

MEMORANDUM

DATE: August 21, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0011-X – Appeal Period Expired

The appeal period for the above-referenced cases expired on August 20, 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

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
(4050 North Point Boulevard) *
15th Election District * OFFICE OF
7th Council District *
William S. Zacierka, * ADMINISTRATIVE HEARINGS
Legal Owner *
Amani Canaan, * FOR BALTIMORE COUNTY
Contract Purchaser *
Petitioners * **Case No. 2020-0011-X**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of a Petition for Special Exception filed on behalf of William S. Zacierka, *Legal Owner*, and Amani Canaan, *Contract Purchaser* (“Petitioners”). The special exception petition was filed pursuant to § 236.2 of the Baltimore County Zoning Regulations (“BCZR”) to allow a used motor vehicle outdoor sales area, separated from sales agency building, and to permit living quarters in a commercial building.

Due to the COVID-19 pandemic, a hearing was conducted remotely by computer and/or phone participation. Mr. Zacierka and Ms. Canaan appeared in support of the petition. Patrick “Rick” Richardson, the engineer who prepared the Site Plan, assisted Petitioners in presenting the case. The Site Plan was admitted as Petitioners’ Exhibit 1. There were no Protestants or interested citizens in attendance. Substantive Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) which recommended Petitioners consult with the State Highway Administration (“SHA”) about putting sidewalks along the portion of North Point Boulevard. In addition, DOP indicated it will defer to the Department of Environmental Protection and Sustainability (“DEPS”) in regards to drainage concerns.

ORDER RECEIVED FOR FILING

Date

7/21/2020

By

D. M. Magon

The site is approximately .44 acres in size and zoned BR and AS. There is an existing structure on the site that has office and residential space. The site has been intermittently used as a used car retail business for many years. The Petitioners seek a special exception to resume that use at the site. The evidence established that there are four other used car businesses in the immediate vicinity. The Petitioners are working with the State Highway Administration on various improvements to the site's access points on North Point Boulevard, including installing curb and guttering to ensure that stormwater drainage is properly channeled to existing public sewers. No other changes are proposed at the site. No additional impervious surfaces will be created.

Special Exception

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use. Mr. Richardson explained the development proposal and expressed his expert opinion that it complies in all respects with BCZR § 502.1, as well as the specific requirements of BCZR § 236.2 concerning used motor vehicle outdoor sales. I find that the evidence establishes that the Petitioners are entitled to the special exception relief they have requested. I specifically find that the adverse impacts of this proposed use at this particular location will not be above and beyond those inherently associated with this special exception use.

ORDER RECEIVED FOR FILING

Date

7/21/20

By

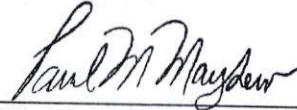
D. M. Gannon

THEREFORE, IT IS ORDERED this 21st day of **July, 2020**, by this Administrative Law Judge, that the Petition for Special Exception seeking relief from § 236.2 of the Baltimore County Zoning Regulations ("BCZR") to allow a used motor vehicle outdoor sales area, separated from a sales agency building, and to permit living quarters in a commercial building, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

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

7/21/20

By

D. Mignon



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 4050 North Point Boulevard which is presently zoned BR-AS

Deed References: 7313/402 10 Digit Tax Account # 1513550860

Property Owner(s) Printed Name(s) William S. Zacierka

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

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

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

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

See Attached

3. a **Variance** from Section(s)

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

TO BE PRESENTED AT THE 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:

Amani Canaan
Name- Type or Print

Signature

4050 North Point Boulevard Baltimore MD
Mailing Address City State

21222 / 609-770-1282 / amanicanaan@gmail.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

7/21/20 By [Signature]
Mailing Address City State

21093 / 410-560-1502 / Rick@RichardsonEngineering.net
Zip Code Telephone # Email Address

CASE NUMBER 20-0011-X Filing Date 1/15/20

Legal Owners (Petitioners):

William S. Zacierka / _____
Name #1 - Type or Print Name #2 - Type or Print

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

2904 Cedarcrest Avenue Baltimore MD
Mailing Address City State

21219-1203 / 410-371-7487 / zacierka@verizon.net
Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC
Name - Type or Print

Signature

30 E. Padonia Road, Suite 500 Timonium MD
Mailing Address City State

21093 / 410-560-1502 / Rick@RichardsonEngineering.net
Zip Code Telephone # Email Address

Do Not Schedule Dates: _____ Reviewer gh

THE
OFFICE OF THE
ATTORNEY GENERAL
STATE OF NEW YORK
ALBANY

IN SENATE,
JANUARY 10, 1907.

REPORT
OF THE
COMMISSIONER OF THE
LAND OFFICE
FOR THE YEAR
1906.

ALBANY: PUBLISHED BY THE
UNIVERSITY OF THE STATE OF NEW YORK
1907.

Zoning Relief for 4050 North Point Boulevard

Special Exception:

Per Section 236.2 to allow a Used motor vehicle outdoor sales area, separated from sales agency building

PER SECTION 236.2 TO PERMIT ~~A~~ LIVING QUARTERS IN A COMMERCIAL BUILDING.

20-0011-X

**ZONING PROPERTY DESCRIPTION FOR
4050 NORTH POINT BOULEVARD
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the Northeast corner of the intersection of the right-of-way of North Point Boulevard and New Battle Grove Road binding on the right-of-way on New Battle Grove Road (1) North 23 degrees 24 minutes 26 seconds East at a distance of 144.03 feet, thence leaving the right-of-way and going the following courses and distances, (2) North 20 degrees 20 minutes 00 seconds West 125.00 feet, (3) South 60 degrees 41 minutes 56 seconds West 114.58 feet, binding on the right-of-way of North Point Boulevard South 29 degrees 18 minutes 04 seconds East 212.26 feet to the point of beginning.

Containing a net area of 19,322 square feet or 0.44 acres +/-.



PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF
THE STATE OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2021

20-0011-X

CERTIFICATE OF POSING

2020-0011-X

RE: Case No.: _____

Petitioner/Developer: _____

William Zacierka
Amani Canaan

July 21, 2020

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: _____

4050 North Point Boulevard

SIGN 2 Recertification

July 1, 2020

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

Sincerely,

July 18, 2020

(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

2020-0011-X

RE: Case No.: _____

Petitioner/Developer: _____

**William Zacierka
Amani Canaan**

July 21, 2020

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
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Attn: Kristen Lewis:

Ladies and Gentlemen:

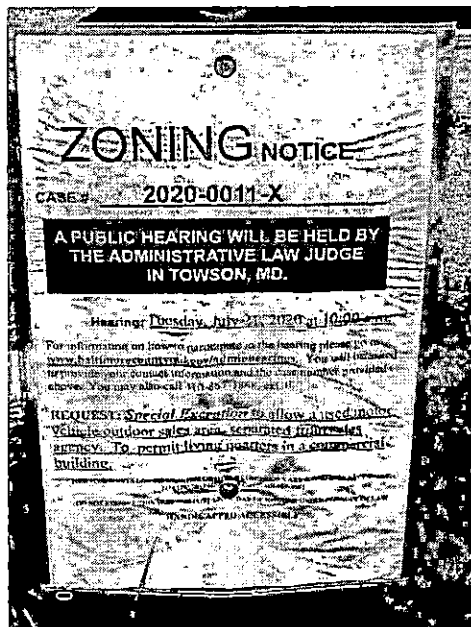
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4050 North Point Boulevard

SIGN 1 Recertification

July 1, 2020

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



Sincerely,

 **July 18, 2020**
(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)

ZAC AGENDA

6/18 1:30 PM
Cancelled.

Case Number: 2020-0011-X **Reviewer:** Gary Hucik
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: SPECIAL EXCEPTION
Legal Owner: William S. Zacierka
Contract Purchaser: Amani Canaan

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 15 **Council Dist:** 7

Property Address: 4050 NORTH POINT BLVD

Location: North East corner of North Point Road and New Battle Grove Road.

Existing Zoning: BR A5 **Area:** .44 AC

Proposed Zoning:

SPECIAL EXCEPTION:

Per Section 236.2 To allow a used motor vehicle outdoor sales area, separated from sales agency building. Per section 236.2 To permit living quarters in a commercial building.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2020-0012-A **Reviewer:** Jun Fernando
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Johua & Terri Rosen
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 3 **Council Dist:** 2

Property Address: 7515 LABYRINTH RD

Location: Southeast corner of Smith Ave and Labyrinth Road.

Existing Zoning: DR 3.5 **Area:** 11,748 SQ FT

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

1B02.3.B BCZR To permit an addition in the side street and rear of the existing dwelling with a side street setback of 12' in lieu of the required 30'.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 02/10/2020

Miscellaneous Notes:

Debra Wiley

From: Debra Wiley
Sent: Tuesday, March 17, 2020 8:52 AM
To: 'Richardson, Patrick'
Subject: Hearings Postponed Before OAH

Good Morning Mr. Richardson,

Please be advised that a voice mail was left for both of you this morning regarding hearings before our office.

Due to the coronavirus, we will not be conducting public hearings during the month of March. Therefore, Case No. 2020-0011-X scheduled for Friday, March 20, 2020 @ 1:30 PM has been postponed; this information is reflected on the County's website. For your reference, please see the following link:
<https://www.baltimorecountymd.gov/Agencies/adminhearings/index.html>

We would kindly ask if you could notify all interested parties of this postponement, and this will be rescheduled as soon as possible. Please feel free to contact our office if you have any questions and/or concerns and thanks for your patience during this time.

Debra Wiley, Legal Administrative Secretary
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Special Tax Recapture: None					
Account Identifier:		District - 15 Account Number - 1513550860			
Owner Information					
Owner Name:		ZACIERKA WILLIAM S		Use:	COMMERCIAL
Mailing Address:		2904 CEDARCREST AVE BALTIMORE MD 21219-1203		Principal Residence:	NO
				Deed Reference:	/07313/ 00402
Location & Structure Information					
Premises Address:		4050 NORTH POINT RD 0-0000		Legal Description:	.33 AC POINT BLVD & IMPS COR NEW BATTLE GR
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:
0104	0009	0368	30000.04	0000	
				Block:	Lot:
				Assessment Year:	Plat No:
				2018	Plat Ref:
Town: None					
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1948		1,976 SF		14,374 SF	
Property Land Area		County Use			
14,374 SF		06			
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
		BEAUTY/BARBER SHOP	/	C3	
Garage					
Last Notice of Major Improvements					
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2018		07/01/2019	
				As of	
				07/01/2020	
Land:	248,700	248,700			
Improvements	74,900	78,900			
Total:	323,600	327,600		326,267	327,600
Preferential Land:	0				0
Transfer Information					
Seller: MILLER GEORGE A		Date: 10/31/1986		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /07313/ 00402		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2019	
County:		000		0.00	
State:		000		0.00	
Municipal:		000		0.00 0.00	
				0.00 0.00	
Special Tax Recapture: None					
Homestead Application Information					
Homestead Application Status: No Application					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application				Date:	

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Sunday, March 15, 2020 10:52 PM
To: Rick Richardson; Administrative Hearings
Subject: Recertification's For 2020-0011-X
Attachments: Re-Cert 1 2020-0011-X.doc; Re-Cert 2 2020-0011-X.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 4050 North Point Boulevard. Thanks.

CERTIFICATE OF POSTING

2020-0011-X

RE: Case No.: _____

Petitioner/Developer: _____

William Zacierka
Amani Canaan

March 20, 2020

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:

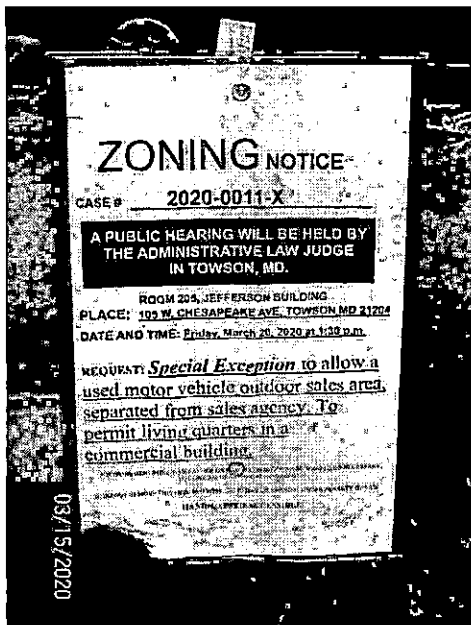
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

4050 North Point Boulevard

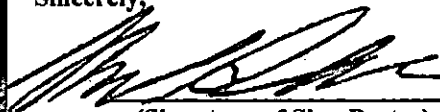
SIGN 1 Recertification

February 29, 2020

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



Sincerely,

 March 15, 2020
(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

2020-0011-X

RE: Case No.: _____

Petitioner/Developer: _____

William Zacierka
Amani Canaan

March 20, 2020

Date of Hearing/Closing: _____

Baltimore County Department of
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County Office Building, Room 111
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Attn: Kristen Lewis:

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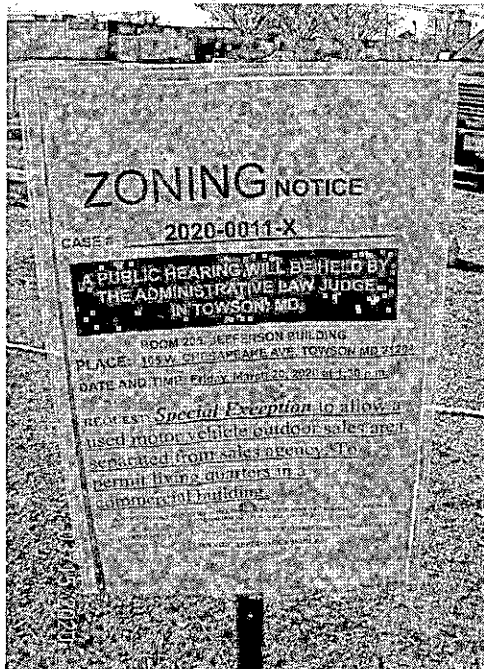
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

4050 North Point Boulevard

SIGN 2 Recertification

February 29, 2020

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



Sincerely,


(Signature of Sign Poster)

March 15, 2020

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

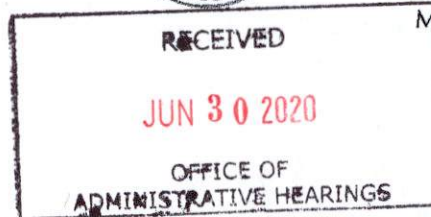
(410) 282-7940

(Telephone Number)



JOHN A. OLSZEWSKI, JR.
County Executive

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



June 29, 2020

NEW NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold an online, virtual hearing as indicated below.

CASE NUMBER: 2020-0011-X

4050 North Point Boulevard
N/east corner of North Point Rd. and New Battle Grove Rd.
15th Election District – 7th Councilmanic District
Legal Owners: William Zacierka
Contract Purchaser/Lessee: Amani Canaan

Special Exception to allow a used motor vehicle outdoor sales area, separated from sales agency. To permit living quarters in a commercial building.

Hearing: Tuesday, July 21, 2020 at 10:00.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours before the hearing date. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Michael Mallinoff
Director

MM:kl

C: William Zacierka, 2904 Cedarcrest Avenue, Baltimore 21219
Amani Canaan, 4050 North Point Blvd., Baltimore 21222
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093

NOTE: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 1, 2020.

Donna Mignon

From: Kristen L Lewis
Sent: Tuesday, June 30, 2020 11:19 AM
To: Debra Wiley; Donna Mignon
Subject: Hearing Notice
Attachments: 20200630111814708.pdf

Good morning ladies,

Attached is information needed for a case that needs a webex event created for it. It is set in for 2 hrs. Thank you,

Kristen Lewis
PAI – Zoning Review
410-887-3391

Kristen L Lewis

From: Richardson, Patrick <rick@richardsonengineering.net>
Sent: Thursday, May 28, 2020 4:15 PM
To: Kristen L Lewis
Cc: Amani Canaan; zacierka@verizon.net
Subject: RE: 020-0011-X (6-18-20)webex.doc

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

Kristen, please cancel the hearing time for this project as I will not be able to attend.
Please schedule for the next available time. thanks.

Rick Richardson
Richardson Engineering, LLC
30 E. Padonia Road Suite 500
Timonium, MD 21093
410-560-1502-x112
fax: 443-901-1208

From: Kristen L. Lewis [mailto:klewis@baltimorecountymd.gov]
Sent: Tuesday, May 26, 2020 11:29 AM
To: Richardson, Patrick <rick@richardsonengineering.net>
Subject: 020-0011-X (6-18-20)webex.doc

Good morning,

Please disregard previous email, as it had the wrong time. This attached notice is the correct notice for the 1:30 p.m. start time. Sorry for the confusion, thank you.

COVID-19

Stay Home • Wash Your Hands
Avoid Touching Your Face
Disinfect Surfaces Frequently

STOP THE SPREAD • FLATTEN THE CURVE

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

*Original
mailed*

May 26, 2020

CORRECTED NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold an online, virtual hearing as indicated below.

CASE NUMBER: 2020-0011-X

4050 North Point Boulevard

N/east corner of North Point Rd. and New Battle Grove Rd.

15th Election District – 7th Councilmanic District

Legal Owners: William Zacierka

Contract Purchaser/Lessee: Amani Canaan

Special Exception to allow a used motor vehicle outdoor sales area, separated from sales agency. To permit living quarters in a commercial building.

Hearing: Thursday, June 18, 2020 at 1:30 p.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.



Michael Mallinoff
Director

MM:kl

C: William Zacierka, 2904 Cedarcrest Avenue, Baltimore 21219
Amani Canaan, 4050 North Point Blvd., Baltimore 21222
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093

NOTE: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MAY 29, 2020.



JOHN A. OLSZEWSKI, JR.
County Executive

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

June 29, 2020

NEW NOTICE OF ZONING HEARING

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4050 North Point Boulevard

N/east corner of North Point Rd. and New Battle Grove Rd.

15th Election District – 7th Councilmanic District

Legal Owners: William Zacierka

Contract Purchaser/Lessee: Amani Canaan

Special Exception to allow a used motor vehicle outdoor sales area, separated from sales agency. To permit living quarters in a commercial building.

Hearing: Tuesday, July 21, 2020 at 10:00.m.

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A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: William Zacierka, 2904 Cedarcrest Avenue, Baltimore 21219
Amani Canaan, 4050 North Point Blvd., Baltimore 21222
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093

NOTE: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 1, 2020.

CERTIFICATE OF POSTING

2020-0011-X

RE: Case No.: _____

Petitioner/Developer: _____

**William Zacierka
Amani Canaan**

July 21, 2020

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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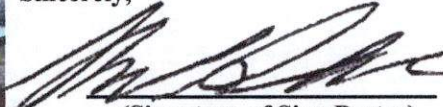
SIGN 1

July 1, 2020

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



Sincerely,


(Signature of Sign Poster)

July 1, 2020

(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

2020-0011-X

RE: Case No.: _____

Petitioner/Developer: _____

**William Zacierka
Amani Canaan**

July 21, 2020

Date of Hearing/Closing: _____

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County Office Building, Room 111
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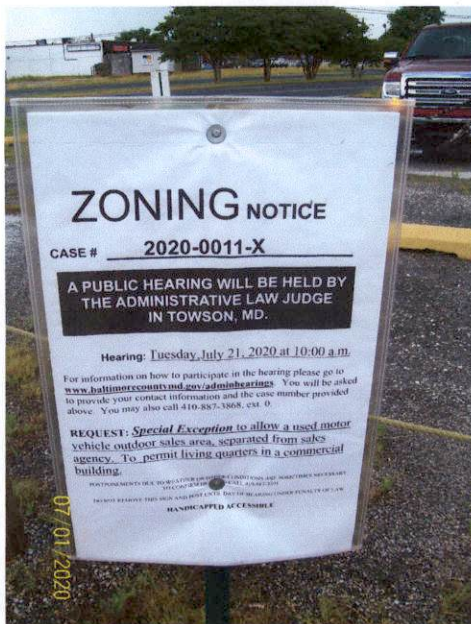
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4050 North Point Boulevard

SIGN 2

July 1, 2020

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



Sincerely,


(Signature of Sign Poster)

July 1, 2020

(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

2020-0011-X

RE: Case No.: _____

Petitioner/Developer: _____

William Zacierka
Amani Canaan

July 21, 2020

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:

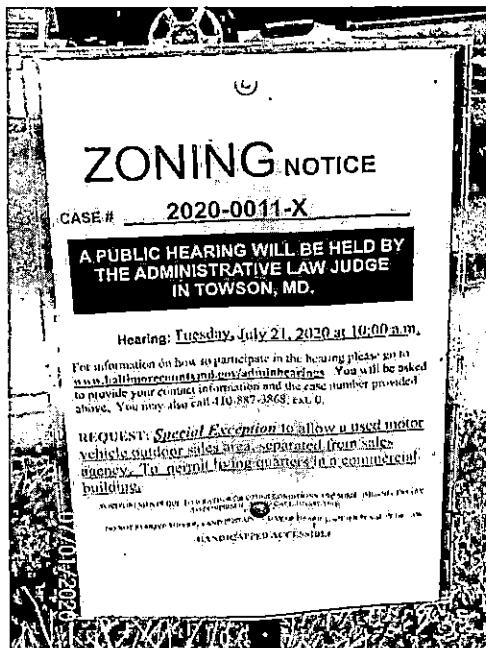
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

4050 North Point Boulevard

SIGN 1

July 1, 2020

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



Sincerely,

July 1, 2020

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

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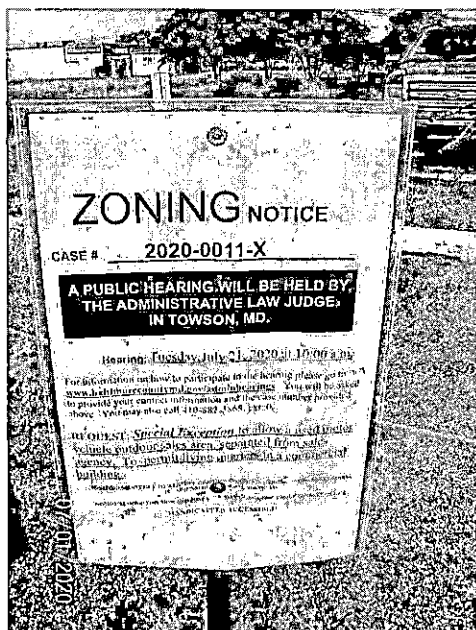
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Sincerely,


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July 1, 2020

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

Debra Wiley

From: Debra Wiley
Sent: Tuesday, March 17, 2020 8:52 AM
To: 'Richardson, Patrick'
Subject: Hearings Postponed Before OAH

Good Morning Mr. Richardson,

Please be advised that a voice mail was left for both of you this morning regarding hearings before our office.

Due to the coronavirus, we will not be conducting public hearings during the month of March. Therefore, Case No. 2020-0011-X scheduled for Friday, March 20, 2020 @ 1:30 PM has been postponed; this information is reflected on the County's website. For your reference, please see the following link:

<https://www.baltimorecountymd.gov/Agencies/adminhearings/index.html>

We would kindly ask if you could notify all interested parties of this postponement, and this will be rescheduled as soon as possible. Please feel free to contact our office if you have any questions and/or concerns and thanks for your patience during this time.

Debra Wiley, Legal Administrative Secretary
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

3-17 @ 7:44 AM Left v.m. Rick Richardson
Ato. 560.1502 x112
D. Wiley



JOHN A. OLSZEWSKI, JR.
County Executive

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

February 14, 2020

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: 2020-0011-X

4050 North Point Boulevard

N/east corner of North Point Rd. and New Battle Grove Rd.

15th Election District – 7th Councilmanic District

Legal Owners: William Zacierka

Contract Purchaser/Lessee: Amani Canaan

Special Exception to allow a used motor vehicle outdoor sales area, separated from sales agency. To permit living quarters in a commercial building.

Hearing: Friday, March 20, 2020 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: William Zacierka, 2904 Cedarcrest Avenue, Baltimore 21219
Amani Canaan, 4050 North Point Blvd., Baltimore 21222
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093 .

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., FEBRUARY 29, 2020.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: THE DAILY RECORD
Friday, February 28, 2020 – Issue

Please forward billing to:

Amani Canaan
272 Ward Avenue, Apt. 5M
Bordentown, NJ 08505-2309

609-770-1282

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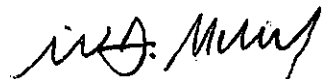
15th Election District – 7th Councilmanic District

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Contract Purchaser/Lessee: Amani Canaan

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Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

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

CERTIFICATE OF POSTING

2020-0011-X

RE: Case No.: _____

Petitioner/Developer: _____

Thomas & Justine Radtke

March 16, 2020

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: _____

4103 Glen Park Road

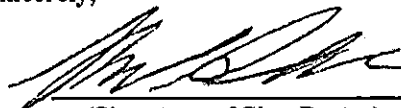
SIGN 1

March 1, 2020

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



Sincerely,

 March 1, 2020
(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)

**CASHIER'S
VALIDATION**

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

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

2/28/2020

Order #: 11855031
Case #: 2020-0011-X
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2020-0011-X



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County**NOTICE OF ZONING HEARING**

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4050 North Point Boulevard

N/east corner of North Point Rd. and New Battle Grove Rd.

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Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-837-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-837-3391.

128

CERTIFICATE OF POSTING

2020-0011-X

RE: Case No.: _____

Petitioner/Developer: _____

Thomas & Justine Radtke

March 16, 2020

Date of Hearing/Closing: _____

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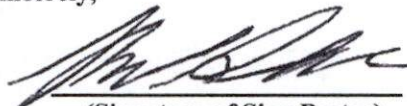
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(Month, Day, Year)



Sincerely,

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(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

2020-0011-X

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Petitioner/Developer: _____

Thomas & Justine Radtke

March 16, 2020

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
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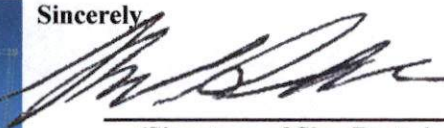
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(Month, Day, Year)



Sincerely,

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(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

2020-0011-X

RE: Case No.: _____

Petitioner/Developer: _____

**William Zacierka
Amani Canaan**

March 20, 2020

Date of Hearing/Closing: _____

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

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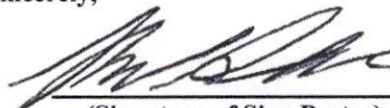
SIGN 1

February 29, 2020

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



Sincerely,

 February 29, 2020
(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

2020-0011-X

RE: Case No.: _____

Petitioner/Developer: _____

**William Zacierka
Amani Canaan**

March 20, 2020

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County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

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(Month, Day, Year)



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SSG Robert Black

(Print Name)

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(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

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(Telephone Number)

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2020-0011-X

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Petitioner/Developer: _____

Thomas & Justine Radtke

March 16, 2020

Date of Hearing/Closing: _____

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Permits, Approvals and Inspections
County Office Building, Room 111
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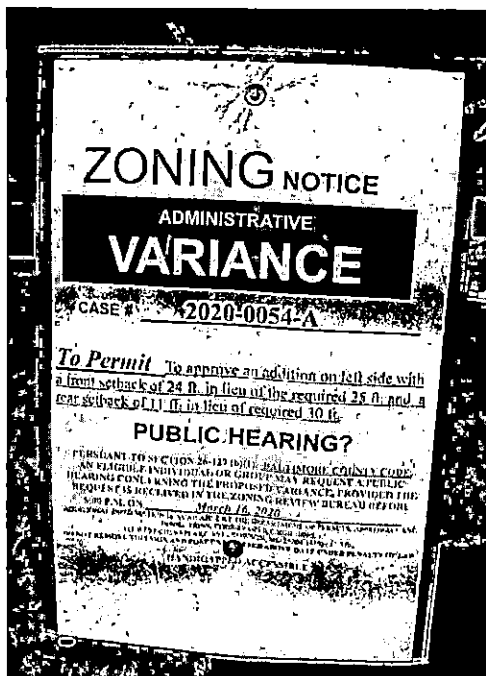
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SIGN 2

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(Month, Day, Year)



Sincerely,

 March 1, 2020

(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 SPECIAL EXCEPTION * BEFORE THE OFFICE
4050 North Point Boulevard; NE corner of
North Point Road & New Battle Grove Road* OF ADMINISTRATIVE
15th Election & 7th Councilmanic Districts
Legal Owner(s): William S. Zacierka * HEARINGS FOR
Contract Purchaser(s): Amani Canaan
Petitioner(s) * BALTIMORE COUNTY
* 2020-011-X

* * * * *

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

JAN 28 2020

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 28th day of January, 2020, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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: 20-0011-X

Property Address: 4050 NORTH POINT BLVD

Property Description: _____

Legal Owners (Petitioners): ~~ADAM KACIENSKI~~ WILLIAM ZACIERKA

Contract Purchaser/Lessee: AMANI CANAAN

PLEASE FORWARD ADVERTISING BILL TO:

Name: AMANI CANAAN

Company/Firm (if applicable): _____

Address: 272 WARD AVE APT 5M
BORDENTOWN, NJ 08505-2309

Telephone Number: 609-770-1282



JOHN A. OLSZEWSKI, JR.
County Executive

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

March 09, 2020

Richardson Engineering LLC,
30 E. Padonia Road Suite 500
Towson MD 21204

RE: Case Number: 2020-0011-X, 4050 North Point Boulevard

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 January 15, 2020. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", is written over the "Very truly yours," text.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
William S. Zacierka 2904 Cedarcrest Avenue Baltimore MD 21219-1203



STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Acting Secretary
Tim Smith, P.E.
Acting Administrator

February 11, 2020

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

Dear Ms. Lewis:

Thank you for the opportunity to review the plan to accompany the zoning petition for the proposed Power Automotive Car Dealership at 4050 North Point Boulevard in Baltimore County. The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the submittal listed below and is pleased to respond.

Power Automotive Car Dealership
Plan to accompany zoning petition
Case No. 2020-0011-X
SHA Tracking No. 20APBA004XX
MD 151 (east side) 120' & 190' east of New Battle Grove Road
Mile Post 3.47 / 3.48
Baltimore County

An access permit will be required for entrance modifications and frontage improvements on MD 151. The following criteria and details will apply and must be reflected on future plan submittals:

The 30' entrance widths of the existing entrances on MD 151 are acceptable. Entrance radii should be 20'.

Proposed curb & gutter for these entrances back to the radius returns within the entrances, and along the MD 151 property frontage must be SHA 8" Type 'A' curb & gutter MD 620.02.

The entrance from the existing white painted line on MD 151 to the radius returns within the entrance, must be shaded on the plans, and the following MDOT SHA full depth paving section utilized and noted on the plans:

2" Superpave Asphalt Mix 12.5mm for Surface – PG 64S-22, Level 2
8" Superpave Asphalt Mix 19.0mm for Base – PG 64S-22, Level 2 (2 – 4" lifts)
6" Graded Aggregate Base or 12" Capping Borrow

For the design engineer's use, a marked-up copy of the plan roughly depicting the above criteria and details is attached to this letter.

Ms. Kristen Lewis
Power Automotive Car Dealership MD 151
Case 2020-0011 - X
SHA Tracking No. 20APBA004XX
February 11, 2020
Page 2

To initiate the plan review cycle toward the issuance of the access permit the design engineer must submit nine (9) sets of plans reflecting the above criteria and details. The plan submittal should include 1 set of hydraulic computations, and a CD containing plans and all supporting documentation to Wendy Wolcott at 320 West Warren Road, Hunt Valley, MD 21030 to the attention of Mr. Richard Zeller. Please utilize the SHA tracking number when making this submission.

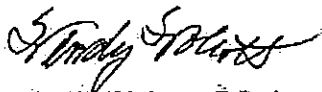
All SHA Policies, Standards and Specifications must be followed when preparing the above plan submittal including but not limited to the following documents:

MDOT SHA Access Manual
MDOT SHA Business Standards and Specifications

The Access Management Plan Review Checklist must be utilized in drafting the SHA Improvement Plans. Please include a copy of the completed checklist when making this submittal. All of these documents along with additional guidance can be found on our web site at www.roads.maryland.gov under Business Center.

If there are any questions, please contact Mr. Richard Zeller at 410-229-2332 or toll free (in Maryland only), 1-866-998-0367 (x2332) or by email at (rzeller@mdot.maryland.gov).

Sincerely,



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

Attachment:

cc: Richardson Engineering, LLC / 30 East Padonia Road, Suite 500, Timonium, MD 21093
Mr. William S. Zacierka / 2904 Cedarcrest Avenue, Baltimore, MD 21219-1203
Mr. Lloyd Moxley / 111 West Chesapeake Avenue, Towson, MD 21204
Mr. Vishnu Desai / 111 West Chesapeake Avenue, Towson, MD 21204
Mr. Brian Fender, MDOT SHA District 4 Utilities
Mr. Donald Distance, MDOT SHA District 4 Traffic
Mr. Wil Clark, MDOT SHA District 4 Maintenance

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 2/7/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-011

INFORMATION:

Property Address: 4050 North Point Boulevard

Petitioner: William S. Zacierka

Zoning: BR AS

Requested Action: Special Exception

The Department of Planning has reviewed the petition for a special exception per §236.2 of the Baltimore County Zoning Regulations (BCZR) to allow a used motor vehicle outdoor sales area, separated from sales agency building, and to permit living quarters in a commercial building.

The site is located on the northern corner of North Point Boulevard and New Battle Grove Road. The property is zoned BR AS and is in a primarily commercial and automotive service-oriented portion of North Point Blvd. The owner of the lot in question, Mr. Zacierka, is the owner of the adjacent Don's Auto Service and the two adjoining lots to the east.

A site visit was conducted on January 30, 2019. The site is largely paved with some small strips of pervious ground cover. The site also has large concrete traffic dividers and other temporary features.

Based on the current conditions of the property and the plans provided, the Department of Planning has the following recommendations:

1. The applicant should provide a more detailed plan that shows the approximate number of vehicles that will be in the vehicle display area. The plan should also show the parking for the display vehicles.
2. The plan should include landscaping along the periphery of the property along North Point Blvd and New Battle Grove Road to provide a distinguishable buffer in lieu of the existing temporary features and barriers.

The Department of Planning recommends consulting with State Highway Administration about putting sidewalks along this portion of North Point Blvd. There are also flooding and drainage issues in this area. The Department will defer to Environmental Protection and Sustainability and Public Works in regards to drainage concerns.

February 11, 2020

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

Dear Ms. Lewis:

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Power Automotive Car Dealership
Plan to accompany zoning petition
Case No. 2020-0011-X
SHA Tracking No. 20APBA004XX
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Mile Post 3.47 / 3.48
Baltimore County

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Power Automotive Car Dealership MD 151
Case 2020-0011 - X
SHA Tracking No. 20APBA004XX
February 11, 2020
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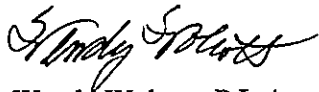
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MDOT SHA Business Standards and Specifications

The Access Management Plan Review Checklist must be utilized in drafting the SHA Improvement Plans. Please include a copy of the completed checklist when making this submittal. All of these documents along with additional guidance can be found on our web site at www.roads.maryland.gov under Business Center.

If there are any questions, please contact Mr. Richard Zeller at 410-229-2332 or toll free (in Maryland only), 1-866-998-0367 (x2332) or by email at (rzeller@mdot.maryland.gov).

Sincerely,



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

Attachment:

cc: Richardson Engineering, LLC / 30 East Padonia Road, Suite 500, Timonium, MD 21093
Mr. William S. Zacierka / 2904 Cedarcrest Avenue, Baltimore, MD 21219-1203
Mr. Lloyd Moxley / 111 West Chesapeake Avenue, Towson, MD 21204
Mr. Vishnu Desai / 111 West Chesapeake Avenue, Towson, MD 21204
Mr. Brian Fender, MDOT SHA District 4 Utilities
Mr. Donald Distance, MDOT SHA District 4 Traffic
Mr. Wil Clark, MDOT SHA District 4 Maintenance

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Millanoff, Director
Department of Permits, Approvals

FROM: Vishnu Desai, Supervisor 
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 27, 2020
Item No. 2020 -00011-X

DATE: 02/11/2020

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

If Special Exception is granted, a Landscape Plan is required per the requirements of the Landscape Manual. A Lighting Plan is also required

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 2/7/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-011



INFORMATION:

Property Address: 4050 North Point Boulevard
Petitioner: William S. Zacierka
Zoning: BR AS
Requested Action: Special Exception

The Department of Planning has reviewed the petition for a special exception per §236.2 of the Baltimore County Zoning Regulations (BCZR) to allow a used motor vehicle outdoor sales area, separated from sales agency building, and to permit living quarters in a commercial building.

The site is located on the northern corner of North Point Boulevard and New Battle Grove Road. The property is zoned BR AS and is in a primarily commercial and automotive service-oriented portion of North Point Blvd. The owner of the lot in question, Mr. Zacierka, is the owner of the adjacent Don's Auto Service and the two adjoining lots to the east.

A site visit was conducted on January 30, 2019. The site is largely paved with some small strips of pervious ground cover. The site also has large concrete traffic dividers and other temporary features.

Based on the current conditions of the property and the plans provided, the Department of Planning has the following recommendations:

1. The applicant should provide a more detailed plan that shows the approximate number of vehicles that will be in the vehicle display area. The plan should also show the parking for the display vehicles.
2. The plan should include landscaping along the periphery of the property along North Point Blvd and New Battle Grove Road to provide a distinguishable buffer in lieu of the existing temporary features and barriers.

The Department of Planning recommends consulting with State Highway Administration about putting sidewalks along this portion of North Point Blvd. There are also flooding and drainage issues in this area. The Department will defer to Environmental Protection and Sustainability and Public Works in regards to drainage concerns.

Date: 2/7/2020
Subject: ZAC # 20-011
Page 2

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

Division Chief:


Jenifer G. Nugent

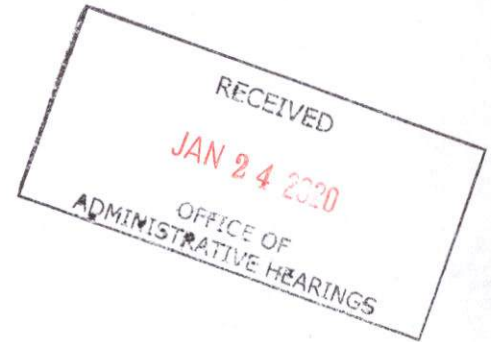
CPG/JGN/kma/

c: Joseph Fraker

James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Patrick C. Richardson Jr., Richardson Engineering
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: January 24, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0011-X
Address 4050 North Point Blvd.
(Zacierka Property)

Zoning Advisory Committee Meeting of **January 27, 2020.**

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

Reviewer: Steve Ford

ZAC AGENDA

Case Number: 2020-0011-X **Reviewer:** Gary Hucik
Existng Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: SPECIAL EXCEPTION
Legal Owner: William S. Zacierka
Contract Purchaser: Amani Canaan

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 15 **Council Dist:** 7

Property Address: 4050 NORTH POINT BLVD
Location: North East corner of North Point Road and New Battle Grove Road.

Existing Zoning: BR A5 **Area:** .44 AC

Proposed Zoning:

SPECIAL EXCEPTION:

Per Section 236.2 To allow a used motor vehicle outdoor sales area, separated from sales agency building. Per section 236.2 To permit living quarters in a commercial building.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2020-0012-A **Reviewer:** Jun Fernando
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Johua &Terri Rosen
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 3 **Council Dist:** 2

Property Address: 7515 LABYRINTH RD
Location: Southeast corner of Smith Ave and Labyrinth Road.

Existing Zoning: DR 3.5 **Area:** 11,748 SQ FT

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

1B02.3.B BCZR To permit an addition in the side street and rear of the existing dwelling with a side street setback of 12' in lieu of the required 30'.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 02/10/2020

Miscellaneous Notes:



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 4050 North Point Boulevard which is presently zoned BR-AS
Deed References: 7313/402 10 Digit Tax Account # 1513550860
Property Owner(s) Printed Name(s) William S. Zacierka

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

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

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

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

See Attached

3. a Variance from Section(s)

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

TO BE PRESENTED AT THE 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:

Amani Canaan
Name- Type or Print
Amani Canaan
Signature

4050 North Point Boulevard Baltimore MD
Mailing Address City State

21222 / 609-770-1282 / amanicanaan@gmail.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State
 / /
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

William S. Zacierka /
Name #1 - Type or Print Name #2 - Type or Print
 /
Signature #1 Signature #2

2904 Cedarcrest Avenue Baltimore MD
Mailing Address City State

21219-1203 / 410-371-7487 / zacierka@verizon.net
Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC
Name - Type or Print

Signature
30 E. Padonia Road, Suite 500 Timonium MD
Mailing Address City State
21093 / 410-560-1502 / Rick@RichardsonEngineering.net
Zip Code Telephone # Email Address

CASE NUMBER 20-0011-X Filing Date 1/15/20

Do Not Schedule Dates: Reviewer gh

CASE NO. 2019-

0011-X

CHECKLIST

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

~~0000~~ 2/11

DEVELOPMENT PLANS REVIEW

(if not received, date e-mail sent _____)

1/24

DEPS

(if not received, date e-mail sent _____)

FIRE DEPARTMENT

PLANNING

(if not received, date e-mail sent _____)

2-10

2-11

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

SIGN POSTING (1st)

Date:

SIGN POSTING (2nd)

Date:

by

by

PEOPLE'S COUNSEL APPEARANCE

Yes

☐

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

7-21 @ 10 AM

(3-20-20 1:30 pm)

2020

6/18 @

1:30 pm

Cancelled

Comment

NC

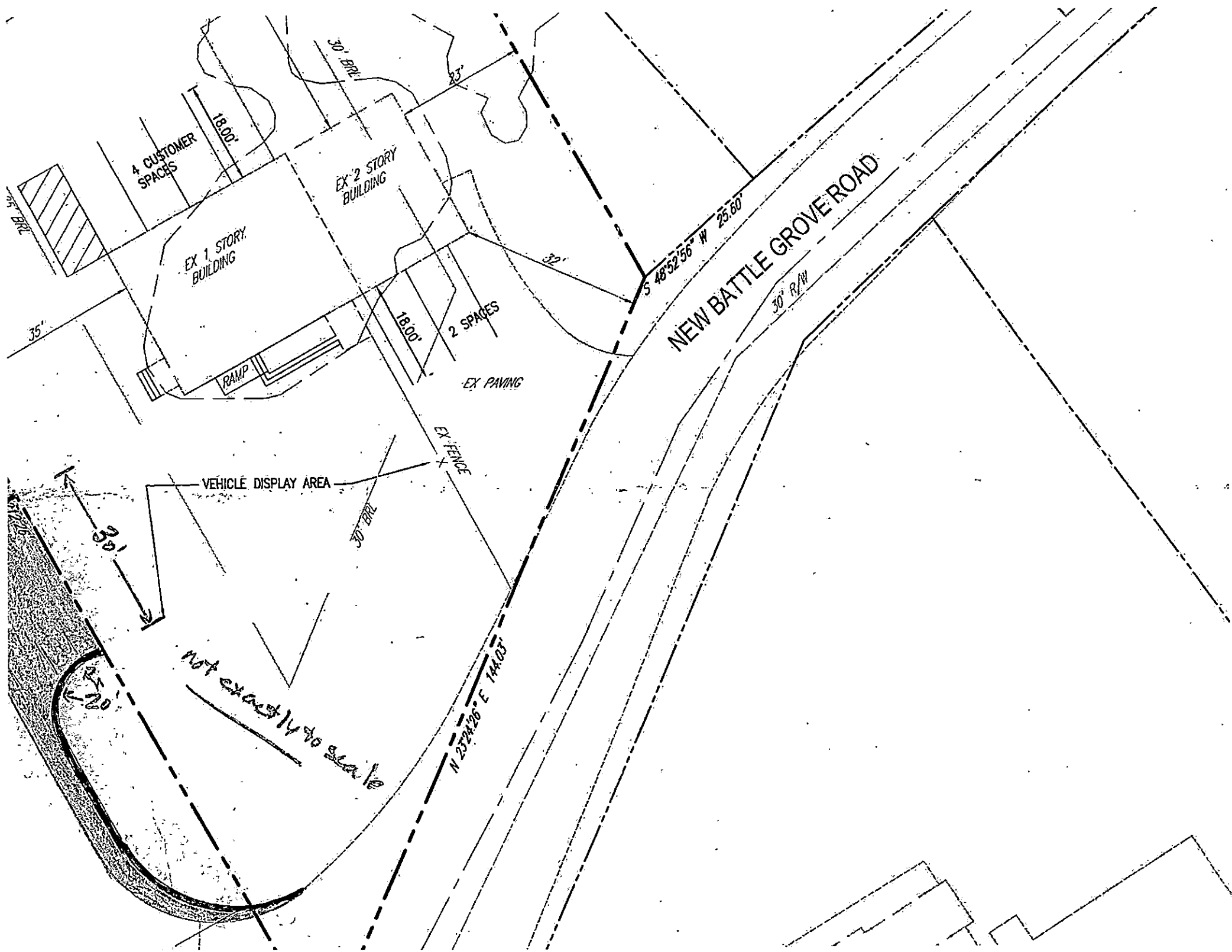
Recommendations

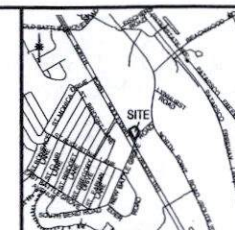
① Steps - Sidewalks
② DEPS - drainage

See comments

Sgt. Black

Sgt. Black





SCALE 1" = 1000'

Richardson Engineering, LLC

PLAN TO ACCOMPANY ZONING PETITION
FOR
POWER AUTOMOTIVE
CAR DEALERSHIP
4050 NORTH POINT BOULEVARD
BALTIMORE COUNTY MARYLAND
14TH JUNCTION DISTRICT 7TH COUNCILMANIC DISTRICT



DRAWN BY: LMR	CHECKED BY: PCN	SCALE: 1" = 80'
DATE: 01-06-80	JOB NO.: 20002	SHEET NO.: 1 OF 1

Exhibit 1

An aerial photograph of an industrial area. A large, dark, rectangular area in the upper center is labeled 'SITE' in large, white, serif capital letters. The area is surrounded by various industrial buildings, parking lots, and roads. A major road runs diagonally from the bottom left towards the top right. Another road runs horizontally across the middle of the image. The 'SITE' is located between these two roads. The surrounding area contains numerous smaller buildings, some with flat roofs and others with gabled roofs. There are also several parking lots with cars parked in them. The overall scene is a typical industrial or commercial district.

SITE

PETITIONER'S

EXHIBIT NO.

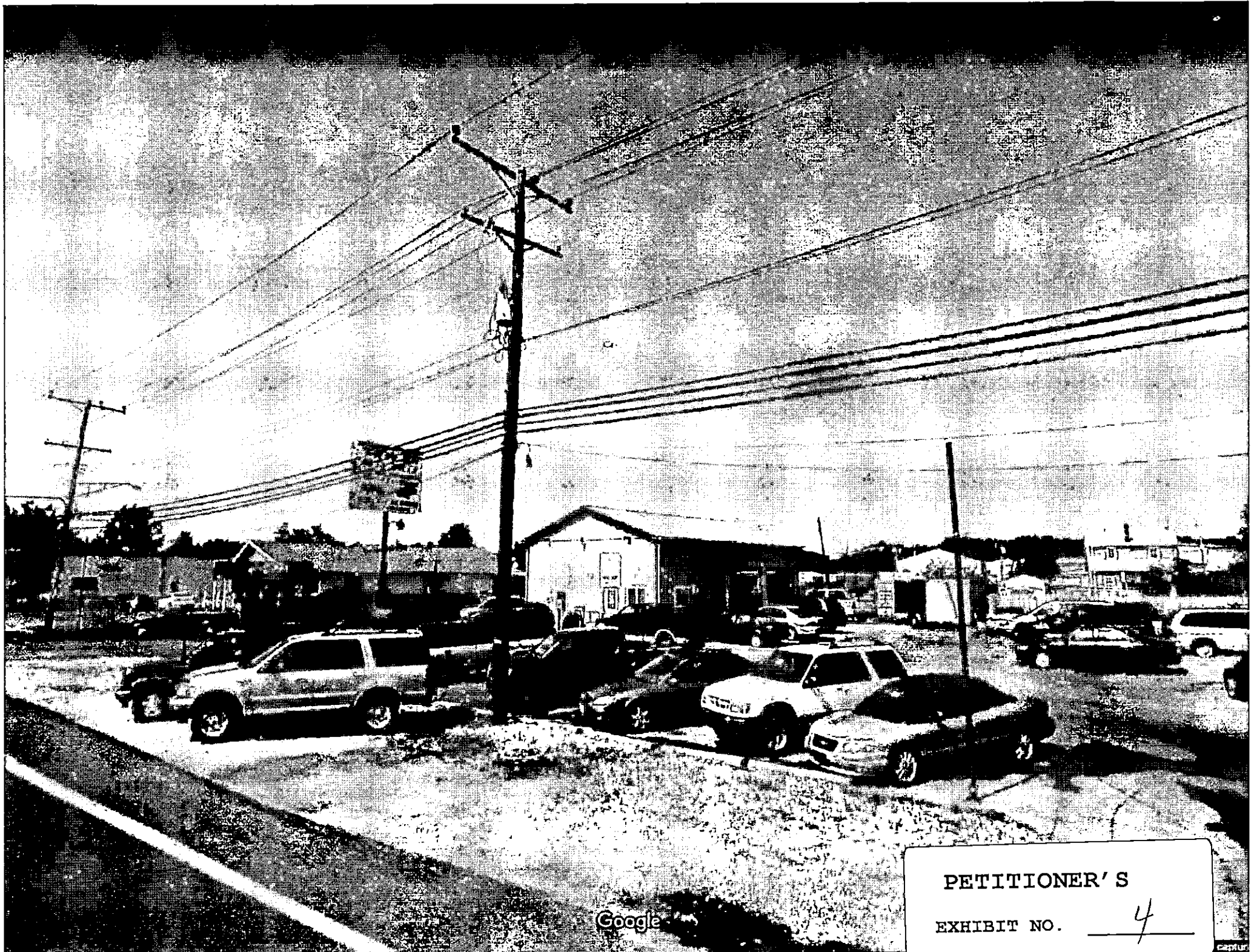
2



PETITIONER'S

EXHIBIT NO. 3

Exhibit 3



Digitized by Google

PETITIONER'S

EXHIBIT NO.

4

Exhibit 5

LAW FIRM

Romadka, Gontrum & Hennegan

IRVINGTON FEDERAL BUILDING

809 EASTERN BOULEVARD

ESSEX, MARYLAND 21221

TELEPHONE (301) 686-8274

ROBERT J. ROMADKA
JOHN B. GONTRUM
JOHN O. HENNEGAN

DONALD H. SHEFFY
JEAN K. TULLIUS
TIMOTHY M. KOTROCO

October 20, 1988

Mr. and Mrs. William Zacierka
2904 Cedarcrest Avenue
Baltimore, Maryland 21219

Dear Mr. & Mrs. Zacierka:

We are pleased to inform you that the County Council last Thursday, October 13th, approved the requested rezoning for your used car lot on North Point Road. The front of the property which was zoned ML-CS-1 has been rezoned to BR-CS-1, To BR-AS. Consequently, your used car lot has become a conforming legal use. BR is the most intense commercial use which exists, and numerous other uses can now be placed on the property.

We hope that you are pleased with the result of this long zoning process and are pleased with our service to you as well. If we may be of any future service to you, either in your business affairs, and the development of the property, or in your personal matters, please do not hesitate to contact us.

It has been a pleasure serving you in this matter.

Very truly yours,



John B. Gontrum

JBG/keb

PETITIONER'S

EXHIBIT NO. 5

228 000479
1979-0217-A
1981-0083-X

1526000740

1986-0366-SPH

ML IM

4065

1985-0251-XA

2300007278

BR

1900013632

2400003453

1526000390

8004

1513552711

7 CD

1513550860

4050

4048

SE 3-H

1513552710

1511000160

BR IM

1977-0239-A

15 ED

1511000161

BLAS

NORTH POINT BLVD

SE 3-G

BR AS

104B2

1523500862

1976-0181-A
R-1957-4302-X

PAI # 151014

PAI # 151014

2019-010 PAI # 151014

1516350210

PAI # 151014

Pt. Bk./Folio # MP18013

1983-0007-X

NORTH POINT BLVD

PAI # 150634

PAI # 150634

PAI # 150634

1508652162

1982-0216-SPH

1502650362

1502002753

BLAS

1502002752

7910

PAI # 150017

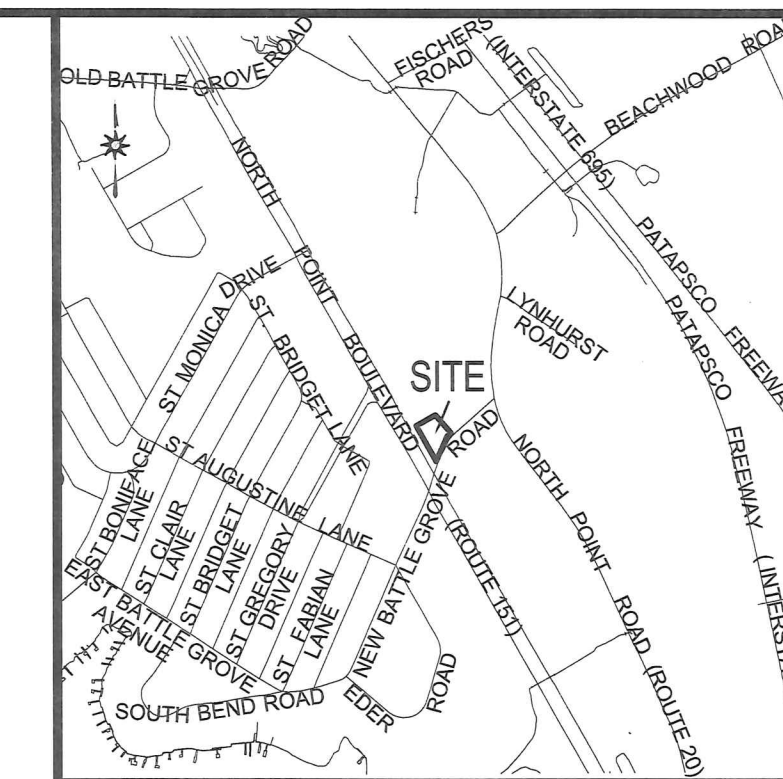
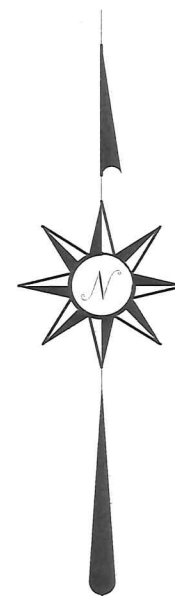
Pt. Bk./Folio # 007124 PAI # 150047

Pt. Bk./Folio # 018066 PAI # 150017

1800009838

4106

20-0011-X



LOCATION MAP
SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER/DEVELOPER:
WILLIAM S. ZACIERKA
2904 CEDARCREST AVE
BALTIMORE, MD 21219-1203
PHONE: 410-371-7487
- SITE AREA
GROSS: 27,850 SF OR 0.64 AC.±
NET: 19,322 SF OR 0.44 AC.±
- UTILITIES:
PUBLIC WATER & SEWER
- BUILDING COVERAGE
EXISTING: 1,598 SF
PROPOSED: 1,598 SF
- DEED REFERENCE: 7313/402
- TAX ACCOUNT: 1513550860
- COUNCILMANIC DISTRICT: 7
- ZONING: BR-AS
(PER 1"-200' ZONING MAP 10482)
- TAX MAP: 104 GRID: 9 PARCEL: 368
- NO KNOWN ZONING VIOLATIONS EXISTING ON THE PROPERTY
- PARKING CALCULATIONS
REQUIRED:
CAR SALES OFFICE AREA: 5 SPACES/1000 SF
5 X 998 SF/1,000 = 4.9
2 SPACES APARTMENT
5 + 2 = 7 SPACES
PROVIDED: 16 SPACES+ 2 APARTMENT=18 SPACES
- THE SITE IS NOT HISTORIC.
- THE SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- NO KNOWN FLOODPLAINS EXIST ON SITE PER FLOOD INSURANCE RATE MAP (FIRM) PANEL #2400100440G DATED MAY 5, 2014.
- CENSUS TRACT: 4524
- WATERSHED: BALTIMORE HARBOR
- THERE ARE NO KNOWN HAZARDOUS MATERIALS ONSITE
- ANY PROPOSED SIGNS ARE TO CONFORM TO THE BCZR; SECTION 450.
- SETBACKS FOR BR-AS:

	REQUIRED	PROVIDED
FRONT	25'	35'±
SIDE	30'	32'±
REAR	30'	23'±
- BASIC SERVICES MAP: (2016)

TYPE	DEFICIENT (Y/N)
WATER	N
SEWER	N
TRANSPORTATION	N
- NO PREVIOUS ZONING CASES ON FILE.
- FLOOR AREA RATIO:
PERMITTED: 2.0
PROPOSED: 1,976 SF/19,322 SF = 0.10

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208
RICK@RICHARDSONENGINEERING.NET

PLAN TO ACCOMPANY ZONING PETITION FOR POWER AUTOMOTIVE CAR DEALERSHIP

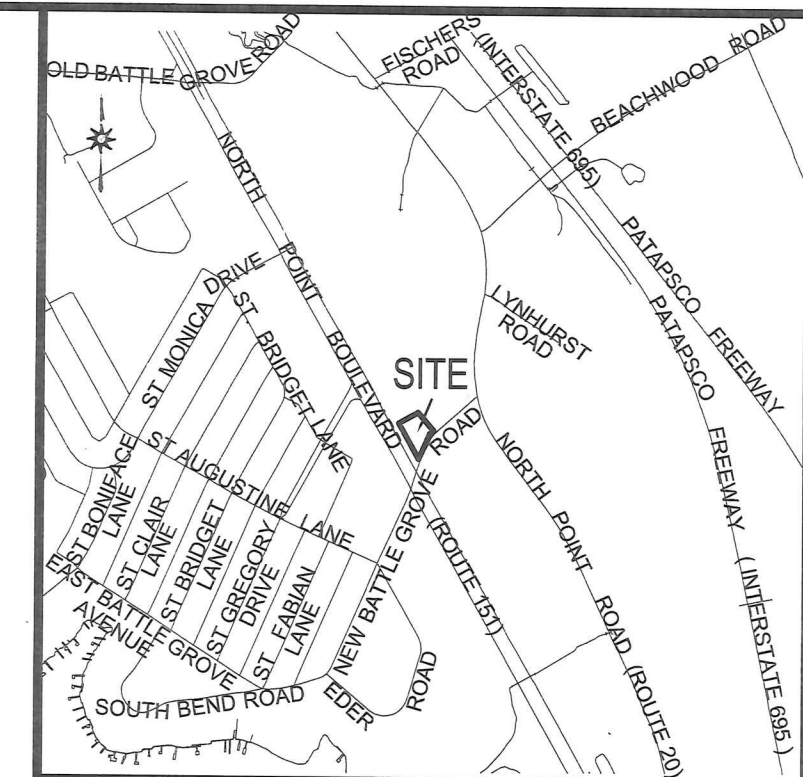
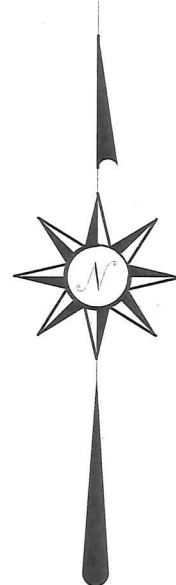
4050 NORTH POINT BOULEVARD
BALTIMORE COUNTY MARYLAND
15TH ELECTION DISTRICT 7TH COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY: LNR	CHECKED BY: PCR	SCALE: 1" = 20'
DATE: 01-06-20	JOB NO.: 20002	SHEET NO.: 1 OF 1	

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
NUMBER 16597, EXPIRATION DATE: 06-15-2021



1/14/20



LOCATION MAP

SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER/DEVELOPER:
WILLIAM S ZACIERKA
2904 CEDARCREST AVE
BALTIMORE, MD 21219-1203
PHONE: 410-371-7487
- SITE AREA
GROSS: 27,850 SF OR 0.64 AC.±
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2 SPACES APARTMENT
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- CENSUS TRACT: 4524
- WATERSHED: BALTIMORE HARBOR
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- SETBACKS FOR BR-AS:

	REQUIRED	PROVIDED
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SIDE	30'	32'±
REAR	30'	23'±
- BASIC SERVICES MAP: (2016)
TYPE DEFICIENT (Y/N)
WATER N
SEWER N
TRANSPORTATION N
- NO PREVIOUS ZONING CASES ON FILE.
- FLOOR AREA RATIO:
PERMITTED: 2.0
PROPOSED: 1,976 SF/19,322 SF = 0.10

PETITIONER'S

EXHIBIT NO. 1

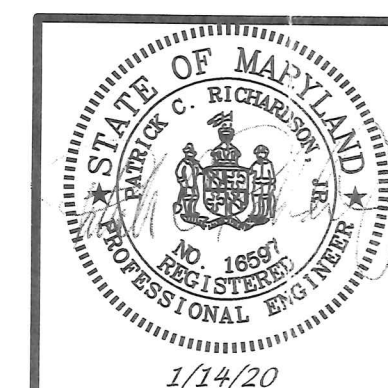
Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208
RICK@RICHARDSONENGINEERING.NET

PLAN TO ACCOMPANY ZONING PETITION
FOR
POWER AUTOMOTIVE
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4050 NORTH POINT BOULEVARD
BALTIMORE COUNTY MARYLAND
15TH ELECTION DISTRICT 7TH COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	LNR	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	01-06-20	20002	1 OF 1

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
NUMBER 16597, EXPIRATION DATE: 08-15-2021



20-0011-X

20-0011-X