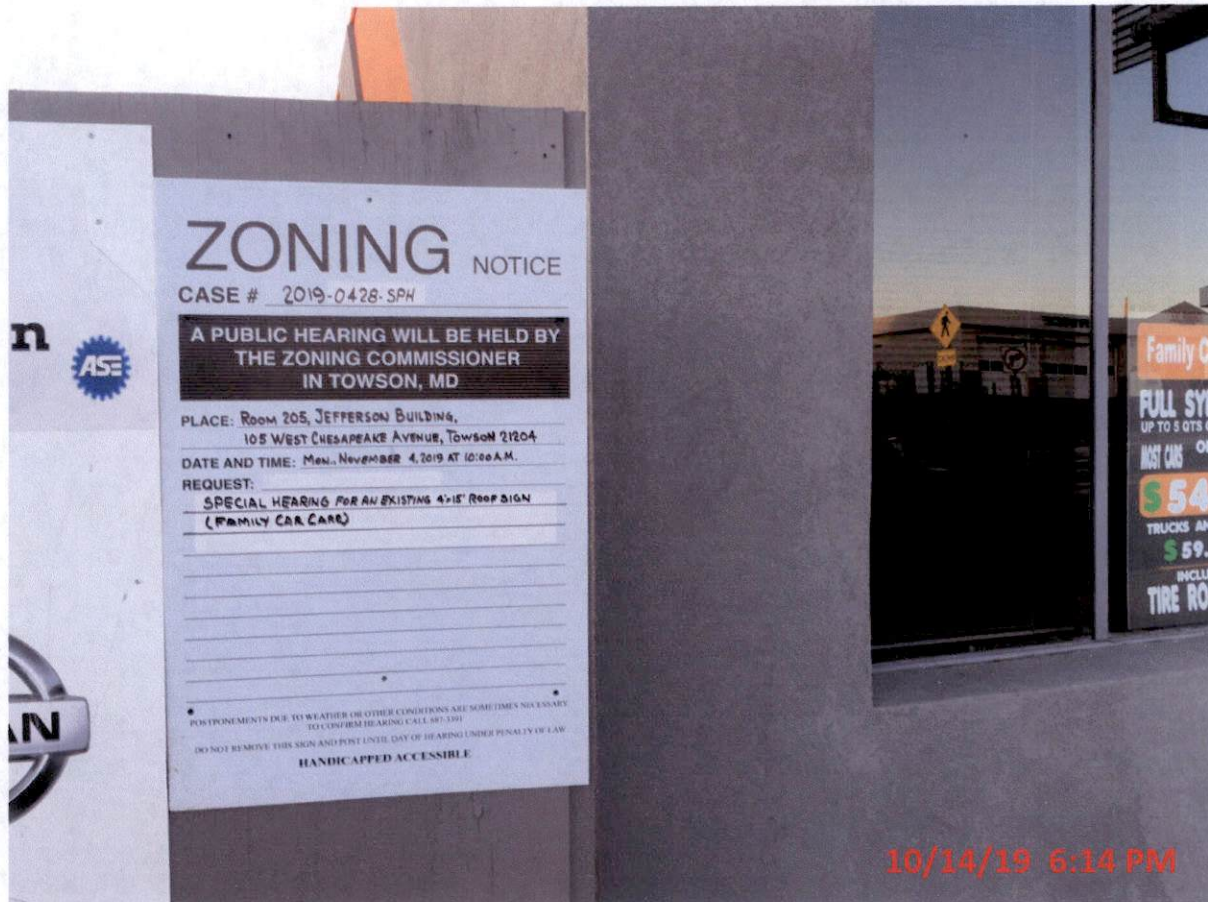
804 Dellow Drive

Fallston, Md. 21047

(443) 243-7350

Certification of Posting

Case No 2019-0428-SPH



9126 Harford Road (1 of 3)

Richard E. Hoffman 10/14/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

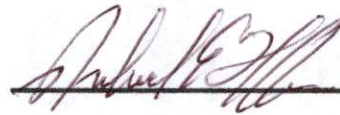
443-243-7360

Certification of Posting

Case No 2019-0428-SPH



9126 Harford Road (SW side of Richardson Ave.)(2of 3)

 10/14/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

Certification of Posting

Case No 2019-0428-SPH

ZONING NOTICE
CASE # 2019-0428-SPH

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

PLACE: ROOM 205 JEFFERSON BUILDING
105 WEST CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: MON., NOVEMBER 4, 2019 AT 10:00AM.

REQUEST: SPECIAL HEARING FOR AN EXISTING 4'x15' ROOF SIGN
(FAMILY CAR CARE)

10/14/19 6:14 PM

9126 Harford Road (enlargement of wording) (3 of 3)

Richard E. Hoffman 10/14/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

7/10/2010 10:10:10 AM

7/10/2010 10:10:10 AM

7/10/2010 10:10:10 AM

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7/10/2010 10:10:10 AM

**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: 2019-0428-SPH
Property Address: 9126 Harford Rd
Property Description: _____

Legal Owners (Petitioners): _____
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jay Attar & Ben Attar
Company/Firm (if applicable): _____
Address: 7111 Park Heights Ave
APT # 206
Baltimore MD
Telephone Number: 443-992-1931

410-963-0004

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
9126 Harford Road; SW/S of Richmond *
Avenue, 220' N of Harford Road * OF ADMINISTRATIVE
9th Election & 5th Councilmanic Districts *
Legal Owner(s): Response One, LLC * HEARINGS FOR
by Jay & Ben Attar * BALTIMORE COUNTY
Contract Purchaser(s): Family Car Care, LLC *
Petitioner(s) * 2019-428-SPH

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED

AUG 23 2019

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of August, 2019, a copy of the foregoing Entry of Appearance was mailed to Jay Attar, Esquire, 7111 Park Heights Avenue, Suite 206, Baltimore, Maryland 21215, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: THE DAILY RECORD
Tuesday, October 15, 2019 - Issue

Please forward billing to:

Ben Attar
7111 Park Heights Avenue, #206
Baltimore, MD 21215

410-963-0004

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: 2019-0428-SPH

9126 Harford Road

S/west side of Richard Avenue, 220 ft. north of Harford Road

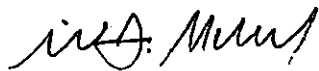
9th Election District – 5th Councilmanic District

Legal Owners: Jay Attar, Ben Attar

Contract Purchaser/Lessee: Family Car Care, LLC

Special Hearing for an existing 4x15 roof sign (Family Car Care).

Hearing: Monday, October 4, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Michael Mallinoff
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.



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

October 7, 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: 2019-0428-SPH

9126 Harford Road

S/west side of Richard Avenue, 220 ft. north of Harford Road

9th Election District – 5th Councilmanic District

Legal Owners: Jay Attar, Ben Attar

Contract Purchaser/Lessee: Family Car Care, LLC

Special Hearing for an existing 4x15 roof sign (Family Car Care).

Hearing: Monday, November 4, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Michael Mallinoff
Director

MM:kl

C: Jay Attar, Ben Attar, 7111 Park Heights Avenue, #206, 21215
Family Car Care, LLC, 9126 Harford Road, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 15, 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.

00000 50000

Sent from my iPhone

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

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

10/15/2019

Order #: 11802160
Case #: 2019-0428-SPH
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0428-SPH



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: 2019-0428-SPH

9126 Harford Road

S/westside of Richard Avenue, 220 ft. north of Harford Road

9th Election District - 5th Councilmanic District

Legal Owners: Jay Altar, Ben Altar

Contract Purchaser/Lessee: Family Car Care, LLC

Special Hearing for an existing 4x15 roof sign (Family Car Care).

Hearing: Monday, October 4, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

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

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

o15



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

October 28, 2019

Pro-Se Jay Attar
7111 Park Heights
Baltimore MD 21215

RE: Case Number: 2019-0428-SPH, 9126 Harford 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 August 15, 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,

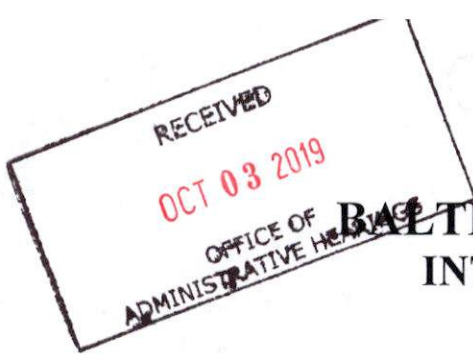
A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Family Car Care LLC 9126 Harford Road Baltimore MD 21234



11-4-19

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 9/26/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-428

INFORMATION:

Property Address: 9126 Harford Road
Petitioner: Jay Atrar
Zoning: DR 5.5, BL
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve an existing 4'x15' roof sign.

A site visit was conducted on 8/29/2019. The subject site is a one story stucco building that functions as a car repair facility. The site is subject to open violation case CC181675 citing the roof sign.

The Department objects to granting the petitioned zoning relief. The subject site does not meet the requirements of BCZR§ 450.4.5(p)&(q) of the Table of Sign Regulations allowing roof signs therefore Staff cannot recommend a use prohibited by the BCZR. Staff observes that the site can accommodate legal signage and that if the roof sign were to remain a negative precedent would be established within the Harford Road commercial corridor.

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

Prepared by:

Lloyd T. Moxley

Division Chief:

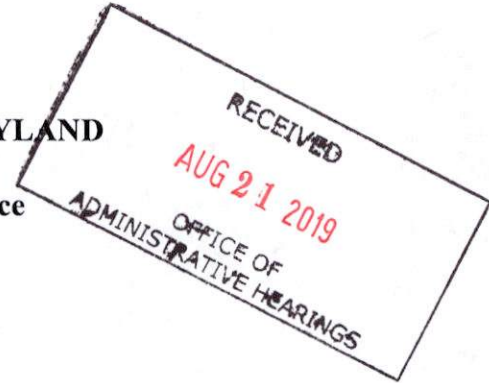
Jennifer G. Nugent

CPG/JGN/LTM/

c: Laurie Hay
Jay Atrar
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: August 21, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0428-SPH
Address 9126 Harford Road
(Responde One, LLC Property)

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

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: August 21, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0428-SPH
Address 9126 Harford Road
(Responde One, LLC Property).

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

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

Reviewer: Steve Ford

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

CASE NAME _____
CASE NUMBER 2019-0428-SPH
DATE Nov 4 2019

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
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[illegible]

Civil Citation No. CC1816175
(9126 Harford Road)

Response One LLC
14804 York Road
Baltimore, Maryland 21152

FINAL ORDER

The matter came before the Administrative Law Judge on October 16, 2019, for a hearing on a Code Inspections and Enforcement Citation ("Citation"), for specified violations of the Baltimore County Code ("B.C.C.") or Zoning Regulations ("B.C.Z.R."). The Citation names the owners of record, as published in the Maryland State Tax Assessment Database, as Respondents. The Citation was served upon Respondent(s) in a manner consistent with Section 3-6-205(c)(2) of the Baltimore County Code. The Citation, which is included in the case file and is incorporated herein by reference, proposes a civil penalty in the amount of \$1,000.00.

The following persons appeared for the Hearing: Benjamin Attar, Representative, and Assistant County Attorney, Marissa L. Merrick, on behalf of Baltimore County.

Based on the testimony, photographs, documents and other exhibits I find for the reasons stated at the conclusion of the hearing Baltimore County has proven by a preponderance of the evidence that Respondent(s) is in violation of the ordinances or regulations set forth in the civil Citation.

THEREFORE, IT IS ORDERED this 22nd day of October, 2019, by the Administrative Law Judge for Baltimore County that a civil penalty of \$1,000.00 be imposed and suspended.

IT IS FURTHER ORDERED, that Respondent shall carry out a special hearing for the proposed zoning relief by November 4, 2019; and, that the subject property shall be brought into compliance within thirty days of the resulting zoning order.

IT IS FURTHER ORDERED, that if the subject property is not brought into compliance pursuant to this Order, the suspended \$1,000.00 civil penalty may be imposed without need for further hearing or order; and, that Baltimore County shall be authorized to send an employee or authorized contractor to enter the property to correct the violation(s), the costs and expenses of which shall be assessed against Respondents.



LAWRENCE M. STAHL
Administrative Law Judge
for Baltimore County

NOTICE: Pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent or Baltimore County may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order. Any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$225.00 and the posting of security in the amount of the penalty assessed.

Send payments to:

Baltimore County Office of Budget and Finance

400 Washington Ave, Rm 150

Towson, MD 21204

LMS/hmk

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204



Code Enforcement	410-887-3351
Electrical Inspection	410-887-3960
Plumbing Inspection	410-887-3620
Building Inspection	410-887-3953

www.baltimorecountymd.gov/Agencies/permits/

CODE ENFORCEMENT & INSPECTION CITATION

RESPONSE ONE LLC
14804 YORK ROAD
SPARKS, MD 21152

CASE NUMBER
CC1816175

PROP.TAX ID
09-23-154400

VIOLATION ADDRESS
9126 HARFORD RD
PARKVILLE, MD 21234

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
B.C.Z.R 450: Non permitted sign(s)	Failure to comply with the sign regulations, by either obtaining permits or removing signs.

Pursuant to Section 1-2-217, Baltimore County Code, civil penalty has been assessed, as a result of the violation(s) cited herein, in the amount indicated.

\$5000

A quasi-judicial hearing has been pre-scheduled in:
Jefferson Building, 105 W. Chesapeake Ave, Rm 205
Towson, Maryland, 21204

DATE: 10/16/2019 TIME: 09:00 A.M.

***IF A VIOLATOR DOES NOT APPEAR AT THE CODE ENFORCEMENT HEARING, THE CITATION AND ANY CIVIL PENALTY ARE DEEMED A
NON-APPEALABLE FINAL ORDER OF THE CODE OFFICIAL OR THE DIRECTOR.***

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

Inspector Badge Number 19		Issued Date 09/24/2019
------------------------------	--	---------------------------

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204



Code Enforcement	410-887-3351
Electrical Inspection	410-887-3960
Plumbing Inspection	410-887-3620
Building Inspection	410-887-3953

www.baltimorecountymd.gov/Agencies/permits/

CODE ENFORCEMENT & INSPECTION CITATION

IMPORTANT INFORMATION TO THE PERSON'S CHARGED

1. If unable to appear on the designated date, the violator may request in writing to the Code Official within fifteen (15) days from the date of this citation for a rescheduled hearing. If you require the assistance of an interpreter because you do not understand or speak the language in which the proceedings are being conducted you must ask for an interpreter within 72 hours of the court date.
2. At this hearing, you are entitled to be represented by an attorney, present witnesses, present evidence, and cross-examine any witnesses against you. An attorney can be helpful to you by (a) explaining the charges in this citation, (b) helping you at the hearing, and (c) helping you challenge the civil penalty, if found in violation.
3. If Administrative Law Judge finds that a violation has occurred, the Final Order may include (a) a civil penalty, (b) reasonable conditions as to time and manner of correction and (c) requirement to reimburse the County for any lien(s) or costs incurred to correct a violation.
4. (a) Civil penalty a lien.
 - (1) If a final order assesses a civil penalty or an order of the Board of Appeals affirms or modifies a final order that assesses a civil penalty and the violator does not pay the civil penalty within the time required by the order, the Code Official or the Director shall certify to the Director of Budget and Finance the amount owed.
 - (2) If a violator does not pay a civil penalty within the time required as specified in paragraph (1) of this subsection, the amount owed
 - (i) Become a lien on the property on which the violation existed and shall be collectible in the manner provided for the collection of real estate taxes; or
 - (ii) May be collected in the same manner as any civil money judgment or debt may be collected.
- (b) Code Official may procure performance. If a violator fails to comply with a final order or an order of the Board of Appeals, the Code Official or the Director may procure the performance of the work needed to correct the violation in accordance with the procedure authorized in 3-6-402 of this subtitle.
5. If you are the Owner of the property, failure to pay the assessed penalty shall constitute a lien on the property and shall be collectible in the same manner and to the same extent as real estate taxes. In addition, failure to correct the violation(s) shall result in appropriate judicial action for enforcement, including civil contempt, which could result in imprisonment.
6. Should the Violator disagree with the Final Order rendered by the Office of Administrative Law, an appeal may be taken to the Baltimore County Board of Appeals within fifteen (15) days of the date of the Order.
7. A filing fee of \$225.00 and a security in the amount of any civil penalty assessed in the Final Order must accompany the notice of appeal and petition. See Baltimore County Code: 3-6-302.
8. Inclement weather procedure: If Baltimore County Government offices are closed or have a delayed opening, all code enforcement hearings will be rescheduled. Reschedule letters will be mailed to the property owner of record.
9. If the violator wishes **NOT** to contest this citation, give up your right to a hearing and wish to pay the fine. Please remit the following: a copy of this citation, and a check or money order payable to: Baltimore County Office of Budget and Finance, 400 Washington Ave, Rm 150, Towson, MD 21204

11-4-14

CASE NO. 2019- 0428-SPH

CHECKLIST

<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>8/21</u>	DEPS (if not received, date e-mail sent _____)	<u>No Comment</u>
_____	FIRE DEPARTMENT	_____
<u>9/21/16</u>	PLANNING (if not received, date e-mail sent _____)	<u>Objects</u>
_____	STATE HIGHWAY ADMINISTRATION	_____
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. CC1816175)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 10/15/19

SIGN POSTING (1st) Date: 10/14/19 by HOFFMAN

SIGN POSTING (2nd) Date: _____ by _____

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

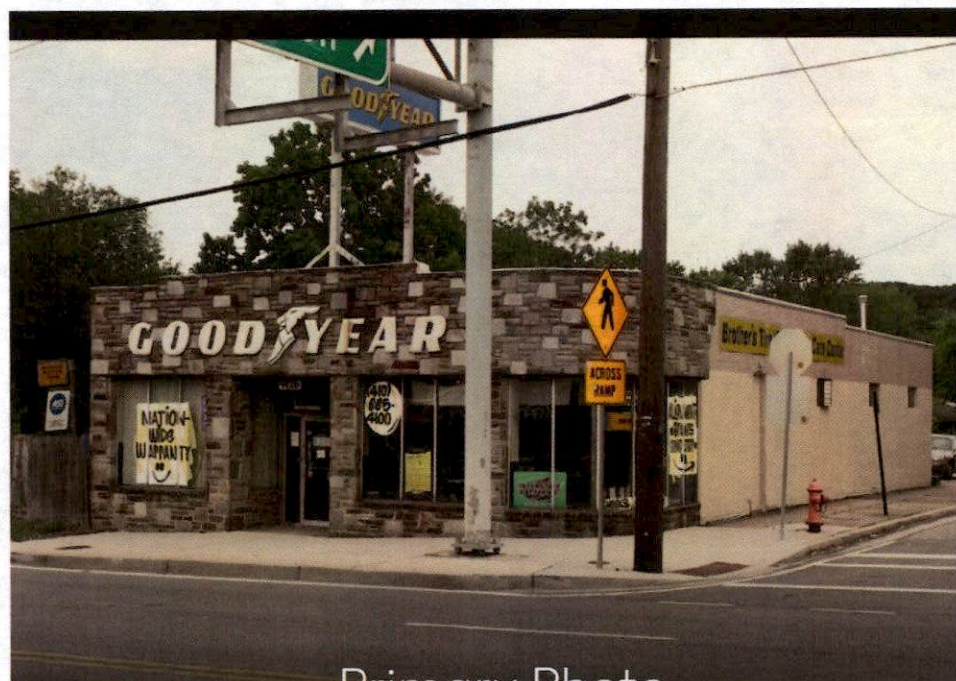
Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					
Account Identifier:		District - 09 Account Number - 0923154400			
Owner Information					
Owner Name:	RESPONSE ONE LLC		Use:	COMMERCIAL	
			Principal Residence:	NO	
Mailing Address:	14804 YORK ROAD SPARKS MD 21152-		Deed Reference:	/38817/ 00425	
Location & Structure Information					
Premises Address:	9126 HARFORD RD BALTIMORE 21234-3101		Legal Description:	LT SWS HARFORD RD SW COR RICHMOND AVE	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0071	0015	1221	20000.04	0000	2020
Special Tax Areas: None			Town:	None	
			Ad Valorem:	None	
			Tax Class:	None	
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1946	6,145 SF		9,100 SF	26	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
		SERVICE GARAGE	/	C3	
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of 01/01/2017	As of 07/01/2019	As of 07/01/2020	
Land:	254,800	254,800			
Improvements	192,400	192,400			
Total:	447,200	447,200	447,200		
Preferential Land:	0				
Transfer Information					
Seller: 9126 HARFORD ROAD LLC		Date: 04/07/2017		Price: \$885,000	
Type: ARMS LENGTH IMPROVED		Deed1: /38817/ 00425		Deed2:	
Seller: WEBER ADAM H,SR RUSSELL ELIZABETH		Date: 06/24/2008		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /27126/ 00220		Deed2:	
Seller: WEBER ADAM H,ET AL		Date: 06/25/1985		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /06940/ 00053		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2019		07/01/2020	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00		0.00	
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					

Homestead Application Information	
Homestead Application Status: No Application	
Homeowners' Tax Credit Application Information	
Homeowners' Tax Credit Application Status: No Application	Date:

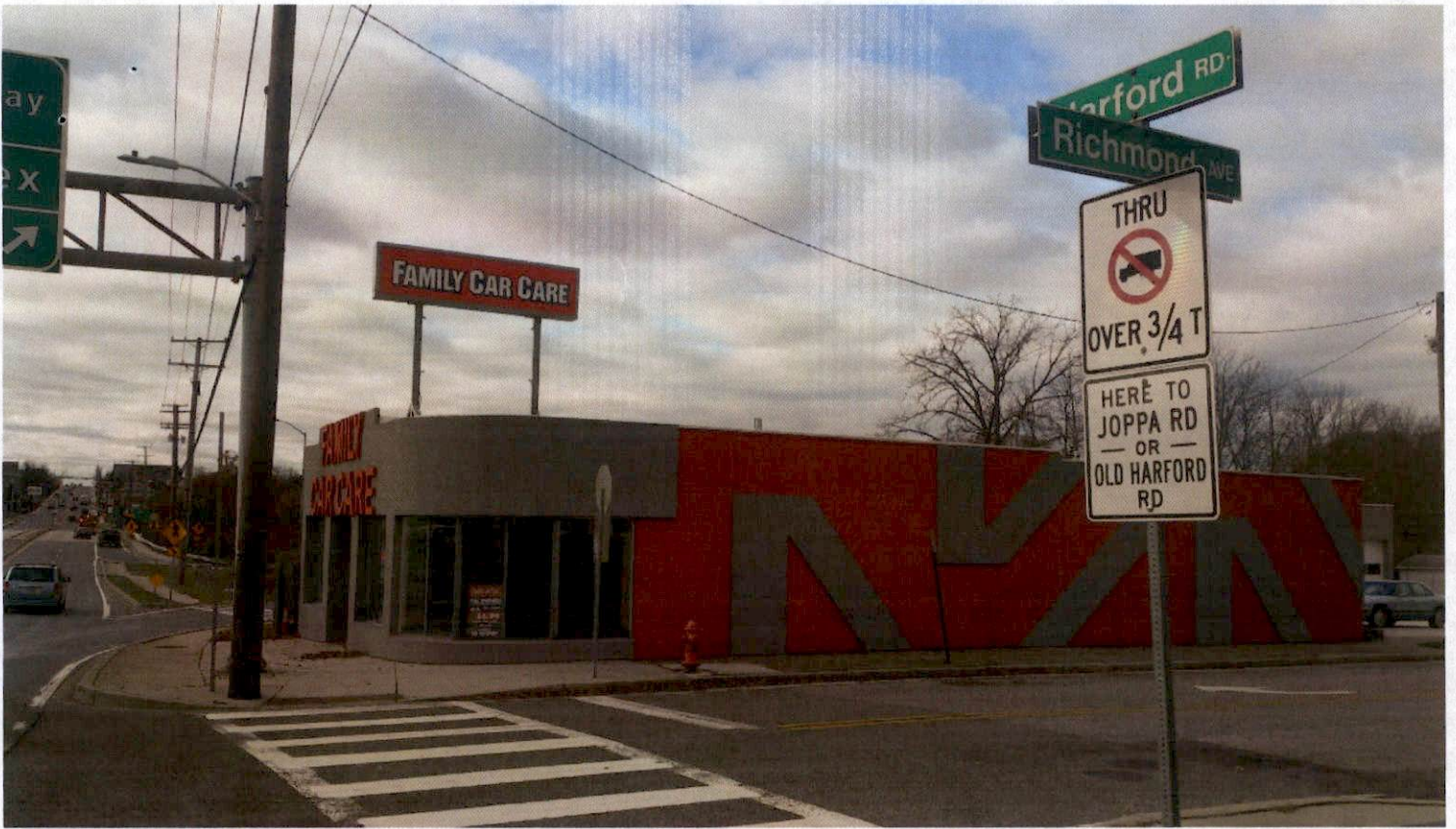


Primary Photo

9126 Harford Road.

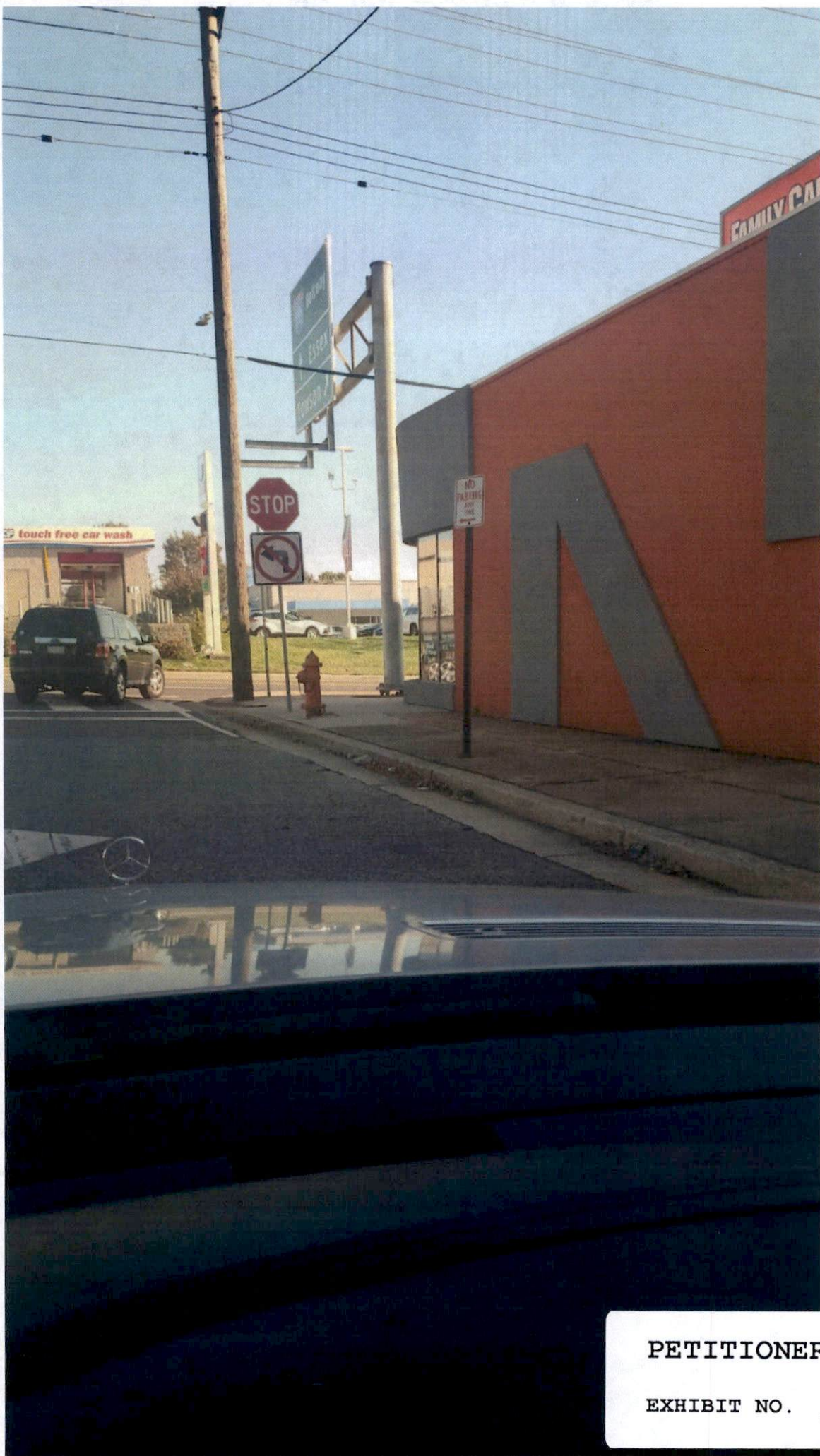
PETITIONER'S

EXHIBIT NO. 2



PETITIONER'S

EXHIBIT NO. 3



PETITIONER'S

EXHIBIT NO.

4



Photo taken Oct 30, 2019

PROTESTANT' S

EXHIBIT NO. 1

Sherry Nuffer

From: Ben Attar <benattar0004@gmail.com>
Sent: Monday, December 23, 2019 10:58 AM
To: Sherry Nuffer
Subject: Case no. 2019-0428 sph
Attachments: 2532R Family Car Care Move Sign

CAUTION: This message from benattar0004@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Good morning Sherry,

Attached is the contract for the rooftop sign removal and new install for 9126 Harford Road permit number 192056 that was issued on 11/18/19. As we discussed in our conversation last week, we had a delay due to miss utility being unable to locate the gas line, which prevented the company from being able to install the concrete footers for the new sign. Additionally, a few weeks of inclement weather delayed everyone. They were finally able to install the footers last week, and they should be able to complete the installation of the new poles this week.

If you have any questions, please feel free to contact the sign company or me directly at any time.

Thank you , and happy holidays!



PREMO INDUSTRIAL CONTRACTING
10004 Pulaski Hwy Baltimore MD, 21220
410-800-8907

Quote # 2532R

11/14/2019

Family Car Care

Ben Attar

Move Sign

9126 Hartford Rd

Parkville, MD 21234

Premo Industrial Contracting is pleased to supply the following quote to move sign and re-install in new location. The scope of the job is as follows;

Premo industrial will supply labor, materials and equipment to perform the following tasks;

- Remove sign structure from roof by cutting legs as close to roof as possible
- Install new freestanding legs and anchor to existing concrete
- New legs will be made from galvanized pipe

Price reflects

- Labor to perform above tasks
- Equipment
- Material
- Consumables

Price does not reflect

- Anything not listed in quote.

BILLING

- Payment Terms: NET 30

CONDITIONS / STIPULATIONS

- Customer agrees by hiring Premo Industrial that, if customer hires any of Premo's employees within 6 months of using Premo on any job, Customer will immediately pay Premo 1040 hours (6 months) at the hired employee's prevailing rate as a "finder's fee" for the training, specialization, and cross training that employee received while at Premo.
- Customer must lock out all energy sources to equipment. Premo Industrial Contracting will place their individual locks on equipment pointed out by customer.
- Any work outside the quoted scope will be brought to the attention of the customer and will require a work order signed by project manager. This additional work will be charged on a T&M basis.
- This quotation is valid for 30 days. Work can begin upon our receipt of a valid purchase order or contract.
- Changes to the specified scope of work that require additional labor and/or materials may be invoiced at our current published rates at the discretion of Premo Industrial Contracting.
- Additional labor caused by delays in project implementation and/or startup due in no part to Premo Industrial Contracting may be invoiced at our current published rates at the discretion of Premo Industrial Contracting.
- In no event, regardless of cause, shall Seller assume responsibility for or be liable (a) for penalties or penalty clause of any description, or (b) for indemnification of customer or others for costs, damages, or expenses each arising out of or related to the goods or services of this order or for certification unless otherwise specifically provided herein or (c) for indirect, incidental, special, or consequential damages under any circumstances including any loss, injury or damages. Seller's maximum liability, including direct damages, shall not exceed the amount of the purchase order or contract. This limitation of Seller's liability will apply regardless of the form of action, whether in contract or tort, including negligence.
- No sales or use taxes, licenses, or other imposed fees are included and must be added and paid by the buyer if applicable.
- Please e-mail purchase order to office@premoindustrial.com

TOTAL COST: \$6,287.00

Thank you for allowing Premo Industrial Contracting the privilege to quote this opportunity. We look forward to working with you on this project and any future opportunities.

LeAnn Caviness

General Manager

Premo Industrial Contracting

Office: (410)800-8907

Cell: (443)623-8556

11/4
10.5m

Ann
11-14-19

Protestants

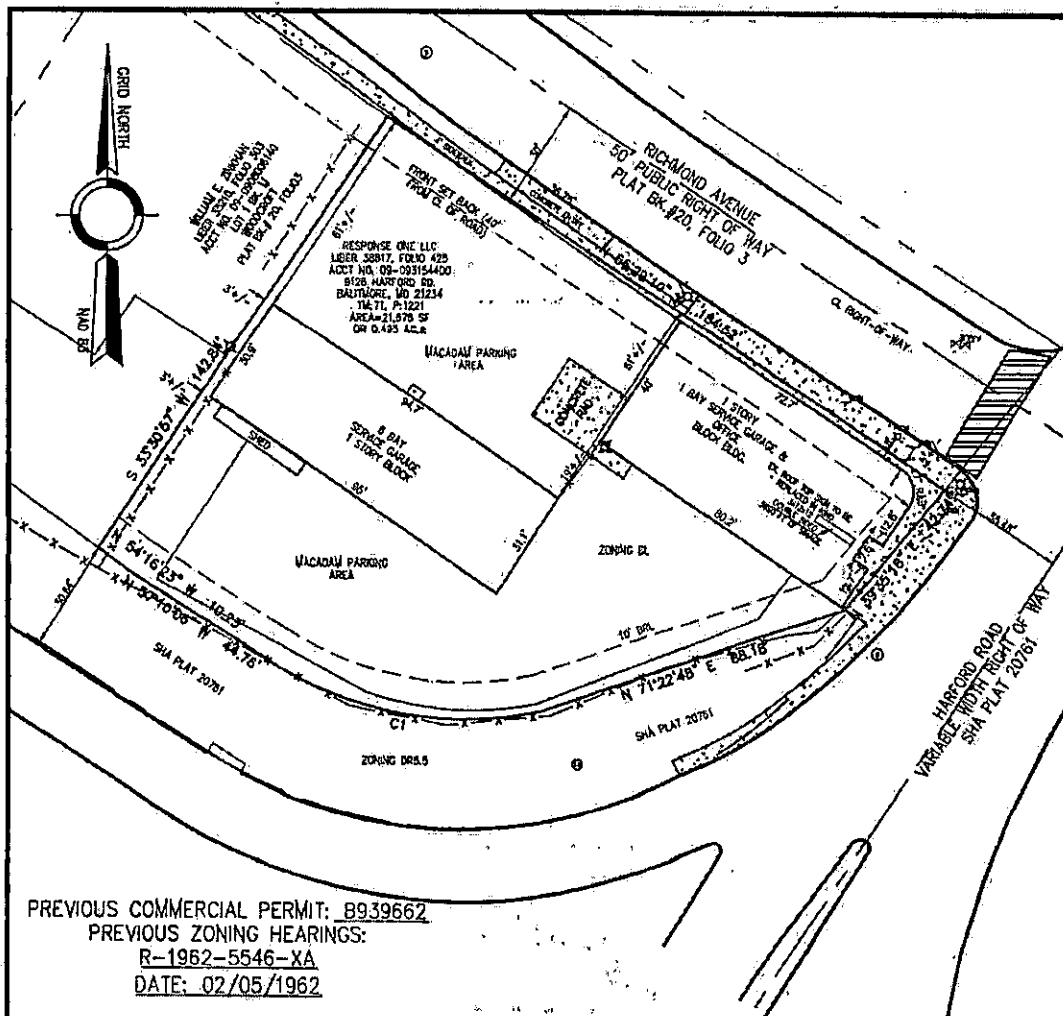
193
12-17-19

Petitioner/Developer

Exhibit Sheet

Case No.: 2019-0428-SFH - 9126 Harford Rd.

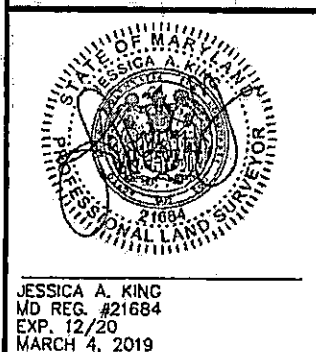
No. 1	Site Plan	Photo of Business
No. 2	Photo of Site	
No. 3	Photo of Site	
No. 4	Photo of Site	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	100.22	179.27	77.22	S 79°49'37" E	45°19'02"

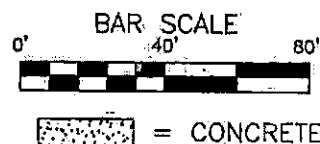
GENERAL NOTES

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- 4) THE IMPROVEMENTS SHOWN HEREON WERE FIELD LOCATED ON FEBRUARY 7, 2019.
- 5) NOTE THIS DRAWING NOT VALID WITHOUT ORIGINAL SEAL AND SIGNATURE.



PLAN TO ACCOMPANY

PERMIT



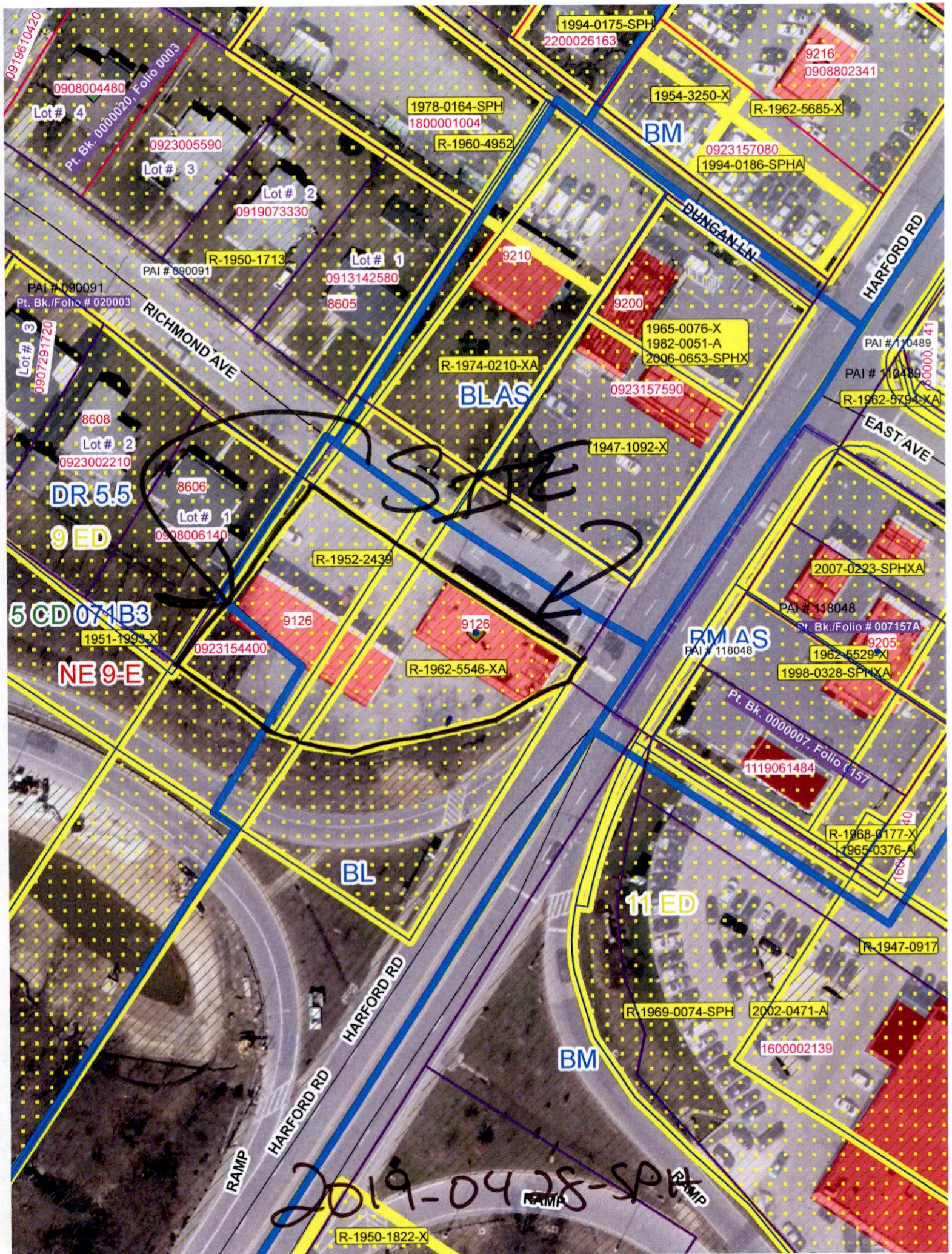
THIS IS TO CERTIFY THAT THIS PLAT WAS MADE IN ACCORDANCE WITH COMAR 09.13.06.10 MINIMUM STANDARDS AND PROCEDURES FOR A SPECIAL PURPOSE SURVEY. THE VISIBLE IMPROVEMENTS ARE SHOWN TO A TOLERANCE OF 1 FOOT MORE OR LESS.

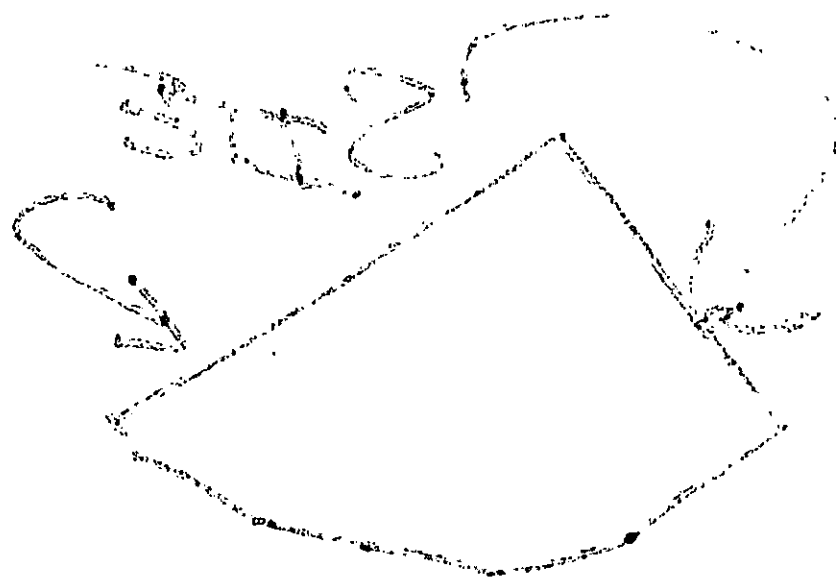
PROPOSED SITE PLAN OF
 9126 HARFORD RD.
 BALTIMORE, MD 21234
 ANNAPOLIS, MD 21401
 TAX MAP: 051F PART OF PARCEL: 0534
 9TH ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND



King's Point Surveys
 8019 Long Hill Rd.
 Pasadena, MD 21122
 410-255-1378 jking@kingspointsurveys.com

DRAWN: JAK
 CHECKED: JAK
 DATE: 02-07-19
 JOB # 2019-0000
 SCALE: 1"=40'
 SHEET: 1 OF 1





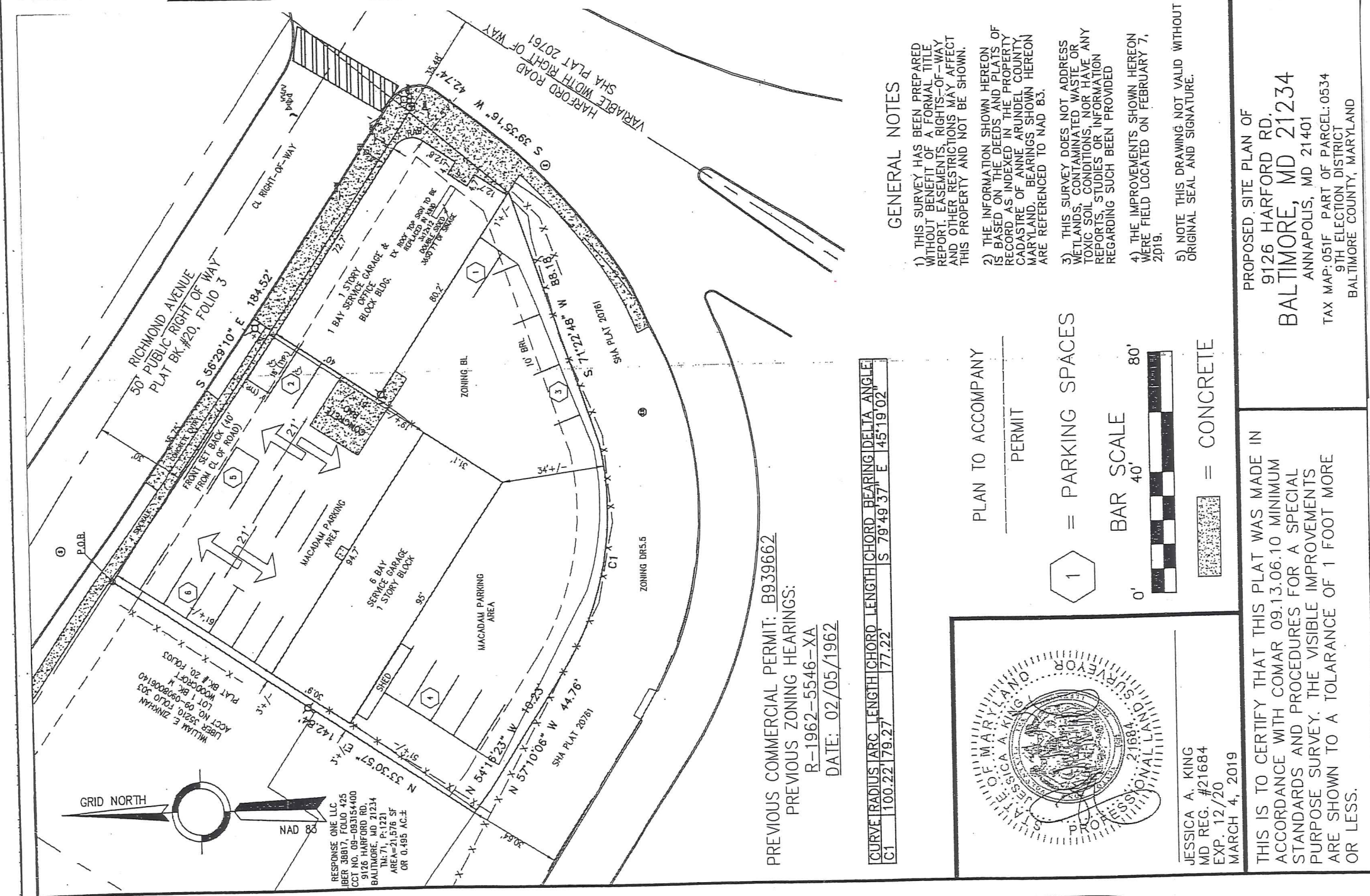
#12-86 PO-PICK

ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)

ADDRESS 9126 Harford Rd parkville mo 21234 OWNER(S) NAME(S) Response one LLC

SUBDIVISION NAME _____ LOT # _____ BLOCK # _____ SECTION # _____

PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 0923154400 DEED REF. # 38817100425



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PLAN TO ACCOMPANY

PERMIT

1 = PARKING SPACES

BAR SCALE



= CONCRETE

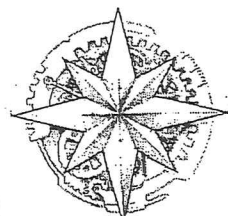


JESSICA A. KING
MD REG. #21684
EXP. 12/20
MARCH 4, 2019

THIS IS TO CERTIFY THAT THIS PLAT WAS MADE IN ACCORDANCE WITH COMAR 09.13.06.10 MINIMUM STANDARDS AND PROCEDURES FOR A SPECIAL PURPOSE SURVEY. THE VISIBLE IMPROVEMENTS ARE SHOWN TO A TOLERANCE OF 1 FOOT MORE OR LESS.

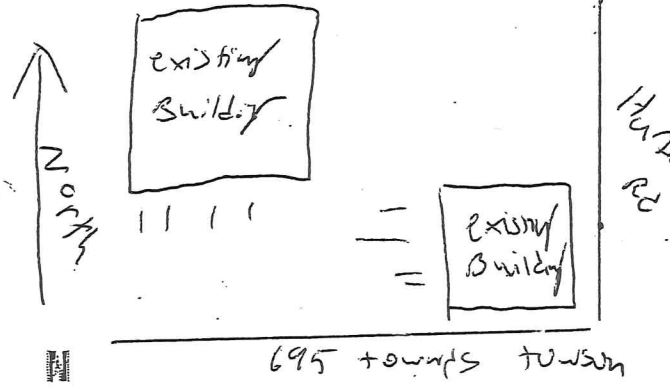
PREVIOUS COMMERCIAL PERMIT: B939662
PREVIOUS ZONING HEARINGS:
R-1962-5546-XA
DATE: 02/05/1962

DRAWN: JAK
CHECKED: JAK
DATE: 02-07-19
JOB # 2019-0000
SCALE: 1"=40'
SHEET: 1 OF 3



King's Point Surveys
8019 Long Hill Rd.
Pasadena, MD 21122
410-255-1378 jking@kingspointsurveys.com

SITE VICINITY MAP



GENERAL NOTES

1. OWNER:
RESPONSE ONE LLC
14804 YORK RD.
SPARKS, MD 21152
2. SITE AREA:
GROSS: 21,576 SF OR 0.495 AC.±
NET: 15,467 SF OR 0.355 AC.±
3. BUILDING AREA:
EXISTING: 6,109 SF
PROPOSED: 0 SF
TOTAL PROPOSED: 6,109 SF
4. UTILITIES:
PUBLIC WATER
PUBLIC SEWER
5. THE SITE DOES NOT LIE WITHIN THE FLOOD PLAIN AS SHOWN ON F.I.R.M. #2400100270F PANEL #270 OF 580 DATED SEPTEMBER 26, 2008.
6. PARKING CALCULATIONS:
SERVICE GARAGE (NO FUEL SALES)
REQUIRED: 2,943 SF @ 3.3 PER 1,000=10 SPACES
OFFICE (GENERAL)
REQUIRED: 3166 SF @ 3.3 PER 1,000=10 SPACES
TOTAL REQUIRED: 20 SPACES
PROVIDED: 21 SPACES
SPACES (2 HANDICAPPED, 19 REGULAR)
7. SETBACKS:

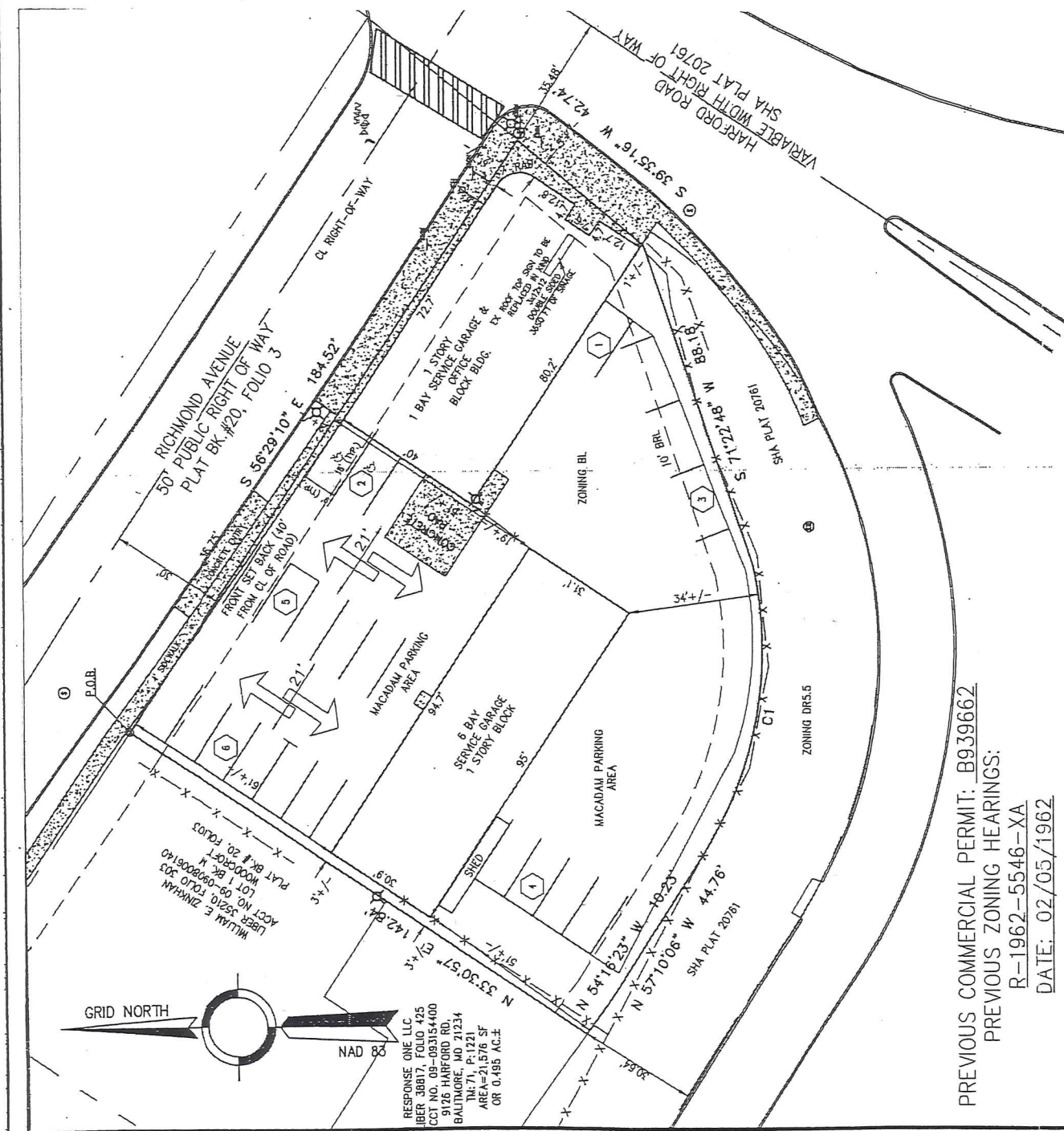
	REQUIRED	PROVIDED
FRONT	2'±	2'±
SIDE	10'	1'±
REAR	20'	34'±
8. HEIGHT OF STRUCTURE
MAX. PERMITTED: 40'
PROVIDED EXISTING: 16' PROPOSED: 16'
9. DEED REF. # 38817/425
10. TAX ACCOUNT NO. 09-0923154400
11. COUNCELMANIC DISTRICT: 5TH
12. REGIONAL PLANNING DISTRICT: 316
13. CENSUS TRACT: 4921.01
14. WATERSHED: BACK RIVER
15. ZONING: BL
16. TAX MAP #71 PARCEL: 1221
17. PREVIOUS ZONING CASE NO. R-1962-5546-XA
DATE: 02/05/1962 ; Code enforcement 22181675
18. PERMITS ON FILE: UNKNOWN
19. FLOOR AREA FOR BL:
MAXIMUM PERMITTED: 3.0
EXISTING 6,109 + 21,576 = 0.283
PROPOSED: N/A
20. PROPOSED ROOFTOP SIGN MUST CONFORM WITH SECTION 450 OF THE BC2R AND IS LIMITED TO ONE SIGN PER ROAD FRONTAGE.
21. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA
22. THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SIGHT ITSELF HISTORIC.
23. PREVIOUS DRC MEETINGS:
R-1962-5546-XA PROPOSED NEW BUILDING

ZONING HEARING PLAN FOR VARIANCE FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)

ADDRESS 9126 Harford Rd parkville mo 21234 OWNER(S) NAME(S) Response One LLC

SUBDIVISION NAME _____ LOT # _____ BLOCK # _____ SECTION # _____

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PLAN TO ACCOMPANY
PERMIT

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BAR SCALE

0' 40' 80'

= CONCRETE

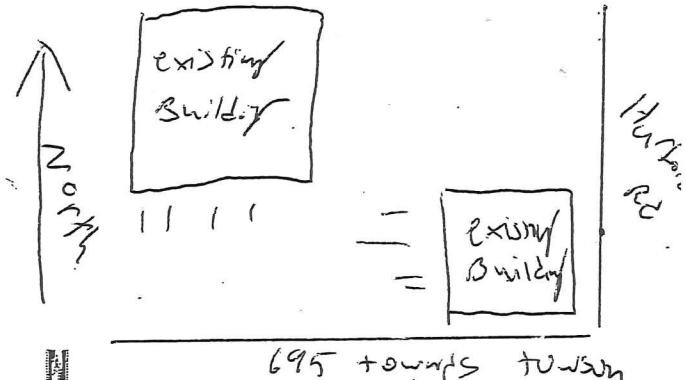


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TAX MAP: 051F PART OF PARCEL: 0534
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BALTIMORE COUNTY, MARYLAND

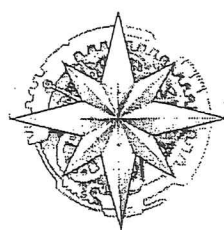
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DRAWN: JAK

CHECKED: JAK

DATE: 02-07-19

JOB # 2019-0000

SCALE: 1"=40'

SHEET: 1 OF 3

PETITIONER'S

EXHIBIT NO. 1

2019-0428-SPH