

**M E M O R A N D U M**

DATE: December 10, 2020  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. <sup>2019</sup>~~2020~~-0514-A- Appeal Period Expired

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The appeal period for the above-referenced cases expired on December 9, 2020. 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

<b>IN RE: PETITION FOR VARIANCE</b>	*	BEFORE THE OFFICE
(1600 York Road)		
8 <sup>th</sup> Election District	*	OF ADMINISTRATIVE
3 <sup>rd</sup> Council District		
Regent Development Company,	*	HEARINGS FOR
<i>Legal Owner</i>		
William H. Schaefer/Nationwide	*	BALTIMORE COUNTY
Motor Sales, Inc.,		
<i>Lessee</i>	*	<b>CASE NO. 2019-0514-A</b>
<b>Petitioners</b>		

\* \* \* \* \*

**ORDER OF DISMISSAL**

This matter came before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Regent Development Company, legal owner of the subject property, and William H. Schaefer/Nationwide Motor Sales, Inc., lessee (“Petitioners”). Petitioners were seeking variance relief from § 238.2 of the Baltimore County Zoning Regulations (“BCZR”) to allow side yard of 10 and 23 ft. and a rear yard of 18 ft. in lieu of the required 30 ft. A site plan was marked as Petitioners’ Exhibit 1.

This matter was originally scheduled for a public hearing on December 19, 2019 at 1:30 PM, 105 West Chesapeake Avenue, Room 205, Towson, MD 21204. A Request for a Motion to Continue was put on the record to allow parties (David H. Karceski, Esq. and Eric Rockel) to negotiate a compromise, which continuance was granted.

The undersigned received an email on March 6, 2020 from David H. Karceski, Esq. indicating that his client decided to proceed with a layout that does not require any setback variances. To do so, his engineer filed an application with the Development Review Committee (“DRC”) to refine the prior approved development plan without any variances shown. In addition, Mr. Karceski requested time to get the development plan (without any variances) approved by the County, and if his client was not able to do so, he would, at that time, request that the case be reset.

**ORDER RECEIVED FOR FILING**

Date 11-9-2020

By [Signature]

OAH staff spoke to Mr. Karceski on March 9, 2020 and inquired about the DRC timeframe, and Mr. Karceski indicated that the DRC can take approximately 4 to 5 months; the file was then returned to the Office of Zoning Review (“OZR”).

On October 26, 2020, an email was received from Adam M. Rosenblatt, Esq. requesting voluntary withdrawal of the above-referenced petition without prejudice. As such, this case will be dismissed.

THEREFORE, IT IS ORDERED, this 9<sup>th</sup> day of **November, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to the Baltimore County Zoning Regulations (“BCZR”) to allow side yard of 10 and 23 ft. and a rear yard of 18 ft. in lieu of the of the required 30 ft., be and is hereby **DISMISSED WITHOUT PREJUDICE**.

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

  
\_\_\_\_\_  
PAUL M. MAYHEW  
Managing Administrative Law Judge  
for Baltimore County

PMM/dlw

ORDER RECEIVED FOR FILING

Date 11-9-2020

By [Signature]



JOHN A. OLSZEWSKI, JR.  
*County Executive*

PAUL M. MAYHEW  
*Managing Administrative Law Judge*  
LAWRENCE M. STAHL  
*Administrative Law Judge*

November 9, 2020

David H. Karceski, Esq.  
Adam M. Rosenblatt, Esq.  
Venable, LLP  
210 W. Pennsylvania Avenue, Suite 500  
Towson, Maryland 21204


RE: Petition for Variance  
Case No. 2019-0514-A  
Property: 1600 York Road

Dear Counsel:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

  
PAUL M. MAYHEW  
Managing Administrative Law Judge  
for Baltimore County

PMM:dlw  
Enclosure

c: Eric Rockel, President, Greater Timonium Community Council, Inc.,  
9B Ridgely Rd., Box 276, Timonium, MD 21093

**Debra Wiley**

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**From:** Debra Wiley  
**Sent:** Friday, October 30, 2020 1:56 PM  
**To:** Kristen L Lewis; Jenae Johnson  
**Cc:** Donna Mignon  
**Subject:** FW: Case No. 2019-0514-A

11-2 Jenae unable to locate file  
11-4 " "  
11-5 Kristen to look  
11-6 per K. no where to be found. they'll try to locate dummy file.

Hi there,

Can you tell me if this is ready for pick up?

Thanks.

---

**From:** Debra Wiley  
**Sent:** Tuesday, October 27, 2020 1:29 PM  
**To:** Kristen L Lewis <klewis@baltimorecountymd.gov>; Jenae Johnson <jnjohnson@baltimorecountymd.gov>  
**Cc:** Donna Mignon <dmignon@baltimorecountymd.gov>  
**Subject:** Case No. 2019-0514-A

Good Afternoon,

Can one of you pull the above-referenced case file and leave it in the lobby so that we can pick it up.

Thanks in advance; it is appreciated.

**Debra Wiley**

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**From:** Rosenblatt, Adam M. <AMRosenblatt@Venable.com>  
**Sent:** Monday, October 26, 2020 4:43 PM  
**To:** Debra Wiley; Administrative Hearings  
**Cc:** Karceski, David H.  
**Subject:** Line Dismissing Case No. 2019--514-A  
**Attachments:** Line Dismissing Petition(50241426.1).pdf; Cover Letter for Line Dismissing Petition(50241440.1).pdf

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

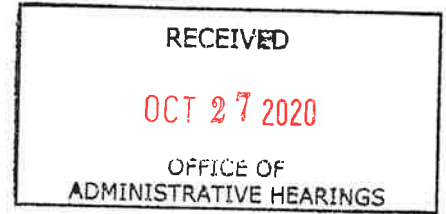
Hi Debbie,

We are attaching a cover letter and line voluntarily withdrawing our petition without prejudice. If you have any questions please feel free to reach out to David Karceski or me.

Thank you very much.

Adam M. Rosenblatt, Esq. | Venable LLP  
t 410.494.6271 | f 410.821.0147 | m 410.294.9430  
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

[AMRosenblatt@Venable.com](mailto:AMRosenblatt@Venable.com) | [www.Venable.com](http://www.Venable.com)



\*\*\*\*\*  
This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.  
\*\*\*\*\*

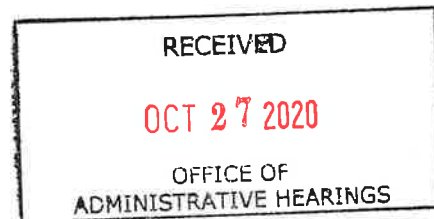
October 26, 2020

Adam M. Rosenblatt

T 410.494.6271  
F 410.821.0147  
AMRosenblatt@Venable.com

*Via Electronic Transmission*

Hon. Paul M. Mayhew  
Office of Administrative Hearings  
Jefferson Building, first floor  
105 W. Chesapeake Avenue  
Towson, MD 21204



Re: Case No. 2019-0514-A  
Line Dismissing Petition

Judge Mayhew:

Please see attached line voluntarily dismissing this petition without prejudice.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Rosenblatt".

David H. Karceski  
Adam M. Rosenblatt

**IN RE: PETITION FOR  
VARIANCE**

**(1600 York Road)**

**8<sup>th</sup> Election District  
3<sup>rd</sup> Council District**

**Nationwide Motor Sales, Inc.**

**\* BEFORE THE  
\* OFFICE OF  
\* ADMINISTRATIVE HEARINGS  
\* FOR BALTIMORE COUNTY**

**\*  
\* Case No. 2019-0514-A  
\***

**\* \* \* \* \***

**LINE DISMISSING PETITION**

Petitioner, Nationwide Motor Sales, Inc., by undersigned counsel, hereby voluntarily dismiss the above-captioned petition for variance without prejudice.

Respectfully submitted,



\_\_\_\_\_  
David H. Karceski  
Adam M. Rosenblatt  
Venable LLP  
210 W. Pennsylvania Ave., Suite 500  
Towson, Maryland 21204  
(410) 494-6200

RECEIVED  
OCT 27 2020  
OFFICE OF  
ADMINISTRATIVE HEARINGS

*Attorneys for Petitioner*




**BALTIMORE COUNTY, MARYLAND**

Inter-Office Correspondence

**TO:** File

**DATE:** March 9, 2020

**FROM:** Paul M. Mayhew   
Managing Administrative Law Judge

**SUBJECT:** **Case No. 2019-0514-A – Petition for Variance**  
1600 York Road  
Regent Development Company, *Legal Owner*;  
Nationwide Motor Sales, Inc., *Contract Purchaser* - Petitioners  
**Case No. 2019-0514-A**

This matter was scheduled for a public hearing on December 19, 2019 at 1:30 PM. A Request for a Motion to Continue was put on the record to allow parties (David H. Karceski, Esq. and Eric Rockel) to negotiate a compromise.

I granted the continuance and ordered that when this matter is re-scheduled, that Petitioners are not required to re-post and re-publish notice of the new hearing date.

The undersigned received an e-mail on March 6, 2020 from David H. Karceski, Esq. indicating that his client decided to proceed with a layout that does not require any setback variances. To do so, his engineer has filed an application with the Development Review Committee (“DRC”) to refine the prior approved development plan without any variances shown. In addition, Mr. Karceski requested time to get the development plan (without any variances) approved by the County, and if his client is not able to do so, he would, at that time, request that the case be reset.

Deb Wiley spoke to Mr. Karceski today and inquired about the DRC timeframe and if Mr. Karceski had any objection to returning the case file to the Office of Zoning Review (“OZR”). Mr. Karceski indicated that the DRC can take approximately 4 to 5 months, and he had no objection to returning file to OZR but reiterated he did not want the case dismissed at this time.

Therefore, the case file is being returned to the OZR and our office will reach out to Mr. Karceski in approximately six (6) months to obtain a status update.

PMM:dlw

SDAY

THURSDAY

19

DECEMBER

LS 104

2019 352nd day - 13 days follow

2019 353rd day - 12 days follow

LS (9) PM code - 104 ✓

Drawings and Cond. 12-20-19 ✓

**Case Number: 2019-0505-A**

Property Address: 12525 GARRISON FOREST RD.

Location: At the S.E. corner of Garrison Forest Road / Park Heights Ave.

Election District: 4 Council District: 2

Legal Owner: Henry H. Jenkins III, Timothy Jenkins

Contract Purchaser: No Contract Purchaser was set.

**VARIANCE:** From Section 400.1 of the BCZR, to permit an accessory use garage on a corner lot outside of the third of the lot farthest from both streets.

Hearing: Thursday 12/19/2019 10:00 AM JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TO BALTIMORE COUNTY, MARYLAND

**Case Number**

Property Address

Location: North

Election District

Legal Owner:

Contract Purchaser

**SPECIAL HEARING**

final construction

**VARIANCE:**

rear yard. To

Hearing: Thursday

AVENUE TO

Inter-Office Correspondence

TO:

File

DATE: March 9, 2020

FROM:

Paul M. Mayhew  
Managing Administrative Law Judge

SUBJECT:

Case No. 2019-0514-A - Petition for Variance  
1600 York Road  
Regent Development Company, Legal Owner;  
Nationwide Motor Sales, Inc., Contract Purchaser - Petitioners  
Case No. 2019-0514-A

This matter was scheduled for a public hearing on December 19, 2019 at 1:30 PM. A Request for a Motion to Continue was put on the record to allow parties (David H. Karceski, Esq. and Eric Rockel) to negotiate a compromise.

I granted the continuance and ordered that when this matter is re-scheduled, that Petitioners are not required to re-post and re-publish notice of the new hearing date.

The undersigned received an e-mail on March 6, 2020 from David H. Karceski, Esq. indicating that his client decided to proceed with a layout that does not require any setback variances. To do so, his engineer has filed an application with the Development Review Committee ("DRC") to refine the prior approved development plan without any variances shown. In addition, Mr. Karceski requested time to get the development plan (without any variances) approved by the County, and if his client is not able to do so, he would, at that time, request that the case be reset.

Deb Wiley spoke to Mr. Karceski today and inquired about the DRC timeframe and if Mr. Karceski had any objection to returning the case file to the Office of Zoning Review ("OZR"). Mr. Karceski indicated that the DRC can take approximately 4 to 5 months, and he had no objection to returning file to OZR but reiterated he did not want the case dismissed at this time.

Therefore, the case file is being returned to the OZR and our office will reach out to Mr. Karceski in approximately six (6) months to obtain a status update.

PMM:dlw

(9-7-2020)



12/19  
for Stephen Kirsch

## Paul Mayhew

---

**From:** Paul Mayhew  
**Sent:** Friday, March 6, 2020 12:19 PM  
**To:** 'Karciski, David H.'  
**Cc:** Debra Wiley  
**Subject:** RE: Letter re: Case No. 2019-0514-A

David,  
Yes, of course that is fine. Thank you for the update.

*Paul M. Mayhew*  
*Managing Administrative Law Judge*  
*105 West Chesapeake Ave., Suite 103*  
*Towson, Maryland 21204*  
*410-887-3868*  
[pmayhew@baltimorecountymd.gov](mailto:pmayhew@baltimorecountymd.gov)

---

**From:** Karciski, David H. <DKarciski@Venable.com>  
**Sent:** Friday, March 6, 2020 11:58 AM  
**To:** Paul Mayhew <pmayhew@baltimorecountymd.gov>  
**Cc:** Debra Wiley <dwiley@baltimorecountymd.gov>  
**Subject:** RE: Letter re: Case No. 2019-0514-A

**CAUTION:** This message from [DKarciski@venable.com](mailto:DKarciski@venable.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 Mayhew,

My client has decided to proceed with a layout that does not require any setback variances. To do so, his engineer has filed an application with the Development Review Committee to refine the prior approved development plan without any variances shown.

Would you please consider giving us time to get the development plan (without any variances) approved by the County? If my client is not able to obtain a refined development plan without any setback variances, we would, at that time, request that you reset the hearing date for Case No. 2019-0514-A.

Of course, I will keep you advised of our progress.

Thank you for your consideration of this request.

Best,

David

David Karciski, Esq. | Venable LLP  
t [410.494.6285](tel:410.494.6285) | f [410.821.0147](tel:410.821.0147) | m [443.956.7425](tel:443.956.7425)  
Towson: 210 W. Pennsylvania Avenue, Ste. 500, Towson, MD 21204  
Baltimore: 750 East Pratt Street, Ste. 900, Baltimore, MD 21201

PM 205  
LS 104

2019 352nd day - 13 days follow

2019 353rd day - 12 days follow

LS (9) PM code - 104 ✓

**Case Number: 2019-0505-A**

Property Address: 12525 GARRISON FOREST RD.  
Location: At the S.E. corner of Garrison Forest Road / Park Heights Ave.  
Election District: 4 Council District: 2  
Legal Owner: Henry H. Jenkins III, Timothy Jenkins  
Contract Purchaser: No Contract Purchaser was set.  
VARIANCE: From Section 400.1 of the BCZR, to permit an accessory use garage of the third of the lot farthest from both streets.

Dismissed w/ Cond. 12

Hearing: Thursday - 12/19/2019 10:00 AM, JEFFERSON BUILDING, 1 AVENUE TOWSON, MD 21204 - Rm. 205

**Case Number: 2019-0510-SPHA**

Property Address: 17 CLIFFHOLME RD.  
Location: North side of Cliffholme Road at the East Terminus of Cliffholme Road  
Election District: 3 Council District: 2  
Legal Owner: James C. Beattie, Jr.  
Contract Purchaser: No Contract Purchaser was set.  
SPECIAL HEARING: To permit an accessory structure (barn) to exist on the subject property pending final construction of the principal single family dwelling.  
VARIANCE: To permit an accessory structure (barn) to be located in the side yard in lieu of the rear yard. To permit the height of an accessory structure (barn) of 25 ft. in lieu of the required 15 ft.

hearing held

Hearing: Thursday - 12/19/2019 11:00 AM, JEFFERSON BUILDING, 105 WEST CHESAPEAKE AVENUE TOWSON, MD 21204 - Rm. 205

Per Paul's note - route 1-15 to hear from parties

**Case Number: 2019-0514-A**

Property Address: 1600 YORK RD.  
Location: W corner of the intersection formed by Bellona Ave and York Road  
Election District: 8 Council District: 3  
Legal Owner: Regent Development Company  
Contract Purchaser: No Contract Purchaser was set.  
VARIANCE: To allow side yard of 10 and 23 ft. and a rear yard of 18 ft. in lieu of the required 30 ft.

Hearing: Thursday - 12/19/2019 01:30 PM, JEFFERSON BUILDING, 105 WEST CHESAPEAKE AVENUE TOWSON, MD 21204 - Rm. 205

postponed/cond'd on record  
per Paul - DO need for re-post or re-advertise - OHH to be filed into file until contacted - may Sat.

(Karastis)

12-19-19  
Per Stephan Kurisch



## Paul Mayhew

---

**From:** Karceski, David H. <DKarceski@Venable.com>  
**Sent:** Friday, March 6, 2020 11:58 AM  
**To:** Paul Mayhew  
**Cc:** Debra Wiley  
**Subject:** RE: Letter re: Case No. 2019-0514-A

**CAUTION:** This message from DKarceski@venable.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 Mayhew,

My client has decided to proceed with a layout that does not require any setback variances. To do so, his engineer has filed an application with the Development Review Committee to refine the prior approved development plan without any variances shown.

Would you please consider giving us time to get the development plan (without any variances) approved by the County? If my client is not able to obtain a refined development plan without any setback variances, we would, at that time, request that you reset the hearing date for Case No. 2019-0514-A.

Of course, I will keep you advised of our progress.

Thank you for your consideration of this request.

Best,

David

David Karceski, Esq. | Venable LLP  
t [410.494.6285](tel:410.494.6285) | f [410.821.0147](tel:410.821.0147) | m [443.956.7425](tel:443.956.7425)  
Towson: 210 W. Pennsylvania Avenue, Ste. 500, Towson, MD 21204  
Baltimore: 750 East Pratt Street, Ste. 900, Baltimore, MD 21201

---

**From:** Paul Mayhew <pmayhew@baltimorecountymd.gov>  
**Sent:** Tuesday, March 3, 2020 2:40 PM  
**To:** Karceski, David H. <DKarceski@Venable.com>  
**Cc:** Debra Wiley <dwiley@baltimorecountymd.gov>  
**Subject:** RE: Letter re: Case No. 2019-0514-A

David,

Thanks for this update and for you and your client's efforts in resolving this matter by working with the community. I am happy to give you as much time as you need to reach a final resolution. Just keep me informed.

*Paul M. Mayhew*  
*Managing Administrative Law Judge*  
*105 West Chesapeake Ave., Suite 103*  
*Towson, Maryland 21204*  
*410-887-3868*

[pmayhew@baltimorecountymd.gov](mailto:pmayhew@baltimorecountymd.gov)

---

**From:** Karceski, David H. <[DKarceski@Venable.com](mailto:DKarceski@Venable.com)>  
**Sent:** Tuesday, March 3, 2020 2:34 PM  
**To:** Paul Mayhew <[pmayhew@baltimorecountymd.gov](mailto:pmayhew@baltimorecountymd.gov)>  
**Subject:** FW: Letter re: Case No. 2019-0514-A

**CAUTION:** This message from [DKarceski@venable.com](mailto:DKarceski@venable.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 Mayhew,

This afternoon, I met with my client and his contractor. My client is now examining with the project engineer whether the proposed new building can be located on the property without the need for any rear and side yard setback variances, which would be consistent with the desire of the neighbors to the west of the property to design the building to respect the required setbacks associated with the existing zoning district. We have already informed the Lutherville Community Association and Mr. Rockel that we are looking into this alternate and variance-free layout. We expect to know if this different layout is a solution by Friday of this week. May I email you again by that date to confirm if we are able to proceed with a by-right layout for the new building ?

In addition, today we discussed with my client's contractor ways to adjust on-site light fixtures to address the concerns of the neighbors mentioned in their letter to you. We plan to have an on-site meeting with them and I will be contacting them today through Mr. Rockel to schedule a meeting time.

Thank you

David

---

**Date:** Friday, Feb 28, 2020, 10:15 AM  
**To:** Paul Mayhew <[pmayhew@baltimorecountymd.gov](mailto:pmayhew@baltimorecountymd.gov)>  
**Subject:** RE: Letter re: Case No. 2019-0514-A

Judge Mayhew,

Subsequent to postponement of the hearing, we have met with and discussed lighting with the Lutherville Community Association, Eric Rockel, and one of the neighbors and are considering the requests they have made. We expect to respond to them soon and will continue a positive dialogue with them. My client's position is that he is currently in compliance with the lighting-related restrictions below. Before Tuesday of next week, staff for the dealership and I will visit the property after 9 p.m. to assess the lighting used after 9 pm and any necessary adjustments.

I will respond on Tuesday as to how my client requests to proceed with the zoning case and regarding the lighting restrictions now in place.

Thank you,

David

-----Original Message-----  
**From:** Paul Mayhew <[pmayhew@baltimorecountymd.gov](mailto:pmayhew@baltimorecountymd.gov)>  
**Sent:** Thursday, February 27, 2020 5:36 PM  
**To:** Karceski, David H. <[DKarceski@Venable.com](mailto:DKarceski@Venable.com)>  
**Subject:** Re: Letter re: Case No. 2019-0514-A

David,

Thanks for this info. Based on the neighbors' comments it appears that these light restrictions are not being observed. Can you talk to your client about this issue?

It seems to me that resolving this issue may serve to lessen the neighbors' opposition to the relief you are seeking in this case.

Sent using OWA for iPhone

---

From: Karceski, David H. <[DKarceski@Venable.com](mailto:DKarceski@Venable.com)>

Sent: Wednesday, February 26, 2020 9:45:39 AM

To: Paul Mayhew

Subject: RE: Letter re: Case No. 2019-0514-A

CAUTION: This message from [DKarceski@venable.com](mailto:DKarceski@venable.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 Mayhew,

I reviewed the zoning history for 1600 York Road related to use of the property for car sales. I located the following zoning cases by way of the County's My Neighborhood website:

1. 1997-92-X: In this case, a special exception was granted for a "used motor vehicle outdoor sales area, separate from the sales agency building." In the Order, the Zoning Commissioner required compliance with the terms and conditions of an Agreement between Mr. Schaefer and the Lutherville Community Association ("LCA"). This agreement, dated October 4, 1996, includes the following requirements:

"d. All light fixtures directed towards the site (to direct light inward)".

"e. Limitation of lights from approximately (9:00 p.m. to 9 a.m. to be used for security purposes only. Number of light standards for this purpose limited."

These restrictions are listed on Page 2 of the Agreement with LCA.

1. 1997-452-A: In this case, Mr. Schaefer requested variances for signage for the KIA dealership. Restrictions were imposed in the Zoning Commissioner's Order in this case, including the incorporation of the 1996 agreement with LCA in the Order. There were no other restrictions that mentioned light fixtures.

Please let me know if I can provide any additional information.

Thank you,

David

David Karceski, Esq. | Venable LLP

t 410.494.6285<<tel:410.494.6285>> | f 410.821.0147<<tel:410.821.0147>> | m

443.956.7425<<tel:443.956.7425>>

Towson: 210 W. Pennsylvania Avenue, Ste. 500, Towson, MD 21204

Baltimore: 750 East Pratt Street, Ste. 900, Baltimore, MD 21201

From: Karceski, David H. <[DKarceski@Venable.com](mailto:DKarceski@Venable.com)>

Sent: Tuesday, February 25, 2020 7:21 PM  
To: Paul Mayhew <[pmayhew@baltimorecountymd.gov](mailto:pmayhew@baltimorecountymd.gov)>  
Subject: RE: Letter re: Case No. 2019-0514-A

Judge Mayhew

Yes. I will check the zoning history tomorrow and respond with any information in prior orders related to lighting restrictions.

Thank you

David

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com)<<http://www.blackberry.com>>)

From: Paul Mayhew  
<[pmayhew@baltimorecountymd.gov](mailto:pmayhew@baltimorecountymd.gov)<<mailto:pmayhew@baltimorecountymd.gov>>>  
Date: Tuesday, Feb 25, 2020, 3:57 PM  
To: Karceski, David H. <[DKarceski@Venable.com](mailto:DKarceski@Venable.com)<<mailto:DKarceski@Venable.com>>>  
Subject: RE: Letter re: Case No. 2019-0514-A

No problem. I assume there is a prior zoning Order concerning the site. If so, can you tell me what, if any, conditions/restrictions were placed on the lighting? This seems to be a primary concern of the neighbors.

Paul M. Mayhew  
Managing Administrative Law Judge  
105 West Chesapeake Ave., Suite 103  
Towson, Maryland 21204  
410-887-3868  
[pmayhew@baltimorecountymd.gov](mailto:pmayhew@baltimorecountymd.gov)<<mailto:pmayhew@baltimorecountymd.gov>>

-----Original Message-----

From: Karceski, David H. <[DKarceski@Venable.com](mailto:DKarceski@Venable.com)<<mailto:DKarceski@Venable.com>>>  
Sent: Tuesday, February 25, 2020 2:11 PM  
To: Paul Mayhew  
<[pmayhew@baltimorecountymd.gov](mailto:pmayhew@baltimorecountymd.gov)<<mailto:pmayhew@baltimorecountymd.gov>>>  
Subject: RE: Letter re: Case No. 2019-0514-A

CAUTION: This message from [DKarceski@venable.com](mailto:DKarceski@venable.com)<<mailto:DKarceski@venable.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 Mayhew,

Thank you for your e-mail. My client is out of town this week. Would you please allow me until the end of the day next Tuesday, March 3rd to respond to your e-mail as to how we would like to proceed? It would give me time to discuss with him.

David

David Karceski, Esq. | Venable LLP  
t 410.494.6285 | f 410.821.0147 | m 443.956.7425  
Towson: 210 W. Pennsylvania Avenue, Ste. 500, Towson, MD 21204  
Baltimore: 750 East Pratt Street, Ste. 900, Baltimore, MD 21201

-----Original Message-----

From: Paul Mayhew



<[pmayhew@baltimorecountymd.gov](mailto:pmayhew@baltimorecountymd.gov)<<mailto:pmayhew@baltimorecountymd.gov>>>  
Sent: Tuesday, February 25, 2020 12:26 PM  
To: Karceski, David H. <[DKarceski@Venable.com](mailto:DKarceski@Venable.com)<<mailto:DKarceski@Venable.com>>>  
Subject: FW: Letter re: Case No. 2019-0514-A

David,  
I just received the attached. You had asked me to hold this file. Can you give me an update on how you intend to proceed in this case?  
Thank you,

Paul M. Mayhew  
Managing Administrative Law Judge  
105 West Chesapeake Ave., Suite 103  
Towson, Maryland 21204  
410-887-3868  
[pmayhew@baltimorecountymd.gov](mailto:pmayhew@baltimorecountymd.gov)<<mailto:pmayhew@baltimorecountymd.gov>>

-----Original Message-----

From:  
[adminhearingscpr@baltimorecountymd.gov](mailto:adminhearingscpr@baltimorecountymd.gov)<<mailto:adminhearingscpr@baltimorecountymd.gov>>  
<[adminhearingscpr@baltimorecountymd.gov](mailto:adminhearingscpr@baltimorecountymd.gov)<<mailto:adminhearingscpr@baltimorecountymd.gov>>>  
>>  
Sent: Tuesday, February 25, 2020 12:25 PM  
To: Paul Mayhew  
<[pmayhew@baltimorecountymd.gov](mailto:pmayhew@baltimorecountymd.gov)<<mailto:pmayhew@baltimorecountymd.gov>>>  
Subject: Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 02.25.2020 12:24:30 (-0500)  
Queries to:  
[adminhearingscpr@baltimorecountymd.gov](mailto:adminhearingscpr@baltimorecountymd.gov)<<mailto:adminhearingscpr@baltimorecountymd.gov>>

[<http://www.baltimorecountymd.gov/sebin/v/b/census-logo.png>]<<http://www.baltimorecountymd.gov><<http://www.baltimorecountymd.gov/sebin/v/b/census-logo.png>>>

Connect with Baltimore County

[<http://www.baltimorecountymd.gov/sebin/x/g/social-icon-facebook.png>]<<https://www.facebook.com/baltcogov><<http://www.baltimorecountymd.gov/sebin/x/g/social-icon-facebook.png>>> [<http://www.baltimorecountymd.gov/sebin/p/o/social-icon-twitter.png>]  
<<https://twitter.com/BaltCoGov>> [<http://www.baltimorecountymd.gov/sebin/z/n/social-icon-news.png>]  
<<http://www.baltimorecountymd.gov/News/BaltimoreCountyNow>> [<http://www.baltimorecountymd.gov/sebin/b/d/social-icon-youtube.png>]  
<<https://www.youtube.com/user/BaltimoreCounty>> [<http://www.baltimorecountymd.gov/sebin/l/y/social-icon-flickr.png>]  
<<https://www.flickr.com/photos/baltimorecounty>> [<http://www.baltimorecountymd.gov/sebin/t/q/social-icon-linkedin.png>] <<https://www.linkedin.com/company/baltimore-county-government>>

[www.baltimorecountymd.gov](http://www.baltimorecountymd.gov)<<http://www.baltimorecountymd.gov><<http://www.baltimorecountymd.gov>>>

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This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

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\*\*\*\*\*

PM 12-19-19  
1:30 pm

RECEIVED  
FEB 24 2020  
OFFICE OF  
ADMINISTRATIVE HEARINGS

Mr. Paul M. Mayhew  
Administrative Law Judge  
The Jefferson Building  
105 W. Chesapeake Avenue  
Towson, MD 21204

Re: Variance case: 2019-514-A  
Nationwide KIA, Lutherville

As neighbors in the 100 block of Melancthon Avenue, we are impacted by the existing KIA facility and wish to register opposition to granting of three setback variances to locate a proposed new building closer to our properties when it could be located elsewhere on the site. This letter is to both register our oppositio and to ask for additional details regarding the design and operation of this facility.

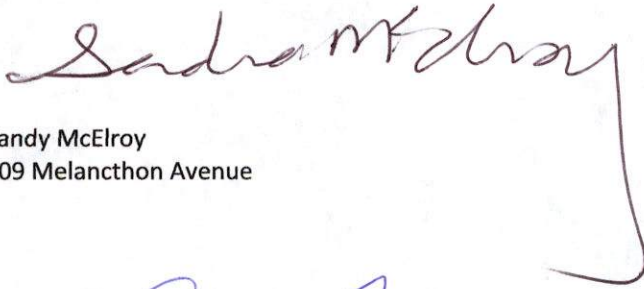
Our concerns:

1. The existing KIA dealership currently parks cars on the rear of the property adjacent to the Lutherville Historic District. When initially approved, a row of evergreen trees was planted as a buffer along the rear property line, as well as a 6 ft. wooden fence. The trees are now mature and pose a good daytime buffer, but the lights illuminating the parking lot are much taller than these trees, so the entire 100 block of Melancthon Avenue is brightly illuminated at night, all night. Unfortunately, the dealership is not maintaining these trees and has allowed ivy to grow up the tree trunks, which will eventually kill the trees and eliminate the limited screening they currently provide. Reducing the height of these light poles and the level of illumination would be very welcome. Night security cameras would be an alternative to lighting. Removal of the ivy to protect the evergreen buffer should be required.
2. It is unclear why the proposed building needs to be pushed against the residential boundary (reducing the rear setback from 30 ft to 18 ft). It could be rotated 90 degrees and located along the northern boundary with the Lutherville Kitchen & Bath business. If a setback variance is beneficial in this location, it would be much less objectionable next to another commercial business. Alternately, it could be attached to the existing dealership building.
3. Relocation of the proposed building would retain car parking near the residential boundary. This has not been much of a problem, with the exception of occasional cars parking at the end of Melancthon Avenue. This allows customers to walk through the buffer to access the KIA site. The property is located at the busy York Road and Bellona Avenue intersection, which makes access difficult, particularly during peak traffic hours.
4. The proposed new building will be used as a carwash. What will be the hours of operation? Volume of cars? Noise levels? It is less than 200 SF smaller than the existing dealership, which seems excessive for a carwash and the size of this property. Will it wash cars for any or all of Nationwide's other dealerships??
5. It is our understanding that the KIA dealership has purchased the adjacent commercial property (1630 Bellona Avenue). How will this property be used? Why couldn't the proposed new car wash be located on that property using required setbacks and buffers?

In summary, we oppose the propose variance to locate a large carwash facility adjacent to our properties. We have historic homes in the Lutherville Historic District, that will be adversely impacted by encroachment of the busy York Road commercial corridor.

However, if approved, we request that night lighting for the property be eliminated or drastically reduced in height and level of illumination, and that the evergreen buffer that helps protect our neighborhood be properly maintained.

Signed,



Sandy McElroy  
109 Melancthon Avenue



Chun Ling Fan & Shi Fei Zheng  
110 Melancthon Avenue



Kim and Bradley Troy  
112 Melancthon Avenue



Marsha McLaughlin & John Alexander  
115 Melancthon Avenue



# 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 1600 York Road which is presently zoned BR-AS, BL-AS, BL, DR2  
Deed References: 6294-278 10 Digit Tax Account # 2200023500  
Property Owner(s) Printed Name(s) Regent Development Company

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

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

1.        a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2.        a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. **X**        a **Variance** from Section(s) 238.2 of the B.C.Z.R. to allow side yards of 10 and 23 feet and a rear yard of 18 feet on lieu of the required 30 feet.

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

TO BE PRESENTED AT HEARING

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

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

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

### Contract Purchaser/Lessee:

Nationwide Motor Sales, Inc.

By: WILLIAM H. SCHAEFER JR

Name- Type or Print

[Signature] PRES

Signature

2805 York Road, Timonium MD

Mailing Address City State

21093 / /

Zip Code Telephone # Email Address

### Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

[Signature]  
Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com

Zip Code Telephone # Email Address

### Legal Owners (Petitioners):

Regent Development Company

By: BRADD. Sokol

Name #1 - Type or Print Name #2 - Type or Print

[Signature] Pres.  
Signature #1 Signature #2

168 West Ridge Pike, Unit 113A, Royersford, PA

Mailing Address City State

19468 / /

Zip Code Telephone # Email Address

### Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

[Signature]  
Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com

Zip Code Telephone # Email Address

CASE NUMBER 2019-0514-A Filing Date 11/13/19 Do Not Schedule Dates: \_\_\_\_\_ Reviewer km

November 5, 2019

**Description to Accompany Zoning Petition for Variances**  
**1600 York Road**  
**Election District 8**  
**Baltimore County, Maryland**

Beginning for the same at a point located on the north side of Bellona Avenue, said point located at the end of the cutoff leading from York Road State Route 45, and being located *North 73° 04'55" West 57 feet*, more or less, from the point of intersection of the centerlines of Bellona Avenue and York Road, running thence and binding along the north side of said Bellona Avenue,

1. **South 33°56'42"West 96.91 feet** to a point, thence leaving said north side of Bellona Avenue and running the six following courses viz,
2. **North 41°51'29" West 82.43 feet** to a point, thence
3. **South 69°36'55"West 118.70 feet** to a point, thence
4. **North 21°47'20" West 10.80 feet** to a point, thence
5. **South 74°02'40"West 51.12 feet** to a point, thence
6. **North 21°15'48" West 124.27 feet** to a point, thence
7. **North 69°36'55" East 287.08 feet** to a point on the west side of York Road State Route 45, thence binding along the west side of York Road State Route 45,
8. By a curve to the right having a **radius of 11,499.16 feet for an arc length of 138.05 feet** to a point at the beginning of the cutoff leading to Bellona Avenue, thence binding along said cutoff
9. By a curve to the right having a **radius of 25.00 feet for an arc length of 24.59 feet** to a place of beginning.

Containing 1.0213 acres more or less or 44,488 square feet of land.

*This description is intended for zoning purposes only and is not intended for use in conveyance of land. The metes and bounds recited herein are not based on a boundary survey.*



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/neighborhood 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: 2019-0514-A

Property Address: 1600 York Rd.

Property Description: THAT PROPERTY LOCATED ON THE WEST COR. OF THE INTERSECTION OF YORK & BELLON AVE

Legal Owners (Petitioners): REGENT DEVELOPMENT Co.

Contract Purchaser/Lessee: WILLIAM SCHAEFER, JR.

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID KARCESKI, Esq.

Company/Firm (if applicable): VENABLE, LLP

Address: 210 W. CHESAPEAKE Ave., Ste 500  
TOWSON, MD. 21284

Telephone Number: 410-494-6285

TO: THE DAILY RECORD  
Friday, November 29, 2019 – Issue

Please forward billing to:

David Karceski  
Venable, LLP  
210 W. Pennsylvania Avenue, Ste. 500  
Towson, MD 21204

410-494-6285

---

## 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: 2019-0514-A**

1600 York Road

West corner of the intersection formed by Bellona Avenue and York Road

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Regent Development Company

Contract Purchaser/Lessee: Nationwide Motor Sales, Inc.

Variance to allow side yards of 10 and 23 feet and a rear yard of 18 feet in lieu of the required 30 ft.

Hearing: Thursday, December 19, 2019 at 1:30 p.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*

November 19, 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: 2019-0514-A**

1600 York Road

West corner of the intersection formed by Bellona Avenue and York Road

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

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Hearing: Thursday, December 19, 2019 at 1:30 p.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff  
Director

MM:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204  
William Schaefer, Jr., Nationwide Motor Sales, Inc., 2805 York Road, Timonium 21093  
Brad Sokul, 168 West Ridge Pike, Unit 113A, Royersford PA 19468

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 29, 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.

# The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

Order #: 11818674  
Case #: 2019-0514-A  
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0514-A

## 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:

11/29/2019



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: 2019-0514-A**  
1600 York Road  
West corner of the intersection formed by Bellona Avenue and York Road  
8th Election District - 3rd Councilmanic District  
Legal Owners: Regent Development Company  
Contract Purchaser/Lessee: Nationwide Motor Sales, Inc.  
Variance to allow side yards of 10 and 23 feet and a rear yard of 18 feet in lieu of the required 30 ft.

Hearing: Thursday, December 19, 2019 at 1:30 p.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.

n20

PM 12-19  
1:30 pm

**Debra Wiley**

---

**From:** SGT ROBERT BLACK <1opie@comcast.net>  
**Sent:** Sunday, December 15, 2019 10:00 PM  
**To:** Barbara Lukasevich; DKarceski@Venable.com; Administrative Hearings  
**Subject:** Recertification's For 2019-0514-A  
**Attachments:** Re-Cert 1 2019-0514-A.doc; Re-Cert 2 2019-0514-A.doc

**CAUTION:** This message from 1opie@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Recertification's for 1600 York Road. Thanks.

# CERTIFICATE OF POSTING

2019-0514-A

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_  
Regent Development Company  
Nationwide Motors Sales, Inc

December 19, 2019  
Date of Hearing/Closing: \_\_\_\_\_

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

Attn: Kristen Lewis:

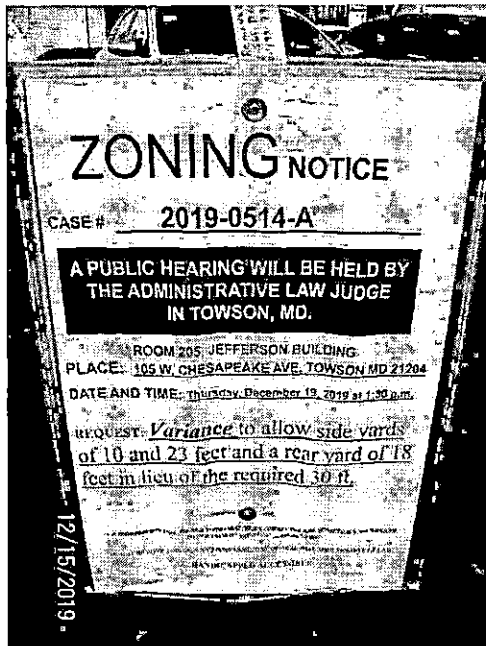
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: \_\_\_\_\_

1600 York Road **SIGN 1 Recertification**

November 29, 2019

The sign(s) were posted on \_\_\_\_\_  
(Month, Day, Year)



Sincerely,

 December 15, 2019  
\_\_\_\_\_  
(Signature of Sign Poster) (Date)

SSG Robert Black

\_\_\_\_\_  
(Print Name)

1508 Leslie Road

\_\_\_\_\_  
(Address)

Dundalk, Maryland 21222

\_\_\_\_\_  
(City, State, Zip Code)

(410) 282-7940

\_\_\_\_\_  
(Telephone Number)

# CERTIFICATE OF POSTING

2019-0514-A

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_  
**Regent Development Company  
Nationwide Motors Sales, Inc**

December 19, 2019  
Date of Hearing/Closing: \_\_\_\_\_

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

Attn: Kristen Lewis:

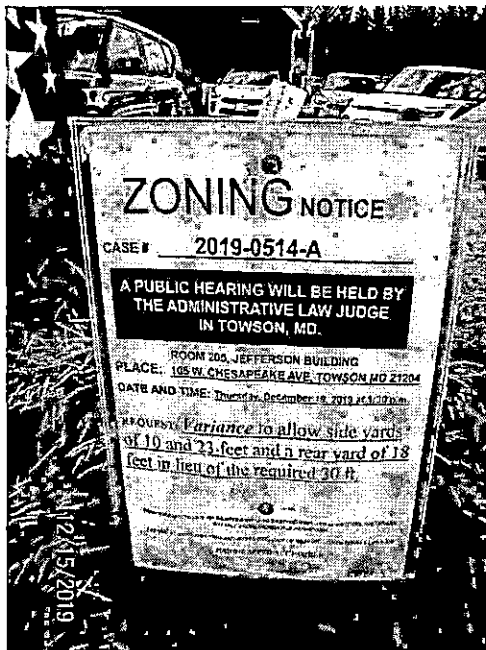
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: \_\_\_\_\_

1600 York Road **SIGN 2 Recertification**

November 29, 2019

The sign(s) were posted on \_\_\_\_\_  
(Month, Day, Year)



Sincerely,

December 15, 2019

\_\_\_\_\_  
(Signature of Sign Poster) (Date)

SSG Robert Black

\_\_\_\_\_  
(Print Name)

1508 Leslie Road

\_\_\_\_\_  
(Address)

Dundalk, Maryland 21222

\_\_\_\_\_  
(City, State, Zip Code)

(410) 282-7940

\_\_\_\_\_  
(Telephone Number)

# CERTIFICATE OF POSTING

2019-0514-A

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_  
**Regent Development Company  
Nationwide Motors Sales, Inc**

December 19, 2019  
Date of Hearing/Closing: \_\_\_\_\_

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: \_\_\_\_\_

1600 York Road **SIGN 1**

November 29, 2019

The sign(s) were posted on \_\_\_\_\_  
(Month, Day, Year)



Sincerely,

 November 29, 2019  
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

# CERTIFICATE OF POSTING

2019-0514-A

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_  
**Regent Development Company  
Nationwide Motors Sales, Inc**

December 19, 2019  
Date of Hearing/Closing: \_\_\_\_\_

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: \_\_\_\_\_

1600 York Road **SIGN 2**

November 29, 2019

The sign(s) were posted on \_\_\_\_\_  
(Month, Day, Year)



Sincerely,

November 29, 2019

\_\_\_\_\_  
(Signature of Sign Poster) (Date)

SSG Robert Black

\_\_\_\_\_  
(Print Name)

1508 Leslie Road

\_\_\_\_\_  
(Address)

Dundalk, Maryland 21222

\_\_\_\_\_  
(City, State, Zip Code)

(410) 282-7940

\_\_\_\_\_  
(Telephone Number)

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
1600 York Road; W corner of intersection of	*	OF ADMINSTRATIVE
Bellona Avenue & York Road	*	HEARINGS FOR
8 <sup>th</sup> Election & 3 <sup>rd</sup> Councilmanic Districts	*	BALTIMORE COUNTY
Legal Owner(s): Regent Development Company	*	2019-514-A
Contract Purchaser(s): Nationwide Motor Sales, Inc.		
Petitioner(s)		

\* \* \* \* \*

**ENTRY OF APPEARANCE**

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

RECEIVED  
NOV 21 2019

*Peter Max Zimmerman*

---

PETER MAX ZIMMERMAN  
People’s Counsel for Baltimore County

*Carole S Demilio*

---

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

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 22<sup>nd</sup> day of November, 2019, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

*Peter Max Zimmerman*

---

PETER MAX ZIMMERMAN  
People’s Counsel for Baltimore County





JOHN A. OLSZEWSKI, JR.  
*County Executive*

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

December 10, 2019

David Karceski  
210 W. Pennsylvania Ave Ste 500  
Towson MD 21204

RE: Case Number: 2019-0514-A, 1600 York Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 13, 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 a horizontal line.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR/kd

Enclosures

c: People's Counsel  
Brad D. Sokuc 168 West Ridge Pike Unit 113A Royersford PA 19468

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE MEMORANDUM

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

**DATE:** 12/13/2019

**FROM:** C. Pete Gutwald  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 19-514

**INFORMATION:**

**Property Address:** 1600 York Road  
**Petitioner:** Regent Development Company  
**Zoning:** BR AS  
**Requested Action:** Variance

The Department of Planning has reviewed the petition for a variance from Section 238.2 of the Baltimore County Zoning Regulations (BCZR) to allow side yards of 10 and 23 feet and a rear yard of 18 feet in lieu of the required 30 feet.

A site visit was conducted on November 27, 2019. The property is located on York Road at the intersection with Bellona Avenue and is just under 1 acre in size. The site is a Kia dealership and is currently improved with an approximately 3,000 square foot building that includes a sales room, offices, and auto bays. There is a stockade fence and row of dense vegetation that buffers the residential property that borders the rear of the subject property and the petitioner's representative confirmed that the fence and vegetation would remain undisturbed. The neighboring properties along the York Road corridor are zoned BL AS and BL.

The applicant proposes to build a one story, 2,852 sf building to house additional auto bays. The variance is requested to allow this structure with smaller setbacks than required on three sides as stated above.

The property is located within the Lutherville Community Conservation Plan area adopted by the Baltimore County Council on February 20, 1996 as part of the Baltimore County Master Plan and also borders the Lutherville National Register Historic District. The property has an extensive zoning case history. Case Numbers 97-452-A and 97-92-X both include an agreement between the petitioner and the Lutherville Community Association dated October 4, 1996, which places limits on the site in order to maintain compatibility with the Community Plan. Among other restrictions, the agreement includes that no automobile repair should be permitted.

The Department of Planning has no objections to the requested relief, conditioned upon adherence to the limitations of the previous zoning case history and compatibility with the provisions of the agreement mentioned above. It is recommended that the proposed structure be constructed with complimentary materials to the other structures on site and be consistent with the characteristics of the adjacent historic district as is outlined in the Commercial Corridors section of the Comprehensive Manual of Development Policies.

# BALTIMORE COUNTY, MARYLAND

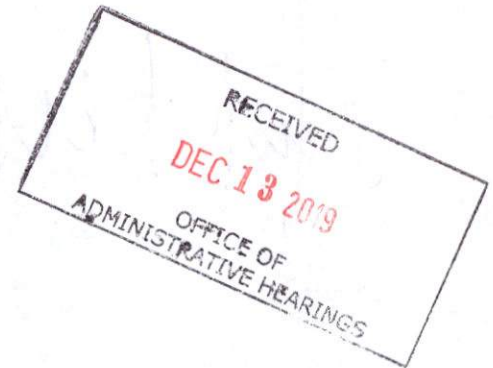
## INTER-OFFICE MEMORANDUM

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

**DATE:** 12/13/2019

**FROM:** C. Pete Gutwald  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 19-514



**INFORMATION:**

**Property Address:** 1600 York Road  
**Petitioner:** Regent Development Company  
**Zoning:** BR AS  
**Requested Action:** Variance

The Department of Planning has reviewed the petition for a variance from Section 238.2 of the Baltimore County Zoning Regulations (BCZR) to allow side yards of 10 and 23 feet and a rear yard of 18 feet in lieu of the required 30 feet.

A site visit was conducted on November 27, 2019. The property is located on York Road at the intersection with Bellona Avenue and is just under 1 acre in size. The site is a Kia dealership and is currently improved with an approximately 3,000 square foot building that includes a sales room, offices, and auto bays. There is a stockade fence and row of dense vegetation that buffers the residential property that borders the rear of the subject property and the petitioner's representative confirmed that the fence and vegetation would remain undisturbed. The neighboring properties along the York Road corridor are zoned BL AS and BL.

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The Department of Planning has no objections to the requested relief, conditioned upon adherence to the limitations of the previous zoning case history and compatibility with the provisions of the agreement mentioned above. It is recommended that the proposed structure be constructed with complimentary materials to the other structures on site and be consistent with the characteristics of the adjacent historic district as is outlined in the Commercial Corridors section of the Comprehensive Manual of Development Policies.

Date: 12/13/2019  
Subject: ZAC # 19-514  
Page 2

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

**Division Chief:**



Jennifer G. Nugent

CPG/JGN/LTM/

c: Megan Benjamin  
David H. Karceski, Esquire  
Office of the Administrative Hearings  
People's Counsel for Baltimore County

12-14-14

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: November 22, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0514-A  
Address 1600 York Road  
(Regent Development Company  
Property)

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

- The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:
  - Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

1. The property is over 40,000 sf in size and therefore subject to the Forest Conservation Regulations. Prior to EPS approval of any permit, either a waiver to the Forest Conservation Law must be requested and granted, or the site must fully comply with this law.

Reviewer: Glenn Shaffer

2. This project will require submission to the Development Review Committee (DRC) for process determination.

Reviewer: Steve Ford

Date: 24/20/19

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 the petition for variance on the subject of the Case number referenced below, which was received on 11/20/19. A field inspection and internal review reveals that an entrance onto MD45 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2019-0514-A.

*Regent Development Company*  
*1600 York Road*  
*07245*

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@mdot.maryland.gov](mailto:rzeller@mdot.maryland.gov)).

Sincerely,

*Richard A Zeller*

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

WW/RAZ







CHECKLIST

Comment Received

Department

Support/Oppose/  
Conditions/  
Comments/  
No Comment

DEVELOPMENT PLANS REVIEW  
(if not received, date e-mail sent \_\_\_\_\_)

11/22

DEPS  
(if not received, date e-mail sent \_\_\_\_\_)

Comment

FIRE DEPARTMENT

12/13

PLANNING  
(if not received, date e-mail sent \_\_\_\_\_)

no objections w/ comment

11/20

STATE HIGHWAY ADMINISTRATION

no objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. \_\_\_\_\_)

PRIOR ZONING (Case No. 97-452-A 97-92-X)

NEWSPAPER ADVERTISEMENT Date: 11/29/19

SIGN POSTING (1<sup>st</sup>) Date: 11/29/19 by SSG BLACK

SIGN POSTING (2<sup>nd</sup>) Date: 12/15/19 by SSG BLACK

PEOPLE'S COUNSEL APPEARANCE Yes  No

PEOPLE'S COUNSEL COMMENT LETTER Yes  No

Comments, if any: \_\_\_\_\_

5/27

IN RE:	PETITION FOR ZONING VARIANCE *	BEFORE THE
	Cor. of W/S York Road, N/S	
	of Bellona Avenue *	ZONING COMMISSIONER
	1600 York Road	
	8th Election District *	OF BALTIMORE COUNTY
	3rd Councilmanic District	
	Legal Owner: Regent Dev. Co. *	Case No. 97-452-A
	William H. Schaefer/Nationwide	
	Motor Sales, Inc., Petitioners *	
	* * * * *	

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on a Petition for Variance for the property located at 1600 York Road in Lutherville. The Petition was filed by Regent Development Company, property owner and William H. Schaefer, Lessee. Variance relief is requested from Section 413.2.f. of the Baltimore County Zoning Regulations (BCZR) to permit 292 sq. ft. of business signage in lieu of the maximum permitted 100 sq. ft. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exhibit No. 1.

Appearing at the public hearing held for this case was William H. Schaefer, Petitioner. Also present were Robert Nethen, Sr., from Claude Neon Sign Company, Robert Hanna, and Richard K. Hayasaka from Kia Motors America, Inc. The Petitioner was represented by Leslie M. Pittler, Esquire. Eric Rockel and Kenneth Hutcherson appeared as interested persons.

Testimony and evidence presented was that the subject property is an irregularly shaped lot, with frontage on York Road (Md. Route 45) in Lutherville. The property is located on the northwest corner of the intersection of York Road and Bellona Avenue. The property is improved with a a 2,736 sq. ft. building which is used an automobile showroom, office and vehicle preparation area. The property is utilized as a Nationwide Auto World KIA dealership, which is owned and operated by Mr. Schaefer. Mr. Schaefer also operates the Nationwide dealerships which exist

further to the north on York Road in Timonium.

The prior use of this property and zoning history of this site is significant. The property has been used for a series of fast food restaurants and was contemplated for use by the Taco Bell Restaurant organization. However, those plans never materialized and most recently, in case No. 97-92-X, a Petition for Special Exception was granted to permit a used motor vehicles sales area, separate from the sales agency building. Relief was granted in this regard by Deputy Commissioner, Timothy M. Kotroco, on October 14, 1996. As noted above, the dealership is in fact now in operation and several photographs of the site were submitted at the hearing. This Zoning Commissioner is also familiar with the property, passing same daily on his commute. Presently, the business features a single sign, advertising the Nationwide Auto Sale/Used Cars operation on the site. A second sign is proposed, for which relief is requested. The second sign will reach a maximum of 20 ft., however, the face will be 5 ft. 9 inches tall by 8 ft. 9 inches wide. The sign will advertise the site as a KIA dealership. A schematic of the sign is shown on the site plan. Mr. Nethen testified that the sign will be appropriate for the area and internally lit. He indicated that it would not be a flashing sign and would not revolve. It was also indicated that this is the smallest sign which the KIA company authorizes for its franchisees. Mr. Nethen opined that the sign will be appropriate for the area.

Mr. Schaefer also testified as the operator of the dealership and indicated that the sign was required by the manufacturer for this business and believes that same would be appropriate.

Lastly, Robert Hanna also testified. He is the construction manager who built this dealership and described the site improvements which had been made. He opined that the sign was also appropriate.

The interested persons who appeared, namely, Eric Rockel and Kenneth Hutcherson, were primarily concerned about an agreement between Mr. Schaefer and the community which was submitted as Joint Exhibit No. 1. This agreement, dated October 4, 1996, was specifically incorporated in Deputy Commissioner, Timothy M. Kotroco's Order and will be re-incorporated herein. It sets forth the terms and conditions of an agreement by and between the community and Mr. Schaefer as to the operation of the business.

Based upon the uncontradicted testimony and evidence offered, I am persuaded to grant the Petition for Variance. In my judgment, the two signs contemplated, one existing and the other proposed, are appropriate for the locale. In my judgment, both signs will be attractive and in keeping with the area. I find that the Petitioner has satisfied the requirements of Section 307 of the BCZR. However, in granting the relief requested, two restrictions shall be imposed. These restrictions are designed to safeguard the community and the Zoning Commissioner is empowered under the zoning regulations to impose such conditions if same are warranted. In my judgment, these are appropriate.

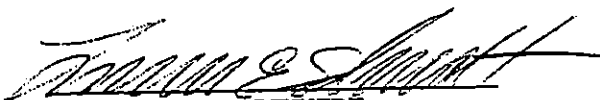
First, as noted above, the agreement by and between Mr. Schaefer and the Lutherville Community Association (Joint Exhibit No. 1) shall expressly be incorporated in this Order. This is obviously repetitive of the Order issued by Deputy Commissioner Kotroco. Secondly, it shall be required that other than the two signs proposed, there shall be no additional outdoor advertising on the site. The Petitioner shall be permitted to advertise on the building or on the windows of the vehicle's being displayed. For example, information indicating the model, year and/or the price of the cars can be written on the windshield of the vehicles. However, other than the two signs permitted herein and the advertising on the building itself, or vehicles, no additional advertising shall be permit-

ted. This restriction is specifically designed to eliminate the use of streamers, balloons, inflatable animals, temporary signs and similar means of advertising. Use of any type of advertising in this fashion shall be considered a violation of this Order and shall subject the Petitioner to prosecution as a zoning violation.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Variance shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 25<sup>th</sup> day of June, 1997 that a variance from Section 413.2.f. of the Baltimore County Zoning Regulations (BCZR) to permit 292 sq. ft. of business signage, in lieu of the maximum permitted 100 sq. ft., be and is hereby GRANTED, subject, however, to the following restrictions:

1. The 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. The agreement by and between Mr. Schaefer and the Lutherville Community Association (Joint Exhibit No. 1) shall expressly be incorporated in this Order.
3. As more fully set forth hereinabove, there shall be no means of outdoor advertising other than the 2 permanent signs identified on the site plan, or signs affixed to the building and/or written on the windows of the display vehicles.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES/mmn

JHP  
10/4

IN RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE  
 NW/Corner York Road and \*  
 Bellona Avenue \* DEPUTY ZONING COMMISSIONER  
 (1600 York Road) \*  
 8th Election District \* OF BALTIMORE COUNTY  
 3rd Councilmanic District \* Case No. 97-92-X  
 Regent Development Company, Owner;  
 Taco Bell, Inc., Lessee; and \*  
 William H. Schaefer, Sub-Lessee - Petitioners \*  
 \* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 1600 York Road, located in the vicinity of Melanchton and Margate Avenues in Lutherville. The Petition was filed by the Contract Lessee, Taco Bell, Inc., by Kevin Chaidez, National Excess Property Manager, and the Contract Sub-Lessee, William H. Schaefer, through Leslie M. Pittler, Esquire, attorney for the Petitioners. The Petitioners seek special exception relief to permit a used motor vehicle outdoor sales area, separate from the sales agency building, pursuant to Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 2.

Appearing at the hearing on behalf of the Petition were William H. Schaefer, Contract Sub-Lessee, Kenneth Colbert, Professional Engineer with Colbert Matz and Rosenfelt, who prepared the site plan for this project, Sally Malena, Landscape Architect with Human & Rohde, Inc., George L. Panos, Robert W. Hanna, Les Greenberg and Irvin Miller. Also appearing on behalf of the Petition was Eric Rockel, a representative of the Lutherville Community Association. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 1.1887 acres, more or less, zoned B.R.-C.N.S., and is presently unimproved. The property was recently approved for development with a Taco Bell restaurant; however, Taco Bell has decided not to use the site and have instead entered into a sub-lease agreement with William Schaefer who wishes to develop the site with a used car dealership. Testimony indicated that Mr. Schaefer currently operates other new and used car dealerships in the area. The proposed plans for the subject site include a 36' x 76' building which will house a used car showroom and office space for salesmen, as more particularly described on Petitioner's Exhibit 2, a site plan of the property. Furthermore, the property will be developed and the site improved in accordance with the landscape drawing submitted into evidence as Petitioner's Exhibit 3. Testimony revealed that the Petitioners have met and worked closely with the surrounding community, as evidenced by the written agreement entered into with the Lutherville Community Association, Inc. This agreement, which is identified as Petitioner's Exhibit 1, has been signed by Mr. Schaefer and contains certain terms and conditions that Mr. Schaefer has agreed to abide by with regard to his use of the property as a used car dealership. Therefore, as a condition of approval, this agreement shall be made a part of the record and enforceable as if part of this Order.

It is clear that the B.C.Z.R. permits the use proposed in a B.R.-C.N.S. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

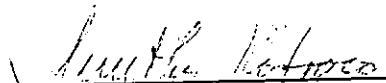
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14<sup>th</sup> day of October, 1996 that the Petition for Special Exception to permit a used motor vehicle outdoor sales area, separate from the sales agency building, pursuant to Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), and in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED; and,



IT IS FURTHER ORDERED that the Petitioners shall comply with all of the terms and conditions set forth in the agreement between Mr. William Schaefer and the Lutherville Community Association, Inc., identified herein as Petitioner's Exhibit 1. Failure to comply with any portion of this agreement shall result in a violation of this Order and the Petitioners shall be subject to zoning violation proceedings by the Zoning Enforcement Division of the Department of Permits and Development Management (DPDM); and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.

  
\_\_\_\_\_  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

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 - 08 Account Number - 2200023500							
Owner Information									
Owner Name:		REGENT DEVELOPMENT COMPANY				Use:		COMMERCIAL	
Mailing Address:		UNIT 113A 168 WEST RIDGE PIKE ROYERSFORD PA 19468-				Principal Residence:		NO	
						Deed Reference:			
Location & Structure Information									
Premises Address:		1600 YORK RD 0-0000				Legal Description:		.9792 AC 1600 YORK RD SW 1600YORK RD&1630BELLONA	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0060	0018	0202	20000.04	0000			1	2020	Plat Ref: 0067/0112
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	
1997		3,040 SF				0.9800 AC		24	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements		
		AUTO SHOWROOM	/	C3					
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2017		07/01/2019		07/01/2020	
Land:		931,000		931,000					
Improvements		394,400		394,400					
Total:		1,325,400		1,325,400		1,325,400			
Preferential Land:		0							
Transfer Information									
Seller:		Date:				Price:			
Type:		Deed1:				Deed2:			
Seller:		Date:				Price:			
Type:		Deed1:				Deed2:			
Seller:		Date:				Price:			
Type:		Deed1:				Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2019		07/01/2020			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00		0.00			
T. Exempt: None		Special Tax Recapture: None							
Exempt Class: None									
Homestead Application Information									
Homestead Application Status: No Application									

---

**Homeowners' Tax Credit Application Status: No Application**

**Date:**

---

Name  
Economic Park Center Type No Feature Found

**ENVIRONMENTAL**

Watershed Name [Jones Falls](#)

River Basin Name Petapasco River

Subshed Name Roland Run

Soil Name Sassafas-Urban land complex, 0 to 5 percent slopes

Soil Name Urban land 0 to 8 percent slopes

**HISTORIC**

National Register Historic District LUTHERVILLE

Baltimore County Historic District No Feature Found

Landmark Name No Feature Found

IMHP Number No Feature Found

**LAND MANAGEMENT**

URDL Land Type Urban

Growth Tier Served by public sewer and inside URDL

Description

**ZONING CASE HISTORY**

Zoning History Case Number ~~R-1964-0355-X~~

Zoning History Case Number 1997-0452-A

Zoning History Case Number 1961-5244-A

Zoning History Case Number 1980-0020-SPH

Zoning History Case Number 1994-0184-A

Zoning History Case Number 1997-0092-X

Zoning History Case Number R-1969-0122-XA

Zoning History Case Number R-1964-0010-XA

Zoning History Case Number ~~R-1979-0008-2-XA~~

Zoning History Case Number ~~R-1979-0197-XA~~



**1600 YORK RD**

Tax Account Number 2200023500

Owner Name REGENT DEVELOPMENT COMPANY

Premise Address 1600 YORK RD

Tax Map 0060

Parcel 0202

**ZONING INFORMATION**

Zoning [BRAS](#)

Zoning [DR 2](#)

Zoning [BLAS](#)

Zoning [BL](#)

**CIVIC - GOVERNMENT**

Police Precinct [Cockeysville](#)

Councilmanic District [3](#)

Congressional District [2](#)

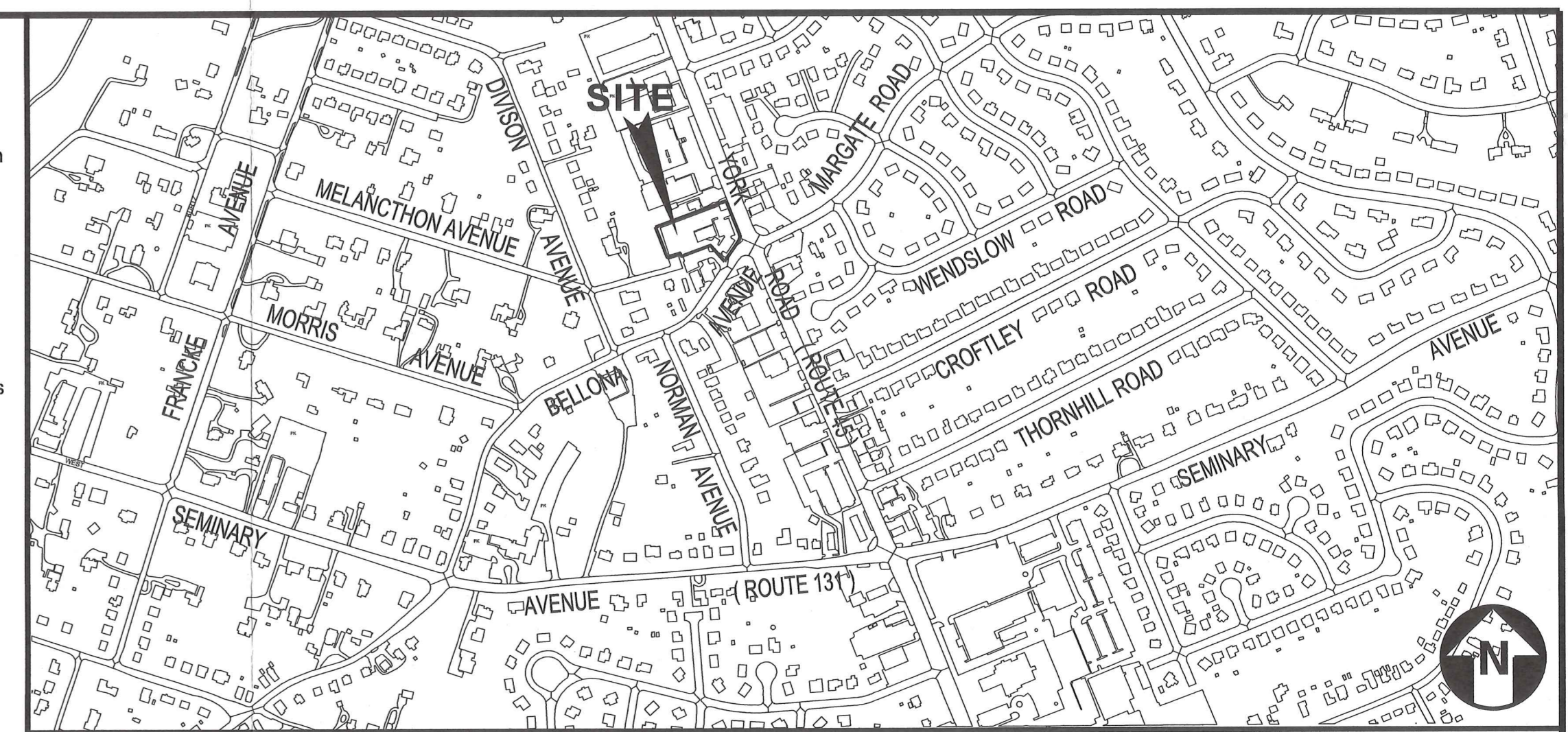
Legislative District [42B](#)

Election District [8](#)

Voting Precinct [08-014](#)

**LEGEND**

- Tract Boundary
- Existing Contours
- Existing Storm Drain
- Existing Sanitary
- Existing Water
- Existing Gas
- Existing Telephone
- Existing Electric
- Existing Cable TV
- Existing Fiber Optics



**VICINITY MAP** Scale 1" = 500'

**SITE DATA**

AREA OF LOT 1 = 1.0215 AC +/- 44,488 SF  
 TAX MAP 0086 PARCEL 002  
 ZONING MAP - 060C3  
 EXISTING ZONING - DR-2 (0.017 AC)  
 BL (0.025 AC)  
 BL-AS (0.025 AC)  
 BR-AS (0.845 AC)  
 TOTAL GROSS ZONING AREA = 1.19 AC +/- (51,935 SF)  
 TOTAL GROSS COMMERCIAL ZONED AREA 1.17 AC +/- (50,965 SF)  
 (INCLUDES UP TO ONE-HALF BUT NO MORE THAN 30' OF ADJACENT PUBLIC ROADWAY)  
 TAX ACCOUNT NO. 220023500  
 COUNCILMANIC DISTRICT 3  
 ELECTION DISTRICT 8  
 EXISTING USE - EXISTING 3,040 SF AUTOMOTIVE DEALERSHIP BUILDING INCLUDING AUTOMOTIVE SHOWROOM,  
 AUTOMOTIVE SALES OFFICES, GENERAL OFFICES, DETAIL BAYS  
 PROPOSED USE - SAME WITH PROPOSED 2,852 SF DETAIL BAY BUILDING  
 EXISTING BUILDING HEIGHT - 20'-0"  
 PROPOSED BUILDING HEIGHT - 20'-0"  
 F.A.R. PROPOSED - 5.80 SF OF A 50,965 SF = 0.12  
 CURRENT DEED REFERENCE - 0812-244  
 CURRENT PLAT REFERENCE - 67-112  
 PAI NO 308-006  
 PRIOR COMMERCIAL PERMITS - B292142 FOR EXISTING BUILDING  
 DEVELOPMENT APPROVAL  
 THIRD AMENDED DEVELOPMENT PLAN NATIONWIDE MOTOR SALES, INC. SIGNED BY PAI ON 2-9-97  
 ORIGINAL APPROVAL DATE 9-20-94 PER DRC 07286  
 NO PORTION OF THIS SITE LIES WITHIN THE 100 YEAR FLOODPLAIN (ZONE A or AE) AS INTERPRETED FROM DEPICTIONS AND  
 ELEVATIONS SHOWN ON FEMA FLOOD INSURANCE RATE MAP 240700060F DATED 9-26-2008.  
 NO PORTION OF THIS PROPERTY LIES IN THE CHESAPEAKE BAY CRITICAL AREA.  
 THERE ARE NO EXISTING WATER SUPPLY WELLS, SEPTIC RESERVE AREAS, OR UNDERGROUND FUEL TANKS ON THE PROPERTY.  
 THERE ARE NO ENDANGERED SPECIES HABITATS ON THE PROPERTY.  
 THE PROPERTY DOES NOT FALL WITHIN A FAILING TRAFFIC SHED OR A DEFICIENT PUBLIC WATER OR SEWER AREA  
 PER BASIC SERVICES MAPS EFFECTIVE 5-20-19  
 ZONING CASE HISTORY - SEE INFORMATION ON THIS SHEET  
 STORMWATER MANAGEMENT - A STORMWATER MANAGEMENT PLAN WAS APPROVED FOR THIS SITE ON OCTOBER 14, 1994  
 UNDER PRIOR CODE SECTION 44-165(C)(1) The director may grant a waiver of the stormwater management requirements for individual  
 sites, provided that the applicant submits a written request containing descriptions, drawings, calculations, and any other information necessary to  
 evaluate the proposed waiver request.

**ZONING CASE HISTORY**

CASE NO. 8244-V  
 TO PERMIT THE ERECTION OF A SIGN OF 285 SQ.FT. INSTEAD OF 100 SQ.FT. AND TO  
 INCREASE OF THE HEIGHT REGULATION TO 35 FT. INSTEAD OF 25 FT.  
 PETITION WITHDRAWN: 9/4/01

CASE NO. 64-10-RX  
 PETITION FOR RECLASSIFICATION FROM R-6 TO R-4  
 PETITION FOR SPECIAL EXCEPTION FOR AN OFFICE BUILDING  
 TO PERMIT A FRONT YARD OF 15 FT. INSTEAD OF THE REQUIRED 30 FT. AND TO PERMIT  
 A SIDE YARD OF 15 FT. INSTEAD OF THE REQUIRED 25 FT. ON THE WEST SIDE.  
 RECLASSIFICATION GRANTED: 9/16/04  
 SPECIAL EXCEPTION AND VARIANCES DENIED: 9/16/04

CASE NO. 89-12-RX  
 PETITION FOR RECLASSIFICATION FROM R-6 TO R-4 & SPECIAL EXCEPTION FOR OFFICE BLDG.  
 VARIANCE TO PERMIT A SIDE YARD OF 5 FT. INSTEAD OF THE  
 REQUIRED 25 FT. & TO PERMIT A FRONT YARD OF 15 FT. INSTEAD OF THE REQUIRED 30 FT.  
 AND TO PERMIT 40 FT. FROM CENTERLINE OF STREET INSTEAD OF THE REQUIRED 60 FT.

RECLASSIFICATION FROM R-6 TO R-4 GRANTED: 2/18/09  
 SPECIAL EXCEPTION FOR OFFICE BUILDING GRANTED: 2/18/09  
 VARIANCES DENIED: 2/18/09

CASE NO. 80-29-SPH  
 TO PERMIT BUSINESS OR INDUSTRIAL PARKING IN A RESIDENTIAL ZONE  
 GRANTED: 8/1/79  
 APPEAL: 4/8/80  
 APPEAL DENIED: 5/14/80

CASE NO. 94-184-A  
 TO PERMIT A SIDEYARD SETBACK OF 6 FT. IN LIEU OF THE REQUIRED 30 FT.  
 TO PERMIT 191.88 SQ.FT. OF BUSINESS SIGNS IN LIEU OF THE MAXIMUM PERMITTED 100 SQ.FT.  
 TO PERMIT 9 SIGNS TOTAL IN LIEU OF THE MAXIMUM PERMITTED 3 SIGNS ON ANY PREMISES.  
 GRANTED: 12/7/93  
 RESTRICTIONS  
 1) THE PETITIONERS ARE HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS  
 AT ITS 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) THE PETITIONERS AND SUBSEQUENT PROPERTY OWNERS/SUCCESSORS SHALL BE PROHIBITED  
 FROM ERUPTING ANY OUTDOOR ADVERTISING ON THIS SITE, OTHER THAN  
 THE 9 SIGNS SHOWN ON THE SITE PLAN. THIS RESTRICTION SHALL TAKE EFFECT  
 30 DAYS AFTER OCCUPANCY OF THE PROPERTY BY THE TADPO BELL RESTAURANT,  
 THEREBY ENABLING THIS BUSINESS TO ADVERTISE ITS OPENING AND/OR EMPLOYMENT  
 OPPORTUNITIES. THEREAFTER, THERE SHALL BE NO BANNERS, FLAGS, TEMPORARY  
 SIGNS OR OTHER OUTDOOR MECHANISMS DESIGNED TO DRAW ATTENTION TO AND/OR  
 ADVERTISE THE SITE.  
 3) THE PETITIONERS SHALL PROVIDE LANDSCAPING IN ACCORDANCE WITH THAT SET  
 FORTH ON THE ATTACHED LANDSCAPING PLAN IDENTIFIED HEREIN AS PETITIONERS'  
 EXHIBIT NO. 8. FURTHER, THE PETITIONERS SHALL ENSURE ADEQUATE SCREENING  
 OF THE PROPERTY AT AND NEAR THE PROPOSED TERMINUS OF MELANCTHON  
 AVENUE AND THE SITE.

**PARKING TABULATION**

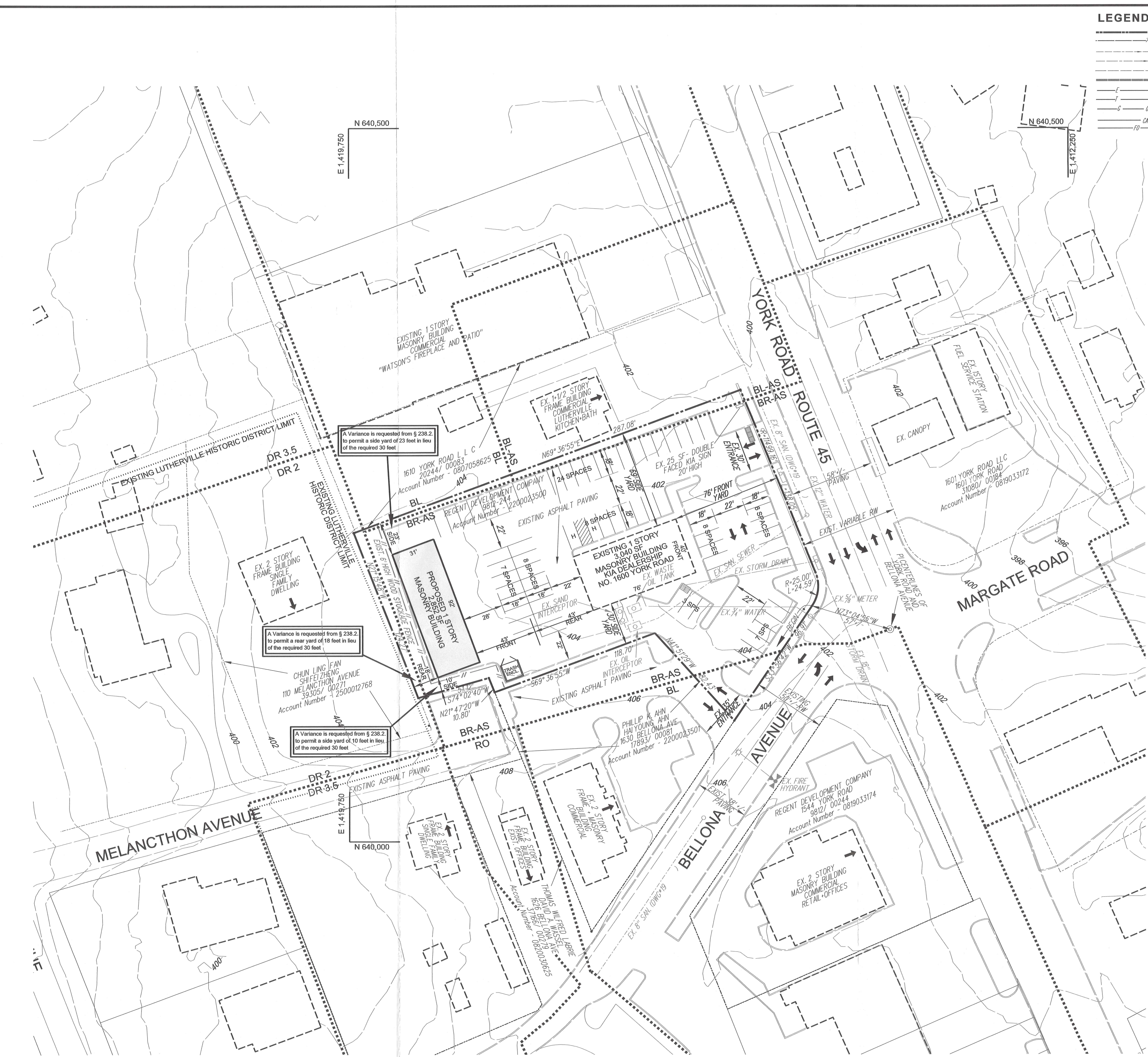
Parking Required	
Existing Building	
Showroom, Sales Offices, Sales Support	1,000 SF @ 5 Spaces / 1,000 SF = 5 Spaces
General Offices	840 SF @ 3.3 Spaces / 1,000 SF = 3 Spaces
Auto prep bays	1,200 SF @ 3.3 Spaces / 1,000 SF = 4 Spaces
New Building	
Auto prep bays	2,852 SF @ 3.3 Spaces / 1,000 SF = 10 Spaces
Total Parking Required	= 22 Spaces
Total Parking Provided For Customers And Employees	= 22 Spaces
Total Parking Provided For Inventory And Display	= 51 Spaces
Parking For The Physically Handicap Shown Thus: H (Included in Parking Provided For Customers/Employees)	= 2 Spaces
Parking Spaces At 8.5' X 18', 8.5' X 19', 9' X 18', 9' X 19' As Noted On Plan Van Accessible Parking For Physically Handicap At 18' X 18' Wide	
All Parking To Be Permanently Striped On A Durable And Durable Surface	

**NOTES**

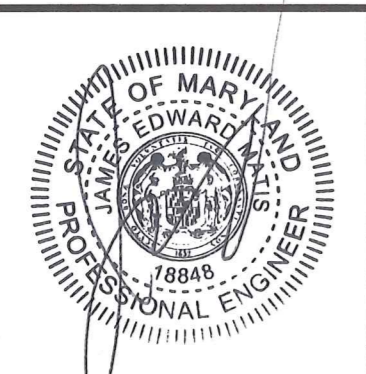
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 NO FIELD SURVEY OF THE PROPERTY WAS CONDUCTED.
- 2) THE METES AND BOUNDS SHOWN HEREON WERE CONVERTED FROM BCMD DATA AND ARE NOT BASED ON  
 A BOUNDARY SURVEY.
- 3) THE PROPERTY IS SUBJECT TO A STATE HIGHWAY ADMINISTRATION TAKING AS SHOWN ON SHA SRC PLAT 56805

**VARIANCE REQUESTS**

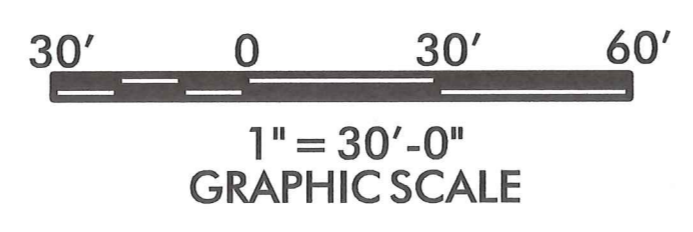
A Variance is requested from § 238.2, to permit a rear yard of 18 feet in lieu of the required 30 feet  
 A Variance is requested from § 238.2, to permit side yards of 10 feet and 23 feet in lieu of the required 30 feet



**MATISWARFIELD**  
 Consulting Engineers  
 954 Ridgebrook Road Suite 120 Sparks, Maryland 21152  
 410.683.7004 PHONE 410.683.1798 FAX  
 www.matiswarfield.com



Professional Certification:  
 I hereby certify that these documents  
 were prepared or approved by me,  
 and that I am a duly licensed  
 professional engineer under the laws  
 of the State of Maryland.  
 License No. PE 18848  
 Expiration Date: 9-19-20

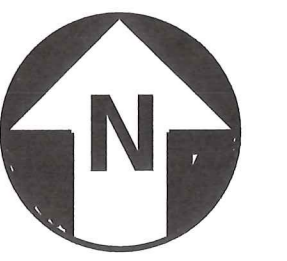


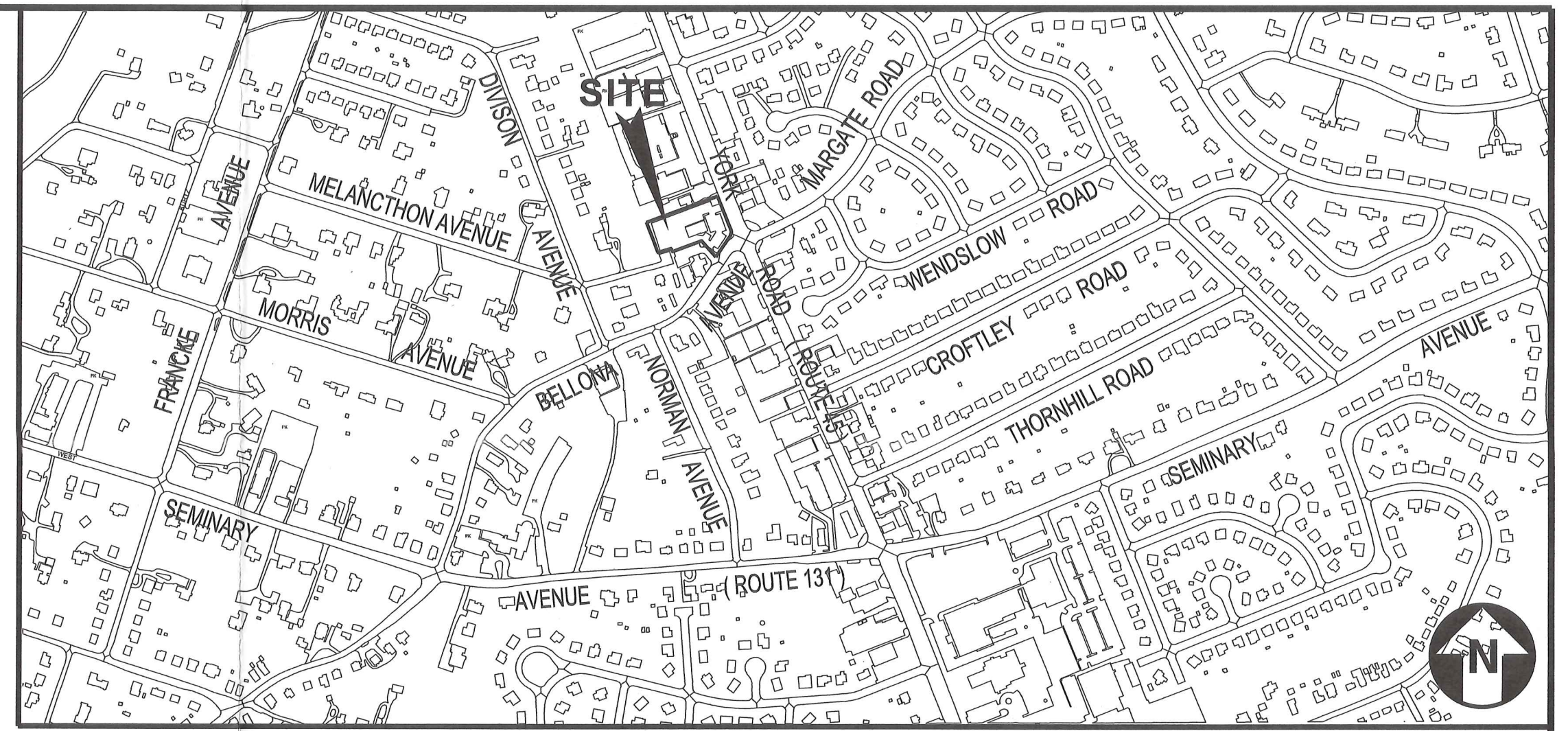
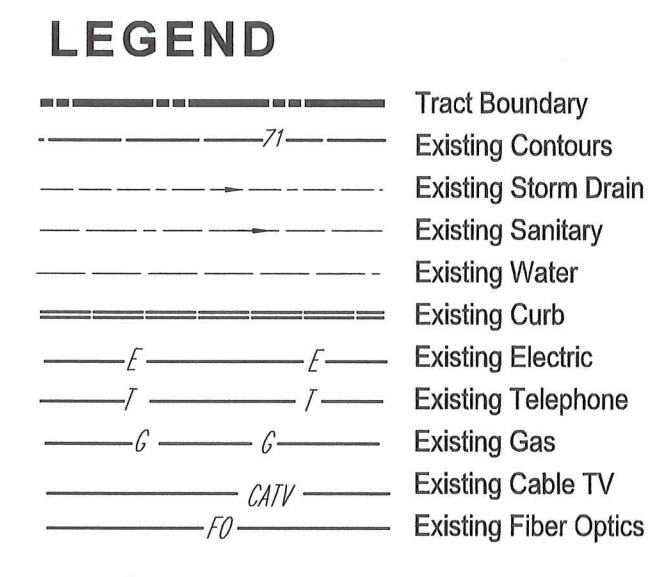
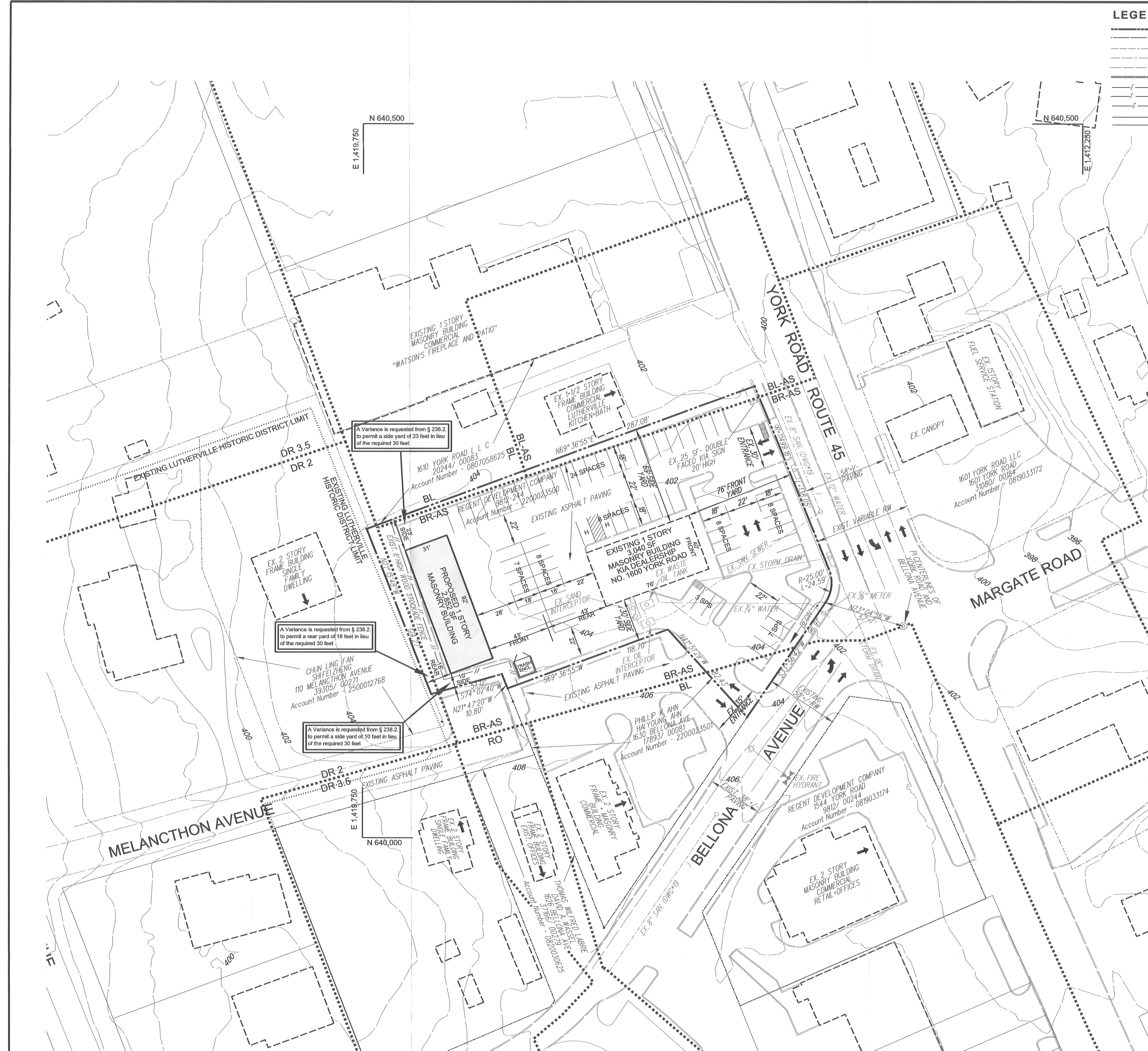
**LEGAL OWNER**  
 REGENT DEVELOPMENT COMPANY  
 UNIT 113A  
 168 WEST RIDGE PIKE  
 ROYERSFORD PA 19468

**OWNER/ PETITIONER**  
 NATIONWIDE MOTOR SALES, INC.  
 2085 YORK ROAD  
 TIMONIUM, MARYLAND 21093  
 Att: William H. Schaefer

Date	Issue
11-12-19	FILING ISSUE

**PLAN TO ACCOMPANY ZONING PETITION**  
 NATIONWIDE KIA  
 1600 YORK ROAD  
 LUTHERVILLE, MD 21093  
 LOT 1 PLAT 67-112  
 BALTIMORE COUNTY, MARYLAND  
 ELECTION DISTRICT NO. 8  
 COUNCILMANIC DISTRICT 3  
 SHEET 1 OF 1 2P-1





**VICINITY MAP** Scale 1" = 500'

**SITE DATA**

AREA OF LOT 1 = 1.0213 AC +/- (44,488 SF)  
 TAX MAP 0650 PARCEL 0202  
 ZONING MAP - 09023  
 EXISTING ZONING - DR-2 (0.017 AC)  
 BL (0.035 AC)  
 BR-AS (0.945 AC)  
 TOTAL GROSS ZONING AREA = 1.19 AC +/- (51,935 SF)  
 TOTAL GROSS COMMERCIALLY ZONED AREA 1.17 AC +/- (50,965 SF)  
 (INCLUDES UP TO ONE-HALF BUT NO MORE THAN 30' OF ADJACENT PUBLIC ROADWAY)  
 TAX ACCOUNT NO. 2200023500  
 COUNCILMANIC DISTRICT 3  
 ELECTION DISTRICT 8  
 EXISTING USE - EXISTING 3,040 SF AUTOMOTIVE DEALERSHIP BUILDING INCLUDING AUTOMOTIVE SHOWROOM, AUTOMOTIVE SALES OFFICES, GENERAL OFFICES, DETAIL BAYS  
 PROPOSED USE - SAME WITH PROPOSED 2,852 SF DETAIL BAY BUILDING  
 EXISTING BUILDING HEIGHT - 20' +/-  
 PROPOSED BUILDING HEIGHT - 20' +/-  
 F.A.R. PROPOSED - 5.882 SF/GA' 50,965 SF = 0.12  
 CURRENT DEED REFERENCE - 9812-244  
 CURRENT PLAT REFERENCE - 67-112  
 PAI NO X18-506  
 PRIOR COMMERCIAL PERMITS - B292142 FOR EXISTING BUILDING DEVELOPMENT APPROVAL  
 THIRD AMENDED DEVELOPMENT PLAN NATIONWIDE MOTOR SALES, INC. SIGNED BY PAI ON 2-7-97  
 ORIGINAL APPROVAL DATE 9-20-94 PER DRC 07226  
 NO PORTION OF THIS SITE LIES WITHIN THE 100 YEAR FLOODPLAIN (ZONE A or AE) AS INTERPRETED FROM DEPICTIONS AND ELEVATIONS SHOWN ON FEMA FLOOD INSURANCE RATE MAP 240100265F DATED 9-26-2008  
 NO PORTION OF THIS PROPERTY LIES IN THE CHESAPEAKE BAY CRITICAL AREA.  
 THERE ARE NO EXISTING WATER SUPPLY WELLS, SEPTIC RESERVE AREAS, OR UNDERGROUND FUEL TANKS ON THE PROPERTY.  
 THERE ARE NO ENDANGERED SPECIES HABITATS ON THE PROPERTY.  
 THE PROPERTY DOES NOT FALL WITHIN A FAILING TRAFFIC SIGNAL OR A DEFICIENT PUBLIC WATER OR SEWER AREA  
 PER BASIC SERVICES MAPS EFFECTIVE 5-20-19  
 ZONING CASE HISTORY - SEE INFORMATION ON THIS SHEET  
 STORMWATER MANAGEMENT - A STORMWATER MANAGEMENT WAIVER WAS APPROVED FOR THIS SITE ON OCTOBER 14, 1994 UNDER PRIOR CODE SECTION 14-1555(C)(1). THE DIRECTOR MAY GRANT A WAIVER OF THE STORMWATER MANAGEMENT REQUIREMENTS FOR INDIVIDUAL SITES, PROVIDED THAT THE APPLICANT SUBMITS A WRITTEN REQUEST CONTAINING DESCRIPTIONS, DRAWINGS, CALCULATIONS, AND ANY OTHER INFORMATION NECESSARY TO EVALUATE THE PROPOSED WAIVER REQUEST.

**ZONING CASE HISTORY**

CASE NO. 5244-V  
 TO PERMIT THE ERECTION OF A SIGN OF 285 SQ.FT. INSTEAD OF 100 SQ.FT. AND TO INCREASE OF THE HEIGHT REGULATION TO 35 FT. INSTEAD OF 25 FT.  
 PETITION WITHDRAWN: 8/4/61

CASE NO. 84-10-RXA  
 PETITION FOR RECLASSIFICATION FROM R-4 TO R-A.  
 PETITION FOR SPECIAL EXCEPTION FOR AN OFFICE BUILDING.  
 TO PERMIT A FRONT YARD OF 15 FT. INSTEAD OF THE REQUIRED 30 FT. AND TO PERMIT A SIDE YARD OF 15 FT. INSTEAD OF THE REQUIRED 25 FT. ON THE WEST SIDE.  
 RECLASSIFICATION GRANTED: 6/16/64  
 SPECIAL EXCEPTION AND VARIANCES DENIED: 6/16/64

CASE NO. 69-122-RXA  
 PETITION FOR RECLASSIFICATION FROM R-6 TO R-8 AND SPECIAL EXCEPTION FOR OFFICE BLDG.  
 VARIANCE TO PERMIT A SIDE YARD OF 5 FT. INSTEAD OF THE REQUIRED 10 FT. AND TO PERMIT A FRONT YARD OF 15 FT. INSTEAD OF THE REQUIRED 30 FT. AND TO PERMIT 40 FT. FROM CENTERLINE OF STREET INSTEAD OF THE REQUIRED 60 FT.

RECLASSIFICATION FROM R-4 TO R-8 GRANTED: 2/18/69  
 RECLASSIFICATION FROM R-4 TO R-8 GRANTED: 2/18/69  
 SPECIAL EXCEPTION FOR OFFICE BUILDING GRANTED: 2/18/69  
 VARIANCES DENIED: 2/18/69

CASE NO. 80-20-SPH  
 TO PERMIT BUSINESS OR INDUSTRIAL PARKING IN A RESIDENTIAL ZONE  
 GRANTED: 6/16/70  
 APPEAL DENIED: 4/8/80  
 APPEAL DENIED: 5/14/80

CASE NO. 94-184-A  
 TO PERMIT A SIDEYARD SETBACK OF 6 FT. IN LIEU OF THE REQUIRED 30 FT.  
 TO PERMIT 18168 SQ.FT. OF BUSINESS SIGNS IN LIEU OF THE MAXIMUM PERMITTED 100 SQ.FT.  
 TO PERMIT 8 SIGNS TOTAL IN LIEU OF THE MAXIMUM PERMITTED 3 SIGNS ON ANY PREMISES.  
 GRANTED: 12/7/93  
 RESTRICTIONS:  
 1) THE 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) THE PETITIONERS AND SUBSEQUENT PROPERTY OWNERS/LESSEES SHALL BE PROHIBITED FROM EMPLOYING ANY OUTDOOR ADVERTISING ON THIS SITE, OTHER THAN THE 8 SIGNS SHOWN ON THE SITE PLAN. THIS RESTRICTION SHALL TAKE EFFECT 30 DAYS AFTER OCCUPANCY OF THE PROPERTY BY THE TAGO BELL RESTAURANT, THEREBY ENABLING THIS BUSINESS TO ADVERTISE ITS OPENING AND/OR EMPLOYMENT OPPORTUNITIES. THEREAFTER, THERE SHALL BE NO BANNERS, FLAGS, TEMPORARY SIGNS OR OTHER OUTDOOR MECHANISMS DESIGNED TO DRAW ATTENTION TO AND/OR ADVERTISE THE SITE.  
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**PARKING TABULATION**

Category	Quantity
Existing Building	
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Parking For The Physically Handicap Shown Thus: H	= 2 Spaces
(Included In Parking Provided For Customers/Employees)	
Parking Spaces At 8'5" X 18', 8'5" X 19', 9' X 18', 9' X 19' As Noted On Plan	
Van Accessible Parking For Physically Handicap At 18' X 18' Wide	
All Parking To Be Permanently Striped On A Durable And Dustfree Surface	

**NOTES**

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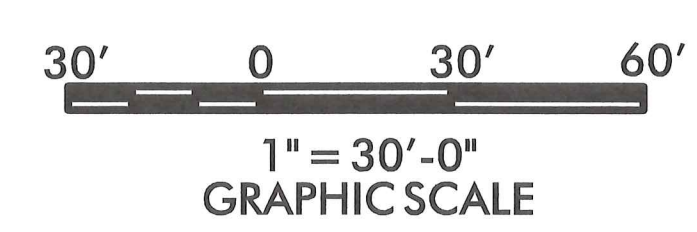
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\*Professional Certification:  
 I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.  
 License No. PE 18848  
 Expiration Date: 9-19-20



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